

**Utility Consent Letters**  
**Project No.: 799-PA-2021**  
**6750 E. Exeter Blvd. -**  
**Abandonment**

**APS**



**Land Services**  
P.O. Box 53933  
Phoenix, Arizona 85072  
Mail Station 3286

December 16, 2021

Madelaine Bauer, Law Clerk, Rose Law Group PC  
6750 East Exeter Boulevard  
Scottsdale, Arizona 85251

**RE: Abandonment of 10 feet of right-of-way**

Dear Madelaine Bauer,

Per your request for Arizona Public Service Company's (APS) concurrence to abandon 10 feet of right-of-way on the easterly side of a parcel located at 6750 East Exeter Boulevard Scottsdale, Arizona 85251, as described in your request dated September 27, 2021, the following information is provided.

I have researched our records and found that the subject property is not situated within the APS service territory. Therefore, APS does consent to the encroachment.

Should you have further questions concerning this matter, please contact me at (602) 371-7271 or [beverly.metevia@aps.com](mailto:beverly.metevia@aps.com).

Sincerely,

A handwritten signature in cursive script that reads "Beverly Metevia".

Beverly Metevia  
Land Agent  
Land Services Department  
Arizona Public Service Company

# CENTURYLINK



CenturyLink

11/30/2021

Augusta Emerita Partners, LLC  
6750 East Exeter Boulevard  
Scottsdale, AZ 85251

VIA E-MAIL  
Madelaine Bauer  
[mbauer@roselawgroup.com](mailto:mbauer@roselawgroup.com)

WITH Reservations

**SUBJECT: VACATION AND ABANDONMENT OF A 10-FOOT WIDE ROAD RIGHT-OF-WAY ALONG THE EAST SIDE OF SAID PARCEL LOCATED ON THE NORTHWEST CORNER OF EXETER AND 68<sup>TH</sup> STREET WITHIN SCOTTSDALE, MARICOPA COUNTY, ARIZONA**

**APN: 173-44-014C**

To Whom It May Concern:

QWEST CORPORATION d/b/a CENTURYLINK QC has reviewed the request for the subject vacation and has determined that in order to protect its facilities an easement must be reserved in the subject vacation.

Please save and except an Easement to CenturyLink over, under, above, and upon the following area/s:

PORTIONS OF THAT CERTAIN ROAD RIGHT-OF-WAY KNOWN AS 68<sup>TH</sup> STREET OF LOMBARDI ESTATES, AS RECORDED IN BOOK 44 OF MAPS, PAGE 18 IN ACCORDANCE TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, AS SHOWN ON EXHIBIT "A", SAID EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY THIS REFERENCE,

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

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities.

If you have any questions, please contact Maria Jimenez via e-mail at [maria.jimenez@lumen.com](mailto:maria.jimenez@lumen.com).

Sincerely yours,  
/s/

**Mary Hutton**  
Network Infrastructure Services  
**CenturyLink**  
P839844

2-AB-2022  
01/24/22

10 ft ROW

Property

821119

822507084

1.28

8225138748

N 68th St

E Exeter Blvd

81119

18087

7431781

2-AB-2022

01/24/22

# COS WATER



## Water Resources

9379 E. San Salvador  
Scottsdale, AZ 85258

PHONE 480-312-5685  
FAX 480-312-5615  
[www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)

November 22, 2021

Rose Law Group  
Attn: Madelaine Bauer  
6750 E Exeter Boulevard  
Scottsdale, AZ 85251

**Re: City of Scottsdale Water Resources Department: Abandonment of Right Of Way (ROW) Interests for 6750 E Exeter Boulevard (APN 173-44-014C)**

Dear Ms. Bauer,

The City of Scottsdale Water Resources Department takes no issue with the proposed extension of only the eastern property line up to ten (10) feet due-east, and the corresponding abandonment of up to ten feet of existing ROW along 68<sup>th</sup> Street. Refer to the aerial figure attached for general representation provided by the applicant's representative.

Notes:

- This approval is pending approvals from other utilities and the applicable City of Scottsdale governing departments.
- The existing landscaping/plantings fronting 68<sup>th</sup> Street appear to remain within the ROW post modification. As such, they could possibly be disturbed or removed should the City's Water Resources Department need to repair the adjacent water line in the future. The City and the Water Resources Department will not be held liable for restoration of this landscaping, planting, or other private improvements within the ROW, should they need to be disturbed or removed in the process of repairing or replacing the water line or appurtenances.

If you require further information, you may reach our department at 480-312-5685.

Sincerely,

11/22/2021 1:20:42 PM  
Julia Campo  
Engineering Associate  
Scottsdale Water

Attachment: Aerial Figure of Proposed Abandonment

2-AB-2022  
01/24/22



Aerial Figure of Proposed Abandonment:



**COX**



September 28, 2021

**Madelaine Bauer  
Law Clerk  
Rose Law Group  
7144 E Stetson Drive, Suite 300  
Scottsdale, AZ 85251**

RE: Abandonment Request **6750 E EXETER BLVD APN 173-44-014C**

Madelaine,

I have reviewed the proposed abandonment request for the parcel located at **6750 E EXETER BLVD APN 173-44-014C** in **Scottsdale, AZ**.

Based upon the supplied drawings/exhibit that you've submitted it has been determined that **COX will allow easement abandonment with the following stipulations:**

*Cox will agree to the abandonment if Cox underground facilities on the east side of the parcel to be abandoned in the easement are protected in place and a new PUE or ROW has been established for our facilities. If our facilities are to be relocated, then the requestor pays Cox for the relocation of Cox facilities prior to relocation of existing facilities.*

Also, please note that Cox Communications accepts no liability for costs associated with any relocation of existing facilities required as of a result of this proposed abandonment.

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

Zach Lawson

*Zach Lawson*

OSP Compliance Tech II  
Cox Communications  
Outside Plant Engineering & Construction  
1550 W Deer Valley Road, Phoenix, AZ 85027-2121

[AZ.JointUse@cox.com](mailto:AZ.JointUse@cox.com)



**COX**  
Bringing us closer

2-AB-2022  
01/24/22

**From:** [AZ Joint Use \(CCI-Phoenix\)](#)  
**To:** [Madelaine Bauer](#)  
**Subject:** RE: Utility Consent Letter Request abandonment 6750 E Exeter Blvd APN 173-44-014C  
**Date:** Monday, November 22, 2021 11:25:24 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[FW Utility Consent Letter Request abandonment 6750 E Exeter Blvd APN 173-44-014C.msg](#)  
[68th St Scottsdale 10 ft ROW Abandonment Aerial.pdf](#)

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Madelaine,

The abandonment letter I provided you was for the entire east side of the property and will still remain the same. The map you provided only changes by 2 feet. Our facilities are still on the east side of the property and are in the abandonment area. There are no changes that will effect response to this request or letter.

ZACH LAWSON  
OSP COMPLIANCE TECH II  
OUTSIDE PLANT ENGINEERING & CONSTRUCTION  
COX COMMUNICATIONS



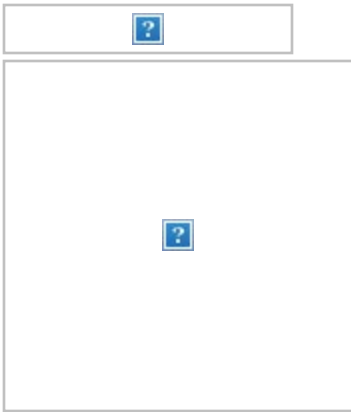
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**From:** Madelaine Bauer <[mbauer@roselawgroup.com](mailto:mbauer@roselawgroup.com)>  
**Sent:** Friday, November 19, 2021 12:10 PM  
**To:** AZ Joint Use (CCI-Phoenix) <[AZ.JointUse@cox.com](mailto:AZ.JointUse@cox.com)>  
**Subject:** [EXTERNAL] RE: Utility Consent Letter Request abandonment 6750 E Exeter Blvd APN 173-44-014C

Hi Zach,

Thank you for providing us with the utility consent letter for our abandonment application back in September. However, we are now applying for an abandonment of approximately 10 feet of the right of way on the east side of the parcel with APN 173440014C (6750 E Exeter Blvd, Scottsdale, AZ 85251) on the northwest corner of Exeter and 68<sup>th</sup> Street (please see attached aerial). Can you please provide us with a utility consent letter that reflects the change to **10 feet** of right of way so we may proceed with the ROW abandonment? Please let me know if you need anything further to process this request. Thank you.

Madelaine



Rose Law Group pc

7144 E Stetson Drive, Suite 300, Scottsdale, AZ 85251

Direct: 480.240.5644 Mobile: 602.418.4818

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**From:** AZ Joint Use (CCI-Phoenix) <[AZ.JointUse@cox.com](mailto:AZ.JointUse@cox.com)>

**Sent:** Tuesday, September 28, 2021 7:29 AM

**To:** Madelaine Bauer <[mbauer@roselawgroup.com](mailto:mbauer@roselawgroup.com)>

**Subject:** FW: Utility Consent Letter Request abandonment 6750 E Exeter Blvd APN 173-44-014C

Madelaine,

Please find attached an Approval With Conditions of the Abandonment requested at 6750 E EXETER BLVD APN 173-44-014C in Scottsdale {Maricopa County}, AZ.

ZACH LAWSON  
OSP COMPLIANCE TECH II  
OUTSIDE PLANT ENGINEERING & CONSTRUCTION  
COX COMMUNICATIONS  
623-328-2987



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**From:** AZ Eng Permits (CCI-Phoenix) <[AZ.ENGPERMITS@cox.com](mailto:AZ.ENGPERMITS@cox.com)>  
**Sent:** Monday, September 27, 2021 4:58 PM  
**To:** AZ Joint Use (CCI-Phoenix) <[AZ.JointUse@cox.com](mailto:AZ.JointUse@cox.com)>  
**Subject:** FW: Utility Consent Letter Request abandonment 6750 E Exeter Blvd APN 173-44-014C

*Susan Kooyenga*

**Right-Of-Way Agent**

**Arizona Outside Plant Engineering & Construction**

1550 West Deer Valley Road Phoenix, AZ 85027

Office Main (623) 328-2200 | [AZ.EngPermits@cox.com](mailto:AZ.EngPermits@cox.com)

Signature logo



---

**From:** Madelaine Bauer <[mbauer@roselawgroup.com](mailto:mbauer@roselawgroup.com)>  
**Sent:** Monday, September 27, 2021 4:56 PM  
**To:** AZ Eng Permits (CCI-Phoenix) <[AZ.ENGPERMITS@cox.com](mailto:AZ.ENGPERMITS@cox.com)>  
**Cc:** Omar Abdallah <[oabdallah@roselawgroup.com](mailto:oabdallah@roselawgroup.com)>  
**Subject:** [EXTERNAL] Utility Consent Letter Request

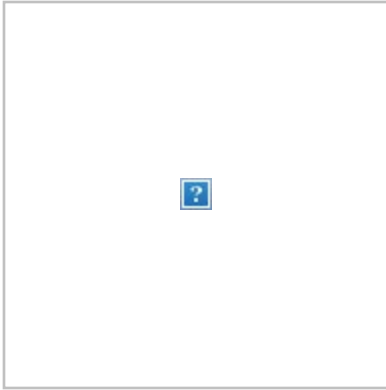
Good afternoon,

We are applying for an abandonment of approximately 8 feet of the right of way on the east side of the parcel with APN 17344014C (6750 E Exeter Blvd, Scottsdale, AZ 85251) on the northwest corner of Exeter and 68<sup>th</sup> Street (see attached aerial). Does Cox have any utilities running along the east side of the property on 68<sup>th</sup> Street? If so, could you please provide us with a utility consent letter so we may proceed with the ROW abandonment? Scottsdale City staff has conducted a preliminary review and supports the abandonment, however, one of the City's requirements for abandonment is a utility consent letter from the utility providers who might have utilities here. Please let me know if you need anything from me to process this request. Thank you.

Madelaine



Law Clerk



7144 E Stetson Drive, Suite 300, Scottsdale, AZ 85251

Direct: 480.240.5644 Fax: 480.505.3925



[roselawgroup.com](http://roselawgroup.com) [roselawgroupreporter.com](http://roselawgroupreporter.com) [@roselawgroup](mailto:@roselawgroup)

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**EPCOR**





6215 N Cattle Track Road  
Scottsdale, AZ 85250-4607 USA  
[epcor.com](http://epcor.com)

September 23, 2021

**VIA EMAIL TO: [garofono@me.com](mailto:garofono@me.com)**

AUGUSTA EMERITA PARTNERS  
C/O Madelaine Bauer with Rose Law Group  
6750 E. Exeter Blvd.  
Scottsdale, AZ 85251

**RE: Request for Approval of the Abandonment of the Public Utility Easement ("PUE") located across the parcel commonly known as 6750 E. Exeter Blvd., Scottsdale AZ 85251 (APN: 173-44-014C)("Property")**

Ms. Madelaine Bauer on behalf of Augusta Emerita Partners ("**Applicant**"):

EPCOR USA, INC., and its subsidiaries ("**EPCOR**"), ☐has or ☒has no objections to your request for abandonment of the 8" PUE running along the east side ("**Abandonment Area**") of the Property.

It is the intent and understanding of EPCOR that this abandonment shall not reduce our rights to any other existing easement or rights we have on this Property or in this area.

This abandonment request is being submitted with the stipulation that if EPCOR facilities are found and/or damaged within the Abandonment Area, the Applicant will bear the cost of relocation and repair of said facilities.

Should you have any further questions or concerns, please contact me directly at the phone number or email address listed below.

Sincerely,

*Steven Colla*

Steven Colla  
Real Estate Specialist  
Engineering Department  
**EPCOR**  
2355 W. Pinnacle Peak Road, Suite 300  
Phoenix, AZ 85027  
Tel 623.587.5296|Cell 480.521.5742| [scolla@epcor.com](mailto:scolla@epcor.com)

CC: Michael Kasem, P.E., Engineering Manager via email at [MKasem@epcor.com](mailto:MKasem@epcor.com)  
Daniel Holwerda, Esq., Associate General Counsel via email at [DHolwerda@epcor.com](mailto:DHolwerda@epcor.com)

**From:** [Colla, Steven](#)  
**To:** [Madelaine Bauer](#)  
**Cc:** [Omar Abdallah](#); [garofono@me.com](mailto:garofono@me.com); [Kasem, Mike](#); [Colla, Steven](#)  
**Subject:** RE: Utility Consent Letter Request  
**Date:** Tuesday, November 30, 2021 1:35:30 PM  
**Attachments:** [image003.jpg](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)

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Madelaine-do you require another letter or will this email suffice? Since this just went from 8' to 10' we are still ok with abandoning it.

Regards,



Steven Colla  
Real Estate Specialist  
Engineering Department  
EPCOR  
2355 W. Pinnacle Peak Road, Suite 300  
Phoenix, AZ 85027  
Tel 623.587.5296 | Cell 480.521.5742 | [scolla@epcor.com](mailto:scolla@epcor.com)

---

**From:** Madelaine Bauer <[mbauer@roselawgroup.com](mailto:mbauer@roselawgroup.com)>  
**Sent:** Thursday, November 18, 2021 11:13 AM  
**To:** Colla, Steven <[SColla@epcor.com](mailto:SColla@epcor.com)>  
**Cc:** Omar Abdallah <[oabdallah@roselawgroup.com](mailto:oabdallah@roselawgroup.com)>  
**Subject:** RE: Utility Consent Letter Request

**Notice: External Email**

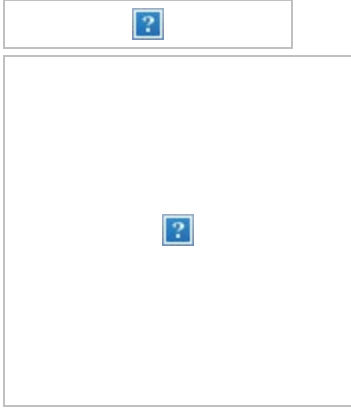
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Please report any suspicious email with the "Report Phish" button.

Hi Steve,

Thank you for providing us with the utility consent letter for our abandonment application. However, we are now applying for an abandonment of approximately 10 feet of the right of way on the east side of the parcel with APN 173440014C (6750 E Exeter Blvd, Scottsdale, AZ 85251) on the northwest corner of Exeter and 68<sup>th</sup> Street (please see attached aerial). Can you please provide us

with a utility consent letter that reflects the change to **10 feet** of right of way so we may proceed with the ROW abandonment? Again, the owner's email is: [garofono@me.com](mailto:garofono@me.com). Please let me know if you need anything further to process this request. Thank you.

Madelaine



Rose Law Group pc

[7144 E Stetson Drive, Suite 300, Scottsdale, AZ 85251](#)

Direct: [480.240.5644](tel:480.240.5644) Mobile: [602.418.4818](tel:602.418.4818)

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**From:** Colla, Steven <[SColla@epcor.com](mailto:SColla@epcor.com)>

**Sent:** Monday, November 8, 2021 3:11 PM

**To:** Madelaine Bauer <[mbauer@roselawgroup.com](mailto:mbauer@roselawgroup.com)>

**Cc:** Omar Abdallah <[oabdallah@roselawgroup.com](mailto:oabdallah@roselawgroup.com)>; [garofono@me.com](mailto:garofono@me.com); Holwerda, Daniel <[DHolwerda@epcor.com](mailto:DHolwerda@epcor.com)>; Kasem, Mike <[MKasem@epcor.com](mailto:MKasem@epcor.com)>; Colla, Steven <[SColla@epcor.com](mailto:SColla@epcor.com)>

**Subject:** RE: Utility Consent Letter Request

Madelaine-attached for your records is the abandonment request letter. Please reach out if you have any further questions or concerns.

Regards,



Steven Colla  
Real Estate Specialist  
Engineering Department  
EPCOR  
2355 W. Pinnacle Peak Road, Suite 300  
Phoenix, AZ 85027  
Tel 623.587.5296 | Cell 480.521.5742 | [scolla@epcor.com](mailto:scolla@epcor.com)

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**From:** Madelaine Bauer <[mbauer@roselawgroup.com](mailto:mbauer@roselawgroup.com)>  
**Sent:** Tuesday, October 5, 2021 11:43 AM  
**To:** Colla, Steven <[SColla@epcor.com](mailto:SColla@epcor.com)>  
**Cc:** Omar Abdallah <[oabdallah@roselawgroup.com](mailto:oabdallah@roselawgroup.com)>  
**Subject:** RE: Utility Consent Letter Request

**Notice: External Email**

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Please report any suspicious email to the EPCOR Service Desk.

Hi Steve,

Thank you very much for getting back to me. You are correct, Epcor does not have a PUE running along the ROW. However, to move forward with the abandonment, we still need a utility consent letter from each utility provider in Scottsdale. As requested, the owner's email is:  
[garofono@me.com](mailto:garofono@me.com)

Please let me know if you need any other information to process this request.

Best,

Madelaine



Law Clerk



Rose Law Group pc

7144 E Stetson Drive, Suite 300, Scottsdale, AZ 85251

Direct: 480.240.5644 Fax: 480.505.3925

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**From:** Colla, Steven <[SColla@epcor.com](mailto:SColla@epcor.com)>

**Sent:** Thursday, September 30, 2021 10:57 AM

**To:** Madelaine Bauer <[mbauer@roselawgroup.com](mailto:mbauer@roselawgroup.com)>

**Subject:** RE: Utility Consent Letter Request

Madelaine-I don't show a PUE on the City of Scottsdale GIS mapping and typically they have it listed on there. Do you have a survey you can provide where this showed up? Also can you please provide the owner's email as I need to direct a response to them as well if they have hired you directly for this request.

Regards,



Steven Colla

Real Estate Specialist

Engineering Department

EPCOR

2355 W. Pinnacle Peak Road, Suite 300

Phoenix, AZ 85027

---

**From:** Madelaine Bauer <[mbauer@roselawgroup.com](mailto:mbauer@roselawgroup.com)>

**Sent:** Monday, September 27, 2021 5:07 PM

**To:** Colla, Steven <[SColla@epcor.com](mailto:SColla@epcor.com)>

**Cc:** Omar Abdallah <[oabdallah@roselawgroup.com](mailto:oabdallah@roselawgroup.com)>

**Subject:** Utility Consent Letter Request

**Notice: External Email**

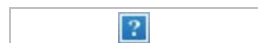
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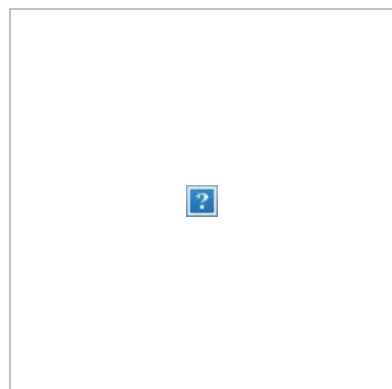
Good afternoon Steve,

We are applying for an abandonment of approximately 8 feet of the right of way on the east side of the parcel with APN 17344014C (6750 E Exeter Blvd, Scottsdale, AZ 85251) on the northwest corner of Exeter and 68<sup>th</sup> Street (see attached aerial). Does Epcor have any utilities running along the east side of the property on 68<sup>th</sup> Street? If so, could you please provide us with a utility consent letter so we may proceed with the ROW abandonment? Scottsdale City staff has conducted a preliminary review and supports the abandonment, however, one of the City's requirements for abandonment is a utility consent letter from the utility providers who might have utilities here. Please let me know if you need anything from me to process this request. Thank you.

Madelaine



Law Clerk



7144 E Stetson Drive, Suite 300, Scottsdale, AZ 85251

Direct: 480.240.5644 Fax: 480.505.3925

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**SRP**





Senior Right of Way Technician  
PAB 10W | P.O. Box 52025  
Phoenix, AZ 85072-2025  
P: (602) 236-3126 | F: (602) 236-8193  
[sherry.wagner@srpnet.com](mailto:sherry.wagner@srpnet.com)

November 18, 2021

Ms. Madelaine Bauer  
Rose Law Group  
7144 E. Stetson Drive, Suite 300  
Scottsdale, AZ 85251

RE: Abandonment 6750 E Exeter Blvd

Dear Ms. Bauer:

Salt River Project has no objection to the Abandonment of the 10 foot of Right of Way on the east side of 6750 E Exeter Blvd (APN# 173-44-014C) as shown in your new Exhibit submitted November 18, 2021.

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

Sincerely,

*Sherry Wagner*

Sherry Wagner

# SW GAS



## SOUTHWEST GAS CORPORATION

December 20, 2021

Rose Law Group  
Attn: Madelaine Bauer  
7144 E Stetson Dr., Suite 300  
Scottsdale AZ 85251

SUBJECT: Right-of-Way Reduction  
REQ 15238 (2<sup>nd</sup> letter) Abandon a total of 10' of existing ROW on east side of parcel  
APN 173-444-014C. Requestor is not asking to abandon any part of street right -of-way.

Dear Ms. Bauer,

After reviewing the plans for the above-referenced project, it has been determined that there are **no apparent conflicts** between the Southwest Gas system and your proposed reduction of the right of way as shown on the application you provided. Southwest Gas would like to recommend the reduction of the right of way at the above-referenced location.

Thank you for your cooperation on this project. Please contact me if you have any questions or require additional information.

Sincerely,

Tami Garcia  
Analyst/Right-of-Way  
725-502-3385