ceived counsel and management guidance at that meeting and was directed to escalate my review of the valuation procedure to a high priority task with a goal of: (1) reporting my findings; (2) researching and evaluating other agency programs; (3) creating a recorproposed new procedure in time to implement before 8-48-2024 moved forward to Council.

Short answer, we couldn't get to the finish line in time. I have provided responses (red text) to several of your concerns/questions (blue text) below

- The 8-8 AB-2024 applicant, nor any other applicant, needs to be on hold or waif for the draft or finding procedure. In this case, the owner of the pre-final vetted draft and/or

- Existing procedure

### Proposed procedure Flat fee -

- 10% of average sales price per SF
   5 yr data set
   Non-SFR land sales (similar areas)
- Non-SFR land sales (similar areas)
   \$25 per SF average per data set
   Indicated Flat fee \$2.50 per SF
   Abandonment fee calc: 45,676 SF x \$2.50/SF \$114,190
- Let me know when you will provide the applicant team with the appricant scope of work and your position regarding abandonment processing until the abandonment procedure is finalized.

  The general scope of work is in Item D from RES' 1<sup>st</sup> Review comments that you pasted in below. RES can provide the applicant with the appraisal requirement and specific scope by COB 3-11-25. RES'1st Review Comments are reattached to this e-mail

Also, any sizus regarding the BOR is not relivant to such a delay for the abandonment comments, so I'm not sure what circling back with Meredith and other team members will accomplise. Given the response we received from the BOR is the supposed to build on their lot lines and obtain an essement over profition of adjusted BOR lines the construction and inclines and obtain an essement over profition of adjusted BOR lines that for construction and inclines and obtain an essement over profition of adjusted BOR lines that they construct the supposed use no BOR in that they will not great an essement to the property owner to be proper

I will forward Tom Fitzgerald's e-mail when I get into the office this morning.

# Michelle Colby City of Scottsdale Real Estate Asset Manager

mcolby@scottsdaleaz.gov O: 480-312-7042

From: Curts, Tim-courts@scottdaleaz.gov Sent: Tuesday, March 4, 2025 13 PM sate process, March 4, 2025 12 PM

Michelle and Alison,
As I understand it, your most recent comments to the applicant team have been to wait for the draft abandonment procedure. I'm not sure that holding up this application for 2 months is fair customer se

certifier, the applicant's response scanow-segges your previous comments as snown nearow which seem to be persung you provide.

City Real Estate will provide an appraisal scope of work for the applicant's use once
the City's first review comments are satisfactorily addressed.

se: Acknowledged

d. Applicant to procure and submit an appraisal of the market value of the easement Applicant to procure and submit an appraisa of the market value of the easement rights to be abandomed/released using before and after methodology that will be described in the City-provided appraisal scope of work. The larger parcel shall be appraised as encumbered and available to be developed to its highest and best use (before) as well as if unencumbered and available to be developed to its highest and best use (after). The applicant shall pay 90% of the difference between the before and after market values as consideration for the abandonment/release.

Response: Acknowledged

If review of these types of abandorment requests are on hold to wait for the draft abandorment procedure, I think we need to discuss this at Major Projects with the city manager's office this Monday.

Also, any issue regarding the BOR is not relevant to such a delay for the abandorment comments, so I'm not sure what circling back with Meredith and other team members will accomplish.

Case Reviews Late as of 3/3/2025 (excludes Admin and STIPS)

Track				Case#	Rv Case Name	Case Status Submittal Sub Date # Due Date Complete Review	Type Sta	riew Review tus Location
44-24 8-AB-2024	The Collector's Garages at Westworld	ACTIVE	1 12/16/24	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	COLBY MICHELLE	ASSET MANAGEMENT	IN CDS FOLDER (DIGITAL)	

From: Colby, Michelle <a href="MColby@Scottsdalear.gov">McColby@Scottsdalear.gov</a>
Sent: Tuesday, March 4, 2025 10:47 AM

To: Jennifer Hall <a href="Hall@Broselawgroup.com">Hall@Broselawgroup.com</a>; Tessier, Meredith <a href="MTessier@Scottsdalear.gov">MTessier@Scottsdalear.gov</a>

Cc: Henry Hardy <a href="https://doi.org/10.1007/j.cc/">https://doi.org/10.1007/j.cc//doi.org/10.1007/j.cc//doi.org/10.1007/j.cc//doi.org/10.1007/j.cc//doi.org/10.1007/j.cc///doi.org/10.1007/j.cc//doi.org/10.1007/j.cc//doi.org/10.1007/j.cc//doi.org/10.

I am sorry for the delay on my end. I am having some health issues that require meds that lower my immune system 🗵 so I swear I have been catching every germ that even looks my way

This time around. I have been out for a week sick and am just now back at work.

The draft abandonment procedure is not ready for internal review yet. I won't be able to share a draft until the draft has been fully reviewed and vetted by City management and counsel

Michelle Colby
City of Scottsdale Real Estate Asset Manager

<u>mcolby@scottsdaleaz.gov</u> O: 480-312-7042

From: Jennifer Hall (<u>Hall Broadswarrous</u> comp Senti Wednesde, Pérhaury 28, 2025 945 MM Tac Colly, Michelle (<u>AlCollyriBiscottodales</u> apop.) Tessier, Meredith (<u>All Tessier/Biscottodales</u>, to Cel Henry Hardy <u>Almost All Resolutions</u> comp.) Jennifer Hall (<u>Alail Broadswarrous</u> comp. Subject: 5-214-2024 and 8-AB-2024 Garages of West World; AB Property Valuation Discussion

Jennifer Hall



7144 E Stetson Drive, Suite 300, Scottsdale, AZ 85251 Direct: 480.505.3938 F: 480.505.3925 Mobile:

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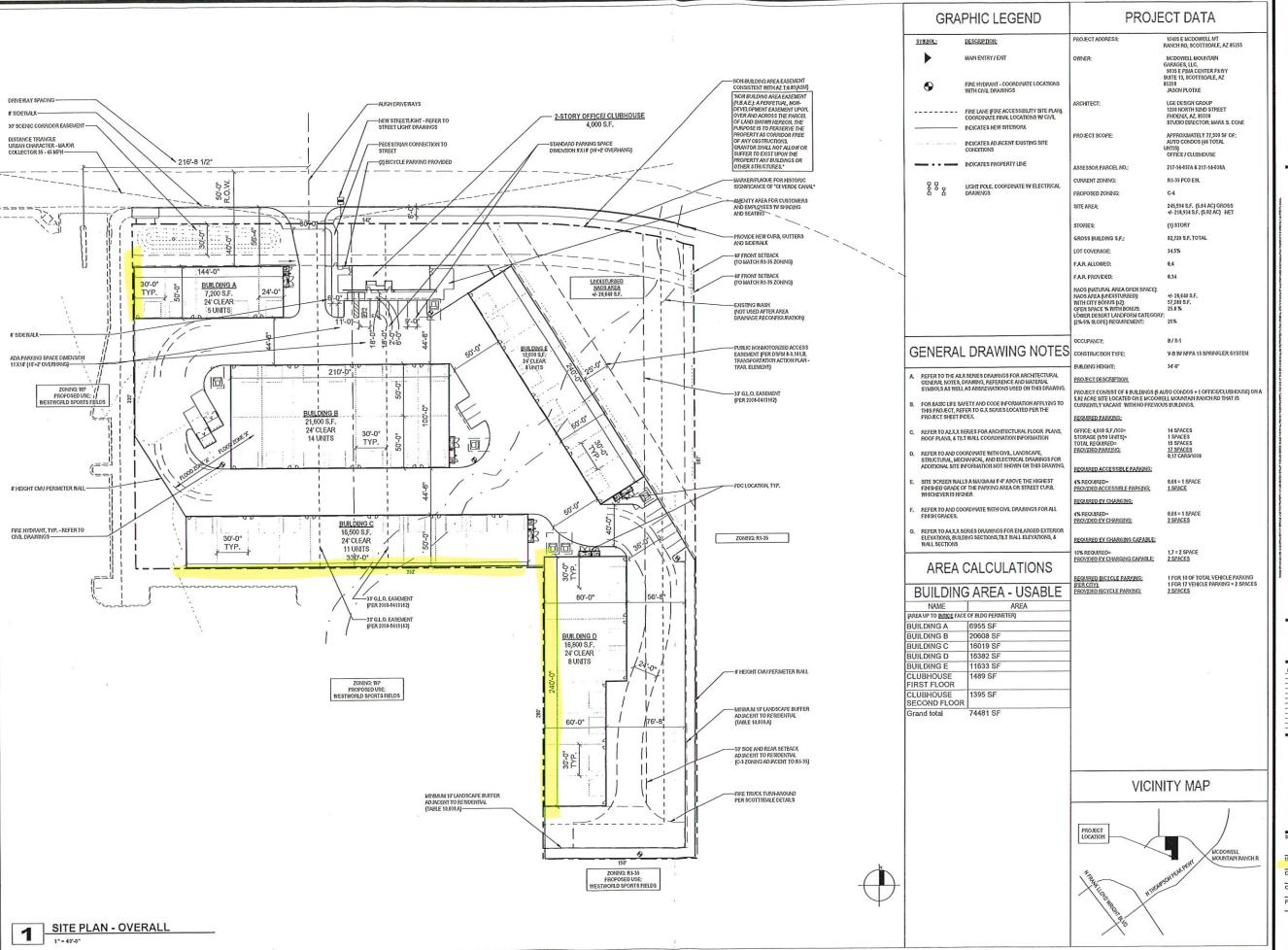
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# COLLECTOR'S GARAGE AT WESTWORLD 10405 E MCDOWELL MTN RANCH RD SCOTTSDALE, AZ 85255

LGE DESIGNBUILD

DATE

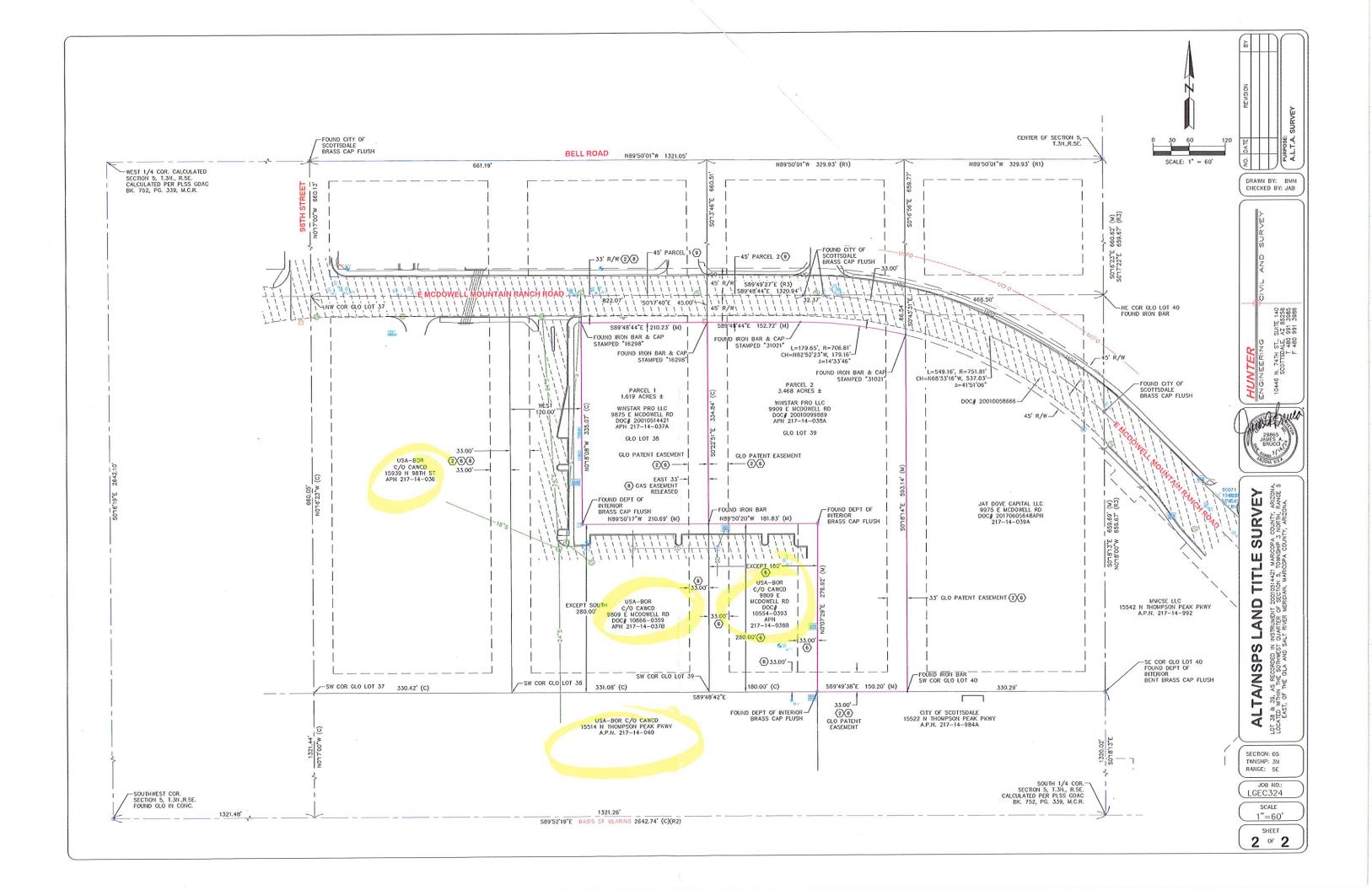
NO FOR CONSTRUCTION

REVISION

SHEET TITLE:
ARCHITECTURAL SITE PLANOVERALL
ISSUE DATE: 11/2024

DRAYNI BY:
LGE DESIGN GROUP
CHECKED BY:
PROJECT No:

A1.1.1





# **Real Estate Services**

One Civic Center 7447 E. Indian School Rd., Ste 205 Scottsdale, AZ 85251

November 4, 2024

Via E-mail:

Real Estate Services staff to Jennifer Hall and Henry Hardy of Rose Law Group

RE:

1<sup>st</sup> review comments - 8-AB-2024 The Collector's Garages at Westworld

Subject Property - Current APN's: 217-14-037A and 217-14-038A

Current Addresses: 9875 & 9909 E McDowell Mountain Ranch Rd

Scottsdale, AZ 85260

## <u>8-AB-2024 - Real Estate case-specific review comments:</u>

- 1. <u>Abandonment Notification Letter dated September 24, 2024.</u> This notice to property owners cites the Project as 532-PA-2024 and the written description of the requested abandonment areas are tied to the wrong parcels of land. The owners are asking that the easements on the eastern, western, and southern boundaries of lot APN 217-14-<u>038A</u>, and on the eastern boundary of lot APN 217-14-<u>037A</u> be abandoned. The depiction on page 2 of the notice accurately shows the requested easements abandonment areas.
- 2. <u>Site Plan w/ Aerial drawn by LGE Design Group dated September 5, 2024.</u> This site plan sheet for the "APEX Motor Club" is labeled as an Architectural Site Plan. It's not clear if this site plan is the most current plan for "The Collector's Garages at Westworld" development; however, we assumed it is for the purpose of this review. Real Estate comments:
  - a. ROW and site dimensions should be consistent with submitted easement release legal descriptions and exhibits prepared by Hunter Engineering as well as the documents that created the lots and rights of way.
  - b. The leader-line for the easternmost 33' GLO easement is not leading to the correct line.
  - c. All three references to the document that created the GLO easements are incorrect.
  - d. The Westworld Sports Fields have been constructed and an updated aerial is available.
  - e. Please verify the project data, area calculations, and plan labels. Revise as necessary to correct what appear to be inconsistencies in project addressing, proposed new zoning, and improvement details.
  - f. The site plan appears to show a zero-lot line build, i.e. vertical improvements proposed to be built on or quite near, along the western lot lines and a southern lot line. In most cases, building and maintaining improvements on or very close to a lot line is not feasible without obtaining an easement from the adjacent land owner. In this case, with the exception of the eastern and southernmost borders of the larger parcel, the adjacent land is owned by the Federal Bureau of Reclamation (BOR). The Central Arizona Project (CAP) manages those parcels on behalf of the BOR. The City of Scottsdale is authorized to improve and use those parcels for recreational purposes only.

The CAP, acting on BOR's behalf, is the only entity that is authorized to issue a temporary or perpetual land right on the adjacent BOR lands. Real Estate is not aware of a scenario in which a private entity has been the recipient of a land right from the BOR for a use such as the one that is proposed for this development. If a land right cannot be obtained, please modify the site plan to allow for all

- improvements, construction access, and operation/ maintenance, to be contained on the subject larger parcels.
- g. Development of the larger parcel as combined is also bound by the terms, restrictions, covenants, conditions, liabilities, and obligations of that certain Drainage Project Agreement recorded as Document No. 2022-0430791 in the Maricopa County Recorder's Office on May 18, 2022. This document is item #9 on Schedule B11 of Amendment 3 to the Applicant's Title Commitment dated September 6, 2024.
- 3. <u>Legal Descriptions and Exhibits of Patent easement release areas sealed July 26, 2024 by RLS James A Brucci with Hunter Engineering.</u>
  - a. Please revise as needed to ensure consistency between the written bearings and distances on Exhibit A and the table/graphic depiction on Exhibit B.
  - b. Please add a total square footage calculation to the last line of each Exhibit A description.
  - c. Please also revise documents as needed to ensure exhibits are consistent with the revised site plan.
- 4. Applicant Estimated GLO Abandonment Fees.
  - a. Please correct mathematical and typographical errors on this document.
  - b. Assuming the size of the release areas are substantially similar to the acreage cited on the legal descriptions that are part of this 1<sup>st</sup> submittal once the consistency review is complete, it appears that the applicant is proposing that the City release the public's rights to use approximately 45,676 SF (1.05 acres) of GLO roadway and utility easements reserved in the Patent to the subject lands.

Esmt Release 1 – 33' GLO on east side of APN 217-14-037A:  $335' \times 33' = 11,055 \text{ SF or } 0.254 \text{ acres (rounded)}$ 

Esmt Release 2 – 33′ GLO on east and south sides of APN 217-14-038A:

597' x 33' = 19,705 SF

117' x 33' = 3,861 SF

total = 23,566 SF or 0.541 acres (rounded)

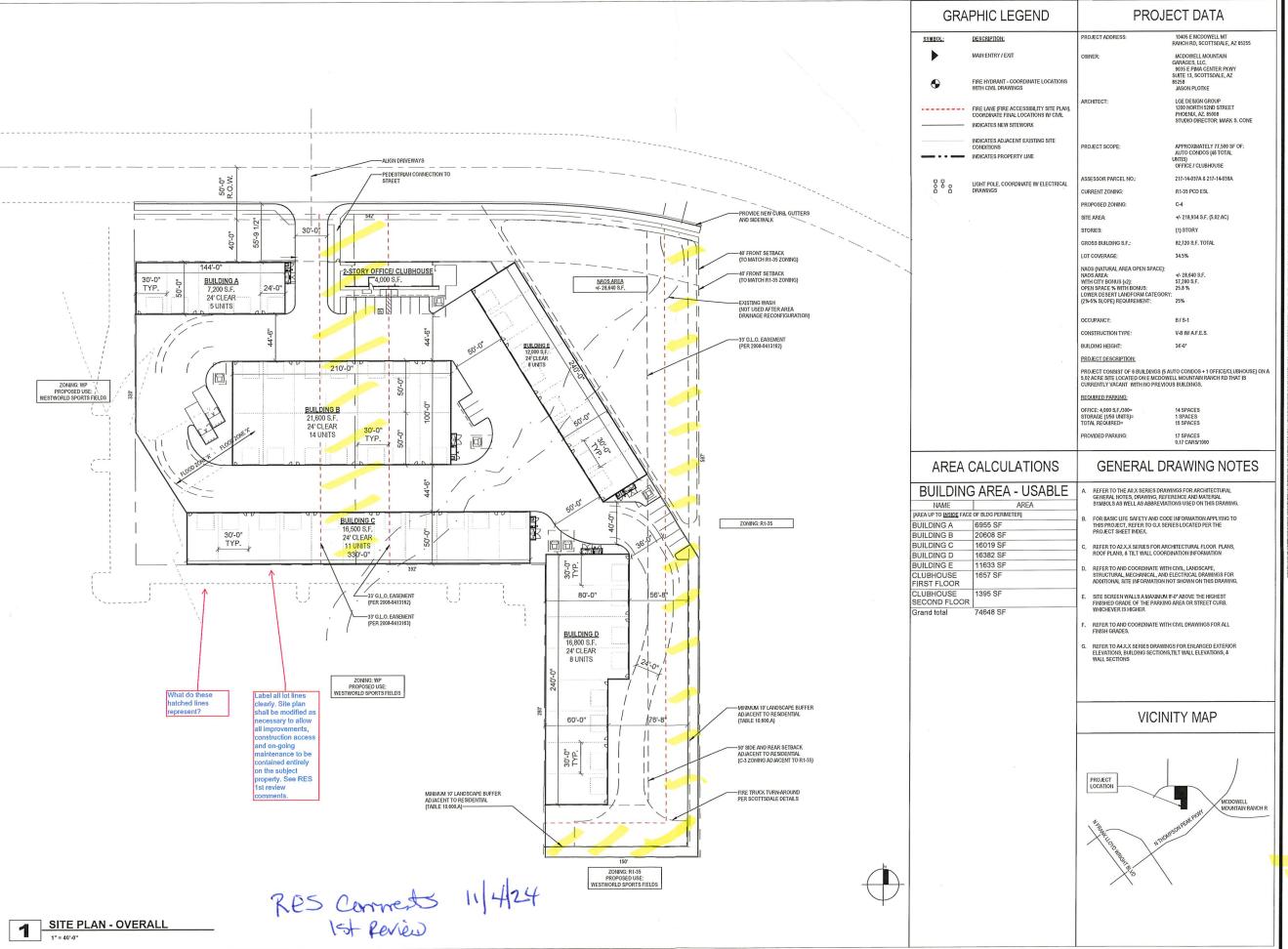
Esmt Release 3 – 33' GLO on west side of APN 217-14-038A:

335' x 33' = 11,055 SF or 0.254 acres (rounded)

- c. City Real Estate will provide an appraisal scope of work for the applicant's use once the City's first review comments are satisfactorily addressed.
- d. Applicant to procure and submit an appraisal of the market value of the easement rights to be abandoned/released using before and after methodology that will be described in the City-provided appraisal scope of work. The larger parcel shall be appraised as encumbered and available to be developed to its highest and best use (before) as well as if unencumbered and available to be developed to its highest and best use (after). The applicant shall pay 90% of the difference between the before and after market values as consideration for the abandonment/release.

Should you have any questions feel free to reach out.

Sincerely,
Michelle Colby
Real Estate Asset Manager
mcolby@scottsdaleaz.gov
480-312-7042



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· . +

# COLLECTOR'S GARAGE AT WESTWORLD 10405 E MCDOWELL MTN RANCH RD SCOTTSDALE, AZ 85255

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REVISION

SHEET TITLE:

ARCHITECTURAL SITE PLANOVERALL

ISSUE DATE: 08/19/24

DRAWN BY: LGE DESIGN GROUP
CHECKED BY:

A1.1.

PROJECT No: