207 Waiver
Title
Legal Description
Policy or Appeals
Correspondence Between Legal & Staff
Letter of Authorization

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20160905126,12/08/2016 11:36,
Electronic Recording
31109-1-1-1--,N

WHEN RECORDED RETURN TO:

CITY OF SCOTTSDALE ONE STOP SHOP/RECORDS

7447 East Indian School Road, Suite 100 Scottsdale, AZ 85251

WAIVER OF RIGHT TO MAKE A CLAIM UNDER PROPOSITION 207

(A.R.S. § 12-1131 et. seq.)
City of Scottsdale Case No. 9-UP-2015#2

The undersigned is the fee title Owner of property, (Parcel No.) 215-56-224 located at 14980 N 78th Wy Scottsdale, Maricopa County, Arizona, that is the subject of a request by Owner for a Conditional Use permit.

By signing this document, the undersigned Owner agrees and consents to all of the conditions and/or stipulations imposed by the Scottsdale Planning Commission, City Staff, or the City Council in conjunction with Owner's request for application of the city's land use laws to the Owner's property.

Owner waives any right to compensation for diminution in value that may be asserted now

or in the future under Proposition 207, the Private Property Rights Protection Act (A.R.S. § 12-1131, et.seq.), based upon Owner's request in case no. 9-UP-2015#2.

Dated this day of XCULLON , 2016.

Owner: (Signature of Owner)

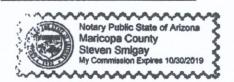
STATE OF ARIZONA)

Subscribed and sworn to before me this day of December , 2016 by Kasine Dubner

Notary Public

My Commission Expires:

Short Waiver Form





Affidavit of Authority to Act as the Property Owner

| 1. | This affidavit concerns the fo | llowing parcel | of land: | | |
|-------------------------------|---|--|---|--|--|
| | a. Street Address: 14980 N | 78th Way, Scottsda | ale AZ 85260 | | |
| | b. County Tax Assessor's | | er: 215-56-224 | 27,3 | |
| | c. General Location: Airpad. Parcel Size: 28,547 sq-ft | ırk | | | |
| | | tsdale Industrial Airp | park No 6 Lot 1-23 | Tr A Subdivision and MCR 22119 | 9 |
| | (If the land is a platted lot, t number and date. Other description.) | hen write the I | ot number, s | ubdivision name, and th | e plat's recording |
| | I am the owner of the land outhority from the owner to sig am the agent for all of the own | n this affidavit | on the owner | r's behalf. If the land has | more than one owner, |
| plats, l descrip nteres | I have authority from the own fews, zoning map amendme of splits, lot ties, use permits, otion involving the land, or involving t, and all applications, dedict tments, waivers and other ma | nts, general p building permi plying adjacent ations, payme | lan amendm its and other or nearby la nts, assuran | ents, development varial land use regulatory or rends in which the owner hose, decisions, agreement | ances, abandonments, elated matters of every has (or may acquire) an |
| _ | The City of Scottsdale is authorized the day the owner deliverent a written statement revolution. | ers to the Dire | ector of the | | |
| 5. Depart | I will immediately deliver to ment written notice of any cha | | | | |
| 6. describ | If more than one person sined in this affidavit, and each | | | | |
| nvalida develo | Under penalty of perjury, I wate. I understand that any eate approvals or other action of the land, and may not signed this form may be pases. | rror or incomp ons taken by expose me and | olete informa the City of d the owner | ation in this affidavit or Scottsdale, may other to other liability. I under | any applications may wise delay or prevent stand that people who |
| Name | e (printed) | Date | | Signature | |
| C. Mic | hael Colburn | July 1 | , 20 16 | ('.1h// | |
| | | | , 20 | | |
| | | _ | , 20 | | |
| | _ | | | | |
| | | | , 20 | | |
| 7 | Plann 447 E Indian School Road, Suite | | | ent Services Phone: 480-312-7000 • F | ax: 480-312-7088 |

APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS

POLICY OF THE CITY OF SCOTTSDALE ON APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS

RIGHTS OF PROPERTY OWNER

In addition to other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property:

- Any dedication or exaction which is required of you by an administrative agency or official of the city as a
 condition of granting approval of your request to use, improve or develop your real property. This appeal
 right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning
 ordinance) where an administrative agency or official has no discretion to determine the dedication or
 exaction.
- The adoption or amendment of a zoning regulation that creates a taking of property in violation of Arizona and federal court decisions.

APPEAL PROCEDURE

The appeal must be in writing and specify the City action appealed and the date final action was taken, and it must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken. Address the appeal as follows:

Hearing Officer, C/O City Clerk 3939 Drinkwater Blvd Scottsdale, AZ 85251

- . No fee will be charged for filing
- The City Attorney's Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply.
- Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- The city will submit a takings impact report to the hearing officer
- In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication or exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
- . The hearing officer must render his decision within five working days after the appeal is heard.
- The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial de novo with the Superior Court within 30 days of the hearing officer's decision.

If you have questions about this appeal process, you may contact:

City Attorney's Office 3939 Drinkwater Bivd. Scottsdale, AZ 85251 (480) 312-2405

Please be aware that City staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.





Appeals of Dedication, Exactions, or Zoning Regulations

Rights of Property Owner

In addition to the other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property:

1) Any dedication of exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your real property. This appeal right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning ordinance) when an administrative agency or official has no discretion to determine the dedication or exaction.

2) The adoption or amendment of a zoning regulation that creates a taking of property in violations of Arizona and federal court decision.

Appeal Procedure

The appeal must be in writing and specify the City action appealed and the date final action was taken, and must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken

No fee will be charged for filing

The city Attorney's Office will review the appeal for compliance with the above requirements, and will
notify you if your appeal does not comply

Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days
of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time
and place of the hearing unless you indicate that less notice is acceptable to you.

The City will submit a takings impact report to the hearing officer.

In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication
or exaction to be imposed on your property bears an essential nexus between the requirement and a
legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to
the impact of the use, improvement or development you proposed.

In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of
proving that any dedication of exaction requirement in the zoning regulation is roughly proportional to
the impact of the proposed use, improvement, or development, and that the zoning regulation does not
create a taking of property in violation of Arizona and federal court cases.

The hearing officer must render his decision within five working days after the appeal is heard.

 The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.

 If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial nevo with the Superior Court within 30 days of the hearing officer's decision.

For questions, you may contact: City's Attorney's Office 3939 Drinkwater Blvd. Scottsdale, AZ 85251 480-312-2405 Address your appeal to: Hearing Officer, C/O City Clerk 3939 Drinkwater Blvd Scottsdale, AZ 85251

Please be aware that City Staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 + Phone: 480-312-7000 + Fax: 480-312-7088

Owner Certification Acknowledging Receipt Of Notice Of Right To Appeal Exactions And Dedications

I hereby certify that I am the owner of property located at:

14980 N 78th Way Scottsdale A7 85260

(address where development approval, building permits, or city required improvements and dedications are being required)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Scottsdale as part of my property development on the parcel listed in the above address.

Signature of Foperty Owner Date

9-UP-2015#2 10/03/16