

**Application  
Narrative  
Cash Transmittal  
Pre-Application  
Pre-App Narrative  
Pre-App Cash Transmittal  
Development Standards**

# 2529 N. HAYDEN TOWNHOMES



2529 NORTH HAYDEN RD. SCOTTSDALE, AZ 85257

## **DEVELOPMENT REVIEW NARRATIVE**

Submitted: August 11, 2017

2<sup>nd</sup> Submittal: October 31, 2017

3<sup>rd</sup> Submittal: January 3, 2018

**33-DR-2017**

1/03/18

## INTRODUCTION

Del Pueblo Communities is a proud South-Scottsdale based development company providing exceptionally sensitive, well-designed communities for more than two decades. True to the company's core values, Del Pueblo Communities is seeking Development Review approval to create yet another distinctive, quality, for-sale residential townhome community at the southeast corner of Hayden Road and Virginia Avenue, in south Scottsdale. This proposed 31-unit townhome community is planned for 1.8 acres of R-5 zoned land with a total gross density of 12.8 dwellings per acre.

Currently the site for Harper's Nursery and landscape materials storage, this site offers a fitting redevelopment opportunity in a prime location. This proposed townhome development is designed for a broad demographic, appealing to empty nesters, young families, and millennials who seek a contemporary and secure turn-key community. Located near shopping, employment, and entertainment, this urban enclave has a pedestrian friendly design with front entries along landscaped paseos and exclusive two-car garages accessed from private auto-courts. The five buildings consist of three-story townhomes designed with a variety of private outdoor living spaces on each level of the homes, with views of the open space and amenities.

A central pool and recreation area provides a gathering place for residents and guests and is a focal point from the main entrance on Virginia Avenue. A secondary egress location and emergency access point is located at the southern portion of the site, providing direct access to Hayden Road. The design is sensitive to the existing single-family homes located east of the abutting public alley. The proposed buildings are a minimum of 65' from the single-family property line and three of the five buildings provide an even greater setback. A landscape buffer of mature trees and new landscaping will create a lush vegetative screen between the proposed townhomes and the existing homes.

## SITE & CONTEXT

The site consists of two parcels of land located at the southeast corner of the T-intersection of Hayden Road and Virginia Avenue. Virginia Avenue is a local collector road located one quarter-mile south of Thomas Road, and extends east from Hayden Road. The site has operated as a landscape nursery and outdoor storage for the past 50+ years, and began operations prior to most of the surrounding development. The area is well established with a mix of commercial, employment, and residential uses in close proximity. The site is bound by office uses on the north and south, 2 and 3-story multi-family apartment style homes on the west, with an alley and single-family homes to the east. Specifically, the adjacent uses and zoning are as follows:

- North: Dentist Office (S-R) and Hayden Villa Condominiums (R-5)
- East: 16' Alley ROW and Single-family Homes (Village Grove 13) (R1-7)
- South: Offices (S-R)
- West: Multi-family - Wilshire Place Condos, and Macallister Scottsdale (R-5)

The project is located within the Southern Scottsdale Character Area, which supports the City's desire to achieve a sustainable balance of appropriate land uses along transportation corridors, such as Hayden Rd. The General Plan land use designation for this site is Mixed-Use Neighborhoods, which support the proposed density, character, and form planned for this site. The Southern Scottsdale Character Area

Plan presents a vision for South Scottsdale to grow as a diverse, sustainable community built upon vibrant neighborhoods, thriving economic corridors and innovation businesses. The proposed townhome project will add to this sustainable future that celebrates neighborhoods and promotes reinvestment and redevelopment as guided by the following values:

- Reinvest in underutilized properties near Southern Scottsdale's corridors
- Provide diversity in the surrounding housing choices
- Create a sustainable neighborhood promoting social interaction and support the local economy
- Promote alternative transportation choices/options
- Enhance opportunities for open space and public gathering places
- Promote shaded, pedestrian and bicycle-friendly streets
- Proximity to planned Activity Area and Opportunity corridor

Through these values, Hayden Townhomes will assist in transforming the Southern Scottsdale vision into the built environment of the community. Additionally, this proposal will complement the surrounding area as a new and attractive housing option for the neighborhood. It will also utilize existing infrastructure investment and promote the community goal for quality infill development and reinvestment.

## **DEVELOPMENT REVIEW BOARD CRITERIA**

**1. The Board shall examine the design and theme of the application for consistency with the design and character components of the applicable guidelines, development standards, Design Standards and Policies Manual, master plans, character plan and General Plan.**

*Response:* The proposed 31-unit single-family attached townhome development is in substantial conformance with the current General Plan Land Use of Mixed-Use Neighborhoods. The Land Use Element describes this category as areas that can accommodate higher density housing with strong access to multiple modes of transportation with a focus on human scale development. Consistent with the Goals and Approaches of the Land Use Element, this use will support the following Citywide Land Use Policies and Local Land Use Relationships:

3. Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.
4. Maintain a balance of land uses that support high quality of life, a diverse mixture of housing...
5. Develop land use patterns that are compatible with and support a variety of mobility opportunities/choices...
6. Promote land use patterns that conserve resources, such as land, clean air, water, and energy...
7. Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself.
9. Provide a broad variety of land uses that create a high level of synergy within mixed-use neighborhoods.

**2. The architectural character, landscaping and site design of the proposed development shall:**

**a. Promote a desirable relationship of structures to one another, to open spaces and topography, both on the site and in the surrounding neighborhood**

*Response:* The site design reflects traditional neighborhood design principles with human scale pedestrian orientation, front porch garden entries, and rear-accessed garages. The building layout and architecture will enhance the surrounding environment with an inviting and articulated pedestrian streetscape along the abutting street frontages and an architectural style that complements the adjacent buildings on Hayden Road. Lush, low-desert themed landscape will be integrated with a meandering decorative view fence and pedestrian entries to create a seamless and intriguing streetscape experience. Exceptional setbacks and landscape buffers provide an effective transition to properties east of the existing alley.

**b. Avoid excessive variety and monotonous repetition;**

*Response:* The site plan utilizes a variety of building elevations with a consistent design theme. There are three different building configurations in this plan, with a total of five buildings. Each Townhome building consists of three separate floor plans and elevations. This variety in architectural configuration will project a varied, but unified aesthetic of colors and feature elements for this location.

**c. Recognize the unique climatic and other environmental factors of this region to respond to the Sonoran Desert environment, as specified in the Sensitive Design Principles**

*Response:* The architectural design responds to the desert climate through north/south solar orientation, and the implementation of deep window awnings and projections, recessed windows, and shaded balconies and porches. Elements such as durable siding and materials will be designed to hold up to the harsh sun and provide relief in hot summers. The open spaces, amenities, and balconies take advantage of Arizona's climate to promote year-round outdoor living.

**3. Ingress, egress, internal traffic circulation, off-street parking facilities, loading and service areas and pedestrian ways shall be so designed as to promote safety and convenience.**

*Response:* The entrance to the development is from Virginia Avenue, a collector street and ideal location for safe, controlled access to the site. Virginia Avenue is a fully improved T-intersection with Hayden Road. A secondary exit-only and emergency access is located at the southwest most corner of the site, providing direct (right-out only) access to Hayden Rd. The internal drive aisle is a private access way to three auto-courts extending west to access the "alley-loaded" garages. The south most auto-court also serves as an exit-only location and secondary emergency access to Hayden Rd.

The site is designed to promote safe pedestrian mobility over the personal automobile. All internal sidewalks provide direct access from each unit to the interior amenities and to the Hayden and Virginia street frontage sidewalks and transit stops.

**4. If provided, mechanical equipment, appurtenances and utilities, and their associated screening shall be integral to the building design.**

*Response:* All mechanical equipment, appurtenances, and utilities will be screened by both the building parapet and associated site walls that are integral with the building and architectural design.

# Development App 'cat'on



**Development Application Type:**  
Please check the appropriate box of the Type(s) of Application(s) you are requesting

Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input checked="" type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other:
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input type="checkbox"/>

**Project Name:** 2529 North Hayden Townhomes

**Property's Address:** 2529 North Hayden Road, Scottsdale, AZ 85257

**Property's Current Zoning District Designation:**

The property owner shall designate an agent/applicant for the Development Application. This person shall be the owner's contact for the City regarding this Development Application. The agent/applicant shall be responsible for communicating all City information to the owner and the owner application team.


<b>Owner:</b> HAYDEN VIRGINIA, LLC	<b>Agent/Applicant:</b> Kelly Lannan
<b>Company:</b> HAYDEN VIRGINIA, LLC	<b>Company:</b> HAYDEN VIRGINIA, LLC
<b>Address:</b> 7520 E. Angus Dr., Scottsdale, AZ, 85251	<b>Address:</b> 7520 E. Angus Dr., Scottsdale, AZ, 85251
<b>Phone:</b> 480.947.6200 <b>Fax:</b> 480.947.6222	<b>Phone:</b> 480.947.6200 <b>Fax:</b> 480.947.6222
<b>E-mail:</b> ktl@azdelpueblo.com	<b>E-mail:</b> ktl@azdelpueblo.com
<b>Designer:</b> Rick Henry	<b>Engineer:</b> John C. McGhee, PE
<b>Company:</b> BSB Design, Inc	<b>Company:</b> EPS Group
<b>Address:</b> 9150 E. Del Camino, Ste 105, Scottsdale, 85258	<b>Address:</b> 125 S. Avondale Blvd., Ste 115, Avondale, AZ, 85323
<b>Phone:</b> 480.663.2100 <b>Fax:</b> 480.663.2100	<b>Phone:</b> 480.773.4599 <b>Fax:</b> 623.547.4661
<b>E-mail:</b> rhenry@bsbdesign.com	<b>E-mail:</b> john.mcghee@epsgroupinc.com

**Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2).**

- This is not required for the following Development Application types: AN, AB, BA, II, GP, TA, PE and ZN. These applications<sup>1</sup> will be reviewed in a format similar to the Enhanced Application Review methodology.

<input checked="" type="checkbox"/> <b>Enhanced Application Review:</b>	I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.
<input type="checkbox"/> <b>Standard Application Review:</b>	I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

\_\_\_\_\_  
Owner Signature

  
 \_\_\_\_\_  
Agent/Applicant Signature

**Official Use Only**      Submittal Date: \_\_\_\_\_      Development Application No.: \_\_\_\_\_



# 111818

8/11/2017 PLN-1STOP  
JOGAZ HP600G1097  
8/11/2017 3:22 PM  
\$1,515.00

Received From :

BUILDING CORPORATION  
7520 E ANGUS DR  
SCOTTSDALE, AZ 85251  
480-947-6200

Bill To : \*\*\*\*\* DUPLICATE \*\*\*\*\*

HAYDEN VIRGINIA LLC  
7520 E ANGUS DR  
SCOTTSDALE, AZ 85251  
480-947-6200

Reference # 327-PA-2017  
Address 2529 N HAYDEN RD  
Subdivision

Issued Date 8/11/2017  
Paid Date 8/11/2017  
Payment Type CHECK

Marketing Name  
MCR  
APN 131-02-110B

Lot Number  
Metes/Bounds No  
Gross Lot Area 0  
NAOS Lot Area 0  
Net Lot Area 0  
Number of Units 1  
Density

Cost Center  
Jurisdiction SCOTTSDALE  
Water Zone  
Water Type  
Sewer Type  
Meter Size  
QS 14-47

Owner Information  
HAYDEN VIRGINIA LLC  
7520 E ANGUS DR  
SCOTTSDALE, AZ 85251  
480-947-6200

Code	Description	Additional	Qty	Amount	Account Number
3165	DEVELOP REVIEW APPLICATION		1	\$1,515.00	100-21300-44221

SIGNED BY KELLY LANNA ON 8/11/2017

33-DR-2017  
08/11/17

Total Amount \$1,515.00

(When a credit card is used as payment I agree to pay the above total amount according to the Card Issuer Agreement.)

3" and larger water meter fees are based on cost recovery. The city will contact the owner of the construction permit if additional funds are due. Payment will be due within 30 days of the bill date.

# Request for Site Visits and/or Inspections

## Development Application (Case Submittals)



This request concerns all property identified in the development application.

Pre-application No: 327-PA-2017

Project Name: HAYDEN TOWNHOMES

Project Address: 2529 N HAYDEN RD

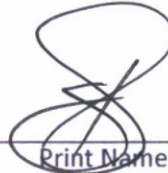
### STATEMENT OF AUTHORITY:

1. I am the owner of the property, or I am the duly and lawfully appointed agent of the property and have the authority from the owner to sign this request on the owner's behalf. If the land has more than one owner, then I am the agent for all owners, and the word "owner" refer to them all.
2. I have the authority from the owner to act for the owner before the City of Scottsdale regarding any and all development application regulatory or related matter of every description involving all property identified in the development application.

### STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

1. I hereby request that the City of Scottsdale's staff conduct site visits and/or inspections of the property identified in the development application in order to efficiently process the application.
2. I understand that even though I have requested the City of Scottsdale's staff conduct site visits and/or inspections, city staff may determine that a site visit and/or an inspection is not necessary, and may opt not to perform the site visit and/or an inspection.

Property owner/Property owner's agent: \_\_\_\_\_



Print Name

KELLY LANNAN  
Signature

### City Use Only:

Submittal Date: \_\_\_\_\_ Case number: \_\_\_\_\_

### Planning and Development Services

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





Current Planning Services  
Long Range Planning Services

**NOTICE OF INSPECTION RIGHTS**  
**A.R.S. § 9-833**

**You have the right to:**

- Have the City staff member present a photo ID.
- Have the City staff member state the purpose for the planning inspection and legal authority to conduct it.
- Know the amount of inspection fees if applicable.
- An on-site representative may accompany the City staff member during the inspection except during confidential interviews and may:
  - Receive copies of any documents taken during the inspection.
  - Receive a split of any samples taken during the inspection.
  - Receive copies of any analysis of the samples taken when available.
- Be informed if statements are being recorded.
- Be given notice that any statements may be used in an inspection report.
- Be presented with a copy of your inspection rights.
- Be notified of the due process rights pertaining to an appeal

**You are hereby notified and informed of the following:**

- The inspection is conducted pursuant to the authority of A.R.S § 9-462.05. and/or Scottsdale Revised Code, Appendix B, Article I. Section 1.203.
- Any statements made by anyone interviewed during this inspection may be included in the inspection report.
- Information on appeal rights related to this inspection is found under Scottsdale Revised Code, Appendix B, Article I. Section 1.801.
- There is no inspection fee associated with this inspection.

I acknowledge I have been informed of my inspection rights. If I decline to sign this form, the inspector(s) may still proceed with the inspection.

If I have any questions, I may contact the City staff member, \_\_\_\_\_

at the following number \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Check box if signature refused

Copy of Bill of Rights left at: \_\_\_\_\_

**A.R.S § 9-833. Inspections; applicability**

- A. A municipal inspector or regulator who enters any premises of a regulated person for the purpose of conducting an inspection shall:
1. Present photo identification on entry of the premises.
  2. On initiation of the inspection, state the purpose of the inspection and the legal authority for conducting the inspection.
  3. Disclose any applicable inspection fees.
  4. Except for a food and swimming pool inspection, afford an opportunity to have an authorized on-site representative of the regulated person accompany the municipal inspector or regulator on the premises, except during confidential interviews.
  5. Provide notice of the right to have:
    - (a) Copies of any original documents taken from the premises by the municipality during the inspection if the municipality is permitted by law to take original documents.
    - (b) A split or duplicate of any samples taken during the inspection if the split or duplicate of any samples, where appropriate, would not prohibit an analysis from being conducted or render an analysis inconclusive.
    - (c) Copies of any analysis performed on samples taken during the inspection.
  6. Inform each person whose conversation with the municipal inspector or regulator during the inspection is tape recorded that the conversation is being tape recorded.
  7. Inform each person interviewed during the inspection that statements made by the person may be included in the inspection report.
- B. On initiation of, or two working days before, an inspection of any premises of a regulated person, except for a food and swimming pool inspection that has up to one working day after an inspection, a municipal inspector or regulator shall provide the following in writing or electronically:
1. The rights described in subsection A of this section.
  2. The name and telephone number of a municipal contact person available to answer questions regarding the inspection.
  3. The due process rights relating to an appeal of a final decision of a municipality based on the results of the inspection, including the name and telephone number of a person to contact within the municipality and any appropriate municipality, county or state government ombudsman.
- C. A municipal inspector or regulator shall obtain the signature of the regulated person or on-site representative of the regulated person on the writing prescribed in subsection B of this section indicating that the regulated person or on-site representative of the regulated person has read the writing prescribed in subsection B of this section and is notified of the regulated person's or on-site representative of the regulated person's inspection and due process rights. The municipality shall maintain a copy of this signature with the inspection report. Unless the regulated person at the time of the inspection is informed how the report can be located electronically, the municipality shall leave a copy with the regulated person or on-site representative of the regulated person. If a regulated person or on-site representative of the regulated person is not at the site or refuses to sign the writing prescribed in subsection B of this section, the municipal inspector or regulator shall note that fact on the writing prescribed in subsection B of this section.
- D. A municipality that conducts an inspection shall give a copy of, or provide electronic access to, the inspection report to the regulated person or on-site representative of the regulated person either:
1. At the time of the inspection.
  2. Notwithstanding any other state law, within thirty working days after the inspection.
  3. As otherwise required by federal law.

- E. The inspection report shall contain deficiencies identified during an inspection. Unless otherwise provided by law, the municipality may provide the regulated person an opportunity to correct the deficiencies unless the municipality determines that the deficiencies are:
  - 1. Committed intentionally.
  - 2. Not correctable within a reasonable period of time as determined by the municipality.
  - 3. Evidence of a pattern of noncompliance.
  - 4. A risk to any person, the public health, safety or welfare or the environment.
- F. If the municipality allows the regulated person an opportunity to correct the deficiencies pursuant to subsection E of this section, the regulated person shall notify the municipality when the deficiencies have been corrected. Within thirty working days of receipt of notification from the regulated person that the deficiencies have been corrected, the municipality shall determine if the regulated person is in substantial compliance and notify the regulated person whether or not the regulated person is in substantial compliance, unless the determination is not possible due to conditions of normal operations at the premises. If the regulated person fails to correct the deficiencies or the municipality determines the deficiencies have not been corrected within a reasonable period of time, the municipality may take any enforcement action authorized by law for the deficiencies.
- G. A municipality's decision pursuant to subsection E or F of this section is not an appealable municipal action.
- H. At least once every month after the commencement of the inspection, a municipality shall provide the regulated person with an update, in writing or electronically, on the status of any municipal action resulting from an inspection of the regulated person. A municipality is not required to provide an update after the regulated person is notified that no municipal action will result from the municipality's inspection or after the completion of municipal action resulting from the municipality's inspection.
- I. This section does not authorize an inspection or any other act that is not otherwise authorized by law.
- J. This section applies only to inspections necessary for the issuance of a license or to determine compliance with licensure requirements. This section does not apply:
  - 1. To criminal investigations and undercover investigations that are generally or specifically authorized by law.
  - 2. If the municipal inspector or regulator has reasonable suspicion to believe that the regulated person may be or has been engaged in criminal activity.
  - 3. Inspections by a county board of health or a local health department pursuant to section 36-603.
- K. If a municipal inspector or regulator gathers evidence in violation of this section, the violation shall not be a basis to exclude the evidence in a civil or administrative proceeding, if the penalty sought is the denial, suspension or revocation of the regulated person's license or a civil penalty of more than one thousand dollars.
- L. Failure of a municipal employee to comply with this section:
  - 1. Constitutes cause for disciplinary action or dismissal pursuant to adopted municipal personnel policy.
  - 2. Shall be considered by the judge and administrative law judge as grounds for reduction of any fine or civil penalty.
- M. A municipality may adopt rules or ordinances to implement this section.
- N. This section:
  - 1. Shall not be used to exclude evidence in a criminal proceeding.
  - 2. Does not apply to a municipal inspection that is requested by the regulated person.

# Affidavit of Authorization to Act for Property Owner



1. This affidavit concerns the following parcel of land:

- a. Street Address: 2529 N HAYDEN RD, SCOTTSDALE, AZ 85257
- b. County Tax Assessor's Parcel Number: 131-02-110B & N
- c. General Location: HAYDEN RD & VIRGINIA AVE
- d. Parcel Size: 1.8 ACRES
- e. Legal Description: SEE ATTACHED 'EXHIBIT A'

(If the land is a platted lot, then write the lot number, subdivision name, and the plat's recording number and date. Otherwise, write "see attached legal description" and attach a legal description.)

- 2. I am the owner of the land or I am the duly and lawfully appointed agent of the owner of the land and have authority from the owner to sign this affidavit on the owner's behalf. If the land has more than one owner, then I am the agent for all of the owners, and the word "owner" in this affidavit refers to all of them.
- 3. I have authority from the owner to act for the owner before the City of Scottsdale with regard to any and all reviews, zoning map amendments, general plan amendments, development variances, abandonments, plats, lot splits, lot ties, use permits, building permits and other land use regulatory or related matters of every description involving the land, or involving adjacent or nearby lands in which the owner has (or may acquire) an interest, and all applications, dedications, payments, assurances, decisions, agreements, legal documents, commitments, waivers and other matters relating to any of them.
- 4. The City of Scottsdale is authorized to rely on my authority as described in this affidavit until three work days after the day the owner delivers to the Director of the Scottsdale Planning & Development Services Department a written statement revoking my authority.
- 5. I will immediately deliver to the Director of the City of Scottsdale Planning & Development Services Department written notice of any change in the ownership of the land or in my authority to act for the owner.
- 6. If more than one person signs this affidavit, each of them, acting alone, shall have the authority described in this affidavit, and each of them warrant to the City of Scottsdale the authority of the others.
- 7. Under penalty of perjury, I warrant and represent to the City of Scottsdale that this affidavit is true and complete. I understand that any error or incomplete information in this affidavit or any applications may invalidate approvals or other actions taken by the City of Scottsdale, may otherwise delay or prevent development of the land, and may expose me and the owner to other liability. I understand that people who have not signed this form may be prohibited from speaking for the owner at public meetings or in other city processes.

Name (printed)

KELLY LANNAN

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date

OCTOBER, 31, 2017

\_\_\_\_\_, 20\_\_

\_\_\_\_\_, 20\_\_

\_\_\_\_\_, 20\_\_

Signature

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ scottsdaleaz.gov

EXHIBIT "A"  
LEGAL DESCRIPTION

PARCEL NO. 1

THAT PART OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;  
THENCE SOUTH 00 DEGREES 24 MINUTES 00 SECONDS EAST, 1530.07 FEET ALONG THE WEST LINE OF SAID SECTION 36  
TO THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 36 MINUTES 00 SECONDS EAST, 265.00 FEET;

THENCE SOUTH 00 DEGREES 24 MINUTES 00 SECONDS EAST, 1129.28 FEET PARALLEL TO THE WEST LINE OF SAID SECTION 36 TO A POINT ON THE EAST-WEST MID-SECTION LINE OF SAID SECTION 36;

THENCE SOUTH 89 DEGREES 45 MINUTES 20 SECONDS WEST, 265.00 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 36;

THENCE NORTH 00 DEGREES 24 MINUTES 00 SECONDS WEST, 1128.56 FEET ALONG THE WEST LINE OF SAID SECTION 36 TO THE POINT OF BEGINNING;

EXCEPT THE SOUTH 928 FEET THEREOF; AND

EXCEPT THE WEST 65 FEET FOR ROAD PURPOSES; AND

EXCEPT ALL MINERALS, ORES AND METALS OF EVERY KIND AND CHARACTER, AND ALL COAL, ASPHALTUM, OIL, GASES, FOSSILS AND OTHER LIKE SUBSTANCES RESERVED IN THE PATENT FROM THE STATE OF ARIZONA RECORDED IN BOOK 160 OF DEEDS, PAGE 355.

PARCEL NO. 2

THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 36;

THENCE SOUTH 00 DEGREES 24 MINUTES 00 SECONDS EAST, 1392.07 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 36 MINUTES 00 SECONDS EAST, 65 FEET;

THENCE ALONG A CURVE WHOSE CENTRAL ANGLE IS 90 DEGREES AND WHOSE RADIUS POINT LIES NORTH 89 DEGREES 36 MINUTES 00 SECONDS EAST, A DISTANCE OF 12.00 FEET;

THENCE NORTH 89 DEGREES 36 MINUTES 00 SECONDS EAST, 73.00 FEET;

THENCE ALONG A CURVE WHOSE CENTRAL ANGLE IS 09 DEGREES 04 MINUTES 10 SECONDS AND WHOSE RADIUS POINT LIES NORTH 00 DEGREES 24 SECONDS 00 MINUTES WEST, 200.00 FEET, A DISTANCE OF 31.66 FEET;

THENCE ALONG A CURVE WHOSE CENTRAL ANGLE IS 09 DEGREES 04 MINUTES 10 SECONDS AND WHOSE RADIUS POINT LIES SOUTH 09 DEGREES 28 MINUTES 10 SECONDS EAST, 200.00 FEET, A DISTANCE OF 31.66 FEET;

THENCE NORTH 89 DEGREES 36 MINUTES 00 SECONDS EAST, 51.95 FEET;

THENCE SOUTH 00 DEGREES 24 MINUTES 00 SECONDS EAST, 155 FEET;

THENCE SOUTH 89 DEGREES 36 MINUTES 00 SECONDS WEST, 265 FEET;

THENCE NORTH 00 DEGREES 24 MINUTES 00 SECONDS WEST, 138 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THE WEST 33 FEET OF SAID WEST HALF OF THE NORTHWEST QUARTER AS SET FORTH IN THE PATENT FROM THE STATE OF ARIZONA RECORDED IN BOOK 160 OF DEEDS, PAGE 355; AND

EXCEPT THE EAST 7 FEET OF THE WEST 40 FEET OF THAT PORTION OF SAID WEST HALF OF THE NORTHWEST QUARTER CONVEYED TO MARICOPA COUNTY IN QUIT CLAIM DEED RECORDED IN DOCKET 2514, PAGE 557; AND

EXCEPT ALL MINERALS, ORES AND METALS OF EVERY KIND AND CHARACTER, AND ALL COAL, ASPHALTUM, OIL, GASES, FOSSILS AND OTHER LIKE SUBSTANCES RESERVED IN THE PATENT FROM THE STATE OF ARIZONA RECORDED IN BOOK 160 OF DEEDS, PAGE 355.