



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

Tuesday, October 17, 2017 @ 6:00 PM
COUNCIL CHAMBERS

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A. Call To Order

B. Roll Call

C. Pledge of Allegiance

D. PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS

District Citywide [A proclamation acknowledging Mental Health Awareness Week will be presented to Dr. Newman of Destiny Springs Behavioral Health Hospital.](#) None
Mayor
Wolcott

E. City Manager Report:

District Citywide [Arizona Coalition for Military Families \(ACMF\) will be presenting the City of Surprise the Veteran Supportive City and Veteran Supportive Employer designation.](#) None
Bob
Wingenroth,
City
Manager

F. City Attorney Report:

G. City Clerk Report:

District Citywide [Update on upcoming Bond Election](#) None
Sherry Ann
Aguilar,
City Clerk

H. 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.

I. Regular City Council Meeting Agenda:

Consent Agenda:

- | | | | |
|----|-------------------|---|--|
| 1. | District Internal | <u>Consideration and action to authorize the City to enter into an agreement with Tohono O'odham Nation to accept grant funding for the Stabilization of Families Project and to amend the Fiscal Year 2018 budget by reallocating appropriations of \$60,000 within the Grants Fund; Resolution # 2017-109.</u> | None
Seth Dyson,
Human
Service &
Community
Vitality |
| 2. | District 4 | <u>Consideration and action on the "Salvation Army" Final Plat dated July 10, 2017, a property located North of Bell Road between North Avenue of the Arts and North 115th Avenue, within the Canyon Ridge West Planned Area Development at 17420 North Avenue of the Arts.</u> | None
Hobart
Wingard -
Community
Development |
| 3. | District Internal | <u>Consideration and action on an amendment to the fiscal year 2017 and 2018 budgets by reallocating appropriations of \$673,500 from the General Capital Contingency from within the General Capital Fund as follows: \$35,000 to the General Capital Fund, \$60,000 to the Land Improvement Demolition Fund, and \$578,500 to the OTS Land Acquisition fund to facilitate the purchase of the real property within the Original Townsite; Resolution #2017-122.</u> | None
Eric Fitzer -
Community
Development |
| 4. | District Citywide | <u>Consideration and action on the minutes of October 3, 2017 Regular City Council Work Session and Regular City Council Meeting.</u> | None
Sherry Ann
Aguilar,
City Clerk |
| 5. | District 6 | <u>Consideration and action on a request by Michael Joseph Basha for Acquisition of Control for an existing liquor license for Basha's #137 located at 15367 W. Waddell Road, Surprise, AZ. 85379 (Current License #09070239).</u> | None
Sherry Ann
Aguilar, City
Clerk |

Regular Agenda Item - Non-Public Hearing:

- | | | | |
|----|-------------------|---|---|
| 6. | District Citywide | <u>Consideration and action on the Revised Business License and Finance Fees; Resolution # 2017-107.</u> | None
Lindsey
Duncan,
Finance
Director |
| 7. | District 1 | <u>Consideration and action regarding a Map of Dedication for Rancho Mercado Parkway, located generally north of the Happy Valley Road alignment between the Bullard Road and Litchfield Road alignments.</u> | None
Robert
Kuhfuss -
Community
Development |
| 8. | District 1 | <u>Consideration and action regarding a Map of Dedication for Happy Valley Road Phase 2, located generally along the Happy Valley Road alignment between the Beardsley Canal and the west line of</u> | None
Robert
Kuhfuss - |

- | | | |
|---------------|---|---|
| 9. District 1 | <u>Consideration and action regarding a Map of Dedication for Happy Valley Road Phase 3, located generally along the Happy Valley Road alignment between the city limits and the Beardsley Canal.</u> | None
Robert
Kuhfuss -
Community
Development |
|---------------|---|---|

J. Other Business and Future Agenda Items:

K. Mayor/Council Reports:

L. 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).

M. Adjournment:

POSTED:

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

October 17, 2017 @ 6:00:00 PM

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Council Meeting Date:	October 17, 2017	Contact Person:	Bob Wingenroth, City Manager
Submitting Department:		District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Arizona Coalition for Military Families (ACMF) will be presenting the City of Surprise the Veteran Supportive City and Veteran Supportive Employer designation.

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

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No Attachments Available



CITY OF SURPRISE
Regular City Council Meeting

October 17, 2017 @ 6:00:00 PM

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Council Meeting Date:	October 17, 2017	Contact Person:	Seth Dyson, Human Service & Community Vitality
Submitting Department:		District:	Internal
Staff Recommendations:	None		

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action to authorize the City to enter into an agreement with Tohono O'odham Nation to accept grant funding for the Stabilization of Families Project and to amend the Fiscal Year 2018 budget by reallocating appropriations of \$60,000 within the Grants Fund; Resolution # 2017-109.

Motion:

I move to approve Resolution # 2017-109.

Background:

HSCV firmly believes that the best way to serve our most vulnerable, in a comprehensive way, is to partner with other agencies and community based organizations. Infusions of resources to vulnerable families or those experiencing crisis can stabilize the situation and offer some economic relief. The City of Surprise, through direct service and partnerships, seek to stabilize families in crisis by offering additional funding for utility and eviction prevention crisis assistance services, maintain the Volunteer Income Tax Assistance (VITA) program administered through our community partner A New Leaf, and to offer additional wrap around services at the Surprise Resource Center by utilizing an Experience Matters Encore Fellow.

Objective Analysis:

The approval of this agreement and budget amendment will allow the Human Service and Community Vitality (HSCV) Department to provide crisis assistance to families in need.

Policy Compliant:

This action is compliant with City and Council policies.

Financial Impact:

This action will allow for the acceptance of one-time grant revenue in the amount of \$60,000 from the Tohono O'odham Nation for professional and outside services.

Budget Impact:

This item was not included as a part of the FY2018 budget. The action will amend the budget by reallocating \$60,000 within the Grants Fund from contingency to the Stabilizing Families in Need project. This does not represent an actual transfer of funds, but only a transfer of budget authority and does not increase or decrease the total budget.

FTE Impact:

This item does not impact the overall FTE count.

ATTACHMENTS:

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- ☐ [Resolution](#)
 - ☐ [Grant-in-Aid Agreement](#)
-

RESOLUTION # 2017-109

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH TOHONO O'ODHAM NATION TO ACCEPT GRANT FUNDING FOR THE STABILIZATION OF FAMILIES PROJECT AND AMENDING THE FISCAL YEAR 2018 BUDGET BY REALLOCATING APPROPRIATIONS OF \$60,000 WITHIN THE GRANTS FUND.

WHEREAS, the Human Service and Community Vitality Department received grant funding in the amount of \$60,000 from the Tohono O'odham Nation for the Stabilization of Families Project;

WHEREAS, the Stabilization of Families Project includes \$20,000 for a Crisis Assistance Fund, \$20,000 for the Volunteer Income Tax Assistance (VITA) Program with A New Leaf, LLC, and \$20,000 for an Encore Fellow from Experience Matters.

WHEREAS, the FY2018 budget was adopted by Council Resolution # 2017-64 on June 6, 2017;

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. The City is hereby authorized to enter into an agreement with the Tohono O'odham Nation to accept a grant in the amount of \$60,000 for the Stabilization of Families Project.

Section 2. That the City Manager, or his designees, is authorized to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with said agreements.

Section 3. 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, 2017 through June 30, 2018.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this ____ day of _____, 2017.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2017-109

Exhibit A

1. Appropriation - The allocations below represent a reallocation of appropriations in the amount of \$60,000 from contingency within the Grants Fund to the HSCV Admin and Community Resources programs within the Grants Fund to establish a budget for the FY2018 Tohono O'odham Nation Grant awarded. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Grants	Human Svcs and Comm Vitality	#G51480 TO Stabilizing Families in Need	E	-	60,000	60,000
Grants	Human Svcs and Comm Vitality	#G51480 TO Stabilizing Families in Need	R	-	60,000	60,000
Grants	General Operations	Contingency	E	12,484,000	(60,000)	12,424,000
Grants	General Operations	Other	R	12,822,900	(60,000)	12,762,900
Expense Total				12,484,000	-	12,484,000
Revenue Total				12,822,900	-	12,822,900

**Grant-in-Aid Agreement
between
the Tohono O'odham Nation
and
the City of Surprise**

THIS GRANT-IN-AID AGREEMENT ("Grant") is entered into as of the _____ day of _____, 2017, by and between the Tohono O'odham Nation, a federally recognized Indian tribe (the "Nation"), and the City of Surprise, a municipal corporation.

R E C I T A L S

A. The Constitution of the Tohono O'odham Nation, Article VI, Section 1(f) provides that the Tohono O'odham Legislative Council is authorized to negotiate and conclude agreements on behalf of the Tohono O'odham Nation with Federal, State and local governments.

B. The Constitution of the Tohono O'odham Nation Article VII, Section 2(f) provides that the Chairman of the Nation is the official representative of the Tohono O'odham Nation; and as such, upon passage of a Resolution by the Legislative Council approving of any agreement with Federal, State and local governments, the Chairman is authorized to sign such agreements on behalf of the Nation.

C. The City Manager for the City of Surprise, or his designees, is authorized to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with said grant through Resolution approved by the City Council.

D. Arizona State Law , A.R.S. § 11-951 and 11-952 authorize the City of Surprise to enter into agreements with the Tohono O'odham Nation to perform some or all of the services specified in the contract or agreement.

Now, therefore, in consideration of the mutual promises contained herein, the parties hereby agree as follows:

P R O V I S I O N S

1. Purpose. The purpose of this Grant is to set forth the rights and responsibilities of the parties with respect to the payment and distribution of the Contribution, as hereinafter defined. The Grantee may not change the scope of the project or use the funds for a project other than that explained in Exhibit "A" without the written consent of the Nation.

2. Contribution. The Nation shall issue payment to the City of Surprise in the amount described in Exhibit "A" (the "Contribution") for the purpose(s) detailed in Exhibit "A" on or about November 30, 2017.

3. Funding. The Contribution payment shall be delivered to the City of Surprise, without any further notice or invoice required, at the address set forth in Paragraph 7 below, upon the complete execution of this Grant.

4. Money Unclaimed. In the event that the City of Surprise fails to accept the grant funding on or before January 1, 2018, this Grant will be deemed to have been terminated by the City of Surprise and the Nation will award the grant funding to another applicant.

5. Dispute Resolution. The parties mutually agree that any disputes arising pursuant to this Grant shall be resolved through informal dispute resolution. For all disputes arising under this agreement the Nation and the City of Surprise shall first attempt to negotiate a resolution. All disputes that cannot be resolved through informal dispute resolution shall be resolved in the Courts of the Nation, subject to the laws of the Nation.

6. Reports: Unless otherwise extended by the Nation upon request of the City of Surprise no later than July 31, 2018, the City of Surprise shall provide a report to the Nation explaining how and when the funds provided under this Grant were used. This report may be in the form of an affidavit signed by an officer of the City of Surprise and may be accompanied by supporting documentation. The report shall address: (i) changes in the scope of the project or purchase funded under this grant, (ii) the total expenses under the project or purchase funded by the Grant, (iii) a brief description of who has benefited from this Grant, and (iv) the Grantee's next steps with regard to the project or purchase made under this Grant. The Grantee will submit a final report to the Nation within 30 days of the end of this Agreement.

7. Notices. Any notice, consent or other communication required or permitted under this Grant shall be in writing and shall be deemed received at the time it is personally delivered, on the day it is sent by facsimile transmission, on the second day after its deposit with any commercial air courier or express service or if mailed, three (3) days after the notice is deposited in the United States mail addressed as follows:

If to the Nation: Edward D. Manuel
 Chairman
 P.O. Box 837
 Sells, Arizona 85634
 Fax: 520-383-3379

and

 Special Counsel
 P.O. Box 837
 Sells, Arizona 85634
 Fax: 520-383-3379

If to the City of Surprise:

Seth Dyson, HSCV Director
16000 N. Civic Center Plaza
Surprise, AZ 85374
Phone: 623-222-1620
Email: seth.dyson@surpriseaz.gov

Deb Perry, Financial Analyst, Sr.
16000 N. Civic Center Plaza
Surprise, AZ 85374
Phone: 623-222-1623
Email: deborah@surpriseaz.gov

Any time period stated in a notice shall be computed from the time the notice is deemed received. Either party may change its mailing address or the person to receive notice by notifying the other party as provided in this paragraph.

8. Term of Grant. The term of this Grant shall begin on the date of execution and shall terminate on the one-year anniversary of this Grant.

9. Entire Grant, Waivers and Amendments. This Grant is executed in three (3) duplicate originals, each of which is deemed to be an original. This Grant constitutes the entire understanding and agreement of the parties. This Grant integrates all of the terms and conditions mentioned herein or incident hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Grant and all amendments hereto must be in writing and signed by the appropriate authorities of each of the parties to this Grant.

10. No Waiver. Except as otherwise expressly provided in this Grant, any failure or delay by any party in asserting any of its rights or remedies as to any default, shall not operate as a waiver of any default, or of any such rights or remedies, or deprive any such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

11. Severability. If any provision of this Grant shall be found invalid or unenforceable by a court of competent jurisdiction, the remaining provisions of this Grant shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

12. Sovereign Immunity. Nothing in this Grant shall be deemed a waiver of either party's sovereign immunity in any forum or jurisdiction.

CITY OF SURPRISE

Bob Wingenroth, City Manager

Dated_____

Attest:

Approved as to form:

Robert Wingo, City Attorney

Dated_____

TOHONO O'ODHAM NATION

Edward D. Manuel, Chairman

Dated_____

Attest:

Approved as to form:

Chad Smith, Attorney General

Dated_____

EXHIBIT “A”

<u>Program</u>	<u>Contribution</u>
Stabilizing Families in Need	\$60,000
TOTAL	\$60,000

Proposal:

a) The perceived need and how the proposal will address that need.

The City of Surprise Human Service & Community Vitality (HSCV) Department has had the privilege of operating the Community Action Program (CAP) for the cities of El Mirage and Surprise since December 2015. CAP provides limited eviction prevention and utility assistance to eligible residents of both communities on a yearly basis. As the program operator, we now provide direct service to those most in need in our communities. What we have learned in our first year is that the need for emergency assistance is extremely high in our communities and surrounding region. The 2016 U.S. Census and CAP figures demonstrate the need to serve the poor in a greater way:

- **167,720** Residents (Surprise: 132,677; El Mirage: 35,043)(U.S. Census Bureau)
- **19,976** Residents in poverty (Combined community total)(U.S. Census Bureau)
- **1,668** Residents (600 unduplicated families) served by CAP annually
- **12,245** Calls received for CAP services YTD. (July 2016-May 2017)
- **8%** Percentage of those living in poverty served by CAP

HSCV firmly believes that the best way to serve our most vulnerable in a comprehensive way is to partner with other agencies and community based organizations. Infusions of resources to vulnerable families or those experiencing crisis can stabilize the situation and offer some economic relief. The City of Surprise, through direct service and partnerships seek to stabilize families in crisis by offering additional funding for crisis assistance services, maintain the Volunteer Income Tax Assistance (VITA) program, and to offer additional wrap around services through the newly established Surprise Resource Center. The requested \$60,000 is needed to establish a City of Surprise Crisis Assistance Fund, invest in the Volunteer Income Tax Assistance (VITA) program administered through our community partner A New Leaf, and to expand wrap around services at the Surprise Resource Center by utilizing an Experience Matters Encore Fellow.

Surprise Crisis Assistance Fund: \$20,000 to establish a Crisis Assistance Fund will be administered from the Surprise Resource Center. These funds will support individuals and families with homeless prevention services such as rental and utility assistance that do not meet the eligibility requirements for the Community Action Program (CAP), thus no duplication of funding. The CAP program does not include assistance for eviction prevention to individuals or families without a child in the home or assistance with water utility bills. This federal eligibility requirement alone prohibits almost **30%** of the service area from rental assistance. This **30%** is made up mostly of people aged **55+**, a significant part of our community. In the past year, **181** requests from residents in crisis that needed assistance with water utilities were turned away. Additionally, **25** residents, primarily seniors were turned away that were in jeopardy of eviction, due to federal CAP guidelines requiring a child in the home under age **17**. The CAP funds available for rental/mortgage/utility assistance do

not meet the demand. Eviction prevention only totaled **\$48,590**, which only allowed assistance to **40** families, or **157** unduplicated individuals. The Crisis Assistance Fund will target residents that are at or below the **80%** income limits defined by the U.S. Housing & Urban Development (HUD). For example, total household income for a family of four cannot exceed more than **\$50,300**. The requested funds will go directly to families in need with no administration money needed.

Volunteer Income Tax Assistance (VITA) Program: The \$20,000 for VITA Services through A New Leaf, a 501-c-3 partner, will provide west valley cities in Maricopa County with this program to ensure the financial stability of low-to-moderate income families. Residents are assisted in taking advantage of the Earned Income Tax Credit and the Arizona State Tax Credit and are able to file taxes electronically at no cost. This valuable service allows clients to offset debt, increase savings, and contribute to the municipal tax base and asset acquisition such as a post-secondary education or first-time home purchase through Individual Development Account Programs. The return on investment for this program is staggering. In 2016, VITA accomplished the following:

Area Residents	Households Served	Total Tax Refunds
Surprise	231	\$221,383
El Mirage	134	\$258,207
Surprise surrounding area	472	\$645,545
# of Tax Returns		Tax Refund
Total Clients Served	3,558	\$5,498,856

The economic lift to the individuals, families and communities in the West Valley is significant. Surprise had three VITA locations this past year, including the Surprise Resource Center where the family receiving VITA services can also connect to other services.

Surprise Resource Center Encore Fellow: The \$20,000 for the Experience Matters Fellow will build capacity and program offerings of the Surprise Resource Center to better serve the most vulnerable in our communities. In the first year of operation, the Surprise Resource Center has grown from offering only CAP rental and utility assistance, to offering programs and services in employment, domestic violence, nutrition assistance through the Women Infant & Children (WIC) program, benefit assistance (food stamps, cash assistance, application assistance), Veteran services, tax preparation services, food bags, heat relief, parent education and a place for community groups to meet. All of these services outside of CAP are provided by partner organizations. Surprise does not have public transportation, and too many families have to drive out of the area for assistance. This new Resource Center localizes services to support our most vulnerable, with **1,721** individuals served this program year to date. (July 2016-Mar 2017) However, building a human service network with additional agencies and community based organizations is still needed. The City proposes to partner with Experience Matters, a local 501c3 non-profit organization that helps connect experienced talent with social service ventures. This funding would pay for a full-time Fellow to join our team to conduct business and partnership development to expand programs and services

missing in our local area. This person will also seek additional sources of revenue for the Surprise Resource Center in order to serve more of our poor and vulnerable families.

The time is now for our area to act because of the current and projected growth in our communities. As our region grows, the demand for services from the most vulnerable is expected to increase. The City of Surprise created a new Human Service & Community Department two years ago to better serve its residents, especially the most vulnerable, with accessible resources. We expect this potential \$60,000 investment from the Tohono O’Odham Nation will serve over **2,500** people in need:

- | | |
|----------------------------|---|
| • Crisis Assistance Fund | 35 Households |
| • VITA | 500 Tax Returns through three Surprise locations |
| • Surprise Resource Center | 2,000 served |

b) The population that will benefit if approved

The vulnerable and families in crisis who live in El Mirage and Surprise would be eligible to receive the Crisis Assistance funding support. All in need of assistance, especially those who are low-income are welcome to access the VITA program and variety of other services at the Surprise Resource Center.



CITY OF SURPRISE
Regular City Council Meeting

October 17, 2017 @ 6:00:00 PM

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Council Meeting Date: October 17, 2017 Contact Person: Hobart Wingard - Community Development
Submitting Department: District: 4
Staff Recommendations: None

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on the “Salvation Army” Final Plat dated July 10, 2017, a property located North of Bell Road between North Avenue of the Arts and North 115th Avenue, within the Canyon Ridge West Planned Area Development at 17420 North Avenue of the Arts.

Motion:

I move to approve the “Salvation Army” Final Plat dated July 10, 2017, a property located North of Bell Road between North Avenue of the Arts and North 115th Avenue, within the Canyon Ridge West Planned Area Development at 17420 North Avenue of the Arts.

Background:

Cypress Civil Development, on behalf of The Salvation Army at Canyon Ridge West, seeks approval of a Final Plat to combine four (4) parcels ranging from 0.45 to 3.00 acres to a parcel of 5.81 acres in size. The current Salvation Army facility wishes to combine lots for future expansion and current signage needs.

Objective Analysis:

Staff believes the proposed Final Plat is consistent with the manner and intent of the Surprise Municipal Code. Once platted, the site will be able to be developed in accordance with the requirements of the City of Surprise.

Policy Compliant:

The proposed project is consistent with City and Council Policy.

Financial Impact:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

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:

Click to download

- ☐ [00 - FS17-228 – Salvation Army Final Plat - Staff Report](#)
 - ☐ [01 - FS17-228 – Salvation Army Final Plat - Vicinity Map](#)
 - ☐ [02 - FS17-228 – Salvation Army Final Plat - Final Plat](#)
 - ☐ [03 - FS17-228 – Salvation Army Final Plat - Presentation](#)
-

Case: FS17-228

Project Name: The Salvation Army at Canyon Ridge West

Council District: 4 – Mulberry

Meeting Date: October 17, 2017

Planner: Hobart Wingard, 623-222-3156, hobart.wingard@surpriseaz.gov

Owner: The Salvation Army

Applicant: Cypress Civil Development

Request: A Final Plat for the combination of four (4) lots that accommodate the Salvation Army at Canyon Ridge West facility.

Site Location: Generally, North of Bell Road between North Avenue of the Arts and North 115th Avenue, within the Canyon Ridge West Planned Area Development (PAD) at 17420 North Avenue of the Arts.

Site Size: Approximately 5.80 acres

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

Support/Opposition: No support or opposition was encountered

Project Description:

Cypress Civil Development, on behalf of The Salvation Army at Canyon Ridge West, seeks approval of a Final Plat to combine four (4) lots to accommodate the existing facility. The combination of the lots will clarify ownership and access while providing for the ability of Salvation Army to erect a sign along Avenue of the Arts.

EXISTING ZONING:

The following chart depicts the existing zoning of the subject site and its surroundings:

Canyon Ridge West PAD Existing Single Family Residential	Canyon Ridge West PAD Existing Worship Facility	Canyon Ridge West PAD Existing Multi-Family Residential
Existing Stormwater and Electrical Corridor	Canyon Ridge West C2-PAD Existing Salvation Army Facility	
Canyon Ridge West PAD Existing Southgate at Canyon Ridge West Single Family Residential		

Background:

1994: The West Valley Art Museum, currently known as the Salvation Army, was built while under the jurisdiction of Maricopa County.

October 12, 1995: The subject parcels were annexed into the City of Surprise.

August 28, 1997: A PAD for Canyon Ridge West was approved by the Mayor and City Council under Case PAD97-006.

January 5, 2017: Staff met with the applicant to discuss the project during a regularly scheduled Concept Review meeting under CR16-538.

May 10, 2017: The applicant filed a request for a Final Plat for Case FS17-228, the subject case.

Analysis and Discussion:

Cypress Civil Development, on behalf of The Salvation Army at Canyon Ridge West, seeks approval of a Final Plat to combine four (4) parcels ranging from 0.45 to 3.00 acres to a parcel of 5.81 acres. The current Salvation Army facility wishes to combine lots for future expansion and current signage needs.

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports uses such as that exists.

REVIEWING AGENCIES:

In addition to the standard city reviewing agencies, who indicate no objections to the requests, Luke Air force Base, Maricopa Water District, and ADOT were included in the routing of this case and posed no opposition.

Summary:

Staff believes the proposed Amended Final Plat is consistent with the manner and intent of the Surprise Municipal Code. Once platted, the site will be able to be developed in accordance with the requirements of the City of Surprise and the existing Salvation Army facility.

Findings:

- The proposed Amended Final Plat is consistent with the Canyon Ridge West PAD as amended.
- The proposed Amended Final Plat is consistent with the Surprise General Plan 2035.
- The proposed Amended Final Plat is consistent with the Surprise Municipal Code.
- The reviewing agencies have indicated no objections to the request.

Attachments:

- 01 - Vicinity Maps
- 02 - Final Plat
- 03 - PowerPoint

VICINITY MAP

FS17-229
Salvation
Army



VICINITY MAP

FS17-229
Salvation
Army



FINAL PLAT FOR "SALVATION ARMY" LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA } ss
COUNTY OF MARICOPA }

KNOW ALL PERSONS BY THESE PRESENTS: THAT THE SALVATION ARMY, A CALIFORNIA CORPORATION, ("OWNER"), HAS SUBDIVIDED UNDER THE NAME "FINAL PLAT FOR "SALVATION ARMY" LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA" AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "FINAL PLAT FOR "SALVATION ARMY" LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA" 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 CITY OF SURPRISE A CROSS ACCESS EASEMENT ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY AND TRASH COLLECTION VEHICLES.

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

OWNERS HEREBY GRANTS TO THE ULTIMATE OWNER OF EACH PARCEL CREATED BY THIS PLAT AN EASEMENT OVER, UPON AND ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS AND PARKING TO EACH PARCEL CREATED BY THIS PLAT.

OWNERS HEREBY GRANTS 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.

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

LANDSCAPING MAINTENANCE WITHIN 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.

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.

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, OWNER HAS HEREUNTO CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS ____ DAY OF _____, 2017.

THE SALVATION ARMY, A CALIFORNIA CORPORATION

BY: _____
[NAME]

ITS: _____
[TITLE]

ACKNOWLEDGMENT

STATE OF _____
COUNTY OF _____

BEFORE ME THIS ____ DAY OF _____, 2017, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HIM/HERSELF TO BE _____, OF THE SALVATION ARMY, A CALIFORNIA CORPORATION, THE _____ OF THE PROPERTY PLATTED HEREON AND ACKNOWLEDGE THAT AS _____ EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

BY: _____ NOTARY PUBLIC
_____ MY COMMISSION EXPIRES

DESCRIPTION

PARCEL NO. 1:
THAT PART OF THE WEST HALF OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 31;
THENCE SOUTH 00 DEGREES 42 MINUTES 44 SECONDS EAST, A DISTANCE OF 40.15 FEET;
THENCE NORTH 89 DEGREES 17 MINUTES 15 SECONDS EAST, A DISTANCE OF 40.00 FEET;
THENCE SOUTH 00 DEGREES 42 MINUTES 44 SECONDS EAST, A DISTANCE OF 3574.69 FEET;
THENCE NORTH 89 DEGREES 29 MINUTES 07 SECONDS EAST, A DISTANCE OF 184.01 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 89 DEGREES 29 MINUTES 07 SECONDS EAST, A DISTANCE OF 96.29 FEET;
THENCE SOUTH 00 DEGREES 30 MINUTES 53 SECONDS EAST, A DISTANCE OF 300.00 FEET;
THENCE NORTH 89 DEGREES 29 MINUTES 07 SECONDS WEST, A DISTANCE OF 95.30 FEET;
THENCE NORTH 00 DEGREES 42 MINUTES 44 SECONDS WEST, A DISTANCE OF 290.46 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 2:
THAT PART OF THE WEST HALF OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 31;
THENCE SOUTH 00 DEGREES 42 MINUTES 44 SECONDS EAST, A DISTANCE OF 40.15 FEET;
THENCE NORTH 89 DEGREES 17 MINUTES 15 SECONDS EAST, A DISTANCE OF 40.00 FEET;
THENCE SOUTH 00 DEGREES 42 MINUTES 44 SECONDS EAST, A DISTANCE OF 3574.69 FEET;
THENCE NORTH 89 DEGREES 29 MINUTES 07 SECONDS EAST 715.90 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 29 MINUTES 07 SECONDS EAST, A DISTANCE OF 270.14 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY, WITH A RADIUS OF 960.00 FEET, WHOSE CENTER BEARS NORTH 89 DEGREES 55 MINUTES 15 SECONDS WEST;
THENCE ALONG SAID CURVE, SOUTHWESTERLY, A DISTANCE OF 312.88 FEET THROUGH A CENTRAL ANGLE OF 18 DEGREES 40 MINUTES 26 SECONDS;
THENCE NORTH 89 DEGREES 29 MINUTES 07 SECONDS WEST, A DISTANCE OF 200.47 FEET;
THENCE NORTH 00 DEGREES 30 MINUTES 53 SECONDS WEST, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 3:
THAT PART OF LOT 3, SECTION 31, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, ALSO IDENTIFIED AS A PORTION OF LOTS 9 THRU 12, INCLUSIVE, AND THE UNNAMED ROAD IN PHOENIX FIG FARMS, A SUBDIVISION OF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 18 OF MAPS, PAGE 35, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 31;
THENCE NORTH 00 DEGREES 30 MINUTES 33 SECONDS WEST, A 264.34 FEET TO AN ANGLE POINT ON THE WEST LINE OF SAID SECTION 31;
THENCE NORTH 00 DEGREES 45 MINUTES 03 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 1114.00 FEET;
THENCE NORTH 89 DEGREES 28 MINUTES 47 SECONDS EAST, ALONG A LINE PARALLEL TO AND 58.24 FEET NORTH OF THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 320.00 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 00 DEGREES 31 MINUTES 13 SECONDS WEST, 300.00 FEET;
THENCE NORTH 89 DEGREES 28 MINUTES 47 SECONDS EAST, A DISTANCE OF 435.60 FEET;
THENCE SOUTH 00 DEGREES 31 MINUTES 13 SECONDS EAST, A DISTANCE OF 300.00 FEET;
THENCE SOUTH 89 DEGREES 28 MINUTES 47 SECONDS WEST, A DISTANCE OF 436.00 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 4:
THAT PORTION OF LOTS 11, 12, 13, AND 14 OF PHOENIX FIG FARMS RECORDED IN BOOK 18 OF MAPS, PAGE 35, RECORDS OF MARICOPA COUNTY, ARIZONA LYING WITHIN PROPERTY DESCRIPTION IN RECORDING NO. 98-0808896;

EXCEPT ANY PORTION LYING EASTERLY OF WESTERLY RIGHT-OF-WAY LINE OF AVENUE OF THE ARTS PER BOOK 508 OF MAPS, PAGE 30; AND

EXCEPT ANY PORTION LYING SOUTH OF NORTH LINE OF RECORDING NO. 85-453842, IN RECORDING NO. 99-0766880, AND IN RECORDING NO. 2007-0441607; AND

EXCEPT ANY PORTION LYING NORTH OF SOUTH LINE OF BOOK 843 OF MAPS, PAGE 49, MARICOPA COUNTY RECORDER AND IN RECORDING NO. 98-0878230; AND

EXCEPT ANY PORTION LYING WEST OF EAST LINE OF 115TH AVENUE, ALL IN SECTION 31, TOWNSHIP 4 NORTH, RANGE 1 EAST OF GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

SURVEYORS NOTES

- THE BASIS OF BEARING IS THE MONUMENT LINE OF 115TH AVENUE, USING A BEARING OF NORTH 00 DEGREES 45 MINUTES 03 SECONDS WEST, PER SPECIAL WARRANTY DEED, RECORDED IN 2011-0535859, RECORDS OF MARICOPA COUNTY, ARIZONA.
- ALL TITLE INFORMATION AND THE DESCRIPTION SHOWN IS BASED ON A COMMITMENT FOR TITLE INSURANCE ISSUED BY CHICAGO TITLE AGENCY, INC., ISSUING AGENT FOR CHICAGO TITLE INSURANCE COMPANY, ORDER NUMBER C1702721-346-SB2, DATED MARCH 29, 2017.

RELEASE OF LIABILITY

THE SALVATION ARMY, A CALIFORNIA CORPORATION, ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE USAF AND 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 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. 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.

OWNER HEREBY FURTHER AGREES 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.

NOTICE OF INTER-GOVERNMENTAL 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.

REFERENCES

GENERAL LAND OFFICE RECORDS ON FILE WITH THE U.S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

SUBDIVISION OF "PHOENIX FIG FARM" RECORDED IN BOOK 18 OF MAPS, PAGE 35, MARICOPA COUNTY RECORDS

FINAL PLAT OF "CANYON RIDGE WEST PARCEL 6" RECORDED IN BOOK 508 OF MAPS, PAGE 30, MARICOPA COUNTY RECORDS

FINAL PLAT FOR "THE VILLAGE AT CANYON RIDGE WEST" RECORDED IN BOOK 843 OF MAPS, PAGE 49, MARICOPA COUNTY RECORDS

FINAL PLAT "SOUTH GATE AT CANYON RIDGE WEST" RECORDED IN BOOK 1279 OF MAPS, PAGE 12, MARICOPA COUNTY RECORDS

FINAL PLAT "QUIKTRIP #494" RECORDED IN BOOK 1303 OF MAPS, PAGE 40, MARICOPA COUNTY RECORDS

SPECIAL WARRANTY DEED IN 2011-0535859, MARICOPA COUNTY RECORDS

RECORD OF SURVEY IN BOOK 939 OF MAPS, PAGE 16, MARICOPA COUNTY RECORDS

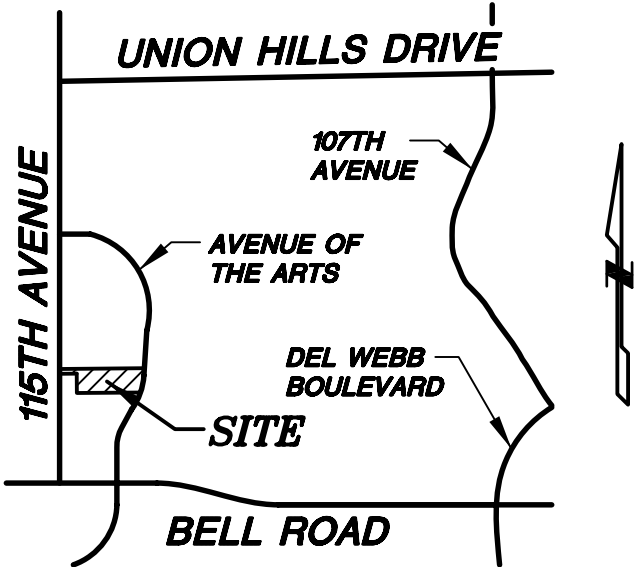
RECORD OF SURVEY IN BOOK 1046 OF MAPS, PAGE 2, MARICOPA COUNTY RECORDS

LOT COMBINATION SURVEY IN BOOK 1055 OF MAPS, PAGE 41, MARICOPA COUNTY RECORDS

RECORD OF SURVEY IN BOOK 1090 OF MAPS, PAGE 4, MARICOPA COUNTY RECORDS

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.



VICINITY MAP
NOT TO SCALE

AREA

LOT 1	252,880 SQ. FT. 5.805 ACRES
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SURVEYOR

SUPERIOR SURVEYING SERVICES INC.
21415 N. 23RD AVENUE
PHOENIX, AZ 85027
PHONE: (623)869-0223
FAX: (623)869-0726
CONTACT: DAVID S. KLEIN

OWNER

THE SALVATION ARMY,
A CALIFORNIA CORPORATION
180 E. OCEAN BOULEVARD
10TH FLOOR
LONG BEACH, CA 90802

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS ____ DAY OF _____, 2017, 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 _____, 2017.

MAYOR

ATTEST: _____ DATE _____

CITY CLERK

CERTIFICATION

THIS IS TO CERTIFY THAT THIS PLAT IS CORRECT AND ACCURATE AND THE MONUMENTS DESCRIBED HEREIN HAVE EITHER BEEN SET OR LOCATED AS DESCRIBED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JULY 10, 2017
DAVID S. KLEIN
R.L.S. 42137
2122 W. LONE CACTUS DRIVE, SUITE 11
PHOENIX, AZ 85027



—FOR REVIEW—
NOT FOR
CONSTRUCTION
OR RECORDING

EXPIRES 3/31/20

FINAL PLAT OF "SALVATION ARMY"
17420 N. AVENUE OF THE ARTS
SURPRISE, ARIZONA 85378

2122 W. Lone Cactus Drive, Suite 11
Phoenix, AZ 85027
623-869-0223 (office) 623-869-0726 (fax)
www.superiorsurveying.com
info@superiorsurveying.com



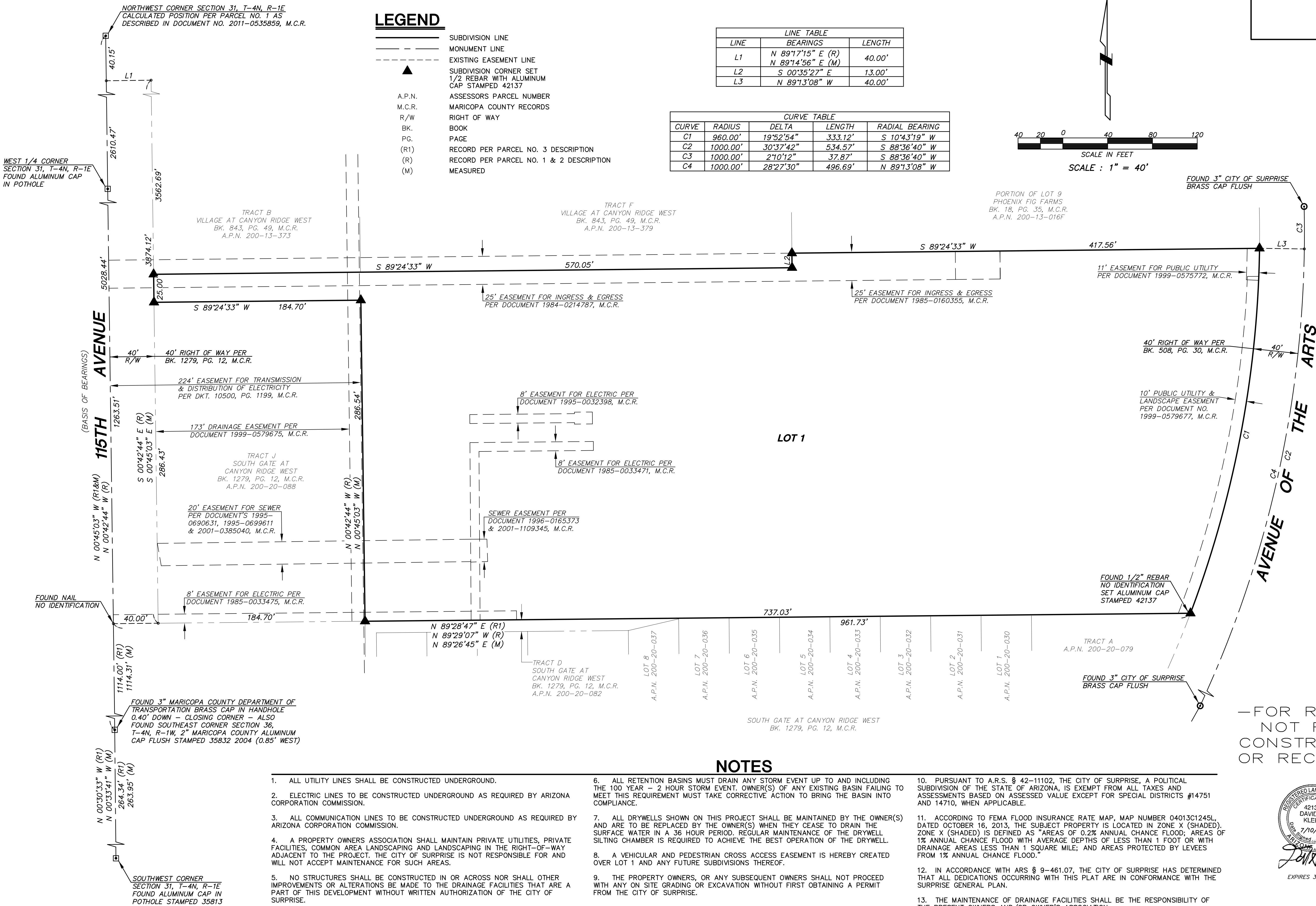
DWN: JW CHK: DK

SHEET 1 OF 2

DATE: 7/10/17

JOB NO.: 170398

FINAL PLAT FOR "SALVATION ARMY" LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA



FINAL PLAT OF "SALVATION ARMY"
17420 N. AVENUE OF THE ARTS
SURPRISE, ARIZONA 85378

2122 W. Lone Cactus Drive, Suite 11
Phoenix, AZ 85027
602-869-0223 (office) 602-869-0726 (fax)
www.superiorsurveying.com
info@superiorsurveying.com

SUPERIOR
SURVEYING SERVICES, INC.

DWN:JW CHK:DK
SHEET 2 OF 2
DATE: 7/10/17
JOB NO.: 170398



SURPRISE
ARIZONA

SALVATION ARMY FINAL PLAT

October 17, 2017

VICINITY MAP

FS17-229
Salvation
Army



VICINITY MAP

FS17-229
Salvation
Army

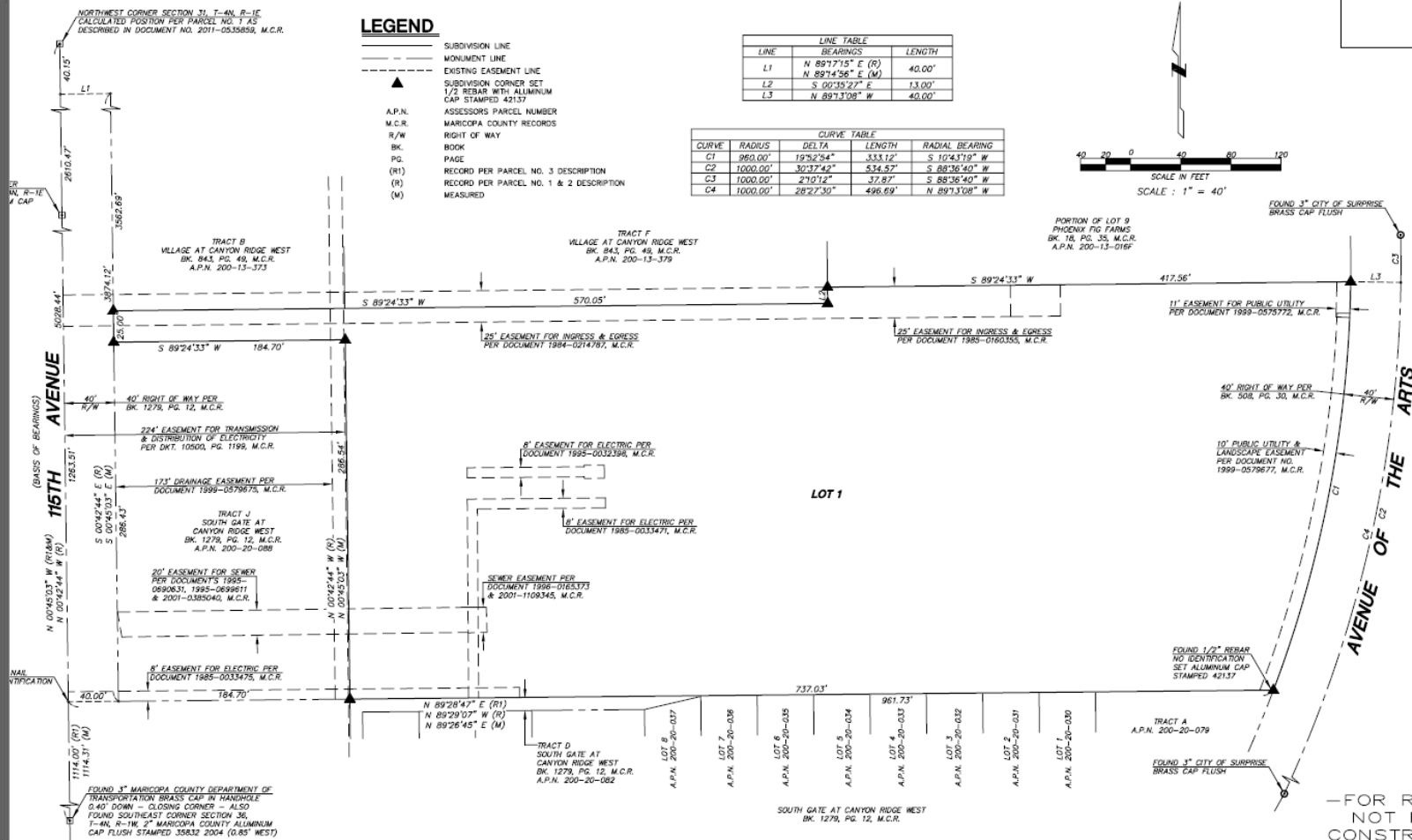
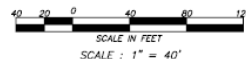


LEGEND

- ▲ SUBDIVISION LINE
- MONUMENT LINE
- EXISTING EASEMENT LINE
- ▲ SUBDIVISION CORNER SET
- 1/2 REBAR WITH ALUMINUM CAP STAMPED 42137
- ASSESSORS PARCEL NUMBER
- MARICOPA COUNTY RECORDS
- RIGHT OF WAY
- BOOK
- PAGE
- (R1) RECORD PER PARCEL NO. 3 DESCRIPTION
- (R) RECORD PER PARCEL NO. 1 & 2 DESCRIPTION
- (M) MEASURED

LINE TABLE		
LINE	BEARINGS	LENGTH
L1	N 89°17'15" E (R)	40.00'
L2	N 89°14'56" E (M)	13.00'
L3	S 00°35'27" E	40.00'

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	RADIAL BEARING
C1	960.00'	19°52'54"	333.12'	S 10°41'19" W
C2	1000.00'	30°37'42"	534.57'	S 88°36'40" W
C3	1000.00'	21°01'12"	37.87'	S 88°38'40" W
C4	1000.00'	28°27'30"	496.69'	N 89°13'08" W



—FOR REVIEW
NOT FOR CONSTRUCTION

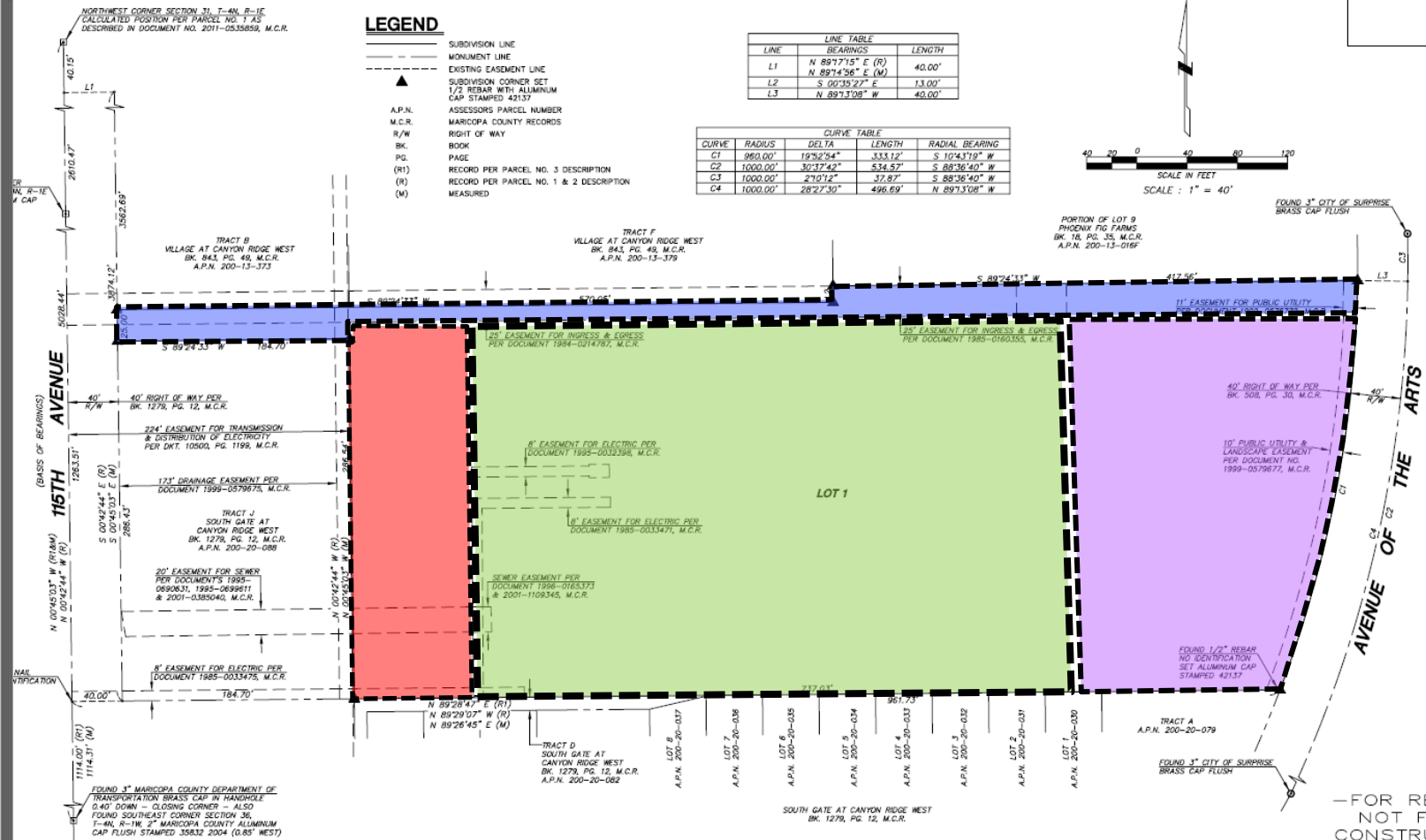
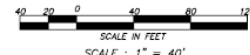
FINAL PLAT

LEGEND

- ▲ A.P.N.
- M.C.R.
- R/W
- BK.
- PG.
- (R1)
- (R)
- (M)
- SUBDIVISION LINE
- MONUMENT LINE
- EXISTING EASEMENT LINE
- SUBDIVISION CORNER SET
- 1/2 REBAR WITH ALUMINUM CAP STAMPED 42137
- ASSESSORS PARCEL NUMBER
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-FOR REVIEW
NOT FOR CONSTRUCTION

FINAL PLAT

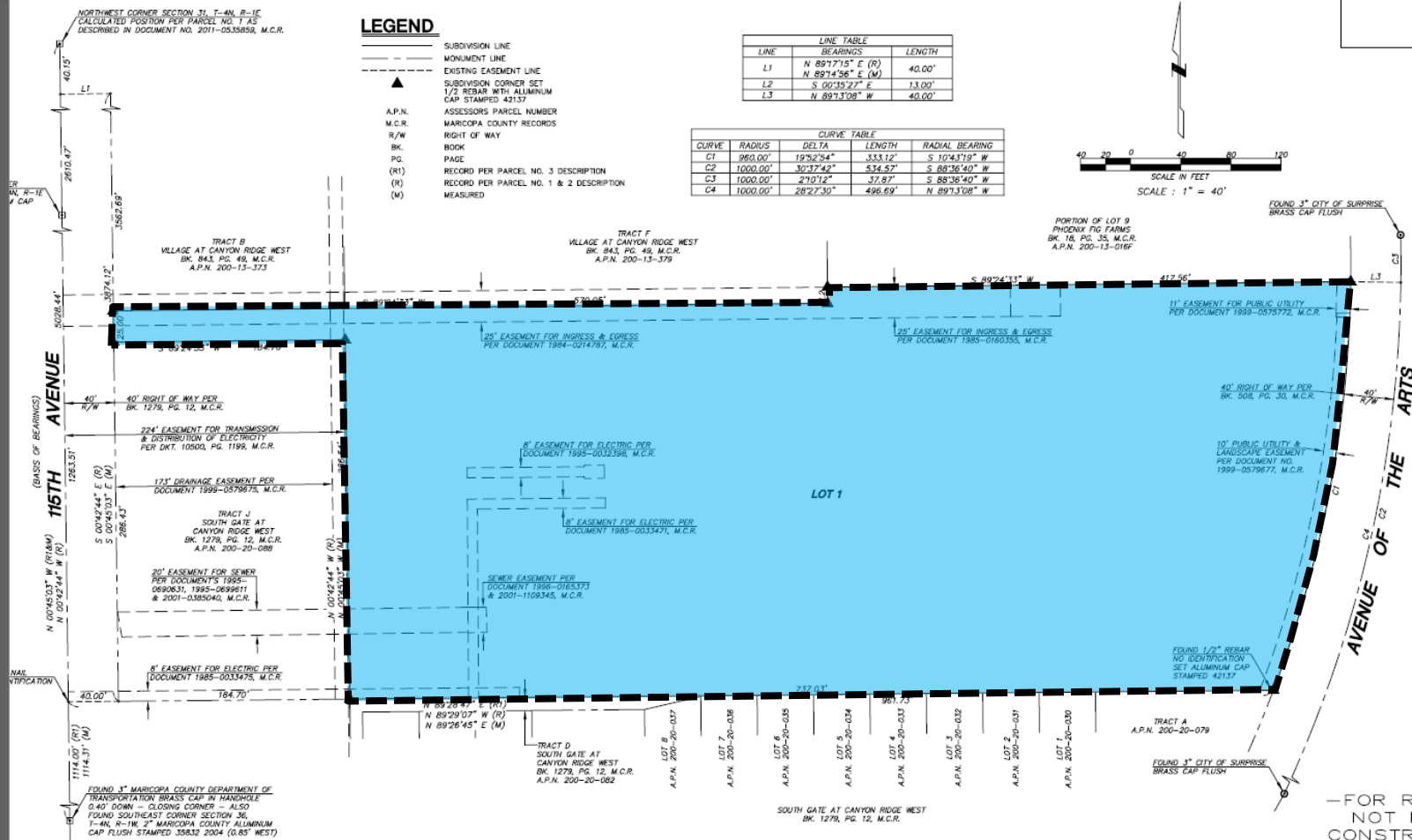
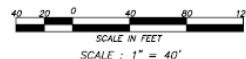
LEGEND

- ▲ A.P.N.
- M.C.R.
- R/W RIGHT OF WAY
- BK. BOOK
- PG. PAGE
- (R1) RECORD PER PARCEL NO. 1 DESCRIPTION
- (R) RECORD PER PARCEL NO. 1 & 2 DESCRIPTION
- (M) MEASURED

SUBDIVISION LINE
MONUMENT LINE
EXISTING EASEMENT LINE
SUBDIVISION CORNER SET
1/2 REBAR WITH ALUMINUM
CAP STAMPED 42137
ASSESSORS PARCEL NUMBER
MARICOPA COUNTY RECORDS

LINE TABLE		
LINE	BEARINGS	LENGTH
L1	N 89°17'15" E (R)	40.00'
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CURVE TABLE				
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C4	1000.00'	28°27'30"	496.69'	N 89°13'08" W



FINAL PLAT

FOR REVIEW
NOT FOR
CONSTRUCTION



SURPRISE

ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE
Regular City Council Meeting

October 17, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	October 17, 2017	Contact Person:	Eric Fitzer - Community Development
Submitting Department:		District:	Internal
Staff Recommendations:	None		

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on an amendment to the fiscal year 2017 and 2018 budgets by reallocating appropriations of \$673,500 from the General Capital Contingency from within the General Capital Fund as follows: \$35,000 to the General Capital Fund, \$60,000 to the Land Improvement Demolition Fund, and \$578,500 to the OTS Land Acquisition fund to facilitate the purchase of the real property within the Original Townsite; Resolution #2017-122.

Motion:

I move to approve Resolution # 2017-122.

Background:

On March 31st, 2017 the City of Surprise purchased the Donorma RV park within the Original Town Site. As part of the purchase the City allocated \$50,000 for closing costs associated with the closing of the property purchase. During the purchase rents that were paid by residents of the RV park prior to closing were deducted from the purchase price in the amount of approximately \$7,900.

As part of the purchase the City took on permanent residents that have been living at the RV park for a number of years. Therefore if federal funds were to be used to construct or build facilities on the property the City purchased, the inclusion of any federal funding would fall under the Uniform Act. The Uniform Act, passed by Congress in 1970, is a federal law that establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms.

Also upon further meetings with the residents many of these residents do not have the means to pay both rent and moving costs. As such in accordance with the Uniform Act the City is proposing to pick up some qualified costs associated with moving expenses for residents. The City is qualifying these moving expenses through receipts, invoices and purchases of adequate comparable sanitary safe housing.

The City Council has identified the Surprise Heritage District as an important area to the City's heritage and as such to place strategic city investments in.

City staff is in the process of conducting, through consultants, Environmental Phase 1 assessments and Appraisals adjacent to and around City owned land in the area.

The City is also proposing a budgetary amendment from Grants Fund to General Capital to allow the City to move forward with offers and potential purchases of property in the OTS.

Objective Analysis:

Potential Positive Impacts include: closing out the operations of the RV park; allowing residents the necessary funds to relocate and will allow for the City to move forward with future planning of the City services in the Original Townsite.

Potential negative impacts: qualifying moving costs and some costs may not be qualified and there could be increased costs of property demolition that were unforeseen. The City would not collect property taxes for such properties purchased. Long term operations and maintenance of the property would be at the City's expense.

Policy Compliant:

The action is policy compliant in that the Council has determined that development in the OTS is a priority.

Financial Impact:

To acquisition of the properties will cost the City up front costs for purchase with potential closing costs; also costs associated with demolitions of buildings, RV sites etc. There will also be ongoing costs associated with operations and maintenance of the properties for the foreseeable future.

Budget Impact:

The amendment reallocates appropriations in the amount of \$673,500 within the General Capital Contingency Fund from Project #N42010 to pay for Close Out of Donorma RV Park, Land Improvement DoNorma RV Park Demolition, and for Land Acquisition without exceeding the approved total annual budget for FY2017. Any amount not used in FY2017 will be carried forward to FY2018.

The amendment reallocates appropriations in the amount of \$673,500 from the General Capital Contingency Fund for Close Out of DoNorma RV Park property in the amount of \$35,000, Land Improvement Project #P42011 for Demolition of DoNorma RV Park property in the amount of \$60,000, and the amount of \$578,500 to the General Capital Fund/OTS Land Acquisition #P422010 to facilitate Land Acquisition.

FTE Impact:

This item will not generate a need for any new FTEs.

ATTACHMENTS:

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RESOLUTION # 2017-122

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2018 BUDGET BY REALLOCATING APPROPRIATIONS OF \$673,500 FROM CONTINGENCY FROM WITHIN THE GENERAL CAPITAL FUND AS FOLLOWS: \$35,000 TO PROJECT N42010 WITHIN THE GENERAL CAPITAL FUND FOR CLOSING OUT THE RV PARK, , \$60,000 TO PROJECT P42011 WITHIN THE GENERAL CAPITAL FUND FOR LAND IMPROVEMENT AT THE RV PARK SITE, AND \$578,500 TO PROJECT P42010 WITHIN THE GENERAL CAPITAL FUND TO FACILITATE THE PURCHASE OF REAL PROPERTY WITHIN THE ORIGINAL TOWNSITE.

WHEREAS, Resolution #2017-22 was adopted on February 21, 2017, 5.84 acres of real property within the Original Town site located at 15627 North Nash Street, Surprise, Arizona, DoNorma RV Park was purchased;

WHEREAS, Resolution #2017-75 was adopted on June 20, 2017, funds were appropriated for movement of spending authority between projects to support payment of moving and related expenses;

WHEREAS, Title 49 Part 24 of the Code of Federal Regulations states that the Agency (the City) that displaces a tenant is required to pay for reasonable moving and related expenses;

WHEREAS, there are appropriations within contingency within the General Capital Fund in the amount of \$673,500;

WHEREAS, funds have been exhausted in project N42010 and \$35,000 is necessary to complete the close out of the RV Park, appropriations from contingency within the General Capital Fund in the amount of \$35,000 are recommended to be allocated to project N42010;

WHEREAS, demolition needs to take place at the property located at 15627 North Nash Street, Surprise, Arizona as well as other properties that are acquired in the future, project P42011 will be created, appropriations from contingency within the General Capital Fund in the amount of \$60,000 are recommended to be allocated to this new project P42011;

WHEREAS, project P42010 was set up to fund land acquisitions within the original townsite, additional funding is necessary in the amount of \$578,500, from contingency within the General Capital fund;

WHEREAS, these amendments will allow the City to have current and updated budgetary amounts and help departments manage their projects and line item expenditures;

WHEREAS, the FY2018 budget was adopted by Council Resolution #2017-64 on June 6, 2017;

WHEREAS, these actions 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, 2017 through June 30, 2018.

APPROVED AND ADOPTED this ____ day of _____, 2017.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2017-122

Exhibit A

1. Appropriation - The allocation below represents a reallocation of appropriation in the amount of \$673,500 from the General Capital Contingency to three projects within the General Capital. \$35,000 to project #N42010 to pay for close out of the RV Park purchased by the city in FY2017, \$60,000 to project #P42011 to cover the cost of demolition, and \$578,500 to project #P42010 for the purpose of acquiring land in the Original Townsite. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
General Capital Projects Fund	General Operations	Contingency	E	673,500	(673,500)	-
General Capital Projects Fund	Community Development	#P42010 OTS Land Acquisition	E	1,295,000	578,500	1,873,500
General Capital Projects Fund	Community Development	#N42010 RV Park Operations	E	55,000	35,000	90,000
General Capital Projects Fund	Community Development	#P42011 OTS Land Improvements	E	-	60,000	60,000



CITY OF SURPRISE
Regular City Council Meeting

October 17, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	October 17, 2017	Contact Person:	Sherry Ann Aguilar, City Clerk
Submitting Department:		District:	Citywide
Staff Recommendations:	None		

Consent	☒ x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on the minutes of October 3, 2017 Regular City Council Work Session and Regular City Council Meeting.

Motion:

I move to approve the meeting minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

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

Tuesday, October 3, 2017 @ 06:00 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:00 p.m. at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Tuesday, October 3, 2017**. Also in attendance with Mayor Wolcott were Vice Mayor Tande, Council Member Winters, Council Member Hayden, Council Member Duffy, Council Member Hall, and Council Member Remley (excused).

Staff City Manager, Bob Wingenroth, City Attorney, Bob Wingenroth, and City
Present: Clerk, Sherry Ann Aguilar.

Pledge of Allegiance

Proclamation and Community Acknowledgements

A proclamation acknowledging Manufacturing Day will be presented to representatives of local manufacturing companies.

Mayor Wolcott read aloud the proclamation for Manufacturing Day.

Mayor Wolcott read aloud the proclamation recognizing October as Domestic Violence Awareness Month. The proclamation was presented to Laura Horsley, Executive Director, Eve's Place.

A proclamation recognizing October as Domestic Violence Awareness Month. Mayor Sharon Wolcott will present the proclamation to Laura Horsley, Executive Director, Eve's Place.

City Manager Report

The American Heart Association will be presenting the Mission: Lifeline EMS-Gold Plus Achievement Award to our Surprise Fire-Medical Department.

City Attorney Report

City Clerk Report

City Clerk Aguilar will administer the Ceremonial Oath of Office to the newly selected District 3 Councilmember, Patrick Duffy.

Mike Cassidy introduced students and faculty from Western Peaks Elementary School.

City Clerk Aguilar will give a follow up report on National Voter Registration Day.

Call to the Public

Consent Agenda

1 – Consideration and action on an amendment to the fiscal year 2018 budget by reallocating appropriations of \$16,200 within the Grants and Contingency Fund in order to accept two grants from the Arizona Governor's Office of Highway Safety to support Fire-Medical's Impaired and Distracted Driving Campaign and Car Seat Program; Resolution # 2017-118 - APPROVED

2 – Consideration and action on the minutes of September 5, 2017 Special City Council Meeting and September 19, 2017 Regular City Council Work Session; Regular City Council Meeting and Executive Session - APPROVED

3 – Consideration and action on an amendment to fiscal year 2018 budget and Capital and Operating List of Items Over \$50,000 by reallocating appropriations of \$195,000 from Asset Replacement to Disk Drive Storage for the purchase of technology replacements and software; Resolution # 2017-119 - APPROVED

4 – Consideration and action on an amendment of the fiscal year 2018 budget by reallocating appropriations in the amount of \$20,000 within the Grants Fund for the acceptance of an award from the Arizona Governor's Office of Highway Safety to support personnel overtime to enhance DUI Enforcement efforts in the City of Surprise; Resolution # 2017-117 - APPROVED

Regular City Council Meeting Minutes – October 3, 2017 – Page

5 – Consideration and action on the final plat entitled, "Verdugo Master Plat" dated June 20, 2017, which identifies the locations of main roads, residential parcels, and drainage tracts on approximately 189.9 acres located on the northeast corner of Pinnacle Peak Road and 163rd Avenue - APPROVED

Council Member Winters asked that this item be removed from consent agenda for discussion.

City Planner, Sergio Angulo gave a brief presentation regarding this item.

Council Member Winters - How big is the commercial parcel?

Mr. Angulo - 14 acres in size.

Council Member Winters - Large enough for a grocery store, maybe a Fry's?

Mr. Angulo - Yes, zoned for commercial use, retail and grocery stores.

Council Member Winters - Minor amendment to reduce the right of way dedication, is that a usual event?

City Planner, Martin Lucero explained the right of way reduction issue.

Council Member Winters - Trails, will they be open to the public? Language in the plat to allow public access for the trails.

Council Member Winters made the motion to approve the consent agenda, excluding item 5. Vice Mayor Tande seconded the motion. Six yes votes, one excused (Remley), motion carried.

Council Member Winters made the motion to approve the final plat entitled Verdugo Master Plat. Vice Mayor Tande seconded the motion. Six yes votes, one excused (Remley), motion carried.

Regular Agenda Item - Public Hearing

6 – Consideration and action on a rezone of approximately 10 acres from Residential Ranch (RR) to Residential Medium Density with Planned Unit Development (RM-9 PUD), generally located at the southeast corner of 175th Avenue and Sweetwater Road; Ordinance # 2017-02 - APPROVED

Regular City Council Meeting Minutes – October 3, 2017 – Page 4

City planner, Robert Kuhfuss gave a powerpoint presentation on this item.

Council Member Duffy - Single family homes, correct? Compared to Marley Park alley ways, is this a more effective way to do this?

Council Member Duffy - Heading southbound, there is just one lane, will there be a separate turn lane to help alleviate that?

Mr. Lucero commented that yes there will be a turn lane, but not a traditional turn lane. Had to get creative since space is limited.

Youth Representative Gideon - Would this development include a community park?

Mr. Lucero - This particular project would not have a community park, only a pocket park.

Youth Representative Gideon - Will there be a 4 way stop at this intersection?

Mr. Lucero - No, not for this project resulting from a traffic study.

Vice Mayor Tande - Can you help us out with how many lots before and after? Concept is proposing 44 but looking at 50. I do like the cul-de-sac configuration.

Vice Mayor Tande - Traffic concerns as well, any projected time for Sweetwater completion? The biggest concern for homeowner's in this area is the traffic congestion.

Council Member Hall - Is there a way you can give us street diagrams to show us the movements just so we have it.

Regular Agenda Item - Non-Public Hearing

7 – Presentation and discussion on FY2017 unaudited Financial Status Report - NO ACTION

Finance Director, Lindsey Duncan gave a powerpoint presentation on this item.

Topics included:

Local Sales Tax FY2017

Regular City Council Meeting Minutes – October 3, 2017 – Page 5

Intergovernmental FY2017
Charges for Services/Other FY2017
Property Tax FY2017
Franchise Fees FY2017
Transfers in FY2017
FY2017 General Fund Uses
Capital FY2017

Other Business

Mayor/Council Report

Mayor and Council reported on meetings and/or events that they attended.

Executive Session

Adjournment

Council Member Hall made the motion to adjourn the Regular City Council Meeting of October 3, 2017 at 7:25 PM. Council Member Winters seconded the motion. Six yes votes, one excused (Remley), motion carried.

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk

Regular City Council Meeting Minutes – October 3, 2017 – Page 6

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, October 3, 2017**.

Sherry Ann Aguilar, City Clerk

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

Tuesday, October 3, 2017 @ 05:01 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Work Session** to order at 05:01 p.m. at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Tuesday, October 3, 2017**. Also in attendance with Mayor Wolcott were Vice Mayor Tande, Council Member Winters, Council Member Hayden, Council Member Duffy, Council Member Hall, and Council Member Remley (excused).

Staff City Manager, Bob Wingenroth, City Attorney, Robert Wingo, and City
Present: Clerk, Sherry Ann Aguilar.

Pledge of Allegiance

Call to the Public

Regular Agenda Item - Non-Public Hearing

1 – Presentation and discussion on the financial status of the public safety retirement system - NO ACTION

Finance Director, Lindsey Duncan gave a powerpoint presentation for this item. Multi-part series on status of PSPRS statewide and at the City of Surprise.

Topics included:

Retirement Plans

Taxpayers pay numerous times

System Overview - 230 Individual Active Plans

Where we are currently in the system

Permanent Benefit Increases

Governance - State Legislature/Oversight/Legal Challenges/PSPRS Board and

Regular City Council Work Session Minutes – October 3, 2017 – Page 2

Administration/ Employers and Local Boards
Investment Returns
System Reforms
3 separate tiers - Explanation for each and costs associated
Risk Pooling
Future Discussions

Council Member Hall - 1.7 billion dollar loss in real estate, is it an unrealized loss?

Ms. Duncan- Yes correct in valuation.

Vice Mayor Tande - Great presentation for a complex issue.

Mayor Wolcott - Important to have a high level description so everyone can understand. You are comparing apples and oranges, there are different stories to tell. Every City is a little different.

Executive Session

Adjournment

Vice Mayor Tande made the motion to adjourn the Regular City Council Work Session of October 3, 2017 at 5:30 PM. Council Member Hall seconded the motion. Six yes votes, one excused (Remley), motion carried.

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk

Regular City Council Work Session Minutes – October 3, 2017 – Page 3

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 Work Session of **Tuesday, October 3, 2017.**

Sherry Ann Aguilar, City Clerk



CITY OF SURPRISE
Regular City Council Meeting

October 17, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date: October 17, 2017

Contact Person: Sherry Ann Aguilar, City Clerk

Submitting Department:

District: 6

Staff Recommendations: None

Consent	☒	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on a request by Michael Joseph Basha for Acquisition of Control for an existing liquor license for Basha's #137 located at 15367 W. Waddell Road, Surprise, AZ. 85379 (Current License #09070239).

Motion:

I move to approve a request by Michael Joseph Basha for Acquisition of Control for an existing liquor license for Basha's #137 located at 15367 W. Waddell Road, Surprise, AZ. 85379 (Current License #09070239).

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

- ☐ [Bashas Fire Report](#)
 - ☐ [Bashas Police Report](#)
 - ☐ [Bashas Finance Report](#)
 - ☐ [Bashas CD Report](#)
-



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



October 2, 2017

To: Sherry Ann Aguilar, City Clerk

From: James Whitehead, Fire Inspector

Subject: Liquor License Application

Applicant: Basha's Inc Store #137
15367 W Waddell Rd
Surprise, Arizona 85379

The Surprise Fire-Medical Department recently conducted a fire inspection at the above referenced location to ensure compliance with the applicable fire codes within the tenant space and building. There were no noted outstanding fire code violations at the time of the last inspection.

If you have any questions feel free to contact me.

James Whitehead, Fire Inspector
Fire Prevention Division
Surprise Fire-Medical Department

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: October 4, 2017

LICENSE NUMBER – 09070239
Series #09 – Acquisition of Control

APPLICANT:

Basha's 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.*

Basha's 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 time frame, there have been: (1) assaults, which was the result of officers arresting a disorderly subject inside the store in 2014. (2) Criminal damage incidents in the parking lot, (2) domestic violence incidents, (7) drug related incidents, of which 6 involved an arrest, (2) incidents of an intoxicated subject in the store, (8) reports of juveniles loitering in the area, (23) reported shoplifting incidents, of which only a portion were strictly alcohol related, (16) reports of trespassing, (6) reports of unwanted persons and (3) reports of vagrancy. There was one incident of indecent exposure in January of 2017 in the parking lot which later resulted in an arrest. There have also been four reported robberies. One was from the interior bank in 2012, which has since closed. There was also a robbery from the interior Starbucks kiosk, a robbery in a small drug transaction in the parking lot and a recent incident in August 2017 in which a subject removed baby formula from the store. When the manager confronted the subject, the subject said he had a knife, although he never displayed it. The manager let the subject leave; however, the subject was arrested the following day after being found loitering in an area private community park.

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

Basha's is open from 6 AM to 10 PM daily. They are part of a shopping plaza with various other retail tenants. The only other tenant in the plaza to serve alcohol is Vogue Bistro, which is around the corner from Basha's. They have normal restaurant hours and are not past 10 PM. There 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.

- 5) *Appropriateness of series license requested.*

A series 09 license is appropriate and applicable for the Basha's per state guidelines for liquor retailers to sell all liquor in their unbroken packages.

Submitted by Officer Chris Tovar #2059



MEMO

Date: 9/29/2017

To: Sherry Aguilar, City Clerk
Linda Stevens, Deputy City Clerk
From: Stacie McQuarrie, Accounting Support Specialist

RE: Liquor License Application – Basha's Inc dba Basha's #137

Business License Status:

License #1006869, current and valid for 2017.



COMMUNITY DEVELOPMENT DEPARTMENT

Date: September 28, 2017
To: Sherry Aguilar, City Clerk
From: Eric Fitzer, Community Development Director
James Stewart, Zoning Specialist
Re: Liquor License Application for:

**Basha's Inc., Store # 137
Acquisition of Control - License #09070239
15367 W. Waddell Road
Surprise, Arizona 85379**

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

1. Walgreens #7933 (Series 10) – 15514 W. Waddell Rd.
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 C-2 which is consistent with the proposed use.

Commercial is expected to remain static and residential growth is expected to increase with the Avilla project (Case FS17-551).

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.



CITY OF SURPRISE
Regular City Council Meeting

October 17, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date: October 17, 2017

Contact Person: Lindsey Duncan, Finance Director

Submitting Department:

District: Citywide

Staff Recommendations: None

Consent

Regular

Public Hearing

Report/Discussion

Agenda Wording:

Consideration and action on the Revised Business License and Finance Fees; Resolution # 2017-107.

Motion:

I move to approve Resolution # 2017-107.

Background:

Business licenses are issued to all persons who practice, transact, or carry on business within the municipal limits of the city. These licenses are issued to identify businesses and make sure their owners are accountable for their actions, to protect the public health and safety, and to keep track of businesses for tax purposes.

Fees are charged to recover a portion of the costs associated with the licensing process. The current business license fees have remained primarily the same since establishment in 1995 by Resolution #95-42. The current update is targeted at simplifying the administration of the fees and evaluating the accuracy and reasonableness of the fees. The proposed new license fee targets approximately 75% cost recovery and the renewal fee is set at 50% of that fee.

Business license and finance fees are being incorporated into the existing Comprehensive Citywide Fee Schedule with no other changes.

Objective Analysis:

The proposed updated business license fees will allow the city to recover a portion of the costs associated with the licensing program. The program allows the City to monitor businesses and provide the residents and businesses with detailed information of current business operating within the City.

Policy Compliant:

This action is compliant with City and Council policy. It supports the Comprehensive Financial Management Policies, specifically: 8. A diversified revenue system will be developed to protect City services. 14. All user fees (excluding water, wastewater, and solid waste) will be examined periodically to determine the direct and indirect cost of service recovery rate. The acceptable recovery rate and any associated changes to user fees and charges will be approved by the City Council.

Financial Impact:

The updated business license fees are projected to generate an additional General Fund revenue of approximately \$25,000 to \$55,000 annually.

Budget Impact:

This item does not require any amendments to the current FY2018 budget.

FTE Impact:

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

ATTACHMENTS:

Click to download

- ☐ [Notice of Intent - Revised Business License and Finance Fees Detail](#)
 - ☐ [Revised Business License and Finance Fees Facebook Posting](#)
 - ☐ [Revised Business License and Finance Fees Twitter Posting](#)
 - ☐ [Business License and Finance Fee Update Presentation](#)
 - ☐ [Updated Business License and Finance Fees Website Posting 09-29-2017](#)
 - ☐ [Financial Justification](#)
 - ☐ [Resolution 2017-107 Amended](#)
-



PUBLIC NOTICES

Notice of Intent for Revised Business License and Finance Fees

posted (08/18/2017)

Pursuant to Arizona Revised Statutes (A.R.S) § 9-499.15 notice is hereby given that the City of Surprise intends to discuss and take action to modify existing Business License fees at the Regular City Council Meeting on October 17, 2017 at 6:00 p.m. at the Surprise City Council Chambers, 16000 N. Civic Center Plaza Surprise, AZ 85374. A schedule of the proposed fee including the amount of the fee and a written report or data that supports the fee is available on the City's website located at <https://www.surpriseaz.gov/> and at the City Clerk's Office, 16000 N. Civic Center Plaza Surprise, AZ 85374.



[Report on Posted Fee Update](#)

Notice of Intent for New or Revised Community Development Fees

posted (06/16/2017)

Pursuant to Arizona Revised Statutes (A.R.S) § 9-499.15 notice is hereby given that the City of Surprise intends to discuss and take action to establish new Community Development fees and modify some existing Community Development fees at the Regular City Council Meeting on August 15, 2017 at 6:00 p.m. at the Surprise City Council Chambers, 16000 N. Civic Center Plaza Surprise, AZ 85374. A schedule of the proposed fee including the amount of the fee and a written report or data that supports the fee is available on the City's website located at <https://www.surpriseaz.gov/notices> and at the City Clerk's Office, 16000 N. Civic Center Plaza Surprise, AZ 85374.



Surprise City Gov

3 mins · 🌐

Pursuant to Arizona Revised Statutes (A.R.S) § 9-499.15 notice is hereby given that the City of Surprise intends to discuss and take action to modify existing Business License fees at the Regular City Council Meeting on October 17, 2017 at 6:00 p.m. at the Surprise City Council Chambers, 16000 N. Civic Center Plaza Surprise, AZ 85374. A schedule of the proposed fee including the amount of the fee and a written report or data that supports the fee is available on the City's website located at <https://www.surpriseaz.gov/notices> and at the City Clerk's Office, 16000 N. Civic Center Plaza Surprise, AZ 85374.



SURPRISE
ARIZONA

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City of Surprise @AZSurprise · 2m

New Public Notice on intent to discuss & take action to modify existing Business License & Finance Fees. See notice: surpriseaz.gov/notices



SURPRISE

ARIZONA





Business License Fee Update

October 17, 2017

Business License Purposes

- To identify business and make sure owners are accountable for their actions
- To protect the public health and safety
- To keep track of businesses for tax purposes
- Inventory of services for public inquiry

Business License Fee Update

- Simplify fee structure
- Evaluate accuracy and reasonableness of fee



Current Fee Structure

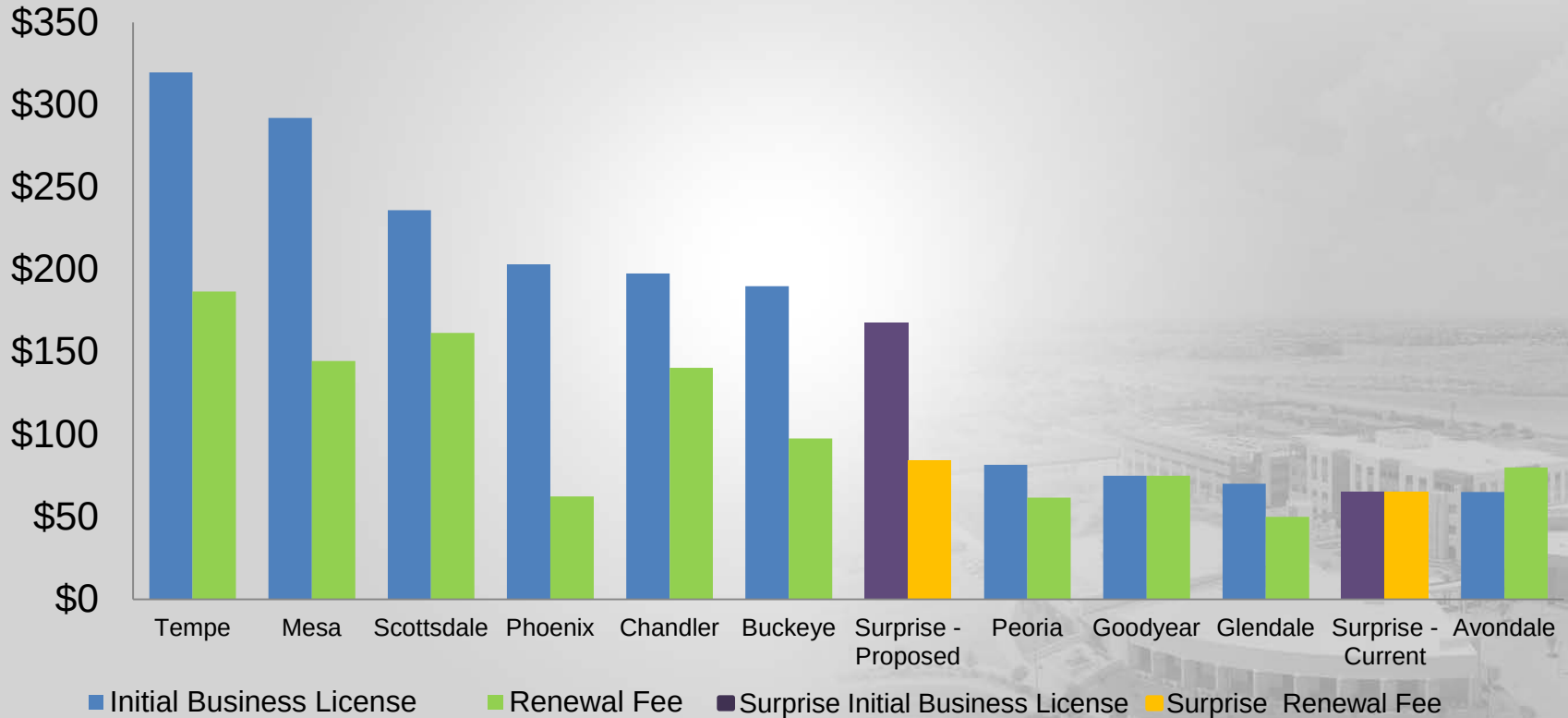
All Businesses Not Specifically Identified	\$80	Per License
Auctioneers	\$25	Per License
Banks & Financial Institutions/Barbershops/Beauty Parlors/ Collection Agencies/Exterminators/ Fortune Tellers & Palmists/Freight Carriers/Child Nursery & Day Care/Nursing Homes & Assisted Living Facilities/Publishers & Printers/Radio Stations/Real Estate Firms/Undertakers & Funeral Homes	\$100	Per License
Billiard Halls	\$20	Per Table
Coin-Operated Machines- Amusement/Jukeboxes	\$20	Per Machine
Massage- Establishment/On-site Manager/Mobile Therapist-Establishment	\$100	Per License
Photographers Transient	\$10	Per Day
Professions- Certified Public Accountants/ Accountants/ Chiropractors/ Dentists/ Physicians/ Optometrists/ Veterinarians/ Engineers/ Surveyors/ Stockbrokers/ Travel Agents	\$100	Per License
Special Events	\$35	Per License
Transportation For Hire- Taxis/Trucks	\$100	Per License
Wholesale Distributors- Gasoline & Petroleum/Delivery Trucks	\$100	Per License

Proposed Fee Structure

Business License - New	\$168
Business License - Renewal	\$84
Special Event License	\$35
City Sales and Use Tax Application Fee	\$10

Estimated revenue increase \$25,000 to \$55,000

Benchmark Cities



Follow Up

- No stand alone Pool Hall establishments licensed in the city
- Food Trucks require a special event or business license to operate in the city
- Did not receive any public comment
- TPT license fee added for formal adoption

Tonight's Action

- Business license and Finance fees are being incorporated into the existing Citywide Fee Schedule with no other changes



Calendar

- August 15, 2017 Council work session
- August 18, 2017 Post notice of increased fee
- October 17, 2017 Council meeting for action
- January 1, 2018 Fees effective



SURPRISE

ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



PUBLIC NOTICES

Notice of Intent for Revised Business License and Finance Fees

posted (08/18/2017) | updated (9/29/2017)

Fees Pursuant to Arizona Revised Statutes (A.R.S) § 9-499.15 notice is hereby given that the City of Surprise intends to discuss and take action to modify existing Business License fees at the Regular City Council Meeting on October 17, 2017 at 6:00 p.m. at the Surprise City Council Chambers, 16000 N. Civic Center Plaza Surprise, AZ 85374. A schedule of the proposed fee including the amount of the fee and a written report or data that supports the fee is available on the City’s website located at <https://www.surpriseaz.gov/> and at the City Clerk’s Office, 16000 N. Civic Center Plaza Surprise, AZ 85374.

Please note all qualifying businesses are still required to have a business license, however the fee structure has changed. The Current Finance Fees listed below will be retired and replaced with the Proposed Finance Fees.



[Report on Posted Fee Update](#)

Current Finance Fees

Fee Name	Current Fee
Business Licensing	
All Businesses Not Specifically Identified	\$80.00 Per License
Auctioneers	\$25.00 Per License
	\$100.00 Per License

Banks & Financial Institutions/Barbershops/Beauty Parlors/ Collection Agencies
 /Exterminators/ Fortune Tellers & Palmists/Freight Carriers/Child Nursery & Day
 Care
 /Nursing Homes & Assisted Living Facilities/Publishers & Printers/Radio Stations/
 Real Estate Firms/Undertakers & Funeral Homes

Billiard Halls	\$20.00 Per Table
Coin-Operated Machines - Amusement/Jukeboxes	\$20.00 Per Machine
Massage - Establishment/On-site Manager/Mobile Therapist-Establishment	\$100.00 Per License
Photographers Transient	\$10.00 Per Day
Professions - Certified Public Accountants/Accountants/Chiropractors/ Dentists/Physicians/Optometrists/Veterinarians/Engineers/Surveyors/Stock Brokers/Travel Agents	\$100.00 Per License
Special Events	\$35.00 Per License
Transportation For Hire- Taxis/Trucks	\$100.00 Per License
Wholesale Distributors- Gasoline & Petroleum/Delivery Trucks	\$100.00 Per License

Penalty Fees

Late Application (Failure to apply within 30 days of start of business.)	50% of Total Amount Due Per Account
Late Payment (Failure to pay by a specified due date.)	25% of Base Rate Per Account
Written Notice & Demand (Failure to apply within 30 days of having received a written notice of demand letter from the City)	100% of Total Amount Due Per Account

Pro-Rated Initial Business License

Start date 1st Quarter (Jan, Feb, & Mar)- Standard Rate \$100	\$100.00 Per License
Start date 2nd Quarter (Apr, May, & Jun)- Standard Rate \$100	\$75.00 Per License
Start date 3rd Quarter (Jul, Aug, & Sept)- Standard Rate \$100	\$50.00 Per License
Start date 4th Quarter (Oct, Nov, & Dec)- Standard Rate \$100	\$25.00 Per License
Start date 1st Quarter (Jan, Feb, & Mar)- Standard Rate \$80	\$80.00 Per License
Start date 2nd Quarter (Apr, May, & Jun)- Standard Rate \$80	\$60.00 Per License
Start date 3rd Quarter (Jul, Aug, & Sept)- Standard Rate \$80	\$40.00 Per License
Start date 4th Quarter (Oct, Nov, & Dec)- Standard Rate \$80	\$20.00 Per License

Miscellaneous

Insufficient Funds Fee	\$15.00 Per Transaction
City Sales and Use Tax Application Fee	\$10.00 Per License
*Department of Public Safety Background Check	\$22.00 Per Check

Proposed Finance Fees

Fee Name**Proposed Fee****Business Licensing**

All Businesses - Initial Business License

\$168.00 Per License

All Businesses - Annual Renewal Fee

\$84.00 Per License

Pro-Rated Initial Business License

Start date 1st Quarter (Jan, Feb, & Mar)

\$168.00 Per License

Start date 2nd Quarter (Apr, May, & Jun)

\$126.00 Per License

Start date 3rd Quarter (Jul, Aug, & Sept)

\$84.00 Per License

Start date 4th Quarter (Oct, Nov, & Dec)

\$42.00 Per License

Late Payment (Failure to pay by a specified due date.)

25% of Base Rate Per License

Special Events

\$35.00 Per Event

Miscellaneous

Insufficient Funds Fee

\$15.00 Per Transaction

City Sales and Use Tax Application Fee

\$10.00 Per License

*Department of Public Safety Background Check

\$22.00 Per Check

*Modifications to this rate based on DPS fee fluctuations may occur without Council approval only if the modification does not exceed 20%.

Additional information may be obtained by contacting Lindsey Duncan, Finance Director at 623-222-1820.

For general business license questions please contact Stacie McQuarrie, Accounting Specialist at 623-222-1833.

◦ **Notice of Intent for Revised Business License and Finance Fees**

CITY
LEADERSHIP

Mayor & Council

City Manager

CAREERS &
BUSINESS

SOAR - City Jobs

Community Jobs

CITY FINANCE GET

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Financial Justification

Fees are charged to recover a portion of the costs associated with the licensing process. The current business license fees have remained primarily the same since establishment in 1995 by Resolution #95-42. The current update is targeted at simplifying the administration of the fees and evaluating the accuracy and reasonableness of the fees. To accomplish this, the city wishes to establish a single business license fee for all business types and eliminate those which are based on the business type. The proposed new business license fee targets approximately 75% cost recovery and the renewal fee is set at 50% of the new business license fee.

Proposed Business License – New Fee: \$168.00

Cost Breakdown

Task	Hours	Average Hourly Rate	Cost
Answer customer questions (in-person, phone, or email)	0.13	\$38.79	\$5.04
Print or copy application for applicant	0.02	\$38.79	\$0.78
Explanation of application (in person, via email, via phone)	0.32	\$38.79	\$12.41
Receive and Review of application submittal	0.22	\$38.79	\$8.53
Incomplete Letter, scan, file, fold, and stuff	0.28	\$38.79	\$10.86
Input of application data	0.32	\$38.79	\$12.41
Research and print professional license status	0.02	\$38.79	\$0.78
Research and print Articles/Tradename	0.02	\$38.79	\$0.78
Completion of Department Checklist	0.50	\$26.58	\$13.29
Instruction or Explanation of Routing to Community Development	0.08	\$38.79	\$3.10
Fill out fingerprint card	0.02	\$38.79	\$0.78
Explain fingerprint card and process to applicant	0.93	\$38.79	\$36.07
Obtains fingerprints of applicants	0.42	\$35.81	\$15.00
Interoffice fingerprint card to Mailroom	0.02	\$35.81	\$0.72
Mailroom redirects interoffice mail to Finance Department	0.02	\$14.19	\$0.28
Request Accounts Payable (AP) check for Department of Public Safety (DPS)	0.02	\$37.68	\$0.75
Supervisor approves and enters invoice for AP check	0.03	\$62.44	\$1.87
AP workflow to approve payment to DPS	0.02	\$35.33	\$0.71
AP cuts check and emails Revenue Division to pick up	0.02	\$35.33	\$0.71
Pick up and Mail AP check and fingerprint card to DPS	0.02	\$37.68	\$0.75
DPS & Federal Bureau of Investigation (FBI) run checks and sends results to Surprise Police Department (PD)	0.03	\$65.76	\$1.97
PD receives DPS results and requests copy of Business License application	0.02	\$65.76	\$1.32
PD authorizes or denies based on DPS results	0.47	\$65.76	\$30.91
Revenue Division receives PD determination	0.02	\$37.68	\$0.75
Process Business License payment in Billing License Software System	0.07	\$38.79	\$2.72
Process Business License in financial system	0.02	\$22.04	\$0.44
Print and copy Business License certificate for customer	0.07	\$38.79	\$2.72
Organize customer file	0.02	\$38.79	\$0.78
Label customer file	0.40	\$37.68	\$15.07
File documents (paper files)	1.33	\$22.04	\$29.31
Mailroom to apply postage to envelopes	0.02	\$14.19	\$0.28
Receipt of daily mail (varies based on time of year)	0.02	\$31.05	\$0.62
Logging of daily mail	0.02	\$38.79	\$0.78
Transfer of envelopes to Mailroom	0.02	\$38.79	\$0.78

Task	Hours	Average Hourly Rate	Cost
Posting of postage on Business License mail	0.02	\$14.19	\$0.28
Research (payment, resource, professional, code enforcement, etc...)	0.30	\$38.79	\$11.64

Total Processing Cost: \$225.99

Proposed Business License – Renewal Fee: \$84.00

Cost Breakdown

Task	Hours	Average Hourly Rate	Cost
Answer customer questions (in-person, phone, or email)	0.13	\$38.79	\$5.04
Print or copy application for applicant	0.02	\$38.79	\$0.78
Provide application to customer (in person, via email, via US mail)	0.05	\$38.79	\$1.94
Explanation of application (in person, via email, via phone)	0.32	\$38.79	\$12.41
Incomplete Letter, scan, file, fold, and stuff	0.28	\$38.79	\$10.86
Research and print professional license status	0.02	\$38.79	\$0.78
Research and print Articles/Tradename	0.02	\$38.79	\$0.78
Finance delivers mail to Revenue	0.07	\$31.05	\$2.17
Process business license payment in billing license software system	0.07	\$38.79	\$2.72
Process business license in financial system	0.02	\$22.04	\$0.44
Print and copy business license certificate for customer	0.07	\$38.79	\$2.72
File documents (paper files)	1.33	\$22.04	\$29.31
Run report for renewals	0.02	\$37.68	\$0.75
Print Renewals	0.02	\$37.68	\$0.75
Pull renewals for attachment of additional documentation	0.02	\$37.68	\$0.75
Organize renewals for pickup by vendor (for folding and stuffing)	0.02	\$37.68	\$0.75
Receive folded and stuffed renewals from vendor	0.02	\$25.93	\$0.52
Mailroom to apply postage to envelopes	0.02	\$14.19	\$0.28
Receipt of daily mail (varies based on time of year)	0.02	\$31.05	\$0.62
Logging of daily mail	0.02	\$38.79	\$0.78
Processing of batch mail payments	0.02	\$37.68	\$0.75
Processing of online (web) batch payments	0.05	\$62.44	\$3.12
Recording of batch payments by cashiers	0.02	\$22.04	\$0.44
Printing of batch licenses	0.02	\$38.79	\$0.78
Folding and stuffing of batch licenses	0.02	\$38.79	\$0.78
Transfer of envelopes to mailroom	0.02	\$38.79	\$0.78
Posting of postage on Business License mail	0.02	\$14.19	\$0.28
Update account information from submitted renewal forms	0.02	\$38.79	\$0.78
Research (payment, resource, professional, code enforcement, etc...)	0.30	\$38.79	\$11.64
Processing of Second Notice Renewals	0.02	\$37.68	\$0.75
Processing of Late Fee Assessments	0.02	\$38.79	\$0.78
Annual closing of Business License accounts for non-payment	0.13	\$38.79	\$5.04

Total Processing Cost: \$101.07

Additional information may be obtained by contacting Lindsey Duncan, Finance Director at 623-222-1820.

For general business license questions please contact Stacie McQuarrie, Accounting Specialist at 623-222-1833.

RESOLUTION # 2017-107

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, ESTABLISHING NEW AND REVISED BUSINESS LICENSING FEES AND UPDATING THE COMPREHENSIVE CITYWIDE FEE SCHEDULE.

WHEREAS, per the City of Surprise Comprehensive Financial Management Policies, user fees and charges will be examined periodically;

WHEREAS, the Comprehensive Citywide Fee Schedule was adopted on November 17, 2015 via Resolution #2015-108, as amended;

WHEREAS, the city has statutory authority to assess these fees and charges, and notice has been provided consistent with state law;

WHEREAS, it is necessary that the City of Surprise revise business licensing fees in order to allow the City to recover operational and supply costs;

WHEREAS, the City of Surprise also wishes to update the Comprehensive Citywide Fee Schedule with these revised business licensing fees.

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

Section 1. The business licensing fees are authorized and established as identified in *Exhibit A* and shall become effective January 1, 2018, and the Comprehensive Citywide Fee Schedule will be updated accordingly.

APPROVED AND ADOPTED this ____ day of _____, 2017.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2017-107
Exhibit A

Current Finance Fees

Fee Name	Current Fee
Business Licensing	
All Businesses Not Specifically Identified	\$80.00 Per License
Auctioneers	\$25.00 Per License
Banks & Financial Institutions/Barbershops/Beauty Parlors/ Collection Agencies/Exterminators/ Fortune Tellers & Palmists/Freight Carriers/Child Nursery & Day Care/Nursing Homes & Assisted Living Facilities/Publishers & Printers/Radio Stations/Real Estate Firms/Undertakers & Funeral Homes	\$100.00 Per License
Billiard Halls	\$20.00 Per Table
Coin-Operated Machines- Amusement/Jukeboxes	\$20.00 Per Machine
Massage- Establishment/On-site Manager/Mobile Therapist-Establishment	\$100.00 Per License
Photographers Transient	\$10.00 Per Day
Professions- Certified Public Accountants/Accountants/Chiropractors/Dentists/ Physicians/Optometrists/Veterinarians/Engineers/Surveyors/Stock Brokers/Travel Agents	\$100.00 Per License
Special Events	\$35.00 Per License
Transportation For Hire- Taxis/Trucks	\$100.00 Per License
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Miscellaneous	
Insufficient Funds Fee	\$15.00 Per Transaction
City Sales and Use Tax Application Fee	\$10.00 Per License
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Proposed Finance Fees

Fee Name	Proposed Fee
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Start date 4th Quarter (Oct, Nov, & Dec)	\$42.00 Per License
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Special Events	\$35.00 Per Event
Miscellaneous	
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*Modifications to this rate based on DPS fee fluctuations may occur without Council approval only if the modification does not exceed 20%.



CITY OF SURPRISE
Regular City Council Meeting

October 17, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	October 17, 2017	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:		District:	1
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action regarding a Map of Dedication for Rancho Mercado Parkway, located generally north of the Happy Valley Road alignment between the Bullard Road and Litchfield Road alignments.

Motion:

Motion to approve the requested Map of Dedication.

Background:

The subject request involves a Map of Dedication (MOD) for Rancho Mercado Parkway, which is one of three Maps of Dedication being discussed this date, but under separate cover. Additional Final Plats and MODs are under review. As of the writing of this report, the applicant has submitted four (4) Final Plats and five (5) Maps of Dedication for review. Three (3) of these MODs are scheduled for review by the City Council on October 17, 2017. Three (3) of the Final Plats are completing their review and will be scheduled for City Council in the near future. Also, the applicant is working with the State Land Department and other land owners to secure the land necessary to extend Happy Valley Road west to 163rd Avenue, and 147th Avenue north to Jomax Road. The applicant is also working with Maricopa Water District to secure a License Agreement to cross the Beardsley Canal at Happy Valley Road, and is working with Maricopa County to extend Happy Valley Road east to Rancho Mercado. The applicant has secured a grading permit to allow “at-risk” grading over portions of Rancho Mercado Unit 1, and with the approval of the subject MOD, the city may begin issuing the infrastructure permits necessary to allow the applicant to commence construction of these roadways.

Objective Analysis:

The proposed Map of Dedication is one of several case activities related to the Rancho Mercado development. Approval of the subject MOD will allow the city to begin issuing the infrastructure permits necessary for the applicant to begin construction. The proposed MOD is consistent with the Rancho Mercado PAD and other regulatory documents, and the reviewing agencies have expressed no objections to the approval of the MOD.

Policy Compliant:

The requested Map of Dedication is consistent with the Rancho Mercado PAD and advances the goals and policies of the General Plan.

Financial Impact:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

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:**Click to download**

- ☐ [00 - FS16-384 Rancho Mercado Parkway Map of Dedication - Staff Report](#)
 - ☐ [01 - FS16-384 Rancho Mercado Parkway Map of Dedication - Vicinity Map](#)
 - ☐ [02 - FS16-384 Rancho Mercado Parkway Map of Dedication - Case Map](#)
 - ☐ [03 - FS16-384 Rancho Mercado Parkway Map of Dedication](#)
 - ☐ [04 - FS16-384 Rancho Mercado Parkway Map of Dedication - Presentation](#)
-

MAP OF DEDICATION

REPORT TO THE CITY COUNCIL

Case: **FS16-384**

Project Name: Rancho Mercado Parkway Map of Dedication

Council District: 1

City Council Date: **October 17, 2017**

Planner: Robert H. Kuhfuss, AICP

Owner: William Lyon Homes

Applicant: Fil Luna of William Lyon Homes

Request: Map of Dedication within the Rancho Mercado PAD

Site Location: Generally north of the Happy Valley Road alignment between the Bullard Road and Litchfield Road alignments

Site Size: 4.2 acres (approx.)

Density: N/A

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

Support/Opposition: None known

Findings:

- The proposed Map of Dedication is consistent with the Rancho Mercado PAD.
- The proposed Map of Dedication is consistent with the Rancho Mercado Unit 1 Preliminary Plat.
- The proposed Map of Dedication is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

Alternative Actions: **Approval** of the requested Map of Dedication will allow the city to begin issuing infrastructure permits needed to support development of the larger Rancho Mercado PAD.

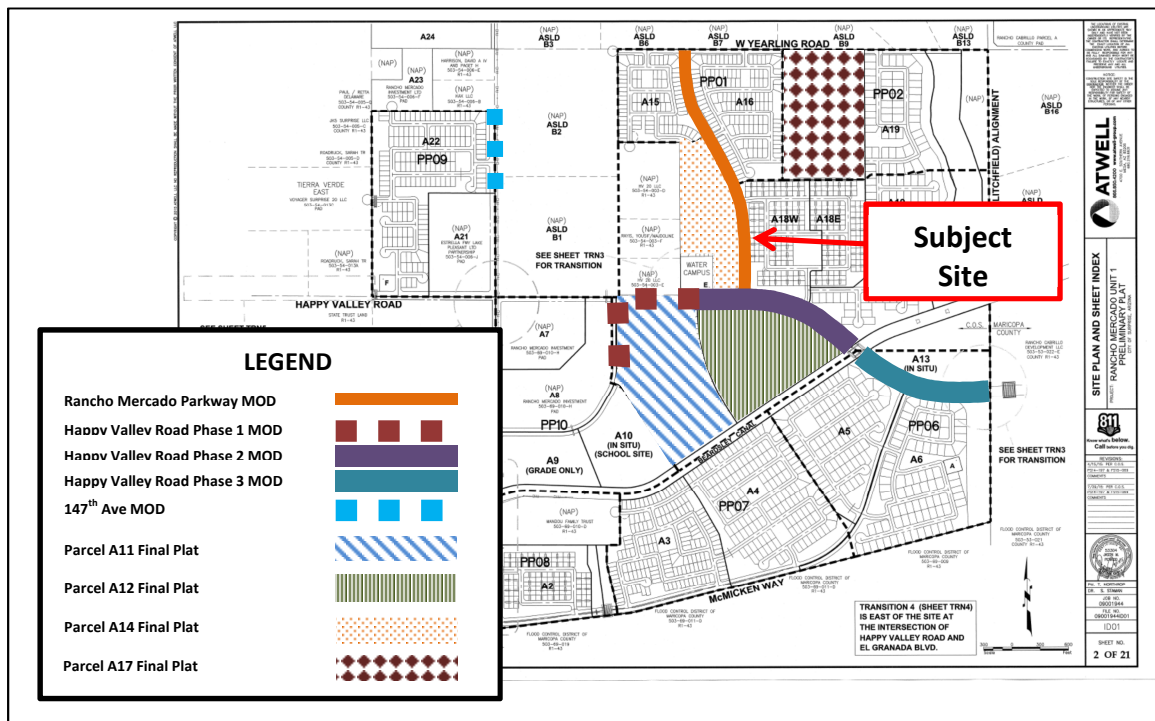
Denial of the requested Map of Dedication will deny the applicant the opportunity to develop the property.

Project Description:

The subject request involves a Map of Dedication (MOD) for Rancho Mercado Parkway, which is one of three Maps of Dedication being discussed this date, but under separate cover. Additional Final Plats and MODs are under review.

As of the writing of this report, the applicant has submitted four (4) Final Plats and five (5) Maps of Dedication for review. Three (3) of these MODs are scheduled for review by the City Council on October 17, 2017. Three (3) of the Final Plats are completing their review and will be scheduled for City Council in the near future. Also, the applicant is working with the State Land Department and other land owners to secure the land necessary to extend Happy Valley Road west to 163rd Avenue, and 147th Avenue north to Jomax Road. The applicant is also working with Maricopa Water District to secure a License Agreement to cross the Beardsley Canal at Happy Valley Road, and is working with Maricopa County to extend Happy Valley Road east to Rancho Mercado. The applicant has secured a grading permit to allow “at-risk” grading over portions of Rancho Mercado Unit 1, and with the approval of the subject MOD, the city may begin issuing the infrastructure permits necessary to allow the applicant to commence construction of these roadways.

The following map, taken from the Rancho Mercado Unit 1 Preliminary Plat, is annotated to depict the location of the subject MOD in relation to the other activity occurring within the PAD.



Background:

July 11, 2006: The Maricopa County Board of Supervisors approved a request for a Development Master Plan (DMP) and associated Zone Change for the Rancho Mercado project in what was then unincorporated Maricopa County.

May 25, 2007: The Surprise City Council entered into a Pre-Annexation Development Agreement with the applicant, which was recorded under 2007-0794202 MCR.

October 11, 2007: The Surprise City Council approved the Rancho Mercado PAD under case PAD06-276, subject to stipulations “a” through “u”, Ordinance #07-46.

November 10, 2007: The subject property was annexed into the City of Surprise via Ordinance # 2007-47.

December 2, 2010: Staff met with the applicant to discuss a Preliminary Plat for Rancho Mercado under case CR10-256.

December 7, 2010: Staff approved a Minor PAD Amendment to under case FS10-210.

March 30, 2011: The applicant filed a request for a Preliminary Plat covering the subject property under case PS11-093, which expired due to inactivity.

February 28, 2013: Staff met with a homebuilder during a regularly scheduled Concept Review meeting to discuss the possibility of platting a portion of Rancho Mercado under case CR13-054.

August 8, 2013: Staff met with the applicant to discuss a Preliminary Plat and Major Zoning Amendment for Rancho Mercado under case CR13-365.

May 15, 2014: The applicant submitted water master plans for Rancho Mercado case PS14-197.

July 31, 2014: Staff met with the applicant to discuss the subject project during a regularly scheduled Concept Review meeting under CR14-278.

February 18, 2015: The applicant filed a request for a Preliminary Plat for Rancho Mercado Unit 1 under case FS15-069.

December 17, 2015: The Planning and Zoning Commission heard the subject request at their regularly scheduled meeting and recommended the City Council approve the proposed Preliminary Plat subject to staff recommended stipulations ‘a’ through ‘f’ as noted in the Recommendation section of this report.

January 5, 2016: The City Council approved the Preliminary Plat for Rancho Mercado Unit 1 under case FS15-069.

September 9, 2016: The applicant submitted a request for the Rancho Mercado Parkway MOD under case FS16-384, the subject case.

September 9, 2016: The applicant submitted a request for a Final Plat for Rancho Mercado Parcel A14 under case FS16-385, which is still under review.

February 15, 2017: The applicant submitted a request for the Happy Valley Road Phase 3 MOD under case FS17-097, which is discussed under separate cover.

February 15, 2017: The applicant submitted a request for the Happy Valley Road Phase 2 MOD under case FS17-098, which is discussed under separate cover.

May 22, 2017: The applicant submitted a request for a Final Plat for Rancho Mercado Parcel A11 under case FS17-257, which is still under review.

May 22, 2017: The applicant submitted a request for a Final Plat for Rancho Mercado Parcel A12 under case FS17-258, which is still under review.

May 24, 2017: The applicant submitted a request for a Minor Site Plan regarding the Rancho Mercado Water Campus under case FS17-262, which is still under review.

May 24, 2017: The applicant submitted a request for the 145th Avenue Phase 1 MOD under case FS17-264, which is still under review.

August 24, 2017: The applicant submitted a request for the Happy Valley Road Phase 1 MOD under case FS17-499, which is discussed under separate cover.

September 14, 2017: The applicant submitted a request for a Final Plat for Rancho Mercado Parcel A17 under case FS17-546, which is still under review.

Reviewing Agencies:

The subject request was routed to the standard reviewing agencies, who have indicated no objections to the request.

Summary:

The proposed Map of Dedication is one of several case activities related to the Rancho Mercado development. Approval of the subject MOD will allow the city to begin issuing the infrastructure permits necessary for the applicant to begin construction. The proposed MOD is consistent with the Rancho Mercado PAD and other regulatory documents, and the reviewing agencies have expressed no objections to the approval of the MOD.

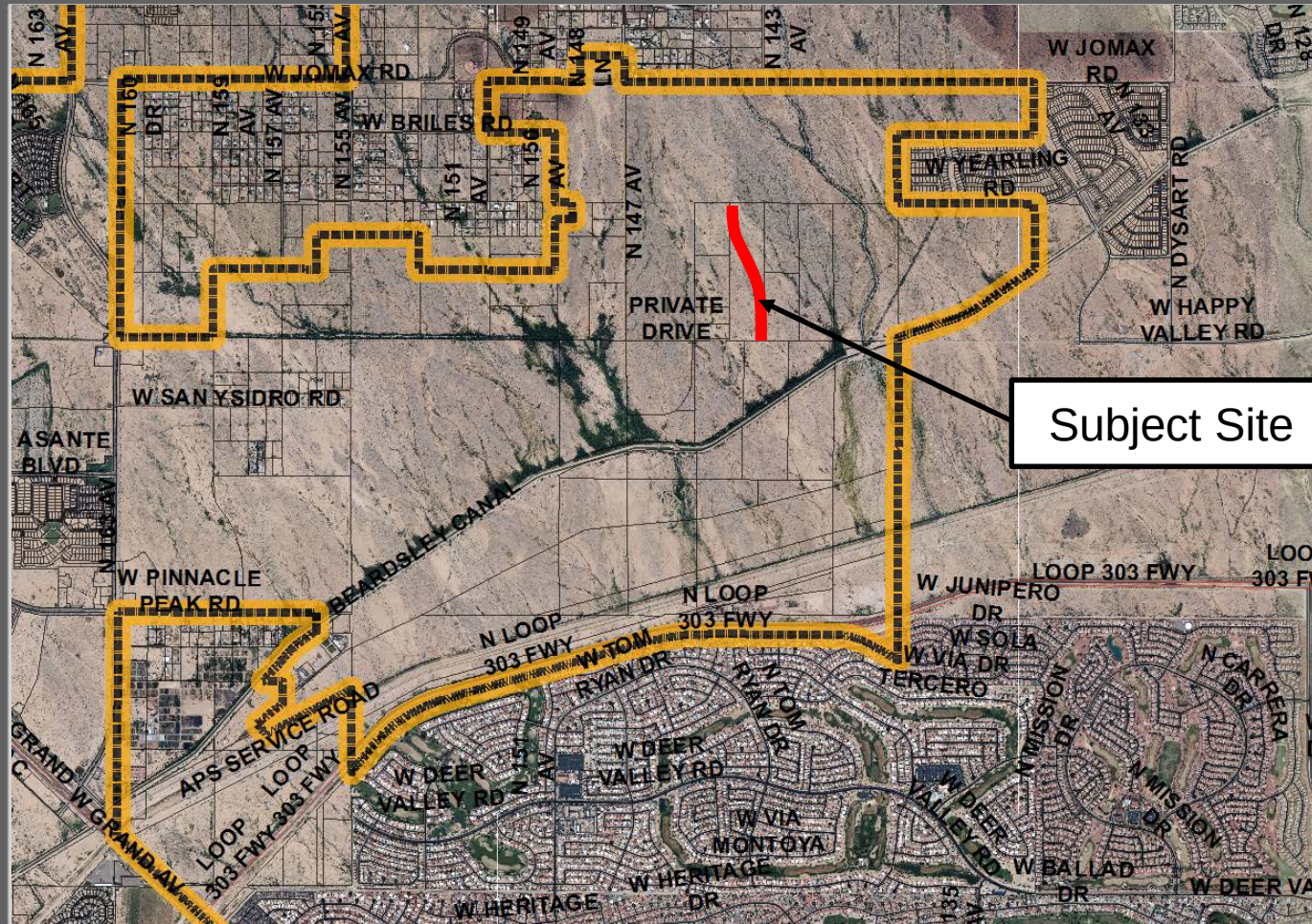
Findings:

The proposed Map of Dedication is consistent with the Rancho Mercado PAD.
The proposed Map of Dedication is consistent with the Rancho Mercado Unit 1 Preliminary Plat.
The proposed Map of Dedication is consistent with the applicable City of Surprise regulations.
The reviewing agencies have indicated no objections to the request.

Attachments:

- 01 Case Map
- 02 Vicinity Map
- 03 Map of Dedication

FS16-384
Rancho Mercado
Parkway MOD



Subject Site

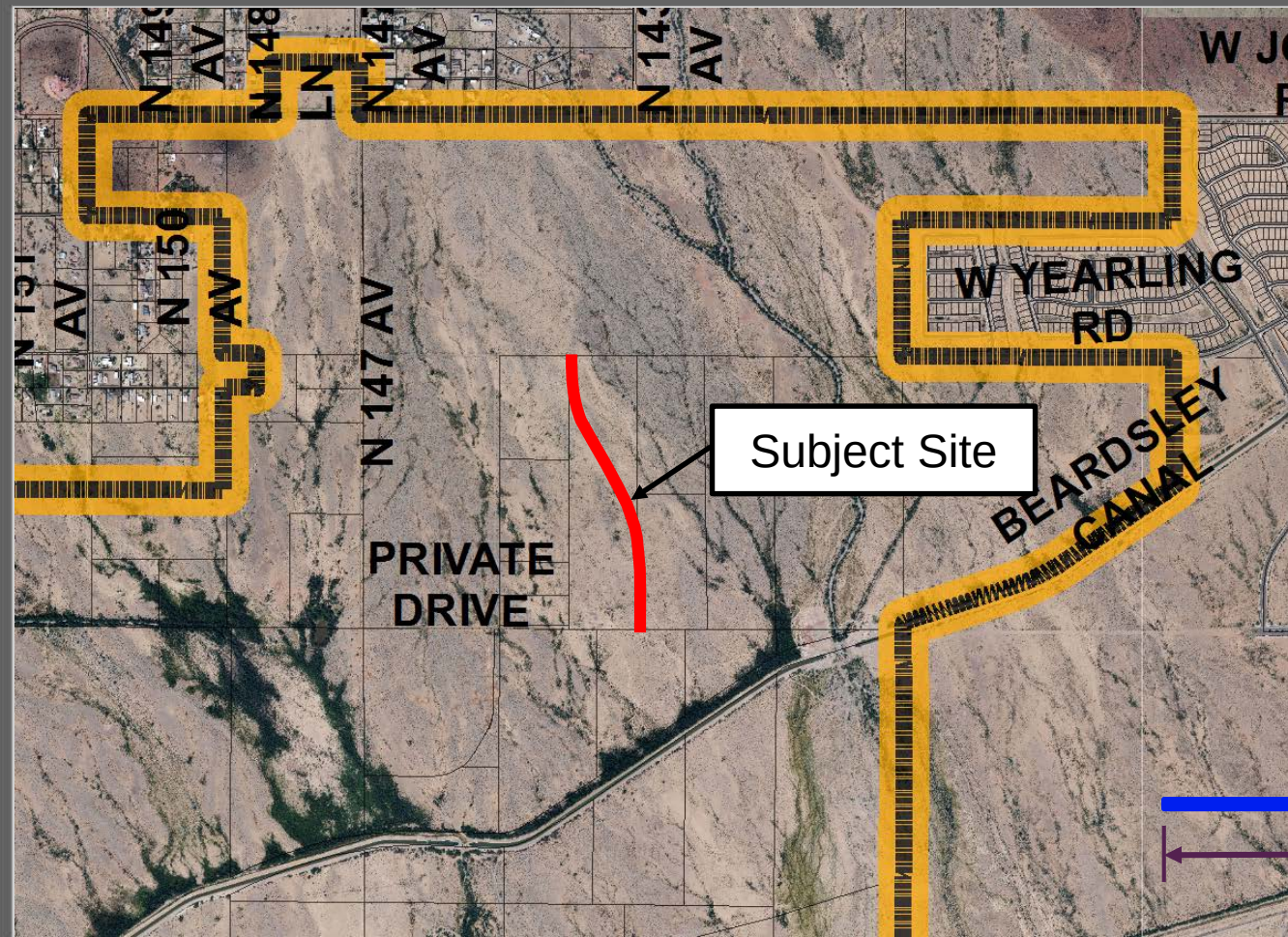
Vicinity Map



North

1 Mile



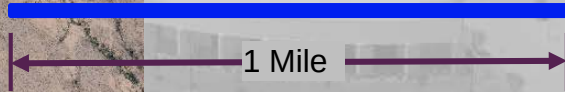


FS16-384
Rancho Mercado
Parkway MOD

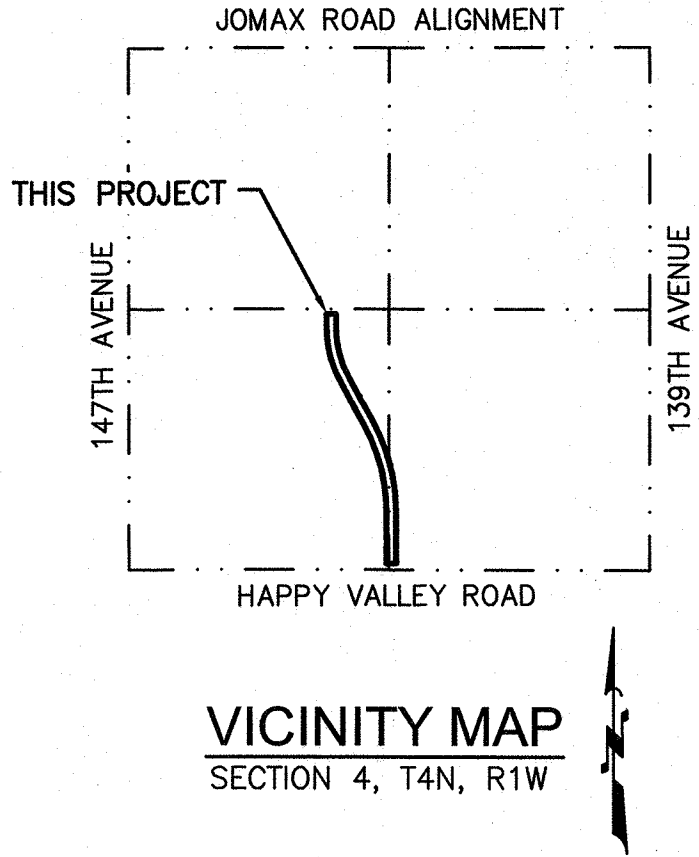
Case Map



1 Mile



MAP OF DEDICATION
FOR
RANCHO MERCADO PARKWAY
A PORTION OF THE SOUTH HALF OF SECTION 4, TOWNSHIP 4 NORTH,
RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA



DEDICATION

STATE OF ARIZONA: }
COUNTY OF MARICOPA: } SS

KNOW ALL PERSONS BY THESE PRESENTS:

- THAT WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, HEREINAFTER "OWNER", HAS SUBDIVIDED UNDER THE NAME "RANCHO MERCADO PARKWAY", LOCATED WITHIN A PORTION OF THE SOUTH HALF OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND DOES HEREBY DECLARE THAT THIS MAP OF DEDICATION SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH STREET AND EASEMENT CONSTITUTING SAME, AND THAT EACH STREET SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS MAP OF DEDICATION.
- "OWNER" HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS--OF--WAY AS SHOWN ON THE MAP OF DEDICATION.
- 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" DOES 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 MAP OF DEDICATION 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 MAP OF DEDICATION SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID MAP OF DEDICATION UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT--OF--WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.
- "OWNER" HEREBY GRANTS TO THE PUBLIC A NON--EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE MAP OF DEDICATION 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.
- "OWNER" HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE AN AVIGATION EASEMENT OVER AND ACROSS THIS MAP OF DEDICATION, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS MAP OF DEDICATION, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL AND LUBRICANT PARTICLES 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 GRANTS TO THE CITY OF SURPRISE AN ODOR EASEMENT OVER, UPON AND ACROSS, THIS MAP OF DEDICATION, WHICH EASEMENT SHALL INCLUDE, BUT NOT LIMITED TO, THE RIGHT TO INVADE WITH ODORS, FUMES, SMELLS, AND PHYSICAL AIRBORNE PARTICULATES CAUSED BY THE LAWFUL OPERATION AND MAINTENANCE OF THE CITY'S WATER RECLAMATION FACILITY.
- 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 MAP OF DEDICATION OR ANY PARCEL THEREOF.
- "OWNER" HEREBY WARRANTS AND REPRESENTS TO THE CITY OF SURPRISE THAT IT IS THE SOLE OWNER OF THE PROPERTY COVERED BY THIS MAP OF DEDICATION, AND THAT EVERY LENDER, EASEMENT HOLDER OR OTHER PERSON OR ENTITY HAVING ANY INTEREST THAT IS ADVERSE TO OR INCONSISTENT WITH THE FOREGOING DEDICATION, OR ANY OTHER REAL PROPERTY INTEREST CREATED OR TRANSFERRED BY THIS MAP OF DEDICATION, HAS CONSENTED TO OR JOINED IN THIS MAP OF DEDICATION AS EVIDENCED BY INSTRUMENTS WHICH ARE RECORDED WITH THE MARICOPA COUNTY RECORDERS OFFICE OR WHICH OWNER WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS MAP OF DEDICATION IS RECORDED.
- 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.

IN WITNESS WHEREOF:

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, AS "OWNER", HAS HEREUNTO CAUSED THEIR NAME TO BE SIGNED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF JULIE E. COLLINS, ITS SENIOR VICE PRESIDENT ON THIS ____ DAY OF _____, 2017.

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION

BY _____ ITS SENIOR VICE PRESIDENT
JULIE E. COLLINS

NOTARY ACKNOWLEDGEMENT

STATE OF ARIZONA: }
COUNTY OF MARICOPA: } SS

ON THIS ____ DAY OF _____, 2017, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC APPEARED JULIE E. COLLINS OF WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, WHO ACKNOWLEDGED HERSELF TO BE THE SENIOR VICE PRESIDENT, AND THAT SHE EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

BY: _____ MY COMMISSION EXPIRES _____
NOTARY PUBLIC

RANCHO MERCADO COMMUNITY ASSOCIATION RATIFICATION

BY THIS RATIFICATION, KAREN BEACOM, DULY ELECTED PRESIDENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION ACKNOWLEDGES THE RESPONSIBILITIES DEDICATED HEREON.

BY: _____ ITS PRESIDENT
KAREN BEACOM

NOTARY ACKNOWLEDGEMENT

STATE OF ARIZONA: }
COUNTY OF MARICOPA: } SS

ON THIS ____ DAY OF _____, 2017, KAREN BEACOM PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HERSELF TO BE THE PRESIDENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION, AND THAT SHE, AS PRESIDENT, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

BY: _____ MY COMMISSION EXPIRES _____ DATE
NOTARY PUBLIC

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS ____ DAY OF _____, 2017, 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 _____, 2017.

MAYOR DATE

ATTEST:

CITY CLERK DATE

AREA CALCULATIONS

RIGHT OF WAY	182,717 SQ.FT.	4.195 AC
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SHEET INDEX

DESCRIPTION	SHEET NO
COVER SHEET	1
LEGAL DESCRIPTION & PLAT SHEETS	2-5

OWNER/DEVELOPER

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION.
8840 EAST CHAPARRAL ROAD, SUITE 200
SCOTTSDALE, ARIZONA 85250
PHONE NO: 480-850-3729
CONTACT: FIL LUNA

RELEASE OF LIABILITY

- WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION "OWNER" DOES HEREBY (1) RELEASE AND DISCHARGE THE "USAF" AND 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 AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LUKE AIR FORCE BASE, WHETHER SUCH DAMAGE SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE. 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.
- WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION HEREBY AGREES 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.

100 YEAR ASSURED WATER SUPPLY LANGUAGE

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS NO. 2010-012, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.

GENERAL NOTES

- IN ACCORDANCE WITH A.R.S. § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS MAP OF DEDICATION ARE IN CONFORMANCE WITH THE CITY OF 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.
- THE PROPERTY OWNER, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
- THIS MAP OF DEDICATION IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT APPROVED BY THE CITY OF SURPRISE ZONING CASE FS15-069.
- A PORTION OF THE PROPERTY IS LOCATED WITHIN THE AREA HAVING FLOOD ZONES "X", "A" AND "AE", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAPS NO. 04013C1210L AND NO. 04013C1230L, WITH A DATE OF IDENTIFICATION OF OCTOBER 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, AS MAY BE AMENDED FROM TIME TO TIME.

BASIS OF BEARING

THE WEST--EAST, MID--SECTION LINE OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN WHICH BEARS S89°46'48"E A DISTANCE OF 5255.54' THIS POSITION WAS DERIVED FROM THE ESTABLISHED NGS POINTS DV0080 & AJ3867. PROJECT THEN SCALED TO GROUND AT A COMBINED SCALE FACTOR OF 1.00013766895 AND VERIFIED AGAINST GDACS BOOK 834, PG 1. HORIZONTAL ERROR = (0.04") ANGLE ERROR = (00°00'01")

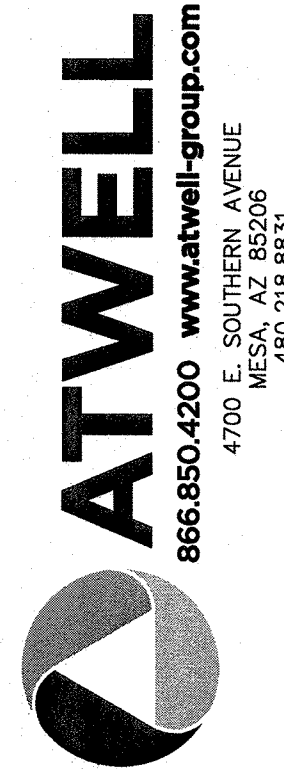
SURVEYOR'S CERTIFICATION

I, JAMES G. SPRING, PLS 22282, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS MAP OF DEDICATION CONSISTING OF FIVE SHEETS REPRESENTS A SURVEY PREPARED UNDER MY SUPERVISION DURING THE MONTH OF JULY, 2017; THAT THE SURVEY IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT THE EXTERIOR BOUNDARY MONUMENTS ACTUALLY EXIST AS SHOWN AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JAMES G. SPRING, PLS 22282
ATWELL, LLC
4700 EAST SOUTHERN AVENUE
MESA, ARIZONA 85206

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.



COUNTY: MARICOPA

SECTION: 4

TOWNSHIP: 4 NORTH

RANGE: 1 WEST

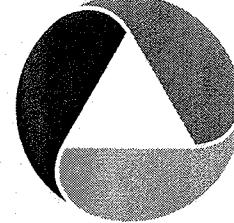
MAP OF DEDICATION

RANCHO MERCADO PARKWAY

CITY OF SURPRISE, ARIZONA

JULY 2017

REVISIONS:



PM. J. SPRING

DR. R. GILES

JOB NO.
09001944

N.T.S.

09001944 MOD RANCHO PARKWAY

SHEET
NO.

1 OF 5

LEGAL DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 2" ALUMINUM CAP STAMPED MARICOPA COUNTY RLS 35832 2003, ACCEPTED AS THE WEST QUARTER CORNER OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, FROM WHICH A FOUND 3" BRASS CAP IN HANDHOLE STAMPED MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION 36770, ACCEPTED AS THE EAST QUARTER CORNER OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, THEREOF BEARS S89°46'48"E A DISTANCE OF 5255.54 FEET;

THENCE, ALONG THE WEST-EAST MID-SECTION LINE OF SAID SECTION 4, S89°46'48"E, 2040.93 FEET;

THENCE, LEAVING SAID WEST-EAST MID-SECTION LINE OF SAID SECTION 4, S00°13'12"W A DISTANCE OF 51.50 FEET TO THE POINT OF BEGINNING;

THENCE, S89°46'48"E A DISTANCE OF 44.50 FEET;

THENCE, S45°13'12"W A DISTANCE OF 6.36 FEET;

THENCE, S00°13'12"W A DISTANCE OF 126.79 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE LEFT;

THENCE, SOUTHERLY ALONG SAID CURVE AN ARC LENGTH OF 529.92 FEET, WITH A RADIUS OF 1,060.00 FEET AND A CENTRAL ANGLE OF 28°38'37";

THENCE, S28°25'25"E A DISTANCE OF 222.86 FEET;

THENCE, S73°25'25"E A DISTANCE OF 9.19 FEET;

THENCE, S28°25'25"E A DISTANCE OF 74.00 FEET;

THENCE, S16°34'35"W A DISTANCE OF 9.19 FEET;

THENCE, S28°25'25"E A DISTANCE OF 200.73 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE RIGHT;

THENCE, SOUTHERLY ALONG SAID CURVE AN ARC LENGTH OF 470.25 FEET, WITH A RADIUS OF 1,890.00 FEET AND A CENTRAL ANGLE OF 14°15'21";

THENCE, S58°21'02"E A DISTANCE OF 9.34 FEET;

THENCE, S12°50'56"E A DISTANCE OF 73.93 FEET;

THENCE, S32°43'42"W A DISTANCE OF 9.32 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE RIGHT;

THENCE, SOUTHERLY ALONG SAID CURVE AN ARC LENGTH OF 386.21 FEET, WITH A RADIUS OF 1,890.00 FEET AND THE RADIAL BEARING OF S78°28'11"W AND A CENTRAL ANGLE OF 11°42'29";

THENCE, S00°10'40"W A DISTANCE OF 512.00 FEET;

THENCE, S44°01'28"E A DISTANCE OF 10.58 FEET;

THENCE, N89°49'20"W A DISTANCE OF 47.38 FEET;

THENCE, N00°10'40"E A DISTANCE OF 0.09 FEET;

THENCE, N89°49'20"W A DISTANCE OF 47.50 FEET;

THENCE, N45°10'40"E A DISTANCE OF 10.61 FEET;

THENCE, N00°10'40"E A DISTANCE OF 153.00 FEET;

THENCE, N44°49'20"W A DISTANCE OF 9.19 FEET;

THENCE, N00°10'40"E A DISTANCE OF 74.00 FEET;

THENCE, N45°10'40"E A DISTANCE OF 9.19 FEET;

THENCE, N00°10'40"E A DISTANCE OF 272.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE LEFT;

THENCE, NORTHERLY ALONG SAID CURVE AN ARC LENGTH OF 903.53 FEET, WITH A RADIUS OF 1,810.00 FEET AND A CENTRAL ANGLE OF 28°36'05";

THENCE, N28°25'25"W A DISTANCE OF 200.73 FEET;

THENCE, N73°25'25"W A DISTANCE OF 9.19 FEET;

THENCE, N28°25'25"W A DISTANCE OF 74.00 FEET;

THENCE, N16°34'35"E A DISTANCE OF 9.19 FEET;

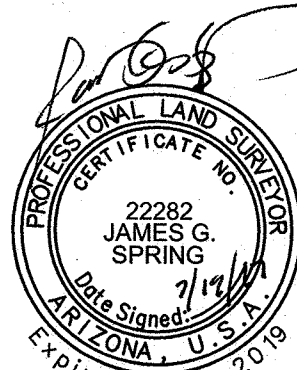
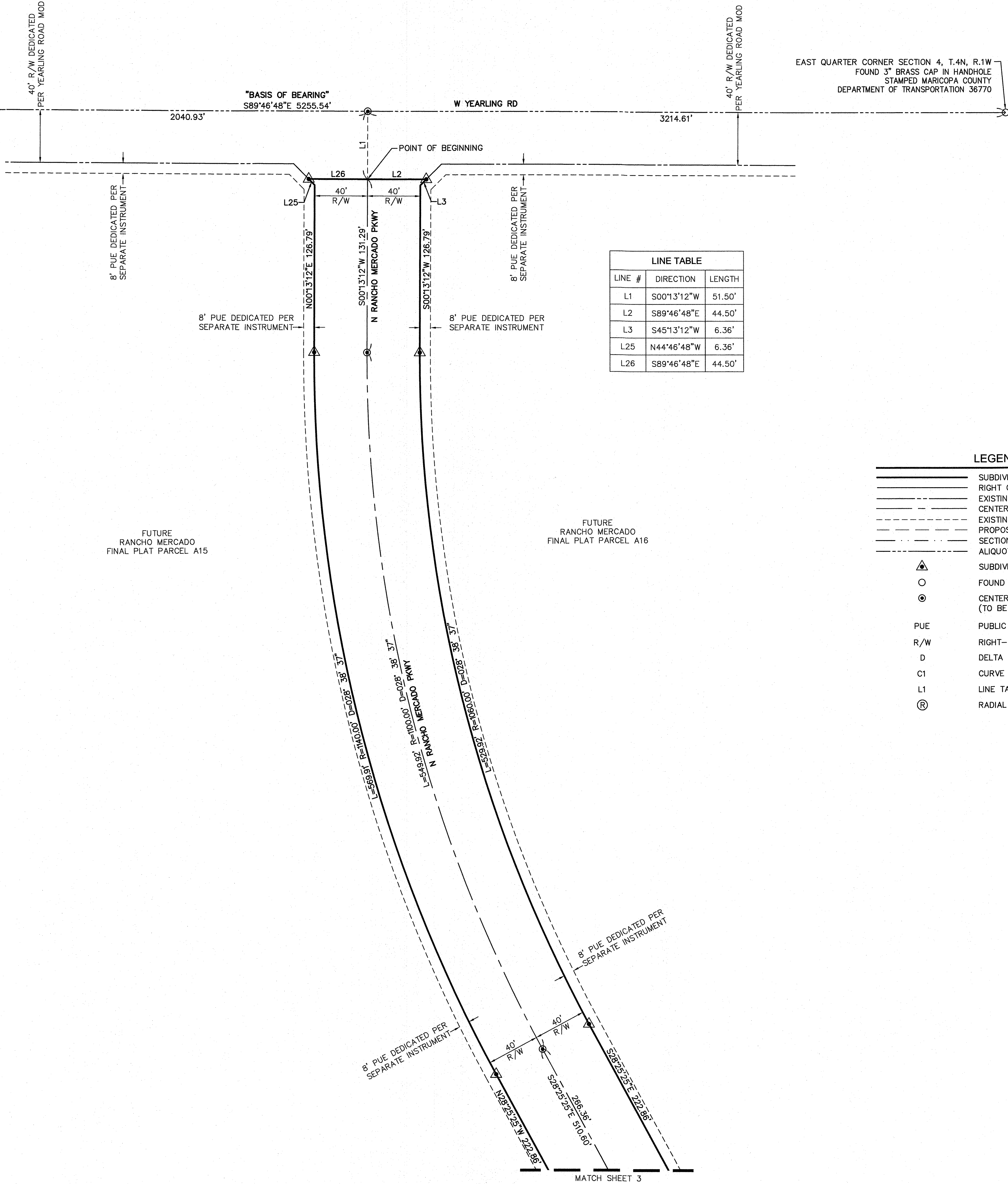
THENCE, N28°25'25"W A DISTANCE OF 222.86 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE RIGHT;

THENCE, NORTHERLY ALONG SAID CURVE AN ARC LENGTH OF 569.91 FEET, WITH A RADIUS OF 1,140.00 FEET AND A CENTRAL ANGLE OF 28°38'37";

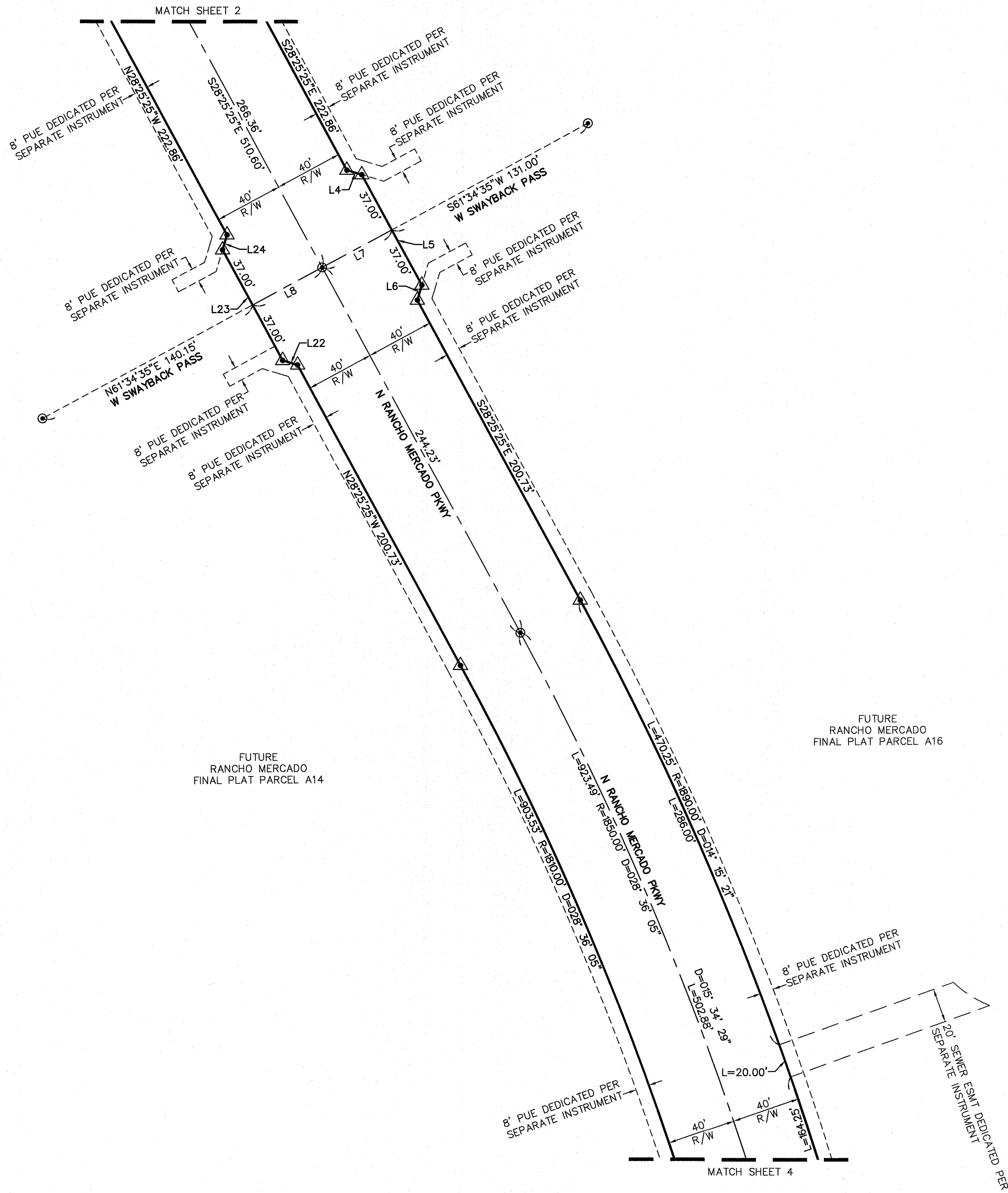
THENCE, N00°13'12"E A DISTANCE OF 126.79 FEET;

THENCE, N44°46'48"W A DISTANCE OF 6.36 FEET;

THENCE, S89°46'48"E A DISTANCE OF 44.50 FEET TO THE POINT OF BEGINNING.



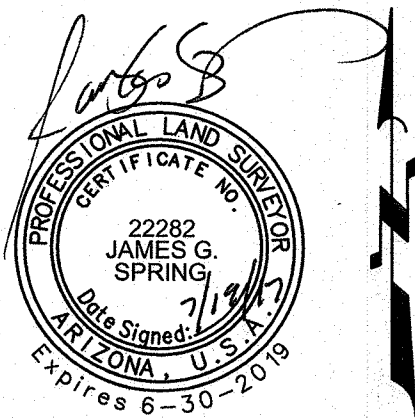
FUTURE
RANCHO MERCADO
FINAL PLAT PARCEL A15



LINE TABLE		
LINE #	DIRECTION	LENGTH
L4	S73°25'25\"E	9.19'
L5	S28°25'25\"E	74.00'
L6	S16°34'35\"W	9.19'
L7	S61°34'35\"W	46.50'
L8	S61°34'35\"W	46.50'
L22	N73°25'25\"W	9.19'
L23	N28°25'25\"W	74.00'
L24	N16°34'35\"E	9.19'

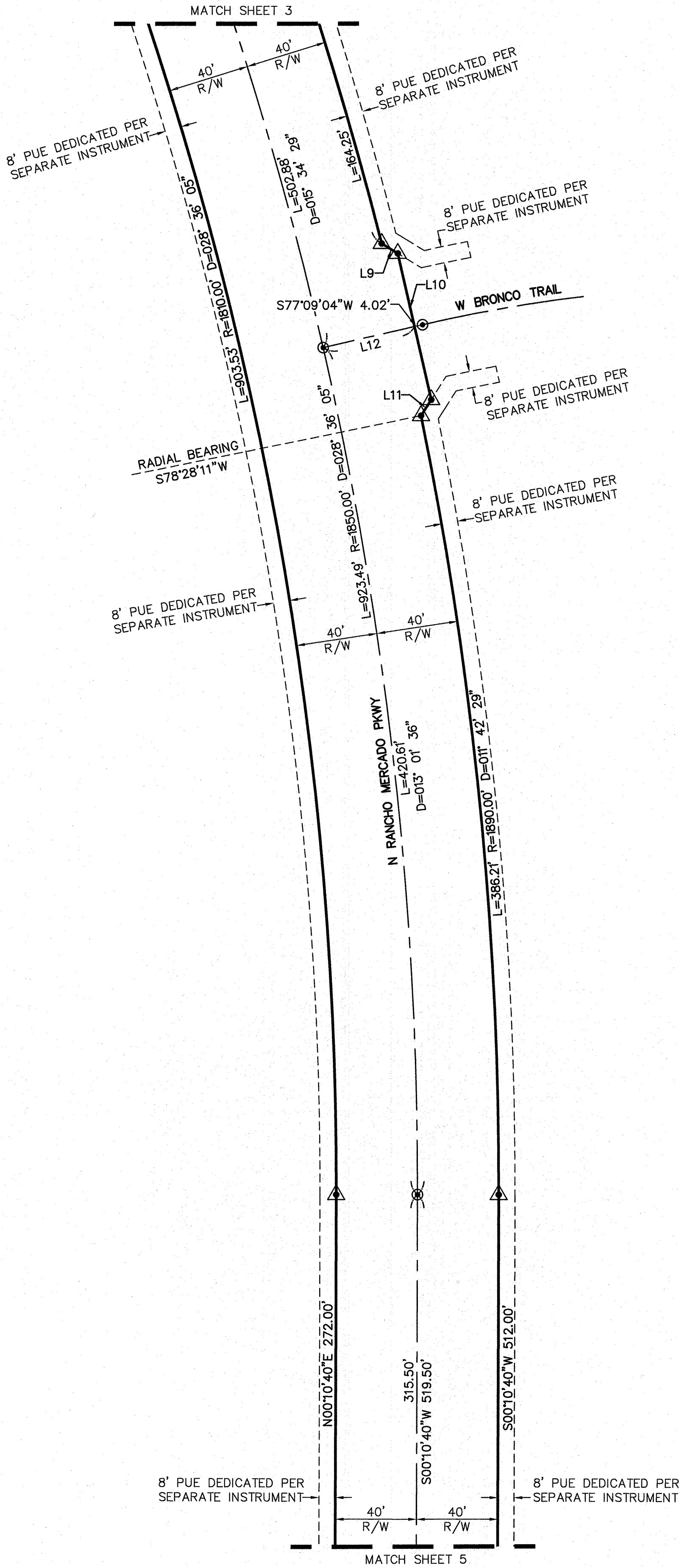
FUTURE
RANCHO MERCADO
FINAL PLAT PARCEL A16

FUTURE
RANCHO MERCADO
FINAL PLAT PARCEL A18W

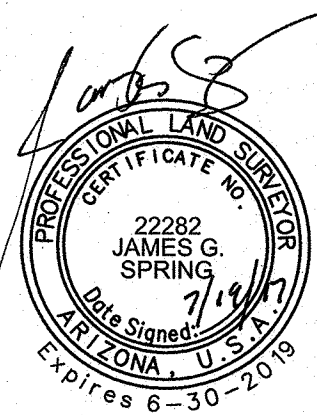


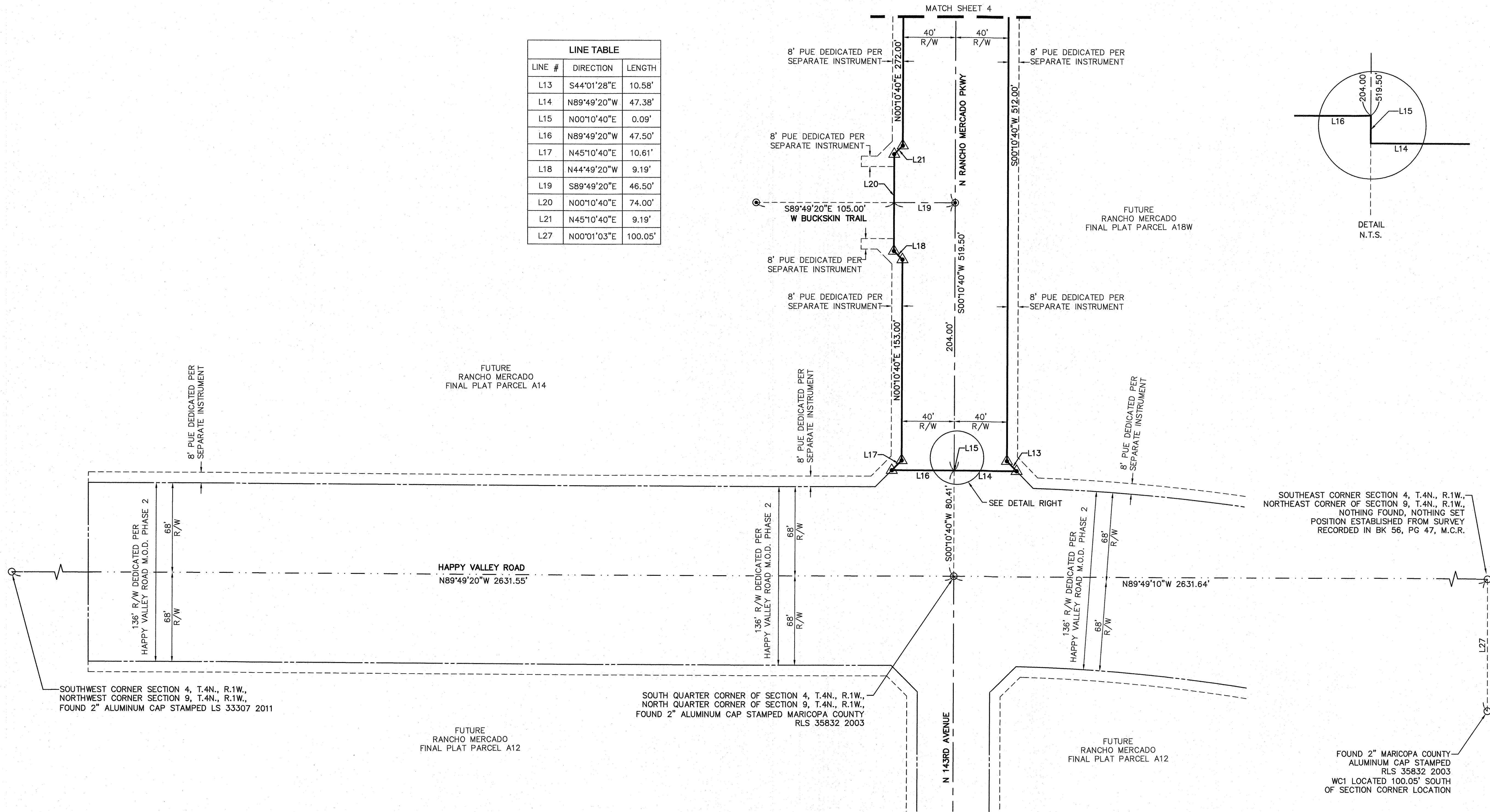
LINE TABLE		
LINE #	DIRECTION	LENGTH
L9	S58°21'02"E	9.34'
L10	S12°50'56"E	73.93'
L11	S32°43'42"W	9.32'
L12	N77°09'04"E	46.16'

FUTURE
RANCHO MERCADO
FINAL PLAT PARCEL A14

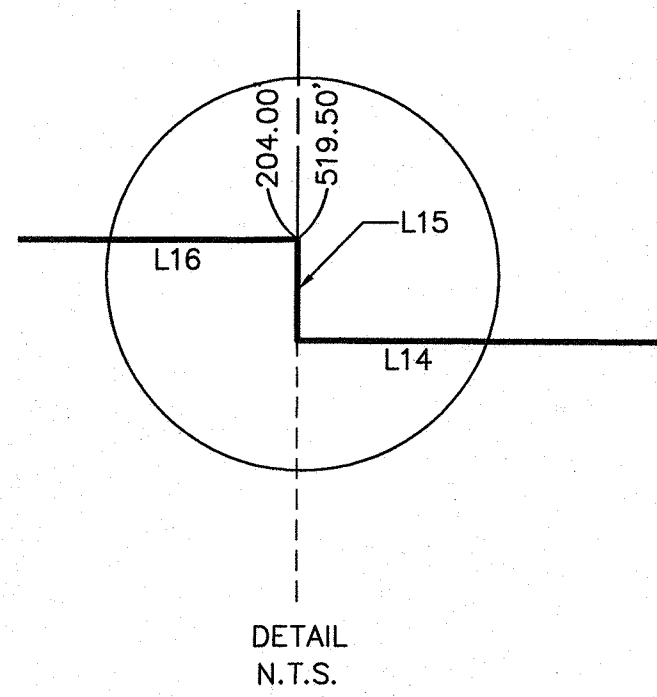


FUTURE
RANCHO MERCADO
FINAL PLAT PARCEL A18W





LINE TABLE		
LINE #	DIRECTION	LENGTH
L13	S44°01'28"E	10.58'
L14	N89°49'20"W	47.38'
L15	N00°10'40"E	0.09'
L16	N89°49'20"W	47.50'
L17	N45°10'40"E	10.61'
L18	N44°49'20"W	9.19'
L19	S89°49'20"E	46.50'
L20	N00°10'40"E	74.00'
L21	N45°10'40"E	9.19'
L27	N00°01'03"E	100.05'

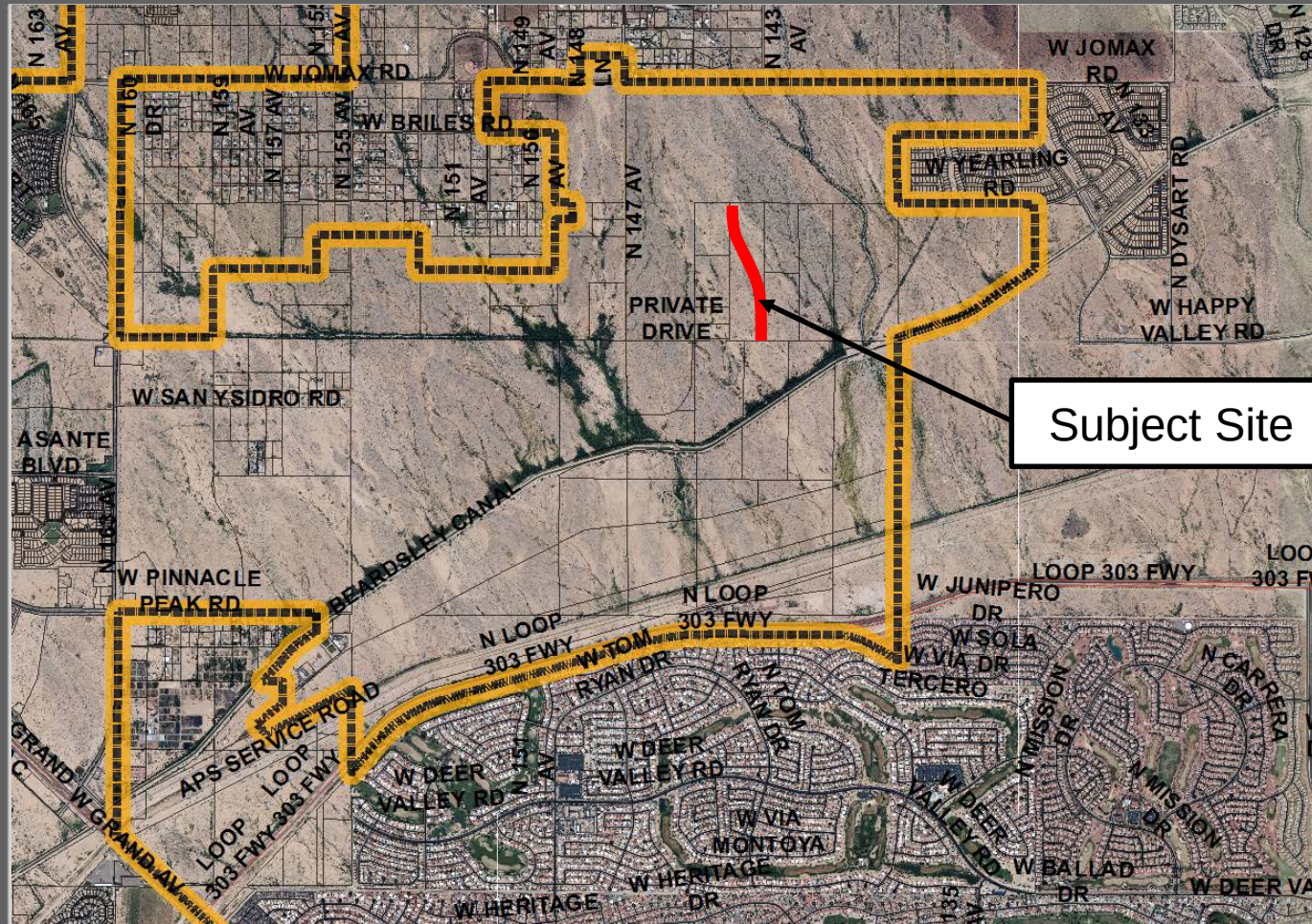




FS16-384 Rancho Mercado Parkway MOD
FS17-097 Happy Valley Road Phase 3 MOD
FS17-098 Happy Valley Road Phase 2 MOD

City Council
October 17, 2017

FS16-384
Rancho Mercado
Parkway MOD



Subject Site

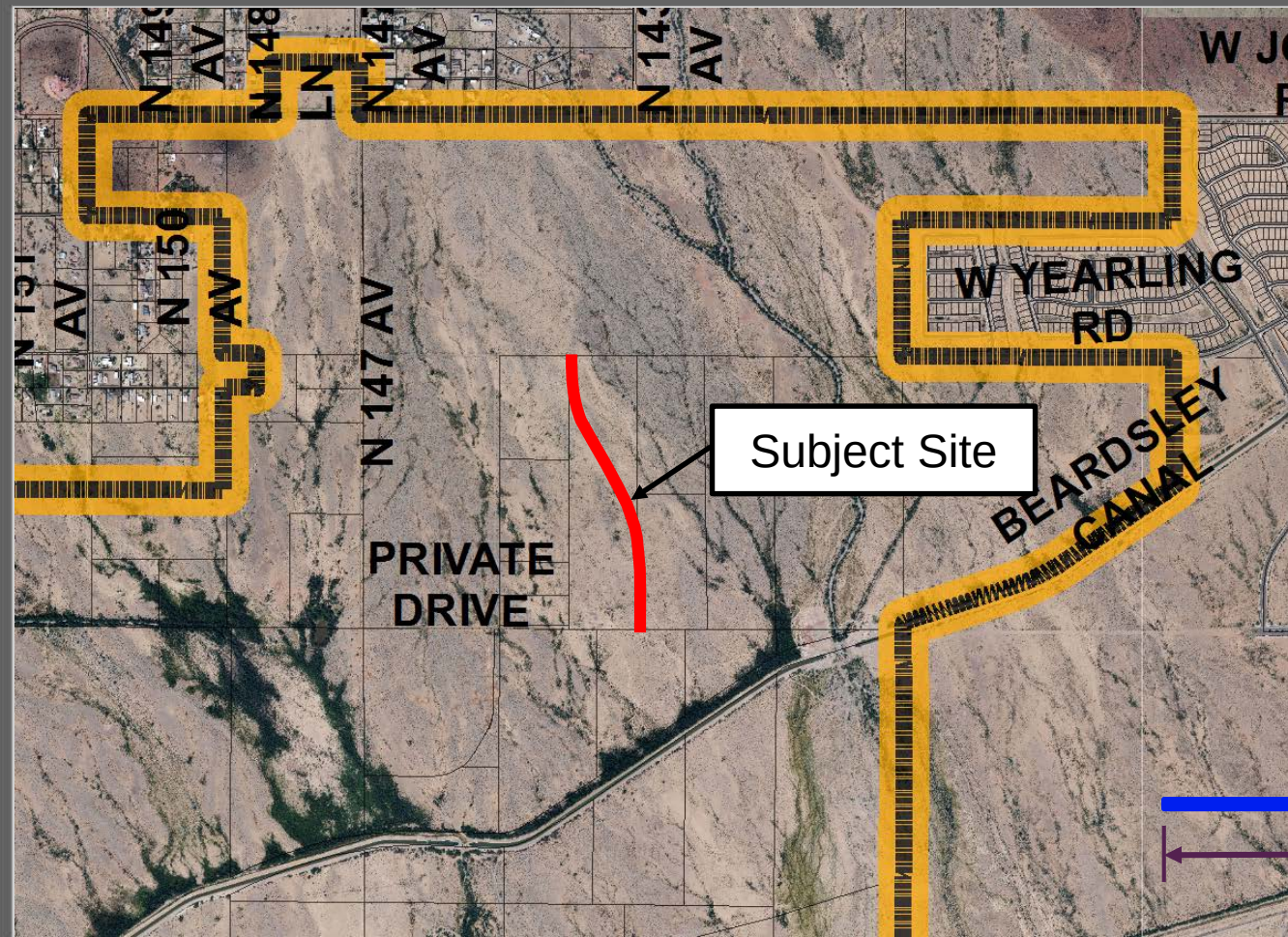
Vicinity Map



North

1 Mile



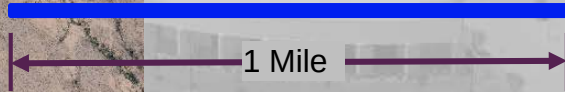


FS16-384
Rancho Mercado
Parkway MOD

Case Map



1 Mile

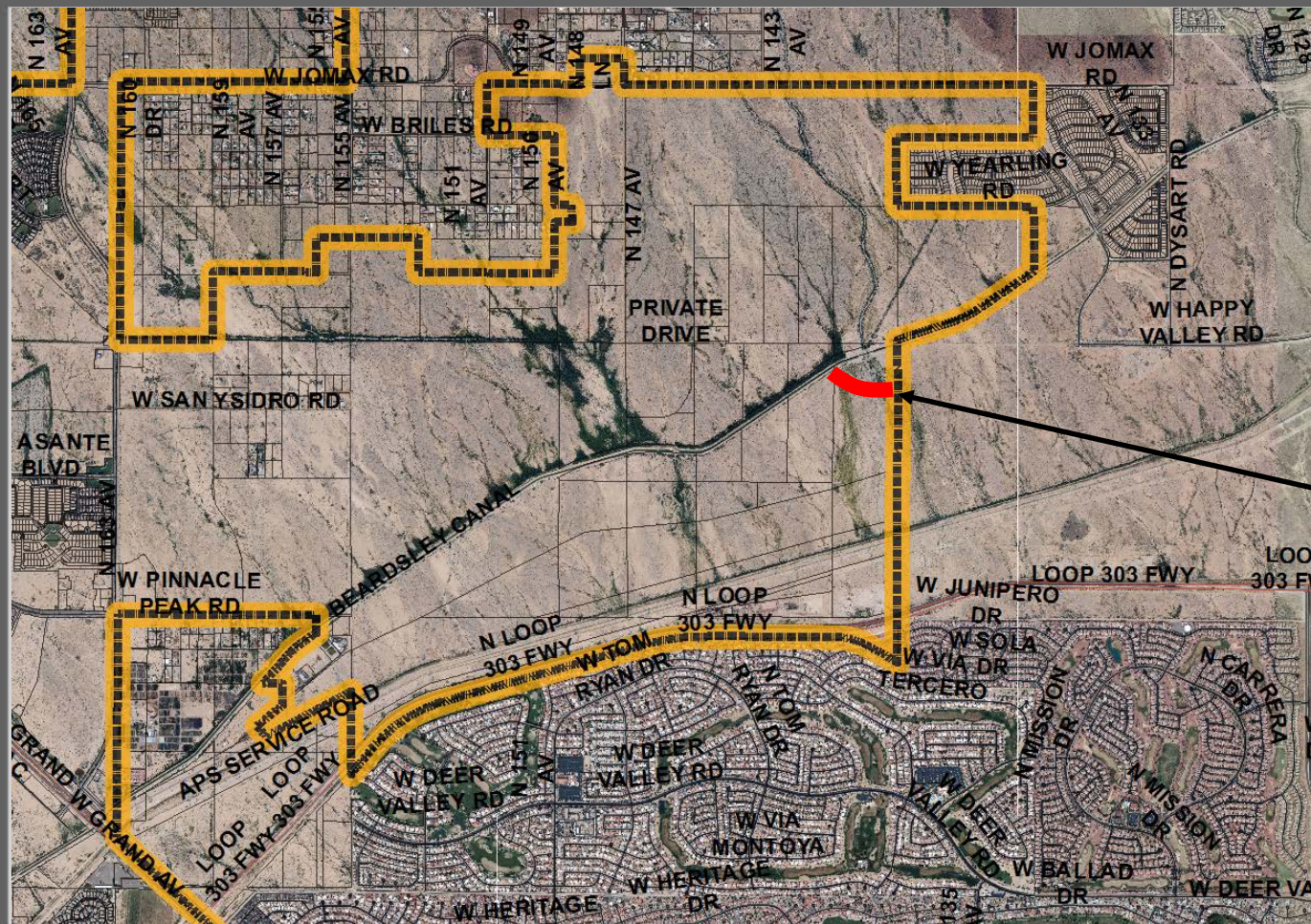


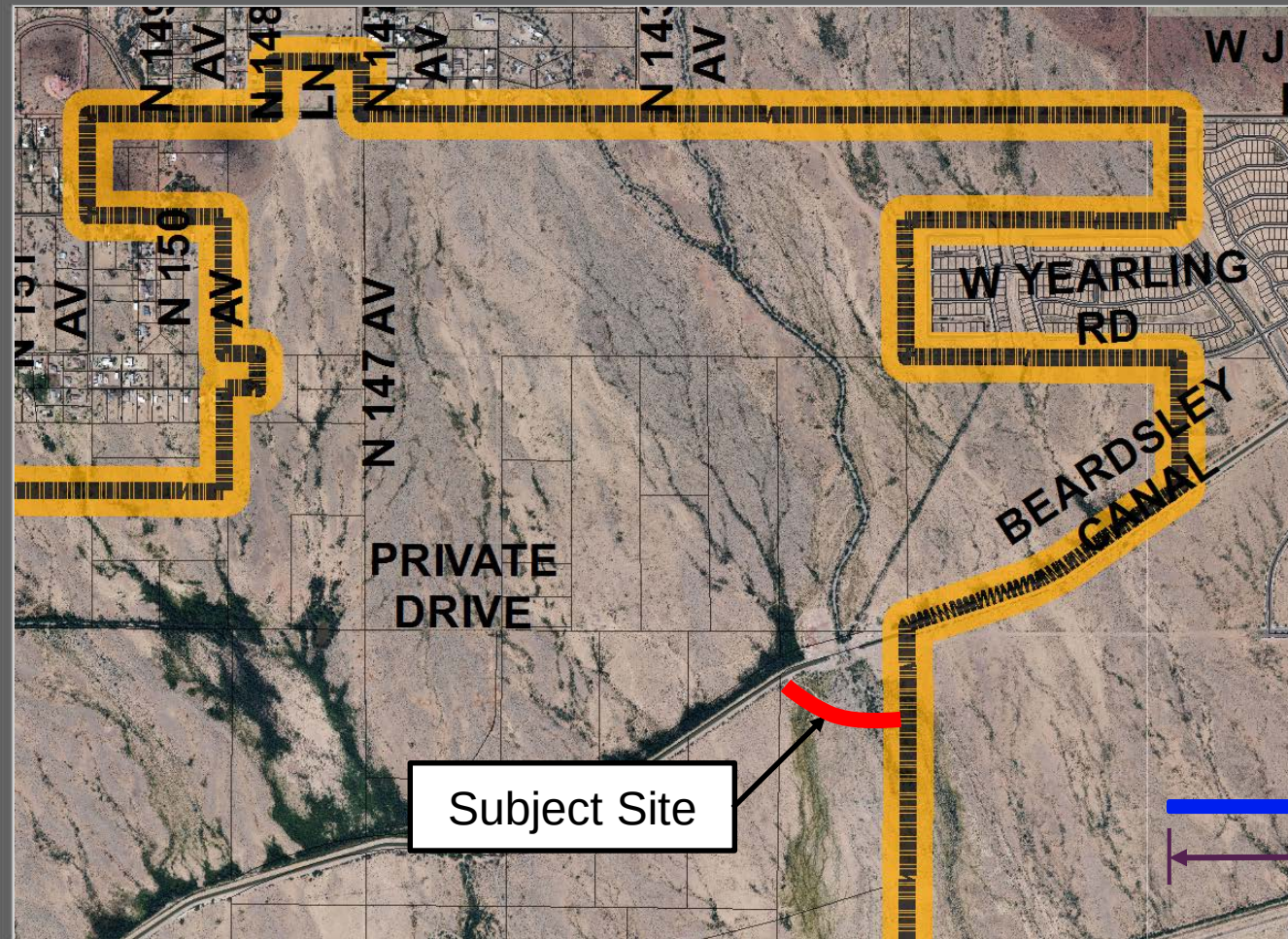
Vicinity Map



North

1 Mile



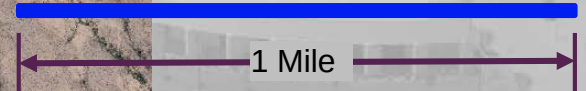


FS17-097
Happy Valley Road
Phase 3 MOD

Case Map



North



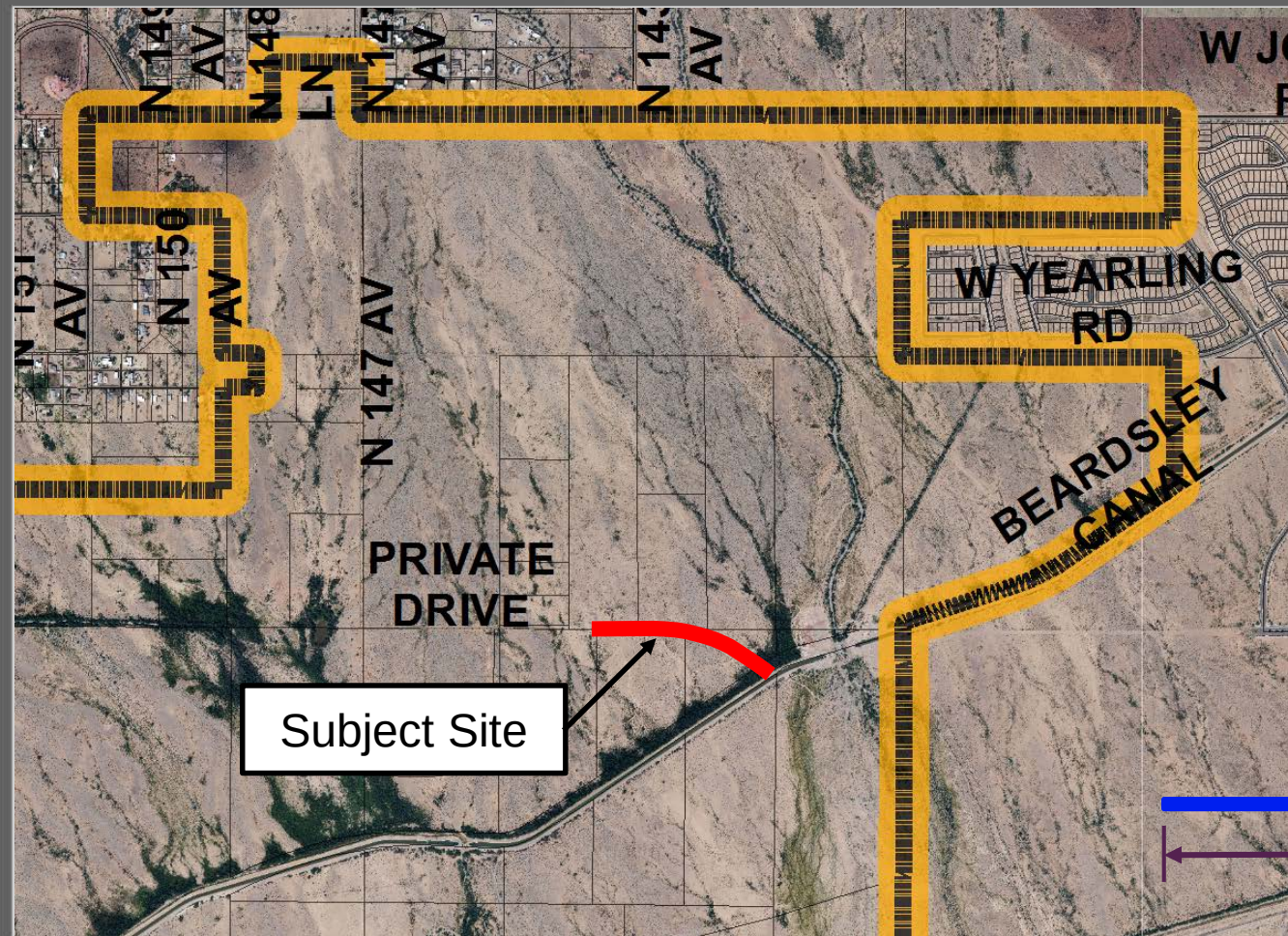
FS17-098
Happy Valley Road
Phase 2 MOD

Subject Site

Vicinity Map

North

1 Mile

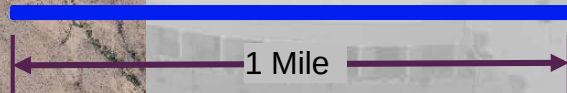


FS17-098
Happy Valley Road
Phase 2 MOD

Case Map



1 Mile



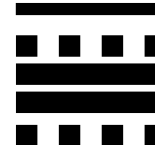
Rancho
Mercado

City of Surprise, Arizona

Planned Area Development
Figure 9
Circulation Plan

LEGEND

- Rancho Mercado Parkway MOD**
Happy Valley Road Phase 1 MOD
Happy Valley Road Phase 2 MOD
Happy Valley Road Phase 3 MOD
147th Ave MOD



- Parcel A11 Final Plat
Parcel A12 Final Plat
Parcel A14 Final Plat
Parcel A17 Final Plat
Future Connections
MWD Crossing





SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



Contents

- [FS16-384 Vicinity Map](#)
- [FS16-384 Case Map](#)
- [FS17-097 Vicinity Map](#)
- [FS17-097 Case Map](#)
- [FS17-098 Vicinity Map](#)
- [FS17-098 Case Map](#)
- [Composite Map](#)
- [FS16-384 MOD](#)
- [FS17-097 MOD](#)
- [FS17-098 MOD](#)



CITY OF SURPRISE
Regular City Council Meeting

October 17, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	October 17, 2017	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:		District:	1
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
---------	---------	----------------	-------------------

Agenda Wording:

Consideration and action regarding a Map of Dedication for Happy Valley Road Phase 2, located generally along the Happy Valley Road alignment between the Beardsley Canal and the west line of Rancho Mercado Parcel A12.

Motion:

Motion to approve the requested Map of Dedication.

Background:

The subject request involves a Map of Dedication (MOD) for Happy Valley Road Phase 2, which is one of three Maps of Dedication being discussed this date, but under separate cover. Additional Final Plats and MODs are under review. As of the writing of this report, the applicant has submitted four (4) Final Plats and five (5) Maps of Dedication for review. Three (3) of these MODs are scheduled for review by the City Council on October 17, 2017. Three (3) of the Final Plats are completing their review and will be scheduled for City Council in the near future. Also, the applicant is working with the State Land Department and other land owners to secure the land necessary to extend Happy Valley Road west to 163rd Avenue, and 147th Avenue north to Jomax Road. The applicant is also working with Maricopa Water District to secure a License Agreement to cross the Beardsley Canal at Happy Valley Road, and is working with Maricopa County to extend Happy Valley Road east to Rancho Mercado. The applicant has secured a grading permit to allow “at-risk” grading over portions of Rancho Mercado Unit 1, and with the approval of the subject MOD, the city may begin issuing the infrastructure permits necessary to allow the applicant to commence construction of these roadways.

Objective Analysis:

The proposed Map of Dedication is one of several case activities related to the Rancho Mercado development. Approval of the subject MOD will allow the city to begin issuing the infrastructure permits necessary for the applicant to begin construction. The proposed MOD is consistent with the Rancho Mercado PAD and other regulatory documents, and the reviewing agencies have expressed no objections to the approval of the MOD.

Policy Compliant:

The requested Map of Dedication is consistent with the Rancho Mercado PAD and advances the goals and policies of the General Plan.

Financial Impact:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

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:

Click to download

- ☐ [00 - FS17-098 Happy Valley Road Phase 3 Map of Dedication - Staff Report](#)
 - ☐ [01 - FS17-098 Happy Valley Road Phase 3 Map of Dedication - Vicinity Map](#)
 - ☐ [02 - FS17-098 Happy Valley Road Phase 3 Map of Dedication - Case Map](#)
 - ☐ [03 - FS17-098 Happy Valley Road Phase 3 Map of Dedication](#)
 - ☐ [04 - FS17-098 Happy Valley Road Phase 3 Map of Dedication - Presentation](#)
-

MAP OF DEDICATION

REPORT TO THE CITY COUNCIL

Case: **FS17-098**

Project Name: Happy Valley Road Phase 3 Map of Dedication

Council District: 1

City Council Date: **October 17, 2017**

Planner: Robert H. Kuhfuss, AICP

Owner: William Lyon Homes

Applicant: Fil Luna of William Lyon Homes

Request: Map of Dedication within the Rancho Mercado PAD

Site Location: Generally along the Happy Valley Road alignment between the Beardsley Canal and the west line of Rancho Mercado Parcel A12

Size: 6.2 acres (approx.)

Density: N/A

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

Support/Opposition: None known

Findings:

- The proposed Map of Dedication is consistent with the Rancho Mercado PAD.
- The proposed Map of Dedication is consistent with the Rancho Mercado Unit 1 Preliminary Plat.
- The proposed Map of Dedication is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

Alternative Actions: **Approval** of the requested Map of Dedication will allow the city to begin issuing infrastructure permits needed to support development of the larger Rancho Mercado PAD.

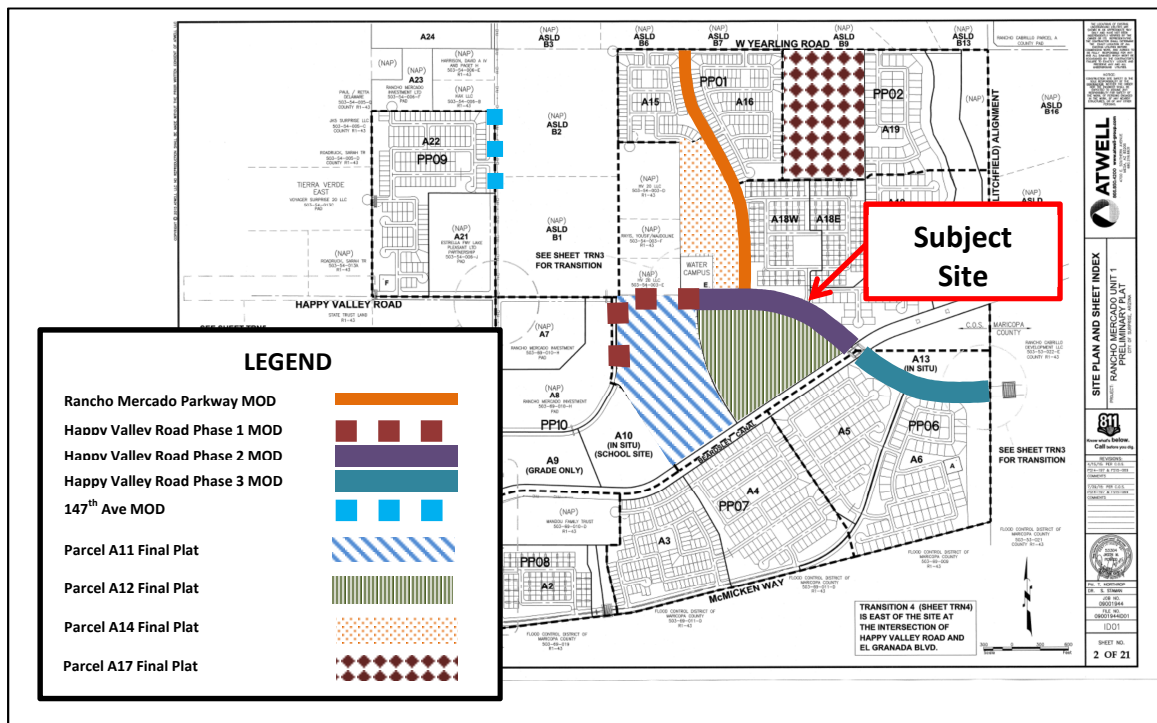
Denial of the requested Map of Dedication will deny the applicant the opportunity to develop the property.

Project Description:

The subject request involves a Map of Dedication (MOD) for Happy Valley Road Phase 3, which is one of three Maps of Dedication being discussed this date, but under separate cover. Additional Final Plats and MODs are under review.

As of the writing of this report, the applicant has submitted four (4) Final Plats and five (5) Maps of Dedication for review. Three (3) of these MODs are scheduled for review by the City Council on October 17, 2017. Three (3) of the Final Plats are completing their review and will be scheduled for City Council in the near future. Also, the applicant is working with the State Land Department and other land owners to secure the land necessary to extend Happy Valley Road west to 163rd Avenue, and 147th Avenue north to Jomax Road. The applicant is also working with Maricopa Water District to secure a License Agreement to cross the Beardsley Canal at Happy Valley Road, and is working with Maricopa County to extend Happy Valley Road east to Rancho Mercado. The applicant has secured a grading permit to allow “at-risk” grading over portions of Rancho Mercado Unit 1, and with the approval of the subject MOD, the city may begin issuing the infrastructure permits necessary to allow the applicant to commence construction of these roadways.

The following map, taken from the Rancho Mercado Unit 1 Preliminary Plat, is annotated to depict the location of the subject MOD in relation to the other activity occurring within the PAD.



Background:

July 11, 2006: The Maricopa County Board of Supervisors approved a request for a Development Master Plan (DMP) and associated Zone Change for the Rancho Mercado project in what was then unincorporated Maricopa County.

May 25, 2007: The Surprise City Council entered into a Pre-Annexation Development Agreement with the applicant, which was recorded under 2007-0794202 MCR.

October 11, 2007: The Surprise City Council approved the Rancho Mercado PAD under case PAD06-276, subject to stipulations “a” through “u”, Ordinance #07-46.

November 10, 2007: The subject property was annexed into the City of Surprise via Ordinance # 2007-47.

December 2, 2010: Staff met with the applicant to discuss a Preliminary Plat for Rancho Mercado under case CR10-256.

December 7, 2010: Staff approved a Minor PAD Amendment to under case FS10-210.

March 30, 2011: The applicant filed a request for a Preliminary Plat covering the subject property under case PS11-093, which expired due to inactivity.

February 28, 2013: Staff met with a homebuilder during a regularly scheduled Concept Review meeting to discuss the possibility of platting a portion of Rancho Mercado under case CR13-054.

August 8, 2013: Staff met with the applicant to discuss a Preliminary Plat and Major Zoning Amendment for Rancho Mercado under case CR13-365.

May 15, 2014: The applicant submitted water master plans for Rancho Mercado case PS14-197.

July 31, 2014: Staff met with the applicant to discuss the subject project during a regularly scheduled Concept Review meeting under CR14-278.

February 18, 2015: The applicant filed a request for a Preliminary Plat for Rancho Mercado Unit 1 under case FS15-069, the subject case.

December 17, 2015: The Planning and Zoning Commission heard the subject request at their regularly scheduled meeting and recommended the City Council approve the proposed Preliminary Plat subject to staff recommended stipulations ‘a’ through ‘f’ as noted in the Recommendation section of this report.

January 5, 2016: The City Council approved the Preliminary Plat for Rancho Mercado Unit 1 under case FS15-069.

September 9, 2016: The applicant submitted a request for the Rancho Mercado Parkway MOD under case FS16-384, which is discussed under separate cover.

September 9, 2016: The applicant submitted a request for a Final Plat for Rancho Mercado Parcel A14 under case FS16-385, which is still under review.

February 15, 2017: The applicant submitted a request for the Happy Valley Road Phase 3 MOD under case FS17-097, which is discussed under separate cover.

February 15, 2017: The applicant submitted a request for the Happy Valley Road Phase 2 MOD under case FS17-098, the subject case.

May 22, 2017: The applicant submitted a request for a Final Plat for Rancho Mercado Parcel A11 under case FS17-257, which is still under review.

May 22, 2017: The applicant submitted a request for a Final Plat for Rancho Mercado Parcel A12 under case FS17-258, which is still under review.

May 24, 2017: The applicant submitted a request for a Minor Site Plan regarding the Rancho Mercado Water Campus under case FS17-262, which is still under review.

May 24, 2017: The applicant submitted a request for the 145th Avenue Phase 1 MOD under case FS17-264, which is still under review.

August 24, 2017: The applicant submitted a request for the Happy Valley Road Phase 1 MOD under case FS17-499, which is discussed under separate cover.

September 14, 2017: The applicant submitted a request for a Final Plat for Rancho Mercado Parcel A17 under case FS17-546, which is still under review.

Reviewing Agencies:

The subject request was routed to the standard reviewing agencies, who have indicated no objections to the request.

Summary:

The proposed Map of Dedication is one of several case activities related to the Rancho Mercado development. Approval of the subject MOD will allow the city to begin issuing the infrastructure permits necessary for the applicant to begin construction. The proposed MOD is consistent with the Rancho Mercado PAD and other regulatory documents, and the reviewing agencies have expressed no objections to the approval of the MOD.

Findings:

The proposed Map of Dedication is consistent with the Rancho Mercado PAD.
The proposed Map of Dedication is consistent with the Rancho Mercado Unit 1 Preliminary Plat.
The proposed Map of Dedication is consistent with the applicable City of Surprise regulations.
The reviewing agencies have indicated no objections to the request.

Attachments:

01 Case Map
02 Vicinity Map
03 Map of Dedication

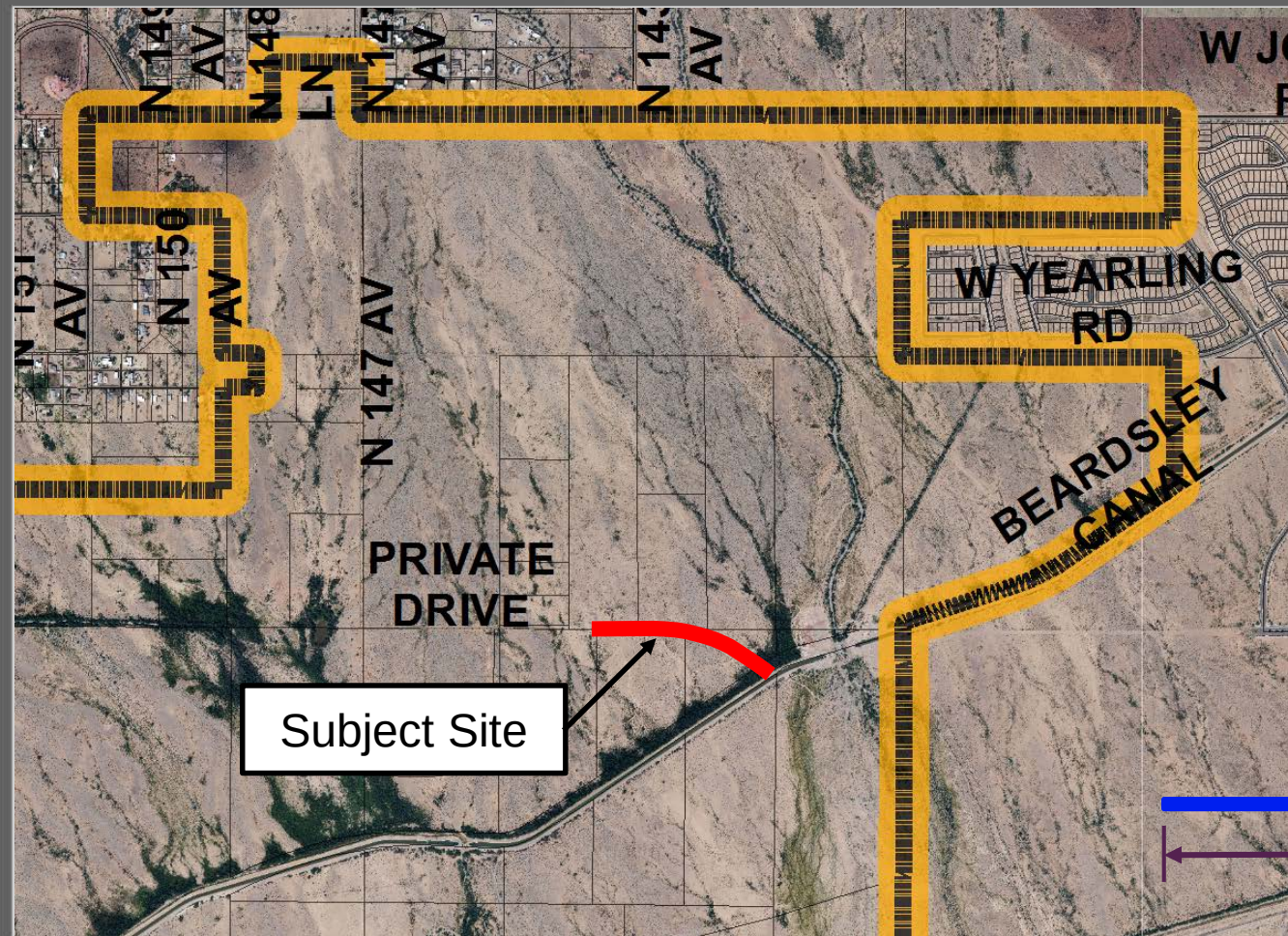
FS17-098
Happy Valley Road
Phase 2 MOD

Subject Site

Vicinity Map

North

1 Mile

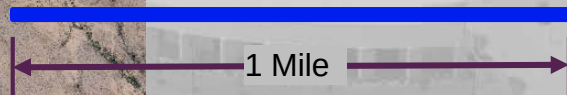


FS17-098
Happy Valley Road
Phase 2 MOD

Case Map



North



A PORTION OF THE SOUTH HALF OF SECTION 4 &
A PORTION OF THE NORTH HALF OF SECTION 9,
TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN,
CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA



KNOW ALL PERSONS BY THESE PRESENTS:

3. THAT WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, HEREINAFTER "OWNER", HAS SUBDIVIDED UNDER THE NAME "HAPPY VALLEY ROAD PHASE 2, LOCATED WITHIN A PORTION OF THE SOUTH HALF OF SECTION 4 AND A PORTION OF THE NORTH HALF OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GLA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT THIS MAP OF DEDICATION SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH STREET AND EASEMENT CONSTITUTING SAME, AND THAT EACH STREET SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS MAP OF DEDICATION.
2. "OWNER" HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE MAP OF DEDICATION.
3. 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.
4. "OWNER" DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, 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 MAP OF DEDICATION 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 MAP OF DEDICATION SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID MAP OF DEDICATION UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.
5. "OWNER" HEREBY GRANTS TO THE PUBLIC A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE MAP OF DEDICATION FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.
6. 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.
7. "OWNER" HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE AN AVIGATION EASEMENT OVER AND ACROSS THIS MAP OF DEDICATION, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS MAP OF DEDICATION, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL AND LUBRICANT PARTICLES 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.
8. "OWNER" HEREBY GRANTS TO THE CITY OF SURPRISE AN ODOR EASEMENT OVER, UPON AND ACROSS, THIS MAP OF DEDICATION, WHICH EASEMENT SHALL INCLUDE, BUT NOT LIMITED TO, THE RIGHT TO INVADE WITH ODORS, FUMES, SMELLS, AND PHYSICAL AIRBORNE PARTICULATES CAUSED BY THE LAWFUL OPERATION AND MAINTENANCE OF THE CITY'S WATER RECLAMATION FACILITY.
9. 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 MAP OF DEDICATION OR ANY PARCEL THEREOF.
10. "OWNER" HEREBY WARRANTS AND REPRESENTS TO THE CITY OF SURPRISE THAT IT IS THE SOLE OWNER OF THE PROPERTY COVERED BY THIS MAP OF DEDICATION, AND THAT EVERY LENDER, EASEMENT HOLDER OR OTHER PERSON OR ENTITY HAVING ANY INTEREST THAT IS ADVERSE TO OR INCONSISTENT WITH THE FOREGOING DEDICATION, OR ANY OTHER REAL PROPERTY INTEREST CREATED OR TRANSFERRED BY THIS MAP OF DEDICATION, HAS CONSENTED TO OR JOINED IN THIS MAP OF DEDICATION AS EVIDENCED BY INSTRUMENTS WHICH ARE RECORDED WITH THE MARICOPA COUNTY RECORDERS OFFICE OR WHICH OWNER WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS MAP OF DEDICATION IS RECORDED.
11. 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.

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION

NOTARY ACKNOWLEDGEMENT

ON THIS _____ DAY OF _____, 2017, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC APPEARED JULIE E. COLLINS OF WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION WHO ACKNOWLEDGED HERSELF TO BE THE SENIOR VICE PRESIDENT, AND THAT SHE EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

BY: _____ MY COMMISSION EXPIRES _____
NOTARY PUBLIC

BY THIS RATIFICATION, KAREN BEACOM, DULY ELECTED PRESIDENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION ACKNOWLEDGES THE RESPONSIBILITIES DEDICATED HEREON.

NOTARY ACKNOWLEDGEMENT

ON THIS _____ DAY OF _____, 2017, KAREN BEACOM PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HERSELF TO BE THE PRESIDENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION, AND THAT SHE, AS PRESIDENT, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

BY: _____ MY COMMISSION EXPIRES _____
NOTARY PUBLIC DATE

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2017, BY
THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED _____
CITY ENGINEER _____ DATE _____

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA. THIS _____ DAY,
OF _____, 2017.

MAYOR _____ DATE _____

ATTEST:

CITY CLERK DATE

RIGHT OF WAY	268960 SQ .FT.	6.174 AC
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DESCRIPTION	SHEET NO
COVER SHEET	1
LEGAL DESCRIPTION & M.O.D. SHEETS	2 & 3

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION.
8840 EAST CHAPARRAL ROAD, SUITE 200
SCOTTSDALE, ARIZONA 85250
PHONE NO: 480-850-3729
CONTACT: FIL LUNA

1. WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION "OWNER" DOES HEREBY (1) RELEASE AND DISCHARGE THE "USAF" AND 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 AIRCRAFT THAT OVERFLY RIGHTS FROM AIRCRAFT UTILIZING LANDING FORCE BASE, WHETHER SUCH CLAIMS SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE. 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 RAISE THE LIABILITY OF THE CITY OF SURPRISE TO PERSONS 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.
2. WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION HEREBY AGREES 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.

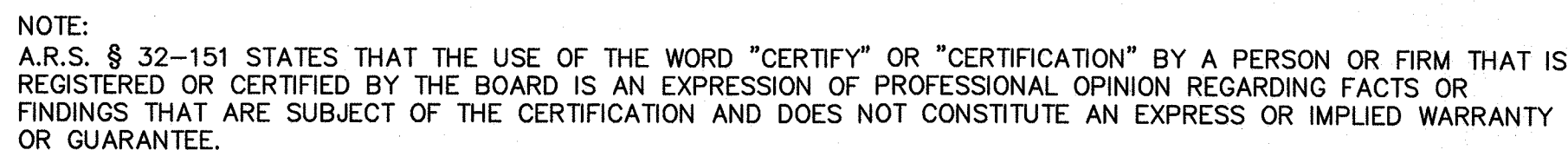
THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS NO. 2010-012, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.

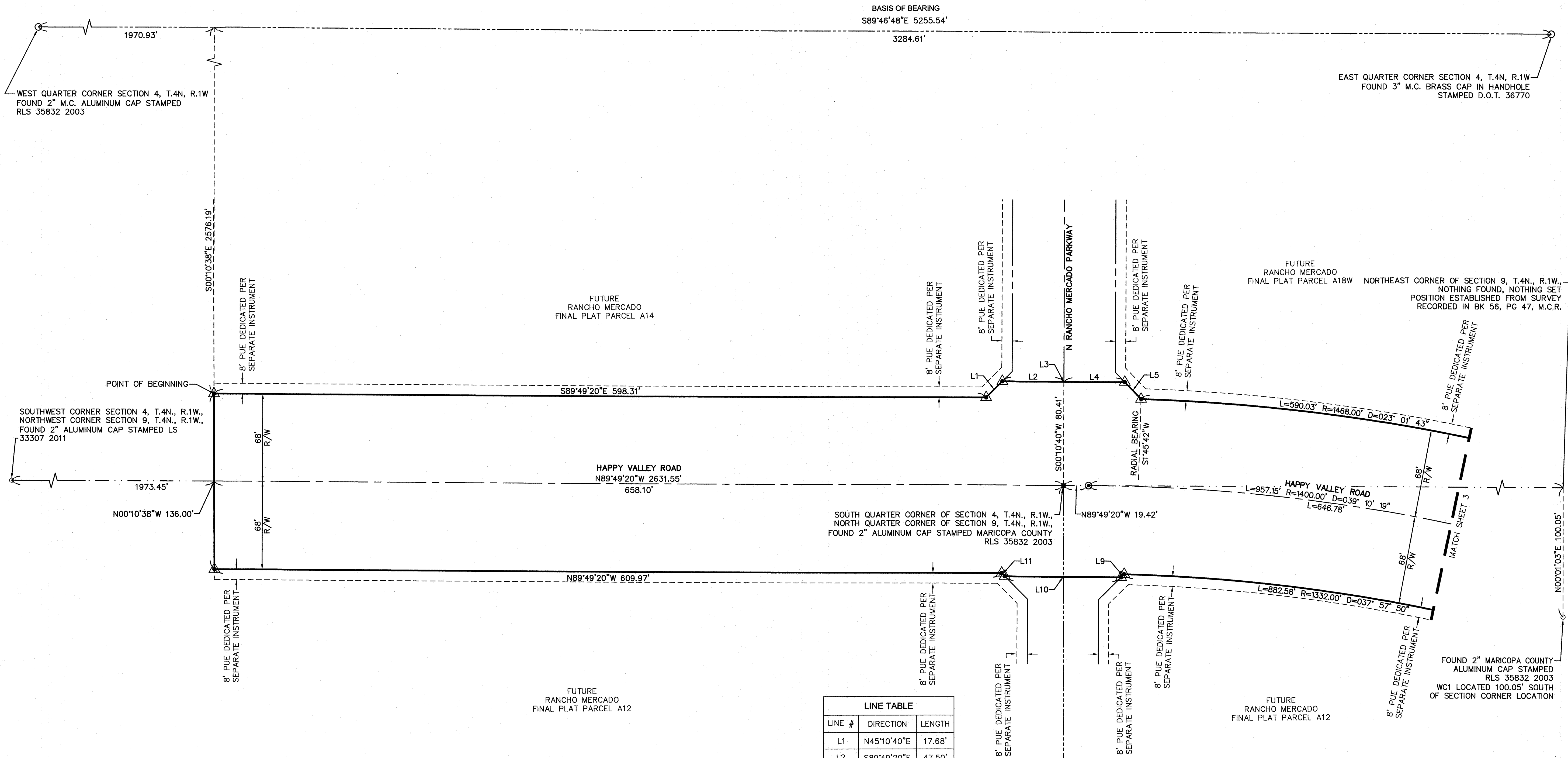
1. IN ACCORDANCE WITH A.R.S. § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS MAP OF DEDICATION ARE IN CONFORMANCE WITH THE CITY OF SURPRISE GENERAL PLAN.
2. PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND #14710, WHEN APPLICABLE.
3. THE PROPERTY OWNER, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
4. THIS MAP OF DEDICATION IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT APPROVED BY THE CITY OF SURPRISE ZONING CASE FS15-069.
5. A PORTION OF THE PROPERTY IS LOCATED WITHIN THE AREA HAVING FLOOD ZONES "X", "A" AND "AE", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, OF FLOOD AREA RATING 04013C1230L AND 04013C1230L, WITH A DATE OF IDENTIFICATION OCTOBER 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, AS MAY BE AMENDED FROM TIME TO TIME.

THE WEST-EAST, MID-SECTION LINE OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST,
OF THE GLA AND SALT RIVER MERIDIAN WHICH BEARS S89°46'48"E A DISTANCE OF 5255.54'
THIS POSITION WAS DERIVED FROM THE ESTABLISHED NGS POINTS DV0080 & AJ3867.
PROJECT THEN SCALED TO GROUND AT A COMBINED SCALE FACTOR OF 1.00013766895 AND VERIFIED
AGAINST GDACS BOOK 834, PG 1. HORIZONTAL ERROR = (0.04") ANGLE ERROR = (00°00'01")

I, JAMES G. SPRING, PLS 22282, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS MAP OF DEDICATION CONSISTING OF THREE SHEETS REPRESENTS A SURVEY PREPARED UNDER MY SUPERVISION DURING THE MONTH OF AUGUST, 2017; THAT THE SURVEY IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT THE EXTERIOR BOUNDARY MONUMENTS ACTUALLY EXIST AS SHOWN AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JAMES G. SPRING, PLS 22282
ATWELL, LLC
4700 EAST SOUTHERN AVENUE
MESA, ARIZONA 85206





LEGAL DESCRIPTION

A PORTION OF THE SOUTH HALF OF SECTION 4 AND A PORTION OF THE NORTH HALF OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 2" ALUMINUM CAP STAMPED MARICOPA COUNTY RLS 35832 2003, ACCEPTED AS THE WEST QUARTER CORNER OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, FROM WHICH A FOUND 3" BRASS CAP IN HANDHOLE STAMPED MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION 36770, ACCEPTED AS THE EAST QUARTER CORNER OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, THEREOF BEARS S89°46'48"E A DISTANCE OF 5255.54 FEET;

THENCE ALONG THE WEST-EAST MID-SECTION LINE OF SAID SECTION 4, S89°46'48"E, 1970.93 FEET;

THENCE, LEAVING SAID WEST-EAST MID-SECTION LINE OF SAID SECTION 4, S00°10'38"E A DISTANCE OF 2576.19 FEET TO THE POINT OF BEGINNING;

THENCE, S89°49'20"E A DISTANCE OF 598.31 FEET;

THENCE, N45°10'40"E A DISTANCE OF 17.68 FEET;

THENCE, S89°49'20"E A DISTANCE OF 47.50 FEET;

THENCE, S00°10'40"W A DISTANCE OF 0.09 FEET;

THENCE, S89°49'20"E A DISTANCE OF 47.38 FEET;

THENCE, S44°01'25"E A DISTANCE OF 18.10 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE RIGHT;

THENCE, EASTERLY ALONG SAID CURVE AN ARC LENGTH OF 590.03 FEET, WITH A RADIUS OF 1,468.00 FEET AND THE RADIAL BEARING OF S01°45'42"W AND A CENTRAL ANGLE OF 23°01'43";

THENCE, N68°50'58"E A DISTANCE OF 6.42 FEET;

LEGAL DESCRIPTION CONTINUED

THENCE, S60°55'43"E A DISTANCE OF 89.79 FEET;

THENCE, S19°16'39"E A DISTANCE OF 1.37 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE RIGHT;

THENCE, SOUTHEASTERLY ALONG SAID CURVE AN ARC LENGTH OF 278.01 FEET, WITH A RADIUS OF 1,468.00 FEET AND THE RADIAL BEARING OF S28°29'57"W AND A CENTRAL ANGLE OF 10°51'02";

THENCE, S50°39'01"E A DISTANCE OF 350.43 FEET;

THENCE, S56°04'29"W A DISTANCE OF 142.01 FEET;

THENCE, N50°39'01"W A DISTANCE OF 309.57 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE LEFT;

THENCE, WESTERLY ALONG SAID CURVE AN ARC LENGTH OF 882.58 FEET, WITH A RADIUS OF 1,332.00 FEET AND A CENTRAL ANGLE OF 37°57'50";

THENCE, S45°36'08"W A DISTANCE OF 3.42 FEET;

THENCE, N89°38'13"W A DISTANCE OF 90.16 FEET;

THENCE, N44°49'20"W A DISTANCE OF 3.40 FEET;

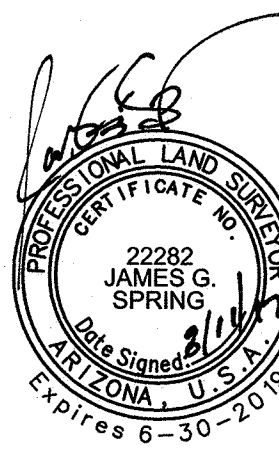
THENCE, N89°49'20"W A DISTANCE OF 610.39 FEET;

THENCE, N00°10'38"W A DISTANCE OF 136.00 FEET TO THE POINT OF BEGINNING.

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N45°10'40"E	17.68'
L2	S89°49'20"E	47.50'
L3	S00°10'40"W	0.09'
L4	S89°49'20"E	47.38'
L5	S44°01'25"E	18.10'
L6	N68°50'58"E	6.42'
L7	S26°38'52"W	61.71'
L8	S19°16'39"E	1.37'
L9	S45°36'08"W	3.42'
L10	N89°38'13"W	90.16'
L11	N44°49'20"W	3.40'

LEGEND

---	SUBDIVISION BOUNDARY
---	RIGHT OF WAY LINE
---	EXISTING RIGHT OF WAY LINE
---	CENTERLINE
---	EXISTING EASEMENT LINE
---	PROPOSED EASEMENT LINE
---	SECTION LINE
---	ALIQUOT SECTION LINE
▲	SUBDIVISION CORNER TO BE SET
○	FOUND MONUMENT AS NOTED
⊙	CENTERLINE MONUMENT (TO BE SET BY CITY OF SURPRISE STANDARDS)
PUE	PUBLIC UTILITY EASEMENT
R/W	RIGHT-OF-WAY
Δ	DELTA
C1	CURVE TABLE NUMBER
L1	LINE TABLE NUMBER
Ⓡ	RADIAL BEARING

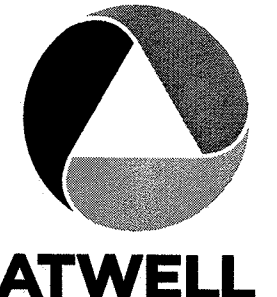


COUNTY: MARICOPA
SECTION: 4 & 9
TOWNSHIP: 4 NORTH
RANGE: 1 WEST

MAP OF DEDICATION
HAPPY VALLEY ROAD
PHASE 2
CITY OF SURPRISE, ARIZONA

AUGUST 2017

REVISIONS:



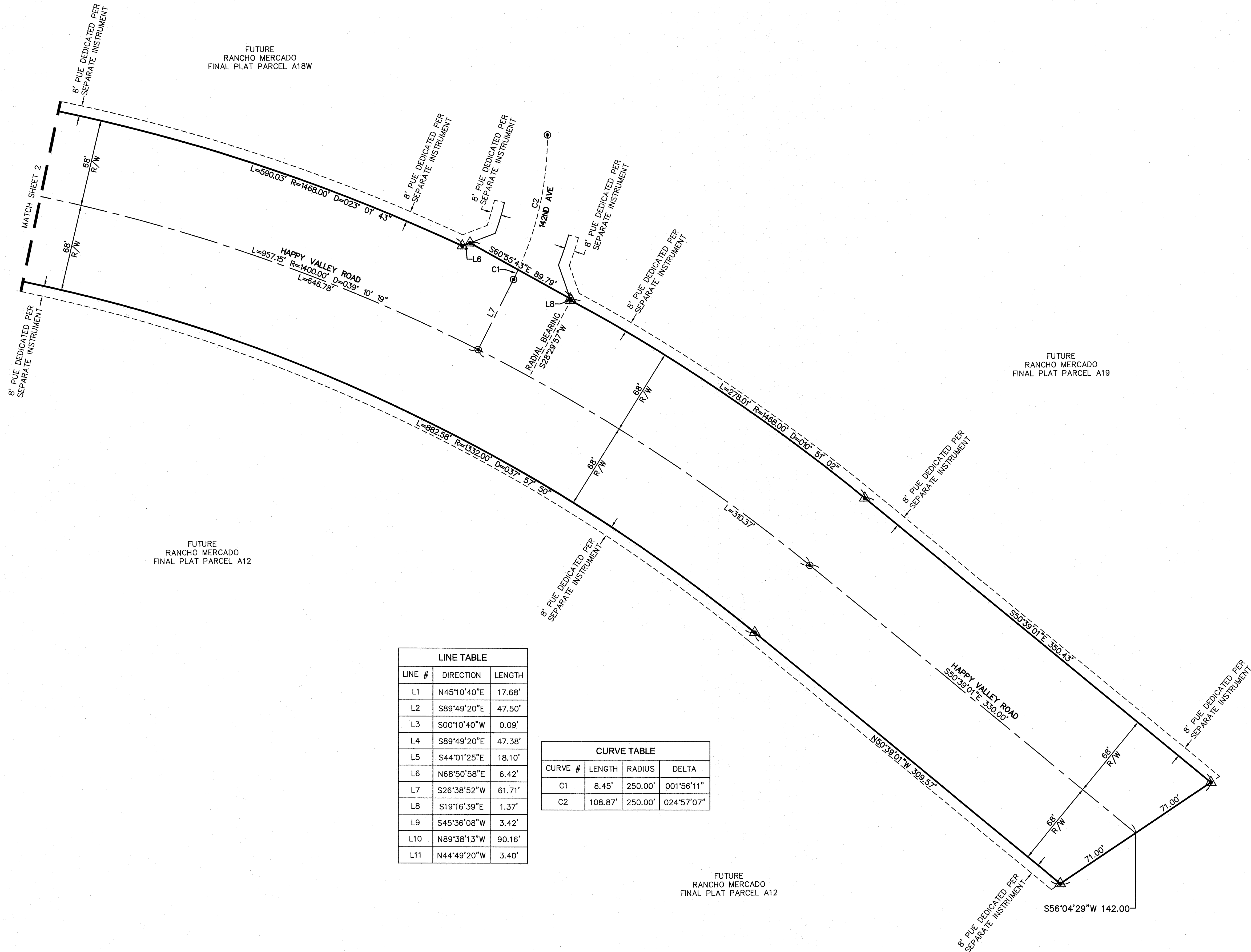
PM. J. SPRING
DR. R. GILES
JOB NO.
09001944

SCALE 0 20 40
1" = 40 FEET

DESIGNED: JAMES G. SPRING
CHECKED: JAMES G. SPRING
DATE: 6-30-2019

SHEET NO.

2 OF 3



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N45°10'40"E	17.68'
L2	S89°49'20"E	47.50'
L3	S00°10'40"W	0.09'
L4	S89°49'20"E	47.38'
L5	S44°01'25"E	18.10'
L6	N68°50'58"E	6.42'
L7	S26°38'52"W	61.71'
L8	S19°16'39"E	1.37'
L9	S45°36'08"W	3.42'
L10	N89°38'13"W	90.16'
L11	N44°49'20"W	3.40'

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	8.45'	250.00'	001°56'11"
C2	108.87'	250.00'	024°57'07"

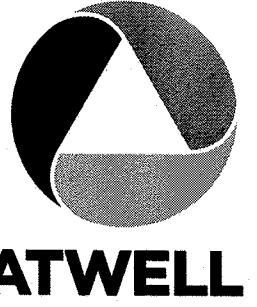


COUNTY: MARICOPA
SECTION: 4 & 9
TOWNSHIP: 4 NORTH
RANGE: 1 WEST

MAP OF DEDICATION
HAPPY VALLEY ROAD
PHASE 2
CITY OF SURPRISE, ARIZONA

AUGUST 2017

REVISIONS:



PM. J. SPRING
DR. R. GILES
JOB NO.
09001944

SCALE 0 20 40
1" = 40 FEET

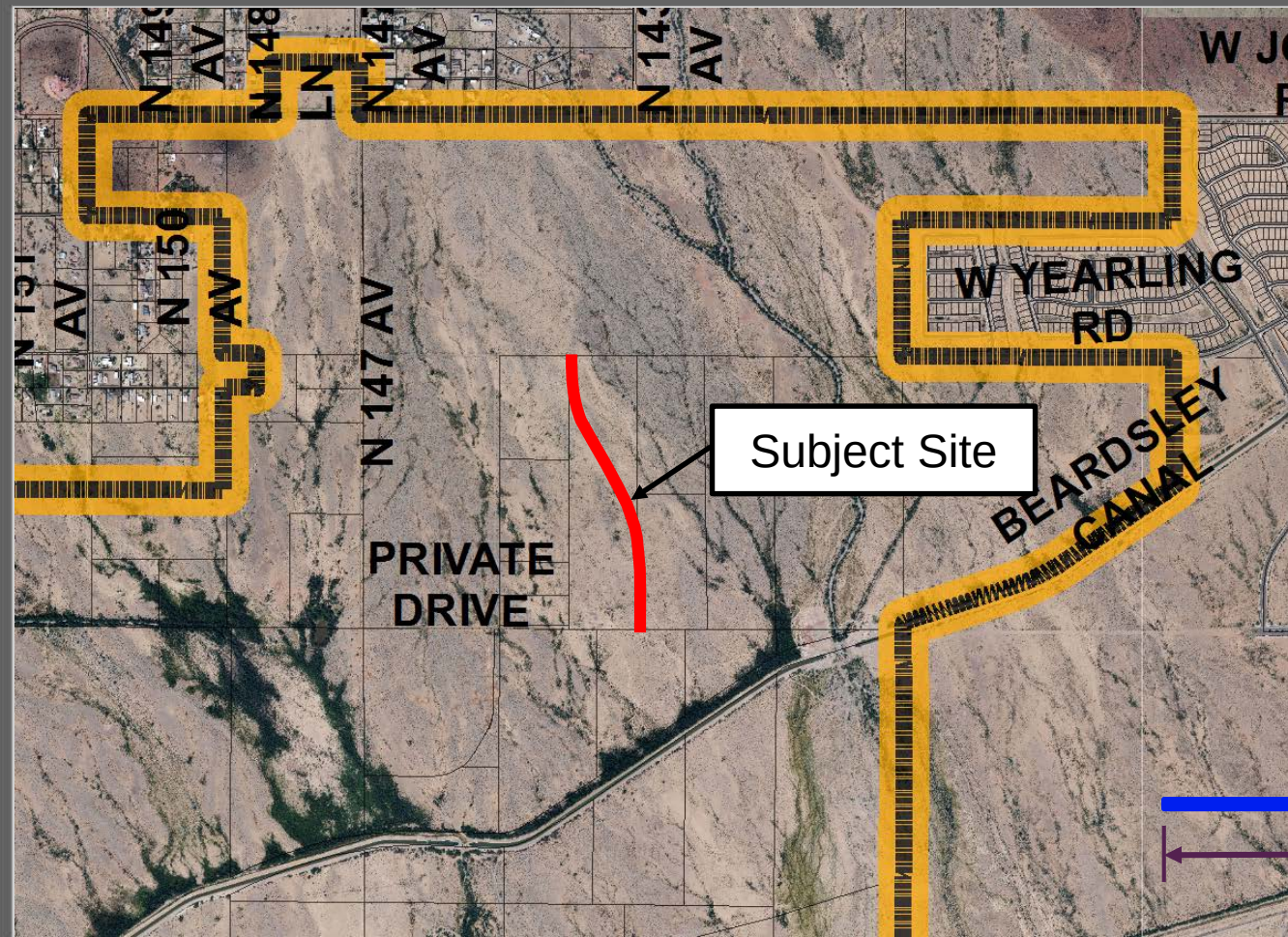
DESIGNED: RANCHO MERCADO IN 10 AND 11 LINES

SHEET NO.



FS16-384 Rancho Mercado Parkway MOD
FS17-097 Happy Valley Road Phase 3 MOD
FS17-098 Happy Valley Road Phase 2 MOD

City Council
October 17, 2017

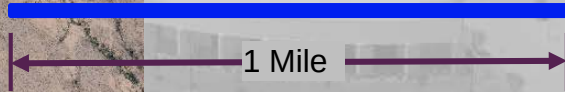


FS16-384
Rancho Mercado
Parkway MOD

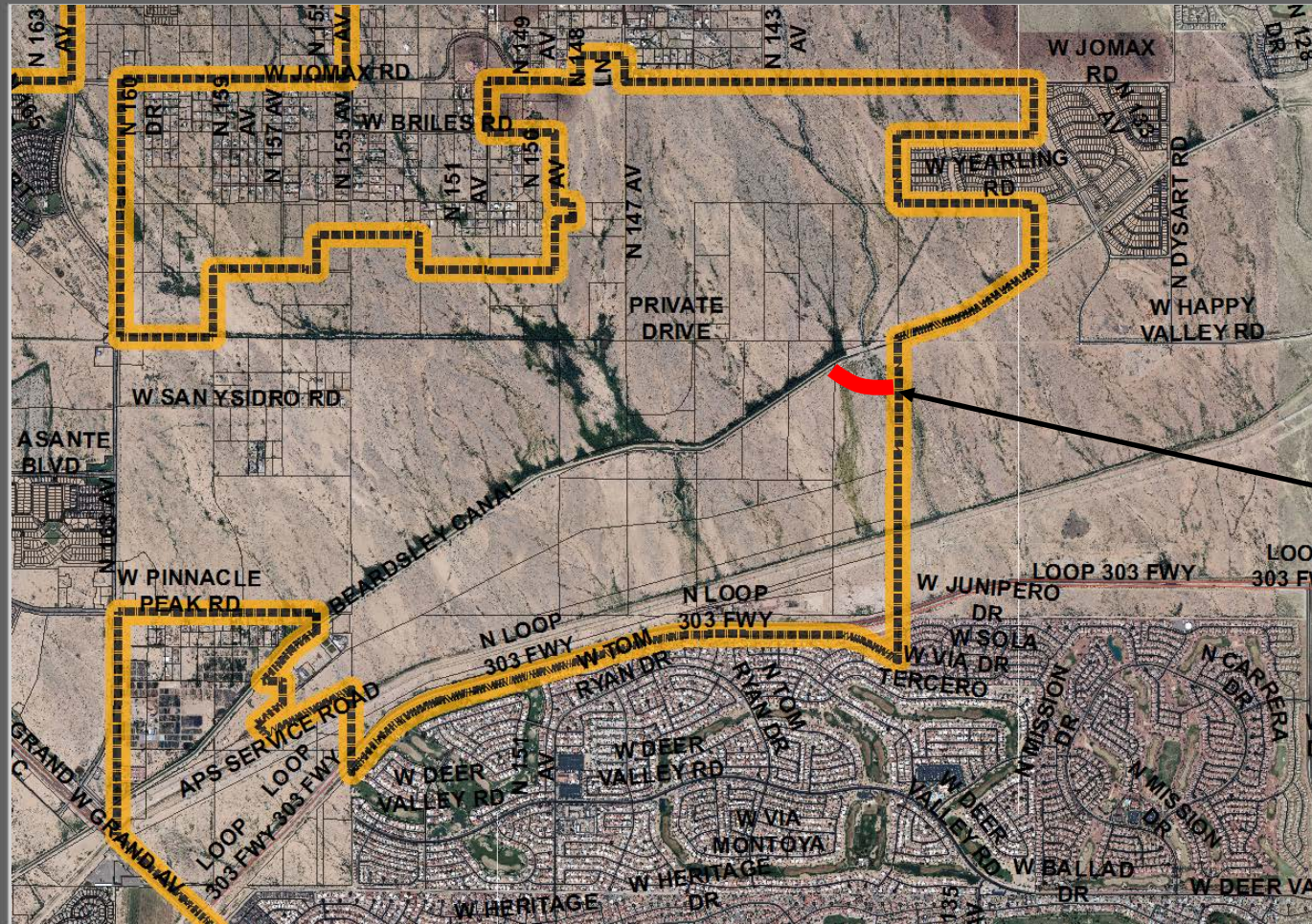
Case Map



1 Mile



FS17-097
Happy Valley Road
Phase 3 MOD



Subject Site

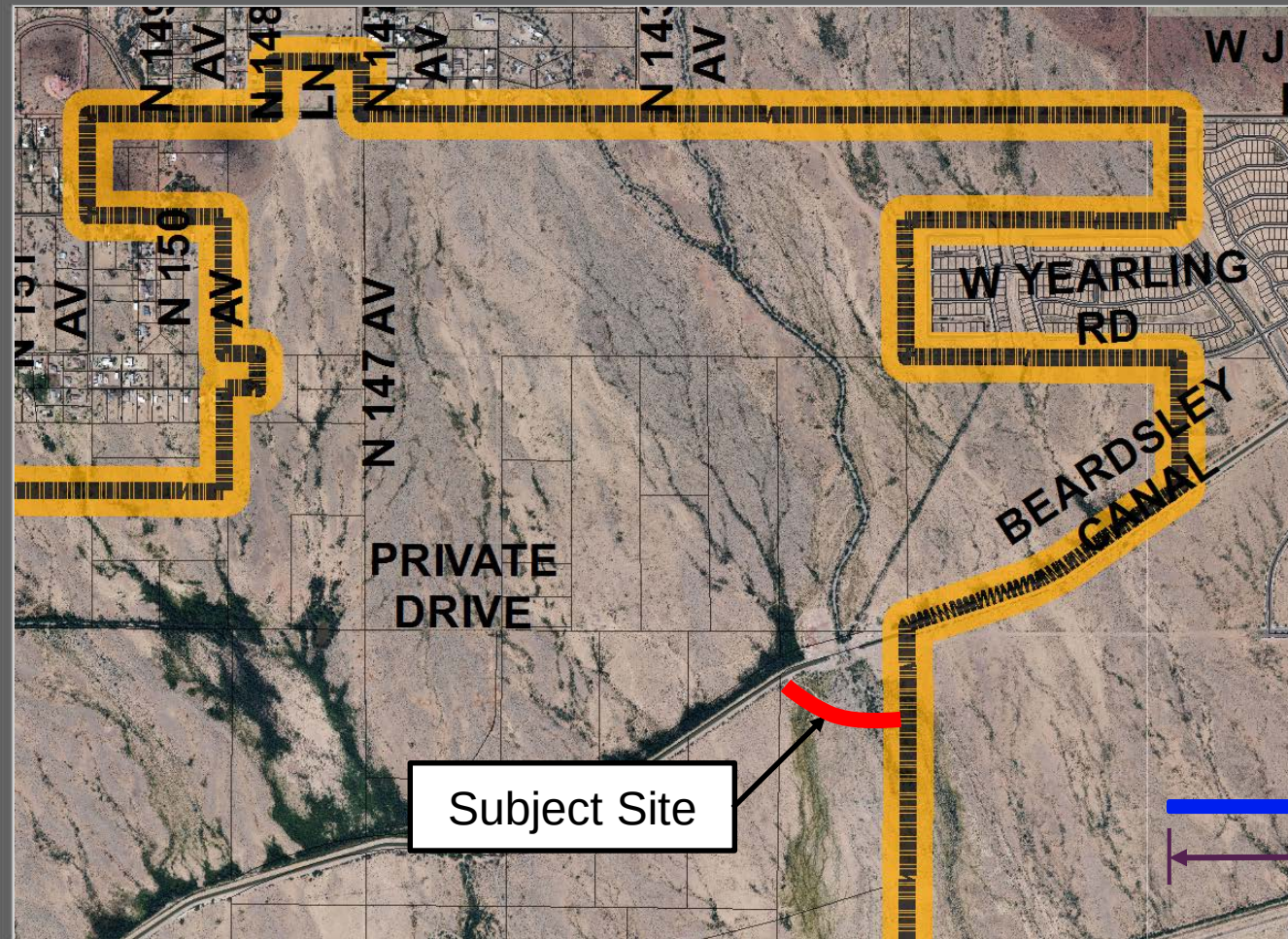


North

1 Mile

Vicinity Map



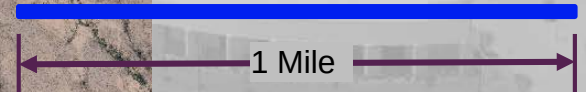


FS17-097
Happy Valley Road
Phase 3 MOD

Case Map



North



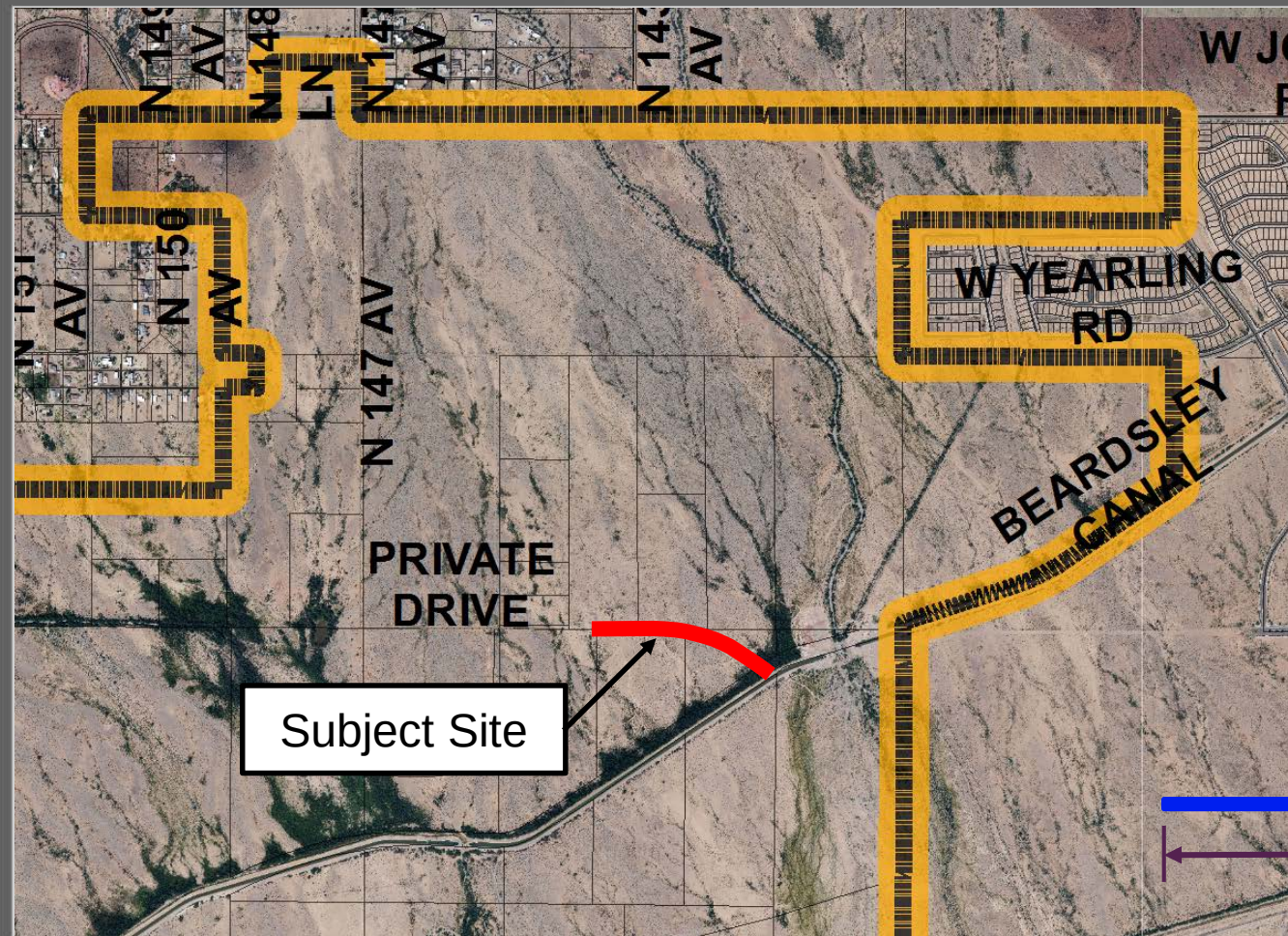
FS17-098
Happy Valley Road
Phase 2 MOD

Subject Site

Vicinity Map

North

1 Mile

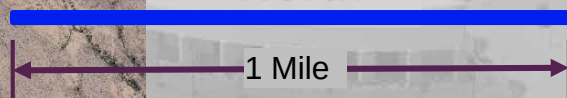


FS17-098
Happy Valley Road
Phase 2 MOD

Case Map



North

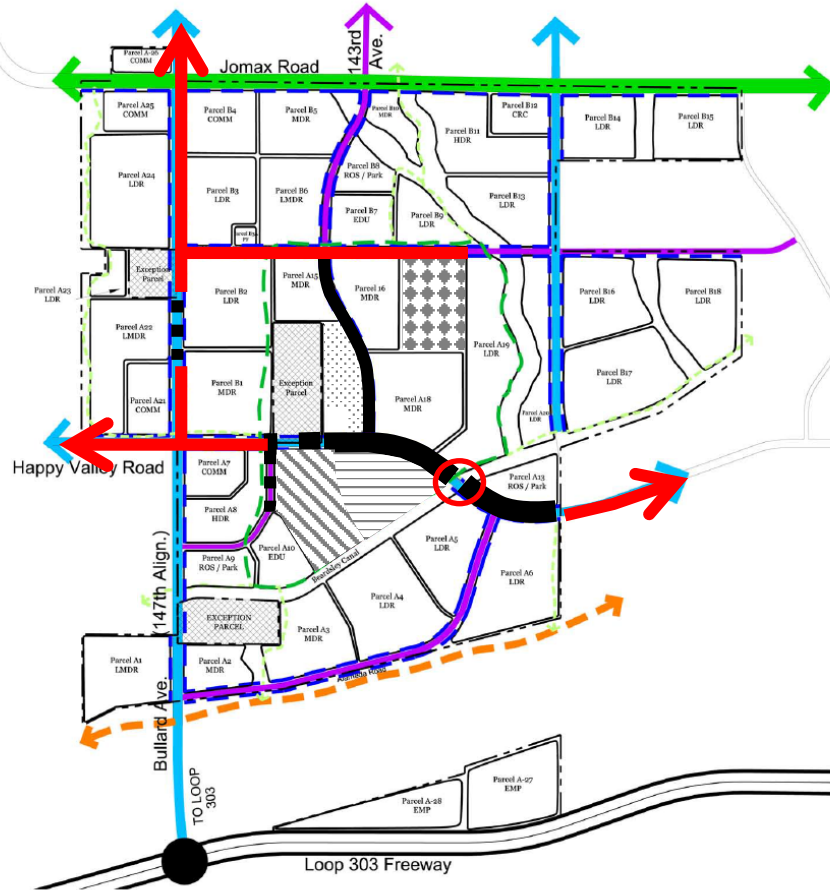


1 Mile

Rancho Mercado

City of Surprise, Arizona

Planned Area Development
Figure 9
Circulation Plan



LEGEND

Rancho Mercado Parkway MOD
Happy Valley Road Phase 1 MOD
Happy Valley Road Phase 2 MOD
Happy Valley Road Phase 3 MOD
147th Ave MOD

Parcel A11 Final Plat
Parcel A12 Final Plat
Parcel A14 Final Plat
Parcel A17 Final Plat

Future Connections
MWD Crossing

Urban Design
Studio L.L.C.

7800 East Main Street
Suite 100, Phoenix, AZ 85041
Phone: 602.955.1234
Fax: 602.955.1235
www.urbandesign.com

MAP OF DEDICATION FOR HAPPY VALLEY ROAD PHASE 2

A PORTION OF THE SOUTH HALF OF SECTION 4 &
A PORTION OF THE NORTH HALF OF SECTION 9,
TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN,
CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA



VICINITY MAP
SECTION 4 & 9, T4N, R1W

DEDICATION

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

KNOW ALL PERSONS BY THESE PRESENTS:

1. THAT WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, HEREINAFTER "TOWN", HAS SUBDIVIDED UNDER THE NAME HAPPY VALLEY ROAD PHASE 2, LOCATED WITHIN A PORTION OF THE SOUTHWEST 1/4 OF SECTION 4 AND A PORTION OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA, AND HEREBY DECLARES THAT THIS MAP OF DEDICATION SETS FORTH THE LOCATION AND DIMENSIONS OF EACH STREET AND EXISTING EXISTING SAME AND THAT EACH STREET SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS MAP OF DEDICATION.

2. "TOWN" HEREBY DEDICATES TO THE CITY OF SURPRISE, FIDELITY TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE MAP OF DEDICATION.

3. 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 AND 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, ACCEPTS BY SEPARATE FORMAL RESOLUTION.

4. "TOWN" DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) HEREBY, DEFINE, 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 DUE TO OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE AREA DEDICATED HEREIN AS SHOWN ON THE MAP OF DEDICATION, UNLESS THE RIGHT-OF-WAY BEING TRANSFERRED TO THE CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY PUBLIC DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS MAP OF DEDICATION SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID MAP OF THE CITY OF SURPRISE. THE CITY OF SURPRISE SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF THE AREA WITHIN ANY PUBLIC DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS MAP OF DEDICATION.

5. "TOWN" HEREBY GRANTS TO THE PUBLIC A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE MAP OF DEDICATION FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

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

7. "TOWN" HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE AN AIRBORNE EXERCISE CORSE AND ACROSS THIS MAP OF DEDICATION, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS MAP OF DEDICATION, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATION, FUEL, OIL, FUEL AND LUBRICANT PARTICLES THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON OR NEAR, AIR FORCE BASE AND AIRCRAFT FIELD.

8. "TOWN" HEREBY GRANTS TO THE CITY OF SURPRISE AN OODOR EASEMENT OVER, UPON AND ACROSS, THIS MAP OF DEDICATION, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO FRANCHISE WITH OODOR, FUMES, SMELLS, AND PHYSICAL AIRBORNE PARTICULATES CAUSED BY THE LAMPA OPERATING AND MAINTENANCE OF THE CITY'S WATER RECLAMATION FACILITY.

9. 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 MAP OF DEDICATION OR ANY PARCEL THEREOF.

10. "TOWN" HEREBY WARRANTS AND REPRESENTS TO THE CITY OF SURPRISE THAT IT IS THE SOLE OWNER OF THE PROPERTY COVERED BY THIS MAP OF DEDICATION, AND THAT EVERY LINDER EASEMENT OR OTHER INTEREST IN THE PROPERTY HAS BEEN FULLY DISCLOSED TO THE CITY OF SURPRISE. IF ANY OTHER REAL PROPERTY INTEREST CREATED OR TRANSFERRED BY THIS MAP OF DEDICATION HAS BEEN CONVEYED TO OR GRANTED TO ANOTHER PARTY, IT IS HEREBY TRANSFERRED TO THE CITY OF SURPRISE. IF ANY OTHER REAL PROPERTY INTEREST HAS BEEN CONVEYED TO OR GRANTED TO ANOTHER PARTY, IT IS HEREBY TRANSFERRED TO THE CITY OF SURPRISE. IF ANY OTHER REAL PROPERTY INTEREST HAS BEEN CONVEYED TO OR GRANTED TO ANOTHER PARTY, IT IS HEREBY TRANSFERRED TO THE CITY OF SURPRISE. IF ANY OTHER REAL PROPERTY INTEREST HAS BEEN CONVEYED TO OR GRANTED TO ANOTHER PARTY, IT IS HEREBY TRANSFERRED TO THE CITY OF SURPRISE.

11. LANDSCAPING MAINTENANCE WITHIN THE MEDIAN WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY AIRPORT OR PARKWAY STREET CLASSIFICATION SHALL BE THE RESPONSIBILITY OF THE CITY OF SURPRISE AIRPORT AUTHORITY.

IN WITNESS WHEREOF:

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, AS "TOWN", HAS HERETOFORE CAUSED THEIR NAME TO BE SIGNED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF JALE E. COLLINS, ITS SENIOR VICE PRESIDENT, ON THIS ____ DAY OF ____ 2017.

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION
BY: JALE E. COLLINS ITS SENIOR VICE PRESIDENT

NOTARY ACKNOWLEDGEMENT

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

ON THIS ____ DAY OF ____ 2017, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, APPEARED JALE E. COLLINS OF WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, AND ACKNOWLEDGED HEREBY TO BE THE SENIOR VICE PRESIDENT, AND THAT SHE EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HERETOFORE SET MY HAND AND OFFICIAL SEAL.
NOTARY PUBLIC MY COMMISSION EXPIRES ____

RANCHO MERCADO COMMUNITY ASSOCIATION RATIFICATION

BY THIS RATIFICATION, RANCHO MERCADO, SOLE EXECUTED PRESIDENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION, ACKNOWLEDGES THE RESPONSIBILITIES DEDICATED HEREIN.

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

NOTARY ACKNOWLEDGEMENT

ON THIS ____ DAY OF ____ 2017, RANCHO MERCADO PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HEREBY TO BE THE PRESIDENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION, AND THAT SHE, AS PRESIDENT, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HERETOFORE SET MY HAND AND OFFICIAL SEAL.
NOTARY PUBLIC MY COMMISSION EXPIRES ____

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATE ON THIS PLAT REVIEWED AND APPROVED THIS ____ DAY OF ____ 2017, BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED: CITY ENGINEER DATE

CITY OF SURPRISE COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA, THIS ____ DAY OF ____ 2017.

MAYOR DATE

ATTEST: CITY CLERK DATE

AREA CALCULATIONS

RIGHT OF WAY 26880 SQ. FT. 6.174 AC

SHEET INDEX

COVER SHEET	DESCRIPTION	SHEET NO.
LEGAL DESCRIPTION & M.O.D. SHEETS		2 & 3

OWNER/DEVELOPER

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION,
8845 EAST CHANDLER ROAD, SUITE 200
SCOTTSDALE, ARIZONA 85250
PHONE NO. 480-850-3759
CONTACT: FL LUNA

RELEASE OF LIABILITY

1. WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, "TOWN" DOES HEREBY (1) RELEASE AND DISCHARGE THE "CITY" AND THE CITY OF SURPRISE, AND (2) HEREBY, DEFINE, 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 DUE TO OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE AREA DEDICATED HEREIN AS SHOWN ON THE MAP OF DEDICATION, UNLESS THE RIGHT-OF-WAY BEING TRANSFERRED TO THE CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY PUBLIC DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS MAP OF DEDICATION SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID MAP OF THE CITY OF SURPRISE. THE CITY OF SURPRISE SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF THE AREA WITHIN ANY PUBLIC DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS MAP OF DEDICATION.

2. WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, HEREBY AGREES TO HEREBY, DEFINE, 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 SEWERALS LOCATED WITHIN THE RIGHT-OF-WAY, UNLESS, SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SEWERALS.

100 YEAR ASSURED WATER SUPPLY LANGUAGE

THE AREA PLATTED HEREIN LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF THE CITY OF SURPRISE, AND IS 2010-012, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 40-206.

GENERAL NOTES

- IN ACCORDANCE WITH A.R.S. § 9-461-007, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS MAP OF DEDICATION ARE IN CONFORMANCE WITH THE CITY OF SURPRISE GENERAL PLAN.
- THE CITY OF SURPRISE, HEREBY CERTIFIES THAT THE DEDICATION OF THIS MAP OF DEDICATION, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSIGNED VALUE EXCEPT FOR SPECIAL.
- THE PROPERTY OWNER OR ANY SUBSEQUENT OWNER SHALL NOT PROCEED WITH ANY SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
- THIS MAP OF DEDICATION IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT APPROVED BY THE CITY OF SURPRISE ZONING CASE F15-068.
- THE CITY OF SURPRISE, HEREBY CERTIFIES THAT THE DEDICATION OF THIS MAP OF DEDICATION, IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT APPROVED BY THE CITY OF SURPRISE ZONING CASE F15-068.

BAIS OF BEARING

THE WEST-EAST, MID-SECTION LINE OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, BEARS A BEARING OF 100°00'00" AND A DISTANCE OF 300.00'. THIS POSITION WAS DERIVED FROM THE ESTABLISHED MONUMENT POINTS (2000) & (2001) PROJECT HEREIN SCALED TO OBTAIN A 1:1 HORIZONTAL ERROR = (0.000) ANGLE ERROR = (0.000)°.

SURVEYOR'S CERTIFICATION

JAMES G. SPRING, PLS 22282, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ARIZONA, THAT THIS MAP OF DEDICATION CONSIDERING OF THESE SHEETS REPRESENTS A SURVEY PREPARED UNDER MY SUPERVISION DURING THE MONTH OF AUGUST, 2017, THAT THE SURVEY IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE EXTENSION BOUNDARY WORKMENTS ACTUALLY EXIST AS SHOWN AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JAMES G. SPRING, PLS 22282
ATWELL, LLC
4300 EAST SOUTHERN AVENUE
MESA, ARIZONA 85204



NOTE: A.R.S. § 32-110 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 THINGS THAT ARE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE AN EXPRESSION OF IMPLIED WARRANTY OR GUARANTEE.

FS17-098 Happy Valley Road Phase 2 MOD



COUNTY: MARICOPA
SECTION: 4 & 9
TOWNSHIP: 4 NORTH
RANGE: 1 WEST

MAP OF DEDICATION
HAPPY VALLEY ROAD
PHASE 2
CITY OF SURPRISE, ARIZONA

AUGUST 2017

REVISIONS

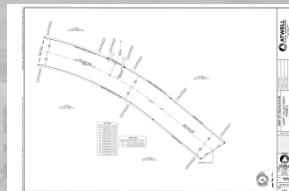
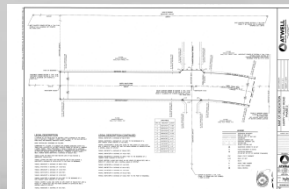


PL: J. SPRING
DR: R. GILES
JOB NO.
09001944

N.T.S.

SHEET

1 OF 3





SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



Contents

- [FS16-384 Vicinity Map](#)
- [FS16-384 Case Map](#)
- [FS17-097 Vicinity Map](#)
- [FS17-097 Case Map](#)
- [FS17-098 Vicinity Map](#)
- [FS17-098 Case Map](#)
- [Composite Map](#)
- [FS16-384 MOD](#)
- [FS17-097 MOD](#)
- [FS17-098 MOD](#)



CITY OF SURPRISE
Regular City Council Meeting

October 17, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	October 17, 2017	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:		District:	1
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
---------	---------	----------------	-------------------

Agenda Wording:

Consideration and action regarding a Map of Dedication for Happy Valley Road Phase 3, located generally along the Happy Valley Road alignment between the city limits and the Beardsley Canal.

Motion:

Motion to approve the requested Map of Dedication.

Background:

The subject request involves a Map of Dedication (MOD) for Happy Valley Road Phase 3, which is one of three Maps of Dedication being discussed this date, but under separate cover. Additional Final Plats and MODs are under review. As of the writing of this report, the applicant has submitted four (4) Final Plats and five (5) Maps of Dedication for review. Three (3) of these MODs are scheduled for review by the City Council on October 17, 2017. Three (3) of the Final Plats are completing their review and will be scheduled for City Council in the near future. Also, the applicant is working with the State Land Department and other land owners to secure the land necessary to extend Happy Valley Road west to 163rd Avenue, and 147th Avenue north to Jomax Road. The applicant is also working with Maricopa Water District to secure a License Agreement to cross the Beardsley Canal at Happy Valley Road, and is working with Maricopa County to extend Happy Valley Road east to Rancho Mercado. The applicant has secured a grading permit to allow “at-risk” grading over portions of Rancho Mercado Unit 1, and with the approval of the subject MOD, the city may begin issuing the infrastructure permits necessary to allow the applicant to commence construction of these roadways.

Objective Analysis:

The proposed Map of Dedication is one of several case activities related to the Rancho Mercado development. Approval of the subject MOD will allow the city to begin issuing the infrastructure permits necessary for the applicant to begin construction. The proposed MOD is consistent with the Rancho Mercado PAD and other regulatory documents, and the reviewing agencies have expressed no objections to the approval of the MOD.

Policy Compliant:

The requested Map of Dedication is consistent with the Rancho Mercado PAD and advances the goals and policies of the General Plan.

Financial Impact:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

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:

Click to download

- ☐ [00 - FS17-097 Happy Valley Road Phase 3 Map of Dedication - Staff Report](#)
 - ☐ [01 - FS17-097 Happy Valley Road Phase 3 Map of Dedication - Vicinty Map](#)
 - ☐ [02 - FS17-097 Happy Valley Road Phase 3 Map of Dedication - Case Map](#)
 - ☐ [03 - FS17-097 Happy Valley Road Phase 3 Map of Dedication](#)
 - ☐ [04 - FS17-097 Happy Valley Road Phase 3 Map of Dedication - Presentation](#)
-

MAP OF DEDICATION

REPORT TO THE CITY COUNCIL

Case: **FS17-097**

Project Name: Happy Valley Road Phase 3 Map of Dedication

Council District: 1

City Council Date: **October 17, 2017**

Planner: Robert H. Kuhfuss, AICP

Owner: William Lyon Homes

Applicant: Fil Luna of William Lyon Homes

Request: Map of Dedication within the Rancho Mercado PAD

Site Location: Generally along the Happy Valley Road alignment between the city limits and the Beardsley Canal

Site Size: 4.6 acres (approx.)

Density: N/A

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

Support/Opposition: None known

Findings:

- The proposed Map of Dedication is consistent with the Rancho Mercado PAD.
- The proposed Map of Dedication is consistent with the Rancho Mercado Unit 1 Preliminary Plat.
- The proposed Map of Dedication is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

Alternative Actions: **Approval** of the requested Map of Dedication will allow the city to begin issuing infrastructure permits needed to support development of the larger Rancho Mercado PAD.

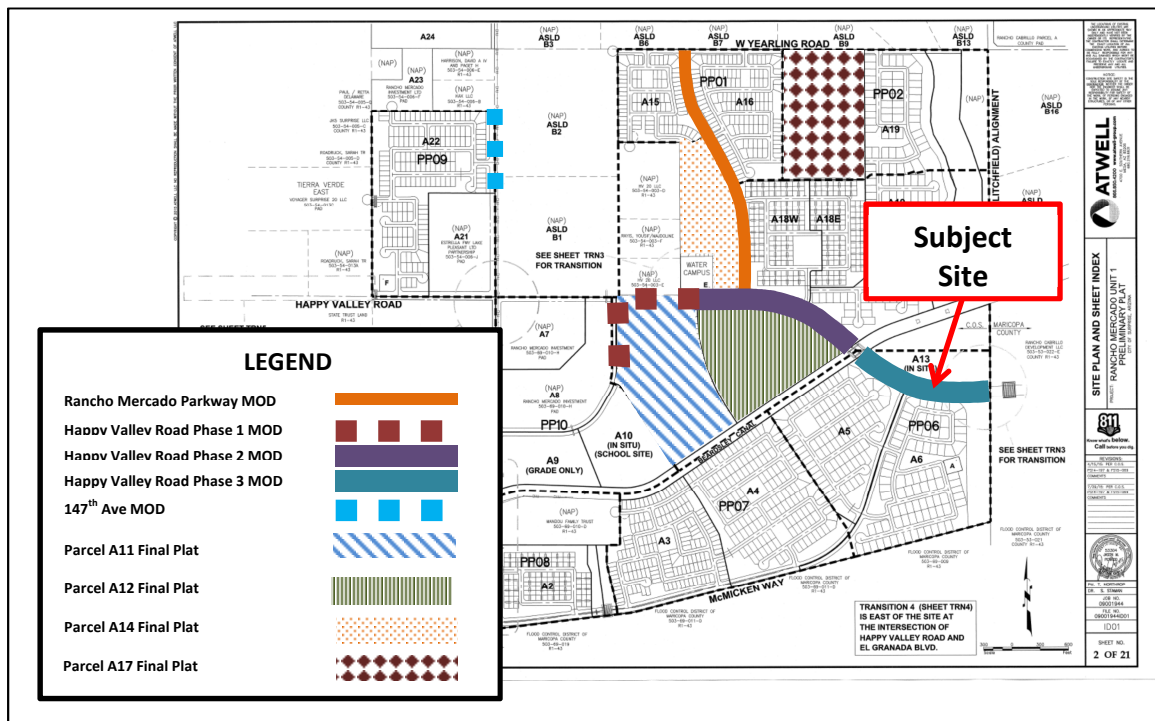
Denial of the requested Map of Dedication will deny the applicant the opportunity to develop the property.

Project Description:

The subject request involves a Map of Dedication (MOD) for Happy Valley Road Phase 3, which is one of three Maps of Dedication being discussed this date, but under separate cover. Additional Final Plats and MODs are under review.

As of the writing of this report, the applicant has submitted four (4) Final Plats and five (5) Maps of Dedication for review. Three (3) of these MODs are scheduled for review by the City Council on October 17, 2017. Three (3) of the Final Plats are completing their review and will be scheduled for City Council in the near future. Also, the applicant is working with the State Land Department and other land owners to secure the land necessary to extend Happy Valley Road west to 163rd Avenue, and 147th Avenue north to Jomax Road. The applicant is also working with Maricopa Water District to secure a License Agreement to cross the Beardsley Canal at Happy Valley Road, and is working with Maricopa County to extend Happy Valley Road east to Rancho Mercado. The applicant has secured a grading permit to allow “at-risk” grading over portions of Rancho Mercado Unit 1, and with the approval of the subject MOD, the city may begin issuing the infrastructure permits necessary to allow the applicant to commence construction of these roadways.

The following map, taken from the Rancho Mercado Unit 1 Preliminary Plat, is annotated to depict the location of the subject MOD in relation to the other activity occurring within the PAD.



Background:

July 11, 2006: The Maricopa County Board of Supervisors approved a request for a Development Master Plan (DMP) and associated Zone Change for the Rancho Mercado project in what was then unincorporated Maricopa County.

May 25, 2007: The Surprise City Council entered into a Pre-Annexation Development Agreement with the applicant, which was recorded under 2007-0794202 MCR.

October 11, 2007: The Surprise City Council approved the Rancho Mercado PAD under case PAD06-276, subject to stipulations “a” through “u”, Ordinance #07-46.

November 10, 2007: The subject property was annexed into the City of Surprise via Ordinance # 2007-47.

December 2, 2010: Staff met with the applicant to discuss a Preliminary Plat for Rancho Mercado under case CR10-256.

December 7, 2010: Staff approved a Minor PAD Amendment to under case FS10-210.

March 30, 2011: The applicant filed a request for a Preliminary Plat covering the subject property under case PS11-093, which expired due to inactivity.

February 28, 2013: Staff met with a homebuilder during a regularly scheduled Concept Review meeting to discuss the possibility of platting a portion of Rancho Mercado under case CR13-054.

August 8, 2013: Staff met with the applicant to discuss a Preliminary Plat and Major Zoning Amendment for Rancho Mercado under case CR13-365.

May 15, 2014: The applicant submitted water master plans for Rancho Mercado case PS14-197.

July 31, 2014: Staff met with the applicant to discuss the subject project during a regularly scheduled Concept Review meeting under CR14-278.

February 18, 2015: The applicant filed a request for a Preliminary Plat for Rancho Mercado Unit 1 under case FS15-069.

December 17, 2015: The Planning and Zoning Commission heard the subject request at their regularly scheduled meeting and recommended the City Council approve the proposed Preliminary Plat subject to staff recommended stipulations ‘a’ through ‘f’ as noted in the Recommendation section of this report.

January 5, 2016: The City Council approved the Preliminary Plat for Rancho Mercado Unit 1 under case FS15-069.

September 9, 2016: The applicant submitted a request for the Rancho Mercado Parkway MOD under case FS16-384, which is discussed under separate cover.

September 9, 2016: The applicant submitted a request for a Final Plat for Rancho Mercado Parcel A14 under case FS16-385, which is still under review.

February 15, 2017: The applicant submitted a request for the Happy Valley Road Phase 3 MOD under case FS17-097, the subject case.

February 15, 2017: The applicant submitted a request for the Happy Valley Road Phase 2 MOD under case FS17-098, which is discussed under separate cover.

May 22, 2017: The applicant submitted a request for a Final Plat for Rancho Mercado Parcel A11 under case FS17-257, which is still under review.

May 22, 2017: The applicant submitted a request for a Final Plat for Rancho Mercado Parcel A12 under case FS17-258, which is still under review.

May 24, 2017: The applicant submitted a request for a Minor Site Plan regarding the Rancho Mercado Water Campus under case FS17-262, which is still under review.

May 24, 2017: The applicant submitted a request for the 145th Avenue Phase 1 MOD under case FS17-264, which is still under review.

August 24, 2017: The applicant submitted a request for the Happy Valley Road Phase 1 MOD under case FS17-499, which is discussed under separate cover.

September 14, 2017: The applicant submitted a request for a Final Plat for Rancho Mercado Parcel A17 under case FS17-546, which is still under review.

Reviewing Agencies:

The subject request was routed to the standard reviewing agencies, who have indicated no objections to the request.

154 **Summary:**

155
156 The proposed Map of Dedication is one of several case activities related to the Rancho Mercado
157 development. Approval of the subject MOD will allow the city to begin issuing the infrastructure
158 permits necessary for the applicant to begin construction. The proposed MOD is consistent with
159 the Rancho Mercado PAD and other regulatory documents, and the reviewing agencies have
160 expressed no objections to the approval of the MOD.

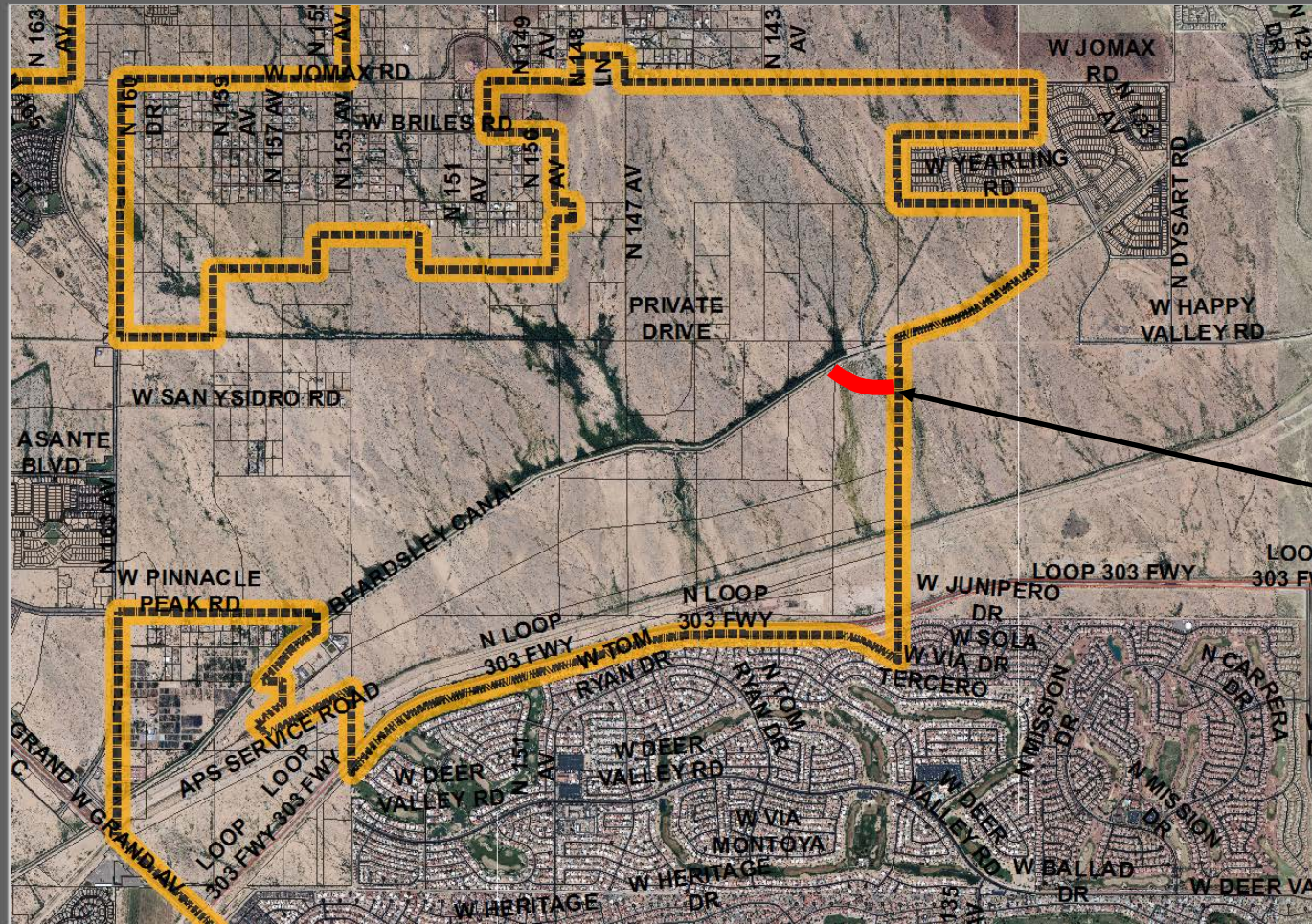
161
162 **Findings:**

163
164 The proposed Map of Dedication is consistent with the Rancho Mercado PAD.
165 The proposed Map of Dedication is consistent with the Rancho Mercado Unit 1 Preliminary Plat.
166 The proposed Map of Dedication is consistent with the applicable City of Surprise regulations.
167 The reviewing agencies have indicated no objections to the request.

168
169 **Attachments:**

170
171 01 Case Map
172 02 Vicinity Map
173 03 Map of Dedication

FS17-097
Happy Valley Road
Phase 3 MOD



Subject Site



North

1 Mile

Vicinity Map



HAPPY VALLEY ROAD ALIGNMENT

147TH AVENUE

THIS PROJECT

139TH AVENUE

VICINITY MAP
SECTION 9, T4N, R1W

STATE OF ARIZONA:)
COUNTY OF MARICOPA:) SS

KNOW ALL PERSONS BY THESE PRESENTS:

3. THAT WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, HEREINAFTER "OWNER", HAS SUBDIVIDED UNDER THE NAME "HAPPY VALLEY ROAD PHASE 3", LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT THIS MAP OF DEDICATION SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH STREET AND EASEMENT CONSTITUTING SAME, AND THAT EACH STREET SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS MAP OF DEDICATION.
2. "OWNER" HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE MAP OF DEDICATION.
3. 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.
4. "OWNER" DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, 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 MAP OF DEDICATION 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 MAP OF DEDICATION SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/ OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID MAP OF DEDICATION UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.
5. "OWNER" HEREBY GRANTS TO THE PUBLIC A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE MAP OF DEDICATION FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.
6. 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.
7. "OWNER" HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE AN AVIGATION EASEMENT OVER AND ACROSS THIS MAP OF DEDICATION, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS MAP OF DEDICATION, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL AND LUBRICANT PARTICLES 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.
8. "OWNER" HEREBY GRANTS TO THE CITY OF SURPRISE AN ODOR EASEMENT OVER, UPON AND ACROSS, THIS MAP OF DEDICATION, WHICH EASEMENT SHALL INCLUDE, BUT NOT LIMITED TO, THE RIGHT TO INVADE WITH ODORS, FUMES, SMELLS, AND PHYSICAL AIRBORNE PARTICULATES CAUSED BY THE LAWFUL OPERATION AND MAINTENANCE OF THE CITY'S WATER RECLAMATION FACILITY.
9. 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 MAP OF DEDICATION OR ANY PARCEL THEREOF.
10. "OWNER" HEREBY WARRANTS AND REPRESENTS TO THE CITY OF SURPRISE THAT IT IS THE SOLE OWNER OF THE PROPERTY COVERED BY THIS MAP OF DEDICATION, AND THAT EVERY LENDER, EASEMENT HOLDER OR OTHER PERSON OR ENTITY HAVING ANY INTEREST THAT IS ADVERSE TO OR INCONSISTENT WITH THE FOREGOING DEDICATION, OR ANY OTHER REAL PROPERTY INTEREST CREATED OR TRANSFERRED BY THIS MAP OF DEDICATION, HAS CONSENTED TO OR JOINED IN THIS MAP OF DEDICATION AS EVIDENCED BY INSTRUMENTS WHICH ARE RECORDED WITH THE MARICOPA COUNTY RECORDERS OFFICE OR WHICH OWNER WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS MAP OF DEDICATION IS RECORDED.
11. 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.

IN WITNESS WHEREOF:
 WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, AS "OWNER", HAS HEREUNTO CAUSED THEIR NAME TO BE SIGNED AND
 THE SAME TO BE ATTESTED BY THE SIGNATURE OF JULIE E. COLLINS, ITS SENIOR VICE PRESIDENT ON THIS _____ DAY OF
 _____ 2017.

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION

BY _____ ITS SENIOR VICE PRESIDENT
JULIE E. COLLINS

STATE OF ARIZONA:)
) SS
COUNTY OF MARICOPA:)

ON THIS _____ DAY OF _____, 2017, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC APPEARED JULIE E. COLLINS OF WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, WHO ACKNOWLEDGED HERSELF TO BE THE SENIOR VICE PRESIDENT, AND THAT SHE EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

BY: _____ MY COMMISSION EXPIRES _____
NOTARY PUBLIC

BY THIS RATIFICATION, KAREN BEACOM, DULY ELECTED PRESIDENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION ACKNOWLEDGES THE RESPONSIBILITIES DEDICATED HEREON.

BY: _____ ITS PRESIDENT
KAREN BEACOM

STATE OF ARIZONA:)
) SS
COUNTY OF MARICOPA:)

ON THIS _____ DAY OF _____, 2017, KAREN BEACOM PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HERSELF TO BE THE PRESIDENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION, AND THAT SHE, AS PRESIDENT, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

BY: _____ MY COMMISSION EXPIRES _____
NOTARY PUBLIC DATE

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2017, BY
THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED _____
CITY ENGINEER _____ DATE _____

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA. THIS _____ DAY.
OF _____, 2017.

ATTEST:	MAYOR	DATE
	CITY CLERK	DATE

RIGHT OF WAY	200,515 SQ.FT.	4.603 AC
--------------	----------------	----------

DESCRIPTION	SHEET NO
COVER SHEET	1
LEGAL DESCRIPTION, PLAT SHEET	2

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION.
8840 EAST CHAPARRAL ROAD, SUITE 200
SCOTTSDALE, ARIZONA 85250
PHONE NO: 480-850-3729
CONTACT: FIL LUNA

1. WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION "OWNER" DOES HEREBY (1) RELEASE AND DISCHARGE THE "USAF" AND 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 AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LUKE AIR FORCE BASE, WHETHER SUCH DAMAGE SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE. 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 REQUIRE THE USING OF ANY LIABILITY DAMAGE, OR INJURY TO PERSON OR PROPERTY CAUSED BY FALLING FROM, OR FALLING FROM PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN WITH RESPECT TO NOISE, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES.
2. WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION HEREBY AGREES 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 USING OF THE SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY, UNTIL, SUCH TIME, THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

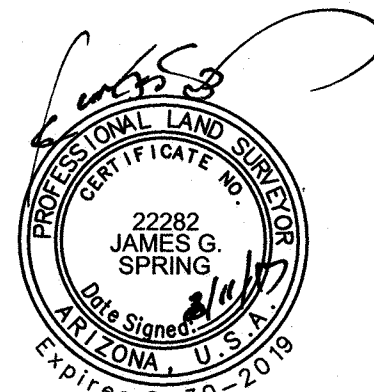
THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS NO. 2010-012, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.

1. IN ACCORDANCE WITH A.R.S. § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS MAP OF DEDICATION ARE IN CONFORMANCE WITH THE CITY OF SURPRISE GENERAL PLAN.
2. 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.
3. THE PROPERTY OWNER, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
4. THIS MAP OF DEDICATION IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT APPROVED BY THE CITY OF SURPRISE ZONING CASE FS15-069.
5. A PORTION OF THE PROPERTY IS LOCATED WITHIN THE AREA HAVING FLOOD ZONES "X", "A" AND "AE", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAPS NO. 04013C1210L AND NO. 04013C1230L, WITH A DATE IDENTIFICATION OF OCTOBER 16, 2011 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. AS MAY BE AMENDED FROM TIME TO TIME.

THE WEST-EAST, MID-SECTION LINE OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST,
OF THE GILA AND SALT RIVER MERIDIAN WHICH BEARS S89°46'48"E A DISTANCE OF 5255.54'
THIS POSITION WAS DERIVED FROM THE ESTABLISHED NGPS POINTS DV0080 & AJ3867.
PROJECT THEN SCALED TO GROUND AT A COMBINED SCALE FACTOR OF 1.00013766895 AND VERIFIED
AGAINST GDACS BOULDER 834. PG 1. HORIZONTAL ERROR = (0.04") ANGLE ERROR = (00°00'01")

I, JAMES G. SPRING, PLS 22282, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS MAP OF DEDICATION CONSISTING OF TWO SHEETS REPRESENTS A SURVEY PREPARED UNDER MY SUPERVISION DURING THE MONTH OF AUGUST 2017; THAT THE SURVEY IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT THE EXTERIOR BOUNDARY MONUMENTS ACTUALLY EXIST AS SHOWN AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JAMES G. SPRING, PLS 22282
ATWELL, LLC
4700 EAST SOUTHERN AVENUE
MESA, ARIZONA 85206



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.

LEGAL DESCRIPTION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 2" ALUMINUM CAP STAMPED MARICOPA COUNTY RLS 35832 2003, ACCEPTED AS THE WEST QUARTER CORNER OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, FROM WHICH A FOUND 3" BRASS CAP IN HANDHOLE STAMPED MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION 36770, ACCEPTED AS THE EAST QUARTER CORNER OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, THEREOF BEARS S89°46'48"E A DISTANCE OF 5255.54'

THENCE ALONG THE WEST-EAST MID-SECTION LINE OF SAID SECTION 4, S89°46'48"E, 3966.10 FEET;

THENCE, LEAVING SAID WEST-EAST MID-SECTION LINE OF SAID SECTION 4, S00°00'00"W A DISTANCE OF 3217.64 FEET TO THE POINT OF BEGINNING;

THENCE, S50°39'01"E A DISTANCE OF 83.08 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE LEFT;

THENCE, EASTERLY ALONG SAID CURVE AN ARC LENGTH OF 1,054.53 FEET, WITH A RADIUS OF 1,432.00 FEET AND A CENTRAL ANGLE OF 42°11'35";

THENCE, N87°09'24"E A DISTANCE OF 260.25 FEET;

THENCE, S00°02'19"E A DISTANCE OF 136.16 FEET;

THENCE, S87°09'24"W A DISTANCE OF 253.59 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE RIGHT;

THENCE, WESTERLY ALONG SAID CURVE AN ARC LENGTH OF 600.35 FEET, WITH A RADIUS OF 1,568.00 FEET AND A CENTRAL ANGLE OF 21°56'13";

THENCE, S65°22'22"W A DISTANCE OF 17.59 FEET;

THENCE, N68°42'49"W A DISTANCE OF 95.50 FEET;

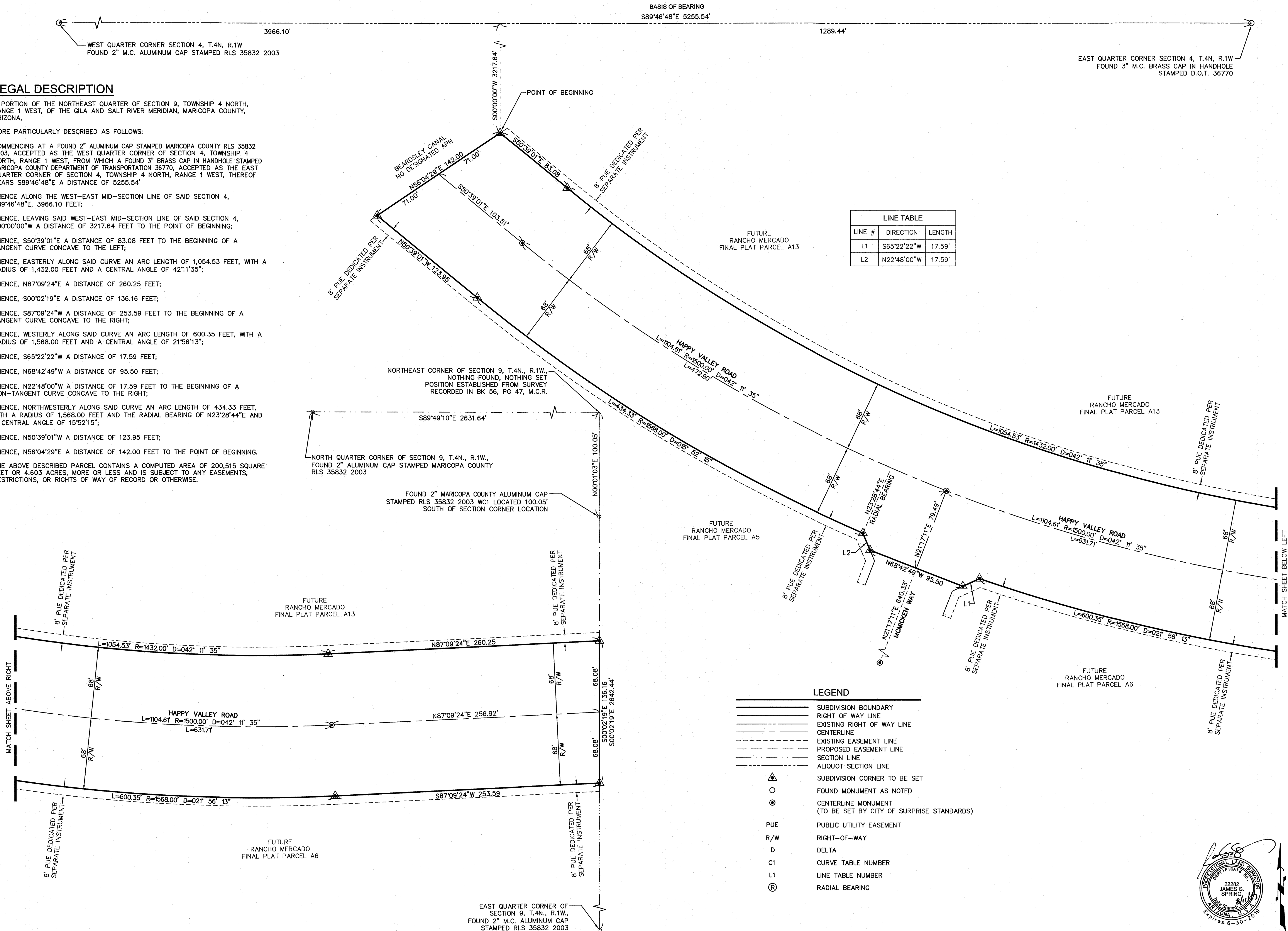
THENCE, N22°48'00"W A DISTANCE OF 17.59 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE RIGHT;

THENCE, NORTHWESTERLY ALONG SAID CURVE AN ARC LENGTH OF 434.33 FEET, WITH A RADIUS OF 1,568.00 FEET AND THE RADIAL BEARING OF N23°28'44"E AND A CENTRAL ANGLE OF 15°52'15";

THENCE, N50°39'01"W A DISTANCE OF 123.95 FEET;

THENCE, N56°04'29"E A DISTANCE OF 142.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS A COMPUTED AREA OF 200,515 SQUARE FEET OR 4.603 ACRES, MORE OR LESS AND IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS, OR RIGHTS OF WAY OF RECORD OR OTHERWISE.



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S65°22'22"W	17.59'
L2	N22°48'00"W	17.59'

LEGEND	
	SUBDIVISION BOUNDARY
	RIGHT OF WAY LINE
	EXISTING RIGHT OF WAY LINE
	CENTERLINE
	EXISTING EASEMENT LINE
	PROPOSED EASEMENT LINE
	SECTION LINE
	ALIQUOT SECTION LINE
	SUBDIVISION CORNER TO BE SET
	FOUND MONUMENT AS NOTED
	CENTERLINE MONUMENT (TO BE SET BY CITY OF SURPRISE STANDARDS)
	PUE PUBLIC UTILITY EASEMENT
	R/W RIGHT-OF-WAY
	D DELTA
	C1 CURVE TABLE NUMBER
	L1 LINE TABLE NUMBER
	R RADIAL BEARING

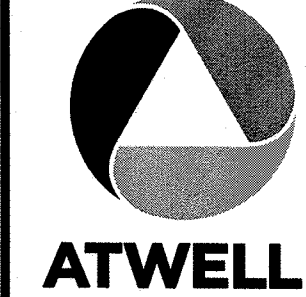


COUNTY: MARICOPA
SECTION: 9
TOWNSHIP: 4 NORTH
RANGE: 1 WEST

MAP OF DEDICATION HAPPY VALLEY ROAD PHASE 3 CITY OF SURPRISE, ARIZONA

AUGUST 2017

REVISIONS:



PM. J. SPRING
DR. R. GILES
JOB NO.
09001944

SCALE 0 20 40
1" = 40 FEET

DESIGN: RANCHO MERCADO PH 1 & 2 AND PH 3

SHEET NO.

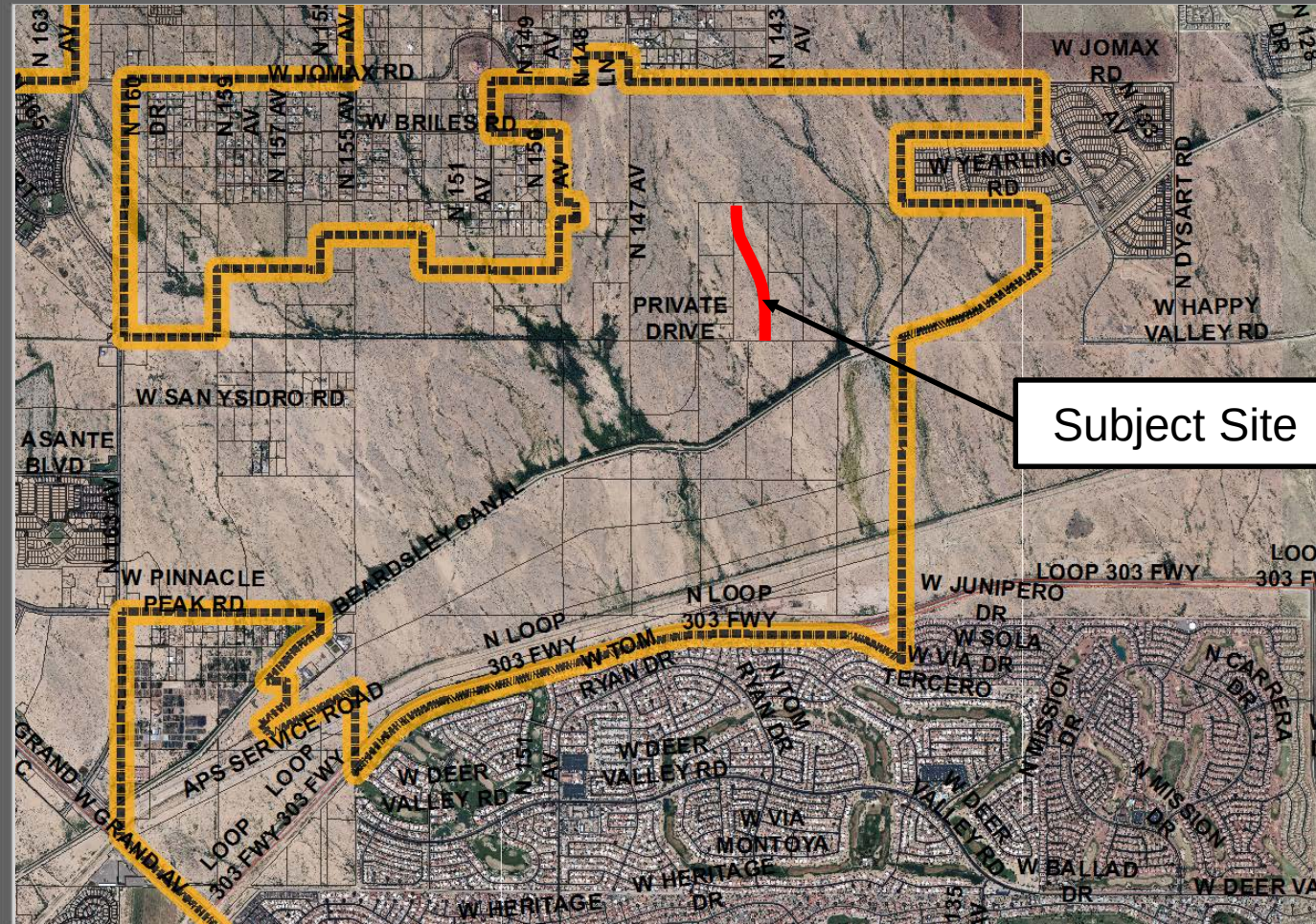
2 OF 2



FS16-384 Rancho Mercado Parkway MOD
FS17-097 Happy Valley Road Phase 3 MOD
FS17-098 Happy Valley Road Phase 2 MOD

City Council
October 17, 2017

FS16-384
Rancho Mercado
Parkway MOD



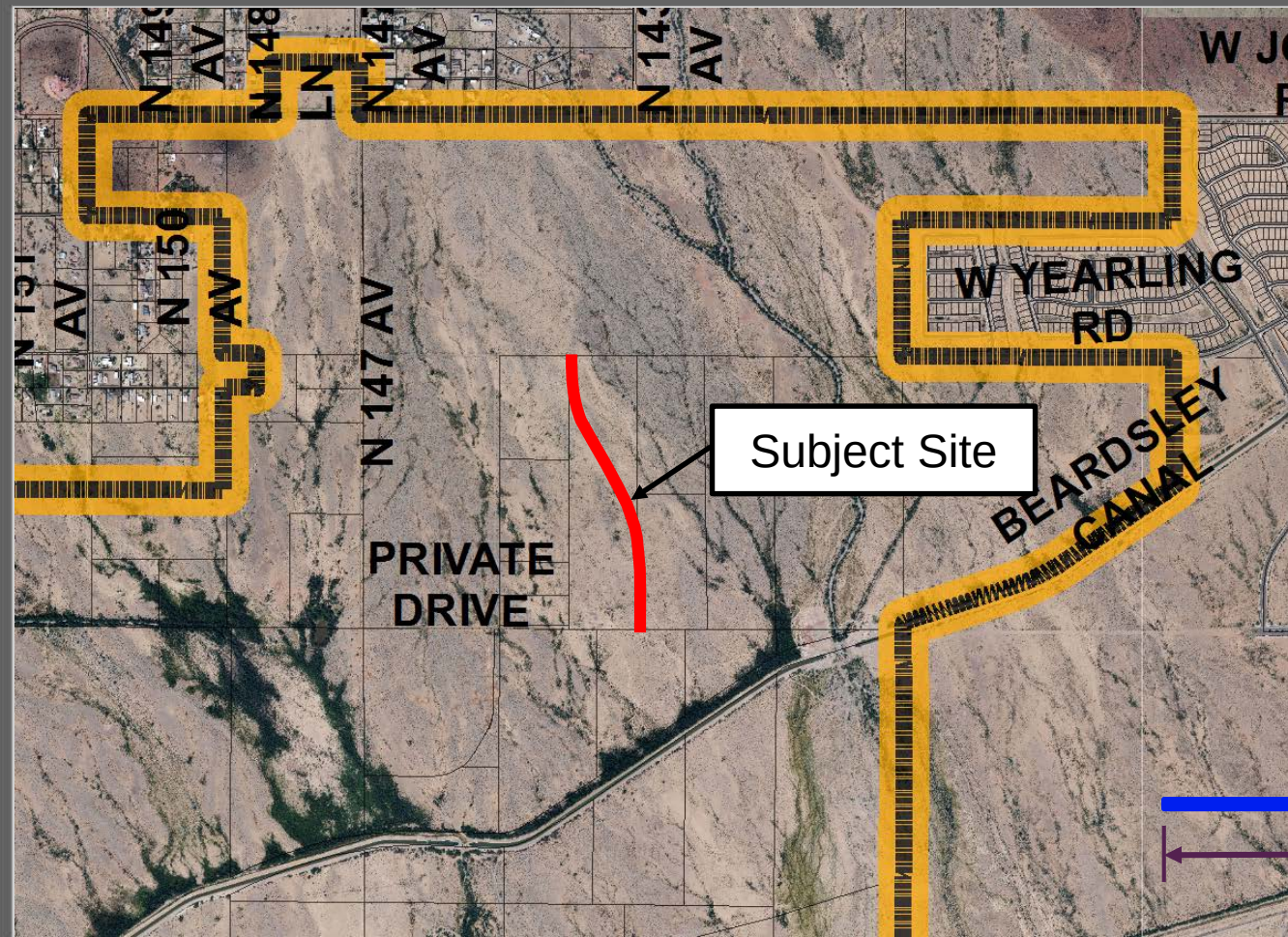
Subject Site

Vicinity Map



North

1 Mile

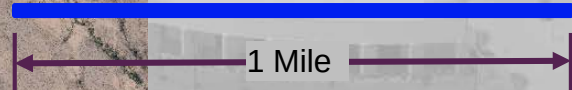


FS16-384
Rancho Mercado
Parkway MOD

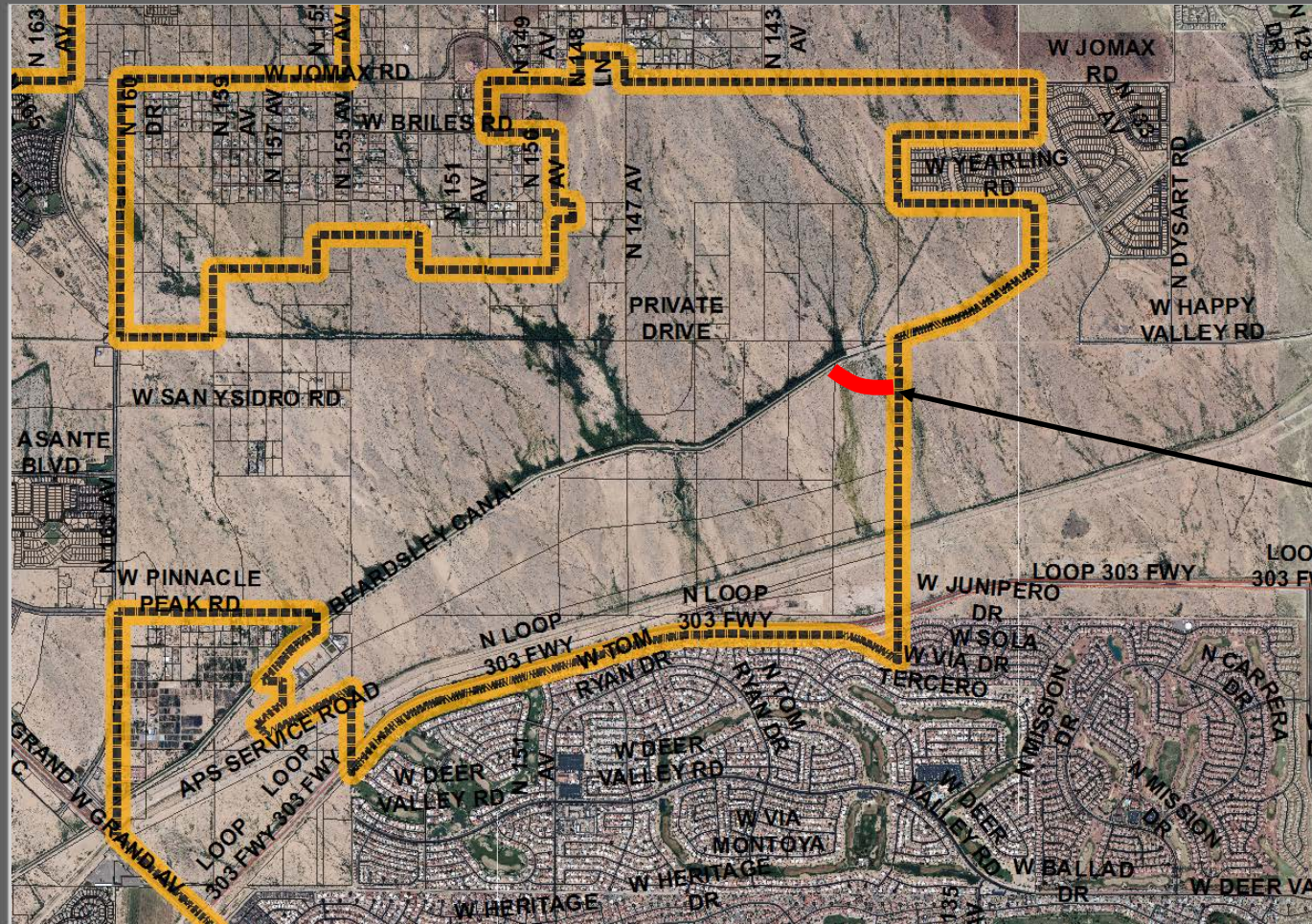
Case Map



1 Mile



FS17-097
Happy Valley Road
Phase 3 MOD



Subject Site

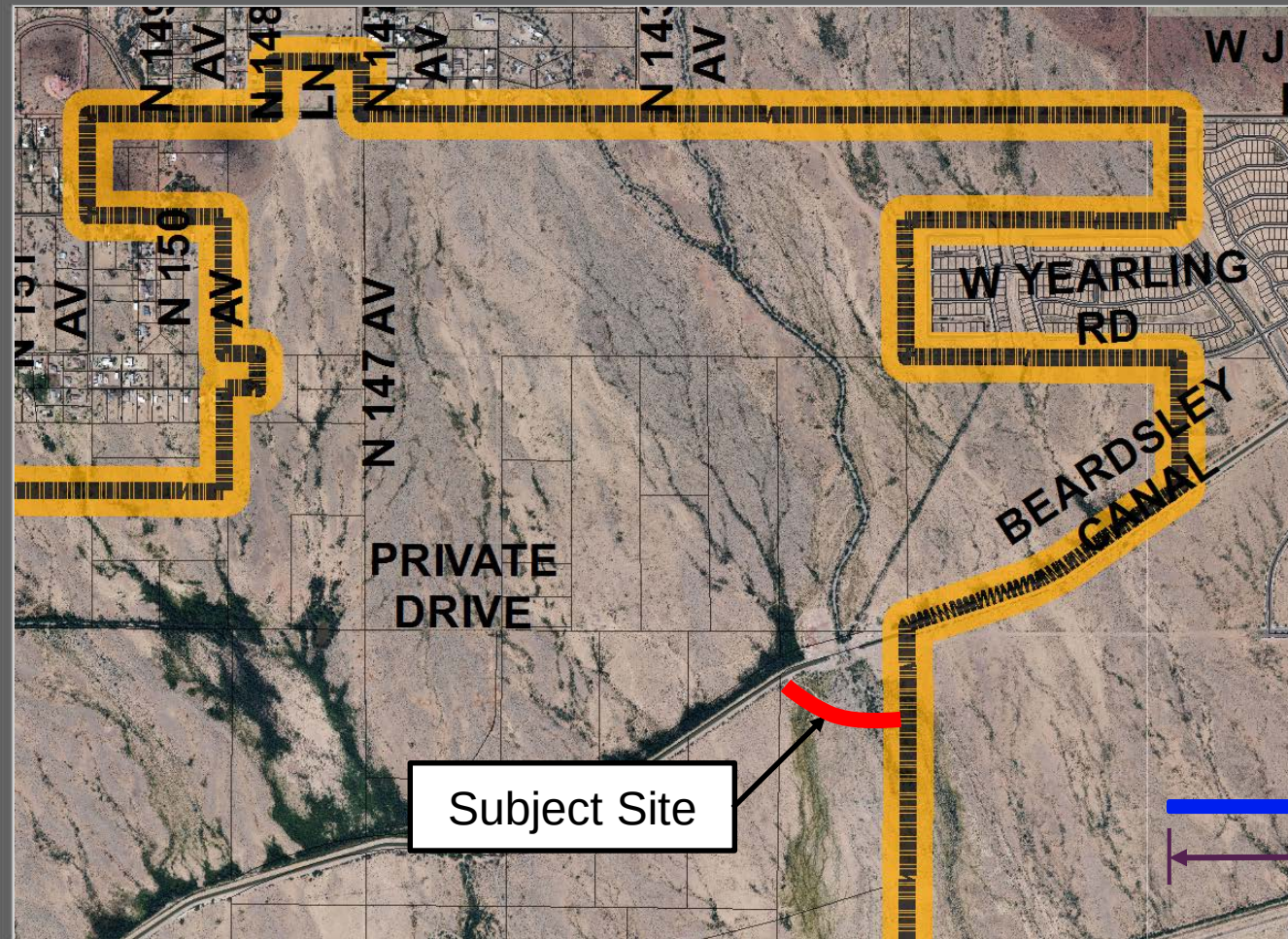


North

1 Mile

Vicinity Map



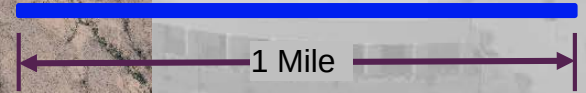


FS17-097
Happy Valley Road
Phase 3 MOD

Case Map



North



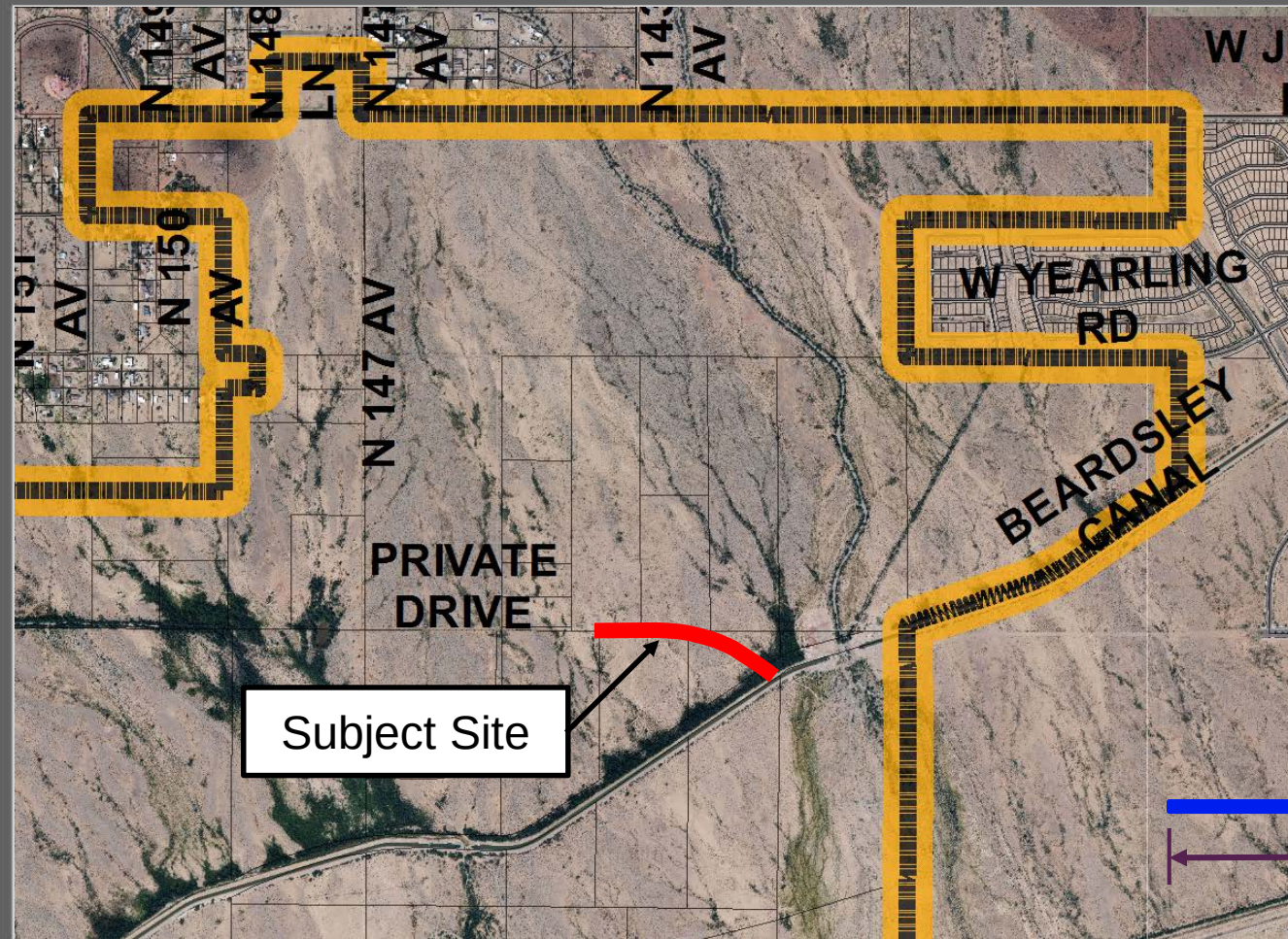
FS17-098
Happy Valley Road
Phase 2 MOD

Subject Site

Vicinity Map

North

1 Mile

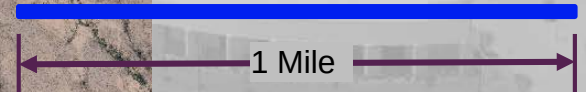


FS17-098
Happy Valley Road
Phase 2 MOD

Case Map



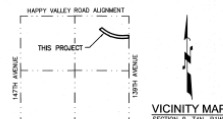
North



7502 East Main Street
Scottsdale, Arizona 85258
Phone (480) 334-0333
Fax (480) 334-7333
www.hadison.com

MAP OF DEDICATION FOR HAPPY VALLEY ROAD PHASE 3

A PORTION OF THE NORTHEAST QUARTER OF SECTION 9,
TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN,
CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA



DEDICATION

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

KNOW ALL PERSONS BY THESE PRESENTS:

1. THAT WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, HEREINAFTER "OWNER", HAS SUBDIVIDED UNDER THE NAME "HAPPY VALLEY ROAD PHASE 3" LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT THIS MAP OF DEDICATION SETS FORTH THE LOCATION AND DIMENSIONS OF EACH STREET AND LANDMARK EXISTING SAME, AND THAT EACH STREET SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS MAP OF DEDICATION.
2. "OWNER" HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE MAP OF DEDICATION.
3. 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 EXISTENCE OF ANY TRACTS OR PARCELS HEREBY RELIANT 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.
4. "OWNER" DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) REMAIN, 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, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE MAP OF DEDICATION RIGHT-OF-WAY AS SHOWN ON THIS MAP OF DEDICATION SHALL BE THE RIGHT-OF-WAY IS WIDENED TO CITY DIMENSIONS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF RESPONSIBILITY OF THE ADJACENT OWNER FOR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID MAP OF DEDICATION UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY DIMENSIONS AND ACCEPTED BY THE CITY OF SURPRISE.
5. "OWNER" HEREBY GRANTS TO THE PUBLIC A NON-EXCLUSIVE EASEMENT OVER UPON AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE MAP OF DEDICATION FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.
6. THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIAN WITHIN COLLECTOR AND LOCAL STREETS AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DESIGNATED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.
7. "OWNER" HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE AN AVIATION EASEMENT OVER AND ACROSS THE MAP OF DEDICATION, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT AND THE RIGHT OF LANDING AND TAKEOFF OF AIRCRAFT. THIS EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT AND THE RIGHT OF LANDING AND TAKEOFF OF AIRCRAFT. THIS EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT AND THE RIGHT OF LANDING AND TAKEOFF OF AIRCRAFT. THIS EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT AND THE RIGHT OF LANDING AND TAKEOFF OF AIRCRAFT.
8. "OWNER" HEREBY GRANTS TO THE CITY OF SURPRISE AN AVIATION EASEMENT OVER UPON AND ACROSS, THIS MAP OF DEDICATION, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO INVOICE WITH GOODS, FUELS, SMELLS, AND PHYSICAL AIRBORNE PARTICULATES CAUSED BY THE LOCAL OPERATOR AND MAINTENANCE OF THE CITY'S WATER REGULATION PARTICULATES THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT OR TAKING OFF FROM OR OPERATING AT OR OVER THE LAND AND AIR FORCE BASE AND ADJACENT FIELDS.
9. THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND INDIVISIBLE, AND SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS MAP OF DEDICATION OR ANY PARCEL THEREOF.
10. "OWNER" HEREBY WARRANTS AND REPRESENTS TO THE CITY OF SURPRISE THAT IT IS THE SOLE OWNER OF THE PROPERTY COVERED BY THIS MAP OF DEDICATION, AND THAT IT HAS NO OTHER INTERESTS IN THE PROPERTY COVERED BY THIS MAP OF DEDICATION. "OWNER" HEREBY WARRANTS AND REPRESENTS TO THE CITY OF SURPRISE THAT IT IS THE SOLE OWNER OF THE PROPERTY COVERED BY THIS MAP OF DEDICATION, AND THAT IT HAS NO OTHER INTERESTS IN THE PROPERTY COVERED BY THIS MAP OF DEDICATION. "OWNER" HEREBY WARRANTS AND REPRESENTS TO THE CITY OF SURPRISE THAT IT IS THE SOLE OWNER OF THE PROPERTY COVERED BY THIS MAP OF DEDICATION, AND THAT IT HAS NO OTHER INTERESTS IN THE PROPERTY COVERED BY THIS MAP OF DEDICATION.
11. LANDSCAPING MAINTENANCE WITHIN THE MEDIAN WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE THE RESPONSIBILITY OF THE CITY OF SURPRISE UPON ACCEPTANCE.

IN WITNESS WHEREOF:
WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, AS "OWNER", HAS HERETOBY CAUSED THEIR NAME TO BE SIGNED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF JULE E. COLLINS, ITS SENIOR VICE PRESIDENT ON THIS _____ DAY OF _____, 2017.

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION
BY _____ ITS SENIOR VICE PRESIDENT

NOTARY ACKNOWLEDGEMENT

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2017, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, APPEARED JULE E. COLLINS OF WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, WHO ACKNOWLEDGED HERSELF TO BE THE SENIOR VICE PRESIDENT, AND THAT SHE EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HERETOBY SET MY HAND AND OFFICIAL SEAL.
BY _____ MY COMMISSION EXPIRES _____
NOTARY PUBLIC

RANCHO MERCADO COMMUNITY ASSOCIATION RATIFICATION

BY THIS RATIFICATION, KAREN BEACON, DULY ELECTED PRESIDENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION ACKNOWLEDGES THE RESPONSIBILITIES HEREIN CONTAINED.
BY _____ ITS PRESIDENT
KAREN BEACON

NOTARY ACKNOWLEDGEMENT

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2017, KAREN BEACON PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HERSELF TO BE THE PRESIDENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION, AND THAT SHE, AS PRESIDENT, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HERETOBY SET MY HAND AND OFFICIAL SEAL.
BY _____ MY COMMISSION EXPIRES _____
NOTARY PUBLIC

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATE ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2017, BY
THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED _____ CITY ENGINEER _____ DATE _____

CITY OF SURPRISE COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA, THIS _____ DAY OF _____, 2017.

WATSON _____ DATE _____
ATTEST: _____
CITY CLERK _____ DATE _____

AREA CALCULATIONS

RIGHT OF WAY 200,515 SQ.FT. 4,603 AC

SHEET INDEX

COVER SHEET	DESCRIPTION	SHEET NO.
LEGAL DESCRIPTION, PLAT SHEET		2

OWNER/DEVELOPER

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION
880 EAST CHAPARRAL ROAD, SUITE 200
SCOTTSDALE, ARIZONA 85250
PHONE NO. 480-480-3709
FAX NO. 480-480-3709
CONTRACT PL. 104

RELEASE OF LIABILITY

1. WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION "OWNER" DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) REMAIN, 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, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE MAP OF DEDICATION RIGHT-OF-WAY AS SHOWN ON THIS MAP OF DEDICATION SHALL BE THE RIGHT-OF-WAY IS WIDENED TO CITY DIMENSIONS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF RESPONSIBILITY OF THE ADJACENT OWNER FOR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID MAP OF DEDICATION UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY DIMENSIONS AND ACCEPTED BY THE CITY OF SURPRISE.
2. WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION HEREBY AGREES TO REMAIN, 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 THAT THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

100 YEAR ASSURED WATER SUPPLY LANGUAGE

THE AREA PLATED HEREON LIES WITHIN THE ASSURED WATER SERVICE AREA OF THE CITY OF SURPRISE, ARIZONA, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-109.

GENERAL NOTES

1. IN ACCORDANCE WITH A.R.S. § 9-441-07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS MAP OF DEDICATION ARE IN CONFORMANCE WITH THE CITY OF SURPRISE GENERAL PLAN.
2. PURSUANT TO A.R.S. § 9-441-07, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ADDITIONS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL ADVERTISING TAXES AND PAYROLL TAXES APPLICABLE.
3. THE PROPERTY OWNER, OR ANY SUBSEQUENT OWNER, SHALL NOT PROCEED WITH ANY ON SITE GRADING OR CONSTRUCTION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
4. THIS MAP OF DEDICATION IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT APPROVED BY THE CITY OF SURPRISE ZONING CASE FB-188-08.
5. A PORTION OF THE PROPERTY IS LOCATED WITHIN THE AREA HAVING FLOOD ZONES "C", "A", AND "AE" AS SET BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAPS NO. 040520210A AND NO. 040520210B, WITH A DATE OF DETERMINATION OF OCTOBER 16, 2013. FOR COMMUNITY NO. 040520210A, MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS LOCATED, AS MAY BE AMENDED FROM TIME TO TIME.

THE BASIS OF SECTION LINE

THE WEST-EAST, MEASUREMENT LINE OF THE AREA HAVING FLOOD ZONES "C", "A", AND "AE" AS SET BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAPS NO. 040520210A AND NO. 040520210B, WITH A DATE OF DETERMINATION OF OCTOBER 16, 2013. FOR COMMUNITY NO. 040520210A, MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS LOCATED, AS MAY BE AMENDED FROM TIME TO TIME.

SURVEYOR'S CERTIFICATION

I, JAMES S. SPRING, PLS 22282, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ARIZONA, THAT THIS MAP OF DEDICATION CONSIDERING THIS SHEETS REPRESENTS A SURVEY PREPARED UNDER MY SUPERVISION DURING THE MONTH OF AUGUST 2017. THIS SURVEY IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE EXTERIOR BOUNDARY MONUMENTS ACTUALLY EXIST AS SHOWN AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JAMES S. SPRING, PLS 22282
ATWELL LLC
4700 EAST SOUTHERN AVENUE
MESA, ARIZONA 85206



NOTE: A.R.S. 32-151 STATES THAT THE USE OF THE WORD "CERTIFY" BY A PERSON OR FIRM THAT IS NOT REGISTERED OR CERTIFIED BY THE BOARD IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING FACTS OR FIGURES THAT ARE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE AN EXPRESS OR IMPLIED WARRANTY OR GUARANTEE.

FS17-097 Happy Valley Road Phase 3 MOD



SECTION 9
TOWNSHIP 4 NORTH
RANGE 1 WEST

SECTION 9
TOWNSHIP 4 NORTH
RANGE 1 WEST

SECTION 9
TOWNSHIP 4 NORTH
RANGE 1 WEST

SECTION 9
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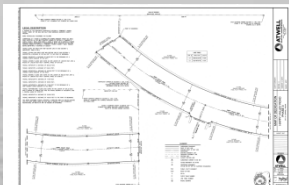
SECTION 9
TOWNSHIP 4 NORTH
RANGE 1 WEST

SECTION 9
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TOWNSHIP 4 NORTH
RANGE 1 WEST

SECTION 9
TOWNSHIP 4 NORTH
RANGE 1 WEST

SECTION 9
TOWNSHIP 4 NORTH
RANGE 1 WEST



AUGUST 2017

REVISIONS

ATWELL

JM. J. SPRING
DR. R. GILES
JOB NO.
09001944

N.T.S.

NOTED BY

1 OF 2

MAP OF DEDICATION FOR HAPPY VALLEY ROAD PHASE 2

A PORTION OF THE SOUTH HALF OF SECTION 4 &
A PORTION OF THE NORTH HALF OF SECTION 9,
TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN,
CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA



VICINITY MAP
SECTION 4 & 9, T4N, R1W

DEDICATION

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

KNOW ALL PERSONS BY THESE PRESENTS:

1. THAT WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, HEREINAFTER "TOWNET", HAS SUBDIVIDED UNDER THE NAME HAPPY VALLEY ROAD PHASE 2, LOCATED WITHIN A PORTION OF THE SOUTHWEST 1/4 OF SECTION 4 AND A PORTION OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA, AND HEREBY DECLARES THAT THIS MAP OF DEDICATION SETS FORTH THE LOCATION AND DIMENSIONS OF EACH STREET AND EXISTING EXISTING SAME, AND THAT EACH STREET SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS MAP OF DEDICATION.

2. "TOWNET" HEREBY DEDICATES TO THE CITY OF SURPRISE, FID TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE MAP OF DEDICATION.

3. 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 AND 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, ACCEPTS BY SEPARATE FORMAL RESOLUTION.

4. "TOWNET" DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) HEREBY, DEFINE, 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 DUE TO OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE AREA DEDICATED HEREIN, AS SHOWN ON THE MAP OF DEDICATION, UNLESS THE CITY OF SURPRISE, BEING REFERRED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY PUBLIC DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS MAP OF DEDICATION SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID MAP OF THE CITY OF SURPRISE. THE CITY OF SURPRISE, SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF THE AREA WITHIN ANY PUBLIC DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS MAP OF DEDICATION, UNLESS THE CITY COUNCIL, BEING REFERRED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL.

5. "TOWNET" HEREBY GRANTS TO THE PUBLIC A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE MAP OF DEDICATION FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

6. THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIAN WITHIN COLLECTIONS AND LOCAL STREETS AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DEDICATED EASEMENT, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.

7. "TOWNET" HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE AN AIRBORNE EXERCISE CORSE AND ACROSS THIS MAP OF DEDICATION, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS MAP OF DEDICATION, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATION, FUEL, OIL, FUEL AND LUBRICANT PARTICLES THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON OR NEAR, AIR FORCE BASE AND AIRCRAFT FIELD.

8. "TOWNET" HEREBY GRANTS TO THE CITY OF SURPRISE AN OCEAN EASEMENT OVER, UPON AND ACROSS, THIS MAP OF DEDICATION, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO PRANDE WITH OCEAN, FISHES, SHELLS, AND PHYSICAL AIRBORNE PARTICLES CAUSED BY THE LAUNCH OPERATION AND MAINTENANCE OF THE CITY'S WATER RECLAMATION FACILITY.

9. 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 MAP OF DEDICATION OR ANY PARCEL THEREOF.

10. "TOWNET" HEREBY WARRANTS AND REPRESENTS TO THE CITY OF SURPRISE THAT IT IS THE SOLE OWNER OF THE PROPERTY COVERED BY THIS MAP OF DEDICATION, AND THAT EVERY LINDER EASEMENT OR OTHER INTEREST IN THE PROPERTY HAS BEEN FULLY DISCLOSED TO THE CITY OF SURPRISE. IF ANY OTHER REAL PROPERTY INTEREST CREATED OR TRANSFERRED BY THIS MAP OF DEDICATION, HAS CONSIDERED TO BE LINDERED IN THIS MAP OF DEDICATION, IT IS HEREBY GRANTED TO THE CITY OF SURPRISE, AND THE CITY OF SURPRISE, SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE AREA WITHIN ANY PUBLIC DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS MAP OF DEDICATION, UNLESS THE CITY COUNCIL, BEING REFERRED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL.

11. LANDSCAPING MAINTENANCE WITHIN THE MEDIAN WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY AIRPORT, OR PARKWAY STREET CLASSIFICATION SHALL BE THE RESPONSIBILITY OF THE CITY OF SURPRISE, ARIZONA.

IN WITNESS WHEREOF:

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, AS "TOWNET", HAS HERETOBY CAUSED THEIR NAME TO BE SIGNED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF JALE E. COLLINS, ITS SENIOR VICE PRESIDENT, ON THIS ____ DAY OF _____, 2017.

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION
BY: JALE E. COLLINS ITS SENIOR VICE PRESIDENT

NOTARY ACKNOWLEDGEMENT

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

ON THIS ____ DAY OF _____, 2017, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, APPEARED JALE E. COLLINS OF WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, AND ACKNOWLEDGED HEREBY TO BE THE SENIOR VICE PRESIDENT, AND THAT SHE EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HERETOBY SET MY HAND AND OFFICIAL SEAL.
NOTARY PUBLIC MY COMMISSION EXPIRES ____

RANCHO MERCADO COMMUNITY ASSOCIATION RATIFICATION

BY THIS RATIFICATION, RANCHO MERCADO, SOLE EXECUTED PRESIDENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION ACKNOWLEDGES THE RESPONSIBILITIES DEDICATED HEREIN.

STATE OF ARIZONA }
COUNTY OF MARICOPA }
BY: KAREN BEACON ITS PRESIDENT

NOTARY ACKNOWLEDGEMENT

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

ON THIS ____ DAY OF _____, 2017, KAREN BEACON PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HEREBY TO BE THE PRESIDENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION, AND THAT SHE, AS PRESIDENT, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HERETOBY SET MY HAND AND OFFICIAL SEAL.
NOTARY PUBLIC MY COMMISSION EXPIRES ____

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATE ON THIS PLAT REVIEWED AND APPROVED THIS ____ DAY OF _____, 2017, BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED: CITY ENGINEER DATE

CITY OF SURPRISE COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA, THIS ____ DAY OF _____, 2017.

MAJOR DATE

ATTEST: CITY CLERK DATE

AREA CALCULATIONS

RIGHT OF WAY	20880 SQ. FT.	6,174 AC
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SHEET INDEX

COVER SHEET	DESCRIPTION	SHEET NO
LEGAL, DESCRIPTION & M.O.D. SHEETS		2 & 3

OWNER/DEVELOPER

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION,
8845 EAST CHANDLER ROAD, SUITE 200
SCOTTSDALE, ARIZONA 85208
PHONE NO. 480-850-3759
CONTACT: FL LUNA

RELEASE OF LIABILITY

1. WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, "TOWNET" DOES HEREBY (1) RELEASE AND DISCHARGE THE "CITY" AND THE CITY OF SURPRISE, AND (2) HEREBY, DEFINE, 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 DUE TO OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE AREA DEDICATED HEREIN, AS SHOWN ON THE MAP OF DEDICATION, UNLESS THE CITY OF SURPRISE, BEING REFERRED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY PUBLIC DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS MAP OF DEDICATION SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID MAP OF THE CITY OF SURPRISE. THE CITY OF SURPRISE, SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF THE AREA WITHIN ANY PUBLIC DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS MAP OF DEDICATION, UNLESS THE CITY COUNCIL, BEING REFERRED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL.

2. WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, HEREBY AGREES TO HEREBY, DEFINE, 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 SEWERALS LOCATED WITHIN THE RIGHT-OF-WAY, UNLESS, SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SEWERALS.

100 YEAR ASSURED WATER SUPPLY LANGUAGE

THE AREA PLATTED HEREIN LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF THE CITY OF SURPRISE, AND IS 2010-012, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 40-206.

GENERAL NOTES

- IN ACCORDANCE WITH A.R.S. § 9-461-007, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS MAP OF DEDICATION ARE IN CONFORMANCE WITH THE CITY OF SURPRISE GENERAL PLAN.
- THE CITY OF SURPRISE, HEREBY GRANTS TO THE CITY OF SURPRISE, A RESOLUTION, RESOLUTION NO. 2010-012, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSURED WATER SUPPLY EXCEPT FOR SPECIAL PURPOSES PAID BY THE CITY OF SURPRISE.
- THE PROPERTY OWNER, OR ANY SUBSEQUENT OWNER, SHALL NOT PROCEED WITH ANY SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
- THIS MAP OF DEDICATION IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT APPROVED BY THE CITY OF SURPRISE, 2010-012, AS FID-068.
- THE CITY OF SURPRISE, HEREBY GRANTS TO THE CITY OF SURPRISE, A RESOLUTION, RESOLUTION NO. 2010-012, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSURED WATER SUPPLY EXCEPT FOR SPECIAL PURPOSES PAID BY THE CITY OF SURPRISE.

BAIS OF BEARING

THE WEST-EAST, MID-SECTION LINE OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, BEARS A BEARING OF N 89° 45' 00" E, 20880 FT. THIS POSITION WAS DERIVED FROM THE ESTABLISHED NEIS POINTS (SV000 & A3067) PROJECT HEREIN SCALAS TO OBTAIN A 1:1 HORIZONTAL ERROR = (0.004) ANGLE ERROR = (0.0007)°

SURVEYOR'S CERTIFICATION

JAMES G. SPRING, PLS 22282, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ARIZONA, THAT THIS MAP OF DEDICATION CONSIDERING OF THESE SHEETS REPRESENTS A SURVEY PREPARED UNDER MY SUPERVISION DURING THE MONTH OF AUGUST, 2017, THAT THE SURVEY IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE EXTENSION BOUNDARY WORKMENTS ACTUALLY EXIST AS SHOWN AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JAMES G. SPRING, PLS 22282
ATWELL, LLC
4300 EAST SOUTHERN AVENUE
MESA, ARIZONA 85204



NOTE: A.R.S. § 20-110 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 FIGURES THAT ARE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE AN EXPRESSION OF IMPLIED WARRANTY OR GUARANTEE.

FS17-098 Happy Valley Road Phase 2 MOD



COUNTY: MARICOPA
SECTION: 4 & 9
TOWNSHIP: 4 NORTH
RANGE: 1 WEST

MAP OF DEDICATION
HAPPY VALLEY ROAD
PHASE 2
CITY OF SURPRISE, ARIZONA

AUGUST 2017

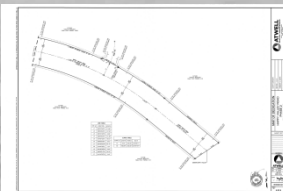
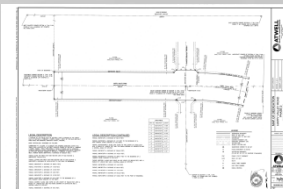
REVISIONS:



PL: J. SPRING
DR: R. GILES
JOB NO.
09001944

N.T.S.

SHEET
1 OF 3





SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



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- [FS16-384 Vicinity Map](#)
- [FS16-384 Case Map](#)
- [FS17-097 Vicinity Map](#)
- [FS17-097 Case Map](#)
- [FS17-098 Vicinity Map](#)
- [FS17-098 Case Map](#)
- [Composite Map](#)
- [FS16-384 MOD](#)
- [FS17-097 MOD](#)
- [FS17-098 MOD](#)