

207 Waiver

Title

Legal Description / Ads

Policy or Appeals

Correspondence Between Legal & Staff

Letter of Authorization

When Recorded, Return to: Tiffany & Bosco, P.A. c/o Shaine T. Alleman 2525 East Camelback Road Seventh Floor Phoenix, AZ 85016-9240

\_\_\_\_\_

# DECLARATION OF RESTRICTIONS FOR

# THE ARIZONA CONFERENCE CORPORATION OF SEVENTH-DAY ADVENTISTS SCOTTSDALE CAMPUS

	THIS	DECLARATION	OF	RESTRICTIONS	FOR	The	Arizona	Conference
Corpora	tion of	Seventh-Day Adver	ntists	Scottsdale Campus	(the "	Decla	ration'') is	s made as of
the	day	y of		, 2019, by The A	Arizona	Conf	erence Co	rporation of
Seventh	-Day A	dventists, Inc., an A	rizon	a nonprofit corporat	ion ( <b>"I</b>	<b>Develo</b>	per'').	

### RECITALS

- A. Developer is the owner of that real property described on **Exhibit "A"** attached hereto and made a part hereof (the "Developer Property").
- B. Developer is currently processing a rezoning application with the City of Scottsdale on Developer Property that consists of rezoning from Single Family Residential (R1-35) zoning and Industrial Park (I-1) zoning district to Planned Airpark Core Development (PCP) with Airpark Mixed Use Residential (AMU-R), Airpark Mixed Use (AMU), Aviation (AV) & Employment (EMP) land use designations of the City of Scottsdale Zoning Ordinance and per Scottsdale's Greater Airpark Character Area Plan (the "Rezoning Application"). The Rezoning Application number is 14-ZN-2019.
- C. Per the Rezoning Application, Developer intends to develop and operate the Developer Property as a religious and educational campus generally in conformance with the site plan attached hereto as **Exhibit "B"** (the "Site Plan"). To effectuate the development, use and operation of the religious and education campus, Developer desires to establish these covenants and agreements for the beneficial use of the Developer Property and to establish certain allowed and restricted uses on the Developer Property, all as set forth hereinafter.

# **AMENDMENT**

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other valuable consideration, Developer declares as follows:

### 1. Uses and Restrictive Covenants

1.1. <u>Allowed Uses Under the City of Scottsdale Land Use Regulations</u>. The Developer Property shall be used for only those uses allowed within the City of Scottsdale Zoning Ordinance land use regulations for the following use districts (and as described further in the Rezoning Application and on the Site Plan): Planned Airpark Core Development (PCP) with Airpark Mixed Use Residential (AMU-R), Airpark Mixed Use (AMU), Aviation (AV) & Employment (EMP)

- 1.2. <u>Prohibited Uses</u>. Notwithstanding the foregoing, and even if the uses are allowed within the approved City of Scottsdale land use designations on the Developer Property, the following activities, uses or purposes shall be prohibited on the Developer Property.
- 1.2.1. Bars No bar, tavern or cocktail lounge or other establishment chiefly devoted to on-premise consumption of alcoholic beverages shall be permitted within the Developer Property.
- 1.2.2. Live Entertainment No use devoted to the performances of persons before an audience at a nonresidential establishment shall be permitted within the Developer Property.
- 1.2.3. Sports Arena No sports arenas shall be permitted within the Developer Property.
- 1.2.4. Theaters -- No theaters of any kind (including, without limitation, motion picture theaters and facilities) shall be permitted within the Developer Property.
- 2. **Binding Effect and Duration**. This Declaration shall run with and bind the owners of Developer Parcel and shall inure to the benefit of and be enforceable by the owners of Developer Parcel and its respective heirs, executors, legal representatives, successors and assigns.

IN WITNESS WHEREOF, Developer has executed the Declaration as of the date first written above.

	The Arizona Conference Corporation of Seventh- Day Adventists, Inc., an Arizona nonprofit corporation
	By: XXXXX Its: Member
STATE OF ARIZONA ) )ss. COUNTY OF MARICOPA )	
	edged before me this day of,  Member of The Arizona Conference Corporation of a nonprofit corporation.
My commission expires:	Notary Public

Exhibit A

Arizona Conference Corporation of Seventh-Day Adventists Scottsdale Campus

Legal Description



Exhibit B

<u>Arizona Conference Corporation of Seventh-Day Adventists Scottsdale Campus Site Plan</u>



# Request for Site Visits and/or Inspections





This request concerns all property identified in the development application.			
Pre-application No: 393 -PA- 2019			
Project Name: Seventh Day Adventist			
Project Address: 7410 E. Sutton Dr. Scottsdale, AZ 85260			
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: Reginald Lead Print Name  Reginald Xoad Signature' Treasurer			
City Use Only:			
Submittal Date: Case number:			
Planning and Development Services 7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ www.ScottsdaleAZ.gov			

# Request To Submit Concurrent Development Applications



**Acknowledgment and Agreement** 

The City of Scottsdale recognizes that a property owner may desire to submit concurrent development applications for separate purposes where one or more of the development applications are related to another development application. City Staff may agree to process concurrently where one or more the development applications related to the approval of another development application upon receipt of a complete form signed by the property owner.

Development Application Types the types of applications that you are req	uesting to submit concurrently
Development Review	Signs
	☐ Master Sign Program (MS)
The control of the co	☐ Community Sign District (MS)
	Other
	☐ Annexation/De-annexation (AN)
Land Divisions (PP)	☐ General Plan Amendment (GP)
☐ Subdivisions	☐ In-Lieu Parking (IP)
☐ Condominium Conversion	☐ Abandonment (AB)
☐ Perimeter Exceptions	Other Application Type Not Listed
☐ Plat Correction/Revision	
f SDA	
cottsdale, AZ 85254	
Fax:	
vner's risk; 2) to hold the City harmless of velopment applications; 3) to the City of placing a development application on elated to an another development application	all cost, expense, claims, or other liability Scottsdale's Substantive Policy Statement hold in order to continue processing a ation; and 5) that upon completion of the
	Date: 73-2019
Submitta	l Date:
Date:	
	Development Review  Development Review (Major) (DR)  Development Review (Minor) (SA)  Wash Modification (WM)  Historic Property (HP)  Land Divisions (PP)  Subdivisions  Condominium Conversion  Perimeter Exceptions  Plat Correction/Revision  FSDA  cottsdale, AZ 85254  Fax:  ignature below, I acknowledge and agreemer's risk; 2) to hold the City harmless of velopment applications; 3) to the City of placing a development application on elated to an another development application, one or more of the development application on elated to an another development application on the developme

## **Planning and Development Services**

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 • www.ScottsdaleAZ.gov

Request to Submit Concurrent Development Applications

Page 1 of 1

Revision Date: 02/02/2015

PART OF THE SOUTHWEST QUARTER OF SECTION 11 AND PART OF THE NORTHWEST QUARTER OF SECTION 14,

TOWNSHIP 3 NORTH, RANGE 4 EAST, GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA,

DEGREES 55 MINUTES EAST A DISTANCE OF 397.73 FEET FROM THE SOUTHWEST CORNER OF SECTION 11:

THENCE SOUTH 0 DEGREES 22 MINUTES WEST A DISTANCE OF 40.00 FEET TO THE SOUTH LINE OF SECTION 11;

THENCE A DISTANCE OF 31.43 FEET TO THE RIGHT ALONG THE ARC OF A CURVE WHOSE RADIUS IS 20.00 FEET;

THENCE A DISTANCE OF 31.41 FEET TO THE RIGHT ALONG THE ARC OF A CURVE WHOSE RADIUS IS 20.00 FEET:

THENCE NORTH 43 DEGREES 55 MINUTES EAST A DISTANCE OF 826.39 FEET TO THE NORTH LINE OF SECTION 14;

EXCEPT THAT PARCEL OF LAND CONVEYED TO CITY OF SCOTTSDALE, A MUNICIPAL CORPORATION RECORDED

THENCE ALONG THE SOUTH LINE OF SAID PARCEL NORTH 89 DEGREES 36 MINUTES WEST, A DISTANCE OF 1307.79

THENCE NORTHWESTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 45.00 FEET, CONCAVE

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 45.00 FEET, CONCAVE

THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 45.00 FEET, CONCAVE

NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 89°48'12", A DISTANCE OF 70.53 FEET, TO THE CURVES END;

SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 89°52'06", A DISTANCE OF 70.58 FEET, TO THE CURVES END;

SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 90°05'30", A DISTANCE OF 70.76 FEET, TO THE CURVES END;

THENCE NORTH 43 DEGREES 55 MINUTES EAST A DISTANCE OF 397.73 FEET TO THE POINT OF BEGINNING;

COMMENCING AT THE SOUTHERLY MOST, SOUTHEAST CORNER OF ABOVE DESCRIBED PARCEL;

THENCE LEAVING SAID SOUTH LINE, NORTH 00°39'34" EAST, A DISTANCE OF 343.95 FEET;

THENCE NORTH 89°11'47" WEST, A DISTANCE OF 9.08 FEET, TO THE BEGINNING OF A CURVE;

THENCE NORTH 00°36'25" EAST, A DISTANCE OF 601.44 FEET, TO THE BEGINNING OF A CURVE;

THENCE SOUTH 89°31'29" EAST, A DISTANCE OF 646.06 FEET TO THE BEGINNING OF A CURVE;

THENCE NORTH 00°39'34" EAST, A DISTANCE OF 40.00 FEET, TO THE POINT OF BEGINNING.

THENCE SOUTH 89 DEGREES 36 MINUTES EAST A DISTANCE OF 1.324.48 FEET:

THENCE SOUTH 0 DEGREES 22 MINUTES WEST A DISTANCE OF 248.00 FEET;

THENCE NORTH 89 DEGREES 36 MINUTES WEST A DISTANCE OF 40,00 FEET:

THENCE SOUTH 0 DEGREES 22 MINUTES WEST A DISTANCE OF 1,262.66 FEET;

THENCE NORTH 89 DEGREES 36 MINUTES WEST A DISTANCE OF 2,505.98 FEET;

THENCE NORTH 0 DEGREES 23 MINUTES EAST A DISTANCE OF 663.27 FEET;

THENCE SOUTH 89 DEGREES 37 MINUTES EAST A DISTANCE OF 418.77 FEET;

EXCEPT ANY PORTION LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

NOVEMBER 04, 1996 AS 96-0782195 OF OFFICIAL RECORDS, AND

THENCE SOUTH 00°34'01" WEST, A DISTANCE OF 277.25 FEET;

THENCE NORTH 89°27'05" EAST, A DISTANCE OF 682.26 FEET;

THENCE SOUTH 00°22'00" WEST, A DISTANCE OF 763.51 FEET;

THENCE NORTH 89°36'00" WEST, A DISTANCE OF 1,368.01 FEET;

FEET, TO THE POINT OF BEGINNING;

**DESCRIBED AS FOLLOWS:** 

# Z **D** S

BEGINNING AT A POINT LYING SOUTH 89 DEGREES 36 MINUTES EAST A DISTANCE OF 1,041.97 FEET AND NORTH 43

VE UR S TITLE

DENNIS HARMON JR.

COMPLETED SURVEY FIELD WORK ON **CHECKED BY** DH/TRG CAD TECHNICIAN N.T.S. 04/09/19 **JOB NUMBER** WP#194966 OF

Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met.

(a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.

Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession thereof.

Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.

Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the Public Records.

(a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.

Any lien or right to a lien for services, labor or material not shown by the Public Records.

Exceptions above will be eliminated from any A.L.T.A. Extended Coverage Policy, A.L.T.A. Homeowner's Policy, A.L.T.A. Expanded Coverage Residential Loan Policy and any short form versions thereof. However, the same or similar exception may be made in Schedule B of those policies in conformity with Schedule B, Part Two of this Commitment.

Taxes for the full year of 2019. (The first half is due October 1, 2019 and is delinquent November 1, 2019. The second half is due March 1, 2020 and is delinquent May 1, 2020.)

Reservations or Exceptions in Patents, or in Acts authorizing the issuance thereof.

The right to enter upon said land, remove all uranium, thorium and other fissionable minerals as reserved by United States of America, in Deed recorded in Docket 1185, Page 139.

Covenants, Conditions and Restrictions as set forth in document recorded in Docket 1185, Page 139, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

Covenants, Conditions and Restrictions as set forth in document recorded in Docket 45, Page 83, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

An easement for electric lines and poles and incidental purposes in the document recorded as Book 63 of Miscellaneous, Page 487.

An easement for electric lines and incidental purposes in the document recorded as Docket 1466, Page 356.

An easement for electric lines and incidental purposes in the document recorded as Docket 1759, Page 107.

An easement for gas main and incidental purposes in the document recorded as Docket 2381, Page

10. An easement for gas main and incidental purposes in the document recorded as Docket 2416, Page

An easement for electric lines and incidental purposes in the document recorded as Docket 3663,

(12.) An easement for electric lines and incidental purposes in the document recorded as Docket 4283,

13. An easement for electric lines and appurtenant facilities and incidental purposes in the document recorded as Docket 13154, Page 447.

14. An easement for underground right-of-way and incidental purposes in the document recorded as Docket 9911, Page 276.

An easement for electric lines and appurtenant facilities and incidental purposes in the document recorded as Docket 10520, Page 248.

An easement for electric lines and appurtenant facilities and incidental purposes in the document recorded as Docket 13646, Page 239.

An easement for electric lines and appurtenant facilities and incidental purposes in the document recorded as 83-052383 of Official Records.

The terms and provisions contained in the document entitled "City of Scottsdale Drainage and Flood Control Easement and Provision for Maintenance" recorded April 28, 1983 as 83-157253 of Official Records.

Terms and provisions of an unrecorded lease dated September 12, 1995, by and between Arizona Conference Corporation of Seventh Day Adventist, an Arizona Non-Profit Corporation as lessor and AT&T Wireless PCS, Inc., a Delaware corporation as lessee, as disclosed by a Memorandum of Option and Site Lease Agreement recorded September 29, 1995 as 95-0600019 of Official Records.

Defects, liens, encumbrances or other matters affecting the leasehold estate, whether or not shown by the public records are not shown herein.

Terms and provisions of an unrecorded lease dated September 12, 1995, by and between Arizona Conference Corporation of Seventh Day Adventist, an Arizona Non-Profit Corporation as lessor and AT&T Wireless PCS, Inc., a Delaware corporation as lessee, as disclosed by a Memorandum of Lease recorded January 11, 1996 as 96-0023056 of Official Records.

Defects, liens, encumbrances or other matters affecting the leasehold estate, whether or not shown by the public records are not shown herein.

21. An easement for construct operate and maintain electric lines and appurtenant facilities and incidental purposes in the document recorded as 2000-0353184 of Official Records.

An easement for construct operate and maintain electric lines and appurtenant facilities and incidental purposes in the document recorded as 2002-0237851 of Official Records.

All matters as set forth in Waiver of right to make a claim under proposition 207, recorded February 03, 2009 as 2009-0091021 of Official Records.

24. The terms and provisions contained in the document entitled "City of Scottsdale Drainage and Flood Control Easement and Provision for Maintenance" recorded May 19, 2009 as 2009-0450080 of Official Records.

An easement for transmission and distribution of electricity and incidental purposes in the document recorded as 2010-0049063 of Official Records.

An easement for avigation and incidental purposes in the document recorded as 2013-1048194 of

All matters as set forth in Notice of Exercise of Right of Reverter and Power of Termination and Re-Entry on Property, recorded June 21, 1996 as 96-0436861 of Official Records.

28. The terms and provisions contained in the document entitled "Real Estate Settlement Agreement" recorded July 05, 2001 as 2001-0599995 of Official Records.

An easement for transmission and distribution of electricity and incidental purposes in the document recorded as 2017-0522005 of Official Records.

An easement for electric lines and appurtenant facilities and incidental purposes in the document recorded as Docket 15930, Page 1130.

An easement for gas pipeline or pipelines and appurtenant and incidental purposes in the document recorded as 92-0018211 of Official Records.

An easement for ingress/egress and incidental purposes in the document recorded as 96-0782196 of

An easement for gas pipeline or pipelines and appurtenant and incidental purposes in the document recorded as 97-0340259 of Official Records.

An easement for electric lines and appurtenant facilities and incidental purposes in the document recorded as 2001-0422326 of Official Records.

The terms and provisions contained in the document entitled "Temporary Construction Easement" recorded June 05, 2017 as 2017-0405766 of Official Records.

A deed of trust to secure an original indebtedness of \$400,000.00, and any other amounts or obligations secured thereby, recorded November 25, 2009 as instrument no. 2009-1086435 of Official Records.

Dated: October 15, 2009

SCHEDULE "B" ITEMS

Trustor: Arizona Conference of Seventh-day Adventists

Trustee: Chicago Title Company, a California corporation

Beneficiary: Pacific Union Conference of Seventh-day Adventists

(Affects Fee Interest)

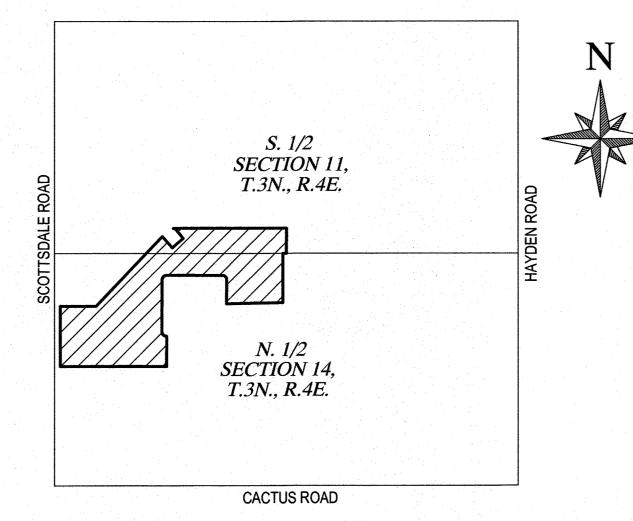
The terms and conditions of the lease set forth in Schedule A, Part II.

Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS survey made by \_\_\_\_\_ on \_\_\_\_, designated Job Number \_\_\_\_\_:

The rights of parties in possession by reason of any unrecorded lease or leases or month to month tenancies affecting any portion of the within described property.

NOTE: This matter will be more fully set forth or deleted upon compliance with the applicable requirement(s) set forth herein.

Water rights, claims or title to water, whether or not shown by the public records.



**VICINITY MAP** 

ALL TITLE INFORMATION IS BASED ON A COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY FILE NO. NCS-948513-MPLS, SECOND AMENDED, DATED APRIL 1, 2019, RECEIVED ON APRIL 4, 2019.

**NOTES** 

BASIS OF BEARING IS NATIONAL GEODETIC SURVEY (NGS) GEODETIC NORTH BASED ON:

THE HORIZONTAL DATUM FOR THIS SURVEY IS BASED ON INFORMATION OBTAINED FROM THE NATIONAL GEODETIC SURVEY (NGS) WEBSITE "WWW.NGS.NOAA.GOV", ON MARCH 1, 2019. PROJECTION: ARIZONA CENTRAL ZONE, NAD 83, (EPOCH 2010)

DATUM: GRS-80 UNITS: INTERNATIONAL FEET GEOID MODEL: AZ GEOID 12A

**CONTROL POINT: 1FH1** 

PID: AJ3687 LATITUDE: 33°35'48.82391"N LONGITUDE: 111°56'39.93577"W

ELLIPSOID HEIGHT: 1330.239 (FEET) DESCRIPTION: ALUMINUM CAP STAMPED 1FH1 1999

MODIFIED TO GROUND AT (GRID) N: 944707.420, E: 691547.281, USING A SCALE FACTOR OF 1.0001635165.

HORIZONTAL ROTATION: NONE

THIS SURVEY WAS PERFORMED WITH GLOBAL POSITIONING SYSTEM EQUIPMENT UTILIZING REAL TIME KINEMATICS SURVEYING METHODS. THE MONUMENTS LOCATED ARE WITHIN THE POSITIONAL TOLERANCES RECOMMENDED IN THE ALTA/NSPS SURVEY REQUIREMENTS ADOPTED FOR USE IN 2016 BY THE AMERICAN LAND TITLE ASSOCIATION AND THE NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS.

AREA OF PARCEL AS SURVEYED IS 2,145,853 SQUARE FEET OR 49.262 ACRES, MORE OR LESS.

UNDERGROUND UTILITIES SHOWN ARE FROM FURNISHED INFORMATION PROVIDED BY UTILITY COMPANY. NO UNDERGROUND INVESTIGATION WAS PERFORMED. THE ONLY INFORMATION RECEIVED AT THE TIME OF THIS SURVEY WAS FROM SOUTHWEST GAS & CITY OF SCOTTSDALE WATER & SEWER. SURVEYOR DOES NOT WARRANT THE ACCURACY OR COMPLETENESS OF UNDERGROUND UTILITIES SHOWN.

THE ABBREVIATIONS THAT APPEAR WITH THE RECORD INFORMATION REPRESENT THE FOLLOWING:

ABOVE NAMED TITLE COMMITMENT

SWEETWATER STREET EAST BOOK 190, PAGE 7, M.C.R.

SWEETWATER STREET EAST UNIT 2 BOOK 209, PAGE 13, M.C.R. THUNDERBIRD INDUSTRIAL AIRPARK NO. 4 BOOK 186, PAGE 44, M.C.R.

SCOTTSDALE INDUSTRIAL AIRPARK NO. 5 BOOK 203, PAGE 43, M.C.R.

PLSS SUBDIVISION, RECORD OF SURVEY BOOK 763, PAGE 58, M.C.R. RECORD OF SURVEY, BOOK 1196, PAGE 30, M.C.R.

RIGHT OF WAY DEDICATION, DOC. 2017-0405765, M.C.R.

QUIT CLAIM DEED, DOCKET 5231, PAGE 207, M.C.R. (R9) DEED, DOC. 1996-0782195, M.C.R.

ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NO. 04013C1760L DATED OCTOBER 16 2013, THE SUBJECT PROPERTY IS LOCATED IN OTHER AREAS ZONE X. OTHER AREAS ZONE X IS DESCRIBED AS: "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD."

ANY DISTANCES, BEARINGS, DESCRIPTIONS, ETC., WHICH MAY VARY FROM THE PROVISIONS OF THE RECORD INFORMATION NOTED ABOVE REFLECT ACTUAL MEASURED DATA, OR THE BEST INTERPRETATION OF THE UNDERSIGNED.

ADJOINING OWNER INFORMATION IS PER THE MARICOPA COUNTY ASSESSOR'S OFFICE GEOGRAPHIC INFORMATION SYSTEM (GIS) WEBSITE ON (MARCH, 2019).

SCHEDULE B ITEMS 3, 4, 5, 19, 20, 23, 26, AND 36 ARE BLANKET IN NATURE AND APPEAR TO AFFECT SUBJECT PROPERTY, ITEMS 19, 20, 23, 26 ARE ONLY BLANKET IN NATURE TO THE PROPERTY LYING WITHIN SECTION 14. ITEM 36 IS BLANKET IN NATURE TO THE LEGAL DESCRIPTION WITHIN THE TITLE REPORT.

11) SCHEDULE B ITEMS 1, 2, 3, 4, 5, 6, 7, & 1, 2, 14, 37, 38, 39 AND 40 ARE NOT PLOTTABLE. HOWEVER, SAID SCHEDULE BITEMS MAY OR MAY NOT AFFECT SUBJECT PROPERTY.

12) IN THE OPINION OF THE UNDERSIGNED, SCHEDULE "B" ITEM(S) 13, 21, 24, 25, 27 AND 28 DO NOT APPEAR TO AFFECT SUBJECT PROPERTY.

13) SCHEDULE B ITEM(S) 8 AND 9 ARE ILLEGIBLE. HOWEVER, SAID SCHEDULE B ITEM(S) MAY OR MAY NOT AFFECT SUBJECT PROPERTY.

126 TOTAL PARKING SPACES WERE OBSERVED FROM THE AERIAL TOPOGRAPHY, IN THE PROCESS OF CONDUCTING THE SURVEY, AS FOLLOWS: **REGULAR 124** HANDICAP 2

ALL TOPOGRAPHY SHOWN ON THIS SURVEY WAS OBTAINED FROM AEROTECH MAPPING, INC., PROJECT NO. #AZ0219-020 DATED MARCH 5, 2019.

NO EVIDENCE OF EARTH MOVING, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WAS OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY.

THE UNDERSIGNED IS NOT AWARE OF ANY PROPOSED CHANGES TO THE EXISTING PUBLIC RIGHT-OF-WAY LINES OF ADJOINING STREETS. NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WAS OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY.

18) IN THE OPINION OF THE UNDERSIGNED, THERE ARE NO OFF-SITE EASEMENTS CONTAINED IN SAID TITLE COMMITMENT THAT PERTAIN TO THE INTENT OF TABLE A ITEM 19.

SPECIFIC ZONING INFORMATION WAS NOT PROVIDED. ACCORDING TO THE MARICOPA COUNTY ASSESSOR'S OFFICE GEOGRAPHIC INFORMATION SYSTEM (GIS) WEBSITE, SUBJECT PROPERTY IS ZONED I-1. SETBACK, HEIGHT AND BULK RESTRICTIONS ARE NOT CLEARLY DEFINED AND MAY

20) SCHEDULE B ITEM 12 IS SHOWN BASED ON NOTE SHOWN 21 AND THEREFORE FITS THE EXISTING POWER POLE LOCATIONS

21) IN THE OPINION OF THE UNDERSIGNED THERE MAY BE A TITLE DISCREPANCY BETWEEN THE RIGHTS-OF-WAY FOR SCOTTSDALE ROAD, SUTTON DRIVE, AND 76TH STREET, AND THE PARCEL DESCRIPTION PROVIDED IN THE REFERENCED TITLE REPORT. THE TITLE REPORT MAKES REFERENCE TO THE ORIGINAL PROPERTY DESCRIPTION FOR ALL OF SECTION 11, AND THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 14, ALL WITHIN TOWNSHIP 3 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY ARIZONA. HOWEVER THE TITLE REPORT DOES NOT PROVIDE DOCUMENTATION TO THE DEDICATION/CONDEMNATION/ OR TRANSFER OF TITLE FOR THE ABOVE DESCRIBED RIGHTS-OF-WAY. CITY OF SCOTTSDALE PROVIDED INFORMATION APPEARING TO GRANT PUBLIC UTILITY EASEMENTS AND PUBLIC ROAD EASEMENTS FOR THE WEST 65-FEET OF SECTION 14 ALONG SCOTTSDALE ROAD, THE SOUTH AND EAST 40-FEET OF THE NORTH HALF OF SECTION 14, ALONG SUTTON DRIVE AND 76TH STREET, AND NOT DEDICATION/CONDEMNATION/ OR TRANSFER OF TITLE. THIS MAP REFLECTS THESE RIGHTS-OF-WAY AS EASEMENTS UNTIL FURTHER INFORMATION IS PROVIDED.

ACCORDING TO THE MARICOPA COUNTY ASSESSOR'S OFFICE GEOGRAPHIC INFORMATION SYSTEM (GIS) WEBSITE ON 04/09/2019 SUBJECT PROPERTY CONSISTS OF THE FOLLOWING PROPERTY ADDRESSES:

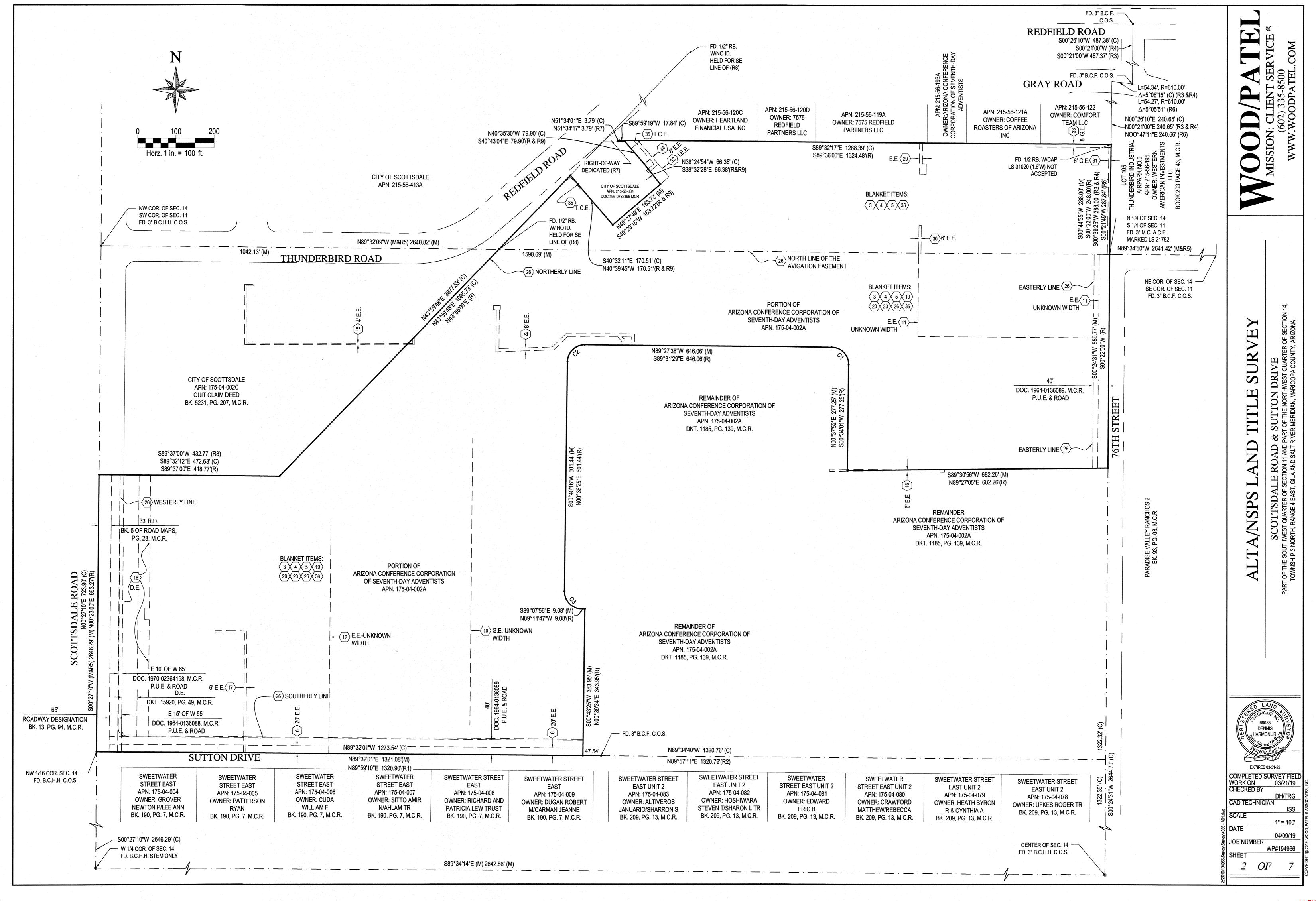
7410 E. SUTTON DRIVE, SCOTTSDALE, ARIZONA 85260

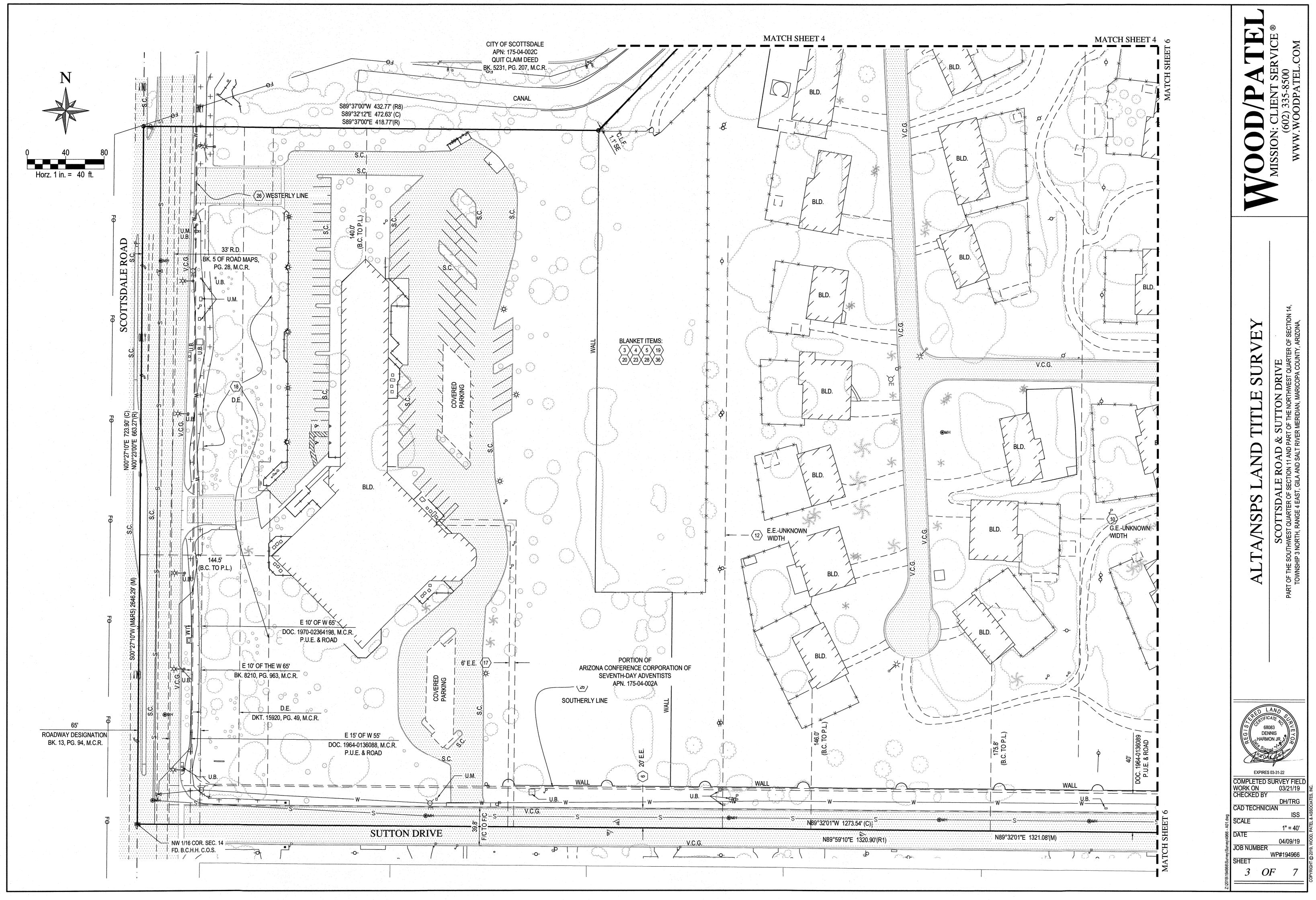
CERTIFICATION

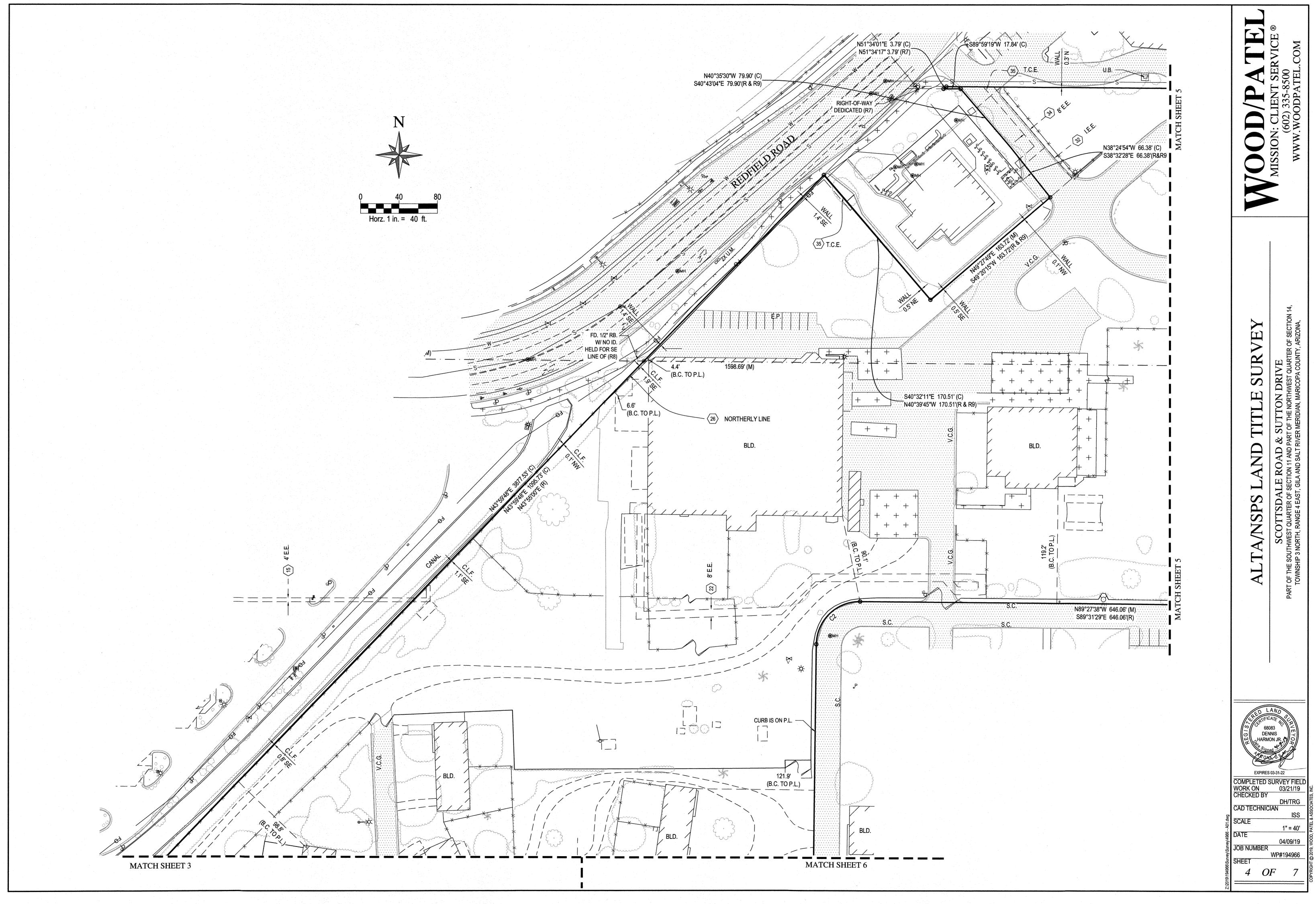
TO: RYAN COMPANIES US, INC., FIRST AMERICAN TITLE INSURANCE COMPANY ARIZONA CONFERENCE CORPORATION OF SEVENTH-DAY ADVENTISTS, A NON-PROFIT CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF ARIZONA

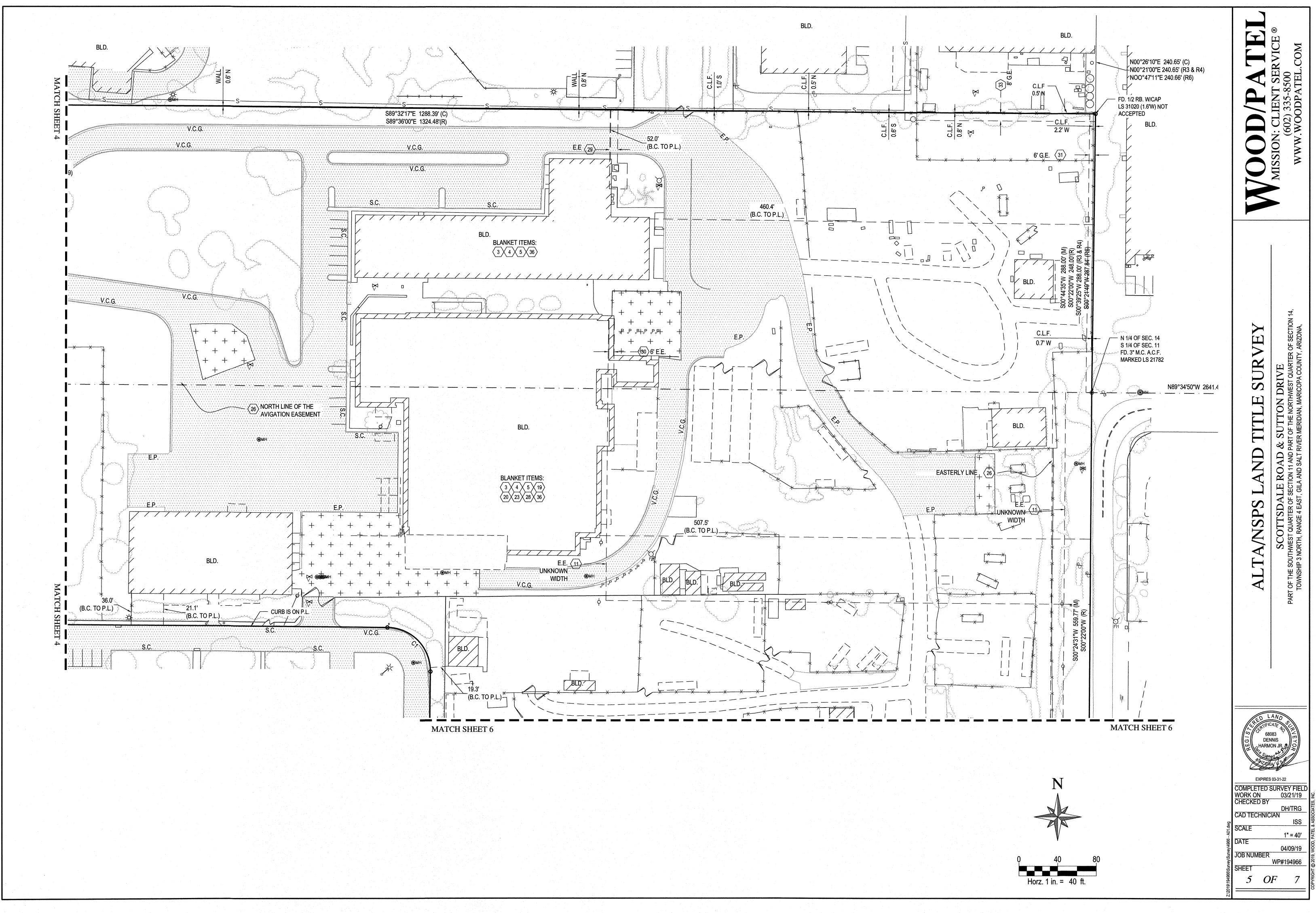
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 6(b) 8, 9, 11, 13, 14, 15, 16, 17 AND 19 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON MARCH, 2019.

DENNIS HARMON JR. RLS # 68083 WOOD, PATEL & ASSOCIATES, INC. 2051 WEST NORTHERN AVENUE - SUITE 100 PHOENIX, ARIZONA 85021 (602) 335-8500 SURVEYOR@WOODPATEL.COM

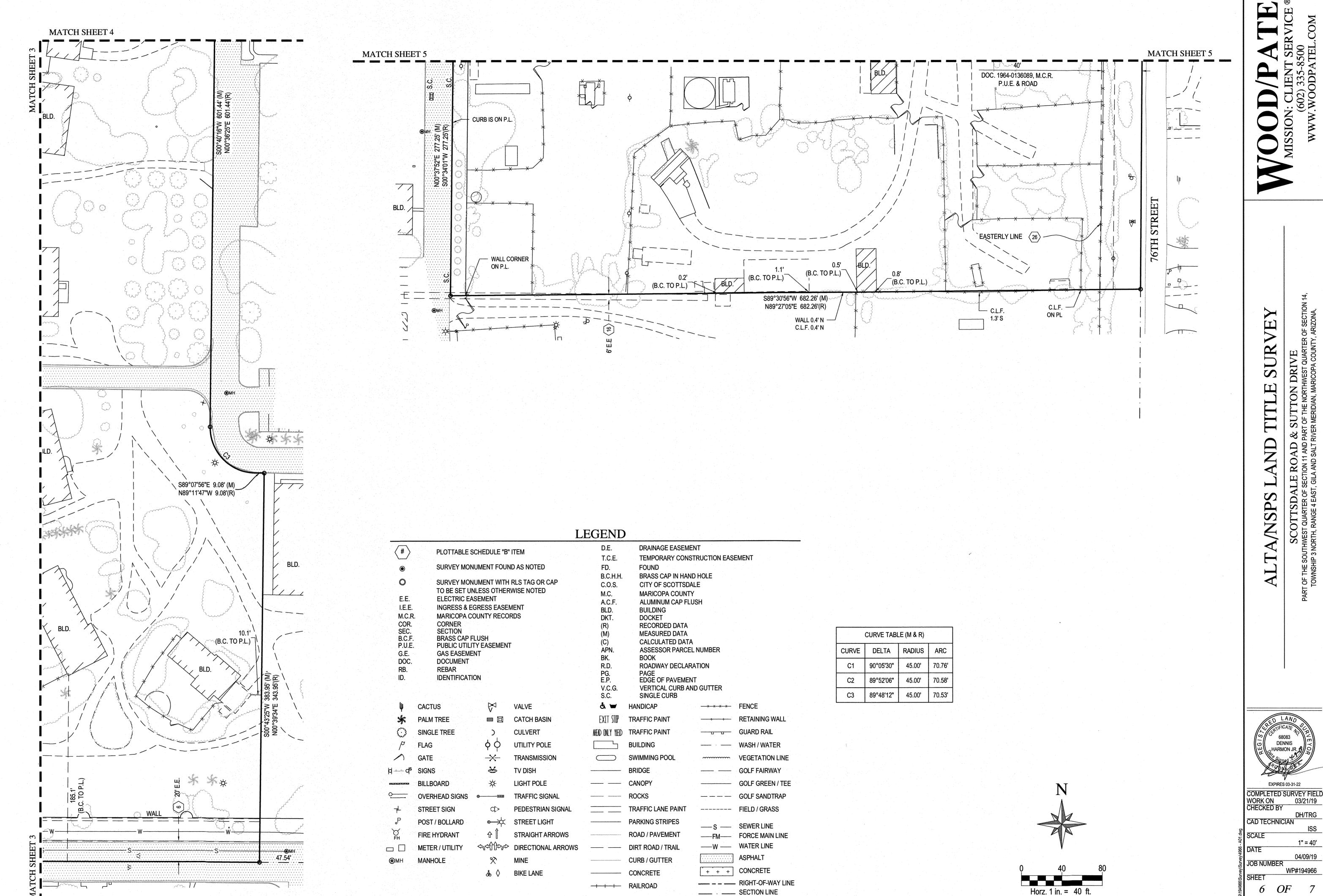








14-ZN-2019 08/16/19



14-ZN-2019 08/16/19

68083 DENNIS

HARMON JR.

EXPIRES 03-31-22

1" = 40'

04/09/19

WP#194966

SCOTTSDALE RC HWEST QUARTER OF SECTION IORTH, RANGE 4 EAST, GILA ANI

WOODD/PATEI MISSION: CLIENT SERVICE ® (602) 335-8500

# ALTA/NSPS LAND TITLE SURVEY

SCOTTSDALE ROAD & SUTTON DRIVE

PART OF THE SOUTHWEST QUARTER OF SECTION 11 AND PART OF THE NORTHWEST QUARTER OF SECTION 11 AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZO

EXPIRES 03-31-22

COMPLETED SURVEY FIELD WORK ON 03/21/19
CHECKED BY

DH/TRG
CAD TECHNICIAN

ISS
SCALE

1" = 100'
DATE

04/09/19
JOB NUMBER

WP#194966
SHEET

7 OF 7

# Affidavit of Authorization to Act for Property Owner



1.	This affidavit concerns the following parcel of land:						
	a. Street Address: 7410 E. Sutton Dr b. County Tax Assessor's Parcel Number: 175-04-002A c. General Location: NEC of Sutton & Scottsdale Rd. d. Parcel Size: 75+/- e. Legal Description: See attached (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.						
<u>/</u>	Name (printed)  Date  Signature  7. 3, 20 19 10 10 10 10 10 10 10 10 10 10 10 10 10						
	Planning and Development Services						

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • www.ScottsdaleAZ.gov

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Affidavit of Authorization to Act for Property Owner

Revision Date: July 7, 2014