

**Correspondence Between
Staff and Applicant
Approval Letter**



October 22, 2018

Josh G Funkhouser
Davidson & Kaffer, Esq
8700 E Pinnacle Peak Rd Ste 221
Scottsdale, AZ 85255

Re 11-AB-2017
Portions of N 71st Street Abandonment

Dear Josh G Funkhouser,

This is to advise you that the case referenced above was approved at the October 16, 2018 City Council meeting. The City Council related documents may be obtained from the City Clerk's office located at 3939 N Drinkwater Blvd Scottsdale, AZ 85251 or by entering the document number through the city website @ <https://eservices.scottsdaleaz.gov/cityclerk/DocumentSearch>

If you have any questions, please contact me at 480-312-7849

Sincerely,

Jesus Murillo
Senior Planner

Item # 2

Murillo, Jesus

From: Kercher, Phillip
Sent: Wednesday, August 22, 2018 10:03 AM
To: Troy
Cc: Murillo, Jesus
Subject: RE: Portions of N. 71st Street Abandonment (11-AB-2017)

Mr. Kraft:

What we are proposing is to modify the local street plan to show Lowden Road connecting to Scottsdale Road; currently it is shown as a cul-de-sac. The local street plan does show 70th Street connecting from Lowden Road to Montgomery Road, but it will not be needed to access Scottsdale Road from your mother's property. The plan indicates that Lowden Road will dead-end just west of 70th Street because of the wash in that location, and therefore we need 70th Street to provide alternative access for emergency vehicles to the homes along Lowden Road. 70th Street also provides alternative access for the area residents so that turning onto and from Scottsdale Road is not their only option. I hope that his clarifies the situation.

Phillip H. Kercher, P.E., PTOE
Traffic Engineering Manager
City of Scottsdale
480-312-7645

From: Murillo, Jesus
Sent: Wednesday, August 22, 2018 8:31 AM
To: Troy <urbaniz48@cox.net>
Cc: Kercher, Phillip <pker@scottsdaleaz.gov>
Subject: RE: Portions of N. 71st Street Abandonment (11-AB-2017)

Correct Troy,

I have cc'd the Transportation Director in case I misspoke in any fashion. If you would, please pass this along to the other resident you spoke with.

Sincerely,

Jesus

From: Troy <urbaniz48@cox.net>
Sent: Tuesday, August 21, 2018 10:20 PM
To: Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>
Subject: RE: Portions of N. 71st Street Abandonment (11-AB-2017)

Jesus,

Thank you for providing this information. Per our conversation today (8/21/2018) over the phone you relayed that the LAIPS for my mother's area would be changed to reflect no cul-de-sac at the East end of Lowden Rd and that the future plan for Lowden Rd would be to maintain direct access to Scottsdale Road. There would not be a new road constructed at 70th St. to Montgomery in order to access Scottsdale Rd from my Mother's property at 7120 E. Lowden.

If the LAIPS is to be changed in this manner, we would have no further concerns with the abandonment request for 71st St South of Lowden

Thank you,

Troy Kraft

From Murillo, Jesus <JMurillo@ScottsdaleAz Gov>
Sent Friday, August 17, 2018 5 26 PM
To urbaniz48@cox.net
Subject FW: Portions of N 71st Street Abandonment (11-AB-2017)

Hello Troy,

I left you a message. In the meantime, here is a copy of the link to the report

Jesus

From Castro, Lorraine
Sent Friday, August 17, 2018 8 24 AM
To 'josh@davidsonlaw.net' <josh@davidsonlaw.net>
Cc Murillo, Jesus <JMurillo@ScottsdaleAz Gov>
Subject Portions of N 71st Street Abandonment (11-AB-2017)

Below is the Agenda and the report for next week's Planning Commission meeting. Held at City Hall – Kiva Forum 3939 N Drinkwater Blvd at 5 00 p m

Regular Agenda

https://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Boards/Planning/agendas-minutes/2018-agendas/08-22-18_Agenda.pdf

If you have any questions, please don't hesitate to call

Thanks,

Lorraine Castro

Planning Specialist
City of Scottsdale
Planning and Development Services
Lcastro@ScottsdaleAZ.gov
480-312-7620

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Murillo, Jesus

Item # 2

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Sent: Wednesday, August 22, 2018 8:31 AM
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Thank you,

Troy Kraft

From: Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>
Sent: Friday, August 17, 2018 5:26 PM
To: urbaniz48@cox.net
Subject: FW: Portions of N. 71st Street Abandonment (11-AB-2017)

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From: Castro, Lorraine
Sent: Friday, August 17, 2018 8:24 AM

To: 'josh@ davidsonlaw.net' <josh@davidsonlaw.net>
Cc: Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>
Subject: Portions of N. 71st Street Abandonment (11-AB-2017)

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If you have any questions, please don't hesitate to call.

Thanks,

Lorraine Castro

Planning Specialist
City of Scottsdale
Planning and Development Services
Lcastro@ScottsdaleAZ.gov
480-312-7620

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Planning and Development Services Division

7447 East Indian School Road
Scottsdale, Arizona 85251

Date: 10/9/17
Contact Name: Josh Funkhouser
Firm Name: Davidson & Kasper, PLLC
Address: 8700 E. Pinnacle Peak
City, State, Zip: 85255

RE: Application Accepted for Review.

494 - PA - 2017

Dear Mr. Funkhouser:

It has been determined that your Development Application for Hagerman 1B has been accepted for review.

Upon completion of the Staff's review of the application material, I will inform you in writing or electronically either: 1) the steps necessary to submit additional information or corrections; 2) the date that your Development Application will be scheduled for a public hearing or, 3) City Staff will issue a written or electronic determination pertaining to this application. If you have any questions, or need further assistance please contact me.

Sincerely,

Name: Jeff Marillo
Title: Sr. Planner
Phone Number: (480) 312 -
Email Address: Jmarillo @ScottsdaleAZ.gov



Planning and Development Services Division

7447 East Indian School Road
Scottsdale, Arizona 85251

Date _____
Contact Name _____
Firm Name _____
Address _____
City, State, Zip _____

RE Minimal Submittal Comments

_____ - PA - _____

Dear _____

It has been determined that your Development Application for _____
Does not contain the minimal information, and has not been accepted for review

Please refer to the application checklist and the Minimal Information to be Accepted for Review Checklist, and the Plan & Report Requirements pertaining to the minimal information necessary to be accepted for review

PLEASE CALL 480-312-7000 TO SCHEDULE A RESUBMITTAL MEETING WITH ME PRIOR TO YOUR PLANNED RESUBMITTAL DATE DO NOT DROP OFF ANY RESUBMITTAL MATERIAL WITHOUT A SCHEDULED MEETING THIS WILL HELP MAKE SURE I'M AVAILABLE TO REVIEW YOUR RESUBMITTAL AND PREVENT ANY UNNECESSARY DELAYS RESUBMITTAL MATERIAL THAT IS DROPPED OFF MAY NOT BE ACCEPTED AND RETURNED TO THE APPLICANT

These **Minimal Submittal Comments** are valid for a period of 180 days from the date on this letter. The Zoning Administrator may consider an application withdrawn if a revised submittal has not been received within 180 days of the date of this letter (Section 1 305 of the Zoning Ordinance)

Sincerely,

Name _____
Title _____
Phone Number (480) 312 - _____
Email Address _____@ScottsdaleAZ.gov

From: Zeilstra, Gladly Gladly.Zeilstra@CenturyLink.com
Subject: P791545 7107 E LOWDEN RD SCOTTSDALE
Date: September 1, 2017 at 8:22 AM
To: Rosemary Blanchard zeal2dance@gmail.com
Cc: Zeilstra, Gladly Gladly.Zeilstra@CenturyLink.com

GZ

Good morning.

Attached is my response to your request regarding the Patent Easement.

Thank you.

Gladly Zeilstra

CenturyLink Real Estate
Right of Way Agent
135 W Orion St. Flr 1
Tempe, AZ 85283

480-768 4581 office
480-560-0404 cell
480-768-4506 fax

Hours: 6:00 AM to 3:00 PM

It's not about how you survived the storm

It's about how you danced in the rain

This communication is the property of CenturyLink and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.

CenturyLink
Network Real Estate
5025 N. Black Canyon Hwy
Phoenix, AZ 85015



9/1/2017

APPROVED

Mr. & Mrs. Donald Hagerman
7107 E Lowden Rd
Scottsdale, AZ 85266

SUBJECT: Release of 13' of the 33' along the north property line and the 33' along the west property line granted under Serial Patent # 1206489 at 7107 E. Lowden Rd.
Project Name: Scottsdale GLO property for Hagerman
APN: 216-67-162

11-AB-2017
10/9/2017

CenturyLink
Network Real Estate
5025 N. Black Canyon Hwy
Phoenix, AZ 85015



9/1/2017

APPROVED

Mr. & Mrs. Donald Hagerman
7107 E Lowden Rd
Scottsdale, AZ 85266

**SUBJECT: Release of 13' of the 33' along the north property line and the 33' along the west property line granted under Serial Patent # 1206489 at 7107 E. Lowden Rd.
Project Name: Scottsdale GLO property for Hagerman
APN: 216-67-162**

Re: Request for the release of 13' of the 33' along the north property line and the 33' along the west property line granted under Serial Patent # 1206489 at 7107 E. Lowden Rd., Scottsdale, Maricopa County, described in more detail in the application, lying within the Northeast quarter of Section 22, Township 5 North, Range 4 East, Gila and Salt River Meridian.

To Whom It May Concern:

QWEST CORPORATION d/b/a CENTURYLINK QC has reviewed the request for the subject vacation and has determined that it will release 13' on the north and the 33' on the west property lines. CenturyLink has no facilities in these areas.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area

If CenturyLink facilities are found within the vacated area as described, the Applicant will relocate the facilities at Applicant's expense and within guidelines set by CenturyLink and all regulating entities. All relocations will be done under the supervision of a CenturyLink Inspector.

If you have questions or concerns, please call Gladys Zeilstra at 480-560-0404.

Sincerely yours,

Mary Hutton
Right of Way Agent
Qwest Corporation d/b/a CENTURYLINK QC

APN: 216-67-162 #:P791545
Cave Creek WCE: Jesus Arrieta

11-AB-2017
10/9/2017



August 1, 2017

Rosemary Hagerman
7107 E LOWDEN DR
Cave Creek, AZ 85331

RE: Abandonment Request for 7107 E LOWDEN DR.

Ms. Hagerman,

I have reviewed the abandonment request for 7107 E LOWDEN DR., in Cave Creek {Scottsdale}, AZ. Based upon the supplied drawings/exhibits that you've submitted, it has been determined that COX has no facilities within the PUE and therefore we approve your request to abandon.

Please note that although Cox Communications approves this abandonment we do so with the understanding that we will not assume any construction, relocation and/or repairs costs associated or in result of this abandonment.

If I can be of further assistance, please contact me using the contact information below.

Kenny Hensman

Kenny Hensman

COX Communications
Permitting Group
Right of Way Agent II
kenny.hensman@cox.com

11-AB-2017
10/9/2017

From: Michael Bouche@aps.com
Subject: RE: Utility consent letter
Date: August 7, 2017 at 9:49 AM
To: rosemaryblanchard07@gmail.com
Cc: Dave@superiorsurveying.com

Rosemary,

I have discussed with your surveyor this request and he has provided me information on the 33' patent on the north and west sides your parcel, 216-67-162, and the intent to provide an 8' PUE adjacent to and south of the 20' roadway dedication for Lowden Road which would take care of our existing facilities.

APS has no objection to the proposed abandonment of the West and North Patent easements adjacent to parcel 216-67-162, provided that the PUE is granted as attached on Lowden Road. Please provide me with a recorded copy of the dedicated PUE.

Mike Bouche, R.L.S.
Senior Land Agent
Land Services Department
Arizona Public Service Company
602-371-7033

From: Rosemary [mailto:rosemaryblanchard07@gmail.com]
Sent: Friday, July 28, 2017 3:30 PM
To: Bouche, Michael J
Subject: Utility consent letter

USE CAUTION - EXTERNAL SENDER:(rosemaryblanchard07@gmail.com)

Do not click on links or open attachments that are not expected.

For questions or concerns, please email the APS Cyber Defense Center team at ACDC@apsc.com or contact the APS Helpdesk.

Dear Michael Bouche,

We are filing an abandonment development application. I am writing to request a utility consent letter for this matter. I found 33' GLOPE # 1197966 and our neighbor to the west has a 33' GLOPE # 1206489 with another in-between of #96/558911. Please note that I'm new to this and would appreciate your help and direction.

Thank you.

Rosemary Hagerman

--- NOTICE ---

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11-AB-2017
10/9/2017

From: **Rahman, Rezaur** rrahman@scottsdaleaz.gov
Subject: RE: Utility Consent Letter
Date: August 4, 2017 at 2:44 PM
To: Rosemary Blanchard zeal2dance@gmail.com

Hello Rosemary,

Please update your map with all easements. I talked with the City's planning group and according to them the copy of my email to you regarding our (Water Resources) easement requirements should work as the consent letter.

Thanks,

Rezaur.

Rezaur Rahman, Ph.D., P.E.
Principal Engineer, Water Resources
9379 E San Salvador Dr
Scottsdale, AZ 85258
Ph: 480-312-5636
rrahman@scottsdaleaz.gov



“Water Sustainability through Stewardship, Innovation and People”

For sending attachments over 5MB, please use the link below:

<https://securemail.scottsdaleaz.gov/filedrop/rrahman@scottsdaleaz.gov>

From: Rosemary Blanchard [<mailto:zeal2dance@gmail.com>]
Sent: Friday, August 04, 2017 2:35 PM
To: Rahman, Rezaur
Subject: Re: Utility Consent Letter

Hello Rezaur,

Please inform us if you need a reformed map showing the confirmations that were listed. I have a goal of submitting the abandonment development application about mid August and am looking for a utility consent letter.

Thank you,
Rosemary Hagerman

11-AB-2017
10/9/2017



From: **Rahman, Rezaur**
Subject: **RE Utility Consent Letter**
Date: **August 1, 2017 at 4 30 PM**
To: **Rosemary**
Cc: **Hassert Christopher**, **Dolan, Ron**

Hello Rosemary,

Based on the existing and future water and sewer infrastructures, Scottsdale Water would require the following easements

Along Lowden Dr A minimum of 20-ft of water-sewer easement for an existing 6" water main and a future sewer line plus 8-ft of PUE for water service lines & other utilities

Along 71st St There is an existing 6" water main along 71st St from Lowden Dr to south end of your property. This water main will be extended in the future to connect the water main on Montgomery Rd. A minimum of 20-ft of easement is required for this existing 6' water main

Let us know if you have any questions

Thanks,

Rezaur

Rezaur Rahman, Ph.D , P E
Principal Engineer, Water Resources
9379 E San Salvador Dr
Scottsdale, AZ 85258
Ph 480-312-5636
rrahman@scottsdaleaz.gov



"Water Sustainability through Stewardship, Innovation and People"

For sending attachments over 5MB, please use the link below

<https://securemail.scottsdaleaz.gov/filedrop/rrahman@scottsdaleaz.gov>

From: Rosemary [<mailto:rosemaryblanchard07@gmail.com>]
Sent: Monday, July 31, 2017 4 02 PM
To: Rahman, Rezaur
Subject: Re Utility Consent Letter

Dear Rezaur Rahman,

An application is being submitted to the City of Scottsdale by Donald and Rosemary Hagerman, owners of property at 7107 E Lowden Drive (APN 216-67-162). This property is currently designated for zoning purposes as R1-70. We are requesting a G.L.O PE abandonment along the 71st Street alignment and Lowden alignment which runs along our north and west borders.

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER

ADRIAN FONTES

20170584256 08/09/2017 10:28

ELECTRONIC RECORDING

EReleaseDk2982Pg522-2-1-1--
henrya

APN # 216-67-162

Recording Requested By/Return To:
Southwest Gas Corporation
P.O. Box 52075
Mail Code 421-590 awr3
Phoenix, Arizona 85072

REQ 6371



SOUTHWEST GAS CORPORATION

RELEASE OF EASEMENT

This form is used to release land rights for abandonment of pipeline(s) and appurtenances.

Prepared By awr3 Reviewed By kas3
Sec. 22 T 5N R 4E Meridian G&SRM
County Maricopa State Arizona
W.R. No. _____ W.O. No. _____

WHEREAS, by instrument dated the 5th day of August, 1959,
The United States of America ("Grantor")
granted and conveyed to public utilities ("Grantee")
that certain Grant of right-of-way and easement ("Easement"), which Easement was recorded on the
2nd day of September, 1959, in Docket 2982,
on pages 522, in the County of Maricopa, State of Arizona; and

WHEREAS, the owner(s) of record and Grantee, desire to release said Easement.

NOW, THEREFORE, for and in consideration of the sum of ONE DOLLAR (\$1.00), the receipt of which is hereby acknowledged, **SOUTHWEST GAS CORPORATION**, a California Corporation, does hereby release, discharge and forever quitclaim unto the owner(s) of record, its or their successors, heirs and assigns, all of its rights, title, interest and privileges in and to said Easement.

The undersigned hereby affirms that there is no Social Security Number contained in this document submitted for recording.

Form 335.06 (09/2014) 581 - Microsoft Word

[Link to Form Instructions](#)

11-AB-2017
10/9/2017

Page 2 of 2

APN # 216-67-162

W.R. No. _____

W.O. No. _____

IN WITNESS WHEREOF, the duly authorized representative of the undersigned has executed this Release of Easement

this 8th day of AUGUST, 2017.

SOUTHWEST GAS CORPORATION

Signed By _____

Name Luis F. FrisbyTitle Vice President, Central Arizona Division**ACKNOWLEDGMENT**STATE OF Arizona)

)

COUNTY OF Maricopa)

)

On 08/08/2017, before me, Denise L. Short,
(here insert name of the officer)

a notary public, personally appeared Luis F. Frisby, Vice President, Central Arizona
Division

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Arizona
that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Denise L. Short (Seal)





P. O. Box 52025
Phoenix, AZ 85072-2025
(602) 236-5900
www.srpnet.com

September 7, 2017

Mr. Josh Funkhouser
The Davidson Law Firm
P. O. Box 27500
Scottsdale, AZ 8525

RE: 7107 E. Lowden - GLO Easement abandonment

Dear Mr. Funkhouser:

Salt River Project has no objection to the abandonment of the GLO Easements located on 7107 E. Lowden Drive. This is in an Arizona Public Service serving area.

If you have any questions or need further information, please feel free to contact me on 602-236-3126.

Sincerely,

Sherry Wagner

Sherry Wagner
Senior Right of Way Technician
PAB348

11-AB-2017
10/9/2017