

McCormick Ranch Property Owners' Association, Inc.

9248 N 94TH ST
SCOTTSDALE, AZ 85258

Phone: 480-860-1122

Fax: 480-860-1530

5/25/2021

RANCH AUTO CENTER LLC
c/o: DESERT PACIFIC ADVISORS
9393 N 90th ST Ste 207
SCOTTSDALE, AZ 85258

Re: Architectural Submittal at 9550 N 90TH ST

Dear Homeowner:

The Architectural Review Committee for McCormick Ranch Property Owners' Association, Inc. has reviewed and **APPROVED WITH CONDITIONS** the architectural submittal of a conceptual application for redevelopment of the former gas station into a Tropical Smoothie, per the plans submitted based on the following condition:

After review, the ARC voted to approve a subsequent submittal from CenterPointe Real Estate Group, LLC with City approval (please submit the City of Scottsdale application for a zoning change) allowing the rezoning to C-2. Further, the ARC has approved, in concept only, your request to develop a new Tropical Smoothie on the property after rezoning approval. All elevations, including exterior design and paint colors, must be submitted and approved prior to construction.

This approval by the MRPOA Architectural Review Committee shall be null and void if City of Scottsdale permits are required and have not been obtained prior to commencement of work, or if such permits were denied. No project approved by the Architectural Review Committee shall be deemed approved until all required permits have been obtained and copies thereof have been received by the MRPOA office. Fines will be added if permits are not provided prior to commencement of work.

If you have any questions, please contact the association at 480-860-1122, ext. 200 or admin@mrpoa.com.

The applicant shall commence construction, reconstruction, alteration or other work pursuant to this approval within the timeline requested on the application. The project must be completed within the timeline requested, unless prior authorization is otherwise received. If approval was a result of a violation issued against the property, that applicant has fifteen (15) calendar days to bring the property into compliance, unless prior authorization is received.

ARC approval of plans shall not constitute a representation, warranty, or guarantee that such plans and specifications comply with engineering design practices or zoning and building ordinances, or other governmental agency regulations or restrictions. The ARC shall not be responsible for reviewing, nor shall its approval of any plans or design, be deemed approved from the standpoint of structural safety or conformance with building or other codes. By approving such plans and specifications, neither the ARC, the Members thereof, the Association, any Member thereof, their Board of Directors, any Members thereof, or the Declarant assumes any liability or responsibility therefore or for any defect in the construction or improvement from such plans or specifications. As provided in the CC&R's neither the ARC, the Association, the Board of Directors or the Association or any Members thereof, not the Declarant or Developer shall be liable to any Member, Owner, Occupant, or other person or entity for any damage, loss or prejudice suffered or claimed on account of (1) the approval or disapproval of any plans, drawings, or specifications, whether or not defective, or (2) the construction or performance of any work whether or not pursuant to the approved plans, drawings, or specifications.

Your patience and cooperation with the architectural review process is appreciated.

Best regards,

McCormick Ranch Property Owners' Association, Inc.

12-ZN-2021
12/8/2021