



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374

Tuesday, January 18, 2022 @ 6:00 PM
COUNCIL CHAMBERS

A. Call To Order

Any prayer or invocation that may be offered before the start of the Regular Council Meeting is a voluntary offering by a private resident of Surprise; has not been previously reviewed or approved by City Council or City staff; should not be considered an endorsement of any particular religion by the City or its officials, as the beliefs, viewpoint, and content are personal to the speaker; and no participation by any person in attendance is required. A list of volunteers is maintained by the office of the City Clerk and interested persons should contact the Clerk's Office for further information.

B. Roll Call

C. Pledge of Allegiance

D. Proclamation and Community Acknowledgements

E. City Manager Report

- | | | | |
|----|----------|---|-----------------------------|
| 1. | Citywide | Veterans of Foreign War present the Officer and Fire Fighter of the year award. | None
City Manager Office |
|----|----------|---|-----------------------------|

F. City Clerk Report

- | | | | |
|----|----------|---|--------------------------------------|
| 2. | Internal | Consideration and action pertaining to selection of a Vice Mayor and directing the City Clerk to administer the Oath of Office. | None
Sherry Aguilar
City Clerk |
|----|----------|---|--------------------------------------|

G. Call To The Public

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins. [Download the Call to the Public form](#) (PDF download requires Adobe Acrobat Reader) [Fill out the Call to the Public form online](#) If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time.
The Call to the Public form is also available at the front counter.

Note: A.R.S. 38-431.01(H)- During this time members of the public may address City Council only on issues within the jurisdiction of the City Council which are not an item on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

Approval of items on the Consent Agenda – all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

Please be aware that Council Members may not discuss or respond to matters raised during call to the public that are not specifically identified on the agenda. Council Members may however, in their discretion, discuss or respond to relevant matters raised during a noticed public hearing or agenda item.

H. Regular City Council Meeting Agenda

CONSENT AGENDA:

- | | | | |
|-----|------------|---|---|
| 3. | Citywide | Consideration and action on the minutes of the Regular City Council Meeting and Executive Session of January 4, 2022. | None

Sherry Aguilar
City Clerk |
| 4. | District 6 | Consideration and action to approve an Acquisition of Control for Basha's #137 located at 15367 W. Waddell Road, Surprise, AZ 85379 for existing license 09070239. | None

Sherry Aguilar
City Clerk |
| 5. | District 5 | Consideration and action to approve a new Series 12 Liquor License (Application #176096) for Nick's Diner II located at 13765 N. Litchfield Road, Surprise, AZ 85379. | None

Sherry Aguilar
City Clerk |
| 6. | Citywide | Consideration and action pertaining to approval of a Fiscal Year 2022 budget amendment reallocating appropriations in the amount of \$200,000 from contingency to services within the General Fund for contract building inspector services; Resolution #2022-02. | None

Tiffany Copp
Community
Development |
| 7. | District 3 | Consideration and action pertaining to approval of the Final Re-Plat entitled, "Toll at Prasada, Phase II Unit P Lots 630 & 631 & Tracts A & B" and dated November 11, 2021, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue. (Case FS21-592) | None

Trevor Fleetham
Community
Development |
| 8. | District 3 | Consideration and action pertaining to approval of the Final Re-Plat entitled, "Toll at Prasada, Phase I Unit D Lots 524 & 561 & Tracts A & B" and dated November 16, 2021, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue. (Case FS21-594) | None

Trevor Fleetham
Community
Development |
| 9. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Williams 223" and dated December 26, 2021, an approximately 9.34 acre property generally located at the northwest corner of 222nd Avenue and Williams Road. (Case FS21-767) | None

Chris Sexton
Community
Development |
| 10. | District 3 | Consideration and action pertaining to approval of a Quit Claim Deed to Fulton Homes Corporation for the Reems Road Channel near Waddell and Reems Road. | None

Lloyd Abrams
Community
Development |
| 11. | District 3 | Consideration and action pertaining to approval of the Final Plat entitled, "The Retreat at Prasada" and dated November 10, 2021, an approximately 34.83 acre property generally located south of Waddell Road between Sarival Avenue and Reems Road. (Case FS21-113) | None

Trevor Fleetham
Community
Development |

- | | | | |
|-----|------------|---|--|
| 12. | District 1 | Consideration and action pertaining to acceptance of a Sewer line easement from Meritage Homes of Arizona, Inc., near 163rd avenue and Happy Valley Road. | None

Lloyd Abrams
Community
Development |
| 13. | District 4 | Consideration and action to vacate a portion of public roadway (Cactus Lane) within Section 2, Township 3 North Range 1 West, generally located east of Dysart Avenue; Resolution #2022-05. | None

Lloyd Abrams
Community
Development |
| 14. | District 1 | Consideration and action pertaining to acceptance of a temporary sewer line easement from Meritage Homes of Arizona, Inc., near 163 rd Avenue and Happy Valley Road. | None

Lloyd Abrams
Community
Development |
| 15. | District 3 | Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Legacy Traditional West campus, generally located at W. Cactus Road and N. Cotton Lane; Resolution # 2022-06. | None

Mike Gent
Public Works |
| 16. | Internal | Consideration and action pertaining to adoption of an amendment to Surprise Municipal Code Chapter 3, Article IV, Sec. 3-41 regarding the duties of the Personnel Appeals Board; Ordinance # 2022-02. | Donna Meuse
Human Resources |

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|-----|------------|---|---|
| 17. | District 1 | Presentation and discussion of the proposed annexation of approximately 93.97 acres of county land, generally located south of Pinnacle Peak Road and east of 163 rd Avenue. (Case FS21-512) | None

Sergio Angulo
Community
Development |
|-----|------------|---|---|

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|-----|----------|---|---|
| 18. | Citywide | Consideration and action pertaining to approval of the 2022 Legislative Agenda. | None

Jodi Tas
Mayor and Council |
| 19. | Citywide | Consideration and action pertaining to approval of an amendment to the Surprise Municipal Code Chapter 34 (Offenses and Miscellaneous Provisions) Article VIII (Recreational Marijuana) to conform with Chapters 101 and 106 of the Surprise Land Development Ordinances, as amended by Ordinance # 2021-24, pertaining to marijuana facilities; Ordinance # 2022-01. | None

Robert Wingo
Ellen VanRiper
Legal |

- I. Other Business and Future Agenda Items
- J. City Council Reports
- K. Executive Session

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2));
- discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (a)(4));
- discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or
- discussion, consultation or consideration for international and interstate negotiations or for negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town. A.R.S. §38-401.03 (A)(6)).
- discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

Confidentiality Requirements Pursuant to A.R.S. §38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.

The council may vote to hold an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

L. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: January13, 2022 at 11:15 AM

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 18, 2022
Submitting Department: City Clerk
Staff Recommendations:

Contact Person:
District: Internal

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Invocation

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 18, 2022
Submitting Department: City Manager Office
Staff Recommendations: None

Contact Person:
District: Citywide

Consent: No Regular: No Public Hearing: No Report/Discussion: Yes

Agenda Wording:

Veterans of Foreign War present the Officer and Fire Fighter of the year award.

Motion:

VFW has been presenting Police Officer and Fire Fighter of the year awards for the last 10 years with the exception of last year.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: Internal

Consent: No	Regular: Yes	Public Hearing: No	Report/Discussion: No
-------------	--------------	--------------------	-----------------------

Agenda Wording:

Consideration and action pertaining to selection of a Vice Mayor and directing the City Clerk to administer the Oath of Office.

Motion:

This action will be taken by majority ballots cast as outlined in the Surprise Municipal Code.

Background:

This action follows Section 2-41 of the Surprise Municipal Code regarding selection of Vice-Mayor and is done on an annual basis.

Sec. 2-41. - Vice-mayor; selection and role.

(a)
Eligibility. Any council member, other than the mayor, may serve as vice-mayor, whether or not the member has served as vice-mayor previously.

(b)
Selection.

(1)
Not later than January 30th of each year, the city council shall select one of its members, other than the mayor, to serve as vice-mayor. The member selected as vice-mayor will serve as such until the member resigns the office, vacates council, or is replaced by another member as vice-mayor.

(2)
Any council member may nominate any council member, including him/herself, to serve as the vice-mayor. All nominations must occur prior to voting. The council must vote by written ballot. The candidate receiving a majority of the votes cast will serve as vice-mayor. In the event that no candidate receives a majority of votes cast, the two candidates receiving the highest number of votes will be considered in a run-off vote. Voting must be repeated until a vice-mayor is selected. The meeting may not adjourn or recess until a vice-mayor is selected.

The vice-mayor will perform the duties of the mayor in the absence or inability of the mayor to perform his or her duties. In the absence or inability of the vice-mayor to perform the duties of the mayor, the most senior council member will perform the duties of mayor/vice-mayor. Seniority is determined by the then current number of consecutive years the member has served on the council. (Ord. No. 2013-09, § 2(Exh. A), 11-12-13)

Objective Analysis:

Policy Compliant:

Financial Impact:N/A

Budget Impact:N/A

FTE Impact:N/A

ATTACHMENTS:



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 18, 2022
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: Citywide

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action on the minutes of the Regular City Council Meeting and Executive Session of January 4, 2022.

Motion:

I move to approve the meeting minutes of January 4, 2022.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. Jan 4 REG
-

CITY OF SURPRISE
Regular City Council Meeting Minutes
16000 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, January 4, 2022 @ 6:00PM

Call To Order

Invocation

Led by Shawna Daigle.

Roll Call

Mayor Hall called to order the Regular City Council Meeting of January 4, 2022 at 6:00 PM at Surprise City Hall Council Chambers, 16000 N Civic Center Plaza, Surprise, Arizona 85374. Also in attendance with Mayor Hall were Vice Mayor Duffy and Council Members: Winters, Cline, Hastings and Judd. (Council Member Remley - excused).

Staff Present: City Manager, Michael Frazier; City Attorney, Robert Wingo and City Clerk, Sherry Ann Aguilar.

Pledge of Allegiance

Proclamation and Community Acknowledgements

City Manager Report

City Manager, Mike Frazier gave a brief report at his last official council meeting.

City Clerk Report

Call To The Public

CONSENT AGENDA:

Council Member Judd made the motion to approve the consent agenda, excluding item #4. Vice Mayor Duffy seconded the motion. Six yes votes, one excused (Remley), motion carried.

1. Consideration and action on the minutes of the Regular City Council Session and Regular City Council Meeting of December 21, 2021 - APPROVED

2. Consideration and action to approve a request by Maria Danielle Burgess (Applicant) for a Series 10 - Beer and Wine for Circle K Stores, Inc., #9543 located at 16265 W. Cactus Road, Surprise, AZ 85379 - APPROVED

3. Consideration and action for an Acquisition of Control for OVER EASY Restaurant located at 14345 W. Bell Road, Suite 102, Surprise, AZ. 85374 with existing liquor license number: 012070014041 - APPROVED

4. Consideration and action pertaining to approval of the Final Plat entitled, Villas at Vesta Views and dated November 19, 2021, a property generally located north of Greenway Road and west of El Mirage Road - POSTPONED INDEFINITELY

Council Member Judd made the motion to postpone this item indefinitely. Council Member Cline seconded the motion. Six yes votes, one excused (Remley), motion carried.

5. Consideration and action pertaining to approval of the dissolution of the Lighting Improvement District entitled, "City of Surprise, Arizona, Kingwood Parke #105"; Resolution # 2022-01 - APPROVED

6. Consideration and action pertaining to the approval of an amendment of the Fiscal Year 2022 budget by moving budget authority in the amount of \$30,000 for the re-classification of one part-time equivalent position to a full-time equivalent position within the Finance Department; Resolution # 2021-188 - APPROVED

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

7. Presentation and discussion pertaining to a proposed amendment to Surprise Municipal Code Chapter 3, Article IV, Sec. 3-41 regarding the duties of the Personnel Appeals Board - NO ACTION

HR Director, Donna Meuse gave a brief powerpoint presentation on this item.

8. Consideration and action pertaining to direction to the City Attorney regarding potential settlement of the three condemnation lawsuits titled City of Surprise v. 163rd & Happy Valley Road, LLC et al., City of Surprise v. Anthony G. Bagneschi (PC) Trustee of the Anthony G. Bagneschi 401k, et al., and City of Surprise v. Pensco Trust Company Custodian FBO Kent A Xander IRA et al.

Other Business and Future Agenda Items

City Council Reports

Mayor and Council attended and/or reported on the following:

Council Member Cline - Grandma gifts, January Meetings/AZ Traditions and Sun City Grand

Council Member Winters - Happy New Year

Council Member Judd - Monthly meeting on the 4th Tuesday Venue Tap Room, honor and pleasure to work with Mike Frazier, thank you for your service

Council Member Hastings - Great Holiday season to all, Mike it's been a pleasure, 46 years of service, you are a hero.

Council Member Judd made the motion to recess the Regular City Council Meeting and enter into Executive Session at 6:35 PM. Council Member Cline seconded the motion. Six yes votes, one excused (Remley), motion carried.

Executive Session

1. Consideration and action to recess into executive session for discussion and consultation with the City Attorney for legal advice, and to consider and instruct the City Attorney regarding the City Council's position pertaining to the condemnation actions titled, City of Surprise v. 163rd & Happy Valley Road, LLC et al., City of Surprise v. Anthony G. Bagneschi (PC) Trustee of the Anthony G. Bagneschi 401k, et al., and City of Surprise v. Pensco Trust Company Custodian FBO Kent A Xander IRA et al., pursuant to A.R.S. 38-431.03(A)(3) and (4).

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

Mayor Hall reconvened the Regular City Council Meeting at 6:49 PM.

8. Consideration and action pertaining to direction to the City Attorney regarding potential settlement of the three condemnation lawsuits titled City of Surprise v. 163rd & Happy Valley Road, LLC et al., City of Surprise v. Anthony G. Bagneschi (PC) Trustee of the Anthony G. Bagneschi 401k, et al., and City of Surprise v. Pensco Trust Company Custodian FBO Kent A Xander IRA et al. – SEE THE MOTION FOR DETAILS

Council Member Judd made the motion to approve authorizing the City Attorney to settle the several pending condemnation lawsuits as follows: In the matter of the City of Surprise v. Pensco Trust Company Custodian FPO Kent A Xander IRA et al for \$125,000 per acre with no statutory interest.

In the matters of the City of Surprise v. 163 & Happy Valley Road, LLC et al., and the City of Surprise v. Anthony G. Bagneschi (PC) Trustee of the Anthony G. Bagneschi 401k et al., for \$125,000 per acre plus statutory interest.

Council Member Cline seconded the motion, six yes votes, one excused (Remley), motion carried.

Adjournment

Council Member Cline made the motion to adjourn the Regular City Council Meeting of January 4, 2022 at 6:50 PM. Vice Mayor Duffy seconded the motion. Six yes votes, one excused (Remley), motion carried.

Skip Hall, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Meeting of **Tuesday, January 4, 2022.**

Sherry Ann Aguilar, City Clerk, MMC



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 18, 2022
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: District 6

Consent: Yes Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

Consideration and action to approve an Acquisition of Control for Basha's #137 located at 15367 W. Waddell Road, Surprise, AZ 85379 for existing license 09070239.

Motion:

I move to approve an Acquisition of Control for Basha's #137

Background:

Basha's #137 has held a liquor license since 2017. Recently, Raley's Supermarkets from California purchased Basha's but asked that Mike Basha stay on as the Agent. There are no other concerns noted for this request.

Objective Analysis:

Policy Compliant:

Yes

Financial Impact:

N/A

Budget Impact:

N/A

FTE Impact:

N/A

ATTACHMENTS:

1. 169218 BASHAS(1)
2. Bashas Report 2021
3. Finance Report Bashas.doc
4. Fire 15367 W Waddell Rd Bashas Liquor License

5. Bashas Map 2021
 6. Basha's Acquisition of Control January 2022
-

State of Arizona
Department of Liquor Licenses and Control

Created 12/11/2021 @ 08:23:54 AM

Local Governing Body Report

LICENSE

Number:	09070239	Type:	009 LIQUOR STORE
Name:	BASHAS #137		
State:	Pending		
Issue Date:		Expiration Date:	12/31/2021
Original Issue Date:	05/31/1978		
Location:	15367 W WADDELL ROAD SURPRISE, AZ 85379 USA		
Mailing Address:			
Phone:	(623)214-6460		
Alt. Phone:	(480)940-6722		
Email:	MBASHA@BASHAS.COM		

Currently, this license has pending applications.

AGENT

Name:	MICHAEL JOSEPH BASHA
Gender:	Male
Correspondence Address:	PO BOX 488 CHANDLER, AZ 85224 USA
Phone:	(480)940-6722
Alt. Phone:	
Email:	MBASHA@BASHAS.COM

OWNER

Name:	RALEY'S ARIZONA LLC		
Contact Name:	MICHAEL JOSEPH BASHAA		
Type:	LIMITED LIABILITY COMPANY		
AZ CC File Number:	23250789	State of Incorporation:	AZ
Incorporation Date:	07/22/2021		
Correspondence Address:	PO BOX 488 CHANDLER, AZ 85224 USA		
Phone:	(480)940-6722		
Alt. Phone:			
Email:	MBASHA@BASHAS.COM		

Officers / Stockholders

Name:	Title:	% Interest:
RALEY'S HOLDING COMPANY	MEMBER	100.00

KENNETH CARROL MUELLER
HELEN SOFIA SINGMASTER
KEITH EDWARD KNOPF

CFO
Secretary
PRESIDENT, CEO

RALEY'S ARIZONA LLC - Secretary
RALEY'S HOLDING COMPANY - Secretary

Name: HELEN SOFIA SINGMASTER
Gender: Female
Correspondence Address: PO BOX 488
CHANDLER, AZ 85224
USA
Phone: (916)373-6394
Alt. Phone:
Email: HSINGMAS@RALEYS.COM

RALEY'S ARIZONA LLC - PRESIDENT, CEO
RALEY'S HOLDING COMPANY - PRSEIDENT, CEO

Name: KEITH EDWARD KNOPF
Gender: Male
Correspondence Address: PO BOX 488
CHANDLER, AZ 85224
USA
Phone: (262)951-6862
Alt. Phone:
Email: KKNOPF@RALEYS.COM

RALEY'S ARIZONA LLC - CFO
RALEY'S HOLDING COMPANY - CFO

Name: KENNETH CARROL MUELLER
Gender: Male
Correspondence Address: PO BOX 488
CHANDLER, AZ 85224
USA
Phone: (916)479-3924
Alt. Phone:
Email: KMUELLER@RALEYS.COM

RALEY'S ARIZONA LLC - MEMBER

Name: RALEY'S HOLDING COMPANY
Contact Name: MICHAEL JOSEPH BASHA
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: PO BOX 488
CHANDLER, AZ 85224
USA
Phone: (480)940-6722
Alt. Phone:
Email: MBASHA@BASHAS.COM

RALEY'S HOLDING COMPANY -

Name: MICHAEL J. TEEL SEPERATE PROPERTY TRUST
Contact Name: MICHAEL JOSEPH BASHA
Type: TRUST
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: PO BOX 488
CHANDLER, AZ 85244
USA
Phone: (480)940-6722
Alt. Phone:
Email: MBASHA@BASHAS.COM

MICHAEL J. TEEL SEPERATE PROPERTY TRUST - TRUSTEE

Name: MICHAEL JAMES TEEL
Gender: Male
Correspondence Address: PO BOX 488
CHANDLER, AZ 85244
USA
Phone: (916)373-3333
Alt. Phone:
Email: MTEEL@RALEYS.COM

MANAGERS

Name: JENNIFER KALEST THEEL WARNER
Gender: Female
Correspondence Address: PO BOX 488
CHANDLER, AZ 85224
USA
Phone: (503)477-3307
Alt. Phone:
Email: JWARNER3@RALEY.S.COM

Name: KENNETH CARROL MUELLER
Gender: Male
Correspondence Address: PO BOX 488
CHANDLER, AZ 85224
USA
Phone: (916)479-3924
Alt. Phone:
Email: KMUELLER@RALEYS.COM

Name: KEITH EDWARD KNOPF
Gender: Male
Correspondence Address: PO BOX 488
CHANDLER, AZ 85224
USA
Phone: (262)951-6862
Alt. Phone:
Email: KKNOPF@RALEYS.COM

APPLICATION INFORMATION

Application Number: 169218
Application Type: Owner Transfer *IC*
Created Date: 11/16/2021

QUESTIONS & ANSWERS

009 Liquor Store

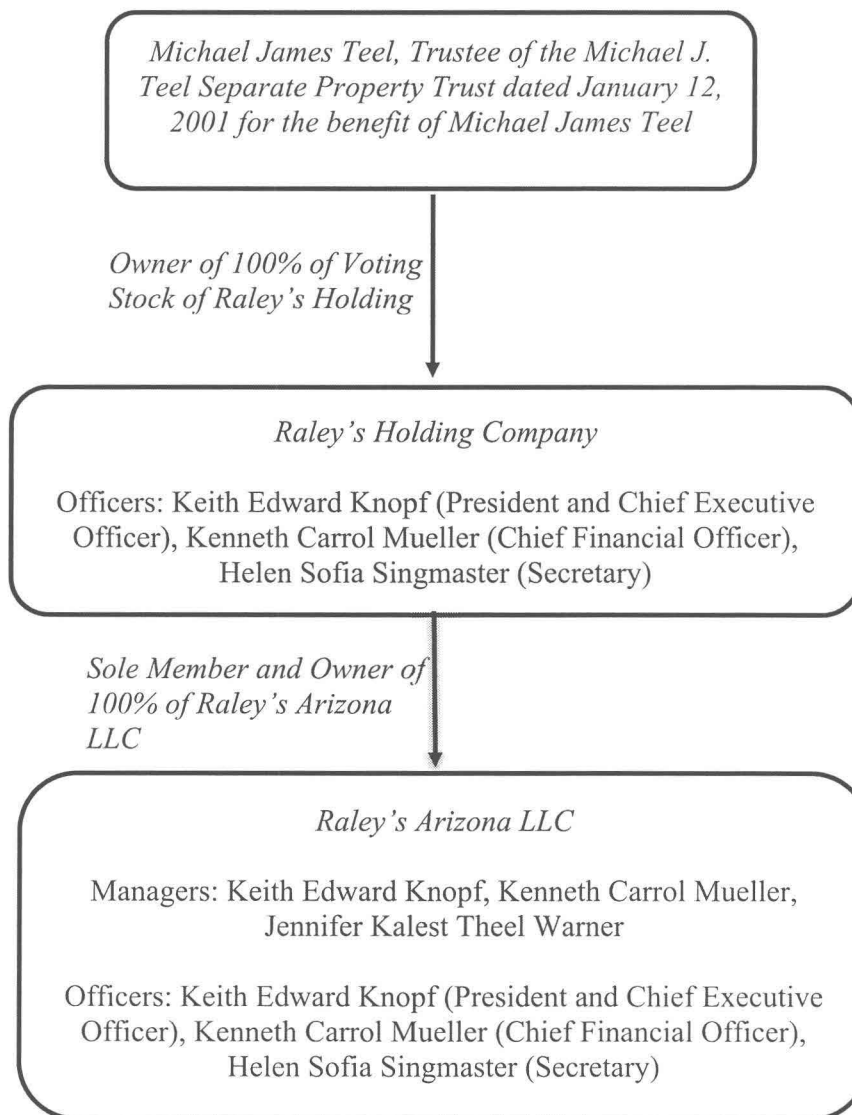
- 1) Are you applying for an Interim Permit (INP)?
Yes
A Document of type INTERIM PERMIT (INP) NOTARY PAGE is required.
- 4) Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation?
No
- 8) Did the Premises phone number change?
No
- 10) Provide name, address, and distance of nearest school and church. (If less than one (1) mile note footage)
Nearest School: Highland Prep, 15600 W Hearn Road, Surprise, AZ 85379 - 2,136 feet
Nearest Church: Known Church, 15042 W Sweetwater Ave, Surprise, AZ 85379 - 2,948 feet
- 11) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
Property Tenant
- 12) Is there a penalty if lease is not fulfilled?
Yes
What is the penalty?
Standard contract remedies for damages against the tenant.
- 13) What is the total money borrowed for the business not including the lease?
Please list lenders/people owed money for the business.
Total for Entire Consolidated Business Operations of Raley's Holding Company: \$500,000,000
(Wells Fargo Bank, NA, 400 Capitol Mall, Suite 700, Sacramento, CA 95814)
- 14) Is there a drive through window on the premises?
No
- 15) If there is a patio please indicate contiguous or non-contiguous within 30 feet
NA

- 16) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
No
- 23) Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only)
NA

DOCUMENTS

DOCUMENT TYPE	FILE NAME	UPLOADED DATE
ALIEN STATUS	Alien Status Form - Michael Basha - Executed.pdf	11/16/2021
ALIEN STATUS	Alien Status Form - Michael Teel - Executed.pdf	11/16/2021
MISCELLANEOUS	Bill of Sale - Executed.pdf	11/16/2021
ORGANIZATIONAL DOCUMENTS	Filed and Approved Articles of Organization for Raley's Arizona LLC 4836-6730-6483_1.pdf	11/16/2021
INTERIM PERMIT (INP) NOTARY PAGE	Interim Permit Notary Page - Bashas' #137 - License No. 09070239.pdf	11/16/2021
MISCELLANEOUS	Organizational Chart.pdf	11/16/2021
QUESTIONNAIRE	Questionnaire - Helen Singmaster - Bashas #137 (License No. 09070239).pdf	11/16/2021
QUESTIONNAIRE	Questionnaire - Jennifer Warner - Bashas #137 (License No. 09070239).pdf	11/16/2021
QUESTIONNAIRE	Questionnaire - Keith Knopf - Bashas #137 (License No. 09070239).pdf	11/16/2021
QUESTIONNAIRE	Questionnaire - Kenneth Mueller - Bashas #137 (License No. 09070239).pdf	11/16/2021
QUESTIONNAIRE	Questionnaire - Michael Basha - Bashas #137 (License No. 09070239).pdf	11/16/2021
QUESTIONNAIRE	Questionnaire - Michael Teel - Bashas #137 (License No. 09070239).pdf	11/16/2021
DIAGRAM/FLOOR PLAN	Site Plan - Bashas' #137 - License No. 09070239.pdf	11/16/2021
MISCELLANEOUS	Training Certificates - Michael Basha.pdf	11/16/2021

Organizational Chart



Name (Last, First, Middle)	Title	Mailing Address (City, State, Zip)
Teel, Michael James	Owner	500 West Capitol Avenue, West Sacramento, CA 95605
Knopf, Keith Edward	President and Chief Executive Officer (Raley's Holding Company) Manager, President, and Chief Executive Officer (Raley's Arizona LLC)	500 West Capitol Avenue, West Sacramento, CA 95605
Mueller, Kenneth Carrol	Chief Financial Officer (Raley's Holding Company) Manager and Chief Financial Officer (Raley's Arizona LLC)	500 West Capitol Avenue, West Sacramento, CA 95605
Warner, Jennifer Kalest Theel	Manager (Raley's Arizona LLC)	500 West Capitol Avenue, West Sacramento, CA 95605
Singmaster, Helen Sofia	Secretary (Raley's Holding Company, Raley's Arizona LLC)	500 West Capitol Avenue, West Sacramento, CA 95605

BILL OF SALE

IN CONSIDERATION OF THE SUM OF:

TEN DOLLARS AND NO CENTS lawful currency of the United States of America, and other good and valuable consideration, receipt of which is hereby acknowledged, the SELLER:

BASHAS' INC., an Arizona corporation, hereby grants, bargains, sells, and transfers unto the BUYER:

RALEY'S ARIZONA LLC, an Arizona limited liability company, and its successors or assigns, to have and to hold forever, the following described personal property, goods and chattels:

Those certain Arizona liquor licenses set forth in Exhibit A hereto.

FURTHERMORE, Seller warrants that it is the lawful owner of said goods and hereby certifies, under oath, that it has good right to sell the same as aforesaid, and that the above described property is free and clear of all claims, liens, and other encumbrances whatsoever. Seller further agrees to warrant and defend same against the lawful claims and demands of all persons whomsoever.

DATED: October 14, 2021

Bashas' Inc., an Arizona corporation


Edward Najeeb Basha III, President

STATE OF ARIZONA

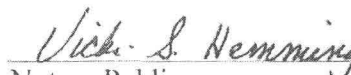
)

) ss.

COUNTY OF Maricopa

)

The foregoing instrument was acknowledged before me, a notary public, this 14th day of October, 2021, by Edward Najeeb Basha III, as President of Bashas' Inc., an Arizona corporation.


Notary Public

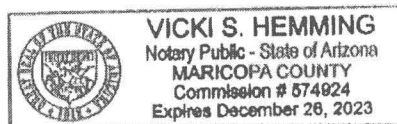


Exhibit A

Arizona Liquor Licenses

Liquor License Number
09070044
09070478
09110051
09070033
09070032
09070039
09070034
09070741
09070027
09030045
09110023
09070045
09070046
09130003
09080004
09130004
09050015
09070652
09070691
09070121
09070759
09070052
09070038
09130005
09070054
09100144
09090005
09040033
09070260
09070666
09120003
09070031
07070156
09070258
09070253
07070287
09150005

Liquor License Number
09070271
09030017
09100231
09100028
09070042
09070354
09100215
09100030
9110056
09110052
09074000
07070774
09070387
09090037
09070259
07070095
09070342
09130018
09060012
09070700
09070644
09070415
09070003
09100131
09070395
09070651
09070737
09070255
09070269
09080019
09110004
09070473
09020058
09070037
09140038
09080003
09079018
09079017
09070030
09010024

Liquor License Number
07103001
09109002
09070656
09140004
09140046
09070060
09070374
09070117
09100225
09070119
09100233
09070239
09100021
09070372
09070404
09070616
09070632
09070631
09070643
09070647
09070705
09100032
09070132
09070660
09070659
09100088
09070459
09070618
09100242
09100035
09070015
09070035
07073603



131

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

FOR DLIC USE ONLY

INP number:	070016532
Date Approved:	12-14-21
Expiration:	03-29-21
CSR:	JB
Fee:	\$100.00

Interim Permit (INP) Notary Page

#169218

IP # 169502

For approval of an interim permit:

- There **must** be a valid license of the same series issued to the current location you are applying for, **OR**
- A Hotel/Motel license is being replaced with a restaurant license pursuant to A.R.S.§4-203.01 (A)

1. Enter license number currently at the location: 09070239

2. Is the license currently in use? ☒ Yes ☐ No If no, how long has it been out of use? _____

NOTARY

I (Print Full Name) MICHAEL JOSEPH BASHA hereby declare that I am the Individual Owner, Agent, or Controlling Person on the stated license and location.

Signature: [Signature]

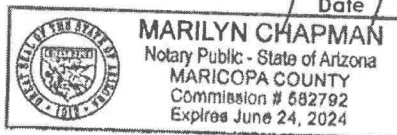
State of AZ County of Maricopa

The foregoing instrument was acknowledged before me this

My Commission Expires on: 6/24/24

15 Day of October 2021

Day Month Year



[Signature]
Signature of Notary

State of Arizona
Department of Liquor Licenses and Control

Created 12/14/2021 @ 11:22:10 AM

Local Governing Body Report

LICENSE

Number:	INP070016532	Type:	INP INTERIM PERMIT
Name:	BASHAS #137		
State:	Active		
Issue Date:	12/14/2021	Expiration Date:	03/29/2022
Original Issue Date:	12/14/2021		
Location:	15367 W WADDELL ROAD SURPRISE, AZ 85379 USA		
Mailing Address:			
Phone:	(623)214-6460		
Alt. Phone:	(480)940-6722		
Email:	MBASHA@BASHAS.COM		

AGENT

Name:	MICHAEL JOSEPH BASHA
Gender:	Male
Correspondence Address:	PO BOX 488 CHANDLER, AZ 85224 USA
Phone:	(480)940-6722
Alt. Phone:	
Email:	MBASHA@BASHAS.COM

OWNER

Name:	RALEY'S ARIZONA LLC		
Contact Name:	MICHAEL JOSEPH BASHAA		
Type:	LIMITED LIABILITY COMPANY		
AZ CC File Number:	23250789	State of Incorporation:	AZ
Incorporation Date:	07/22/2021		
Correspondence Address:	PO BOX 488 CHANDLER, AZ 85224 USA		
Phone:	(480)940-6722		
Alt. Phone:			
Email:	MBASHA@BASHAS.COM		

Officers / Stockholders

Name:	Title:	% Interest:
RALEY'S HOLDING COMPANY	MEMBER	100.00

KENNETH CARROL MUELLER
HELEN SOFIA SINGMASTER
KEITH EDWARD KNOPF

CFO
Secretary
PRESIDENT, CEO

RALEY'S ARIZONA LLC - Secretary
RALEY'S HOLDING COMPANY - Secretary

Name: HELEN SOFIA SINGMASTER
Gender: Female
Correspondence Address: PO BOX 488
CHANDLER, AZ 85224
USA
Phone: (916)373-6394
Alt. Phone:
Email: HSINGMAS@RALEYS.COM

RALEY'S ARIZONA LLC - PRESIDENT, CEO
RALEY'S HOLDING COMPANY - PRSEIDENT,
CEO

Name: KEITH EDWARD KNOPF
Gender: Male
Correspondence Address: PO BOX 488
CHANDLER, AZ 85224
USA
Phone: (262)951-6862
Alt. Phone:
Email: KKNOPF@RALEYS.COM

RALEY'S ARIZONA LLC - CFO
RALEY'S HOLDING COMPANY - CFO

Name: KENNETH CARROL MUELLER
Gender: Male
Correspondence Address: PO BOX 488
CHANDLER, AZ 85224
USA
Phone: (916)479-3924
Alt. Phone:
Email: KMUELLER@RALEYS.COM

RALEY'S ARIZONA LLC - MEMBER

Name: RALEY'S HOLDING COMPANY
Contact Name: MICHAEL JOSEPH BASHA
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: PO BOX 488
CHANDLER, AZ 85224
USA
Phone: (480)940-6722
Alt. Phone:
Email: MBASHA@BASHAS.COM

RALEY'S HOLDING COMPANY -

Name: MICHAEL J. TEEL SEPERATE PROPERTY TRUST
Contact Name: MICHAEL JOSEPH BASHA
Type: TRUST
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: PO BOX 488
CHANDLER, AZ 85244
USA
Phone: (480)940-6722
Alt. Phone:
Email: MBASHA@BASHAS.COM

MICHAEL J. TEEL SEPERATE PROPERTY TRUST - TRUSTEE

Name: MICHAEL JAMES TEEL
Gender: Male
Correspondence Address: PO BOX 488
CHANDLER, AZ 85244
USA
Phone: (916)373-3333
Alt. Phone:
Email: MTEEL@RALEYS.COM

MANAGERS

Name: JENNIFER KALEST THEEL WARNER
Gender: Female
Correspondence Address: PO BOX 488
CHANDLER, AZ 85224
USA
Phone: (503)477-3307
Alt. Phone:
Email: JWARNER3@RALEY.S.COM

Name: KENNETH CARROL MUELLER
Gender: Male
Correspondence Address: PO BOX 488
CHANDLER, AZ 85224
USA
Phone: (916)479-3924
Alt. Phone:
Email: KMUELLER@RALEYS.COM

Name: KEITH EDWARD KNOPF
Gender: Male
Correspondence Address: PO BOX 488
CHANDLER, AZ 85224
USA
Phone: (262)951-6862
Alt. Phone:
Email: KKNOPF@RALEYS.COM

APPLICATION INFORMATION

Application Number: 169502
Application Type: New Application
Created Date: 11/17/2021

QUESTIONS & ANSWERS

INP Interim Permit

- 1) Enter License Number currently at location
- 2) Is the license currently in use?
- 3) Will you please submit section 5, page 6, of the license application when you reach the upload page?



Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

QUESTIONNAIRE
A.R.S. § 4-202, 4-210
Type or Print with Black Ink

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in black ink. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 09070239

1. Check the
Appropriate
Box →

☐ Controlling Person	☒ Agent	☐ Premises Manager (complete all questions except #12)
---	---	--

2. Name: BASHA, MICHAEL JOSEPH Birth Date: [REDACTED]
Last First Middle (NOT a public record)

3. Social Security #: [REDACTED] Driver License #: [REDACTED] State: AZ

4. Place of birth: PHOENIX, AZ USA Height: 5'7" Weight: 160 Eyes: BRN Hair: BRN
City State COUNTRY (not county)

5. Name of current/most recent spouse: N/A Birth Date: / /
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? ☒ Yes ☐ No If yes, what is your date of residency: [REDACTED]

7. Daytime telephone number: 480-940-6722 E-mail address: mbasha@bashas.com

8. Business Name: Bashas' #137 Business Phone: 623 / 214 / 6460

9. Business Location Address: 15367 W. Waddell Road, Surprise, AZ Maricopa County 85379
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
7/1983	CURRENT	VP, RETAIL GROCERY	BASHAS' INC., 22402 S. BASHA ROAD, CHANDLER, AZ 85248

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D) '21 NOV 29 11:41 AM 3-28

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
12/12	CURRENT	16213 S 29TH DRIVE, PHOENIX, AZ 85048

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. ☒ Yes ☐ No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☒ Yes ☐ No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐ Yes ☒ No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202, 4-210 ☐ Yes ☒ No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐ Yes ☒ No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☐ Yes ☒ No
18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☐ Yes ☒ No

If you answered "YES" to any Question 14 through 18 **YOU MUST** attach a **signed statement**.
Give complete details including dates, agencies involved and dispositions.

CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) MICHAEL JOESPH BASHA hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: [Signature]

State of AZ County of Maricopa

The foregoing instrument was acknowledged before me this

My Commission Expires on: 6/24/24

10th Day of November 2021

Day Month Year



MARILYN CHAPMAN
Notary Public - State of Arizona
MARICOPA COUNTY
Commission # 582792
Expires June 24, 2024

[Signature]
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ SIGNATURE: _____



*21 NOV 29 11:41 PM 3 28

State of Arizona
Department of Liquor Licenses and Control
800 W. Washington 5th Floor
Phoenix, AZ 85007
(602) 542-5141

**ARIZONA STATEMENT OF CITIZENSHIP
OR ALIEN STATUS FOR STATE PUBLIC BENEFITS**

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Act"), 8 U.S.C. § 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt "qualified aliens" (and sometimes only particular categories of qualified aliens), nonimmigrant, and certain aliens paroled into the United States are eligible to receive state, or local public benefits. With certain exceptions, a professional license and commercial license issued by a State agency is a State public benefit.

Arizona Revised Statutes § 41-1080 requires, in general, that a person applying for a license must submit documentation to the license agency that satisfactorily demonstrates the applicant's presence in the United States is authorized under federal law.

Directions: All applicants must complete Sections I, II, and IV. Applicants who are not U.S. citizens or nationals must also complete Section III.

Submit this completed form and a copy of one or more document(s) from the attached "Evidence of U.S. Citizenship, U.S. National Status, or Alien Status" with your application for license or renewal. If the document you submit does not contain a photograph, you must also provide a government issued document that contains your photograph. You must submit supporting legal documentation (i.e. marriage certificate) if the name on your evidence is not the same as your current legal name.

SECTION I – APPLICANT INFORMATION

INDIVIDUAL OWNER/AGENT NAME (Print or type) MICHAEL JOSEPH BASHA

SECTION II – CITIZENSHIP OR NATIONAL STATUS DECLARATION

Are you a citizen or national of the United States? ☒ Yes ☐ No

If **Yes**, indicate place of birth:

City PHOENIX State (or equivalent) ARIZONA Country or Territory MARICOPA

If you answered **Yes**, 1) Attach a legible copy of a document from the attached list.

2) Name of document: ARIZONA DRIVER'S LICENSE
Go to Section IV.

If you answered **No**, you must complete Section III and IV.

SECTION III – ALIEN STATUS DECLARATION

To be completed by applicants who are not citizens or nationals of the United States. Please indicate alien status by checking the appropriate box. Attach a legible copy of a document from the attached list or other document as evidence of your status.

Name of document provided

Qualified Alien Status (8 U.S.C. §§ 1621(a)(1), -1641(b) and (c))

- ☐ 1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA)
- ☐ 2. An alien who is granted asylum under Section 208 of the INA.
- ☐ 3. A refugee admitted to the United States under Section 207 of the INA.
- ☐ 4. An alien paroled into the United States for at least one year under Section 212(d)(5) of the INA.
- ☐ 5. An alien whose deportation is being withheld under Section 243(h) of the INA.
- ☐ 6. An alien granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980.
- ☐ 7. An alien who is a Cuban/Haitian entrant.
- ☐ 8. An alien who has, or whose child or child's parent is a "battered alien" or an alien subject to extreme cruelty in the United States.

Nonimmigrant Status (8 U.S.C. § 1621(a)(2))

- ☐ 9. A nonimmigrant under the Immigration and Nationality Act [8 U.S.C § 1101 et seq.] Non immigrants are persons who have temporary status for a specific purpose. See 8 U.S.C § 1101(a)(15).

Alien Paroled into the United States for Less Than One Year (8 U.S.C. § 1621(a)(3))

- ☐ 10. An alien paroled into the United States for less than one year under Section 212(d)(5) of the INA

Other Persons (8 U.S.C § 1621(c)(2)(A) and (C))

- ☐ 11. A nonimmigrant whose visa for entry is related to employment in the United States, or
- ☐ 12. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia, 48 U.S.C. § 1901 et seq.];
- ☐ 13. A foreign national not physically present in the United States.

Otherwise Lawfully Present

- ☒ 14. A person not described in categories 1-13 who is otherwise lawfully present in the United States.

PLEASE NOTE: The federal Personal Responsibility and Work Opportunity Reconciliation Act may make persons who fall into this category ineligible for licensure. See 8 U.S.C. § 1621(a).

SECTION IV - DECLARATION

All applicants must complete this section.

I declare under penalty of perjury under the laws of the state of Arizona that the answers and evidence I have given are true and correct to the best of my knowledge.

MICHAEL JOSEPH BASHA

Individual Owner/Agent Printed Name



Individual Owner/Agent Signature

10/13/21

Today's Date

EVIDENCE OF U.S. CITIZENSHIP, U.S. NATIONAL STATUS, OR ALIEN STATUS

You must submit supporting legal documentation (i.e. marriage certificate) if the name on your evidence is not the same as your current legal name.

Evidence showing authorized presence in the United State includes the following:

1. An Arizona driver license issued after 1996 or an Arizona non-operating identification card.
2. A driver license issued by a state that verifies lawful presence in the United States.
3. A birth certificate or delayed birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time)
4. A United States certificate of birth abroad.
5. A United States passport. ***Passport must be signed***
6. A foreign passport with a United States visa.
7. An I-94 form with a photograph.
8. A United States citizenship and immigration services employment authorization document or refugee travel document.
9. A United States certificate of naturalization.
10. A United States certificate of citizenship.
11. A tribal certificate of Indian blood.
12. A tribal or bureau of Indian affairs affidavit of birth.
13. Any other license that is issued by the federal government, any other state government, an agency of this state or a political subdivision of this state that requires proof of citizenship or lawful alien status before issuing the license.

Arizona DRIVER LICENSE USA

9 CLASS D
10 END NONE
12 REST B

1 BASHA
2 MICHAEL JOSEPH
3 16213 S 29TH DR
PHOENIX, AZ 85045-2279

4a EXP 12/05/2027 4a ISS 12/05/2019

16 SEX M 18 EYES BRO
18 HGT 5' 07" 19 HAIR BRO
17 WGT 150 lb

DONOR

5 DD 6102C9697B1421M6



CLASS: B-Operator
ENDORSEMENTS:
None

Rev. 12/14/2014

RESTRICTIONS:
B-Corrective Lens Must Be Worn

You Must Report a
Change of Address
Within 10 Days

18X56AZ00001760301



Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

QUESTIONNAIRE
A.R.S. § 4-202, 4-210
Type or Print with Black Ink

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in **black ink**. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 09070239

1. Check the
Appropriate
Box →

☒ Controlling Person	☐ Agent	☐ Premises Manager (complete all questions except #12)
--	--------------------------------	--

2. Name: Teel, Michael James Birth Date: [REDACTED] (NOT a public record)

3. Social Security: [REDACTED] Driver License: [REDACTED] State: Nevada

4. Place of birth: Sacramento, CA, U.S.A. Height: 5'6" Weight: 152 Eyes: Blue Hair: Brown

5. Name of current/most recent spouse: Teel, Julie Rollofson Birth Date: [REDACTED] (NOT a public record)

6. Are you a bona fide resident of Arizona? ☐ Yes ☒ No If yes, what is your date of residency: _____

7. Daytime telephone number: (916) 373-3333 E-mail address: mteel@raleys.com

8. Business Name: Bashas' #137 Business Phone: 623/214/6460

9. Business Location Address: 15367 W. Waddell Road, Surprise, AZ Maricopa County 85379

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
1/2010	CURRENT	Chairman	Raley's, 500 West Capitol Avenue, West Sacramento, CA 95606

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
8/2020	CURRENT	20 Crystal Drive, Crystal Bay, NV 89402
11/1999	8/2020	4100 Folsom Blvd #10B, Sacramento, CA 95819

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. ☐ Yes ☒ No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐ Yes ☐ No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐ Yes ☒ No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202, 4-210 ☐ Yes ☒ No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐ Yes ☒ No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☐ Yes ☒ No
18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☒ Yes ☐ No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement.
Give complete details including dates, agencies involved and dispositions.

CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) Michael James Teel hereby declare that I am the Agent/ Controlling Person Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: [Signature]

State of _____ County of _____
The foregoing Instrument was acknowledged before me this

My Commission Expires on: _____
Date

Day of _____, _____
Day Month Year

[Signature]
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ SIGNATURE: _____

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

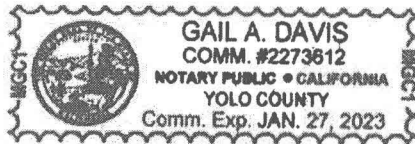
State of California

County of Yolo }

On October 14, 2021 before me, Gail A. Davis, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Michael James Teel
Name(s) of Signer(s)

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 California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Gail A. Davis
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Questionnaire - Arizona Dept. of Liquor Licenses and
Document Date: _____ Number of Pages: Control

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: _____	Signer is Representing: _____

Questionnaire – Signed Statement in Response to Question 18

As a controlling person for Raley's, I hereby disclose the following information with respect to Question 18 of my Arizona Department of Liquor Licenses and Control Questionnaire. I provide this information following due inquiry and diligence into Raley's compliance history with respect to its approximately 126 supermarkets located throughout California and Nevada. Notwithstanding my role as a "controlling person" for Raley's or its affiliates, I was not personally involved with any of the alleged actions or inactions resulting in the suspensions, stayed suspensions, or payments in lieu of suspensions described below.

Raley's Store #120 (Tonopah, Nevada): On July 7, 2020, the Nye County, Nevada Licensing and Liquor Board issued a suspension commencing July 17, 2020 of the Nye County Liquor License for Raley's Store #120, located at 1201 S. Main St., Tonopah, Nevada 89049, due to nonpayment of the required license renewal fees. On or before July 9, 2020, Raley's provided payment of \$200.00 in satisfaction of the past due balance owed, resulting in the reinstatement of the liquor license on approximately July 21, 2020. To my knowledge, the matter is now closed.

Raley's Store #119 (Lake Tahoe, California): In or around December 4, 2019, the California Department of Alcohol Beverage Control ("CABC") alleged that Raley's Store #119, located at 4000 Lake Tahoe Boulevard, Suite 6, South Lake Tahoe, California 96150, improperly received gifts, free goods, and other items of value from a supplier between April 28, 2018 and July 12, 2018 in violation of California law. On October 6, 2020, the CABC issued an order granting a compromise consisting of payment of a \$3,000 fine in lieu of serving a suspension of the location's California liquor license. To my knowledge, the matter is now closed.

Bel Air Store #506 (Sacramento, California): In or around September 27, 2019, the CABC in conjunction with the Sacramento Police Department, cited Bel Air Store #506, located at 1301 Florin Road, Sacramento, California 95831, for the sale of alcohol to a minor decoy. In or around August 3, 2020, the CABC issued an order granting a compromise that imposed a \$20,000 fine and permanently staying a 15-day suspension of the location's California liquor license. To my knowledge, the matter is now closed.

Raley's Store #445 (Lodi, California): In or around August 28, 2019, the CABC cited Raley's Store #445, located at 311 South Lower Sacramento Road, Lodi, California 95242, for the sale of alcohol to a minor decoy. In or around November 20, 2019, the CABC issued an order permanently staying a 10-day suspension of the location's California liquor license provided there are no further violations within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #448 (West Sacramento, California): In or around August 21, 2019, the CABC cited Raley's Store #448, located at 1601 West Capitol Avenue, West Sacramento, California 95691, for the sale of alcohol to a minor decoy. In or around November 15, 2019, the CABC issued a stipulated decision imposing a 5-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #227 (Roseville, California): In or around May 16, 2018, the CABC cited Raley's Store #227, located at 1915 Douglas Blvd., Roseville, California 95661, for the sale of alcohol to a minor decoy. In or around September 4, 2018, the CABC issued a stipulated decision imposing a 10-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #213 (Grass Valley, California): In or around April 30, 2018, the CABC cited Raley's Store #213, located at 692 Freeman Lane, Grass Valley, California 95949, for the sale of alcohol to a minor decoy. In or around April 18, 2019, the CABC issued an order imposing a \$3,000 fine in lieu of any suspension. To my knowledge, the matter is now closed.

Bel Air Store #510 (Sacramento, California): In or around April 14, 2018, the CABC cited Bel Air Store #510, located at 1540 West El Camino Avenue, Sacramento, California 95833, for the sale of alcohol to a minor decoy. In or around July 11, 2018, the CABC and Raley's agreed to a stipulated suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #309 (Merced, California): In or around November 10, 2017, the CABC cited Raley's Store #309, located at 3550 North G Street, Merced, California 95348, for the sale of alcohol to a minor decoy. In or around April 23, 2018, the CABC issued an order imposing a \$3,000 fine in lieu of a license suspension. To my knowledge, the matter is now closed.

Bel Air Store #506 (Sacramento, California): In or around July 26, 2017, the CABC cited Bel Air Store #506, located at 1301 Florin Road, Sacramento, California 95831, for the sale of alcohol to a minor decoy. In or around February 22, 2018, the CABC ordered a 15-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, the matter is now closed.

Raley's Store #249 (Chico, California): In or around May 5, 2017, the CABC cited Raley's Store #249, located at 2485 Notre Dame Boulevard, Chico, California 95928, for the sale of alcohol to a minor decoy. In or around September 11, 2017, the CABC issued a decision imposing a 10-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Doing Business as Aisle 1 Fuel Station #450 (Folsom, California): In or around November 10, 2016, the CABC cited Aisle 1 Fuel Station #450, located at 25045 Blue Ravine Rd., Folsom, California 95630, for the sale of alcohol to a minor decoy. In or around March 2, 2017, the CABC issued an order imposing a \$5,810.13 fine in lieu of a suspension of the location's California liquor license. To my knowledge, the matter is now closed. Raley's no longer own this fuel station.

Raley's Store #443 (Elk Grove, California): In or around September 15, 2016, the CABC cited Raley's Store #443, located at 4900 Elk Grove Boulevard, Elk Grove, California 95758, for the sale of a minor decoy. In or around February 8, 2017, the CABC issued an order imposing a \$20,000 fine and a 15-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Please do not hesitate to contact me or my Arizona liquor license counsel, Chris Colyer at Snell & Wilmer L.L.P. (ccolyer@swlaw.com) or (602) 382-6579, if you require any further information regarding this response.


Signature

Michael Tee
Printed Name

10/14/21
Date

21 NOV 29 147. LAC. PM 3 29



Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

QUESTIONNAIRE
A.R.S. § 4-202, 4-210
Type or Print with **Black Ink**

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in **black ink**. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A **BLUE OR BLACK LINED** FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: **09070239**

1. Check the
Appropriate
Box →

☒ Controlling Person

☐ Agent

☐ Premises Manager
(complete all questions except #12)

2. Name: **Mueller, Kenneth Carrol** Birth Date: [REDACTED]
Last First Middle (NOT a public record)

3. Social Security #: [REDACTED] Driver License #: [REDACTED] State: **California**

4. Place of birth: **Fond du Lac, WI, U.S.A.** Height: **5'6"** Weight: **150** Eyes: **Blue** Hair: **Brown**
City State COUNTRY (not county)

5. Name of current/most recent spouse: **Mueller, Brigitte B** Birth Date: [REDACTED]
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? ☐ Yes ☒ No If yes, what is your date of residency: _____

7. Daytime telephone number: **(916) 479-3924** E-mail address: **Kmueller@raleys.com**

8. Business Name: **Bashas' #137** Business Phone: **623 / 214 / 6460**

9. Business Location Address: **15367 W. Waddell Road, Surprise, AZ Maricopa County 85379**
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
2/1997	CURRENT	Chief Financial Officer	Raley's, 500 West Capitol Avenue, West Sacramento, CA 95605

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
8/1999	CURRENT	848 Brown Drive, El Dorado Hills, CA 95762

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. ☐ Yes ☒ No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐ Yes ☐ No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐ Yes ☒ No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202,4-210 ☐ Yes ☒ No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐ Yes ☒ No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☐ Yes ☒ No
18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☒ Yes ☐ No

If you answered "YES" to any Question 14 through 18 **YOU MUST** attach a signed statement.
Give complete details including dates, agencies involved and dispositions.

CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) Kenneth Carrol Mueller hereby declare that I am the Agent, Controlling Person Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: Kenneth Mueller

State of _____ County of _____
The foregoing instrument was acknowledged before me this

My Commission Expires on: _____ Date

_____ Day of _____, _____ Year

see attached
Signature of Notary

The licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ SIGNATURE: _____

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Yolo

On October 14, 2021 before me, Gail A. Davis, Notary Public

Date

Here Insert Name and Title of the Officer

personally appeared

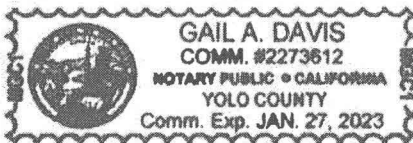
Kenneth Carrol Mueller

Name(s) of Signer(s)

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 California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature

[Signature]

Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Questionnaire - Arizona Dept. of Liquor Licenses and

Document Date: _____ Number of Pages: Control

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Partner – ☐ Limited ☐ General

☐ Individual

☐ Attorney in Fact

☐ Individual

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

☐ Other: _____

Signer is Representing: _____

Signer is Representing: _____

Questionnaire – Signed Statement in Response to Question 18

As a controlling person for Raley's, I hereby disclose the following information with respect to Question 18 of my Arizona Department of Liquor Licenses and Control Questionnaire. I provide this information following due inquiry and diligence into Raley's compliance history with respect to its approximately 126 supermarkets located throughout California and Nevada. Notwithstanding my role as a "controlling person" for Raley's or its affiliates, I was not personally involved with any of the alleged actions or inactions resulting in the suspensions, stayed suspensions, or payments in lieu of suspensions described below.

Raley's Store #120 (Tonopah, Nevada): On July 7, 2020, the Nye County, Nevada Licensing and Liquor Board issued a suspension commencing July 17, 2020 of the Nye County Liquor License for Raley's Store #120, located at 1201 S. Main St., Tonopah, Nevada 89049, due to nonpayment of the required license renewal fees. On or before July 9, 2020, Raley's provided payment of \$200.00 in satisfaction of the past due balance owed, resulting in the reinstatement of the liquor license on approximately July 21, 2020. To my knowledge, the matter is now closed.

Raley's Store #119 (Lake Tahoe, California): In or around December 4, 2019, the California Department of Alcohol Beverage Control ("CABC") alleged that Raley's Store #119, located at 4000 Lake Tahoe Boulevard, Suite 6, South Lake Tahoe, California 96150, improperly received gifts, free goods, and other items of value from a supplier between April 28, 2018 and July 12, 2018 in violation of California law. On October 6, 2020, the CABC issued an order granting a compromise consisting of payment of a \$3,000 fine in lieu of serving a suspension of the location's California liquor license. To my knowledge, the matter is now closed.

Bel Air Store #506 (Sacramento, California): In or around September 27, 2019, the CABC in conjunction with the Sacramento Police Department, cited Bel Air Store #506, located at 1301 Florin Road, Sacramento, California 95831, for the sale of alcohol to a minor decoy. In or around August 3, 2020, the CABC issued an order granting a compromise that imposed a \$20,000 fine and permanently staying a 15-day suspension of the location's California liquor license. To my knowledge, the matter is now closed.

Raley's Store #445 (Lodi, California): In or around August 28, 2019, the CABC cited Raley's Store #445, located at 311 South Lower Sacramento Road, Lodi, California 95242, for the sale of alcohol to a minor decoy. In or around November 20, 2019, the CABC issued an order permanently staying a 10-day suspension of the location's California liquor license provided there are no further violations within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #448 (West Sacramento, California): In or around August 21, 2019, the CABC cited Raley's Store #448, located at 1601 West Capitol Avenue, West Sacramento, California 95691, for the sale of alcohol to a minor decoy. In or around November 15, 2019, the CABC issued a stipulated decision imposing a 5-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #227 (Roseville, California): In or around May 16, 2018, the CABC cited Raley's Store #227, located at 1915 Douglas Blvd., Roseville, California 95661, for the sale of alcohol to a minor decoy. In or around September 4, 2018, the CABC issued a stipulated decision imposing a 10-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #213 (Grass Valley, California): In or around April 30, 2018, the CABC cited Raley's Store #213, located at 692 Freeman Lane, Grass Valley, California 95949, for the sale of alcohol to a minor decoy. In or around April 18, 2019, the CABC issued an order imposing a \$3,000 fine in lieu of any suspension. To my knowledge, the matter is now closed.

Bel Air Store #510 (Sacramento, California): In or around April 14, 2018, the CABC cited Bel Air Store #510, located at 1540 West El Camino Avenue, Sacramento, California 95833, for the sale of alcohol to a minor decoy. In or around July 11, 2018, the CABC and Raley's agreed to a stipulated suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #309 (Merced, California): In or around November 10, 2017, the CABC cited Raley's Store #309, located at 3550 North G Street, Merced, California 95348, for the sale of alcohol to a minor decoy. In or around April 23, 2018, the CABC issued an order imposing a \$3,000 fine in lieu of a license suspension. To my knowledge, the matter is now closed.

Bel Air Store #506 (Sacramento, California): In or around July 26, 2017, the CABC cited Bel Air Store #506, located at 1301 Florin Road, Sacramento, California 95831, for the sale of alcohol to a minor decoy. In or around February 22, 2018, the CABC ordered a 15-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, the matter is now closed.

Raley's Store #249 (Chico, California): In or around May 5, 2017, the CABC cited Raley's Store #249, located at 2485 Notre Dame Boulevard, Chico, California 95928, for the sale of alcohol to a minor decoy. In or around September 11, 2017, the CABC issued a decision imposing a 10-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Doing Business as Aisle 1 Fuel Station #450 (Folsom, California): In or around November 10, 2016, the CABC cited Aisle 1 Fuel Station #450, located at 25045 Blue Ravine Rd., Folsom, California 95630, for the sale of alcohol to a minor decoy. In or around March 2, 2017, the CABC issued an order imposing a \$5,810.13 fine in lieu of a suspension of the location's California liquor license. To my knowledge, the matter is now closed. Raley's no longer own this fuel station.

Raley's Store #443 (Elk Grove, California): In or around September 15, 2016, the CABC cited Raley's Store #443, located at 4900 Elk Grove Boulevard, Elk Grove, California 95758, for the sale of a minor decoy. In or around February 8, 2017, the CABC issued an order imposing a \$20,000 fine and a 15-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Please do not hesitate to contact me or my Arizona liquor license counsel, Chris Colyer at Snell & Wilmer L.L.P. (ccolyer@swlaw.com) or (602) 382-6579, if you require any further information regarding this response.


Signature

Kenneth Mueller
Printed Name

10-14-2021
Date



Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

QUESTIONNAIRE
A.R.S. § 4-202, 4-210
Type or Print with Black Ink

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in black ink. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 09070239

1. Check the
Appropriate
Box →

☒ Controlling Person	☐ Agent	☐ Premises Manager (complete all questions except #12)
--	--------------------------------	--

2. Name: Warner, Jennifer Kalest Theel Birth Date: [REDACTED]
Last First Middle (NOT a public record)

3. Social Security #: [REDACTED] Driver License #: [REDACTED] State: Oregon

4. Place of birth: Salt Lake City, UT, USA Height: 6'0" Weight: 140 Eyes: GR Hair: BR
City State COUNTRY (not county)

5. Name of current/most recent spouse: Frey, Cara Jennifer Birth Date: [REDACTED]
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? ☐ Yes ☒ No If yes, what is your date of residency: _____

7. Daytime telephone number: (503) 477-3307 E-mail address: jwarner3@raleys.com

8. Business Name: Bashas' #137 Business Phone: 623 / 214 / 6460

9. Business Location Address: 15367 W. Waddell Road, Surprise, AZ Maricopa County 85379
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
5/2020	CURRENT	Chief Administrative Officer	Raley's, 500 West Capitol Avenue, West Sacramento, CA 95606
3/2020	5/2020	Unemployed	2122 NE Alameda Street, Portland, OR 97212
12/2017	3/2020	Vice President of Legal	Columbia Sportswear, 14375 NW Science Park Drive, Portland, OR 97229
12/2016	12/2017	Chief Development Officer	Tangible Law, 2122 NE Alameda Street, Portland, OR 97212
5/2011	12/2016	Global Chief Compliance Officer and General Counsel, Americas	XPO (Formerly Con-way), 1717 Northwest 21st Avenue, Portland, OR 97209

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
8/2020	CURRENT	600 Shangri Lane, Sacramento CA 95825
5/2020	8/2020	1827 J Street, Sacramento, CA 95825
12/2016	Current	2122 NE Alameda Street, Portland, OR 97212
10/2004	12/2016	3605 NE 16th Avenue, Portland, OR 97212

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. ☐ Yes ☒ No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐ Yes ☐ No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐ Yes ☒ No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202,4-210 ☐ Yes ☒ No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐ Yes ☒ No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☐ Yes ☒ No
18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☒ Yes ☐ No

If you answered "YES" to any Question 14 through 18 **YOU MUST** attach a signed statement.
Give complete details including dates, agencies involved and dispositions.

CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) Jennifer Kalest Theel Warner hereby declare that I am the Agent/ Controlling Person Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: [Signature] State of _____ County of _____
The foregoing instrument was acknowledged before me this

My Commission Expires on: _____ Date _____ Day of _____ Month _____ Year _____

See Attached
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ SIGNATURE: _____

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

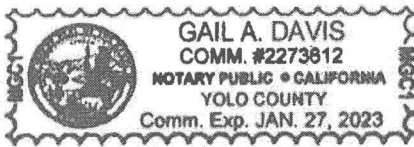
State of California

County of Yolo

On _____ before me, Gail A. Davis, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Jennitar Kalest Theel Warner
Name(s) of Signer(s)

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 California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal and/or Stamp Above

Signature

Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Questionnaire - Arizona Dept. of Liquor Licenses and

Document Date: _____ Number of Pages: Control

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator

☐ Other: _____
Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator

☐ Other: _____
Signer is Representing: _____

Questionnaire – Signed Statement in Response to Question 18

As a controlling person for Raley's, I hereby disclose the following information with respect to Question 18 of my Arizona Department of Liquor Licenses and Control Questionnaire. I provide this information following due inquiry and diligence into Raley's compliance history with respect to its approximately 126 supermarkets located throughout California and Nevada. Notwithstanding my role as a "controlling person" for Raley's or its affiliates, I was not personally involved with any of the alleged actions or inactions resulting in the suspensions, stayed suspensions, or payments in lieu of suspensions described below.

Raley's Store #120 (Tonopah, Nevada): On July 7, 2020, the Nye County, Nevada Licensing and Liquor Board issued a suspension commencing July 17, 2020 of the Nye County Liquor License for Raley's Store #120, located at 1201 S. Main St., Tonopah, Nevada 89049, due to nonpayment of the required license renewal fees. On or before July 9, 2020, Raley's provided payment of \$200.00 in satisfaction of the past due balance owed, resulting in the reinstatement of the liquor license on approximately July 21, 2020. To my knowledge, the matter is now closed.

Raley's Store #119 (Lake Tahoe, California): In or around December 4, 2019, the California Department of Alcohol Beverage Control ("CABC") alleged that Raley's Store #119, located at 4000 Lake Tahoe Boulevard, Suite 6, South Lake Tahoe, California 96150, improperly received gifts, free goods, and other items of value from a supplier between April 28, 2018 and July 12, 2018 in violation of California law. On October 6, 2020, the CABC issued an order granting a compromise consisting of payment of a \$3,000 fine in lieu of serving a suspension of the location's California liquor license. To my knowledge, the matter is now closed.

Bel Air Store #506 (Sacramento, California): In or around September 27, 2019, the CABC in conjunction with the Sacramento Police Department, cited Bel Air Store #506, located at 1301 Florin Road, Sacramento, California 95831, for the sale of alcohol to a minor decoy. In or around August 3, 2020, the CABC issued an order granting a compromise that imposed a \$20,000 fine and permanently staying a 15-day suspension of the location's California liquor license. To my knowledge, the matter is now closed.

Raley's Store #445 (Lodi, California): In or around August 28, 2019, the CABC cited Raley's Store #445, located at 311 South Lower Sacramento Road, Lodi, California 95242, for the sale of alcohol to a minor decoy. In or around November 20, 2019, the CABC issued an order permanently staying a 10-day suspension of the location's California liquor license provided there are no further violations within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #448 (West Sacramento, California): In or around August 21, 2019, the CABC cited Raley's Store #448, located at 1601 West Capitol Avenue, West Sacramento, California 95691, for the sale of alcohol to a minor decoy. In or around November 15, 2019, the CABC issued a stipulated decision imposing a 5-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #227 (Roseville, California): In or around May 16, 2018, the CABC cited Raley's Store #227, located at 1915 Douglas Blvd., Roseville, California 95661, for the sale of alcohol to a minor decoy. In or around September 4, 2018, the CABC issued a stipulated decision imposing a 10-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #213 (Grass Valley, California): In or around April 30, 2018, the CABC cited Raley's Store #213, located at 692 Freeman Lane, Grass Valley, California 95949, for the sale of alcohol to a minor decoy. In or around April 18, 2019, the CABC issued an order imposing a \$3,000 fine in lieu of any suspension. To my knowledge, the matter is now closed.

Bel Air Store #510 (Sacramento, California): In or around April 14, 2018, the CABC cited Bel Air Store #510, located at 1540 West El Camino Avenue, Sacramento, California 95833, for the sale of alcohol to a minor decoy. In or around July 11, 2018, the CABC and Raley's agreed to a stipulated suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #309 (Merced, California): In or around November 10, 2017, the CABC cited Raley's Store #309, located at 3550 North G Street, Merced, California 95348, for the sale of alcohol to a minor decoy. In or around April 23, 2018, the CABC issued an order imposing a \$3,000 fine in lieu of a license suspension. To my knowledge, the matter is now closed.

Bel Air Store #506 (Sacramento, California): In or around July 26, 2017, the CABC cited Bel Air Store #506, located at 1301 Florin Road, Sacramento, California 95831, for the sale of alcohol to a minor decoy. In or around February 22, 2018, the CABC ordered a 15-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, the matter is now closed.

Raley's Store #249 (Chico, California): In or around May 5, 2017, the CABC cited Raley's Store #249, located at 2485 Notre Dame Boulevard, Chico, California 95928, for the sale of alcohol to a minor decoy. In or around September 11, 2017, the CABC issued a decision imposing a 10-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Doing Business as Aisle 1 Fuel Station #450 (Folsom, California): In or around November 10, 2016, the CABC cited Aisle 1 Fuel Station #450, located at 25045 Blue Ravine Rd., Folsom, California 95630, for the sale of alcohol to a minor decoy. In or around March 2, 2017, the CABC issued an order imposing a \$5,810.13 fine in lieu of a suspension of the location's California liquor license. To my knowledge, the matter is now closed. Raley's no longer own this fuel station.

'21 NOV 29 11:47. LIC. PM 3 129

Raley's Store #443 (Elk Grove, California): In or around September 15, 2016, the CABC cited Raley's Store #443, located at 4900 Elk Grove Boulevard, Elk Grove, California 95758, for the sale of a minor decoy. In or around February 8, 2017, the CABC issued an order imposing a \$20,000 fine and a 15-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Please do not hesitate to contact me or my Arizona liquor license counsel, Chris Colyer at Snell & Wilmer L.L.P. (ccolyer@swlaw.com or (602) 382-6579), if you require any further information regarding this response.



Signature

Jennifer Warner

Printed Name

10/11/21

Date



Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

QUESTIONNAIRE
A.R.S. § 4-202, 4-210
Type or Print with Black Ink

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in black ink. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 09070239

1. Check the Appropriate Box →

☒ Controlling Person	☐ Agent	☐ Premises Manager (complete all questions except #12)
--	--------------------------------	--

2. Name: Knopf, Keith Edward Birth Date: [REDACTED]
Last First Middle (NOT a public record)

3. Social Security #: [REDACTED] Driver License #: Y4848287 State: California

4. Place of birth: Saint Louis County, MO, USA Height: 5'11" Weight: 186 Eyes: Brown Hair: Black/Gray
City State COUNTRY (not county)

5. Name of current/most recent spouse: Knopf, Deborah Sue Birth Date: [REDACTED]
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? ☐ Yes ☒ No If yes, what is your date of residency: _____

7. Daytime telephone number: (262) 951-6862 E-mail address: kknopf@raleys.com

8. Business Name: Bashas' #137 Business Phone: 623 / 214 / 6460

9. Business Location Address: 15367 W. Waddell Road, Surprise, AZ Maricopa County 85379
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
9/2018	CURRENT	Chief Executive Officer	Raley's, 500 West Capitol Avenue, West Sacramento, CA 95605
2/2017	9/2018	President	Raley's, 500 West Capitol Avenue, West Sacramento, CA 95605
5/2015	2/2017	Chief Operations Officer	Raley's, 500 West Capitol Avenue, West Sacramento, CA 95605

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
5/2015	CURRENT	4630 Carmen Drive, El Dorado Hills, CA 95762

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. ☐ Yes ☒ No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐ Yes ☐ No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐ Yes ☒ No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202, 4-210 ☐ Yes ☒ No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐ Yes ☒ No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☐ Yes ☒ No
18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☒ Yes ☐ No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement.
Give complete details including dates, agencies involved and dispositions.

CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) Keith Edward Knopf hereby declare that I am the Agent/Controlling Person Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: [Signature]

State of _____ County of _____
The foregoing instrument was acknowledged before me this

My Commission Expires on: _____
Date

Day of _____ Month _____ Year _____

See attached
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ SIGNATURE: _____

'21 NOV 29 11:47 AM 3 130

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

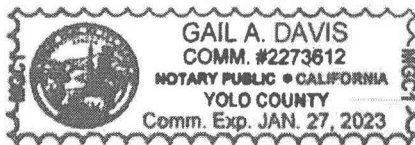
State of California

County of Yolo

On October 11, 2021 before me, Gail A. Davis, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Keith Edward Knopf
Name(s) of Signer(s)

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 California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal and/or Stamp Above

Signature [Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Questionnaire - Arizona Dept. of Liquor Licenses and

Document Date: _____ Number of Pages: (infr)

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer - Title(s): _____

☐ Partner - ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer - Title(s): _____

☐ Partner - ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

Questionnaire – Signed Statement in Response to Question 18

As a controlling person for Raley's, I hereby disclose the following information with respect to Question 18 of my Arizona Department of Liquor Licenses and Control Questionnaire. I provide this information following due inquiry and diligence into Raley's compliance history with respect to its approximately 126 supermarkets located throughout California and Nevada. Notwithstanding my role as a "controlling person" for Raley's or its affiliates, I was not personally involved with any of the alleged actions or inactions resulting in the suspensions, stayed suspensions, or payments in lieu of suspensions described below.

Raley's Store #120 (Tonopah, Nevada): On July 7, 2020, the Nye County, Nevada Licensing and Liquor Board issued a suspension commencing July 17, 2020 of the Nye County Liquor License for Raley's Store #120, located at 1201 S. Main St., Tonopah, Nevada 89049, due to nonpayment of the required license renewal fees. On or before July 9, 2020, Raley's provided payment of \$200.00 in satisfaction of the past due balance owed, resulting in the reinstatement of the liquor license on approximately July 21, 2020. To my knowledge, the matter is now closed.

Raley's Store #119 (Lake Tahoe, California): In or around December 4, 2019, the California Department of Alcohol Beverage Control ("CABC") alleged that Raley's Store #119, located at 4000 Lake Tahoe Boulevard, Suite 6, South Lake Tahoe, California 96150, improperly received gifts, free goods, and other items of value from a supplier between April 28, 2018 and July 12, 2018 in violation of California law. On October 6, 2020, the CABC issued an order granting a compromise consisting of payment of a \$3,000 fine in lieu of serving a suspension of the location's California liquor license. To my knowledge, the matter is now closed.

Bel Air Store #506 (Sacramento, California): In or around September 27, 2019, the CABC in conjunction with the Sacramento Police Department, cited Bel Air Store #506, located at 1301 Florin Road, Sacramento, California 95831, for the sale of alcohol to a minor decoy. In or around August 3, 2020, the CABC issued an order granting a compromise that imposed a \$20,000 fine and permanently staying a 15-day suspension of the location's California liquor license. To my knowledge, the matter is now closed.

Raley's Store #445 (Lodi, California): In or around August 28, 2019, the CABC cited Raley's Store #445, located at 311 South Lower Sacramento Road, Lodi, California 95242, for the sale of alcohol to a minor decoy. In or around November 20, 2019, the CABC issued an order permanently staying a 10-day suspension of the location's California liquor license provided there are no further violations within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #448 (West Sacramento, California): In or around August 21, 2019, the CABC cited Raley's Store #448, located at 1601 West Capitol Avenue, West Sacramento, California 95691, for the sale of alcohol to a minor decoy. In or around November 15, 2019, the CABC issued a stipulated decision imposing a 5-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #227 (Roseville, California): In or around May 16, 2018, the CABC cited Raley's Store #227, located at 1915 Douglas Blvd., Roseville, California 95661, for the sale of alcohol to a minor decoy. In or around September 4, 2018, the CABC issued a stipulated decision imposing a 10-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #213 (Grass Valley, California): In or around April 30, 2018, the CABC cited Raley's Store #213, located at 692 Freeman Lane, Grass Valley, California 95949, for the sale of alcohol to a minor decoy. In or around April 18, 2019, the CABC issued an order imposing a \$3,000 fine in lieu of any suspension. To my knowledge, the matter is now closed.

Bel Air Store #510 (Sacramento, California): In or around April 14, 2018, the CABC cited Bel Air Store #510, located at 1540 West El Camino Avenue, Sacramento, California 95833, for the sale of alcohol to a minor decoy. In or around July 11, 2018, the CABC and Raley's agreed to a stipulated suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #309 (Merced, California): In or around November 10, 2017, the CABC cited Raley's Store #309, located at 3550 North G Street, Merced, California 95348, for the sale of alcohol to a minor decoy. In or around April 23, 2018, the CABC issued an order imposing a \$3,000 fine in lieu of a license suspension. To my knowledge, the matter is now closed.

Bel Air Store #506 (Sacramento, California): In or around July 26, 2017, the CABC cited Bel Air Store #506, located at 1301 Florin Road, Sacramento, California 95831, for the sale of alcohol to a minor decoy. In or around February 22, 2018, the CABC ordered a 15-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, the matter is now closed.

Raley's Store #249 (Chico, California): In or around May 5, 2017, the CABC cited Raley's Store #249, located at 2485 Notre Dame Boulevard, Chico, California 95928, for the sale of alcohol to a minor decoy. In or around September 11, 2017, the CABC issued a decision imposing a 10-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Doing Business as Aisle 1 Fuel Station #450 (Folsom, California): In or around November 10, 2016, the CABC cited Aisle 1 Fuel Station #450, located at 25045 Blue Ravine Rd., Folsom, California 95630, for the sale of alcohol to a minor decoy. In or around March 2, 2017, the CABC issued an order imposing a \$5,810.13 fine in lieu of a suspension of the location's California liquor license. To my knowledge, the matter is now closed. Raley's no longer own this fuel station.

Raley's Store #443 (Elk Grove, California): In or around September 15, 2016, the CABC cited Raley's Store #443, located at 4900 Elk Grove Boulevard, Elk Grove, California 95758, for the sale of a minor decoy. In or around February 8, 2017, the CABC issued an order imposing a \$20,000 fine and a 15-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Please do not hesitate to contact me or my Arizona liquor license counsel, Chris Colyer at Snell & Wilmer L.L.P. (ccolyer@swlaw.com) or (602) 382-6579, if you require any further information regarding this response.



Signature

Keith E. Knopf

Printed Name

10/11/21

Date



Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

QUESTIONNAIRE
A.R.S. § 4-202, 4-210
Type or Print with Black Ink

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in black ink. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 09070239

1. Check the
Appropriate
Box →

☒ Controlling Person	☐ Agent	☐ Premises Manager (complete all questions except #12)
--	--------------------------------	--

2. Name: Singmaster, Helen Sofia Birth Date: [REDACTED]
Last First Middle (NOT a public record)

3. Social Security #: [REDACTED] Driver License #: 80070100 State: California

4. Place of birth: Rio Piedras, Puerto Rico, U.S.A. Height: 5'7" Weight: 165 Eyes: Blue Hair: Brown
City State COUNTRY (not county)

5. Name of current/most recent spouse: Kelly, Paul Roger Birth Date: [REDACTED]
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? ☐ Yes ☒ No If yes, what is your date of residency: _____

7. Daytime telephone number: (916) 373-6394 E-mail address: hsingmas@raleys.com

8. Business Name: Bashas' #137 Business Phone: 623 / 214 / 6460

9. Business Location Address: 15367 W. Waddell Road, Surprise, AZ Maricopa County 85379
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
4/2000	CURRENT	Vice President, General Counsel, and Secretary	Raley's, 500 West Capitol Avenue, West Sacramento, CA 95605

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
1/2003	CURRENT	2136 Dinosaur Place, Davis, CA 95616

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. ☐ Yes ☒ No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐ Yes ☐ No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐ Yes ☒ No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202, 4-210 ☐ Yes ☒ No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐ Yes ☒ No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☐ Yes ☒ No
18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☒ Yes ☐ No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement.
Give complete details including dates, agencies involved and dispositions.

CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) Helen Sofia Singmaster hereby declare that I am the Agent Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: Helen Sofia Singmaster

State of _____ County of _____

The foregoing instrument was acknowledged before me this

My Commission Expires on: _____ Date

_____ Day of _____ Month _____ Year

See attached
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ SIGNATURE: _____

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

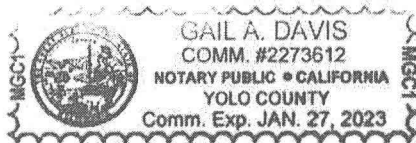
County of Yolo

On October 11, 2021 before me, Gail A. Davis, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Helen Sofia Singmaster

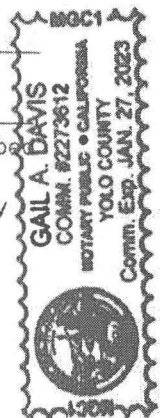
Name(s) of Signer(s)

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 California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature

Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Questionnaire - Arizona Dept. of Liquor Licenses and

Document Date: _____ Number of Pages: Control

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer - Title(s): _____

☐ Partner - ☐ Limited ☐ General

☐ Individual

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer - Title(s): _____

☐ Partner - ☐ Limited ☐ General

☐ Individual

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

Questionnaire – Signed Statement in Response to Question 18

As a controlling person for Raley's, I hereby disclose the following information with respect to Question 18 of my Arizona Department of Liquor Licenses and Control Questionnaire. I provide this information following due inquiry and diligence into Raley's compliance history with respect to its approximately 126 supermarkets located throughout California and Nevada. Notwithstanding my role as a "controlling person" for Raley's or its affiliates, I was not personally involved with any of the alleged actions or inactions resulting in the suspensions, stayed suspensions, or payments in lieu of suspensions described below.

Raley's Store #120 (Tonopah, Nevada): On July 7, 2020, the Nye County, Nevada Licensing and Liquor Board issued a suspension commencing July 17, 2020 of the Nye County Liquor License for Raley's Store #120, located at 1201 S. Main St., Tonopah, Nevada 89049, due to nonpayment of the required license renewal fees. On or before July 9, 2020, Raley's provided payment of \$200.00 in satisfaction of the past due balance owed, resulting in the reinstatement of the liquor license on approximately July 21, 2020. To my knowledge, the matter is now closed.

Raley's Store #119 (Lake Tahoe, California): In or around December 4, 2019, the California Department of Alcohol Beverage Control ("CABC") alleged that Raley's Store #119, located at 4000 Lake Tahoe Boulevard, Suite 6, South Lake Tahoe, California 96150, improperly received gifts, free goods, and other items of value from a supplier between April 28, 2018 and July 12, 2018 in violation of California law. On October 6, 2020, the CABC issued an order granting a compromise consisting of payment of a \$3,000 fine in lieu of serving a suspension of the location's California liquor license. To my knowledge, the matter is now closed.

Bel Air Store #506 (Sacramento, California): In or around September 27, 2019, the CABC in conjunction with the Sacramento Police Department, cited Bel Air Store #506, located at 1301 Florin Road, Sacramento, California 95831, for the sale of alcohol to a minor decoy. In or around August 3, 2020, the CABC issued an order granting a compromise that imposed a \$20,000 fine and permanently staying a 15-day suspension of the location's California liquor license. To my knowledge, the matter is now closed.

Raley's Store #445 (Lodi, California): In or around August 28, 2019, the CABC cited Raley's Store #445, located at 311 South Lower Sacramento Road, Lodi, California 95242, for the sale of alcohol to a minor decoy. In or around November 20, 2019, the CABC issued an order permanently staying a 10-day suspension of the location's California liquor license provided there are no further violations within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #448 (West Sacramento, California): In or around August 21, 2019, the CABC cited Raley's Store #448, located at 1601 West Capitol Avenue, West Sacramento, California 95691, for the sale of alcohol to a minor decoy. In or around November 15, 2019, the CABC issued a stipulated decision imposing a 5-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #227 (Roseville, California): In or around May 16, 2018, the CABC cited Raley's Store #227, located at 1915 Douglas Blvd., Roseville, California 95661, for the sale of alcohol to a minor decoy. In or around September 4, 2018, the CABC issued a stipulated decision imposing a 10-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #213 (Grass Valley, California): In or around April 30, 2018, the CABC cited Raley's Store #213, located at 692 Freeman Lane, Grass Valley, California 95949, for the sale of alcohol to a minor decoy. In or around April 18, 2019, the CABC issued an order imposing a \$3,000 fine in lieu of any suspension. To my knowledge, the matter is now closed.

Bel Air Store #510 (Sacramento, California): In or around April 14, 2018, the CABC cited Bel Air Store #510, located at 1540 West El Camino Avenue, Sacramento, California 95833, for the sale of alcohol to a minor decoy. In or around July 11, 2018, the CABC and Raley's agreed to a stipulated suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Store #309 (Merced, California): In or around November 10, 2017, the CABC cited Raley's Store #309, located at 3550 North G Street, Merced, California 95348, for the sale of alcohol to a minor decoy. In or around April 23, 2018, the CABC issued an order imposing a \$3,000 fine in lieu of a license suspension. To my knowledge, the matter is now closed.

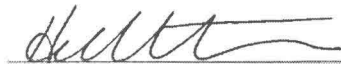
Bel Air Store #506 (Sacramento, California): In or around July 26, 2017, the CABC cited Bel Air Store #506, located at 1301 Florin Road, Sacramento, California 95831, for the sale of alcohol to a minor decoy. In or around February 22, 2018, the CABC ordered a 15-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, the matter is now closed.

Raley's Store #249 (Chico, California): In or around May 5, 2017, the CABC cited Raley's Store #249, located at 2485 Notre Dame Boulevard, Chico, California 95928, for the sale of alcohol to a minor decoy. In or around September 11, 2017, the CABC issued a decision imposing a 10-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Raley's Doing Business as Aisle 1 Fuel Station #450 (Folsom, California): In or around November 10, 2016, the CABC cited Aisle 1 Fuel Station #450, located at 25045 Blue Ravine Rd., Folsom, California 95630, for the sale of alcohol to a minor decoy. In or around March 2, 2017, the CABC issued an order imposing a \$5,810.13 fine in lieu of a suspension of the location's California liquor license. To my knowledge, the matter is now closed. Raley's no longer own this fuel station.

Raley's Store #443 (Elk Grove, California): In or around September 15, 2016, the CABC cited Raley's Store #443, located at 4900 Elk Grove Boulevard, Elk Grove, California 95758, for the sale of a minor decoy. In or around February 8, 2017, the CABC issued an order imposing a \$20,000 fine and a 15-day suspension of the location's California liquor license, provided that such suspension would be stayed indefinitely so long as no violations occurred within one year. To my knowledge, no such violations occurred within one year such that the matter is now closed.

Please do not hesitate to contact me or my Arizona liquor license counsel, Chris Colyer at Snell & Wilmer L.L.P. (ccolyer@swlaw.com or (602) 382-6579), if you require any further information regarding this response.



Signature

Helen Singmaster

Printed Name

10/11/21

Date

Certificate # On-line

Certificate of Completion For Title 4 **MANAGEMENT** Liquor Law Training

A Certificate of Completion must be on a form provided by the Arizona Department of Liquor. Certificates are completed by a state-approved training provider and, when issued, the Certificate is signed by the course participant.

Basic Title 4 training is a prerequisite for MANAGEMENT Title 4 training. A valid Certificate of Completion for BASIC Title 4 training must be on file at the Department of Liquor and satisfactory completion of a state-approved BASIC Title 4 course must be verified by the training provider prior to issuing a Certificate of Completion for MANAGEMENT Title 4 training.

A replacement Certificate of Completion for Title 4 training must be available through the training provider for two years after the training completion date.

Student Information

Michael Joseph Basha

Full Name (please print)

Michael Joseph Basha

Signature

10/27/2021

Training Completion Date

10/27/2024

Certificate Expiration Date
(three years from completion date)

Training Provider Information

M Mereco Inc. - AAEC

Company Name

736 S. Longmore St Chandler AZ 85224

Mailing Address

602-738-1421

Daytime Contact Phone Number

I, Lauren Merrett, certify that the above named individual did successfully complete
Instructor Name (please print)

Title 4 MANAGEMENT Training in accordance with A.R.S. §4-112(G)(2) and Arizona Administrative Code (A.A.C.) R19-1-103 using training course content and materials approved by the Arizona Department of Liquor Licenses and Control. I understand that misuse of this Certificate of Completion can result in the revocation of State-approval for the Title 4 Training Provider named in this section as provided by A.A.C. R19-1-103(E) and (F).

Lauren Merrett

Instructor Signature

10/27/2021

Persons required to complete BASIC & MANAGEMENT Title 4 training: 1) owner(s) actively involved in the daily business operations of a liquor-licensed business of a series listed below
2) licensees, agents and managers actively involved in the daily business operations of a liquor-licensed business of a series listed below

In-state Microbrewery (series 3)
Conveyance (series 8)
Restaurant (series 12)

Government (series 5)
Liquor Store (series 9)
In-state Farm Winery (series 13)

Bar (series 6)
Private Club (series 14)

Beer & Wine Bar (series 7)
Hotel/Motel w/restaurant (series 11)
Beer & Wine Store (series 10)

Liquor license applications (initial and renewal) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

The questionnaire (which designates a manager to a location) and the agent change form (which assigns a new agent to active liquor licenses) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

July 11, 2013

Certificate # On-line

**Certificate of Completion
For
Title 4 **BASIC** Liquor Law Training**

☒	On-sale
☒	Off-sale
☒	On- and off-sale

A Certificate of Completion must be on a form provided by the Arizona Department of Liquor. Certificates are completed by a state-approved training provider and, when issued, the Certificate is signed by the course participant.

The State requires BASIC Title 4 training only as a prerequisite for MANAGEMENT Title 4 training or as a result of a liquor law violation. Persons required to have BASIC Title 4 training are listed at the base of this Certificate. Licensees sometimes require BASIC Title 4 Training a condition of employment.

A replacement Certificate of Completion for Title 4 training must be available through the training provider for two years after the training completion date.

Student Information

Michael Joseph Basha

Full Name (please print)

Michael Joseph Basha
Signature

10/27/2021

Training Completion Date

10/27/2024

Certificate Expiration Date

(three years from completion date)

Training Provider Information

M Mereco Inc. - AATC

Company Name

736 S. Longmore St Chandler AZ 85224

Mailing Address

602-738-1421

Daytime Contact Phone Number

I, **Lauren Merrett**, certify that the above named individual did successfully complete

Instructor Name (please print)

Title 4 BASIC Training in accordance with A.R.S. §4-112(G)(2) and Arizona Administrative Code (A.A.C.) R19-1-103 using training course content and materials approved by the Arizona Department of Liquor Licenses and Control. I understand that misuse of this Certificate of Completion can result in the revocation of State-approval for the Title 4 Training Provider named in this section as provided by A.A.C. R19-1-103(E) and (F).

Lauren Merrett

Instructor Signature

10/27 / 2021

Persons required to complete BASIC & MANAGEMENT Title 4 training: 1) owner(s) actively involved in the daily business operations of a liquor-licensed business of a series listed below
2) licensees, agents and managers actively involved in the daily business operations of a liquor-licensed business of a series listed below

In-state Microbrewery (series 3)
Conveyance (series 8)
Restaurant (series 12)

Government (series 5)
Liquor Store (series 9)
In-state Farm Winery (series 13)

Bar (series 6)
Private Club (series 14)

Beer & Wine Bar (series 7)
Hotel/Motel w/restaurant (series 11)
Beer & Wine Store (series 10)

Liquor license applications (initial and renewal) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

The questionnaire (which designates a manager to a location) and the agent change form (which assigns a new agent to active liquor licenses) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

July 11, 2013



COMMUNITY DEVELOPMENT DEPARTMENT

Date: December 29, 2021
To: Sherry Aguilar, City Clerk
From: Chris Boyd, Community Development Director
James Stewart, Zoning Specialist
Re: Liquor License Application for:

Michael Basha, Agent

**Basha's # 137
15367 W. Waddell Road
Surprise, Arizona 85379**

Acquisition of Control - License #09070239

The number and series of licenses in close proximity to the subject site are:

1. Walgreens #7933 (Series 10) – 15514 W. Waddell Rd. (Expired)
2. 4 Sons Food Store (Series 10) – 15445 W. Waddell Rd.
3. Vogue Bistro (Series 12) – 15411 W. Waddell Rd.

The immediate area is comprised of commercial establishments. The property is zoned PAD Marley Park (C-2) which is consistent with the proposed use.

Commercial is expected to remain static and residential growth is expected to increase with the Fulton Homes at Prasada project.

If managed properly, the effects of granting this liquor license on surrounding residences will be minimal. This license will have little to no affect on parking in the area. Staff believes that granting this liquor license will not directly impact the surrounding business and residential areas in a negative way.



MEMO

Date: 12/22/2021

To: Sherry Aguilar, City Clerk
Linda Stevens, Deputy City Clerk

From: Sarah Williams

RE: Liquor License Application – BASHA'S #137-15367 W WADDELL RD

Business License Status:

- ☐ Application link emailed on .
- ☒ License # 1023615 , current and valid for 12/31/2021 .



Surprise Fire-Medical Department
14250 W. Statler Plaza Ste. 101
Surprise, AZ 85374-7479
Phone: 623-222-5000
Fax: 623-222-5001



January 4, 2022

To: Sherry Ann Aguilar
From: Keith Tanner, Fire Marshal
Subject: Liquor License Application
Applicant: Basha's #137
15367 W Waddell Rd

Research was conducted for a liquor license application on the above referenced location to ensure compliance with the applicable fire codes within the tenant space.

This tenant space has some outstanding fire code violations that will need to be corrected however they will be handled through the normal channels and will not interfere with the liquor license application.

Therefore we have no comment on the application at this time.

If you have any questions feel free to contact me.

Keith Tanner, Fire Marshal
Fire Prevention Division
Surprise Fire-Medical Department

BASHA'S # 137

RR, R1-43

PAD
Countrywide

PAD
Ashton Ranch

RL-5, R1-5

CC, C-2

PAD
Cotton Gin

PAD
Legacy Parc

PAD
Prasada

SITE

PAD
Marley Park

S U R P R I S E P O L I C E D E P A R T M E N T
L I Q U O R L I C E N S E A P P L I C A T I O N R E V I E W

REFERENCE:

DATE: January 10, 2022

LICENSE NUMBER – 09070239
Series #09 – Acquisition of Control

APPLICANT:

Bashas' Inc., Store #137

15367 W. Waddell Road
Surprise, Arizona 85374

FINDINGS:

- 1) ***Evidence concerning the nature of the proposed business, its potential market and its likely customers.***

Bashas' is a family supermarket open to all ages and demographics.

- 2) ***Effect of vehicular traffic in close proximity.***

This acquisition of control license will have no effect on traffic.

- 3) ***The history for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant has received a detailed report of such activity at least 20 days before the hearing.***

In the last five years, there have been various criminal incidents in or in the vicinity of the store, including the parking lot, which is shared by several other tenants. During this period, there have been approximately 45 calls for shoplifting, with a majority being for stolen alcohol, along with some food and general merchandise. There was also on case of robbery after an employee contacted two shoplifters and one of them told the employee he had a knife, although never displayed one. There have been a couple of domestic violence calls in the parking lot as well. In addition, there have been nine calls for drug related incidents. Some of these were shoplifters found with drugs while being taken into custody, and some incidents related to people using drugs in the bathrooms.

- 4) ***Comparison of hours of operation of the proposed premises to the existing businesses in close proximity.***

Bashas' is open from 5 AM to 10 PM daily. They are part of a shopping plaza with various other retail tenants, including a Little Caesar's Pizza, which closes at 11 PM on weekends and 10 PM during the week. There is also a Baskin Robbins ice cream shop and a Little Caesar's Pizza (takeout only), that close at 10 PM. The only other tenant in the plaza to serve alcohol is Vogue Bistro, which is around the corner from Bashas'. They have regular restaurant hours and close by 9 PM every day, with the exception of Sunday when they are completely closed. There also is a Jack in the Box fast food restaurant at the northeast portion of the parking lot, which has its drive thru open 24 hours. There is also a Chevron gas station/convenience store that across the parking lot on the far northwest corner of the plaza that is open 24 hours a day.

- 5) ***Appropriateness of series license requested.***

A series 9 license is appropriate and applicable for the Bashas' per state guidelines for liquor retailers to sell all liquor in their unbroken packages. It should also be mentioned that Bashas' has hired private unarmed security personnel during the afternoon/evening hours, five days of the week.

Submitted by Officer Chris Tovar #2059



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: District 5

Consent: Yes Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

Consideration and action to approve a new Series 12 Liquor License (Application #176096) for Nick's Diner II located at 13765 N. Litchfield Road, Surprise, AZ 85379.

Motion:

I move to approve a new Series 12 Liquor License (Application #176096) for Nick's Diner II located at 13765 N. Litchfield Road, Surprise, AZ. 85379.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. FINANCE 01.03.2022_Nick's Diner II LLC-13765 N LITCHFIELD RD
 2. FIRE 13765 N Litchfield Rd Nicks Diner II Liquor License
 3. MAP Nick's Diner 2, January 2022 MAP
 4. nicks diner II state
 5. CD Nick's Diner 2, January 2022 Report
 6. Nick's Diner II
-



MEMO

Date: 01/03/2021

To: Sherry Aguilar, City Clerk
Linda Stevens, Deputy City Clerk

From: Sarah Williams

RE: Liquor License Application – Nick's Diner II LLC-13765 N LITCHFIELD RD

Business License Status:

- ☐ Application link emailed on .
- ☒ License # 1020022 , current and valid for 12/31/2022 .



Surprise Fire-Medical Department
14250 W. Statler Plaza Ste. 101
Surprise, AZ 85374-7479
Phone: 623-222-5000
Fax: 623-222-5001



January 4, 2022

To: Sherry Ann Aguilar
From: Keith Tanner, Fire Marshal
Subject: Liquor License Application
Applicant: Nick's Diner II
13765 N Litchfield Rd

On January 3, 2022, Surprise Fire Inspectors conducted a fire inspection for a liquor license application at the above referenced location to ensure compliance with the applicable fire codes within the tenant space.

This tenant space has some outstanding fire code violations that will need to be corrected however they will be handled through the normal channels and will not interfere with the liquor license application.

Therefore we have no comment on the application at this time.

If you have any questions feel free to contact me.

Keith Tanner, Fire Marshal
Fire Prevention Division
Surprise Fire-Medical Department

NICK'S DINER 2

PAD
ROYAL
RANCH

IG,
I-2

PAD
SIERRA VERDE

RL-5, R1-5

PAD
ROSEVIEW

CC, C-2

RR, R1-43

RL-5, R1-5

PAD
MARLEY
PARK

Venue
Taproom

Amigos Authentic
Mexican Grill and Bar

PAD
SURPRISE
POINTE

SITE

AMC

2022-04

State of Arizona
Department of Liquor Licenses and Control

Created 12/28/2021 @ 09:11:23 AM

Local Governing Body Report

LICENSE

Number:		Type:	012 RESTAURANT
Name:	NICKS DINER II		
State:	Pending		
Issue Date:		Expiration Date:	
Original Issue Date:			
Location:	13765 N LITCHFIELD ROAD SURPRISE, AZ 85379 USA		
Mailing Address:	16506 S 164TH STREET GILBERT, AZ 85295 USA		
Phone:	(623)328-5347		
Alt. Phone:	(657)456-8116		
Email:	AZDINER21@GMAIL.COM		

AGENT

Name:	ELENA UYEN SIK
Gender:	Female
Correspondence Address:	16506 S 164TH STREET GILBERT, AZ 85295 USA
Phone:	(657)456-8116
Alt. Phone:	
Email:	AZDINER21@GMAIL.COM

OWNER

Name:	SAMANTHA DINER, INC		
Contact Name:	ELENA UYEN SIK		
Type:	CORPORATION		
AZ CC File Number:	23241854	State of Incorporation:	AZ
Incorporation Date:	07/26/2021		
Correspondence Address:	16506 S 164TH STREET GILBERT, AZ 85295 USA		
Phone:	(657)456-8116		
Alt. Phone:			
Email:	AZDINER21@GMAIL.COM		

Officers / Stockholders

Name:
SAMANTHA BAO ANH NGUYEN

Title:
CEO

% Interest:
100.00

SAMANTHA DINER, INC - CEO

Name: SAMANTHA BAO ANH NGUYEN

Gender: Female

Correspondence Address: 16506 S 164TH STREET
GILBERT, AZ 85295
USA

Phone: (310)270-2628

Alt. Phone:

Email: AZDINER21@GMAIL.COM

APPLICATION INFORMATION

Application Number: 176096
Application Type: New Application
Created Date: 12/28/2021

PA

QUESTIONS & ANSWERS

012 Restaurant

- 1) Are you applying for an Interim Permit (INP)?
Yes
A Document of type INTERIM PERMIT (INP) NOTARY PAGE is required.
- 2) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
Property Purchaser
- 3) Is there a penalty if lease is not fulfilled?
No
- 4) Is the Business located within the incorporated limits of the city or town of which it is located?
Yes
- 5) What is the total money borrowed for the business not including the lease?
Please list each amount owed to lenders/individuals.
TOTAL: \$2,240,000.00

NIKOLLAS ARAPI- \$200,000.00
7542 W TRAILS DR GLENDALE, AZ 85308

VELOCITY BANK- \$2,040,000.00
18881 VAN KARMAN AVE #800 IRVINE, CA 92612
- 6) Is there a drive through window on the premises?
No
- 7) If there is a patio please indicate contiguous or non-contiguous within 30 feet.
NO PATIO
- 8) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
No

State of Arizona
Department of Liquor Licenses and Control

Created 12/28/2021 @ 09:11:28 AM

Local Governing Body Report

LICENSE

Number:	INP070016702	Type:	INP INTERIM PERMIT
Name:	NICKS DINER II		
State:	Active		
Issue Date:	12/28/2021	Expiration Date:	04/12/2022
Original Issue Date:	12/28/2021		
Location:	13765 N LITCHFIELD ROAD SURPRISE, AZ 85379 USA		
Mailing Address:	16506 S 164TH STREET GILBERT, AZ 85295 USA		
Phone:	(623)328-5347		
Alt. Phone:	(657)456-8116		
Email:	AZDINER21@GMAIL.COM		

AGENT

Name:	ELENA UYEN SIK
Gender:	Female
Correspondence Address:	16506 S 164TH STREET GILBERT, AZ 85295 USA
Phone:	(657)456-8116
Alt. Phone:	
Email:	AZDINER21@GMAIL.COM

OWNER

Name:	SAMANTHA DINER, INC		
Contact Name:	ELENA UYEN SIK		
Type:	CORPORATION		
AZ C'C File Number:	23241854	State of Incorporation:	AZ
Incorporation Date:	07/26/2021		
Correspondence Address:	16506 S 164TH STREET GILBERT, AZ 85295 USA		
Phone:	(657)456-8116		
Alt. Phone:			
Email:	AZDINER21@GMAIL.COM		

Officers / Stockholders

Name:
SAMANTHA BAO ANH NGUYEN

Title:
CEO

% Interest:
100.00

SAMANTHA DINER, INC - CEO

Name: SAMANTHA BAO ANH NGUYEN
Gender: Female
Correspondence Address: 16506 S 164TH STREET
GILBERT, AZ 85295
USA
Phone: (310)270-2628
Alt. Phone:
Email: AZDINER21@GMAIL.COM

APPLICATION INFORMATION

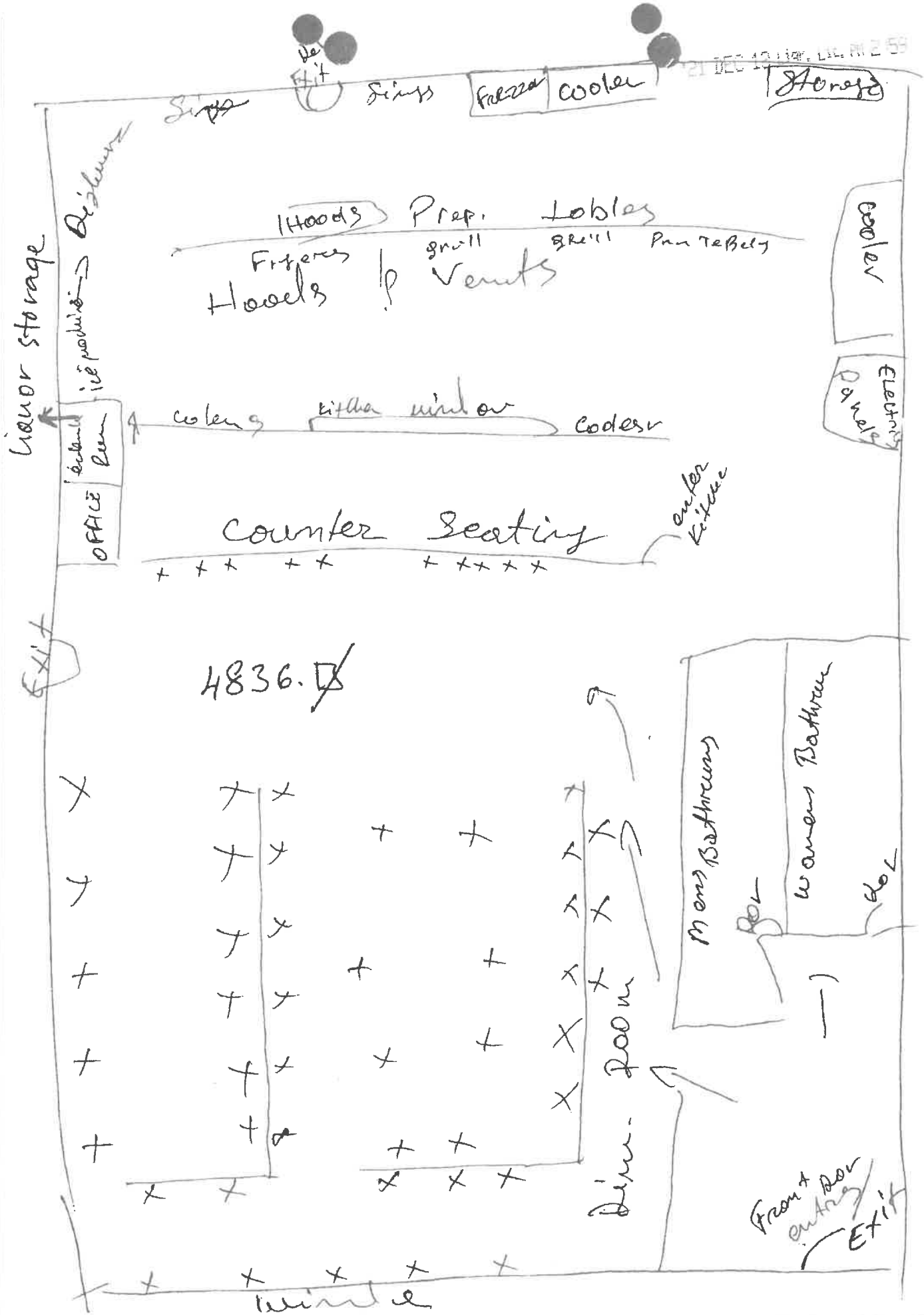
Application Number: 176098
Application Type: New Application
Created Date: 12/28/2021

CA

QUESTIONS & ANSWERS

INP Interim Permit

- 1) Enter License Number currently at location
1207A643
- 2) Is the license currently in use?
Yes
- 3) Will you please submit section 5, page 6, of the license application when you reach the upload page?
Yes
A Document of type INTERIM NOTARY PAGE is required.



STATE OF ARIZONA
DEPARTMENT OF LIQUOR LICENSES
AND CONTROL
ALCOHOLIC BEVERAGE LICENSE

License 1207A643

Issue Date: 3/24/2021

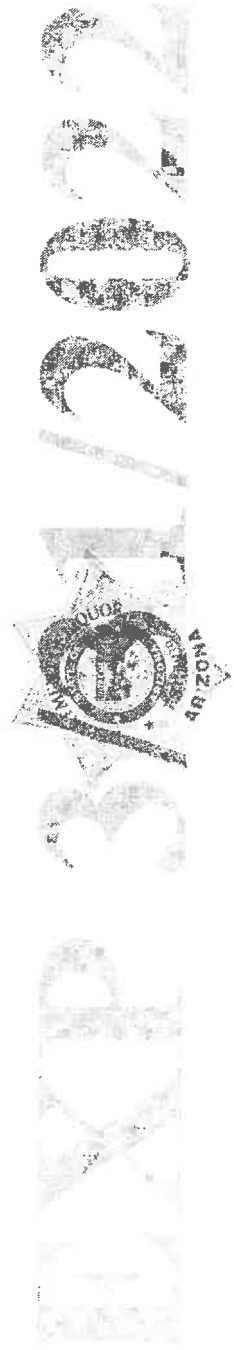
Expiration Date: 3/31/2022

Issued To:
NIKOLLAS ARAPI, Agent
NICKS DINER II LLC, Owner

Location:
NICKS DINER II
13765 N LITCHFIELD ROAD
SURPRISE, AZ 85379
USA



Mailing Address:
NIKOLLAS ARAPI
NICKS DINER II LLC
NICKS DINER II
25562 N 103RD DRIVE
PEORIA, AZ 85383
USA



POST THIS LICENSE IN A CONSPICUOUS PLACE

'21 12 28 Liqr.Admin AM 9:17

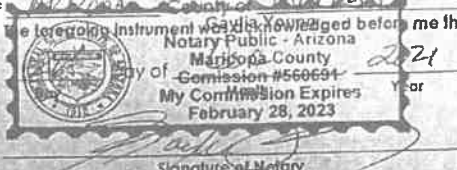
21 DEC 22 11:47 AM 1034

SECTION 5 Interim Permit

If you intend to operate business while the application is pending, you will need an interim permit pursuant to A.R.S. §4-203.01. For approval of an interim permit:

- There must be a valid license of the same series issued to the current location you are applying for, OR
- A Hotel/Motel license is being replaced with a restaurant license pursuant to A.R.S. §4-203.01(A)

1. Enter license number currently at the location: 1207A643
2. Is the license currently in use? ☒ Yes ☐ No If no, how long has it been out of use? _____

NOTARY	
I (Print Full Name) <u>Nikollas Arapi</u>	hereby declare that I am the Agent, Current Owner, or Controlling Person on the stated license and location.
Signature: <u>[Signature]</u>	State of <u>Arizona</u>
My Commission Expires on: <u>02/28/2023</u>	Date
	

SECTION 6 Background Check

EACH PERSON LISTED MUST SUBMIT A QUESTIONNAIRE, FINGERPRINT CARD, AND \$22 PROCESSING FEE PER CARD.
1. If the applicant is an entity, and not an individual, answer questions 1-a-b.

- a) Date incorporated/Organized: 6/29/2021 State where incorporated/Organized: Arizona
- b) AZ Corporation or AZ LLC. File No: 23241854 Date authorized to do business in AZ: 07/26/2021

2. List any individual or entity that owns a beneficial interest of 10% or more and/or controls the applicant or licensee. If the applicant is owned by another entity, attach an organizational chart showing the ownership structure. Attach additional sheets as needed. Disclose all controlling persons and members, shareholders or general partners who own a beneficial interest of 10% or more of the applicant or licensee.

Last	First	Middle	Title	%Owned	Mailing Address	City	State	Zip
Nguyen, Samantha	Bao		CEO	100	13765 N. Litchfield Rd,	Surprise, Az	85379	

(Attach additional sheet if necessary)

SECTION 7 Probate, Receiver, Bankruptcy Trustee, Assignment, or Divorce Decree of an existing liquor license A.R.S. §4-204

EACH PERSON LISTED MUST SUBMIT A QUESTIONNAIRE, FINGERPRINT CARD, AND \$22 PROCESSING FEE PER CARD.

1. Current Licensee's Name: _____
(Exactly as it appears on the license) Last First Middle
2. Assignee's Name: _____
Last First Middle
3. License Number: _____

ATTACH A COPY OF THE DOCUMENT THAT SPECIFICALLY ASSIGNS THE LIQUOR LICENSE TO THE ASSIGNEE

1/11/2018

page 2 of 6



COMMUNITY DEVELOPMENT DEPARTMENT

Date: January 4, 2022
To: Sherry Aguilar, City Clerk
From: Chris Boyd, Community Development Director
James Stewart, Zoning Specialist
Re: Liquor License Application for:

**Elena Uyen Sik, Owner/Agent
NICK'S DINER 2
13765 N. Litchfield Road, Surprise, Arizona 85379**

New Series 12 Liquor License #176096

The number and series of licenses in close proximity to the subject site are:

1. N & B Pizza (Series 12) – 14010 N. Litchfield Rd.#212
2. Fry's Marketplace #674 (Series 9) – 13982 W. Waddell Rd.
3. Safeway Food & Drug # 2699 (Series # 9) – 13828 W Waddell Rd.
4. Native Grill & Wings (Series 12) – 13929 W. Waddell Rd.
5. Quiktrip #466 (Series 10) – 14057 W. Waddell Rd. (Expired)
6. Walgreen's #12087 (Series 10) – 13723 N. Litchfield Rd.
7. Song Lynn Vietnamese Cuisine (Series 12) – 13749 N. Litchfield Rd. #109
8. Venue Taproom (Series 12) – 13699 N. Litchfield Rd. (Not Shown)
9. Uptown Alley II (Series 6) – 13525 N. Litchfield Rd.
10. AMC Surprise Pointe 14 (Series 6) – 13649 N. Litchfield Rd. (Not Shown)
11. Amigos Authentic Mexican Grill and Bar (Series 12) – 13621 N. Litchfield Rd. (Not Shown)

The immediate area is comprised of commercial establishments. The property is zoned PAD C-2 which is consistent with the proposed use.

Commercial and residential growth is expected to remain static.

If managed properly, the effects of granting this liquor license on surrounding residences will be minimal. This license will have little to no affect on parking in the area. Staff believes that granting this liquor license will not directly impact the surrounding business and residential areas in a negative way.

S U R P R I S E P O L I C E D E P A R T M E N T
L I Q U O R L I C E N S E A P P L I C A T I O N R E V I E W

REFERENCE:

DATE: January 10, 2022

APPLICATION NUMBER - 176096
NEW LICENSE - Series 12

APPLICANT:

Nick's Diner II
13765 N. Litchfield Road
Surprise, Arizona 85379

FINDINGS:

- 1) ***Evidence concerning the nature of the proposed business, its potential market and its likely customers.***
Nick's Diner II is a full service restaurant serving breakfast, lunch and dinner. The restaurant seating capacity is 157 persons. The potential market should be people of all ages, from anywhere in the surrounding communities. There are two televisions over the row of countertop seating and no live entertainment.
- 2) ***Effect of vehicular traffic in close proximity.***
There are numerous entry/exits for vehicle traffic onto Litchfield Road and onto Waddell Road to the north. There should be no effect on the traffic.
- 3) ***The history for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant has received a detailed report of such activity at least 20 days before the hearing.***
None found.
- 4) ***Comparison of hours of operation of the proposed premises to the existing businesses in close proximity.***
Nick's Diner II is open every day of the week from 6:30 AM to 3 PM, with the exception of Fridays, when it is open until 7 PM. It is on the far northeast side of a large shopping plaza, which is on the southeast corner of Litchfield and Waddell Roads. There are four other series 12 establishments in the large plaza. Venue Taproom is a standalone restaurant on the west side of the plaza and is open until 11 PM. Song Lynn Vietnamese Cuisine is on the north side of the plaza and is open until 9 PM. Amigos Authentic Mexican Grill and Bar is located on the southeast side of the plaza and is adjacent to other businesses. They are open until 8:30 PM most of the week, while being open until 9:30 PM on Fridays and Saturdays. AMC Movie Theatres has a series 6, (Bar) license and is open until 11 PM to Midnight, depending on weekend viewing and show times.
- 5) ***Appropriateness of requested license.***
The series 12 license is appropriate for Nick's Diner II per Arizona State law.

Submitted by Officer C. E. Tovar #2059



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022 Contact Person: Tiffany Copp, Assistant Director
Submitting Department: Community Development District: Citywide
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of a Fiscal Year 2022 budget amendment reallocating appropriations in the amount of \$200,000 from contingency to services within the General Fund for contract building inspector services; Resolution #2022-02.

Motion:

I move to approve Resolution #2022-02.

Background:

Additional funds are requested to supplement the existing contract building inspector positions currently working on behalf of the City. Community Development began utilizing contract Building Inspectors in FY2018 with the initial intent of supplementing the full-time regular positions within the department to ensure appropriate coverage during times of extraordinary demand, extended absences, or during turnover of full-time regular employees. However, those times of extraordinary demand have evolved such that contract building inspectors have been used consistently since 2018 and are now part of the regular workforce needed to get inspections done on a daily basis.

Community Development started FY22 with a contract inspector budget of \$375,000 and has paid an average of \$38,300 a month for services in the first six months of the year. At this rate, the original budgeted amount of \$375,000 will be exhausted before the end of the fiscal year. To continue to support the workload of the Building Inspection Program and provide the level of service expected by residents and the development community, an additional \$200,000 in contract funds is requested to ensure contract inspectors can be utilized for the duration of the fiscal year to help meet the existing demands. This request is supported both by current levels of service and revenues collected. Community Development has collected 143% of the inspection revenue projected for FY22 within the first six months of the fiscal year, with 50% of the year remaining in which to collect additional revenue. From FY20 to FY21, the number of permits issued went up 29%, marking a 10-year high, to include permits for several new residential tracts and large-scale commercial projects. Year-to-date, the total number of building permits issued in FY22 is showing a 1% increase from FY21. Similarly, the number of building inspections completed increased nearly 20% from FY20 to FY21 and are up an additional 7% so far year-to-date in FY22. The ability to utilize contract inspectors is essential to ensure Community Development can continue to meet the demands of the growing City.

Objective Analysis:

The purpose of supplementing the Building Inspection workforce with contract staff is to reduce any potential negative impact on City staff should there be an economic slowdown (such as the 40% reduction in staff in 2009 due to the economic downturn). With permits consistently mirroring the increase from FY2020-FY2021, the ability to utilize contract inspectors as needed is essential to ensure Building Safety can continue to provide residents and developers with timely, quality inspections.

Policy Compliant:

This action is consistent with City and Council Policy.

Financial Impact:

This action will increase the expenditure for contract inspectors by \$200,000 which will be supported by an increase in revenue in Community Development.

Budget Impact:

This action reallocates spending authority in the amount of \$200,000 from Contingency to Community Development Services without increasing or decreasing the total adopted citywide expenditure budget for FY2022.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. Res 2022-02 Bdgt Amd Contract Bldg Inspectors
 2. Budget Amendment Request-Bldg Inspection Funds - 1.18.22 CC
 3. Budget Amendment Presentation - Bldg Inspection Funds 1.18.22 CC
-

RESOLUTION #2022-02

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2022 BUDGET BY REALLOCATING APPROPRIATIONS OF \$200,000 FROM CONTINGENCY TO SERVICES WITHIN THE GENERAL FUND FOR CONTRACT BUILDING INSPECTORS.

WHEREAS, the FY2022 budget was adopted including funding for contract building inspectors;

WHEREAS, the services of contract building inspectors have been, and continue to be, necessary to support the substantial workload of building inspections;

WHEREAS, the increase in expenditures is supported by revenue collections;

WHEREAS, to date, the Community Development Department has collected eighty nine percent of FY2022 budgeted revenue amounts;

WHEREAS, the FY2022 budget was adopted by Council Resolution #2021-87 on June 1, 2021;

WHEREAS, the City of Surprise Procurement Code §2-338 (d) requires the authority of the Mayor and Council when the cost to the city is greater than \$50,000;

WHEREAS, this action will necessitate a budget amendment; and

WHEREAS, the City of Surprise Administrative Policies requires the approval of the Mayor and Council for budget amendments of this nature.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2021 through June 30, 2022.

APPROVED AND ADOPTED this _____ day of _____, 2022.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION #2022-02**Exhibit A**

1. Appropriation - The allocation below represents a movement of budget authority in the amount of \$200,000 from Contingency to services within the General Fund to cover the cost of services provided by contract building inspectors. This action represents a transfer of spending authority and does not increase or decrease the total adopted citywide expenditure budget.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Contingency	General Operations	Contingency	E	25,559,900	(200,000)	25,359,900
General Fund	Community Development	Services	E	1,071,200	200,000	1,271,200
Expense Total				26,631,100	-	26,631,100

Budget Amendment Request

Description/Background/Reason:

Additional funds are requested to supplement the existing contract building inspector positions currently working on behalf of the City. Community Development began utilizing contract Building Inspectors in FY2018 with the initial intent of supplementing the full-time regular positions within the department to ensure appropriate coverage during times of extraordinary demand, extended absences, or during turnover of full-time regular employees. However, those times of extraordinary demand have evolved such that contract building inspectors have been used consistently since 2018 and are now part of the regular workforce needed to get inspections done on a daily basis.

Community Development started FY22 with a contract inspector budget of \$375,000 and has paid an average of \$38,300 a month for services in the first six months of the year. At this rate, the original budgeted amount of \$375,000 will be exhausted before the end of the fiscal year. To continue to support the workload of the Building Inspection Program and provide the level of service expected by residents and the development community, an additional \$200,000 in contract funds is requested to ensure contract inspectors can be utilized for the duration of the fiscal year to help meet the existing demands. This request is supported both by current levels of service and revenues collected. Community Development has collected 143% of the inspection revenue projected for FY22 within the first six months of the fiscal year, with 50% of the year remaining in which to collect additional revenue. From FY20 to FY21, the number of permits issued went up 29%, marking a 10-year high, to include permits for several new residential tracts and large-scale commercial projects. Year-to-date, the total number of building permits issued in FY22 is showing a 1% increase from FY21. Similarly, the number of building inspections completed increased nearly 20% from FY20 to FY21 and are up an additional 7% so far year-to-date in FY22. The ability to utilize contract inspectors is essential to ensure Community Development can continue to meet the demands of the growing City.

Council Meeting Date: January 18, 2022

Financial Impact Statement:

A reallocation of appropriations in the amount of \$200,000 from Contingency to Community Development is supported by an increase of revenue in Community Development building inspection permits.



Community Development Budget Amendment Request Contract Building Inspectors

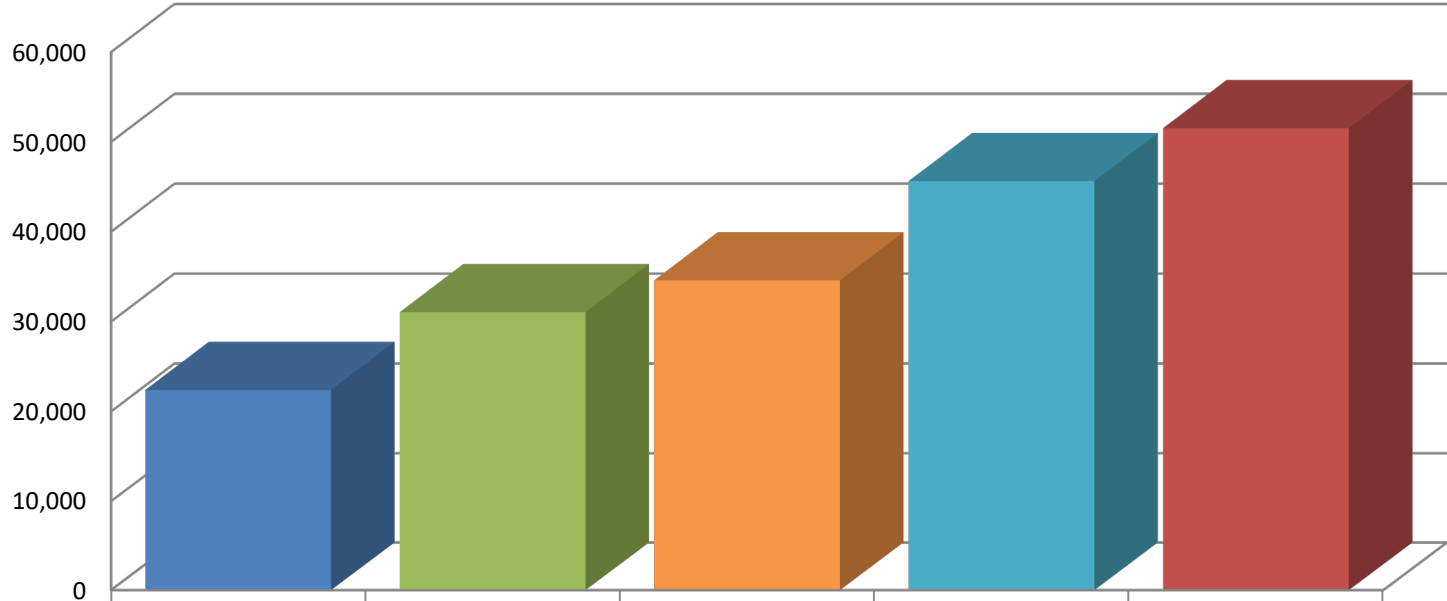
Mayor and City Council – January 18, 2022

Building Inspection Statistics

- Community Development has collected **143%** of projected revenue for FY22 within the **first six (6) months** of the fiscal year
- FY20 to FY21 permits issued increased by 29%
- FY22 permits issued to-date are up 1% over FY21
- The FY22 Contract Inspector budget amount approved to date is \$375,000. Without the budget amendment, these funds will be nearing depletion by March 2022

Total Inspections Completed Last 5 Fiscal Years

Number of Inspections



■ Total Inspections

FY17

22,407

FY18

31,063

FY19

34,598

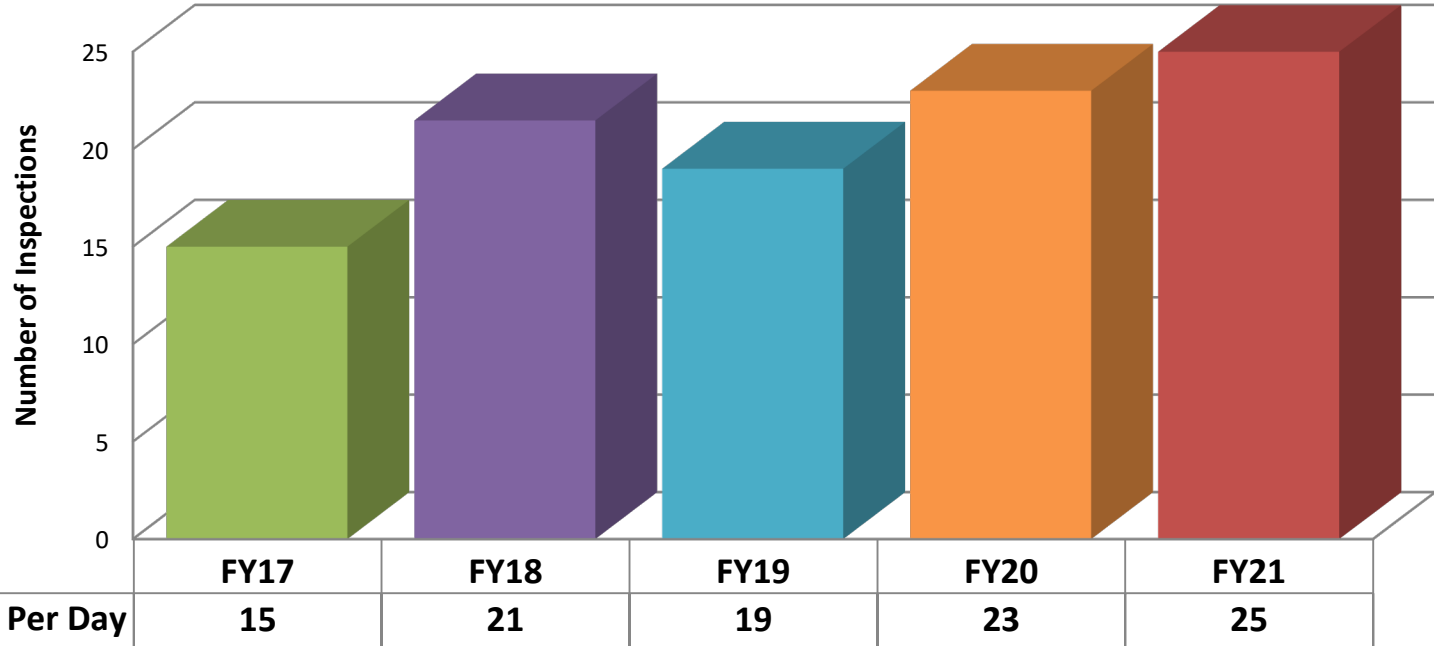
FY20

45,647

FY21

51,542

Average Inspections Per Day – Last 5 Fiscal Years





FY22 Year-To-Date

- Total Inspections = **28,037**



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022 Contact Person: Trever Fleetham
Submitting Department: Community Development District: District 3
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of the Final Re-Plat entitled, "Toll at Prasada, Phase II Unit P Lots 630 & 631 & Tracts A & B" and dated November 11, 2021, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue. (Case FS21-592)

Motion:

I move to approve the Final Re-Plat entitled "Final Plat Toll at Prasada, Phase II Unit P Lots 630 & 631 & Tracts A & B" and dated November 12, 2021.

Background:

The subject request involves a Re-Plat for Unit P of the Toll at Prasada project. Unit P was previously platted under case FS19-471, MCR 1519-18. The subject request will replat lots 630 and 631 and create Tracts A & B.

Objective Analysis:

The subject Final Plat meets the requirements of the Prasada PAD, in addition to other requirements as set forth in the LDO. All city reviewing departments have reviewed the request and expressed no concerns.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. The subject request will not alter the density of the development and Unit P will remain consistent with the General Plan. The site also lies with the 0-6 DU/Ac ribbon of the Luke Air Force Base Graduated Density Concept; however, the site is integral to the larger Sterling Grove project, which is approved for 2,207 lots overall and meets the guidance offered by the GDC.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staff levels.

ATTACHMENTS:

1. 00 - FS21-592 Toll at Prasada Unit P Re-Plat - Staff Report 011822 CC
 2. 01 - FS21-592 Toll at Prasada Unit P Re-Plat - Vicinity Map
 3. 02 - FS21-592 Toll at Prasada Unit P Re-Plat - Case Map
 4. 03 - FS21-592 Toll at Prasada Unit P Re-Plat - Final Plat
 5. FS21-592 Toll at Prasada Unit P Re-Plat Presentation 011822 CC
-

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case: FS21-592

Project Name: Toll at Prasada Unit P Re-Plat

Council District: 3 - Mesquite

Meeting Date: January 18, 2022

Planner: Trever Fleetham, AICP

Owner: Toll Prasada, LLC

Applicant: Aaron Insco of Toll Bros, Inc.

Request: A Re-Plat of Toll at Prasada Phase II Unit P Lots 630 & 631 in the Prasada PAD

Site Location: Generally located west of Cotton Lane, between Cactus Road and Peoria Avenue

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: None known

Findings:

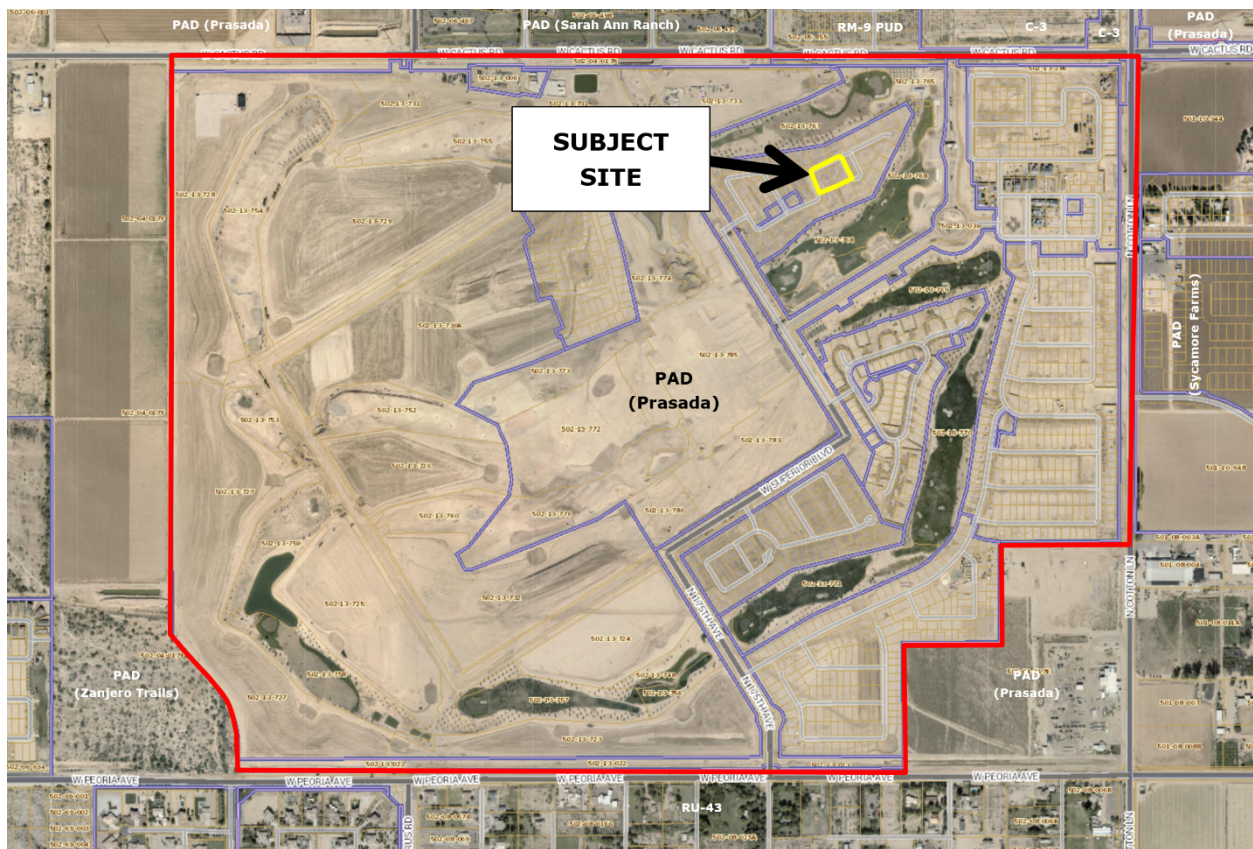
- The proposed Final Plat is consistent with the Prasada PAD.
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

PROJECT DESCRIPTION:

The subject request involves a Re-Plat for Unit P of the Toll at Prasada project. Unit P was previously platted under case FS19-471, MCR 1519-18. The subject request will replat lots 630 and 631 and create Tracts A & B.

EXISTING ZONING:

The following map depicts the existing zoning of the subject site and its surroundings.



BACKGROUND:

June 22, 2006: The City Council approved the original Prasada PAD under case PAD05-465.

December 21, 2016: Staff approved a Minor Amendment to the Lake Village portion of the Prasada PAD under case FS16-400 for the purpose of revising the Lake Village land plan and development standards.

February 12, 2018: Staff approved a Minor Amendment to the Toll Brothers' portion of the Prasada Lake Village under case FS17-587 for the purpose of revising specific development standards related to the Toll Brothers development.

April 17, 2018: The City Council approved the original Preliminary Plat for Toll at Prasada under case FS17-394.

January 15, 2019: The City Council approved the Final Plat for Toll at Prasada Phase I Infrastructure under case FS18-290.

August 6, 2019: The City Council approved the Final Plat for Toll at Prasada Phase 2 Infrastructure under case FS19-061.

August 6, 2019: The City Council approved the Preliminary Plat for Unit P under case FS19-110.

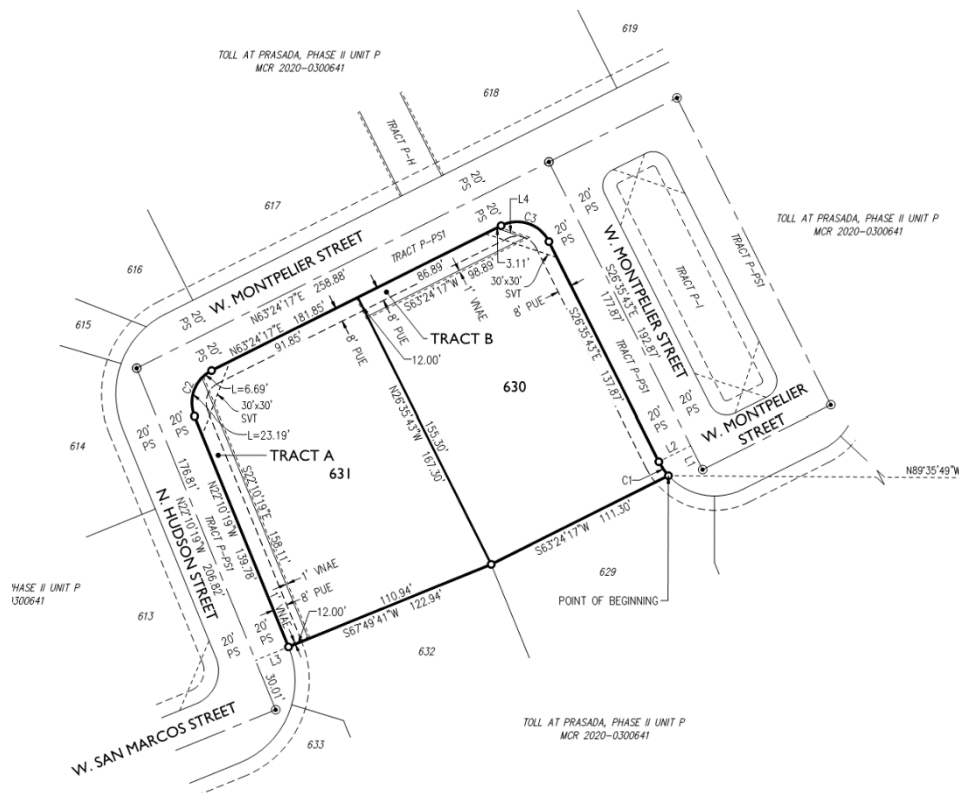
April 7, 2020: The City Council approved the Final Plat for Unit P under case FS19-471.

August 4, 2021: The applicant filed case FS21-592, the subject case, to re-plat lots 630 and 631 of Unit P.

ANALYSIS AND DISCUSSION:

The original Final Plat for Unit P was approved under case FS19-471 and recorded under MCR #1519-18. The subject re-plat proposes two new tracts adjacent to lots 630 and 631 of Unit P. Tract A is proposed to be located along the westerly side of lot 631 and will encompass 1,836 square feet. Tract B is proposed to be along the northerly side of lot 630 and will encompass 1,115 square feet.

Both of these tracts will be owned and maintained by the HOA. The total lot count for Unit P will not change and therefore the density will remain. The two re-platted lots and newly created tracts are shown below.



87 **CONFORMANCE WITH ADOPTED PLANS:**

88
89 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
90 within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac
91 or more, provided appropriate transitions are made between the various Neighborhood types
92 included within the character area. The subject request will not alter the density of the development
93 and Unit P will remain consistent with the General Plan. The site also lies with the 0-6 DU/Ac ribbon
94 of the Luke Air Force Base Graduated Density Concept; however, the site is integral to the larger
95 Sterling Grove project, which is approved for 2,207 lots overall and meets the guidance offered by
96 the GDC.

97
98 **REVIEWING AGENCIES:**

99
100 In addition to the standard city reviewing agencies, who indicate no objections to the requests, Luke
101 Air Force Base, Maricopa Water District, and Maricopa County Flood Control District were included
102 in the routing of this case. These agencies also indicate no objections.
103

104 **Summary:**

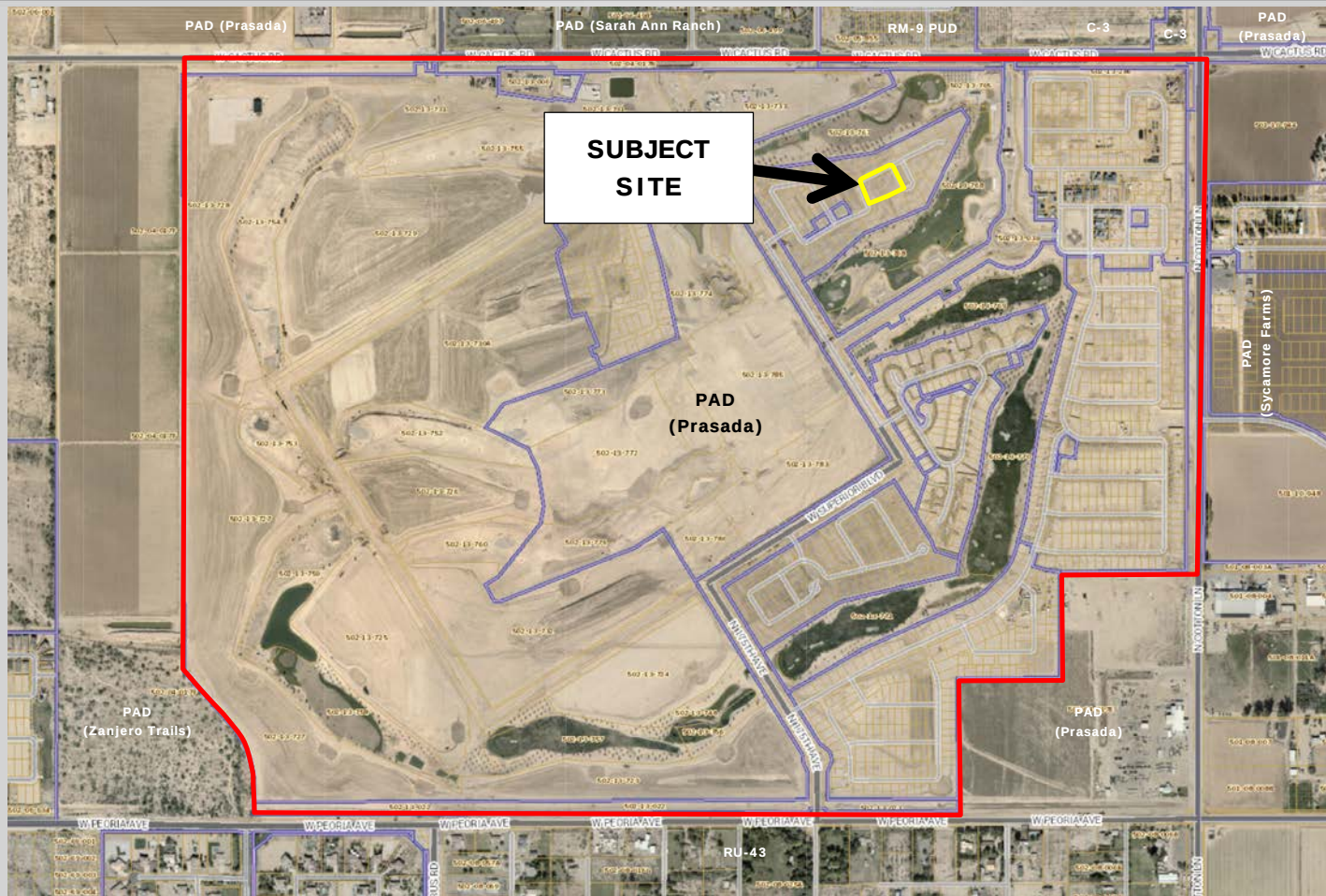
105
106 The subject Final Plat meets the requirements of the Prasada PAD, in addition to other applicable
107 requirements as set forth in the LDO. All city reviewing departments have reviewed the request and
108 expressed no concerns.
109

110 **Attachments:**

111
112 01 Toll at Prasada Unit P Vicinity Map
113 02 Toll at Prasada Unit P Case Map
114 03 Toll at Prasada Unit P Re-Plat Final Plat
115 PPT



FS21-592 Vicinity Map



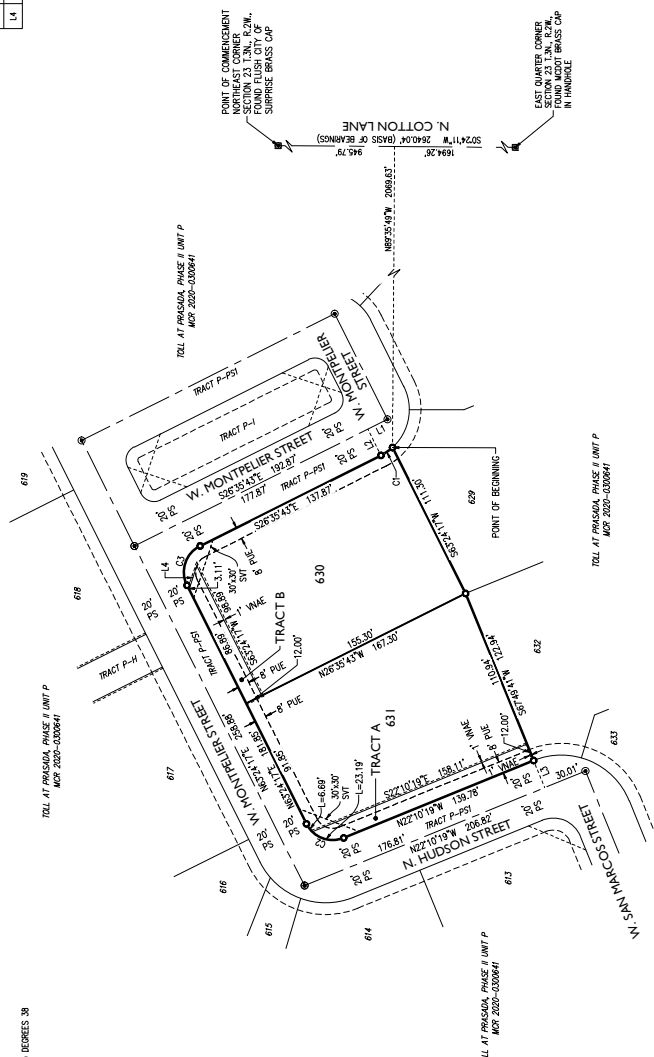
FS21-592 Case Map

N:\11089m\Sub\Projects\2018\16-339\Legal\Survey\Drawings\Final\Plats\Phase 2\Unit P Lots 630 & 631 & Tracts A & B Re-Plat.dwg - PH2 UNIT P Lots 630 & 631 & Tracts A & B Re-Plat.dwg

LEGAL DESCRIPTION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A BRASS CAP PLUSH AT THE NORTHEAST CORNER OF SAID SECTION 23, FROM WHICH A WOODY BRASS CAP IN HANDMADE AT THE EAST QUARTER-CORNER BEARS SOUTH 0 DEGREES 24 MINUTES 11 SECONDS WEST, 345.04 FEET, THENCE ALONG THE EAST LINE OF SAID NORTH HALF, SOUTH 0 DEGREES 24 MINUTES 11 SECONDS WEST, 845.79 FEET TO A POINT ON SAID EAST LINE;
THENCE, DEPARTING SAID EAST LINE NORTH 49 DEGREES 39 MINUTES 49 SECONDS WEST, 2099.63 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 63 DEGREES 24 MINUTES 17 SECONDS WEST, 111.30 FEET;
THENCE SOUTH 67 DEGREES 49 SECONDS WEST, 122.94 FEET;
THENCE NORTH 22 DEGREES 10 MINUTES 19 SECONDS WEST, 139.78 FEET TO THE BEGINNING OF A CURVE, COMMENCE SOUTHEAST, HAVING A RADIUS OF 20.00 FEET;
THENCE NORTHEAST, 29.87 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 65 DEGREES 34 MINUTES 36 SECONDS;
THENCE NORTH 43 DEGREES 24 MINUTES 17 SECONDS EAST, 18.85 FEET TO THE BEGINNING OF A CURVE, COMMENCE SOUTHWEST, HAVING A RADIUS OF 20.00 FEET;
THENCE SOUTHWEST, 31.42 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;
THENCE SOUTH 49 DEGREES 39 MINUTES 49 SECONDS EAST, 133.87 FEET TO THE BEGINNING OF A CURVE, COMMENCE NORTHEAST, HAVING A RADIUS OF 20.00 FEET;
THENCE NORTHEAST, 1.68 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15 DEGREES 38 MINUTES 42 SECONDS TO THE POINT OF BEGINNING.
CONTAINS 0.0543 ACRES, MORE OR LESS.

- LEGEND
- FOUND MONUMENT, AS NOTED
 - CORNER OF SUBDIVISION
 - RIGHT-OF-WAY
 - RIGHT-OF-WAY
 - PRIVATE STREET
 - SHORT VISIBILITY TRIANGLE EASEMENT
 - PUBLIC UTILITY EASEMENT
 - WATER & SEWER EASEMENT
 - MARICOPA WATER DISTRICT
 - VEHICULAR NON-ACCESS EASEMENT



CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEC.
C1	9.56'	35.00'	15.9842'	4.81'	9.53'
C2	29.87'	20.00'	89.9436'	18.91'	27.17'
C3	31.42'	20.00'	90.0000'	20.00'	28.28'

LOT AREA TABLE

LOT #	AREA (SF)	AREA (AC)
630	12,207	0.3560
631	17,655	0.3945

LINE TABLE

LINE	BEARING	LENGTH
L1	S20°25'43"E	15.00'
L2	S63°24'17"W	20.00'
L3	N67°59'47"E	20.00'
L4	S71°29'43"E	16.87'

TRACT USE TABLE

TRACT	USE	AREA (SF)	AREA (AC)
A	HVA, "PUBLIC UTILITY EASEMENT, "VEHICULAR NON-ACCESS EASEMENT & "SHORT VISIBILITY TRIANGLE	1,806	0.0421
B	HVA, "PUBLIC UTILITY EASEMENT & "SHORT VISIBILITY TRIANGLE	1,115	0.0296

- NOTES
- COMMON AREAS MAY INCLUDE OPEN SPACE, LANDSCAPING, PEDESTRIAN PATHS, AND/OR AMENITIES.
 - SPECIFIC EASEMENTS THAT ARE BEING DEDICATED AS PART OF THIS PLAT ARE FULLY DELINEATED ON THIS SHEET.
 - THE EASEMENTS LISTED ABOVE (SHOWN WITH AN ASTERISK) ONLY AFFECT A PORTION OF THE TRACTS ABOVE AND ARE FULLY DEDICATED WITHIN THE PLAT OTHER USES LISTED ABOVE ARE COMMON AREA.



CASE NUMBER: FS21-592

16-339

FF02

Sheet No. 2

of 2

Drawn: [Signature]

Checked: [Signature]

Survey: [Signature]

16-339

FF02

Sheet No. 2

of 2

CASE NUMBER: FS21-592

EPS GROUP
1130 N. Greenfield Rd., Suite 102
Tucson, AZ 85718
T: 480.503.2250 F: 480.503.2258
www.epsgroupinc.com

Project: Toll at Prasad
Phase II Unit P Lots 630 & 631 & Tracts A & B
SURVEY, ARIZONA
FINAL RE-PLAT



S U R P R I S E
A R I Z O N A

City Council
January 18, 2022

Toll at Prasada
Unit P Re-Plat
FS21-592



FS21-592 Vicinity Map

Sterling Grove Master Plan





FS21-592 Final Plat

A PORTION OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE CLAY AND SALT RIVER
WATERSHED, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRICK CNP PILE AT THE NORTHEAST CORNER OF SAND SECTION 23, FROM WHICH A MOOT BRASS CAP IS HANGING AT THE EAST QUARTER, NORTH BEARING SOUTH 5 DEGREES 34 MINUTES W, 57.00 FEET, 20.00 FEET.

THENCE ALONG THE EAST LINE OF SAID NORTH HALF, SOUTH 0 DEGREES 24 MINUTES 11 SECONDS WEST, 645.79 FEET TO A CORNER OF SAID TRACT, AND:

THENCE, DEPARTING S40 EAST LINE NORTH 80 DEGREES 35 MINUTES 40 SECONDS WEST, 2084.63 FEET TO THE POINT OF BEGINNING.

THIRDS SOUTH 43 DEGREES 24 MINUTES 47 SECONDS WEST, 118.30 FEET.

THENCE NORTH 27 DEGREES 40 MINUTES 41 SECONDS WEST, 123.04 FEET;

THENCE NORTHEASTERLY 25.87 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85 DEGREES 34

TIONCE NORTH 62 DEGREES 24 MINUTES 17 SECONDS EAST, 160.86 FEET TO THE BEGINNING OF A CURVE, CONVEX

TRUNC. SOUTHWARDLY 20-42 FEET ALONG THE ARC OF SAND CURVE THROUGH A CANYON WALL OF 80 FEET ON

THENCE SOUTH 26 DEGREES 30 MINUTES 45 SECONDS EAST, 127.92 FEET TO THE BEGINNING OF A CURVE, CONCAVE

THENCE SOUTHEASTERLY 358 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15 DEGREES TO

CONTAINS 0.9543 ACRES, MORE OR LESS.

LOT #	AREA (SF)	AREA (AC)
638	17,292	0.3950
639	17,650	0.3997

LINE TABLE		
LINE	DESCRIPTION	LENGTH
L1	53°50'45"E	15.00'
L2	56°23'17"W	23.00'
L3	58°7'49"E	23.00'
L4	57°35'43"E	16.00'

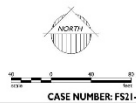


NOTES

1. COMMENTS MAY INCLUDE SOIL SAMPLE, LANDSCAPING, PEST/WEED CONTROL AND/OR REMOVAL

2. SPECIFIC STATEMENTS THAT ARE BEING DENIED AS PART OF THIS PLAN ARE FULLY DENIED AND THERE SHALL

3. IF THE EMBLEM IS USED ABOVE GROUND WITH AN ARROW, THE ARROW ATTACH A PORTION OF THE TRACT AND WHICH THEY ARE LITTLE AND ARE FULLY DENIED WITHIN THE PLAN. OTHER TYPES USED ABOVE ARE COMMON AREA.



Toll at Prasada
Phase II Unit P Lots 630 & 631 & Tracts A & B
SURFLEX AUCTION
FINAL RE-PLAT

Revisions:

Design:	RA
...	...

Seal of the Federal Bureau of Investigation (FBI) with the text "FEDERAL BUREAU OF INVESTIGATION" and "DEPARTMENT OF JUSTICE". The seal also contains the number "37485" and the name "ROBERT A. JENKINS".

16-339
FD-33

Sheet No.

2



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022 Contact Person: Trever Fleetham
Submitting Department: Community Development District: District 3
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of the Final Re-Plat entitled, "Toll at Prasada, Phase I Unit D Lots 524 & 561 & Tracts A & B" and dated November 16, 2021, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue. (Case FS21-594)

Motion:

I move to approve the Final Re-Plat entitled, "Final Plat Toll at Prasada, Phase I Unit D Lots 524 & 561 & Tracts A & B" and dated November 16, 2021.

Background:

The subject request involves a Re-Plat for Unit D of the Toll at Prasada project. Unit D was previously platted under case FS18-289, MCR 1444-02. The subject request will replat lots 524 and 561 and create Tracts A & B.

Objective Analysis:

The subject Final Plat meets the requirements of the Prasada PAD, in addition to other requirements as set forth in the LDO. All city reviewing departments have reviewed the request and expressed no concerns.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. The subject request will not alter the density of the development and Unit P will remain consistent with the General Plan. The site also lies with the 0-6 DU/Ac ribbon of the Luke Air Force Base Graduated Density Concept; however, the site is integral to the larger Sterling Grove project, which is approved for 2,207 lots overall and meets the guidance offered by the GDC.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city

services.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staff levels.

ATTACHMENTS:

1. 00 - FS21-594 Toll at Prasada Unit D Re-Plat - Staff Report 011822 CC
 2. 01 - FS21-594 Toll at Prasada Unit D Re-Plat - Vicinity Map
 3. 02 - FS21-594 Toll at Prasada Unit D Re-Plat - Case Map
 4. 03 - FS21-594 Toll at Prasada Unit D Re-Plat - Final Plat
 5. FS21-594 Toll at Prasada Unit D Re-Plat Presentation 011822 CC
-

Case: FS21-594

Project Name: Toll at Prasada Unit D Re-Plat

Council District: 3 - Mesquite

Meeting Date: January 18, 2022

Planner: Trever Fleetham, AICP

Owner: Toll Prasada, LLC

Applicant: Aaron Insco of Toll Bros, Inc.

Request: A Re-Plat of Toll at Prasada Phase I Unit D Lots 524 & 561 in the Prasada PAD

Site Location: Generally located west of Cotton Lane, between Cactus Road and Peoria Avenue

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: None known

Findings:

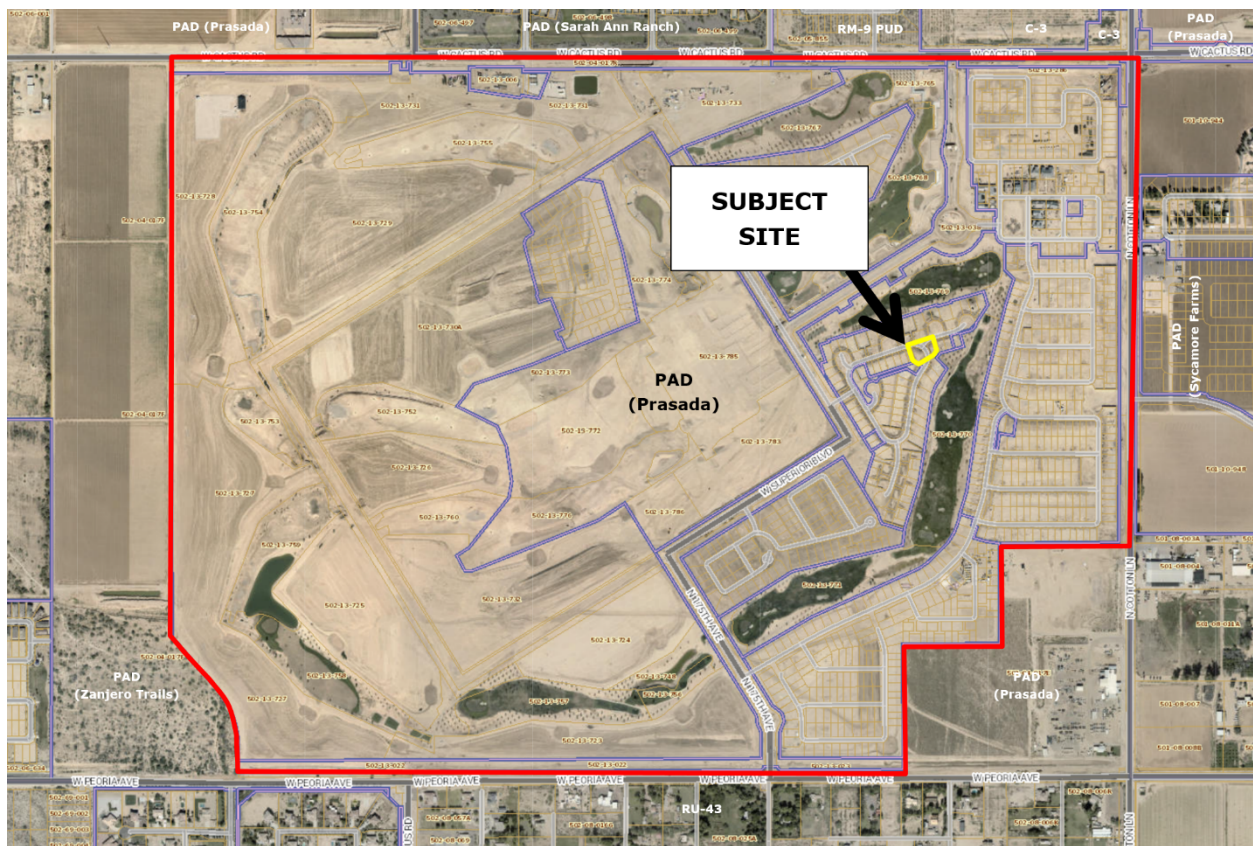
- The proposed Final Plat is consistent with the Prasada PAD.
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

PROJECT DESCRIPTION:

The subject request involves a Re-Plat for Unit D of the Toll at Prasada project. Unit D was previously platted under case FS18-289, MCR 1444-02. The subject request will replat lots 524 and 561 and create Tracts A & B.

EXISTING ZONING:

The following map depicts the existing zoning of the subject site and its surroundings.



BACKGROUND:

June 22, 2006: The City Council approved the original Prasada PAD under case PAD05-465.

December 21, 2016: Staff approved a Minor Amendment to the Lake Village portion of the Prasada PAD under case FS16-400 for the purpose of revising the Lake Village land plan and development standards.

February 12, 2018: Staff approved a Minor Amendment to the Toll Brothers' portion of the Prasada Lake Village under case FS17-587 for the purpose of revising specific development standards related to the Toll Brothers development.

April 17, 2018: The City Council approved the original Preliminary Plat for Toll at Prasada under case FS17-394.

January 15, 2019: The City Council approved the Final Plat for Toll at Prasada Phase I Infrastructure under case FS18-290.

March 5, 2019: The City Council approved the Final Plat for Unit D under case FS18-289.

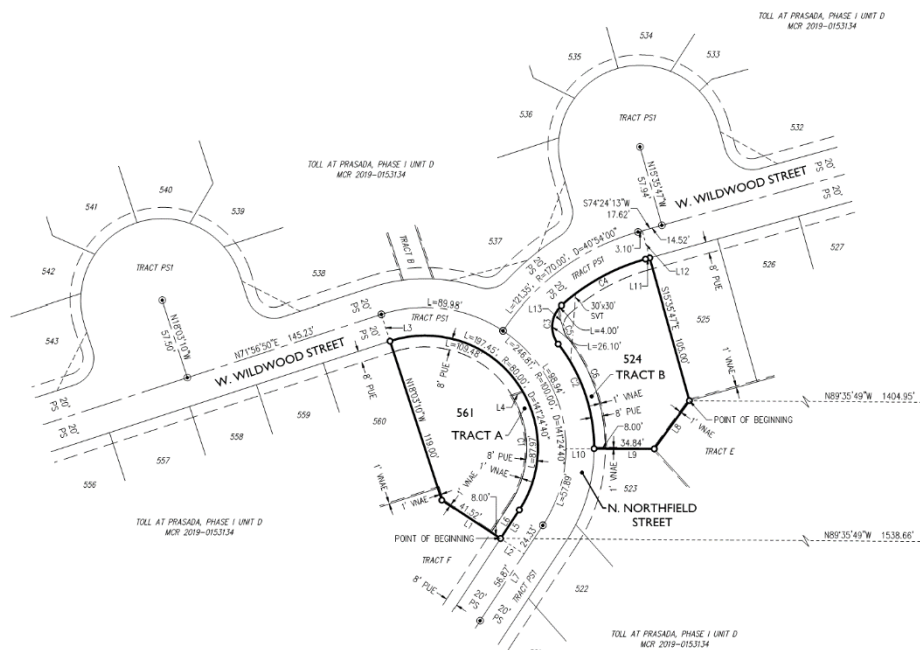
August 4, 2021: The applicant filed case FS21-594, the subject case, to re-plat lots 524 and 561 of Unit D.

August 6, 2019: The City Council approved the Final Plat for Toll at Prasada Phase 2 Infrastructure under case FS19-061.

ANALYSIS AND DISCUSSION:

The original Final Plat for Unit D was approved under case FS18-289 and recorded under MCR #1444-02. The subject re-plat proposes two new tracts adjacent to lots 524 and 561 of Unit D. Tract A is proposed to be located along the eastern side of lot 561 and will encompass 870 square feet. Tract B is proposed to be along the western side of lot 524 and will encompass 801 square feet.

Both of these tracts will be owned and maintained by the HOA. The total lot count for Unit D will not change and therefore the density will remain. The two re-platted lots and newly created tracts are shown below.



91
92 **CONFORMANCE WITH ADOPTED PLANS:**
93

94 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
95 within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac
96 or more, provided appropriate transitions are made between the various Neighborhood types
97 included within the character area. The subject request will not alter the density of the development
98 and Unit P will remain consistent with the General Plan. The site also lies with the 0-6 DU/Ac ribbon
99 of the Luke Air Force Base Graduated Density Concept; however, the site is integral to the larger
100 Sterling Grove project, which is approved for 2,207 lots overall and meets the guidance offered by
101 the GDC.
102

103 **REVIEWING AGENCIES:**
104

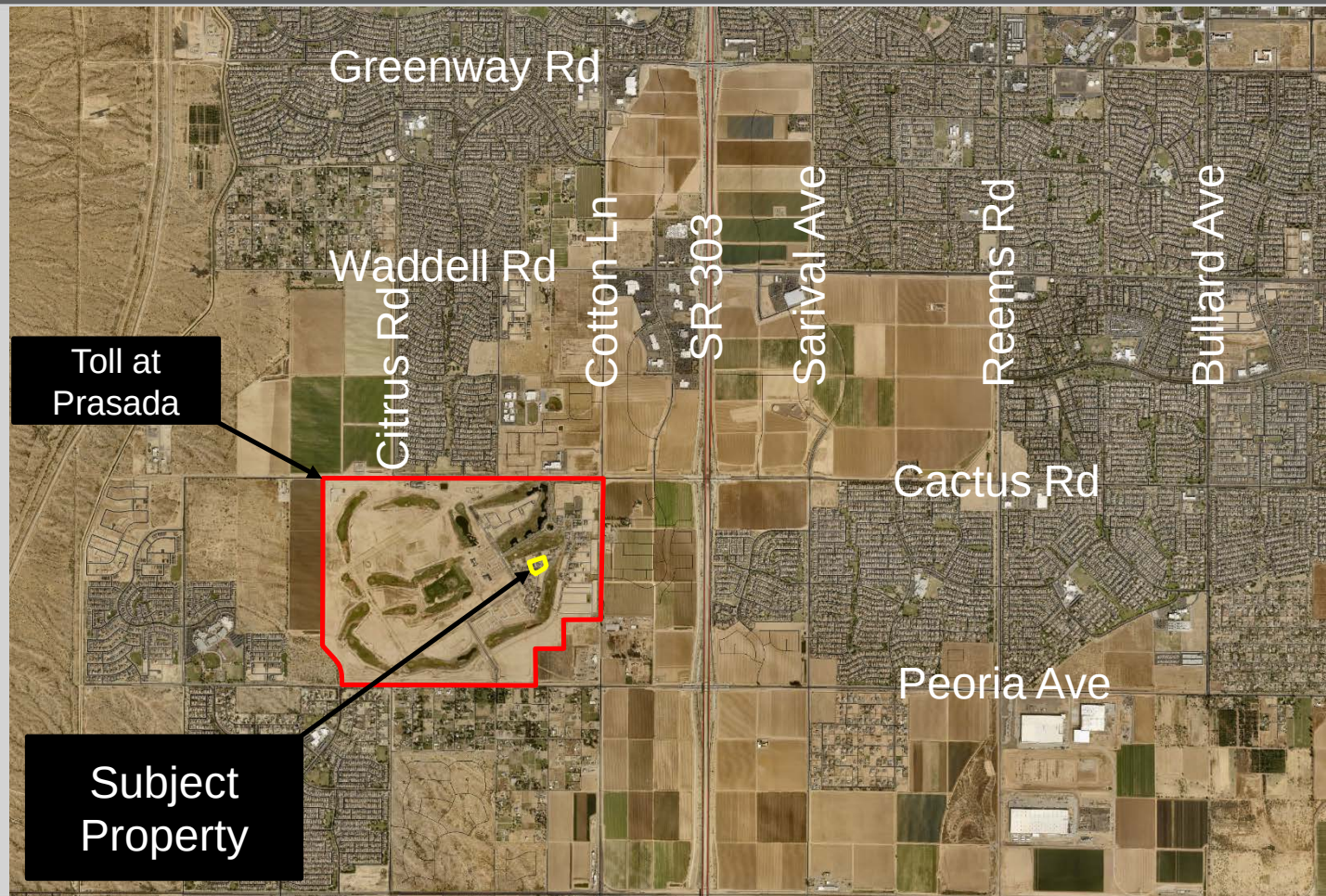
105 In addition to the standard city reviewing agencies, who indicate no objections to the requests, Luke
106 Air Force Base, Maricopa Water District, and Maricopa County Flood Control District were included
107 in the routing of this case. These agencies also indicate no objections.
108

109 **Summary:**
110

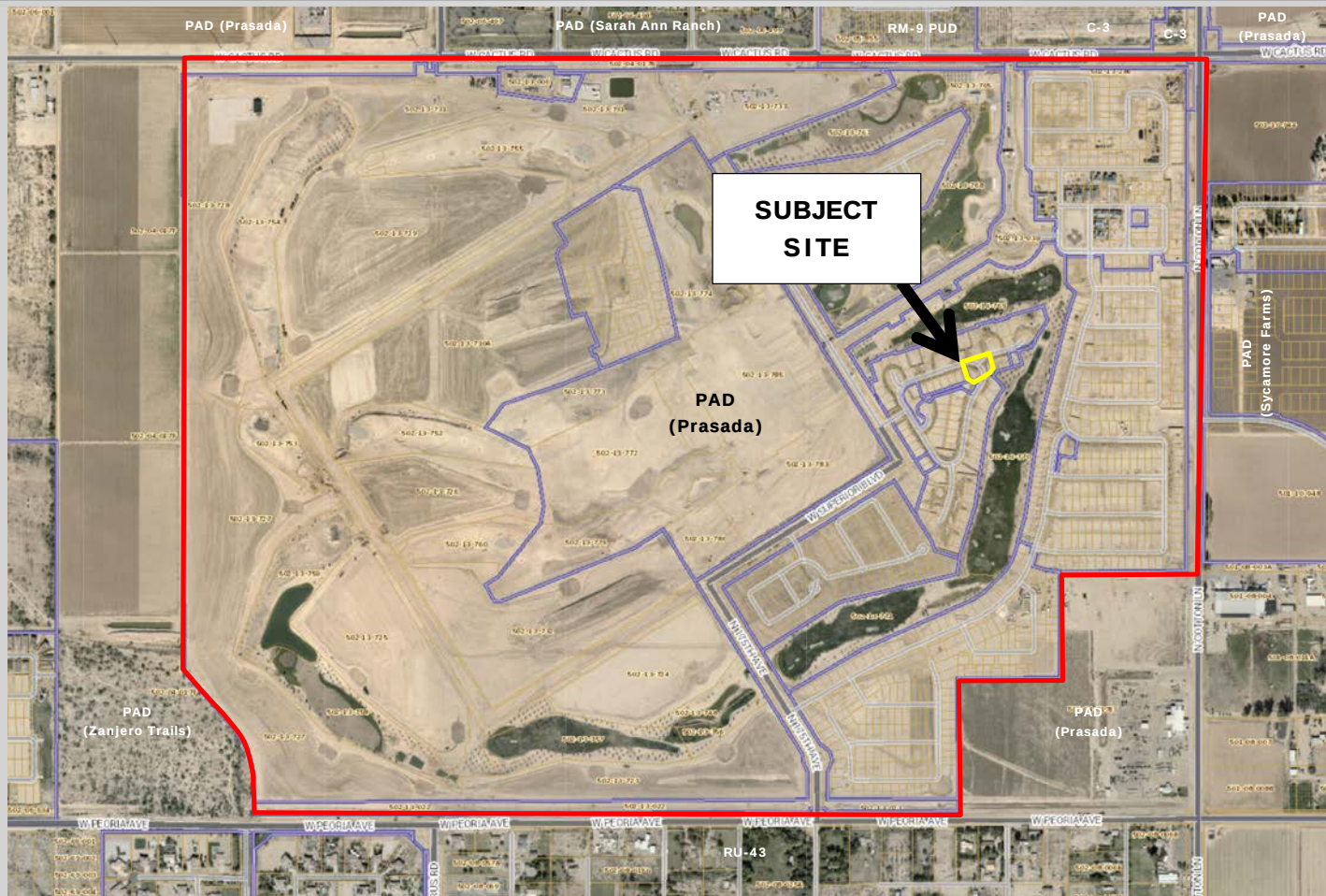
111 The subject Final Plat meets the requirements of the Prasada PAD, in addition to other applicable
112 requirements as set forth in the LDO. All city reviewing departments have reviewed the request and
113 expressed no concerns.
114

115 **Attachments:**
116

117 01 Toll at Prasada Unit D Vicinity Map
118 02 Toll at Prasada Unit D Case Map
119 03 Toll at Prasada Unit D Re-Plat Final Plat
120 PPT



FS21-594 Vicinity Map



FS21-594 Case Map

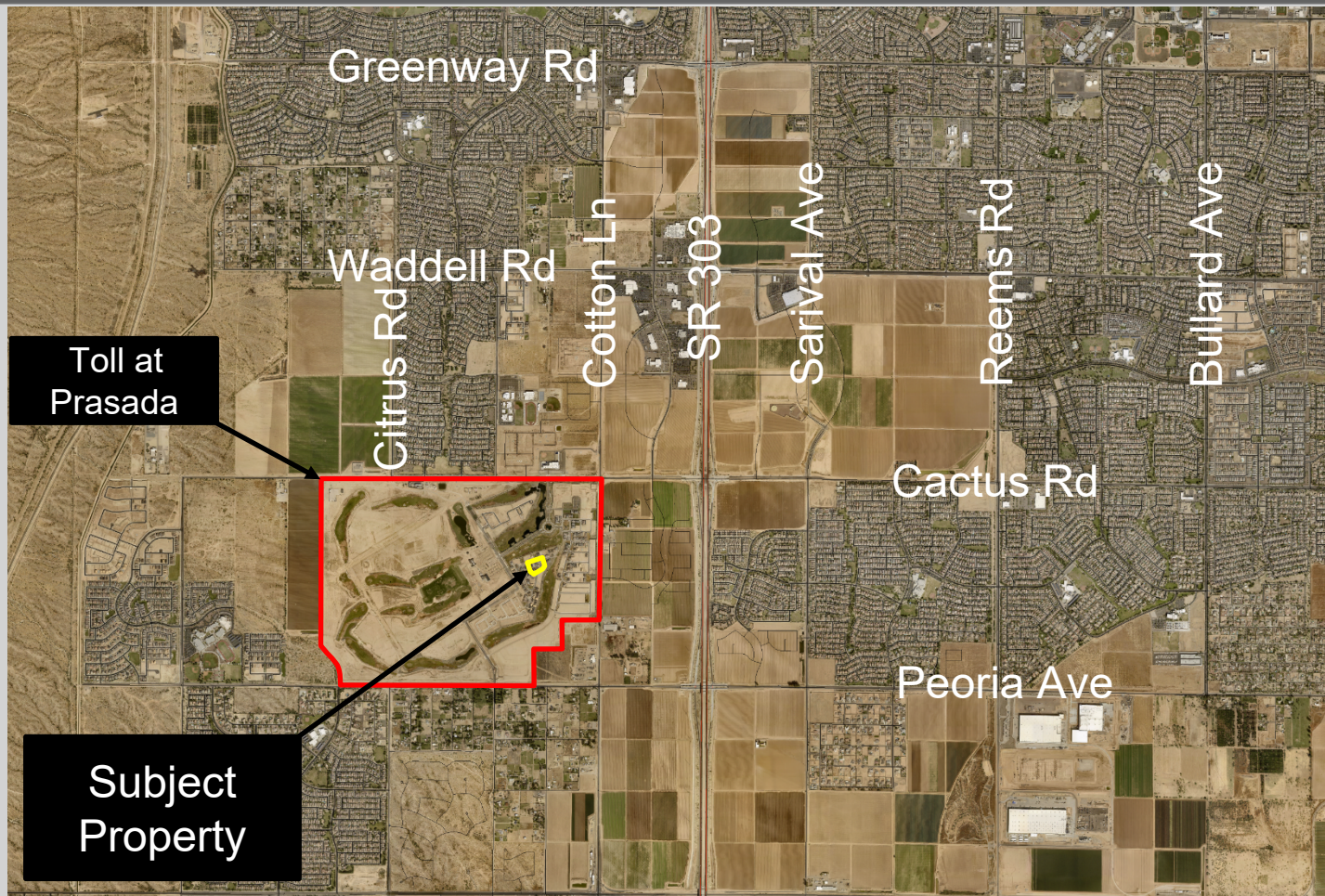


SURPRISE

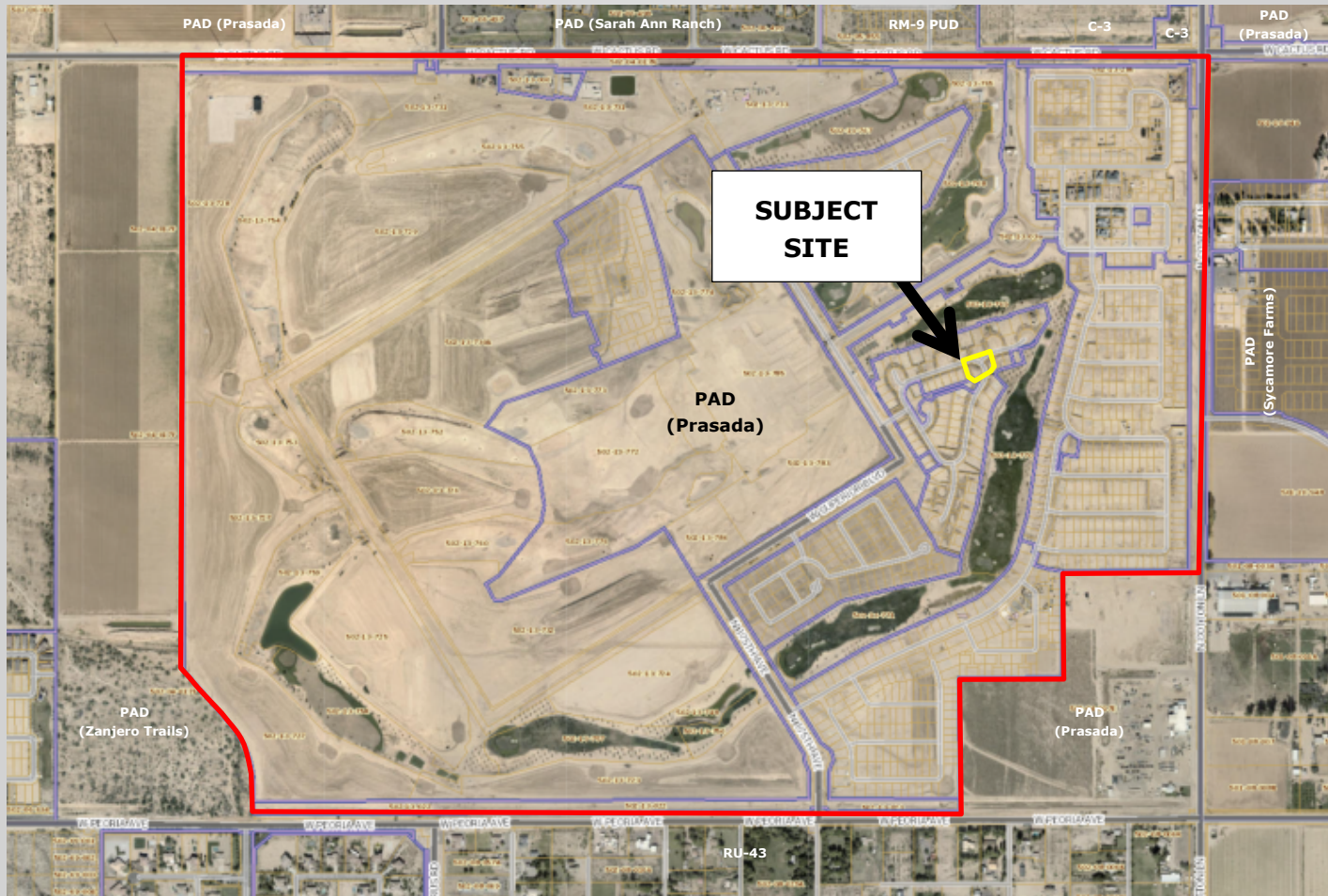
ARIZONA

City Council
January 18, 2022

Toll at Prasada
Unit D Re-Plat
FS21-594



FS21-594 Vicinity Map



FS21-594 Case Map

Sterling Grove Master Plan



FS21-594 Final Plat

EPS GROUP

1332 N. 4th Street, Suite 330
Tomball, TX 77375
Phone: 281.352.1000
www.epsgroup.com

Toll at Pragma

Phase I Unit D Lots 524 & 561 & Tracts A & B

FINAL RE-PLAT

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'

Scale

1" = 100'



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022 Contact Person: Chris Sexton
Submitting Department: Community Development District: District 1
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Williams 223" and dated December 26, 2021, an approximately 9.34 acre property generally located at the northwest corner of 222nd Avenue and Williams Road. (Case FS21-767)

Motion:

I move to approve the Final Plat entitled, "Williams 223" and dated November 16, 2021.

Background:

Donna Lundberg, on behalf of DBL Investments, seeks approval of a Final Plat of the subject property.

Objective Analysis:

Approval of the proposed Final Plat will allow the applicant the ability to subdivide the property as proposed.

Policy Compliant:

This proposed Final Plat is consistent with the Surprise General Plan 2035 and the Surprise Unified Development Code.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. 00-FS21-767- Lundberg 10 Acre Final Plat- Staff Report
 2. 01-FS21-767 Lundberg 10 Acre Lot Split - Vicinity Map
 3. 02-FS21-767 Lundberg 10 Acre - Final Plat
 4. FS21-767 Lundberg 10 Acre Lot Split - Powerpoint
-

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case: FS21-767

Project Name: Lundberg 10-Acre Lot Split - Final Plat

Council District: 1 - Acacia

City Council Date: January 18, 2022

Planner: Chris Sexton, Planner II

Owner: Donna Lundberg, DBL Investments LLC

Applicant: Donna Lundberg, DBL Investments LLC

Request: Final Plat to subdivide one (1) 9.34 gross acres (approx.) parcel into three (3) parcels.

Site Location: Generally located on the north side of Williams Road, west of 222nd Avenue and east of 223rd Avenue.

Site Size: 9.34 gross acres (approx.)

Findings:

- The proposed Final Plat is consistent with the Surprise General Plan 2035
- The proposed Final Plat is consistent with the Surprise Municipal Code.

Alternative Actions: **Approve** – Approval of the proposed Final Plat will allow the applicant the ability to subdivide the property as proposed.

Deny – Denial of the requested Final Plat will prevent the applicant from subdividing the property as proposed.

35 **Additional Information:**

36
37 Donna Lundberg from DBL Investments LLC, requests approval of a Final Plat entitled
38 “Williams 223” dated December 26, 2021. The 9.34 gross acre parcel is zoned Rural
39 Residential (RR) and is generally located on the north side of Williams Road, west of
40 222nd Avenue and east of 223rd Avenue. This proposed Final Plat will split one (1) 9.34
41 acres lot into three (3) lots plus dedicate right-of-way for road widening and provide
42 easements for ingress/egress along Williams Road, Daley Lane, 223rd Avenue and 222nd
43 Avenue. There is an existing single-family residence located in the northerly section of
44 the parcel that will remain on proposed Lot 1.

45
46 The square footage for each parcel is below:

- 47
48
 - Parcel 1 – 3.23 acres (140,784 square feet)
 - Parcel 2 – 2.40 acres (104,353 square feet)
 - Parcel 3 – 2.40 acres (104,367 square feet)

51
52 The proposed Final Plat dedicates public right-of-way (ROW) and easements as follows:

- 53
54
 - Williams Road – One-half street 40’ dedication of ROW
 - 222nd Avenue –27.5’ of ingress/egress easement
 - 223rd Avenue – One-half street 40’ dedication of ROW
 - Daley Lane –27.5’ of ingress/egress easement

58
59
60 **Attachments:**

61
62 01 Vicinity Map
63 02 Final Plat
64
65

VICINITY MAP



DEDICATION

STATE OF ARIZONA }
COUNTY OF MARICOPA }

KNOW ALL PERSONS BY THESE PRESENTS:

THAT DBL INVESTMENTS LLC, "OWNER", HAS SUBDIVIDED UNDER THE NAME WILLIAMS 223, A SUBDIVISION LOCATED IN A PORTION OF NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 WEST, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF WILLIAMS 223 AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT, STREET, AND EASEMENT CONSTITUTING SAME, AND THAT EACH LOT, TRACT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN AVIATION EASEMENT OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS PLAT, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND AUXILIARY FIELD.

OWNER HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE PLAT.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL CROSS ACCESS EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS AND ANY PROPERTY WITHIN THE PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSES OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY VEHICLES.

OWNERS HEREBY GRANT TO THE PUBLIC A NON-EXCLUSIVE EASEMENT OVER, UPON AND WITHIN THE AREAS DESIGNATED AS PUBLIC ACCESS EASEMENT/PUBLIC UTILITY EASEMENT AS SHOWN ON THE PLAT FOR THE PURPOSE OF PROVIDING THE PUBLIC WITH ACCESS, INGRESS AND EGRESS OVER AND WITHIN THE EASEMENT AREAS.

OWNERS HEREBY GRANT TO THE PUBLIC A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AND PUBLIC ACCESS EASEMENTS AS SHOWN ON THE PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES

THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIANS WITHIN COLLECTORS AND LOCAL STREETS AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.

ALL IMPROVEMENTS, FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY, INSTALLED OR CONSTRUCTED BY OWNERS WITHIN THE PUBLIC RIGHTS-OF-WAY, THE EASEMENTS, OR ANY TRACTS OR PARCELS HEREBY DEDICATED TO THE CITY OF SURPRISE SHALL BE DEEMED TO HAVE BEEN DEDICATED BY OWNER TO THE CITY UPON THEIR COMPLETION; HOWEVER, SUCH TRANSFER SHALL NOT OCCUR UNTIL THE CITY COUNCIL FOR THE CITY OF SURPRISE MANIFESTS ITS ACCEPTANCE BY SEPARATE FORMAL COUNCIL ACTION.

THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND PERPETUAL AND SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF.

ALL IMPROVEMENTS, FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY, INSTALLED OR CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHTS-OF-WAY, THE EASEMENTS, OR ANY TRACTS OR PARCELS HEREBY DEDICATED TO THE CITY OF SURPRISE SHALL BE DEEMED TO HAVE BEEN DEDICATED BY OWNER TO THE CITY UPON THEIR COMPLETION; HOWEVER, SUCH TRANSFER SHALL NOT OCCUR UNTIL THE CITY COUNCIL FOR THE CITY OF SURPRISE MANIFESTS ITS ACCEPTANCE BY SEPARATE FORMAL COUNCIL ACTION.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER, UPON, AND ACROSS THE AREAS DESIGNATED AS SIGHT VISIBILITY TRIANGLES FOR THE PURPOSE OF ENSURING THAT THESE AREAS REMAIN FREE OF SIGHT VISIBILITY OBSTRUCTIONS.

IN WITNESS WHEREOF, OWNER(S) HAS/HAVE HEREUNTO CAUSED HIS/HER/THEIR NAME(S) TO BE SIGNED, THIS ____ DAY OF _____, 2021

DBL INVESTMENTS LLC

BY: _____

ITS: _____

DEDICATION ACKNOWLEDGEMENT:

STATE OF ARIZONA)

COUNTY OF MARICOPA)

ON THIS ____ DAY OF _____, 2021 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL

BY: _____
NOTARY PUBLIC MY COMMISSION EXPIRES _____

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL
DATA ON THIS PLAT REVIEWED AND APPROVED THIS ____ DAY OF _____, 2021, BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED _____ DATE _____
CITY ENGINEER

CITY OF SURPRISE COUNCIL APPROVAL
APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA. THIS ____ DAY OF _____, 2021.

ATTEST:
MAYOR _____ DATE _____

CITY CLERK _____ DATE _____

FINAL PLAT
"WILLIAMS 223"

A PORTION OF NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

SURVEYORS NOTES

- MONUMENTS FOUND DURING THIS FIELD SURVEY WERE ACCEPTED UNLESS OTHERWISE NOTED HEREIN.
- CURRENT MINERAL CLAIMS ON LANDS SHOWN IN THIS SURVEY ARE NOT KNOWN TO THIS SURVEYOR.
- IT IS RECOMMENDED THAT THE CLIENT RETAIN LEGAL CONSULTATION TO THOROUGHLY EXAMINE TITLE FOR ANY CLAIMS, DEFECTS OR LIABILITY UNDISCLOSED BY THIS SURVEY.
- THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY ISSUE AT THE SURVEY DATE WITH ITS ORIGINAL SEAL TO ENSURE THE ACCURACY OF THE INFORMATION AND TO FURTHER ENSURE THAT NO CHANGES, ALTERATIONS OR MODIFICATIONS HAVE BEEN MADE.
- THIS SURVEY WAS PERFORMED USING GPS (GLOBAL POSITIONING SYSTEMS) TO OPTIMIZE THE RELATIVE POSITIONING OF FOUND CORNERS. EXTREME CARE HAS BEEN TAKEN TO PRODUCE SURFACE MEASUREMENTS OF THE MONUMENTS FOUND.
- ALL BEARINGS AND DISTANCES SHOWN ARE MEASURED (M) FROM MONUMENT TO MONUMENT UNLESS OTHERWISE NOTED.
- EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS PART OF THIS SURVEY IS NOTED HEREON. ONLY THE DOCUMENTS NOTED HEREON WERE SUPPLIED TO OR OBTAINED BY THIS SURVEYOR. NO ABSTRACT OF TITLE WAS FURNISHED TO THIS SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD WHICH WOULD AFFECT THIS PARCEL.

PUBLIC NOTICE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP DEPICTING THE MOST CURRENT ADOPTED MAG NOISE CONTOURS IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

RELEASE OF LIABILITY

DBL INVESTMENTS "OWNER" DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE USAF AND THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LUKE AIR FORCE BASE, WHETHER SUCH DAMAGE SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND ITS AUXILIARY FIELDS. THIS INSTRUMENT SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE USAF FROM LIABILITY FOR DAMAGE OR INJURY TO PERSON OR PROPERTY CAUSED BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN WITH RESPECT TO NOISE, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES.

CITY OF SURPRISE PLAT NOTES

THE OWNER OR SUBSEQUENT OWNERS OF ANY EXISTING OR FUTURE WELLS ON THE LAND DESCRIBED IN THIS PLAT SHALL BE REQUIRED TO SIGN A WELL IMPACT WAIVER(S) WITH THE CITY OF SURPRISE.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS, AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS' ASSOCIATION FORMED BY THE OWNER.

THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIANS WITHIN COLLECTORS AND LOCAL STREETS, AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE HOMEOWNERS' ASSOCIATION FORMED BY THE ADJACENT PROPERTY.

LANDSCAPING MAINTENANCE OF THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.

SPRINKLERS ARE REQUIRED IN ALL ONE- AND TWO-FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.

THE PROPERTY OWNER AT THE TIME WHEN CITY OF SURPRISE WATER, AND/OR SEWER INFRASTRUCTURE IS AVAILABLE AT THE PROPERTY, SHALL BE REQUIRED TO CONNECT IN ACCORDANCE WITH SURPRISE MUNICIPAL CODE AND PAY ALL APPLICABLE FEES. ANY OWNER OF THE PROPERTY SHALL NOTIFY PROSPECTIVE BUYERS AND THE PUBLIC OF THIS NOTE, AND ANY SALES CONTRACTS OR SALES REPORTS SHALL INCLUDE SUCH NOTE.

NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.

THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X AND AE," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1185L, WITH A DATE OF IDENTIFICATION OF 10/16/2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

THE ROADS DESIGNATED AS "PRIVATE" AND ANY APPURTENANCES, INCLUDING, BUT NOT LIMITED TO, ROAD SIGNS, STRIPING, CURB AND GUTTER, AND SIDEWALKS ARE PRIVATE; SUCH ROADS AND APPURTENANCES ARE OWNED, MAINTAINED, AND REPAIRED BY OWNER OR THE HOMEOWNERS' ASSOCIATION FORMED BY OWNER. THE CITY OF SURPRISE SHALL NOT MAINTAIN OR REPAIR ANY ROAD DESIGNATED AS "PRIVATE."

IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.

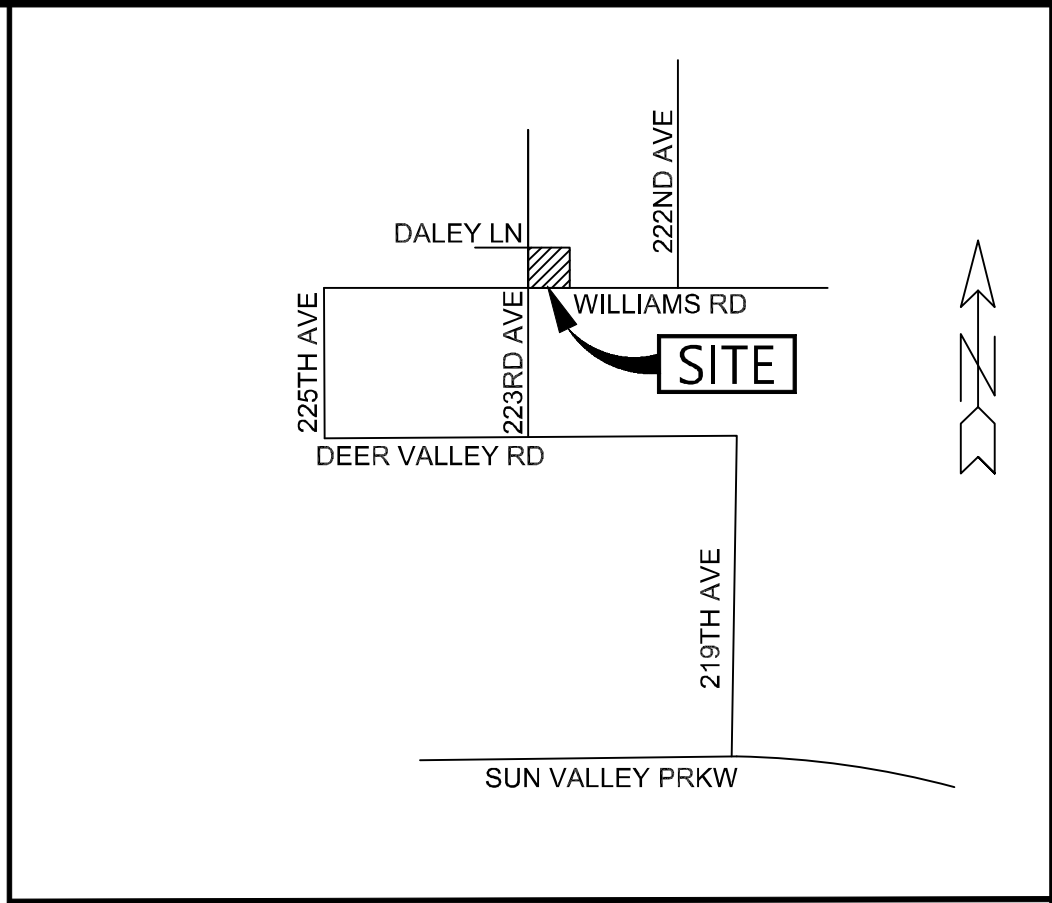
PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND 14710, WHEN APPLICABLE.

IN GENERAL, DEVELOPMENT WITHIN OR MODIFICATION OF THE FLOODPLAIN IS DISCOURAGED. DEVELOPMENT SHOULD BE LOCATED OUTSIDE OF THE 100-YEAR FLOODPLAIN. IF DEVELOPMENT WITHIN THE FLOODPLAIN IS NECESSARY, APPROVAL FROM THE FLOOD CONTROL DISTRICT OF MARICOPA COUNTY FOR FLOODPLAIN USE PERMIT IS REQUIRED.

DEVELOPMENT WITHIN THE DESIGNATED FLOOD WAY IS PROHIBITED.

THE OWNERS AGREES TO DEDICATE THE AREA OF PUBLIC ACCESS EASEMENT TO THE CITY OF SURPRISE FOR PUBLIC ROADWAY PURPOSES, IF AND WHEN, THE CITY REQUESTS THE DEDICATION FOR THIS PURPOSE.

AT THE TIME OF BUILDING PERMIT, THE PROPERTY OWNERS WILL BE RESPONSIBLE FOR IMPROVING AND MAINTAINING THE ADJACENT SEGMENTS OF THE ROAD TO MCDOT RURAL ROAD STANDARDS AND MEET FIRE DEPARTMENT REQUIREMENTS.



VICINITY MAP N.T.S.

OWNER

DBL INVESTMENTS LLC
25201 N 48TH AVE.
PHOENIX, AZ. 85083

BASIS OF BEARING

THE SOUTH LINE OF THE NORTH HALF OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

BEARING = N 89°48'36" E (BOOK 1403 PG. 24 MCR)

PARENT PARCEL

PARCEL NO. 1:

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 WEST, THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND ALL IMPROVEMENTS THEREON.

PARCEL NO. 2:

A PERMANENT EASEMENT FOR PRIVATE AND SEMI-PUBLIC UTILITIES DESCRIBED IN CERTAIN DEDICATION OF EASEMENTS RECORDED NOVEMBER 22, 1983 AS 83-0470888, OF OFFICIAL RECORDS

PARCEL NO. 3:

A PERMANENT EASEMENT FOR A PRIVATE WATER LINE AND PUBLIC UTILITIES DESCRIBED IN CERTAIN DEDICATION OF EASEMENT RECORDED DECEMBER 16, 1992 AS 92-0715928, OF OFFICIAL RECORDS

ZONING

RURAL RESIDENTIAL (RR)

LAND SURVEYORS CERTIFICATION

I HEREBY CERTIFY THAT THE SURVEY OF THE PREMISES DESCRIBED AND MAPPED HEREON WERE MADE UNDER MY DIRECTION DURING THE MONTH OF MAY 2021, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT THE MONUMENTS SHOWN ACTUALLY EXIST, THAT THEIR POSITIONS ARE CORRECTLY SHOWN AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.



REGISTRATION NO. 34559, AZ.
REGISTERED LAND SURVEYOR

FS21-767

FINAL PLAT
"WILLIAMS 223"

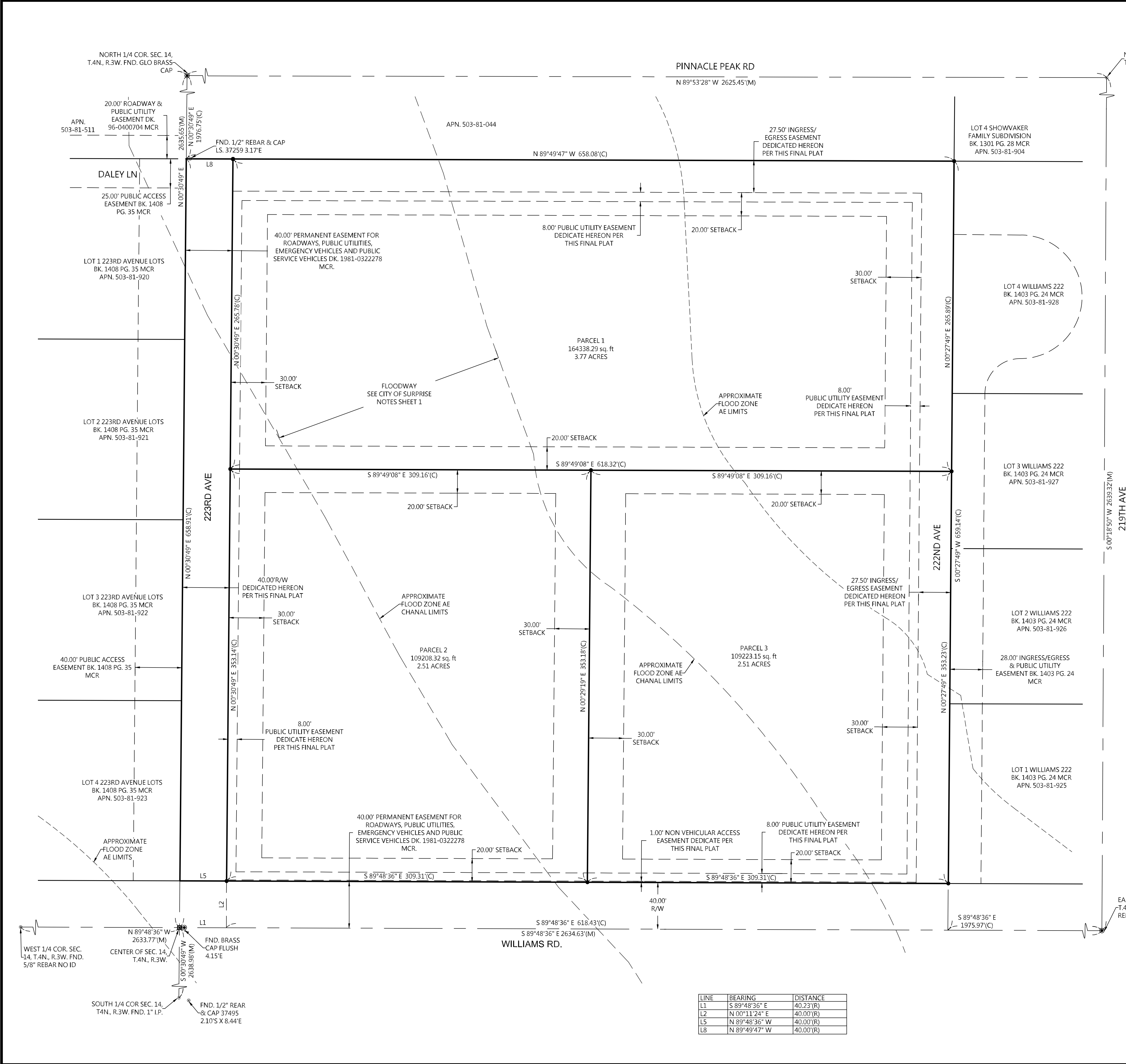
A PORTION OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

REVISIONS:	DESIGN BY: N/A DRAWN BY: MMM SCALE: N/A
REV. 1	DATE: 12/26/21
REV. 2	JOB NO. 21-060
REV. 3	1 of 2
REV. 4	

MILLER & SONS SURVEYING

2432 W PEORIA AVE. STE. 1302 BLDG 17 PHOENIX, AZ. 85029
PH: (623) 875-1200 F: (623) 875-3777
E-MAIL: PAUL@MILLERANDSONSSURVEYING.COM

Page 140 of 340



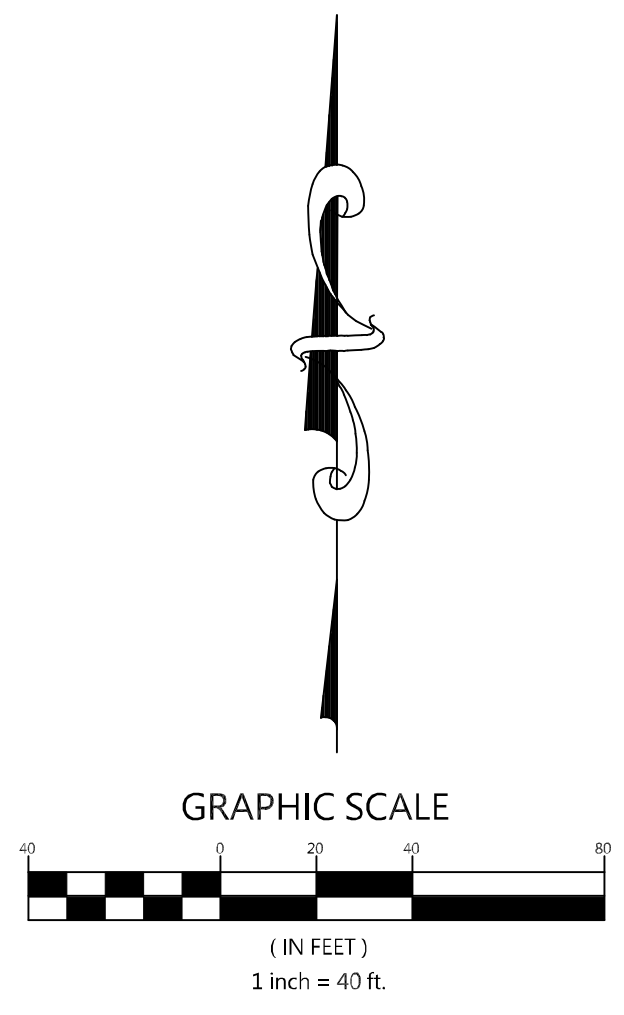
LINETYPE LEGEND (TYPICAL)	
	PROPERTY LINE
	ADJACENT PROPERTY LINE
	ROAD CENTERLINE
	EASEMENT (AS NOTED)

SYMBOL LEGEND (TYPICAL)	
	BRASS CAP FLUSH (OR AS NOTED)
	BRASS CAP IN HANDHOLE (OR AS NOTED)
	FOUND REBAR (OR AS NOTED)
	SET 1/2" REBAR W/ CAP LS # 34559 (OR AS NOTED)
	NOTHING FOUND OR SET
	SET MAG NAIL & TAG RLS 34559

ABBREVIATIONS LEGEND	
SEC	SECTION
T # R #	TOWNSHIP # RANGE #
G. & S.R.M.	GILA AND SALT RIVER MERIDIAN
DOC # PG #	DOCKET # PAGE #
MCR	MARICOPA COUNTY RECORDER
LS	LAND SURVEYOR
(R)	RECORD DATA
(M)	MEASURED DATA
(C)	CALCULATED DATA
APN	ASSESSOR'S PARCEL NUMBER
PUE	PUBLIC UTILITY EASEMENT
FND	FOUND
R/W	RIGHT-OF-WAY
SRP	SALT RIVER PROJECT
AL	ALUMINUM CAP
R.R.	RAIL ROAD

REFERENCE DOCUMENTS	
BOOK 950, PAGE 17, M.C.R.	
BOOK 997, PAGE 07, M.C.R.	
BOOK 1027, PAGE 39, M.C.R.	
BOOK 1242, PAGE 35, M.C.R.	
BOOK 1301, PAGE 28, M.C.R.	
BOOK 1408, PAGE 35, M.C.R.	

Area	Sq. Feet	Acres
PARCEL 1	164338.29	3.77
PARCEL 2	109208.32	2.51
PARCEL 3	109223.15	2.51
DED. R/W	24756.49	0.57
Total	407526.25	9.36



REGISTRATION NO. 34559, AZ.
REGISTERED LAND SURVEYOR

FS21-767

FINAL PLAT
"WILLIAMS 223"
A PORTION OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

REVISIONS:	DESIGN BY: N/A DRAWN BY: MMM
REV. 1	SCALE: 1" = 40' DATE: 12/26/21
REV. 2	
REV. 3	JOB NO. 21-060
REV. 4	2 of 2

2432 W PEORIA AVE. STE. 1302 BLDG 17 PHOENIX, AZ. 85029
PH: (623) 875-1200 F: (623) 875-3777
E-MAIL: PAUL@MILLERANDSONSSURVEYING.COM

LINE	BEARING	DISTANCE
L1	S 89°48'36" E	40.23(R)
L2	N 00°11'24" E	40.00(R)
L3	N 89°48'36" W	40.00(R)
L4	N 89°49'47" W	40.00(R)

Page 141 of 340



FS21-767

Lundberg 10 Acre Lot Split- Final Plat

City Council
January 18, 2022

VICINITY MAP



Final Plat

Page 144 of 340



Final Plat





SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 3
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of a Quit Claim Deed to Fulton Homes Corporation for the Reems Road Channel near Waddell and Reems Road.

Motion:

I move to approve the Quit Claim Deed to Fulton Homes Corporation.

Background:

The City entered into an Agreement with Suburban Land Reserves in 2007 regarding the development and maintenance of the Reems Road Channel between Waddell and Cactus. In January 2021, the City Council amended that agreement to include Fulton Homes Corporation. The Amendment specifies that when all the duties and obligations were completed, the City would quit claim deed the Reems Road Channel to Fulton Homes. With this action, the channel and responsibilities will be transferred to Fulton Homes Corporation.

Objective Analysis:

Approval of this item will allow the future development needed along Reems Road and allow for those developments to maintain the Reems Road Channel.

Policy Compliant:

Approval of this item is policy compliant. The proposed dedication will advance the goals and policies of the Surprise General Plan and the City Council's Strategic Plan.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is currently no budgetary impact related to approval of this item.

FTE Impact:

This item does not have an impact on current staff levels.

ATTACHMENTS:

1. Fulton Homes QCD w/ Legal
 2. Reems Road Channel Quit Claim Deed to Fulton Homes Corporation Map
-

When Recorded Mail To:
City Clerk
City of Surprise
16000 N Civic Center Plaza
Surprise, AZ 85374

Exempt from filing an
Affidavit of legal value
A.R.S. §11-1134(A)(3)

QUIT CLAIM DEED

For the consideration of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged,

City of Surprise, an Arizona municipal corporation (“Grantors”)

Does hereby quitclaim to Fulton Homes Corporation, an Arizona corporation, all of Grantor’s right, title, and interest in the real property as legally described in Exhibit A and depicted in Exhibit B.

Dated this ____ day of _____, 2021.

GRANTOR:
CITY OF SURPRISE,
An Arizona municipal corporation

By: _____

Skip Hall
Its: Mayor

Attest:

Sherry Aguilar, City Clerk

STATE OF ARIZONA)
)SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by Skip Hall, known by my as the Mayor of the City of Surprise an Arizona municipal corporation.

Notary Public

My Commission Expires:



Legal Description
REEMS ROAD – WADDELL ROAD TO SWEETWATER AVENUE
DRAINAGE RIGHT-OF-WAY

Job No. 19-0751

October 16, 2020

A portion of the Northeast Quarter of Section 18, Township 3 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at a brass cap in hand hole at the Northeast Corner of said Section 18, from which an aluminum cap at the East Quarter corner of said Section 18 bears South 0 degrees 06 minutes 06 seconds West (Basis of Bearing), 2641.29 feet;

Thence along the north line of said Northeast Quarter of Section 18, North 89 degrees 04 minutes 48 seconds West, 146.59 feet;

thence South 0 degrees 55 minutes 12 seconds West, 65.00 feet to a line 65.00 feet south of and parallel with said north line of the Northeast Quarter of Section 18, and to the POINT OF BEGINNING;

thence along said parallel line, South 89 degrees 04 minutes 48 seconds East, 80.01 feet, to a line 67.50 feet west of and parallel with the east line of said Northeast Quarter of Section 18;

thence along said parallel line, South 0 degrees 06 minutes 06 seconds West, 2576.21 feet, to the east-west mid-section line of said Section 18;

thence along said east-west mid-section line of Section 18, North 89 degrees 00 minutes 58 seconds West, 80.01 feet, to a line 147.50 feet west of and parallel with said east line of the Northeast Quarter of Section 18;

thence along said parallel line, North 0 degrees 06 minutes 06 seconds East, 2576.12 feet to the POINT OF BEGINNING.

Contains 206,093 square feet or 4.7312 acres, more or less, and being subject to any easements, restrictions and/or rights-of-way of record or otherwise.

This description shown hereon is not to be used to violate subdivision regulations of the state, county and/or municipality or any other land division restrictions.



EPS Group, Inc. • 1130 N. Alma School Rd, Suite 120 • Mesa, AZ 85201

Tel (480) 503-2250 • Fax (480) 503-2258

S:\Projects\2019\19-0751\Legal Survey\Legals\19-0751 80' City Dedication.docx

Oct 19, 2020 7:48am S:\Projects\2019\19-0751\Legal Survey\Legals\19-0751 80' city dedication.dwg

NORTH QUARTER CORNER
SECTION 18, T3N, R1W
FOUND 3" ALUMINUM CAP

W WADDELL ROAD

N89°04'48"W 2637.69'
146.59'
NORTHEAST CORNER
SECTION 18, T3N, R1W
FOUND CITY OF SURPRISE
BRASS CAP IN HANDHOLE
POINT OF COMMENCEMENT

APN: 501-40-001P
SUBURBAN LAND
RESERVE INC

35' TEMP DRAINAGE ESMT
DOC. 2019-628068

20' MARICOPA WATER DISTRICT ESMT
DOC 2019-0786600, MCR

MUNICIPAL USE ESMT
DOC 2019-629537, MCR



APN: 501-40-001P
SUBURBAN LAND
RESERVE INC



25 0 50
scale feet

**W SWEETWATER
AVENUE
(ALIGNMENT)**

N89°00'58"W 80.01'
67.51'
EAST QUARTER CORNER
SECTION 18, T3N, R1W
FOUND 3" ALUMINUM CAP

67.5' R/W
N REEMS ROAD
2641.29' (BASIS OF BEARING)
S0°06'06"W

N00°06'06"E 2576.12'

80'
147.50'
67.5' R/W

S00°06'06"W 2576.21'

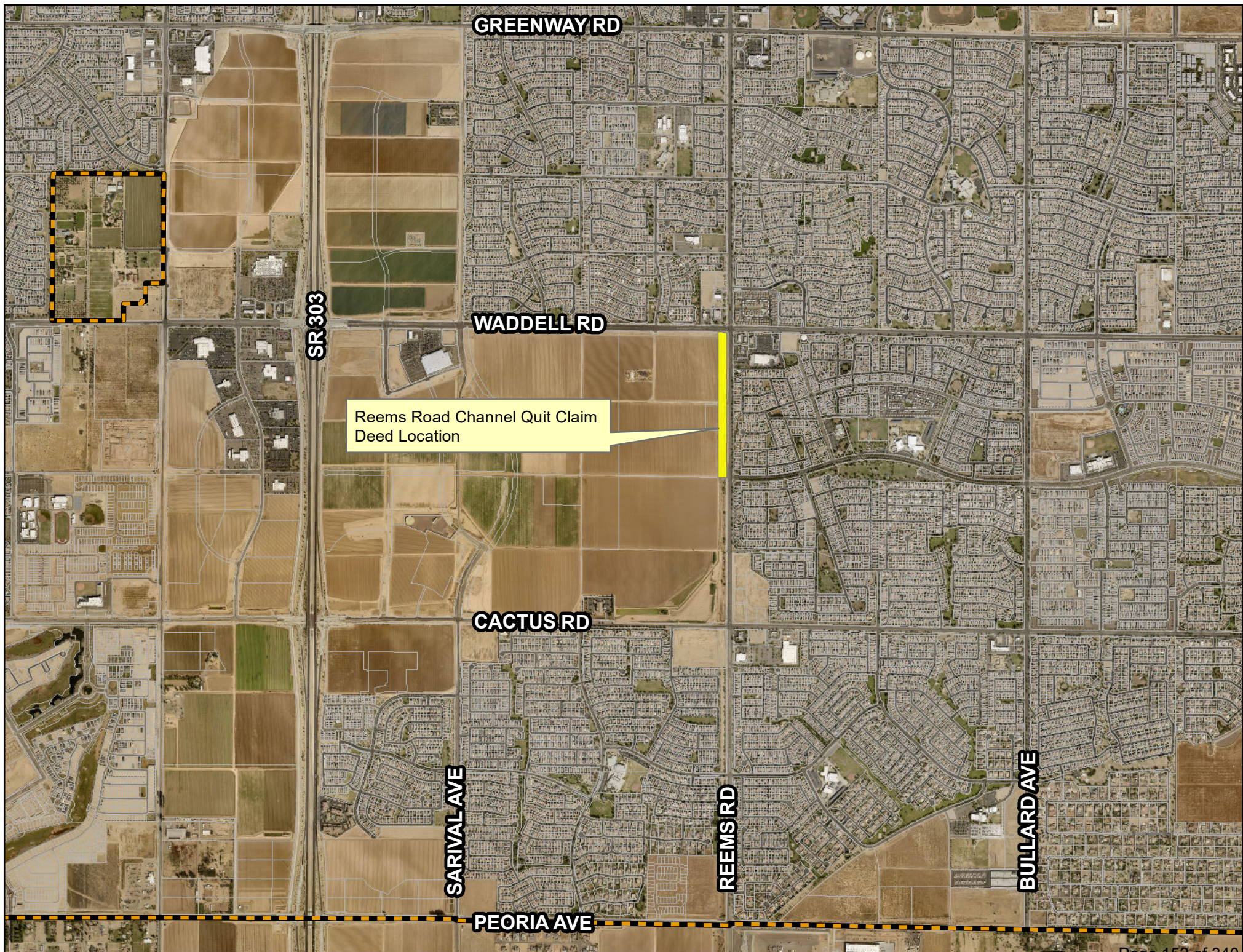
19-0751

REEMS ROAD WADDELL RD TO SWEETWATER AVE

DRAINAGE RIGHT-OF-WAY



1130 N. Alma School Rd.
Ste. 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com



GREENWAY RD

SR 303

WADDELL RD

Reems Road Channel Quit Claim
Deed Location

CACTUS RD

SARIVAL AVE

REEMS RD

BULLARD AVE

PEORIA AVE



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022 Contact Person: Trever Fleetham
Submitting Department: Community Development District: District 3
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, “The Retreat at Prasada” and dated November 10, 2021, an approximately 34.83 acre property generally located south of Waddell Road between Sarival Avenue and Reems Road. (Case FS21-113)

Motion:

I move to approve the Final Plat entitled, “The Retreat at Prasada” and dated November 10, 2021.

Background:

The subject request involves a final plat for Hancock Communities Prasada, also known as The Retreat at Prasada, a multi-family development. The project will include a total of 331 units consisting of 126 1-bedroom units, 187 2-bedroom units, and 18 3-bedroom units. Also included in the development is an office and clubhouse, fitness center, open space and recreational amenities, and parking canopies and garages. The accompanying site plan (FS20-658) for the subject development has been reviewed and approved by staff, pending the approval and recordation of the subject final plat.

Objective Analysis:

The subject Final Plat meets the requirements of the Prasada PAD, in addition to other requirements as set forth in the Surprise Municipal Code. All city reviewing departments have reviewed the request and expressed no concerns.

Policy Compliant:

The requested Final Plat is consistent with the Prasada PAD and advances the goals and policies of the General Plan.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staff levels.

ATTACHMENTS:

1. 00 - FS21-113 Hancock Communities Prasada Final Plat - Staff Report 011822 CC
 2. 01 - FS21-113 Hancock Communities Prasada - Vicinity Map
 3. 02 - FS21-113 Hancock Communities Prasada - Zoning Map
 4. 03 - FS21-113 Hancock Communities Prasada - Final Plat_Final
 5. FS21-113 Hancock Communities Prasada Final Plat
-

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case: FS21-113

Project Name: Hancock Communities Prasada Final Plat

Council District: 3 – Mesquite

Meeting Date: January 18, 2022

Planner: Trever Fleetham, AICP

Owner: Suburban Land Reserve, Inc.

Applicant: Paul Sanchez with Bowman Consulting

Request: Final Plat for a multi-family residential development

Site Location: Generally south of Waddell Road between Sarival Avenue and Reems Road in the north half of Section 18, Township 3 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona

Site Size: 34.83 acres (approx.)

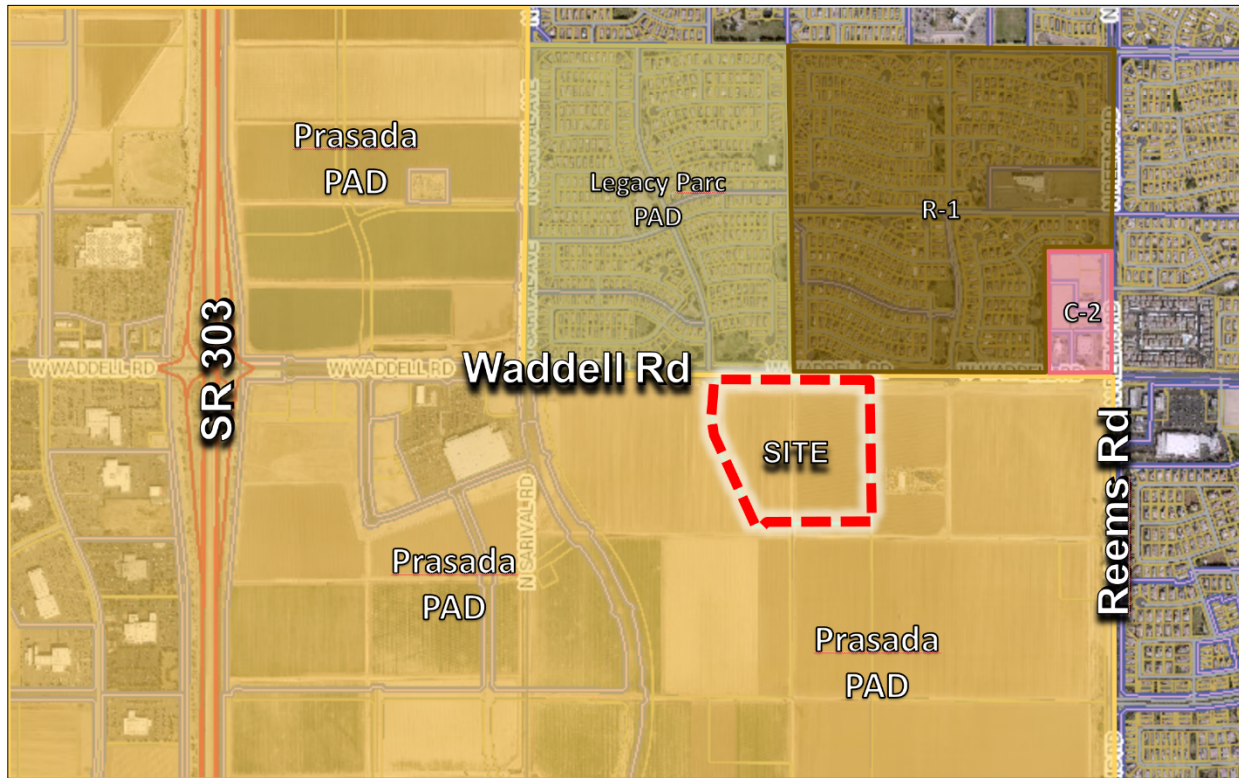
General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: None known

Project Description:

The subject request involves a final plat for Hancock Communities Prasada, also known as The Retreat at Prasada, a multi-family development. The project will include a total of 331 units consisting of 126 1-bedroom units, 187 2-bedroom units, and 18 3-bedroom units. Also included in the development is an office and clubhouse, fitness center, open space and recreational amenities, and parking canopies and garages. The accompanying site plan (FS20-658) for the subject development has been review and approved by staff, pending the approval and recordation of the subject final plat.

Surrounding Land Zoning:



Background:

June 22, 2006: The City Council approved the original Prasada PAD under case PAD05-465.

October 12, 2020: The applicant filed case FS20-658 for a Type I Site Plan for the subject property and development.

November 19, 2020: A Minor PAD Amendment to the Prasada Urban Village was administratively approved.

February 11, 2021: The applicant filed case FS21-113, the subject case, for a final plat for Hancock Communities Prasada multi-family development.

51
52 **Analysis and Discussion:**
53

54 The subject final plat includes a 34.83 gross acre parcel for the Hancock Communities Prasada a.k.a.
55 The Retreat at Prasada multi-family development. The subject plat will dedicate approximately 3.37
56 acres of right-of-way, leaving a 31.46 acre lot for the multi-family development. The subject plat will
57 also create the easements needed to accommodate this development. The site plan for the
58 development was submitted under case FS20-658, and has since been reviewed by staff. Final
59 approval of the accompanying site plan will be contingent upon the approval and recordation of the
60 subject plat. The proposed final plat is consistent with the Prasada PAD, as amended, the Surprise
61 General Plan, and applicable city codes.
62

63 **Conformance with Adopted Plans:**
64

65 **Surprise General Plan 2035:** The proposal is consistent with the Surprise General Plan 2035.
66

67 **Reviewing Agencies:**
68

69 The subject request was routed to the standard reviewing agencies, who expressed no concerns.
70

71 **Summary:**
72

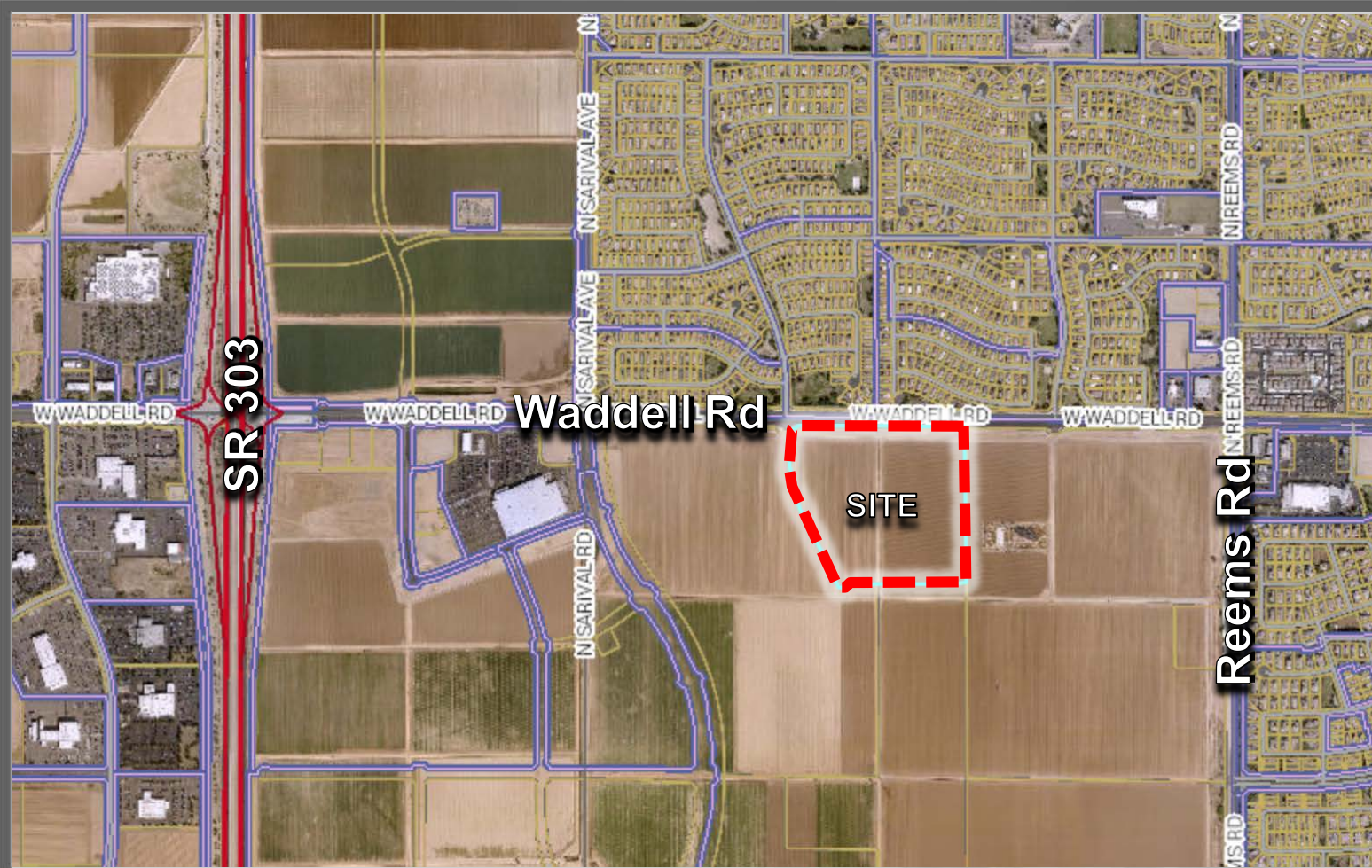
73 The subject Final Plat meets the requirements of the Prasada PAD, in addition to other applicable
74 requirements as set forth in the LDO. All city reviewing departments have reviewed the request and
75 expressed no concerns.
76

77 **Findings:**
78

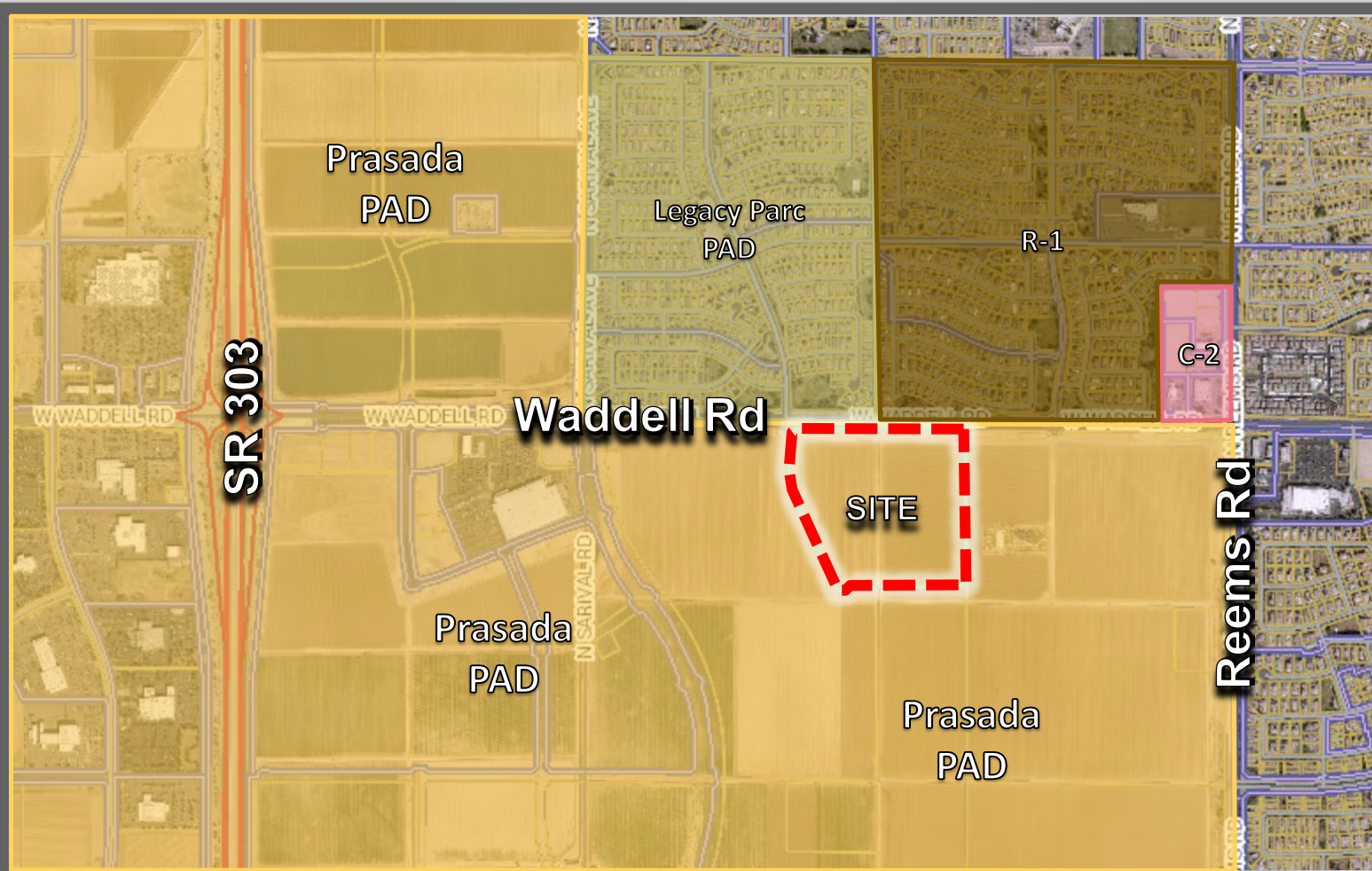
- 79 • The proposed Final Plat is consistent with the Surprise General Plan.
80 • The proposed Final Plat is consistent with the Prasada PAD.
81 • The reviewing agencies have indicated no objections.

82 **Attachments:**
83

84 01 Vicinity Map
85 02 Zoning Map
86 03 Final Plat



FS21-113 VICINITY MAP



FS21-113 ZONING MAP

File: V:\050799 - Model Road Parcel\050799-01-001 (enr)\enrmap_swing\enr\050799\050799-01-Final Plat.dwg
Printed: Jan 06, 2022

DEDICATION

STATE OF UTAH }
COUNTY OF SALT LAKE } SS

SUBURBAN LAND RESERVE, INC., A UTAH CORPORATION, AND PROPERTY RESERVE ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY ("OWNERS"), HAVE SUBDIVIDED UNDER THE NAME "PRASADA", A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "PRASADA", AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, AND THAT EACH LOT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THIS PLAT.

SUBURBAN LAND RESERVE, INC., A UTAH CORPORATION, AND PROPERTY RESERVE ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY ("OWNERS") DO HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE NEWLY DEDICATED RIGHT-OF-WAY AS DEPICTED ON THIS PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

OWNERS HEREBY GRANT TO THE PUBLIC A PERPETUAL NON-EXCLUSIVE EASEMENT IN, UPON, OVER, UNDER, THROUGH, AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE PLAT FOR THE PURPOSE OF ACCESSING, INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING, AND UTILIZING PUBLIC UTILITIES.

OWNERS HEREBY GRANT TO THE CITY OF SURPRISE AN EXCLUSIVE EASEMENT OVER, UPON AND ACROSS ALL WATER/SEWER LINES, MANHOLES, FIRE HYDRANTS, AND WATER METERS AS SHOWN ON THE PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING AND UTILIZING THE WATER/SEWER LINES, MANHOLES, FIRE HYDRANTS AND WATER METERS.

OWNERS HEREBY GRANT TO THE CITY OF SURPRISE A PERPETUAL EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR TRASH COLLECTION VEHICLES.

OWNERS HEREBY GRANT TO THE CITY OF SURPRISE A PERPETUAL CROSS ACCESS EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY VEHICLES.

OWNERS HEREBY GRANT TO THE CITY OF SURPRISE A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS SIGHT VISIBILITY TRIANGLES FOR THE PURPOSE OF ENSURING THAT THESE AREAS REMAIN FREE OF SIGHT VISIBILITY OBSTRUCTIONS.

OWNERS HEREBY GRANT TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN AVIGATION EASEMENT OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS PLAT, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND AUXILIARY FIELD.

OWNERS HEREBY GRANT TO THE CITY OF SURPRISE AN ODOR EASEMENT OVER, UPON AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO INVADE WITH ODORS, FUMES, SMELLS, AND PHYSICAL AIRBORNE PARTICLES CAUSED BY THE OPERATION AND MAINTENANCE OF THE CITY'S WATER RECLAMATION FACILITIES.

OWNERS HEREBY GRANT TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE PEDESTRIAN ACCESS AND SIDEWALK CONSTRUCTION AND MAINTENANCE EASEMENT OVER, UPON, AND ACROSS THE AREAS DESIGNATED AS SIDEWALK EASEMENTS AS SHOWN ON THE PLAT.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNERS OR THE ASSOCIATIONS FORMED BY THE OWNERS.

LANDSCAPING MAINTENANCE WITHIN THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE THE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.

THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIANS WITHIN COLLECTORS AND LOCAL STREETS AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.

TEMPORARY EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, OPERATING, MAINTAINING, ADDING TO, ALTERING OR REPLACING PRESENT OR FUTURE STORM WATER MANAGEMENT FACILITIES, DRAINAGE, AND ALL NECESSARY APPURTENANCES FOR THE COLLECTION AND TRANSMISSION THROUGH, ON AND ACROSS THE SAID PROPERTY OF THE OWNER SHALL AUTOMATICALLY BECOME NULL AND VOID AT SUCH TIME AS ALTERNATIVES HAVE BEEN APPROVED BY THE APPROPRIATE DEPARTMENT AND INSTALLED BY THE OWNER OR ITS SUCCESSORS.

ALL IMPROVEMENTS, FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY, INSTALLED OR CONSTRUCTED BY THE OWNER WITHIN THE PUBLIC RIGHTS-OF-WAY OF THE EASEMENTS OR ANY TRACTS OR PARCELS HEREBY DEDICATED TO THE CITY OF SURPRISE SHALL BE DEEMED TO HAVE BEEN DEDICATED TO THE OWNER TO THE CITY UPON THEIR COMPLETION, HOWEVER, SUCH TRANSFER SHALL NOT OCCUR UNTIL THE CITY COUNCIL FOR THE CITY OF SURPRISE MANIFESTS ITS ACCEPTANCE BY SEPARATE FORMAL COUNCIL ACTION.

THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND PERPETUAL AND SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF.

IN WITNESS WHEREOF: SUBURBAN LAND RESERVE, INC., A UTAH CORPORATION, AND PROPERTY RESERVE ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAVE HEREBY CAUSED THEIR NAMSE TO BE AFFIXED AND THE SAME ATTESTED BY THE SIGNATURE OF THE UNDERSIGNED OFFICERS.

SUBURBAN LAND RESERVE, INC., A UTAH CORPORATION

BY: _____

NAME: _____

ITS: _____

PROPERTY RESERVE ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY

BY: _____

NAME: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF SALT LAKE } S.S.

ON THIS _____ DAY OF _____, 2022, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ OF _____ AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC _____ DATE _____

MY COMMISSION EXPIRES: _____

LEGAL DESCRIPTION

THAT PORTION OF THE NORTH HALF OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18, FROM WHICH POINT THE NORTHWEST CORNER OF SAID SECTION 18, BEARS NORTH 89°05'44" WEST, A DISTANCE OF 2152.92 FEET; THENCE SOUTH 89°04'48" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 18, A DISTANCE OF 660.43 FEET TO A POINT; THENCE DEPARTING SAID NORTH LINE, SOUTH 00°55'12" WEST, A DISTANCE OF 68.50 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 68.50 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 18, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 00°06'49" WEST, A DISTANCE OF 1187.36 FEET; THENCE SOUTH 84°23'37" WEST, A DISTANCE OF 103.79 FEET;

THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 685.00 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE SOUTHERLY AND HAVING A RADIUS OF 160.00 FEET;

THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 26°41'12", AN ARC DISTANCE OF 74.52 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 63°18'48" WEST, A DISTANCE OF 119.10 FEET;

THENCE NORTH 26°41'12" WEST, A DISTANCE OF 667.79 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE EASTERLY AND HAVING A RADIUS OF 936.50 FEET;

THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 27°35'13", AN ARC DISTANCE OF 450.91 FEET TO A POINT OF TANGENCY;

THENCE NORTH 00°54'01" EAST, A DISTANCE OF 213.23 FEET; THENCE SOUTH 89°05'44" EAST, A DISTANCE OF 83.50 FEET;

THENCE NORTH 45°54'16" EAST, A DISTANCE OF 63.04 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 68.50 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 18;

THENCE SOUTH 89°05'44" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 576.12 FEET;

THENCE SOUTH 89°04'48" EAST, ALONG THE SOUTH LINE OF THE NORTH 68.50 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 18, A DISTANCE OF 660.41 FEET TO THE POINT OF BEGINNING.

PUBLIC NOTICE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP DEPICTING THE MOST CURRENT ADOPTED MAG NOISE CONTOURS IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT

RELEASE OF LIABILITY

SUBURBAN LAND RESERVE, INC., A UTAH CORPORATION, AND PROPERTY RESERVE ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY ("OWNERS") DO HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE USAF AND THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LUKE AIR FORCE BASE, WHETHER SUCH DAMAGE SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND ITS AUXILIARY FIELDS. THIS INSTRUMENT SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE USAF FROM LIABILITY FOR DAMAGE OR INJURY TO PERSON OR PROPERTY CAUSED BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN WITH RESPECT TO NOISE, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES.

SUBURBAN LAND RESERVE, INC., A UTAH CORPORATION, AND PROPERTY RESERVE ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY ("OWNERS") DO HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE NEWLY DEDICATED RIGHT-OF-WAY AS DEPICTED ON THIS PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

OWNERS HEREBY FURTHER AGREE TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE FROM ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE IN CONNECTION WITH THE USE OF THE SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY, UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF SALT LAKE } S.S.

ON THIS _____ DAY OF _____, 2022, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ OF _____ AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC _____ DATE _____

MY COMMISSION EXPIRES: _____

FINAL PLAT OF
THE RETREAT AT PRASADA

LOCATED IN THE NORTH HALF OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 1 WEST,
OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA.

NOTES

1. SPRINKLERS ARE REQUIRED IN ALL RENTAL DWELLINGS.

2. THE PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.

3. THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF EPOR WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO A.R.S. § 45-576.

4. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X" DESIGNATION BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE MAP NO. 04013C1660L, WITH A DATE OF 10/16/2013, FOR COMMUNITY NO. 040053 IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

5. THE ROADS DESIGNATED AS "PRIVATE" AND ANY APPURTENANCES INCLUDING BUT NOT LIMITED TO ROAD SIGNS, STRIPING, CURB AND GUTTER, AND SIDEWALKS ARE PRIVATE: SUCH ROADS AND APPURTENANCES ARE OWNED, MAINTAINED, AND REPAIRED BY OWNER OR HOMEOWNER'S ASSOCIATION FORMED BY OWNER. THE CITY OF SURPRISE SHALL NOT MAINTAIN OR REPAIR ANY ROAD DESIGNATED AS "PRIVATE."

6. IN ACCORDANCE WITH A.R.S. § 9-461.07; THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE CITY OF SURPRISE GENERAL PLAN.

7. PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14750 AND 14710, WHEN APPLICABLE.

8. NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.

NOTICE OF INTERGOVERNMENTAL AGREEMENT

THE CITY OF SURPRISE ("CITY") AND MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") ENTERED INTO AN INTERGOVERNMENTAL AGREEMENT DATED APRIL 8, 1997, AND RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE ON APRIL 9, 1997, UNDER DOCKET NO. 97-0231759 ("IGA"). CITY AND MWD HAVE FACILITIES AND PROPERTY INTERESTS DESCRIBED AND DELINEATED WITHIN CERTAIN SUBDIVISION PLATS OR, FOR LANDS NOT INCLUDED IN A SUBDIVISION PLAT, DECLARATIONS OF TURF LANDS OR DECLARATIONS OF URBANIZED AREA, THAT HAVE PRIOR AND SUPERIOR RIGHTS TO THE UTILITY SERVICE PROVIDERS, AS DEFINED IN THE IGA. THE IGA PROVIDES FOR THE CITY TO HAVE A PUBLIC UTILITY EASEMENT WITHIN CERTAIN MWD PROPERTY INTERESTS AND FOR MWD TO HAVE AN EASEMENT WITHIN CITY'S PUBLIC RIGHTS-OF-WAY. CITY AND MWD RIGHTS WITHIN THESE EASEMENTS ARE SUBJECT TO AND CONTROLLED BY THE TERMS AND CONDITIONS OF THE IGA.

IN LOCATIONS WHERE APPLICABLE, INCLUDING ANY AND ALL DEDICATIONS WITHIN A SUBDIVISION PLAT, MWD'S PRIOR AND SUPERIOR RIGHTS OF ACCESS TO AND USE OF EXISTING AND FUTURE MWD FACILITIES AND PROPERTY INTERESTS, SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE IGA.

CITY SHALL HAVE THE RIGHT TO AUTHORIZE AND CONTROL THE UTILITY SERVICE PROVIDER'S USE AND OCCUPANCY OF THESE EASEMENTS. CITY REQUIRES THAT UTILITY SERVICE PROVIDERS CONSENT TO BE BOUND BY THE IGA PRIOR TO THE USE OR OCCUPANCY OF THE EASEMENTS GRANTED UNDER THE IGA. SUCH USE OR OCCUPANCY OF THE EASEMENTS CONSTITUTES CONSENT OF THE UTILITY SERVICE PROVIDERS TO BE BOUND BY THE IGA.

NOTICE OF THE RETREAT AT PRASADA
DEVELOPMENT AGREEMENT

LANDOWNER HAS ENTERED INTO THE RETREAT AT PRASADA DEVELOPMENT AGREEMENT DATED OCTOBER 18, 2021 ("AGREEMENT") WITH MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") FOR WHICH A MEMORANDUM OF AGREEMENT WAS RECORDED ON OCTOBER 19, 2021, AT THE MARICOPA COUNTY RECORDER'S OFFICE AT DOCUMENT NO. 2021-1122012. THE PROPERTIES INVOLVED IN THIS PLAT ARE SUBJECT TO THIS AGREEMENT. THE AGREEMENT AND THIS PLAT, INCLUDING ANY AND ALL DEDICATIONS THEREIN, HEREBY PRESERVE MWD'S PRIOR AND SUPERIOR RIGHTS OF ACCESS TO AND USE OF EXISTING AND FUTURE MWD FACILITIES AND MWD PROPERTY INTERESTS. AS SUCH TERMS ARE DEFINED IN THE AGREEMENT, TO ENABLE MWD TO ACCOMPLISH ALL OF MWD'S PURPOSES, INCLUDING, BUT NOT LIMITED TO, THE TRANSMISSION AND DISTRIBUTION OF WATER, WASTEWATER, POWER AND COMMUNICATIONS, AND TO CONSTRUCT, RECONSTRUCT, OPERATE, MAINTAIN AND REPLACE THOSE MWD FACILITIES AND MWD PROPERTY INTERESTS. THE AGREEMENT IS ON FILE AT THE OFFICES OF LANDOWNER AT SUBURBAN LAND RESERVE, INC., AND PROPERTY RESERVE ARIZONA, LLC, 51 S. MAIN STREET, SUITE: 301 SALT LAKE CITY, UT 84111, AND MAY BE REVIEWED AS TO ALL, WITH PARTICULAR REFERENCE TO SECTION 7 AND SECTION 9, UPON REASONABLE REQUEST.

DATED THIS _____ DAY OF _____, 2022.

MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA ("MWD")

BY: _____
ITS: CHRISTINE CAIN
PROPERTY & CONTRACTS MANAGER

SUBURBAN LAND RESERVE, INC., A UTAH CORPORATION

BY: _____
ITS: _____

ATTEST:

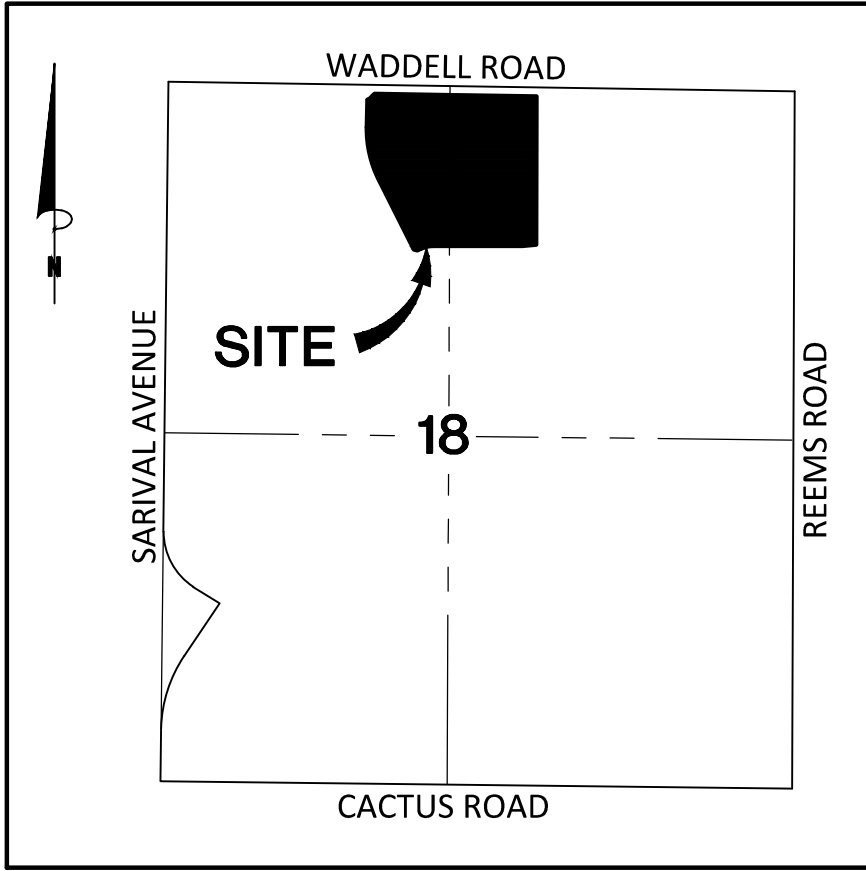
BY: _____
ITS: GLEN VORTHERMS
ASSISTANT SECRETARY

PROPERTY RESERVE ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY

BY: _____
ITS: _____

FLOOD PLAIN DESIGNATION

ACCORDING TO THE FLOOD INSURANCE RATE MAP #04013C1660L, DATED OCTOBER 16, 2013 THIS PROPERTY IS LOCATED IN FLOOD ZONE "X": AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.



VICINITY MAP
N.T.S.

SHEET INDEX

- 1 COVER, NOTES, DEDICATION, SITE DATA, CERTIFICATIONS
- 2 FINAL PLAT MAP, AREA TABLE

SITE DATA

ZONING CASE# FS21-113
PROPOSED ZONING PAD05-465 (PRASADA)
FS20-361 (PAD AMENDMENT)
NUMBER OF LOTS 1
GROSS AREA 34.8308 ACRES
NET AREA 31.4590 ACRES
PORTIONS OF APNs 501-40-002F & 501-40-001N

ENGINEER

BOWMAN
1600 N. DESERT DRIVE, STE. 210
TEMPE, AZ 85281
PHONE: (480) 629-8830
CONTACT: MATT CAWLEY

OWNER

SUBURBAN LAND RESERVE, INC.
51 S. MAIN STREET #301
SALT LAKE CITY, UT 84111
PHONE: (801) 321-7569
CONTACT: MATT BALDWIN
EMAIL: baldwinma@citycreekslc.com

OWNER

PROPERTY RESERVE ARIZONA, LLC
51 S. MAIN STREET #301
SALT LAKE CITY, UT 84111
PHONE: (801) 321-7569
CONTACT: MATT BALDWIN
EMAIL: baldwinma@citycreekslc.com

DEVELOPER

HANCOCK COMMUNITIES, LLC
4040 E. CAMELBACK RD. #215
PHOENIX, AZ 85018
PHONE: (480) 285-1300
CONTACT: GREG HANCOCK
EMAIL: greg@hancock-az.com

BASIS OF BEARINGS

NORTH 89°04'48" WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2022, BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED _____ DATE _____
CITY ENGINEER

CITY OF SURPRISE COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA THIS _____ DAY OF _____, 2022.

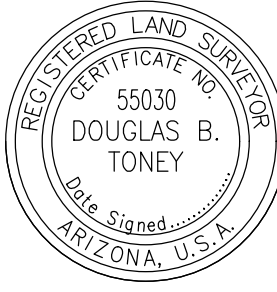
MAYOR

CITY CLERK

SURVEYOR'S CERTIFICATION

I, DOUGLAS B. TONEY, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF FEBRUARY 2020; THAT THE SURVEY IS TRUE AND CORRECT AS SHOWN; THAT ALL MONUMENTS ACTUALLY EXIST; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DOUGLAS B. TONEY
REGISTERED LAND SURVEYOR NO. 55030
BOWMAN CONSULTING
1600 N. DESERT DRIVE, SUITE 210
TEMPE, ARIZONA 85281



NOTE:
A.R.S. 32-151 STATES THAT THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A PERSON OR FIRM THAT IS REGISTERED OR CERTIFIED BY THE BOARD IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING FACTS OR FINDINGS THAT ARE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE AN EXPRESS OR IMPLIED WARRANTY OR GUARANTEE.

FS21-113

FINAL PLAT
THE RETREAT AT PRASADA
SURPRISE, ARIZONA

Bowman
CONSULTING
Phone: (480) 629-8830
Fax: (480) 629-8841
www.bowman.com
Bowman
1600 N. Desert Drive, #210
Tempe, AZ 85281

© Bowman Consulting Group, Ltd.

DATE: 11/10/21
PROJ NO: 050752-01
TASK NUM: 001
DRAWN BY: TL
CHECKED: DT
QUALITY: PS
CLIENT NO:
SCALE
N.T.S.
1 of 2



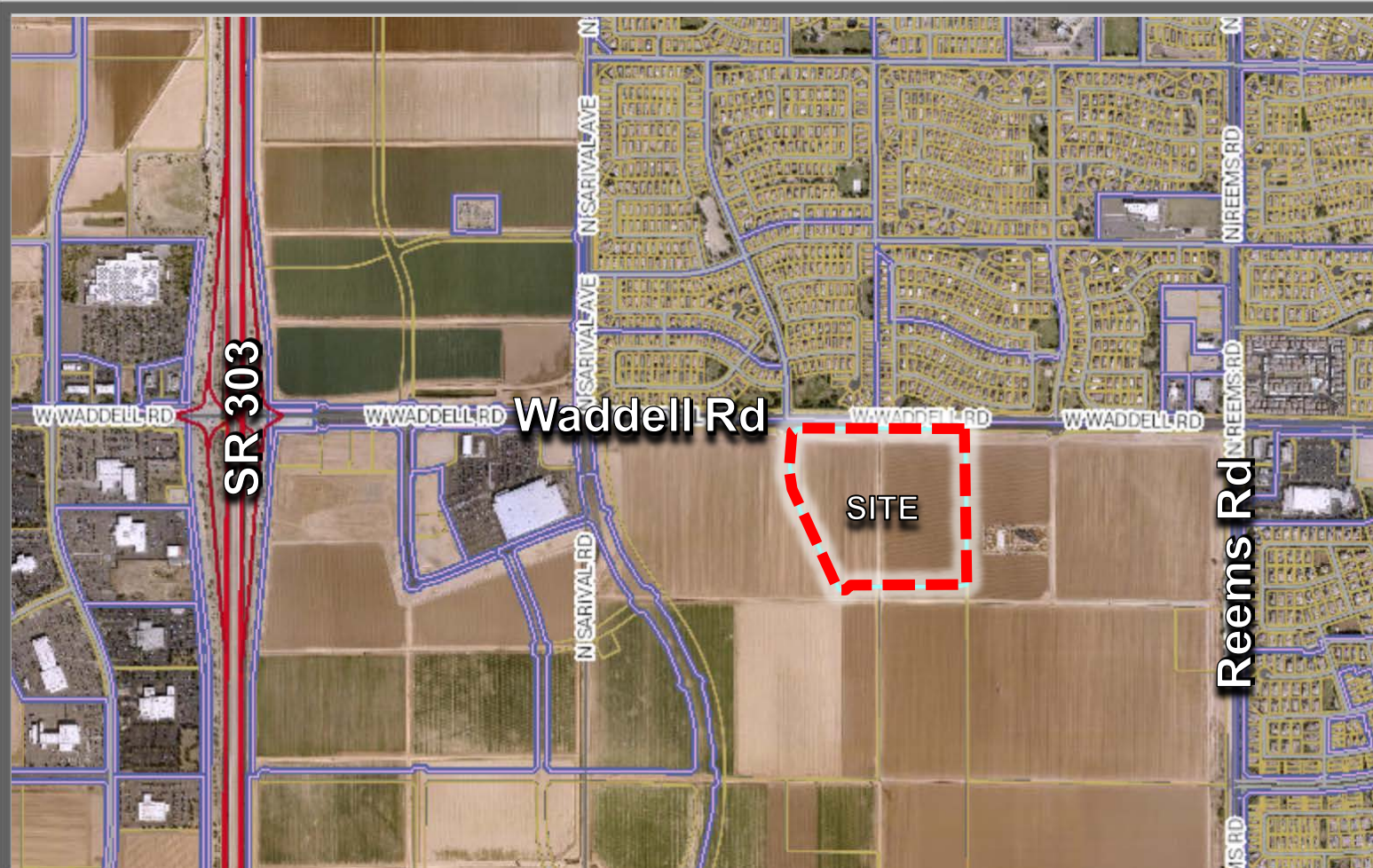


FS21-113

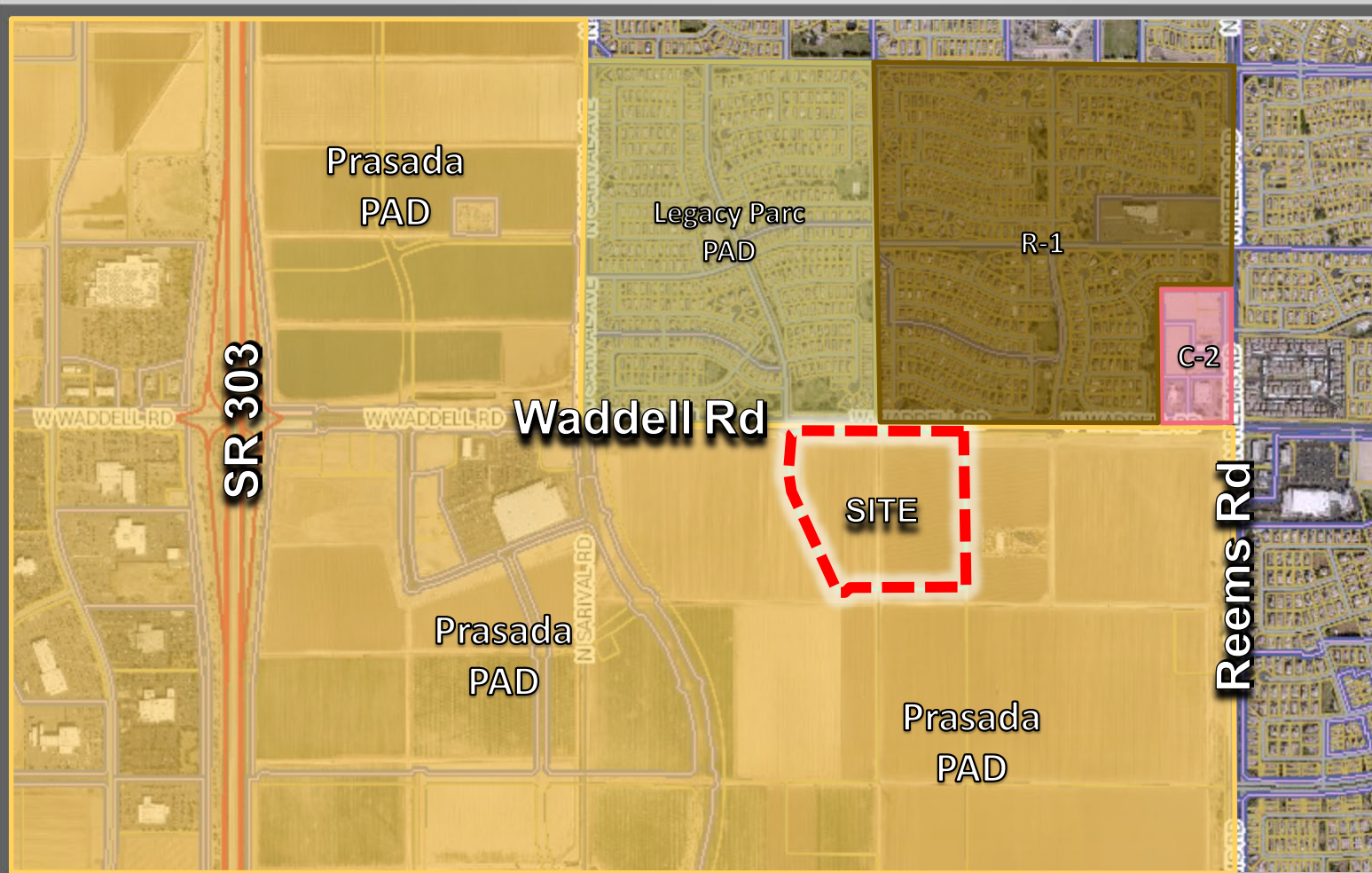
Hancock Communities Prasada Final Plat

City Council

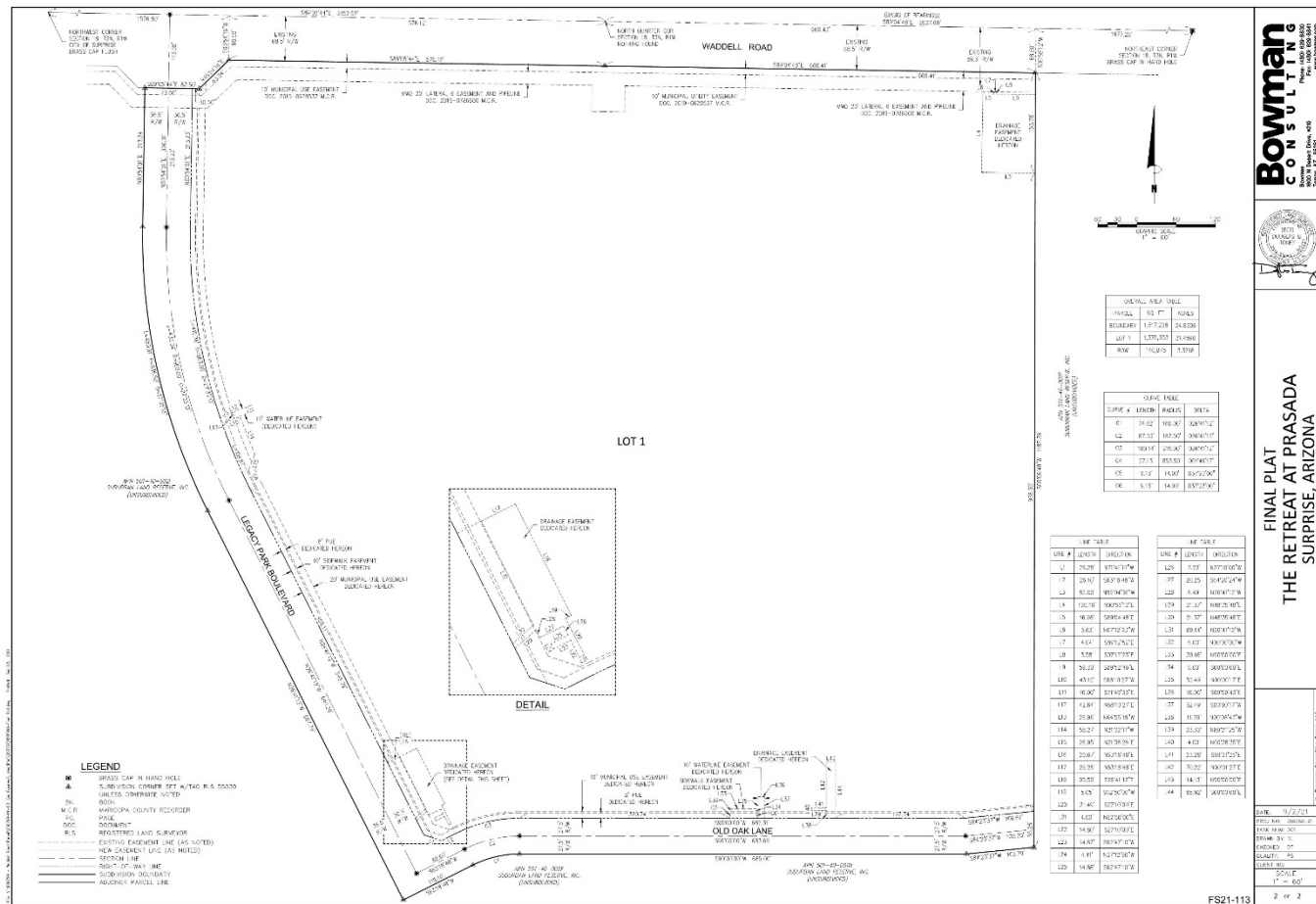
January 18, 2022



FS21-113 VICINITY MAP



FS21-113 ZONING MAP





SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 1
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to acceptance of a Sewer line easement from Meritage Homes of Arizona, Inc., near 163rd avenue and Happy Valley Road.

Motion:

I move to accept the Sewer Line Easement from Meritage Homes of Arizona, Inc.

Background:

The sewer line will serve future development in this area. It allows for continuous development and connectivity throughout the development on the northeast corner of 163rd avenue and Happy Valley.

Objective Analysis:

Approval of this item will allow the future development to connect to the City's sewer.

Policy Compliant:

Approval of this item is policy compliant. The proposed easement will advance the goals and policies of the Surprise General Plan and the City Council's Strategic Plan.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

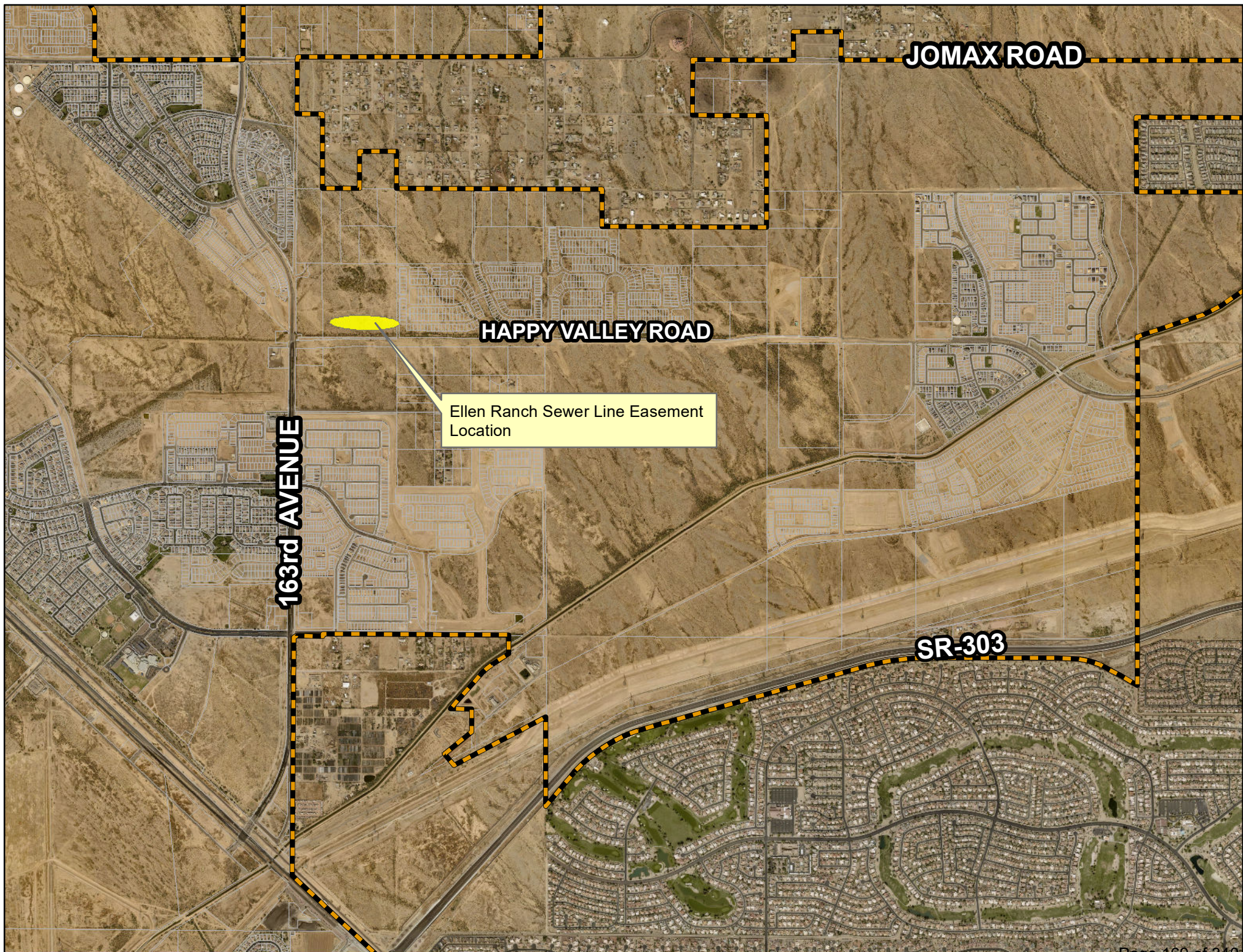
There is currently no budgetary impact related to approval of this item. The City will plan for future O&M when the sewer line is in place and is accepted by the City.

FTE Impact:

This item does not have an impact on current staff levels.

ATTACHMENTS:

1. Ellen Ranch Sewer Line Easement Location Map
 2. 220110 Ellen Ranch Sewer Line Easement
-



WHEN RECORDED, RETURN TO:

City Clerk
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

**SEWER LINE EASEMENT
(Ellen Ranch)**

This Sewer Line Easement (this "Easement") is executed this ____ day of _____, 20____, by and between Meritage Homes of Arizona, Inc., an Arizona corporation, hereinafter referred to as "Grantor", and the City of Surprise, an Arizona municipal corporation, hereinafter referred to as "Grantee".

RECITALS

A. Grantor intends to construct and install a sewer line (the "Sewer Line") in the portion of Grantor's property legally described and depicted in Exhibit "A" attached hereto (the "Easement Area").

B. Grantee desires to acquire from Grantor and Grantor desires to grant to Grantee a perpetual, non-exclusive easement over, under and across the Easement Area in order to maintain, repair and/or replace the Sewer Line.

NOW, THEREFORE, for and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Easement. Grantor hereby grants and conveys to Grantee, its successors and assigns, a perpetual, non-exclusive easement over the Easement Area in order to maintain, repair and/or replace the Sewer Line; provided, however this Easement shall not prohibit Grantor or Grantor's occupants from maintaining improvements in the Easement Area so long as such improvements do not interfere with Grantee's obligation to maintain, repair and/or replace the Sewer Line. Grantor shall not erect or construct, nor permit to be erected or constructed, any structure within the Easement Area. This Easement also includes ingress and egress to and from the Easement Area in order to maintain, repair and/or replace the Sewer Line.

2. Restoration of Property. Grantee, its successors and assigns, or any other person or entity entering upon, performing any work within, or otherwise using the Easement Area pursuant to the rights granted pursuant to this Easement shall (a) promptly repair and restore any damage to the Easement Area or the Sewer Line resulting from such entry, work or use, (b) promptly remove any mechanic's or materialmen's lien arising from any such work within the Easement Area or on the Sewer Line, and (c) indemnify, defend and hold the Grantor harmless for, from and against any and all claims, liability, judgments, loss, cost or expense, including reasonable attorney's fees, to the extent arising from injuries to any person or property caused by Grantee's performance of such entry, work or use. Grantee will cause the least possible interference with the activities of Grantor, the occupants of Grantor's property and their

respective customers, agents, servants, employees, licenses and invitees in connection with Grantee's obligation to maintain, repair and/or replace the Sewer Line.

3. Runs with the Land. This Easement shall be appurtenant to and shall run with the land and shall be binding upon and inure to the benefit of the Grantor, Grantee and their successors and assigns.

4. Term. This Easement is perpetual.

5. Not a Public Dedication. Other than the grant of the easement as set forth herein, nothing contained in this Easement shall be deemed to be a conveyance or dedication of any portion of the Easement Area or any other property owned by Grantor to the general public or any public purpose whatsoever.

6. Exception. There is excepted and reserved to Grantor from this Easement (a) all rights to utilize the Easement Area for any and all purposes not inconsistent with Grantee's rights hereunder, and (b) all rights of Grantor to grant, at its sole discretion and at any time, any and all additional easements to any other person across the Easement Area or any other property owned by Grantor provided that such additional easements do not interfere in a material or adverse manner with Grantee's rights hereunder. Specifically included, without limitation, in such reservations are the rights to grant underground utilities and other rights to place facilities by the Grantor.

7. Indemnification. Grantee shall indemnify Grantor from and against any loss, damage or injury of any kind or nature to any person or property arising from the use of the Easement Area or any other property owned by Grantor by such indemnifying party, or its agents, employees, licensees, invitees or contractors, or from any accident arising from the use of the Easement Area or any other property owned by Grantor by such indemnifying party, or its agents, employees, licensees, invitees, or contractors, except to the extent such loss, damage or injury was a result of the negligence, gross negligence or intentional conduct of Grantor.

8. Miscellaneous. Headings in this Easement are for convenience only and shall not define or limit the provision hereof. This Easement shall be construed according to its ordinary meaning and shall not be strictly construed for and against the Grantor or the Grantee. This Easement shall be governed by the laws of the state of Arizona. Should any term, provision, covenant or condition of this Easement be void, invalid or inoperative, the same shall not affect any other term, provision, covenant or condition of this Easement, but the remainder thereof shall be effective as though such void, invalid or inoperative term, provision, covenant or condition had not been contained herein.

9. Counterparts. This Easement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The signature pages from one or more counterparts may be removed from such counterparts and such signature pages all attached to a single instrument so that the signatures of all parties may be physically attached to a single document.

IN WITNESS WHEREOF, the parties hereto have executed this Easement as of the date above-written.

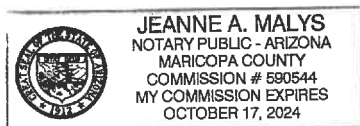
GRANTOR:

Meritage Homes of Arizona, Inc.,
an Arizona corporation

By: [Signature]
Name: Garrett Cone
Its: Division Vice President

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 10th day of January, 2022, by Garrett Cone, known by me as the Division Vice President Meritage Homes of Arizona, Inc., an Arizona corporation.



[Signature]
Notary Public

My Commission Expires: 10/17/2024

GRANTEE:

CITY OF SURPRISE,
an Arizona municipal corporation

By: _____

Skip Hall

Its: Mayor

Attest:

Sherry Aguilar, City Clerk

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of _____,
20____, by Skip Hall, known by me as the Mayor of City of Surprise, an Arizona municipal
corporation.

Notary Public

My Commission Expires:

EXHIBIT "A"

EASEMENT AREA

[see attached]



**Legal Description
Ellen Ranch
Sewer Easement**

Job No. 16-400.3

October 5, 2021

A portion of the Southwest Quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 6, being marked by a 2" aluminum cap flush stamped RLS 36562, from which the South Quarter Corner of said Section 6, being marked by a 3" Bureau of Land Management brass cap, bears South 89 degrees 45 minutes 12 seconds East, (Basis of Bearing) 1,850.96 feet;

thence along the South line of the Southwest Quarter of said Section 6, South 89 degrees 45 minutes 12 seconds East, 759.74 feet;

thence North 0 degrees 14 minutes 48 seconds East, 244.42 feet to the **POINT OF BEGINNING**;

thence North 0 degrees 13 minutes 11 seconds East, 32.00 feet;

thence South 89 degrees 46 minutes 49 seconds East, 81.47 feet to the beginning of a curve, concave northwest, having a radius of 20.00 feet;

thence northeasterly 9.65 feet along the arc of said curve to the left through a central angle of 27 degrees 38 minutes 20 seconds to the beginning of a non-tangent curve, concave northeast, from which the radius point bears North 80 degrees 34 minutes 18 seconds East a distance of 55.00 feet;

thence southeasterly 40.91 feet along the arc of said curve to the left through a central angle of 42 degrees 37 minutes 21 seconds;

thence North 89 degrees 46 minutes 49 seconds West, 111.32 feet to the **POINT OF BEGINNING**.

Contains 3,162 square feet or 0.0726 acres, more or less.



EPS Group, Inc. • 1130 N. Alma School Rd, Suite 120 • Mesa, AZ 85201

Tel (480) 503-2250 • Fax (480) 503-2258

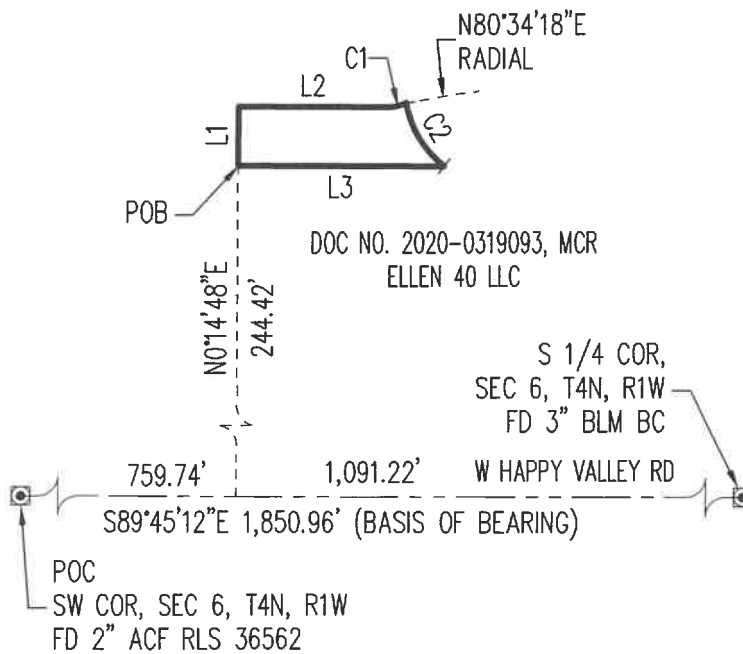
Q:\Projects\2016\16-400\Land Survey\Legals\16-400.3 LD27 Ellen Ranch SE.docx

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
C1	9.65'	20.00'	27°38'20"	9.55'	N76°24'01"E
C2	40.91'	55.00'	42°37'21"	39.98'	S30°44'22"E

LINE TABLE

LINE	BEARING	LENGTH
L1	N00°13'11"E	32.00'
L2	S89°46'49"E	81.47'
L3	N89°46'49"W	111.32'



SCALE: 1"=100'

SHEET 1 OF 1

16-400.3

Ellen Ranch
Sewer Easement

Exhibit



1130 N Alma School Rd
Ste 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com



**Legal Description
Ellen Ranch
Sewer Easement**

Job No. 16-400.3

October 5, 2021

A portion of the Southwest Quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 6, being marked by a 2" aluminum cap flush stamped RLS 36562, from which the South Quarter Corner of said Section 6, being marked by a 3" Bureau of Land Management brass cap, bears South 89 degrees 45 minutes 12 seconds East, (Basis of Bearing) 1,850.96 feet;

thence along the South line of the Southwest Quarter of said Section 6, South 89 degrees 45 minutes 12 seconds East, 1,694.65 feet;

thence North 0 degrees 14 minutes 48 seconds East, 224.01 feet to the **POINT OF BEGINNING**;

thence North 50 degrees 53 minutes 53 seconds West, 26.48 feet to the beginning of a non-tangent curve, concave northwest, from which the radius point bears North 29 degrees 34 minutes 28 seconds West a distance of 55.00 feet;

thence northeasterly 20.47 feet along the arc of said curve to the left through a central angle of 21 degrees 19 minutes 25 seconds;

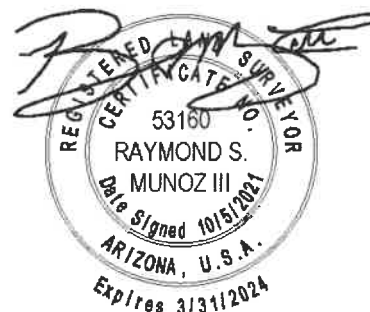
thence South 50 degrees 53 minutes 53 seconds East, 15.65 feet;

thence South 89 degrees 46 minutes 49 seconds East, 108.18 feet;

thence South 0 degrees 00 minutes 28 seconds East, 20.00 feet;

thence North 89 degrees 46 minutes 49 seconds West, 115.31 feet to the **POINT OF BEGINNING**.

Contains 2,643 square feet or 0.0607 acres, more or less.



EPS Group, Inc. • 1130 N. Alma School Rd, Suite 120 • Mesa, AZ 85201

Tel (480) 503-2250 • Fax (480) 503-2258

Q:\Projects\2016\16-400\Land Survey\Legals\16-400.3 LD28 Ellen Ranch SE.docx

CURVE TABLE

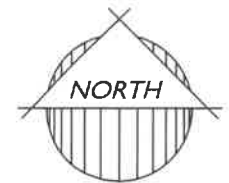
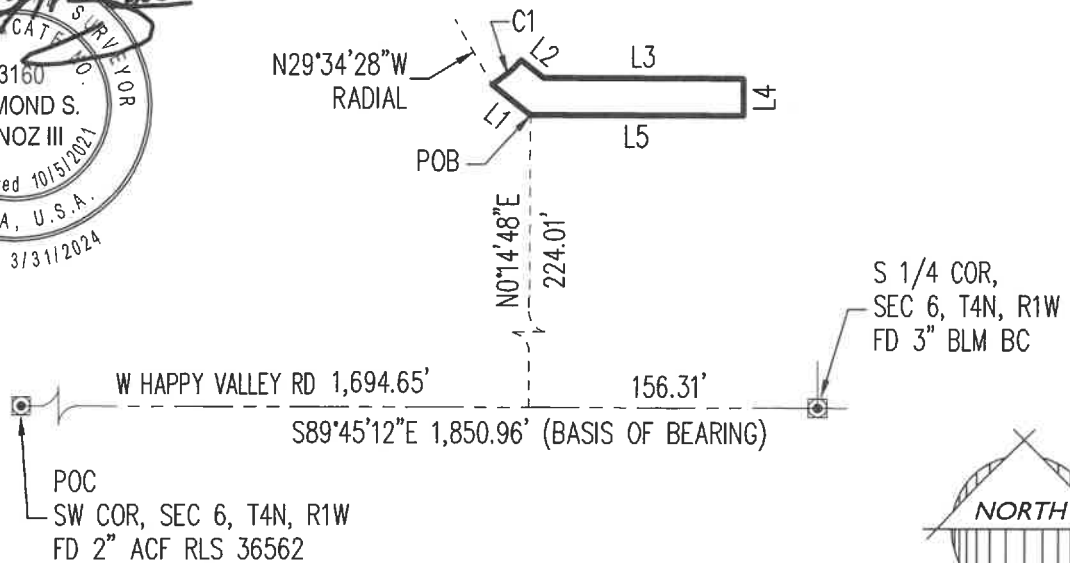
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
C1	20.47'	55.00'	21°19'25"	20.35'	N49°45'50"E

LINE TABLE

LINE	BEARING	LENGTH
L1	N50°53'53"W	26.48'
L2	S50°53'53"E	15.65'
L3	S89°46'49"E	108.18'
L4	S00°00'28"E	20.00'
L5	N89°46'49"W	115.31'



DOC NO. 2020-0319093, MCR
ELLEN 40 LLC



SCALE: 1"=100'

SHEET 1 OF 1

16-400.3

Ellen Ranch
Sewer Easement

Exhibit



1130 N Alma School Rd
Ste 120 Mesa, AZ 85201
T: 480.503.2250 | F: 480.503.2258
www.epsgroupinc.com



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 4
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action to vacate a portion of public roadway (Cactus Lane) within Section 2, Township 3 North Range 1 West, generally located east of Dysart Avenue; Resolution #2022-05.

Motion:

I move to approve Resolution #2022-05.

Background:

This portion of Cactus Lane was dedicated to the Town of Surprise in 1979 by Elizabeth Statler Wusich. When this area developed, this portion of roadway dedication was never utilized. The City has determined that it will not be needed in the future for right of way. The adjacent land owner, Mr. and Mrs. Navel, are willing to acquire the 25-foot-wide, 1800 square foot parcel from the City for the cost of \$2000.00.

Objective Analysis:

Approval of this item will allow the non-utilized right of way to be maintained by the Navel's.

Policy Compliant:

Vacating the Cactus Lane right of way is policy compliant.

Financial Impact:

The City will receive a one-time payment in the amount of \$2,000.00 for the right of way. With this disposition of property, we will no longer have maintenance costs associated with the parcel.

Budget Impact:

There is currently no budgetary impact related to approval of this item.

FTE Impact:

This item does not have an impact on current staff levels.

ATTACHMENTS:

1. Resolution 2022-05 Navel ROW Abandonment
 2. Navel QCD with Legal
 3. Resolution #2022-05 Vacate Cactus Lane Right of Way Presentation
-

RESOLUTION #2022-05

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, VACATING ITS INTEREST IN A PORTION OF A PUBLIC ROADWAY (CACTUS LANE) WITHIN SECTION 2, TOWNSHIP 3 NORTH, RANGE 1 WEST GENERALLY LOCATED EAST OF DYSART AVENUE

WHEREAS, in 1979, certain property (the "Property") located within what is known as the Original Town Site was dedicated to the Town of Surprise for Cactus Lane, pursuant to a Quit Claim Deed recorded with the Maricopa County, Arizona Recorder as Doc. No. 1979-416980, Docket 14021, Page 341;

WHEREAS, the Property has never been developed as a public roadway, and the City has determined that it is not needed for roadway purposes;

WHEREAS, pursuant to A.R.S. § 28-7205, the governing body of a city, town, or county may resolve that property not needed for a roadway be vacated with title thereto vesting in the owner of the abutting or adjoining land;

WHEREAS, pursuant to A.R.S. § 28-7208, when a roadway is vacated pursuant to A.R.S. § 28-7205, consideration in an amount deemed by the governing body to be commensurate with the value of the roadway vacated shall be received from the owner of the abutting or adjoining land; and

WHEREAS, the City has determined that the Property, as legally described and depicted in the attached ***Exhibit "A"***, may be vacated with title thereto to vest in the abutting or adjoining land owner in exchange for the payment of \$2,000.00, which the City Council has determined is commensurate with the value of the Property;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, that:

Section 1. The City of Surprise declares that the portion of Cactus Lane, as depicted and legally described in ***Exhibit "A"*** (the "Property"), is no longer needed for a public roadway.

Section 2. The City of Surprise has determined that the value of the Property is \$2,000.00.

Section 3. The City of Surprise acknowledges that Martin Navel and Marilu Navel, husband and wife, are the abutting landowners of the Property.

Section 4. The City of Surprise approves the Quit Claim Deed attached hereto as ***Exhibit "B"*** conveying title to the Property to Martin Navel and Marilu Navel, husband and wife, upon the payment of \$2,000.00 to the City.

Section 5. The Mayor, or his designee, may execute all documents necessary and proper in furtherance of the objectives and purposes set forth in this Resolution.

APPROVED AND ADOPTED this _____ day of January 2022.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT “A”

Legal Description and Depiction of Property

EXHIBIT "A"

DESCRIPTION

QUIT CLAIM DEED

A portion of the East 25 feet of that real property as described in Docket 14021, Page 341, records of Maricopa County, Arizona, being located in the Southwest Quarter of Section 2, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, City of Surprise, Maricopa County, Arizona, described as follows;

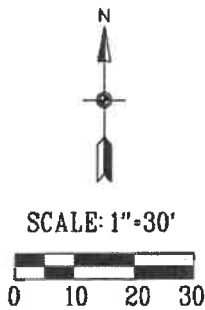
COMMENCING at the Southwest Corner of said Section 2;
Thence along the south line of said Southwest Quarter of Section 2 South 89°39'01" East 328.66 feet;
Thence North 00°20'59" East 40.00 feet to the POINT OF BEGINNING;
Thence North 89°39'01" West 25.00 feet;
Thence North 00°06'27" West 151.23 feet;
Thence South 89°38'43" East 25.00 feet;
Thence South 00°06'27" East 151.23 feet to the POINT OF BEGINNING.

Attached is EXHIBIT "B" and by this reference is made a part hereof.

End of description



DYSART ROAD



LEGEND

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- M.C.R. MARICOPA COUNTY RECORDER
- APN ASSESSORS PARCEL NUMBER
-  PARCEL AREA

N00°06'27"W 151.23'

S00°06'27"E 151.23'

N. CACTUS LANE

LINE TABLE

LINE	BEARING	LENGTH
L1	N89°39'01"W	25.00'
L2	S89°38'43" E	25.00'

NOT A PART
7' EASEMENT FOR HIGHWAY
DOCKET 7558 PAGE 76 M.C.R.

POB

N00°20'59"E
40.00'
(TIE LINE)

S89°39'01"E 328.66'

GREENWAY ROAD

POC SW COR
SEC 2
T3N, R1W



QUIT CLAIM DEED
DOCKET 14021 PAGE 341 M.C.R.
A.P.N. 501-21-039E



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 21043

DRAWN BY RCD

DATE 12-03-21

SHEET 1 OF 1

EXHIBIT “B”
Quit Claim Deed

When recorded return to:
City Clerk
City of Surprise, Arizona
16000 N. Civic Center Plaza
Surprise, AZ 85374

Exempt from filing an
Affidavit of legal value
A.R.S. §11-1134(A)(3)

QUIT CLAIM DEED

For the consideration of Two Thousand Dollars (\$2000.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged,

City of Surprise, an Arizona municipal corporation ("Grantor")

Does hereby quitclaim to Martin and Marilu Navel, all of Grantor's right, title, and interest in the real property as legally described in Exhibit A and depicted in Exhibit B.

Dated this ____ day of _____, 2021.

GRANTOR
CITY OF SURPRISE,
An Arizona municipal corporation

By: _____

Skip Hall

Its: Mayor

Attest:

Sherry Aguilar, City Clerk

STATE OF ARIZONA)
)SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by Skip Hall, known by my as the Mayor of the City of Surprise an Arizona municipal corporation.

Notary Public

My Commission Expires:

EXHIBIT "A"

DESCRIPTION

QUIT CLAIM DEED

A portion of the East 25 feet of that real property as described in Docket 14021, Page 341, records of Maricopa County, Arizona, being located in the Southwest Quarter of Section 2, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, City of Surprise, Maricopa County, Arizona, described as follows;

COMMENCING at the Southwest Corner of said Section 2;
Thence along the south line of said Southwest Quarter of Section 2 South 89°39'01" East 328.66 feet;
Thence North 00°20'59" East 40.00 feet to the POINT OF BEGINNING;
Thence North 89°39'01" West 25.00 feet;
Thence North 00°06'27" West 151.23 feet;
Thence South 89°38'43" East 25.00 feet;
Thence South 00°06'27" East 151.23 feet to the POINT OF BEGINNING.

Attached is EXHIBIT "B" and by this reference is made a part hereof.

End of description

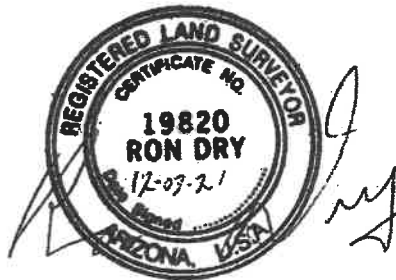
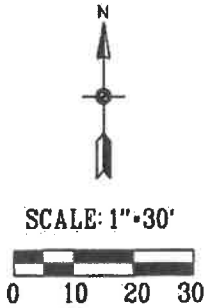


EXHIBIT "B"

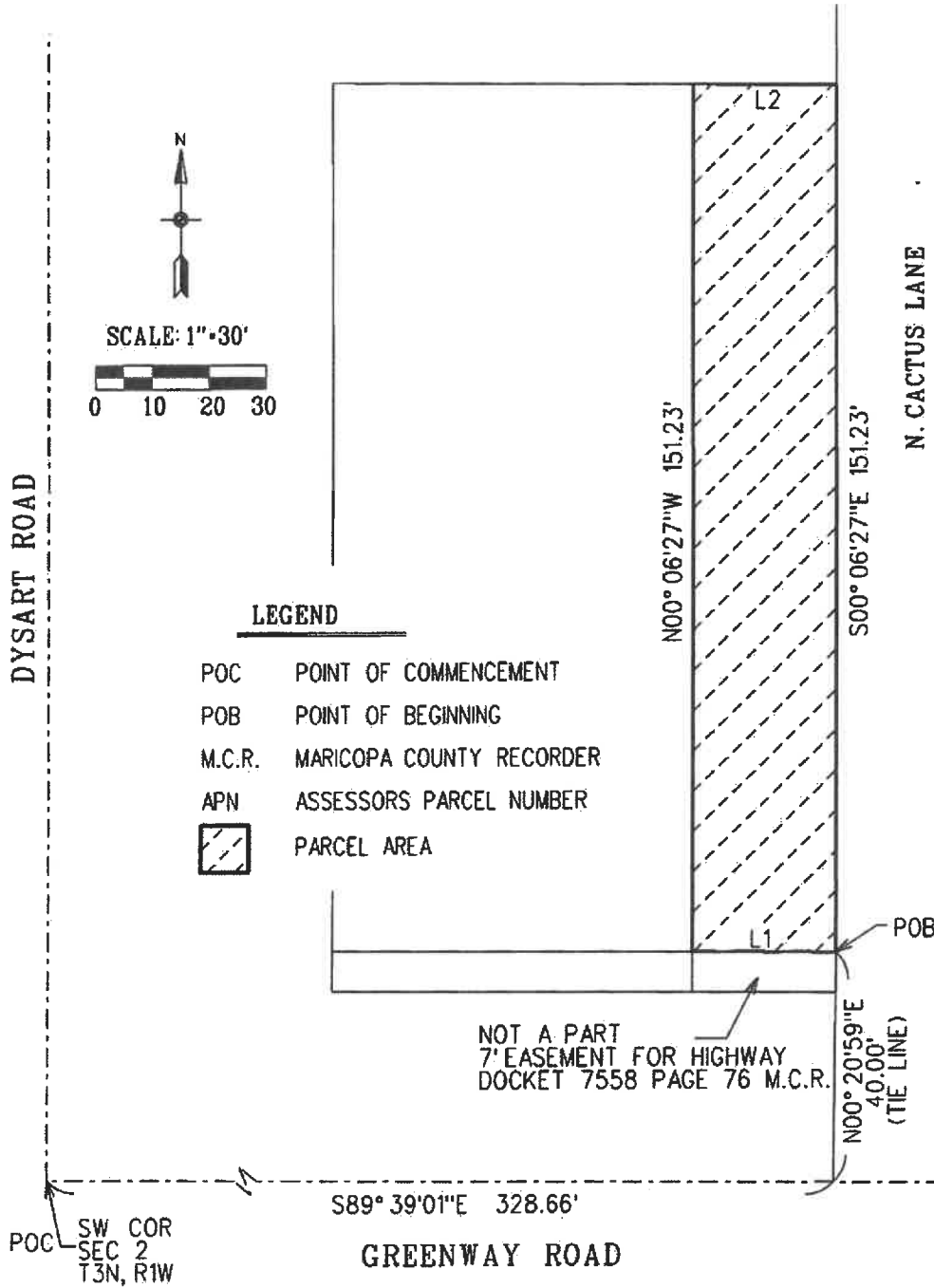


LEGEND

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- M.C.R. MARICOPA COUNTY RECORDER
- APN ASSESSORS PARCEL NUMBER
-  PARCEL AREA

LINE TABLE

LINE	BEARING	LENGTH
L1	N89° 39'01"W	25.00'
L2	S89° 38'43" E	25.00'



QUIT CLAIM DEED
DOCKET 14021 PAGE 341 M.C.R.
A.P.N. 501-21-039E



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 21043

DRAWN BY RCD

DATE 12-03-21

SHEET 1 OF 1

When recorded return to:
City Clerk
City of Surprise, Arizona
16000 N. Civic Center Plaza
Surprise, AZ 85374

Exempt from filing an
Affidavit of legal value
A.R.S. §11-1134(A)(3)

QUIT CLAIM DEED

For the consideration of Two Thousand Dollars (\$2000.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged,

City of Surprise, an Arizona municipal corporation (“Grantor”)

Does hereby quitclaim to Martin and Marilu Navel, all of Grantor’s right, title, and interest in the real property as legally described in Exhibit A and depicted in Exhibit B.

Dated this ____ day of _____, 2021.

GRANTOR
CITY OF SURPRISE,
An Arizona municipal corporation

By: _____

Skip Hall

Its: Mayor

Attest:

Sherry Aguilar, City Clerk

STATE OF ARIZONA)
)SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by Skip Hall, known by my as the Mayor of the City of Surprise an Arizona municipal corporation.

Notary Public

My Commission Expires:

EXHIBIT "A"

DESCRIPTION

QUIT CLAIM DEED

A portion of the East 25 feet of that real property as described in Docket 14021, Page 341, records of Maricopa County, Arizona, being located in the Southwest Quarter of Section 2, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, City of Surprise, Maricopa County, Arizona, described as follows;

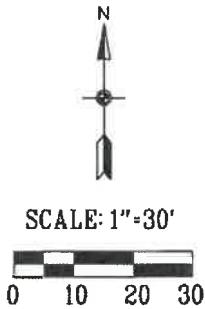
COMMENCING at the Southwest Corner of said Section 2;
Thence along the south line of said Southwest Quarter of Section 2 South 89°39'01" East 328.66 feet;
Thence North 00°20'59" East 40.00 feet to the POINT OF BEGINNING;
Thence North 89°39'01" West 25.00 feet;
Thence North 00°06'27" West 151.23 feet;
Thence South 89°38'43" East 25.00 feet;
Thence South 00°06'27" East 151.23 feet to the POINT OF BEGINNING.

Attached is EXHIBIT "B" and by this reference is made a part hereof.

End of description



EXHIBIT "B"

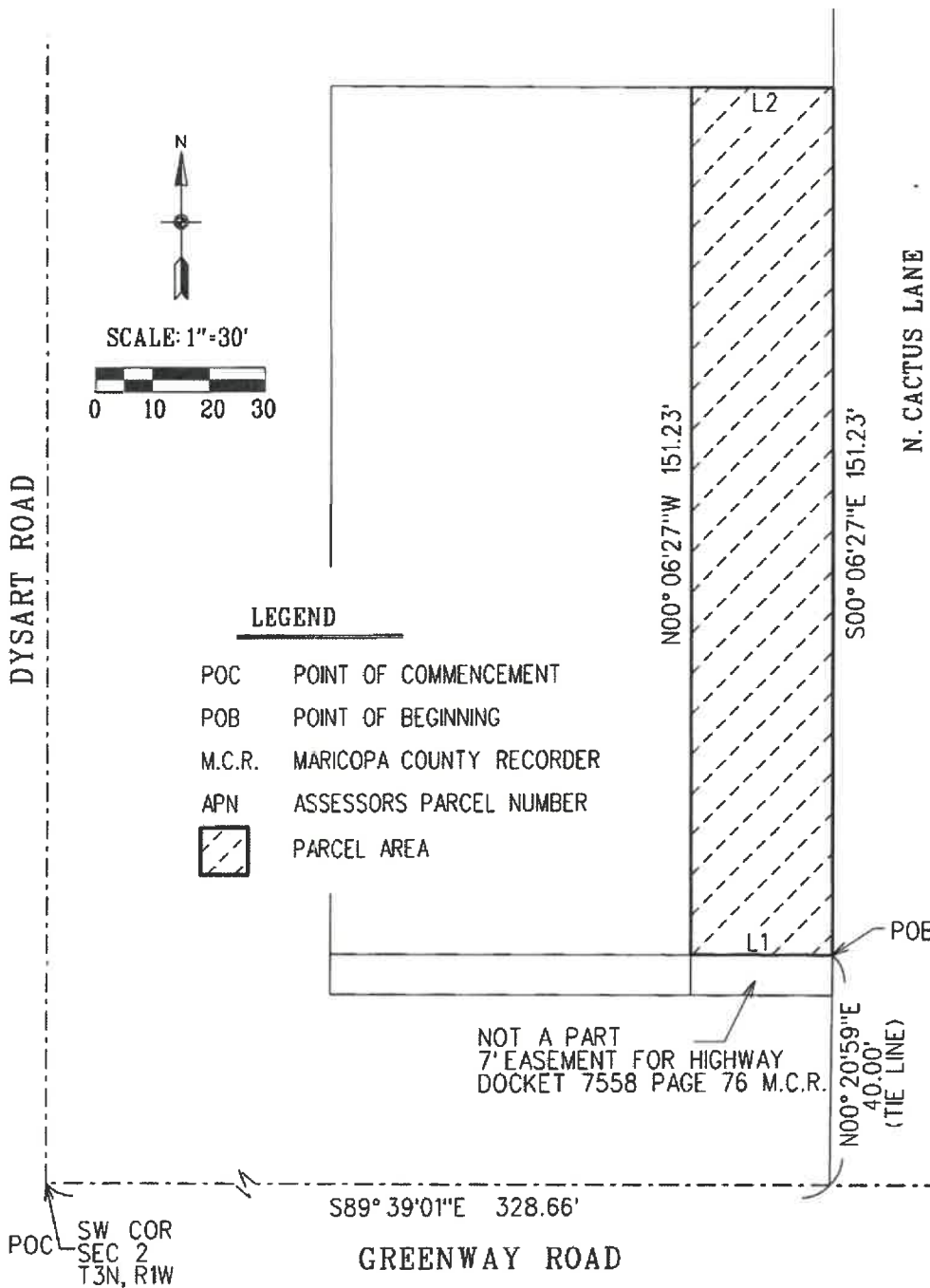


LEGEND

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- M.C.R. MARICOPA COUNTY RECORDER
- APN ASSESSORS PARCEL NUMBER
-  PARCEL AREA

LINE TABLE

LINE	BEARING	LENGTH
L1	N89° 39'01"W	25.00'
L2	S89° 38'43" E	25.00'



QUIT CLAIM DEED
DOCKET 14021 PAGE 341 M.C.R.
A.P.N. 501-21-039E



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 21043

DRAWN BY RCD

DATE 12-03-21

SHEET 1 OF 1



SURPRISE
ARIZONA

City Council
January 18, 2022

Resolution #2022-05
Vacating Cactus Lane Right of Way



Vicinity Map



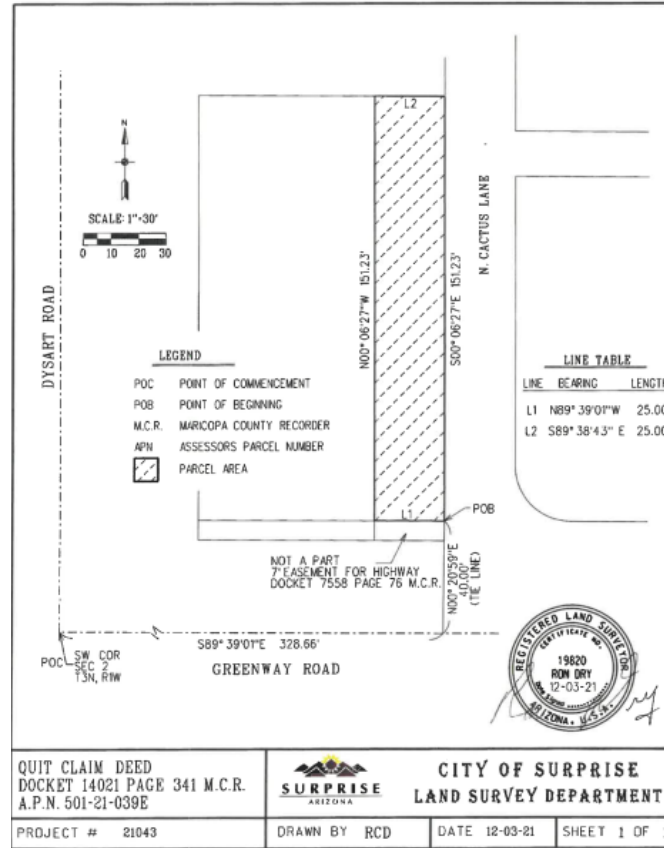
Site Map

EXHIBIT "A"

QUIT CLAIM DEED

COMMENCING at the Southwest Corner of said Section 2;
Thence along the south line of said Southwest Quarter of Section 2 South 89°39'01" East
328.66 feet;
Thence North 00°20'59" East 40.00 feet to the POINT OF BEGINNING;
Thence North 89°39'01" West 25.00 feet;
Thence North 00°06'27" West 151.23 feet;
Thence South 89°38'43" East 25.00 feet;
Thence South 00°06'27" East 151.23 feet to the POINT OF BEGINNING.

End of description





SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 1
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to acceptance of a temporary sewer line easement from Meritage Homes of Arizona, Inc., near 163rd Avenue and Happy Valley Road.

Motion:

I move to accept the Temporary Sewer Line Easement from Meritage Homes of Arizona, Inc.

Background:

The Temporary Sewer line will serve future development in this area. It allows for continuous development and connectivity throughout the development on the northeast corner of 163rd Avenue and Happy Valley. This temporary easement will terminate once a final plat is recorded that dedicates the easement area as right of way.

Objective Analysis:

Approval of this item will allow the future development to connect to the City's sewer.

Policy Compliant:

Approval of this item is policy compliant. The proposed easement will advance the goals and policies of the Surprise General Plan and the City Council's Strategic Plan.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is currently no budgetary impact related to approval of this item.

FTE Impact:

This item does not have an impact on current staff levels.

ATTACHMENTS:

1. Ellen Ranch Temporary Sewer Line Location Map
 2. 220110 Ellen Ranch Temporary Sewer Line Easement
-



WHEN RECORDED, RETURN TO:

City Clerk
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

**TEMPORARY SEWER LINE EASEMENT
(Ellen Ranch)**

This Temporary Sewer Line Easement (this "Easement") is executed this ____ day of _____, 20____, by and between Meritage Homes of Arizona, Inc., an Arizona corporation, hereinafter referred to as "Grantor", and the City of Surprise, an Arizona municipal corporation, hereinafter referred to as "Grantee".

RECITALS

A. Grantor intends to construct and install a sewer line (the "Sewer Line") in the portion of Grantor's property legally described and depicted in Exhibit "A" attached hereto (the "Easement Area").

B. Grantee desires to acquire from Grantor and Grantor desires to grant to Grantee a temporary, non-exclusive easement over, under and across the Easement Area in order to maintain, repair and/or replace the Sewer Line.

NOW, THEREFORE, for and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Easement. Grantor hereby grants and conveys to Grantee, its successors and assigns, a temporary, non-exclusive easement over the Easement Area in order to maintain, repair and/or replace the Sewer Line; provided, however this Easement shall not prohibit Grantor or Grantor's occupants from maintaining improvements in the Easement Area so long as such improvements do not interfere with Grantee's obligation to maintain, repair and/or replace the Sewer Line. Grantor shall not erect or construct, nor permit to be erected or constructed, any structure within the Easement Area. This Easement also includes ingress and egress to and from the Easement Area in order to maintain, repair and/or replace the Sewer Line.

2. Restoration of Property. Grantee, its successors and assigns, or any other person or entity entering upon, performing any work within, or otherwise using the Easement Area pursuant to the rights granted pursuant to this Easement shall (a) promptly repair and restore any damage to the Easement Area or the Sewer Line resulting from such entry, work or use, (b) promptly remove any mechanic's or materialmen's lien arising from any such work within the Easement Area or on the Sewer Line, and (c) indemnify, defend and hold the Grantor harmless for, from and against any and all claims, liability, judgments, loss, cost or expense, including reasonable attorney's fees, to the extent arising from injuries to any person or property caused by Grantee's performance of such entry, work or use. Grantee will cause the least possible interference with the activities of Grantor, the occupants of Grantor's property and their

respective customers, agents, servants, employees, licenses and invitees in connection with Grantee's obligation to maintain, repair and/or replace the Sewer Line.

3. Runs with the Land. This Easement shall be appurtenant to and shall run with the land and shall be binding upon and inure to the benefit of the Grantor, Grantee and their successors and assigns.

4. Term. This Easement is temporary and shall automatically terminate without the need to record any further instrument upon the recordation of a final plat in the Official Records of Maricopa County that dedicates the Easement Area as public right of way.

5. Not a Public Dedication. Other than the grant of the easement as set forth herein, nothing contained in this Easement shall be deemed to be a conveyance or dedication of any portion of the Easement Area or any other property owned by Grantor to the general public or any public purpose whatsoever.

6. Exception. There is excepted and reserved to Grantor from this Easement (a) all rights to utilize the Easement Area for any and all purposes not inconsistent with Grantee's rights hereunder, and (b) all rights of Grantor to grant, at its sole discretion and at any time, any and all additional easements to any other person across the Easement Area or any other property owned by Grantor provided that such additional easements do not interfere in a material or adverse manner with Grantee's rights hereunder. Specifically included, without limitation, in such reservations are the rights to grant underground utilities and other rights to place facilities by the Grantor.

7. Indemnification. Grantee shall indemnify Grantor from and against any loss, damage or injury of any kind or nature to any person or property arising from the use of the Easement Area or any other property owned by Grantor by such indemnifying party, or its agents, employees, licensees, invitees or contractors, or from any accident arising from the use of the Easement Area or any other property owned by Grantor by such indemnifying party, or its agents, employees, licensees, invitees, or contractors, except to the extent such loss, damage or injury was a result of the negligence, gross negligence or intentional conduct of Grantor.

8. Miscellaneous. Headings in this Easement are for convenience only and shall not define or limit the provision hereof. This Easement shall be construed according to its ordinary meaning and shall not be strictly construed for and against the Grantor or the Grantee. This Easement shall be governed by the laws of the state of Arizona. Should any term, provision, covenant or condition of this Easement be void, invalid or inoperative, the same shall not affect any other term, provision, covenant or condition of this Easement, but the remainder thereof shall be effective as though such void, invalid or inoperative term, provision, covenant or condition had not been contained herein.

9. Counterparts. This Easement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The signature pages from one or more counterparts may be removed from such

counterparts and such signature pages all attached to a single instrument so that the signatures of all parties may be physically attached to a single document.

[remainder of page intentionally left blank; signatures appear on the following page]

IN WITNESS WHEREOF, the parties hereto have executed this Easement as of the date above-written.

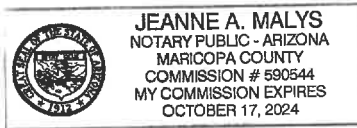
GRANTOR:

Meritage Homes of Arizona, Inc.,
an Arizona corporation

By: [Signature]
Name: Garrett Cone
Its: Division Vice President

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 10th day of January,
2022 by Garrett Cone, known by me as the
Division Vice President of Meritage Homes of Arizona, Inc., an Arizona corporation.



[Signature]
Notary Public

My Commission Expires: 10/17/2024

GRANTEE:

CITY OF SURPRISE,
an Arizona municipal corporation

By: _____

Skip Hall

Its: Mayor

Attest:

Sherry Aguilar, City Clerk

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of _____,
20____, by Skip Hall, known by me as the Mayor of City of Surprise, an Arizona municipal
corporation.

Notary Public

My Commission Expires:

EXHIBIT "A"

EASEMENT AREA

[see attached]



**Legal Description
Ellen Ranch
Sewer Easement**

Job No. 16-400.3

October 5, 2021

A portion of the Southwest Quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 6, being marked by a 2" aluminum cap flush stamped RLS 36562, from which the South Quarter Corner of said Section 6, being marked by a 3" Bureau of Land Management brass cap, bears South 89 degrees 45 minutes 12 seconds East, (Basis of Bearing) 1,850.96 feet;

thence along the South line of the Southwest Quarter of said Section 6, South 89 degrees 45 minutes 12 seconds East, 850.47 feet;

thence North 0 degrees 14 minutes 48 seconds East, 278.75 feet to the **POINT OF BEGINNING**;

thence North 82 degrees 38 minutes 05 seconds East, 69.83 feet;

thence South 89 degrees 46 minutes 49 seconds East, 711.99 feet;

thence North 45 degrees 13 minutes 11 seconds East, 21.21 feet;

thence North 0 degrees 13 minutes 11 seconds East, 150.00 feet;

thence North 44 degrees 46 minutes 49 seconds West, 21.21 feet;

thence North 0 degrees 13 minutes 11 seconds East, 55.00 feet;

thence North 44 degrees 55 minutes 21 seconds East, 21.10 feet to the beginning of a non-tangent curve, concave westerly, from which the radius point bears South 89 degrees 01 minutes 49 seconds West a distance of 722.50 feet;

thence northerly 80.91 feet along the arc of said curve to the left through a central angle of 6 degrees 25 minutes 00 seconds;

thence North 7 degrees 23 minutes 11 seconds West, 70.12 feet;

thence North 89 degrees 36 minutes 39 seconds East, 55.41 feet;

EPS Group, Inc. • 1130 N. Alma School Rd, Suite 120 • Mesa, AZ 85201

Tel (480) 503-2250 • Fax (480) 503-2258

Q:\Projects\2016\16-400\Land Survey\Legals\16-400.3 LD26 Ellen Ranch SE.docx



thence South 7 degrees 23 minutes 11 seconds East, 63.36 feet to the beginning of a curve, concave westerly, having a radius of 777.50 feet;

thence southerly 103.22 feet along the arc of said curve to the right through a central angle of 7 degrees 36 minutes 23 seconds;

thence South 0 degrees 13 minutes 11 seconds West, 235.00 feet to the beginning of a curve, concave northwest, having a radius of 55.00 feet;

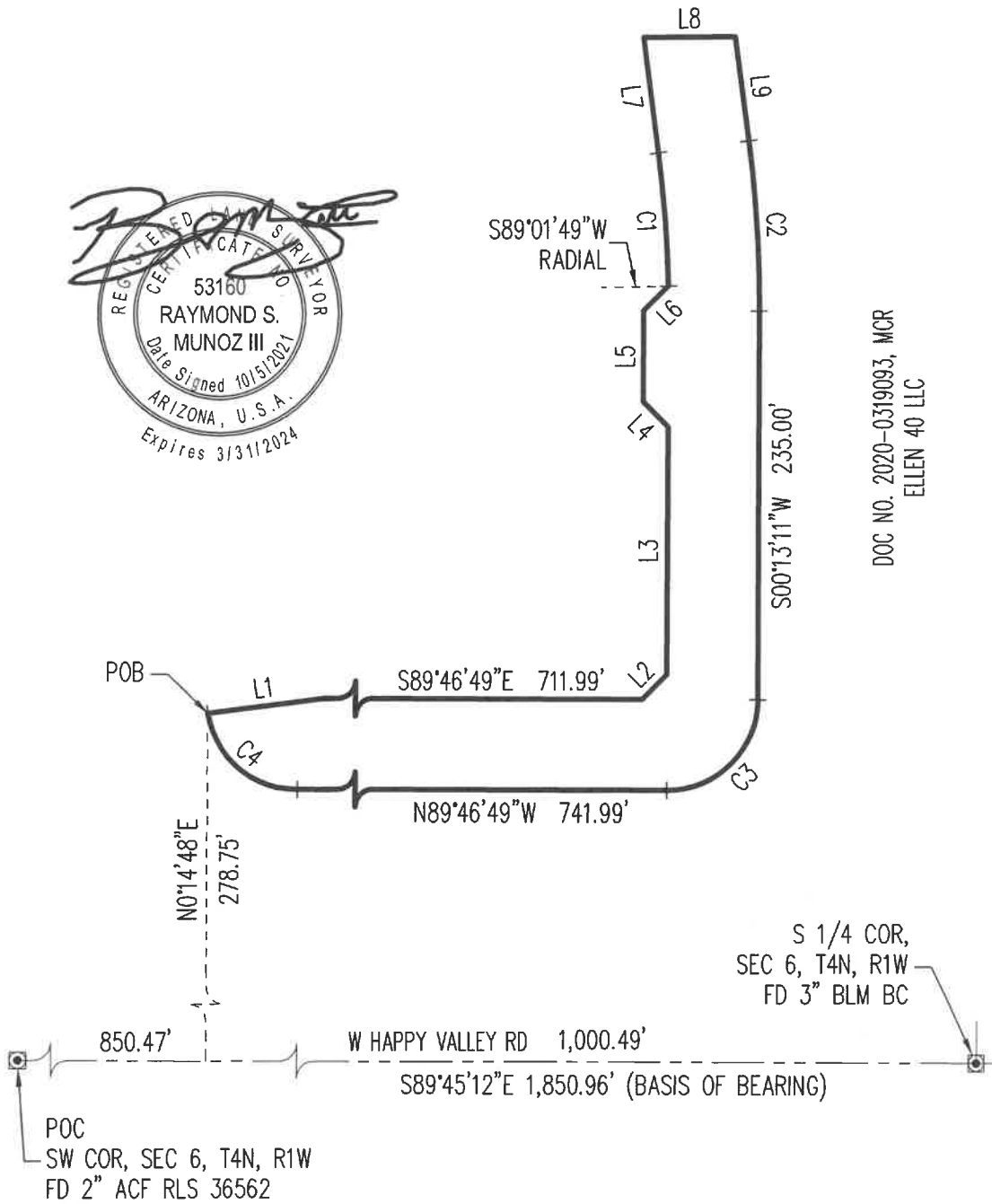
thence southwesterly 86.39 feet along the arc of said curve to the right through a central angle of 90 degrees 00 minutes 00 seconds;

thence North 89 degrees 46 minutes 49 seconds West, 741.99 feet to the beginning of a curve, concave northeast, having a radius of 55.00 feet;

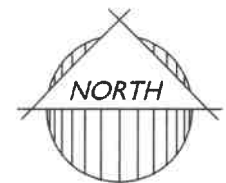
thence northwesterly 77.13 feet along the arc of said curve to the right through a central angle of 80 degrees 21 minutes 07 seconds to the **POINT OF BEGINNING**.

Contains 68,472 square feet or 1.5719 acres, more or less.





DOC NO. 2020-0319093, MCR
ELLEN 40 LLC



SCALE: 1"=100'

SHEET 1 OF 2

16-400.3

Ellen Ranch
Sewer Easement

Exhibit



EPS
GROUP

1130 N Alma School Rd
Ste 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
C1	80.91'	722.50'	6°25'00"	80.87'	N04°10'41"W
C2	103.22'	777.50'	7°36'23"	103.14'	S03°35'00"E
C3	86.39'	55.00'	90°00'00"	77.78'	S45°13'11"W
C4	77.13'	55.00'	80°21'07"	70.97'	N49°36'15"W

LINE TABLE

LINE	BEARING	LENGTH
L1	N82°38'05"E	69.83'
L2	N45°13'11"E	21.21'
L3	N00°13'11"E	150.00'
L4	N44°46'49"W	21.21'
L5	N00°13'11"E	55.00'

LINE TABLE

LINE	BEARING	LENGTH
L6	N44°55'21"E	21.10'
L7	N07°23'11"W	70.12'
L8	N89°36'39"E	55.41'
L9	S07°23'11"E	63.36'



SHEET 2 OF 2

16-400.3

Ellen Ranch
Sewer Easement

Exhibit



EPS
GROUP

1130 N Alma School Rd
Ste 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 3

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
--------------	-------------	--------------------	-----------------------

Agenda Wording:

Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Legacy Traditional West campus, generally located at W. Cactus Road and N. Cotton Lane; Resolution # 2022-06.

Motion:

I move to approve Resolution # 2022-06.

Background:

The Public Works Department conducted the final inspection of the public improvements for Legacy Traditional West campus, generally located at W. Cactus Road and N. Cotton Lane, on or about February 23, 2021 totaling 7,863 SY (approximately 1,285 LF) and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes asphalt pavement and concrete.

Objective Analysis:

The improvements for this property provide access and conveyance to the property. This action will accept the required infrastructure.

Policy Compliant:

City Code generally requires development to install public infrastructure required to serve the development. Upon completion and acceptance of such infrastructure, the infrastructure becomes the property of the City. Acceptance of this infrastructure will officially transfer ownership and future maintenance to the City.

Financial Impact:

Acceptance of streets infrastructure increases the city's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure included with this item is \$428,642.50.

Budget Impact:

Funding for the infrastructure maintenance now and in the future will be supported from the city's HURF Fund. The anticipated incremental additional maintenance expense associated with the

acceptance of these infrastructure items will be incorporated in future year budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 01_Res 2022-06 Accept Infra Legacy Traditional School.jtm.clean
 2. 02_Notice of Completion Letter
 3. 03_Inspection Sign Off
 4. 04_Linear Foot Verification
-

RESOLUTION # 2022-06

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO CONDITIONALLY ACCEPT THE STREET AND PUBLIC UTILITY IMPROVEMENTS AND COMMENCE MAINTENANCE AFTER TWO YEAR WARRANTY AT LEGACY TRADITIONAL WEST CAMPUS, GENERALLY LOCATED AT W. CACTUS ROAD AND N. COTTON LANE.

WHEREAS, the Mayor and City Council of the City of Surprise ("City") approved a map of dedication entitled "Cactus Road at Cotton Lane" on, March 17, 2020;

WHEREAS, as a condition of the approval of the map of dedication, and in compliance with the City Code, the developer installed roadway and public utility improvements, including concrete, asphalt, curb, gutter, and sewer line (collectively, "public improvements");

WHEREAS, Legacy Traditional School - West Surprise, an Arizona Non-Profit Corporation, the developer of Legacy Traditional West campus, dedicated to the City the public improvements generally located at W. Cactus Road and N. Cotton Lane;

WHEREAS, on or about February 23, 2021, the City of Surprise Public Works Department, Engineering Division, inspected the public improvements described herein and found said public improvements to be in substantial compliance with the approved plans and specifications;

WHEREAS, the two-year warranty period will commence upon conditional acceptance by the City; and

WHEREAS, after the conclusion of the two-year warranty period, the City will release the warranty and begin maintenance of the public improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows:

Section 1. The City of Surprise conditionally accepts the public improvements generally located as depicted on the map attached as Exhibit A and listed on Exhibit B.

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs the City to release warranty and begin maintenance of the public improvements.

[SIGNATURES ON THE FOLLOWING PAGE]

APPROVED AND ADOPTED this _____ day of _____, 2022.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure

EXHIBIT A

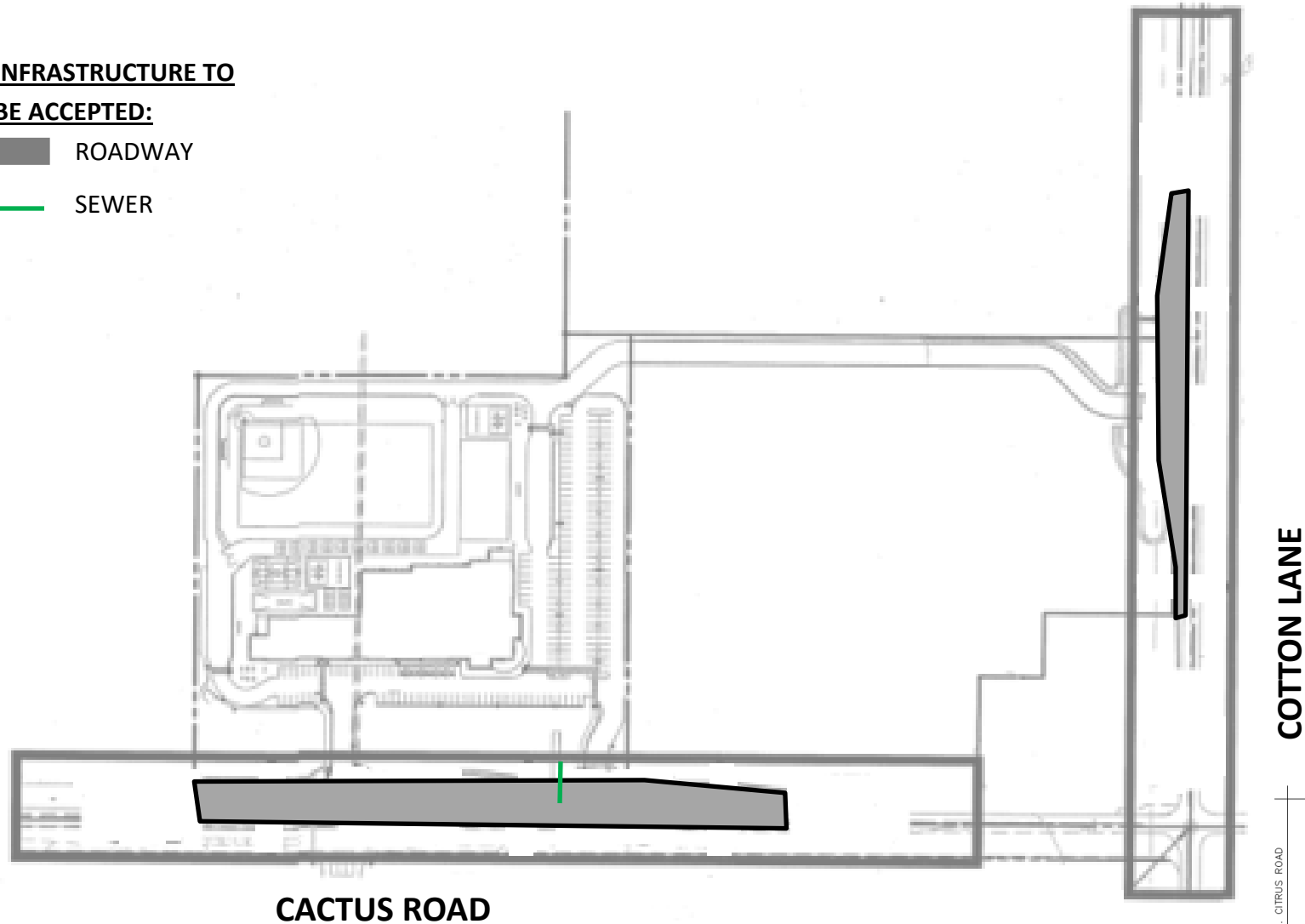
Legacy Traditional West Campus Offsite Improvements

INFRASTRUCTURE TO

BE ACCEPTED:

ROADWAY

SEWER



Roadway Improvements per case FS19-723 Legacy Traditional
School—West Surprise Offsite Paving Plans

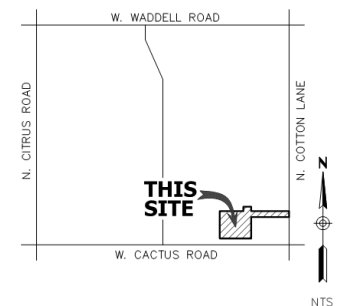


EXHIBIT B

List and Cost of Improvements



EXHIBIT B

ENGINEERING DIVISION
PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6150

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 12/23/2021
Re: Legacy Traditional School - Surprise

The public improvements for the above project have been completed and are tentatively scheduled for the January 18th, 2022 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting:

City Concrete: \$139,330.00
City Paving: \$278,512.50
City Sewer: \$10,800.00

Total: \$428,642.50

February 24, 2021

Burke Construction Group Inc.
385 Pilot Rd, Suite D
Las Vegas, NV 89119

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR LEGACY
TRADITIONAL SCHOOL WEST SURPRISE – FS19-723**

The City of Surprise Public Works Department has completed the inspection of the public utility improvements for the above referenced project. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to conditional acceptance and the official beginning of the warranty period. The time frame for Council action is approximately 90 days after the following items have been submitted:

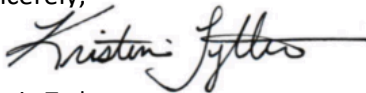
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

A notice of the required assurance amount and acceptable formats will be sent via email once actual construction costs have been submitted by the applicant. The warranty period starts upon council acceptance for a period of two (2) years; please ensure warranty assurance will not expire prior to this date. The applicant will be notified of the council date as soon as it is scheduled and the warranty financial assurance is required to be submitted to the city 10 calendar days prior to the council date. If a warranty financial assurance is not received within 10 calendar days, council action and start of the warranty period will be delayed, at a minimum, an additional two (2) weeks.

A letter of conditional acceptance and notification that the warranty period has begun will be forwarded upon the completion of council acceptance. Also, a request to release the associated completion assurance will be made; notification will be sent when assurance document is available for pick up.

If you have any questions or concerns, you can reach me at 623-222-6153 or at kristin.tytler@surpriseaz.gov.

Sincerely,



Kristin Tytler
Assistant PW Director

cc: Nuning Lemka, PW Engineering Manager
David Mobley, PW Field Engineering Supervisor
Lynn Stone, PW Business Manager
Lee Lambert, Water Resource Management
Warren Bert, GIS

Mike Gent, Deputy City Manager/PW Director
John McFarland, PW Streets Manager
Jon Gake, Finance
Michael Boule, Water Resource Management



PROJECT SIGN OFF FORM

PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 2/23/2021 ☐ Commercial ☒ Commercial w/Offsite ☐ Residential

☒ COMPLETION ACCEPTANCE (End of Construction) ☐ FINAL ACCEPTANCE (End of Warranty)

12/7/2020 Date of Punch-List Walk 2/22/2021 Date Punch-List Completed

FS Number: FS19-723 Permit Number(s): E20P-0051,0049,0052,0057,0048,0053

Project Name: Legacy Traditional School

Project Developer/Builder: (Name/Email, Address)

Burke Construction Group INC

385 Pilot RD D, Las Vegas NV 89119

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features
W. Cactus Road	Collector	STA: 72+08.54	STA: 83+08.89	2	1/4	Median
Cotton Lane	Collector	STA: 12+00.00	STA: 21+00.00	1	1/4	Turn Lane

MATERIALS:

Asphalt:	<u>SouthWest Materials</u>	Supplier	<u>3/4</u>	Total Lane Miles	<u>19,272</u>	Total Square Yards
Water:	<u>8" PVC C-900</u>	Size/Type	<u>1,938</u>	Total LF	<u>8" DIP</u>	Size/Type <u>129'</u> Total LF
		Size/Type		Total LF		Size/Type Total LF
Sewer:	<u>6" PVC SDR-35</u>	Size/Type	<u>420'</u>	Total LF		Size/Type Total LF
		Size/Type		Total LF		Size/Type Total LF
Storm:	<u>18" HDPE</u>	Size/Type	<u>68'</u>	Total LF	<u>12" HDPE</u>	Size/Type <u>330'</u> Total LF
		Size/Type		Total LF		Size/Type Total LF
Fire Ln:	<u>6" DIP</u>	Size/Type	<u>69'</u>	Total LF		Size/Type Total LF

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

☒ Copy of Punch List	☒ AOC
☐ Final Certification Letter from Engineer of Record	☒ Asphalt Concrete Ticket w/ Name of Contractor
☒ Complete Geotechnical Testing Packet	☒ Streetlight Energize Letter
☒ Sewer Pressure Testing Results	☒ As built Documents (PDF copy on CD)
☐ Sewer Manhole Vacuum Testing Certification	☐ Updated asbuilt CAD base files (copy on CD)
☐ Sewer Manhole Insecticide Certification	
☐ Sewer Videos with Operators Notes (inc. re-videos)	
☐ Other _____	(Specify)

APPROVAL:

Civil Inspector: David Mobley *David Mobley*

Date: 2/23/21

Civil Engineering Supervisor: *Munga Lemka*

Date: 02/23/2021

FS Case	yearling	Roadway	Paving Paved Dirt Road?	New Lanes (total) (total incl.	New Bike Lanes (total)	Median Width (ft)	Length (ft)	Length (mile)	Length (Nearest 1/4 mile)	Lane Miles	Width (pavement) (ft)	Pavement Area (ft ²)	Pavement Area (SY)
19-723	Legacy Traditional West Campus	W. Cactus Road	N	2	0	8.5	170.0	0.03	0.25	0.06	41	6,970	774
19-723	Legacy Traditional West Campus	W. Cactus Road	N	2	0	0	758.0	0.14	0.25	0.29	62.5	47,375	5,264
19-723	Legacy Traditional West Campus	N. Cotton Lane	N	1	0	0	357.0	0.07	0.25	0.07	46	16,422	1,825
						Total	1285.0					Total	7,863



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022

Contact Person: Donna Meuse, Human Resources
Director

Submitting Department: Human Resources

District: Internal

Staff Recommendations:

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to adoption of an amendment to Surprise Municipal Code Chapter 3, Article IV, Sec. 3-41 regarding the duties of the Personnel Appeals Board; Ordinance # 2022-02.

Motion:

I move to approve Ordinance # 2022-02.

Background:

On January 4, 2022, at the Regular City Council Meeting, Human Resources Director Donna Meuse presented this proposed amendment to City Council for discussion and direction. This amendment was initiated by a staff review of Surprise Municipal Code Chapter 3, Article IV, Sec. 3-41 as it pertains to the duties and role of the City's Personnel Appeals Board.

Objective Analysis:

This amendment further clarifies the role of the Personnel Appeals Board. Specifically, it makes clear that the Personnel Appeals Board does not conduct or review investigations nor make alternative recommendations pertaining to the appropriate discipline of any employee. The Board's responsibility is narrow, to wit: determining if Just Cause, as defined, exists for discipline. The amendment further ensures that the Board's decision is not final, and that the City Manager may amend, modify, reject or reverse the determination of the Board when that decision is not justified.

Policy Compliant:

This amendment conforms to all applicable state law as well as the personnel provisions of the Surprise Municipal Code. Portions of the proposed amendment further ensure alignment with the Arizona Revised Statutes' definition of Just Cause and A.R.S 38-1106 by expressly indicating that the decision of the Board is not the final administrative determination, and that the City Manager may amend, modify, reject, or reverse the Board's determination when that decision is not justified.

Financial Impact:

None.

Budget Impact:

None.

FTE Impact:

None.

ATTACHMENTS:

1. 22.01.06 Ord 2022-02 Amend chpt 3 PAB
-

ORDINANCE NO. 2022-02

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 3, ARTICLE IV, SECTION 3-41, *PERSONNEL APPEALS BOARD*, OF THE SURPRISE MUNICIPAL CODE, PERTAINING TO THE DUTIES OF THE PERSONNEL APPEALS BOARD; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The Personnel Appeals Board has been established by the City Council to fulfill certain duties as expressly set forth within Surprise Municipal Code Chapter 3, Article IV, Section 3-41;

WHEREAS, the Personnel Appeals Board was established for the limited purpose of determining the existence of Just Cause, and has historically understood and fulfilled that narrow role; and

WHEREAS, a review of Surprise Municipal Code 3-41 reveals that the Section would benefit from certain amendments further clarifying the limited role of the Personnel Appeals Board.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Surprise, Arizona, as follows:

Section 1. In General.

Chapter 3, Article IV, Section 3-41, *Personnel Appeals Board*, of the Surprise Municipal Code, is hereby amended to read as follows:

Sec. 3-41. - Personnel appeals board.

- (a) *Generally*. Unless otherwise delineated within this section, the personnel appeals board will operate under the generally applicable bylaws contained in section 2-295.
- (b) *Purpose statement*. The purpose of the personnel appeals board is to serve as a neutral fact finding body to DETERMINE WHETHER JUST CAUSE, AS DEFINED IN (h)(1) OF THIS SECTION, EXISTS WHEN ~~review~~ classified employees in the city service APPEAL DISCIPLINARY ACTIONS ~~when such~~ consisting of suspensions, demotions, or terminations., ~~and to assure that such employees were provided adequate procedural safeguards related to such disciplinary action.~~

- (c) *Jurisdiction.* The jurisdiction of the personnel appeals board will extend only to timely eligible appeals of disciplinary action by classified employees asserting a deficiency in one or more of the elements OF JUST CAUSE AS set forth in subsection (h) below. The personnel appeals board will not hear or decide any other matter, NOR WILL IT REVIEW OR INVOLVE ITSELF IN INVESTIGATIONS OR MAKE RECOMMENDATIONS PERTAINING TO POLICY, DISCIPLINE OR DISCIPLINARY MEASURES. If jurisdiction is in controversy, the city manager or city manager's designee will decide whether the personnel appeals board has jurisdiction to hear an appeal.
- (d) *Composition and quorum.* The personnel appeals board will consist of seven members who will be citizens of the city, representing, insofar as possible, different professions or occupations. Members of the board shall hold no other compensated municipal office or municipal employment for the city during their service on the board. Insofar as possible, appointment of members will be made so as to constitute equal representation of all areas within the city. Each member will serve staggered terms of four years. In order to create staggered terms, three members will be selected to serve an initial term of two years, and four members shall be selected to serve an initial term of four years. Thereafter, each appointment will be for a full four-year term. Five members will constitute a quorum for the transaction of business.
- (e) *Selection and appointment.* Selection and appointment of the personnel appeals board will conform to section 2-296.
- (f) ~~RESERVED. *Meetings.* The personnel appeals board will meet within eight working days of an appeal to the board, filed pursuant to chapter 3 of this Code, to schedule all necessary hearings in the matter as deemed appropriate by the board. For purposes of this paragraph, working days means days on which city hall is open for business.~~
- (g) *Hearings.* A hearing on the matter will be conducted on items appealed pursuant to chapter 3 of this Code by a panel consisting of five members of the board who will serve as hearing officers. The hearing officers will consist of the chairman, or designee in the chairman's absence, who will preside over the hearing and four other members who will serve on rotation.
- (h) *Powers and duties.*
 - (1) The personnel appeals board will review timely filed eligible appeals by employees in the classified service to assure by a preponderance of evidence that:
 - a. The employee knew or reasonably should have known that the employee's conduct could lead to disciplinary action;
 - b. The disciplinary action is the result of job performance, violation of law, violation of established city policy or procedure, and/or a violation of established department policy or procedure;
 - c. ~~There is investigation produced~~ sufficient evidence or proof to reasonably support the failure of performance or violation as alleged;

- d. If the appellee is a classified sworn law enforcement employee, the disciplinary action is not excessive and is reasonably related to the seriousness of the offense and the officer's service record.
- (2) The board has the power to examine witnesses under oath, and each member of the board has the power to administer oaths to witnesses.
- (3) The determination of the board AS TO THE EXISTENCE OF EACH ELEMENT SET FORTH IN (h)(1) OF THIS SECTION will be in writing.
- (4) The board'S AUTHORITY EXTENDS ONLY TO MAKING A DETERMINATION OF THE EXISTENCE OF JUST CAUSE AS DEFINED IN (h)(1) OF THIS SECTION. THE BOARD SHALL NOT IMPLEMENT OR MAKE A RECOMMENDATION PERTAINING TO THE APPROPRIATE DISCIPLINE OF ANY EMPLOYEE. THE CITY MANAGER MAY AMEND, MODIFY, REJECT OR REVERSE THE DETERMINATION OF THE BOARD. ~~will have the authority to sustain or overturn the disciplinary action appealed.~~
- (i) *Personnel board procedures.* The personnel appeals board will establish the rules and procedures which will be applicable to appeal hearings. These may include rules and procedures relating to continuances of a hearing, the order and method of presenting witnesses and evidence, the length of time to be permitted for a presentation or portion of a presentation, the examination of witnesses and any other procedural matters pertaining to appeal hearings. The board may change or modify appeal hearing procedures when there is good cause to do so and the change is in the best interest of the purpose of the hearing.
- (j) ~~{City manager.}~~ The city manager will assist the personnel appeals board to fulfill its obligations under this chapter.

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section 3. Providing for Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. Effective Date.

This Ordinance shall become effective as prescribed by applicable law.

ADOPTED AND APPROVED this ____ day of _____, 2022.

Skip Hall, Mayor

ATTEST:

Sherry Aguilar, City Clerk

APPROVED AS TO FORM:

Robert Wingo, City Attorney



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 1
Staff Recommendations: None

Consent: No Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

Presentation and discussion of the proposed annexation of approximately 93.97 acres of county land, generally located south of Pinnacle Peak Road and east of 163rd Avenue. (Case FS21-512)

Motion:

Presentation and discussion only.

Background:

EPS Group, representing the property owner, seeks annexation of approximately 93.97 acres of undeveloped land generally located south of Pinnacle Peak Road and east of 163rd Avenue. The annexation proposal is for ten (10) parcels, consisting of approximately 93.97 acres of unincorporated land with Maricopa County zoning district Rural-43. If annexed, the property will assume the similar zoning district of Rural Residential (RR) as outlined in the Land Development Ordinances. The owners will request a rezoning (FS21-513) to Residential Low Density (R-1) and Residential High Density (R-3). An annexation blank petition was recorded on December 22, 2021 to start the 30-day waiting period. During these 30 days, the applicant is not allowed to obtain any property owner signatures, and the annexation is to be heard by the City Council within the last 10 days of the 30-day waiting period.

Objective Analysis:

Positive impacts include adding additional property to the incorporated limits which will generate additional property taxes and potential development fees for the City. Negative impacts could include providing services to a 93.97-acre area the City has not previously served.

Policy Compliant:

No action is being taken at this time. However, if the City Council moves forward to annex property into the City limits, the annexation would be deemed policy compliant by expanding the range of influence of the City.

Financial Impact:

At this time, there are no financial impacts associated with this item. If the City Council moves forward to annex property into the City limits, there could be financial impacts associated with providing services to an area the City did not previously serve. If the area is annexed, this could result in future development fees and sales and property taxes. In addition, a Financial Impact Analysis will be conducted and submitted along with the final annexation documents.

Budget Impact:

At this time, there are no budget impacts associated with this item. If the City Council moves forward to annex property into the City limits, there could be minor budget impacts associated with providing services to an area not previously served. If the area is annexed, this could result in future development fees and sales and property taxes.

FTE Impact:

At this time, there will be no additional FTEs associated with this item. If the City Council moves forward to annex the property, staff does not believe any future FTEs would be needed based on the potential annexation.

ATTACHMENTS:

1. 00 - FS21-512 - 163rd Ave & Grand Ave - Annexation Discussion - Staff Report
 2. 01 - FS21-512 - 163rd Ave & Grand Ave - Annexation Discussion - Vicinity Map
 3. 02 - FS21-512 - 163rd Ave & Grand Ave - Annexation Discussion - Annex Map
 4. 03 - FS21-512 - 163rd Ave & Grand Ave - Annexation Discussion - Annex Narrative
 5. 04 - FS21-512 - 163rd Ave & Grand Ave - Annexation Discussion - Recorded Blank Annexation Petition
 6. 05 - FS21-512 - 163rd Ave & Grand Ave - Annexation Discussion - Citizen Participation Report_Redacted
 7. 06 - FS21-512 - 163rd Ave & Grand Ave - Annexation Discussion - Affidavit of Posting
 8. FS21-512 - 163rd Ave & Grand Ave - Annexation Discussion - Affidavit of Annexation
 9. FS21-512 - 163rd Ave & Grand Ave - Annexation Discussion - PowerPoint
-

ANNEXATION

REPORT TO THE CITY COUNCIL

Case: FS21-512

Project Name: 163rd Ave and Grand Ave - Annexation

Council District: 1

City Council Date: January 18, 2022

Planner: Sergio Angulo, Planner II

Owner: Campania, LLC
Valparaiso, LLC

Applicant: Josh Hannon with EPS Group, Inc.

Request: Annexation of 93.97 acres (approx.) of County land

Site Location: Generally south of Pinnacle Peak Road and east of 163rd Avenue

Site Size: 93.97 acres (approx.)

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Actions: None. Discussion item only.

Introduction:

EPS Group, representing the property owner, seeks annexation of approximately 93.97 acres of undeveloped land generally located south of Pinnacle Peak Road and east of 163rd Avenue. The annexation proposal consists of ten (10) parcels with two owners of unincorporated land adjacent to Surprise City limits.

Project Description:

The property is currently zoned Maricopa County Rural-43. If annexed, the property will assume similar Rural Residential (RR) zoning of the Surprise Land Development Ordinances (LDO). In a concurrent development application, this property is part of a rezoning case FS21-513, and will be heard by both the Planning and Zoning Commission and City Council.

The parcels associated with this proposed annexation boundary includes the following APN's:

- 503-57-003B
- 503-57-006
- 503-57-008D
- 503-57-009J
- 503-57-009K
- 503-57-009L
- 503-57-010F
- 503-57-010G
- 503-57-021A
- 503-57-026

Background:

March 11, 2021: Staff reviewed the subject request at a Concept Review meeting under CR21-146.

July 7, 2021: The applicant filed the Annexation request under Case FS21-512.

July 29, 2021: The applicant held a Neighborhood Outreach meeting for this request.

December 21, 2021: Surprise City Council approved Resolution #2021-185 Intent to Annex.

December 22, 2021: Surprise City Clerk filed a blank petition with legal description and affidavit verifying that territory is not subject to an earlier filing for annexation as filed with the Maricopa County Recorder's Office. Notice and copies of filings are sent to the Clerk of the Board of Supervisors and County Assessor.

Neighborhood Outreach

The applicant held a neighborhood outreach meeting on July 29, 2021 that was properly advertised per the requirements of the LDO. The meeting took place in-person and was available virtually via Go-To-Meeting. During this meeting, residents from the vicinity expressed their concerns regarding the proposed annexation and had questions in regards to the process, proposed uses within the annexation boundary, and infrastructure improvements to the area. County residents asked if this application looked to annex their properties and change their existing county zoning. In response, the applicant explained that this application was not forcing the annexation or rezone of those who do not wish to be included. See the attached Citizen Participation Report for a detailed summary of the meeting.

Arizona Revised Statute Description:

Arizona Revised Statutes require the filling of a blank annexation petition. The blank petition relating to the subject property was recorded with the Maricopa County Recorder's Office on December 22, 2021. Arizona Revised Statutes also requires that no signatures be obtained during a 30-day waiting period immediately following the filing of the blank petition, and that a public hearing must be held during the last 10 days of the 30-day waiting period. To meet that requirement, this public hearing is taking place on the 28th day of the 30-day waiting period.

Once the public hearing is held and the 30-day waiting period has ended, signatures may be collected. State statute further requires that an excess of 50% of the land owners and assessed valuation for all real and personal property, sign the petition in order to validate the petition. State statute also allows up to one year following the end of the 30-day period to obtain the required number of signatures.

Utility and Services Table:

Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Schools:	Dysart USD

Summary:

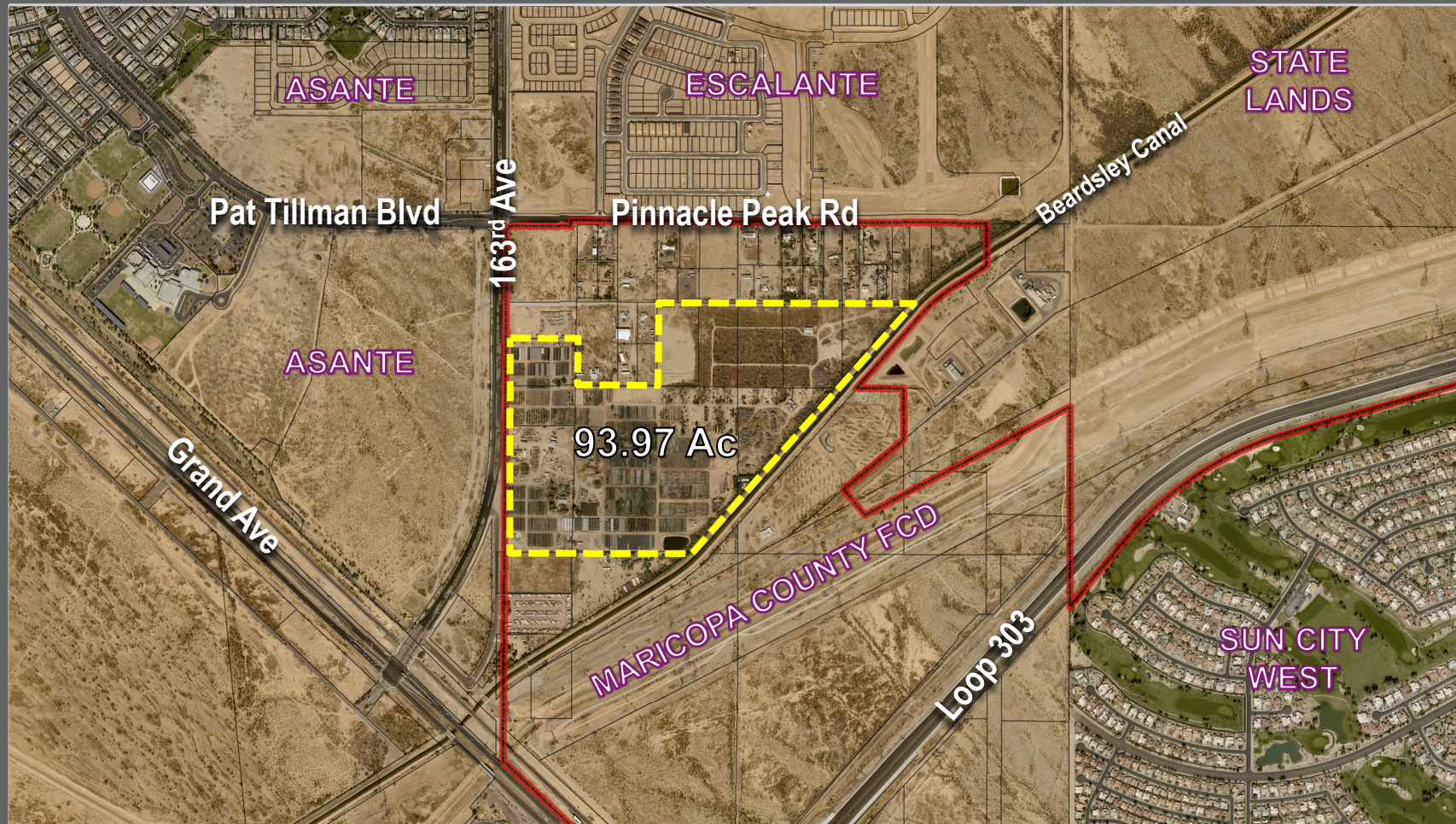
The proposed annexation includes ten (10) parcels, 93.97 acres, and requires signatures from representatives of two (2) owners after the Arizona Revised Statute's required 30-day waiting period that concludes 30 days after the recordation of the blank petition. Upon receiving those signatures, the subject site will be eligible for annexation by the City of Surprise. The signed petition must be presented and considered by City Council within one (1) year.

The parcels to be annexed comply with all requirements for size, shape, and contiguity set forth in the Arizona annexation statutes.

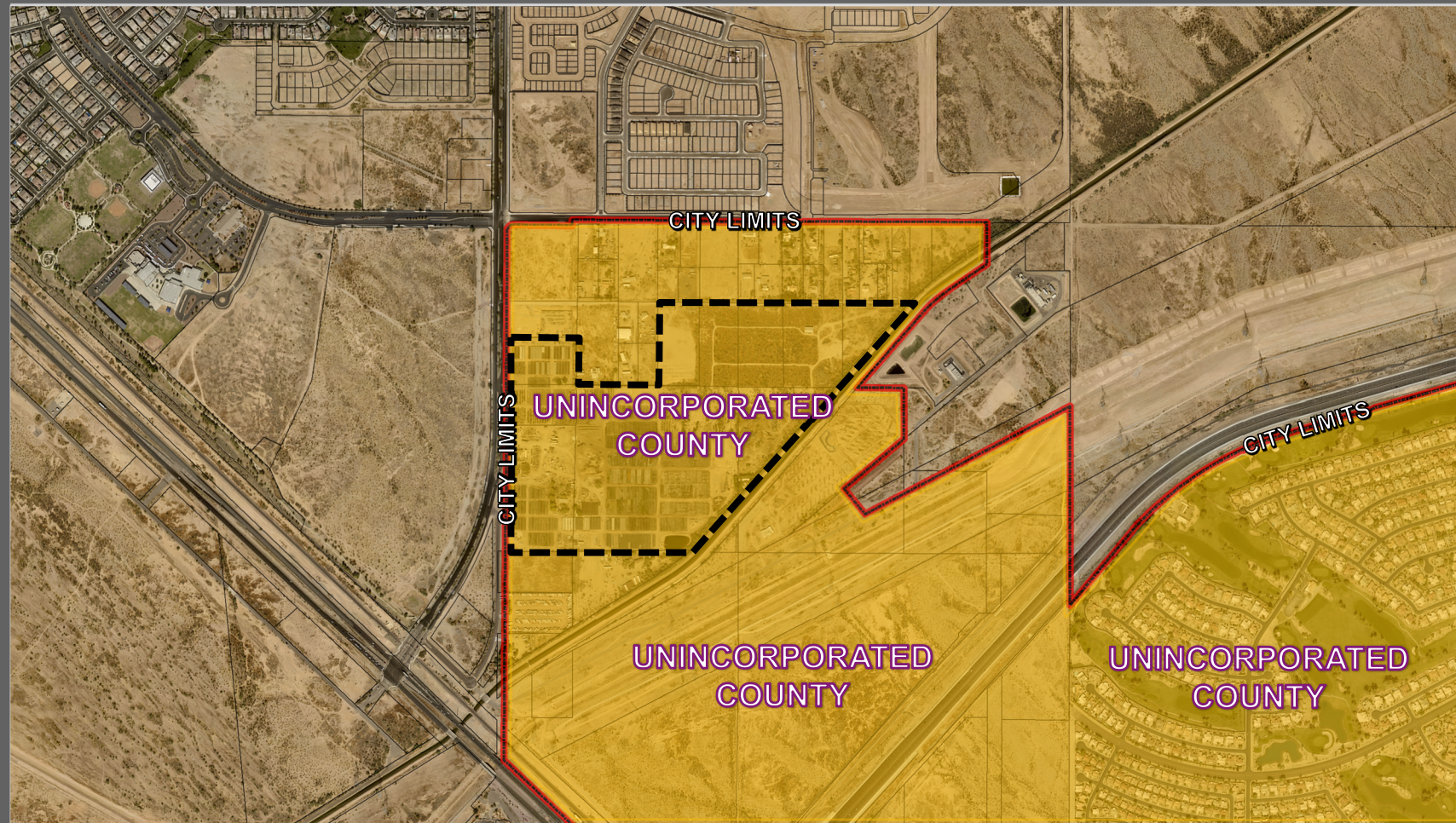
Attachments:

- 01 Vicinity Map
- 02 Annexation Map
- 03 Annexation Narrative
- 04 Recorded Blank Annexation Petition
- 05 Citizen Participation Report
- 06 Affidavit of Posting

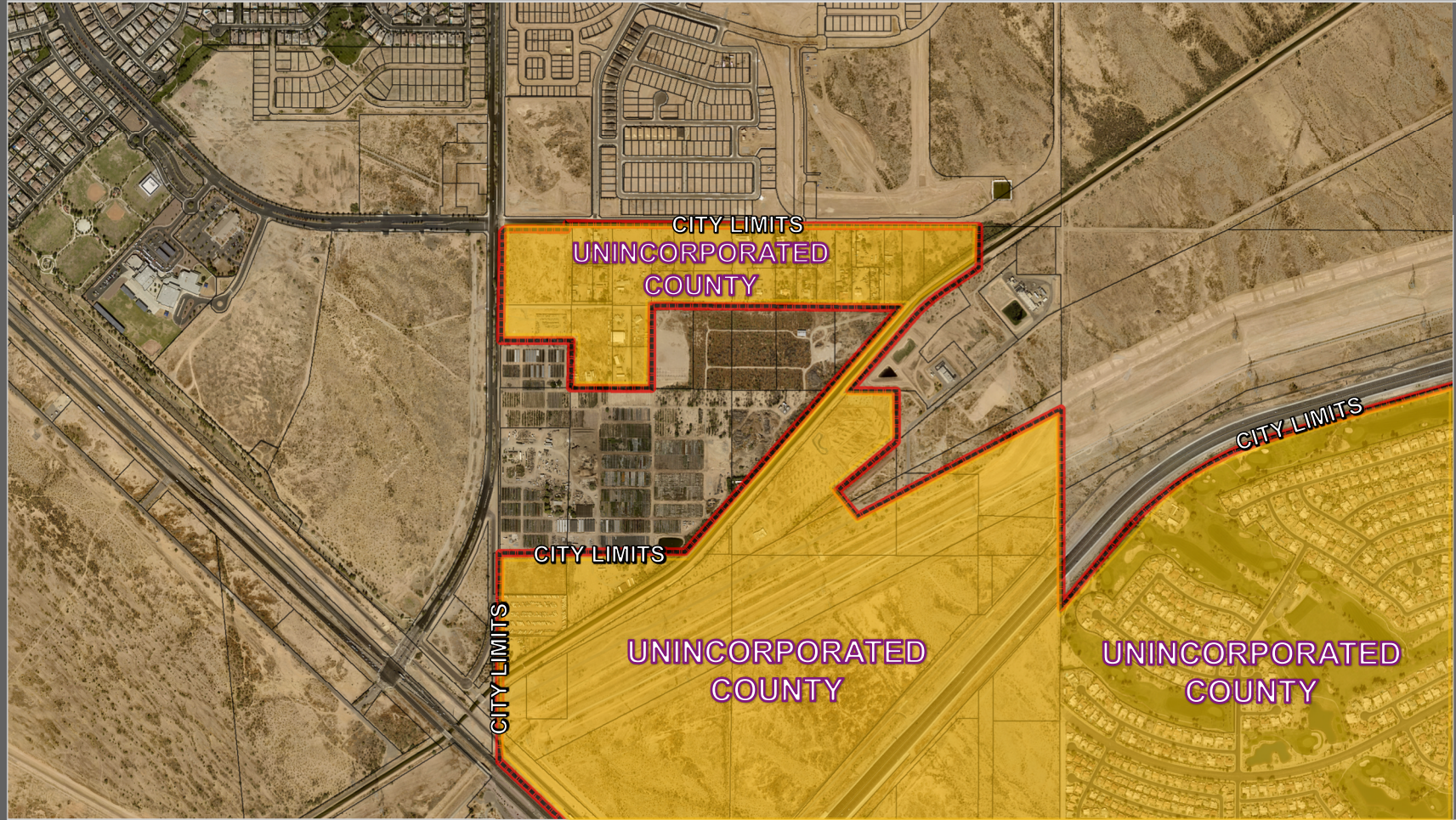
January 18, 2022 City Council
FS21-512
Annexation
RFLS #8067
Page 3 of 3



VICINITY MAP



EXISTING CITY BOUNDARY



PROPOSED CITY BOUNDARY

Annexation Project Narrative

NEC 163rd Avenue and Grand Ave

City of Surprise

October 1, 2021

DEVELOPMENT TEAM

PROPERTY OWNER

Campania LLC
Valparaiso LLC
c/o Saul Carranza
22435 N 163rd Avenue
Surprise, AZ 85387
Tel. 623.556.7748
oaguirre@sunrisenurseryllc.com

Legal Representation

Beus Gilbert McGroder PLLC
c/o Jeffrey Blilie
701 N 44th Street
Phoenix, AZ 85008
Tel. 623.606.0532
jbililie@beusgilbert.com

PLANNING CIVIL ENGINEER LANDSCAPE ARCHITECTURE TRAFFIC ENGINEER

EPS Group, Inc.
c/o Dan Auxier, PE, and Josh Hannon
1130 N. Alma School Road, Suite 120
Mesa, AZ 85201
Tel. 480.503.2250
dan.auxier@epsgroupinc.com
josh.hannon@epsgroupinc.com

Table of Contents

Contents

Introduction.....	1
Description of Request.....	1
Compliance with the General Plan	1
Relationship to Surrounding Properties	1
Location & Accessibility	1
Development Standards	2
Landscape and Open Space.....	2
Utilities & Services.....	2
Grading and Drainage	2
Conclusion	2
Appendix.....	3
❖ Appendix 1: Proposed Annexation Exhibit.....	3
❖ Appendix 2: Existing Site Zoning Exhibit	3
❖ Appendix 3: Post-Annexation Zoning Exhibit.....	3
❖ Appendix 4: Existing Site General Plan Exhibit.....	3
❖ Appendix 5: Proposed Site General Plan Exhibit.....	3

Introduction

EPS Group, Inc., on behalf of the developer, submits this Annexation request for a proposed residential community on ± 93.97 -acres, located on the northeast corner of 163rd Avenue and Grand Avenue within the unincorporated limits of Surprise, Arizona. The site is currently undeveloped, agricultural land and is identified as Maricopa County Assessor Parcel Numbers (APNs): 503-57-003B, -006, -008D, -009J, -009L, -009K, -010F, -010G, -021A, and -026. The site is currently zoned RU-43.



Figure 1: Site Location Map

Description of Request

This request is to Annex the property into the City of Surprise. The purpose of these requests is to allow the development of a high-quality single-family residential community on approximately 93.97 acres. Approximately 69.44-acres shall be rezoned to R-1 District and approximately 24.53-acres shall be rezoned to R-3. (See Appendices 1 & 2)

Project Data	
A.P.N.	503-57-003B, -006, -008D, -009J, -009L, -009K, -010F, -010G, -021A, & -026
Current Land Use	Agricultural / Undeveloped
Existing General Plan Character Area	Commerce & Office
Proposed General Plan Character Area	Neighborhood (Case No. FS21-257)
Existing Zoning District	RU-43 (Maricopa County)
Post-Annexation Zoning District	RR
Gross Area	93.97-Acres

Compliance with the General Plan

A General Plan Amendment request to change the character area designation from Commerce & Office to Neighborhoods is currently under City review under Case Number: FS21-257. (See Appendices 3 & 4)

Relationship to Surrounding Properties

This site is located on existing agricultural/undeveloped fields at the northeast corner of 163rd Avenue and Grand Avenue. 303 RV Storage, and unincorporated residences reside south of the site. Multiple unincorporated residences are also located along the site's northern boundary and are within the RU-43 district of Maricopa County. The Beardsley Canal runs along the western boundary of the site, which separates the site from the adjacent 29 Palms RV & Boat Storage. Last, to the west of the site is Lennar Homes' Asante mixed-use PAD.

Location & Accessibility

The property has minimal property frontage for accessibility that only allows for two points of ingress/egress from 163rd Ave and 162nd Drive, which run parallel to each other and is not suitable for 'typical' shopping areas or office development given the scale of the site and isolated location with limited access. As such, the purpose of this requested annexation is to allow for the future development of a high-quality residential community within the City of Surprise.

Development Standards

The property will be developed in accordance with the City of Surprise Land Development Ordinance and the Planning & Engineering Design Standards.

Landscape and Open Space

A unique and diverse level of recreational amenities throughout the community shall provide opportunities and places for residents of all ages and abilities to gather, socialize, and explore. The landscape and open space theme shall include street trees and streetscape design in order to promote a strong community identity. The landscape and open space network shall provide both visual and actual connection to bring the neighborhood residents together and focus amenity activity on open space and amenities. Onsite retention areas will be landscaped to provide areas for active and passive recreation. All passive and active open space areas for the community are located within close proximity to all lots.

Utilities & Services

The proposed residential community shall be serviced by the following utility companies and community services:

Utilities & Services	
Water	City of Surprise
Sewer	City of Surprise
Electric	APS
Gas	Southwest Gas
Telephone	Century Link / Cox Communication
Cable TV	Century Link / Cox Communication
Refuse	City of Surprise
School District	Dysart Unified School District

Grading and Drainage

All drainage design will be in accordance with the City of Surprise design standards. Proposed drainage improvements will require that the Property retain the specified City of Surprise 100-year storm onsite prior to outfall. Grading will require all finished floor elevations (existing and proposed) to be elevated above the 100-year, 2-hour storm event. Retention basins will be maintained by the subdivision HOA. Maintenance access will be provided down the side slope of the basin (4:1 max) to allow ample access to maintain the basin and all drainage structures within the basin. Additional evaluation of the project site for on-site and off-site drainage shall be provided in later entitlements with the Preliminary and Final Plat.

Conclusion

We respectfully request your favorable consideration of the submitted documents and look forward to working with the City of Surprise as we move forward into the Rezone, Preliminary Plat and permitting approvals.

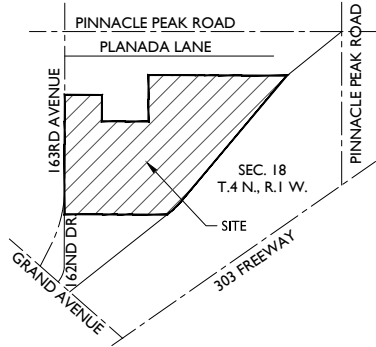
Appendix

- ❖ Appendix 1: Proposed Annexation Exhibit
- ❖ Appendix 2: Existing Site Zoning Exhibit
- ❖ Appendix 3: Post-Annexation Zoning Exhibit
- ❖ Appendix 4: Existing Site General Plan Exhibit
- ❖ Appendix 5: Proposed Site General Plan Exhibit

Appendix 1



VICINITY MAP

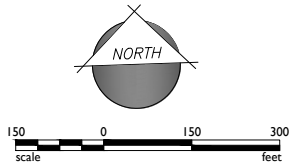


PROJECT TEAM

PROPERTY OWNER: VALPARAISO LLC CAMPANIA LLC 22435 N 163RD AVENUE SURPRISE, AZ 85387 TEL: 602-628-7840 CONTACT: THE LAND AGENCY c/o PAUL LAFFERTY email: patty@taaz.com	PLANNING & ENGINEERING: EPS GROUP, INC. 1130 N ALMA SCHOOL RD., STE 120 MESA, AZ 85201 TEL: (480) 503-2250 CONTACT: DAN AUXIER / JOSH HANNON email: dan.auxier@epsgroupinc.com / josh.hannon@epsgroupinc.com
LAND USE ATTORNEY: BEUS GILBERT 701 N 44TH ST PHOENIX, AZ 85008 TEL: 480-429-3000 CONTACT: JEFFREY BLILIE email: jblilie@beusgilbert.com	

PROJECT DATA

APN(s):	503-57-003B, -006, -008D, -009J, -009L, -009K, -010F, -010G, -021A, & -026
EXISTING LAND USE:	UNDEVELOPED/AGRICULTURE
PROPOSED LAND USE:	MULTI-FAMILY & SINGLE-FAMILY RESIDENTIAL
EXISTING GENERAL PLAN:	COMMERCE/OFFICE
PROPOSED GENERAL PLAN:	NEIGHBORHOOD
EXISTING ZONING:	RU-43 (MARICOPA COUNTY)
POST ANNEXATION ZONING:	RR
SITE ACREAGE:	93.97 GROSS ACRES 4,093,333 SQUARE FEET



Appendix 2



VICINITY MAP

PROJECT TEAM

PROPERTY OWNER:
VALPARAISO LLC
CAMPANIA LLC
22435 N 163RD AVENUE
SURPRISE, AZ 85387
TEL: 602-628-7840
CONTACT: THE LAND AGENCY
c/o PAUL LAFFERTY
email: patty@daaz.com

PLANNING & ENGINEERING:
EPS GROUP, INC.
1130 N ALMA SCHOOL RD., STE 120
MESA, AZ 85201
TEL: (480) 503-2250
CONTACT: DAN AUXIER / JOSH HANNOON
email: dan.auxier@epsgruoinc.com / josh.hannon@epsgruoinc.com

LAND USE ATTORNEY:
BEUS GILBERT
701 N 44TH ST
PHOENIX, AZ 85008
TEL: 480-429-3000
CONTACT: JEFFREY BLILIE
email: jblilie@beusgilbert.com

PROJECT DATA

APN(s):	503-57-003B, -006, -008D, -009J, -009L, -009K, -010F, -010G, -021A, & -026
EXISTING LAND USE:	UNDEVELOPED/AGRICULTURE
PROPOSED LAND USE:	MULTI-FAMILY & SINGLE-FAMILY RESIDENTIAL
EXISTING GENERAL PLAN:	COMMERCE/OFFICE
PROPOSED GENERAL PLAN:	NEIGHBORHOOD
EXISTING ZONING:	RU-43 (MARICOPA COUNTY)
POST ANNEXATION ZONING:	RR
SITE ACREAGE:	93.97 GROSS ACRES 4,093,333 SQUARE FEET

150 0 150 300
scale feet

1130 N Alma School Road, Suite120
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgruoinc.com

Project: 163RD & GRAND AVENUE
Maricopa County, Arizona

EXISTING ZONING EXHIBIT

Revisions:

Call at least two full working days before you begin construction.

Dial 9-1-1 for 24/7 EMERGENCY (711-5548)
In Maricopa County: (800)555-7199

Designer: JH
Drawn by: NG

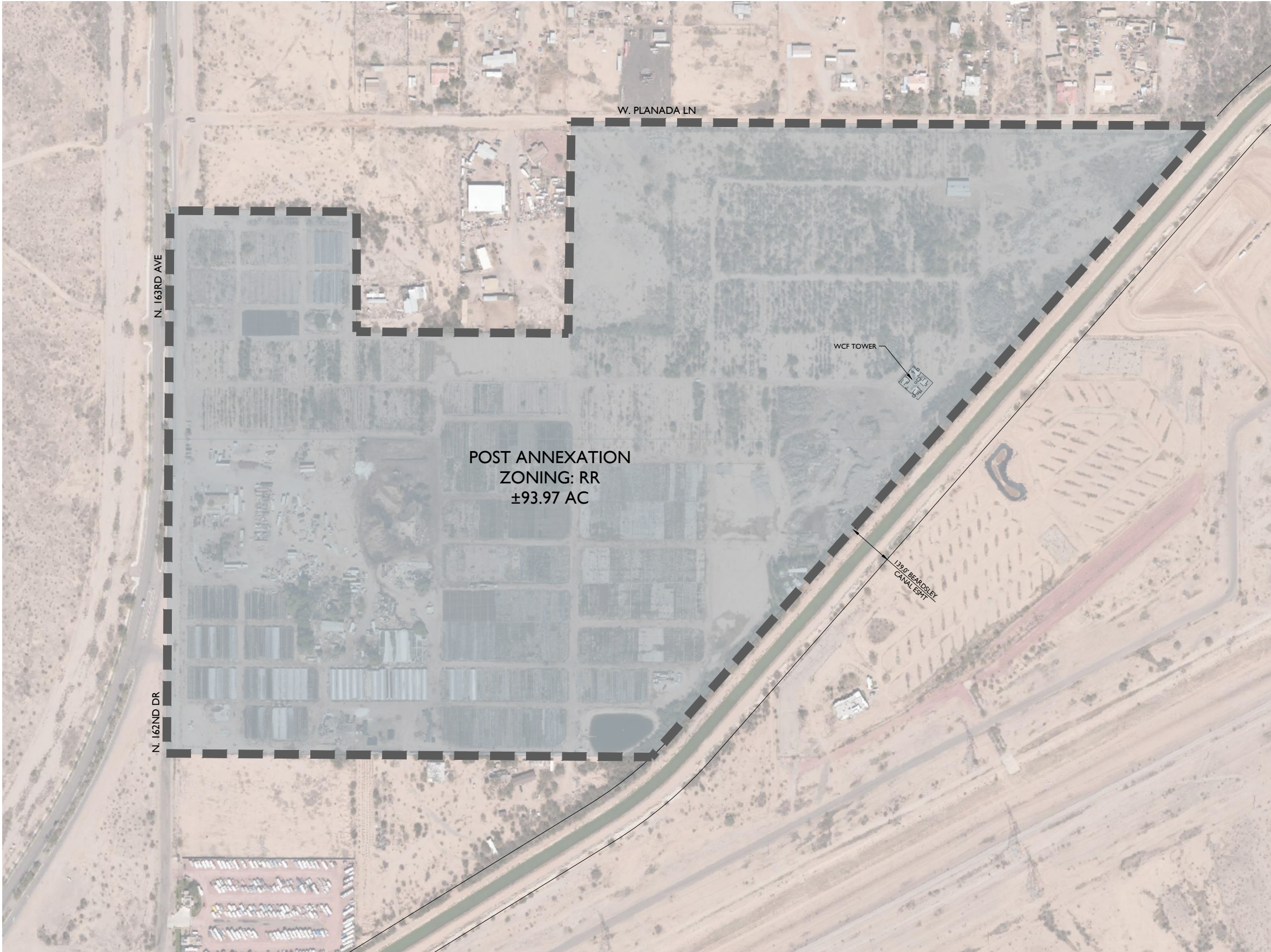
Preliminary
Not For
Construction
Or
Recording

Job No.
21-0187

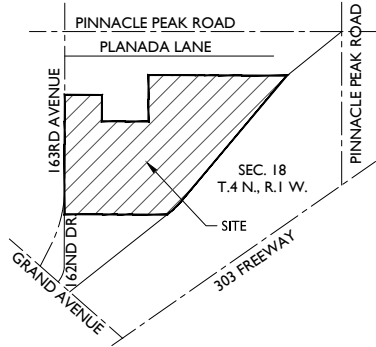
Sheet No.
1
of 01

Page 245 of 340

Appendix 3



VICINITY MAP



PROJECT TEAM

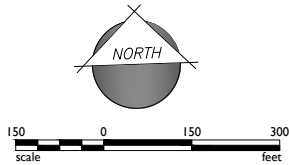
PROPERTY OWNER:
VALPARAISO LLC
CAMPANIA LLC
22435 N 163RD AVENUE
SURPRISE, AZ 85387
TEL: 602-628-7840
CONTACT: THE LAND AGENCY
c/o PAUL LAFFERTY
email: patty@taaz.com

PLANNING & ENGINEERING:
EPS GROUP, INC.
1130 N ALMA SCHOOL RD., STE 120
MESA, AZ 85201
TEL: (480) 503-2250
CONTACT: DAN AUXIER / JOSH HANNON
email: dan.auxier@epsgroupinc.com / josh.hannon@epsgroupinc.com

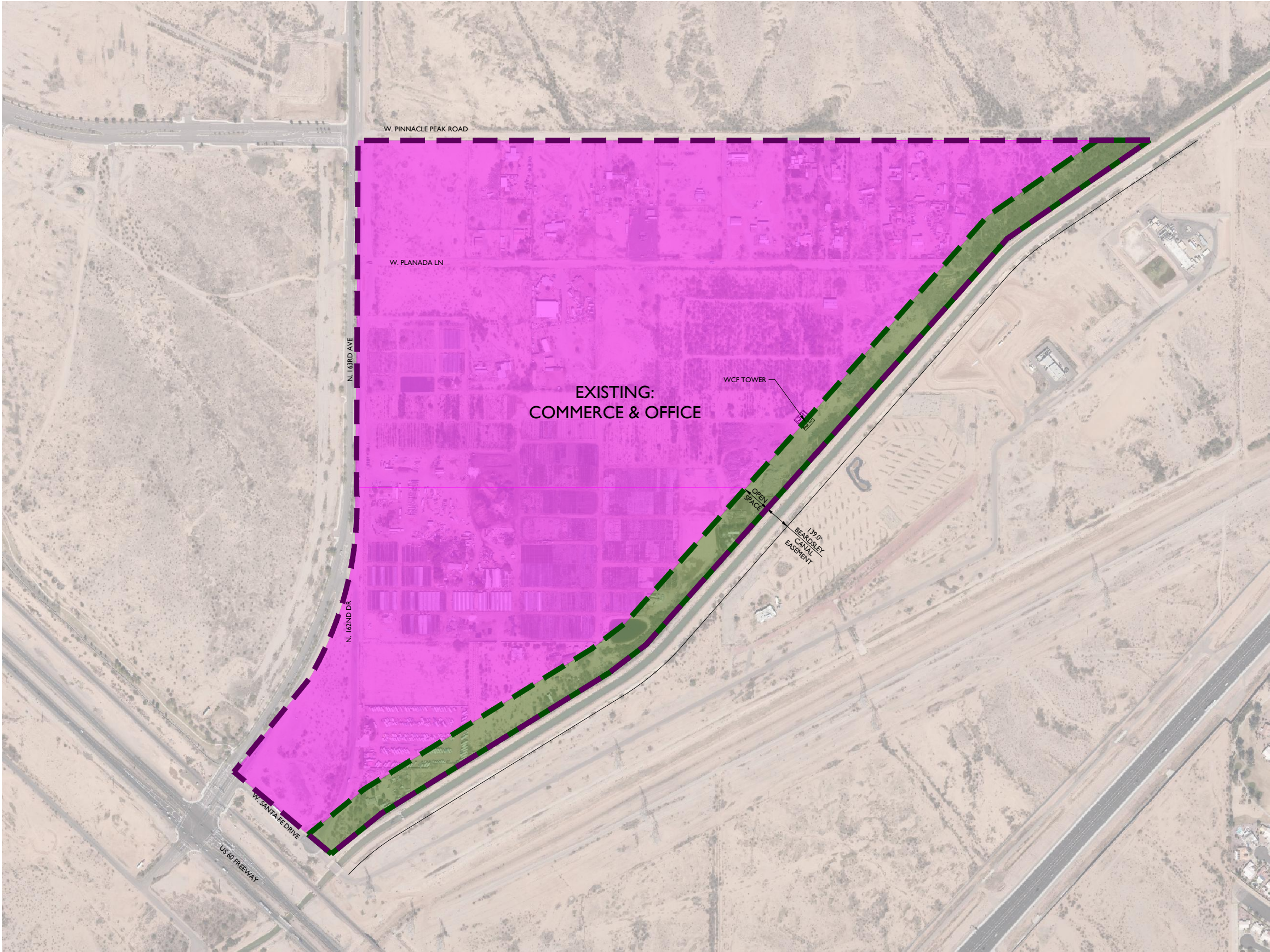
LAND USE ATTORNEY:
BEUS GILBERT
701 N 44TH ST
PHOENIX, AZ 85008
TEL: 480-429-3000
CONTACT: JEFFREY BLILIE
email: jblilie@beusgilbert.com

PROJECT DATA

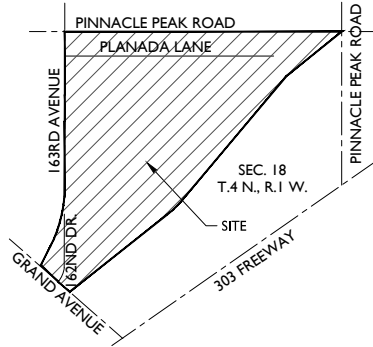
APN(s):	503-57-003B, -006, -008D, -009J, -009L, -009K, -010F, -010G, -021A, & -026
EXISTING LAND USE:	UNDEVELOPED/AGRICULTURE
PROPOSED LAND USE:	MULTI-FAMILY & SINGLE-FAMILY RESIDENTIAL
EXISTING GENERAL PLAN:	COMMERCE/OFFICE
PROPOSED GENERAL PLAN:	NEIGHBORHOOD
EXISTING ZONING:	RU-43 (MARICOPA COUNTY)
POST ANNEXATION ZONING:	RR
SITE ACREAGE:	93.97 GROSS ACRES 4,093,333 SQUARE FEET
MAX DENSITY:	
R-1	8 DU/AC
R-3	21 DU/AC



Appendix 4



VICINITY MAP



PROJECT TEAM

PROPERTY OWNER:
VALPARAISO LLC
CAMPANIA LLC
22435 N 163RD AVENUE
SURPRISE, AZ 85387
TEL: 602-628-7840
CONTACT: THE LAND AGENCY
c/o PAUL LAFFERTY
email: patty@daaz.com

PLANNING & ENGINEERING:
EPS GROUP, INC.
1130 N ALMA SCHOOL RD., STE 120
MESA, AZ 85201
TEL: (480) 503-2250
CONTACT: DAN AUXIER / JOSH HANNON
email: dan.auxier@epsgruoinc.com / josh.hannon@epsgruoinc.com

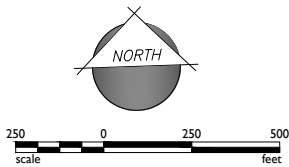
LAND USE ATTORNEY:
BEUS GILBERT
701 N 44TH ST
PHOENIX, AZ 85008
TEL: 480-429-3000
CONTACT: JEFFREY BLILIE
email: jblilie@beusgilbert.com

PROJECT DATA

APN(s): 503-57-003B, -004D, -004J, -005B, -005D, -005E, -005F, -006, -007F, -007G, -007H, -007J, -007K, -008C, -008D, -008E, -009J, -009K, -009L, -009P, -009U, -009W, -009X, -009Z, -010F, -010G, -010K, -010L, -010M, -010N, -010Q, -010R, -010S, -010T, -021A, -025Y, -025Z, -026, -028B, -031, -033A, -033B, -034, -035, -038A, -039, -040, -041A, -041B, -042A, -043, -044, -045, -046, -047, -048, -049A, -049B, -051, -052, 503-73-756A & -756B

EXISTING LAND USE: UNDEVELOPED/AGRICULTURE
PROPOSED LAND USE: MULTI-FAMILY & SINGLE-FAMILY RESIDENTIAL

EXISTING GENERAL PLAN: COMMERC/OFFICE
PROPOSED GENERAL PLAN: NEIGHBORHOOD



1130 N Alma School Road, Suite120
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgruoinc.com



163RD & GRAND AVENUE

Maricopa County, Arizona

EXISTING GENERAL PLAN EXHIBIT

Project

Revisions:



Designer: JH
Drawn by: NG

Preliminary
Not For
Construction
Or
Recording

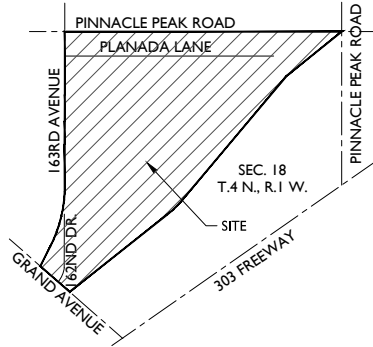
Job No.
21-0187

Sheet No.
1
of 01

Appendix 5



VICINITY MAP



PROJECT TEAM

PROPERTY OWNER:
VALPARAISO LLC
CAMPANIA LLC
22435 N 163RD AVENUE
SURPRISE, AZ 85387
TEL: 602-628-7840
CONTACT: THE LAND AGENCY
c/o PAUL LAFFERTY
email: patty@taaz.com

PLANNING & ENGINEERING:
EPS GROUP, INC.
1130 N ALMA SCHOOL RD., STE 120
MESA, AZ 85201
TEL: (480) 503-2250
CONTACT: DAN AUXIER / JOSH HANNON
email: dan.auxier@epsgruoinc.com / josh.hannon@epsgruoinc.com

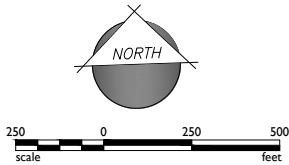
LAND USE ATTORNEY:
BEUS GILBERT
701 N 44TH ST
PHOENIX, AZ 85008
TEL: 480-429-3000
CONTACT: JEFFREY BLILIE
email: jblilie@beusgilbert.com

PROJECT DATA

APN(s): 503-57-003B, -004D, -004J, -005B, -005D, -005E, -005F, -006, -007F, -007G, -007H, -007J, -007K, -008C, -008D, -008E, -009J, -009K, -009L, -009P, -009U, -009W, -009X, -009Z, -010F, -010G, -010K, -010L, -010M, -010N, -010Q, -010R, -010S, -010T, -021A, -025Y, -025Z, -026, -028B, -031, -033A, -033B, -034, -035, -038A, -039, -040, -041A, -041B, -042A, -043, -044, -045, -046, -047, -048, -049A, -049B, -051, -052, 503-73-756A & -756B

EXISTING LAND USE: UNDEVELOPED/AGRICULTURE
PROPOSED LAND USE: MULTI-FAMILY & SINGLE-FAMILY RESIDENTIAL

EXISTING GENERAL PLAN: COMMERCE/OFFICE
PROPOSED GENERAL PLAN: NEIGHBORHOOD



1130 N Alma School Road, Suite120
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgruoinc.com



163RD & GRAND AVENUE

Maricopa County, Arizona

PROPOSED GENERAL PLAN EXHIBIT

Revisions:



Designer: JH
Drawn by: NG

Preliminary
Not For
Construction
Or
Recording

Job No.
21-0187

Sheet No.
1
of 01

Recording requested by:

City of Surprise
City Clerk's Office
16000 N Civic Center Plaza
Surprise, Arizona 85374

AnnexPetReso2021185-9-1-1--
yorkm

**BLANK ANNEXATION PETITION,
RESOLUTION 2021-185, EXHIBITS
AND AFFIDAVIT REGARDING ANNEXATION**

ANNEXATION PETITION**TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF
SURPRISE, ARIZONA:**

We, the undersigned, the owners of one-half or more of the real and personal property that also represents one-half or more of the value of the real and personal property that would be subject to taxation by the City of Surprise in the event of annexation within the territory proposed to be annexed, which is hereafter described, said territory being contiguous to the corporate limits of the City of Surprise, with the exterior boundaries of the territory proposed to be annexed shown on the map attached hereto, marked "Exhibit "B" and made a part hereof, request the City of Surprise to annex the following described territory, provided that the requirements of A.R.S. §9-471, and amendments thereto are fully observed.

The description of the territory proposed to be annexed as part of the Surprise Case #FS21-512, not already within the present limits of the City of Surprise and located in Maricopa County, Arizona, is as described and attached hereto, marked Exhibit "A" and made part thereof:

DATE	NAME OF PROPERTY OWNER	MAILING ADDRESS	PHONE NO	PARCEL NUMBER OR LEGAL DESCRIPTION

RESOLUTION # 2021-185

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA DIRECTING THE RECORDING OF A BLANK PETITION FOR ANNEXATION PURSUANT TO A.R.S. § 9-471, PERTAINING TO A CERTAIN PROPERTY THAT ADJOINS AND IS CONTIGUOUS TO THE CITY OF SURPRISE CONSISTING OF APPROXIMATELY 93.97 ACRES LOCATED SOUTH OF PINNACLE PEAK ROAD AND EAST OF 163RD AVENUE, MARICOPA COUNTY, ARIZONA

WHEREAS, it has been proposed that the City of Surprise annex certain property within a portion of Section 18, Township 4 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described in the attached ***Exhibit A***;

WHEREAS, the area to be annexed adjoins the exterior boundary of the City of Surprise for at least 300 feet and is otherwise contiguous to the City; and

WHEREAS, A.R.S. § 9-471(A)(1) requires that the City file, in the office of the Maricopa County, Arizona Recorder, a blank petition setting forth the legal description, attached hereto as ***Exhibit A***, and an accurate map of the exterior boundaries of the territory proposed to be annexed, attached hereto as ***Exhibit B***.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City Clerk shall record with the Office of the Maricopa County Recorder a blank annexation petition containing the legal description of the property, attached hereto as ***Exhibit A***, and an accurate map of the exterior boundaries of the territory proposed to be annexed, attached hereto as ***Exhibit B***. The City Clerk shall also record a sworn affidavit verifying that no part of the territory proposed to be annexed is already subject to an earlier filing for annexation.

Section 2. The City Clerk shall call a public hearing for the purpose of consideration of the proposed annexation, said hearing to be noticed for a date between 20-30 days after filing the blank annexation petition, in accordance with A.R.S. § 9-471 (A)(3).

[SIGNATURES TO FOLLOW ON THE NEXT PAGE]

APPROVED AND ADOPTED this 21 day of Dec., 2021.


for Skip Hall, Mayor

Attest:

Approved as to form:


for Sherry Aguilar, City Clerk


Robert Wingo, City Attorney

EXHIBIT A

**Legal Description
Annexation & Zoning**

Job No. 21-0787

10/4/2021

A portion of the North Half of Section 18, Township 4 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County Arizona, more particularly described as follows:

BEGINNING at the West Quarter Corner of said Section 18, being marked by a 2-3/4" Maricopa County Highway Department brass cap in handhole, from which the Northwest Corner of said Section 18, being marked by a 3" City of Surprise brass cap flush, bears North 0 degrees 21 minutes 23 seconds East, 2633.85 feet;

thence along the West line of the Northwest Quarter of said Section 18, North 0 degrees 21 minutes 23 seconds East, 1690.43 feet;

thence along the North line of that parcel described in Document No. 2016-0833046 of Maricopa County Records, South 89 degrees 36 minutes 43 seconds East, 580.61 feet to the Northeast corner thereof;

thence along the East line of said parcel, South 0 degrees 01 minutes 53 seconds East, 373.51 feet to the Northwest Corner of the Southeast Quarter of the Northwest Quarter of said Section 18;

thence along the North line of said Southeast Quarter, South 89 degrees 37 minutes 24 seconds East, 659.08 feet to the Southwest Corner of that parcel described in Document No. 2018-0374381 of Maricopa County Records;

thence along the West line of said parcel, North 0 degrees 00 minutes 05 seconds West, 658.06 feet to the Northwest Corner thereof;

thence along the North line of said parcel and also along the North line of that parcel described in Document No. 2015-0095268 of Maricopa County Records, South 89 degrees 39 minutes 37 seconds East, 658.43 feet to the Northeast corner thereof;

thence along the North line of those parcels described in Document No. 2012-0451702 of Maricopa County Records, South 89 degrees 37 minutes 09 seconds East, 1318.44 feet;

EPS Group, Inc. • 1130 N. Alma School Rd, Suite 120 • Mesa, AZ 85201

Tel (480) 503-2250 • Fax (480) 503-2258

S:\Projects\2021\21-0187\Land Survey\Legals\21-0187 LD03 Annex & Zoning.docx

EXHIBIT A



thence continuing along said North line, South 89 degrees 39 minutes 13 seconds East, 17.68 feet to a point on the Northwestern right-of-way of the Maricopa County Municipal Water Conservation District No. 1 Main Canal;

thence along said Northwestern right-of-way, South 41 degrees 18 minutes 56 seconds West, 2498.28 feet to the beginning of a curve, concave Northwest, having a radius of 1230.67 feet;

thence continuing along said Northwestern right-of-way, Southwesterly 123.92 feet along the arc of said curve to the right through a central angle of 5 degrees 46 minutes 09 seconds to a point on the South line of the Southeast Quarter of the Northwest Quarter of said Section 18;

thence along said South line, on a non-tangent line North 89 degrees 34 minutes 37 seconds West, 917.36 feet to the Southeast corner of Lot 2 of said Section 18;

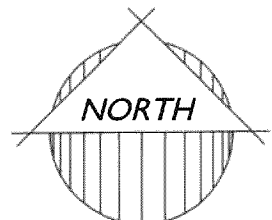
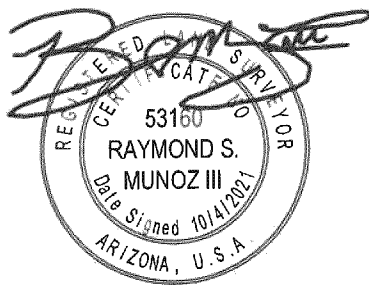
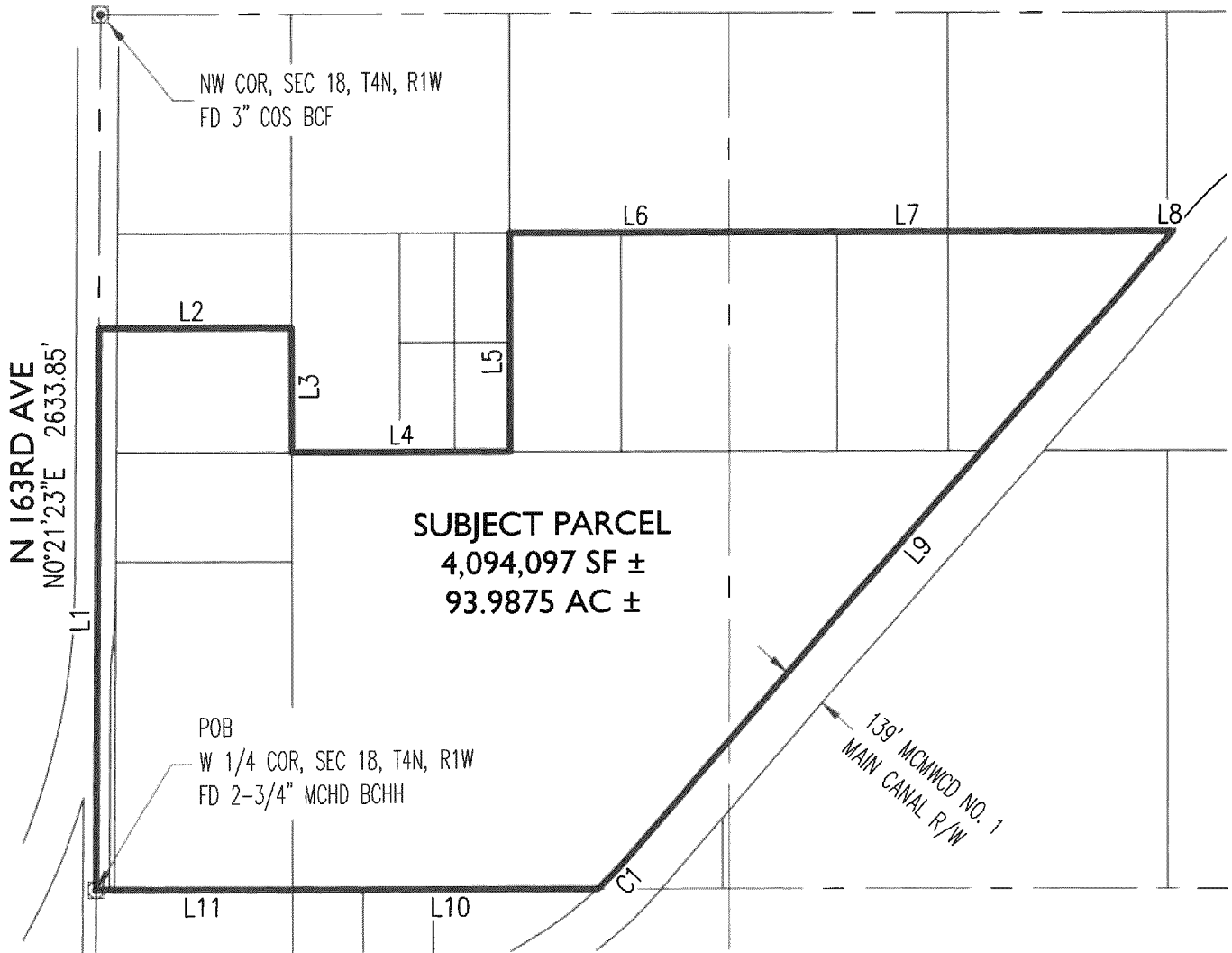
thence along the South line of said Lot 2, North 89 degrees 33 minutes 38 seconds West, 591.82 feet to the **POINT OF BEGINNING**.

Contains 4,094,097 square feet or 93.9875 acres, more or less.



EXHIBIT B

W PINNACLE PEAK RD



SCALE: 1"=500'

Oct 04, 2021 3:08pm S:\Projects\2021\21-0187\Land Survey\Legals\21-0187 LD03 Annex & Zoning.dwg

21-0187

ANNEXATION & REZONING

EXHIBIT

SHEET 1 OF 2



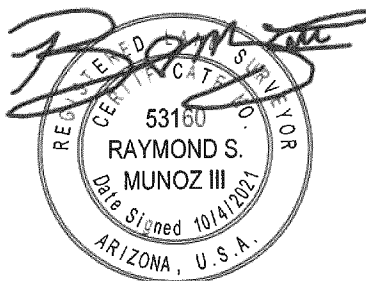
1130 N Alma School Rd
Ste 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EXHIBIT B

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°21'23"E	1690.43'
L2	S89°36'43"E	580.61'
L3	S00°01'53"E	373.51'
L4	S89°37'24"E	659.08'
L5	N00°00'05"W	658.06'
L6	S89°39'37"E	658.43'

LINE TABLE		
LINE	BEARING	LENGTH
L7	S89°37'09"E	1318.44'
L8	S89°39'13"E	17.68'
L9	S41°18'56"W	2498.28'
L10	N89°34'37"W	917.36'
L11	N89°33'38"W	591.82'

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	123.92'	1230.67'	5°46'09"	62.01'	123.87'	S44°12'01"W



Oct 04, 2021 3:09pm S:\Projects\2021\21-0187\Land Survey\Legals\21-0187 LD03 Annex & Zoning.dwg

21-0187

ANNEXATION & REZONING
EXHIBIT

SHEET 2 OF 2


 1130 N Alma School Rd
 Ste 120 Mesa, AZ 85201
 T:480.503.2250 | F:480.503.2258
 www.epsgroupinc.com

AFFIDAVIT REGARDING ANNEXATION

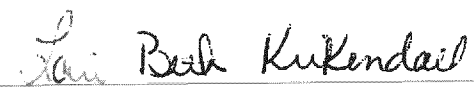
Personally appears before me, Chris Boyd, who, first being duly sworn, deposes and says as follows:

1. I make this affidavit of my own personal knowledge.
2. I am the duly appointed Community Development Director of the City of Surprise, Arizona and I am qualified to make this affidavit on behalf of and for the City.
3. I have made a diligent search of the records of the Office of the Clerk of the City of Surprise and of the Office of the Maricopa County Recorder for any annexation filing which might involve territory sought to be annexed in the City of Surprise Annexation Petition, which is filed herewith, with exhibits, in the Office of the Maricopa County Recorder.
4. I hereby affirm, pursuant to A.R.S. §9-471(A)(6), that no part of the territory associated with **Surprise Case #FS21-512** for which the attached Annexation Petition is filed is already subject to an earlier filing for annexation.

FURTHER AFFIANT SAYETH NOT.


(Chris Boyd, Surprise Community Development Director)

SWORN TO AND SUBSCRIBED before me
this 29th day of November, 2021.


Notary Public for the State of Arizona

My commission expires: 10/8/2023



Citizen Participation Report

NEC 163rd Avenue and Grand Ave

City of Surprise

September 16, 2021

Parties Affected by Annexation & General Plan Amendment Request

Individual Canvassing Survey letters were sent to all property owners south of Pinnacle Peak, east of 163rd/162nd Avenue and north of the Beardsley Canal to seek out surrounding owner interest in joining the existing General Plan Amendment and Annexation requests. A map of the area identified is provided in **Appendix 1**. The City of Surprise published a newspaper ad and sent out notice letters to the property owners to inform them of a neighborhood meeting, which was held on July 29, 2021.

The survey letter, provided in **Appendix 2**, included a fillable survey and all of the information required by the city to explain the annexation and general plan amendment process and application. Interested parties were instructed to return the survey portion to the project representative, Jeffrey Blilie with Beus Gilbert McGroder PLLC.

Parties Affected by Annexation, General Plan Amendment, & Rezone Applications

Individual Neighborhood Meeting Invitations were sent by the City of Surprise in addition to posting an ad in the newspaper. These letters were sent to all property owners within 300' of the approximately 190.54-gross acres generally located at the northeast corner of 163rd Avenue and Grand Avenue. The letters invited the property owners to attend the meeting and included all of the information required by the city to explain the annexation, general plan amendment, and rezoning applications.

The below interested parties have been identified as part of this process. Returned surveys, emails, and letters received as part of this process are provided in **Appendix 3**.

OWNER	ADDRESS	GPA & SURVEY CANVASS			NOT A PART
		NO RESPONSE	ANNEX	GPA	
ARREOLA ALFREDO/NORMA	[REDACTED]	X			
BARCLAY SURPRISE INC	[REDACTED]	X			
BLUESHORE HOLDINGS LLC	[REDACTED]	X			
BREWER MARIA D	[REDACTED]	X			
CAMACHO CESAR/LETITIA	[REDACTED]	X			
CAMPANIA LLC	[REDACTED]	X			
CAMPANIA LLC	[REDACTED]	X			
DEACETIS VINCENT/ GERALDINE TR	[REDACTED]	X			
FERNANDEZ CARMEN R	[REDACTED]	X			
FREDRICKSON FAMILY TRUST	[REDACTED]	X			
FRONSMAN ADELLA M	[REDACTED]		NO	NO	
FRONSMAN GEORGE/ CRYSTAL	[REDACTED]	X			
GOMEZ CONSEPCION S	[REDACTED]	X			
HANCOCK LAWRENCE G	[REDACTED]		NO	NO	
HERNANDEZ CASIMIRO	[REDACTED]		NO	NO	
HUEY RICHARD G/IRENE TR/ WONG W O/S O TR/ETAL	[REDACTED]		NO	YES	

JOSEPH A SOLDEVERE/ ARLENE R REV TRUST	[REDACTED]	X			
LENNAR COMMUNITIES DEVELOPMENT INC	[REDACTED]	X			
MC REAL ESTATE DEVELOPMENT LLC	[REDACTED]	X			
MORGAN CAREY D/LAUREN L	[REDACTED]	X			
ODOGUI SAMUEL/NELLIE	[REDACTED]	X			
OROZCO SALVADOR D	[REDACTED]	X			
PASILLAS ALBINA SOLIS/FRANCISCO	[REDACTED]	X			
PASILLAS ANTONIO C/ ROSARIO IBARRA	[REDACTED]	X			
PASILLAS ANTONIO/ AUGUSTIN	[REDACTED]	X			
PEAK RV STORAGE LLC	[REDACTED]	X			
SCHULTZ ENTERPRISES WEST LLC	[REDACTED]		NO	NO	
SKAGGS M R/M E/RUCH R J/N A	[REDACTED]	X			
SOLIS JUAN A JR/ MARTINEZ NORMA	[REDACTED]	X			
SOLIS JUAN A SR	[REDACTED]	X			
SOLIS MARIANO/CYNTHIA	[REDACTED]	X			
SOLIS MARIANO/CYNTHIA	[REDACTED]	X			
SOLIS MARTIN F/ ALEJANDRINA/PASILLAS ANTONIO C	[REDACTED]	X			
SOLIS MARTIN F/ ALEJANDRINA/ PASILLAS ANTONIO C	[REDACTED]	X			
STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV	[REDACTED]		NO	NO	
TELLEZ ELIZABETH ANNAMARIE/ VERONICA ADELICIA	[REDACTED]	X			
VALPARAISO LLC	[REDACTED]	X			
VALPARAISO LLC	[REDACTED]	X			
VARGAS ALEJANDRINA HERNANDEZ	[REDACTED]	X			
WALKER RONALD/PAULA	[REDACTED]	X			
WEBB GARY	[REDACTED]				X
PHILLIPS SCOTT & JANICE	[REDACTED]				X
KEATING MATT	[REDACTED]				X

ODOGUI SAM & NELLIE					X
FRONSMAN CRYSTAL					X

Notification and Information Procedures

We will meet all City noticing requirements for annexing, rezoning, and amending the general plan land use designation of the property. These include notice of Public Hearing letters to be sent to surrounding property owners within 300' of the Property and other interested stakeholders, as identified on the buffer map provided in **Appendix 4**. The notification letters will include case information as well as our contact information. The interested parties and stakeholders identified are listed in **Appendix 5**.

We will post the site on our 163rd Avenue frontages with signs informing of the proposed annexation, general plan amendment, and rezoning request within the required timeframes. We have worked with City staff on the exact location and number of posted signs. Photographic evidence and the affidavit of posting are provided in **Appendix 6**.

Response Procedures

We will continue to respond to all input and comments received from parties affected by our application. We will also provide our responses to City Staff for their records. We will follow-up as necessary to ensure proper responses are provided and information is shared regarding the status of the request to interested stakeholders.

Schedule of Completion

June - Conducted Public outreach to generally secure maximum coordination of plans and to indicate properly located sites for all public purposes on the general plan. Consulted with, informed, and provided an opportunity for official comment by:

- All property owners south of Pinnacle Peak
- All property owners east of 163rd/162nd Avenue
- All property owners north of the Beardsley Canal

July – Completed Review and Submitted a Citizen Participation Plan to reflect outreach strategies to engage property owners and residents.

July 14 - Posted notifications on site (2 signs for the GPA and 3 for the rezoning and annexation) at least 15 days in advance of the Neighborhood Meetings, on July 14, 2021.

The City of Surprise published notification with local newspapers, press release, City website, and social media and mailed letters to property owners and neighbors at least 15 days in advance of the Neighborhood Meeting.

This Citizen Participation Report includes a list of attendees and an accurate account of the items discussed such as opposition, proposed alternatives solutions (by either neighbors or applicant), responses to proposed solutions, and any mutual agreements reached during the meeting. The Sign-In List is provided in **Appendix 7**. Completed Comment Cards are provided in **Appendix 8**.

July 19, 2021 – Held Neighborhood Meeting at the Asante Preparatory Academy at 6:00 PM.

August – Began 60-day notice: transmit the proposal to P&Z, City Council, and submit a copy to outside agencies and municipalities for review and further comment

October – 60-Day Review period closes

October – Public Notice: Site Posting, newspaper, website, and mailers between 15-30 days

November 4 – Public Hearing at offsite P&Z meeting to discuss

November 18 – Public Hearing at P&Z for recommendation (recommendation)

November – Public Notice: Site Posting, newspaper, website, and mailers between 15-30 days

December 7 – Public Hearing at City Council to consider Major General Plan Amendment (via resolution with 2/3s vote)

December – send notice of the approval, adoption or readoption of the general plan or major amendment to the general plan to the attorney general by certified mail, return receipt requested, within three business days after the approval, adoption or readoption.

After affirmation from Attorney General – Send a copy of the adopted general plan to the planning agency of Maricopa County.

Status Procedure

We will update city staff via email and telephone calls if any important issues come about as we continue our public outreach. If additional public outreach occurs after the submittal of the Public Outreach Plan, we will provide updates to inform city staff and council members.

CITIZEN PARTICIPATION PLAN RESULTS

Details and Techniques Used to Involve the Public

As part of the Public Outreach Process, the Applicant's representatives have not received any inquiries on the request except as found at the Neighborhood Meeting and through returned Canvassing letters.

Summary of Concerns, Issues and Problems & How They will be Addressed

The interactions we had with community members at the 7/24/2021 neighborhood meeting were inquisitive in nature and primarily to discuss and further describe the request. The Neighborhood Meeting Minutes are provided in **Appendix 9**.

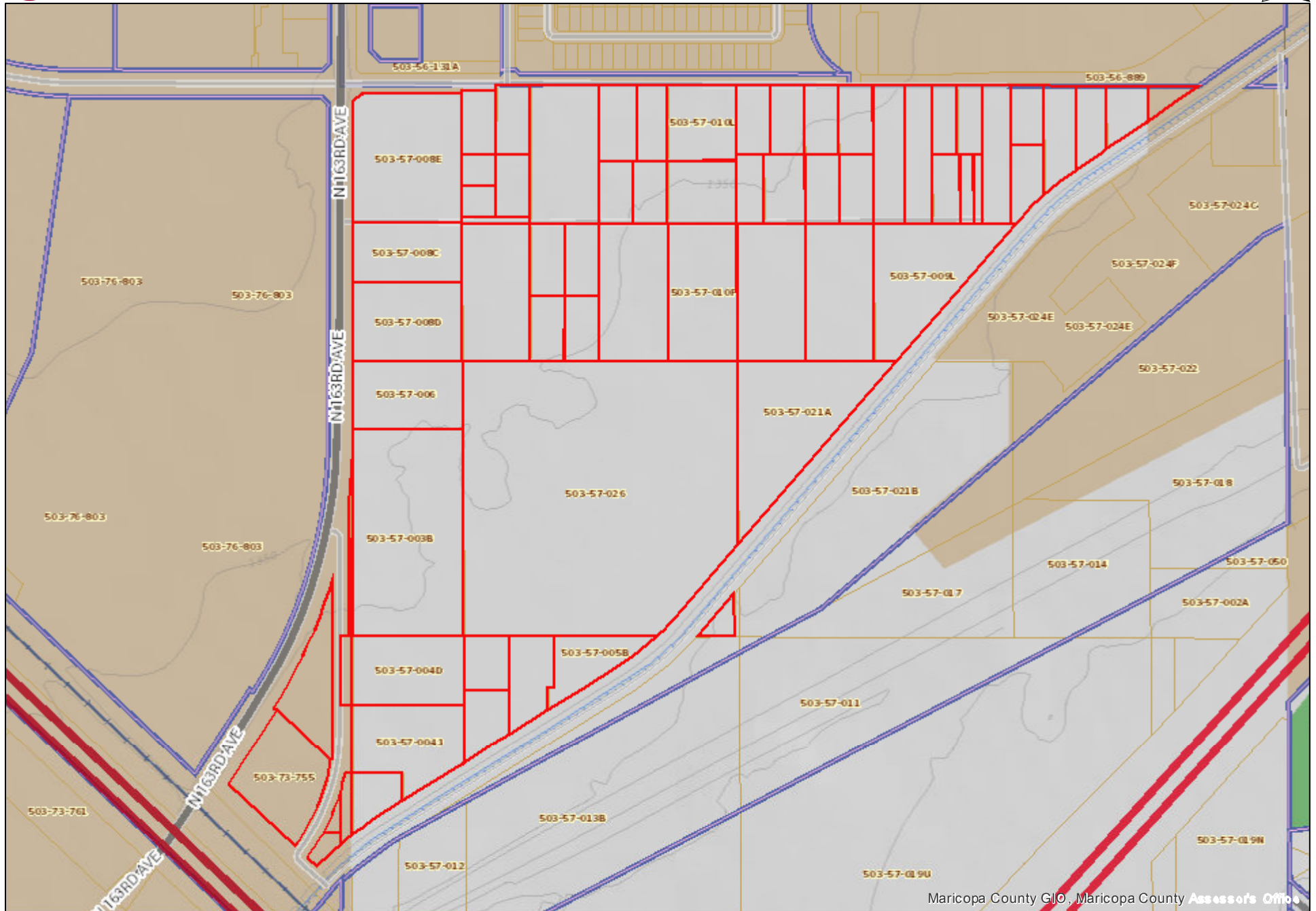
APPENDIX

- Appendix 1: Buffer Map
- Appendix 2: Canvassing Survey Letter
- Appendix 3: Completed Canvassing Surveys & Correspondence
- Appendix 4: Neighborhood Meeting & Public Hearing Buffer Map
- Appendix 5: Neighborhood Meeting & Public Hearing Mailing List
- Appendix 6: Public Notice Sign Posting Photographic Evidence & Affidavit
- Appendix 7: Neighborhood Meeting Sign-In Sheet
- Appendix 8: Neighborhood Meeting Comment Cards
- Appendix 9: Neighborhood Meeting Minutes

APPENDIX 1



163rd & Grand Avenue - Survey Buffer Map



Maricopa County GLO, Maricopa County Assessor's Office

5/25/2021 12:48:28 PM

163RD & GRAND AVENUE - GPA & ANNEXATION SURVEY MAILING LIST					
APN	OWNER	ADDRESS	CITY	STATE	ZIP
503-57-010S	ARREOLA ALFREDO/NORMA				
503-57-010T	BARCLAY SURPRISE INC				
503-57-007K	BLUESHORE HOLDINGS LLC				
503-57-038A	BREWER MARIA D				
503-57-039	BREWER MARIA D				
503-57-010N	CAMACHO CESAR/LETITIA				
503-57-008D	CAMPANIA LLC				
503-57-010G	CAMPANIA LLC				
503-57-026	CAMPANIA LLC				
503-73-755	DEACETIS VINCENT/GERALDINE TR				
503-57-009W	FERNANDEZ CARMEN R				
503-57-025Y	FREDRICKSON FAMILY TRUST				
503-57-025Z	FREDRICKSON FAMILY TRUST				
503-57-010Q	FRONSMAN ADELLA M				
503-57-010R	FRONSMAN GEORGE/CRYSTAL				
503-57-033A	GOMEZ CONSEPCION S				
503-57-004C	HANCOCK LAWRENCE G				
503-57-004D	HANCOCK LAWRENCE G				
503-57-035	HERNANDEZ CASIMIRO				
503-57-008E	HUEY RICHARD G/IRENE TR/WONG W O/S O TR/ETAL				
503-73-028V	JOSEPH A SOLDEVERE/ARLENE R REV TRUST				
503-57-028B	LENNAR COMMUNITIES DEVELOPMENT INC				
503-73-756A	LENNAR COMMUNITIES DEVELOPMENT INC				
503-73-756B	LENNAR COMMUNITIES DEVELOPMENT INC				
503-57-007F	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007G	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007H	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007J	MC REAL ESTATE DEVELOPMENT LLC				
503-57-008C	MORGAN CAREY D/LAUREN L				
503-57-047	ODOGUI SAMUEL N/NELLIE				
503-57-049A	ODOGUI SAMUEL/NELLIE				
503-57-048	OROZCO SALVADOR D				
503-57-040	PASILLAS ALBINA SOLIS/FRANCISCO				
503-57-009U	PASILLAS ANTONIO C/ROSARIO IBARRA				
503-57-009P	PASILLAS ANTONIO/AUGUSTIN				
503-57-010L	PEAK RV STORAGE LLC				
503-57-010M	PEAK RV STORAGE LLC				
503-57-004J	SCHULTZ ENTERPRISES WEST LLC				
503-57-010K	SKAGGS M R/M E/RUCH R J/N A				
503-57-041A	SOLIS JUAN A JR/MARTINEZ NORMA				
503-57-041B	SOLIS JUAN A JR/MARTINEZ NORMA				
503-57-042A	SOLIS JUAN A SR				
503-57-009X	SOLIS MARIANO/CYNTHIA				
503-57-033B	SOLIS MARIANO/CYNTHIA				
503-57-009Z	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-031	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-043	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-044	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-045	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-046	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-049B	TELLEZ ELIZABETH ANNAMARIE/VERONICA ADELICIA				
503-57-003A	VALPARAISO LLC				
503-57-003B	VALPARAISO LLC				
503-57-005B	VALPARAISO LLC				
503-57-005D	VALPARAISO LLC				
503-57-005E	VALPARAISO LLC				
503-57-005F	VALPARAISO LLC				
503-57-006	VALPARAISO LLC				
503-57-009J	VALPARAISO LLC				
503-57-009K	VALPARAISO LLC				

503-57-009L	VALPARAISO LLC	
503-57-010F	VALPARAISO LLC	
503-57-021A	VALPARAISO LLC	
503-57-051	VARGAS ALEJANDRINA HERNANDEZ	
503-57-052	VARGAS ALEJANDRINA HERNANDEZ	
503-57-034	WALKER RONALD/PAULA	

APPENDIX 2

May 26, 2021

Proposed Major General Plan Amendment & Annexation to the City of Surprise

Dear Neighbor:

The owners of a property located near you at the northeast corner of 163rd Avenue and Grand Avenue are working with the City of Surprise regarding a Major General Plan Amendment and Annexation of this property. Because Surprises' corporate boundaries surround your area, the City of Surprise has requested that you be contacted to gauge your level of interest in joining the General Plan Amendment and petition for annexation.

This request is specifically to amend the City of Surprise General Plan designation for this area from Commerce & Business to Neighborhood and for annexation into the City of Surprise.

Recognizing that annexation is a personal decision, the City of Surprise typically relies on applications from property owners for proposed annexations to the City. Because the City has requested that you be contacted, information has been provided in this letter describing the annexation process and answering some of the most frequently asked question regarding annexations. A form consenting or opposing to annexation has also been included with a stamped envelope in this letter for your response.

Additional information may be obtained by contacting Jeffrey Blilie with Beus Gilbert McGroder PLLC at (623) 606-0532 or jblilie@beusgilbert.com. You may also contact Joshua Mike at the City of Surprise at (623) 222-3134 or joshua.mike@surpriseaz.gov. If EPS Group, Inc. or the City does not receive a response from you by June 9, 2021, it will be understood that you are not interested in annexing to the City of Surprise.

HOW MUCH DOES IT COST TO ANNEX?

There will be no cost to you to be included with the requests.

WHAT IF THERE IS ONLY SCATTERED INTEREST IN ANNEXING TO THE CITY?

The City is responsible for ensuring logical boundary expansions of cities. This includes ensuring that territory involved in annexation is physically contiguous to city boundaries and that the annexation configuration assures the efficient provision of municipal services. Although annexation boundaries are evaluated on a case-by-case basis, the City's goal is to annex blocks of territory that round out city boundaries and avoid creating unincorporated islands. If the annexation survey of this area results in a scattered response of property owners favoring annexation, the City may decide not to annex properties within the survey area and annex only the area requesting annexation.

HOW LONG WILL IT TAKE TO COMPLETE THE ANNEXATION PROCESS?

To complete the process, it will take approximately 10-12 months. A specific set of steps must be completed prior to and during a required 30-day waiting period before a 1-year timeline is initiated to obtain the necessary signatures on the annexation petition. After the signatures on the annexation petition are verified to meet the requirements of A.R.S. 9-471, the mayor and City Council shall consider an ordinance for annexation. The annexation shall be effective 30 days after adoption.

WHAT SERVICES ARE PROVIDED BY THE CITY?

When you annex into the City of Surprise, you gain access to a number of valuable, high quality benefits, such as:

- **Fire Protection & Medical Response:** The average response time for the City of Surprise Fire is 5 minutes. With well trained and certified firefighters, state of the art medical and firefighting equipment and excellent training programs, the City of Surprise Fire Department is one of the best in Arizona.
- **Police Protection:** Surprise Police's average response time for priority-1 calls is under 5 minutes. The Police department has highly trained officers who work to keep the neighborhoods safe and respond quickly to emergencies as they arise.
- **Refuse Recycling Collection:** The City's weekly collection service includes pickup of both trash and recyclables. A low monthly fee also covers other solid waste services such as curbside Brush and Bulky pickup, landfill operations, neighborhood cleanup, annual Christmas tree recycling and household hazardous waste events.
- **Street Maintenance:** Upon annexation, the City of Surprise assumes responsibility for repair, sweeping and maintenance of all paved public streets. Street name and traffic regulation signs also will be maintained and/or installed where appropriate.
- **Neighborhood Services:** The City of Surprise helps interested neighborhoods form neighborhood associations, supports neighborhood associations by mailing newsletters, keeping associations informed about important City issues, and assisting with code enforcement.
- **Participation in City Elections & Decisions:** Joining the City of Surprise gives you a voice in decisions and issues that are governed by the City of Surprise, many of which impact the entire region.
- **Water Services:** Water and wastewater service for your area will not change when you join the City of Surprise.

Sincerely,

Jeffrey M. Blilie

Beus Gilbert McGroder PLLC

(623) 606-0532

Jblilie@beusgilbert.com

163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

_____ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

_____ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

_____ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

_____ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

Name (please print) Signature Date

Name (please print) Signature Date

Address (please print)

Assessor Parcel Number(s)

Phone Number

APPENDIX 3



**163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey**

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

___ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

___ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

CURTIS R. SCHULTZ
Name (please print)

[Signature]
Signature

6/1/21
Date

Name (please print)

Signature

Date

[Redacted Address]
Address (please print)

Assessor Parcel Number(s)

[Redacted Phone Number]
Phone Number



**163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey**

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

☒ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

☐ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

☐ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

Walter Wong Walter Wong 6/9/2021
Name (please print) Signature Date

Shirley Wong Shirley Wong 6/9/2021
Name (please print) Signature Date

[REDACTED]
Address (please print)

[REDACTED]
Assessor Parcel Number(s)

[REDACTED]
Phone Number

163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

____ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

____ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

Lawrence Hancock [Signature] 5/30/21
Name (please print) Signature Date

Name (please print) Signature Date

[Redacted Address]
Address (please print)

[Redacted]
Assessor Parcel Number(s)

[Redacted]
Phone Number

From: [Natalie Maikoski](#)
To: "Jeffrey Blilie" [REDACTED]
Cc: "Joshua Mike"
Subject: RE: Project on 163rd and Grand Ave in Surprise
Date: Monday, June 14, 2021 3:57:00 PM
Attachments: [image001.png](#)
[21-0187-163rd & Grand Ave. Final Plat \(Narrative\).pdf](#)
[21-0187-163rd & Grand Ave. Major General Plan Amendment \(Exhibit\).pdf](#)

Good afternoon Dr. Musial,

I am a Planner with EPS Group and am representing the property owner regarding a proposed General Plan Amendment and future Rezone and Annexation into the City of Surprise. The owner wishes to develop a high-quality residential community and is requesting the site's General Plan designation be amended from Commerce/Office to Neighborhood land uses.

I've attached our formal General Plan Amendment package to this email for your review. These documents are also currently under review by the City. The Annexation and Rezone requests are anticipated to be submitted after the neighborhood meeting on 6/23.

Please let me know if you have any questions or comments.
Thank you!

Natalie Maikoski (Griffin) | EPS Group, Inc.

Planner

1130 N Alma School Road, Suite 120 | Mesa, AZ 85201

O: 480.503.2250 | natalie.griffin@epsgruppinc.com

[LinkedIn](#) | [Twitter](#) | [Facebook](#)



Notice to Recipients of Electronic Files from EPS Group, Inc.: All electronic files are for recipient's use only and all files are subject to revisions. EPS Group, Inc. makes no guarantees nor warrants the accuracy or completeness of any of the information contained in these files, as recipients should verify all information with actual sealed and signed documents. It shall be the responsibility of recipients to obtain any future updates from EPS Group, Inc.

From: Jeffrey Blilie <jblilie@beusgilbert.com>
Sent: Friday, June 11, 2021 1:34 PM
To: Natalie Maikoski <Natalie.Maikoski@epsgruppinc.com>
Subject: FW: Project on 163rd and Grand Ave in Surprise

Jeffrey M. Blilie

BEUS GILBERT MCGRODER PLLC

701 North 44th Street | Phoenix, AZ 85008

Direct: 623.606.0532

Email: jblilie@beusgilbert.com

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

From: izabela musial [REDACTED]

Sent: Friday, June 11, 2021 1:33 PM

To: Jeffrey Blilie <jblilie@beusgilbert.com>; joshua.mike@surpriseaz.gov

Subject: Project on 163rd and Grand Ave in Surprise

Goodafternoon.

My name is Izabela Musial and with my family I live at 16059 W. Pinnacle Peak RD
Im requesting documents regarding this project and maps so I can prepare for the meeting.
The letter is very vague and maps confusing. Please provide us with what is proposed what
developments will be in the area Etc?

Thank you,
Sincerely,
Izabela Musial MD FAAFP

[REDACTED]

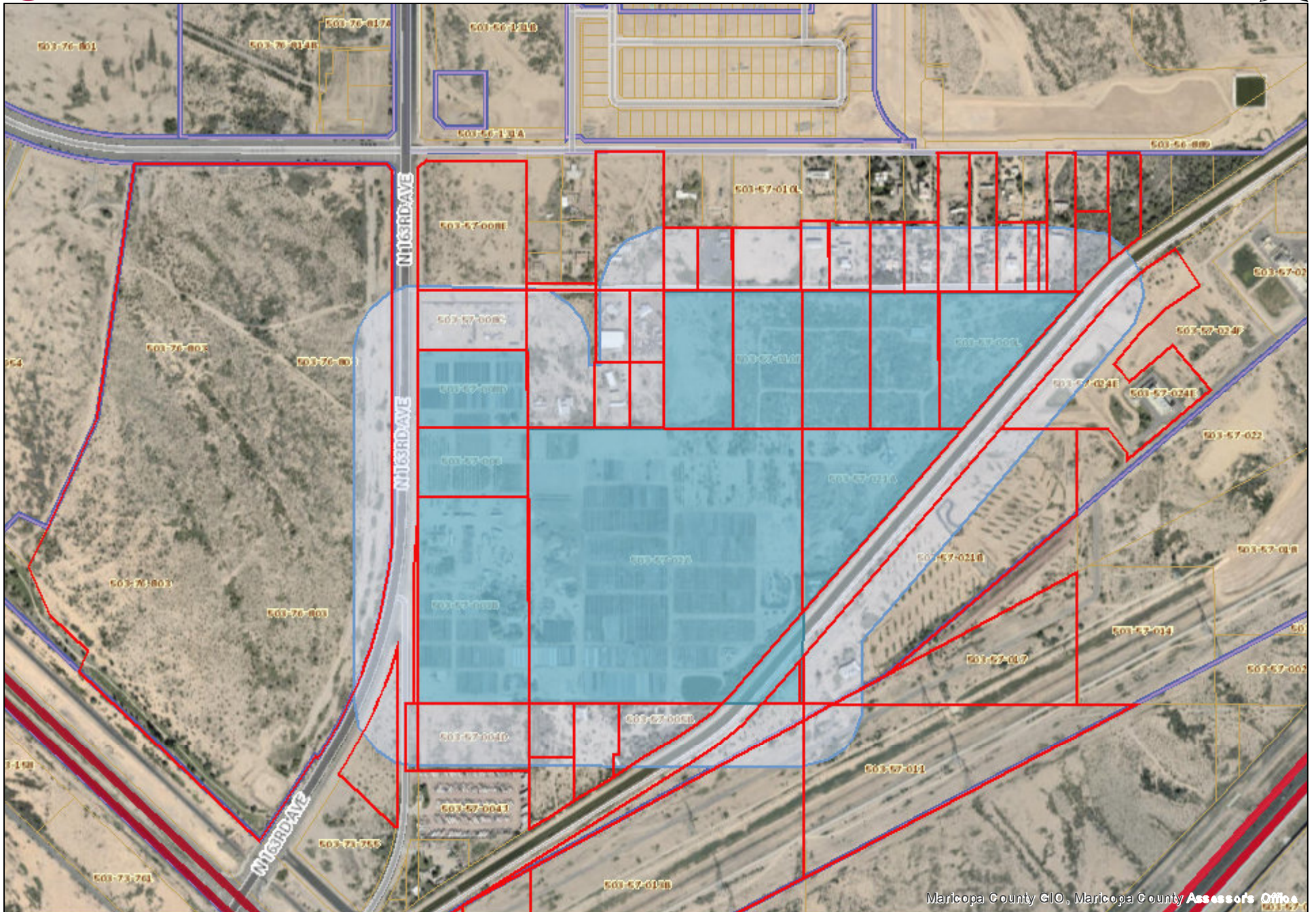
CAUTION - EXTERNAL EMAIL

Phishing? Forward to Helpdesk or _Trouble ticket

APPENDIX 4



163rd & Grand Avenue - 300' Buffer Map



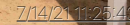
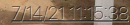
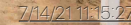
Maricopa County GLO, Maricopa County Assessor's Office

5/25/2021 11:34:04 AM

APPENDIX 5

163RD & GRAND AVENUE - MAILING LIST (300')					
APN	OWNER	ADDRESS	CITY	STATE	ZIP
503-57-016	29 PALMS RV & BOAT STORAGE LLC				
503-57-019G	29 PALMS RV & BOAT STORAGE LLC				
503-57-021B	29 PALMS RV & BOAT STORAGE LLC				
503-57-025G	29 PALMS RV & BOAT STORAGE LLC				
503-57-010S	ARREOLA ALFREDO/NORMA				
503-57-010T	BARCLAY SURPRISE INC				
503-57-038A	BREWER MARIA D				
503-57-010N	CAMACHO CESAR/LETITIA				
503-57-008D	CAMPANIA LLC				
503-57-010G	CAMPANIA LLC				
503-57-026	CAMPANIA LLC				
503-57-009W	FERNANDEZ CARMEN R				
503-57-011	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY				
503-57-013B	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY				
503-57-017	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY				
503-57-010Q	FRONSMAN ADELLA M				
503-57-010R	FRONSMAN GEORGE/CRYSTAL				
503-57-033A	GOMEZ CONSEPCION S				
503-57-004C	HANCOCK LAWRENCE G				
503-57-004D	HANCOCK LAWRENCE G				
503-57-008E	HUEY RICHARD G/IRENE TR/WONG W O/S O TR/ETAL				
503-73-028V	JOSEPH A SOLDEVERE/ARLENE R REV TRUST				
503-76-803	KIMCO BARCLAY SURPRISE II LLC				
503-57-024E	LCD ASANTE LLC				
503-57-007G	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007H	MC REAL ESTATE DEVELOPMENT LLC				
503-57-008C	MORGAN CAREY D/LAUREN L				
503-57-047	ODOGUI SAMUEL N/NELLIE				
503-57-048	OROZCO SALVADOR D				
503-57-009U	PASILLAS ANTONIO C/ROSARIO IBARRA				
503-57-009P	PASILLAS ANTONIO/AUGUSTIN				
503-57-010M	PEAK RV STORAGE LLC				
503-57-010K	SKAGGS M R/M E/RUCH R J/N A				
503-57-009X	SOLIS MARIANO/CYNTHIA				
503-57-009Z	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-031	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-045	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-046	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-003A	VALPARAISO LLC				
503-57-003B	VALPARAISO LLC				
503-57-005B	VALPARAISO LLC				
503-57-005D	VALPARAISO LLC				
503-57-005E	VALPARAISO LLC				
503-57-005F	VALPARAISO LLC				
503-57-006	VALPARAISO LLC				
503-57-009J	VALPARAISO LLC				
503-57-009K	VALPARAISO LLC				
503-57-009L	VALPARAISO LLC				
503-57-010F	VALPARAISO LLC				
503-57-021A	VALPARAISO LLC				
503-57-034	WALKER RONALD/PAULA				

APPENDIX 6



CITY OF SURPRISE
Site posting Process

AFFIDAVIT OF POSTING
(Sign modification)

Application No: FS21-257
Applicant Name: _____
Location: South of the Southeast corner of 163rd and Ave and Pinnacle Peak Rd
Date Site Posted: May 28th, 2021 sign modified: July 14th, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any type of public hearing in the City of Surprise shall erect two (2) signs giving notice of the date, time and place of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior** to the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the responsibility of the applicant to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the responsibility of the applicant to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt
Applicant/Representative Signature

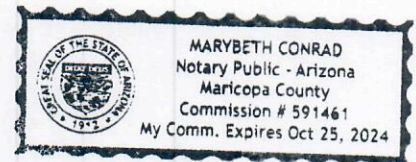
7-14-2021
Date

This instrument was acknowledged before me on this 14th day of July, 2021, and by Maria Hitt. I witness whereof I hereunto set my hand and official seal.

Marybeth Conrad
Notary Public

10-25-2021
My commission expires

Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least **fifteen (15) days prior** to the scheduled meeting(s).



AFFIDAVIT OF POSTING

Application No: FS21-512 and FS21-513

Applicant Name:

Location: South of the Southeast corner of 163rd Ave and Pinnacle Peak Rd

Date Site Posted: July 14, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt
Applicant/Representative Signature

7-14-2021
Date

This instrument was acknowledged before me on this 14th day of July, 2021, and by Maria Hitt. I witness whereof I hereunto

set my hand and official seal.

Marybeth Conrad
Notary Public
10-25-2024
My commission expires



APPENDIX 7



Sign-In Sheet

Neighborhood Meeting

Please provide all information so that we can provide you with future updates and notifications of meetings and/or hearing.

Name	Larry Hancock	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Casimiro Hernandez	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Gary Webb & Vicki Webb	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Scott & Janice Phillips	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Donald Thomas Izabela music	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Matt Keating	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	P&Z Commissioner
Name	Sam & Nellie Odogui	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	[REDACTED]
Name	Crystal Fronsman	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	[REDACTED]
Name	Adella Fronsman	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	[REDACTED]

APPENDIX 8

Comment Card
Neighborhood Meeting



Optional

Name: GARY Webb

Address: [REDACTED]

Email: [REDACTED]

Would you like to be added to an
e-mail subscription list for updates on
this project?

Yes



No



Please provide your comments:

WHAT ROAD IMPROVEMENT
ARE PLANNED WITH
THIS DEVELOPMENT

AND WILL THE DEVELOPERS
BE HELPING WITH ANY
OF THEM

APPENDIX 9

Meeting Minutes

Project Name: 163rd and Grand Avenue
Project No.: 21-0167

Date: July 29, 2021

Meeting Location: Asante Prep Academy and Online – GoToMeeting
Meeting Date: July 29, 2021
Meeting Time: 6:00 – 6:50 PM

Development Team Attendees:

Jeff Blilie	Beus Gilbert McGroder, PLLC	jblilie@beusgilbert.com
David Hughes	EPS Group	david.hughes@epsgroupinc.com
Peter Margoliner	EPS Group	peter.margoliner@epsgroupinc.com
Natalie Maikoski (online)	EPS Group	natalie.maikoski@epsgroupinc.com

Public Attendees:

See attached attendance list.

Meeting Summary:

A neighborhood meeting was held at the above listed date, time and place to discuss a proposed annexation, General Plan Amendment, and Rezone request for future residential development, located on the east corner of 163rd and Grand Avenue, within the proposed annexation boundary of the City of Surprise. Jeff Blilie, along with EPS Group, hosted the meeting and gave a presentation. Following the presentation, a Question & Answer Session was in held in which members of the public were able to ask questions and give comments, to which the Development Team responded to. The public's comments and concerns are described below.

Questions Asked:

- Some residents stated that they did not get letters in the mail while others stated that they did.
 - The Development Team will update the list of residents to be notified of future meetings and Public Hearings.
- How many residential units will be created and if there was going to be any multi-family?
 - There is a multifamily development planned for about 240 units.
- Will the R-3 be for rent?
 - Yes.

Meeting Minutes

Project Name: 163rd and Grand Avenue
Project No.: 21-0167

Date: July 29, 2021

- What will happen to the tree farm?
 - It will go away.
- How long until it develops.
 - An estimate would be around two years.
- Who started the process?
 - The subject site property owners initiated the request and started the process.
- What are the advantages and disadvantages of joining the city?
 - One major advantage is for access to city utilities. A disadvantage discussed was being under City of Surprise code enforcement.
- What will happen to Planada Street? Will it go to 163rd?
 - It will be improved out to 163rd Street.
- How far north will 163rd be improved?
 - 163rd will be improved along the property line and will comply with City requirements for future developments.
- How does council feel about this?
 - The council member that was present was not a fan of the proposed product.
- Is there a range on square footage and price for the proposed development?
 - It is too early to determine price and square footage.
- Will the rezoning affect anything outside the boundary?
 - No.

Conclusion:

The meeting was adjourned at 6:50 PM when no other questions or comments were requested.

The above is the author's recollection of items discussed and the decisions reached. If there are any corrections or additions to be made, please contact the author. These meeting notes shall become part of the project file.

AFFIDAVIT OF POSTING

Application No: FS21-512 & FS21-513
Applicant Name: EPS Group
Location: S SEC of 163rd Ave and Pinnacle Peak Rd
Date Site Posted: 11/29/21

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior** to the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Meghan Liggett
Applicant/Representative Signature

11/29/21
Date

This instrument was acknowledged before me on 11/29/21, by Meghan Liggett. I witness whereof I hereunto set my hand and official seal.



Marybeth Conrad
Notary Public
10/25/24
My commission expires

*Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least fifteen (15) days **prior to** the scheduled meeting(s).*

Notice of Public Hearing City of Surprise

FS21-512 Annexation Request FS21-513 Rezone Request

City Council Public Hearing (Blank Petition)

Date: December 21, 2021

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

Planning & Zoning Commission Regular Public Hearing

Date: January 6, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Discussion)

Date: January 18, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Approval/Denial)

Date: February 15, 2022

Time: 6:00 P.M.

Location: Surprise City Hall Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

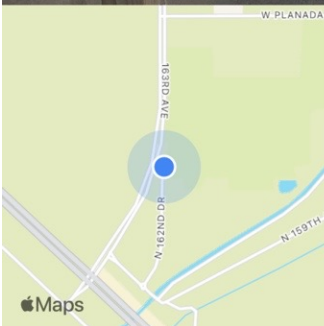
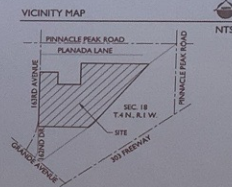
Project Name: NEC 163rd & Grand Major Annexation and Rezone

Description: The applicant is requesting the following entitlements:

FS21-512: An Annexation of approximately 93.97 acres of Maricopa County Unincorporated property into the City of Surprise.

FS21-513: A Rezone of approximately 93.97 acres from Rural Residential (RR) to Residential Low Density (R-1) and Residential High Density (R-3).

For more information, call:
623-222-3011



Nov 29, 2021 at 10:46:59 AM
N 33° 41' 25", W 112° 24' 33"
N 162nd Dr
Surprise AZ 85387

Notice of Public Hearing City of Surprise

FS21-512 Annexation Request FS21-513 Rezone Request

City Council Public Hearing (Blank Petition)

Date: December 21, 2021

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

Planning & Zoning Commission Regular Public Hearing

Date: January 6, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Discussion)

Date: January 18, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Approval/Denial)

Date: February 15, 2022

Time: 6:00 P.M.

Location: Surprise City Hall Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

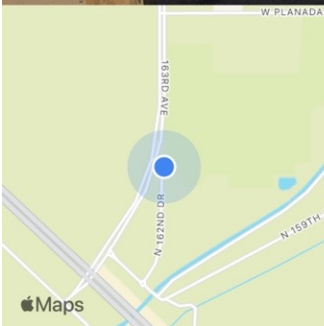
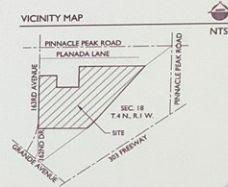
Project Name: NEC 163rd & Grand Major Annexation and Rezone

Description: The applicant is requesting the following entitlements:

FS21-512: An Annexation of approximately 93.97 acres of Maricopa County Unincorporated property into the City of Surprise.

FS21-513: A Rezone of approximately 93.97 acres from Rural Residential (RR) to Residential Low Density (R-1) and Residential High Density (R-3).

For more information, call:
623-222-3011



Nov 29, 2021 at 10:46:45 AM
N 33° 41' 25", W 112° 24' 33"
N 162nd Dr
Surprise AZ 85387

Notice of Public Hearing City of Surprise

FS21-512 Annexation Request FS21-513 Rezone Request

City Council Public Hearing (Blank Petition)

Date: December 21, 2021

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

Planning & Zoning Commission Regular Public Hearing

Date: January 6, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Discussion)

Date: January 18, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Approval/Denial)

Date: February 15, 2022

Time: 6:00 P.M.

Location: Surprise City Hall Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

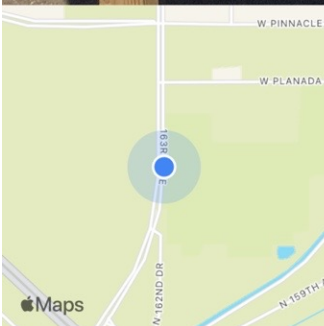
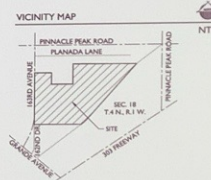
Project Name: NEC 163rd & Grand Major Annexation and Rezone

Description: The applicant is requesting the following entitlements:

FS21-512: An Annexation of approximately 93.97 acres of Maricopa County Unincorporated property into the City of Surprise.

FS21-513: A Rezone of approximately 93.97 acres from Rural Residential (RR) to Residential Low Density (R-1) and Residential High Density (R-3).

For more information, call:
623-222-3011



Nov 29, 2021 at 10:44:02 AM
N 33° 41' 32", W 112° 24' 33"
22439 163rd Ave
Surprise AZ 85387

Notice of Public Hearing City of Surprise

FS21-512 Annexation Request FS21-513 Rezone Request

City Council Public Hearing (Blank Petition)

Date: December 21, 2021

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

Planning & Zoning Commission Regular Public Hearing

Date: January 6, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Discussion)

Date: January 18, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Approval/Denial)

Date: February 15, 2022

Time: 6:00 P.M.

Location: Surprise City Hall Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

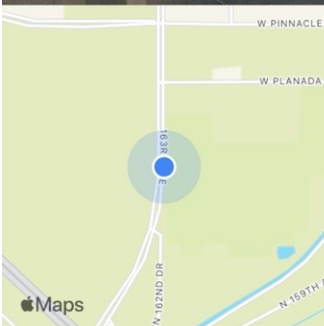
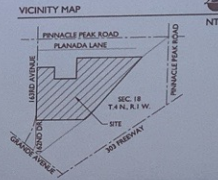
Project Name: NEC 163rd & Grand Major Annexation and Rezone

Description: The applicant is requesting the following entitlements:

FS21-512: An Annexation of approximately 93.97 acres of Maricopa County Unincorporated property into the City of Surprise.

FS21-513: A Rezone of approximately 93.97 acres from Rural Residential (RR) to Residential Low Density (R-1) and Residential High Density (R-3).

For more information, call:
623-222-3011



Nov 29, 2021 at 10:44:21 AM
N 33° 41' 32", W 112° 24' 33"
22439 163rd Ave
Surprise AZ 85387

Notice of Public Hearing City of Surprise

FS21-512 Annexation Request FS21-513 Rezone Request

City Council Public Hearing (Blank Petition)

Date: December 21, 2021

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

Planning & Zoning Commission Regular Public Hearing

Date: January 6, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Discussion)

Date: January 18, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Approval/Denial)

Date: February 15, 2022

Time: 6:00 P.M.

Location: Surprise City Hall Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

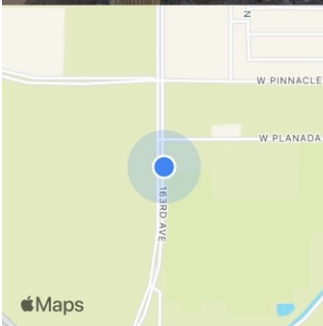
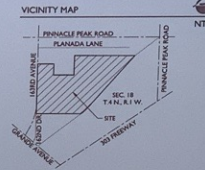
Project Name: NEC 163rd & Grand Major Annexation and Rezone

Description: The applicant is requesting the following entitlements:

FS21-512: An Annexation of approximately 93.97 acres of Maricopa County Unincorporated property into the City of Surprise.

FS21-513: A Rezone of approximately 93.97 acres from Rural Residential (RR) to Residential Low Density (R-1) and Residential High Density (R-3).

For more information, call:
623-222-3011



Nov 29, 2021 at 10:41:15 AM
N 33° 41' 39" W 112° 24' 33"
22907-23125 163rd Ave
Surprise AZ 85387

Notice of Public Hearing City of Surprise

FS21-512 Annexation Request FS21-513 Rezone Request

City Council Public Hearing (Blank Petition)

Date: December 21, 2021

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

Planning & Zoning Commission Regular Public Hearing

Date: January 6, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Discussion)

Date: January 18, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Approval/Denial)

Date: February 15, 2022

Time: 6:00 P.M.

Location: Surprise City Hall Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

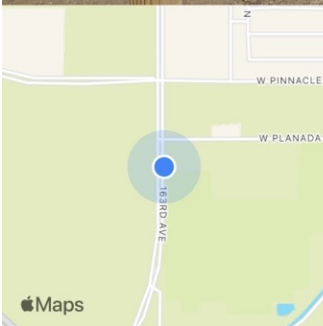
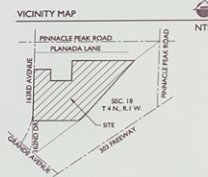
Project Name: NEC 163rd & Grand Major Annexation and Rezone

Description: The applicant is requesting the following entitlements:

FS21-512: An Annexation of approximately 93.97 acres of Maricopa County Unincorporated property into the City of Surprise.

FS21-513: A Rezone of approximately 93.97 acres from Rural Residential (RR) to Residential Low Density (R-1) and Residential High Density (R-3).

For more information, call:
623-222-3011



Nov 29, 2021 at 10:41:01 AM
N 33° 41' 39", W 112° 24' 33"
22907-23125 163rd Ave
Surprise AZ 85387

AFFIDAVIT REGARDING ANNEXATION

Personally appears before me, Chris Boyd, who, first being duly sworn, deposes and says as follows:

1. I make this affidavit of my own personal knowledge.
2. I am the duly appointed Community Development Director of the City of Surprise, Arizona and I am qualified to make this affidavit on behalf of and for the City.
3. I have made a diligent search of the records of the Office of the Clerk of the City of Surprise and of the Office of the Maricopa County Recorder for any annexation filing which might involve territory sought to be annexed in the City of Surprise Annexation Petition, which is filed herewith, with exhibits, in the Office of the Maricopa County Recorder.
4. I hereby affirm, pursuant to A.R.S. §9-471(A)(6), that no part of the territory associated with **Surprise Case #FS21-512** for which the attached Annexation Petition is filed is already subject to an earlier filing for annexation.

FURTHER AFFIANT SAYETH NOT.



(Chris Boyd, Surprise Community Development Director)

SWORN TO AND SUBSCRIBED before me
this 29th day of November, 2021.



Notary Public for the State of Arizona

My commission expires: 10/8/2023





SURPRISE
ARIZONA

FS21-512
163rd Ave & Grand Ave
Annexation

City Council
January 18, 2022

Annexation Steps

Resolution for the Intent to Annex & Blank Petition

- Approved Resolution for Blank Petition

File Blank Petition:

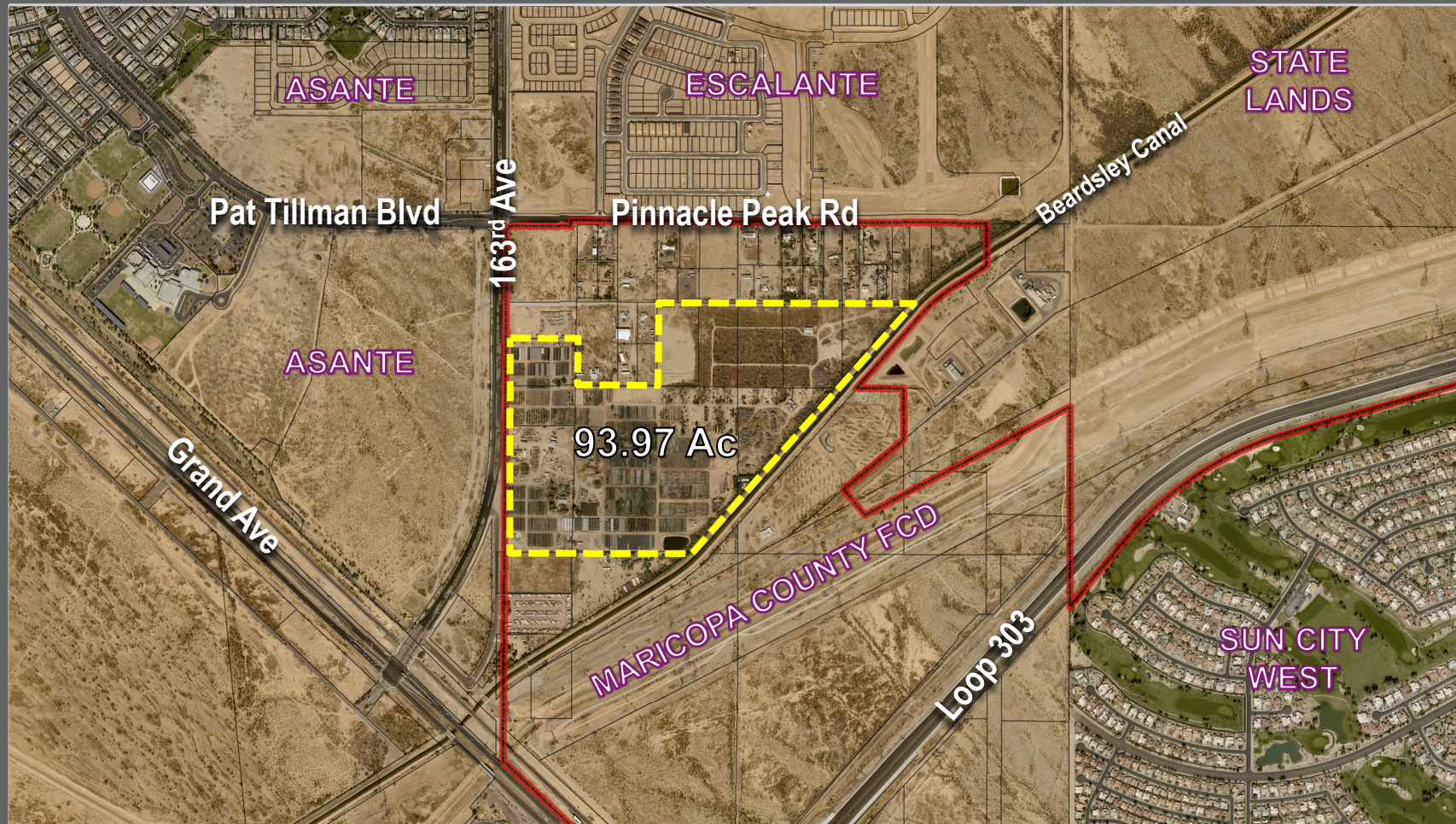
- December 22, 2021: Record Blank Petition
- Begins 30-day waiting period;

Public Hearing: **Tonight**

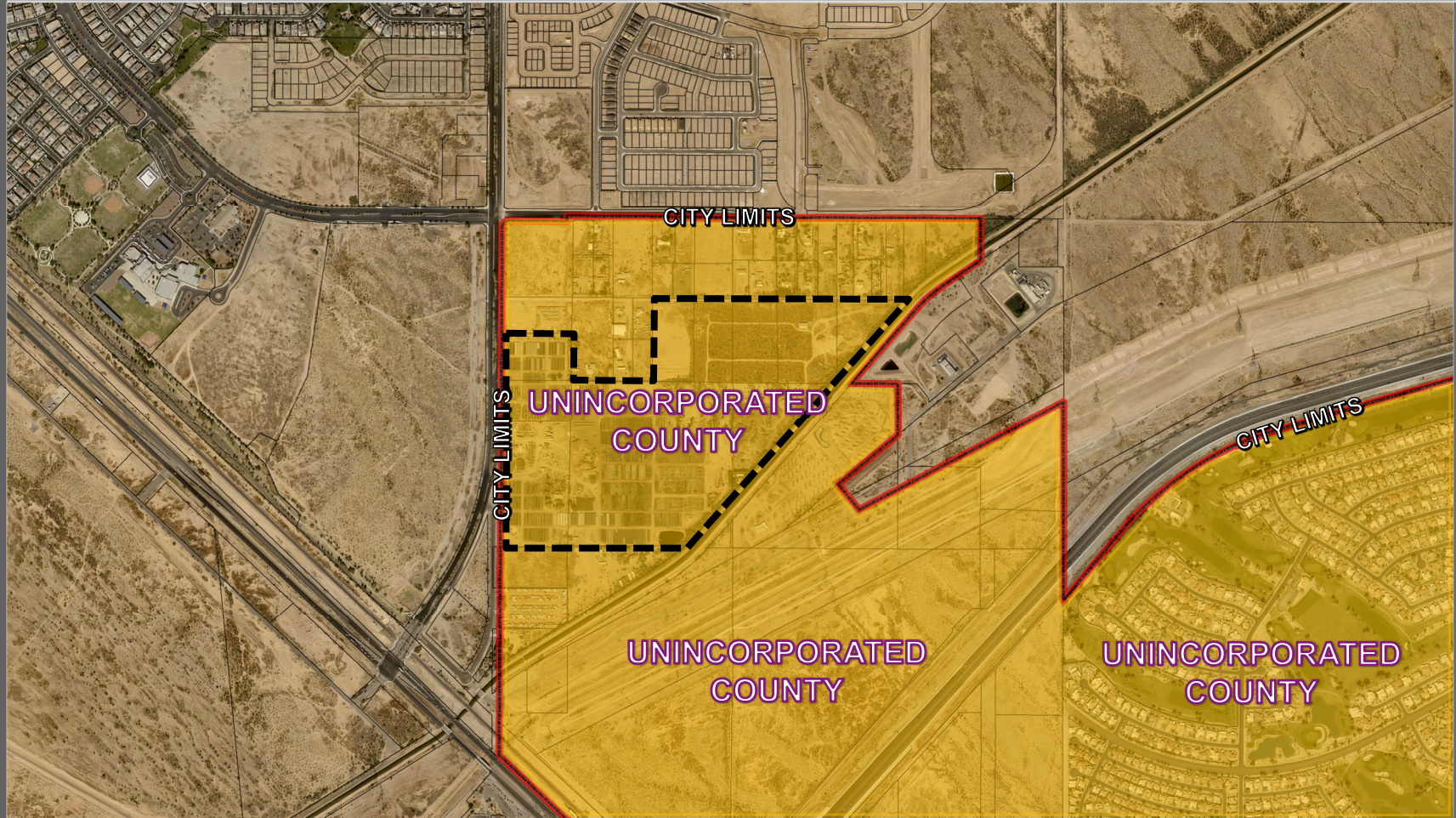
- City council holds public hearing to discuss the annexation proposal
- January 18, 2022 (approximately 21-30 days after filing blank petition)
- No Action

Obtain signatures on annexation petitions

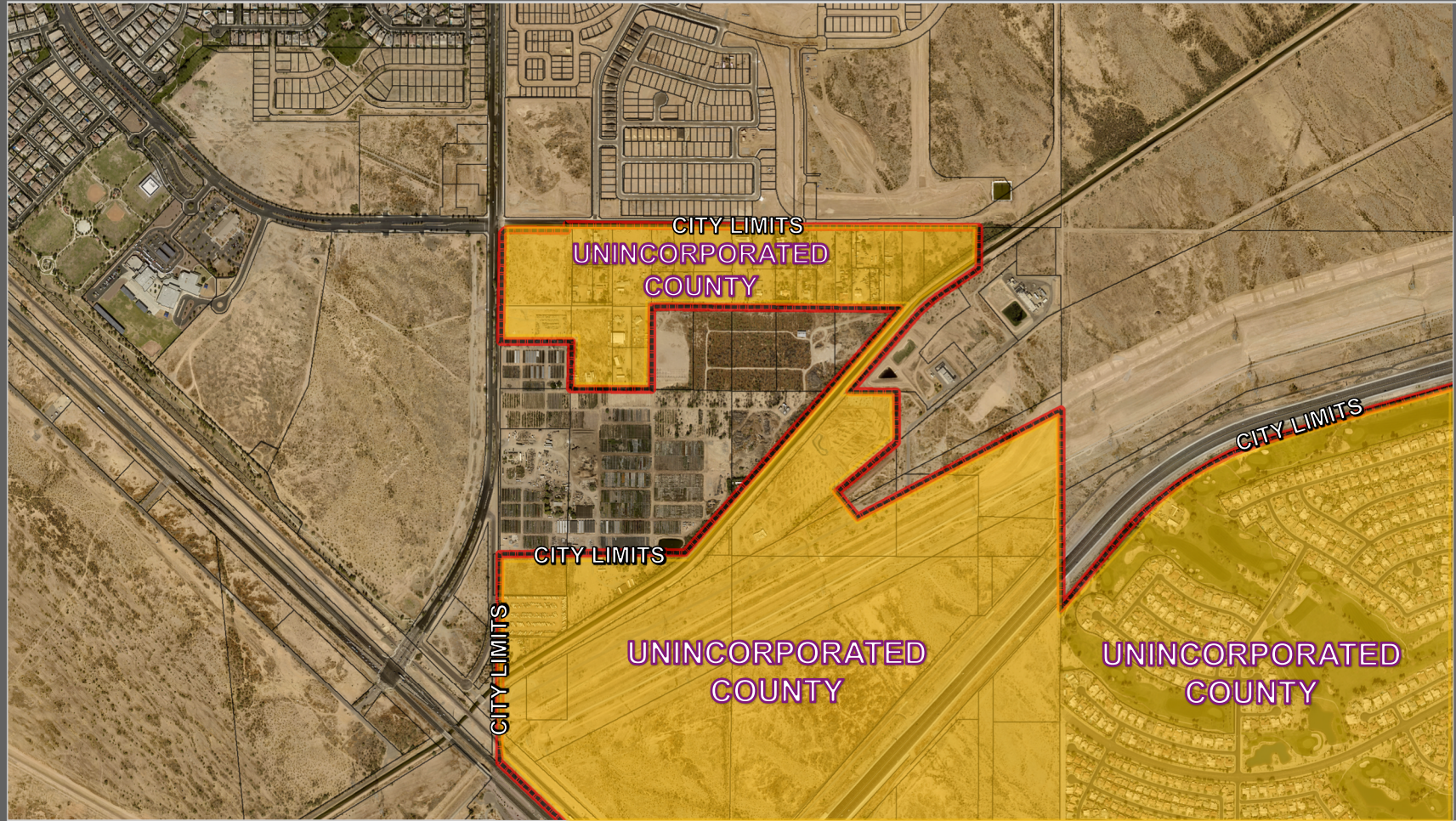
- Applicant has 1 year to complete petition
- City Council adopts annexation ordinance



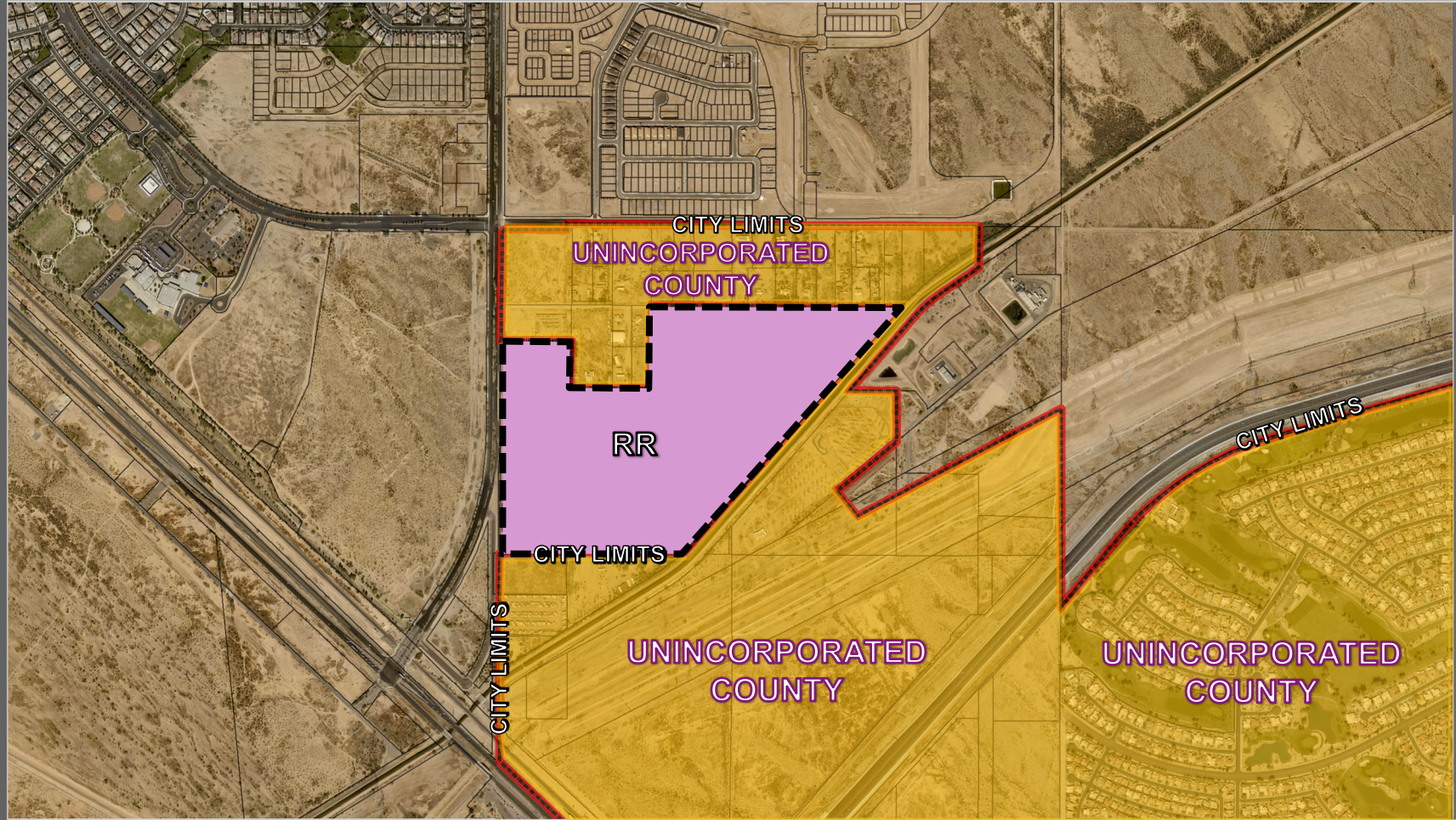
VICINITY MAP



EXISTING CITY BOUNDARY

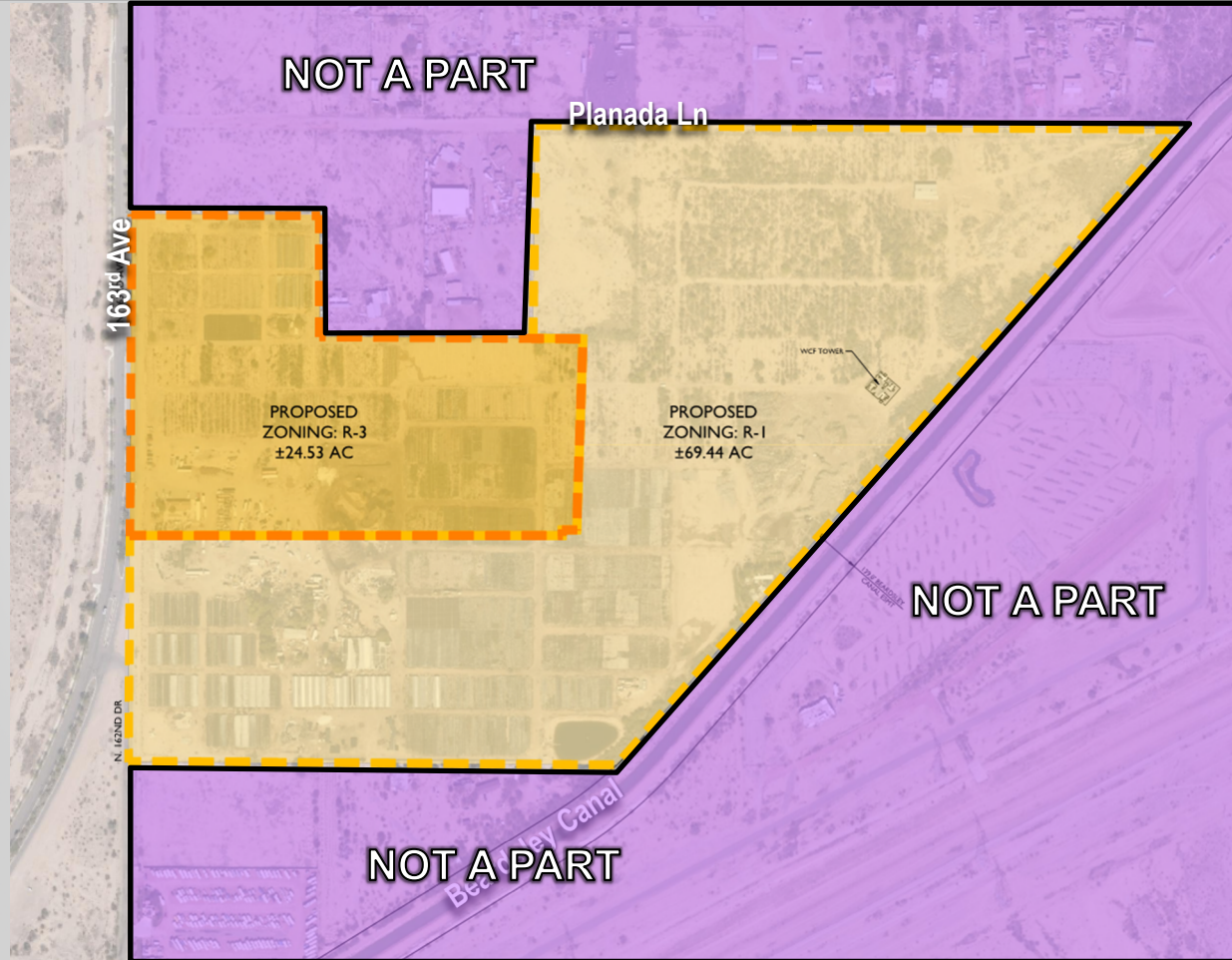


PROPOSED CITY BOUNDARY



POST ANNEXATION ZONING

FS21-513
Rezone to
R-1: ±69.44 Acres
R-3: ±24.53 Acres



PROPOSED REZONE



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: January 18, 2022

Contact Person: Jodi Tas, MNGMNT ANALYST - SR

Submitting Department: Mayor and Council

District: Citywide

Staff Recommendations: None

Consent: No

Regular: Yes

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of the 2022 Legislative Agenda.

Motion:

I move to approve the 2022 Legislative Agenda as presented.

Background:

The Legislative Agenda serves as a guide to which legislative issues the city shall monitor and more importantly, engage in to support the priority and mission of the Surprise City Council.

Objective Analysis:

The Legislative Agenda is consistent with the Surprise City Council policies and values and will guide Government Relations staff working with federal, state and county elected officials.

Policy Compliant:

Yes

Financial Impact:

N/A

Budget Impact:

N/A

FTE Impact:

N/A

ATTACHMENTS:

1. 2022 Legislation Agenda
-



2022 Legislative Agenda

2nd Regular Session of the 55th Arizona Legislature

PURPOSE

- To define the City's legislative priorities and core values for the 2022 state legislative session.
- This next session will begin on January 10, 2022.
- To provide direction to Government Relations to ensure the City is actively engaging on issues at the Capitol that reflect the priorities and mission of the Surprise City Council.

2021 LEGISLATIVE

AGENDA

- Maintain Surprise's Quality of Life
 - Protect attributes that make Surprise a desirable community for families and business alike.
 - Examples include efficient transportation, public safety, safe neighborhoods, open space, and economic prosperity.
- Protect Mission of Luke Air Force Base
 - Advocate for the long-term mission and viability of Luke AFB through local and regional community support as well as any level of advocacy to protect base.

2021 LEGISLATIVE AGENDA

- Preserve Local Funding

- Protect existing funding sources that bring revenue to the City of Surprise which support the quality of life for our residents.
- Common examples include our portion of state shared income tax, state transaction tax, vehicle license tax and Highway User Revenue Fund (HURF) monies.

2021 LEGISLATIVE

AGENDA

- Oppose Pre-emption of Local Authority
 - Support local decision-making authority.
 - The community trusts their local elected officials to protect public health, safety and their quality of life. Any efforts to weaken or eliminate local control and decision making authority through pre-emption or mandates will be opposed.

2021 LEGISLATIVE

AGENDA

- Transportation

- Support regionally coordinated transportation planning.
- Support an update to the Regional Transportation Plan.
- Oppose efforts that limit local control in the transportation decision-making process.

2021 LEGISLATIVE

AGENDA

- Land Use Planning
 - Protect local authority in land use planning.
 - Support efforts that promote orderly and sustainable growth.
 - Oppose efforts that impede growth management.
- Public Safety
 - Preserve and enhance the ability of local governments to strategically plan for and respond to emergencies.

2021 LEGISLATIVE

• Public Safety AGENDA

- Preserve and enhance the ability of local governments to strategically plan for and respond to emergencies.
- Support legislation that enhances public safety and protection of criminal activity while maintaining vigilance in the protection of individual rights.

2021 LEGISLATIVE

AGENDA

- Economic Development
 - Support efforts that enhance our economic competitiveness.
 - Support diversification of economic development tools.
 - Protect local authority on development projects.
- Neighborhoods
 - Support our policies that strengthen the quality of life in our neighborhoods

2021 LEGISLATIVE

AGENDA

- Water and Sustainability
 - Support the wise usage of natural resources
 - Protect Surprise's investment in safe and reliable water resources and wastewater services.



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: January 18, 2022

Contact Person: Ellen Van Riper, Chief Deputy
City Attorney

Submitting Department: Legal

District: Citywide

Staff Recommendations: None

Consent: No

Regular: Yes

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the Surprise Municipal Code Chapter 34 (Offenses and Miscellaneous Provisions) Article VIII (Recreational Marijuana) to conform with Chapters 101 and 106 of the Surprise Land Development Ordinances, as amended by Ordinance # 2021-24, pertaining to marijuana facilities; Ordinance # 2022-01.

Motion:

I move to approve Ordinance # 2022-01.

Background:

The Mayor and City Council adopted Ordinance No. 2021-24 on November 16, 2021, allowing “dual licensees” to sell recreational marijuana within a license medical marijuana dispensary and licensed marijuana testing facilities/laboratories to operate within the Business Park (BP), Light Industrial (I-1), and General Industrial (I-2) zoning districts. This change was in response to the “Smart and Safe Arizona Act,” which was approved by Arizona’s voters in November 2020 and City Ordinance No. 2020-37, which regulates the use of recreational marijuana within Surprise.

Objective Analysis:

The adoption of Ordinance No. 2021-24 requires that Chapter 34, Article VIII of the Surprise Municipal Code be amended to harmonize it with Chapters 101 and 106 of the Surprise Land Development Ordinances. This will ensure that duly licensed marijuana facilities and marijuana testing facilities/laboratories may lawfully operate within the City.

Policy Compliant:

Harmony between the Surprise Municipal Code and the Surprise Land Development Ordinances ensures effective regulations and standards used to achieve the goals and policies in place for future development within the City.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. ORD 2022-01 Recreational Marijuana - Staff Report
 2. ORD 2022-01 Amend Chapter 34 and Article VIII Ordinance
 3. ORD 2022-01 Rec Marijuana 01182022 CC
-



CODE AMENDMENT

REPORT TO THE CITY COUNCIL

Project Name: Recreational Marijuana Municipal Code Amendment;
Ordinance No. 2022-01

Council District: Citywide

Meeting Date: January 18, 2022

Planner: Ellen Van Riper and Jason Moquin

Applicant: City of Surprise

Request: Amend Chapter 34 (Offenses and Miscellaneous Provisions), Article VIII (Recreational Marijuana) of the Surprise Municipal Code to conform with Chapters 101 and 106 of the Surprise Land Development Ordinances

PROJECT DESCRIPTION:

The City of Surprise requests a Text Amendment to the Surprise Municipal Code, Chapter 34 (Offenses and Miscellaneous Provisions), Article VIII (Recreational Marijuana), to allow dual licensees to sell recreational marijuana within medical marijuana facilities and for marijuana testing facilities/laboratories to operate within the City as permitted by Chapters 101 and 106 of the Land Development Ordinances (LDO). The proposed Text Amendment would also prohibit cultivation of marijuana in the City, except as permitted by law for personal use of recreational marijuana and by a qualifying medical marijuana card holder who lives 25 miles or more from a medical marijuana dispensary.

BACKGROUND:

The Mayor and City Council adopted Ordinance No. 2021-24 on November 16, 2021, allowing “dual licensees” to sell recreational marijuana within a licensed medical marijuana dispensary and licensed marijuana testing facilities/laboratories to operate within the Business Park (BP), Light Industrial (I-1), and General Industrial (I-2) zoning districts. This change was in response to the “Smart and Safe Arizona Act,” which was approved by Arizona’s voters in November 2020 and City Ordinance No. 2020-37, which regulates the use of recreational marijuana within Surprise. The proposed Text Amendment is necessary to harmonize the Municipal Code and the LDO, because Ordinance No. 2020-37 prohibits the sale of recreational marijuana within the City and prohibits marijuana testing facilities/laboratories to operate within the City.

ANALYSIS AND DISCUSSION:

The adoption of Ordinance No. 2021-24 requires that Chapter 34, Article VIII of the Surprise Municipal Code be amended to harmonize it with Chapters 101 and 106 of the Surprise Land Development Ordinances. This will ensure that duly licensed marijuana facilities and marijuana testing facilities/laboratories may lawfully operate within the City. Harmony between the Surprise Municipal Code and the Surprise Land Development Ordinances ensures effective regulations and standards used to achieve the goals and policies in place for future development within the City.

The following are the proposed changes in legislative format with new text shown in **ALLCAPS AND HIGHLIGHTED**, and text to be removed is shown in ~~strikethrough~~.

Article VIII Recreational Marijuana

Sec. 34-301	Purpose
Sec. 34-302	Definitions
Sec. 34-303	Marijuana Prohibited on Public Property
Sec. 34-304	Marijuana RETAIL Establishment Prohibited
Sec. 34-305	Marijuana Testing Facility Prohibited
Sec. 34-305	CULTIVATION OF MARIJUANA PROHIBITED
Sec. 34-306 – 34-320	Reserved
Sec. 34-321	Violations; Enforcement; Penalties

Sec. 34-301 Purpose

This Article is adopted to protect the health, safety, and welfare of the community. Except as **OTHERWISE** allowed by law, **INCLUDING THIS ARTICLE VIII AND THE LAND DEVELOPMENT ORDINANCES** ~~for personal, private use,~~ the City prohibits the retail sale, cultivation, storage, and manufacturing of marijuana or marijuana products in the City. Nothing in this Article is intended to promote or condone the sale, cultivation, manufacture, transport, production, distribution, possession, storage, or use of marijuana or marijuana products in violation of any applicable law.

Sec. 34-302 Definitions.

~~Marijuana Establishment~~ **FACILITY** means an entity licensed by the Department to operate ~~all of the following:~~

- ~~1. A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana, and manufacture marijuana products.~~ **A MEDICAL MARIJUANA DISPENSARY; OR**
- ~~2. A single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana, and manufacture~~

marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers. A MARIJUANA RETAIL ESTABLISHMENT OPERATED BY A DUAL LICENSEE THAT IS CO-LOCATED ON THE SAME PROPERTY WITH A MEDICAL MARIJUANA DISPENSARY WHICH HAS AN ACTIVE, VALID MEDICAL MARIJUANA DISPENSARY REGISTRATION FROM THE DEPARTMENT AS WELL AS A MARIJUANA RETAIL ESTABLISHMENT LICENSE ISSUED BY THE DEPARTMENT.

3. A single off-site location at which the licensee may manufacture marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

MARIJUANA RETAIL ESTABLISHMENT MEANS AN ENTITY LICENSED BY THE DEPARTMENT TO OPERATE A SINGLE RETAIL LOCATION AT WHICH THE LICENSEE MAY SELL MARIJUANA AND MARIJUANA PRODUCTS TO CONSUMERS.

Sec. 34-304 Marijuana RETAIL Establishment Prohibited.

To the fullest extent allowable by law, the operation of a marijuana RETAIL establishment, THAT DOES NOT QUALIFY AS A MARIJUANA FACILITY, AS DEFINED IN SECTION 34-302, is prohibited in the city.

Sec. 34-305 — Marijuana Testing Facility Prohibited.

- A. To the fullest extent allowable by law, the operation of a marijuana testing facility is prohibited in the City.

Sec. 34-305 CULTIVATION OF MARIJUANA PROHIBITED

TO THE FULLEST EXTENT ALLOWABLE BY LAW, COMMERCIAL CULTIVATION AND ALL OTHER CULTIVATION OF MARIJUANA IS PROHIBITED IN THE CITY.

Sec. 34-306-- 34-320 Reserved.

FINDINGS:

- 129 • The proposed changes to the Surprise Municipal Code are consistent with Prop 207 “Smart
130 and Safe Arizona” and City Ordinance No. 2021-24.

131

132 **ATTACHMENTS:**

133

134 01 Ordinance

135 PPT

ORDINANCE NO. 2022-01

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 34 (OFFENSES AND MISCELLANEOUS PROVISIONS), ARTICLE VIII (RECREATIONAL MARIJUANA), OF THE SURPRISE MUNICIPAL CODE, TO CONFORM WITH CHAPTERS 101 AND 106 OF THE SURPRISE LAND DEVELOPMENT ORDINANCES, AS AMENDED BY ORDINANCE NO. 2021-24; AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, marijuana contains tetrahydrocannabinol (“THC”), which remains on Schedule I of the Controlled Substances Act pursuant to 21 U.S.C. § 811 et al. and any possession and use is a violation of federal law pursuant to 21 U.S.C. § 841 et. al.;

WHEREAS, the Arizona Medical Marijuana Act, Arizona Revised Statutes Sections § 36-2801 et al., and Title 9, Chapter 17 of the Arizona Administrative Code, allow the establishment and operation of nonprofit medical marijuana dispensaries in the City according to a prescribed statutory and regulatory process;

WHEREAS, the statewide ballot measure I-23-2020, known as the “Smart and Safe Arizona Act,” was certified as Proposition 207 and placed on the November 3, 2020 general election ballot, where it was approved by a majority of the votes cast at the November 3, 2020 general election;

WHEREAS, Proposition 207 contains provisions authorizing the possession, consumption, purchase, processing, manufacturing or transporting of marijuana by an individual who is at least twenty-one (21) years of age; authorizing possession, transport, cultivation or processing of marijuana plants in a primary residence by adults who are 21 years of age or older; allowing a nonprofit medical marijuana dispensary or other non-dispensary applicant to apply to the Arizona Department of Health Services to become a licensed marijuana establishment authorized to engage in the retail sale, cultivation, and manufacturing of marijuana; and allowing the Department, or another entity designated by the Department, to become a marijuana testing facility to test the potency of marijuana and detect any harmful contaminants;

WHEREAS, in response to the passage of Proposition 207, the Mayor and City Council adopted Ordinance No. 2020-37 on November 17, 2020, to protect the health, safety, and welfare of the Surprise community by prohibiting, except as allowed by law for personal, private

use, the retail sale, cultivation, storage, and manufacturing of marijuana or marijuana products in the city;

WHEREAS, also in response to the passage of Proposition 207, the Mayor and City Council adopted Ordinance No. 2021-24 on November 16, 2021, to allow “dual licensees” to sell recreational marijuana within a licensed medical marijuana dispensary and licensed marijuana testing facilities/laboratories to operate within the Business Park (BP), Light Industrial (I-1), and General Industrial (I-2) zoning districts; and

WHEREAS, the adoption of Ordinance No. 2021-24 requires that Chapter 34, Article VIII of the Surprise Municipal Code be amended to harmonize it with Chapters 101 and 106 of the Surprise Land Development Ordinances, as amended, and to ensure that duly licensed marijuana facilities and marijuana testing facilities/laboratories may lawfully operate within the City and to also ensure that the cultivation of marijuana within the City of Surprise will be prohibited to the fullest extent allowable by law.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Surprise, Arizona, as follows:

Section 1. **In General.**

The Code of Ordinances City of Surprise, Arizona, Chapter 34 Offenses and Miscellaneous Offenses, Article VIII (Recreational Marijuana) is hereby amended to read as follows:

(Proposed changes appear in legislative format with new text shown in **ALLCAPS AND HIGHLIGHTED**, and text to be removed is shown in ~~strike through~~.)

Article VIII **Recreational Marijuana**

Sec. 34-301	Purpose
Sec. 34-302	Definitions
Sec. 34-303	Marijuana Prohibited on Public Property
Sec. 34-304	Marijuana RETAIL Establishment Prohibited
Sec. 34-305	Marijuana Testing Facility Prohibited
Sec. 34-305	CULTIVATION OF MARIJUANA PROHIBITED
Sec. 34-306 – 34-320	Reserved
Sec. 34-321	Violations; Enforcement; Penalties

Sec. 34-301 Purpose

This Article is adopted to protect the health, safety, and welfare of the community. Except as OTHERWISE allowed by law, INCLUDING THIS ARTICLE VIII AND THE LAND DEVELOPMENT ORDINANCES ~~for personal, private use~~, the City prohibits the retail sale, cultivation, storage, and manufacturing of marijuana or marijuana products in the City. Nothing in this Article is intended to promote or condone the sale, cultivation, manufacture, transport, production, distribution, possession, storage, or use of marijuana or marijuana products in violation of any applicable law.

Sec. 34-302 Definitions.

The below words and phrases, wherever used in this Article, shall be construed as defined in this section unless, clearly from the context, a different meaning is intended. Words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number.

Chemical Extraction means the process of removing a particular component of a mixture from others present, including removing resinous tetrahydrocannabinol from marijuana.

Chemical Synthesis means production of a new particular molecule by adding to, subtracting from, or changing the structure of a precursor molecule.

Consume, Consuming, and Consumption mean the act of ingesting, inhaling, or otherwise introducing marijuana into the human body.

Consumer means an individual who is at least twenty-one years of age and who purchases marijuana or marijuana products.

Cultivate and Cultivation mean to propagate, breed, grow, prepare, and package marijuana.

Department means the State of Arizona Department of Health Services or its successor agency.

Dual Licensee means an entity that holds both a nonprofit medical marijuana dispensary registration and a marijuana establishment license.

Extraction means the process of extracting or separating resin from marijuana to produce or process any form of marijuana concentrates using water, lipids, gases, solvents, or other chemicals or chemical processes.

Manufacture and *Manufacturing* means to compound, blend, extract, infuse, or otherwise make or prepare a marijuana product.

Marijuana

1. Means all parts of the plant of the genus cannabis, whether growing or not, as well as the seeds from the plant, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin.
2. Includes cannabis as defined in A.R.S. § 13-3401.
3. Does not include industrial hemp, the fiber produced from the stalks of the plant of the genus cannabis, oil, or cake made from the seeds of the plant, sterilized seeds of the plant that are incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products.

Marijuana Concentrate:

1. Means resin extracted from any part of a plant of the genus cannabis and every compound, manufacture, salt, derivative, mixture, or preparation of that resin or tetrahydrocannabinol.
2. Does not include industrial hemp or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other products.

Marijuana Establishment **FACILITY** means an entity licensed by the Department to operate all of the following:

- ~~1. A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana, and manufacture marijuana products.~~ **A MEDICAL MARIJUANA DISPENSARY; OR**
- ~~2. A single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana, and manufacture marijuana products, but from which marijuana and marijuana~~

~~products may not be transferred or sold to consumers.~~ A MARIJUANA RETAIL ESTABLISHMENT OPERATED BY A DUAL LICENSEE THAT IS CO-LOCATED ON THE SAME PROPERTY WITH A MEDICAL MARIJUANA DISPENSARY WHICH HAS AN ACTIVE, VALID MEDICAL MARIJUANA DISPENSARY REGISTRATION FROM THE DEPARTMENT AS WELL AS A MARIJUANA RETAIL ESTABLISHMENT LICENSE ISSUED BY THE DEPARTMENT.

3. ~~A single off-site location at which the licensee may manufacture marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.~~

Marijuana Products means marijuana concentrate and products that are composed of marijuana and other ingredients and that are intended for use or consumption, including edible products, ointments, and tinctures.

MARIJUANA RETAIL ESTABLISHMENT MEANS AN ENTITY LICENSED BY THE DEPARTMENT TO OPERATE A SINGLE RETAIL LOCATION AT WHICH THE LICENSEE MAY SELL MARIJUANA AND MARIJUANA PRODUCTS TO CONSUMERS.

Marijuana Testing Facility means the Department or another entity that is licensed by the Department to analyze the potency of marijuana and test marijuana for harmful contaminants.

Nonprofit Medical Marijuana Dispensary means a non-profit entity as defined in A.R.S. § 36-2801(12).

Open Space means a public park, public sidewalk, public walkway, public trail, preserve, or public pedestrian thoroughfare.

Person means an individual, partnership, corporation, association, or any other entity of whatever kind or nature.

Process and *Processing* means to harvest, dry, cure, trim, or separate parts of the marijuana plant.

Public Place has the same meaning prescribed in the Smoke-Free-Arizona Act, A.R.S. § 36-601.01.

Smoke means to inhale, exhale, burn, carry, or possess any lighted marijuana or lighted marijuana products, whether natural or synthetic.

Sec. 34-303 Marijuana Prohibited on Public Property.

- A. To the fullest extent allowable by law, it is unlawful to:
- (1) Smoke, consume, sell or distribute, store, cultivate, manufacture, or produce marijuana or marijuana products on or in property that is occupied, owned, controlled, or operated by the city.
 - (2) Smoke marijuana or consume marijuana products in an open space in the city.
 - (3) Smoke marijuana in a public place in the city.

Sec. 34-304 Marijuana RETAIL Establishment Prohibited.

To the fullest extent allowable by law, the operation of a marijuana RETAIL establishment, THAT DOES NOT QUALIFY AS A MARIJUANA FACILITY, AS DEFINED IN SECTION 34-302, is prohibited in the city.

~~Sec. 34-305 Marijuana Testing Facility Prohibited.~~

- ~~A. To the fullest extent allowable by law, the operation of a marijuana testing facility is prohibited in the City.~~

Sec. 34-305 CULTIVATION OF MARIJUANA PROHIBITED

TO THE FULLEST EXTENT ALLOWABLE BY LAW, COMMERCIAL CULTIVATION AND ALL OTHER CULTIVATION OF MARIJUANA IS PROHIBITED IN THE CITY.

Sec. 34-306-- 34-320 Reserved.

Sec. 34-321 Violations; Enforcement; Penalties.

- A. It is unlawful and a violation of this Article for a person to sell, cultivate, process, manufacture, store, or transport marijuana or marijuana products if the person fails to meet all the

requirements in this Article or state law, including the Department's rules.

- B. Each day any violation of any provision of this Article shall continue shall constitute a separate offense.
- C. Except as otherwise provided in A.R.S. § 36-2853, any violation of this Article shall be a violation of Section 1-7 of this Code.
- D. Violations of this Article are in addition to any other violation enumerated within the City ordinances or this Code and in no way limits the penalties, actions, or abatement procedures which may be taken by the City for any violation of this Article, which is also a violation of any other ordinance or Code provision of the City or federal or state law. Conviction and punishment of judgment and civil sanction against any person under this Article shall not relieve such person from the responsibility of correcting prohibited conditions, or removing prohibited structures or improvements, and shall not prevent the enforced correction or removal thereof.
- E. The remedies provided in this Article shall be cumulative and in addition to any other federal, state, or local remedy, which may be available. Nothing contained herein shall be construed to preclude prosecution under any other applicable statute, ordinance, rule, order, or regulation.

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section 3. Recitals.

The recitals above are fully incorporated in this Ordinance by reference.

Section 4. Zoning Considerations.

In accordance with Article II, Sections 1 and 2, Constitution of Arizona, the City Council has considered the individual property rights and personal liberties of the residents of the City before adopting this Ordinance.

Section 5. Providing for Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 6. Effective Date.

This Ordinance shall become effective as prescribed by applicable law.

ADOPTED AND APPROVED this ____ day of _____, 2022.

Skip Hall, Mayor

ATTEST:

Sherry Aguilar, City Clerk

APPROVED AS TO FORM:

Robert Wingo, City Attorney

Ordinance No. 2022-01
RFLS #8069

Page 8 of 8



Recreational Marijuana Municipal Code Amendment Ordinance 2022-01

**City Council
January 18, 2022**

Background

- “Smart and Safe Arizona Act”
 - Approved by Arizona’s voters in November 2020
 - Ordinance No. 2020-37 (amended Chapter 34) (Nov. 17, 2020)
 - Regulated the use of “recreational marijuana” within Surprise
 - Prohibited retail sale of “recreational marijuana” and marijuana testing facilities/laboratories
 - Continued prohibition of commercial marijuana cultivation facilities
- Recreational Marijuana Zoning Text Amendment (Ord 2021-24)
 - Approved by Mayor and Council on November 16, 2021
 - Revised Land Development Ordinances (LDO) to allow “marijuana facilities”
 - Allows facilities with dual state licensing for medical and recreational marijuana with CUP
 - Co-locate same premises with valid, active medical marijuana dispensary license
 - Revised permitted businesses to include marijuana testing facilities in BP, I-1, and I-2

Proposed Changes

Ordinance 2022-01 -- Amend Surprise Municipal Code to Harmonize with LDO Chapter 34, Article VIII (Recreational Marijuana)

- Amend Sec, 34-301 (Purpose) – cross-reference LDO
- Amend Sec. 34-302 (Definitions)
 - Define “Marijuana Facility” to match LDO
 - Add definition of “Marijuana Retail Establishment” from Smart and Safe Arizona Act
- Amend Sec. 34-304 – prohibit “Marijuana Retail Establishment”
 - Except if qualifies as a “Marijuana Facility” – “Medical Marijuana Dispensary” or “Marijuana Retail Establishment” operated by “Dual Licensee”
- Amend Sec. 34-305 – prohibit cultivation of marijuana
 - No cultivation except as allowed by law
- Amended Sec 34-305 would no longer prohibit “Marijuana Testing Facilities”



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You