Surprise Fire-Medical

City of Surprise Police Department

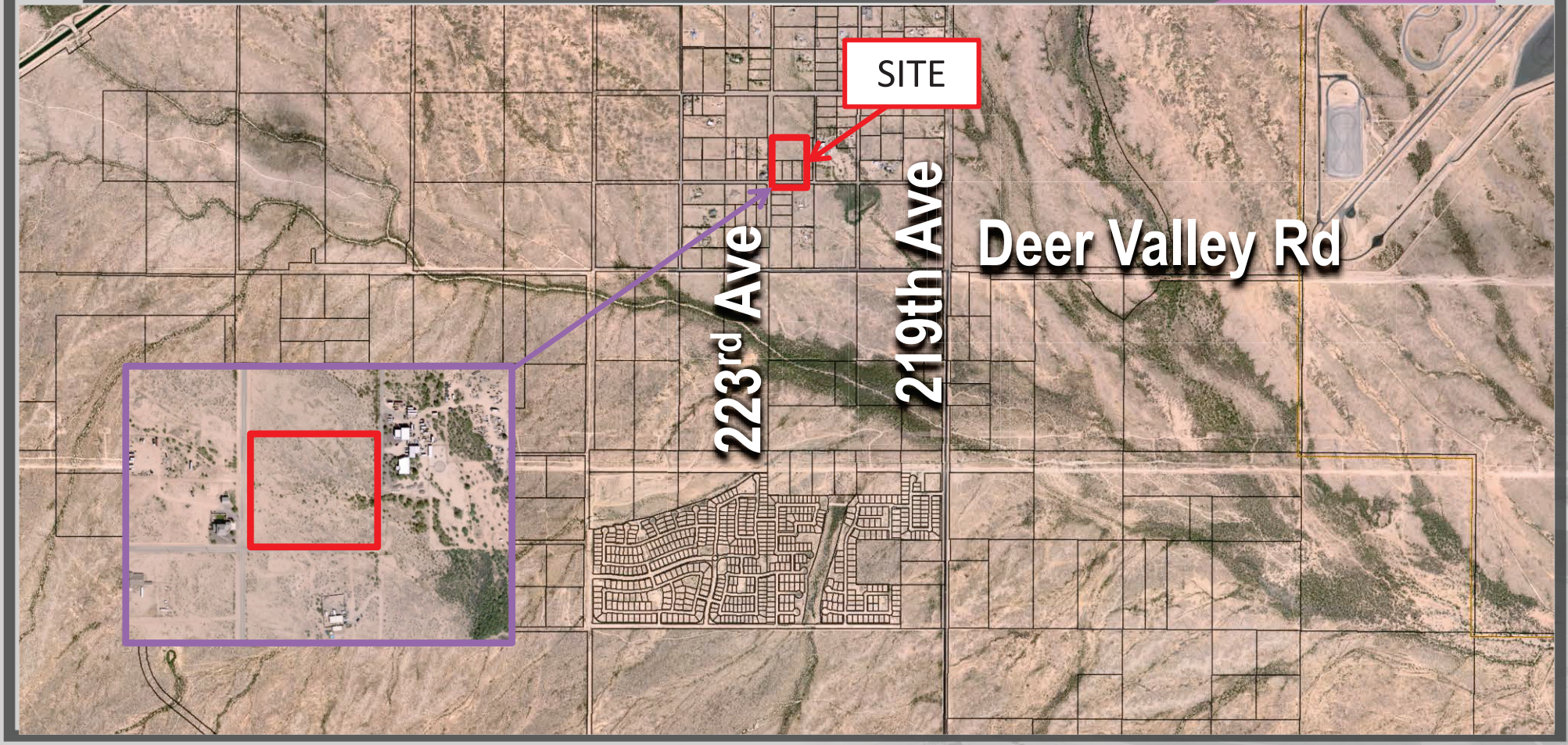
ANNE MORENO

Digitally signed by ANNE MORENO
Date: 2018.08.06 10:40:14 -07'00'

JEROME FAIRWEATHER

Digitally signed by JEROME FAIRWEATHER
Date: 2018.08.06 11:15:30 -07'00'

Vicinity MAP



CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	6
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 3" dated June 21, 2018, a property generally located south of Waddell Road and east of the 145th Avenue alignment in Marley Park.

Motion:

I move to approve the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 3" dated June 21, 2018.

Background:

Mike Gleason of Entellus, on behalf of Meritage Homes, requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 81 single-family residential lots, in addition to approximately 2.3 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018

Objective Analysis:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC;

however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. Luke AFB did not offer comment with respect to the subject Final Plat; however, at 4.38 DU/Ac, the subject Final Plat does not meet the GDC.

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 - Homestead at Marley Park Parcel 3 Final Plat - Staff Report
- 01 - Homestead at Marley Park Parcel 3 Final Plat - Case Map
- 02 - Homestead at Marley Park Parcel 3 Final Plat
- 03 - Homestead at Marley Park Parcel 3 Final Plat - Presentation

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-178**
Project Name:	Homestead at Marley Park Parcel 3 Final Plat
Council District:	6 – Palo Verde
Meeting Date:	**September 04, 2018**
Planner:	Robert H. Kuhfuss, AICP

Owner:	Meritage Homes
Applicant:	Mike Gleason, Entellus, Inc.
Request:	70-Lot, 5-Tract Final Plat in the PAD Zoning District (Marley Park)
Site Location:	Generally south of Waddell Road and east of the 145th Avenue alignment in Marley Park
Site Size:	15.98 gross acres (approx.)
Density:	4.38 DU/Ac
General Plan Conformance:	The proposal advances the goals of the Surprise General Plan 2035
Support/Opposition:	None known.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat 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 Final Plat will allow the developer to proceed with the construction of the associated subdivision.
	Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Project Description:

Mike Gleason of Entellus, on behalf of Meritage Homes, requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 81 single-family residential lots, in addition to approximately 2.3 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

BACKGROUND:

October 25, 2000: The City Council approved the original Marley Park PAD under case PAD00-091.

September 26, 2002: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of adding land mass to the PAD under case PADA02-104.

March 23, 2006: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of addressing densities in the eastern portion of Marley Park.

March 12, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 9 under case FS18-135, which is discussed under separate cover.

March 20, 2018: The City Council approved the Preliminary Plat for Marley Park Phase 4 & 5 under case FS17-508. The City Council also approved three (3) related Maps-of-Dedication (MOD) this date. Said MODs were for Sweetwater Avenue, 144th Drive, and Old Oak Lane under cases FS17-584, FS17-601, and FS17-618, respectively.

March 26, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 8 under case FS18-162, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 4 under case FS18-177, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 3 under case FS18-178, the subject case.

April 5, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 1A and 1B under case FS18-181, which is discussed under separate cover.

April 10, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 7 under case FS18-190, which is discussed under separate cover.

April 18, 2018: The applicant filed a request for a Final Plat and Landscape Plan Review for Marley Park Phase 4 & 5, Park "B" under case FS18-209, which is still under review.

April 23, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 6 under case FS18-214, which is discussed under separate cover.

May 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 5 under case FS18-245, which is discussed under separate cover.

June 5, 2018: The City Council approved a Final Plat for the Homestead and Marley Park Model Complex and Park "A" under FS18-103.

Citizen Outreach:

N/A

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC; however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. Luke AFB did not offer comment with respect to the subject Final Plat; however, at 4.38 DU/Ac, the subject Final Plat does not meet the GDC.

Reviewing Agencies:

All city reviewing departments have reviewed the request and expressed no objections to the request. The subject Final Plat was also routed to the standard external reviewing agencies, who offered the following comments:

Flood Control District of Maricopa County (FCDMC): FCDMC indicated no objections to the request.

Maricopa Water District (MWD): MWD indicated the proposed project is outside their current boundaries.

Arizona Department of Transportation (ADOT): ADOT indicated no objection to the request.

Summary:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD.
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

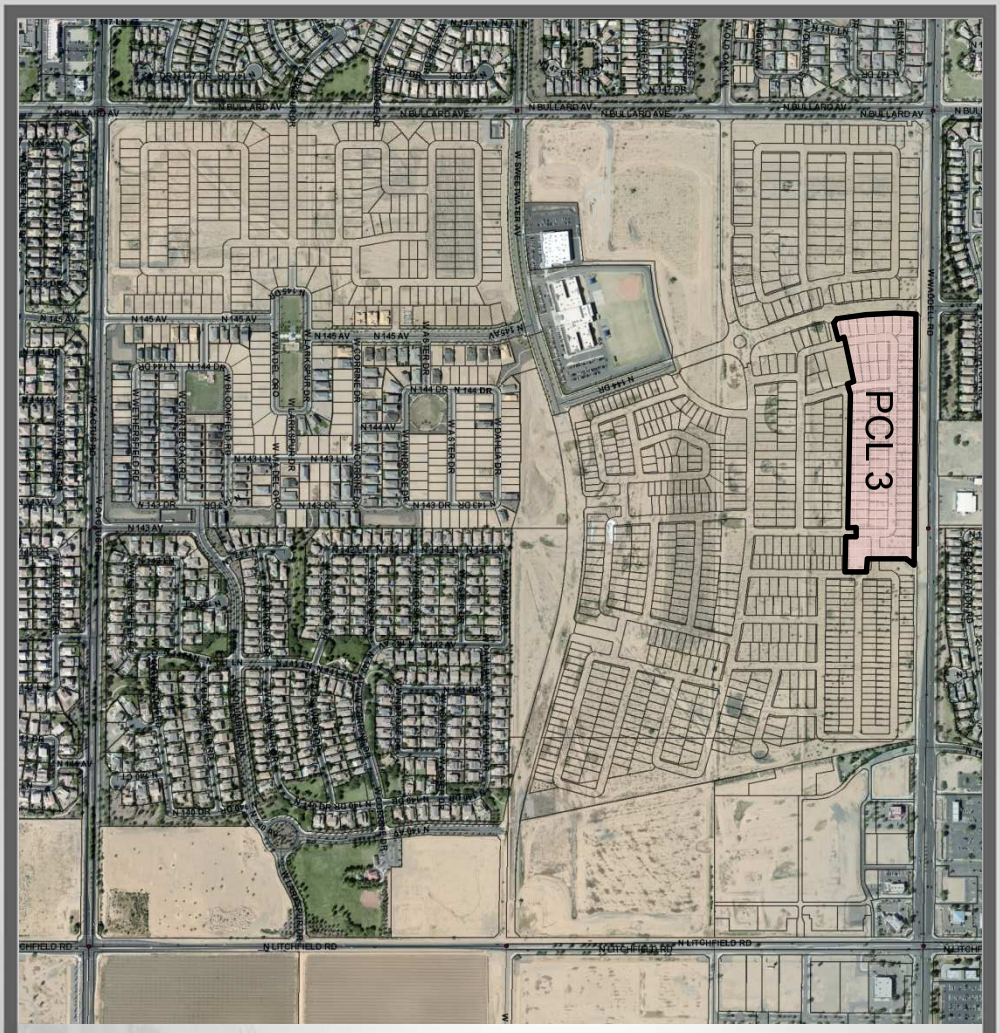
Alternative Actions:

Approval of the requested Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Attachments:

01 – Case Map
02 – Final Plat



FS18-178 Case Map

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 3
SURPRISE, ARIZONA

A PORTION OF THE NORTH HALF
OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST
OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA)
) SS.
COUNTY OF MARICOPA)

KNOW ALL PERSONS BY THESE PRESENTS: THAT MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 3" A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT AND EASEMENT, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, AND LETTER GIVEN TO EACH RESPECTIVELY. THE PURPOSES OF THE EASEMENTS ARE SHOWN HEREON.

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

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

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL EXCLUSIVE EASEMENT OVER, UNDER, UPON AND ACROSS ALL AREAS DESIGNATED ON THE PLAT AS WATER/SEWER LINES, MANHOLES, FIRE HYDRANTS AND WATER METERS FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING THE WATER/SEWER LINES, MANHOLES, FIRE HYDRANTS AND WATER METER.

OWNER 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 TO EACH PARCEL CREATED BY THIS PLAT.

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

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

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

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

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

ALL IMPROVEMENTS FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY INSTALLED OR CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHT–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.

PERPETUAL WATER SEWER EASEMENT ("EASEMENTS") AS DESCRIBED IN THE PLAT ARE GRANTED TO AND ITS SUCCESSORS AND ASSIGNS (COLLECTIVELY, "GRANTEE"), TO CONSTRUCT, OPERATE, AND MAINTAIN WATER AND SEWER LINES AND APPURTENANT FACILITIES (COLLECTIVELY, "FACILITIES") UPON, ACROSS, OVER AND UNDER THE SURFACE OF THE EASEMENTS, TOGETHER WITH THE RIGHT TO OPERATE, REPAIR, REPLACE, MAINTAIN, AND REMOVE THE FACILITIES FROM THE PREMISES; TO ADD OR TO ALTER THE FACILITIES, AND TO PROVIDE GRANTEE WITH REASONABLE INGRESS AND EGRESS TO THE FACILITIES. GRANTEE WILL HAVE UNRESTRICTED ACCESS TO THE EASEMENT FOR THE ACTIVITIES DESCRIBED ABOVE AND FORMAL NOTIFICATION OR APPROVAL BY ANY ASSOCIATION PRIOR TO ACCESSING THE EASEMENT WILL NOT BE REQUIRED.

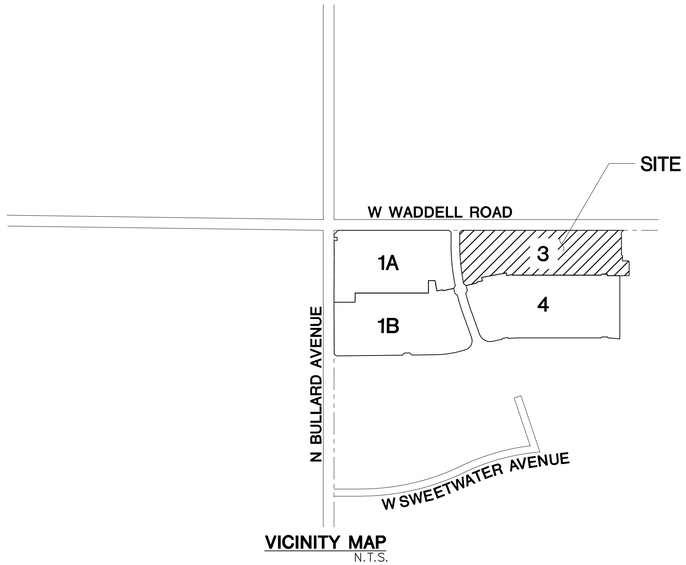
GRANTOR SHALL NOT ERECT OR CONSTRUCT OR PERMIT TO BE ERECTED OR CONSTRUCTED ANY BUILDING, STRUCTURE OR SIMILAR IMPROVEMENT WITHIN THE LIMITS OF THE EASEMENT GRANTED HEREIN, GRANTOR SHALL NOT, NOR PERMIT, THE GRADE OVER GRANTEE'S FACILITIES TO BE SUBSTANTIALLY ALTERED WITHOUT, IN EACH INSTANCE, THE PRIOR WRITTEN CONSENT OF GRANTEE, AND GRANTOR AGREES THAT NO OTHER PIPES OR CONDUITS SHALL BE PLACED WITHIN THE PREMISES SUBJECT TO THE EASEMENT GRANTED HEREIN, EXCEPT PIPES CROSSING GRANTEE'S FACILITIES AT RIGHT ANGLES, IN WHICH CASE, A MINIMUM VERTICAL DISTANCE OF TWO (2) FEET (A MEASURED FROM THE CLOSEST POINTS ON THE OUTSIDE EDGES) SHALL BE MAINTAINED BETWEEN GRANTEE'S FACILITIES AND SUCH OTHER PIPES OR CONDUITS. UNLESS GRANTEE EXPRESSLY CONSENTS IN WRITING OTHERWISE, ANY AND ALL SEWER PIPES CROSSING THE EASEMENT GRANTED HEREIN SHALL BE LAID BELOW GRANTEE'S FACILITIES. HOWEVER, GRANTOR SHALL HAVE THE RIGHT TO CONSTRUCT AND ERECT FENCES, TO INSTALL LANDSCAPING, PARKING FACILITIES AND DRIVEWAYS, AND TO ESTABLISH OTHER USES THAT ARE NOT INCONSISTENT WITH USES WITHIN THE LIMITS OF SAID EASEMENT IN A MANNER THAT WILL NOT UNREASONABLY INTERFERE WITH GRANTEE'S ACCESS TO THE FACILITIES.

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 _____, 2018.

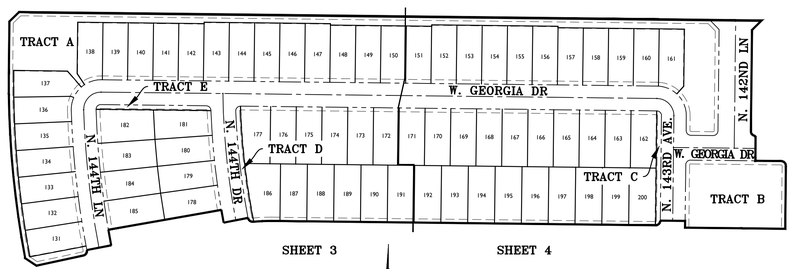
MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION

BY_____ DATE_____

ITS_____



VICINITY MAP
N.T.S.



KEY MAP
N.T.S.

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APROVED THIS____ DAY OF_____, 2018, 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_____, 2018

_____
MAYOR DATE

ATTEST:

_____
CITY CLERK DATE

ACKNOWLEDGEMENT

STATE OF ARIZONA

COUNTY OF MARICOPA

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ WHO ACKNOWLEDGED THEMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES

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.

ASSURED WATER SUPPLY CERTIFICATION

THE AREA PLATTED HERON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS NO. 2010–012, SIGNED ON SEPTEMBER 29, 2011, DECISION AND ORDER NUMBER 86–002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. 45–576.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 NOTES & DETAILS SHEET
SHEET 3 FINAL PLAT
SHEET 4 FINAL PLAT

CIVIL ENGINEER

ENTELLUS, INC
3033 N. 44TH STREET, STE 250
PHOENIX, AZ 85018
PHONE: 602–244–2566
CONTACT: MICHAEL R. GLEASON, P.E.

DEVELOPER

MERITAGE HOMES OF ARIZONA INC.
8800 E RAINTREE DR., SUITE 300
SCOTTSDALE, AZ 85260
TEL. (480)515–8251
CONTACT: JASON JARVIS

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA. AS MEASURED AND AS SHOWN ON THE FINAL PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 9", AS SHOWN ON THE MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 839, PAGE 39 M.C.R.
SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON–PROFIT CORPORATION HEREBY RATIFIES AND APPROVES THIS PLAT FOR "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 3 & 4" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED. DULY AUTHORIZED OFFICER THIS_____ DAY OF _____ 2018.

HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION

AN ARIZONA NON–PROFIT CORPORATION

BY_____

ITS_____

RELEASE OF LIABILITY

MERITAGE HOMES OF ARIZONA INC, AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF AIR FORCE (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, 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. 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 UNITED STATES OF AMERICA DEPARTMENT OF AIR FORCE (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 LOCATED WITHIN THE RIGHT–OF–WAY 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.

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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

CERTIFICATION

I, DAN FRANCETIC, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF MARCH 2018; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

SIGNED: _____

DATE OF PREPARATION: 06/01/2018

DANIEL G. FRANCETIC, RLS
REGISTERED LAND SURVEYOR #33874
ENTELLUS, INC.
3033 NORTH 44TH STREET, #250
PHOENIX, ARIZONA 85018
PHONE: 602–244–2566
E–MAIL: dfrancetic@entellus.com

Entellus™
3033 N. 44th Street, Suite 250
Phoenix, AZ 85018
Tel 602.244.2566
Fax 602.244.8947
Website: www.entellus.com

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
33874
DANIEL G. FRANCETIC
SURVEYOR
EXPIRES 06/30/20

REVISIONS:

	DATE	DESCRIPTION

VERSIONS:

	DATE	DESCRIPTION
X		
1	6/01/18	1ST SUBMITTAL TO CITY OF SURPRISE
2	6/21/18	2ND SUBMITTAL TO CITY OF SURPRISE

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 PARCEL 3
SURPRISE, MARICOPA COUNTY, ARIZONA
FINAL PLAT

DESIGN:	EM
DRAFTED:	DJ
QA/QC:	DGF
AS–BUILT #:	----
ENT. PROJ #:	728.003
SHEET: CVR	1 OF: 4

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 3
SURPRISE, ARIZONA

LEGAL DESCRIPTION

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5
PARCEL 3

THAT PORTION OF A PARCEL OF LAND DESCRIBED IN DOCUMENT # 2017-0729651 OF THE MARICOPA COUNTY RECORDER LYING IN THE NORTH HALF OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF SURPRISE BRASS CAP FOUND IN HAND HOLE AT THE NORTHWEST CORNER OF SAID SECTION 16, FROM WHICH THE CITY OF SURPRISE BRASS CAP FOUND FLUSH AT THE WEST QUARTER CORNER OF SAID SECTION 16 BEARS SOUTH 00 DEGREES 01 MINUTE 03 SECONDS EAST A DISTANCE OF 2,627.28 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, AND SAID LINE BEING THE BASIS OF BEARINGS OF THIS DESCRIPTION;

THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 2,639.19 FEET TO A CAPPED REBAR MARKED "WOOD PATEL LS27239" FOUND AT THE NORTH QUARTER CORNER OF SAID SECTION 16 AS DETERMINED FROM THE "MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD, AND CACTUS ROAD"FOUND IN BOOK 839 OF MAPS, PAGE 39 OF THE MARICOPA COUNTY RECORDER;

THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16, SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST A DISTANCE OF 160.70 FEET;

THENCE SOUTH 00 DEGREES 38 MINUTES 55 SECONDS WEST A DISTANCE OF 65.00 FEET TO A POINT ON THE EXISTING SOUTH RIGHT-OF-WAY OF WADDELL ROAD AS DEFINED IN SAID BOOK 839 OF MAPS, PAGE 39, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID EXISTING SOUTH RIGHT-OF-WAY LINE, SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST A DISTANCE OF 54.50 FEET;

THENCE SOUTH 45 DEGREES 38 MINUTES 55 SECONDS WEST A DISTANCE OF 28.28 FEET;

THENCE SOUTH 00 DEGREES 38 MINUTES 55 SECONDS WEST A DISTANCE OF 212.35 FEET TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE LEFT BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 89 DEGREES 59 MINUTES 44 SECONDS AN ARC DISTANCE OF 15.71 FEET;

THENCE SOUTH 00 DEGREES 39 MINUTES 11 SECONDS WEST A DISTANCE OF 52.00 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 54.24 FEET TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE RIGHT BEING CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, AN ARC DISTANCE OF 15.71 FEET;

THENCE SOUTH 00 DEGREES 39 MINUTES 11 SECONDS WEST A DISTANCE OF 131.91 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST A DISTANCE OF 210.00 FEET;

THENCE NORTH 00 DEGREES 39 MINUTES 11 SECONDS EAST A DISTANCE OF 14.24 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST A DISTANCE OF 52.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT, BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 10.00 FEET BEARING NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, AN ARC DISTANCE OF 15.71;

THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST A DISTANCE OF 805.78 FEET TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE LEFT BEING CONCAVE SOUTHERLY AND HAVING A RADIUS OF 326.01 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06 DEGREES 36 MINUTES 24 SECONDS, AN ARC DISTANCE OF 37.59 FEET TO A POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 85 DEGREES 02 MINUTES 20 SECONDS AN ARC DISTANCE OF 14.84 FEET;

THENCE SOUTH 79 DEGREES 05 MINUTES 08 SECONDS WEST A DISTANCE OF 52.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 1,535.85 FEET BEARING NORTH 79 DEGREES 05 MINUTES 08 SECONDS EAST;

THENCE ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 01 DEGREE 00 MINUTES 23 SECONDS, AN ARC DISTANCE OF 26.98 FEET;

THENCE SOUTH 80 DEGREES 05 MINUTES 31 SECONDS WEST A DISTANCE OF 240.50 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 1,776.35 FEET BEARING NORTH 80 DEGREES 05 MINUTES 31 SECONDS EAST;

THENCE ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 01 DEGREE 04 MINUTES 25 SECONDS AN ARC DISTANCE OF 33.28 FEET;

THENCE SOUTH 79 DEGREES 01 MINUTE 06 SECONDS WEST A DISTANCE OF 52.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 10.00 FEET BEARING SOUTH 79 DEGREES 01 MINUTE 06 SECONDS WEST;

THENCE ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 88 DEGREES 52 MINUTES 40 SECONDS AN ARC DISTANCE OF 15.51 FEET;

THENCE SOUTH 77 DEGREES 53 MINUTES 47 SECONDS WEST A DISTANCE OF 100.33 FEET;

THENCE NORTH 56 DEGREES 34 MINUTES 38 SECONDS WEST A DISTANCE OF 28.02 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 1,958.84 FEET BEARING NORTH 79 DEGREES 14 MINUTES 35 SECONDS EAST;

THENCE ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 11 DEGREES 24 MINUTES 32 SECONDS AN ARC DISTANCE OF 390.05;

THENCE NORTH 00 DEGREES 39 MINUTES 11 SECONDS EAST A DISTANCE OF 108.69 FEET;

THENCE NORTH 45 DEGREES 39 MINUTES 11 SECONDS EAST A DISTANCE OF 28.28 FEET TO A POINT ON SAID EXISTING SOUTH RIGHT-OF-WAY LINE OF WADDELL ROAD;

THENCE ALONG SAID EXISTING SOUTH RIGHT-OF-WAY LINE, SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 1,341.56 FEET TO AN ANGLE POINT IN SAID SOUTH RIGHT-OF-WAY LINE;

THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST A DISTANCE OF 160.70 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 696,092 SQUARE FEET OR 15.980 ACRES, MORE OR LESS.

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. THE PROPERTY OWNER AT THE TIME WHEN CITY OF SURPRISE WATER, AND/OR SEWER INFRASTRUCTURE IS AVAILABLE AT THE PROPERTY, SHALL BE REQUIRED TO CONNECT IN ACCORDANCE WITH SURPRISE MUNICIPAL CODE AND PAY ALL APPLICABLE FEES. ANY OWNER OF THE PROPERTY SHALL NOTIFY PROSPECTIVE BUYERS AND THE PUBLIC OF THIS NOTE, AND SALES CONTRACT, REPORT SHALL CONTAIN SUCH NOTE.
3. ON-SITE GRADING OR EXCAVATION SHALL NOT OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
4. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE MAP NO.04013C1680L, WITH A DATE OF IDENTIFICATION OF 10/16/2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
5. IN ACCORDANCE WITH ARS § 9-46107, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
6. PURSUANT TO ARS § 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.
7. THIS FINAL PLAT IS IN SUBSTANTIAL CONFORMANCE WITH THE MARLEY PARK PHASE 4 & 5 PRELIMINARY PLAT, APPROVED JAN. 17, 2018 UNDER CASE FS17-508.
8. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION.
9. 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.
10. DEVELOPMENT STANDARDS ARE PER CITY OF SURPRISE ZONING CASE # PADA02-104 OR AS SUBSEQUENTLY AMENDED.
11. NO STRUCTURES OF ANY KIND MAY BE CONSTRUCTED OR ANY VEGETATION BE PLANTED NOR BE ALLOWED TO GROW WITHIN THE DRAINAGE EASEMENT WHICH WOULD IMPEDE THE FLOW OF WATER OVER, UNDER, OR THROUGH THE EASEMENT.
12. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED ON, OVER OR PLACED WITHIN THE SEWER AND WATER EASEMENT EXCEPT WOOD, WIRE, OR REMOVABLE SECTION TYPE FENCING AND/OR PAVING, NOR ANY PLANTING EXCEPT GRASS. IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF SURPRISE ("CITY") SHALL NOT BE REQUIRED TO REPLACE ANY OBSTRUCTIONS, SHRUBS AND GROUND COVER THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION, OR RECONSTRUCTION OF CITY UTILITIES.
13. CONSTRUCTIONS WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO UTILITIES, WOOD, WIRE, OR REMOVABLE SECTION TYPE FENCING.
14. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
15. STRUCTURES AND LANDSCAPING AT ALL INTERSECTIONS OF STREET RIGHT-OF-WAY WILL BE MAINTAINED AT A MAXIMUM OF 2 FEET IN HEIGHT WITHIN 33' X 33' TRIANGLE MEASURED ALONG THE RIGHT-OF-WAY LINES.
16. EACH LOT OF THIS SUBDIVISION IS PERMITTED ONE DWELLING UNIT PER LOT.
17. ALL EASEMENTS ARE SUBORDINATE TO DRAINAGE EASEMENTS.

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
131	6526.44	0.1498
132	6526.44	0.1498
133	6526.44	0.1498
134	6526.44	0.1498
135	6526.44	0.1498
136	6582.71	0.1511
137	7058.02	0.1620
138	6472.63	0.1486
139	6360.00	0.1460
140	6360.00	0.1460
141	6360.00	0.1460
142	6360.00	0.1460
143	6519.00	0.1497
144	6519.00	0.1497
145	6519.00	0.1497
146	6519.00	0.1497
147	6519.00	0.1497
148	6360.00	0.1460
149	6360.00	0.1460
150	6360.00	0.1460
151	6360.00	0.1460
152	6519.00	0.1497
153	6519.00	0.1497
154	6519.00	0.1497

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
155	6519.00	0.1497
156	6519.00	0.1497
157	6360.00	0.1460
158	6360.00	0.1460
159	6360.00	0.1460
160	6360.07	0.1460
161	6684.04	0.1534
162	6476.86	0.1487
163	6476.86	0.1487
164	6476.86	0.1487
165	6476.86	0.1487
166	6476.86	0.1487
167	6476.86	0.1487
168	6476.86	0.1487
169	6476.86	0.1487
170	6476.86	0.1487
171	6476.86	0.1487
172	6476.86	0.1487
173	6476.86	0.1487
174	6476.86	0.1487
175	6476.86	0.1487
176	6476.86	0.1487
177	7102.30	0.1630
178	6567.26	0.1508

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
179	6567.28	0.1508
180	6567.26	0.1508
181	6838.13	0.1570
182	8030.08	0.1843
183	7069.34	0.1623
184	7069.37	0.1623
185	7069.34	0.1623
186	8001.67	0.1837
187	6747.92	0.1549
188	6747.92	0.1549
189	6747.92	0.1549
190	6747.92	0.1549
191	6747.92	0.1549
192	6747.92	0.1549
193	6747.92	0.1549
194	6747.92	0.1549
195	6747.92	0.1549
196	6747.92	0.1549
197	6747.92	0.1549
198	6747.92	0.1549
199	6747.92	0.1549
200	6747.92	0.1549

TRACT AREA TABLE			
TRACT	AREA(SF)	AREA(AC)	USE
TRACT A	65234.15	1.4976	OPEN SPACE, RETENTION, P.U.E., S.V.E.
TRACT B	29757.86	0.6831	OPEN SPACE, RETENTION, P.U.E., S.V.E.
TRACT C	2357.08	0.0541	OPEN SPACE, P.U.E., S.V.E.
TRACT D	2407.11	0.0553	OPEN SPACE, P.U.E., S.V.E.
TRACT E	2364.25	0.0543	OPEN SPACE, P.U.E., S.V.E.

PARCEL AREA TABLE			
PARCEL	AREA(SF)	AREA(AC)	USE
PARCEL 3	696091.69	15.9801	SINGLE FAMILY RESIDENCE

RIGHT OF WAY AREA TABLE			
R/W	AREA(SF)	AREA(AC)	USE
ROW	130525.78	2.9965	PUBLIC INGRESS & EGRESS

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REGISTERED LAND SURVEYOR
CERTIFICATE NO.
33874
DANIEL G. FRANCETIC
EXPIRES 06/30/20

SURVEYOR

REVISIONS:

	DATE	DESCRIPTION

VERSIONS:

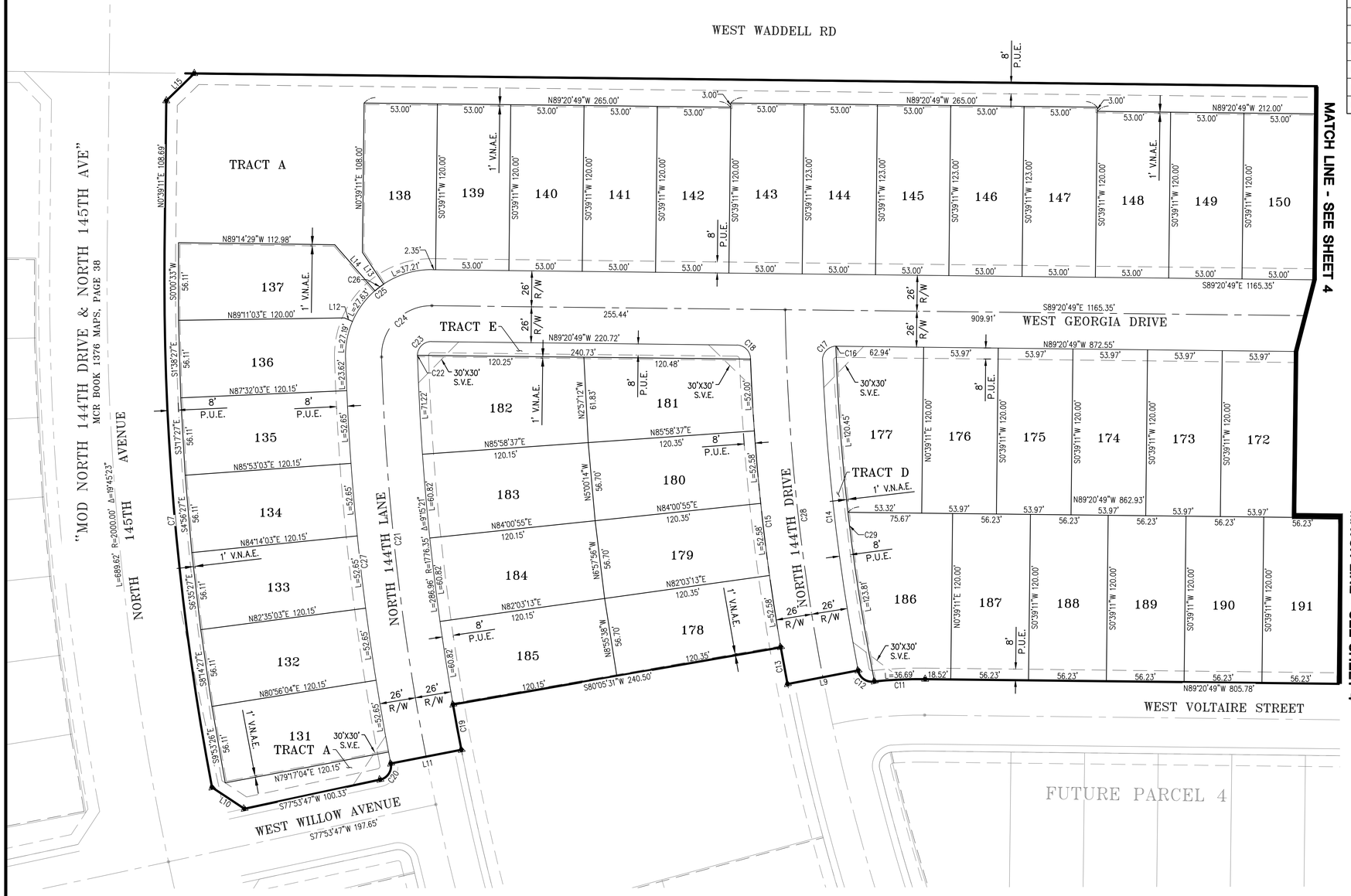
X	DATE	DESCRIPTION
1	6/01/18	1ST SUBMITTAL TO CITY OF SURPRISE
2	6/21/18	2ND SUBMITTAL TO CITY OF SURPRISE

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 PARCEL 3
SURPRISE, MARICOPA COUNTY, ARIZONA

FINAL PLAT

DESIGN:	EM
DRAFTED:	DJ
QA/QC:	DGF
AS-BUILT #:	----
ENT. PROJ #:	728.003
SHEET: DET	2 OF: 4

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 3
SURPRISE, ARIZONA



LINE TABLE		
#	LENGTH	BEARING
L1	28.28'	N 44°21'05" W
L2	28.28'	S 45°38'55" W
L3	21.55'	S 42°44'32" W
L4	30.33'	S 00°39'11" W
L5	46.76'	S 89°20'49" E
L6	52.00'	S 00°39'11" W
L7	14.24'	N 00°39'11" E
L8	52.00'	N 89°20'49" W
L9	52.00'	S 79°05'08" W
L10	28.02'	N 56°34'38" W
L11	52.00'	S 79°01'06" W
L12	6.39'	S 66°36'11" E
L13	27.67'	N 33°44'13" W
L14	44.20'	N 41°04'24" W
L15	28.28'	N 45°39'11" E

CURVE TABLE				
#	LENGTH	RADIUS	TANGENT	DELTA
C1	97.39'	62.00'	62.00'	90°00'00"
C2	56.55'	36.00'	36.00'	90°00'00"
C3	15.71'	10.00'	10.00'	90°00'00"
C4	15.71'	10.00'	10.00'	90°00'00"
C5	15.71'	10.00'	10.00'	90°00'16"
C6	15.71'	10.00'	10.00'	89°59'44"
C7	390.05'	1958.84'	195.67'	11°24'32"
C8	15.71'	10.00'	10.00'	90°00'00"
C9	15.71'	10.00'	10.00'	90°00'00"
C10	15.71'	10.00'	10.00'	90°00'00"
C11	37.59'	326.01'	18.82'	6°36'24"
C12	14.84'	10.00'	9.17'	85°02'21"
C13	26.98'	1535.85'	13.49'	1°00'24"
C14	225.74'	1483.85'	113.09'	8°42'59"
C15	237.21'	1535.85'	118.84'	8°50'58"
C16	0.46'	10.00'	0.23'	2°39'24"
C17	16.21'	10.00'	10.51'	92°51'04"
C18	15.23'	10.00'	9.54'	87°16'54"
C19	33.28'	1776.35'	16.64'	1°04'25"
C20	15.51'	10.00'	9.81'	88°52'41"
C21	533.92'	1802.35'	268.93'	16°58'23"
C22	0.42'	10.00'	0.21'	2°22'43"
C23	16.12'	10.00'	10.42'	92°22'43"
C24	58.04'	36.00'	37.53'	92°22'43"
C25	99.96'	62.00'	64.63'	92°22'43"
C26	7.94'	62.00'	3.97'	7°20'10"
C27	295.36'	1828.35'	148.00'	9°15'21"
C28	267.51'	1509.85'	134.11'	10°09'06"
C29	244.26'	1473.85'	122.41'	9°29'44"

LEGEND

- PROPERTY BOUNDARY
- RIGHT OF WAY LINE
- CENTER LINE
- EASEMENT
- LOT LINE
- ⊥ LOT CORNER
- ▲ PROPERTY CORNER–SET 1/2" REBAR W/CAP "RLS 33874"
- ◦ MONUMENT
- ◉ FOUND BRASS CAP FLUSH
- • CALCULATED POSITION
- CL CENTER LINE
- C.O.S. CITY OF SURPRISE
- BSL BUILDING SETBACK LINE
- POB POINT OF BEGINNING
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT OF WAY
- SVE SIGHT VISIBILITY EASEMENT
- VNAE VEHICLE NON–ACCESS EASEMENT

40 20 0 40 80
SCALE: 1"=40'

Call at least two full working days before you begin excavation.
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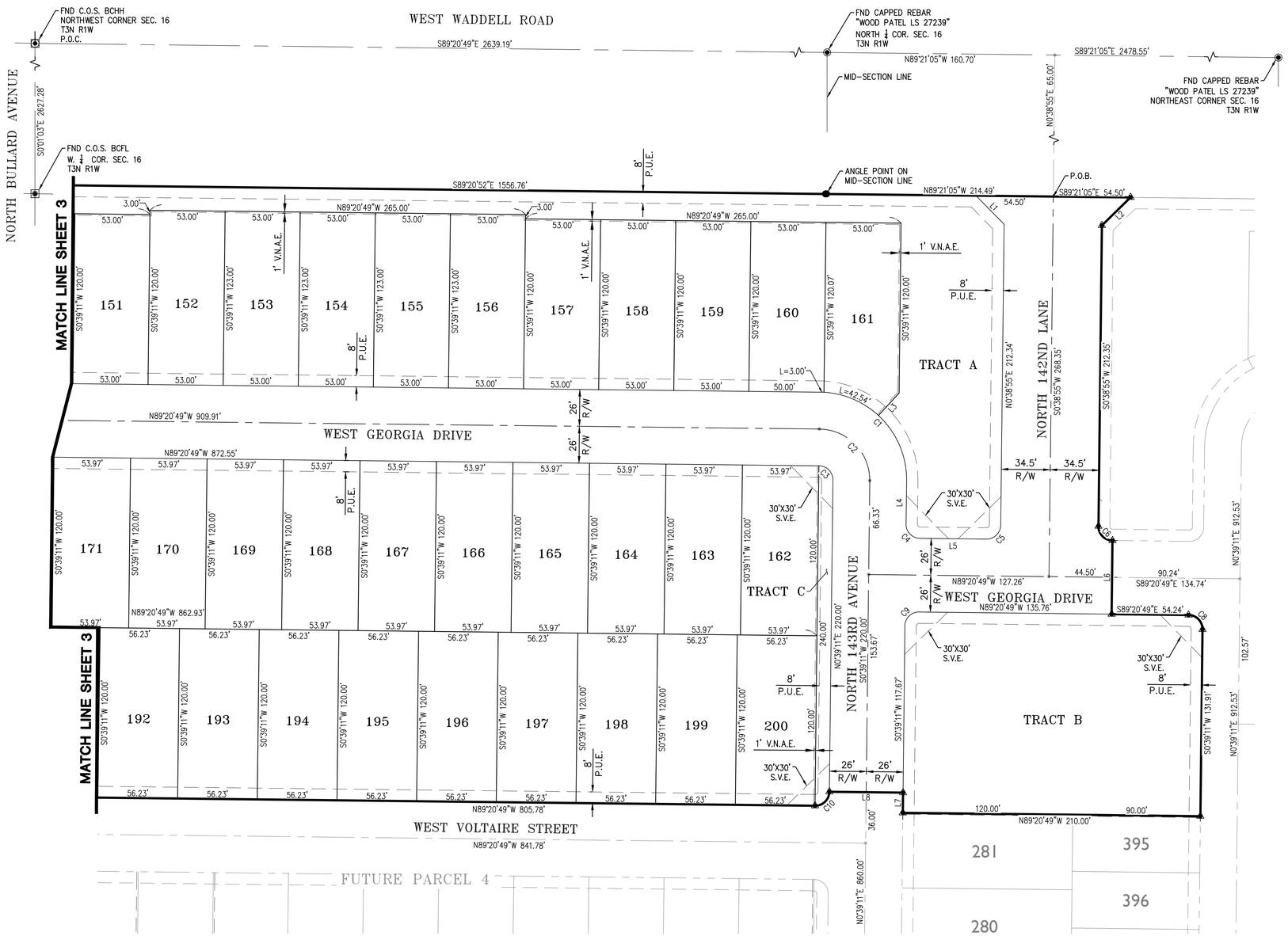
HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 PARCEL 3
SURPRISE, MARICOPA COUNTY, ARIZONA
FINAL PLAT

DESIGN:	EM
DRAFTED:	DJ
QA/QC:	DGF
AS–BUILT #:	----
ENT. PROJ #:	728.003
SHEET: FP	3 OF: 4

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 3
SURPRISE, ARIZONA



RADIAL BEARING	
CURVE	BEARING
C7	S 89°20'49" E
C7	N 79°14'32" E
C10	N 89°20'49" W
C10	S 00°38'49" W
C11	S 00°39'12" W
C11	S 05°57'13" E
C12	S 05°56'58" E
C12	S 79°05'08" W
C13	N 79°14'32" W
C13	S 79°01'06" W
C17	S 88°06'03" W
C17	S 00°39'11" W
C19	N 80°05'31" E
C19	N 79°01'06" E
C20	S 79°01'11" W
C20	S 12°06'13" E
C21	N 88°16'28" E
C21	N 79°01'06" E
C28	S 89°14'13" E
C28	S 79°05'08" W
C29	S 88°11'26" W
C29	N 78°41'42" E

LEGEND

- PROPERTY BOUNDARY
- RIGHT OF WAY LINE
- CENTER LINE
- EASEMENT
- LOT LINE
- LOT CORNER
- PROPERTY CORNER–SET 1/2" REBAR W/CAP "RLS 33874"
- MONUMENT
- FOUND BRASS CAP FLUSH
- FOUND BRASS CAP IN HAND HOLE
- FOUND CAPPED REBAR
- CL CENTER LINE
- C.O.S. CITY OF SURPRISE
- BSL BUILDING SETBACK LINE
- POB POINT OF BEGINNING
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT OF WAY
- SVE SIGHT VISIBILITY EASEMENT
- VNAE VEHICLE NON–ACCESS EASEMENT

40 20 0 40 80
SCALE: 1"= 40

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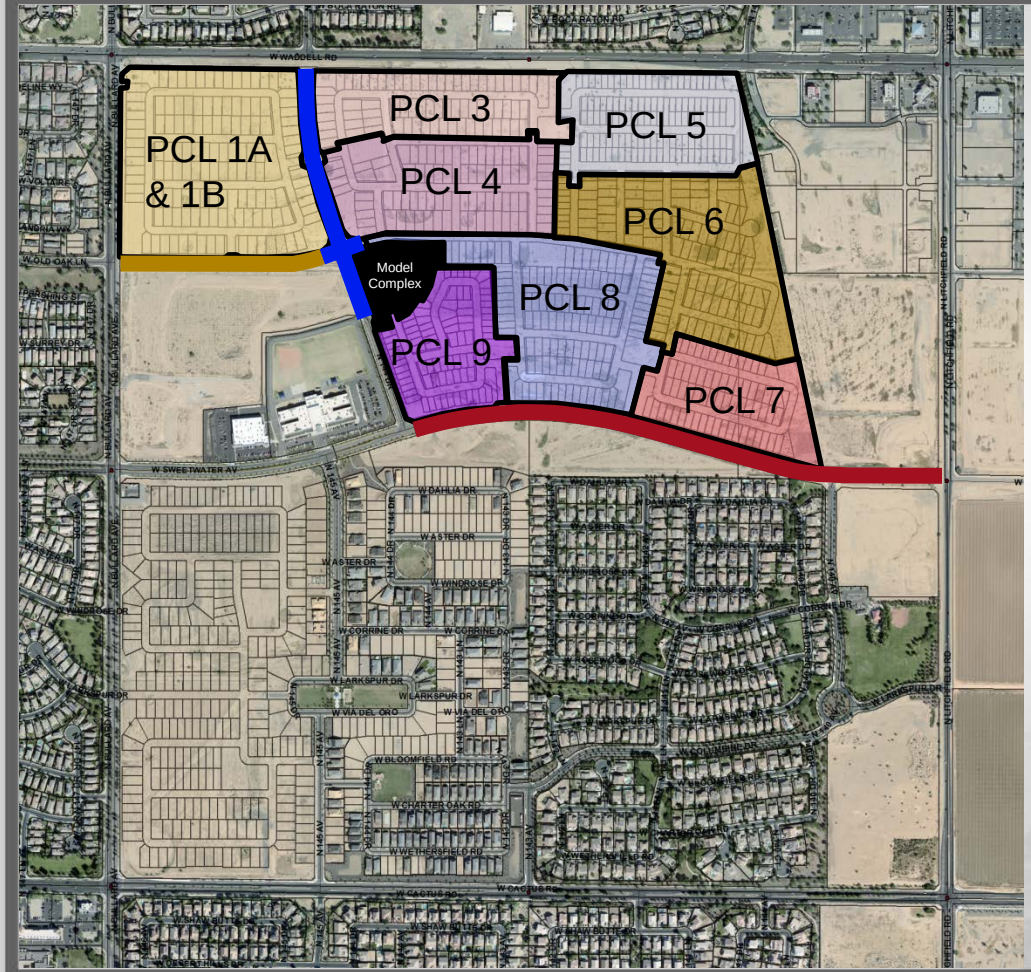
SURPRISE
ARIZONA

Homestead at Marley Park Final Plats

- FS18-181 Parcel 1A & 1B
  - FS18-178 Parcel 3
  - FS18-177 Parcel 4
  - FS18-245 Parcel 5
  - FS18-214 Parcel 6
  - FS18-190 Parcel 7
  - FS18-162 Parcel 8
  - FS18-135 Parcel 9

City Council, September 4, 2018



Composite Map

- Parcel 1A & 1B, FS18-181
- Parcel 3, FS18-178
- Parcel 4, FS18-177
- Parcel 5, FS18-245
- Parcel 6, FS18-214
- Parcel 7, FS18-190
- Parcel 8, FS18-162
- Parcel 9, FS18-135
- Sweetwater MOD
- 144th Dr MOD
- Old Oak MOD

PARKS & AMENITY

1 THE HOMESTEAD

- Community / Sales Center
- Ramada
- Outdoor Fireplace Plaza
- Communal Table
- Tot Lot
- Half Basketball Court
- Grove Plaza
- Pool
- Kid Zone
- Adult Zone
- Lap Pool
- Dive-in Movie
- Bocce Ball Court
- Horseshoes Court
- Open Turf Area

2 PLAYFUL ART PARK (PARCEL 1)

- Playful Art Play Structure
- Shaded Seating
- Gathering Area
- Shaded Seatwall Gathering Plaza
- Open Turf Area

3 MONARCH PARK (PARCEL 3)

- Passive Recreation Park
- Outdoor Lounge
- Overlook Platform
- Grove Plaza
- Formal Gardens
- Social Event Space

4 CLIMBING PARK (PARCEL 5)

- Climbing Tot Lot
- Turf Play Area
- Ramada Gathering
- Shaded Seating

5 MUSIC PARK (PARCEL 7)

- Interactive Musical Play
- Turf Play Area
- Shade Structure
- Seating Area
- Gathering Plaza

6 PRAIRIE LOUNGE (PARCEL 8)

- Outdoor Kitchen
- Outdoor Living
- Outdoor Fireplace
- Movie Lawn
- Community Garden
- Communal Table
- Corn Hole

7 NATURE GROVE PARK (PARCEL 9)

- Nature Play Feature
- Animal Play Feature
- Turf Play Area
- Shade Structure
- Seating Area

8 WARRIOR PARK (LINEAR PARK)

- Active Recreation Park
- Fitness Stations
- Ninja Equipment
- Multi-use Trails

9 MEADOW PARK (13 ACRE PARK)

- Active Recreation Park
- Multi-use Turf Fields
- Multi-use Paths

NORTH 0' 100' 200' 400'
Scale: 1" = 200'-0"

17-234 MeritageHomes | Marley Park - Phase 4 & 5 | Surprise, Arizona | Illustrative Master Plan | L-0.01 | 12.14.2017 | EPS GROUP

FS17-508 Landscape

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	6
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 4" dated June 21, 2018, a property generally located north of the Old Oak Lane alignment and east of the 145th Avenue alignment in Marley Park.

Motion:

I move to approve the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 4" dated June 21, 2018.

Background:

Mike Gleason of Entellus, on behalf of Meritage Homes, requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 81 single-family residential lots, in addition to approximately 2.7 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

Objective Analysis:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC;

however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. Luke AFB did not offer comment with respect to the subject Final Plat; however, at 4.11 DU/Ac, the subject Final Plat does not meet the GDC.

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 - Homestead at Marley Park Parcel 4 Final Plat - Staff Report
- 01 - Homestead at Marley Park Parcel 4 Final Plat - Case Map
- 02 - Homestead at Marley Park Parcel 4 Final Plat
- 03 - Homestead at Marley Park Parcel 4 Final Plat - Presentation

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-177**
Project Name:	Homestead at Marley Park Parcel 4 Final Plat
Council District:	6 – Palo Verde
Meeting Date:	**September 04, 2018**
Planner:	Robert H. Kuhfuss, AICP

Owner:	Meritage Homes
Applicant:	Mike Gleason, Entellus, Inc.
Request:	81-Lot, 10-Tract Final Plat in the PAD Zoning District (Marley Park)
Site Location:	Generally north of the Old Oak Lane alignment and east of the 145th Avenue alignment in Marley Park
Site Size:	19.69 gross acres (approx.)
Density:	4.11 DU/Ac
General Plan Conformance:	The proposal advances the goals of the Surprise General Plan 2035
Support/Opposition:	None known.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat 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 Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Project Description:

Mike Gleason of Entellus, on behalf of Meritage Homes, requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 81 single-family residential lots, in addition to approximately 2.7 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

BACKGROUND:

October 25, 2000: The City Council approved the original Marley Park PAD under case PAD00-091.

September 26, 2002: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of adding land mass to the PAD under case PADA02-104.

March 23, 2006: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of addressing densities in the eastern portion of Marley Park.

March 12, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 9 under case FS18-135, which is discussed under separate cover.

March 20, 2018: The City Council approved the Preliminary Plat for Marley Park Phase 4 & 5 under case FS17-508. The City Council also approved three (3) related Maps-of-Dedication (MOD) this date. Said MODs were for Sweetwater Avenue, 144th Drive, and Old Oak Lane under cases FS17-584, FS17-601, and FS17-618, respectively.

March 26, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 8 under case FS18-162, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 4 under case FS18-177, the subject case.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 3 under case FS18-178, which is discussed under separate cover.

April 5, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 1A and 1B under case FS18-181, which is discussed under separate cover.

April 10, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 7 under case FS18-190, which is discussed under separate cover.

April 18, 2018: The applicant filed a request for a Final Plat and Landscape Plan Review for Marley Park Phase 4 & 5, Park "B" under case FS18-209, which is still under review.

April 23, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 6 under case FS18-214, which is discussed under separate cover.

May 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 5 under case FS18-245, which is discussed under separate cover.

June 5, 2018: The City Council approved a Final Plat for the Homestead and Marley Park Model Complex and Park "A" under FS18-103.

Citizen Outreach:

N/A

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC; however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. Luke AFB did not offer comment with respect to the subject Final Plat; however, at 4.11 DU/Ac, the subject Final Plat does not meet the GDC.

Reviewing Agencies:

All city reviewing departments have reviewed the request and expressed no objections to the request. The subject Final Plat was also routed to the standard external reviewing agencies, who offered the following comments:

Flood Control District of Maricopa County (FCDMC): FCDMC indicated no objections to the request.

Maricopa Water District (MWD): MWD indicated the proposed project is outside their current boundaries.

Arizona Department of Transportation (ADOT): ADOT indicated no objection to the request.

Summary:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD.
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

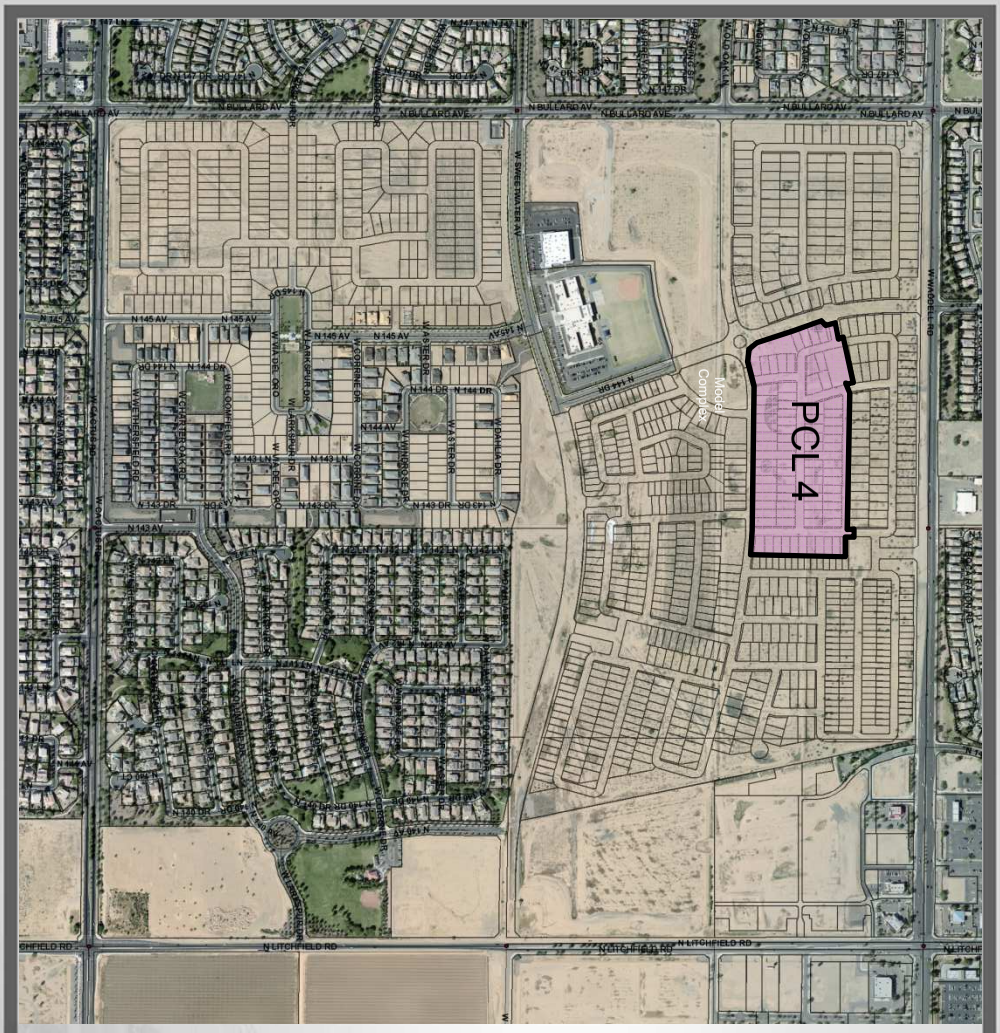
Alternative Actions:

Approval of the requested Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Attachments:

01 – Case Map
02 – Final Plat



FS18-177 Case Map

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 4
SURPRISE, ARIZONA

A PORTION OF THE NORTH HALF
OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST
OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA)
) SS.
COUNTY OF MARICOPA)

KNOW ALL PERSONS BY THESE PRESENTS: THAT MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 4"A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT AND EASEMENT, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, AND LETTER GIVEN TO EACH RESPECTIVELY. THE PURPOSES OF THE EASEMENTS ARE SHOWN HEREON.

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

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

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL EXCLUSIVE EASEMENT OVER, UNDER, UPON AND ACROSS ALL AREAS DESIGNATED ON THE PLAT AS WATER/SEWER LINES, MANHOLES, FIRE HYDRANTS AND WATER METERS FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING THE WATER/SEWER LINES, MANHOLES, FIRE HYDRANTS AND WATER METERS.

OWNER 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 TO EACH PARCEL CREATED BY THIS PLAT.

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

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

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

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

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

ALL IMPROVEMENTS FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY INSTALLED OR CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHT–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.

PERPETUAL WATER SEWER EASEMENT ("EASEMENTS") AS DESCRIBED IN THE PLAT ARE GRANTED TO AND ITS SUCCESSORS AND ASSIGNS (COLLECTIVELY, "GRANTEE"), TO CONSTRUCT, OPERATE, AND MAINTAIN WATER AND SEWER LINES AND APPURTENANT FACILITIES (COLLECTIVELY, "FACILITIES") UPON, ACROSS, OVER AND UNDER THE SURFACE OF THE EASEMENTS, TOGETHER WITH THE RIGHT TO OPERATE, REPAIR, REPLACE, MAINTAIN, AND REMOVE THE FACILITIES FROM THE PREMISES; TO ADD OR TO ALTER THE FACILITIES, AND TO PROVIDE GRANTEE WITH REASONABLE INGRESS AND EGRESS TO THE FACILITIES. GRANTEE WILL HAVE UNRESTRICTED ACCESS TO THE EASEMENT FOR THE ACTIVITIES DESCRIBED ABOVE AND FORMAL NOTIFICATION OR APPROVAL BY ANY ASSOCIATION PRIOR TO ACCESSING THE EASEMENT WILL NOT BE REQUIRED.

GRANTOR SHALL NOT ERECT OR CONSTRUCT OR PERMIT TO BE ERECTED OR CONSTRUCTED ANY BUILDING, STRUCTURE OR SIMILAR IMPROVEMENT WITHIN THE LIMITS OF THE EASEMENT GRANTED HEREIN, GRANTOR SHALL NOT, NOR PERMIT, THE GRADE OVER GRANTEE'S FACILITIES TO BE SUBSTANTIALLY ALTERED WITHOUT, IN EACH INSTANCE, THE PRIOR WRITTEN CONSENT OF GRANTEE, AND GRANTOR AGREES THAT NO OTHER PIPES OR CONDUITS SHALL BE PLACED WITHIN THE PREMISES SUBJECT TO THE EASEMENT GRANTED HEREIN, EXCEPT PIPES CROSSING GRANTEE'S FACILITIES AT RIGHT ANGLES, IN WHICH CASE, A MINIMUM VERTICAL DISTANCE OF TWO (2) FEET (A MEASURED FROM THE CLOSEST POINTS ON THE OUTSIDE EDGES) SHALL BE MAINTAINED BETWEEN GRANTEE'S FACILITIES AND SUCH OTHER PIPES OR CONDUITS. UNLESS GRANTEE EXPRESSLY CONSENTS IN WRITING OTHERWISE, ANY AND ALL SEWER PIPES CROSSING THE EASEMENT GRANTED HEREIN SHALL BE LAID BELOW GRANTEE'S FACILITIES. HOWEVER, GRANTOR SHALL HAVE THE RIGHT TO CONSTRUCT AND ERECT FENCES, TO INSTALL LANDSCAPING, PARKING FACILITIES AND DRIVEWAYS, AND TO ESTABLISH OTHER USES THAT ARE NOT INCONSISTENT WITH USES WITHIN THE LIMITS OF SAID EASEMENT IN A MANNER THAT WILL NOT UNREASONABLY INTERFERE WITH GRANTEE'S ACCESS TO THE FACILITIES.

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 _____, 2018.

MERITAGE HOMES OF ARIZONA INC, AN ARIZONA CORPORATION

BY_____ DATE_____

ITS_____

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS_____ DAY OF_____, 2018, 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_____, 2018

_____
MAYOR DATE

ATTEST:

_____
CITY CLERK DATE

ACKNOWLEDGEMENT

STATE OF ARIZONA

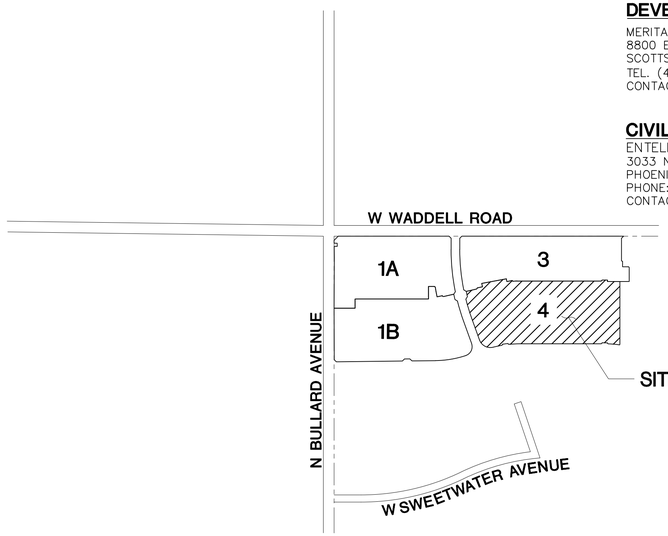
COUNTY OF MARICOPA

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ WHO ACKNOWLEDGED THEMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

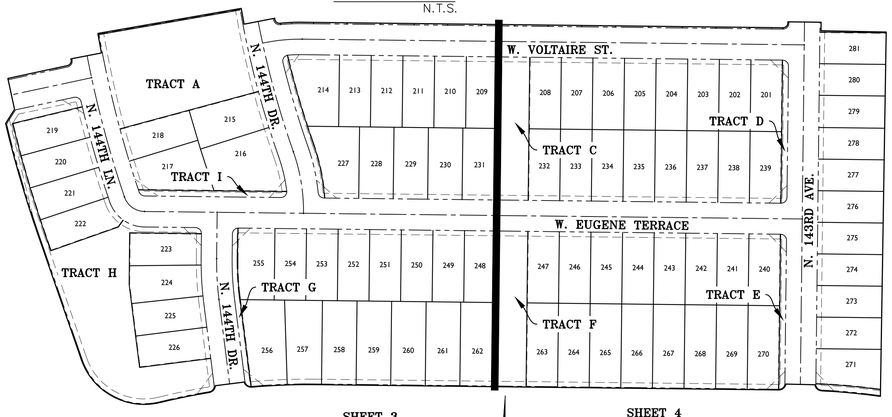
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES



VICINITY MAP
N.T.S.



KEY MAP
N.T.S.

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.

ASSURED WATER SUPPLY CERTIFICATION

THE AREA PLATTED HERON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS NO. 2010–012, SIGNED ON SEPTEMBER 29, 2011, DECISION AND ORDER NUMBER 86–002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. 45–576.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 NOTES & DETAILS SHEET
SHEET 3 FINAL PLAT
SHEET 4 FINAL PLAT

DEVELOPER

MERITAGE HOMES OF ARIZONA INC.
8800 E RAINTREE DR., SUITE 300
SCOTTSDALE, AZ 85260
TEL. (480)515–8251
CONTACT: JASON JARVIS

CIVIL ENGINEER

ENTELLUS, INC
3033 N. 44TH STREET, STE 250
PHOENIX, AZ 85018
PHONE: 602–244–2566
CONTACT: MICHAEL R. GLEASON, P.E.

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA. AS MEASURED AND AS SHOWN ON THE FINAL PLAT FOR "1MARLEY PARK PHASE 3 & 4 – PARCEL 9", AS SHOWN ON THE MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 839, PAGE 39 M.C.R.
SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON–PROFIT CORPORATION HEREBY RATIFIES AND APPROVES THIS PLAT FOR "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 3 & 4"AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED. DULY AUTHORIZED OFFICER THIS_____ DAY OF _____ 2018.

HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION

AN ARIZONA NON–PROFIT CORPORATION

BY_____

ITS_____

RELEASE OF LIABILITY

MERITAGE HOMES OF ARIZONA INC, AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF AIR FORCE (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, 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. 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 UNITED STATES OF AMERICA DEPARTMENT OF AIR FORCE (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 LOCATED WITHIN THE RIGHT–OF WAY 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.

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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

CERTIFICATION

I, DAN FRANCETIC, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF MARCH 2018; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

SIGNED: _____

DATE OF PREPARATION: 06/01/2018

DANIEL G. FRANCETIC, RLS
REGISTERED LAND SURVEYOR #33874
ENTELLUS, INC.
3033 NORTH 44TH STREET, #250
PHOENIX, ARIZONA 85018
PHONE: 602–244–2566
E–MAIL: dfrancetic@entellus.com

Entellus™
3033 N. 44th Street, Suite 250
Phoenix, AZ 85018
Tel 602.244.2566
Fax 602.244.8947
Website: www.entellus.com

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
33874
DANIEL G.
FRANCETIC
Expires 06/01/18
SURVEYOR
EXPIRES 06/30/20

REVISIONS:

	DATE	DESCRIPTION
X		

VERSIONS:

	DATE	DESCRIPTION
1	6/01/18	1ST SUBMITTAL TO CITY OF SURPRISE
2	6/21/18	2ND SUBMITTAL TO CITY OF SURPRISE

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 PARCEL 4
SURPRISE, MARICOPA COUNTY, ARIZONA
FINAL PLAT

DESIGN:	EM
DRAFTED:	DJ
QA/QC:	DGF
AS–BUILT #:	----
ENT. PROJ #:	728.003
SHEET: CVR	1 OF: 4

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 4
SURPRISE, ARIZONA

LEGAL DESCRIPTION

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5
PARCEL 4

THAT PORTION OF A PARCEL OF LAND DESCRIBED IN DOCUMENT # 2017-0729651 OF THE MARICOPA COUNTY RECORDER LYING IN THE NORTH HALF OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF SURPRISE BRASS CAP FOUND IN HAND HOLE AT THE NORTHWEST CORNER OF SAID SECTION 16, FROM WHICH THE CITY OF SURPRISE BRASS CAP FOUND IN HAND HOLE AT THE WEST QUARTER CORNER OF SAID SECTION 16 BEARS SOUTH 00 DEGREES 01 MINUTE 03 SECONDS EAST A DISTANCE OF 2,627.28 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, AND SAID LINE BEING THE BASIS OF BEARINGS OF THIS DESCRIPTION;

THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 2,639.19 FEET TO A CAPPED REBAR MARKED "WOOD PATEL LS27239" FOUND AT THE NORTH QUARTER CORNER OF SAID SECTION 16 AS DETERMINED FROM THE "MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD, AND CACTUS ROAD" FOUND IN BOOK 839 OF MAPS, PAGE 39 OF THE MARICOPA COUNTY RECORDER;

THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16, SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST A DISTANCE OF 160.70 FEET;

THENCE SOUTH 00 DEGREES 38 MINUTES 55 SECONDS WEST A DISTANCE OF 333.35 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST A DISTANCE OF 127.26 FEET;

THENCE SOUTH 00 DEGREES 39 MINUTES 11 SECONDS WEST A DISTANCE OF 153.67 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 26.00 FEET;

THENCE SOUTH 00 DEGREES 39 MINUTES 11 SECONDS WEST A DISTANCE OF 14.24 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 120.00 FEET;

THENCE SOUTH 00 DEGREES 39 MINUTES 11 SECONDS WEST A DISTANCE OF 600.00 FEET;

THENCE SOUTH 07 DEGREES 58 MINUTES 14 SECONDS WEST A DISTANCE OF 10.00 FEET;

THENCE NORTH 82 DEGREES 01 MINUTE 46 SECONDS WEST A DISTANCE OF 14.16 FEET TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE LEFT BEING CONCAVE SOUTHERLY AND HAVING A RADIUS OF 1,026.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05 DEGREES 19 MINUTES 34 SECONDS AN ARC DISTANCE OF 95.38 FEET TO THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 88 DEGREES 00 MINUTES 31 SECONDS AN ARC DISTANCE OF 15.36 FEET;

THENCE NORTH 88 DEGREES 39 MINUTES 27 SECONDS WEST A DISTANCE OF 52.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 10.00 FEET BEARING NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST;

THENCE ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS AN ARC DISTANCE OF 15.71 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST A DISTANCE OF 779.98 FEET TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE LEFT BEING CONCAVE SOUTHERLY AND HAVING A RADIUS OF 1,026.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05 DEGREES 50 MINUTES 56 SECONDS AN ARC DISTANCE OF 104.74 FEET TO THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 88 DEGREES 00 MINUTES 31 SECONDS AN ARC DISTANCE OF 15.36 FEET;

THENCE SOUTH 82 DEGREES 48 MINUTES 46 SECONDS WEST A DISTANCE OF 52.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 88 DEGREES 00 MINUTES 31 SECONDS AN ARC DISTANCE OF 15.36 FEET TO THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE LEFT BEING CONCAVE SOUTHERLY AND HAVING A RADIUS OF 1,206.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 04 DEGREES 42 MINUTES 34 SECONDS AN ARC DISTANCE OF 84.33 FEET TO THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 110.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 84 DEGREES 47 MINUTES 05 SECONDS AN ARC DISTANCE OF 162.77 FEET;

THENCE NORTH 19 DEGREES 06 MINUTES 12 SECONDS WEST A DISTANCE OF 221.93 FEET TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE RIGHT BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 1,958.50 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05 DEGREES 39 MINUTES 14 SECONDS AN ARC DISTANCE OF 193.26 FEET;

THENCE NORTH 32 DEGREES 22 MINUTES 12 SECONDS EAST A DISTANCE OF 28.02 FEET;

THENCE NORTH 12 DEGREES 06 MINUTES 13 SECONDS WEST A DISTANCE OF 52.00 FEET;

THENCE NORTH 77 DEGREES 53 MINUTES 47 SECONDS EAST A DISTANCE OF 100.33 FEET TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE LEFT BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 88 DEGREES 52 MINUTES 40 SECONDS AN ARC DISTANCE OF 15.51 FEET;

THENCE NORTH 79 DEGREES 01 MINUTE 06 SECONDS EAST A DISTANCE OF 52.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 1,776.35 FEET BEARING NORTH 79 DEGREES 01 MINUTE 06 SECONDS EAST;

THENCE ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 01 DEGREE 04 MINUTES 25 SECONDS AN ARC DISTANCE OF 33.28 FEET;

THENCE NORTH 80 DEGREES 05 MINUTES 31 SECONDS EAST A DISTANCE OF 240.50 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 1,535.85 FEET BEARING NORTH 80 DEGREES 05 MINUTES 31 SECONDS EAST;

THENCE ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 01 DEGREE 00 MINUTES 23 SECONDS AN ARC DISTANCE OF 26.98 FEET;

THENCE NORTH 79 DEGREES 05 MINUTES 08 SECONDS EAST A DISTANCE OF 52.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 85 DEGREES 02 MINUTES 21 SECONDS AN ARC DISTANCE OF 14.84 FEET TO THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT BEING CONCAVE SOUTHERLY AND HAVING A RADIUS OF 326.01 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06 DEGREES 36 MINUTES 24 SECONDS AN ARC DISTANCE OF 37.59 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 805.78 FEET TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE RIGHT BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, AN ARC DISTANCE OF 15.71 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 26.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 857,829 SQUARE FEET OR 19.693 ACRES, MORE OR LESS.

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. THE PROPERTY OWNER AT THE TIME WHEN CITY OF SURPRISE WATER, AND/OR SEWER INFRASTRUCTURE IS AVAILABLE AT THE PROPERTY, SHALL BE REQUIRED TO CONNECT IN ACCORDANCE WITH SURPRISE MUNICIPAL CODE AND PAY ALL APPLICABLE FEES. ANY OWNER OF THE PROPERTY SHALL NOTIFY PROSPECTIVE BUYERS AND THE PUBLIC OF THIS NOTE, AND SALES CONTRACT, REPORT SHALL CONTAIN SUCH NOTE.
3. ON-SITE GRADING OR EXCAVATION SHALL NOT OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
4. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE MAP NO.04013C1680L, WITH A DATE OF IDENTIFICATION OF 10/16/2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
5. IN ACCORDANCE WITH ARS § 9-46107, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
6. PURSUANT TO ARS § 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.
7. THIS FINAL PLAT IS IN SUBSTANTIAL CONFORMANCE WITH THE MARLEY PARK PHASE 4 & 5 PRELIMINARY PLAT, APPROVED JAN. 17, 2018 UNDER CASE FS17-508.
8. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION.
9. 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.
10. DEVELOPMENT STANDARDS ARE PER CITY OF SURPRISE ZONING CASE # PADA02-104 OR AS SUBSEQUENTLY AMENDED.
11. NO STRUCTURES OF ANY KIND MAY BE CONSTRUCTED OR ANY VEGETATION BE PLANTED NOR BE ALLOWED TO GROW WITHIN THE DRAINAGE EASEMENT WHICH WOULD IMPEDE THE FLOW OF WATER OVER, UNDER, OR THROUGH THE EASEMENT.
12. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED ON, OVER OR PLACED WITHIN THE SEWER AND WATER EASEMENT EXCEPT WOOD, WIRE, OR REMOVABLE SECTION TYPE FENCING AND/OR PAVING, NOR ANY PLANTING EXCEPT GRASS. IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF SURPRISE ("CITY") SHALL NOT BE REQUIRED TO REPLACE ANY OBSTRUCTIONS, SHRUBS AND GROUND COVER THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION, OR RECONSTRUCTION OF CITY UTILITIES.
13. CONSTRUCTIONS WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO UTILITIES, WOOD, WIRE, OR REMOVABLE SECTION TYPE FENCING.
14. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
15. STRUCTURES AND LANDSCAPING AT ALL INTERSECTIONS OF STREET RIGHT-OF-WAY WILL BE MAINTAINED AT A MAXIMUM OF 2 FEET IN HEIGHT WITHIN 33' X 33' TRIANGLE MEASURED ALONG THE RIGHT-OF-WAY LINES.
16. EACH LOT OF THIS SUBDIVISION IS PERMITTED ONE DWELLING UNIT PER LOT.
17. ALL EASEMENTS ARE SUBORDINATE TO DRAINAGE EASEMENTS.

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
201	6360.00	0.1460
202	6360.00	0.1460
203	6360.00	0.1460
204	6360.00	0.1460
205	6360.00	0.1460
206	6360.00	0.1460
207	6360.00	0.1460
208	6360.00	0.1460
209	6386.20	0.1466
210	6386.20	0.1466
211	6386.20	0.1466
212	6386.20	0.1466
213	6386.20	0.1466
214	8521.79	0.1956
215	7871.47	0.1807
216	11176.26	0.2566
217	8392.48	0.1927
218	6554.67	0.1505
219	6528.04	0.1499
220	6526.44	0.1498
221	6526.44	0.1498

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
222	6639.33	0.1524
223	6498.93	0.1492
224	6989.64	0.1605
225	6480.22	0.1488
226	6381.20	0.1465
227	8316.65	0.1909
228	6932.40	0.1591
229	6932.40	0.1591
230	6932.40	0.1591
231	6932.40	0.1591
232	6360.00	0.1460
233	6360.00	0.1460
234	6360.00	0.1460
235	6360.00	0.1460
236	6360.00	0.1460
237	6360.00	0.1460
238	6360.00	0.1460
239	6360.00	0.1460
240	6360.00	0.1460
241	6360.00	0.1460
242	6360.00	0.1460

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
243	6360.00	0.1460
244	6360.00	0.1460
245	6360.00	0.1460
246	6360.00	0.1460
247	6360.00	0.1460
248	6360.00	0.1460
249	6360.00	0.1460
250	6360.00	0.1460
251	6360.00	0.1460
252	6360.00	0.1460
253	6360.00	0.1460
254	6360.00	0.1460
255	7231.38	0.1660
256	9553.08	0.2193
257	8491.55	0.1949
258	8120.00	0.1864
259	8120.00	0.1864
260	8120.00	0.1864
261	8120.00	0.1864
262	8120.00	0.1864
263	7420.00	0.1703

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
264	7420.00	0.1703
265	7420.00	0.1703
266	7420.00	0.1703
267	7420.00	0.1703
268	7420.00	0.1703
269	7420.00	0.1703
270	7420.00	0.1703
271	6360.00	0.1460
272	6360.00	0.1460
273	6480.00	0.1488
274	6360.00	0.1460
275	6360.00	0.1460
276	6360.00	0.1460
277	6360.00	0.1460
278	6360.00	0.1460
279	6360.00	0.1460
280	6360.00	0.1460
281	7549.91	0.1733

TRACT AREA TABLE			
TRACT	AREA(SF)	AREA(AC)	DESCRIPTION
TRACT A	36322.60	0.8339	OPEN SPACE, RETENTION, P.U.E.
TRACT B	2429.56	0.0558	OPEN SPACE, P.U.E.
TRACT C	12720.00	0.2920	OPEN SPACE, P.U.E.
TRACT D	2357.08	0.0541	OPEN SPACE, P.U.E., S.V.E.
TRACT E	2557.08	0.0587	OPEN SPACE, P.U.E., S.V.E.
TRACT F	13780.00	0.3163	OPEN SPACE, P.U.E.
TRACT G	2633.08	0.0604	OPEN SPACE, P.U.E., S.V.E.
TRACT H	42389.37	0.9731	OPEN SPACE, RETENTION, P.U.E., S.V.E.
TRACT I	2440.03	0.0560	OPEN SPACE, P.U.E.
TRACT J	1178.41	0.0271	OPEN SPACE, P.U.E., S.V.E.

RIGHT OF WAY AREA TABLE			
R/W	AREA(SF)	AREA(AC)	USE
ROW 1	106318.10	2.4407	PUBLIC INGRESS & EGRESS
ROW 2	75973.60	1.7441	PUBLIC INGRESS & EGRESS

PARCEL AREA TABLE			
PARCEL	AREA(SF)	AREA(AC)	USE
PARCEL 4	857831.26	19.6931	SINGLE FAMILY RSIDENCE

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SURVEYOR
REGISTERED LAND SURVEYOR
CERTIFICATE NO.
33874
DANIEL G. FRANCETIC
EXPIRES 06/30/20

REVISIONS:

	DATE	DESCRIPTION

VERSIONS:

	DATE	DESCRIPTION
X		
1	6/01/18	1ST SUBMITTAL TO CITY OF SURPRISE
2	6/21/18	2ND SUBMITTAL TO CITY OF SURPRISE

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 PARCEL 4
SURPRISE, MARICOPA COUNTY, ARIZONA
FINAL PLAT

DESIGN:	EM
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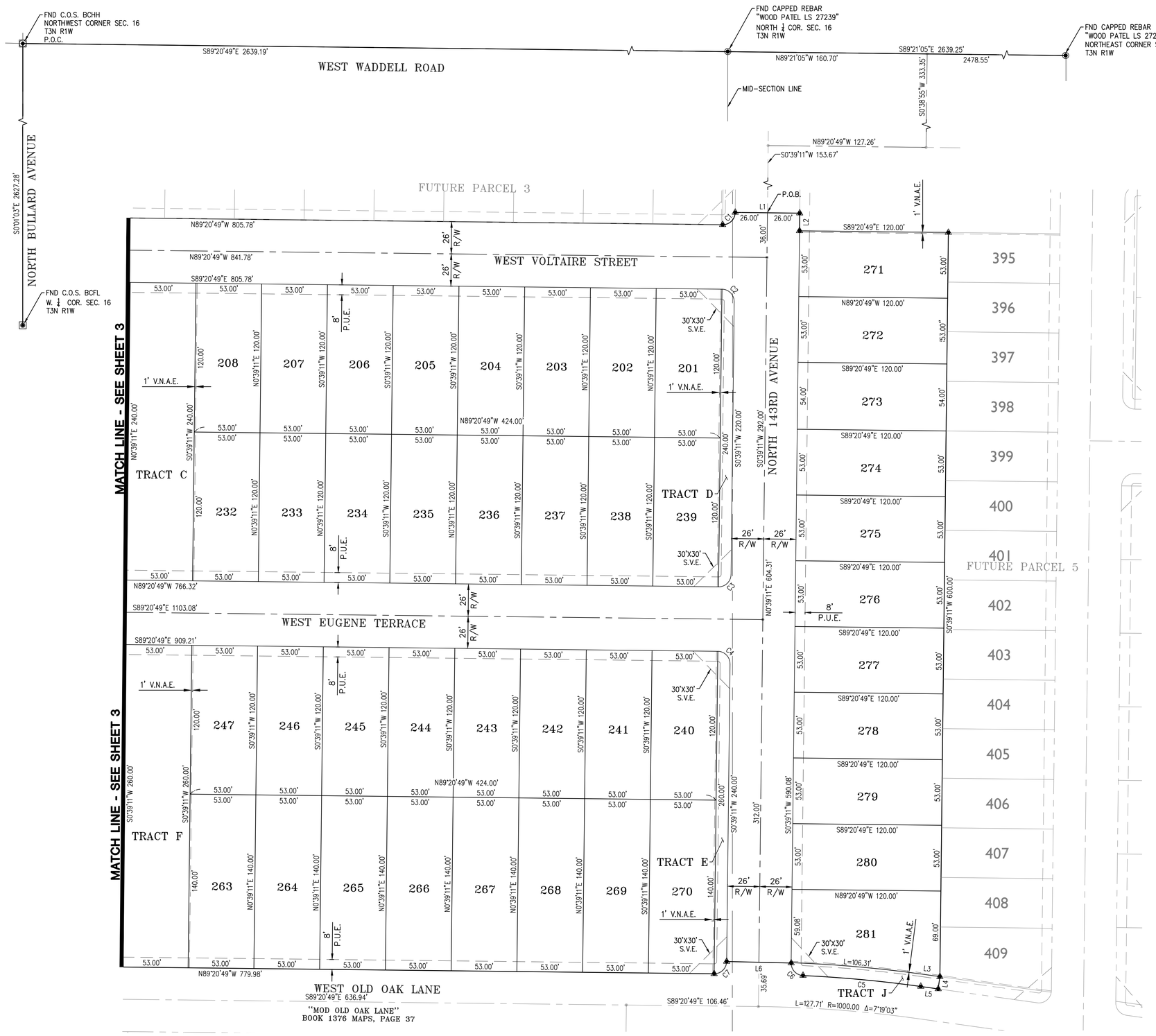
FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 4
SURPRISE, ARIZONA

FUTURE PARCEL 3
TRACT A
TRACT B
TRACT G
TRACT H
TRACT I
WEST VOLTAIRE STREET
WEST EUGENE TERRACE
WEST OLD OAK LANE
WEST WILLOW AVENUE
NORTH 144TH LANE
NORTH 144TH DRIVE
NORTH 145TH AVENUE
"MOD NORTH 145TH DRIVE & NORTH 145TH AVENUE"
MCR BOOK 1376 MAPS, PAGE 98
"MOD OLD OAK LANE"
BOOK 1376 MAPS, PAGE 37
MATCH LINE - SEE SHEET 4
MATCH LINE - SEE SHEET 4
N80°05'31"E 240.50'
N77°53'47"E 100.33'
N77°53'47"E 135.98' RADIAL LINE
N77°53'47"E 100.33'
S89°20'49"E 805.78'
N89°20'49"W 841.78'
N89°20'49"W 805.78'
N89°20'49"W 318.63'
N89°20'49"W 766.32'
S89°20'49"E 1103.08'
S89°20'49"E 85.86'
N89°20'49"W 120.40'
S89°27'34"W 120.40'
S83°48'46"W 120.40'
S82°48'46"W 120.40'
S89°20'49"E 909.21'
N89°20'49"W 427.20'
S89°20'49"E 779.98'
S89°20'49"E 72.58'
S89°20'49"E 636.94'
S74°52'01"W 240.50'
S72°30'55"W 120.35'
N73°02'55"E 120.37'
N89°20'49"W 228.23'
N76°30'30"E 120.15'
S74°51'29"W 120.15'
N73°12'29"E 120.15'
N71°33'29"E 120.15'
N70°38'11"E 120.13'
S15°58'03"E 54.74'
N19°06'05"W 221.93'
S19°06'12"E 793.12'
S74°19'07"E 56.12'
S15°58'07"E 56.11'
S17°27'07"E 56.11'
S10°56'23"E 59.25'
S17°27'07"E 56.11'
S01°39'11"E 77.79'
S01°39'11"E 41.79'
S01°39'11"W 41.79'
S01°39'11"W 120.00'
N01°39'11"E 120.00'
S00°39'11"W 120.00'
N00°39'11"E 140.00'
S00°39'11"W 140.00'
N11°14'14"W 141.63'
S11°14'14"E 141.63'
S15°49'56"E 141.10'
S17°58'14"E 72.55'
S17°58'14"E 68.10'
S00°30'27"W 86.53'
S07°07'24"E 140.43'
N00°39'11"E 77.79'
N00°39'11"E 41.79'
S00°39'11"W 41.79'
S00°39'11"W 120.00'
N00

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 4
SURPRISE, ARIZONA



RADIAL BEARING	
CURVE	BEARING
C7	S 00°39'11" W
C7	N 89°20'49" W
C9	S 80°05'31" W
C9	S 79°01'06" W
C21	S 70°34'31" W
C21	N 89°20'53" W
C25	N 77°45'51" E
C25	N 70°34'31" E
C30	S 82°48'46" W
C30	S 09°10'43" E
C35	S 12°09'52" E
C35	S 00°39'11" W
C36	S 79°05'08" W
C36	N 77°45'51" E
C37	S 80°05'31" W
C37	N 79°05'08" E
C38	S 79°05'08" W
C38	N 05°57'13" E

LEGEND

- PROPERTY BOUNDARY
- RIGHT OF WAY LINE
- CENTER LINE
- EASEMENT
- LOT LINE
- LOT CORNER
- PROPERTY CORNER–SET 1/2" REBAR W/CAP "RLS 33874"
- MONUMENT
- FOUND BRASS CAP FLUSH
- FOUND BRASS CAP IN HAND HOLE
- FOUND CAPPED REBAR
- CL — CENTER LINE
- C.O.S. — CITY OF SURPRISE
- BSL — BUILDING SETBACK LINE
- POB — POINT OF BEGINNING
- PUE — PUBLIC UTILITY EASEMENT
- R/W — RIGHT OF WAY
- SVE — SIGHT VISIBILITY EASEMENT
- VNAE — VEHICLE NON–ACCESS EASEMENT

40 20 0 40 80
SCALE: 1"= 40'

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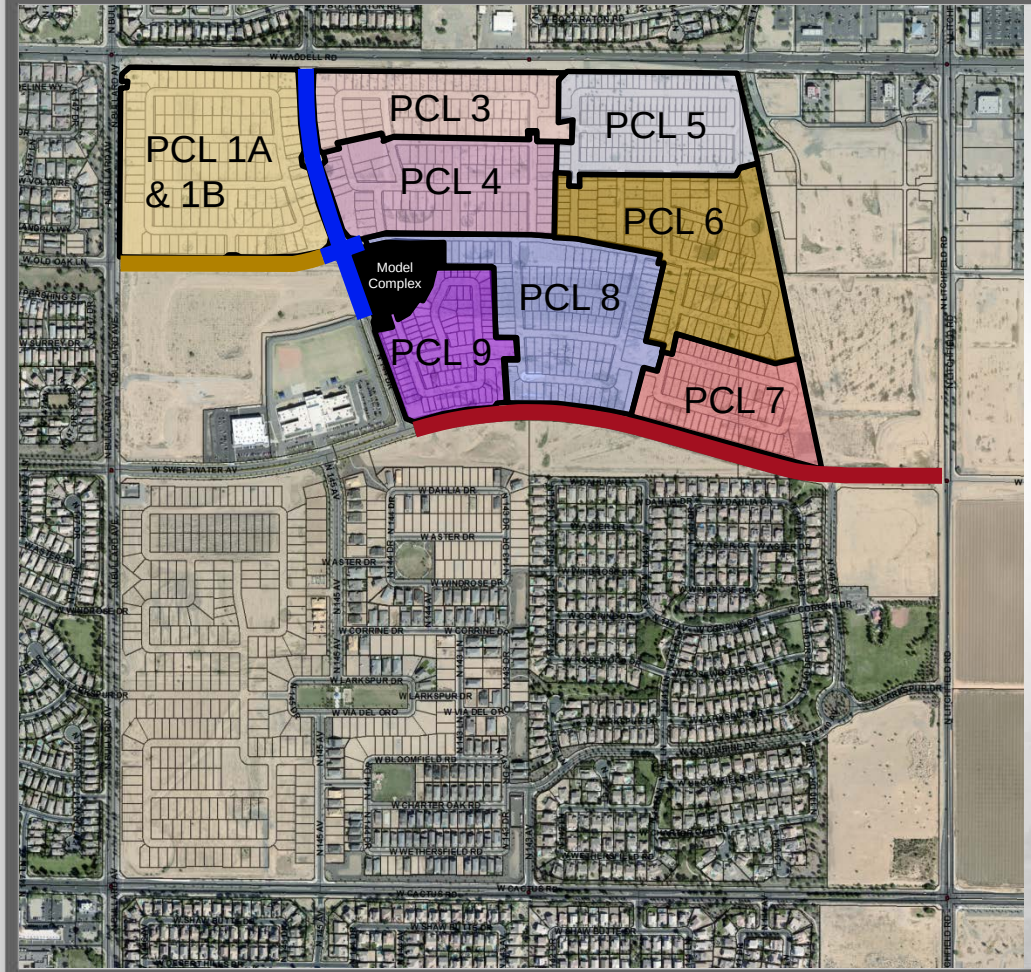
SURPRISE
ARIZONA

Homestead at Marley Park Final Plats

- FS18-181 Parcel 1A & 1B
  - FS18-178 Parcel 3
  - FS18-177 Parcel 4
  - FS18-245 Parcel 5
  - FS18-214 Parcel 6
  - FS18-190 Parcel 7
  - FS18-162 Parcel 8
  - FS18-135 Parcel 9

City Council, September 4, 2018



Composite Map

- Parcel 1A & 1B, FS18-181
- Parcel 3, FS18-178
- Parcel 4, FS18-177
- Parcel 5, FS18-245
- Parcel 6, FS18-214
- Parcel 7, FS18-190
- Parcel 8, FS18-162
- Parcel 9, FS18-135
- Sweetwater MOD
- 144th Dr MOD
- Old Oak MOD

PARKS & AMENITY

1 THE HOMESTEAD

- Community / Sales Center
- Ramada
- Outdoor Fireplace Plaza
- Communal Table
- Tot Lot
- Half Basketball Court
- Grove Plaza
- Pool
- Kid Zone
- Adult Zone
- Lap Pool
- Dive-in Movie
- Bocce Ball Court
- Horseshoes Court
- Open Turf Area

2 PLAYFUL ART PARK (PARCEL 1)

- Playful Art Play Structure
- Shaded Seating
- Gathering Area
- Shaded Seatwall Gathering Plaza
- Open Turf Area

3 MONARCH PARK (PARCEL 3)

- Passive Recreation Park
- Outdoor Lounge
- Overlook Platform
- Grove Plaza
- Formal Gardens
- Social Event Space

4 CLIMBING PARK (PARCEL 5)

- Climbing Tot Lot
- Turf Play Area
- Ramada Gathering
- Shaded Seating

5 MUSIC PARK (PARCEL 7)

- Interactive Musical Play
- Turf Play Area
- Shade Structure
- Seating Area
- Gathering Plaza

6 PRAIRIE LOUNGE (PARCEL 8)

- Outdoor Kitchen
- Outdoor Living
- Outdoor Fireplace
- Movie Lawn
- Community Garden
- Communal Table
- Corn Hole

7 NATURE GROVE PARK (PARCEL 9)

- Nature Play Feature
- Animal Play Feature
- Turf Play Area
- Shade Structure
- Seating Area

8 WARRIOR PARK (LINEAR PARK)

- Active Recreation Park
- Fitness Stations
- Ninja Equipment
- Multi-use Trails

9 MEADOW PARK (13 ACRE PARK)

- Active Recreation Park
- Multi-use Turf Fields
- Multi-use Paths

NORTH 0' 100' 200' 400'
Scale: 1" = 200'-0"

17-234 MeritageHomes | Marley Park - Phase 4 & 5 | Surprise, Arizona | Illustrative Master Plan | L-0.01 | 12.14.2017 | EPS GROUP

FS17-508 Landscape

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	6
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 9" dated July 23, 2018, a property generally located north of the Sweetwater Avenue alignment and east of the 144th Drive alignment in Marley Park.

Motion:

I move to approve the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 9" dated July 23, 2018.

Background:

Dan Auxier of EPS Group, on behalf of Meritage Homes, requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 81 single-family residential lots, in addition to approximately 2.2 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

Objective Analysis:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC;

however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. With the subject request, Luke AFB echoed their previous concerns stating that at 6.0 DU/Ac, the subject Final Plat does not meet the GDC.

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 - Homestead at Marley Park Parcel 9 Final Plat - Staff Report
- 01 - Homestead at Marley Park Parcel 9 Final Plat - Case Map
- 02 - Homestead at Marley Park Parcel 9 Final Plat
- 03 - Homestead at Marley Park Parcel 9 Final Plat - Luke AFB Comments
- 04 - Homestead at Marley Park Parcel 9 Final Plat - Presentation

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-135**
Project Name:	Homestead at Marley Park Parcel 9 Final Plat
Council District:	6 – Palo Verde
Meeting Date:	**September 04, 2018**
Planner:	Robert H. Kuhfuss, AICP

Owner:	Meritage Homes
Applicant:	Dan Auxier, EPS Group, Inc.
Request:	81-Lot, 11-Tract Final Plat in the PAD Zoning District (Marley Park)
Site Location:	Generally north of the Sweetwater Avenue alignment and east of the 144th Drive alignment in Marley Park
Site Size:	13.49 gross acres (approx.)
Density:	6.00 DU/Ac
General Plan Conformance:	The proposal advances the goals of the Surprise General Plan 2035
Support/Opposition:	None known.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat 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 Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Project Description:

Dan Auxier of EPS Group, on behalf of Meritage Homes, requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 81 single-family residential lots, in addition to approximately 2.2 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

BACKGROUND:

October 25, 2000: The City Council approved the original Marley Park PAD under case PAD00-091.

September 26, 2002: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of adding land mass to the PAD under case PADA02-104.

March 23, 2006: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of addressing densities in the eastern portion of Marley Park.

March 12, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 9 under case FS18-135, the subject request.

March 20, 2018: The City Council approved the Preliminary Plat for Marley Park Phase 4 & 5 under case FS17-508. The City Council also approved three (3) related Maps-of-Dedication (MOD) this date. Said MODs were for Sweetwater Avenue, 144th Drive, and Old Oak Lane under cases FS17-584, FS17-601, and FS17-618, respectively.

March 26, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 8 under case FS18-162, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 4 under case FS18-177, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 3 under case FS18-178, which is discussed under separate cover.

April 5, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 1A and 1B under case FS18-181, which is discussed under separate cover.

April 10, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 7 under case FS18-190, which is discussed under separate cover.

April 18, 2018: The applicant filed a request for a Final Plat and Landscape Plan Review for Marley Park Phase 4 & 5, Park "B" under case FS18-209, which is still under review.

April 23, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 6 under case FS18-214, which is discussed under separate cover.

May 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 5 under case FS18-245, which is discussed under separate cover.

June 5, 2018: The City Council approved a Final Plat for the Homestead and Marley Park Model Complex and Park "A" under FS18-103.

Citizen Outreach:

N/A

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC; however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. With the subject request, Luke AFB echoed their previous concerns stating that at 6.0 DU/Ac, the subject Final Plat does not meet the GDC.

Reviewing Agencies:

All city reviewing departments have reviewed the request and expressed no objections to the request. The subject Final Plat was also routed to the standard external reviewing agencies, who offered the following comments:

Flood Control District of Maricopa County (FCDMC): FCDMC indicated no objections to the request.

Maricopa Water District (MWD): MWD indicated the proposed project is outside their current boundaries.

Arizona Department of Transportation (ADOT): ADOT indicated no objection to the request.

Luke Air Force Base (LAFB): LAFB stated that the proposed Final Plat does not meet their Graduated Density Concept (GDC).

Summary:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD.
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

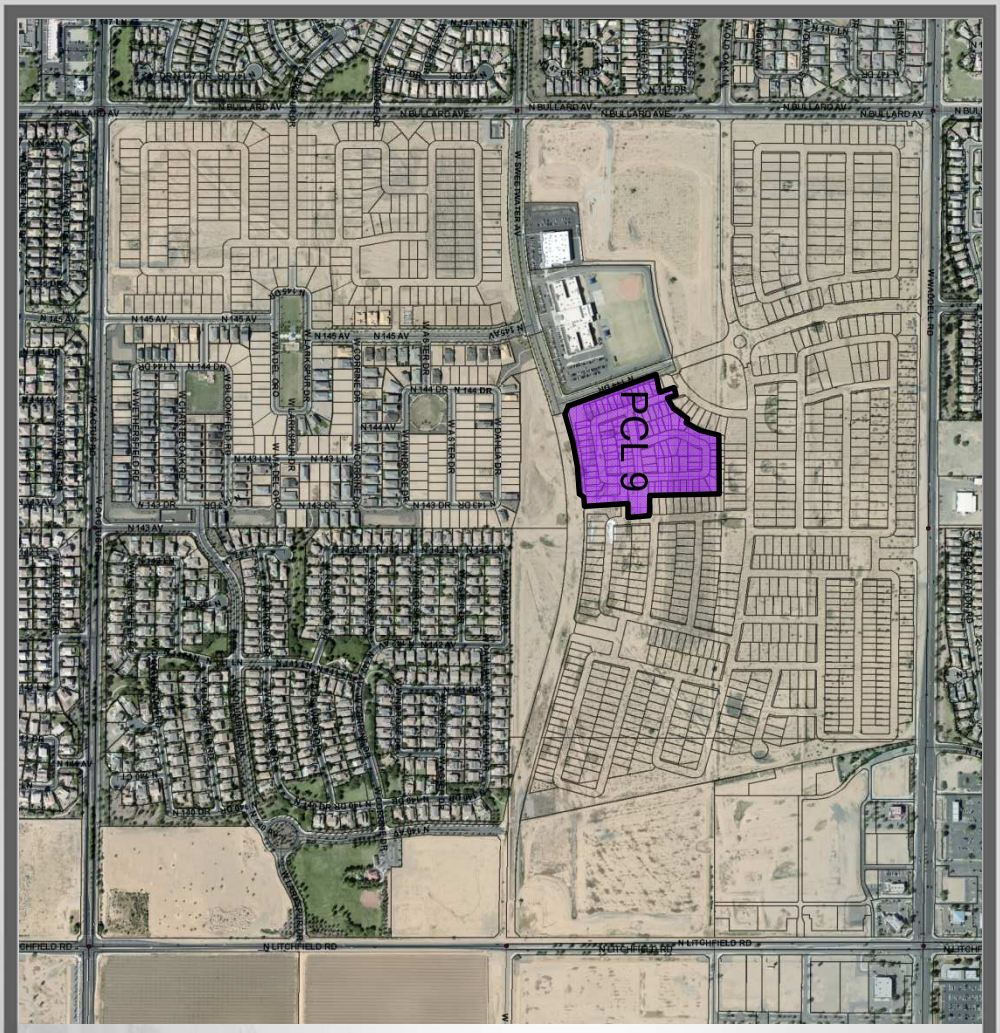
Alternative Actions:

Approval of the requested Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Attachments:

01 – Case Map
02 – Final Plat
03 – Luke AFB comments



FS18-135 Case Map

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 9

A PORTION OF THE NORTH HALF OF SECTION 16,
TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN
MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

KNOW ALL MEN BY THESE PRESENTS: THAT MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 9", A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT AND EASEMENT, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, AND LETTER GIVEN TO EACH RESPECTIVELY. THE PURPOSES OF THE EASEMENTS ARE SHOWN HEREON.

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

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

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

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

OWNER 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.

ANY PARTY WITH RIGHTS TO ANY WATER OR SEWER EASEMENT THAT OVERLAPS ANOTHER WATER OR SEWER EASEMENT SHALL HAVE THE RIGHT TO INSTALL, CONSTRUCT, MAINTAIN, REPAIR, REPLACE AND UTILIZE THE WATER/SEWER LINES/WATER METERS IN SUCH EASEMENTS THAT OVERLAP IN AN EMERGENCY SITUATION WITHOUT THE CONSENT OF ALL PARTIES WITH RIGHTS TO SUCH EASEMENTS. IN SUCH AREAS THAT OVERLAP IN A NON–EMERGENCY SITUATION ALL PARTIES SHALL CONSENT PRIOR TO ALLOWING ANY OTHER PARTY TO PERFORM ANY INSTALLATION, CONSTRUCTION, MAINTENANCE, REPAIR, OR REPLACEMENT WORK WITHIN THE EASEMENT

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.

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

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 _____, 2018.

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION

BY _____ DATE _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

PUBLIC NOTICE

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

RELEASE OF LIABILITY

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE 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 UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. ONSITE GRADING OR EXCAVATION SHALL NOT OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
3. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "OTHER FLOOD AREAS ZONE X," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1680 L, 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.
4. IN ACCORDANCE WITH ARS § 9–461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
5. 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.
6. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NONPROFIT CORPORATION.
7. 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.

ASSURED WATER SUPPLY CERTIFICATION

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS NO. 2010–012, SIGNED ON 9–29–2011, DECISION AND ORDER NUMBER 86–002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. 45–576.

AREA SUMMARY TABLE

DESCRIPTION	AREA (SF)	AREA (ACRES)
LOTS 696 – 776	336,890	7.7460
TRACTS A – J	93,937	2.1560
RIGHT–OF–WAY	156,428	3.5910
GROSS AREA	587,255	13.4930

LEGAL DESCRIPTION

A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

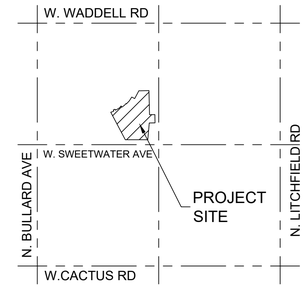
COMMENCING AT AT A BRASS CAP IN HANDHOLE AT THE NORTHWEST CORNER OF SAID SECTION 16, FROM WHICH A BRASS CAP FLUSH AT THE WEST QUARTER–CORNER BEARS SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST, 2627.28 FEET;
THENCE ALONG THE NORTH LINE OF SAID SECTION 16, SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, 2069.08 FEET;
THENCE SOUTH 0 DEGREES 39 MINUTES 11 SECONDS WEST, 1289.97 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 85 DEGREES 55 MINUTES 06 SECONDS EAST, 50.63 FEET;
THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, 304.17 FEET;
THENCE SOUTH 3 DEGREES 11 MINUTES 43 SECONDS EAST, 457.40 FEET;
THENCE NORTH 86 DEGREES 48 MINUTES 17 SECONDS EAST, 120.00 FEET;
THENCE SOUTH 3 DEGREES 11 MINUTES 43 SECONDS EAST, 135.43 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 10.00 FEET;
THENCE SOUTHWESTERLY 15.71 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;
THENCE SOUTH 86 DEGREES 48 MINUTES 17 SECONDS WEST, 50.50 FEET;
THENCE SOUTH 3 DEGREES 11 MINUTES 43 SECONDS EAST, 60.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 3 DEGREES 11 MINUTES 43 SECONDS EAST A DISTANCE OF 2.00 FEET;
THENCE SOUTHWESTERLY 3.14 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;
THENCE SOUTH 3 DEGREES 11 MINUTES 43 SECONDS EAST, 201.94 FEET;
THENCE SOUTH 86 DEGREES 48 MINUTES 17 SECONDS WEST, 8.00 FEET;
THENCE SOUTH 3 DEGREES 11 MINUTES 43 SECONDS EAST, 3.28 FEET;
THENCE SOUTH 86 DEGREES 48 MINUTES 17 SECONDS WEST, 69.00 FEET;
THENCE SOUTH 41 DEGREES 20 MINUTES 30 SECONDS WEST, 28.51 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 4 DEGREES 19 MINUTES 46 SECONDS EAST A DISTANCE OF 2753.00 FEET;
THENCE SOUTHWESTERLY 528.06 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 10 DEGREES 59 MINUTES 24 SECONDS;
THENCE ON A NON–TANGENT LINE NORTH 62 DEGREES 19 MINUTES 19 SECONDS WEST, 29.21 FEET;
THENCE NORTH 19 DEGREES 06 MINUTES 12 SECONDS WEST, 599.19 FEET;
THENCE NORTH 70 DEGREES 53 MINUTES 48 SECONDS EAST, 105.02 FEET;
THENCE NORTH 19 DEGREES 06 MINUTES 12 SECONDS WEST, 74.06 FEET;
THENCE NORTH 70 DEGREES 53 MINUTES 48 SECONDS EAST, 52.00 FEET;
THENCE SOUTH 19 DEGREES 06 MINUTES 12 SECONDS EAST, 63.77 FEET;
THENCE NORTH 50 DEGREES 35 MINUTES 20 SECONDS EAST, 48.38 FEET;
THENCE NORTH 41 DEGREES 30 MINUTES 14 SECONDS EAST, 45.97 FEET;
THENCE NORTH 38 DEGREES 49 MINUTES 53 SECONDS EAST, 46.54 FEET;
THENCE NORTH 34 DEGREES 10 MINUTES 19 SECONDS EAST, 46.54 FEET;
THENCE SOUTH 58 DEGREES 09 MINUTES 28 SECONDS EAST, 24.79 FEET;
THENCE NORTH 29 DEGREES 13 MINUTES 26 SECONDS EAST, 54.57 FEET;
THENCE NORTH 23 DEGREES 59 MINUTES 13 SECONDS EAST, 54.57 FEET;
THENCE SOUTH 68 DEGREES 37 MINUTES 53 SECONDS EAST, 5.00 FEET;
THENCE NORTH 18 DEGREES 17 MINUTES 08 SECONDS EAST, 64.78 FEET;
THENCE NORTH 12 DEGREES 07 MINUTES 10 SECONDS EAST, 64.78 FEET TO THE POINT OF BEGINNING.

CONTAINS 13.4815 ACRES, MORE OR LESS.

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS MEASURED AND AS SHOWN ON THE FINAL PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 9", AS SHOWN ON THE MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 639, PAGE 39, M.C.R.

SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST



VICINITY MAP
(NTS)
T.3 N., R.1 W.
SEC. 16

DEVELOPER

MERITAGE HOMES OF ARIZONA INC.
8800 E. RAINTREE DR, SUITE 300
SCOTTSDALE, AZ 85260
TEL: (480)515–8251
CONTACT: JASON JARVIS

ENGINEER

EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
CONTACT: DANIEL AUXIER, P.E.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 FINAL PLAT
SHEET 3 FINAL PLAT
SHEET 4 FINAL PLAT

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON–PROFIT CORPORATION, HEREBY RATIFIES, AFFIRMS AND APPROVES THIS PLAT FOR "MARLEY PARK PHASE 4 & 5 – PARCEL 9" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT.

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF_____, 2018.

HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION,
AN ARIZONA NON–PROFIT CORPORATION

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2018, 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 _____, 2018.

_____ _____
MAYOR DATE

ATTEST: _____ _____
CITY CLERK DATE

CERTIFICATION

I, JESSE BOYD, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF JULY 2017; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JESSE BOYD, R.L.S. 42937
EPS GROUP, INC.
2045 S. VINEYARD AVENUE, SUITE 101
MESA, AZ 85210

DATE OF PREPARATION: REVISED MAY 9, 2018

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 9
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 07/27/2018
ARIZONA, U.S.A.

Job No.
17-234
FP01

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of 4

17-234

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LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
696	5,041	0.1157
697	3,642	0.0836
698	3,642	0.0836
699	3,642	0.0836
700	3,642	0.0836
701	4,129	0.0948
702	4,192	0.0962
703	3,638	0.0835
704	3,638	0.0835
705	3,683	0.0846
706	4,487	0.1030
707	5,820	0.1336
708	6,164	0.1415
709	3,703	0.0850
710	3,600	0.0826
711	3,600	0.0826
712	3,600	0.0826
713	5,994	0.1376
714	8,713	0.2000
715	5,114	0.1174
716	3,600	0.0826

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
717	3,600	0.0826
718	3,600	0.0826
719	3,600	0.0826
720	3,600	0.0826
721	3,600	0.0826
722	3,600	0.0826
723	3,600	0.0826
724	4,642	0.1066
725	4,639	0.1065
726	4,760	0.1093
727	4,826	0.1108
728	3,938	0.0904
729	3,666	0.0842
730	5,247	0.1205
731	5,862	0.1346
732	7,240	0.1662
733	4,339	0.0996
734	4,648	0.1067
735	4,968	0.1141
736	4,370	0.1003
737	4,560	0.1047

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
738	4,060	0.0932
739	3,883	0.0892
740	3,883	0.0891
741	3,883	0.0891
742	3,883	0.0891
743	3,883	0.0891
744	3,883	0.0892
745	4,233	0.0972
746	4,467	0.1026
747	4,111	0.0944
748	4,111	0.0944
749	4,111	0.0944
750	4,111	0.0944
751	4,111	0.0944
752	4,291	0.0985
753	4,728	0.1085
754	3,948	0.0906
755	3,657	0.0840
756	3,651	0.0838
757	3,651	0.0838
758	3,651	0.0838

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
759	3,651	0.0838
760	3,651	0.0838
761	3,651	0.0838
762	3,651	0.0838
763	3,767	0.0865
764	3,950	0.0907
765	3,619	0.0831
766	3,600	0.0826
767	3,600	0.0826
768	3,600	0.0826
769	3,600	0.0826
770	3,600	0.0826
771	3,600	0.0826
772	3,600	0.0826
773	3,600	0.0826
774	3,600	0.0826
775	3,600	0.0826
776	3,600	0.0826

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
TRACT: A	LANDSCAPE / OPEN SPACE / RETENTION	16,066	0.3688
TRACT: B	LANDSCAPE / OPEN SPACE	884	0.0203
TRACT: C	LANDSCAPE / OPEN SPACE	1,787	0.0410
TRACT: D	LANDSCAPE / OPEN SPACE	909	0.0209
TRACT: E	LANDSCAPE / OPEN SPACE	893	0.0205
TRACT: F	LANDSCAPE / OPEN SPACE / AMENITY	29,147	0.6691
TRACT: G	LANDSCAPE / OPEN SPACE	1,769	0.0406
TRACT: H	LANDSCAPE / OPEN SPACE	1,762	0.0404
TRACT: I	LANDSCAPE / OPEN SPACE / RETENTION	39,029	0.8960
TRACT: J	LANDSCAPE / OPEN SPACE / MEDIAN	1,691	0.0388
TRACT: K	LANDSCAPE / OPEN SPACE	968	0.0222

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	15.69'	10.00'	89°54'33"	9.98'	14.13'	N34°52'50"E
C2	50.09'	300.00'	9°33'57"	25.10'	50.03'	N14°19'14"W
C3	15.71'	10.00'	90°00'00"	10.00'	14.14'	S25°53'48"W
C4	14.67'	10.00'	84°01'28"	9.01'	13.39'	S61°06'56"E
C5	14.52'	10.00'	83°11'57"	8.88'	13.28'	S57°14'56"E
C6	15.18'	10.00'	86°58'05"	9.48'	13.76'	N40°17'19"E
C7	15.71'	10.00'	90°00'00"	10.00'	14.14'	N48°11'43"W
C8	8.46'	274.00'	1°46'09"	4.23'	8.46'	N18°13'07"W
C9	15.71'	10.00'	90°00'00"	10.00'	14.14'	S41°48'17"W
C10	19.39'	62.00'	17°55'23"	9.78'	19.32'	S28°03'53"E
C11	6.93'	62.00'	6°24'20"	3.47'	6.93'	S65°56'22"E
C12	7.03'	62.00'	6°29'45"	3.52'	7.03'	N80°35'48"E
C13	13.34'	62.00'	12°19'29"	6.69'	13.31'	N77°22'10"E
C14	2.46'	176.00'	0°48'07"	1.23'	2.46'	S18°42'09"E
C15	14.58'	10.00'	83°32'53"	8.93'	13.32'	S60°52'38"E
C16	15.14'	10.00'	86°43'37"	9.44'	13.73'	N40°10'06"E
C17	19.65'	326.00'	3°27'14"	9.83'	19.65'	N17°22'35"W
C18	30.31'	336.00'	5°10'06"	15.16'	30.30'	N16°31'09"W

17-234

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EPS GROUP
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w w w . e p s g r o u p i n c . c o m

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 9
Surprise, Arizona

Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 07/23/2018
ARIZONA U.S.A.

Job No.
17-234

FP01

Sheet No.
2
of 4

17-234

LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

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jboyd

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Sheet No.
3
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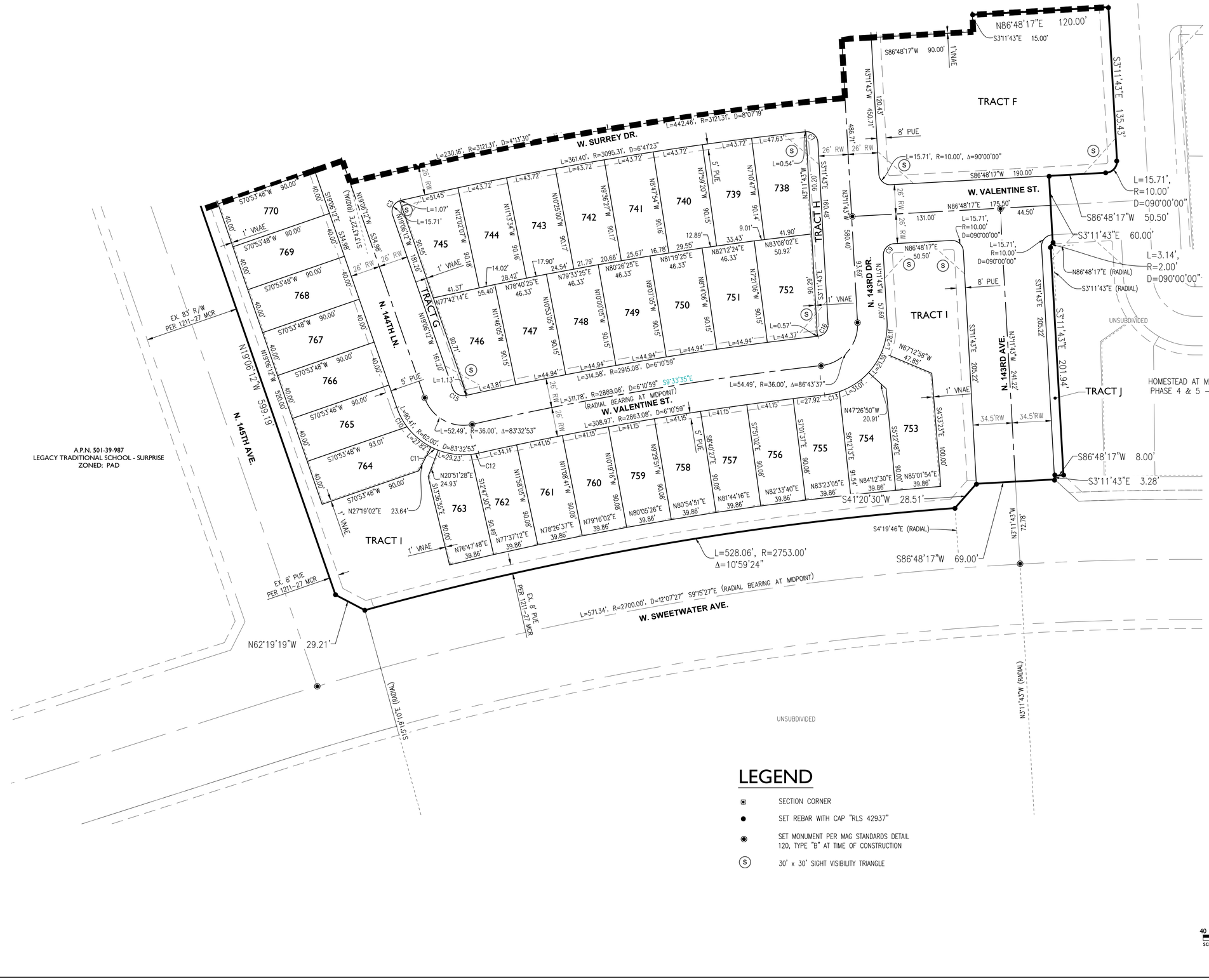

LEGEND

- ⊙ SECTION CORNER
- ● SET REBAR WITH CAP "RLS 42937"
- ◉ SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

NORTH

40 0 40 80
scale feet

EPS GROUP
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w w w . e p s g r o u p i n c . c o m

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 9
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Final Plat

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DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

22 March 2018

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Jamie Sullivan
Development Services Specialist
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS18-135; Marley Park Phase 4 & 5 Meritage Homes Parcel 9

Dear Ms. Sullivan

Thank you for the opportunity to provide comments on the Final Plat Application for the Marley Park Phase 4 & 5 Parcel 9 by Meritage Homes. The site is located on 13.5 acres and is part of a larger 217 acres at the southwest corner of Waddell Road and Bullard Avenue, in Surprise AZ. The request is for 81 single family homes for an overall density of 6 du/ac. The property is located 0.26 miles outside the 65 LDN the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461. Luke AFB understands any residential development will remain external to the 65 LDN.

In an effort to promote a more compatible co-existence Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. With an overall density of 6 du/ac this request does not meet the standard, however Luke does recognize Meritage Homes and the city have worked diligently to keep the project outside the 65 LDN and the density low.

While we have determined that this request exceeds the densities that Luke AFB follows, we recognize that we are not the approval authority. As such, if approved Marley Park Phase 4 & 5 will be located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents about Luke AFB operations.

If you have any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely

JAMES R. MITCHELL

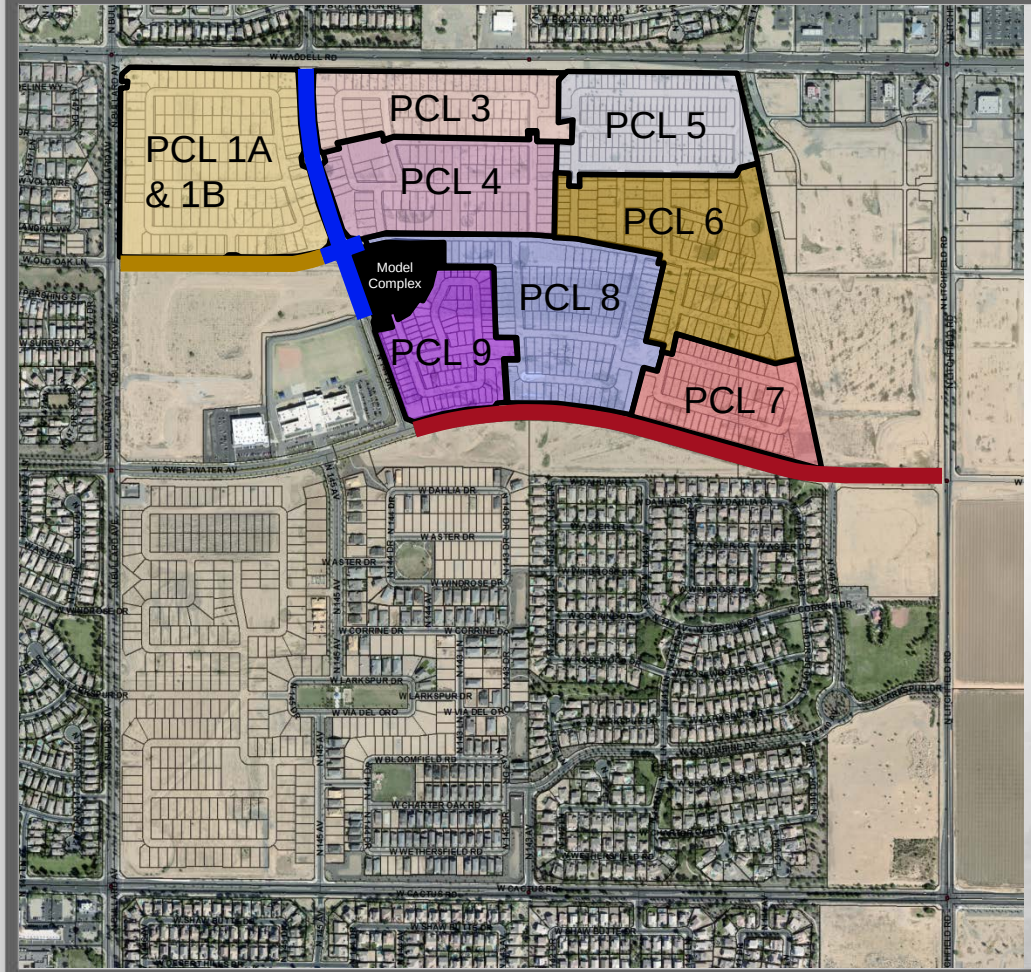
cc:
Colonel Michael S. Richardson, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

SURPRISE
ARIZONA

Homestead at Marley Park Final Plats

- FS18-181 Parcel 1A & 1B
  - FS18-178 Parcel 3
  - FS18-177 Parcel 4
  - FS18-245 Parcel 5
  - FS18-214 Parcel 6
  - FS18-190 Parcel 7
  - FS18-162 Parcel 8
  - FS18-135 Parcel 9

City Council, September 4, 2018



Composite Map

- Parcel 1A & 1B, FS18-181
- Parcel 3, FS18-178
- Parcel 4, FS18-177
- Parcel 5, FS18-245
- Parcel 6, FS18-214
- Parcel 7, FS18-190
- Parcel 8, FS18-162
- Parcel 9, FS18-135
- Sweetwater MOD
- 144th Dr MOD
- Old Oak MOD

PARKS & AMENITY

1 THE HOMESTEAD

- Community / Sales Center
- Ramada
- Outdoor Fireplace Plaza
- Communal Table
- Tot Lot
- Half Basketball Court
- Grove Plaza
- Pool
- Kid Zone
- Adult Zone
- Lap Pool
- Dive-in Movie
- Bocce Ball Court
- Horseshoes Court
- Open Turf Area

2 PLAYFUL ART PARK (PARCEL 1)

- Playful Art Play Structure
- Shaded Seating
- Gathering Area
- Shaded Seatwall Gathering Plaza
- Open Turf Area

3 MONARCH PARK (PARCEL 3)

- Passive Recreation Park
- Outdoor Lounge
- Overlook Platform
- Grove Plaza
- Formal Gardens
- Social Event Space

4 CLIMBING PARK (PARCEL 5)

- Climbing Tot Lot
- Turf Play Area
- Ramada Gathering
- Shaded Seating

5 MUSIC PARK (PARCEL 7)

- Interactive Musical Play
- Turf Play Area
- Shade Structure
- Seating Area
- Gathering Plaza

6 PRAIRIE LOUNGE (PARCEL 8)

- Outdoor Kitchen
- Outdoor Living
- Outdoor Fireplace
- Movie Lawn
- Community Garden
- Communal Table
- Corn Hole

7 NATURE GROVE PARK (PARCEL 9)

- Nature Play Feature
- Animal Play Feature
- Turf Play Area
- Shade Structure
- Seating Area

8 WARRIOR PARK (LINEAR PARK)

- Active Recreation Park
- Fitness Stations
- Ninja Equipment
- Multi-use Trails

9 MEADOW PARK (13 ACRE PARK)

- Active Recreation Park
- Multi-use Turf Fields
- Multi-use Paths

NORTH 0' 100' 200' 400'
Scale: 1" = 200'-0"

17-234 MeritageHomes | Marley Park - Phase 4 & 5 | Surprise, Arizona | Illustrative Master Plan | L-0.01 | 12.14.2017 | EPS GROUP

FS17-508 Landscape

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	6
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 8" dated July 26, 2018, a property generally located south of the Old Oak Lane alignment and east of the 144th Drive alignment in Marley Park.

Motion:

I move to approve the Final Plat entitled, " Homestead at Marley Park Phase 4 & 5 Parcel 8" dated July 26, 2018.

Background:

Dan Auxier of EPS Group on behalf of Meritage Homes requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 113 single-family residential lots, in addition to approximately 3.4 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

Objective Analysis:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC;

however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. Luke AFB did not offer comment with respect to the subject Final Plat; however, at 4.48 DU/Ac, the subject Final Plat does not meet the GDC.

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 - Homestead at Marley Park Parcel 8 Final Plat - Staff Report
- 01 - Homestead at Marley Park Parcel 8 Final Plat - Case Map
- 02 - Homestead at Marley Park Parcel 8 Final Plat
- 03 - Homestead at Marley Park Parcel 8 Final Plat - Presentation

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-162**
Project Name:	Homestead at Marley Park Parcel 8 Final Plat
Council District:	6 – Palo Verde
Meeting Date:	**September 04, 2018**
Planner:	Robert H. Kuhfuss, AICP

Owner:	Meritage Homes
Applicant:	Dan Auxier, EPS Group, Inc.
Request:	113-Lot, 10-Tract Final Plat in the PAD Zoning District (Marley Park)
Site Location:	Generally south of the Old Oak Lane alignment and east of the 144th Drive alignment in Marley Park
Site Size:	25.23 gross acres (approx.)
Density:	4.48 DU/Ac
General Plan Conformance:	The proposal advances the goals of the Surprise General Plan 2035
Support/Opposition:	None known.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat 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 Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Project Description:

Dan Auxier of EPS Group on behalf of Meritage Homes requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 113 single-family residential lots, in addition to approximately 3.4 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

BACKGROUND:

October 25, 2000: The City Council approved the original Marley Park PAD under case PAD00-091.

September 26, 2002: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of adding land mass to the PAD under case PADA02-104.

March 23, 2006: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of addressing densities in the eastern portion of Marley Park.

March 12, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 9 under case FS18-135, which is still under review.

March 20, 2018: The City Council approved the Preliminary Plat for Marley Park Phase 4 & 5 under case FS17-508. The City Council also approved three (3) related Maps-of-Dedication (MOD) this date. Said MODs were for Sweetwater Avenue, 144th Drive, and Old Oak Lane under cases FS17-584, FS17-601, and FS17-618, respectively.

March 26, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 8 under case FS18-162, the subject case.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 4 under case FS18-177, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 3 under case FS18-178, which is discussed under separate cover.

April 5, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 1A and 1B under case FS18-181, which is discussed under separate cover.

April 10, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 7 under case FS18-190, which is discussed under separate cover.

April 18, 2018: The applicant filed a request for a Final Plat and Landscape Plan Review for Marley Park Phase 4 & 5, Park "B" under case FS18-209, which is still under review.

April 23, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 6 under case FS18-214, which is discussed under separate cover.

May 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 5 under case FS18-245, which is discussed under separate cover.

June 5, 2018: The City Council approved a Final Plat for the Homestead and Marley Park Model Complex and Park "A" under FS18-103.

Citizen Outreach:

N/A

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC; however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. Luke AFB did not offer comment with respect to the subject Final Plat; however, at 4.48 DU/Ac, the subject Final Plat does not meet the GDC.

Reviewing Agencies:

All city reviewing departments have reviewed the request and expressed no objections to the request. The subject Final Plat was also routed to the standard external reviewing agencies, who offered the following comments:

Flood Control District of Maricopa County (FCDMC): FCDMC indicated no objections to the request.

Maricopa Water District (MWD): MWD indicated the proposed project is outside their current boundaries.

Arizona Department of Transportation (ADOT): ADOT indicated no objection to the request.

Summary:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD.
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

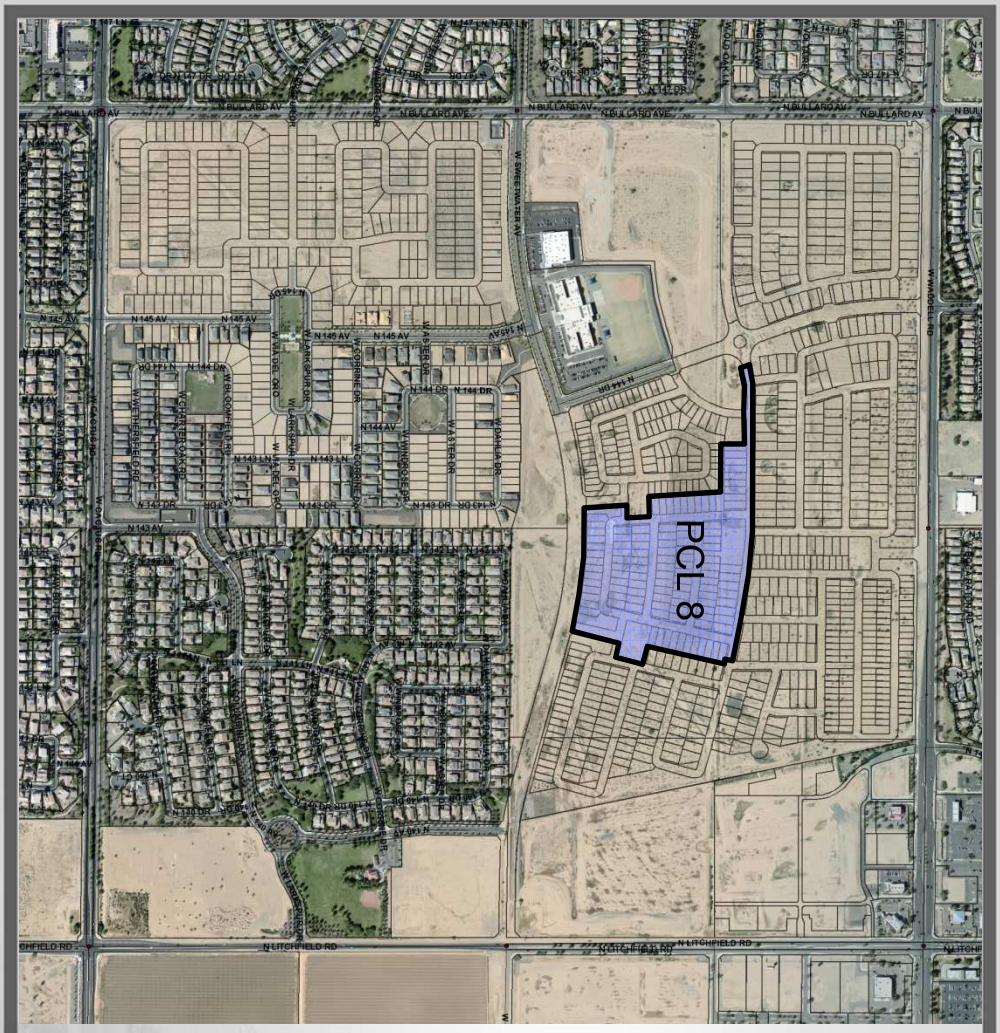
Alternative Actions:

Approval of the requested Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Attachments:

01 – Case Map
02 – Final Plat



FS18-162 Case Map

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 8
A PORTION OF THE NORTH HALF OF SECTION 16,
TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN
MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

KNOW ALL PERSONS BY THESE PRESENTS: THAT MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 8", A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT AND EASEMENT, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, AND LETTER GIVEN TO EACH RESPECTIVELY. THE PURPOSES OF THE EASEMENTS ARE SHOWN HEREON.

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

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

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

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

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

OWNER 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.

ANY PARTY WITH RIGHTS TO ANY WATER OR SEWER EASEMENT THAT OVERLAPS ANOTHER WATER OR SEWER EASEMENT SHALL HAVE THE RIGHT TO INSTALL, CONSTRUCT, MAINTAIN, REPAIR, REPLACE AND UTILIZE THE WATER/SEWER LINES/WATER METERS IN SUCH EASEMENTS THAT OVERLAP IN AN EMERGENCY SITUATION WITHOUT THE CONSENT OF ALL PARTIES WITH RIGHTS TO SUCH EASEMENTS. IN SUCH AREAS THAT OVERLAP IN A NON–EMERGENCY SITUATION ALL PARTIES SHALL CONSENT PRIOR TO ALLOWING ANY OTHER PARTY TO PERFORM ANY INSTALLATION, CONSTRUCTION, MAINTENANCE, REPAIR, OR REPLACEMENT WORK WITHIN THE EASEMENT

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.

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

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 _____, 2018.

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION

BY _____ DATE _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

PUBLIC NOTICE

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

RELEASE OF LIABILITY

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE 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, ASSIONS, 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 UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. NO ON–SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
3. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "OTHER FLOOD AREAS ZONE X," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1680 L, 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.
4. IN ACCORDANCE WITH ARS § 9–461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
5. 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.
6. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NONPROFIT CORPORATION.
7. 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.

ASSURED WATER SUPPLY CERTIFICATION

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS NO. 2010–012, SIGNED ON 9–29–2011, DECISION AND ORDER NUMBER 86–002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. 45–576.

AREA SUMMARY TABLE

DESCRIPTION	AREA (SF)	AREA (ACRES)
LOTS 417–424 & 584–688	641,191	14.7197
TRACTS A–J	146,192	3.3561
RIGHT–OF–WAY	311,497	7.1510
GROSS AREA	1,098,880	25.2268

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS MEASURED AND AS SHOWN ON THE FINAL PLAT FOR "MARLEY PARK PHASE 4 & 5 – PARCEL 8", AS SHOWN ON THE MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 839, PAGE 39, M.C.R.

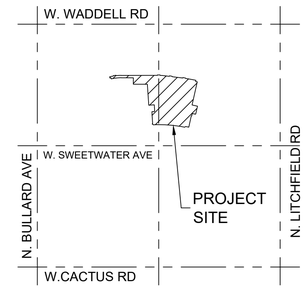
SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST

LEGAL DESCRIPTION

A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN HANDHOLE AT THE NORTHWEST CORNER OF SAID SECTION 16, FROM WHICH A BRASS CAP FLUSH AT THE WEST QUARTER–CORNER BEARS SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST, 2627.28 FEET;
THENCE ALONG THE NORTH LINE OF SAID SECTION 16, SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, 1605.67 FEET;
THENCE SOUTH 0 DEGREES 39 MINUTES 11 SECONDS WEST, 1132.18 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 13 DEGREES 30 MINUTES 28 SECONDS EAST A DISTANCE OF 1026.00 FEET, SAID POINT BEING THE POINT OF BEGINNING;;
THENCE NORTHEASTERLY 77.52 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 4 DEGREES 19 MINUTES 45 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 10.00 FEET;
THENCE NORTHEASTERLY 15.36 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 88 DEGREES 00 MINUTES 31 SECONDS;
THENCE ON A NON–TANGENT LINE NORTH 82 DEGREES 48 MINUTES 46 SECONDS EAST, 52.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHEAST, FROM WHICH THE RADIUS POINT BEARS NORTH 82 DEGREES 48 MINUTES 46 SECONDS EAST A DISTANCE OF 10.00 FEET;
THENCE SOUTHEASTERLY 15.36 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 88 DEGREES 00 MINUTES 31 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 1026.00 FEET;
THENCE EASTERLY 104.74 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 5 DEGREES 50 MINUTES 56 SECONDS;
THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, 779.98 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 10.00 FEET;
THENCE NORTHEASTERLY 15.71 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;
THENCE ON A NON–TANGENT LINE SOUTH 88 DEGREES 39 MINUTES 27 SECONDS EAST, 52.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 10.00 FEET;
THENCE SOUTHEASTERLY 15.36 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 88 DEGREES 00 MINUTES 31 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 1026.00 FEET;
THENCE SOUTHEASTERLY 95.38 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 5 DEGREES 19 MINUTES 34 SECONDS;
THENCE SOUTH 82 DEGREES 01 MINUTES 46 SECONDS EAST, 94.82 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 10.00 FEET;
THENCE NORTHEASTERLY 16.99 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 97 DEGREES 19 MINUTES 03 SECONDS;
THENCE ON A NON–TANGENT LINE SOUTH 79 DEGREES 15 MINUTES 54 SECONDS EAST, 52.82 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 10.00 FEET;
THENCE SOUTHEASTERLY 14.43 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 82 DEGREES 40 MINUTES 57 SECONDS;
THENCE SOUTH 82 DEGREES 01 MINUTES 46 SECONDS EAST, 196.09 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 3803.13 FEET;
THENCE SOUTHEASTERLY 25.66 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 0 DEGREES 23 MINUTES 11 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 10.00 FEET;
THENCE NORTHEASTERLY 17.05 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 97 DEGREES 42 MINUTES 14 SECONDS;
THENCE ON A NON–TANGENT LINE SOUTH 77 DEGREES 59 MINUTES 40 SECONDS EAST, 53.04 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 10.00 FEET;
THENCE SOUTHEASTERLY 14.17 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 81 DEGREES 12 MINUTES 10 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 3803.13 FEET;
THENCE SOUTHEASTERLY 223.18 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 3 DEGREES 21 MINUTES 44 SECONDS;
THENCE ON A NON–TANGENT LINE SOUTH 12 DEGREES 48 MINUTES 45 SECONDS WEST, 26.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHWEST, FROM WHICH THE RADIUS POINT BEARS SOUTH 12 DEGREES 48 MINUTES 45 SECONDS WEST A DISTANCE OF 3777.13 FEET;
THENCE SOUTHEASTERLY 35.07 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 0 DEGREES 31 MINUTES 55 SECONDS;
THENCE ON A NON–TANGENT LINE SOUTH 13 DEGREES 17 MINUTES 34 SECONDS WEST, 515.03 FEET;
THENCE SOUTH 76 DEGREES 42 MINUTES 26 SECONDS EAST, 120.00 FEET;
THENCE SOUTH 13 DEGREES 17 MINUTES 34 SECONDS WEST, 171.06 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 10.00 FEET;
THENCE SOUTHWESTERLY 16.06 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 92 DEGREES 02 MINUTES 22 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 3081.00 FEET;
THENCE NORTHWESTERLY 64.25 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 1 DEGREES 11 MINUTES 41 SECONDS;
THENCE ON A NON–TANGENT LINE SOUTH 14 DEGREES 08 MINUTES 15 SECONDS WEST, 52.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 14 DEGREES 08 MINUTES 15 SECONDS WEST A DISTANCE OF 10.00 FEET;
THENCE SOUTHWESTERLY 15.86 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90 DEGREES 50 MINUTES 40 SECONDS;
THENCE SOUTH 13 DEGREES 17 MINUTES 34 SECONDS WEST, 245.89 FEET;
THENCE NORTH 76 DEGREES 42 MINUTES 26 SECONDS WEST, 69.00 FEET;
THENCE SOUTH 57 DEGREES 49 MINUTES 47 SECONDS WEST, 28.51 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHWEST, FROM WHICH THE RADIUS POINT BEARS SOUTH 12 DEGREES 09 MINUTES 31 SECONDS WEST A DISTANCE OF 2753.00 FEET;
THENCE NORTHWESTERLY 683.24 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 14 DEGREES 13 MINUTES 11 SECONDS;
THENCE ON A NON–TANGENT LINE NORTH 47 DEGREES 43 MINUTES 56 SECONDS WEST, 28.51 FEET;
THENCE NORTH 3 DEGREES 11 MINUTES 43 SECONDS WEST, 3.28 FEET;
THENCE NORTH 86 DEGREES 48 MINUTES 17 SECONDS EAST, 8.00 FEET;
THENCE NORTH 3 DEGREES 11 MINUTES 43 SECONDS WEST, 201.94 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 2.00 FEET;
THENCE NORTHEASTERLY 3.14 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;
THENCE ON A NON–TANGENT LINE NORTH 3 DEGREES 11 MINUTES 43 SECONDS WEST, 60.00 FEET;
THENCE NORTH 86 DEGREES 48 MINUTES 17 SECONDS EAST, 50.50 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 10.00 FEET;
THENCE NORTHWESTERLY 15.71 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;
THENCE NORTH 3 DEGREES 11 MINUTES 43 SECONDS WEST, 135.43 FEET;
THENCE SOUTH 86 DEGREES 48 MINUTES 17 SECONDS WEST, 120.00 FEET;
THENCE NORTH 3 DEGREES 11 MINUTES 43 SECONDS WEST, 457.40 FEET;
THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, 304.17 FEET;
THENCE NORTH 0 DEGREES 39 MINUTES 11 SECONDS EAST, 140.00 FEET;
THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, 262.94 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 974.00 FEET;
THENCE SOUTHWESTERLY 219.16 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 12 DEGREES 53 MINUTES 32 SECONDS;
THENCE ON A NON–TANGENT LINE NORTH 12 DEGREES 14 MINUTES 21 SECONDS WEST, 26.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 12 DEGREES 14 MINUTES 21 SECONDS EAST A DISTANCE OF 1000.00 FEET;
THENCE SOUTHWESTERLY 22.14 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 1 DEGREES 16 MINUTES 08 SECONDS;
THENCE ON A NON–TANGENT LINE NORTH 13 DEGREES 30 MINUTES 28 SECONDS WEST, 26.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 25.2268 ACRES, MORE OR LESS.



VICINITY MAP
(NTS)
T.3 N., R.1 W.
SEC. 16

DEVELOPER

MERITAGE HOMES OF ARIZONA INC.
8800 E. RAINTREE DR, SUITE 300
SCOTTSDALE, AZ 85260
TEL: (480)515–8251
CONTACT: JASON JARVIS

ENGINEER

EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
CONTACT: DANIEL AUXIER, P.E.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 TRACT USE TABLE, LOT AREA TABLES, CURVE TABLE
SHEET 3 FINAL PLAT
SHEET 4 FINAL PLAT
SHEET 5 FINAL PLAT

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON–PROFIT CORPORATION, HEREBY RATIFIES, AFFIRMS AND APPROVES THIS PLAT FOR "MARLEY PARK PHASE 4 & 5 – PARCEL 8" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT.

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF_____, 2018.

HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION,
AN ARIZONA NON–PROFIT CORPORATION

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2018, 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 _____, 2018.

_____ _____
MAYOR DATE

ATTEST: _____ _____
CITY CLERK DATE

CERTIFICATION

I, JESSE BOYD, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF JULY 2017; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JESSE BOYD, R.L.S. 42937
EPS GROUP, INC.
2045 S. VINEYARD AVENUE, SUITE 101
MESA, AZ 85210

DATE OF PREPARATION: REVISED MAY 23, 2018

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 8
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 07/26/2018
ARIZONA, U.S.A.

Job No.
17-234
FP01
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of 5

17-234
jboyd Jul 27, 2018 11:05am C:\Users\jboyd\appdata\local\temp\AcPublish_380\17-234 Plat Parcel 8.dwg

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
417	7,553	0.1734
418	7,265	0.1668
419	7,130	0.1637
420	7,039	0.1616
421	7,097	0.1629
422	6,964	0.1599
423	7,033	0.1615
424	7,256	0.1666
584	5,400	0.1240
585	5,400	0.1240
586	5,400	0.1240
587	5,400	0.1240
588	5,400	0.1240
589	5,400	0.1240
590	5,400	0.1240
591	5,400	0.1240
592	5,400	0.1240
593	5,400	0.1240
594	5,547	0.1273
595	5,513	0.1266

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
596	5,250	0.1205
597	5,250	0.1205
598	5,250	0.1205
599	5,247	0.1205
600	5,247	0.1205
601	5,247	0.1205
602	5,247	0.1205
603	5,247	0.1205
604	5,247	0.1205
605	5,247	0.1205
606	5,247	0.1205
607	5,247	0.1205
608	5,531	0.1270
609	5,791	0.1330
610	5,522	0.1268
611	5,522	0.1268
612	5,522	0.1268
613	5,522	0.1268
614	5,522	0.1268
615	5,522	0.1268

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
616	5,522	0.1268
617	5,522	0.1268
618	5,522	0.1268
619	5,522	0.1268
620	5,522	0.1268
621	5,770	0.1325
622	5,928	0.1361
623	5,656	0.1298
624	5,656	0.1298
625	5,656	0.1298
626	5,656	0.1298
627	5,656	0.1298
628	5,656	0.1298
629	5,656	0.1298
630	5,656	0.1298
631	5,656	0.1298
632	5,656	0.1298
633	5,952	0.1366
634	5,962	0.1369
635	5,669	0.1301

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
636	5,669	0.1301
637	5,669	0.1301
638	5,778	0.1326
639	5,521	0.1267
640	5,708	0.1310
641	5,669	0.1301
642	5,669	0.1301
643	5,669	0.1301
644	5,938	0.1363
645	5,612	0.1288
646	5,315	0.1220
647	5,315	0.1220
648	5,315	0.1220
649	5,315	0.1220
650	5,315	0.1220
651	5,315	0.1220
652	5,315	0.1220
653	5,315	0.1220
654	5,315	0.1220
655	5,639	0.1294

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
656	6,058	0.1391
657	5,371	0.1233
658	5,268	0.1209
659	5,268	0.1209
660	5,268	0.1209
661	5,268	0.1209
662	5,268	0.1209
663	5,268	0.1209
664	5,268	0.1209
665	5,268	0.1209
666	5,268	0.1209
667	5,268	0.1209
668	5,371	0.1233
669	6,047	0.1388
670	5,400	0.1240
671	5,400	0.1240
672	5,400	0.1240
673	5,400	0.1240
674	5,400	0.1240
675	5,400	0.1240

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
676	5,400	0.1240
677	5,400	0.1240
678	5,400	0.1240
679	5,804	0.1332
680	7,204	0.1654
681	6,300	0.1446
682	6,300	0.1446
683	6,300	0.1446
684	6,300	0.1446
685	6,300	0.1446
686	6,300	0.1446
687	6,300	0.1446
688	6,300	0.1446

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
A	LANDSCAPE/OPEN SPACE	1,380	0.0317
B	LANDSCAPE/OPEN SPACE/AMENITY/RETENTION	47,934	1.1004
C	LANDSCAPE/OPEN SPACE	2,407	0.0553
D	LANDSCAPE/OPEN SPACE	1,180	0.0271
E	LANDSCAPE/OPEN SPACE/RETENTION	2,262	0.0519
F	LANDSCAPE/OPEN SPACE	2,263	0.0519
G	LANDSCAPE/OPEN SPACE	2,262	0.0519
H	LANDSCAPE/OPEN SPACE	2,263	0.0519
I	LANDSCAPE/OPEN SPACE/AMENITY/RETENTION	40,991	0.9410
J	LANDSCAPE/OPEN SPACE	43,251	0.9929

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	16.19'	10.00'	92°44'10"	10.49'	14.48'	N33°04'31"W
C2	15.42'	10.00'	88°22'02"	9.72'	13.94'	S57°28'36"W
C3	15.23'	10.00'	87°16'35"	9.54'	13.80'	S46°50'01"E
C4	16.19'	10.00'	92°46'50"	10.50'	14.48'	S43°11'42"W
C5	15.19'	10.00'	87°01'54"	9.49'	13.77'	N56°48'31"E
C6	16.24'	10.00'	93°01'50"	10.54'	14.51'	N33°13'20"W
C7	15.19'	10.00'	87°02'18"	9.50'	13.77'	S46°42'52"E
C8	15.14'	10.00'	86°46'20"	9.45'	13.74'	N56°40'44"E
C9	16.24'	10.00'	93°01'45"	10.54'	14.51'	S43°19'09"W
C10	16.28'	10.00'	93°18'05"	10.59'	14.54'	N33°21'28"W
C11	15.09'	10.00'	86°27'47"	9.40'	13.70'	N56°31'28"E
C12	15.14'	10.00'	86°45'17"	9.45'	13.74'	S46°34'22"E

17-234

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Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 8
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 07/26/2018
ARIZONA U.S.A.

Job No.
17-234
FP02
Sheet No.
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17-234

NORTHWEST CORNER
SECTION 16, T3N, R1W
FOUND BRASS CAP IN HANDHOLE
POINT OF COMMENCEMENT

1605.67'

S89°20'49"E 2639.19'

1033.52'

NORTH QUARTER-CORNER
SECTION 16, T3N, R1W
CALCULATED

WADDELL ROAD

H DR

N0°39'11"E
1132.18'

BULLARD AVENUE

S0°01'03"E 2627.28' (BASIS OF BEARINGS)

N. 144TH DR

EX. 83' R/W
PER 1211-27 MCR

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 4

L=15.36', R=10.00'
Δ=88°00'31"

N82°48'46"E 52.00'
26.00' 26.00'

L=15.36', R=10.00'
Δ=88°00'31"

Δ=4°19'45"
L=77.52', R=1026.00'

S7°11'14"E
35.37'

Δ=5°50'56"
L=104.74', R=1026.00'

S89°20'49"E 779.98'

N13°30'28"W 26.00'

L=110.31'

L=225.01', R=1000.00', Δ=12°53'32"

L=136.84'

72.58'

N0°39'11"E
26.00'

W. OLD OAK LANE

S89°20'49"E 815.98'
636.94'

L=15.71', R=10.00', Δ=90°00'00"

L=22.14', R=1000.00', Δ=1°16'08"

L=219.16', R=974.00', Δ=12°53'32"

N12°14'21"W 26.00'

262.94'

S89°20'49"E 673.52'

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 – PARCEL 9

45.00' 45.00' 45.00' 45.00' 45.00' 45.00' 45.00' 45.00' 50.58'

8' PUE

688 687 686 685 684 683 682 681 680

TRACT A

S0°39'11"W 48.16'

S0°39'11"W 74.16'

S0°39'11"W 38.16'

Δ=3°50'54"
L=68.91', R=1026.00'

L=69.58', R=1036.00'
Δ=3°50'54"

Δ=3°50'54"
L=67.17', R=1000.00'

1' VNAE

10.02'

N3°11'43"W 22.35'

45.00' 45.00' 45.00' 45.00' 45.00' 45.00' 45.00' 45.00' 54.42'

N89°20'49"W 304.17'

N89°20'49"W 120.27'

679

52.40'

44.33'

N86°48'17"E 120.00'

8' PUE

678

677

676

675

674

673

672

671

670

45.00'

N86°48'17"E 120.00'

S86°48'17"W 120.00'

1' VNAE

181.70'

N3°11'43"W 457.40'

N3°11'43"W 607.78'

N3°11'43"W 643.78'

282.47'

26' R/W

N. 143RD AVE.

MATCH SHEET 4

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 – PARCEL PARK A
& MODEL HOMES

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 9

MATCH SHEET 5

LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

WEST QUARTER-CORNER
SECTION 16, T3N, R1W
3" BRASS CAP FLUSH

NORTH

40 0 40 80
scale feet

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HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 8

Surprise, Arizona

Final Plat

Project: HOMESTEAD

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 07/26/2018
ARIZONA, U.S.A.

Job No.
17-234

FP03

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HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 4

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 6

W. OLD OAK LANE

W. PERSHING ST.

W. SURREY DR.

N. 143RD AVE.

N. 142ND AVE.

TRACT B

TRACT C

TRACT D

TRACT E

TRACT F

MATCH SHEET 3

MATCH SHEET 5

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 6

LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

NORTH

40 0 40 80
scale feet

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Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 8
Surprise, Arizona
Final Plat

Revisions:

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Drawn by: JB

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Job No.
17-234
FP04
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of 5

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17-234

LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

MATCH SHEET 3

MATCH SHEET 4

W. SURREY DR.

W. VALENTINE ST.

N. 143RD AVE.

N. 143RD DR.

N. 142ND AVE.

TRACT G

TRACT H

TRACT I

TRACT J

W. SWEETWATER AVENUE

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 6

644 643 642 641 640 639 638 637 636 635 634

645 646 647 648 649 650 651 652 653 654 655

669 668 667 666 665 664 663 662 661 660 659 658 657 656

L=642.72', R=3196.30', Δ=11°31'16" RADIAL BEARING AT MIDPOINT=S4°54'51"W

L=562.04', R=3170.30', Δ=10°09'27"

L=498.06', R=2940.10', Δ=9°42'22"

L=493.66', R=2914.10', Δ=9°42'22" RADIAL BEARING AT MIDPOINT=S4°54'10"W

L=489.25', R=2888.10', Δ=9°42'22"

L=683.24', R=2753.00', Δ=14°13'11"

EX. 53' R/W PER 675-21 MCR

EX. 8' PUE PER 675-21 MCR

NORTH

scale 40 0 40 80 feet

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Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 8

Surprise, Arizona

Final Plat

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FP05

Sheet No. 5 of 5

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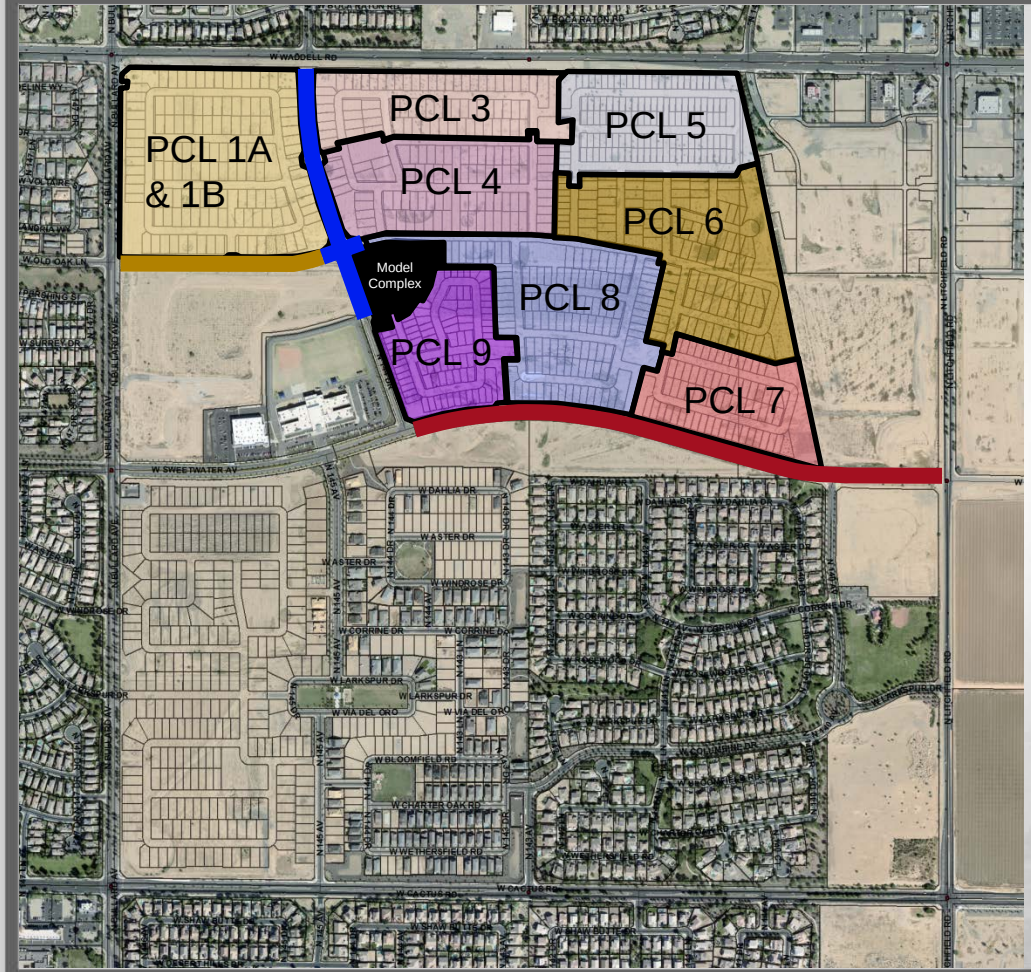
SURPRISE
ARIZONA

Homestead at Marley Park Final Plats

- FS18-181 Parcel 1A & 1B
  - FS18-178 Parcel 3
  - FS18-177 Parcel 4
  - FS18-245 Parcel 5
  - FS18-214 Parcel 6
  - FS18-190 Parcel 7
  - FS18-162 Parcel 8
  - FS18-135 Parcel 9

City Council, September 4, 2018



Composite Map

- Parcel 1A & 1B, FS18-181
- Parcel 3, FS18-178
- Parcel 4, FS18-177
- Parcel 5, FS18-245
- Parcel 6, FS18-214
- Parcel 7, FS18-190
- Parcel 8, FS18-162
- Parcel 9, FS18-135
- Sweetwater MOD
- 144th Dr MOD
- Old Oak MOD

PARKS & AMENITY

1 THE HOMESTEAD

- Community / Sales Center
- Ramada
- Outdoor Fireplace Plaza
- Communal Table
- Tot Lot
- Half Basketball Court
- Grove Plaza
- Pool
- Kid Zone
- Adult Zone
- Lap Pool
- Dive-in Movie
- Bocce Ball Court
- Horseshoes Court
- Open Turf Area

2 PLAYFUL ART PARK (PARCEL 1)

- Playful Art Play Structure
- Shaded Seating
- Gathering Area
- Shaded Seatwall Gathering Plaza
- Open Turf Area

3 MONARCH PARK (PARCEL 3)

- Passive Recreation Park
- Outdoor Lounge
- Overlook Platform
- Grove Plaza
- Formal Gardens
- Social Event Space

4 CLIMBING PARK (PARCEL 5)

- Climbing Tot Lot
- Turf Play Area
- Ramada Gathering
- Shaded Seating

5 MUSIC PARK (PARCEL 7)

- Interactive Musical Play
- Turf Play Area
- Shade Structure
- Seating Area
- Gathering Plaza

6 PRAIRIE LOUNGE (PARCEL 8)

- Outdoor Kitchen
- Outdoor Living
- Outdoor Fireplace
- Movie Lawn
- Community Garden
- Communal Table
- Corn Hole

7 NATURE GROVE PARK (PARCEL 9)

- Nature Play Feature
- Animal Play Feature
- Turf Play Area
- Shade Structure
- Seating Area

8 WARRIOR PARK (LINEAR PARK)

- Active Recreation Park
- Fitness Stations
- Ninja Equipment
- Multi-use Trails

9 MEADOW PARK (13 ACRE PARK)

- Active Recreation Park
- Multi-use Turf Fields
- Multi-use Paths

NORTH 0' 100' 200' 400'
Scale: 1" = 200'-0"

17-234 MeritageHomes | Marley Park - Phase 4 & 5 | Surprise, Arizona | Illustrative Master Plan | L-0.01 | 12.14.2017 | EPS GROUP

FS17-508 Landscape

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	6
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcels 1A & 1B" dated July 13, 2018, a property generally located southeast of Waddell Road and Bullard Avenue in Marley Park.

Motion:

I move to approve the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcels 1A & 1B" dated July 13, 2018.

Background:

Mike Gleason of Entellus, on behalf of Meritage Homes, requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 130 single-family residential lots, in addition to approximately 5.5 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

Objective Analysis:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC;

however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. This having been noted, at 3.9 DU/Ac, the subject Final Plat meets the GDC.

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 - Homestead at Marley Park Parcel 1A & 1B Final Plat - Staff Report
- 01 - Homestead at Marley Park Parcel 1A & 1B Final Plat - Case Map
- 02 - Homestead at Marley Park Parcel 1A & 1B Final Plat
- 03 - Homestead at Marley Park Parcel 1A & 1B Final Plat - Presentation

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-181**
Project Name:	Homestead at Marley Park Parcel 1A & 1B Final Plat
Council District:	6 – Palo Verde
Meeting Date:	**September 04, 2018**
Planner:	Robert H. Kuhfuss, AICP

Owner:	Meritage Homes
Applicant:	Mike Gleason, Entellus, Inc.
Request:	130-Lot, 11-Tract Final Plat in the PAD Zoning District (Marley Park)
Site Location:	Generally south and east of Waddell Road and Bullard Avenue in Marley Park
Site Size:	33.03 gross acres (approx.)
Density:	3.94 DU/Ac
General Plan Conformance:	The proposal advances the goals of the Surprise General Plan 2035
Support/Opposition:	None known.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat 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 Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Project Description:

Mike Gleason of Entellus, on behalf of Meritage Homes, requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 130 single-family residential lots, in addition to approximately 5.5 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

BACKGROUND:

October 25, 2000: The City Council approved the original Marley Park PAD under case PAD00-091.

September 26, 2002: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of adding land mass to the PAD under case PADA02-104.

March 23, 2006: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of addressing densities in the eastern portion of Marley Park.

March 12, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 9 under case FS18-135, which is discussed under separate cover.

March 20, 2018: The City Council approved the Preliminary Plat for Marley Park Phase 4 & 5 under case FS17-508. The City Council also approved three (3) related Maps-of-Dedication (MOD) this date. Said MODs were for Sweetwater Avenue, 144th Drive, and Old Oak Lane under cases FS17-584, FS17-601, and FS17-618, respectively.

March 26, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 8 under case FS18-162, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 4 under case FS18-177, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 3 under case FS18-178, which is discussed under separate cover.

April 5, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 1A and 1B under case FS18-181, the subject case.

April 10, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 7 under case FS18-190, which is discussed under separate cover.

April 18, 2018: The applicant filed a request for a Final Plat and Landscape Plan Review for Marley Park Phase 4 & 5, Park "B" under case FS18-209, which is still under review.

April 23, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 6 under case FS18-214, which is discussed under separate cover.

May 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 5 under case FS18-245, which is discussed under separate cover.

June 5, 2018: The City Council approved a Final Plat for the Homestead and Marley Park Model Complex and Park "A" under FS18-103.

Citizen Outreach:

N/A

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC; however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. This having been noted, at 3.9 DU/Ac, the subject Final Plat meets the GDC.

Reviewing Agencies:

All city reviewing departments have reviewed the request and expressed no objections to the request. The subject Final Plat was also routed to the standard external reviewing agencies, who offered the following comments:

Flood Control District of Maricopa County (FCDMC): FCDMC indicated no objections to the request.

Maricopa Water District (MWD): MWD indicated the proposed project is outside their current boundaries.

Arizona Department of Transportation (ADOT): ADOT indicated no objection to the request.

Summary:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD.
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

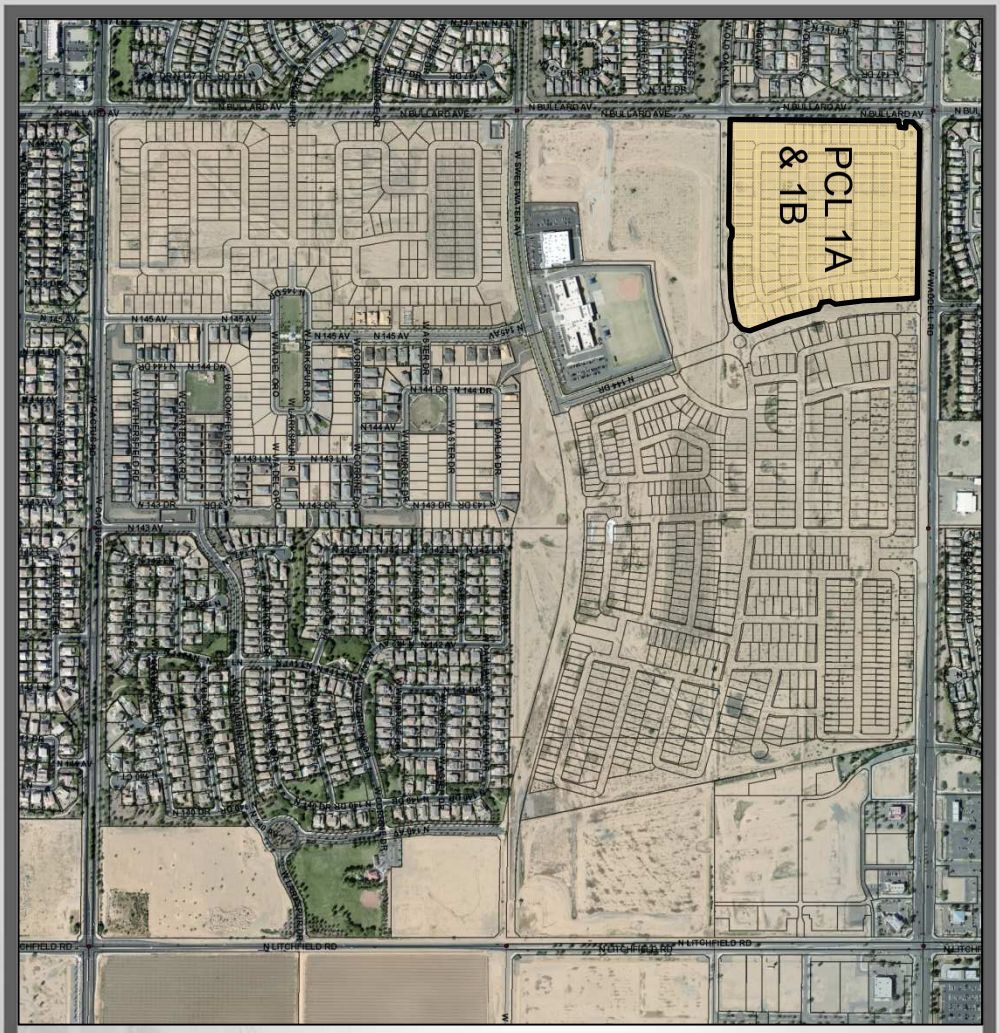
Alternative Actions:

Approval of the requested Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Attachments:

01 – Case Map
02 – Final Plat



FS18-181 Case Map

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCELS 1A & 1B
SURPRISE, ARIZONA

A PORTION OF THE NORTHWEST QUARTER
OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST
OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

KNOW ALL PERSONS BY THESE PRESENTS: THAT MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCELS 1A & 1B"A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT AND EASEMENT, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, AND LETTER GIVEN TO EACH RESPECTIVELY. THE PURPOSES OF THE EASEMENTS ARE SHOWN HEREON.

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

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

OWNER 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 TO EACH PARCEL CREATED BY THIS PLAT.

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

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL EXCLUSIVE EASEMENT OVER, UNDER, UPON AND ACROSS ALL AREAS DESIGNATED ON THE PLAT AS SEWER LINES AND MANHOLES FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING THE SEWER LINES AND MANHOLES.

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

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

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

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

ALL IMPROVEMENTS FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY INSTALLED OR CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHT–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.

PERPETUAL WATER SEWER EASEMENT ("EASEMENTS") AS DESCRIBED IN THE PLAT ARE GRANTED TO AND ITS SUCCESSORS AND ASSIGNS (COLLECTIVELY, "GRANTEE"), TO CONSTRUCT, OPERATE, AND MAINTAIN WATER AND SEWER LINES AND APPURTENANT FACILITIES (COLLECTIVELY, "FACILITIES") UPON, ACROSS, OVER AND UNDER THE SURFACE OF THE EASEMENTS, TOGETHER WITH THE RIGHT TO OPERATE, REPAIR, REPLACE, MAINTAIN, AND REMOVE THE FACILITIES FROM THE PREMISES; TO ADD OR TO ALTER THE FACILITIES, AND TO PROVIDE GRANTEE WITH REASONABLE INGRESS AND EGRESS TO THE FACILITIES. GRANTEE WILL HAVE UNRESTRICTED ACCESS TO THE EASEMENT FOR THE ACTIVITIES DESCRIBED ABOVE AND FORMAL NOTIFICATION OR APPROVAL BY ANY ASSOCIATION PRIOR TO ACCESSING THE EASEMENT WILL NOT BE REQUIRED.

GRANTOR SHALL NOT ERECT OR CONSTRUCT OR PERMIT TO BE ERECTED OR CONSTRUCTED ANY BUILDING, STRUCTURE OR SIMILAR IMPROVEMENT WITHIN THE LIMITS OF THE EASEMENT GRANTED HEREIN, GRANTOR SHALL NOT, NOR PERMIT, THE GRADE OVER GRANTEE'S FACILITIES TO BE SUBSTANTIALLY ALTERED WITHOUT, IN EACH INSTANCE, THE PRIOR WRITTEN CONSENT OF GRANTEE, AND GRANTOR AGREES THAT NO OTHER PIPES OR CONDUITS SHALL BE PLACED WITHIN THE PREMISES SUBJECT TO THE EASEMENT GRANTED HEREIN, EXCEPT PIPES CROSSING GRANTEE'S FACILITIES AT RIGHT ANGLES, IN WHICH CASE, A MINIMUM VERTICAL DISTANCE OF TWO (2) FEET (AS MEASURED FROM THE CLOSEST POINTS ON THE OUTSIDE EDGES) SHALL BE MAINTAINED BETWEEN GRANTEE'S FACILITIES AND SUCH OTHER PIPES OR CONDUITS. UNLESS GRANTEE EXPRESSLY CONSENTS IN WRITING OTHERWISE, ANY AND ALL SEWER PIPES CROSSING THE EASEMENT GRANTED HEREIN SHALL BE LAID BELOW GRANTEE'S FACILITIES. HOWEVER, GRANTOR SHALL HAVE THE RIGHT TO CONSTRUCT AND ERECT FENCES, TO INSTALL LANDSCAPING, PARKING FACILITIES AND DRIVEWAYS, AND TO ESTABLISH OTHER USES THAT ARE NOT INCONSISTENT WITH USES WITHIN THE LIMITS OF SAID EASEMENT IN A MANNER THAT WILL NOT UNREASONABLY INTERFERE WITH GRANTEE'S ACCESS TO THE FACILITIES.

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 _____, 2018.

HBT OF MARLEY PARK LLC
BY TOWNE DEVELOPMENT INC.–SOLE MEMBER

_____
KEVIN KIESL, AUTHORIZED AGENT

ACKNOWLEDGEMENT

STATE OF ARIZONA

COUNTY OF MARICOPA

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ WHO ACKNOWLEDGED THEMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS_____ DAY OF_____, 2018, BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED_____
CITY ENGINEER DATE

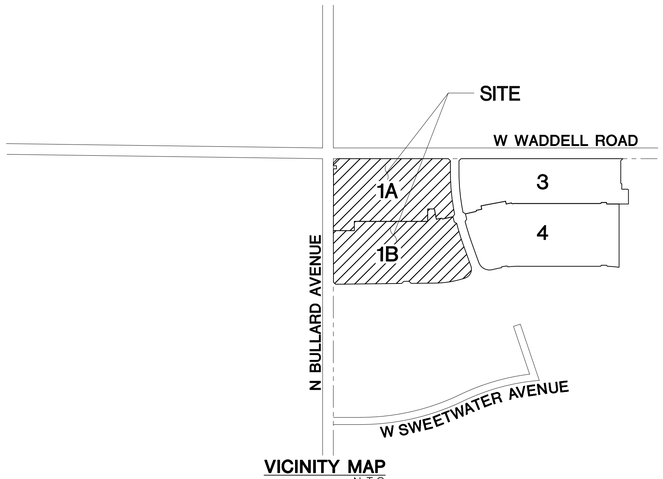
CITY OF SURPRISE COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA. THIS_____ DAY OF_____, 2018

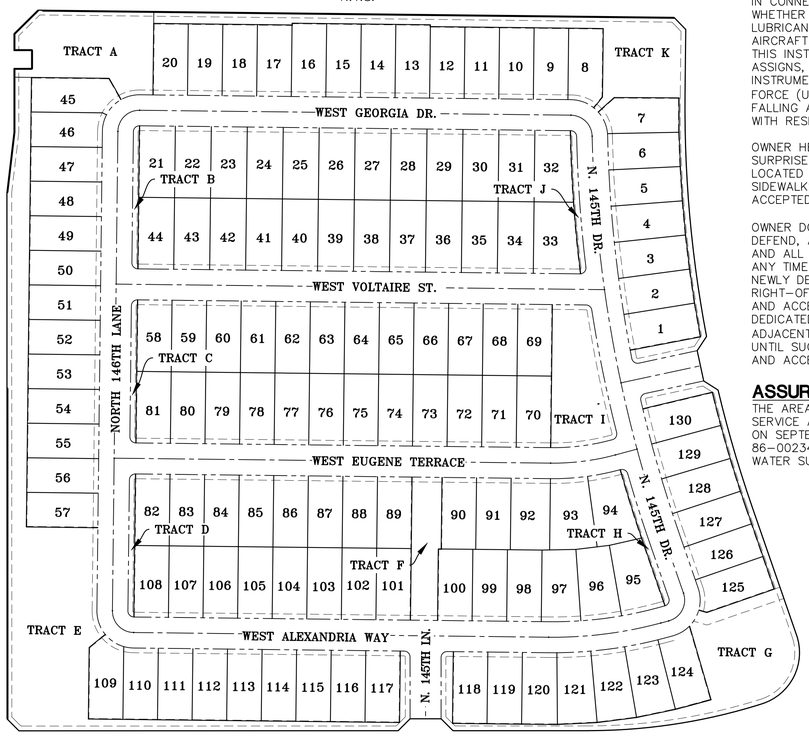
_____
MAYOR DATE

ATTEST:

_____
CITY CLERK DATE



VICINITY MAP
N.T.S.



KEY MAP
N.T.S.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 NOTES & DETAILS
SHEET 3 FINAL PLAT
SHEET 4 FINAL PLAT

DEVELOPER

MERITAGE HOMES OF ARIZONA INC.
8800 E RAINTREE DR., SUITE 300
SCOTTSDALE, AZ 85260
TEL. (480)515–8251
CONTACT: JASON JARVIS

CIVIL ENGINEER

ENTELLUS, INC
3033 N. 44TH STREET, STE 250
PHOENIX, AZ 85018
PHONE: 602–244–2566
CONTACT: MICHAEL R. GLEASON, P.E.

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA. AS MEASURED AND AS SHOWN ON THE FINAL PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 9", AS SHOWN ON THE MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 839, PAGE 39 M.C.R.
SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON–PROFIT CORPORATION HEREBY RATIFIES AND APPROVES THIS PLAT FOR "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCELS 1A & 1B" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED. DULY AUTHORIZED OFFICER THIS_____ DAY OF _____ 2018.

HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION

AN ARIZONA NON–PROFIT CORPORATION

BY_____

ITS_____

RELEASE OF LIABILITY

MERITAGE HOMES OF ARIZONA INC, AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE 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, 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. 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 UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (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 LOCATED WITHIN THE RIGHT–OF WAY 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.

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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

ASSURED WATER SUPPLY CERTIFICATION

THE AREA PLATTED HERON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS NO. 2010–012, SIGNED ON SEPTEMBER 29, 2011, DECISION AND ORDER NUMBER 86–002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. 45–576.

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.

CERTIFICATION

I, DAN FRANCETIC, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF MARCH 2018; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

SIGNED: _____

DATE OF PREPARATION: 06/08/2018

DANIEL G. FRANCETIC, RLS
REGISTERED LAND SURVEYOR #33874
ENTELLUS, INC.
3033 NORTH 44TH STREET, #250
PHOENIX, ARIZONA 85018
PHONE: 602–244–2566
E–MAIL: dfrancetic@entellus.com

Entellus™
3033 N. 44th Street, Suite 250
Phoenix, AZ 85018
Tel 602.244.2566
Fax 602.244.8947
Website: www.entellus.com

SURVEYOR
REGISTERED LAND SURVEYOR
CERTIFICATE NO.
33874
DANIEL G. FRANCETIC
Expires 06/30/2020

REVISIONS:

	DATE	DESCRIPTION
X	6/14/18	Second Submittal to the City of Surprise
3	7/13/18	Third Submittal to the City of Surprise

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 PARCELS 1A & 1B
SURPRISE, MARICOPA COUNTY, ARIZONA
FINAL PLAT

DESIGN:	EM
DRAFTED:	DJ
QA/QC:	DGF
AS–BUILT #:	– – – –
ENT. PROJ #:	728.003
SHEET: CVR	1 OF: 4

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCELS 1A & 1B
SURPRISE, ARIZONA

LEGAL DESCRIPTION

LEGAL DESCRIPTION
ESTRELLA PHASE 4 & 5
PARCELS 1A & 1B

THAT PORTION OF A PARCEL OF LAND DESCRIBED IN DOCUMENT # 2017-0729651 OF THE MARICOPA COUNTY RECORDER LYING IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE CITY OF SURPRISE BRASS CAP FOUND IN HAND HOLE AT THE NORTHWEST CORNER OF SAID SECTION 16, FROM WHICH THE BRASS CAP FOUND FLUSH AT THE WEST QUARTER CORNER OF SAID SECTION 16 BEARS SOUTH 00 DEGREES 01 MINUTE 03 SECONDS EAST A DISTANCE OF 2,627.28 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, AND SAID LINE BEING THE BASIS OF BEARING OF THIS DESCRIPTION;

THENCE ALONG SAID WEST LINE OF THE NORTHWEST QUARTER, SOUTH 00 DEGREES 01 MINUTE 03 SECONDS EAST A DISTANCE OF 758.69 FEET;

THENCE NORTH 89 DEGREES 58 MINUTES 57 SECONDS EAST A DISTANCE OF 55.00 FEET TO A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF BULLARD AVENUE AS DEFINED ON "MAP OF DEDICATION FOR MARLEY PARK PHASE 1A" FOUND IN BOOK 699 OF MAPS, PAGE 29 OF THE MARICOPA COUNTY RECORDER, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 00 DEGREES 01 MINUTE 03 SECONDS WEST A DISTANCE OF 386.56 FEET TO A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF BULLARD AVENUE AS DEFINED ON "MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD, AND CACTUS ROAD"FOUND IN BOOK 839 OF MAPS, PAGE 39 OF THE MARICOPA COUNTY RECORDER;

THENCE ALONG LAST-MENTIONED EAST RIGHT-OF-WAY LINE, NORTH 06 DEGREES 44 MINUTES 20 SECONDS EAST A DISTANCE OF 102.00 FEET;

THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 00 DEGREES 01 MINUTE 03 SECONDS WEST A DISTANCE OF 106.81 FEET;

THENCE SOUTH 89 DEGREES 58 MINUTES 57 SECONDS WEST A DISTANCE OF 29.49 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 03 SECONDS EAST A DISTANCE OF 30.00 FEET;

THENCE SOUTH 89 DEGREES 58 MINUTES 57 SECONDS WEST A DISTANCE OF 29.49 FEET;

THENCE NORTH 00 DEGREES 01 WEST 03 SECONDS EAST A DISTANCE OF 28.24 FEET;

THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 45 DEGREES 19 MINUTES 04 SECONDS EAST A DISTANCE OF 56.24 FEET TO A POINT ON THE EXISTING SOUTH RIGHT-OF-WAY LINE OF WADDELL ROAD;

THENCE ALONG SAID EXISTING SOUTH RIGHT-OF-WAY LINE, SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 1,066.87 FEET;

THENCE SOUTH 44 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 28.28 FEET;

THENCE SOUTH 00 DEGREES 39 MINUTES 11 SECONDS WEST A DISTANCE OF 108.69 FEET TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE LEFT BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 2,041.50 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11 DEGREES 27 MINUTES 56 SECONDS AN ARC DISTANCE OF 408.53 FEET;

THENCE SOUTH 33 DEGREES 24 MINUTES 05 SECONDS WEST A DISTANCE OF 28.53 FEET;

THENCE SOUTH 12 DEGREES 06 MINUTES 13 SECONDS EAST A DISTANCE OF 52.00 FEET;

THENCE SOUTH 57 DEGREES 36 MINUTES 32 SECONDS EAST A DISTANCE OF 28.53 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 2,041.50 FEET BEARING NORTH 76 DEGREES 36 MINUTES 19 SECONDS EAST;

THENCE ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 05 DEGREES 42 MINUTES 31 SECONDS AN ARC DISTANCE OF 203.40 FEET;

THENCE SOUTH 19 DEGREES 06 MINUTES 12 SECONDS EAST A DISTANCE OF 228.41 TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE RIGHT BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 90.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 91 DEGREES 31 MINUTES 53 SECONDS AN ARC DISTANCE OF 143.78 FEET TO THE POINT OF COMPOUND CURVATURE FOR A CURVE TO THE RIGHT BEING CONCAVE NORTHERLY AND HAVING A RADIUS OF 965.50 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17 DEGREES 33 MINUTES 17 SECONDS AN ARC DISTANCE OF 295.82 FEET;

THENCE SOUTH 89 DEGREES 58 MINUTES 57 SECONDS WEST A DISTANCE OF 227.11 FEET;

THENCE NORTH 45 DEGREES 01 MINUTE 03 SECONDS WEST A DISTANCE OF 28.28 FEET;

THENCE SOUTH 89 DEGREES 58 MINUTES 57 SECONDS WEST A DISTANCE OF 52.00 FEET;

THENCE SOUTH 44 DEGREES 58 MINUTES 57 SECONDS WEST A DISTANCE OF 28.28 FEET;

THENCE SOUTH 89 DEGREES 58 MINUTES 57 SECONDS WEST A DISTANCE OF 635.83 FEET;

THENCE NORTH 45 DEGREES 01 MINUTE 03 SECONDS WEST A DISTANCE OF 28.28 FEET TO A POINT ON SAID EXISTING EAST RIGHT-OF-WAY LINE OF BULLARD AVENUE;

THENCE ALONG SAID EXISTING EAST RIGHT-OF-WAY LINE, NORTH 00 DEGREES 01 MINUTE 03 SECONDS WEST A DISTANCE OF 496.45 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 1,439,860 SQUARE FEET OR 33.055 ACRES, MORE OR LESS.

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. ON-SITE GRADING OR EXCAVATION SHALL NOT OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
3. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE MAP NO.04013C1210, WITH A DATE OF IDENTIFICATION OF 10/16/2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
4. IN ACCORDANCE WITH ARS § 9-46107, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
5. PURSUANT TO ARS § 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.
6. THIS FINAL PLAT IS IN SUBSTANTIAL CONFORMANCE WITH THE MARLEY PARK PHASE 4 & 5 PRELIMINARY PLAT, APPROVED JAN. 17, 2018 UNDER CASE FS17-508.
7. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION.
8. 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.
9. DEVELOPMENT STANDARDS ARE PER CITY OF SURPRISE ZONING CASE # PAD A02-104 OR AS SUBSEQUENTLY AMENDED.
10. NO STRUCTURES OF ANY KIND MAY BE CONSTRUCTED OR ANY VEGETATION BE PLANTED NOR BE ALLOWED TO GROW WITHIN THE DRAINAGE EASEMENT WHICH WOULD IMPEDE THE FLOW OF WATER OVER, UNDER, OR THROUGH THE EASEMENT.
11. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED ON, OVER OR PLACED WITHIN THE SEWER AND WATER EASEMENT EXCEPT WOOD, WIRE, OR REMOVABLE SECTION TYPE FENCING AND/OR PAVING, NOR ANY PLANTING EXCEPT GRASS. IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF SURPRISE ("CITY") SHALL NOT BE REQUIRED TO REPLACE ANY OBSTRUCTIONS, SHRUBS AND GROUND COVER THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION, OR RECONSTRUCTION OF CITY UTILITIES.
12. CONSTRUCTIONS WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO UTILITIES, WOOD, WIRE, OR REMOVABLE SECTION TYPE FENCING.
13. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
14. STRUCTURES AND LANDSCAPING AT ALL INTERSECTIONS OF STREET RIGHT-OF-WAY WILL BE MAINTAINED AT A MAXIMUM OF 2 FEET IN HEIGHT WITHIN 33' X 33' TRIANGLE MEASURED ALONG THE RIGHT-OF-WAY LINES.
15. EACH LOT OF THIS SUBDIVISION IS PERMITTED ONE DWELLING UNIT PER LOT.
16. ALL EASEMENTS ARE SUBORDINATE TO DRAINAGE EASEMENTS.

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
1	7131.74	0.1637
2	7131.74	0.1637
3	7131.74	0.1637
4	7131.74	0.1637
5	7131.74	0.1637
6	7122.45	0.1635
7	7350.98	0.1688
8	7180.34	0.1648
9	6960.00	0.1598
10	6960.00	0.1598
11	6960.00	0.1598
12	6960.00	0.1598
13	7134.00	0.1638
14	7134.00	0.1638
15	7134.00	0.1638
16	7134.00	0.1638
17	6960.00	0.1598
18	6960.00	0.1598
19	6960.00	0.1598
20	6960.00	0.1598
21	7235.60	0.1661
22	7235.60	0.1661
23	7235.60	0.1661
24	7235.60	0.1661
25	7235.60	0.1661
26	7235.60	0.1661

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
27	7235.60	0.1661
28	7235.60	0.1661
29	7235.60	0.1661
30	7235.60	0.1661
31	7235.60	0.1661
32	7507.85	0.1724
33	8694.43	0.1996
34	7235.60	0.1661
35	7235.60	0.1661
36	7235.60	0.1661
37	7235.60	0.1661
38	7235.60	0.1661
39	7235.60	0.1661
40	7235.60	0.1661
41	7235.60	0.1661
42	7235.60	0.1661
43	7235.60	0.1661
44	7235.60	0.1661
45	8100.51	0.1860
46	7029.87	0.1614
47	6960.00	0.1598
48	6960.00	0.1598
49	6960.00	0.1598
50	6960.00	0.1598
51	6960.00	0.1598
52	6960.00	0.1598

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
53	6960.00	0.1598
54	6960.00	0.1598
55	6960.00	0.1598
56	6960.00	0.1598
57	6960.00	0.1598
58	6960.00	0.1598
59	6960.00	0.1598
60	6960.00	0.1598
61	6960.00	0.1598
62	6960.00	0.1598
63	6960.00	0.1598
64	6960.00	0.1598
65	6960.00	0.1598
66	6960.00	0.1598
67	6960.00	0.1598
68	6960.00	0.1598
69	6960.00	0.1598
70	6960.00	0.1598
71	6960.00	0.1598
72	6960.00	0.1598
73	6960.00	0.1598
74	6960.00	0.1598
75	6960.00	0.1598
76	6960.00	0.1598
77	6960.00	0.1598
78	6960.00	0.1598

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
79	6960.00	0.1598
80	6960.00	0.1598
81	6960.00	0.1598
82	6960.00	0.1598
83	6960.00	0.1598
84	6960.00	0.1598
85	6960.00	0.1598
86	6960.00	0.1598
87	6960.00	0.1598
88	6960.00	0.1598
89	6960.00	0.1598
90	6960.00	0.1598
91	6960.00	0.1598
92	7909.84	0.1816
93	8498.14	0.1951
94	7853.46	0.1803
95	7855.66	0.1803
96	7549.12	0.1733
97	7423.51	0.1704
98	6960.00	0.1598
99	6960.00	0.1598
100	6960.00	0.1598
101	6960.00	0.1598
102	6960.00	0.1598
103	6960.00	0.1598
104	6960.00	0.1598

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
105	6960.00	0.1598
106	6960.00	0.1598
107	6960.00	0.1598
108	6960.00	0.1598
109	7569.74	0.1738
110	6971.86	0.1601
111	6960.00	0.1598
112	6960.00	0.1598
113	6960.00	0.1598
114	6960.00	0.1598
115	6960.00	0.1598
116	6960.00	0.1598
117	6960.00	0.1598
118	6983.20	0.1603
119	6983.20	0.1603
120	7093.08	0.1628
121	7416.85	0.1703
122	7416.85	0.1703
123	7416.85	0.1703
124	7278.49	0.1671
125	7143.23	0.1640
126	6971.60	0.1600
127	7056.42	0.1620
128	7131.74	0.1637
129	7131.74	0.1637
130	7131.74	0.1637

TRACT AREA TABLE			
TRACT	AREA(SF)	AREA(AC)	USE
TRACT A	26623.44	0.6112	OPEN SPACE, RETENTION, P.U.E., S.V.E., WELL SITE
TRACT B	2357.08	0.0541	OPEN SPACE, P.U.E.
TRACT C	2357.08	0.0541	OPEN SPACE, P.U.E., S.V.E.
TRACT D	2357.08	0.0541	OPEN SPACE, P.U.E., S.V.E.
TRACT E	86463.65	1.9849	RETENTION, OPEN SPACE, P.U.E., S.V.E.
TRACT F	11443.50	0.2627	OPEN SPACE, RETENTION, P.U.E.
TRACT G	43135.23	0.9902	OPEN SPACE, RETENTION, P.U.E., S.V.E.
TRACT H	2358.01	0.0541	OPEN SPACE, P.U.E., S.V.E.
TRACT I	20568.76	0.4722	OPEN SPACE, RETENTION, P.U.E., S.V.E.
TRACT J	2360.35	0.0542	OPEN SPACE, P.U.E.
TRACT K	39967.30	0.9175	OPEN SPACE, RETENTION, P.U.E.

RIGHT OF WAY AREA TABLE			
R/W	AREA(SF)	AREA(AC)	USE
PARCEL 1A	128711.84	2.9548	PUBLIC INGRESS & EGRESS
PARCEL 1B	144961.28	3.3279	PUBLIC INGRESS & EGRESS

PARCEL AREA TABLE		
PARCEL	AREA(SF)	AREA(AC)
PARCEL 1A	692657.31	15.9012
PARCEL 1B	746317.97	17.1331

TOTAL PARCEL AREA		
PARCEL	AREA(SF)	AREA(AC)
PARCELS 1A & 1B	1438975.37	33.0343

Entellus™
3033 N. 44th Street, Suite 250
Phoenix, AZ 85018
Tel 602.244.2566
Fax 602.244.8947
Website: www.entellus.com

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
33874
DANIEL G. FRANCETIC
Expires 06/30/2020

SURVEYOR

REVISIONS:

	DATE	DESCRIPTION

VERSIONS:

X	DATE	DESCRIPTION
2	6/14/18	Second Submittal to the City of Surprise
3	7/13/18	Third Submittal to the City of Surprise

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 PARCELS 1A & 1B
SURPRISE, MARICOPA COUNTY, ARIZONA

FINAL PLAT

DESIGN:	EM
DRAFTED:	DJ
QA/QC:	DGF
AS-BUILT #:	----
ENT. PROJ #:	728.003
SHEET: DET	2 OF: 4

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCELS 1A & 1B
SURPRISE, ARIZONA

LINE TABLE		
#	LENGTH	BEARING
L1	28.28'	S 44°20'49" E
L2	108.69'	S 00°39'11" W
L3	36.16'	N 48°01'22" E
L4	23.21'	S 38°48'38" W
L5	56.23'	N 89°20'49" W
L6	52.00'	S 78°51'02" W
L7	100.07'	S 77°53'47" W
L8	28.53'	S 33°24'05" W
L9	52.00'	S 12°06'13" E
L10	28.53'	S 57°36'32" E
L13	1.61'	S 74°54'49" W

LINE TABLE		
#	LENGTH	BEARING
L14	55.61'	N 77°12'56" E
L15	56.45'	S 83°03'40" W
L16	56.79'	S 88°51'22" W
L17	13.93'	N 74°06'28" W
L18	13.93'	S 74°54'49" W
L20	28.28'	N 45°01'03" W
L21	52.00'	S 89°58'57" W
L22	28.28'	S 44°58'57" W
L23	28.28'	N 45°01'03" W
L24	34.80'	N 50°49'35" E
L25	40.92'	N 29°29'18" W

LINE TABLE		
#	LENGTH	BEARING
L26	7.32'	S 62°46'55" E
L27	29.49'	N 89°58'57" E
L28	30.00'	N 00°01'03" W
L29	29.49'	S 89°58'57" W
L30	28.24'	N 00°01'03" W
L31	56.24'	N 45°19'04" E

RADIAL BEARING	
CURVE	BEARING
C24	S 89°20'49" E
C24	N 00°39'11" E
C25	S 00°39'11" E
C25	S 89°20'49" E
C32	N 89°20'49" W
C32	N 70°58'25" E
C33	S 76°36'19" W
C33	N 70°53'48" E

LEGEND

- PROPERTY BOUNDARY
- RIGHT OF WAY LINE
- CENTER LINE
- EASEMENT
- LOT LINE
- LOT CORNER
- PROPERTY CORNER–SET 1/2" REBAR W/CAP "RLS 33874"
- MONUMENT
- FOUND BRASS CAP FLUSH
- FOUND BRASS CAP IN HAND HOLE
- FOUND CAPPED REBAR
- CL CENTER LINE
- C.O.S. CITY OF SURPRISE
- BSL BUILDING SETBACK LINE
- POB POINT OF BEGINNING
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT OF WAY
- SVE SIGHT VISIBILITY EASEMENT
- VNAE VEHICLE NON–ACCESS EASEMENT

50 25 0 50 100
SCALE: 1"= 50

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HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 PARCELS 1A & 1B
SURPRISE, MARICOPA COUNTY, ARIZONA

FINAL PLAT

DESIGN:	EM
DRAFTED:	DJ
QA/QC:	DGF
AS-BUILT #:	----
ENT. PROJ #:	728.003
SHEET: FP	3 OF 4

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCELS 1A & 1B
SURPRISE, ARIZONA

CURVE TABLE					
CURVE#	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C15	120.10	2233.70	3.08	N17° 17' 37"W	120.09
C17	15.71	10.00	90.00	S25° 53' 48"W	14.14
C18	57.06	718.00	4.55	S78° 08' 46"W	57.05
C19	57.06	718.00	4.55	S82° 41' 59"W	57.05
C22	15.47	10.00	88.66	N44° 19' 45"W	13.98
C24	15.71	10.00	90.00	N44° 20' 49"W	14.14
C25	15.71	10.00	90.00	N45° 39' 11"E	14.14
C27	15.71	10.00	90.00	S45° 39' 11"W	14.14
C31	36.03	62.00	33.29	S43° 51' 54"W	35.52
C33	203.40	2041.50	5.71	S16° 14' 56"E	203.32

CURVE TABLE					
CURVE#	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C15	120.10	2233.70	3.08	N17° 17' 37"W	120.09
C17	15.71	10.00	90.00	S25° 53' 48"W	14.14
C18	57.06	718.00	4.55	S78° 08' 46"W	57.05
C19	57.06	718.00	4.55	S82° 41' 59"W	57.05
C22	15.47	10.00	88.66	N44° 19' 45"W	13.98
C24	15.71	10.00	90.00	N44° 20' 49"W	14.14
C25	15.71	10.00	90.00	N45° 39' 11"E	14.14
C27	15.71	10.00	90.00	S45° 39' 11"W	14.14
C31	36.03	62.00	33.29	S43° 51' 54"W	35.52
C33	203.40	2041.50	5.71	S16° 14' 56"E	203.32

RADIAL BEARING	
CURVE	BEARING
C24	S 89°20'49" E
C24	N 00°39'11" E
C25	S 00°39'11" E
C25	S 89°20'49" E
C32	N 89°20'49" W
C32	N 70°58'25" E
C33	S 76°36'19" W
C33	N 70°53'48" E

50 25 0 50 100
SCALE: 1"= 50

LEGEND

- PROPERTY BOUNDARY
- RIGHT OF WAY LINE
- CENTER LINE
- EASEMENT
- LOT LINE
- ⊥ LOT CORNER
- ▲ PROPERTY CORNER–SET 1/2" REBAR W/CAP "RLS 33874"
- ◦ MONUMENT
- ▣ FOUND BRASS CAP FLUSH
- ⊙ FOUND BRASS CAP IN HAND HOLE
- ◉ FOUND CAPPED REBAR
- CL CENTER LINE
- C.O.S. CITY OF SURPRISE
- BSL BUILDING SETBACK LINE
- POB POINT OF BEGINNING
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT OF WAY
- SVE SIGHT VISIBILITY EASEMENT
- VNAE VEHICLE NON–ACCESS EASEMENT

PARCEL 1A

FND C.O.S. BCHH
NORTHWEST CORNER SEC. 16
T3N R1W
P.O.C.

S0°01'03"E 758.69'

P.O.B.

55.00'
N89°58'57"E

N89°20'49"W 172.00'

34.41'

52.00'

MATCH LINE - SEE SHEET 3

N89°20'49"W 696.00'

MATCH LINE - SEE SHEET 3

S0°39'11"W 89.00'

21.00'

57.00'

10.00'

TRACT C

1' V.N.A.E.

30'X30' S.V.E.

8' P.U.E.

81 80 79 78 77 76 75 74 73 72 71 70

N0°39'11"E 120.00'

S0°39'11"W 120.00'

58.00'

1' V.N.A.E.

30'X30' S.V.E.

TRACT I

S0°39'11"W 120.00'

8' P.U.E.

L1=116.94' R=2223.70' Δ=3°00'47" C1

N77°53'47"E 136.37'

26' R/W

61.33'

L9

L10

WEST WILLOW AVE

N76°34'19"E 120.20'

30'X30' S.V.E.

L=14.19'

130

N74°57'50"E 120.20'

129

N73°21'20"E 120.20'

128

S71°44'51"W 120.20'

127

N70°53'48"E 120.20'

126

S70°53'48"W 120.20'

125

S70°53'48"W 120.00'

S1°47'13"E 57.58'

S13°50'25"E 57.58'

S17°26'54"E 57.58'

S18°52'45"E 57.58'

S19°06'12"E 58.00'

S19°06'12"E 208.41'

NORTH 145TH AVENUE

"M.O.D. NORTH 145TH DR. AND NORTH 145TH AVE."
BOOK 1376 MAPS, PAGE 38

NORTH BULLARD AVENUE

N0°01'03"W 496.45'

S0°01'03"E 1868.59'

FND C.O.S. BCFL
W. ¼ COR. SEC. 16
T3N R1W

WEST EUGUNE TERRACE

S89°20'49"E 696.00'

26' R/W

NORTH 146TH LANE

N0°39'11"E 256.00'

S0°39'11"W 302.75'

N89°20'49"W 174.00'

N89°20'49"W 120.00'

8' P.U.E.

1' V.N.A.E.

55 56 57

TRACT D

82 83 84 85 86 87 88 89

N89°20'49"W 464.00'

240.00'

TRACT E

108 107 106 105 104 103 102 101

128.75'

TRACT F

90 91 92 93

94 TRACT H

95

96 97 98 99 100

L=117.02' R=426.00' Δ=15°44'22" L=54.65'

L=62.37'

L=119.60'

L=119.32'

L=100.00'

L=64.08' R=29.70' Δ=123°40'00"

NORTH 145TH DRIVE

L=10.50'

L=68.89' R=666.00 Δ=15°44'22"

L=182.95'

L=53.81'

L=60.26'

L=37.87'

L=30.83'

L=11.98'

L=33.04'

L=57.06'

L=14.07'

L=16.54'

L=37.75'

L=145.78' R=98.00 Δ=91°37'53"

L=295.82' R=965.50 Δ=17°33'17"

WEST ALEXANDRIA WAY

489.55'

N89°20'49"W 696.00'

206.45'

20' C.O.S. SEWER EASEMENT

TRACT G

109 110 111 112 113 114 115 116 117

118 119 120 121 122 123 124

S89°20'49"E 522.00'

S89°58'57"W 635.83'

S89°58'57"W 227.11'

54.50'

"M.O.D. OLD OAK LANE"
BOOK 1376 MAPS, PAGE 37

WEST OLD OAK LANE

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REVISIONS:

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 PARCELS 1A & 1B
SURPRISE, MARICOPA COUNTY, ARIZONA

FINAL PLAT

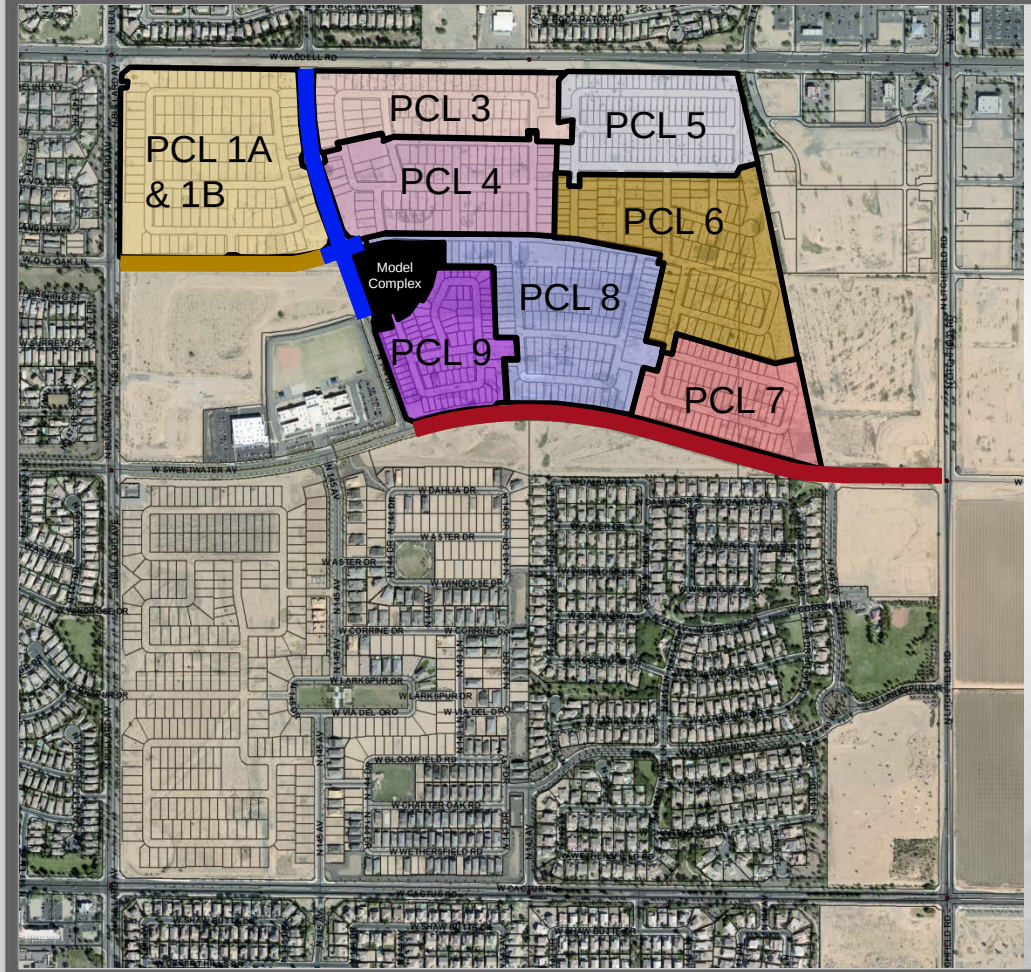
DESIGN:	EM
DRAFTED:	DJ
QA/QC:	DGF
AS–BUILT #:	– – –
ENT. PROJ #:	728.003
SHEET: FP	4 OF 4

SURPRISE
ARIZONA

Homestead at Marley Park Final Plats

- FS18-181 Parcel 1A & 1B
  - FS18-178 Parcel 3
  - FS18-177 Parcel 4
  - FS18-245 Parcel 5
  - FS18-214 Parcel 6
  - FS18-190 Parcel 7
  - FS18-162 Parcel 8
  - FS18-135 Parcel 9

City Council, September 4, 2018



Composite Map

- Parcel 1A & 1B, FS18-181
- Parcel 3, FS18-178
- Parcel 4, FS18-177
- Parcel 5, FS18-245
- Parcel 6, FS18-214
- Parcel 7, FS18-190
- Parcel 8, FS18-162
- Parcel 9, FS18-135
- Sweetwater MOD
- 144th Dr MOD
- Old Oak MOD

PARKS & AMENITY

1 THE HOMESTEAD

- Community / Sales Center
- Ramada
- Outdoor Fireplace Plaza
- Communal Table
- Tot Lot
- Half Basketball Court
- Grove Plaza
- Pool
- Kid Zone
- Adult Zone
- Lap Pool
- Dive-in Movie
- Bocce Ball Court
- Horseshoes Court
- Open Turf Area

2 PLAYFUL ART PARK (PARCEL 1)

- Playful Art Play Structure
- Shaded Seating
- Gathering Area
- Shaded Seatwall Gathering Plaza
- Open Turf Area

3 MONARCH PARK (PARCEL 3)

- Passive Recreation Park
- Outdoor Lounge
- Overlook Platform
- Grove Plaza
- Formal Gardens
- Social Event Space

4 CLIMBING PARK (PARCEL 5)

- Climbing Tot Lot
- Turf Play Area
- Ramada Gathering
- Shaded Seating

5 MUSIC PARK (PARCEL 7)

- Interactive Musical Play
- Turf Play Area
- Shade Structure
- Seating Area
- Gathering Plaza

6 PRAIRIE LOUNGE (PARCEL 8)

- Outdoor Kitchen
- Outdoor Living
- Outdoor Fireplace
- Movie Lawn
- Community Garden
- Communal Table
- Corn Hole

7 NATURE GROVE PARK (PARCEL 9)

- Nature Play Feature
- Animal Play Feature
- Turf Play Area
- Shade Structure
- Seating Area

8 WARRIOR PARK (LINEAR PARK)

- Active Recreation Park
- Fitness Stations
- Ninja Equipment
- Multi-use Trails

9 MEADOW PARK (13 ACRE PARK)

- Active Recreation Park
- Multi-use Turf Fields
- Multi-use Paths

NORTH 0' 100' 200' 400'
Scale: 1" = 200'-0"

17-234 MeritageHomes | Marley Park - Phase 4 & 5 | Surprise, Arizona | Illustrative Master Plan | L-0.01 | 12.14.2017 | EPS GROUP

FS17-508 Landscape

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Shirley Phan - Community Development
Submitting Department:	CD	District:	1
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "223rd Avenue Lots" dated June 13, 2018, a property generally located north of Deer Valley Road Alignment and west of 223rd Avenue.

Motion:

I move to approve the Final Plat entitled, "223rd Avenue Lots" dated June 13, 2018.

Background:

On June 8, 1989 the Mayor and City Council approved Ordinance #89-05 approving the annexation of the subject property. Erik Hillstrom on behalf of Mike Demore and Tuan M Vo submitted a request for a Final Plat of a 4.68 acre (approx.) parcel.

Objective Analysis:

This Final Plat will split the 4.68 acre parcel into 4 equal lots of 1.17 acres.

Policy Compliant:

This proposal Final Plat is consistent with the Surprise General Plan 2035 and the Surprise Municipal Code

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:

None.

FTE Impact:

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

ATTACHMENTS:

Click to download

- [ ] 00 - FS18-114 223rd Lots Final Plat - Staff Report
- [ ] 01 - FS18-114 223rd Lots - Vicinity Map
- [ ] 02 - FS18-114 223rd Lots Final Plat
- [ ] 03 - FS18-114 223rd Lots Final Plat - Presentation

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-114**
Project Name:	223rd Lot Final Plat
Council District:	1-Acacia
City Council Date:	**September 4, 2018**
Planner:	Shirley Phan
Owner:	Mike Demore and Tuan M Vo
Applicant:	Erik Hillstrom
Request:	Final Plat to subdivide a 4.68 acre (approx.) parcel into four (4) parcels; Lot 1 (1.17 acre), Lot 2 (1.17 acre), Lot 3 (1.17 acres), and Lot 4 (1.17 acres) in the RR (Residential Ranch) zoning district.
Site Location:	Generally north of Deer Valley Road and west of 223rd Avenue
Site Size:	4.68 acres (approx.)
Density:	0-1 DU/AC
General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035
Support/Opposition:	None known
Findings:	• The proposed Final Plat is consistent with the Surprise General Plan 2035. • The proposed Final Plat is consistent with the Surprise Municipal Code.
Alternative Actions:	**Approval** of the requested Final Plat to subdivide a 4.68 acre parcel into 4 lots. **Denial** of the requested Final Plat to subdivide a 4.68 acre parcel into 4 lots.

PROJECT DESCRIPTION:

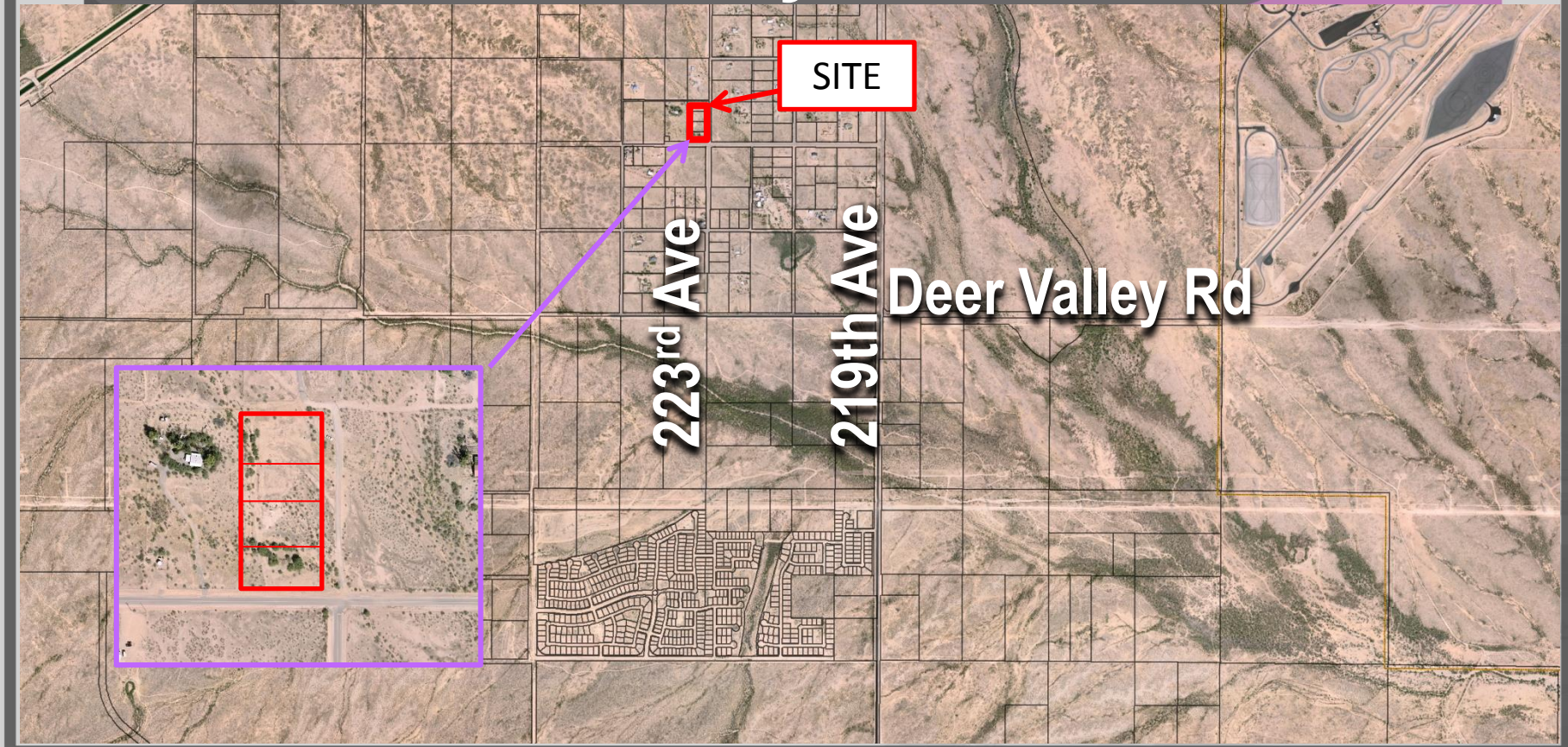
On June 8, 1989 the Mayor and City Council approved Ordinance #89-05 approving the annexation of the subject property.

The applicant is requesting a final plat approval that will subdivide a 4.68 acre (approx.) parcel into four (4) parcels; Lot 1 (1.17 acre), Lot 2 (1.17 acre), Lot 3 (1.17 acres), and Lot 4 (1.17 acres) in the RR (Residential Ranch) zoning district . The 4.68 acre parcel is currently vacant land. The applicant plans to begin development soon after this final plat is approved.

Attachments:

01 Vicinity Map
02 Final Plat

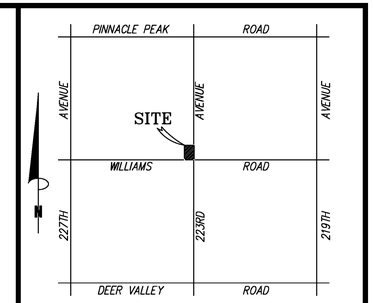
Vicinity MAP



FINAL PLAT

"223RD AVENUE LOTS"

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



VICINITY MAP
NOT TO SCALE

DEDICATION

DEDICATION
STATE OF ARIZONA
COUNTY OF MARICOPA

KNOW ALL PERSONS BY THESE PRESENTS: THAT BLUESHORE HOLDINGS, LLC. & TUAN M VO, HAS SUBDIVIDED UNDER THE NAME "223RD AVENUE LOTS", A SUBDIVISION LOCATED IN A PORTION OF THE NORTHWEST QUARTER, SECTION 14, TOWNSHIP 4 NORTH RANGE 3 WEST, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "223RD AVENUE LOTS" 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.

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

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

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

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

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

THE 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.

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 HERETUNTO CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER

THIS _____ DAY OF _____, 2018.

BLUESHORE HOLDINGS, LLC

BY_____

ITS_____

TUAN M VO

BY_____

ITS_____

CITY NOTES

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

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

**ADDITIONAL WATER/SEWER NOTE: THESE PROPERTIES WILL CURRENTLY HAVE A HAULED WATER SUPPLY WITH THE CONTINGENCY THAT ONCE WATER AND SEWER SERVICE ARE WITHIN 500 FT OF THESE RESIDENCES, THAT CONNECTION WILL BE REQUIRED PER MUNICIPAL CODE CHAPTERS 58-181 AND 58-314.

GRADING AND EXCAVATION LANGUAGE:
THE PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.

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

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

TAXES:
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.

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.

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

RELEASE OF LIABILITY

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

SITE INFORMATION

OWNER OF RECORD: BLUESHORE HOLDINGS, LLC

SITE ADDRESS: N/A

OWNER OF RECORD: TUAN M VO

SITE ADDRESS: N/A

503-81-066C & 503-81-066D

COMBINED AREA THIS SURVEY: 204074, SF./4.68 ACRES

ZONING: RR (SURPRISE)

PARENT PROPERTY DESCRIPTIONS

PER DEED: 2013-0466551 MCR

THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA;
EXCEPT THE SOUTH 504.24 FEET THEREOF.

PER DEED: 2006-1435327 MCR

THE NORTH 154.75 FEET OF THE SOUTH 504.24 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PER DEED: 2007-1008989 MCR

THE NORTH 154.75 FEET OF THE SOUTH 349.49 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

THE SOUTH 194.75 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.
EXCEPT THE SOUTH 40 FEET THEREOF.

FEMA FIRM

THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONES "X" AND "AE"; BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAPS NO. 04013C1185L AND NO. 04013C1195L, 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.

SURVEYORS NOTES

SURVEY FIELD WORK WAS COMPLETED DURING AUGUST 2017.

MONUMENTS FOUND DURING THIS FIELD SURVEY WERE ACCEPTED UNLESS OTHERWISE NOTED HEREIN.

THE WORD "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE EXPRESSED OR IMPLIED.

ALL ZONING AND SETBACKS MUST BE VERIFIED WITH THE PROPER GOVERNING AGENCY PRIOR TO DESIGN OR CONSTRUCTION. DUE TO POSSIBLE ZONING CHANGES AND VARIANCES IN SETBACKS, ARIZONA SURVEYORS, INCORPORATED TAKES NO RESPONSIBILITIES IN THIS MATTER.

THIS SURVEY WAS CONDUCTED WITH THE BENEFIT OF A TITLE REPORT. THIS SURVEY MAKES NO WARRANTY AS TO THE EXISTENCE OF ANY ADDITIONAL EASEMENTS OF RECORD AND/OR RESTRICTIONS TO AFFECTED PARCELS NOT LISTED IN THE REPORT.

NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN OR SHOW DATA CONCERNING ANY UTILITY OR PUBLIC SERVICE FACILITY.

IT IS RECOMMENDED THAT THE CLIENT RETAIN LEGAL CONSULTATION TO THOROUGHLY EXAMINE TITLE FOR ANY CLAIMS, DEFECTS OR LIABILITY UNDISCLOSED BY THIS SURVEY.

THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY ISSUE AT THE SURVEY DATE WITH ITS ORIGINAL SEAL TO ENSURE THE ACCURACY OF THE INFORMATION AND TO FURTHER ENSURE THAT NO CHANGES, ALTERATIONS OR MODIFICATIONS HAVE BEEN MADE.

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

LOT ARRANGEMENT SHOWN IS PER INSTRUCTIONS GIVEN TO THIS SURVEYOR BY THE OWNER.

THERE ARE NO CC&R'S EFFECTING THIS PROPERTY.

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2018, 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 _____, 2018.

_____
MAYOR DATE

_____
CITY CLERK DATE

CERTIFICATE OF SURVEY

I, JOHN M. WARE HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA, AND THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECT SUPERVISION DURING THE MONTH OF FEBRUARY, 2018 AND ALL MEASUREMENTS ARE TRUE AND ACCURATE AND ALL PARCELS CLOSE.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
37937
JOHN M. WARE
ARIZONA, U.S.A.

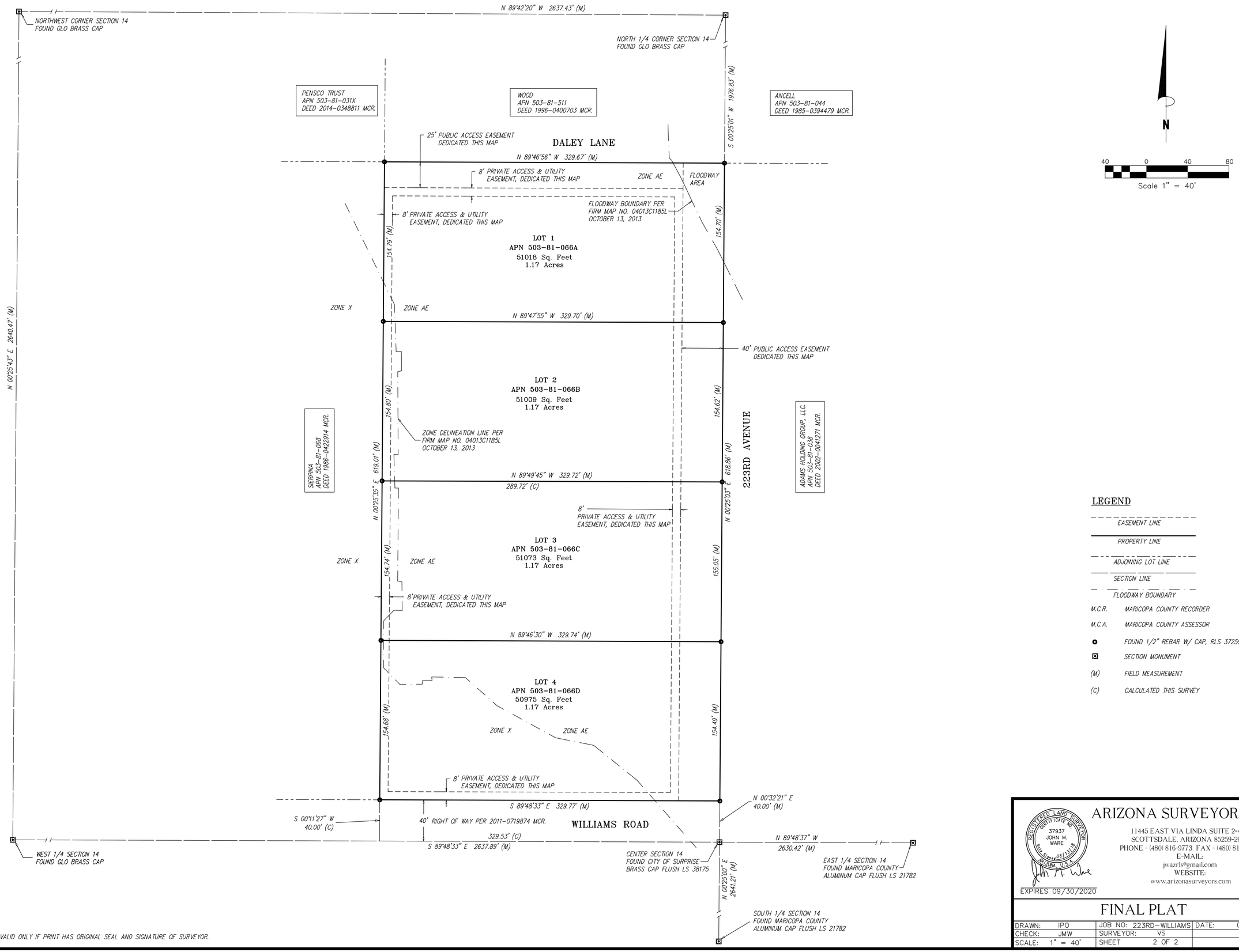
EXPIRES 09/30/2020

ARIZONA SURVEYORS, INC.
11445 EAST VIA LINDA SUITE 2-447
SCOTTSDALE, ARIZONA 85259-2638
PHONE - (480) 816-9773 FAX - (480) 816-9735
E-MAIL:
jwazrls@gmail.com
WEBSITE:
www.arizonasurveyors.com

FINAL PLAT

DRAWN: IPO	JOB NO: 223RD-WILLIAMS	DATE:	01/31/2018
CHECK: JMW	SURVEYOR: VS		
SCALE: 1" = 40'	SHEET 1 OF 2		

**SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.



LEGEND

- EASEMENT LINE
- PROPERTY LINE
- ADJOINING LOT LINE
- SECTION LINE
- FLOODWAY BOUNDARY

M.C.R. MARICOPA COUNTY RECORDER

M.C.A. MARICOPA COUNTY ASSESSOR

FOUND 1/2" REBAR W/ CAP, RLS 37259

SECTION MONUMENT

(M) FIELD MEASUREMENT

(C) CALCULATED THIS SURVEY

**SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
37937
JOHN M.
WARE
Date Signed 06/13/18
ARIZONA U.S.A.

EXPIRES 09/30/2020

ARIZONA SURVEYORS, INC.
11445 EAST VIA LINDA SUITE 2-447
SCOTTSDALE, ARIZONA 85259-2638
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FINAL PLAT

DRAWN:	IPO	JOB NO:	223RD-WILLIAMS	DATE:	01/31/2018
CHECK:	JMW	SURVEYOR:	VS		
SCALE:	1" = 40'	SHEET	2 OF 2		

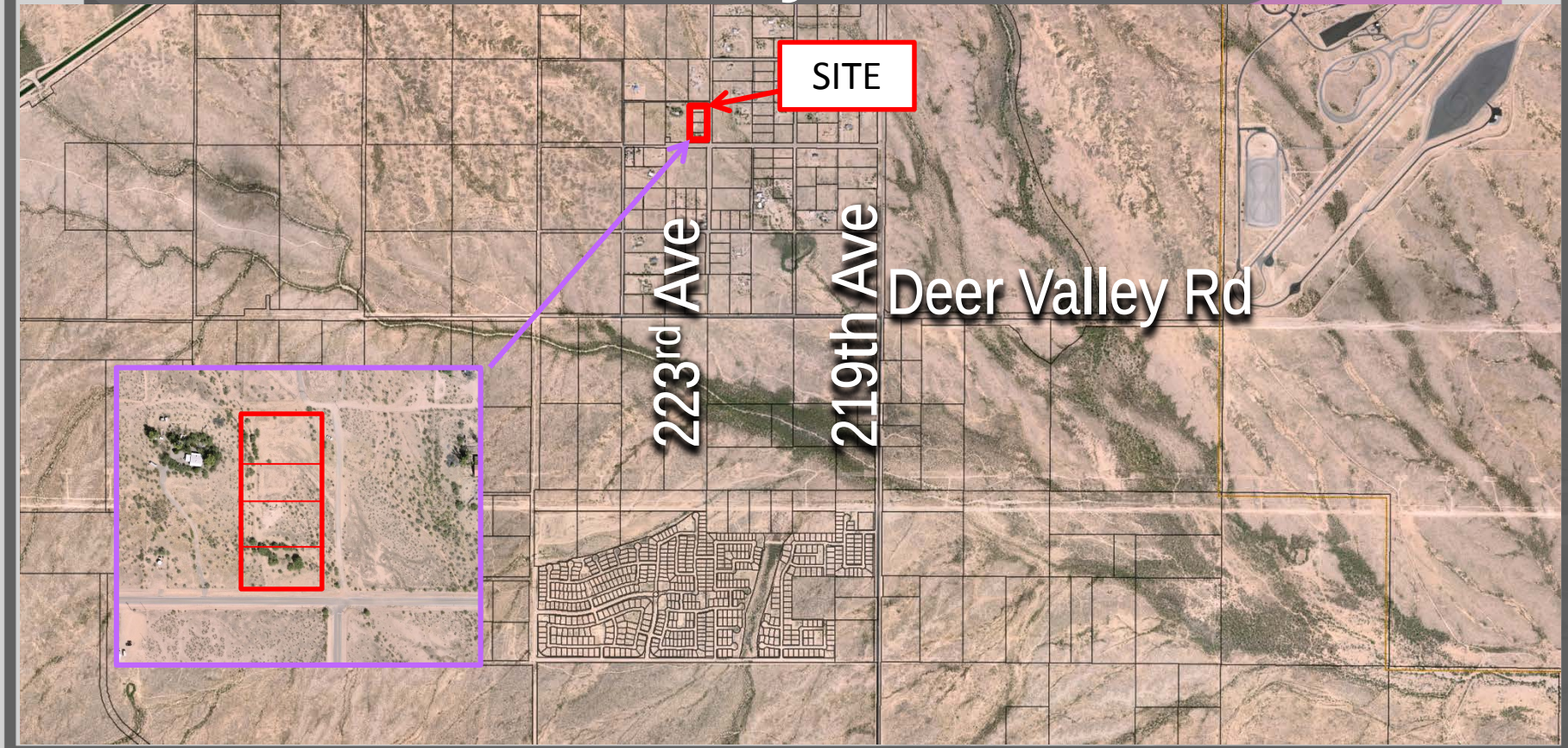
SURPRISE
ARIZONA

FS18-114
223rd Lots Final Plat

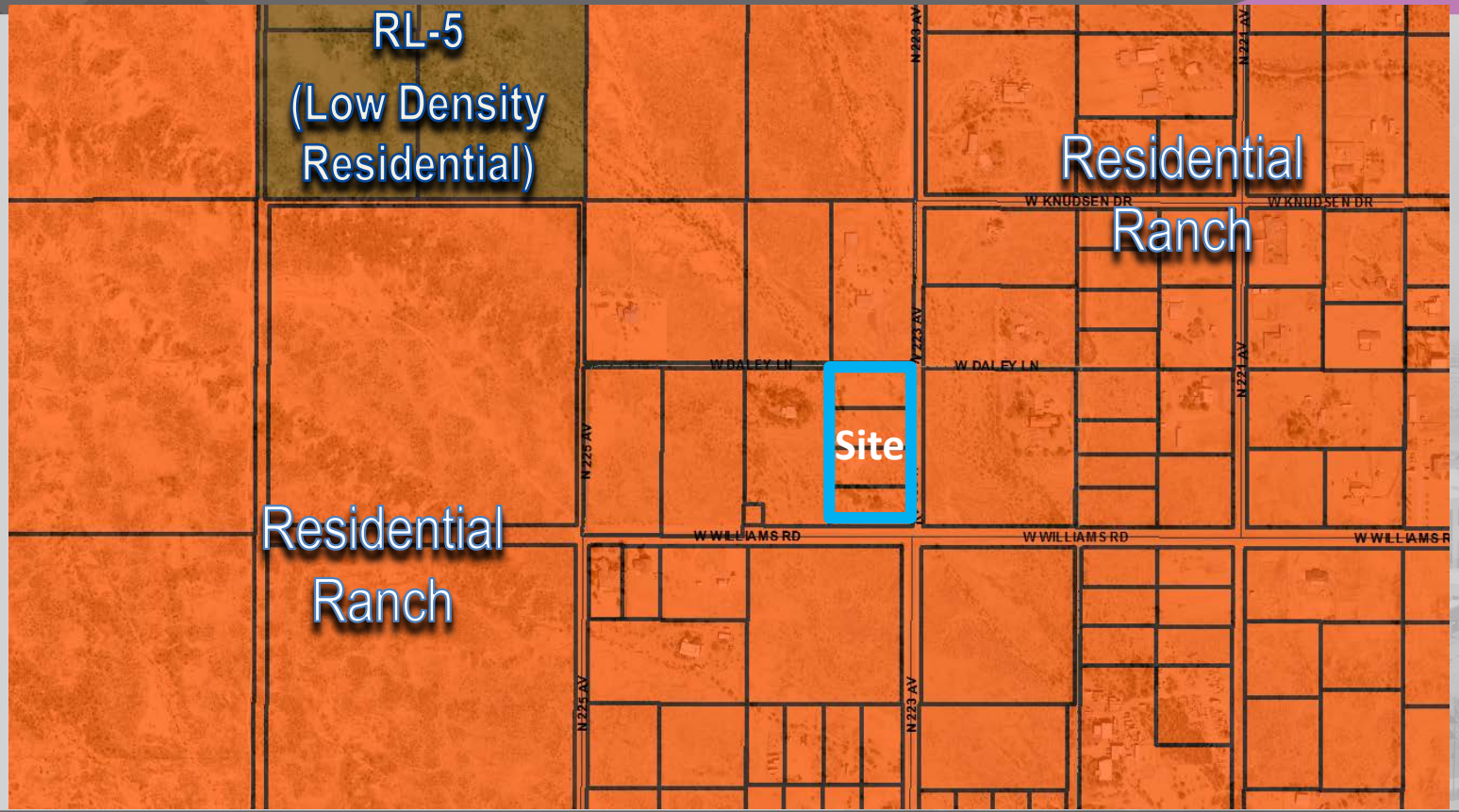
City Council

September 4, 2018

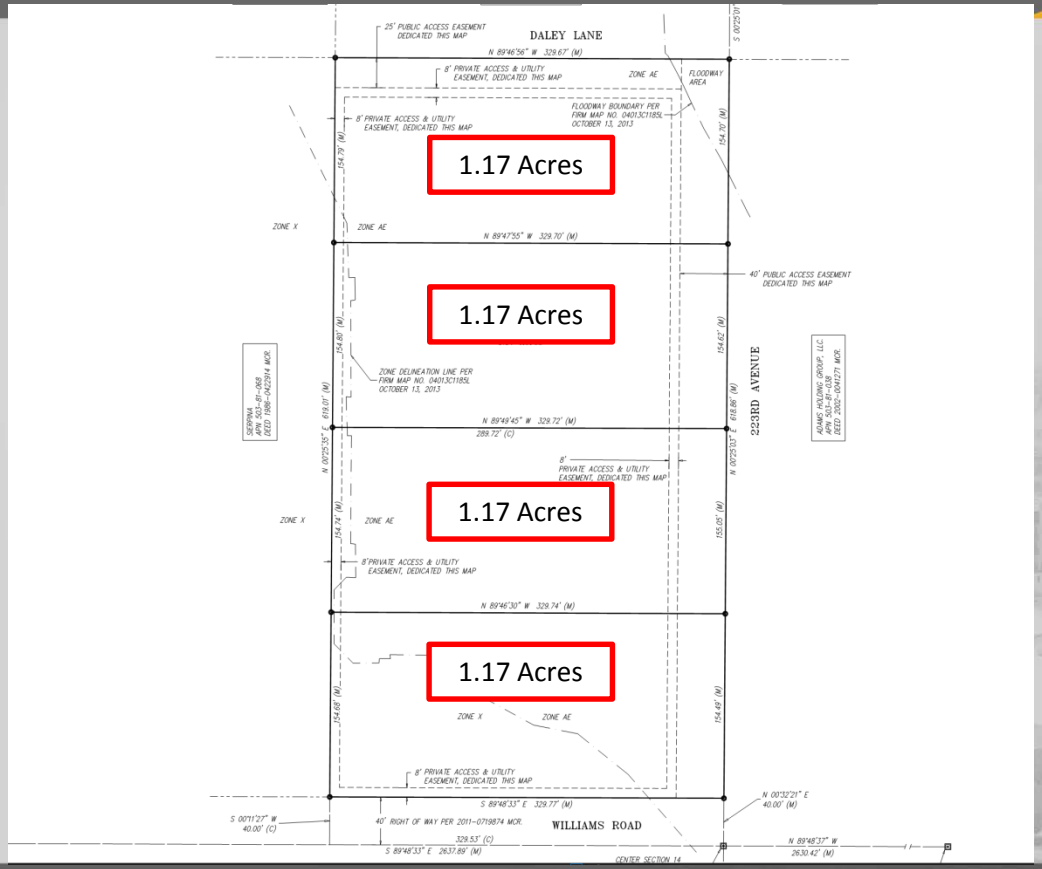
Vicinity MAP



SURROUNDING ZONING



Final Plat


DALEY LANE
25' PUBLIC ACCESS EASEMENT DEDICATED THIS MAP
N 89°46'56" W 329.67' (M)
8' PRIVATE ACCESS & UTILITY EASEMENT, DEDICATED THIS MAP
ZONE AE
FLOODWAY AREA
FLOODWAY BOUNDARY PER FIRM MAP NO. 04013C1185L OCTOBER 13, 2013
1.17 Acres
ZONE X
N 89°47'55" W 329.70' (M)
40' PUBLIC ACCESS EASEMENT DEDICATED THIS MAP
1.17 Acres
ZONE DELINEATION LINE PER FIRM MAP NO. 04013C1185L OCTOBER 13, 2013
223RD AVENUE
N 89°49'45" W 329.72' (M)
289.72' (C)
8' PRIVATE ACCESS & UTILITY EASEMENT, DEDICATED THIS MAP
1.17 Acres
8' PRIVATE ACCESS & UTILITY EASEMENT, DEDICATED THIS MAP
N 89°46'30" W 329.74' (M)
1.17 Acres
ZONE X
ZONE AE
8' PRIVATE ACCESS & UTILITY EASEMENT, DEDICATED THIS MAP
S 89°48'33" E 329.77' (M)
S 00°11'27" W 40.00' (C)
40' RIGHT OF WAY PER 2011-0719874 MCR
WILLIAMS ROAD
N 00°32'21" E 40.00' (M)
328.53' (C)
S 89°48'33" E 2637.89' (M)
CENTER SECTION 14
N 89°48'37" W 2630.42' (M)

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	6
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 5" dated August 3, 2018, a property generally located south of Waddell Road and west of 140th Drive in Marley Park.

Motion:

I move to approve the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 5" dated August 3, 2018.

Background:

Dan Auxier of EPS Group on behalf of Meritage Homes requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 118 single-family residential lots, in addition to approximately 2.5 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

Objective Analysis:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC;

however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. Luke AFB did not offer comment with respect to the subject Final Plat; however, at 4.04 DU/Ac, the subject Final Plat does not meet the GDC.

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 - Homestead at Marley Park Parcel 5 Final Plat - Staff Report
- 01 - Homestead at Marley Park Parcel 5 Final Plat - Case Map
- 02 - Homestead at Marley Park Parcel 5 Final Plat
- 03 - Homestead at Marley Park Parcel 5 Final Plat - Luke AFB Comments
- 04 - Homestead at Marley Park Parcel 5 Final Plat - Presentation

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-245**
Project Name:	Homestead at Marley Park Parcel 5 Final Plat
Council District:	6 – Palo Verde
Meeting Date:	**September 04, 2018**
Planner:	Robert H. Kuhfuss, AICP

Owner:	Meritage Homes
Applicant:	Dan Auxier, EPS Group, Inc.
Request:	118-Lot, 7-Tract Final Plat in the PAD Zoning District (Marley Park)
Site Location:	Generally south of Waddell Road and west of 140th Drive in Marley Park
Site Size:	17.08 gross acres (approx.)
Density:	6.91 DU/Ac
General Plan Conformance:	The proposal advances the goals of the Surprise General Plan 2035
Support/Opposition:	None known.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat 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 Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Project Description:

Dan Auxier of EPS Group on behalf of Meritage Homes requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 118 single-family residential lots, in addition to approximately 2.5 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

BACKGROUND:

October 25, 2000: The City Council approved the original Marley Park PAD under case PAD00-091.

September 26, 2002: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of adding land mass to the PAD under case PADA02-104.

March 23, 2006: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of addressing densities in the eastern portion of Marley Park.

March 12, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 9 under case FS18-135, which is discussed under separate cover.

March 20, 2018: The City Council approved the Preliminary Plat for Marley Park Phase 4 & 5 under case FS17-508. The City Council also approved three (3) related Maps-of-Dedication (MOD) this date. Said MODs were for Sweetwater Avenue, 144th Drive, and Old Oak Lane under cases FS17-584, FS17-601, and FS17-618, respectively.

March 26, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 8 under case FS18-162, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 4 under case FS18-177, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 3 under case FS18-178, which is discussed under separate cover.

April 5, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 1A and 1B under case FS18-181, which is discussed under separate cover.

April 10, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 7 under case FS18-190, which is discussed under separate cover.

April 18, 2018: The applicant filed a request for a Final Plat and Landscape Plan Review for Marley Park Phase 4 & 5, Park "B" under case FS18-209, which is still under review.

April 23, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 6 under case FS18-214, which is discussed under separate cover.

May 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 5 under case FS18-245, the subject case.

June 5, 2018: The City Council approved a Final Plat for the Homestead and Marley Park Model Complex and Park "A" under FS18-103.

Citizen Outreach:

N/A

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC; however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. With the subject request, Luke AFB echoed their previous concerns stating that at 6.9 DU/Ac, the subject Final Plat does not meet the GDC.

Reviewing Agencies:

All city reviewing departments have reviewed the request and expressed no objections to the request. The subject Final Plat was also routed to the standard external reviewing agencies, who offered the following comments:

Flood Control District of Maricopa County (FCDMC): FCDMC indicated no objections to the request.

Maricopa Water District (MWD): MWD indicated the proposed project is outside their current boundaries.

Arizona Department of Transportation (ADOT): ADOT indicated no objection to the request.

Luke Air Force Base (LAFB): LAFB stated that the proposed Final Plat does not meet their GDC.

Summary:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD.
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

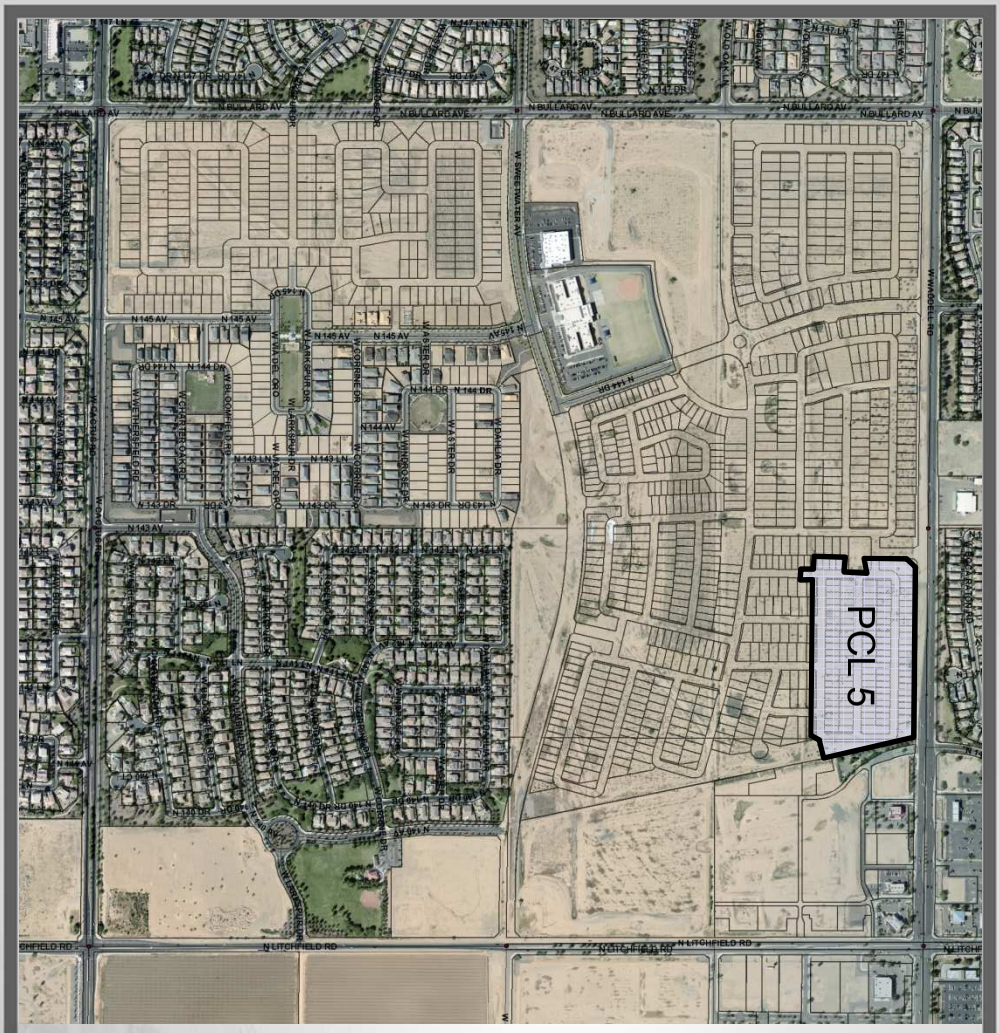
Alternative Actions:

Approval of the requested Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Attachments:

01 – Case Map
02 – Final Plat
03 – Luke AFB Comments



FS18-245 Case Map

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 5

A PORTION OF THE NORTH HALF OF SECTION 16,
TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN
MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

KNOW ALL MEN BY THESE PRESENTS: THAT MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 5", A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT AND EASEMENT, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, AND LETTER GIVEN TO EACH RESPECTIVELY. THE PURPOSES OF THE EASEMENTS ARE SHOWN HEREON.

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

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

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

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

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

OWNER 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.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE, AN ARIZONA MUNICIPAL CORPORATION, AND ITS SUCCESSORS AND ASSIGNS, A PUBLIC RECREATION/TRAIL EASEMENT FOR BICYCLING AND OTHER NON–MOTORIZED FORMS OF PEDESTRIAN ACCESS OVER AND ACROSS OWNER'S PROPERTY, INCLUDING THE RIGHT OF INGRESS AND EGRESS ALONG AND ACROSS THE EASEMENT PREMISES, AS SHOWN ON THIS PLAT.

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.

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

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 _____, 2018.

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION

BY _____ DATE _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

PUBLIC NOTICE

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

RELEASE OF LIABILITY

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE 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 UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

THE CITY OF SURPRISE AGREES TO INDEMNIFY MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF AND ITS SUCCESSORS AND ASSIGNS FOR ANY AND ALL DIRECT DAMAGES TO THE PERSONAL PROPERTY OR FOR PHYSICAL INJURY TO OR DEATH OF PERSONS OCCURRING ON THE AREA OF THIS EASEMENT CAUSED BY OR ARISING AS THE PROXIMATE RESULT OF THE ACTIVITIES OF THE CITY OF SURPRISE OR MEMBERS OF THE PUBLIC USING THE TRAIL PURSUANT TO THE TERMS OF THIS EASEMENT, EXCEPT FOR SUCH INJURY OR DAMAGES CAUSED BY OR ARISING SOLEY FROM THE NEGLIGENT, WILLFUL, MALICIOUS OR GROSSLY NEGLIGENT CONDUCT OF MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF ITS SUCCESSORS AND ASSIGNS THAT WAS THE DIRECT CAUSE OF THE INJURY TO THE USER.

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. NO ONSITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
3. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "OTHER FLOOD AREAS ZONE X," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1680 L, 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.
4. IN ACCORDANCE WITH ARS § 9–461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
5. 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.
6. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NONPROFIT CORPORATION.
7. 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.

ASSURED WATER SUPPLY CERTIFICATION

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE OF THE CITY OF SURPRISE, AWS NO. 2010–012, SIGNED ON 9–29–2010, DECISION AND ORDER NUMBER 86–002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO A.R.S. 45–576.

AREA SUMMARY TABLE

DESCRIPTION	AREA (SF)	AREA (ACRES)
LOTS 282–399	426,525	9.7917
TRACTS A–G	109,173	2.5063
RIGHT–OF–WAY	208,166	4.7788
GROSS AREA	743,864	17.0768

LEGAL DESCRIPTION

A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CALCULATED NORTH QUARTER–CORNER OF SAID SECTION 16, FROM WHICH A BRASS CAP IN HANDHOLE AT THE NORTHEAST CORNER OF SAID SECTION 16 BEARS SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST, 2639.25 FEET;

THENCE ALONG THE NORTH LINE OF SAID SECTION 16, SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST, 215.20 FEET;

THENCE SOUTH 0 DEGREES 38 MINUTES 55 SECONDS WEST, 65.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST, 1119.60 FEET;

THENCE SOUTH 11 DEGREES 36 MINUTES 21 SECONDS EAST, 558.04 FEET;

THENCE SOUTH 78 DEGREES 23 MINUTES 39 SECONDS WEST, 102.16 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHWEST, FROM WHICH THE RADIUS POINT BEARS NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST A DISTANCE OF 62.00 FEET;

THENCE SOUTHWESTERLY 97.39 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;

THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, 960.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 10.00 FEET;

THENCE SOUTHWESTERLY 15.71 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;

THENCE ON A NON–TANGENT LINE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, 52.00 FEET;

THENCE NORTH 0 DEGREES 39 MINUTES 11 SECONDS EAST, 2.66 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, 90.00 FEET;

THENCE NORTH 0 DEGREES 39 MINUTES 11 SECONDS EAST, 200.00 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, 90.00 FEET;

THENCE NORTH 0 DEGREES 39 MINUTES 11 SECONDS EAST, 131.91 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 10.00 FEET;

THENCE NORTHWESTERLY 15.71 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;

THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, 54.24 FEET;

THENCE NORTH 0 DEGREES 39 MINUTES 11 SECONDS EAST, 52.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHEAST, FROM WHICH THE RADIUS POINT BEARS NORTH 0 DEGREES 39 MINUTES 11 SECONDS EAST A DISTANCE OF 10.00 FEET;

THENCE NORTHWESTERLY 15.71 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 89 DEGREES 59 MINUTES 44 SECONDS;

THENCE NORTH 0 DEGREES 38 MINUTES 55 SECONDS EAST, 212.35 FEET;

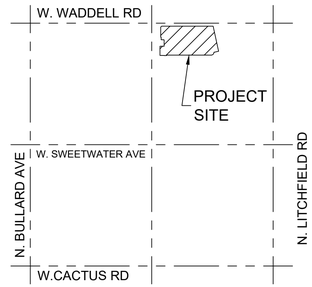
THENCE NORTH 45 DEGREES 38 MINUTES 55 SECONDS EAST, 28.28 FEET TO THE POINT OF BEGINNING.

CONTAINS 17.0768 ACRES, MORE OR LESS.

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS MEASURED AND AS SHOWN ON THE FINAL PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 5", AS SHOWN ON THE MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 839, PAGE 39, M.C.R.

SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST



VICINITY MAP
(NTS)
T.3 N., R.1 W.
SEC. 16

DEVELOPER

MERITAGE HOMES OF ARIZONA INC.
8800 E. RAINTREE DR, SUITE 300
SCOTTSDALE, AZ 85260
TEL: (480)515–8251
CONTACT: JASON JARVIS

ENGINEER

EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
CONTACT: DANIEL AUXIER, P.E.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 TRACT USE TABLE, LOT AREA TABLES, CURVE TABLE
SHEET 3 FINAL PLAT
SHEET 4 FINAL PLAT

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON–PROFIT CORPORATION, HEREBY RATIFIES, AFFIRMS AND APPROVES THIS PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 5" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT.

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF_____, 2018.

HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION,
AN ARIZONA NON–PROFIT CORPORATION

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2018, 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

_____, 2018.

_____ _____
MAYOR DATE

ATTEST: _____ _____
CITY CLERK DATE

CERTIFICATION

I, JESSE BOYD, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF JULY 2017; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JESSE BOYD, R.L.S. 42937
EPS GROUP, INC.
2045 S. VINEYARD AVENUE, SUITE 101
MESA, AZ 85210

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 5
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 08/07/2018
ARIZONA, U.S.A.

Job No.
17-234
FP01

Sheet No.
1
of 4

17-234

mikennedy Aug 03, 2018 1:34pm C:\Users\jboyd\appdata\local\temp\AcPublish_12384\17-234 Plat Parcel 5.dwg

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
282	3,677	0.0844
283	3,600	0.0826
284	3,600	0.0826
285	3,600	0.0826
286	3,600	0.0826
287	3,600	0.0826
288	3,600	0.0826
289	3,600	0.0826
290	3,720	0.0854
291	3,720	0.0854
292	3,720	0.0854
293	3,720	0.0854
294	3,720	0.0854
295	3,720	0.0854
296	3,720	0.0854
297	3,600	0.0826
298	3,600	0.0826
299	3,600	0.0826
300	3,600	0.0826
301	3,600	0.0826

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
302	3,600	0.0826
303	3,600	0.0826
304	4,408	0.1012
305	3,600	0.0826
306	3,600	0.0826
307	3,600	0.0826
308	3,600	0.0826
309	3,600	0.0826
310	3,600	0.0826
311	3,600	0.0826
312	3,600	0.0826
313	3,600	0.0826
314	3,600	0.0826
315	3,600	0.0826
316	3,600	0.0826
317	3,600	0.0826
318	3,600	0.0826
319	3,600	0.0826
320	3,600	0.0826
321	3,600	0.0826

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
322	3,600	0.0826
323	3,600	0.0826
324	3,600	0.0826
325	3,600	0.0826
326	3,600	0.0826
327	3,600	0.0826
328	3,600	0.0826
329	3,600	0.0826
330	3,600	0.0826
331	3,600	0.0826
332	3,600	0.0826
333	3,600	0.0826
334	3,600	0.0826
335	3,600	0.0826
336	3,600	0.0826
337	3,600	0.0826
338	3,600	0.0826
339	3,600	0.0826
340	3,600	0.0826
341	3,600	0.0826

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
A	LANDSCAPE/OPEN SPACE	1,757	0.0403
B	LANDSCAPE/OPEN SPACE	6,524	0.1498
C	LANDSCAPE/OPEN SPACE	9,633	0.2211
D	LANDSCAPE/OPEN SPACE/AMENITY/PUBLIC USE TRAIL/RETENTION	80,545	1.8491
E	LANDSCAPE/OPEN SPACE	1,757	0.0403
F	LANDSCAPE/OPEN SPACE	7,200	0.1653
G	LANDSCAPE/OPEN SPACE	1,757	0.0403

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	97.39'	62.00'	90°00'00"	62.00'	87.68'	S45°39'11"W
C2	56.55'	36.00'	90°00'00"	36.00'	50.91'	S45°39'11"W
C3	15.71'	10.00'	90°00'00"	10.00'	14.14'	S45°39'11"W
C4	15.71'	10.00'	90°00'00"	10.00'	14.14'	N44°20'49"W
C5	56.55'	36.00'	90°00'00"	36.00'	50.91'	N44°20'49"W
C6	97.39'	62.00'	90°00'00"	62.00'	87.68'	N44°20'49"W
C7	15.71'	10.00'	90°00'00"	10.00'	14.14'	N45°39'11"E
C8	15.71'	10.00'	90°00'00"	10.00'	14.14'	N44°20'49"W
C9	15.71'	10.00'	90°00'00"	10.00'	14.14'	N45°39'11"E
C10	56.55'	36.00'	90°00'00"	36.00'	50.91'	N45°39'11"E
C11	15.71'	10.00'	90°00'00"	10.00'	14.14'	S44°20'49"E
C12	15.71'	10.00'	90°00'00"	10.00'	14.14'	S45°39'11"W
C13	15.71'	10.00'	90°00'00"	10.00'	14.14'	S44°20'49"E
C14	15.71'	10.00'	90°00'00"	10.00'	14.14'	N45°39'11"E
C15	37.53'	354.55'	6°03'52"	18.78'	37.51'	S04°35'07"E
C16	36.77'	24.00'	87°47'38"	23.09'	33.28'	S45°27'00"E
C17	67.42'	44.00'	87°47'38"	42.34'	61.02'	S45°27'00"E
C18	34.44'	334.55'	5°53'53"	17.23'	34.42'	S04°30'08"E

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
342	3,600	0.0826
343	3,600	0.0826
344	3,600	0.0826
345	3,600	0.0826
346	3,600	0.0826
347	3,600	0.0826
348	3,600	0.0826
349	3,600	0.0826
350	3,600	0.0826
351	3,600	0.0826
352	3,600	0.0826
353	3,600	0.0826
354	3,600	0.0826
355	3,600	0.0826
356	3,600	0.0826
357	3,600	0.0826
358	3,600	0.0826
359	3,600	0.0826
360	3,600	0.0826
361	3,600	0.0826

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
362	3,600	0.0826
363	3,600	0.0826
364	3,600	0.0826
365	3,600	0.0826
366	3,600	0.0826
367	3,600	0.0826
368	3,600	0.0826
369	3,600	0.0826
370	3,600	0.0826
371	3,600	0.0826
372	3,600	0.0826
373	3,600	0.0826
374	3,600	0.0826
375	3,600	0.0826
376	3,600	0.0826
377	3,600	0.0826
378	3,600	0.0826
379	3,600	0.0826
380	3,600	0.0826
381	3,600	0.0826

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
382	3,600	0.0826
383	3,600	0.0826
384	3,600	0.0826
385	3,600	0.0826
386	3,600	0.0826
387	3,600	0.0826
388	3,600	0.0826
389	3,600	0.0826
390	3,600	0.0826
391	3,600	0.0826
392	3,600	0.0826
393	3,600	0.0826
394	3,600	0.0826
395	3,600	0.0826
396	3,600	0.0826
397	3,600	0.0826
398	3,600	0.0826
399	3,600	0.0826

17-234

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EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 5
Surprise, Arizona
Final Plat

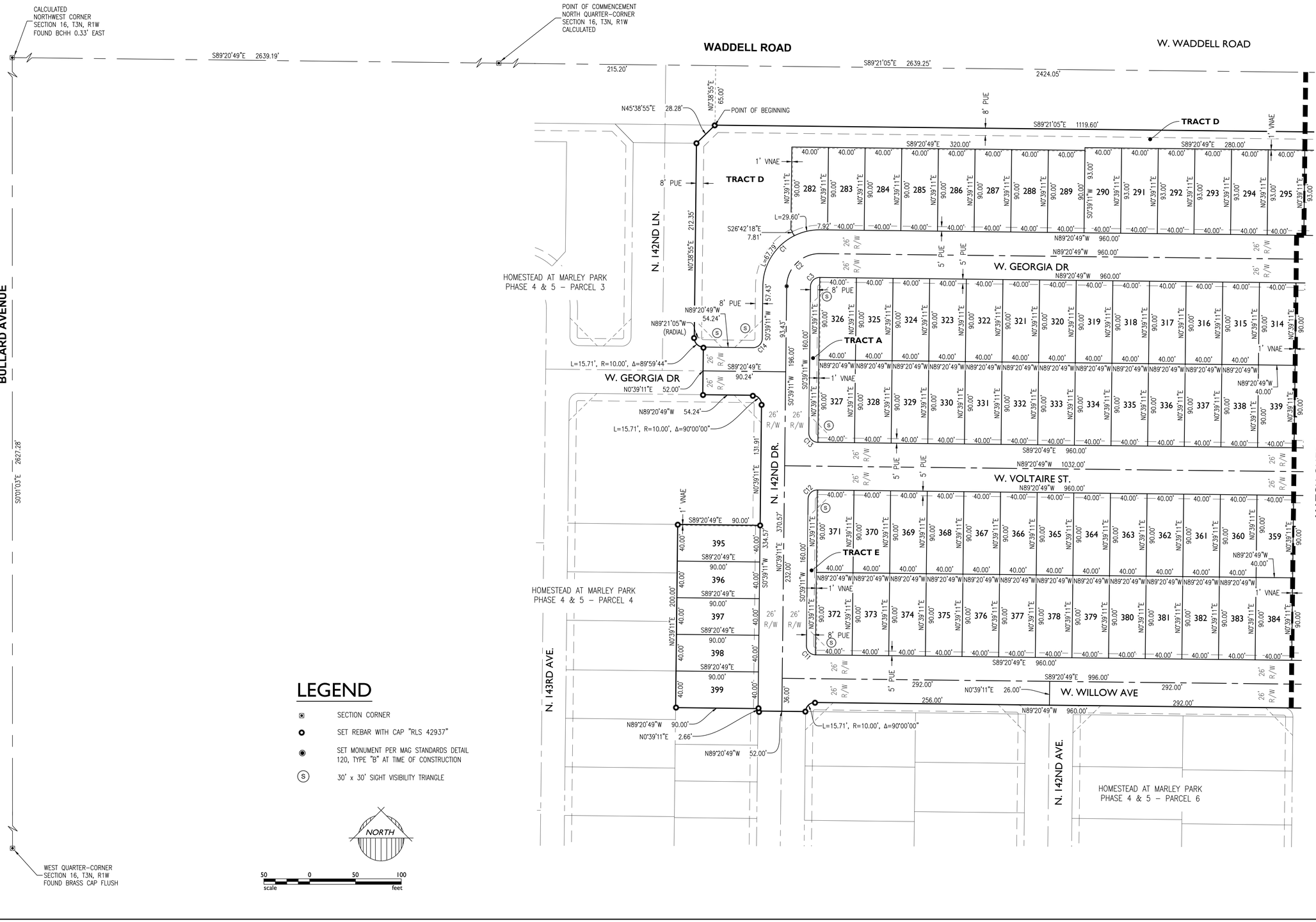
Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 08/07/2018
ARIZONA U.S.A.

Job No.
17-234
FP02
Sheet No.
2
of 4

17-234



LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
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Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 5
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 08/02/2018
ARIZONA, U.S.A.

Job No.
17-234

FP03

Sheet No.
3
of 4

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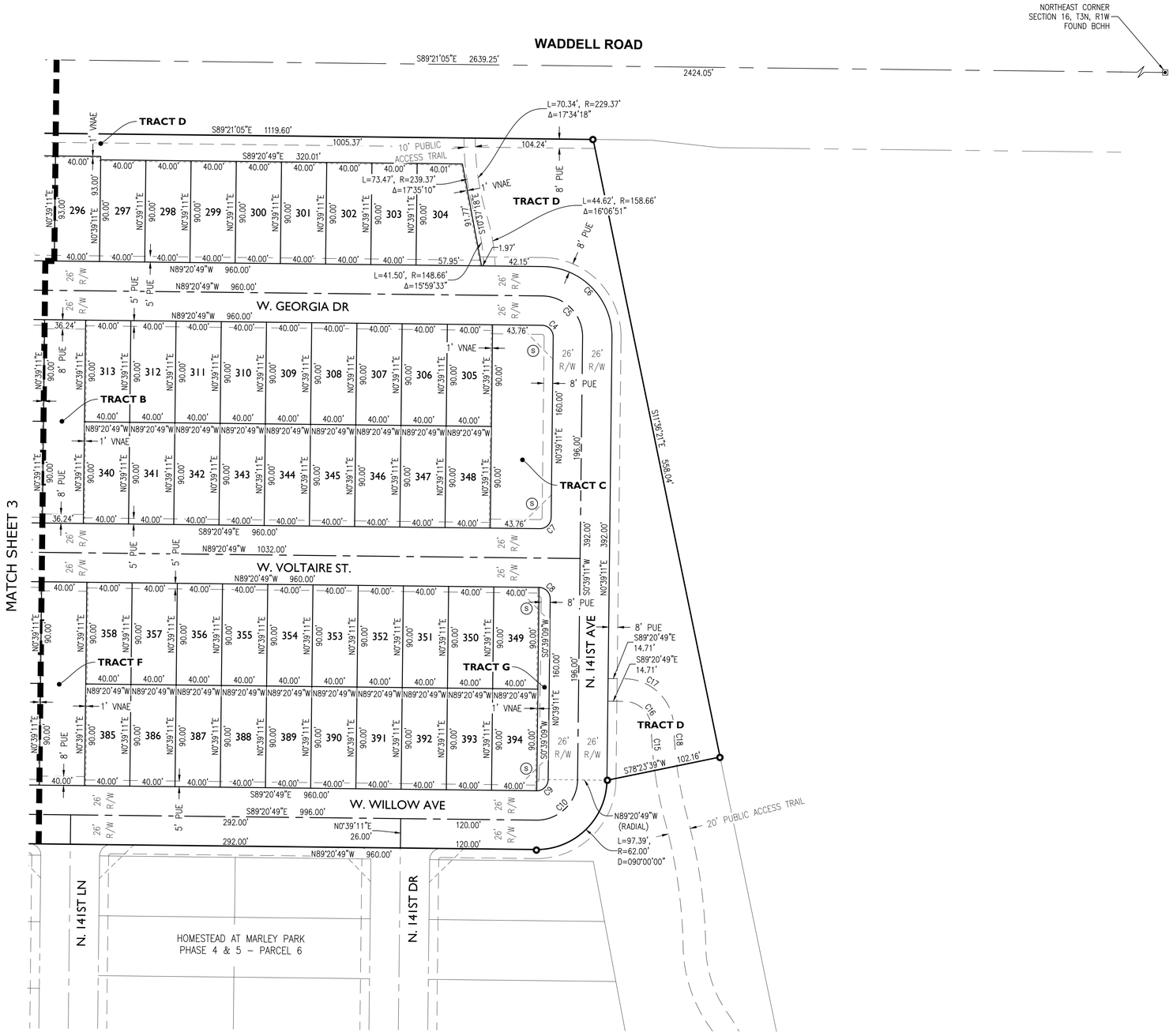
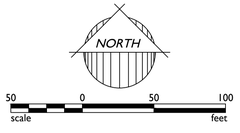
17-234





LEGEND

- ◙ SECTION CORNER
- ○ SET REBAR WITH CAP "RLS 42937"
- ◉ SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- Ⓢ 30' x 30' SIGHT VISIBILITY TRIANGLE

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Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 5
Surprise, Arizona
Final Plat

Project:

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 08/07/2018
ARIZONA, U.S.A.

Job No.
17-234
FP04
Sheet No.
4
of 4

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DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

10 May 2018

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Caresse Schweitzer
Planning Project Coordinator
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS18-245; Marley Park Phase 4 & 5 Meritage Homes Parcel 5

Dear Ms. Schweitzer

Thank you for the opportunity to provide comments on the Final Plat Application for the Marley Park Phase 4 & 5 Parcel 5 by Meritage Homes. The site is located on 17.8 acres and is part of a larger 217 acres at the southwest corner of Waddell Road and Bullard Avenue, in Surprise AZ. The request is for 118 single family homes for an overall density of 6.6 du/ac. The property is located 0.26 miles outside the 65 LDN the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461. Luke AFB understands any residential development will remain external to the 65 LDN.

In an effort to promote a more compatible co-existence Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. With an overall density of 6.6 du/ac this request does not meet the standard, however Luke does recognize Meritage Homes and the city have worked diligently to keep the project outside the 65 LDN and the density low.

While we have determined that this request exceeds the densities that Luke AFB follows, we recognize that we are not the approval authority. As such, if approved Marely Park Phase 4 & 5 Parcel 5 will be located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground

level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents about Luke AFB operations.

If you have any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely

JAMES R. MITCHELL

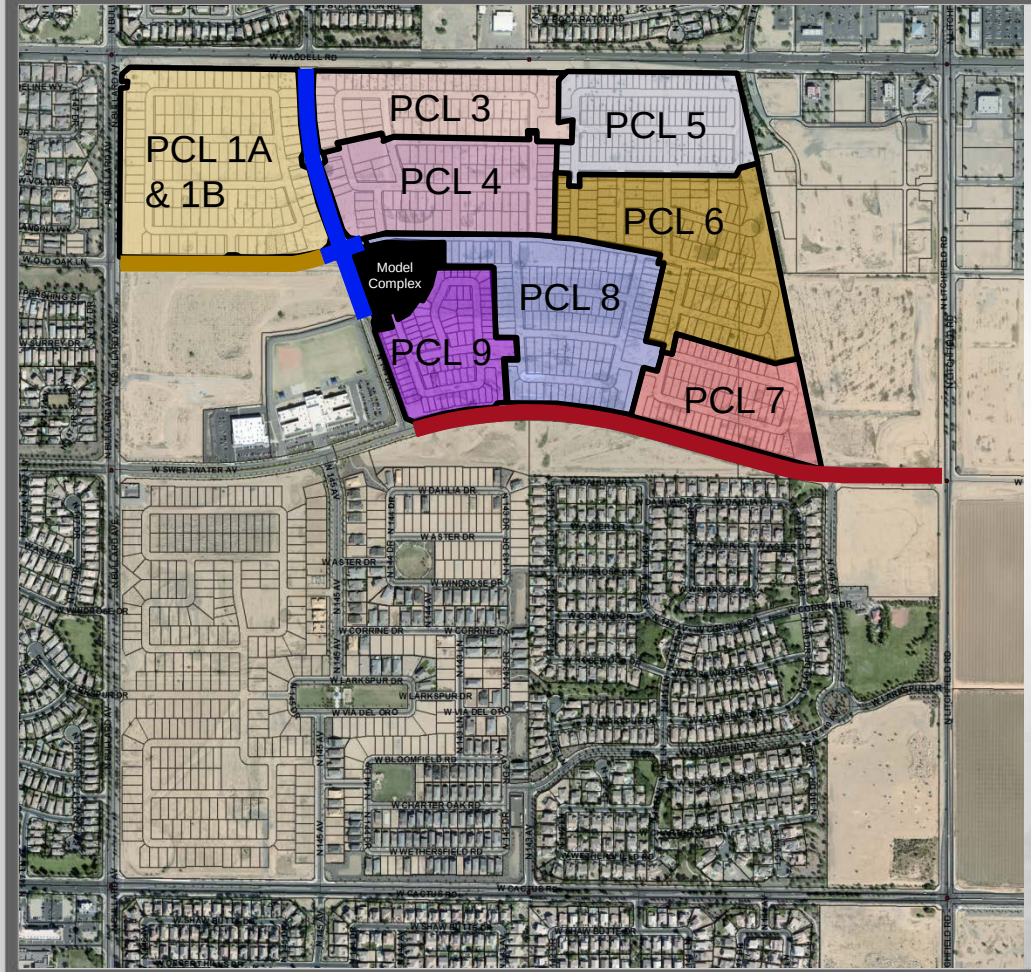
cc:
Colonel Michael S. Richardson, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

SURPRISE
ARIZONA

Homestead at Marley Park Final Plats

- FS18-181 Parcel 1A & 1B
  - FS18-178 Parcel 3
  - FS18-177 Parcel 4
  - FS18-245 Parcel 5
  - FS18-214 Parcel 6
  - FS18-190 Parcel 7
  - FS18-162 Parcel 8
  - FS18-135 Parcel 9

City Council, September 4, 2018



Composite Map

- Parcel 1A & 1B, FS18-181
- Parcel 3, FS18-178
- Parcel 4, FS18-177
- Parcel 5, FS18-245
- Parcel 6, FS18-214
- Parcel 7, FS18-190
- Parcel 8, FS18-162
- Parcel 9, FS18-135
- Sweetwater MOD
- 144th Dr MOD
- Old Oak MOD

PARKS & AMENITY

1 THE HOMESTEAD

- Community / Sales Center
- Ramada
- Outdoor Fireplace Plaza
- Communal Table
- Tot Lot
- Half Basketball Court
- Grove Plaza
- Pool
- Kid Zone
- Adult Zone
- Lap Pool
- Dive-in Movie
- Bocce Ball Court
- Horseshoes Court
- Open Turf Area

2 PLAYFUL ART PARK (PARCEL 1)

- Playful Art Play Structure
- Shaded Seating
- Gathering Area
- Shaded Seatwall Gathering Plaza
- Open Turf Area

3 MONARCH PARK (PARCEL 3)

- Passive Recreation Park
- Outdoor Lounge
- Overlook Platform
- Grove Plaza
- Formal Gardens
- Social Event Space

4 CLIMBING PARK (PARCEL 5)

- Climbing Tot Lot
- Turf Play Area
- Ramada Gathering
- Shaded Seating

5 MUSIC PARK (PARCEL 7)

- Interactive Musical Play
- Turf Play Area
- Shade Structure
- Seating Area
- Gathering Plaza

6 PRAIRIE LOUNGE (PARCEL 8)

- Outdoor Kitchen
- Outdoor Living
- Outdoor Fireplace
- Movie Lawn
- Community Garden
- Communal Table
- Corn Hole

7 NATURE GROVE PARK (PARCEL 9)

- Nature Play Feature
- Animal Play Feature
- Turf Play Area
- Shade Structure
- Seating Area

8 WARRIOR PARK (LINEAR PARK)

- Active Recreation Park
- Fitness Stations
- Ninja Equipment
- Multi-use Trails

9 MEADOW PARK (13 ACRE PARK)

- Active Recreation Park
- Multi-use Turf Fields
- Multi-use Paths

NORTH 0' 100' 200' 400'
Scale: 1" = 200'-0"

17-234 MeritageHomes | Marley Park - Phase 4 & 5 | Surprise, Arizona | Illustrative Master Plan | L-0.01 | 12.14.2017 | EPS GROUP

FS17-508 Landscape

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	6
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 6" dated August 16, 2018, a property generally located between Waddell Road and the Sweetwater Avenue alignment west of Litchfield Road in Marley Park.

Motion:

I move to approve the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 6" dated August 16, 2018.

Background:

Dan Auxier of EPS Group on behalf of Meritage Homes requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 108 single-family residential lots, in addition to approximately 4.2 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

Objective Analysis:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC;

however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. With the subject request, Luke AFB echoed their previous concerns stating that at 6.9 DU/Ac, the subject Final Plat does not meet the GDC.

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 - Homestead at Marley Park Parcel 6 Final Plat - Staff Report
- 01 - Homestead at Marley Park Parcel 6 Final Plat - Case Map
- 02 - Homestead at Marley Park Parcel 6 Final Plat
- 03 - Homestead at Marley Park Parcel 6 Final Plat - Luke AFB Comments
- 04 - Homestead at Marley Park Parcel 6 Final Plat - Presentation

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-214**
Project Name:	Homestead at Marley Park Parcel 6 Final Plat
Council District:	6 – Palo Verde
Meeting Date:	**September 04, 2018**
Planner:	Robert H. Kuhfuss, AICP

Owner:	Meritage Homes
Applicant:	Dan Auxier, EPS Group, Inc.
Request:	108-Lot, 16-Tract Final Plat in the PAD Zoning District (Marley Park)
Site Location:	Generally between Waddell Road and the Sweetwater Avenue alignment and west of Litchfield Road in Marley Park
Site Size:	26.70 gross acres (approx.)
Density:	4.04 DU/Ac
General Plan Conformance:	The proposal advances the goals of the Surprise General Plan 2035
Support/Opposition:	None known.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat 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 Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Project Description:

Dan Auxier of EPS Group on behalf of Meritage Homes requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 108 single-family residential lots, in addition to approximately 4.2 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

BACKGROUND:

October 25, 2000: The City Council approved the original Marley Park PAD under case PAD00-091.

September 26, 2002: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of adding land mass to the PAD under case PADA02-104.

March 23, 2006: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of addressing densities in the eastern portion of Marley Park.

March 12, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 9 under case FS18-135, which is still under review.

March 20, 2018: The City Council approved the Preliminary Plat for Marley Park Phase 4 & 5 under case FS17-508. The City Council also approved three (3) related Maps-of-Dedication (MOD) this date. Said MODs were for Sweetwater Avenue, 144th Drive, and Old Oak Lane under cases FS17-584, FS17-601, and FS17-618, respectively.

March 26, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 8 under case FS18-162, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 4 under case FS18-177, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 3 under case FS18-178, which is discussed under separate cover.

April 5, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 1A and 1B under case FS18-181, which is discussed under separate cover.

April 10, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 7 under case FS18-190, which is discussed under separate cover.

April 18, 2018: The applicant filed a request for a Final Plat and Landscape Plan Review for Marley Park Phase 4 & 5, Park "B" under case FS18-209, which is still under review.

April 23, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 6 under case FS18-214, the subject case.

May 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 5 under case FS18-245, which is discussed under separate cover.

June 5, 2018: The City Council approved a Final Plat for the Homestead and Marley Park Model Complex and Park "A" under FS18-103.

Citizen Outreach:

N/A

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC; however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. With the subject request, Luke AFB echoed their previous concerns stating that at 6.9 DU/Ac, the subject Final Plat does not meet the GDC.

Reviewing Agencies:

All city reviewing departments have reviewed the request and expressed no objections to the request. The subject Final Plat was also routed to the standard external reviewing agencies, who offered the following comments:

Flood Control District of Maricopa County (FCDMC): FCDMC indicated no objections to the request.

Maricopa Water District (MWD): MWD indicated the proposed project is outside their current boundaries.

Arizona Department of Transportation (ADOT): ADOT indicated no objection to the request.

Luke Air Force Base (LAFB): LAFB stated that the proposed Final Plat does not meet their GDC.

Summary:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD.
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

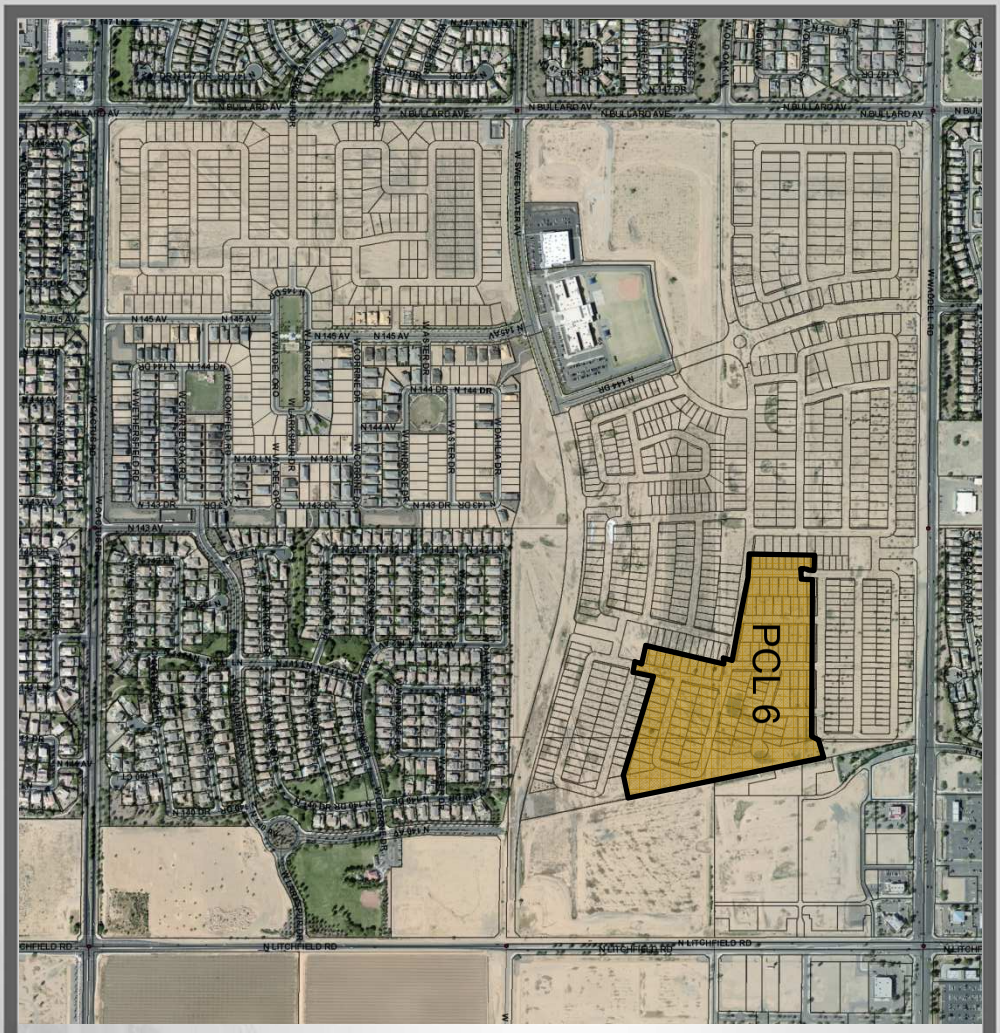
Alternative Actions:

Approval of the requested Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Attachments:

01 – Case Map
02 – Final Plat
03 – Luke AFB Comments



FS18-214 Case Map

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 6

A PORTION OF THE NORTH HALF OF SECTION 16,
TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN
MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

KNOW ALL MEN BY THESE PRESENTS: THAT MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 6", A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT AND EASEMENT, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, AND LETTER GIVEN TO EACH RESPECTIVELY. THE PURPOSES OF THE EASEMENTS ARE SHOWN HEREON.

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

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

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

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

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

OWNER 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.

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.

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

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE, AN ARIZONA MUNICIPAL CORPORATION, AND ITS SUCCESSORS AND ASSIGNS, A PUBLIC RECREATION/TRAIL EASEMENT FOR BICYCLING AND OTHER NON–MOTORIZED FORMS OF PEDESTRIAN ACCESS OVER AND ACROSS OWNER'S PROPERTY, INCLUDING THE RIGHT OF INGRESS AND EGRESS ALONG AND ACROSS THE EASEMENT PREMISES, AS SHOWN ON THIS PLAT.

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 _____, 2018.

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION

BY _____ DATE _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

PUBLIC NOTICE

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

RELEASE OF LIABILITY

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE 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 UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

THE CITY OF SURPRISE AGREES TO INDEMNIFY MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF AND ITS SUCCESSORS AND ASSIGNS FOR ANY AND ALL DIRECT DAMAGES TO THE PERSONAL PROPERTY OR FOR PHYSICAL INJURY TO OR DEATH OF PERSONS OCCURRING ON THE AREA OF THIS EASEMENT CAUSED BY OR ARISING AS THE PROXIMATE RESULT OF THE ACTIVITIES OF THE CITY OF SURPRISE OR MEMBERS OF THE PUBLIC USING THE TRAIL PURSUANT TO THE TERMS OF THIS EASEMENT, EXCEPT FOR SUCH INJURY OR DAMAGES CAUSED BY OR ARISING SOLEY FROM THE NEGLIGENT, WILLFUL, MALICIOUS OR GROSSLY NEGLIGENT CONDUCT OF MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF ITS SUCCESSORS AND ASSIGNS THAT WAS THE DIRECT CAUSE OF THE INJURY TO THE USER.

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. NO ONSITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
3. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "OTHER FLOOD AREAS ZONE X," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1680 L, 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.
4. IN ACCORDANCE WITH ARS § 9–461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
5. 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.
6. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NONPROFIT CORPORATION.
7. 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.

ASSURED WATER SUPPLY CERTIFICATION

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS No. 2010–012, SIGNED ON 9–29–2010, DECISION AND ORDER NUMBER 86–002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. 45–576.

AREA SUMMARY TABLE

DESCRIPTION	AREA (SF)	AREA (ACRES)
LOTS 400–416 & 425–517	743,794	17.0752
TRACTS A–P	185,571	4.2601
RIGHT–OF–WAY	233,503	5.3605
GROSS AREA	1,162,868	26.6958

LEGAL DESCRIPTION

A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CALCULATED NORTH QUARTER–CORNER OF SAID SECTION 16, FROM WHICH A BRASS CAP IN HANDHOLE AT THE NORTHEAST CORNER OF SAID SECTION 16 BEARS SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST, 2639.25 FEET;

THENCE ALONG THE NORTH LINE OF SAID SECTION 16, SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST, 1453.25 FEET;

THENCE SOUTH 0 DEGREES 38 MINUTES 55 SECONDS WEST, 610.33 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 11 DEGREES 36 MINUTES 21 SECONDS EAST, 1268.61 FEET;

THENCE SOUTH 78 DEGREES 23 MINUTES 39 SECONDS WEST, 148.90 FEET;

THENCE NORTH 74 DEGREES 26 MINUTES 25 SECONDS WEST, 648.12 FEET;

THENCE NORTH 76 DEGREES 42 MINUTES 26 SECONDS WEST, 10.00 FEET;

THENCE SOUTH 13 DEGREES 17 MINUTES 34 SECONDS WEST, 105.08 FEET;

THENCE NORTH 76 DEGREES 42 MINUTES 26 SECONDS WEST, 52.00 FEET;

THENCE NORTH 13 DEGREES 17 MINUTES 34 SECONDS EAST, 32.77 FEET;

THENCE NORTH 76 DEGREES 42 MINUTES 26 SECONDS WEST, 120.00 FEET;

THENCE NORTH 13 DEGREES 17 MINUTES 34 SECONDS EAST, 515.03 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHWEST, FROM WHICH THE RADIUS POINT BEARS SOUTH 13 DEGREES 20 MINUTES 40 SECONDS WEST A DISTANCE OF 3777.13 FEET;

THENCE NORTHWESTERLY 35.07 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 0 DEGREES 31 MINUTES 55 SECONDS;

THENCE ON A NON–TANGENT LINE NORTH 12 DEGREES 48 MINUTES 45 SECONDS EAST, 26.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHWEST, FROM WHICH THE RADIUS POINT BEARS SOUTH 12 DEGREES 48 MINUTES 45 SECONDS WEST A DISTANCE OF 3803.13 FEET;

THENCE NORTHWESTERLY 223.18 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 3 DEGREES 21 MINUTES 44 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 10.00 FEET;

THENCE NORTHWESTERLY 14.17 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 81 DEGREES 12 MINUTES 10 SECONDS;

THENCE ON A NON–TANGENT LINE NORTH 77 DEGREES 59 MINUTES 40 SECONDS WEST, 53.04 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHWEST, FROM WHICH THE RADIUS POINT BEARS NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST A DISTANCE OF 10.00 FEET;

THENCE SOUTHWESTERLY 17.05 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 97 DEGREES 42 MINUTES 14 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 3803.13 FEET;

THENCE NORTHWESTERLY 25.66 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 0 DEGREES 23 MINUTES 11 SECONDS;

THENCE NORTH 82 DEGREES 01 MINUTES 46 SECONDS WEST, 196.09 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEAST, HAVING A RADIUS OF 10.00 FEET;

THENCE NORTHWESTERLY 14.43 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 82 DEGREES 40 MINUTES 57 SECONDS;

THENCE ON A NON–TANGENT LINE NORTH 79 DEGREES 15 MINUTES 54 SECONDS WEST, 52.82 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHWEST, FROM WHICH THE RADIUS POINT BEARS NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST A DISTANCE OF 10.00 FEET;

THENCE SOUTHWESTERLY 16.99 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 97 DEGREES 19 MINUTES 03 SECONDS;

THENCE NORTH 82 DEGREES 01 MINUTES 46 SECONDS WEST, 79.37 FEET;

THENCE NORTH 0 DEGREES 39 MINUTES 11 SECONDS EAST, 410.08 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, 90.00 FEET;

THENCE SOUTH 0 DEGREES 39 MINUTES 11 SECONDS WEST, 2.66 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, 52.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 10.00 FEET;

THENCE NORTHEASTERLY 15.71 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, 960.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 62.00 FEET;

THENCE NORTHEASTERLY 97.39 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;

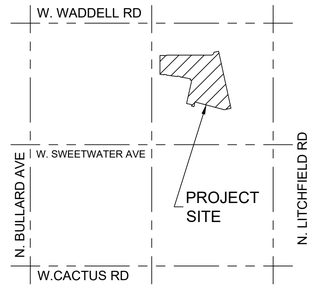
THENCE ON A NON–TANGENT LINE NORTH 78 DEGREES 23 MINUTES 39 SECONDS EAST, 102.16 FEET TO THE POINT OF BEGINNING.

CONTAINS 26.6958 ACRES, MORE OR LESS.

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS MEASURED AND AS SHOWN ON THE FINAL PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 6", AS SHOWN ON THE MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 839, PAGE 39, M.C.R.

SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST



VICINITY MAP
(NTS)
T.3 N., R.1 W.
SEC. 16

DEVELOPER

MERITAGE HOMES OF ARIZONA INC.
8800 E. RAINTREE DR, SUITE 300
SCOTTSDALE, AZ 85260
TEL: (480)515–8251
CONTACT: JASON JARVIS

ENGINEER

EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
CONTACT: DANIEL AUXIER, P.E.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 TRACT USE TABLE, LOT AREA TABLES, CURVE TABLE
SHEET 3 FINAL PLAT
SHEET 4 FINAL PLAT

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON–PROFIT CORPORATION, HEREBY RATIFIES, AFFIRMS AND APPROVES THIS PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 6" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT.

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF_____, 2018.

HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION,
AN ARIZONA NON–PROFIT CORPORATION

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2018, 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 _____, 2018.

_____ _____
MAYOR DATE

ATTEST: _____ _____
CITY CLERK DATE

CERTIFICATION

I, JESSE BOYD, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF JULY 2017; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JESSE BOYD, R.L.S. 42937
EPS GROUP, INC.
2045 S. VINEYARD AVENUE, SUITE 101
MESA, AZ 85210

DATE OF PREPARATION: JULY 13, 2018

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 6
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 09/18/2018
ARIZONA, U.S.A.

Job No.
17-234
FP01

Sheet No.
1
of 4

17-234

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LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
400	3,600	0.0826
401	3,600	0.0826
402	3,600	0.0826
403	3,600	0.0826
404	3,600	0.0826
405	3,600	0.0826
406	3,600	0.0826
407	3,600	0.0826
408	3,600	0.0826
409	4,120	0.0946
410	7,123	0.1635
411	7,123	0.1635
412	7,123	0.1635
413	7,123	0.1635
414	7,123	0.1635
415	7,123	0.1635
416	8,055	0.1849
425	7,344	0.1686
426	6,472	0.1486
427	6,472	0.1486

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
428	6,472	0.1486
429	6,472	0.1486
430	6,472	0.1486
431	6,472	0.1486
432	6,472	0.1486
433	6,798	0.1561
434	6,798	0.1561
435	6,798	0.1561
436	6,798	0.1561
437	6,798	0.1561
438	6,798	0.1561
439	6,798	0.1561
440	8,080	0.1855
441	8,861	0.2034
442	7,067	0.1622
443	7,067	0.1622
444	7,067	0.1622
445	7,067	0.1622
446	7,067	0.1622
447	7,067	0.1622

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
448	7,067	0.1622
449	6,360	0.1460
450	6,360	0.1460
451	6,360	0.1460
452	7,475	0.1716
453	11,065	0.2540
454	6,360	0.1460
455	6,360	0.1460
456	6,360	0.1460
457	7,954	0.1826
458	8,515	0.1955
459	14,750	0.3386
460	7,409	0.1701
461	6,483	0.1488
462	6,931	0.1591
463	9,272	0.2129
464	6,900	0.1584
465	6,901	0.1584
466	6,901	0.1584
467	6,901	0.1584

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
468	6,901	0.1584
469	6,901	0.1584
470	6,901	0.1584
471	7,905	0.1815
472	7,901	0.1814
473	6,449	0.1480
474	6,989	0.1604
475	6,983	0.1603
476	6,983	0.1603
477	6,983	0.1603
478	6,983	0.1603
479	6,983	0.1603
480	6,982	0.1603
481	6,482	0.1488
482	6,360	0.1460
483	6,360	0.1460
484	6,360	0.1460
485	6,360	0.1460
486	6,360	0.1460
487	6,360	0.1460

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
488	6,360	0.1460
489	6,360	0.1460
490	6,574	0.1509
491	7,124	0.1636
492	7,124	0.1636
493	7,124	0.1636
494	7,124	0.1636
495	7,124	0.1636
496	7,285	0.1672
497	9,080	0.2085
498	6,734	0.1546
499	6,724	0.1544
500	6,724	0.1544
501	6,724	0.1544
502	6,724	0.1544
503	6,724	0.1544
504	6,724	0.1544
505	6,718	0.1542
506	6,588	0.1512
507	6,574	0.1509

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
508	6,528	0.1499
509	6,528	0.1499
510	6,528	0.1499
511	6,528	0.1499
512	6,528	0.1499
513	6,528	0.1499
514	6,528	0.1499
515	6,528	0.1499
516	6,750	0.1549
517	10,532	0.2418

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
A	LANDSCAPE/OPEN SPACE	2,357	0.0541
B	LANDSCAPE/OPEN SPACE	2,357	0.0541
C	LANDSCAPE/OPEN SPACE	2,357	0.0541
D	LANDSCAPE/OPEN SPACE	879	0.0202
E	LANDSCAPE/OPEN SPACE	2,375	0.0545
F	LANDSCAPE/OPEN SPACE	2,392	0.0549
G	LANDSCAPE/OPEN SPACE	2,446	0.0562
H	LANDSCAPE/OPEN SPACE	2,362	0.0542
I	LANDSCAPE/OPEN SPACE	1,226	0.0281
J	LANDSCAPE/OPEN SPACE	1,219	0.0280
K	LANDSCAPE/OPEN SPACE	105,275	2.4168
L	LANDSCAPE/OPEN SPACE	2,359	0.0542
M	LANDSCAPE/OPEN SPACE	4,749	0.1090
N	LANDSCAPE/OPEN SPACE	1,179	0.0271
O	LANDSCAPE/OPEN SPACE/FUTURE RIGHT-OF-WAY/PUBLIC ACCESS EASEMENT	2,797	0.0642
P	LANDSCAPE/OPEN SPACE	49,242	1.1304

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	15.71'	10.00'	90°00'00"	10.00'	14.14'	N44°20'49"W
C2	15.71'	10.00'	90°00'00"	10.00'	14.14'	S45°39'11"W
C3	15.71'	10.00'	90°00'00"	10.00'	14.14'	N44°20'49"W
C4	15.71'	10.00'	90°00'00"	10.00'	14.14'	S45°39'11"W
C5	15.71'	10.00'	90°00'00"	10.00'	14.14'	N44°20'49"W
C6	15.71'	10.00'	90°00'00"	10.00'	14.14'	S45°39'11"W
C7	14.63'	10.00'	83°50'58"	8.98'	13.36'	S41°16'18"E
C8	49.82'	326.00'	8°45'22"	24.96'	49.77'	N78°49'06"W
C9	16.13'	10.00'	92°26'35"	10.44'	14.44'	N59°20'18"E
C10	59.60'	274.00'	12°27'49"	29.92'	59.49'	N06°53'06"E
C11	73.90'	326.00'	12°59'15"	37.11'	73.74'	N07°08'48"E
C12	15.37'	10.00'	88°04'50"	9.67'	13.90'	S30°23'59"E
C13	26.14'	17.50'	85°35'57"	16.20'	23.78'	N62°45'37"E
C14	17.08'	10.00'	97°50'15"	11.47'	15.08'	S49°34'18"W
C15	33.81'	274.00'	7°04'10"	16.92'	33.79'	N77°58'29"W
C16	17.83'	10.00'	102°09'34"	12.38'	15.56'	N51°43'58"E
C17	13.39'	10.00'	76°43'53"	7.92'	12.41'	S37°42'46"E
C18	108.74'	3803.13'	1°38'18"	54.38'	108.74'	N75°15'33"W
C19	110.32'	3751.13'	1°41'06"	55.16'	110.32'	N75°48'45"W
C20	15.40'	10.00'	88°15'46"	9.70'	13.93'	N30°50'19"W

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C21	16.10'	10.00'	92°16'01"	10.40'	14.42'	S59°25'35"W
C22	15.71'	10.00'	90°00'00"	10.00'	14.14'	N29°26'25"W
C23	97.39'	62.00'	90°00'00"	62.00'	87.68'	N29°26'25"W
C24	97.39'	62.00'	90°00'00"	62.00'	87.68'	N60°33'35"E
C25	15.71'	10.00'	90°00'00"	10.00'	14.14'	N60°33'35"E
C26	15.31'	10.00'	87°43'59"	9.61'	13.86'	S30°34'25"E
C27	16.10'	10.00'	92°16'01"	10.40'	14.42'	S59°25'35"W
C28	35.72'	3813.13'	0°32'12"	17.86'	35.72'	N81°45'40"W
C29	121.69'	3813.13'	1°49'43"	60.85'	121.69'	N79°47'15"W
C30	122.19'	3813.13'	1°50'09"	61.10'	122.18'	N77°57'19"W
C31	86.16'	336.00'	14°41'35"	43.32'	85.93'	N07°59'58"E
C32	62.07'	64.00'	55°34'04"	33.72'	59.67'	S00°20'30"W
C33	81.47'	84.00'	55°34'04"	44.26'	78.31'	S00°20'30"W
C34	3.98'	421.74'	0°32'28"	1.99'	3.98'	S27°42'46"E
C35	4.20'	441.74'	0°32'41"	2.10'	4.20'	S27°42'52"E
C36	85.34'	164.44'	29°44'12"	43.66'	84.39'	S13°16'13"E
C37	75.05'	144.44'	29°46'17"	38.39'	74.21'	S13°15'48"E
C38	83.87'	175.78'	27°20'14"	42.75'	83.07'	S12°26'52"E
C39	93.79'	195.78'	27°27'00"	47.82'	92.90'	S12°29'02"E
C40	59.39'	204.46'	16°38'38"	29.91'	59.18'	S19°30'31"E

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C41	53.77'	184.46'	16°42'09"	27.08'	53.58'	S19°34'03"E
C42	48.09'	126.74'	21°44'28"	24.34'	47.80'	S24°24'45"E
C43	56.28'	146.74'	21°58'29"	28.49'	55.93'	S24°19'24"E
C44	73.59'	125.76'	33°31'35"	37.88'	72.54'	S18°53'48"E
C45	61.71'	105.76'	33°26'05"	31.76'	60.84'	S18°58'32"E
C46	111.87'	448.64'	14°17'15"	56.23'	111.59'	S07°53'07"E
C47	116.71'	468.64'	14°16'07"	58.66'	116.41'	S07°54'26"E
C48	48.98'	354.55'	7°54'53"	24.53'	48.94'	S11°38'36"E
C49	46.71'	334.55'	8°00'00"	23.39'	46.67'	S11°37'03"E
C50	0.97'	334.55'	0°09'59"	0.49'	0.97'	S07°32'04"E
C51	29.95'	19.00'	90°19'35"	19.11'	26.95'	N29°16'37"W
C52	61.45'	39.00'	90°16'52"	39.19'	55.29'	N29°17'58"W
C53	105.47'	175.00'	34°31'58"	54.39'	103.88'	N01°31'59"W
C54	117.81'	195.00'	34°36'59"	60.77'	116.03'	N01°34'06"W
C55	191.53'	463.32'	23°41'05"	97.15'	190.17'	N08°25'53"W
C56	197.42'	483.32'	23°24'11"	100.11'	196.05'	N08°32'33"W
C57	3.26'	189.03'	0°59'21"	1.63'	3.26'	N04°53'13"E

LINE TABLE		
LINE	BEARING	LENGTH
L1	S28°07'32"W	28.29'
L2	S28°07'32"W	23.83'
L3	N74°26'25"W	37.99'
L4	N74°26'25"W	37.99'

17-234

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EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 F:480.503.2258
w w w . e p s g r o u p i n c . c o m

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 6
Surprise, Arizona

Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 08/16/2018
ARIZONA U.S.A.

Job No.
17-234

FP02

Sheet No.
2
of 4

17-234

CALCULATED NORTHWEST CORNER SECTION 16, T3N, R1W FOUND BCHH 0.33' EAST

NORTH QUARTER-CORNER SECTION 16, T3N, R1W CALCULATED

NORTHEAST CORNER SECTION 16, T3N, R1W FOUND BCHH

WADDELL ROAD

S89°20'49"E 2639.19'

S89°21'05"E 2639.25'

1453.25'

N0°38'55"E 610.33'

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 5

BULLARD AVENUE

S0°01'03"E 2627.28' (BASIS OF BEARINGS)

S0°39'11"W 2.66'

S89°20'49"E 52.00'

S89°20'49"E (RADIAL)

W. WILLOW AVE

L=97.39', R=62.00', Δ=90°00'00"

N78°23'39"E 43.16'

102.16'

38.95' C50

20.05'

S89°20'49"E 90.00'

TRACT A

TRACT B

TRACT C

N. 142ND DR.

N. 142ND AVE.

N. 141ST LN

N. 141ST DR

TRACT H

TRACT I

TRACT K

TRACT D

TRACT E

TRACT F

TRACT G

W. ALEXANDRIA WAY

W. OLD OAK LANE

20' PUBLIC ACCESS TRAIL

MATCH SHEET 4

SEE DETAIL A

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 8

LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

WEST QUARTER-CORNER SECTION 16, T3N, R1W FOUND BRASS CAP FLUSH

NORTH

50 0 50 100 scale feet

DETAIL A

N.T.S.

EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 6
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
42937
JESSE BOYD
Date Signed 08/16/2018
ARIZONA, U.S.A.

Job No. 17-234
FP03
Sheet No. 3 of 4

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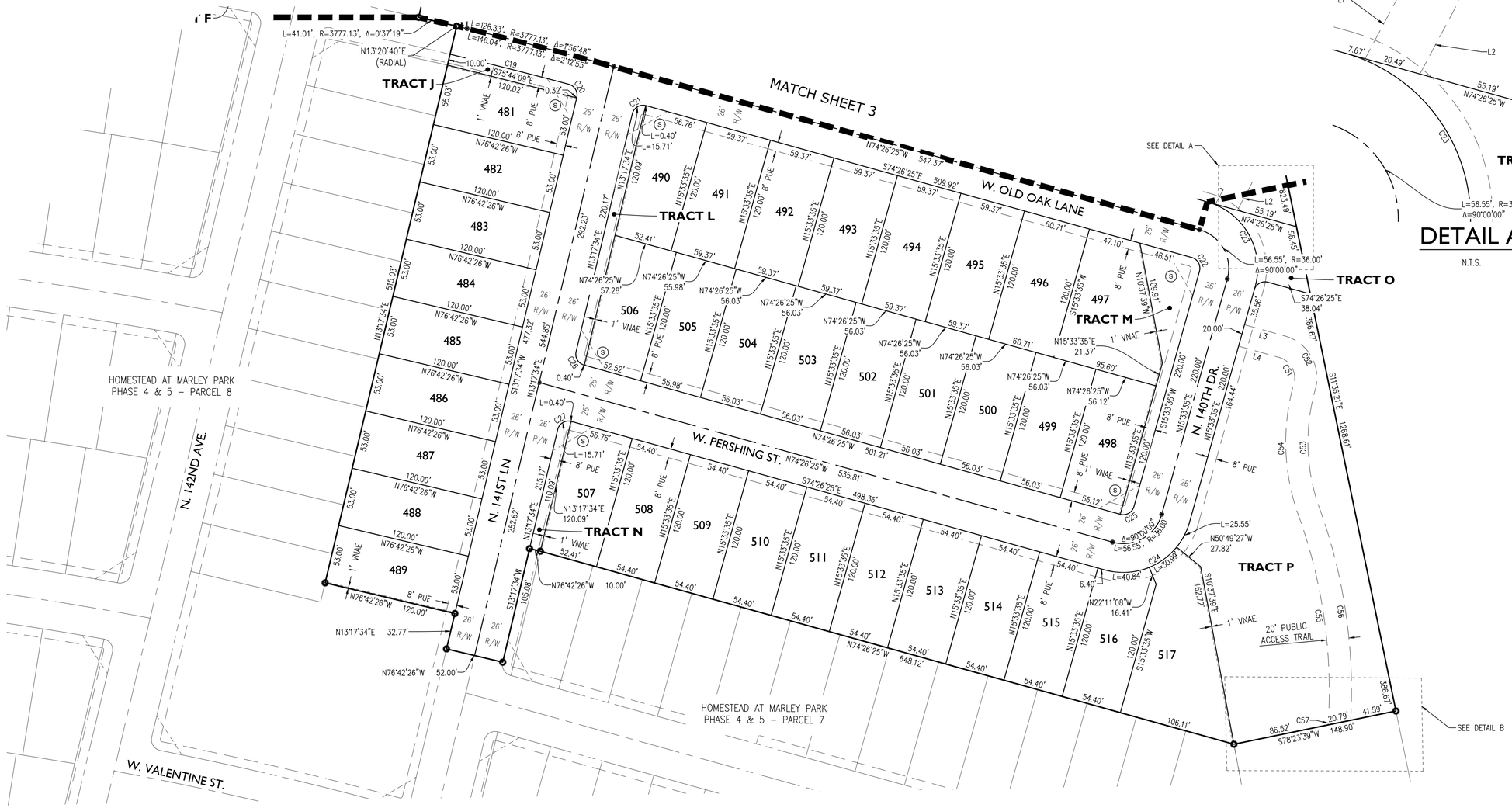

DETAIL A

N.T.S.

DETAIL B

N.T.S.

LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

NORTH

50 0 50 100

scale feet

17-234

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EPS GROUP
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Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 6
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
42937
JESSE BOYD
Date Signed 08/16/2018
ARIZONA, U.S.A.

Job No. 17-234

FP04

Sheet No. 4 of 4

DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

1 May 2018

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Heather Donaldson
Development Services Specialist
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS18-214; Homestead @ Marley Park Phase 4 & 5 Parcel 6

Dear Ms. Donaldson

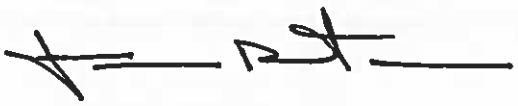
Thank you for the opportunity to provide comments on the Final Plat Application for the Homestead @ Marley Park Phase 4 & 5 Parcel 6 by Meritage Homes. The site is located on 15.2 acres and is part of a larger 217 acres at the southwest corner of Waddell Road and Bullard Avenue, in Surprise AZ. The request is for 110 single family homes for an overall density of 7.2 du/ac. The property is located just outside the 65 LDN the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. With an overall density of 7.2 du/ac this request does not meet the standard, however Luke does recognize Meritage Homes and the city have worked diligently to keep the project outside the 65 LDN and the density low.

While we have determined that this request exceeds the densities that Luke AFB follows, we recognize that we are not the approval authority. As such, if approved Marely Park Phase 4 & 5 Parcel 6 will be located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents about Luke AFB operations.

If you have any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely



JAMES R. MITCHELL

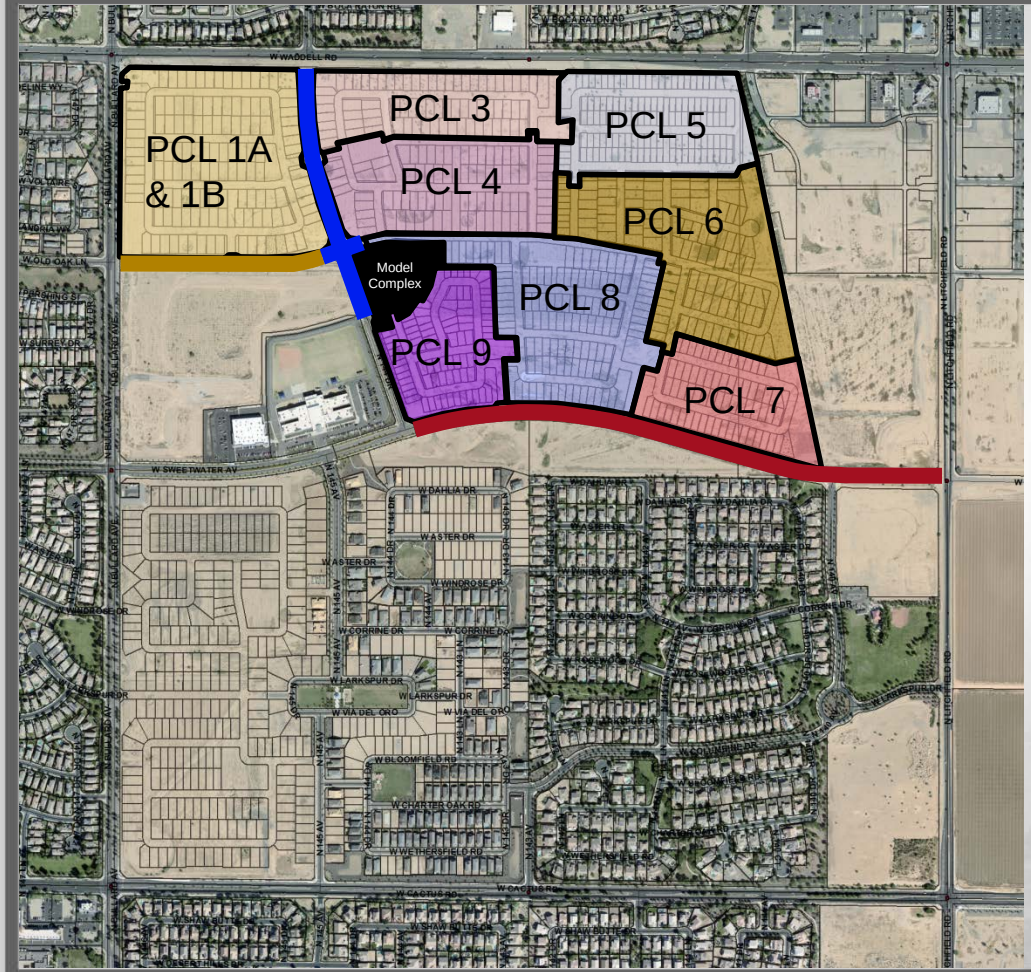
cc:
Colonel Michael S. Richardson, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

SURPRISE
ARIZONA

Homestead at Marley Park Final Plats

- FS18-181 Parcel 1A & 1B
  - FS18-178 Parcel 3
  - FS18-177 Parcel 4
  - FS18-245 Parcel 5
  - FS18-214 Parcel 6
  - FS18-190 Parcel 7
  - FS18-162 Parcel 8
  - FS18-135 Parcel 9

City Council, September 4, 2018



Composite Map

- Parcel 1A & 1B, FS18-181
- Parcel 3, FS18-178
- Parcel 4, FS18-177
- Parcel 5, FS18-245
- Parcel 6, FS18-214
- Parcel 7, FS18-190
- Parcel 8, FS18-162
- Parcel 9, FS18-135
- Sweetwater MOD
- 144th Dr MOD
- Old Oak MOD

PARKS & AMENITY

1 THE HOMESTEAD

- Community / Sales Center
- Ramada
- Outdoor Fireplace Plaza
- Communal Table
- Tot Lot
- Half Basketball Court
- Grove Plaza
- Pool
- Kid Zone
- Adult Zone
- Lap Pool
- Dive-in Movie
- Bocce Ball Court
- Horseshoes Court
- Open Turf Area

2 PLAYFUL ART PARK (PARCEL 1)

- Playful Art Play Structure
- Shaded Seating
- Gathering Area
- Shaded Seatwall Gathering Plaza
- Open Turf Area

3 MONARCH PARK (PARCEL 3)

- Passive Recreation Park
- Outdoor Lounge
- Overlook Platform
- Grove Plaza
- Formal Gardens
- Social Event Space

4 CLIMBING PARK (PARCEL 5)

- Climbing Tot Lot
- Turf Play Area
- Ramada Gathering
- Shaded Seating

5 MUSIC PARK (PARCEL 7)

- Interactive Musical Play
- Turf Play Area
- Shade Structure
- Seating Area
- Gathering Plaza

6 PRAIRIE LOUNGE (PARCEL 8)

- Outdoor Kitchen
- Outdoor Living
- Outdoor Fireplace
- Movie Lawn
- Community Garden
- Communal Table
- Corn Hole

7 NATURE GROVE PARK (PARCEL 9)

- Nature Play Feature
- Animal Play Feature
- Turf Play Area
- Shade Structure
- Seating Area

8 WARRIOR PARK (LINEAR PARK)

- Active Recreation Park
- Fitness Stations
- Ninja Equipment
- Multi-use Trails

9 MEADOW PARK (13 ACRE PARK)

- Active Recreation Park
- Multi-use Turf Fields
- Multi-use Paths

NORTH 0' 100' 200' 400'
Scale: 1" = 200'-0"

17-234 MeritageHomes | Marley Park - Phase 4 & 5 | Surprise, Arizona | Illustrative Master Plan | L-0.01 | 12.14.2017 | EPS GROUP

FS17-508 Landscape

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	6
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 7" dated July 12, 2018, a property generally located north of the Sweetwater Avenue alignment and west of 140th Avenue in Marley Park.

Motion:

I move to approve the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 7" dated July 12, 2018.

Background:

Mike Gleason of Entellus, on behalf of Meritage Homes, requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 130 single-family residential lots, in addition to approximately 5.5 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

Objective Analysis:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC;

however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. With the subject request, Luke AFB echoed their previous concerns stating that at 4.6 DU/Ac, the subject Final Plat does not meet the GDC.

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 - Homestead at Marley Park Parcel 7 Final Plat - Staff Report
- 01 - Homestead at Marley Park Parcel 7 Final Plat - Case Map
- 02 - Homestead at Marley Park Parcel 7 Final Plat
- 03 - Homestead at Marley Park Parcel 7 Final Plat - Luke AFB Comments
- 04 - Homestead at Marley Park Parcel 7 Final Plat - Presentation

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-190**
Project Name:	Homestead at Marley Park Parcel 7 Final Plat
Council District:	6 – Palo Verde
Meeting Date:	**September 04, 2018**
Planner:	Robert H. Kuhfuss, AICP

Owner:	Meritage Homes
Applicant:	Dan Auxier, EPS Group, Inc.
Request:	66-Lot, 4-Tract Final Plat in the PAD Zoning District (Marley Park)
Site Location:	Generally north of the Sweetwater Avenue alignment and west of 14oth Avenue in Marley Park
Site Size:	14.23 gross acres (approx.)
Density:	4.63 DU/Ac
General Plan Conformance:	The proposal advances the goals of the Surprise General Plan 2035
Support/Opposition:	None known.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat 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 Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Project Description:

Dan Auxier of EPS Group on behalf of Meritage Homes requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 66 single-family residential lots, in addition to approximately 3.1 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

BACKGROUND:

October 25, 2000: The City Council approved the original Marley Park PAD under case PAD00-091.

September 26, 2002: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of adding land mass to the PAD under case PADA02-104.

March 23, 2006: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of addressing densities in the eastern portion of Marley Park.

March 12, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 9 under case FS18-135, which is still under review.

March 20, 2018: The City Council approved the Preliminary Plat for Marley Park Phase 4 & 5 under case FS17-508. The City Council also approved three (3) related Maps-of-Dedication (MOD) this date. Said MODs were for Sweetwater Avenue, 144th Drive, and Old Oak Lane under cases FS17-584, FS17-601, and FS17-618, respectively.

March 26, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 8 under case FS18-162, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 4 under case FS18-177, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 3 under case FS18-178, which is discussed under separate cover.

April 5, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 1A and 1B under case FS18-181, which is discussed under separate cover.

April 10, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 7 under case FS18-190, the subject case.

April 18, 2018: The applicant filed a request for a Final Plat and Landscape Plan Review for Marley Park Phase 4 & 5, Park "B" under case FS18-209, which is still under review.

April 23, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 6 under case FS18-214, which is discussed under separate cover.

May 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 5 under case FS18-245, which is discussed under separate cover.

June 5, 2018: The City Council approved a Final Plat for the Homestead and Marley Park Model Complex and Park "A" under FS18-103.

Citizen Outreach:

N/A

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC; however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. With the subject request, Luke AFB echoed their previous concerns stating that at 4.6 DU/Ac, the subject Final Plat does not meet the GDC.

Reviewing Agencies:

All city reviewing departments have reviewed the request and expressed no objections to the request. The subject Final Plat was also routed to the standard external reviewing agencies, who offered the following comments:

Flood Control District of Maricopa County (FCDMC): FCDMC indicated no objections to the request.

Maricopa Water District (MWD): MWD indicated the proposed project is outside their current boundaries.

Arizona Department of Transportation (ADOT): ADOT indicated no objection to the request.

Luke Air Force Base (LAFB): LAFB stated that the proposed Final Plat does not meet their GDC.

Summary:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD.
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

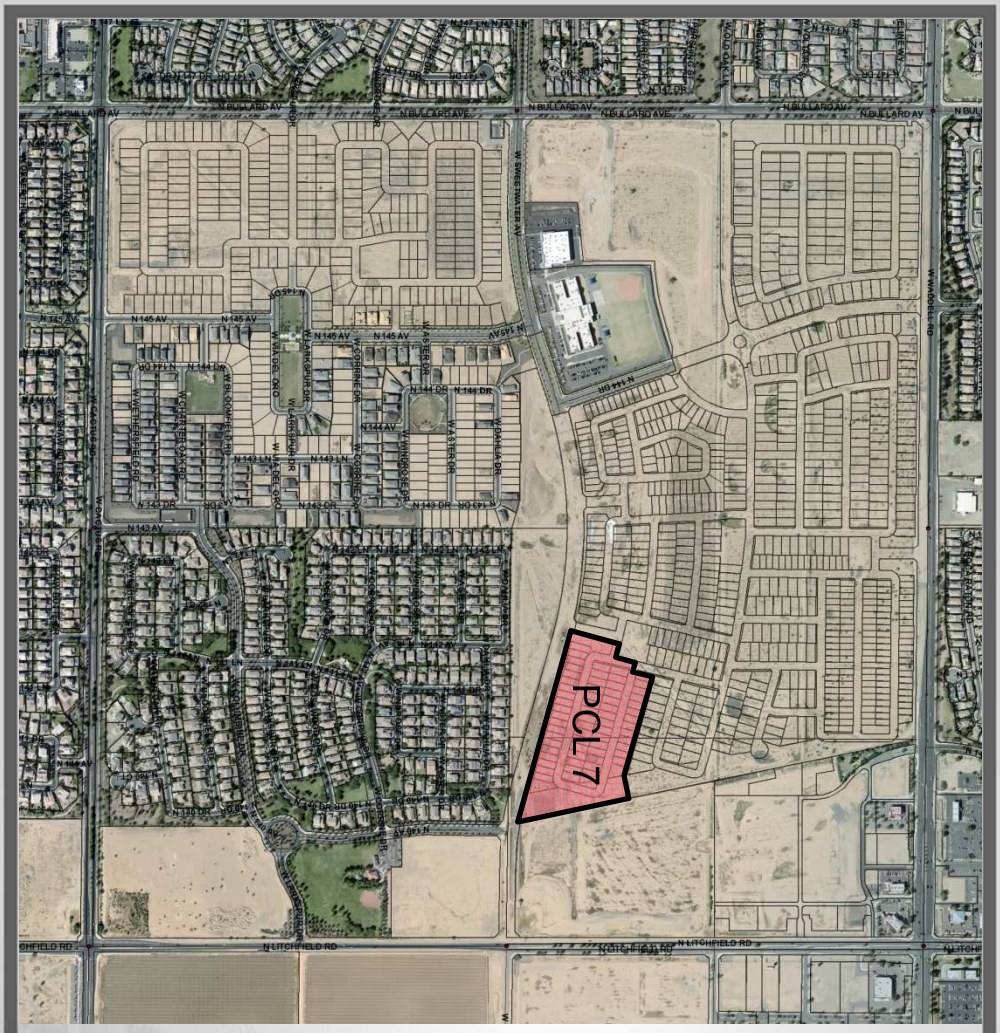
Alternative Actions:

Approval of the requested Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Attachments:

01 – Case Map
02 – Final Plat
03 – Luke AFB Comments



FS18-190 Case Map

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 7

A PORTION OF THE NORTH HALF OF SECTION 16,
TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN
MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

KNOW ALL PERSONS BY THESE PRESENTS: THAT MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 7", A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT AND EASEMENT, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, AND LETTER GIVEN TO EACH RESPECTIVELY. THE PURPOSES OF THE EASEMENTS ARE SHOWN HEREON.

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

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

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

OWNER 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.

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.

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

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE, AN ARIZONA MUNICIPAL CORPORATION, AND ITS SUCCESSORS AND ASSIGNS, A PUBLIC RECREATION/TRAIL EASEMENT FOR BICYCLING AND OTHER NON–MOTORIZED FORMS OF PEDESTRIAN ACCESS OVER AND ACROSS OWNER'S PROPERTY, INCLUDING THE RIGHT OF INGRESS AND EGRESS ALONG AND ACROSS THE EASEMENT PREMISES, AS SHOWN ON THIS PLAT.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL EXCLUSIVE EASEMENT OVER, UNDER, UPON AND ACROSS ALL AREAS DESIGNATED ON THE PLAT AS SEWER LINES AND MANHOLES, FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING THE SEWER LINES AND MANHOLES.

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

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

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 _____, 2018.

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION

BY _____ DATE _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

PUBLIC NOTICE

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

RELEASE OF LIABILITY

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE 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 UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

THE CITY OF SURPRISE AGREES TO INDEMNIFY MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF AND ITS SUCCESSORS AND ASSIGNS FOR ANY AND ALL DIRECT DAMAGES TO THE PERSONAL PROPERTY OR FOR PHYSICAL INJURY TO OR DEATH OF PERSONS OCCURRING ON THE AREA OF THIS EASEMENT CAUSED BY OR ARISING AS THE PROXIMATE RESULT OF THE ACTIVITIES OF THE CITY OF SURPRISE OR MEMBERS OF THE PUBLIC USING THE TRAIL PURSUANT TO THE TERMS OF THIS EASEMENT, EXCEPT FOR SUCH INJURY OR DAMAGES CAUSED BY OR ARISING SOLELY FROM THE NEGLIGENT, WILLFUL, MALICIOUS OR GROSSLY NECLIGENT CONDUCT OF MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF ITS SUCCESSORS AND ASSIGNS THAT WAS THE DIRECT CAUSE OF THE INJURY TO THE USER.

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. NO ONSITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
3. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "OTHER FLOOD AREAS ZONE X," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1680 L, 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.
4. IN ACCORDANCE WITH ARS § 9–461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
5. 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.
6. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NONPROFIT CORPORATION.
7. 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.

ASSURED WATER SUPPLY CERTIFICATION

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS NO. 2010–012, SIGNED ON 9–29–2011, DECISION AND ORDER NUMBER 86–002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. 45–576.

LEGAL DESCRIPTION

A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CALCULATED NORTH QUARTER–CORNER OF SAID SECTION 16, FROM WHICH A BRASS CAP IN HANDHOLE AT THE NORTHEAST CORNER OF SAID SECTION 16 BEARS SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST, 2639.25 FEET;

THENCE ALONG THE NORTH LINE OF SAID SECTION 16, SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST, 940.96 FEET;

THENCE SOUTH 0 DEGREES 38 MINUTES 55 SECONDS WEST, 1712.67 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 76 DEGREES 42 MINUTES 26 SECONDS EAST, 10.00 FEET;

THENCE SOUTH 74 DEGREES 26 MINUTES 25 SECONDS EAST, 648.12 FEET;

THENCE NORTH 78 DEGREES 23 MINUTES 39 SECONDS EAST, 148.90 FEET;

THENCE SOUTH 11 DEGREES 36 MINUTES 21 SECONDS EAST, 721.63 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHEAST, FROM WHICH THE RADIUS POINT BEARS NORTH 9 DEGREES 45 MINUTES 55 SECONDS EAST A DISTANCE OF 1947.00 FEET;

THENCE NORTHWESTERLY 196.91 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 5 DEGREES 47 MINUTES 41 SECONDS;

THENCE NORTH 74 DEGREES 26 MINUTES 25 SECONDS WEST, 963.53 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 2753.00 FEET;

THENCE NORTHWESTERLY 54.42 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 1 DEGREES 07 MINUTES 58 SECONDS;

THENCE ON A NON–TANGENT LINE NORTH 31 DEGREES 14 MINUTES 38 SECONDS WEST, 28.51 FEET;

THENCE NORTH 13 DEGREES 17 MINUTES 34 SECONDS EAST, 245.89 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 10.00 FEET;

THENCE NORTHEASTERLY 15.86 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90 DEGREES 50 MINUTES 40 SECONDS;

THENCE ON A NON–TANGENT LINE NORTH 14 DEGREES 08 MINUTES 15 SECONDS EAST, 52.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHWEST, FROM WHICH THE RADIUS POINT BEARS SOUTH 14 DEGREES 08 MINUTES 15 SECONDS WEST A DISTANCE OF 3081.00 FEET;

THENCE SOUTHEASTERLY 64.25 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 1 DEGREES 11 MINUTES 41 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 10.00 FEET;

THENCE NORTHEASTERLY 16.06 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 92 DEGREES 02 MINUTES 22 SECONDS;

THENCE NORTH 13 DEGREES 17 MINUTES 34 SECONDS EAST, 138.28 FEET;

THENCE SOUTH 76 DEGREES 42 MINUTES 26 SECONDS EAST, 52.00 FEET;

THENCE NORTH 13 DEGREES 17 MINUTES 34 SECONDS EAST, 105.08 FEET TO THE POINT OF BEGINNING.

CONTAINS 14.2336 ACRES, MORE OR LESS.

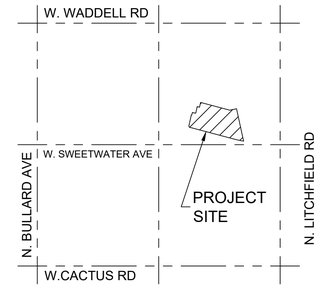
AREA SUMMARY TABLE

DESCRIPTION	AREA (SF)	AREA (ACRES)
LOTS 518–583	367,111	8.4277
TRACTS A–C	133,899	3.0739
RIGHT–OF–WAY	119,004	2.7320
GROSS AREA	620,014	14.2336

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS MEASURED AND AS SHOWN ON THE FINAL PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 7", AS SHOWN ON THE MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 839, PAGE 39, M.C.R.

SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST



VICINITY MAP

(NTS)
T.3 N., R.1 W.
SEC. 16

DEVELOPER

MERITAGE HOMES OF ARIZONA INC.
8800 E. RAINTREE DR, SUITE 300
SCOTTSDALE, AZ 85260
TEL: (480)515–8251
CONTACT: JASON JARVIS

ENGINEER

EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
CONTACT: DANIEL AUXIER, P.E.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 TRACT USE TABLE, LOT AREA TABLES, CURVE TABLE
SHEET 3 FINAL PLAT
SHEET 4 FINAL PLAT

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON–PROFIT CORPORATION, HEREBY RATIFIES, AFFIRMS AND APPROVES THIS PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 7" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT.

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF_____, 2018.

HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION,
AN ARIZONA NON–PROFIT CORPORATION

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2018, 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 _____, 2018.

_____ _____
MAYOR DATE

ATTEST: _____ _____
CITY CLERK DATE

CERTIFICATION

I, JESSE BOYD, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF JULY 2017; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JESSE BOYD, R.L.S. 42937
EPS GROUP, INC.
2045 S. VINEYARD AVENUE, SUITE 101
MESA, AZ 85210

DATE OF PREPARATION: 06/27/18

2045 S. Vineyard Ave, Suite 101
Mesa, Az 85210
T:480.503.2250 I F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 7
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 07/17/2018
ARIZONA, U.S.A.

Job No.
17-234
FP01

Sheet No.
1
of 4

17-234

jboyd Jul 12, 2018 12:54pm S:\Projects\2017\17-234\Legal Survey\Dwgs\Final Plat\P7\17-234 Plat Parcel 7.dwg

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
518	8,427	0.1935
519	5,310	0.1219
520	5,310	0.1219
521	5,310	0.1219
522	5,310	0.1219
523	5,310	0.1219
524	5,310	0.1219
525	5,310	0.1219
526	5,310	0.1219
527	5,310	0.1219
528	5,310	0.1219
529	5,310	0.1219
530	5,300	0.1217
531	5,391	0.1238
532	5,437	0.1248
533	5,537	0.1271
534	5,537	0.1271
535	5,537	0.1271
536	5,537	0.1271
537	5,537	0.1271

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
538	5,537	0.1271
539	5,537	0.1271
540	5,537	0.1271
541	5,537	0.1271
542	5,537	0.1271
543	5,537	0.1271
544	5,537	0.1271
545	5,537	0.1271
546	8,757	0.2010
547	5,523	0.1268
548	5,523	0.1268
549	5,523	0.1268
550	5,523	0.1268
551	5,523	0.1268
552	5,523	0.1268
553	5,523	0.1268
554	5,523	0.1268
555	5,523	0.1268
556	5,523	0.1268
557	5,523	0.1268

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
558	5,523	0.1268
559	5,523	0.1268
560	5,523	0.1268
561	5,523	0.1268
562	5,437	0.1248
563	6,157	0.1413
564	5,328	0.1223
565	5,175	0.1188
566	5,175	0.1188
567	5,175	0.1188
568	5,175	0.1188
569	5,175	0.1188
570	5,175	0.1188
571	5,175	0.1188
572	5,175	0.1188
573	5,175	0.1188
574	5,175	0.1188
575	5,175	0.1188
576	5,175	0.1188
577	5,175	0.1188

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
578	5,175	0.1188
579	5,175	0.1188
580	5,175	0.1188
581	5,175	0.1188
582	5,393	0.1238
583	9,141	0.2099

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
A	LANDSCAPE/OPEN SPACE	2,259	0.0519
B	LANDSCAPE/OPEN SPACE	4,893	0.1123
C	LANDSCAPE/OPEN SPACE/AMENITY/PUBLIC USE TRAIL/RETENTION	126,747	2.9097
D	LANDSCAPE/OPEN SPACE	1,129	0.0259

17-234

jboyd Jul 12, 2018 12:54pm S:\Projects\2017\17-234\Legal Survey\Dwgs\Final Plat\P7\17-234 Plat Parcel 7.dwg

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com
EPS GROUP

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 7
Surprise, Arizona
Final Plat

Revisions:

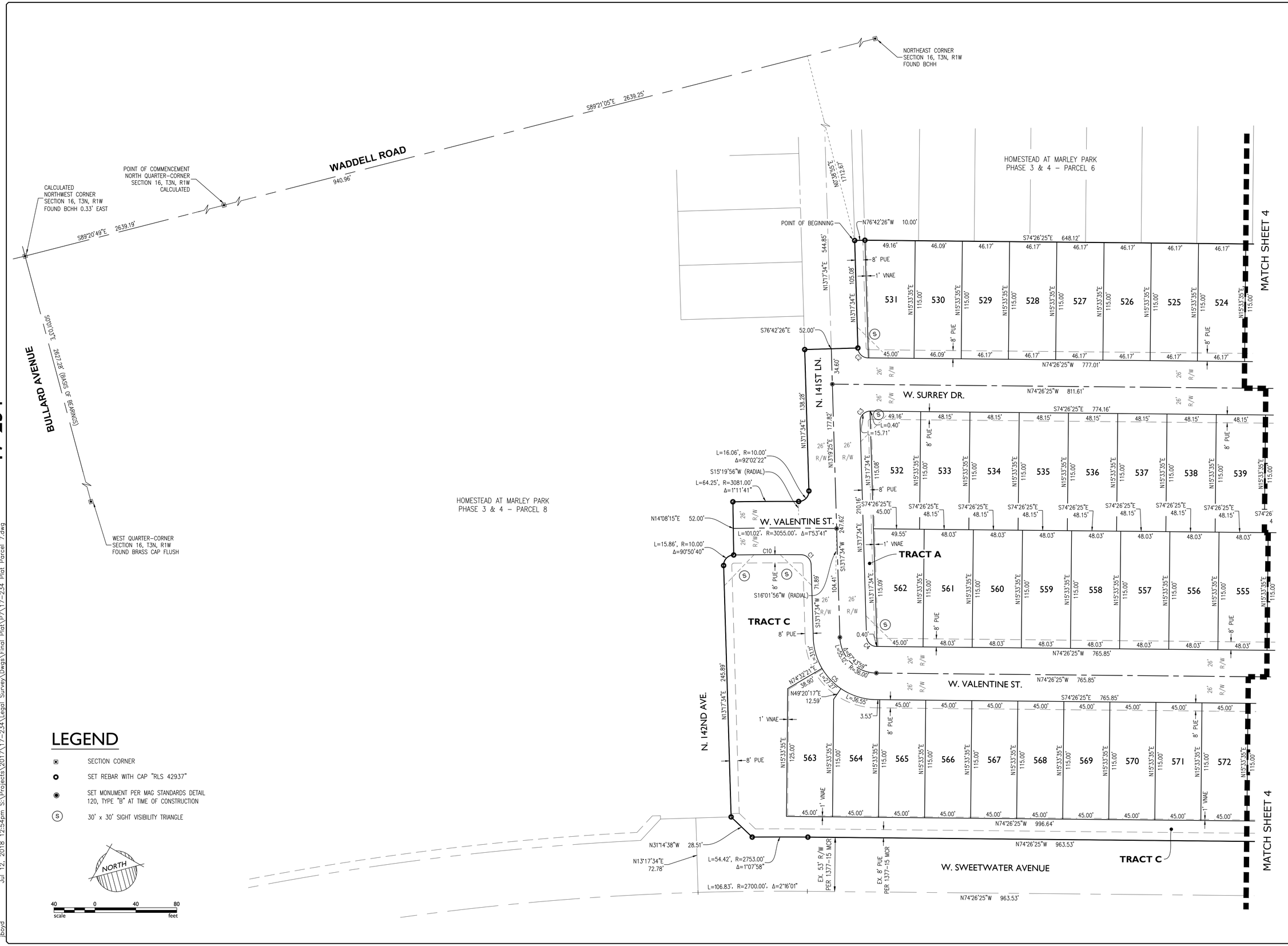
Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 07/12/2018
ARIZONA, U.S.A.

Job No.
17-234

FP02

Sheet No.
2
of 4



17-234

jboyd Jul 12, 2018 12:54pm S:\Projects\2017\17-234\Legal Survey\Dwgs\Final Plat\P7\17-234 Plat Parcel 7.dwg

EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 7
Surprise, Arizona

Final Plat

Revisions:

Designer: JB
Drawn by: JB

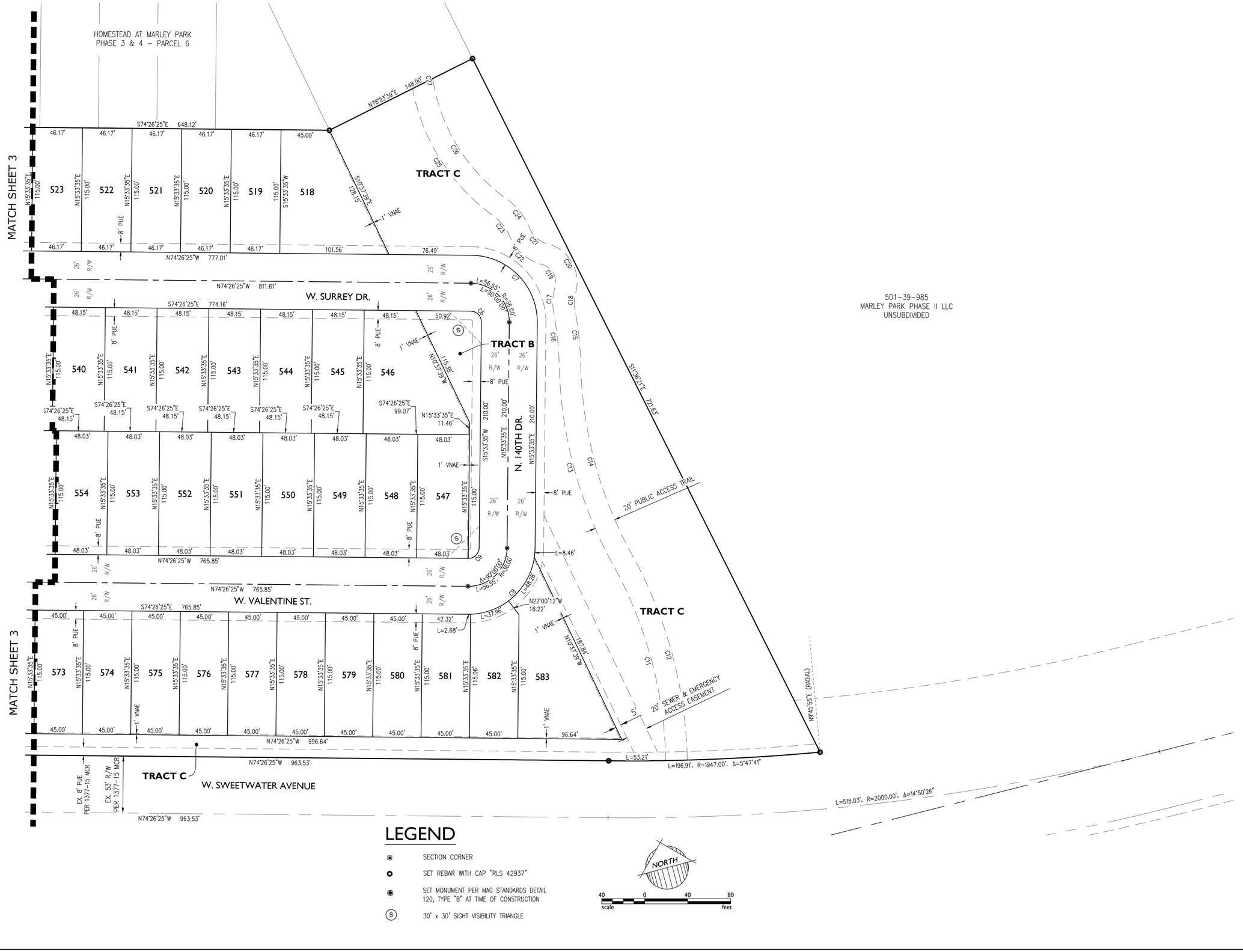
REGISTERED LAND SURVEYOR
CERTIFICATE NO. 42937
JESSE BOYD
Date Signed 07/12/2018
ARIZONA, U.S.A.

Job No. 17-234

FP03

Sheet No. 3 of 4

17-234



LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

NORTH

40 0 40 80
scale feet

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Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 7
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Date Signed 07/12/2018
ARIZONA, U.S.A.

Job No.
17-234

FP04

Sheet No.
4
of 4

jboyd Jul 12, 2018 12:54pm S:\Projects\2017\17-234\Legal Survey\Dwgs\Final Plat\P7\17-234 Plat Parcel 7.dwg

DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

23 April 2018

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Heather Donaldson
Development Services Specialist
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS18-190; Homestead @ Marley Park Phase 4 & 5 Parcel 7

Dear Ms. Donaldson

Thank you for the opportunity to provide comments on the Final Plat Application for the Homestead @ Marley Park Phase 4 & 5 Parcel 7 by Meritage Homes. The site is located on 15.2 acres and is part of a larger 217 acres at the southwest corner of Waddell Road and Bullard Avenue, in Surprise AZ. The request is for 66 single family homes for an overall density of 2.8 du/ac. The property is located approximately 0.13 miles outside the 65 LDN the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. With an overall density of 2.8 du/ac this request does not meet the standard, however Luke does recognize Meritage Homes and the city have worked diligently to keep the project outside the 65 LDN and the density low.

While we have determined that this request exceeds the densities that Luke AFB follows, we recognize that we are not the approval authority. As such, if approved Marely Park Phase 4 & 5 Parcel 7 will be located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents about Luke AFB operations.

If you have any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely

for JAMES R. MITCHELL

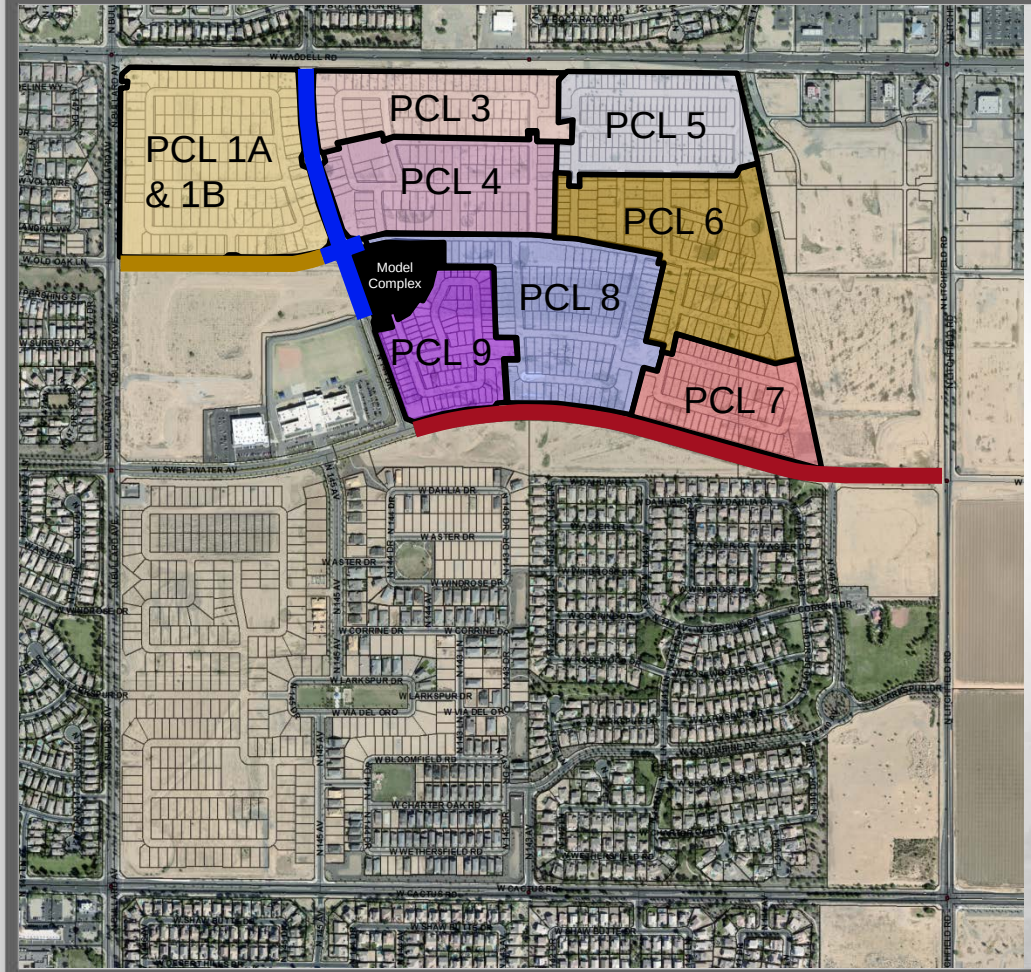
cc:
Colonel Michael S. Richardson, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

SURPRISE
ARIZONA

Homestead at Marley Park Final Plats

- FS18-181 Parcel 1A & 1B
  - FS18-178 Parcel 3
  - FS18-177 Parcel 4
  - FS18-245 Parcel 5
  - FS18-214 Parcel 6
  - FS18-190 Parcel 7
  - FS18-162 Parcel 8
  - FS18-135 Parcel 9

City Council, September 4, 2018



Composite Map

- Parcel 1A & 1B, FS18-181
- Parcel 3, FS18-178
- Parcel 4, FS18-177
- Parcel 5, FS18-245
- Parcel 6, FS18-214
- Parcel 7, FS18-190
- Parcel 8, FS18-162
- Parcel 9, FS18-135
- Sweetwater MOD
- 144th Dr MOD
- Old Oak MOD

PARKS & AMENITY

1 THE HOMESTEAD

- Community / Sales Center
- Ramada
- Outdoor Fireplace Plaza
- Communal Table
- Tot Lot
- Half Basketball Court
- Grove Plaza
- Pool
- Kid Zone
- Adult Zone
- Lap Pool
- Dive-in Movie
- Bocce Ball Court
- Horseshoes Court
- Open Turf Area

2 PLAYFUL ART PARK (PARCEL 1)

- Playful Art Play Structure
- Shaded Seating
- Gathering Area
- Shaded Seatwall Gathering Plaza
- Open Turf Area

3 MONARCH PARK (PARCEL 3)

- Passive Recreation Park
- Outdoor Lounge
- Overlook Platform
- Grove Plaza
- Formal Gardens
- Social Event Space

4 CLIMBING PARK (PARCEL 5)

- Climbing Tot Lot
- Turf Play Area
- Ramada Gathering
- Shaded Seating

5 MUSIC PARK (PARCEL 7)

- Interactive Musical Play
- Turf Play Area
- Shade Structure
- Seating Area
- Gathering Plaza

6 PRAIRIE LOUNGE (PARCEL 8)

- Outdoor Kitchen
- Outdoor Living
- Outdoor Fireplace
- Movie Lawn
- Community Garden
- Communal Table
- Corn Hole

7 NATURE GROVE PARK (PARCEL 9)

- Nature Play Feature
- Animal Play Feature
- Turf Play Area
- Shade Structure
- Seating Area

8 WARRIOR PARK (LINEAR PARK)

- Active Recreation Park
- Fitness Stations
- Ninja Equipment
- Multi-use Trails

9 MEADOW PARK (13 ACRE PARK)

- Active Recreation Park
- Multi-use Turf Fields
- Multi-use Paths

NORTH 0' 100' 200' 400'
Scale: 1" = 200'-0"

17-234 MeritageHomes | Marley Park - Phase 4 & 5 | Surprise, Arizona | Illustrative Master Plan | L-0.01 | 12.14.2017 | EPS GROUP

FS17-508 Landscape

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Hobart Wingard -Community Development
Submitting Department:	CD	District:	1
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action to extend for 12 months the 'Bell Pointe II Alternative Assurance Agreement,' dated September 7, 2017 for property generally located 1,400 feet northeast of the intersection of Bell Road and Bell Pointe Boulevard within the Bell Pointe II Planned Area Development (PAD).

Motion:

I move to approve an extension of the 'Bell Pointe II Alternative Assurance Agreement,' approved on September 5, 2017, for 12 months, subject to conditions "A" and "B" as set forth in the Staff Report.

Background:

The subject proposal would extend the Bell Pointe II Alternative Assurance Agreement approved on September 5, 2017 for 12 months for two (2) Final Plats that contain 141 residential lots at a density of 5.17 dwelling Units per Acres (du/A).

Objective Analysis:

This proposed infill subdivision was approved by the Mayor and Council on September 5, 2017. It is well designed and meets the requirements of the Bell Pointe II PAD, as amended, and the Surprise Municipal Code (“SMC”) in effect at the time of PAD approval. The SMC in that time did not provide for administrative extension of Alternative Assurance Agreements. Therefore, Council approval is necessary to extend this Alternative Assurance Agreement for 12 months to allow the developer more time to install required public improvements. Staff recommends that the Council's motion, if it chooses to approve the extension, state that no further extensions will be granted.

Policy Compliant:

The Surprise General Plan 2035, as amended by the City Council on December 19, 2015, shows the subject property as lying within Neighborhood Character Area, which supports residential development at densities of between 2 and 8 dwelling units per acre (du/A). At 5.17 du/A, the subject Final Plat meets this density requirement.

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

- FS17-042 and FS17-043 Staff Report
- 01 - Bell Point II - Location Map
- 02 - Bell Point II - Final Plat North
- 03 - Bell Point II - Final Plat South
- 04 - Bell Point II - Alternative Assurance
- 05 - Bell Point - Presentation

SURPRISE
ARIZONA

FINAL PLAT

ALTERNATIVE ASSURANCE AGREEMENT

Cases:	**FS17-042 and FS17-043**
Project Name:	Bell Pointe II
Council District:	1 - Acacia
Meeting Date:	**September 4, 2018**
Planner:	Hobart Wingard, Planner II hobart.wingard@surpriseaz.gov – 623-222-3156

Owner:	Kerry Rose
Applicant:	Kerry Rose
Request:	An extension of the existing Alternative Assurance Agreement for 12 months to allow more time for completion of the public improvements for the already approved Bell Pointe II North and South Final Plats
Site Location:	Generally, 1,400 feet northeast of the intersection of Bell Road and Bell Pointe Boulevard within the Bell Pointe II Planned Area Development (PAD)
Site Size:	Approximately 27.25 Acres
Density:	5.17 dwelling units per acre (du/A)
General Plan:	Completion of the required public improvements is consistent with the General Plan.
Support/Opposition:	None known
Findings:	Extension of the Alternative Assurance Agreement is consistent with the Surprise General Plan 2035.
	Extension of the Alternative Assurance Agreement is consistent with the Bell Pointe II PAD as amended.

PROJECT DESCRIPTION:

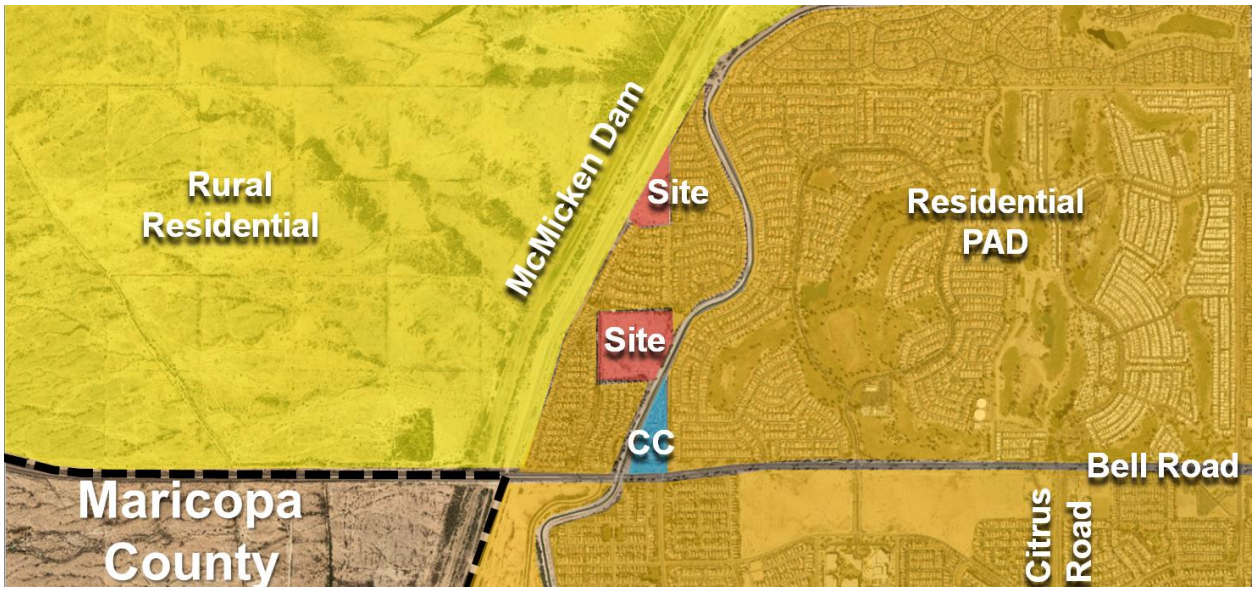
Kerry Rose seeks approval of an extension of the *Bell Pointe II Alternative Assurance Agreement* to allow more time to complete required public improvements (streets, sidewalks, landscaping). The final plats for this 141-lot subdivision and associated Alternative Assurance Agreement were approved by the Mayor and City Council on September 5, 2017. Because this particular PAD was approved under Chapter 16, Section 16.12.040 of the Surprise Municipal Code ("SMC") in effect at the time of PAD approval, the required assurances could be provided through an alternate procedure that allowed the Community Development Director to withhold the approved final plat from recording for a period of time to allow the owner to install all of the required public improvements according to the plans and specifications approved by the City Engineer. This procedure, when approved by the Council, was in lieu of the guarantees for installation of improvements as set forth in subsection (A)(9) of said section. An executed standard contract, as approved by the City Attorney, for installation of improvements was to be submitted with the final plat. The contract shall require that all improvements be completed no later than 12 months from the date the final plat was approved by the Mayor and City Council and that no lot may be sold. When the completed improvements are inspected and approved by the City Engineer, the plat would be recorded by the Community Development Director, and the sale of lots could proceed according to the approved and recorded plat, provided that a one-year warranty was submitted covering the completed improvements.

The SMC Title 16, in effect when the PAD was approved, did provide for administrative extensions of Alternative Assurance Agreements. Therefore, any extension would require Council approval.

EXISTING ZONING:

The following chart and associated map depict the existing zoning of the subject parcels and its surroundings:

<table>
<tr><td rowspan="3">Rural Residential
Flood Control District Facilities
and/or Bell Pointe PAD
Existing Single Family Residential</td><td>Rural Residential
Flood Control District Facilities
and/or Bell Pointe PAD
Existing Single Family Residential</td><td rowspan="3">Arizona Traditions PAD
Existing Single Family Residential</td></tr>
<tr><td>Bell Pointe II PAD
Vacant Single Family
Residential</td></tr>
<tr><td>Bell Pointe PAD
Existing Single Family Residential</td></tr>
</table>



Background:

June 8, 1989: The subject lands associated with Bell Pointe II were annexed into the City of Surprise.

January 12, 2006: The Mayor and City Council approved a PAD for Bell Pointe II under Case PAD05-258.

May 23, 2017: Staff approved a minor PAD Zoning Amendment regarding product types under Case FS17-041.

June 20, 2017: The Mayor and City Council approved a Preliminary Plat for Bell Pointe II under Case FS17-041.

September 5, 2017: The Mayor and City Council approved a Final Plat and Alternative Assurance Agreement for Bell Pointe II North under Case FS17-042.

September 5, 2017: The Mayor and City Council approved a Final Plat and Alternative Assurance Agreement for Bell Pointe II South under Case FS17-043.

CONDITIONS:

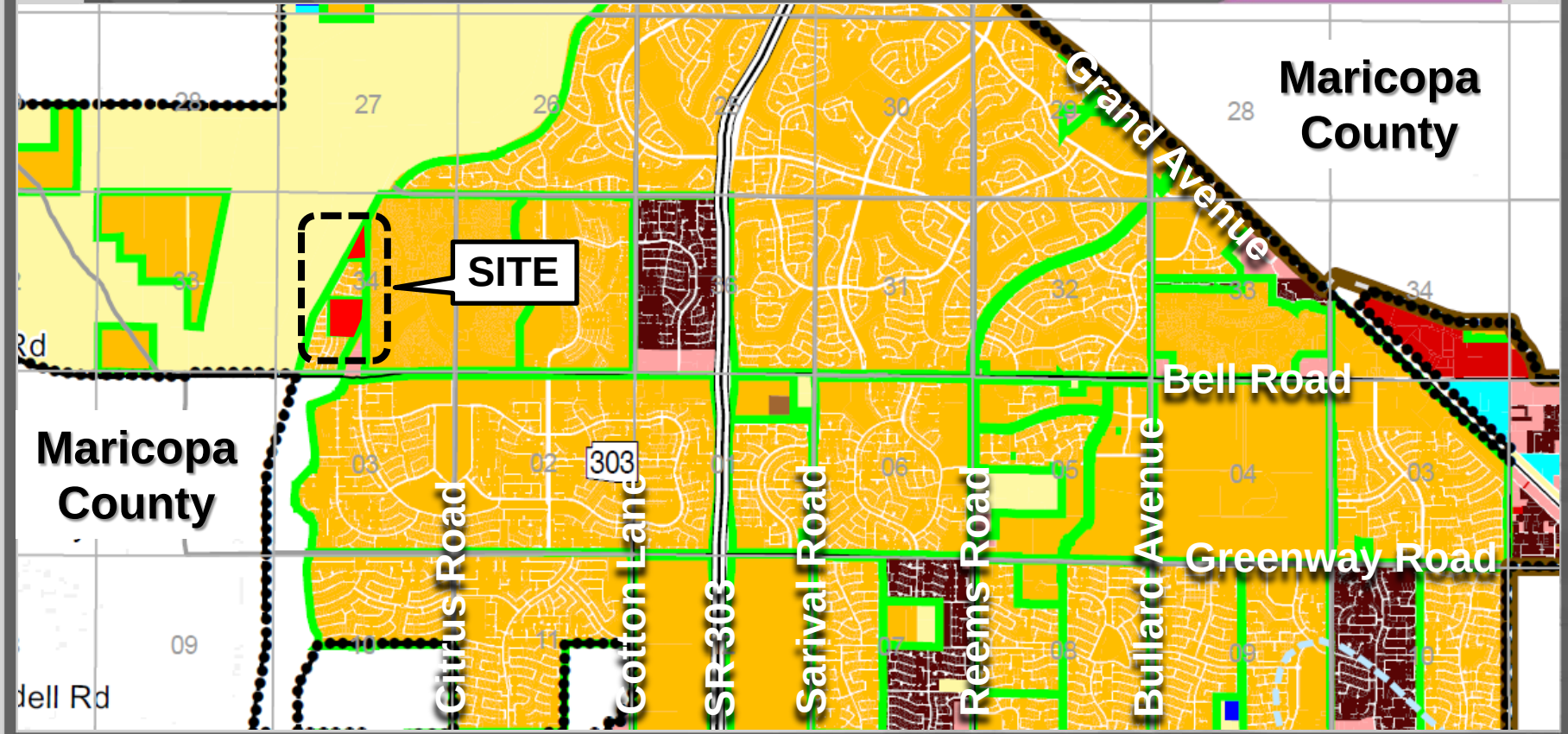
- (A) If approved, no further extensions regarding Financial Assurances will be granted. The Final Plat would have to be reevaluated through a new Final Plat process.
- (B) Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

ATTACHMENTS:

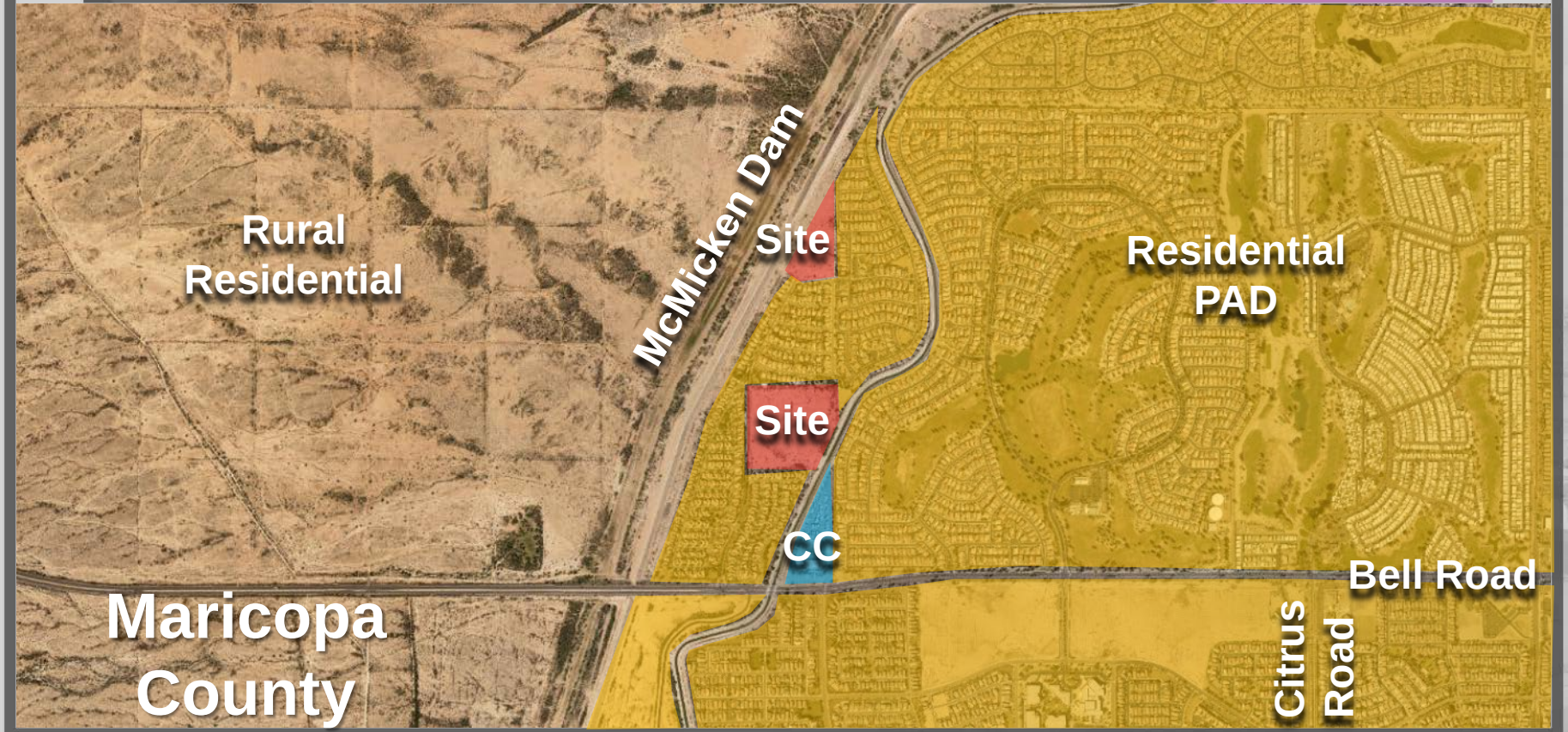
01 – Vicinity Maps
02 – Bell Pointe II North Final Plat

03 – Bell Pointe II South Final Plat
04 – Alternative Assurance Agreement

VICINITY MAP



VICINITY MAP



FINAL PLAT

FOR

"BELL POINTE II - NORTH AND TRACT LL OF THE BELL POINTE I PLAT"

A PORTION OF THE NORTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND
SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

KNOW ALL PERSONS BY THESE PRESENTS:

THAT KERRY ROSE, ("OWNER"), HAS SUBDIVIDED UNDER THE NAME "BELL POINTE II – NORTH AND TRACT LL OF THE BELL POINTE I PLAT", A SUBDIVISION LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "BELL POINTE II – NORTH AND TRACT LL OF THE BELL POINTE I PLAT" 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 DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS–OF–WAY AS SHOWN ON THE PLAT.

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 PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

OWNER 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.

KERRY ROSE, ("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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDERS OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNER'S 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.

PERPETUAL WATER AND SEWER EASEMENT ("EASEMENTS") AS DESCRIBED IN THE PLAT ARE GRANTED TO EPCOR WATER ARIZONA INC, AND ITS SUCCESSORS AND ASSIGNS (COLLECTIVELY, "GRANTEE"), TO CONSTRUCT, OPERATE, AND MAINTAIN WATER AND SEWER LINES AND APPURTENANT FACILITIES (COLLECTIVELY, "FACILITIES") UPON, ACROSS, OVER AND UNDER THE SURFACE OF THE EASEMENTS, TOGETHER WITH THE RIGHT TO OPERATE, REPAIR, REPLACE, MAINTAIN, AND REMOVE THE FACILITIES FROM THE PREMISES; TO ADD OR TO ALTER THE FACILITIES, AND TO PROVIDE GRANTEE WITH REASONABLE INGRESS AND EGRESS TO THE FACILITIES. GRANTEE WILL HAVE UNRESTRICTED ACCESS TO THE EASEMENT FOR THE ACTIVITIES DESCRIBED ABOVE AND FORMAL NOTIFICATION OR APPROVAL BY ANY ASSOCIATION PRIOR TO ACCESSING THE EASEMENT WILL NOT BE REQUIRED.

GRANTOR SHALL NOT ERECT OR CONSTRUCT OR PERMIT TO BE ERECTED OR CONSTRUCTED ANY BUILDING, STRUCTURE OR SIMILAR IMPROVEMENT WITHIN THE LIMITS OF THE EASEMENT GRANTED HEREIN, GRANTOR SHALL NOT, NOR PERMIT, THE GRADE OVER GRANTEE'S FACILITIES TO BE SUBSTANTIALLY ALTERED WITHOUT, IN EACH INSTANCE, THE PRIOR WRITTEN CONSENT OF GRANTEE, AND GRANTOR AGREES THAT NO OTHER PIPES OR CONDUITS SHALL BE PLACED WITHIN THE PREMISES SUBJECT TO THE EASEMENT GRANTED HEREIN, EXCEPT PIPES CROSSING GRANTEE'S FACILITIES AT RIGHT ANGLES, IN WHICH CASE, A MINIMUM VERTICAL DISTANCE OF TWO (2) FEET (AS MEASURED FROM THE CLOSEST POINTS ON THE OUTSIDE EDGES) SHALL BE MAINTAINED BETWEEN GRANTEE'S FACILITIES AND SUCH OTHER PIPES OR CONDUITS. UNLESS GRANTEE EXPRESSLY CONSENTS IN WRITING OTHERWISE, ANY AND ALL SEWER PIPES CROSSING THE EASEMENT GRANTED HEREIN SHALL BE LAID BELOW GRANTEE'S FACILITIES. HOWEVER, GRANTOR SHALL HAVE THE RIGHT TO CONSTRUCT AND ERECT FENCES, TO INSTALL LANDSCAPING, PARKING FACILITIES AND DRIVEWAYS, AND TO ESTABLISH OTHER USES THAT ARE NOT INCONSISTENT WITH USES WITHIN THE LIMITS OF SAID EASEMENT IN A MANNER THAT WILL NOT UNREASONABLY INTERFERE WITH GRANTEE'S ACCESS TO THE FACILITIES.

THE WATER EASEMENTS ARE GRANTED SUBJECT TO THE CONDITION THAT GRANTEE SHALL HOLD GRANTOR AND GRANTOR'S SUCCESSORS AND ASSIGNS HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS, LIABILITIES OR EXPENSES WHICH MAY RESULT FROM GRANTEE'S USE OF THE EASEMENTS. BY ACCEPTING THE EASEMENTS, THE GRANTEE AGREES TO EXERCISE REASONABLE CARE TO AVOID DAMAGE TO THE PREMISES AND ALL PROPERTY THAT MAY AT ANY TIME BE THEREON.

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.

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.

KERRY ROSE

_____

ACKNOWLEDGEMENT

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2017, BY KERRY ROSE, WHO ACKNOWLEDGED HIMSELF TO BE THE OWNER OF THE PROPERTY PLATTED HEREON AND EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES:

_____, 20___

LEGAL DESCRIPTION

TRACT LL, OF BELL POINTE 1, ACCORDING TO BOOK 670, PAGE 49, RECORDS OF MARICOPA COUNTY, AND THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 34, BEING MARKED BY A 3–INCH MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP IN HANDHOLE, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 34, BEING MARKED BY A 2–INCH MARICOPA COUNTY ALUMINUM CAP STAMPED "T4N R2W 1/4 S27 S34 RLS35832 2003" BEARS NORTH 00° 22' 21" EAST, A DISTANCE OF 5,272.65 FEET;

THENCE NORTH 00° 22' 21" EAST, ALONG THE NORTH–SOUTH MID–SECTION LINE OF SAID SECTION 34, A DISTANCE OF 3,362.83 FEET TO THE SOUTHEAST CORNER OF TRACT LL OF BELL POINTE I, AS SHOWN IN BOOK 670, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE POINT OF BEGINNING;

THENCE LEAVING SAID NORTH–SOUTH MID–SECTION LINE, NORTH 89° 42' 15" WEST, ALONG THE NORTHERLY RIGHT–OF–WAY LINE OF WEATHERBY DRIVE AS SHOWN ON SAID BELL POINTE I, A DISTANCE OF 392.30 FEET TO THE BEGINNING OF A TANGENT CURVE;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, NORTHWESTERLY, A DISTANCE OF 19.52 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 75.00 FEET, THROUGH A CENTRAL ANGLE OF 14° 54' 44" TO A POINT OF COMPOUND CURVATURE;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, NORTHWESTERLY, A DISTANCE OF 15.55 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 15.38 FEET, THROUGH A CENTRAL ANGLE OF 57° 54' 30" TO THE NORTHWEST CORNER OF SAID TRACT LL;

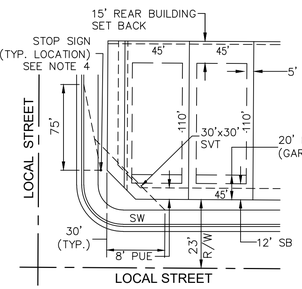
THENCE NORTH 89° 43' 13" WEST, ALONG THE NORTHERLY LINE OF SAID BELL POINTE I, A DISTANCE OF 172.90 FEET TO THE NORTHWEST CORNER OF SAID BELL POINTE I, SAID POINT LYING ON THE EASTERLY RIGHT–OF–WAY LINE OF TRILBY WASH, AS SHOWN IN BOOK 63 OF MAPS, PAGE 31, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 28° 36' 30" EAST, ALONG SAID EASTERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1,258.21 FEET TO A CORNER OF ARIZONA TRADITIONS NORTH PARCEL XIV, AS SHOWN IN BOOK 806, PAGE 26, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 00° 22' 21" WEST, ALONG SAID NORTH–SOUTH MID–SECTION LINE, A DISTANCE OF 1,120.49 FEET TO THE POINT OF BEGINNING.

NOTES

1. NO STRUCTURE OF ANY KIND MAY BE CONSTRUCTED OR ANY VEGETATION BE PLANTED NOR BE ALLOWED TO GROW WITHIN THE DRAINAGE EASEMENT WHICH WOULD IMPEDE THE FLOW OF WATER OVER, UNDER OR THROUGH THE EASEMENT.
2. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED ON, OVER OR PLACED WITHIN THE SEWER AND WATER EASEMENT EXCEPT WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING AND/OR PAVING NOR ANY PLANTING EXCEPT GRASS. IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF SURPRISE SHALL NOT BE REUIRED TO REPLACE ANY OBSTRUCTIONS OR PLANTING THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION OR RECONSTRUCTION OF CITY UTILITIES.
3. CONSTRUCTION WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO UTILITIES AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING.
4. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
5. EACH LOT IN THIS SUBDIVISION IS PERMITTED ONE DWELLING UNIT PER LOT.
6. ALL EASEMENTS ARE SUBORDINATE TO THE DRAINAGE EASEMENTS.
7. THE PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
8. IN ACCORDANCE WITH ARS § 9–461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
9. 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.
10. THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE "X", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1215L, 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.



TYPICAL LOT LAYOUT

NTS

1. SIGNS, FENCES, WALLS, UTILITY BOXES, SHRUBS, HEDGES OR OTHER PLANTS, BUT EXCLUDING TREES OVER 30 INCHES IN HEIGHT SHALL NOT BE PERMITTED WITHIN THE RESTRICTED AREAS.
2. PLANTING WITHIN THE R/W IN VIEW EASEMENTS SHALL BE PER THE APPROVED TYPES AND DIMENSIONS AND SHALL NOT ENCROACH WITHIN THE SIGHT TRIANGLE PER AASHTO GUIDELINES.
3. TREES ARENPERMITTED WITHIN THE RESTRICTED AREAS PROVIDED:
   A. NO LIMBS, LEVAES, NEEDLES OR OTHER FOLIAGE ABOVE 30 INCHES OR BELOW 84 INCHES ARE PERMITTED.
   B. TREES SHALL NOT OBSTRUCT MORE THAN 20% OF THE VISIBILITY WHEN COMBINED WITH OTHER OBSTRUCTIONS PRESENT.
4. STOP SIGN SHALL BE INSTALLED 2' MINIMUM BEHIND BACK OF CURB.

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 _____
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

NOTICE OF INTERGOVERNMENTAL AGREEMENT

THE CITY OF SURPRISE ("CITY") AND MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") ENTERED INTO AN INTERGOVERNMENTAL AGREEMENT DATED APRIL 8, 1997 AND RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE ON APRIL 9, 1997 UNDER DOCKET NO. 97–0231759 ("IGA"). CITY AND MWD HAVE FACILITIES AND PROPERTY INTERESTS DESCRIBED AND DELINEATED WITHIN CERTAIN SUBDIVISION PLATS THAT HAVE PRIOR AND SUPERIOR RIGHTS TO THE UTILITY SERVICE PROVIDERS. 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 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 PROVIDERS' USE AND OCCUPANCY OF THESE EASEMENTS. CITY REQUIRES THAT UTILITY SERVICE PROVIDERS CONSENT TO BE BOUND BY THIS 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 THIS IGA.

PUBLIC NOTICE

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

RELEASE OF LIABILITY

KERRY ROSE, AN INDIVIDUAL ("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.

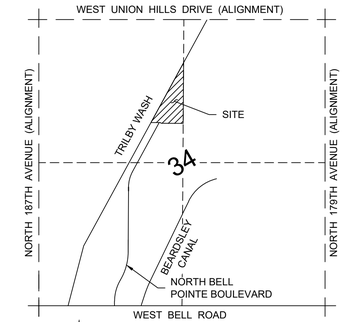
CERTIFICATE OF ASSURED WATER SUPPLY

FINAL PLAT FOR "BELL POINTE II – NORTH AND TRACT LL OF THE BELL POINTE I PLAT" IS WITHIN THE SERVICE AREA OF EPCOR WATER ARIZONA, INC. AND HAS BEEN GRANTED A CERTIFICATE OF ASSURED WATER SUPPLY FROM THE ARIZONA DEPARTMENT OF RESOURCES.

_____ _____
EPCOR WATER ARIZONA, INC. DATE

TRACT AREA TABLE

TRACT	SQ. FT. ±	ACRES ±	USE
TRACT A	69721	1.601	LANDSCAPING, OPEN SPACE & DRAINAGE INCLUDING AN EMERGENCY ACCESS EASEMENT AS SHOWN
TRACT B	8527	0.196	LANDSCAPING & OPEN SPACE



SECTION 34, T4N, R2W, G&SRM

VICINITY MAP

NTS

OWNER

KERRY ROSE
P.O. BOX 45000
PHOENIX, ARIZONA
PHONE: 602.321.9242

ENGINEER

SLATER HANIFAN GROUP
11201 N. TATUM BLVD. #250
PHOENIX, ARIZONA 85028
PHONE: 602.687.9664
CONTACT: ROGER THEIS

EXISTING ZONING

PAD/MDR

SURVEYOR

OUTER LIMITS LAND SURVEYING, LLC
BRIAN EARL SEARAN, RLS #54120
PO BOX 71957
PHOENIX, ARIZONA 85050
PHONE: 602.486.1154
EMAIL: bsearan@outerlimitsls.com

SITE DATA

AREA:	335,004 SF± OR 7.69 AC±
NUMBER OF LOTS:	38
AVERAGE LOT SIZE:	5068.5 SF
MINIMUM LOT SIZE:	4890 SF
MAXIMUM LOT SIZE:	7151 SF
AREA OF OPEN SPACE:	1.80 AC
SINGLE FAMILY AREA:	4.42 AC
RIGHT–OF–WAY AREA:	1.47 AC
% OF OPEN SPACE:	23.36%

BASIS OF BEARING

THE BASIS OF BEARING USED FOR THIS PROJECT IS THE NORTH–SOUTH MID–SECTION LINE OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA. SAID LINE BEARS N00°22'21"E, AS SHOWN ON FINAL PLAT FOR "BELL POINTE I", RECORDED IN BOOK 670, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA.

REFERENCE DOCUMENTS

1. TRILBY WASH DETENTION BASIN DAM & APURTENANCES, RECORDED IN BOOK 63 OF MAPS, PAGE 31, RECORDS OF MARICOPA COUNTY, ARIZONA.
2. BEARDSLEY CANAL RIGHT OF WAY, RECORDED IN BOOK 584, PAGE 18, RECORDS OF MARICOPA COUNTY, ARIZONA.
3. FINAL PLAT FOR "BELL POINTE I", RECORDED IN BOOK 670, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA.
4. ARIZONA TRADITIONS NORTH PARCEL XIV, RECORDED IN BOOK 806, PAGE 26, RECORDS OF MARICOPA COUNTY, ARIZONA.

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF JANUARY 2017, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED.

EXPIRES 12/31/18

FINAL PLAT
FOR
"BELL POINTE II - NORTH AND TRACT LL OF THE BELL POINTE I PLAT"
A PORTION OF THE NORTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND
SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OUTER LIMITS
LAND SURVEYING
PO Box 71957
Phoenix, AZ 85050
TEL: 602.486.1154
www.outerlimitslandsurveying.com

DATE:	07.07.17
DRN BY:	BES
CHKD BY:	BES
JOB NO.	16143
SHEET	1 OF 2

FINAL PLAT

FOR

"BELL POINTE II - NORTH AND TRACT LL OF THE BELL POINTE I PLAT"

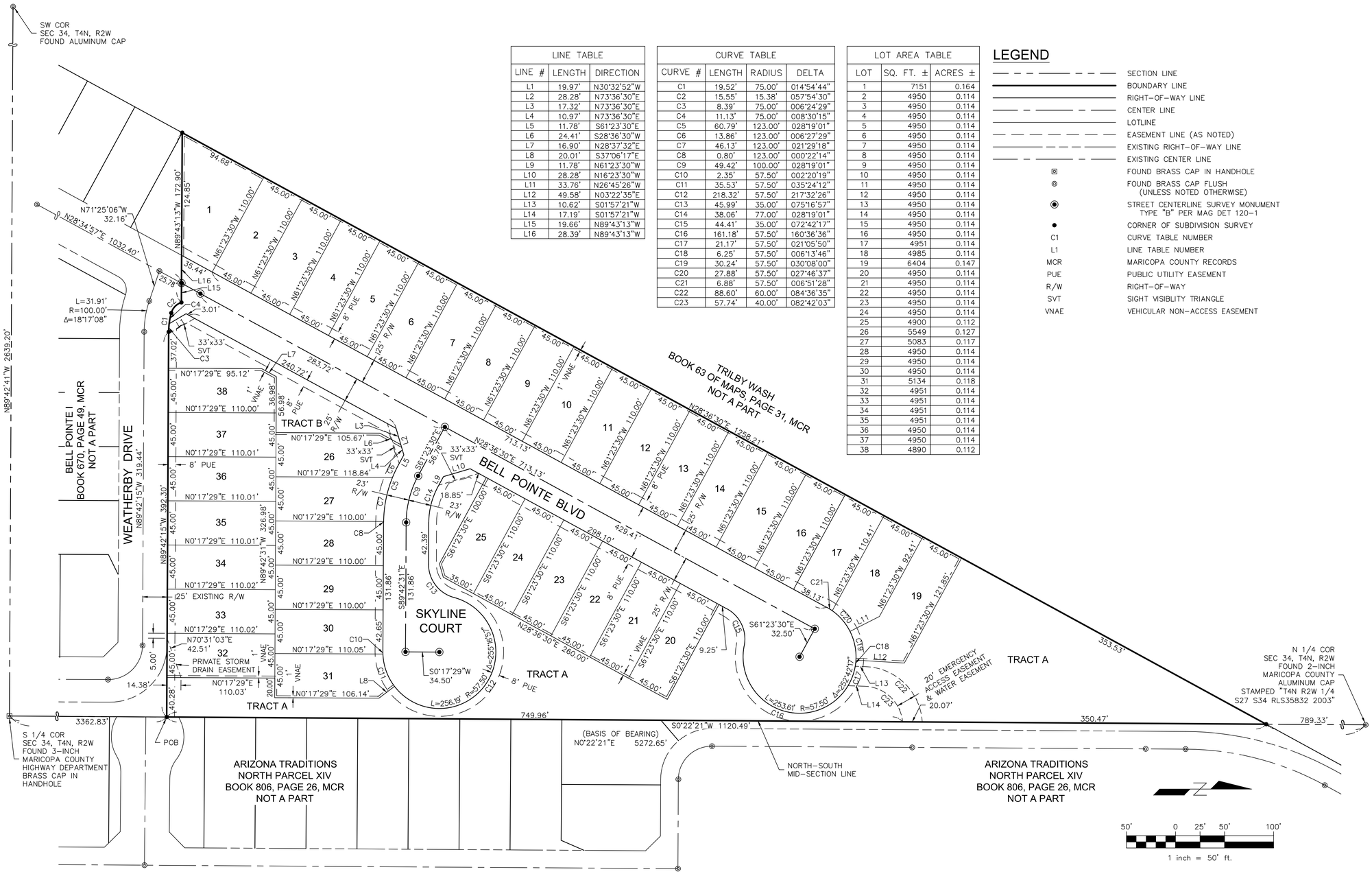
LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	19.97'	N30°32'52"W
L2	28.28'	N73°36'30"E
L3	17.32'	N73°36'30"E
L4	10.97'	N73°36'30"E
L5	11.78'	S61°23'30"E
L6	24.41'	S28°36'30"W
L7	16.90'	N28°37'32"E
L8	20.01'	S37°06'17"E
L9	11.78'	N61°23'30"W
L10	28.28'	N16°23'30"W
L11	33.76'	N26°45'26"W
L12	49.58'	N03°22'35"E
L13	10.62'	S01°57'21"W
L14	17.19'	S01°57'21"W
L15	19.66'	N89°43'13"W
L16	28.39'	N89°43'13"W

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	19.52'	75.00'	014°54'44"
C2	15.55'	15.38'	057°54'30"
C3	8.39'	75.00'	006°24'29"
C4	11.13'	75.00'	008°30'15"
C5	60.79'	123.00'	028°19'01"
C6	13.86'	123.00'	006°27'29"
C7	46.13'	123.00'	021°29'18"
C8	0.80'	123.00'	000°22'14"
C9	49.42'	100.00'	028°19'01"
C10	2.35'	57.50'	002°20'19"
C11	35.53'	57.50'	035°24'12"
C12	218.32'	57.50'	217°32'26"
C13	45.99'	35.00'	075°16'57"
C14	38.06'	77.00'	028°19'01"
C15	44.41'	35.00'	072°42'17"
C16	161.18'	57.50'	160°36'36"
C17	21.17'	57.50'	021°05'50"
C18	6.25'	57.50'	006°13'46"
C19	30.24'	57.50'	030°08'00"
C20	27.88'	57.50'	027°46'37"
C21	6.88'	57.50'	006°51'28"
C22	88.60'	60.00'	084°36'35"
C23	57.74'	40.00'	082°42'03"

LOT AREA TABLE		
LOT	SQ. FT. ±	ACRES ±
1	7151	0.164
2	4950	0.114
3	4950	0.114
4	4950	0.114
5	4950	0.114
6	4950	0.114
7	4950	0.114
8	4950	0.114
9	4950	0.114
10	4950	0.114
11	4950	0.114
12	4950	0.114
13	4950	0.114
14	4950	0.114
15	4950	0.114
16	4950	0.114
17	4951	0.114
18	4985	0.114
19	6404	0.147
20	4950	0.114
21	4950	0.114
22	4950	0.114
23	4950	0.114
24	4950	0.114
25	4900	0.112
26	5549	0.127
27	5083	0.117
28	4950	0.114
29	4950	0.114
30	4950	0.114
31	5134	0.118
32	4951	0.114
33	4951	0.114
34	4951	0.114
35	4951	0.114
36	4950	0.114
37	4950	0.114
38	4890	0.112

LEGEND

- SECTION LINE
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- CENTER LINE
- LOTLINE
- EASEMENT LINE (AS NOTED)
- EXISTING RIGHT-OF-WAY LINE
- EXISTING CENTER LINE
- FOUND BRASS CAP IN HANDHOLE
- FOUND BRASS CAP FLUSH (UNLESS NOTED OTHERWISE)
- STREET CENTERLINE SURVEY MONUMENT TYPE "B" PER MAG DET 120-1
- CORNER OF SUBDIVISION SURVEY
- C1 CURVE TABLE NUMBER
- L1 LINE TABLE NUMBER
- MCR MARICOPA COUNTY RECORDS
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- SVT SIGHT VISIBLITY TRIANGLE
- VNAE VEHICULAR NON-ACCESS EASEMENT



REGISTERED LAND SURVEYOR
CERTIFICATE NO.
54120
BRIAN EARL
SEARAN
Date Signed 07-07-17
ARIZONA U.S.A.

EXPIRES 12/31/18

FINAL PLAT

FOR

"BELL POINTE II - NORTH AND TRACT LL OF THE BELL POINTE I PLAT"

A PORTION OF THE NORTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND
SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OUTER LIMITS
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Phoenix, AZ 85050

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www.outerlimitslandsurveying.com

DATE:	07.07.17
DRN BY:	BES
CHKD BY:	BES
JOB NO.	16143
SHEET	2
	OF 2

FINAL PLAT

FOR

"BELL POINTE II - SOUTH"

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND
SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

KNOW ALL PERSONS BY THESE PRESENTS:

THAT KERRY ROSE, ("OWNER"), HAS SUBDIVIDED UNDER THE NAME "BELL POINTE II – SOUTH", A SUBDIVISION LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "BELL POINTE II – SOUTH" 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 DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS–OF–WAY AS SHOWN ON THE PLAT.

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 PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

OWNER 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.

KERRY ROSE, ("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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDERS OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNER'S 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.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE AN EXCLUSIVE EASEMENT OVER, UPON AND ACROSS ALL SEWER LINES AND MANHOLES AS SHOWN ON THE PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING THE SEWER LINES AND MANHOLES.

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.

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.

KERRY ROSE

_____

ACKNOWLEDGEMENT

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 2017, BY KERRY ROSE, WHO ACKNOWLEDGED HIMSELF TO BE THE OWNER OF THE PROPERTY PLATTED HEREON AND EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES:

_____, 20___

LEGAL DESCRIPTION

A PORTION OF PARCEL NO. 2A, AS DESCRIBED IN QUIT CLAIM DEED, RECORDED IN DOCUMENT NO. 2000–0917693, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 34, BEING MARKED BY A 3–INCH MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP IN HANDHOLE, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 34, BEING MARKED BY A 2–INCH MARICOPA COUNTY ALUMINUM CAP STAMPED "T4N R2W 1/4 S27 S34 RLS35832 2003" BEARS NORTH 00° 22' 21" EAST, A DISTANCE OF 5,272.65 FEET;

THENCE NORTH 00° 22' 21" EAST, ALONG THE NORTH–SOUTH MID–SECTION LINE OF SAID SECTION 34, A DISTANCE OF 1,691.74 FEET TO A POINT ON THE WESTERLY RIGHT–OF–WAY LINE OF BEARDSLEY CANAL, AS SHOWN IN BOOK 584, PAGE 18, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE POINT OF BEGINNING, FROM WHICH A FOUND 1/2–INCH REBAR BEARS SOUTH 25° 48' 29" WEST, A DISTANCE OF 1.85 FEET;

THENCE LEAVING SAID NORTH–SOUTH MID–SECTION LINE, SOUTH 25° 48' 29" WEST, ALONG SAID WESTERLY RIGHT–OF–WAY LINE, A DISTANCE OF 538.85 FEET TO THE NORTHEAST CORNER OF TRACT A OF BELL POINTE I, AS SHOWN IN BOOK 670, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE LEAVING SAID WESTERLY RIGHT–OF–WAY LINE, NORTH 89° 42' 20" WEST, ALONG THE NORTHERLY LINE OF SAID TRACT A AND ITS WESTERLY PROLONGATION, A DISTANCE OF 768.73 FEET TO A CORNER OF SAID BELL POINTE I, LYING ON THE CENTERLINE OF BELL POINTE BOULEVARD AS SHOWN ON SAID BELL POINTE I, FROM WHICH A FOUND BRASS CAP FLUSH BEARS SOUTH 00° 20' 52" WEST, A DISTANCE OF 235.50 FEET;

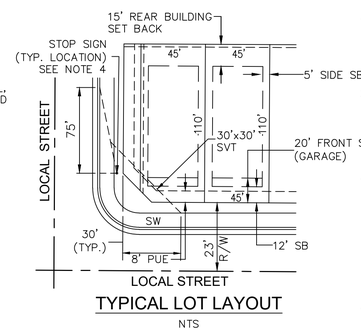
THENCE NORTH 00° 20' 52" EAST, ALONG SAID CENTERLINE OF BELL POINTE BOULEVARD, A DISTANCE OF 908.21 FEET TO A CORNER OF BELL POINTE 1, BEING MARKED BY A FOUND BRASS CAP FLUSH;

THENCE SOUTH 89° 41' 53" EAST, A DISTANCE OF 1,000.55 FEET TO THE SOUTHEAST CORNER OF TRACT I OF SAID BELL POINTE I;

THENCE SOUTH 00° 22' 21" WEST, ALONG SAID NORTH–SOUTH MID–SECTION LINE, A DISTANCE OF 421.78 FEET TO THE POINT OF BEGINNING.

NOTES

1. NO STRUCTURE OF ANY KIND MAY BE CONSTRUCTED OR ANY VEGETATION BE PLANTED NOR BE ALLOWED TO GROW WITHIN THE DRAINAGE EASEMENT WHICH WOULD IMPEDE THE FLOW OF WATER OVER, UNDER OR THROUGH THE EASEMENT.
2. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED ON, OVER OR PLACED WITHIN THE SEWER AND WATER EASEMENT EXCEPT WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING AND/OR PAVING NOR ANY PLANTING EXCEPT GRASS. IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF SURPRISE SHALL NOT BE REUIRED TO REPLACE ANY OBSTRUCTIONS OR PLANTING THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION OR RECONSTRUCTION OF CITY UTILITIES.
3. CONSTRUCTION WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO UTILITIES AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING.
4. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
5. EACH LOT IN THIS SUBDIVISION IS PERMITTED ONE DWELLING UNIT PER LOT.
6. ALL EASEMENTS ARE SUBORDINATE TO THE DRAINAGE EASEMENTS.
7. THE PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
8. IN ACCORDANCE WITH ARS § 9–461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
9. 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.
10. THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE "X", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1215L, 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.



TYPICAL LOT LAYOUT

NTS

1. SIGNS, FENCES, WALLS, UTILITY BOXES, SHRUBS, HEDGES OR OTHER PLANTS, BUT EXCLUDING TREES OVER 30 INCHES IN HEIGHT SHALL NOT BE PERMITTED WITHIN THE RESTRICTED AREAS.
2. PLANTING WITHIN THE R/W IN VIEW EASEMENTS SHALL BE PER THE APPROVED TYPES AND DIMENSIONS AND SHALL NOT ENCROACH WITHIN THE SIGHT TRIANGLE PER AASHTO GUIDELINES.
3. TREES ARENPERMITTED WITHIN THE RESTRICTED AREAS PROVIDED:
   A. NO LIMBS, LEVAES, NEEDLES OR OTHER FOLIAGE ABOVE 30 INCHES OR BELOW 84 INCHES ARE PERMITTED.
   B. TREES SHALL NOT OBSTRUCT MORE THAN 20% OF THE VISIBILITY WHEN COMBINED WITH OTHER OBSTRUCTIONS PRESENT.
4. STOP SIGN SHALL BE INSTALLED 2' MINIMUM BEHIND BACK OF CURB.

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 _____
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

NOTICE OF INTERGOVERNMENTAL AGREEMENT

THE CITY OF SURPRISE ("CITY") AND MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") ENTERED INTO AN INTERGOVERNMENTAL AGREEMENT DATED APRIL 8, 1997 AND RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE ON APRIL 9, 1997 UNDER DOCKET NO. 97–0231759 ("IGA"). CITY AND MWD HAVE FACILITIES AND PROPERTY INTERESTS DESCRIBED AND DELINEATED WITHIN CERTAIN SUBDIVISION PLATS THAT HAVE PRIOR AND SUPERIOR RIGHTS TO THE UTILITY SERVICE PROVIDERS. 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 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 PROVIDERS' USE AND OCCUPANCY OF THESE EASEMENTS. CITY REQUIRES THAT UTILITY SERVICE PROVIDERS CONSENT TO BE BOUND BY THIS 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 THIS IGA.

PUBLIC NOTICE

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

RELEASE OF LIABILITY

KERRY ROSE, AN INDIVIDUAL ("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.

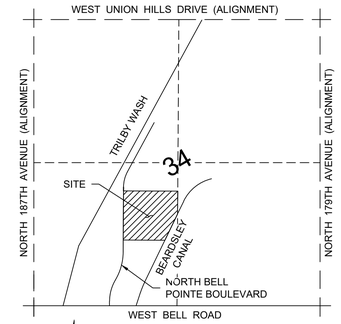
CERTIFICATE OF ASSURED WATER SUPPLY

FINAL PLAT FOR "BELL POINTE II – SOUTH" IS WITHIN THE SERVICE AREA OF EPCOR WATER ARIZONA, INC. AND HAS BEEN GRANTED A CERTIFICATE OF ASSURED WATER SUPPLY FROM THE ARIZONA DEPARTMENT OF RESOURCES.

_____ _____
EPCOR WATER ARIZONA, INC. DATE

TRACT AREA TABLE

TRACT	SQ. FT. ±	ACRES ±	USE
TRACT C	4541	0.104	LANDSCAPING & OPEN SPACE
TRACT D	814	0.019	LANDSCAPING & OPEN SPACE
TRACT E	1153	0.026	LANDSCAPING & OPEN SPACE
TRACT F	7645	0.176	LANDSCAPING & OPEN SPACE
TRACT G	9323	0.214	LANDSCAPING, OPEN SPACE & DRAINAGE INCLUDING STORM DRAIN & SEWER EASEMENTS AS SHOWN
TRACT H	1504	0.035	LANDSCAPING & OPEN SPACE
TRACT I	110840	2.545	LANDSCAPING, OPEN SPACE & DRAINAGE INCLUDING STORM DRAIN & SEWER EASEMENTS AS SHOWN
TRACT J	6248	0.143	LANDSCAPING & OPEN SPACE
TRACT K	785	0.018	LANDSCAPING & OPEN SPACE



SECTION 34, T4N, R2W, G&SRM

VICINITY MAP

NTS

OWNER

KERRY ROSE
P.O. BOX 45000
PHOENIX, ARIZONA
PHONE: 602.321.9242

ENGINEER

SLATER HANIFAN GROUP
11201 N. TATUM BLVD. #250
PHOENIX, ARIZONA 85028
PHONE: 602.687.9664
CONTACT: ROGER THEIS

EXISTING ZONING

PAD/MDR

SURVEYOR

OUTER LIMITS LAND SURVEYING, LLC
BRIAN EARL SEARAN, RLS #54120
PO BOX 71957
PHOENIX, ARIZONA 85050
PHONE: 602.486.1154
EMAIL: bsearan@outerlimitsls.com

SITE DATA

AREA:	852,198 SF± OR 19.564 AC±
NUMBER OF LOTS:	103
AVERAGE LOT SIZE:	8273.8 SF
MINIMUM LOT SIZE:	4800 SF
MAXIMUM LOT SIZE:	8242 SF
AREA OF OPEN SPACE:	3.28 AC
SINGLE FAMILY AREA:	12.02 AC
RIGHT–OF–WAY AREA:	4.26 AC
% OF OPEN SPACE:	16.76%

BASIS OF BEARING

THE BASIS OF BEARING USED FOR THIS PROJECT IS THE NORTH–SOUTH MID–SECTION LINE OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA. SAID LINE BEARS N00°22'21"E, AS SHOWN ON FINAL PLAT FOR "BELL POINTE I", RECORDED IN BOOK 670, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA.

REFERENCE DOCUMENTS

1. TRILBY WASH DETENTION BASIN DAM & APURTENANCES, RECORDED IN BOOK 63 OF MAPS, PAGE 31, RECORDS OF MARICOPA COUNTY, ARIZONA.
2. BEARDSLEY CANAL RIGHT OF WAY, RECORDED IN BOOK 584, PAGE 18, RECORDS OF MARICOPA COUNTY, ARIZONA.
3. FINAL PLAT FOR "BELL POINTE I", RECORDED IN BOOK 670, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA.
4. ARIZONA TRADITIONS NORTH PARCEL XIV, RECORDED IN BOOK 806, PAGE 26, RECORDS OF MARICOPA COUNTY, ARIZONA.

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF JANUARY 2017, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
54120
BRIAN EARL
SEARAN
Date Signed 07-07-17
ARIZONA U.S.A.

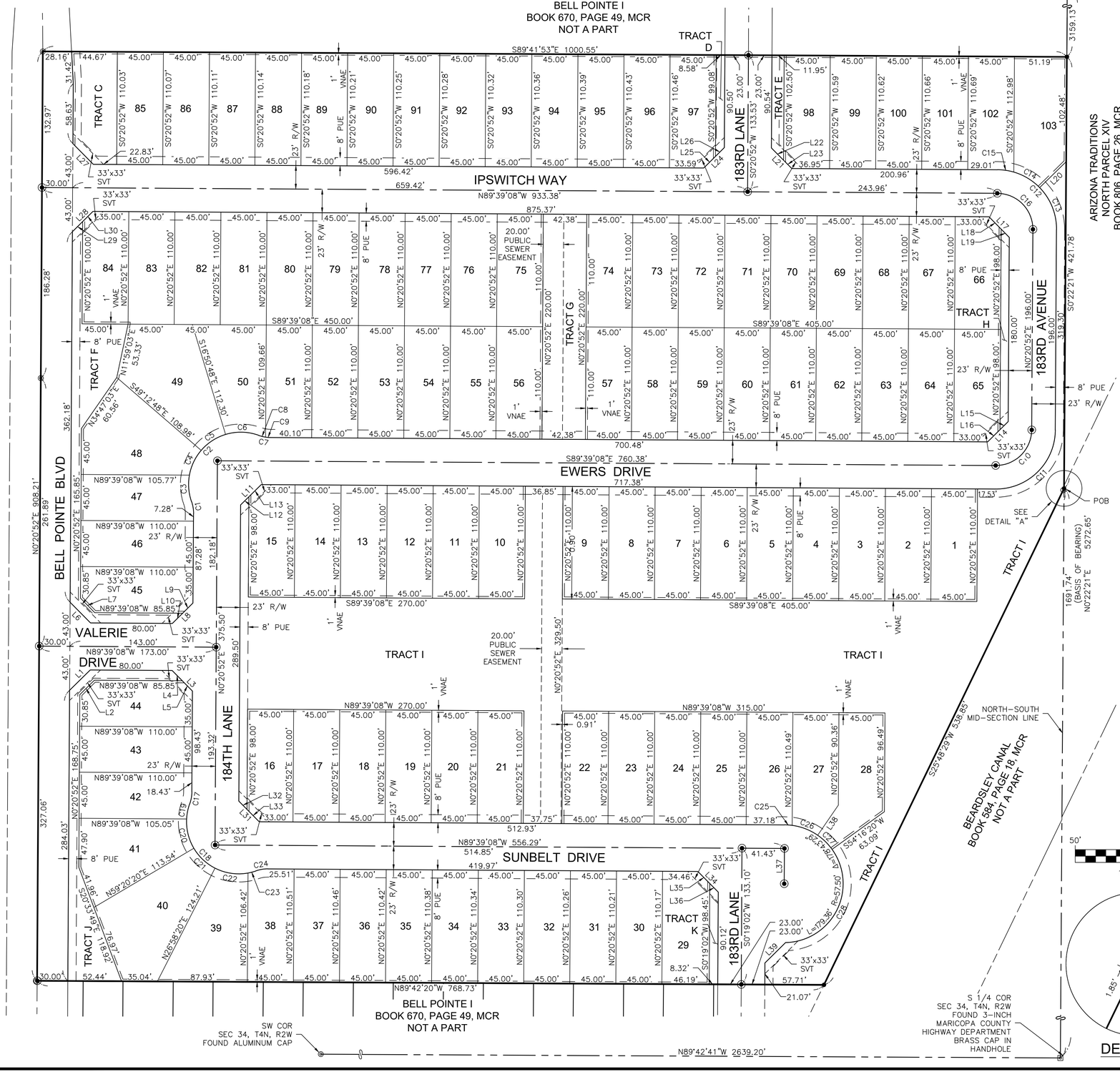
EXPIRES 12/31/18

FINAL PLAT
FOR
"BELL POINTE II - SOUTH"
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND
SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OUTER LIMITS
LAND SURVEYING
PO Box 71957
Phoenix, AZ 85050
TEL: 602.486.1154
www.outerlimitslandsurveying.com

DATE:	07.07.17
DRN BY:	BES
CHKD BY:	BES
JOB NO.	16143
SHEET	1 OF 2

FINAL PLAT
FOR
"BELL POINTE II - SOUTH"



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	28.28'	S45°20'52"W
L2	20.01'	S45°20'52"W
L3	28.28'	N44°39'08"W
L4	14.14'	S44°39'08"E
L5	14.14'	S44°39'08"E
L6	28.28'	S44°39'08"E
L7	20.01'	N44°39'08"W
L8	28.28'	N45°20'52"E
L9	14.14'	S45°20'52"W
L10	14.14'	S45°20'52"W
L11	28.28'	S45°20'52"W
L12	11.31'	N45°20'52"E
L13	16.97'	N45°20'52"E
L14	28.28'	N45°20'52"E
L15	11.31'	S45°20'52"W
L16	16.97'	S45°20'52"W
L17	28.28'	N44°39'08"W
L18	16.97'	S44°39'08"E
L19	11.31'	S44°39'08"E
L20	36.34'	S45°42'34"W
L21	28.28'	N44°39'08"W
L22	16.89'	S44°39'08"E
L23	11.39'	S44°39'08"E
L24	28.28'	S45°20'52"W
L25	16.15'	N45°20'52"E
L26	12.14'	N45°20'52"E
L27	28.28'	N44°39'08"W
L28	28.28'	S45°20'52"W
L29	14.14'	N45°20'52"E
L30	14.15'	N45°20'52"E
L31	28.28'	N44°39'08"W
L32	11.31'	S44°39'08"E
L33	16.97'	S44°39'08"E
L34	28.29'	N44°40'03"W
L35	16.52'	S44°40'03"E
L36	11.77'	S44°40'03"E
L37	34.50'	N00°20'52"E
L38	35.79'	S34°34'09"W
L39	28.32'	S45°19'02"W

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	11.99'	35.00'	019°38'01"
C2	115.06'	51.00'	129°16'02"
C3	26.34'	51.00'	029°35'44"
C4	27.13'	51.00'	030°28'37"
C5	28.81'	51.00'	032°22'00"
C6	32.78'	51.00'	036°49'41"
C7	11.99'	35.00'	019°38'01"
C8	7.08'	35.00'	011°35'30"
C9	4.91'	35.00'	008°02'31"
C10	54.98'	35.00'	090°00'00"
C11	91.11'	58.00'	090°00'00"
C12	91.11'	58.00'	090°00'00"
C13	45.19'	58.00'	044°38'17"
C14	29.72'	58.00'	029°21'28"
C15	16.20'	58.00'	016°00'14"
C16	54.98'	35.00'	090°00'00"
C17	11.99'	35.00'	019°38'01"
C18	115.06'	51.00'	129°16'02"
C19	15.15'	51.00'	017°01'19"
C20	29.93'	51.00'	033°37'14"
C21	28.81'	51.00'	032°22'00"
C22	32.45'	51.00'	036°27'03"
C23	8.73'	51.00'	009°48'26"
C24	11.99'	35.00'	019°38'01"
C25	7.84'	57.50'	007°48'59"
C26	26.86'	57.50'	026°45'38"
C27	19.77'	57.50'	019°42'11"
C28	124.89'	57.50'	124°26'40"

LOT AREA TABLE		
LOT	SQ. FT. ±	ACRES ±
1	4950	0.114
2	4950	0.114
3	4950	0.114
4	4950	0.114
5	4950	0.114
6	4950	0.114
7	4950	0.114
8	4950	0.114
9	4950	0.114
10	4950	0.114
11	4950	0.114
12	4950	0.114
13	4950	0.114
14	4950	0.114
15	4878	0.112
16	4878	0.112
17	4950	0.114
18	4950	0.114
19	4950	0.114
20	4950	0.114
21	4950	0.114
22	4950	0.114
23	4950	0.114
24	4950	0.114
25	4950	0.114
26	4951	0.114
27	4955	0.114
28	5532	0.127
29	5017	0.115
30	4959	0.114
31	4961	0.114
32	4962	0.114
33	4964	0.114
34	4966	0.114
35	4968	0.114
36	4970	0.114
37	4972	0.114
38	4941	0.113
39	6538	0.150
40	8242	0.189
41	6493	0.149
42	4885	0.112
43	4950	0.114
44	4800	0.110
45	4800	0.110
46	4950	0.114
47	4831	0.111
48	7169	0.165
49	7896	0.181
50	5939	0.136
51	4949	0.114
52	4950	0.114

LOT AREA TABLE		
LOT	SQ. FT. ±	ACRES ±
53	4950	0.114
54	4950	0.114
55	4950	0.114
56	4950	0.114
57	4950	0.114
58	4950	0.114
59	4950	0.114
60	4950	0.114
61	4950	0.114
62	4950	0.114
63	4950	0.114
64	4950	0.114
65	4878	0.112
66	4878	0.112
67	4950	0.114
68	4950	0.114
69	4950	0.114
70	4950	0.114
71	4950	0.114
72	4950	0.114
73	4950	0.114
74	4950	0.114
75	4950	0.114
76	4950	0.114
77	4950	0.114
78	4950	0.114
79	4950	0.114
80	4950	0.114
81	4950	0.114
82	4950	0.114
83	4950	0.114
84	4900	0.112
85	4952	0.114
86	4954	0.114
87	4955	0.114
88	4957	0.114
89	4959	0.114
90	4960	0.114
91	4962	0.114
92	4963	0.114
93	4965	0.114
94	4967	0.114
95	4968	0.114
96	4970	0.114
97	4907	0.113
98	4943	0.113
99	4977	0.114
100	4979	0.114
101	4980	0.114
102	4994	0.115
103	5991	0.138

LEGEND

- SECTION LINE
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- CENTER LINE
- LOTLINE
- EASEMENT LINE (AS NOTED)
- EXISTING RIGHT-OF-WAY LINE
- EXISTING CENTER LINE
- FOUND BRASS CAP IN HANDHOLE
- FOUND BRASS CAP FLUSH (UNLESS NOTED OTHERWISE)
- STREET CENTERLINE SURVEY MONUMENT TYPE "B" PER MAG DET 120-1
- CORNER OF SUBDIVISION SURVEY
- C1 CURVE TABLE NUMBER
- L1 LINE TABLE NUMBER
- DE DRAINAGE EASEMENT
- LE LANDSCAPE EASEMENT
- MCR MARICOPA COUNTY RECORDS
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- SVT SIGHT VISIBLITY TRIANGLE
- VNAE VEHICULAR NON-ACCESS EASEMENT

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
54120
BRIAN EARL
SEARAN
Date Signed 07-07-17
ARIZONA U.S.A.
EXPIRES 12/31/18

FINAL PLAT
FOR
"BELL POINTE II - SOUTH"
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND
SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OUTER LIMITS
LAND SURVEYING
PO Box 71957
Phoenix, AZ 85050
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www.outerlimitslandsurveying.com

DATE: 07.07.17
DRN BY: BES
CHKD BY: BES
JOB NO. 16143
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BELL POINTE II NORTH AND SOUTH PARCELS ALTERNATIVE ASSURANCE AGREEMENT

This Bell Pointe II North and South Parcels Alternative Assurance Agreement ("Agreement") is dated as of this 5th day of September 2017 (the "Effective Date") by and between the City of Surprise, Arizona, an Arizona municipal corporation (the "City"), and Kerry Rose ("Owner"). The City and Owner may be individually referred to as a "Party" or collectively as the "Parties."

RECITALS

WHEREAS, Surprise Municipal Code, Chapter 16.24 and Section 16.12.040(A)(9), in effect in 2006, required an applicant for approval of a final plat to provide a performance bond, irrevocable letter of credit, funds in escrow, or other equivalent financial guarantee to the City, prior to recording a final plat approved by the City Council, in an amount equal to one hundred percent (100%) of the cost of the labor and materials necessary to complete satisfactory construction, installation, and dedication of the required street, utility, drainage and other improvements, including any portions of such improvements which are located upon individual lots; and

WHEREAS, as an alternative to the posting of financial assurances, Surprise Municipal Code, Section 16.12.040E, in effect in 2006, allowed the City Council to approve a final plat, but withhold recordation of the final plat until completion and acceptance of all required infrastructure improvements, as follows:

> **Alternate Approval Procedure**. As an alternate procedure and at the request of the "[Owner]", the City Council may approve a final plat and instruct the Community Development Director to withhold the approved final plat from recording for a period of time to allow the "[Owner]" to install all of the required public improvements according to the plans and specifications approved by the City Engineer. This procedure, when approved by the Council, shall be in lieu of the guarantees for installation of improvements as set forth in subsection (A) (9) of this section. An executed standard contract as approved by the City Attorney regarding installation of improvements shall be submitted with the final plat. The contract shall require that all improvements be completed no later than twelve months from the date the final plat was approved by the City Council and that no lot may be sold. When the completed improvements are inspected and approved by the City Engineer, the plat shall be recorded by the Community Development Director, and the sale of lots may proceed according to the approved and recorded plat, provided that a one-year warranty shall be submitted covering the completed improvements.

WHEREAS, the Parties desire to enter into this Agreement for the purpose of allowing Owner, as an alternative to posting financial assurances, to construct and install all of the

required infrastructure improvements within twelve (12) months of the date of this Agreement, after approval of a final plat by the City Council but before recordation of the final plat.

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by reference, and the mutual promises set forth in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties state, confirm, and agree as follows:

SPECIAL TERMS AND CONDITIONS

1. The improvements depicted on the following plans (the "Improvements") shall be completed by Owner:

   Bell Pointe II, North and South Parcels, Grading Plans

   Bell Pointe II, North and South Parcels, Sewer Plans

   Bell Pointe II, North and South Parcels, Water Plans

   Bell Pointe II, North and South Parcels, Paving

   Bell Pointe II, North and South Parcels, Streetlight Plans

   Bell Pointe II, North and South Parcels, Landscape Plans

   Bell Pointe II, North and South Parcels, Stormwater Plans

2. If Owner elects to not provide acceptable financial assurances after approval of the final plat by the City Council, as permitted by Surprise Municipal Code, Chapter 16.24 and Section 16.12.040(A) (9), in effect in 2006, Owner shall complete satisfactory construction, installation, and dedication of the Improvements within twelve (12) months of the Effective Date of this Agreement as a precondition to recordation of the final plat. The final plat shall become null and void and of no force or effect if the Improvements have not been constructed and approved by the City Engineer within twelve (12) months of the Effective Date.

3. If Owner elects to not provide acceptable financial assurances after approval of the final plat by the City Council, as permitted by Surprise Municipal Code, Chapter 16.24 and Section 16.12.040(A)(9), in effect in 2006, no lots may be developed or sold until the Improvements are completed and approved by the City Engineer.

4. If Owner elects to not provide acceptable financial assurances after approval of the final plat by the City Council, as permitted by Surprise Municipal Code, Chapter 16.24 and Section 16.12.040(A)(9), in effect in 2006, after the completed Improvements have been inspected and approved by the City Engineer, the final plat shall be recorded by the Community Development Director, and the sale of lots may proceed according to the approved and recorded plat, provided that a one-year warranty shall be submitted covering the completed Improvements.

5. If Owner should elect to post financial assurances as required by Surprise Municipal Code,

Chapter 16.24 and Section 16.12.040(A)(9), in effect in 2006, the Community Development Director shall record the final plat as permitted by Surprise Municipal Code, Section 16.12.040(E), in effect in 2006, and the sale of lots may proceed according to the approved and recorded plat.

GENERAL TERMS AND CONDITIONS

6. Owner hereby waives and releases the City from any and all claims under A.R.S. § 12-1134, *et seq.,* including any right to compensation for reduction in the fair market value of the real property that is the subject of this Agreement (Bell Pointe II North and South Parcels), as a result of the City's approval of this Agreement. The terms of this waiver shall run with the land and shall be binding upon all subsequent landowners and shall survive the expiration or other termination of this Agreement.

7. This Agreement is subject to cancellation for conflict of interest. Pursuant to A.R.S. § 38-503 and§ 38-511, no member, official or employee of the City shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official or employee participate in any decision relating to this Agreement which affects his or her personal interest or the interest of any corporation, partnership or association in which he or she is, directly or indirectly, interested.

8. The provisions of this Agreement are binding upon and shall inure to the benefit and burden of the Parties and all of their successors in interest and assigns. Owner shall provide the City with at least ten (10) business days' written notice in the event that title to all or any part of the Bell Pointe II North and South Parcels is conveyed or otherwise transferred to a third party that is not related to or an affiliate of Owner.

9. This Agreement constitutes the entire agreement between the parties hereto pertaining to the subject matter hereof and all prior and contemporaneous agreements, representations, negotiations and understandings of the parties hereto, oral or written, are hereby superseded and merged herein.

10. Upon the conveyance of all or a portion of Bell Pointe II North and South Parcels by Owner or its successors-in-title or assigns and the assumption by such transferee of Owner's obligations under this Agreement, Owner or its successors-in-title or assigns, as applicable, shall be released from its liabilities and obligations under this Agreement.

11. The laws of the State of Arizona shall govern any dispute, controversy, claim or cause of action arising out of or related to this Agreement. The venue for any such dispute shall be Maricopa County, Arizona, and each Party waives the right to object to venue in Maricopa County for any reason. Neither Party shall be entitled to recover any of its attorneys' fees or other costs from the other Party incurred in any such dispute, controversy, claim, or cause of action, but each Party shall bear its own attorneys' fees and costs, whether the same is resolved through arbitration, litigation in a court, or otherwise.

IN WITNESS WHEREOF, the parties have executed this Agreement, and this Agreement shall be effective, as of the Effective Date set forth above.

CITY OF SURPRISE, an Arizona municipal corporation

By: _____

Sharon R. Wolcott, Mayor

Date: _____

APPROVED AS TO FORM:

_____

City Attorney

ATTESTED:

_____

City Clerk

Owner: Kerry Rose

By: _____

Its: _____

Date: 8/3/17

STATE OF ARIZONA)

) ss.

County of Maricopa)

This instrument was acknowledged before me on 8.3., 2017, by Kerry William Rose, ~~_____ of (_____) an Arizona limited liability company, on behalf of the company.~~

_____

Notary Public

My Commission Expires:

June 25th 2019

See Attached CA Acknowledgement

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT **CIVIL CODE § 1189**

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

State of California)
County of Los Angeles)

On 8.3.2017 (Date) before me, Joseph P. Molina-Carter, Notary Public, (Here Insert Name and Title of the Officer)

personally appeared Kerry William Rose (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

JOSEPH P. MOLINA-CARTER
Notary Public - California
Los Angeles County
Commission # 2117096
My Comm. Expires Jun 25, 2019

Signature _____ (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document: Alternative Assurance Agreement - Bellpointe North II North & South Parcels
Document Date: _____ Number of Pages: 5
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

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

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

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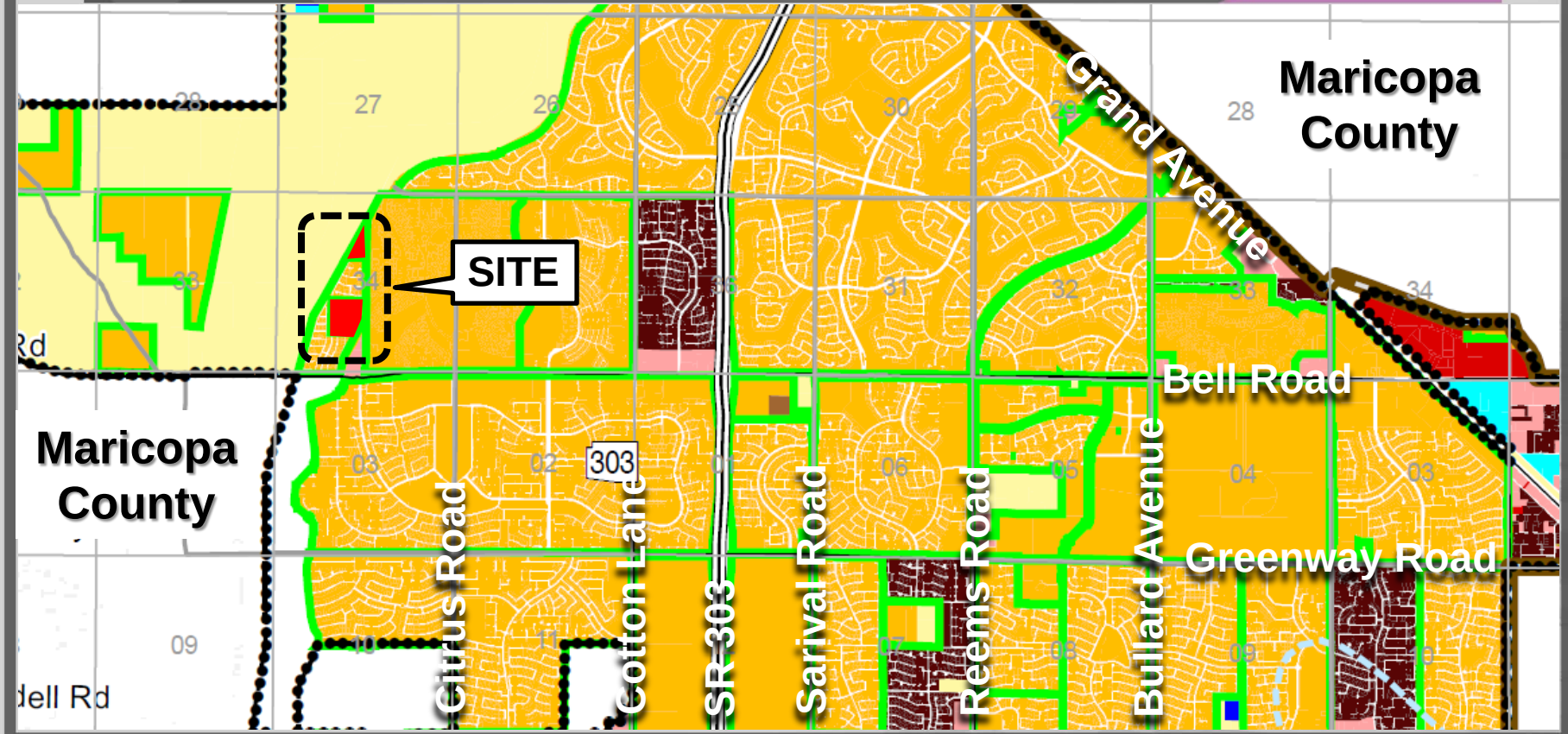
SURPRISE
ARIZONA

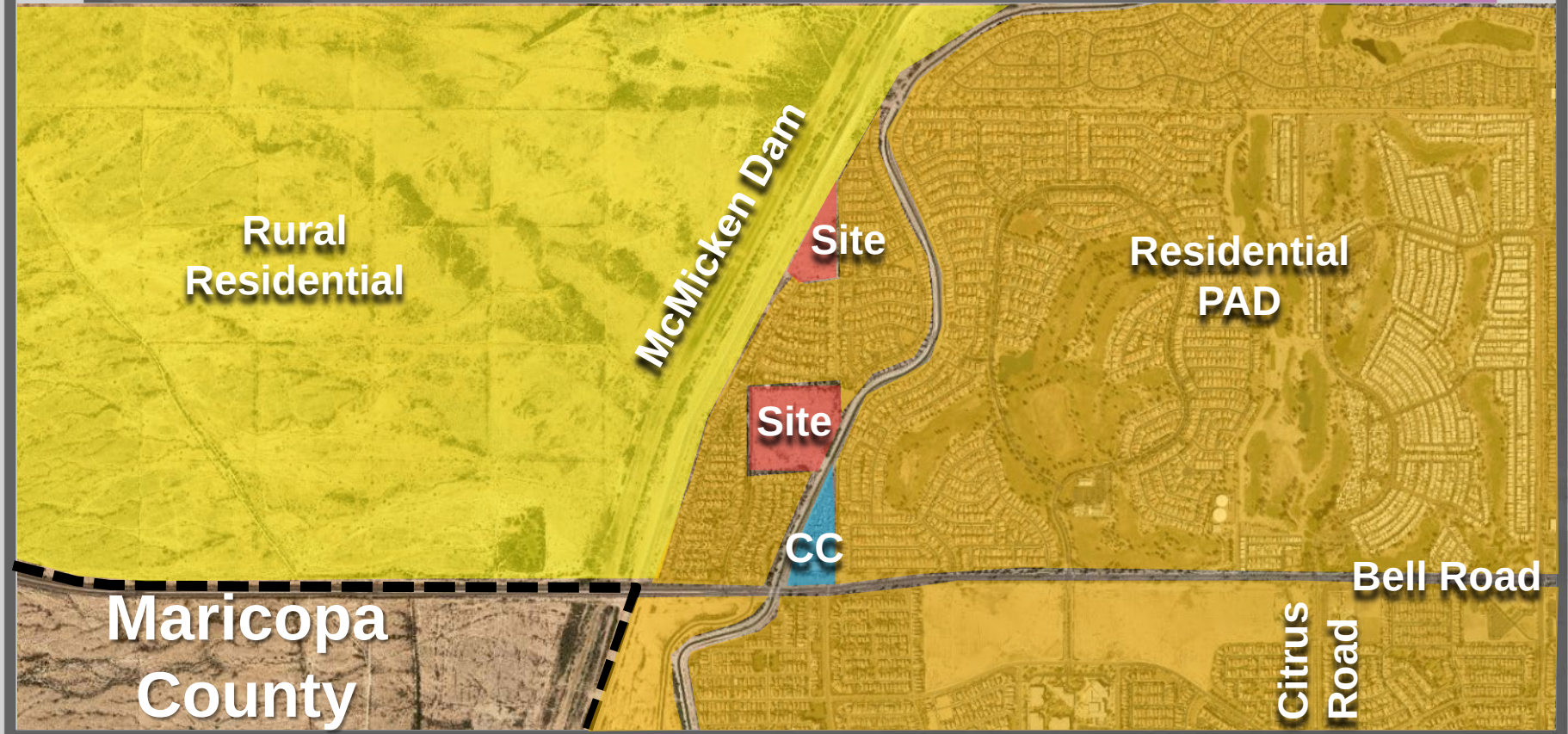
BELL POINTE II ALTERNATIVE ASSURANCE AGREEMENT

Alternative Assurance Agreement Extension – September 4, 2018

VICINITY MAP



ZONING MAP

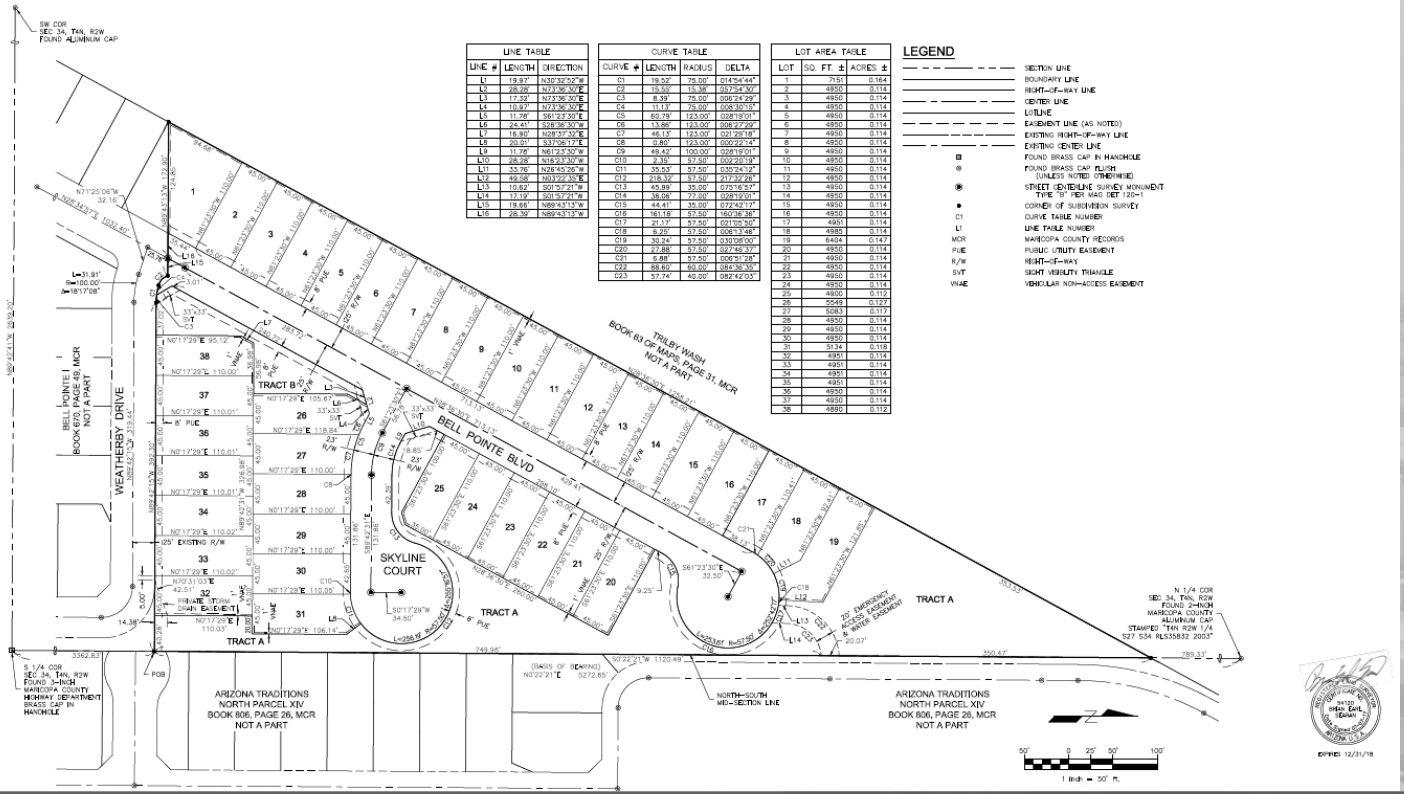

Rural
Residential
McMicken Dam
Site
Site
Residential
PAD
CC
Bell Road
Maricopa
County
Citrus
Road

FINAL PLAT

FINAL PLAT

FOR

"BELL POINTE II - NORTH AND TRACT LL OF THE BELL POINTE I PLAT"



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	19.97'	N30°35'52"W
L2	28.28'	N73°36'30"E
L3	17.32'	N73°36'30"E
L4	10.97'	N73°36'30"E
L5	11.78'	S61°23'30"E
L6	24.41'	S28°36'30"W
L7	16.90'	N28°37'32"E
L8	20.01'	S37°06'17"E
L9	11.78'	N61°23'30"W
L10	28.28'	N16°23'30"W
L11	33.76'	N26°45'26"W
L12	49.56'	N03°22'39"E
L13	10.62'	S01°57'21"W
L14	17.19'	S01°57'21"W
L15	19.66'	N89°43'13"W
L16	28.39'	N89°43'13"W

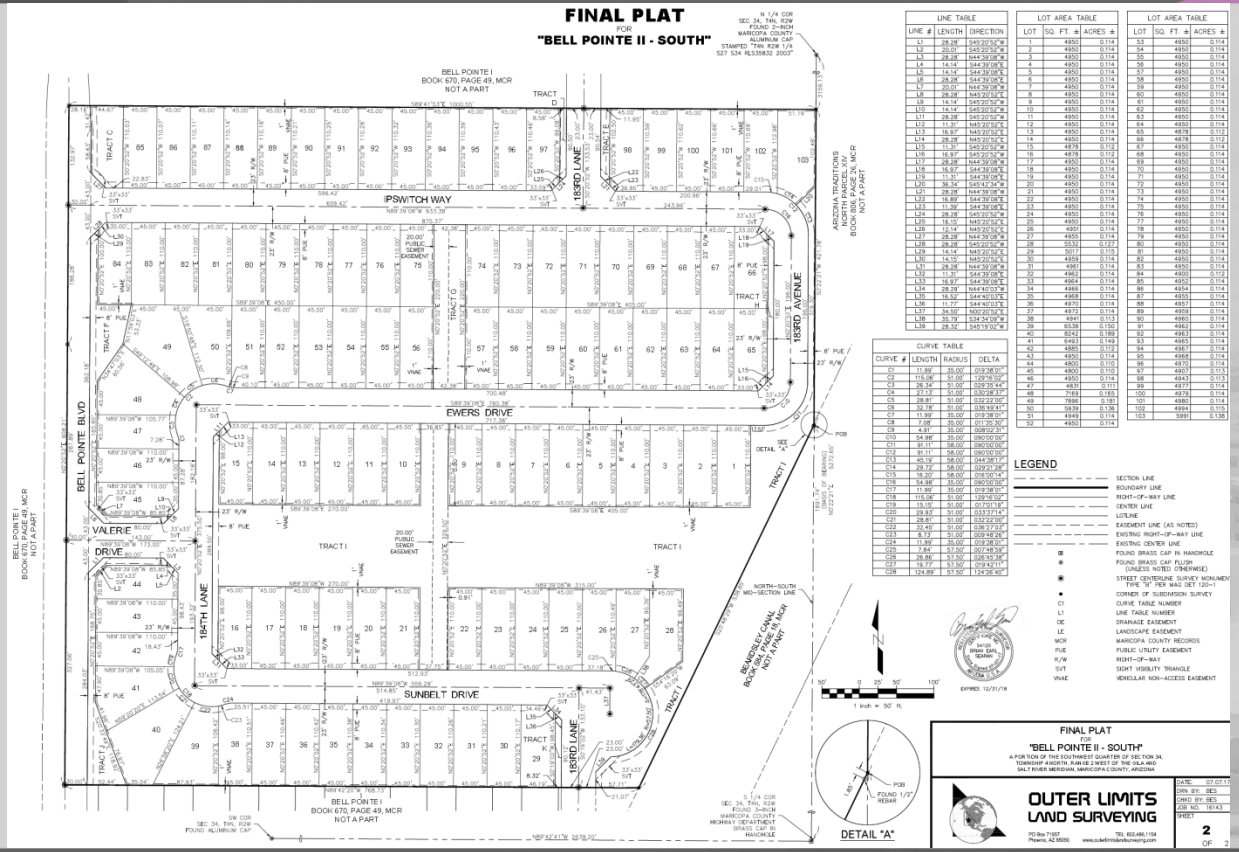
CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	19.53'	75.00'	014°54'44"
C2	19.55'	13.38'	83°43'30"
C3	8.39'	75.00'	006°24'29"
C4	11.13'	75.00'	008°30'15"
C5	60.79'	123.00'	028°19'01"
C6	13.86'	123.00'	006°27'29"
C7	46.13'	123.00'	021°29'18"
C8	0.80'	123.00'	000°22'14"
C9	49.42'	100.00'	028°19'01"
C10	2.35'	57.50'	002°20'19"
C11	35.53'	57.50'	035°24'12"
C12	218.32'	57.50'	217°32'28"
C13	45.99'	35.00'	075°16'57"
C14	38.08'	77.00'	028°19'01"
C15	44.41'	35.00'	072°42'17"
C16	161.18'	57.50'	160°36'36"
C17	21.17'	57.50'	021°05'50"
C18	6.25'	57.50'	006°13'48"
C19	30.24'	57.50'	030°08'00"
C20	27.88'	57.50'	027°46'37"
C21	6.88'	57.50'	006°51'28"
C22	88.60'	60.00'	084°36'30"
C23	57.74'	40.00'	082°42'03"

LOT AREA TABLE		
LOT	SQ. FT. ±	ACRES ±
1	7151	0.164
2	4950	0.114
3	4950	0.114
4	4950	0.114
5	4950	0.114
6	4950	0.114
7	4950	0.114
8	4950	0.114
9	4950	0.114
10	4950	0.114
11	4950	0.114
12	4950	0.114
13	4950	0.114
14	4950	0.114
15	4950	0.114
16	4950	0.114
17	4951	0.114
18	4985	0.114
19	5404	0.147
20	4950	0.114
21	4950	0.114
22	4950	0.114
23	4950	0.114
24	4950	0.114
25	4900	0.112
26	5549	0.127
27	5083	0.117
28	4950	0.114
29	4950	0.114
30	4950	0.114
31	5134	0.118
32	4951	0.114
33	4951	0.114
34	4951	0.114
35	4951	0.114
36	4950	0.114
37	4950	0.114
38	4890	0.112

LEGEND

- SECTION LINE
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- CENTER LINE
- LOTLINE
- EASEMENT LINE (AS NOTED)
- EXISTING RIGHT-OF-WAY LINE
- EXISTING CENTER LINE
- FOUND BRASS CAP IN HANDHOLE
- FOUND BRASS CAP FLUSH (UNLESS NOTED OTHERWISE)
- STREET CENTERLINE SURVEY MONUMENT TYPE "ST" PER MAG DET 120-1
- CORNER OF SUBDIVISION SURVEY
- C1 CURVE TABLE NUMBER
- L1 LINE TABLE NUMBER
- MCR MARICOPA COUNTY RECORDS
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- SVT SIGHT VISIBILITY TRIANGLE
- VNAE VEHICULAR NON-ACCESS EASEMENT

FINAL PLAT



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	28.28'	S45°20'52"W
L2	20.01'	S45°20'52"W
L3	28.28'	N44°39'08"W
L4	14.14'	S44°39'08"E
L5	14.14'	S44°39'08"E
L6	28.28'	S44°39'08"E
L7	20.01'	N44°39'08"W
L8	28.28'	S45°20'52"E
L9	14.14'	S45°20'52"W
L10	14.14'	S45°20'52"W
L11	28.28'	S45°20'52"W
L12	11.31'	S45°20'52"E
L13	16.97'	S45°20'52"E
L14	28.28'	N45°20'52"E
L15	11.31'	S45°20'52"W
L16	16.97'	S45°20'52"W
L17	28.28'	N44°39'08"W
L18	16.97'	S44°39'08"E
L19	11.31'	S44°39'08"E
L20	36.34'	S45°42'34"W
L21	28.28'	N44°39'08"W
L22	16.89'	S44°39'08"E
L23	11.39'	S44°39'08"E
L24	28.28'	S45°20'52"W
L25	16.10'	S45°20'52"E
L26	12.14'	S45°20'52"E
L27	28.28'	N44°39'08"W
L28	28.28'	S45°20'52"W
L29	14.14'	S45°20'52"E
L30	14.10'	S45°20'52"E
L31	28.28'	N44°39'08"W
L32	11.31'	S44°39'08"E
L33	16.97'	S44°39'08"E
L34	28.29'	N44°40'03"W
L35	16.52'	S44°40'03"E
L36	11.77'	S44°40'03"E
L37	34.50'	N00°20'52"E
L38	33.79'	S34°34'09"W
L39	28.32'	S45°19'02"W

LOT AREA TABLE		
LOT	SQ. FT. ±	ACRES ±
1	4950	0.114
2	4950	0.114
3	4950	0.114
4	4950	0.114
5	4950	0.114
6	4950	0.114
7	4950	0.114
8	4950	0.114
9	4950	0.114
10	4950	0.114
11	4950	0.114
12	4950	0.114
13	4950	0.114
14	4950	0.114
15	4878	0.112
16	4878	0.112
17	4950	0.114
18	4950	0.114
19	4950	0.114
20	4950	0.114
21	4950	0.114
22	4950	0.114
23	4950	0.114
24	4950	0.114
25	4950	0.114
26	4951	0.114
27	4905	0.113
28	5532	0.127
29	5017	0.115
30	4959	0.114
31	4961	0.114
32	4962	0.114
33	4964	0.114
34	4966	0.114
35	4968	0.114
36	4970	0.114
37	4972	0.114
38	4941	0.113
39	6538	0.150
40	8242	0.189
41	6463	0.149
42	4985	0.114
43	4950	0.114
44	4801	0.110
45	4800	0.110
46	4950	0.114
47	4831	0.111
48	7169	0.165
49	7896	0.181
50	5939	0.136
51	4949	0.114
52	4950	0.114

LOT AREA TABLE		
LOT	SQ. FT. ±	ACRES ±
53	4950	0.114
54	4950	0.114
55	4950	0.114
56	4950	0.114
57	4950	0.114
58	4950	0.114
59	4950	0.114
60	4950	0.114
61	4950	0.114
62	4950	0.114
63	4950	0.114
64	4950	0.114
65	4878	0.112
66	4878	0.112
67	4950	0.114
68	4950	0.114
69	4950	0.114
70	4950	0.114
71	4950	0.114
72	4950	0.114
73	4950	0.114
74	4950	0.114
75	4950	0.114
76	4950	0.114
77	4950	0.114
78	4950	0.114
79	4950	0.114
80	4950	0.114
81	4950	0.114
82	4950	0.114
83	4950	0.114
84	4900	0.112
85	4952	0.114
86	4954	0.114
87	4955	0.114
88	4957	0.114
89	4958	0.114
90	4960	0.114
91	4962	0.114
92	4963	0.114
93	4965	0.114
94	4967	0.114
95	4968	0.114
96	4970	0.114
97	4907	0.113
98	4943	0.113
99	4977	0.114
100	4979	0.114
101	4980	0.114
102	4994	0.115
103	5991	0.138

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	11.99'	35.00'	019°38'01"
C2	115.06'	51.00'	129°16'02"
C3	26.34'	51.00'	029°35'44"
C4	27.13'	51.00'	030°28'23"
C5	28.81'	51.00'	032°22'00"
C6	32.78'	51.00'	036°49'41"
C7	11.99'	35.00'	019°38'01"
C8	7.68'	35.00'	011°20'30"
C9	4.31'	35.00'	008°02'31"
C10	54.98'	35.00'	090°00'00"
C11	91.11'	58.00'	090°00'00"
C12	91.11'	58.00'	090°00'00"
C13	45.12'	58.00'	044°36'17"
C14	29.72'	58.00'	029°21'28"
C15	16.20'	58.00'	016°00'14"
C16	54.98'	35.00'	090°00'00"
C17	11.99'	35.00'	019°38'01"
C18	115.06'	51.00'	129°16'02"
C19	15.10'	51.00'	016°57'13"
C20	29.93'	51.00'	033°37'14"
C21	28.81'	51.00'	032°22'00"
C22	32.45'	51.00'	036°27'03"
C23	8.73'	51.00'	009°48'28"
C24	11.99'	35.00'	019°38'01"
C25	7.84'	57.50'	007°48'59"
C26	26.86'	57.50'	026°45'28"
C27	19.77'	57.50'	019°42'13"
C28	124.89'	57.50'	124°26'40"

LEGEND

- SECTION LINE
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- CENTER LINE
- LOTLINE
- EASEMENT LINE (AS NOTED)
- EXISTING RIGHT-OF-WAY LINE
- EXISTING CENTER LINE
- FOUND BRASS CAP IN HANDHOLE
- FOUND BRASS CAP FLUSH (UNLESS NOTED OTHERWISE)
- STREET CENTERLINE SURVEY MONUMENT TYPE "II" PER MAG SET 120-1
- CORNER OF SUBDIVISION SURVEY
- C1 CURVE TABLE NUMBER
- L1 LINE TABLE NUMBER
- DE DRAINAGE EASEMENT
- LE LANDSCAPE EASEMENT
- MCR MARICOPA COUNTY RECORDS
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- SVT SIGHT VISIBILITY TRIANGLE
- VNAE VEHICULAR NON-ACCESS EASEMENT

FINAL PLAT
FOR
"BELL POINTE II - SOUTH"
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OUTER LIMITS
LAND SURVEYING
PO Box 71957
Phoenix, AZ 85050
TEL 602.486.1104
www.outerlimitslandsurveying.com

DATE: 07.07.17
DRN BY: BES
CHKD BY: BES
JOB NO. 16143
SHEET
2
OF 2

ALTERNATIVE ASSURANCES

- Subject PAD approved under Title 16 of the Surprise Municipal Code (“SMC”).
- Title 16 allowed for Alternative Assurances:
  - Allowed for an alternate procedure that allowed the Community Development Director to withhold the approved final plat from recording for a period of time to allow the owner to install all of the required public improvements according to the plans and specifications approved by the City Engineer.
  - Under Title 16, all public improvements to be completed no later than 12 months from the date the final plat was approved by the Mayor and City Council.

ALTERNATIVE ASSURANCES

Because the SMC provided for extensions of the subject Alternative Assurances, Staff is bringing to the Mayor and City Council to determine if the Alternative Assurances be extended for a period of one (1) year.

Staff is proposing a condition that states: *“If approved, no other extensions regarding Financial Assurances will be granted. The Final Plat will have to be reevaluated through a new Preliminary Plat and Final Plat process.”*

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Andrea Davis, Finance Director
Submitting Department:		District:	Citywide
Staff Recommendations:	None		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to fiscal year 2019 budget amendment by reallocating appropriations for the Development Impact Fee Study Update and adjusting budget authority for the fiscal year 2019 budget; Resolution #2018-141.

Motion:

I move to approve Resolution #2018-141.

Background:

Cities and towns are authorized by Arizona Revised Statutes (ARS) 9-463.05 to assess, collect and administer development fees. The City of Surprise retained the services of an outside qualified professional, as required by ARS 9-463.05 to update the City's Land Use Assumptions, Infrastructure Improvement Plan, and Development Impact Fees, known collectively as the Development Impact Fee Study update.

This action will update budget amounts to allow for the completions of the FY2019 Development Impact Fee Study update.

Objective Analysis:

Due to state laws regarding requirements for updates to the Land Use Assumptions, Infrastructure Improvement Plan, and Development Impact Fees, as well as expenditure limits that are set by the adopted budget, it is necessary to amend the FY2019 budget for Resolution #2018-141.

Policy Compliant:

City Council approval is required for budget amendments across funds, CIP projects, and grants per the Budget Amendment Policies and Procedures.

Financial Impact:

This Budget Amendment increases expenditure authority for the development impact fee study by $70,000. This expenditure will be offset by future development impact fee revenue.

Budget Impact:

This action reallocates spending authority without an increase or decrease to the total budget for FY2019 and does not represent an actual transfer of funds.

FTE Impact:

None.

ATTACHMENTS:

Click to download

- [ ] Resolution 2018-141 Budget Amendment for Dev Impact Fee Study

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RESOLUTION # 2018-141

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2019 BUDGET BY REALLOCATING APPROPRIATION IN THE AMOUNT OF $70,000 FROM DEVELOPMENT IMPACT FEE CONTINGENCY AND GRANT CONTINGENCY TO PROJECT A15010. THIS REALLOCATION IS TO COVER PROJECTED EXPENDITURES ASSOCIATED WITH THE DEVELOPMENT IMPACT FEE STUDY.

WHEREAS, Arizona Revised Statues (A.R.S) § 9-463.05 provides a framework for cities and towns to assess, collect and administer development fees;

WHEREAS, the FY2019 adopted budget included funding for a development impact fee study project A15010;

WHEREAS, the FY2019 budget was adopted by Council Resolution #2018-78 on June 5, 2018;

WHEREAS, this action will necessitate a budget amendment;

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

WHEREAS, the City of Surprise Procurement Code §2-338(d) requires the approval of City Council when the City spends more than $50,000 on a single item.

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, 2018 through June 30, 2019.

APPROVED AND ADOPTED this _____day of _____, 2018.

Sharon R. Wolcott, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

RESOLUTION # 2018-141
Exhibit A

1. Appropriation- The table below represents a reallocation of appropriation in the amount of $70,000 from Development Impact Fee Contingency and Grant Contingency to project A15010. This reallocation is to cover projected expenditures associated with the development impact fee study. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority. Additionally, these allocations do not increase or decrease the total budget.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Fire/EMS Dev Fee 2014 Law	General Operations	#A15010 Impact Fee Study	E	6,100	10,000	16,100
Fire/EMS Dev Fee 2014 Law	General Operations	Contingency	E	4,858,100	(10,000)	4,848,100
Wtr Sys SPA 1 Dev Fee 2014 Law	General Operations	#A15010 Impact Fee Study	E	6,100	10,000	16,100
Wtr Sys SPA 1 Dev Fee 2014 Law	General Operations	Contingency	E	1,085,000	(10,000)	1,075,000
Wtr Sys SPA 2 Dev Fee 2014 Law	General Operations	#A15010 Impact Fee Study	E	6,100	10,000	16,100
Wtr Sys SPA 2 Dev Fee 2014 Law	General Operations	Contingency	E	136,000	(10,000)	126,000
Wtr Res SPA 1 Dev Fee 2014 Law	General Operations	#A15010 Impact Fee Study	E	6,100	10,000	16,100
Grants	General Operations	Contingency	E	22,337,700	(30,000)	22,307,700
Wtr Res SPA 2 Dev Fee 2014 Law	General Operations	#A15010 Impact Fee Study	E	6,100	10,000	16,100
Wtr Res SPA 2 Dev Fee 2014 Law	General Operations	Contingency	E	357,600	(10,000)	347,600
Sewer SPA 1 Dev Fee 2014 Law	General Operations	#A15010 Impact Fee Study	E	6,100	10,000	16,100
Sewer SPA 2 Dev Fee 2014 Law	General Operations	#A15010 Impact Fee Study	E	6,100	10,000	16,100
			Expense Total	**28,817,100**	**-**	**28,817,100**

2. List of Operating Items Over $50,000: The List will be amended.

Reference #	Description	Current Budget	Increase/ (Decrease)	Amended Budget
19326	Development Impact Fee Study	$42,700	$70,000	$112,000

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Seth Dyson, HSCV Director
Submitting Department:	Human Service & Community Vitality	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of a substantial amendment to the Neighborhood Stabilization Program 1.

Motion:

I move to approve the substantial amendment to the Neighborhood Stabilization Program 1 Action Plan as presented.

Background:

The City of Surprise has identified approximately $994,414.41 remaining in unobligated grant funds, $625,340.74, and program income, $369,073.67, for NSP1. The city's proposal is to transfer $206,373 in program income to the grantee's Community Development Block Grant (CDBG) account and combine it with the current year allocation for neighborhood improvements. The CDBG Neighborhood Improvement activity would be used to support the Housing Authority of Maricopa County's (HAMC) infrastructure costs for a 100-unit multifamily project on an existing ball field which is adjacent to the city's Senior Center and other recreational (and library branch) facilities. The multifamily development will serve mostly families and provide 30 units of supportive housing. The remaining funding will be used to relocate the youth ball field across the street from the housing project.

Objective Analysis:

This action allows HSCV to fund needed neighborhood improvements, administration, and affordable housing projects through the plan amendment.

Policy Compliant:

The agenda item falls within Council and City policy.

Financial Impact:

Program income received from the Neighborhood Stabilization Program 1 equals $369,073.67. A portion of these funds, $206,373, will be transferred to CDBG neighborhood improvement eligible

activities. The remaining program income and unobligated grant funds will be dedicated for Phase 1 of the relocation of the Gaines Park ball field.

Budget Impact:

The approval of this action plan amendment will necessitate a budget amendment of $206,400 from NSP1 Program Income to the CDBG Neighborhood Improvements activity. This action will take place with a separate Novus item should this one be approved.

FTE Impact:

There is no FTE impact as a result of this agenda item.

ATTACHMENTS:

Click to download

- Staff Report
- DRAFT - Neighborhood Stabilization Program 1 Substantial Amendment
- Public Engagement Form
- CC Presentation NSP - CDBG Amendments

SURPRISE
ARIZONA

HUMAN SERVICE AND COMMUNITY VITALITY

Date: September 4, 2018

To: Mayor and City Council

From: Seth Dyson, Director
Joe Gladieux, Acting Neighborhood Services Supervisor
Alicia Rubio, Neighborhood Services Coordinator

Re: NSP1 and NSP3 Amendments

Introduction

The City of Surprise will be closing out the Neighborhood Stabilization Programs (NSP) as directed by the U.S. Housing & Urban Development (HUD) department. The proposed amendments are needed to successfully complete the project while meeting program requirements.

Background

In response to the local impacts on homeownership during the great recession, in 2008 and 2011 the City of Surprise was awarded a U.S. Housing & Urban Development (HUD) Neighborhood Stabilization Program (NSP) Grant of $2,197,786 and $1,329,844. Both grants supported first time homebuyers, assisted with rehabilitation and purchasing of foreclosed homes. When a home was purchased and/or rehabbed through this grant, a lien was placed on the home. Many participants paid their home liens off before the actualization period, generating 'program income.' This program income in turn was put back into the program for additional rehabilitations, acquisitions, etc.

HUD is looking to close out the NSP program. In Surprise, that means closing out both grants NSP1 and NSP3. Due to generating program income for both grants, the city has remaining $994,414.41 (NSP1) and $829,969.75 (NSP3). This combines leftover grant monies and program income for each grant. In spring 2018, HSCV presented to the Surprise Planning & Zoning Commission and City Council amendments to the five-year CDBG Consolidated Plan and the current Annual Action Plan to utilize the NSP program income. The proposed investment included $500,000 towards the affordable housing project in the Original Town Site, $517,000 towards relocation of the Gaines Park youth baseball field, and $100,000 in administrative fees.

In order to utilize the remaining grant dollars ***AND*** program income, HUD is requesting we amend both NSP1, NSP3, the CDBG Consolidated Plan and the Annual Action Plan Year 4.

In order to satisfy the program requirements for both grants, specifically the NSP3, the following eligible grant projects are being proposed:

Item	Grant Total Available	Projects
NSP1	$994,414.41	Affordable Housing Project ($206,373) & Gaines Park Youth Ballfield Relocation ($788,041.41)
NSP3	$829,969.75	Affordable housing acquisition, rehabilitation and new construction ($814,969.75) and Admin ($15,000). The $814,969.75 will be put out to bid through an RFP process.

In addition to the above NSP1 and NSP3 amendments, the CDBG Consolidated Plan and the Annual Action Plan Year Four must be amended to reflect the NSP investment. The Affordable Housing Project with the Housing Authority of Maricopa County includes CDBG infrastructure support ($293,627) in the Annual Action Plan Year Four, bringing the total grant investment towards that project to $500,000, as was presented in April 2018.

Updated Actions

Acquisition and new construction will be added to the existing scope of the NSP3 program, which already allows for rehabilitation.

Future Actions

- Submission to HUD as part of Consolidated Plan Amendment 2015-19 by 9/6/18

Recommendations

Approval of NSP1 & NSP3 Plan Amendments

SURPRISE
ARIZONA

City of Surprise

Neighborhood Stabilization Program 1

Substantial Amendment

Annual Action Plan

FY2008-2009

Grant Number: B-08-MN-04-0506

August, 2018

Jurisdiction

City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

www.surpriseaz.gov

NSP Contacts

Deb Perry
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Phone: 623.222.1623
Fax: 623.222.1501

Seth Dyson
Director - HSCV
seth.dyson@surpriseaz.gov
Phone: 623.222.1620
Fax: 623.222.1501

DRAFT

The following substantial amendment to the approved and existing Neighborhood Stabilization Program (NSP) Action Plan represents the City of Surprise's re-allocation of NSP funds to new activites. This amendment is a supplement to the FY2008/2009 Annual Action Plan submitted to the U.S. Department of Housing and Urban Development (HUD) in 2008.

Proposed Accomplishments

The City of Surprise has identified approximately $994,414.41 remaining in unobligated grant funds, $625,340.74, and a program income total of $369,073.67 for NSP1. The city's proposal is to transfer $206,373 in program income to the grantee's Community Development Block Grant (CDBG) account and combine it with the current year allocation of $293,627 to total $500,000 for neighborhood improvements. The CDBG Neighborhood Improvement activity would be used to support the Housing Authority of Maricopa County's (HAMC) infrastructure costs for a 100-unit multifamily project on an existing ball field which is adjacent to the city's Senior Center and other recreational (and library branch) facilities. The three-story multifamily community will serve mostly families and provide 30 units of supportive housing.

The remaining NSP1 allocations of $788,041.41, program income of $162,700.67, ($369,073.67 - $206,373 = $162,700.67) and Line of Credit of $625,340.74 will be used to build public facilities on a vacant lot for a new youth ball park across the street from the existing ball park and future multifamily community. If any funds remain, it will be used for a pocket park on vacant land in another section of the city's Original Townsite or Heritage District.

Activity Type

24 CFR 570.201(a) Acquisition and (c) Public facilities and improvements (Use E)

DRAFT

National Objective

Low Moderate and Middle Income Area (LMMA)

Start and End Dates:

March 19, 2009 – June 2020

Environmental Reviews: None

Budget:

Line of Credit	$625,340.74
Program Income,	$369,073.67
Unobligated Funds	$994,414.41
Transfer PI to CDBG	($206,373.00)
Remaining NSP1 allocations	$788,041.41

DRAFT

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: Neighborhood Stabilization Program 1 (NSP1) Action Plan Amendment

OVERALL PUBLIC INVOLVEMENT LEVEL:

Public Hearing on 8/2/18 (P & Z Meeting) and 9/4/18 Council Meeting. 30 day Public comment period (7/20/18 - 8/20/18) for draft NSP1 Action Plan Amendment.

IDENTIFY STAKEHOLDERS:

OTS residents/property owners, public service nonprofits, City of Surprise staff Public Works, Community Development, Economic Development and Human Services.

OBJECTIVES:

Create viable neighborhoods, provide decent, safe and affordable housing; provide services to those with special needs

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when) Public Hearings 8/2 & 9/4/18, 30 day public comment
Future Council Work Session/Meetings target dates
Election dates (if applicable)
Project start/completion dates 10/2018

Communication Tools and Technique options: (which do you plan to use?)

- ☑ Press releases
- ☑ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☑ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☑ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☐ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☑ Website updates

SURPRISE
ARIZONA

Neighborhood Stabilization Program 1 & 3 Amendments
Consolidated Plan 2015-2019
CDBG Year 4 Annual Action Plan 18-19

Human Service & Community Vitality | September 4, 2018

Today's Objectives

- Background
- Public Hearings
  - Consolidated Plan Amendment
  - Annual Action Plan Year 4 Amendment
  - Neighborhood Stabilization 1 Plan Amendment
  - Neighborhood Stabilization 3 Plan Amendment

Background

- HUD & City desire to close out NSP1 ($2.1m) & NSP3 ($1.3m) grants
- To successfully meet grant requirements and to utilize the remaining funding for high priority projects, original plan amendments are required
- Spring 2018 P&Z and Council direction on NSP Program Income funding & conversion to CDBG purpose does not change scope
- Remaining unused grant funds to be incorporated into CDBG and NSP eligible projects

NSP & CDBG Projects

- Affordable Housing Project - $500,000
  - $206,373 of NSP1 grant funds converted to CDBG to go along with existing CDBG $293,627 neighborhood improvements
- Relocation of Gaines Park Youth Baseball Field - $788,041
  - $788,041 of remaining NSP1 grant funds to help pay for a new youth baseball field on vacant land on the corner of Nash & Rimrock (across the street from existing ballfield)
- Affordable Housing Acquisition, Rehabilitation & New Construction in Surprise Heritage District - $814,969
  - $814,969 of NSP3 funding would go out through a RFP to support affordable housing and neighborhood stabilization. Residents of the CDBG eligible area (OTS) with incomes below 50% of the Average Median Income would be eligible to apply
- Administration - $15,000
  - $15,000 of NSP3 funding would be used for administrative support of the above project

Amendments

- Consolidated Plan Changes
  - Adds affordable housing as a priority project
- CDBG Annual Action Plan Year 4
  - Accepts an infusion of NSP funds, which convert to CDBG funds to support the affordable housing project
- Neighborhood Stabilization Plan 1
  - Allows $206,373 to be converted to CDBG in support of the affordable housing project
  - Directs remaining $788,041 towards relocation of youth baseball field (neighborhood improvements)
- Neighborhood Stabilization Plan 3
  - Amends language to support affordable housing through acquisition, rehabilitation and new construction

Process Timeline

July 19, 2018 – August 19, 2018

Draft Plan

30 day Comment Period

August 2, 2018

P & Z Public Hearing

September 4, 2018

City Council Public Hearing

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Joe Gladieux
Human Service & Community Vitality
Neighborhood Services Acting Supervisor

Alicia Rubio
Human Service & Community Vitality
Neighborhood Services Program Coordinator

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Seth Dyson, HSCV Director
Submitting Department:	Human Service & Community Vitality	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of a substantial amendment to the Neighborhood Stabilization Program 3.

Motion:

I move to approve the substantial amendment to the Neighborhood Stabilization Program 3 Action Plan as presented.

Background:

The City of Surprise has identified approximately $829,969.75 remaining in unobligated grant funds, $68,369.77, and program income, $761,599.98, for NSP3. The city's proposal is to invest in housing rehabilitation and new construction affordable to buyers with incomes of less than 50% of the Average Median Income. This investment will allow the city to come into compliance with the LH25 requirement.

Objective Analysis:

This action allows HSCV to fund needed neighborhood improvements, administration, and affordable housing projects through the plan amendment.

Policy Compliant:

The agenda item falls within Council and City policy.

Financial Impact:

The item will allow for expenditures of up to $829,969.75 in NSP3 grant funding. $68,369.77 will be eligible for reimbursement through a federal grant, while the remaining, $761,599.98 of program income has already been collected.

Budget Impact:

This action will require a budget amendment which will take place with a separate Novus item should this one be approved.

FTE Impact:

There is no FTE impact as a result of this agenda item.

ATTACHMENTS:

Click to download

- Staff Report
- DRAFT - Neighborhood Stabilization Program 3 Substantial Amendment
- Public Engagement Form

SURPRISE
ARIZONA

HUMAN SERVICE AND COMMUNITY VITALITY

Date: September 4, 2018

To: Mayor and City Council

From: Seth Dyson, Director
Joe Gladieux, Acting Neighborhood Services Supervisor
Alicia Rubio, Neighborhood Services Coordinator

Re: NSP1 and NSP3 Amendments

Introduction

The City of Surprise will be closing out the Neighborhood Stabilization Programs (NSP) as directed by the U.S. Housing & Urban Development (HUD) department. The proposed amendments are needed to successfully complete the project while meeting program requirements.

Background

In response to the local impacts on homeownership during the great recession, in 2008 and 2011 the City of Surprise was awarded a U.S. Housing & Urban Development (HUD) Neighborhood Stabilization Program (NSP) Grant of $2,197,786 and $1,329,844. Both grants supported first time homebuyers, assisted with rehabilitation and purchasing of foreclosed homes. When a home was purchased and/or rehabbed through this grant, a lien was placed on the home. Many participants paid their home liens off before the actualization period, generating 'program income.' This program income in turn was put back into the program for additional rehabilitations, acquisitions, etc.

HUD is looking to close out the NSP program. In Surprise, that means closing out both grants NSP1 and NSP3. Due to generating program income for both grants, the city has remaining $994,414.41 (NSP1) and $829,969.75 (NSP3). This combines leftover grant monies and program income for each grant. In spring 2018, HSCV presented to the Surprise Planning & Zoning Commission and City Council amendments to the five-year CDBG Consolidated Plan and the current Annual Action Plan to utilize the NSP program income. The proposed investment included $500,000 towards the affordable housing project in the Original Town Site, $517,000 towards relocation of the Gaines Park youth baseball field, and $100,000 in administrative fees.

In order to utilize the remaining grant dollars ***AND*** program income, HUD is requesting we amend both NSP1, NSP3, the CDBG Consolidated Plan and the Annual Action Plan Year 4.

In order to satisfy the program requirements for both grants, specifically the NSP3, the following eligible grant projects are being proposed:

Item	Grant Total Available	Projects
NSP1	$994,414.41	Affordable Housing Project ($206,373) & Gaines Park Youth Ballfield Relocation ($788,041.41)
NSP3	$829,969.75	Affordable housing acquisition, rehabilitation and new construction ($814,969.75) and Admin ($15,000). The $814,969.75 will be put out to bid through an RFP process.

In addition to the above NSP1 and NSP3 amendments, the CDBG Consolidated Plan and the Annual Action Plan Year Four must be amended to reflect the NSP investment. The Affordable Housing Project with the Housing Authority of Maricopa County includes CDBG infrastructure support ($293,627) in the Annual Action Plan Year Four, bringing the total grant investment towards that project to $500,000, as was presented in April 2018.

Updated Actions

Acquisition and new construction will be added to the existing scope of the NSP3 program, which already allows for rehabilitation.

Future Actions

- Submission to HUD as part of Consolidated Plan Amendment 2015-19 by 9/6/18

Recommendations

Approval of NSP1 & NSP3 Plan Amendments

SURPRISE
ARIZONA

City of Surprise

Neighborhood Stabilization Program 3

Substantial Amendment

Annual Action Plan

FY2010-2011

Grant Number: B-11-MN-04-0506

August, 2018

DRAFT

Jurisdiction

City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

www.surpriseaz.gov

NSP Contacts

Deb Perry
Sr. Financial Analyst
deborah.perry@surpriseaz.gov
Phone: 623.222.1623
Fax: 623.222.1501

Seth Dyson
Director - HSCV
seth.dyson@surpriseaz.gov
Phone: 623.222.1620
Fax: 623.222.1501

The following substantial amendment to the approved and existing Neighborhood Stabilization Program (NSP) Action Plan represents the City of Surprise's re-allocation of NSP funds to new activites. This amendment is a supplement to the FY2010/2011 Annual Action Plan submitted to the U.S. Department of Housing and Urban Development (HUD) in 2011.

Narrative

The City of Surprise has identified approximately $829,969.75 remaining in unobligated grant funds, $68,369.77, and program income, $761,599.98, for NSP3. The city's proposal is to invest in housing rehabiliation and new construction affordable to buyers with incomes of less than 50% of the Average Median Income. This investment will allow the city to come into compliance with the LH25 requirement. The City will follow the HOME rules for affordability using the Recapture method and the HOME affordability period for rehabilitation and homebuyer assistance of <$15,000 for five years, $15,000 to $40,000 for ten years and over $40,000 for 15 years. For new construction and acquisition of any newly constructed housing, the minimum affordability period is 20 years.

Proposed Accomplishments

	Total	Low	Mod	Low/Mod%
# of Households New Const.	2	2		100.00
# of Households Acq/Rehab	1	1		100.00

Activity Type

24 CFR 570.201(a) & 24 CFR 570.202 (a) Acquisition and (e) Redevelop demolished or vacant properties as housing for new construction (24 CFR 570.204 (e)) and/or rehabilitation.

National Objective:

LMMH - LH25: Funds targeted for housing whose incomes are at or under 50% Area Median Income.

Start and End Dates:

DRAFT

March 2011 – June 2021

Environmental Reviews: Will be completed as properties are identified

Budget:

Acquisition and Rehabilitation (existing activity)	$120,000.00
Redevelopment New Construction (new activity)	$709,969.75
Total	$829,969.75

DRAFT

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: Neighborhood Stabilization Program 3 (NSP3) Action Plan Amendment

OVERALL PUBLIC INVOLVEMENT LEVEL:

Public Hearing on 8/2/18 (P & Z Meeting) and 9/4/18 Council Meeting. 30 day Public comment period (7/20/18 - 8/20/18) for draft NSP3 Action Plan Amendment.

IDENTIFY STAKEHOLDERS:

OTS residents/property owners, public service nonprofits, City of Surprise staff Public Works, Community Development, Economic Development and Human Services.

OBJECTIVES:

Create viable neighborhoods, provide decent, safe and affordable housing; provide services to those with special needs

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when) Public Hearings 8/2 & 9/4/18, 30 day public comment
Future Council Work Session/Meetings target dates
Election dates (if applicable)
Project start/completion dates 10/2018

Communication Tools and Technique options: (which do you plan to use?)

- ☑ Press releases
- ☑ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☑ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☑ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☐ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☑ Website updates

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Seth Dyson, HSCV Director
Submitting Department:	Human Service & Community Vitality	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the funding priorities for the Community Development Block Grant Program Fourth Year Annual Action Plan for program year 2018-2019.

Motion:

I move to amendment the funding priorities for the Community Development Block Grant Program, Annual Action Plan Year 2018-19, to include Neighborhood Improvement Projects as presented.

Background:

In November 2008, the Council approved the Neighborhood Stabilization Program's (NSP) grant for federal funding to purchase foreclosed homes located in Special Planning Areas which were largely affected by foreclosure. The funds were federal stimulus dollars with specific requirements in order for the homes to be purchased with these funds. The homes were subsequently sold to qualified buyers per the NSP guidelines. The funds that were used to purchase the homes were then returned to the City as Program Income.

In order to provide neighborhood improvement and infrastructure support to the Housing Authority of Maricopa County's multi family project, a portion of the program income funds will need to be transferred to the CDBG activity, requiring an amendment to the Annual Acton Plan for Program Year 2018-2019.

Objective Analysis:

This action allows the HSCV Department to fund eligible neighborhood improvements, administration, and affordable housing projects through the plan amendment.

Policy Compliant:

The agenda item falls within Council and City policy.

Financial Impact:

Program Income received from NSP1 equals $369,073.67. The city's proposal is to transfer $206,373 to the CDBG account and combine it with the current year's allocation for the Neighborhood Improvement activity.

Budget Impact:

Under separate action, an amendment to the FY2019 budget is required.

FTE Impact:

There is no FTE impact as a result of this agenda item.

ATTACHMENTS:

Click to download

- Staff Report
- DRAFT - Annual Action Plan 2018-19 Amendment
- Public Engagement Form

SURPRISE
ARIZONA

HUMAN SERVICE AND COMMUNITY VITALITY

Date: September 4, 2018

To: Mayor and City Council Members

From: Seth Dyson, Director
Joe Gladieux, Acting Neighborhood Services Supervisor
Alicia Rubio, Neighborhood Services Coordinator

Re: CDBG- 2018-2019 Annual Action Plan Amendment Funding Priorities

Introduction

In November 2008, the Council approved the Neighborhood Stabilization Program's (NSP) grant for federal funding to purchase foreclosed homes located in Special Planning Areas which were largely affected by foreclosure. The funds were federal stimulus dollars with specific requirements in order for the homes to be purchased. The homes were subsequently sold to qualified buyers per the NSP guidelines. The funds that were used to purchase the homes were then returned to the City as Program Income upon the sale. Surprise has been authorized by Housing and Urban Development (HUD) to transfer program income to the Community Development Block Grant Program (CDBG). In order to spend these funds, Surprise will need to amend their Annual Acton Plan for Program Year 2018-2019.

Today's presentation will provide information regarding the Annual Action Plan Amendment to assist in deciding if proposed projects meet grant criteria while filling community needs. Upon approval by City Council, the Neighborhood Infrastructure Improvements will be submitted to HUD as part of the Annual Action Plan Amendment 2018-19.

Background

CDBG neighborhood infrastructure improvements are carried out by city departments. This project will address the neighborhood improvements and affordable housing needs identified in the city's Consolidated Plan. CDBG administration, neighborhood improvements and affordable housing projects will be used to implement activities that will improve the safety and quality of life of the residents living within the Heritage District. Although the Consolidated Plan lists Neighborhood Improvements as a priority, the city wanted to specifically list neighborhood infrastructure improvements in the Surprise Heritage District as the project funding priorities considered today.

According to HUD regulations, CDBG funds may be used to provide Neighborhood Improvements (including labor, supplies, materials, project management and other costs), provided the service will:

- Serve low to moderate income persons in the City of Surprise through area benefit or serving a particular clientele like seniors, youth and families

- Neighborhood Improvements which include infrastructure improvements within the Surprise Heritage District
- Affordable Housing Opportunities

Funding Limit

The amount of Program Income to be included in the Annual Action Plan Amendment 2018-2019 is $206,373. CDBG neighborhood infrastructure are activities that will be carried out as part of this plan amendment.

Updated Actions

Staff's funding recommendations are as follows:

Neighborhood Improvement Projects $206,373
Right of way improvements and possible commercial property/building demolition within the Surprise Heritage District.

Total CDBG Transfer Amount $206,373

Future Actions

- Submission to HUD as part of Annual Action Plan Amendment 2018-19 by September 6, 2018.

Recommendations

Approval of Annual Action Plan Amendment 2018-2019 neighborhood infrastructure improvements activities within the Surprise Heritage District as funding priorities for the Community Development Block Grant Annual Action Plan for 2018-2019.

CITY OF SURPRISE, ARIZONA
Draft
ANNUAL ACTION PLAN 4(AAP4) 2018-19 AMENDMENT

SURPRISE
ARIZONA

Fourth Program Year Action Plan Amendment

This Fourth Annual Action Plan Amendment (FAAP Amendment 2018-2019) includes the SF 424 and Narrative Responses to Action Plan questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations.

ON REQUEST THIS DOCUMENT CAN BE MADE AVAILABLE IN ALTERNATE FORMATS

HUMAN SERVICE & COMMUNITY VITALITY DEPARTMENT

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Executive Summary

AP-05 Executive Summary - 91.200(c), 91.220(b)

1. Introduction

The Fourth Year Annual Action Plan 2018-19 (AAP4 2018-19) implements the fourth year of activities that will address goals established in the City of Surprise Consolidated Plan 2015-19. The major focus of this AAP4 2018-19 concentrates on creating suitable living environments and providing economic development opportunities. This Program Year will be the second to implement Micro-Enterprise Grants to continue providing economic development opportunities for the residents of the Surprise Heritage District. The Fourth Year Annual Action Plan **Amendment** 2018-19 (AAP4 2018-19) amends the fourth year of activities that will address goals established in the City of Surprise Consolidated Plan 2015-19. The AAP4 2018-19 amendment concentrates on creating suitable living environments and providing neighborhood improvement opportunities. This Program Year amendment will include a transfer of Neighborhood Stabilization Program Income in the amount of $ 206,373 to be allocated to eligible CDBG projects. The Fourth Year Amendment AAP 2018-2019 amendment complies with regulations set by the U.S. Department of Housing and Urban Development (HUD). HUD requires entitlement communities, such as the City of Surprise, to consolidate its planning, application and reporting requirements for HUD programs, including the Community Development Block Grant (CDBG) and the HOME Investment Partnership Grant programs. An Annual Action Plan is prepared each year and is presented to the City of Surprise Planning and Zoning Commission and the City Council. Therefore, any plan amendments shall go before the commission for approval.

The needs of low-income seniors, low-income youth, people in poverty and the community's aging neighborhoods and public infrastructure continue. The Fourth Year AAP 2018-19 will focus on the allocation of CDBG and HOME funds for these services including economic development opportunities in order to attract new businesses and business retention. The term of this plan amendment is from August XX, 2018, through June 30, 2019. The Fourth Year AAP Amendment 2018-19 will focus on the allocation of Neighborhood Stabilization Program 1 (NSP1) Program Income in the amount of $206,373 for these services including Neighborhood Improvements and Affordable Housing opportunities in order to create suitable living environments and healthy neighborhoods. The term of this plan is from July 1**, 2018, through June 30, 2019.**

To the extent feasible, the narrative for this Annual Plan will attempt to not duplicate the narrative for the Consolidated Plan. However, the outlines for the five-year plan and the annual action plan are very similar, so some repetition is unavoidable. Programs and activities described in this plan are intended to primarily benefit low and moderate income residents of City of Surprise, neighborhoods with high concentrations of

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low and moderate income residents, and the city as a whole. The City of Surprise CDBG program has been allocated $638,560 in funding for program year (PY) 2017-2018. The City of Surprise CDBG program will receive **$206,373** in NSP1 program income funding for program year (PY) 2018-2019 through this plan Amendment.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

This Fourth Year AAP 2018-2019 implements the fourth year activities that will address goals established in the City of Surprise Consolidated Plan 2015-19. Consistent with the established objectives, CDBG funds will be used for:

Fifteen percent ($95,784) of the CDBG allotted funds ($638,560) will be utilized for public service activities through nonprofit organizations. Twenty percent ($127,712) will be used for grant administrative expenses and ($415,064) will be utilized for Neighborhood Infrastructure and Affordable Housing projects. This is in accordance to the regulations set by HUD.

This Fourth Year AAP 2018-2019 Amendment implements the fourth year activities that will address goals established in the City of Surprise Consolidated Plan 2015-19 Amendment. Consistent with the established objectives, CDBG funds will be used for:

$206,373 of the NSP1 Program Income funds ($369,073.67) will be utilized for neighborhood improvement activities (affordable housing opportunities). This is in accordance to the regulations set by HUD.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City of Surprise evaluates its past performance every year as part of the Consolidated Annual Performance and Evaluation Report (CAPER) as required by HUD. The CAPER provided an estimate of *output* measures in compliance with HUD's data system. The CAPER includes measures of performance to quantify longer-term goals by incorporating projected *outcome* measures. Quantifiable results-oriented goals for capital programs are tied to a unified framework for the benefit of low- and moderate-income residents.

- Preserve neighborhoods through infrastructure improvements in the targeted low-income area(s)
- Provide public service activities to city's youth, seniors, special needs persons, veterans, persons and families in crisis, and disabled persons through nonprofit agencies or other city departments
- Preserve neighborhoods through housing rehabilitation assistance to qualified homeowners
- Preserve habitability of owner-occupied housing through emergency home repair assistance
- Provide economic development opportunities for residents in the targeted area
- Preserve affordability of quality rental housing through the Housing Choice Voucher program

4. Summary of Citizen Participation Process and consultation process

The City of Surprise recognizes the importance of citizen participation in the development and implementation of any plan or program. The Fourth Year AAP 2018-2019 was discussed at two separate meetings: The City Council workshop (April 3, 2018) and a public hearing (April 17, 2018). The Planning and Zoning Commission held a public meeting (March 1, 2018) specifically discussing the Fourth Annual Action Plan Public Service Funding 2018-2019 and a second meeting held April 17, 2018 to discuss Annual Action Plan priorities.

In April 2018 staff presented funding priorities to city council based on an amount of **$667,123**.

City Council public hearing was scheduled for September 4, 2018 to consider the proposed amendment. The Planning and Zoning Commission held a public hearing August 2, 2018 discussing the Annual Action Plan Year Four Funding Amendment 2018-2019.

These meetings are open to the public in order to encourage individuals and organizations to facilitate a public discussion and provide a means whereby, the public can actively participate in the planning and development of the city's CDBG Program. Citizens are encouraged to submit new project proposals and comments on past and proposed CDBG programs and projects. All dates and times for Commission public meetings are published on the city's website and in the Daily News-Sun local newspaper. The proposed projects and budgets selected by the City Council for CDBG funding were published in the local newspaper for citizen review along with meeting time information.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

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The City of Surprise provided its residents many opportunities to provide input on the decision making process. See attached schedule.

No citizen comments were received as of yet.

6. Summary of comments or views not accepted and the reasons for not accepting them

None at this time

7. Summary

The Fourth Year AAP 2018-2019 represents the vision and goals for the neighborhood infrastructure improvements, community and economic development needs and housing activities and the available resources and a strategic plan for meeting those needs. The Fourth Year AAP 2018-2019 also identifies any funds to be used as a leverage to address goals and priorities in the plan through partnerships with local non-profit organizations. The Fourth Year AAP 2018-2019 Amendment represents the vision and goals for the neighborhood improvements, community and housing activities and the available resources and a strategic plan for meeting those needs. The Fourth Year AAP 2018-2019 Amendment also identifies any funds to be used as a leverage to address goals and priorities in the plan through partnerships with local non-profit organizations for affordable housing.

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PR-05 Lead & Responsible Agencies - 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	SURPRISE	Human Service and Community Vitality

Table 1 – Responsible Agencies

Narrative

The lead agency for preparing the FY2018-2019 Annual Action Plan Year 4 was the City of Surprise Human Service and Community Vitality Department – Neighborhood Services Division (NSD). The Department is responsible for the administration of the Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), and the Neighborhood Stabilization Program (NSP) grant programs.

Consolidated Plan Public Contact Information

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AP-10 Consultation - 91.100, 91.200(b), 91.215(l)

1. Introduction

The City of Surprise is committed to obtaining input from citizens, city staff, non-profit agencies, non-profit developers, private developers, governmental agencies, and the Regional Continuum of Care as part of the Consolidated and Annual Action Plan processes. The 2018 Fourth Year AAP consultation included a combination of public meetings with community stakeholders, two community input hearings, newspaper advertisements, website announcements and placement of hard copies of the plan at 2 libraries, local senior center and city hall to solicit comments on the draft Annual Action Plan. Citizen participation was strongly encouraged throughout the processes of short and long range departmental planning, plan implementation, and assessment of plan effectiveness.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

As members of the Maricopa HOME Consortium we regularly coordinate with private industry, businesses and developers to foster the production of affordable housing and projects for special needs/homeless populations. The consortium also works closely with the real estate, construction and finance industries to implement other ongoing HOME and CDBG supported housing rehabilitation and production activities. The consortium may pursue the receipt of Low Income Housing Tax Credit (LIHTC) resources and associated private mortgage financing support for both construction and permanent loans, as well as tax-exempt bond financing where bonds are purchased by both institutional and retail investors. Surprise also allocates 14% of its CDBG allocation for public services.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

As members of the Maricopa HOME Consortium we committed to addressing the needs of homeless persons and persons at risk of experiencing homelessness. We participate in a regional Continuum of Care (CoC) plan in collaboration with the all other jurisdictions in Maricopa County. The Maricopa Association of Governments (MAG) plans and administers the Continuum of Care. Jurisdictions work together to

develop the CoC plan, provide human services to the homeless, and identify and address gaps in service. The CoC provides direction on planning and policy issues that impact the homeless population by making updates to the Regional Plan to End Homelessness and a consolidated application to the U.S. Department of Housing and Urban Development in support of programming that assists the county homeless and at risk population.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

As an active member of the Maricopa County HOME Consortium we regularly consult with Maricopa Association of Governments (MAG), the lead agency for the Maricopa Regional Continuum of Care structure. Through consultation efforts with MAG and the CoC we align our priorities of the County's homeless strategies with Continuum-wide priorities for homelessness. The Maricopa HOME Consortium continues to actively participate in the CoC and contribute by determining its priorities for homeless persons and those at risk of experiencing homelessness

2. Agencies, groups, organizations and others who participated in the process and consultations

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Table 2 – Agencies, groups, organizations who participated

1	**Agency/Group/Organization**	Housing Authority of Maricopa County
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Housing Authority of Maricopa County (HAMC) administers the public housing and Section 8 subsidized housing program within the City of Surprise. Surprise housing activities are planned and reported through the Maricopa Consortium Plan.
2	**Agency/Group/Organization**	CENTRAL ARIZONA SHELTER SERVICES
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The city enters into a sub recipient agreement through the CDBG public service set aside. The agency has been awarded funding for Program Years 2014-2018. The agency has been awarded $5,000 for this program year.

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3	**Agency/Group/Organization**	SURPRISE
	Agency/Group/Organization Type	Services-Children Services-Elderly Persons Services-Victims of Domestic Violence Services-Health Services-Education Services-Employment Regional organization Grantee Department
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children Anti-poverty Strategy Public Services
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Surprise Resource Center is a division within the Human Service and Community Vitality Department. The Resource Center staff provided data to support the need of public services and the lack thereof. The Center offers a variety of services including veteran employment, job training and veteran job club, domestic violence and sexual abuse counseling, health education, WIC nutrition program and enrollment services for health insurance programs. The Resource Center also offers financial fitness workshops, credit counseling workshops and tax preparation at no cost to poverty level families and seniors.
4	**Agency/Group/Organization**	Maricopa Workforce Connections
	Agency/Group/Organization Type	Services-Employment
	What section of the Plan was addressed by Consultation?	Economic Development Anti-poverty Strategy

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	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Surprise entered into partnership with Maricopa County "Arizona@Work" program. The "Arizona@Work" program provided employment workshops and career fairs to Surprise residents.

Identify any Agency Types not consulted and provide rationale for not consulting

N/A

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Maricopa Association of Governments	The city's needs and activities are planned and reported through the Maricopa Consortium Plan. See the Consolidated Plan for the Maricopa HOME consortium for a complete description of these activities.
City of Surprise Community Policing	Surprise Police Department	The police department in coordination with the Human Service and Community Vitality Department has taken the lead for the homeless point in time count for the last four years. They have helped to identify the chronically homeless individuals and locations of abandoned properties where known homeless tend to seek shelter in.

Table 3 - Other local / regional / federal planning efforts

Narrative The Maricopa Association of Governments Continuum of Care Subcommittee (MAG Continuum of Care) is the regional body that manages the collaborative efforts of communities and agencies in Maricopa County to plan for the needs of the homeless and access federal funding on behalf of agencies organized to address those needs. The 'Unsheltered Point in Time Count" led by MAG CoC in January 2017 reported that there are 16 homeless persons in the city which represents a 37% increase over the previous year's data. However, the city will do a periodic assessment of any new homeless person cases in the city and will act accordingly to mitigate the problem by assisting with resource referrals.

P-12 Participation - 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation

Summarize citizen participation process and how it impacted goal-setting

The City of Surprise is committed to obtaining input from citizens, staff, non-profit agencies, non-profit developers and other government agencies. The AAP citizen participation included a combination of meetings, three public meetings with hearings to solicit comments on the draft plan, which included a 30 day review period. The draft plan was placed at four central locations (2 libraries, senior center and city hall). The AAP draft was also placed on the city website during the 30 day comment period. The AAP 2018-2019 Amendment citizen participation plan included a combination of meetings; two public meetings with hearings to solicit comments on the draft plan, which included a 30-day review period. The draft plan was placed at four central locations (2 libraries, senior center and city hall). The AAP 2018-2019 Amendment draft was also placed on the city website during the 30-day comment period.

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Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Hearing	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	Two public meetings with hearings were held on 8/2/18 and 9/4/18 to further solicit input. AAP 4 Amendment-Two public meetings with hearings were held on 8/2/18 and 9/4/18	No public comments were submitted at public hearings (at this time).	N/A	

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Newspaper Ad	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities	Public notices announcing the public hearings and the draft AAP 18-19 and the AAP 18-19 Amendment were placed in 2 newspapers of record in the City of Surprise. (Daily News-Sun and Surprise Today)	No comments received as of yet	N/A	

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Internet Outreach	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	Draft fourth Year AAP was made available on the city's internet site for 1-30 day public comment periods 7/19-8/19/18. Draft fourth Year AAP Amendment was made available on the city's internet site for 30 days during the public comment period 7/19-8/19/18	No comments received as of yet	N/A	http://www.surpriseaz.gov/2475/Consolidated-Plan

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
4	Public viewing	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	Draft hard copies were placed in a central, public location for public viewing. Locations included city hall, 2 libraries and the Senior Center	No comments received as of yet	N/A	

Table 4 – Citizen Participation Outreach

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Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

Anticipated resources available includes cash match in the amount of approximately $548,000. Also any anticipated program income will be used towards CDBG eligible projects.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services Affordable Housing Opportunities	$667,123	$20,000 NSP $206,373		$893,496		Actual allocation of $667,123. Prior year rollover of approximately $957,839.50 Program Income of $206,373

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

No matching funds are required for the CDBG program, however the city will leverage with staff time and the technical oversight provided in the form of project management. There is cash match available for the HOME program in the amount of approximately $548,000 which is utilized as leverage.

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If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City of Surprise owns the public right of way to include streets, sidewalks, parks and public facilities such as the Surprise Senior Center and the Surprise Resource Center within the Surprise Heritage District.

Discussion

The primary objective of the City of Surprise CDBG program is to foster the development, revitalization and preservation of neighborhoods to provide decent housing and a suitable living environment. The city recognizes the importance and impact of utilizing cash match and any program income as a leverage to eligible projects within the Surprise Heritage District.

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information AAP 18-19

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Program Administration	2015	2019		ORIGINAL TOWNSITE		CDBG: $127,712	Homeowner Housing Rehabilitated: 12 Household Housing Unit
2	Public Services	2015	2019	Public Service	ORIGINAL TOWNSITE	Public Services	CDBG: $95,784	Public service activities other than Low/Moderate Income Housing Benefit: 100 Persons Assisted

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Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
3	Neighborhood Infrastructure Improvements	2016	2019	Neighborhood Infrastructure	ORIGINAL TOWNSITE	Neighborhood Improvements	CDBG: $293,627	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 10 Persons Assisted Businesses assisted: 4 Businesses Assisted
4	Emergency Housing Rehabilitation	2015	2016	Affordable Housing	ORIGINAL TOWNSITE	Owner Occupied Housing Rehabilitation	CDBG: $150,000	Homeowner Housing Rehabilitated: 15 Household Housing Unit

Goals Summary Information AAP4 18-19 Amendment

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Neighborhood Infrastructure Improvements	2018	2019	Neighborhood Improvements	ORIGINAL TOWNSITE	Neighborhood Improvements	CDBG: $500,000	Infrastructure improvements

Table 6 – Goals Summary

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Goal Descriptions AAP3 2017-2018

Goal Name	Program Administration
Goal Description	19% of annual allocation of $667,123 is to be set aside for administration duties to carry forth the CDBG program.
Goal Name	Public Services
Goal Description	14% of Surprise annual allocation of $667,123 will be allocated to public service activities through nonprofits agencies who serve those with special needs.
Goal Name	Neighborhood Infrastructure Improvements
Goal Description	Neighborhood Improvements will include right of way improvements and/or park amenities. This project will create an area benefit by creating safe, healthy and decent neighborhoods within the Original Town site of Surprise, a CDBG area-benefit eligible neighborhood.
Goal Name	Emergency Housing Rehabilitation
Goal Description	The Emergency Housing Repair Project will provide 15 emergency repair grants to address health and safety issues to owner-occupied homes who meet the income guideline of 80% or below median income within the Surprise Heritage District.

Goal Descriptions AAP4 2018-2019 Amendment

2	**Goal Name**	Neighborhood Infrastructure Improvements
	Goal Description	Neighborhood Improvement Project will include infrastructure improvements of city owned facilities. This project will create an area benefit by creating a suitable living environment within the Surprise Heritage District (Original Town Site) of Surprise, a CDBG area-benefit eligible neighborhood

-35 Projects - 91.420, 91.220(d)

Introduction

This section specifically identifies the projects that will take place during FY 2016-2017 with CDBG and HOME funding to address the priority needs and specific objectives as identified in

the Consolidated Plan Strategic Plan section.

CDBG Funds: FY 2018-2019 CDBG Allocation is $667,123.

HOME Funds: FY 2017-2018 HOME Allocation is $193,749

Additionally, this section specifically identifies the projects that will take place during Program Year 2018-2019 with CDBG Program Income transfer to address the priority needs and specific objectives as identified in the Consolidated Plan Amendment Strategic Plan section.

CDBG Funds: FY 2018-2019 CDBG Program Income Transfer is $206,373.

Any program income received during the program year will be retained and reported by the City of Surprise and used on CDBG and HOME eligible activities.

#	Project Name
1	Neighborhood Improvements
2	2018 Public Services
3	CDBG Administration
4	HOME Housing Rehabilitation
5	Neighborhood Infrastructure Improvements
7	2018-2019 Emergency Home Repair

Table 7 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The Surprise Heritage District area targeted for HOME/CDBG investment is the lowest- income Census

Tract within the City of Surprise. Neighborhood improvements will occur in this targeted area known as the Surprise Heritage District.

AP-38 Project Summary

Project Summary Information AAP 18-19

1	**Project Name**	Neighborhood Improvements
	Target Area	ORIGINAL TOWNSITE
	Goals Supported	Neighborhood Infrastructure Improvements

	Needs Addressed	Neighborhood Improvements
	Funding	CDBG: $293,627
	Description	Neighborhood improvements, right of way improvements, commercial demolition within the Surprise Heritage District.
	Target Date	10/1/2018
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 20 families will benefit from neighborhood improvements.
	Location Description	Surprise Heritage District - 12425 W. Bell Rd. Surprise, AZ 85378
	Planned Activities	Neighborhood improvements, right of way improvements, commercial demolition
2	**Project Name**	2018 Public Services
	Target Area	ORIGINAL TOWNSITE
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: $95,784
	Description	Public service activities through nonprofit agencies.
	Target Date	11/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	225 low to moderate income families, particularly clients who are seniors, youth, veterans/homeless and special needs population.
	Location Description	Activities will be undertaken within the City of Surprise and provide a benefit to residents who meet the program requirements.
	Planned Activities	Provide public service benefits to youth, seniors, veterans, homeless and special needs population.
3	**Project Name**	CDBG Administration
	Target Area	ORIGINAL TOWNSITE
	Goals Supported	Program Administration
	Needs Addressed	Administration of CDBG program.
	Funding	CDBG: $127,712
	Description	19% of annual allocation set aside for CDBG program administrative duties.

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	Target Date	11/29/2018
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	Activities will be undertaken within the City of Surprise.
	Planned Activities	Administrative duties administered for the CDBG program.
4	**Project Name**	HOME Housing Rehabilitation
	Target Area	ORIGINAL TOWNSITE
	Goals Supported	Neighborhood Infrastructure Improvements
	Needs Addressed	Neighborhood Improvements Owner Occupied Housing Rehabilitation
	Funding	HOME: $193,749
	Description	Provide substantial rehabilitation for low to moderate income residents.
	Target Date	11/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	5 families will be assisted with the HOME Rehabilitation program and the CDBG Emergency Home Repair program.
	Location Description	Activities will be undertaken within the City of Surprise - Original Town Site aka Heritage Overlay District, but offered city-wide.
	Planned Activities	Substantial rehabilitation up to $25,000. If home is over 50 years old the city can invest up to $35,000. The CDBG Emergency Home Repair program can provide up to $10,000 in grant funding.
5	**Project Name**	2018-2019 Emergency Home Repair
	Target Area	ORIGINAL TOWNSITE
	Goals Supported	Emergency Housing Rehabilitation
	Needs Addressed	Owner Occupied Housing Rehabilitation
	Funding	CDBG: $150,000
	Description	Provide emergency repair assistance to 15 families who meet income guidelines
	Target Date	7/2018

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	Estimate the number and type of families that will benefit from the proposed activities	15 families will be assisted
	Location Description	Throughout the City of Surprise
	Planned Activities	Provide emergency home repair in order to correct health and safety issues for low to moderate income residents

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AP-38 Project Summary

AAP18-19 Amendment

Project Summary Information1	**Project Name**	Neighborhood Improvements
	Target Area	ORIGINAL TOWNSITE
	Goals Supported	Neighborhood Infrastructure Improvements
	Needs Addressed	Neighborhood Improvements
	Funding	**CDBG: $293,627 and CDBG Transfer $206,373 for a total of $500,000**
	Description	Neighborhood Infrastructure improvements within the Surprise Heritage District
	Target Date	9/1/2018
	Estimate the number and type of families that will benefit from the proposed activities	50 families
	Location Description	Surprise Heritage District
	Planned Activities	Neighborhood improvements.
	Planned Activities	Affordable Housing

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AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Surprise has one area of minority concentration. The Hispanic population makes up 82% of Census Tract 608 and totals 22,856 residents as per census 2010. This census tract includes the entire Original Town site and is the only area where a majority of the residents are low- and moderate-income.

Geographic Distribution

Target Area	Percentage of Funds
ORIGINAL TOWNSITE	100

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

All area benefit activities included in the 5 Year Strategic Plan will take place in the Original Town Site a.k.a Surprise Heritage District area. The city has a Council appointed resident group - the Planning and Zoning Commission, which monitor the implementation of the Specific Plan for the Revitalization of the Surprise Heritage District. Resources recommended by this commission include CDBG funds and general funds set aside for the revitalization of the Surprise Heritage District.

Discussion

Although the City of Surprise Heritage District has had higher concentration of low to moderate income residents, our services are income based therefore eligibility can be city wide as long as the income limits are met. The neighborhood improvements will occur within the Surprise Heritage District to further area benefit revitalization efforts.

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AP-75-Barriers to affordable housing – 91.420,91-220(j)

Introduction

Barriers to affordable housing have been identified through the Maricopa HOME Consortium and the City of Surprise. Plans to take to remove or ameliorate the negative effects of public policies will be to affirmatively market fair housing and overcome identified barriers to affordable housing. These efforts in collaboration with the Consortium have resulted in the creation of a Fair Housing Plan. The plan includes development of specific goals and objectives to overcome barriers to affordable housing. The Consortium is in the process of updating the Maricopa County Regional Analysis of Impediments to Fair Housing Choice through consultants further documenting impediments to fair housing choices including lack of accessible housing and housing discrimination against persons with disabilities, lack of awareness of fair housing laws, the cost of affordable housing limiting housing choice, poor financial history of potential homebuyers, lack of transportation options in rural unincorporated Maricopa County, and distribution of resources.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment:

During the PY 2018-19, the following actions will contribute to the removal of barriers to affordable housing:

1. Surprise will dedicate resources to preservation and development. Surprise has newly created a specific zoning district to further delineate specific zoning districts in the original town site (OTS) to enhance preservation and development. This district is known as the “Surprise Heritage District” (SHD). The intent of this district is to enhance and protect the historic character of the area. Two overlay districts, “residential neighborhood overlay” and the “art & entertainment district” is to support the residents to preserve and protect their neighborhood and to promote the local arts and culture business opportunities.

2. The city’s allocation of HOME funds to major rehabilitation. Surprise also utilizes general funds on HOME eligible rehabilitation projects to match HOME expenditures for housing rehabilitation. The city maintains a match log and match is applied at the time of requests for reimbursement from Maricopa County Community Development.

3. City general revenues for beautification. Pride Day activities generally happen twice annually and are paid for with General Funds

4. The Neighborhood Stabilization Program (NSP) funding will assist in acquisition, rehabilitation, disposition, and homebuyer assistance to program eligible applicants at or below 50%-120% or Area

Median Income (AMI). These funds are required by the Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act). Target areas for this funding are established by a HUD mapping tool that

5. **Program Income from the Neighborhood Stabilization Program 1 (NSP1) funding has been reprogrammed into the CDBG program. This will assist in neighborhood improvements, potential tax credit projects within the Surprise Heritage District to offer affordable housing opportunities and program administration for community development and revitalization efforts located within the Surprise Heritage District-Original Town Site.**

Discussion:

In furthering the discussion of actions that will be undertaken to remove the barriers of affordable housing, city council adopted the Surprise Heritage District (zoning overlay) in June 2016. This district will allow the flexibility of the type of structures allowed in the new zoning districts to include cottage industries, which allow small individual owned business in a residential area and permit manufactured homes within the neighborhood as another option for diversified housing opportunities in the target area. The adoption of the "SHD" will also offer development incentives such as reduction in setback requirements and 100% waiver of development impact fees. This action will further support Surprise's intent to ameliorate pubic policies which are barriers to affordable housing.

DRAFT

AP-85 Other Actions - 91.420, 91.220(k)

Introduction

The primary categories of needs to be addressed in the plan are neighborhood improvements to include economic development, public services to eligible populations and emergency housing rehabilitation

The proposed amendments in the plan are neighborhood improvements and affordable housing opportunities. These projects will be carried out with the NSP1 Program Income transfer into the CDBG Annual Action Plan 4 amendment.

Actions planned to address obstacles to meeting underserved needs

One of the main obstacles to meeting community needs is inadequate resources for programs. The decline in resources across sectors, including government agencies and foundations, due to the economic downturn has negatively impacted the quantity and quality of housing and community development services. Although federal stimulus funding helped to mitigate this trend to some extent, resources for these programs will likely be limited for the near future.

The City of Surprise has partnered with various social service agencies which are housed at the Surprise Resource Center located in the Surprise Heritage District. The services offered are veteran employment services, veteran job training club, employment workshops, career fairs, services for domestic violence and sexual abuse, Women, Infant and children (W.I.C) nutrition program, enrollment services for health insurance, programs, access to food and nutrition resource (SNAP, TANF, AHCCCS and navigation of the Affordable Care Act. The Resource Center also offers financial fitness workshops, tax preparation to poverty level families and credit counseling workshops.

Actions planned to foster and maintain affordable housing

The City of Surprise has an active strategy to promote homeownership and the preservation and management of existing residential property. To offset the increasing cost of housing in the private market, the city has undertaken a number of strategies to preserve and develop new affordable housing. These strategies include:

1. The use of general funds and HOME funds for the preservation of existing affordable owner-occupied housing.

2. Support of for-profit and nonprofit developers in the construction of Tax Credit assisted rental housing for families and seniors.

3. Development of Original Town Site (also known as the Surprise Heritage District) Revitalization Plan which has already resulted in public investment in community facilities, infill construction of mixed

income owner-occupied homes and specific zoning districts.

Actions planned to reduce lead-based paint hazards

Housing units assisted under any and all programs covered under this Consolidated Plan are inspected and/or tested prior to assistance as follows:

a. The Housing Authority of Maricopa County inspects all rental units prior to occupancy by households who have Housing Choice Vouchers. For units built before 1978, chipped or peeling paint must be removed prior to occupancy.

b. For units built before 1978, chipped or peeling paint must be removed prior to occupancy. Renter and owner-occupied units built before 1978 that are being rehabilitated with CDBG or HOME funds must be professionally assessed and abated as part of the assistance contract.

c. Lead-based paint is not allowed or sold for residential construction after 1978. Newly constructed single-family or multifamily residences assisted with funding from the covered grants will be free of lead paint hazards.

Actions planned to reduce the number of poverty-level families

The Housing Authority of Maricopa County (HAMC) has two public housing developments in Surprise and administers Housing Choice Vouchers in the private rental market. The operations of HAMC in Surprise have not been formalized since Surprise incorporated as a city and an intergovernmental agreement would be beneficial**.**

The City of Surprise has partnered with various social service agencies which are housed at the Resource Center located in Surprise Heritage District. The services offered are veteran employment services, veteran job training club, services for domestic violence and sexual abuse, Women, Infant and children (W.I.C) nutrition program, enrollment services for health insurance, programs, access to food and nutrition resource (SNAP, TANF,AHCCCS and navigation of the Affordable Care Act. The Resource Center also offers financial fitness workshops, tax preparation to poverty level families and credit counseling workshops.

Actions planned to develop institutional structure

The City of Surprise is the clearinghouse and facilitator for the activities as described by the Consolidated Plan. The Neighborhood Services Division of the Human Service and Community Vitality Development Department oversees the administration of all CDBG and HOME entitlement programs. The department is responsible for:

- Program management and oversight

- Interdepartmental coordination
- Sub recipient contract administration and monitoring
- Program evaluation
- Consolidated Plan preparation, monitoring and evaluation
- Required reporting to HUD

Divisions within the Human Service and Community Vitality Department include the Resource Center which provides a one-stop-shop for social services. (see above action plan to reduce number of poverty-level families) Other departments and private agencies that participate in the implementation of federal, state and county-funded grants include:

- City Council - formal approval body for policy making and release of funds
- The Public Works Department - has experience in administering the procurement and Labor Standards requirements of federally funded projects. The Engineering Department within Public Works administers the Capital Improvement Plan, which includes projects located within the Surprise Heritage District
- Financial management will be appropriately separated between the Finance Department and Human Service and Community Vitality Department

Actions planned to enhance coordination between public and private housing and social service agencies

The City of Surprise has partnered with various social service agencies which are housed at the Resource Center located in the Surprise Heritage District. The services offered are veteran employment services, veteran job training club, services for domestic violence and sexual abuse, Women, Infant and children (W.I.C) nutrition program, enrollment services for health insurance, programs, access to food and nutrition resource (SNAP, TANF,AHCCCS and navigation of the Affordable Care Act. The Resource Center also offers financial fitness workshops, tax preparation to poverty level families and seniors and credit counseling workshops.

The city is also carrying out public service activities under the CDBG program through an open application process. The city utilizes CDBG and HOME funds for emergency home repair and owner-occupied housing rehabilitation. The city is undertaking discussions at senior management level with Maricopa County and other public private entities in order to create more affordable housing units within the Surprise Heritage District.

Discussion

The city is committed to preserving neighborhoods through neighborhood infrastructure improvements in the target area. Affordable Housing is identified as a high priority in the Consolidated an Amendment.

Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(l)(1,2,4)

Introduction

At the beginning of Program Year 2016-2017 we do not anticipate any program income; however we will budget approximately $22,000.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	20,000
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**20,000**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

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Discussion

Due to program requirements we foresee 100% of CDBG funds be used for extremely low to moderate income residents. All activities are deemed eligible for funding and have met environmental clearance in the projects requiring said clearance.

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Appendix 1 – Public Notices

Notice of Public Hearing and Public Comment Period
City of Surprise
Planning and Zoning Commission and City Council Meeting
FY 2018-2019 The Fourth Year Annual Action Plan Amendment and Consolidated Plan 2015-2019 Amendment to be completed with Neighborhood Stabilization Program – Program Income funds.

Public Hearing- Planning and Zoning Commission August 2, 2018 at 6:00 PM and City Council Public Hearing September 4, 2018 at 6:00 PM.

This notice will inform interested person of the proposed substantial **amendment** to the City of Surprise Community Development Block Grant (CDBG) Fourth Year Annual Action Plan for Fiscal Year (FY) 2018-2019 and Consolidated Plan 2015-2019 Amendment..

The proposed amendment would allow the city to allocate and utilize $206,373 of Neighborhood Stabilization Program Income into a CDBG eligible activity. From the U.S. Department and Housing and Urban Development to address community needs as follows:

• $206,373-Neighborhood Improvement Projects

Notice is hereby given that the City of Surprise Human Service and Community Vitality Department will hold a Planning and Zoning Commission Meeting Public Hearing on Thursday, August 2, 2018 at 6:00 P.M. and a Public Hearing on September 4, 2018 at 6:00 PM before Surprise City Council at City Hall, 16000 N. Civic Center Plaza, Surprise, Arizona 85374.

The Planning and Zoning scheduled hearing on August 2, 2018 at 6:00 P.M. will be a discussion of the proposed Fourth Year Annual Action Plan Amendment and Consolidated Plan Amendment 2015-2019 recommendations.

The City Council Meeting/hearing on September 4, 2018, at 6:00 P.M. concerns action on the proposed approval of recommendations for the City of Surprise's Program year 2018 – 2019.

Public Comments – Comment Period July 19, 2018 – August 19, 2018

Draft copies of the proposed FY 2018 – 2019 Annual Action Plan and Consolidate Plan 2015-2019 Amendment will be available for review from July 19, 2018 to August 19, 2018 at the following city locations:

Surprise Senior Center 15832 N Hollyhock Street, Surprise, AZ 85378
(Senior Center hours are 8:00 A.M.-4:00 P.M. Monday through Friday)

Surprise City Hall 16000 N. Civic Center Plaza, Surprise, AZ 85374
(Surprise City Hall hours are from 8:00 A.M.-5:00 P.M. Monday through Friday)

Library 15844 N Hollyhock Street, Surprise, AZ 85378 Library hours are 1:00 P.M. – 7:00 P.M. Tuesday and Thursday.; Saturday 11:00 A.M – 5:00 P.M.)

Documents are available for review in advance and can be made available in alternate formats.
Please call Alicia Rubio at 623.222.3240 or TYY 623.222.1002 forty-eight hours prior to the meeting time for assistance with translation or accommodations for individuals with disabilities.

Reasonable accommodations will be made upon a timely request

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Appendix 1 – Public Notice 2

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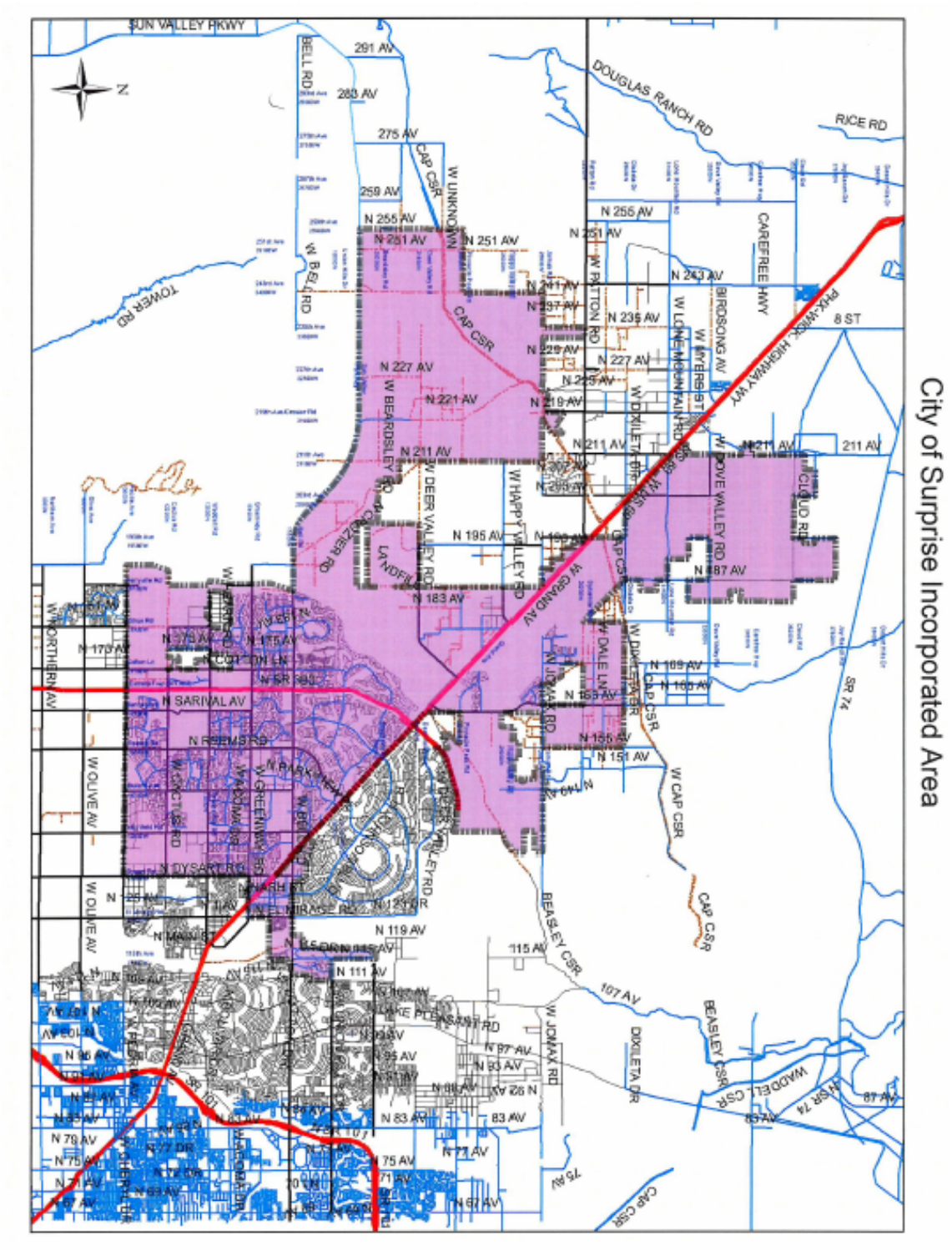
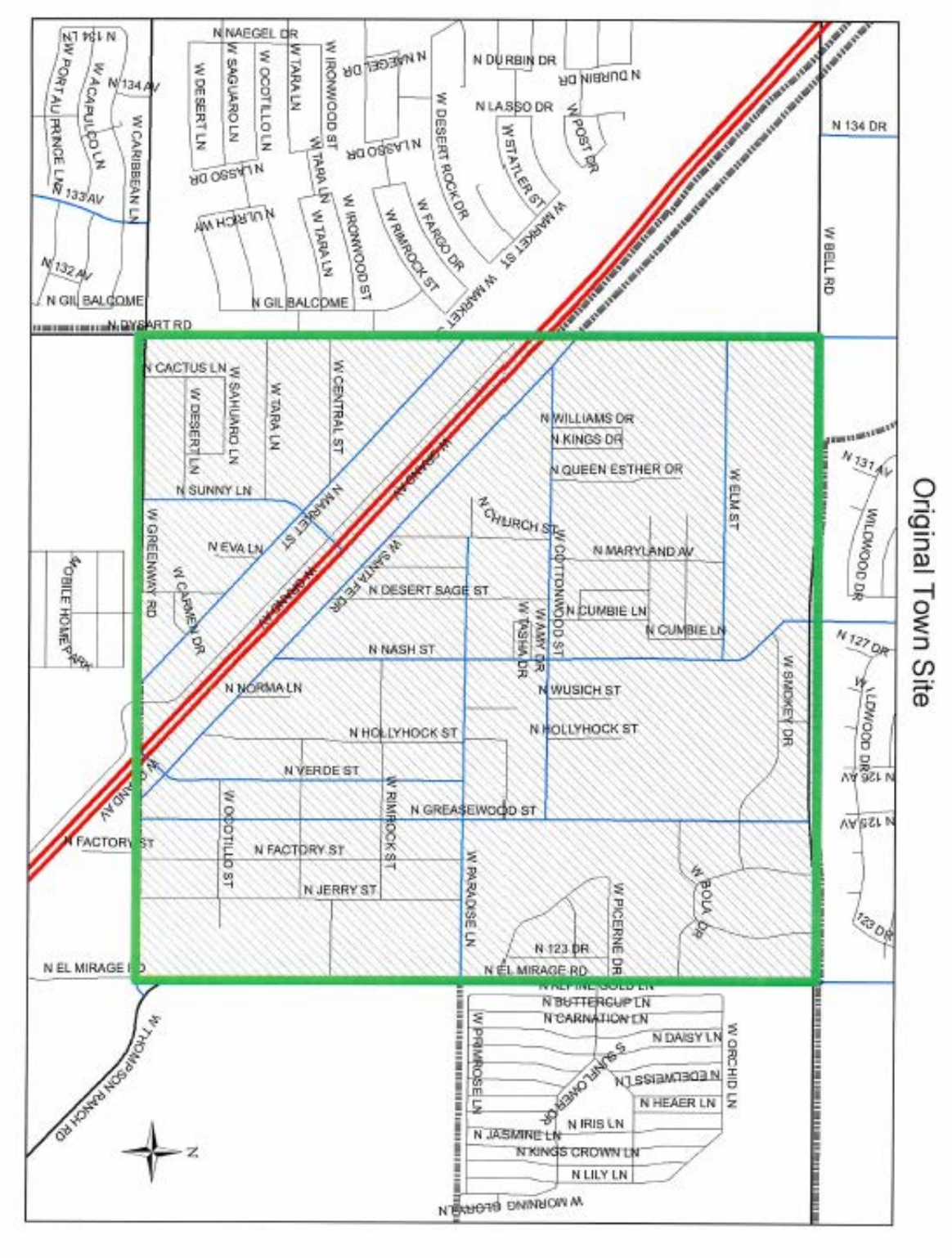
Appendix 2 – Geographical Maps: Map 1 Incorporated Area – Surprise



Appendix 2 – Geographical Maps: Map 2 Surprise Heritage District (Original Town Site)



Appendix 3 – Continuum of Care Unsheltered Street Count: Table 1

Unsheltered Street County by Municipality (2013-2017):

All communities participate in the unsheltered homeless count conducted during the last week of January. Numbers for all communities with the exception of Phoenix are a direct census of individuals interviewed by volunteers, law enforcement, and outreach workers. The City of Phoenix conducts a survey using an extrapolation method by which areas are designated "high density" or "low density" areas. Direct counts in those areas are then extrapolated to estimate the number of individuals experiencing homelessness in unsheltered situations within the City of Phoenix geographic boundaries.

Municipality	2017	2016	2015	2014	2013
Apache Junction	0	0	0	0	0
Avondale	27	37	20	12	5
Buckeye	0	0	0	0	0
Carefree	0	0	0	0	0
Cave Creek	0	2	1	0	0
Chandler	27	14	31	18	20
El Mirage	0	0	0	0	7
Fountain Hills	0	0	0	0	0
Gila Bend	7	9	0	0	0
Gilbert	2	1	1	0	0
Glendale	57	44	25	39	16
Goodyear	7	7	1	2	4
Guadalupe	0	8	0	5	12
Litchfield Park	0	0	0	0	0
Mesa	130	95	155	55	42
Paradise Valley	0	0	0	0	0
Peoria	22	31	30	13	0
Phoenix	1508	1235	994	771	1339
Queen Creek	1	1	0	0	0
Scottsdale	50	67	0	39	11
Surprise	16	6	7	0	0
Tempe	202	88	24	97	125
Tolleson	0	0	0	2	0
Wickenburg	1	0	0	0	0
Youngtown	2	1	0	0	0
Total	2059	1646	1289	1053	1581

Continuum of Care

2013-2017 POINT IN TIME COUNT | Maricopa Regional Continuum of Care

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: CDBG Annual Action Plan 2018-2019 - Year 4

OVERALL PUBLIC INVOLVEMENT LEVEL:

Public Hearing on 8/2/18 (P & Z Meeting) and 9/4/18 Council Meeting. 30 day Public comment period (7/19/18 - 8/19/18) for draft Annual Action Plan 4 Amendment.

IDENTIFY STAKEHOLDERS:

OTS residents/property owners, public service nonprofits, City of Surprise staff Public Works, Community Development, Economic Development and Human Services.

OBJECTIVES:

Create viable neighborhoods, provide decent, safe and affordable housing;Low to moderate income resident job creation; provide services to those with special needs

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when) Public Hearings 8/2 & 9/4/18, 30 day public comment
Future Council Work Session/Meetings target dates
Election dates (if applicable)
Project start/completion dates 10/2018

Communication Tools and Technique options: (which do you plan to use?)

- ☑ Press releases
- ☑ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☑ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☑ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☐ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☑ Website updates

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Seth Dyson, HSCV, Director
Submitting Department:	Human Service & Community Vitality	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the Consolidated Plan 2015-19 Priorities.

Motion:

I move to approve an amendment to the Consolidated Plan 2015-19 Priorities as presented.

Background:

The Consolidated Plan encompasses eligible activities, the national objectives to meet, and the priority action items recommended by the community and the staff which should, in turn, meet the recommended HUD goals.

Objective Analysis:

This action allows HSCV to fund needed neighborhood improvements, administration, and affordable housing projects through the plan amendment.

Policy Compliant:

This action is compliant with City and Council Policy.

Financial Impact:

Program income received from the Neighborhood Stabilization Program equals $1,130,633. A portion of these funds, $206,373, will be transferred to CDBG eligible activities and included in the Annual Action Plan Amendment 2018-19 for neighborhood infrastructure improvement projects and affordable housing opportunities.

Budget Impact:

Under separate action, a budget amendment of the FY2019 budget is required to move the authority from the NSP program to the CDBG program.

FTE Impact:

This item does not impact the overall full time equivalent.

ATTACHMENTS:

Click to download

- Staff Report
- DRAFT - Consolidated Plan Amendment 2015-19
- Public Engagement Form

SURPRISE
ARIZONA

HUMAN SERVICE AND COMMUNITY VITALITY

Date: September 4, 2018

To: Mayor and City Council Members

From: Seth Dyson, Director
Joe Gladieux, Acting Neighborhood Services Supervisor
Alicia Rubio, Neighborhood Services Coordinator

Re: CDBG Consolidated Plan Amendment 2015-2019

Introduction

As an entitlement city, Surprise receives a yearly allotment of Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development (HUD). Every year the City of Surprise must submit an Annual Action Plan. The Annual Action Plan is a concise summary of actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan. The Consolidated Plan is a combined plan and application to HUD for federal funds available to counties and cities under CDBG which includes all previous five years of annual action plans. Occasionally, an amendment is necessary to the Annual Action Plan and as a direct result the Consolidated Plan must also be amended.

In November 2008, the Council approved the Neighborhood Stabilization Program's (NSP) grant for federal funding to purchase foreclosed homes located in Special Planning Areas which were largely affected by foreclosure. The funds were federal stimulus dollars that supported down payment assistance, homebuyer education, rehabilitation and purchases of foreclosed homes. The homes were subsequently sold to qualified buyers per the NSP guidelines. The funds that were used to purchase the homes were then returned to the City as Program Income upon the sale. Surprise has been directed by HUD to sunset the NSP program. This directive gives the city the ability to transfer program income from the NSP program to the CDBG. In order to do this, Surprise will need to amend their Annual Acton Plan and, as a result, amend the Consolidated Plan for 2015-2019.

Today's presentation will provide information regarding the Consolidated Plan to assist in deciding if proposed projects meet grant criteria while filling community needs. Upon approval, CDBG Neighborhood Improvement and Affordable Housing Activities will be submitted to HUD as part of the Consolidated Plan Amendment 2015-2019.

Background

CDBG neighborhood infrastructure improvements are carried out by city departments. Affordable Housing activities are carried out by outside agencies. These projects will address the neighborhood commercial demolition and affordable housing needs identified in the city's

Consolidated Plan. CDBG administration, neighborhood improvements and affordable housing projects will be used to implement activities that will improve the safety and quality of life of the residents living within the Heritage District. Although the Consolidated Plan lists Neighborhood Improvements as a priority, the city wanted to specifically list affordable housing, and right of way improvements in the Surprise Heritage District as the project funding priorities considered today.

According to HUD regulations, CDBG funds may be used to provide Neighborhood Improvements (including labor, supplies, materials, project management and other costs) and Economic Development activities, provided the service will:

- Serve low to moderate income persons in the City of Surprise through area benefit or serving a particular clientele like seniors, youth and families
- Neighborhood Improvements
- Affordable Housing Opportunities

Funding Limit

The amount of Program Income to be included in the Annual Action Plan Amendment 2018-2019 is $206,373 CDBG neighborhood infrastructure improvement projects and affordable housing opportunities are activities that will be carried out as part of this plan amendment.

Updated Actions

Neighborhood Infrastructure Improvement Projects
Infrastructure projects will include right of way improvements and possible commercial property / building demolitions within the Surprise Heritage District

Total NSP to CDBG Transfer Amount: $206,373

Future Actions

- Submission to HUD as part of Consolidated Plan Amendment 2015-19 by 9/6/18

Recommendations

Approval of Consolidated Plan Amendment 2015-19

5 Year Strategic Plan

This document includes Narrative Responses to specific questions that grantees of the Community Development Block Grant, HOME Investment Partnership, Housing Opportunities for People with AIDS and Emergency Shelter Grants Programs must respond to in order to be compliant with the Consolidated Planning Regulations.

GENERAL

Executive Summary

5 Year Strategic Plan Executive Summary:

The City of Surprise Consolidated Plan is a comprehensive document that addresses the city's housing, community development and economic development needs. The Consolidated Plan 2015-19 comprehensively updates the previous four-year strategic plan covering the program years of 2010-2014. It also includes the Annual Action Plan 2018-2019 Amendment. The Consolidated Plan is a combination of housing, community development, and public service plan, and acts as an application for the following two U.S. Department of Housing and Urban Development (HUD) entitlement programs:

- **Community Development Block Grant (CDBG)**
- **HOME Investment Partnerships Program**

The City of Surprise 2018-2019 Annual Action Plan fiscal year runs from July 1, 2018 through June 30, 2019. The city's lead agency responsible for the plan's development is the Neighborhood Services Division, Human Service and Community Vitality Development Department. The executive summary includes objective and outcome expectations, as well as an evaluation of past performance. The 2015-2019 Consolidated Plan states how the city intends to utilize its HUD entitlement funds in the areas of housing, community development, public services, and administration. The Consolidated Plan ties HUD grant-funded spending to other funding initiatives in the city that benefit low- and moderate-income residents.

Key components of the plan are:

- **Needs assessment.**
- **Strategic goals.**
- **Delivery system.**
- **Accountability and performance measurement.**

Primary categories of need that are addressed in the plan are:

- **Neighborhood Improvements**
- **Affordable Housing.**
- **Public Facility Improvements.**
- **Public services to special needs populations.**

Summary of Objective and Outcome Expectations

DRAFT

The City of Surprise performance measurement system is tied to the city's Original Townsite Revitalization Plan objectives and to the annual budget process. In previous years, the Consolidated Plan provided an estimate of *output* measures in compliance with HUD's data system. The Consolidated Plan includes measures of performance to quantify longer-term goals by incorporating projected *outcome* measures. Quantifiable results-oriented goals for capital programs are tied to a unified framework for the benefit of low- and moderate-income residents.

- **Preserve neighborhoods through infrastructure improvements in the targeted low-income area(s).**
- **Provide public services based on qualifications to special needs populations.**
- **Preserve neighborhoods through housing rehabilitation assistance to qualified homeowners.**
- **Preserve habitability of owner-occupied housing through emergency home repair assistance.**
- **Increase homeownership through downpayment assistance.**
- **Preserve affordability of quality rental housing through the Housing Choice Voucher program.**
- **Provide public service activities to city's youth, seniors, special needs persons, veterans, persons and families in crisis, and disabled persons through nonprofit agencies or other city departments.**

Changes currently anticipated during the term of this plan:
- **Inclusion of affordable housing activities through CDBG funding.**

Past Performance Summary
Since becoming an entitlement community in 2006 for CDBG funding, infrastructure was identified as the city's highest priority and was aimed at the Original Townsite (OTS) of Surprise which is predominantly a low- to moderate-income resident area. Three street improvement projects, one park improvements and one public facility improvement project was carried out in the OTS. The infrastructure improvements aimed at creating a suitable living environment principally for the low- to moderate-income persons within the OTS of Surprise.

Implementation
This Consolidated Plan will serve as a guide for City of Surprise' endeavors in housing and community development during the next five years. The plan is updated annually through the adoption of the Annual Action Plan and may be amended from time to time as circumstances change. The Annual Action Plan and amendments to the Consolidated Plan will allow for public review and comment consistent with the Citizens Participation Plan.

Strategic Plan

Due every three, four, or five years (length of period is at the grantee's discretion) no less than 45 days prior to the start of the grantee's program year start date. HUD does not accept plans between August 15 and November 15.

Mission:
The mission of the City of Surprise is to enhance the quality of life through sustainable reconstruction of aging infrastructure systems and housing stock at the neighborhood level in order to develop a healthy living environment.

General Questions

1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed.

Community Profile

2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a)(1)) and the basis for assigning the priority (including the relative priority, where required) given to each category of priority needs (91.215(a)(2)). Where appropriate, the jurisdiction should estimate the percentage of funds the jurisdiction plans to dedicate to target areas.

3. Identify any obstacles to meeting underserved needs (91.215(a)(3)).

5 Year Strategic Plan General Questions response:

1.
Surprise is located in the northwest region of the Phoenix Metropolitan Area (*Figure 1*). The Surprise Planning Area is bordered on the east by the cities of Peoria and El Mirage, on the west by the town of Buckeye, on the south by the city of Glendale, and on the northwest by the town of Wickenburg. Sun City and Sun City West, both unincorporated communities are adjacent to the eastern boundary of the planning area. Located within the Surprise Planning Area are the unincorporated communities of Morristown, Circle City, and Wittmann.

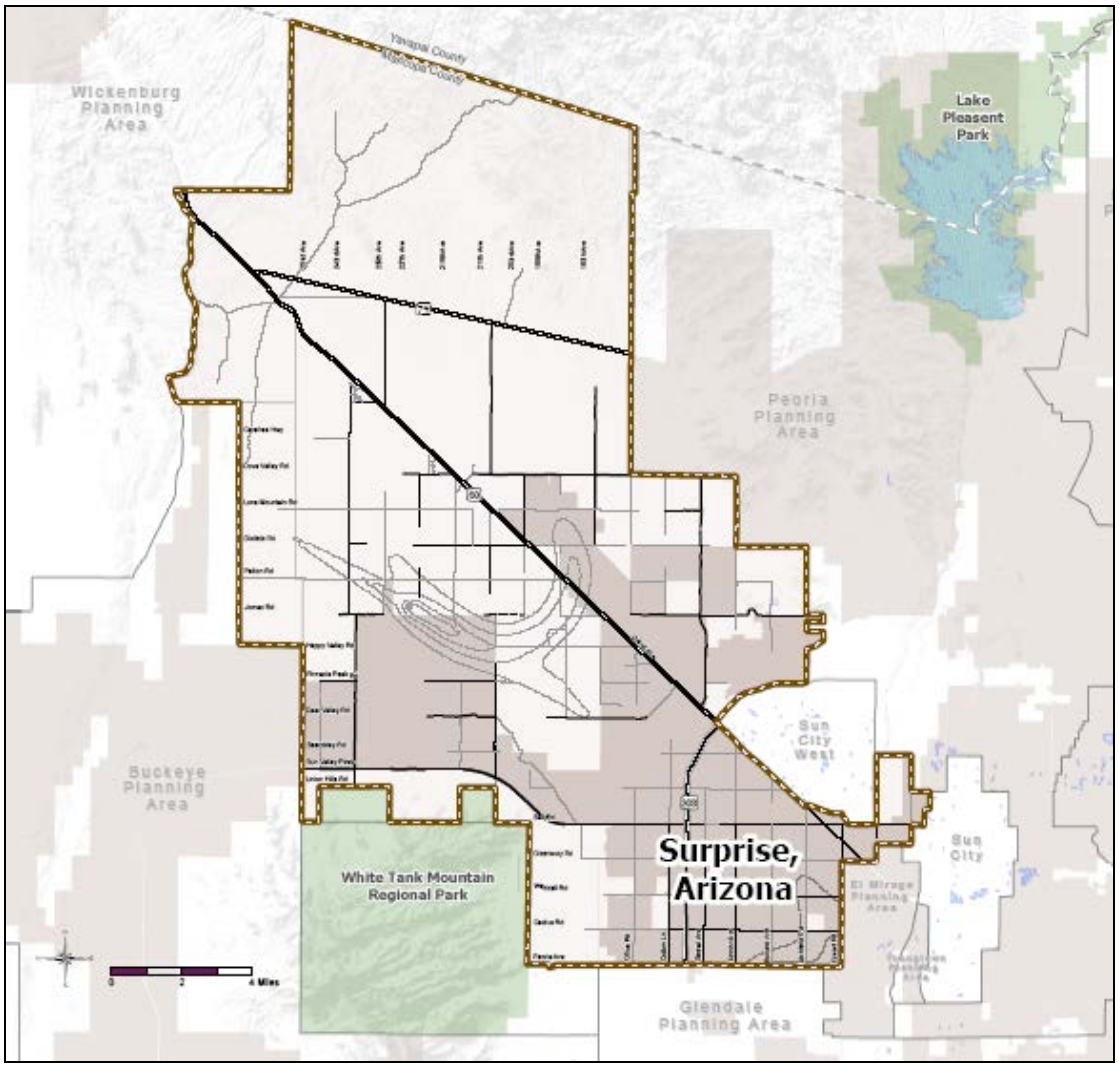


Figure 1: Surprise, AZ

Public facilities and infrastructure improvements with CDBG funds will only be undertaken in the Original Townsite (*Figure 2*) as area benefit activities targeted to the designated service area. This area is the only Census Tract (#608) in Surprise with a population that is more than 51% low and moderate income.

Figure 2: Original Townsite, Surprise, AZ

Economic development, public services, and other eligible activities under the CDBG program that directly benefit individuals will be provided throughout the community contingent on the eligibility of the applicant for the low- or moderate-income beneficiary requirement.

2.
The system for establishing the target areas for the CDBG-funded activities are predicated upon the following criteria:

- **The Original Townsite area targeted for CDBG investments under this plan is the lowest income Census Tract in City of Surprise.**
- **The community has targeted this area for investment in the *Original Townsite Revitalization Plan* and *Surprise Revitalization Strategic Plan – Heritage Overlay.***
- **Meeting the statutory requirements of the CDBG program.**
- **Coordination and leveraging of resources.**
- **Response to expressed needs.**
- **Long-term impact and sustainability.**

- **The ability to measure or demonstrate progress and success.**

The steps in assignment of priority for specific activities selected for this plan are described further in the section on Priority Needs Analysis and Strategy.

3.
Funding Future
One of the main obstacles to meeting community needs is inadequate resources for programs. The decline in resources across sectors, including government agencies and foundations, due to the economic downturn has negatively impacted the quantity and quality of housing and community development services. Surprise has received an amount of $206,373 in program income from the Neighborhood Stabilization Program that will be transferred into the CDBG program.

Other obstacles to meeting underserved needs include:
1. **Insufficient resources to meet all of the legitimate and eligible needs identified.**
2. **Private ownership of incompatible land uses within the revitalization area.**
3. **Public ownership of the water system in the revitalization area by another municipality.**
4. **Environmental issues related to the location of Grand Avenue (US 60), the Railroad, and Luke Airforce Base.**

Managing the Process (91.200 (b))

1. Lead Agency. Identify the lead agency or entity for overseeing the development of the plan and the major public and private agencies responsible for administering programs covered by the consolidated plan.

2. Identify the significant aspects of the process by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process.

3. Describe the jurisdiction's consultations with housing, social service agencies, and other entities, including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, and homeless persons.

   *Note: HOPWA grantees must consult broadly to develop a metropolitan-wide strategy and other jurisdictions must assist in the preparation of the HOPWA submission.

5 Year Strategic Plan Managing the Process response:

1.
The Neighborhood Services Division of the Human Service and Community Vitality Department is the lead agency for the City of Surprise Consolidated Plan. The Consolidated Plan along with the Annual Action Plan is authorized and approved by the Mayor and City Council upon the recommendation of the appointed Surprise Planning and Zoning Commission. Actions required

to accept and administer the CDBG and HOME funds are assigned to the City Manager or his designee.

2.
The City of Surprise has developed the Consolidated Plan with the input of several key city departments and divisions, county agencies, local nonprofit agencies and service organizations, community groups, boards and commissions, and citizens of Surprise.

To gather input from the citizens of Surprise, the city has adopted a Citizen Participation Plan that describes the citizens input process for the CDBG and HOME programs.

Significant steps in the planning process included:
a) Creating a public participation plan to involve citizens of City of Surprise.
b) Establishment of needs assessment and priorities with other city departments and divisions.
c) Conducting a survey and followed up with a supplemental survey to citizens of the city and city officials to determine high priorities needs within Surprise.
d) Review of needs assessments and goals and objectives established with the Surprise Planning and Zoning Commission members.
e) Conducting a City Council work session.

3.
During the development of the Consolidated Plan, the following groups and city departments were interviewed and or returned surveys. These groups represent or serve the populations whose needs were considered in the Consolidated Plan:
a) City of Surprise Community Development Department.
b) City of Surprise Community and Recreation Services.
c) City of Surprise Economic Development Department.
d) City of Surprise Public Works Department.
e) Maricopa HOME Consortium.
f) The Housing Authority of Maricopa County.
g) Maricopa County Community Development.
h) City of Surprise Planning and Zoning Commission.
i) Original Town Site Stakeholder Group
j) Area Congressional Representative response for the survey.

Citizen Participation (91.200 (b))

1. Provide a summary of the citizen participation process.

2. Provide a summary of citizen comments or views on the plan.

3. Provide a summary of efforts made to broaden public participation in the development of the consolidated plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities.

4. Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.

*Please note that Citizen Comments and Responses may be included as additional files within the CPMP Tool.

5 Year Strategic Plan Citizen Participation response:

1.

Throughout the development of the Consolidated Plan, citizen input is encouraged. The City of Surprise provides its citizens many opportunities to provide input to the decision making process. Citizens are encouraged to attend and participate in City Council meetings, Planning and Zoning Commission meetings to solicit public input. These community engagement practices are designed to meet the needs and requirements of various programs and planning processes.

In accordance with 24 CFR 91.115(e), city staff has developed a Citizen Participation Plan (CPP) designed specifically for the Consolidated Plan. The CPP describes city policies relating to public hearings, public notices, and comment period. A schedule of citizen participation actions was developed at the beginning of the Consolidated Plan drafting.

Table 1: Schedule of Citizen Participation

Time	Activity
August 2, 2018	Planning and Zoning Commission Meeting on Consolidated Plan Priorities and Public Hearing
July 19-August 19, 2018 30 day public comment period on Annual Action Plan Amendment and Consolidated Plan Amendment	30 day comment period
September 4, 2018	City Council Public Hearing and approval.
September 10, 2018	Submission to HUD

2.

TBD

3.

To assist in obtaining broad-based participation, a city's mailing distribution list is used. The list includes public, private and social service agencies and individuals that request notices of meetings and hearings. Staff publishes public notices for both public meetings and hearings in Daily News-Sun an everyday publishing newspaper, in accordance with city notification practices.

As per the CPP, the public hearings were held at accessible locations. Electronic copies of the plan were made available on the city's website. Printed public notices were distributed in English listing the locations where copies of the Consolidated Plan are available and inviting citizens to speak at the public meetings and hearings and/or submit written comments. Public meetings and hearings are accessible and sign language interpretation is available for public hearings and meetings by request.

4.

Citizens' request for highway access, road repairs, and other transportation improvements were not included as they do not qualify either under area

benefit or limited clientele benefit caveat for the low- to moderate-income persons in the city.

Institutional Structure (91.215 (i))

1. Explain the institutional structure through which the jurisdiction will carry out its consolidated plan, including private industry, nonprofit organizations, and public institutions.

2. Assess the strengths and gaps in the delivery system.

3. Assess the strengths and gaps in the delivery system for public housing, including a description of the organizational relationship between the jurisdiction and the public housing agency, including the appointing authority for the commissioners or board of housing agency, relationship regarding hiring, contracting and procurement; provision of services funded by the jurisdiction; review by the jurisdiction of proposed capital improvements as well as proposed development, demolition or disposition of public housing developments.

5 Year Strategic Plan Institutional Structure response:

1.
The City of Surprise is the clearinghouse and facilitator for the activities as described by the Consolidated Plan.

The Neighborhood Services Division of the Human Service and Community Vitality Development Department oversees the administration of all CDBG and HOME entitlement programs. The department is responsible for:

- **Program management and oversight.**
- **Interdepartmental coordination.**
- **Subrecipient contract administration and monitoring.**
- **Program evaluation.**
- **Consolidated Plan preparation, monitoring and evaluation.**
- **Required reporting to HUD.**

Other city departments and private agencies that participate in the implementation of federal-funded grants include:

- **City Council - formal approval body for policy making and release of funds.**
- **The Public Works Department - has experience in administering the procurement and Labor Standards requirements of federally funded projects.**
- **Financial management will be appropriately separated between the Finance Department and Human Service and Community Vitality Department.**
- **Maricopa HOME Consortium is the lead agency for HOME funds and activities.**
- **The Maricopa County Human Services Department provides services in workforce development and special transportation**

- **The city is also served by a number of private nonprofit housing and health and human services providers and local church organizations like Habitat for Humanity, Benevilla and St. Mary's Food Bank.**

2.
The major gap is the coordination of multiple organizations in regards with networking, ensuring that overlap of assignments is minimized, and facilitating more efficient use of resources.

The city is carrying out public service activities under the CDBG program through an open application process, effective management of the subrecipients would be a challenge and will likely require additional training.

3.
The Housing Authority of Maricopa County (HAMC) has two public housing developments in Surprise and administers Housing Choice Vouchers in the private rental market. The operations of HAMC in Surprise have not been formalized since Surprise incorporated as a city and an intergovernmental agreement would be beneficial.

Monitoring (91.230)

1. Describe the standards and procedures the jurisdiction will use to monitor its housing and community development projects and ensure long-term compliance with program requirements and comprehensive planning requirements.

5 Year Strategic Plan Monitoring response:

The City of Surprise Neighborhood Services Division of the Human Service and Community Vitality Department oversees all grant-funded housing and community development programs and will be responsible for all performance measurement activities.

The Neighborhood Services Division is also responsible for the timely implementation of activities and projects. The City of Surprise will ensure that all grant-funded projects are monitored for compliance with the applicable city, state and federal laws. This will be accomplished using the city's current monitoring/contract compliance process for federal programs.

The Neighborhood Services Division monitors all proposed activities to ensure long-term compliance with program requirements. The objectives of these monitoring are to make sure that activities:

1. **Comply with all regulations governing their administrative, financial, and programmatic operations.**
2. **Achieve their performance objectives within schedule and budget.**

General Monitoring Procedures
Annually, with the preparation of Consolidated Annual Performance and Evaluation Report (CAPER), the Neighborhood Services Division will review whether the specific objectivities outlined in this strategic plan are being met. Furthermore, subsequent CAPERs will give an opportunity to address

community priorities and if adequate resources are available to meet the objectives.

The City of Surprise relies upon all grant-funded entities to complete a Quarterly Performance Report (QPR) to assess project progress. Accomplishments for the quarter are identified including measurable outcomes, client information, time frames and quarterly costs.

Neighborhood Services Division also administers the Integrated Disbursement and Information System (IDIS).

The more formal monitoring begins with a risk assessment of all grant-funded projects and subrecipient contracts. The risk assessment considers size of the grant contract, changes in organizational structure, and how long it has been since the last on-site monitoring.

For the HOME programs, included is an annual peer review for each member of the Maricopa HOME Consortium. The peer monitoring is performed by representatives from other participating communities and may take the form of either a desk review or an on-site monitoring.

Subrecipient Monitoring:
All subrecipients of CDBG and HOME funds will be subject to monitoring. Fiscal monitoring will include review and approval of budgets, compliance with executed grant agreements, review of fiscal reports on a monthly or quarterly basis, and a review of audits on an annual basis. Additional monitoring will occur through on-site visits. These site visits will occur as necessary but will be conducted at least once every six months.

All subrecipients must identify the personnel working on the project; keep accurate records and filing systems to document program benefits and compliance; maintain an appropriate financial management system; submit to an audit; and submit a final report at closeout.

Affirmative and Outreach Monitoring
The city's contract compliance officer is responsible for ensuring affirmative marketing and minority outreach including Section 3 and Minority/Women Business Enterprise compliance, by using existing standards and procedures as prescribed under the CDBG and HOME programs.

Priority Needs Analysis and Strategies (91.215 (a))

1. Describe the basis for assigning the priority given to each category of priority needs.

2. Identify any obstacles to meeting underserved needs.

5 Year Strategic Plan Priority Needs Analysis and Strategies response:

1.
The priorities presented were developed by:
- **Weighing the severity of the need among all groups and subgroups in the city.**
- **Analyzing the current social, economic and housing conditions.**
- **Analyzing the relative needs of low- and moderate-income families.**
- **Assessing the resources likely to be available over the next five years.**

Priorities are relative and follow these classifications:
***High*: The city plans to use available Consolidated Plan funds for activities to meet the need during the Five-Year Strategic Plan.**
***Medium*: The city plans to use any available funds, including Consolidated Plan funds, for activities to meet the need during the Five-Year Strategic Plan, and can assist organizations in seeking funds to meet the need.**
***Low*: The city does not envision using any available Consolidated Plan funds for activities to meet the need during the Five-Year Strategic Plan.**

Identified Feasible Priorities Based on Survey:
- **Veteran Programs**
- **Transportation infrastructure improvements**
- **Job creation/retention**
- **Youth centers/Youth activities**
- **Neighborhood Clean up**
- **Literacy Programs**
- **Health care**
- **Health care services**
- **Senior Center programs/activities**

Identified Feasible Priorities Based on Needs and Urgency:
- **Neighborhood Improvements**
- **Job training**
- **Water system Improvements in OTS**
- **Drainage Improvements in OTS**
- **Lighting Improvements in OTS**
- **Street Improvements**
- **Youth training program**
- **Youth recreation program**
- **Veteran services**

2.
Funding Future
One of the main obstacles to meeting community needs is inadequate resources for programs. The decline in resources across sectors, including government agencies and foundations, due to the economic downturn has

negatively impacted the quantity and quality of housing and community development services. Although federal stimulus funding helps mitigate this trend to some extent, resources for these programs will likely be limited for the near future.

Other obstacles to meeting underserved include:

a) Insufficient resources to meet all of the legitimate and eligible needs identified.
b) Private ownership of incompatible land uses within the revitalization area.
c) Public ownership of the water system in the Revitalization area by another municipality.
d) Environmental issues related to the location of Grand Avenue, the railroad, and Luke Airforce Base.

Lead-based Paint (91.215 (g))

1. Estimate the number of housing units that contain lead-based paint hazards, as defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, and are occupied by extremely low-income, low-income, and moderate-income families.

2. Outline actions proposed or being taken to evaluate and reduce lead-based paint hazards and describe how lead based paint hazards will be integrated into housing policies and programs, and how the plan for the reduction of lead-based hazards is related to the extent of lead poisoning and hazards.

5 Year Strategic Plan Lead-based Paint response:

1.
Assessment of the outside parameters of lead paint hazard for the City of Surprise has been calculated in the chart below utilizing data from the 2000 Census applied to the findings of a national study titled '*The prevalence of Lead Based Paint Hazards in U.S. Housing.*'
Table 2:

Sample	Region	Surprise	Prevalence		Surprise	
			Sample	%w/hazards	Owner	Renter
Western Region			Western region	15%		
Owner renter split			Construction year			
Owner	69	88%	1978+w/hazards	3%	302	33
Renter	30	12%	1960-1977	8%	63	28
In poverty	14%	8.70%	1940-1959	43%	53	24
Income			Before 1940	69%	19	0
0-$19,999	20%		Tenure			
$20-39,999	27%		Owner	23%	437	
$40-+	44%		Renter	30%		84
Calculations are derived from 2000 Census based on findings of "The prevalence of Lead Based Paint Hazards in U.S Housing" October 2002.			In poverty	38%	166	32
			W/children	25%	109	21

The Arizona Department of Health Services maintains records on the number of children reported to have elevated blood levels from any source. Since the year 2008 - 2014, sixty-seven (67) children have tested positive for elevated levels of lead in the bloodstream. During that time, two of the tests resulted in environmental investigations at the home. Neither of the home investigations revealed an apparent source for the lead.

2.
Housing units assisted under any and all programs covered under this Consolidated Plan are inspected and/or tested prior to assistance as follows:

a. The Housing Authority of Maricopa County inspects all rental units prior to occupancy by households who have Housing Choice Vouchers. For units built before 1978, chipped or pealing paint must be removed prior to occupancy.
b. For units built before 1978, chipped or peeling paint must be removed prior to occupancy. Renter and owner-occupied units built before 1978 that are being rehabilitated with CDBG or HOME funds must be professionally assessed and abated as part of the assisted contract.
c. Lead-based paint is not allowed or sold for residential construction after 1978. Newly constructed single-family or multifamily residences assisted with funding from the covered grants will be free of lead paint hazards.

HOUSING

Housing Needs (91.205)

*Please also refer to the Housing Needs Table in the Needs.xls workbook

1. Describe the estimated housing needs projected for the next five year period for the following categories of persons: extremely low-income, low-income, moderate-income, and middle-income families, renters and owners, elderly persons, persons with disabilities, including persons with HIV/AIDS and their families, single persons, large families, public housing residents, victims of domestic violence, families on the public housing and section 8 tenant-based waiting list, and discuss specific housing problems, including: cost-burden, severe cost- burden, substandard housing, and overcrowding (especially large families).

2. To the extent that any racial or ethnic group has a disproportionately greater need for any income category in comparison to the needs of that category as a whole, the jurisdiction must complete an assessment of that specific need. For this purpose, disproportionately greater need exists when the percentage of persons in a category of need who are members of a particular racial or ethnic group is at least ten percentage points higher than the percentage of persons in the category as a whole.

5 Year Strategic Plan Housing Needs response:
Effective July 1, 2006, City of Surprise became a member of the Maricopa HOME Consortium through an Intergovernmental Agreement. Federal regulations (24 CFR 91.405) require that housing needs assessment(s) be

consolidated for the entire Consortium Service Area. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium. The City of Surprise has listed Affordable Housing Opportunities as a high priority through the Consolidated Plan Amendment process for the Annual Action Plan 4 2017-2018

Priority Housing Needs (91.215 (b))

1. Identify the priority housing needs and activities in accordance with the categories specified in the Housing Needs Table (formerly Table 2A). These categories correspond with special tabulations of U.S. census data provided by HUD for the preparation of the Consolidated Plan.

2. Provide an analysis of how the characteristics of the housing market and the severity of housing problems and needs of each category of residents provided the basis for determining the relative priority of each priority housing need category.

Note: Family and income types may be grouped in the case of closely related categories of residents where the analysis would apply to more than one family or income type.

3. Describe the basis for assigning the priority given to each category of priority needs.

4. Identify any obstacles to meeting underserved needs.

5. Year Strategic Plan Priority Housing Needs response:

Effective July 1, 2006, the City of Surprise became a member of the Maricopa HOME Consortium through an Intergovernmental Agreement. Federal regulations (24 CFR 91.405) require that housing needs assessments be consolidated for the entire Consortium Service Area. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium. The City of Surprise has listed Affordable Housing Opportunities as a high priority through the Consolidated Plan Amendment process for the Annual Action Plan Year 4 2018-2019 and Annual Action Plan Year 5 2019-2020.

Housing Market Analysis (91.210)

*Please also refer to the Housing Market Analysis Table in the Needs.xls workbook

1. Based on information available to the jurisdiction, describe the significant characteristics of the housing market in terms of supply, demand, condition, and the cost of housing; the housing stock available to serve persons with disabilities; and to serve persons with HIV/AIDS and their families. Data on the housing market should include, to the extent information is available, an estimate of the number of vacant or abandoned buildings and whether units in these buildings are suitable for rehabilitation.

2. Describe the number and targeting (income level and type of household served) of units currently assisted by local, state, or federally funded programs, and an assessment of whether any such units are expected to be lost from the assisted housing inventory for any reason, (i.e. expiration of Section 8 contracts).

3. Indicate how the characteristics of the housing market will influence the use of funds made available for rental assistance, production of new units, rehabilitation of old units, or acquisition of existing units. Please note, the goal of affordable housing is not met by beds in nursing homes.

5 Year Strategic Plan Housing Market Analysis responses:

Effective July 1, 2006, the City of Surprise became a member of the Maricopa HOME Consortium through an Intergovernmental Agreement. Federal regulations (24 CFR 91.405) require that housing needs assessments be consolidated for the entire Consortium Service Area. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium. The City of Surprise has listed Affordable Housing Opportunities as a high priority through the Consolidated Plan Amendment process for the Annual Action Plan Year 4 2018-2019 and Annual Action Plan Year 5 2019-2020.

Specific Housing Objectives (91.215 (b))

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve over a specified time period.

2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the strategic plan.

5 Year Strategic Plan Specific Housing Objectives response:

Specific Housing Objectives for the period of the Consolidated Plan include:

Table 3: **National Objective met by: *Providing decent housing.***			
Desired outcome: *An increase in the number of quality affordable units.*			
Need to be addressed / From the Needs Assessment	**Goal to address high and medium priority needs**	**Activity and General Location**	**Anticipated sources of funding**
Quality owner-occupied housing	Increase the quality of owner-occupied housing in older neighborhoods	Major and Minor Housing rehabilitation to low- and moderate-income households primarily located in the Original Townsite Area.	CDBG, HOME, Private loans and Owners' funds
Quality owner-occupied housing	Increase the availability of affordable owner-occupied housing	Support to the development of housing and neighborhoods by Habitat for Humanity.	Private financing, Sweat equity, HOME funds, and NSP Program

Quality owner-occupied housing	Preserve habitability of owner-occupied housing	Emergency repair assistance.	CDBG Funds, HOME Funds
Affordable rental housing	Increase the supply of affordable rental housing	Acquisition/ rehabilitation assistance to preserve units affordable to low- and moderate-income renters as opportunities are presented by nonprofit housing providers.	HOME, CDBG funds, affordable housing bonds, private financing
Affordable rental housing	Increase the supply of affordable rental housing	Acquisition/ new development assistance to add to the number of units affordable to low- and moderate-income renters.	HOME, CDBG funds Affordable housing bonds, Private financing, Low Income Housing Tax Credits

See the chart below for the performance measures for the above objectives.

Five-year Goals for Housing

Table 4: **Priority Housing Needs (Households)**		**Priority**		**Unmet Need**
Renter	Small Related	0-30%	H	270
		31-50%	H	251
		51-80%	M	348
	Large Related	0-30%	H	72
		31-50%	H	79
		51-80%	H	81
	Elderly	0-30%	H	108
		31-50%	H	167
		51-80%	M	137
	All Other	0-30%	H	261
		31-50%	H	242
		51-80%	M	319
Owner	Small Related	0-30%	M	128
		31-50%	H	157
		51-80%	H	347
	Large Related	0-30%	M	46
		31-50%	H	69
		51-80%	H	107

	Elderly	0-30%	H	219
		31-50%	H	283
		51-80%	H	296
	All Other	0-30%	M	110
		31-50%	H	77
		51-80%	H	179
Non-Homeless Special needs	Elderly	0-80%	H	126
	Frail Elderly	0-80%	H	168
	Severe Mental Illness	0-80%	H	165
	Physical Disability	0-80%	M	53
	Developmental Disability	0-80%	M	105
	Alcohol/Drug Abuse	0-80%	H	96
	HIV/AIDS	0-80%	M	15
	Victims of Domestic Violence	0-80%	H	45

Table 5: **Priority Needs**	**5-YR. Goal Plan/Act**	**Year 1 Goal Plan/Act**	**Year 2 Goal Plan/Act**	**Year 3 Goal Plan/Act**	**Year 4 Goal Plan/Act**	**Year 5 Goal Plan/Act**
Renters	**119**	24	24	24	24	24
0-30%	**33**	7	7	7	7	7
31-50%	**17**	3	3	3	3	3
51-80%	**69**	14	14	14	14	14
owners	**135**	27	27	27	27	27
0-30%	**40**	8	8	8	8	8
31-50%	**56**	11	11	11	11	11
51-80%	**39**	8	8	8	8	8
Homeless						
Individuals	**0**	0	0	0	0	0
Families	**0**	0	0	0	0	0
Non-Homeless Special Needs						
Elderly	**64**	13	13	13	13	13
Frail Elderly	**23**	5	5	5	5	5
Severe Mental Illness	**4**	1	1	1	1	1
Physical Disability	**18**	4	4	4	4	4
Developmental Disability	**13**	3	3	3	3	3
Alcohol/Drug Abuse	**5**	1	1	1	1	1
HIV/AIDS	**2**	0	0	0	0	0
Victims of Domestic Violence	**5**	1	1	1	1	1
Total	**134**	27	27	27	27	27

The above two tables are derived from the Maricopa Consortium Consolidated Plan for 2015-19. The estimated number of people in Surprise for each need category is determined by multiplying the category's county population by the percentage of Surprise population that is in the Maricopa County- 3%. The estimated numbers are derived from 2007 – 2011 CHAS runs extrapolated to 2011.

Table 6: **Priority Needs**	**5-YR. Goal Plan / Act**	**Year 1 Goal Plan / Act**	**Year 2 Goal Plan / Act**	**Year 3 Goal Plan / Act**	**Year 4 Goal Plan / Act**	**Year 5 Goal Plan / Act**
CDBG						
Acquisition of existing rental units						
Production of new rental units						
Rehabilitation of existing rental units						
Rental assistance						
Acquisition of existing owner units						
Production of new owner units						
Rehabilitation of existing owner units	**74**	24	10	10	15	15
Homeownership assistance						
HOME						
Acquisition of existing rental units						
Production of new rental units						
Rehabilitation of existing rental units						
Rental assistance						
Acquisition of existing owner units						
Production of new owner units						
Rehabilitation of existing owner units	**15**	3	3	3	3	3
Homeownership assistance						
HOPWA						
Rental assistance						
Short term rent/mortgage utility payments						
Facility based housing development	City of Surprise does not receive HOPWA funding					
Facility based housing operations						
Supportive Services						
Other						
NSP						
Production of new owner units	**2**	1	1	-	N/A	N/A
Homeownership assistance	**24**	8	8	8	N/A	N/A

Surprise is not eligible for funding for Housing Opportunities for People with AIDS and does not track housing assistance or set housing goals for persons with AIDS separate from housing assistance for persons with other

disabilities. Section 8 regulations do not authorize the collection of this information.

The goals listed in the chart above continue services and levels of service that have been provided in the past under operating agreements with Maricopa County Community Development, the Housing Authority of Maricopa and nonprofit housing providers.

2.
Resources anticipated to address these objectives include:

1. **HUD funding**
    a. **Community Development Block Grants.**
    b. **HOME Investment Partnerships funds.**
    c. **Neighborhood Stabilization Program (NSP).**
    d. **Housing Choice Vouchers.**
2. **Low Income Housing Tax Credits issued through the state.**
3. **State and County IDA funding from**
    a. **Multifamily.**
    b. **Single-Family bonds.**
    c. **Mortgage Credit Certificates.**
4. **Private funding**
    a. **Family Self-sufficiency escrow accounts.**
    b. **IDEA grants.**
    c. **Individual Development Accounts.**
    d. **Unrestricted funds leveraged and matched by nonprofit housing providers.**
    e. **Subsidized and unsubsidized private investments by private investors.**

Needs of Public Housing (91.210 (b))

In cooperation with the public housing agency or agencies located within its boundaries, describe the needs of public housing, including the number of public housing units in the jurisdiction, the physical condition of such units, the restoration and revitalization needs of public housing projects within the jurisdiction, and other factors, including the number of families on public housing and tenant-based waiting lists and results from the Section 504 needs assessment of public housing projects located within its boundaries (i.e. assessment of needs of tenants and applicants on waiting list for accessible units as required by 24 CFR 8.25). The public housing agency and jurisdiction can use the optional Priority Public Housing Needs Table (formerly Table 4) of the Consolidated Plan to identify priority public housing needs to assist in this process.

5 Year Strategic Plan Needs of Public Housing response:
The Housing Authority of Maricopa County (HAMC) administers the public housing and Section 8 subsidized housing programs for City of Surprise. Surprise' housing activities are planned and reported through the Maricopa Consortium Plan. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium for more information.

Public Housing Strategy (91.210)

1. Describe the public housing agency's strategy to serve the needs of extremely low-income, low-income, and moderate-income families residing in the jurisdiction served by the public housing agency (including families on the public housing and section 8 tenant-based waiting list), the public housing agency's strategy for addressing the revitalization and restoration needs of public housing projects within the jurisdiction and improving the management and operation of such public housing, and the public housing agency's strategy for improving the living environment of extremely low-income, low-income, and moderate families residing in public housing.

2. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake to encourage public housing residents to become more involved in management and participate in homeownership. (NAHA Sec. 105 (b)(11) and (91.215 (k))

3. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation. (NAHA Sec. 105 (g))

5 Year Strategic Plan Public Housing Strategy response:

1. **Not Applicable**
2. **Not Applicable**
3. **HAMC is not designated as a "troubled agency."**

Barriers to Affordable Housing (91.210 (e) and 91.215 (f))

1. Explain whether the cost of housing or the incentives to develop, maintain, or improve affordable housing are affected by public policies, particularly those of the local jurisdiction. Such policies include tax policy affecting land and other property, land use controls, zoning ordinances, building codes, fees and charges, growth limits, and policies that affect the return on residential investment.

2. Describe the strategy to remove or ameliorate negative effects of public policies that serve as barriers to affordable housing, except that, if a State requires a unit of general local government to submit a regulatory barrier assessment that is substantially equivalent to the information required under this part, as determined by HUD, the unit of general local government may submit that assessment to HUD and it shall be considered to have complied with this requirement.;

5 Year Strategic Plan Barriers to Affordable Housing response:

1.
While the city's housing supply is large enough to meet demand, there is a significant disconnect between the supply of housing units and the location, price, and quality of the housing units. The housing stock has been growing and stands at 52,384 units as of 2013. This includes single-family units, multi-family units and mobile homes. An average of 2511 units has been built each year from 2008 through 2013. The average household size is now 2.75. More than half of Surprise's housing stock was built after 2000.

The City of Surprise is recognized for its relative affordability. First time homebuyers have been able to purchase quality homes in master planned neighborhoods due to affordable pricing and homebuyer assistance programs. Monitoring housing affordability as the city matures will be important. The key is to ensure the widest range of housing supply possible to meet the needs of a growing city including low- and moderate-income households.

The main contributors to the cost of housing in Surprise are:

- **The cost of vacant land and built residential property.**
- **The lack of a supply of land available for residential development outside of master-planned communities.**
- **The lack of supply of a variety of housing.**
- **The lack of available credit for low- and moderate-income persons.**

The growth of Surprise over the last 15 years can only be described as extreme. Much of this development has been in master-planned subdivisions with high amenities and innovative development patterns. The city's development standards are strict enough to support long-term neighborhood quality in the intense Arizona sun. The result has been rapid increases in the cost of housing that has been exacerbated by the recent run-up in the value of resale housing in all of Maricopa County.

The following table, although not required, documents the city's standing pursuant to the April 21, 2004 Federal Register Notice on the Affordable Communities Initiative.

America's Affordable Communities Initiative	**U.S. Department of Housing and Urban Development**	OMB approval no. 2535-0120 (exp. 11/30/2014)

Public reporting burden for this collection of information is estimated to average 3 hours. This includes the time for collecting, reviewing, and reporting the data. The information will be used for encourage applicants to pursue and promote efforts to remove regulatory barriers to affordable housing. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

Questionnaire for HUD's Initiative on Removal of Regulatory Barriers

Part A. Local Jurisdictions. Counties Exercising Land Use and Building Regulatory Authority and Other Applicants Applying for Projects Located in such Jurisdictions or Counties

		1	2
1.	Does your jurisdiction's comprehensive plan (or in the case of a tribe or TDHE, a local Indian Housing Plan) include a "housing element? A local comprehensive plan means the adopted official statement of a legislative body of a local government that sets forth (in words, maps, illustrations, and/or tables) goals, policies, and guidelines intended to direct the present and future physical, social, and economic development that occurs within its planning jurisdiction and that includes a unified physical plan for the public development of land and water. If your jurisdiction does not have a local	☐ No	☒ Yes

	comprehensive plan with a "housing element," please enter no. If no, skip to question # 4.		
2.	If your jurisdiction has a comprehensive plan with a housing element, does the plan provide estimates of current and anticipated housing needs, taking into account the anticipated growth of the region, for existing and future residents, including low, moderate and middle income families, for at least the next five years?	☒ No	☐ Yes
3.	Does your zoning ordinance and map, development and subdivision regulations or other land use controls conform to the jurisdiction's comprehensive plan regarding housing needs by providing: a) sufficient land use and density categories (multifamily housing, duplexes, small lot homes and other similar elements); and, b) sufficient land zoned or mapped "as of right" in these categories, that can permit the building of affordable housing addressing the needs identified in the plan? (For purposes of this notice, "as-of-right," as applied to zoning, means uses and development standards that are determined in advance and specifically authorized by the zoning ordinance. The ordinance is largely self-enforcing because little or no discretion occurs in its administration.). If the jurisdiction has chosen not to have either zoning, or other development controls that have varying standards based upon districts or zones, the applicant may also enter yes.	☐ No	☒ Yes
4.	Does your jurisdiction's zoning ordinance set minimum building size requirements that exceed the local housing or health code or is otherwise not based upon explicit health standards?	☐ Yes	☒ No
5.	If your jurisdiction has development impact fees, are the fees specified and calculated under local or state statutory criteria? If no, skip to question #7. Alternatively, if your jurisdiction does not have impact fees, you may enter yes.	☐ No	☒ Yes
6.	If yes to question #5, does the statute provide criteria that sets standards for the allowable type of capital investments that have a direct relationship between the fee and the development (nexus), and a method for fee calculation?	☐ No	☒ Yes
7.	If your jurisdiction has impact or other significant fees, does the jurisdiction provide waivers of these fees for affordable housing?	☒ No	☐ Yes
8.	Has your jurisdiction adopted specific building code language regarding housing rehabilitation that encourages such rehabilitation through gradated regulatory requirements applicable as different levels of work are performed in existing buildings? Such code language increases regulatory requirements (the additional improvements required as a matter of regulatory policy) in proportion to the extent of rehabilitation that an owner/developer chooses to do on a voluntary basis. For further information see HUD publication: "*Smart Codes in Your Community: A Guide to Building Rehabilitation Codes*" (www.huduser.org/publications/destech/smartcodes.html)	☒ No	☐ Yes

9. Does your jurisdiction use a recent version (i.e. published within the last 5 years or, if no recent version has been published, the last version published) of one of the nationally recognized model building codes (i.e. the International Code Council (ICC), the Building Officials and Code Administrators International (BOCA), the Southern Building Code Congress International (SBCI), the International Conference of Building Officials (ICBO), the National Fire Protection Association (NFPA)) without significant technical amendment or modification. In the case of a tribe or TDHE, has a recent version of one of the model building codes as described above been adopted or, alternatively, has the tribe or TDHE adopted a building code that is substantially equivalent to one or more of the recognized model building codes? Alternatively, if a significant technical amendment has been made to the above model codes, can the jurisdiction supply supporting data that the amendments do not negatively impact affordability.	☐ No	☒ Yes
10. Does your jurisdiction's zoning ordinance or land use regulations permit manufactured (HUD-Code) housing "as of right" in all residential districts and zoning classifications in which similar site-built housing is permitted, subject to design, density, building size, foundation requirements, and other similar requirements applicable to other housing that will be deemed realty, irrespective of the method of production?	☒ No	☐ Yes
11. Within the past five years, has a jurisdiction official (i.e., chief executive, mayor, county chairman, city manager, administrator, or a tribally recognized official, etc.), the local legislative body, or planning commission, directly, or in partnership with major private or public stakeholders, convened or funded comprehensive studies, commissions, or hearings, or has the jurisdiction established a formal ongoing process, to review the rules, regulations, development standards, and processes of the jurisdiction to assess their impact on the supply of affordable housing?	☒ No	☐ Yes
12. *Within the past five years, has the jurisdiction initiated major regulatory reforms either as a result of the above study or as a result of information identified in the barrier component of the jurisdiction's "HUD Consolidated Plan?" If yes, attach a brief list of these major regulatory reforms.	☐ No	☒ Yes
13. Within the past five years has your jurisdiction modified infrastructure standards and/or authorized the use of new infrastructure technologies (*e.g.* water, sewer, street width) to significantly reduce the cost of housing?	☒ No	☐ Yes
14. Does your jurisdiction give "as-of-right" density bonuses sufficient to offset the cost of building below market units as an incentive for any market rate residential development that includes a portion of affordable housing? (As applied to density bonuses, "as of right" means a density bonus granted for a fixed percentage or number of additional market rate dwelling units in exchange for the provision of a fixed number or percentage of affordable dwelling units and without	☒ No	☐ Yes

the use of discretion in determining the number of additional market rate units.)		
15. Has your jurisdiction established a single, consolidated permit application process for housing development that includes building, zoning, engineering, environmental, and related permits? Alternatively, does your jurisdiction conduct concurrent, not sequential, reviews for all required permits and approvals?	☐ No	☒ Yes
16. Does your jurisdiction provide for expedited or "fast track" permitting and approvals for all affordable housing projects in your community?	☒ No	☐ Yes
17. Has your jurisdiction established time limits for government review and approval or disapproval of development permits in which failure to act, after the application is deemed complete, by the government within the designated time period, results in automatic approval?	☒ No	☐ Yes
18. Does your jurisdiction allow "accessory apartments" either as: a) a special exception or conditional use in all single-family residential zones or, b) "as of right" in a majority of residential districts otherwise zoned for single-family housing?	☒ No	☐ Yes
19. Does your jurisdiction have an explicit policy that adjusts or waives existing parking requirements for all affordable housing developments?	☒ No	☐ Yes
20. Does your jurisdiction require affordable housing projects to undergo public review or special hearings when the project is otherwise in full compliance with the zoning ordinance and other development regulations?	☐ Yes	☒ No
Total Points:	**10**	**10**

The questions above indicate that the city has reviewed policies and procedures and removed potential barriers when possible. The only barriers in the city that remain on the form above are due to their significant legal or financial costs.

2.
The City of Surprise has an active strategy to promote homeownership and the preservation and management of existing residential property. To offset the increasing cost of housing in the private market, the city has undertaken a number of strategies to preserve and develop new affordable housing. These strategies include:

1. **The use of general funds and HOME funds for the preservation of existing affordable owner-occupied housing.**
2. **Support of for-profit and nonprofit developers in the construction of Tax Credit assisted rental housing for families and seniors.**
3. **Development of Original Townsite Revitalization Plan which has already resulted in public investment in community facilities and infill construction of mixed income owner-occupied homes.**

HOMELESS

Homeless Needs (91.205 (b) and 91.215 (c))

*Please also refer to the Homeless Needs Table in the Needs.xls workbook

Homeless Needs— The jurisdiction must provide a concise summary of the nature and extent of homelessness in the jurisdiction, (including rural homelessness and chronic homelessness where applicable), addressing separately the need for facilities and services for homeless persons and homeless families with children, both sheltered and unsheltered, and homeless subpopulations, in accordance with Table 1A. The summary must include the characteristics and needs of low-income individuals and children, (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered. In addition, to the extent information is available, the plan must include a description of the nature and extent of homelessness by racial and ethnic group. A quantitative analysis is not required. If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates.

5 Year Strategic Plan Homeless Needs response:

City of Surprise' homeless needs and activities are planned and reported through the Maricopa Consortium Plan. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium for a complete description of these activities. Additional information is provided below.

The Maricopa Association of Governments Continuum of Care Subcommittee (MAG CoC) is the regional body that manages the collaborative efforts of communities and agencies in Maricopa County to plan for the needs of the homeless and access federal funding on behalf of agencies organized to address those needs. According to the *'Regional Plan to End Homelessness'* published by MAG CoC in March 2009, there are no homeless persons in the city (*Table 7)*. However, the city did a Point in Time Homeless Street Count in January 2018 in conjunction with MAG and interviewed 39 homeless persons. The city will continue to do a periodic assessment of any new homeless person cases in the city and will act accordingly to mitigate the problems.

Table 7: Homeless Street Count

2011 Homeless Street Count
Municipal Summary Data
**All counts were conducted on Tuesday, January 25, 2011.*

MAG Region Totals	Non-Chronically Homeless Male	Non-Chronically Homeless Female	Non-Chronically Homeless Male Veteran	Non-Chronically Homeless Female Veteran	Chronically Homeless Male	Chronically Homeless Female	Chronically Homeless Male Veteran	Chronically Homeless Female Veteran	Person in Families Adult Women**	Persons in Families Adult Men	Families Adult Male Veteran	Families Adult Female Veteran	Persons in Families Children	Male Youth On Own	Female Youth on Own	2011 Municipal Total	2010 Municipal Total	Percent Change, NC=No Change
Avondale	0	0	0	0	7	3	1	0	0	0	0	0	0	0	0	**11**	20	-45%
Buckeye	11	3	1	0	1	1	2	0	0	0	0	0	0	0	0	**19**	15	27%
Carefree	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	0	NC
Cave Creek	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**2**	0	200%
Chandler	14	1	0	0	42	5	1	0	1	0	0	0	1	0	0	**65**	12	442%
El Mirage	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	**2**	3	-33%
Fountain Hills	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	0	NC
Gila Bend	2	1	0	0	8	1	1	1	0	0	0	0	0	0	0	**14**	12	17%
Gilbert	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	1	-100%
Glendale	9	5	1	0	16	6	5	0	0	0	0	0	0	0	0	**42**	28	50%
Goodyear	0	0	3	1	0	0	0	0	0	0	0	0	0	0	0	**4**	17	-76%
Guadalupe	52	1	0	0	5	0	0	0	0	0	0	0	0	0	0	**58**	80	-28%
Litchfield Park	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	0	NC
Mesa	9	2	1	0	60	18	12	0	0	0	0	0	0	0	0	**102**	461	-78%
Paradise Valley	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	0	NC
Peoria	4	0	2	0	7	0	5	0	0	0	0	0	0	0	0	**18**	20	-10%
Phoenix	424	118	83	22	302	60	58	24	1	3	0	0	2	42	20	**1159**	1750	-34%
Queen Creek	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**11**	8	38%
Scottsdale	57	7	1	0	38	12	3	0	0	0	0	0	0	1	0	**119**	126	-6%
Sun City	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	0	NC
Surprise	4	0	2	0	5	0	0	0	0	0	0	0	0	0	0	**11**	18	-39%
Tempe	23	9	2	0	50	13	15	0	0	0	0	0	0	0	0	**112**	155	-28%
Tolleson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	3	-100%
Wickenburg	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	0	NC
Youngtown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	0	NC
Municipal Total	**622**	**148**	**96**	**23**	**542**	**119**	**103**	**25**	**2**	**3**	**0**	**0**	**3**	**43**	**20**	**1749**	**2729**	**-36%**

Priority Homeless Needs

1. Using the results of the Continuum of Care planning process, identify the jurisdiction's homeless and homeless prevention priorities specified in Table 1A, the Homeless and Special Needs Populations Chart. The description of the jurisdiction's choice of priority needs and allocation priorities must be based on reliable data meeting HUD standards and should reflect the required consultation with homeless assistance providers, homeless persons, and other concerned citizens regarding the needs of homeless families with children and individuals. The jurisdiction must provide an analysis of how the needs of each category of residents provided the basis for determining the relative priority of each priority homeless need category. A separate brief narrative should be directed to addressing gaps in services and housing for the sheltered and unsheltered chronic homeless.

2. A community should give a high priority to chronically homeless persons, where the jurisdiction identifies sheltered and unsheltered chronic homeless persons in its Homeless Needs Table - Homeless Populations and Subpopulations.

5 Year Strategic Plan Priority Homeless Needs response:

Priority Homeless Needs
The needs chart below is developed directly from the *'Regional Plan to End Homelessness'* published by MAG CoC in March 2009.

Table 8 **Part 1: Homeless Population**	Sheltered		Un-sheltered	Total
	Emergency	Transitional		
1. Homeless Individuals	0	0	0	0
2. Homeless Families with Children	0	0	0	0
2a. Persons in Homeless with Children Families	0	0	0	0
Total (lines 1 + 2a)	0	0	0	0

Part 2: Homeless Subpopulations	Sheltered	Un-sheltered	Total
1. Chronically Homeless	0	0	0
2. Severely Mentally Ill	0		
3. Chronic Substance Abuse	0		
4. Veterans	0		
5. Persons with HIV/AIDS			
6. Victims of Domestic Violence	0		
7. Youth (Under 18 years of age)			

Source: "***Regional Plan to End Homelessness",* MAG CoC, March 2009.**

The definitions used for emergency and transitional housing:

***Emergency Shelter* means any facility with the primary purpose of providing temporary housing for homeless people.**

***Transitional Housing* means any facility that has the goal of facilitating the movement of homeless people to permanent housing within 24 months.**

Homeless Inventory (91.210 (c))

The jurisdiction shall provide a concise summary of the existing facilities and services (including a brief inventory) that assist homeless persons and families with children and subpopulations identified in Table 1A. These include outreach and assessment, emergency shelters and services, transitional housing, permanent supportive housing, access to permanent housing, and activities to prevent low-income individuals and families with children (especially extremely low-income) from becoming homeless. The jurisdiction can use the optional Continuum of Care Housing Activity Chart and Service Activity Chart to meet this requirement.

5 Year Strategic Plan Homeless Inventory response:
The Table below documents the inventory of beds in the County from the Update to the MAG Continuum of Care Plan to End Homelessness and the inventory of beds in Surprise from local records.

Table 8 Inventory/Beds	Shelter	Transitional	Permanent Supportive
Maricopa County			
Total	2694	2999	2523
Surprise			
Eve's Place	10 beds		
Catholic Charities		3 units	
Central AZ Shelter Services	1260 nights		
Surprise Total	10 beds	3 units	50 units

Homeless Strategic Plan (91.215 (c))

1. Homelessness— Describe the jurisdiction's strategy for developing a system to address homelessness and the priority needs of homeless persons and families (including the subpopulations identified in the needs section). The jurisdiction's strategy must consider the housing and supportive services needed in each stage of the process which includes preventing homelessness, outreach/assessment, emergency shelters and services, transitional housing, and helping homeless persons (especially any persons that are chronically homeless) make the transition to permanent housing and independent living. The jurisdiction must also describe its strategy for helping extremely low- and low-income individuals and families who are at imminent risk of becoming homeless.

2. Chronic homelessness—Describe the jurisdiction's strategy for eliminating chronic homelessness by 2019. This should include the strategy for helping homeless persons make the transition to permanent housing and independent living. This strategy should, to the maximum extent feasible, be coordinated with the strategy presented Exhibit 1 of the Continuum of Care (CoC) application and any other strategy or plan to eliminate chronic homelessness. Also describe, in a narrative, relationships and efforts to coordinate the Conplan, CoC, and any other strategy or plan to address chronic homelessness.

3. Homelessness Prevention—Describe the jurisdiction's strategy to help prevent homelessness for individuals and families with children who are at imminent risk of becoming homeless.

4. Institutional Structure—Briefly describe the institutional structure, including private industry, nonprofit organizations, and public institutions, through which the jurisdiction will carry out its homelessness strategy.

5. Discharge Coordination Policy—Every jurisdiction receiving McKinney-Vento Homeless Assistance Act Emergency Shelter Grant (ESG), Supportive Housing, Shelter Plus Care, or Section 8 SRO Program funds must develop and implement a Discharge Coordination Policy, to the maximum extent practicable. Such a policy should include "policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons." The jurisdiction should describe its planned activities to implement a cohesive, community-wide Discharge Coordination Policy, and how

the community will move toward such a policy.

5 Year Homeless Strategic Plan response:
Since 39 persons were identified in the last Point in Time count (January 2018), the city will continue to do a periodic assessment of any new homeless person cases and will continue to connect people experiencing homelessness to local and regional services through the new Surprise Resource Center and beyond. A new five-year plan will be developed and implemented in coordination with the Continuum of Care within the next two years.

Emergency Shelter Grants (ESG)

(States only) Describe the process for awarding grants to State recipients, and a description of how the allocation will be made available to units of local government.

5 Year Strategic Plan ESG response:
This section is not applicable to this plan. Surprise does not receive Emergency Shelter Grant funding.

COMMUNITY DEVELOPMENT

Community Development (91.215 (e))

*Please also refer to the Community Development Table in the Needs.xls workbook

1. Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs Table (formerly Table 2B), – i.e., public facilities, public improvements, public services and economic development.

2. Describe the basis for assigning the priority given to each category of priority needs.

3. Identify any obstacles to meeting underserved needs.

4. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.

   NOTE: Each specific objective developed to address a priority need, must be identified by number and contain proposed accomplishments, the time period (i.e., one, two, three, or more years), and annual program year numeric goals the jurisdiction hopes to achieve in quantitative terms, or in other measurable terms as identified and defined by the jurisdiction.

5 Year Strategic Plan Community Development response:

1.
Based on feedback from citizens, city staff, CDBG and Planning and Zoning Commission members, five priority needs have been identified for

implementation under the CDBG funding that will benefit low- to moderate-income persons in the City of Surprise. They are:

a) **Youth, Senior and Veteran Programs.**
b) **Job training programs for residents in Surprise with focus on the OTS.**
c) **Water system improvements in the OTS.**
d) **Lighting improvements in the OTS.**
e) **City wide housing rehabilitation.**
f) **Public Service Activities through nonprofit agency(s). Fifteen percent of the allotted PY 2015 funding will be delineated for this activity.**

These projects are designated high priority in the following table. For the first time, the city will aim funds at public services and consider economic development activities per the public response that the city received from the survey as part of public participation process. Fifteen percentage of the allotted CDBG funding will be set aside for public service activities. The CDBG funds will be targeted to the Original Townsite Area under the area benefit caveat as this is the only place in the city with a census tract where majority of the population is either low or moderate income.

The City of Surprise will transfer Program Income in the amount of $206,373 from the Neighborhood Stabilization Program (NSP) into the CDBG program for the Annual Action Plan 4 2018-19. This transfer of funds constitutes a Consolidated Plan Amendment. The funding breakdown is listed below in Table 9.

Table 9:

Program year	Projects	Public Services (15% max.)	Administrative functions (20% max.)	Carried Over CDBG Funds	**Total**
2015-16	$551,309	$82,696	$110,261	$551,177	**$1,102,486**
2016-17	$358,352	$82,696	$110,261	-	**$551,309**
2017-18	$415,064	$95,784	$127,712	-	**$638,560**
2018-19 Transfer	$206,373	$N/A	$N/A	**-**	**$206,373**
2018-19	$443,627	$95,784	$127,712	**-**	**$667,123**
2019-20	$443,627	$95,784	$127,712	**-**	**$667,123**

Below is the community development needs table based on funding projections and prioritized needs for the next five years:

	Table 10: **Community Development Needs**	Needs	Priority Need: H, M, L	Dollars to Address- Specifically planned for this Strategic Plan	Plan to Fund? Y/N	Fund Source	Objective	Outcome
Public Fac / Improvements	03 Public Facilities and Improvements (General) 570.201I	Yes – 5 Years	H	$206,373	Y	NSP - CDBG	Suitable Living Environment	Sustain-ability
	03F Parks, Recreational Facilities 570.201I	Yes	H		N	CDBG	Suitable Living Environment	Sustain-ability
	03J Water/Sewer Improvements 570.201I	Yes	H	1,369,000	Y	CDBG	Suitable Living Environment	Sustain-ability
	03K Street Improvements 570.201I	Yes- Jerry Street Year 1 and 2	H	$141,250	Y	CDBG/other	Suitable Living Environment /Economic Dev.	Sustain-ability
	03I Flood Drain Improvements 570.201I	Yes 3 locations	H	$100,000	Y	CDBG	Suitable Living Environment	Sustain-ability
	03O Fire Stations/Equipment 570.201I	No	L		Y	General	Suitable Living Environment	Sustain-ability
	03A Senior Centers 570.201I	Yes	H	$50,000	Y	General	Suitable Living Environment	Sustain-ability
	03B Handicapped Centers 570.201I	Yes	L	$10,000	N	CDBG/other	Suitable Living Environment	Sustain-ability
	03C Homeless Facilities 570.201I	Yes	H	$10,000	Y	CDBG	Suitable Living Environment	Sustain-ability
	03D Youth Centers 570.201I	Yes	H	$26,000	Y	CDBG	Suitable Living Environment	Sustain-ability
	03P Health Facilities 570.201I	Yes	H		N	Unknown	Suitable Living Environment	Sustain-ability
Public Services	05 Public Services (General) 570.201(e)	Yes; 5 Years	H	$419,331	Y	CDBG	Suitable Living Environment	Sustain-ability
	05A Senior Services 570.201(e)	Yes	H		Y	CDBG	Suitable Living Environment	Sustain-ability
	05B Handicapped Services 570.201(e)	Yes	H		Y	General	Suitable Living Environment	Sustain-ability
	05D Youth Services 570.201(e)	Yes; Year1-5	H	$270,498	Y	CDBG/other	Suitable Living Environment /Economic Dev.	Sustain-ability
	05E Transportation Services 570.201(e)	Yes	H		Y	General	Suitable Living Environment	Sustain-ability

	05G Battered and Abused Spouses 570.201(e)	Yes	H		Y	CDBG	Suitable Living Environment	Sustain-ability
	05H Employment Training 570.201(e)	Yes	H		Y	CDBG	Suitable Living Environment	Sustain-ability
	05J Fair Housing Activities (if CDBG, then subject to 570.201(e)	Yes	H	$15,000	Y	CDBG	Suitable Living Environment	Sustain-ability
	05M Health Services 570.201(e)	Yes	H		Y	Other	Suitable Living Environment	Sustain-ability
	05N Abused and Neglected Children 570.201(e)	Yes	H		Y	CDBG	Suitable Living Environment	Sustain-ability
	05P Screening for Lead-Based Paint/Lead Hazards Poison 570.201(e)	Yes	M		Y	CDBG/HOME	Suitable Living Environment	Sustain-ability
	05Q Subsistence Payments 570.204 (Temporary)	Yes	H			General	Suitable Living Environment	Sustain-ability
	05S Rental Housing Subsidies (if HOME, not part of 5% 570.204	Yes	H		N	Section 8 Vouchers	Suitable Living Environment	Sustain-ability
	05T Security Deposits (if HOME, not part of 5% Admin c	Yes	H		Y	Private	Suitable Living Environment	Sustain-ability
13 Direct Homeownership Assistance 570.201(n)		Yes	H		Y	HOME/NSP	Decent Housing	Affordability
	14A Rehab; Single-Unit Residential 570.202	Yes; 25 homes; Year 1-5	H	$667,250	Y	CDBG/HOME /other	Decent Housing	Affordability
	14B Rehab; Multi-Unit Residential 570.202	Yes	H		Y	HOME	Decent Housing	Affordability
	14G Acquisition – for Rehabilitation 570.202	Yes	H		Y	HOME	Decent Housing	Affordability
	14H Rehabilitation Administration 570.202	Yes	H		Y	CDBG	Decent Housing	Affordability
	14I Lead-Based/Lead Hazard Test/Abate 570.202	Yes	H		Y	CDBG/HOME	Decent Housing	Affordability
	17A CI Land Acquisition/Disposition 570.203(a)	Yes	H		Y	CDBG	Decent Housing	Affordability
	19A HOME Admin/Planning Costs of PJ (not part of 5% Ad	Yes	H		Y	HOME		
	19B HOME CHDO Operating Costs (not part of 5% Admin ca	Yes	H		Y	HOME		
20 Planning 570.205		Yes	Yes		Y	CDBG		
	21A General Program Administration 570.206	Yes; 5 years	H	$406,873	Y	CDBG/HOME		
	21D Fair Housing Activities (subject to 20% Admin cap) 570.206	Yes	H		Y	CDBG	Suitable Living Environment	Sustain-ability
	21I HOME CHDO Operating Expenses (subject to 5% cap)	0	M		Y	HOME		
22 Unprogrammed Funds		0				CDBG		

All of the stated priorities and needs are subject to amendment and change due to:

- **Changes in regulatory requirements at the local, state, and federal level that impact the priorities, funding, and delivery of services;**
- **Changing demographics and socio-economic factors affecting the city;**
- **Annual reevaluations of resources, priorities, objectives, strategies and goals for the city; and**
- **Changes in the funding resources and amounts available for programs and services for city residents.**

2.
Priority needs for CDBG eligible activities have been assessed using the following resources:

- **Citizens and city staff input through surveys, interviews AND Public Hearings;**
- **The City of Surprise Capital Improvement Plan;**
- **The City of Surprise General Plan;**
- **Activity and project needs assessments; and**
- **Planning and Zoning Commission**
- **Local information from the Maricopa HOME Consortium and MAG CoC.**

The primary objective of the City of Surprise CDBG program is to foster the development, revitalization, and preservation of neighborhoods to provide decent housing, a suitable living environment, and expanded economic opportunities, especially for low- and moderate-income persons in the OTS area of Surprise.

3.
Funding Future
One of the main obstacles to meeting community needs is inadequate resources for programs. The decline in resources across sectors, including government agencies and foundations, due to the economic downturn has negatively impacted the quantity and quality of housing and community development services. Although federal stimulus funding helps mitigate this trend to some extent, resources for these programs will likely be limited for the near future.

Other obstacles to meeting underserved include:

a) Insufficient resources to meet all of the legitimate and eligible needs identified.
b) Private ownership of incompatible land uses within the revitalization area.
c) Public ownership of the water system in the revitalization area by another municipality.
d) Environmental issues related to the location of Grand Avenue, the railroad, and Luke Airforce Base.

Antipoverty Strategy (91.215 (h))

1. Describe the jurisdiction's goals, programs, and policies for reducing the number of poverty level families (as defined by the Office of Management and Budget and revised annually). In consultation with other appropriate public and private agencies, (i.e. TANF agency) state how the jurisdiction's goals, programs, and policies for producing and preserving affordable housing set forth in the housing

component of the consolidated plan will be coordinated with other programs and services for which the jurisdiction is responsible.

2. Identify the extent to which this strategy will reduce (or assist in reducing) the number of poverty level families, taking into consideration factors over which the jurisdiction has control.

5 Year Strategic Plan Antipoverty Strategy response:

1.
The City of Surprise Anti-Poverty Strategy is to help people to move out of poverty through emergency stabilization actions with local non-profits and Community Housing Development Corporations that include:

- **Intake and case management.**
- **Utility assistance.**
- **Emergency mortgage/rent assistance.**

The long-term actions include:

- **Operation and capital costs for organizations that provide job training, self sufficiency, and other counseling and planning services for homeless or at-risk persons. CDBG public service funding would be targeted for this action.**
- **After school and other youth programs that help at-risk youth that provide positive role models and promote healthy lifestyles.**
- **Information and referral services on job training, small business, and similar programs.**
- **Counseling and downpayment assistance for low- and moderate-income first-time homebuyers.**
- **Limited emergency assistance for low- and moderate-income persons at risk of becoming homeless to help them maintain their current housing and not become dependent on more costly outside services.**

These programs are provided locally and regionally. They all support the broad goal of helping prevent or end homelessness by promoting self-sufficiency. CDBG and HOME funds will be available to fund these activities.

2.
A number of residents will experience improved economic conditions over the next five years but the number of households that will move out of poverty is expected to be relatively small.

Low Income Housing Tax Credit (LIHTC) Coordination (91.315 (k))

1. (States only) Describe the strategy to coordinate the Low-income Housing Tax Credit (LIHTC) with the development of housing that is affordable to low- and moderate-income families.

5 Year Strategic Plan LIHTC Coordination response:

Not Applicable.

NON-HOMELESS SPECIAL NEEDS

Specific Special Needs Objectives (91.215)

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve over a specified time period.

2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the strategic plan.

5 Year Non-homeless Special Needs Analysis response:

1.
The City of Surprise has included public service activities through CDBG funding to benefit low- and moderate-income residents in the city. The top priorities for the next five years as per the survey feedback are:

- **Neighborhood improvement services**
- **Youth activities**
- **Senior activities**
- **Veteran services**
- **Job training activities**
- **Affordable Housing**

For the program year 2015-16, the city will be targeting the delineated CDBG public service funds for emergency food boxes, services for youth, seniors, homeless individuals and families and veterans through nonprofit organizations.

2.
Due to the economic downturn, no city general revenue will be allotted to these services at this time. Other funding from state and federal sources will be requested as feasible.

Non-homeless Special Needs (91.205 (d) and 91.210 (d)) Analysis (including HOPWA)

*Please also refer to the Non-homeless Special Needs Table in the Needs.xls workbook.

1. Estimate, to the extent practicable, the number of persons in various subpopulations that are not homeless but may require housing or supportive services, including the elderly, frail elderly, persons with disabilities (mental, physical, developmental, persons with HIV/AIDS and their families), persons with alcohol or other drug addiction, victims of domestic violence, and any other categories the jurisdiction may specify and describe their supportive housing needs. The jurisdiction can use the Non-Homeless Special Needs Table (formerly Table 1B) of their Consolidated Plan to help identify these needs.

*Note: HOPWA recipients must identify the size and characteristics of the population with HIV/AIDS and their families that will be served in the metropolitan area.

2. Identify the priority housing and supportive service needs of persons who are not homeless but may or may not require supportive housing, i.e., elderly, frail elderly, persons with disabilities (mental, physical, developmental, persons with HIV/AIDS and their families), persons with alcohol or other drug addiction by using the Non-homeless Special Needs Table.

3. Describe the basis for assigning the priority given to each category of priority needs.

4. Identify any obstacles to meeting underserved needs.

5. To the extent information is available, describe the facilities and services that assist persons who are not homeless but require supportive housing, and programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing.

6. If the jurisdiction plans to use HOME or other tenant based rental assistance to assist one or more of these subpopulations, it must justify the need for such assistance in the plan.

5 Year Non-homeless Special Needs Analysis response:

The estimate of need in the following chart is based on national population studies and is taken from the Maricopa HOME Consortium Strategic Plan. The estimated number of people in Surprise for each need category is determined by multiplying the category's county population by the percentage of Surprise population that is in the Maricopa County- 3%.

Table 11:

Special needs populations identified here are ranked as high priority for Consolidated Planning Purposes but may not necessarily be funded through CDBG/HOME	Population count for Maricopa County	Data Sources	Population count proportional to the City of Surprise-3%	Types of supportive services needed by this population	Identified funding gap in services	Identified sources of service for this population
Elderly	537,261	2010 Census	16,117	Case management, Befriending services, Counseling, Adult day care, Home Care Home delivered meals	Area Agency on Aging Study in 2013 indicated current funding serves about one third of need.	Area Agency on Aging, Maricopa County Special Transportation Services, AHCCCS, Community Action Program
Frail elderly	91,937	*Area of Agency on Aging 2013*	2758	Case management, Befriending services, Counselling, Adult day care, Home care, Home delivered meals, Help service, Nursing/ medical services	Area Agency on Aging Study in 2013 indicated current funding serves about one third of need.	Area Agency on Aging, Senior Adult Independent Living (SAIL), Arizona Long Term Care System, AHCCCS
Persons with severe mental illness	134,315	*Mental Health: Heath Service Executive*	4029	Outreach and identification, Treatment, Health care, Income support, Rehabilitation services		AHCCCS
Developmentally disabled persons	80,188	*Bethesda Institute 2006*	723	Assistive technology, Employment and training, Information and referral, Transportation, Caregiver respite	Area Agency on Aging Study in 2013 indicated current funding serves about one third of need.	The Centers for Habilitation, Arizona Bridge to Independent Living, Maricopa County Special Transportation Services, AHCCCS

Special needs populations identified here are ranked as high priority for Consolidated Planning Purposes but may not necessarily be funded through CDBG/HOME	Population count for Maricopa County	Data Sources	Population count proportional to the City of Surprise-3%	Types of supportive services needed by this population	Identified funding gap in services	Identified sources of service for this population
Physically disabled persons	469,101	Disabilitystatistics.org 2012	14,073	Assistive technology, Employment and training, Information and referral, Transportation, Caregiver respite	Area Agency on Aging Study in 2013 indicated current funding serves about one third of need.	Arizona Technology Access Program, Easter Seals, Southwest Human Development, Arizona Center for the Blind and Visually Impaired, Valley Center for the Deaf, Arizona Commission for the Deaf and Hard of Hearing, Arizona Bridge to Independent Living, Maricopa County Special Transportation Services, AHCCCS
Alcohol/drug addicted persons	400,941	Closing the Addiction Treatment Gap (CATG) 2010	12,028	Monitoring, Screening, Information and referral, Detox medication, Education, Self-help groups		CDBG, AHCCCS

Special needs populations identified here are ranked as high priority for Consolidated Planning Purposes but may not necessarily be funded through CDBG/HOME	Population count for Maricopa County	Data Sources	Population count proportional to the City of Surprise-3%	Types of supportive services needed by this population	Identified funding gap in services	Identified sources of service for this population
Persons with HIV/AIDS and their families	10200	Arizona Dept. of Health Services 2012 Annual Report	306	Case management, Emergency financial assistance, Food, Transportation, Early intervention, Education, Wellness and nutrition		CDBG, Maricopa County Health Department, Ryan White, AHCCCS

Housing Opportunities for People with AIDS (HOPWA)

*Please also refer to the HOPWA Table in the Needs.xls workbook.

1. The Plan includes a description of the activities to be undertaken with its HOPWA Program funds to address priority unmet housing needs for the eligible population. Activities will assist persons who are not homeless but require supportive housing, such as efforts to prevent low-income individuals and families from becoming homeless and may address the housing needs of persons who are homeless in order to help homeless persons make the transition to permanent housing and independent living. The plan would identify any obstacles to meeting underserved needs and summarize the priorities and specific objectives, describing how funds made available will be used to address identified needs.

2. The Plan must establish annual HOPWA output goals for the planned number of households to be assisted during the year in: (1) short-term rent, mortgage and utility payments to avoid homelessness; (2) rental assistance programs; and (3) in housing facilities, such as community residences and SRO dwellings, where funds are used to develop and/or operate these facilities. The plan can also describe the special features or needs being addressed, such as support for persons who are homeless or chronically homeless. These outputs are to be used in connection with an assessment of client outcomes for achieving housing stability, reduced risks of homelessness and improved access to care.

3. For housing facility projects being developed, a target date for the completion of each development activity must be included and information on the continued use of these units for the eligible population based on their stewardship requirements (e.g. within the ten-year use periods for projects involving acquisition, new construction or substantial rehabilitation).

4. The Plan includes an explanation of how the funds will be allocated including a description of the geographic area in which assistance will be directed and the rationale for these geographic allocations and priorities. Include the name of each project sponsor, the zip code for the primary area(s) of planned activities, amounts committed to that sponsor, and whether the sponsor is a faith-based and/or grassroots organization.

5. The Plan describes the role of the lead jurisdiction in the eligible metropolitan statistical area (EMSA), involving (a) consultation to develop a metropolitan-wide strategy for addressing the needs of persons with HIV/AIDS and their families living throughout the EMSA with the other jurisdictions within the EMSA; (b) the standards and procedures to be used to monitor HOPWA Program activities in order to ensure compliance by project sponsors of the requirements of the program.

6. The Plan includes the certifications relevant to the HOPWA Program.

5 Year Strategic Plan HOPWA response:

This section is not applicable to this plan. Surprise does not receive HOPWA funding.

Specific HOPWA Objectives

1. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the strategic plan.

5 Year Specific HOPWA Objectives response:

This section is not applicable to this plan. Surprise does not receive HOPWA funding.

OTHER NARRATIVE

Include any Strategic Plan information that was not covered by a narrative in any other section.

Fair Housing Policies
The City of Surprise continues to be committed to fair housing and to eliminate discrimination in the city. The city completed an Analysis of Impediments to Fair Housing Choice in 2012. Major points from the plan include:

Table 12: **Fair Housing Plan 2012-17**

IMPEDIMENT TO BE ADDRESSED	GOAL	STRATEGY TO MEET THE GOAL	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	PROPOSED INVESTMENT	PERFORMANCE MEASURE
Lack of diversity in many Census Tracts	Opportunities for diverse populations to choose	Continue to engage the real estate community in	Fair Housing Coordinator, 2015	Staff time	Number of meetings initiated

IMPEDIMENT TO BE ADDRESSED	GOAL	STRATEGY TO MEET THE GOAL	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	PROPOSED INVESTMENT	PERFORMANCE MEASURE
	places to live throughout the community	increasing opportunities for greater diversity in neighborhoods. Become a participant in the Arizona Fair Housing Partnership.	Fair Housing Coordinator, 2015		Number of meetings attended
High denial rates for Black/African Americans in CT 405.11	Equal access to credit and mortgages throughout the community	Engage the services of one of the fair housing services to provide paired test to assess whether minorities are treated with different terms and conditions.	Neighborhood Services, within the next five years.	$5,000	Number of tests performed
Lack of affordable rental housing has a disproportionate impact on single female heads of households with children.	Opportunities for parents who become single to find places to live in the community.	Develop an IGA with the Housing Authority of Maricopa County to formalize the operating relationship with the agency. Seek additional resources to facilitate development of affordable rental housing.	Neighborhood Services Department, within the next 24 months. Neighborhood Services	Staff time Indirect, in that funding would actually come from other sources.	IGA executed Additional affordable units constructed for families.
Lack of knowledge about fair housing rights and how to file a fair housing complaint.	An increase in people's knowledge of fair housing rights.	Facilitate and/or participate in fair housing training for City staff, real estate professionals and citizens.	Fair Housing Coordinator	Staff time and incidental costs related to speakers and sessions.	Sessions provided
Lack of fair housing infrastructure required as part of the CDBG Certification to Affirmatively Further Fair Housing.	Compliance with the CDBG Certification to Affirmatively Further Fair Housing	Modify the Fair Housing page on the City website to access directly HUD and the Attorney General's fair housing web sites. Develop a data	Neighborhood Services and the City's web manager Fair Housing Coordinator and	Staff time	New information available A new useable database

IMPEDIMENT TO BE ADDRESSED	GOAL	STRATEGY TO MEET THE GOAL	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	PROPOSED INVESTMENT	PERFORMANCE MEASURE
		base that can be used by both the Fair Housing Coordinator and the ADA Coordinator to record, identify and track resolution when fair housing complaints and inquiries come to the City. Develop a grievance procedure for Section 504 complaints. Such a procedure may also be used for other types of complaints related to federal grants administration. Update the AI periodically as new information is available from the Census or other sources which makes an update appropriate.	ADA Coordinator. Fair Housing Coordinator and City Attorney Neighborhood Services		A formal administrative grievance procedure Periodic updates to the AI

Area of Minority Concentration

Surprise has one area of minority concentration. The Hispanic population makes up 18.5% of Census Tract 608 and totals 22,856 residents as per census 2010. This census tract includes all the Original Townsite and is the only low- and moderate-income census tract in the community. All area benefit activities included in the 5 Year Strategic Plan will take place in this area. The city has a Council appointed, the Planning and Zoning Commission, which monitor the implementation of the Specific Plan for the Revitalization of the Original Townsite. Resources recommended by these boards include CDBG funds and general funds set aside for the revitalization of the OTS. In addition, many direct benefit recipients of housing rehabilitation assistance are residents of this neighborhood. The commitment of facilities and resources to this neighborhood is substantial.

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: CDBG Consolidated Plan 2015-2019

OVERALL PUBLIC INVOLVEMENT LEVEL:

Public Hearing on 8/2/18 (P & Z Meeting) and 9/4/18 Council Meeting. 30 day Public comment period (7/19/18 - 8/19/18) for draft Consolidated Plan Amendment.

IDENTIFY STAKEHOLDERS:

OTS residents/property owners, public service nonprofits, City of Surprise staff Public Works, Community Development, Economic Development and Human Services.

OBJECTIVES:

Create viable neighborhoods, provide decent, safe and affordable housing;Low to moderate income resident job creation; provide services to those with special needs

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when) Public Hearings 8/2 & 9/4/18, 30 day public comment
Future Council Work Session/Meetings target dates
Election dates (if applicable)
Project start/completion dates 10/2018

Communication Tools and Technique options: (which do you plan to use?)

- ☑ Press releases
- ☑ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☑ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☑ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☐ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☑ Website updates

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

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Council Meeting Date:	September 4, 2018	Contact Person:	Seth Dyson, HSCV, Director
Submitting Department:	Human Service & Community Vitality	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion

Agenda Wording:

Consideration and action pertaining to an amendment to the Fiscal Year 2019 budget by reallocating appropriations of $693,800 from the Grants Contingency Fund to the Neighborhood Stabilization Program (NSP) 1 and NSP3, in the amount of $625,400 and $68,400 respectively; and $206,400 from the NSP1 to the Community Development Block Grant within the Neighborhood Revitalization Fund to support neighborhood improvements surrounding the Housing Authority of Maricopa County's multi-family project in the city's heritage district; Resolution #2018-134.

Motion:

I move to approve Resolution #2018-134.

Background:

The City of Surprise has identified unobligated grant funds for the NSP 1 and NSP 3 programs. The city's proposal is to utilize these funds to support affordable housing projects, relocation of a youth ball field, administration, and affordable housing acquisition, rehabilitation and new construction.

Objective Analysis:

This action allows HSCV to fund needed neighborhood improvements, administration, and affordable housing projects through the plan amendment.

Policy Compliant:

The agenda item falls within Council and City policy.

Financial Impact:

This action allows the NSP 1 and 3 programs to be fully funded.

Budget Impact:

The FY2019 budget was adopted but did not include original remaining grant award funding from NSP1

in the amount of $625,340.74 or NSP3 in the amount of $68,369.77. Appropriations of $625,400 will be moved from Contingency within the Grants Fund to the Neighborhood Stabilization Grant 1 and appropriations of $68,400 will be moved from Contingency within the Grants fund to the Neighborhood Stabilization Grant 3. A budget amendment to reallocate appropriations of $206,400 from the NSP1 Program Income to the Community Development Block Grant within the Neighborhood Revitalization Fund to support neighborhood improvements surrounding the Housing Authority of Maricopa County's multi-family project for supportive housing in the City's Heritage District and an amendment to reallocate appropriations from NSP3 Program income to NSP3 Administration and $15,000 from the NSP3 Program Income to NSP3 Administration for efficiency in tracking and drawdown purposes.

FTE Impact:

There is no FTE impact as a result of this agenda item.

ATTACHMENTS:

Click to download

- Resolution 2018-134

RESOLUTION # 2018-134

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2019 BUDGET BY REALLOCATING APPROPRIATIONS OF $693,800 FROM THE GRANTS CONTINGENCY FUND TO THE NEIGHBORHOOD STABILIZATION PROGRAM 1, IN THE AMOUNT OF $625,400, AND THE NEIGHBORHOOD STABILIZATION PROGRAM 3, IN THE AMOUNT OF $68,400. $206,400 FROM THE NEIGHBORHOOD STABILIZATION PROGRAM 1 TO THE COMMUNITY DEVELOPMENT BLOCK GRANT WITHIN THE NEIGHBORHOOD REVITALIZATION FUND TO SUPPORT NEIGHBORHOOD IMPROVEMENTS SURROUNDING THE HOUSING AUTHORITY OF MARICOPA COUNTY'S MULTI-FAMILY PROJECT FOR SUPPORTIVE HOUSING IN THE CITY'S HERITAGE DISTRICT. $15,000 FROM NEIGHBORHOOD STABILIZATION PROGRAM 3 PROGRAM INCOME TO NEIGHBORHOOD STABILIZATION PROGRAM 3 ADMINISTRATION.

WHEREAS, the FY2019 budget was adopted but did not include original remaining grant award funding from Neighborhood Stabilization Program 1 (NSP1, Grant # B-08-MN-04-0506) in the amount of $625,340.74 or Neighborhood Stabilization Program 3 (NSP3, Grant # B-11-MN-04-0506) in the amount of $68,369.77*;*

WHEREAS, appropriation of $625,340.74 will be moved from Contingency within the Grants Fund to the Neighborhood Stabilization Grant 1 and appropriations of $68,369.77 will be moved from Contingency within the Grants fund to the Neighborhood Stabilization Grant 3;

WHEREAS, the FY2019 adopted budget included Program Income from NSP1 in the amount of $369,073.67. Program income funds are available as a result of earned but unused Program Income through the sale of NSP homes during the term of these programs;

WHEREAS, on November 21, 2017, the Department of Housing and Urban Development (HUD) approved a transfer of program income from NSP1, up to $369,073.67 to fund an eligible Community Development Block Grant project;

WHEREAS, a budget amendment to reallocate appropriations of $206,373 from the NSP1 Program Income to the Community Development Block Grant within the Neighborhood Revitalization Fund to support neighborhood improvements surrounding the Housing Authority of Maricopa County's multi-family project for supportive housing in the City's Heritage District;

WHEREAS, a budget amendment to reallocate appropriations of $15,000 from the Neighborhood Stabilization Program 3 Program Income to the Neighborhood Stabilization Program 3 Administration in order for efficiency in tracking and draw down purposes;

WHEREAS, the FY2019 budget was adopted by Council Resolution #2018-78 on June 5, 2018;

WHEREAS, this action will necessitate a budget amendment; and

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

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

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2018 through June 30, 2019.

APPROVED AND ADOPTED this _____day of _____, 2018.

Sharon R. Wolcott, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

RESOLUTION # 2018-134
Exhibit A

1. Appropriation - The allocations below represent a reallocation of appropriations in the amount of $693,800 from the Grants Contingency Fund to the Neighborhood Stabilization Program 1 in the amount of $625,400, the Neighborhood Stabilization Program 3 in the amount of $68,400. $206,400 from the Neighborhood Stabilization Program 1 to the Community Development Block Grant within the Neighborhood Revitalization Fund. $15,000 from the Neighborhood Stabilization Program 3 Program Income to the Neighborhood Stabilization Program 3 Administration. These allocations are necessary in order to support neighborhood improvements surrounding the Housing Authority of Maricopa County's multi-family project for supportive housing in the city's Heritage District and for efficiency in tracking and draw down purposes. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority. Additionally, these allocations do not increase or decrease the total budget.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51341 NSP 1 - Original Grant	E	-	625,400	625,400
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51341 NSP 1 - Original Grant	R	-	625,400	625,400
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51361 NSP 3 - Original Grant	E	-	68,400	68,400
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51361 NSP 3 - Original Grant	R	-	68,400	68,400
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51350 NSP 1 Program Income	E	369,100	(206,400)	162,700
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51670 FFY18 CDBG Neighborhood Improvement	E	284,000	206,400	490,400
Grants	General Operations	Other	R	22,345,500	(693,800)	21,651,700
Grants	General Operations	Contingency	E	22,345,500	(693,800)	21,651,700
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51370 NSP 3 Program Income	E	761,600	(15,000)	746,600
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51370 NSP 3 Program Income	R	761,600	(15,000)	746,600
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51360 NSP3 Adminstration	E	-	15,000	15,000
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51360 NSP3 Adminstration	R	-	15,000	15,000
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51350 NSP 1 Program Income	R	369,100	(206,400)	162,700
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51670 FFY18 CDBG Neighborhood Improvement	R	284,000	206,400	490,400
		Expense Total		**23,760,200**	**-**	**23,760,200**
		Revenue Total		**23,760,200**	**-**	**23,760,200**

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	James Jackson, Police Department
Submitting Department:	Police	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of an amendment to Chapter 10, Article II, Division 2, Section 10-82 regarding confinement of animals and clarify its application; Ordinance #2018-06.

Motion:

I move to approve Ordinance #2018-06.

Background:

The City desires to amend Chapter 10, Article II, Division 2, Section 10-82 Confining Animals in order to clarify the city code provisions for confining animals. The ordinance penalizes unsafe and unhealthy practices and highlights conditions such as temperature, access to food and water, and tethering which impact animal health and safety. The ordinance includes provisions for severability, to establish an effective date, and to repeal conflicting ordinances.

Objective Analysis:

The ordinance amendment will provide better guidance for our citizens as they pursue the safe and healthy confinement of animals and discourage conduct and actions that do not lead to a safe and healthy result. The additional guidance will also assist our police department personnel as they provide guidance and perform enforcement relative to the confinement of animals.

Policy Compliant:

This amendment is compliant with City and Council Policy as it encourages the safe and healthy treatment of animals and also providing clear guidance to citizens so the citizens can conform their behavior to expected standards.

Financial Impact:

None; this amendment is for the purpose of providing better guidance to the citizens and our police department personnel.

Budget Impact:

None; this amendment is for the purpose of providing better guidance to the citizens and our police department personnel.

FTE Impact:

This item does not impact the overall full-time equivalent count.

ATTACHMENTS:

Click to download

- Ordinance 2018-06 Confining Animals
- Presentation -- Ordinance 2018-06 Confining Animals

ORDINANCE 2018-06

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 10, ARTICLE II, DIVISION 2, SECTION 10-82 CONFINING ANIMALS TO CLARIFY ITS APPLICATION; INCLUDING SEVERABLITY; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, the confining of animals in a safe and healthy manner is an issue of concern to the community; and

WHEREAS, the City wants to encourage the safe and healthy confining of animals and discourage conduct and actions that do not lead to that result.

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

Section 1. Chapter 10 Article II. Division 2, Section 10-82 of the Surprise Municipal Code is hereby amended as described on attached Exhibit A, and incorporated by this reference.

Section 2. All ordinances, resolutions or codes in conflict with the provisions of this Ordinance or Code adopted by this Ordinance are repealed.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of these amendments to the municipal code adopted herein is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision will not be read to affect the validity of the remaining portions thereof.

Section 4. This ordinance will become effective at the time and manner prescribed by law.

PASSED AND ADOPTED this _____ day of _____, 2018.

Sharon R. Wolcott, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

EXHIBIT A
AMENDMENT OF SURPRISE MUNICIPAL CODE SECTION 10-82

Section 1. The existing Title 10, Article II, Division 2, Section 10-82 of the Surprise Municipal Code is deleted in its entirety and replaced by the following:

Sec. 10-82. - Confining animals.

A. No person shall place, confine or allow to be placed or confined an animal:
    1. In conditions that endanger the health or well-being of the animal due to the elements or lack of food or water; or
    2. In circumstances as may reasonably be expected to cause suffering, disability, injury or death to the animal.
B. Conditions identified in subsection A of this section can include, but are not limited to:
    1. Inadequate shelter;
    2. A motor vehicle unprotected from heat or cold which could cause serious physical injury or death to an animal; and,
    3. The bed of a truck, unprotected from inclement weather.
    4. Restrain a dog outside either by exposing it to extreme weather conditions or by use of a restraint that unreasonably limits the dog's movement. A restraint unreasonably limits a dog's movement if the restraint falls into any of the following categories:
        i. Uses a collar that is not properly fitted to the dog;
        ii. Places the dog in unsafe or unsanitary conditions;
        iii. Causes injury to the dog; or
        iv. Does not permit the dog access to food, water, shade, dry ground or shelter.
C. The term "shelter" as used in this section shall mean a structure which meets all of the following:
    1. Is safe and protects each animal from the elements to include, but not be limited to, rain, hail, direct sunlight, heat and cold;
    2. Is properly cleaned;
    3. Enables each animal to be clean and dry;
    4. For dogs, provides a solid surface, resting platform, pad, floor mat, or similar device that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner; for cats that are sheltered, the same requirements.

Confining Animals

New Surprise Municipal Code §10-82

Current State Law

- A. A person commits cruelty to animals if the person does any of the following:
- 1. Intentionally, knowingly or recklessly subjects any animal under the person's custody or control to cruel neglect or abandonment.

Current State Law (cont.)

- 4. Recklessly subjects any animal to cruel mistreatment.
- 7. Intentionally, knowingly or recklessly leaves an animal unattended and confined in a motor vehicle and physical injury to or death of the animal is likely to result.

Current SMC §10-82

No person shall place or confine an animal or allow an animal to be placed or confined in a motor vehicle, on the bed of a truck that is unprotected from heat, or other enclosed space and *under such conditions for any such period of time that will endanger the health or well-being of the animal due to heat, lack of food or water, or other circumstances as may reasonably be expected to cause suffering, disability, or death to the animal*. (Italics added)

Expanded Guidance

- Desire to provide more explicit guidelines for Confinement, Restraint and Shelter
- First, Confinement should not endanger the health or well being of the animal
  - Allows the animal access to food and water
  - Provides protection from inclement weather
  - Provides an area that is sanitary

Restraint

- Properly fitted collars
- Tether cannot cause injury to the animal
- Tether allows the animal access to food, water, shade, dry ground and shelter

Shelter

- Safe and protects animal from the elements
- Properly cleaned and allows the animal to be clean and dry
- Provides large enough area for the animal to stand up and lie down

Comments & Questions

Thank you!

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE CITY OF PHOENIX
AND
THE CITY OF SURPRISE
FOR FIREFIGHTER HEALTH SERVICES AT THE PHOENIX FIRE DEPARTMENT HEALTH CENTER

AGREEMENT NO. _____

This Intergovernmental Agreement ("IGA") is entered into this ____ day of _____, 2018 ("Effective Date"), by and between the City of Phoenix, for and on behalf of the Phoenix Fire Department ("the City"), and the City of Surprise, an Arizona municipal corporation ("the Customer"). Throughout this Agreement, the City and the Customer individually may be referred to as "Party" and may be referred to collectively as "Parties" to this Agreement.

RECITALS

WHEREAS, the City Manager of Phoenix, is authorized and empowered by provisions of the City Charter to execute contracts; and,

WHEREAS, the City is authorized and empowered to enter into intergovernmental agreements for the provision of services or for joint or cooperative action pursuant to Arizona Revised Statutes (A.R.S.) §11-952. The City is also authorized and empowered pursuant to Chapter 2, Section 2 (i), of the Charter of the City of Phoenix; and,

WHEREAS, agreements for mutual assistance and intergovernmental cooperation in public safety areas, including operations and management of fire and police, or the public safety related agencies have existed between municipalities and governmental jurisdictions; and,

WHEREAS, it is the desire of the municipalities, governmental jurisdictions, agencies and fire districts participating in this Agreement, to work together for mutual benefit of the public, Customer's community and all of the Customer's personnel; and,

WHEREAS, the Customer desires to participate in the firefighter health services offered at the Phoenix Fire Department Health Center (the "Health Center"); and,

WHEREAS, the City has entered into an Agreement with a Medical/Occupational and Wellness Health Services vendor to furnish services and operate the Health Center including, but not limited to, annual firefighter physical examinations; and,

WHEREAS, the City desires the participation of the Customer to more effectively provide annual firefighter medical examinations for sworn personnel as required by (i) federal and

state law and/or national fire service standards; and (ii) regulations as deemed necessary by the Fire Chiefs of their respective fire departments; and,

WHEREAS, Ordinance No. S-44817 dated June 20, 2018 authorized the City to enter into an agreement with the City of Surprise for the Health Center to provide services to Surprise firefighters and police officers.

AGREEMENT

NOW THEREFORE, in consideration of the mutual promises, inducements, covenants, agreements, conditions and other good and valuable consideration, the receipt and sufficiency which is acknowledged, the Parties agree as follows:

ARTICLE I. PURPOSE

1. The purpose of this Agreement is to define the delivery of health services that will be provided by the Health Center to the Customer. These services include physical examinations, immunizations, return to work evaluations, and exposure management.

2. The Customer will reimburse the City for all services performed. In addition, the provision of services to other jurisdictions will not negatively impact the City's public safety personnel.

ARTICLE II. STATEMENT OF SERVICES

1. The Customer's personnel may participate in the selected health services and programs, as listed in Exhibit A – IGA Services Menu, and Exhibit B – IGA Services Menu Infection Control for Law Enforcement Agencies, provided by the Health Center and any other such employee health and safety programs the Health Center may have to offer. If any other such employee health and safety programs that the Health Center may offer are to be utilized by Customer personnel, all such health and safety programs will only be made available and provided after written contract amendment to this Agreement. Services are to be provided at the Health Center or such other location designated by the City.

ARTICLE III. TERM OF THE AGREEMENT

1. Term:
This Agreement shall commence on the Effective Date referenced above, regardless of the date of recordation with the Maricopa County Recorder's Office, and shall continue in force for five (5) years, or until terminated by formal act of the Parties.

2. Termination:

Pursuant to the provisions of A.R.S § 38-511, either party may terminate this Agreement at any time by providing thirty days (30) written notice to the other parties Fire Chief. Termination can be with, or without, cause.

ARTICLE IV. GENERAL TERMS AND CONDITIONS

1. Governing Law; Forum; Venue:

This Agreement is executed and delivered in the State of Arizona, and the substantive laws of the State of Arizona (without reference to choice of law principles) will govern their interpretation and enforcement. Any action brought to interpret or enforce any provision of this Agreement that cannot be administratively resolved, or otherwise related to or arising from this Agreement, will be commenced and maintained in the state or federal courts of the State of Arizona, Maricopa County, and each of the Parties, to the extent permitted by law, consents to jurisdiction and venue in such courts for such purposes.

2. Implied Contract Terms:

Each and every provision of law and any clause required by law to be in this Contract shall be read and enforced as though it were included herein, and, if through mistake or otherwise, any such provision is not inserted, or is not correctly inserted, then upon the application of either Party, the Contract shall be physically amended to make such insertion or correction.

3. Parol Evidence:

This Contract is intended by the undersigned Parties as the final expression of their agreement and is intended to be the complete and exclusive statement of the terms of the agreement between the Parties. No course of prior dealings between the Parties and no usage in the trade shall be relevant to supplement or explain any term used in this Contract. Acceptance or acquiescence in a course of performance rendered under this Contract shall not be relevant to determine the meaning of this Contract even though the accepting or acquiescing Party has knowledge of the nature of the performance and the opportunity to object.

4. Confidentiality and Data Security:

4.1 All data, regardless of form, including originals, images and reproductions, prepared by, obtained by, or transmitted to the Customer in connection with this Agreement is confidential, proprietary information owned by the City. Except as specifically provided in this Agreement, the Customer will not disclose data generated in the performance of the Services to any third person without the prior written consent of the City Manager, or his/her designee.

4.2 Personal identifying information, financial account information, or restricted City information, whether electronic format or hard copy, must be secured and protected at all times to avoid unauthorized access. At a minimum, Customer

must encrypt and/or password protect electronic files. This includes data saved to laptop computers, computerized devices or removable storage devices. When personal identifying information, financial account information, or restricted City information, regardless of its format, is no longer necessary, the information must be redacted or destroyed through appropriate and secure methods that ensure the information cannot be viewed, accessed, or reconstructed.

4.3 In the event that data collected or obtained by the Customer in connection with this Agreement is believed to have been compromised, Customer will notify the City Privacy Officer immediately. Customer agrees to reimburse the City for any costs incurred by the City to investigate potential breaches of this data and, where applicable, the cost of notifying individuals who may be impacted by the breach.

4.4 Customer agrees that the requirements of this Section will be incorporated into all subcontractor/sub consultant agreements entered into by the Customer. It is further agreed that a violation of this Section will be deemed to cause irreparable harm that justifies injunctive relief in court. A violation of this Section may result in immediate termination of this Agreement without notice.

4.5 The obligations of Customer under this Section will survive the termination of this Agreement.

5. Health Insurance Portability and Accountability Act (HIPPA) of 1996:
The Parties certify that each is familiar with the requirements of HIPAA, as amended by the Health Information Technology for Economic and Clinical Health Act (HITECH Act) of 2009, and accompanying regulations and will comply with all applicable HIPAA requirements in the course of this Agreement. The Parties warrant that each will cooperate in the course of performance of the Agreement so that the Parties will be in compliance with HIPAA.

6. Third-Party Beneficiary Clause:
The Parties expressly agree that this Agreement is neither intended by any of its provisions to create any right of the public or any member thereof as a third party beneficiary, nor to authorize anyone not a Party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement.

7. Contract Cancellation:
All Parties acknowledge that this Contract is subject to cancellation by the City pursuant to the provisions of A.R.S. § 38-511.

8. Fund Appropriation Contingency:
The Parties understand that the continuation of this Agreement is subject to the budget of the Parties providing for the contract item as an expenditure. The Parties cannot

assure that the budget item for funding this Agreement will be approved in the future. In such event, either Party may terminate this Agreement.

9. No Joint Venture:

No term or provision in this Agreement is intended to create a partnership, joint venture or agency arrangement between any of the Parties.

10. Assignment and Delegation:

Neither this Agreement, nor any of its rights or obligations, may be transferred or assigned by either party without the prior written consent of both Parties. Any attempt to assign this Agreement without prior written consent will be void and may result in penalties up to and including termination of the Agreement.

11. Entire Contract; Amendment, No Oral Modification:

This Agreement constitutes the complete agreement of the Parties. It supersedes all previous representations, understandings, and agreements, written or oral, relating to the subject matter of this Agreement. This Agreement and its terms may not be modified or changed except in writing signed by both Parties.

12. Invalidity of Any Provisions:

This Agreement will remain in effect even if one or more of its terms or provisions have been held to be invalid or unenforceable. Such a holding will result in the offending term or provision being ineffective to the extent of this Agreement, which would subsequently be construed as though the invalid or unenforceable term or provision never existed. Upon discovery by either Party of invalid terms or provisions, written notice will be given to the other party within ten (10) business days.

13. Independent Contractor Status:

The Parties agree that neither party shall be deemed to be an employee or agent of the other Party to this Agreement and that the relationship created by this Agreement is that of independent contractors. Neither Customer nor any of Customer's agents, employees or helpers will be deemed to be the employee, agent, or servant of the City. Customer, its employees and subcontractors are not entitled to worker's compensation benefits from the City.

14. Workers' Compensation:

The Parties agree that it is the responsibility of each Party to ensure that its employees are notified in accordance with the provision of Arizona Workers' Compensation Law, specifically, A.R.S. § 23-1022, or any amendment thereto, and that all such notices, as required by such laws, shall be posted accordingly. That by signing this Agreement and to ensure compliance with the notice posting requirements, each Party grants consent to all other Parties to inspect that Party's respective premises and work places upon request of any of the other Parties. However, nothing in this Agreement should be construed as imposing a duty to inspect another Party's respective premises and

work places, and this agreement does not create a joint or employer/employee relationship between a Party and another Party's employees.

15. Severability:

The provisions of this Contract are severable to the extent that any provision or application held to be invalid shall not affect any other provision or application of the Contract which shall remain in effect without the invalid provision or application.

16. Non-Waiver:

Any City delay or failure to exercise or enforce any right, power, privilege, or remedy under this Agreement may not be deemed a waiver, release, or modification of the requirements of this Agreement or any of its terms or provisions.

17. Compliance with Laws:

The Customer will comply with all existing and subsequently enacted federal, state and local laws, ordinances, codes, and regulations that are, or become applicable to this Agreement. If a subsequently enacted law imposes substantial additional costs, a request for an amendment may be submitted pursuant to this Agreement.

18. Transactional Conflict of Interest:

The Parties acknowledge that this Agreement is subject to cancellation provisions pursuant to Arizona Revised Statutes (A.R.S.) §38-511, the provision of which are incorporated herein and made a part hereof.

19. Compliance with Non-Discrimination Laws:

The Parties agree to comply with all applicable state and federal laws, rules, regulations and executive orders governing equal employment opportunity, non-discrimination and affirmative action.

20. Equal Employment Opportunity and Equal Pay:

In order to do business with the City, the Customer must comply with Phoenix City Code, 1969, Chapter 18, Article V, as amended, Equal Employment Opportunity Requirements. Contractor will direct any questions in regard to these requirements to the Equal Opportunity Department, (602) 262-6790.

21. Drug Free Workplace:

The Parties will comply with the Drug Free Workplace Act of 1988 and will permit inspection of its personnel records to verify such compliance. A Party's breach of the above-mentioned warranty shall be deemed a material breach of the Agreement and may result in the termination of the Agreement.

22. Immigration Requirements:

The Parties will comply with the Immigration Reform and Control Act of 1986 ("IRCA") and will permit inspection of its personnel records to verify such compliance. To the extent applicable under A.R.S. § 41-4401, each Party warrants compliance with all

federal immigration laws and regulations that relate to its employees and compliance with the E-verify requirements under A.R.S. § 23-214(A). Each Party has the right to inspect the papers of the other Parties participating in this Agreement to ensure compliance with this paragraph. A Party's breach of the above-mentioned warranty shall be deemed a material breach of the Agreement and may result in the termination of the Agreement.

23. Legal Worker Requirements:

The City is prohibited by Arizona Revised Statutes § 41-4401 from awarding an agreement to any organization who fails, or whose subcontractors fail, to comply with Arizona Revised Statutes § 23-214(A). Therefore, the Customer agrees that:

23.1 Each subcontractor the Customer uses warrants their compliance with all federal immigration laws and regulations that relate to their employees and their compliance with Arizona Revised Statutes § 23-214,

23.2 A breach of warranty will be deemed a material breach of the Agreement and is subject to penalties up to and including termination of the Agreement.

23.3 Only through an audit with the Customer, will the City retain the legal right to inspect the papers of the Customer or subcontractor employee(s) who work(s) on this Agreement to ensure that the Customer or subcontractor is complying with the warranty.

24. Lawful Presence Requirement:

Pursuant to A.R.S. §§ 1-501 and 1-502, the City of Phoenix is prohibited from awarding a contract to any natural person who cannot establish that such person is lawfully present in the United States. To establish lawful presence, a person must produce qualifying identification and sign a City-provided affidavit affirming that the identification provided is genuine. This requirement will be imposed at the time of contract award. This requirement **does not** apply to business organizations such as corporations, partnerships or limited liability companies.

25. No Israel Boycott:

By entering into this Contract, the Contractor/Contractor certifies that it is not currently engaged in, and agrees for the duration of the Contract to not engage in, a boycott of Israel.

26. Arbitration:

In accordance with A.R.S. § 12-1518, where applicable, the Parties agree to resolve all disputes arising out of or relating to this Agreement through arbitration as required by A.R.S. § 12-133.

ARTICLE V. PAYMENTS

1. **Contracted Rates:**
   The current rates for health services and programs are as set forth in Exhibit A – IGA Services Menu, and Exhibit B – IGA Services Menu Infection Control for Law Enforcement Agencies.

2. **Invoicing:**
   The City will issue invoices, on a thirty (30) day cycle, to the Customer for the selected services and for any other programs and/or services offered to and received by the Customer's personnel pursuant to this Agreement. Infection control services will be billed annually on the last day of the month of December.

3. **Payments:**
   The Customer shall make payment to the City for all amounts invoiced at the applicable rates. It is further agreed that a violation of this Paragraph will cause irreparable harm, justifying injunctive relief in a court of law. A violation of this Paragraph may result in immediate termination of this Agreement without notice. The obligations of the Customer under this Paragraph shall survive the termination of this Agreement.

ARTICLE VI. INSURANCE AND INDEMNIFICATION

1. **Insurance:**
   The physicians contracted by the City to deliver the services provided by this Agreement shall have medical malpractice and professional liability insurance at limits of no less than one million dollars ($1,000,000). All insurance coverage and self-insured retention or deductible portions, except workers' compensation insurance and professional liability insurance, if applicable, shall, for claims arising out of the performance of the Agreement, name, to the fullest extent permitted by law, the Parties and their agents, representatives, officers, directors, officials and employees as additional insureds.

2. **Indemnification:**
   To the extent permitted by law, each party shall indemnify, defend, save and hold harmless the other party and its officers, officials, agents, and employees from and against any and all claims, actions liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of each party or any of its respective owners, officers, directors, agents, employees or subcontractors.

ARTICLE VII. NOTICES

1. Any notice, consent, or other communication ("notice") required or permitted under this Agreement must be in writing and either delivered in person, sent by facsimile transmission, deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested, or deposited with any commercial air courier or express service addressed as follows:

If to CITY:	If to CUSTOMER:
City of Phoenix Fire Department	City of Surprise Fire and Medical
150 South 12th Street	14250 West Statler Plaza, Suite 101
Phoenix, AZ 85034	Surprise, AZ 85374
Attn: Kristen Dunham	Attn: Eric Boyles
Fire Administration	City of Surprise Fire and Medical
Telephone: (602) 534-3539	Telephone: (623) 222-1842
Fax: (602) 262-4429	Fax: (623) 222-5001

Notice will be deemed received at the time it is personally served or, on the day it is sent by facsimile transmission or, upon deposit with any commercial air courier or express service or, if mailed, ten (10) days after the notice is deposited in the United States mail as provided above. Either Party may change its mailing address, fax number, or the contact information for the person to receive notice by notifying the other Party as provided herein. Notice sent by facsimile transmission must also be sent by regular mail to the recipient at the above address. This requirement for duplicate notice is not intended to change the effective date of the notice sent by facsimile transmission.

IN WITNESS WHEREOF, this Agreement is executed as provided below. Further, in signing this Agreement, the signatories below affirm and attest that they are authorized to execute this Agreement on behalf of their respective Party.

CITY OF PHOENIX, a municipal corporation
ED ZUERCHER, City Manager

By: _____
Kara Kalkbrenner
Fire Chief

ATTEST:

_____
City Clerk, City of Phoenix

APPROVED AS TO FORM:

_____
Acting City Attorney, City of Phoenix

CITY OF SURPRISE, a municipal corporation

By: _____
Tom Abbott
Fire Chief

ATTEST:

_____
City Clerk, City of Surprise

APPROVED AS TO FORM:

_____
Acting City Attorney, City of Surprise

EXHIBIT A

[Insert IGA Services Menu]

EXHIBIT B

[Insert IGA Services Menu Infection Control for Law Enforcement Agencies]

SURPRISE
ARIZONA

MEMO

Date: 08/17/2018

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

RE: Liquor License Application – SVSH LLC dba Hilton Garden Inn (Surprise)

Business License Status:

License #1021528, current and valid for 2018.

SURPRISE
ARIZONA

COMMUNITY DEVELOPMENT DEPARTMENT

Date: August 17, 2018

To: Sherry Aguilar, City Clerk

From: Eric Fitzer, Community Development Director
By: James Stewart, Zoning Specialist

Re: Liquor License Application for:

HILTON GARDEN INN SURPRISE
NEW LICENSE/LLC – (Series 11 HOTEL – Job # 25717)
16601 N. Stadium Way
Surprise, Arizona 85374

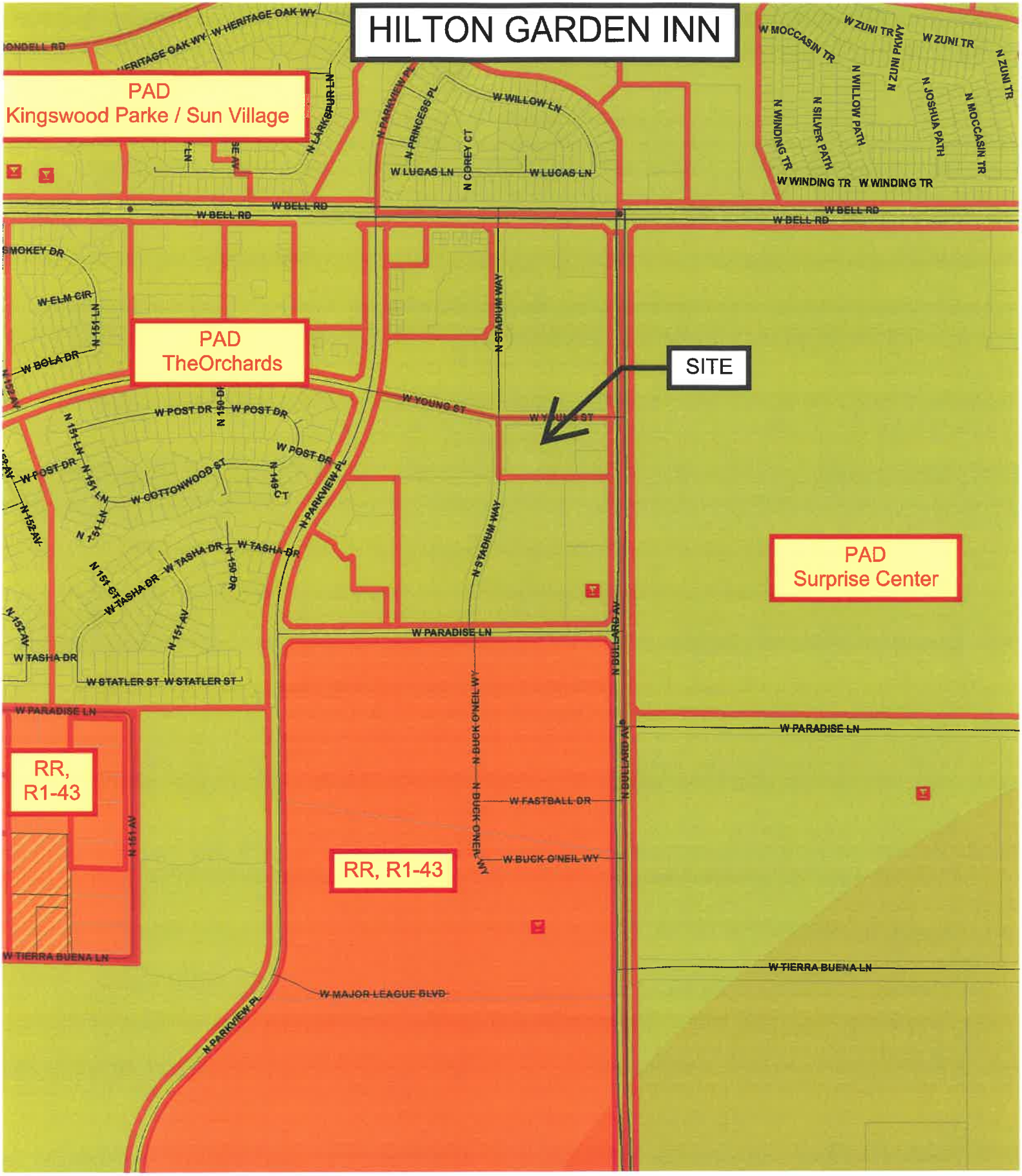
The number and series of licenses in close proximity to the subject site are:

1. Residence Inn by Marriott Series 7) – 16418 N. Bullard Ave
2. Surprise Stadium (Series 5) – 15850 N Bullard Ave.
3. Surprise Tennis and Racquet Complex (Series 5) -14469 N. Paradise Ln.
4. New York Flavor (Series 12) – 15170 W. Bell Rd. #103 (EXPIRED)
5. Brookside II (Series 6) – 15170 W. Bell Rd. #115

The immediate area is composed of commercial establishments. The property is zoned Orchards PAD (Hotel Site) which is consistent with the proposed use.

Residential population will most likely remain static. Commercial growth will likely remain static.

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


HILTON GARDEN INN
PAD
Kingswood Parke / Sun Village
PAD
TheOrchards
SITE
PAD
Surprise Center
RR,
R1-43
RR, R1-43
W HERITAGE OAK WY
W BELL RD
W WILLOW LN
W LUCAS LN
N PARKVIEW PL
N PRINCESS PL
N COREY CT
N LARKSPUR LN
W MOCCASIN TR
W ZUNI TR
N ZUNI PKWY
N WILLOW PATH
N JOSHUA PATH
N MOCCASIN TR
N WINDING TR
N SILVER PATH
W WINDING TR
SMOKEY DR
W ELM CIR
N 151 LN
W BOLA DR
W YOUNG ST
N STADIUM WAY
W POST DR
W COTTONWOOD ST
N 149 CT
N 150 DR
W TASHA DR
N 151 CT
N 151 AV
N 152 AV
W PARADISE LN
W STATLER ST
N BULLARD AV
N BUCK O'NEIL WY
W FASTBALL DR
W BUCK O'NEIL WY
W TIERRA BUENA LN
W MAJOR LEAGUE BLVD

SURPRISE
ARIZONA

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

August 9, 2018

To: Sherry Ann Aguilar, City Clerk

From: Keith Tanner, Fire Marshal

Subject: Liquor License Application

Applicant: Hilton Garden Inn Surprise

The Surprise Fire-Medical Department recently conducted a new construction fire inspection at the above referenced location to ensure compliance with the applicable fire codes within the tenant space and building. There are no known fire code violations at this time as they continue the new construction process.

Therefore fire has no comment on the application at this time.

If you have any questions feel free to contact me.

Keith Tanner

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

SURPRISE POLICE DEPARTMENT
LIQUOR LICENSE APPLICATION REVIEW

REFERENCE: DATE: August 16, 2018

NEW LICENSE/LLC
SERIES 11 HOTEL – JOB #25717

APPLICANT:
Hilton Garden Inn Surprise
16601 N. Stadium Way
Surprise, Arizona 85374

FINDINGS:

1) ***Evidence concerning the nature of the proposed business, its potential market and its likely customers.***
Hilton Garden Inn Surprise is a new hotel currently under construction. There will be a small restaurant inside with seating for a total of 92 people with 31 of those seats designated for a bar. The hotel will be used primarily for out of town guests as should the restaurant, although it will be open to the public.

2) ***Effect of vehicular traffic in close proximity.***
There should not be a major effect on traffic in this proximity due to already existing streets off of Stadium Way and Young Street.

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 lest 20 days before the hearing.***
N/A. New construction.

4) ***Comparison of hours of operation of the proposed premises to the existing businesses in close proximity.***
According to the agent for this application, the restaurant will close by 11 PM at the latest and most likely 10 PM. There are two other nearby hotels, but only one has a series 7 (beer & wine).

5) ***Appropriateness of series license requested.***
A series 11 license for hotels is appropriate and applicable for Hilton Garden Inn Surprise per state guidelines.

Submitted by Officer Chris Tovar #2059

From:	Dennis Haley
To:	Heather Donaldson
Cc:	Vanessa Nunez
Subject:	FS18-051 Cortana at Desert Oasis PP & FP
Date:	Wednesday, January 31, 2018 8:29:21 AM
Attachments:	image002.jpg

RE: FS18-051
Cortana at Desert Oasis PP & FP
NW of Jomax Rd. & 171st Ave.

Attn: Heather Donaldson

Thank you for your notice for the above-referenced development.

After review, the development location is more than 1/4 mile from any ADOT proposed or existing highway facility. As such, ADOT has no comment.

Please feel free to contact me should you have any further questions. We appreciate the opportunity to review and comment.

Dennis Haley, SR/WA

Consultant
ADOT ROW Project Coordinator
Federal Lands Liaison
205 S. 17th Ave MD: 612E
Phoenix, AZ 85007
602-712-7432
WWW.AZDOT.GOV

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RESOLUTION #2018-139

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A PRELIMINARY PLAT ENTITLED "CORTANA AT DESERT OASIS AT SURPRISE," GENERALLY LOCATED AT THE NORTHWEST CORNER OF JOMAX ROAD AND 173RD AVENUE.

WHEREAS, on September 14, 2000, the Mayor and City Council approved the Desert Oasis Planned Area Development; and,

WHEREAS, the proposed Preliminary Plat is in compliance with the Surprise Municipal Code and Surprise General Plan.

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

Section 1. The Preliminary Plat for Cortana at Desert Oasis at Surprise, dated June 13, 2018 is approved, subject to the following conditions:

A. Prior to the final civil infrastructure improvements being accepted by the City, the Developer will provide a cash-in-lieu payment, per the City approved engineer's estimate, of their proportional share for the construction of roadway improvement associated with the 163rd Avenue project.
B. Prior to approval of the Final Plat, the Developer will provide a cash-in-lieu payment, per a City reviewed and approved engineer's estimate, for the raised median and landscape on Jomax Road along the project frontage.
C. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

APPROVED AND ADOPTED this_____day of _____2018.

Sharon R. Wolcott, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

CORTANA AT DESERT OASIS
PHASE 2
STREET LIGHT DESIGN

STREET LIGHTING REQUIREMENTS

5.00 GENERAL NOTES:

THE FOLLOWING INFORMATION IS PROVIDED TO EMPHASIZE CRITICAL WORK AND IS INTENDED TO SUPPLEMENT THE SPECIFICATIONS. SHOULD THERE BE A CONFLICT WITH THE SPECIFICATIONS, THIS DOCUMENT SHALL TAKE PRECEDENCE.

ALTERNATES SHALL BE PRE-APPROVED BY THE CITY ENGINEERING MANAGER. APPROVAL OF ALTERNATE PRODUCTS SHALL BE ON AN EQUAL BASIS WITH THE PRODUCT SPECIFIED AND SHALL BE SUBMITTED A MINIMUM OF TEN (10) DAYS PRIOR TO BID OPENING. STRUCTURAL CALCULATIONS SHALL BE FURNISHED FOR ALTERNATE PRODUCTS AND CERTIFIED BY A STRUCTURAL ENGINEER, REGISTERED IN THE STATE OF ARIZONA. LUMINAIRES AND LAMPS SHALL MEET OR EXCEED THE PHOTOMETRIC, ELECTRICAL, AND MECHANICAL REQUIREMENTS FOR THE SPECIFIED PRODUCTS.

THE CONTRACTOR SHALL COMPLY WITH STATE AND CITY STATUTES, AND MANUFACTURER'S RECOMMENDATIONS.

THE SUBMITTAL PACKAGE SHALL CONSIST OF THREE (3) COPIES OF EQUIPMENT/MATERIAL TO BE INSTALLED AND SHALL BE BOUND/STAPLED IN A FOLDER AND SUBMITTED AT THE TIME OF PERMIT APPLICATION.

PRIOR TO SUBMITTING A PROPOSAL, THE BIDDER SHALL EXAMINE ALL GENERAL CONSTRUCTION DRAWINGS AND VISIT THE CONSTRUCTION SITE TO BECOME FAMILIAR WITH EXISTING CONDITIONS UNDER WHICH HE WILL OPERATE AND WHICH WILL IN ANY WAY AFFECT THE WORK UNDER THE CONTRACT. NO SUBSEQUENT ALLOWANCE WILL BE MADE IN THIS CONNECTION IN THE BEHALF OF THE CONTRACTOR FOR ANY ERROR OR NEGLIGENCE ON HIS PART.

PRIOR TO ORDERING ANY MATERIALS OR DOING ANY WORK, THE CONTRACTOR SHOULD VERIFY DIMENSIONS AT THE SITE. IMMEDIATELY REPORT DIFFERENCES TO THE ENGINEERING MGR. AND SHOULD NOT PROCEED WITH WORK UNTIL THE ENGINEERING MGR. RENDERS A DECISION. NO EXTRA CHARGES OR COMPENSATION WILL BE ALLOWED FOR DIFFERENCES IN ACTUAL DIMENSIONS AND DIMENSIONS INDICATED ON THE DRAWINGS.

5.01 GENERAL:

THE ELECTRICAL CONTRACTOR SHALL COMPLY WITH ALL LICENSING REQUIREMENTS SET FORTH BY THE STATE REGISTRAR OF CONTRACTORS OFFICE TO PERFORM WORK RELATING TO STREET LIGHT INSTALLATION IN THE CITY RIGHT-OF-WAY.

ONE PROJECT UNDERGROUND UTILITIES (RIGHT OF WAY) PERMIT AND ONE STREETLIGHT PERMIT FOR EACH STREET LIGHT POLE SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.

5.02 WORKING / "AS BUILT" PLANS:

ACCEPTANCE OF THE COMPLETED IMPROVEMENTS WILL NOT BE GIVEN UNTIL 4 MIL PHOTO MYLAR REPRODUCIBLE "AS BUILT" PLANS HAVE BEEN SUBMITTED TO AND APPROVED BY THE CITY ENGINEER.

5.03 LIGHT POLES:

LIGHT POLES SHALL BE INSTALLED PLUMB, BE ADJUSTED TO PROVIDE PROPER ALIGNMENT TO THE ROADWAY BEING LIGHTED AND BE PROPERLY GROUNDED WHEN THE INSTALLATION IS COMPLETE.

5.04 EMBEDMENT:

DIRECT BURIED POLES SHALL BE SET IN A TWELVE (12) INCH AUGURED HOLE DEPTH AS SPECIFIED IN UNDISTURBED EARTH. POLE SHALL BE SET PLUMB IN TWO DIRECTIONS 90 DEGREES APART. HAND TAMPING OF ABC BACKFILL WITH PNEUMATIC OR VIBRATING EQUIPMENT IS THE ACCEPTABLE METHOD OF COMPACTION. BACKFILL SHALL BE COMPACTED TO 85% OF MAXIMUM DENSITY AS DEFINED BY ASTM D-2922 AND D-3017. A GROUND ROD SHALL BE INSTALLED ADJACENT TO PULL BOX IN UNDISTURBED SOIL AND A LEAD IN COPPER BOND WIRE (#6) SHALL BE INSTALLED IN 1" CARFLEX LIQUIDTIGHT FLEXIBLE NONMETALLIC CONDUIT (OR EQUAL) FOR POLE GROUNDING.

SURPLUS EXCAVATION SHALL BE DISPOSED OF BY THE CONTRACTOR.

5.05 LUMINAIRES:

LUMINAIRES SHALL BE INSTALLED LEVEL AND INCLUDE A LAMP AND PHOTOCELL. CONTRACTOR SHALL ASSURE THAT THE LUMINAIRES SHALL BE FREE OF DUST, DIRT OR ANYTHING THAT WOULD IMPAIR THE OUTPUT OF THE LIGHT BEFORE HE LEAVES THE SITE.

LUMINAIRES FURNISHED WITH MULTI-TAP BALLASTS SHALL BE REWIRED OR RECONNECTED TO MATCH THE VOLTAGE SUPPLIED BY THE ELECTRIC UTILITY COMPANY.

5.06 WIRING:

WIRING SHALL BE INSTALLED PER UTILITY STANDARDS.

5.07 GROUNDING:

EACH POLE SHALL HAVE A 8' X 5/8" COPPER CLAD GROUND ROD DRIVEN ADJACENT TO PULL BOX. A #6 BARE COPPER LEAD FROM THE GROUND ROD IN PULL BOX TO LANDING LUG IN STREET LIGHT POLE HAND HOLE.

5.08 PULL BOXES:

EXCAVATION FOR PULL BOXES AND MATERIAL SPECIFICATION SHALL BE PER THE ELECTRIC UTILITY COMPANY STANDARDS.

5.09 TRENCH

TRENCH SHALL BE INSTALLED PER THE UTILITY COMPANY STANDARDS.

THE USE OF A COMMON ELECTRIC UTILITY COMPANY TRENCH IS PERMITTED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANY FOR COORDINATION OF TRENCHING AND THE INSTALLATION OF CONDUIT.

CONDUIT SHALL BE INSTALLED AT THE DEPTH SPECIFIED ON THE PLANS. CONDUIT SHALL BE 1 INCH CARFLEX LIQUIDTIGHT FLEXIBLE NONMETALLIC CONDUIT OR EQUAL. CONDUIT MUST BE UL RATED AND SUITABLE FOR UNDERGROUND USE.

CONNECTIONS SHALL BE PER UTILITY STANDARDS.

5.12 LIGHT POLE IDENTIFICATION:

THE CONTRACTOR SHALL FURNISH AND INSTALL A NUMBER ON EACH LIGHT POLE. STREET LIGHT POLE IDENTIFICATION AND SPECIFICATIONS WILL BE PROVIDED BY THE CITY OF SURPRISE.

IT IS THE CONTRACTOR'S RESPONSIBILITY TO RESTORE ALL PROPERTY, LANDSCAPING, PAVING AND DRIVEWAYS THAT ARE DISTURBED DURING STREET LIGHT CONSTRUCTION TO THEIR ORIGINAL CONDITION IN CONFORMANCE WITH "MAG" SPECIFICATION SECTION 107.9.

THE DEVELOPER SHALL BE RESPONSIBLE FOR FURNISHING ALL PERSONNEL AND EQUIPMENT TO SUCCESSFULLY PERFORM THE FOLLOWING TEST.

PRIOR TO ACCEPTANCE, THE DEVELOPER SHALL ENERGIZE AND OPERATE THE ENTIRE ROADWAY LIGHTING SYSTEM, FROM SUNSET TO SUNRISE FOR TWO CONSECUTIVE DAYS WITHOUT INTERRUPTION OR FAILURE. IF A LAMP OR BALLAST SHOULD FAIL, IT SHALL BE IMMEDIATELY REPLACED.

THE CONTRACTOR SHALL GUARANTEE ALL WORK FOR A PERIOD OF ONE YEAR FROM THE DATE OF FINAL ACCEPTANCE BY THE ENGINEERING MANAGER, AGAINST IMPERFECT WORKMANSHIP, FAILURE, MALFUNCTION OF MATERIALS AND/OR EQUIPMENT DUE TO FAULTY OR IMPERFECT WORKMANSHIP. THIS GUARANTEE IS TO BE IN WRITING TO THE CITY AT THE TIME OF ISSUING FINAL ACCEPTANCE. WORK FOUND TO BE DEFECTIVE WITHIN THE WARRANTY PERIOD SHALL BE REPLACED WITHOUT COST TO THE CITY.

THESE DRAWINGS AND SPECIFICATIONS ARE THE SOLE PROPERTY OF WRIGHT ENGINEERING CORPORATION AND MAY NOT BE REPRODUCED OR MODIFIED FOR ANY USE WITHOUT THE EXPRESS WRITTEN PERMISSION OF WRIGHT ENGINEERING CORPORATION.

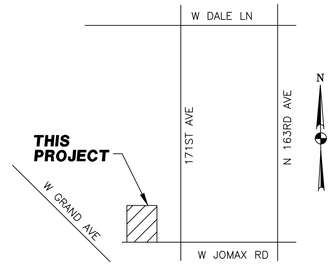
GENERAL ENGINEERING NOTES:

1. ALL CONSTRUCTION MUST CONFORM TO MARICOPA ASSOCIATION OF GOVERNMENT (MAG) SPECIFICATIONS AND DETAILS AND LATEST REVISIONS UNLESS OTHERWISE STATED ON PLANS.
2. THE ENGINEER WILL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, OR PROCEDURES OR FOR SAFETY PRECAUTIONS OR PROGRAMS UTILIZED IN CONNECTION WITH THE WORK, AND THEY WILL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING ALL OVERHEAD AND UNDERGROUND UTILITY LOCATIONS WHERE CONSTRUCTION OCCURS. SPECIAL CARE SHALL BE TAKEN TO ENSURE THAT ALL UTILITIES ARE AVOIDED. UTILITY LOCATIONS SHOWN ON THE PLANS ARE APPROXIMATE AND NOT FOR CONSTRUCTION PURPOSES. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AND OR REPLACED AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL COMPLY WITH ALL CURRENT ARIZONA UNDERGROUND FACILITIES LAWS (ARIZONA REVISED STATUTES TITLE 40, CHAPTER 2, ARTICLE 6.3, SECTION 40-360.21-32). CALL ARIZONA 811 FOR FIELD LOCATION BY DIAL 811.
4. THE CITY OF SURPRISE ENGINEERING SERVICES OF PUBLIC WORKS SHALL BE NOTIFIED FORTY-EIGHT (48) HOURS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION WORK AT 623-222-6150.
5. THE ENGINEER AND APPLICABLE AGENCY MUST APPROVE, PRIOR TO CONSTRUCTION, ANY ALTERATION OR VARIANCE FROM THESE PLANS. ANY VARIATION FROM THESE PLANS SHALL BE PROPOSED AND RESUBMITTED FOR REVIEW AND APPROVAL.
6. THE CONTRACTOR SHALL PROTECT AND MAINTAIN ALL EXISTING UTILITIES ON THE SITE. ANY DAMAGE TO EXISTING UTILITIES, WHETHER SHOWN OR NOT ON THE DRAWING, SHALL BE REPAIRED/REPLACED AT THE CONTRACTOR'S EXPENSE. EXISTING SURFACE FEATURES AND FENCING SHALL BE REPLACED IN KIND.
7. ANY INSPECTION BY THE CITY, COUNTY, OR THE ENGINEER, SHALL NOT IN ANY WAY RELIEVE THE CONTRACTOR FROM ANY OBLIGATION TO PERFORM THE WORK IN STRICT COMPLIANCE WITH THE APPLICABLE CODES AND AGENCY REQUIREMENTS.
8. THE CONTRACTOR IS TO LOCATE ALL EXISTING LANDSCAPING, LANDSCAPING IRRIGATION LINES, PROPERTY MONUMENTS, FENCING OR SURFACE FEATURES PRIOR TO CONSTRUCTION. ANYTHING DISTURBED DURING CONSTRUCTION SHALL BE REPLACEDIN KIND AT THE CONTRACTOR'S EXPENSE.
9. NOTHING CONTAINED IN THE CONTRACT DOCUMENTS SHALL CREATE, NOR SHALL BE CONSTRUED TO CREATE, ANY CONTRACTUAL RELATIONSHIP BETWEEN THE ENGINEER AND THE CONTRACTOR OR ANY SUBCONTRACTOR.
10. ALL CONSTRUCTION WATER USED WITHIN THE CITY OF SURPRISE WATER SERVICE AREA REQUIRES APPROVAL BY THE CITY OF SURPRISE PUBLIC WORKS DEPARTMENT AND MAY BE SUBJECT TO VOLUME AND TIME RESTRICTIONS. PLEASE SEE THE CITY OF SURPRISE CONSTRUCTION WATER GUIDELINES FOR ADDITIONAL INFORMATION. THE GUIDELINES CAN BE OBTAINED FROM THE PUBLIC WORKS DEPARTMENT AT 623-222-6000.
11. TRAFFIC CONTROL SHALL BE MAINTAINED IN ACCORDANCE WITH MAG SPECIFICATION 401, THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, AND THE "TEMPORARY WORK ZONE TRAFFIC MANAGEMENT POLICY" (LATEST EDITION).
12. PRIOR TO FINAL APPROVAL AND ACCEPTANCE OF THE WORK, THE DEVELOPER/CONTRACTOR WILL BE REQUIRED TO CLEAN AND REPAIR ADJACENT (OFF-PROJECT) ROADWAYS USED OR DAMAGED DURING THE COURSE OF CONSTRUCTION.
13. EMERGENCY VEHICLE ACCESS (E.V.A.) MUST BE PROVIDED BY THE DEVELOPER/CONTRACTOR THROUGHOUT THE PROJECT SITE. E.V.A. ROADS AND SIGNAGE SHALL BE MAINTAINED BY THE DEVELOPER/CONTRACTOR AT ALL TIMES. SIGNAGE SHALL BE POSTED AT THE POINT OF ENTRY TO THE SITE AND AT ALL LOCATIONS WHERE A CHANGE IN DIRECTION OCCURS.
14. THE PLANS SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT'S ACCESSIBILITY GUIDELINES, AS PUBLISHED IN THE FEDERAL REGISTER ON SEPTEMBER 15, 2010.

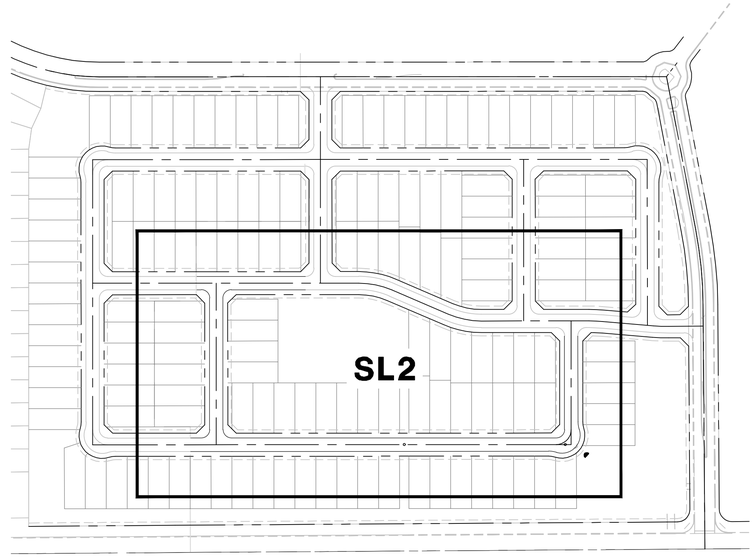
CIVIL ENGINEER:
EPS GROUP
2045 S. VINEYARD
SUITE 101
MESA, AZ 85210
PHONE: (480) 352-3431
CONTACT: DANIEL AUXIER P.E.

DEVELOPER
KB HOME PHOENIX INC.
10429 S. 51ST STREET
SUITE 100
PHOENIX, AZ 85044
PHONE: (480) 296-7526
CONTACT: JASON JARVIS

ELECTRICAL ENGINEER
WRIGHT ENGINEERING CORPORATION
165 EAST CHILTON DRIVE
CHANDLER, AZ 85225
PHONE: (480) 497-5829
FAX: (480) 497-5807
CONTACT: ADAM BOWERS P.E.



VICINITY MAP
N.T.S.



KEY MAP
N.T.S.

NOTES

1. THE ELECTRICAL/MAINTENANCE COSTS OF ALL STREET LIGHTS ON LOCAL AND COLLECTOR STREETS ARE TO BE PAID BY THE ADJACENT PROJECT OR THE ADJACENT DEVELOPMENT'S STREET LIGHT IMPROVEMENT DISTRICT (SLID). THE ELECTRICAL / MAINTENANCE COSTS OF ALL STREET LIGHTS ON ARTERIAL STREETS ARE TO BE BILLED TO THE CITY OF SURPRISE'S ENERGY BILL.

2. CONTRACTOR TO COORDINATE WITH APS AND UTILIZE THEIR CURRENT SPECIFICATIONS AT THE TIME OF BIDDING AND CONSTRUCTION.

COORDINATION LIST

COMPANY	REPRESENTATIVE	DATE
C.O.S. WATER	DAN SHAFFER	11/04/15
C.O.S. SEWER	DAN SHAFFER	11/04/15
SOUTHWEST GAS	JEFF SHELTON	12/21/15
APS	CONNIE CHARLES	4/25/18
CENTURYLINK	JESUS ARRIETA	4/13/18
COX COMMS	VICTOR SCHAUM	3/20/18

THIS SET OF PLANS HAS BEEN REVIEWED FOR COMPLIANCE WITH CITY REQUIREMENTS PRIOR TO ISSUANCE OF PERMITS. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. THIS COMPLIANCE APPROVAL SHALL NOT PREVENT THE CITY ENGINEER FROM REQUIRING CORRECTIONS OF ERRORS OR OMISSIONS IN PLANS FOUND TO BE IN VIOLATION OF LAW OR ORDINANCES.

CITY OF SURPRISE ENGINEER **DATE**

STREET LIGHTING (APS AREA)

KEY NO.	SYMBOL	STREET TYPE	OFFSET BEHIND B/C	QUANTITY	POLE		MAST ARM	LUMINAIRE						APS STANDARD CODE NO.
					POLE HEIGHT	FOUNDATION	SIZE	MOUNTING HEIGHT	LUMENS	WATTAGE	I.E.S. DIST.	TYPE	STYLE	
(1)		LOCAL	PER PLANS	11	30'-6"	DIRECT BURY	2'-0"	25'	4,900	39W	TYPE B3	LED	ARCHITECTURAL (SHOEBOX)	8030.S2

ARIZONA BLUE STAKE
CALL TWO WORKING DAYS BEFORE YOU DIG
Dial 811 or
602-263-1100
1-800-STAKE-IT
(OUTSIDE MARICOPA COUNTY)

WRIGHT ENGINEERING PROJECT NO:
17396
DESIGN BY: BBS
DRAWN BY: BBS
CHECKED BY: AMB

WRIGHT engineering corporation
ELECTRICAL ENGINEERING AND DESIGN
165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

PROJECT: TITLE:
CORTANA AT DESERT OASIS - PHASE 2
SURPRISE, ARIZONA
W JOMAX RD
STREET LIGHT COVER SHEET

NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
1	FEB 2018	1ST SUBMITTAL
2	MAY 2018	2ND SUBMITTAL
3	JUN 2018	3RD SUBMITTAL

Registered Professional Engineer (Electrical)
Certificate No.
46691
ADAM M. BOWERS
7-19-18
Date Signed
Expires 9-30-19

DRAWING NO:
SL1
OF 3

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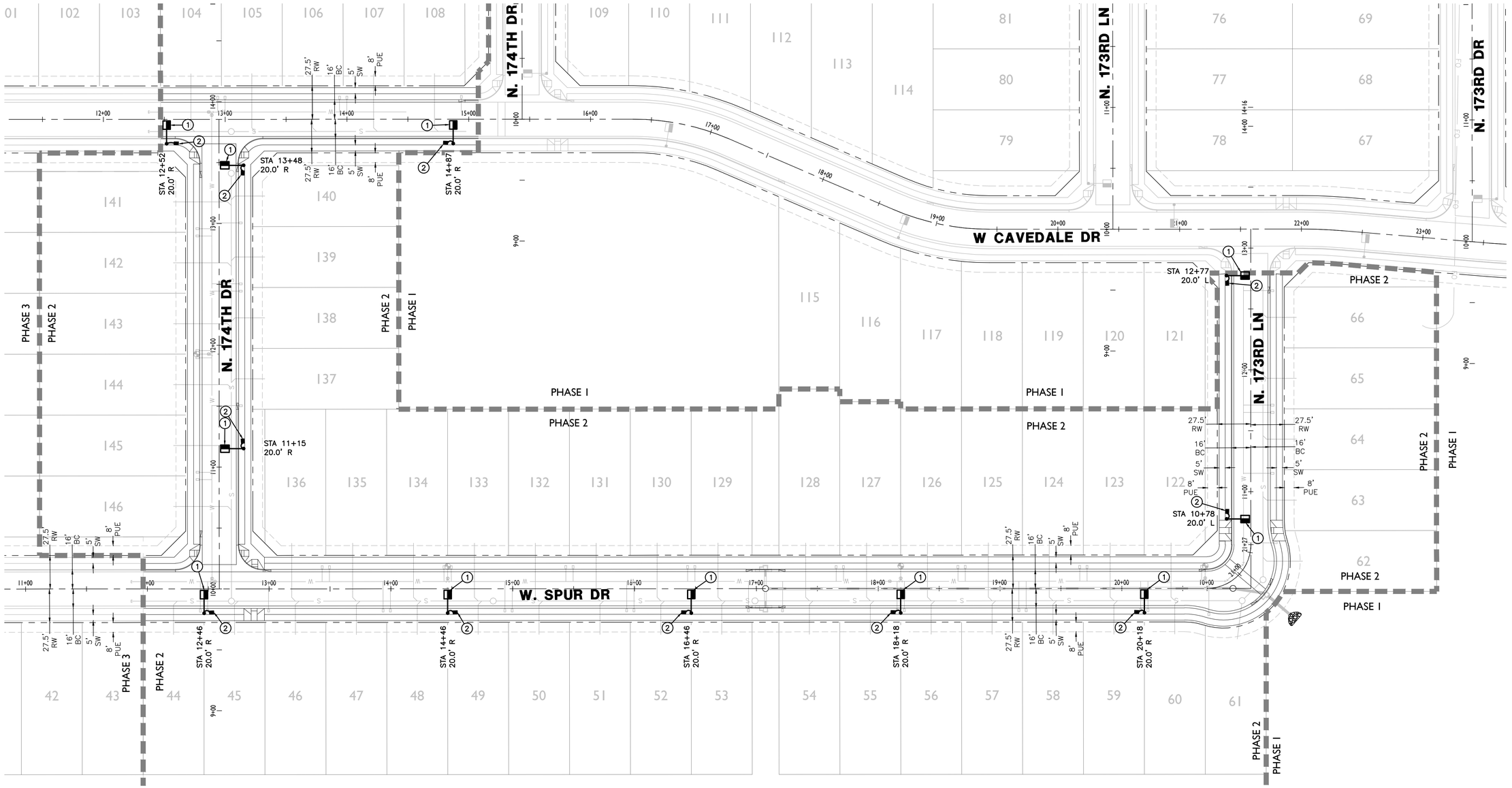

LEGEND

- 39W (4900 LUMEN) LED STREET LIGHT
- STREET LIGHT PER ADJACENT PLANS. SHOWN FOR REFERENCE ONLY
- EXISTING STREET LIGHT
- PULL BOX
- NEW CONDUIT RUN
- FIRE HYDRANT

CONSTRUCTION NOTES

1. 39W LED (4,900 LUMEN) LUMINAIRE (GE CAT# ERL1005B330ADKBZRGX) WITH PHOTOELECTRIC CONTROL ON A 30'-6" DIRECT BURIED POLE (1940.30) WITH A 2' MAST ARM (S2) PER APS DETAIL 8030 (SEE SHEET SL3). INSTALL (2) #14 THHN/THWN FROM LUMINAIRE TO FUSE HOLDER IN POLE. ALL WIRING, FUSING, AND GROUNDING PER APS DETAILS AND SPECIFICATIONS.
2. INSTALL APS PULL BOX NEXT TO POLE. INSTALL 1" CONDUIT WITH (2) #14 TYPE THHN/THWN AND (1) #14 BARE BOND FROM PULL BOX TO FUSE HOLDER IN STREET LIGHT PER APS DETAILS AND SPECIFICATIONS.

GRAPHIC SCALE

40 20 0 20 40 80

1 INCH = 40 FEET

ARIZONA BLUE STAKE
CALL TWO WORKING DAYS BEFORE YOU DIG
Dial 811 or
602-263-1100
1-800-STAKE-IT
(OUTSIDE MARICOPA COUNTY)

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WRIGHT ENGINEERING PROJECT NO:
17396

DESIGN BY: BBS
DRAWN BY: BBS
CHECKED BY: AMB

WRIGHT engineering corporation
ELECTRICAL ENGINEERING AND DESIGN
165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

PROJECT: TITLE:

SURPRISE, ARIZONA
CORTANA AT DESERT OASIS - PHASE 2
W JOMAX RD

STREET LIGHT PLAN

NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
1	FEB 2018	1ST SUBMITTAL
2	MAY 2018	2ND SUBMITTAL
3	JUN 2018	3RD SUBMITTAL

Registered Professional Engineer (Retired)
Certificate No.
46691
ADAM M. BOWERS
Date Signed 7-18-18
Expires 9-30-19

DRAWING NO:
SL2
OF 3

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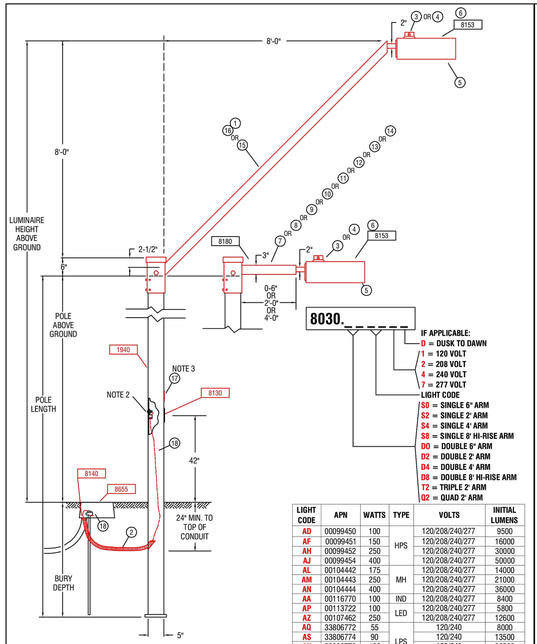


IF APPLICABLE:
- D = DUSK TO DAWN
- 1 = 120 VOLT
- 2 = 208 VOLT
- 4 = 240 VOLT
- 7 = 277 VOLT

LIGHT CODE
- S8 = SINGLE 8' ARM
- S2 = SINGLE 2' ARM
- S4 = SINGLE 4' ARM
- S8 = SINGLE 8' HI-RISE ARM
- D0 = DOUBLE 0' ARM
- D2 = DOUBLE 2' ARM
- D4 = DOUBLE 4' ARM
- D8 = DOUBLE 8' HI-RISE ARM
- T2 = TRIPLE 2' ARM
- Q2 = QUAD 2' ARM

LIGHT CODE	APN	WATTS	TYPE	VOLTS	INITIAL LUMENS
AD	00099450	100	HPS	120/208/240/277	9500
AF	00099451	150		120/208/240/277	16000
AH	00099452	250		120/208/240/277	30000
AJ	00099454	400		120/208/240/277	50000
AL	00104442	175	MH	120/208/240/277	14000
AM	00104443	250		120/208/240/277	21000
AN	00104444	400		120/208/240/277	36000
AA	00116770	100	IND	120/208/240/277	8400
AP	00113722	100	LED	120/208/240/277	5800
AZ	00107462	250		120/208/240/277	12600
AQ	33806772	55	LPS	120/240	8000
AS	33806774	90		120/240	13500
AU	33806776	135		120/240	22500
AW	33806778	180		120/240	33000

NOTES:
1. ADJUST PHOTO EYE TO FACE NORTH.
2. A GROUND ROD IS PROVIDED WITH THE J-BOX. WHERE A GROUND ROD CAN NOT BE DRIVEN ALTERNATE GROUND SHALL BE USED. SEE 2449 THRU 2460 FOR APPROVED ALTERNATES.
3. SIGN, "NOTICE THIS POLE IS OWNED AND MAINTAINED BY APS. DISCONNECT INSIDE", IS REQUIRED ON ALL DUSK-TO-DAWN AND AREA LIGHTING APPLICATIONS.
4. POLES THAT HAVE MORE THAN ONE LUMINAIRE REQUIRE A SEPARATE CIRCUIT WITH FUSING FROM THE J-BOX TO EACH LUMINAIRE.
5. USING THE 20'-0" POLE TO MATCH THE 16'-0" PEDESTRIAN LIGHT MOUNTING HEIGHT REDUCE POLE BURY DEPTH TO 4'-0".
6. THE BROWN PHOTO CONTROL IS A FAIL OFF CONTROL AND SHALL BE USED WITH ALL INDUCTION AND LED LUMINAIRES.
7. ON 277 VOLT STREET LIGHT CIRCUITS, INSTALL A "277 VOLT" MICARTA TAG ON CABLE IN J-BOX. TAG PROVIDED BY SPEC 8129.
8. THE LUMINAIRE SHOWN IS RECOMMENDED FOR THIS MOUNTING HEIGHT. SEE 8153 FOR ADDITIONAL BROWN ARCHITECTURAL LUMINAIRES.
9. THE TWO ARMED TENON BRACKET POSITIONS THE DOUBLE ARM 180 DEGREES APART.
10. TO ACCOMMODATE LESS THAT THE SPECIFIED LUMINAIRE MOUNTING HEIGHT, A SHOP ORDER IS REQUIRED TO HAVE A PORTION FROM THE TOP OF THE POLE CUT OFF. THE TENON ARM BRACKET SLIDES OVER AND COVERS THE CUT PORTION OF THE POLE.
11. IN-LINE FUSE FOR UNDERGROUND FEEDS, SEE 8130-8131.
12. FOR PEDESTRIAN ONLY APPLICATIONS SEE 8030.

POLE CODE	POLE LENGTH	BURY DEPTH	POLE ABOVE GROUND	LUMINAIRE HEIGHT ABOVE GROUND			
				6IN ARM	2FT ARM	4FT ARM	8FT ARM
1940.20	20'-0"	5'-0"*	15'-0"	15'-0"	15'-0"	15'-0"	---
1940.30	30'-0"	5'-0"	25'-0"	25'-0"	25'-0"	25'-0"	33'-0"
1940.34	34'-0"	6'-0"	28'-0"	28'-0"	28'-0"	28'-0"	39'-6"
1940.38	38'-0"	6'-6"	31'-6"	31'-6"	31'-6"	31'-6"	39'-6"

* SEE NOTE 5

CODE	8030.S0	8030.S2	8030.S4	8030.S8	8030.D0	8030.D2	8030.D4	8030.D8	8030.T2	8030.Q2	MATERIAL LIST
ITEM	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY	DESCRIPTION / APN
1	-	-	-	-	-	-	-	1	-	-	BRACKET ARCH SLIP BOLTED 00092251
2	10	10	10	10	10	10	10	10	10	10	CONDUIT 1" PVC FLEX CORR 32900891
3	1	1	1	1	2	2	2	2	3	4	CONTROL PHOTO MULTI BLACK 00063965
4	VAR	VAR	VAR	VAR	VAR	VAR	VAR	VAR	VAR	VAR	CONTROL PHOTO MULTI BR-20 00073241
5	1	1	1	1	2	2	2	2	3	4	LAMP - SEE 8164 - 8171
6	1	1	1	1	2	2	2	2	3	4	LUMINAIRE - SEE CHART
7	1	-	-	-	-	-	-	-	-	-	MAST ARM STLT 3" SQ X 8" SGL 88370
8	-	1	-	-	1	-	-	-	-	-	MAST ARM STLT 3" SQ X 6' DBL 00121154
9	-	-	-	-	-	1	-	-	-	-	MAST ARM STLT 3" SQ X 2' SGL 33701116
10	-	-	-	-	-	-	-	1	-	-	MAST ARM STLT 3" SQ X 2' DBL 33701117
11	-	-	-	-	-	-	-	-	-	1	MAST ARM STLT 3" SQ X 2' TPL 52664
12	-	-	1	-	-	-	-	-	-	-	MAST ARM STLT 3" SQ X 2' QUAD 00052665
13	-	-	-	1	-	-	-	-	-	-	MAST ARM STLT 3" SQ X 8' SGL 00061738
14	1	-	-	-	-	-	1	2	-	-	MAST ARM STLT 3" SQ X 4' DBL 00073267
15					-		-				MAST ARM STLT 3" SQ X 8' SGL 33701120
16					-		-				MAST ARM STLT 8' BOLT-ON 00092252
17	1	1	1	1	1	1	1	1	1	1	SIGN POLE OWNED BY APS 00050092
18	10	10	10	10	10	10	10	10	10	10	WIRE BARE #6 SOLID CU 33007580

APS ARIZONA PUBLIC SERVICE COMPANY T&D CONSTRUCTION STANDARDS				
BY	LDR.	MGR.	DATE	REV.
KLS	B. MCMINN	R. SMITH	04/2010	9

LIGHTS ARCHITECTURAL ON 5" SQUARE BROWN PAINTED STEEL POLE DIRECT BURY

SH 1 OF 2

8030

APS ARIZONA PUBLIC SERVICE COMPANY T&D CONSTRUCTION STANDARDS

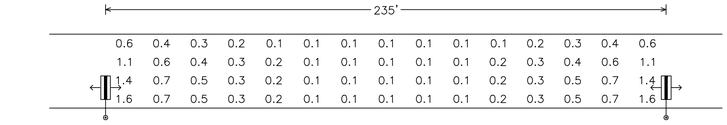
BY | LDR. | MGR. | DATE | REV.
KLS | B. MCMINN | R. SMITH | 04/2010 | 9

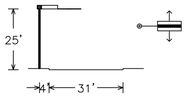
LIGHTS ARCHITECTURAL ON 5" SQUARE BROWN PAINTED STEEL POLE DIRECT BURY

SH 2 OF 2

8030

WORST CASE PHOTOMETRICS FOR MAX SPACING





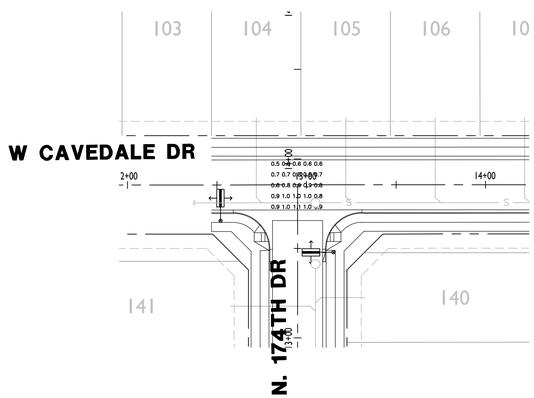
39W LED 4900 LUMEN 3000K
GE EVOLVE ERL1 TYPE B3
candela file 'ERL1_05B330_____-120-277V.IES'
1 lamp(s) per luminaire, photometry is absolute
Light Loss Factor = 0.900, watts per luminaire = 39
mounting height= 25 ft
number locations= 2, number luminaires= 2
kw all locations= 0.1

Roadway Grid
60 points at z=0, sp 15.667ft by 7.75ft
HORIZONTAL FOOTCANDLES

Average	0.4
Maximum	1.6
Minimum	0.1
Avg:Min	3.87
Max:Min	16.00
Coef Var	0.99
UnifGrad	2.29

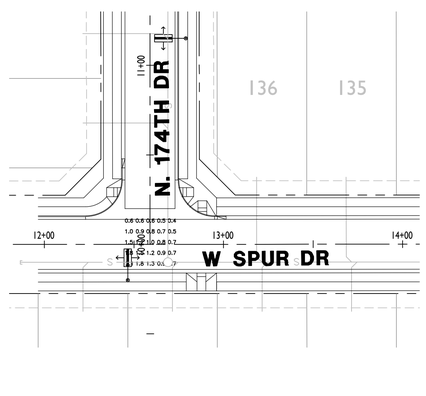
ROADWAY SCALEABLE LED 3000K

LIGHT CODE	COLOR	APN	WATTS	VOLTS	INITIAL LUMENS	CATALOG #
RL40	BRONZE	00140047	31	120/208/240/277	3,900	ERL1004A330ADKBZGRX
➡ RL41		00140048	39	120/208/240/277	4,900	ERL1005B330ADKBZGRX
RL42		00140049	71	120/208/240/277	7,800	ERL1008B330ADKBZGRX
RL43		00140050	98	120/208/240/277	11,000	ERLH011B330ADKBZGRX
RL44		00140051	174	120/208/240/277	20,100	ERL2021C330ADKBZGR



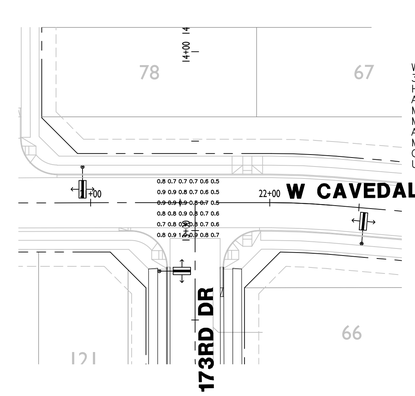
W CAVEDALE DR & N 174TH DR
25 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES

Average	0.8
Maximum	1.1
Minimum	0.5
Avg:Min	1.63
Max:Min	2.20
Coef Var	0.19
UnifGrad	1.40



W SPUR DR & N 174TH DR
25 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES

Average	1.0
Maximum	2.1
Minimum	0.4
Avg:Min	2.47
Max:Min	5.25
Coef Var	0.45
UnifGrad	1.67



W CAVEDALE DR & N 173RD LN (2)
36 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES

Average	0.8
Maximum	1.0
Minimum	0.5
Avg:Min	1.52
Max:Min	2.00
Coef Var	0.17
UnifGrad	1.40

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1-800-STAKE-IT
(OUTSIDE MARICOPA COUNTY)

WRIGHT ENGINEERING PROJECT NO:
17396

DESIGN BY: BBS
DRAWN BY: BBS
CHECKED BY: AMB

WRIGHT engineering corporation
ELECTRICAL ENGINEERING AND DESIGN
165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

PROJECT: TITLE:

SURPRISE, ARIZONA
CORTANA AT DESERT OASIS - PHASE 2
W JOMAX RD
STREET LIGHT DETAILS

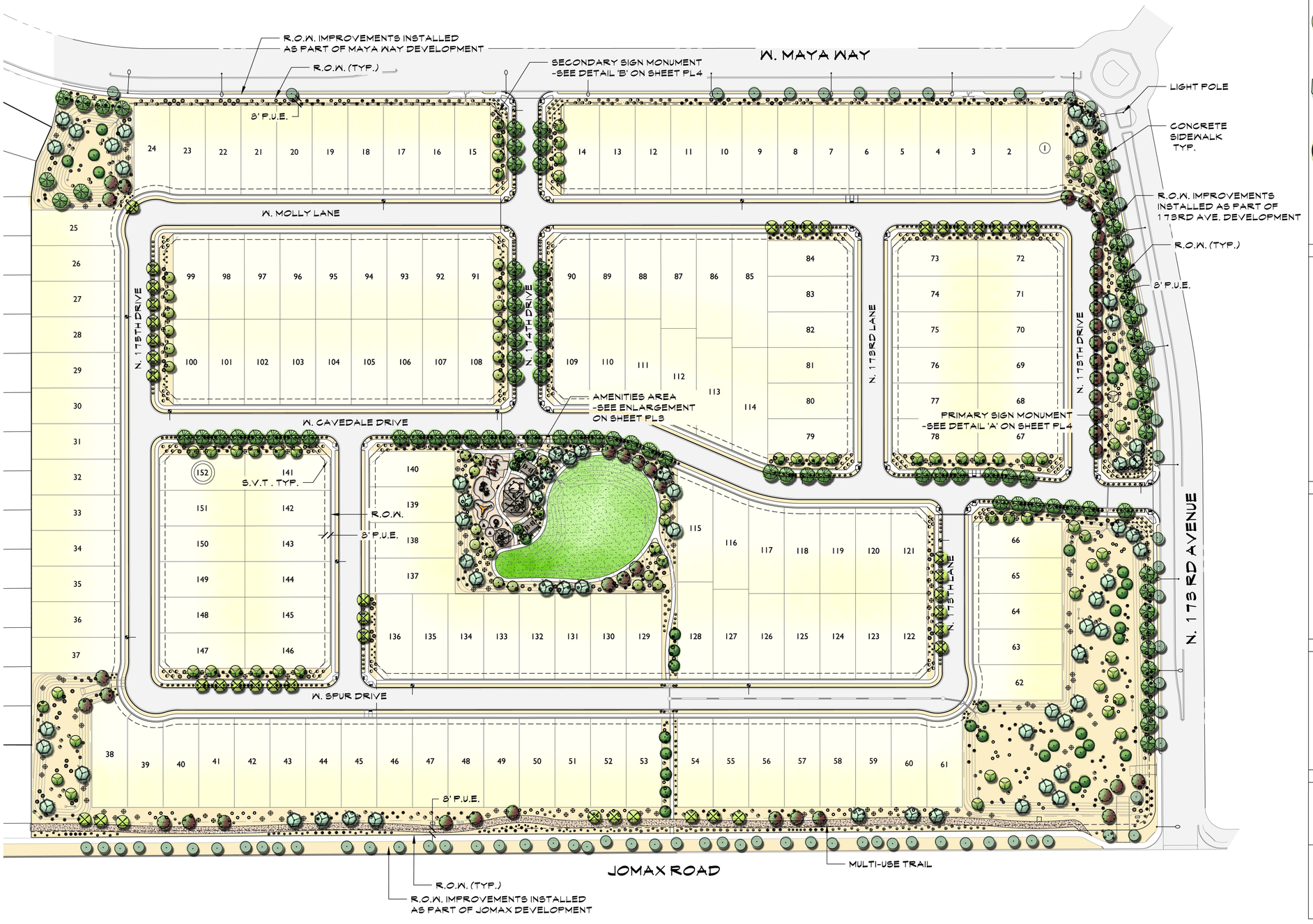
NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
1	FEB 2018	1ST SUBMITTAL
2	MAY 2018	2ND SUBMITTAL
3	JUN 2018	3RD SUBMITTAL

Registered Professional Engineer (Retired)
Certificate No. 46691
ADAM M. BOWERS
Date Signed 7-19-18
Expires 9-30-19

DRAWING NO:
SL3
OF 3

THESE DRAWINGS AND SPECIFICATIONS ARE THE SOLE PROPERTY OF WRIGHT ENGINEERING CORPORATION AND MAY NOT BE REPRODUCED OR MODIFIED FOR ANY USE WITHOUT THE EXPRESS WRITTEN PERMISSION OF WRIGHT ENGINEERING CORPORATION.

H:\2017\17396-Cortana SL\17396-Cortana-Phase 2 SL.dwg



PLANT LEGEND

SYMBOL	BOTANICAL NAME - COMMON NAME	QTY.	SIZE	COMMENTS
TREES				
	ACACIA ANEURA/ MULGA TREE	30	24" BOX	STANDARD
	ACACIA SALICINA/ WILLOW ACACIA	43	24" BOX	STANDARD
	CHILOPSIS LINEARIS/ DESERT WILLOW	43	24" BOX	STANDARD
	PARKINSONIA HYBRID 'AZT'/ 'AZT' THORNLESS PALO VERDE	58	24" BOX	STANDARD
	PISTACIA LENTISCUS/ MASTIC TREE	34	24" BOX	STANDARD
	PROSOPIS HYBRID 'RIO SALADO' 'RIO SALADO' MESQUITE	65	24" BOX	STANDARD
	QUERCUS VIRGINIANA 'HERITAGE'/ 'HERITAGE' LIVE OAK	93	24" BOX	STNADARD
	* DENOTES APPROVED STREET TREE			
SHRUBS				
	CAESALPINIA PULCHERRIMA/ RED BIRD OF PARADISE	94	5 GAL	FULL CAN
	CALLIANDRA CALIFORNICA/ BAJA FAIRY DUSTER	89	5 GAL	FULL CAN
	LEUCOPHYLLUM sp. 'HEAVENLY CLOUD'/ 'HEAVENLY CLOUD' SAGE	122	5 GAL	FULL CAN
	LEUCOPHYLLUM sp. 'LYNN'S LEGACY'/ 'LYNN'S LEGACY' SAGE	109	5 GAL	FULL CAN
	RUELLIA PENINSULARIS/ BAJA RUELLIA	56	5 GAL	FULL CAN
	TECOMA sp. 'BELLS OF FIRE'/ BELLS OF FIRE	95	5 GAL	FULL CAN
	TECOMA sp. 'LYDIA'/ 'LYDIA' YELLOW BELLS	103	5 GAL	FULL CAN
	TECOMARIA CAPENSIS/ CAPE HONEYSUCKLE	65	5 GAL	FULL CAN
	XYLOSMA sp. 'COMPACTA'/ COMPACT XYLOSMA	75	5 GAL	FULL CAN
ACCENTS				
	AGAVE SHARKSKIN/ SHARKSKIN AGAVE	161	5 GAL	FULL CAN
	HESPERALOE FUNIFERA/ GIANT HESPERALOE	130	5 GAL	FULL CAN
	HESPERALOE PARVIFOLIA/ RED YUCCA	215	5 GAL	FULL CAN
	MUHLENBERGIA CAPILLARIS/ PINK MUHLY GRASS	145	5 GAL	FULL CAN
	MUHLENBERGIA RIGENS/ DEER GRASS	111	5 GAL	FULL CAN
GROUNDCOVERS				
	EREMOPHILA HYGROPHANA/ 'BLUE BELLS' EMU	171	5 GAL	FULL CAN
	EREMOPHILA PROSTRATA/ 'OUTBACK SUNRISE' EMU	149	5 GAL	FULL CAN
	LANTANA sp. 'NEW GOLD'/ 'NEW GOLD' LANTANA	169	5 GAL	FULL CAN
	LANTANA sp. 'NEW RED'/ 'NEW RED' LANTANA	223	5 GAL	FULL CAN
EXISTING MATERIAL				
	EXISTING TREE	76		
	DECOMPOSED GRANITE SANTA FE GOLD, 2" MIN. DEPTH COVERAGE REQUIRED.	274,245 SQ.FT		
	TURF 'MIDIRON' HYBRID BERMUDA SOD	25,270 SQ.FT		

The McGough Group

CORTANA

PRELIMINARY LANDSCAPE PLAN

SURPRISE, AZ

JANUARY 24, 2017

SHEET: PL1

SCALE: 1"=70'-0"

NORTH

0' 70' 140' 210'

The McGough Group

CORTANA

AMENITIES ENLARGEMENT

SHEET: PL3

SURPRISE, AZ

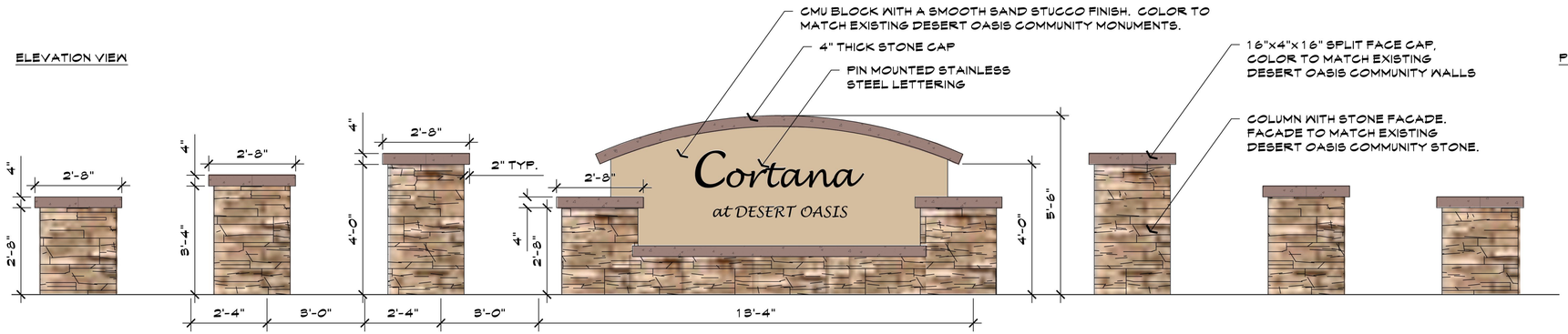
JANUARY 24, 2017

SCALE: 1"=10'-0"

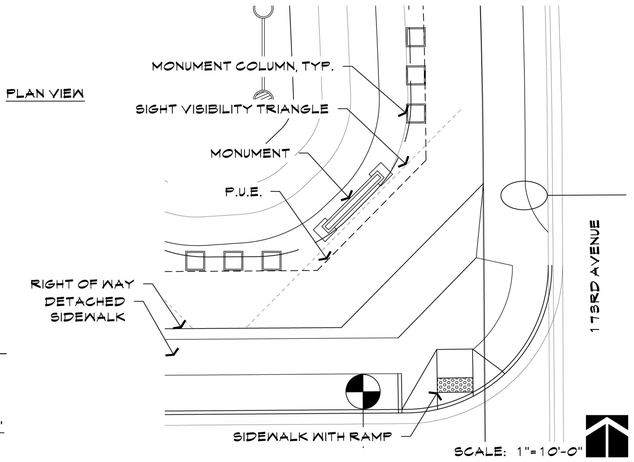
0' 5' 10' 20' 30'

NORTH

ELEVATION VIEW



PLAN VIEW

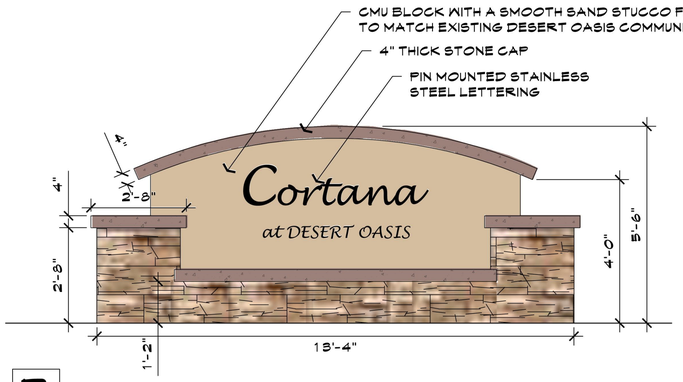


SCALE: 1/2"=1'-0"

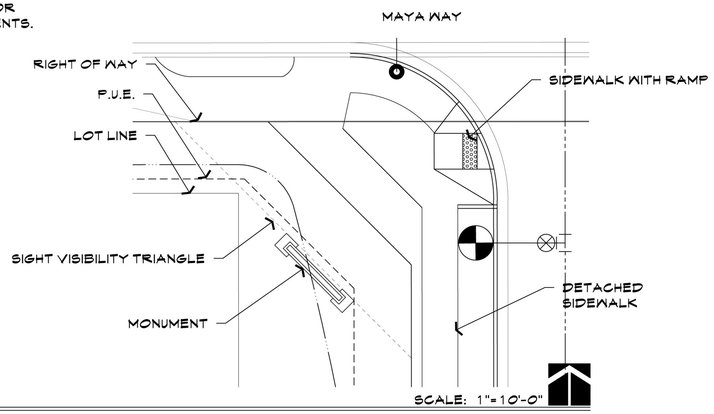
SCALE: 1"=10'-0"

A PRIMARY ENTRY MONUMENT

ELEVATION VIEW



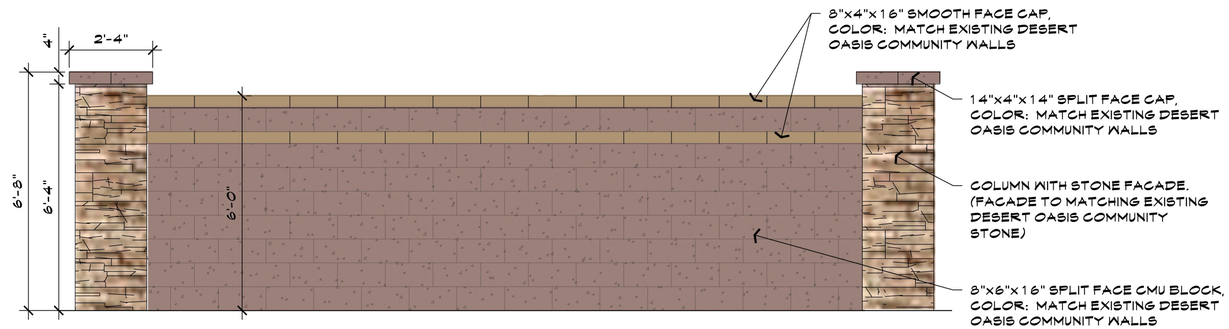
PLAN VIEW



B SECONDARY ENTRY MONUMENT

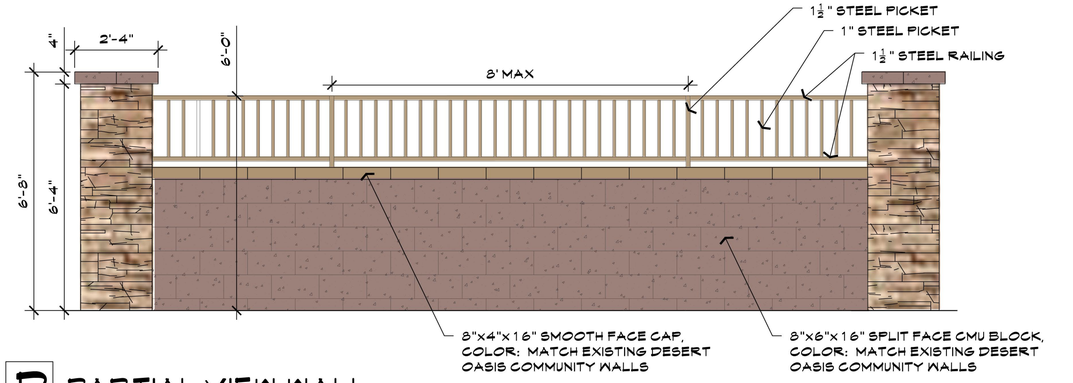
SCALE: 1/2"=1'-0"

SCALE: 1"=10'-0"



C PRIMARY THEME WALL & COLUMN

SCALE: 1/2"=1'-0"



D PARTIAL VIEW WALL

SCALE: 1/2"=1'-0"

The McGough Group

CORTANA

MONUMENT & WALL DETAILS

SHEET: PL4

SURPRISE, AZ

JANUARY 24, 2017

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Sherry Ann Aguilar, City Clerk
Submitting Department:		District:	5
Staff Recommendations:	None		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action on a request by Samantha Elly Jean Callahan (Agent) for a New License, LLC., for Hilton Garden Inn Surprise for a Series 11 (Hotel) located at 16601 N. Stadium Way, Surprise, AZ 85374

Motion:

I move to approve a request by Samantha Elly Jean Callahan (Agent) for a New License, LLC., for Hilton Garden Inn Surprise for a Series 11 (Hotel) located at 16601 N. Stadium Way, Surprise, AZ 85374

Background:

This request is of a routine nature. all department reports are attached and no concerns noted.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

☐ Hilton Departmental Reports

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Sherry Ann Aguilar, City Clerk
Submitting Department:		District:	5
Staff Recommendations:	None		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action on a request by Ryan W. Anderson (Agent) for a Person/Location Transfer for license #07070276 for The Park at Surprise located at 14630 W. Parkwood Drive, Surprise, AZ 85374.

Motion:

I move to approve a request by Ryan W. Anderson (Agent) for a Person/Location Transfer for license #07070276 for The Park at Surprise located at 14630 W. Parkwood Drive, Surprise, AZ 85374.

Background:

This request is of a routine nature. All department reports are attached with no concerns noted.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

- [ ] The Park at Surprise Dept Reports

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Karl Zook, Public Works Department
Submitting Department:	Public Works	District:	1
Staff Recommendations:	None		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action declaring the City's intention to create the "City of Surprise, Arizona, SU-DesertOasisCortana Lighting Improvement District" Street Light Improvement District pursuant to A.R.S. 48-616; Resolution #2018-123.

Motion:

I move to approve Resolution #2018-123.

Background:

The City has verified that the Petition for the proposed street light improvement district contains the signatures of all of the real property owners in the district, exclusive of mortgages and other lien holders. The City and Arizona Public Service Company (“APS”) have approved the street layout and facilities design. The electric rates are established by APS tariff. The lighting improvements are more than local or ordinary public benefit and the expenses of the district will be paid for by the levy and collection of ad valorem taxes based upon the assessed value of all property in the District.

Objective Analysis:

A SLID is a neighborhood partnership and very common practice in which property owners in a defined area agree to pay the costs to operate and maintain their immediate area's street lights through a property tax. All new developments in the City of Surprise require a SLID. This action will form the SLID boundary for the Desert Oasis Cortana development.

Policy Compliant:

Surprise Municipal Code requires that street lighting that serves a defined area be paid for through revenues obtained from the specific area being served by such street lighting. In these instances, a Street Light Improvement District (SLID) is formed. The city strives to assure that residents are subject to only one SLID and that the boundaries of each SLID accurately reflect the service area. This item is consistent with these objectives

Financial Impact:

Any financial impact on the City is anticipated to be minimal, as the Developer and District will be bearing the costs and expenses of the District and street light improvement facilities

---

Budget Impact:

Funding was not included as part of the FY2019 adopted budget. A separate fund will be created to track revenue and expenses once the city starts receiving electric bills from APS for this particular SLID. If the SLID incurs expenses during FY2019, staff will return to request a budget amendment to appropriate the new fund. Regardless, the city will be unable to collect property taxes for this SLID until FY2020, at the earliest.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

Click to download

- ☐ Resolution 2018-123
- ☐ SLID Petition
- ☐ Cortana at Desert Oasis PH1 streetlight plans
- ☐ Cortana at Desert Oasis PH2 streetlight plans
- ☐ Cortana at Desert Oasis PH3 streetlght plans
- ☐ Cortana Map

RESOLUTION # 2018-123

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, DECLARING ITS INTENTION TO ESTABLISH A STREET LIGHT IMPROVEMENT DISTRICT TO PURCHASE ENERGY FOR LIGHTING THE PUBLIC STREETS AND PARKS IN THE AREA WITHIN THE CORPORATE LIMITS OF THE CITY OF SURPRISE, ARIZONA DESCRIBED ON EXHIBIT A, ATTACHED HERETO; DECLARING SUCH IMPROVEMENTS TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT AND THAT THE EXPENSES THEREOF BE PAID FOR BY THE LEVY AND COLLECTION OF AD VALOREM TAXES UPON THE ASSESSED VALUATION OF ALL REAL AND PERSONAL PROPERTY IN A CERTAIN DISTRICT TO BE KNOWN AS "CITY OF SURPRISE, ARIZONA, SU-DESERTOASISCORTANA LIGHTING IMPROVEMENT DISTRICT"; AND ORDERING THAT SUCH IMPROVEMENTS BE PROVIDED FOR UNDER THE PROVISIONS OF SECTION 48-572, ARIZONA REVISED STATUTES.

WHEREAS, the owners, exclusive of mortgagees and other lienholders, of all of the real property (hereinafter referred to as "Petitioner") in the hereinafter described District, acting pursuant to the provisions of Sections 48-615(A) and 48-617(A), Arizona Revised Statutes, have petitioned the Mayor and Council of the City of Surprise, Arizona (hereinafter referred to as "City"), to adopt a resolution of intention (hereinafter referred to as "Resolution") ordering the purchase of energy for the lighting of the public street and parks (hereinafter referred to as "Improvements") for the real property legally described in Exhibit A (such area hereinafter referred to as the "District") with such boundaries as shown in the map in Exhibit B attached hereto pursuant to the provisions of Section 48-576, Arizona Revised Statutes, giving the City immediate jurisdiction to order the improvements pursuant to the provisions of Section 48-581, Arizona Revised Statutes, without the necessity of the publications or posting of this Resolution provided for in Sections 48-578, Arizona Revised Statutes;

WHEREAS, the City has verified that Petitioner is the owner, exclusive of mortagagees and other lienholders, of all of the real property included within the boundaries of the District, and;

WHEREAS, the Mayor and Council of the City hereby find and determine that they have jurisdiction to adopt this Resolution to order the Improvements pursuant to the provisions of Section 48-576, Arizona Revised Statutes, and have immediate jurisdiction to adopt this Resolution ordering the Improvements pursuant to the provisions of Section 48-581, Arizona Revised Statutes without the necessity of publications and posting of this Resolution as provided for in Section 48-578, Arizona Revised Statutes;

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

Section 1. The City, after verifying ownership of the real property included within the boundaries of the District, hereby finds the Petitioner is the owner, exclusive of mortgagees and other lienholders, of all of the real property included within the boundaries of the District.

Section 2. The name of the District shall be "CITY OF SURPRISE, ARIZONA, SU-DESERTOASISCORTANA LIGHTING IMPROVEMENT DISTRICT."

Section 3. The District is formed, and shall exist, pursuant to the provisions of Title 48, Chapter 4, Article 2, Arizona Revised Statutes, and Section 48-616, Arizona Revised Statutes.

Section 4. The public interest or convenience requires, and it is the intention of the Mayor and Council of the City to order the Improvement as so described above.

Section 5. The Improvements, in the opinion of the Mayor and Council of the City, are of more than local or ordinary public benefit and are of special benefit to the respective lots, pieces and parcels of real property in the District, and the Mayor and Council of the City hereby make and order the expense of the Improvements payable from the levying and collection of ad valorem taxes upon the assessed value of all real and personal property in the District to be known and designated as "City of Surprise, Arizona SU-DESERTOASISCORTANA Lighting Improvement District" and hereby declare that the District is as legally described on Exhibit A attached hereto with the boundaries as shown in the map in Exhibit B attached hereto. Any public street or alley within the District shall be omitted from the assessment. Any lot belonging to the United States, the State, a county, city, school district or political subdivision or institution of the state or county within the District shall be omitted from the assessment.

Section 6. The Superintendent of Streets or equivalent of the City shall not be required to post or cause to be posted notices of the Resolution of Intention. The Clerk of the City shall certify to the passage of this Resolution of Intention but shall not be required to cause the same to be published in a newspaper published and of general circulation in the City.

Section 7. The Mayor and Council of the City shall make annual statements and estimates of the expenses of the district, which shall be provided for by the levy and collection of ad valorem taxes upon the assessed value of all the real and personal property in the District; shall publish notice thereof; shall have hearings thereon; and shall adopt them at the times and in the manner provided for incorporated cities and towns by the applicable portions of Section 42-17101, et seq., 42-17152, Arizona Revised Statutes. The Mayor and Council of the City shall, on or before the third Monday in August of each year, fix, levy and assess the amount to be raised by ad valorem taxes upon all of the property of the District and collect, as Maricopa County, Arizona (the "County") taxes are collected, the amounts shown by the statements and estimates as adopted by the Mayor and Council of the City. All statutes providing for the levy and collection of State of Arizona and County taxes, shall be applicable to District taxes as provided to be levied under Section 48-616, Arizona Revised Statutes.

Section 8. The District shall not be authorized to issue bonds and no assessment for District purposes against the property within the District shall exceed One Dollar and Twenty Cents ($1.20) per each hundred dollars of taxable valuation thereof in any year.

Section 9. The District shall not engage in any activity other than as provided in Section 48-616, Arizona Revised Statutes, i.e., contracting for and purchasing of energy for street and public park lighting.

Section 10. The formation of the District shall not be considered as preventing the subsequent establishment of improvement districts for any other purpose authorized by law, including improvement districts for the purpose of construction street lighting facilities within any part or all of the same territory as the District.

Section 11. The type of lighting facilities to be installed in the District and the locations thereof shall consist of those lighting facilities and locations described in the petition submitted by Petitioner, or as may be approved by the City.

Section 12. The rate to be paid for purchasing the energy for the District shall be the rate described in the petition submitted by Petitioner, or as may be approved by the Arizona Public Service Company.

Section 13. Any resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

APPROVED AND ADOPTED this __day of _____, 2018.

Sharon R. Wolcott, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

EXHIBIT A

Legal Description
CORTANA AT DESERT OASIS
Street Light Improvement District
Surprise, Arizona

Job No. 15-296 July 10, 2018

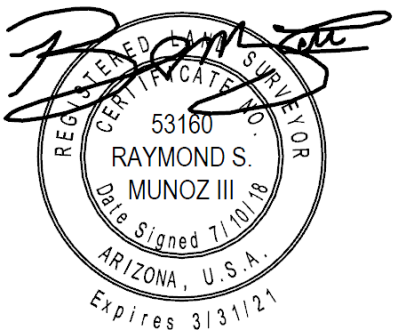
A portion of the south half of Section 35, Township 5 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

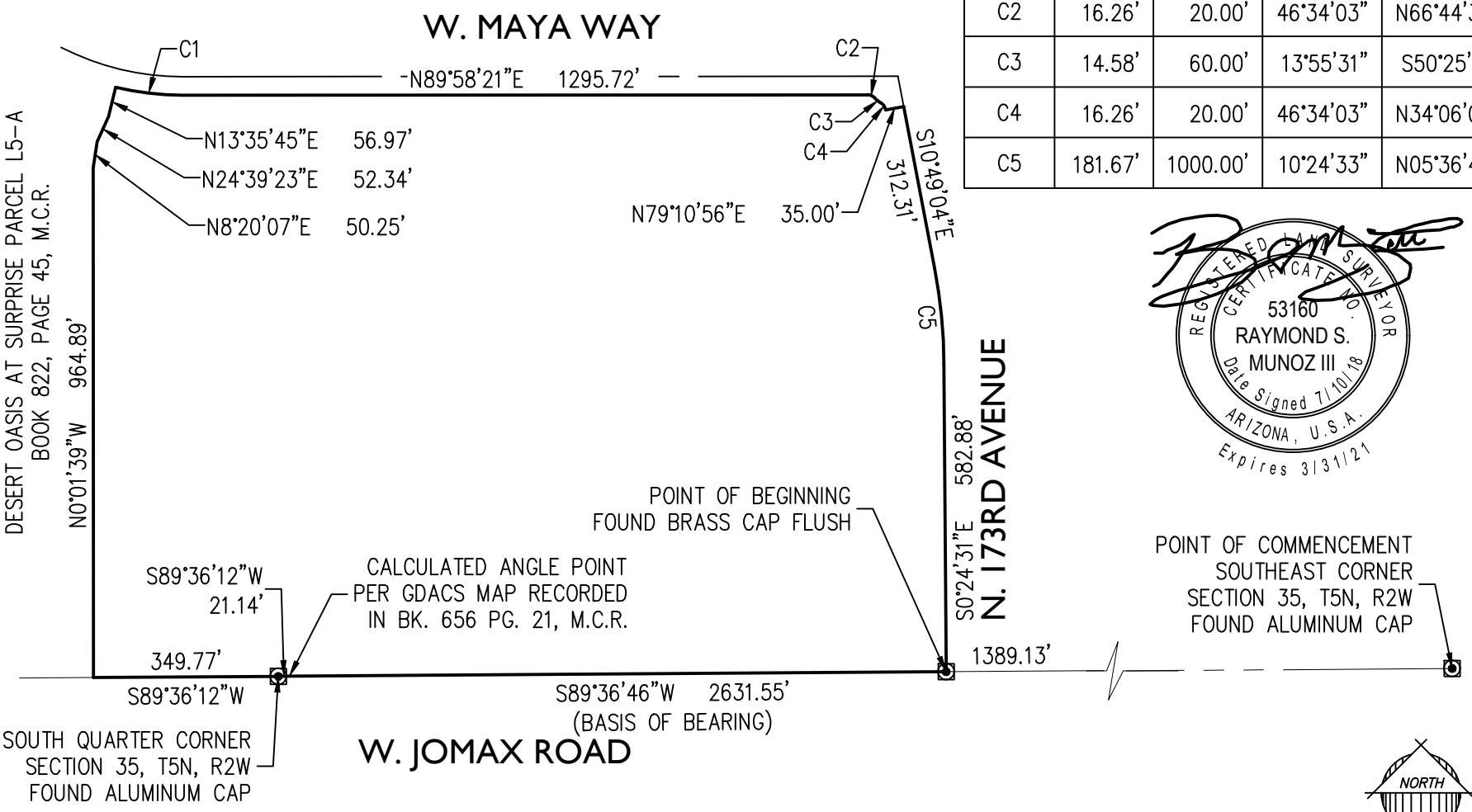
COMMENCING at found aluminum cap for the southeast corner of said Section 35 from which a brass cap flush at the intersection of Jomax Road with 173rd Avenue bears South 89 degrees 36 minutes 46 seconds West (an assumed bearing), 1389.13 feet; thence South 89 degrees 36 minutes 46 seconds West, 1389.13 feet along the south line of the southeast quarter of Section 35 to the intersection of Jomax Road with 173rd Avenue and the POINT OF BEGINNING;

thence continue South 89 degrees 36 minutes 46 seconds West, 1242.42 feet along the said south line to a calculated angle point as shown on that Record of Survey for the Maricopa County Geodetic Densification and Cadastral Survey recorded in Book 656, Page 21, Maricopa County Records;
thence South 89 degrees 36 minutes 12 seconds West, 21.14 feet along the south line of said southeast quarter to a found aluminum cap, commonly held for the south quarter corner of said Section 35;
thence South 89 degrees 36 minutes 12 seconds West, 349.77 feet along the south line of the southwest quarter of said Section 35 to the southeast corner of Desert Oasis at Surprise Parcel L5-A as recorded in Book 822, Page 45, Maricopa County Records;
thence North 0 degrees 01 minutes 39 seconds West, 964.89 feet along said east line;
thence North 8 degrees 20 minutes 07 seconds East, 50.25 feet along said east line;
thence North 24 degrees 39 minutes 23 seconds East, 52.34 feet along said east line;
thence North 13 degrees 35 minutes 45 seconds East, 56.97 feet along said east line to a point on the south right-of-way line of Maya Way, as shown on that Desert Oasis at Surprise Lancer parcel – Phase 1 Map of Dedication recorded in Book 819, Page 49, Maricopa County Records, said point being the beginning of a non-tangent curve, concave Northeast, from which the radius point bears North 13 degrees 35 minutes 45 seconds East a distance of 535.00 feet;

thence Southeasterly 127.21 feet along the arc of said curve to the left and the south right-of-way line of Maya Way, through a central angle of 13 degrees 37 minutes 24 seconds;
thence North 89 degrees 58 minutes 21 seconds East, 1295.72 feet along the south right-of-way line of Maya Way, to the beginning of a curve, concave Southwest, having a radius of 20.00 feet;
thence Southeasterly 16.26 feet along the arc of said curve to the right through a central angle of 46 degrees 34 minutes 03 seconds to a point of reverse curvature of a curve having a radius of 60.00 feet;
thence Southeasterly 14.58 feet along the arc of said curve to the left through a central angle of 13 degrees 55 minutes 31 seconds to a point of reverse curvature of a curve having a radius of 20.00 feet;
thence Southeasterly 16.26 feet along the arc of said curve to the right through a central angle of 46 degrees 34 minutes 03 seconds;
thence on a non-tangent line North 79 degrees 10 minutes 56 seconds East, 35.00 feet to a point on the centerline of 173rd Avenue as shown on said Map of Dedication;
thence South 10 degrees 49 minutes 04 seconds East, 312.31 feet along the centerline of 173rd Avenue, to the beginning of a curve, concave Southwest, having a radius of 1000.00 feet;
thence Southeasterly 181.67 feet along the arc of said curve to the right and the centerline of 173rd Avenue, through a central angle of 10 degrees 24 minutes 33 seconds;
thence South 0 degrees 24 minutes 31 seconds East, 582.88 feet along the centerline of 173rd Avenue to the POINT OF BEGINNING.

Contains 1,747,124 square feet or 40.1084 acres, more or less.





CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD BRG
C1	127.21'	535.00'	13°37'24"	S83°12'57"E
C2	16.26'	20.00'	46°34'03"	N66°44'38"W
C3	14.58'	60.00'	13°55'31"	S50°25'22"E
C4	16.26'	20.00'	46°34'03"	N34°06'05"W
C5	181.67'	1000.00'	10°24'33"	N05°36'47"W

15-296

EXHIBIT B

CORTANA AT DESERT OASIS
SURPRISE, ARIZONA

STREET LIGHT IMPROVEMENT DISTRICT

EPS GROUP
2045 S. Vineyard Ave.
Ste. 101 Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

CORTANA AT DESERT OASIS
PHASE 3
STREET LIGHT DESIGN

STREET LIGHTING REQUIREMENTS

5.00 GENERAL NOTES:

THE FOLLOWING INFORMATION IS PROVIDED TO EMPHASIZE CRITICAL WORK AND IS INTENDED TO SUPPLEMENT THE SPECIFICATIONS. SHOULD THERE BE A CONFLICT WITH THE SPECIFICATIONS, THIS DOCUMENT SHALL TAKE PRECEDENCE.

ALTERNATES SHALL BE PRE-APPROVED BY THE CITY ENGINEERING MANAGER. APPROVAL OF ALTERNATE PRODUCTS SHALL BE ON AN EQUAL BASIS WITH THE PRODUCT SPECIFIED AND SHALL BE SUBMITTED A MINIMUM OF TEN (10) DAYS PRIOR TO BID OPENING. STRUCTURAL CALCULATIONS SHALL BE FURNISHED FOR ALTERNATE PRODUCTS AND CERTIFIED BY A STRUCTURAL ENGINEER, REGISTERED IN THE STATE OF ARIZONA. LUMINAIRES AND LAMPS SHALL MEET OR EXCEED THE PHOTOMETRIC, ELECTRICAL, AND MECHANICAL REQUIREMENTS FOR THE SPECIFIED PRODUCTS.

THE CONTRACTOR SHALL COMPLY WITH STATE AND CITY STATUTES, AND MANUFACTURER'S RECOMMENDATIONS.

THE SUBMITTAL PACKAGE SHALL CONSIST OF THREE (3) COPIES OF EQUIPMENT/MATERIAL TO BE INSTALLED AND SHALL BE BOUND/STAPLED IN A FOLDER AND SUBMITTED AT THE TIME OF PERMIT APPLICATION.

PRIOR TO SUBMITTING A PROPOSAL, THE BIDDER SHALL EXAMINE ALL GENERAL CONSTRUCTION DRAWINGS AND VISIT THE CONSTRUCTION SITE TO BECOME FAMILIAR WITH EXISTING CONDITIONS UNDER WHICH HE WILL OPERATE AND WHICH WILL IN ANY WAY AFFECT THE WORK UNDER THE CONTRACT. NO SUBSEQUENT ALLOWANCE WILL BE MADE IN THIS CONNECTION IN THE BEHALF OF THE CONTRACTOR FOR ANY ERROR OR NEGLIGENCE ON HIS PART.

PRIOR TO ORDERING ANY MATERIALS OR DOING ANY WORK, THE CONTRACTOR SHOULD VERIFY DIMENSIONS AT THE SITE. IMMEDIATELY REPORT DIFFERENCES TO THE ENGINEERING MGR. AND SHOULD NOT PROCEED WITH WORK UNTIL THE ENGINEERING MGR. RENDERS A DECISION. NO EXTRA CHARGES OR COMPENSATION WILL BE ALLOWED FOR DIFFERENCES IN ACTUAL DIMENSIONS AND DIMENSIONS INDICATED ON THE DRAWINGS.

5.01 GENERAL:

THE ELECTRICAL CONTRACTOR SHALL COMPLY WITH ALL LICENSING REQUIREMENTS SET FORTH BY THE STATE REGISTRAR OF CONTRACTORS OFFICE TO PERFORM WORK RELATING TO STREET LIGHT INSTALLATION IN THE CITY RIGHT-OF-WAY.

ONE PROJECT UNDERGROUND UTILITIES (RIGHT OF WAY) PERMIT AND ONE STREETLIGHT PERMIT FOR EACH STREET LIGHT POLE SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.

5.02 WORKING / "AS BUILT" PLANS:

ACCEPTANCE OF THE COMPLETED IMPROVEMENTS WILL NOT BE GIVEN UNTIL 4 MIL PHOTO MYLAR REPRODUCIBLE "AS BUILT" PLANS HAVE BEEN SUBMITTED TO AND APPROVED BY THE CITY ENGINEER.

5.03 LIGHT POLES:

LIGHT POLES SHALL BE INSTALLED PLUMB, BE ADJUSTED TO PROVIDE PROPER ALIGNMENT TO THE ROADWAY BEING LIGHTED AND BE PROPERLY GROUNDED WHEN THE INSTALLATION IS COMPLETE.

5.04 EMBEDMENT:

DIRECT BURIED POLES SHALL BE SET IN A TWELVE (12) INCH AUGURED HOLE DEPTH AS SPECIFIED IN UNDISTURBED EARTH. POLE SHALL BE SET PLUMB IN TWO DIRECTIONS 90 DEGREES APART. HAND TAMPING OF ABC BACKFILL WITH PNEUMATIC OR VIBRATING EQUIPMENT IS THE ACCEPTABLE METHOD OF COMPACTION. BACKFILL SHALL BE COMPACTED TO 85% OF MAXIMUM DENSITY AS DEFINED BY ASTM D-2922 AND D-3017. A GROUND ROD SHALL BE INSTALLED ADJACENT TO PULL BOX IN UNDISTURBED SOIL AND A LEAD IN COPPER BOND WIRE (#6) SHALL BE INSTALLED IN 1" CARFLEX LIQUIDTIGHT FLEXIBLE NONMETALLIC CONDUIT (OR EQUAL) FOR POLE GROUNDING.

SURPLUS EXCAVATION SHALL BE DISPOSED OF BY THE CONTRACTOR.

5.05 LUMINAIRES:

LUMINAIRES SHALL BE INSTALLED LEVEL AND INCLUDE A LAMP AND PHOTOCELL. CONTRACTOR SHALL ASSURE THAT THE LUMINAIRES SHALL BE FREE OF DUST, DIRT OR ANYTHING THAT WOULD IMPAIR THE OUTPUT OF THE LIGHT BEFORE HE LEAVES THE SITE.

LUMINAIRES FURNISHED WITH MULTI-TAP BALLASTS SHALL BE REWIRED OR RECONNECTED TO MATCH THE VOLTAGE SUPPLIED BY THE ELECTRIC UTILITY COMPANY.

5.06 WIRING:

WIRING SHALL BE INSTALLED PER UTILITY STANDARDS.

5.07 GROUNDING:

EACH POLE SHALL HAVE A 8' X 5/8" COPPER CLAD GROUND ROD DRIVEN ADJACENT TO PULL BOX. A #6 BARE COPPER LEAD FROM THE GROUND ROD IN PULL BOX TO LANDING LUG IN STREET LIGHT POLE HAND HOLE.

5.08 PULL BOXES:

EXCAVATION FOR PULL BOXES AND MATERIAL SPECIFICATION SHALL BE PER THE ELECTRIC UTILITY COMPANY STANDARDS.

5.09 TRENCH

TRENCH SHALL BE INSTALLED PER THE UTILITY COMPANY STANDARDS.

THE USE OF A COMMON ELECTRIC UTILITY COMPANY TRENCH IS PERMITTED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANY FOR COORDINATION OF TRENCHING AND THE INSTALLATION OF CONDUIT.

CONDUIT SHALL BE INSTALLED AT THE DEPTH SPECIFIED ON THE PLANS. CONDUIT SHALL BE 1 INCH CARFLEX LIQUIDTIGHT FLEXIBLE NONMETALLIC CONDUIT OR EQUAL. CONDUIT MUST BE UL RATED AND SUITABLE FOR UNDERGROUND USE.

CONNECTIONS SHALL BE PER UTILITY STANDARDS.

5.12 LIGHT POLE IDENTIFICATION:

THE CONTRACTOR SHALL FURNISH AND INSTALL A NUMBER ON EACH LIGHT POLE. STREET LIGHT POLE IDENTIFICATION AND SPECIFICATIONS WILL BE PROVIDED BY THE CITY OF SURPRISE.

IT IS THE CONTRACTOR'S RESPONSIBILITY TO RESTORE ALL PROPERTY, LANDSCAPING, PAVING AND DRIVEWAYS THAT ARE DISTURBED DURING STREET LIGHT CONSTRUCTION TO THEIR ORIGINAL CONDITION IN CONFORMANCE WITH "MAG" SPECIFICATION SECTION 107.9.

THE DEVELOPER SHALL BE RESPONSIBLE FOR FURNISHING ALL PERSONNEL AND EQUIPMENT TO SUCCESSFULLY PERFORM THE FOLLOWING TEST.

PRIOR TO ACCEPTANCE, THE DEVELOPER SHALL ENERGIZE AND OPERATE THE ENTIRE ROADWAY LIGHTING SYSTEM, FROM SUNSET TO SUNRISE FOR TWO CONSECUTIVE DAYS WITHOUT INTERRUPTION OR FAILURE. IF A LAMP OR BALLAST SHOULD FAIL, IT SHALL BE IMMEDIATELY REPLACED.

THE CONTRACTOR SHALL GUARANTEE ALL WORK FOR A PERIOD OF ONE YEAR FROM THE DATE OF FINAL ACCEPTANCE BY THE ENGINEERING MANAGER, AGAINST IMPERFECT WORKMANSHIP, FAILURE, MALFUNCTION OF MATERIALS AND/OR EQUIPMENT DUE TO FAULTY OR IMPERFECT WORKMANSHIP. THIS GUARANTEE IS TO BE IN WRITING TO THE CITY AT THE TIME OF ISSUING FINAL ACCEPTANCE. WORK FOUND TO BE DEFECTIVE WITHIN THE WARRANTY PERIOD SHALL BE REPLACED WITHOUT COST TO THE CITY.

THESE DRAWINGS AND SPECIFICATIONS ARE THE SOLE PROPERTY OF WRIGHT ENGINEERING CORPORATION AND MAY NOT BE REPRODUCED OR MODIFIED FOR ANY USE WITHOUT THE EXPRESS WRITTEN PERMISSION OF WRIGHT ENGINEERING CORPORATION.

GENERAL ENGINEERING NOTES:

1. ALL CONSTRUCTION MUST CONFORM TO MARICOPA ASSOCIATION OF GOVERNMENT (MAG) SPECIFICATIONS AND DETAILS AND LATEST REVISIONS UNLESS OTHERWISE STATED ON PLANS.
2. THE ENGINEER WILL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, OR PROCEDURES OR FOR SAFETY PRECAUTIONS OR PROGRAMS UTILIZED IN CONNECTION WITH THE WORK, AND THEY WILL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING ALL OVERHEAD AND UNDERGROUND UTILITY LOCATIONS WHERE CONSTRUCTION OCCURS. SPECIAL CARE SHALL BE TAKEN TO ENSURE THAT ALL UTILITIES ARE AVOIDED. UTILITY LOCATIONS SHOWN ON THE PLANS ARE APPROXIMATE AND NOT FOR CONSTRUCTION PURPOSES. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AND OR REPLACED AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL COMPLY WITH ALL CURRENT ARIZONA UNDERGROUND FACILITIES LAWS (ARIZONA REVISED STATUTES TITLE 40, CHAPTER 2, ARTICLE 6.3, SECTION 40-360.21-32). CALL ARIZONA 811 FOR FIELD LOCATION BY DIAL 811.
4. THE CITY OF SURPRISE ENGINEERING SERVICES OF PUBLIC WORKS SHALL BE NOTIFIED FORTY-EIGHT (48) HOURS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION WORK AT 623-222-6150.
5. THE ENGINEER AND APPLICABLE AGENCY MUST APPROVE, PRIOR TO CONSTRUCTION, ANY ALTERATION OR VARIANCE FROM THESE PLANS. ANY VARIATION FROM THESE PLANS SHALL BE PROPOSED AND RESUBMITTED FOR REVIEW AND APPROVAL.
6. THE CONTRACTOR SHALL PROTECT AND MAINTAIN ALL EXISTING UTILITIES ON THE SITE. ANY DAMAGE TO EXISTING UTILITIES, WHETHER SHOWN OR NOT ON THE DRAWING, SHALL BE REPAIRED/REPLACED AT THE CONTRACTOR'S EXPENSE. EXISTING SURFACE FEATURES AND FENCING SHALL BE REPLACED IN KIND.
7. ANY INSPECTION BY THE CITY, COUNTY, OR THE ENGINEER, SHALL NOT IN ANY WAY RELIEVE THE CONTRACTOR FROM ANY OBLIGATION TO PERFORM THE WORK IN STRICT COMPLIANCE WITH THE APPLICABLE CODES AND AGENCY REQUIREMENTS.
8. THE CONTRACTOR IS TO LOCATE ALL EXISTING LANDSCAPING, LANDSCAPING IRRIGATION LINES, PROPERTY MONUMENTS, FENCING OR SURFACE FEATURES PRIOR TO CONSTRUCTION. ANYTHING DISTURBED DURING CONSTRUCTION SHALL BE REPLACEDIN KIND AT THE CONTRACTOR'S EXPENSE.
9. NOTHING CONTAINED IN THE CONTRACT DOCUMENTS SHALL CREATE, NOR SHALL BE CONSTRUED TO CREATE, ANY CONTRACTUAL RELATIONSHIP BETWEEN THE ENGINEER AND THE CONTRACTOR OR ANY SUBCONTRACTOR.
10. ALL CONSTRUCTION WATER USED WITHIN THE CITY OF SURPRISE WATER SERVICE AREA REQUIRES APPROVAL BY THE CITY OF SURPRISE PUBLIC WORKS DEPARTMENT AND MAY BE SUBJECT TO VOLUME AND TIME RESTRICTIONS. PLEASE SEE THE CITY OF SURPRISE CONSTRUCTION WATER GUIDELINES FOR ADDITIONAL INFORMATION. THE GUIDELINES CAN BE OBTAINED FROM THE PUBLIC WORKS DEPARTMENT AT 623-222-6000.
11. TRAFFIC CONTROL SHALL BE MAINTAINED IN ACCORDANCE WITH MAG SPECIFICATION 401, THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, AND THE "TEMPORARY WORK ZONE TRAFFIC MANAGEMENT POLICY" (LATEST EDITION).
12. PRIOR TO FINAL APPROVAL AND ACCEPTANCE OF THE WORK, THE DEVELOPER/CONTRACTOR WILL BE REQUIRED TO CLEAN AND REPAIR ADJACENT (OFF-PROJECT) ROADWAYS USED OR DAMAGED DURING THE COURSE OF CONSTRUCTION.
13. EMERGENCY VEHICLE ACCESS (E.V.A.) MUST BE PROVIDED BY THE DEVELOPER/CONTRACTOR THROUGHOUT THE PROJECT SITE. E.V.A. ROADS AND SIGNAGE SHALL BE MAINTAINED BY THE DEVELOPER/CONTRACTOR AT ALL TIMES. SIGNAGE SHALL BE POSTED AT THE POINT OF ENTRY TO THE SITE AND AT ALL LOCATIONS WHERE A CHANGE IN DIRECTION OCCURS.
14. THE PLANS SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT'S ACCESSIBILITY GUIDELINES, AS PUBLISHED IN THE FEDERAL REGISTER ON SEPTEMBER 15, 2010.

NOTES

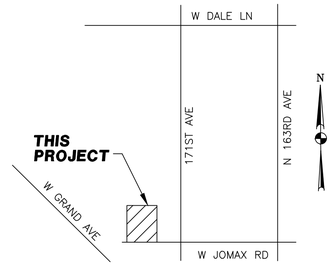
1. THE ELECTRICAL/MAINTENANCE COSTS OF ALL STREET LIGHTS ON LOCAL AND COLLECTOR STREETS ARE TO BE PAID BY THE ADJACENT PROJECT OR THE ADJACENT DEVELOPMENT'S STREET LIGHT IMPROVEMENT DISTRICT (SLID). THE ELECTRICAL / MAINTENANCE COSTS OF ALL STREET LIGHTS ON ARTERIAL STREETS ARE TO BE BILLED TO THE CITY OF SURPRISE'S ENERGY BILL.

2. CONTRACTOR TO COORDINATE WITH APS AND UTILIZE THEIR CURRENT SPECIFICATIONS AT THE TIME OF BIDDING AND CONSTRUCTION.

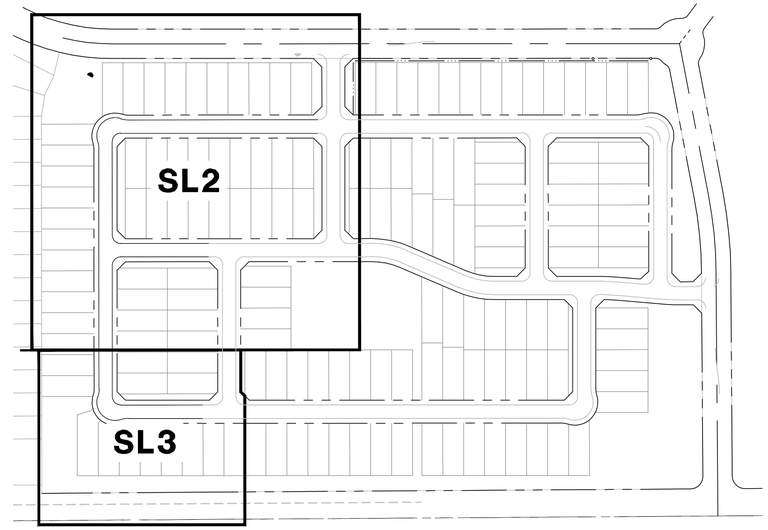
CIVIL ENGINEER:
EPS GROUP
2045 S. VINEYARD
SUITE 101
MESA, AZ 85210
PHONE: (480) 352-3431
CONTACT: DANIEL AUXIER P.E.

DEVELOPER
KB HOME PHOENIX INC.
10429 S. 51ST STREET
SUITE 100
PHOENIX, AZ 85044
PHONE: (480) 296-7526
CONTACT: JASON JARVIS

ELECTRICAL ENGINEER
WRIGHT ENGINEERING CORPORATION
165 EAST CHILTON DRIVE
CHANDLER, AZ 85225
PHONE: (480) 497-5829
FAX: (480) 497-5807
CONTACT: ADAM BOWERS P.E.



VICINITY MAP
N.T.S.



KEY MAP
N.T.S.

COORDINATION LIST

COMPANY	REPRESENTATIVE	DATE
C.O.S. WATER	DAN SHAFFER	11/04/15
C.O.S. SEWER	DAN SHAFFER	11/04/15
SOUTHWEST GAS	JEFF SHELTON	12/21/15
APS	CONNIE CHARLES	4/25/18
CENTURYLINK	JESUS ARRIETA	4/13/18
COX COMMS	VICTOR SCHAUM	3/20/18

THIS SET OF PLANS HAS BEEN REVIEWED FOR COMPLIANCE WITH CITY REQUIREMENTS PRIOR TO ISSUANCE OF PERMITS. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. THIS COMPLIANCE APPROVAL SHALL NOT PREVENT THE CITY ENGINEER FROM REQUIRING CORRECTIONS OF ERRORS OR OMISSIONS IN PLANS FOUND TO BE IN VIOLATION OF LAW OR ORDINANCES.

CITY OF SURPRISE ENGINEER **DATE**

STREET LIGHTING (APS AREA)

KEY NO.	SYMBOL	STREET TYPE	OFFSET BEHIND B/C	QUANTITY	POLE		MAST ARM	LUMINAIRE						APS STANDARD CODE NO.
					POLE HEIGHT	FOUNDATION	SIZE	MOUNTING HEIGHT	LUMENS	WATTAGE	I.E.S. DIST.	TYPE	STYLE	
(1)		LOCAL	PER PLANS	9	30'-6"	DIRECT BURY	2'-0"	25'	4,900	39W	TYPE B3	LED	ARCHITECTURAL (SHOEBOX)	8030.S2

ARIZONA BLUE STAKE
CALL TWO WORKING DAYS BEFORE YOU DIG
Dial 811 or
602-263-1100
1-800-STAKE-IT
(OUTSIDE MARICOPA COUNTY)

WRIGHT ENGINEERING PROJECT NO: **17396**

DESIGN BY: BBS
DRAWN BY: BBS
CHECKED BY: AMB

WRIGHT engineering corporation
ELECTRICAL ENGINEERING AND DESIGN
165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

PROJECT: CORTANA AT DESERT OASIS - PHASE 3
SURPRISE, ARIZONA
W JOMAX RD

TITLE: STREET LIGHT COVER SHEET

NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
1	FEB 2018	1ST SUBMITTAL
2	MAY 2018	2ND SUBMITTAL
3	JUN 2018	3RD SUBMITTAL

Registered Professional Engineer (Electrical)
Certificate No. 46691
ADAM M. BOWERS
Date Signed 7-17-18
Expires 9-30-19

DRAWING NO: **SL1**
OF 3

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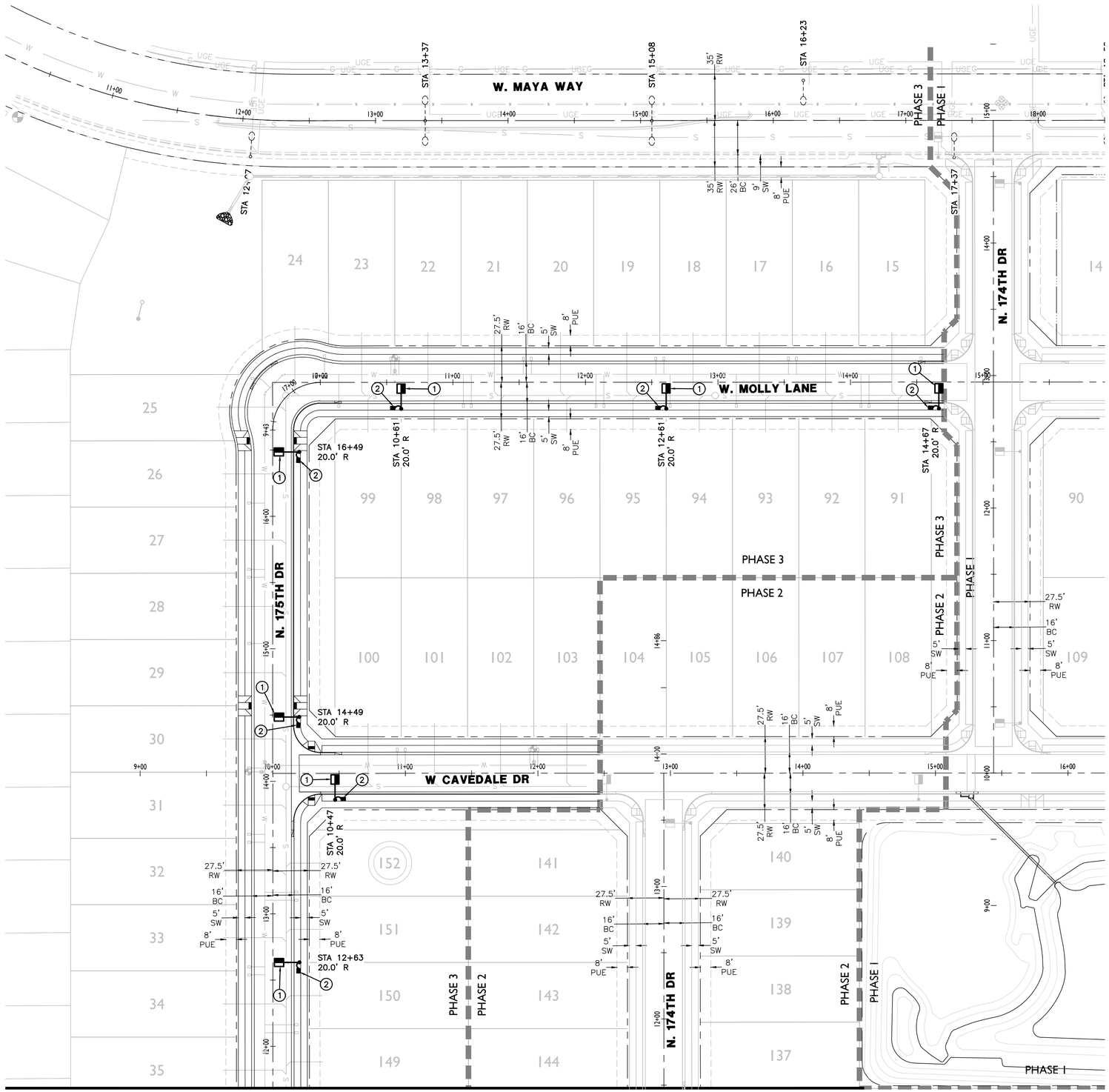

MATCHLINE "A"
SEE SHEET SL3

LEGEND

- 39W (4900 LUMEN) LED STREET LIGHT
- STREET LIGHT PER ADJACENT PLANS. SHOWN FOR REFERENCE ONLY
- EXISTING STREET LIGHT
- PULL BOX
- NEW CONDUIT RUN
- FIRE HYDRANT

CONSTRUCTION NOTES

1. 39W LED (4,900 LUMEN) LUMINAIRE (GE CAT# ERL1005B330ADKBZRGX) WITH PHOTOELECTRIC CONTROL ON A 30'-6" DIRECT BURIED POLE (1940.30) WITH A 2' MAST ARM (S2) PER APS DETAIL 8030 (SEE SHEET SL3). INSTALL (2) #14 THHN/THWN FROM LUMINAIRE TO FUSE HOLDER IN POLE. ALL WIRING, FUSING, AND GROUNDING PER APS DETAILS AND SPECIFICATIONS.
2. INSTALL APS PULL BOX NEXT TO POLE. INSTALL 1" CONDUIT WITH (2) #14 TYPE THHN/THWN AND (1) #14 BARE BOND FROM PULL BOX TO FUSE HOLDER IN STREET LIGHT PER APS DETAILS AND SPECIFICATIONS.

GRAPHIC SCALE
40 20 0 20 40 80
1 INCH = 40 FEET

ARIZONA BLUE STAKE
CALL TWO WORKING DAYS BEFORE YOU DIG
Dial 811 or
602-263-1100
1-800-STAKE-IT
(OUTSIDE MARICOPA COUNTY)

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WRIGHT ENGINEERING PROJECT NO:
17396

DESIGN BY: BBS
DRAWN BY: BBS
CHECKED BY: AMB

WRIGHT engineering corporation
ELECTRICAL ENGINEERING AND DESIGN
165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

PROJECT: TITLE:

SURPRISE, ARIZONA
CORTANA AT DESERT OASIS - PHASE 3
W JOMAX RD

STREET LIGHT PLAN

NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
1	FEB 2018	1ST SUBMITTAL
2	MAY 2018	2ND SUBMITTAL
3	JUN 2018	3RD SUBMITTAL

Registered Professional Engineer (Electrical)
Certificate No.
46691
ADAM M. BOWERS
Date Signed 7-20-18
Expires 9-30-19

DRAWING NO:
SL2
OF 3

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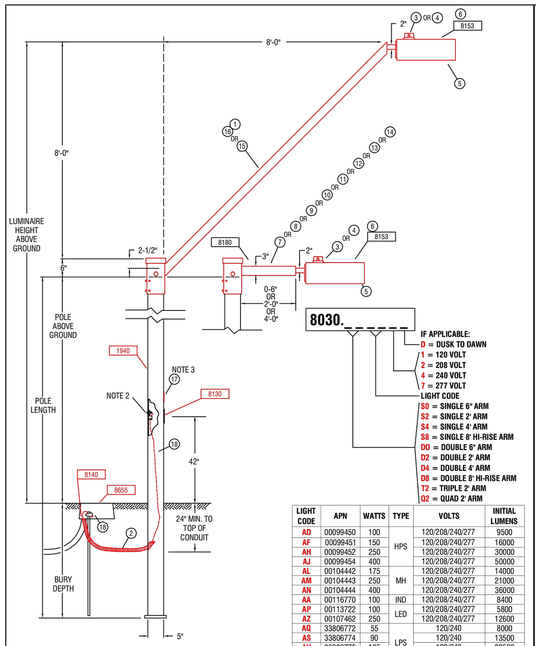


IF APPLICABLE:
- D = DUSK TO DAWN
- 1 = 120 VOLT
- 2 = 208 VOLT
- 4 = 240 VOLT
- 7 = 277 VOLT

LIGHT CODE
- S2 = SINGLE 2' ARM
- S4 = SINGLE 4' ARM
- S8 = SINGLE 8' HI-RISE ARM
- D2 = DOUBLE 2' ARM
- D4 = DOUBLE 4' ARM
- D8 = DOUBLE 8' HI-RISE ARM
- T2 = TRIPLE 2' ARM
- Q2 = QUAD 2' ARM

LIGHT CODE	APN	WATTS	TYPE	VOLTS	INITIAL LUMENS
AD	00099450	100	HPS	120/208/240/277	9500
AF	00099451	150		120/208/240/277	16000
AH	00099452	250		120/208/240/277	30000
AJ	00099454	400		120/208/240/277	50000
AL	00104442	175	MH	120/208/240/277	14000
AM	00104443	250		120/208/240/277	21000
AN	00104444	400		120/208/240/277	36000
AA	00116770	100	IND	120/208/240/277	8400
AP	00113722	100	LED	120/208/240/277	5800
AZ	00107462	250		120/208/240/277	12600
AQ	33806772	55	LPS	120/240	8000
AS	33806774	90		120/240	13500
AU	33806776	135		120/240	22500
AW	33806778	180		120/240	33000

NOTES:
1. ADJUST PHOTO EYE TO FACE NORTH.
2. A GROUND ROD IS PROVIDED WITH THE J-BOX. WHERE A GROUND ROD CAN NOT BE DRIVEN ALTERNATE GROUND SHALL BE USED. SEE 2449 THRU 2460 FOR APPROVED ALTERNATES.
3. SIGN, "NOTICE THIS POLE IS OWNED AND MAINTAINED BY APS. DISCONNECT INSIDE"; IS REQUIRED ON ALL DUSK-TO-DAWN AND AREA LIGHTING APPLICATIONS.
4. POLES THAT HAVE MORE THAN ONE LUMINAIRE REQUIRE A SEPARATE CIRCUIT WITH FUSING FROM THE J-BOX TO EACH LUMINAIRE.
5. USING THE 20'-0" POLE TO MATCH THE 16'-0" PEDESTRIAN LIGHT MOUNTING HEIGHT REDUCE POLE BURY DEPTH TO 4'-0".
6. THE BROWN PHOTO CONTROL IS A FAIL OFF CONTROL AND SHALL BE USED WITH ALL INDUCTION AND LED LUMINAIRES.
7. ON 277 VOLT STREET LIGHT CIRCUITS, INSTALL A "277 VOLT" MICARTA TAG ON CABLE IN J-BOX. TAG PROVIDED BY SPEC 8129.
8. THE LUMINAIRE SHOWN IS RECOMMENDED FOR THIS MOUNTING HEIGHT. SEE 8153 FOR ADDITIONAL BROWN ARCHITECTURAL LUMINAIRES.
9. THE TWO ARMED TENON BRACKET POSITIONS THE DOUBLE ARM 180 DEGREES APART.
10. TO ACCOMMODATE LESS THAT THE SPECIFIED LUMINAIRE MOUNTING HEIGHT, A SHOP ORDER IS REQUIRED TO HAVE A PORTION FROM THE TOP OF THE POLE CUT OFF. THE TENON ARM BRACKET SLIDES OVER AND COVERS THE CUT PORTION OF THE POLE.
11. IN-LINE FUSE FOR UNDERGROUND FEEDS, SEE 8130-8131.
12. FOR PEDESTRIAN ONLY APPLICATIONS SEE 8030.

POLE CODE	POLE LENGTH	BURY DEPTH	POLE ABOVE GROUND	LUMINAIRE HEIGHT ABOVE GROUND			
				6IN ARM	2FT ARM	4FT ARM	8FT ARM
1940.20	20'-0"	5'-0"*	15'-0"	15'-0"	15'-0"	15'-0"	---
1940.30	30'-6"	5'-0"	25'-0"	25'-0"	25'-0"	25'-0"	33'-0"
1940.34	34'-0"	6'-0"	28'-0"	28'-0"	28'-0"	28'-0"	39'-6"
1940.38	38'-0"	6'-6"	31'-6"	31'-6"	31'-6"	31'-6"	39'-6"

* SEE NOTE 5

CODE	8030.S0	8030.S2	8030.S4	8030.S8	8030.D0	8030.D2	8030.D4	8030.D8	8030.T2	8030.Q2	MATERIAL LIST	
ITEM	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY	DESCRIPTION	APN
1	-	-	-	-	-	-	-	1	-	-	BRACKET ARCH SLIP BOLTED	00092251
2	10	10	10	10	10	10	10	10	10	10	CONDUIT 1" PVC FLEX CORR	32900891
3	1	1	1	1	2	2	2	2	3	4	CONTROL PHOTO MULTI BLACK	00063965
4	VAR	VAR	VAR	VAR	VAR	VAR	VAR	VAR	VAR	VAR	CONTROL PHOTO MULTI BR-20	00073241
5	1	1	1	1	2	2	2	2	3	4	LAMP - SEE 8164 - 8171	
6	1	1	1	1	2	2	2	2	3	4	LUMINAIRE - SEE CHART	
7	1	-	-	-	-	-	-	-	-	-	MAST ARM STLT 3" SQ X 6' SGL	88370
8	-	1	-	-	-	-	-	-	-	-	MAST ARM STLT 3" SQ X 6' DBL	00121154
9	-	-	-	-	-	1	-	-	-	-	MAST ARM STLT 3" SQ X 2' SGL	33701116
10	-	-	-	-	-	-	-	-	1	-	MAST ARM STLT 3" SQ X 2' DBL	33701117
11	-	-	-	-	-	-	-	-	-	1	MAST ARM STLT 3" SQ X 2' TPL	52664
12	-	-	1	-	-	-	-	-	-	-	MAST ARM STLT 3" SQ X 2' QUAD	00052665
13	-	-	-	1	-	-	-	-	-	-	MAST ARM STLT 3" SQ X 8' SGL	00061738
14	1	-	-	-	-	-	1	2	-	-	MAST ARM STLT 3" SQ X 4' DBL	00073267
15					-	-	-	-	-	-	MAST ARM STLT 3" SQ X 8' SGL	33701120
16					-	-	-				MAST ARM STLT 8' BOLT-ON	00092252
17	1	1	1	1	1	1	1	1	1	1	SIGN POLE OWNED BY APS	00050092
18	10	10	10	10	10	10	10	10	10	10	WIRE BARE #6 SOLID CU	33007580

APS ARIZONA PUBLIC SERVICE COMPANY T&D CONSTRUCTION STANDARDS				
BY	LDR.	MGR.	DATE	REV.
KLS	B. MCMINN	R. SMITH	04/2010	9

LIGHTS ARCHITECTURAL ON 5" SQUARE BROWN PAINTED STEEL POLE DIRECT BURY

SH 1 OF 2

8030

APS ARIZONA PUBLIC SERVICE COMPANY T&D CONSTRUCTION STANDARDS

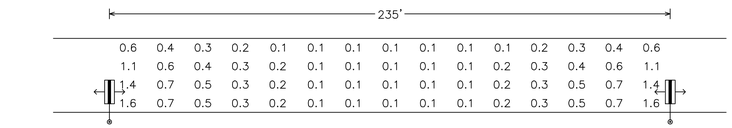
BY	LDR.	MGR.	DATE	REV.
KLS	B. MCMINN	R. SMITH	04/2010	9

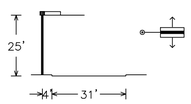
LIGHTS ARCHITECTURAL ON 5" SQUARE BROWN PAINTED STEEL POLE DIRECT BURY

SH 2 OF 2

8030

WORST CASE PHOTOMETRICS FOR MAX SPACING

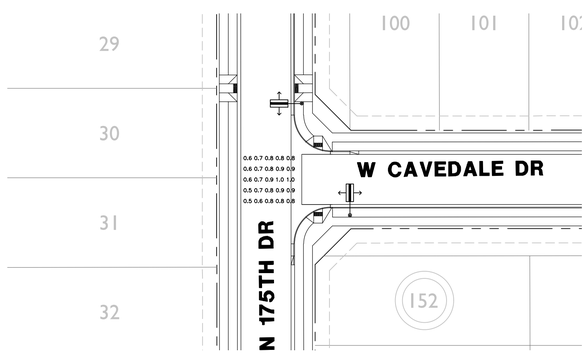




39W LED 4900 LUMEN 3000K
GE EVOLVE ERL1 TYPE B3
candela file 'ERL1_05B330_____-120-277V.IES'
1 lamp(s) per luminaire, photometry is absolute
Light Loss Factor = 0.900, watts per luminaire = 39
mounting height= 25 ft
number locations= 2, number luminaires= 2
kw all locations= 0.1

Roadway Grid
60 points at z=0, sp 15.667ft by 7.75ft
HORIZONTAL FOOTCANDLES

Average	0.4
Maximum	1.6
Minimum	0.1
Avg:Min	3.87
Max:Min	16.00
Coef Var	0.99
UnifGrad	2.29



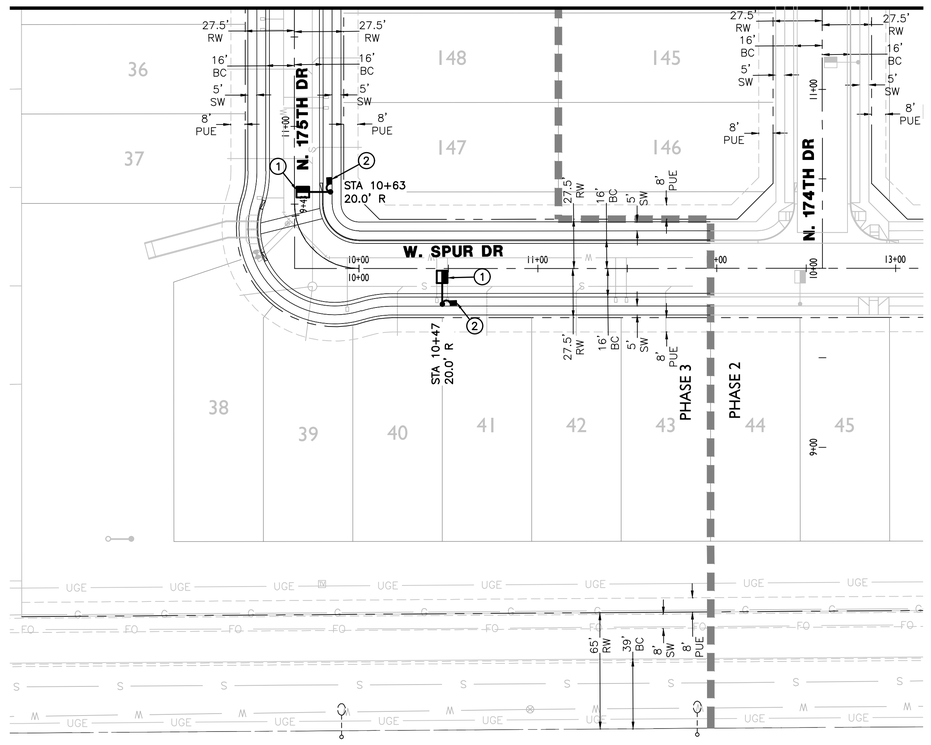
W CAVEDALE DR & N 175TH DR
25 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES

Average	0.8
Maximum	1.0
Minimum	0.5
Avg:Min	1.53
Max:Min	2.00
Coef Var	0.18
UnifGrad	1.40

LEGEND

- 39W (4900 LUMEN) LED STREET LIGHT
- STREET LIGHT PER ADJACENT PLANS. SHOWN FOR REFERENCE ONLY
- EXISTING STREET LIGHT
- PULL BOX
- NEW CONDUIT RUN
- FIRE HYDRANT

MATCHLINE "A" SEE SHEET SL2



CONSTRUCTION NOTES

(1) 39W LED (4,900 LUMEN) LUMINAIRE (GE CAT# ERL1005B330ADKBZRGX) WITH PHOTOELECTRIC CONTROL ON A 30'-6" DIRECT BURIED POLE (1940.30) WITH A 2' MAST ARM (S2) PER APS DETAIL 8030 (SEE SHEET SL3). INSTALL (2) #14 THHN/THWN FROM LUMINAIRE TO FUSE HOLDER IN POLE. ALL WIRING, FUSING, AND GROUNDING PER APS DETAILS AND SPECIFICATIONS.

(2) INSTALL APS PULL BOX NEXT TO POLE. INSTALL 1" CONDUIT WITH (2) #14 TYPE THHN/THWN AND (1) #14 BARE BOND FROM PULL BOX TO FUSE HOLDER IN STREET LIGHT PER APS DETAILS AND SPECIFICATIONS.

ROADWAY SCALEABLE LED 3000K

LIGHT CODE	COLOR	APN	WATTS	VOLTS	INITIAL LUMENS	CATALOG #
RL40	BRONZE	00140047	31	120/208/240/277	3,900	ERL1004A330ADKBZGRX
RL41		00140048	39	120/208/240/277	4,900	ERL1005B330ADKBZGRX
RL42		00140049	71	120/208/240/277	7,800	ERL1008B330ADKBZGRX
RL43		00140050	98	120/208/240/277	11,000	ERLH011B330ADKBZGRX
RL44		00140051	174	120/208/240/277	20,100	ERL2021C330ADKBZGR

NORTH

GRAPHIC SCALE

40 20 0 20 40 80

1 INCH = 40 FEET

ARIZONA BLUE STAKE
CALL TWO WORKING DAYS BEFORE YOU DIG
Dial 811 or 602-263-1100
1-800-STAKE-IT (OUTSIDE MARICOPA COUNTY)

WRIGHT ENGINEERING PROJECT NO:
17396

DESIGN BY: BBS
DRAWN BY: BBS
CHECKED BY: AMB

WRIGHT engineering corporation
ELECTRICAL ENGINEERING AND DESIGN
165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

PROJECT: **CORTANA AT DESERT OASIS - PHASE 3 SURPRISE, ARIZONA**

TITLE: **STREET LIGHT DETAILS**

NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
1	FEB 2018	1ST SUBMITTAL
2	MAY 2018	2ND SUBMITTAL
3	JUN 2018	3RD SUBMITTAL

Registered Professional Engineer (Retired)
Certificate No.
46691
ADAM M. BOWERS
Date Signed
7-19-18
Expires 9-30-19

DRAWING NO:
SL3
OF 3

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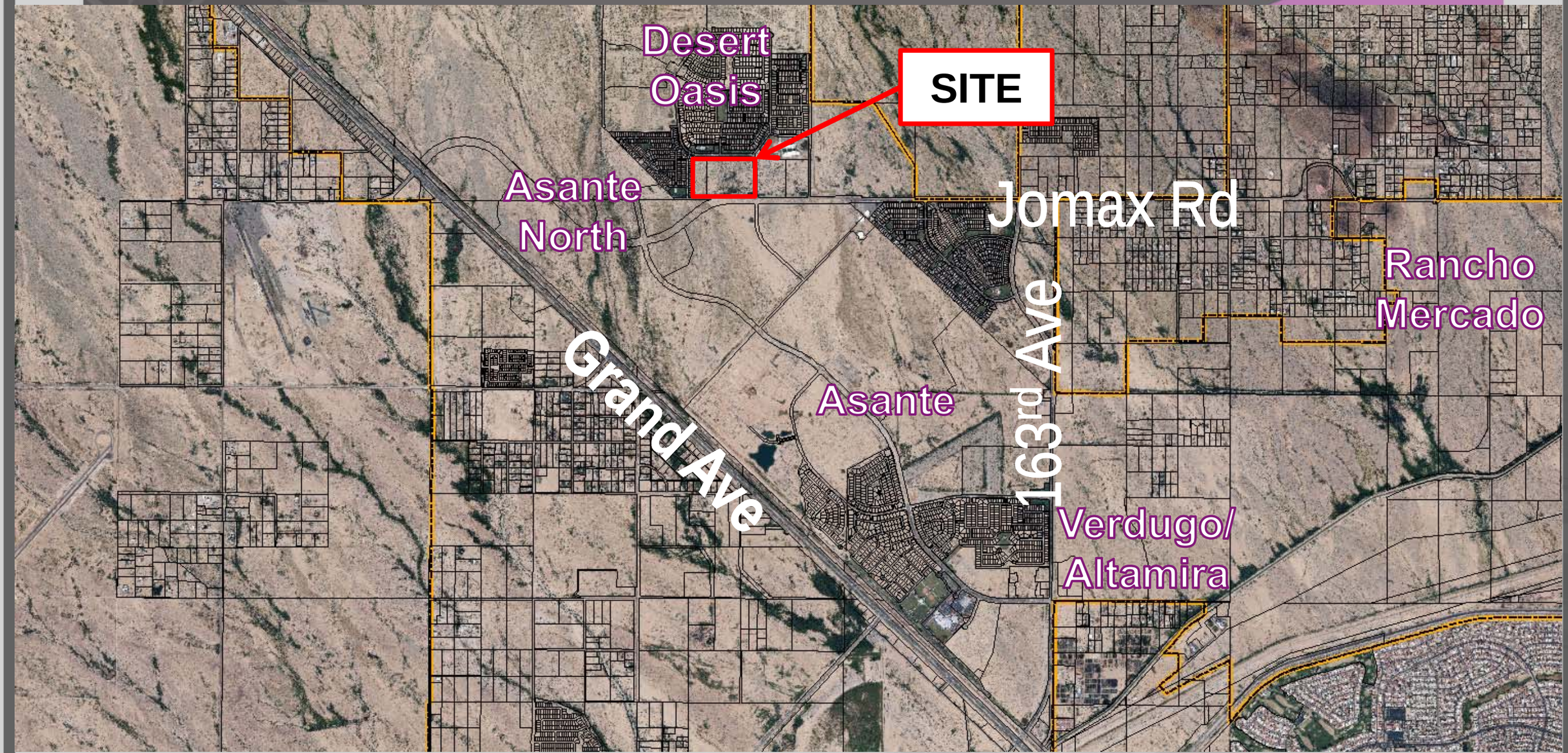
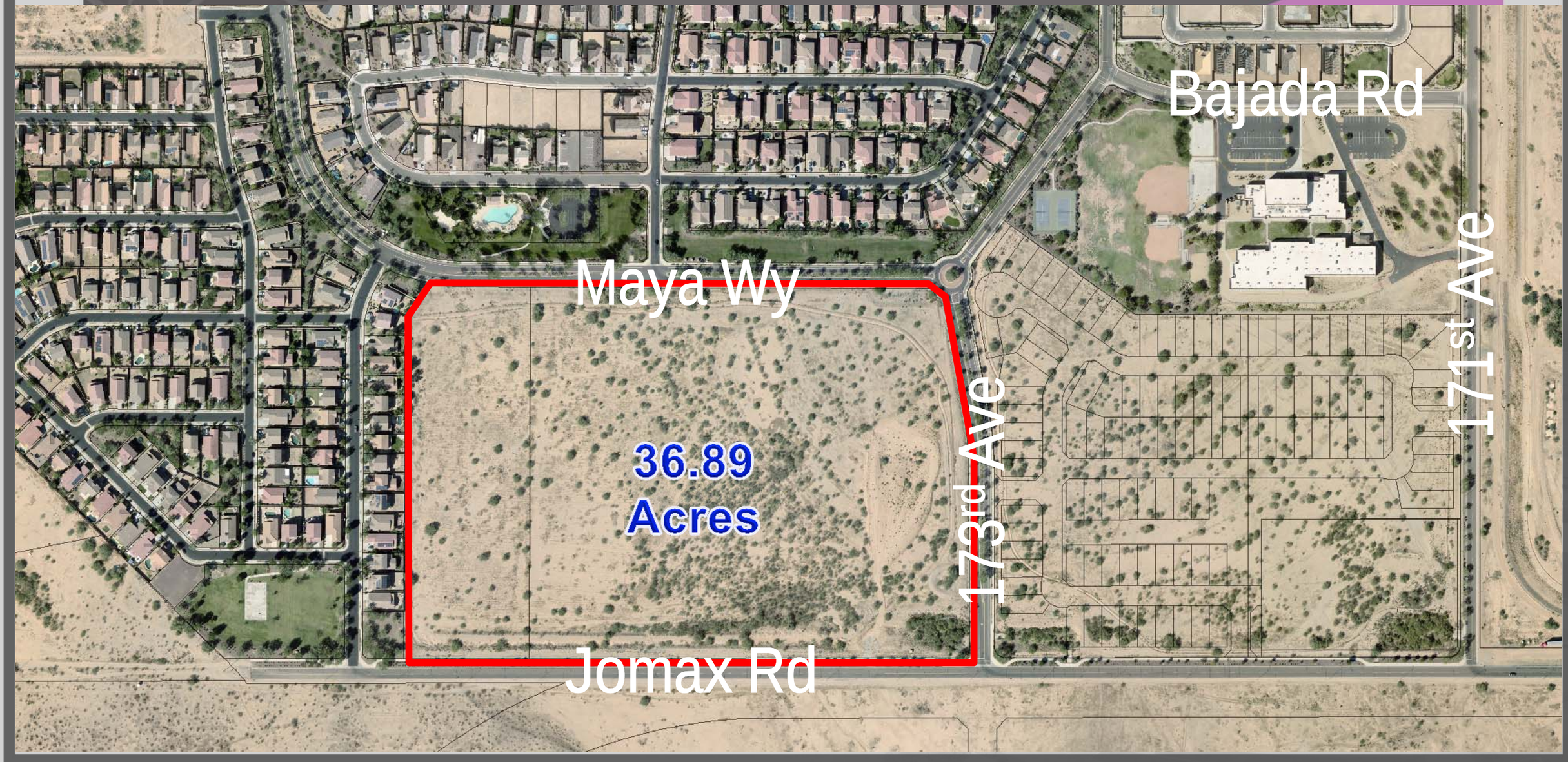
H:\2017\17396-Cortana SL\17396-Cortana-Phase 3 SL.dwg

VICINITY MAP



VICINITY MAP



SURPRISE
ARIZONA

Cortana at Desert Oasis

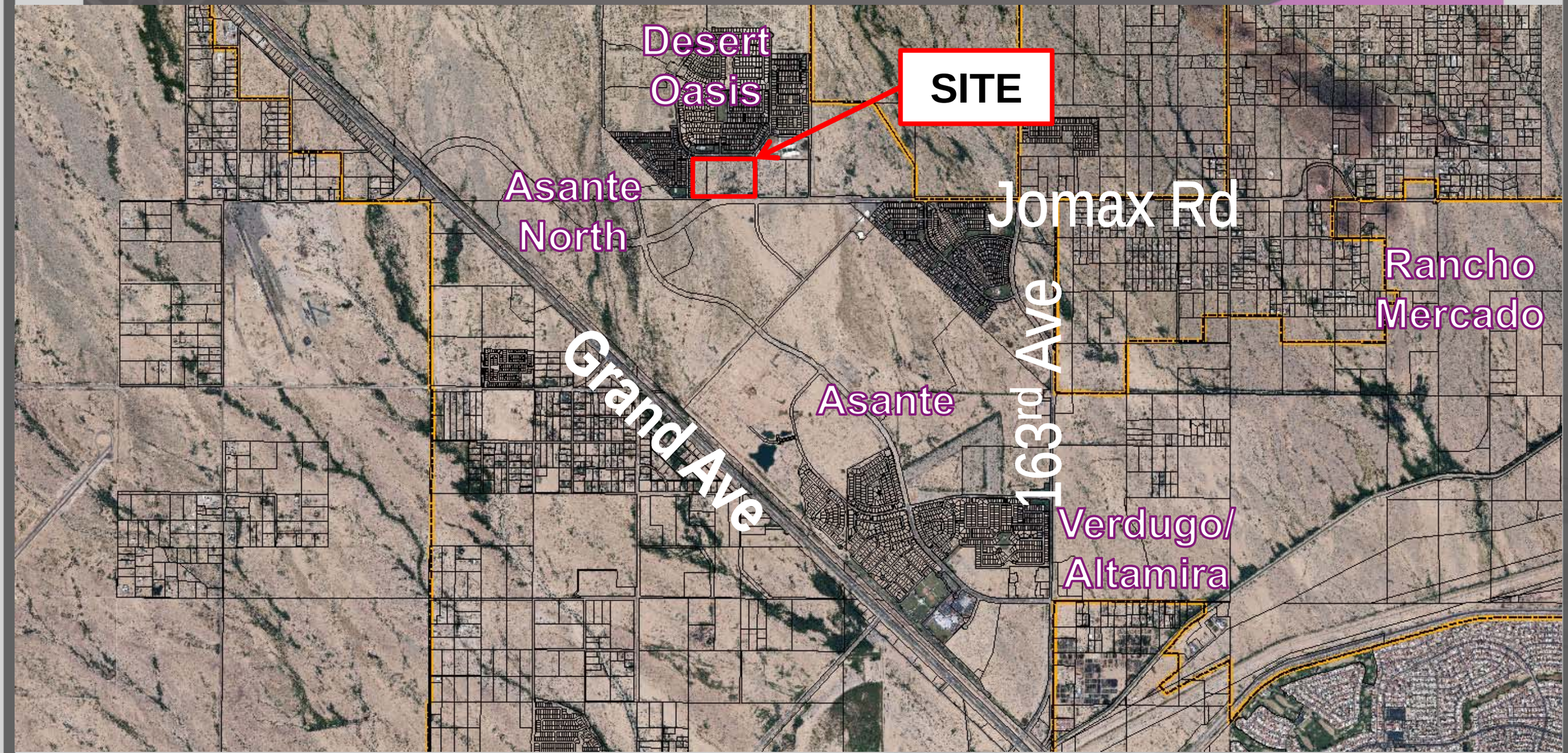
Final Plat

FS18-065

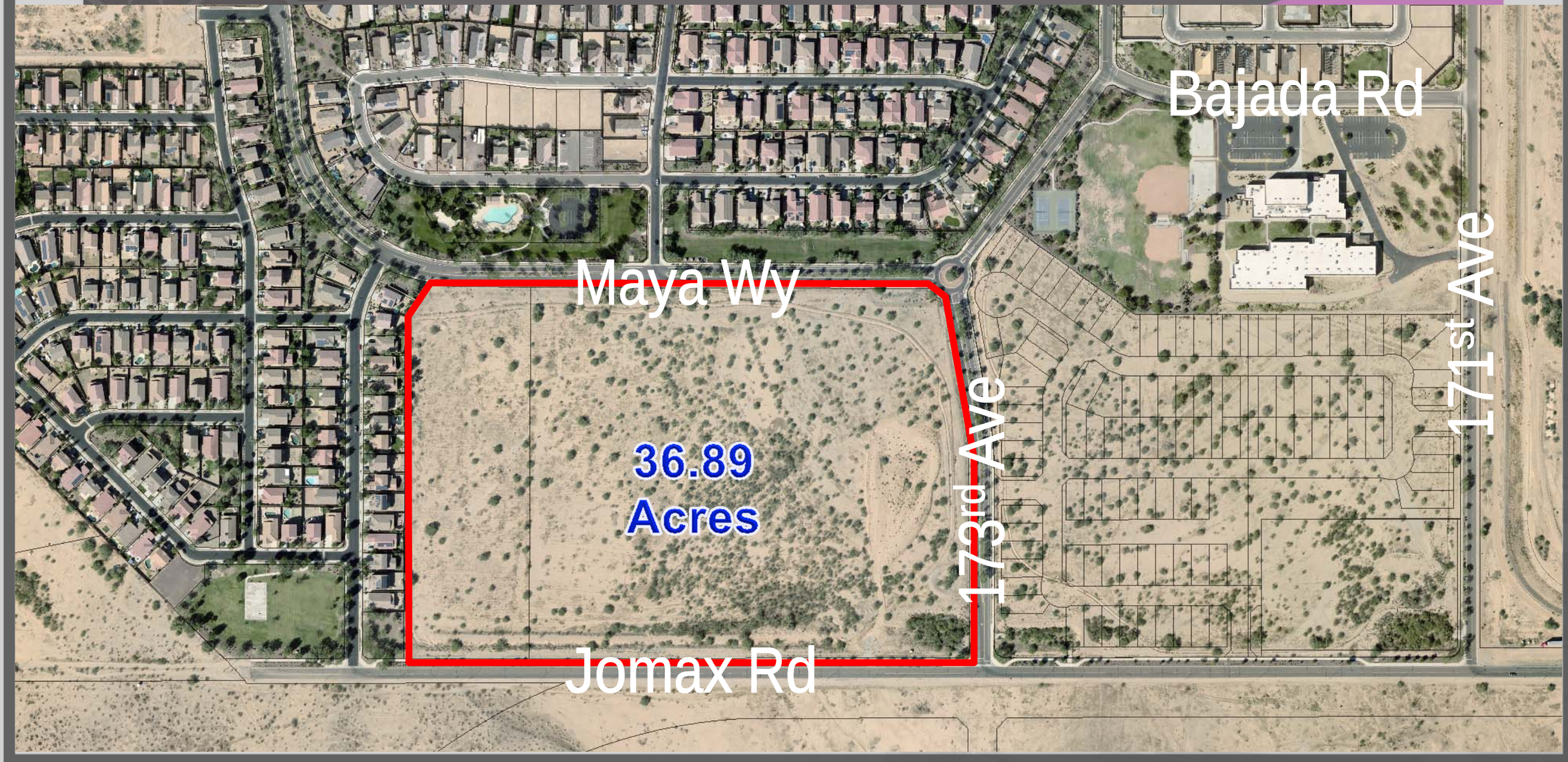
City Council

September 4, 2018

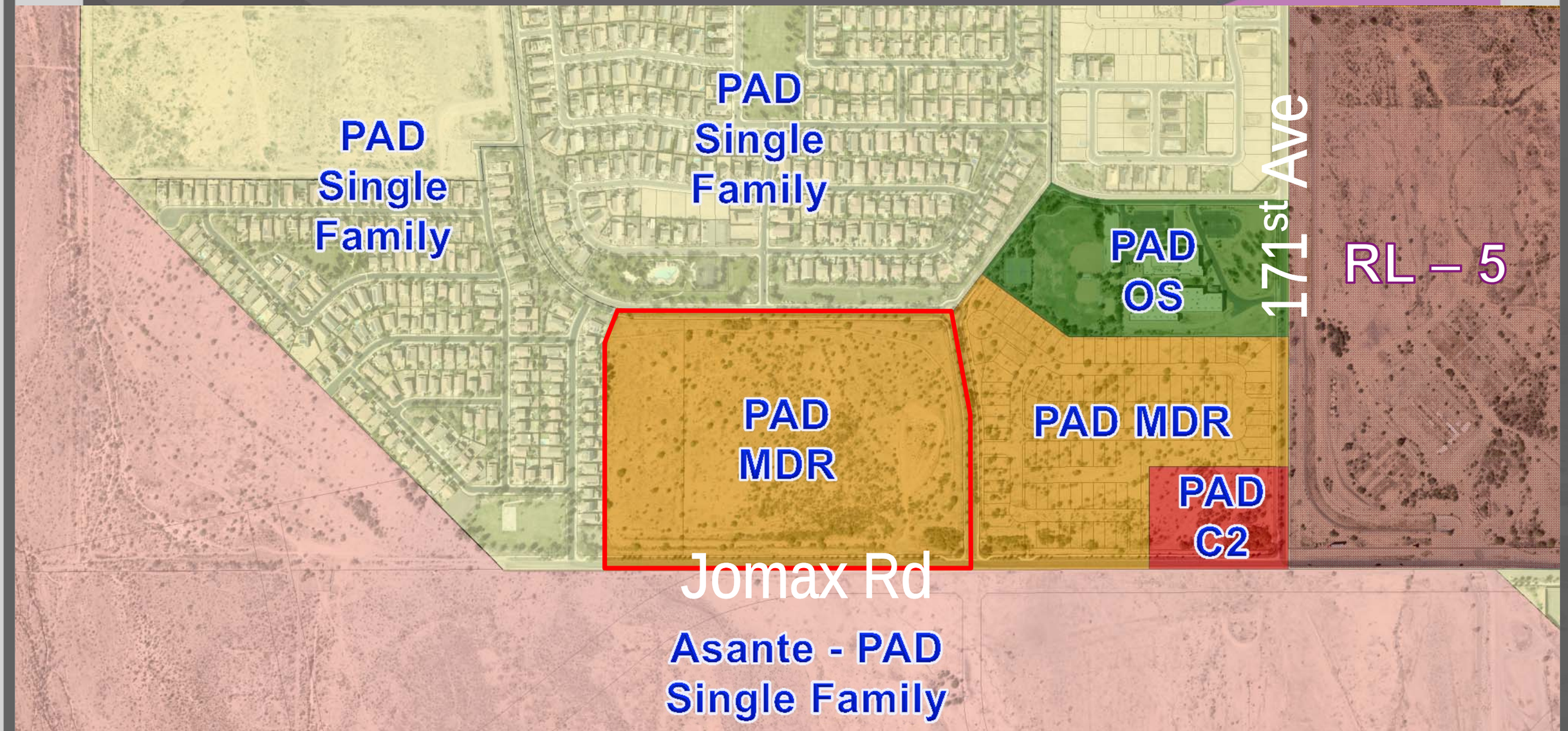
VICINITY MAP



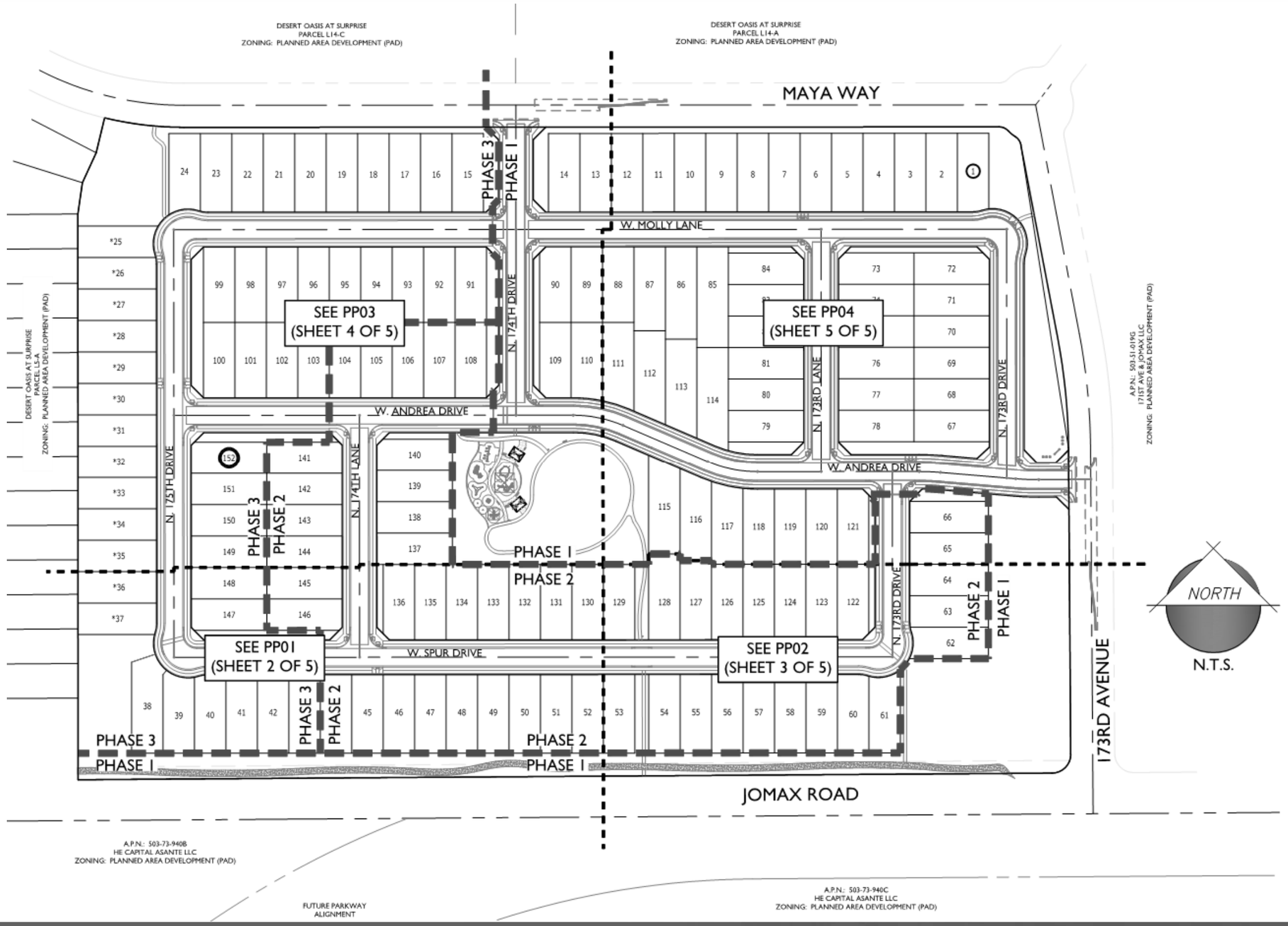
VICINITY MAP



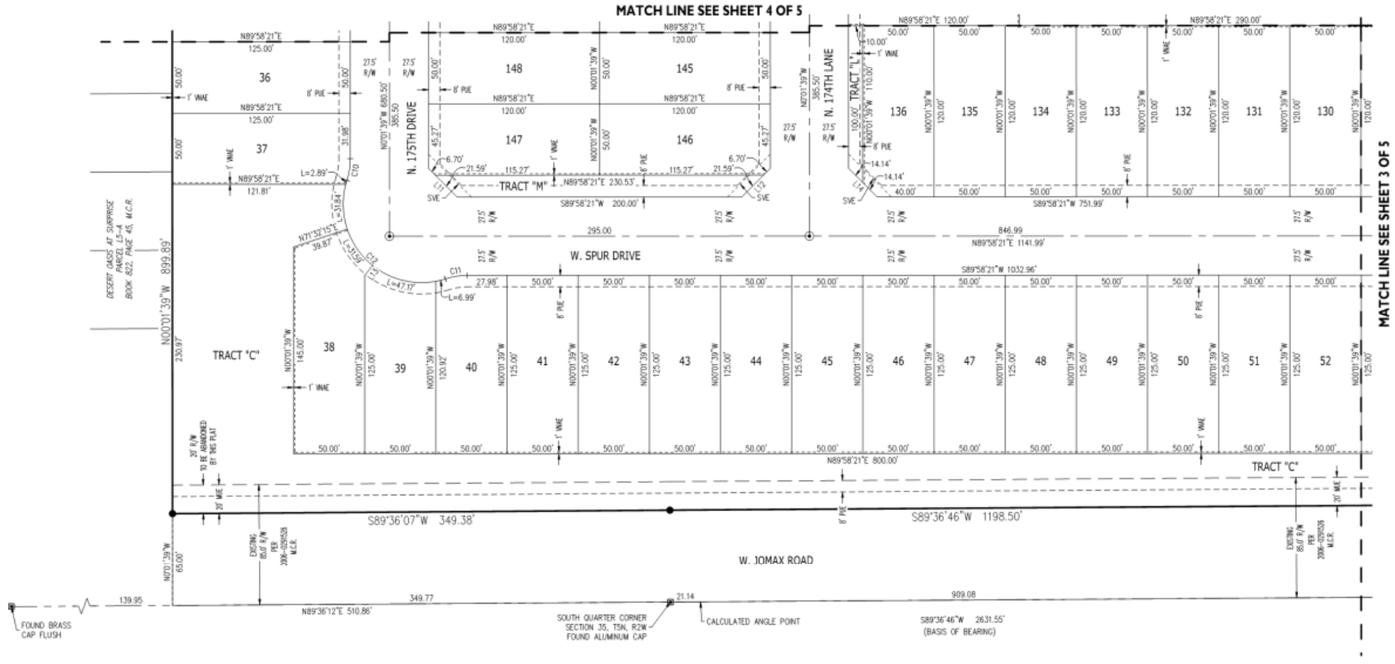
Surrounding Zoning

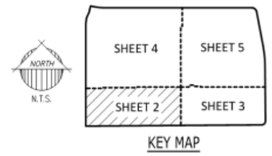


Final Plat


DESERT OASIS AT SURPRISE
PARCEL L14-C
ZONING: PLANNED AREA DEVELOPMENT (PAD)
DESERT OASIS AT SURPRISE
PARCEL L14-A
ZONING: PLANNED AREA DEVELOPMENT (PAD)
MAYA WAY
PHASE 3
PHASE 1
W. MOLLY LANE
N. 174TH DRIVE
SEE PP03
(SHEET 4 OF 5)
SEE PP04
(SHEET 5 OF 5)
N. 173RD LANE
N. 173RD DRIVE
W. ANDREA DRIVE
N. 175TH DRIVE
PHASE 3
PHASE 2
N. 174TH LANE
PHASE 1
PHASE 2
W. SPUR DRIVE
SEE PP01
(SHEET 2 OF 5)
SEE PP02
(SHEET 3 OF 5)
PHASE 3
PHASE 2
PHASE 1
PHASE 2
PHASE 1
173RD AVENUE
JOMAX ROAD
NORTH
N.T.S.
A.P.N.: 503-51-019G
17151 AVE & JOMAX LLC
ZONING: PLANNED AREA DEVELOPMENT (PAD)
A.P.N.: 503-73-940B
HE CAPITAL ASANTE LLC
ZONING: PLANNED AREA DEVELOPMENT (PAD)
FUTURE PARKWAY
ALIGNMENT
A.P.N.: 503-73-940C
HE CAPITAL ASANTE LLC
ZONING: PLANNED AREA DEVELOPMENT (PAD)

CORTANA AT DESERT OASIS





Final Plat

LINE TABLE		
LINE	BEARING	LENGTH
L1	N08°20'07"E	50.25'
L2	N24°39'23"E	52.34'
L3	N13°35'45"E	56.97'
L4	N45°01'39"W	28.28'
L5	N44°58'21"E	28.28'
L6	N44°58'21"E	28.28'
L7	N45°01'39"W	28.28'
L8	N44°58'21"E	28.28'
L9	N45°01'39"W	28.28'
L10	N44°58'21"E	28.28'
L11	N45°01'39"W	28.28'
L12	N44°58'21"E	28.28'
L13	N38°37'56"E	9.03'
L14	N45°01'39"W	28.28'
L15	N45°01'39"W	28.28'
L16	N44°58'21"E	28.28'
L17	N45°01'39"W	28.28'

LINE TABLE		
LINE	BEARING	LENGTH
L18	N44°58'21"E	28.28'
L19	N44°58'21"E	28.28'
L20	N45°01'39"W	28.28'
L21	N44°58'21"E	28.28'
L22	N45°01'39"W	28.28'
L23	N45°01'39"W	28.28'
L24	N44°58'21"E	28.28'
L25	N45°01'39"W	28.28'
L26	N45°24'31"W	28.28'
L27	N44°35'29"E	28.28'
L28	N44°12'30"W	28.69'
L29	N47°24'11"E	27.06'
L30	N45°01'14"E	28.26'
L31	N45°01'39"W	28.28'
L32	N44°58'21"E	28.28'
L33	N89°35'29"E	82.62'

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	127.21'	535.00'	13°37'24"	63.91'	126.91'	S83°12'57"E
C2	16.26'	20.00'	46°34'03"	8.61'	15.81'	N66°44'38"W
C3	14.58'	60.00'	13°55'31"	7.33'	14.55'	S50°25'22"E
C4	16.26'	20.00'	46°34'03"	8.61'	15.81'	N34°06'05"W
C5	175.32'	965.00'	10°24'33"	87.90'	175.07'	N05°36'48"W
C6	47.14'	30.00'	90°01'17"	30.01'	42.43'	N44°36'07"E
C7	120.48'	55.00'	125°30'20"	106.80'	97.79'	S44°58'21"W
C8	15.49'	50.00'	17°45'10"	7.81'	15.43'	N08°54'14"W
C9	15.49'	50.00'	17°45'10"	7.81'	15.43'	S81°09'04"E
C10	15.49'	50.00'	17°45'10"	7.81'	15.43'	N08°50'56"E
C11	15.49'	50.00'	17°45'10"	7.81'	15.43'	S81°05'46"W
C12	120.48'	55.00'	125°30'20"	106.80'	97.79'	S45°01'39"E
C13	70.08'	172.50'	23°16'41"	35.53'	69.60'	N78°23'19"W
C14	92.43'	227.50'	23°16'41"	46.86'	91.79'	N78°23'19"W
C15	81.26'	200.00'	23°16'41"	41.20'	80.70'	N78°23'19"W
C16	70.08'	172.50'	23°16'41"	35.53'	69.60'	S78°23'19"E

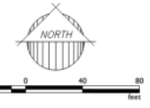
CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C17	81.26'	200.00'	23°16'41"	41.20'	80.70'	S78°23'19"E
C18	92.43'	227.50'	23°16'41"	46.86'	91.79'	S78°23'19"E
C19	15.49'	50.00'	17°45'10"	7.81'	15.43'	N81°05'46"E
C20	15.49'	50.00'	17°45'10"	7.81'	15.43'	S08°50'56"W
C21	120.48'	55.00'	125°30'20"	106.80'	97.79'	N45°01'39"W
C22	36.27'	427.50'	4°51'40"	18.15'	36.26'	N87°35'49"W
C23	26.60'	372.50'	4°05'31"	13.31'	26.60'	N87°12'45"W
C24	33.94'	400.00'	4°51'40"	16.98'	33.93'	N87°35'49"W
C25	39.11'	427.50'	5°14'32"	19.57'	39.10'	S87°47'15"E
C26	3.13'	372.50'	0°28'53"	1.56'	3.13'	N89°49'55"E
C27	36.60'	400.00'	5°14'32"	18.31'	36.59'	S87°47'15"E
C28	120.48'	55.00'	125°30'20"	106.80'	97.79'	N44°58'21"E
C29	15.49'	50.00'	17°45'10"	7.81'	15.43'	S08°54'14"E
C30	15.49'	50.00'	17°45'10"	7.81'	15.43'	N81°09'04"W
C31	181.67'	1000.00'	10°24'33"	91.09'	181.42'	N05°36'47"W
C32	238.33'	500.00'	27°18'38"	121.47'	236.08'	S76°22'21"E

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
Tract A	LANDSCAPE, OPEN SPACE, RETENTION	36,951	0.8483
Tract B	LANDSCAPE, OPEN SPACE, RETENTION	28,572	0.6559
Tract C	LANDSCAPE, OPEN SPACE, MULTI USE EASEMENT, RETENTION	153,669	3.5277
Tract D	LANDSCAPE, OPEN SPACE	4,899	0.1125
Tract E	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract F	LANDSCAPE, OPEN SPACE	1,050	0.0241
Tract G	LANDSCAPE, OPEN SPACE	2,163	0.0497
Tract H	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract I	LANDSCAPE, OPEN SPACE	4,261	0.0978
Tract J	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract K	LANDSCAPE, OPEN SPACE, RETENTION	67,811	1.5567
Tract L	LANDSCAPE, OPEN SPACE	1,050	0.0241
Tract M	LANDSCAPE, OPEN SPACE	3,286	0.0754
Tract N	LANDSCAPE, OPEN SPACE	3,279	0.0753
Tract O	LANDSCAPE, OPEN SPACE	4,261	0.0978

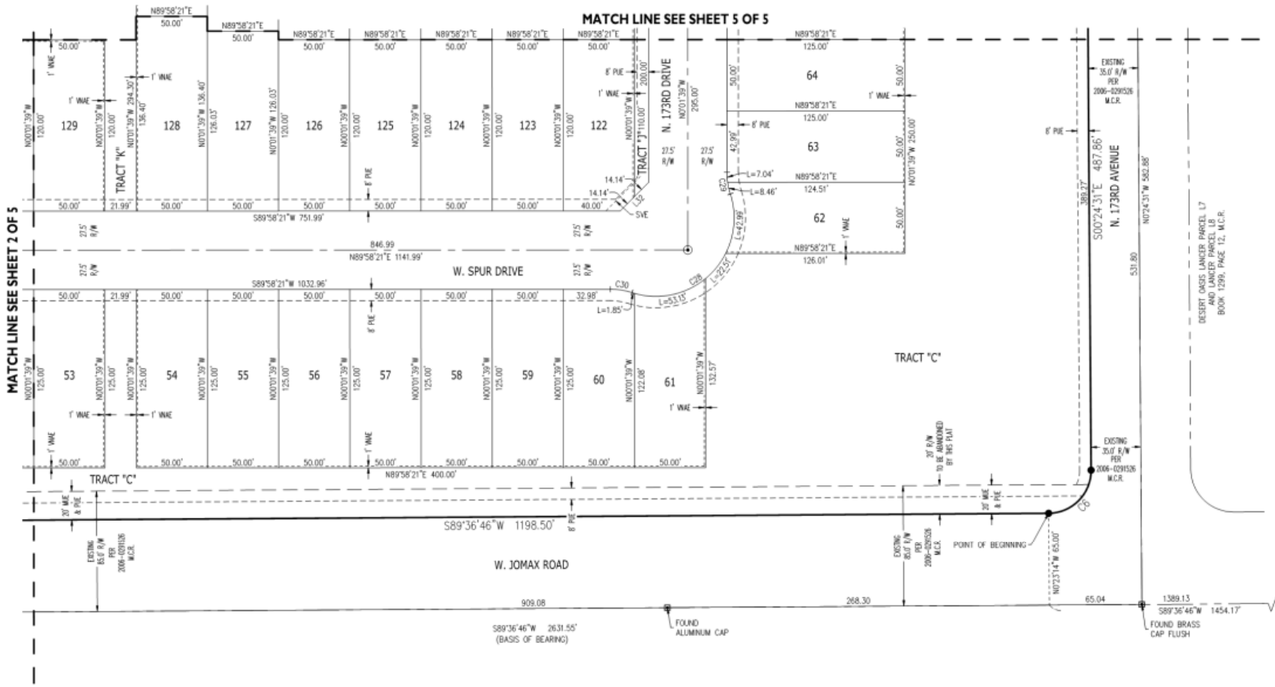
TOTAL LOT AREA	940,830 S.F.	21.5985 AC.
TOTAL TRACT AREA	317,552 S.F.	7.2900 AC.
RIGHT-OF-WAY	348,393 S.F.	7.9980 AC.
GROSS AREA	1,606,775 S.F.	36.8865 AC.

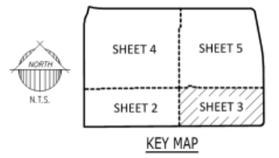
LEGEND

▣	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 53160"
⊡	SET PK NAIL WITH TAG "EPS GROUP RLS 53160"
⊙	BRASS CAP TO BE SET AT CONSTRUCTION
LS	LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
MUE	MULTI USE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
RLS	REGISTERED LAND SURVEYOR
R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT



CORTANA AT DESERT OASIS





Final Plat

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
1	6,197	0.1423
2	6,250	0.1435
3	6,250	0.1435
4	6,250	0.1435
5	6,250	0.1435
6	6,250	0.1435
7	6,250	0.1435
8	6,250	0.1435
9	6,250	0.1435
10	6,250	0.1435
11	6,250	0.1435
12	6,250	0.1435
13	6,250	0.1435
14	6,250	0.1435
15	6,250	0.1435
16	6,250	0.1435
17	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
18	6,250	0.1435
19	6,250	0.1435
20	6,250	0.1435
21	6,250	0.1435
22	6,250	0.1435
23	6,244	0.1433
24	6,112	0.1403
25	6,103	0.1401
26	6,246	0.1434
27	6,250	0.1435
28	6,250	0.1435
29	6,250	0.1435
30	6,250	0.1435
31	6,250	0.1435
32	6,250	0.1435
33	6,250	0.1435
34	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
35	6,250	0.1435
36	6,250	0.1435
37	6,230	0.1430
38	7,531	0.1729
39	6,182	0.1419
40	6,216	0.1427
41	6,250	0.1435
42	6,250	0.1435
43	6,250	0.1435
44	6,250	0.1435
45	6,250	0.1435
46	6,250	0.1435
47	6,250	0.1435
48	6,250	0.1435
49	6,250	0.1435
50	6,250	0.1435
51	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
52	6,250	0.1435
53	6,250	0.1435
54	6,250	0.1435
55	6,250	0.1435
56	6,250	0.1435
57	6,250	0.1435
58	6,250	0.1435
59	6,250	0.1435
60	6,233	0.1431
61	6,150	0.1412
62	6,094	0.1399
63	6,249	0.1435
64	6,250	0.1435
65	6,250	0.1435
66	6,250	0.1435
67	6,000	0.1377
68	6,000	0.1377

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
69	6,000	0.1377
70	6,000	0.1377
71	6,000	0.1377
72	5,950	0.1366
73	5,950	0.1366
74	6,000	0.1377
75	6,000	0.1377
76	6,000	0.1377
77	6,000	0.1377
78	6,000	0.1377
79	6,000	0.1377
80	6,000	0.1377
81	6,000	0.1377
82	6,000	0.1377
83	6,000	0.1377
84	5,950	0.1366
85	8,000	0.1837

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
86	7,333	0.1684
87	6,667	0.1530
88	6,000	0.1377
89	6,000	0.1377
90	5,950	0.1366
91	6,000	0.1377
92	6,000	0.1377
93	6,000	0.1377
94	6,000	0.1377
95	6,000	0.1377
96	6,000	0.1377
97	6,000	0.1377
98	6,000	0.1377
99	6,000	0.1377
100	6,000	0.1377
101	6,000	0.1377
102	6,000	0.1377

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
103	6,000	0.1377
104	6,000	0.1377
105	6,000	0.1377
106	6,000	0.1377
107	6,000	0.1377
108	6,000	0.1377
109	5,950	0.1366
110	6,074	0.1394
111	6,603	0.1516
112	6,939	0.1593
113	7,348	0.1687
114	7,744	0.1778
115	7,358	0.1689
116	6,805	0.1562
117	6,282	0.1442
118	6,009	0.1379
119	6,000	0.1377

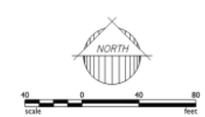
LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
120	6,000	0.1377
121	5,950	0.1366
122	5,950	0.1366
123	6,000	0.1377
124	6,000	0.1377
125	6,000	0.1377
126	6,000	0.1377
127	6,301	0.1447
128	6,820	0.1566
129	6,000	0.1377
130	6,000	0.1377
131	6,000	0.1377
132	6,000	0.1377
133	6,000	0.1377
134	6,000	0.1377
135	6,000	0.1377
136	5,950	0.1366

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
137	6,000	0.1377
138	6,000	0.1377
139	6,000	0.1377
140	5,955	0.1367
141	5,989	0.1375
142	6,000	0.1377
143	6,000	0.1377
144	6,000	0.1377
145	6,000	0.1377
146	5,989	0.1375
147	5,989	0.1375
148	6,000	0.1377
149	6,000	0.1377
150	6,000	0.1377
151	6,000	0.1377
152	5,989	0.1375

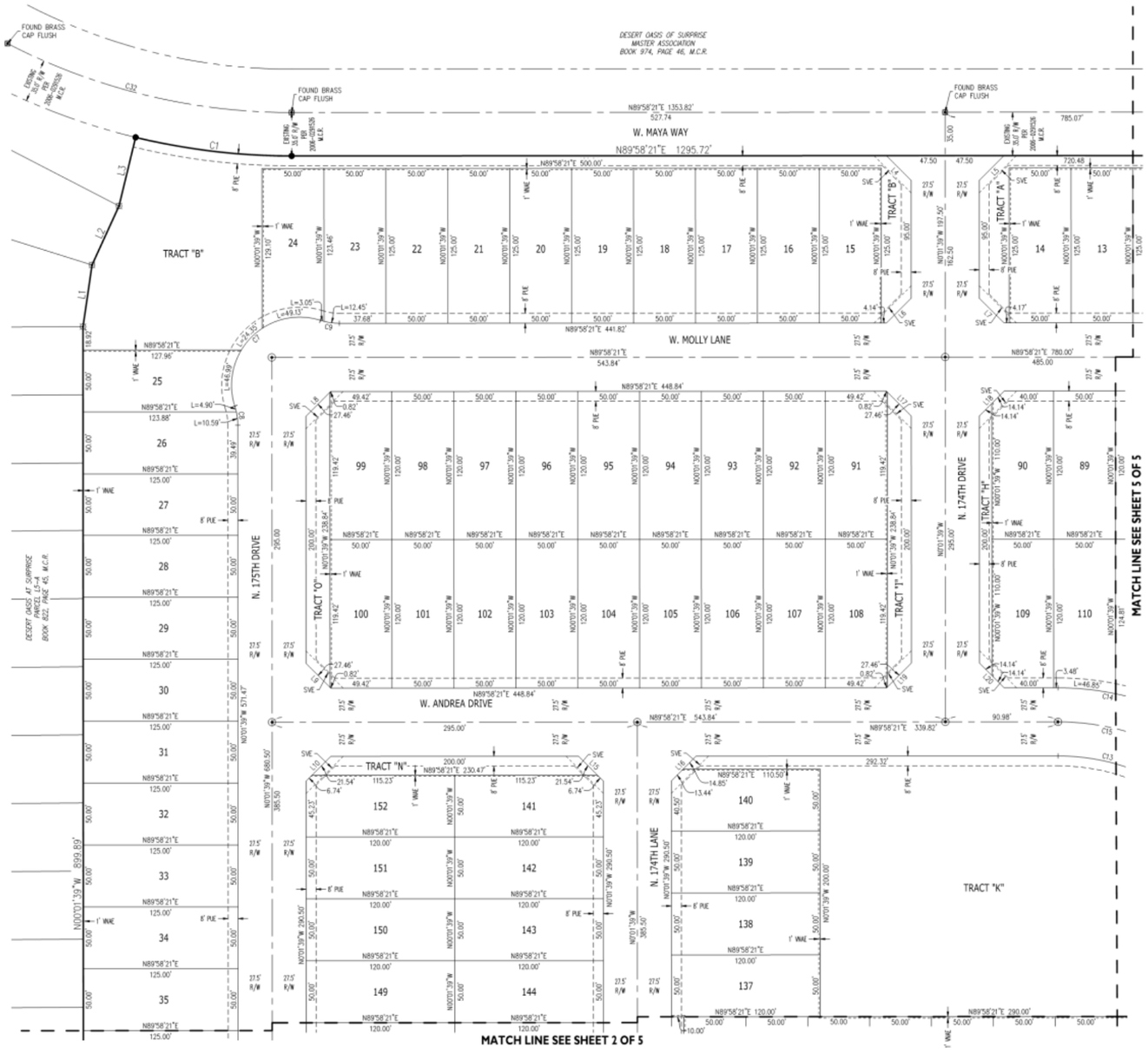
TOTAL LOT AREA	940,830 S.F.	21.5985 AC.
TOTAL TRACT AREA	317,552 S.F.	7.2900 AC.
RIGHT-OF-WAY	348,393 S.F.	7.9980 AC.
GROSS AREA	1,606,775 S.F.	36.8865 AC.

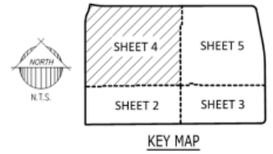
LEGEND

▣	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 53160"
⊠	SET PK NAIL WITH TAG "EPS GROUP RLS 53160"
⊙	BRASS CAP TO BE SET AT CONSTRUCTION
LS	LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
MUE	MULTI USE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
RLS	REGISTERED LAND SURVEYOR
R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT



CORTANA AT DESERT OASIS





KEY MAP

LEGEND

▣	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 53160"
▣	SET PK NAIL WITH TAG "EPS GROUP RLS 53160"
⊙	BRASS CAP TO BE SET AT CONSTRUCTION
LS	LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
MUE	MULTI USE EASEMENT
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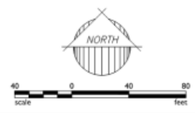
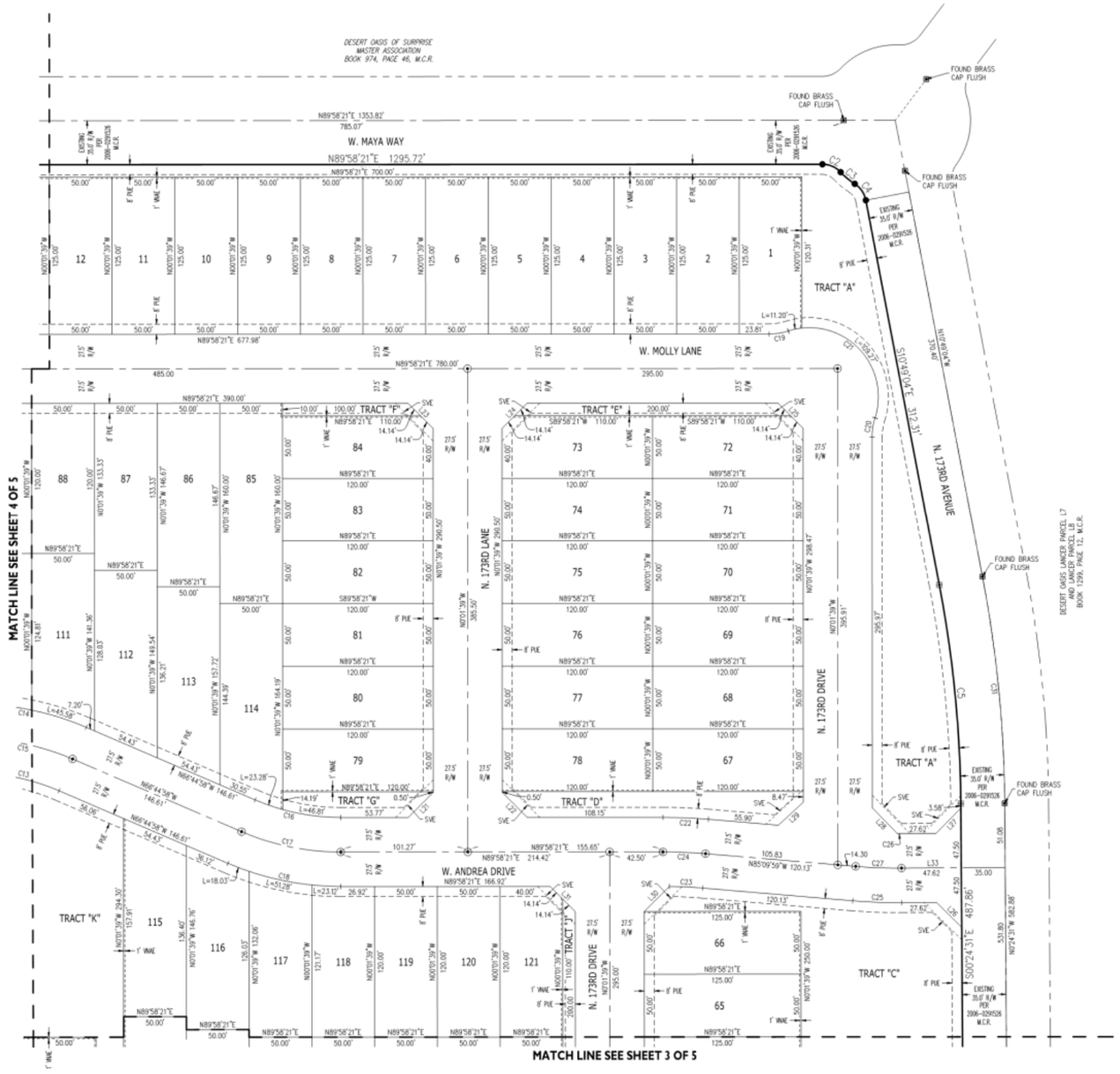
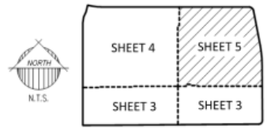


Final Plat

CORTANA AT DESERT OASIS





KEY MAP

LEGEND

⊕	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 53160"
⊛	SET PK NAIL WITH TAG "EPS GROUP RLS 53160"
⊙	BRASS CAP TO BE SET AT CONSTRUCTION
L.S.	LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
MUE	MULTI USE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
RLS	REGISTERED LAND SURVEYOR
R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT

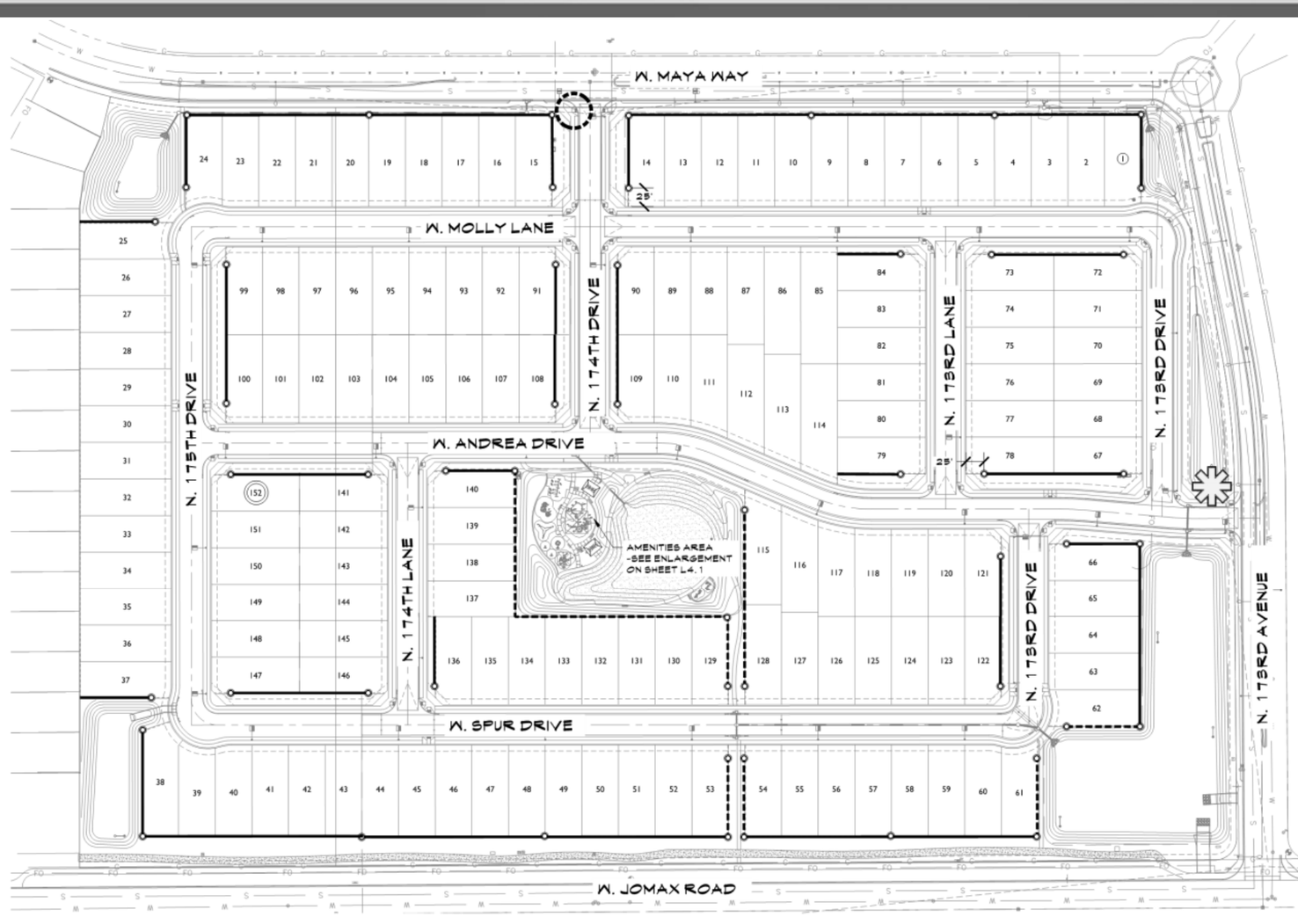
Final Plat

PLANT LEGEND

SYMBOL	BOTANICAL NAME - COMMON NAME	QTY.	SIZE	COMMENTS
TREES				
	ACACIA ANEURA/ MULGA TREE	50	24" BOX	STANDARD
	ACACIA SALICINA/ WILLOW ACACIA	43	24" BOX	STANDARD
	CHILOPSIS LINEARIS/ DESERT WILLOW	43	24" BOX	STANDARD
	PARKINSONIA HYBRID 'AZT'/ 'AZT' THORNLESS PALO VERDE	58	24" BOX	STANDARD
	PISTACIA LENTISCUS/ MASTIC TREE	54	24" BOX	STANDARD
	PROSOPIS HYBRID 'RIO SALADO' 'RIO SALADO' MESQUITE	65	24" BOX	STANDARD
	QUERCUS VIRGINIANA 'HERITAGE'/ 'HERITAGE' LIVE OAK	93	24" BOX	STNADARD
	* DENOTES APPROVED STREET TREE			
SHRUBS				
	CAESALPINIA PULCHERRIMA/ RED BIRD OF PARADISE	94	5 GAL	FULL CAN
	CALLIANDRA CALIFORNICA/ BAJA FAIRY DUSTER	89	5 GAL	FULL CAN
	LEUCOPHYLLUM sp. 'HEAVENLY CLOUD'/ 'HEAVENLY CLOUD' SAGE	122	5 GAL	FULL CAN
	LEUCOPHYLLUM sp. 'LYNN'S LEGACY'/ 'LYNN'S LEGACY' SAGE	109	5 GAL	FULL CAN
	RUELLIA PENINSULARIS/ BAJA RUELLIA	56	5 GAL	FULL CAN
	TECOMA sp. 'BELLS OF FIRE'/ BELLS OF FIRE	95	5 GAL	FULL CAN
	TECOMA sp. 'LYDIA'/ 'LYDIA' YELLOW BELLS	108	5 GAL	FULL CAN
	TECOMARIA CAPENSIS/ CAPE HONEYSUCKLE	85	5 GAL	FULL CAN
	XYLOSMA sp. 'COMPACTA'/ COMPACT XYLOSMA	75	5 GAL	FULL CAN
ACCENTS				
	AGAVE SHARKSKIN/ SHARKSKIN AGAVE	161	5 GAL	FULL CAN
	HESPERALOE FUNIFERA/ GIANT HESPERALOE	130	5 GAL	FULL CAN
	HESPERALOE PARVIFOLIA/ RED YUCCA	215	5 GAL	FULL CAN
	MUHLENBERGIA CAPILLARIS/ PINK MUHLY GRASS	145	5 GAL	FULL CAN
	MUHLENBERGIA RIGENS/ DEER GRASS	111	5 GAL	FULL CAN
GROUNDCOVERS				
	EREMOPHILA HYGROPHANA/ 'BLUE BELLS' EMU	171	5 GAL	FULL CAN
	EREMOPHILA PROSTRATA/ 'OUTBACK SUNRISE' EMU	149	5 GAL	FULL CAN
	LANTANA sp. 'NEW GOLD'/ 'NEW GOLD' LANTANA	169	5 GAL	FULL CAN
	LANTANA sp. 'NEW RED'/ 'NEW RED' LANTANA	223	5 GAL	FULL CAN
EXISTING MATERIAL				
	EXISTING TREE	76		
	DECOMPOSED GRANITE SANTA FE GOLD, 2" MIN. DEPTH COVERAGE REQUIRED.	274,245 SQ.FT		
	TURF 'MIDIRON' HYBRID BERMUDA SOD	25,270 SQ.FT		

Open Space

Wall Plan



WALL LEGEND

- PRIMARY THEME WALL - APPROX. 5,355 LN.FT.
- PARTIAL VIEW WALL - APPROXIMATELY 1,250 LN.FT.
- PRIMARY THEME COLUMN - QTY. 55
- PRIMARY SIGN MONUMENT
- SECONDARY SIGN MONUMENT

NOTES:

1. ALL FOOTINGS, WALLS AND THEME COLUMNS TO BE LOCATED OUTSIDE OF THE P.U.E., R.O.W. AND SITE VISIBILITY TRIANGLE EASEMENTS.
2. THEME COLUMNS/WALL ENDS ARE TO BE 25'-0" OFF THE BACK OF THE ROW. SOME THEME COLUMNS MAY HAVE TO BE LOCATED 30'-0" OFF THE BACK OF THE ROW WHERE SITE VISIBILITY TRIANGLE EASEMENTS ARE PRESENT. CONTRACTOR TO INSTALL 6"X6" CONCRETE HEADER FROM THE FRONT OF THE COLUMN TO THE BACK OF THE SIDEWALK.
3. SEE CIVIL PLANS FOR RETAINING WALL LOCATIONS.
4. CONTRACTOR TO USE FINAL PLAT TO VERIFY ALL QUANTITIES.

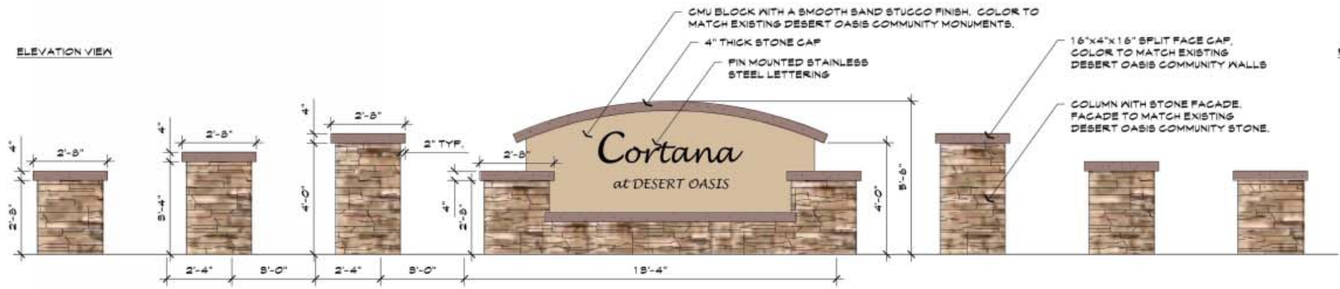
SCALE: 1"=70'-0"

0' 70' 140' 210'

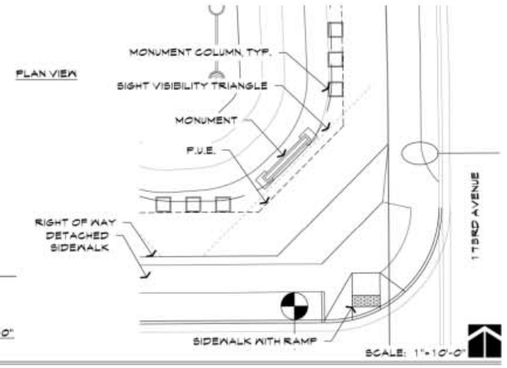
NORTH

Wall Plan

ELEVATION VIEW



PLAN VIEW



SCALE: 1/2"=1'-0"

SCALE: 1"=10'-0"

A PRIMARY ENTRY MONUMENT

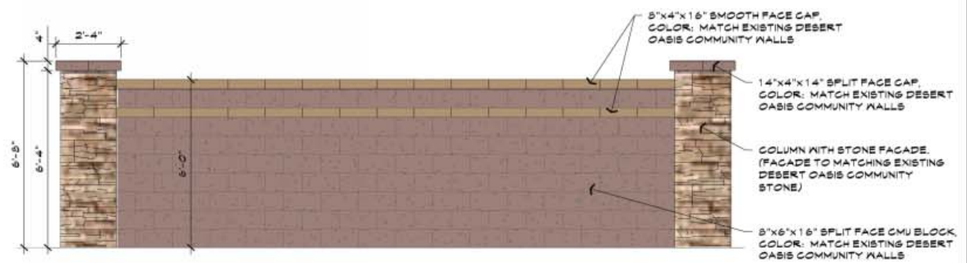
ELEVATION VIEW

PLAN VIEW

B SECONDARY ENTRY MONUMENT

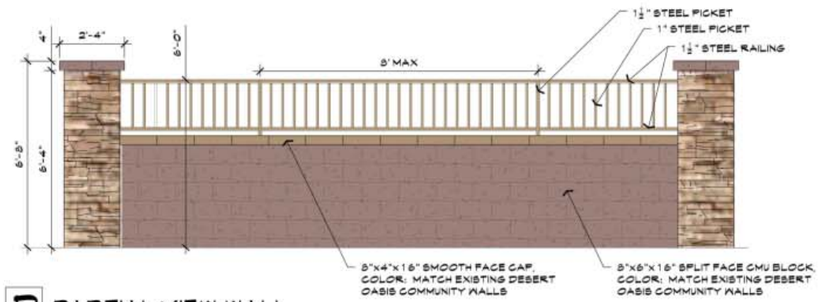
SCALE: 1/2"=1'-0"

SCALE: 1"=10'-0"



C PRIMARY THEME WALL & COLUMN

SCALE: 1/2"=1'-0"



D PARTIAL VIEW WALL

SCALE: 1/2"=1'-0"

The McGough Group

CORTANA

MONUMENT & WALL DETAILS

SHEET: PL4

SURPRISE, AZ

JANUARY 24, 2017

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Eric Fitzer - Community Development
Submitting Department:	CD	District:	5
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to an application for a major amendment to the Surprise Town Center Comprehensive Sign Program; case number FS16-387.

Motion:

I move to [approve/deny] FS16-387 Surprise Town Center Major Comprehensive Sign Program Major Amendment.

Background:

This request is the result of signage that was lost due to the US-60/Grand Avenue and Bell Road project which improved traffic operations and safety in the immediate vicinity of the Surprise Town Center. The Arizona Department of Transportation (ADOT) constructed a new Bell Road bridge over US 60 (Grand Avenue) and the adjacent railroad tracks. In order to reduce the project's length and lessen the overall impacts of construction, ADOT worked with the City of Surprise and local businesses to schedule a full closure of Bell Road between 134th Avenue and West Point Parkway. The City enacted the Bell Road Temporary Sign Policy (Resolution 2016-42) in March of 2016 to assist businesses during the construction of the Bell and Grand Overpass Project. The project has been completed and all lanes in each direction, Bell Road and Grand Avenue, are fully open for vehicular traffic. The City has since received inquires for permanent monument signage to replace signage which was removed due to right-of-way (ROW) expansion, Public Utility Easement (PUE) relocations along Bell Road, and construction of the overpass. The City has approved requests by the owner/operators of the Surprise Town Center regarding the replacement of signage which was lost along Grand Avenue because of ROW expansion and PUE relocation due to the project requirements associated with Grand Avenue. This request is to replace signage removed along Bell Road. Originally the Surprise Town Center Comprehensive Sign Program approved by the City allowed for signage along Bell Road to be at maximum 15' in height. Due to the topography of the road, safety features such as jersey barriers and railing, and the location of the sign relative to the Bell Road right-of-way, the applicant is asking for additional height. The applicant requests that the sign be at a maximum height of 52' and include the addition of Electronic Messaging located at the bottom of the sign.

At the regularly scheduled Planning and Zoning Commission meeting held on July 19, 2018 the

Planning and Zoning Commission recommended, by a vote of 6 to1, denial of FS16-387 Surprise Town Center Major Comprehensive Sign Program Amendment to the Mayor and City Council.

Objective Analysis:

Per Section 113-1415 of the Surprise Municipal Code, Council must evaluate whether the Comprehensive Sign Program application demonstrates the following:

1. The proposed signage represents a material improvement over what is otherwise permitted in Chapter 113 of the Surprise Municipal Code, and;

2. The proposed signage is appropriate to the character of the development covered by the Comprehensive Sign Program, and;

3. The proposed signage is appropriate to the neighborhood in which the property is located, and;

4. The comprehensive Sign Program creates a cohesive aesthetic that will apply to all signage covered by the Comprehensive Sign Program within the specific area covered by the Comprehensive Sign Program.

The burden is on the applicant to demonstrate these criteria are met.

Policy Compliant:

The process in which this application comes before City Council for Council's evaluation and either approval or denial is compliant with City Code.

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.

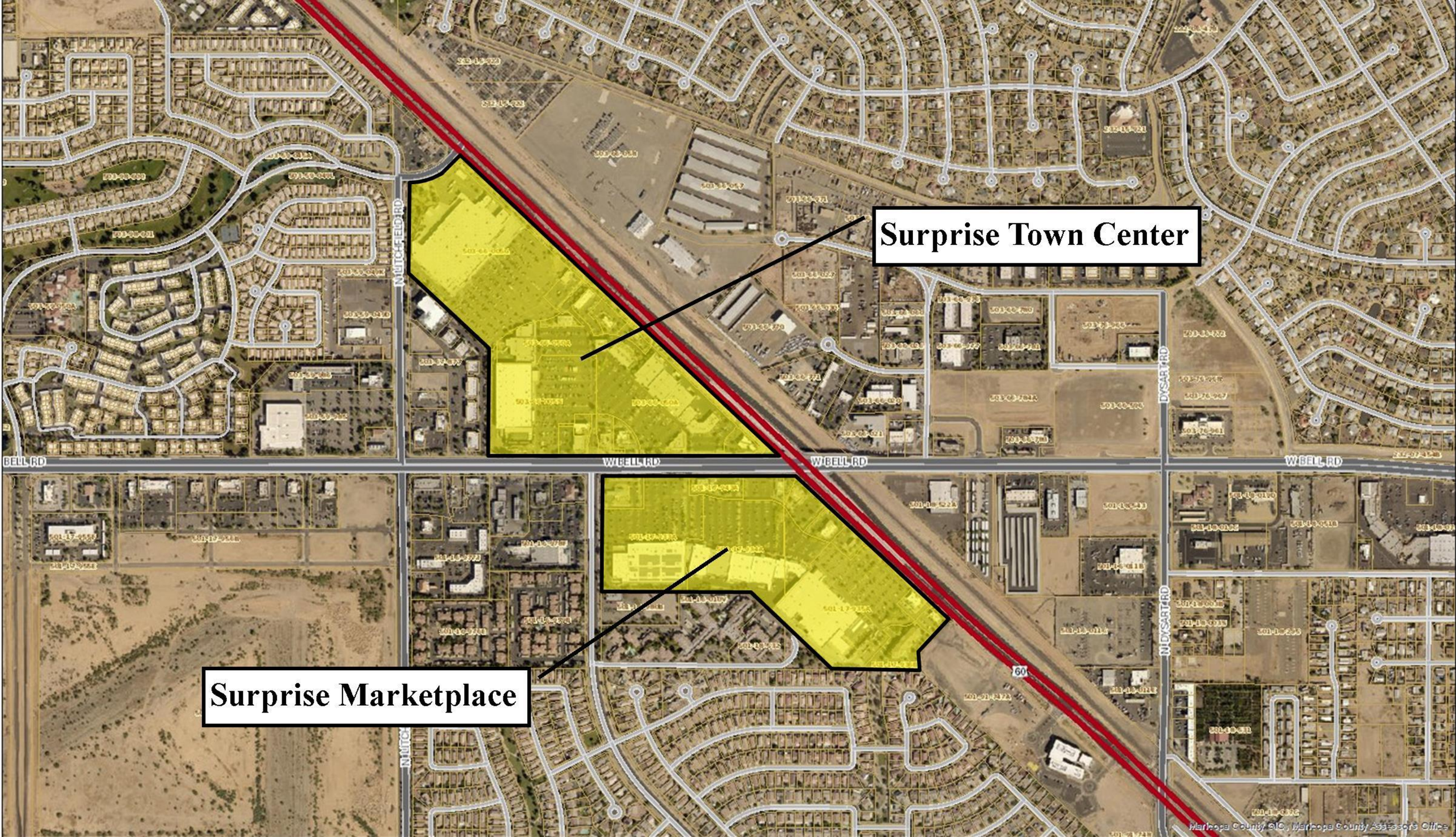
FTE Impact:

No new FTEs will be required by action on this item.

ATTACHMENTS:

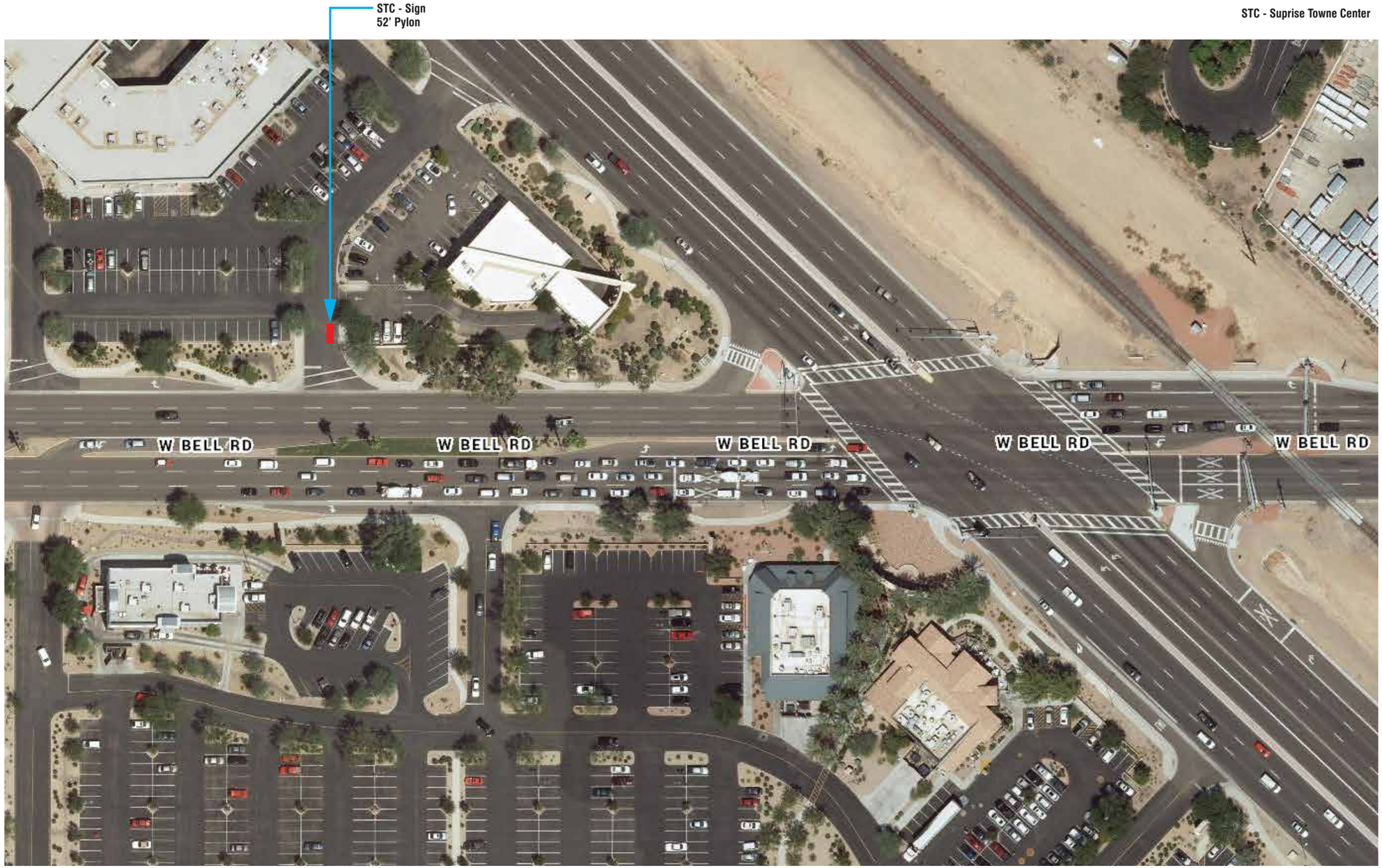
Click to download

- FS16-387 Surprise Town Center Major CSP Amendment - CC Staff Report - 090418
- Vicinity Map
- Surprise Town Center Major CSP Amendment Request
- Final Presentation


Surprise Town Center
Surprise Marketplace
BELL RD
W BELL RD
W BELL RD
W BELL RD
MITCHELL RD
DYSART RD
DYSART RD
60
Maricopa County GIO, Maricopa County Assessor's Office

Pylon Sign Concepts *Surprise Towne Center (STC)*

Sign with EMC Display



A Sign Location Plan
Not to Scale

bluemedia

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Towne Center

SITE ADDRESS
13702 W Bell Road
Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **RR**
DESIGNER **MDK/AG**

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06/21/2018

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SHEET # **1 of 5**

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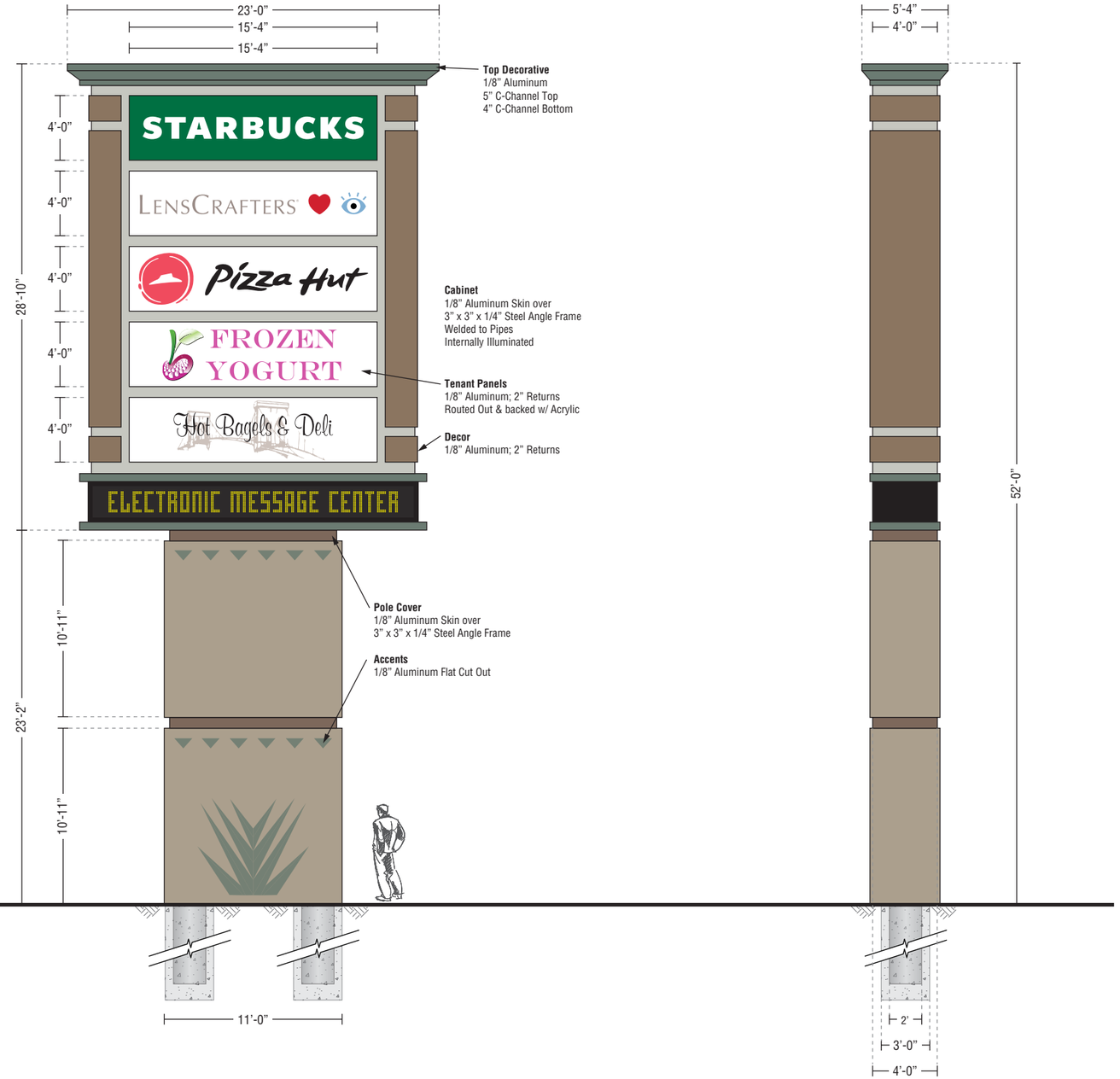
Pylon Sign Concepts *Surprise Towne Center (STC)*

Sign with EMC Display



POLE COVER (BASE) COLOR SCHEME:

- Painted MAP, Match CL 2854D Wood Ash
  Satin Finish
- Painted MAP, Match 5355A Koala Bear
  Satin Finish
- Painted MAP, Match Blue Agave Leaf
  Satin Finish
  (Formerly Known as CL 3026D Stigma)

SIGN CABINET COLORS TO BE FINALIZED WITH CLIENT

A Elevation View - Sign 52'
SCALE: 1/8" = 1'-0"

Sign Area: 663.16 SF

bluemedia

CLIENT
CB Richard Ellis

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SITE ADDRESS
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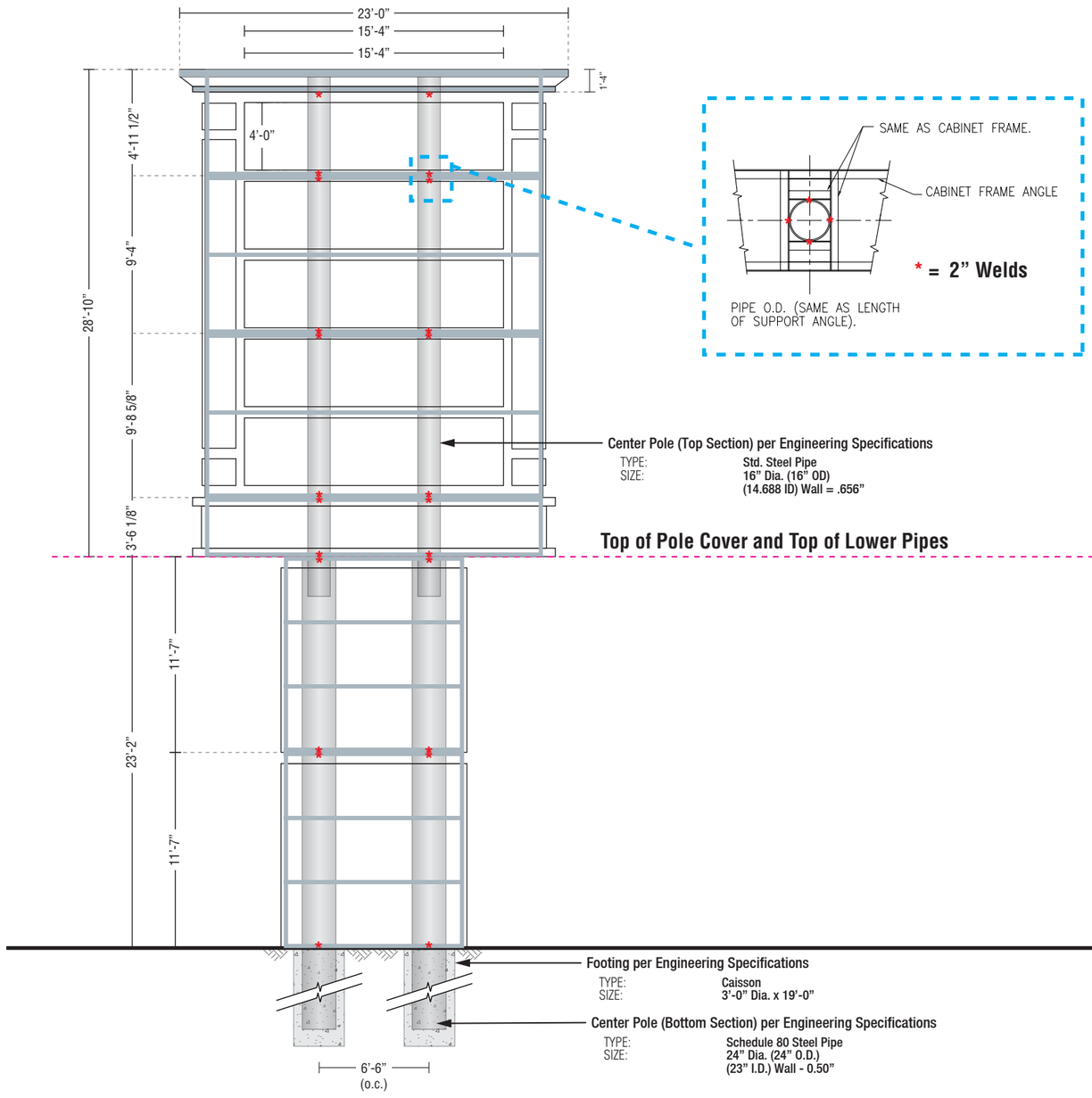
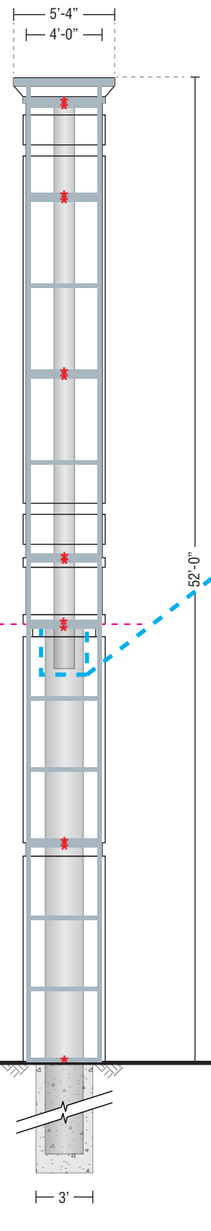
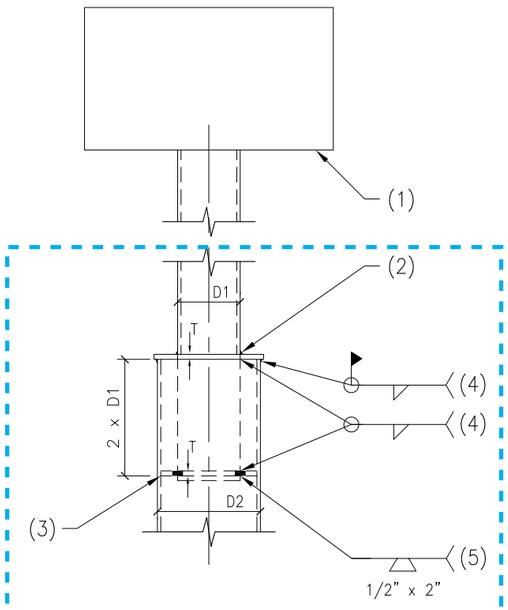
Sign with EMC Display







FOR D1 THRU 16" DIA, USE T = 1/2" PL.
FOR 16" DIA< D1 < 30", USE T= 3/4" PL.
FOR D1 > 30" DIA, USE T= 1" PL.

NOTES:

1. THE SIGN PRINCIPLE AXES ARE PARALLEL TO AND PERPENDICULAR TO THE SIGN AXIS.
2. FLEXIBLE, LONG LASTING CAULK TO BE APPLIED AFTER ALL FINISHES ARE IN PLACE.
3. LOWER PIPE RING. THERE SHALL BE A MAXIMUM 1/8" CLEARANCE BETWEEN THIS PLATE AND THE INTERIOR WALL FACE. THE LOWER PIPE MAY NEED TO BE ADJUSTED FOR OUT OF ROUNDNESS. THE LOWER RING SHALL NOT BE FIELD TRIMMED TO FACILITATE THE FIT.
4. 1/4" AT 1/2" PLATE; 5/16" AT 3/4" PLATE; 3/8" AT 1" PLATE.
5. 4 AT 90°. FOR PIPES, PLACE AT 45° AZIMUTH FROM PRINCIPAL AXIS OF THE SIGN BEING MOUNTED. FOR TUBES, PLACE ON ALL 4 ORTHOGONAL AXES.

A Elevation View - Sign 52'
SCALE: 1/8" = 1'-0"

Sign Area: 663.16 SF

bluemedia

CLIENT
CB Richard Ellis

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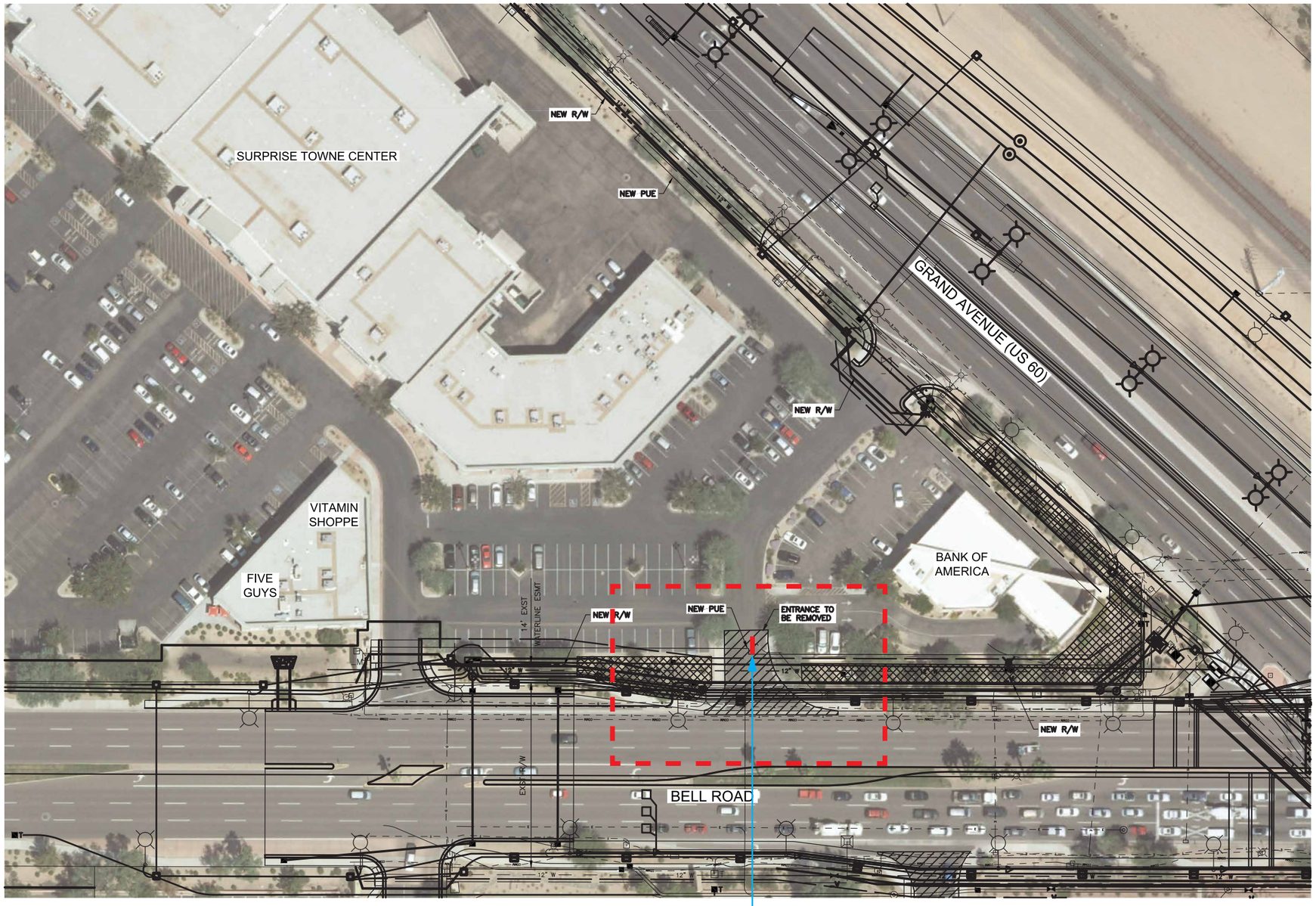
Sign with EMC Display



A Sign Location Plan - STC Sign B
Not to Scale

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CLIENT
CB Richard Ellis

DESCRIPTION
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SITE ADDRESS
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Surprise, AZ 85374

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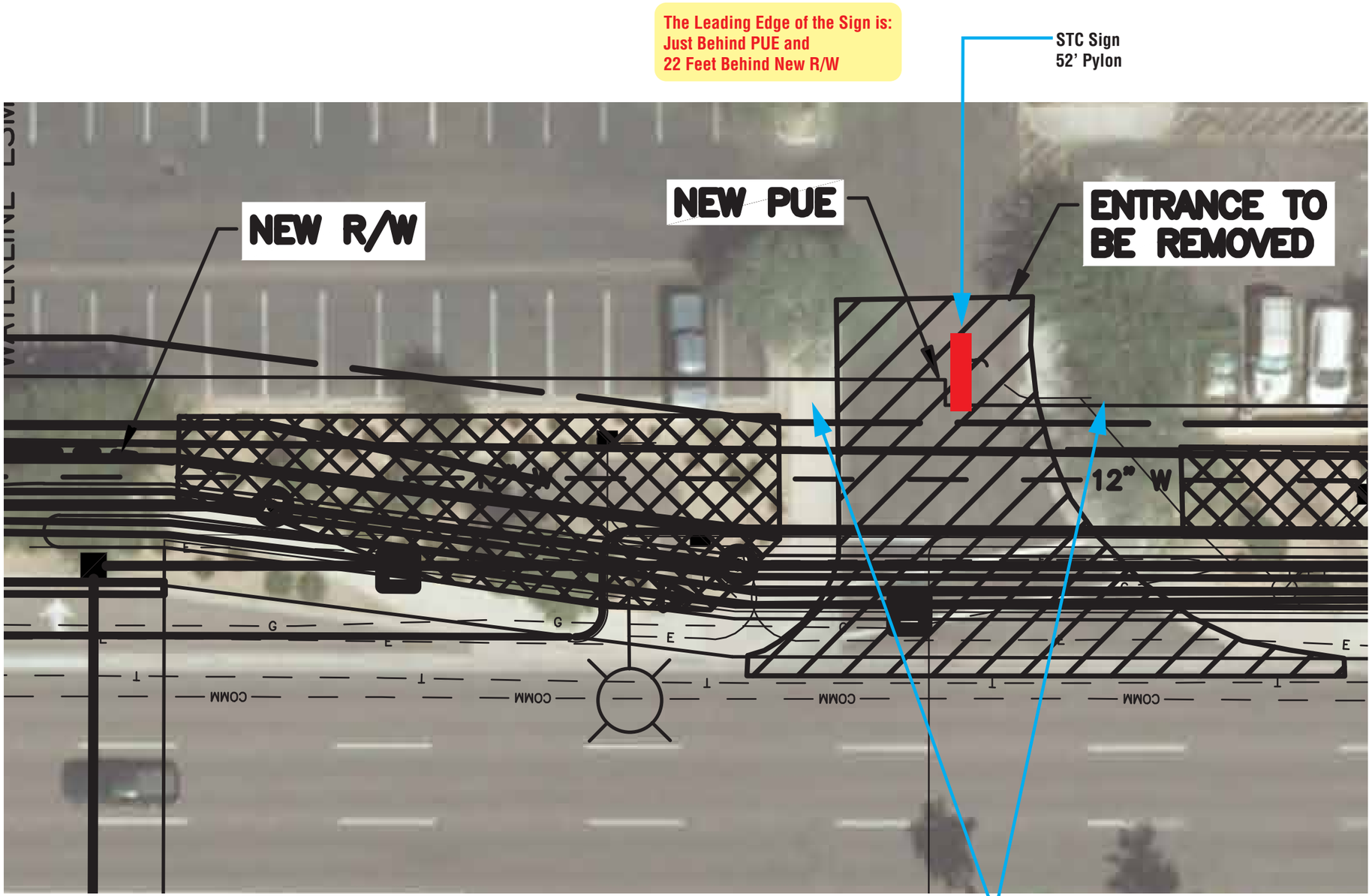
Pylon Sign Concepts *Surprise Towne Center (STC)*
Sign with EMC Display



A Sign Location Plan - STC Sign B
Not to Scale

bluemedia

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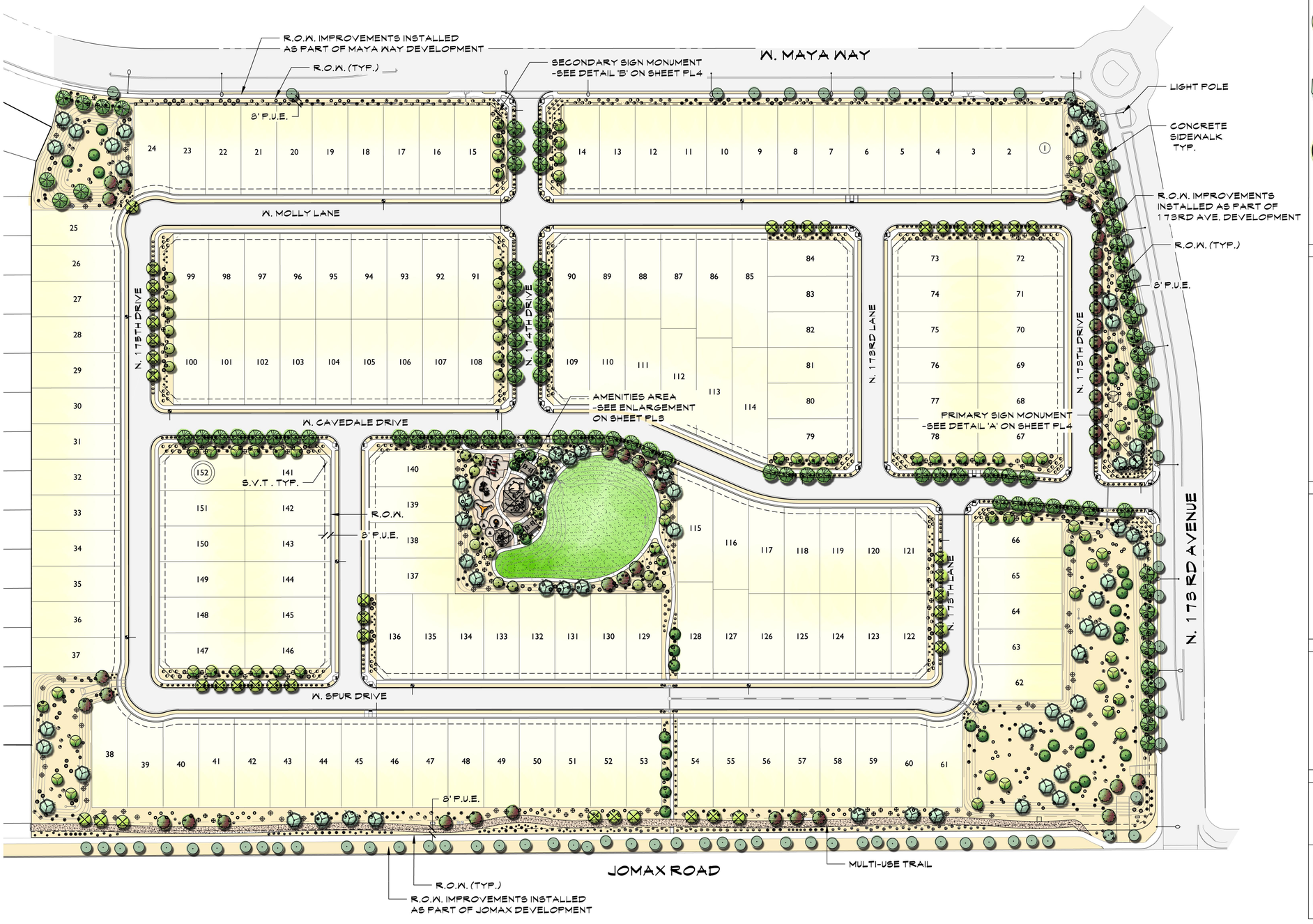
SHEET # **5 of 5**

59728 - Surprise Towne Center v02.ai



PLANT LEGEND

SYMBOL	BOTANICAL NAME - COMMON NAME	QTY.	SIZE	COMMENTS
TREES				
	ACACIA ANEURA/ MULGA TREE	30	24" BOX	STANDARD
	ACACIA SALICINA/ WILLOW ACACIA	43	24" BOX	STANDARD
	CHILOPSIS LINEARIS/ DESERT WILLOW	43	24" BOX	STANDARD
	PARKINSONIA HYBRID 'AZT'/ 'AZT' THORNLESS PALO VERDE	58	24" BOX	STANDARD
	PISTACIA LENTISCUS/ MASTIC TREE	34	24" BOX	STANDARD
	PROSOPIS HYBRID 'RIO SALADO' 'RIO SALADO' MESQUITE	65	24" BOX	STANDARD
	QUERCUS VIRGINIANA 'HERITAGE'/ 'HERITAGE' LIVE OAK	93	24" BOX	STNADARD
	* DENOTES APPROVED STREET TREE			
SHRUBS				
	CAESALPINIA PULCHERRIMA/ RED BIRD OF PARADISE	94	5 GAL	FULL CAN
	CALLIANDRA CALIFORNICA/ BAJA FAIRY DUSTER	89	5 GAL	FULL CAN
	LEUCOPHYLLUM sp. 'HEAVENLY CLOUD'/ 'HEAVENLY CLOUD' SAGE	122	5 GAL	FULL CAN
	LEUCOPHYLLUM sp. 'LYNN'S LEGACY'/ 'LYNN'S LEGACY' SAGE	109	5 GAL	FULL CAN
	RUELLIA PENINSULARIS/ BAJA RUELLIA	56	5 GAL	FULL CAN
	TECOMA sp. 'BELLS OF FIRE'/ BELLS OF FIRE	95	5 GAL	FULL CAN
	TECOMA sp. 'LYDIA'/ 'LYDIA' YELLOW BELLS	103	5 GAL	FULL CAN
	TECOMARIA CAPENSIS/ CAPE HONEYSUCKLE	65	5 GAL	FULL CAN
	XYLOSMA sp. 'COMPACTA'/ COMPACT XYLOSMA	75	5 GAL	FULL CAN
ACCENTS				
	AGAVE SHARKSKIN/ SHARKSKIN AGAVE	161	5 GAL	FULL CAN
	HESPERALOE FUNIFERA/ GIANT HESPERALOE	130	5 GAL	FULL CAN
	HESPERALOE PARVIFOLIA/ RED YUCCA	215	5 GAL	FULL CAN
	MUHLENBERGIA CAPILLARIS/ PINK MUHLY GRASS	145	5 GAL	FULL CAN
	MUHLENBERGIA RIGENS/ DEER GRASS	111	5 GAL	FULL CAN
GROUNDCOVERS				
	EREMOPHILA HYGROPHANA/ 'BLUE BELLS' EMU	171	5 GAL	FULL CAN
	EREMOPHILA PROSTRATA/ 'OUTBACK SUNRISE' EMU	149	5 GAL	FULL CAN
	LANTANA sp. 'NEW GOLD'/ 'NEW GOLD' LANTANA	169	5 GAL	FULL CAN
	LANTANA sp. 'NEW RED'/ 'NEW RED' LANTANA	223	5 GAL	FULL CAN
EXISTING MATERIAL				
	EXISTING TREE	76		
	DECOMPOSED GRANITE SANTA FE GOLD, 2" MIN. DEPTH COVERAGE REQUIRED.	274,245 SQ.FT		
	TURF 'MIDIRON' HYBRID BERMUDA SOD	25,270 SQ.FT		

The McGough Group

CORTANA

PRELIMINARY LANDSCAPE PLAN

SURPRISE, AZ

JANUARY 24, 2017

SHEET: PL1

SCALE: 1"=70'-0"

NORTH

0' 70' 140' 210'

The McGough Group

CORTANA

AMENITIES ENLARGEMENT

SHEET: PL3

SURPRISE, AZ

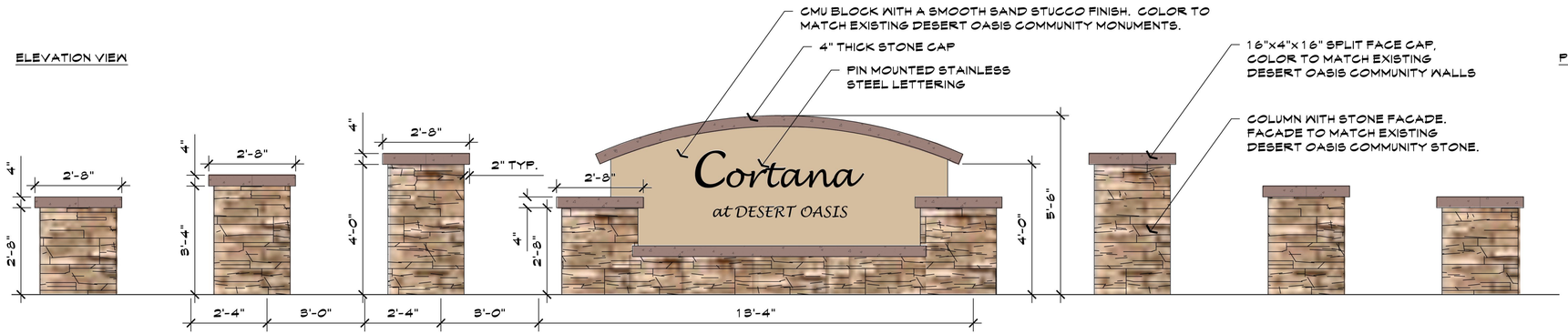
JANUARY 24, 2017

SCALE: 1"=10'-0"

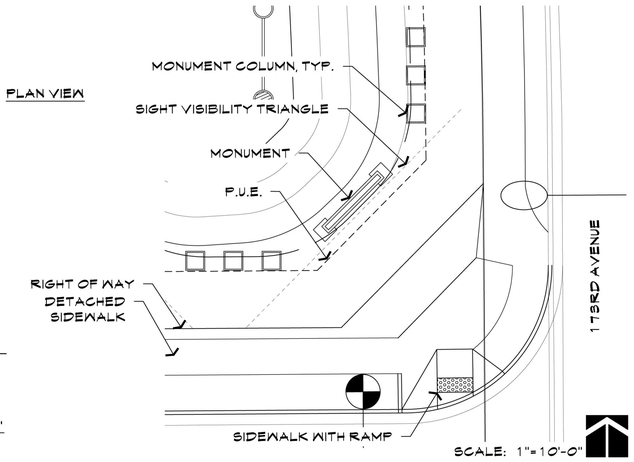
0' 5' 10' 20' 30'

NORTH

ELEVATION VIEW



PLAN VIEW

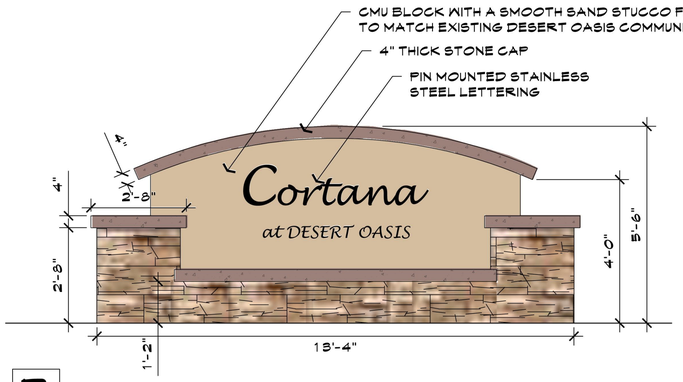


SCALE: 1/2"=1'-0"

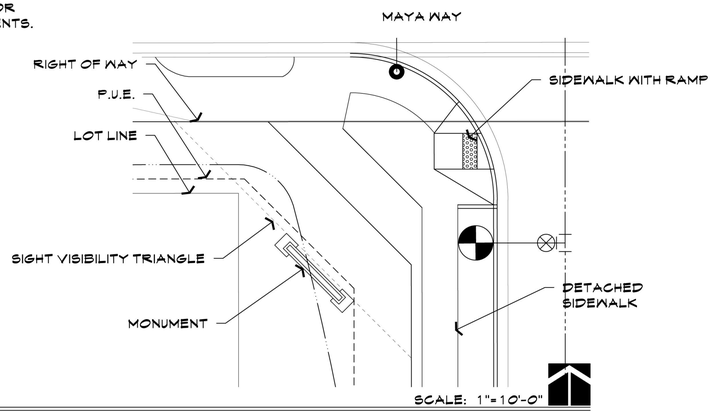
SCALE: 1"=10'-0"

A PRIMARY ENTRY MONUMENT

ELEVATION VIEW



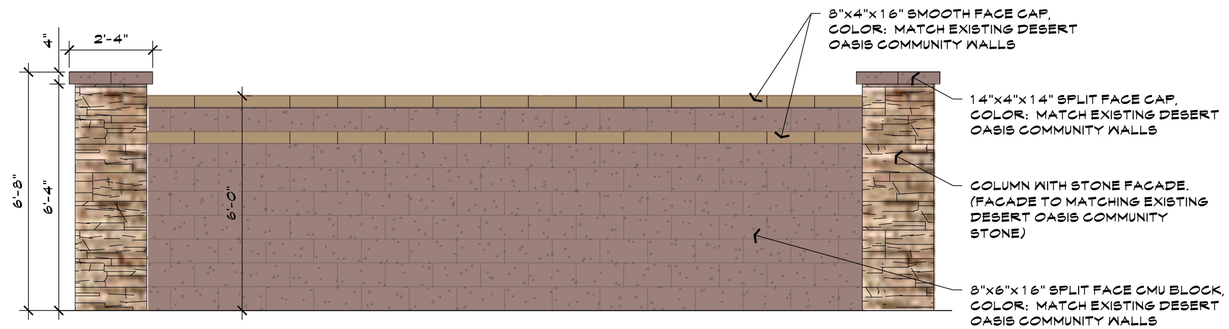
PLAN VIEW



B SECONDARY ENTRY MONUMENT

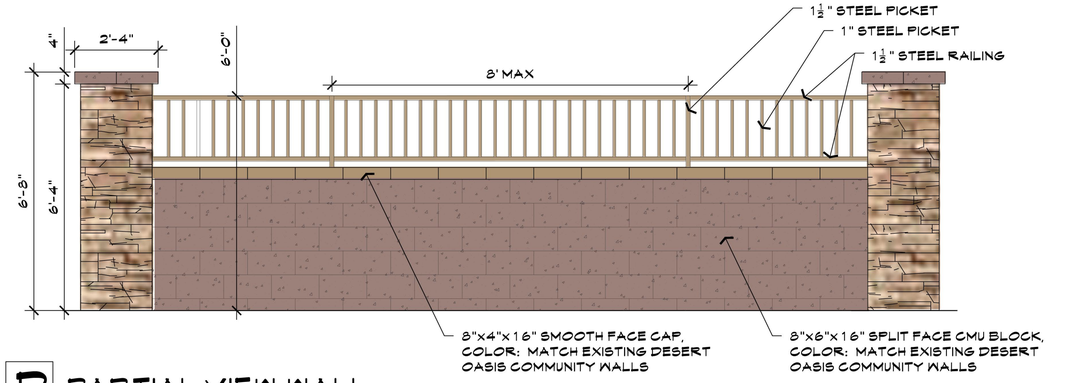
SCALE: 1/2"=1'-0"

SCALE: 1"=10'-0"



C PRIMARY THEME WALL & COLUMN

SCALE: 1/2"=1'-0"



D PARTIAL VIEW WALL

SCALE: 1/2"=1'-0"

The McGough Group

CORTANA

MONUMENT & WALL DETAILS

SHEET: PL4

SURPRISE, AZ

JANUARY 24, 2017

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Sherry Ann Aguilar, City Clerk
Submitting Department:		District:	5
Staff Recommendations:	None		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action on a request by Samantha Elly Jean Callahan (Agent) for a New License, LLC., for Hilton Garden Inn Surprise for a Series 11 (Hotel) located at 16601 N. Stadium Way, Surprise, AZ 85374

Motion:

I move to approve a request by Samantha Elly Jean Callahan (Agent) for a New License, LLC., for Hilton Garden Inn Surprise for a Series 11 (Hotel) located at 16601 N. Stadium Way, Surprise, AZ 85374

Background:

This request is of a routine nature. all department reports are attached and no concerns noted.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

☐ Hilton Departmental Reports

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Sherry Ann Aguilar, City Clerk
Submitting Department:		District:	5
Staff Recommendations:	None		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action on a request by Ryan W. Anderson (Agent) for a Person/Location Transfer for license #07070276 for The Park at Surprise located at 14630 W. Parkwood Drive, Surprise, AZ 85374.

Motion:

I move to approve a request by Ryan W. Anderson (Agent) for a Person/Location Transfer for license #07070276 for The Park at Surprise located at 14630 W. Parkwood Drive, Surprise, AZ 85374.

Background:

This request is of a routine nature. All department reports are attached with no concerns noted.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

- [ ] The Park at Surprise Dept Reports

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Karl Zook, Public Works Department
Submitting Department:	Public Works	District:	1
Staff Recommendations:	None		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action declaring the City's intention to create the "City of Surprise, Arizona, SU-DesertOasisCortana Lighting Improvement District" Street Light Improvement District pursuant to A.R.S. 48-616; Resolution #2018-123.

Motion:

I move to approve Resolution #2018-123.

Background:

The City has verified that the Petition for the proposed street light improvement district contains the signatures of all of the real property owners in the district, exclusive of mortgages and other lien holders. The City and Arizona Public Service Company (“APS”) have approved the street layout and facilities design. The electric rates are established by APS tariff. The lighting improvements are more than local or ordinary public benefit and the expenses of the district will be paid for by the levy and collection of ad valorem taxes based upon the assessed value of all property in the District.

Objective Analysis:

A SLID is a neighborhood partnership and very common practice in which property owners in a defined area agree to pay the costs to operate and maintain their immediate area's street lights through a property tax. All new developments in the City of Surprise require a SLID. This action will form the SLID boundary for the Desert Oasis Cortana development.

Policy Compliant:

Surprise Municipal Code requires that street lighting that serves a defined area be paid for through revenues obtained from the specific area being served by such street lighting. In these instances, a Street Light Improvement District (SLID) is formed. The city strives to assure that residents are subject to only one SLID and that the boundaries of each SLID accurately reflect the service area. This item is consistent with these objectives

Financial Impact:

Any financial impact on the City is anticipated to be minimal, as the Developer and District will be bearing the costs and expenses of the District and street light improvement facilities

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Budget Impact:

Funding was not included as part of the FY2019 adopted budget. A separate fund will be created to track revenue and expenses once the city starts receiving electric bills from APS for this particular SLID. If the SLID incurs expenses during FY2019, staff will return to request a budget amendment to appropriate the new fund. Regardless, the city will be unable to collect property taxes for this SLID until FY2020, at the earliest.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

Click to download

- ☐ Resolution 2018-123
- ☐ SLID Petition
- ☐ Cortana at Desert Oasis PH1 streetlight plans
- ☐ Cortana at Desert Oasis PH2 streetlight plans
- ☐ Cortana at Desert Oasis PH3 streetlght plans
- ☐ Cortana Map

RESOLUTION # 2018-123

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, DECLARING ITS INTENTION TO ESTABLISH A STREET LIGHT IMPROVEMENT DISTRICT TO PURCHASE ENERGY FOR LIGHTING THE PUBLIC STREETS AND PARKS IN THE AREA WITHIN THE CORPORATE LIMITS OF THE CITY OF SURPRISE, ARIZONA DESCRIBED ON EXHIBIT A, ATTACHED HERETO; DECLARING SUCH IMPROVEMENTS TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT AND THAT THE EXPENSES THEREOF BE PAID FOR BY THE LEVY AND COLLECTION OF AD VALOREM TAXES UPON THE ASSESSED VALUATION OF ALL REAL AND PERSONAL PROPERTY IN A CERTAIN DISTRICT TO BE KNOWN AS "CITY OF SURPRISE, ARIZONA, SU-DESERTOASISCORTANA LIGHTING IMPROVEMENT DISTRICT"; AND ORDERING THAT SUCH IMPROVEMENTS BE PROVIDED FOR UNDER THE PROVISIONS OF SECTION 48-572, ARIZONA REVISED STATUTES.

WHEREAS, the owners, exclusive of mortgagees and other lienholders, of all of the real property (hereinafter referred to as "Petitioner") in the hereinafter described District, acting pursuant to the provisions of Sections 48-615(A) and 48-617(A), Arizona Revised Statutes, have petitioned the Mayor and Council of the City of Surprise, Arizona (hereinafter referred to as "City"), to adopt a resolution of intention (hereinafter referred to as "Resolution") ordering the purchase of energy for the lighting of the public street and parks (hereinafter referred to as "Improvements") for the real property legally described in Exhibit A (such area hereinafter referred to as the "District") with such boundaries as shown in the map in Exhibit B attached hereto pursuant to the provisions of Section 48-576, Arizona Revised Statutes, giving the City immediate jurisdiction to order the improvements pursuant to the provisions of Section 48-581, Arizona Revised Statutes, without the necessity of the publications or posting of this Resolution provided for in Sections 48-578, Arizona Revised Statutes;

WHEREAS, the City has verified that Petitioner is the owner, exclusive of mortagagees and other lienholders, of all of the real property included within the boundaries of the District, and;

WHEREAS, the Mayor and Council of the City hereby find and determine that they have jurisdiction to adopt this Resolution to order the Improvements pursuant to the provisions of Section 48-576, Arizona Revised Statutes, and have immediate jurisdiction to adopt this Resolution ordering the Improvements pursuant to the provisions of Section 48-581, Arizona Revised Statutes without the necessity of publications and posting of this Resolution as provided for in Section 48-578, Arizona Revised Statutes;

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

Section 1. The City, after verifying ownership of the real property included within the boundaries of the District, hereby finds the Petitioner is the owner, exclusive of mortgagees and other lienholders, of all of the real property included within the boundaries of the District.

Section 2. The name of the District shall be "CITY OF SURPRISE, ARIZONA, SU-DESERTOASISCORTANA LIGHTING IMPROVEMENT DISTRICT."

Section 3. The District is formed, and shall exist, pursuant to the provisions of Title 48, Chapter 4, Article 2, Arizona Revised Statutes, and Section 48-616, Arizona Revised Statutes.

Section 4. The public interest or convenience requires, and it is the intention of the Mayor and Council of the City to order the Improvement as so described above.

Section 5. The Improvements, in the opinion of the Mayor and Council of the City, are of more than local or ordinary public benefit and are of special benefit to the respective lots, pieces and parcels of real property in the District, and the Mayor and Council of the City hereby make and order the expense of the Improvements payable from the levying and collection of ad valorem taxes upon the assessed value of all real and personal property in the District to be known and designated as "City of Surprise, Arizona SU-DESERTOASISCORTANA Lighting Improvement District" and hereby declare that the District is as legally described on Exhibit A attached hereto with the boundaries as shown in the map in Exhibit B attached hereto. Any public street or alley within the District shall be omitted from the assessment. Any lot belonging to the United States, the State, a county, city, school district or political subdivision or institution of the state or county within the District shall be omitted from the assessment.

Section 6. The Superintendent of Streets or equivalent of the City shall not be required to post or cause to be posted notices of the Resolution of Intention. The Clerk of the City shall certify to the passage of this Resolution of Intention but shall not be required to cause the same to be published in a newspaper published and of general circulation in the City.

Section 7. The Mayor and Council of the City shall make annual statements and estimates of the expenses of the district, which shall be provided for by the levy and collection of ad valorem taxes upon the assessed value of all the real and personal property in the District; shall publish notice thereof; shall have hearings thereon; and shall adopt them at the times and in the manner provided for incorporated cities and towns by the applicable portions of Section 42-17101, et seq., 42-17152, Arizona Revised Statutes. The Mayor and Council of the City shall, on or before the third Monday in August of each year, fix, levy and assess the amount to be raised by ad valorem taxes upon all of the property of the District and collect, as Maricopa County, Arizona (the "County") taxes are collected, the amounts shown by the statements and estimates as adopted by the Mayor and Council of the City. All statutes providing for the levy and collection of State of Arizona and County taxes, shall be applicable to District taxes as provided to be levied under Section 48-616, Arizona Revised Statutes.

Section 8. The District shall not be authorized to issue bonds and no assessment for District purposes against the property within the District shall exceed One Dollar and Twenty Cents ($1.20) per each hundred dollars of taxable valuation thereof in any year.

Section 9. The District shall not engage in any activity other than as provided in Section 48-616, Arizona Revised Statutes, i.e., contracting for and purchasing of energy for street and public park lighting.

Section 10. The formation of the District shall not be considered as preventing the subsequent establishment of improvement districts for any other purpose authorized by law, including improvement districts for the purpose of construction street lighting facilities within any part or all of the same territory as the District.

Section 11. The type of lighting facilities to be installed in the District and the locations thereof shall consist of those lighting facilities and locations described in the petition submitted by Petitioner, or as may be approved by the City.

Section 12. The rate to be paid for purchasing the energy for the District shall be the rate described in the petition submitted by Petitioner, or as may be approved by the Arizona Public Service Company.

Section 13. Any resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

APPROVED AND ADOPTED this __day of _____, 2018.

Sharon R. Wolcott, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

EXHIBIT A

Legal Description
CORTANA AT DESERT OASIS
Street Light Improvement District
Surprise, Arizona

Job No. 15-296 July 10, 2018

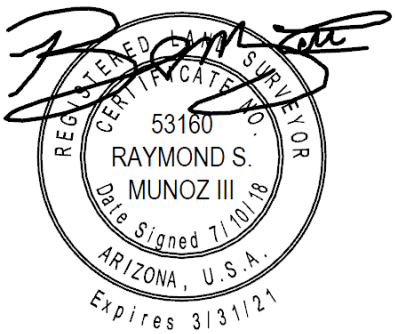
A portion of the south half of Section 35, Township 5 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

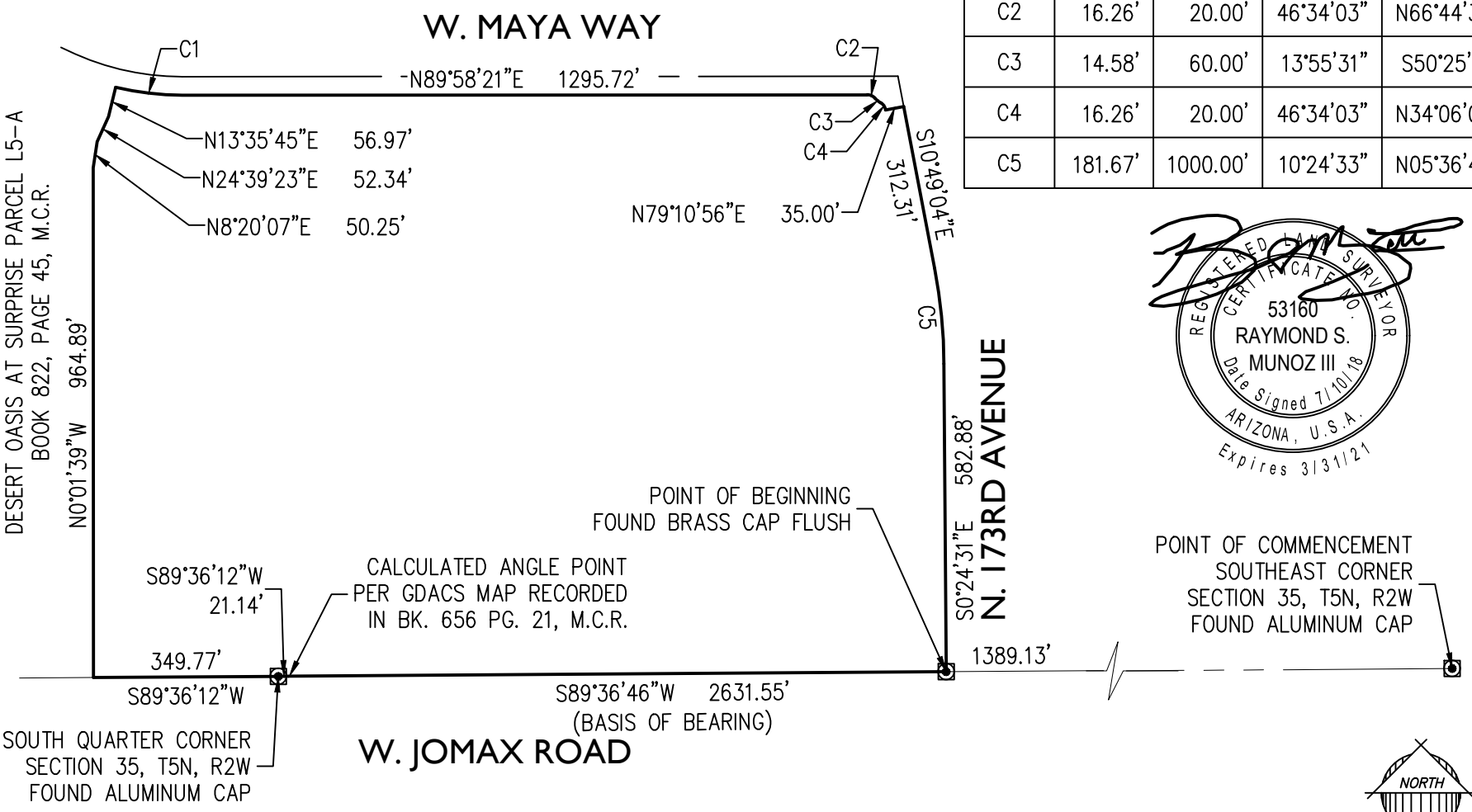
COMMENCING at found aluminum cap for the southeast corner of said Section 35 from which a brass cap flush at the intersection of Jomax Road with 173rd Avenue bears South 89 degrees 36 minutes 46 seconds West (an assumed bearing), 1389.13 feet; thence South 89 degrees 36 minutes 46 seconds West, 1389.13 feet along the south line of the southeast quarter of Section 35 to the intersection of Jomax Road with 173rd Avenue and the POINT OF BEGINNING;

thence continue South 89 degrees 36 minutes 46 seconds West, 1242.42 feet along the said south line to a calculated angle point as shown on that Record of Survey for the Maricopa County Geodetic Densification and Cadastral Survey recorded in Book 656, Page 21, Maricopa County Records;
thence South 89 degrees 36 minutes 12 seconds West, 21.14 feet along the south line of said southeast quarter to a found aluminum cap, commonly held for the south quarter corner of said Section 35;
thence South 89 degrees 36 minutes 12 seconds West, 349.77 feet along the south line of the southwest quarter of said Section 35 to the southeast corner of Desert Oasis at Surprise Parcel L5-A as recorded in Book 822, Page 45, Maricopa County Records;
thence North 0 degrees 01 minutes 39 seconds West, 964.89 feet along said east line;
thence North 8 degrees 20 minutes 07 seconds East, 50.25 feet along said east line;
thence North 24 degrees 39 minutes 23 seconds East, 52.34 feet along said east line;
thence North 13 degrees 35 minutes 45 seconds East, 56.97 feet along said east line to a point on the south right-of-way line of Maya Way, as shown on that Desert Oasis at Surprise Lancer parcel – Phase 1 Map of Dedication recorded in Book 819, Page 49, Maricopa County Records, said point being the beginning of a non-tangent curve, concave Northeast, from which the radius point bears North 13 degrees 35 minutes 45 seconds East a distance of 535.00 feet;

thence Southeasterly 127.21 feet along the arc of said curve to the left and the south right-of-way line of Maya Way, through a central angle of 13 degrees 37 minutes 24 seconds;
thence North 89 degrees 58 minutes 21 seconds East, 1295.72 feet along the south right-of-way line of Maya Way, to the beginning of a curve, concave Southwest, having a radius of 20.00 feet;
thence Southeasterly 16.26 feet along the arc of said curve to the right through a central angle of 46 degrees 34 minutes 03 seconds to a point of reverse curvature of a curve having a radius of 60.00 feet;
thence Southeasterly 14.58 feet along the arc of said curve to the left through a central angle of 13 degrees 55 minutes 31 seconds to a point of reverse curvature of a curve having a radius of 20.00 feet;
thence Southeasterly 16.26 feet along the arc of said curve to the right through a central angle of 46 degrees 34 minutes 03 seconds;
thence on a non-tangent line North 79 degrees 10 minutes 56 seconds East, 35.00 feet to a point on the centerline of 173rd Avenue as shown on said Map of Dedication;
thence South 10 degrees 49 minutes 04 seconds East, 312.31 feet along the centerline of 173rd Avenue, to the beginning of a curve, concave Southwest, having a radius of 1000.00 feet;
thence Southeasterly 181.67 feet along the arc of said curve to the right and the centerline of 173rd Avenue, through a central angle of 10 degrees 24 minutes 33 seconds;
thence South 0 degrees 24 minutes 31 seconds East, 582.88 feet along the centerline of 173rd Avenue to the POINT OF BEGINNING.

Contains 1,747,124 square feet or 40.1084 acres, more or less.





CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD BRG
C1	127.21'	535.00'	13°37'24"	S83°12'57"E
C2	16.26'	20.00'	46°34'03"	N66°44'38"W
C3	14.58'	60.00'	13°55'31"	S50°25'22"E
C4	16.26'	20.00'	46°34'03"	N34°06'05"W
C5	181.67'	1000.00'	10°24'33"	N05°36'47"W

15-296

EXHIBIT B

CORTANA AT DESERT OASIS
SURPRISE, ARIZONA

STREET LIGHT IMPROVEMENT DISTRICT

EPS GROUP
2045 S. Vineyard Ave.
Ste. 101 Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

CORTANA AT DESERT OASIS
PHASE 3
STREET LIGHT DESIGN

STREET LIGHTING REQUIREMENTS

5.00 GENERAL NOTES:

THE FOLLOWING INFORMATION IS PROVIDED TO EMPHASIZE CRITICAL WORK AND IS INTENDED TO SUPPLEMENT THE SPECIFICATIONS. SHOULD THERE BE A CONFLICT WITH THE SPECIFICATIONS, THIS DOCUMENT SHALL TAKE PRECEDENCE.

ALTERNATES SHALL BE PRE-APPROVED BY THE CITY ENGINEERING MANAGER. APPROVAL OF ALTERNATE PRODUCTS SHALL BE ON AN EQUAL BASIS WITH THE PRODUCT SPECIFIED AND SHALL BE SUBMITTED A MINIMUM OF TEN (10) DAYS PRIOR TO BID OPENING. STRUCTURAL CALCULATIONS SHALL BE FURNISHED FOR ALTERNATE PRODUCTS AND CERTIFIED BY A STRUCTURAL ENGINEER, REGISTERED IN THE STATE OF ARIZONA. LUMINAIRES AND LAMPS SHALL MEET OR EXCEED THE PHOTOMETRIC, ELECTRICAL, AND MECHANICAL REQUIREMENTS FOR THE SPECIFIED PRODUCTS.

THE CONTRACTOR SHALL COMPLY WITH STATE AND CITY STATUTES, AND MANUFACTURER'S RECOMMENDATIONS.

THE SUBMITTAL PACKAGE SHALL CONSIST OF THREE (3) COPIES OF EQUIPMENT/MATERIAL TO BE INSTALLED AND SHALL BE BOUND/STAPLED IN A FOLDER AND SUBMITTED AT THE TIME OF PERMIT APPLICATION.

PRIOR TO SUBMITTING A PROPOSAL, THE BIDDER SHALL EXAMINE ALL GENERAL CONSTRUCTION DRAWINGS AND VISIT THE CONSTRUCTION SITE TO BECOME FAMILIAR WITH EXISTING CONDITIONS UNDER WHICH HE WILL OPERATE AND WHICH WILL IN ANY WAY AFFECT THE WORK UNDER THE CONTRACT. NO SUBSEQUENT ALLOWANCE WILL BE MADE IN THIS CONNECTION IN THE BEHALF OF THE CONTRACTOR FOR ANY ERROR OR NEGLIGENCE ON HIS PART.

PRIOR TO ORDERING ANY MATERIALS OR DOING ANY WORK, THE CONTRACTOR SHOULD VERIFY DIMENSIONS AT THE SITE. IMMEDIATELY REPORT DIFFERENCES TO THE ENGINEERING MGR. AND SHOULD NOT PROCEED WITH WORK UNTIL THE ENGINEERING MGR. RENDERS A DECISION. NO EXTRA CHARGES OR COMPENSATION WILL BE ALLOWED FOR DIFFERENCES IN ACTUAL DIMENSIONS AND DIMENSIONS INDICATED ON THE DRAWINGS.

5.01 GENERAL:

THE ELECTRICAL CONTRACTOR SHALL COMPLY WITH ALL LICENSING REQUIREMENTS SET FORTH BY THE STATE REGISTRAR OF CONTRACTORS OFFICE TO PERFORM WORK RELATING TO STREET LIGHT INSTALLATION IN THE CITY RIGHT-OF-WAY.

ONE PROJECT UNDERGROUND UTILITIES (RIGHT OF WAY) PERMIT AND ONE STREETLIGHT PERMIT FOR EACH STREET LIGHT POLE SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.

5.02 WORKING / "AS BUILT" PLANS:

ACCEPTANCE OF THE COMPLETED IMPROVEMENTS WILL NOT BE GIVEN UNTIL 4 MIL PHOTO MYLAR REPRODUCIBLE "AS BUILT" PLANS HAVE BEEN SUBMITTED TO AND APPROVED BY THE CITY ENGINEER.

5.03 LIGHT POLES:

LIGHT POLES SHALL BE INSTALLED PLUMB, BE ADJUSTED TO PROVIDE PROPER ALIGNMENT TO THE ROADWAY BEING LIGHTED AND BE PROPERLY GROUNDED WHEN THE INSTALLATION IS COMPLETE.

5.04 EMBEDMENT:

DIRECT BURIED POLES SHALL BE SET IN A TWELVE (12) INCH AUGURED HOLE DEPTH AS SPECIFIED IN UNDISTURBED EARTH. POLE SHALL BE SET PLUMB IN TWO DIRECTIONS 90 DEGREES APART. HAND TAMPING OF ABC BACKFILL WITH PNEUMATIC OR VIBRATING EQUIPMENT IS THE ACCEPTABLE METHOD OF COMPACTION. BACKFILL SHALL BE COMPACTED TO 85% OF MAXIMUM DENSITY AS DEFINED BY ASTM D-2922 AND D-3017. A GROUND ROD SHALL BE INSTALLED ADJACENT TO PULL BOX IN UNDISTURBED SOIL AND A LEAD IN COPPER BOND WIRE (#6) SHALL BE INSTALLED IN 1" CARFLEX LIQUIDTIGHT FLEXIBLE NONMETALLIC CONDUIT (OR EQUAL) FOR POLE GROUNDING.

SURPLUS EXCAVATION SHALL BE DISPOSED OF BY THE CONTRACTOR.

5.05 LUMINAIRES:

LUMINAIRES SHALL BE INSTALLED LEVEL AND INCLUDE A LAMP AND PHOTOCELL. CONTRACTOR SHALL ASSURE THAT THE LUMINAIRES SHALL BE FREE OF DUST, DIRT OR ANYTHING THAT WOULD IMPAIR THE OUTPUT OF THE LIGHT BEFORE HE LEAVES THE SITE.

LUMINAIRES FURNISHED WITH MULTI-TAP BALLASTS SHALL BE REWIRED OR RECONNECTED TO MATCH THE VOLTAGE SUPPLIED BY THE ELECTRIC UTILITY COMPANY.

5.06 WIRING:

WIRING SHALL BE INSTALLED PER UTILITY STANDARDS.

5.07 GROUNDING:

EACH POLE SHALL HAVE A 8' X 5/8" COPPER CLAD GROUND ROD DRIVEN ADJACENT TO PULL BOX. A #6 BARE COPPER LEAD FROM THE GROUND ROD IN PULL BOX TO LANDING LUG IN STREET LIGHT POLE HAND HOLE.

5.08 PULL BOXES:

EXCAVATION FOR PULL BOXES AND MATERIAL SPECIFICATION SHALL BE PER THE ELECTRIC UTILITY COMPANY STANDARDS.

5.09 TRENCH

TRENCH SHALL BE INSTALLED PER THE UTILITY COMPANY STANDARDS.

THE USE OF A COMMON ELECTRIC UTILITY COMPANY TRENCH IS PERMITTED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANY FOR COORDINATION OF TRENCHING AND THE INSTALLATION OF CONDUIT.

CONDUIT SHALL BE INSTALLED AT THE DEPTH SPECIFIED ON THE PLANS. CONDUIT SHALL BE 1 INCH CARFLEX LIQUIDTIGHT FLEXIBLE NONMETALLIC CONDUIT OR EQUAL. CONDUIT MUST BE UL RATED AND SUITABLE FOR UNDERGROUND USE.

CONNECTIONS SHALL BE PER UTILITY STANDARDS.

5.12 LIGHT POLE IDENTIFICATION:

THE CONTRACTOR SHALL FURNISH AND INSTALL A NUMBER ON EACH LIGHT POLE. STREET LIGHT POLE IDENTIFICATION AND SPECIFICATIONS WILL BE PROVIDED BY THE CITY OF SURPRISE.

IT IS THE CONTRACTOR'S RESPONSIBILITY TO RESTORE ALL PROPERTY, LANDSCAPING, PAVING AND DRIVEWAYS THAT ARE DISTURBED DURING STREET LIGHT CONSTRUCTION TO THEIR ORIGINAL CONDITION IN CONFORMANCE WITH "MAG" SPECIFICATION SECTION 107.9.

THE DEVELOPER SHALL BE RESPONSIBLE FOR FURNISHING ALL PERSONNEL AND EQUIPMENT TO SUCCESSFULLY PERFORM THE FOLLOWING TEST.

PRIOR TO ACCEPTANCE, THE DEVELOPER SHALL ENERGIZE AND OPERATE THE ENTIRE ROADWAY LIGHTING SYSTEM, FROM SUNSET TO SUNRISE FOR TWO CONSECUTIVE DAYS WITHOUT INTERRUPTION OR FAILURE. IF A LAMP OR BALLAST SHOULD FAIL, IT SHALL BE IMMEDIATELY REPLACED.

THE CONTRACTOR SHALL GUARANTEE ALL WORK FOR A PERIOD OF ONE YEAR FROM THE DATE OF FINAL ACCEPTANCE BY THE ENGINEERING MANAGER, AGAINST IMPERFECT WORKMANSHIP, FAILURE, MALFUNCTION OF MATERIALS AND/OR EQUIPMENT DUE TO FAULTY OR IMPERFECT WORKMANSHIP. THIS GUARANTEE IS TO BE IN WRITING TO THE CITY AT THE TIME OF ISSUING FINAL ACCEPTANCE. WORK FOUND TO BE DEFECTIVE WITHIN THE WARRANTY PERIOD SHALL BE REPLACED WITHOUT COST TO THE CITY.

THESE DRAWINGS AND SPECIFICATIONS ARE THE SOLE PROPERTY OF WRIGHT ENGINEERING CORPORATION AND MAY NOT BE REPRODUCED OR MODIFIED FOR ANY USE WITHOUT THE EXPRESS WRITTEN PERMISSION OF WRIGHT ENGINEERING CORPORATION.

GENERAL ENGINEERING NOTES:

1. ALL CONSTRUCTION MUST CONFORM TO MARICOPA ASSOCIATION OF GOVERNMENT (MAG) SPECIFICATIONS AND DETAILS AND LATEST REVISIONS UNLESS OTHERWISE STATED ON PLANS.
2. THE ENGINEER WILL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, OR PROCEDURES OR FOR SAFETY PRECAUTIONS OR PROGRAMS UTILIZED IN CONNECTION WITH THE WORK, AND THEY WILL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING ALL OVERHEAD AND UNDERGROUND UTILITY LOCATIONS WHERE CONSTRUCTION OCCURS. SPECIAL CARE SHALL BE TAKEN TO ENSURE THAT ALL UTILITIES ARE AVOIDED. UTILITY LOCATIONS SHOWN ON THE PLANS ARE APPROXIMATE AND NOT FOR CONSTRUCTION PURPOSES. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AND OR REPLACED AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL COMPLY WITH ALL CURRENT ARIZONA UNDERGROUND FACILITIES LAWS (ARIZONA REVISED STATUTES TITLE 40, CHAPTER 2, ARTICLE 6.3, SECTION 40-360.21-32). CALL ARIZONA 811 FOR FIELD LOCATION BY DIAL 811.
4. THE CITY OF SURPRISE ENGINEERING SERVICES OF PUBLIC WORKS SHALL BE NOTIFIED FORTY-EIGHT (48) HOURS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION WORK AT 623-222-6150.
5. THE ENGINEER AND APPLICABLE AGENCY MUST APPROVE, PRIOR TO CONSTRUCTION, ANY ALTERATION OR VARIANCE FROM THESE PLANS. ANY VARIATION FROM THESE PLANS SHALL BE PROPOSED AND RESUBMITTED FOR REVIEW AND APPROVAL.
6. THE CONTRACTOR SHALL PROTECT AND MAINTAIN ALL EXISTING UTILITIES ON THE SITE. ANY DAMAGE TO EXISTING UTILITIES, WHETHER SHOWN OR NOT ON THE DRAWING, SHALL BE REPAIRED/REPLACED AT THE CONTRACTOR'S EXPENSE. EXISTING SURFACE FEATURES AND FENCING SHALL BE REPLACED IN KIND.
7. ANY INSPECTION BY THE CITY, COUNTY, OR THE ENGINEER, SHALL NOT IN ANY WAY RELIEVE THE CONTRACTOR FROM ANY OBLIGATION TO PERFORM THE WORK IN STRICT COMPLIANCE WITH THE APPLICABLE CODES AND AGENCY REQUIREMENTS.
8. THE CONTRACTOR IS TO LOCATE ALL EXISTING LANDSCAPING, LANDSCAPING IRRIGATION LINES, PROPERTY MONUMENTS, FENCING OR SURFACE FEATURES PRIOR TO CONSTRUCTION. ANYTHING DISTURBED DURING CONSTRUCTION SHALL BE REPLACEDIN KIND AT THE CONTRACTOR'S EXPENSE.
9. NOTHING CONTAINED IN THE CONTRACT DOCUMENTS SHALL CREATE, NOR SHALL BE CONSTRUED TO CREATE, ANY CONTRACTUAL RELATIONSHIP BETWEEN THE ENGINEER AND THE CONTRACTOR OR ANY SUBCONTRACTOR.
10. ALL CONSTRUCTION WATER USED WITHIN THE CITY OF SURPRISE WATER SERVICE AREA REQUIRES APPROVAL BY THE CITY OF SURPRISE PUBLIC WORKS DEPARTMENT AND MAY BE SUBJECT TO VOLUME AND TIME RESTRICTIONS. PLEASE SEE THE CITY OF SURPRISE CONSTRUCTION WATER GUIDELINES FOR ADDITIONAL INFORMATION. THE GUIDELINES CAN BE OBTAINED FROM THE PUBLIC WORKS DEPARTMENT AT 623-222-6000.
11. TRAFFIC CONTROL SHALL BE MAINTAINED IN ACCORDANCE WITH MAG SPECIFICATION 401, THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, AND THE "TEMPORARY WORK ZONE TRAFFIC MANAGEMENT POLICY" (LATEST EDITION).
12. PRIOR TO FINAL APPROVAL AND ACCEPTANCE OF THE WORK, THE DEVELOPER/CONTRACTOR WILL BE REQUIRED TO CLEAN AND REPAIR ADJACENT (OFF-PROJECT) ROADWAYS USED OR DAMAGED DURING THE COURSE OF CONSTRUCTION.
13. EMERGENCY VEHICLE ACCESS (E.V.A.) MUST BE PROVIDED BY THE DEVELOPER/CONTRACTOR THROUGHOUT THE PROJECT SITE. E.V.A. ROADS AND SIGNAGE SHALL BE MAINTAINED BY THE DEVELOPER/CONTRACTOR AT ALL TIMES. SIGNAGE SHALL BE POSTED AT THE POINT OF ENTRY TO THE SITE AND AT ALL LOCATIONS WHERE A CHANGE IN DIRECTION OCCURS.
14. THE PLANS SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT'S ACCESSIBILITY GUIDELINES, AS PUBLISHED IN THE FEDERAL REGISTER ON SEPTEMBER 15, 2010.

NOTES

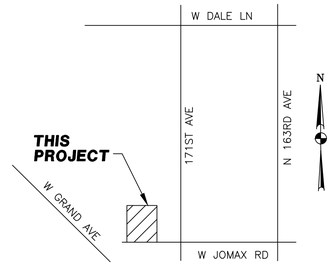
1. THE ELECTRICAL/MAINTENANCE COSTS OF ALL STREET LIGHTS ON LOCAL AND COLLECTOR STREETS ARE TO BE PAID BY THE ADJACENT PROJECT OR THE ADJACENT DEVELOPMENT'S STREET LIGHT IMPROVEMENT DISTRICT (SLID). THE ELECTRICAL / MAINTENANCE COSTS OF ALL STREET LIGHTS ON ARTERIAL STREETS ARE TO BE BILLED TO THE CITY OF SURPRISE'S ENERGY BILL.

2. CONTRACTOR TO COORDINATE WITH APS AND UTILIZE THEIR CURRENT SPECIFICATIONS AT THE TIME OF BIDDING AND CONSTRUCTION.

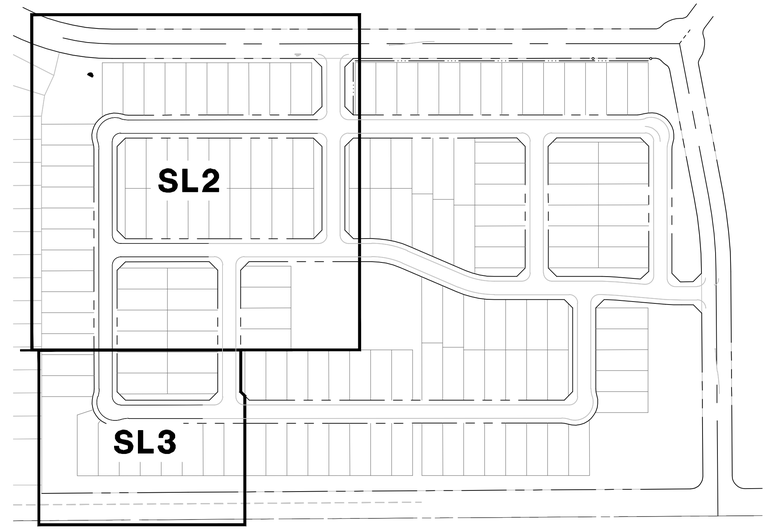
CIVIL ENGINEER:
EPS GROUP
2045 S. VINEYARD
SUITE 101
MESA, AZ 85210
PHONE: (480) 352-3431
CONTACT: DANIEL AUXIER P.E.

DEVELOPER
KB HOME PHOENIX INC.
10429 S. 51ST STREET
SUITE 100
PHOENIX, AZ 85044
PHONE: (480) 296-7526
CONTACT: JASON JARVIS

ELECTRICAL ENGINEER
WRIGHT ENGINEERING CORPORATION
165 EAST CHILTON DRIVE
CHANDLER, AZ 85225
PHONE: (480) 497-5829
FAX: (480) 497-5807
CONTACT: ADAM BOWERS P.E.



VICINITY MAP
N.T.S.



KEY MAP
N.T.S.

COORDINATION LIST

COMPANY	REPRESENTATIVE	DATE
C.O.S. WATER	DAN SHAFFER	11/04/15
C.O.S. SEWER	DAN SHAFFER	11/04/15
SOUTHWEST GAS	JEFF SHELTON	12/21/15
APS	CONNIE CHARLES	4/25/18
CENTURYLINK	JESUS ARRIETA	4/13/18
COX COMMS	VICTOR SCHAUM	3/20/18

THIS SET OF PLANS HAS BEEN REVIEWED FOR COMPLIANCE WITH CITY REQUIREMENTS PRIOR TO ISSUANCE OF PERMITS. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. THIS COMPLIANCE APPROVAL SHALL NOT PREVENT THE CITY ENGINEER FROM REQUIRING CORRECTIONS OF ERRORS OR OMISSIONS IN PLANS FOUND TO BE IN VIOLATION OF LAW OR ORDINANCES.

CITY OF SURPRISE ENGINEER **DATE**

STREET LIGHTING (APS AREA)

KEY NO.	SYMBOL	STREET TYPE	OFFSET BEHIND B/C	QUANTITY	POLE		MAST ARM	LUMINAIRE						APS STANDARD CODE NO.
					POLE HEIGHT	FOUNDATION	SIZE	MOUNTING HEIGHT	LUMENS	WATTAGE	I.E.S. DIST.	TYPE	STYLE	
(1)		LOCAL	PER PLANS	9	30'-6"	DIRECT BURY	2'-0"	25'	4,900	39W	TYPE B3	LED	ARCHITECTURAL (SHOEBOX)	8030.S2

ARIZONA BLUE STAKE
CALL TWO WORKING DAYS BEFORE YOU DIG
Dial 811 or
602-263-1100
1-800-STAKE-IT
(OUTSIDE MARICOPA COUNTY)

WRIGHT ENGINEERING PROJECT NO: **17396**

DESIGN BY: BBS
DRAWN BY: BBS
CHECKED BY: AMB

WRIGHT engineering corporation
ELECTRICAL ENGINEERING AND DESIGN
165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

PROJECT: CORTANA AT DESERT OASIS - PHASE 3
SURPRISE, ARIZONA
W JOMAX RD

TITLE: STREET LIGHT COVER SHEET

NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
1	FEB 2018	1ST SUBMITTAL
2	MAY 2018	2ND SUBMITTAL
3	JUN 2018	3RD SUBMITTAL

Registered Professional Engineer (Electrical)
Certificate No. 46691
ADAM M. BOWERS
Date Signed 7-17-18
Expires 9-30-19

DRAWING NO: **SL1**
OF 3

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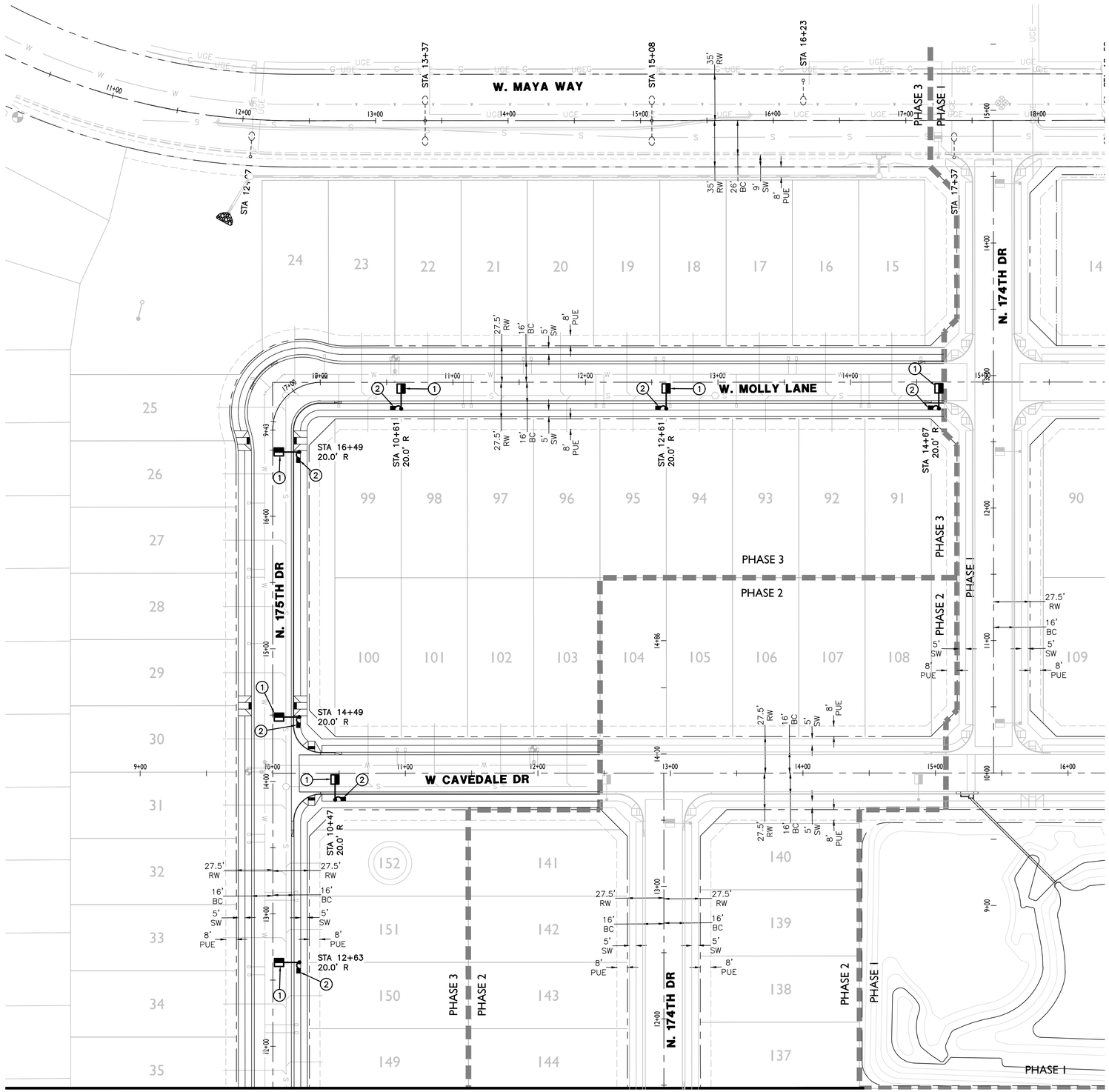

MATCHLINE "A"
SEE SHEET SL3

LEGEND

- 39W (4900 LUMEN) LED STREET LIGHT
- STREET LIGHT PER ADJACENT PLANS. SHOWN FOR REFERENCE ONLY
- EXISTING STREET LIGHT
- PULL BOX
- NEW CONDUIT RUN
- FIRE HYDRANT

CONSTRUCTION NOTES

1. 39W LED (4,900 LUMEN) LUMINAIRE (GE CAT# ERL1005B330ADKBZRGX) WITH PHOTOELECTRIC CONTROL ON A 30'-6" DIRECT BURIED POLE (1940.30) WITH A 2' MAST ARM (S2) PER APS DETAIL 8030 (SEE SHEET SL3). INSTALL (2) #14 THHN/THWN FROM LUMINAIRE TO FUSE HOLDER IN POLE. ALL WIRING, FUSING, AND GROUNDING PER APS DETAILS AND SPECIFICATIONS.
2. INSTALL APS PULL BOX NEXT TO POLE. INSTALL 1" CONDUIT WITH (2) #14 TYPE THHN/THWN AND (1) #14 BARE BOND FROM PULL BOX TO FUSE HOLDER IN STREET LIGHT PER APS DETAILS AND SPECIFICATIONS.

GRAPHIC SCALE
40 20 0 20 40 80
1 INCH = 40 FEET

ARIZONA BLUE STAKE
CALL TWO WORKING DAYS BEFORE YOU DIG
Dial 811 or
602-263-1100
1-800-STAKE-IT
(OUTSIDE MARICOPA COUNTY)

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WRIGHT ENGINEERING PROJECT NO:
17396

DESIGN BY: BBS
DRAWN BY: BBS
CHECKED BY: AMB

WRIGHT engineering corporation
ELECTRICAL ENGINEERING AND DESIGN
165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

PROJECT: TITLE:

SURPRISE, ARIZONA
CORTANA AT DESERT OASIS - PHASE 3
W JOMAX RD

STREET LIGHT PLAN

NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
1	FEB 2018	1ST SUBMITTAL
2	MAY 2018	2ND SUBMITTAL
3	JUN 2018	3RD SUBMITTAL

Registered Professional Engineer (Electrical)
Certificate No.
46691
ADAM M. BOWERS
Date Signed 7-20-18
Expires 9-30-19

DRAWING NO:
SL2
OF 3

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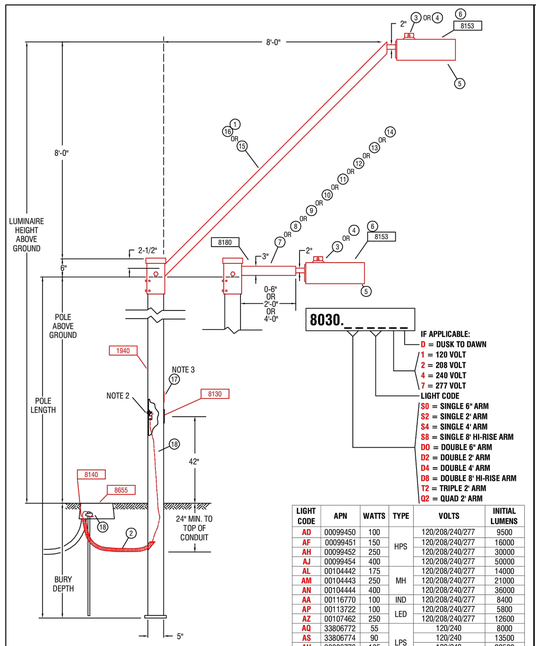


IF APPLICABLE:
- D = DUSK TO DAWN
- 1 = 120 VOLT
- 2 = 208 VOLT
- 4 = 240 VOLT
- 7 = 277 VOLT

LIGHT CODE
- S2 = SINGLE 2' ARM
- S4 = SINGLE 4' ARM
- S8 = SINGLE 8' HI-RISE ARM
- D2 = DOUBLE 2' ARM
- D4 = DOUBLE 4' ARM
- D8 = DOUBLE 8' HI-RISE ARM
- T2 = TRIPLE 2' ARM
- Q2 = QUAD 2' ARM

LIGHT CODE	APN	WATTS	TYPE	VOLTS	INITIAL LUMENS
AD	00099450	100	HPS	120/208/240/277	9500
AF	00099451	150		120/208/240/277	16000
AH	00099452	250		120/208/240/277	30000
AJ	00099454	400		120/208/240/277	50000
AL	00104442	175	MH	120/208/240/277	14000
AM	00104443	250		120/208/240/277	21000
AN	00104444	400		120/208/240/277	36000
AA	00116770	100	IND	120/208/240/277	8400
AP	00113722	100	LED	120/208/240/277	5800
AZ	00107462	250		120/208/240/277	12600
AQ	33806772	55	LPS	120/240	8000
AS	33806774	90		120/240	13500
AU	33806776	135		120/240	22500
AW	33806778	180		120/240	33000

NOTES:
1. ADJUST PHOTO EYE TO FACE NORTH.
2. A GROUND ROD IS PROVIDED WITH THE J-BOX. WHERE A GROUND ROD CAN NOT BE DRIVEN ALTERNATE GROUND SHALL BE USED. SEE 2449 THRU 2460 FOR APPROVED ALTERNATES.
3. SIGN, "NOTICE THIS POLE IS OWNED AND MAINTAINED BY APS. DISCONNECT INSIDE"; IS REQUIRED ON ALL DUSK-TO-DAWN AND AREA LIGHTING APPLICATIONS.
4. POLES THAT HAVE MORE THAN ONE LUMINAIRE REQUIRE A SEPARATE CIRCUIT WITH FUSING FROM THE J-BOX TO EACH LUMINAIRE.
5. USING THE 20'-0" POLE TO MATCH THE 16'-0" PEDESTRIAN LIGHT MOUNTING HEIGHT REDUCE POLE BURY DEPTH TO 4'-0".
6. THE BROWN PHOTO CONTROL IS A FAIL OFF CONTROL AND SHALL BE USED WITH ALL INDUCTION AND LED LUMINAIRES.
7. ON 277 VOLT STREET LIGHT CIRCUITS, INSTALL A "277 VOLT" MICARTA TAG ON CABLE IN J-BOX. TAG PROVIDED BY SPEC 8129.
8. THE LUMINAIRE SHOWN IS RECOMMENDED FOR THIS MOUNTING HEIGHT. SEE 8153 FOR ADDITIONAL BROWN ARCHITECTURAL LUMINAIRES.
9. THE TWO ARMED TENON BRACKET POSITIONS THE DOUBLE ARM 180 DEGREES APART.
10. TO ACCOMMODATE LESS THAT THE SPECIFIED LUMINAIRE MOUNTING HEIGHT, A SHOP ORDER IS REQUIRED TO HAVE A PORTION FROM THE TOP OF THE POLE CUT OFF. THE TENON ARM BRACKET SLIDES OVER AND COVERS THE CUT PORTION OF THE POLE.
11. IN-LINE FUSE FOR UNDERGROUND FEEDS, SEE 8130-8131.
12. FOR PEDESTRIAN ONLY APPLICATIONS SEE 8030.

POLE CODE	POLE LENGTH	BURY DEPTH	POLE ABOVE GROUND	LUMINAIRE HEIGHT ABOVE GROUND			
				6IN ARM	2FT ARM	4FT ARM	8FT ARM
1940.20	20'-0"	5'-0"*	15'-0"	15'-0"	15'-0"	15'-0"	---
1940.30	30'-6"	5'-0"	25'-0"	25'-0"	25'-0"	25'-0"	33'-0"
1940.34	34'-0"	6'-0"	28'-0"	28'-0"	28'-0"	28'-0"	39'-6"
1940.38	38'-0"	6'-6"	31'-6"	31'-6"	31'-6"	31'-6"	39'-6"

* SEE NOTE 5

CODE	8030.S0	8030.S2	8030.S4	8030.S8	8030.D0	8030.D2	8030.D4	8030.D8	8030.T2	8030.Q2	MATERIAL LIST	
ITEM	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY	DESCRIPTION	APN
1	-	-	-	-	-	-	-	1	-	-	BRACKET ARCH SLIP BOLTED	00092251
2	10	10	10	10	10	10	10	10	10	10	CONDUIT 1" PVC FLEX CORR	32900891
3	1	1	1	1	2	2	2	2	3	4	CONTROL PHOTO MULTI BLACK	00063965
4	VAR	VAR	VAR	VAR	VAR	VAR	VAR	VAR	VAR	VAR	CONTROL PHOTO MULTI BR-20	00073241
5	1	1	1	1	2	2	2	2	3	4	LAMP - SEE 8164 - 8171	
6	1	1	1	1	2	2	2	2	3	4	LUMINAIRE - SEE CHART	
7	1	-	-	-	-	-	-	-	-	-	MAST ARM STLT 3" SQ X 6' SGL	88370
8	-	1	-	-	-	-	-	-	-	-	MAST ARM STLT 3" SQ X 6' DBL	00121154
9	-	-	-	-	-	1	-	-	-	-	MAST ARM STLT 3" SQ X 2' SGL	33701116
10	-	-	-	-	-	-	-	-	1	-	MAST ARM STLT 3" SQ X 2' DBL	33701117
11	-	-	-	-	-	-	-	-	-	1	MAST ARM STLT 3" SQ X 2' TPL	52664
12	-	-	1	-	-	-	-	-	-	-	MAST ARM STLT 3" SQ X 2' QUAD	00052665
13	-	-	-	1	-	-	-	-	-	-	MAST ARM STLT 3" SQ X 8' SGL	00061738
14	1	-	-	-	-	-	1	2	-	-	MAST ARM STLT 3" SQ X 4' DBL	00073267
15					-	-	-	-	-	-	MAST ARM STLT 3" SQ X 8' SGL	33701120
16					-	-	-				MAST ARM STLT 8' BOLT-ON	00092252
17	1	1	1	1	1	1	1	1	1	1	SIGN POLE OWNED BY APS	00050092
18	10	10	10	10	10	10	10	10	10	10	WIRE BARE #6 SOLID CU	33007580

APS ARIZONA PUBLIC SERVICE COMPANY T&D CONSTRUCTION STANDARDS				
BY	LDR.	MGR.	DATE	REV.
KLS	B. MCMINN	R. SMITH	04/2010	9

LIGHTS ARCHITECTURAL ON 5" SQUARE BROWN PAINTED STEEL POLE DIRECT BURY

SH 1 OF 2

8030

APS ARIZONA PUBLIC SERVICE COMPANY T&D CONSTRUCTION STANDARDS

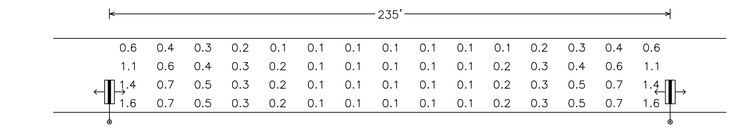
BY	LDR.	MGR.	DATE	REV.
KLS	B. MCMINN	R. SMITH	04/2010	9

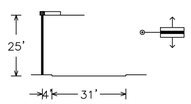
LIGHTS ARCHITECTURAL ON 5" SQUARE BROWN PAINTED STEEL POLE DIRECT BURY

SH 2 OF 2

8030

WORST CASE PHOTOMETRICS FOR MAX SPACING

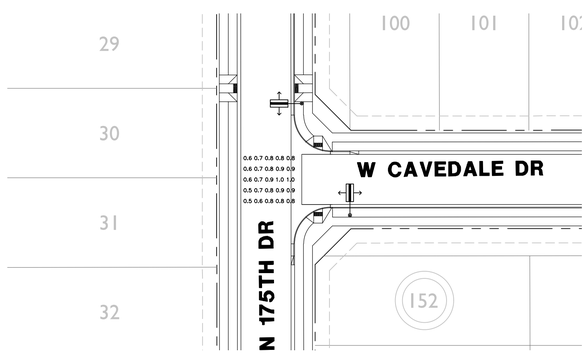




39W LED 4900 LUMEN 3000K
GE EVOLVE ERL1 TYPE B3
candela file 'ERL1_05B330_____-120-277V.IES'
1 lamp(s) per luminaire, photometry is absolute
Light Loss Factor = 0.900, watts per luminaire = 39
mounting height= 25 ft
number locations= 2, number luminaires= 2
kw all locations= 0.1

Roadway Grid
60 points at z=0, sp 15.667ft by 7.75ft
HORIZONTAL FOOTCANDLES

Average	0.4
Maximum	1.6
Minimum	0.1
Avg:Min	3.87
Max:Min	16.00
Coef Var	0.99
UnifGrad	2.29



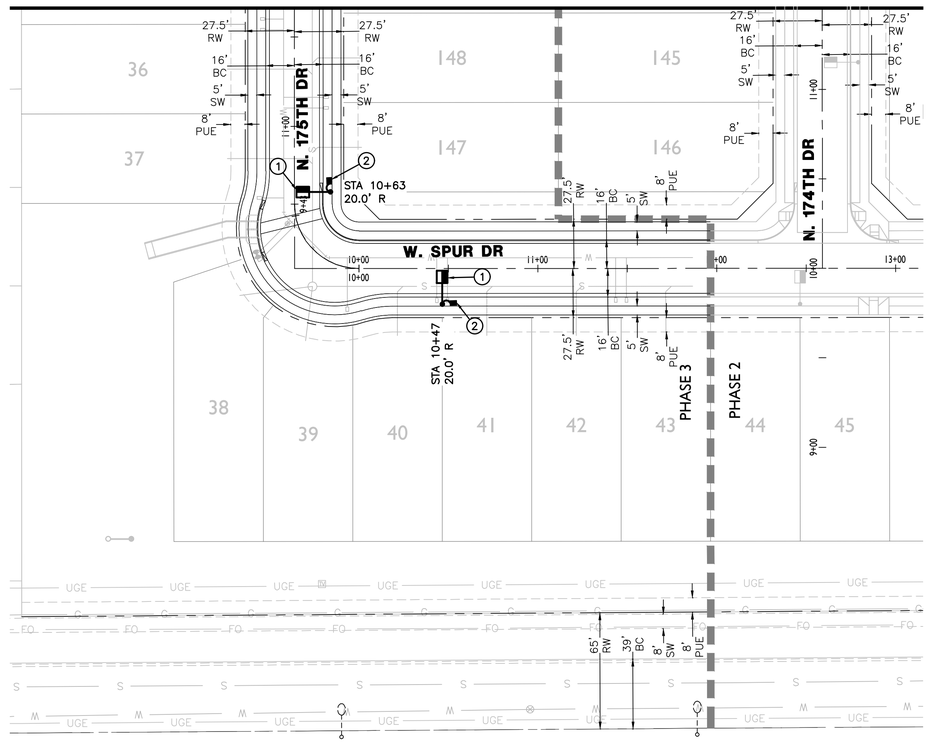
W CAVEDALE DR & N 175TH DR
25 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES

Average	0.8
Maximum	1.0
Minimum	0.5
Avg:Min	1.53
Max:Min	2.00
Coef Var	0.18
UnifGrad	1.40

LEGEND

- 39W (4900 LUMEN) LED STREET LIGHT
- STREET LIGHT PER ADJACENT PLANS. SHOWN FOR REFERENCE ONLY
- EXISTING STREET LIGHT
- PULL BOX
- NEW CONDUIT RUN
- FIRE HYDRANT

MATCHLINE "A" SEE SHEET SL2



CONSTRUCTION NOTES

(1) 39W LED (4,900 LUMEN) LUMINAIRE (GE CAT# ERL1005B330ADKBZRGX) WITH PHOTOELECTRIC CONTROL ON A 30'-6" DIRECT BURIED POLE (1940.30) WITH A 2' MAST ARM (S2) PER APS DETAIL 8030 (SEE SHEET SL3). INSTALL (2) #14 THHN/THWN FROM LUMINAIRE TO FUSE HOLDER IN POLE. ALL WIRING, FUSING, AND GROUNDING PER APS DETAILS AND SPECIFICATIONS.

(2) INSTALL APS PULL BOX NEXT TO POLE. INSTALL 1" CONDUIT WITH (2) #14 TYPE THHN/THWN AND (1) #14 BARE BOND FROM PULL BOX TO FUSE HOLDER IN STREET LIGHT PER APS DETAILS AND SPECIFICATIONS.

ROADWAY SCALEABLE LED 3000K

LIGHT CODE	COLOR	APN	WATTS	VOLTS	INITIAL LUMENS	CATALOG #
RL40	BRONZE	00140047	31	120/208/240/277	3,900	ERL1004A330ADKBZGRX
RL41		00140048	39	120/208/240/277	4,900	ERL1005B330ADKBZGRX
RL42		00140049	71	120/208/240/277	7,800	ERL1008B330ADKBZGRX
RL43		00140050	98	120/208/240/277	11,000	ERLH011B330ADKBZGRX
RL44		00140051	174	120/208/240/277	20,100	ERL2021C330ADKBZGR

NORTH

GRAPHIC SCALE

40 20 0 20 40 80

1 INCH = 40 FEET

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WRIGHT ENGINEERING PROJECT NO:
17396

DESIGN BY: BBS
DRAWN BY: BBS
CHECKED BY: AMB

WRIGHT engineering corporation
ELECTRICAL ENGINEERING AND DESIGN
165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

PROJECT: **CORTANA AT DESERT OASIS - PHASE 3 SURPRISE, ARIZONA**

TITLE: **STREET LIGHT DETAILS**

NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
1	FEB 2018	1ST SUBMITTAL
2	MAY 2018	2ND SUBMITTAL
3	JUN 2018	3RD SUBMITTAL

Registered Professional Engineer (Retired)
Certificate No.
46691
ADAM M. BOWERS
Date Signed
7-19-18
Expires 9-30-19

DRAWING NO:
SL3
OF 3

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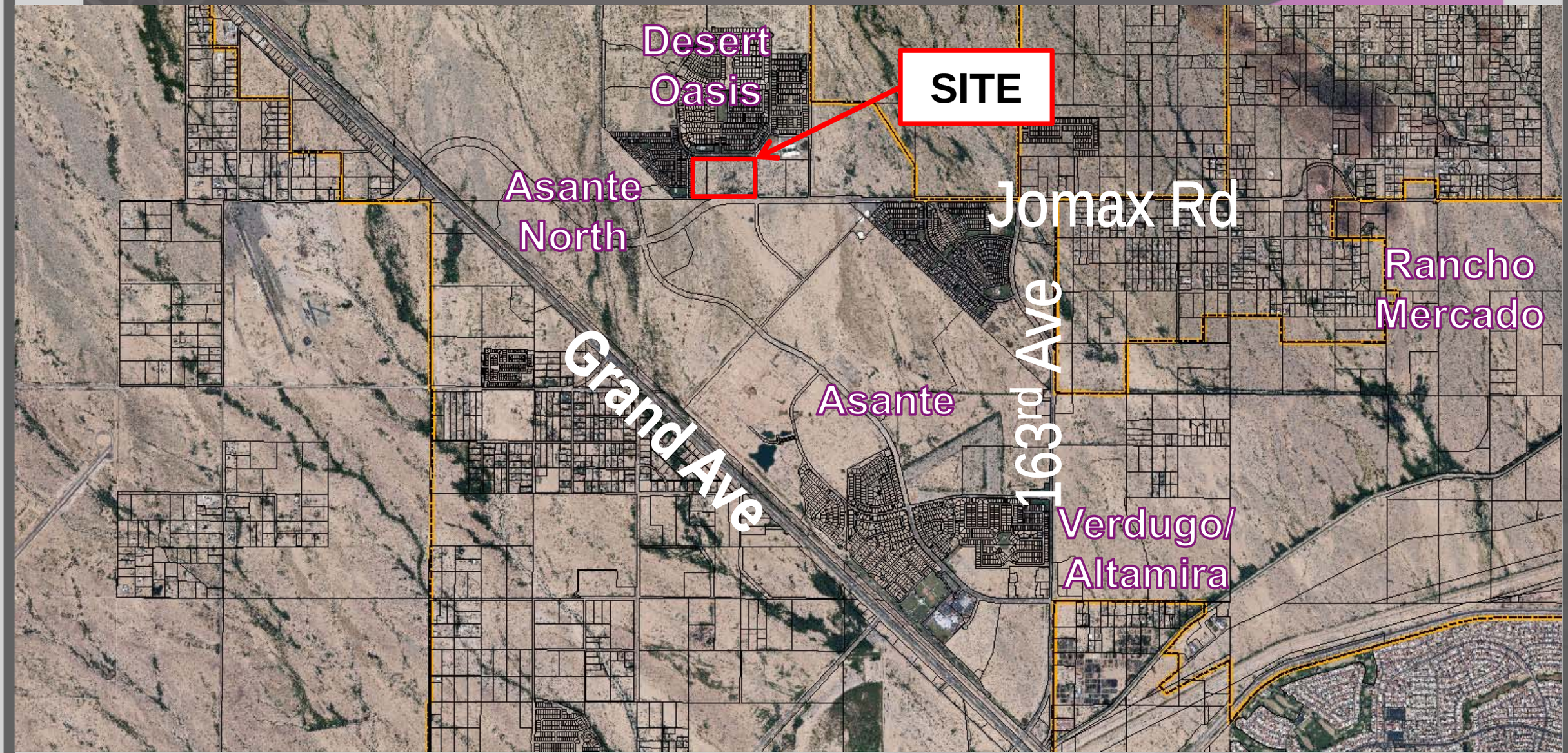
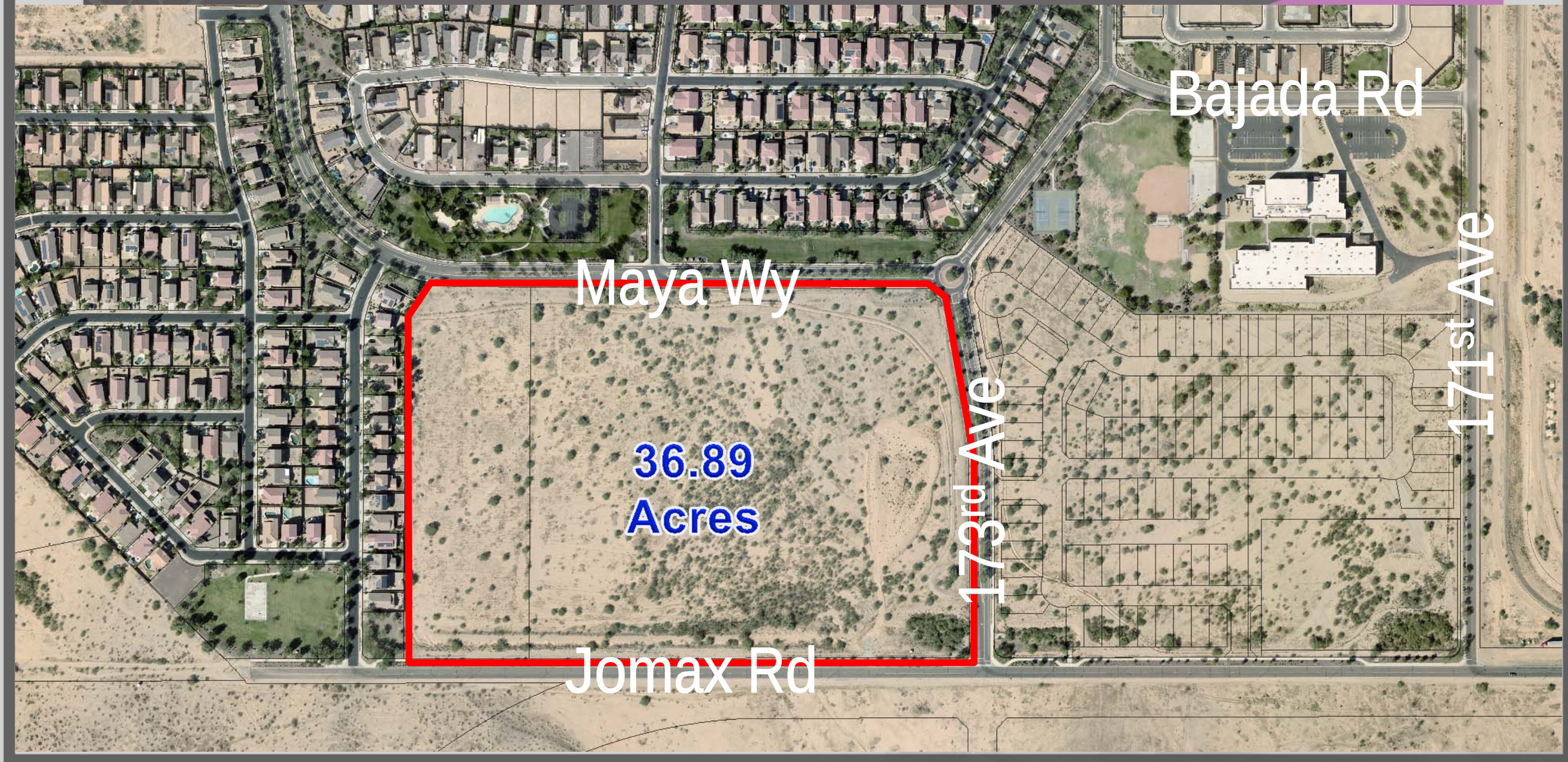
H:\2017\17396-Cortana SL\17396-Cortana-Phase 3 SL.dwg

VICINITY MAP



VICINITY MAP



SURPRISE
ARIZONA

Cortana at Desert Oasis

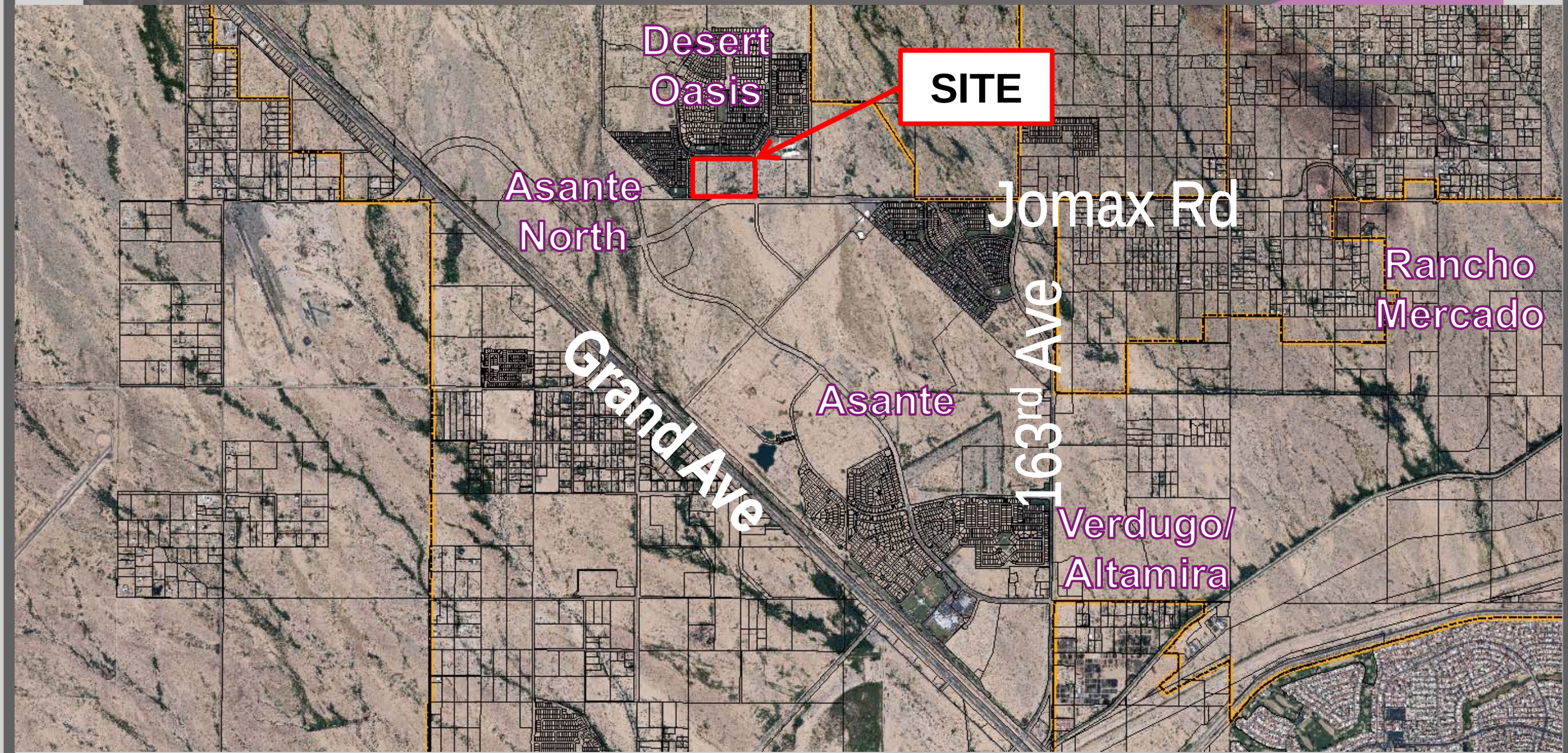
Final Plat

FS18-065

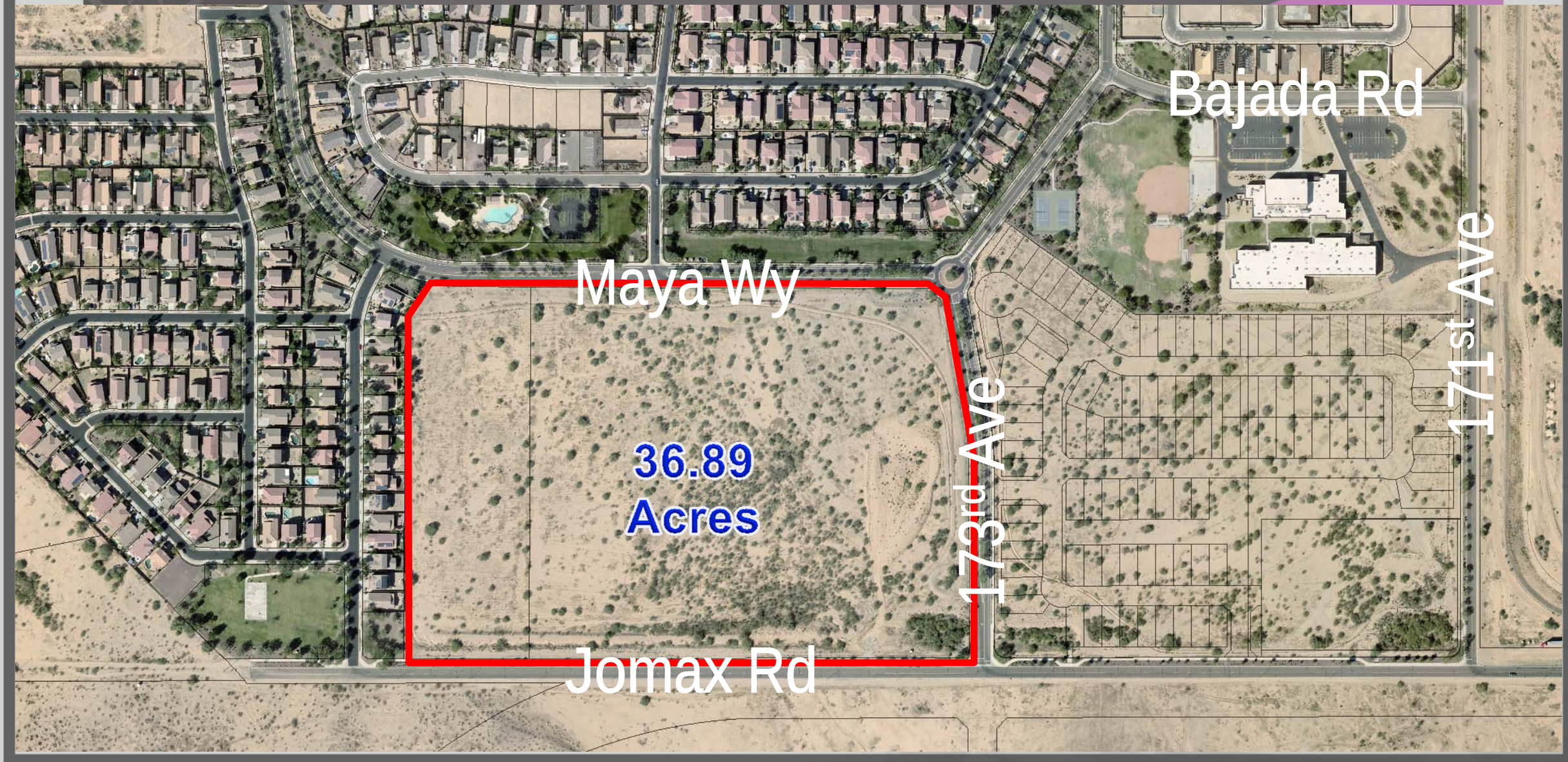
City Council

September 4, 2018

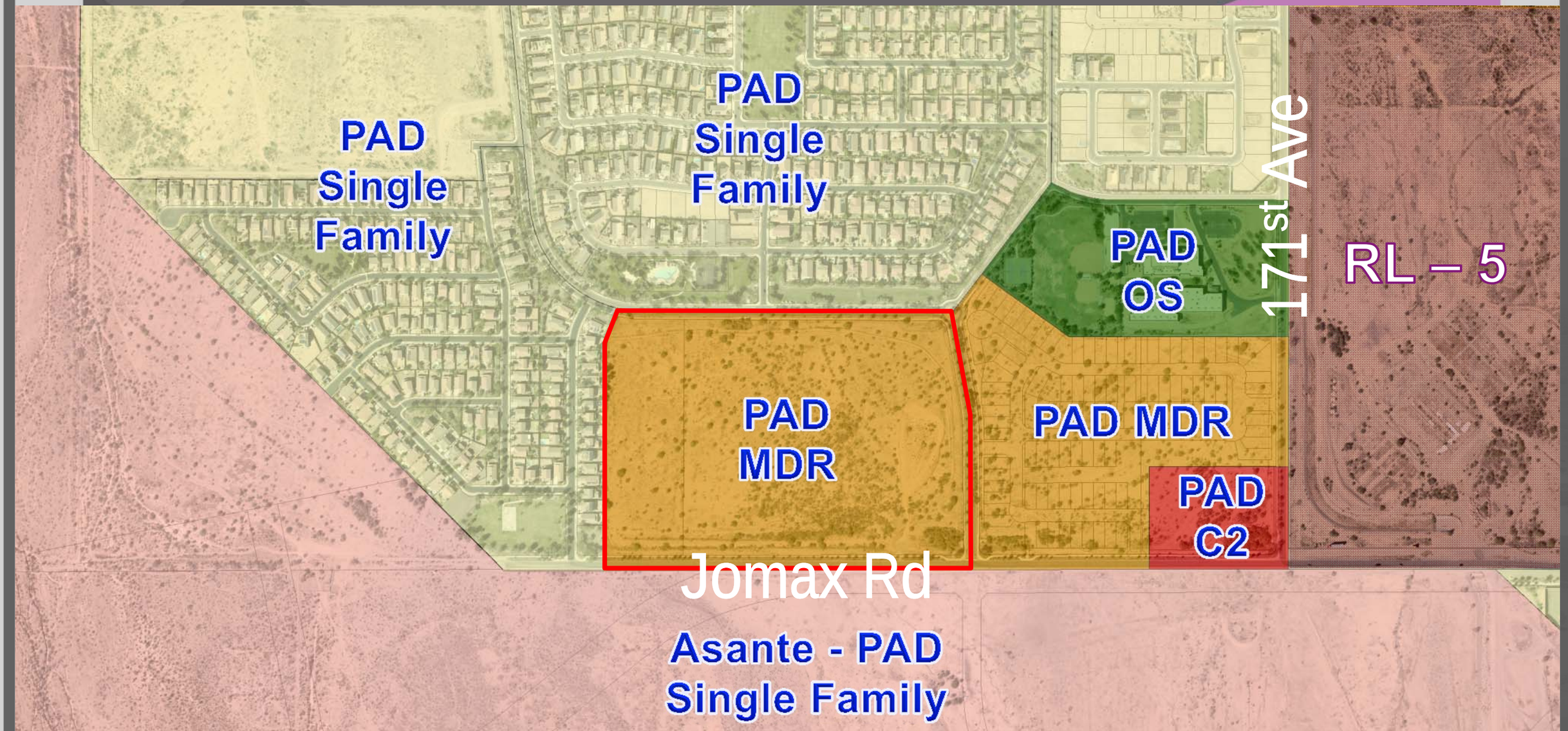
VICINITY MAP



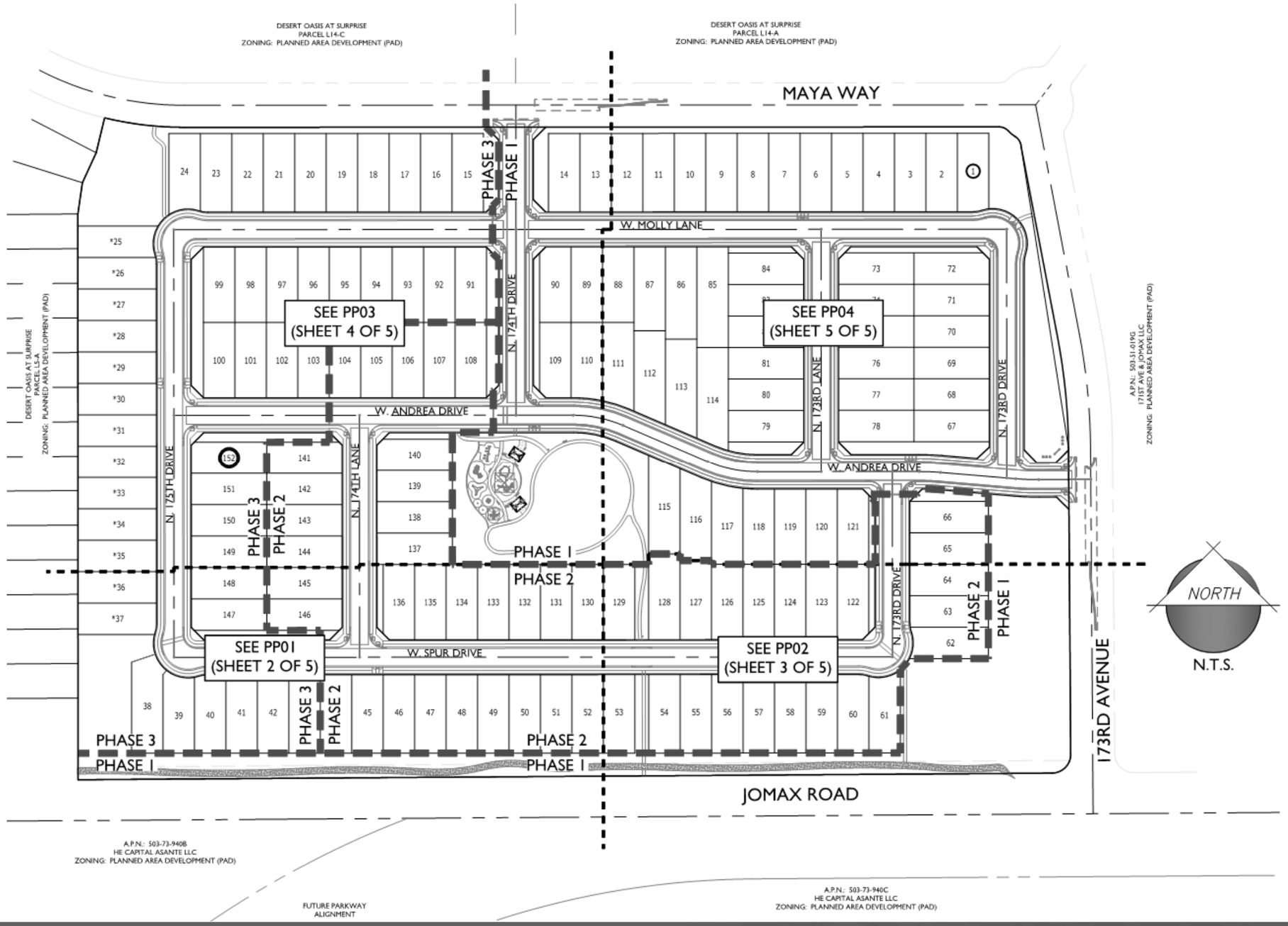
VICINITY MAP



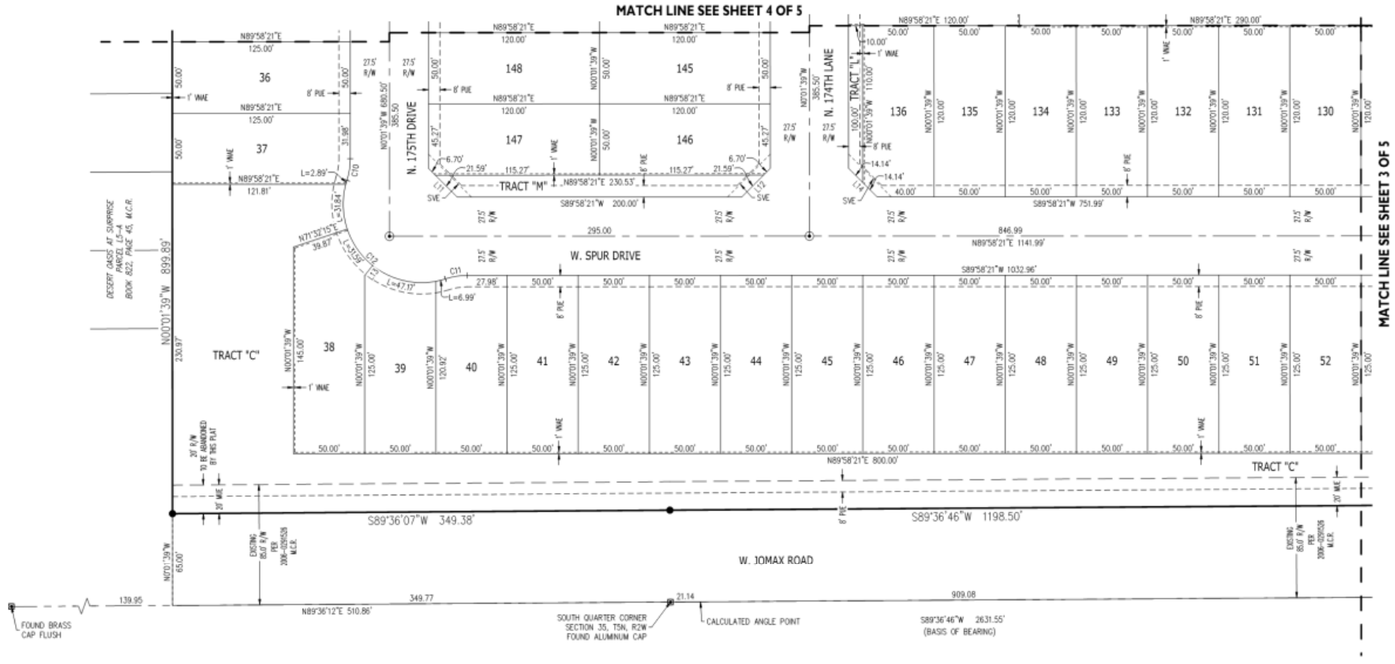
Surrounding Zoning

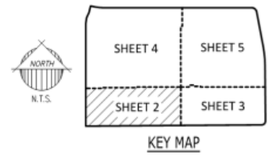


Final Plat


DESERT OASIS AT SURPRISE
PARCEL L14-C
ZONING: PLANNED AREA DEVELOPMENT (PAD)
DESERT OASIS AT SURPRISE
PARCEL L14-A
ZONING: PLANNED AREA DEVELOPMENT (PAD)
MAYA WAY
PHASE 3
PHASE 1
W. MOLLY LANE
N. 174TH DRIVE
SEE PP03
(SHEET 4 OF 5)
SEE PP04
(SHEET 5 OF 5)
N. 173RD LANE
N. 173RD DRIVE
W. ANDREA DRIVE
N. 175TH DRIVE
PHASE 3
PHASE 2
N. 174TH LANE
PHASE 1
PHASE 2
W. SPUR DRIVE
SEE PP01
(SHEET 2 OF 5)
SEE PP02
(SHEET 3 OF 5)
PHASE 3
PHASE 2
PHASE 1
PHASE 2
PHASE 1
173RD AVENUE
JOMAX ROAD
NORTH
N.T.S.
A.P.N.: 503-51-019G
17151 AVE & JOMAX LLC
ZONING: PLANNED AREA DEVELOPMENT (PAD)
A.P.N.: 503-73-940B
HE CAPITAL ASANTE LLC
ZONING: PLANNED AREA DEVELOPMENT (PAD)
FUTURE PARKWAY
ALIGNMENT
A.P.N.: 503-73-940C
HE CAPITAL ASANTE LLC
ZONING: PLANNED AREA DEVELOPMENT (PAD)

CORTANA AT DESERT OASIS





Final Plat

LINE TABLE		
LINE	BEARING	LENGTH
L1	N08°20'07"E	50.25'
L2	N24°39'23"E	52.34'
L3	N13°35'45"E	56.97'
L4	N45°01'39"W	28.28'
L5	N44°58'21"E	28.28'
L6	N44°58'21"E	28.28'
L7	N45°01'39"W	28.28'
L8	N44°58'21"E	28.28'
L9	N45°01'39"W	28.28'
L10	N44°58'21"E	28.28'
L11	N45°01'39"W	28.28'
L12	N44°58'21"E	28.28'
L13	N38°37'56"E	9.03'
L14	N45°01'39"W	28.28'
L15	N45°01'39"W	28.28'
L16	N44°58'21"E	28.28'
L17	N45°01'39"W	28.28'

LINE TABLE		
LINE	BEARING	LENGTH
L18	N44°58'21"E	28.28'
L19	N44°58'21"E	28.28'
L20	N45°01'39"W	28.28'
L21	N44°58'21"E	28.28'
L22	N45°01'39"W	28.28'
L23	N45°01'39"W	28.28'
L24	N44°58'21"E	28.28'
L25	N45°01'39"W	28.28'
L26	N45°24'31"W	28.28'
L27	N44°35'29"E	28.28'
L28	N44°12'30"W	28.69'
L29	N47°24'11"E	27.06'
L30	N45°01'14"E	28.26'
L31	N45°01'39"W	28.28'
L32	N44°58'21"E	28.28'
L33	N89°35'29"E	82.62'

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	127.21'	535.00'	13°37'24"	63.91'	126.91'	S83°12'57"E
C2	16.26'	20.00'	46°34'03"	8.61'	15.81'	N66°44'38"W
C3	14.58'	60.00'	13°55'31"	7.33'	14.55'	S50°25'22"E
C4	16.26'	20.00'	46°34'03"	8.61'	15.81'	N34°06'05"W
C5	175.32'	965.00'	10°24'33"	87.90'	175.07'	N05°36'48"W
C6	47.14'	30.00'	90°01'17"	30.01'	42.43'	N44°36'07"E
C7	120.48'	55.00'	125°30'20"	106.80'	97.79'	S44°58'21"W
C8	15.49'	50.00'	17°45'10"	7.81'	15.43'	N08°54'14"W
C9	15.49'	50.00'	17°45'10"	7.81'	15.43'	S81°09'04"E
C10	15.49'	50.00'	17°45'10"	7.81'	15.43'	N08°50'56"E
C11	15.49'	50.00'	17°45'10"	7.81'	15.43'	S81°05'46"W
C12	120.48'	55.00'	125°30'20"	106.80'	97.79'	S45°01'39"E
C13	70.08'	172.50'	23°16'41"	35.53'	69.60'	N78°23'19"W
C14	92.43'	227.50'	23°16'41"	46.86'	91.79'	N78°23'19"W
C15	81.26'	200.00'	23°16'41"	41.20'	80.70'	N78°23'19"W
C16	70.08'	172.50'	23°16'41"	35.53'	69.60'	S78°23'19"E

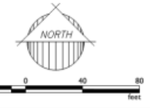
CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C17	81.26'	200.00'	23°16'41"	41.20'	80.70'	S78°23'19"E
C18	92.43'	227.50'	23°16'41"	46.86'	91.79'	S78°23'19"E
C19	15.49'	50.00'	17°45'10"	7.81'	15.43'	N81°05'46"E
C20	15.49'	50.00'	17°45'10"	7.81'	15.43'	S08°50'56"W
C21	120.48'	55.00'	125°30'20"	106.80'	97.79'	N45°01'39"W
C22	36.27'	427.50'	4°51'40"	18.15'	36.26'	N87°35'49"W
C23	26.60'	372.50'	4°05'31"	13.31'	26.60'	N87°12'45"W
C24	33.94'	400.00'	4°51'40"	16.98'	33.93'	N87°35'49"W
C25	39.11'	427.50'	5°14'32"	19.57'	39.10'	S87°47'15"E
C26	3.13'	372.50'	0°28'53"	1.56'	3.13'	N89°49'55"E
C27	36.60'	400.00'	5°14'32"	18.31'	36.59'	S87°47'15"E
C28	120.48'	55.00'	125°30'20"	106.80'	97.79'	N44°58'21"E
C29	15.49'	50.00'	17°45'10"	7.81'	15.43'	S08°54'14"E
C30	15.49'	50.00'	17°45'10"	7.81'	15.43'	N81°09'04"W
C31	181.67'	1000.00'	10°24'33"	91.09'	181.42'	N05°36'47"W
C32	238.33'	500.00'	27°18'38"	121.47'	236.08'	S76°22'21"E

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
Tract A	LANDSCAPE, OPEN SPACE, RETENTION	36,951	0.8483
Tract B	LANDSCAPE, OPEN SPACE, RETENTION	28,572	0.6559
Tract C	LANDSCAPE, OPEN SPACE, MULTI USE EASEMENT, RETENTION	153,669	3.5277
Tract D	LANDSCAPE, OPEN SPACE	4,899	0.1125
Tract E	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract F	LANDSCAPE, OPEN SPACE	1,050	0.0241
Tract G	LANDSCAPE, OPEN SPACE	2,163	0.0497
Tract H	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract I	LANDSCAPE, OPEN SPACE	4,261	0.0978
Tract J	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract K	LANDSCAPE, OPEN SPACE, RETENTION	67,811	1.5567
Tract L	LANDSCAPE, OPEN SPACE	1,050	0.0241
Tract M	LANDSCAPE, OPEN SPACE	3,286	0.0754
Tract N	LANDSCAPE, OPEN SPACE	3,279	0.0753
Tract O	LANDSCAPE, OPEN SPACE	4,261	0.0978

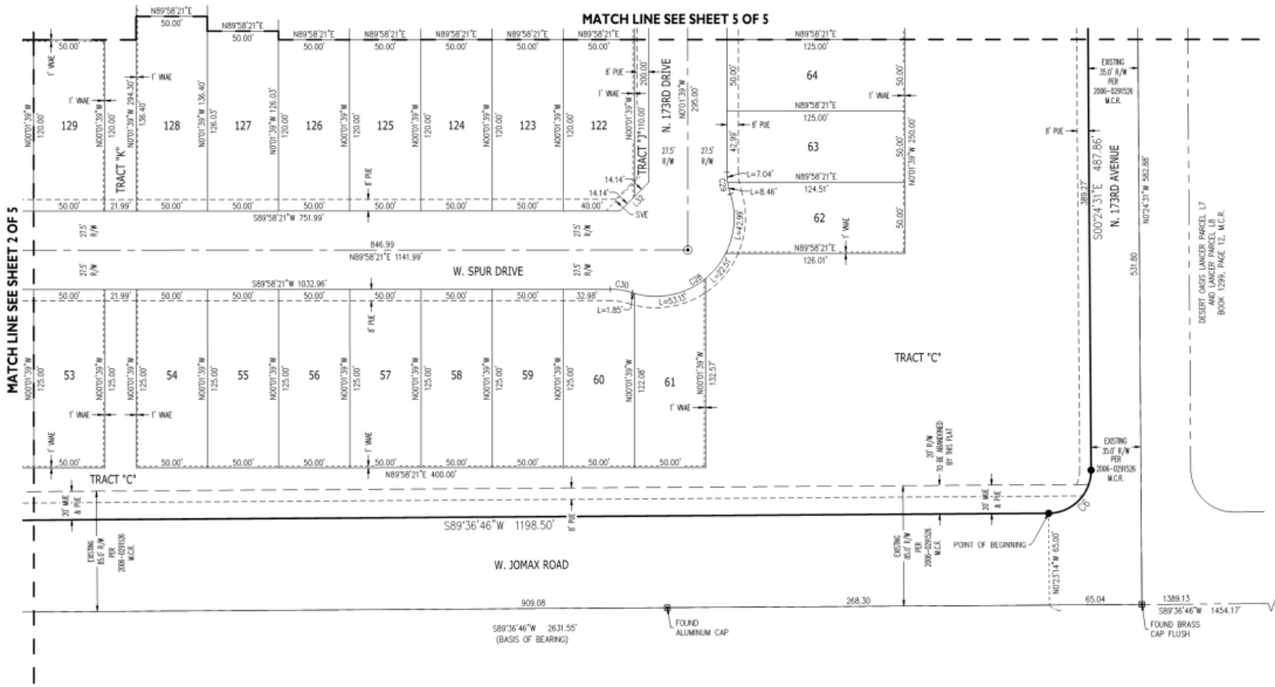
TOTAL LOT AREA	940,830 S.F.	21.5985 AC.
TOTAL TRACT AREA	317,552 S.F.	7.2900 AC.
RIGHT-OF-WAY	348,393 S.F.	7.9980 AC.
GROSS AREA	1,606,775 S.F.	36.8865 AC.

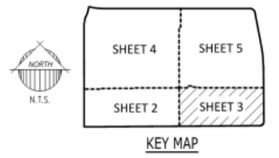
LEGEND

▣	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 53160"
⊡	SET PK NAIL WITH TAG "EPS GROUP RLS 53160"
⊙	BRASS CAP TO BE SET AT CONSTRUCTION
LS	LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
MUE	MULTI USE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
RLS	REGISTERED LAND SURVEYOR
R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT



CORTANA AT DESERT OASIS





Final Plat

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
1	6,197	0.1423
2	6,250	0.1435
3	6,250	0.1435
4	6,250	0.1435
5	6,250	0.1435
6	6,250	0.1435
7	6,250	0.1435
8	6,250	0.1435
9	6,250	0.1435
10	6,250	0.1435
11	6,250	0.1435
12	6,250	0.1435
13	6,250	0.1435
14	6,250	0.1435
15	6,250	0.1435
16	6,250	0.1435
17	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
18	6,250	0.1435
19	6,250	0.1435
20	6,250	0.1435
21	6,250	0.1435
22	6,250	0.1435
23	6,244	0.1433
24	6,112	0.1403
25	6,103	0.1401
26	6,246	0.1434
27	6,250	0.1435
28	6,250	0.1435
29	6,250	0.1435
30	6,250	0.1435
31	6,250	0.1435
32	6,250	0.1435
33	6,250	0.1435
34	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
35	6,250	0.1435
36	6,250	0.1435
37	6,230	0.1430
38	7,531	0.1729
39	6,182	0.1419
40	6,216	0.1427
41	6,250	0.1435
42	6,250	0.1435
43	6,250	0.1435
44	6,250	0.1435
45	6,250	0.1435
46	6,250	0.1435
47	6,250	0.1435
48	6,250	0.1435
49	6,250	0.1435
50	6,250	0.1435
51	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
52	6,250	0.1435
53	6,250	0.1435
54	6,250	0.1435
55	6,250	0.1435
56	6,250	0.1435
57	6,250	0.1435
58	6,250	0.1435
59	6,250	0.1435
60	6,233	0.1431
61	6,150	0.1412
62	6,094	0.1399
63	6,249	0.1435
64	6,250	0.1435
65	6,250	0.1435
66	6,250	0.1435
67	6,000	0.1377
68	6,000	0.1377

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
69	6,000	0.1377
70	6,000	0.1377
71	6,000	0.1377
72	5,950	0.1366
73	5,950	0.1366
74	6,000	0.1377
75	6,000	0.1377
76	6,000	0.1377
77	6,000	0.1377
78	6,000	0.1377
79	6,000	0.1377
80	6,000	0.1377
81	6,000	0.1377
82	6,000	0.1377
83	6,000	0.1377
84	5,950	0.1366
85	8,000	0.1837

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
86	7,333	0.1684
87	6,667	0.1530
88	6,000	0.1377
89	6,000	0.1377
90	5,950	0.1366
91	6,000	0.1377
92	6,000	0.1377
93	6,000	0.1377
94	6,000	0.1377
95	6,000	0.1377
96	6,000	0.1377
97	6,000	0.1377
98	6,000	0.1377
99	6,000	0.1377
100	6,000	0.1377
101	6,000	0.1377
102	6,000	0.1377

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
103	6,000	0.1377
104	6,000	0.1377
105	6,000	0.1377
106	6,000	0.1377
107	6,000	0.1377
108	6,000	0.1377
109	5,950	0.1366
110	6,074	0.1394
111	6,603	0.1516
112	6,939	0.1593
113	7,348	0.1687
114	7,744	0.1778
115	7,358	0.1689
116	6,805	0.1562
117	6,282	0.1442
118	6,009	0.1379
119	6,000	0.1377

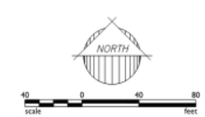
LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
120	6,000	0.1377
121	5,950	0.1366
122	5,950	0.1366
123	6,000	0.1377
124	6,000	0.1377
125	6,000	0.1377
126	6,000	0.1377
127	6,301	0.1447
128	6,820	0.1566
129	6,000	0.1377
130	6,000	0.1377
131	6,000	0.1377
132	6,000	0.1377
133	6,000	0.1377
134	6,000	0.1377
135	6,000	0.1377
136	5,950	0.1366

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
137	6,000	0.1377
138	6,000	0.1377
139	6,000	0.1377
140	5,955	0.1367
141	5,989	0.1375
142	6,000	0.1377
143	6,000	0.1377
144	6,000	0.1377
145	6,000	0.1377
146	5,989	0.1375
147	5,989	0.1375
148	6,000	0.1377
149	6,000	0.1377
150	6,000	0.1377
151	6,000	0.1377
152	5,989	0.1375

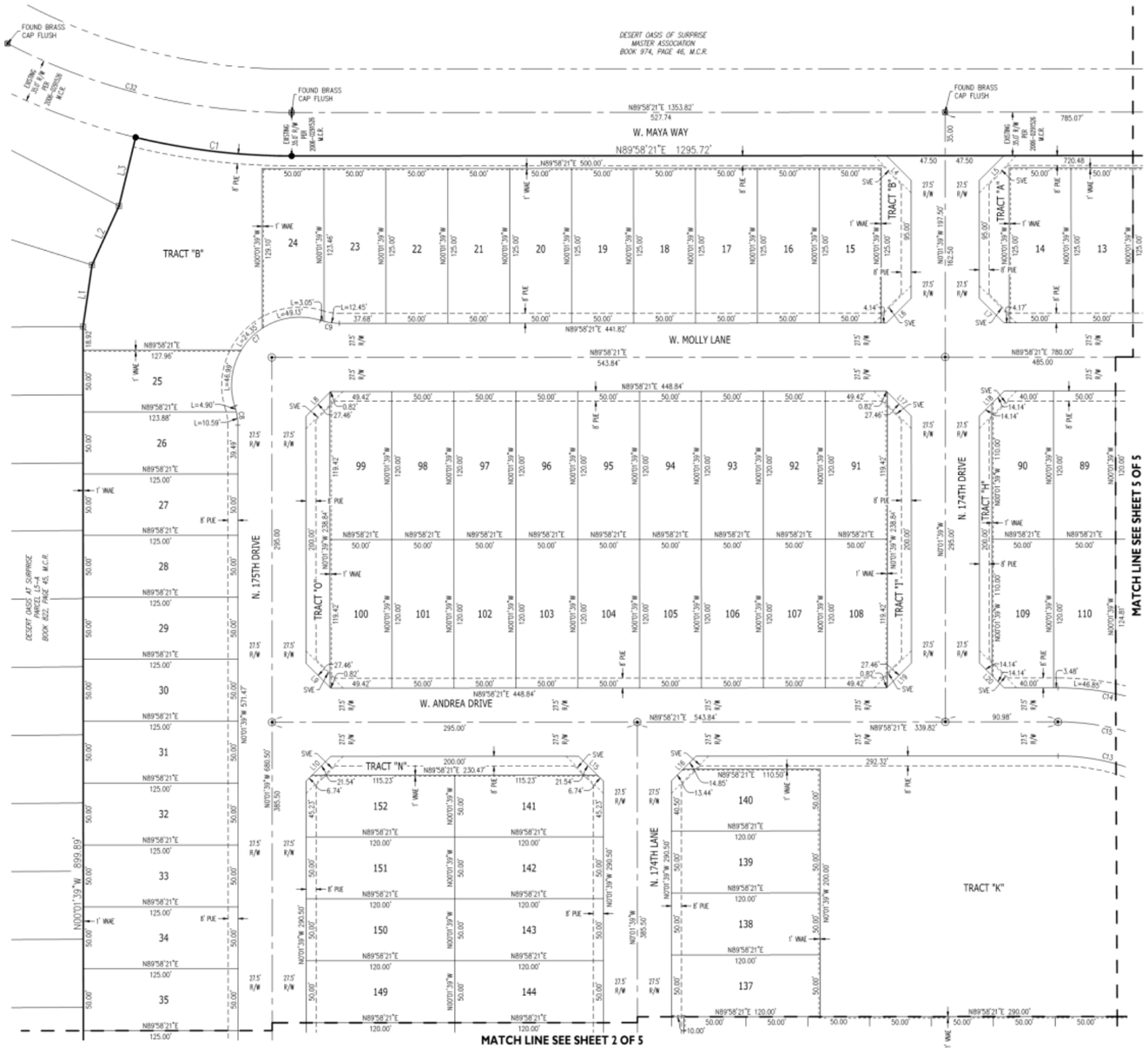
TOTAL LOT AREA	940,830 S.F.	21.5985 AC.
TOTAL TRACT AREA	317,552 S.F.	7.2900 AC.
RIGHT-OF-WAY	348,393 S.F.	7.9980 AC.
GROSS AREA	1,606,775 S.F.	36.8865 AC.

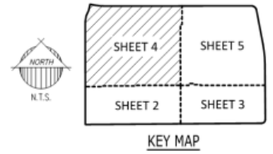
LEGEND

▣	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 53160"
⊠	SET PK NAIL WITH TAG "EPS GROUP RLS 53160"
⊙	BRASS CAP TO BE SET AT CONSTRUCTION
LS	LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
MUE	MULTI USE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
RLS	REGISTERED LAND SURVEYOR
R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT



CORTANA AT DESERT OASIS

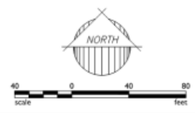




KEY MAP

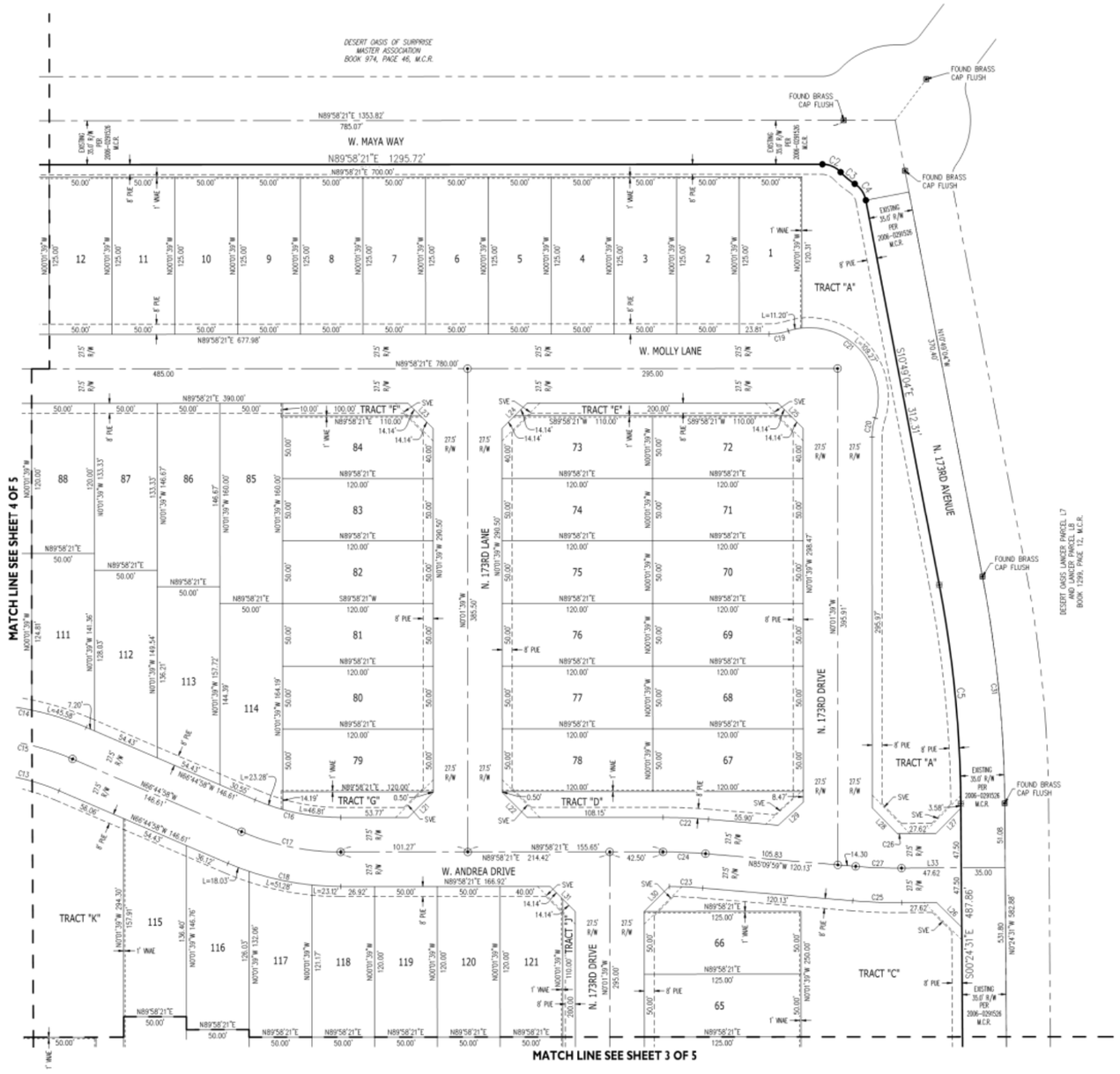
LEGEND

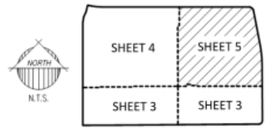
▣	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 53160"
▣	SET PK NAIL WITH TAG "EPS GROUP RLS 53160"
⊙	BRASS CAP TO BE SET AT CONSTRUCTION
LS	LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
MUE	MULTI USE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
RLS	REGISTERED LAND SURVEYOR
R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT



Final Plat

CORTANA AT DESERT OASIS





KEY MAP

LEGEND

⊕	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 53160"
⊛	SET PK NAIL WITH TAG "EPS GROUP RLS 53160"
⊙	BRASS CAP TO BE SET AT CONSTRUCTION
L.S.	LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
MUE	MULTI USE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
RLS	REGISTERED LAND SURVEYOR
R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT

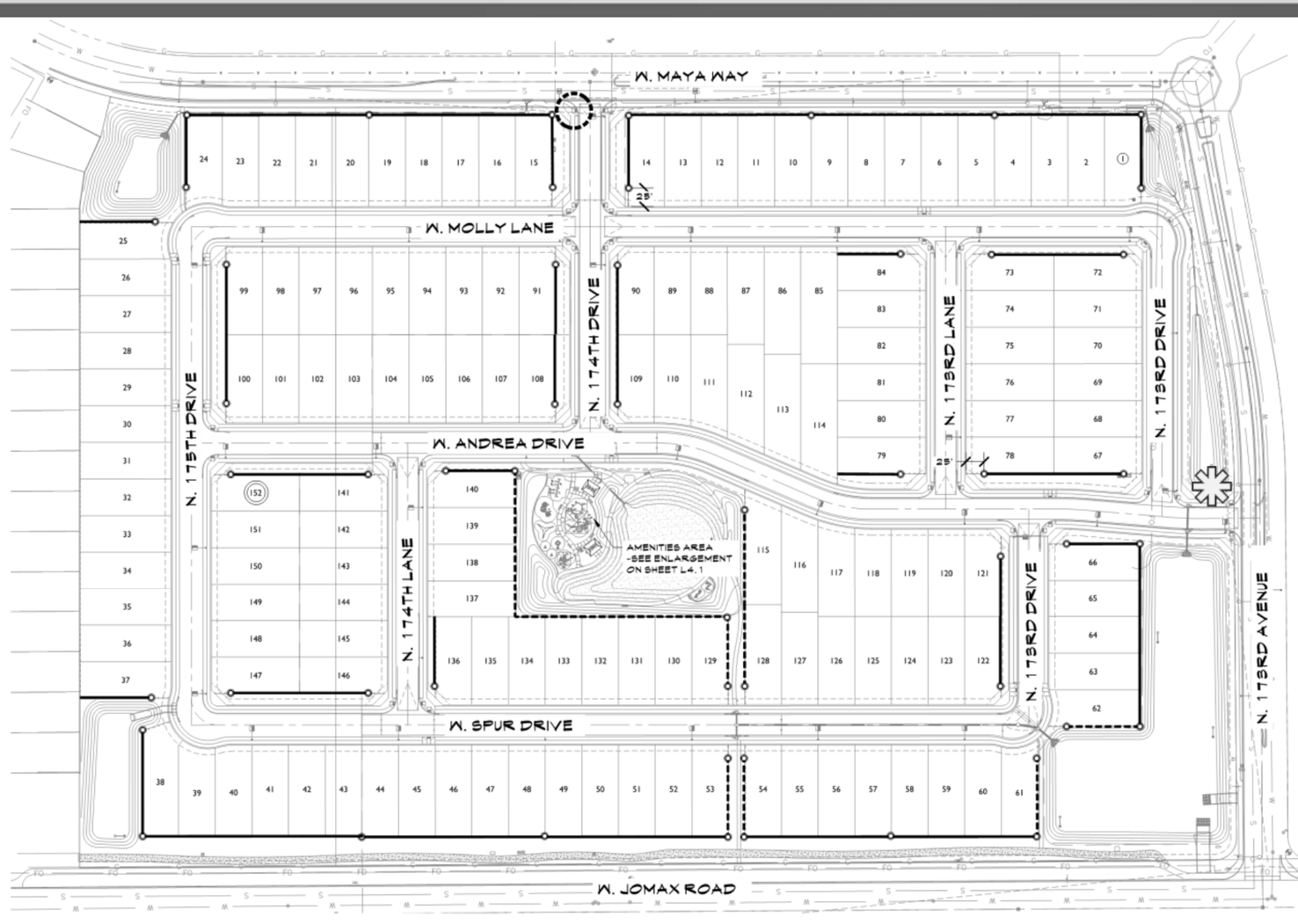
Final Plat

PLANT LEGEND

SYMBOL	BOTANICAL NAME - COMMON NAME	QTY.	SIZE	COMMENTS
TREES				
	ACACIA ANEURA/ MULGA TREE	50	24" BOX	STANDARD
	ACACIA SALICINA/ WILLOW ACACIA	43	24" BOX	STANDARD
	CHILOPSIS LINEARIS/ DESERT WILLOW	43	24" BOX	STANDARD
	PARKINSONIA HYBRID 'AZT'/ 'AZT' THORNLESS PALO VERDE	58	24" BOX	STANDARD
	PISTACIA LENTISCUS/ MASTIC TREE	54	24" BOX	STANDARD
	PROSOPIS HYBRID 'RIO SALADO' 'RIO SALADO' MESQUITE	65	24" BOX	STANDARD
	QUERCUS VIRGINIANA 'HERITAGE'/ 'HERITAGE' LIVE OAK	93	24" BOX	STNADARD
	* DENOTES APPROVED STREET TREE			
SHRUBS				
	CAESALPINIA PULCHERRIMA/ RED BIRD OF PARADISE	94	5 GAL	FULL CAN
	CALLIANDRA CALIFORNICA/ BAJA FAIRY DUSTER	89	5 GAL	FULL CAN
	LEUCOPHYLLUM sp. 'HEAVENLY CLOUD'/ 'HEAVENLY CLOUD' SAGE	122	5 GAL	FULL CAN
	LEUCOPHYLLUM sp. 'LYNN'S LEGACY'/ 'LYNN'S LEGACY' SAGE	109	5 GAL	FULL CAN
	RUELLIA PENINSULARIS/ BAJA RUELLIA	56	5 GAL	FULL CAN
	TECOMA sp. 'BELLS OF FIRE'/ BELLS OF FIRE	95	5 GAL	FULL CAN
	TECOMA sp. 'LYDIA'/ 'LYDIA' YELLOW BELLS	108	5 GAL	FULL CAN
	TECOMARIA CAPENSIS/ CAPE HONEYSUCKLE	85	5 GAL	FULL CAN
	XYLOSMA sp. 'COMPACTA'/ COMPACT XYLOSMA	75	5 GAL	FULL CAN
ACCENTS				
	AGAVE SHARKSKIN/ SHARKSKIN AGAVE	161	5 GAL	FULL CAN
	HESPERALOE FUNIFERA/ GIANT HESPERALOE	130	5 GAL	FULL CAN
	HESPERALOE PARVIFOLIA/ RED YUCCA	215	5 GAL	FULL CAN
	MUHLENBERGIA CAPILLARIS/ PINK MUHLY GRASS	145	5 GAL	FULL CAN
	MUHLENBERGIA RIGENS/ DEER GRASS	111	5 GAL	FULL CAN
GROUNDCOVERS				
	EREMOPHILA HYGROPHANA/ 'BLUE BELLS' EMU	171	5 GAL	FULL CAN
	EREMOPHILA PROSTRATA/ 'OUTBACK SUNRISE' EMU	149	5 GAL	FULL CAN
	LANTANA sp. 'NEW GOLD'/ 'NEW GOLD' LANTANA	169	5 GAL	FULL CAN
	LANTANA sp. 'NEW RED'/ 'NEW RED' LANTANA	223	5 GAL	FULL CAN
EXISTING MATERIAL				
	EXISTING TREE	76		
	DECOMPOSED GRANITE SANTA FE GOLD, 2" MIN. DEPTH COVERAGE REQUIRED.	274,245 SQ.FT		
	TURF 'MIDIRON' HYBRID BERMUDA SOD	25,270 SQ.FT		

Open Space

Wall Plan



WALL LEGEND

- PRIMARY THEME WALL - APPROX. 5,355 LN.FT.
- PARTIAL VIEW WALL - APPROXIMATELY 1,250 LN.FT.
- PRIMARY THEME COLUMN - QTY. 55
- PRIMARY SIGN MONUMENT
- SECONDARY SIGN MONUMENT

NOTES:

1. ALL FOOTINGS, WALLS AND THEME COLUMNS TO BE LOCATED OUTSIDE OF THE P.U.E., R.O.W. AND SITE VISIBILITY TRIANGLE EASEMENTS.
2. THEME COLUMNS/WALL ENDS ARE TO BE 25'-0" OFF THE BACK OF THE ROW. SOME THEME COLUMNS MAY HAVE TO BE LOCATED 30'-0" OFF THE BACK OF THE ROW WHERE SITE VISIBILITY TRIANGLE EASEMENTS ARE PRESENT. CONTRACTOR TO INSTALL 6"X6" CONCRETE HEADER FROM THE FRONT OF THE COLUMN TO THE BACK OF THE SIDEWALK.
3. SEE CIVIL PLANS FOR RETAINING WALL LOCATIONS.
4. CONTRACTOR TO USE FINAL PLAT TO VERIFY ALL QUANTITIES.

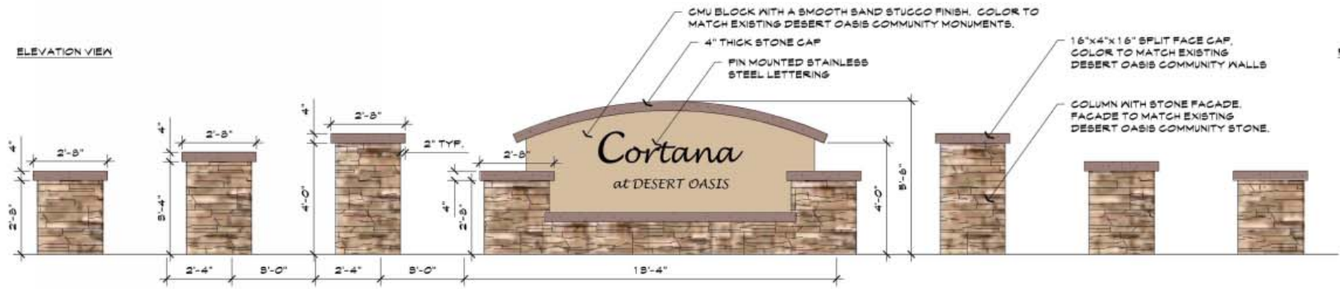
SCALE: 1"=70'-0"

0' 70' 140' 210'

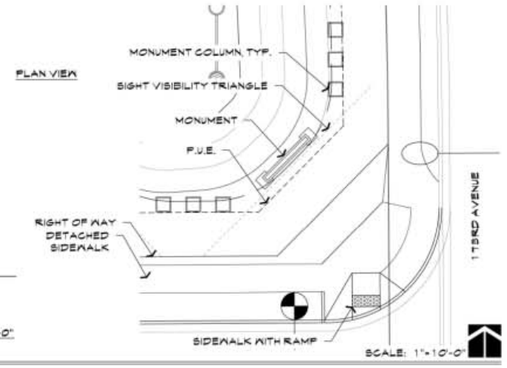
NORTH

Wall Plan

ELEVATION VIEW



PLAN VIEW



SCALE: 1/2"=1'-0"

SCALE: 1"=10'-0"

A PRIMARY ENTRY MONUMENT

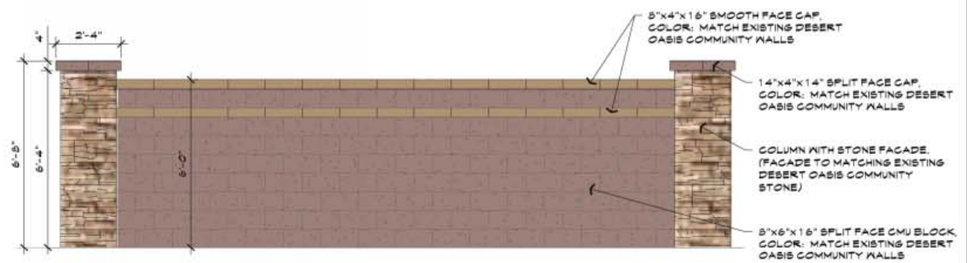
ELEVATION VIEW

PLAN VIEW

B SECONDARY ENTRY MONUMENT

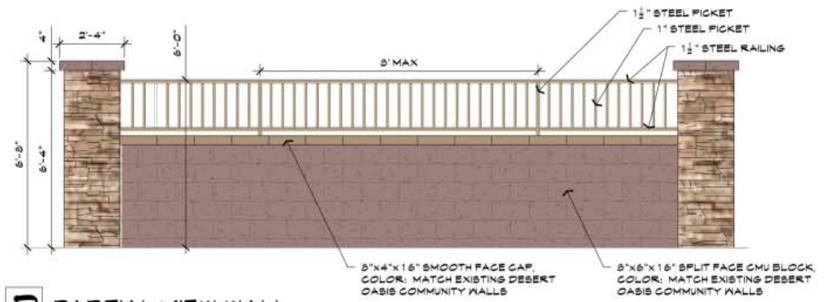
SCALE: 1/2"=1'-0"

SCALE: 1"=10'-0"



C PRIMARY THEME WALL & COLUMN

SCALE: 1/2"=1'-0"



D PARTIAL VIEW WALL

SCALE: 1/2"=1'-0"

The McGough Group

CORTANA

MONUMENT & WALL DETAILS

SHEET: PL4

SURPRISE, AZ

JANUARY 24, 2017

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

RESOLUTION #2018-139

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A FINAL PLAT ENTITLED "CORTANA AT DESERT OASIS AT SURPRISE," GENERALLY LOCATED AT THE NORTHWEST CORNER OF JOMAX ROAD AND 173RD AVENUE.

WHEREAS, on September 14, 2000, the Mayor and City Council approved the Desert Oasis Planned Area Development; and,

WHEREAS, the proposed Final Plat for "Cortana at Desert Oasis at Surprise" is consistent with the approved Preliminary Plat and is in compliance with the Surprise Municipal Code and Surprise General Plan.

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

Section 1. The Final Plat for Cortana at Desert Oasis at Surprise, dated July 10, 2018, is approved, subject to the following conditions:

A. Prior to the final civil infrastructure improvements being accepted by the City, the Developer will provide a cash-in-lieu payment, per the City approved engineer's estimate, of their proportional share for the construction of roadway improvement associated with the 163rd Avenue project.
B. Prior to the final civil infrastructure improvements being accepted by the City, the Developer will provide a cash-in-lieu payment, per a City reviewed and approved engineer's estimate, for the raised median and landscape on Jomax Road along the project frontage.
C. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

APPROVED AND ADOPTED this_____day of _____2018.

[SIGNATURES APPEAR ON NEXT PAGE]

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Shirley Phan - Community Development
Submitting Department:	CD	District:	1
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "223rd Avenue & Adobe Lots" dated June 13, 2018, a 10 acre property generally located north of Deer Valley Road and east of 223rd Avenue.

Motion:

I move to approve the Final Plat entitled, " 223rd Avenue & Adobe Lots" date June 13, 2018.

Background:

On June 8, 1989 the Mayor and City Council approved Ordinance #89-05 approving the annexation of the subject property. Erik Hillstrom submitted a request for a Final Plat of a 10 acre (approx.) parcel.

Objective Analysis:

This Final Plat will split the 10 acre parcel into 5 lots; Lot 1 (5.14 acre), Lot 2 (1.38 acre), Lot 3 (1.09 acres), Lot 4 (1.09 acres), and Lot 5 (1.28 acres) in the RR (Residential Ranch) zoning district.

Policy Compliant:

This proposal Final Plat is consistent with the Surprise General Plan 2035 and the Surprise Municipal Code.

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:

None.

FTE Impact:

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

ATTACHMENTS:

Click to download

- [ ] 00 - FS18-139 223rd & Adobe Final Plat - Staff Report
- [ ] 02 - FS18-139 223rd & Adobe Final Plat
- [ ] FS18-139 223rd & Adobe Final Plat - Presentation
- [ ] Vicinity Map

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-139**
Project Name:	223rd & Adobe Final Plat
Council District:	1-Acacia
City Council Date:	**September 4, 2018**
Planner:	Shirley Phan
Owner:	Erik Hillstrom
Applicant:	Erik Hillstrom
Request:	Final Plat to subdivide a 10 acre (approx.) parcel into five (5) parcels; Lot 1 (5.14 acre), Lot 2 (1.38 acre), Lot 3 (1.09 acres), Lot 4 (1.09 acres), and Lot 5 (1.28 acres) in the RR (Residential Ranch) zoning district.
Site Location:	Generally north of Deer Valley Road and East of 223rd Avenue
Site Size:	10 acres (approx.)
Density:	0-1 DU/AC
General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035
Support/Opposition:	None known
Findings:	• The proposed Final Plat is consistent with the Surprise General Plan 2035. • The proposed Final Plat is consistent with the Surprise Municipal Code.
Alternative Actions:	**Approval** of the requested Final Plat to subdivide a 10 acre parcel into 5 lots. **Denial** of the requested Final Plat to subdivide a 10 acre parcel into 5 lots.

PROJECT DESCRIPTION:

On June 8, 1989 the Mayor and City Council approved Ordinance #89-05 approving the annexation of the subject property.

The applicant is requesting a final Plat to subdivide a 10 acre (approx.) parcel into five (5) parcels; Lot 1 (5.14 acre), Lot 2 (1.38 acre), Lot 3 (1.09 acres), Lot 4 (1.09 acres), and Lot 5 (1.28 acres) in the RR (Residential Ranch) zoning district. The 10 acre parcel is currently vacant land. The applicant plans to begin development soon after this final plat is approved.

Attachments:

01 Vicinity Map
02 Final Plat

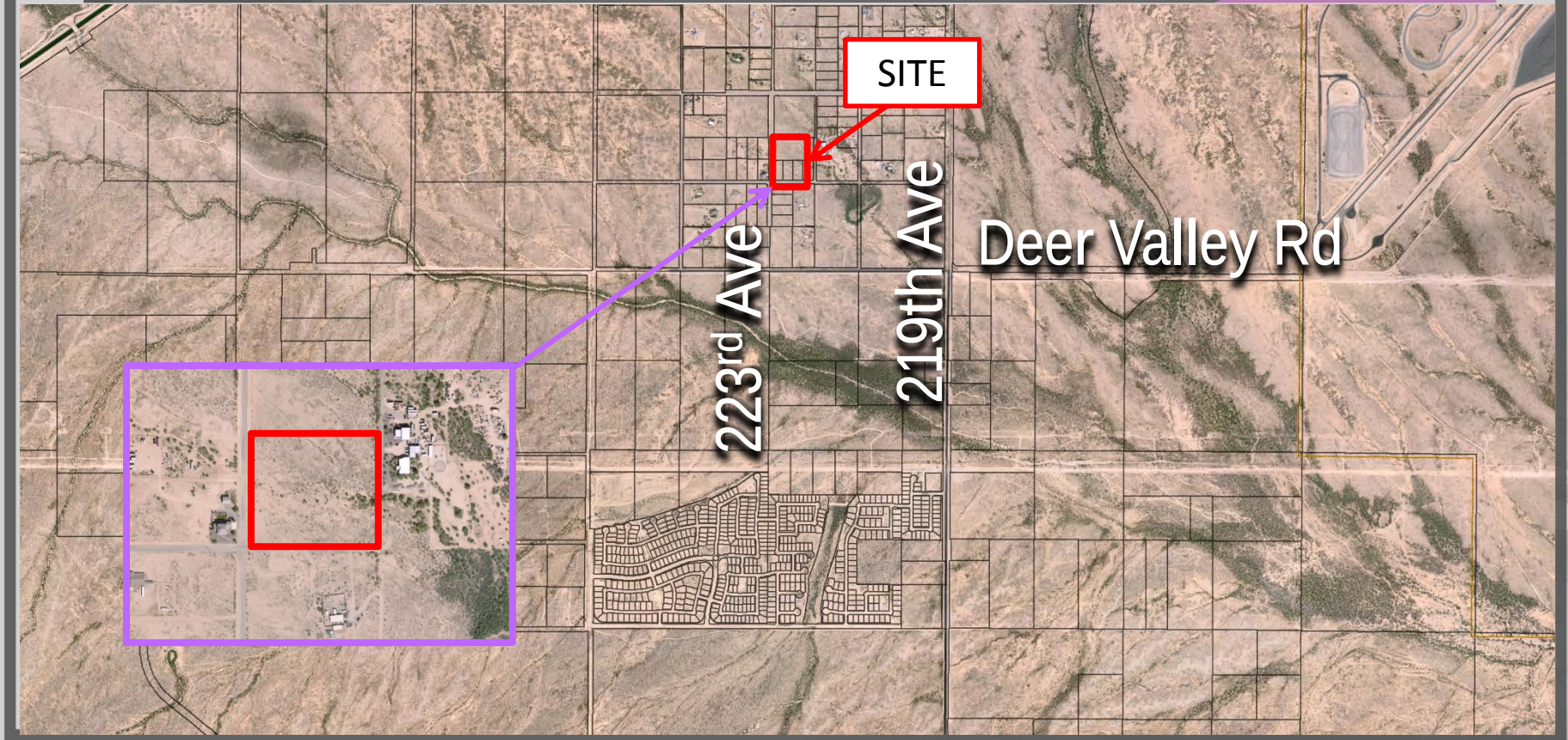
SURPRISE
ARIZONA

FS18-139
223rd & Adobe Final Plat

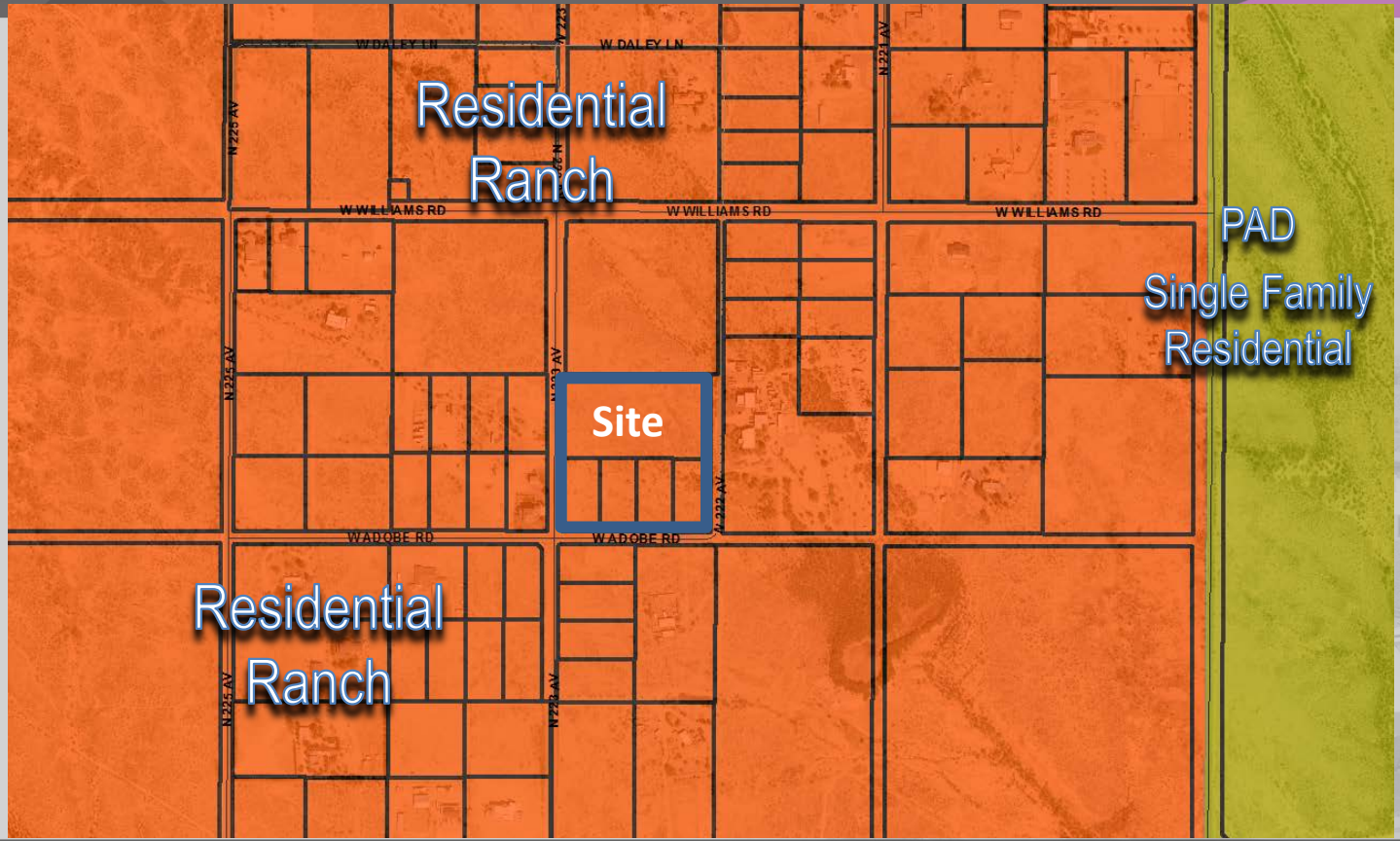
City Council

September 4, 2018

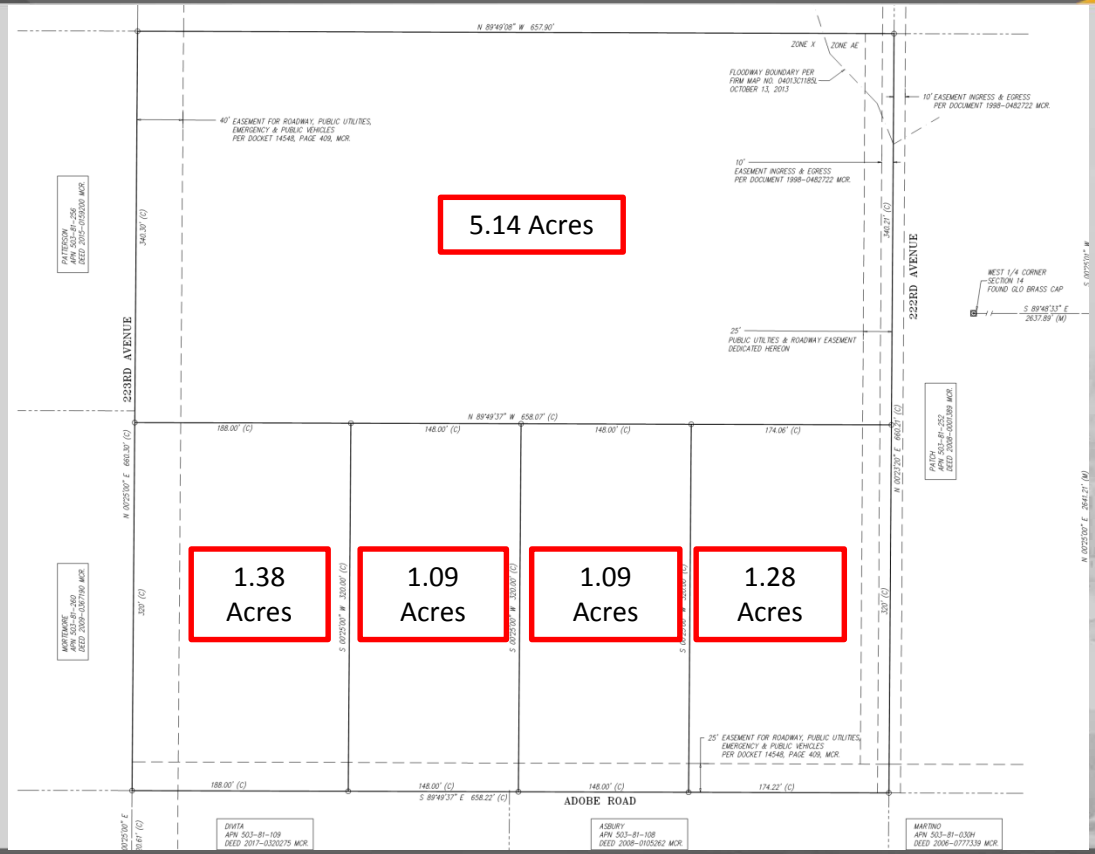
Vicinity MAP



SURROUNDING ZONING



Final Plat



5.14 Acres
1.38 Acres
1.09 Acres
1.09 Acres
1.28 Acres
223RD AVENUE
222RD AVENUE
ADOBE ROAD
N 89°49'08" W 657.90'
N 89°49'37" W 658.07' (C)
S 89°49'37" E 658.22' (C)
ZONE X
ZONE AE
FLOODWAY BOUNDARY PER FIRM MAP NO. 04013C1185L OCTOBER 13, 2013
10' EASEMENT INGRESS & EGRESS PER DOCUMENT 1998-0482722 MCR.
40' EASEMENT FOR ROADWAY, PUBLIC UTILITIES, EMERGENCY & PUBLIC VEHICLES PER DOCKET 14548, PAGE 409, MCR.
25' PUBLIC UTILITIES & ROADWAY EASEMENT DEDICATED HEREON
25' EASEMENT FOR ROADWAY, PUBLIC UTILITIES, EMERGENCY & PUBLIC VEHICLES PER DOCKET 14548, PAGE 409, MCR.
WEST 1/4 CORNER SECTION 14 FOUND GLO BRASS CAP
S 89°48'33" E 2637.89' (M)
PATERSON APN 503-81-256 DEED 2015-0159200 MCR.
MORTEMORE APN 503-81-260 DEED 2009-0367190 MCR.
PATCH APN 503-81-252 DEED 2008-0001389 MCR.
DIVITA APN 503-81-109 DEED 2017-0320275 MCR.
ASBURY APN 503-81-108 DEED 2008-0105262 MCR.
MARTINO APN 503-81-030H DEED 2006-0777339 MCR.
188.00' (C)
148.00' (C)
148.00' (C)
174.06' (C)
174.22' (C)
340.30' (C)
340.21' (C)
320' (C)
N 00°25'00" E 660.30' (C)
N 00°25'00" E 660.21' (C)
N 00°25'00" E 2641.21' (M)
S 00°25'00" W 320.00' (C)

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	6
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 4" dated June 21, 2018, a property generally located north of the Old Oak Lane alignment and east of the 145th Avenue alignment in Marley Park.

Motion:

I move to approve the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 4" dated June 21, 2018.

Background:

Mike Gleason of Entellus, on behalf of Meritage Homes, requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 81 single-family residential lots, in addition to approximately 2.7 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

Objective Analysis:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC;

however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. Luke AFB did not offer comment with respect to the subject Final Plat; however, at 4.11 DU/Ac, the subject Final Plat does not meet the GDC.

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 - Homestead at Marley Park Parcel 4 Final Plat - Staff Report
- 01 - Homestead at Marley Park Parcel 4 Final Plat - Case Map
- 02 - Homestead at Marley Park Parcel 4 Final Plat
- 03 - Homestead at Marley Park Parcel 4 Final Plat - Presentation

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-177**
Project Name:	Homestead at Marley Park Parcel 4 Final Plat
Council District:	6 – Palo Verde
Meeting Date:	**September 04, 2018**
Planner:	Robert H. Kuhfuss, AICP

Owner:	Meritage Homes
Applicant:	Mike Gleason, Entellus, Inc.
Request:	81-Lot, 10-Tract Final Plat in the PAD Zoning District (Marley Park)
Site Location:	Generally north of the Old Oak Lane alignment and east of the 145th Avenue alignment in Marley Park
Site Size:	19.69 gross acres (approx.)
Density:	4.11 DU/Ac
General Plan Conformance:	The proposal advances the goals of the Surprise General Plan 2035
Support/Opposition:	None known.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat 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 Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Project Description:

Mike Gleason of Entellus, on behalf of Meritage Homes, requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 81 single-family residential lots, in addition to approximately 2.7 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

BACKGROUND:

October 25, 2000: The City Council approved the original Marley Park PAD under case PAD00-091.

September 26, 2002: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of adding land mass to the PAD under case PADA02-104.

March 23, 2006: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of addressing densities in the eastern portion of Marley Park.

March 12, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 9 under case FS18-135, which is discussed under separate cover.

March 20, 2018: The City Council approved the Preliminary Plat for Marley Park Phase 4 & 5 under case FS17-508. The City Council also approved three (3) related Maps-of-Dedication (MOD) this date. Said MODs were for Sweetwater Avenue, 144th Drive, and Old Oak Lane under cases FS17-584, FS17-601, and FS17-618, respectively.

March 26, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 8 under case FS18-162, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 4 under case FS18-177, the subject case.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 3 under case FS18-178, which is discussed under separate cover.

April 5, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 1A and 1B under case FS18-181, which is discussed under separate cover.

April 10, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 7 under case FS18-190, which is discussed under separate cover.

April 18, 2018: The applicant filed a request for a Final Plat and Landscape Plan Review for Marley Park Phase 4 & 5, Park "B" under case FS18-209, which is still under review.

April 23, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 6 under case FS18-214, which is discussed under separate cover.

May 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 5 under case FS18-245, which is discussed under separate cover.

June 5, 2018: The City Council approved a Final Plat for the Homestead and Marley Park Model Complex and Park "A" under FS18-103.

Citizen Outreach:

N/A

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC; however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. Luke AFB did not offer comment with respect to the subject Final Plat; however, at 4.11 DU/Ac, the subject Final Plat does not meet the GDC.

Reviewing Agencies:

All city reviewing departments have reviewed the request and expressed no objections to the request. The subject Final Plat was also routed to the standard external reviewing agencies, who offered the following comments:

Flood Control District of Maricopa County (FCDMC): FCDMC indicated no objections to the request.

Maricopa Water District (MWD): MWD indicated the proposed project is outside their current boundaries.

Arizona Department of Transportation (ADOT): ADOT indicated no objection to the request.

Summary:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD.
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat 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 Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Attachments:

01 – Case Map
02 – Final Plat

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 4
SURPRISE, ARIZONA

A PORTION OF THE NORTH HALF
OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST
OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA)
) SS.
COUNTY OF MARICOPA)

KNOW ALL PERSONS BY THESE PRESENTS: THAT MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 4"A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT AND EASEMENT, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, AND LETTER GIVEN TO EACH RESPECTIVELY. THE PURPOSES OF THE EASEMENTS ARE SHOWN HEREON.

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

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

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL EXCLUSIVE EASEMENT OVER, UNDER, UPON AND ACROSS ALL AREAS DESIGNATED ON THE PLAT AS WATER/SEWER LINES, MANHOLES, FIRE HYDRANTS AND WATER METERS FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING THE WATER/SEWER LINES, MANHOLES, FIRE HYDRANTS AND WATER METERS.

OWNER 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 TO EACH PARCEL CREATED BY THIS PLAT.

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

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

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

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

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

ALL IMPROVEMENTS FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY INSTALLED OR CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHT–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.

PERPETUAL WATER SEWER EASEMENT ("EASEMENTS") AS DESCRIBED IN THE PLAT ARE GRANTED TO AND ITS SUCCESSORS AND ASSIGNS (COLLECTIVELY, "GRANTEE"), TO CONSTRUCT, OPERATE, AND MAINTAIN WATER AND SEWER LINES AND APPURTENANT FACILITIES (COLLECTIVELY, "FACILITIES") UPON, ACROSS, OVER AND UNDER THE SURFACE OF THE EASEMENTS, TOGETHER WITH THE RIGHT TO OPERATE, REPAIR, REPLACE, MAINTAIN, AND REMOVE THE FACILITIES FROM THE PREMISES; TO ADD OR TO ALTER THE FACILITIES, AND TO PROVIDE GRANTEE WITH REASONABLE INGRESS AND EGRESS TO THE FACILITIES. GRANTEE WILL HAVE UNRESTRICTED ACCESS TO THE EASEMENT FOR THE ACTIVITIES DESCRIBED ABOVE AND FORMAL NOTIFICATION OR APPROVAL BY ANY ASSOCIATION PRIOR TO ACCESSING THE EASEMENT WILL NOT BE REQUIRED.

GRANTOR SHALL NOT ERECT OR CONSTRUCT OR PERMIT TO BE ERECTED OR CONSTRUCTED ANY BUILDING, STRUCTURE OR SIMILAR IMPROVEMENT WITHIN THE LIMITS OF THE EASEMENT GRANTED HEREIN, GRANTOR SHALL NOT, NOR PERMIT, THE GRADE OVER GRANTEE'S FACILITIES TO BE SUBSTANTIALLY ALTERED WITHOUT, IN EACH INSTANCE, THE PRIOR WRITTEN CONSENT OF GRANTEE, AND GRANTOR AGREES THAT NO OTHER PIPES OR CONDUITS SHALL BE PLACED WITHIN THE PREMISES SUBJECT TO THE EASEMENT GRANTED HEREIN, EXCEPT PIPES CROSSING GRANTEE'S FACILITIES AT RIGHT ANGLES, IN WHICH CASE, A MINIMUM VERTICAL DISTANCE OF TWO (2) FEET (A MEASURED FROM THE CLOSEST POINTS ON THE OUTSIDE EDGES) SHALL BE MAINTAINED BETWEEN GRANTEE'S FACILITIES AND SUCH OTHER PIPES OR CONDUITS. UNLESS GRANTEE EXPRESSLY CONSENTS IN WRITING OTHERWISE, ANY AND ALL SEWER PIPES CROSSING THE EASEMENT GRANTED HEREIN SHALL BE LAID BELOW GRANTEE'S FACILITIES. HOWEVER, GRANTOR SHALL HAVE THE RIGHT TO CONSTRUCT AND ERECT FENCES, TO INSTALL LANDSCAPING, PARKING FACILITIES AND DRIVEWAYS, AND TO ESTABLISH OTHER USES THAT ARE NOT INCONSISTENT WITH USES WITHIN THE LIMITS OF SAID EASEMENT IN A MANNER THAT WILL NOT UNREASONABLY INTERFERE WITH GRANTEE'S ACCESS TO THE FACILITIES.

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 _____, 2018.

MERITAGE HOMES OF ARIZONA INC, AN ARIZONA CORPORATION

BY_____ DATE_____

ITS_____

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS_____ DAY OF_____, 2018, 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_____, 2018

_____
MAYOR DATE

ATTEST:

_____
CITY CLERK DATE

ACKNOWLEDGEMENT

STATE OF ARIZONA

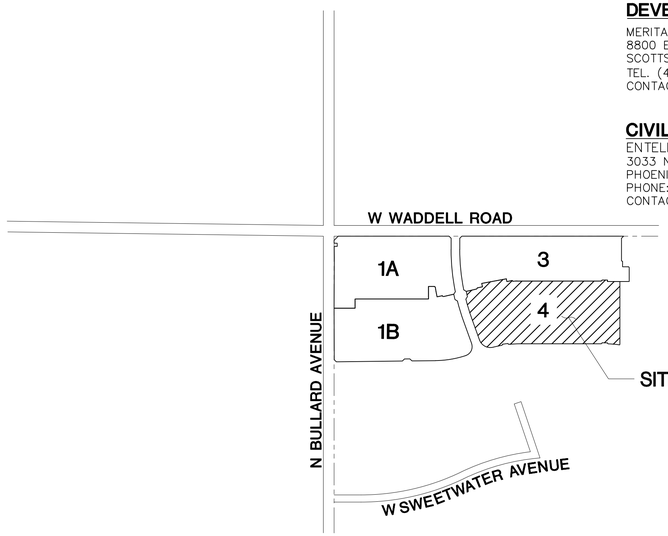
COUNTY OF MARICOPA

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ WHO ACKNOWLEDGED THEMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

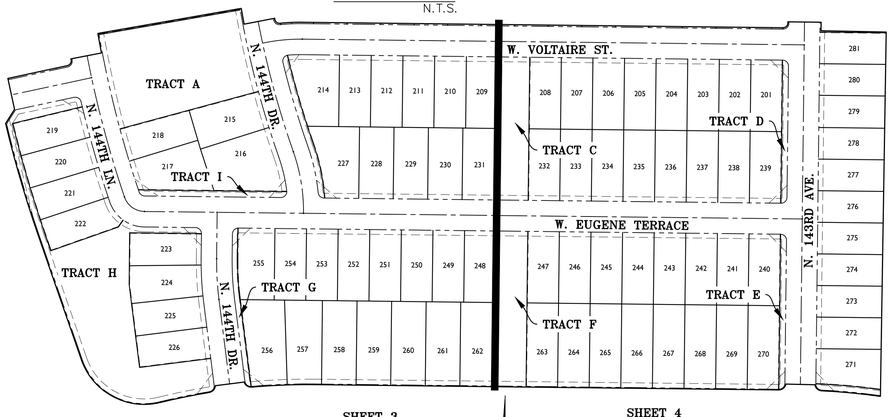
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES



VICINITY MAP
N.T.S.



KEY MAP
N.T.S.

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.

ASSURED WATER SUPPLY CERTIFICATION

THE AREA PLATTED HERON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS NO. 2010–012, SIGNED ON SEPTEMBER 29, 2011, DECISION AND ORDER NUMBER 86–002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. 45–576.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 NOTES & DETAILS SHEET
SHEET 3 FINAL PLAT
SHEET 4 FINAL PLAT

DEVELOPER

MERITAGE HOMES OF ARIZONA INC.
8800 E RAINTREE DR., SUITE 300
SCOTTSDALE, AZ 85260
TEL. (480)515–8251
CONTACT: JASON JARVIS

CIVIL ENGINEER

ENTELLUS, INC
3033 N. 44TH STREET, STE 250
PHOENIX, AZ 85018
PHONE: 602–244–2566
CONTACT: MICHAEL R. GLEASON, P.E.

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA. AS MEASURED AND AS SHOWN ON THE FINAL PLAT FOR "1MARLEY PARK PHASE 3 & 4 – PARCEL 9", AS SHOWN ON THE MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 839, PAGE 39 M.C.R.
SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON–PROFIT CORPORATION HEREBY RATIFIES AND APPROVES THIS PLAT FOR "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 3 & 4"AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED. DULY AUTHORIZED OFFICER THIS_____ DAY OF _____ 2018.

HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION

AN ARIZONA NON–PROFIT CORPORATION

BY_____

ITS_____

RELEASE OF LIABILITY

MERITAGE HOMES OF ARIZONA INC, AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF AIR FORCE (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, 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. 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 UNITED STATES OF AMERICA DEPARTMENT OF AIR FORCE (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 LOCATED WITHIN THE RIGHT–OF WAY 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.

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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

CERTIFICATION

I, DAN FRANCETIC, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF MARCH 2018; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

SIGNED: _____

DATE OF PREPARATION: 06/01/2018

DANIEL G. FRANCETIC, RLS
REGISTERED LAND SURVEYOR #33874
ENTELLUS, INC.
3033 NORTH 44TH STREET, #250
PHOENIX, ARIZONA 85018
PHONE: 602–244–2566
E–MAIL: dfrancetic@entellus.com

Entellus™
3033 N. 44th Street, Suite 250
Phoenix, AZ 85018
Tel 602.244.2566
Fax 602.244.8947
Website: www.entellus.com

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
33874
DANIEL G.
FRANCETIC
Expires 06/01/18
SURVEYOR
EXPIRES 06/30/20

REVISIONS:

	DATE	DESCRIPTION
X		

VERSIONS:

	DATE	DESCRIPTION
1	6/01/18	1ST SUBMITTAL TO CITY OF SURPRISE
2	6/21/18	2ND SUBMITTAL TO CITY OF SURPRISE

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 PARCEL 4
SURPRISE, MARICOPA COUNTY, ARIZONA
FINAL PLAT

DESIGN:	EM
DRAFTED:	DJ
QA/QC:	DGF
AS–BUILT #:	----
ENT. PROJ #:	728.003
SHEET: CVR	1 OF: 4

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 4
SURPRISE, ARIZONA

LEGAL DESCRIPTION

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5
PARCEL 4

THAT PORTION OF A PARCEL OF LAND DESCRIBED IN DOCUMENT # 2017-0729651 OF THE MARICOPA COUNTY RECORDER LYING IN THE NORTH HALF OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF SURPRISE BRASS CAP FOUND IN HAND HOLE AT THE NORTHWEST CORNER OF SAID SECTION 16, FROM WHICH THE CITY OF SURPRISE BRASS CAP FOUND IN HAND HOLE AT THE WEST QUARTER CORNER OF SAID SECTION 16 BEARS SOUTH 00 DEGREES 01 MINUTE 03 SECONDS EAST A DISTANCE OF 2,627.28 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, AND SAID LINE BEING THE BASIS OF BEARINGS OF THIS DESCRIPTION;

THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 2,639.19 FEET TO A CAPPED REBAR MARKED "WOOD PATEL LS27239" FOUND AT THE NORTH QUARTER CORNER OF SAID SECTION 16 AS DETERMINED FROM THE "MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD, AND CACTUS ROAD" FOUND IN BOOK 839 OF MAPS, PAGE 39 OF THE MARICOPA COUNTY RECORDER;

THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16, SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST A DISTANCE OF 160.70 FEET;

THENCE SOUTH 00 DEGREES 38 MINUTES 55 SECONDS WEST A DISTANCE OF 333.35 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST A DISTANCE OF 127.26 FEET;

THENCE SOUTH 00 DEGREES 39 MINUTES 11 SECONDS WEST A DISTANCE OF 153.67 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 26.00 FEET;

THENCE SOUTH 00 DEGREES 39 MINUTES 11 SECONDS WEST A DISTANCE OF 14.24 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 120.00 FEET;

THENCE SOUTH 00 DEGREES 39 MINUTES 11 SECONDS WEST A DISTANCE OF 600.00 FEET;

THENCE SOUTH 07 DEGREES 58 MINUTES 14 SECONDS WEST A DISTANCE OF 10.00 FEET;

THENCE NORTH 82 DEGREES 01 MINUTE 46 SECONDS WEST A DISTANCE OF 14.16 FEET TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE LEFT BEING CONCAVE SOUTHERLY AND HAVING A RADIUS OF 1,026.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05 DEGREES 19 MINUTES 34 SECONDS AN ARC DISTANCE OF 95.38 FEET TO THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 88 DEGREES 00 MINUTES 31 SECONDS AN ARC DISTANCE OF 15.36 FEET;

THENCE NORTH 88 DEGREES 39 MINUTES 27 SECONDS WEST A DISTANCE OF 52.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 10.00 FEET BEARING NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST;

THENCE ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS AN ARC DISTANCE OF 15.71 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST A DISTANCE OF 779.98 FEET TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE LEFT BEING CONCAVE SOUTHERLY AND HAVING A RADIUS OF 1,026.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05 DEGREES 50 MINUTES 56 SECONDS AN ARC DISTANCE OF 104.74 FEET TO THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 88 DEGREES 00 MINUTES 31 SECONDS AN ARC DISTANCE OF 15.36 FEET;

THENCE SOUTH 82 DEGREES 48 MINUTES 46 SECONDS WEST A DISTANCE OF 52.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 88 DEGREES 00 MINUTES 31 SECONDS AN ARC DISTANCE OF 15.36 FEET TO THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE LEFT BEING CONCAVE SOUTHERLY AND HAVING A RADIUS OF 1,206.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 04 DEGREES 42 MINUTES 34 SECONDS AN ARC DISTANCE OF 84.33 FEET TO THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 110.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 84 DEGREES 47 MINUTES 05 SECONDS AN ARC DISTANCE OF 162.77 FEET;

THENCE NORTH 19 DEGREES 06 MINUTES 12 SECONDS WEST A DISTANCE OF 221.93 FEET TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE RIGHT BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 1,958.50 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05 DEGREES 39 MINUTES 14 SECONDS AN ARC DISTANCE OF 193.26 FEET;

THENCE NORTH 32 DEGREES 22 MINUTES 12 SECONDS EAST A DISTANCE OF 28.02 FEET;

THENCE NORTH 12 DEGREES 06 MINUTES 13 SECONDS WEST A DISTANCE OF 52.00 FEET;

THENCE NORTH 77 DEGREES 53 MINUTES 47 SECONDS EAST A DISTANCE OF 100.33 FEET TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE LEFT BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 88 DEGREES 52 MINUTES 40 SECONDS AN ARC DISTANCE OF 15.51 FEET;

THENCE NORTH 79 DEGREES 01 MINUTE 06 SECONDS EAST A DISTANCE OF 52.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 1,776.35 FEET BEARING NORTH 79 DEGREES 01 MINUTE 06 SECONDS EAST;

THENCE ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 01 DEGREE 04 MINUTES 25 SECONDS AN ARC DISTANCE OF 33.28 FEET;

THENCE NORTH 80 DEGREES 05 MINUTES 31 SECONDS EAST A DISTANCE OF 240.50 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 1,535.85 FEET BEARING NORTH 80 DEGREES 05 MINUTES 31 SECONDS EAST;

THENCE ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 01 DEGREE 00 MINUTES 23 SECONDS AN ARC DISTANCE OF 26.98 FEET;

THENCE NORTH 79 DEGREES 05 MINUTES 08 SECONDS EAST A DISTANCE OF 52.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT BEING CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 85 DEGREES 02 MINUTES 21 SECONDS AN ARC DISTANCE OF 14.84 FEET TO THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT BEING CONCAVE SOUTHERLY AND HAVING A RADIUS OF 326.01 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06 DEGREES 36 MINUTES 24 SECONDS AN ARC DISTANCE OF 37.59 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 805.78 FEET TO THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE RIGHT BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 10.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, AN ARC DISTANCE OF 15.71 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 26.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 857,829 SQUARE FEET OR 19.693 ACRES, MORE OR LESS.

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. THE PROPERTY OWNER AT THE TIME WHEN CITY OF SURPRISE WATER, AND/OR SEWER INFRASTRUCTURE IS AVAILABLE AT THE PROPERTY, SHALL BE REQUIRED TO CONNECT IN ACCORDANCE WITH SURPRISE MUNICIPAL CODE AND PAY ALL APPLICABLE FEES. ANY OWNER OF THE PROPERTY SHALL NOTIFY PROSPECTIVE BUYERS AND THE PUBLIC OF THIS NOTE, AND SALES CONTRACT, REPORT SHALL CONTAIN SUCH NOTE.
3. ON-SITE GRADING OR EXCAVATION SHALL NOT OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
4. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE MAP NO.04013C1680L, WITH A DATE OF IDENTIFICATION OF 10/16/2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
5. IN ACCORDANCE WITH ARS § 9-46107, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
6. PURSUANT TO ARS § 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.
7. THIS FINAL PLAT IS IN SUBSTANTIAL CONFORMANCE WITH THE MARLEY PARK PHASE 4 & 5 PRELIMINARY PLAT, APPROVED JAN. 17, 2018 UNDER CASE FS17-508.
8. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION.
9. 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.
10. DEVELOPMENT STANDARDS ARE PER CITY OF SURPRISE ZONING CASE # PADA02-104 OR AS SUBSEQUENTLY AMENDED.
11. NO STRUCTURES OF ANY KIND MAY BE CONSTRUCTED OR ANY VEGETATION BE PLANTED NOR BE ALLOWED TO GROW WITHIN THE DRAINAGE EASEMENT WHICH WOULD IMPEDE THE FLOW OF WATER OVER, UNDER, OR THROUGH THE EASEMENT.
12. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED ON, OVER OR PLACED WITHIN THE SEWER AND WATER EASEMENT EXCEPT WOOD, WIRE, OR REMOVABLE SECTION TYPE FENCING AND/OR PAVING, NOR ANY PLANTING EXCEPT GRASS. IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF SURPRISE ("CITY") SHALL NOT BE REQUIRED TO REPLACE ANY OBSTRUCTIONS, SHRUBS AND GROUND COVER THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION, OR RECONSTRUCTION OF CITY UTILITIES.
13. CONSTRUCTIONS WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO UTILITIES, WOOD, WIRE, OR REMOVABLE SECTION TYPE FENCING.
14. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
15. STRUCTURES AND LANDSCAPING AT ALL INTERSECTIONS OF STREET RIGHT-OF-WAY WILL BE MAINTAINED AT A MAXIMUM OF 2 FEET IN HEIGHT WITHIN 33' X 33' TRIANGLE MEASURED ALONG THE RIGHT-OF-WAY LINES.
16. EACH LOT OF THIS SUBDIVISION IS PERMITTED ONE DWELLING UNIT PER LOT.
17. ALL EASEMENTS ARE SUBORDINATE TO DRAINAGE EASEMENTS.

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
201	6360.00	0.1460
202	6360.00	0.1460
203	6360.00	0.1460
204	6360.00	0.1460
205	6360.00	0.1460
206	6360.00	0.1460
207	6360.00	0.1460
208	6360.00	0.1460
209	6386.20	0.1466
210	6386.20	0.1466
211	6386.20	0.1466
212	6386.20	0.1466
213	6386.20	0.1466
214	8521.79	0.1956
215	7871.47	0.1807
216	11176.26	0.2566
217	8392.48	0.1927
218	6554.67	0.1505
219	6528.04	0.1499
220	6526.44	0.1498
221	6526.44	0.1498

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
222	6639.33	0.1524
223	6498.93	0.1492
224	6989.64	0.1605
225	6480.22	0.1488
226	6381.20	0.1465
227	8316.65	0.1909
228	6932.40	0.1591
229	6932.40	0.1591
230	6932.40	0.1591
231	6932.40	0.1591
232	6360.00	0.1460
233	6360.00	0.1460
234	6360.00	0.1460
235	6360.00	0.1460
236	6360.00	0.1460
237	6360.00	0.1460
238	6360.00	0.1460
239	6360.00	0.1460
240	6360.00	0.1460
241	6360.00	0.1460
242	6360.00	0.1460

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
243	6360.00	0.1460
244	6360.00	0.1460
245	6360.00	0.1460
246	6360.00	0.1460
247	6360.00	0.1460
248	6360.00	0.1460
249	6360.00	0.1460
250	6360.00	0.1460
251	6360.00	0.1460
252	6360.00	0.1460
253	6360.00	0.1460
254	6360.00	0.1460
255	7231.38	0.1660
256	9553.08	0.2193
257	8491.55	0.1949
258	8120.00	0.1864
259	8120.00	0.1864
260	8120.00	0.1864
261	8120.00	0.1864
262	8120.00	0.1864
263	7420.00	0.1703

LOT AREA TABLE		
LOT #	AREA(SF)	AREA(AC)
264	7420.00	0.1703
265	7420.00	0.1703
266	7420.00	0.1703
267	7420.00	0.1703
268	7420.00	0.1703
269	7420.00	0.1703
270	7420.00	0.1703
271	6360.00	0.1460
272	6360.00	0.1460
273	6480.00	0.1488
274	6360.00	0.1460
275	6360.00	0.1460
276	6360.00	0.1460
277	6360.00	0.1460
278	6360.00	0.1460
279	6360.00	0.1460
280	6360.00	0.1460
281	7549.91	0.1733

TRACT AREA TABLE			
TRACT	AREA(SF)	AREA(AC)	DESCRIPTION
TRACT A	36322.60	0.8339	OPEN SPACE, RETENTION, P.U.E.
TRACT B	2429.56	0.0558	OPEN SPACE, P.U.E.
TRACT C	12720.00	0.2920	OPEN SPACE, P.U.E.
TRACT D	2357.08	0.0541	OPEN SPACE, P.U.E., S.V.E.
TRACT E	2557.08	0.0587	OPEN SPACE, P.U.E., S.V.E.
TRACT F	13780.00	0.3163	OPEN SPACE, P.U.E.
TRACT G	2633.08	0.0604	OPEN SPACE, P.U.E., S.V.E.
TRACT H	42389.37	0.9731	OPEN SPACE, RETENTION, P.U.E., S.V.E.
TRACT I	2440.03	0.0560	OPEN SPACE, P.U.E.
TRACT J	1178.41	0.0271	OPEN SPACE, P.U.E., S.V.E.

RIGHT OF WAY AREA TABLE			
R/W	AREA(SF)	AREA(AC)	USE
ROW 1	106318.10	2.4407	PUBLIC INGRESS & EGRESS
ROW 2	75973.60	1.7441	PUBLIC INGRESS & EGRESS

PARCEL AREA TABLE			
PARCEL	AREA(SF)	AREA(AC)	USE
PARCEL 4	857831.26	19.6931	SINGLE FAMILY RSIDENCE

Entellus™
3033 N. 44th Street, Suite 250
Phoenix, AZ 85018
Tel 602.244.2566
Fax 602.244.8947
Website: www.entellus.com

SURVEYOR
REGISTERED LAND SURVEYOR
CERTIFICATE NO.
33874
DANIEL G. FRANCETIC
EXPIRES 06/30/20

REVISIONS:

	DATE	DESCRIPTION

VERSIONS:

	DATE	DESCRIPTION
X		
1	6/01/18	1ST SUBMITTAL TO CITY OF SURPRISE
2	6/21/18	2ND SUBMITTAL TO CITY OF SURPRISE

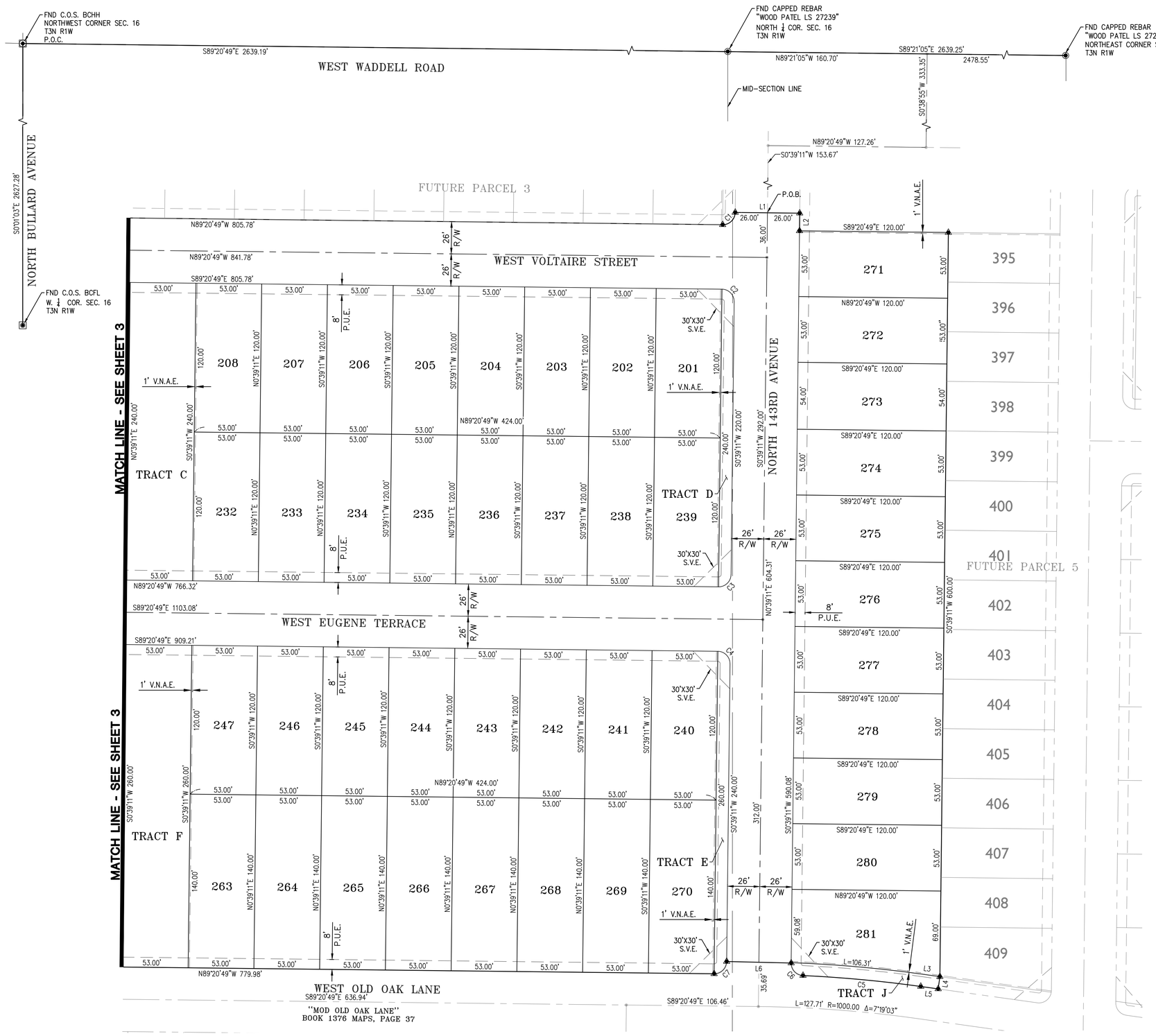
HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 PARCEL 4
SURPRISE, MARICOPA COUNTY, ARIZONA
FINAL PLAT

DESIGN:	EM
DRAFTED:	DJ
QA/QC:	DGF
AS-BUILT #:	----
ENT. PROJ #:	728.003
SHEET: DET	2 OF: 4

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 4
SURPRISE, ARIZONA

FUTURE PARCEL 3
TRACT A
TRACT B
TRACT G
TRACT H
TRACT I
WEST VOLTAIRE STREET
WEST EUGENE TERRACE
WEST OLD OAK LANE
WEST WILLOW AVENUE
NORTH 144TH LANE
NORTH 144TH DRIVE
NORTH 145TH AVENUE
"MOD NORTH 145TH DRIVE & NORTH 145TH AVENUE"
MCR BOOK 1376 MAPS, PAGE 98
"MOD OLD OAK LANE"
BOOK 1376 MAPS, PAGE 37
MATCH LINE - SEE SHEET 4
MATCH LINE - SEE SHEET 4
N80°05'31"E 240.50'
N77°53'47"E 100.33'
N77°53'47"E 135.98' RADIAL LINE
N77°53'47"E 100.33'
S89°20'49"E 805.78'
N89°20'49"W 841.78'
N89°20'49"W 805.78'
N89°20'49"W 318.63'
N89°20'49"W 766.32'
S89°20'49"E 1103.08'
S89°20'49"E 85.86'
N89°20'49"W 120.40'
S89°27'34"W 120.40'
S83°48'46"W 120.40'
S82°48'46"W 120.40'
S89°20'49"E 909.21'
N89°20'49"W 427.20'
S89°20'49"E 779.98'
S89°20'49"E 72.58'
S89°20'49"E 636.94'
S74°52'01"W 240.50'
S72°30'55"W 120.35'
N73°02'55"E 120.37'
N89°20'49"W 228.23'
N76°30'30"E 120.15'
S74°51'29"W 120.15'
N73°12'29"E 120.15'
N71°33'29"E 120.15'
N70°38'11"E 120.13'
S15°58'03"E 54.74'
N19°06'05"W 221.93'
S19°06'12"E 793.12'
S74°19'07"E 56.12'
S15°58'07"E 56.11'
S17°27'07"E 56.11'
S10°56'23"E 59.25'
S17°27'07"E 56.11'
S01°39'11"E 77.79'
S01°39'11"E 41.79'
S01°39'11"W 41.79'
S01°39'11"W 120.00'
N01°39'11"E 120.00'
S00°39'11"W 120.00'
N00°39'11"E 140.00'
S00°39'11"W 140.00'
N11°14'14"W 141.63'
S11°14'14"E 141.63'
S15°49'56"E 141.10'
S17°58'14"E 72.55'
S17°58'14"E 68.10'
S00°30'27"W 86.53'
S07°07'24"E 140.43'
N00°39'11"E 77.79'
N00°39'11"E 41.79'
S00°39'11"W 41.79'
S00°39'11"W 120.00'
N00

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 4
SURPRISE, ARIZONA



RADIAL BEARING	
CURVE	BEARING
C7	S 00°39'11" W
C7	N 89°20'49" W
C9	S 80°05'31" W
C9	S 79°01'06" W
C21	S 70°34'31" W
C21	N 89°20'53" W
C25	N 77°45'51" E
C25	N 70°34'31" E
C30	S 82°48'46" W
C30	S 09°10'43" E
C35	S 12°09'52" E
C35	S 00°39'11" W
C36	S 79°05'08" W
C36	N 77°45'51" E
C37	S 80°05'31" W
C37	N 79°05'08" E
C38	S 79°05'08" W
C38	N 05°57'13" E

LEGEND

- PROPERTY BOUNDARY
- RIGHT OF WAY LINE
- CENTER LINE
- EASEMENT
- LOT LINE
- LOT CORNER
- PROPERTY CORNER–SET 1/2" REBAR W/CAP "RLS 33874"
- MONUMENT
- FOUND BRASS CAP FLUSH
- FOUND BRASS CAP IN HAND HOLE
- FOUND CAPPED REBAR
- CL — CENTER LINE
- C.O.S. — CITY OF SURPRISE
- BSL — BUILDING SETBACK LINE
- POB — POINT OF BEGINNING
- PUE — PUBLIC UTILITY EASEMENT
- R/W — RIGHT OF WAY
- SVE — SIGHT VISIBILITY EASEMENT
- VNAE — VEHICLE NON–ACCESS EASEMENT

40 20 0 40 80
SCALE: 1"= 40'

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REVISIONS:

X	DATE	DESCRIPTION
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VERSIONS:

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 PARCEL 4
SURPRISE, MARICOPA COUNTY, ARIZONA

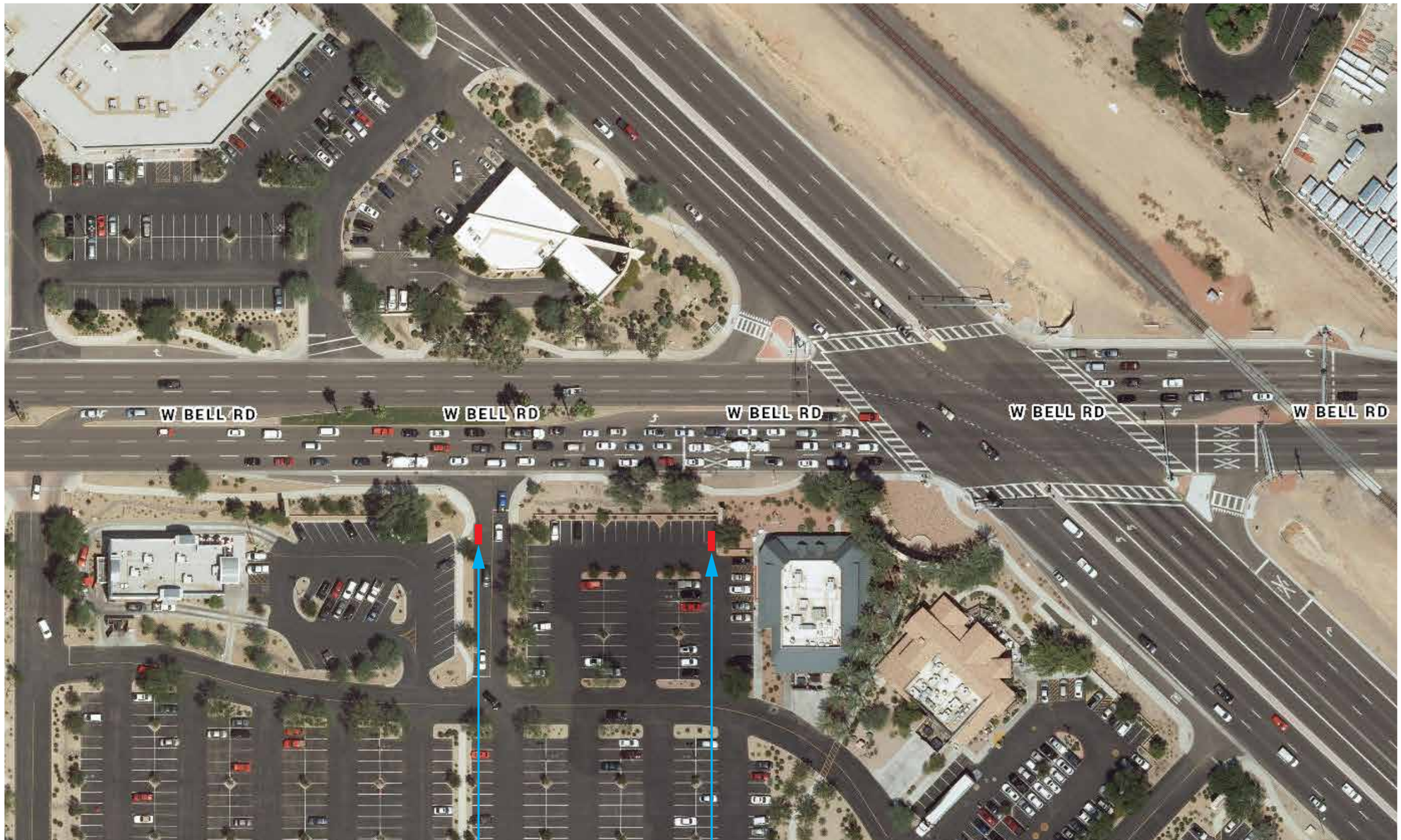
FINAL PLAT

DESIGN:	EM
DRAFTED:	DJ
QA/QC:	DGF
AS–BUILT #:	-----
ENT. PROJ #:	728.003
SHEET:	FP 4 OF: 4

Pylon Sign Concepts *Surprise Marketplace (SMP)*

Sign A & Sign B with EMC Display

SMP - Suprise Marketplace



A Sign Location Plan
Not to Scale

bluemedia

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **GM**
DESIGNER **MDK/AG**

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DATE
06/22/2018

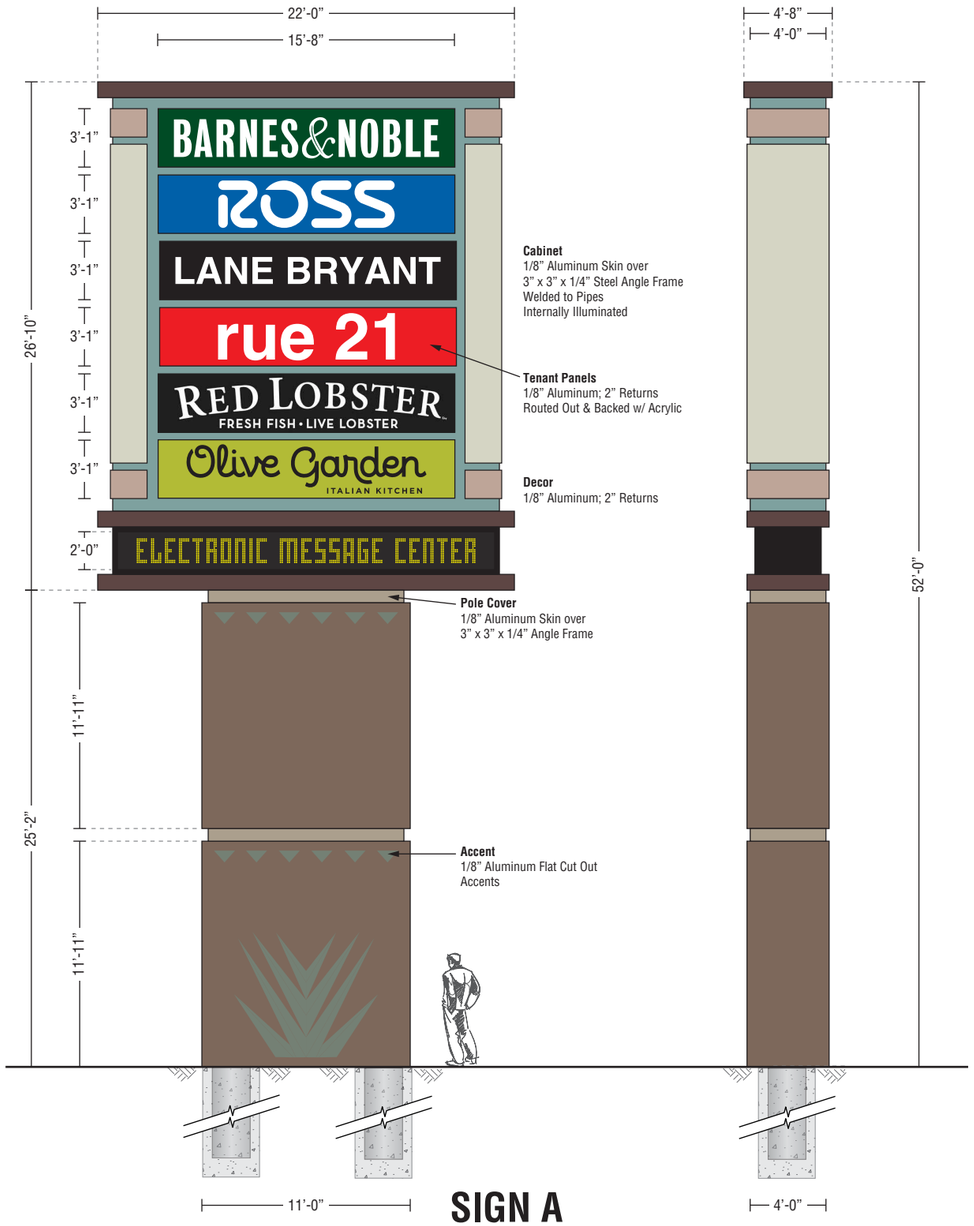
JOB #
59728

SHEET # **1 of 7**

59730 - Surprise Market Place v04.ai

Pylon Sign Concepts *Surprise Marketplace (SMP)*

Sign A & Sign B with EMC Display

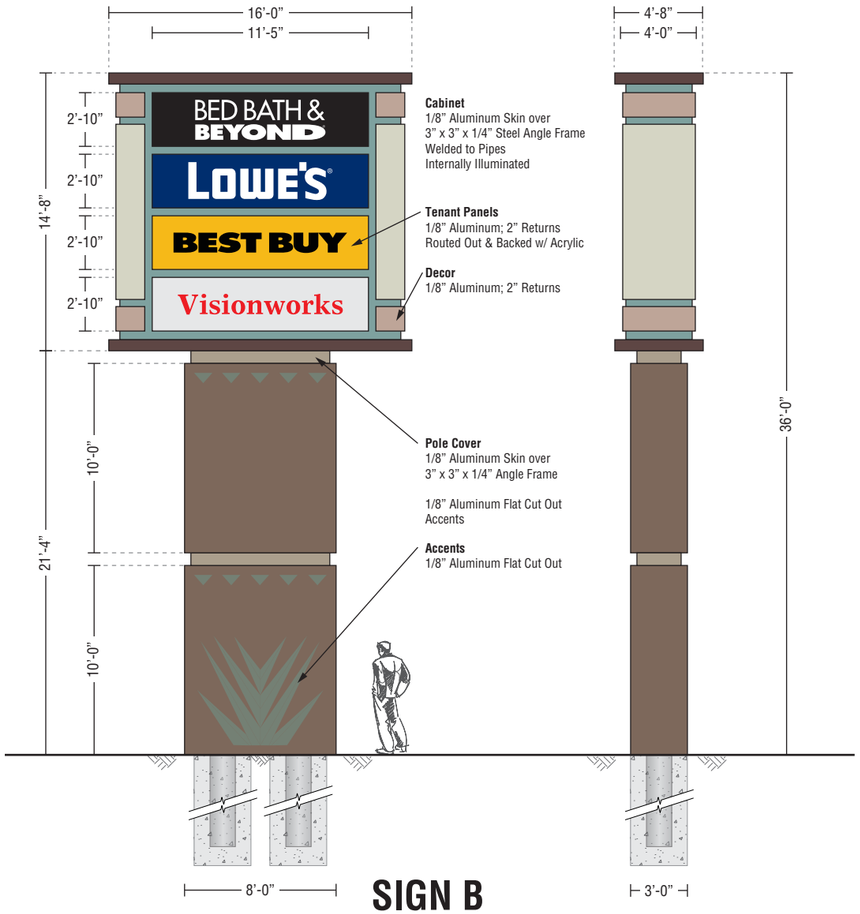


SIGN A

POLE COVER (BASE) COLOR SCHEME:

- Painted MAP, Match CL 2854D Wood Ash
  Satin Finish
- Painted MAP, Match 5355A Koala Bear
  Satin Finish
- Painted MAP, Match Blue Agave Leaf
  Satin Finish
  (Formerly Known as CL 3026D Stigma)

SIGN CABINET COLORS TO BE FINALIZED WITH CLIENT



SIGN B

A Elevation View - Sign A - 52'
SCALE: 1/8" = 1'-0"

Sign Cabinet Area: 590.33 SF

B Elevation View - Sign B - 36'
SCALE: 1/8" = 1'-0"

Sign Cabinet Area: 234.66 SF

bluemedia

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **GM**
DESIGNER **MDK/AG**

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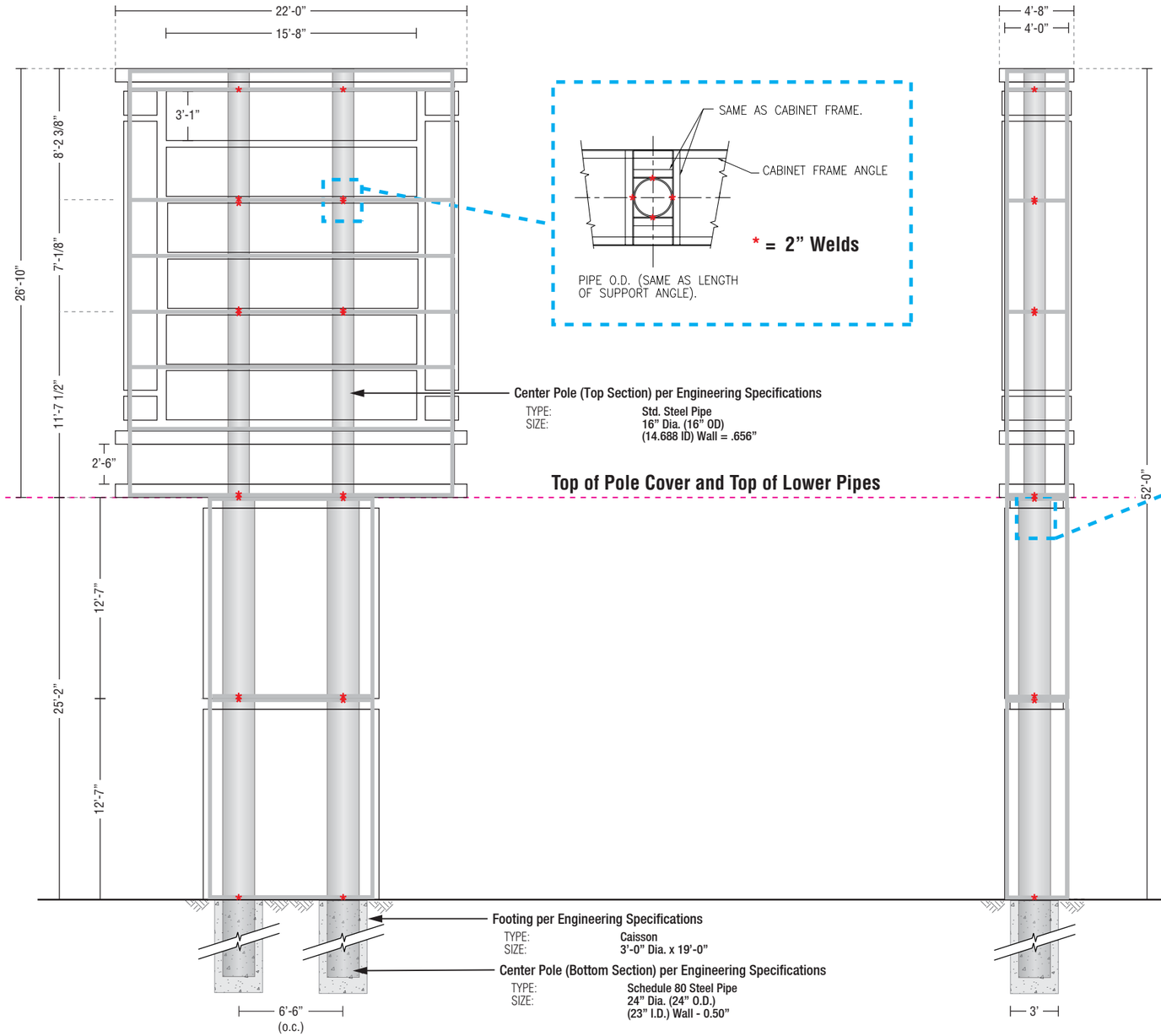
SHEET # **2 of 7**

59730 - Surprise Market Place v04.ai

Pylon Sign Concepts *Surprise Marketplace (SMP)*

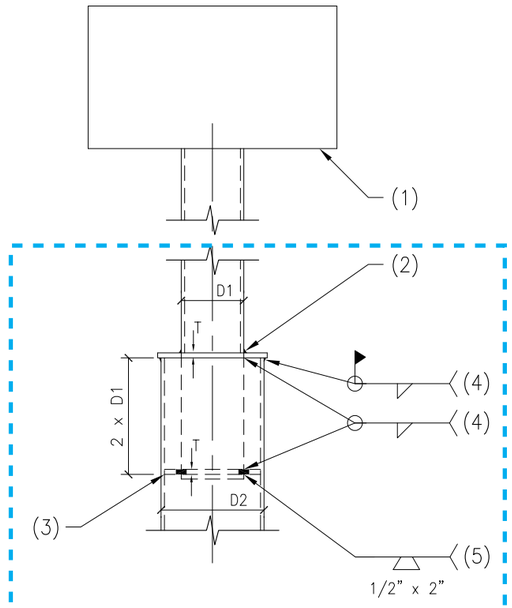
Sign A & Sign B with EMC Display



SIGN A

A Elevation View - Sign A - 52'

SCALE: 1/8" = 1'-0"



FOR D1 THRU 16" DIA, USE T = 1/2" P
FOR 16" DIA< D1 < 30", USE T= 3/4" P
FOR D1 > 30" DIA, USE T= 1" PL.

NOTES:

1. THE SIGN PRINCIPLE AXES ARE PARALLEL TO AND PERPENDICULAR TO THE SIGN AXIS.
2. FLEXIBLE, LONG LASTING CAULK TO BE APPLIED AFTER ALL FINISHES ARE IN PLACE.
3. LOWER PIPE RING. THERE SHALL BE A MAXIMUM 1/8" CLEARANCE BETWEEN THIS PLATE AND THE INTERIOR WALL FACE. THE LOWER PIPE MAY NEED TO BE ADJUSTED FOR OUT OF ROUNDNESS. THE LOWER RING SHALL NOT BE FIELD TRIMMED TO FACILITATE THE FIT.
4. 1/4" AT 1/2" PLATE; 5/16" AT 3/4" PLATE; 3/8" AT 1" PLATE.
5. 4 AT 90°. FOR PIPES, PLACE AT 45° AZIMUTH FROM PRINCIPAL AXIS OF THE SIGN BEING MOUNTED. FOR TUBES, PLACE ON ALL 4 ORTHOGONAL AXES.

Sign Cabinet Area: 590.33 SF

bluemedia

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **GM**
DESIGNER **MDK/AG**

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DATE
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JOB #
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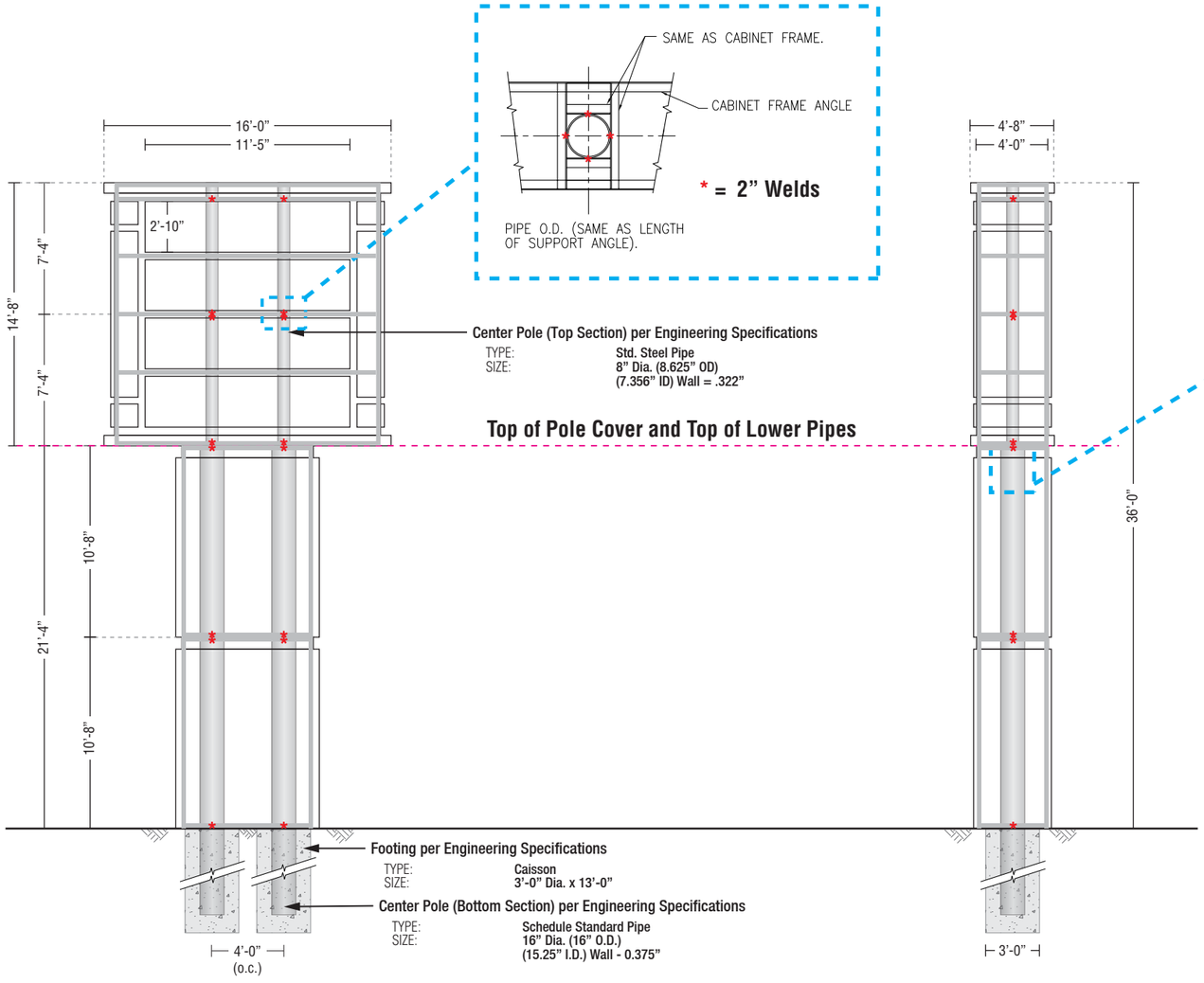
SHEET # **3 of 7**

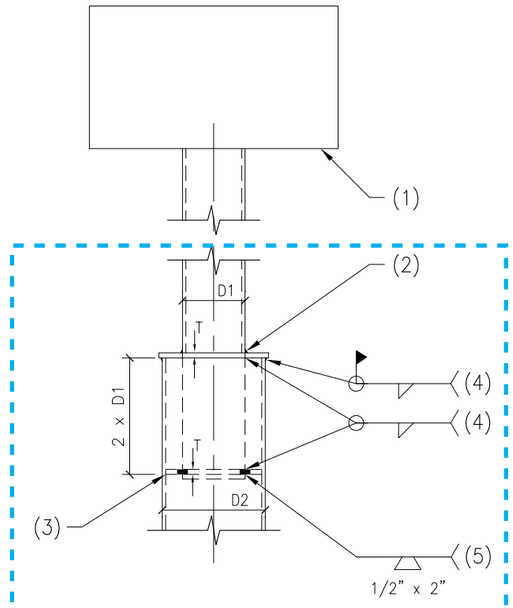
59730 - Surprise Market Place v04.ai

Pylon Sign Concepts *Surprise Marketplace (SMP)*

Sign A & Sign B with EMC Display



SIGN B



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(A) Elevation View - Sign A - 52'
SCALE: 1/8" = 1'-0"

Sign Cabinet Area: 590.33 SF

bluemedia

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **GM**
DESIGNER **MDK/AG**

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DATE
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JOB #
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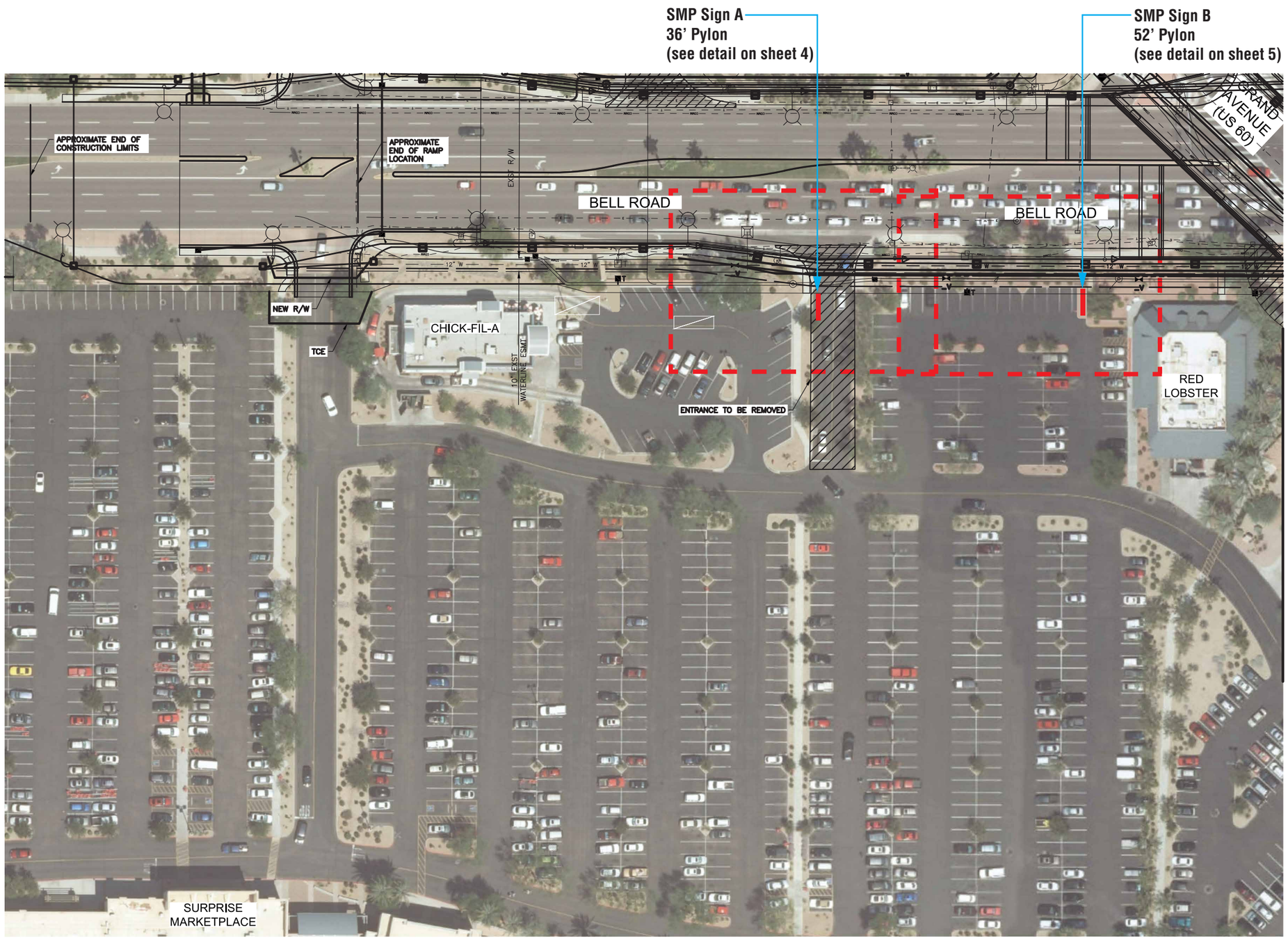
SHEET # **4 of 7**

Pylon Sign Concepts *Surprise Marketplace (SMP)*

Sign A & Sign B with EMC Display



A Sign Location Plan
Not to Scale

bluemedia

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **GM**
DESIGNER **MDK/AG**

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ROC#257947

PERMIT DRAWING

NOT READY FOR PRODUCTION

Make It Perfect.

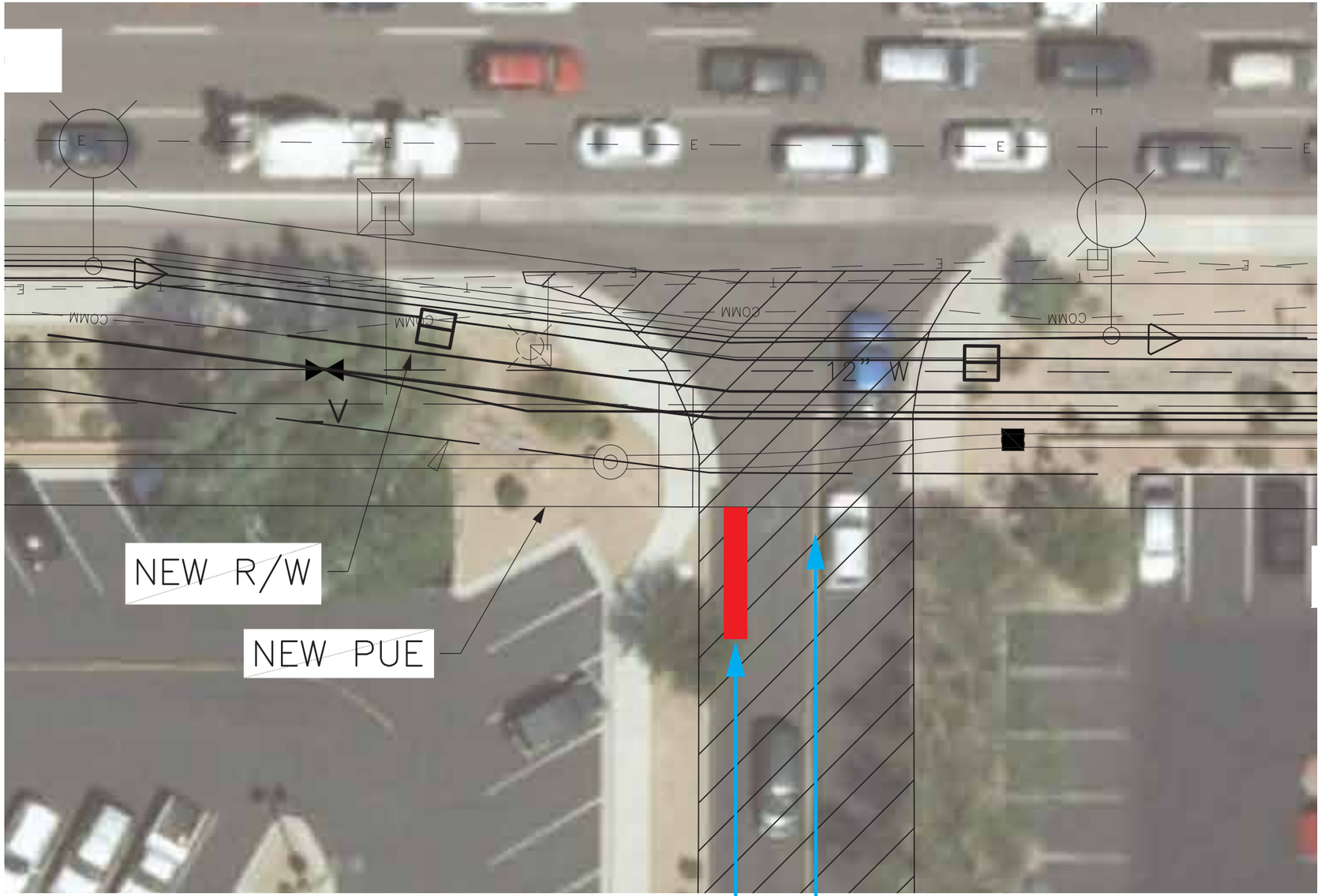
DATE
06/22/2018

JOB #
59728

SHEET # **5 of 7**

59730 - Surprise Market Place v04.ai

Pylon Sign Concepts *Surprise Marketplace (SMP)*
Sign A & Sign B with EMC Display



NORTH

The Leading Edge of the Sign is: 16 1/2 feet behind R/W & just behind PUE.

SMP Sign A
36' Pylon

Driveway is gone.
Area Around Sign Location to Receive New Landscaping.

A Sign Location Plan
Not to Scale

bluemedia

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **GM**
DESIGNER **MDK/AG**

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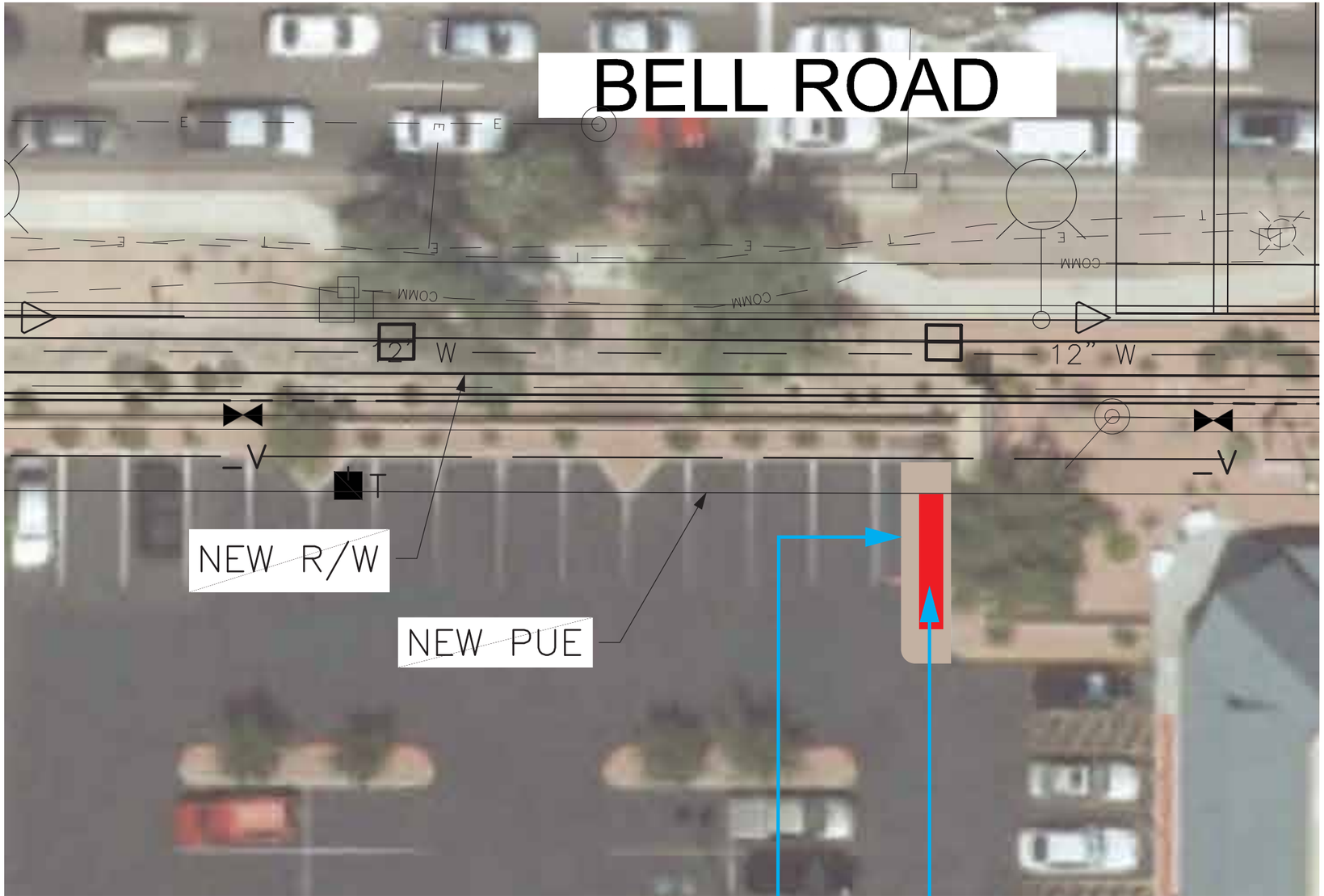

The Leading Edge of the Sign is: 17 feet behind R/W & just behind PUE

Existing Landscaping to be Extended to Encompass New Sign

SMP Sign B 52' Pylon

A Sign Location Plan
Not to Scale

bluemedia

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **GM**
DESIGNER **MDK/AG**

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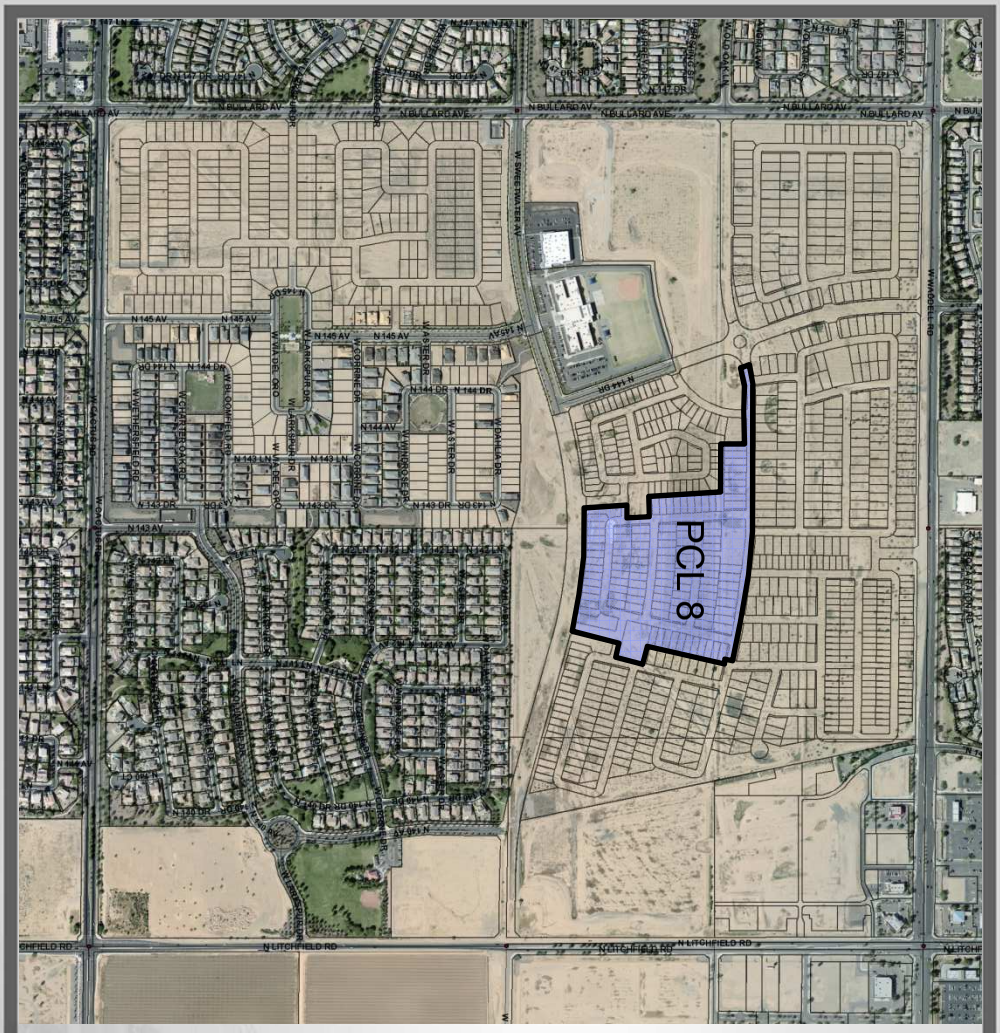
SHEET # **7 of 7**

59730 - Surprise Market Place v04.ai



FS18-162 Case Map

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 8
A PORTION OF THE NORTH HALF OF SECTION 16,
TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN
MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

KNOW ALL PERSONS BY THESE PRESENTS: THAT MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 8", A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT AND EASEMENT, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, AND LETTER GIVEN TO EACH RESPECTIVELY. THE PURPOSES OF THE EASEMENTS ARE SHOWN HEREON.

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

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

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

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

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

OWNER 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.

ANY PARTY WITH RIGHTS TO ANY WATER OR SEWER EASEMENT THAT OVERLAPS ANOTHER WATER OR SEWER EASEMENT SHALL HAVE THE RIGHT TO INSTALL, CONSTRUCT, MAINTAIN, REPAIR, REPLACE AND UTILIZE THE WATER/SEWER LINES/WATER METERS IN SUCH EASEMENTS THAT OVERLAP IN AN EMERGENCY SITUATION WITHOUT THE CONSENT OF ALL PARTIES WITH RIGHTS TO SUCH EASEMENTS. IN SUCH AREAS THAT OVERLAP IN A NON–EMERGENCY SITUATION ALL PARTIES SHALL CONSENT PRIOR TO ALLOWING ANY OTHER PARTY TO PERFORM ANY INSTALLATION, CONSTRUCTION, MAINTENANCE, REPAIR, OR REPLACEMENT WORK WITHIN THE EASEMENT

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.

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

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 _____, 2018.

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION

BY _____ DATE _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

PUBLIC NOTICE

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

RELEASE OF LIABILITY

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE 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, ASSIONS, 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 UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. NO ON–SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
3. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "OTHER FLOOD AREAS ZONE X," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1680 L, 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.
4. IN ACCORDANCE WITH ARS § 9–461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
5. 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.
6. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NONPROFIT CORPORATION.
7. 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.

ASSURED WATER SUPPLY CERTIFICATION

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS NO. 2010–012, SIGNED ON 9–29–2011, DECISION AND ORDER NUMBER 86–002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. 45–576.

AREA SUMMARY TABLE

DESCRIPTION	AREA (SF)	AREA (ACRES)
LOTS 417–424 & 584–688	641,191	14.7197
TRACTS A–J	146,192	3.3561
RIGHT–OF–WAY	311,497	7.1510
GROSS AREA	1,098,880	25.2268

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS MEASURED AND AS SHOWN ON THE FINAL PLAT FOR "MARLEY PARK PHASE 4 & 5 – PARCEL 8", AS SHOWN ON THE MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 839, PAGE 39, M.C.R.

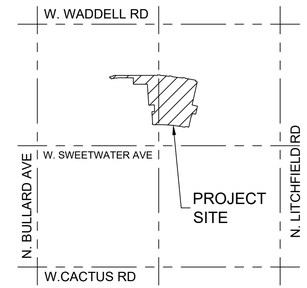
SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST

LEGAL DESCRIPTION

A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN HANDHOLE AT THE NORTHWEST CORNER OF SAID SECTION 16, FROM WHICH A BRASS CAP FLUSH AT THE WEST QUARTER–CORNER BEARS SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST, 2627.28 FEET;
THENCE ALONG THE NORTH LINE OF SAID SECTION 16, SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, 1605.67 FEET;
THENCE SOUTH 0 DEGREES 39 MINUTES 11 SECONDS WEST, 1132.18 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 13 DEGREES 30 MINUTES 28 SECONDS EAST A DISTANCE OF 1026.00 FEET, SAID POINT BEING THE POINT OF BEGINNING;;
THENCE NORTHEASTERLY 77.52 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 4 DEGREES 19 MINUTES 45 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 10.00 FEET;
THENCE NORTHEASTERLY 15.36 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 88 DEGREES 00 MINUTES 31 SECONDS;
THENCE ON A NON–TANGENT LINE NORTH 82 DEGREES 48 MINUTES 46 SECONDS EAST, 52.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHEAST, FROM WHICH THE RADIUS POINT BEARS NORTH 82 DEGREES 48 MINUTES 46 SECONDS EAST A DISTANCE OF 10.00 FEET;
THENCE SOUTHEASTERLY 15.36 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 88 DEGREES 00 MINUTES 31 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 1026.00 FEET;
THENCE EASTERLY 104.74 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 5 DEGREES 50 MINUTES 56 SECONDS;
THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, 779.98 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 10.00 FEET;
THENCE NORTHEASTERLY 15.71 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;
THENCE ON A NON–TANGENT LINE SOUTH 88 DEGREES 39 MINUTES 27 SECONDS EAST, 52.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 10.00 FEET;
THENCE SOUTHEASTERLY 15.36 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 88 DEGREES 00 MINUTES 31 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 1026.00 FEET;
THENCE SOUTHEASTERLY 95.38 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 5 DEGREES 19 MINUTES 34 SECONDS;
THENCE SOUTH 82 DEGREES 01 MINUTES 46 SECONDS EAST, 94.82 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 10.00 FEET;
THENCE NORTHEASTERLY 16.99 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 97 DEGREES 19 MINUTES 03 SECONDS;
THENCE ON A NON–TANGENT LINE SOUTH 79 DEGREES 15 MINUTES 54 SECONDS EAST, 52.82 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 10.00 FEET;
THENCE SOUTHEASTERLY 14.43 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 82 DEGREES 40 MINUTES 57 SECONDS;
THENCE SOUTH 82 DEGREES 01 MINUTES 46 SECONDS EAST, 196.09 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 3803.13 FEET;
THENCE SOUTHEASTERLY 25.66 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 0 DEGREES 23 MINUTES 11 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 10.00 FEET;
THENCE NORTHEASTERLY 17.05 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 97 DEGREES 42 MINUTES 14 SECONDS;
THENCE ON A NON–TANGENT LINE SOUTH 77 DEGREES 59 MINUTES 40 SECONDS EAST, 53.04 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 10.00 FEET;
THENCE SOUTHEASTERLY 14.17 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 81 DEGREES 12 MINUTES 10 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 3803.13 FEET;
THENCE SOUTHEASTERLY 223.18 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 3 DEGREES 21 MINUTES 44 SECONDS;
THENCE ON A NON–TANGENT LINE SOUTH 12 DEGREES 48 MINUTES 45 SECONDS WEST, 26.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHWEST, FROM WHICH THE RADIUS POINT BEARS SOUTH 12 DEGREES 48 MINUTES 45 SECONDS WEST A DISTANCE OF 3777.13 FEET;
THENCE SOUTHEASTERLY 35.07 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 0 DEGREES 31 MINUTES 55 SECONDS;
THENCE ON A NON–TANGENT LINE SOUTH 13 DEGREES 17 MINUTES 34 SECONDS WEST, 515.03 FEET;
THENCE SOUTH 76 DEGREES 42 MINUTES 26 SECONDS EAST, 120.00 FEET;
THENCE SOUTH 13 DEGREES 17 MINUTES 34 SECONDS WEST, 171.06 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 10.00 FEET;
THENCE SOUTHWESTERLY 16.06 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 92 DEGREES 02 MINUTES 22 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 3081.00 FEET;
THENCE NORTHWESTERLY 64.25 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 1 DEGREES 11 MINUTES 41 SECONDS;
THENCE ON A NON–TANGENT LINE SOUTH 14 DEGREES 08 MINUTES 15 SECONDS WEST, 52.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 14 DEGREES 08 MINUTES 15 SECONDS WEST A DISTANCE OF 10.00 FEET;
THENCE SOUTHWESTERLY 15.86 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90 DEGREES 50 MINUTES 40 SECONDS;
THENCE SOUTH 13 DEGREES 17 MINUTES 34 SECONDS WEST, 245.89 FEET;
THENCE NORTH 76 DEGREES 42 MINUTES 26 SECONDS WEST, 69.00 FEET;
THENCE SOUTH 57 DEGREES 49 MINUTES 47 SECONDS WEST, 28.51 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHWEST, FROM WHICH THE RADIUS POINT BEARS SOUTH 12 DEGREES 09 MINUTES 31 SECONDS WEST A DISTANCE OF 2753.00 FEET;
THENCE NORTHWESTERLY 683.24 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 14 DEGREES 13 MINUTES 11 SECONDS;
THENCE ON A NON–TANGENT LINE NORTH 47 DEGREES 43 MINUTES 56 SECONDS WEST, 28.51 FEET;
THENCE NORTH 3 DEGREES 11 MINUTES 43 SECONDS WEST, 3.28 FEET;
THENCE NORTH 86 DEGREES 48 MINUTES 17 SECONDS EAST, 8.00 FEET;
THENCE NORTH 3 DEGREES 11 MINUTES 43 SECONDS WEST, 201.94 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 2.00 FEET;
THENCE NORTHEASTERLY 3.14 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;
THENCE ON A NON–TANGENT LINE NORTH 3 DEGREES 11 MINUTES 43 SECONDS WEST, 60.00 FEET;
THENCE NORTH 86 DEGREES 48 MINUTES 17 SECONDS EAST, 50.50 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 10.00 FEET;
THENCE NORTHWESTERLY 15.71 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;
THENCE NORTH 3 DEGREES 11 MINUTES 43 SECONDS WEST, 135.43 FEET;
THENCE SOUTH 86 DEGREES 48 MINUTES 17 SECONDS WEST, 120.00 FEET;
THENCE NORTH 3 DEGREES 11 MINUTES 43 SECONDS WEST, 457.40 FEET;
THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, 304.17 FEET;
THENCE NORTH 0 DEGREES 39 MINUTES 11 SECONDS EAST, 140.00 FEET;
THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, 262.94 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 974.00 FEET;
THENCE SOUTHWESTERLY 219.16 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 12 DEGREES 53 MINUTES 32 SECONDS;
THENCE ON A NON–TANGENT LINE NORTH 12 DEGREES 14 MINUTES 21 SECONDS WEST, 26.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 12 DEGREES 14 MINUTES 21 SECONDS EAST A DISTANCE OF 1000.00 FEET;
THENCE SOUTHWESTERLY 22.14 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 1 DEGREES 16 MINUTES 08 SECONDS;
THENCE ON A NON–TANGENT LINE NORTH 13 DEGREES 30 MINUTES 28 SECONDS WEST, 26.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 25.2268 ACRES, MORE OR LESS.



VICINITY MAP
(NTS)
T.3 N., R.1 W.
SEC. 16

DEVELOPER

MERITAGE HOMES OF ARIZONA INC.
8800 E. RAINTREE DR, SUITE 300
SCOTTSDALE, AZ 85260
TEL: (480)515–8251
CONTACT: JASON JARVIS

ENGINEER

EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
CONTACT: DANIEL AUXIER, P.E.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 TRACT USE TABLE, LOT AREA TABLES, CURVE TABLE
SHEET 3 FINAL PLAT
SHEET 4 FINAL PLAT
SHEET 5 FINAL PLAT

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON–PROFIT CORPORATION, HEREBY RATIFIES, AFFIRMS AND APPROVES THIS PLAT FOR "MARLEY PARK PHASE 4 & 5 – PARCEL 8" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT.

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF_____, 2018.

HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION,
AN ARIZONA NON–PROFIT CORPORATION

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2018, 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 _____, 2018.

_____ _____
MAYOR DATE

ATTEST: _____ _____
CITY CLERK DATE

CERTIFICATION

I, JESSE BOYD, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF JULY 2017; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JESSE BOYD, R.L.S. 42937
EPS GROUP, INC.
2045 S. VINEYARD AVENUE, SUITE 101
MESA, AZ 85210

DATE OF PREPARATION: REVISED MAY 23, 2018

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 8
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 07/26/2018
ARIZONA, U.S.A.

Job No.
17-234
FP01
Sheet No.
1
of 5

17-234
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LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
417	7,553	0.1734
418	7,265	0.1668
419	7,130	0.1637
420	7,039	0.1616
421	7,097	0.1629
422	6,964	0.1599
423	7,033	0.1615
424	7,256	0.1666
584	5,400	0.1240
585	5,400	0.1240
586	5,400	0.1240
587	5,400	0.1240
588	5,400	0.1240
589	5,400	0.1240
590	5,400	0.1240
591	5,400	0.1240
592	5,400	0.1240
593	5,400	0.1240
594	5,547	0.1273
595	5,513	0.1266

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
596	5,250	0.1205
597	5,250	0.1205
598	5,250	0.1205
599	5,247	0.1205
600	5,247	0.1205
601	5,247	0.1205
602	5,247	0.1205
603	5,247	0.1205
604	5,247	0.1205
605	5,247	0.1205
606	5,247	0.1205
607	5,247	0.1205
608	5,531	0.1270
609	5,791	0.1330
610	5,522	0.1268
611	5,522	0.1268
612	5,522	0.1268
613	5,522	0.1268
614	5,522	0.1268
615	5,522	0.1268

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
616	5,522	0.1268
617	5,522	0.1268
618	5,522	0.1268
619	5,522	0.1268
620	5,522	0.1268
621	5,770	0.1325
622	5,928	0.1361
623	5,656	0.1298
624	5,656	0.1298
625	5,656	0.1298
626	5,656	0.1298
627	5,656	0.1298
628	5,656	0.1298
629	5,656	0.1298
630	5,656	0.1298
631	5,656	0.1298
632	5,656	0.1298
633	5,952	0.1366
634	5,962	0.1369
635	5,669	0.1301

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
636	5,669	0.1301
637	5,669	0.1301
638	5,778	0.1326
639	5,521	0.1267
640	5,708	0.1310
641	5,669	0.1301
642	5,669	0.1301
643	5,669	0.1301
644	5,938	0.1363
645	5,612	0.1288
646	5,315	0.1220
647	5,315	0.1220
648	5,315	0.1220
649	5,315	0.1220
650	5,315	0.1220
651	5,315	0.1220
652	5,315	0.1220
653	5,315	0.1220
654	5,315	0.1220
655	5,639	0.1294

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
656	6,058	0.1391
657	5,371	0.1233
658	5,268	0.1209
659	5,268	0.1209
660	5,268	0.1209
661	5,268	0.1209
662	5,268	0.1209
663	5,268	0.1209
664	5,268	0.1209
665	5,268	0.1209
666	5,268	0.1209
667	5,268	0.1209
668	5,371	0.1233
669	6,047	0.1388
670	5,400	0.1240
671	5,400	0.1240
672	5,400	0.1240
673	5,400	0.1240
674	5,400	0.1240
675	5,400	0.1240

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
676	5,400	0.1240
677	5,400	0.1240
678	5,400	0.1240
679	5,804	0.1332
680	7,204	0.1654
681	6,300	0.1446
682	6,300	0.1446
683	6,300	0.1446
684	6,300	0.1446
685	6,300	0.1446
686	6,300	0.1446
687	6,300	0.1446
688	6,300	0.1446

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
A	LANDSCAPE/OPEN SPACE	1,380	0.0317
B	LANDSCAPE/OPEN SPACE/AMENITY/RETENTION	47,934	1.1004
C	LANDSCAPE/OPEN SPACE	2,407	0.0553
D	LANDSCAPE/OPEN SPACE	1,180	0.0271
E	LANDSCAPE/OPEN SPACE/RETENTION	2,262	0.0519
F	LANDSCAPE/OPEN SPACE	2,263	0.0519
G	LANDSCAPE/OPEN SPACE	2,262	0.0519
H	LANDSCAPE/OPEN SPACE	2,263	0.0519
I	LANDSCAPE/OPEN SPACE/AMENITY/RETENTION	40,991	0.9410
J	LANDSCAPE/OPEN SPACE	43,251	0.9929

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	16.19'	10.00'	92°44'10"	10.49'	14.48'	N33°04'31"W
C2	15.42'	10.00'	88°22'02"	9.72'	13.94'	S57°28'36"W
C3	15.23'	10.00'	87°16'35"	9.54'	13.80'	S46°50'01"E
C4	16.19'	10.00'	92°46'50"	10.50'	14.48'	S43°11'42"W
C5	15.19'	10.00'	87°01'54"	9.49'	13.77'	N56°48'31"E
C6	16.24'	10.00'	93°01'50"	10.54'	14.51'	N33°13'20"W
C7	15.19'	10.00'	87°02'18"	9.50'	13.77'	S46°42'52"E
C8	15.14'	10.00'	86°46'20"	9.45'	13.74'	N56°40'44"E
C9	16.24'	10.00'	93°01'45"	10.54'	14.51'	S43°19'09"W
C10	16.28'	10.00'	93°18'05"	10.59'	14.54'	N33°21'28"W
C11	15.09'	10.00'	86°27'47"	9.40'	13.70'	N56°31'28"E
C12	15.14'	10.00'	86°45'17"	9.45'	13.74'	S46°34'22"E

17-234

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EPS GROUP
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Mesa, AZ 85210
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w w w . e p s g r o u p i n c . c o m

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 8
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 07/26/2018
ARIZONA U.S.A.

Job No.
17-234
FP02
Sheet No.
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of 5

17-234

NORTHWEST CORNER
SECTION 16, T3N, R1W
FOUND BRASS CAP IN HANDHOLE
POINT OF COMMENCEMENT

1605.67'

S89°20'49"E 2639.19'

1033.52'

NORTH QUARTER-CORNER
SECTION 16, T3N, R1W
CALCULATED

WADDELL ROAD

H DR

N0°39'11"E
1132.18'

BULLARD AVENUE

S0°01'03"E 2627.28' (BASIS OF BEARINGS)

N. 144TH DR

EX. 83' R/W
PER 1211-27 MCR

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 4

L=15.36', R=10.00'
Δ=88°00'31"

N82°48'46"E 52.00'
26.00' 26.00'

L=15.36', R=10.00'
Δ=88°00'31"

Δ=4°19'45"
L=77.52', R=1026.00'

S7°11'14"E
35.37'

Δ=5°50'56"
L=104.74', R=1026.00'

S89°20'49"E 779.98'

N13°30'28"W 26.00'

L=110.31'

L=225.01', R=1000.00', Δ=12°53'32"

L=136.84'

72.58'

N0°39'11"E
26.00'

W. OLD OAK LANE

S89°20'49"E 815.98'
636.94'

L=15.71', R=10.00', Δ=90°00'00"

L=22.14', R=1000.00', Δ=1°16'08"

L=219.16', R=974.00', Δ=12°53'32"

N12°14'21"W 26.00'

262.94'

S89°20'49"E 673.52'

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 – PARCEL 9

45.00' 45.00' 45.00' 45.00' 45.00' 45.00' 45.00' 45.00' 50.58'

8' PUE

688 687 686 685 684 683 682 681 680

TRACT A

S0°39'11"W 48.16'

S0°39'11"W 74.16'

S0°39'11"W 38.16'

Δ=3°50'54"
L=68.91', R=1026.00'

L=69.58', R=1036.00'
Δ=3°50'54"

Δ=3°50'54"
L=67.17', R=1000.00'

1' VNAE

10.02'

N3°11'43"W 22.35'

45.00' 45.00' 45.00' 45.00' 45.00' 45.00' 45.00' 45.00' 54.42'

N89°20'49"W 304.17'

N89°20'49"W 120.27'

679

52.40'

44.33'

N86°48'17"E 120.00'

8' PUE

678

677

676

675

674

673

672

671

670

45.00'

N86°48'17"E 120.00'

S86°48'17"W 120.00'

1' VNAE

181.70'

N3°11'43"W 457.40'

N3°11'43"W 607.78'

N3°11'43"W 643.78'

282.47'

26' R/W

N. 143RD AVE.

MATCH SHEET 4

HOMESTEAD AT MARLEY PARK
PHASE 4 & 5 – PARCEL PARK A
& MODEL HOMES

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 9

MATCH SHEET 5

LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

WEST QUARTER-CORNER
SECTION 16, T3N, R1W
3" BRASS CAP FLUSH

NORTH

40 0 40 80
scale feet

EPS GROUP
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Mesa, AZ 85210
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w w w . e p s g r o u p i n c . c o m

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 8

Surprise, Arizona

Final Plat

Project: HOMESTEAD

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 07/26/2018
ARIZONA, U.S.A.

Job No.
17-234

FP03

Sheet No.
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of 5

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17-234

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 4

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 6

W. OLD OAK LANE

W. PERSHING ST.

W. SURREY DR.

N. 143RD AVE.

N. 142ND AVE.

TRACT B

TRACT C

TRACT D

TRACT E

TRACT F

MATCH SHEET 3

MATCH SHEET 5

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 6

LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

NORTH

40 0 40 80
scale feet

EPS GROUP
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w w w . e p s g r o u p i n c . c o m

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 8
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

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Date Signed 07/27/2018
ARIZONA, U.S.A.

Job No.
17-234
FP04
Sheet No.
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of 5

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17-234

LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

MATCH SHEET 3

MATCH SHEET 4

W. SURREY DR.

W. VALENTINE ST.

N. 143RD AVE.

N. 143RD DR.

N. 142ND AVE.

TRACT G

TRACT H

TRACT I

TRACT J

W. SWEETWATER AVENUE

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 6

644 643 642 641 640 639 638 637 636 635 634

645 646 647 648 649 650 651 652 653 654 655

669 668 667 666 665 664 663 662 661 660 659 658 657 656

L=642.72', R=3196.30', Δ=11°31'16" RADIAL BEARING AT MIDPOINT=S4°54'51"W

L=562.04', R=3170.30', Δ=10°09'27"

L=498.06', R=2940.10', Δ=9°42'22"

L=493.66', R=2914.10', Δ=9°42'22" RADIAL BEARING AT MIDPOINT=S4°54'10"W

L=489.25', R=2888.10', Δ=9°42'22"

L=683.24', R=2753.00', Δ=14°13'11"

EX. 53' R/W PER 675-21 MCR

EX. 8' PUE PER 675-21 MCR

NORTH

scale 40 0 40 80 feet

EPS GROUP
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w w w . e p s g r o u p i n c . c o m

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 8

Surprise, Arizona

Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
42937
JESSE BOYD
Date Signed 07/27/2018
ARIZONA, U.S.A.

Job No. 17-234

FP05

Sheet No. 5 of 5

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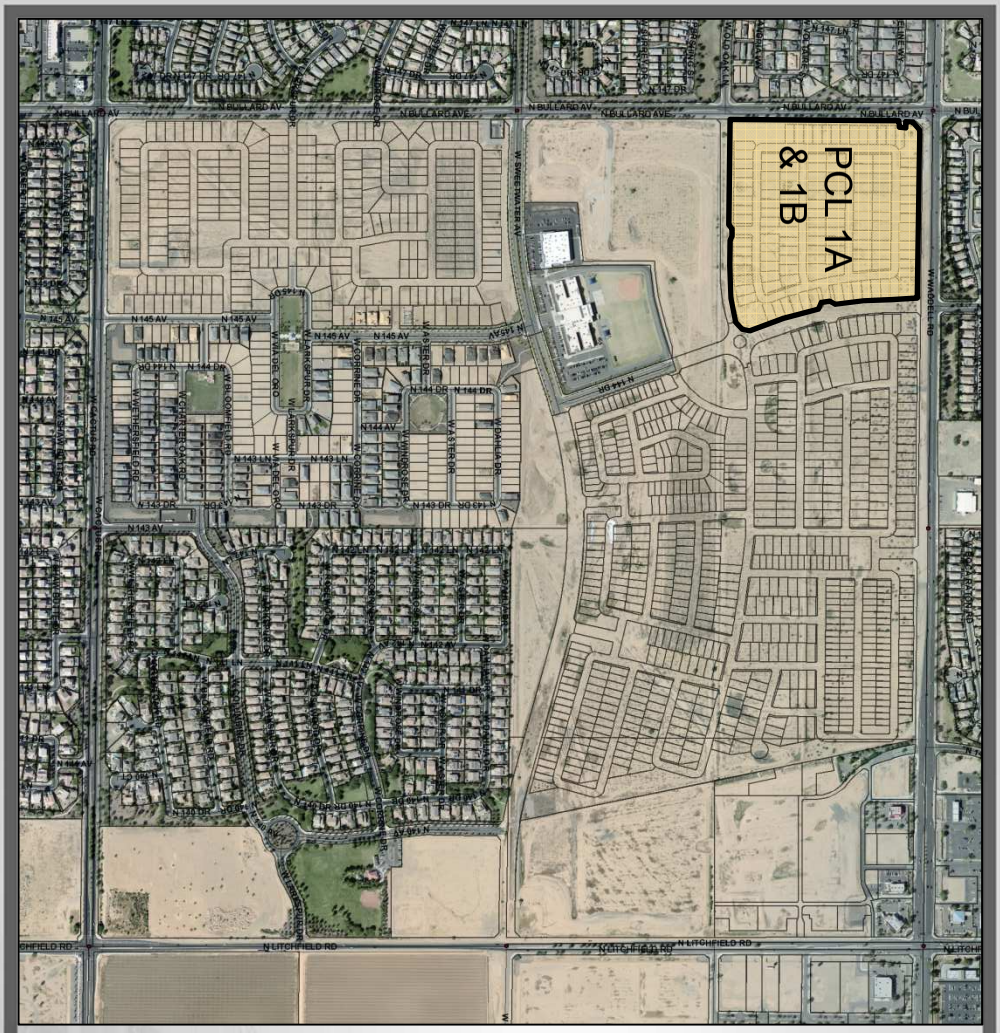


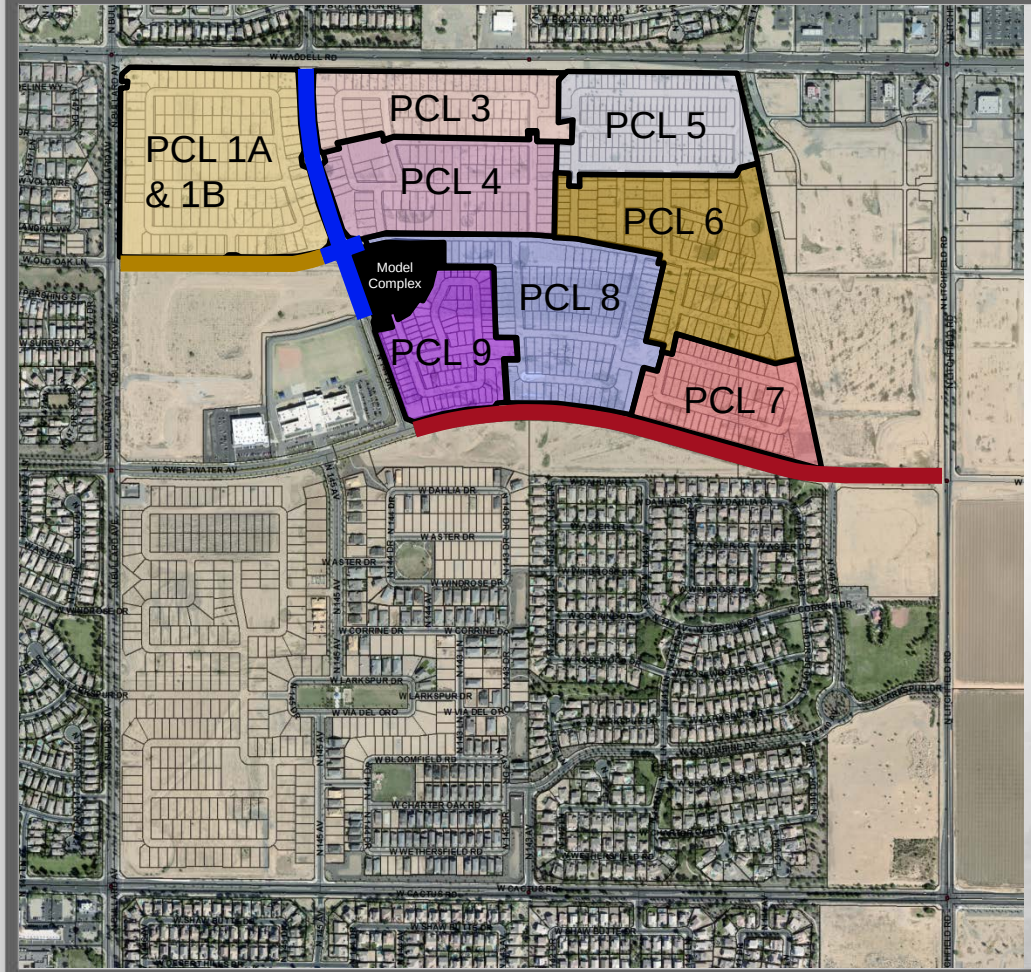
FS18-181 Case Map

SURPRISE
ARIZONA

Homestead at Marley Park Final Plats

- FS18-181 Parcel 1A & 1B
  - FS18-178 Parcel 3
  - FS18-177 Parcel 4
  - FS18-245 Parcel 5
  - FS18-214 Parcel 6
  - FS18-190 Parcel 7
  - FS18-162 Parcel 8
  - FS18-135 Parcel 9

City Council, September 4, 2018



Composite Map

- Parcel 1A & 1B, FS18-181
- Parcel 3, FS18-178
- Parcel 4, FS18-177
- Parcel 5, FS18-245
- Parcel 6, FS18-214
- Parcel 7, FS18-190
- Parcel 8, FS18-162
- Parcel 9, FS18-135
- Sweetwater MOD
- 144th Dr MOD
- Old Oak MOD

PARKS & AMENITY

1 THE HOMESTEAD

- Community / Sales Center
- Ramada
- Outdoor Fireplace Plaza
- Communal Table
- Tot Lot
- Half Basketball Court
- Grove Plaza
- Pool
- Kid Zone
- Adult Zone
- Lap Pool
- Dive-in Movie
- Bocce Ball Court
- Horseshoes Court
- Open Turf Area

2 PLAYFUL ART PARK (PARCEL 1)

- Playful Art Play Structure
- Shaded Seating
- Gathering Area
- Shaded Seatwall Gathering Plaza
- Open Turf Area

3 MONARCH PARK (PARCEL 3)

- Passive Recreation Park
- Outdoor Lounge
- Overlook Platform
- Grove Plaza
- Formal Gardens
- Social Event Space

4 CLIMBING PARK (PARCEL 5)

- Climbing Tot Lot
- Turf Play Area
- Ramada Gathering
- Shaded Seating

5 MUSIC PARK (PARCEL 7)

- Interactive Musical Play
- Turf Play Area
- Shade Structure
- Seating Area
- Gathering Plaza

6 PRAIRIE LOUNGE (PARCEL 8)

- Outdoor Kitchen
- Outdoor Living
- Outdoor Fireplace
- Movie Lawn
- Community Garden
- Communal Table
- Corn Hole

7 NATURE GROVE PARK (PARCEL 9)

- Nature Play Feature
- Animal Play Feature
- Turf Play Area
- Shade Structure
- Seating Area

8 WARRIOR PARK (LINEAR PARK)

- Active Recreation Park
- Fitness Stations
- Ninja Equipment
- Multi-use Trails

9 MEADOW PARK (13 ACRE PARK)

- Active Recreation Park
- Multi-use Turf Fields
- Multi-use Paths

NORTH 0' 100' 200' 400'
Scale: 1" = 200'-0"

17-234 MeritageHomes | Marley Park - Phase 4 & 5 | Surprise, Arizona | Illustrative Master Plan | L-0.01 | 12.14.2017 | EPS GROUP

FS17-508 Landscape

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Shirley Phan - Community Development
Submitting Department:	CD	District:	1
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "223rd Avenue Lots" dated June 13, 2018, a property generally located north of Deer Valley Road Alignment and west of 223rd Avenue.

Motion:

I move to approve the Final Plat entitled, "223rd Avenue Lots" dated June 13, 2018.

Background:

On June 8, 1989 the Mayor and City Council approved Ordinance #89-05 approving the annexation of the subject property. Erik Hillstrom on behalf of Mike Demore and Tuan M Vo submitted a request for a Final Plat of a 4.68 acre (approx.) parcel.

Objective Analysis:

This Final Plat will split the 4.68 acre parcel into 4 equal lots of 1.17 acres.

Policy Compliant:

This proposal Final Plat is consistent with the Surprise General Plan 2035 and the Surprise Municipal Code

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:

None.

FTE Impact:

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

ATTACHMENTS:

Click to download

- [ ] 00 - FS18-114 223rd Lots Final Plat - Staff Report
- [ ] 01 - FS18-114 223rd Lots - Vicinity Map
- [ ] 02 - FS18-114 223rd Lots Final Plat
- [ ] 03 - FS18-114 223rd Lots Final Plat - Presentation

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-114**
Project Name:	223rd Lot Final Plat
Council District:	1-Acacia
City Council Date:	**September 4, 2018**
Planner:	Shirley Phan
Owner:	Mike Demore and Tuan M Vo
Applicant:	Erik Hillstrom
Request:	Final Plat to subdivide a 4.68 acre (approx.) parcel into four (4) parcels; Lot 1 (1.17 acre), Lot 2 (1.17 acre), Lot 3 (1.17 acres), and Lot 4 (1.17 acres) in the RR (Residential Ranch) zoning district.
Site Location:	Generally north of Deer Valley Road and west of 223rd Avenue
Site Size:	4.68 acres (approx.)
Density:	0-1 DU/AC
General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035
Support/Opposition:	None known
Findings:	• The proposed Final Plat is consistent with the Surprise General Plan 2035. • The proposed Final Plat is consistent with the Surprise Municipal Code.
Alternative Actions:	**Approval** of the requested Final Plat to subdivide a 4.68 acre parcel into 4 lots. **Denial** of the requested Final Plat to subdivide a 4.68 acre parcel into 4 lots.

PROJECT DESCRIPTION:

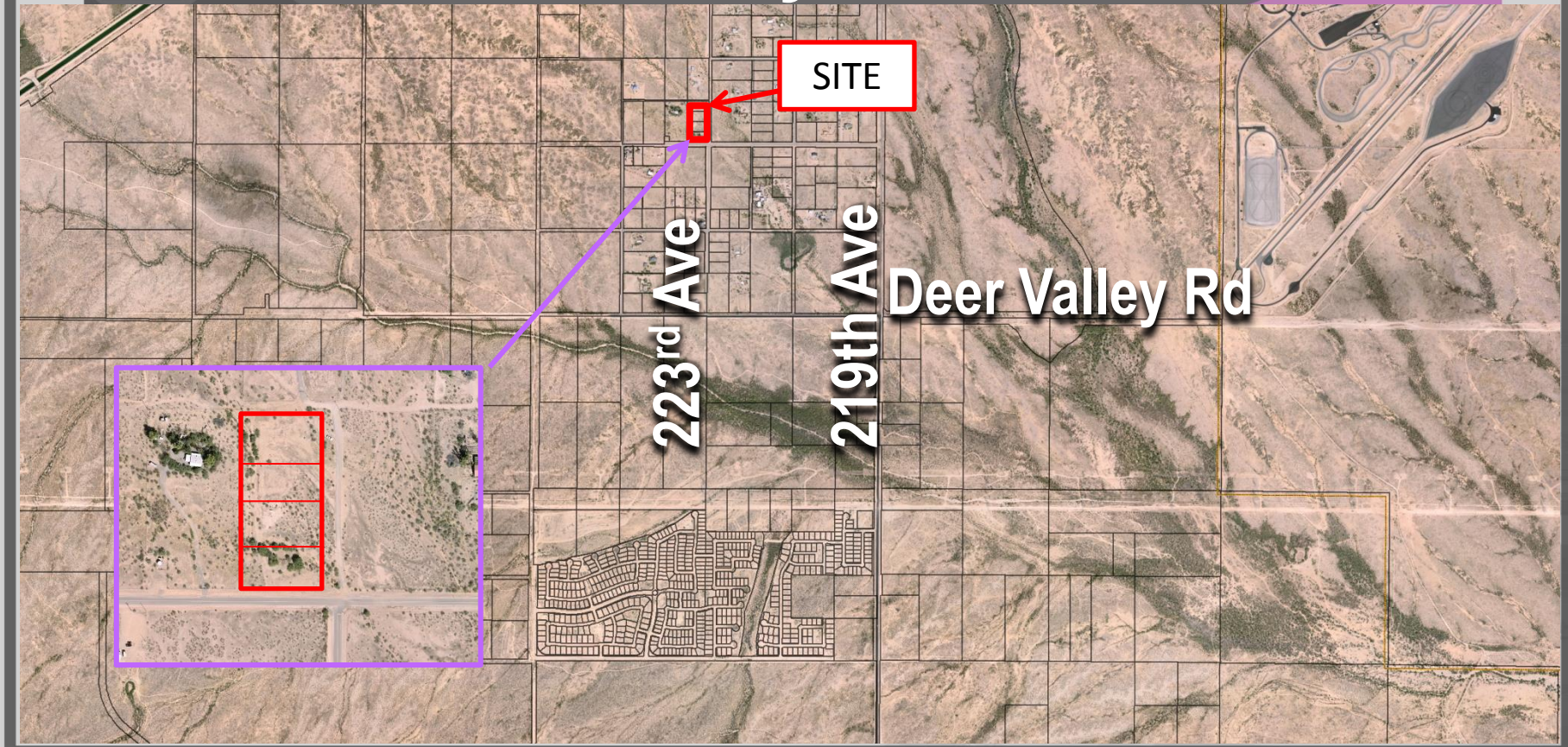
On June 8, 1989 the Mayor and City Council approved Ordinance #89-05 approving the annexation of the subject property.

The applicant is requesting a final plat approval that will subdivide a 4.68 acre (approx.) parcel into four (4) parcels; Lot 1 (1.17 acre), Lot 2 (1.17 acre), Lot 3 (1.17 acres), and Lot 4 (1.17 acres) in the RR (Residential Ranch) zoning district . The 4.68 acre parcel is currently vacant land. The applicant plans to begin development soon after this final plat is approved.

Attachments:

01 Vicinity Map
02 Final Plat

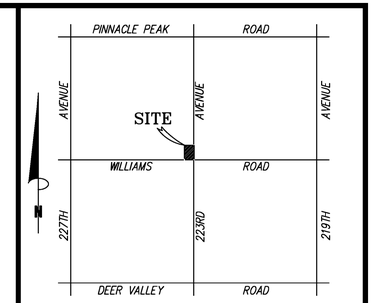
Vicinity MAP



FINAL PLAT

"223RD AVENUE LOTS"

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



VICINITY MAP
NOT TO SCALE

DEDICATION

DEDICATION
STATE OF ARIZONA
COUNTY OF MARICOPA

KNOW ALL PERSONS BY THESE PRESENTS: THAT BLUESHORE HOLDINGS, LLC. & TUAN M VO, HAS SUBDIVIDED UNDER THE NAME "223RD AVENUE LOTS", A SUBDIVISION LOCATED IN A PORTION OF THE NORTHWEST QUARTER, SECTION 14, TOWNSHIP 4 NORTH RANGE 3 WEST, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "223RD AVENUE LOTS" 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.

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

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

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

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

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

THE 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.

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 HERETUNTO CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER

THIS _____ DAY OF _____, 2018.

BLUESHORE HOLDINGS, LLC

BY_____

ITS_____

TUAN M VO

BY_____

ITS_____

CITY NOTES

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

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

**ADDITIONAL WATER/SEWER NOTE: THESE PROPERTIES WILL CURRENTLY HAVE A HAULED WATER SUPPLY WITH THE CONTINGENCY THAT ONCE WATER AND SEWER SERVICE ARE WITHIN 500 FT OF THESE RESIDENCES, THAT CONNECTION WILL BE REQUIRED PER MUNICIPAL CODE CHAPTERS 58-181 AND 58-314.

GRADING AND EXCAVATION LANGUAGE:
THE PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.

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

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

TAXES:
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.

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.

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

RELEASE OF LIABILITY

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

SITE INFORMATION

OWNER OF RECORD: BLUESHORE HOLDINGS, LLC

SITE ADDRESS: N/A

OWNER OF RECORD: TUAN M VO

SITE ADDRESS: N/A

503-81-066C & 503-81-066D

COMBINED AREA THIS SURVEY: 204074, SF./4.68 ACRES

ZONING: RR (SURPRISE)

PARENT PROPERTY DESCRIPTIONS

PER DEED: 2013-0466551 MCR

THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA;
EXCEPT THE SOUTH 504.24 FEET THEREOF.

PER DEED: 2006-1435327 MCR

THE NORTH 154.75 FEET OF THE SOUTH 504.24 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PER DEED: 2007-1008989 MCR

THE NORTH 154.75 FEET OF THE SOUTH 349.49 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

THE SOUTH 194.75 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.
EXCEPT THE SOUTH 40 FEET THEREOF.

FEMA FIRM

THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONES "X" AND "AE"; BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAPS NO. 04013C1185L AND NO. 04013C1195L, 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.

SURVEYORS NOTES

SURVEY FIELD WORK WAS COMPLETED DURING AUGUST 2017.

MONUMENTS FOUND DURING THIS FIELD SURVEY WERE ACCEPTED UNLESS OTHERWISE NOTED HEREIN.

THE WORD "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE EXPRESSED OR IMPLIED.

ALL ZONING AND SETBACKS MUST BE VERIFIED WITH THE PROPER GOVERNING AGENCY PRIOR TO DESIGN OR CONSTRUCTION. DUE TO POSSIBLE ZONING CHANGES AND VARIANCES IN SETBACKS, ARIZONA SURVEYORS, INCORPORATED TAKES NO RESPONSIBILITIES IN THIS MATTER.

THIS SURVEY WAS CONDUCTED WITH THE BENEFIT OF A TITLE REPORT. THIS SURVEY MAKES NO WARRANTY AS TO THE EXISTENCE OF ANY ADDITIONAL EASEMENTS OF RECORD AND/OR RESTRICTIONS TO AFFECTED PARCELS NOT LISTED IN THE REPORT.

NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN OR SHOW DATA CONCERNING ANY UTILITY OR PUBLIC SERVICE FACILITY.

IT IS RECOMMENDED THAT THE CLIENT RETAIN LEGAL CONSULTATION TO THOROUGHLY EXAMINE TITLE FOR ANY CLAIMS, DEFECTS OR LIABILITY UNDISCLOSED BY THIS SURVEY.

THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY ISSUE AT THE SURVEY DATE WITH ITS ORIGINAL SEAL TO ENSURE THE ACCURACY OF THE INFORMATION AND TO FURTHER ENSURE THAT NO CHANGES, ALTERATIONS OR MODIFICATIONS HAVE BEEN MADE.

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

LOT ARRANGEMENT SHOWN IS PER INSTRUCTIONS GIVEN TO THIS SURVEYOR BY THE OWNER.

THERE ARE NO CC&R'S EFFECTING THIS PROPERTY.

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2018, 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 _____, 2018.

_____
MAYOR DATE

_____
CITY CLERK DATE

CERTIFICATE OF SURVEY

I, JOHN M. WARE HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA, AND THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECT SUPERVISION DURING THE MONTH OF FEBRUARY, 2018 AND ALL MEASUREMENTS ARE TRUE AND ACCURATE AND ALL PARCELS CLOSE.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
37937
JOHN M. WARE
ARIZONA, U.S.A.

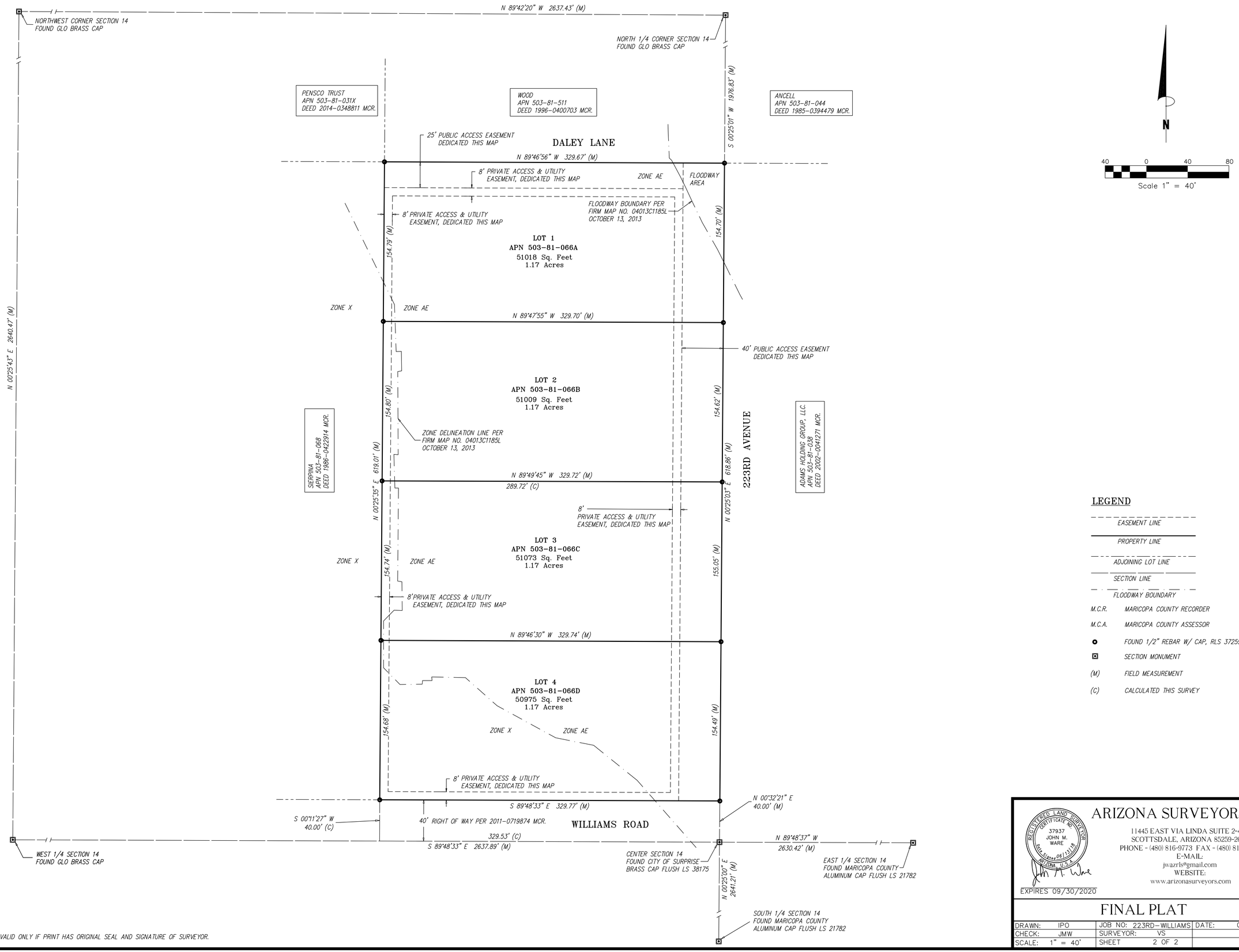
EXPIRES 09/30/2020

ARIZONA SURVEYORS, INC.
11445 EAST VIA LINDA SUITE 2-447
SCOTTSDALE, ARIZONA 85259-2638
PHONE - (480) 816-9773 FAX - (480) 816-9735
E-MAIL:
jwazrls@gmail.com
WEBSITE:
www.arizonasurveyors.com

FINAL PLAT

DRAWN: IPO	JOB NO: 223RD-WILLIAMS	DATE:	01/31/2018
CHECK: JMW	SURVEYOR: VS		
SCALE: 1" = 40'	SHEET 1 OF 2		

**SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.



LEGEND

- EASEMENT LINE
- PROPERTY LINE
- ADJOINING LOT LINE
- SECTION LINE
- FLOODWAY BOUNDARY

M.C.R. MARICOPA COUNTY RECORDER

M.C.A. MARICOPA COUNTY ASSESSOR

FOUND 1/2" REBAR W/ CAP, RLS 37259

SECTION MONUMENT

(M) FIELD MEASUREMENT

(C) CALCULATED THIS SURVEY

**SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
37937
JOHN M.
WARE
Date Signed 06/13/18
ARIZONA U.S.A.

EXPIRES 09/30/2020

ARIZONA SURVEYORS, INC.
11445 EAST VIA LINDA SUITE 2-447
SCOTTSDALE, ARIZONA 85259-2638
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jwazrls@gmail.com
WEBSITE:
www.arizonasurveyors.com

FINAL PLAT

DRAWN:	IPO	JOB NO:	223RD-WILLIAMS	DATE:	01/31/2018
CHECK:	JMW	SURVEYOR:	VS		
SCALE:	1" = 40'	SHEET	2 OF 2		

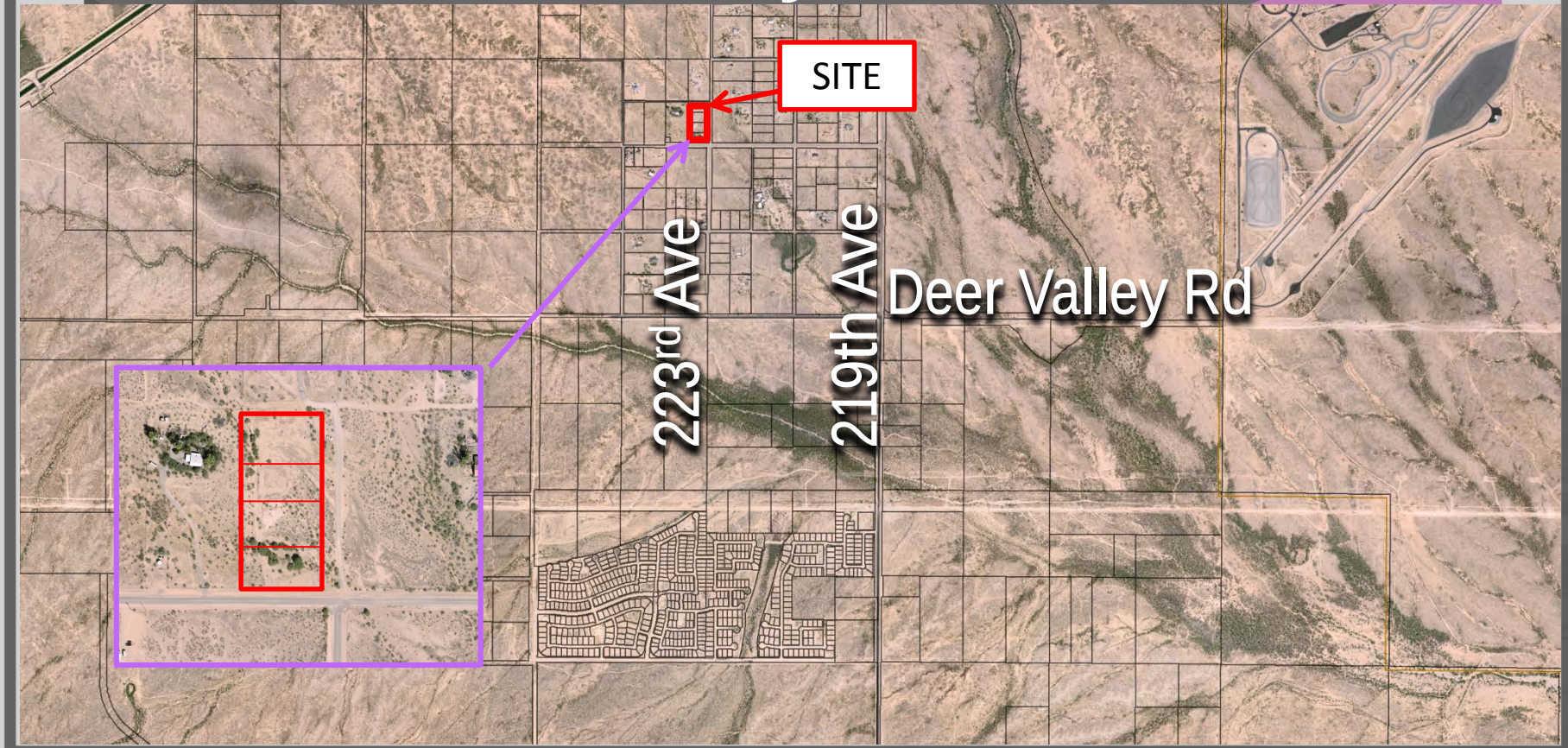
SURPRISE
ARIZONA

FS18-114
223rd Lots Final Plat

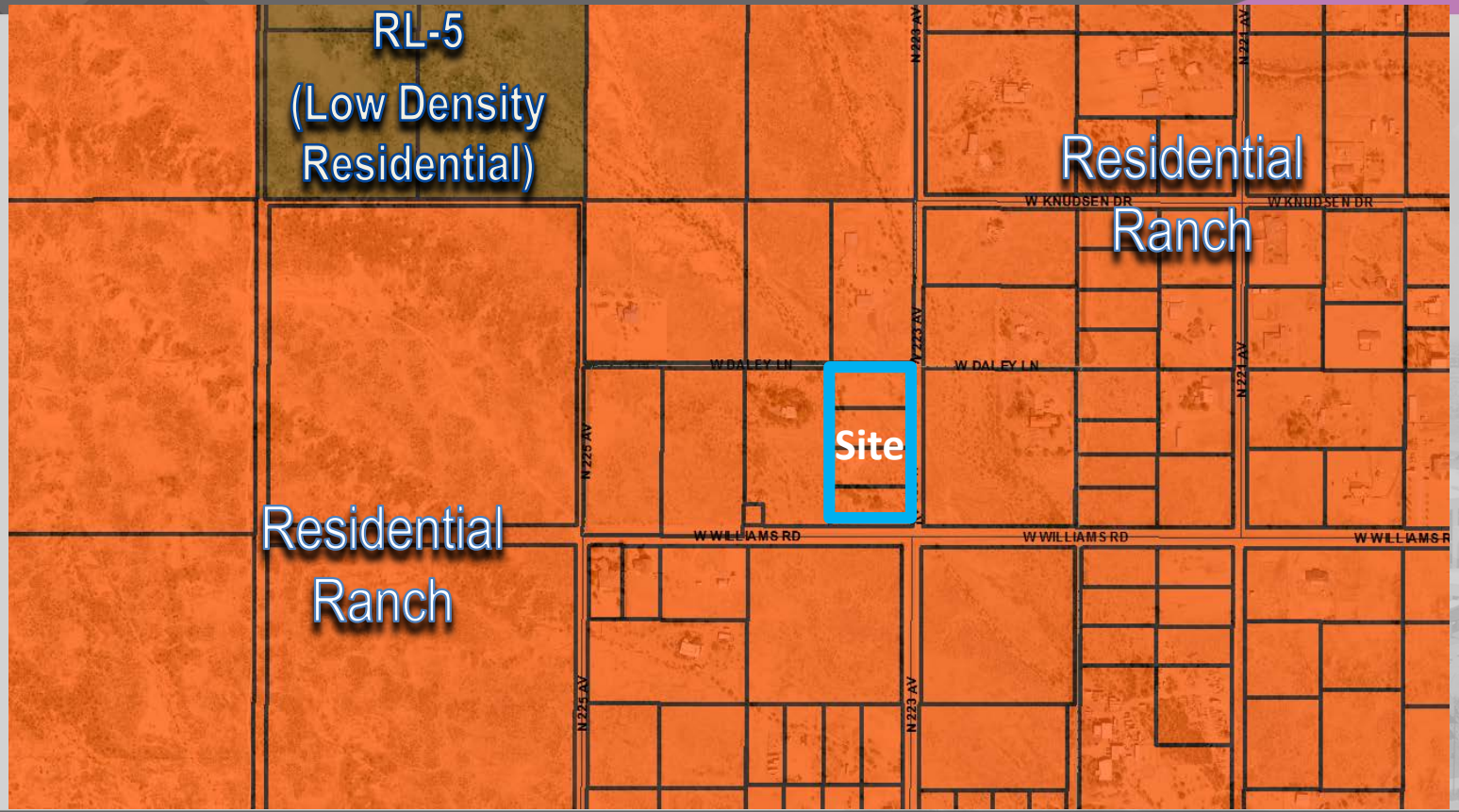
City Council

September 4, 2018

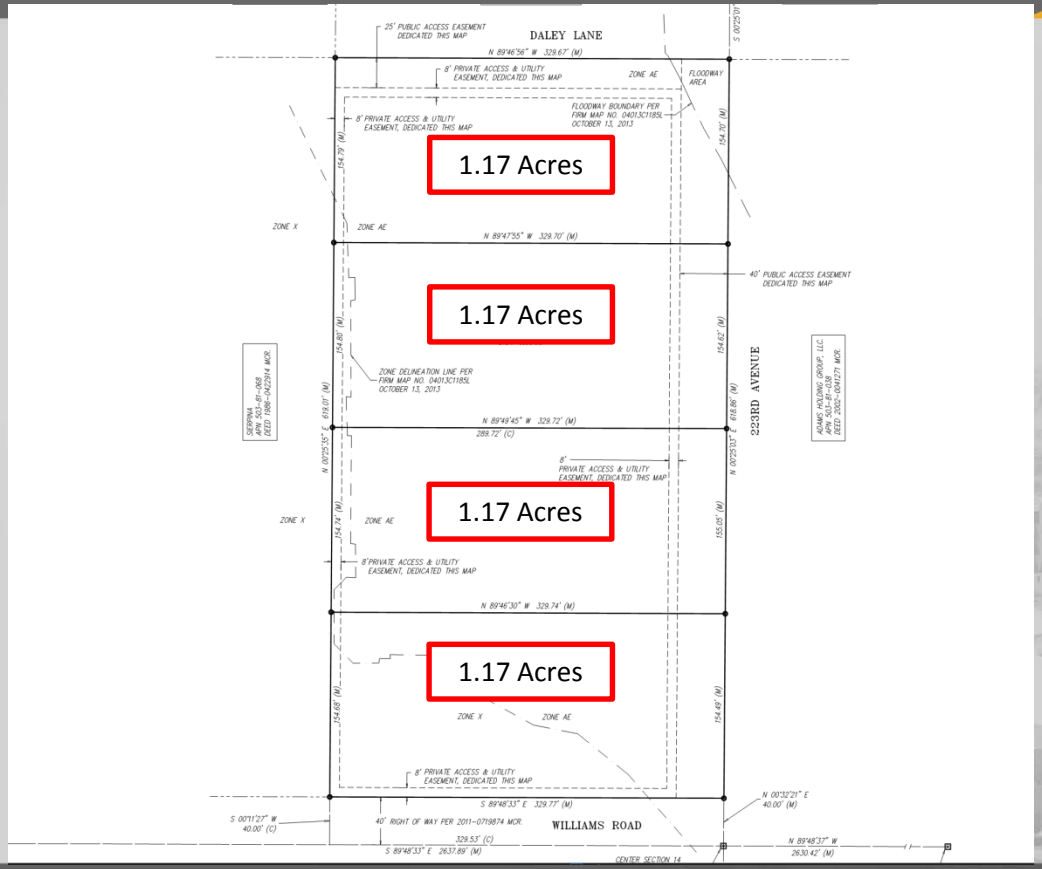
Vicinity MAP



SURROUNDING ZONING



Final Plat


DALEY LANE
25' PUBLIC ACCESS EASEMENT DEDICATED THIS MAP
N 89°46'56" W 329.67' (M)
8' PRIVATE ACCESS & UTILITY EASEMENT, DEDICATED THIS MAP
ZONE AE
FLOODWAY AREA
FLOODWAY BOUNDARY PER FIRM MAP NO. 04013C1185L OCTOBER 13, 2013
1.17 Acres
ZONE X
N 89°47'55" W 329.70' (M)
40' PUBLIC ACCESS EASEMENT DEDICATED THIS MAP
1.17 Acres
ZONE DELINEATION LINE PER FIRM MAP NO. 04013C1185L OCTOBER 13, 2013
223RD AVENUE
N 89°49'45" W 329.72' (M)
289.72' (C)
8' PRIVATE ACCESS & UTILITY EASEMENT, DEDICATED THIS MAP
1.17 Acres
8' PRIVATE ACCESS & UTILITY EASEMENT, DEDICATED THIS MAP
N 89°46'30" W 329.74' (M)
1.17 Acres
ZONE X
ZONE AE
8' PRIVATE ACCESS & UTILITY EASEMENT, DEDICATED THIS MAP
S 89°48'33" E 329.77' (M)
S 00°11'27" W 40.00' (C)
40' RIGHT OF WAY PER 2011-0719874 MCR
WILLIAMS ROAD
N 00°32'21" E 40.00' (M)
328.53' (C)
S 89°48'33" E 2637.89' (M)
CENTER SECTION 14
N 89°48'37" W 2630.42' (M)

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	6
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 5" dated August 3, 2018, a property generally located south of Waddell Road and west of 140th Drive in Marley Park.

Motion:

I move to approve the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 5" dated August 3, 2018.

Background:

Dan Auxier of EPS Group on behalf of Meritage Homes requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 118 single-family residential lots, in addition to approximately 2.5 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

Objective Analysis:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC;

however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. Luke AFB did not offer comment with respect to the subject Final Plat; however, at 4.04 DU/Ac, the subject Final Plat does not meet the GDC.

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 - Homestead at Marley Park Parcel 5 Final Plat - Staff Report
- 01 - Homestead at Marley Park Parcel 5 Final Plat - Case Map
- 02 - Homestead at Marley Park Parcel 5 Final Plat
- 03 - Homestead at Marley Park Parcel 5 Final Plat - Luke AFB Comments
- 04 - Homestead at Marley Park Parcel 5 Final Plat - Presentation

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-245**
Project Name:	Homestead at Marley Park Parcel 5 Final Plat
Council District:	6 – Palo Verde
Meeting Date:	**September 04, 2018**
Planner:	Robert H. Kuhfuss, AICP

Owner:	Meritage Homes
Applicant:	Dan Auxier, EPS Group, Inc.
Request:	118-Lot, 7-Tract Final Plat in the PAD Zoning District (Marley Park)
Site Location:	Generally south of Waddell Road and west of 140th Drive in Marley Park
Site Size:	17.08 gross acres (approx.)
Density:	6.91 DU/Ac
General Plan Conformance:	The proposal advances the goals of the Surprise General Plan 2035
Support/Opposition:	None known.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat 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 Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Project Description:

Dan Auxier of EPS Group on behalf of Meritage Homes requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 118 single-family residential lots, in addition to approximately 2.5 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

BACKGROUND:

October 25, 2000: The City Council approved the original Marley Park PAD under case PAD00-091.

September 26, 2002: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of adding land mass to the PAD under case PADA02-104.

March 23, 2006: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of addressing densities in the eastern portion of Marley Park.

March 12, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 9 under case FS18-135, which is discussed under separate cover.

March 20, 2018: The City Council approved the Preliminary Plat for Marley Park Phase 4 & 5 under case FS17-508. The City Council also approved three (3) related Maps-of-Dedication (MOD) this date. Said MODs were for Sweetwater Avenue, 144th Drive, and Old Oak Lane under cases FS17-584, FS17-601, and FS17-618, respectively.

March 26, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 8 under case FS18-162, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 4 under case FS18-177, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 3 under case FS18-178, which is discussed under separate cover.

April 5, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 1A and 1B under case FS18-181, which is discussed under separate cover.

April 10, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 7 under case FS18-190, which is discussed under separate cover.

April 18, 2018: The applicant filed a request for a Final Plat and Landscape Plan Review for Marley Park Phase 4 & 5, Park "B" under case FS18-209, which is still under review.

April 23, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 6 under case FS18-214, which is discussed under separate cover.

May 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 5 under case FS18-245, the subject case.

June 5, 2018: The City Council approved a Final Plat for the Homestead and Marley Park Model Complex and Park "A" under FS18-103.

Citizen Outreach:

N/A

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC; however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. With the subject request, Luke AFB echoed their previous concerns stating that at 6.9 DU/Ac, the subject Final Plat does not meet the GDC.

Reviewing Agencies:

All city reviewing departments have reviewed the request and expressed no objections to the request. The subject Final Plat was also routed to the standard external reviewing agencies, who offered the following comments:

Flood Control District of Maricopa County (FCDMC): FCDMC indicated no objections to the request.

Maricopa Water District (MWD): MWD indicated the proposed project is outside their current boundaries.

Arizona Department of Transportation (ADOT): ADOT indicated no objection to the request.

Luke Air Force Base (LAFB): LAFB stated that the proposed Final Plat does not meet their GDC.

Summary:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD.
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

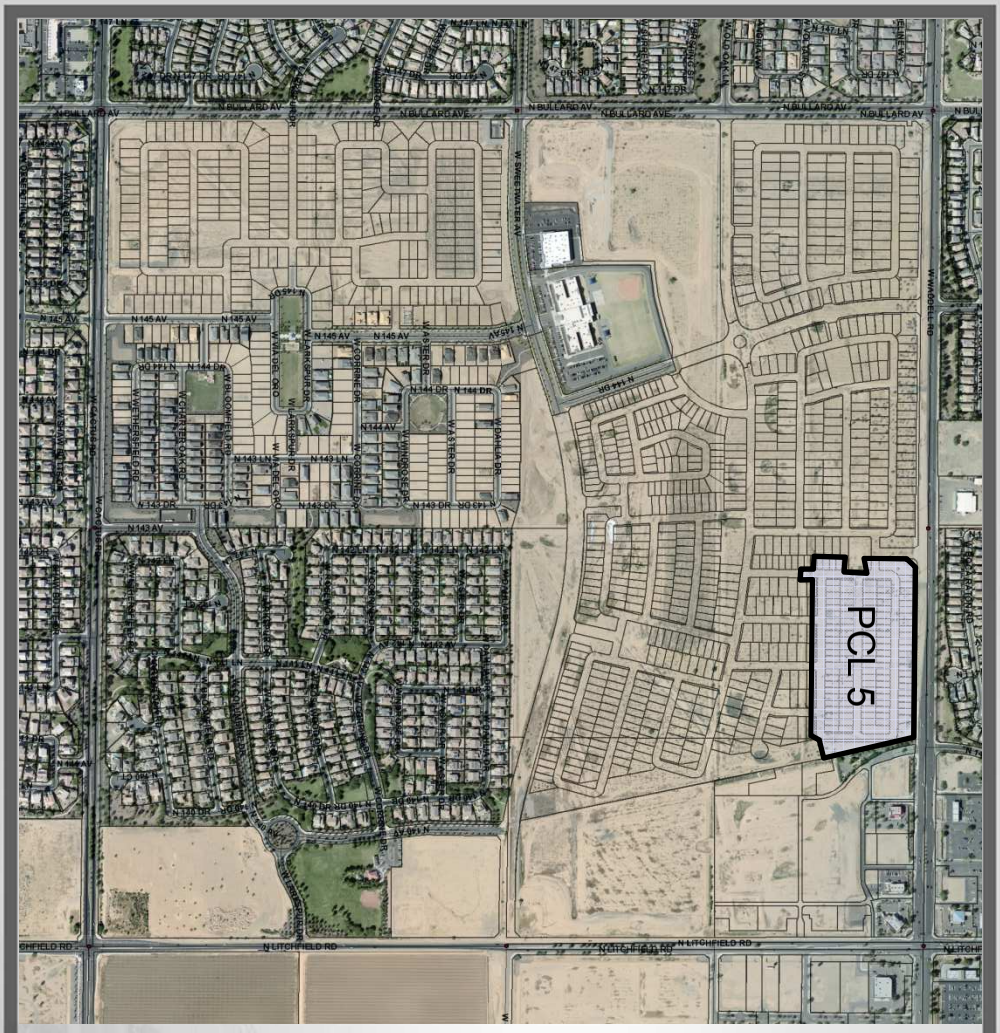
Alternative Actions:

Approval of the requested Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Attachments:

01 – Case Map
02 – Final Plat
03 – Luke AFB Comments



FS18-245 Case Map

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 5

A PORTION OF THE NORTH HALF OF SECTION 16,
TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN
MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

KNOW ALL MEN BY THESE PRESENTS: THAT MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 5", A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT AND EASEMENT, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, AND LETTER GIVEN TO EACH RESPECTIVELY. THE PURPOSES OF THE EASEMENTS ARE SHOWN HEREON.

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

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

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

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

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

OWNER 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.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE, AN ARIZONA MUNICIPAL CORPORATION, AND ITS SUCCESSORS AND ASSIGNS, A PUBLIC RECREATION/TRAIL EASEMENT FOR BICYCLING AND OTHER NON–MOTORIZED FORMS OF PEDESTRIAN ACCESS OVER AND ACROSS OWNER'S PROPERTY, INCLUDING THE RIGHT OF INGRESS AND EGRESS ALONG AND ACROSS THE EASEMENT PREMISES, AS SHOWN ON THIS PLAT.

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.

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

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 _____, 2018.

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION

BY _____ DATE _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

PUBLIC NOTICE

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

RELEASE OF LIABILITY

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE 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 UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

THE CITY OF SURPRISE AGREES TO INDEMNIFY MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF AND ITS SUCCESSORS AND ASSIGNS FOR ANY AND ALL DIRECT DAMAGES TO THE PERSONAL PROPERTY OR FOR PHYSICAL INJURY TO OR DEATH OF PERSONS OCCURRING ON THE AREA OF THIS EASEMENT CAUSED BY OR ARISING AS THE PROXIMATE RESULT OF THE ACTIVITIES OF THE CITY OF SURPRISE OR MEMBERS OF THE PUBLIC USING THE TRAIL PURSUANT TO THE TERMS OF THIS EASEMENT, EXCEPT FOR SUCH INJURY OR DAMAGES CAUSED BY OR ARISING SOLEY FROM THE NEGLIGENT, WILLFUL, MALICIOUS OR GROSSLY NEGLIGENT CONDUCT OF MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF ITS SUCCESSORS AND ASSIGNS THAT WAS THE DIRECT CAUSE OF THE INJURY TO THE USER.

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. NO ONSITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
3. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "OTHER FLOOD AREAS ZONE X," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1680 L, 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.
4. IN ACCORDANCE WITH ARS § 9–461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
5. 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.
6. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NONPROFIT CORPORATION.
7. 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.

ASSURED WATER SUPPLY CERTIFICATION

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE OF THE CITY OF SURPRISE, AWS NO. 2010–012, SIGNED ON 9–29–2010, DECISION AND ORDER NUMBER 86–002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO A.R.S. 45–576.

AREA SUMMARY TABLE

DESCRIPTION	AREA (SF)	AREA (ACRES)
LOTS 282–399	426,525	9.7917
TRACTS A–G	109,173	2.5063
RIGHT–OF–WAY	208,166	4.7788
GROSS AREA	743,864	17.0768

LEGAL DESCRIPTION

A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CALCULATED NORTH QUARTER–CORNER OF SAID SECTION 16, FROM WHICH A BRASS CAP IN HANDHOLE AT THE NORTHEAST CORNER OF SAID SECTION 16 BEARS SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST, 2639.25 FEET;

THENCE ALONG THE NORTH LINE OF SAID SECTION 16, SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST, 215.20 FEET;

THENCE SOUTH 0 DEGREES 38 MINUTES 55 SECONDS WEST, 65.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST, 1119.60 FEET;

THENCE SOUTH 11 DEGREES 36 MINUTES 21 SECONDS EAST, 558.04 FEET;

THENCE SOUTH 78 DEGREES 23 MINUTES 39 SECONDS WEST, 102.16 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHWEST, FROM WHICH THE RADIUS POINT BEARS NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST A DISTANCE OF 62.00 FEET;

THENCE SOUTHWESTERLY 97.39 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;

THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, 960.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 10.00 FEET;

THENCE SOUTHWESTERLY 15.71 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;

THENCE ON A NON–TANGENT LINE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, 52.00 FEET;

THENCE NORTH 0 DEGREES 39 MINUTES 11 SECONDS EAST, 2.66 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, 90.00 FEET;

THENCE NORTH 0 DEGREES 39 MINUTES 11 SECONDS EAST, 200.00 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, 90.00 FEET;

THENCE NORTH 0 DEGREES 39 MINUTES 11 SECONDS EAST, 131.91 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 10.00 FEET;

THENCE NORTHWESTERLY 15.71 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;

THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, 54.24 FEET;

THENCE NORTH 0 DEGREES 39 MINUTES 11 SECONDS EAST, 52.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHEAST, FROM WHICH THE RADIUS POINT BEARS NORTH 0 DEGREES 39 MINUTES 11 SECONDS EAST A DISTANCE OF 10.00 FEET;

THENCE NORTHWESTERLY 15.71 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 89 DEGREES 59 MINUTES 44 SECONDS;

THENCE NORTH 0 DEGREES 38 MINUTES 55 SECONDS EAST, 212.35 FEET;

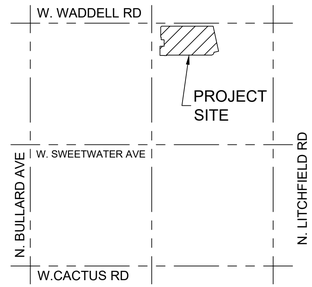
THENCE NORTH 45 DEGREES 38 MINUTES 55 SECONDS EAST, 28.28 FEET TO THE POINT OF BEGINNING.

CONTAINS 17.0768 ACRES, MORE OR LESS.

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS MEASURED AND AS SHOWN ON THE FINAL PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 5", AS SHOWN ON THE MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 839, PAGE 39, M.C.R.

SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST



VICINITY MAP
(NTS)
T.3 N., R.1 W.
SEC. 16

DEVELOPER

MERITAGE HOMES OF ARIZONA INC.
8800 E. RAINTREE DR, SUITE 300
SCOTTSDALE, AZ 85260
TEL: (480)515–8251
CONTACT: JASON JARVIS

ENGINEER

EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
CONTACT: DANIEL AUXIER, P.E.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 TRACT USE TABLE, LOT AREA TABLES, CURVE TABLE
SHEET 3 FINAL PLAT
SHEET 4 FINAL PLAT

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON–PROFIT CORPORATION, HEREBY RATIFIES, AFFIRMS AND APPROVES THIS PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 5" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT.

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF_____, 2018.

HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION,
AN ARIZONA NON–PROFIT CORPORATION

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2018, 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

_____, 2018.

_____ _____
MAYOR DATE

ATTEST: _____ _____
CITY CLERK DATE

CERTIFICATION

I, JESSE BOYD, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF JULY 2017; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JESSE BOYD, R.L.S. 42937
EPS GROUP, INC.
2045 S. VINEYARD AVENUE, SUITE 101
MESA, AZ 85210

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 5
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 08/07/2018
ARIZONA, U.S.A.

Job No.
17-234
FP01

Sheet No.
1
of 4

17-234

mikennedy Aug 03, 2018 1:34pm C:\Users\jboyd\appdata\local\temp\AcPublish_12384\17-234 Plat Parcel 5.dwg

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
282	3,677	0.0844
283	3,600	0.0826
284	3,600	0.0826
285	3,600	0.0826
286	3,600	0.0826
287	3,600	0.0826
288	3,600	0.0826
289	3,600	0.0826
290	3,720	0.0854
291	3,720	0.0854
292	3,720	0.0854
293	3,720	0.0854
294	3,720	0.0854
295	3,720	0.0854
296	3,720	0.0854
297	3,600	0.0826
298	3,600	0.0826
299	3,600	0.0826
300	3,600	0.0826
301	3,600	0.0826

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
302	3,600	0.0826
303	3,600	0.0826
304	4,408	0.1012
305	3,600	0.0826
306	3,600	0.0826
307	3,600	0.0826
308	3,600	0.0826
309	3,600	0.0826
310	3,600	0.0826
311	3,600	0.0826
312	3,600	0.0826
313	3,600	0.0826
314	3,600	0.0826
315	3,600	0.0826
316	3,600	0.0826
317	3,600	0.0826
318	3,600	0.0826
319	3,600	0.0826
320	3,600	0.0826
321	3,600	0.0826

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
322	3,600	0.0826
323	3,600	0.0826
324	3,600	0.0826
325	3,600	0.0826
326	3,600	0.0826
327	3,600	0.0826
328	3,600	0.0826
329	3,600	0.0826
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337	3,600	0.0826
338	3,600	0.0826
339	3,600	0.0826
340	3,600	0.0826
341	3,600	0.0826

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
A	LANDSCAPE/OPEN SPACE	1,757	0.0403
B	LANDSCAPE/OPEN SPACE	6,524	0.1498
C	LANDSCAPE/OPEN SPACE	9,633	0.2211
D	LANDSCAPE/OPEN SPACE/AMENITY/PUBLIC USE TRAIL/RETENTION	80,545	1.8491
E	LANDSCAPE/OPEN SPACE	1,757	0.0403
F	LANDSCAPE/OPEN SPACE	7,200	0.1653
G	LANDSCAPE/OPEN SPACE	1,757	0.0403

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	97.39'	62.00'	90°00'00"	62.00'	87.68'	S45°39'11"W
C2	56.55'	36.00'	90°00'00"	36.00'	50.91'	S45°39'11"W
C3	15.71'	10.00'	90°00'00"	10.00'	14.14'	S45°39'11"W
C4	15.71'	10.00'	90°00'00"	10.00'	14.14'	N44°20'49"W
C5	56.55'	36.00'	90°00'00"	36.00'	50.91'	N44°20'49"W
C6	97.39'	62.00'	90°00'00"	62.00'	87.68'	N44°20'49"W
C7	15.71'	10.00'	90°00'00"	10.00'	14.14'	N45°39'11"E
C8	15.71'	10.00'	90°00'00"	10.00'	14.14'	N44°20'49"W
C9	15.71'	10.00'	90°00'00"	10.00'	14.14'	N45°39'11"E
C10	56.55'	36.00'	90°00'00"	36.00'	50.91'	N45°39'11"E
C11	15.71'	10.00'	90°00'00"	10.00'	14.14'	S44°20'49"E
C12	15.71'	10.00'	90°00'00"	10.00'	14.14'	S45°39'11"W
C13	15.71'	10.00'	90°00'00"	10.00'	14.14'	S44°20'49"E
C14	15.71'	10.00'	90°00'00"	10.00'	14.14'	N45°39'11"E
C15	37.53'	354.55'	6°03'52"	18.78'	37.51'	S04°35'07"E
C16	36.77'	24.00'	87°47'38"	23.09'	33.28'	S45°27'00"E
C17	67.42'	44.00'	87°47'38"	42.34'	61.02'	S45°27'00"E
C18	34.44'	334.55'	5°53'53"	17.23'	34.42'	S04°30'08"E

LOT AREA TABLE		
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342	3,600	0.0826
343	3,600	0.0826
344	3,600	0.0826
345	3,600	0.0826
346	3,600	0.0826
347	3,600	0.0826
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357	3,600	0.0826
358	3,600	0.0826
359	3,600	0.0826
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361	3,600	0.0826

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
362	3,600	0.0826
363	3,600	0.0826
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374	3,600	0.0826
375	3,600	0.0826
376	3,600	0.0826
377	3,600	0.0826
378	3,600	0.0826
379	3,600	0.0826
380	3,600	0.0826
381	3,600	0.0826

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
382	3,600	0.0826
383	3,600	0.0826
384	3,600	0.0826
385	3,600	0.0826
386	3,600	0.0826
387	3,600	0.0826
388	3,600	0.0826
389	3,600	0.0826
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399	3,600	0.0826

17-234

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EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 5
Surprise, Arizona
Final Plat

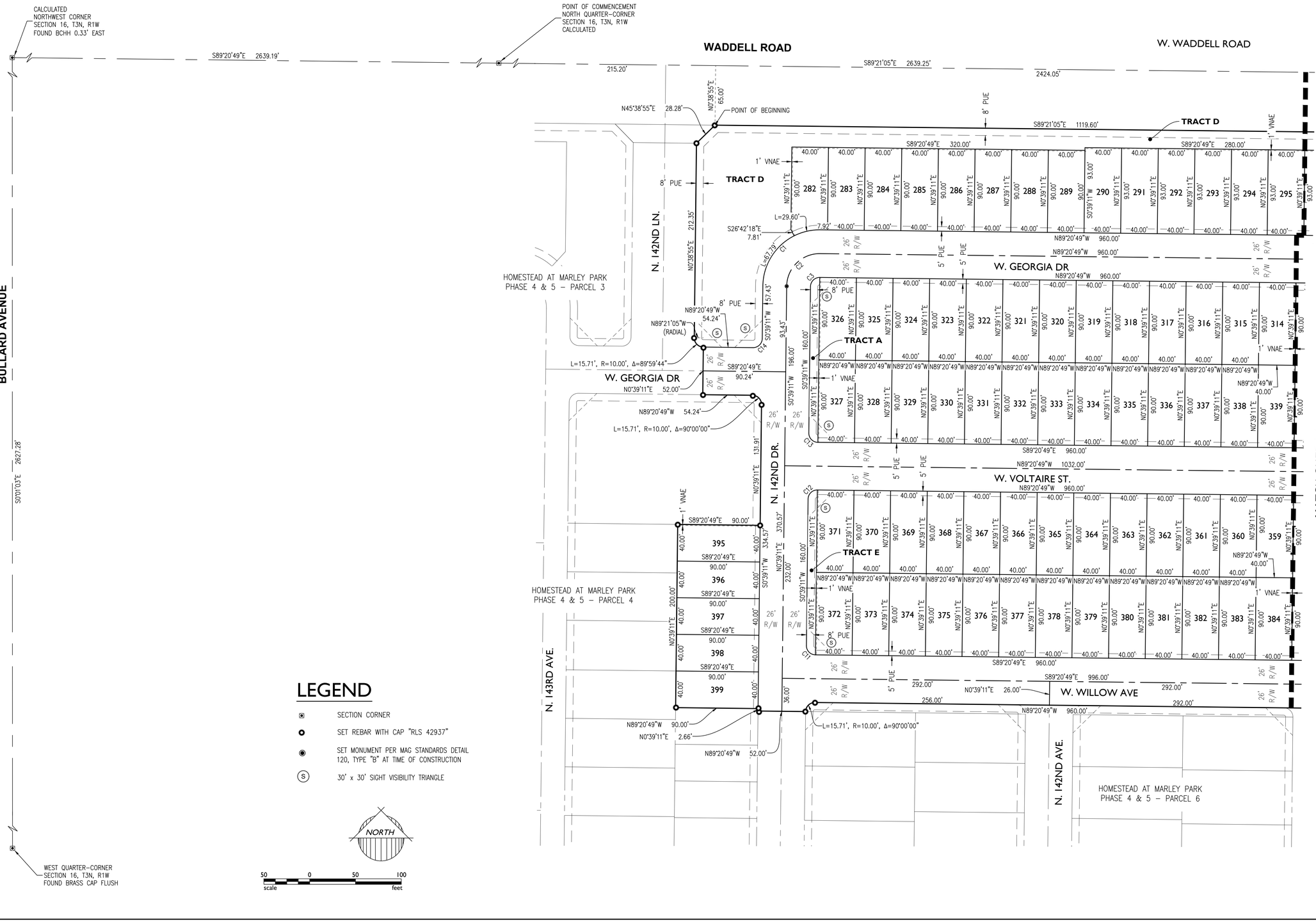
Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 08/07/2018
ARIZONA U.S.A.

Job No.
17-234
FP02
Sheet No.
2
of 4

17-234



LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 5
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 08/02/2018
ARIZONA, U.S.A.

Job No.
17-234

FP03

Sheet No.
3
of 4

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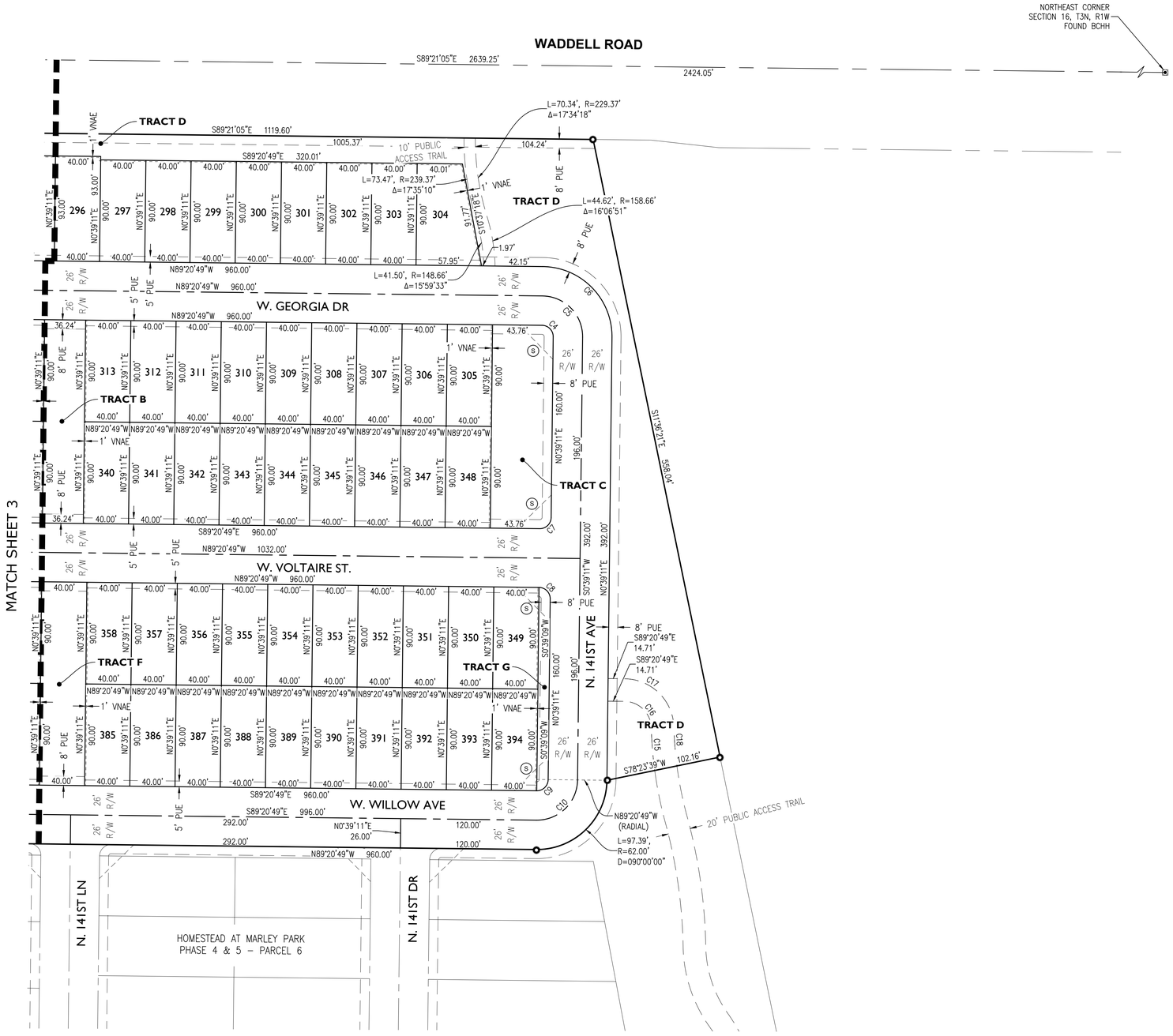
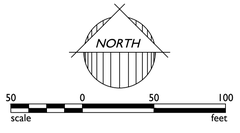
17-234





LEGEND

- ◙ SECTION CORNER
- ○ SET REBAR WITH CAP "RLS 42937"
- ◉ SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- Ⓢ 30' x 30' SIGHT VISIBILITY TRIANGLE

EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 5
Surprise, Arizona
Final Plat

Project:

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 08/07/2018
ARIZONA, U.S.A.

Job No.
17-234
FP04
Sheet No.
4
of 4

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DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

10 May 2018

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Caresse Schweitzer
Planning Project Coordinator
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS18-245; Marley Park Phase 4 & 5 Meritage Homes Parcel 5

Dear Ms. Schweitzer

Thank you for the opportunity to provide comments on the Final Plat Application for the Marley Park Phase 4 & 5 Parcel 5 by Meritage Homes. The site is located on 17.8 acres and is part of a larger 217 acres at the southwest corner of Waddell Road and Bullard Avenue, in Surprise AZ. The request is for 118 single family homes for an overall density of 6.6 du/ac. The property is located 0.26 miles outside the 65 LDN the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461. Luke AFB understands any residential development will remain external to the 65 LDN.

In an effort to promote a more compatible co-existence Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. With an overall density of 6.6 du/ac this request does not meet the standard, however Luke does recognize Meritage Homes and the city have worked diligently to keep the project outside the 65 LDN and the density low.

While we have determined that this request exceeds the densities that Luke AFB follows, we recognize that we are not the approval authority. As such, if approved Marely Park Phase 4 & 5 Parcel 5 will be located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground

level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents about Luke AFB operations.

If you have any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely

JAMES R. MITCHELL

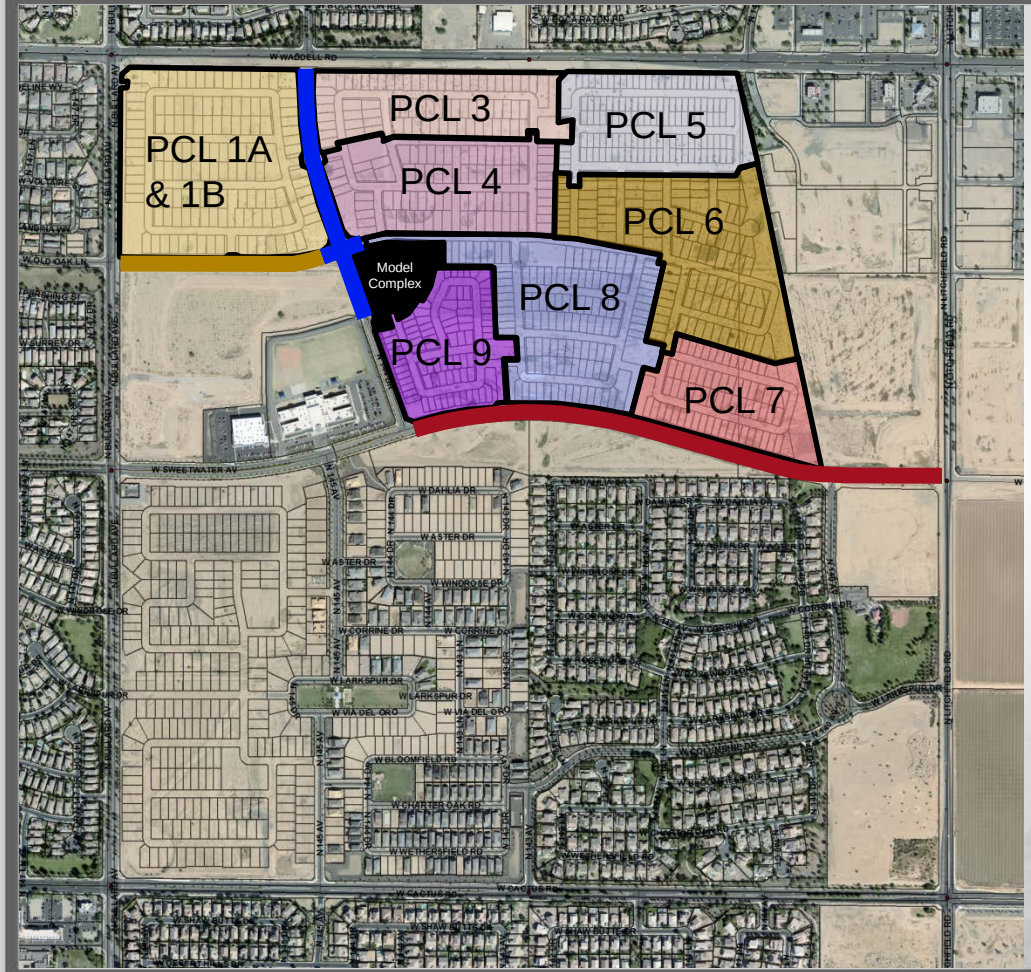
cc:
Colonel Michael S. Richardson, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

SURPRISE
ARIZONA

Homestead at Marley Park Final Plats

- FS18-181 Parcel 1A & 1B
  - FS18-178 Parcel 3
  - FS18-177 Parcel 4
  - FS18-245 Parcel 5
  - FS18-214 Parcel 6
  - FS18-190 Parcel 7
  - FS18-162 Parcel 8
  - FS18-135 Parcel 9

City Council, September 4, 2018



Composite Map

- Parcel 1A & 1B, FS18-181
- Parcel 3, FS18-178
- Parcel 4, FS18-177
- Parcel 5, FS18-245
- Parcel 6, FS18-214
- Parcel 7, FS18-190
- Parcel 8, FS18-162
- Parcel 9, FS18-135
- Sweetwater MOD
- 144th Dr MOD
- Old Oak MOD

PARKS & AMENITY

1 THE HOMESTEAD

- Community / Sales Center
- Ramada
- Outdoor Fireplace Plaza
- Communal Table
- Tot Lot
- Half Basketball Court
- Grove Plaza
- Pool
- Kid Zone
- Adult Zone
- Lap Pool
- Dive-in Movie
- Bocce Ball Court
- Horseshoes Court
- Open Turf Area

2 PLAYFUL ART PARK (PARCEL 1)

- Playful Art Play Structure
- Shaded Seating
- Gathering Area
- Shaded Seatwall Gathering Plaza
- Open Turf Area

3 MONARCH PARK (PARCEL 3)

- Passive Recreation Park
- Outdoor Lounge
- Overlook Platform
- Grove Plaza
- Formal Gardens
- Social Event Space

4 CLIMBING PARK (PARCEL 5)

- Climbing Tot Lot
- Turf Play Area
- Ramada Gathering
- Shaded Seating

5 MUSIC PARK (PARCEL 7)

- Interactive Musical Play
- Turf Play Area
- Shade Structure
- Seating Area
- Gathering Plaza

6 PRAIRIE LOUNGE (PARCEL 8)

- Outdoor Kitchen
- Outdoor Living
- Outdoor Fireplace
- Movie Lawn
- Community Garden
- Communal Table
- Corn Hole

7 NATURE GROVE PARK (PARCEL 9)

- Nature Play Feature
- Animal Play Feature
- Turf Play Area
- Shade Structure
- Seating Area

8 WARRIOR PARK (LINEAR PARK)

- Active Recreation Park
- Fitness Stations
- Ninja Equipment
- Multi-use Trails

9 MEADOW PARK (13 ACRE PARK)

- Active Recreation Park
- Multi-use Turf Fields
- Multi-use Paths

NORTH 0' 100' 200' 400'
Scale: 1" = 200'-0"

17-234 MeritageHomes | Marley Park - Phase 4 & 5 | Surprise, Arizona | Illustrative Master Plan | L-0.01 | 12.14.2017 | EPS GROUP

FS17-508 Landscape

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	6
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 6" dated August 16, 2018, a property generally located between Waddell Road and the Sweetwater Avenue alignment west of Litchfield Road in Marley Park.

Motion:

I move to approve the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 6" dated August 16, 2018.

Background:

Dan Auxier of EPS Group on behalf of Meritage Homes requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 108 single-family residential lots, in addition to approximately 4.2 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

Objective Analysis:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC;

however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. With the subject request, Luke AFB echoed their previous concerns stating that at 6.9 DU/Ac, the subject Final Plat does not meet the GDC.

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 - Homestead at Marley Park Parcel 6 Final Plat - Staff Report
- 01 - Homestead at Marley Park Parcel 6 Final Plat - Case Map
- 02 - Homestead at Marley Park Parcel 6 Final Plat
- 03 - Homestead at Marley Park Parcel 6 Final Plat - Luke AFB Comments
- 04 - Homestead at Marley Park Parcel 6 Final Plat - Presentation

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-214**
Project Name:	Homestead at Marley Park Parcel 6 Final Plat
Council District:	6 – Palo Verde
Meeting Date:	**September 04, 2018**
Planner:	Robert H. Kuhfuss, AICP

Owner:	Meritage Homes
Applicant:	Dan Auxier, EPS Group, Inc.
Request:	108-Lot, 16-Tract Final Plat in the PAD Zoning District (Marley Park)
Site Location:	Generally between Waddell Road and the Sweetwater Avenue alignment and west of Litchfield Road in Marley Park
Site Size:	26.70 gross acres (approx.)
Density:	4.04 DU/Ac
General Plan Conformance:	The proposal advances the goals of the Surprise General Plan 2035
Support/Opposition:	None known.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat 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 Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Project Description:

Dan Auxier of EPS Group on behalf of Meritage Homes requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 108 single-family residential lots, in addition to approximately 4.2 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

BACKGROUND:

October 25, 2000: The City Council approved the original Marley Park PAD under case PAD00-091.

September 26, 2002: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of adding land mass to the PAD under case PADA02-104.

March 23, 2006: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of addressing densities in the eastern portion of Marley Park.

March 12, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 9 under case FS18-135, which is still under review.

March 20, 2018: The City Council approved the Preliminary Plat for Marley Park Phase 4 & 5 under case FS17-508. The City Council also approved three (3) related Maps-of-Dedication (MOD) this date. Said MODs were for Sweetwater Avenue, 144th Drive, and Old Oak Lane under cases FS17-584, FS17-601, and FS17-618, respectively.

March 26, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 8 under case FS18-162, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 4 under case FS18-177, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 3 under case FS18-178, which is discussed under separate cover.

April 5, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 1A and 1B under case FS18-181, which is discussed under separate cover.

April 10, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 7 under case FS18-190, which is discussed under separate cover.

April 18, 2018: The applicant filed a request for a Final Plat and Landscape Plan Review for Marley Park Phase 4 & 5, Park "B" under case FS18-209, which is still under review.

April 23, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 6 under case FS18-214, the subject case.

May 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 5 under case FS18-245, which is discussed under separate cover.

June 5, 2018: The City Council approved a Final Plat for the Homestead and Marley Park Model Complex and Park "A" under FS18-103.

Citizen Outreach:

N/A

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC; however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. With the subject request, Luke AFB echoed their previous concerns stating that at 6.9 DU/Ac, the subject Final Plat does not meet the GDC.

Reviewing Agencies:

All city reviewing departments have reviewed the request and expressed no objections to the request. The subject Final Plat was also routed to the standard external reviewing agencies, who offered the following comments:

Flood Control District of Maricopa County (FCDMC): FCDMC indicated no objections to the request.

Maricopa Water District (MWD): MWD indicated the proposed project is outside their current boundaries.

Arizona Department of Transportation (ADOT): ADOT indicated no objection to the request.

Luke Air Force Base (LAFB): LAFB stated that the proposed Final Plat does not meet their GDC.

Summary:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD.
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

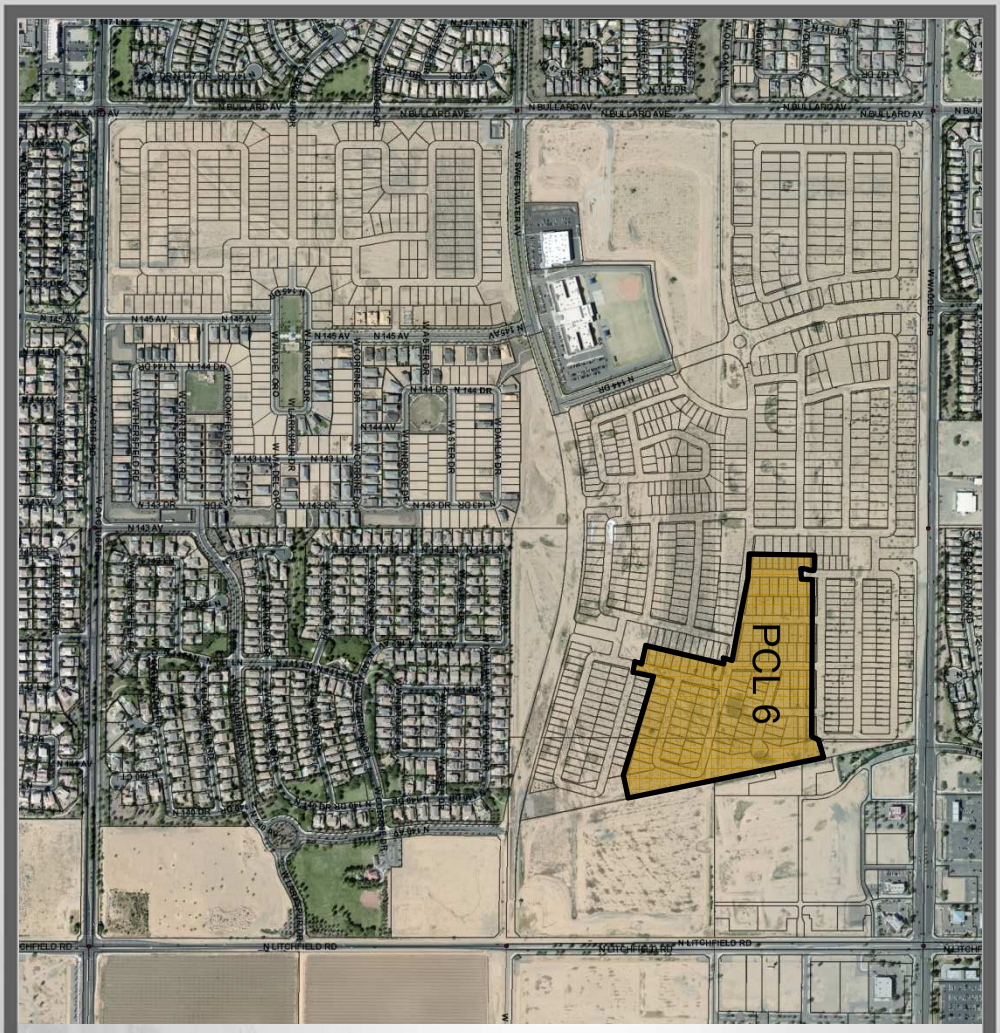
Alternative Actions:

Approval of the requested Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Attachments:

01 – Case Map
02 – Final Plat
03 – Luke AFB Comments



FS18-214 Case Map

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 6

A PORTION OF THE NORTH HALF OF SECTION 16,
TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN
MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

KNOW ALL MEN BY THESE PRESENTS: THAT MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 6", A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT AND EASEMENT, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, AND LETTER GIVEN TO EACH RESPECTIVELY. THE PURPOSES OF THE EASEMENTS ARE SHOWN HEREON.

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

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

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

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

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

OWNER 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.

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.

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

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE, AN ARIZONA MUNICIPAL CORPORATION, AND ITS SUCCESSORS AND ASSIGNS, A PUBLIC RECREATION/TRAIL EASEMENT FOR BICYCLING AND OTHER NON–MOTORIZED FORMS OF PEDESTRIAN ACCESS OVER AND ACROSS OWNER'S PROPERTY, INCLUDING THE RIGHT OF INGRESS AND EGRESS ALONG AND ACROSS THE EASEMENT PREMISES, AS SHOWN ON THIS PLAT.

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 _____, 2018.

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION

BY _____ DATE _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

PUBLIC NOTICE

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

RELEASE OF LIABILITY

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE 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 UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

THE CITY OF SURPRISE AGREES TO INDEMNIFY MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF AND ITS SUCCESSORS AND ASSIGNS FOR ANY AND ALL DIRECT DAMAGES TO THE PERSONAL PROPERTY OR FOR PHYSICAL INJURY TO OR DEATH OF PERSONS OCCURRING ON THE AREA OF THIS EASEMENT CAUSED BY OR ARISING AS THE PROXIMATE RESULT OF THE ACTIVITIES OF THE CITY OF SURPRISE OR MEMBERS OF THE PUBLIC USING THE TRAIL PURSUANT TO THE TERMS OF THIS EASEMENT, EXCEPT FOR SUCH INJURY OR DAMAGES CAUSED BY OR ARISING SOLEY FROM THE NEGLIGENT, WILLFUL, MALICIOUS OR GROSSLY NEGLIGENT CONDUCT OF MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF ITS SUCCESSORS AND ASSIGNS THAT WAS THE DIRECT CAUSE OF THE INJURY TO THE USER.

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. NO ONSITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
3. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "OTHER FLOOD AREAS ZONE X," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1680 L, 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.
4. IN ACCORDANCE WITH ARS § 9–461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
5. 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.
6. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NONPROFIT CORPORATION.
7. 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.

ASSURED WATER SUPPLY CERTIFICATION

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS No. 2010–012, SIGNED ON 9–29–2010, DECISION AND ORDER NUMBER 86–002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. 45–576.

AREA SUMMARY TABLE

DESCRIPTION	AREA (SF)	AREA (ACRES)
LOTS 400–416 & 425–517	743,794	17.0752
TRACTS A–P	185,571	4.2601
RIGHT–OF–WAY	233,503	5.3605
GROSS AREA	1,162,868	26.6958

LEGAL DESCRIPTION

A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CALCULATED NORTH QUARTER–CORNER OF SAID SECTION 16, FROM WHICH A BRASS CAP IN HANDHOLE AT THE NORTHEAST CORNER OF SAID SECTION 16 BEARS SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST, 2639.25 FEET;

THENCE ALONG THE NORTH LINE OF SAID SECTION 16, SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST, 1453.25 FEET;

THENCE SOUTH 0 DEGREES 38 MINUTES 55 SECONDS WEST, 610.33 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 11 DEGREES 36 MINUTES 21 SECONDS EAST, 1268.61 FEET;

THENCE SOUTH 78 DEGREES 23 MINUTES 39 SECONDS WEST, 148.90 FEET;

THENCE NORTH 74 DEGREES 26 MINUTES 25 SECONDS WEST, 648.12 FEET;

THENCE NORTH 76 DEGREES 42 MINUTES 26 SECONDS WEST, 10.00 FEET;

THENCE SOUTH 13 DEGREES 17 MINUTES 34 SECONDS WEST, 105.08 FEET;

THENCE NORTH 76 DEGREES 42 MINUTES 26 SECONDS WEST, 52.00 FEET;

THENCE NORTH 13 DEGREES 17 MINUTES 34 SECONDS EAST, 32.77 FEET;

THENCE NORTH 76 DEGREES 42 MINUTES 26 SECONDS WEST, 120.00 FEET;

THENCE NORTH 13 DEGREES 17 MINUTES 34 SECONDS EAST, 515.03 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHWEST, FROM WHICH THE RADIUS POINT BEARS SOUTH 13 DEGREES 20 MINUTES 40 SECONDS WEST A DISTANCE OF 3777.13 FEET;

THENCE NORTHWESTERLY 35.07 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 0 DEGREES 31 MINUTES 55 SECONDS;

THENCE ON A NON–TANGENT LINE NORTH 12 DEGREES 48 MINUTES 45 SECONDS EAST, 26.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHWEST, FROM WHICH THE RADIUS POINT BEARS SOUTH 12 DEGREES 48 MINUTES 45 SECONDS WEST A DISTANCE OF 3803.13 FEET;

THENCE NORTHWESTERLY 223.18 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 3 DEGREES 21 MINUTES 44 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 10.00 FEET;

THENCE NORTHWESTERLY 14.17 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 81 DEGREES 12 MINUTES 10 SECONDS;

THENCE ON A NON–TANGENT LINE NORTH 77 DEGREES 59 MINUTES 40 SECONDS WEST, 53.04 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHWEST, FROM WHICH THE RADIUS POINT BEARS NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST A DISTANCE OF 10.00 FEET;

THENCE SOUTHWESTERLY 17.05 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 97 DEGREES 42 MINUTES 14 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 3803.13 FEET;

THENCE NORTHWESTERLY 25.66 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 0 DEGREES 23 MINUTES 11 SECONDS;

THENCE NORTH 82 DEGREES 01 MINUTES 46 SECONDS WEST, 196.09 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEAST, HAVING A RADIUS OF 10.00 FEET;

THENCE NORTHWESTERLY 14.43 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 82 DEGREES 40 MINUTES 57 SECONDS;

THENCE ON A NON–TANGENT LINE NORTH 79 DEGREES 15 MINUTES 54 SECONDS WEST, 52.82 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHWEST, FROM WHICH THE RADIUS POINT BEARS NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST A DISTANCE OF 10.00 FEET;

THENCE SOUTHWESTERLY 16.99 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 97 DEGREES 19 MINUTES 03 SECONDS;

THENCE NORTH 82 DEGREES 01 MINUTES 46 SECONDS WEST, 79.37 FEET;

THENCE NORTH 0 DEGREES 39 MINUTES 11 SECONDS EAST, 410.08 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, 90.00 FEET;

THENCE SOUTH 0 DEGREES 39 MINUTES 11 SECONDS WEST, 2.66 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, 52.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST A DISTANCE OF 10.00 FEET;

THENCE NORTHEASTERLY 15.71 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;

THENCE SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, 960.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 62.00 FEET;

THENCE NORTHEASTERLY 97.39 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;

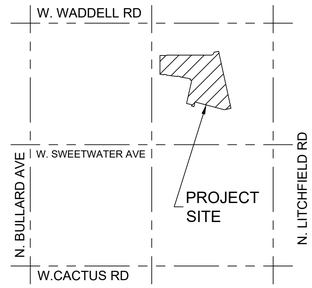
THENCE ON A NON–TANGENT LINE NORTH 78 DEGREES 23 MINUTES 39 SECONDS EAST, 102.16 FEET TO THE POINT OF BEGINNING.

CONTAINS 26.6958 ACRES, MORE OR LESS.

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS MEASURED AND AS SHOWN ON THE FINAL PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 6", AS SHOWN ON THE MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 839, PAGE 39, M.C.R.

SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST



VICINITY MAP
(NTS)
T.3 N., R.1 W.
SEC. 16

DEVELOPER

MERITAGE HOMES OF ARIZONA INC.
8800 E. RAINTREE DR, SUITE 300
SCOTTSDALE, AZ 85260
TEL: (480)515–8251
CONTACT: JASON JARVIS

ENGINEER

EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
CONTACT: DANIEL AUXIER, P.E.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 TRACT USE TABLE, LOT AREA TABLES, CURVE TABLE
SHEET 3 FINAL PLAT
SHEET 4 FINAL PLAT

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON–PROFIT CORPORATION, HEREBY RATIFIES, AFFIRMS AND APPROVES THIS PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 6" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT.

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF_____, 2018.

HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION,
AN ARIZONA NON–PROFIT CORPORATION

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2018, 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 _____, 2018.

_____ _____
MAYOR DATE

ATTEST: _____ _____
CITY CLERK DATE

CERTIFICATION

I, JESSE BOYD, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF JULY 2017; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JESSE BOYD, R.L.S. 42937
EPS GROUP, INC.
2045 S. VINEYARD AVENUE, SUITE 101
MESA, AZ 85210

DATE OF PREPARATION: JULY 13, 2018

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 6
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 09/18/2018
ARIZONA, U.S.A.

Job No.
17-234
FP01

Sheet No.
1
of 4

17-234

jboyd Aug 16, 2018 2:31pm C:\Users\jboyd\appdata\local\temp\AcPublish_12272\17-234 Plat Parcel 6.dwg

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
400	3,600	0.0826
401	3,600	0.0826
402	3,600	0.0826
403	3,600	0.0826
404	3,600	0.0826
405	3,600	0.0826
406	3,600	0.0826
407	3,600	0.0826
408	3,600	0.0826
409	4,120	0.0946
410	7,123	0.1635
411	7,123	0.1635
412	7,123	0.1635
413	7,123	0.1635
414	7,123	0.1635
415	7,123	0.1635
416	8,055	0.1849
425	7,344	0.1686
426	6,472	0.1486
427	6,472	0.1486

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
428	6,472	0.1486
429	6,472	0.1486
430	6,472	0.1486
431	6,472	0.1486
432	6,472	0.1486
433	6,798	0.1561
434	6,798	0.1561
435	6,798	0.1561
436	6,798	0.1561
437	6,798	0.1561
438	6,798	0.1561
439	6,798	0.1561
440	8,080	0.1855
441	8,861	0.2034
442	7,067	0.1622
443	7,067	0.1622
444	7,067	0.1622
445	7,067	0.1622
446	7,067	0.1622
447	7,067	0.1622

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
448	7,067	0.1622
449	6,360	0.1460
450	6,360	0.1460
451	6,360	0.1460
452	7,475	0.1716
453	11,065	0.2540
454	6,360	0.1460
455	6,360	0.1460
456	6,360	0.1460
457	7,954	0.1826
458	8,515	0.1955
459	14,750	0.3386
460	7,409	0.1701
461	6,483	0.1488
462	6,931	0.1591
463	9,272	0.2129
464	6,900	0.1584
465	6,901	0.1584
466	6,901	0.1584
467	6,901	0.1584

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
468	6,901	0.1584
469	6,901	0.1584
470	6,901	0.1584
471	7,905	0.1815
472	7,901	0.1814
473	6,449	0.1480
474	6,989	0.1604
475	6,983	0.1603
476	6,983	0.1603
477	6,983	0.1603
478	6,983	0.1603
479	6,983	0.1603
480	6,982	0.1603
481	6,482	0.1488
482	6,360	0.1460
483	6,360	0.1460
484	6,360	0.1460
485	6,360	0.1460
486	6,360	0.1460
487	6,360	0.1460

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
488	6,360	0.1460
489	6,360	0.1460
490	6,574	0.1509
491	7,124	0.1636
492	7,124	0.1636
493	7,124	0.1636
494	7,124	0.1636
495	7,124	0.1636
496	7,285	0.1672
497	9,080	0.2085
498	6,734	0.1546
499	6,724	0.1544
500	6,724	0.1544
501	6,724	0.1544
502	6,724	0.1544
503	6,724	0.1544
504	6,724	0.1544
505	6,718	0.1542
506	6,588	0.1512
507	6,574	0.1509

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
508	6,528	0.1499
509	6,528	0.1499
510	6,528	0.1499
511	6,528	0.1499
512	6,528	0.1499
513	6,528	0.1499
514	6,528	0.1499
515	6,528	0.1499
516	6,750	0.1549
517	10,532	0.2418

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
A	LANDSCAPE/OPEN SPACE	2,357	0.0541
B	LANDSCAPE/OPEN SPACE	2,357	0.0541
C	LANDSCAPE/OPEN SPACE	2,357	0.0541
D	LANDSCAPE/OPEN SPACE	879	0.0202
E	LANDSCAPE/OPEN SPACE	2,375	0.0545
F	LANDSCAPE/OPEN SPACE	2,392	0.0549
G	LANDSCAPE/OPEN SPACE	2,446	0.0562
H	LANDSCAPE/OPEN SPACE	2,362	0.0542
I	LANDSCAPE/OPEN SPACE	1,226	0.0281
J	LANDSCAPE/OPEN SPACE	1,219	0.0280
K	LANDSCAPE/OPEN SPACE	105,275	2.4168
L	LANDSCAPE/OPEN SPACE	2,359	0.0542
M	LANDSCAPE/OPEN SPACE	4,749	0.1090
N	LANDSCAPE/OPEN SPACE	1,179	0.0271
O	LANDSCAPE/OPEN SPACE/FUTURE RIGHT-OF-WAY/PUBLIC ACCESS EASEMENT	2,797	0.0642
P	LANDSCAPE/OPEN SPACE	49,242	1.1304

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	15.71'	10.00'	90°00'00"	10.00'	14.14'	N44°20'49"W
C2	15.71'	10.00'	90°00'00"	10.00'	14.14'	S45°39'11"W
C3	15.71'	10.00'	90°00'00"	10.00'	14.14'	N44°20'49"W
C4	15.71'	10.00'	90°00'00"	10.00'	14.14'	S45°39'11"W
C5	15.71'	10.00'	90°00'00"	10.00'	14.14'	N44°20'49"W
C6	15.71'	10.00'	90°00'00"	10.00'	14.14'	S45°39'11"W
C7	14.63'	10.00'	83°50'58"	8.98'	13.36'	S41°16'18"E
C8	49.82'	326.00'	8°45'22"	24.96'	49.77'	N78°49'06"W
C9	16.13'	10.00'	92°26'35"	10.44'	14.44'	N59°20'18"E
C10	59.60'	274.00'	12°27'49"	29.92'	59.49'	N06°53'06"E
C11	73.90'	326.00'	12°59'15"	37.11'	73.74'	N07°08'48"E
C12	15.37'	10.00'	88°04'50"	9.67'	13.90'	S30°23'59"E
C13	26.14'	17.50'	85°35'57"	16.20'	23.78'	N62°45'37"E
C14	17.08'	10.00'	97°50'15"	11.47'	15.08'	S49°34'18"W
C15	33.81'	274.00'	7°04'10"	16.92'	33.79'	N77°58'29"W
C16	17.83'	10.00'	102°09'34"	12.38'	15.56'	N51°43'58"E
C17	13.39'	10.00'	76°43'53"	7.92'	12.41'	S37°42'46"E
C18	108.74'	3803.13'	1°38'18"	54.38'	108.74'	N75°15'33"W
C19	110.32'	3751.13'	1°41'06"	55.16'	110.32'	N75°48'45"W
C20	15.40'	10.00'	88°15'46"	9.70'	13.93'	N30°50'19"W

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C21	16.10'	10.00'	92°16'01"	10.40'	14.42'	S59°25'35"W
C22	15.71'	10.00'	90°00'00"	10.00'	14.14'	N29°26'25"W
C23	97.39'	62.00'	90°00'00"	62.00'	87.68'	N29°26'25"W
C24	97.39'	62.00'	90°00'00"	62.00'	87.68'	N60°33'35"E
C25	15.71'	10.00'	90°00'00"	10.00'	14.14'	N60°33'35"E
C26	15.31'	10.00'	87°43'59"	9.61'	13.86'	S30°34'25"E
C27	16.10'	10.00'	92°16'01"	10.40'	14.42'	S59°25'35"W
C28	35.72'	3813.13'	0°32'12"	17.86'	35.72'	N81°45'40"W
C29	121.69'	3813.13'	1°49'43"	60.85'	121.69'	N79°47'15"W
C30	122.19'	3813.13'	1°50'09"	61.10'	122.18'	N77°57'19"W
C31	86.16'	336.00'	14°41'35"	43.32'	85.93'	N07°59'58"E
C32	62.07'	64.00'	55°34'04"	33.72'	59.67'	S00°20'30"W
C33	81.47'	84.00'	55°34'04"	44.26'	78.31'	S00°20'30"W
C34	3.98'	421.74'	0°32'28"	1.99'	3.98'	S27°42'46"E
C35	4.20'	441.74'	0°32'41"	2.10'	4.20'	S27°42'52"E
C36	85.34'	164.44'	29°44'12"	43.66'	84.39'	S13°16'13"E
C37	75.05'	144.44'	29°46'17"	38.39'	74.21'	S13°15'48"E
C38	83.87'	175.78'	27°20'14"	42.75'	83.07'	S12°26'52"E
C39	93.79'	195.78'	27°27'00"	47.82'	92.90'	S12°29'02"E
C40	59.39'	204.46'	16°38'38"	29.91'	59.18'	S19°30'31"E

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C41	53.77'	184.46'	16°42'09"	27.08'	53.58'	S19°34'03"E
C42	48.09'	126.74'	21°44'28"	24.34'	47.80'	S24°24'45"E
C43	56.28'	146.74'	21°58'29"	28.49'	55.93'	S24°19'24"E
C44	73.59'	125.76'	33°31'35"	37.88'	72.54'	S18°53'48"E
C45	61.71'	105.76'	33°26'05"	31.76'	60.84'	S18°58'32"E
C46	111.87'	448.64'	14°17'15"	56.23'	111.59'	S07°53'07"E
C47	116.71'	468.64'	14°16'07"	58.66'	116.41'	S07°54'26"E
C48	48.98'	354.55'	7°54'53"	24.53'	48.94'	S11°38'36"E
C49	46.71'	334.55'	8°00'00"	23.39'	46.67'	S11°37'03"E
C50	0.97'	334.55'	0°09'59"	0.49'	0.97'	S07°32'04"E
C51	29.95'	19.00'	90°19'35"	19.11'	26.95'	N29°16'37"W
C52	61.45'	39.00'	90°16'52"	39.19'	55.29'	N29°17'58"W
C53	105.47'	175.00'	34°31'58"	54.39'	103.88'	N01°31'59"W
C54	117.81'	195.00'	34°36'59"	60.77'	116.03'	N01°34'06"W
C55	191.53'	463.32'	23°41'05"	97.15'	190.17'	N08°25'53"W
C56	197.42'	483.32'	23°24'11"	100.11'	196.05'	N08°32'33"W
C57	3.26'	189.03'	0°59'21"	1.63'	3.26'	N04°53'13"E

LINE TABLE		
LINE	BEARING	LENGTH
L1	S28°07'32"W	28.29'
L2	S28°07'32"W	23.83'
L3	N74°26'25"W	37.99'
L4	N74°26'25"W	37.99'

17-234

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EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 F:480.503.2258
w w w . e p s g r o u p i n c . c o m

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 6
Surprise, Arizona

Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 08/16/2018
ARIZONA U.S.A.

Job No.
17-234

FP02

Sheet No.
2
of 4

17-234

CALCULATED NORTHWEST CORNER SECTION 16, T3N, R1W FOUND BCHH 0.33' EAST

NORTH QUARTER-CORNER SECTION 16, T3N, R1W CALCULATED

NORTHEAST CORNER SECTION 16, T3N, R1W FOUND BCHH

WADDELL ROAD

S89°20'49"E 2639.19'

S89°21'05"E 2639.25'

1453.25'

N0°38'55"E 610.33'

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 5

BULLARD AVENUE

S0°01'03"E 2627.28' (BASIS OF BEARINGS)

S0°39'11"W 2.66'

S89°20'49"E 52.00'

S89°20'49"E (RADIAL)

W. WILLOW AVE

L=97.39', R=62.00', Δ=90°00'00"

N78°23'39"E 43.16'

102.16'

38.95' C50

20.05'

S89°20'49"E 90.00'

TRACT A

TRACT B

TRACT C

N. 142ND DR.

N. 142ND AVE.

N. 141ST LN

N. 141ST DR

TRACT H

TRACT I

TRACT K

TRACT D

TRACT E

TRACT F

TRACT G

W. ALEXANDRIA WAY

W. OLD OAK LANE

20' PUBLIC ACCESS TRAIL

MATCH SHEET 4

SEE DETAIL A

HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 8

LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

WEST QUARTER-CORNER SECTION 16, T3N, R1W FOUND BRASS CAP FLUSH

NORTH

50 0 50 100 scale feet

DETAIL A

N.T.S.

EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 6
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
42937
JESSE BOYD
Date Signed 08/16/2018
ARIZONA, U.S.A.

Job No. 17-234
FP03
Sheet No. 3 of 4

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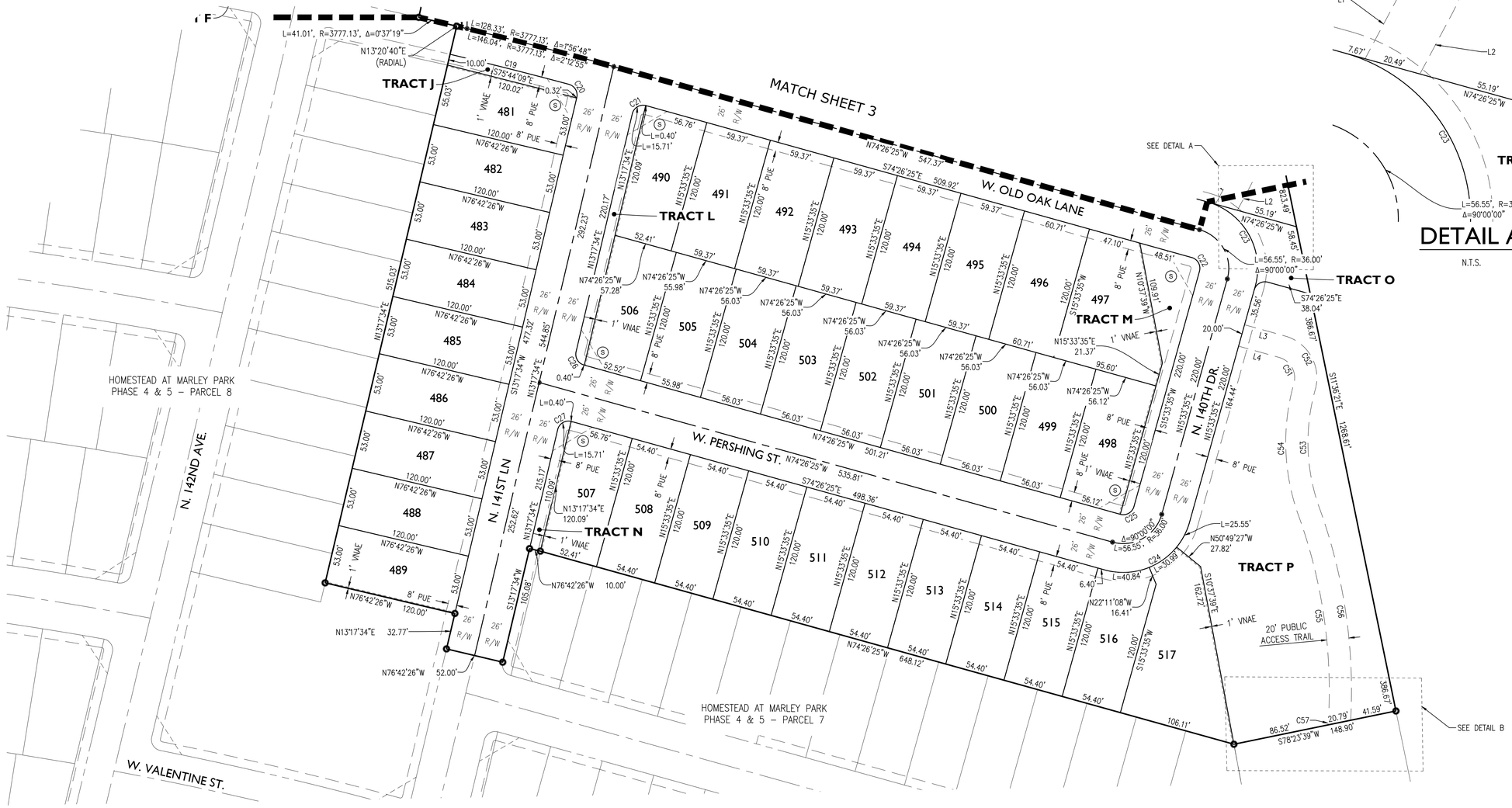

DETAIL A

N.T.S.

DETAIL B

N.T.S.

LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

NORTH

50 0 50 100

scale feet

17-234

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EPS GROUP
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Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 6
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
42937
JESSE BOYD
Date Signed 08/16/2018
ARIZONA, U.S.A.

Job No. 17-234

FP04

Sheet No. 4 of 4

DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

1 May 2018

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Heather Donaldson
Development Services Specialist
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS18-214; Homestead @ Marley Park Phase 4 & 5 Parcel 6

Dear Ms. Donaldson

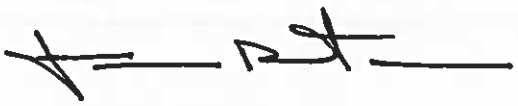
Thank you for the opportunity to provide comments on the Final Plat Application for the Homestead @ Marley Park Phase 4 & 5 Parcel 6 by Meritage Homes. The site is located on 15.2 acres and is part of a larger 217 acres at the southwest corner of Waddell Road and Bullard Avenue, in Surprise AZ. The request is for 110 single family homes for an overall density of 7.2 du/ac. The property is located just outside the 65 LDN the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. With an overall density of 7.2 du/ac this request does not meet the standard, however Luke does recognize Meritage Homes and the city have worked diligently to keep the project outside the 65 LDN and the density low.

While we have determined that this request exceeds the densities that Luke AFB follows, we recognize that we are not the approval authority. As such, if approved Marely Park Phase 4 & 5 Parcel 6 will be located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents about Luke AFB operations.

If you have any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely



JAMES R. MITCHELL

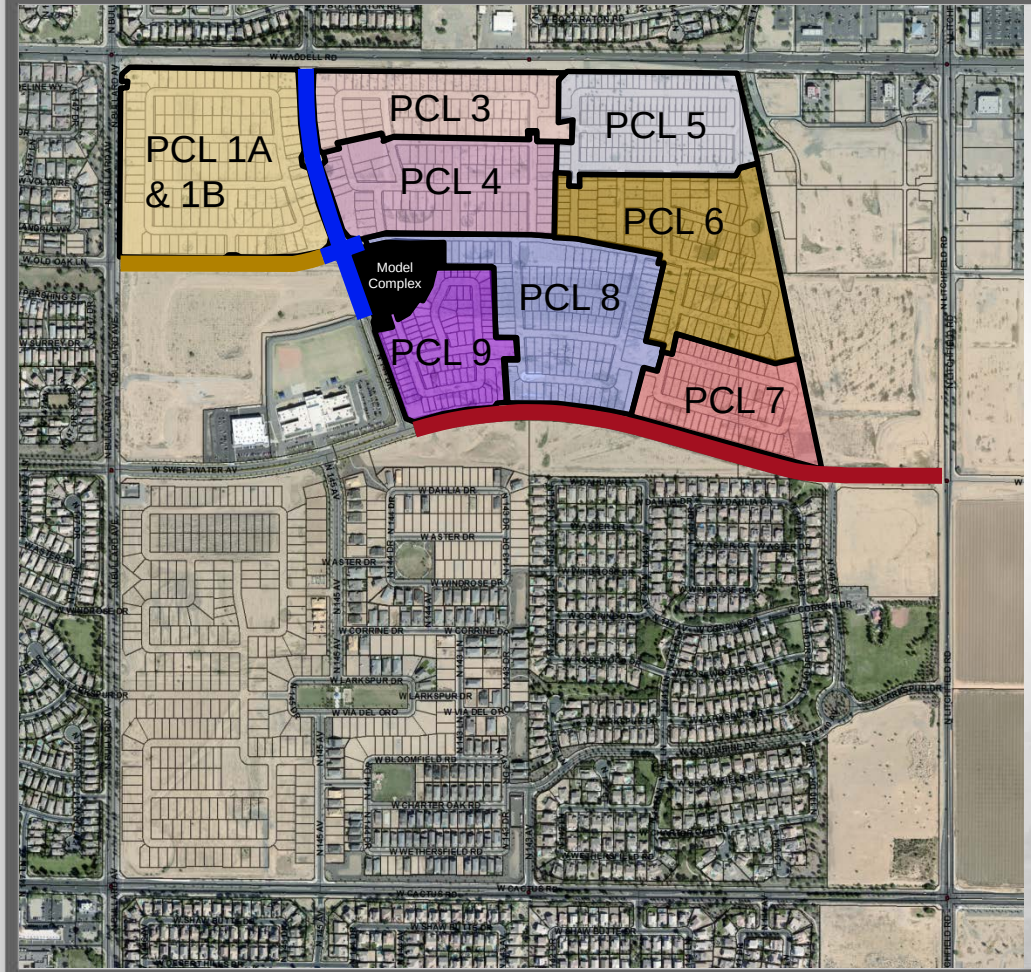
cc:
Colonel Michael S. Richardson, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

SURPRISE
ARIZONA

Homestead at Marley Park Final Plats

- FS18-181 Parcel 1A & 1B
  - FS18-178 Parcel 3
  - FS18-177 Parcel 4
  - FS18-245 Parcel 5
  - FS18-214 Parcel 6
  - FS18-190 Parcel 7
  - FS18-162 Parcel 8
  - FS18-135 Parcel 9

City Council, September 4, 2018



Composite Map

- Parcel 1A & 1B, FS18-181
- Parcel 3, FS18-178
- Parcel 4, FS18-177
- Parcel 5, FS18-245
- Parcel 6, FS18-214
- Parcel 7, FS18-190
- Parcel 8, FS18-162
- Parcel 9, FS18-135
- Sweetwater MOD
- 144th Dr MOD
- Old Oak MOD

PARKS & AMENITY

1 THE HOMESTEAD

- Community / Sales Center
- Ramada
- Outdoor Fireplace Plaza
- Communal Table
- Tot Lot
- Half Basketball Court
- Grove Plaza
- Pool
- Kid Zone
- Adult Zone
- Lap Pool
- Dive-in Movie
- Bocce Ball Court
- Horseshoes Court
- Open Turf Area

2 PLAYFUL ART PARK (PARCEL 1)

- Playful Art Play Structure
- Shaded Seating
- Gathering Area
- Shaded Seatwall Gathering Plaza
- Open Turf Area

3 MONARCH PARK (PARCEL 3)

- Passive Recreation Park
- Outdoor Lounge
- Overlook Platform
- Grove Plaza
- Formal Gardens
- Social Event Space

4 CLIMBING PARK (PARCEL 5)

- Climbing Tot Lot
- Turf Play Area
- Ramada Gathering
- Shaded Seating

5 MUSIC PARK (PARCEL 7)

- Interactive Musical Play
- Turf Play Area
- Shade Structure
- Seating Area
- Gathering Plaza

6 PRAIRIE LOUNGE (PARCEL 8)

- Outdoor Kitchen
- Outdoor Living
- Outdoor Fireplace
- Movie Lawn
- Community Garden
- Communal Table
- Corn Hole

7 NATURE GROVE PARK (PARCEL 9)

- Nature Play Feature
- Animal Play Feature
- Turf Play Area
- Shade Structure
- Seating Area

8 WARRIOR PARK (LINEAR PARK)

- Active Recreation Park
- Fitness Stations
- Ninja Equipment
- Multi-use Trails

9 MEADOW PARK (13 ACRE PARK)

- Active Recreation Park
- Multi-use Turf Fields
- Multi-use Paths

NORTH 0' 100' 200' 400'
Scale: 1" = 200'-0"

17-234 MeritageHomes | Marley Park - Phase 4 & 5 | Surprise, Arizona | Illustrative Master Plan | L-0.01 | 12.14.2017 | EPS GROUP

FS17-508 Landscape

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	6
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 7" dated July 12, 2018, a property generally located north of the Sweetwater Avenue alignment and west of 140th Avenue in Marley Park.

Motion:

I move to approve the Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 7" dated July 12, 2018.

Background:

Mike Gleason of Entellus, on behalf of Meritage Homes, requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 130 single-family residential lots, in addition to approximately 5.5 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

Objective Analysis:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC;

however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. With the subject request, Luke AFB echoed their previous concerns stating that at 4.6 DU/Ac, the subject Final Plat does not meet the GDC.

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 - Homestead at Marley Park Parcel 7 Final Plat - Staff Report
- 01 - Homestead at Marley Park Parcel 7 Final Plat - Case Map
- 02 - Homestead at Marley Park Parcel 7 Final Plat
- 03 - Homestead at Marley Park Parcel 7 Final Plat - Luke AFB Comments
- 04 - Homestead at Marley Park Parcel 7 Final Plat - Presentation

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-190**
Project Name:	Homestead at Marley Park Parcel 7 Final Plat
Council District:	6 – Palo Verde
Meeting Date:	**September 04, 2018**
Planner:	Robert H. Kuhfuss, AICP

Owner:	Meritage Homes
Applicant:	Dan Auxier, EPS Group, Inc.
Request:	66-Lot, 4-Tract Final Plat in the PAD Zoning District (Marley Park)
Site Location:	Generally north of the Sweetwater Avenue alignment and west of 14oth Avenue in Marley Park
Site Size:	14.23 gross acres (approx.)
Density:	4.63 DU/Ac
General Plan Conformance:	The proposal advances the goals of the Surprise General Plan 2035
Support/Opposition:	None known.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat 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 Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Project Description:

Dan Auxier of EPS Group on behalf of Meritage Homes requests approval of a Final Plat in the Marley Park PAD. The proposed Final Plat includes a total of 66 single-family residential lots, in addition to approximately 3.1 acres of open space. The subject Final Plat is one (1) of eight (8) Final Plats related to the Homestead at Marley Park project and is consistent with the Marley Park Phases 4 & 5 Preliminary Plat approved by City Council on March 20, 2018.

BACKGROUND:

October 25, 2000: The City Council approved the original Marley Park PAD under case PAD00-091.

September 26, 2002: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of adding land mass to the PAD under case PADA02-104.

March 23, 2006: The City Council approved a Major Amendment to the Marley Park PAD for the purpose of addressing densities in the eastern portion of Marley Park.

March 12, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 9 under case FS18-135, which is still under review.

March 20, 2018: The City Council approved the Preliminary Plat for Marley Park Phase 4 & 5 under case FS17-508. The City Council also approved three (3) related Maps-of-Dedication (MOD) this date. Said MODs were for Sweetwater Avenue, 144th Drive, and Old Oak Lane under cases FS17-584, FS17-601, and FS17-618, respectively.

March 26, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 8 under case FS18-162, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 4 under case FS18-177, which is discussed under separate cover.

April 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 3 under case FS18-178, which is discussed under separate cover.

April 5, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 1A and 1B under case FS18-181, which is discussed under separate cover.

April 10, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 7 under case FS18-190, the subject case.

April 18, 2018: The applicant filed a request for a Final Plat and Landscape Plan Review for Marley Park Phase 4 & 5, Park "B" under case FS18-209, which is still under review.

April 23, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 6 under case FS18-214, which is discussed under separate cover.

May 4, 2018: The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 5 under case FS18-245, which is discussed under separate cover.

June 5, 2018: The City Council approved a Final Plat for the Homestead and Marley Park Model Complex and Park "A" under FS18-103.

Citizen Outreach:

N/A

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.30 DU/Ac, the approved Preliminary Plat from which this Final Plat is derived, most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

The General Plan also supports the Graduated Density Concept (GDC) as set forth by Luke AFB. As noted by Luke AFB during the Preliminary Plat phase, at the densities proposed, the Preliminary Plat did not meet the GDC; however, the zoning entitlements associated with the Marley Park PAD pre-date the current General Plan, and efforts had been made to reduce the density relative to the 65 ldn. With the subject request, Luke AFB echoed their previous concerns stating that at 4.6 DU/Ac, the subject Final Plat does not meet the GDC.

Reviewing Agencies:

All city reviewing departments have reviewed the request and expressed no objections to the request. The subject Final Plat was also routed to the standard external reviewing agencies, who offered the following comments:

Flood Control District of Maricopa County (FCDMC): FCDMC indicated no objections to the request.

Maricopa Water District (MWD): MWD indicated the proposed project is outside their current boundaries.

Arizona Department of Transportation (ADOT): ADOT indicated no objection to the request.

Luke Air Force Base (LAFB): LAFB stated that the proposed Final Plat does not meet their GDC.

Summary:

The subject Final Plat meets the requirements of the Marley Park PAD, in addition to other requirements as set forth in the SUDC. All city reviewing departments have reviewed the request and offered no concerns. The project is well integrated with the Marley Park PAD and advances the goals and policies as established in the currently approved General Plan.

Findings:

- The proposed Final Plat is consistent with the Marley Park PAD.
- The proposed Final Plat is consistent with the Preliminary Plat for Marley Park Phase 4 & 5
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

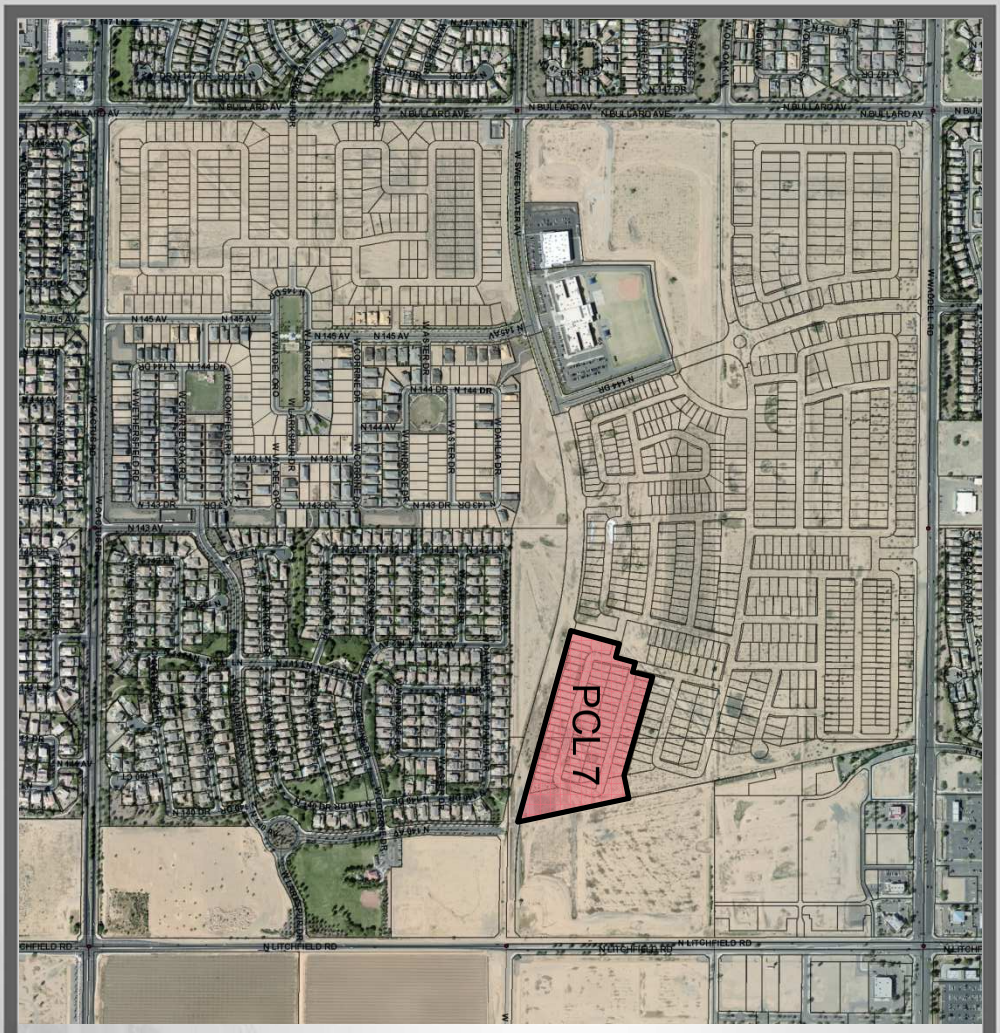
Alternative Actions:

Approval of the requested Final Plat will allow the developer to proceed with the construction of the associated subdivision.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision.

Attachments:

01 – Case Map
02 – Final Plat
03 – Luke AFB Comments



FS18-190 Case Map

FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 7

A PORTION OF THE NORTH HALF OF SECTION 16,
TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN
MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

KNOW ALL PERSONS BY THESE PRESENTS: THAT MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF "HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARCEL 7", A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT AND EASEMENT, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, AND LETTER GIVEN TO EACH RESPECTIVELY. THE PURPOSES OF THE EASEMENTS ARE SHOWN HEREON.

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

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

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

OWNER 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.

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.

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

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE, AN ARIZONA MUNICIPAL CORPORATION, AND ITS SUCCESSORS AND ASSIGNS, A PUBLIC RECREATION/TRAIL EASEMENT FOR BICYCLING AND OTHER NON–MOTORIZED FORMS OF PEDESTRIAN ACCESS OVER AND ACROSS OWNER'S PROPERTY, INCLUDING THE RIGHT OF INGRESS AND EGRESS ALONG AND ACROSS THE EASEMENT PREMISES, AS SHOWN ON THIS PLAT.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL EXCLUSIVE EASEMENT OVER, UNDER, UPON AND ACROSS ALL AREAS DESIGNATED ON THE PLAT AS SEWER LINES AND MANHOLES, FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING THE SEWER LINES AND MANHOLES.

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

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

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 _____, 2018.

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION

BY _____ DATE _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

PUBLIC NOTICE

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

RELEASE OF LIABILITY

MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE 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 UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

THE CITY OF SURPRISE AGREES TO INDEMNIFY MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF AND ITS SUCCESSORS AND ASSIGNS FOR ANY AND ALL DIRECT DAMAGES TO THE PERSONAL PROPERTY OR FOR PHYSICAL INJURY TO OR DEATH OF PERSONS OCCURRING ON THE AREA OF THIS EASEMENT CAUSED BY OR ARISING AS THE PROXIMATE RESULT OF THE ACTIVITIES OF THE CITY OF SURPRISE OR MEMBERS OF THE PUBLIC USING THE TRAIL PURSUANT TO THE TERMS OF THIS EASEMENT, EXCEPT FOR SUCH INJURY OR DAMAGES CAUSED BY OR ARISING SOLELY FROM THE NEGLIGENT, WILLFUL, MALICIOUS OR GROSSLY NECLIGENT CONDUCT OF MERITAGE HOMES OF ARIZONA INC., AN ARIZONA CORPORATION, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF ITS SUCCESSORS AND ASSIGNS THAT WAS THE DIRECT CAUSE OF THE INJURY TO THE USER.

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. NO ONSITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
3. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "OTHER FLOOD AREAS ZONE X," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1680 L, 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.
4. IN ACCORDANCE WITH ARS § 9–461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
5. 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.
6. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NONPROFIT CORPORATION.
7. 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.

ASSURED WATER SUPPLY CERTIFICATION

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS NO. 2010–012, SIGNED ON 9–29–2011, DECISION AND ORDER NUMBER 86–002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. 45–576.

LEGAL DESCRIPTION

A PORTION OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CALCULATED NORTH QUARTER–CORNER OF SAID SECTION 16, FROM WHICH A BRASS CAP IN HANDHOLE AT THE NORTHEAST CORNER OF SAID SECTION 16 BEARS SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST, 2639.25 FEET;

THENCE ALONG THE NORTH LINE OF SAID SECTION 16, SOUTH 89 DEGREES 21 MINUTES 05 SECONDS EAST, 940.96 FEET;

THENCE SOUTH 0 DEGREES 38 MINUTES 55 SECONDS WEST, 1712.67 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 76 DEGREES 42 MINUTES 26 SECONDS EAST, 10.00 FEET;

THENCE SOUTH 74 DEGREES 26 MINUTES 25 SECONDS EAST, 648.12 FEET;

THENCE NORTH 78 DEGREES 23 MINUTES 39 SECONDS EAST, 148.90 FEET;

THENCE SOUTH 11 DEGREES 36 MINUTES 21 SECONDS EAST, 721.63 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE NORTHEAST, FROM WHICH THE RADIUS POINT BEARS NORTH 9 DEGREES 45 MINUTES 55 SECONDS EAST A DISTANCE OF 1947.00 FEET;

THENCE NORTHWESTERLY 196.91 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 5 DEGREES 47 MINUTES 41 SECONDS;

THENCE NORTH 74 DEGREES 26 MINUTES 25 SECONDS WEST, 963.53 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 2753.00 FEET;

THENCE NORTHWESTERLY 54.42 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 1 DEGREES 07 MINUTES 58 SECONDS;

THENCE ON A NON–TANGENT LINE NORTH 31 DEGREES 14 MINUTES 38 SECONDS WEST, 28.51 FEET;

THENCE NORTH 13 DEGREES 17 MINUTES 34 SECONDS EAST, 245.89 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 10.00 FEET;

THENCE NORTHEASTERLY 15.86 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90 DEGREES 50 MINUTES 40 SECONDS;

THENCE ON A NON–TANGENT LINE NORTH 14 DEGREES 08 MINUTES 15 SECONDS EAST, 52.00 FEET TO THE BEGINNING OF A NON–TANGENT CURVE, CONCAVE SOUTHWEST, FROM WHICH THE RADIUS POINT BEARS SOUTH 14 DEGREES 08 MINUTES 15 SECONDS WEST A DISTANCE OF 3081.00 FEET;

THENCE SOUTHEASTERLY 64.25 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 1 DEGREES 11 MINUTES 41 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 10.00 FEET;

THENCE NORTHEASTERLY 16.06 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 92 DEGREES 02 MINUTES 22 SECONDS;

THENCE NORTH 13 DEGREES 17 MINUTES 34 SECONDS EAST, 138.28 FEET;

THENCE SOUTH 76 DEGREES 42 MINUTES 26 SECONDS EAST, 52.00 FEET;

THENCE NORTH 13 DEGREES 17 MINUTES 34 SECONDS EAST, 105.08 FEET TO THE POINT OF BEGINNING.

CONTAINS 14.2336 ACRES, MORE OR LESS.

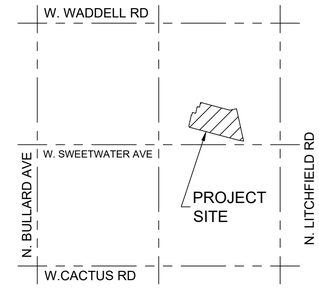
AREA SUMMARY TABLE

DESCRIPTION	AREA (SF)	AREA (ACRES)
LOTS 518–583	367,111	8.4277
TRACTS A–C	133,899	3.0739
RIGHT–OF–WAY	119,004	2.7320
GROSS AREA	620,014	14.2336

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS MEASURED AND AS SHOWN ON THE FINAL PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 7", AS SHOWN ON THE MAP OF DEDICATION FOR WADDELL ROAD, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 839, PAGE 39, M.C.R.

SOUTH 00 DEGREES 01 MINUTES 03 SECONDS EAST



VICINITY MAP

(NTS)
T.3 N., R.1 W.
SEC. 16

DEVELOPER

MERITAGE HOMES OF ARIZONA INC.
8800 E. RAINTREE DR, SUITE 300
SCOTTSDALE, AZ 85260
TEL: (480)515–8251
CONTACT: JASON JARVIS

ENGINEER

EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
CONTACT: DANIEL AUXIER, P.E.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 TRACT USE TABLE, LOT AREA TABLES, CURVE TABLE
SHEET 3 FINAL PLAT
SHEET 4 FINAL PLAT

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION, AN ARIZONA NON–PROFIT CORPORATION, HEREBY RATIFIES, AFFIRMS AND APPROVES THIS PLAT FOR "MARLEY PARK PHASE 3 & 4 – PARCEL 7" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT.

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF_____, 2018.

HOMESTEAD AT MARLEY PARK COMMUNITY ASSOCIATION,
AN ARIZONA NON–PROFIT CORPORATION

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2018, 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 _____, 2018.

_____ _____
MAYOR DATE

ATTEST: _____ _____
CITY CLERK DATE

CERTIFICATION

I, JESSE BOYD, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF JULY 2017; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JESSE BOYD, R.L.S. 42937
EPS GROUP, INC.
2045 S. VINEYARD AVENUE, SUITE 101
MESA, AZ 85210

DATE OF PREPARATION: 06/27/18

2045 S. Vineyard Ave, Suite 101
Mesa, Az 85210
T:480.503.2250 I F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 7
Surprise, Arizona
Final Plat

Revisions:

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 07/17/2018
ARIZONA, U.S.A.

Job No.
17-234
FP01

Sheet No.
1
of 4

17-234

jboyd Jul 12, 2018 12:54pm S:\Projects\2017\17-234\Legal Survey\Dwgs\Final Plat\P7\17-234 Plat Parcel 7.dwg

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
518	8,427	0.1935
519	5,310	0.1219
520	5,310	0.1219
521	5,310	0.1219
522	5,310	0.1219
523	5,310	0.1219
524	5,310	0.1219
525	5,310	0.1219
526	5,310	0.1219
527	5,310	0.1219
528	5,310	0.1219
529	5,310	0.1219
530	5,300	0.1217
531	5,391	0.1238
532	5,437	0.1248
533	5,537	0.1271
534	5,537	0.1271
535	5,537	0.1271
536	5,537	0.1271
537	5,537	0.1271

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
538	5,537	0.1271
539	5,537	0.1271
540	5,537	0.1271
541	5,537	0.1271
542	5,537	0.1271
543	5,537	0.1271
544	5,537	0.1271
545	5,537	0.1271
546	8,757	0.2010
547	5,523	0.1268
548	5,523	0.1268
549	5,523	0.1268
550	5,523	0.1268
551	5,523	0.1268
552	5,523	0.1268
553	5,523	0.1268
554	5,523	0.1268
555	5,523	0.1268
556	5,523	0.1268
557	5,523	0.1268

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
558	5,523	0.1268
559	5,523	0.1268
560	5,523	0.1268
561	5,523	0.1268
562	5,437	0.1248
563	6,157	0.1413
564	5,328	0.1223
565	5,175	0.1188
566	5,175	0.1188
567	5,175	0.1188
568	5,175	0.1188
569	5,175	0.1188
570	5,175	0.1188
571	5,175	0.1188
572	5,175	0.1188
573	5,175	0.1188
574	5,175	0.1188
575	5,175	0.1188
576	5,175	0.1188
577	5,175	0.1188

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
578	5,175	0.1188
579	5,175	0.1188
580	5,175	0.1188
581	5,175	0.1188
582	5,393	0.1238
583	9,141	0.2099

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
A	LANDSCAPE/OPEN SPACE	2,259	0.0519
B	LANDSCAPE/OPEN SPACE	4,893	0.1123
C	LANDSCAPE/OPEN SPACE/AMENITY/PUBLIC USE TRAIL/RETENTION	126,747	2.9097
D	LANDSCAPE/OPEN SPACE	1,129	0.0259

17-234

jboyd Jul 12, 2018 12:54pm S:\Projects\2017\17-234\Legal Survey\Dwgs\Final Plat\P7\17-234 Plat Parcel 7.dwg

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com
EPS GROUP

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 7
Surprise, Arizona
Final Plat

Revisions:

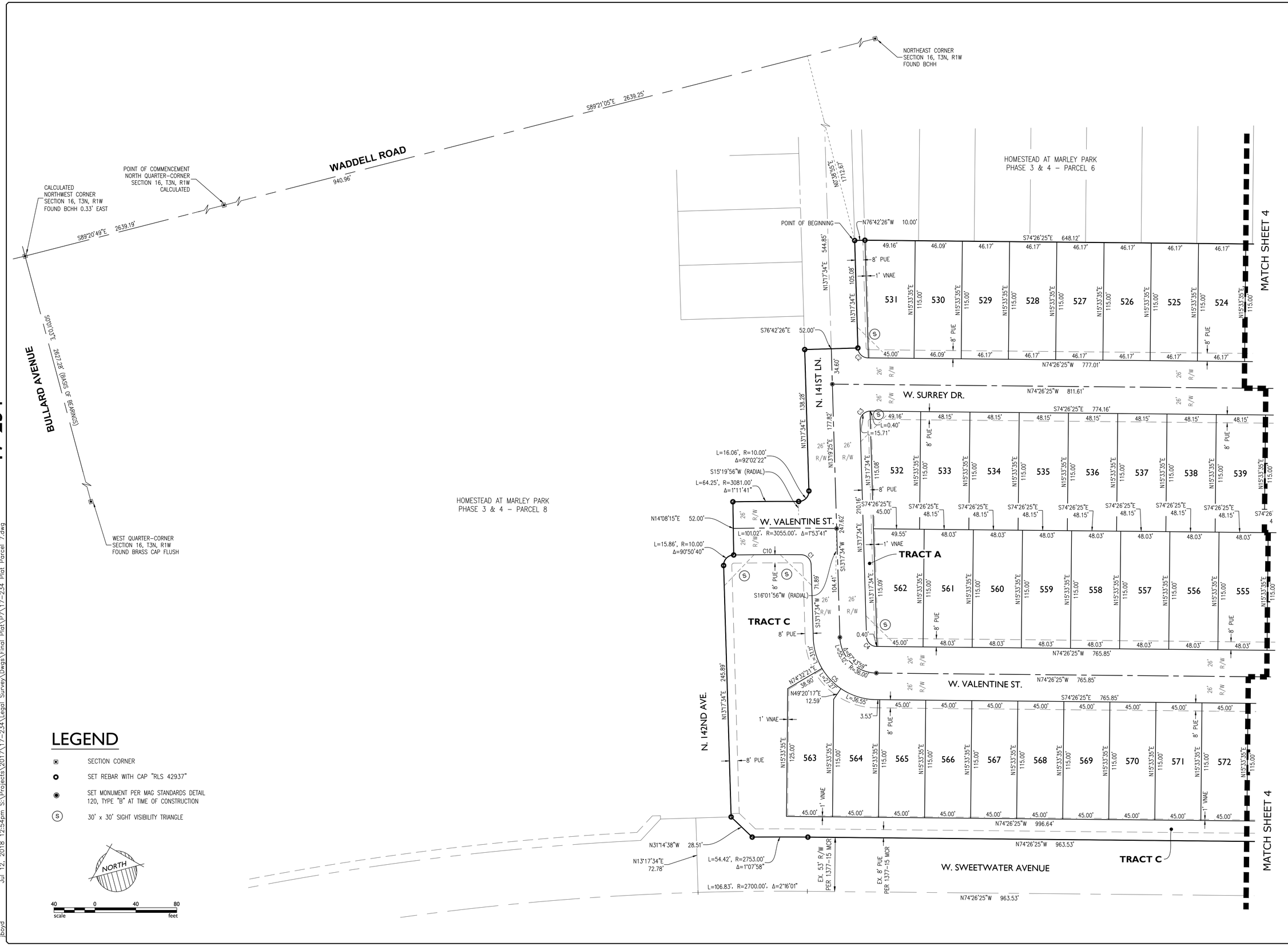
Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 07/12/2018
ARIZONA, U.S.A.

Job No.
17-234

FP02

Sheet No.
2
of 4



17-234

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EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

Project: HOMESTEAD AT MARLEY PARK PHASE 4 & 5 - PARCEL 7
Surprise, Arizona

Final Plat

Revisions:

Designer: JB
Drawn by: JB

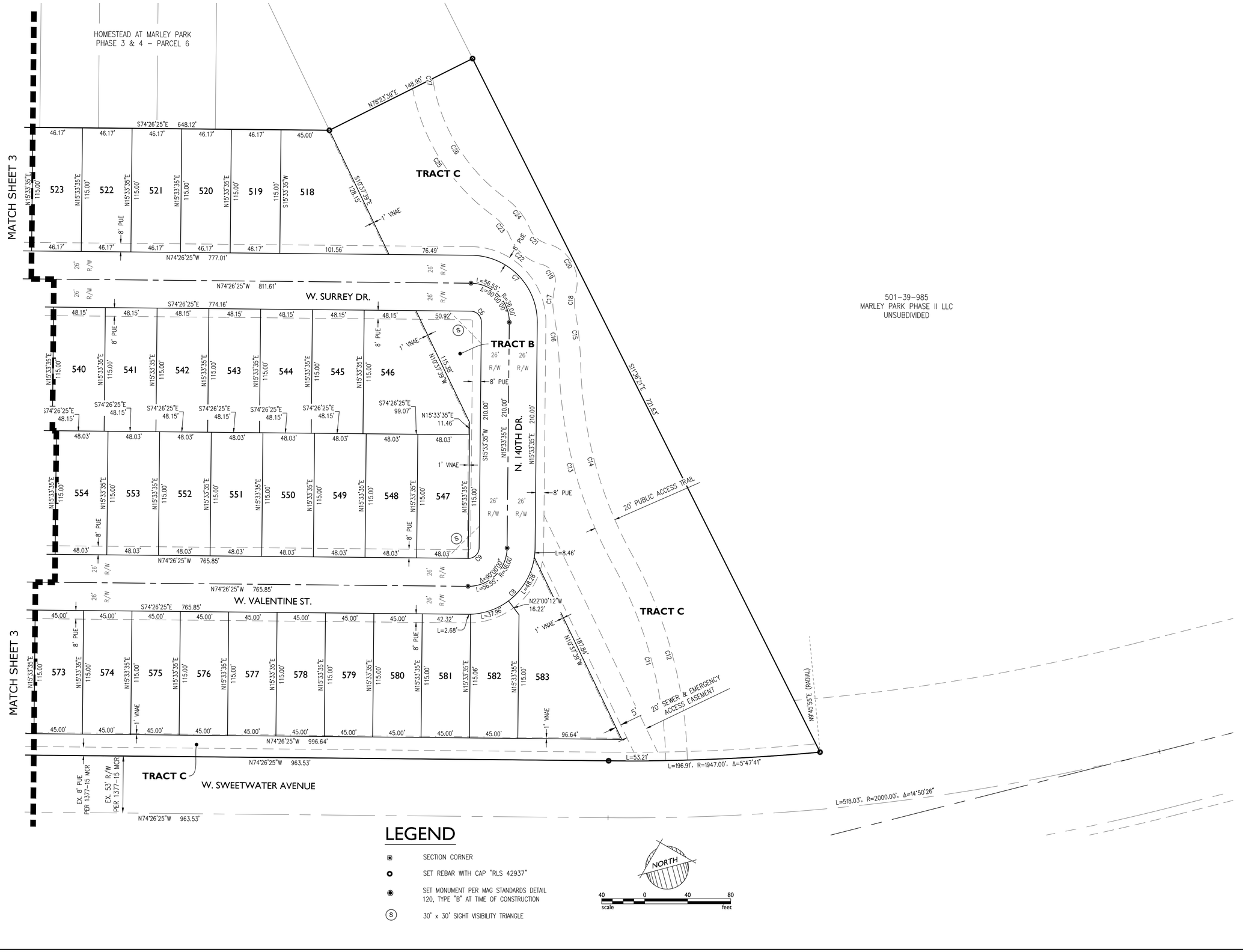
REGISTERED LAND SURVEYOR
CERTIFICATE NO. 42937
JESSE BOYD
Date Signed 07/12/2018
ARIZONA, U.S.A.

Job No. 17-234

FP03

Sheet No. 3 of 4

17-234



LEGEND

- SECTION CORNER
- SET REBAR WITH CAP "RLS 42937"
- SET MONUMENT PER MAG STANDARDS DETAIL 120, TYPE "B" AT TIME OF CONSTRUCTION
- (S) 30' x 30' SIGHT VISIBILITY TRIANGLE

NORTH

40 0 40 80
scale feet

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CERTIFICATE NO.
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JESSE BOYD
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ARIZONA, U.S.A.

Job No.
17-234

FP04

Sheet No.
4
of 4

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DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

23 April 2018

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Heather Donaldson
Development Services Specialist
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS18-190; Homestead @ Marley Park Phase 4 & 5 Parcel 7

Dear Ms. Donaldson

Thank you for the opportunity to provide comments on the Final Plat Application for the Homestead @ Marley Park Phase 4 & 5 Parcel 7 by Meritage Homes. The site is located on 15.2 acres and is part of a larger 217 acres at the southwest corner of Waddell Road and Bullard Avenue, in Surprise AZ. The request is for 66 single family homes for an overall density of 2.8 du/ac. The property is located approximately 0.13 miles outside the 65 LDN the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. With an overall density of 2.8 du/ac this request does not meet the standard, however Luke does recognize Meritage Homes and the city have worked diligently to keep the project outside the 65 LDN and the density low.

While we have determined that this request exceeds the densities that Luke AFB follows, we recognize that we are not the approval authority. As such, if approved Marely Park Phase 4 & 5 Parcel 7 will be located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents about Luke AFB operations.

If you have any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely

for JAMES R. MITCHELL

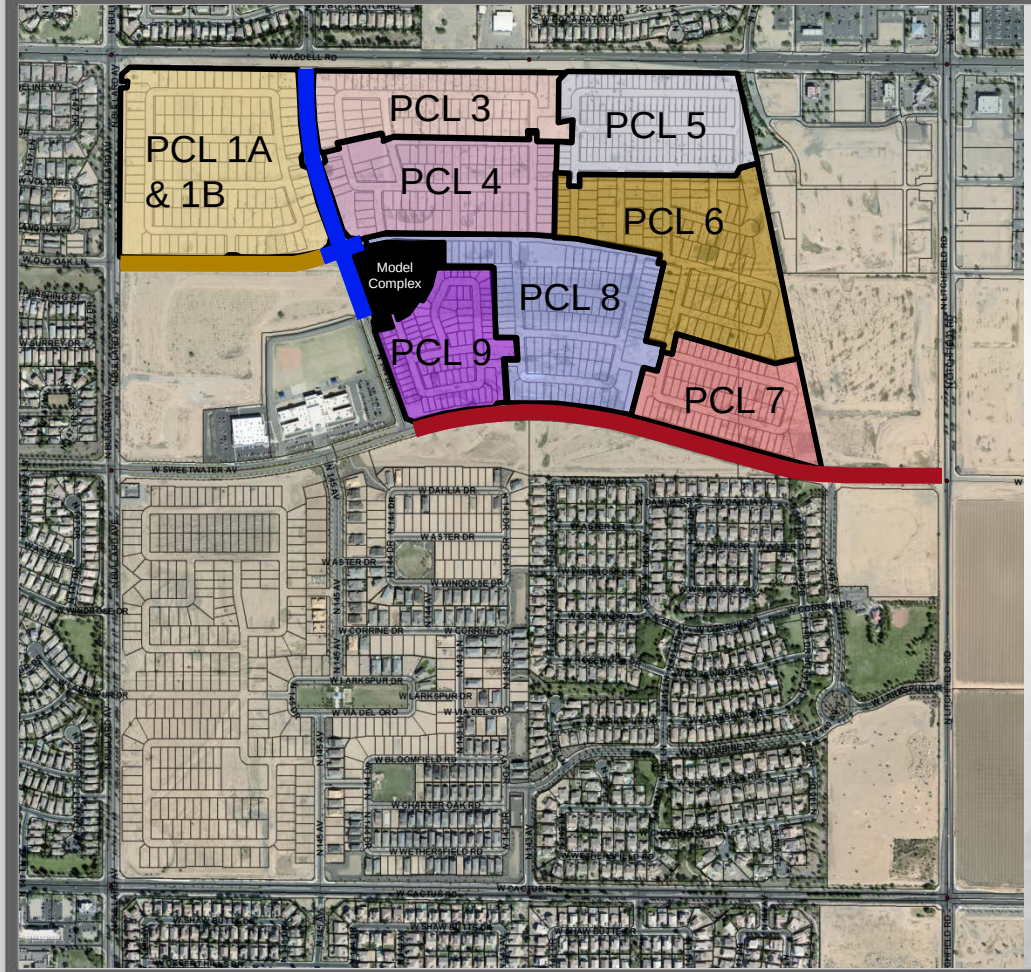
cc:
Colonel Michael S. Richardson, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

SURPRISE
ARIZONA

Homestead at Marley Park Final Plats

- FS18-181 Parcel 1A & 1B
  - FS18-178 Parcel 3
  - FS18-177 Parcel 4
  - FS18-245 Parcel 5
  - FS18-214 Parcel 6
  - FS18-190 Parcel 7
  - FS18-162 Parcel 8
  - FS18-135 Parcel 9

City Council, September 4, 2018



Composite Map

- Parcel 1A & 1B, FS18-181
- Parcel 3, FS18-178
- Parcel 4, FS18-177
- Parcel 5, FS18-245
- Parcel 6, FS18-214
- Parcel 7, FS18-190
- Parcel 8, FS18-162
- Parcel 9, FS18-135
- Sweetwater MOD
- 144th Dr MOD
- Old Oak MOD

PARKS & AMENITY

1 THE HOMESTEAD

- Community / Sales Center
- Ramada
- Outdoor Fireplace Plaza
- Communal Table
- Tot Lot
- Half Basketball Court
- Grove Plaza
- Pool
- Kid Zone
- Adult Zone
- Lap Pool
- Dive-in Movie
- Bocce Ball Court
- Horseshoes Court
- Open Turf Area

2 PLAYFUL ART PARK (PARCEL 1)

- Playful Art Play Structure
- Shaded Seating
- Gathering Area
- Shaded Seatwall Gathering Plaza
- Open Turf Area

3 MONARCH PARK (PARCEL 3)

- Passive Recreation Park
- Outdoor Lounge
- Overlook Platform
- Grove Plaza
- Formal Gardens
- Social Event Space

4 CLIMBING PARK (PARCEL 5)

- Climbing Tot Lot
- Turf Play Area
- Ramada Gathering
- Shaded Seating

5 MUSIC PARK (PARCEL 7)

- Interactive Musical Play
- Turf Play Area
- Shade Structure
- Seating Area
- Gathering Plaza

6 PRAIRIE LOUNGE (PARCEL 8)

- Outdoor Kitchen
- Outdoor Living
- Outdoor Fireplace
- Movie Lawn
- Community Garden
- Communal Table
- Corn Hole

7 NATURE GROVE PARK (PARCEL 9)

- Nature Play Feature
- Animal Play Feature
- Turf Play Area
- Shade Structure
- Seating Area

8 WARRIOR PARK (LINEAR PARK)

- Active Recreation Park
- Fitness Stations
- Ninja Equipment
- Multi-use Trails

9 MEADOW PARK (13 ACRE PARK)

- Active Recreation Park
- Multi-use Turf Fields
- Multi-use Paths

NORTH 0' 100' 200' 400'
Scale: 1" = 200'-0"

17-234 MeritageHomes | Marley Park - Phase 4 & 5 | Surprise, Arizona | Illustrative Master Plan | L-0.01 | 12.14.2017 | EPS GROUP

FS17-508 Landscape

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Hobart Wingard -Community Development
Submitting Department:	CD	District:	1
Staff Recommendations:	Approve		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action to extend for 12 months the 'Bell Pointe II Alternative Assurance Agreement,' dated September 7, 2017 for property generally located 1,400 feet northeast of the intersection of Bell Road and Bell Pointe Boulevard within the Bell Pointe II Planned Area Development (PAD).

Motion:

I move to approve an extension of the 'Bell Pointe II Alternative Assurance Agreement,' approved on September 5, 2017, for 12 months, subject to conditions "A" and "B" as set forth in the Staff Report.

Background:

The subject proposal would extend the Bell Pointe II Alternative Assurance Agreement approved on September 5, 2017 for 12 months for two (2) Final Plats that contain 141 residential lots at a density of 5.17 dwelling Units per Acres (du/A).

Objective Analysis:

This proposed infill subdivision was approved by the Mayor and Council on September 5, 2017. It is well designed and meets the requirements of the Bell Pointe II PAD, as amended, and the Surprise Municipal Code (“SMC”) in effect at the time of PAD approval. The SMC in that time did not provide for administrative extension of Alternative Assurance Agreements. Therefore, Council approval is necessary to extend this Alternative Assurance Agreement for 12 months to allow the developer more time to install required public improvements. Staff recommends that the Council's motion, if it chooses to approve the extension, state that no further extensions will be granted.

Policy Compliant:

The Surprise General Plan 2035, as amended by the City Council on December 19, 2015, shows the subject property as lying within Neighborhood Character Area, which supports residential development at densities of between 2 and 8 dwelling units per acre (du/A). At 5.17 du/A, the subject Final Plat meets this density requirement.

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

- FS17-042 and FS17-043 Staff Report
- 01 - Bell Point II - Location Map
- 02 - Bell Point II - Final Plat North
- 03 - Bell Point II - Final Plat South
- 04 - Bell Point II - Alternative Assurance
- 05 - Bell Point - Presentation

SURPRISE
ARIZONA

FINAL PLAT

ALTERNATIVE ASSURANCE AGREEMENT

Cases:	**FS17-042 and FS17-043**
Project Name:	Bell Pointe II
Council District:	1 - Acacia
Meeting Date:	**September 4, 2018**
Planner:	Hobart Wingard, Planner II hobart.wingard@surpriseaz.gov – 623-222-3156

Owner:	Kerry Rose
Applicant:	Kerry Rose
Request:	An extension of the existing Alternative Assurance Agreement for 12 months to allow more time for completion of the public improvements for the already approved Bell Pointe II North and South Final Plats
Site Location:	Generally, 1,400 feet northeast of the intersection of Bell Road and Bell Pointe Boulevard within the Bell Pointe II Planned Area Development (PAD)
Site Size:	Approximately 27.25 Acres
Density:	5.17 dwelling units per acre (du/A)
General Plan:	Completion of the required public improvements is consistent with the General Plan.
Support/Opposition:	None known
Findings:	Extension of the Alternative Assurance Agreement is consistent with the Surprise General Plan 2035.
	Extension of the Alternative Assurance Agreement is consistent with the Bell Pointe II PAD as amended.

PROJECT DESCRIPTION:

Kerry Rose seeks approval of an extension of the *Bell Pointe II Alternative Assurance Agreement* to allow more time to complete required public improvements (streets, sidewalks, landscaping). The final plats for this 141-lot subdivision and associated Alternative Assurance Agreement were approved by the Mayor and City Council on September 5, 2017. Because this particular PAD was approved under Chapter 16, Section 16.12.040 of the Surprise Municipal Code ("SMC") in effect at the time of PAD approval, the required assurances could be provided through an alternate procedure that allowed the Community Development Director to withhold the approved final plat from recording for a period of time to allow the owner to install all of the required public improvements according to the plans and specifications approved by the City Engineer. This procedure, when approved by the Council, was in lieu of the guarantees for installation of improvements as set forth in subsection (A)(9) of said section. An executed standard contract, as approved by the City Attorney, for installation of improvements was to be submitted with the final plat. The contract shall require that all improvements be completed no later than 12 months from the date the final plat was approved by the Mayor and City Council and that no lot may be sold. When the completed improvements are inspected and approved by the City Engineer, the plat would be recorded by the Community Development Director, and the sale of lots could proceed according to the approved and recorded plat, provided that a one-year warranty was submitted covering the completed improvements.

The SMC Title 16, in effect when the PAD was approved, did provide for administrative extensions of Alternative Assurance Agreements. Therefore, any extension would require Council approval.

EXISTING ZONING:

The following chart and associated map depict the existing zoning of the subject parcels and its surroundings:

<table>
<tr><td rowspan="3">Rural Residential
Flood Control District Facilities
and/or Bell Pointe PAD
Existing Single Family Residential</td><td>Rural Residential
Flood Control District Facilities
and/or Bell Pointe PAD
Existing Single Family Residential</td><td rowspan="3">Arizona Traditions PAD
Existing Single Family Residential</td></tr>
<tr><td>Bell Pointe II PAD
Vacant Single Family
Residential</td></tr>
<tr><td>Bell Pointe PAD
Existing Single Family Residential</td></tr>
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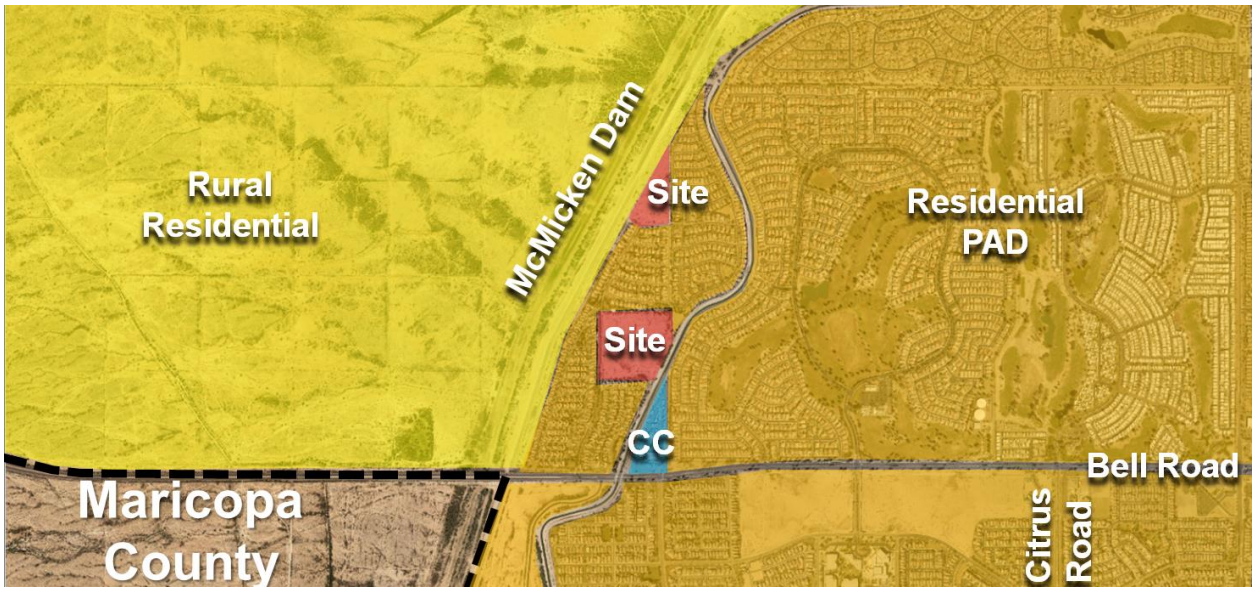


Background:

June 8, 1989: The subject lands associated with Bell Pointe II were annexed into the City of Surprise.

January 12, 2006: The Mayor and City Council approved a PAD for Bell Pointe II under Case PAD05-258.

May 23, 2017: Staff approved a minor PAD Zoning Amendment regarding product types under Case FS17-041.

June 20, 2017: The Mayor and City Council approved a Preliminary Plat for Bell Pointe II under Case FS17-041.

September 5, 2017: The Mayor and City Council approved a Final Plat and Alternative Assurance Agreement for Bell Pointe II North under Case FS17-042.

September 5, 2017: The Mayor and City Council approved a Final Plat and Alternative Assurance Agreement for Bell Pointe II South under Case FS17-043.

CONDITIONS:

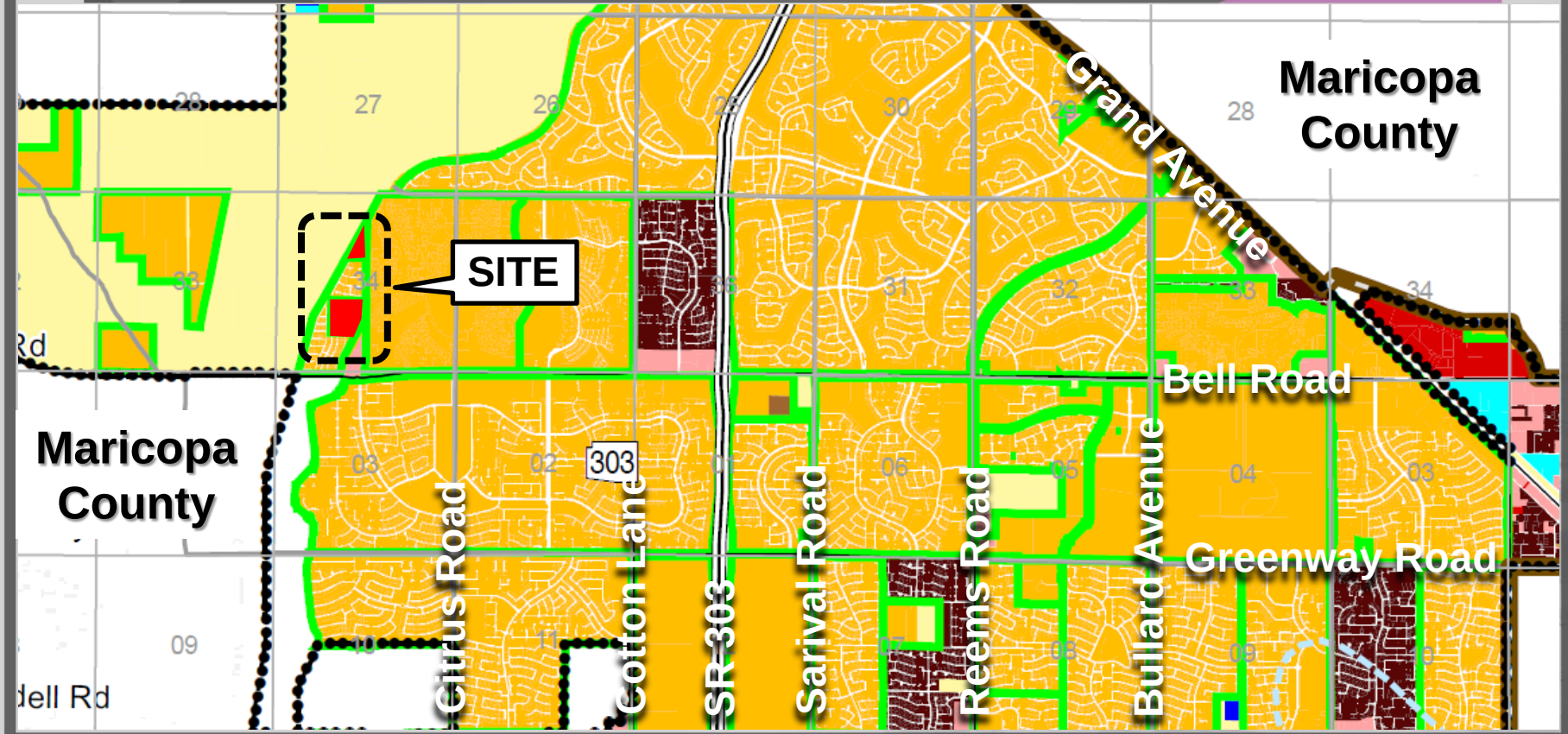
- (A) If approved, no further extensions regarding Financial Assurances will be granted. The Final Plat would have to be reevaluated through a new Final Plat process.
- (B) Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

ATTACHMENTS:

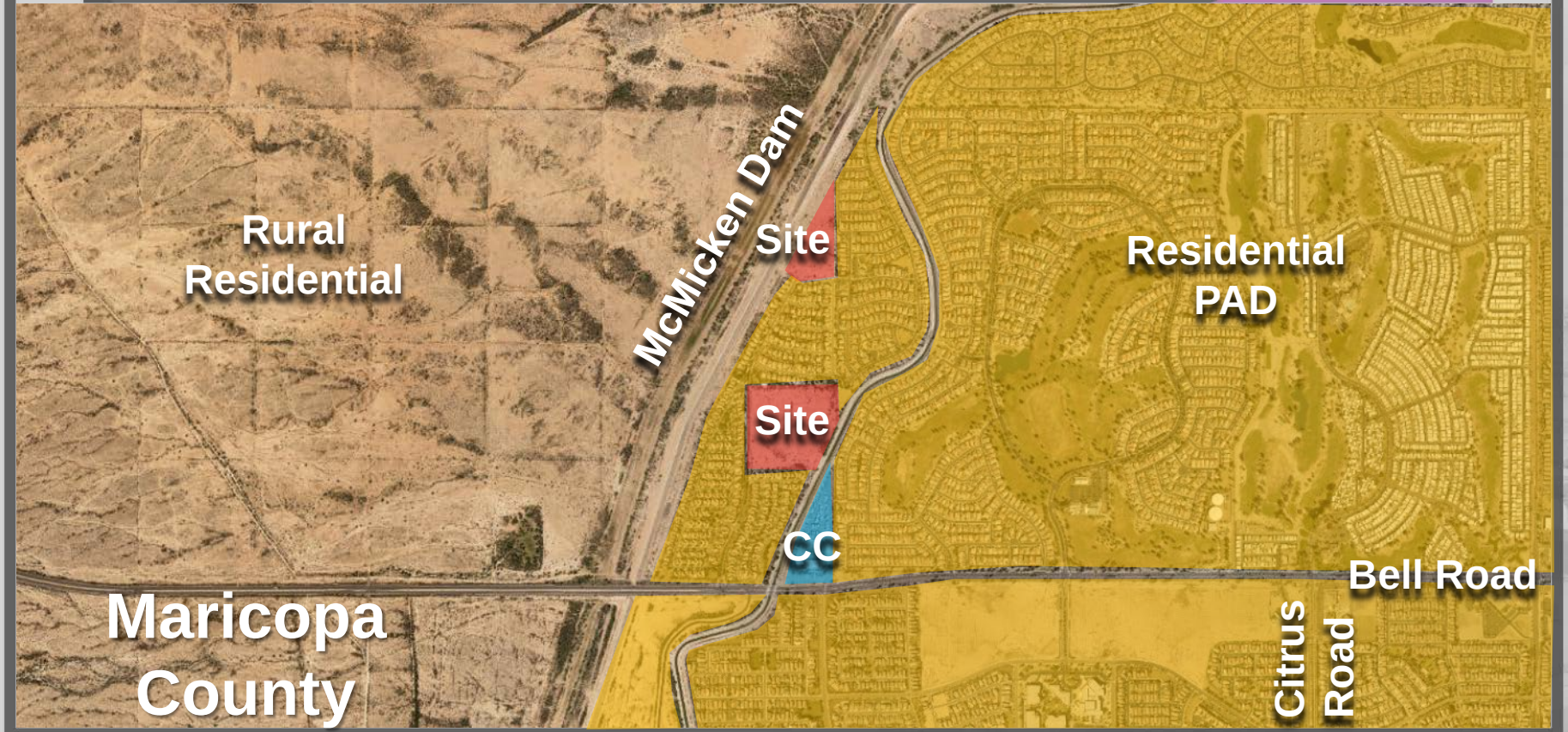
01 – Vicinity Maps
02 – Bell Pointe II North Final Plat

03 – Bell Pointe II South Final Plat
04 – Alternative Assurance Agreement

VICINITY MAP



VICINITY MAP



FINAL PLAT

FOR

"BELL POINTE II - NORTH AND TRACT LL OF THE BELL POINTE I PLAT"

A PORTION OF THE NORTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND
SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

KNOW ALL PERSONS BY THESE PRESENTS:

THAT KERRY ROSE, ("OWNER"), HAS SUBDIVIDED UNDER THE NAME "BELL POINTE II – NORTH AND TRACT LL OF THE BELL POINTE I PLAT", A SUBDIVISION LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "BELL POINTE II – NORTH AND TRACT LL OF THE BELL POINTE I PLAT" 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 DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS–OF–WAY AS SHOWN ON THE PLAT.

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 PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

OWNER 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.

KERRY ROSE, ("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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDERS OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNER'S 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.

PERPETUAL WATER AND SEWER EASEMENT ("EASEMENTS") AS DESCRIBED IN THE PLAT ARE GRANTED TO EPCOR WATER ARIZONA INC, AND ITS SUCCESSORS AND ASSIGNS (COLLECTIVELY, "GRANTEE"), TO CONSTRUCT, OPERATE, AND MAINTAIN WATER AND SEWER LINES AND APPURTENANT FACILITIES (COLLECTIVELY, "FACILITIES") UPON, ACROSS, OVER AND UNDER THE SURFACE OF THE EASEMENTS, TOGETHER WITH THE RIGHT TO OPERATE, REPAIR, REPLACE, MAINTAIN, AND REMOVE THE FACILITIES FROM THE PREMISES; TO ADD OR TO ALTER THE FACILITIES, AND TO PROVIDE GRANTEE WITH REASONABLE INGRESS AND EGRESS TO THE FACILITIES. GRANTEE WILL HAVE UNRESTRICTED ACCESS TO THE EASEMENT FOR THE ACTIVITIES DESCRIBED ABOVE AND FORMAL NOTIFICATION OR APPROVAL BY ANY ASSOCIATION PRIOR TO ACCESSING THE EASEMENT WILL NOT BE REQUIRED.

GRANTOR SHALL NOT ERECT OR CONSTRUCT OR PERMIT TO BE ERECTED OR CONSTRUCTED ANY BUILDING, STRUCTURE OR SIMILAR IMPROVEMENT WITHIN THE LIMITS OF THE EASEMENT GRANTED HEREIN, GRANTOR SHALL NOT, NOR PERMIT, THE GRADE OVER GRANTEE'S FACILITIES TO BE SUBSTANTIALLY ALTERED WITHOUT, IN EACH INSTANCE, THE PRIOR WRITTEN CONSENT OF GRANTEE, AND GRANTOR AGREES THAT NO OTHER PIPES OR CONDUITS SHALL BE PLACED WITHIN THE PREMISES SUBJECT TO THE EASEMENT GRANTED HEREIN, EXCEPT PIPES CROSSING GRANTEE'S FACILITIES AT RIGHT ANGLES, IN WHICH CASE, A MINIMUM VERTICAL DISTANCE OF TWO (2) FEET (AS MEASURED FROM THE CLOSEST POINTS ON THE OUTSIDE EDGES) SHALL BE MAINTAINED BETWEEN GRANTEE'S FACILITIES AND SUCH OTHER PIPES OR CONDUITS. UNLESS GRANTEE EXPRESSLY CONSENTS IN WRITING OTHERWISE, ANY AND ALL SEWER PIPES CROSSING THE EASEMENT GRANTED HEREIN SHALL BE LAID BELOW GRANTEE'S FACILITIES. HOWEVER, GRANTOR SHALL HAVE THE RIGHT TO CONSTRUCT AND ERECT FENCES, TO INSTALL LANDSCAPING, PARKING FACILITIES AND DRIVEWAYS, AND TO ESTABLISH OTHER USES THAT ARE NOT INCONSISTENT WITH USES WITHIN THE LIMITS OF SAID EASEMENT IN A MANNER THAT WILL NOT UNREASONABLY INTERFERE WITH GRANTEE'S ACCESS TO THE FACILITIES.

THE WATER EASEMENTS ARE GRANTED SUBJECT TO THE CONDITION THAT GRANTEE SHALL HOLD GRANTOR AND GRANTOR'S SUCCESSORS AND ASSIGNS HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS, LIABILITIES OR EXPENSES WHICH MAY RESULT FROM GRANTEE'S USE OF THE EASEMENTS. BY ACCEPTING THE EASEMENTS, THE GRANTEE AGREES TO EXERCISE REASONABLE CARE TO AVOID DAMAGE TO THE PREMISES AND ALL PROPERTY THAT MAY AT ANY TIME BE THEREON.

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.

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.

KERRY ROSE

_____

ACKNOWLEDGEMENT

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2017, BY KERRY ROSE, WHO ACKNOWLEDGED HIMSELF TO BE THE OWNER OF THE PROPERTY PLATTED HEREON AND EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES:

_____, 20___

LEGAL DESCRIPTION

TRACT LL, OF BELL POINTE 1, ACCORDING TO BOOK 670, PAGE 49, RECORDS OF MARICOPA COUNTY, AND THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 34, BEING MARKED BY A 3–INCH MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP IN HANDHOLE, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 34, BEING MARKED BY A 2–INCH MARICOPA COUNTY ALUMINUM CAP STAMPED "T4N R2W 1/4 S27 S34 RLS35832 2003" BEARS NORTH 00° 22' 21" EAST, A DISTANCE OF 5,272.65 FEET;

THENCE NORTH 00° 22' 21" EAST, ALONG THE NORTH–SOUTH MID–SECTION LINE OF SAID SECTION 34, A DISTANCE OF 3,362.83 FEET TO THE SOUTHEAST CORNER OF TRACT LL OF BELL POINTE I, AS SHOWN IN BOOK 670, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE POINT OF BEGINNING;

THENCE LEAVING SAID NORTH–SOUTH MID–SECTION LINE, NORTH 89° 42' 15" WEST, ALONG THE NORTHERLY RIGHT–OF–WAY LINE OF WEATHERBY DRIVE AS SHOWN ON SAID BELL POINTE I, A DISTANCE OF 392.30 FEET TO THE BEGINNING OF A TANGENT CURVE;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, NORTHWESTERLY, A DISTANCE OF 19.52 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 75.00 FEET, THROUGH A CENTRAL ANGLE OF 14° 54' 44" TO A POINT OF COMPOUND CURVATURE;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT–OF–WAY LINE, NORTHWESTERLY, A DISTANCE OF 15.55 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 15.38 FEET, THROUGH A CENTRAL ANGLE OF 57° 54' 30" TO THE NORTHWEST CORNER OF SAID TRACT LL;

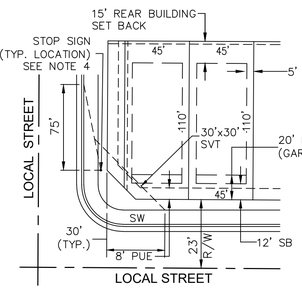
THENCE NORTH 89° 43' 13" WEST, ALONG THE NORTHERLY LINE OF SAID BELL POINTE I, A DISTANCE OF 172.90 FEET TO THE NORTHWEST CORNER OF SAID BELL POINTE I, SAID POINT LYING ON THE EASTERLY RIGHT–OF–WAY LINE OF TRILBY WASH, AS SHOWN IN BOOK 63 OF MAPS, PAGE 31, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 28° 36' 30" EAST, ALONG SAID EASTERLY RIGHT–OF–WAY LINE, A DISTANCE OF 1,258.21 FEET TO A CORNER OF ARIZONA TRADITIONS NORTH PARCEL XIV, AS SHOWN IN BOOK 806, PAGE 26, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 00° 22' 21" WEST, ALONG SAID NORTH–SOUTH MID–SECTION LINE, A DISTANCE OF 1,120.49 FEET TO THE POINT OF BEGINNING.

NOTES

1. NO STRUCTURE OF ANY KIND MAY BE CONSTRUCTED OR ANY VEGETATION BE PLANTED NOR BE ALLOWED TO GROW WITHIN THE DRAINAGE EASEMENT WHICH WOULD IMPEDE THE FLOW OF WATER OVER, UNDER OR THROUGH THE EASEMENT.
2. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED ON, OVER OR PLACED WITHIN THE SEWER AND WATER EASEMENT EXCEPT WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING AND/OR PAVING NOR ANY PLANTING EXCEPT GRASS. IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF SURPRISE SHALL NOT BE REUIRED TO REPLACE ANY OBSTRUCTIONS OR PLANTING THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION OR RECONSTRUCTION OF CITY UTILITIES.
3. CONSTRUCTION WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO UTILITIES AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING.
4. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
5. EACH LOT IN THIS SUBDIVISION IS PERMITTED ONE DWELLING UNIT PER LOT.
6. ALL EASEMENTS ARE SUBORDINATE TO THE DRAINAGE EASEMENTS.
7. THE PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
8. IN ACCORDANCE WITH ARS § 9–461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
9. 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.
10. THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE "X", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1215L, 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.



TYPICAL LOT LAYOUT

NTS

1. SIGNS, FENCES, WALLS, UTILITY BOXES, SHRUBS, HEDGES OR OTHER PLANTS, BUT EXCLUDING TREES OVER 30 INCHES IN HEIGHT SHALL NOT BE PERMITTED WITHIN THE RESTRICTED AREAS.
2. PLANTING WITHIN THE R/W IN VIEW EASEMENTS SHALL BE PER THE APPROVED TYPES AND DIMENSIONS AND SHALL NOT ENCROACH WITHIN THE SIGHT TRIANGLE PER AASHTO GUIDELINES.
3. TREES ARENPERMITTED WITHIN THE RESTRICTED AREAS PROVIDED:
   A. NO LIMBS, LEVAES, NEEDLES OR OTHER FOLIAGE ABOVE 30 INCHES OR BELOW 84 INCHES ARE PERMITTED.
   B. TREES SHALL NOT OBSTRUCT MORE THAN 20% OF THE VISIBILITY WHEN COMBINED WITH OTHER OBSTRUCTIONS PRESENT.
4. STOP SIGN SHALL BE INSTALLED 2' MINIMUM BEHIND BACK OF CURB.

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 _____
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

NOTICE OF INTERGOVERNMENTAL AGREEMENT

THE CITY OF SURPRISE ("CITY") AND MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") ENTERED INTO AN INTERGOVERNMENTAL AGREEMENT DATED APRIL 8, 1997 AND RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE ON APRIL 9, 1997 UNDER DOCKET NO. 97–0231759 ("IGA"). CITY AND MWD HAVE FACILITIES AND PROPERTY INTERESTS DESCRIBED AND DELINEATED WITHIN CERTAIN SUBDIVISION PLATS THAT HAVE PRIOR AND SUPERIOR RIGHTS TO THE UTILITY SERVICE PROVIDERS. 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 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 PROVIDERS' USE AND OCCUPANCY OF THESE EASEMENTS. CITY REQUIRES THAT UTILITY SERVICE PROVIDERS CONSENT TO BE BOUND BY THIS 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 THIS IGA.

PUBLIC NOTICE

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

RELEASE OF LIABILITY

KERRY ROSE, AN INDIVIDUAL ("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.

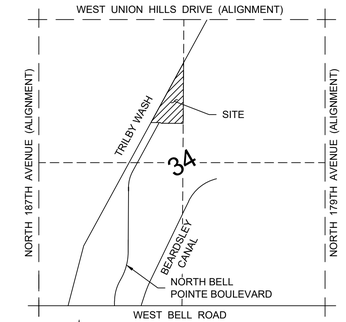
CERTIFICATE OF ASSURED WATER SUPPLY

FINAL PLAT FOR "BELL POINTE II – NORTH AND TRACT LL OF THE BELL POINTE I PLAT" IS WITHIN THE SERVICE AREA OF EPCOR WATER ARIZONA, INC. AND HAS BEEN GRANTED A CERTIFICATE OF ASSURED WATER SUPPLY FROM THE ARIZONA DEPARTMENT OF RESOURCES.

_____ _____
EPCOR WATER ARIZONA, INC. DATE

TRACT AREA TABLE

TRACT	SQ. FT. ±	ACRES ±	USE
TRACT A	69721	1.601	LANDSCAPING, OPEN SPACE & DRAINAGE INCLUDING AN EMERGENCY ACCESS EASEMENT AS SHOWN
TRACT B	8527	0.196	LANDSCAPING & OPEN SPACE



SECTION 34, T4N, R2W, G&SRM

VICINITY MAP

NTS

OWNER

KERRY ROSE
P.O. BOX 45000
PHOENIX, ARIZONA
PHONE: 602.321.9242

ENGINEER

SLATER HANIFAN GROUP
11201 N. TATUM BLVD. #250
PHOENIX, ARIZONA 85028
PHONE: 602.687.9664
CONTACT: ROGER THEIS

EXISTING ZONING

PAD/MDR

SURVEYOR

OUTER LIMITS LAND SURVEYING, LLC
BRIAN EARL SEARAN, RLS #54120
PO BOX 71957
PHOENIX, ARIZONA 85050
PHONE: 602.486.1154
EMAIL: bsearan@outerlimitsls.com

SITE DATA

AREA:	335,004 SF± OR 7.69 AC±
NUMBER OF LOTS:	38
AVERAGE LOT SIZE:	5068.5 SF
MINIMUM LOT SIZE:	4890 SF
MAXIMUM LOT SIZE:	7151 SF
AREA OF OPEN SPACE:	1.80 AC
SINGLE FAMILY AREA:	4.42 AC
RIGHT–OF–WAY AREA:	1.47 AC
% OF OPEN SPACE:	23.36%

BASIS OF BEARING

THE BASIS OF BEARING USED FOR THIS PROJECT IS THE NORTH–SOUTH MID–SECTION LINE OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA. SAID LINE BEARS N00°22'21"E, AS SHOWN ON FINAL PLAT FOR "BELL POINTE I", RECORDED IN BOOK 670, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA.

REFERENCE DOCUMENTS

1. TRILBY WASH DETENTION BASIN DAM & APURTENANCES, RECORDED IN BOOK 63 OF MAPS, PAGE 31, RECORDS OF MARICOPA COUNTY, ARIZONA.
2. BEARDSLEY CANAL RIGHT OF WAY, RECORDED IN BOOK 584, PAGE 18, RECORDS OF MARICOPA COUNTY, ARIZONA.
3. FINAL PLAT FOR "BELL POINTE I", RECORDED IN BOOK 670, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA.
4. ARIZONA TRADITIONS NORTH PARCEL XIV, RECORDED IN BOOK 806, PAGE 26, RECORDS OF MARICOPA COUNTY, ARIZONA.

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF JANUARY 2017, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED.

EXPIRES 12/31/18

FINAL PLAT
FOR
"BELL POINTE II - NORTH AND TRACT LL OF THE BELL POINTE I PLAT"
A PORTION OF THE NORTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND
SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OUTER LIMITS
LAND SURVEYING
PO Box 71957
Phoenix, AZ 85050
TEL: 602.486.1154
www.outerlimitslandsurveying.com

DATE:	07.07.17
DRN BY:	BES
CHKD BY:	BES
JOB NO.	16143
SHEET	1 OF 2

FINAL PLAT

FOR

"BELL POINTE II - NORTH AND TRACT LL OF THE BELL POINTE I PLAT"

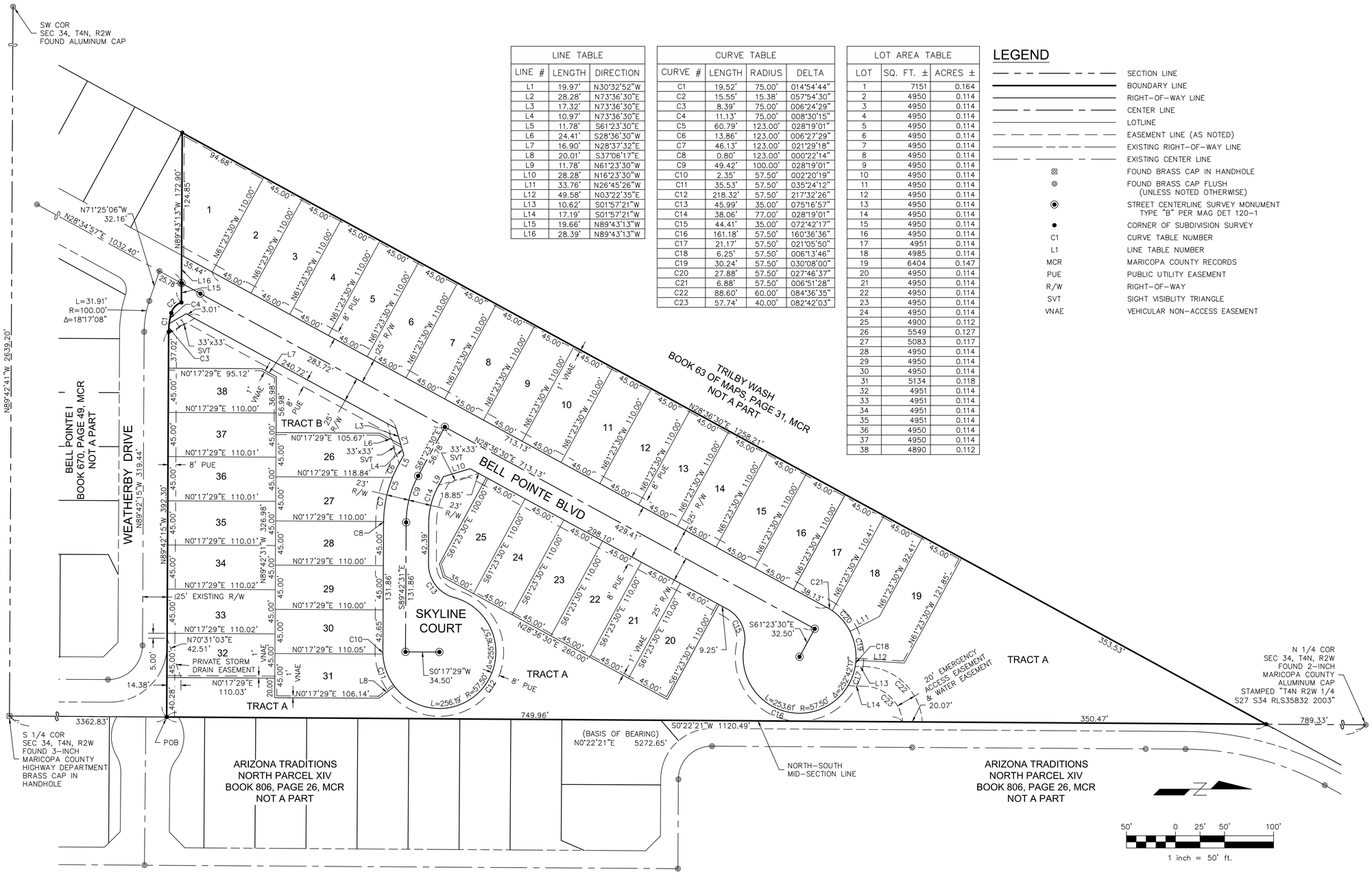
LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	19.97'	N30°32'52"W
L2	28.28'	N73°36'30"E
L3	17.32'	N73°36'30"E
L4	10.97'	N73°36'30"E
L5	11.78'	S61°23'30"E
L6	24.41'	S28°36'30"W
L7	16.90'	N28°37'32"E
L8	20.01'	S37°06'17"E
L9	11.78'	N61°23'30"W
L10	28.28'	N16°23'30"W
L11	33.76'	N26°45'26"W
L12	49.58'	N03°22'35"E
L13	10.62'	S01°57'21"W
L14	17.19'	S01°57'21"W
L15	19.66'	N89°43'13"W
L16	28.39'	N89°43'13"W

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	19.52'	75.00'	014°54'44"
C2	15.55'	15.38'	057°54'30"
C3	8.39'	75.00'	006°24'29"
C4	11.13'	75.00'	008°30'15"
C5	60.79'	123.00'	028°19'01"
C6	13.86'	123.00'	006°27'29"
C7	46.13'	123.00'	021°29'18"
C8	0.80'	123.00'	000°22'14"
C9	49.42'	100.00'	028°19'01"
C10	2.35'	57.50'	002°20'19"
C11	35.53'	57.50'	035°24'12"
C12	218.32'	57.50'	217°32'26"
C13	45.99'	35.00'	075°16'57"
C14	38.06'	77.00'	028°19'01"
C15	44.41'	35.00'	072°42'17"
C16	161.18'	57.50'	160°36'36"
C17	21.17'	57.50'	021°05'50"
C18	6.25'	57.50'	006°13'46"
C19	30.24'	57.50'	030°08'00"
C20	27.88'	57.50'	027°46'37"
C21	6.88'	57.50'	006°51'28"
C22	88.60'	60.00'	084°36'35"
C23	57.74'	40.00'	082°42'03"

LOT AREA TABLE		
LOT	SQ. FT. ±	ACRES ±
1	7151	0.164
2	4950	0.114
3	4950	0.114
4	4950	0.114
5	4950	0.114
6	4950	0.114
7	4950	0.114
8	4950	0.114
9	4950	0.114
10	4950	0.114
11	4950	0.114
12	4950	0.114
13	4950	0.114
14	4950	0.114
15	4950	0.114
16	4950	0.114
17	4951	0.114
18	4985	0.114
19	6404	0.147
20	4950	0.114
21	4950	0.114
22	4950	0.114
23	4950	0.114
24	4950	0.114
25	4900	0.112
26	5549	0.127
27	5083	0.117
28	4950	0.114
29	4950	0.114
30	4950	0.114
31	5134	0.118
32	4951	0.114
33	4951	0.114
34	4951	0.114
35	4951	0.114
36	4950	0.114
37	4950	0.114
38	4890	0.112

LEGEND

- SECTION LINE
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- CENTER LINE
- LOTLINE
- EASEMENT LINE (AS NOTED)
- EXISTING RIGHT-OF-WAY LINE
- EXISTING CENTER LINE
- FOUND BRASS CAP IN HANDHOLE
- FOUND BRASS CAP FLUSH (UNLESS NOTED OTHERWISE)
- STREET CENTERLINE SURVEY MONUMENT TYPE "B" PER MAG DET 120-1
- CORNER OF SUBDIVISION SURVEY
- C1 CURVE TABLE NUMBER
- L1 LINE TABLE NUMBER
- MCR MARICOPA COUNTY RECORDS
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- SVT SIGHT VISIBLITY TRIANGLE
- VNAE VEHICULAR NON-ACCESS EASEMENT



REGISTERED LAND SURVEYOR
CERTIFICATE NO.
54120
BRIAN EARL
SEARAN
Date Signed 07-07-17
ARIZONA U.S.A.

EXPIRES 12/31/18

FINAL PLAT

FOR

"BELL POINTE II - NORTH AND TRACT LL OF THE BELL POINTE I PLAT"

A PORTION OF THE NORTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND
SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OUTER LIMITS
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Phoenix, AZ 85050

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www.outerlimitslandsurveying.com

DATE:	07.07.17
DRN BY:	BES
CHKD BY:	BES
JOB NO.	16143
SHEET	2
	OF 2

FINAL PLAT

FOR

"BELL POINTE II - SOUTH"

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND
SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

KNOW ALL PERSONS BY THESE PRESENTS:

THAT KERRY ROSE, ("OWNER"), HAS SUBDIVIDED UNDER THE NAME "BELL POINTE II – SOUTH", A SUBDIVISION LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "BELL POINTE II – SOUTH" 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 DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS–OF–WAY AS SHOWN ON THE PLAT.

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 PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

OWNER 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.

KERRY ROSE, ("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 PLAT UNTIL SUCH TIME THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT–OF–WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDERS OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT–OF–WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNER'S 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.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE AN EXCLUSIVE EASEMENT OVER, UPON AND ACROSS ALL SEWER LINES AND MANHOLES AS SHOWN ON THE PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING THE SEWER LINES AND MANHOLES.

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.

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.

KERRY ROSE

_____

ACKNOWLEDGEMENT

STATE OF ARIZONA)
)SS
COUNTY OF MARICOPA)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 2017, BY KERRY ROSE, WHO ACKNOWLEDGED HIMSELF TO BE THE OWNER OF THE PROPERTY PLATTED HEREON AND EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES:

_____, 20___

LEGAL DESCRIPTION

A PORTION OF PARCEL NO. 2A, AS DESCRIBED IN QUIT CLAIM DEED, RECORDED IN DOCUMENT NO. 2000–0917693, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 34, BEING MARKED BY A 3–INCH MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP IN HANDHOLE, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 34, BEING MARKED BY A 2–INCH MARICOPA COUNTY ALUMINUM CAP STAMPED "T4N R2W 1/4 S27 S34 RLS35832 2003" BEARS NORTH 00° 22' 21" EAST, A DISTANCE OF 5,272.65 FEET;

THENCE NORTH 00° 22' 21" EAST, ALONG THE NORTH–SOUTH MID–SECTION LINE OF SAID SECTION 34, A DISTANCE OF 1,691.74 FEET TO A POINT ON THE WESTERLY RIGHT–OF–WAY LINE OF BEARDSLEY CANAL, AS SHOWN IN BOOK 584, PAGE 18, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE POINT OF BEGINNING, FROM WHICH A FOUND 1/2–INCH REBAR BEARS SOUTH 25° 48' 29" WEST, A DISTANCE OF 1.85 FEET;

THENCE LEAVING SAID NORTH–SOUTH MID–SECTION LINE, SOUTH 25° 48' 29" WEST, ALONG SAID WESTERLY RIGHT–OF–WAY LINE, A DISTANCE OF 538.85 FEET TO THE NORTHEAST CORNER OF TRACT A OF BELL POINTE I, AS SHOWN IN BOOK 670, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE LEAVING SAID WESTERLY RIGHT–OF–WAY LINE, NORTH 89° 42' 20" WEST, ALONG THE NORTHERLY LINE OF SAID TRACT A AND ITS WESTERLY PROLONGATION, A DISTANCE OF 768.73 FEET TO A CORNER OF SAID BELL POINTE I, LYING ON THE CENTERLINE OF BELL POINTE BOULEVARD AS SHOWN ON SAID BELL POINTE I, FROM WHICH A FOUND BRASS CAP FLUSH BEARS SOUTH 00° 20' 52" WEST, A DISTANCE OF 235.50 FEET;

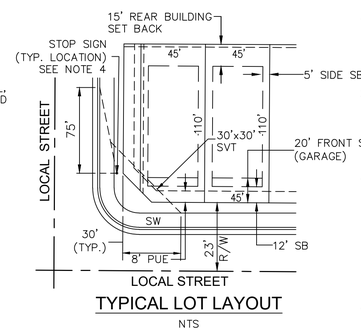
THENCE NORTH 00° 20' 52" EAST, ALONG SAID CENTERLINE OF BELL POINTE BOULEVARD, A DISTANCE OF 908.21 FEET TO A CORNER OF BELL POINTE 1, BEING MARKED BY A FOUND BRASS CAP FLUSH;

THENCE SOUTH 89° 41' 53" EAST, A DISTANCE OF 1,000.55 FEET TO THE SOUTHEAST CORNER OF TRACT I OF SAID BELL POINTE I;

THENCE SOUTH 00° 22' 21" WEST, ALONG SAID NORTH–SOUTH MID–SECTION LINE, A DISTANCE OF 421.78 FEET TO THE POINT OF BEGINNING.

NOTES

1. NO STRUCTURE OF ANY KIND MAY BE CONSTRUCTED OR ANY VEGETATION BE PLANTED NOR BE ALLOWED TO GROW WITHIN THE DRAINAGE EASEMENT WHICH WOULD IMPEDE THE FLOW OF WATER OVER, UNDER OR THROUGH THE EASEMENT.
2. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED ON, OVER OR PLACED WITHIN THE SEWER AND WATER EASEMENT EXCEPT WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING AND/OR PAVING NOR ANY PLANTING EXCEPT GRASS. IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF SURPRISE SHALL NOT BE REUIRED TO REPLACE ANY OBSTRUCTIONS OR PLANTING THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION OR RECONSTRUCTION OF CITY UTILITIES.
3. CONSTRUCTION WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO UTILITIES AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING.
4. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
5. EACH LOT IN THIS SUBDIVISION IS PERMITTED ONE DWELLING UNIT PER LOT.
6. ALL EASEMENTS ARE SUBORDINATE TO THE DRAINAGE EASEMENTS.
7. THE PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
8. IN ACCORDANCE WITH ARS § 9–461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
9. 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.
10. THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE "X", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1215L, 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.



TYPICAL LOT LAYOUT

NTS

1. SIGNS, FENCES, WALLS, UTILITY BOXES, SHRUBS, HEDGES OR OTHER PLANTS, BUT EXCLUDING TREES OVER 30 INCHES IN HEIGHT SHALL NOT BE PERMITTED WITHIN THE RESTRICTED AREAS.
2. PLANTING WITHIN THE R/W IN VIEW EASEMENTS SHALL BE PER THE APPROVED TYPES AND DIMENSIONS AND SHALL NOT ENCROACH WITHIN THE SIGHT TRIANGLE PER AASHTO GUIDELINES.
3. TREES ARENPERMITTED WITHIN THE RESTRICTED AREAS PROVIDED:
   A. NO LIMBS, LEVAES, NEEDLES OR OTHER FOLIAGE ABOVE 30 INCHES OR BELOW 84 INCHES ARE PERMITTED.
   B. TREES SHALL NOT OBSTRUCT MORE THAN 20% OF THE VISIBILITY WHEN COMBINED WITH OTHER OBSTRUCTIONS PRESENT.
4. STOP SIGN SHALL BE INSTALLED 2' MINIMUM BEHIND BACK OF CURB.

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 _____
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

NOTICE OF INTERGOVERNMENTAL AGREEMENT

THE CITY OF SURPRISE ("CITY") AND MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") ENTERED INTO AN INTERGOVERNMENTAL AGREEMENT DATED APRIL 8, 1997 AND RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE ON APRIL 9, 1997 UNDER DOCKET NO. 97–0231759 ("IGA"). CITY AND MWD HAVE FACILITIES AND PROPERTY INTERESTS DESCRIBED AND DELINEATED WITHIN CERTAIN SUBDIVISION PLATS THAT HAVE PRIOR AND SUPERIOR RIGHTS TO THE UTILITY SERVICE PROVIDERS. 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 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 PROVIDERS' USE AND OCCUPANCY OF THESE EASEMENTS. CITY REQUIRES THAT UTILITY SERVICE PROVIDERS CONSENT TO BE BOUND BY THIS 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 THIS IGA.

PUBLIC NOTICE

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

RELEASE OF LIABILITY

KERRY ROSE, AN INDIVIDUAL ("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.

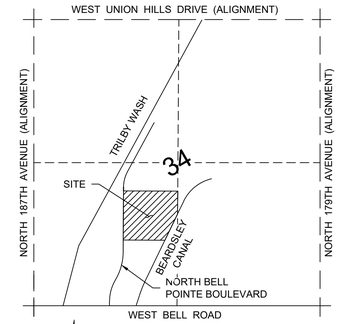
CERTIFICATE OF ASSURED WATER SUPPLY

FINAL PLAT FOR "BELL POINTE II – SOUTH" IS WITHIN THE SERVICE AREA OF EPCOR WATER ARIZONA, INC. AND HAS BEEN GRANTED A CERTIFICATE OF ASSURED WATER SUPPLY FROM THE ARIZONA DEPARTMENT OF RESOURCES.

_____ _____
EPCOR WATER ARIZONA, INC. DATE

TRACT AREA TABLE

TRACT	SQ. FT. ±	ACRES ±	USE
TRACT C	4541	0.104	LANDSCAPING & OPEN SPACE
TRACT D	814	0.019	LANDSCAPING & OPEN SPACE
TRACT E	1153	0.026	LANDSCAPING & OPEN SPACE
TRACT F	7645	0.176	LANDSCAPING & OPEN SPACE
TRACT G	9323	0.214	LANDSCAPING, OPEN SPACE & DRAINAGE INCLUDING STORM DRAIN & SEWER EASEMENTS AS SHOWN
TRACT H	1504	0.035	LANDSCAPING & OPEN SPACE
TRACT I	110840	2.545	LANDSCAPING, OPEN SPACE & DRAINAGE INCLUDING STORM DRAIN & SEWER EASEMENTS AS SHOWN
TRACT J	6248	0.143	LANDSCAPING & OPEN SPACE
TRACT K	785	0.018	LANDSCAPING & OPEN SPACE



SECTION 34, T4N, R2W, G&SRM

VICINITY MAP

NTS

OWNER

KERRY ROSE
P.O. BOX 45000
PHOENIX, ARIZONA
PHONE: 602.321.9242

ENGINEER

SLATER HANIFAN GROUP
11201 N. TATUM BLVD. #250
PHOENIX, ARIZONA 85028
PHONE: 602.687.9664
CONTACT: ROGER THEIS

EXISTING ZONING

PAD/MDR

SURVEYOR

OUTER LIMITS LAND SURVEYING, LLC
BRIAN EARL SEARAN, RLS #54120
PO BOX 71957
PHOENIX, ARIZONA 85050
PHONE: 602.486.1154
EMAIL: bsearan@outerlimitsls.com

SITE DATA

AREA:	852,198 SF± OR 19.564 AC±
NUMBER OF LOTS:	103
AVERAGE LOT SIZE:	8273.8 SF
MINIMUM LOT SIZE:	4800 SF
MAXIMUM LOT SIZE:	8242 SF
AREA OF OPEN SPACE:	3.28 AC
SINGLE FAMILY AREA:	12.02 AC
RIGHT–OF–WAY AREA:	4.26 AC
% OF OPEN SPACE:	16.76%

BASIS OF BEARING

THE BASIS OF BEARING USED FOR THIS PROJECT IS THE NORTH–SOUTH MID–SECTION LINE OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA. SAID LINE BEARS N00°22'21"E, AS SHOWN ON FINAL PLAT FOR "BELL POINTE I", RECORDED IN BOOK 670, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA.

REFERENCE DOCUMENTS

1. TRILBY WASH DETENTION BASIN DAM & APURTENANCES, RECORDED IN BOOK 63 OF MAPS, PAGE 31, RECORDS OF MARICOPA COUNTY, ARIZONA.
2. BEARDSLEY CANAL RIGHT OF WAY, RECORDED IN BOOK 584, PAGE 18, RECORDS OF MARICOPA COUNTY, ARIZONA.
3. FINAL PLAT FOR "BELL POINTE I", RECORDED IN BOOK 670, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA.
4. ARIZONA TRADITIONS NORTH PARCEL XIV, RECORDED IN BOOK 806, PAGE 26, RECORDS OF MARICOPA COUNTY, ARIZONA.

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF JANUARY 2017, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
54120
BRIAN EARL
SEARAN
Date Signed 07-07-17
ARIZONA U.S.A.

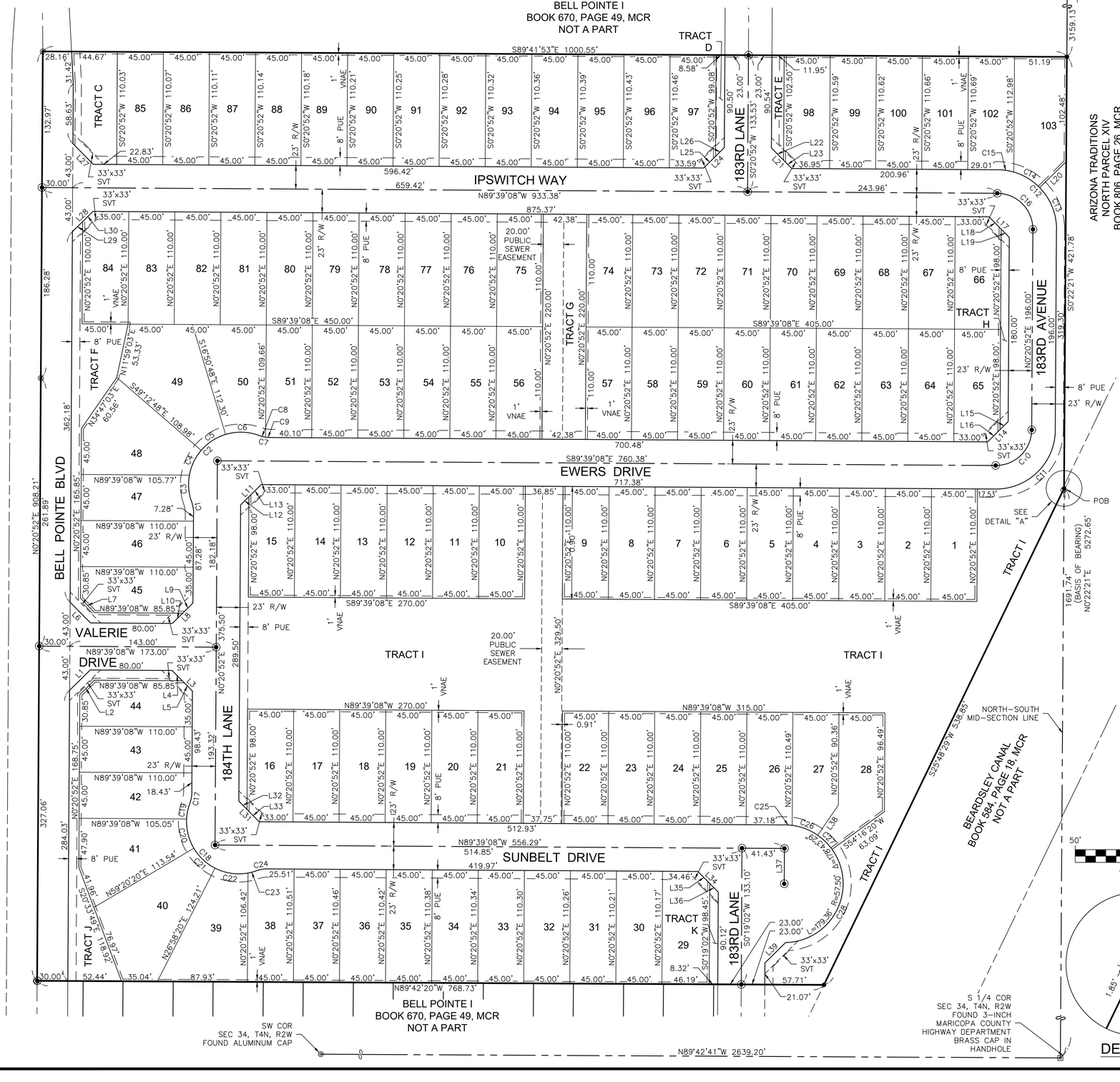
EXPIRES 12/31/18

FINAL PLAT
FOR
"BELL POINTE II - SOUTH"
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND
SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OUTER LIMITS
LAND SURVEYING
PO Box 71957
Phoenix, AZ 85050
TEL: 602.486.1154
www.outerlimitslandsurveying.com

DATE:	07.07.17
DRN BY:	BES
CHKD BY:	BES
JOB NO.	16143
SHEET	1 OF 2

FINAL PLAT
FOR
"BELL POINTE II - SOUTH"



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	28.28'	S45°20'52"W
L2	20.01'	S45°20'52"W
L3	28.28'	N44°39'08"W
L4	14.14'	S44°39'08"E
L5	14.14'	S44°39'08"E
L6	28.28'	S44°39'08"E
L7	20.01'	N44°39'08"W
L8	28.28'	N45°20'52"E
L9	14.14'	S45°20'52"W
L10	14.14'	S45°20'52"W
L11	28.28'	S45°20'52"W
L12	11.31'	N45°20'52"E
L13	16.97'	N45°20'52"E
L14	28.28'	N45°20'52"E
L15	11.31'	S45°20'52"W
L16	16.97'	S45°20'52"W
L17	28.28'	N44°39'08"W
L18	16.97'	S44°39'08"E
L19	11.31'	S44°39'08"E
L20	36.34'	S45°42'34"W
L21	28.28'	N44°39'08"W
L22	16.89'	S44°39'08"E
L23	11.39'	S44°39'08"E
L24	28.28'	S45°20'52"W
L25	16.15'	N45°20'52"E
L26	12.14'	N45°20'52"E
L27	28.28'	N44°39'08"W
L28	28.28'	S45°20'52"W
L29	14.14'	N45°20'52"E
L30	14.15'	N45°20'52"E
L31	28.28'	N44°39'08"W
L32	11.31'	S44°39'08"E
L33	16.97'	S44°39'08"E
L34	28.29'	N44°40'03"W
L35	16.52'	S44°40'03"E
L36	11.77'	S44°40'03"E
L37	34.50'	N00°20'52"E
L38	35.79'	S34°34'09"W
L39	28.32'	S45°19'02"W

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	11.99'	35.00'	019°38'01"
C2	115.06'	51.00'	129°16'02"
C3	26.34'	51.00'	029°35'44"
C4	27.13'	51.00'	030°28'37"
C5	28.81'	51.00'	032°22'00"
C6	32.78'	51.00'	036°49'41"
C7	11.99'	35.00'	019°38'01"
C8	7.08'	35.00'	011°35'30"
C9	4.91'	35.00'	008°02'31"
C10	54.98'	35.00'	090°00'00"
C11	91.11'	58.00'	090°00'00"
C12	91.11'	58.00'	090°00'00"
C13	45.19'	58.00'	044°38'17"
C14	29.72'	58.00'	029°21'28"
C15	16.20'	58.00'	016°00'14"
C16	54.98'	35.00'	090°00'00"
C17	11.99'	35.00'	019°38'01"
C18	115.06'	51.00'	129°16'02"
C19	15.15'	51.00'	017°01'19"
C20	29.93'	51.00'	033°37'14"
C21	28.81'	51.00'	032°22'00"
C22	32.45'	51.00'	036°27'03"
C23	8.73'	51.00'	009°48'26"
C24	11.99'	35.00'	019°38'01"
C25	7.84'	57.50'	007°48'59"
C26	26.86'	57.50'	026°45'38"
C27	19.77'	57.50'	019°42'11"
C28	124.89'	57.50'	124°26'40"

LOT AREA TABLE		
LOT	SQ. FT. ±	ACRES ±
1	4950	0.114
2	4950	0.114
3	4950	0.114
4	4950	0.114
5	4950	0.114
6	4950	0.114
7	4950	0.114
8	4950	0.114
9	4950	0.114
10	4950	0.114
11	4950	0.114
12	4950	0.114
13	4950	0.114
14	4950	0.114
15	4878	0.112
16	4878	0.112
17	4950	0.114
18	4950	0.114
19	4950	0.114
20	4950	0.114
21	4950	0.114
22	4950	0.114
23	4950	0.114
24	4950	0.114
25	4950	0.114
26	4951	0.114
27	4955	0.114
28	5532	0.127
29	5017	0.115
30	4959	0.114
31	4961	0.114
32	4962	0.114
33	4964	0.114
34	4966	0.114
35	4968	0.114
36	4970	0.114
37	4972	0.114
38	4941	0.113
39	6538	0.150
40	8242	0.189
41	6493	0.149
42	4885	0.112
43	4950	0.114
44	4800	0.110
45	4800	0.110
46	4950	0.114
47	4831	0.111
48	7169	0.165
49	7896	0.181
50	5939	0.136
51	4949	0.114
52	4950	0.114

LOT AREA TABLE		
LOT	SQ. FT. ±	ACRES ±
53	4950	0.114
54	4950	0.114
55	4950	0.114
56	4950	0.114
57	4950	0.114
58	4950	0.114
59	4950	0.114
60	4950	0.114
61	4950	0.114
62	4950	0.114
63	4950	0.114
64	4950	0.114
65	4878	0.112
66	4878	0.112
67	4950	0.114
68	4950	0.114
69	4950	0.114
70	4950	0.114
71	4950	0.114
72	4950	0.114
73	4950	0.114
74	4950	0.114
75	4950	0.114
76	4950	0.114
77	4950	0.114
78	4950	0.114
79	4950	0.114
80	4950	0.114
81	4950	0.114
82	4950	0.114
83	4950	0.114
84	4900	0.112
85	4952	0.114
86	4954	0.114
87	4955	0.114
88	4957	0.114
89	4959	0.114
90	4960	0.114
91	4962	0.114
92	4963	0.114
93	4965	0.114
94	4967	0.114
95	4968	0.114
96	4970	0.114
97	4907	0.113
98	4943	0.113
99	4977	0.114
100	4979	0.114
101	4980	0.114
102	4994	0.115
103	5991	0.138

LEGEND

- SECTION LINE
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- CENTER LINE
- LOTLINE
- EASEMENT LINE (AS NOTED)
- EXISTING RIGHT-OF-WAY LINE
- EXISTING CENTER LINE
- FOUND BRASS CAP IN HANDHOLE
- FOUND BRASS CAP FLUSH (UNLESS NOTED OTHERWISE)
- STREET CENTERLINE SURVEY MONUMENT TYPE "B" PER MAG DET 120-1
- CORNER OF SUBDIVISION SURVEY
- C1 CURVE TABLE NUMBER
- L1 LINE TABLE NUMBER
- DE DRAINAGE EASEMENT
- LE LANDSCAPE EASEMENT
- MCR MARICOPA COUNTY RECORDS
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- SVT SIGHT VISIBLITY TRIANGLE
- VNAE VEHICULAR NON-ACCESS EASEMENT

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
54120
BRIAN EARL
SEARAN
Date Signed 07-07-17
ARIZONA U.S.A.
EXPIRES 12/31/18

FINAL PLAT
FOR
"BELL POINTE II - SOUTH"
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND
SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

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PO Box 71957
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DATE: 07.07.17
DRN BY: BES
CHKD BY: BES
JOB NO. 16143
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FS17-042 & FS17-043

BELL POINTE II NORTH AND SOUTH PARCELS ALTERNATIVE ASSURANCE AGREEMENT

This Bell Pointe II North and South Parcels Alternative Assurance Agreement ("Agreement") is dated as of this 5th day of September 2017 (the "Effective Date") by and between the City of Surprise, Arizona, an Arizona municipal corporation (the "City"), and Kerry Rose ("Owner"). The City and Owner may be individually referred to as a "Party" or collectively as the "Parties."

RECITALS

WHEREAS, Surprise Municipal Code, Chapter 16.24 and Section 16.12.040(A)(9), in effect in 2006, required an applicant for approval of a final plat to provide a performance bond, irrevocable letter of credit, funds in escrow, or other equivalent financial guarantee to the City, prior to recording a final plat approved by the City Council, in an amount equal to one hundred percent (100%) of the cost of the labor and materials necessary to complete satisfactory construction, installation, and dedication of the required street, utility, drainage and other improvements, including any portions of such improvements which are located upon individual lots; and

WHEREAS, as an alternative to the posting of financial assurances, Surprise Municipal Code, Section 16.12.040E, in effect in 2006, allowed the City Council to approve a final plat, but withhold recordation of the final plat until completion and acceptance of all required infrastructure improvements, as follows:

> **Alternate Approval Procedure**. As an alternate procedure and at the request of the "[Owner]", the City Council may approve a final plat and instruct the Community Development Director to withhold the approved final plat from recording for a period of time to allow the "[Owner]" to install all of the required public improvements according to the plans and specifications approved by the City Engineer. This procedure, when approved by the Council, shall be in lieu of the guarantees for installation of improvements as set forth in subsection (A) (9) of this section. An executed standard contract as approved by the City Attorney regarding installation of improvements shall be submitted with the final plat. The contract shall require that all improvements be completed no later than twelve months from the date the final plat was approved by the City Council and that no lot may be sold. When the completed improvements are inspected and approved by the City Engineer, the plat shall be recorded by the Community Development Director, and the sale of lots may proceed according to the approved and recorded plat, provided that a one-year warranty shall be submitted covering the completed improvements.

WHEREAS, the Parties desire to enter into this Agreement for the purpose of allowing Owner, as an alternative to posting financial assurances, to construct and install all of the

required infrastructure improvements within twelve (12) months of the date of this Agreement, after approval of a final plat by the City Council but before recordation of the final plat.

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by reference, and the mutual promises set forth in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties state, confirm, and agree as follows:

SPECIAL TERMS AND CONDITIONS

1. The improvements depicted on the following plans (the "Improvements") shall be completed by Owner:

   Bell Pointe II, North and South Parcels, Grading Plans

   Bell Pointe II, North and South Parcels, Sewer Plans

   Bell Pointe II, North and South Parcels, Water Plans

   Bell Pointe II, North and South Parcels, Paving

   Bell Pointe II, North and South Parcels, Streetlight Plans

   Bell Pointe II, North and South Parcels, Landscape Plans

   Bell Pointe II, North and South Parcels, Stormwater Plans

2. If Owner elects to not provide acceptable financial assurances after approval of the final plat by the City Council, as permitted by Surprise Municipal Code, Chapter 16.24 and Section 16.12.040(A) (9), in effect in 2006, Owner shall complete satisfactory construction, installation, and dedication of the Improvements within twelve (12) months of the Effective Date of this Agreement as a precondition to recordation of the final plat. The final plat shall become null and void and of no force or effect if the Improvements have not been constructed and approved by the City Engineer within twelve (12) months of the Effective Date.

3. If Owner elects to not provide acceptable financial assurances after approval of the final plat by the City Council, as permitted by Surprise Municipal Code, Chapter 16.24 and Section 16.12.040(A)(9), in effect in 2006, no lots may be developed or sold until the Improvements are completed and approved by the City Engineer.

4. If Owner elects to not provide acceptable financial assurances after approval of the final plat by the City Council, as permitted by Surprise Municipal Code, Chapter 16.24 and Section 16.12.040(A)(9), in effect in 2006, after the completed Improvements have been inspected and approved by the City Engineer, the final plat shall be recorded by the Community Development Director, and the sale of lots may proceed according to the approved and recorded plat, provided that a one-year warranty shall be submitted covering the completed Improvements.

5. If Owner should elect to post financial assurances as required by Surprise Municipal Code,

Chapter 16.24 and Section 16.12.040(A)(9), in effect in 2006, the Community Development Director shall record the final plat as permitted by Surprise Municipal Code, Section 16.12.040(E), in effect in 2006, and the sale of lots may proceed according to the approved and recorded plat.

GENERAL TERMS AND CONDITIONS

6. Owner hereby waives and releases the City from any and all claims under A.R.S. § 12-1134, *et seq.,* including any right to compensation for reduction in the fair market value of the real property that is the subject of this Agreement (Bell Pointe II North and South Parcels), as a result of the City's approval of this Agreement. The terms of this waiver shall run with the land and shall be binding upon all subsequent landowners and shall survive the expiration or other termination of this Agreement.

7. This Agreement is subject to cancellation for conflict of interest. Pursuant to A.R.S. § 38-503 and§ 38-511, no member, official or employee of the City shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official or employee participate in any decision relating to this Agreement which affects his or her personal interest or the interest of any corporation, partnership or association in which he or she is, directly or indirectly, interested.

8. The provisions of this Agreement are binding upon and shall inure to the benefit and burden of the Parties and all of their successors in interest and assigns. Owner shall provide the City with at least ten (10) business days' written notice in the event that title to all or any part of the Bell Pointe II North and South Parcels is conveyed or otherwise transferred to a third party that is not related to or an affiliate of Owner.

9. This Agreement constitutes the entire agreement between the parties hereto pertaining to the subject matter hereof and all prior and contemporaneous agreements, representations, negotiations and understandings of the parties hereto, oral or written, are hereby superseded and merged herein.

10. Upon the conveyance of all or a portion of Bell Pointe II North and South Parcels by Owner or its successors-in-title or assigns and the assumption by such transferee of Owner's obligations under this Agreement, Owner or its successors-in-title or assigns, as applicable, shall be released from its liabilities and obligations under this Agreement.

11. The laws of the State of Arizona shall govern any dispute, controversy, claim or cause of action arising out of or related to this Agreement. The venue for any such dispute shall be Maricopa County, Arizona, and each Party waives the right to object to venue in Maricopa County for any reason. Neither Party shall be entitled to recover any of its attorneys' fees or other costs from the other Party incurred in any such dispute, controversy, claim, or cause of action, but each Party shall bear its own attorneys' fees and costs, whether the same is resolved through arbitration, litigation in a court, or otherwise.

IN WITNESS WHEREOF, the parties have executed this Agreement, and this Agreement shall be effective, as of the Effective Date set forth above.

CITY OF SURPRISE, an Arizona municipal corporation

By: _____

Sharon R. Wolcott, Mayor

Date: _____

APPROVED AS TO FORM:

_____

City Attorney

ATTESTED:

_____

City Clerk

Owner: Kerry Rose

By: _____

Its: _____

Date: 8/3/17

STATE OF ARIZONA)

) ss.

County of Maricopa)

This instrument was acknowledged before me on 8.3., 2017, by Kerry William Rose, ~~_____ of (_____) an Arizona limited liability company, on behalf of the company.~~

_____

Notary Public

My Commission Expires:

June 25th 2019

See Attached CA Acknowledgement

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT **CIVIL CODE § 1189**

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

State of California)
County of Los Angeles)

On 8.3.2017 (Date) before me, Joseph P. Molina-Carter, Notary Public, (Here Insert Name and Title of the Officer)

personally appeared Kerry William Rose (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

JOSEPH P. MOLINA-CARTER
Notary Public - California
Los Angeles County
Commission # 2117096
My Comm. Expires Jun 25, 2019

Signature _____ (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document: Alternative Assurance Agreement - Bellpointe North II North & South Parcels
Document Date: _____ Number of Pages: 5
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

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

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

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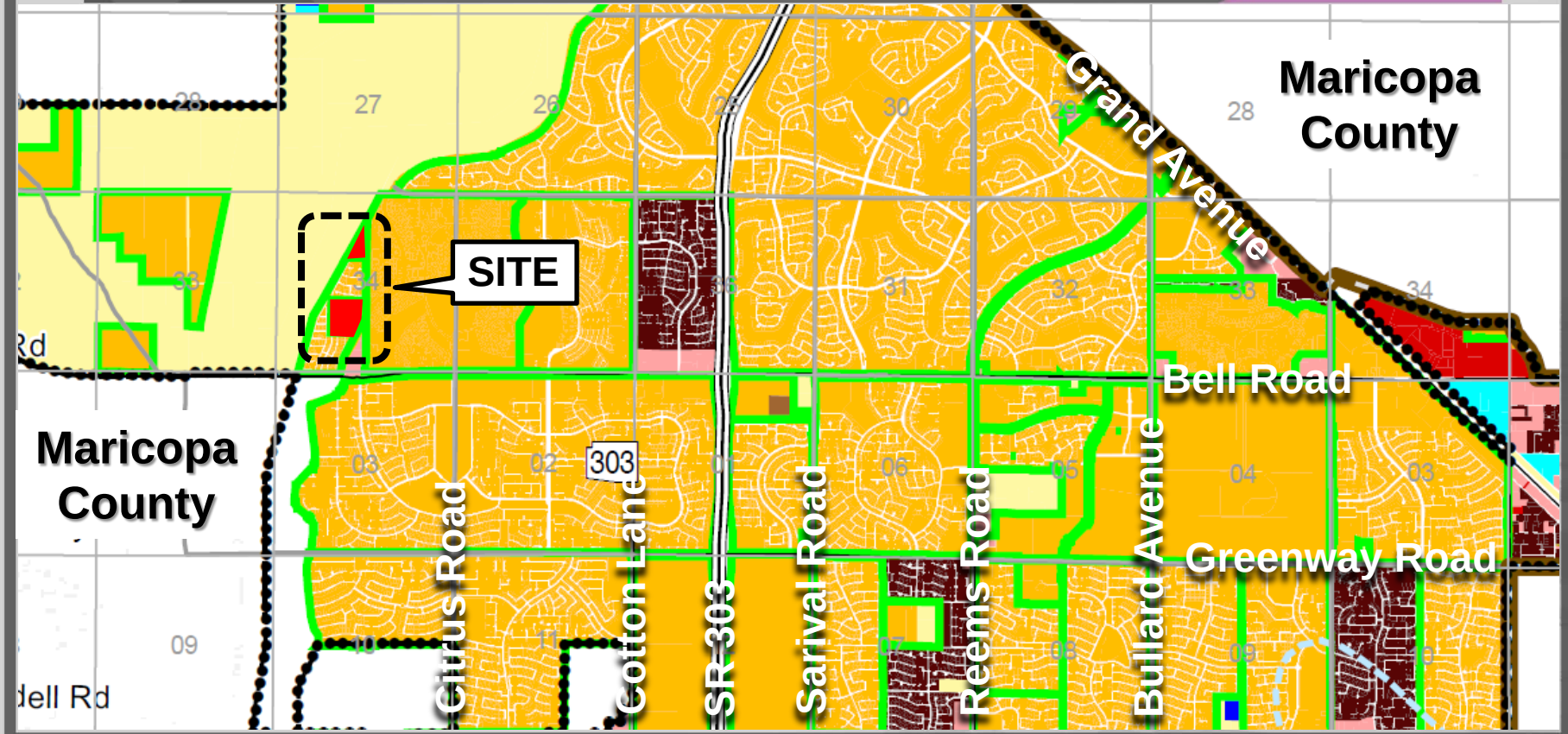
SURPRISE
ARIZONA

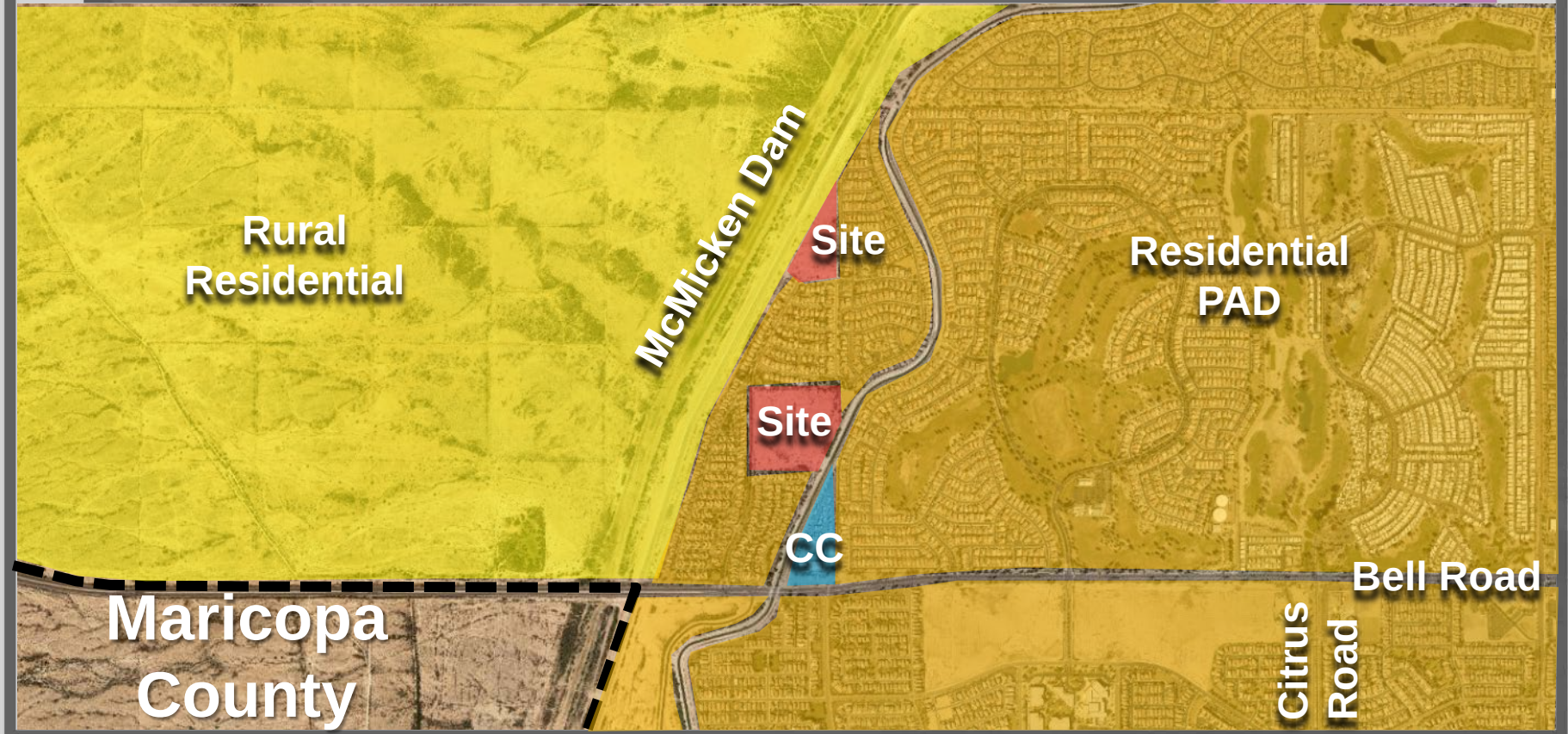
BELL POINTE II ALTERNATIVE ASSURANCE AGREEMENT

Alternative Assurance Agreement Extension – September 4, 2018

VICINITY MAP



ZONING MAP

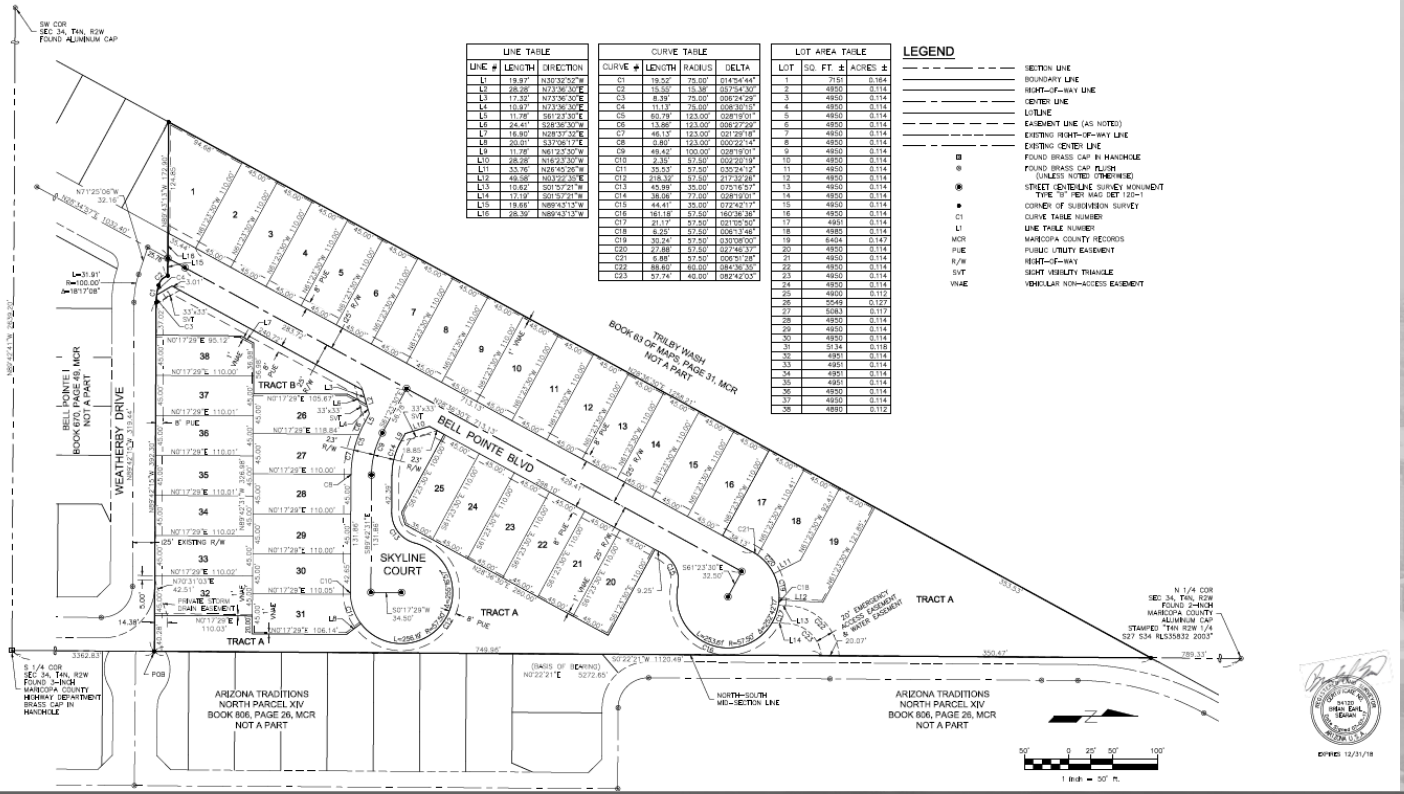

Rural
Residential
McMicken Dam
Site
Site
Residential
PAD
CC
Bell Road
Maricopa
County
Citrus
Road

FINAL PLAT

FINAL PLAT

FOR

"BELL POINTE II - NORTH AND TRACT LL OF THE BELL POINTE I PLAT"



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	19.97'	N30°35'52"W
L2	28.28'	N73°36'30"E
L3	17.32'	N73°36'30"E
L4	10.97'	N73°36'30"E
L5	11.78'	S61°23'30"E
L6	24.41'	S28°36'30"W
L7	16.90'	N28°37'32"E
L8	20.01'	S37°06'17"E
L9	11.78'	N61°23'30"W
L10	28.28'	N16°23'30"W
L11	33.76'	N26°45'26"W
L12	49.56'	N03°22'39"E
L13	10.62'	S01°57'21"W
L14	17.19'	S01°57'21"W
L15	19.66'	N89°43'13"W
L16	28.39'	N89°43'13"W

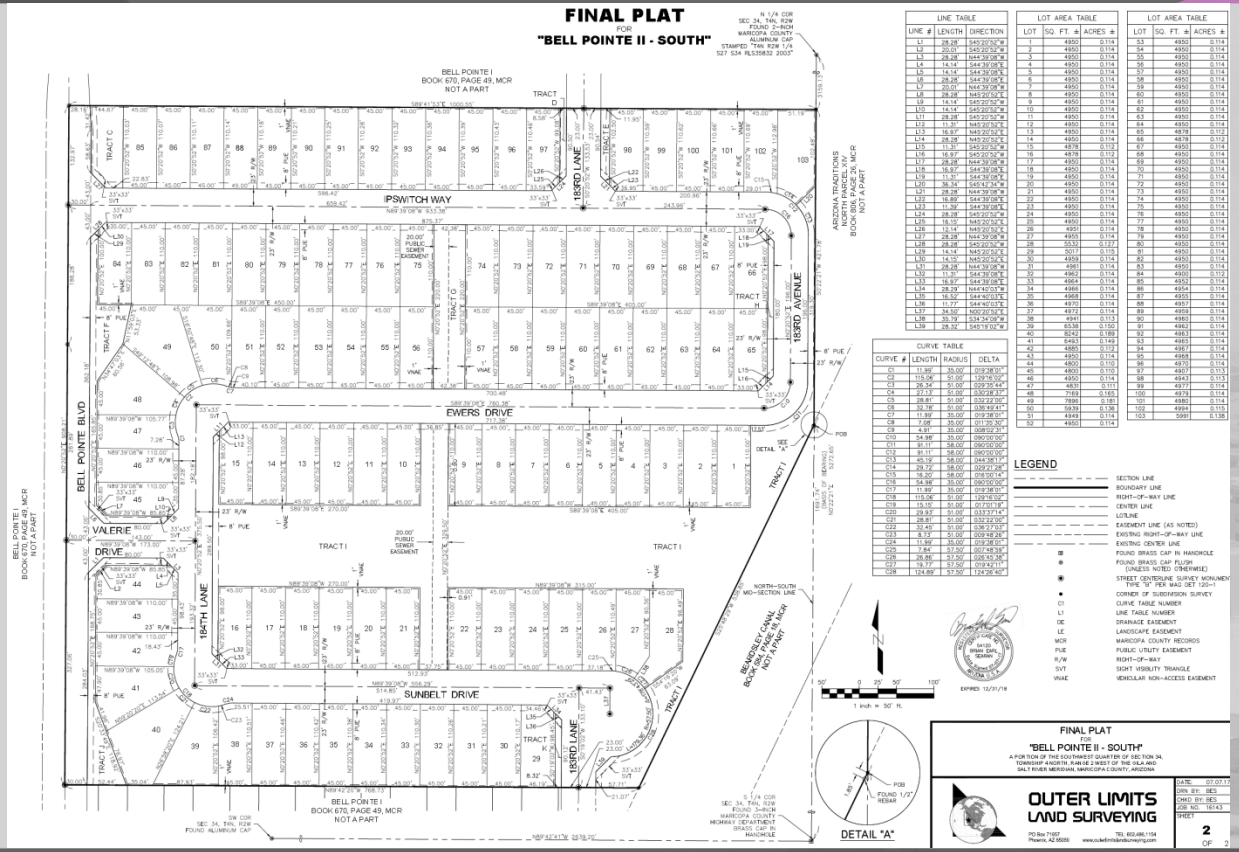
CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	19.53'	75.00'	014°54'44"
C2	19.55'	13.38'	83°43'30"
C3	8.39'	75.00'	006°24'29"
C4	11.13'	75.00'	008°30'15"
C5	60.79'	123.00'	028°19'01"
C6	13.86'	123.00'	006°27'29"
C7	46.13'	123.00'	021°29'18"
C8	0.80'	123.00'	000°22'14"
C9	49.42'	100.00'	028°19'01"
C10	2.35'	57.50'	002°20'19"
C11	35.53'	57.50'	035°24'12"
C12	218.32'	57.50'	217°32'28"
C13	45.99'	35.00'	075°16'57"
C14	38.08'	77.00'	028°19'01"
C15	44.41'	35.00'	072°42'17"
C16	161.18'	57.50'	160°36'36"
C17	21.17'	57.50'	021°05'50"
C18	6.25'	57.50'	006°13'48"
C19	30.24'	57.50'	030°08'00"
C20	27.88'	57.50'	027°46'37"
C21	6.88'	57.50'	006°51'28"
C22	88.60'	60.00'	084°36'30"
C23	57.74'	40.00'	082°42'03"

LOT AREA TABLE		
LOT	SQ. FT. ±	ACRES ±
1	7151	0.164
2	4950	0.114
3	4950	0.114
4	4950	0.114
5	4950	0.114
6	4950	0.114
7	4950	0.114
8	4950	0.114
9	4950	0.114
10	4950	0.114
11	4950	0.114
12	4950	0.114
13	4950	0.114
14	4950	0.114
15	4950	0.114
16	4950	0.114
17	4951	0.114
18	4985	0.114
19	5404	0.147
20	4950	0.114
21	4950	0.114
22	4950	0.114
23	4950	0.114
24	4950	0.114
25	4900	0.112
26	5549	0.127
27	5083	0.117
28	4950	0.114
29	4950	0.114
30	4950	0.114
31	5134	0.118
32	4951	0.114
33	4951	0.114
34	4951	0.114
35	4951	0.114
36	4950	0.114
37	4950	0.114
38	4890	0.112

LEGEND

- SECTION LINE
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- CENTER LINE
- LOTLINE
- EASEMENT LINE (AS NOTED)
- EXISTING RIGHT-OF-WAY LINE
- EXISTING CENTER LINE
- FOUND BRASS CAP IN HANDHOLE
- FOUND BRASS CAP FLUSH (UNLESS NOTED OTHERWISE)
- STREET CENTERLINE SURVEY MONUMENT TYPE "ST" PER MAG DET 120-1
- CORNER OF SUBDIVISION SURVEY
- C1 CURVE TABLE NUMBER
- L1 LINE TABLE NUMBER
- MCR MARICOPA COUNTY RECORDS
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- SVT SIGHT VISIBILITY TRIANGLE
- VNAE VEHICULAR NON-ACCESS EASEMENT

FINAL PLAT



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	28.28'	S45°20'52"W
L2	20.01'	S45°20'52"W
L3	28.28'	N44°39'08"W
L4	14.14'	S44°39'08"E
L5	14.14'	S44°39'08"E
L6	28.28'	S44°39'08"E
L7	20.01'	N44°39'08"W
L8	28.28'	S45°20'52"E
L9	14.14'	S45°20'52"W
L10	14.14'	S45°20'52"W
L11	28.28'	S45°20'52"W
L12	11.31'	S45°20'52"E
L13	16.97'	S45°20'52"E
L14	28.28'	N45°20'52"E
L15	11.31'	S45°20'52"W
L16	16.97'	S45°20'52"W
L17	28.28'	N44°39'08"W
L18	16.97'	S44°39'08"E
L19	11.31'	S44°39'08"E
L20	36.34'	S45°42'34"W
L21	28.28'	N44°39'08"W
L22	16.89'	S44°39'08"E
L23	11.39'	S44°39'08"E
L24	28.28'	S45°20'52"W
L25	16.10'	S45°20'52"E
L26	12.14'	S45°20'52"E
L27	28.28'	N44°39'08"W
L28	28.28'	S45°20'52"W
L29	14.14'	S45°20'52"E
L30	14.10'	S45°20'52"E
L31	28.28'	N44°39'08"W
L32	11.31'	S44°39'08"E
L33	16.97'	S44°39'08"E
L34	28.29'	N44°40'03"W
L35	16.52'	S44°40'03"E
L36	11.77'	S44°40'03"E
L37	34.50'	N00°20'52"E
L38	33.79'	S34°34'09"W
L39	28.32'	S45°19'02"W

LOT AREA TABLE		
LOT	SQ. FT. ±	ACRES ±
1	4950	0.114
2	4950	0.114
3	4950	0.114
4	4950	0.114
5	4950	0.114
6	4950	0.114
7	4950	0.114
8	4950	0.114
9	4950	0.114
10	4950	0.114
11	4950	0.114
12	4950	0.114
13	4950	0.114
14	4950	0.114
15	4878	0.112
16	4878	0.112
17	4950	0.114
18	4950	0.114
19	4950	0.114
20	4950	0.114
21	4950	0.114
22	4950	0.114
23	4950	0.114
24	4950	0.114
25	4950	0.114
26	4951	0.114
27	4905	0.113
28	5532	0.127
29	5017	0.115
30	4959	0.114
31	4961	0.114
32	4962	0.114
33	4964	0.114
34	4966	0.114
35	4968	0.114
36	4970	0.114
37	4972	0.114
38	4941	0.113
39	6538	0.150
40	8242	0.189
41	6463	0.149
42	4985	0.114
43	4950	0.114
44	4801	0.110
45	4800	0.110
46	4950	0.114
47	4831	0.111
48	7169	0.165
49	7896	0.181
50	5939	0.136
51	4949	0.114
52	4950	0.114

LOT AREA TABLE		
LOT	SQ. FT. ±	ACRES ±
53	4950	0.114
54	4950	0.114
55	4950	0.114
56	4950	0.114
57	4950	0.114
58	4950	0.114
59	4950	0.114
60	4950	0.114
61	4950	0.114
62	4950	0.114
63	4950	0.114
64	4950	0.114
65	4878	0.112
66	4878	0.112
67	4950	0.114
68	4950	0.114
69	4950	0.114
70	4950	0.114
71	4950	0.114
72	4950	0.114
73	4950	0.114
74	4950	0.114
75	4950	0.114
76	4950	0.114
77	4950	0.114
78	4950	0.114
79	4950	0.114
80	4950	0.114
81	4950	0.114
82	4950	0.114
83	4950	0.114
84	4900	0.112
85	4952	0.114
86	4954	0.114
87	4955	0.114
88	4957	0.114
89	4958	0.114
90	4960	0.114
91	4962	0.114
92	4963	0.114
93	4965	0.114
94	4967	0.114
95	4968	0.114
96	4970	0.114
97	4907	0.113
98	4943	0.113
99	4977	0.114
100	4979	0.114
101	4980	0.114
102	4994	0.115
103	5991	0.138

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	11.99'	35.00'	019°38'01"
C2	115.06'	51.00'	129°16'02"
C3	26.34'	51.00'	029°35'44"
C4	27.13'	51.00'	030°28'23"
C5	28.81'	51.00'	032°22'00"
C6	32.78'	51.00'	036°49'41"
C7	11.99'	35.00'	019°38'01"
C8	7.68'	35.00'	011°20'30"
C9	4.31'	35.00'	008°02'31"
C10	54.98'	35.00'	090°00'00"
C11	91.11'	58.00'	090°00'00"
C12	91.11'	58.00'	090°00'00"
C13	45.12'	58.00'	044°36'17"
C14	29.72'	58.00'	029°21'28"
C15	16.20'	58.00'	016°00'14"
C16	54.98'	35.00'	090°00'00"
C17	11.99'	35.00'	019°38'01"
C18	115.06'	51.00'	129°16'02"
C19	15.10'	51.00'	016°57'13"
C20	29.93'	51.00'	033°37'14"
C21	28.81'	51.00'	032°22'00"
C22	32.45'	51.00'	036°27'03"
C23	8.73'	51.00'	009°48'28"
C24	11.99'	35.00'	019°38'01"
C25	7.84'	57.50'	007°48'59"
C26	26.86'	57.50'	026°45'28"
C27	19.77'	57.50'	019°42'13"
C28	124.89'	57.50'	124°26'40"

LEGEND

- SECTION LINE
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- CENTER LINE
- LOTLINE
- EASEMENT LINE (AS NOTED)
- EXISTING RIGHT-OF-WAY LINE
- EXISTING CENTER LINE
- FOUND BRASS CAP IN HANDHOLE
- FOUND BRASS CAP FLUSH (UNLESS NOTED OTHERWISE)
- STREET CENTERLINE SURVEY MONUMENT TYPE "II" PER MAG SET 120-1
- CORNER OF SUBDIVISION SURVEY
- C1 CURVE TABLE NUMBER
- L1 LINE TABLE NUMBER
- DE DRAINAGE EASEMENT
- LE LANDSCAPE EASEMENT
- MCR MARICOPA COUNTY RECORDS
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- SVT SIGHT VISIBILITY TRIANGLE
- VNAE VEHICULAR NON-ACCESS EASEMENT

FINAL PLAT
FOR
"BELL POINTE II - SOUTH"
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OUTER LIMITS
LAND SURVEYING
PO Box 71957
Phoenix, AZ 85050
TEL 602.486.1104
www.outerlimitslandsurveying.com

DATE: 07.07.17
DRN BY: BES
CHKD BY: BES
JOB NO. 16143
SHEET
2
OF 2

ALTERNATIVE ASSURANCES

- Subject PAD approved under Title 16 of the Surprise Municipal Code (“SMC”).
- Title 16 allowed for Alternative Assurances:
  - Allowed for an alternate procedure that allowed the Community Development Director to withhold the approved final plat from recording for a period of time to allow the owner to install all of the required public improvements according to the plans and specifications approved by the City Engineer.
  - Under Title 16, all public improvements to be completed no later than 12 months from the date the final plat was approved by the Mayor and City Council.

ALTERNATIVE ASSURANCES

Because the SMC provided for extensions of the subject Alternative Assurances, Staff is bringing to the Mayor and City Council to determine if the Alternative Assurances be extended for a period of one (1) year.

Staff is proposing a condition that states: *“If approved, no other extensions regarding Financial Assurances will be granted. The Final Plat will have to be reevaluated through a new Preliminary Plat and Final Plat process.”*

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Andrea Davis, Finance Director
Submitting Department:		District:	Citywide
Staff Recommendations:	None		

Consent x	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to fiscal year 2019 budget amendment by reallocating appropriations for the Development Impact Fee Study Update and adjusting budget authority for the fiscal year 2019 budget; Resolution #2018-141.

Motion:

I move to approve Resolution #2018-141.

Background:

Cities and towns are authorized by Arizona Revised Statutes (ARS) 9-463.05 to assess, collect and administer development fees. The City of Surprise retained the services of an outside qualified professional, as required by ARS 9-463.05 to update the City's Land Use Assumptions, Infrastructure Improvement Plan, and Development Impact Fees, known collectively as the Development Impact Fee Study update.

This action will update budget amounts to allow for the completions of the FY2019 Development Impact Fee Study update.

Objective Analysis:

Due to state laws regarding requirements for updates to the Land Use Assumptions, Infrastructure Improvement Plan, and Development Impact Fees, as well as expenditure limits that are set by the adopted budget, it is necessary to amend the FY2019 budget for Resolution #2018-141.

Policy Compliant:

City Council approval is required for budget amendments across funds, CIP projects, and grants per the Budget Amendment Policies and Procedures.

Financial Impact:

This Budget Amendment increases expenditure authority for the development impact fee study by $70,000. This expenditure will be offset by future development impact fee revenue.

Budget Impact:

This action reallocates spending authority without an increase or decrease to the total budget for FY2019 and does not represent an actual transfer of funds.

FTE Impact:

None.

ATTACHMENTS:

Click to download

- [ ] Resolution 2018-141 Budget Amendment for Dev Impact Fee Study

---

RESOLUTION # 2018-141

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2019 BUDGET BY REALLOCATING APPROPRIATION IN THE AMOUNT OF $70,000 FROM DEVELOPMENT IMPACT FEE CONTINGENCY AND GRANT CONTINGENCY TO PROJECT A15010. THIS REALLOCATION IS TO COVER PROJECTED EXPENDITURES ASSOCIATED WITH THE DEVELOPMENT IMPACT FEE STUDY.

WHEREAS, Arizona Revised Statues (A.R.S) § 9-463.05 provides a framework for cities and towns to assess, collect and administer development fees;

WHEREAS, the FY2019 adopted budget included funding for a development impact fee study project A15010;

WHEREAS, the FY2019 budget was adopted by Council Resolution #2018-78 on June 5, 2018;

WHEREAS, this action will necessitate a budget amendment;

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

WHEREAS, the City of Surprise Procurement Code §2-338(d) requires the approval of City Council when the City spends more than $50,000 on a single item.

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, 2018 through June 30, 2019.

APPROVED AND ADOPTED this _____day of _____, 2018.

Sharon R. Wolcott, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

RESOLUTION # 2018-141
Exhibit A

1. Appropriation- The table below represents a reallocation of appropriation in the amount of $70,000 from Development Impact Fee Contingency and Grant Contingency to project A15010. This reallocation is to cover projected expenditures associated with the development impact fee study. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority. Additionally, these allocations do not increase or decrease the total budget.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Fire/EMS Dev Fee 2014 Law	General Operations	#A15010 Impact Fee Study	E	6,100	10,000	16,100
Fire/EMS Dev Fee 2014 Law	General Operations	Contingency	E	4,858,100	(10,000)	4,848,100
Wtr Sys SPA 1 Dev Fee 2014 Law	General Operations	#A15010 Impact Fee Study	E	6,100	10,000	16,100
Wtr Sys SPA 1 Dev Fee 2014 Law	General Operations	Contingency	E	1,085,000	(10,000)	1,075,000
Wtr Sys SPA 2 Dev Fee 2014 Law	General Operations	#A15010 Impact Fee Study	E	6,100	10,000	16,100
Wtr Sys SPA 2 Dev Fee 2014 Law	General Operations	Contingency	E	136,000	(10,000)	126,000
Wtr Res SPA 1 Dev Fee 2014 Law	General Operations	#A15010 Impact Fee Study	E	6,100	10,000	16,100
Grants	General Operations	Contingency	E	22,337,700	(30,000)	22,307,700
Wtr Res SPA 2 Dev Fee 2014 Law	General Operations	#A15010 Impact Fee Study	E	6,100	10,000	16,100
Wtr Res SPA 2 Dev Fee 2014 Law	General Operations	Contingency	E	357,600	(10,000)	347,600
Sewer SPA 1 Dev Fee 2014 Law	General Operations	#A15010 Impact Fee Study	E	6,100	10,000	16,100
Sewer SPA 2 Dev Fee 2014 Law	General Operations	#A15010 Impact Fee Study	E	6,100	10,000	16,100
			Expense Total	**28,817,100**	**-**	**28,817,100**

2. List of Operating Items Over $50,000: The List will be amended.

Reference #	Description	Current Budget	Increase/ (Decrease)	Amended Budget
19326	Development Impact Fee Study	$42,700	$70,000	$112,000

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Seth Dyson, HSCV Director
Submitting Department:	Human Service & Community Vitality	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of a substantial amendment to the Neighborhood Stabilization Program 1.

Motion:

I move to approve the substantial amendment to the Neighborhood Stabilization Program 1 Action Plan as presented.

Background:

The City of Surprise has identified approximately $994,414.41 remaining in unobligated grant funds, $625,340.74, and program income, $369,073.67, for NSP1. The city's proposal is to transfer $206,373 in program income to the grantee's Community Development Block Grant (CDBG) account and combine it with the current year allocation for neighborhood improvements. The CDBG Neighborhood Improvement activity would be used to support the Housing Authority of Maricopa County's (HAMC) infrastructure costs for a 100-unit multifamily project on an existing ball field which is adjacent to the city's Senior Center and other recreational (and library branch) facilities. The multifamily development will serve mostly families and provide 30 units of supportive housing. The remaining funding will be used to relocate the youth ball field across the street from the housing project.

Objective Analysis:

This action allows HSCV to fund needed neighborhood improvements, administration, and affordable housing projects through the plan amendment.

Policy Compliant:

The agenda item falls within Council and City policy.

Financial Impact:

Program income received from the Neighborhood Stabilization Program 1 equals $369,073.67. A portion of these funds, $206,373, will be transferred to CDBG neighborhood improvement eligible

activities. The remaining program income and unobligated grant funds will be dedicated for Phase 1 of the relocation of the Gaines Park ball field.

Budget Impact:

The approval of this action plan amendment will necessitate a budget amendment of $206,400 from NSP1 Program Income to the CDBG Neighborhood Improvements activity. This action will take place with a separate Novus item should this one be approved.

FTE Impact:

There is no FTE impact as a result of this agenda item.

ATTACHMENTS:

Click to download

- Staff Report
- DRAFT - Neighborhood Stabilization Program 1 Substantial Amendment
- Public Engagement Form
- CC Presentation NSP - CDBG Amendments

SURPRISE
ARIZONA

HUMAN SERVICE AND COMMUNITY VITALITY

Date: September 4, 2018

To: Mayor and City Council

From: Seth Dyson, Director
Joe Gladieux, Acting Neighborhood Services Supervisor
Alicia Rubio, Neighborhood Services Coordinator

Re: NSP1 and NSP3 Amendments

Introduction

The City of Surprise will be closing out the Neighborhood Stabilization Programs (NSP) as directed by the U.S. Housing & Urban Development (HUD) department. The proposed amendments are needed to successfully complete the project while meeting program requirements.

Background

In response to the local impacts on homeownership during the great recession, in 2008 and 2011 the City of Surprise was awarded a U.S. Housing & Urban Development (HUD) Neighborhood Stabilization Program (NSP) Grant of $2,197,786 and $1,329,844. Both grants supported first time homebuyers, assisted with rehabilitation and purchasing of foreclosed homes. When a home was purchased and/or rehabbed through this grant, a lien was placed on the home. Many participants paid their home liens off before the actualization period, generating 'program income.' This program income in turn was put back into the program for additional rehabilitations, acquisitions, etc.

HUD is looking to close out the NSP program. In Surprise, that means closing out both grants NSP1 and NSP3. Due to generating program income for both grants, the city has remaining $994,414.41 (NSP1) and $829,969.75 (NSP3). This combines leftover grant monies and program income for each grant. In spring 2018, HSCV presented to the Surprise Planning & Zoning Commission and City Council amendments to the five-year CDBG Consolidated Plan and the current Annual Action Plan to utilize the NSP program income. The proposed investment included $500,000 towards the affordable housing project in the Original Town Site, $517,000 towards relocation of the Gaines Park youth baseball field, and $100,000 in administrative fees.

In order to utilize the remaining grant dollars ***AND*** program income, HUD is requesting we amend both NSP1, NSP3, the CDBG Consolidated Plan and the Annual Action Plan Year 4.

In order to satisfy the program requirements for both grants, specifically the NSP3, the following eligible grant projects are being proposed:

Item	Grant Total Available	Projects
NSP1	$994,414.41	Affordable Housing Project ($206,373) & Gaines Park Youth Ballfield Relocation ($788,041.41)
NSP3	$829,969.75	Affordable housing acquisition, rehabilitation and new construction ($814,969.75) and Admin ($15,000). The $814,969.75 will be put out to bid through an RFP process.

In addition to the above NSP1 and NSP3 amendments, the CDBG Consolidated Plan and the Annual Action Plan Year Four must be amended to reflect the NSP investment. The Affordable Housing Project with the Housing Authority of Maricopa County includes CDBG infrastructure support ($293,627) in the Annual Action Plan Year Four, bringing the total grant investment towards that project to $500,000, as was presented in April 2018.

Updated Actions

Acquisition and new construction will be added to the existing scope of the NSP3 program, which already allows for rehabilitation.

Future Actions

- Submission to HUD as part of Consolidated Plan Amendment 2015-19 by 9/6/18

Recommendations

Approval of NSP1 & NSP3 Plan Amendments

SURPRISE
ARIZONA

City of Surprise

Neighborhood Stabilization Program 1

Substantial Amendment

Annual Action Plan

FY2008-2009

Grant Number: B-08-MN-04-0506

August, 2018

Jurisdiction

City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

www.surpriseaz.gov

NSP Contacts

Deb Perry
Sr. Financial Analyst
deborah.perry@surpriseaz.gov
Phone: 623.222.1623
Fax: 623.222.1501

Seth Dyson
Director - HSCV
seth.dyson@surpriseaz.gov
Phone: 623.222.1620
Fax: 623.222.1501

DRAFT

The following substantial amendment to the approved and existing Neighborhood Stabilization Program (NSP) Action Plan represents the City of Surprise's re-allocation of NSP funds to new activites. This amendment is a supplement to the FY2008/2009 Annual Action Plan submitted to the U.S. Department of Housing and Urban Development (HUD) in 2008.

Proposed Accomplishments

The City of Surprise has identified approximately $994,414.41 remaining in unobligated grant funds, $625,340.74, and a program income total of $369,073.67 for NSP1. The city's proposal is to transfer $206,373 in program income to the grantee's Community Development Block Grant (CDBG) account and combine it with the current year allocation of $293,627 to total $500,000 for neighborhood improvements. The CDBG Neighborhood Improvement activity would be used to support the Housing Authority of Maricopa County's (HAMC) infrastructure costs for a 100-unit multifamily project on an existing ball field which is adjacent to the city's Senior Center and other recreational (and library branch) facilities. The three-story multifamily community will serve mostly families and provide 30 units of supportive housing.

The remaining NSP1 allocations of $788,041.41, program income of $162,700.67, ($369,073.67 - $206,373 = $162,700.67) and Line of Credit of $625,340.74 will be used to build public facilities on a vacant lot for a new youth ball park across the street from the existing ball park and future multifamily community. If any funds remain, it will be used for a pocket park on vacant land in another section of the city's Original Townsite or Heritage District.

Activity Type

24 CFR 570.201(a) Acquisition and (c) Public facilities and improvements (Use E)

DRAFT

National Objective

Low Moderate and Middle Income Area (LMMA)

Start and End Dates:

March 19, 2009 – June 2020

Environmental Reviews: None

Budget:

Line of Credit	$625,340.74
Program Income,	$369,073.67
Unobligated Funds	$994,414.41
Transfer PI to CDBG	($206,373.00)
Remaining NSP1 allocations	$788,041.41

DRAFT

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: Neighborhood Stabilization Program 1 (NSP1) Action Plan Amendment

OVERALL PUBLIC INVOLVEMENT LEVEL:

Public Hearing on 8/2/18 (P & Z Meeting) and 9/4/18 Council Meeting. 30 day Public comment period (7/20/18 - 8/20/18) for draft NSP1 Action Plan Amendment.

IDENTIFY STAKEHOLDERS:

OTS residents/property owners, public service nonprofits, City of Surprise staff Public Works, Community Development, Economic Development and Human Services.

OBJECTIVES:

Create viable neighborhoods, provide decent, safe and affordable housing; provide services to those with special needs

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when) Public Hearings 8/2 & 9/4/18, 30 day public comment
Future Council Work Session/Meetings target dates
Election dates (if applicable)
Project start/completion dates 10/2018

Communication Tools and Technique options: (which do you plan to use?)

- ☑ Press releases
- ☑ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☑ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☑ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☐ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☑ Website updates

SURPRISE
ARIZONA

Neighborhood Stabilization Program 1 & 3 Amendments
Consolidated Plan 2015-2019
CDBG Year 4 Annual Action Plan 18-19

Human Service & Community Vitality | September 4, 2018

Today's Objectives

- Background
- Public Hearings
  - Consolidated Plan Amendment
  - Annual Action Plan Year 4 Amendment
  - Neighborhood Stabilization 1 Plan Amendment
  - Neighborhood Stabilization 3 Plan Amendment

Background

- HUD & City desire to close out NSP1 ($2.1m) & NSP3 ($1.3m) grants
- To successfully meet grant requirements and to utilize the remaining funding for high priority projects, original plan amendments are required
- Spring 2018 P&Z and Council direction on NSP Program Income funding & conversion to CDBG purpose does not change scope
- Remaining unused grant funds to be incorporated into CDBG and NSP eligible projects

NSP & CDBG Projects

- Affordable Housing Project - $500,000
  - $206,373 of NSP1 grant funds converted to CDBG to go along with existing CDBG $293,627 neighborhood improvements
- Relocation of Gaines Park Youth Baseball Field - $788,041
  - $788,041 of remaining NSP1 grant funds to help pay for a new youth baseball field on vacant land on the corner of Nash & Rimrock (across the street from existing ballfield)
- Affordable Housing Acquisition, Rehabilitation & New Construction in Surprise Heritage District - $814,969
  - $814,969 of NSP3 funding would go out through a RFP to support affordable housing and neighborhood stabilization. Residents of the CDBG eligible area (OTS) with incomes below 50% of the Average Median Income would be eligible to apply
- Administration - $15,000
  - $15,000 of NSP3 funding would be used for administrative support of the above project

Amendments

- Consolidated Plan Changes
  - Adds affordable housing as a priority project
- CDBG Annual Action Plan Year 4
  - Accepts an infusion of NSP funds, which convert to CDBG funds to support the affordable housing project
- Neighborhood Stabilization Plan 1
  - Allows $206,373 to be converted to CDBG in support of the affordable housing project
  - Directs remaining $788,041 towards relocation of youth baseball field (neighborhood improvements)
- Neighborhood Stabilization Plan 3
  - Amends language to support affordable housing through acquisition, rehabilitation and new construction

Process Timeline

July 19, 2018 – August 19, 2018

Draft Plan

30 day Comment Period

August 2, 2018

P & Z Public Hearing

September 4, 2018

City Council Public Hearing

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Joe Gladieux
Human Service & Community Vitality
Neighborhood Services Acting Supervisor

Alicia Rubio
Human Service & Community Vitality
Neighborhood Services Program Coordinator

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Seth Dyson, HSCV Director
Submitting Department:	Human Service & Community Vitality	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of a substantial amendment to the Neighborhood Stabilization Program 3.

Motion:

I move to approve the substantial amendment to the Neighborhood Stabilization Program 3 Action Plan as presented.

Background:

The City of Surprise has identified approximately $829,969.75 remaining in unobligated grant funds, $68,369.77, and program income, $761,599.98, for NSP3. The city's proposal is to invest in housing rehabilitation and new construction affordable to buyers with incomes of less than 50% of the Average Median Income. This investment will allow the city to come into compliance with the LH25 requirement.

Objective Analysis:

This action allows HSCV to fund needed neighborhood improvements, administration, and affordable housing projects through the plan amendment.

Policy Compliant:

The agenda item falls within Council and City policy.

Financial Impact:

The item will allow for expenditures of up to $829,969.75 in NSP3 grant funding. $68,369.77 will be eligible for reimbursement through a federal grant, while the remaining, $761,599.98 of program income has already been collected.

Budget Impact:

This action will require a budget amendment which will take place with a separate Novus item should this one be approved.

FTE Impact:

There is no FTE impact as a result of this agenda item.

ATTACHMENTS:

Click to download

- Staff Report
- DRAFT - Neighborhood Stabilization Program 3 Substantial Amendment
- Public Engagement Form

SURPRISE
ARIZONA

HUMAN SERVICE AND COMMUNITY VITALITY

Date: September 4, 2018

To: Mayor and City Council

From: Seth Dyson, Director
Joe Gladieux, Acting Neighborhood Services Supervisor
Alicia Rubio, Neighborhood Services Coordinator

Re: NSP1 and NSP3 Amendments

Introduction

The City of Surprise will be closing out the Neighborhood Stabilization Programs (NSP) as directed by the U.S. Housing & Urban Development (HUD) department. The proposed amendments are needed to successfully complete the project while meeting program requirements.

Background

In response to the local impacts on homeownership during the great recession, in 2008 and 2011 the City of Surprise was awarded a U.S. Housing & Urban Development (HUD) Neighborhood Stabilization Program (NSP) Grant of $2,197,786 and $1,329,844. Both grants supported first time homebuyers, assisted with rehabilitation and purchasing of foreclosed homes. When a home was purchased and/or rehabbed through this grant, a lien was placed on the home. Many participants paid their home liens off before the actualization period, generating 'program income.' This program income in turn was put back into the program for additional rehabilitations, acquisitions, etc.

HUD is looking to close out the NSP program. In Surprise, that means closing out both grants NSP1 and NSP3. Due to generating program income for both grants, the city has remaining $994,414.41 (NSP1) and $829,969.75 (NSP3). This combines leftover grant monies and program income for each grant. In spring 2018, HSCV presented to the Surprise Planning & Zoning Commission and City Council amendments to the five-year CDBG Consolidated Plan and the current Annual Action Plan to utilize the NSP program income. The proposed investment included $500,000 towards the affordable housing project in the Original Town Site, $517,000 towards relocation of the Gaines Park youth baseball field, and $100,000 in administrative fees.

In order to utilize the remaining grant dollars ***AND*** program income, HUD is requesting we amend both NSP1, NSP3, the CDBG Consolidated Plan and the Annual Action Plan Year 4.

In order to satisfy the program requirements for both grants, specifically the NSP3, the following eligible grant projects are being proposed:

Item	Grant Total Available	Projects
NSP1	$994,414.41	Affordable Housing Project ($206,373) & Gaines Park Youth Ballfield Relocation ($788,041.41)
NSP3	$829,969.75	Affordable housing acquisition, rehabilitation and new construction ($814,969.75) and Admin ($15,000). The $814,969.75 will be put out to bid through an RFP process.

In addition to the above NSP1 and NSP3 amendments, the CDBG Consolidated Plan and the Annual Action Plan Year Four must be amended to reflect the NSP investment. The Affordable Housing Project with the Housing Authority of Maricopa County includes CDBG infrastructure support ($293,627) in the Annual Action Plan Year Four, bringing the total grant investment towards that project to $500,000, as was presented in April 2018.

Updated Actions

Acquisition and new construction will be added to the existing scope of the NSP3 program, which already allows for rehabilitation.

Future Actions

- Submission to HUD as part of Consolidated Plan Amendment 2015-19 by 9/6/18

Recommendations

Approval of NSP1 & NSP3 Plan Amendments

SURPRISE
ARIZONA

City of Surprise

Neighborhood Stabilization Program 3

Substantial Amendment

Annual Action Plan

FY2010-2011

Grant Number: B-11-MN-04-0506

August, 2018

DRAFT

Jurisdiction

City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

www.surpriseaz.gov

NSP Contacts

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Phone: 623.222.1623
Fax: 623.222.1501

Seth Dyson
Director - HSCV
seth.dyson@surpriseaz.gov
Phone: 623.222.1620
Fax: 623.222.1501

The following substantial amendment to the approved and existing Neighborhood Stabilization Program (NSP) Action Plan represents the City of Surprise's re-allocation of NSP funds to new activites. This amendment is a supplement to the FY2010/2011 Annual Action Plan submitted to the U.S. Department of Housing and Urban Development (HUD) in 2011.

Narrative

The City of Surprise has identified approximately $829,969.75 remaining in unobligated grant funds, $68,369.77, and program income, $761,599.98, for NSP3. The city's proposal is to invest in housing rehabiliation and new construction affordable to buyers with incomes of less than 50% of the Average Median Income. This investment will allow the city to come into compliance with the LH25 requirement. The City will follow the HOME rules for affordability using the Recapture method and the HOME affordability period for rehabilitation and homebuyer assistance of <$15,000 for five years, $15,000 to $40,000 for ten years and over $40,000 for 15 years. For new construction and acquisition of any newly constructed housing, the minimum affordability period is 20 years.

Proposed Accomplishments

	Total	Low	Mod	Low/Mod%
# of Households New Const.	2	2		100.00
# of Households Acq/Rehab	1	1		100.00

Activity Type

24 CFR 570.201(a) & 24 CFR 570.202 (a) Acquisition and (e) Redevelop demolished or vacant properties as housing for new construction (24 CFR 570.204 (e)) and/or rehabilitation.

National Objective:

LMMH - LH25: Funds targeted for housing whose incomes are at or under 50% Area Median Income.

Start and End Dates:

DRAFT

March 2011 – June 2021

Environmental Reviews: Will be completed as properties are identified

Budget:

Acquisition and Rehabilitation (existing activity)	$120,000.00
Redevelopment New Construction (new activity)	$709,969.75
Total	$829,969.75

DRAFT

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: Neighborhood Stabilization Program 3 (NSP3) Action Plan Amendment

OVERALL PUBLIC INVOLVEMENT LEVEL:

Public Hearing on 8/2/18 (P & Z Meeting) and 9/4/18 Council Meeting. 30 day Public comment period (7/20/18 - 8/20/18) for draft NSP3 Action Plan Amendment.

IDENTIFY STAKEHOLDERS:

OTS residents/property owners, public service nonprofits, City of Surprise staff Public Works, Community Development, Economic Development and Human Services.

OBJECTIVES:

Create viable neighborhoods, provide decent, safe and affordable housing; provide services to those with special needs

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when) Public Hearings 8/2 & 9/4/18, 30 day public comment
Future Council Work Session/Meetings target dates
Election dates (if applicable)
Project start/completion dates 10/2018

Communication Tools and Technique options: (which do you plan to use?)

- ☑ Press releases
- ☑ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☑ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☑ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☐ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☑ Website updates

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Seth Dyson, HSCV Director
Submitting Department:	Human Service & Community Vitality	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the funding priorities for the Community Development Block Grant Program Fourth Year Annual Action Plan for program year 2018-2019.

Motion:

I move to amendment the funding priorities for the Community Development Block Grant Program, Annual Action Plan Year 2018-19, to include Neighborhood Improvement Projects as presented.

Background:

In November 2008, the Council approved the Neighborhood Stabilization Program's (NSP) grant for federal funding to purchase foreclosed homes located in Special Planning Areas which were largely affected by foreclosure. The funds were federal stimulus dollars with specific requirements in order for the homes to be purchased with these funds. The homes were subsequently sold to qualified buyers per the NSP guidelines. The funds that were used to purchase the homes were then returned to the City as Program Income.

In order to provide neighborhood improvement and infrastructure support to the Housing Authority of Maricopa County's multi family project, a portion of the program income funds will need to be transferred to the CDBG activity, requiring an amendment to the Annual Acton Plan for Program Year 2018-2019.

Objective Analysis:

This action allows the HSCV Department to fund eligible neighborhood improvements, administration, and affordable housing projects through the plan amendment.

Policy Compliant:

The agenda item falls within Council and City policy.

Financial Impact:

Program Income received from NSP1 equals $369,073.67. The city's proposal is to transfer $206,373 to the CDBG account and combine it with the current year's allocation for the Neighborhood Improvement activity.

Budget Impact:

Under separate action, an amendment to the FY2019 budget is required.

FTE Impact:

There is no FTE impact as a result of this agenda item.

ATTACHMENTS:

Click to download

- Staff Report
- DRAFT - Annual Action Plan 2018-19 Amendment
- Public Engagement Form

SURPRISE
ARIZONA

HUMAN SERVICE AND COMMUNITY VITALITY

Date: September 4, 2018

To: Mayor and City Council Members

From: Seth Dyson, Director
Joe Gladieux, Acting Neighborhood Services Supervisor
Alicia Rubio, Neighborhood Services Coordinator

Re: CDBG- 2018-2019 Annual Action Plan Amendment Funding Priorities

Introduction

In November 2008, the Council approved the Neighborhood Stabilization Program's (NSP) grant for federal funding to purchase foreclosed homes located in Special Planning Areas which were largely affected by foreclosure. The funds were federal stimulus dollars with specific requirements in order for the homes to be purchased. The homes were subsequently sold to qualified buyers per the NSP guidelines. The funds that were used to purchase the homes were then returned to the City as Program Income upon the sale. Surprise has been authorized by Housing and Urban Development (HUD) to transfer program income to the Community Development Block Grant Program (CDBG). In order to spend these funds, Surprise will need to amend their Annual Acton Plan for Program Year 2018-2019.

Today's presentation will provide information regarding the Annual Action Plan Amendment to assist in deciding if proposed projects meet grant criteria while filling community needs. Upon approval by City Council, the Neighborhood Infrastructure Improvements will be submitted to HUD as part of the Annual Action Plan Amendment 2018-19.

Background

CDBG neighborhood infrastructure improvements are carried out by city departments. This project will address the neighborhood improvements and affordable housing needs identified in the city's Consolidated Plan. CDBG administration, neighborhood improvements and affordable housing projects will be used to implement activities that will improve the safety and quality of life of the residents living within the Heritage District. Although the Consolidated Plan lists Neighborhood Improvements as a priority, the city wanted to specifically list neighborhood infrastructure improvements in the Surprise Heritage District as the project funding priorities considered today.

According to HUD regulations, CDBG funds may be used to provide Neighborhood Improvements (including labor, supplies, materials, project management and other costs), provided the service will:

- Serve low to moderate income persons in the City of Surprise through area benefit or serving a particular clientele like seniors, youth and families

- Neighborhood Improvements which include infrastructure improvements within the Surprise Heritage District
- Affordable Housing Opportunities

Funding Limit

The amount of Program Income to be included in the Annual Action Plan Amendment 2018-2019 is $206,373. CDBG neighborhood infrastructure are activities that will be carried out as part of this plan amendment.

Updated Actions

Staff's funding recommendations are as follows:

Neighborhood Improvement Projects $206,373
Right of way improvements and possible commercial property/building demolition within the Surprise Heritage District.

Total CDBG Transfer Amount $206,373

Future Actions

- Submission to HUD as part of Annual Action Plan Amendment 2018-19 by September 6, 2018.

Recommendations

Approval of Annual Action Plan Amendment 2018-2019 neighborhood infrastructure improvements activities within the Surprise Heritage District as funding priorities for the Community Development Block Grant Annual Action Plan for 2018-2019.

CITY OF SURPRISE, ARIZONA
Draft
ANNUAL ACTION PLAN 4(AAP4) 2018-19 AMENDMENT

SURPRISE
ARIZONA

Fourth Program Year Action Plan Amendment

This Fourth Annual Action Plan Amendment (FAAP Amendment 2018-2019) includes the SF 424 and Narrative Responses to Action Plan questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations.

ON REQUEST THIS DOCUMENT CAN BE MADE AVAILABLE IN ALTERNATE FORMATS

HUMAN SERVICE & COMMUNITY VITALITY DEPARTMENT

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DRAFT

Executive Summary

AP-05 Executive Summary - 91.200(c), 91.220(b)

1. Introduction

The Fourth Year Annual Action Plan 2018-19 (AAP4 2018-19) implements the fourth year of activities that will address goals established in the City of Surprise Consolidated Plan 2015-19. The major focus of this AAP4 2018-19 concentrates on creating suitable living environments and providing economic development opportunities. This Program Year will be the second to implement Micro-Enterprise Grants to continue providing economic development opportunities for the residents of the Surprise Heritage District. The Fourth Year Annual Action Plan **Amendment** 2018-19 (AAP4 2018-19) amends the fourth year of activities that will address goals established in the City of Surprise Consolidated Plan 2015-19. The AAP4 2018-19 amendment concentrates on creating suitable living environments and providing neighborhood improvement opportunities. This Program Year amendment will include a transfer of Neighborhood Stabilization Program Income in the amount of $ 206,373 to be allocated to eligible CDBG projects. The Fourth Year Amendment AAP 2018-2019 amendment complies with regulations set by the U.S. Department of Housing and Urban Development (HUD). HUD requires entitlement communities, such as the City of Surprise, to consolidate its planning, application and reporting requirements for HUD programs, including the Community Development Block Grant (CDBG) and the HOME Investment Partnership Grant programs. An Annual Action Plan is prepared each year and is presented to the City of Surprise Planning and Zoning Commission and the City Council. Therefore, any plan amendments shall go before the commission for approval.

The needs of low-income seniors, low-income youth, people in poverty and the community's aging neighborhoods and public infrastructure continue. The Fourth Year AAP 2018-19 will focus on the allocation of CDBG and HOME funds for these services including economic development opportunities in order to attract new businesses and business retention. The term of this plan amendment is from August XX, 2018, through June 30, 2019. The Fourth Year AAP Amendment 2018-19 will focus on the allocation of Neighborhood Stabilization Program 1 (NSP1) Program Income in the amount of $206,373 for these services including Neighborhood Improvements and Affordable Housing opportunities in order to create suitable living environments and healthy neighborhoods. The term of this plan is from July 1**, 2018, through June 30, 2019.**

To the extent feasible, the narrative for this Annual Plan will attempt to not duplicate the narrative for the Consolidated Plan. However, the outlines for the five-year plan and the annual action plan are very similar, so some repetition is unavoidable. Programs and activities described in this plan are intended to primarily benefit low and moderate income residents of City of Surprise, neighborhoods with high concentrations of

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low and moderate income residents, and the city as a whole. The City of Surprise CDBG program has been allocated $638,560 in funding for program year (PY) 2017-2018. The City of Surprise CDBG program will receive **$206,373** in NSP1 program income funding for program year (PY) 2018-2019 through this plan Amendment.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

This Fourth Year AAP 2018-2019 implements the fourth year activities that will address goals established in the City of Surprise Consolidated Plan 2015-19. Consistent with the established objectives, CDBG funds will be used for:

Fifteen percent ($95,784) of the CDBG allotted funds ($638,560) will be utilized for public service activities through nonprofit organizations. Twenty percent ($127,712) will be used for grant administrative expenses and ($415,064) will be utilized for Neighborhood Infrastructure and Affordable Housing projects. This is in accordance to the regulations set by HUD.

This Fourth Year AAP 2018-2019 Amendment implements the fourth year activities that will address goals established in the City of Surprise Consolidated Plan 2015-19 Amendment. Consistent with the established objectives, CDBG funds will be used for:

$206,373 of the NSP1 Program Income funds ($369,073.67) will be utilized for neighborhood improvement activities (affordable housing opportunities). This is in accordance to the regulations set by HUD.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City of Surprise evaluates its past performance every year as part of the Consolidated Annual Performance and Evaluation Report (CAPER) as required by HUD. The CAPER provided an estimate of *output* measures in compliance with HUD's data system. The CAPER includes measures of performance to quantify longer-term goals by incorporating projected *outcome* measures. Quantifiable results-oriented goals for capital programs are tied to a unified framework for the benefit of low- and moderate-income residents.

- Preserve neighborhoods through infrastructure improvements in the targeted low-income area(s)
- Provide public service activities to city's youth, seniors, special needs persons, veterans, persons and families in crisis, and disabled persons through nonprofit agencies or other city departments
- Preserve neighborhoods through housing rehabilitation assistance to qualified homeowners
- Preserve habitability of owner-occupied housing through emergency home repair assistance
- Provide economic development opportunities for residents in the targeted area
- Preserve affordability of quality rental housing through the Housing Choice Voucher program

4. Summary of Citizen Participation Process and consultation process

The City of Surprise recognizes the importance of citizen participation in the development and implementation of any plan or program. The Fourth Year AAP 2018-2019 was discussed at two separate meetings: The City Council workshop (April 3, 2018) and a public hearing (April 17, 2018). The Planning and Zoning Commission held a public meeting (March 1, 2018) specifically discussing the Fourth Annual Action Plan Public Service Funding 2018-2019 and a second meeting held April 17, 2018 to discuss Annual Action Plan priorities.

In April 2018 staff presented funding priorities to city council based on an amount of **$667,123**.

City Council public hearing was scheduled for September 4, 2018 to consider the proposed amendment. The Planning and Zoning Commission held a public hearing August 2, 2018 discussing the Annual Action Plan Year Four Funding Amendment 2018-2019.

These meetings are open to the public in order to encourage individuals and organizations to facilitate a public discussion and provide a means whereby, the public can actively participate in the planning and development of the city's CDBG Program. Citizens are encouraged to submit new project proposals and comments on past and proposed CDBG programs and projects. All dates and times for Commission public meetings are published on the city's website and in the Daily News-Sun local newspaper. The proposed projects and budgets selected by the City Council for CDBG funding were published in the local newspaper for citizen review along with meeting time information.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

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The City of Surprise provided its residents many opportunities to provide input on the decision making process. See attached schedule.

No citizen comments were received as of yet.

6. Summary of comments or views not accepted and the reasons for not accepting them

None at this time

7. Summary

The Fourth Year AAP 2018-2019 represents the vision and goals for the neighborhood infrastructure improvements, community and economic development needs and housing activities and the available resources and a strategic plan for meeting those needs. The Fourth Year AAP 2018-2019 also identifies any funds to be used as a leverage to address goals and priorities in the plan through partnerships with local non-profit organizations. The Fourth Year AAP 2018-2019 Amendment represents the vision and goals for the neighborhood improvements, community and housing activities and the available resources and a strategic plan for meeting those needs. The Fourth Year AAP 2018-2019 Amendment also identifies any funds to be used as a leverage to address goals and priorities in the plan through partnerships with local non-profit organizations for affordable housing.

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PR-05 Lead & Responsible Agencies - 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	SURPRISE	Human Service and Community Vitality

Table 1 – Responsible Agencies

Narrative

The lead agency for preparing the FY2018-2019 Annual Action Plan Year 4 was the City of Surprise Human Service and Community Vitality Department – Neighborhood Services Division (NSD). The Department is responsible for the administration of the Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), and the Neighborhood Stabilization Program (NSP) grant programs.

Consolidated Plan Public Contact Information

Alicia Rubio, Neighborhood Services Coordinator

Human Service and Community Vitality, 16000 N. Civic Center Plaza, Surprise AZ 85374

623-222-3240 | alicia.rubio@surpriseaz.gov

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AP-10 Consultation - 91.100, 91.200(b), 91.215(l)

1. Introduction

The City of Surprise is committed to obtaining input from citizens, city staff, non-profit agencies, non-profit developers, private developers, governmental agencies, and the Regional Continuum of Care as part of the Consolidated and Annual Action Plan processes. The 2018 Fourth Year AAP consultation included a combination of public meetings with community stakeholders, two community input hearings, newspaper advertisements, website announcements and placement of hard copies of the plan at 2 libraries, local senior center and city hall to solicit comments on the draft Annual Action Plan. Citizen participation was strongly encouraged throughout the processes of short and long range departmental planning, plan implementation, and assessment of plan effectiveness.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

As members of the Maricopa HOME Consortium we regularly coordinate with private industry, businesses and developers to foster the production of affordable housing and projects for special needs/homeless populations. The consortium also works closely with the real estate, construction and finance industries to implement other ongoing HOME and CDBG supported housing rehabilitation and production activities. The consortium may pursue the receipt of Low Income Housing Tax Credit (LIHTC) resources and associated private mortgage financing support for both construction and permanent loans, as well as tax-exempt bond financing where bonds are purchased by both institutional and retail investors. Surprise also allocates 14% of its CDBG allocation for public services.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

As members of the Maricopa HOME Consortium we committed to addressing the needs of homeless persons and persons at risk of experiencing homelessness. We participate in a regional Continuum of Care (CoC) plan in collaboration with the all other jurisdictions in Maricopa County. The Maricopa Association of Governments (MAG) plans and administers the Continuum of Care. Jurisdictions work together to

develop the CoC plan, provide human services to the homeless, and identify and address gaps in service. The CoC provides direction on planning and policy issues that impact the homeless population by making updates to the Regional Plan to End Homelessness and a consolidated application to the U.S. Department of Housing and Urban Development in support of programming that assists the county homeless and at risk population.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

As an active member of the Maricopa County HOME Consortium we regularly consult with Maricopa Association of Governments (MAG), the lead agency for the Maricopa Regional Continuum of Care structure. Through consultation efforts with MAG and the CoC we align our priorities of the County's homeless strategies with Continuum-wide priorities for homelessness. The Maricopa HOME Consortium continues to actively participate in the CoC and contribute by determining its priorities for homeless persons and those at risk of experiencing homelessness

2. Agencies, groups, organizations and others who participated in the process and consultations

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Table 2 – Agencies, groups, organizations who participated

1	**Agency/Group/Organization**	Housing Authority of Maricopa County
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Housing Authority of Maricopa County (HAMC) administers the public housing and Section 8 subsidized housing program within the City of Surprise. Surprise housing activities are planned and reported through the Maricopa Consortium Plan.
2	**Agency/Group/Organization**	CENTRAL ARIZONA SHELTER SERVICES
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The city enters into a sub recipient agreement through the CDBG public service set aside. The agency has been awarded funding for Program Years 2014-2018. The agency has been awarded $5,000 for this program year.

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3	**Agency/Group/Organization**	SURPRISE
	Agency/Group/Organization Type	Services-Children Services-Elderly Persons Services-Victims of Domestic Violence Services-Health Services-Education Services-Employment Regional organization Grantee Department
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children Anti-poverty Strategy Public Services
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Surprise Resource Center is a division within the Human Service and Community Vitality Department. The Resource Center staff provided data to support the need of public services and the lack thereof. The Center offers a variety of services including veteran employment, job training and veteran job club, domestic violence and sexual abuse counseling, health education, WIC nutrition program and enrollment services for health insurance programs. The Resource Center also offers financial fitness workshops, credit counseling workshops and tax preparation at no cost to poverty level families and seniors.
4	**Agency/Group/Organization**	Maricopa Workforce Connections
	Agency/Group/Organization Type	Services-Employment
	What section of the Plan was addressed by Consultation?	Economic Development Anti-poverty Strategy

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	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Surprise entered into partnership with Maricopa County "Arizona@Work" program. The "Arizona@Work" program provided employment workshops and career fairs to Surprise residents.

Identify any Agency Types not consulted and provide rationale for not consulting

N/A

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Maricopa Association of Governments	The city's needs and activities are planned and reported through the Maricopa Consortium Plan. See the Consolidated Plan for the Maricopa HOME consortium for a complete description of these activities.
City of Surprise Community Policing	Surprise Police Department	The police department in coordination with the Human Service and Community Vitality Department has taken the lead for the homeless point in time count for the last four years. They have helped to identify the chronically homeless individuals and locations of abandoned properties where known homeless tend to seek shelter in.

Table 3 - Other local / regional / federal planning efforts

Narrative The Maricopa Association of Governments Continuum of Care Subcommittee (MAG Continuum of Care) is the regional body that manages the collaborative efforts of communities and agencies in Maricopa County to plan for the needs of the homeless and access federal funding on behalf of agencies organized to address those needs. The 'Unsheltered Point in Time Count" led by MAG CoC in January 2017 reported that there are 16 homeless persons in the city which represents a 37% increase over the previous year's data. However, the city will do a periodic assessment of any new homeless person cases in the city and will act accordingly to mitigate the problem by assisting with resource referrals.

P-12 Participation - 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation

Summarize citizen participation process and how it impacted goal-setting

The City of Surprise is committed to obtaining input from citizens, staff, non-profit agencies, non-profit developers and other government agencies. The AAP citizen participation included a combination of meetings, three public meetings with hearings to solicit comments on the draft plan, which included a 30 day review period. The draft plan was placed at four central locations (2 libraries, senior center and city hall). The AAP draft was also placed on the city website during the 30 day comment period. The AAP 2018-2019 Amendment citizen participation plan included a combination of meetings; two public meetings with hearings to solicit comments on the draft plan, which included a 30-day review period. The draft plan was placed at four central locations (2 libraries, senior center and city hall). The AAP 2018-2019 Amendment draft was also placed on the city website during the 30-day comment period.

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Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Hearing	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	Two public meetings with hearings were held on 8/2/18 and 9/4/18 to further solicit input. AAP 4 Amendment-Two public meetings with hearings were held on 8/2/18 and 9/4/18	No public comments were submitted at public hearings (at this time).	N/A	

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Newspaper Ad	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities	Public notices announcing the public hearings and the draft AAP 18-19 and the AAP 18-19 Amendment were placed in 2 newspapers of record in the City of Surprise. (Daily News-Sun and Surprise Today)	No comments received as of yet	N/A	

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Internet Outreach	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	Draft fourth Year AAP was made available on the city's internet site for 1-30 day public comment periods 7/19-8/19/18. Draft fourth Year AAP Amendment was made available on the city's internet site for 30 days during the public comment period 7/19-8/19/18	No comments received as of yet	N/A	http://www.surpriseaz.gov/2475/Consolidated-Plan

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
4	Public viewing	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	Draft hard copies were placed in a central, public location for public viewing. Locations included city hall, 2 libraries and the Senior Center	No comments received as of yet	N/A	

Table 4 – Citizen Participation Outreach

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Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

Anticipated resources available includes cash match in the amount of approximately $548,000. Also any anticipated program income will be used towards CDBG eligible projects.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services Affordable Housing Opportunities	$667,123	$20,000 NSP $206,373		$893,496		Actual allocation of $667,123. Prior year rollover of approximately $957,839.50 Program Income of $206,373

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

No matching funds are required for the CDBG program, however the city will leverage with staff time and the technical oversight provided in the form of project management. There is cash match available for the HOME program in the amount of approximately $548,000 which is utilized as leverage.

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If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City of Surprise owns the public right of way to include streets, sidewalks, parks and public facilities such as the Surprise Senior Center and the Surprise Resource Center within the Surprise Heritage District.

Discussion

The primary objective of the City of Surprise CDBG program is to foster the development, revitalization and preservation of neighborhoods to provide decent housing and a suitable living environment. The city recognizes the importance and impact of utilizing cash match and any program income as a leverage to eligible projects within the Surprise Heritage District.

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information AAP 18-19

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Program Administration	2015	2019		ORIGINAL TOWNSITE		CDBG: $127,712	Homeowner Housing Rehabilitated: 12 Household Housing Unit
2	Public Services	2015	2019	Public Service	ORIGINAL TOWNSITE	Public Services	CDBG: $95,784	Public service activities other than Low/Moderate Income Housing Benefit: 100 Persons Assisted

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Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
3	Neighborhood Infrastructure Improvements	2016	2019	Neighborhood Infrastructure	ORIGINAL TOWNSITE	Neighborhood Improvements	CDBG: $293,627	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 10 Persons Assisted Businesses assisted: 4 Businesses Assisted
4	Emergency Housing Rehabilitation	2015	2016	Affordable Housing	ORIGINAL TOWNSITE	Owner Occupied Housing Rehabilitation	CDBG: $150,000	Homeowner Housing Rehabilitated: 15 Household Housing Unit

Goals Summary Information AAP4 18-19 Amendment

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Neighborhood Infrastructure Improvements	2018	2019	Neighborhood Improvements	ORIGINAL TOWNSITE	Neighborhood Improvements	CDBG: $500,000	Infrastructure improvements

Table 6 – Goals Summary

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Goal Descriptions AAP3 2017-2018

Goal Name	Program Administration
Goal Description	19% of annual allocation of $667,123 is to be set aside for administration duties to carry forth the CDBG program.
Goal Name	Public Services
Goal Description	14% of Surprise annual allocation of $667,123 will be allocated to public service activities through nonprofits agencies who serve those with special needs.
Goal Name	Neighborhood Infrastructure Improvements
Goal Description	Neighborhood Improvements will include right of way improvements and/or park amenities. This project will create an area benefit by creating safe, healthy and decent neighborhoods within the Original Town site of Surprise, a CDBG area-benefit eligible neighborhood.
Goal Name	Emergency Housing Rehabilitation
Goal Description	The Emergency Housing Repair Project will provide 15 emergency repair grants to address health and safety issues to owner-occupied homes who meet the income guideline of 80% or below median income within the Surprise Heritage District.

Goal Descriptions AAP4 2018-2019 Amendment

2	**Goal Name**	Neighborhood Infrastructure Improvements
	Goal Description	Neighborhood Improvement Project will include infrastructure improvements of city owned facilities. This project will create an area benefit by creating a suitable living environment within the Surprise Heritage District (Original Town Site) of Surprise, a CDBG area-benefit eligible neighborhood

-35 Projects - 91.420, 91.220(d)

Introduction

This section specifically identifies the projects that will take place during FY 2016-2017 with CDBG and HOME funding to address the priority needs and specific objectives as identified in

the Consolidated Plan Strategic Plan section.

CDBG Funds: FY 2018-2019 CDBG Allocation is $667,123.

HOME Funds: FY 2017-2018 HOME Allocation is $193,749

Additionally, this section specifically identifies the projects that will take place during Program Year 2018-2019 with CDBG Program Income transfer to address the priority needs and specific objectives as identified in the Consolidated Plan Amendment Strategic Plan section.

CDBG Funds: FY 2018-2019 CDBG Program Income Transfer is $206,373.

Any program income received during the program year will be retained and reported by the City of Surprise and used on CDBG and HOME eligible activities.

#	Project Name
1	Neighborhood Improvements
2	2018 Public Services
3	CDBG Administration
4	HOME Housing Rehabilitation
5	Neighborhood Infrastructure Improvements
7	2018-2019 Emergency Home Repair

Table 7 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The Surprise Heritage District area targeted for HOME/CDBG investment is the lowest- income Census

Tract within the City of Surprise. Neighborhood improvements will occur in this targeted area known as the Surprise Heritage District.

AP-38 Project Summary

Project Summary Information AAP 18-19

1	**Project Name**	Neighborhood Improvements
	Target Area	ORIGINAL TOWNSITE
	Goals Supported	Neighborhood Infrastructure Improvements

	Needs Addressed	Neighborhood Improvements
	Funding	CDBG: $293,627
	Description	Neighborhood improvements, right of way improvements, commercial demolition within the Surprise Heritage District.
	Target Date	10/1/2018
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 20 families will benefit from neighborhood improvements.
	Location Description	Surprise Heritage District - 12425 W. Bell Rd. Surprise, AZ 85378
	Planned Activities	Neighborhood improvements, right of way improvements, commercial demolition
2	**Project Name**	2018 Public Services
	Target Area	ORIGINAL TOWNSITE
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: $95,784
	Description	Public service activities through nonprofit agencies.
	Target Date	11/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	225 low to moderate income families, particularly clients who are seniors, youth, veterans/homeless and special needs population.
	Location Description	Activities will be undertaken within the City of Surprise and provide a benefit to residents who meet the program requirements.
	Planned Activities	Provide public service benefits to youth, seniors, veterans, homeless and special needs population.
3	**Project Name**	CDBG Administration
	Target Area	ORIGINAL TOWNSITE
	Goals Supported	Program Administration
	Needs Addressed	Administration of CDBG program.
	Funding	CDBG: $127,712
	Description	19% of annual allocation set aside for CDBG program administrative duties.

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	Target Date	11/29/2018
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	Activities will be undertaken within the City of Surprise.
	Planned Activities	Administrative duties administered for the CDBG program.
4	**Project Name**	HOME Housing Rehabilitation
	Target Area	ORIGINAL TOWNSITE
	Goals Supported	Neighborhood Infrastructure Improvements
	Needs Addressed	Neighborhood Improvements Owner Occupied Housing Rehabilitation
	Funding	HOME: $193,749
	Description	Provide substantial rehabilitation for low to moderate income residents.
	Target Date	11/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	5 families will be assisted with the HOME Rehabilitation program and the CDBG Emergency Home Repair program.
	Location Description	Activities will be undertaken within the City of Surprise - Original Town Site aka Heritage Overlay District, but offered city-wide.
	Planned Activities	Substantial rehabilitation up to $25,000. If home is over 50 years old the city can invest up to $35,000. The CDBG Emergency Home Repair program can provide up to $10,000 in grant funding.
5	**Project Name**	2018-2019 Emergency Home Repair
	Target Area	ORIGINAL TOWNSITE
	Goals Supported	Emergency Housing Rehabilitation
	Needs Addressed	Owner Occupied Housing Rehabilitation
	Funding	CDBG: $150,000
	Description	Provide emergency repair assistance to 15 families who meet income guidelines
	Target Date	7/2018

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	Estimate the number and type of families that will benefit from the proposed activities	15 families will be assisted
	Location Description	Throughout the City of Surprise
	Planned Activities	Provide emergency home repair in order to correct health and safety issues for low to moderate income residents

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AP-38 Project Summary

AAP18-19 Amendment

Project Summary Information1	**Project Name**	Neighborhood Improvements
	Target Area	ORIGINAL TOWNSITE
	Goals Supported	Neighborhood Infrastructure Improvements
	Needs Addressed	Neighborhood Improvements
	Funding	**CDBG: $293,627 and CDBG Transfer $206,373 for a total of $500,000**
	Description	Neighborhood Infrastructure improvements within the Surprise Heritage District
	Target Date	9/1/2018
	Estimate the number and type of families that will benefit from the proposed activities	50 families
	Location Description	Surprise Heritage District
	Planned Activities	Neighborhood improvements.
	Planned Activities	Affordable Housing

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AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Surprise has one area of minority concentration. The Hispanic population makes up 82% of Census Tract 608 and totals 22,856 residents as per census 2010. This census tract includes the entire Original Town site and is the only area where a majority of the residents are low- and moderate-income.

Geographic Distribution

Target Area	Percentage of Funds
ORIGINAL TOWNSITE	100

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

All area benefit activities included in the 5 Year Strategic Plan will take place in the Original Town Site a.k.a Surprise Heritage District area. The city has a Council appointed resident group - the Planning and Zoning Commission, which monitor the implementation of the Specific Plan for the Revitalization of the Surprise Heritage District. Resources recommended by this commission include CDBG funds and general funds set aside for the revitalization of the Surprise Heritage District.

Discussion

Although the City of Surprise Heritage District has had higher concentration of low to moderate income residents, our services are income based therefore eligibility can be city wide as long as the income limits are met. The neighborhood improvements will occur within the Surprise Heritage District to further area benefit revitalization efforts.

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AP-75-Barriers to affordable housing – 91.420,91-220(j)

Introduction

Barriers to affordable housing have been identified through the Maricopa HOME Consortium and the City of Surprise. Plans to take to remove or ameliorate the negative effects of public policies will be to affirmatively market fair housing and overcome identified barriers to affordable housing. These efforts in collaboration with the Consortium have resulted in the creation of a Fair Housing Plan. The plan includes development of specific goals and objectives to overcome barriers to affordable housing. The Consortium is in the process of updating the Maricopa County Regional Analysis of Impediments to Fair Housing Choice through consultants further documenting impediments to fair housing choices including lack of accessible housing and housing discrimination against persons with disabilities, lack of awareness of fair housing laws, the cost of affordable housing limiting housing choice, poor financial history of potential homebuyers, lack of transportation options in rural unincorporated Maricopa County, and distribution of resources.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment:

During the PY 2018-19, the following actions will contribute to the removal of barriers to affordable housing:

1. Surprise will dedicate resources to preservation and development. Surprise has newly created a specific zoning district to further delineate specific zoning districts in the original town site (OTS) to enhance preservation and development. This district is known as the “Surprise Heritage District” (SHD). The intent of this district is to enhance and protect the historic character of the area. Two overlay districts, “residential neighborhood overlay” and the “art & entertainment district” is to support the residents to preserve and protect their neighborhood and to promote the local arts and culture business opportunities.

2. The city’s allocation of HOME funds to major rehabilitation. Surprise also utilizes general funds on HOME eligible rehabilitation projects to match HOME expenditures for housing rehabilitation. The city maintains a match log and match is applied at the time of requests for reimbursement from Maricopa County Community Development.

3. City general revenues for beautification. Pride Day activities generally happen twice annually and are paid for with General Funds

4. The Neighborhood Stabilization Program (NSP) funding will assist in acquisition, rehabilitation, disposition, and homebuyer assistance to program eligible applicants at or below 50%-120% or Area

Median Income (AMI). These funds are required by the Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act). Target areas for this funding are established by a HUD mapping tool that

5. **Program Income from the Neighborhood Stabilization Program 1 (NSP1) funding has been reprogrammed into the CDBG program. This will assist in neighborhood improvements, potential tax credit projects within the Surprise Heritage District to offer affordable housing opportunities and program administration for community development and revitalization efforts located within the Surprise Heritage District-Original Town Site.**

Discussion:

In furthering the discussion of actions that will be undertaken to remove the barriers of affordable housing, city council adopted the Surprise Heritage District (zoning overlay) in June 2016. This district will allow the flexibility of the type of structures allowed in the new zoning districts to include cottage industries, which allow small individual owned business in a residential area and permit manufactured homes within the neighborhood as another option for diversified housing opportunities in the target area. The adoption of the "SHD" will also offer development incentives such as reduction in setback requirements and 100% waiver of development impact fees. This action will further support Surprise's intent to ameliorate pubic policies which are barriers to affordable housing.

DRAFT

AP-85 Other Actions - 91.420, 91.220(k)

Introduction

The primary categories of needs to be addressed in the plan are neighborhood improvements to include economic development, public services to eligible populations and emergency housing rehabilitation

The proposed amendments in the plan are neighborhood improvements and affordable housing opportunities. These projects will be carried out with the NSP1 Program Income transfer into the CDBG Annual Action Plan 4 amendment.

Actions planned to address obstacles to meeting underserved needs

One of the main obstacles to meeting community needs is inadequate resources for programs. The decline in resources across sectors, including government agencies and foundations, due to the economic downturn has negatively impacted the quantity and quality of housing and community development services. Although federal stimulus funding helped to mitigate this trend to some extent, resources for these programs will likely be limited for the near future.

The City of Surprise has partnered with various social service agencies which are housed at the Surprise Resource Center located in the Surprise Heritage District. The services offered are veteran employment services, veteran job training club, employment workshops, career fairs, services for domestic violence and sexual abuse, Women, Infant and children (W.I.C) nutrition program, enrollment services for health insurance, programs, access to food and nutrition resource (SNAP, TANF, AHCCCS and navigation of the Affordable Care Act. The Resource Center also offers financial fitness workshops, tax preparation to poverty level families and credit counseling workshops.

Actions planned to foster and maintain affordable housing

The City of Surprise has an active strategy to promote homeownership and the preservation and management of existing residential property. To offset the increasing cost of housing in the private market, the city has undertaken a number of strategies to preserve and develop new affordable housing. These strategies include:

1. The use of general funds and HOME funds for the preservation of existing affordable owner-occupied housing.

2. Support of for-profit and nonprofit developers in the construction of Tax Credit assisted rental housing for families and seniors.

3. Development of Original Town Site (also known as the Surprise Heritage District) Revitalization Plan which has already resulted in public investment in community facilities, infill construction of mixed

income owner-occupied homes and specific zoning districts.

Actions planned to reduce lead-based paint hazards

Housing units assisted under any and all programs covered under this Consolidated Plan are inspected and/or tested prior to assistance as follows:

a. The Housing Authority of Maricopa County inspects all rental units prior to occupancy by households who have Housing Choice Vouchers. For units built before 1978, chipped or peeling paint must be removed prior to occupancy.

b. For units built before 1978, chipped or peeling paint must be removed prior to occupancy. Renter and owner-occupied units built before 1978 that are being rehabilitated with CDBG or HOME funds must be professionally assessed and abated as part of the assistance contract.

c. Lead-based paint is not allowed or sold for residential construction after 1978. Newly constructed single-family or multifamily residences assisted with funding from the covered grants will be free of lead paint hazards.

Actions planned to reduce the number of poverty-level families

The Housing Authority of Maricopa County (HAMC) has two public housing developments in Surprise and administers Housing Choice Vouchers in the private rental market. The operations of HAMC in Surprise have not been formalized since Surprise incorporated as a city and an intergovernmental agreement would be beneficial**.**

The City of Surprise has partnered with various social service agencies which are housed at the Resource Center located in Surprise Heritage District. The services offered are veteran employment services, veteran job training club, services for domestic violence and sexual abuse, Women, Infant and children (W.I.C) nutrition program, enrollment services for health insurance, programs, access to food and nutrition resource (SNAP, TANF,AHCCCS and navigation of the Affordable Care Act. The Resource Center also offers financial fitness workshops, tax preparation to poverty level families and credit counseling workshops.

Actions planned to develop institutional structure

The City of Surprise is the clearinghouse and facilitator for the activities as described by the Consolidated Plan. The Neighborhood Services Division of the Human Service and Community Vitality Development Department oversees the administration of all CDBG and HOME entitlement programs. The department is responsible for:

- Program management and oversight

- Interdepartmental coordination
- Sub recipient contract administration and monitoring
- Program evaluation
- Consolidated Plan preparation, monitoring and evaluation
- Required reporting to HUD

Divisions within the Human Service and Community Vitality Department include the Resource Center which provides a one-stop-shop for social services. (see above action plan to reduce number of poverty-level families) Other departments and private agencies that participate in the implementation of federal, state and county-funded grants include:

- City Council - formal approval body for policy making and release of funds
- The Public Works Department - has experience in administering the procurement and Labor Standards requirements of federally funded projects. The Engineering Department within Public Works administers the Capital Improvement Plan, which includes projects located within the Surprise Heritage District
- Financial management will be appropriately separated between the Finance Department and Human Service and Community Vitality Department

Actions planned to enhance coordination between public and private housing and social service agencies

The City of Surprise has partnered with various social service agencies which are housed at the Resource Center located in the Surprise Heritage District. The services offered are veteran employment services, veteran job training club, services for domestic violence and sexual abuse, Women, Infant and children (W.I.C) nutrition program, enrollment services for health insurance, programs, access to food and nutrition resource (SNAP, TANF,AHCCCS and navigation of the Affordable Care Act. The Resource Center also offers financial fitness workshops, tax preparation to poverty level families and seniors and credit counseling workshops.

The city is also carrying out public service activities under the CDBG program through an open application process. The city utilizes CDBG and HOME funds for emergency home repair and owner-occupied housing rehabilitation. The city is undertaking discussions at senior management level with Maricopa County and other public private entities in order to create more affordable housing units within the Surprise Heritage District.

Discussion

The city is committed to preserving neighborhoods through neighborhood infrastructure improvements in the target area. Affordable Housing is identified as a high priority in the Consolidated an Amendment.

Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(l)(1,2,4)

Introduction

At the beginning of Program Year 2016-2017 we do not anticipate any program income; however we will budget approximately $22,000.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	20,000
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**20,000**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

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Discussion

Due to program requirements we foresee 100% of CDBG funds be used for extremely low to moderate income residents. All activities are deemed eligible for funding and have met environmental clearance in the projects requiring said clearance.

DRAFT

Appendix 1 – Public Notices

Notice of Public Hearing and Public Comment Period
City of Surprise
Planning and Zoning Commission and City Council Meeting
FY 2018-2019 The Fourth Year Annual Action Plan Amendment and Consolidated Plan 2015-2019 Amendment to be completed with Neighborhood Stabilization Program – Program Income funds.

Public Hearing- Planning and Zoning Commission August 2, 2018 at 6:00 PM and City Council Public Hearing September 4, 2018 at 6:00 PM.

This notice will inform interested person of the proposed substantial **amendment** to the City of Surprise Community Development Block Grant (CDBG) Fourth Year Annual Action Plan for Fiscal Year (FY) 2018-2019 and Consolidated Plan 2015-2019 Amendment..

The proposed amendment would allow the city to allocate and utilize $206,373 of Neighborhood Stabilization Program Income into a CDBG eligible activity. From the U.S. Department and Housing and Urban Development to address community needs as follows:

• $206,373-Neighborhood Improvement Projects

Notice is hereby given that the City of Surprise Human Service and Community Vitality Department will hold a Planning and Zoning Commission Meeting Public Hearing on Thursday, August 2, 2018 at 6:00 P.M. and a Public Hearing on September 4, 2018 at 6:00 PM before Surprise City Council at City Hall, 16000 N. Civic Center Plaza, Surprise, Arizona 85374.

The Planning and Zoning scheduled hearing on August 2, 2018 at 6:00 P.M. will be a discussion of the proposed Fourth Year Annual Action Plan Amendment and Consolidated Plan Amendment 2015-2019 recommendations.

The City Council Meeting/hearing on September 4, 2018, at 6:00 P.M. concerns action on the proposed approval of recommendations for the City of Surprise's Program year 2018 – 2019.

Public Comments – Comment Period July 19, 2018 – August 19, 2018

Draft copies of the proposed FY 2018 – 2019 Annual Action Plan and Consolidate Plan 2015-2019 Amendment will be available for review from July 19, 2018 to August 19, 2018 at the following city locations:

Surprise Senior Center 15832 N Hollyhock Street, Surprise, AZ 85378
(Senior Center hours are 8:00 A.M.-4:00 P.M. Monday through Friday)

Surprise City Hall 16000 N. Civic Center Plaza, Surprise, AZ 85374
(Surprise City Hall hours are from 8:00 A.M.-5:00 P.M. Monday through Friday)

Library 15844 N Hollyhock Street, Surprise, AZ 85378 Library hours are 1:00 P.M. – 7:00 P.M. Tuesday and Thursday.; Saturday 11:00 A.M – 5:00 P.M.)

Documents are available for review in advance and can be made available in alternate formats.
Please call Alicia Rubio at 623.222.3240 or TYY 623.222.1002 forty-eight hours prior to the meeting time for assistance with translation or accommodations for individuals with disabilities.

Reasonable accommodations will be made upon a timely request

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Appendix 1 – Public Notice 2

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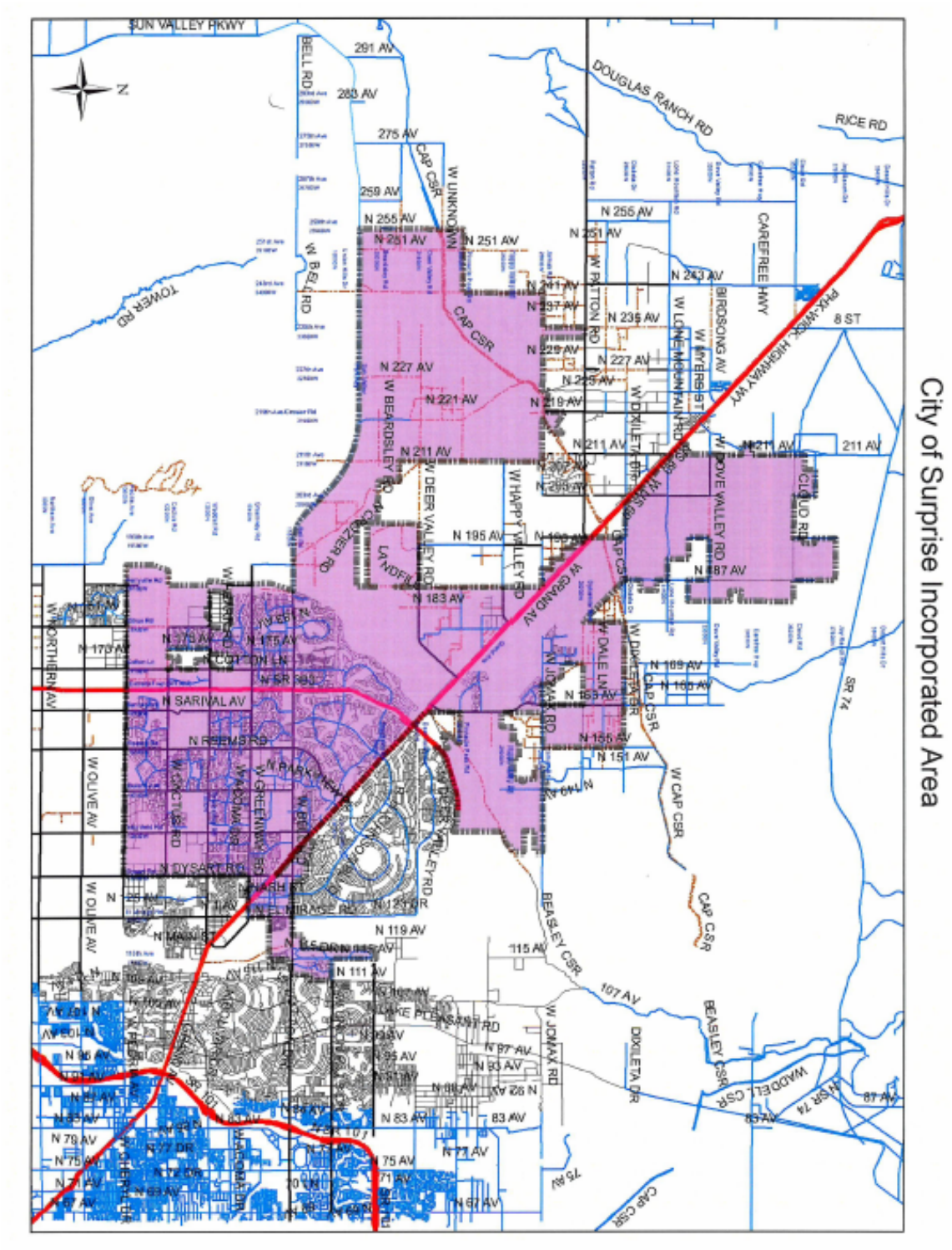
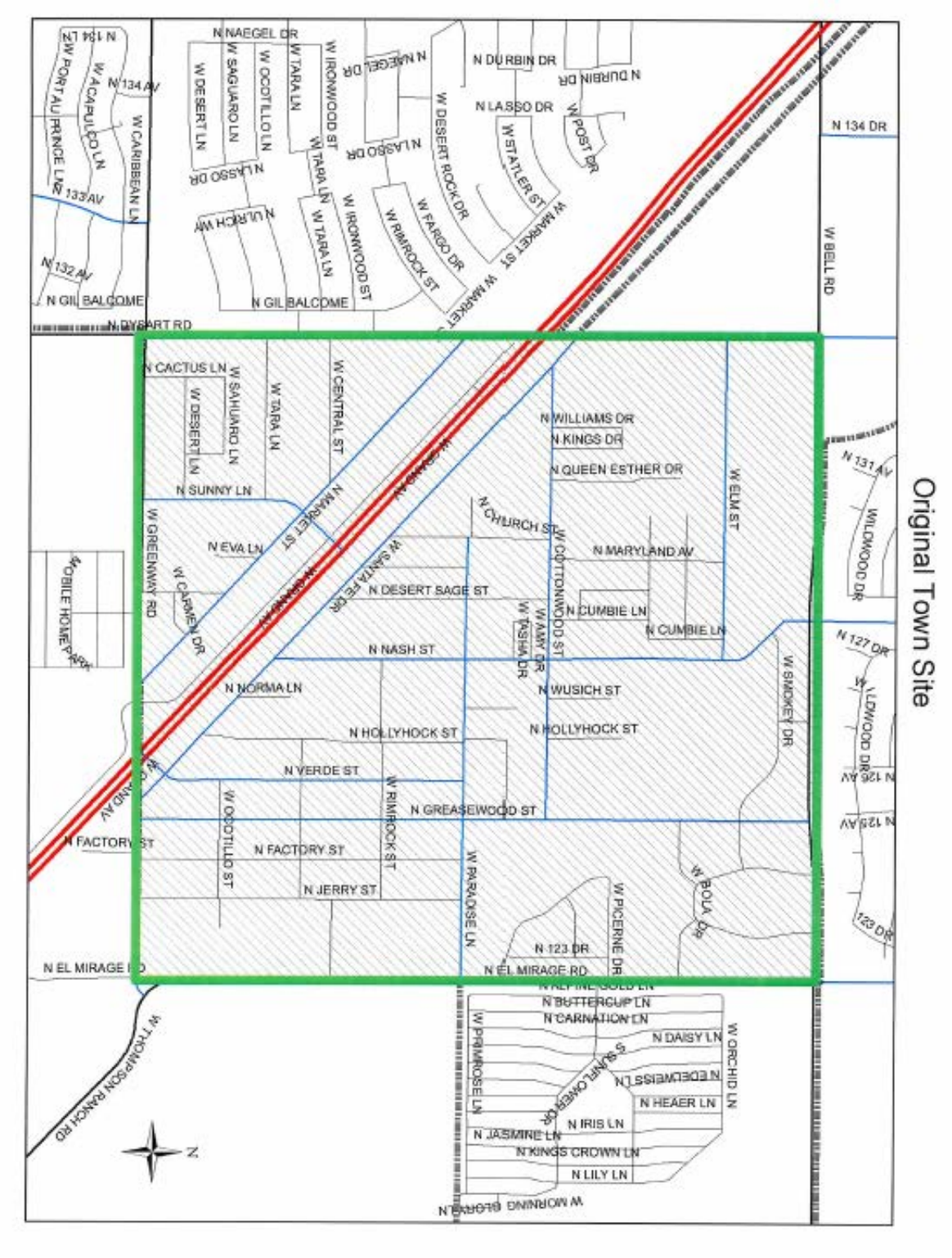
Appendix 2 – Geographical Maps: Map 1 Incorporated Area – Surprise



Appendix 2 – Geographical Maps: Map 2 Surprise Heritage District (Original Town Site)



Appendix 3 – Continuum of Care Unsheltered Street Count: Table 1

Unsheltered Street County by Municipality (2013-2017):

All communities participate in the unsheltered homeless count conducted during the last week of January. Numbers for all communities with the exception of Phoenix are a direct census of individuals interviewed by volunteers, law enforcement, and outreach workers. The City of Phoenix conducts a survey using an extrapolation method by which areas are designated "high density" or "low density" areas. Direct counts in those areas are then extrapolated to estimate the number of individuals experiencing homelessness in unsheltered situations within the City of Phoenix geographic boundaries.

Municipality	2017	2016	2015	2014	2013
Apache Junction	0	0	0	0	0
Avondale	27	37	20	12	5
Buckeye	0	0	0	0	0
Carefree	0	0	0	0	0
Cave Creek	0	2	1	0	0
Chandler	27	14	31	18	20
El Mirage	0	0	0	0	7
Fountain Hills	0	0	0	0	0
Gila Bend	7	9	0	0	0
Gilbert	2	1	1	0	0
Glendale	57	44	25	39	16
Goodyear	7	7	1	2	4
Guadalupe	0	8	0	5	12
Litchfield Park	0	0	0	0	0
Mesa	130	95	155	55	42
Paradise Valley	0	0	0	0	0
Peoria	22	31	30	13	0
Phoenix	1508	1235	994	771	1339
Queen Creek	1	1	0	0	0
Scottsdale	50	67	0	39	11
Surprise	16	6	7	0	0
Tempe	202	88	24	97	125
Tolleson	0	0	0	2	0
Wickenburg	1	0	0	0	0
Youngtown	2	1	0	0	0
Total	2059	1646	1289	1053	1581

Continuum of Care

2013-2017 POINT IN TIME COUNT | Maricopa Regional Continuum of Care

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: CDBG Annual Action Plan 2018-2019 - Year 4

OVERALL PUBLIC INVOLVEMENT LEVEL:

Public Hearing on 8/2/18 (P & Z Meeting) and 9/4/18 Council Meeting. 30 day Public comment period (7/19/18 - 8/19/18) for draft Annual Action Plan 4 Amendment.

IDENTIFY STAKEHOLDERS:

OTS residents/property owners, public service nonprofits, City of Surprise staff Public Works, Community Development, Economic Development and Human Services.

OBJECTIVES:

Create viable neighborhoods, provide decent, safe and affordable housing;Low to moderate income resident job creation; provide services to those with special needs

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when) Public Hearings 8/2 & 9/4/18, 30 day public comment
Future Council Work Session/Meetings target dates
Election dates (if applicable)
Project start/completion dates 10/2018

Communication Tools and Technique options: (which do you plan to use?)

- ☑ Press releases
- ☑ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☑ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☑ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☐ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☑ Website updates

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Seth Dyson, HSCV, Director
Submitting Department:	Human Service & Community Vitality	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the Consolidated Plan 2015-19 Priorities.

Motion:

I move to approve an amendment to the Consolidated Plan 2015-19 Priorities as presented.

Background:

The Consolidated Plan encompasses eligible activities, the national objectives to meet, and the priority action items recommended by the community and the staff which should, in turn, meet the recommended HUD goals.

Objective Analysis:

This action allows HSCV to fund needed neighborhood improvements, administration, and affordable housing projects through the plan amendment.

Policy Compliant:

This action is compliant with City and Council Policy.

Financial Impact:

Program income received from the Neighborhood Stabilization Program equals $1,130,633. A portion of these funds, $206,373, will be transferred to CDBG eligible activities and included in the Annual Action Plan Amendment 2018-19 for neighborhood infrastructure improvement projects and affordable housing opportunities.

Budget Impact:

Under separate action, a budget amendment of the FY2019 budget is required to move the authority from the NSP program to the CDBG program.

FTE Impact:

This item does not impact the overall full time equivalent.

ATTACHMENTS:

Click to download

- Staff Report
- DRAFT - Consolidated Plan Amendment 2015-19
- Public Engagement Form

SURPRISE
ARIZONA

HUMAN SERVICE AND COMMUNITY VITALITY

Date: September 4, 2018

To: Mayor and City Council Members

From: Seth Dyson, Director
Joe Gladieux, Acting Neighborhood Services Supervisor
Alicia Rubio, Neighborhood Services Coordinator

Re: CDBG Consolidated Plan Amendment 2015-2019

Introduction

As an entitlement city, Surprise receives a yearly allotment of Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development (HUD). Every year the City of Surprise must submit an Annual Action Plan. The Annual Action Plan is a concise summary of actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan. The Consolidated Plan is a combined plan and application to HUD for federal funds available to counties and cities under CDBG which includes all previous five years of annual action plans. Occasionally, an amendment is necessary to the Annual Action Plan and as a direct result the Consolidated Plan must also be amended.

In November 2008, the Council approved the Neighborhood Stabilization Program's (NSP) grant for federal funding to purchase foreclosed homes located in Special Planning Areas which were largely affected by foreclosure. The funds were federal stimulus dollars that supported down payment assistance, homebuyer education, rehabilitation and purchases of foreclosed homes. The homes were subsequently sold to qualified buyers per the NSP guidelines. The funds that were used to purchase the homes were then returned to the City as Program Income upon the sale. Surprise has been directed by HUD to sunset the NSP program. This directive gives the city the ability to transfer program income from the NSP program to the CDBG. In order to do this, Surprise will need to amend their Annual Acton Plan and, as a result, amend the Consolidated Plan for 2015-2019.

Today's presentation will provide information regarding the Consolidated Plan to assist in deciding if proposed projects meet grant criteria while filling community needs. Upon approval, CDBG Neighborhood Improvement and Affordable Housing Activities will be submitted to HUD as part of the Consolidated Plan Amendment 2015-2019.

Background

CDBG neighborhood infrastructure improvements are carried out by city departments. Affordable Housing activities are carried out by outside agencies. These projects will address the neighborhood commercial demolition and affordable housing needs identified in the city's

Consolidated Plan. CDBG administration, neighborhood improvements and affordable housing projects will be used to implement activities that will improve the safety and quality of life of the residents living within the Heritage District. Although the Consolidated Plan lists Neighborhood Improvements as a priority, the city wanted to specifically list affordable housing, and right of way improvements in the Surprise Heritage District as the project funding priorities considered today.

According to HUD regulations, CDBG funds may be used to provide Neighborhood Improvements (including labor, supplies, materials, project management and other costs) and Economic Development activities, provided the service will:

- Serve low to moderate income persons in the City of Surprise through area benefit or serving a particular clientele like seniors, youth and families
- Neighborhood Improvements
- Affordable Housing Opportunities

Funding Limit

The amount of Program Income to be included in the Annual Action Plan Amendment 2018-2019 is $206,373 CDBG neighborhood infrastructure improvement projects and affordable housing opportunities are activities that will be carried out as part of this plan amendment.

Updated Actions

Neighborhood Infrastructure Improvement Projects
Infrastructure projects will include right of way improvements and possible commercial property / building demolitions within the Surprise Heritage District

Total NSP to CDBG Transfer Amount: $206,373

Future Actions

- Submission to HUD as part of Consolidated Plan Amendment 2015-19 by 9/6/18

Recommendations

Approval of Consolidated Plan Amendment 2015-19

5 Year Strategic Plan

This document includes Narrative Responses to specific questions that grantees of the Community Development Block Grant, HOME Investment Partnership, Housing Opportunities for People with AIDS and Emergency Shelter Grants Programs must respond to in order to be compliant with the Consolidated Planning Regulations.

GENERAL

Executive Summary

5 Year Strategic Plan Executive Summary:

The City of Surprise Consolidated Plan is a comprehensive document that addresses the city's housing, community development and economic development needs. The Consolidated Plan 2015-19 comprehensively updates the previous four-year strategic plan covering the program years of 2010-2014. It also includes the Annual Action Plan 2018-2019 Amendment. The Consolidated Plan is a combination of housing, community development, and public service plan, and acts as an application for the following two U.S. Department of Housing and Urban Development (HUD) entitlement programs:

- **Community Development Block Grant (CDBG)**
- **HOME Investment Partnerships Program**

The City of Surprise 2018-2019 Annual Action Plan fiscal year runs from July 1, 2018 through June 30, 2019. The city's lead agency responsible for the plan's development is the Neighborhood Services Division, Human Service and Community Vitality Development Department. The executive summary includes objective and outcome expectations, as well as an evaluation of past performance. The 2015-2019 Consolidated Plan states how the city intends to utilize its HUD entitlement funds in the areas of housing, community development, public services, and administration. The Consolidated Plan ties HUD grant-funded spending to other funding initiatives in the city that benefit low- and moderate-income residents.

Key components of the plan are:

- **Needs assessment.**
- **Strategic goals.**
- **Delivery system.**
- **Accountability and performance measurement.**

Primary categories of need that are addressed in the plan are:

- **Neighborhood Improvements**
- **Affordable Housing.**
- **Public Facility Improvements.**
- **Public services to special needs populations.**

Summary of Objective and Outcome Expectations

DRAFT

The City of Surprise performance measurement system is tied to the city's Original Townsite Revitalization Plan objectives and to the annual budget process. In previous years, the Consolidated Plan provided an estimate of *output* measures in compliance with HUD's data system. The Consolidated Plan includes measures of performance to quantify longer-term goals by incorporating projected *outcome* measures. Quantifiable results-oriented goals for capital programs are tied to a unified framework for the benefit of low- and moderate-income residents.

- **Preserve neighborhoods through infrastructure improvements in the targeted low-income area(s).**
- **Provide public services based on qualifications to special needs populations.**
- **Preserve neighborhoods through housing rehabilitation assistance to qualified homeowners.**
- **Preserve habitability of owner-occupied housing through emergency home repair assistance.**
- **Increase homeownership through downpayment assistance.**
- **Preserve affordability of quality rental housing through the Housing Choice Voucher program.**
- **Provide public service activities to city's youth, seniors, special needs persons, veterans, persons and families in crisis, and disabled persons through nonprofit agencies or other city departments.**

Changes currently anticipated during the term of this plan:
- **Inclusion of affordable housing activities through CDBG funding.**

Past Performance Summary
Since becoming an entitlement community in 2006 for CDBG funding, infrastructure was identified as the city's highest priority and was aimed at the Original Townsite (OTS) of Surprise which is predominantly a low- to moderate-income resident area. Three street improvement projects, one park improvements and one public facility improvement project was carried out in the OTS. The infrastructure improvements aimed at creating a suitable living environment principally for the low- to moderate-income persons within the OTS of Surprise.

Implementation
This Consolidated Plan will serve as a guide for City of Surprise' endeavors in housing and community development during the next five years. The plan is updated annually through the adoption of the Annual Action Plan and may be amended from time to time as circumstances change. The Annual Action Plan and amendments to the Consolidated Plan will allow for public review and comment consistent with the Citizens Participation Plan.

Strategic Plan

Due every three, four, or five years (length of period is at the grantee's discretion) no less than 45 days prior to the start of the grantee's program year start date. HUD does not accept plans between August 15 and November 15.

Mission:
The mission of the City of Surprise is to enhance the quality of life through sustainable reconstruction of aging infrastructure systems and housing stock at the neighborhood level in order to develop a healthy living environment.

General Questions

1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed.

Community Profile

2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a)(1)) and the basis for assigning the priority (including the relative priority, where required) given to each category of priority needs (91.215(a)(2)). Where appropriate, the jurisdiction should estimate the percentage of funds the jurisdiction plans to dedicate to target areas.

3. Identify any obstacles to meeting underserved needs (91.215(a)(3)).

5 Year Strategic Plan General Questions response:

1.
Surprise is located in the northwest region of the Phoenix Metropolitan Area (*Figure 1*). The Surprise Planning Area is bordered on the east by the cities of Peoria and El Mirage, on the west by the town of Buckeye, on the south by the city of Glendale, and on the northwest by the town of Wickenburg. Sun City and Sun City West, both unincorporated communities are adjacent to the eastern boundary of the planning area. Located within the Surprise Planning Area are the unincorporated communities of Morristown, Circle City, and Wittmann.

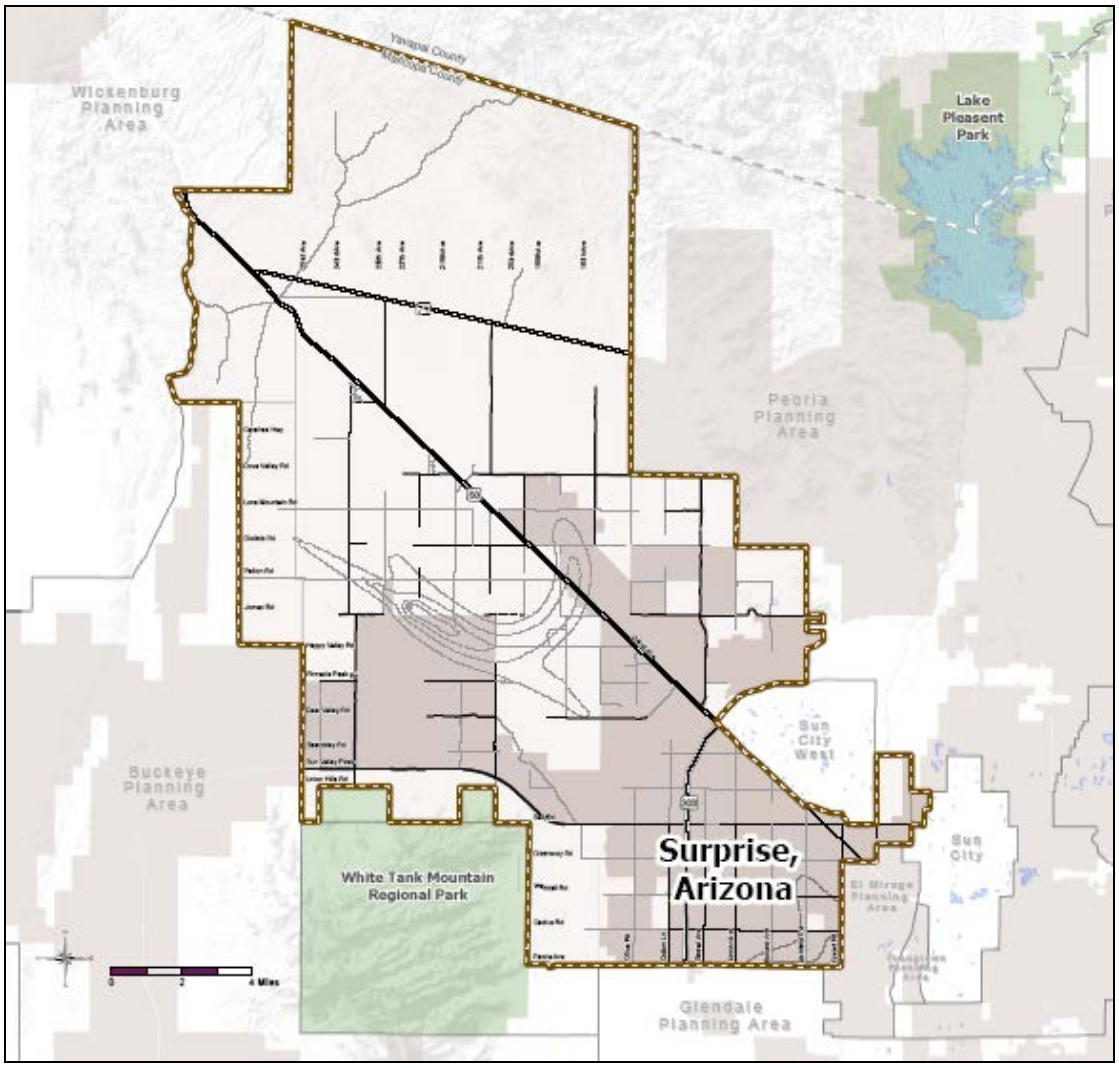


Figure 1: Surprise, AZ

Public facilities and infrastructure improvements with CDBG funds will only be undertaken in the Original Townsite (*Figure 2*) as area benefit activities targeted to the designated service area. This area is the only Census Tract (#608) in Surprise with a population that is more than 51% low and moderate income.

Figure 2: Original Townsite, Surprise, AZ

Economic development, public services, and other eligible activities under the CDBG program that directly benefit individuals will be provided throughout the community contingent on the eligibility of the applicant for the low- or moderate-income beneficiary requirement.

2.
The system for establishing the target areas for the CDBG-funded activities are predicated upon the following criteria:

- **The Original Townsite area targeted for CDBG investments under this plan is the lowest income Census Tract in City of Surprise.**
- **The community has targeted this area for investment in the *Original Townsite Revitalization Plan* and *Surprise Revitalization Strategic Plan – Heritage Overlay.***
- **Meeting the statutory requirements of the CDBG program.**
- **Coordination and leveraging of resources.**
- **Response to expressed needs.**
- **Long-term impact and sustainability.**

- **The ability to measure or demonstrate progress and success.**

The steps in assignment of priority for specific activities selected for this plan are described further in the section on Priority Needs Analysis and Strategy.

3.
Funding Future
One of the main obstacles to meeting community needs is inadequate resources for programs. The decline in resources across sectors, including government agencies and foundations, due to the economic downturn has negatively impacted the quantity and quality of housing and community development services. Surprise has received an amount of $206,373 in program income from the Neighborhood Stabilization Program that will be transferred into the CDBG program.

Other obstacles to meeting underserved needs include:
1. **Insufficient resources to meet all of the legitimate and eligible needs identified.**
2. **Private ownership of incompatible land uses within the revitalization area.**
3. **Public ownership of the water system in the revitalization area by another municipality.**
4. **Environmental issues related to the location of Grand Avenue (US 60), the Railroad, and Luke Airforce Base.**

Managing the Process (91.200 (b))

1. Lead Agency. Identify the lead agency or entity for overseeing the development of the plan and the major public and private agencies responsible for administering programs covered by the consolidated plan.

2. Identify the significant aspects of the process by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process.

3. Describe the jurisdiction's consultations with housing, social service agencies, and other entities, including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, and homeless persons.

   *Note: HOPWA grantees must consult broadly to develop a metropolitan-wide strategy and other jurisdictions must assist in the preparation of the HOPWA submission.

5 Year Strategic Plan Managing the Process response:

1.
The Neighborhood Services Division of the Human Service and Community Vitality Department is the lead agency for the City of Surprise Consolidated Plan. The Consolidated Plan along with the Annual Action Plan is authorized and approved by the Mayor and City Council upon the recommendation of the appointed Surprise Planning and Zoning Commission. Actions required

to accept and administer the CDBG and HOME funds are assigned to the City Manager or his designee.

2.
The City of Surprise has developed the Consolidated Plan with the input of several key city departments and divisions, county agencies, local nonprofit agencies and service organizations, community groups, boards and commissions, and citizens of Surprise.

To gather input from the citizens of Surprise, the city has adopted a Citizen Participation Plan that describes the citizens input process for the CDBG and HOME programs.

Significant steps in the planning process included:
a) Creating a public participation plan to involve citizens of City of Surprise.
b) Establishment of needs assessment and priorities with other city departments and divisions.
c) Conducting a survey and followed up with a supplemental survey to citizens of the city and city officials to determine high priorities needs within Surprise.
d) Review of needs assessments and goals and objectives established with the Surprise Planning and Zoning Commission members.
e) Conducting a City Council work session.

3.
During the development of the Consolidated Plan, the following groups and city departments were interviewed and or returned surveys. These groups represent or serve the populations whose needs were considered in the Consolidated Plan:
a) City of Surprise Community Development Department.
b) City of Surprise Community and Recreation Services.
c) City of Surprise Economic Development Department.
d) City of Surprise Public Works Department.
e) Maricopa HOME Consortium.
f) The Housing Authority of Maricopa County.
g) Maricopa County Community Development.
h) City of Surprise Planning and Zoning Commission.
i) Original Town Site Stakeholder Group
j) Area Congressional Representative response for the survey.

Citizen Participation (91.200 (b))

1. Provide a summary of the citizen participation process.

2. Provide a summary of citizen comments or views on the plan.

3. Provide a summary of efforts made to broaden public participation in the development of the consolidated plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities.

4. Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.

*Please note that Citizen Comments and Responses may be included as additional files within the CPMP Tool.

5 Year Strategic Plan Citizen Participation response:

1.

Throughout the development of the Consolidated Plan, citizen input is encouraged. The City of Surprise provides its citizens many opportunities to provide input to the decision making process. Citizens are encouraged to attend and participate in City Council meetings, Planning and Zoning Commission meetings to solicit public input. These community engagement practices are designed to meet the needs and requirements of various programs and planning processes.

In accordance with 24 CFR 91.115(e), city staff has developed a Citizen Participation Plan (CPP) designed specifically for the Consolidated Plan. The CPP describes city policies relating to public hearings, public notices, and comment period. A schedule of citizen participation actions was developed at the beginning of the Consolidated Plan drafting.

Table 1: Schedule of Citizen Participation

Time	Activity
August 2, 2018	Planning and Zoning Commission Meeting on Consolidated Plan Priorities and Public Hearing
July 19-August 19, 2018 30 day public comment period on Annual Action Plan Amendment and Consolidated Plan Amendment	30 day comment period
September 4, 2018	City Council Public Hearing and approval.
September 10, 2018	Submission to HUD

2.

TBD

3.

To assist in obtaining broad-based participation, a city's mailing distribution list is used. The list includes public, private and social service agencies and individuals that request notices of meetings and hearings. Staff publishes public notices for both public meetings and hearings in Daily News-Sun an everyday publishing newspaper, in accordance with city notification practices.

As per the CPP, the public hearings were held at accessible locations. Electronic copies of the plan were made available on the city's website. Printed public notices were distributed in English listing the locations where copies of the Consolidated Plan are available and inviting citizens to speak at the public meetings and hearings and/or submit written comments. Public meetings and hearings are accessible and sign language interpretation is available for public hearings and meetings by request.

4.

Citizens' request for highway access, road repairs, and other transportation improvements were not included as they do not qualify either under area

benefit or limited clientele benefit caveat for the low- to moderate-income persons in the city.

Institutional Structure (91.215 (i))

1. Explain the institutional structure through which the jurisdiction will carry out its consolidated plan, including private industry, nonprofit organizations, and public institutions.

2. Assess the strengths and gaps in the delivery system.

3. Assess the strengths and gaps in the delivery system for public housing, including a description of the organizational relationship between the jurisdiction and the public housing agency, including the appointing authority for the commissioners or board of housing agency, relationship regarding hiring, contracting and procurement; provision of services funded by the jurisdiction; review by the jurisdiction of proposed capital improvements as well as proposed development, demolition or disposition of public housing developments.

5 Year Strategic Plan Institutional Structure response:

1.
The City of Surprise is the clearinghouse and facilitator for the activities as described by the Consolidated Plan.

The Neighborhood Services Division of the Human Service and Community Vitality Development Department oversees the administration of all CDBG and HOME entitlement programs. The department is responsible for:

- **Program management and oversight.**
- **Interdepartmental coordination.**
- **Subrecipient contract administration and monitoring.**
- **Program evaluation.**
- **Consolidated Plan preparation, monitoring and evaluation.**
- **Required reporting to HUD.**

Other city departments and private agencies that participate in the implementation of federal-funded grants include:

- **City Council - formal approval body for policy making and release of funds.**
- **The Public Works Department - has experience in administering the procurement and Labor Standards requirements of federally funded projects.**
- **Financial management will be appropriately separated between the Finance Department and Human Service and Community Vitality Department.**
- **Maricopa HOME Consortium is the lead agency for HOME funds and activities.**
- **The Maricopa County Human Services Department provides services in workforce development and special transportation**

- **The city is also served by a number of private nonprofit housing and health and human services providers and local church organizations like Habitat for Humanity, Benevilla and St. Mary's Food Bank.**

2.
The major gap is the coordination of multiple organizations in regards with networking, ensuring that overlap of assignments is minimized, and facilitating more efficient use of resources.

The city is carrying out public service activities under the CDBG program through an open application process, effective management of the subrecipients would be a challenge and will likely require additional training.

3.
The Housing Authority of Maricopa County (HAMC) has two public housing developments in Surprise and administers Housing Choice Vouchers in the private rental market. The operations of HAMC in Surprise have not been formalized since Surprise incorporated as a city and an intergovernmental agreement would be beneficial.

Monitoring (91.230)

1. Describe the standards and procedures the jurisdiction will use to monitor its housing and community development projects and ensure long-term compliance with program requirements and comprehensive planning requirements.

5 Year Strategic Plan Monitoring response:

The City of Surprise Neighborhood Services Division of the Human Service and Community Vitality Department oversees all grant-funded housing and community development programs and will be responsible for all performance measurement activities.

The Neighborhood Services Division is also responsible for the timely implementation of activities and projects. The City of Surprise will ensure that all grant-funded projects are monitored for compliance with the applicable city, state and federal laws. This will be accomplished using the city's current monitoring/contract compliance process for federal programs.

The Neighborhood Services Division monitors all proposed activities to ensure long-term compliance with program requirements. The objectives of these monitoring are to make sure that activities:

1. **Comply with all regulations governing their administrative, financial, and programmatic operations.**
2. **Achieve their performance objectives within schedule and budget.**

General Monitoring Procedures
Annually, with the preparation of Consolidated Annual Performance and Evaluation Report (CAPER), the Neighborhood Services Division will review whether the specific objectivities outlined in this strategic plan are being met. Furthermore, subsequent CAPERs will give an opportunity to address

community priorities and if adequate resources are available to meet the objectives.

The City of Surprise relies upon all grant-funded entities to complete a Quarterly Performance Report (QPR) to assess project progress. Accomplishments for the quarter are identified including measurable outcomes, client information, time frames and quarterly costs.

Neighborhood Services Division also administers the Integrated Disbursement and Information System (IDIS).

The more formal monitoring begins with a risk assessment of all grant-funded projects and subrecipient contracts. The risk assessment considers size of the grant contract, changes in organizational structure, and how long it has been since the last on-site monitoring.

For the HOME programs, included is an annual peer review for each member of the Maricopa HOME Consortium. The peer monitoring is performed by representatives from other participating communities and may take the form of either a desk review or an on-site monitoring.

Subrecipient Monitoring:
All subrecipients of CDBG and HOME funds will be subject to monitoring. Fiscal monitoring will include review and approval of budgets, compliance with executed grant agreements, review of fiscal reports on a monthly or quarterly basis, and a review of audits on an annual basis. Additional monitoring will occur through on-site visits. These site visits will occur as necessary but will be conducted at least once every six months.

All subrecipients must identify the personnel working on the project; keep accurate records and filing systems to document program benefits and compliance; maintain an appropriate financial management system; submit to an audit; and submit a final report at closeout.

Affirmative and Outreach Monitoring
The city's contract compliance officer is responsible for ensuring affirmative marketing and minority outreach including Section 3 and Minority/Women Business Enterprise compliance, by using existing standards and procedures as prescribed under the CDBG and HOME programs.

Priority Needs Analysis and Strategies (91.215 (a))

1. Describe the basis for assigning the priority given to each category of priority needs.

2. Identify any obstacles to meeting underserved needs.

5 Year Strategic Plan Priority Needs Analysis and Strategies response:

1.
The priorities presented were developed by:
- **Weighing the severity of the need among all groups and subgroups in the city.**
- **Analyzing the current social, economic and housing conditions.**
- **Analyzing the relative needs of low- and moderate-income families.**
- **Assessing the resources likely to be available over the next five years.**

Priorities are relative and follow these classifications:
***High*: The city plans to use available Consolidated Plan funds for activities to meet the need during the Five-Year Strategic Plan.**
***Medium*: The city plans to use any available funds, including Consolidated Plan funds, for activities to meet the need during the Five-Year Strategic Plan, and can assist organizations in seeking funds to meet the need.**
***Low*: The city does not envision using any available Consolidated Plan funds for activities to meet the need during the Five-Year Strategic Plan.**

Identified Feasible Priorities Based on Survey:
- **Veteran Programs**
- **Transportation infrastructure improvements**
- **Job creation/retention**
- **Youth centers/Youth activities**
- **Neighborhood Clean up**
- **Literacy Programs**
- **Health care**
- **Health care services**
- **Senior Center programs/activities**

Identified Feasible Priorities Based on Needs and Urgency:
- **Neighborhood Improvements**
- **Job training**
- **Water system Improvements in OTS**
- **Drainage Improvements in OTS**
- **Lighting Improvements in OTS**
- **Street Improvements**
- **Youth training program**
- **Youth recreation program**
- **Veteran services**

2.
Funding Future
One of the main obstacles to meeting community needs is inadequate resources for programs. The decline in resources across sectors, including government agencies and foundations, due to the economic downturn has

negatively impacted the quantity and quality of housing and community development services. Although federal stimulus funding helps mitigate this trend to some extent, resources for these programs will likely be limited for the near future.

Other obstacles to meeting underserved include:

a) Insufficient resources to meet all of the legitimate and eligible needs identified.
b) Private ownership of incompatible land uses within the revitalization area.
c) Public ownership of the water system in the Revitalization area by another municipality.
d) Environmental issues related to the location of Grand Avenue, the railroad, and Luke Airforce Base.

Lead-based Paint (91.215 (g))

1. Estimate the number of housing units that contain lead-based paint hazards, as defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, and are occupied by extremely low-income, low-income, and moderate-income families.

2. Outline actions proposed or being taken to evaluate and reduce lead-based paint hazards and describe how lead based paint hazards will be integrated into housing policies and programs, and how the plan for the reduction of lead-based hazards is related to the extent of lead poisoning and hazards.

5 Year Strategic Plan Lead-based Paint response:

1.
Assessment of the outside parameters of lead paint hazard for the City of Surprise has been calculated in the chart below utilizing data from the 2000 Census applied to the findings of a national study titled '*The prevalence of Lead Based Paint Hazards in U.S. Housing.*'
Table 2:

Sample	Region	Surprise	Prevalence		Surprise	
			Sample	%w/hazards	Owner	Renter
Western Region			Western region	15%		
Owner renter split			Construction year			
Owner	69	88%	1978+w/hazards	3%	302	33
Renter	30	12%	1960-1977	8%	63	28
In poverty	14%	8.70%	1940-1959	43%	53	24
Income			Before 1940	69%	19	0
0-$19,999	20%		Tenure			
$20-39,999	27%		Owner	23%	437	
$40-+	44%		Renter	30%		84
Calculations are derived from 2000 Census based on findings of "The prevalence of Lead Based Paint Hazards in U.S Housing" October 2002.			In poverty	38%	166	32
			W/children	25%	109	21

The Arizona Department of Health Services maintains records on the number of children reported to have elevated blood levels from any source. Since the year 2008 - 2014, sixty-seven (67) children have tested positive for elevated levels of lead in the bloodstream. During that time, two of the tests resulted in environmental investigations at the home. Neither of the home investigations revealed an apparent source for the lead.

2.
Housing units assisted under any and all programs covered under this Consolidated Plan are inspected and/or tested prior to assistance as follows:

a. The Housing Authority of Maricopa County inspects all rental units prior to occupancy by households who have Housing Choice Vouchers. For units built before 1978, chipped or pealing paint must be removed prior to occupancy.
b. For units built before 1978, chipped or peeling paint must be removed prior to occupancy. Renter and owner-occupied units built before 1978 that are being rehabilitated with CDBG or HOME funds must be professionally assessed and abated as part of the assisted contract.
c. Lead-based paint is not allowed or sold for residential construction after 1978. Newly constructed single-family or multifamily residences assisted with funding from the covered grants will be free of lead paint hazards.

HOUSING

Housing Needs (91.205)

*Please also refer to the Housing Needs Table in the Needs.xls workbook

1. Describe the estimated housing needs projected for the next five year period for the following categories of persons: extremely low-income, low-income, moderate-income, and middle-income families, renters and owners, elderly persons, persons with disabilities, including persons with HIV/AIDS and their families, single persons, large families, public housing residents, victims of domestic violence, families on the public housing and section 8 tenant-based waiting list, and discuss specific housing problems, including: cost-burden, severe cost- burden, substandard housing, and overcrowding (especially large families).

2. To the extent that any racial or ethnic group has a disproportionately greater need for any income category in comparison to the needs of that category as a whole, the jurisdiction must complete an assessment of that specific need. For this purpose, disproportionately greater need exists when the percentage of persons in a category of need who are members of a particular racial or ethnic group is at least ten percentage points higher than the percentage of persons in the category as a whole.

5 Year Strategic Plan Housing Needs response:
Effective July 1, 2006, City of Surprise became a member of the Maricopa HOME Consortium through an Intergovernmental Agreement. Federal regulations (24 CFR 91.405) require that housing needs assessment(s) be

consolidated for the entire Consortium Service Area. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium. The City of Surprise has listed Affordable Housing Opportunities as a high priority through the Consolidated Plan Amendment process for the Annual Action Plan 4 2017-2018

Priority Housing Needs (91.215 (b))

1. Identify the priority housing needs and activities in accordance with the categories specified in the Housing Needs Table (formerly Table 2A). These categories correspond with special tabulations of U.S. census data provided by HUD for the preparation of the Consolidated Plan.

2. Provide an analysis of how the characteristics of the housing market and the severity of housing problems and needs of each category of residents provided the basis for determining the relative priority of each priority housing need category.

Note: Family and income types may be grouped in the case of closely related categories of residents where the analysis would apply to more than one family or income type.

3. Describe the basis for assigning the priority given to each category of priority needs.

4. Identify any obstacles to meeting underserved needs.

5. Year Strategic Plan Priority Housing Needs response:

Effective July 1, 2006, the City of Surprise became a member of the Maricopa HOME Consortium through an Intergovernmental Agreement. Federal regulations (24 CFR 91.405) require that housing needs assessments be consolidated for the entire Consortium Service Area. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium. The City of Surprise has listed Affordable Housing Opportunities as a high priority through the Consolidated Plan Amendment process for the Annual Action Plan Year 4 2018-2019 and Annual Action Plan Year 5 2019-2020.

Housing Market Analysis (91.210)

*Please also refer to the Housing Market Analysis Table in the Needs.xls workbook

1. Based on information available to the jurisdiction, describe the significant characteristics of the housing market in terms of supply, demand, condition, and the cost of housing; the housing stock available to serve persons with disabilities; and to serve persons with HIV/AIDS and their families. Data on the housing market should include, to the extent information is available, an estimate of the number of vacant or abandoned buildings and whether units in these buildings are suitable for rehabilitation.

2. Describe the number and targeting (income level and type of household served) of units currently assisted by local, state, or federally funded programs, and an assessment of whether any such units are expected to be lost from the assisted housing inventory for any reason, (i.e. expiration of Section 8 contracts).

3. Indicate how the characteristics of the housing market will influence the use of funds made available for rental assistance, production of new units, rehabilitation of old units, or acquisition of existing units. Please note, the goal of affordable housing is not met by beds in nursing homes.

5 Year Strategic Plan Housing Market Analysis responses:

Effective July 1, 2006, the City of Surprise became a member of the Maricopa HOME Consortium through an Intergovernmental Agreement. Federal regulations (24 CFR 91.405) require that housing needs assessments be consolidated for the entire Consortium Service Area. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium. The City of Surprise has listed Affordable Housing Opportunities as a high priority through the Consolidated Plan Amendment process for the Annual Action Plan Year 4 2018-2019 and Annual Action Plan Year 5 2019-2020.

Specific Housing Objectives (91.215 (b))

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve over a specified time period.

2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the strategic plan.

5 Year Strategic Plan Specific Housing Objectives response:

Specific Housing Objectives for the period of the Consolidated Plan include:

Table 3: **National Objective met by: *Providing decent housing.***			
Desired outcome: *An increase in the number of quality affordable units.*			
Need to be addressed / From the Needs Assessment	**Goal to address high and medium priority needs**	**Activity and General Location**	**Anticipated sources of funding**
Quality owner-occupied housing	Increase the quality of owner-occupied housing in older neighborhoods	Major and Minor Housing rehabilitation to low- and moderate-income households primarily located in the Original Townsite Area.	CDBG, HOME, Private loans and Owners' funds
Quality owner-occupied housing	Increase the availability of affordable owner-occupied housing	Support to the development of housing and neighborhoods by Habitat for Humanity.	Private financing, Sweat equity, HOME funds, and NSP Program

Quality owner-occupied housing	Preserve habitability of owner-occupied housing	Emergency repair assistance.	CDBG Funds, HOME Funds
Affordable rental housing	Increase the supply of affordable rental housing	Acquisition/ rehabilitation assistance to preserve units affordable to low- and moderate-income renters as opportunities are presented by nonprofit housing providers.	HOME, CDBG funds, affordable housing bonds, private financing
Affordable rental housing	Increase the supply of affordable rental housing	Acquisition/ new development assistance to add to the number of units affordable to low- and moderate-income renters.	HOME, CDBG funds Affordable housing bonds, Private financing, Low Income Housing Tax Credits

See the chart below for the performance measures for the above objectives.

Five-year Goals for Housing

Table 4: **Priority Housing Needs (Households)**		**Priority**		**Unmet Need**
Renter	Small Related	0-30%	H	270
		31-50%	H	251
		51-80%	M	348
	Large Related	0-30%	H	72
		31-50%	H	79
		51-80%	H	81
	Elderly	0-30%	H	108
		31-50%	H	167
		51-80%	M	137
	All Other	0-30%	H	261
		31-50%	H	242
		51-80%	M	319
Owner	Small Related	0-30%	M	128
		31-50%	H	157
		51-80%	H	347
	Large Related	0-30%	M	46
		31-50%	H	69
		51-80%	H	107

	Elderly	0-30%	H	219
		31-50%	H	283
		51-80%	H	296
	All Other	0-30%	M	110
		31-50%	H	77
		51-80%	H	179
Non-Homeless Special needs	Elderly	0-80%	H	126
	Frail Elderly	0-80%	H	168
	Severe Mental Illness	0-80%	H	165
	Physical Disability	0-80%	M	53
	Developmental Disability	0-80%	M	105
	Alcohol/Drug Abuse	0-80%	H	96
	HIV/AIDS	0-80%	M	15
	Victims of Domestic Violence	0-80%	H	45

Table 5: **Priority Needs**	**5-YR. Goal Plan/Act**	**Year 1 Goal Plan/Act**	**Year 2 Goal Plan/Act**	**Year 3 Goal Plan/Act**	**Year 4 Goal Plan/Act**	**Year 5 Goal Plan/Act**
Renters	**119**	24	24	24	24	24
0-30%	**33**	7	7	7	7	7
31-50%	**17**	3	3	3	3	3
51-80%	**69**	14	14	14	14	14
owners	**135**	27	27	27	27	27
0-30%	**40**	8	8	8	8	8
31-50%	**56**	11	11	11	11	11
51-80%	**39**	8	8	8	8	8
Homeless						
Individuals	**0**	0	0	0	0	0
Families	**0**	0	0	0	0	0
Non-Homeless Special Needs						
Elderly	**64**	13	13	13	13	13
Frail Elderly	**23**	5	5	5	5	5
Severe Mental Illness	**4**	1	1	1	1	1
Physical Disability	**18**	4	4	4	4	4
Developmental Disability	**13**	3	3	3	3	3
Alcohol/Drug Abuse	**5**	1	1	1	1	1
HIV/AIDS	**2**	0	0	0	0	0
Victims of Domestic Violence	**5**	1	1	1	1	1
Total	**134**	27	27	27	27	27

The above two tables are derived from the Maricopa Consortium Consolidated Plan for 2015-19. The estimated number of people in Surprise for each need category is determined by multiplying the category's county population by the percentage of Surprise population that is in the Maricopa County- 3%. The estimated numbers are derived from 2007 – 2011 CHAS runs extrapolated to 2011.

Table 6: **Priority Needs**	**5-YR. Goal Plan / Act**	**Year 1 Goal Plan / Act**	**Year 2 Goal Plan / Act**	**Year 3 Goal Plan / Act**	**Year 4 Goal Plan / Act**	**Year 5 Goal Plan / Act**
CDBG						
Acquisition of existing rental units						
Production of new rental units						
Rehabilitation of existing rental units						
Rental assistance						
Acquisition of existing owner units						
Production of new owner units						
Rehabilitation of existing owner units	**74**	24	10	10	15	15
Homeownership assistance						
HOME						
Acquisition of existing rental units						
Production of new rental units						
Rehabilitation of existing rental units						
Rental assistance						
Acquisition of existing owner units						
Production of new owner units						
Rehabilitation of existing owner units	**15**	3	3	3	3	3
Homeownership assistance						
HOPWA						
Rental assistance						
Short term rent/mortgage utility payments						
Facility based housing development	City of Surprise does not receive HOPWA funding					
Facility based housing operations						
Supportive Services						
Other						
NSP						
Production of new owner units	**2**	1	1	-	N/A	N/A
Homeownership assistance	**24**	8	8	8	N/A	N/A

Surprise is not eligible for funding for Housing Opportunities for People with AIDS and does not track housing assistance or set housing goals for persons with AIDS separate from housing assistance for persons with other

disabilities. Section 8 regulations do not authorize the collection of this information.

The goals listed in the chart above continue services and levels of service that have been provided in the past under operating agreements with Maricopa County Community Development, the Housing Authority of Maricopa and nonprofit housing providers.

2.
Resources anticipated to address these objectives include:

1. **HUD funding**
    a. **Community Development Block Grants.**
    b. **HOME Investment Partnerships funds.**
    c. **Neighborhood Stabilization Program (NSP).**
    d. **Housing Choice Vouchers.**
2. **Low Income Housing Tax Credits issued through the state.**
3. **State and County IDA funding from**
    a. **Multifamily.**
    b. **Single-Family bonds.**
    c. **Mortgage Credit Certificates.**
4. **Private funding**
    a. **Family Self-sufficiency escrow accounts.**
    b. **IDEA grants.**
    c. **Individual Development Accounts.**
    d. **Unrestricted funds leveraged and matched by nonprofit housing providers.**
    e. **Subsidized and unsubsidized private investments by private investors.**

Needs of Public Housing (91.210 (b))

In cooperation with the public housing agency or agencies located within its boundaries, describe the needs of public housing, including the number of public housing units in the jurisdiction, the physical condition of such units, the restoration and revitalization needs of public housing projects within the jurisdiction, and other factors, including the number of families on public housing and tenant-based waiting lists and results from the Section 504 needs assessment of public housing projects located within its boundaries (i.e. assessment of needs of tenants and applicants on waiting list for accessible units as required by 24 CFR 8.25). The public housing agency and jurisdiction can use the optional Priority Public Housing Needs Table (formerly Table 4) of the Consolidated Plan to identify priority public housing needs to assist in this process.

5 Year Strategic Plan Needs of Public Housing response:
The Housing Authority of Maricopa County (HAMC) administers the public housing and Section 8 subsidized housing programs for City of Surprise. Surprise' housing activities are planned and reported through the Maricopa Consortium Plan. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium for more information.

Public Housing Strategy (91.210)

1. Describe the public housing agency's strategy to serve the needs of extremely low-income, low-income, and moderate-income families residing in the jurisdiction served by the public housing agency (including families on the public housing and section 8 tenant-based waiting list), the public housing agency's strategy for addressing the revitalization and restoration needs of public housing projects within the jurisdiction and improving the management and operation of such public housing, and the public housing agency's strategy for improving the living environment of extremely low-income, low-income, and moderate families residing in public housing.

2. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake to encourage public housing residents to become more involved in management and participate in homeownership. (NAHA Sec. 105 (b)(11) and (91.215 (k))

3. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation. (NAHA Sec. 105 (g))

5 Year Strategic Plan Public Housing Strategy response:

1. **Not Applicable**
2. **Not Applicable**
3. **HAMC is not designated as a "troubled agency."**

Barriers to Affordable Housing (91.210 (e) and 91.215 (f))

1. Explain whether the cost of housing or the incentives to develop, maintain, or improve affordable housing are affected by public policies, particularly those of the local jurisdiction. Such policies include tax policy affecting land and other property, land use controls, zoning ordinances, building codes, fees and charges, growth limits, and policies that affect the return on residential investment.

2. Describe the strategy to remove or ameliorate negative effects of public policies that serve as barriers to affordable housing, except that, if a State requires a unit of general local government to submit a regulatory barrier assessment that is substantially equivalent to the information required under this part, as determined by HUD, the unit of general local government may submit that assessment to HUD and it shall be considered to have complied with this requirement.;

5 Year Strategic Plan Barriers to Affordable Housing response:

1.
While the city's housing supply is large enough to meet demand, there is a significant disconnect between the supply of housing units and the location, price, and quality of the housing units. The housing stock has been growing and stands at 52,384 units as of 2013. This includes single-family units, multi-family units and mobile homes. An average of 2511 units has been built each year from 2008 through 2013. The average household size is now 2.75. More than half of Surprise's housing stock was built after 2000.

The City of Surprise is recognized for its relative affordability. First time homebuyers have been able to purchase quality homes in master planned neighborhoods due to affordable pricing and homebuyer assistance programs. Monitoring housing affordability as the city matures will be important. The key is to ensure the widest range of housing supply possible to meet the needs of a growing city including low- and moderate-income households.

The main contributors to the cost of housing in Surprise are:

- **The cost of vacant land and built residential property.**
- **The lack of a supply of land available for residential development outside of master-planned communities.**
- **The lack of supply of a variety of housing.**
- **The lack of available credit for low- and moderate-income persons.**

The growth of Surprise over the last 15 years can only be described as extreme. Much of this development has been in master-planned subdivisions with high amenities and innovative development patterns. The city's development standards are strict enough to support long-term neighborhood quality in the intense Arizona sun. The result has been rapid increases in the cost of housing that has been exacerbated by the recent run-up in the value of resale housing in all of Maricopa County.

The following table, although not required, documents the city's standing pursuant to the April 21, 2004 Federal Register Notice on the Affordable Communities Initiative.

America's Affordable Communities Initiative	**U.S. Department of Housing and Urban Development**	OMB approval no. 2535-0120 (exp. 11/30/2014)

Public reporting burden for this collection of information is estimated to average 3 hours. This includes the time for collecting, reviewing, and reporting the data. The information will be used for encourage applicants to pursue and promote efforts to remove regulatory barriers to affordable housing. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

Questionnaire for HUD's Initiative on Removal of Regulatory Barriers

Part A. Local Jurisdictions. Counties Exercising Land Use and Building Regulatory Authority and Other Applicants Applying for Projects Located in such Jurisdictions or Counties

		1	2
1.	Does your jurisdiction's comprehensive plan (or in the case of a tribe or TDHE, a local Indian Housing Plan) include a "housing element? A local comprehensive plan means the adopted official statement of a legislative body of a local government that sets forth (in words, maps, illustrations, and/or tables) goals, policies, and guidelines intended to direct the present and future physical, social, and economic development that occurs within its planning jurisdiction and that includes a unified physical plan for the public development of land and water. If your jurisdiction does not have a local	☐ No	☒ Yes

	comprehensive plan with a "housing element," please enter no. If no, skip to question # 4.		
2.	If your jurisdiction has a comprehensive plan with a housing element, does the plan provide estimates of current and anticipated housing needs, taking into account the anticipated growth of the region, for existing and future residents, including low, moderate and middle income families, for at least the next five years?	☒ No	☐ Yes
3.	Does your zoning ordinance and map, development and subdivision regulations or other land use controls conform to the jurisdiction's comprehensive plan regarding housing needs by providing: a) sufficient land use and density categories (multifamily housing, duplexes, small lot homes and other similar elements); and, b) sufficient land zoned or mapped "as of right" in these categories, that can permit the building of affordable housing addressing the needs identified in the plan? (For purposes of this notice, "as-of-right," as applied to zoning, means uses and development standards that are determined in advance and specifically authorized by the zoning ordinance. The ordinance is largely self-enforcing because little or no discretion occurs in its administration.). If the jurisdiction has chosen not to have either zoning, or other development controls that have varying standards based upon districts or zones, the applicant may also enter yes.	☐ No	☒ Yes
4.	Does your jurisdiction's zoning ordinance set minimum building size requirements that exceed the local housing or health code or is otherwise not based upon explicit health standards?	☐ Yes	☒ No
5.	If your jurisdiction has development impact fees, are the fees specified and calculated under local or state statutory criteria? If no, skip to question #7. Alternatively, if your jurisdiction does not have impact fees, you may enter yes.	☐ No	☒ Yes
6.	If yes to question #5, does the statute provide criteria that sets standards for the allowable type of capital investments that have a direct relationship between the fee and the development (nexus), and a method for fee calculation?	☐ No	☒ Yes
7.	If your jurisdiction has impact or other significant fees, does the jurisdiction provide waivers of these fees for affordable housing?	☒ No	☐ Yes
8.	Has your jurisdiction adopted specific building code language regarding housing rehabilitation that encourages such rehabilitation through gradated regulatory requirements applicable as different levels of work are performed in existing buildings? Such code language increases regulatory requirements (the additional improvements required as a matter of regulatory policy) in proportion to the extent of rehabilitation that an owner/developer chooses to do on a voluntary basis. For further information see HUD publication: "*Smart Codes in Your Community: A Guide to Building Rehabilitation Codes*" (www.huduser.org/publications/destech/smartcodes.html)	☒ No	☐ Yes

9. Does your jurisdiction use a recent version (i.e. published within the last 5 years or, if no recent version has been published, the last version published) of one of the nationally recognized model building codes (i.e. the International Code Council (ICC), the Building Officials and Code Administrators International (BOCA), the Southern Building Code Congress International (SBCI), the International Conference of Building Officials (ICBO), the National Fire Protection Association (NFPA)) without significant technical amendment or modification. In the case of a tribe or TDHE, has a recent version of one of the model building codes as described above been adopted or, alternatively, has the tribe or TDHE adopted a building code that is substantially equivalent to one or more of the recognized model building codes? Alternatively, if a significant technical amendment has been made to the above model codes, can the jurisdiction supply supporting data that the amendments do not negatively impact affordability.	☐ No	☒ Yes
10. Does your jurisdiction's zoning ordinance or land use regulations permit manufactured (HUD-Code) housing "as of right" in all residential districts and zoning classifications in which similar site-built housing is permitted, subject to design, density, building size, foundation requirements, and other similar requirements applicable to other housing that will be deemed realty, irrespective of the method of production?	☒ No	☐ Yes
11. Within the past five years, has a jurisdiction official (i.e., chief executive, mayor, county chairman, city manager, administrator, or a tribally recognized official, etc.), the local legislative body, or planning commission, directly, or in partnership with major private or public stakeholders, convened or funded comprehensive studies, commissions, or hearings, or has the jurisdiction established a formal ongoing process, to review the rules, regulations, development standards, and processes of the jurisdiction to assess their impact on the supply of affordable housing?	☒ No	☐ Yes
12. *Within the past five years, has the jurisdiction initiated major regulatory reforms either as a result of the above study or as a result of information identified in the barrier component of the jurisdiction's "HUD Consolidated Plan?" If yes, attach a brief list of these major regulatory reforms.	☐ No	☒ Yes
13. Within the past five years has your jurisdiction modified infrastructure standards and/or authorized the use of new infrastructure technologies (*e.g.* water, sewer, street width) to significantly reduce the cost of housing?	☒ No	☐ Yes
14. Does your jurisdiction give "as-of-right" density bonuses sufficient to offset the cost of building below market units as an incentive for any market rate residential development that includes a portion of affordable housing? (As applied to density bonuses, "as of right" means a density bonus granted for a fixed percentage or number of additional market rate dwelling units in exchange for the provision of a fixed number or percentage of affordable dwelling units and without	☒ No	☐ Yes

the use of discretion in determining the number of additional market rate units.)		
15. Has your jurisdiction established a single, consolidated permit application process for housing development that includes building, zoning, engineering, environmental, and related permits? Alternatively, does your jurisdiction conduct concurrent, not sequential, reviews for all required permits and approvals?	☐ No	☒ Yes
16. Does your jurisdiction provide for expedited or "fast track" permitting and approvals for all affordable housing projects in your community?	☒ No	☐ Yes
17. Has your jurisdiction established time limits for government review and approval or disapproval of development permits in which failure to act, after the application is deemed complete, by the government within the designated time period, results in automatic approval?	☒ No	☐ Yes
18. Does your jurisdiction allow "accessory apartments" either as: a) a special exception or conditional use in all single-family residential zones or, b) "as of right" in a majority of residential districts otherwise zoned for single-family housing?	☒ No	☐ Yes
19. Does your jurisdiction have an explicit policy that adjusts or waives existing parking requirements for all affordable housing developments?	☒ No	☐ Yes
20. Does your jurisdiction require affordable housing projects to undergo public review or special hearings when the project is otherwise in full compliance with the zoning ordinance and other development regulations?	☐ Yes	☒ No
Total Points:	**10**	**10**

The questions above indicate that the city has reviewed policies and procedures and removed potential barriers when possible. The only barriers in the city that remain on the form above are due to their significant legal or financial costs.

2.
The City of Surprise has an active strategy to promote homeownership and the preservation and management of existing residential property. To offset the increasing cost of housing in the private market, the city has undertaken a number of strategies to preserve and develop new affordable housing. These strategies include:

1. **The use of general funds and HOME funds for the preservation of existing affordable owner-occupied housing.**
2. **Support of for-profit and nonprofit developers in the construction of Tax Credit assisted rental housing for families and seniors.**
3. **Development of Original Townsite Revitalization Plan which has already resulted in public investment in community facilities and infill construction of mixed income owner-occupied homes.**

HOMELESS

Homeless Needs (91.205 (b) and 91.215 (c))

*Please also refer to the Homeless Needs Table in the Needs.xls workbook

Homeless Needs— The jurisdiction must provide a concise summary of the nature and extent of homelessness in the jurisdiction, (including rural homelessness and chronic homelessness where applicable), addressing separately the need for facilities and services for homeless persons and homeless families with children, both sheltered and unsheltered, and homeless subpopulations, in accordance with Table 1A. The summary must include the characteristics and needs of low-income individuals and children, (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered. In addition, to the extent information is available, the plan must include a description of the nature and extent of homelessness by racial and ethnic group. A quantitative analysis is not required. If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates.

5 Year Strategic Plan Homeless Needs response:

City of Surprise' homeless needs and activities are planned and reported through the Maricopa Consortium Plan. See the 2015-2019 Consolidated Plan for the Maricopa HOME Consortium for a complete description of these activities. Additional information is provided below.

The Maricopa Association of Governments Continuum of Care Subcommittee (MAG CoC) is the regional body that manages the collaborative efforts of communities and agencies in Maricopa County to plan for the needs of the homeless and access federal funding on behalf of agencies organized to address those needs. According to the *'Regional Plan to End Homelessness'* published by MAG CoC in March 2009, there are no homeless persons in the city (*Table 7)*. However, the city did a Point in Time Homeless Street Count in January 2018 in conjunction with MAG and interviewed 39 homeless persons. The city will continue to do a periodic assessment of any new homeless person cases in the city and will act accordingly to mitigate the problems.

Table 7: Homeless Street Count

2011 Homeless Street Count
Municipal Summary Data
**All counts were conducted on Tuesday, January 25, 2011.*

MAG Region Totals	Non-Chronically Homeless Male	Non-Chronically Homeless Female	Non-Chronically Homeless Male Veteran	Non-Chronically Homeless Female Veteran	Chronically Homeless Male	Chronically Homeless Female	Chronically Homeless Male Veteran	Chronically Homeless Female Veteran	Person in Families Adult Women**	Persons in Families Adult Men	Families Adult Male Veteran	Families Adult Female Veteran	Persons in Families Children	Male Youth On Own	Female Youth on Own	2011 Municipal Total	2010 Municipal Total	Percent Change, NC=No Change
Avondale	0	0	0	0	7	3	1	0	0	0	0	0	0	0	0	**11**	20	-45%
Buckeye	11	3	1	0	1	1	2	0	0	0	0	0	0	0	0	**19**	15	27%
Carefree	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	0	NC
Cave Creek	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**2**	0	200%
Chandler	14	1	0	0	42	5	1	0	1	0	0	0	1	0	0	**65**	12	442%
El Mirage	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	**2**	3	-33%
Fountain Hills	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	0	NC
Gila Bend	2	1	0	0	8	1	1	1	0	0	0	0	0	0	0	**14**	12	17%
Gilbert	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	1	-100%
Glendale	9	5	1	0	16	6	5	0	0	0	0	0	0	0	0	**42**	28	50%
Goodyear	0	0	3	1	0	0	0	0	0	0	0	0	0	0	0	**4**	17	-76%
Guadalupe	52	1	0	0	5	0	0	0	0	0	0	0	0	0	0	**58**	80	-28%
Litchfield Park	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	0	NC
Mesa	9	2	1	0	60	18	12	0	0	0	0	0	0	0	0	**102**	461	-78%
Paradise Valley	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	0	NC
Peoria	4	0	2	0	7	0	5	0	0	0	0	0	0	0	0	**18**	20	-10%
Phoenix	424	118	83	22	302	60	58	24	1	3	0	0	2	42	20	**1159**	1750	-34%
Queen Creek	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**11**	8	38%
Scottsdale	57	7	1	0	38	12	3	0	0	0	0	0	0	1	0	**119**	126	-6%
Sun City	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	0	NC
Surprise	4	0	2	0	5	0	0	0	0	0	0	0	0	0	0	**11**	18	-39%
Tempe	23	9	2	0	50	13	15	0	0	0	0	0	0	0	0	**112**	155	-28%
Tolleson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	3	-100%
Wickenburg	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	0	NC
Youngtown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**	0	NC
Municipal Total	**622**	**148**	**96**	**23**	**542**	**119**	**103**	**25**	**2**	**3**	**0**	**0**	**3**	**43**	**20**	**1749**	**2729**	**-36%**

Priority Homeless Needs

1. Using the results of the Continuum of Care planning process, identify the jurisdiction's homeless and homeless prevention priorities specified in Table 1A, the Homeless and Special Needs Populations Chart. The description of the jurisdiction's choice of priority needs and allocation priorities must be based on reliable data meeting HUD standards and should reflect the required consultation with homeless assistance providers, homeless persons, and other concerned citizens regarding the needs of homeless families with children and individuals. The jurisdiction must provide an analysis of how the needs of each category of residents provided the basis for determining the relative priority of each priority homeless need category. A separate brief narrative should be directed to addressing gaps in services and housing for the sheltered and unsheltered chronic homeless.

2. A community should give a high priority to chronically homeless persons, where the jurisdiction identifies sheltered and unsheltered chronic homeless persons in its Homeless Needs Table - Homeless Populations and Subpopulations.

5 Year Strategic Plan Priority Homeless Needs response:

Priority Homeless Needs
The needs chart below is developed directly from the *'Regional Plan to End Homelessness'* published by MAG CoC in March 2009.

Table 8 **Part 1: Homeless Population**	Sheltered		Un-sheltered	Total
	Emergency	Transitional		
1. Homeless Individuals	0	0	0	0
2. Homeless Families with Children	0	0	0	0
2a. Persons in Homeless with Children Families	0	0	0	0
Total (lines 1 + 2a)	0	0	0	0

Part 2: Homeless Subpopulations	Sheltered	Un-sheltered	Total
1. Chronically Homeless	0	0	0
2. Severely Mentally Ill	0		
3. Chronic Substance Abuse	0		
4. Veterans	0		
5. Persons with HIV/AIDS			
6. Victims of Domestic Violence	0		
7. Youth (Under 18 years of age)			

Source: "***Regional Plan to End Homelessness",* MAG CoC, March 2009.**

The definitions used for emergency and transitional housing:

***Emergency Shelter* means any facility with the primary purpose of providing temporary housing for homeless people.**

***Transitional Housing* means any facility that has the goal of facilitating the movement of homeless people to permanent housing within 24 months.**

Homeless Inventory (91.210 (c))

The jurisdiction shall provide a concise summary of the existing facilities and services (including a brief inventory) that assist homeless persons and families with children and subpopulations identified in Table 1A. These include outreach and assessment, emergency shelters and services, transitional housing, permanent supportive housing, access to permanent housing, and activities to prevent low-income individuals and families with children (especially extremely low-income) from becoming homeless. The jurisdiction can use the optional Continuum of Care Housing Activity Chart and Service Activity Chart to meet this requirement.

5 Year Strategic Plan Homeless Inventory response:
The Table below documents the inventory of beds in the County from the Update to the MAG Continuum of Care Plan to End Homelessness and the inventory of beds in Surprise from local records.

Table 8 Inventory/Beds	Shelter	Transitional	Permanent Supportive
Maricopa County			
Total	2694	2999	2523
Surprise			
Eve's Place	10 beds		
Catholic Charities		3 units	
Central AZ Shelter Services	1260 nights		
Surprise Total	10 beds	3 units	50 units

Homeless Strategic Plan (91.215 (c))

1. Homelessness— Describe the jurisdiction's strategy for developing a system to address homelessness and the priority needs of homeless persons and families (including the subpopulations identified in the needs section). The jurisdiction's strategy must consider the housing and supportive services needed in each stage of the process which includes preventing homelessness, outreach/assessment, emergency shelters and services, transitional housing, and helping homeless persons (especially any persons that are chronically homeless) make the transition to permanent housing and independent living. The jurisdiction must also describe its strategy for helping extremely low- and low-income individuals and families who are at imminent risk of becoming homeless.

2. Chronic homelessness—Describe the jurisdiction's strategy for eliminating chronic homelessness by 2019. This should include the strategy for helping homeless persons make the transition to permanent housing and independent living. This strategy should, to the maximum extent feasible, be coordinated with the strategy presented Exhibit 1 of the Continuum of Care (CoC) application and any other strategy or plan to eliminate chronic homelessness. Also describe, in a narrative, relationships and efforts to coordinate the Conplan, CoC, and any other strategy or plan to address chronic homelessness.

3. Homelessness Prevention—Describe the jurisdiction's strategy to help prevent homelessness for individuals and families with children who are at imminent risk of becoming homeless.

4. Institutional Structure—Briefly describe the institutional structure, including private industry, nonprofit organizations, and public institutions, through which the jurisdiction will carry out its homelessness strategy.

5. Discharge Coordination Policy—Every jurisdiction receiving McKinney-Vento Homeless Assistance Act Emergency Shelter Grant (ESG), Supportive Housing, Shelter Plus Care, or Section 8 SRO Program funds must develop and implement a Discharge Coordination Policy, to the maximum extent practicable. Such a policy should include "policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons." The jurisdiction should describe its planned activities to implement a cohesive, community-wide Discharge Coordination Policy, and how

the community will move toward such a policy.

5 Year Homeless Strategic Plan response:
Since 39 persons were identified in the last Point in Time count (January 2018), the city will continue to do a periodic assessment of any new homeless person cases and will continue to connect people experiencing homelessness to local and regional services through the new Surprise Resource Center and beyond. A new five-year plan will be developed and implemented in coordination with the Continuum of Care within the next two years.

Emergency Shelter Grants (ESG)

(States only) Describe the process for awarding grants to State recipients, and a description of how the allocation will be made available to units of local government.

5 Year Strategic Plan ESG response:
This section is not applicable to this plan. Surprise does not receive Emergency Shelter Grant funding.

COMMUNITY DEVELOPMENT

Community Development (91.215 (e))

*Please also refer to the Community Development Table in the Needs.xls workbook

1. Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs Table (formerly Table 2B), – i.e., public facilities, public improvements, public services and economic development.

2. Describe the basis for assigning the priority given to each category of priority needs.

3. Identify any obstacles to meeting underserved needs.

4. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.

   NOTE: Each specific objective developed to address a priority need, must be identified by number and contain proposed accomplishments, the time period (i.e., one, two, three, or more years), and annual program year numeric goals the jurisdiction hopes to achieve in quantitative terms, or in other measurable terms as identified and defined by the jurisdiction.

5 Year Strategic Plan Community Development response:

1.
Based on feedback from citizens, city staff, CDBG and Planning and Zoning Commission members, five priority needs have been identified for

implementation under the CDBG funding that will benefit low- to moderate-income persons in the City of Surprise. They are:

a) **Youth, Senior and Veteran Programs.**
b) **Job training programs for residents in Surprise with focus on the OTS.**
c) **Water system improvements in the OTS.**
d) **Lighting improvements in the OTS.**
e) **City wide housing rehabilitation.**
f) **Public Service Activities through nonprofit agency(s). Fifteen percent of the allotted PY 2015 funding will be delineated for this activity.**

These projects are designated high priority in the following table. For the first time, the city will aim funds at public services and consider economic development activities per the public response that the city received from the survey as part of public participation process. Fifteen percentage of the allotted CDBG funding will be set aside for public service activities. The CDBG funds will be targeted to the Original Townsite Area under the area benefit caveat as this is the only place in the city with a census tract where majority of the population is either low or moderate income.

The City of Surprise will transfer Program Income in the amount of $206,373 from the Neighborhood Stabilization Program (NSP) into the CDBG program for the Annual Action Plan 4 2018-19. This transfer of funds constitutes a Consolidated Plan Amendment. The funding breakdown is listed below in Table 9.

Table 9:

Program year	Projects	Public Services (15% max.)	Administrative functions (20% max.)	Carried Over CDBG Funds	**Total**
2015-16	$551,309	$82,696	$110,261	$551,177	**$1,102,486**
2016-17	$358,352	$82,696	$110,261	-	**$551,309**
2017-18	$415,064	$95,784	$127,712	-	**$638,560**
2018-19 Transfer	$206,373	$N/A	$N/A	**-**	**$206,373**
2018-19	$443,627	$95,784	$127,712	**-**	**$667,123**
2019-20	$443,627	$95,784	$127,712	**-**	**$667,123**

Below is the community development needs table based on funding projections and prioritized needs for the next five years:

	Table 10: **Community Development Needs**	Needs	Priority Need: H, M, L	Dollars to Address- Specifically planned for this Strategic Plan	Plan to Fund? Y/N	Fund Source	Objective	Outcome
Public Fac / Improvements	03 Public Facilities and Improvements (General) 570.201I	Yes – 5 Years	H	$206,373	Y	NSP - CDBG	Suitable Living Environment	Sustain-ability
	03F Parks, Recreational Facilities 570.201I	Yes	H		N	CDBG	Suitable Living Environment	Sustain-ability
	03J Water/Sewer Improvements 570.201I	Yes	H	1,369,000	Y	CDBG	Suitable Living Environment	Sustain-ability
	03K Street Improvements 570.201I	Yes- Jerry Street Year 1 and 2	H	$141,250	Y	CDBG/other	Suitable Living Environment /Economic Dev.	Sustain-ability
	03I Flood Drain Improvements 570.201I	Yes 3 locations	H	$100,000	Y	CDBG	Suitable Living Environment	Sustain-ability
	03O Fire Stations/Equipment 570.201I	No	L		Y	General	Suitable Living Environment	Sustain-ability
	03A Senior Centers 570.201I	Yes	H	$50,000	Y	General	Suitable Living Environment	Sustain-ability
	03B Handicapped Centers 570.201I	Yes	L	$10,000	N	CDBG/other	Suitable Living Environment	Sustain-ability
	03C Homeless Facilities 570.201I	Yes	H	$10,000	Y	CDBG	Suitable Living Environment	Sustain-ability
	03D Youth Centers 570.201I	Yes	H	$26,000	Y	CDBG	Suitable Living Environment	Sustain-ability
	03P Health Facilities 570.201I	Yes	H		N	Unknown	Suitable Living Environment	Sustain-ability
Public Services	05 Public Services (General) 570.201(e)	Yes; 5 Years	H	$419,331	Y	CDBG	Suitable Living Environment	Sustain-ability
	05A Senior Services 570.201(e)	Yes	H		Y	CDBG	Suitable Living Environment	Sustain-ability
	05B Handicapped Services 570.201(e)	Yes	H		Y	General	Suitable Living Environment	Sustain-ability
	05D Youth Services 570.201(e)	Yes; Year1-5	H	$270,498	Y	CDBG/other	Suitable Living Environment /Economic Dev.	Sustain-ability
	05E Transportation Services 570.201(e)	Yes	H		Y	General	Suitable Living Environment	Sustain-ability

	05G Battered and Abused Spouses 570.201(e)	Yes	H		Y	CDBG	Suitable Living Environment	Sustain-ability
	05H Employment Training 570.201(e)	Yes	H		Y	CDBG	Suitable Living Environment	Sustain-ability
	05J Fair Housing Activities (if CDBG, then subject to 570.201(e)	Yes	H	$15,000	Y	CDBG	Suitable Living Environment	Sustain-ability
	05M Health Services 570.201(e)	Yes	H		Y	Other	Suitable Living Environment	Sustain-ability
	05N Abused and Neglected Children 570.201(e)	Yes	H		Y	CDBG	Suitable Living Environment	Sustain-ability
	05P Screening for Lead-Based Paint/Lead Hazards Poison 570.201(e)	Yes	M		Y	CDBG/HOME	Suitable Living Environment	Sustain-ability
	05Q Subsistence Payments 570.204 (Temporary)	Yes	H			General	Suitable Living Environment	Sustain-ability
	05S Rental Housing Subsidies (if HOME, not part of 5% 570.204	Yes	H		N	Section 8 Vouchers	Suitable Living Environment	Sustain-ability
	05T Security Deposits (if HOME, not part of 5% Admin c	Yes	H		Y	Private	Suitable Living Environment	Sustain-ability
13 Direct Homeownership Assistance 570.201(n)		Yes	H		Y	HOME/NSP	Decent Housing	Affordability
	14A Rehab; Single-Unit Residential 570.202	Yes; 25 homes; Year 1-5	H	$667,250	Y	CDBG/HOME /other	Decent Housing	Affordability
	14B Rehab; Multi-Unit Residential 570.202	Yes	H		Y	HOME	Decent Housing	Affordability
	14G Acquisition – for Rehabilitation 570.202	Yes	H		Y	HOME	Decent Housing	Affordability
	14H Rehabilitation Administration 570.202	Yes	H		Y	CDBG	Decent Housing	Affordability
	14I Lead-Based/Lead Hazard Test/Abate 570.202	Yes	H		Y	CDBG/HOME	Decent Housing	Affordability
	17A CI Land Acquisition/Disposition 570.203(a)	Yes	H		Y	CDBG	Decent Housing	Affordability
	19A HOME Admin/Planning Costs of PJ (not part of 5% Ad	Yes	H		Y	HOME		
	19B HOME CHDO Operating Costs (not part of 5% Admin ca	Yes	H		Y	HOME		
20 Planning 570.205		Yes	Yes		Y	CDBG		
	21A General Program Administration 570.206	Yes; 5 years	H	$406,873	Y	CDBG/HOME		
	21D Fair Housing Activities (subject to 20% Admin cap) 570.206	Yes	H		Y	CDBG	Suitable Living Environment	Sustain-ability
	21I HOME CHDO Operating Expenses (subject to 5% cap)	0	M		Y	HOME		
22 Unprogrammed Funds		0				CDBG		

All of the stated priorities and needs are subject to amendment and change due to:

- **Changes in regulatory requirements at the local, state, and federal level that impact the priorities, funding, and delivery of services;**
- **Changing demographics and socio-economic factors affecting the city;**
- **Annual reevaluations of resources, priorities, objectives, strategies and goals for the city; and**
- **Changes in the funding resources and amounts available for programs and services for city residents.**

2.
Priority needs for CDBG eligible activities have been assessed using the following resources:

- **Citizens and city staff input through surveys, interviews AND Public Hearings;**
- **The City of Surprise Capital Improvement Plan;**
- **The City of Surprise General Plan;**
- **Activity and project needs assessments; and**
- **Planning and Zoning Commission**
- **Local information from the Maricopa HOME Consortium and MAG CoC.**

The primary objective of the City of Surprise CDBG program is to foster the development, revitalization, and preservation of neighborhoods to provide decent housing, a suitable living environment, and expanded economic opportunities, especially for low- and moderate-income persons in the OTS area of Surprise.

3.
Funding Future
One of the main obstacles to meeting community needs is inadequate resources for programs. The decline in resources across sectors, including government agencies and foundations, due to the economic downturn has negatively impacted the quantity and quality of housing and community development services. Although federal stimulus funding helps mitigate this trend to some extent, resources for these programs will likely be limited for the near future.

Other obstacles to meeting underserved include:

a) Insufficient resources to meet all of the legitimate and eligible needs identified.
b) Private ownership of incompatible land uses within the revitalization area.
c) Public ownership of the water system in the revitalization area by another municipality.
d) Environmental issues related to the location of Grand Avenue, the railroad, and Luke Airforce Base.

Antipoverty Strategy (91.215 (h))

1. Describe the jurisdiction's goals, programs, and policies for reducing the number of poverty level families (as defined by the Office of Management and Budget and revised annually). In consultation with other appropriate public and private agencies, (i.e. TANF agency) state how the jurisdiction's goals, programs, and policies for producing and preserving affordable housing set forth in the housing

component of the consolidated plan will be coordinated with other programs and services for which the jurisdiction is responsible.

2. Identify the extent to which this strategy will reduce (or assist in reducing) the number of poverty level families, taking into consideration factors over which the jurisdiction has control.

5 Year Strategic Plan Antipoverty Strategy response:

1.
The City of Surprise Anti-Poverty Strategy is to help people to move out of poverty through emergency stabilization actions with local non-profits and Community Housing Development Corporations that include:

- **Intake and case management.**
- **Utility assistance.**
- **Emergency mortgage/rent assistance.**

The long-term actions include:

- **Operation and capital costs for organizations that provide job training, self sufficiency, and other counseling and planning services for homeless or at-risk persons. CDBG public service funding would be targeted for this action.**
- **After school and other youth programs that help at-risk youth that provide positive role models and promote healthy lifestyles.**
- **Information and referral services on job training, small business, and similar programs.**
- **Counseling and downpayment assistance for low- and moderate-income first-time homebuyers.**
- **Limited emergency assistance for low- and moderate-income persons at risk of becoming homeless to help them maintain their current housing and not become dependent on more costly outside services.**

These programs are provided locally and regionally. They all support the broad goal of helping prevent or end homelessness by promoting self-sufficiency. CDBG and HOME funds will be available to fund these activities.

2.
A number of residents will experience improved economic conditions over the next five years but the number of households that will move out of poverty is expected to be relatively small.

Low Income Housing Tax Credit (LIHTC) Coordination (91.315 (k))

1. (States only) Describe the strategy to coordinate the Low-income Housing Tax Credit (LIHTC) with the development of housing that is affordable to low- and moderate-income families.

5 Year Strategic Plan LIHTC Coordination response:

Not Applicable.

NON-HOMELESS SPECIAL NEEDS

Specific Special Needs Objectives (91.215)

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve over a specified time period.

2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the strategic plan.

5 Year Non-homeless Special Needs Analysis response:

1.
The City of Surprise has included public service activities through CDBG funding to benefit low- and moderate-income residents in the city. The top priorities for the next five years as per the survey feedback are:

- **Neighborhood improvement services**
- **Youth activities**
- **Senior activities**
- **Veteran services**
- **Job training activities**
- **Affordable Housing**

For the program year 2015-16, the city will be targeting the delineated CDBG public service funds for emergency food boxes, services for youth, seniors, homeless individuals and families and veterans through nonprofit organizations.

2.
Due to the economic downturn, no city general revenue will be allotted to these services at this time. Other funding from state and federal sources will be requested as feasible.

Non-homeless Special Needs (91.205 (d) and 91.210 (d)) Analysis (including HOPWA)

*Please also refer to the Non-homeless Special Needs Table in the Needs.xls workbook.

1. Estimate, to the extent practicable, the number of persons in various subpopulations that are not homeless but may require housing or supportive services, including the elderly, frail elderly, persons with disabilities (mental, physical, developmental, persons with HIV/AIDS and their families), persons with alcohol or other drug addiction, victims of domestic violence, and any other categories the jurisdiction may specify and describe their supportive housing needs. The jurisdiction can use the Non-Homeless Special Needs Table (formerly Table 1B) of their Consolidated Plan to help identify these needs.

*Note: HOPWA recipients must identify the size and characteristics of the population with HIV/AIDS and their families that will be served in the metropolitan area.

2. Identify the priority housing and supportive service needs of persons who are not homeless but may or may not require supportive housing, i.e., elderly, frail elderly, persons with disabilities (mental, physical, developmental, persons with HIV/AIDS and their families), persons with alcohol or other drug addiction by using the Non-homeless Special Needs Table.

3. Describe the basis for assigning the priority given to each category of priority needs.

4. Identify any obstacles to meeting underserved needs.

5. To the extent information is available, describe the facilities and services that assist persons who are not homeless but require supportive housing, and programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing.

6. If the jurisdiction plans to use HOME or other tenant based rental assistance to assist one or more of these subpopulations, it must justify the need for such assistance in the plan.

5 Year Non-homeless Special Needs Analysis response:

The estimate of need in the following chart is based on national population studies and is taken from the Maricopa HOME Consortium Strategic Plan. The estimated number of people in Surprise for each need category is determined by multiplying the category's county population by the percentage of Surprise population that is in the Maricopa County- 3%.

Table 11:

Special needs populations identified here are ranked as high priority for Consolidated Planning Purposes but may not necessarily be funded through CDBG/HOME	Population count for Maricopa County	Data Sources	Population count proportional to the City of Surprise-3%	Types of supportive services needed by this population	Identified funding gap in services	Identified sources of service for this population
Elderly	537,261	2010 Census	16,117	Case management, Befriending services, Counseling, Adult day care, Home Care Home delivered meals	Area Agency on Aging Study in 2013 indicated current funding serves about one third of need.	Area Agency on Aging, Maricopa County Special Transportation Services, AHCCCS, Community Action Program
Frail elderly	91,937	*Area of Agency on Aging 2013*	2758	Case management, Befriending services, Counselling, Adult day care, Home care, Home delivered meals, Help service, Nursing/ medical services	Area Agency on Aging Study in 2013 indicated current funding serves about one third of need.	Area Agency on Aging, Senior Adult Independent Living (SAIL), Arizona Long Term Care System, AHCCCS
Persons with severe mental illness	134,315	*Mental Health: Heath Service Executive*	4029	Outreach and identification, Treatment, Health care, Income support, Rehabilitation services		AHCCCS
Developmentally disabled persons	80,188	*Bethesda Institute 2006*	723	Assistive technology, Employment and training, Information and referral, Transportation, Caregiver respite	Area Agency on Aging Study in 2013 indicated current funding serves about one third of need.	The Centers for Habilitation, Arizona Bridge to Independent Living, Maricopa County Special Transportation Services, AHCCCS

Special needs populations identified here are ranked as high priority for Consolidated Planning Purposes but may not necessarily be funded through CDBG/HOME	Population count for Maricopa County	Data Sources	Population count proportional to the City of Surprise-3%	Types of supportive services needed by this population	Identified funding gap in services	Identified sources of service for this population
Physically disabled persons	469,101	Disabilitystatistics.org 2012	14,073	Assistive technology, Employment and training, Information and referral, Transportation, Caregiver respite	Area Agency on Aging Study in 2013 indicated current funding serves about one third of need.	Arizona Technology Access Program, Easter Seals, Southwest Human Development, Arizona Center for the Blind and Visually Impaired, Valley Center for the Deaf, Arizona Commission for the Deaf and Hard of Hearing, Arizona Bridge to Independent Living, Maricopa County Special Transportation Services, AHCCCS
Alcohol/drug addicted persons	400,941	Closing the Addiction Treatment Gap (CATG) 2010	12,028	Monitoring, Screening, Information and referral, Detox medication, Education, Self-help groups		CDBG, AHCCCS

Special needs populations identified here are ranked as high priority for Consolidated Planning Purposes but may not necessarily be funded through CDBG/HOME	Population count for Maricopa County	Data Sources	Population count proportional to the City of Surprise-3%	Types of supportive services needed by this population	Identified funding gap in services	Identified sources of service for this population
Persons with HIV/AIDS and their families	10200	Arizona Dept. of Health Services 2012 Annual Report	306	Case management, Emergency financial assistance, Food, Transportation, Early intervention, Education, Wellness and nutrition		CDBG, Maricopa County Health Department, Ryan White, AHCCCS

Housing Opportunities for People with AIDS (HOPWA)

*Please also refer to the HOPWA Table in the Needs.xls workbook.

1. The Plan includes a description of the activities to be undertaken with its HOPWA Program funds to address priority unmet housing needs for the eligible population. Activities will assist persons who are not homeless but require supportive housing, such as efforts to prevent low-income individuals and families from becoming homeless and may address the housing needs of persons who are homeless in order to help homeless persons make the transition to permanent housing and independent living. The plan would identify any obstacles to meeting underserved needs and summarize the priorities and specific objectives, describing how funds made available will be used to address identified needs.

2. The Plan must establish annual HOPWA output goals for the planned number of households to be assisted during the year in: (1) short-term rent, mortgage and utility payments to avoid homelessness; (2) rental assistance programs; and (3) in housing facilities, such as community residences and SRO dwellings, where funds are used to develop and/or operate these facilities. The plan can also describe the special features or needs being addressed, such as support for persons who are homeless or chronically homeless. These outputs are to be used in connection with an assessment of client outcomes for achieving housing stability, reduced risks of homelessness and improved access to care.

3. For housing facility projects being developed, a target date for the completion of each development activity must be included and information on the continued use of these units for the eligible population based on their stewardship requirements (e.g. within the ten-year use periods for projects involving acquisition, new construction or substantial rehabilitation).

4. The Plan includes an explanation of how the funds will be allocated including a description of the geographic area in which assistance will be directed and the rationale for these geographic allocations and priorities. Include the name of each project sponsor, the zip code for the primary area(s) of planned activities, amounts committed to that sponsor, and whether the sponsor is a faith-based and/or grassroots organization.

5. The Plan describes the role of the lead jurisdiction in the eligible metropolitan statistical area (EMSA), involving (a) consultation to develop a metropolitan-wide strategy for addressing the needs of persons with HIV/AIDS and their families living throughout the EMSA with the other jurisdictions within the EMSA; (b) the standards and procedures to be used to monitor HOPWA Program activities in order to ensure compliance by project sponsors of the requirements of the program.

6. The Plan includes the certifications relevant to the HOPWA Program.

5 Year Strategic Plan HOPWA response:

This section is not applicable to this plan. Surprise does not receive HOPWA funding.

Specific HOPWA Objectives

1. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the strategic plan.

5 Year Specific HOPWA Objectives response:

This section is not applicable to this plan. Surprise does not receive HOPWA funding.

OTHER NARRATIVE

Include any Strategic Plan information that was not covered by a narrative in any other section.

Fair Housing Policies
The City of Surprise continues to be committed to fair housing and to eliminate discrimination in the city. The city completed an Analysis of Impediments to Fair Housing Choice in 2012. Major points from the plan include:

Table 12: **Fair Housing Plan 2012-17**

IMPEDIMENT TO BE ADDRESSED	GOAL	STRATEGY TO MEET THE GOAL	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	PROPOSED INVESTMENT	PERFORMANCE MEASURE
Lack of diversity in many Census Tracts	Opportunities for diverse populations to choose	Continue to engage the real estate community in	Fair Housing Coordinator, 2015	Staff time	Number of meetings initiated

IMPEDIMENT TO BE ADDRESSED	GOAL	STRATEGY TO MEET THE GOAL	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	PROPOSED INVESTMENT	PERFORMANCE MEASURE
	places to live throughout the community	increasing opportunities for greater diversity in neighborhoods. Become a participant in the Arizona Fair Housing Partnership.	Fair Housing Coordinator, 2015		Number of meetings attended
High denial rates for Black/African Americans in CT 405.11	Equal access to credit and mortgages throughout the community	Engage the services of one of the fair housing services to provide paired test to assess whether minorities are treated with different terms and conditions.	Neighborhood Services, within the next five years.	$5,000	Number of tests performed
Lack of affordable rental housing has a disproportionate impact on single female heads of households with children.	Opportunities for parents who become single to find places to live in the community.	Develop an IGA with the Housing Authority of Maricopa County to formalize the operating relationship with the agency. Seek additional resources to facilitate development of affordable rental housing.	Neighborhood Services Department, within the next 24 months. Neighborhood Services	Staff time Indirect, in that funding would actually come from other sources.	IGA executed Additional affordable units constructed for families.
Lack of knowledge about fair housing rights and how to file a fair housing complaint.	An increase in people's knowledge of fair housing rights.	Facilitate and/or participate in fair housing training for City staff, real estate professionals and citizens.	Fair Housing Coordinator	Staff time and incidental costs related to speakers and sessions.	Sessions provided
Lack of fair housing infrastructure required as part of the CDBG Certification to Affirmatively Further Fair Housing.	Compliance with the CDBG Certification to Affirmatively Further Fair Housing	Modify the Fair Housing page on the City website to access directly HUD and the Attorney General's fair housing web sites. Develop a data	Neighborhood Services and the City's web manager Fair Housing Coordinator and	Staff time	New information available A new useable database

IMPEDIMENT TO BE ADDRESSED	GOAL	STRATEGY TO MEET THE GOAL	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	PROPOSED INVESTMENT	PERFORMANCE MEASURE
		base that can be used by both the Fair Housing Coordinator and the ADA Coordinator to record, identify and track resolution when fair housing complaints and inquiries come to the City. Develop a grievance procedure for Section 504 complaints. Such a procedure may also be used for other types of complaints related to federal grants administration. Update the AI periodically as new information is available from the Census or other sources which makes an update appropriate.	ADA Coordinator. Fair Housing Coordinator and City Attorney Neighborhood Services		A formal administrative grievance procedure Periodic updates to the AI

Area of Minority Concentration

Surprise has one area of minority concentration. The Hispanic population makes up 18.5% of Census Tract 608 and totals 22,856 residents as per census 2010. This census tract includes all the Original Townsite and is the only low- and moderate-income census tract in the community. All area benefit activities included in the 5 Year Strategic Plan will take place in this area. The city has a Council appointed, the Planning and Zoning Commission, which monitor the implementation of the Specific Plan for the Revitalization of the Original Townsite. Resources recommended by these boards include CDBG funds and general funds set aside for the revitalization of the OTS. In addition, many direct benefit recipients of housing rehabilitation assistance are residents of this neighborhood. The commitment of facilities and resources to this neighborhood is substantial.

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: CDBG Consolidated Plan 2015-2019

OVERALL PUBLIC INVOLVEMENT LEVEL:

Public Hearing on 8/2/18 (P & Z Meeting) and 9/4/18 Council Meeting. 30 day Public comment period (7/19/18 - 8/19/18) for draft Consolidated Plan Amendment.

IDENTIFY STAKEHOLDERS:

OTS residents/property owners, public service nonprofits, City of Surprise staff Public Works, Community Development, Economic Development and Human Services.

OBJECTIVES:

Create viable neighborhoods, provide decent, safe and affordable housing;Low to moderate income resident job creation; provide services to those with special needs

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when) Public Hearings 8/2 & 9/4/18, 30 day public comment
Future Council Work Session/Meetings target dates
Election dates (if applicable)
Project start/completion dates 10/2018

Communication Tools and Technique options: (which do you plan to use?)

- ☑ Press releases
- ☑ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☑ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☑ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☐ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☑ Website updates

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Seth Dyson, HSCV, Director
Submitting Department:	Human Service & Community Vitality	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion

Agenda Wording:

Consideration and action pertaining to an amendment to the Fiscal Year 2019 budget by reallocating appropriations of $693,800 from the Grants Contingency Fund to the Neighborhood Stabilization Program (NSP) 1 and NSP3, in the amount of $625,400 and $68,400 respectively; and $206,400 from the NSP1 to the Community Development Block Grant within the Neighborhood Revitalization Fund to support neighborhood improvements surrounding the Housing Authority of Maricopa County's multi-family project in the city's heritage district; Resolution #2018-134.

Motion:

I move to approve Resolution #2018-134.

Background:

The City of Surprise has identified unobligated grant funds for the NSP 1 and NSP 3 programs. The city's proposal is to utilize these funds to support affordable housing projects, relocation of a youth ball field, administration, and affordable housing acquisition, rehabilitation and new construction.

Objective Analysis:

This action allows HSCV to fund needed neighborhood improvements, administration, and affordable housing projects through the plan amendment.

Policy Compliant:

The agenda item falls within Council and City policy.

Financial Impact:

This action allows the NSP 1 and 3 programs to be fully funded.

Budget Impact:

The FY2019 budget was adopted but did not include original remaining grant award funding from NSP1

in the amount of $625,340.74 or NSP3 in the amount of $68,369.77. Appropriations of $625,400 will be moved from Contingency within the Grants Fund to the Neighborhood Stabilization Grant 1 and appropriations of $68,400 will be moved from Contingency within the Grants fund to the Neighborhood Stabilization Grant 3. A budget amendment to reallocate appropriations of $206,400 from the NSP1 Program Income to the Community Development Block Grant within the Neighborhood Revitalization Fund to support neighborhood improvements surrounding the Housing Authority of Maricopa County's multi-family project for supportive housing in the City's Heritage District and an amendment to reallocate appropriations from NSP3 Program income to NSP3 Administration and $15,000 from the NSP3 Program Income to NSP3 Administration for efficiency in tracking and drawdown purposes.

FTE Impact:

There is no FTE impact as a result of this agenda item.

ATTACHMENTS:

Click to download

- Resolution 2018-134

RESOLUTION # 2018-134

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2019 BUDGET BY REALLOCATING APPROPRIATIONS OF $693,800 FROM THE GRANTS CONTINGENCY FUND TO THE NEIGHBORHOOD STABILIZATION PROGRAM 1, IN THE AMOUNT OF $625,400, AND THE NEIGHBORHOOD STABILIZATION PROGRAM 3, IN THE AMOUNT OF $68,400. $206,400 FROM THE NEIGHBORHOOD STABILIZATION PROGRAM 1 TO THE COMMUNITY DEVELOPMENT BLOCK GRANT WITHIN THE NEIGHBORHOOD REVITALIZATION FUND TO SUPPORT NEIGHBORHOOD IMPROVEMENTS SURROUNDING THE HOUSING AUTHORITY OF MARICOPA COUNTY'S MULTI-FAMILY PROJECT FOR SUPPORTIVE HOUSING IN THE CITY'S HERITAGE DISTRICT. $15,000 FROM NEIGHBORHOOD STABILIZATION PROGRAM 3 PROGRAM INCOME TO NEIGHBORHOOD STABILIZATION PROGRAM 3 ADMINISTRATION.

WHEREAS, the FY2019 budget was adopted but did not include original remaining grant award funding from Neighborhood Stabilization Program 1 (NSP1, Grant # B-08-MN-04-0506) in the amount of $625,340.74 or Neighborhood Stabilization Program 3 (NSP3, Grant # B-11-MN-04-0506) in the amount of $68,369.77*;*

WHEREAS, appropriation of $625,340.74 will be moved from Contingency within the Grants Fund to the Neighborhood Stabilization Grant 1 and appropriations of $68,369.77 will be moved from Contingency within the Grants fund to the Neighborhood Stabilization Grant 3;

WHEREAS, the FY2019 adopted budget included Program Income from NSP1 in the amount of $369,073.67. Program income funds are available as a result of earned but unused Program Income through the sale of NSP homes during the term of these programs;

WHEREAS, on November 21, 2017, the Department of Housing and Urban Development (HUD) approved a transfer of program income from NSP1, up to $369,073.67 to fund an eligible Community Development Block Grant project;

WHEREAS, a budget amendment to reallocate appropriations of $206,373 from the NSP1 Program Income to the Community Development Block Grant within the Neighborhood Revitalization Fund to support neighborhood improvements surrounding the Housing Authority of Maricopa County's multi-family project for supportive housing in the City's Heritage District;

WHEREAS, a budget amendment to reallocate appropriations of $15,000 from the Neighborhood Stabilization Program 3 Program Income to the Neighborhood Stabilization Program 3 Administration in order for efficiency in tracking and draw down purposes;

WHEREAS, the FY2019 budget was adopted by Council Resolution #2018-78 on June 5, 2018;

WHEREAS, this action will necessitate a budget amendment; and

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

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

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2018 through June 30, 2019.

APPROVED AND ADOPTED this _____day of _____, 2018.

Sharon R. Wolcott, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

RESOLUTION # 2018-134
Exhibit A

1. Appropriation - The allocations below represent a reallocation of appropriations in the amount of $693,800 from the Grants Contingency Fund to the Neighborhood Stabilization Program 1 in the amount of $625,400, the Neighborhood Stabilization Program 3 in the amount of $68,400. $206,400 from the Neighborhood Stabilization Program 1 to the Community Development Block Grant within the Neighborhood Revitalization Fund. $15,000 from the Neighborhood Stabilization Program 3 Program Income to the Neighborhood Stabilization Program 3 Administration. These allocations are necessary in order to support neighborhood improvements surrounding the Housing Authority of Maricopa County's multi-family project for supportive housing in the city's Heritage District and for efficiency in tracking and draw down purposes. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority. Additionally, these allocations do not increase or decrease the total budget.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51341 NSP 1 - Original Grant	E	-	625,400	625,400
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51341 NSP 1 - Original Grant	R	-	625,400	625,400
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51361 NSP 3 - Original Grant	E	-	68,400	68,400
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51361 NSP 3 - Original Grant	R	-	68,400	68,400
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51350 NSP 1 Program Income	E	369,100	(206,400)	162,700
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51670 FFY18 CDBG Neighborhood Improvement	E	284,000	206,400	490,400
Grants	General Operations	Other	R	22,345,500	(693,800)	21,651,700
Grants	General Operations	Contingency	E	22,345,500	(693,800)	21,651,700
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51370 NSP 3 Program Income	E	761,600	(15,000)	746,600
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51370 NSP 3 Program Income	R	761,600	(15,000)	746,600
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51360 NSP3 Adminstration	E	-	15,000	15,000
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51360 NSP3 Adminstration	R	-	15,000	15,000
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51350 NSP 1 Program Income	R	369,100	(206,400)	162,700
Neighborhood Revitalization	Human Svcs and Comm Vitality	#G51670 FFY18 CDBG Neighborhood Improvement	R	284,000	206,400	490,400
		Expense Total		**23,760,200**	**-**	**23,760,200**
		Revenue Total		**23,760,200**	**-**	**23,760,200**

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	James Jackson, Police Department
Submitting Department:	Police	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of an amendment to Chapter 10, Article II, Division 2, Section 10-82 regarding confinement of animals and clarify its application; Ordinance #2018-06.

Motion:

I move to approve Ordinance #2018-06.

Background:

The City desires to amend Chapter 10, Article II, Division 2, Section 10-82 Confining Animals in order to clarify the city code provisions for confining animals. The ordinance penalizes unsafe and unhealthy practices and highlights conditions such as temperature, access to food and water, and tethering which impact animal health and safety. The ordinance includes provisions for severability, to establish an effective date, and to repeal conflicting ordinances.

Objective Analysis:

The ordinance amendment will provide better guidance for our citizens as they pursue the safe and healthy confinement of animals and discourage conduct and actions that do not lead to a safe and healthy result. The additional guidance will also assist our police department personnel as they provide guidance and perform enforcement relative to the confinement of animals.

Policy Compliant:

This amendment is compliant with City and Council Policy as it encourages the safe and healthy treatment of animals and also providing clear guidance to citizens so the citizens can conform their behavior to expected standards.

Financial Impact:

None; this amendment is for the purpose of providing better guidance to the citizens and our police department personnel.

Budget Impact:

None; this amendment is for the purpose of providing better guidance to the citizens and our police department personnel.

FTE Impact:

This item does not impact the overall full-time equivalent count.

ATTACHMENTS:

Click to download

- Ordinance 2018-06 Confining Animals
- Presentation -- Ordinance 2018-06 Confining Animals

ORDINANCE 2018-06

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 10, ARTICLE II, DIVISION 2, SECTION 10-82 CONFINING ANIMALS TO CLARIFY ITS APPLICATION; INCLUDING SEVERABLITY; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, the confining of animals in a safe and healthy manner is an issue of concern to the community; and

WHEREAS, the City wants to encourage the safe and healthy confining of animals and discourage conduct and actions that do not lead to that result.

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

Section 1. Chapter 10 Article II. Division 2, Section 10-82 of the Surprise Municipal Code is hereby amended as described on attached Exhibit A, and incorporated by this reference.

Section 2. All ordinances, resolutions or codes in conflict with the provisions of this Ordinance or Code adopted by this Ordinance are repealed.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of these amendments to the municipal code adopted herein is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision will not be read to affect the validity of the remaining portions thereof.

Section 4. This ordinance will become effective at the time and manner prescribed by law.

PASSED AND ADOPTED this _____ day of _____, 2018.

Sharon R. Wolcott, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

EXHIBIT A
AMENDMENT OF SURPRISE MUNICIPAL CODE SECTION 10-82

Section 1. The existing Title 10, Article II, Division 2, Section 10-82 of the Surprise Municipal Code is deleted in its entirety and replaced by the following:

Sec. 10-82. - Confining animals.

A. No person shall place, confine or allow to be placed or confined an animal:
    1. In conditions that endanger the health or well-being of the animal due to the elements or lack of food or water; or
    2. In circumstances as may reasonably be expected to cause suffering, disability, injury or death to the animal.
B. Conditions identified in subsection A of this section can include, but are not limited to:
    1. Inadequate shelter;
    2. A motor vehicle unprotected from heat or cold which could cause serious physical injury or death to an animal; and,
    3. The bed of a truck, unprotected from inclement weather.
    4. Restrain a dog outside either by exposing it to extreme weather conditions or by use of a restraint that unreasonably limits the dog's movement. A restraint unreasonably limits a dog's movement if the restraint falls into any of the following categories:
        i. Uses a collar that is not properly fitted to the dog;
        ii. Places the dog in unsafe or unsanitary conditions;
        iii. Causes injury to the dog; or
        iv. Does not permit the dog access to food, water, shade, dry ground or shelter.
C. The term "shelter" as used in this section shall mean a structure which meets all of the following:
    1. Is safe and protects each animal from the elements to include, but not be limited to, rain, hail, direct sunlight, heat and cold;
    2. Is properly cleaned;
    3. Enables each animal to be clean and dry;
    4. For dogs, provides a solid surface, resting platform, pad, floor mat, or similar device that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner; for cats that are sheltered, the same requirements.

Confining Animals

New Surprise Municipal Code §10-82

Current State Law

- A. A person commits cruelty to animals if the person does any of the following:
- 1. Intentionally, knowingly or recklessly subjects any animal under the person's custody or control to cruel neglect or abandonment.

Current State Law (cont.)

- 4. Recklessly subjects any animal to cruel mistreatment.
- 7. Intentionally, knowingly or recklessly leaves an animal unattended and confined in a motor vehicle and physical injury to or death of the animal is likely to result.

Current SMC §10-82

No person shall place or confine an animal or allow an animal to be placed or confined in a motor vehicle, on the bed of a truck that is unprotected from heat, or other enclosed space and *under such conditions for any such period of time that will endanger the health or well-being of the animal due to heat, lack of food or water, or other circumstances as may reasonably be expected to cause suffering, disability, or death to the animal*. (Italics added)

Expanded Guidance

- Desire to provide more explicit guidelines for Confinement, Restraint and Shelter
- First, Confinement should not endanger the health or well being of the animal
  - Allows the animal access to food and water
  - Provides protection from inclement weather
  - Provides an area that is sanitary

Restraint

- Properly fitted collars
- Tether cannot cause injury to the animal
- Tether allows the animal access to food, water, shade, dry ground and shelter

Shelter

- Safe and protects animal from the elements
- Properly cleaned and allows the animal to be clean and dry
- Provides large enough area for the animal to stand up and lie down

Comments & Questions

Thank you!

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	2
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of an Ordinance rezoning 22 acres of property generally located on the southwest side of Mountain View Boulevard near Carlin Drive from Planned Area Development (PAD), Residential Ranch (RR), and Community Commercial (CC) to Residential High (RH-15) with a PUD Overlay; Ordinance #2018-09.

Motion:

I move to approve Ordinance # 2018-09.

Background:

The subject request involves the rezoning of approximately 20 acres of land from PAD, RR, and CC to RH-15 with a PUD Overlay to amend certain development standards and to limit density to 11.15 DU/Ac. The modified development standards relate to the maximum height, setbacks, buffering, building separation, and parking. In addition to the subject request, the applicant proposes a Final Plat, also being processed under FS18-171, but discussed under separate cover. The applicant also proposes a related Site Plan under FS18-247, which is still under review and has not been scheduled for the Planning and Zoning Commission as of the writing of this report.

Objective Analysis:

The applicant seeks a Zone Change over the subject property, and seeks relief from certain aspects of the SUDC through the PUD Overlay. The applicant also seeks through separate action the abandonment of the segment of Carlin Drive adjacent to the site for the purpose of avoiding an otherwise bifurcated site, but has committed to providing limited public access through the site in the general area of said right-of-way in keeping with the General Plan's TOD designation of the site.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying partially within the Neighborhood Character Area and partially within the Commerce and Office Character Area, both of which support multi-family residential development at densities greater than 8 DU/Ac. The subject proposal contemplates up to 223 dwelling units, which equates to 11.15 DU/Ac overall. As such the proposed

zoning most closely aligns with the Urban Neighborhood type and is consistent with the General Plan in this regard. Further, the subject property lies within the Transit Oriented Development (TOD) District, which seeks more intense residential development with opportunities for multi-modal transportation options. The subject request aligns with these goals as well, especially taking into consideration the pedestrian promenade that will cross the subject site in the general location of the existing Carlin Drive ROW.

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:

No FTE's will be required as a result of this item.

ATTACHMENTS:

Click to download

- 00 - Christopher Todd Collection on Mountain View Zone Change - Staff Report
- Ordinance 2018-09
- Ordinance 2018-09 Exhibits
- 01 - Christopher Todd Collection on Mountain View Zone Change - Vicinity Map
- 02 - Christopher Todd Collection on Mountain View Zone Change - Case Map
- 08 - Christopher Todd Collection on Mountain View Zone Change - Public Engagement Form
- 03 - Christopher Todd Collection on Mountain View Zone Change - Rezoning Narrative
- 04 - Christopher Todd Collection on Mountain View Zone Change - Citizen Participation Report with attachments
- 05 - Christopher Todd Collection on Mountain View Zone Change - Luke AFB Comments
- 06 - Christopher Todd Collection on Mountain View Zone Change - Letter of Opposition
- 07 - Christopher Todd Collection on Mountain View Zone Change - Presentation

SURPRISE
ARIZONA

ZONE CHANGE

REPORT TO THE CITY COUNCIL

Case:	**FS18-171**
Project Name:	Christopher Todd Collection on Mountain View Rezone
Council Districts:	2 – Cottonwood 5 – Palm
Meeting Date:	**September 4, 2018**
Planner:	Robert H. Kuhfuss, AICP

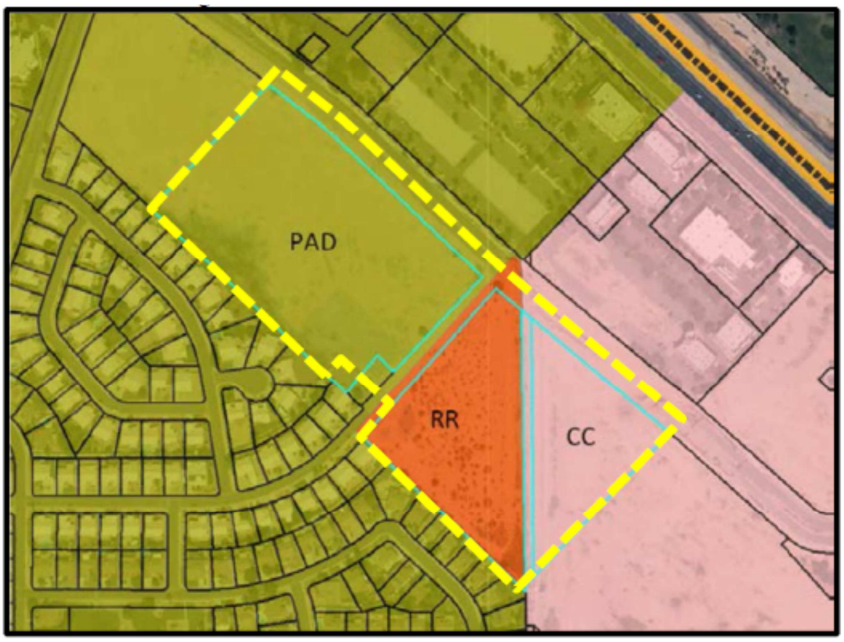
Owner:	Village Main Townhomes, LP, et. al.
Applicant:	Andy Jochums of Beus Gilbert PLLC
Request:	Zone Change from Planned Area Development (PAD), Residential Ranch (RR), and Community Commercial (CC) to Residential High (RH-15) with a PUD Overlay
Site Location:	Generally located along the southwest side of Mountain View Boulevard near Carlin Drive
Site Size:	22 acres
Density:	11.15 DU/Ac.
General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035
Support/Opposition:	Two (2) in support Two (2) in opposition
Commission Recommendation:	**Approve**, subject to stipulations 'a' and 'b'

Project Description:

The subject request involves the rezoning of approximately 20 acres of land from PAD, RR, and CC to RH-15 with a PUD Overlay to amend certain development standards and to limit density to 11.15 DU/Ac. The modified development standards relate to the maximum height, setbacks, buffering, building separation, and parking. In addition to the subject request, the applicant proposes a Final Plat, also being processed under FS18-171, but discussed under separate cover. The applicant also proposes a related Site Plan under FS18-247, which is still under review and has not been scheduled for the Planning and Zoning Commission as of the writing of this report.

Existing Zoning:

The following map and associated chart depict the existing zoning of the subject site and its surrounds.



PAD (Park Place)	PAD (Park Place) and Community Commercial (CC)	PAD (Park Place) and Community Commercial (CC)
PAD (Park Place)	**PAD, Residential Ranch (RR), and Community Commercial (CC)**	PAD (Park Place) and Community Commercial (CC)
PAD (Park Place)	PAD (Park Place) and Community Commercial (CC)	Community Commercial (CC)

[Continued on following page]

Background:

August 8, 1996: The City Council approved the original Park Place PAD under case PAD91-001. Parcel 6 of said PAD anticipated 14.5 acres of R-3 Multi-Family development at up to 20 DU/Ac. A portion of Parcel 6 is included in the subject site.

October 4, 1997: The Council approved a Major PAD Amendment under case PADA95-049 for the purpose of revising the land use plan. Said approval included a stipulation requiring a minimum of 3.5 acres of recreation / open space to be distributed along the southern boundary of Parcel 6 and the western boundary of Parcel 1 to serve as a buffer between the single-family and multi-family development. This stipulation is not contemplated with the subject request due to the single-story nature of the proposed development and the reduction in density from what was originally approved.

June 3, 2009: Staff approved a Minor PAD Amendment under case PADA09-048 for the purpose of removing Lot 11 from the Park Place PAD and incorporating said lot into the Sun City Grand PAD. This Minor PAD Amendment has no bearing on the subject request, but is included here for historical purposes.

August 30, 2017: Carolyn Oberholtzer, of Bergin, Frakes, Smalley and Oberholtzer, on behalf of Village Main Townhomes LP, filed a request for a Zone Change covering a portion of the subject site to accommodate a cottage type rental community similar to that contemplated under the subject request under case FS17-510, which is on hold pending the outcome of the subject request.

March 13, 2018: The applicant filed a request for a Zone Change and companion Final Plat / Right-of-way abandonment under case FS18-171, the subject case. The Zone Change request is to be heard by both the Planning and Zoning Commission and the City Council, while the Final Plat / Right-of-way abandonment will only be heard by the Council.

May 4, 2018: The applicant filed a request for a Major Site Plan under case FS18-247, which is still under review as of the writing of this report.

August 2, 2018: The Planning and Zoning Commission recommended approval of the subject Zone Change request, subject to staff-recommended stipulations “a” and “b”.

[Continued on following page]

Citizen Outreach:

The site was posted and advertised in accordance with the SUDC and state statute on two (2) separate occasions. A Citizen Outreach meeting was held on October 23, 2017 to discuss the original proposal, which did not include the abandonment of the Carlin Drive ROW or the rezoning of the property to the southeast. The applicant held a second Citizen Outreach meeting on June 4, 2018 to discuss the larger project and the right-of-way abandonment. Both meetings were well attended and a summary of the second meeting is included as an attachment to this report. During the Commission hearing of August 2, 2018, two (2) individuals expressed support for the request, while two (2) individuals expressed concerns over traffic generated by the proposed project.

Analysis and Discussion:

The requested Zone Change anticipates the development of a cottage style rental community as shown on the Conceptual Site Plan included as Exhibit 1 of the zoning narrative; however, this is for informational purposes only as the official Site Plan is still under review as of the writing of this report. Once the related Site Plan is through the review process, staff will bring said site plan to the Commission for review and consideration.

In order to accommodate the proposed rental community, the property must be rezoned from its current zoning to RH-15 with a PUD Overlay. The PUD Overlay amends the development standards as shown in the following table taken from Page 10 of the narrative, which includes the aforementioned 11.15 DU/AC cap on overall density.

[Continued on following page]

PUD Overlay – Development Standards

Christopher Todd on Mountain View Standards		
Standard	**Existing RH-15 Conventional Character Pattern Requirement**	**Proposed PUD Modifications**
Maximum Dwelling Units per Gross Acre	15 du/ac	11.15 du/ac (223 units max)
Maximum Height	35 feet (3 stories)	16 ft./1 story for primary buildings 20 ft./1 story for accessory buildings (office, fitness center, etc.) (1)
Minimum Building Setbacks: - Front - Side - Rear	 30 feet 10 feet 30 feet	 30 feet* (2) 10 feet* 20 feet
Minimum Landscape Buffers: - Adjacent to Street (Mountain View)	25 feet	15 feet (3)
- Adjacent to RM and RL	24 feet	Zero feet (4)
- Adjacent to Commercial and other Districts	10 feet	Zero feet (4)
Minimum Building Separation (one story buildings)	25 feet	10 feet
Bike Parking - Residential - Leasing Office	 0.5 per dwelling 1 per 20 vehicle spaces	 Zero per dwelling 1 per 20 vehicle spaces*

***Standard RH-15 Requirement. No Modification requested, listed for ease of reference.**

(1) If an entry portico is provided, it shall be allowed at a height up to 30 feet for adequate emergency vehicles ingress and egress as well as appropriate architectural rooflines to match the primary buildings.

(2) For the purpose of SUDC section 122-136(b)(15)(d)(1), which discusses wall placement, the front yard shall be measured 15' from the Mountain View Road property line and not the full 30' building setback.

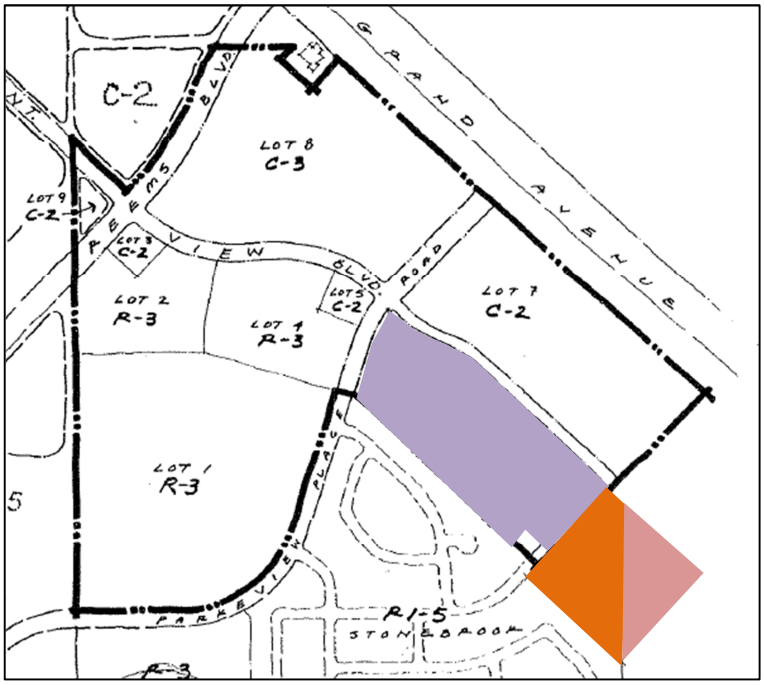
(3) In addition to the 15 foot landscape buffer located outside of the perimeter wall, a minimum 15 foot deep private yard shall be provided with at least one tree per yard to act as additional buffering.

(4) Minimum 20 foot deep private yards shall be provided with at least one tree per yard to act as buffering.

Case FS18-171 also includes a Final Plat with associated right-of-way (ROW) abandonment for that portion of Carlin Drive adjacent to the site (discussed under separate cover). The rationale for the ROW abandonment is to provide continuity between the northwest end and the southeast end of what would otherwise be a bifurcated project. Note that several easements lie within the area of the current ROW, which will be preserved in place, with a pedestrian promenade to exist along that corridor.

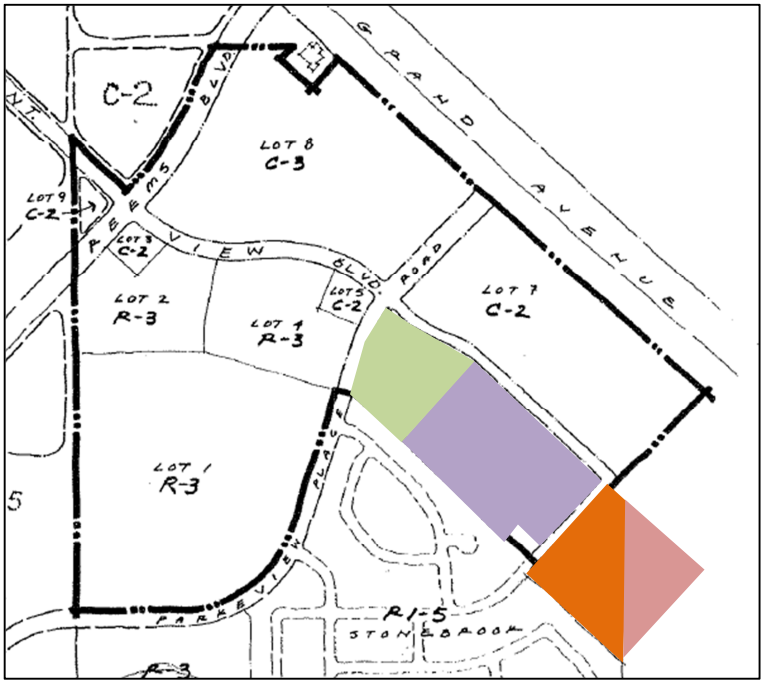
STREET FRONTAGE LANDSCAPE SEE NOTES BELOW
PERGOLA AT PEDESTRIAN GATE. SEE DETAILS SHEET 3.
GATE OPEN TO PUBLIC FROM 8AM TO 9PM.
THEME WALL
SPECIALTY PAVING AT CROSSWALKS (TYP.)
TURF
PUBLIC ACCESS/ UTILITY EASEMENT
PERGOLA AT PEDESTRIAN GATE. SEE DETAILS SHEET 3.
GATE OPEN TO PUBLIC FROM 8AM TO 9PM.
EMERGENCY FIRE ACCESS LANE WITH DRIVEABLE GRID.
20' FIRE ACCESS GATES
VIEW FENCE
THEME WALL
THEME WALL
CARLIN DRIVE
PERIMETER WALL

As noted in the correspondence from Luke AFB, at 11.15 DU/Ac., the project does not meet their Graduated Density Concept (GDC), which seeks residential density of no more than 6 DU/Ac; however, the Park Place PAD shows Lot 6 as being approximately 14.5 gross acres with a maximum density of 20 DU/Ac. for a total of 290 dwelling units, which far exceeds the GDC. The subject proposal also includes three (3) adjacent parcels that are currently zoned RR and CC, and collectively occupy approximately 9.5 acres. If these three (3) parcels were to seek a zone change independently of the subject proposal, each would likely be capped at 6 DU/Ac. in keeping with the GDC for a total of 57 dwelling units over those three (3) parcels. Combined with the aforementioned 290 dwelling units, this configuration would generate 347 dwelling units over 24 acres for an overall density of 14.46 DU/Ac.



	Land Mass	Density	Yield
Lot 6	14.5 Ac.	20 DU/Ac.	290 DU
Residential Ranch (RR portion)	5.2 Ac.	6.0 DU/Ac.	31 DU
Community Commercial (CC) portion	4.3 Ac.	6.0 DU/Ac.	26 DU
Total	**24.0 Ac.**	**14.56 DU/Ac.**	**347 DU**

While the subject proposal seeks to increase the density of the aforementioned RR and CC properties to 11.15 DU/Ac. the subject proposal also seeks to reduce the density of a 10.4 acre portion of Lot 6 to 11.15 DU/Ac. This configuration would equate to 304 dwelling units over the same 24-acre land mass, with a net reduction of 43 dwelling units, for an overall density of 12.67 DU/Ac. While this still exceeds the GDC, staff feels the overall reduction in density serves to benefit Luke AFB , while advancing the goals of the General Plan with respect to the TOD District.



	Land Mass	Density	Yield
Lot 6 (CTC@MV portion)	10.4 Ac.	11.15 DU/Ac.	116 DU
Lot 6 (remainder portion)	4.1 Ac.	20.0 DU/Ac.	82 DU
Residential Ranch (RR portion)	5.2 Ac.	11.15 DU/Ac.	58 DU
Community Commercial (CC) portion	4.3 Ac.	11.15 DU/Ac.	48 DU
Total	**24.0 Ac.**	**12.67 DU/Ac.**	**304 DU**

Utility and Services Table:

Electric:	Arizona Public Service
Water:	EPCOR
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	Southwest Gas
Irrigation:	Maricopa Water District
Schools:	Dysart USD

[Continued on following page.]

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying partially within the Neighborhood Character Area and partially within the Commerce and Office Character Area, both of which supporting multi-family residential development at densities greater than 8 DU/Ac. The subject proposal contemplates up to 223 dwelling units, which equates to 11.15 DU/Ac overall. As such the proposed zoning most closely aligns with the Urban Neighborhood type and is consistent with the General Plan in this regard. Further, the subject property lies within the Transit Oriented Development (TOD) District, which seeks more intense residential development with opportunities for multi-modal transportation options. The subject request aligns with these goals as well, especially taking into consideration the pedestrian promenade that will cross the subject site in the general location of the existing Carlin Drive ROW.

Reviewing Agencies:

Flood Control District of Maricopa County (FCDMC): In an email dated April 3, 2018, the FCDMC indicated no objections to the request.

Maricopa Water District (MWD): In an email dated April 10, 2018, MWD indicated the proposed development is subject to two (2) separate Development Agreements.

Arizona Department of Transportation (ADOT): In an email dated April 3, 2018, ADOT indicated the proposed development would have an impact on U.S. 60, which may trigger the need for a Traffic Impact Study.

Luke Air Force Base (LAFB): In a letter dated April 9, 2017 (attached), LAFB indicated the subject development does not meet their Graduated Density Concept and would have a negative effect on flight operations.

Summary:

The applicant seeks a Zone Change over the subject property, and seeks relief from certain aspects of the SUDC through the PUD Overlay. The applicant also seeks through separate action the abandonment of the segment of Carlin Drive adjacent to the site for the purpose of avoiding an otherwise bifurcated site, but has committed to providing limited public access through the site in the general area of said right-of-way in keeping with the General Plan's TOD designation of the site.

Findings:

- The proposed Zone Change is consistent with the Surprise General Plan 2035.
- The proposed development standards will allow the property to be reasonably developed.
- There are no objections to the request.

Commission Recommendation:

Based on the findings noted above, the Commission recommended **approval** of the subject rezone request to the City Council, subject to stipulations 'a' and 'b' as outlined below:

a. Development and use of the site shall be consistent with the Zone Change Narrative entitled "Christopher Todd Communities Mountain View Rezoning Narrative RH-15 with PUD Overlay", stamped received June 26, 2018.

b. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

However, should the Council wish to deny the request, the Council should make its own findings and base its decision on those alternative findings.

Attachments:

01 Vicinity Map
02 Case Map
03 Project Narrative
04 Citizen Outreach Report
05 Luke AFB comments
06 Letter of Opposition

ORDINANCE 2018-09

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A REZONE FROM PAD (MULTI-FAMILY), RESIDENTIAL RANCH (RR) AND COMMUNITY COMMERCIAL (CC) TO RESIDENTIAL HIGH (RH-15) WITH A PUD OVERLAY FOR CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW, LOCATED ON WEST MOUNTAIN VIEW BOULEVARD.

WHEREAS, this Ordinance was properly noticed for public hearing, and the necessary hearings and opportunity for public input were completed;

WHEREAS, the subject site is located on West Mountain View Boulevard;

WHEREAS, the subject site is currently zoned Planned Area Development (10.4 acres), Residential Ranch (5.2 acres), and Community Commercial (4.3 acres);

WHEREAS, the proposed use of the subject site requires modification of the applicable zoning regulations;

WHEREAS, the proposed rezone to Residential High with a PUD Overlay satisfies the requirements set forth in Chapter 122 of the Surprise Municipal Code;

WHEREAS, the proposed PUD Overlay limits, among other aspects of development, the density of the site to not more than 11.15 dwelling units per acre;

WHEREAS, the rezone is in harmony with the purposes and intent of the zoning ordinance and the Surprise General Plan; and

WHEREAS, on August 2, 2018, the Planning and Zoning Commission recommended approval of the Christopher Todd Collection on Mountain View Rezone.

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

Section 1. *Rezoning.* The parcel legally described and depicted on Exhibit A, known as "Christopher Todd Collection on Mountain View," is rezoned from Planned Area Development (PAD), Residential Ranch (RR), and Community Commercial (CC) to Residential High (RH-15) with a PUD Overlay, subject to the following stipulations:

a. Development and use of the site shall be consistent with the Zone Change Narrative entitled “Christopher Todd Communities Mountain View Rezoning Narrative RH-15 with PUD Overlay”, stamped received June 26, 2018.

b. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

Section 2. *Amendment of Zoning Map.* The City of Surprise zoning map is herewith amended to reflect the change in zoning referred to in Section 1 above.

Section 3. *Codification.* This Ordinance is not of a general nature and shall not be codified.

Section 4. *Repeal of Conflicting Ordinances.* All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed, upon the effective date of this Ordinance.

Section 5. *Severability.* If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 6. *Effective Date.* This ordinance shall become effective at the time and in the manner prescribed by law.

APPROVED AND ADOPTED this_____day of _____2018.

_____
Sharon R. Wolcott, Mayor

Attest:

_____
Sherry Aguilar, City Clerk

Approved as to form:

_____
Robert Wingo, City Attorney

EXHIBIT A – LEGAL DESCRIPTION AND DEPICTION OF PROPERTY

SURPRISE
ARIZONA

City Council

September 4, 2018

Christopher Todd Collection on Mountain View

Zone Change and Final Plat w/ ROW Abandonment

FS18-171

Vicinity Map
FS18-171

FS-171

Grand Avenue

Subject Site

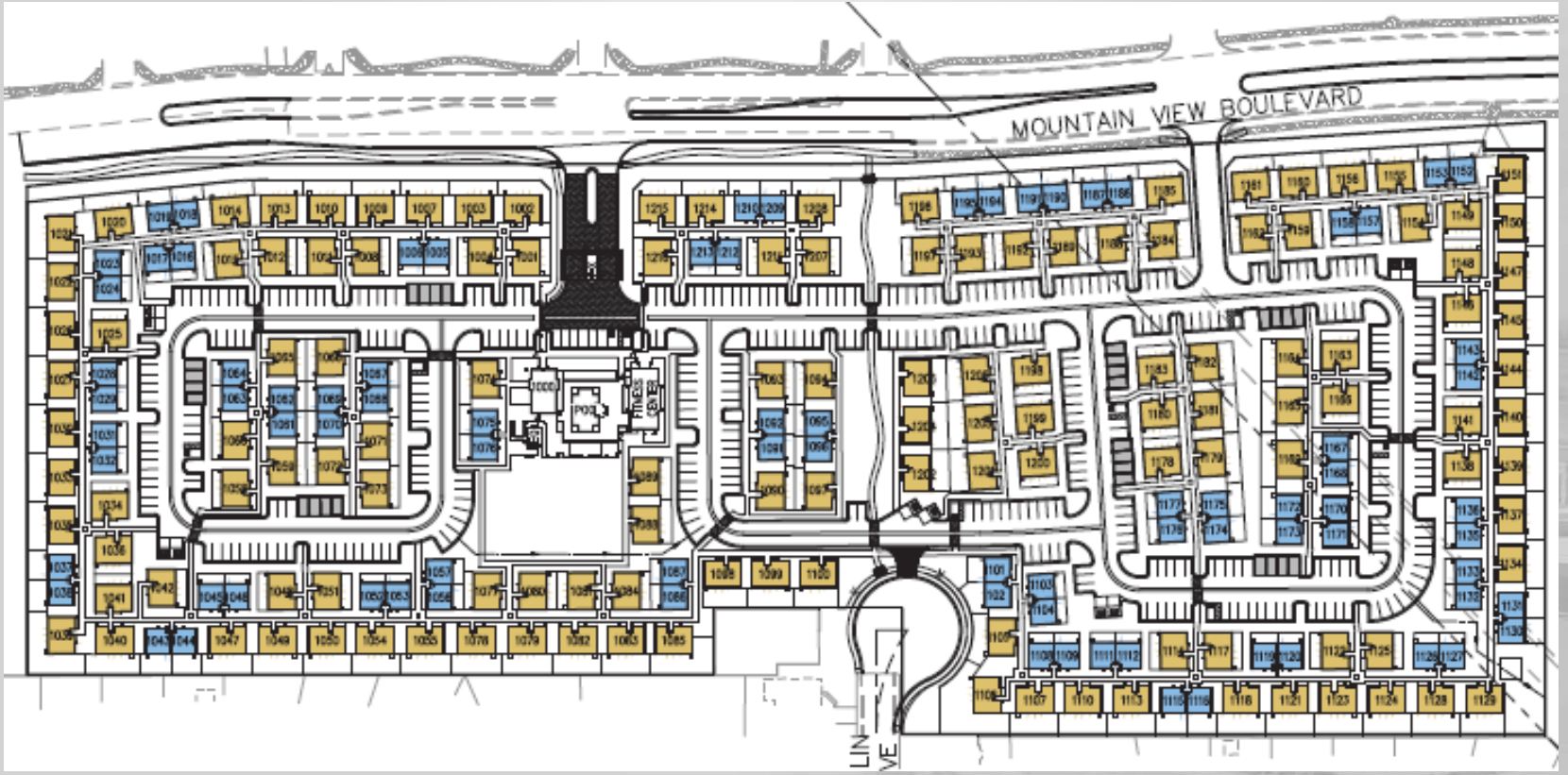
Reems Road

Bell Road

Litchfield Road

Case Map
FS18-171

Conceptual Site Plan FS18-171



Conceptual Landscape Plan FS18-171

Architecture FS18-171

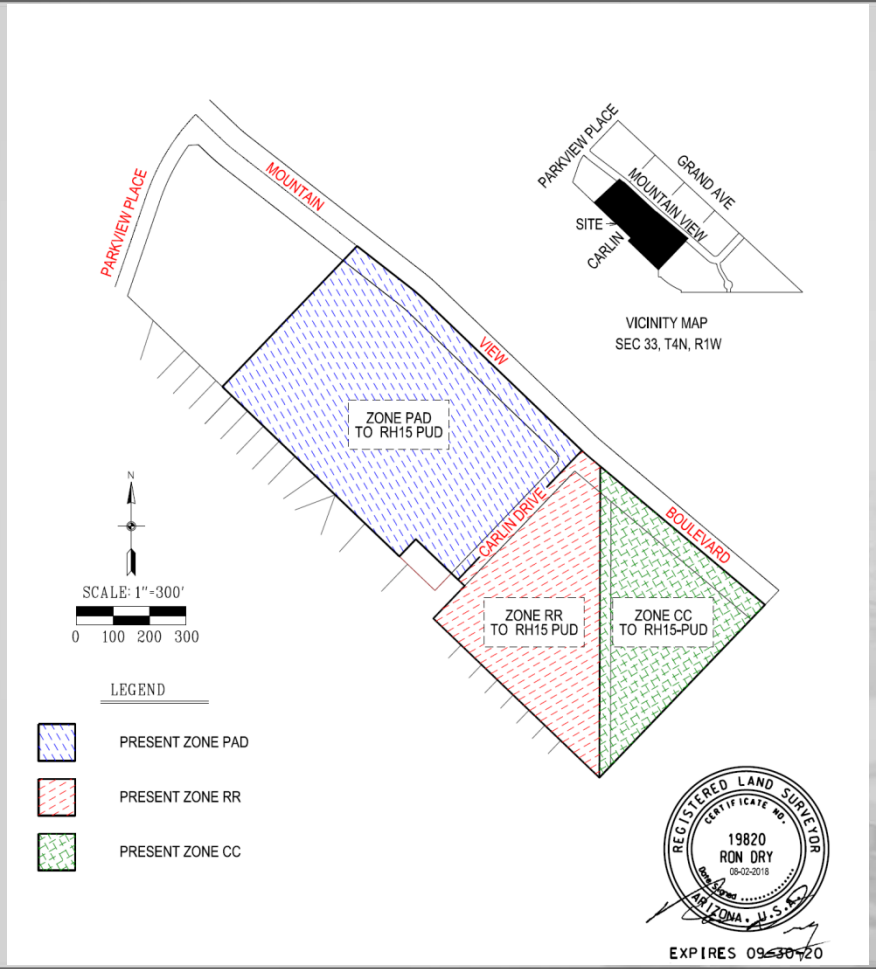
CLIENT NAME: CHRISTOPHER TODD COMMUNITIES
PROJECT NAME: CTC - GREENWAY
PROJECT LOCATION: LITCHFIELD & GREENWAY
SHEET NAME: EXTERIOR ELEVATIONS

Creative License international

REVISIONS:

INSTALL DATE:
SCALE:
DATE: 05-02-17
JOB NUMBER: 2162
DRAWN BY: KAC
PM: 000
AE: 000
SHEET:

Zoning
FS18-171



Development Standards FS18-171

PUD Overlay – Development Standards

Christopher Todd on Mountain View Standards		
Standard	**Existing RH-15 Conventional Character Pattern Requirement**	**Proposed PUD Modifications**
Maximum Dwelling Units per Gross Acre	15 du/ac	11.15 du/ac (223 units max)
Maximum Height	35 feet (3 stories)	16 ft./1 story for primary buildings 20 ft./1 story for accessory buildings (office, fitness center, etc.) [1]
Minimum Building Setbacks: - Front - Side - Rear	 30 feet 10 feet 30 feet	 30 feet* [2] 10 feet* 20 feet
Minimum Landscape Buffers: - Adjacent to Street (Mountain View)	25 feet	15 feet [3]
- Adjacent to RM and RL	24 feet	Zero feet [4]
- Adjacent to Commercial and other Districts	10 feet	Zero feet [4]
Minimum Building Separation (one story buildings)	25 feet	10 feet
Bike Parking - Residential - Leasing Office	 0.5 per dwelling 1 per 20 vehicle spaces	 Zero per dwelling 1 per 20 vehicle spaces*

***Standard RH-15 Requirement. No Modification requested, listed for ease of reference.**

[1] If an entry portico is provided, it shall be allowed at a height up to 30 feet for adequate emergency vehicles ingress and egress as well as appropriate architectural rooflines to match the primary buildings.

[2] For the purpose of SUDC section 122-136(b)(15)(d)(1), which discusses wall placement, the front yard shall be measured 15' from the Mountain View Road property line and not the full 30' building setback.

[3] In addition to the 15 foot landscape buffer located outside of the perimeter wall, a minimum 15 foot deep private yard shall be provided with at least one tree per yard to act as additional buffering.

[4] Minimum 20 foot deep private yards shall be provided with at least one tree per yard to act as buffering.

FINAL PLAT OF
CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW
SITUATED IN PORTIONS OF THE NW 1/4 AND NE 1/4, SECTION 33, T.4 N., R.1 W.,
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: THAT MOUNTAIN VIEW ESTATES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP ("OWNER"), WHO ESTABLISHED UNDER THE NAME OF CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW, SITUATED IN A PORTION OF THE NORTHWEST QUARTER AND NORTHEAST QUARTER, SECTION 33, TOWNSHIP 4 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF SAID CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW 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 THE PLAT.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE, COUNTY AND ARIZONA DEPARTMENT OF TRANSPORTATION AND ACROSS THE PLAT AS EXCEPTIONS HEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF INGRESS AND EGRESS OVER THE PLAT, TOGETHER WITH ITS APPURTENANT RIGHTS THEREUNTO, FOR THE FULL AND COMPLETE USE, OCCUPATION AND ENJOYMENT OF THE SAME FOR THE PURPOSE OF THE OPERATION OF AIRCRAFT LANDING AT OR TAKING OFF FROM, OR OPERATION AT OR ON LAND AT AFORE SAID AIRPORT AND AIRPORT FACILITIES.

OWNER HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC STREETS—PARKWAY AS SHOWN ON THE PLAT.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A NON-EXCLUSIVE CROSS ACCESS EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, EASEMENTS, DRAINAGE FACILITIES AND ANY PROPERTY WITHIN THE PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSES OF PROVIDING CONTINUOUS AND UNOBSTRUCTED ACCESS AND ROUTES FOR EMERGENCY VEHICLES.

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

ALL IMPROVEMENTS FOR STREET AND PUBLIC TRAILS OWNED AND OPERATED BY THE CITY, WITHIN OR CONSTRUCTED TO CONNECT WITHIN THE PLAT (EXCEPT—PARKWAY IMPROVEMENTS), AS SHOWN ON THE PLAT, ARE HEREBY DEDICATED TO THE CITY OF SURPRISE SHALL BE DEEMED TO HAVE BEEN DEDICATED TO CITY AT THE CITY UPON THEIR COMPLETION, HOWEVER, SUCH TRANSFER SHALL NOT OCCUR UNTIL THE CITY COUNCIL FOR THE CITY OF SURPRISE MANIFESTS ITS ACCEPTANCE BY RESOLUTION OF FORMAL COUNCIL ACTION.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE, AN ARIZONA MUNICIPAL CORPORATION, AND ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE PERPETUAL EASEMENT OVER, UPON AND ACROSS THE NON-VEHICULAR ACCESS TRACTS AND NON-VEHICULAR ACCESS LINES AND ACROSS THAT PORTION OF THE OWNER'S PROPERTY AS DEPICTED ON THIS DOCUMENT AS "PUBLIC ACCESS EASEMENT", INCLUDING THE RIGHT OF INGRESS AND EGRESS OVER, UPON AND ACROSS THE EASEMENT PREMISES AS SHOWN ON THE PLAT. PUBLIC ACCESS WILL FLOW WAY TO SPA.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS "LIFT STATION" EASEMENTS FOR THE PURPOSE OF ENSURING THAT THESE AREAS REMAIN FREE OF JOINT IDENTITY DISTRIBUTIONS.

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 AGENT THIS THE _____ DAY OF _____, 2018.

BY: MOUNTAIN VIEW ESTATES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP

ITS: _____

ITS: _____

ACKNOWLEDGEMENT

STATE OF ARIZONA }
} SS.
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED _____ OF MOUNTAIN VIEW ESTATES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, AND HEREINAFTER REFERRED TO AS "OWNER", WHO ACKNOWLEDGED HIMSELF TO BE AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

BY: _____
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES: _____

NOTICE OF PARK PLACE AMENDED & THE GRAND AVENUE PROFESSIONAL PLAZA AND GREENHILLS PARC DEVELOPMENT AGREEMENT

A PORTION OF THE PROPERTIES INCLUDED IN THIS PLAT ARE SUBJECT TO THE PARK PLACE AMENDED DEVELOPMENT AGREEMENT DATED MAY 8, 2007, AND A PORTION OF THE PROPERTIES INCLUDED IN THIS PLAT ARE SUBJECT TO THE GRAND AVENUE PROFESSIONAL PLAZA AND GREENHILLS PARC DEVELOPMENT AGREEMENT DATED OCTOBER 17, 2006 (COLLECTIVELY, THE "AGREEMENTS"). THE AGREEMENTS ARE THE PLAT, INCLUDING ANY AND ALL OBLIGATIONS THEREIN, HEREBY ENCUMBERED WHICH RUNS AND SURVIVES THERE, IF ACCEPTED TO, AND USE OF EXISTING AND FUTURE LOTS FACILITIES AND AND PROPERTY INTERESTS, AS SUCH TERMS ARE DEFINED IN THE AGREEMENTS, TO ENABLE AND TO ACCOMPLISH ALL OF WHICH PURPOSES INCLUDING, BUT NOT LIMITED TO, THE TRANSFERRING AND DEDICATION OF WATER, WASTEWATER, POWER AND COMMUNICATIONS, AND TO CONSTRUCT, RECONSTRUCT, OPERATE, MAINTAIN AND REPLACE THOSE FACILITIES AND NON-PROPERTY INTERESTS. THE AGREEMENTS IN FULL AT THE OFFICE OF LANDOWNER AT THE ADDRESS SHOWN HEREIN, AND MAY BE RECORDED AS TO ALL HEREAL WITH PARTICULAR REFERENCE TO SECTION 8 WITH RESPONSIBLE INTEREST.

DATED THIS _____ DAY OF _____, 2018

ATTEST:

MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA

BY: _____
(SIGNATURE DATE)

ITS: PROPERTY & CONTRACTS SUPERVISOR

BY: _____
(DATE NOTARIZED)

ITS: ASSISTANT SECRETARY

MOUNTAIN VIEW ESTATES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP

BY: _____

ITS: _____

PUBLIC NOTICE

THE LOT RESTRICTIONS ON THE PLAT ARE LISTED WITHIN THE NOTICE OF PLAT RECORDATION AND MAY BE SUBJECT TO OWNERSHIP BY AN ASSOCIATION. ALL RESTRICTIONS WITHIN THE PLAT SHALL BE CONSTRUED IN COMPLIANCE WITH THE ZONING AND SUBDIVISION ORDINANCES OF THE CITY OF SURPRISE, A MAP OF WHICH IS ON FILE IN THE CITY'S COMMUNITY DEVELOPMENT DEPARTMENT. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

RELEASE OF LIABILITY

MOUNTAIN VIEW ESTATES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, IF ANY 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, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE HEREIN LOCATED NORTH—PARKWAY AS IDENTIFIED ON THE PLAT UNTIL SUCH TIME THE NORTH—PARKWAY IMPROVED TO CITY STANDARDS AND THE IMPROVEMENTS ARE ACCEPTED AND ACCEPTED BY THE CITY COUNCIL THE AREAS WITHIN ANY HEREIN LOCATED NORTH—PARKWAY AS SHOWN ON THE PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER(S). SUCH RESPONSIBILITY SHALL BEGIN WITHIN THE BOUNDARY OF LAST PLAT UNTIL SUCH TIME THAT THE AREAS WITHIN THE NORTH—PARKWAY IMPROVED TO CITY STANDARDS AND ACCEPTED BY THE CITY OF SURPRISE.

THE CITY OF SURPRISE AGREES TO INDEMNIFY MOUNTAIN VIEW ESTATES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS, AND ASSIGNS OF AND ITS SUCCESSORS AND ASSIGNS FOR ANY AND ALL DIRECT DAMAGES TO ANY PERSONAL PROPERTY OR POST INDIVIDUAL INJURY TO OR DEATH OF PERSONS OCCURRING ON THE AREA OF THE EASEMENT CAUSED BY OR ARISING AS THE PROXIMATE RESULT OF THE ACTIVITIES OF THE CITY OF SURPRISE OR EMPLOYEES OF THE CITY, EXCEPTING THOSE DETAILS PURSUANT TO THE TERMS OF THE EASEMENT EXCEPTING SUCH INJURY OR DAMAGE CAUSED BY OR ARISING SOLELY FROM THE NEGLIGENT, WILLFUL MISCONDUCT OR STRICTLY LIABLE CONDUCT OF MOUNTAIN VIEW ESTATES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THEIR OF ITS SUCCESSORS AND ASSIGNS THAT HAS THE DIRECT CAUSE OF THE INJURY TO THE USER.

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 LOCATED WITHIN THE RIGHT OF WAY THAT MAY ARISE IN CONNECTION WITH THE USE OF THE DEDICATED AREAS WITHIN THE NORTH—PARKWAY, UNTIL SUCH TIME THAT THE CITY OF SURPRISE HAS ACCEPTED THE DEDICATION.

GENERAL NOTES

ALL NEW OR RELOCATED UTILITIES SHALL BE PLACED UNDERGROUND.

RIGHT—OF—WAY AND EASEMENTS OUTSIDE SUBDIVISION PLATTED BOUNDARY ARE FROM AVAILABLE PUBLIC RECORDS AND ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY. NO WARRANTY IS EXPRESSED OR IMPLIED.

PURSUANT TO A.R.S. § 42-1105(D), THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA IS EXEMPT FROM ALL TAXES AND ASSESSMENTS. THE OWNER OF THE PROPERTY SHALL BE SUBJECT FOR ALL RETROACTIVE TAXES AND RATES, WHEN APPLICABLE.

IN ACCORDANCE WITH A.R.S. § 9-463.01, THE CITY OF SURPRISE HAS NOTIFIED THAT THE ALL DEDICATIONS OCCURRING WITH THE PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN 2035.

ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR THE MARICOPA COUNTY, COMMUNITY PANEL NO. 04013C1265L, EFFECTIVE DATE OCTOBER 16, 2013 THE PROPERTY AS SHOWN IS PLOTTED WITHIN ZONE X (SHADED) AREAS OF 0.2% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE AND AREAS PROTECTED TO BENEFIT FROM 1% ANNUAL CHANCE FLOOD.

NO STRUCTURES OF ANY KIND MAY BE CONSTRUCTED, OR ANY OBSTRUCTION OWNER PLANTED NOR ALLOWED TO GROW WITHIN DRAINAGE EASEMENTS THAT WOULD IMPEDE THE FLOW OF WATER THROUGH THE EASEMENTS.

THE CITY OF SURPRISE IS NOT RESPONSIBLE FOR, AND WILL NOT ACCEPT MAINTENANCE OF ANY PRIVATE TRAILS, PRIVATE STREETS, PRIVATE FACILITIES AND LANDSCAPE AREAS WITHIN THE PROJECT.

ALL LOT CORNERS SHALL BE MONUMENTED WITH 1/2 INCH REBAR AND CAP OR TAG BEARING THE REGISTRATION NUMBER OF THE SURVEYOR WHO PLACED IT OR THE PLAT MONUMENT.

THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHT—OF—WAY, INCLUDING LANDSCAPED MEDIANS WITH OUTLETTERS AND LOCAL STREETS AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DEDICATED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER(S) OR THE PROPERTY ASSOCIATION (PURSUANT TO THE ADJACENT PROPERTY).

NO ON—SITE GRADING OR EXCAVATION SHALL OCCUR WHICH IS NOT OBTAINED A PERMIT FROM THE CITY OF SURPRISE.

NOTICE OF INTERGOVERNMENTAL AGREEMENT

THE CITY OF SURPRISE ("CITY") AND MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("DISTRICT") ENTERED INTO AN INTERGOVERNMENTAL AGREEMENT (AGREEMENT) DATED APRIL 9, 1997, AND RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE ON APRIL 14, 1997, UNDER DOCKET NO. 97-0457259 ("IGA"). CITY AND DISTRICT HAVE PARTNERED AND PROVIDED INFRASTRUCTURE REQUIRED AND DESIGNATED WITHIN CERTAIN SUBDIVISION PLAT OR PLAN LANDS NOT INCLUDED IN A SUBDIVISION PLAT ("DESIGNATED AREAS") FOR THE PURPOSE OF DELIVERING DISTRIBUTION OF UNMANAGED AREAS, THAT HAVE BEEN AND SUPERIOR BENEFIT TO THE PUBLIC SERVICE PROVIDERS AS DEFINED IN THE IGA. THE IGA PROVIDES FOR THE CITY TO MAKE A PAYMENT ("CITY PAYMENT") WITHIN CERTAIN PERIODS INCLUDED, AND FOR WHICH THE MAXIMUM PAYMENT WITHIN THE PLAT SHALL BE $_____. CITY AND WHO HAVE WITHIN THESE EASEMENTS ARE SUBJECT TO AND CONTROLLED BY THE TERMS AND CONDITIONS OF THE IGA.

IN LOCATIONS WHERE APPROVABLE BUILDING MAY AND ALL DEDICATIONS WITHIN A SUBDIVISION PLAT, WHICH THERE ARE SUPERIOR RIGHTS (IF ACCEPTED) AND WHICH ARE EXISTING AND FUTURE MAY FACILITIES AND PROPERTY INTERESTS, SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE IGA.

CITY SHALL HAVE THE RIGHT TO AUTHORIZE AND CONTROL WHETHER SERVICE PROVIDERS USE ANY OCCURRENCE IF THESE EASEMENTS. CITY RESERVES THAT UTILITY SERVICE PROVIDERS CONSENT TO BE BOUND BY THE IGA PRIOR TO THE ISSUE OF CERTIFICATE OF OCCUPANCY (CERTIFICATE GRANTED UNDER THE IGA. ISSUANCE OF OCCUPANCY OF THE EASEMENT CONSTITUTES CONSENT OF THE UTILITY SERVICE PROVIDER TO BE BOUND BY THE IGA.

LEGAL DESCRIPTION

A PORTION OF THE NORTH HALF OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

COMMENCING AT AN ALUMINUM CAP FLUSH AT THE NORTHWEST CORNER OF SAID SECTION 33, FROM WHICH AN ALUMINUM CAP IN HANDHOLE BEARS SOUTH 00 DEGREES 25 MINUTES 09 SECONDS EAST, 2653.18 FEET;

THENCE ALONG THE NORTH LINE OF SAID SECTION 33 SOUTH 89 DEGREES 25 MINUTES 09 SECONDS EAST, 1320.76 FEET;

THENCE SOUTH 0 DEGREES 34 MINUTES 50 SECONDS WEST, 1016.37 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 53 DEGREES 13 MINUTES 10 SECONDS EAST, 100.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 40.00 FEET;

THENCE SOUTHEASTERLY, 62.81 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;

THENCE SOUTH 36 DEGREES 13 MINUTES 17 SECONDS EAST, 555.10 FEET;

THENCE SOUTH 46 DEGREES 59 MINUTES 32 SECONDS EAST, 70.01 FEET;

THENCE SOUTH 49 DEGREES 55 MINUTES 09 SECONDS EAST, 531.06 FEET;

THENCE SOUTH 43 DEGREES 45 MINUTES 43 SECONDS WEST, 600.21 FEET;

THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 629.70 FEET;

THENCE NORTH 43 DEGREES 46 MINUTES 43 SECONDS EAST, 123.53 FEET;

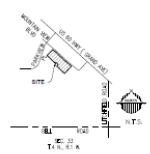
THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 186.00 FEET;

THENCE SOUTH 43 DEGREES 46 MINUTES 43 SECONDS WEST, 65.00 FEET;

THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 671.72 FEET;

THENCE NORTH 43 DEGREES 45 MINUTES 27 SECONDS EAST, 478.27 FEET TO THE RIGHT OF BEGINNING.

CONTAINS 17.8902 ACRES, MORE OR LESS.



VICINITY MAP

OWNER

MOUNTAIN VIEW ESTATES, LP
CONTACT: CHRIS DEPAOLA
8502 E. VIA DE VENTURA, STE 122,
SCOTTSDALE, AZ 85258
EMAIL: CDEPAOLA@CTCI.COM
PHONE: 480-264-4377

ENGINEER

NORTHLAND RESOURCES, INC.
2020 N. CENTRAL, SUITE 660
PHOENIX, AZ 85004
TEL: 602-999-7020
CONTACT: BRUCE LARSON, PE

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 KEY SHEET
SHEET 3 KEY SHEET

BASIS OF BEARING

THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AS MONUMENTED AND SHOWN ON THAT RECORD OF SURVEY MAP RECORDED IN BOOK 371, PAGE 11 OF MARICOPA COUNTY RECORDS, ARIZONA.

NORTH 89 DEGREES 25 MINUTES 09 SECONDS EAST

APPROVALS

CITY OF SURPRISE COUNCIL APPROVAL

DATA ON THE PLAT HEREON ARE APPROVED THIS _____ DAY OF _____, 2018.

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 _____, 2018.

_____ _____
MAYOR DATE

ATTEST: _____ _____
CITY CLERK DATE

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF MARCH 2018, THAT THE SURVEY IS TRUE AND CORRECT AS SHOWN, THAT THE MONUMENTS SHOWN ACTUALLY EXIST AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN, AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JESSE DOVEL, RLS #29327
EPS GROUP, INC.
2045 S. VINEYARD
SUITE 101
MESA, AZ 85210
480.503.2250

AREA SUMMARY TABLE		
DESCRIPTION	AREA (SF)	AREA (ACRES)
LOT 1	779,768	17.7721
NEW RIGHT OF WAY	7,538	0.1730
ABANDONED EXIST. RIGHT OF WAY	20,701	0.4752
NET AREA	778,206	17.8902

2045 S. Vineyard Ave., Suite 101
Mesa, AZ 85210
t: 480.503.2250 f: 480.503.2258
w: www.eps-group.com
EPS GROUP

CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW
SURPRISE, ARIZONA
Final Plat

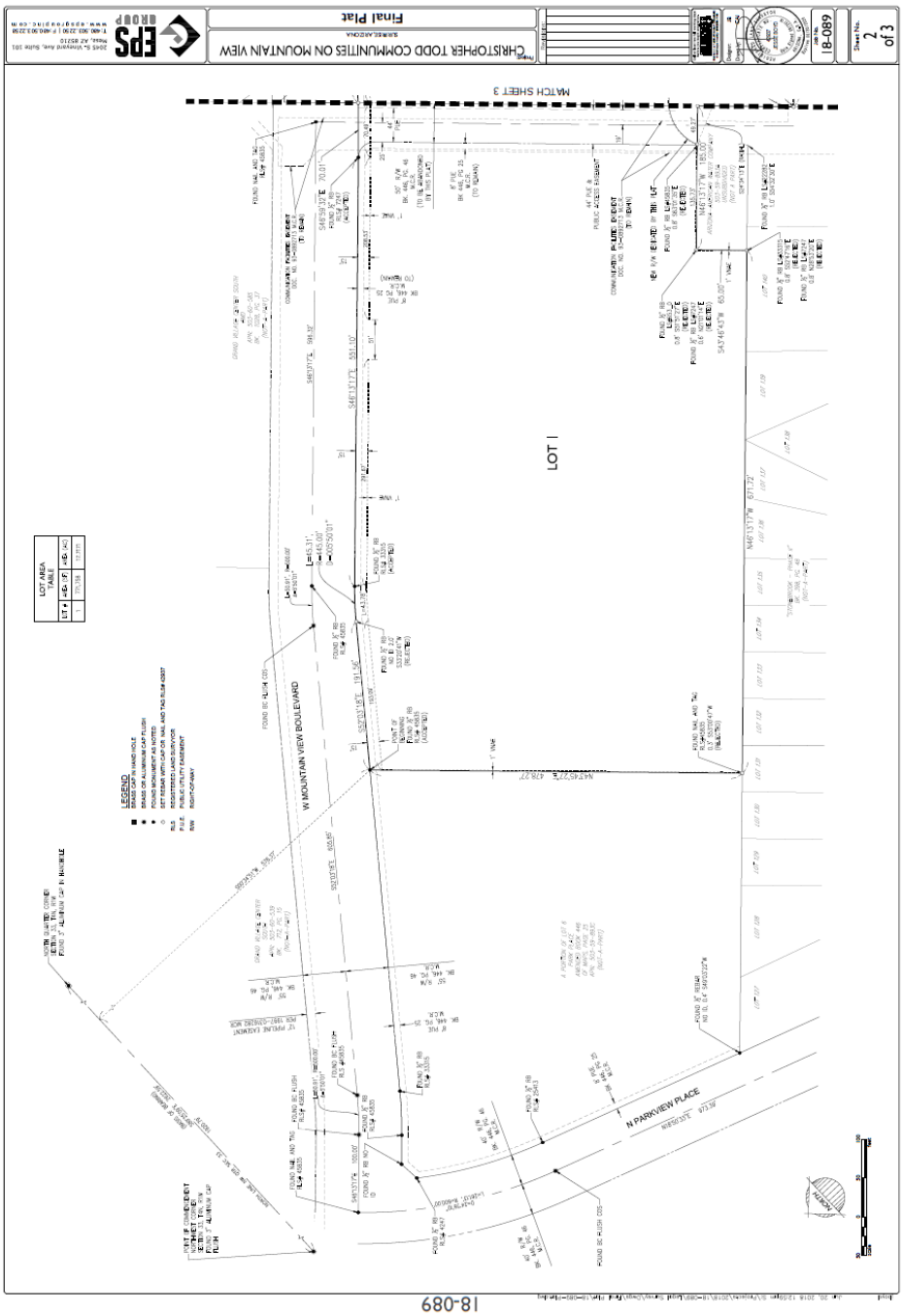
Job No. 18-089

Sheet No. 1 of 3

18-089

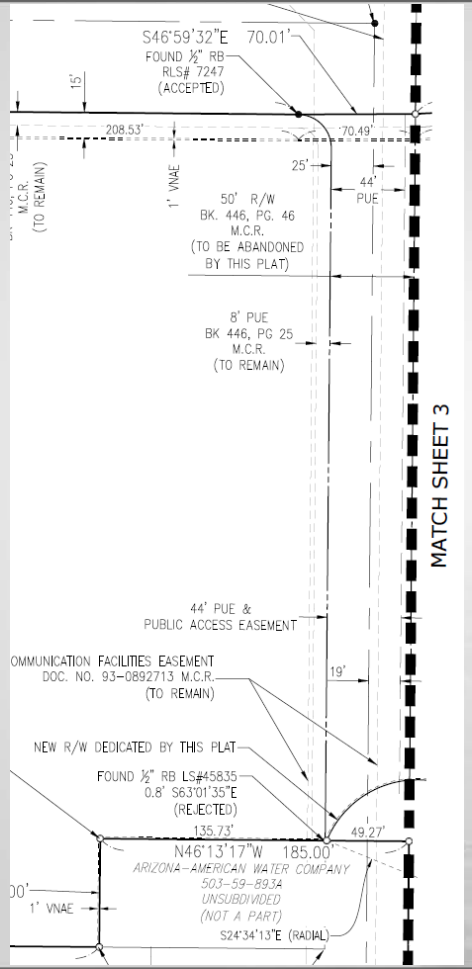
Final Plat
FS18-171

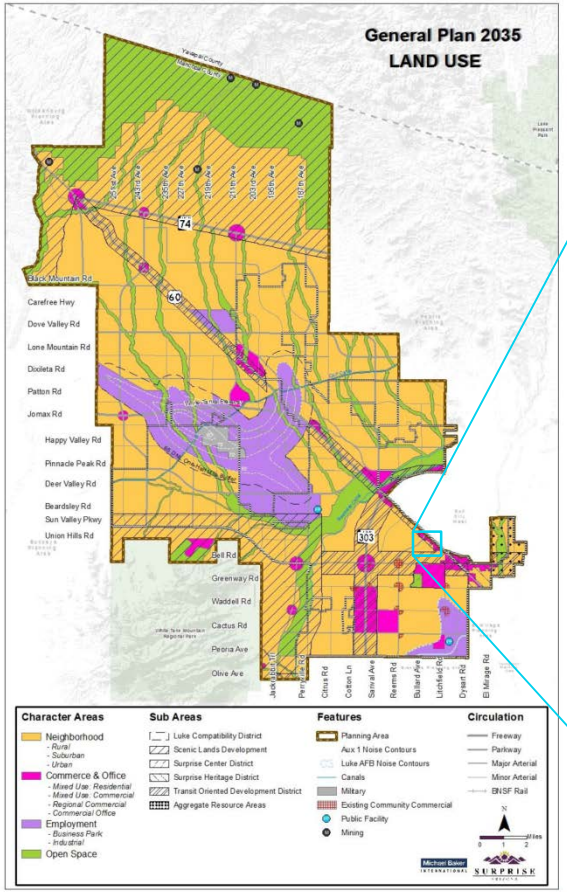
Final Plat
FS18-171



Final Plat
FS18-171

Final Plat
FS18-171




General Plan 2035
LAND USE
Yavapai County
Maricopa County
Lake Pleasant Park
Black Mountain Rd
Carefree Hwy
Dove Valley Rd
Lone Mountain Rd
Dixileta Rd
Patton Rd
Jomax Rd
Happy Valley Rd
Pinnacle Peak Rd
Deer Valley Rd
Beardsley Rd
Sun Valley Pkwy
Union Hills Rd
Bell Rd
Greenway Rd
Waddell Rd
Cactus Rd
Peoria Ave
Olive Ave
Jackrabbit Trail
Perryville Rd
Citrus Rd
Cotton Ln
Sarival Ave
Reems Rd
Bullard Ave
Litchfield Rd
Dysart Rd
El Mirage Rd
74
60
303
Character Areas
Neighborhood
- Rural
- Suburban
- Urban
Commerce & Office
- Mixed Use: Residential
- Mixed Use: Commercial
- Regional Commercial
- Commercial Office
Employment
- Business Park
- Industrial
Open Space
Sub Areas
Luke Compatibility District
Scenic Lands Development
Surprise Center District
Surprise Heritage District
Transit Oriented Development District
Aggregate Resource Areas
Features
Planning Area
Aux 1 Noise Contours
Luke AFB Noise Contours
Canals
Military
Existing Community Commercial
Public Facility
Mining
Circulation
Freeway
Parkway
Major Arterial
Minor Arterial
BNSF Rail
N
Miles
0 1 2
Michael Baker INTERNATIONAL
SURPRISE

FS18-171
TOD

Citizen Outreach:

1st Outreach Meeting: October 23, 2017 for original proposal

2nd Outreach Meeting: June 4, 2018 for revised proposal

Planning and Zoning Commission Hearing: August 2, 2018

Citizen Outreach:

Planning and Zoning Commission Recommendation:

Zone Change: Approve subject to stipulations “a” and “b”

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

EXHIBIT "A-1"

DESCRIPTION

REZONE PARCEL A

A portion of the north half of Section 33, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

COMMENCING at the Northwest Corner of said Section 33, from which the North Quarter Corner of said Section 33 lies South 89°25'09"East 2622.59 feet;

Thence along the north line of said Section 33 South 89°25'09" East 1958.63 feet;

Thence departing said line South 00°34'51" West 538.04 feet to a point on the centerline of Mountain View Boulevard as defined by the Final Plat of PARK PLACE AMENDED as recorded in Book 446 Page 25, records of said County, being also the POINT OF BEGINNING;

Thence along said centerline South 52°03'18" East 185.74 feet to the beginning of a curve, concave southwesterly, having a radius of 500.00 feet;

Thence continuing along said centerline southeasterly along the arc of said curve through a central angle of 05°50'01" a distance of 50.91 feet;

Thence continuing along said centerline South 46°13'17" East 596.32 feet;
to the intersection with the centerline of Carlin Drive as defined by said final plat;

Thence along said centerline South 43°46'43" West 490.04 feet;

Thence departing said centerline North 46°13'17" West 160.00 feet;

Thence South 43°46'43" West 65.00 feet to a point on the southwesterly line of Lot 6 of said Final Plat;

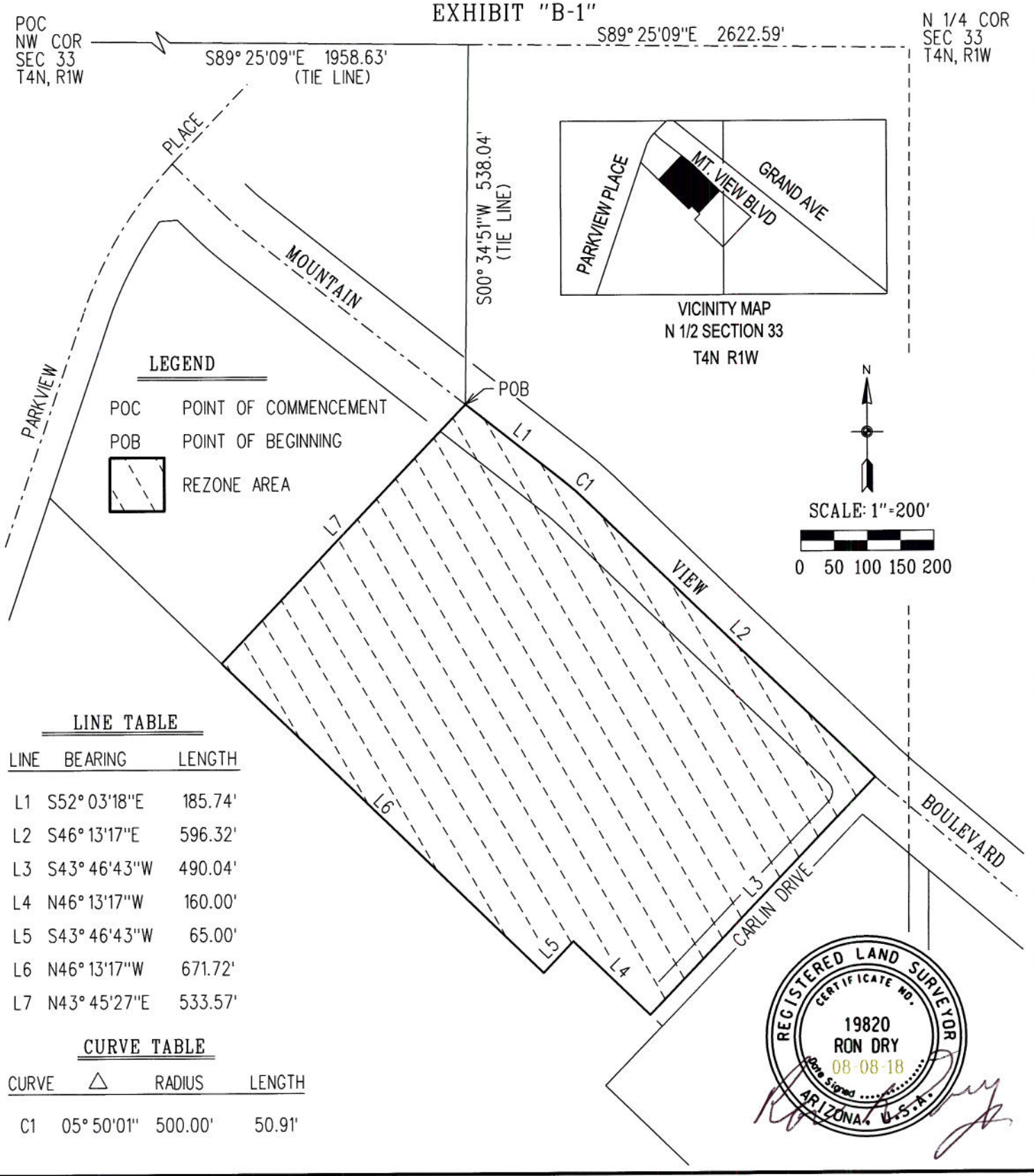
Thence along said southwesterly line North 46°13'17" West 671.72 feet;

Thence departing said line North 43°45'27" East 533.57 feet to the POINT OF BEGINNING.

Attached is EXHIBIT "B-1" and by this reference is made a part hereof.

End of description

EXHIBIT "B-1"



LINE TABLE

LINE	BEARING	LENGTH
L1	S52° 03'18"E	185.74'
L2	S46° 13'17"E	596.32'
L3	S43° 46'43"W	490.04'
L4	N46° 13'17"W	160.00'
L5	S43° 46'43"W	65.00'
L6	N46° 13'17"W	671.72'
L7	N43° 45'27"E	533.57'

CURVE TABLE

CURVE	△	RADIUS	LENGTH
C1	05° 50'01"	500.00'	50.91'

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
19820
RON DRY
08-08-18
Date Signed
ARIZONA, U.S.A.

REZONE PARCEL A
PAD TO RH-15 PUD

SURPRISE
ARIZONA

CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 18021	DRAWN BY RCD	DATE 08-08-18	SHEET 1 OF 1

EXHIBIT "A-2"

DESCRIPTION

REZONE PARCEL B

A portion of the north half of Section 33, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

COMMENCING at the Northwest Corner of said Section 33, from which the North Quarter Corner of said Section 33 lies South 89°25'09"East 2622.59 feet;

Thence along the north line of said Section 33 South 89°25'09" East 1958.63 feet;

Thence departing said line South 00°34'51" West 538.04 feet to a point on the centerline of Mountain View Boulevard as defined by the Final Plat of PARK PLACE AMENDED as recorded in Book 446 Page 25, records of said County;

Thence along said centerline South 52°03'18" East 185.74 feet to the beginning of a curve, concave southwesterly, having a radius of 500.00 feet;

Thence continuing along said centerline southeasterly along the arc of said curve through a central angle of 05°50'01" a distance of 50.91 feet;

Thence continuing along said centerline South 46°13'17" East 596.32 feet to the intersection with the centerline of Carlin Road as defined by said Final Plat being also the POINT OF BEGINNING;

Thence continuing along said centerline South 49°26'19" East 66.53 feet;

Thence departing said centerline South 00°09'17" West 852.76 feet;

Thence North 46°13'17" West 629.76 feet;

Thence North 43°46'43" East 123.53 feet;

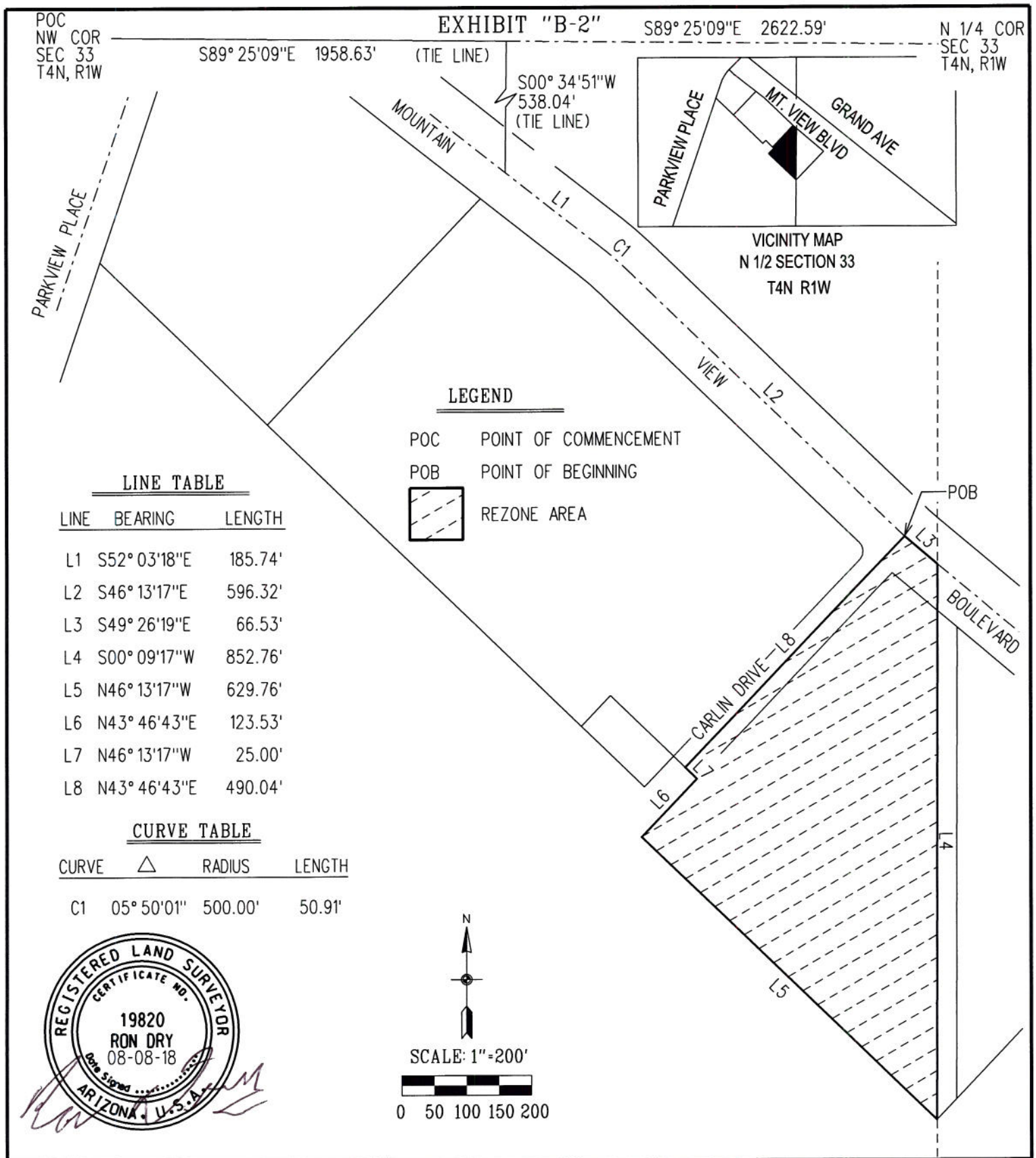
Thence North 46°13'17" West 25.00 feet to a point on the centerline of said Carlin Road;

Thence along the centerline of said road North 43°46'43" East 490.04 feet to the POINT OF BEGINNING.

Attached is EXHIBIT "B-2" and by this reference is made a part hereof.

End of description

EXHIBIT "B-2"



LINE TABLE

LINE	BEARING	LENGTH
L1	S52° 03'18"E	185.74'
L2	S46° 13'17"E	596.32'
L3	S49° 26'19"E	66.53'
L4	S00° 09'17"W	852.76'
L5	N46° 13'17"W	629.76'
L6	N43° 46'43"E	123.53'
L7	N46° 13'17"W	25.00'
L8	N43° 46'43"E	490.04'

CURVE TABLE

CURVE	△	RADIUS	LENGTH
C1	05° 50'01"	500.00'	50.91'

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
19820
RON DRY
08-08-18
Date Signed
ARIZONA, U.S.A.

REZONE PARCEL B
RR TO RH-15 PUD

SURPRISE
ARIZONA

CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 18021	DRAWN BY RCD	DATE 08-08-18	SHEET 1 OF 1

EXHIBIT "A-3"

DESCRIPTION

REZONE PARCEL C

A portion of the north half of Section 33, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

COMMENCING at the Northwest Corner of said Section 33, from which the North Quarter Corner of said Section 33 lies South 89°25'09"East 2622.59 feet;

Thence along the north line of said Section 33 South 89°25'09" East 1958.63 feet;

Thence departing said line South 00°34'51" West 538.04 feet to a point on the centerline of Mountain View Boulevard as defined by the Final Plat of PARK PLACE AMENDED as recorded in Book 446 Page 25, records of said County;

Thence along said centerline South 52°03'18" East 185.74 feet to the beginning of a curve, concave southwesterly, having a radius of 500.00 feet;

Thence continuing along said centerline southeasterly along the arc of said curve through a central angle of 05°50'01" a distance of 50.91 feet;

Thence continuing along said centerline South 46°13'17" East 596.32 feet to the intersection with the centerline of Carlin Road as defined by said Final Plat;

Thence continuing along said centerline South 49°26'19" East 66.53 feet to the POINT OF BEGINNING;

Thence continuing along said centerline South 49°55'09" East 589.57 feet;

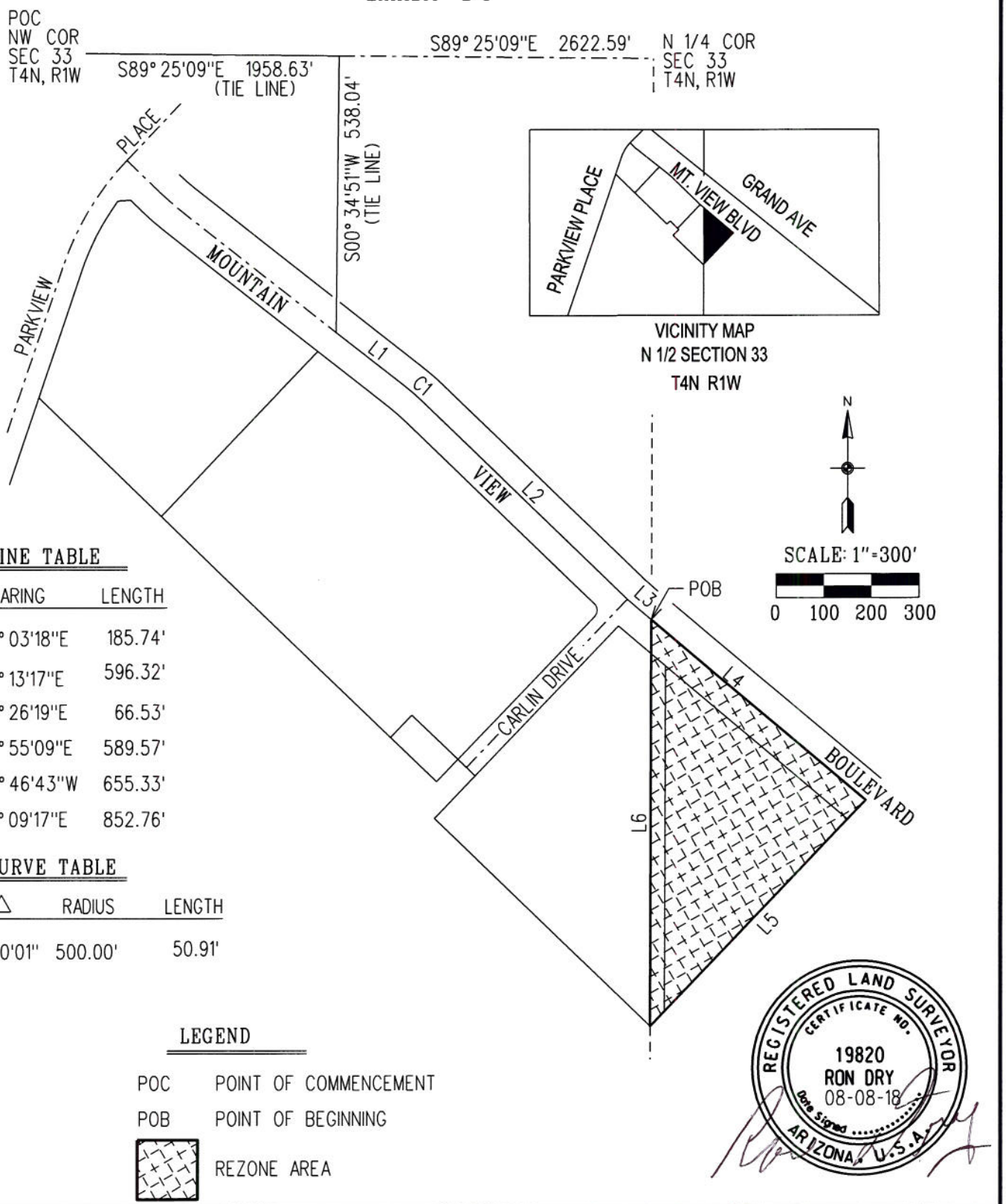
Thence departing said centerline South 43°46'43" West 655.33 feet;

Thence North 00°09'17" East 852.76 feet to the POIINT OF BEG;INNING.

Attached is EXHIBIT "B-3" and by this reference is made a part hereof.

End of description

EXHIBIT "B-3"



LINE TABLE

LINE	BEARING	LENGTH
L1	S52° 03'18"E	185.74'
L2	S46° 13'17"E	596.32'
L3	S49° 26'19"E	66.53'
L4	S49° 55'09"E	589.57'
L5	S43° 46'43"W	655.33'
L6	N00° 09'17"E	852.76'

CURVE TABLE

CURVE	△	RADIUS	LENGTH
C1	05° 50'01"	500.00'	50.91'

LEGEND

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
	REZONE AREA

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
19820
RON DRY
08-08-18
Date Signed
ARIZONA, U.S.A.

REZONE PARCEL C
CC TO RH-15 PUD

SURPRISE
ARIZONA

CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT #	DRAWN BY	DATE	SHEET
18021	RCD	08-08-18	1 OF 1

Vicinity Map
FS18-171

FS-171

Grand Avenue

Subject Site

Reems Road

Bell Road

Litchfield Road

Case Map
FS18-171

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: Christopher Todd Collection at Mountain View Rezone

OVERALL PUBLIC INVOLVEMENT LEVEL:

This activity will follow the citizen outreach and public hearing notification processes as outlined in state statute and the SUDC.

IDENTIFY STAKEHOLDERS:

Impacted residents; schools; churches; businesses; public at-large; property owners?

OBJECTIVES:

What is the purpose of the project/service/program and why is it needed? What are the impacts if the project/service/program is not achieved?

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:
Public outreach time frame (when to when)
Future Council Work Session/Meetings target dates
Election dates (if applicable)
Project start/completion dates

Communication Tools and Technique options: (which do you plan to use?)

- ☐ Press releases
- ☐ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☐ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☐ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☐ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☐ Website updates

Christopher Todd COMMUNITIES™

Mountain View

Rezoning Narrative
RH-15 with PUD Overlay

Mountain View Blvd – between Parkview Place and Grand Avenue

Submitted By/Applicant:
Beus Gilbert PLLC
Paul Gilbert & Andy Jochums
701 N 44th Street
Phoenix, AZ 85008
480-429-3000

Case # FS18-171

Submitted: March 30, 2018

Revised: June 1. 2018

Revised June 22, 2018

Development Team

Property Owners

Village Main Townhomes LP
8145 E Indian Bend Road
Suite 100
Scottsdale AZ 85250

Donna-Linda LLC
10887 E Gold Dust Avenue
Scottsdale, AZ 85259

Don Crampton Trust
10887 E Gold Dust Avenue
Scottsdale, AZ 85259

Developers

Christopher Todd Communities
2600 N 44th Street
Suite 200
Phoenix, AZ 85008

WestStone Group
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Builder

Hancock Communities
2600 N 44th Street
Suite 100
Phoenix, AZ 85008

Engineer

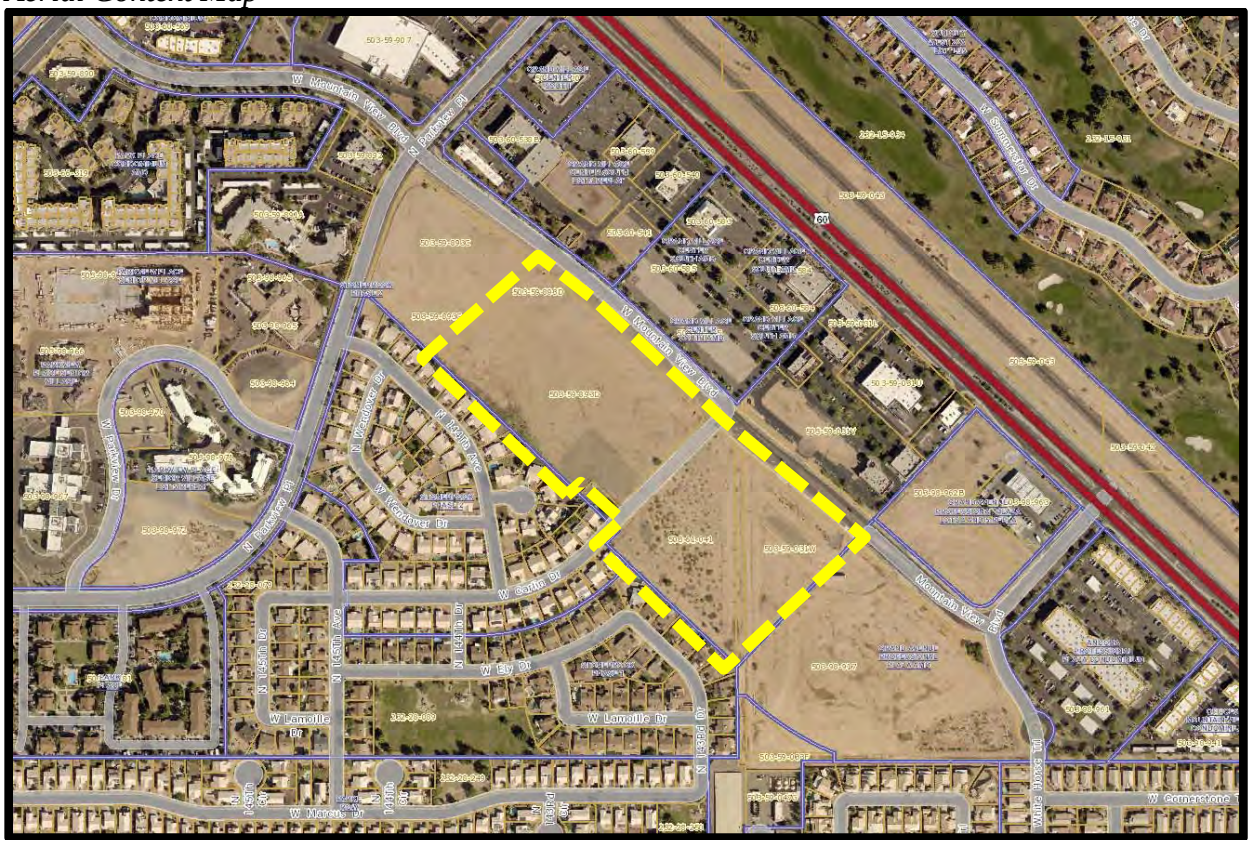
Westland Resources
2020 N Central Avenue
Suite 695
Phoenix, AZ 85004

Introduction

On behalf of the property owners, as well as Christopher Todd Communities and the WestStone Group, we are requesting approval of rezoning on approximately 20 gross acres located along Mountain View Boulevard between Parkview Place and Grand Avenue, specifically a rezone from PAD (10.4ac), Residential Ranch (5.2ac) and Community Commercial (4.3ac) to RH-15 (Residential High Density) with a PUD Overlay to allow for modified development standards. Rezoning will allow this long-vacant property to be developed as Christopher Todd Communities on Mountain View ("CTC on Mountain View").

While multi-family in zoning, with multiple dwelling units on a single parcel, Christopher Todd Communities functions more like a grouping of attached and detached single-family buildings and are akin to a compact single family subdivision offering central amenities. Unlike the typical vertical apartment complexes that are two or more stories, horizontal communities are single story and in the case of CTC on Mountain View, are small luxury homes that are for rent. Buildings are grouped to create intimate courtyards, anchored by shade trees to support healthy neighborhood interaction.

Aerial Context Map



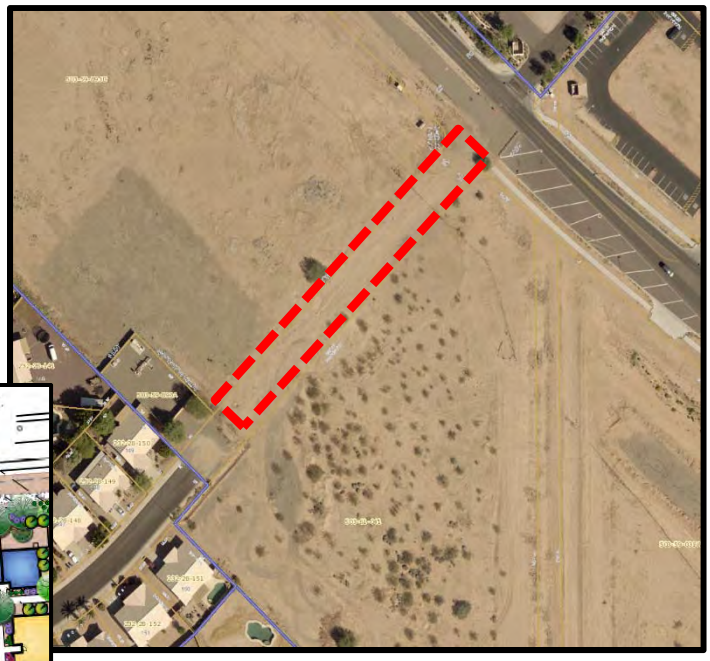
Site Location and Conditions

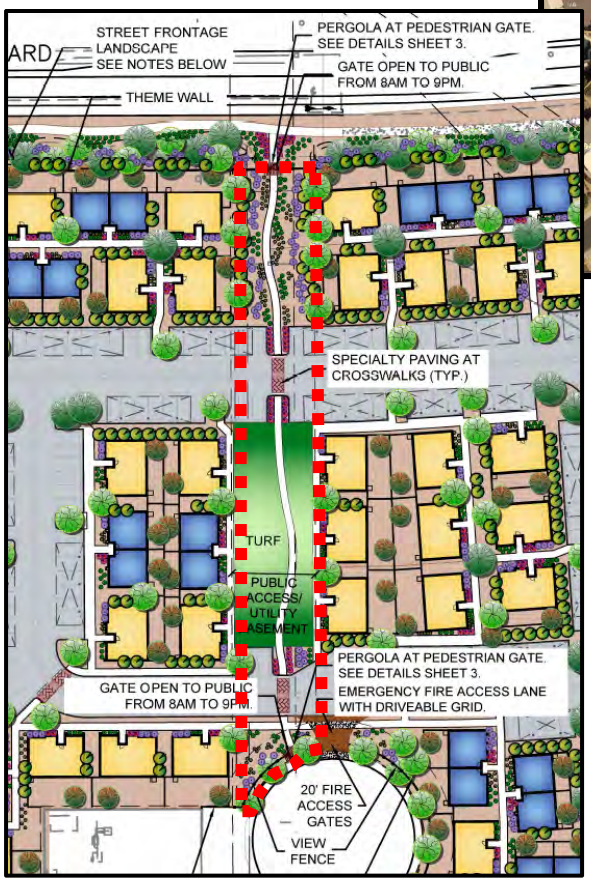
The subject 20 acres is located along the southwest side of Mountain View Boulevard and fills the gap between the existing single family residential within the Stonebrook subdivision and the commercial on the north side of Mountain View, along Grand Avenue.

Homes within Stonebrook were constructed commencing in the mid-1990s and the commercial to the northeast started developing in the early 2000s. The subject property has therefore sat vacant for a number of years and build-out of this infill property should be encouraged.

Carlin Drive

In the middle of the subject property is a 500' long section of unimproved Carlin Drive right-of way that we are requesting be abandoned by the City as a part of a Final Plat companion to this rezoning request. This right-of-way was dedicated to Surprise in 1997 and construction of a roadway or sidewalks has never occurred in the ensuing two decades.





Within CTC on Mountain View, as demonstrated by the Preliminary Landscape Plan (detail provided to the left), the non-vehicular connectivity that would have been provided by the Carlin Drive extension will remain as a public walkway through CTC on Mountain View. This walkway will be available 8am to 9pm and will allow residents of Stonebrook the ability to traverse to Mountain View Boulevard to reach retail, services, and restaurants.

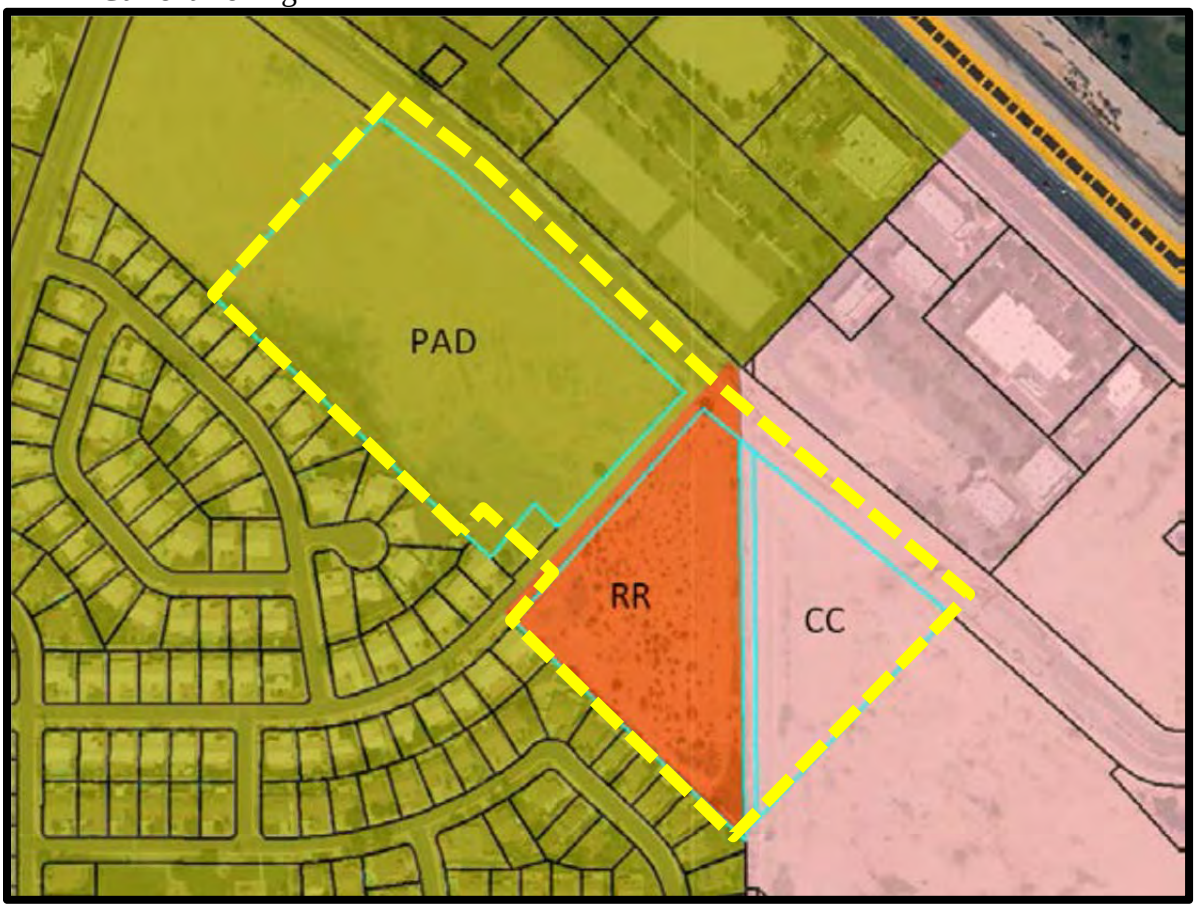
For additional detail on the abandonment of this section of right-of-way please see the narrative for our companion Final Plat.

Existing and Requested Zoning

This subject property currently consists of four separate tax parcels split between three zoning categories

The northwest portion of the subject property is currently within the Park Place PAD. As a part of the Park Place PAD, approved in 1996, this portion of the property is approved for multi-family residential at up to 20 dwelling units per acre. The southeast portion consists of a split between Rural Residential (RR) and Community Commercial (CC).

Current Zoning



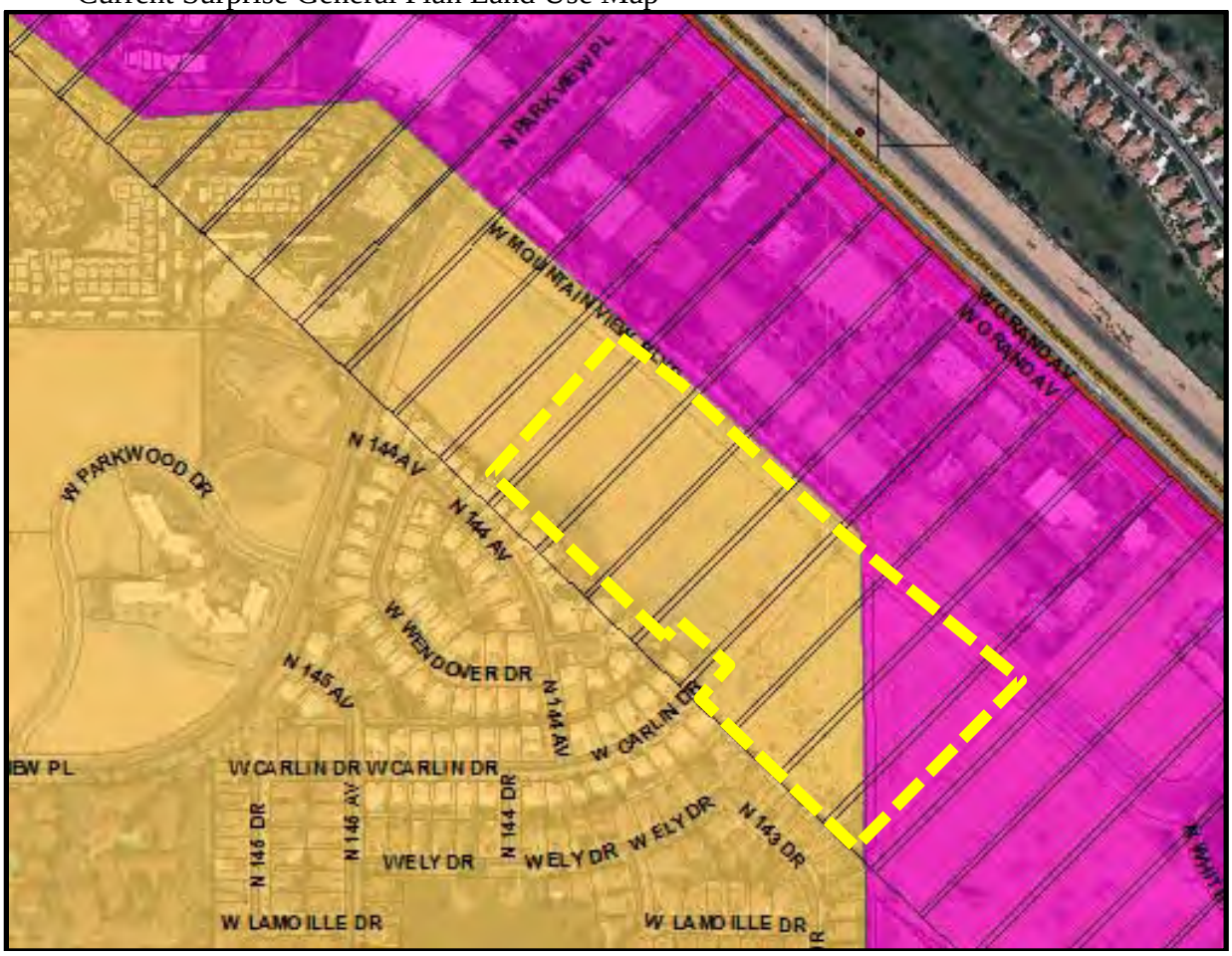
The request would remove the portion of the property from the Park Place PAD and consolidate the zoning into a single RH-15 (Residential High-Density) zoning district combined with a PUD Overlay to modify specific development standards. Those standards, along with rationale for the modifications are found starting on Page 10 of this document.

Plan Conformance

General Plan

The subject property currently has split designations of Neighborhood (northwest portion) as well as Commercial & Office (southeast portion), both within the Transit Oriented Development Sub Area, as a part of the Surprise General Plan 2035 ("Plan").

Current Surprise General Plan Land Use Map



Pursuant to the Plan, the Neighborhood as well as the Commercial & Office land use designations support the development of multi-family residential, such as that proposed. The Transit Oriented Development Sub Area designation denotes development areas that should take advantage of nearby transit corridors, in this case Grand Avenue. CTC on Mountain View supports the intent of the TOD by providing residential with safe and convenient walking and biking connections to future transit operations.

The requested rezoning is in conformance with the General Plan Land Use Map and is in also in conformance with Plan text as detailed by just a few of the applicable Goals and Policies listed starting on the following page.

Plan Conformance

Growth Element – Goal 1: Sustainable Growth – Policy 5: *"Promote and provide incentives for infill development, redevelopment and growth in existing urbanized areas."*

While located just outside a designated growth area, the subject properties have remained vacant next to existing development for a number of years and will take advantage of existing infrastructure and resources generally central to the City of Surprise.

Land Use Element – Goal 6: Variety of Housing – Policy 1: *"The City shall encourage development of neighborhoods that broaden the choice of type, size, and affordability of housing in Surprise."*

Christopher Todd Communities is a unique housing type that offers an additional housing option for those Surprise residents that desire to rent and not own, while still having the benefit of a private rear yard.

Housing Element – Goal 1: Housing Stock – Policy 2: *"Promote physical design, building structure, lot layout relationships, and landscape opportunities between existing and new housing construction to help new neighborhoods complement the surrounding neighborhoods."*

The adjacent land use to the south is single family residential. This proposal provides for a nice transition/buffer for these residents and is a reduction in intensity from the traditional multi-family that the majority of property is currently designated and zoned.

Housing Element – Goal 1: Housing Stock – Policy 7: *"Locate higher density housing along transit corridors to maximize direct patron access and buffer proximate lower density housing neighborhoods."*

The subject property is within the TOD Sub Area designated within the General Plan to support future multi-modal transit along the Grand Avenue corridor.

Housing Element – Goal 1: Housing Stock – Policy 8: *"Promote the build out of vacant and underutilized land through infill,*

Plan Conformance

reuse, revitalization and redevelopment activities appropriate for rural, suburban, or urban housing development."

The adjacent single-family developed in the mid-1990s and the commercial to the northeast started developing in the early 2000s. The subject parcels have sat vacant for a number of years and build-out of this infill property should be encouraged.

Housing Element – Goal 2: Housing Variety – Policy 4: *"Consider incentives for the development of diverse housing types, including smaller more affordable units."*

CTC at Mountain View consists of a unique housing type, different from the ubiquitous single family homes for sale and rent in Surprise. The units are smaller and more-appropriate for those that do not want to purchase or rent a large house.

Housing Element – Goal 2: Housing Variety – Policy 7: *"Preserve and expand quality, affordable rental options within various areas of the community."*

CTC at Mountain View is a rental only community and development will add more available rental options within this area of Surprise.

PUD Overlay – Development Standards

The traditional requirements of the City of Surprise development standards for multi-family are not applicable to the unique residential product used in Christopher Todd Communities. Traditional multi-family zoning expects large buildings consisting of multiple units, thereby creating a large building mass. Christopher Todd Communities on Mountain View consists of one-story residential homes that are either fully detached (2 bedroom units) or duplex style (1 bedroom units). As such this PUD Overlay proposes modifications the RH-15 Zoning District to support this unique proposed multi-family.

Existing Christopher Todd Community Example Photos

PUD Overlay – Development Standards

Christopher Todd on Mountain View Standards		
Standard	**Existing RH-15 Conventional Character Pattern Requirement**	**Proposed PUD Modifications**
Maximum Dwelling Units per Gross Acre	15 du/ac	11.15 du/ac (223 units max)
Maximum Height	35 feet (3 stories)	16 ft./1 story for primary buildings 20 ft./1 story for accessory buildings (office, fitness center, etc.) (1)
Minimum Building Setbacks: - Front - Side - Rear	 30 feet 10 feet 30 feet	 30 feet* (2) 10 feet* 20 feet
Minimum Landscape Buffers: - Adjacent to Street (Mountain View)	25 feet	15 feet (3)
- Adjacent to RM and RL	24 feet	Zero feet (4)
- Adjacent to Commercial and other Districts	10 feet	Zero feet (4)
Minimum Building Separation (one story buildings)	25 feet	10 feet
Bike Parking - Residential - Leasing Office	 0.5 per dwelling 1 per 20 vehicle spaces	 Zero per dwelling 1 per 20 vehicle spaces*

***Standard RH-15 Requirement. No Modification requested, listed for ease of reference.**

(1) If an entry portico is provided, it shall be allowed at a height up to 30 feet for adequate emergency vehicles ingress and egress as well as appropriate architectural rooflines to match the primary buildings.

(2) For the purpose of SUDC section 122-136(b)(15)(d)(1), which discusses wall placement, the front yard shall be measured 15' from the Mountain View Road property line and not the full 30' building setback.

(3)In addition to the 15 foot landscape buffer located outside of the perimeter wall, a minimum 15 foot deep private yard shall be provided with at least one tree per yard to act as additional buffering.

(4)Minimum 20 foot deep private yards shall be provided with at least one tree per yard to act as buffering.

PUD Overlay – Development Standards

Justification for Modified Standards

Reduction in Maximum Density and Height

In support of the below requested reductions, and to insure increased compatibility with the surrounding single family, CTC on Mountain View is also proposing reduction of the permitted maximum density as well as reductions in the allowed height for the property. The limitation of maximum 1 story buildings and maximum of 12 du/ac (reduced from 15 du/ac in the base RH-15 Zoning District) helps justifies the proposed reduced development standards.

Existing Christopher Todd Community Example Photos

PUD Overlay – Development Standards

Reduction in Rear Yard Setback

The base RH-15 Zoning District anticipates taller multi-family buildings with a mass larger than that of a typical single family home and as such requests a 30' minimum building setback adjacent to single family zoning, such as that located in the Stonebrook subdivision to the southwest. In contrast to those expectations, buildings within CTC on Mountain View are all single-story and smaller than a typical single-family home. The density of the project, at 12 du/ac is also more in-line with medium density housing. If not for the fact that CTC at Mountain View requires RH zoning because it is multiple residential buildings on a single parcel; the RM-12 district allows a 15' rear setback, less than that which we are proposing.

Reduction in Landscaping Buffers

Residential High Density (RH) Zoning requires a 30' front setback along Mountain View Blvd. and a 25' landscape buffer within that setback. As part of the PUD overlay, we are proposing hybrid buffering that retains the 30' building setback and combines 15' of traditional landscape buffering outside of the perimeter wall with 15' deep private yards inside that wall. The private yards will each feature at least one tree, which when combined with the trees and other shrubs adjacent to the street will more than adequately offer enough vegetative buffering of the proposed single story buildings.

Existing Christopher Todd Community Example Photo

CTC on Mountain View includes minimum 20 foot deep private rear yards along the common property lines, including adjacent to the existing single family homes in the Stonebrook subdivision. In lieu of providing a separate perimeter landscape buffer, which would normally be found in a multi-family apartment complex, we propose elimination of

PUD Overlay – Development Standards

the separate perimeter landscape buffer requirement. The 20' deep rear yards, include landscaping, and function similar to that of a medium density single-family residential lot, which would not require the aforementioned perimeter landscaping and only require a 15' building setback.

Reduction in Building Separation

Traditional multi-family zoning expects large buildings consisting of multiple units, thereby creating a large building mass. CTC on Mountain View consists of one-story residential homes that are either fully detached (2 bedroom units with 1,022 square feet under roof) or duplex style (1 bedroom units with a total of 1,336 square feet under roof for the two unit building.) Wherein building separation is typically expected to maintain a 25' separation between buildings, we are requesting a 10' minimum separation. Given the small building mass, this reduced separation allows for a more pedestrian scale and provides an intimate experience in the walkways between the buildings.

Existing Christopher Todd Community Example Photo

Reduction in Bike Parking

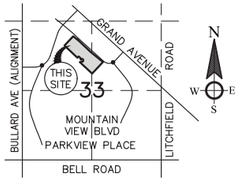
The SUDC requires .5 dedicated bike parking spaces per dwelling unit. Because CTC at Mountain View includes rear yards, it functions more like a single family community, which would not require dedicated bike parking. Because each unit will have room in this yard for secure bike parking, extra bike racks outside of the yards, within the common areas, is not necessary. Bike parking racks will still be provided in accordance with the SUDC next to the office area.

Christopher Todd COMMUNITIES™

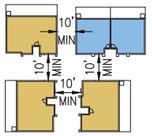
Exhibit 1

Conceptual Site Plan

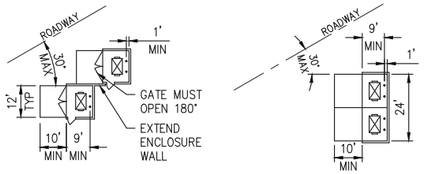
CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW



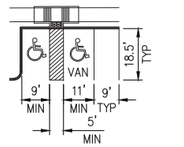
VICINITY MAP
NTS



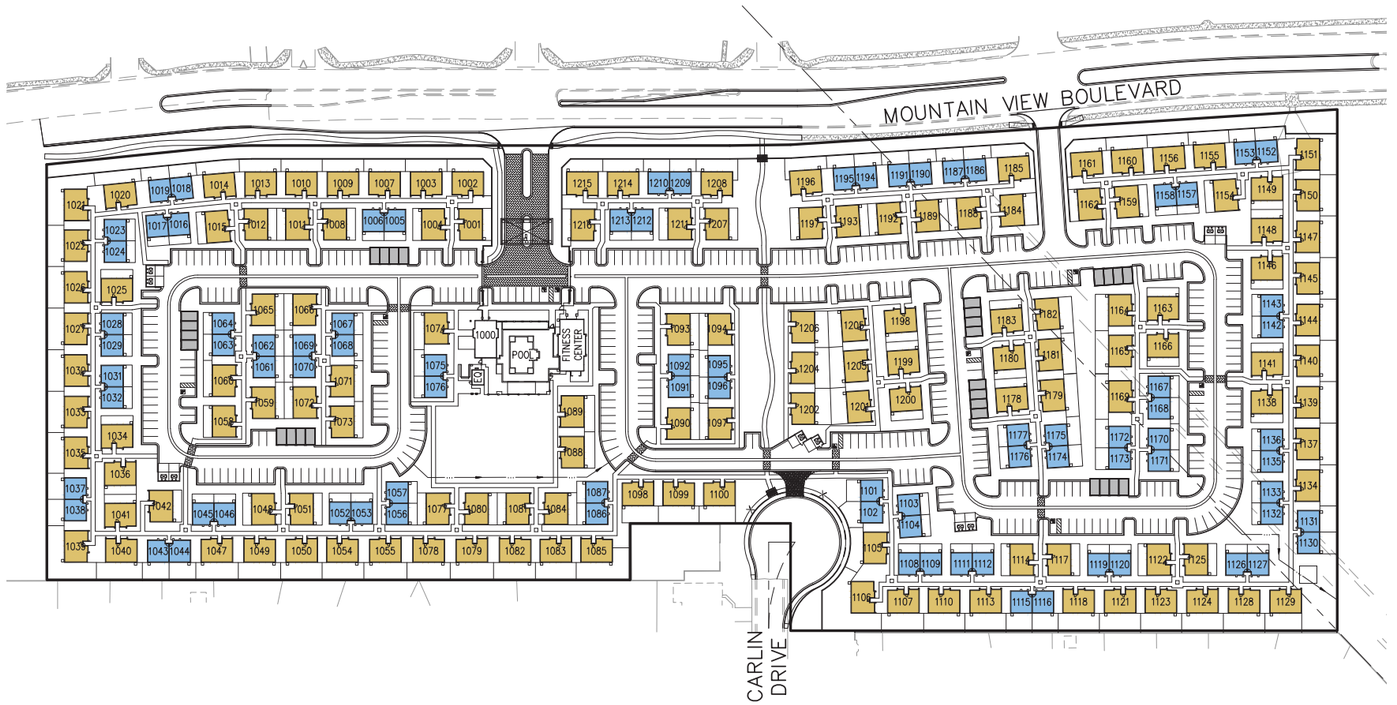
TYPICAL BUILDING SPACING
NTS

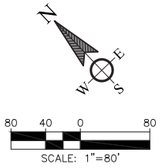


TYPICAL TRASH ENCLOSURE
NTS



TYPICAL PARKING DETAIL
NTS





SITE PLAN YIELD

GROSS ACREAGE	± 19.77 AC
NET ACREAGE	± 17.72 AC
DENSITY	10.93 DU/GROSS AC

PROJECT DATA

YIELD DATA

UNIT TYPE	YIELD	TOTAL # BEDS	MIX %
1 BEDROOM	84	84	39
2 BEDROOM	132	264	61
	216	348	100

APN NUMBER
503-59-893D
603-61-041
503-59-031W
503-59-033M

LOT COVERAGE ALLOWED PER PAD: N/A
LOT COVERAGE PROVIDED (NET): 25%

CURRENT ZONING: PAD, RR AND CC
PROPOSED ZONING: RH-15 W/PUD OVERLAY

PARKING REQUIRED:
- 84 1-BEDROOM x 1.5 PARKING SPACES = 126 SPACES
- 132 2-BEDROOM x 2 PARKING SPACES = 264 SPACES
- TOTAL PARKING REQUIRED = 390 SPACES

PARKING PROVIDED = 412 SPACES

ACCESSIBILITY PARKING:
- REQUIRED PER ADA: 9
- PROVIDED: 9

BUILDING ALLOWED HEIGHT FOR UNITS PER PUD: 16'
PROVIDED FOR UNITS: 15'-6" HT

DENSITY:
- ALLOWED PER PUD: 12 DU/AC=237 DU MAX
- PROVIDED 216 UNITS/19.77 GROSS ACRES=10.93 DU/ACRE

OPEN SPACE SUMMARY:
COMMON OPEN SPACE CALCULATION:

POOL/RAMADA	6,372 SF
PASSIVE RECREATION FIELD	35,238 SF
AMENITY OPEN SPACE (SUM)	41,610 SF
OPEN SPACE WALKING AREA	205,144 SF
TOTAL PROVIDED COMMON OPEN SPACE (SUM*)	246,754 SF
59.1% OF OPEN SPACE, 1,142 SF/UNIT	

PRIVATE OPEN SPACE:
- REAR YARD OPEN SPACE: 118,201 SF
- 28.3% OF OPEN SPACE, 547 SF/UNIT

LANDSCAPE OPEN SPACE OUTSIDE PROJECT:
- OPEN SPACE OUTSIDE PERIMETER WALL: 52,603 SF
- 12.6% OF OPEN SPACE, 244 SF/UNIT

LEGAL DESCRIPTION

A PORTION OF THE NORTH HALF OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

COMMENCING AT AN ALUMINUM CAP FLUSH AT THE NORTHWEST CORNER OF SAID SECTION 33, FROM WHICH AN ALUMINUM CAP IN HANDHOLE BEARS SOUTH 89 DEGREES 25 MINUTES 09 SECONDS EAST, 1920.79 FEET;
THENCE SOUTH 89 DEGREES 25 MINUTES 09 SECONDS EAST, 2622.59 FEET;

THENCE ALONG THE NORTH LINE OF SAID SECTION 33, SOUTH 0 DEGREES 34 MINUTES 51 SECONDS WEST, 578.37 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 52 DEGREES 03 MINUTES 18 SECONDS EAST, 191.56 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 445.00 FEET;

THENCE SOUTHEASTERLY 45.31 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 5 DEGREES 50 MINUTES 01 SECONDS;

THENCE SOUTH 46 DEGREES 13 MINUTES 17 SECONDS EAST, 551.10 FEET;

THENCE SOUTH 46 DEGREES 59 MINUTES 32 SECONDS EAST, 70.01 FEET;

THENCE SOUTH 49 DEGREES 55 MINUTES 09 SECONDS EAST, 631.08 FEET;

THENCE SOUTH 43 DEGREES 46 MINUTES 43 SECONDS WEST, 600.21 FEET;

THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 629.76 FEET;

THENCE NORTH 43 DEGREES 46 MINUTES 43 SECONDS EAST, 123.53 FEET;

THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 185.00 FEET;

THENCE SOUTH 43 DEGREES 46 MINUTES 43 SECONDS WEST, 65.00 FEET;

THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 671.72 FEET;

THENCE NORTH 43 DEGREES 45 MINUTES 27 SECONDS EAST, 478.27 FEET TO THE POINT OF BEGINNING.

CONTAINS 17.8902 ACRES, MORE OR LESS.

LEGEND

	CONCRETE PATHWAY	PUE	PUBLIC UTILITY EASEMENT
	CONCRETE SIDEWALK	W	EXISTING WATER METER
	FIRE HYDRANT	IV	EXISTING IRRIGATION VALVE
	TAP SLEEVE & VALVE	TRAN	EXISTING ELECTRIC TRANSFORMER
6"W	PRIVATE WATERLINE	T	EXISTING TELEPHONE CABINET
	PRIVATE 2" WATERLINE/FIRELINE		EXISTING STREET LIGHT
8"S	PRIVATE SEWERLINE MAIN		EXISTING UTILITY JUNCTION BOX
	4" PRIVATE SEWER SERVICES	S	EXISTING SEWER MANHOLE
EX 8"W	EXISTING WATER LINE	SD	EXISTING STORM DRAIN MANHOLE
EX 8"S	EXISTING SEWER LINE		GARAGE PARKING
EX 8"IRR	EXISTING IRRIGATION LINE		HANDICAP PARKING
	STORM DRAIN	1035	EXISTING CONTOUR
	CATCH BASIN		COVERED PARKING
	MANHOLE		TRASH ENCLOSURE
	SEWER CLEANOUT		
	WATER METER BOX		
	DRYWELL		
	INTERCEPTOR		

SITE PLAN

OWNER
MOUNTAIN VIEW COTTAGES, LP
CONTACT: JEFF LAFRANCE
8502 E VIA DE VENTURA, STE 122,
SCOTTSDALE, AZ 85258
EMAIL: JEFF@WSTGP.COM
PHONE: (480) 355-4227

ARCHITECT
BARDUSON ARCHITECTS
CONTACT: STEVE BARDUSON
3702 EAST KACHINA DRIVE
PHOENIX, AZ 85044
EMAIL: STEVE@BARDUSON.COM
PHONE: (480) 967-7007

DEVELOPER
CHRISTOPHER TODD PROPERTIES
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2600 N 44TH STREET, SUITE A-200
PHOENIX, AZ 85008
PHONE: (480) 285-1300

LAND USE ATTORNEY
BEUS GILBERT PLLC
CONTACT: ANDY JOCHUMS, AICP
701 N 44TH STREET
PHOENIX, AZ 85008
EMAIL: AJOCHUMS@BEUSGILBERT.COM
PHONE: (480) 429-3063

CIVIL
WESTLAND RESOURCES, INC.
CONTACT: BRUCE P. LARSON, P.E.
2020 N. CENTRAL, SUITE 695
PHOENIX, AZ 85004
EMAIL: BLARSON@WESTLANDRESOURCES.COM
PHONE: (602) 888-7000

LANDSCAPE ARCHITECT
WESTLAND RESOURCES, INC.
CONTACT: RICK SCHONFELD, RLA
4001 E PARADISE FALLS DR
TUCSON, AZ 85712
EMAIL:
RSHONFELD@WESTLANDRESOURCES.COM
PHONE: (520) 206-8585

SHEET INDEX

1 COVER SHEET
2 SITE PLAN
3 UTILITY PLAN

NOTE:
1. ANY PERIMETER OFF-SITE IMPROVEMENTS ARE TO BE COMPLETED WITH FIRST PHASE OF CONSTRUCTION.
2. ALL DWELLING UNITS ARE SEPARATED BY A MINIMUM OF 6' AND FIRE SPRINKLED FOR FIRE PROTECTION.
3. ALL STREET CURVES AND TURNS INTO COMMON DRIVEWAYS COMPLY WITH AASHTO SU-40.

WestLand Resources
2020 N. Central Avenue
Suite 695
Phoenix, Arizona 85004
(602) 888-7000

DATE OF PREPARATION: 5/30/2018

Christopher Todd COMMUNITIES™

Exhibit 2

Conceptual Landscape Plans

PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME
SMALL TREES		
	Bauhinia congesta	White Orchid Tree
	Lysiloma watsonii	Featherbush
	Chitalpa tashkentensis	Chitalpa
MEDIUM TREES		
	Chilopsis linearis 'Lopur' PPAF Dazzlewine	Desert Willow-Dazzlewine
	Jacaranda mimosifolia	Jacaranda
	Parkinsonia praecox	Palo Brea
	Phoenix dactylifera	Date Palm
LARGE TREES		
	Ficus microcarpa	Indian Laurel Fig
	Pistacea Chinensis 'RED PUSH'	Red Push Pistache
	Ulmus parvifolia sempervirens	Chinese Evergreen Elm
SMALL SHRUBS		
	Carissa macrocarpa 'Prostrata'	Prostrate Natal Plum
	Euphorbia rigida	Gopher Plant
	Gaura lindheimeri 'Whirling Butterflies'	White Gaura
	Justicia brandegeana	Shrimp Plant
	Ruellia brittoniana 'Katie'	British Ruellia
MEDIUM SHRUBS		
	Bougainvillea x Torch Glow	Torch Glow Bush Bougainvillea
	Eremophila maculata	Valentine Bush
	Justicia spicigera	Mexican Honeysuckle
	Nerium oleander 'Petite Salmon'	Petite Salmon Oleander
LARGE SHRUBS		
	Caesalpinia pulcherima	Red Bird of Paradise
	Tacoma x 'Orange Jubilee'	Orange Jubilee Yellow Bells
	Dodonea viscosa	Hopbush
ACCENTS		
	Agave Ocahui	Ocahui Agave
	Aloe barbadensis	Barbados Aloe
	Asclepias subulata	Desert Milkweed
	Cereus peruvianus	Peruvian Apple Cactus
	Dasylirion acrotriche	Green Spoon
	Hesperaloe parviflora	Red Yucca
	Lophocereus schottii monstrose	Totem Pole Cactus
	Pedilanthus macrocarpus	Slipper Flower
	Cycas revoluta	Sago Palm
SMALL GROUND COVERS		
	Dalea capitata	Lemon Dalea
	Bulbine frutescens 'Orange'	Orange Stalked Bulbine
	Lantana camera 'New Gold'	New Gold Lantana
	Myoporum parvifolium	Myoporum
LARGE GROUND COVERS		
	Acacia redolens 'Desert Carpet'	Desert Carpet Acacia
	Baccharis pilularis 'Starn Thompson'	Dwarf Coyote Bush

1" Minus Decomposed Granite

Hybrid Bermuda Turf Grass

NOTE:
All plantings to be irrigated by an automated underground irrigation system.

NOTE:
STREET FRONTAGE LANDSCAPE REQUIREMENTS:
TREES WITH A MIN. 24" BOX PLANTED @ 2 PER 25 LF
25% OF THESE TREES SHALL BE 36" BOX.
50% OF ALL TREES AT ENTRY TREATMENTS SHALL BE A MIN. 48" BOX.
SHRUBS SHALL BE PLANTED @ 6 PER 25 LF. 50% OF THESE SHALL BE 5 GALLON OR GREATER. IN NO CIRCUMSTANCE SHALL THERE BE A QUANTITY OF LESS THAN THREE 5-GALLON SHRUBS IN A 25 LF SPAN.

MULTI-FAMILY UNITS AND PARKING				
	NUMBER OF UNITS	MIX %	PARKING REQUIRED PER UNIT	TOTAL PARKING REQUIRED
1 BEDROOM	84	39%	1.5	126
2 BEDROOM	132	61%	2.0	264
TOTALS	216	100%		390
TOTAL PARKING REQUIRED				412
			PARKING PROVIDED	412

NOTE: PARKING PROVIDED INCLUDES GARAGES

BUILDING HEIGHT: 15'6"

SITE DATA	
GROSS ACRES	19.83
NET ACRES	17.70
GROSS DU/AC	10.89
NET DU/AC	12.21

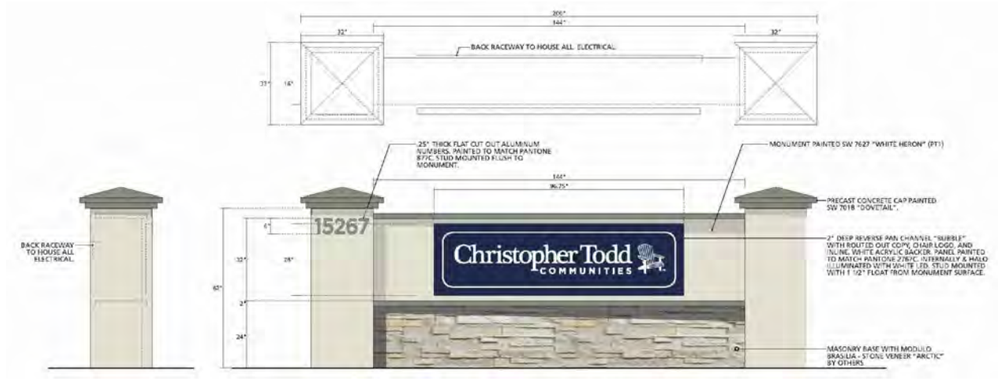
CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW

PRELIMINARY LANDSCAPE PLAN

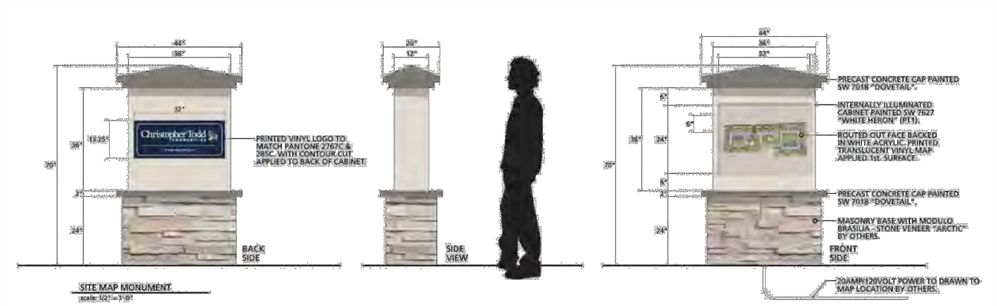
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

WestLand Resources
2020 N. Central Avenue
Suite 695
Phoenix, Arizona 85004
(602) 888-7000

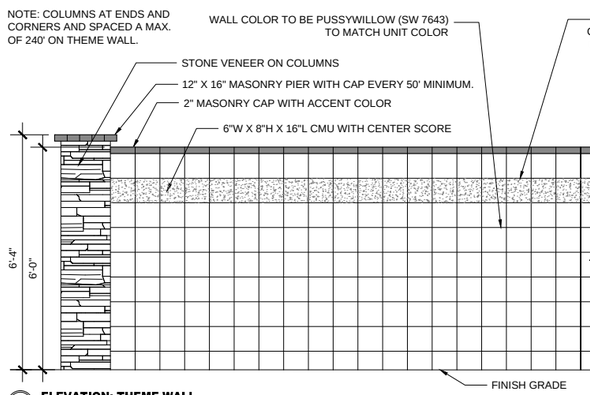
M:\Jobs\2000's\2012.04\LA\Preliminary Landscape



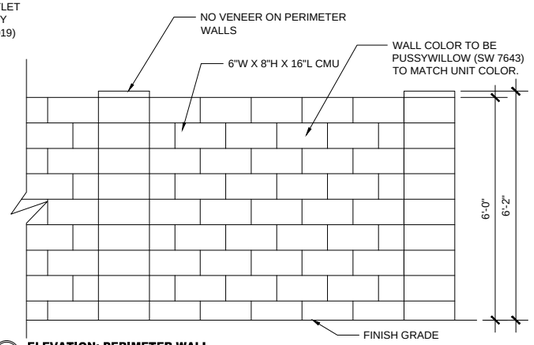
1 **ELEVATION: ENTRY MONUMENT**
SCALE: NTS



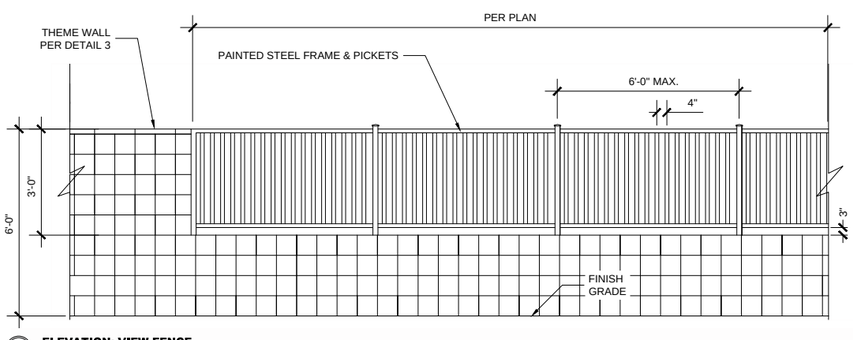
2 **ELEVATION: COMMUNITY SITE MAP**
SCALE: NTS



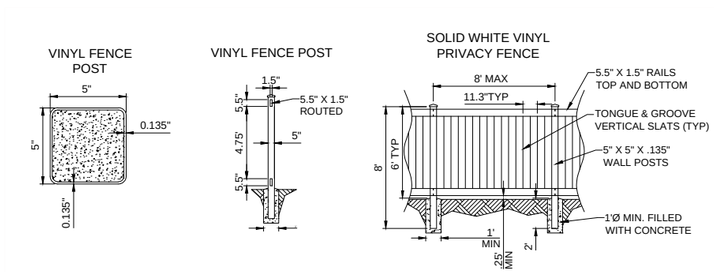
3 **ELEVATION: THEME WALL**
SCALE: NTS



4 **ELEVATION: PERIMETER WALL**
SCALE: NTS



5 **ELEVATION: VIEW FENCE**
SCALE: NTS



6 **VINYL FENCE-BACKYARDS**
SCALE: NTS

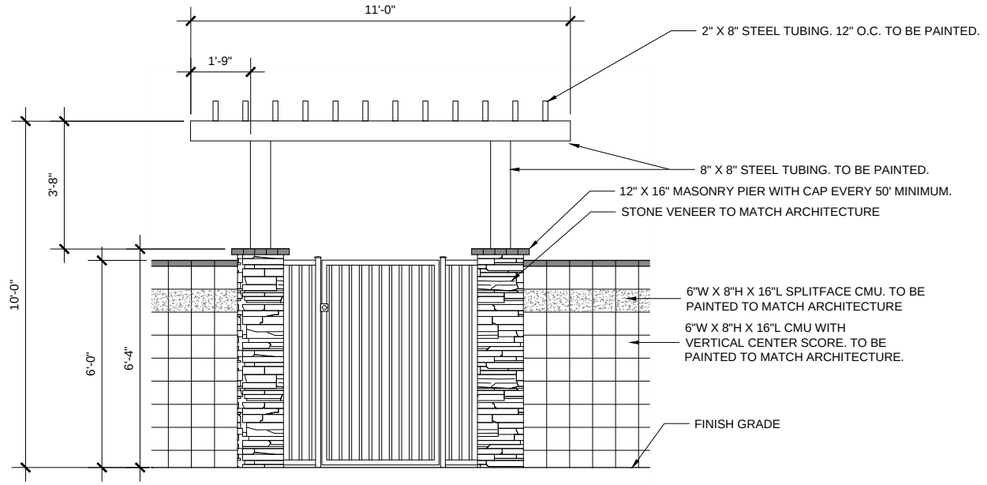
WestLand Resources
2020 N. Central Avenue
Suite 695
Phoenix, Arizona 85004
(602) 888-7000

M:\Jobs\20000\20012.00\LA\Preliminary Landscape

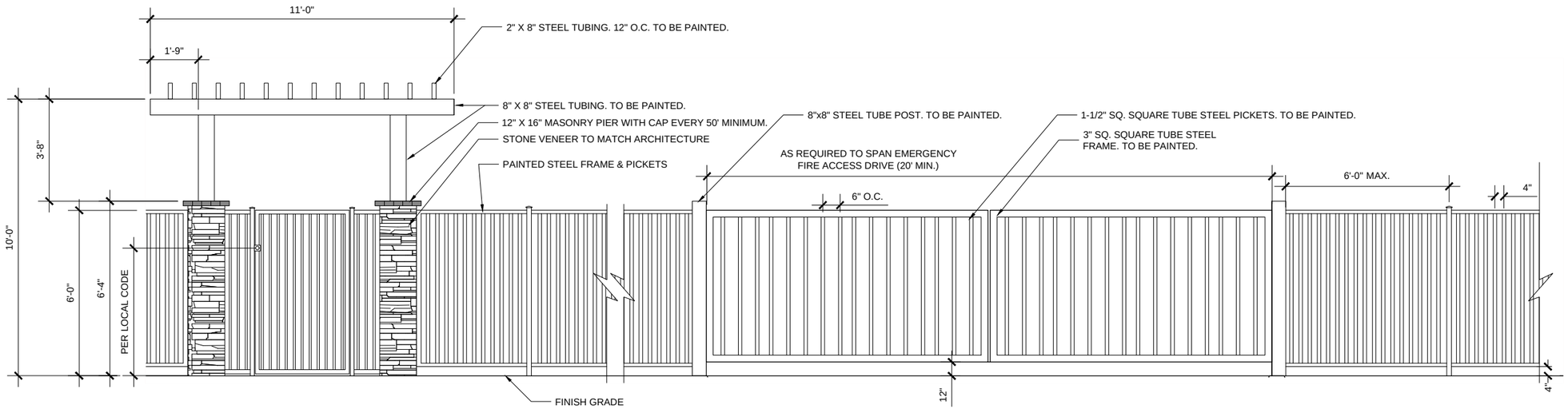
CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW

PRELIMINARY LANDSCAPE ELEVATIONS

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



PERGOLA AT PEDESTRIAN GATE -
MountainView Boulevard



PERGOLA AT PEDESTRIAN GATE -
Carlin Drive

CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW

PERGOLA AT PEDESTRIAN GATES

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

WestLand Resources
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Suite 695
Phoenix, Arizona 85004
(602) 888-7000

M:\Jobs\2000's\2012.04\LA\Preliminary Landscape

Christopher Todd COMMUNITIES™

Exhibit 3

Conceptual Building Elevations

1 BEDROOM

SCHEME 01

2 BEDROOM

1 BEDROOM

SCHEME 02

2 BEDROOM

1 BEDROOM

SCHEME 03

2 BEDROOM

SHEET SIZE: 24 X 36

DISCLAIMER:
THESE DOCUMENTS PROVIDE DESIGN INTENT ONLY AND ARE NOT TO SUPERSEDE THE REGISTERED ARCHITECTS SET OF CONSTRUCTION DOCUMENTS. ARCHITECTURAL PLANS OF THE BIDDING GENERAL CONTRACTOR AND TRADE CONTRACTOR MUST VERIFY CORRECT CODE APPLICATION AND INSTALLATION OF DESIGNED ELEMENTS WITHIN THEIR RESPECTIVE SCOPE OF WORK PRIOR TO SUBMITTING A BID. CREATIVE LICENSE MAKES NO WARRANTY IMPLIED OR OTHERWISE FOR OWNER CONTRACTED OR OWNER PROVIDED INTERIOR DESIGN ELEMENTS, FURNISHINGS OR FIXTURES.

CLIENT NAME:
CHRISTOPHER TODD COMMUNITIES

PROJECT NAME:
CTC - GREENWAY

PROJECT LOCATION:
LITCHFIELD & GREENWAY

SHEET NAME:
EXTERIOR ELEVATIONS

Creative License international

REVISIONS:

INSTALL DATE:	
SCALE:	
DATE:	05-02-17
JOB NUMBER:	2162
DRAWN BY:	CAC
PM:	000
AE:	000
SHEET:	

Christopher Todd Communities at Mountain View
FS18-171 and FS18-247

Citizen Outreach Report

REVIEW MEETING DETAILS

DATE: Monday, June 4, 2018

TIME: 6:00 PM to 7:00 PM

LOCATION: Holiday Inn Express & Suites
16540 N. Bullard Ave.
Surprise, Arizona 85374

Notice was sent by the City of Surprise to all residents and HOA's within 300 feet of the property. It was also published in the paper and 2 signs reflecting the meeting schedule were put on the property. (See attached notice and affidavit of posting)

Christopher Todd Communities Representatives:
- Jeff LaFrance – Developer
- Greg Hancock – Builder
- Bruce Larson – Engineer
- Paul Gilbert – Attorney
- Andy Jochums – Planning Consultant

City of Surprise Representatives
- Councilman Skip Hall
- Councilman Ken Remley
- Assistant CD Director Lloyd Abrams
- Current Planning Supervisor Robert Kuhfuss

Neighbor Participants
- See attached Sign-in Sheet

The following is a list of questions/concerns posed at the meeting and the answers provided.

1. **How large are the backyards/How far are the homes from the back wall of the adjacent single family.** Our single story rental homes will be a minimum of 20' from the shared property line wall.
2. **Has City approved plan?** No, we are currently working with City staff on the layout to address their rules and regulations, including fire access. The request will go to the Planning and Zoning Commission and City Council.

3. **Concerns over access, some residents don't want access to Carlin Drive.** There was a show of hands and only three of the residents in attendance desired to have access through the project connecting Carlin Drive with Mountain View Boulevard.
4. **How is the pedestrian gate controlled?** It will be electronic with a timer for restricting afterhours use.
5. **Start the finish, how long will construction take?** It is anticipated that is will take 1 ½ years to complete the entitlements and complete construction all the way from grading to the occupancy of the last rental home.
6. **Will this be age restricted?** No it will not.
7. **Statement that the residents "dodged a bullet" as there could be taller traditional apartments on this site and that this particular resident knows of others who are happy with the way the site at Greenway turned out.**
8. **Comment that improvement to Mountain View Boulevard would be nice.**.
9. **When would you expect construction to commence?** Assuming approval is granted, January 2019.
10. **When are the hearings?** No dates have been set, but all adjacent property owners will get notice. The applicant will notify anyone who provided an email on the sign-in sheet.
11. **I have been by the Litchfield and Greenway site and the colors are all white and light gray with no variety?** This property will feature similar architecture and we are rather fond of the color schemes, but we can explore more variety.
12. **Please consider some public art like mosaics and sculptures on Mountain View.**
13. **A resident from the Summerfield subdivision expressed concern for cut-through traffic as their community is not gated.** Discussion followed with some of the residents in attendance indicating that they contributed to that problem.
14. **We came to the prior meeting, what happened?** It was explained that the previous meeting or this site, while for the same developer, was for two separate projects to be located on either side of Carlin Drive. This current proposal includes unifying the properties and abandoning Carlin Drive.
15. **Will there be a second wall and how high will the buildings be placed?** It was explained that the developer was taking every effort to keep the finished floor elevations of the rental units the same as the adjacent homes. Given the slope of the land, there could be the need for a second wall, but it would able to be placed right next to the existing block wall, with no space in between.
16. **Could the request to abandon Carlin Drive change?** The developer continues to propose the abandonment and that will not change. Ultimately the decision will be that of the Mayor and Council.
17. **Where will vehicular access be located?** Using a graphic is was illustrated that vehicular access for residents will be limited to Mountain View Boulevard. There will be a gated access at the end of Carlin Drive, but that will be for emergency access or egress only.

SIGN IN SHEET

Christopher Todd Communities -- Mountain View
FS18-171 and FS18-247

June 4, 2018

PLEASE PRINT CLEARLY

NAME	ADDRESS	EMAIL
Andy Cepon	[redacted]	
ELSIE ALLSHOUSE	[redacted]	
Laura Hightower	[redacted]	
Clarice Reed	[redacted]	
* Connie & Kevin Youngkin	[redacted]	
Carl & Oreta Staggs	[redacted]	
Erica Murray	[redacted]	
Richard & Tammy Paul	[redacted]	
Charlene Standley	[redacted]	
Ellie Davis	[redacted]	
MARTHA BAILS	[redacted]	

SIGN IN SHEET

Christopher Todd Communities -- Mountain View
FS18-171 and FS18-247

June 4, 2018

PLEASE PRINT CLEARLY

NAME	ADDRESS	EMAIL
Margaret Gorski	[redacted]	

CITY OF SURPRISE
CITIZEN OUTREACH MEETING

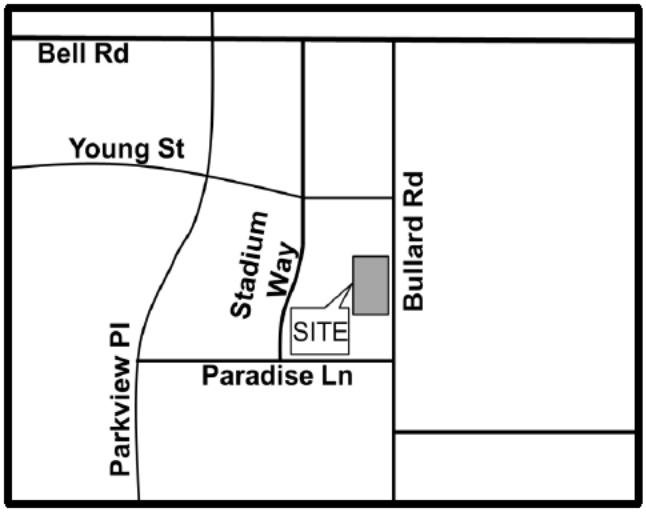
Take notice that at the date, time, and place listed below, there will be a Citizen Review meeting to discuss the below-referenced project. At this meeting, any of the public may appear and be heard relative to this project. The City of Surprise Community Development Department may be contacted prior to the scheduled meeting for additional information.

City of Surprise Planner: Robert Kuhfuss
623-222-3137

CITIZEN OUTREACH MEETING DETAILS

DATE: Monday, June 4, 2018
TIME: 6:00 PM to 6:30 PM
LOCATION: Holiday Inn Express
16540 N. Bullard Ave
Surprise, Arizona 85374

Meeting Location



Project Location

PROJECT DESCRIPTION:

FS18-171: Rezone from PAD, Residential Ranch, and Community Commercial to RH-15 PUD (12 dwelling units per acre), together with a Final Plat for the purpose of abandoning the Carlin Drive Right-of-way adjacent to the site.

FS18-247: Site Plan for Christopher Todd Communities on Mountain View.

CITY OF SURPRISE
Site posting Process

AFFIDAVIT OF POSTING

Application No: FS18-171 and FS18-247

Applicant Name: Beus Gilbert

Location: Mountain View Blvd south of Parkview Pl

Date Site Posted: May 17, 2018

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Meghan Liggett — 5/17/18

Applicant/Representative Signature — Date

This instrument was acknowledged before me on this 17th day of May, 2018, and by Meghan Liggett. I witness whereof I hereunto set my hand and official seal.

MaryBeth Conrad
Notary Public

10-25-20
My commission expires

MARYBETH CONRAD
Notary Public, State of Arizona
Maricopa County
My Commission Expires
October 25, 2020

CITY OF SURPRISE

Notice of Public Hearing
City of Surprise
Neighborhood Meeting
Date: Monday, June 4, 2018
Time: 6:00 P.M. to 6:30 P.M.
Location: Holiday Inn Express
16540 N.Bullard Avenue
Surprise, AZ 85374
Planning & Zoning
Date: TBD
Time: 6:00 P.M.
Location: Surprise City Hall
16000 N. Civic Ctr. Plaza
Surprise, AZ 85374
City Council
Date: TBD
Time: 6:00 P.M.
Location: Surprise City Hall
16000 N. Civic Ctr. Plaza
Surprise, AZ 85374
Case #'s: FS18-171 & FS18-247
Case: FS-18-171 Rezone from PAD, Residential Ranch, and Community Commercial to RH-15 PUD (12 dwelling units per acre), together with a Final Plat for the purpose of abandoning the Carlin Drive Right-of-way adjacent to the site.
Case:FS18-247 Site Plan for Christopher Todd Communities in Mountain View.
Please call to confirm dates:
623-222-3011
5/17/18 09:26:13

Notice of Public Hearing
City of Surprise
Neighborhood Meeting
Date: Monday, June 4, 2018
Time: 6:00 P.M. to 6:30 P.M.
Location: Holiday Inn Express
16540 N.Bullard Avenue
Surprise, AZ 85374
Planning & Zoning
Date: TBD
Time: 6:00 P.M.
Location: Surprise City Hall
16000 N. Civic Ctr. Plaza
Surprise, AZ 85374
City Council
Date: TBD
Time: 6:00 P.M.
Location: Surprise City Hall
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Case #'s: FS18-171 & FS18-247
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Case:FS18-247 Site Plan for Christopher Todd Communities in Mountain View.
Please call to confirm dates:
623-222-3011
5/17/18 09:26:31

Notice of Public Hearing
City of Surprise
Neighborhood Meeting
Date: Monday, June 4, 2018
Time: 6:00 P.M. to 6:30 P.M.
Location: Holiday Inn Express
16540 N.Bullard Avenue
Surprise, AZ 85374
Planning & Zoning
Date: TBD
Time: 6:00 P.M.
Location: Surprise City Hall
16000 N. Civic Ctr. Plaza
Surprise, AZ 85374
City Council
Date: TBD
Time: 6:00 P.M.
Location: Surprise City Hall
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Case #'s: FS18-171 & FS18-247
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Case:FS18-247 Site Plan for Christopher Todd Communities in Mountain View.
Please call to confirm dates:
623-222-3011
5/17/18 09:46:09

Notice of Public Hearing
City of Surprise
Neighborhood Meeting
Date: Monday, June 4, 2018
Time: 6:00 P.M. to 6:30 P.M.
Location: Holiday Inn Express
16540 N.Bullard Avenue
Surprise, AZ 85374
Planning & Zoning
Date: TBD
Time: 6:00 P.M.
Location: Surprise City Hall
16000 N. Civic Ctr. Plaza
Surprise, AZ 85374
City Council
Date: TBD
Time: 6:00 P.M.
Location: Surprise City Hall
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Case:FS18-247 Site Plan for Christopher Todd Communities in Mountain View.
Please call to confirm dates:
623-222-3011
5/17/18 09:46:30

DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

9 April 2018

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Jamie Sullivan
Development Services Specialist
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS18-171; Christopher Todd Communities at Mountain View

Dear Ms. Sullivan

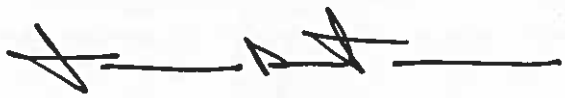
Thank you for the opportunity to provide comments on the Rezone and Final Plat Application for Christopher Todd Communities at Mountain View. The site sits on 20 gross acres of vacant land located at Mountain View Blvd between Parkview Place and Grand Avenue. This proposed rezoning is to accommodate approximately 237 multi-family residential rental units for a density of 12 du/ac. The site is approximately 2.13 to 2.41 miles outside the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. Christopher Todd Communities at Mountain View, with a density of 12 du/ac does not fall within these guidelines.

This request will not meet the GDC and will have a negative impact on our flight operations. The site is located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. While we have determined that this request exceeds the densities that Luke AFB follows, we recognize that we are not the approval authority. As such, if this development is approved, we recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents/tenants about Luke AFB operations.

If there are any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely



JAMES R. MITCHELL

cc:
Colonel Michael S. Richardson, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

Good evening. My name is Tom Nicholas, representing the home owners of the Summerfield at Litchfields subdivision. We are a small community of 142 homes with a distressing traffic concern. Since Mountain View was opened behind Trader Joe's and the Bell Road overpass was completed, our community has been turned into a thoroughfare for surrounding communities. As a united voice, the residents of Summerfield at Litchfields is counting on the Surprise Planning and Zoning Commission to hear and respond to our concerns about the addition of the 224 rental homes.

Our last traffic study was done in January 2017. At that time, it was indicated an average of more than 1,000 vehicles traveled on one street in one direction daily. That was an incomplete study at best, and we are requesting another, more comprehensive traffic study be performed, with traffic counts being taken on the two main roads through our community - West Two Guns Trail and North Cornerstone Way - in both directions.

Our HOA has a petition signed by 70 % of the Summerfield at Litchfields residents requesting that traffic abatement measures be taken, whether it be speed humps, or closing the entrance at North

White Horse Trail to all but emergency vehicles, or any other viable suggestion the City of Surprise has to offer.

With the increase in traffic, residents have encountered speeding and reckless drivers who have endangered pedestrians including children disembarking school buses. As they travel too fast for the curvatures in the roads, these drivers have dangerously swerved around residents' vehicles while attempting to exit and enter their own driveways. There is a complete disregard for obeying basic residential traffic laws and some careless drivers will even pass moving vehicles traveling at appropriate speeds for a residential community.

We have been bringing these concerns to the attention of the City of Surprise for the past three years. We've had meetings with Skip Hall, Mike Gents in Traffic, and representatives of our local police department. Some of our home owners have even attended City Council meetings as well as made calls to the Mayor's office. But we are doubtful anyone is listening or taking us seriously.

It is time for the City of Surprise to genuinely respond to our very valid and very real concerns by providing a timely solution to our traffic problems before someone is critically injured or worse.

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Sergio Angulo - Community Development
Submitting Department:	CD	District:	1
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Preliminary Plat entitled, "Cortana at Desert Oasis at Surprise" dated June 13, 2018, a property generally located on the northwest corner of Jomax Road and 173rd Avenue; Resolution #2018-139.

Motion:

I move to approve Resolution #2018-139.

Background:

On February 23, 2018 EPS Group, Inc., submitted a request for a Preliminary Plat to allow for the development of a single-family residential subdivision in parcel L6 of the Desert Oasis at Surprise PAD located on the northwest corner of Jomax Road and 173rd Avenue. On August 2, 2018 the Planning and Zoning Commission passed a motion to recommend approval to the Mayor and City Council of case FS18-051, subject to stipulations 'A' to 'C'.

Objective Analysis:

This proposed Preliminary Plat will allow for the development of a single-family residential subdivision on the subject site.

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

- 00FS18051 STAFF REPORT-REV STIPS
- 01 - FS18-051 Cortana at Desert Oasis - Vicinity Map
- 02 - FS18-051 Cortana at Desert Oasis - Preliminary Plat
- 03 - FS18-051 Cortana at Desert Oasis - Landscape Plan
- 04 - FS18-051 Cortana at Desert Oasis - Circulation Exhibit
- 05 - FS18-051 Cortana at Desert Oasis - Luke AFB Letter
- 06 - FS18-051 Cortana at Desert Oasis - ADOT Comments
- 07 - FS18-051 Cortana at Desert Oasis - Presentation
- Resolution 2018-139

SURPRISE
ARIZONA

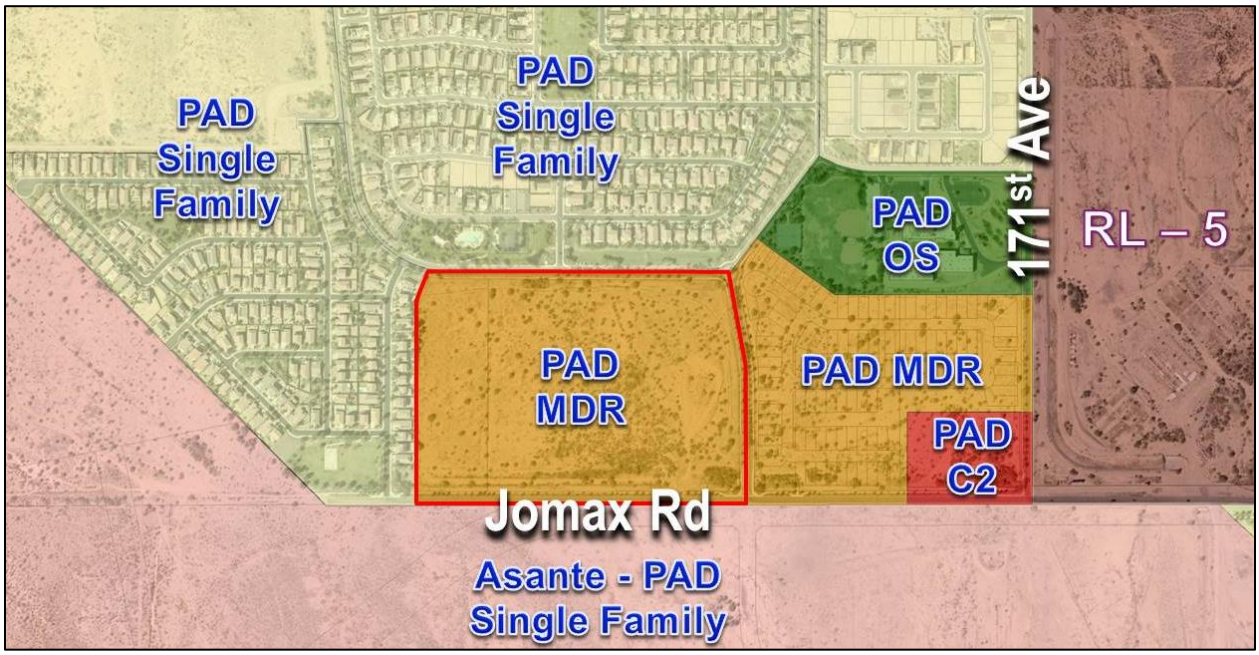
Preliminary Plat

REPORT TO THE CITY COUNCIL

Case:	**FS18-051**
Project Name:	Cortana at Desert Oasis
Council District:	**1** – ACACIA
Meeting Date:	**September 4, 2018**
Planner:	Sergio Angulo

Owner:	KB Home Phoenix, Inc.
Applicant:	EPS Group, Inc.
Request:	Preliminary Plat for 152 lots.
Site Location:	Northwest corner of Jomax Road and 173rd Avenue in Desert Oasis.
Site Size:	36.89 Acres (approx.)
Density:	4.12 Dwelling Units per Acre
General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035 as proposed under case FS18-051.
Support/Opposition:	None known.
Recommendation:	On August 2, 2018 the Planning and Zoning Commission passed a motion to recommend **approval** to the Mayor and City Council of case FS18-051, subject to stipulations 'A' to 'C'. Subsequent to the Planning and Zoning Commission meeting, stipulations "A" and "B" were revised, with the concurrence of the Developer, to require that the cash-in-lieu payments be made "prior to the civil infrastructure improvements being accepted by the City," as opposed to prior to approval of the Final Plat."

Existing Land Zoning:



PAD (Single Family Residential)	PAD (Single Family Residential)	PAD (Single Family Residential)
PAD (Single Family Residential)	**PAD (MDR)**	PAD (MDR)
PAD (Residential)	PAD (Residential)	PAD (Residential)

History:

October 12, 2000: The subject parcel was annexed into the City.
September 14, 2000: The Mayor and City Council approved The Desert Oasis at Surprise Planned Area Development (PAD).
May 17, 2016: The Mayor and City Council approved a Major Amendment to the Desert Oasis at Surprise Planned Area Development (PAD) to modify certain development standards for the subject parcel.
October 26, 2017: Staff met with the applicant to discuss the project during a regularly scheduled Concept Review meeting under CR17-554.
February 23, 2018: The applicant filed a request for a Preliminary Plat approval for a new 152-lot residential subdivision.
August 2, 2018: The Planning and Zoning Commission passed a motion to recommend **approval** to the Mayor and City Council of case FS18-051, subject to stipulations 'A' to 'C' as outlined below:

A. Prior to approval of the Final Plat, the Developer will provide a cash-in-lieu payment, per the City approved engineer's estimate, of their proportional share for the construction of roadway improvement associated with the 163rd Avenue project.

B. Prior to approval of the Final Plat, the Developer will provide a cash-in-lieu payment, per a City reviewed and approved engineer's estimate, for the raised median and landscape on Jomax Road along the project frontage.
C. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

Subsequent to the Planning and Zoning Commission meeting, stipulations "A" and "B" were revised by Staff, with the concurrence of the Developer, to require that the cash-in-lieu payments be made "prior to the civil infrastructure improvements being accepted by the City," as opposed to prior to approval of the Final Plat. These revised stipulations are memorialized in Resolution 2018-139, which accompanies case FS18-065, the Final Plat for Cortana at Desert Oasis.

Project Description:

EPS Group, Inc., on behalf of KB Home Phoenix, Inc., requests approval of a Preliminary Plat to allow for the development of a single-family residential subdivision in parcel L6 of the Desert Oasis at Surprise PAD located on the northwest corner of Jomax Road and 173rd Avenue. The applicant proposes 152 residential lots with an amenity open space lot on approximately 28.3 acres.

The subject property is zoned Planned Area Development (PAD) and has a land use designation of Medium Density Residential. The PAD allows a maximum density of 6.5 dwelling units per acre and this development proposes a total density of 4.12 dwelling units per acre.

The subdivision proposes two (2) access points; one (1) on the west side from 173rd Avenue and another on the north from Maya Way. Stipulation 'B' guarantees the construction of a median on Jomax Road which is required by the City's traffic standards. The site proposes good pedestrian connectivity from the residential lots to the open space tracts as well as to the existing sidewalks along Jomax Road, 173rd Avenue and Maya Way. Along Jomax Road the site proposes a multi-use trail easement which will provide connections to and from the development to the east and to the future development to the east. Stipulation 'A' requires the developer to contribute to the improvements of 163rd Avenue and Jomax Road which will help improve the traffic of this region.

The proposed subdivision is composed of 152 single-family detached homes and will be built in three (3) phases. The typical lot size is 6,000 sq. ft. and the typical lot width is 50'. The site dedicated 7.29 acres (20%) for open space which include a tot lot with playground equipment, BBQ facilities, and shaded seating. Landscape and retention tracts also contribute to the total open space. The proposed open space and landscape meets the requirements of the PAD (13%) and the SUDC (20%).

This Preliminary Plat application is in conjunction with a related Final Plat case FS18-065, which will also be presented to the Mayor and City Council on September 4, 2018.

Reviewing Agencies:

In addition to the standard city internal reviewing departments, the Nadaburg Unified School District, the Arizona Department of Transportation, Maricopa Water District, and Luke AFB were included in the routing of this request. None of the reviewing agencies indicated any concerns over the request.

Summary:

Staff believes by accepting and incorporating the revised stipulations 'A' to 'C' the proposed Preliminary Plat will meet the requirements of the Desert Oasis at Surprise PAD, the SUDC, and the General Plan.

Findings:

- The proposed Preliminary Plat is consistent with the Surprise General Plan 2035.
- The proposed Preliminary Plat will meet the provisions of the Desert Oasis at Surprise PAD and the SUDC as applicable once all stipulations are met.

Recommendation:

That the Mayor and City Council **approve** case FS18-051, subject to revised stipulations 'A' to 'C' as outlined below:

A. Prior to the final civil infrastructure improvements being accepted by the City, the Developer will provide a cash-in-lieu payment, per the City approved engineer's estimate, of their proportional share for the construction of roadway improvement associated with the 163rd Avenue project.
B. Prior to the final civil infrastructure improvements being accepted by the City, the Developer will provide a cash-in-lieu payment, per a City reviewed and approved engineer's estimate, for the raised median and landscape on Jomax Road along the project frontage.
C. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

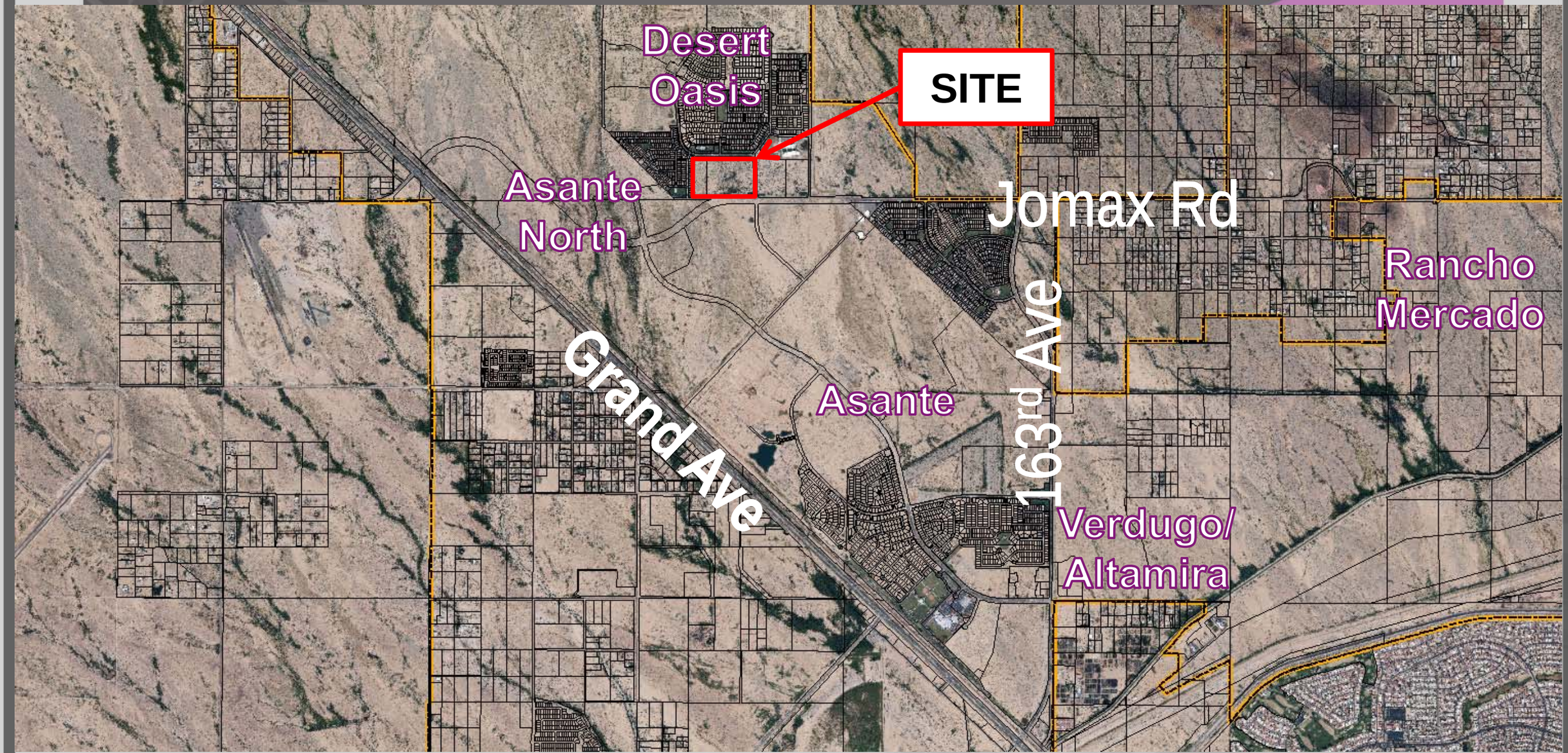
However, should the City Council wish to recommend **denial** of the request, the City Council should make its own findings and base its decision on those alternative findings.

Attachments:

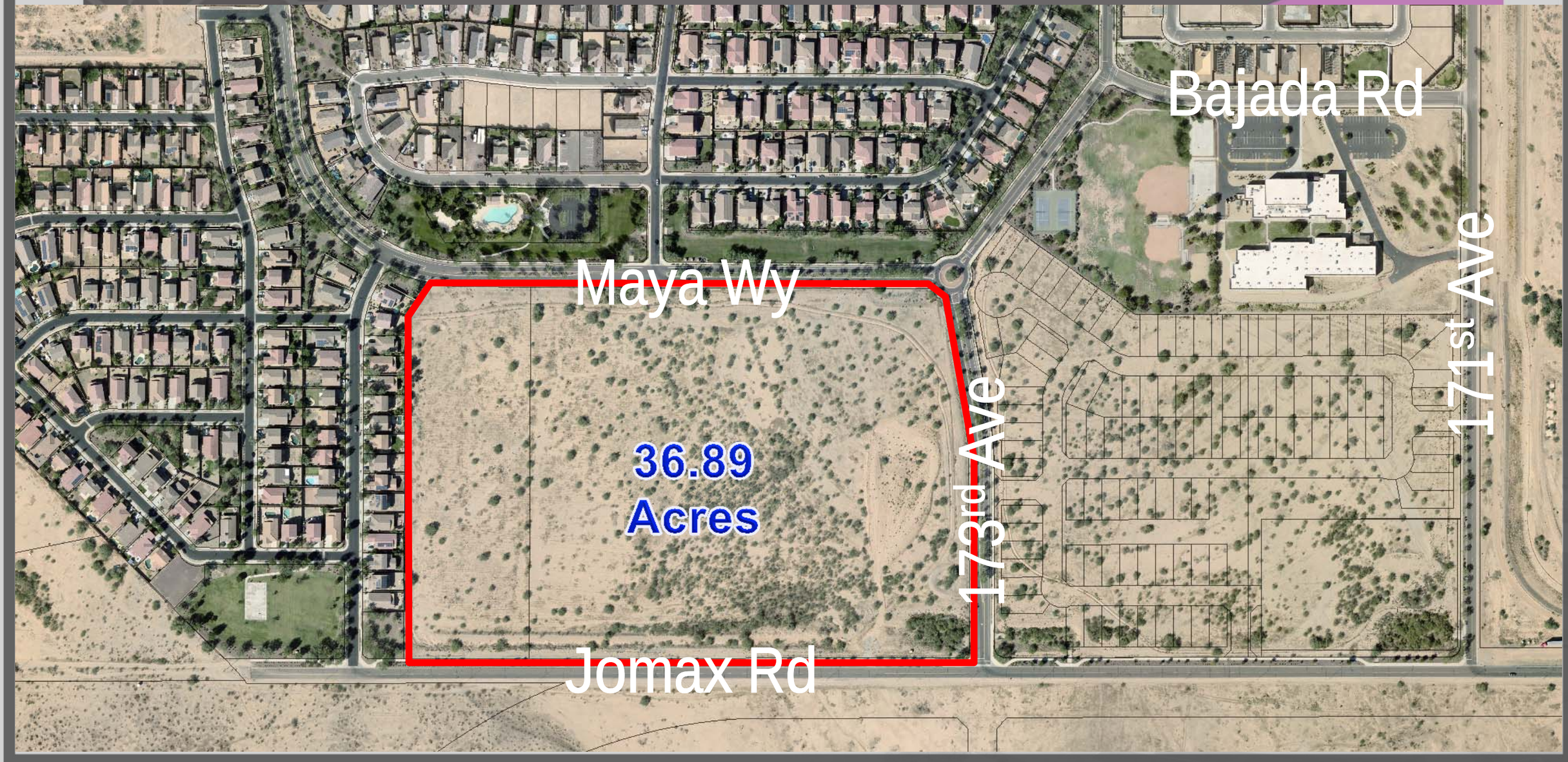
01 Vicinity Maps
02 Preliminary Plat
03 Landscape Plans

140 04 Circulation Exhibit
141 05 Luke AFB Letter
142 06 ADOT Comments

VICINITY MAP



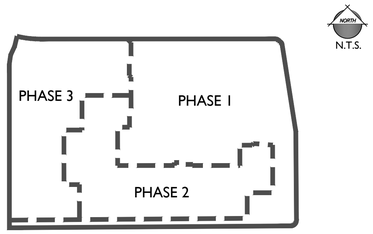
VICINITY MAP



PRELIMINARY PLAT
FOR
CORTANA AT DESERT OASIS AT SURPRISE

A PORTION OF THE SOUTH HALF OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

PHASE KEY MAP



LEGAL DESCRIPTION

BEING A PORTION OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 35;

THENCE SOUTH 89 DEGREES 36 MINUTES 46 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SECTION 35, 1454.17 FEET;

THENCE DEPARTING SAID SOUTH LINE NORTH 00 DEGREES 23 MINUTES 14 SECONDS WEST, 65.00 FEET TO A POINT ON A LINE WHICH IS PARALLEL WITH AND 65.00 FEET NORTHERLY OF, AS MEASURED AT RIGHT ANGLES FROM THE SOUTH LINE OF SAID SECTION 35, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 36 MINUTES 46 SECONDS WEST, ALONG SAID PARALLEL LINE, 1198.50 FEET;

THENCE CONTINUING ALONG SAID PARALLEL LINE SOUTH 89 DEGREES 36 MINUTES 07 SECONDS WEST, 349.38 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 39 SECONDS WEST, 899.89 FEET;

THENCE NORTH 08 DEGREES 20 MINUTES 07 SECONDS EAST, 50.25 FEET;

THENCE NORTH 24 DEGREES 39 MINUTES 23 SECONDS EAST, 52.34 FEET;

THENCE NORTH 13 DEGREES 35 MINUTES 45 SECONDS EAST, 56.97 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 535.00 FEET, A RADIAL LINE BEARS AT SAID POINT (NORTH 13 DEGREES 35 MINUTES 45 SECONDS EAST);

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, 127.21 FEET THROUGH A CENTRAL ANGLE OF 13 DEGREES 37 MINUTES 24 SECONDS;

THENCE NORTH 89 DEGREES 58 MINUTES 21 SECONDS EAST, 1295.72 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 20.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, 16.26 FEET THROUGH A CENTRAL ANGLE OF 46 DEGREES 34 MINUTES 03 SECONDS TO A POINT OF REVERSE CURVATURE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 60.00 FEET, A RADIAL LINE BEARS AT SAID POINT (NORTH 46 DEGREES 32 MINUTES 24 SECONDS EAST);

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, 14.58 FEET THROUGH A CENTRAL ANGLE OF 13 DEGREES 55 MINUTES 31 SECONDS TO A POINT OF REVERSE CURVATURE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 20.00 FEET, A RADIAL LINE BEARS AT SAID POINT (SOUTH 32 DEGREES 36 MINUTES 53 SECONDS WEST);

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, 16.26 FEET THROUGH A CENTRAL ANGLE OF 46 DEGREES 34 MINUTES 03 SECONDS;

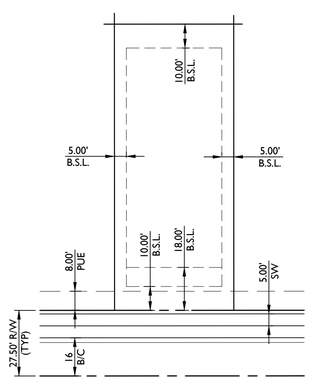
THENCE SOUTH 10 DEGREES 49 MINUTES 04 SECONDS EAST, 312.30 FEET TO THE BEGINNING OF A CURVE CONCAVE
SOUTHEASTERLY AND HAVING A RADIUS OF 965.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, 175.32 FEET THROUGH A CENTRAL ANGLE OF 10 DEGREES 24 MINUTES 33 SECONDS;

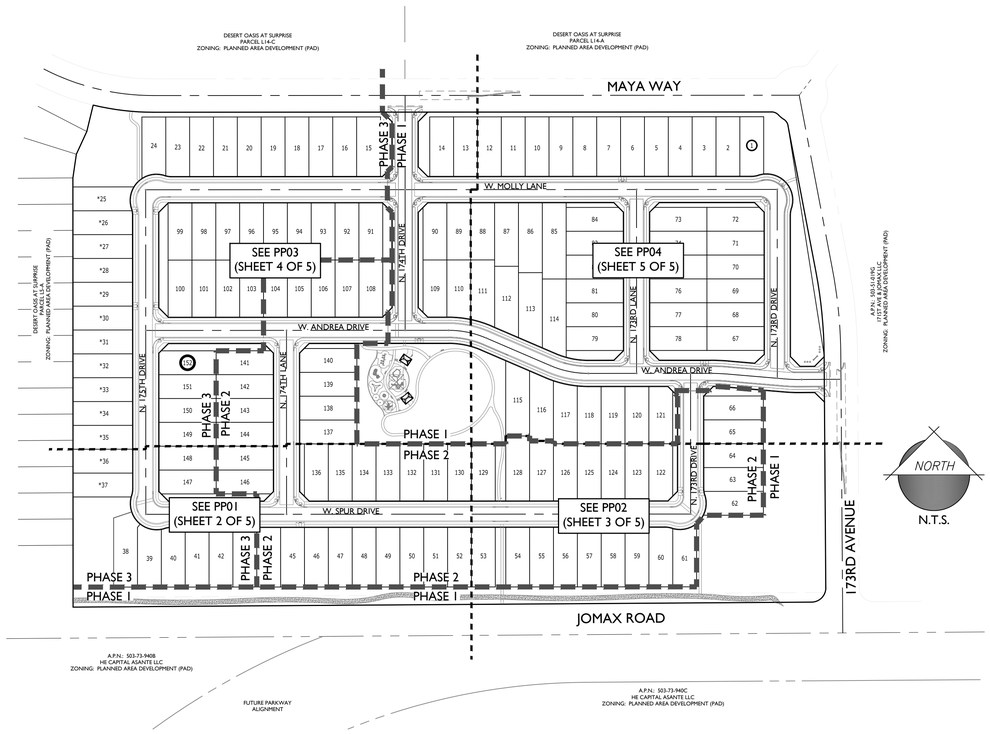
THE SOUTH 00 DEGREES 24 MINUTES 31 SECONDS EAST, 487.86 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 30.00 FEET;

THENCE WESTERLY ALONG THE ARC OF SAID CURVE, 47.14 FEET THROUGH A CENTRAL ANGLE OF 90 DEGREES 01 MINUTES 17 SECONDS TO THE POINT OF BEGINNING.

SINGLE FAMILY DEVELOPMENT STANDARDS PAD CASE #PAD99-129	
STANDARD	MDR
MINIMUM WIDTH	35'
MINIMUM LOT AREA	2,500 S.F.
MINIMUM LOT DEPTH	67'
FRONT SETBACK (LIVABLE)	10'
FRONT SETBACK (GARAGE)	18'
REAR SETBACK (HOUSE)	10'
SIDE SETBACK (HOUSE)	5' / 5'
STREET SIDE (HOUSE)	7'
BUILDING COVERAGE	55% - 2 STORIES 65% - 1 STORY
AVERAGE DENSITY	6.5 DU/AC



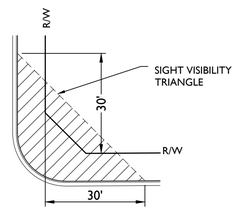
Typical Lot Setbacks



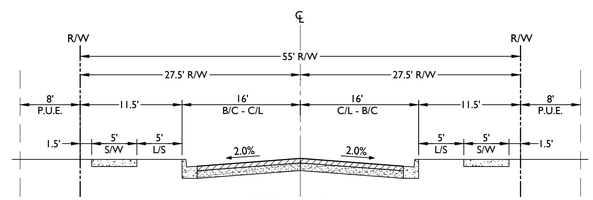
LINE LEGEND

MATCH LINE

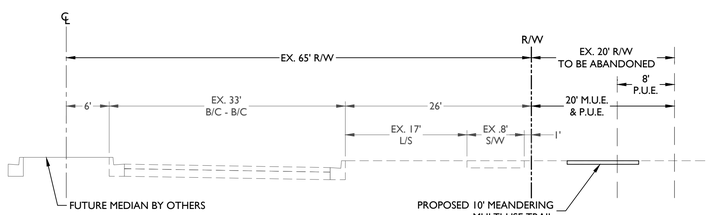
PHASE LINE



TYPICAL S.V.T. EASEMENT
LOCAL TO LOCAL STREET
N.T.S.
(PER CITY OF SURPRISE ENGINEERING DESIGN STANDARDS DETAIL 4-02)

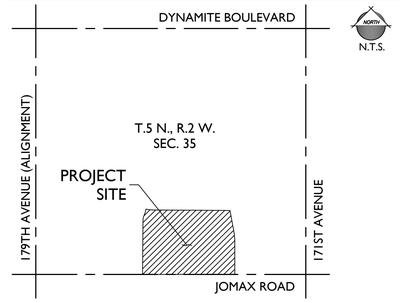


LOCAL STREET
N.T.S



JOMAX ROAD
N.T.S

VICINITY MAP



PROJECT TEAM

DEVELOPER:
KB HOMES PHOENIX INC.
10428 S. 51ST STREET, SUITE 100
PHOENIX, AZ 85044
TEL: (480)-758-3047
CONTACT: RANDY LOPEZ

CIVIL ENGINEER:
EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: DAN AUXIER, P.E.

PROJECT DATA

A.P.N.	503-51-022D; 019L
EXISTING GENERAL PLAN:	NEIGHBORHOOD CHARACTER AREA
EXISTING ZONING:	PLANNED AREA DEVELOPMENT (PAD) (ORDINANCE NO. 00-18)
RELATED CASE NO.'S:	PADA04-409 PADA06-024 FS-15-473
GROSS AREA:	+/- 36.89 ACRES
NET AREA:	+/- 28.89 ACRES
ADJACENT R/W AREA:	+/- 4.44 ACRES
INTERNAL R/W AREA:	+/- 8.00 ACRES
NO. OF LOTS	
PHASE 1	51
PHASE 2	53
PHASE 3	48
TOTAL	152
GROSS DENSITY:	4.12 DU/AC
NET DENSITY:	5.26 DU/AC
OVERALL OPEN SPACE:	+/- 7.29 ACRES (20%)

GENERAL NOTES

1. THIS PLAN IS NOT A CONSTRUCTION DOCUMENT.
2. LOT DIMENSIONS ARE APPROXIMATE, FINAL LOT DIMENSIONS SHALL BE PER THE FINAL PLAT.
3. ALL PUBLIC STREETS WILL BE CONSTRUCTED TO CITY OF SURPRISE MINIMUM STANDARDS AS MODIFIED HEREIN.
4. THIS DEVELOPMENT WILL PROVIDE FOR INSTALLATION OF REQUIRED STREET LIGHTS.
5. THE HOMEOWNERS' ASSOCIATION WILL BE RESPONSIBLE FOR MAINTENANCE OF ALL LANDSCAPE TRACTS.
6. THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.
7. LOTS 25-37 SHALL BE LIMITED TO SINGLE-STORY HOMES.

DEVELOPMENT STANDARDS

THIS DEVELOPMENT SHALL CONFORM TO THE DEVELOPMENT STANDARDS APPROVED IN PAD99-129 FOR PARCEL L6 OF DESERT OASIS AT SURPRISE OR AS SUBSEQUENTLY AMENDED.

BASIS OF BEARING

THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 35, T5N, R2W OF THE GILA AND SALT RIVER MERIDIAN, WHICH BEARS S89°54'37"W, AS MEASURED AND SHOWN ON PLSS SUBDIVISION RECORD OF SURVEY BOOK 656, PAGE 21, MARICOPA COUNTY RECORDS.

BENCHMARK

CITY OF SURPRISE BRASS CAP FLUSH AT THE INTERSECTION OF 174TH DR. AND MAYA WY. STAMPED:
"BM 52-5"

ELEVATION = 1455.75 (NAVD88 DATUM)

UTILITIES

WATER	CITY OF SURPRISE
SEWER	CITY OF SURPRISE
GAS	SOUTHWEST GAS
ELECTRIC	ARIZONA PUBLIC SERVICE
TELEPHONE	CENTURYLINK / COX
CABLE TV	CENTURYLINK / COX
FIRE	CITY OF SURPRISE
POLICE	CITY OF SURPRISE

SHEET INDEX

SHEET 1	CS01	COVERSHEET
SHEET 2	PP01	PRELIMINARY PLAT
SHEET 3	PP02	PRELIMINARY PLAT
SHEET 4	PP03	PRELIMINARY PLAT
SHEET 5	PP04	PRELIMINARY PLAT

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m
EPS GROUP

Project: Cortana at Desert Oasis
Surprise, Arizona

COVER SHEET

Revisions:
JANUARY 25, 2018 - 1ST PRELIMINARY PLAT SUB.
MAY 11, 2018 - 2ND PRELIMINARY PLAT SUB.
JUNE 13, 2018 - 3RD PRELIMINARY PLAT SUB.

Designer: JH
Drawn by: JAJ

Registered Professional Engineer (Civil)
Certificate No.
50291
DANIEL B. AUXIER
Date Signed 06-27-18
ARIZONA, U.S.A.
Expires:12/31/2018

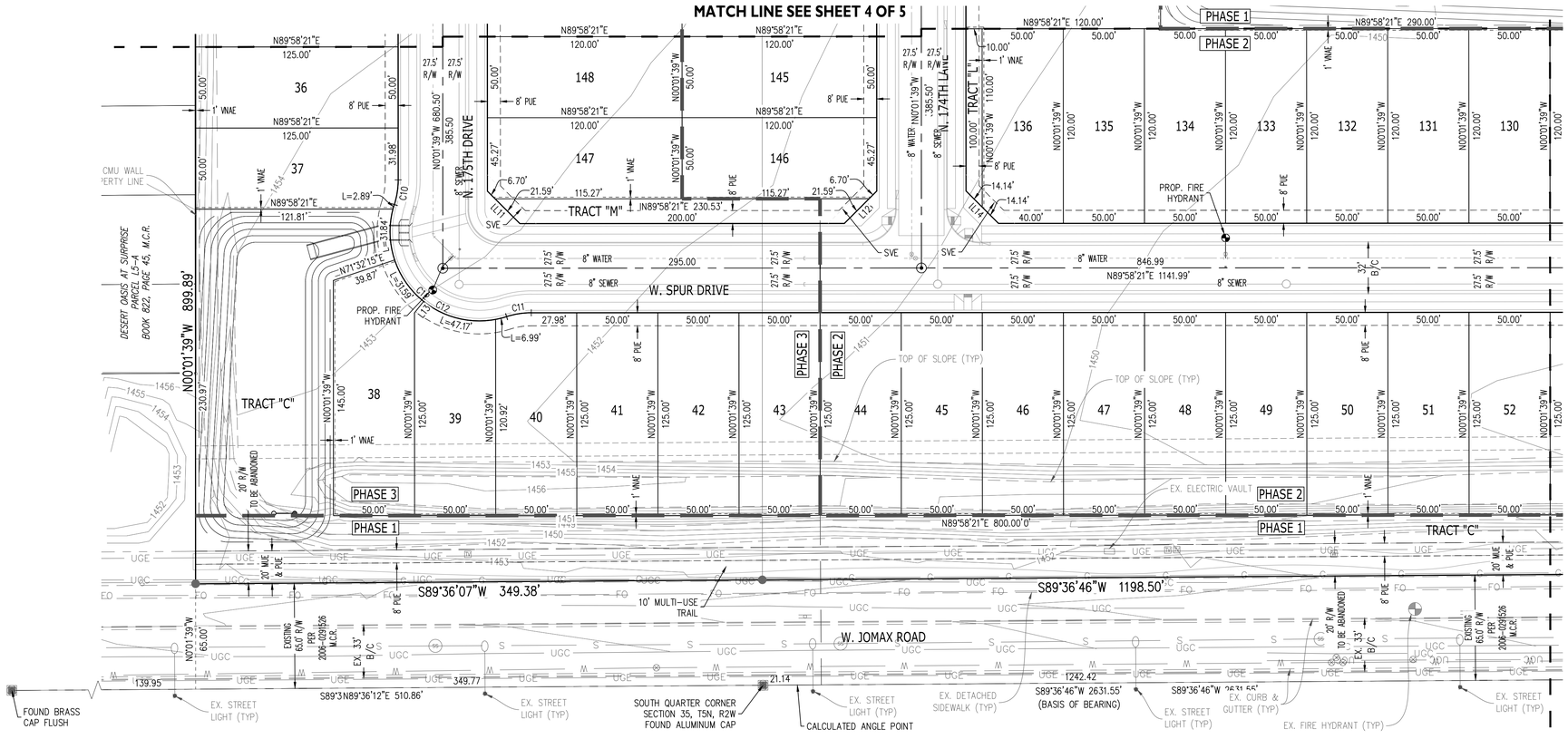
Job No.
15-296

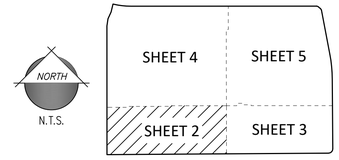
CS01

Sheet No.
1
of 5

15-296

dhughes Jun 13, 2018 1:49pm \\EPS-M16-FS01\SHARED$\Projects\2015\15-296\Planning\preliminary_plat\Exhibits\15-296 - CS01.dwg





KEY MAP

LINE LEGEND

- MATCH LINE
- PHASE LINE

LINE TABLE		
LINE	BEARING	LENGTH
L1	N08°20'07"E	50.25'
L2	N24°39'23"E	52.34'
L3	N13°35'45"E	56.97'
L4	N45°01'39"W	28.28'
L5	N44°58'21"E	28.28'
L6	N44°58'21"E	28.28'
L7	N45°01'39"W	28.28'
L8	N44°58'21"E	28.28'
L9	N45°01'39"W	28.28'
L10	N44°58'21"E	28.28'
L11	N45°01'39"W	28.28'
L12	N44°58'21"E	28.28'
L13	N38°37'56"E	9.03'
L14	N45°01'39"W	28.28'
L15	N45°01'39"W	28.28'
L16	N44°58'21"E	28.28'
L17	N45°01'39"W	28.28'

LINE TABLE		
LINE	BEARING	LENGTH
L18	N44°58'21"E	28.28'
L19	N44°58'21"E	28.28'
L20	N45°01'39"W	28.28'
L21	N44°58'21"E	28.28'
L22	N45°01'39"W	28.28'
L23	N45°01'39"W	28.28'
L24	N44°58'21"E	28.28'
L25	N45°01'39"W	28.28'
L26	N45°24'31"W	28.28'
L27	N44°35'29"E	28.28'
L28	N44°12'30"W	28.69'
L29	N47°24'11"E	27.06'
L30	N45°01'14"E	28.26'
L31	N45°01'39"W	28.28'
L32	N44°58'21"E	28.28'
L33	N89°35'29"E	82.62'

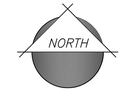
CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	127.21'	535.00'	13°37'24"	63.91'	126.91'	S83°12'57"E
C2	16.26'	20.00'	46°34'03"	8.61'	15.81'	N66°44'38"W
C3	14.58'	60.00'	13°55'31"	7.33'	14.55'	S50°25'22"E
C4	16.26'	20.00'	46°34'03"	8.61'	15.81'	N34°06'05"W
C5	175.32'	965.00'	10°24'33"	87.90'	175.07'	N05°36'48"W
C6	47.14'	30.00'	90°01'17"	30.01'	42.43'	N44°36'07"E
C7	120.48'	55.00'	125°30'20"	106.80'	97.79'	S44°58'21"W
C8	15.49'	50.00'	17°45'10"	7.81'	15.43'	N08°54'14"W
C9	15.49'	50.00'	17°45'10"	7.81'	15.43'	S81°09'04"E
C10	15.49'	50.00'	17°45'10"	7.81'	15.43'	N08°50'56"E
C11	15.49'	50.00'	17°45'10"	7.81'	15.43'	S81°05'46"W
C12	120.48'	55.00'	125°30'20"	106.80'	97.79'	S45°01'39"E
C13	70.08'	172.50'	23°16'41"	35.53'	69.60'	N78°23'19"W
C14	92.43'	227.50'	23°16'41"	46.86'	91.79'	N78°23'19"W
C15	81.26'	200.00'	23°16'41"	41.20'	80.70'	N78°23'19"W
C16	70.08'	172.50'	23°16'41"	35.53'	69.60'	S78°23'19"E

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C17	81.26'	200.00'	23°16'41"	41.20'	80.70'	S78°23'19"E
C18	92.43'	227.50'	23°16'41"	46.86'	91.79'	S78°23'19"E
C19	15.49'	50.00'	17°45'10"	7.81'	15.43'	N81°05'46"E
C20	15.49'	50.00'	17°45'10"	7.81'	15.43'	S08°50'56"W
C21	120.48'	55.00'	125°30'20"	106.80'	97.79'	N45°01'39"W
C22	36.27'	427.50'	4°51'40"	18.15'	36.26'	N87°35'49"W
C23	26.60'	372.50'	4°05'31"	13.31'	26.60'	N87°12'45"W
C24	33.94'	400.00'	4°51'40"	16.98'	33.93'	N87°35'49"W
C25	39.11'	427.50'	5°14'32"	19.57'	39.10'	S87°47'15"E
C26	3.13'	372.50'	0°28'53"	1.56'	3.13'	N89°49'55"E
C27	36.60'	400.00'	5°14'32"	18.31'	36.59'	S87°47'15"E
C28	120.48'	55.00'	125°30'20"	106.80'	97.79'	N44°58'21"E
C29	15.49'	50.00'	17°45'10"	7.81'	15.43'	S08°54'14"E
C30	15.49'	50.00'	17°45'10"	7.81'	15.43'	N81°09'04"W
C31	181.67'	1000.00'	10°24'33"	91.09'	181.42'	N05°36'47"W
C32	238.33'	500.00'	27°18'38"	121.47'	236.08'	S76°22'21"E

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
Tract A	LANDSCAPE, OPEN SPACE, RETENTION	36,951	0.8483
Tract B	LANDSCAPE, OPEN SPACE, RETENTION	28,572	0.6559
Tract C	LANDSCAPE, OPEN SPACE, MULTI USE EASEMENT, RETENTION	153,669	3.5277
Tract D	LANDSCAPE, OPEN SPACE	4,899	0.1125
Tract E	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract F	LANDSCAPE, OPEN SPACE	1,050	0.0241
Tract G	LANDSCAPE, OPEN SPACE	2,163	0.0497
Tract H	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract I	LANDSCAPE, OPEN SPACE	4,261	0.0978
Tract J	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract K	LANDSCAPE, OPEN SPACE, RETENTION	67,811	1.5567
Tract L	LANDSCAPE, OPEN SPACE	1,050	0.0241
Tract M	LANDSCAPE, OPEN SPACE	3,286	0.0754
Tract N	LANDSCAPE, OPEN SPACE	3,279	0.0753
Tract O	LANDSCAPE, OPEN SPACE	4,261	0.0978
TOTAL TRACT AREA		317,552	7.2899

LEGEND

- ⊡ FOUND MONUMENT, AS NOTED
  SET 1/2" REBAR WITH CAP "EPS GROUP RLS 42937"
- ● SET PK NAIL WITH TAG "EPS GROUP RLS 42937"
- ⊠ BRASS CAP TO BE SET AT CONSTRUCTION
- LS LAND SURVEYOR
- M.C.R. MARICOPA COUNTY RECORDER
- MUE MULTI USE EASEMENT
- PUFE PUBLIC UTILITY AND FACILITIES EASEMENT
- RLS REGISTERED LAND SURVEYOR
- R/W RIGHT-OF-WAY
- SVE SIGHT VISIBILITY EASEMENT
- VNAE VEHICULAR NON-ACCESS EASEMENT



40 0 40 80
scale feet

2045 S. Vineyard Ave, Suite 101
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www.epsgroupinc.com
EPS GROUP

Project: Cortana at Desert Oasis
Surprise, Arizona

Preliminary Plat

Revisions:
JANUARY 25, 2018 - 1ST PRELIMINARY PLAT SUB.
MAY 11, 2018 - 2ND PRELIMINARY PLAT SUB.
JUNE 13, 2018 - 3RD PRELIMINARY PLAT SUB.

Designer: JH
Drawn by: JAJ

Registered Professional Engineer (Civil) Certificate No. 50291 DANIEL B. AUXIER Date Signed 06-12-18 ARIZONA, U.S.A.
Expires:12/31/2018

Job No. 15-296
PP01
Sheet No. 2 of 5

15-296
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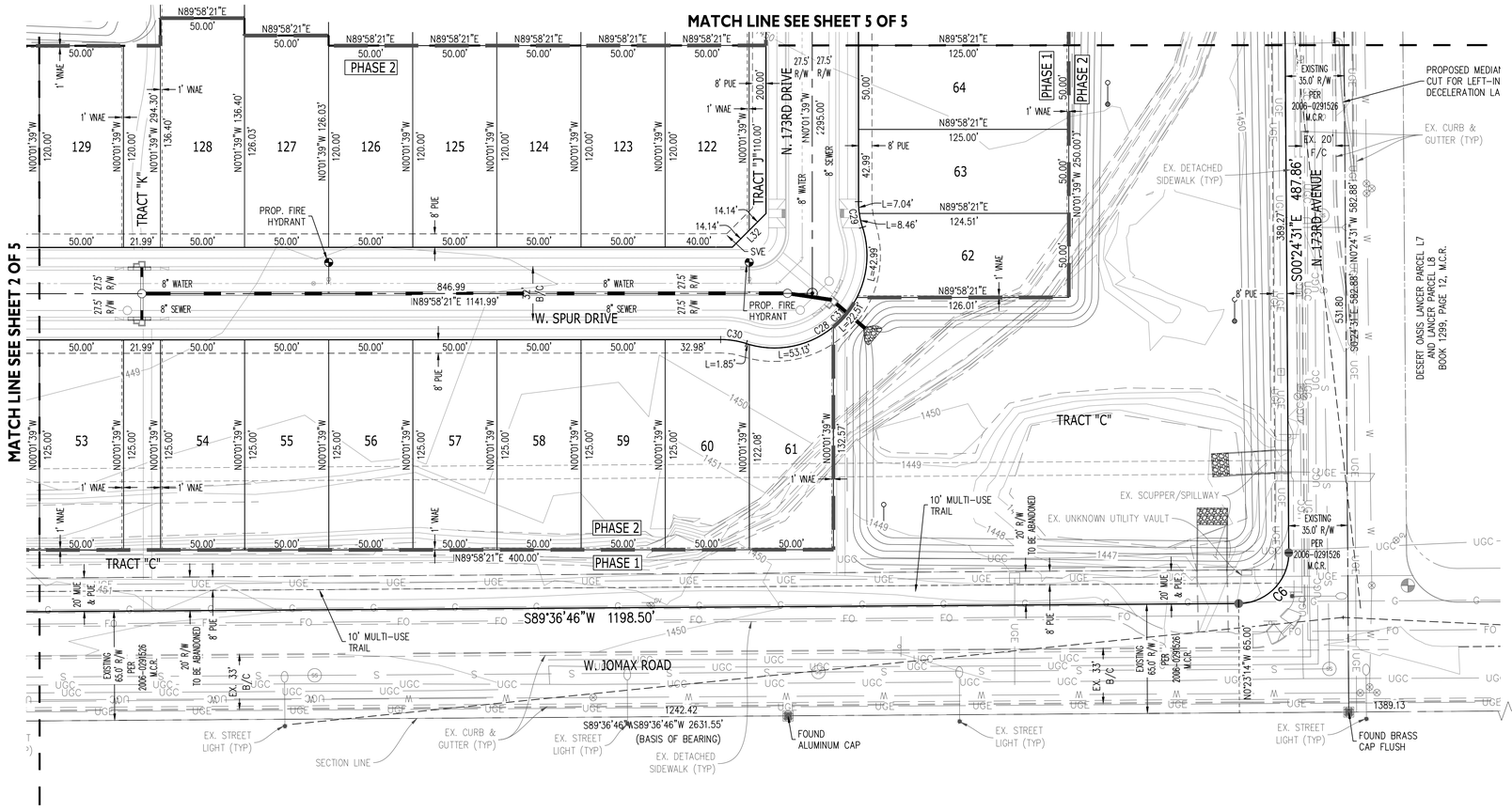

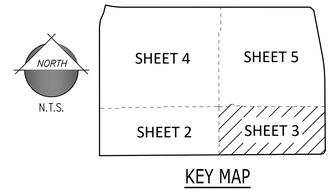

KEY MAP

LINE LEGEND

- MATCH LINE
- PHASE LINE

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
1	6,197	0.1423
2	6,250	0.1435
3	6,250	0.1435
4	6,250	0.1435
5	6,250	0.1435
6	6,250	0.1435
7	6,250	0.1435
8	6,250	0.1435
9	6,250	0.1435
10	6,250	0.1435
11	6,250	0.1435
12	6,250	0.1435
13	6,250	0.1435
14	6,250	0.1435
15	6,250	0.1435
16	6,250	0.1435
17	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
18	6,250	0.1435
19	6,250	0.1435
20	6,250	0.1435
21	6,250	0.1435
22	6,250	0.1435
23	6,244	0.1433
24	6,112	0.1403
25	6,103	0.1401
26	6,246	0.1434
27	6,250	0.1435
28	6,250	0.1435
29	6,250	0.1435
30	6,250	0.1435
31	6,250	0.1435
32	6,250	0.1435
33	6,250	0.1435
34	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
35	6,250	0.1435
36	6,250	0.1435
37	6,230	0.1430
38	7,531	0.1729
39	6,182	0.1419
40	6,216	0.1427
41	6,250	0.1435
42	6,250	0.1435
43	6,250	0.1435
44	6,250	0.1435
45	6,250	0.1435
46	6,250	0.1435
47	6,250	0.1435
48	6,250	0.1435
49	6,250	0.1435
50	6,250	0.1435
51	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
52	6,250	0.1435
53	6,250	0.1435
54	6,250	0.1435
55	6,250	0.1435
56	6,250	0.1435
57	6,250	0.1435
58	6,250	0.1435
59	6,250	0.1435
60	6,233	0.1431
61	6,150	0.1412
62	6,094	0.1399
63	6,249	0.1435
64	6,250	0.1435
65	6,250	0.1435
66	6,250	0.1435
67	6,000	0.1377
68	6,000	0.1377

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
69	6,000	0.1377
70	6,000	0.1377
71	6,000	0.1377
72	5,950	0.1366
73	5,950	0.1366
74	6,000	0.1377
75	6,000	0.1377
76	6,000	0.1377
77	6,000	0.1377
78	6,000	0.1377
79	6,000	0.1377
80	6,000	0.1377
81	6,000	0.1377
82	6,000	0.1377
83	6,000	0.1377
84	5,950	0.1366
85	8,000	0.1837

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
86	7,333	0.1684
87	6,667	0.1530
88	6,000	0.1377
89	6,000	0.1377
90	5,950	0.1366
91	6,000	0.1377
92	6,000	0.1377
93	6,000	0.1377
94	6,000	0.1377
95	6,000	0.1377
96	6,000	0.1377
97	6,000	0.1377
98	6,000	0.1377
99	6,000	0.1377
100	6,000	0.1377
101	6,000	0.1377
102	6,000	0.1377

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
103	6,000	0.1377
104	6,000	0.1377
105	6,000	0.1377
106	6,000	0.1377
107	6,000	0.1377
108	6,000	0.1377
109	5,950	0.1366
110	6,074	0.1394
111	6,603	0.1516
112	6,939	0.1593
113	7,348	0.1687
114	7,744	0.1778
115	7,358	0.1689
116	6,805	0.1562
117	6,282	0.1442
118	6,009	0.1379
119	6,000	0.1377

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
120	6,000	0.1377
121	5,950	0.1366
122	5,950	0.1366
123	6,000	0.1377
124	6,000	0.1377
125	6,000	0.1377
126	6,000	0.1377
127	6,301	0.1447
128	6,820	0.1566
129	6,000	0.1377
130	6,000	0.1377
131	6,000	0.1377
132	6,000	0.1377
133	6,000	0.1377
134	6,000	0.1377
135	6,000	0.1377
136	5,950	0.1366

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
137	6,000	0.1377
138	6,000	0.1377
139	6,000	0.1377
140	5,955	0.1367
141	5,989	0.1375
142	6,000	0.1377
143	6,000	0.1377
144	6,000	0.1377
145	6,000	0.1377
146	5,989	0.1375
147	5,989	0.1375
148	6,000	0.1377
149	6,000	0.1377
150	6,000	0.1377
151	6,000	0.1377
152	5,989	0.1375
TOTAL	940,831	21.5973

LEGEND

⊞	FOUND MONUMENT, AS NOTED
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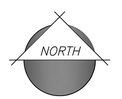
R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT



40 0 40 80
scale feet

EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
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w w w . e p s g r o u p i n c . c o m

Project:
Cortana at Desert Oasis
Surprise, Arizona

Preliminary Plat

Revisions:
JANUARY 25, 2018 - 1ST PRELIMINARY PLAT SUB.
MAY 11, 2018 - 2ND PRELIMINARY PLAT SUB.
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Designer: JH
Drawn by: JAJ

Registered Professional Engineer (Civil) 50291 DANIEL B. AUXIER Date Signed 06-13-18 ARIZONA, U.S.A.
Expires:12/31/2018

Job No.
15-296
PP02

Sheet No.
3
of 5

15-296 PP02.dwg
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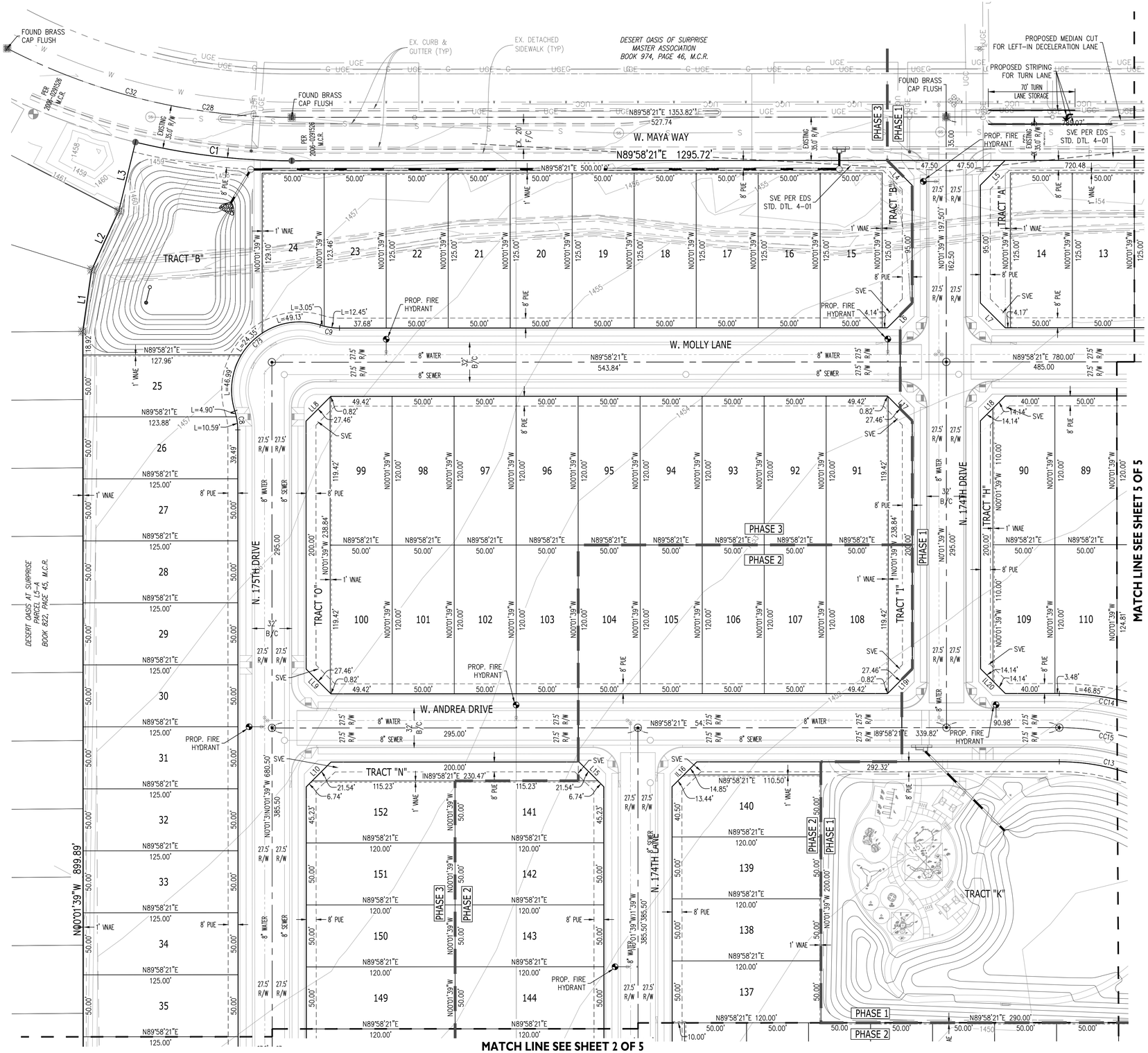
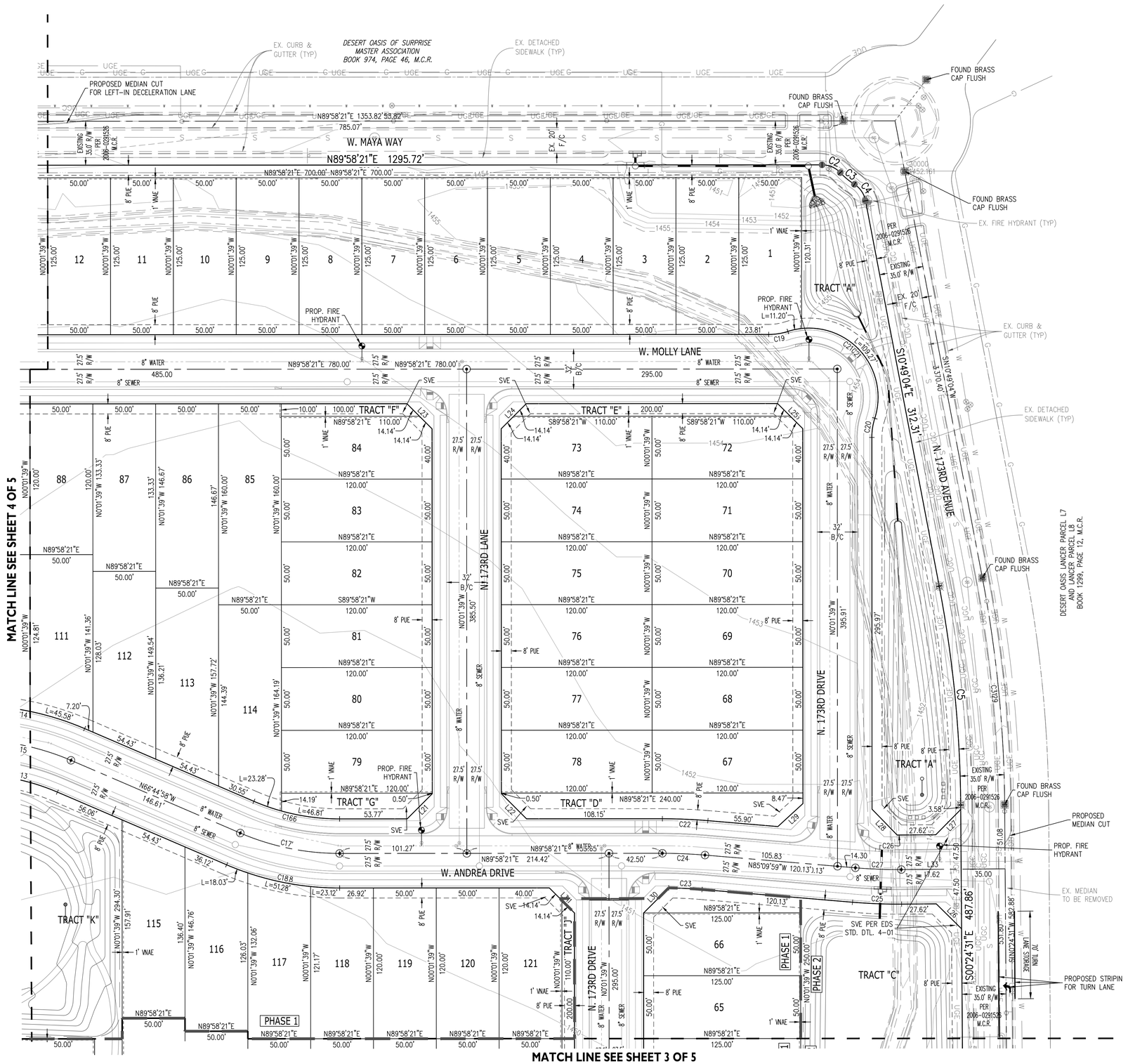
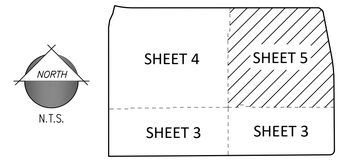

FOUND BRASS CAP FLUSH
PER 2006-1091526 M.C.R.
EXISTING 35.0' R/W
C32
C28
C1
L3
L2
L1
1458
1459
1460
1461
1456
1455
1457
TRACT "B"
N89°58'21"E 1295.72'
N89°58'21"E 500.00'
W. MAYA WAY
EX. CURB & GUTTER (TYP)
EX. DETACHED SIDEWALK (TYP)
DESERT OASIS OF SURPRISE MASTER ASSOCIATION BOOK 974, PAGE 46, M.C.R.
EX. 20' F/C
N89°58'21"E 1353.82'
527.74
PROPOSED MEDIAN CUT FOR LEFT-IN DECELERATION LANE
PROPOSED STRIPING FOR TURN LANE
70' TURN LANE STORAGE
PHASE 3
PHASE 1
PROP. FIRE HYDRANT
SVE PER EDS STD. DTL. 4-01
TRACT "A"
TRACT "B"
720.48
N89°58'21"E 780.00'
485.00
W. MOLLY LANE
N89°58'21"E 543.84'
8" WATER
8" SEWER
27.5' R/W
32' B/C
1' VNAE
8' PUE
SVE
PROP. FIRE HYDRANT
L=3.05'
L=12.45'
L=49.13'
L=74.35'
L=46.99'
L=4.90'
L=10.59'
N89°58'21"E 127.96'
N89°58'21"E 123.88'
N89°58'21"E 125.00'
N89°58'21"E 125.00'
N89°58'21"E 125.00

15-296





KEY MAP

LINE LEGEND

- MATCH LINE
- PHASE LINE

LEGEND

⊡	FOUND MONUMENT, AS NOTED
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Expires:12/31/2018

Job No. 15-296
PP04
Sheet No. 5 of 5

NORTH
40 0 40 80
scale feet

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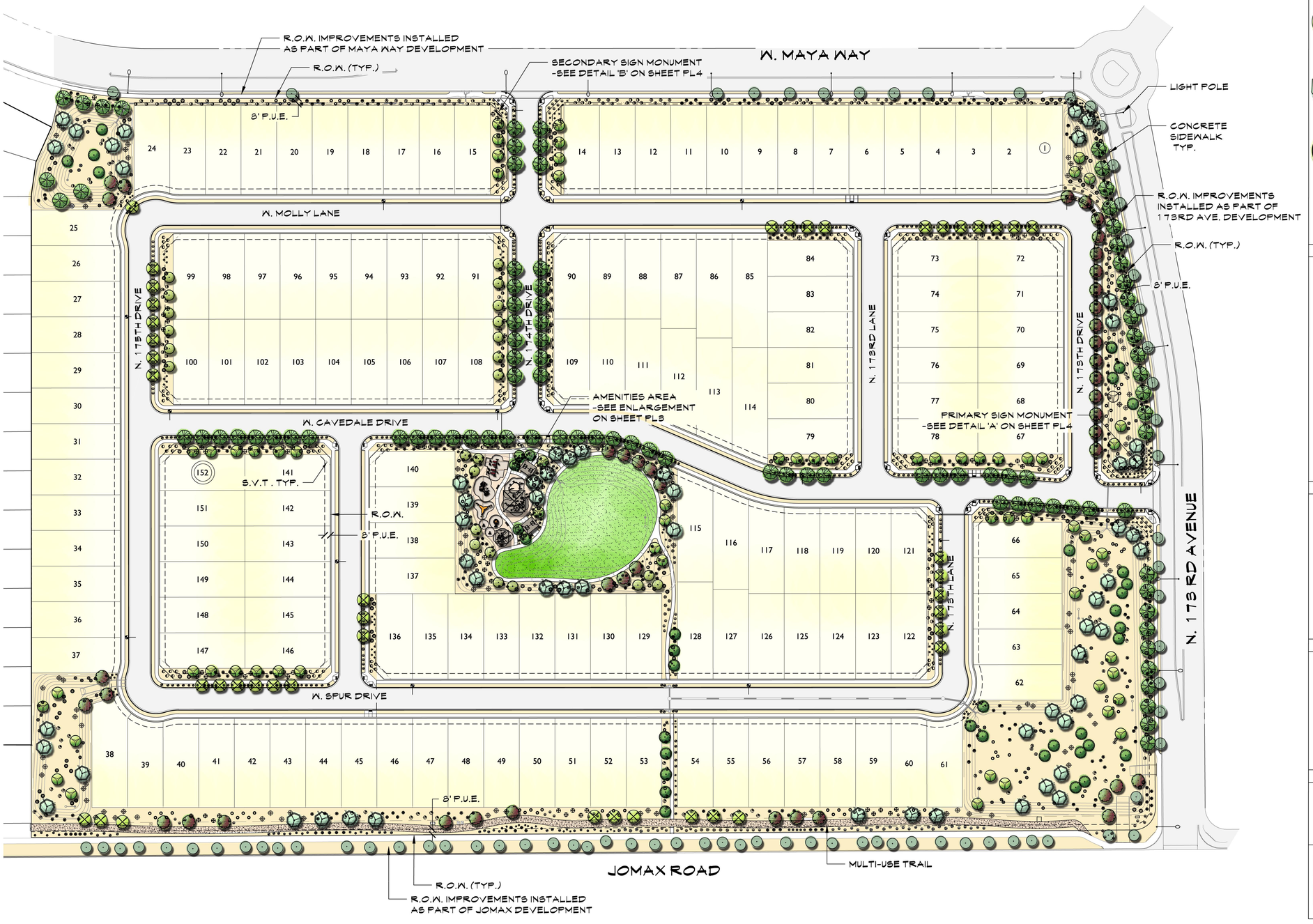


PLANT LEGEND

SYMBOL	BOTANICAL NAME - COMMON NAME	QTY.	SIZE	COMMENTS
TREES				
	ACACIA ANEURA/ MULGA TREE	30	24" BOX	STANDARD
	ACACIA SALICINA/ WILLOW ACACIA	43	24" BOX	STANDARD
	CHILOPSIS LINEARIS/ DESERT WILLOW	43	24" BOX	STANDARD
	PARKINSONIA HYBRID 'AZT'/ 'AZT' THORNLESS PALO VERDE	58	24" BOX	STANDARD
	PISTACIA LENTISCUS/ MASTIC TREE	34	24" BOX	STANDARD
	PROSOPIS HYBRID 'RIO SALADO' 'RIO SALADO' MESQUITE	65	24" BOX	STANDARD
	QUERCUS VIRGINIANA 'HERITAGE'/ 'HERITAGE' LIVE OAK	93	24" BOX	STNADARD
	* DENOTES APPROVED STREET TREE			
SHRUBS				
	CAESALPINIA PULCHERRIMA/ RED BIRD OF PARADISE	94	5 GAL	FULL CAN
	CALLIANDRA CALIFORNICA/ BAJA FAIRY DUSTER	89	5 GAL	FULL CAN
	LEUCOPHYLLUM sp. 'HEAVENLY CLOUD'/ 'HEAVENLY CLOUD' SAGE	122	5 GAL	FULL CAN
	LEUCOPHYLLUM sp. 'LYNN'S LEGACY'/ 'LYNN'S LEGACY' SAGE	109	5 GAL	FULL CAN
	RUELLIA PENINSULARIS/ BAJA RUELLIA	56	5 GAL	FULL CAN
	TECOMA sp. 'BELLS OF FIRE'/ BELLS OF FIRE	95	5 GAL	FULL CAN
	TECOMA sp. 'LYDIA'/ 'LYDIA' YELLOW BELLS	103	5 GAL	FULL CAN
	TECOMARIA CAPENSIS/ CAPE HONEYSUCKLE	65	5 GAL	FULL CAN
	XYLOSMA sp. 'COMPACTA'/ COMPACT XYLOSMA	75	5 GAL	FULL CAN
ACCENTS				
	AGAVE SHARKSKIN/ SHARKSKIN AGAVE	161	5 GAL	FULL CAN
	HESPERALOE FUNIFERA/ GIANT HESPERALOE	130	5 GAL	FULL CAN
	HESPERALOE PARVIFOLIA/ RED YUCCA	215	5 GAL	FULL CAN
	MUHLENBERGIA CAPILLARIS/ PINK MUHLY GRASS	145	5 GAL	FULL CAN
	MUHLENBERGIA RIGENS/ DEER GRASS	111	5 GAL	FULL CAN
GROUNDCOVERS				
	EREMOPHILA HYGROPHANA/ 'BLUE BELLS' EMU	171	5 GAL	FULL CAN
	EREMOPHILA PROSTRATA/ 'OUTBACK SUNRISE' EMU	149	5 GAL	FULL CAN
	LANTANA sp. 'NEW GOLD'/ 'NEW GOLD' LANTANA	169	5 GAL	FULL CAN
	LANTANA sp. 'NEW RED'/ 'NEW RED' LANTANA	223	5 GAL	FULL CAN
EXISTING MATERIAL				
	EXISTING TREE	76		
	DECOMPOSED GRANITE SANTA FE GOLD, 2" MIN. DEPTH COVERAGE REQUIRED.	274,245 SQ.FT		
	TURF 'MIDIRON' HYBRID BERMUDA SOD	25,270 SQ.FT		

The McGough Group

CORTANA

PRELIMINARY LANDSCAPE PLAN

SURPRISE, AZ

JANUARY 24, 2017

SHEET: PL1

SCALE: 1"=70'-0"

NORTH

0' 70' 140' 210'

The McGough Group

CORTANA

AMENITIES ENLARGEMENT

SHEET: PL3

SURPRISE, AZ

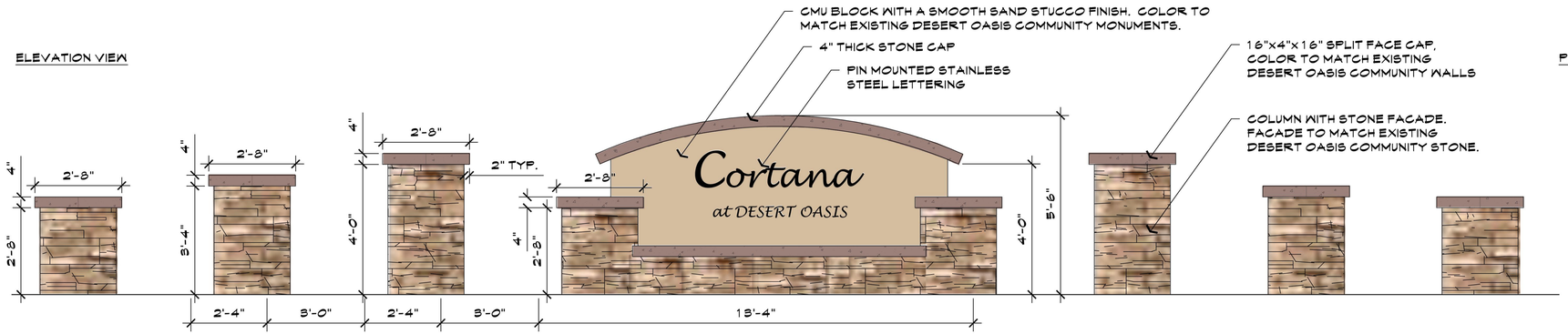
JANUARY 24, 2017

SCALE: 1"=10'-0"

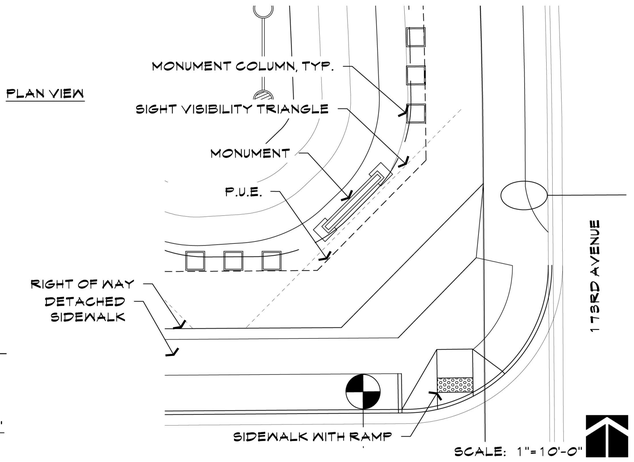
0' 5' 10' 20' 30'

NORTH

ELEVATION VIEW



PLAN VIEW

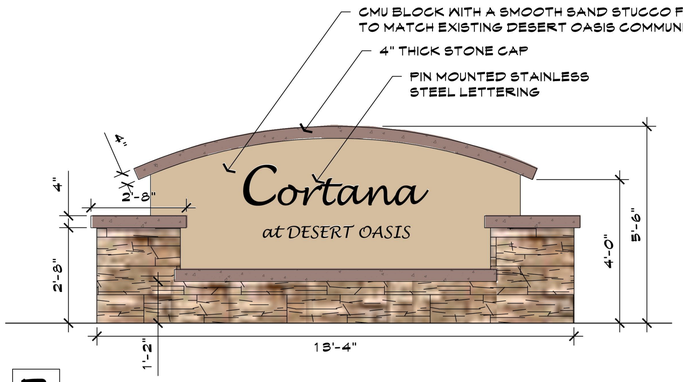


SCALE: 1/2"=1'-0"

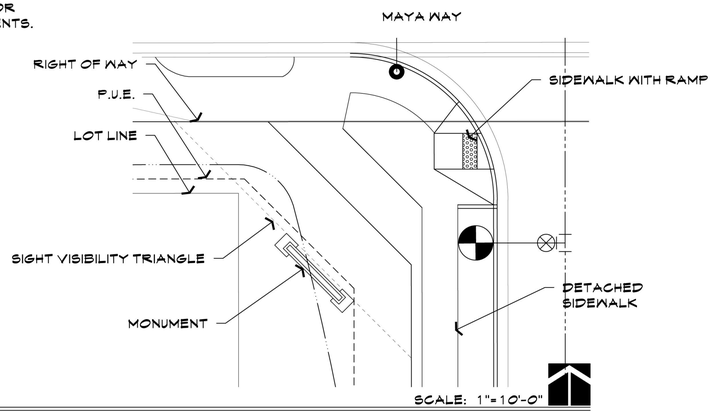
SCALE: 1"=10'-0"

A PRIMARY ENTRY MONUMENT

ELEVATION VIEW



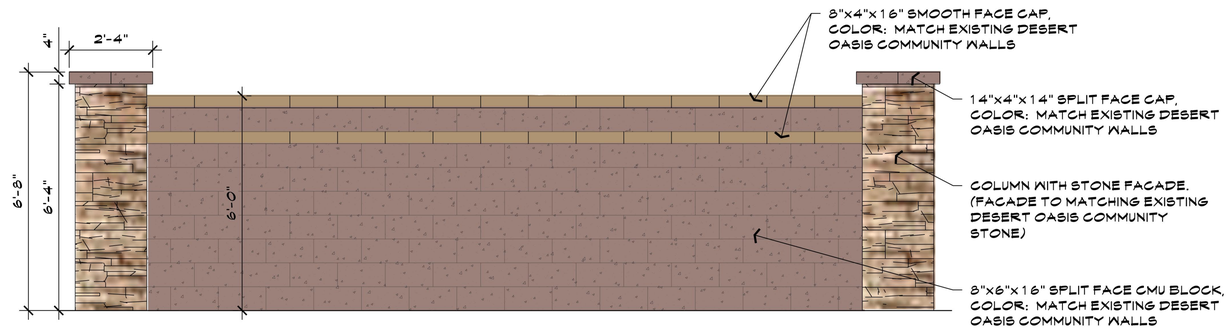
PLAN VIEW



B SECONDARY ENTRY MONUMENT

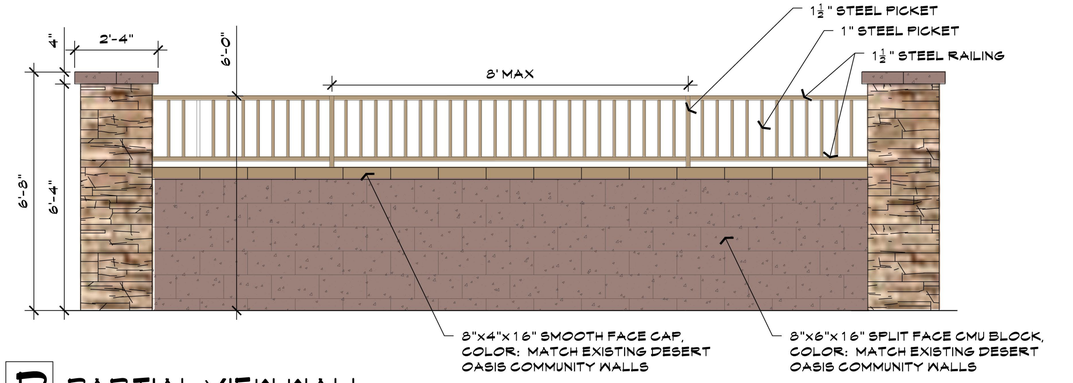
SCALE: 1/2"=1'-0"

SCALE: 1"=10'-0"



C PRIMARY THEME WALL & COLUMN

SCALE: 1/2"=1'-0"



D PARTIAL VIEW WALL

SCALE: 1/2"=1'-0"

The McGough Group

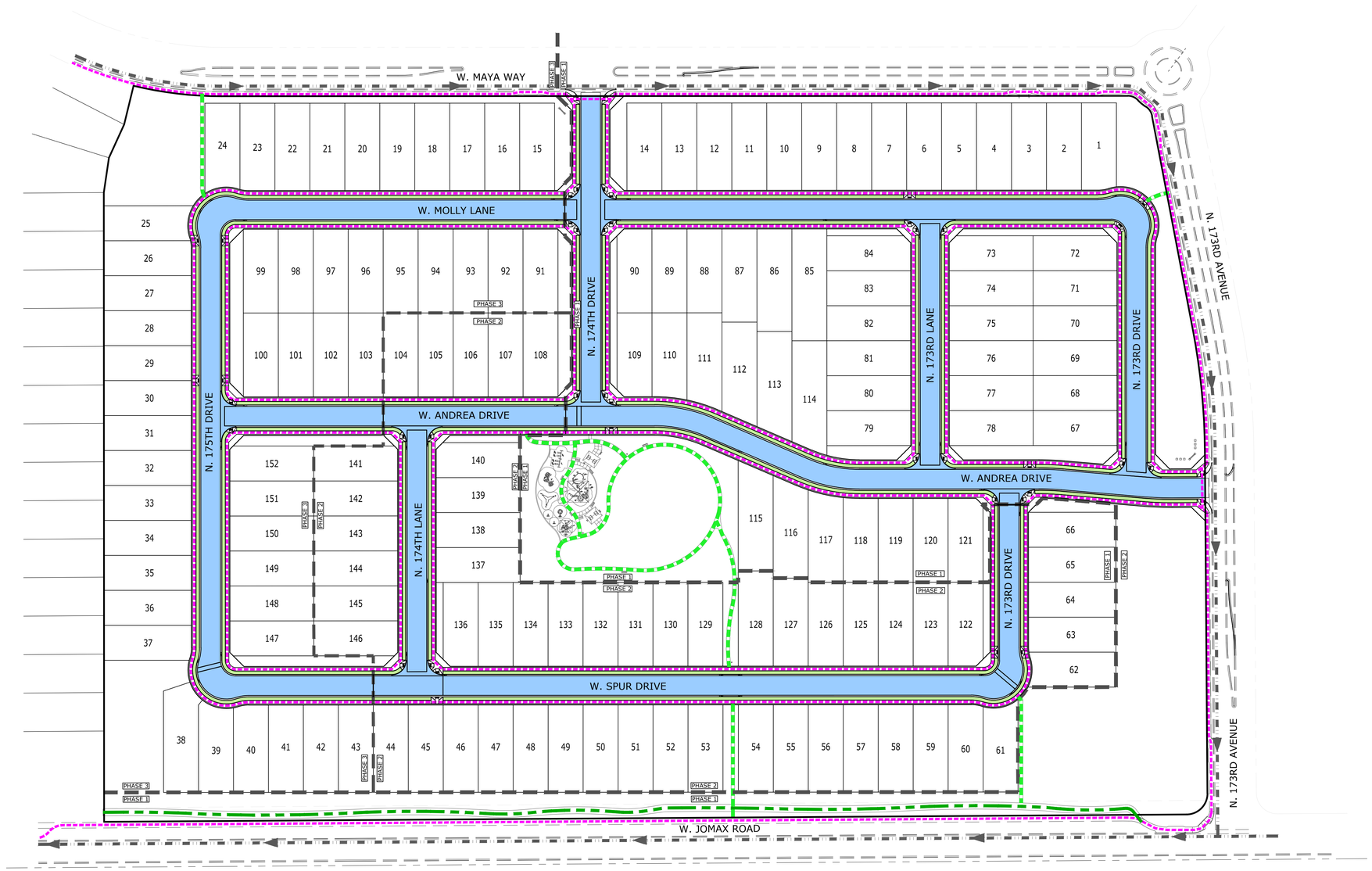
CORTANA

MONUMENT & WALL DETAILS

SHEET: PL4

SURPRISE, AZ

JANUARY 24, 2017



LEGEND

- VEHICULAR CIRCULATION
- PEDESTRIAN CIRCULATION
- OPEN SPACE CIRCULATION
- 10' MULTI-USE TRAIL
- LANDSCAPE STRIP
- BIKE LANE
- PHASE LINE

EPS GROUP
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Project:
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Surprise, Arizona

CIRCULATION PLAN

Revisions:
JANUARY 24, 2018 - 1ST PRELIMINARY PLAT SUB.
MAY 11, 2018 - 2ND PRELIMINARY PLAT SUB.

Call at least two full working days before you begin excavation.
ARIZONA811
Arizona Blue Stake, Inc.
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
In Maricopa County: (602)263-1100

Designer: JH
Drawn by: JAJ

Preliminary
Not For
Construction
Or
Recording

Job No.
15-296
CP01
Sheet No.
1
of 1

15-296
dhughes May 11, 2018 11:17am S:\Projects\2015\15-296\Planning\Preliminary Plat\Exhibits\15-296 – Cortana – Circulation Plan.dwg

DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

7 February 2018

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Heather Donaldson
Development Services Specialist
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS18-051; Cortana at Desert Oasis at Surprise

Dear Ms. Donaldson

Thank you for the opportunity to provide comments on the Final Plat Application for Cortana at Desert Oasis at Surprise. The site is located on 36.89 acres at the northeast corner of 173rd Avenue and Jomax Road and is part of the larger Desert Oasis @ Surprise an 890 acre mixed-use pad. Plans call for the construction of 152 single residential dwelling units (du) with a density of 4.1 du/acre. The site is located approximately 1.7 miles outside the Luke AFB Auxiliary Field #1 2004 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461, and outside the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. The density of 4.1 du/acre meets these guidelines.

This request, as stated in the application, will not negatively impact the flying operations at Luke AFB. Although Cortana at Desert Oasis will be located outside the "territory in the vicinity of a military airport," it will still be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant is essential to inform potential residents about Luke AFB operations.

If there are any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely

for Barbara S. Plante

JAMES R. MITCHELL

cc:
Colonel Michael S. Richardson, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

From:	Dennis Haley
To:	Heather Donaldson
Cc:	Vanessa Nunez
Subject:	FS18-051 Cortana at Desert Oasis PP & FP
Date:	Wednesday, January 31, 2018 8:29:21 AM
Attachments:	image002.jpg

RE: FS18-051
Cortana at Desert Oasis PP & FP
NW of Jomax Rd. & 171st Ave.

Attn: Heather Donaldson

Thank you for your notice for the above-referenced development.

After review, the development location is more than 1/4 mile from any ADOT proposed or existing highway facility. As such, ADOT has no comment.

Please feel free to contact me should you have any further questions. We appreciate the opportunity to review and comment.

Dennis Haley, SR/WA

Consultant
ADOT ROW Project Coordinator
Federal Lands Liaison
205 S. 17th Ave MD: 612E
Phoenix, AZ 85007
602-712-7432
WWW.AZDOT.GOV

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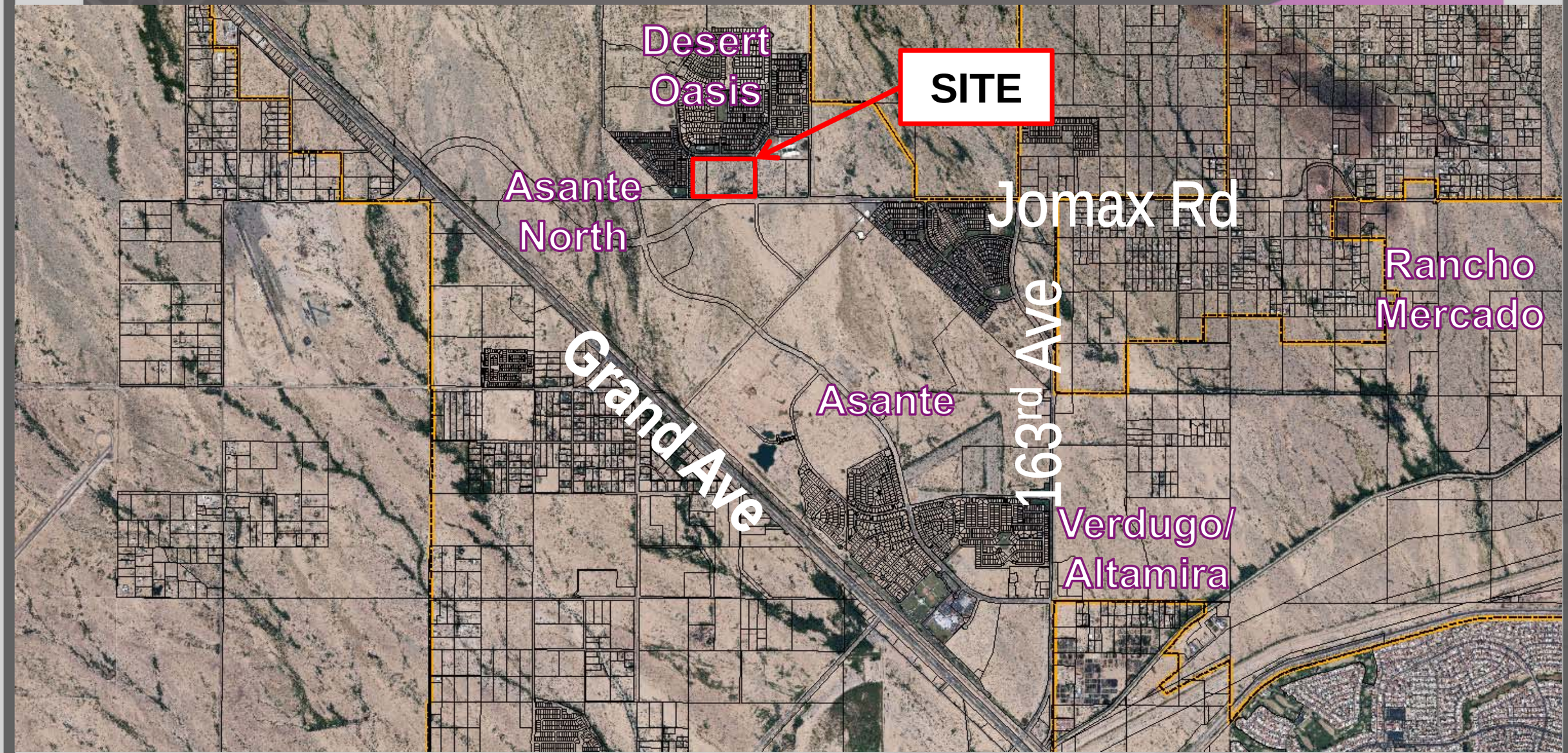
SURPRISE
ARIZONA

Cortana at Desert Oasis
Preliminary Plat
FS18-051

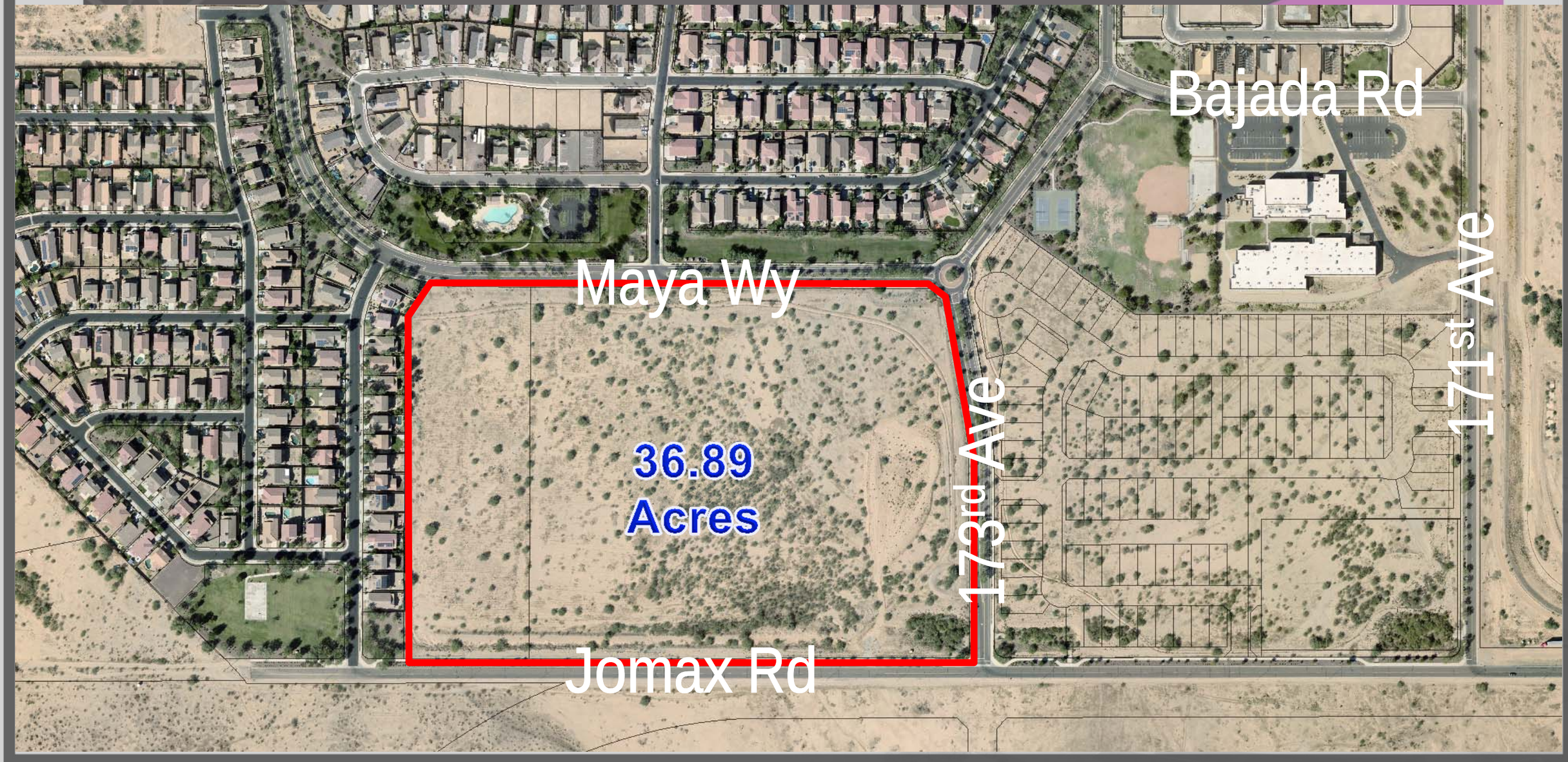
City Council

September 4, 2018

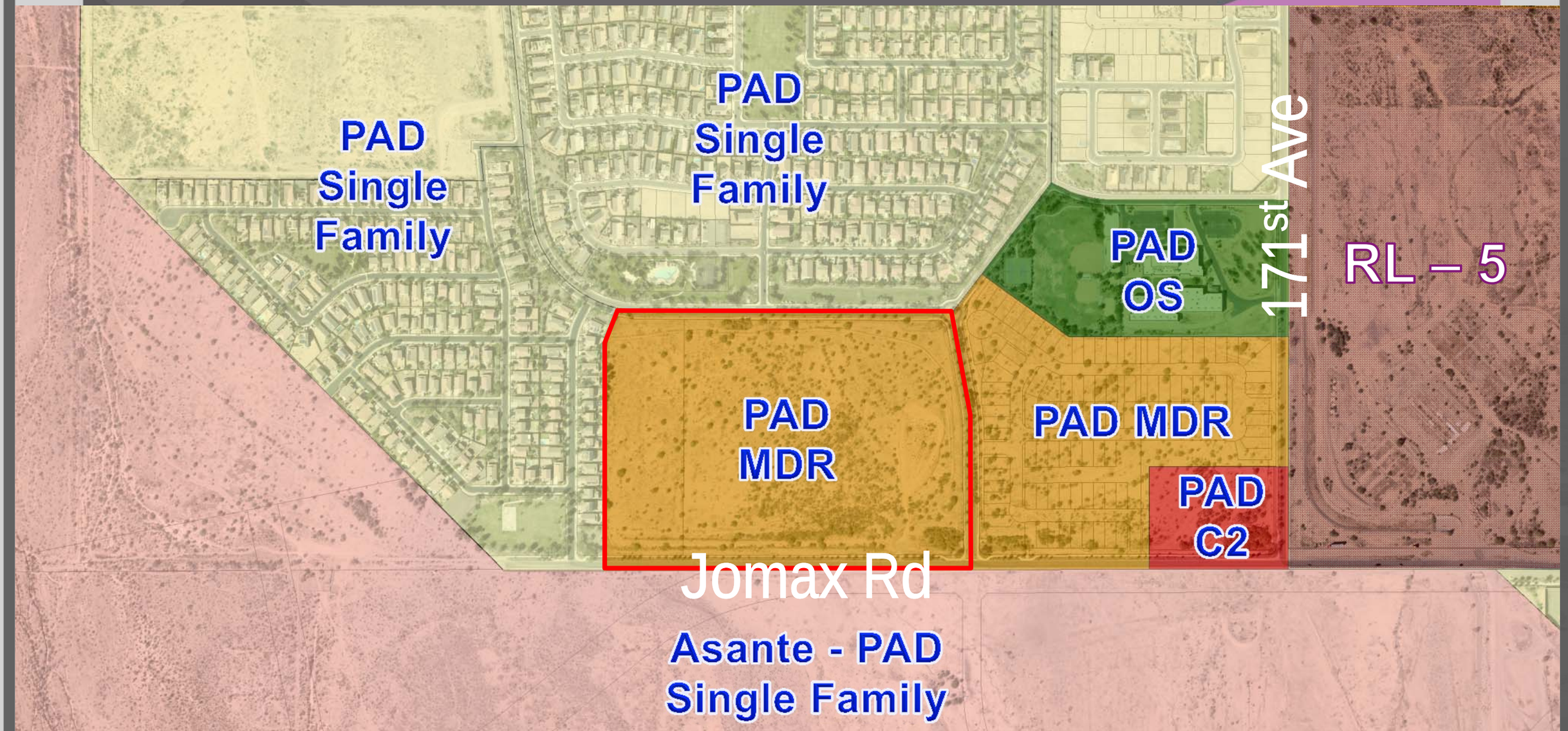
VICINITY MAP

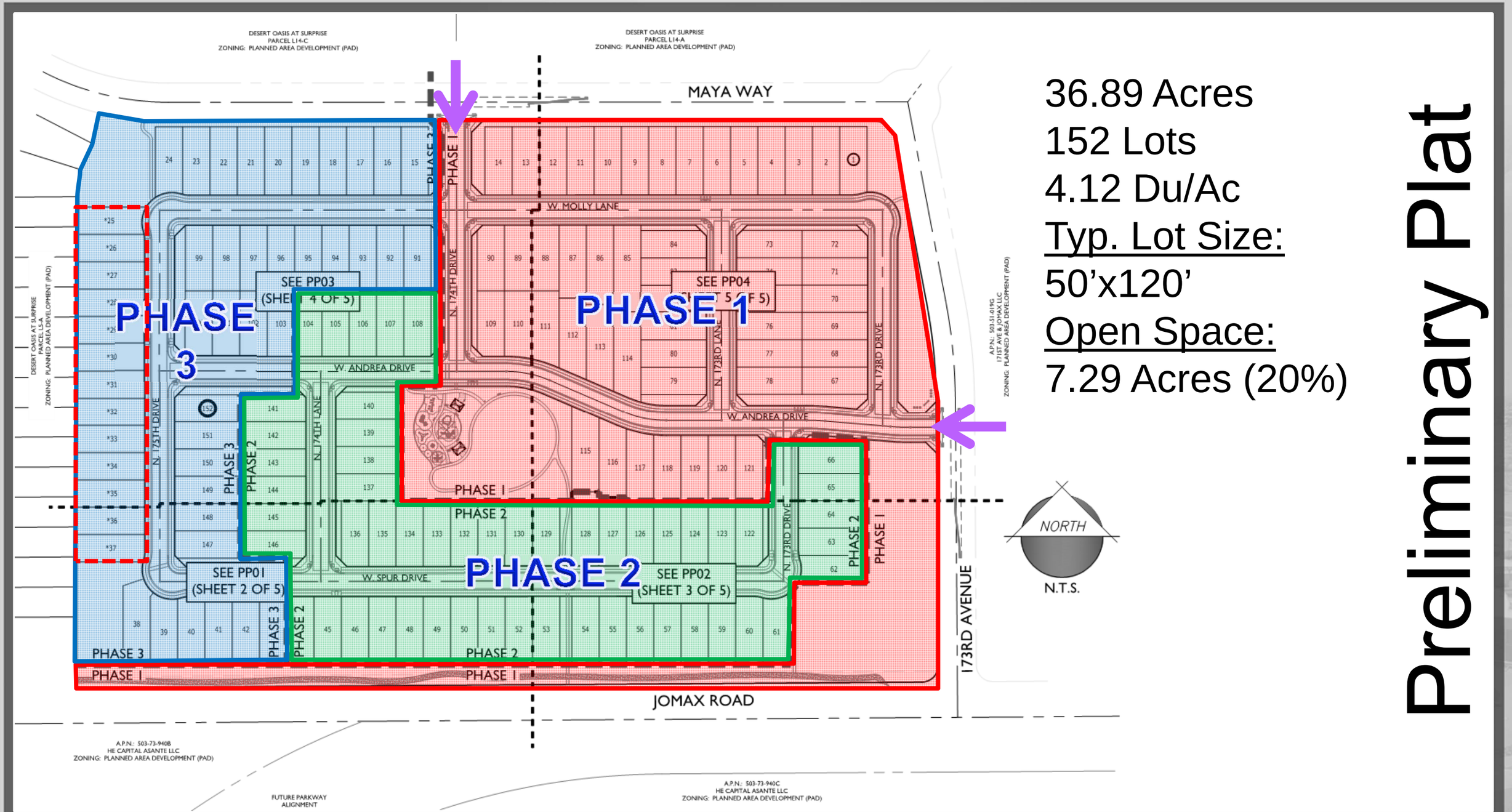


VICINITY MAP



Surrounding Zoning





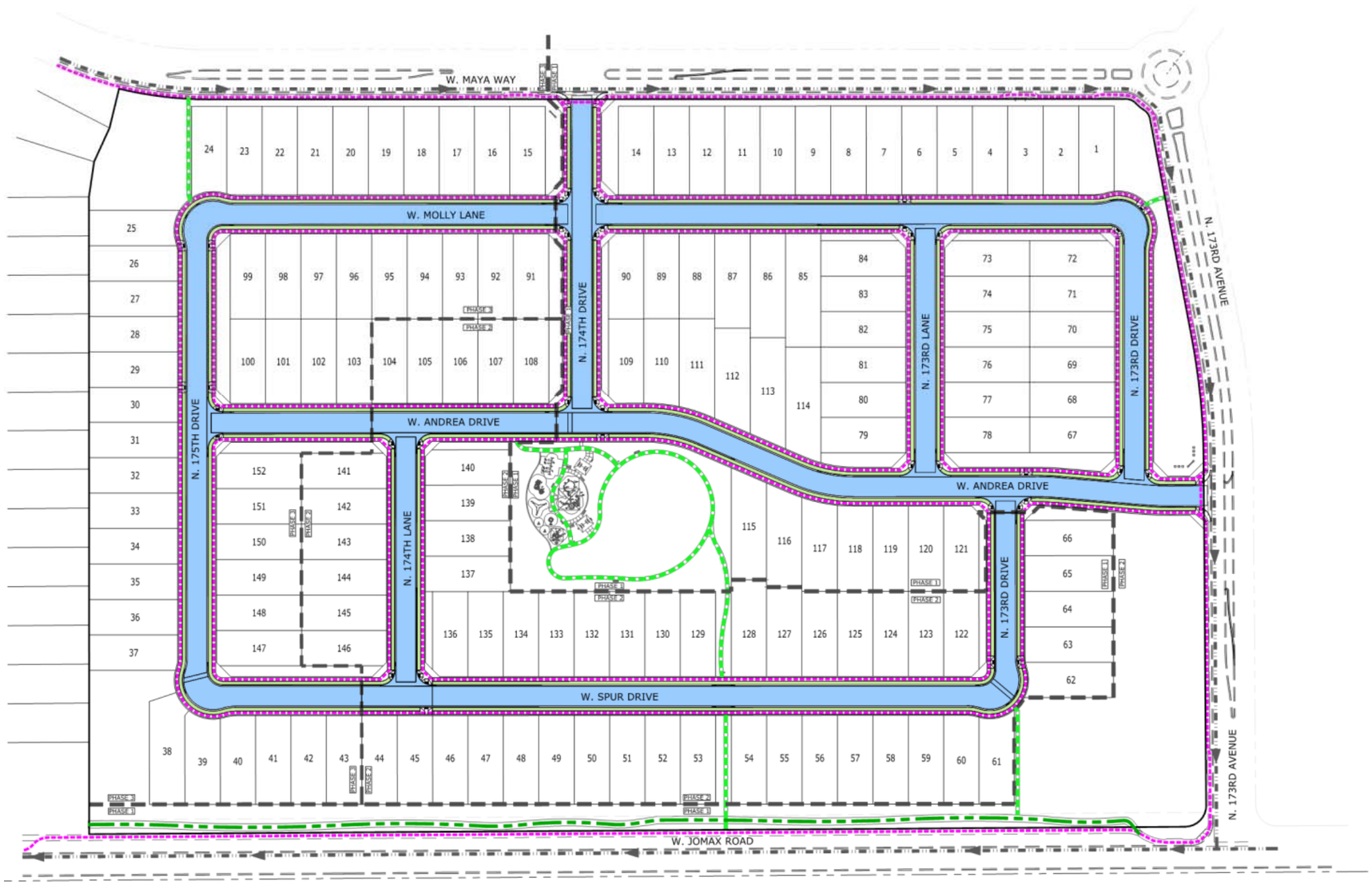
36.89 Acres
152 Lots
4.12 Du/Ac
Typ. Lot Size:
50’x120’
Open Space:
7.29 Acres (20%)

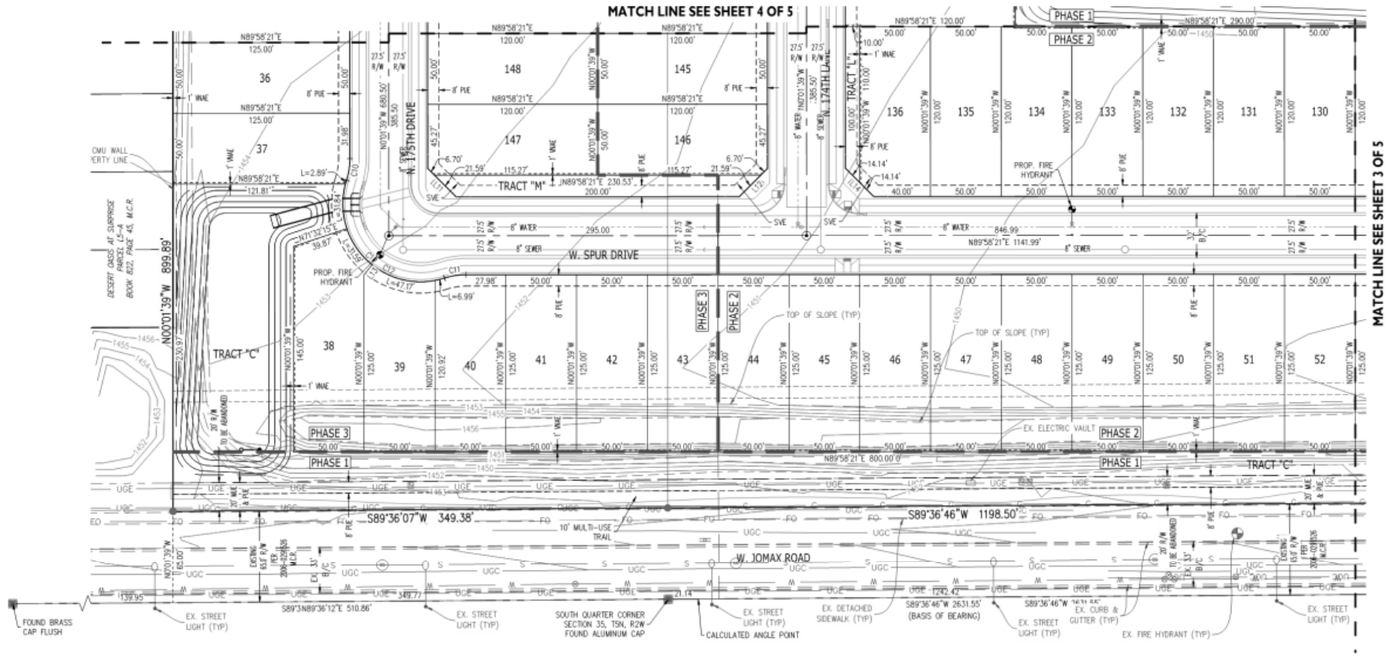
Preliminary Plat

Circulation Plan

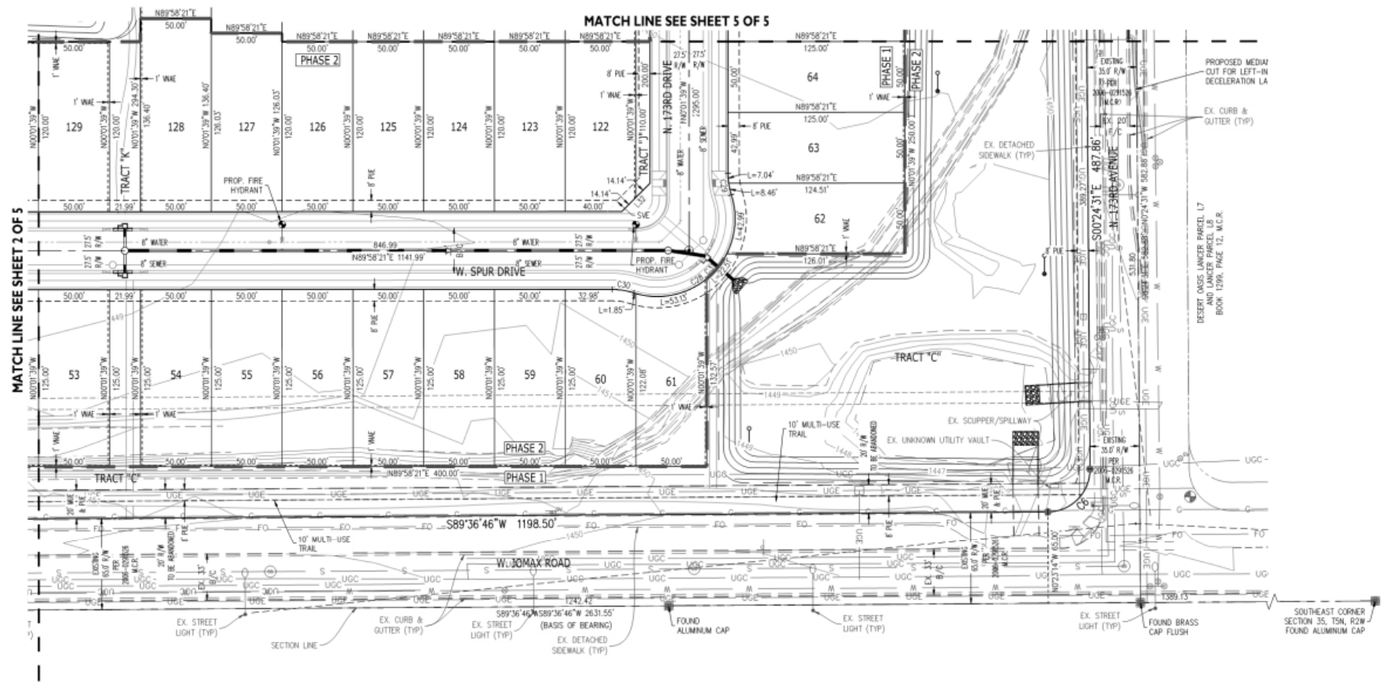
LEGEND

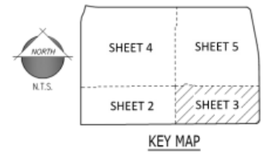
- VEHICULAR CIRCULATION
- PEDESTRIAN CIRCULATION
- OPEN SPACE CIRCULATION
- 10' MULTI-USE TRAIL
- LANDSCAPE STRIP
- BIKE LANE
- PHASE LINE




MATCH LINE SEE SHEET 4 OF 5
MATCH LINE SEE SHEET 3 OF 5
W. SPUR DRIVE
N. 175TH DRIVE
N. 174TH LA.
W. JOMAX ROAD
TRACT "C"
TRACT "M"
TRACT "L"
PHASE 1
PHASE 2
PHASE 3
TOP OF SLOPE (TYP)
PROP. FIRE HYDRANT
EX. ELECTRIC VAULT
10' MULTI-USE TRAIL
N00°01'39"W 899.89'
S89°36'07"W 349.38'
S89°36'46"W 1198.50'
S89°36'46"W 2631.55' (BASIS OF BEARING)
S89°36'46"W 1240.47'
S89°36'46"W 1141.99'
S89°36'46"W 800.00'
S89°36'46"W 290.00'
S89°36'46"W 846.99'
S89°36'46"W 120.00'
S89°36'46"W 110.00'
S89°36'46"W 385.50'
S89°36'46"W 680.50'
S89°36'46"W 230.53'
S89°36'46"W 349.77'
S89°36'46"W 139.95'
S89°36'46"W 121.81'
S89°36'46"W 200.00'
S89°36'46"W 295.00'
S89°36'46"W 115.27'
S89°36'46"W 21.58'
S89°36'46"W 6.70'
S89°36'46"W 45.27'
S89°36'46"W 14.14'
S89°36'46"W 40.00'
S89°36'46"W 50.00'
S89°36'46"W 100.00'
S89°36'46"W 125.00'
S89°36'46"W 120.92'
S89°36'46"W 39.87'
S89°36'46"W 27.98'
S89°36'46"W 6.99'
S89°36'46"W 47.17'
S89°36'46"W 30.53'
S89°36'46"W 21.14'
S89°36'46"W 10.00'
S89°36'46"W 5.00'
S89°36'46"W 2.89'
S89°36'46"W 1.45'
S89°36'46"W 0.50'
S89°36'46"W 0.33'
S89°36'46"W 0.67'
S89°36'46"W 0.83'
S89°36'46"W 0.17'
S89°36'46"W 0.00'
S89°36'46"W 0.01'
S89°36'46"W 0.02'
S89°36'46"W 0.03'
S89°36'46"W 0.04'
S89°36'46"W 0.05'
S89°36'46"W 0.06'
S89°36'46"W 0.07'
S89°36'46"W 0.08'
S89°36'46"W 0.09'
S89°36'46"W 0.10'
S89°36'46"W 0.11'
S89°36'46"W 0.12'
S89°36'46"W 0.13'
S89°36'46"W 0.14'
S89°36'46"W 0.15'
S89°36'46"W 0.16'
S89°36'46"W 0.17'
S89°36'46"W 0.18'
S89°36'46"W 0.19'
S89°36'46"W

Preliminary Plat





LINE LEGEND

- MATCH LINE
- PHASE LINE

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
1	6,197	0.1423
2	6,250	0.1435
3	6,250	0.1435
4	6,250	0.1435
5	6,250	0.1435
6	6,250	0.1435
7	6,250	0.1435
8	6,250	0.1435
9	6,250	0.1435
10	6,250	0.1435
11	6,250	0.1435
12	6,250	0.1435
13	6,250	0.1435
14	6,250	0.1435
15	6,250	0.1435
16	6,250	0.1435
17	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
18	6,250	0.1435
19	6,250	0.1435
20	6,250	0.1435
21	6,250	0.1435
22	6,250	0.1435
23	6,244	0.1433
24	6,112	0.1403
25	6,103	0.1401
26	6,246	0.1434
27	6,250	0.1435
28	6,250	0.1435
29	6,250	0.1435
30	6,250	0.1435
31	6,250	0.1435
32	6,250	0.1435
33	6,250	0.1435
34	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
35	6,250	0.1435
36	6,250	0.1435
37	6,230	0.1430
38	7,531	0.1729
39	6,182	0.1419
40	6,216	0.1427
41	6,250	0.1435
42	6,250	0.1435
43	6,250	0.1435
44	6,250	0.1435
45	6,250	0.1435
46	6,250	0.1435
47	6,250	0.1435
48	6,250	0.1435
49	6,250	0.1435
50	6,250	0.1435
51	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
52	6,250	0.1435
53	6,250	0.1435
54	6,250	0.1435
55	6,250	0.1435
56	6,250	0.1435
57	6,250	0.1435
58	6,250	0.1435
59	6,250	0.1435
60	6,233	0.1431
61	6,150	0.1412
62	6,094	0.1399
63	6,249	0.1435
64	6,250	0.1435
65	6,250	0.1435
66	6,250	0.1435
67	6,000	0.1377
68	6,000	0.1377

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
69	6,000	0.1377
70	6,000	0.1377
71	6,000	0.1377
72	5,950	0.1366
73	5,950	0.1366
74	6,000	0.1377
75	6,000	0.1377
76	6,000	0.1377
77	6,000	0.1377
78	6,000	0.1377
79	6,000	0.1377
80	6,000	0.1377
81	6,000	0.1377
82	6,000	0.1377
83	6,000	0.1377
84	5,950	0.1366
85	8,000	0.1837

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
86	7,333	0.1684
87	6,667	0.1530
88	6,000	0.1377
89	6,000	0.1377
90	5,950	0.1366
91	6,000	0.1377
92	6,000	0.1377
93	6,000	0.1377
94	6,000	0.1377
95	6,000	0.1377
96	6,000	0.1377
97	6,000	0.1377
98	6,000	0.1377
99	6,000	0.1377
100	6,000	0.1377
101	6,000	0.1377
102	6,000	0.1377

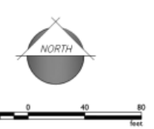
LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
103	6,000	0.1377
104	6,000	0.1377
105	6,000	0.1377
106	6,000	0.1377
107	6,000	0.1377
108	6,000	0.1377
109	5,950	0.1366
110	6,074	0.1394
111	6,603	0.1516
112	6,939	0.1593
113	7,348	0.1687
114	7,744	0.1778
115	7,358	0.1689
116	6,805	0.1562
117	6,282	0.1442
118	6,009	0.1379
119	6,000	0.1377

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
120	6,000	0.1377
121	5,950	0.1366
122	5,950	0.1366
123	6,000	0.1377
124	6,000	0.1377
125	6,000	0.1377
126	6,000	0.1377
127	6,301	0.1447
128	6,820	0.1566
129	6,000	0.1377
130	6,000	0.1377
131	6,000	0.1377
132	6,000	0.1377
133	6,000	0.1377
134	6,000	0.1377
135	6,000	0.1377
136	5,950	0.1366

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
137	6,000	0.1377
138	6,000	0.1377
139	6,000	0.1377
140	5,955	0.1367
141	5,989	0.1375
142	6,000	0.1377
143	6,000	0.1377
144	6,000	0.1377
145	6,000	0.1377
146	5,989	0.1375
147	5,989	0.1375
148	6,000	0.1377
149	6,000	0.1377
150	6,000	0.1377
151	6,000	0.1377
152	5,989	0.1375
TOTAL	940,831	21.5973

LEGEND

⊞	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 42937"
⊠	SET PK NAIL WITH TAG "EPS GROUP RLS 42937"
⊙	BRASS CAP TO BE SET AT CONSTRUCTION
LS	LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
MUE	MULTI USE EASEMENT
PUFE	PUBLIC UTILITY AND FACILITIES EASEMENT
RLS	REGISTERED LAND SURVEYOR
R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT



KEY MAP

LINE LEGEND

- MATCH LINE
- PHASE LINE

LEGEND

⊞	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 42937"
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R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT

NORTH

scale 40 0 40 80 feet

Preliminary Plat

LINE LEGEND

- MATCH LINE
- PHASE LINE

LEGEND

⊞	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 42937"
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R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT

Preliminary Plat

PLANT LEGEND

SYMBOL	BOTANICAL NAME - COMMON NAME	QTY.	SIZE	COMMENTS
TREES				
	ACACIA ANEURA/ MULGA TREE	50	24" BOX	STANDARD
	ACACIA SALICINA/ WILLOW ACACIA	43	24" BOX	STANDARD
	CHILOPSIS LINEARIS/ DESERT WILLOW	43	24" BOX	STANDARD
	PARKINSONIA HYBRID 'AZT'/ 'AZT' THORNLESS PALO VERDE	58	24" BOX	STANDARD
	PISTACIA LENTISCUS/ MASTIC TREE	54	24" BOX	STANDARD
	PROSOPIS HYBRID 'RIO SALADO' 'RIO SALADO' MESQUITE	65	24" BOX	STANDARD
	QUERCUS VIRGINIANA 'HERITAGE'/ 'HERITAGE' LIVE OAK	93	24" BOX	STNADARD
	* DENOTES APPROVED STREET TREE			
SHRUBS				
	CAESALPINIA PULCHERRIMA/ RED BIRD OF PARADISE	94	5 GAL	FULL CAN
	CALLIANDRA CALIFORNICA/ BAJA FAIRY DUSTER	89	5 GAL	FULL CAN
	LEUCOPHYLLUM sp. 'HEAVENLY CLOUD'/ 'HEAVENLY CLOUD' SAGE	122	5 GAL	FULL CAN
	LEUCOPHYLLUM sp. 'LYNN'S LEGACY'/ 'LYNN'S LEGACY' SAGE	109	5 GAL	FULL CAN
	RUELLIA PENINSULARIS/ BAJA RUELLIA	56	5 GAL	FULL CAN
	TECOMA sp. 'BELLS OF FIRE'/ BELLS OF FIRE	95	5 GAL	FULL CAN
	TECOMA sp. 'LYDIA'/ 'LYDIA' YELLOW BELLS	108	5 GAL	FULL CAN
	TECOMARIA CAPENSIS/ CAPE HONEYSUCKLE	85	5 GAL	FULL CAN
	XYLOSMA sp. 'COMPACTA'/ COMPACT XYLOSMA	75	5 GAL	FULL CAN
ACCENTS				
	AGAVE SHARKSKIN/ SHARKSKIN AGAVE	161	5 GAL	FULL CAN
	HESPERALOE FUNIFERA/ GIANT HESPERALOE	130	5 GAL	FULL CAN
	HESPERALOE PARVIFOLIA/ RED YUCCA	215	5 GAL	FULL CAN
	MUHLENBERGIA CAPILLARIS/ PINK MUHLY GRASS	145	5 GAL	FULL CAN
	MUHLENBERGIA RIGENS/ DEER GRASS	111	5 GAL	FULL CAN
GROUNDCOVERS				
	EREMOPHILA HYGROPHANA/ 'BLUE BELLS' EMU	171	5 GAL	FULL CAN
	EREMOPHILA PROSTRATA/ 'OUTBACK SUNRISE' EMU	149	5 GAL	FULL CAN
	LANTANA sp. 'NEW GOLD'/ 'NEW GOLD' LANTANA	169	5 GAL	FULL CAN
	LANTANA sp. 'NEW RED'/ 'NEW RED' LANTANA	223	5 GAL	FULL CAN
EXISTING MATERIAL				
	EXISTING TREE	76		
	DECOMPOSED GRANITE SANTA FE GOLD, 2" MIN. DEPTH COVERAGE REQUIRED.	274,245 SQ.FT		
	TURF 'MIDIRON' HYBRID BERMUDA SOD	25,270 SQ.FT		

Open Space

Amenity Area

The McGough Group

CORTANA

AMENITIES ENLARGEMENT

SHEET: PLB

SURPRISE, AZ

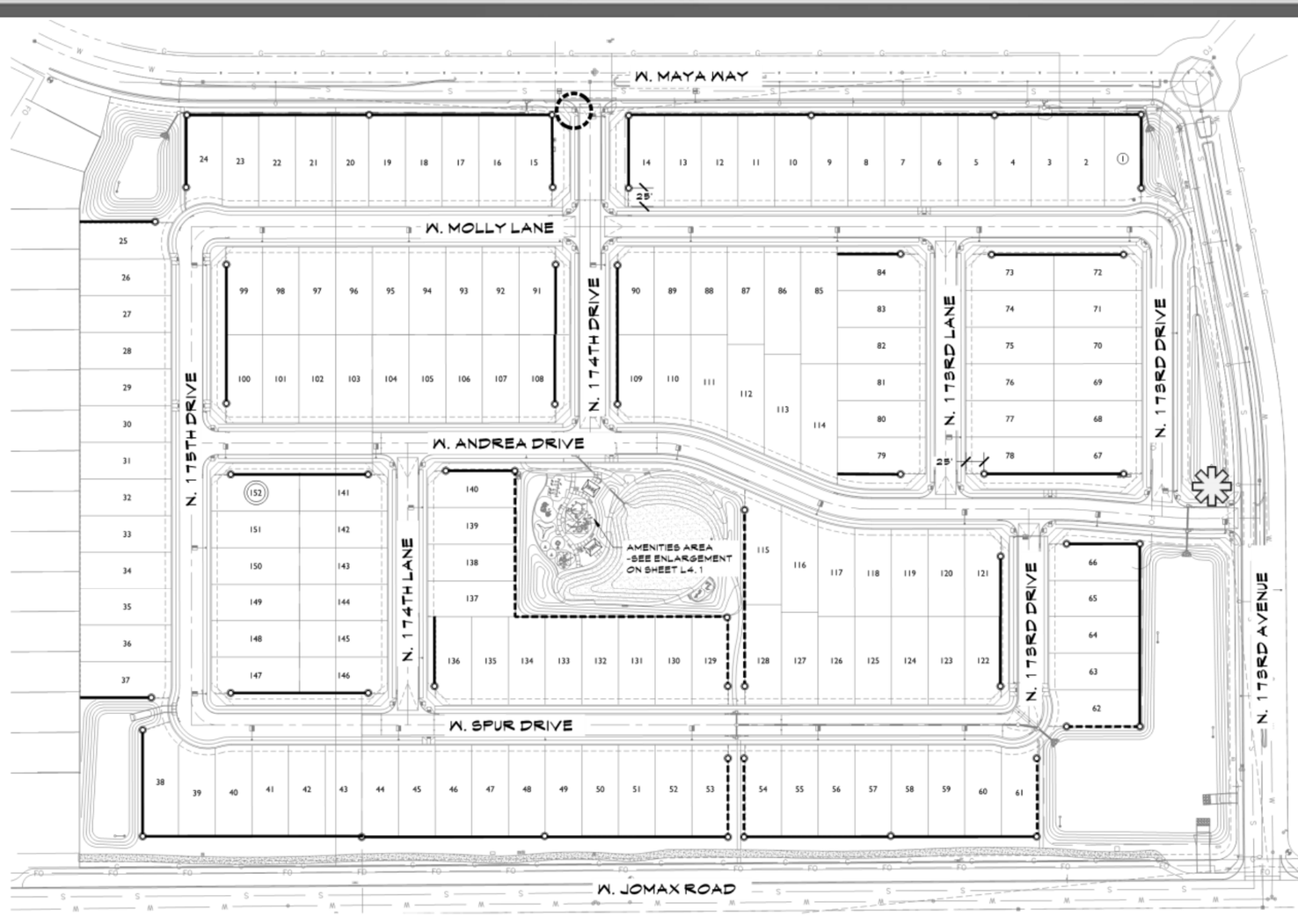
JANUARY 24, 2017

SCALE: 1"=10'-0"

0' 5' 10' 20' 30'

NORTH

Wall Plan



WALL LEGEND

- PRIMARY THEME WALL - APPROX. 5,355 LN.FT.
- PARTIAL VIEW WALL - APPROXIMATELY 1,250 LN.FT.
- PRIMARY THEME COLUMN - QTY. 55
- PRIMARY SIGN MONUMENT
- SECONDARY SIGN MONUMENT

NOTES:

1. ALL FOOTINGS, WALLS AND THEME COLUMNS TO BE LOCATED OUTSIDE OF THE P.U.E., R.O.W. AND SITE VISIBILITY TRIANGLE EASEMENTS.
2. THEME COLUMNS/WALL ENDS ARE TO BE 25'-0" OFF THE BACK OF THE ROW. SOME THEME COLUMNS MAY HAVE TO BE LOCATED 30'-0" OFF THE BACK OF THE ROW WHERE SITE VISIBILITY TRIANGLE EASEMENTS ARE PRESENT. CONTRACTOR TO INSTALL 6"X6" CONCRETE HEADER FROM THE FRONT OF THE COLUMN TO THE BACK OF THE SIDEWALK.
3. SEE CIVIL PLANS FOR RETAINING WALL LOCATIONS.
4. CONTRACTOR TO USE FINAL PLAT TO VERIFY ALL QUANTITIES.

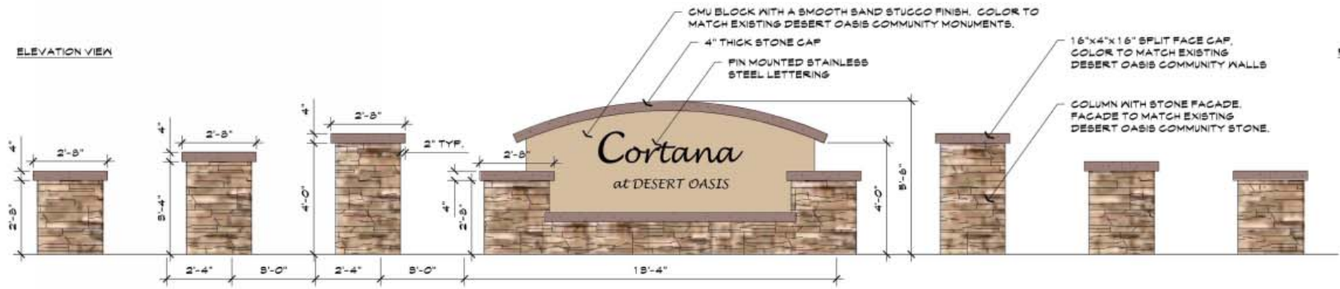
SCALE: 1"=70'-0"

0' 70' 140' 210'

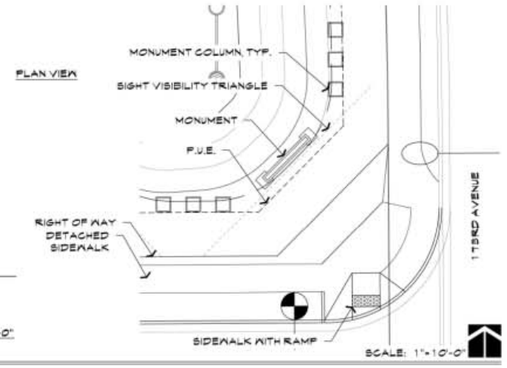
NORTH

Wall Plan

ELEVATION VIEW



PLAN VIEW



SCALE: 1/2"=1'-0"

SCALE: 1"=10'-0"

A PRIMARY ENTRY MONUMENT

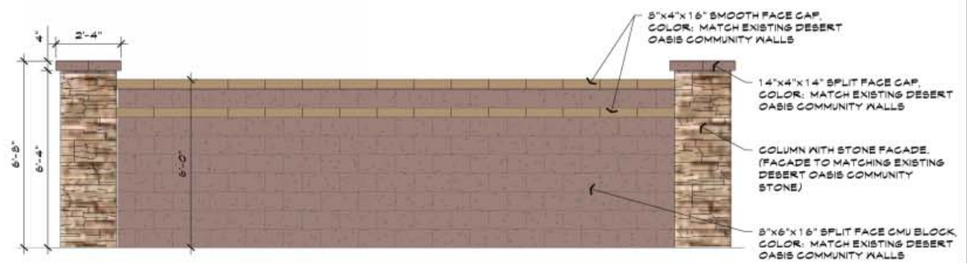
ELEVATION VIEW

PLAN VIEW

B SECONDARY ENTRY MONUMENT

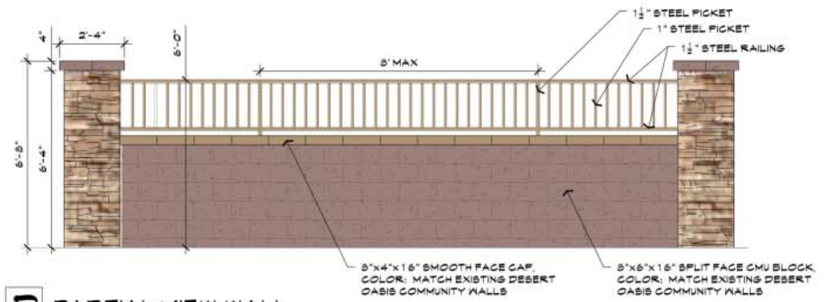
SCALE: 1/2"=1'-0"

SCALE: 1"=10'-0"



C PRIMARY THEME WALL & COLUMN

SCALE: 1/2"=1'-0"



D PARTIAL VIEW WALL

SCALE: 1/2"=1'-0"

The McGough Group

CORTANA

MONUMENT & WALL DETAILS

SHEET: PL4

SURPRISE, AZ

JANUARY 24, 2017

RECOMMENDATION

<u>August 2, 2018:</u>

P&Z Commission recommended Approval to the Mayor and City Council subject to Stipulations ‘A’ – ‘C’.

<u>Stip. A:</u>

Developer will provide cash-in-lieu payment for their proportional share for Jomax Rd. and 163rd Ave. intersection improvements.

<u>Stip. B:</u>

Developer will provide cash-in-lieu payment for the raised median and landscape on Jomax Road along the project frontage.

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

RESOLUTION #2018-139

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A PRELIMINARY PLAT ENTITLED "CORTANA AT DESERT OASIS AT SURPRISE," GENERALLY LOCATED AT THE NORTHWEST CORNER OF JOMAX ROAD AND 173RD AVENUE.

WHEREAS, on September 14, 2000, the Mayor and City Council approved the Desert Oasis Planned Area Development; and,

WHEREAS, the proposed Preliminary Plat is in compliance with the Surprise Municipal Code and Surprise General Plan.

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

Section 1. The Preliminary Plat for Cortana at Desert Oasis at Surprise, dated June 13, 2018 is approved, subject to the following conditions:

A. Prior to the final civil infrastructure improvements being accepted by the City, the Developer will provide a cash-in-lieu payment, per the City approved engineer's estimate, of their proportional share for the construction of roadway improvement associated with the 163rd Avenue project.
B. Prior to approval of the Final Plat, the Developer will provide a cash-in-lieu payment, per a City reviewed and approved engineer's estimate, for the raised median and landscape on Jomax Road along the project frontage.
C. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

APPROVED AND ADOPTED this_____day of _____2018.

Sharon R. Wolcott, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Kuhfuss -Community Development
Submitting Department:	CD	District:	2
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of a Final Plat entitled, "Christopher Todd Communities on Mountain View" dated June 20, 2018, and Right-of-Way Abandonment, both generally located on the southwest side of Mountain View Boulevard near Carlin Drive; Resolution # 2018-111.

Motion:

I move to approve Resolution #2018-111.

Background:

The subject request involves a Final Plat for the Christopher Todd Collection on Mountain View and will serve to combine four (4) lots and abandon a segment of right-of-way to create a single lot. Resolution 2018-111 has been submitted with this Final Plat due to the proposed abandonment of a portion of Carlin Drive. This final plat is associated with a Rezone request discussed under separate cover. The applicant also proposes a related Site Plan under FS18-247, which is still under review and has not been scheduled for the Planning and Zoning Commission as of the writing of this report.

Objective Analysis:

The applicant seeks a Final Plat over the subject property in anticipation of a new cottage style residential project, and seeks the abandonment of the segment of Carlin Drive adjacent to the site for the purpose of avoiding an otherwise bifurcated site. The applicant has committed to providing limited public access through the site in the general area of said right-of-way in keeping with the General Plan's TOD designation of the site.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying partially within the Neighborhood Character Area and partially within the Commerce and Office Character Area, both of which support multi-family residential development at densities greater than 8 DU/Ac. The subject proposal contemplates up to 223 dwelling units, which equates to 11.15 DU/Ac overall. As such the proposed zoning most closely aligns with the Urban Neighborhood type and is consistent with the General Plan in this regard. Further, the subject property lies within the Transit Oriented Development (TOD) District,

which seeks more intense residential development with opportunities for multi-modal transportation options. The subject request aligns with these goals as well, especially taking into consideration the pedestrian promenade that will cross the subject site in the general location of the existing Carlin Drive ROW.

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 - Christopher Todd Collection on Mountain View Final Plat and Right-of-Way Abandonment – FS17-171, RFLS # 6331 - Staff Report
- ☐ Resolution 2018-111
- ☐ Exhibit A -- CTC at Mountain View Final Plat
- ☐ Exhibit B -- Legal Description for Abandoned Portion of Carlin Drive ROW
- ☐ 03 - Christopher Todd Collection on Mountain View Final Plat and Right-of-Way Abandonment – FS17-171, RFLS # 6331 Final Plat
- ☐ 01 - Christopher Todd Collection on Mountain View Final Plat and Right-of-Way Abandonment – FS17-171, RFLS # 6331 - Vicinity Map
- ☐ 02 - Christopher Todd Collection on Mountain View Final Plat and Right-of-Way Abandonment – FS17-171, RFLS # 6331 - Case Map
- ☐ 04 - Christopher Todd Collection on Mountain View Final Plat and Right-of-Way Abandonment – FS17-171, RFLS # 6331 - Citizen Participation Report
- ☐ 05 - Christopher Todd Collection on Mountain View Final Plat and Right-of-Way Abandonment – FS17-171, RFLS # 6331 - Luke AFB Comments
- ☐ 06 - Christopher Todd Collection on Mountain View Final Plat and Right-of-Way Abandonment – FS17-171, RFLS # 6331 - Letter of Opposition
- ☐ 07 - Christopher Todd Collection on Mountain View Final Plat and Right-of-Way Abandonment – FS17-171, RFLS # 6331

SURPRISE
ARIZONA

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	**FS18-171**
Project Name:	Christopher Todd Collection on Mountain View Final Plat
Council Districts:	2 – Cottonwood 5 – Palm
Meeting Date:	**September 4, 2018**
Planner:	Robert H. Kuhfuss, AICP

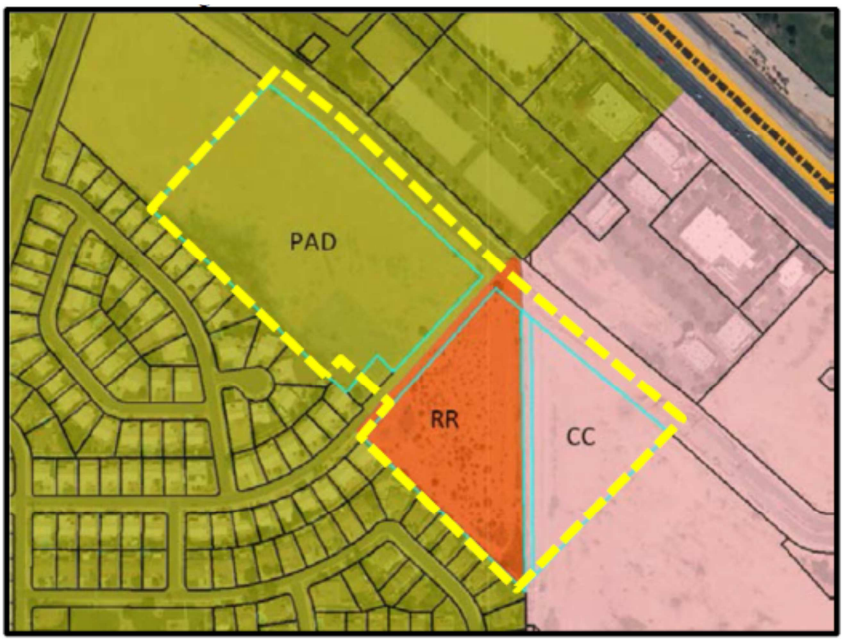
Owner:	Village Main Townhomes, LP, et. al.
Applicant:	Andy Jochums of Beus Gilbert PLLC
Request:	Final Plat and Right-of-Way Abandonment for Christopher Todd Collection on Mountain View
Site Location:	Generally located along the southwest side of Mountain View Boulevard near Carlin Drive
Site Size:	22 acres
Density:	11.15 DU/Ac.
General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035
Support/Opposition:	Two (2) in support Two (2) in opposition
Alternative Actions:	**Approval** of the requested Final Plat and ROW Abandonment will serve to relinquish ownership of a segment of Carlin Drive within the site and will allow the Christopher Todd Collection on Mountain View project to proceed. **Denial** of the requested Final Plat and ROW Abandonment will serve to retain ownership of a segment of Carlin Drive within the site and will preclude development of the Christopher Todd Collection on Mountain View project.

Project Description:

The subject request involves a Final Plat for the Christopher Todd Collection on Mountain View and will serve to combine four (4) lots and abandon a segment of right-of-way to create a single lot. This final plat is associated with a Rezone request discussed under separate cover. The applicant also proposes a related Site Plan under FS18-247, which is still under review and has not been scheduled for the Planning and Zoning Commission as of the writing of this report.

Existing Zoning:

The following map and associated chart depict the existing zoning of the subject site and its surrounds.



PAD (Park Place)	PAD (Park Place) and Community Commercial (CC)	PAD (Park Place) and Community Commercial (CC)
PAD (Park Place)	**PAD, Residential Ranch (RR), and Community Commercial (CC)**	PAD (Park Place) and Community Commercial (CC)
PAD (Park Place)	PAD (Park Place) and Community Commercial (CC)	Community Commercial (CC)

Background:

August 8, 1996: The City Council approved the original Park Place PAD under case PAD91-001. Parcel 6 of said PAD anticipated 14.5 acres of R-3 Multi-Family development at up to 20 DU/Ac. A portion of Parcel 6 is included in the subject site.

October 4, 1997: The Council approved a Major PAD Amendment under case PADA95-049 for the purpose of revising the land use plan. Said approval included a stipulation requiring a minimum of 3.5 acres of recreation / open space to be distributed along the southern boundary of Parcel 6 and the western boundary of Parcel 1 to serve as a buffer between the single-family and multi-family development. This stipulation is not contemplated with the subject request due to the single-story nature of the proposed development and the reduction in density from what was originally approved.

June 3, 2009: Staff approved a Minor PAD Amendment under case PADA09-048 for the purpose of removing Lot 11 from the Park Place PAD and incorporating said lot into the Sun City Grand PAD. This Minor PAD Amendment has no bearing on the subject request, but is included here for historical purposes.

August 30, 2017: Carolyn Oberholtzer, of Bergin, Frakes, Smalley and Oberholtzer, on behalf of Village Main Townhomes LP, filed a request for a Zone Change covering a portion of the subject site to accommodate a cottage type rental community similar to that contemplated under the subject request under case FS17-510, which is on hold pending the outcome of the subject request.

March 13, 2018: The applicant filed a request for a Zone Change and companion Final Plat / Right-of-way abandonment under case FS18-171, the subject case. The Zone Change request is to be heard by both the Planning and Zoning Commission and the City Council, while the Final Plat / Right-of-way abandonment will only be heard by the Council.

May 4, 2018: The applicant filed a request for a Major Site Plan under case FS18-247, which is still under review as of the writing of this report.

August 2, 2018: The Planning and Zoning Commission recommended approval of the subject Zone Change request, subject to staff-recommended stipulations “a” and “b”.

[Continued on following page]

Citizen Outreach:

The site was posted and advertised in accordance with the SUDC and state statute on two (2) separate occasions. A Citizen Outreach meeting was held on October 23, 2017 to discuss the original proposal, which did not include the abandonment of the Carlin Drive ROW or the rezoning of the property to the southeast. The applicant held a second Citizen Outreach meeting on June 4, 2018 to discuss the larger project and the right-of-way abandonment. Both meetings were well attended and a summary of the second meeting is included as an attachment to this report. During the Commission hearing of August 2, 2018, two (2) individuals expressed support for the request, while two (2) individuals expressed concerns over traffic generated by the proposed project.

Analysis and Discussion:

The requested Final Plat anticipates the development of a cottage style rental community as shown on the Conceptual Site Plan included as Exhibit 1 of the related Zoning Narrative. This Site Plan is for informational purposes only as the official Site Plan is still under review as of the writing of this report. Once the related Site Plan is through the review process, staff will bring said site plan to the Commission for review and consideration. The rationale for the ROW abandonment is to provide continuity between the northwest end and the southeast end of what would otherwise be a bifurcated project. Note that several easements lie within the area of the current ROW, which will be preserved in place, with a pedestrian promenade to exist along that corridor.

Utility and Services Table:

Electric:	Arizona Public Service
Water:	EPCOR
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	Southwest Gas
Irrigation:	Maricopa Water District
Schools:	Dysart USD

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying partially within the Neighborhood Character Area and partially within the Commerce and Office Character Area, both of which supporting multi-family residential development at densities greater than 8 DU/Ac. The subject proposal contemplates up to 223 dwelling units, which equates to 11.15 DU/Ac overall. As such the proposed zoning most closely aligns with the Urban Neighborhood type and is consistent with the General Plan in this regard. Further, the subject property lies within the Transit Oriented Development (TOD) District, which seeks more intense residential development with opportunities for multi-modal transportation options. The subject request aligns with these goals as well, especially taking into consideration the pedestrian promenade that will cross the subject site in the general location of the existing Carlin Drive ROW.

Reviewing Agencies:

Flood Control District of Maricopa County (FCDMC): In an email dated April 3, 2018, the FCDMC indicated no objections to the request.

Maricopa Water District (MWD): In an email dated April 10, 2018, MWD indicated the proposed development is subject to two (2) separate Development Agreements.

Arizona Department of Transportation (ADOT): In an email dated April 3, 2018, ADOT indicated the proposed development would have an impact on U.S. 60, which may trigger the need for a Traffic Impact Study.

Luke Air Force Base (LAFB): In a letter dated April 9, 2017 (attached), LAFB indicated the subject development does not meet their Graduated Density Concept and would have a negative effect on flight operations.

Summary:

The applicant seeks a Final Plat over the subject property in anticipation of a new cottage style residential project, and seeks the abandonment of the segment of Carlin Drive adjacent to the site for the purpose of avoiding an otherwise bifurcated site. The applicant has committed to providing limited public access through the site in the general area of said right-of-way in keeping with the General Plan's TOD designation of the site.

Findings:

- The proposed Final Plat is consistent with the Surprise General Plan 2035.
- The proposed Final Plat is consistent with the zoning contemplated under FS18-171.
- There are no objections to the request.

Alternative Actions:

Approval of the requested Final Plat and ROW Abandonment will serve to relinquish ownership of a segment of Carlin Drive within the site and will allow the Christopher Todd Collection on Mountain View project to proceed.

Denial of the requested Final Plat and ROW Abandonment will serve to retain ownership of a segment of Carlin Drive within the site and will preclude development of the Christopher Todd Collection on Mountain View project.

Attachments:

01 Vicinity Map
02 Case Map
03 Final Plat
04 Citizen Outreach Report
05 Luke AFB comments
06 Letter of Opposition

SURPRISE
ARIZONA

City Council

September 4, 2018

Christopher Todd Collection on Mountain View

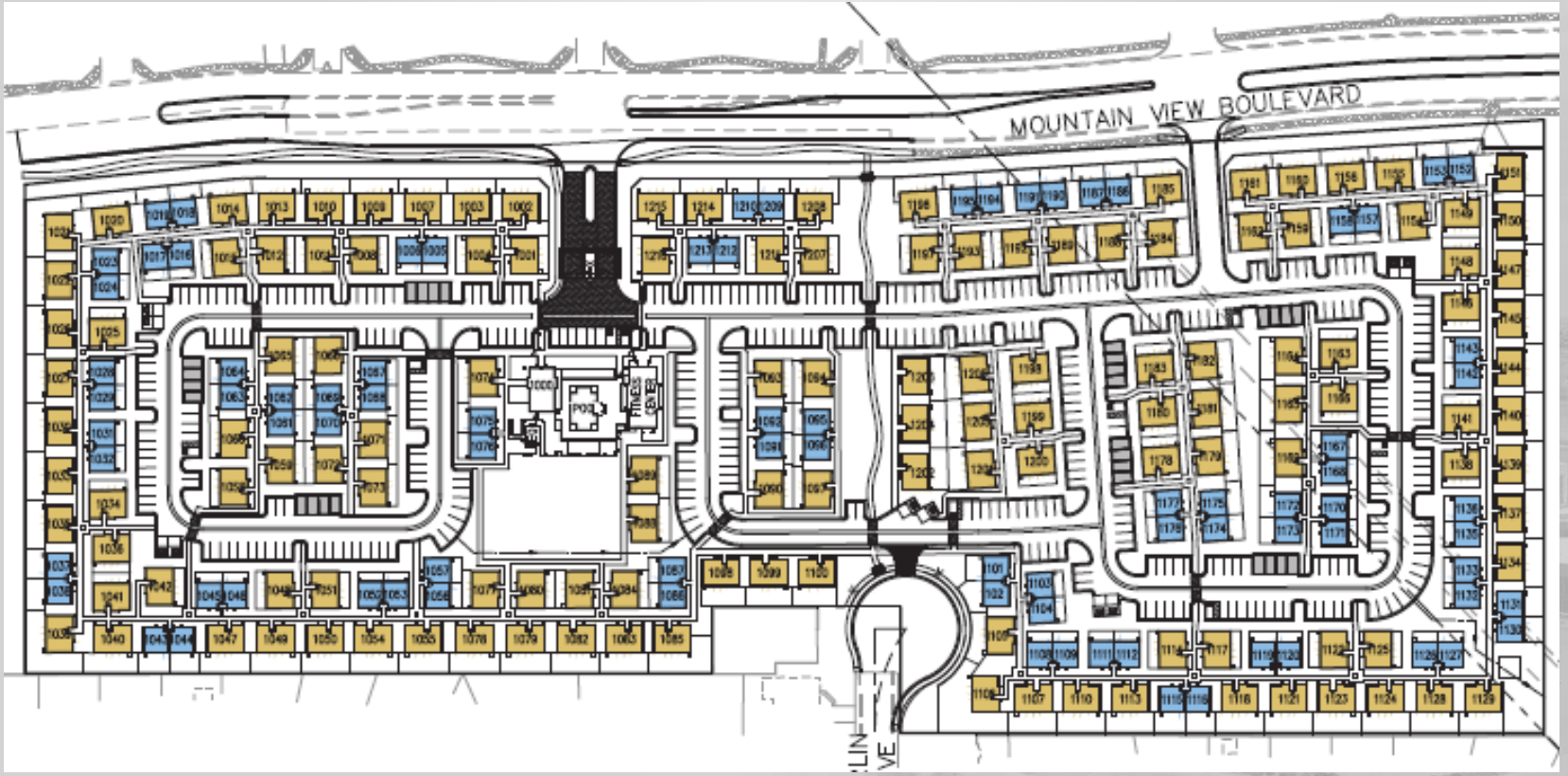
Zone Change and Final Plat w/ ROW Abandonment

FS18-171

Vicinity Map
FS18-171

Case Map
FS18-171

Conceptual Site Plan FS18-171



Conceptual Landscape Plan FS18-171

Architecture FS18-171

1 BEDROOM

SCHEME 01

2 BEDROOM

1 BEDROOM

SCHEME 02

2 BEDROOM

1 BEDROOM

SCHEME 03

2 BEDROOM

CLIENT NAME: CHRISTOPHER TODD COMMUNITIES

PROJECT NAME: CTC - GREENWAY

PROJECT LOCATION: LITCHFIELD & GREENWAY

SHEET NAME: EXTERIOR ELEVATIONS

Creative License International

REVISIONS:

INSTALL DATE:

SCALE:

DATE: 05-02-17

JOB NUMBER: 2162

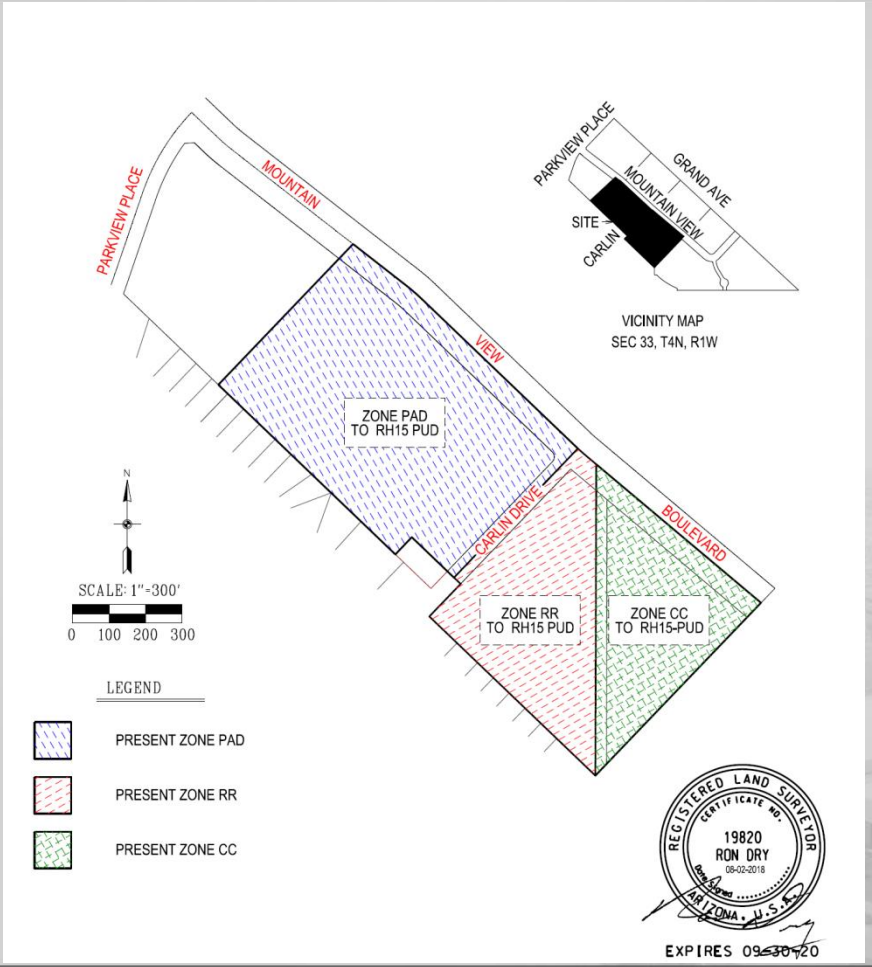
DRAWN BY: KONG

PM: DDD

AE: DDD

SHEET:

Zoning
FS18-171



Development Standards FS18-171

PUD Overlay – Development Standards

Christopher Todd on Mountain View Standards		
Standard	**Existing RH-15 Conventional Character Pattern Requirement**	**Proposed PUD Modifications**
Maximum Dwelling Units per Gross Acre	15 du/ac	11.15 du/ac (223 units max)
Maximum Height	35 feet (3 stories)	16 ft./1 story for primary buildings 20 ft./1 story for accessory buildings (office, fitness center, etc.) [1]
Minimum Building Setbacks: - Front - Side - Rear	 30 feet 10 feet 30 feet	 30 feet* [2] 10 feet* 20 feet
Minimum Landscape Buffers: - Adjacent to Street (Mountain View)	25 feet	15 feet [3]
- Adjacent to RM and RL	24 feet	Zero feet [4]
- Adjacent to Commercial and other Districts	10 feet	Zero feet [4]
Minimum Building Separation (one story buildings)	25 feet	10 feet
Bike Parking - Residential - Leasing Office	 0.5 per dwelling 1 per 20 vehicle spaces	 Zero per dwelling 1 per 20 vehicle spaces*

***Standard RH-15 Requirement. No Modification requested, listed for ease of reference.**

[1] If an entry portico is provided, it shall be allowed at a height up to 30 feet for adequate emergency vehicles ingress and egress as well as appropriate architectural rooflines to match the primary buildings.

[2] For the purpose of SUDC section 122-136(b)(15)(d)(1), which discusses wall placement, the front yard shall be measured 15' from the Mountain View Road property line and not the full 30' building setback.

[3] In addition to the 15 foot landscape buffer located outside of the perimeter wall, a minimum 15 foot deep private yard shall be provided with at least one tree per yard to act as additional buffering.

[4] Minimum 20 foot deep private yards shall be provided with at least one tree per yard to act as buffering.

FINAL PLAT OF
CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW
SITUATED IN PORTIONS OF THE NW 1/4 AND NE 1/4, SECTION 33, T.4 N., R.1 W.,
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: THAT MOUNTAIN VIEW ESTATES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP ("OWNER"), WHO ESTABLISHED HEREIN AND WHO HAVE SUBDIVIDED THIS COMMUNITIES ON MOUNTAIN VIEW, SITUATED IN A PORTION OF THE NORTHWEST QUARTER AND NORTHEAST QUARTER, SECTION 33, TOWNSHIP 4 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF THE SUBDIVISION THIS COMMUNITIES ON MOUNTAIN VIEW 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 THE PLAT.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE, COUNTY AND ARIZONA DEPARTMENT AND ACROSS THE PLAT AND EACH LOT AND EASEMENT THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF INGRESS AND EGRESS OVER THE PLAT, TOGETHER WITH ITS APPURTENANT RIGHTS THEREOF, FOR THE FULL AND COMPLETE USE, ENJOYMENT AND EFFECT THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT OR TAKING OFF FROM OR OPERATING AT OR ON LUKE AIR FORCE BASE, OR THE OPERATION OF AIRCRAFT LANDING AT OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE RANGE AND WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO CAUSE IN THE AIRSPACE ABOVE THE PLAT SUCH 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 OR LUKE AIR FORCE RANGE, AND WHICH ARE INCIDENT TO, OR HAVE A TENDENCY TO AFFECT, THE USE OF THE AIRSPACE, AND FOR SUCH OTHER AND FURTHER PURPOSES AS MAY BE REASONABLY REQUISITE, APPURTENANT OR NECESSARY TO THE FOREGOING PURPOSES IN CONNECTION WITH THE USE AND ENJOYMENT OF THE EASEMENT; PROVIDED, HOWEVER, THAT NOTHING HEREIN CONTAINED SHALL BE DEEMED TO GIVE THE GENERAL PUBLIC ANY RIGHT OF ACCESS OVER THE PLAT.

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

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

ALL IMPROVEMENTS FOR STREETS AND PUBLIC TRAILS MADE AND INSTALLED BY THE CITY, WITHIN OR CONTIGUOUS TO THE LANDS WITHIN THE PLAT, SHALL BE MADE AND INSTALLED AT THE EXPENSE OF THE CITY, IN PUBLIC RIGHTS-OF-WAY AND PUBLIC TRAILS EASEMENTS, HEREBY DEDICATED TO THE CITY OF SURPRISE SHALL BE DEEMED TO HAVE BEEN DEDICATED TO OWNER TO THE CITY UPON THEIR CONSTRUCTION, HOWEVER, SUCH TRANSFER SHALL NOT OCCUR UNTIL THE CITY COUNCIL FOR THE CITY OF SURPRISE MANIFESTS ITS ACCEPTANCE BY FORMAL FUTURE COUNCIL ACTION.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE, AN ARIZONA MUNICIPAL CORPORATION, AND ITS SUCCESSORS AND ASSIGNS, A PERPETUAL NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE PRIVATE STREETS, PRIVATE ALLEYS, DRIVE AND ACCESS WAYS AND ACROSS THAT PORTION OF THE OWNER'S PROPERTY AS IDENTIFIED ON THIS DOCUMENT AS "PUBLIC ACCESS EASEMENT", INCLUDING THE RIGHT OF INGRESS AND EGRESS ALONG AND ACROSS THE EASEMENT PREMISES AS SHOWN ON THE PLAT. PUBLIC ACCESS WILL FLOW WAY TO SPA.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS "DRAINAGE EASEMENT" OR "DRAINAGE TRACT" ON THE PLAT FOR THE PURPOSE OF ENSURING THAT THESE AREAS REMAIN FREE OF JOINT IDENTITY DISTRIBUTIONS.

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 AFFIXED THIS _____ DAY OF _____, 2018.

BY: MOUNTAIN VIEW ESTATES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP

ITS: _____

ITS: _____

ACKNOWLEDGEMENT

STATE OF ARIZONA }
} SS.
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED _____ OF MOUNTAIN VIEW ESTATES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, AND HEREINAFTER ACKNOWLEDGED TO BE SUCH, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I REQUEST, SET MY HAND AND AFFIXED MY SEAL.

BY: _____
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES: _____

NOTICE OF PARK PLACE AMENDED & THE GRAND AVENUE PROFESSIONAL PLAZA AND GREENHILLS PARC DEVELOPMENT AGREEMENT

A PORTION OF THE PROPERTIES INCLUDED IN THIS PLAT ARE SUBJECT TO THE PARK PLACE AMENDED DEVELOPMENT AGREEMENT DATED MAY 8, 2007, AND A PORTION OF THE PROPERTIES INCLUDED IN THIS PLAT ARE SUBJECT TO THE GRAND AVENUE PROFESSIONAL PLAZA AND GREENHILLS PARC DEVELOPMENT AGREEMENT DATED _____, 2018 (COLLECTIVELY, THE "AGREEMENTS"). THE AGREEMENTS ARE THE PLAT, INCLUDING ANY AND ALL OBLIGATIONS THEREIN, HEREBY INCORPORATED HEREIN AND SHOWN HEREIN, IF ACCEPTED TO, AND USE OF EXISTING AND FUTURE AND FACILITIES AND PROPERTY INTERESTS, AS SUCH TERMS ARE DEFINED IN THE AGREEMENTS, TO DEVELOP AND TO ACCOMPLISH ALL OF WHICH PURPOSES, INCLUDING, BUT NOT LIMITED TO, THE TRANSFERS AND DEDICATION OF WATER, WASTEWATER, POWER AND COMMUNICATIONS, AND TO CONSTRUCT, RECONSTRUCT, OPERATE, MAINTAIN AND REPLACE THOSE FACILITIES AND OTHER PROPERTY INTERESTS. THE AGREEMENTS IN FULL AT THE OFFICE OF LANDOWNER AT THE ADDRESS SHOWN HEREIN, AND MAY BE RECORDED AS AT ALL DETAILS WITH PARTICULAR REFERENCE TO SECTION 8, WITH REASONABLE REQUEST.

DATED THIS _____ DAY OF _____, 2018

ATTEST:

MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA

BY: _____
(SIGNATURE DATE)

ITS: PROPERTY & CONTRACTS SUPERVISOR

BY: _____
(DEN NORTHEWS)

ITS: ASSISTANT SECRETARY

MOUNTAIN VIEW ESTATES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP

BY: _____

ITS: _____

PUBLIC NOTICE

THE CITY RESTRICTS ON THE PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHT BY JET AIRCRAFT ALL FUTURE OWNERS WITHIN THE PLAT SHALL BE CONSTRUED BY CONSTRUCTION WITH THE GRAND AVENUE WITH TRANSFERS ACTIVITIES OF THE CITY OF SURPRISE, A MAP DEPICTING THE MOST CURRENT ADOPTED NOISE CONTOURS IN RELATION TO THE PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

RELEASE OF LIABILITY

MOUNTAIN VIEW ESTATES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, IF ANY 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, OR IN CONNECTION WITH THE USE, LEASED WITHIN THE LOCAL LOCATED WITHIN THE PLAT UNTIL SUCH TIME THE NOISE CONTOURS IMPROVED TO CITY ORDINANCE AND THE ENVIRONMENT ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL FOR THE MAINTENANCE IF THE AREA WITHIN ANY LOCAL ELEVATED NOISE CONTOURS AS SHOWN ON THE PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER(S) SUBSEQUENT OWNERS WITHIN THE BOUNDARY OF THE PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE NOISE CONTOURS IMPROVED TO CITY ORDINANCE AND ACCEPTED BY THE CITY OF SURPRISE.

THE CITY OF SURPRISE AGREES TO INDEMNIFY MOUNTAIN VIEW ESTATES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS, AND SUCCESSORS OF AND ITS SUCCESSORS AND ASSIGNS FOR ANY AND ALL DIRECT DAMAGES TO ANY PERSONAL PROPERTY OR POST INDIVIDUAL INJURY TO OR DEATH OF PERSONS OCCURRING ON THE AREA OF THE EASEMENT CAUSED BY OR ARISING AS THE PROXIMATE RESULT OF THE ACTIVITIES OF THE CITY OF SURPRISE OR EMPLOYEES OF THE CITY, EXCEPTING THE EXTENT PURSUANT TO THE TERMS OF THE EASEMENT EXCEPTING SUCH INJURY OR DAMAGE CAUSED BY OR ARISING SOLELY FROM THE NEGLIGENT, WILLFUL MISCONDUCT OR STRICTLY LIABILITY CONDUCT OF MOUNTAIN VIEW ESTATES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THEIR RESPECTIVE SUCCESSORS AND ASSIGNS THAT HAS THE DIRECT CAUSE OF THE INJURY TO THE USER.

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 LOCATED WITHIN THE RIGHT OF WAY THAT MAY ARISE IN CONNECTION WITH THE USE OF THE DEDICATED LANDS WITHIN THE NOISE CONTOURS, UNTIL SUCH TIME THAT THE CITY OF SURPRISE HAS ACCEPTED THE EASEMENT.

GENERAL NOTES

ALL NEW OR RELOCATED UTILITIES SHALL BE PLACED UNDERGROUND.

RIGHT-OF-WAY AND EASEMENTS OUTSIDE OF THE PLATTED BOUNDARY ARE FROM AVAILABLE PUBLIC RECORDS AND ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY. NO WARRANTY IS EXPRESSED OR IMPLIED.

PURSUANT TO A.R.S. § 32-1151(5), THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA IS EXEMPT FROM ALL TAXES AND ASSESSMENTS OF THE COUNTY OF MARICOPA, VALID EXCEPT FOR SPECIAL DISTRICT ASSESSMENTS, WHICH SHALL REMAIN VALID AND UNPAID LIEN.

IN ACCORDANCE WITH A.R.S. § 9-463.01, THE CITY OF SURPRISE HEREBY STIPULATES THAT ALL DEDICATIONS OCCURRING WITH THE PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN 2035.

ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR THE MARICOPA COUNTY, COMMUNITY PANEL NO. 04013C1265L, EFFECTIVE DATE OCTOBER 16, 2013 THIS PROPERTY LOCATED IN FLOOD ZONE X (UNSHADED) DESIGNATED AREAS OF 0.2% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE AND AREAS PROTECTED BY LEVEE FROM 1% ANNUAL CHANCE FLOOD.

NO STRUCTURES OF ANY KIND MAY BE CONSTRUCTED OR ANY OBSTRUCTION WHICH FLAWED NOR ALLOWED TO GROW WITHIN DRAINAGE EASEMENTS THAT WOULD IMPEDE THE FLOW OF WATER THROUGH THE EASEMENTS.

THE CITY OF SURPRISE IS NOT RESPONSIBLE FOR, AND WILL NOT ACCEPT MAINTENANCE OF ANY PRIVATE TRAILS, PRIVATE STREETS, PRIVATE FACILITIES AND LANDSCAPE WITHIN THE PROJECT.

ALL LOT CORNERS SHALL BE MONUMENTED WITH 1/2 INCH REBAR AND CAP OR TAG BEARING THE REGISTRATION NUMBER OF THE SURVEYOR WHO PLACED IT OR THE PLAT MONUMENT.

THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIANS WITH SOLECTORS AND LOCAL STREETS AND LANDSCAPED AREAS BETWEEN THE CURB AND THE NEIGHBORING PARCEL, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER(S) OR THE PROPERTY ASSOCIATION (OTHER THAN THE ADJACENT PROPERTY).

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

NOTICE OF INTERGOVERNMENTAL AGREEMENT

THE CITY OF SURPRISE ("CITY") AND MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("DISTRICT") 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. 97-0457078 ("IGA"). CITY AND DISTRICT HAVE PREVIOUSLY AND PRIORITY INTERESTS, RECORDED AND CONVEYED WITHIN CERTAIN SUBDIVISION PLAT OR PLAN LANDS NOT INCLUDED IN A SUBDIVISION PLAT ("DEDICATION OF PLAT LANDS") IN FULFILLMENT OF OBLIGATIONS OF UNMANAGED AREA, THAT HAVE BEEN AND SUPERIOR RIGHTS TO THE "USER SERVICE PROVIDERS" AS DEFINED IN THE IGA. THE IGA PROVIDES FOR THE CITY TO MAKE A WATER UTILITY EXHIBIT WITHIN CERTAIN AND PROVIDES INCIDENTS, AND FOR WHO TO MAKE AN EXHIBIT WITHIN CITY'S WATER SERVICE AREA, AND WHERE WITHIN THESE EXHIBITS ARE SUBJECT TO AND CONTROLLED BY THE TERMS AND CONDITIONS OF THE IGA.

IN LOCATIONS WHERE APPROVALS, BUILDING ANY AND ALL DEDICATIONS WITHIN A SUBDIVISION PLAT, WHICH THERE ARE SUPERIOR RIGHTS OF ACCESS TO AND USE OF EXISTING AND FUTURE WAY FACILITIES AND PROPERTY INTERESTS, SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE IGA.

CITY SHALL HAVE THE RIGHT TO ASSIGN AND CONTROL USE UTILITY SERVICE PROVIDERS USE AND OCCUPANCY IF THESE EXHIBITS. CITY RESERVES THAT UTILITY SERVICE PROVIDERS CONSENT TO BE BOUND BY THE IGA AND TO THE USE OF EXISTENCE OF EXHIBITS CREATED UNDER THE IGA. CITY'S USE OF OCCUPANCY OF THE EXHIBITS CONSTITUTES CONSENT OF THE UTILITY SERVICE PROVIDERS TO BE BOUND BY THE IGA.

LEGAL DESCRIPTION

A PORTION OF THE WITHIN MAP OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

COMMENCING AT AN ALUMINUM CAP FLUSH AT THE NORTHWEST CORNER OF SAID SECTION 33, FROM WHICH AN ALUMINUM CAP IN HANDHOLE BEARS SOUTH 89 DEGREES 25 MINUTES 09 SECONDS EAST, 2653.18 FEET;

THENCE ALONG THE NORTH LINE OF SAID SECTION 33 SOUTH 89 DEGREES 25 MINUTES 09 SECONDS EAST, 1325.79 FEET;

THENCE SOUTH 0 DEGREES 34 MINUTES 50 SECONDS WEST, 1016.37 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 53 DEGREES 03 MINUTES 10 SECONDS EAST, 99.90 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 40.00 FEET;

THENCE SOUTHEASTERLY, 62.81 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;

THENCE SOUTH 36 DEGREES 56 MINUTES 50 SECONDS WEST, 555.10 FEET;

THENCE SOUTH 46 DEGREES 59 MINUTES 32 SECONDS EAST, 70.01 FEET;

THENCE SOUTH 49 DEGREES 55 MINUTES 09 SECONDS EAST, 531.06 FEET;

THENCE SOUTH 43 DEGREES 45 MINUTES 43 SECONDS WEST, 600.21 FEET;

THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 629.70 FEET;

THENCE NORTH 43 DEGREES 46 MINUTES 43 SECONDS EAST, 123.53 FEET;

THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 186.00 FEET;

THENCE SOUTH 43 DEGREES 46 MINUTES 43 SECONDS WEST, 65.00 FEET;

THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 671.72 FEET;

THENCE NORTH 43 DEGREES 45 MINUTES 27 SECONDS EAST, 478.27 FEET TO THE RIGHT OF BEGINNING;

CONTAINS 17.8902 ACRES, MORE OR LESS.

OWNER

MOUNTAIN VIEW ESTATES, LP
CONTACT: CHRISTOPHER TODD
8502 E. VIA DE VENTURA, STE 122,
SCOTTSDALE, AZ 85258
EMAIL: JEFFMCTOD.COM
PHONE: 480-294-4377

ENGINEER

NORTHLAND RESOURCES, INC.
2020 N. CENTRAL, SUITE 660
PHOENIX, AZ 85004
TEL: 602-999-7020
CONTACT: BRUCE LARSON, PE

SHEET INDEX

SHEET 1	COVER SHEET
SHEET 2	KEY SHEET
SHEET 3	PLAN SHEET

BASIS OF BEARING

THE WITHIN LINE OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AS MONUMENTED AND SHOWN ON THAT RECORD OF SURVEY MAP RECORDED IN BOOK 371, PAGE 11 OF MARICOPA COUNTY RECORDS, ARIZONA

NORTH 89 DEGREES 25 MINUTES 09 SECONDS EAST

APPROVALS

CITY OF SURPRISE COUNCIL APPROVAL

DATA ON THE PLAT HEREWITH AND APPROVED THIS _____ DAY OF _____, 2018.

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 _____, 2018.

_____ _____
MAYOR DATE

ATTEST: _____ _____
CITY CLERK DATE

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF MARCH 2018, THAT THE SURVEY IS TRUE AND CORRECT AS SHOWN, THAT THE MONUMENTS SHOWN ACTUALLY EXIST AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN, AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JESSE DOVEL, RLS #20227
EPS GROUP, INC.
2045 S. VINEYARD
SUITE 101
MESA, AZ 85210
480.503.2250

AREA SUMMARY TABLE		
DESCRIPTION	AREA (SF)	AREA (ACRES)
LOT 1	777,758	17.7721
NEW RIGHT OF WAY	73,108	0.1730
ABANDONED EXIST. RIGHT OF WAY	20,701	0.4752
NET AREA	778,286	17.8902

VICINITY MAP

EPS GROUP
2045 S. Vineyard Ave., Suite 101
Mesa, AZ 85210
p. (480) 503.2250 f. (480) 503.2258
w. (480) 503.2250 f. (480) 503.2258

CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW
SURPRISE, ARIZONA
Final Plat

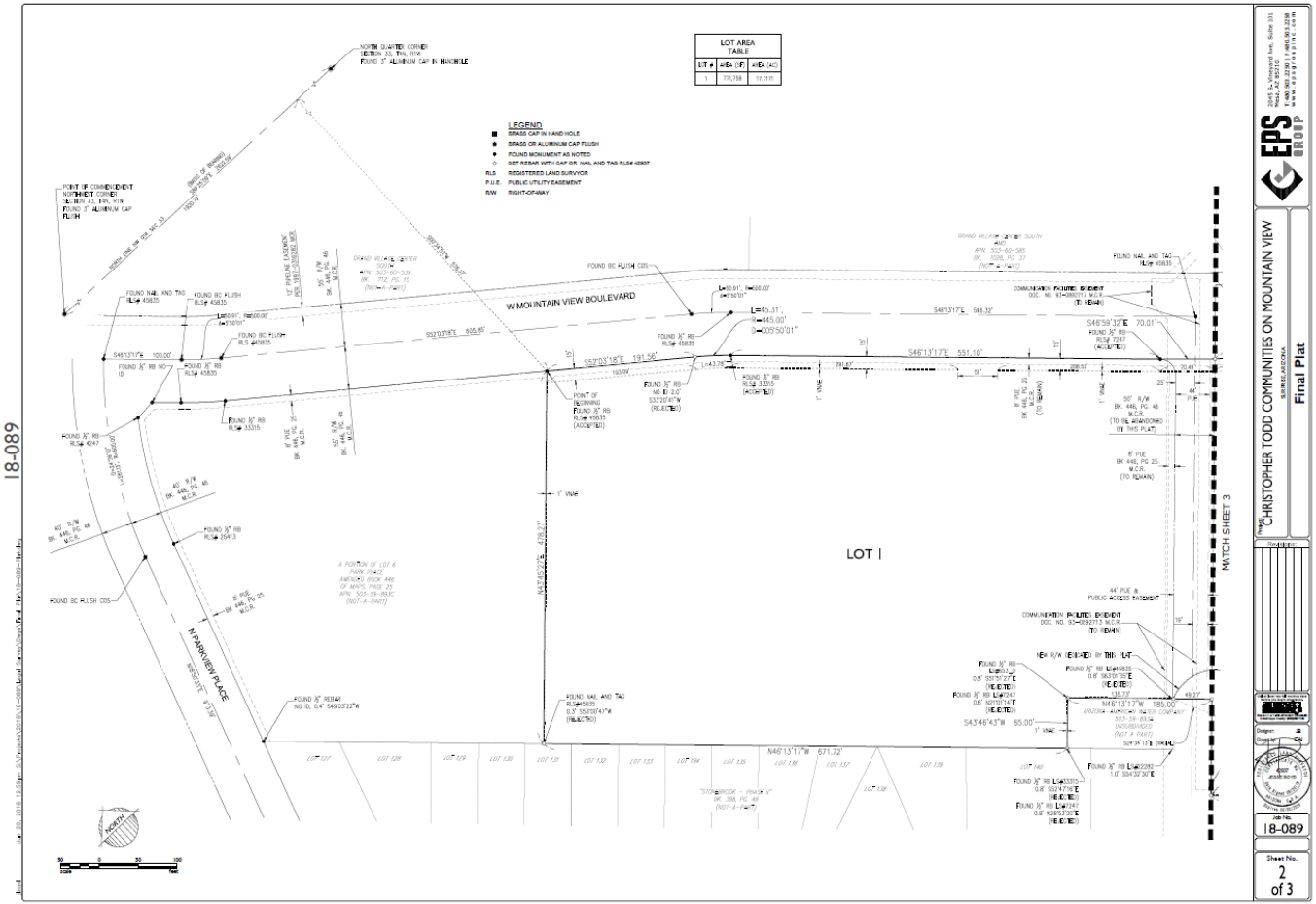
Job No. 18-089

Sheet No. 1 of 3

18-089

Final Plat
FS18-171

Final Plat
FS18-171



Final Plat
FS18-171

EPS GROUP
2045 S. Vineyard Ave, Suite 101, Mesa, AZ 85210
T 480.503.2250 | F 480.503.2258
www.epsgroup.com

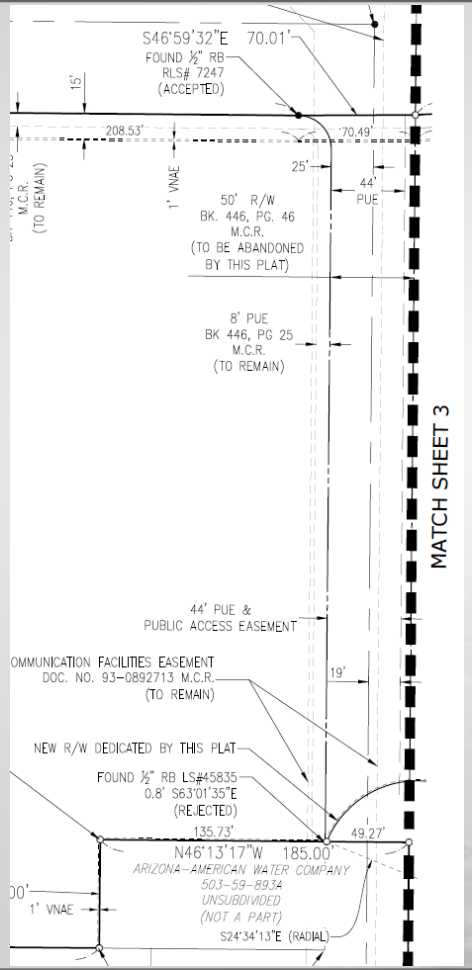
CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW
SURPRISE, ARIZONA
Final Plat

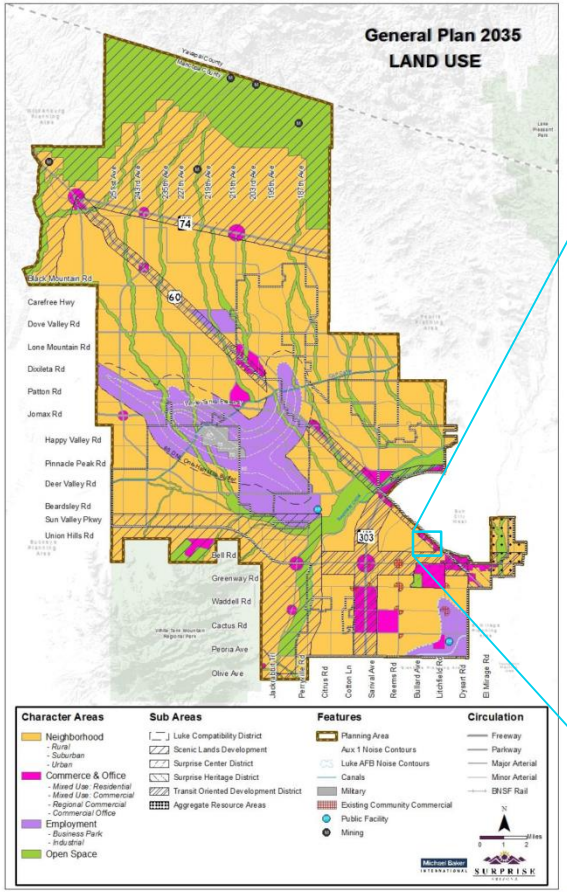
Designer: GA
Drawn: GA
Checked: MM

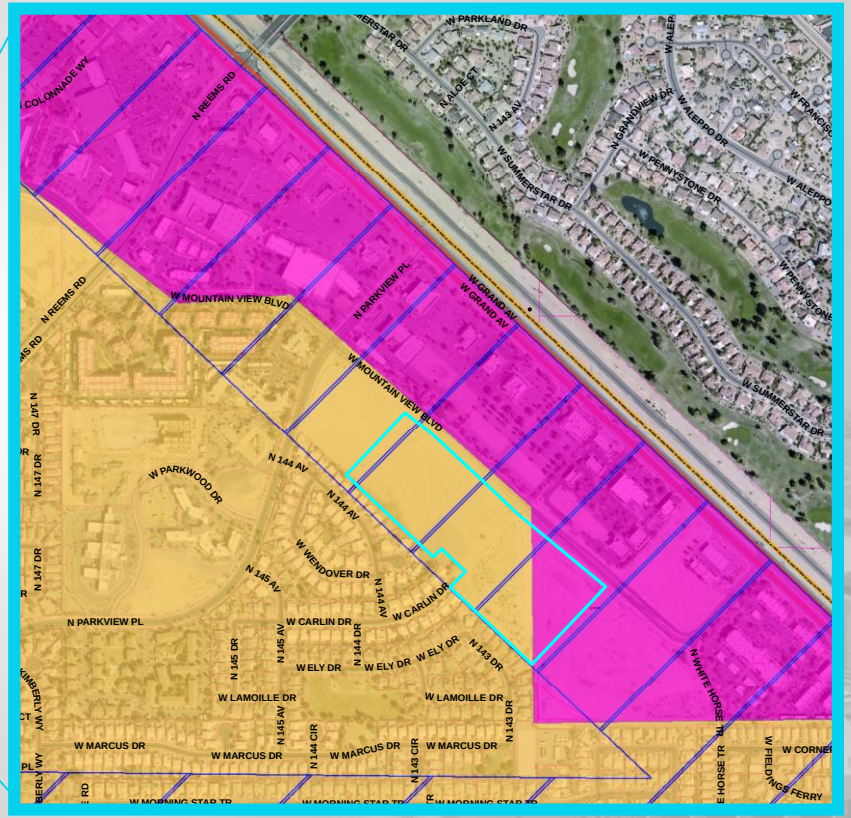
Job No. 18-089

Sheet No. 3 of 3

Final Plat
FS18-171




General Plan 2035
LAND USE
Carefree Hwy
Dove Valley Rd
Lone Mountain Rd
Dixileta Rd
Patton Rd
Jomax Rd
Happy Valley Rd
Pinnacle Peak Rd
Deer Valley Rd
Beardsley Rd
Sun Valley Pkwy
Union Hills Rd
Bell Rd
Greenway Rd
Waddell Rd
Cactus Rd
Peoria Ave
Olive Ave
Character Areas
Neighborhood
- Rural
- Suburban
- Urban
Commerce & Office
- Mixed Use: Residential
- Mixed Use: Commercial
- Regional Commercial
- Commercial Office
Employment
- Business Park
- Industrial
Open Space
Sub Areas
Luke Compatibility District
Scenic Lands Development
Surprise Center District
Surprise Heritage District
Transit Oriented Development District
Aggregate Resource Areas
Features
Planning Area
Aux 1 Noise Contours
Luke AFB Noise Contours
Canals
Military
Existing Community Commercial
Public Facility
Mining
Circulation
Freeway
Parkway
Major Arterial
Minor Arterial
BNSF Rail


W PARKLAND DR
N REEMS RD
W MOUNTAIN VIEW BLVD
N PARKVIEW PL
W GRAND AV
N 144 AV
W PARKWOOD DR
W WENDOVER DR
W CARLIN DR
W ELY DR
N 143 DR
W LAMOILLE DR
W MARCUS DR
N WHITE HORSE TR
W SUMMERSTAR DR
W PENNYSTONE DR
W ALEPPO DR

FS18-171
TOD

Citizen Outreach:

1st Outreach Meeting: October 23, 2017 for original proposal

2nd Outreach Meeting: June 4, 2018 for revised proposal

Planning and Zoning Commission Hearing: August 2, 2018

Citizen Outreach:

Staff Recommendations:

Approve for a Final Plat and Right-of-Way Abandonment for Christopher Todd collection on Mountain View.

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

FINAL PLAT OF
CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW
SITUATED IN PORTIONS OF THE NW 1/4 AND NE 1/4, SECTION 33, T.4 N., R.1 W., 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: THAT MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, ("OWNER"), HAVE SUBDIVIDED UNDER THE NAME CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW, SITUATED IN A PORTION OF THE NORTHWEST QUARTER AND NORTHEAST QUARTER, SECTION 33, TOWNSHIP 4 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT, STREET, AND EASEMENT CONSTITUTING SAME, AND THAT EACH LOT, TRACT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN 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.

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

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

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 PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

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

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE, AN ARIZONA MUNICIPAL CORPORATION, AND ITS SUCCESSORS AND ASSIGNS, A PUBLIC RECREATION/TRAIL EASEMENT FOR BICYCLING AND OTHER NON-MOTORIZED FORMS OF PEDESTRIAN ACCESS OVER AND ACROSS THAT PORTION OF THE OWNER'S PROPERTY AS DEPICTED ON THIS DOCUMENT AS "PUBLIC ACCESS EASEMENT", INCLUDING THE RIGHT OF INGRESS AND EGRESS ALONG AND ACROSS THE EASEMENT PREMISES, AS SHOWN ON THIS PLAT. PUBLIC ACCESS WILL FROM 8AM TO 9PM.

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

IN WITNESS WHEREOF, OWNER 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 _____, 2018.

BY: MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP

BY _____

ITS _____

ACKNOWLEDGEMENT

STATE OF ARIZONA } S.S.
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED SELF TO BE _____ _____ OF MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, AND BEING DULY AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

BY: _____
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES: _____

NOTICE OF PARK PLACE AMENDED & THE GRAND AVENUE PROFESSIONAL PLAZA AND GREENHILLS PARC DEVELOPMENT AGREEMENT

A PORTION OF THE PROPERTIES INVOLVED IN THIS PLAT ARE SUBJECT TO THE PARK PLACE AMENDED DEVELOPMENT AGREEMENT DATED MAY 9, 1997, AND A PORTION OF THE PROPERTIES INVOLVED IN THIS PLAT ARE SUBJECT TO THE GRAND AVENUE PROFESSIONAL PLAZA & GREENHILLS PARC DEVELOPMENT AGREEMENT DATED DECEMBER, 15 2000 (COLLECTIVELY, THE "AGREEMENTS"). THE AGREEMENTS AND THIS PLAT, INCLUDING ANY AND ALL DEDICATIONS THEREIN, HEREBY PRESERVE MWD'S PRIOR AND SUPERIOR RIGHTS OF ACCESS TO AND USE OF EXISTING AND FUTURE MWD FACILITIES AND MWD PROPERTY INTERESTS, AS SUCH TERMS ARE DEFINED IN THE AGREEMENTS, TO ENABLE MWD TO ACCOMPLISH ALL OF MWD'S PURPOSES, INCLUDING, BUT NOT LIMITED TO, THE TRANSMISSION AND DISTRIBUTION OF WATER, WASTEWATER, POWER AND COMMUNICATIONS, AND TO CONSTRUCT, RECONSTRUCT, OPERATE, MAINTAIN AND REPLACE THOSE MWD FACILITIES AND MWD PROPERTY INTERESTS. THE AGREEMENTS IS ON FILE AT THE OFFICES OF LANDOWNER AT THE ADDRESS SHOWN HEREON, AND MAY BE REVIEWED AS TO ALL DETAILS, WITH PARTICULAR REFERENCE TO SECTION 9, UPON REASONABLE REQUEST.

DATED THIS _____ DAY OF _____,2018

ATTEST:

MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA

BY: _____
CHRISTINE CAIN

ITS: PROPERTY & CONTRACTS SUPERVISOR

BY: _____
GLEN VORTHERMS

ITS: ASSISTANT SECRETARY

MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP

BY: _____

ITS: _____

PUBLIC NOTICE

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

RELEASE OF LIABILITY

MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, ("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.

MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, ("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 PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

THE CITY OF SURPRISE AGREES TO INDEMNIFY MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF AND ITS SUCCESSORS AND ASSIGNS FOR ANY AND ALL DIRECT DAMAGES TO THE PERSONAL PROPERTY OR FOR PHYSICAL INJURY TO OR DEATH OF PERSONS OCCURRING ON THE AREA OF THIS EASEMENT CAUSED BY OR ARISING AS THE PROXIMATE RESULT OF THE ACTIVITIES OF THE CITY OF SURPRISE OR MEMBERS OF THE PUBLIC USING THE TRAIL PURSUANT TO THE TERMS OF THIS EASEMENT, EXCEPT FOR SUCH INJURY OR DAMAGES CAUSED BY OR ARISING SOLEY FROM THE NEGLIGENT, WILLFUL, MALICIOUS OR GROSSLY NEGLIGENT CONDUCT OF MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF ITS SUCCESSORS AND ASSIGNS THAT WAS THE DIRECT CAUSE OF THE INJURY TO THE USER.

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 LOCATED WITHIN THE RIGHT OF WAY 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.

GENERAL NOTES

ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.

RIGHTS-OF-WAY AND EASEMENTS OUTSIDE THE PLATTED BOUNDARY ARE FROM AVAILABLE PUBLIC RECORDS AND ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY; NO WARRANTY IS EXPRESSED OR IMPLIED.

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

IN ACCORDANCE WITH A.R.S. § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN 2035.

ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR THE MARICOPA COUNTY, COMMUNITY PANEL NO. 04013C1240L, EFFECTIVE DATE OCTOBER 16, 2013 THIS PROPERTY IS LOCATED IN FLOOD ZONE "X: AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

NO STRUCTURES OF ANY KIND MAY BE CONSTRUCTED, OR ANY VEGETATION NEITHER PLANTED NOR ALLOWED TO GROW WITHIN DRAINAGE EASEMENTS THAT WOULD IMPEDE THE FLOW OF WATER THROUGH THE EASEMENTS.

THE CITY OF SURPRISE IS NOT RESPONSIBLE FOR, AND WILL NOT ACCEPT MAINTENANCE OF ANY PRIVATE UTILITIES, PRIVATE STREETS, PRIVATE FACILITIES AND LANDSCAPE AREAS WITHIN THE PROJECT.

ALL LOT CORNERS SHALL BE MONUMENTED WITH 1/2 INCH REBAR AND CAP OR TAG BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THE PLACEMENT.

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.

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

NOTICE OF INTERGOVERNMENTAL AGREEMENT

THE CITY OF SURPRISE ("CITY") AND MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") ENTERED INTO AN INTERGOVERNMENTAL AGREEMENT DATED APRIL 8, 1997, AND RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE ON APRIL 9, 1997, UNDER DOCKET NO. 97-0231759 ("IGA"). CITY AND MWD HAVE FACILITIES AND PROPERTY INTERESTS DESCRIBED AND DELINEATED WITHIN CERTAIN SUBDIVISION PLATS OR, FOR LANDS NOT INCLUDED IN A SUBDIVISION PLAT, DECLARATION 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 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.

LEGAL DESCRIPTION

A PORTION OF THE NORTH HALF OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

COMMENCING AT AN ALUMINUM CAP FLUSH AT THE NORTHWEST CORNER OF SAID SECTION 33, FROM WHICH AN ALUMINUM CAP IN HANDHOLE BEARS SOUTH 89 DEGREES 25 MINUTES 09 SECONDS EAST, 2622.59 FEET;

THENCE ALONG THE NORTH LINE OF SAID SECTION 33 SOUTH 89 DEGREES 25 MINUTES 09 SECONDS EAST, 1920.79 FEET;

THENCE SOUTH 0 DEGREES 34 MINUTES 51 SECONDS WEST, 578.37 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 52 DEGREES 03 MINUTES 18 SECONDS EAST, 191.56 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 445.00 FEET;

THENCE SOUTHEASTERLY 45.31 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 5 DEGREES 50 MINUTES 01 SECONDS;

THENCE SOUTH 46 DEGREES 13 MINUTES 17 SECONDS EAST, 551.10 FEET;

THENCE SOUTH 46 DEGREE 59 MINUTES 32 SECONDS EAST, 70.01 FEET;

THENCE SOUTH 49 DEGREES 55 MINUTES 09 SECONDS EAST, 631.08 FEET;

THENCE SOUTH 43 DEGREES 46 MINUTES 43 SECONDS WEST, 600.21 FEET;

THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 629.76 FEET;

THENCE NORTH 43 DEGREES 46 MINUTES 43 SECONDS EAST, 123.53 FEET;

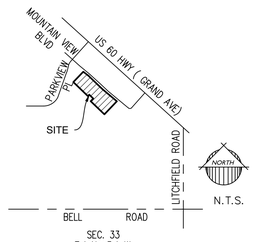
THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 185.00 FEET;

THENCE SOUTH 43 DEGREES 46 MINUTES 43 SECONDS WEST, 65.00 FEET;

THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 671.72 FEET;

THENCE NORTH 43 DEGREES 45 MINUTES 27 SECONDS EAST, 478.27 FEET TO THE POINT OF BEGINNING.

CONTAINS 17.8902 ACRES, MORE OR LESS.



VICINITY MAP

OWNER

MOUNTAIN VIEW COTTAGES, LP
CONTACT: JEFF LAFRANCE
8502 E VIA DE VENTURA, STE 122,
SCOTTSDALE, AZ 85258
EMAIL: JEFF@WSTGP.COM
PHONE: 480-355-4227

ENGINEER

WESTLAND RESOURCES, INC.
2020 N. CENTRAL SUITE 695
PHOENIX, AZ 85004
TEL: 602-888-7000
CONTACT: BRUCE LARSON, PE

SHEET INDEX

SHEET 1: COVER SHEET
SHEET 2: PLAN SHEET
SHEET 3: PLAN SHEET

BASIS OF BEARING

THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS MEASURED AND SHOWN ON THAT FINAL PLAT FOR "PARK PLACE", RECORDED IN BOOK 371, PAGE 16 OF MARICOPA COUNTY RECORDS, ARIZONA:

NORTH 89 DEGREES 25 MINUTES 09 SECONDS EAST

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2018,

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 _____, 2018.

_____ _____
MAYOR DATE

ATTEST: _____ _____
CITY CLERK DATE

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF MARCH 2018; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN ACTUALLY EXIST AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JESSE BOYD, RLS 42937
EPS GROUP, INC.
2045 S. VINEYARD
SUITE 101
MESA, AZ 85210
480.503.2250

AREA SUMMARY TABLE		
DESCRIPTION	AREA (SF)	AREA (ACRES)
LOT 1	771,758	17.7171
NEW RIGHT OF WAY	7,538	0.1730
ABANDONED EXIST. RIGHT OF WAY	20,701	0.4752
NET AREA	779,296	17.8902

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com
EPS GROUP

Project: CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW
SURPRISE, ARIZONA
Final Plat

Revisions:

Call at least two full working days before you begin excavation.
ARIZONA811
Arizona Blue Stake, Inc.
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
In Maricopa County: (602)263-1100

Designer: JB
Drawn by: CAJ

REGISTERED LAND SURVEYOR
REGISTRATION NO.
42937
JESSE BOYD
Date Signed 06/30/18
ARIZONA, U.S.A.
Expires 06/30/2020

Job No.
18-089

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jboyd

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
1	771,758	17.7171

LEGEND

- BRASS CAP IN HAND HOLE
- BRASS OR ALUMINUM CAP FLUSH
- FOUND MONUMENT AS NOTED
- SET REBAR WITH CAP OR NAIL AND TAG RLS# 42937

RLS REGISTERED LAND SURVYOR
P.U.E. PUBLIC UTILITY EASEMENT
R/W RIGHT-OF-WAY

NORTH QUARTER CORNER
SECTION 33, T4N, R1W
FOUND 3" ALUMINUM CAP IN HANDHOLE

POINT OF COMMENCEMENT
NORTHWEST CORNER
SECTION 33, T4N, R1W
FOUND 3" ALUMINUM CAP
FLUSH

(BASIS OF BEARING)
S89°35'09"E 2622.59'
1920.79'
NORTH LINE NW QTR SEC 33

S00°34'51"W 978.37'

12' PIPELINE EASEMENT
PER 1997-0316282 MCR

55' R/W
BK. 446, PG. 46
M.C.R.

GRAND VILLAGE CENTER SOUTH
APN: 503-60-539
BK. 712, PG. 15
(NOT-A-PART)

GRAND VILLAGE CENTER SOUTH AMD
APN: 503-60-585
BK. 1028, PG. 37
(NOT-A-PART)

W MOUNTAIN VIEW BOULEVARD

FOUND NAIL AND TAG
RLS# 45835

FOUND BC FLUSH
RLS# 45835

FOUND BC FLUSH COS

L=50.91', R=500.00'
Δ=5°50'01"

FOUND BC FLUSH
RLS #45835

S46°13'17"E 100.00'

FOUND ½" RB NO ID

FOUND ½" RB
RLS# 45835

S52°03'18"E 605.85'

FOUND ½" RB
RLS# 45835

L=45.31',
R=445.00'
D=005°50'01"

S46°13'17"E 596.32'

COMMUNICATION FACILITIES EASEMENT
DOC. NO. 93-0892713 M.C.R.
(TO REMAIN)

FOUND NAIL AND TAG
RLS# 45835

S46°59'32"E 70.01'

FOUND ½" RB
RLS# 7247
(ACCEPTED)

15'

S52°03'18"E 191.56'

193.09'

L=43.78'

291.67'

15'

S46°13'17"E 551.10'

15'

208.53'

51'

70.49'

25'

44'
PUE

POINT OF
BEGINNING
FOUND ½" RB
RLS# 45835
(ACCEPTED)

FOUND ½" RB
NO ID 2.0'
S33°20'41"W
(REJECTED)

FOUND ½" RB
RLS# 33315
(ACCEPTED)

1' VNAE

8' PUE
BK 446, PG 25
M.C.R.
(TO REMAIN)

1' VNAE

50' R/W
BK. 446, PG. 46
M.C.R.
(TO BE ABANDONED
BY THIS PLAT)

8' PUE
BK 446, PG 25
M.C.R.
(TO REMAIN)

FOUND ½" RB
RLS# 4247

L=28.51', R=600.00'
D=2°43'26"

40' R/W
BK. 446, PG. 46
M.C.R.

40' R/W
BK. 446, PG. 46
M.C.R.

FOUND ½" RB
RLS# 33315

8' PUE
BK. 446, PG. 25
M.C.R.

55' R/W
BK. 446, PG. 46
M.C.R.

FOUND ½" RB
RLS# 25413

A PORTION OF LOT 6
PARK PLACE
AMENDED BOOK 446
OF MAPS, PAGE 25
APN: 503-59-893C
(NOT-A-PART)

N43°45'27"E 478.27'

LOT 1

44' PUE &
PUBLIC ACCESS EASEMENT

COMMUNICATION FACILITIES EASEMENT
DOC. NO. 93-0892713 M.C.R.
(TO REMAIN)

19'

NEW R/W DEDICATED BY THIS PLAT

FOUND BC FLUSH COS

8' PUE
BK. 446, PG. 25
M.C.R.

N PARKVIEW PLACE

N18°50'33"E 973.39'

FOUND ½" RB
LS#653_0
0.8' S51°51'27"E
(REJECTED)

FOUND ½" RB LS#45835
0.8' S63°01'35"E
(REJECTED)

FOUND ½" RB LS#7247
0.6' N21°01'14"E
(REJECTED)

135.73'

N46°13'17"W 185.00'

49.27'

ARIZONA-AMERICAN WATER COMPANY
503-59-893A
UNSUBDIVIDED
(NOT A PART)

S43°46'43"W 65.00'

1' VNAE

S24°34'13"E (RADIAL)

FOUND ½" REBAR
NO ID, 0.4' S49°03'22"W

FOUND NAIL AND TAG
RLS#45835
0.3' S53°00'47"W
(REJECTED)

N46°13'17"W 671.72'

LOT 127 LOT 128 LOT 129 LOT 130 LOT 131 LOT 132 LOT 133 LOT 134 LOT 135 LOT 136 LOT 137 LOT 138 LOT 139 LOT 140

"STONEBROOK - PHASE II"
BK. 398, PG. 48
(NOT-A-PART)

FOUND ½" RB LS#33315
0.8' S52°47'16"E
(REJECTED)

FOUND ½" RB LS#7247
0.8' N28°53'20"E
(REJECTED)

FOUND ½" RB LS#22282
1.0' S54°32'30"E

MATCH SHEET 3

NORTH

50 0 50 100
scale feet

EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, Az 85210
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

Project:
CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW
SURPRISE, ARIZONA

Final Plat

Revisions:

Call at least two full working days before you begin excavation.
ARIZONA 811
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
In Maricopa County: (602)263-1100

Designer: JB
Drawn by: CAJ

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 06/30/18
ARIZONA, U.S.A.
Expires 06/30/2020

Job No.
18-089

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of 3

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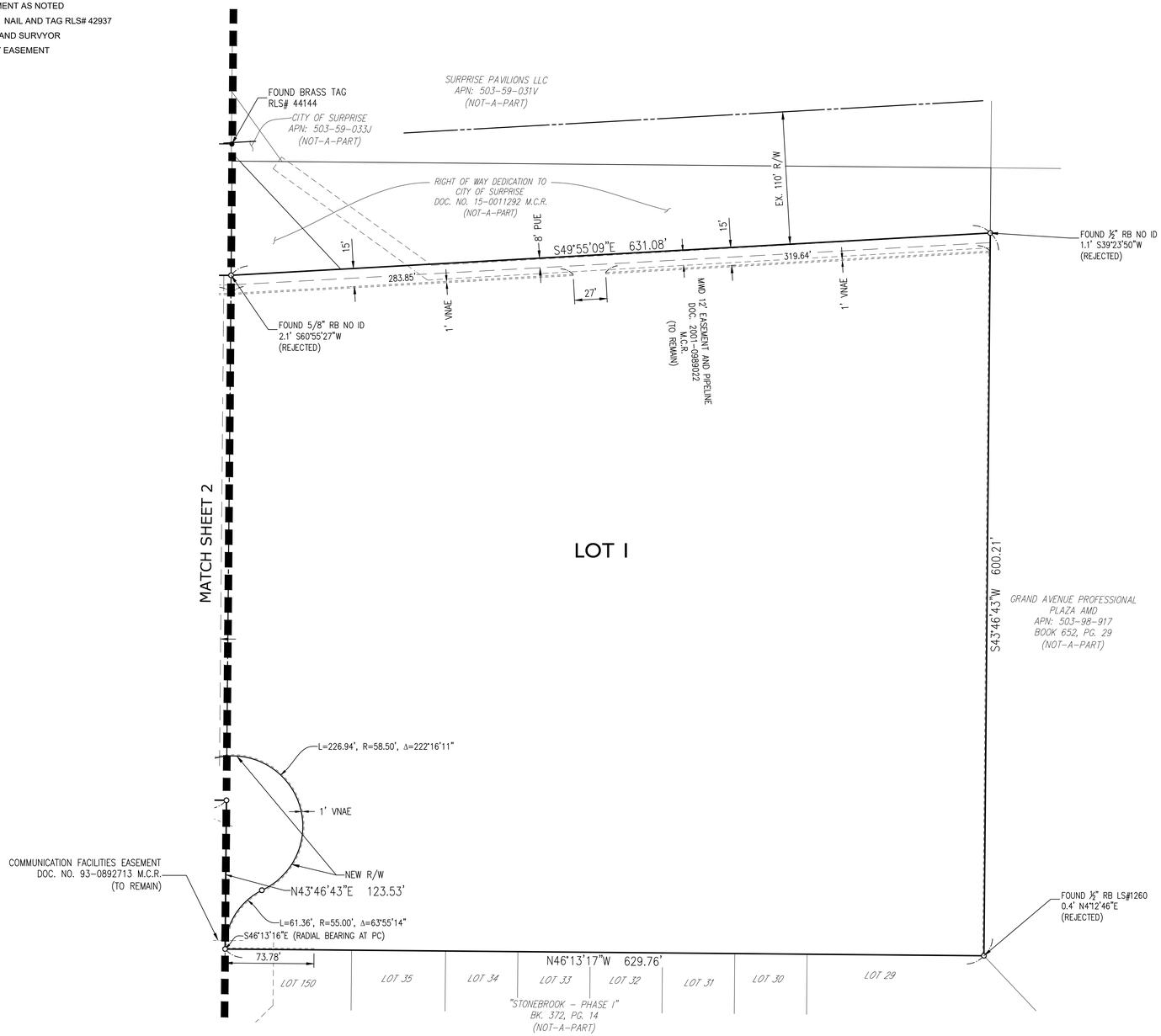
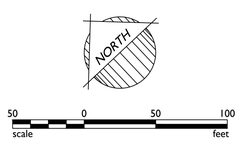
jboyd

LEGEND

- ◉ BRASS CAP IN HAND HOLE
- ◉ BRASS OR ALUMINUM CAP FLUSH
- ● FOUND MONUMENT AS NOTED
- ○ SET REBAR OR NAIL AND TAG RLS# 42937
- RLS REGISTERED LAND SURVYOR
- P.U.E. PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY





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Date Signed 06/20/18
ARIZONA, U.S.A.
Expires 06/30/2020

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Sheet No.
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of 3

EXHIBIT "B"

DESCRIPTION

CARLIN DRIVE ABANDONMENT

A portion of Carlin Drive as established in the Final Plat of PARK PLACE AMENDED recorded in Book 446 Page 25, Maricopa County Recorder, Arizona, being situated in the northwest quarter of Section 33, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, City of Surprise, Maricopa County, Arizona described as follows:

COMMENCING at the northwest corner of said Section 33;
Thence along the north line of said northwest quarter South 89°25'09" East 1920.79 feet;
Thence departing said north line South 00°34'51" West 578.37 feet to a point on the southwesterly right of way line of Mountain View Boulevard as established on said final plat;
Thence along said right of way line South 52°03'18" East 191.56 feet to the beginning of a curve, concave southwesterly, having a radius of 445.00 feet;
Thence continuing along said right of way line along the arc of said curve through a central angle of 05°50'01" a distance of 45.31 feet;
Thence continuing along said right of way line South 46°13'17" East 551.10 feet to the POINT OF BEGINNING;
Thence continuing along said right of way line S46° 59'32"East 70.01 feet;
Thence departing said right of way line southwesterly along the southeasterly right of way line of said Carlin Drive South 43°46'43"W 399.29 feet to a point on a non-tangent curve, concave southerly, the center of which lies South 38°46'25" West 58.50 feet;
Thence departing said right of way line westerly along the arc of said curve through a central angle of 63°20'38" a distance of 64.68 feet;
Thence North 46°13'17" West 0.96 feet to the northwesterly right of way line of said Carlin Drive;
Thence along said right of way line North 43°46'43" East 415.04 feet to the beginning of a curve, concave westerly, having a radius of 20.00 feet;
Thence northerly along the arc of said curve through a central angle of 89°21'49" a distance of 31.42 feet to the POINT OF BEGINNING.

End of description

FINAL PLAT OF
CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW
SITUATED IN PORTIONS OF THE NW 1/4 AND NE 1/4, SECTION 33, T.4 N., R.1 W., 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: THAT MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, ("OWNER"), HAVE SUBDIVIDED UNDER THE NAME CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW, SITUATED IN A PORTION OF THE NORTHWEST QUARTER AND NORTHEAST QUARTER, SECTION 33, TOWNSHIP 4 NORTH, RANGE 1 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT, STREET, AND EASEMENT CONSTITUTING SAME, AND THAT EACH LOT, TRACT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN 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.

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.

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 PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

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

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE, AN ARIZONA MUNICIPAL CORPORATION, AND ITS SUCCESSORS AND ASSIGNS, A PUBLIC RECREATION/TRAIL EASEMENT FOR BICYCLING AND OTHER NON-MOTORIZED FORMS OF PEDESTRIAN ACCESS OVER AND ACROSS THAT PORTION OF THE OWNER'S PROPERTY AS DEPICTED ON THIS DOCUMENT AS "PUBLIC ACCESS EASEMENT", INCLUDING THE RIGHT OF INGRESS AND EGRESS ALONG AND ACROSS THE EASEMENT PREMISES, AS SHOWN ON THIS PLAT. PUBLIC ACCESS WILL FROM 8AM TO 9PM.

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

IN WITNESS WHEREOF, OWNER 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 _____, 2018.

BY: MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP

BY _____

ITS _____

ACKNOWLEDGEMENT

STATE OF ARIZONA } S.S.
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED SELF TO BE _____ _____ OF MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, AND BEING DULY AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

BY: _____
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES: _____

NOTICE OF PARK PLACE AMENDED & THE GRAND AVENUE PROFESSIONAL PLAZA AND GREENHILLS PARC DEVELOPMENT AGREEMENT

A PORTION OF THE PROPERTIES INVOLVED IN THIS PLAT ARE SUBJECT TO THE PARK PLACE AMENDED DEVELOPMENT AGREEMENT DATED MAY 9, 1997, AND A PORTION OF THE PROPERTIES INVOLVED IN THIS PLAT ARE SUBJECT TO THE GRAND AVENUE PROFESSIONAL PLAZA & GREENHILLS PARC DEVELOPMENT AGREEMENT DATED DECEMBER, 15 2000 (COLLECTIVELY, THE "AGREEMENTS"). THE AGREEMENTS AND THIS PLAT, INCLUDING ANY AND ALL DEDICATIONS THEREIN, HEREBY PRESERVE MWD'S PRIOR AND SUPERIOR RIGHTS OF ACCESS TO AND USE OF EXISTING AND FUTURE MWD FACILITIES AND MWD PROPERTY INTERESTS, AS SUCH TERMS ARE DEFINED IN THE AGREEMENTS, TO ENABLE MWD TO ACCOMPLISH ALL OF MWD'S PURPOSES, INCLUDING, BUT NOT LIMITED TO, THE TRANSMISSION AND DISTRIBUTION OF WATER, WASTEWATER, POWER AND COMMUNICATIONS, AND TO CONSTRUCT, RECONSTRUCT, OPERATE, MAINTAIN AND REPLACE THOSE MWD FACILITIES AND MWD PROPERTY INTERESTS. THE AGREEMENTS IS ON FILE AT THE OFFICES OF LANDOWNER AT THE ADDRESS SHOWN HEREON, AND MAY BE REVIEWED AS TO ALL DETAILS, WITH PARTICULAR REFERENCE TO SECTION 9, UPON REASONABLE REQUEST.

DATED THIS _____ DAY OF _____,2018

ATTEST:

MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA

BY: _____
CHRISTINE CAIN

ITS: PROPERTY & CONTRACTS SUPERVISOR

BY: _____
GLEN VORTHERMS

ITS: ASSISTANT SECRETARY

MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP

BY: _____

ITS: _____

PUBLIC NOTICE

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

RELEASE OF LIABILITY

MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, ("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.

MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, ("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 PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

THE CITY OF SURPRISE AGREES TO INDEMNIFY MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF AND ITS SUCCESSORS AND ASSIGNS FOR ANY AND ALL DIRECT DAMAGES TO THE PERSONAL PROPERTY OR FOR PHYSICAL INJURY TO OR DEATH OF PERSONS OCCURRING ON THE AREA OF THIS EASEMENT CAUSED BY OR ARISING AS THE PROXIMATE RESULT OF THE ACTIVITIES OF THE CITY OF SURPRISE OR MEMBERS OF THE PUBLIC USING THE TRAIL PURSUANT TO THE TERMS OF THIS EASEMENT, EXCEPT FOR SUCH INJURY OR DAMAGES CAUSED BY OR ARISING SOLEY FROM THE NEGLIGENT, WILLFUL, MALICIOUS OR GROSSLY NEGLIGENT CONDUCT OF MOUNTAIN VIEW COTTAGES, LP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF ITS SUCCESSORS AND ASSIGNS THAT WAS THE DIRECT CAUSE OF THE INJURY TO THE USER.

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 LOCATED WITHIN THE RIGHT OF WAY 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.

GENERAL NOTES

ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.

RIGHTS-OF-WAY AND EASEMENTS OUTSIDE THE PLATTED BOUNDARY ARE FROM AVAILABLE PUBLIC RECORDS AND ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY; NO WARRANTY IS EXPRESSED OR IMPLIED.

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

IN ACCORDANCE WITH A.R.S. § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN 2035.

ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR THE MARICOPA COUNTY, COMMUNITY PANEL NO. 04013C1240L, EFFECTIVE DATE OCTOBER 16, 2013 THIS PROPERTY IS LOCATED IN FLOOD ZONE "X: AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

NO STRUCTURES OF ANY KIND MAY BE CONSTRUCTED, OR ANY VEGETATION NEITHER PLANTED NOR ALLOWED TO GROW WITHIN DRAINAGE EASEMENTS THAT WOULD IMPEDE THE FLOW OF WATER THROUGH THE EASEMENTS.

THE CITY OF SURPRISE IS NOT RESPONSIBLE FOR, AND WILL NOT ACCEPT MAINTENANCE OF ANY PRIVATE UTILITIES, PRIVATE STREETS, PRIVATE FACILITIES AND LANDSCAPE AREAS WITHIN THE PROJECT.

ALL LOT CORNERS SHALL BE MONUMENTED WITH 1/2 INCH REBAR AND CAP OR TAG BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THE PLACEMENT.

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.

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

NOTICE OF INTERGOVERNMENTAL AGREEMENT

THE CITY OF SURPRISE ("CITY") AND MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") ENTERED INTO AN INTERGOVERNMENTAL AGREEMENT DATED APRIL 8, 1997, AND RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE ON APRIL 9, 1997, UNDER DOCKET NO. 97-0231759 ("IGA"). CITY AND MWD HAVE FACILITIES AND PROPERTY INTERESTS DESCRIBED AND DELINEATED WITHIN CERTAIN SUBDIVISION PLATS OR, FOR LANDS NOT INCLUDED IN A SUBDIVISION PLAT, DECLARATION 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 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.

LEGAL DESCRIPTION

A PORTION OF THE NORTH HALF OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

COMMENCING AT AN ALUMINUM CAP FLUSH AT THE NORTHWEST CORNER OF SAID SECTION 33, FROM WHICH AN ALUMINUM CAP IN HANDHOLE BEARS SOUTH 89 DEGREES 25 MINUTES 09 SECONDS EAST, 2622.59 FEET;

THENCE ALONG THE NORTH LINE OF SAID SECTION 33 SOUTH 89 DEGREES 25 MINUTES 09 SECONDS EAST, 1920.79 FEET;

THENCE SOUTH 0 DEGREES 34 MINUTES 51 SECONDS WEST, 578.37 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 52 DEGREES 03 MINUTES 18 SECONDS EAST, 191.56 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 445.00 FEET;

THENCE SOUTHEASTERLY 45.31 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 5 DEGREES 50 MINUTES 01 SECONDS;

THENCE SOUTH 46 DEGREES 13 MINUTES 17 SECONDS EAST, 551.10 FEET;

THENCE SOUTH 46 DEGREE 59 MINUTES 32 SECONDS EAST, 70.01 FEET;

THENCE SOUTH 49 DEGREES 55 MINUTES 09 SECONDS EAST, 631.08 FEET;

THENCE SOUTH 43 DEGREES 46 MINUTES 43 SECONDS WEST, 600.21 FEET;

THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 629.76 FEET;

THENCE NORTH 43 DEGREES 46 MINUTES 43 SECONDS EAST, 123.53 FEET;

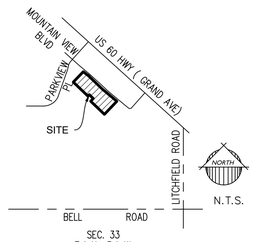
THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 185.00 FEET;

THENCE SOUTH 43 DEGREES 46 MINUTES 43 SECONDS WEST, 65.00 FEET;

THENCE NORTH 46 DEGREES 13 MINUTES 17 SECONDS WEST, 671.72 FEET;

THENCE NORTH 43 DEGREES 45 MINUTES 27 SECONDS EAST, 478.27 FEET TO THE POINT OF BEGINNING.

CONTAINS 17.8902 ACRES, MORE OR LESS.



VICINITY MAP

OWNER

MOUNTAIN VIEW COTTAGES, LP
CONTACT: JEFF LAFRANCE
8502 E VIA DE VENTURA, STE 122,
SCOTTSDALE, AZ 85258
EMAIL: JEFF@WSTGP.COM
PHONE: 480-355-4227

ENGINEER

WESTLAND RESOURCES, INC.
2020 N. CENTRAL SUITE 695
PHOENIX, AZ 85004
TEL: 602-888-7000
CONTACT: BRUCE LARSON, PE

SHEET INDEX

SHEET 1: COVER SHEET
SHEET 2: PLAN SHEET
SHEET 3: PLAN SHEET

BASIS OF BEARING

THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS MEASURED AND SHOWN ON THAT FINAL PLAT FOR "PARK PLACE", RECORDED IN BOOK 371, PAGE 16 OF MARICOPA COUNTY RECORDS, ARIZONA:

NORTH 89 DEGREES 25 MINUTES 09 SECONDS EAST

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2018,

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 _____, 2018.

_____ _____
MAYOR DATE

ATTEST: _____ _____
CITY CLERK DATE

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF MARCH 2018; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN ACTUALLY EXIST AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JESSE BOYD, RLS 42937
EPS GROUP, INC.
2045 S. VINEYARD
SUITE 101
MESA, AZ 85210
480.503.2250

AREA SUMMARY TABLE		
DESCRIPTION	AREA (SF)	AREA (ACRES)
LOT 1	771,758	17.7171
NEW RIGHT OF WAY	7,538	0.1730
ABANDONED EXIST. RIGHT OF WAY	20,701	0.4752
NET AREA	779,296	17.8902

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com
EPS GROUP

Project: CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW
SURPRISE, ARIZONA
Final Plat

Revisions:

Call at least two full working days before you begin excavation.
ARIZONA811
Arizona Blue Stake, Inc.
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
In Maricopa County: (602)263-1100

Designer: JB
Drawn by: CAJ

REGISTERED LAND SURVEYOR
JESSE BOYD
42937
Date Signed 05/30/18
ARIZONA, U.S.A.
Expires 06/30/2020

Job No.
18-089

Sheet No.
1
of 3

18-089

May 30, 2018 12:32pm S:\Projects\2018\18-089\Legal Survey\Dwgs\Final Plat\18-089-Plat.dwg
jboyd

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
1	771,758	17.7171

LEGEND

- ◉ BRASS CAP IN HAND HOLE
- ◉ BRASS OR ALUMINUM CAP FLUSH
- ● FOUND MONUMENT AS NOTED
- ○ SET REBAR WITH CAP OR NAIL AND TAG RLS# 42937
- RLS REGISTERED LAND SURVYOR
- P.U.E. PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY

NORTH QUARTER CORNER
SECTION 33, T4N, R1W
FOUND 3" ALUMINUM CAP IN HANDHOLE

NORTHWEST CORNER
SECTION 33, T4N, R1W
FOUND 3" ALUMINUM CAP FLUSH

(BASIS OF BEARING)
S89°35'09"E 2622.59'
1920.79'
NORTH LINE NW QTR SEC 33

S00°34'51"W 578.37'

12' PIPELINE EASEMENT PER 1997-0316282 M.C.R.

55' R/W BK. 446, PG. 46 M.C.R.

GRAND VILLAGE CENTER SOUTH
APN: 503-60-539
BK. 712, PG. 15
(NOT-A-PART)

GRAND VILLAGE CENTER SOUTH AMD
APN: 503-60-585
BK. 1028, PG. 37
(NOT-A-PART)

W MOUNTAIN VIEW BOULEVARD

FOUND NAIL AND TAG RLS# 45835
FOUND BC FLUSH RLS# 45835
L=50.91', R=500.00'
Δ=5°50'01"
FOUND BC FLUSH RLS #45835
S46°13'17"E 100.00'
FOUND ½" RB NO ID
FOUND ½" RB RLS# 45835
S52°03'18"E 605.85'
FOUND BC FLUSH COS
FOUND ½" RB RLS# 45835
L=50.91', R=500.00'
Δ=5°50'01"
L=45.31',
R=445.00'
D=005°50'01"
S46°13'17"E 596.32'
COMMUNICATION FACILITIES EASEMENT
DOC. NO. 93-0892713 M.C.R.
(TO REMAIN)
FOUND NAIL AND TAG RLS# 45835
FOUND ½" RB RLS# 7247 (ACCEPTED)
15'
S52°03'18"E 191.56'
193.09'
L=43.78'
291.67'
S46°13'17"E 551.10'
208.53'
70.49'
51'
15'
15'
FOUND ½" RB RLS# 45835 (ACCEPTED)
FOUND ½" RB NO ID 2.0' S33°20'41"W (REJECTED)
FOUND ½" RB RLS# 33315 (ACCEPTED)
1' VNAE
8' PUE BK 446, PG 25 M.C.R. (TO REMAIN)
1' VNAE
25'
44' PUE
50' R/W BK. 446, PG. 46 M.C.R. (TO BE ABANDONED BY THIS PLAT)
8' PUE BK 446, PG 25 M.C.R. (TO REMAIN)

FOUND ½" RB RLS# 4247
FOUND ½" RB RLS# 33315
8' PUE BK. 446, PG. 25 M.C.R.
55' R/W BK. 446, PG. 46 M.C.R.

40' R/W BK. 446, PG. 46 M.C.R.
40' R/W BK. 446, PG. 46 M.C.R.
FOUND ½" RB RLS# 25413
FOUND BC FLUSH COS
8' PUE BK 446, PG 25 M.C.R.
N PARKVIEW PLACE

A PORTION OF LOT 6
PARK PLACE AMENDED
BOOK 446 OF MAPS,
PAGE 25
APN: 503-59-893C
(NOT-A-PART)

N43°45'27"E 478.27'
1' VNAE

LOT 1

44' PUE &
PUBLIC ACCESS EASEMENT
COMMUNICATION FACILITIES EASEMENT
DOC. NO. 93-0892713 M.C.R.
(TO REMAIN)
19'
NEW R/W DEDICATED BY THIS PLAT
FOUND ½" RB LS#653_0
0.8' S51°51'27"E
(REJECTED)
FOUND ½" RB LS#7247
0.6' N21°01'14"E
(REJECTED)
FOUND ½" RB LS#45835
0.8' S63°01'35"E (REJECTED)
135.73'
49.27'
S46°13'17"E 185.00'
ARIZONA-AMERICAN WATER COMPANY
503-59-893A
UNSUBDIVIDED
(NOT A PART)
N43°46'43"E 66.00'
1' VNAE
S24°34'13"E (RADIAL)
FOUND ½" RB LS#22282
1.0' S54°32'30"E
FOUND ½" RB LS#33315
0.8' S52°47'16"E
(REJECTED)
FOUND ½" RB LS#7247
0.8' N28°53'20"E
(REJECTED)

N46°13'17"W 671.72'

LOT 127 LOT 128 LOT 129 LOT 130 LOT 131 LOT 132 LOT 133 LOT 134 LOT 135 LOT 136 LOT 137 LOT 138 LOT 139 LOT 140

"STONEBROOK - PHASE II"
BK. 398, PG. 48
(NOT-A-PART)

FOUND ½" REBAR
NO ID, 0.4' S49°03'22"W

FOUND NAIL AND TAG
RLS#45835
0.3' S53°00'47"W
(REJECTED)

MATCH SHEET 3

NORTH

50 0 50 100
scale feet

18-089

May 30, 2018 12:32pm S:\Projects\2018\18-089\Legal Survey\Dwgs\Final Plat\18-089-Plot.dwg

jboyd

EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, Az 85210
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

Project: CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW
SURPRISE, ARIZONA

Final Plat

Revisions:

Call at least two full working days before you begin excavation.
ARIZONA811
Arizona Blue Stake, Inc.
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
In Maricopa County: (602)263-1100

Designer: JB
Drawn by: CAI

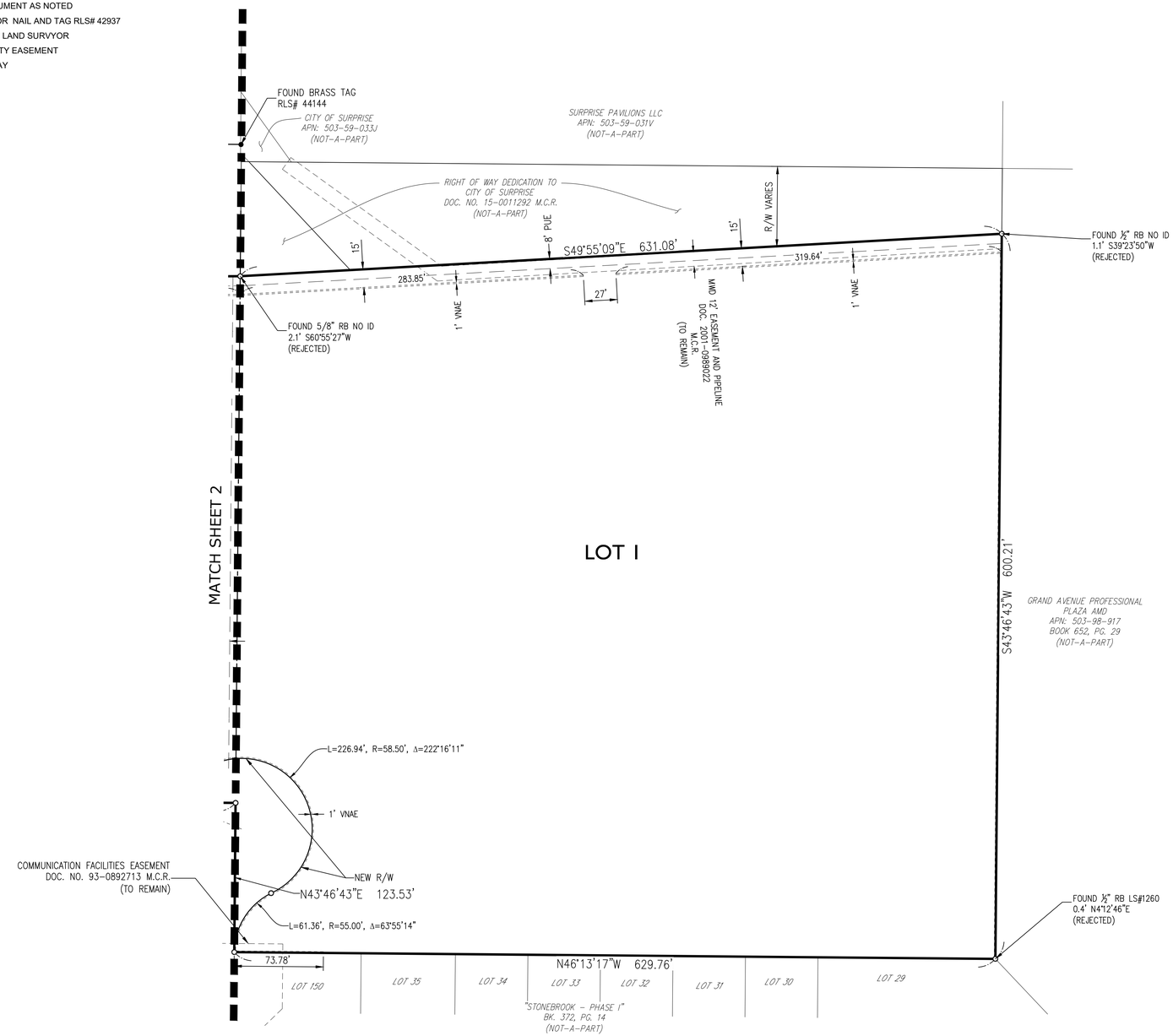
REGISTERED LAND SURVEYOR
CERTIFICATE NO.
42937
JESSE BOYD
Date Signed 05/31/18
ARIZONA, U.S.A.
Expires 06/30/2020

Job No.
18-089

Sheet No.
2
of 3

LEGEND

- ◉ BRASS CAP IN HAND HOLE
- ◉ BRASS OR ALUMINUM CAP FLUSH
- ● FOUND MONUMENT AS NOTED
- ○ SET REBAR OR NAIL AND TAG RLS# 42937
- RLS REGISTERED LAND SURVYOR
- P.U.E. PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY



NORTH

50 0 50 100
scale feet

18-089

May. 30, 2018 12:32pm S:\Projects\2018\18-089\Legal Survey\Dwgs\Final Plat\18-089-Plat.dwg

jboyd

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w w w . e p s g r o u p i n c . c o m

Project:
CHRISTOPHER TODD COMMUNITIES ON MOUNTAIN VIEW
SURPRISE, ARIZONA

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18-089

Sheet No.
3
of 3

Vicinity Map
FS18-171

FS-171

Grand Avenue

Subject Site

Reems Road

Bell Road

Litchfield Road

Case Map
FS18-171

Christopher Todd Communities at Mountain View
FS18-171 and FS18-247

Citizen Outreach Report

REVIEW MEETING DETAILS

DATE: Monday, June 4, 2018

TIME: 6:00 PM to 7:00 PM

LOCATION: Holiday Inn Express & Suites
16540 N. Bullard Ave.
Surprise, Arizona 85374

Notice was sent by the City of Surprise to all residents and HOA's within 300 feet of the property. It was also published in the paper and 2 signs reflecting the meeting schedule were put on the property. (See attached notice and affidavit of posting)

Christopher Todd Communities Representatives:
- Jeff LaFrance – Developer
- Greg Hancock – Builder
- Bruce Larson – Engineer
- Paul Gilbert – Attorney
- Andy Jochums – Planning Consultant

City of Surprise Representatives
- Councilman Skip Hall
- Councilman Ken Remley
- Assistant CD Director Lloyd Abrams
- Current Planning Supervisor Robert Kuhfuss

Neighbor Participants
- See attached Sign-in Sheet

The following is a list of questions/concerns posed at the meeting and the answers provided.

1. **How large are the backyards/How far are the homes from the back wall of the adjacent single family.** Our single story rental homes will be a minimum of 20' from the shared property line wall.
2. **Has City approved plan?** No, we are currently working with City staff on the layout to address their rules and regulations, including fire access. The request will go to the Planning and Zoning Commission and City Council.

3. **Concerns over access, some residents don't want access to Carlin Drive.** There was a show of hands and only three of the residents in attendance desired to have access through the project connecting Carlin Drive with Mountain View Boulevard.
4. **How is the pedestrian gate controlled?** It will be electronic with a timer for restricting afterhours use.
5. **Start the finish, how long will construction take?** It is anticipated that is will take 1 ½ years to complete the entitlements and complete construction all the way from grading to the occupancy of the last rental home.
6. **Will this be age restricted?** No it will not.
7. **Statement that the residents "dodged a bullet" as there could be taller traditional apartments on this site and that this particular resident knows of others who are happy with the way the site at Greenway turned out.**
8. **Comment that improvement to Mountain View Boulevard would be nice.**.
9. **When would you expect construction to commence?** Assuming approval is granted, January 2019.
10. **When are the hearings?** No dates have been set, but all adjacent property owners will get notice. The applicant will notify anyone who provided an email on the sign-in sheet.
11. **I have been by the Litchfield and Greenway site and the colors are all white and light gray with no variety?** This property will feature similar architecture and we are rather fond of the color schemes, but we can explore more variety.
12. **Please consider some public art like mosaics and sculptures on Mountain View.**
13. **A resident from the Summerfield subdivision expressed concern for cut-through traffic as their community is not gated.** Discussion followed with some of the residents in attendance indicating that they contributed to that problem.
14. **We came to the prior meeting, what happened?** It was explained that the previous meeting or this site, while for the same developer, was for two separate projects to be located on either side of Carlin Drive. This current proposal includes unifying the properties and abandoning Carlin Drive.
15. **Will there be a second wall and how high will the buildings be placed?** It was explained that the developer was taking every effort to keep the finished floor elevations of the rental units the same as the adjacent homes. Given the slope of the land, there could be the need for a second wall, but it would able to be placed right next to the existing block wall, with no space in between.
16. **Could the request to abandon Carlin Drive change?** The developer continues to propose the abandonment and that will not change. Ultimately the decision will be that of the Mayor and Council.
17. **Where will vehicular access be located?** Using a graphic is was illustrated that vehicular access for residents will be limited to Mountain View Boulevard. There will be a gated access at the end of Carlin Drive, but that will be for emergency access or egress only.

SIGN IN SHEET

Christopher Todd Communities -- Mountain View
FS18-171 and FS18-247

June 4, 2018

PLEASE PRINT CLEARLY

NAME	ADDRESS	EMAIL
Andy Cepon	[redacted]	
ELSIE ALLSHOUSE	[redacted]	
Laura Hightower	[redacted]	
Clarice Reed	[redacted]	
* Connie & Kevin Youngkin	[redacted]	
Carl & Oreta Staggs	[redacted]	
Erica Murray	[redacted]	
Richard & Tammy Paul	[redacted]	
Charlene Standley	[redacted]	
Ellie Davis	[redacted]	
MARTHA BAILS	[redacted]	

SIGN IN SHEET

Christopher Todd Communities -- Mountain View
FS18-171 and FS18-247

June 4, 2018

PLEASE PRINT CLEARLY

NAME	ADDRESS	EMAIL
Margaret Gorski	[redacted]	

CITY OF SURPRISE
CITIZEN OUTREACH MEETING

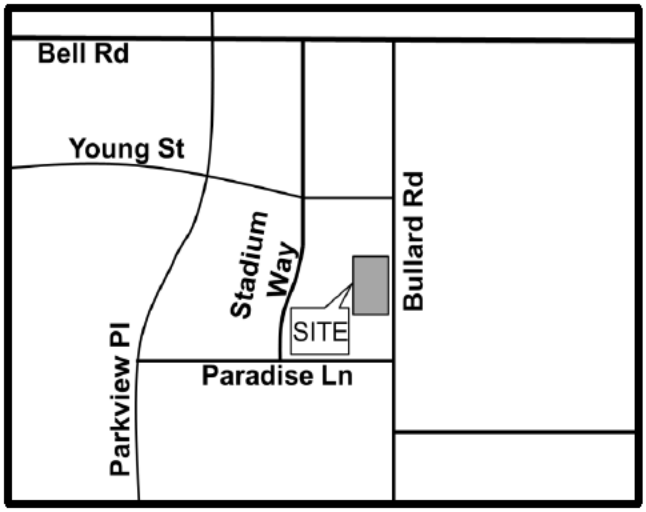
Take notice that at the date, time, and place listed below, there will be a Citizen Review meeting to discuss the below-referenced project. At this meeting, any of the public may appear and be heard relative to this project. The City of Surprise Community Development Department may be contacted prior to the scheduled meeting for additional information.

City of Surprise Planner: Robert Kuhfuss
623-222-3137

CITIZEN OUTREACH MEETING DETAILS

DATE: Monday, June 4, 2018
TIME: 6:00 PM to 6:30 PM
LOCATION: Holiday Inn Express
16540 N. Bullard Ave
Surprise, Arizona 85374

Meeting Location



Project Location

PROJECT DESCRIPTION:

FS18-171: Rezone from PAD, Residential Ranch, and Community Commercial to RH-15 PUD (12 dwelling units per acre), together with a Final Plat for the purpose of abandoning the Carlin Drive Right-of-way adjacent to the site.

FS18-247: Site Plan for Christopher Todd Communities on Mountain View.

CITY OF SURPRISE
Site posting Process

AFFIDAVIT OF POSTING

Application No: FS18-171 and FS18-247

Applicant Name: Beus Gilbert

Location: Mountain View Blvd south of Parkview Pl

Date Site Posted: May 17, 2018

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Meghan Liggett — 5/17/18

Applicant/Representative Signature — Date

This instrument was acknowledged before me on this 17th day of May, 2018, and by Meghan Liggett. I witness whereof I hereunto set my hand and official seal.

MaryBeth Conrad
Notary Public

10-25-20
My commission expires

MARYBETH CONRAD
Notary Public, State of Arizona
Maricopa County
My Commission Expires
October 25, 2020

CITY OF SURPRISE

Notice of Public Hearing
City of Surprise
Neighborhood Meeting
Date: Monday, June 4, 2018
Time: 6:00 P.M. to 6:30 P.M.
Location: Holiday Inn Express
16540 N.Bullard Avenue
Surprise, AZ 85374
Planning & Zoning
Date: TBD
Time: 6:00 P.M.
Location: Surprise City Hall
16000 N. Civic Ctr. Plaza
Surprise, AZ 85374
City Council
Date: TBD
Time: 6:00 P.M.
Location: Surprise City Hall
16000 N. Civic Ctr. Plaza
Surprise, AZ 85374
Case #'s: FS18-171 & FS18-247
Case: FS-18-171 Rezone from PAD, Residential Ranch, and Community Commercial to RH-15 PUD (12 dwelling units per acre), together with a Final Plat for the purpose of abandoning the Carlin Drive Right-of-way adjacent to the site.
Case:FS18-247 Site Plan for Christopher Todd Communities in Mountain View.
Please call to confirm dates:
623-222-3011
5/17/18 09:26:13

Notice of Public Hearing
City of Surprise
Neighborhood Meeting
Date: Monday, June 4, 2018
Time: 6:00 P.M. to 6:30 P.M.
Location: Holiday Inn Express
16540 N.Bullard Avenue
Surprise, AZ 85374
Planning & Zoning
Date: TBD
Time: 6:00 P.M.
Location: Surprise City Hall
16000 N. Civic Ctr. Plaza
Surprise, AZ 85374
City Council
Date: TBD
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Case:FS18-247 Site Plan for Christopher Todd Communities in Mountain View.
Please call to confirm dates:
623-222-3011
5/17/18 09:26:31

Notice of Public Hearing
City of Surprise
Neighborhood Meeting
Date: Monday, June 4, 2018
Time: 6:00 P.M. to 6:30 P.M.
Location: Holiday Inn Express
16540 N.Bullard Avenue
Surprise, AZ 85374
Planning & Zoning
Date: TBD
Time: 6:00 P.M.
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Case:FS18-247 Site Plan for Christopher Todd Communities in Mountain View.
Please call to confirm dates:
623-222-3011
5/17/18 09:46:09

Notice of Public Hearing
City of Surprise
Neighborhood Meeting
Date: Monday, June 4, 2018
Time: 6:00 P.M. to 6:30 P.M.
Location: Holiday Inn Express
16540 N.Bullard Avenue
Surprise, AZ 85374
Planning & Zoning
Date: TBD
Time: 6:00 P.M.
Location: Surprise City Hall
16000 N. Civic Ctr. Plaza
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Case:FS18-247 Site Plan for Christopher Todd Communities in Mountain View.
Please call to confirm dates:
623-222-3011
5/17/18 09:46:30

DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

9 April 2018

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Jamie Sullivan
Development Services Specialist
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS18-171; Christopher Todd Communities at Mountain View

Dear Ms. Sullivan

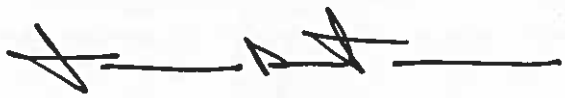
Thank you for the opportunity to provide comments on the Rezone and Final Plat Application for Christopher Todd Communities at Mountain View. The site sits on 20 gross acres of vacant land located at Mountain View Blvd between Parkview Place and Grand Avenue. This proposed rezoning is to accommodate approximately 237 multi-family residential rental units for a density of 12 du/ac. The site is approximately 2.13 to 2.41 miles outside the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. Christopher Todd Communities at Mountain View, with a density of 12 du/ac does not fall within these guidelines.

This request will not meet the GDC and will have a negative impact on our flight operations. The site is located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. While we have determined that this request exceeds the densities that Luke AFB follows, we recognize that we are not the approval authority. As such, if this development is approved, we recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents/tenants about Luke AFB operations.

If there are any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely



JAMES R. MITCHELL

cc:
Colonel Michael S. Richardson, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

Good evening. My name is Tom Nicholas, representing the home owners of the Summerfield at Litchfields subdivision. We are a small community of 142 homes with a distressing traffic concern. Since Mountain View was opened behind Trader Joe's and the Bell Road overpass was completed, our community has been turned into a thoroughfare for surrounding communities. As a united voice, the residents of Summerfield at Litchfields is counting on the Surprise Planning and Zoning Commission to hear and respond to our concerns about the addition of the 224 rental homes.

Our last traffic study was done in January 2017. At that time, it was indicated an average of more than 1,000 vehicles traveled on one street in one direction daily. That was an incomplete study at best, and we are requesting another, more comprehensive traffic study be performed, with traffic counts being taken on the two main roads through our community - West Two Guns Trail and North Cornerstone Way - in both directions.

Our HOA has a petition signed by 70 % of the Summerfield at Litchfields residents requesting that traffic abatement measures be taken, whether it be speed humps, or closing the entrance at North

White Horse Trail to all but emergency vehicles, or any other viable suggestion the City of Surprise has to offer.

With the increase in traffic, residents have encountered speeding and reckless drivers who have endangered pedestrians including children disembarking school buses. As they travel too fast for the curvatures in the roads, these drivers have dangerously swerved around residents' vehicles while attempting to exit and enter their own driveways. There is a complete disregard for obeying basic residential traffic laws and some careless drivers will even pass moving vehicles traveling at appropriate speeds for a residential community.

We have been bringing these concerns to the attention of the City of Surprise for the past three years. We've had meetings with Skip Hall, Mike Gents in Traffic, and representatives of our local police department. Some of our home owners have even attended City Council meetings as well as made calls to the Mayor's office. But we are doubtful anyone is listening or taking us seriously.

It is time for the City of Surprise to genuinely respond to our very valid and very real concerns by providing a timely solution to our traffic problems before someone is critically injured or worse.

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Sergio Angulo - Community Development
Submitting Department:	CD	District:	1
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Cortana at Desert Oasis" dated July 10, 2018, a property generally located on the northwest corner of Jomax Road and 173rd Avenue; Resolution #2018-139.

Motion:

I move to approve Resolution #2018-139.

Background:

On February 23, 2018 EPS Group, Inc., submitted a request for a Final Plat to allow for the development of a single-family residential subdivision in parcel L6 of the Desert Oasis at Surprise PAD located on the northwest corner of Jomax Road and 173rd Avenue.

On August 2, 2018, the Planning and Zoning Commission passed a motion to recommend approval to the Mayor and City Council of case FS18-051, subject to stipulations 'A' to 'C' as outlined below:

A. Prior to approval of the Final Plat, the Developer will provide a cash-in-lieu payment, per the City

approved engineer's estimate, of their proportional share for the construction of roadway improvement associated with the 163rd Avenue project.

B. Prior to approval of the Final Plat, the Developer will provide a cash-in-lieu payment, per a City reviewed and approved engineer's estimate, for the raised median and landscape on Jomax Road along the project frontage.

C. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

Subsequent to the Planning and Zoning Commission meeting, stipulations “A” and “B” were revised by Staff, with the concurrence of the Developer, to require that the cash-in-lieu payments be made “prior to the civil infrastructure improvements being accepted by the City,” as opposed to prior to approval of the Final Plat. These revised stipulations are memorialized in Resolution #2018-139 which accompanies this Final Plat.

Stipulations “A” and “B” subsequently were revised by Staff, with the concurrence of the Developer, as outlined below:

A. Prior to the final civil infrastructure improvements being accepted by the City, the Developer will provide a cash-in-lieu payment, per the City approved engineer's estimate, of their proportional share for the construction of roadway improvement associated with the 163rd Avenue project.

B. Prior to the final civil infrastructure improvements being accepted by the City, the Developer will provide a cash-in-lieu payment, per a City reviewed and approved engineer's estimate, for the raised median and landscape on Jomax Road along the project frontage.

C. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

Objective Analysis:

This proposed Final Plat will allow for the development of a single-family residential subdivision on the subject site.

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

- [ ] 01-FS18-18-065 Cortana at Desert Oasis -- Staff Report
- [ ] 01 - FS18-065 Cortana at Desert Oasis – Final Plat - Vicinity Map
- [ ] 02 - FS18-065 Cortana at Desert Oasis – Final Plat
- [ ] 03 - FS18-065 Cortana at Desert Oasis – Final Plat - Presentation
- [ ] Resolution #2018-139

SURPRISE
ARIZONA

Final Plat

REPORT TO THE CITY COUNCIL

Case:	**FS18-065**
Project Name:	Cortana at Desert Oasis – Final Plat
Council District:	**1** – ACACIA
Meeting Date:	**September 4, 2018**
Planner:	Sergio Angulo

Owner:	KB Home Phoenix, Inc.
Applicant:	EPS Group, Inc.
Request:	Approval of Resolution #2018-139, Final Plat for 152 Lots.
Site Location:	Northwest corner of Jomax Road and 173rd Avenue in Desert Oasis.
Site Size:	36.89 Acres (approx.)
Density:	4.12 Dwelling Units per Acre
General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035 as proposed under case FS18-065.
Support/Opposition:	None known.
Recommendation:	**Approve** [no stipulations on final plats]

Findings:

- The proposed Final Plat is consistent with the Surprise General Plan 2035.
- The proposed Final Plat is consistent with the Desert Oasis at Surprise PAD and the SUDC.
- The proposed Final Plat is consistent with the Preliminary Plat case FS18-051.

History:

October 12, 2000: The subject parcel was annexed into the City.
September 14, 2000: The Mayor and City Council approved The Desert Oasis at Surprise Planned Area Development (PAD).
May 17, 2016: The Mayor and City Council approved a Major Amendment to the Desert Oasis at Surprise Planned Area Development (PAD) to modify certain development standards for the subject parcel.
October 26, 2017: Staff met with the applicant to discuss the project during a regularly scheduled Concept Review meeting under CR17-554.
February 23, 2018: The applicant filed a request for a Final Plat approval for a new 152-lots residential subdivision.
August 2, 2018: The Planning and Zoning Commission passed a motion to recommend **approval** to the Mayor and City Council of case FS18-051, subject to stipulations 'A' to 'C' as outlined below:

A. Prior to approval of the Final Plat, the Developer will provide a cash-in-lieu payment, per the City approved engineer's estimate, of their proportional share for the construction of roadway improvement associated with the 163rd Avenue project.
B. Prior to approval of the Final Plat, the Developer will provide a cash-in-lieu payment, per a City reviewed and approved engineer's estimate, for the raised median and landscape on Jomax Road along the project frontage.
C. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

Subsequent to the Planning and Zoning Commission meeting, stipulations "A" and "B" were revised by Staff, with the concurrence of the Developer, to require that the cash-in-lieu payments be made "prior to the civil infrastructure improvements being accepted by the City," as opposed to prior to approval of the Final Plat. These revised stipulations are memorialized in Resolution #2018-139 which accompanies this Final Plat.

Project Description:

EPS Group, Inc., on behalf of KB Home Phoenix, Inc., requests approval of a Final Plat to allow for the development of a single-family residential subdivision on parcel L6 of the Desert Oasis at Surprise PAD located on the northwest corner of Jomax Road and 173rd Avenue. The applicant proposes 152 residential lots with an amenity open space lot on approximately 28.3 acres.

The subject property is zoned Planned Area Development (PAD) and has a land use designation of Medium Density Residential. The PAD allows a maximum density of 6.5 dwelling units per acre, and this development proposes a total density of 4.12 dwelling units per acre.

This Final Plat application is in conjunction with a related Preliminary Plat application (case FS18-051) which was heard by the Planning and Zoning Commission on August 2, 2018. The Commission recommended approval of the Preliminary Plat to the City Council subject to stipulations "A" through "C" above. Stipulations "A" and "B" subsequently were revised by Staff, with the concurrence of the Developer, as outlined below:

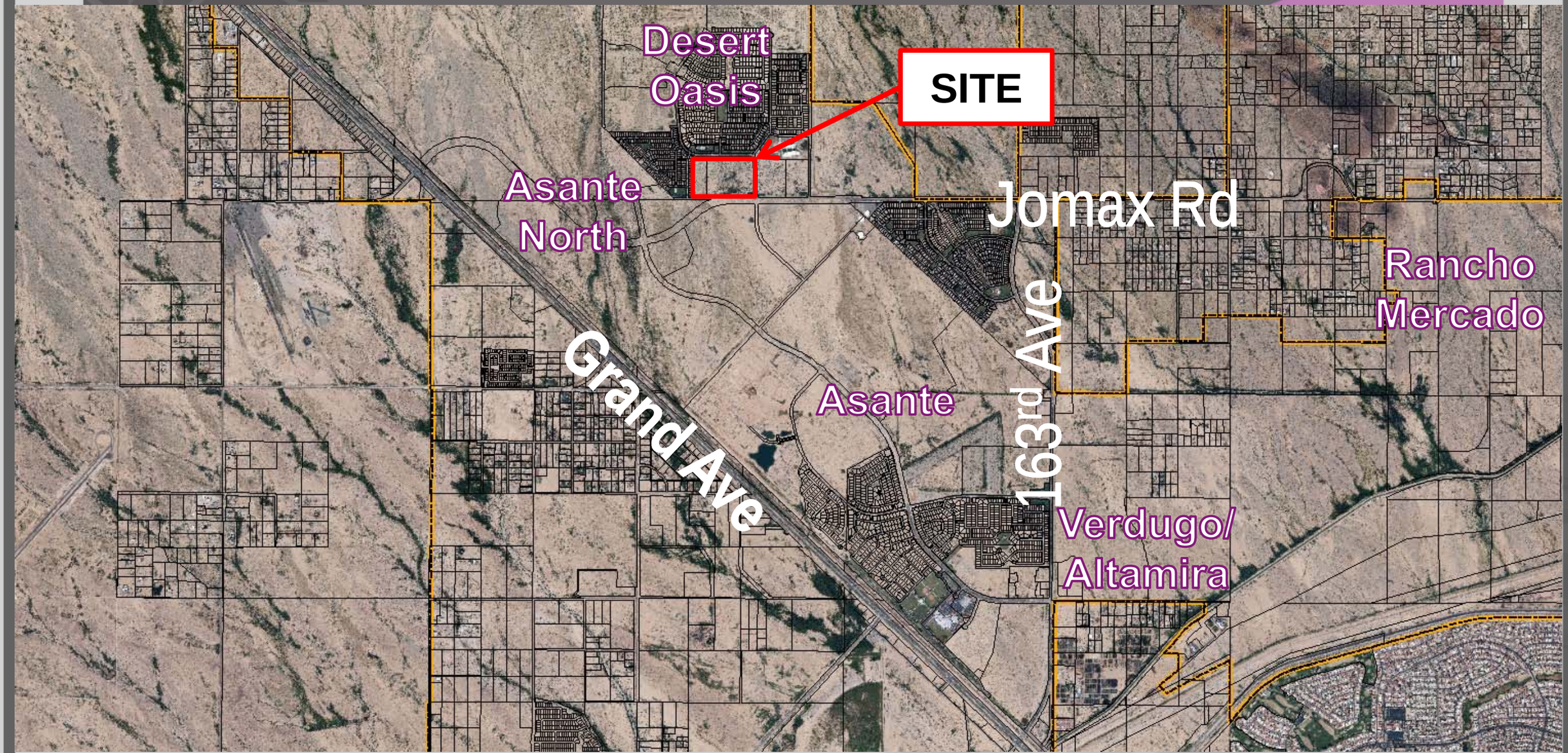
A. Prior to the final civil infrastructure improvements being accepted by the City, the Developer will provide a cash-in-lieu payment, per the City approved engineer's estimate, of their proportional share for the construction of roadway improvement associated with the 163rd Avenue project.
B. Prior to the final civil infrastructure improvements being accepted by the City, the Developer will provide a cash-in-lieu payment, per a City reviewed and approved engineer's estimate, for the raised median and landscape on Jomax Road along the project frontage.
C. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

The proposed Final Plat is in compliance with these stipulations and meets all the requirements of the Surprise General Plan, the Desert Oasis at Surprise PAD, and the SUDC.

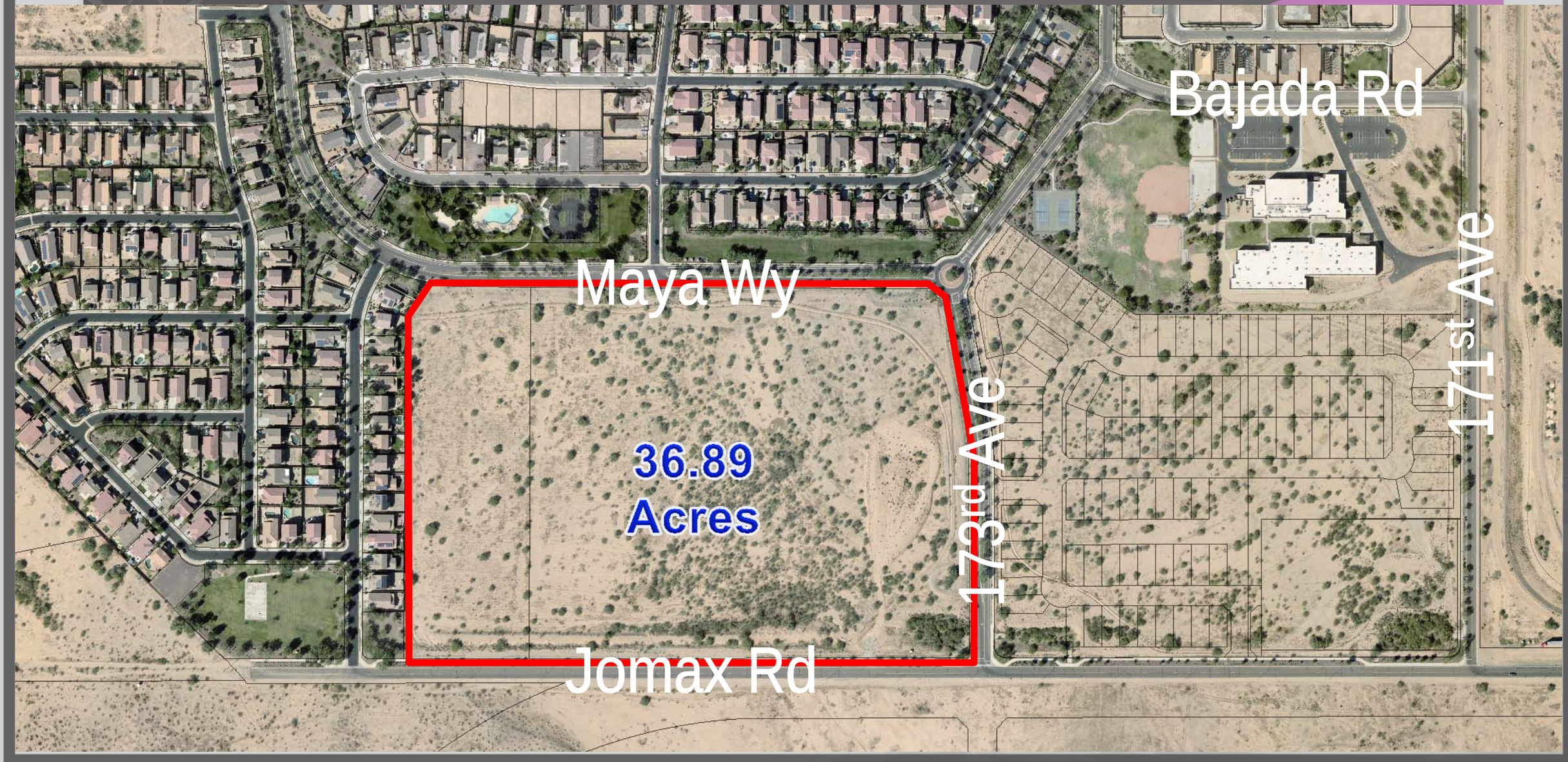
Attachments:

01 Vicinity Maps
02 Final Plat
03 Resolution #2018-139

VICINITY MAP



VICINITY MAP



FINAL PLAT
CORTANA AT DESERT OASIS

A PORTION OF THE SOUTH HALF OF SECTION 35,
TOWNSHIP 5 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN
MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

KNOW ALL MEN BY THESE PRESENTS: THAT KB HOME PHOENIX INC., AN ARIZONA CORPORATION, AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF CORTANA AT DESERT OASIS, A PORTION OF THE SOUTH HALF OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST, GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT AND EASEMENT, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, AND LETTER GIVEN TO EACH RESPECTIVELY. THE PURPOSES OF THE EASEMENTS ARE SHOWN HEREON.

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

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

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 PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

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

OWNER 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 TO EACH PARCEL CREATED BY THIS PLAT.

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

OWNER 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.

ANY PARTY WITH RIGHTS TO ANY WATER OR SEWER EASEMENT THAT OVERLAPS ANOTHER WATER OR SEWER EASEMENT SHALL HAVE THE RIGHT TO INSTALL, CONSTRUCT, MAINTAIN, REPAIR, REPLACE AND UTILIZE THE WATER/SEWER LINES/WATER METERS IN SUCH EASEMENTS THAT OVERLAP IN AN EMERGENCY SITUATION WITHOUT THE CONSENT OF ALL PARTIES WITH RIGHTS TO SUCH EASEMENTS. IN SUCH AREAS THAT OVERLAP IN A NON-EMERGENCY SITUATION ALL PARTIES SHALL CONSENT PRIOR TO ALLOWING ANY OTHER PARTY TO PERFORM ANY INSTALLATION, CONSTRUCTION, MAINTENANCE, REPAIR, OR REPLACEMENT WORK WITHIN THE EASEMENT

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.

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.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE, AN ARIZONA MUNICIPAL CORPORATION, AND ITS SUCCESSORS AND ASSIGNS, A PUBLIC RECREATION/TRAIL EASEMENT FOR BICYCLING AND OTHER NON-MOTORIZED FORMS OF PEDESTRIAN ACCESS OVER AND ACROSS OWNER'S PROPERTY, INCLUDING THE RIGHT OF INGRESS AND EGRESS ALONG AND ACROSS THE EASEMENT PREMISES, AS SHOWN ON THIS PLAT.

OWNER HEREBY GRANTS TO THE PUBLIC AN EASEMENT FOR RECREATION OVER, UPON, AND ACROSS THOSE AREAS DESIGNATED AS RECREATION TRAILS OR AREAS FOR THE PURPOSE OF ALLOWING THE PUBLIC ACCESS TO THE TRAIL SYSTEM.

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.

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 _____, 2018.

KB HOME PHOENIX INC., AN ARIZONA CORPORATION

BY _____ DATE _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

PUBLIC NOTICE

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

RELEASE OF LIABILITY

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

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 LOCATED WITHIN THE RIGHT OF WAY 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 CITY OF SURPRISE AGREES TO INDEMNIFY CORTANA AT DESERT OASIS COMMUNITY ASSOCIATION, INC., AN ARIZONA NON-PROFIT CORPORATION, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF AND ITS SUCCESSORS AND ASSIGNS FOR ANY AND ALL DIRECT DAMAGES TO THE PERSONAL PROPERTY OR FOR PHYSICAL INJURY TO OR DEATH OF PERSONS OCCURRING ON THE AREA OF THIS EASEMENT CAUSED BY OR ARISING AS THE PROXIMATE RESULT OF THE ACTIVITIES OF THE CITY OF SURPRISE OR MEMBERS OF THE PUBLIC USING THE TRAIL PURSUANT TO THE TERMS OF THIS EASEMENT, EXCEPT FOR SUCH INJURY OR DAMAGES CAUSED BY OR ARISING SOLEY FROM THE NEGLIGENT, WILLFUL, MALICIOUS OR GROSSLY NEGLIGENT CONDUCT OF CORTANA AT DESERT OASIS COMMUNITY ASSOCIATION, INC., AN ARIZONA NON-PROFIT CORPORATION, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF ITS SUCCESSORS AND ASSIGNS THAT WAS THE DIRECT CAUSE OF THE INJURY TO THE USER.

KB HOME PHOENIX INC., AN ARIZONA CORPORATION ("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 PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE

GENERAL NOTES

1. SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. THE PROPERTY OWNER AT THE TIME WHEN CITY OF SURPRISE WATER, AND/OR SEWER INFRASTRUCTURE IS AVAILABLE AT THE PROPERTY, SHALL BE REQUIRED TO CONNECT IN ACCORDANCE WITH SURPRISE MUNICIPAL CODE AND PAY ALL APPLICABLE FEES. ANY OWNER OF THE PROPERTY SHALL NOTIFY PROSPECTIVE BUYERS AND THE PUBLIC OF THIS NOTE, AND SALES CONTRACT, REPORT SHALL CONTAIN SUCH NOTE.
3. THE PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
4. NO ONSITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
5. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "ZONE X SHADED" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1205L AND 04013C1210L, 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.
6. IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
7. PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND 14710, WHEN APPLICABLE.
8. THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SUPPLY SERVICE AREA OF SPA-2 WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. §45-576.
9. LOTS 25-37 WILL BE LIMITED TO SINGLE-STORY HOMES

ASSURED WATER SUPPLY

CERTIFICATE OF 100 YEAR ASSURED WATER SUPPLY NO. 86-002344.001 PURSUANT TO SECTION 45-576, A.R.S. ISSUED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES ON SEPTEMBER 29, 2010.

LEGAL DESCRIPTION

BEING A PORTION OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 35;

THENCE SOUTH 89 DEGREES 36 MINUTES 46 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SECTION 35, 1454.17 FEET;

THENCE DEPARTING SAID SOUTH LINE NORTH 00 DEGREES 23 MINUTES 14 SECONDS WEST, 65.00 FEET TO A POINT ON A LINE WHICH IS PARALLEL WITH AND 65.00 FEET NORTHERLY OF, AS MEASURED AT RIGHT ANGLES FROM THE SOUTH LINE OF SAID SECTION 35, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 36 MINUTES 46 SECONDS WEST, ALONG SAID PARALLEL LINE, 1198.50 FEET;

THENCE CONTINUING ALONG SAID PARALLEL LINE SOUTH 89 DEGREES 36 MINUTES 07 SECONDS WEST, 349.38 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 39 SECONDS WEST, 899.89 FEET;

THENCE NORTH 08 DEGREES 20 MINUTES 07 SECONDS EAST, 50.25 FEET;

THENCE NORTH 24 DEGREES 39 MINUTES 23 SECONDS EAST, 52.34 FEET;

THENCE NORTH 13 DEGREES 35 MINUTES 45 SECONDS EAST, 56.97 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 535.00 FEET, A RADIAL LINE BEARS AT SAID POINT (NORTH 13 DEGREES 35 MINUTES 45 SECONDS EAST);

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, 127.21 FEET THROUGH A CENTRAL ANGLE OF 13 DEGREES 37 MINUTES 24 SECONDS;

THENCE NORTH 89 DEGREES 58 MINUTES 21 SECONDS EAST, 1295.72 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 20.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, 16.26 FEET THROUGH A CENTRAL ANGLE OF 46 DEGREES 34 MINUTES 03 SECONDS TO A POINT OF REVERSE CURVATURE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 60.00 FEET, A RADIAL LINE BEARS AT SAID POINT (NORTH 46 DEGREES 32 MINUTES 24 SECONDS EAST);

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, 14.58 FEET THROUGH A CENTRAL ANGLE OF 13 DEGREES 55 MINUTES 31 SECONDS TO A POINT OF REVERSE CURVATURE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 20.00 FEET, A RADIAL LINE BEARS AT SAID POINT (SOUTH 32 DEGREES 36 MINUTES 53 SECONDS WEST);

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, 16.26 FEET THROUGH A CENTRAL ANGLE OF 46 DEGREES 34 MINUTES 03 SECONDS;

THENCE SOUTH 10 DEGREES 49 MINUTES 04 SECONDS EAST, 312.31 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 965.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, 175.32 FEET THROUGH A CENTRAL ANGLE OF 10 DEGREES 24 MINUTES 33 SECONDS;

THENCE SOUTH 00 DEGREES 24 MINUTES 31 SECONDS EAST, 487.86 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 30.00 FEET;

THENCE WESTERLY ALONG THE ARC OF SAID CURVE, 47.14 FEET THROUGH A CENTRAL ANGLE OF 90 DEGREES 01 MINUTES 17 SECONDS TO THE POINT OF BEGINNING.

BASIS OF BEARING

THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS MEASURED AND AS SHOWN ON THE FINAL PLAT FOR "DESERT OASIS AT SURPRISE PARCEL L5-A", RECORDED IN BOOK 822, PAGE 45, RECORDS OF MARICOPA COUNTY, ARIZONA:

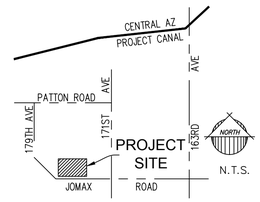
SOUTH 89 DEGREES 36 MINUTES 46 SECONDS WEST

AREA SUMMARY TABLE

DESCRIPTION	AREA (SF)	AREA (ACRES)
LOTS 1 - 152	940,830	21.5985
TRACTS A - O	317,552	7.2900
RIGHT-OF-WAY	348,393	7.9980
GROSS AREA	1,606,775	36.8865
NET AREA	1,258,382	28.8885

GROSS DENSITY = 4.12 DU/AC
NET DENSITY = 5.26 DU/AC

MINIMUM LOT WIDTH 50'
AVERAGE LOT WIDTH 50'
SEE SHEET 2 FOR TRACT AREA TABLE
SEE SHEET 3 FOR LOT AREA TABLE



SEC. 35
T.5 N., R.2 W.

VICINITY MAP

DEVELOPER

KB HOME PHOENIX INC.
10428 S. 51ST STREET, SUITE 100
PHOENIX, AZ 85044
CONTACT: JANNELLE SPEAKE

ENGINEER

EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
CONTACT: DANIEL AUXIER, P.E.

SHEET INDEX

1	COVER, NOTES, DEDICATION, SITE DATA, BASIS OF BEARING AND CERTIFICATIONS
2	TRACT AREA & USAGE TABLE, CURVE TABLE, LINE TABLE AND FINAL PLAT PLAN SHEET
3	LOT AREA TABLE AND FINAL PLAT PLAN SHEET
4 - 5	FINAL PLAT PLAN SHEET

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT CORTANA AT DESERT OASIS COMMUNITY ASSOCIATION, INC., AN ARIZONA NON-PROFIT CORPORATION, HEREBY RATIFIES, AFFIRMS AND APPROVES THIS PLAT FOR "CORTANA AT DESERT OASIS" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT.

IN WITNESS WHEREOF, _____ HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF_____, 2018.

CORTANA AT DESERT OASIS COMMUNITY ASSOCIATION, INC.,
AN ARIZONA NON-PROFIT CORPORATION

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
} SS
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

_____
NOTARY PUBLIC DATE

_____
MY COMMISSION EXPIRES:

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2018, 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 _____, 2018.

_____ _____
MAYOR DATE

ATTEST: _____ _____
CITY CLERK DATE

CERTIFICATION

I, RAYMOND S. MUNOZ III, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF DECEMBER 2017; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

RAYMOND S. MUNOZ III, R.L.S. 53160
EPS GROUP, INC.
2045 S. VINEYARD AVENUE, SUITE 101
MESA, AZ 85210

TOTAL AREA:
36.8865 ACRES
TOTAL LOTS: 152

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

CORTANA AT DESERT OASIS
Surprise, Arizona
Final Plat

Project:

Revisions:

Designer: A.S.
Drawn by: A.G.

53160 REGISTERED LAND SURVEYOR RAYMOND S. MUNOZ III Date Signed 1/31/18 ARIZONA, U.S.A. Expires 3/31/21

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FP01

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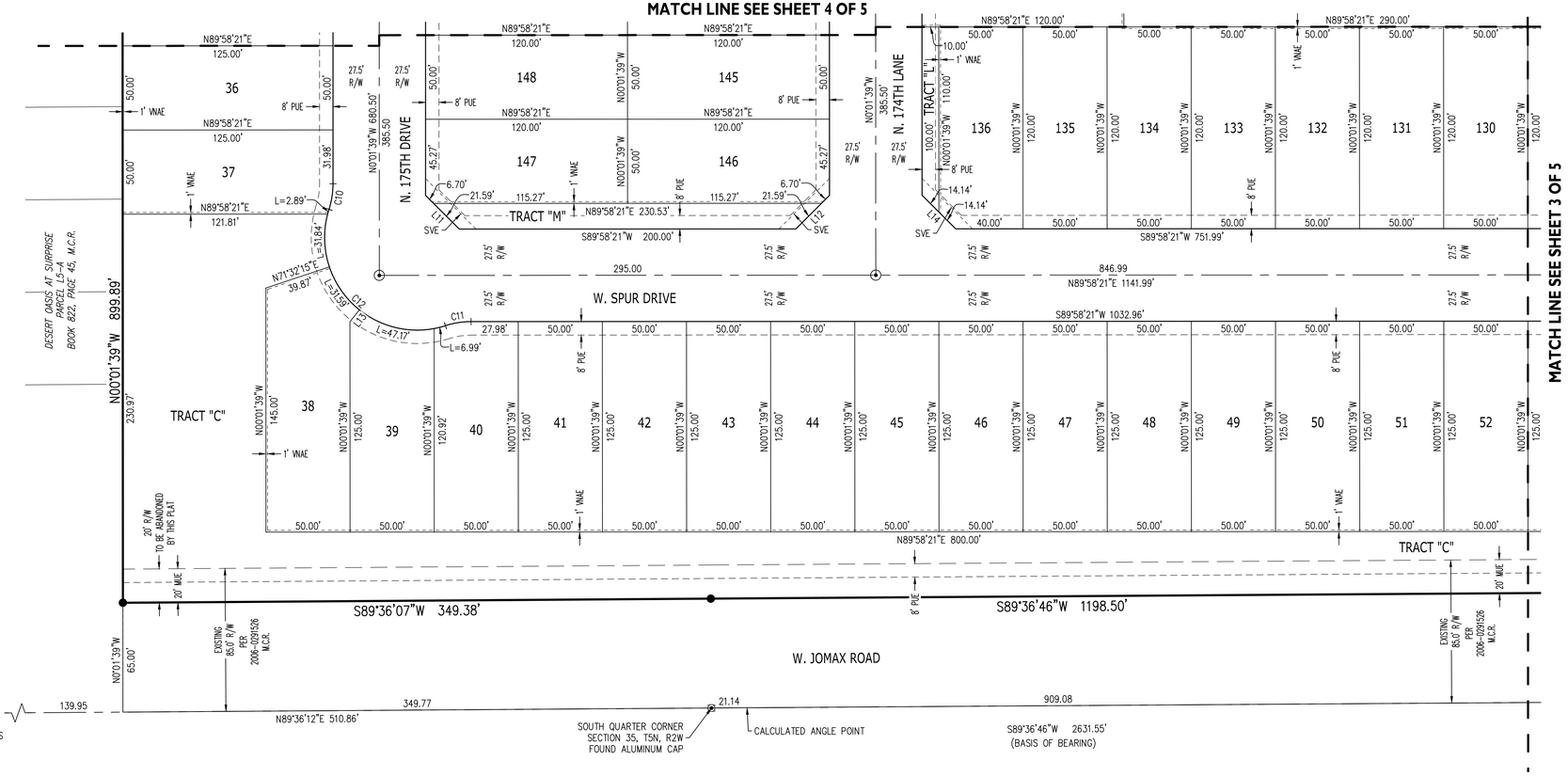
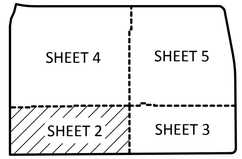
CORTANA AT DESERT OASIS





KEY MAP

LINE TABLE		
LINE	BEARING	LENGTH
L1	N08°20'07"E	50.25'
L2	N24°39'23"E	52.34'
L3	N13°35'45"E	56.97'
L4	N45°01'39"W	28.28'
L5	N44°58'21"E	28.28'
L6	N44°58'21"E	28.28'
L7	N45°01'39"W	28.28'
L8	N44°58'21"E	28.28'
L9	N45°01'39"W	28.28'
L10	N44°58'21"E	28.28'
L11	N45°01'39"W	28.28'
L12	N44°58'21"E	28.28'
L13	N38°37'56"E	9.03'
L14	N45°01'39"W	28.28'
L15	N45°01'39"W	28.28'
L16	N44°58'21"E	28.28'
L17	N45°01'39"W	28.28'

LINE TABLE		
LINE	BEARING	LENGTH
L18	N44°58'21"E	28.28'
L19	N44°58'21"E	28.28'
L20	N45°01'39"W	28.28'
L21	N44°58'21"E	28.28'
L22	N45°01'39"W	28.28'
L23	N45°01'39"W	28.28'
L24	N44°58'21"E	28.28'
L25	N45°01'39"W	28.28'
L26	N45°24'31"W	28.28'
L27	N44°35'29"E	28.28'
L28	N44°12'30"W	28.69'
L29	N47°24'11"E	27.06'
L30	N45°01'14"E	28.26'
L31	N45°01'39"W	28.28'
L32	N44°58'21"E	28.28'
L33	N89°35'29"E	82.62'

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	127.21'	535.00'	13°37'24"	63.91'	126.91'	S83°12'57"E
C2	16.26'	20.00'	46°34'03"	8.61'	15.81'	N66°44'38"W
C3	14.58'	60.00'	13°55'31"	7.33'	14.55'	S50°25'22"E
C4	16.26'	20.00'	46°34'03"	8.61'	15.81'	N34°06'05"W
C5	175.32'	965.00'	10°24'33"	87.90'	175.07'	N05°36'48"W
C6	47.14'	30.00'	90°01'17"	30.01'	42.43'	N44°36'07"E
C7	120.48'	55.00'	125°30'20"	106.80'	97.79'	S44°58'21"W
C8	15.49'	50.00'	17°45'10"	7.81'	15.43'	N08°54'14"W
C9	15.49'	50.00'	17°45'10"	7.81'	15.43'	S81°09'04"E
C10	15.49'	50.00'	17°45'10"	7.81'	15.43'	N08°50'56"E
C11	15.49'	50.00'	17°45'10"	7.81'	15.43'	S81°05'46"W
C12	120.48'	55.00'	125°30'20"	106.80'	97.79'	S45°01'39"E
C13	70.08'	172.50'	23°16'41"	35.53'	69.60'	N78°23'19"W
C14	92.43'	227.50'	23°16'41"	46.86'	91.79'	N78°23'19"W
C15	81.26'	200.00'	23°16'41"	41.20'	80.70'	N78°23'19"W
C16	70.08'	172.50'	23°16'41"	35.53'	69.60'	S78°23'19"E

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C17	81.26'	200.00'	23°16'41"	41.20'	80.70'	S78°23'19"E
C18	92.43'	227.50'	23°16'41"	46.86'	91.79'	S78°23'19"E
C19	15.49'	50.00'	17°45'10"	7.81'	15.43'	N81°05'46"E
C20	15.49'	50.00'	17°45'10"	7.81'	15.43'	S08°50'56"W
C21	120.48'	55.00'	125°30'20"	106.80'	97.79'	N45°01'39"W
C22	36.27'	427.50'	4°51'40"	18.15'	36.26'	N87°35'49"W
C23	26.60'	372.50'	4°05'31"	13.31'	26.60'	N87°12'45"W
C24	33.94'	400.00'	4°51'40"	16.98'	33.93'	N87°35'49"W
C25	39.11'	427.50'	5°14'32"	19.57'	39.10'	S87°47'15"E
C26	3.13'	372.50'	0°28'53"	1.56'	3.13'	N89°49'55"E
C27	36.60'	400.00'	5°14'32"	18.31'	36.59'	S87°47'15"E
C28	120.48'	55.00'	125°30'20"	106.80'	97.79'	N44°58'21"E
C29	15.49'	50.00'	17°45'10"	7.81'	15.43'	S08°54'14"E
C30	15.49'	50.00'	17°45'10"	7.81'	15.43'	N81°09'04"W
C31	181.67'	1000.00'	10°24'33"	91.09'	181.42'	N05°36'47"W
C32	238.33'	500.00'	27°18'38"	121.47'	236.08'	S76°22'21"E

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
Tract A	LANDSCAPE, OPEN SPACE, RETENTION	36,951	0.8483
Tract B	LANDSCAPE, OPEN SPACE, RETENTION	28,572	0.6559
Tract C	LANDSCAPE, OPEN SPACE, MULTI USE EASEMENT, RETENTION	153,669	3.5277
Tract D	LANDSCAPE, OPEN SPACE	4,899	0.1125
Tract E	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract F	LANDSCAPE, OPEN SPACE	1,050	0.0241
Tract G	LANDSCAPE, OPEN SPACE	2,163	0.0497
Tract H	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract I	LANDSCAPE, OPEN SPACE	4,261	0.0978
Tract J	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract K	LANDSCAPE, OPEN SPACE, RETENTION	67,811	1.5567
Tract L	LANDSCAPE, OPEN SPACE	1,050	0.0241
Tract M	LANDSCAPE, OPEN SPACE	3,286	0.0754
Tract N	LANDSCAPE, OPEN SPACE	3,279	0.0753
Tract O	LANDSCAPE, OPEN SPACE	4,261	0.0978

TOTAL LOT AREA	940,830 S.F.	21.5985 AC.
TOTAL TRACT AREA	317,552 S.F.	7.2900 AC.
RIGHT-OF-WAY	348,393 S.F.	7.9980 AC.
GROSS AREA	1,606,775 S.F.	36.8865 AC.

LEGEND

⊡	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 53160"
⊠	SET PK NAIL WITH TAG "EPS GROUP RLS 53160"
⊙	BRASS CAP TO BE SET AT CONSTRUCTION
LS	LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
MUE	MULTI USE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
RLS	REGISTERED LAND SURVEYOR
R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com
EPS GROUP

CORTANA AT DESERT OASIS
Surprise, Arizona
Final Plat

Project:

Revisions:

Designer: A.S.
Drawn by: A.G.

REGISTERED LAND SURVEYOR
53160
RAYMOND S. MUNOZ III
Date Signed 7/10/18
ARIZONA, U.S.A.
Expires 3/31/21

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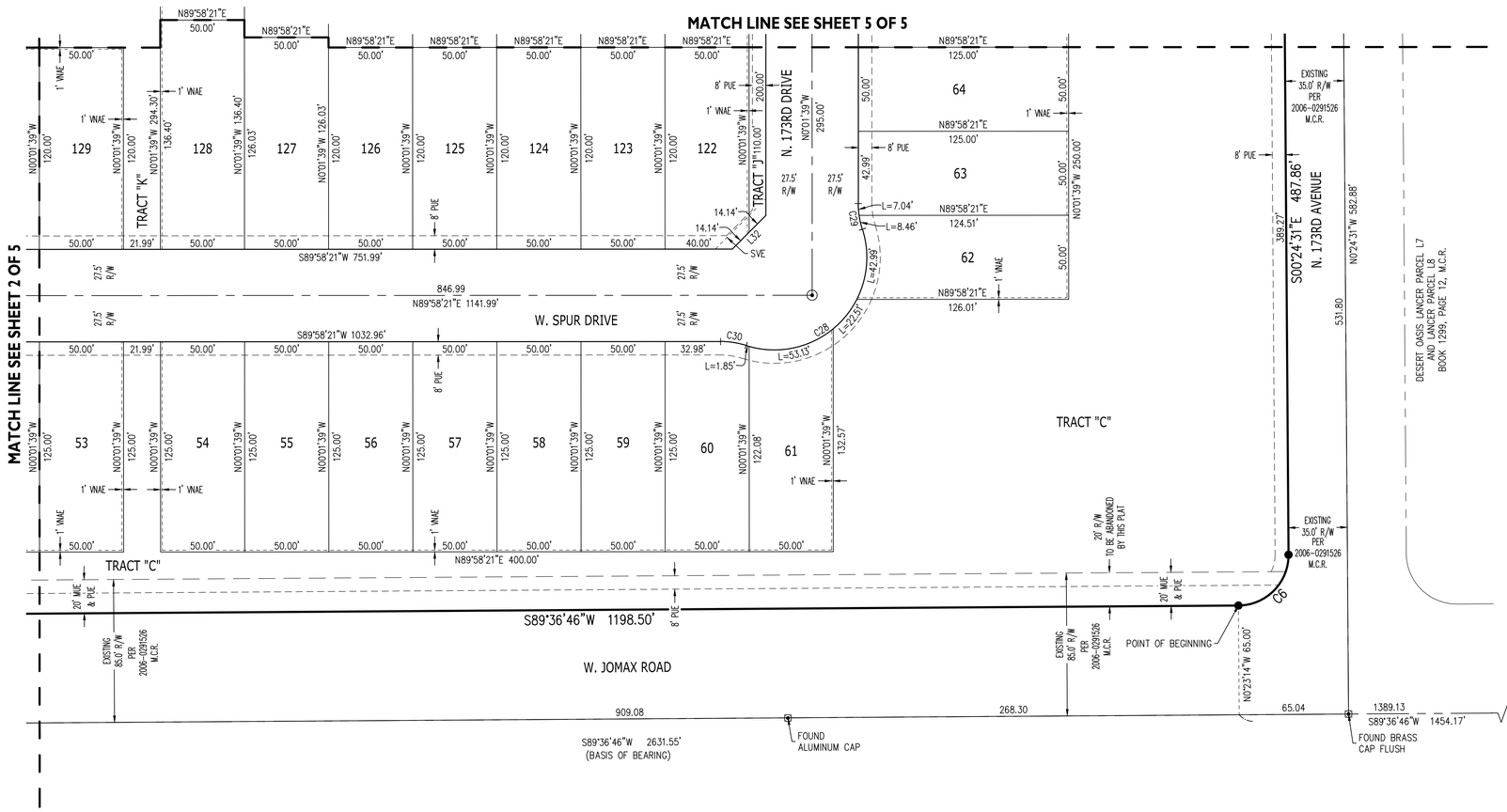
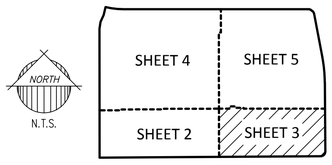
CORTANA AT DESERT OASIS





KEY MAP

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
1	6,197	0.1423
2	6,250	0.1435
3	6,250	0.1435
4	6,250	0.1435
5	6,250	0.1435
6	6,250	0.1435
7	6,250	0.1435
8	6,250	0.1435
9	6,250	0.1435
10	6,250	0.1435
11	6,250	0.1435
12	6,250	0.1435
13	6,250	0.1435
14	6,250	0.1435
15	6,250	0.1435
16	6,250	0.1435
17	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
18	6,250	0.1435
19	6,250	0.1435
20	6,250	0.1435
21	6,250	0.1435
22	6,250	0.1435
23	6,244	0.1433
24	6,112	0.1403
25	6,103	0.1401
26	6,246	0.1434
27	6,250	0.1435
28	6,250	0.1435
29	6,250	0.1435
30	6,250	0.1435
31	6,250	0.1435
32	6,250	0.1435
33	6,250	0.1435
34	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
35	6,250	0.1435
36	6,250	0.1435
37	6,230	0.1430
38	7,531	0.1729
39	6,182	0.1419
40	6,216	0.1427
41	6,250	0.1435
42	6,250	0.1435
43	6,250	0.1435
44	6,250	0.1435
45	6,250	0.1435
46	6,250	0.1435
47	6,250	0.1435
48	6,250	0.1435
49	6,250	0.1435
50	6,250	0.1435
51	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
52	6,250	0.1435
53	6,250	0.1435
54	6,250	0.1435
55	6,250	0.1435
56	6,250	0.1435
57	6,250	0.1435
58	6,250	0.1435
59	6,250	0.1435
60	6,233	0.1431
61	6,150	0.1412
62	6,094	0.1399
63	6,249	0.1435
64	6,250	0.1435
65	6,250	0.1435
66	6,250	0.1435
67	6,000	0.1377
68	6,000	0.1377

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
69	6,000	0.1377
70	6,000	0.1377
71	6,000	0.1377
72	5,950	0.1366
73	5,950	0.1366
74	6,000	0.1377
75	6,000	0.1377
76	6,000	0.1377
77	6,000	0.1377
78	6,000	0.1377
79	6,000	0.1377
80	6,000	0.1377
81	6,000	0.1377
82	6,000	0.1377
83	6,000	0.1377
84	5,950	0.1366
85	8,000	0.1837

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
86	7,333	0.1684
87	6,667	0.1530
88	6,000	0.1377
89	6,000	0.1377
90	5,950	0.1366
91	6,000	0.1377
92	6,000	0.1377
93	6,000	0.1377
94	6,000	0.1377
95	6,000	0.1377
96	6,000	0.1377
97	6,000	0.1377
98	6,000	0.1377
99	6,000	0.1377
100	6,000	0.1377
101	6,000	0.1377
102	6,000	0.1377

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
103	6,000	0.1377
104	6,000	0.1377
105	6,000	0.1377
106	6,000	0.1377
107	6,000	0.1377
108	6,000	0.1377
109	5,950	0.1366
110	6,074	0.1394
111	6,603	0.1516
112	6,939	0.1593
113	7,348	0.1687
114	7,744	0.1778
115	7,358	0.1689
116	6,805	0.1562
117	6,282	0.1442
118	6,009	0.1379
119	6,000	0.1377

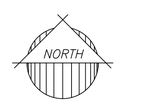
LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
120	6,000	0.1377
121	5,950	0.1366
122	5,950	0.1366
123	6,000	0.1377
124	6,000	0.1377
125	6,000	0.1377
126	6,000	0.1377
127	6,301	0.1447
128	6,820	0.1566
129	6,000	0.1377
130	6,000	0.1377
131	6,000	0.1377
132	6,000	0.1377
133	6,000	0.1377
134	6,000	0.1377
135	6,000	0.1377
136	5,950	0.1366

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
137	6,000	0.1377
138	6,000	0.1377
139	6,000	0.1377
140	5,955	0.1367
141	5,989	0.1375
142	6,000	0.1377
143	6,000	0.1377
144	6,000	0.1377
145	6,000	0.1377
146	5,989	0.1375
147	5,989	0.1375
148	6,000	0.1377
149	6,000	0.1377
150	6,000	0.1377
151	6,000	0.1377
152	5,989	0.1375

TOTAL LOT AREA	940,830 S.F.	21.5985 AC.
TOTAL TRACT AREA	317,552 S.F.	7.2900 AC.
RIGHT-OF-WAY	348,393 S.F.	7.9980 AC.
GROSS AREA	1,606,775 S.F.	36.8865 AC.

LEGEND

⊡	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 53160"
⊡	SET PK NAIL WITH TAG "EPS GROUP RLS 53160"
⊙	BRASS CAP TO BE SET AT CONSTRUCTION
LS	LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
MUE	MULTI USE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
RLS	REGISTERED LAND SURVEYOR
R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT



40 0 40 80
scale feet

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

CORTANA AT DESERT OASIS
Surprise, Arizona
Final Plat

Project:

Revisions:

Designer: A.S.
Drawn by: A.G.

53160
RAYMOND S. MUNOZ III
Date Signed 7/10/18
ARIZONA, U.S.A.
Expires 3/31/21

Job No.
15-296
FP03

Sheet No.
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of 5

15-296

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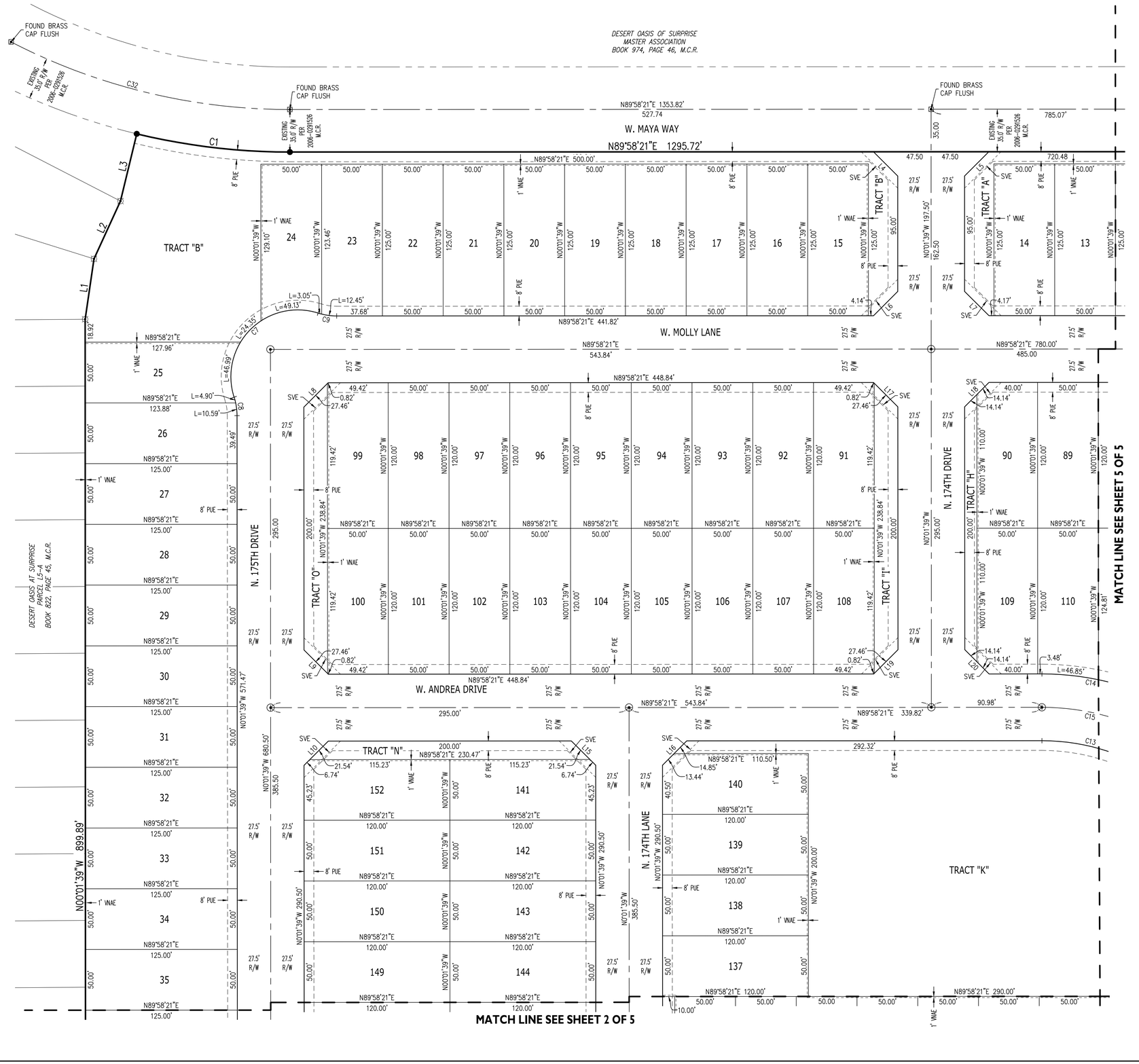
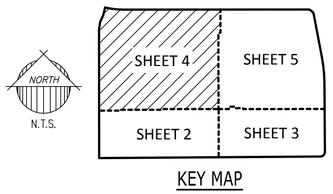
CORTANA AT DESERT OASIS

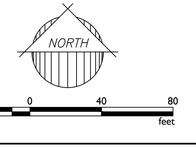




KEY MAP

LEGEND

▣	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 53160"
⊡	SET PK NAIL WITH TAG "EPS GROUP RLS 53160"
⊙	BRASS CAP TO BE SET AT CONSTRUCTION
LS	LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
MUE	MULTI USE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
RLS	REGISTERED LAND SURVEYOR
R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT



EPS GROUP
2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

CORTANA AT DESERT OASIS
Surprise, Arizona
Final Plat

Project:

Revisions:

Designer: A.S.
Drawn by: A.G.

REGISTERED LAND SURVEYOR
53160
RAYMOND S. MUNOZ III
Date Signed 7/10/18
ARIZONA, U.S.A.
Expires 3/31/21

Job No.
15-296
FP04

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of 5

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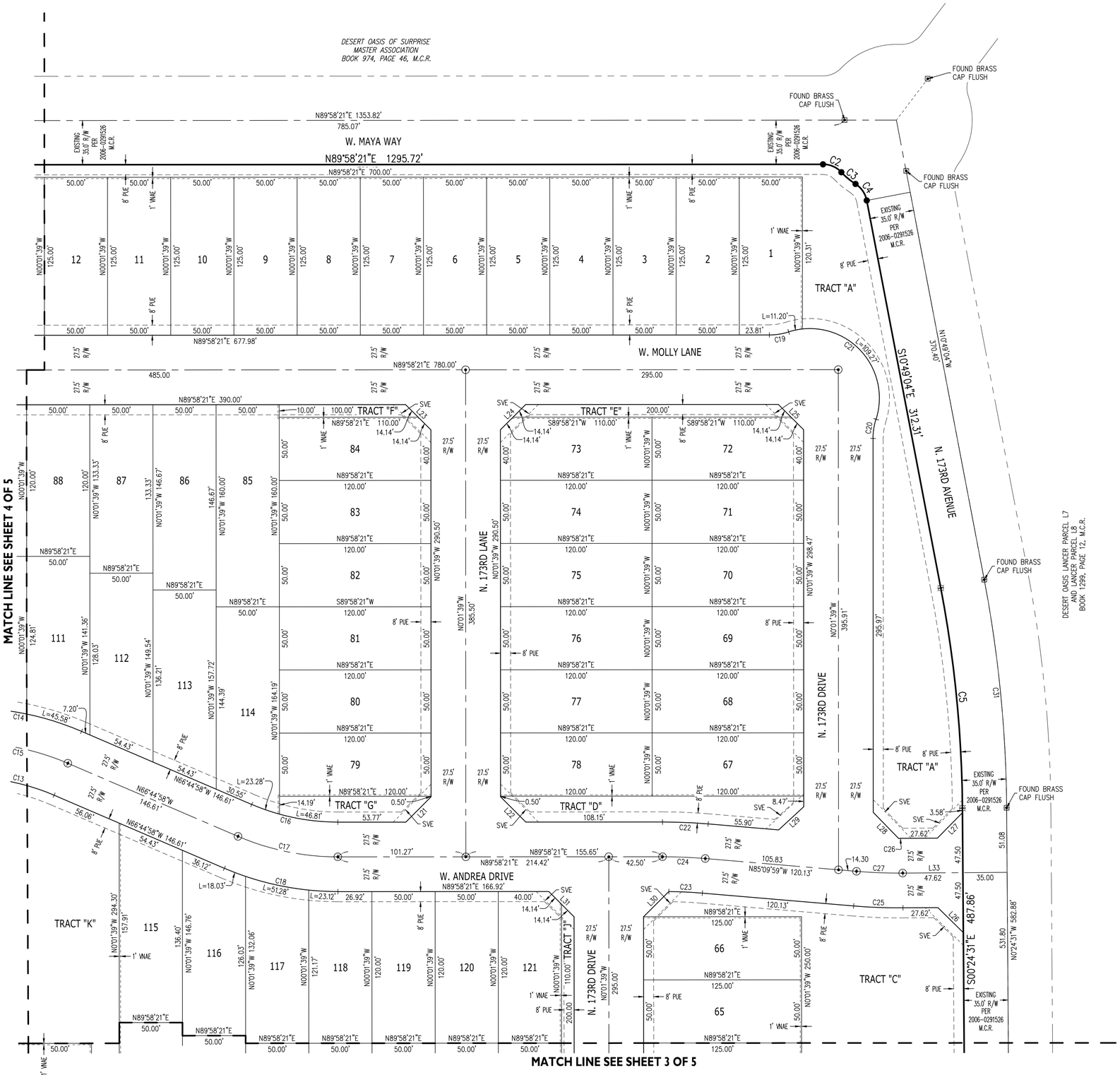
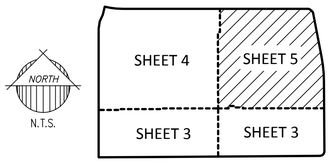
CORTANA AT DESERT OASIS

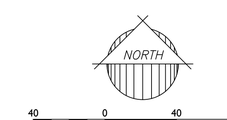




KEY MAP

LEGEND

⊡	FOUND MONUMENT, AS NOTED
●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 53160"
⊡	SET PK NAIL WITH TAG "EPS GROUP RLS 53160"
⊙	BRASS CAP TO BE SET AT CONSTRUCTION
LS	LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
MUE	MULTI USE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
RLS	REGISTERED LAND SURVEYOR
R/W	RIGHT-OF-WAY
SVE	SIGHT VISIBILITY EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT



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EPS GROUP

CORTANA AT DESERT OASIS
Surprise, Arizona
Final Plat

Project:

Revisions:

Designer: A.S.
Drawn by: A.G.

REGISTERED LAND SURVEYOR
53160
RAYMOND S. MUNOZ III
Date Signed 7/10/18
ARIZONA, U.S.A.
Expires 3/31/20

Job No.
15-296

FP05

Sheet No.
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of 5

15-296

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SURPRISE
ARIZONA

Cortana at Desert Oasis

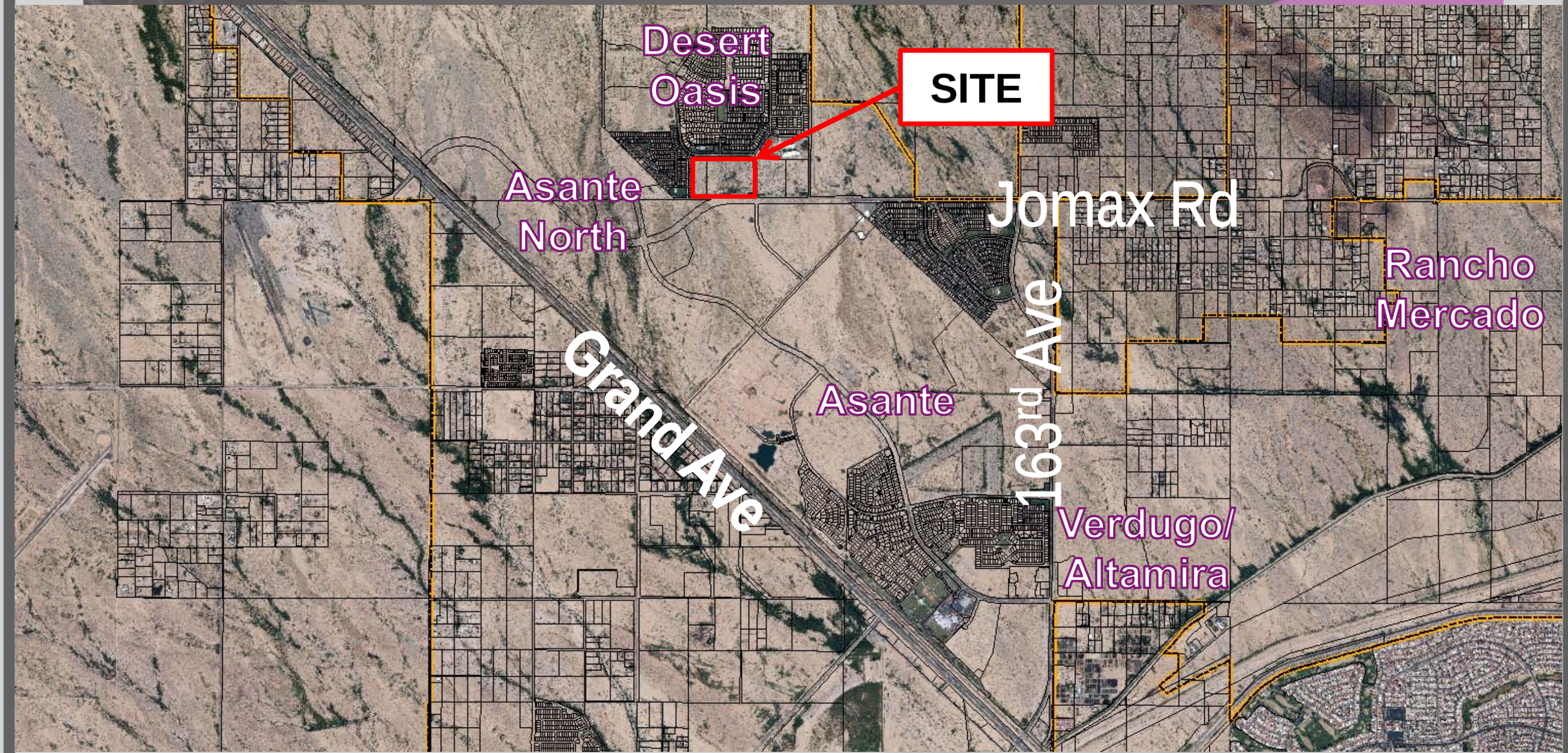
Final Plat

FS18-065

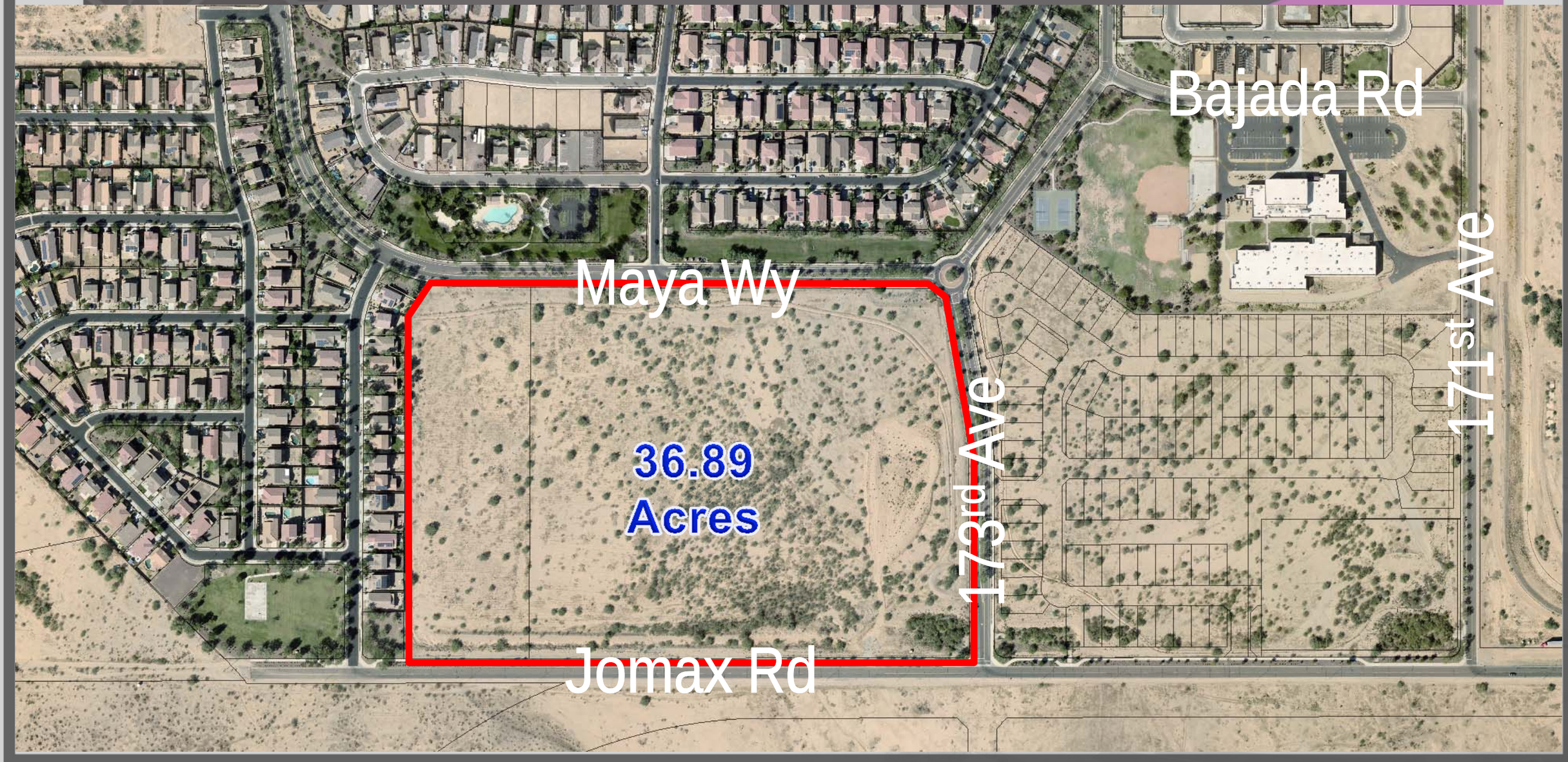
City Council

September 4, 2018

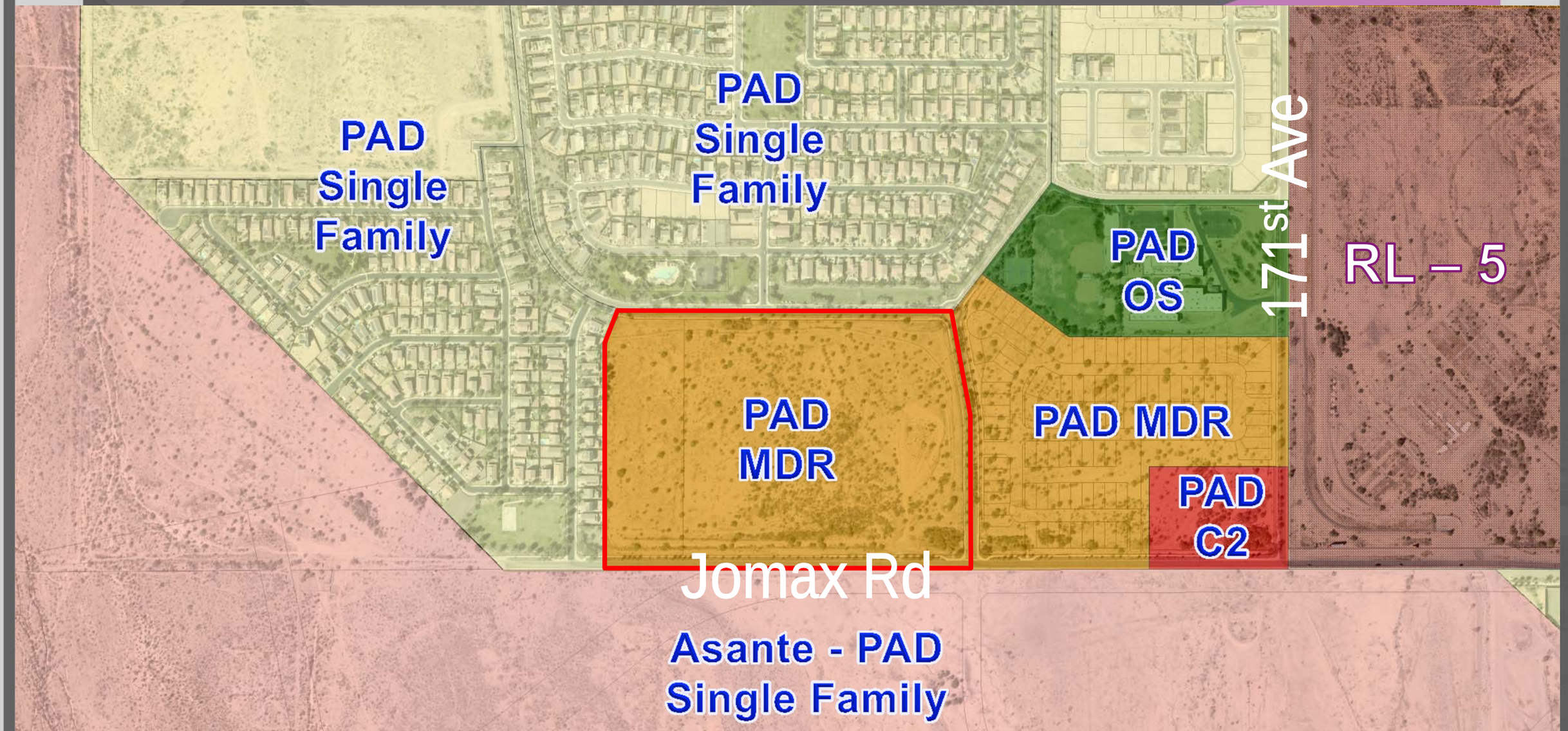
VICINITY MAP



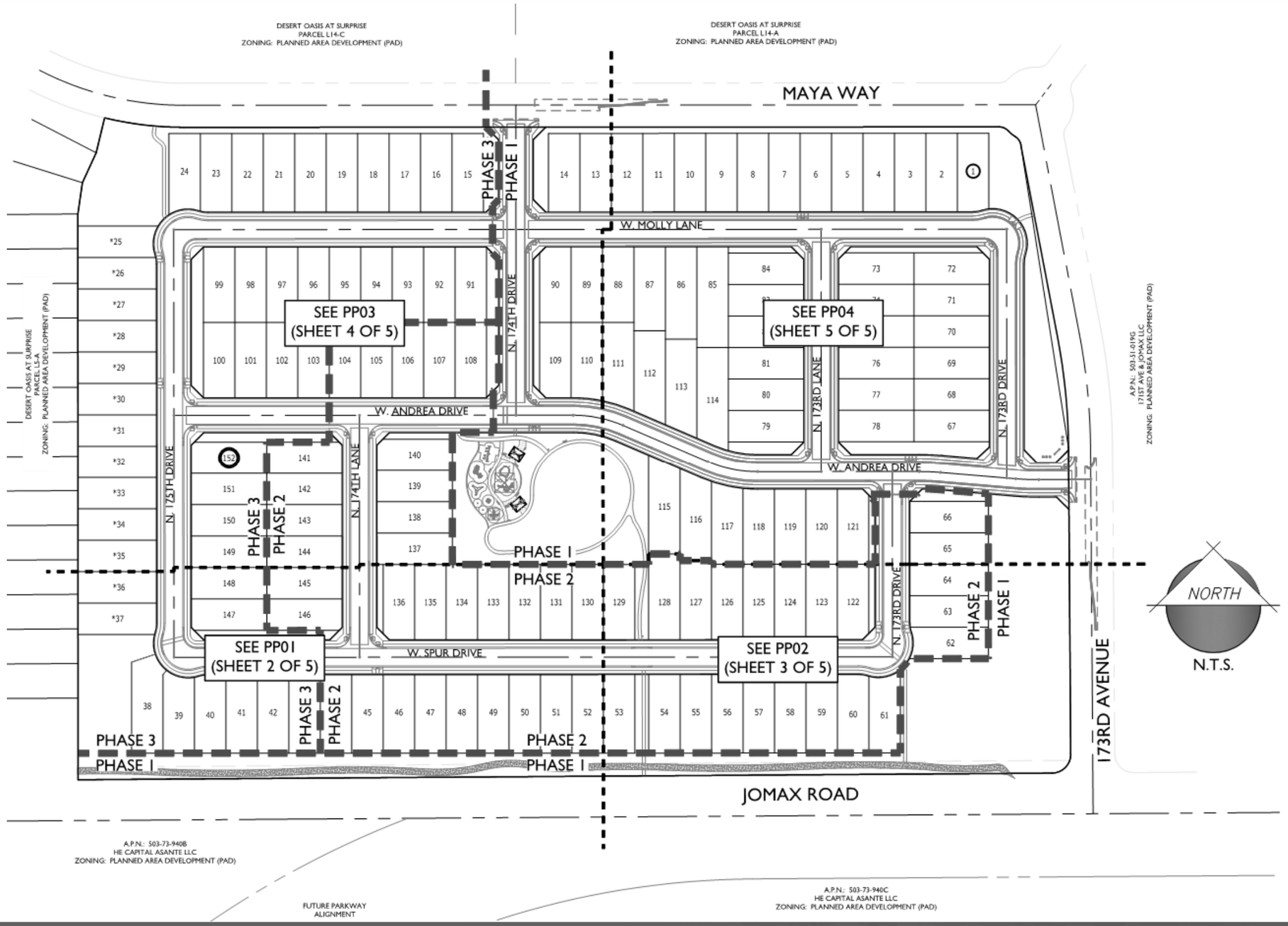
VICINITY MAP



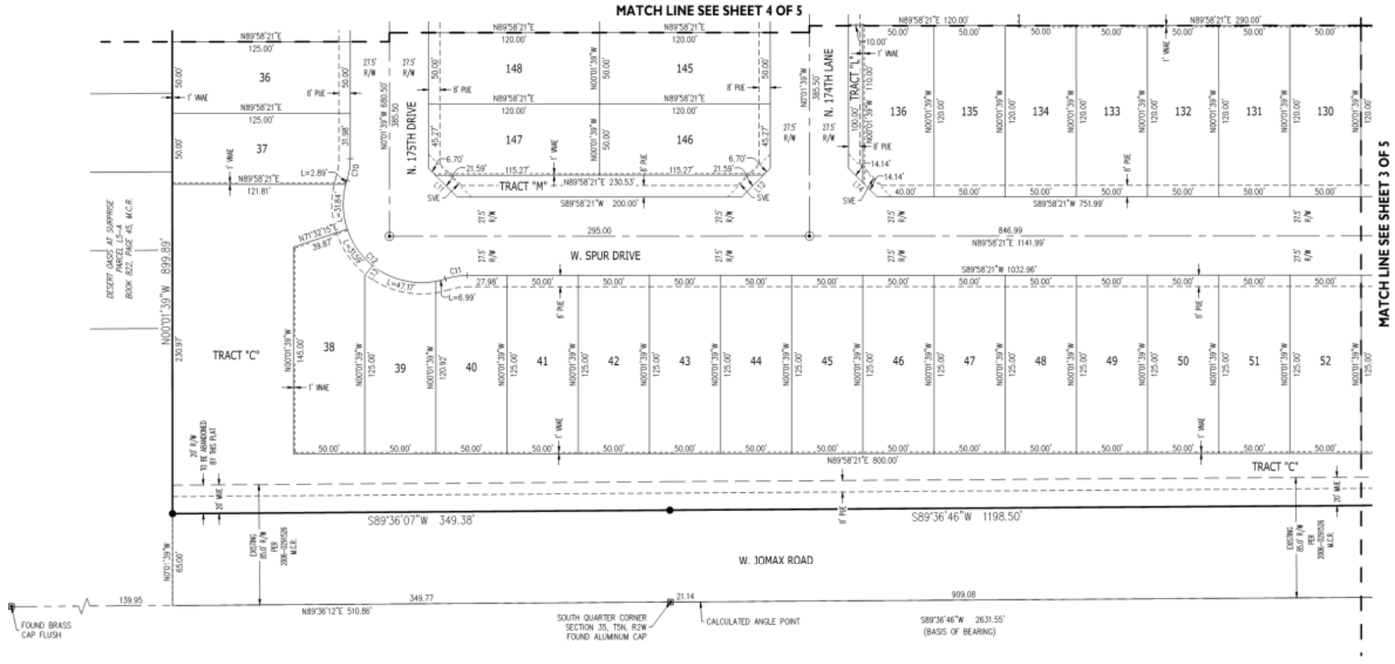
Surrounding Zoning

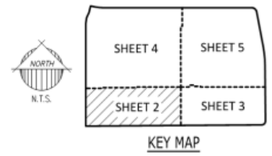


Final Plat


DESERT OASIS AT SURPRISE
PARCEL L14-C
ZONING: PLANNED AREA DEVELOPMENT (PAD)
DESERT OASIS AT SURPRISE
PARCEL L14-A
ZONING: PLANNED AREA DEVELOPMENT (PAD)
MAYA WAY
PHASE 3
PHASE 1
W. MOLLY LANE
N. 174TH DRIVE
SEE PP03
(SHEET 4 OF 5)
SEE PP04
(SHEET 5 OF 5)
N. 173RD LANE
N. 173RD DRIVE
W. ANDREA DRIVE
N. 175TH DRIVE
PHASE 3
PHASE 2
N. 174TH LANE
PHASE 1
PHASE 2
W. SPUR DRIVE
SEE PP01
(SHEET 2 OF 5)
SEE PP02
(SHEET 3 OF 5)
PHASE 3
PHASE 2
PHASE 1
PHASE 2
PHASE 1
173RD AVENUE
JOMAX ROAD
NORTH
N.T.S.
A.P.N.: 503-51-019G
17151 AVE & JOMAX LLC
ZONING: PLANNED AREA DEVELOPMENT (PAD)
A.P.N.: 503-73-940B
HE CAPITAL ASANTE LLC
ZONING: PLANNED AREA DEVELOPMENT (PAD)
FUTURE PARKWAY
ALIGNMENT
A.P.N.: 503-73-940C
HE CAPITAL ASANTE LLC
ZONING: PLANNED AREA DEVELOPMENT (PAD)

CORTANA AT DESERT OASIS





Final Plat

LINE TABLE		
LINE	BEARING	LENGTH
L1	N08°20'07"E	50.25'
L2	N24°39'23"E	52.34'
L3	N13°35'45"E	56.97'
L4	N45°01'39"W	28.28'
L5	N44°58'21"E	28.28'
L6	N44°58'21"E	28.28'
L7	N45°01'39"W	28.28'
L8	N44°58'21"E	28.28'
L9	N45°01'39"W	28.28'
L10	N44°58'21"E	28.28'
L11	N45°01'39"W	28.28'
L12	N44°58'21"E	28.28'
L13	N38°37'56"E	9.03'
L14	N45°01'39"W	28.28'
L15	N45°01'39"W	28.28'
L16	N44°58'21"E	28.28'
L17	N45°01'39"W	28.28'

LINE TABLE		
LINE	BEARING	LENGTH
L18	N44°58'21"E	28.28'
L19	N44°58'21"E	28.28'
L20	N45°01'39"W	28.28'
L21	N44°58'21"E	28.28'
L22	N45°01'39"W	28.28'
L23	N45°01'39"W	28.28'
L24	N44°58'21"E	28.28'
L25	N45°01'39"W	28.28'
L26	N45°24'31"W	28.28'
L27	N44°35'29"E	28.28'
L28	N44°12'30"W	28.69'
L29	N47°24'11"E	27.06'
L30	N45°01'14"E	28.26'
L31	N45°01'39"W	28.28'
L32	N44°58'21"E	28.28'
L33	N89°35'29"E	82.62'

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	127.21'	535.00'	13°37'24"	63.91'	126.91'	S83°12'57"E
C2	16.26'	20.00'	46°34'03"	8.61'	15.81'	N66°44'38"W
C3	14.58'	60.00'	13°55'31"	7.33'	14.55'	S50°25'22"E
C4	16.26'	20.00'	46°34'03"	8.61'	15.81'	N34°06'05"W
C5	175.32'	965.00'	10°24'33"	87.90'	175.07'	N05°36'48"W
C6	47.14'	30.00'	90°01'17"	30.01'	42.43'	N44°36'07"E
C7	120.48'	55.00'	125°30'20"	106.80'	97.79'	S44°58'21"W
C8	15.49'	50.00'	17°45'10"	7.81'	15.43'	N08°54'14"W
C9	15.49'	50.00'	17°45'10"	7.81'	15.43'	S81°09'04"E
C10	15.49'	50.00'	17°45'10"	7.81'	15.43'	N08°50'56"E
C11	15.49'	50.00'	17°45'10"	7.81'	15.43'	S81°05'46"W
C12	120.48'	55.00'	125°30'20"	106.80'	97.79'	S45°01'39"E
C13	70.08'	172.50'	23°16'41"	35.53'	69.60'	N78°23'19"W
C14	92.43'	227.50'	23°16'41"	46.86'	91.79'	N78°23'19"W
C15	81.26'	200.00'	23°16'41"	41.20'	80.70'	N78°23'19"W
C16	70.08'	172.50'	23°16'41"	35.53'	69.60'	S78°23'19"E

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C17	81.26'	200.00'	23°16'41"	41.20'	80.70'	S78°23'19"E
C18	92.43'	227.50'	23°16'41"	46.86'	91.79'	S78°23'19"E
C19	15.49'	50.00'	17°45'10"	7.81'	15.43'	N81°05'46"E
C20	15.49'	50.00'	17°45'10"	7.81'	15.43'	S08°50'56"W
C21	120.48'	55.00'	125°30'20"	106.80'	97.79'	N45°01'39"W
C22	36.27'	427.50'	4°51'40"	18.15'	36.26'	N87°35'49"W
C23	26.60'	372.50'	4°05'31"	13.31'	26.60'	N87°12'45"W
C24	33.94'	400.00'	4°51'40"	16.98'	33.93'	N87°35'49"W
C25	39.11'	427.50'	5°14'32"	19.57'	39.10'	S87°47'15"E
C26	3.13'	372.50'	0°28'53"	1.56'	3.13'	N89°49'55"E
C27	36.60'	400.00'	5°14'32"	18.31'	36.59'	S87°47'15"E
C28	120.48'	55.00'	125°30'20"	106.80'	97.79'	N44°58'21"E
C29	15.49'	50.00'	17°45'10"	7.81'	15.43'	S08°54'14"E
C30	15.49'	50.00'	17°45'10"	7.81'	15.43'	N81°09'04"W
C31	181.67'	1000.00'	10°24'33"	91.09'	181.42'	N05°36'47"W
C32	238.33'	500.00'	27°18'38"	121.47'	236.08'	S76°22'21"E

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
Tract A	LANDSCAPE, OPEN SPACE, RETENTION	36,951	0.8483
Tract B	LANDSCAPE, OPEN SPACE, RETENTION	28,572	0.6559
Tract C	LANDSCAPE, OPEN SPACE, MULTI USE EASEMENT, RETENTION	153,669	3.5277
Tract D	LANDSCAPE, OPEN SPACE	4,899	0.1125
Tract E	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract F	LANDSCAPE, OPEN SPACE	1,050	0.0241
Tract G	LANDSCAPE, OPEN SPACE	2,163	0.0497
Tract H	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract I	LANDSCAPE, OPEN SPACE	4,261	0.0978
Tract J	LANDSCAPE, OPEN SPACE	2,100	0.0482
Tract K	LANDSCAPE, OPEN SPACE, RETENTION	67,811	1.5567
Tract L	LANDSCAPE, OPEN SPACE	1,050	0.0241
Tract M	LANDSCAPE, OPEN SPACE	3,286	0.0754
Tract N	LANDSCAPE, OPEN SPACE	3,279	0.0753
Tract O	LANDSCAPE, OPEN SPACE	4,261	0.0978

TOTAL LOT AREA	940,830 S.F.	21.5985 AC.
TOTAL TRACT AREA	317,552 S.F.	7.2900 AC.
RIGHT-OF-WAY	348,393 S.F.	7.9980 AC.
GROSS AREA	1,606,775 S.F.	36.8865 AC.

LEGEND

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●	SET 1/2" REBAR WITH CAP "EPS GROUP RLS 53160"
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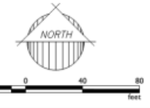
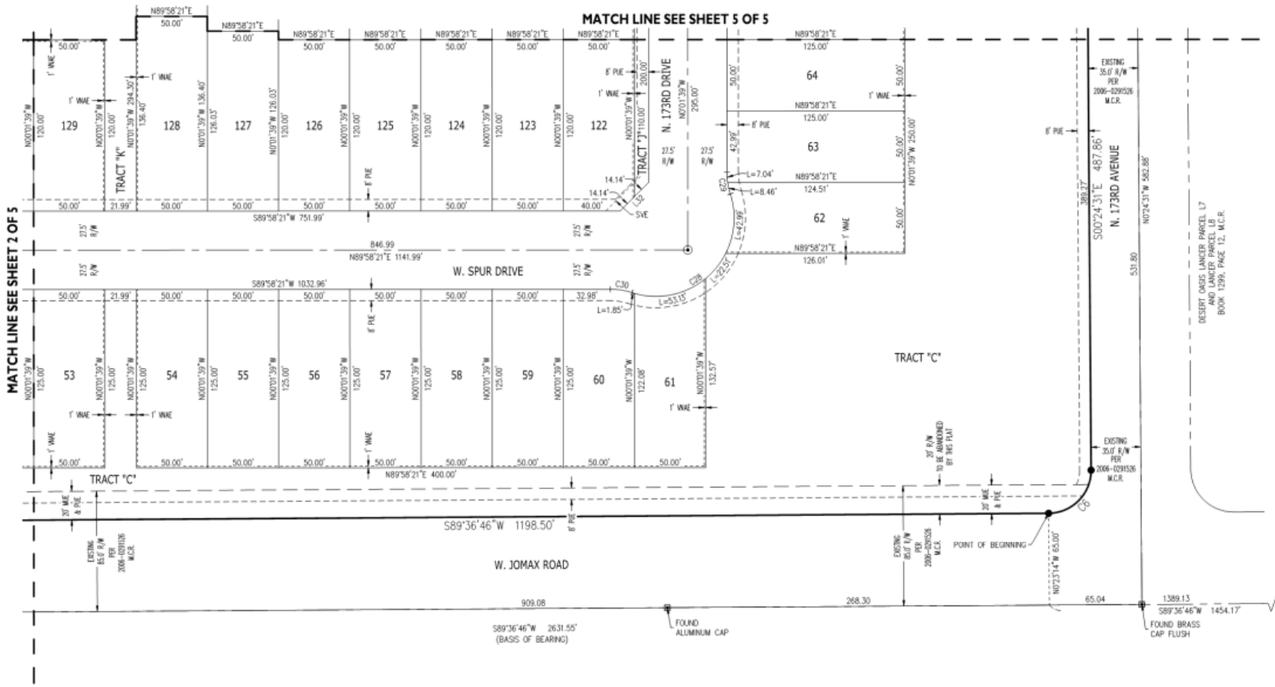
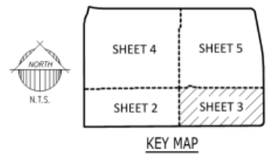


CORTANA AT DESERT OASIS





Final Plat

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
1	6,197	0.1423
2	6,250	0.1435
3	6,250	0.1435
4	6,250	0.1435
5	6,250	0.1435
6	6,250	0.1435
7	6,250	0.1435
8	6,250	0.1435
9	6,250	0.1435
10	6,250	0.1435
11	6,250	0.1435
12	6,250	0.1435
13	6,250	0.1435
14	6,250	0.1435
15	6,250	0.1435
16	6,250	0.1435
17	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
18	6,250	0.1435
19	6,250	0.1435
20	6,250	0.1435
21	6,250	0.1435
22	6,250	0.1435
23	6,244	0.1433
24	6,112	0.1403
25	6,103	0.1401
26	6,246	0.1434
27	6,250	0.1435
28	6,250	0.1435
29	6,250	0.1435
30	6,250	0.1435
31	6,250	0.1435
32	6,250	0.1435
33	6,250	0.1435
34	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
35	6,250	0.1435
36	6,250	0.1435
37	6,230	0.1430
38	7,531	0.1729
39	6,182	0.1419
40	6,216	0.1427
41	6,250	0.1435
42	6,250	0.1435
43	6,250	0.1435
44	6,250	0.1435
45	6,250	0.1435
46	6,250	0.1435
47	6,250	0.1435
48	6,250	0.1435
49	6,250	0.1435
50	6,250	0.1435
51	6,250	0.1435

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
52	6,250	0.1435
53	6,250	0.1435
54	6,250	0.1435
55	6,250	0.1435
56	6,250	0.1435
57	6,250	0.1435
58	6,250	0.1435
59	6,250	0.1435
60	6,233	0.1431
61	6,150	0.1412
62	6,094	0.1399
63	6,249	0.1435
64	6,250	0.1435
65	6,250	0.1435
66	6,250	0.1435
67	6,000	0.1377
68	6,000	0.1377

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
69	6,000	0.1377
70	6,000	0.1377
71	6,000	0.1377
72	5,950	0.1366
73	5,950	0.1366
74	6,000	0.1377
75	6,000	0.1377
76	6,000	0.1377
77	6,000	0.1377
78	6,000	0.1377
79	6,000	0.1377
80	6,000	0.1377
81	6,000	0.1377
82	6,000	0.1377
83	6,000	0.1377
84	5,950	0.1366
85	8,000	0.1837

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
86	7,333	0.1684
87	6,667	0.1530
88	6,000	0.1377
89	6,000	0.1377
90	5,950	0.1366
91	6,000	0.1377
92	6,000	0.1377
93	6,000	0.1377
94	6,000	0.1377
95	6,000	0.1377
96	6,000	0.1377
97	6,000	0.1377
98	6,000	0.1377
99	6,000	0.1377
100	6,000	0.1377
101	6,000	0.1377
102	6,000	0.1377

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
103	6,000	0.1377
104	6,000	0.1377
105	6,000	0.1377
106	6,000	0.1377
107	6,000	0.1377
108	6,000	0.1377
109	5,950	0.1366
110	6,074	0.1394
111	6,603	0.1516
112	6,939	0.1593
113	7,348	0.1687
114	7,744	0.1778
115	7,358	0.1689
116	6,805	0.1562
117	6,282	0.1442
118	6,009	0.1379
119	6,000	0.1377

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
120	6,000	0.1377
121	5,950	0.1366
122	5,950	0.1366
123	6,000	0.1377
124	6,000	0.1377
125	6,000	0.1377
126	6,000	0.1377
127	6,301	0.1447
128	6,820	0.1566
129	6,000	0.1377
130	6,000	0.1377
131	6,000	0.1377
132	6,000	0.1377
133	6,000	0.1377
134	6,000	0.1377
135	6,000	0.1377
136	5,950	0.1366

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
137	6,000	0.1377
138	6,000	0.1377
139	6,000	0.1377
140	5,955	0.1367
141	5,989	0.1375
142	6,000	0.1377
143	6,000	0.1377
144	6,000	0.1377
145	6,000	0.1377
146	5,989	0.1375
147	5,989	0.1375
148	6,000	0.1377
149	6,000	0.1377
150	6,000	0.1377
151	6,000	0.1377
152	5,989	0.1375

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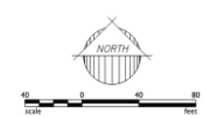
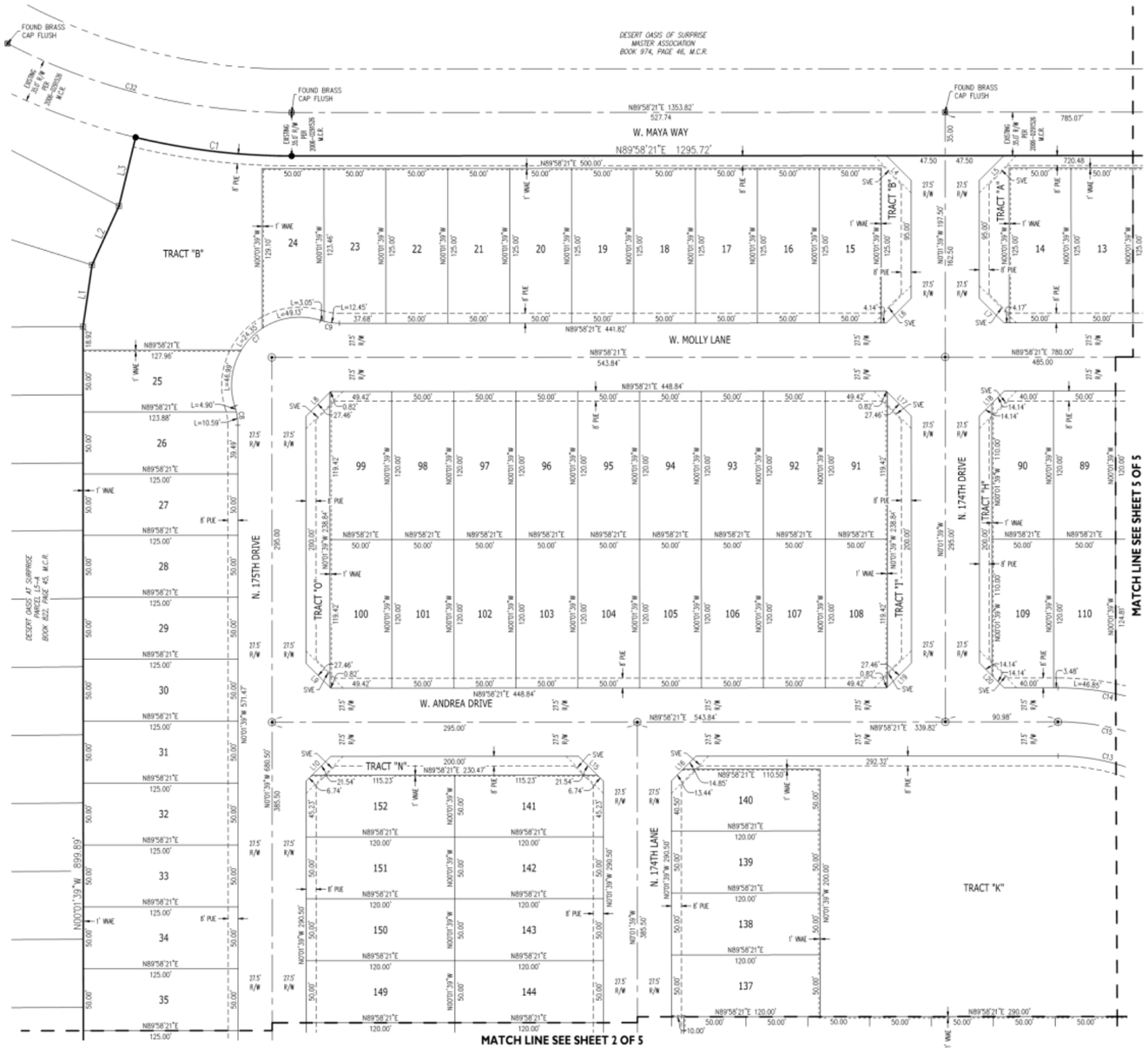
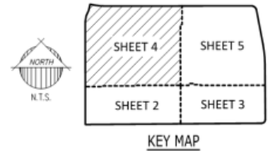


CORTANA AT DESERT OASIS





KEY MAP

LEGEND

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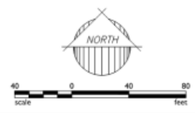
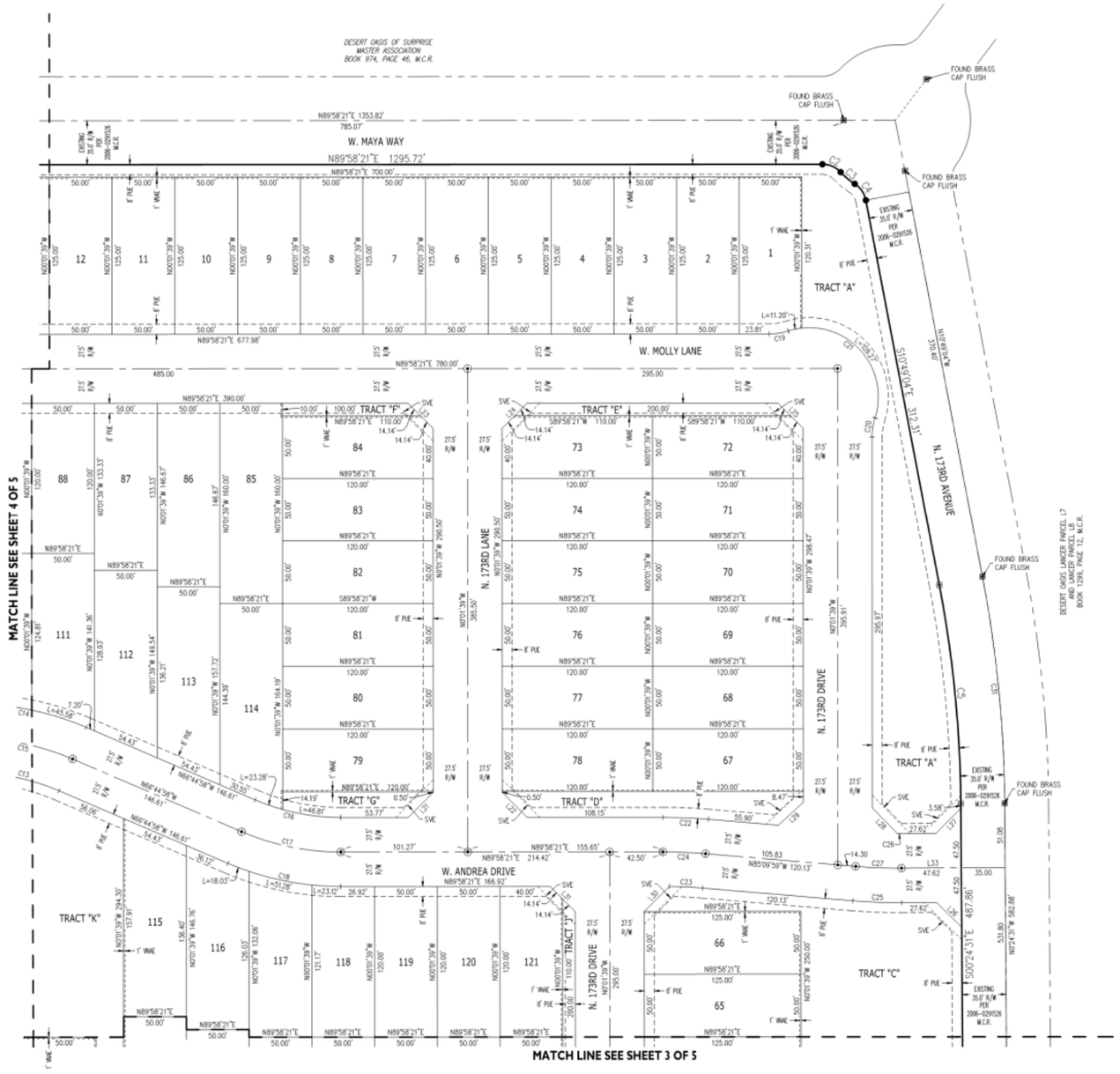
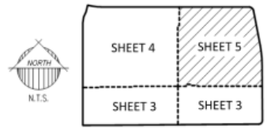


Final Plat

CORTANA AT DESERT OASIS





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VNAE	VEHICULAR NON-ACCESS EASEMENT

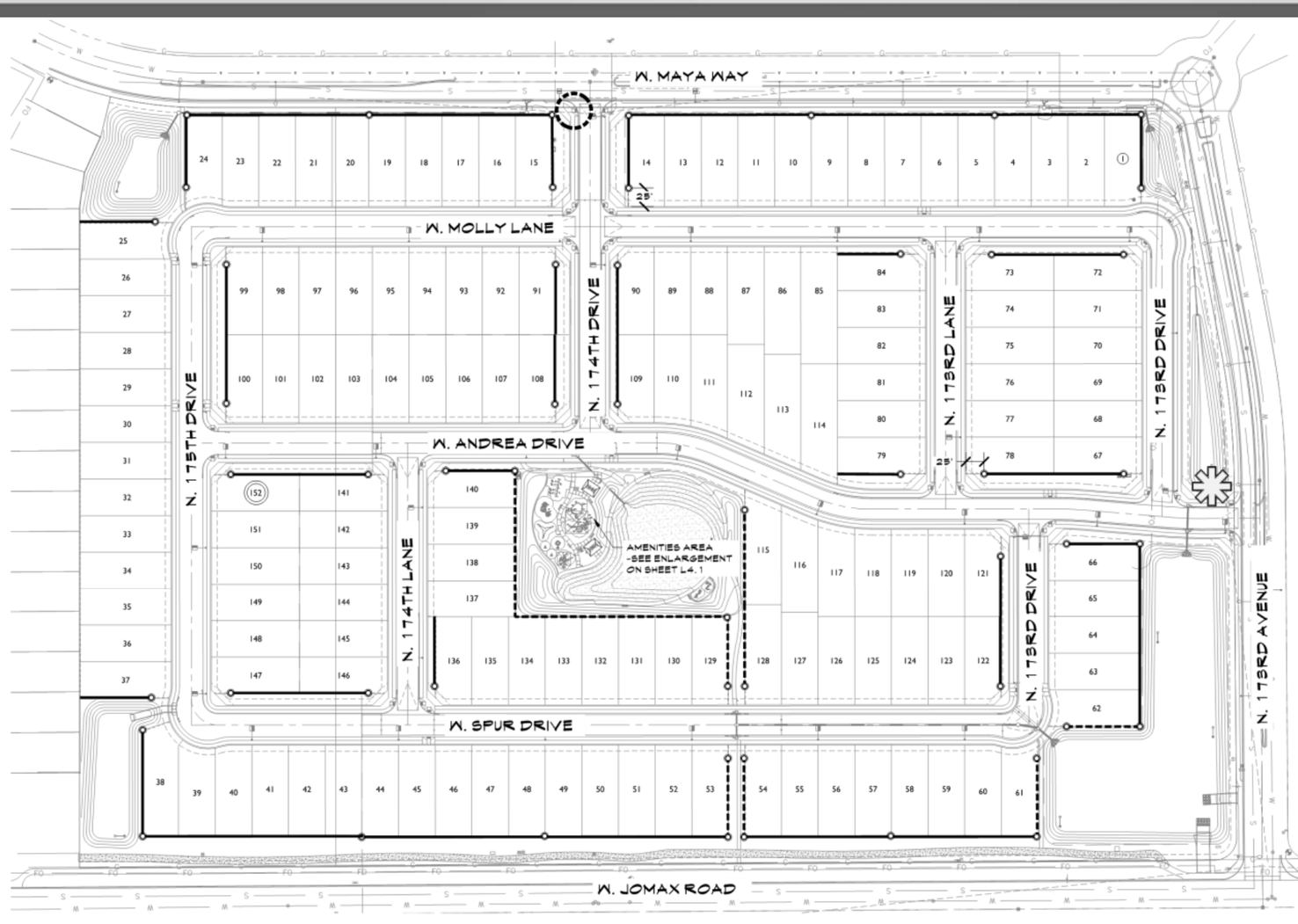
Final Plat

PLANT LEGEND

SYMBOL	BOTANICAL NAME - COMMON NAME	QTY.	SIZE	COMMENTS
TREES				
	ACACIA ANEURA/ MULGA TREE	50	24" BOX	STANDARD
	ACACIA SALICINA/ WILLOW ACACIA	43	24" BOX	STANDARD
	CHILOPSIS LINEARIS/ DESERT WILLOW	43	24" BOX	STANDARD
	PARKINSONIA HYBRID 'AZT'/ 'AZT' THORNLESS PALO VERDE	58	24" BOX	STANDARD
	PISTACIA LENTISCUS/ MASTIC TREE	54	24" BOX	STANDARD
	PROSOPIS HYBRID 'RIO SALADO' 'RIO SALADO' MESQUITE	65	24" BOX	STANDARD
	QUERCUS VIRGINIANA 'HERITAGE'/ 'HERITAGE' LIVE OAK	93	24" BOX	STNADARD
	* DENOTES APPROVED STREET TREE			
SHRUBS				
	CAESALPINIA PULCHERRIMA/ RED BIRD OF PARADISE	94	5 GAL	FULL CAN
	CALLIANDRA CALIFORNICA/ BAJA FAIRY DUSTER	89	5 GAL	FULL CAN
	LEUCOPHYLLUM sp. 'HEAVENLY CLOUD'/ 'HEAVENLY CLOUD' SAGE	122	5 GAL	FULL CAN
	LEUCOPHYLLUM sp. 'LYNN'S LEGACY'/ 'LYNN'S LEGACY' SAGE	109	5 GAL	FULL CAN
	RUELLIA PENINSULARIS/ BAJA RUELLIA	56	5 GAL	FULL CAN
	TECOMA sp. 'BELLS OF FIRE'/ BELLS OF FIRE	95	5 GAL	FULL CAN
	TECOMA sp. 'LYDIA'/ 'LYDIA' YELLOW BELLS	108	5 GAL	FULL CAN
	TECOMARIA CAPENSIS/ CAPE HONEYSUCKLE	85	5 GAL	FULL CAN
	XYLOSMA sp. 'COMPACTA'/ COMPACT XYLOSMA	75	5 GAL	FULL CAN
ACCENTS				
	AGAVE SHARKSKIN/ SHARKSKIN AGAVE	161	5 GAL	FULL CAN
	HESPERALOE FUNIFERA/ GIANT HESPERALOE	130	5 GAL	FULL CAN
	HESPERALOE PARVIFOLIA/ RED YUCCA	215	5 GAL	FULL CAN
	MUHLENBERGIA CAPILLARIS/ PINK MUHLY GRASS	145	5 GAL	FULL CAN
	MUHLENBERGIA RIGENS/ DEER GRASS	111	5 GAL	FULL CAN
GROUNDCOVERS				
	EREMOPHILA HYGROPHANA/ 'BLUE BELLS' EMU	171	5 GAL	FULL CAN
	EREMOPHILA PROSTRATA/ 'OUTBACK SUNRISE' EMU	149	5 GAL	FULL CAN
	LANTANA sp. 'NEW GOLD'/ 'NEW GOLD' LANTANA	169	5 GAL	FULL CAN
	LANTANA sp. 'NEW RED'/ 'NEW RED' LANTANA	223	5 GAL	FULL CAN
EXISTING MATERIAL				
	EXISTING TREE	76		
	DECOMPOSED GRANITE SANTA FE GOLD, 2" MIN. DEPTH COVERAGE REQUIRED.	274,245 SQ.FT		
	TURF 'MIDIRON' HYBRID BERMUDA SOD	25,270 SQ.FT		

Open Space

Wall Plan



WALL LEGEND

- PRIMARY THEME WALL - APPROX. 5,355 LN.FT.
- PARTIAL VIEW WALL - APPROXIMATELY 1,250 LN.FT.
- PRIMARY THEME COLUMN - QTY. 55
- PRIMARY SIGN MONUMENT
- SECONDARY SIGN MONUMENT

NOTES:

1. ALL FOOTINGS, WALLS AND THEME COLUMNS TO BE LOCATED OUTSIDE OF THE P.U.E., R.O.W. AND SITE VISIBILITY TRIANGLE EASEMENTS.
2. THEME COLUMNS/WALL ENDS ARE TO BE 25'-0" OFF THE BACK OF THE ROW. SOME THEME COLUMNS MAY HAVE TO BE LOCATED 30'-0" OFF THE BACK OF THE ROW WHERE SITE VISIBILITY TRIANGLE EASEMENTS ARE PRESENT. CONTRACTOR TO INSTALL 6"X6" CONCRETE HEADER FROM THE FRONT OF THE COLUMN TO THE BACK OF THE SIDEWALK.
3. SEE CIVIL PLANS FOR RETAINING WALL LOCATIONS.
4. CONTRACTOR TO USE FINAL PLAT TO VERIFY ALL QUANTITIES.

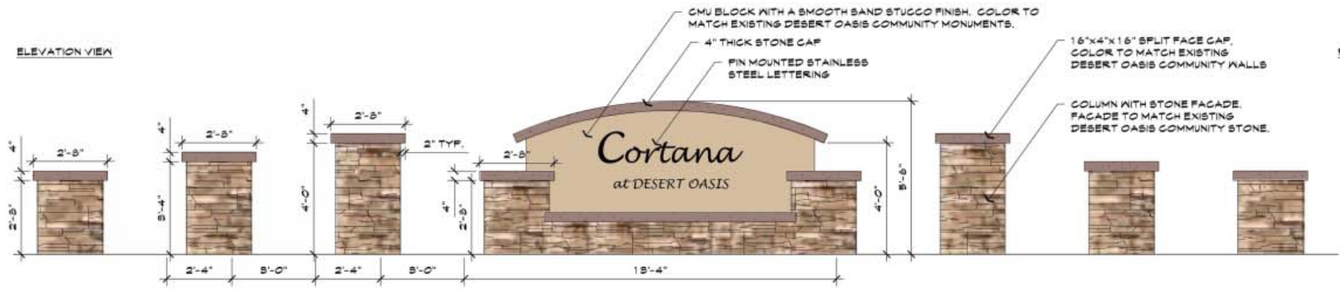
SCALE: 1"=70'-0"

0' 70' 140' 210'

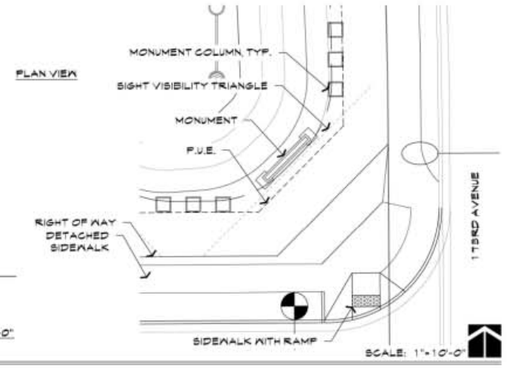
NORTH

Wall Plan

ELEVATION VIEW



PLAN VIEW



SCALE: 1/2"=1'-0"

SCALE: 1"=10'-0"

A PRIMARY ENTRY MONUMENT

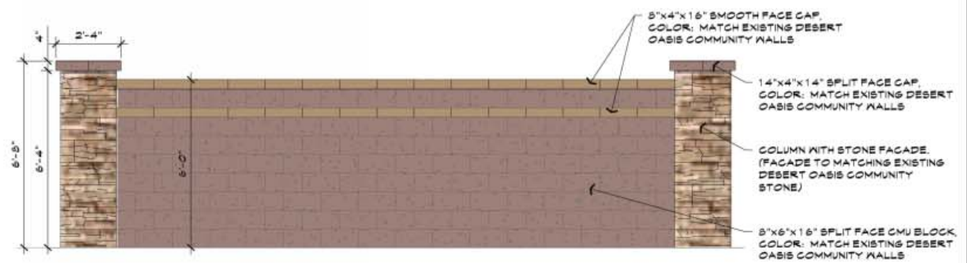
ELEVATION VIEW

PLAN VIEW

B SECONDARY ENTRY MONUMENT

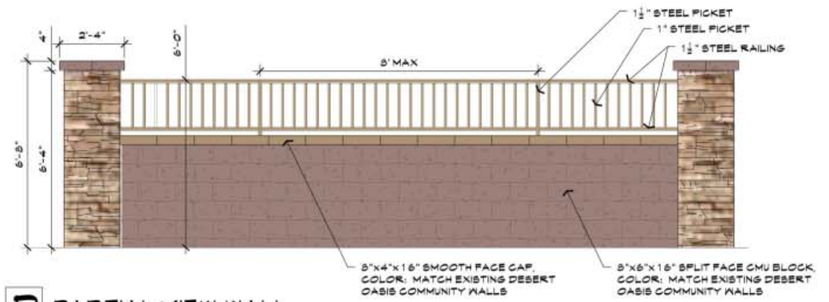
SCALE: 1/2"=1'-0"

SCALE: 1"=10'-0"



C PRIMARY THEME WALL & COLUMN

SCALE: 1/2"=1'-0"



D PARTIAL VIEW WALL

SCALE: 1/2"=1'-0"

The McGough Group

CORTANA

MONUMENT & WALL DETAILS

SHEET: PL4

SURPRISE, AZ

JANUARY 24, 2017

SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

RESOLUTION #2018-139

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A FINAL PLAT ENTITLED "CORTANA AT DESERT OASIS AT SURPRISE," GENERALLY LOCATED AT THE NORTHWEST CORNER OF JOMAX ROAD AND 173RD AVENUE.

WHEREAS, on September 14, 2000, the Mayor and City Council approved the Desert Oasis Planned Area Development; and,

WHEREAS, the proposed Final Plat for "Cortana at Desert Oasis at Surprise" is consistent with the approved Preliminary Plat and is in compliance with the Surprise Municipal Code and Surprise General Plan.

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

Section 1. The Final Plat for Cortana at Desert Oasis at Surprise, dated July 10, 2018, is approved, subject to the following conditions:

A. Prior to the final civil infrastructure improvements being accepted by the City, the Developer will provide a cash-in-lieu payment, per the City approved engineer's estimate, of their proportional share for the construction of roadway improvement associated with the 163rd Avenue project.
B. Prior to the final civil infrastructure improvements being accepted by the City, the Developer will provide a cash-in-lieu payment, per a City reviewed and approved engineer's estimate, for the raised median and landscape on Jomax Road along the project frontage.
C. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

APPROVED AND ADOPTED this_____day of _____2018.

[SIGNATURES APPEAR ON NEXT PAGE]

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Michael Frazier
Submitting Department:	Police	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the amended Regional Wireless Cooperative Intergovernmental Agreement (IGA) and its incorporated Governance Document; Resolution #2018-100.

Motion:

I move to approve Resolution #2018-100.

Background:

The Regional Wireless Cooperative ("RWC") is a large public safety and public works radio network serving the frontline needs of public works, police, fire-medical, first responders and other governmental support personnel. It was initially formed in 2008 by 14 Maricopa County entities, including the City of Surprise, by their adoption of an Intergovernmental Agreement. The Intergovernmental Agreement incorporated a Governance Agreement which guides the operation of the RWC.

Now in 2018, the RWC serves the radio communication needs of most of the cities, towns and fire districts located within Maricopa County, 19 entities in total. The RWC has the City of Phoenix primarily responsible for its administration and financial management operations, but the overall operations are overseen by the RWC Board of Directors which includes a representative from each of the 19 entities, based upon the RWC Governance Document.

A regular and detailed review of the Governance Document by the RWC Board of Directors resulted in the recommendations included in the Amended IGA and Governance Document which is the subject matter of this item. It was the result of two years of review and 80 meetings involving police and fire-medical Chiefs and communication staffs, public safety committees, accounting staff, City of Phoenix financial staff, labor organizations and information technology subject matter experts. Lastly, legal staffs from the 19 entities were consulted during the drafting process.

A summary of the document changes and this process is attached to this agenda item

Objective Analysis:

The City of Surprise Public Works, Fire-Medical and Police Departments all use radio communications systems which are part of the RWC. The RWC spans the whole of Maricopa County providing seamless radio service throughout and excellent connections with the other 18 entities on the system. For the City to attempt to create another system would be very costly and technologically challenging.

Policy Compliant:

This item is policy consistent and compliant.

Financial Impact:

The costs of the City of Surprise's participation in the RWC are budgeted each year. The RWC has done an excellent job in the past of giving advance notice of any cost changes so the costs can be anticipated and budgeted accordingly.

Budget Impact:

Budget source for the costs associated with the RWC during the current and past fiscal years has been the City's General Fund. It is anticipated that the General Fund will be more than sufficient to handle the future costs of the RWC.

FTE Impact:

None.

ATTACHMENTS:

Click to download

- ☐ RES 2018-100 Regional Wireless Cooperative IGA Amendment
- ☐ First Amended RWC IGA and incorporated Governance Document
- ☐ RWC Fact Sheet
- ☐ 2009 RWC IGA
- ☐ RWC PowerPoint Presentation

RESOLUTION # 2018-100

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH OTHER MARICOPA COUNTY ENTITIES TO CONTINUE PARTICIPATION IN THE REGIONAL WIRELESS COOPERATIVE.

WHEREAS, pursuant to Arizona Revised Statute §11-951, *et seq.,* the City of Surprise has the authority to enter into intergovernmental agreements with other governmental entities for the purposes set forth within;

WHEREAS, the City of Surprise and 13 other Maricopa County governmental entities initially entered into an Intergovernmental Agreement to create the Regional Wireless Cooperative ("RWC") on October 1, 2008 which document incorporated the Regional Wireless Cooperative Governance Document;

WHEREAS, the RWC seeks to provide the most efficient and effective way of delivering wireless communication services to its participating entities by the sharing of communication property, both real and personal;

WHEREAS, the Intergovernmental Agreement (and consequently the RWC Governance Document) was amended in September 2009 and the parties now desire to enter into a further amended Intergovernmental Agreement, thereby authorizing changes to the RWC Governance Document itself, consequently facilitating the efficient and effective continuation of the RWC, and

WHEREAS, the City of Surprise approves the changes to the Intergovernmental Agreement and to the RWC Governance Document and desires to continue its participation in the RWC.

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

Section 1. The Intergovernmental Agreement between the City of Surprise and other Maricopa County entities as noted on the attached Attachment 1, is approved.

Section 2. The City Manager, or his designee, is hereby authorized to execute and submit all documents and other necessary or desirable instruments in connection with said agreement.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____day of _____, 2018.

Sharon R. Wolcott, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

ATTACHMENT 1

INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SURPRISE AND 18 OTHER MARICOPA COUNTY ENTITIES

124822-002

FIRST AMENDMENT TO AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT TO PLAN, DESIGN, CONSTRUCT, OPERATE, MAINTAIN AND FINANCE THE REGIONAL WIRELESS COOPERATIVE NETWORK

This First Amendment to the Amended and Restated Intergovernmental Agreement to Plan, Design, Construct, Operate, Maintain and Finance the Regional Wireless Cooperative Network (the "First Amendment") is made and entered into effective **January 1, 2019**, by and between the signatories hereto. Unless indicated otherwise herein, all capitalized terms used herein shall have the meaning ascribed to them in the Agreement.

RECITALS

A. WHEREAS, the Parties wish to amend the rules and policies governing the regulation and management of the RWC's internal affairs, which rules are presently set forth in Exhibit A to the Agreement, by replacing said Exhibit A with the document attached as Exhibit A hereto; and

B. WHEREAS the Parties deem it appropriate to make several additional revisions to the body of the Agreement in order to accommodate the revision of Exhibit A;

AGREEMENT

NOW, THEREFORE, the Parties agree as follows:

1. REPLACEMENT OF GOVERNANCE DOCUMENT: Exhibit A to the Agreement is hereby deleted and replaced with the Regional Wireless Cooperative Governance Document attached as Exhibit A hereto.

2. ADDITIONAL REVISIONS TO THE AGREEMENT:

   a. The first sentence within the second paragraph of Section 4.4 of the Agreement is hereby deleted and replaced with the following: "The Parties agree that all damages, costs and expenses not specifically provided for in this Agreement shall be shared by the Parties in proportion to each Party's share of the total number of Subscriber Units at the time the claim or lawsuit is first served on any Party or the unforeseen costs or expenses were incurred (whichever occurs first)."

   b. The fourth sentence within Section 4.8 of the Agreement is hereby deleted and replaced with the following: "The cost of any insurance and/or self-insurance provided under this section shall be shared by the Parties pursuant to Section 3.3.2 of Exhibit A."

3. SURVIVAL OF AGREEMENT: The Agreement shall remain in force and effect pursuant to its terms, except as modified by this First Amendment.

[signature pages follow]

IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment effective as of the date set forth above.

For: _____

Date: _____

By: _____

Name of Signor: _____

ATTEST:

_____
Clerk

APPROVED AS TO FORM and within the powers and authority granted under the laws of the State of Arizona:

_____
City/Town Attorney

EXHIBIT A

(see following page)

REGIONAL WIRELESS COOPERATIVE GOVERNANCE DOCUMENT

Table of Contents

1. **Definitions**
2. **RWC Structure**
3. **Financial Management**
4. **RWC Assets, Maintenance, and Ownership**
5. **Insurance**
6. **Operational Control and Duties (Programming and Capabilities)**
7. **Services**
8. **Maintenance**
9. **General Provisions**

RECITALS

A. This Agreement establishes (1) an organizational and management structure for ongoing Network administration, planning, operation, and maintenance; and (2) a budgeting and accounting process to allocate costs among Members, Conditional Participants, Interoperability Participants, and Associates for the Network's operation and maintenance.

B. The Members further desire to provide a process for admitting other Public Safety Agencies and General Government Service Entities to join and participate in the RWC pursuant to terms and conditions of this Agreement.

AGREEMENT

1. DEFINITIONS

The following terms when used herein shall have the meaning ascribed to them below. Words and terms used in the singular shall include the plural, and the plural shall include the singular, as the context may require.

Term	Definition
Administrative Manager	The Member selected by the Board pursuant to Subsection 2.2 of this Agreement that is responsible for the RWC administration, day-to-day operations and financial management whose powers and duties are more specifically set forth in Subsection 2.3.1 of this Agreement.
Agreement	This governance document.
Alternate Representative	One or more persons who have been designated by a Member to serve as their substitute representative and as having the authority to act on the Member's behalf for RWC matters as more specifically set forth in Subsection 2.2.1 of this Agreement.
Applicable Law	Applicable federal, state, and local law and regulation (including but not limited to, for a Member, that Member's Charter and City Code).
Associate	A non-Member entity that is authorized by the Board to use the Network to support an existing Member pursuant to Subsection 2.1.1 of this Agreement.

Board of Directors ("Board")	The governing body of the RWC whose duties are more specifically set forth in Subsection 2.2.
Capital Project Fund(s)	One or more funds established for infrastructure replacements and enhancements pursuant to and as more specifically set forth in Subsection 3.3.2.3.
Claims	Claims and lawsuits, including claims, demands, losses, liability, damages, payments, judgments, costs, expenses (including but not limited to reasonable attorney's fees incurred through all appeals).
Conditional Participants	A non-Member entity authorized by the Board or the Executive Director to use the Network for special events, tactical situations, emergency circumstances, or for other purposes subject to the terms and conditions more specifically set forth in Subsection 2.1.3.
Encryption Services Manager	As authorized by the Board, an entity responsible for the management of encryption keys and process whose powers and duties are more specifically set forth in Subsection 2.3.4 of this Agreement.
Encryption Services Operator	As authorized by the Board, an entity responsible for executing the activities of the encryption management services over a specific area as more specifically set forth in Subsection 2.3.5.
Executive Committee	The RWC committee responsible for producing and/or evaluating RWC proposals and recommendations as necessary, prior to submission to the Board and the other responsibilities as more specifically set forth in Subsection 2.2.13.
Executive Director	The chief executive officer responsible for oversight of RWC and Network activities at the direction of the Board as more specifically set forth in Subsection 2.3.6.1.
Final Budget	The Final Budget adopted by the Board for each fiscal year as more specifically set forth in Subsection 3.2.
Fiscal Year	The twelve (12) month accounting period for budgeting and expenditure reporting that commences on the first day of July and ends on the thirtieth day of June, unless otherwise agreed to by the Board.

General Government Service Entities	All public sector entities or departments whose primary responsibility is providing residents with services other than Public Safety services.
General Government Personnel	All employees, contractors or other individuals that provide work for General Government Service Entities.
Good Standing	The status of a Member who is in full compliance with the terms and conditions of this Agreement.
IGA	That certain Amended and Restated Intergovernmental Agreement to Plan, Design, Construct, Operate, Maintain, and Finance the Regional Wireless Cooperative Network (City of Phoenix Contract No. 124822-001), including all amendments thereto
Impact Assessment	Evaluation of impacts to the Network and RWC Members resulting from additional or expanded use of the Network.
Interoperability	The ability of emergency responders to communicate among jurisdictions, disciplines, and levels of government, as needed and as authorized.
Interoperability Participant	A non-Member entity authorized by the Board to use the Network for the purpose of participating in intermittent interoperable situations or circumstances as more specifically set forth in Subsection 2.1.2.
Member	Any entity that executes and becomes a Party to this Agreement to plan, design, construct, operate, maintain, and finance the RWC Network as more specifically set forth in Subsection 2.1.
Member's Equity	The Member's proportionate share of RWC Capital Equity as more specifically set forth in Subsection 3.4.
Member Personal Property	A Member Personal Property including, without limitation, all frequency licenses, equipment, hardware, and software that the Member owns.
Member Real Property	A Member's real property, and fixtures thereto, including without limitation real estate, buildings, structures, towers, generators, HVAC, fire detection, and suppression systems that the Member owns.
Member Retained Property	The Member's Real Property and Member Personal Property that will continue to be owned by individual Members and not be included as part of the Member's Equity.

Network	The Public Safety and general government communications system that is planned, designed, constructed, operated, maintained, and financed by the RWC and its Members, including all real estate, real property, and personal property that is purchased, leased or licensed by the RWC or owned or licensed by a Member and which such Member allows the RWC to use.
Network Administrator	As authorized by the Board, the entity that is responsible for the technical operations of the Network and whose powers and duties are more specifically set forth in Subsection 2.3.2 of this Agreement.
Network Manager	As authorized by the Board, an entity responsible for providing operations and maintenance for a defined portion of the Network whose powers and duties are more specifically set forth in Subsection 2.3.3 of this Agreement.
Network Partner	Other governmental or other regional communication systems that have entered into a written agreement with the RWC but are not parties to this Agreement.
Network Resource Plan	A plan document that describes available network resources users can access to carry out their communications. This plan will be used to allocate and manage resources on the network, and in the development of radio programming templates.
Network Resource Priorities	The priorities assigned to Network resources pursuant to Section 7.4.4.1, (see Network Resource Plan) such as talkgroups or physical radio frequency channels to ensure the most urgent communications receive the highest priority in the network.
Network Services	Services provided by the RWC related to Talkgroups, feature sets, encryption usage, priorities, roaming, and any other services.
Network System	The collection of devices, software, hardware, technologies, facilities, towers or other devices or structures that provide RWC voice and data communications capability for the Network.
New Member Special Assessment	The special assessment a new RWC Member may be required to pay upon joining the RWC pursuant to Subsection 3.3.5.1.

Operating Fund Contingency Balance	A reserve of money set aside to cover unforeseen future expenses as set forth in Subsection 3.3.2.2.
Parties	Collective reference to all entities that are signatories to this Agreement.
Party	Any individual entity that is a signatory to this Agreement.
Public Safety	Public Safety refers to the welfare and protection of the general public typically performed by Public Safety Agencies.
Public Safety Agencies	All local, county, state, tribal community, and federal law enforcement agencies, fire and medical services, emergency management and disaster preparedness agencies whose purpose and function at least in part is to enhance or maintain Public Safety.
Regional Wireless Cooperative ("RWC")	The cooperative that was formed by the Parties to jointly plan, design, construct, operate, maintain, and finance the Network; the operations of which cooperative are governed by the IGA and this Agreement.
Representative	The person designated by a Member to act on behalf of the Member on all matters concerning the RWC as more specifically set forth in Subsection 2.2.1 of this Agreement.
RWC Assets	The real and personal property that the RWC owns, leases or licenses; except for Member Retained Property.
RWC Capital Equity	(1) The amount paid for RWC capital additions, upgrades or replacements including real estate, real property, and other property purchased by the RWC; and (2) Capital contributed by Members to the RWC. It does not include Member Retained Property or fees paid by Members that are a Member's share of operation and maintenance costs.
RWC Net Position	The total RWC Assets, minus RWC liabilities as reported in the RWC financial statements.
RWC Policies and Procedures	The policies and procedures that have been adopted by the Board.
Special Assessment	Fee assessed by the Board to pay the cost of projects, or unforeseen expenses as more specifically set forth in Subsection 3.3.3. Each Special Assessment may use a unique cost distribution method.
Subscriber Unit	Any device authorized for use on the Network.

Super-Majority	A vote of no less than eighty percent (80%) of the Board Members present as more specifically set forth in Subsection 2.2.11
Talkgroup	A defined organizational grouping of radio users who need to communicate with one another.
Technical Working Group	A working group consisting of Member technical and operational practitioners who meet to address Network Services, operation and maintenance issues, performance issues, Impact Assessments, and other Network technical matters as established by the Board pursuant to Subsection 2.2.12.
User Working Group	As established by the Board pursuant to Subsection 2.2.12, a group (such as fire fighters, police officers or General Government Personnel) that meets to: (1) discuss or provide operational or field input regarding RWC Network use and performance; (2) share knowledge and experience; (3) receive input from RWC department delegates, industry providers or RWC management (or RWC management designee); and (4) conduct other related activities.
Working Day	A calendar day other than Saturday, Sunday or a United States federal holiday.

2. RWC STRUCTURE

2.1. Members

The RWC shall be comprised of its Members. Each Member shall have one voting Representative on the Board.

2.1.1. Associates

An entity may become an Associate if the entity: (1) is under contract to or supports an existing Member that uses the Network to provide Public Safety or general government services and is authorized by the Board to use the Network; and (2) is compliant with the conditions as set forth by the Board, this Agreement, and any other applicable agreements. Associates have no RWC voting rights or representation on the Board or the Executive Committee, but may have a delegate on other RWC committees as authorized by the Board. The Administrative Manager may assess fees and costs, including "in kind" non-monetary compensation, to an Associate in an amount determined by the Board.

2.1.2. Interoperability Participants

An Interoperability Participant may use the Network for intermittent interoperable situations, if authorized by the Board, and subject to: (1) the conditions imposed by the Board; (2) this Agreement; and (3) any other applicable agreements. Interoperability Participants shall have no RWC voting rights or representation on the Board or any RWC committees. The Administrative Manager, subject to the Board's approval, may assess fees and costs (including "in kind" compensation) against an Interoperability Participant in an amount determined by the Board.

2.1.3. Conditional Participants

As a Conditional Participant, a non-Member entity may use the Network for (1) special events; (2) tactical situations; (3) emergency circumstances; or (4) any other circumstances as authorized by the Board. Conditional Participants have no RWC voting rights or Representative to the Board, or any RWC committees. The Conditional Participant's use of the Network is subject to any conditions imposed by the Executive Director or the RWC Board, and such conditions may include, without limitation, assessment of fees and costs (including "in kind" non-monetary compensation) in an amount determined by the Board. Notwithstanding anything to the contrary in this Subsection 2.1.3, the Executive Director may authorize the addition of a Conditional Participant without first obtaining Board approval, but continuation of the Conditional Participant's Network use and any conditions imposed by the Executive Director must be approved or disapproved by the Board at their next meeting. The Conditional Participant's right to use the Network may be terminated by the Board at any time.

2.1.4. Network Partner

Subject to Board approval, the RWC may enter into individualized agreements with Network Partners to share infrastructure, expand coverage, manage costs, or for other purposes which advance the interests of Public Safety.

2.1.5. Member Admission and Approval

Any entity in the Network service and expansion area, as defined by the Board, may apply for RWC membership. The Board, at its sole and absolute discretion, may admit an applicant as a Member upon completion of all the following and by majority vote of the Members:

- The Applicant's written request for RWC Membership.
- The Applicant's executing an agreement with the RWC that specifies the fees and costs the applicant must pay the RWC pursuant to Subsection 2.1.5.1 of this Agreement.
- The Applicant meeting all conditions imposed by the Board and this Agreement.
- The Applicant executing and becoming a Party to this Agreement.

2.1.5.1. Evaluation Factors

The Board has the sole and absolute discretion to either summarily deny or consider applicants for Membership status. If the Board elects to consider an application, an Impact Assessment must be completed. The applicant will be responsible for any costs associated with the Impact Assessment unless the Board directs otherwise, whether or not the applicant becomes a Member.

After completion of the Impact Assessment, the Executive Director will forward the assessment to the Board for approval with a written recommendation that includes financial and Network operational impact statements.

The RWC will evaluate requests for new Membership using the Impact Assessment factors as referenced in the Board approved policies and procedures.

2.2. Board of Directors

The Board governs the RWC subject to this Agreement and the IGA. The Board establishes RWC policy, develops and maintains a long-range capital budget, develops and adopts an annual budget, establishes funding, assesses fees,

approves Membership, and exercises any other authorized powers and duties. The Board may exercise such other powers and duties as authorized under this Agreement. The Board must act only in accordance with this Agreement and all applicable laws.

The Administrative Manager will be as defined in a RWC Board resolution in conjunction with this Agreement. The Board must select an Administrative Manager, which will have powers and duties as listed under 2.3.1. Except as otherwise determined by the Board, the Administrative Manager will serve a four-year term unless the Administrative Manager resigns or is removed by the Board pursuant to a Super-Majority Board vote prior to expiration of such term. Upon resignation, removal or no later than six months prior to expiration of the Administrative Manager's term, an ad hoc group of three to five Board members appointed by the Board Chair will review and recommend one or more Administrative Manager candidates for consideration by the Board. Unless otherwise determined by the Board, the Administrative Manager must give at least twelve months' prior written notice to the RWC Board before resigning as Administrative Manager. The Administrative Manager may serve any number of successive terms and must be elected by a Super-Majority vote. Except as limited by this Agreement, the Board may delegate additional powers and duties to the Administrative Manager as necessary to assure cost effective and efficient delivery of services.

The initial Network Administrator will be as defined in a Board resolution in conjunction with this Agreement. The Board must select a Network Administrator, which shall have powers and duties as listed under 2.3.2. The same entity may serve as Administrative Manager and Network Administrator. Except as otherwise determined by the Board, the Network Administrator will serve a four-year term unless the Network Administrator resigns or is removed by the Board pursuant to a Super-Majority vote prior to expiration of such term. Upon resignation, termination or no later than six months prior to expiration of the Network Administrator's Term, an ad-hoc group of three to five Board members appointed by the Board Chair must review and recommend one or more Network Administrator candidates for consideration by the Board. Unless otherwise determined by the Board, the Network Administrator will give at least twelve months' prior written notice to the RWC Board before resigning as Network Administrator. The Network Administrator may serve any number of successive terms and must be elected by a Super-Majority vote.

2.2.1. Representatives

The Board will consist of Representatives of the Members (or their respective Alternate Representative(s), as set forth below). There will be one (1) Representative for each Member. The Board Representatives must be police chiefs, fire chiefs, chief information officers (CIO), chief financial officers (CFO), city managers, county managers, town managers, State of Arizona department directors, regional agency directors, or other positions with executive level decision-making authority. A Member must be in Good Standing before that Member's Representative may exercise a vote on any matter at a Board Meeting.

The following procedures and rules govern the appointment and service of a Member's Representative:

- A Member is entitled to appoint one person that meets the above criteria to serve as that Member's Representative.
- A Member may also appoint one or more persons that meet the above criteria to serve as an Alternate Representative.
- At least two business days before the first Board meeting following joining the RWC, each Member must have notified the Executive Director in writing of the person or persons who are authorized to serve as the Member's Representative or Alternate Representatives. Notwithstanding Section 9.9.1of this Agreement, such notification may be made via email.

- The appointment of a Member's Representative or Alternate Representative becomes effective when the Executive Director receives the written notice and will continue thereafter until the Executive Director receives any contrary written instruction regarding the Member's Representative or Alternate Representatives.
- The Member must rank the Alternate Representatives in the order that they shall serve when the Representative is absent.
- If the Member's Representative is not present at a meeting, then the Member's Alternate Representative will act in place of and exercise all powers of the Representative.
- Each Member shall be bound by the acts of its Representative, and the RWC is authorized to rely on the act of a Representative the same as if such act were done by the governing body of the Member.
- The Representative or Alternate Representative must be vested with the authority to lawfully act on the Member's behalf with respect to the RWC.
- The Executive Director must maintain a list of the names and addresses of all Board Member Representatives and Alternate Representatives.

2.2.1.1. Removal or Replacement

A Member may replace or remove its Representative or Alternate Representative at any time by giving written notice to the Executive Director. The removal or replacement of a Representative or Alternate Representative is effective when the Executive Director receives the written notice of such removal or replacement.

2.2.2. Chair and Vice Chair

The Board must elect one of its Members as Chair. The Chair will be the presiding officer of the Board, must serve a two-year term, and remains a full voting Representative. The Chair cannot serve more than two consecutive terms.

The Board must elect one of its Representatives as Vice-Chair. The Vice-Chair must execute the duties of the Chair during the absence or disability of the Chair.

During the absence or disability of the Chair and Vice-Chair, the Board must elect a temporary presiding officer from the attending Board Members.

2.2.3. Meetings

The Board will meet quarterly except to the extent that the Board determines to meet more or less frequently.

2.2.4. Special Meetings

A Representative with approval of the Chair may call a special meeting of the Board upon a minimum of five (5) Working Days' notice to the Board. In the event of an emergency, a meeting may be scheduled and noticed with less than five (5) Working days' notice provided notice is given to the public and Representatives in compliance with Arizona Open Meetings Law.

2.2.5. Notice and Agenda

The Executive Director will prepare the notice, agenda and minutes of Board meetings. Notwithstanding anything to the contrary in this Agreement, a Member's representative may add an item to be considered by the Board to the agenda by providing written notice to the Chair and the Executive Director one-hundred twenty (120) hours before the meeting. In emergency situations items may be added no later than twenty-four (24) hours before the applicable

meeting, so as to ensure compliance with the Arizona Open Meetings law. The Executive Director must provide a Board meeting notice and agenda to each Member with at least as much notice as is required to the public under Arizona law. For any agenda item requiring Super-Majority approval, the Executive Director must specifically reference that such agenda item requires Super-Majority approval.

2.2.6. Quorum

A quorum is required to conduct Board business. To constitute a quorum, a majority of the total number of the Members' Representatives must be present.

2.2.7. Attendance

Unless the Board Chair otherwise directs upon prior notice, a Member Representative or Alternate Representative may attend and participate in a meeting in person, by teleconference or video-conference, if the possibility of such method of attendance is noted in the meeting notice.

2.2.8. Rules

The Board must establish rules for its proceedings. An item not specifically covered by the rules established by the Board or by law shall be decided by the meeting's presiding officer using the latest standard edition of Robert's Rules of Order.

2.2.9. Voting Methodology

Except as otherwise provided in this Subsection, each Member attending a meeting of the Board must vote on all matters to be decided by the Board at that meeting, unless the Representative has a good-faith reason to abstain from voting and has explained their reasoning to the Board. A Representative's voting rights will be suspended anytime the Member is not in Good Standing.

2.2.10. Voting

All matters will be decided by a vote of one vote per Member, per action item. The Board Chair and Vice Chair are voting members on all items. A vote must pass by the affirmative vote of a majority of the Representatives in attendance, except those matters requiring Super-Majority approval. In case of a tie in votes on any motion, the motion then fails.

2.2.11. Super-Majority Voting

The following items will require Super-Majority voting:

- Termination or withdrawal of a Member;
- Adjustments to the amount a Member pays as its proportionate share of Network operations and maintenance cost pursuant to Section 3.3.2 of this Agreement;
- Annual Budget Adoption;
- Approving capital projects;
- Awarding a contract in excess of 10% of the RWC's overall budget;

- Selecting or removing the Administrative Manager;
- Selecting or removing the Network Administrator;
- Selecting or removing the Executive Director; and
- Dissolving the RWC.

The Board may revise the foregoing list by a Super-Majority vote.

2.2.12. Advisory Committees

The Board will establish, and the Executive Director will facilitate, the following: the Executive Committee, the User Working Group(s), and the Technical Working Group. The Board or the Executive Director may establish additional advisory or ad hoc committees as needed. Unless otherwise determined by the Board, each advisory committee will choose a chairperson and vice-chairperson and will establish key performance indicators and rules for conducting meetings and representation. The Executive Director or designee must be a participant on each committee. The committees will coordinate all activities through the Executive Committee and, unless otherwise directed by the Board or the Executive Director, must meet at least quarterly and provide status reports based on key performance indicators and other committee activities to the Board at least annually.

2.2.13. Executive Committee

The Executive Committee's purpose is to: (1) provide the RWC high level expertise in communications and operations; (2) advise the Board; (3) help direct the Executive Director's efforts; and (4) provide the RWC intermediate strategic direction. Prior to submittal to the Board, the Executive Committee must review and approve proposals and recommendations, budget and financial reports, audits, Network performance reports, and Board meeting agendas. The Executive Committee will have the authority to return proposals and recommendations back to the originator for review and revision.

2.2.13.1. Representation

The Executive Committee will consist of no less than five (5) delegates nominated by any Member and appointed by the Executive Director. The Executive Director is an Executive Committee non-voting member. Delegates, selected from the RWC Membership, will be comprised of at least: one (1) Police Department executive; one (1) Fire Department executive; one (1) General Government Service Entity executive; one (1) Chief Information Officer (or equivalent); and one (1) executive from a Network Administrator. The Executive Committee must not have a majority of delegates from one Member unless otherwise determined by vote of the Board.

2.2.13.2. Chair and Vice Chair

The Executive Committee will elect one of the Representatives as Chair. The Chair will be the presiding officer of the Executive Committee and shall serve a two-year term. The Chair will not serve more than two consecutive terms.

The Executive Committee must elect one of the Representatives as Vice-Chair. The Vice-Chair will execute the duties of the Chair during the absence or disability of the Chair.

During the absence or disability of the Chair and Vice-Chair, the Executive Committee will elect a temporary presiding officer from the attending Executive Committee Representatives.

2.2.13.3. Meetings

The Executive Committee will meet quarterly except to the extent that the Executive Committee determines to meet more or less frequently.

2.2.13.4. Special Meetings

A Committee Member with approval of the Chair may call a special meeting of the Executive Committee upon a minimum of five (5) Working days' notice to the other Committee Members. In the event of an emergency, a meeting may be scheduled and noticed with less than five (5) Working Days' notice provided notice is given to the Committee Members and the public in compliance with Arizona Open Meetings Law and a quorum is present.

2.2.13.5. Quorum

A quorum is required to conduct business. To constitute a quorum, a majority of the total number of the Executive Committee's Representatives must be present.

2.2.13.6. Attendance

Unless the Board Chair otherwise directs upon prior notice, an Executive Committee Representative may attend and participate in a meeting in person, by teleconference, or by video-conference, if the possibility of such method of attendance is set forth in the meeting notice.

2.3. Administrative Management

2.3.1. Administrative Manager

The Administrative Manager is responsible for day-to-day RWC administrative responsibilities that include, but are not limited to: (1) procuring resources, materials, and services; (2) establishing functions such as accounting, budgeting, contracting, purchasing, and inventory; (3) providing reports; and (4) performing other duties as assigned, and identified in the Board-approved RWC Policies and Procedures. The Administrative Manager will be reimbursed by the Members for all costs incurred as a result of performing its responsibilities.

2.3.2. Network Administrator

The Network Administrator is responsible for network operations, planning, monitoring, optimization, management, coordination, technical implementation and other duties as assigned, and identified in the Board-approved RWC Policies and Procedures.

2.3.3. Network Manager(s)

A Network Manager is responsible for: (1) the day-to-day operations and maintenance of an assigned portion of the RWC Network to comply with policies, procedures, and performance standards; and (2) performing other duties as assigned, and identified in the Board-approved RWC Policies and Procedures.

2.3.4. Encryption Services Manager

The Encryption Services Manager is responsible for managing encryption keys and process, and performing other duties as assigned by the Board or as identified in the Board-approved RWC Policies and Procedures.

2.3.5. Encryption Services Operator(s)

The Encryption Services Operator is responsible for performing encryption management services as delegated by the Encryption Services Manager and performing other duties as assigned by the Board, or as identified in the Board-approved RWC Policies and Procedures.

2.3.6. Executive Director

2.3.6.1. Responsibilities

The Executive Director will report to the Board and serve as a non-voting member of the Executive Committee. The Executive Director has day-to-day RWC administrative responsibilities that include, but are not limited to: (1) coordinating efforts of the Board, Executive Committee and advisory group delegates; (2) preparing and maintaining meeting notices, agendas and minutes; (3) managing the overall RWC administrative organizational structure and staffing; (4) maintaining the RWC Policies and Procedures in coordination with the Executive Committee and Board; (5) providing reports; and (6) performing other duties as assigned and identified in the Board-approved RWC Policies and Procedures.

2.3.6.2. Executive Director Selection

The Board Chair will appoint a committee of at least three Members with the assistance of the Administrative Manager, to recommend an Executive Director to perform RWC administrative duties. The Board shall vote to either approve or not approve such Executive Director recommendation. The Executive Director will serve until he or she resigns or is removed by the Board.

3. FINANCIAL MANAGEMENT

3.1. General

The Administrative Manager, acting through the Executive Director, is responsible for all RWC financial management responsibilities including, but not limited to, fund management, budget development, rates and fees, Member billing, vendor invoicing, procurement, financial reporting, grant management, and financial audits.

The Administrative Manager is responsible for the preparation and fair presentation of the RWC financial statements in accordance with generally accepted accounting principles (“GAAP”) in the United States of America as applied to governmental units; this includes the design, implementation, and maintenance of budgets, accounting records, and internal controls.

The Board of Directors must develop a fee structure to ensure adequate resources are available to support operations and maintenance and any needed capital improvements. The Board of Directors will annually review the fee structure as part of its annual budget adoption and at any other times that the Board deems necessary.

Each year, the Board of Directors must approve an annual budget. The budget will consist of the following accounts; (1) operations and maintenance; (2) capital; and (3) any other accounts determined by the Board.

3.2. Budget and Financial Planning and Reporting

No later than November 30th of each year, unless the Board of Directors directs a different date, the Executive Director in cooperation with the Administrative Manager must prepare and present to the Executive Committee, a (1)

preliminary budget for the subsequent Fiscal Year, (2) a five-year financial forecast ("FYFF"), and (3) fund balance reports ("FBR"). Unless the Board of Directors otherwise directs a different approval date by Super-Majority Vote, no later than December 31st of each year, the Board must approve, (1) the Final Budget for the subsequent Fiscal Year; (2) a FYFF; and (3) FBR. The Final Budget must include all funding sources, operational and maintenance costs, as well as planned capital costs for the upcoming year. The FYFF must include operational and maintenance costs, capital costs, and fund balance for the five (5) years following the Final Budget period. The FYFF will be used to prepare annual budgets for future years. After presentation to the Executive Committee, the proposed Final Budget, FYFF, FBR, and presentation of significant issues and financial assumptions shall be forwarded to the Board for approval. The budget approved by the Board must be the basis for developing the Member Fee (defined in Section 3.3.2 below). A copy of the adopted budget must be made available (1) for access by the public and (2) to each Member.

After the end of each Fiscal Year, the Executive Director must submit to the Executive Committee and Board a summary of financial activity, including a comparison of budgeted expenditures to actual expenditures.

3.3. Funding

3.3.1. General.

The Members will fund the RWC through annual fees, Special Assessments, and grants, as determined by the Board Members will advance funds to the Administrative Manager on a quarterly basis upon receipt of an invoice. Payment of all invoices is due forty-five (45) days from the invoice date. A late payment charge on the current unpaid amount and any past due late fees will be assessed at the rate of one percent (1%) per month. Interest collected will be deposited into the appropriate RWC fund to be used to offset operating, maintenance or project costs.

In the event a Member disputes a billed amount, it must do so in writing to the Executive Director and must specify the reason upon which the protest is based within forty-five (45) days after service of an invoice or receipt of fiscal year-end reconciliation. The Member must pay the disputed amount, but may do so under protest. After the protest has been filed and the disputed amount has been paid, the dispute must be handled in accordance with the dispute resolution terms and conditions outlined in Section 9.3. of this agreement.

If a Member withdraws from the Network, that Member will be responsible for all unpaid fees and entitled to any fee refunds applicable for time of the Member's Membership.

It shall be the responsibility of each Member to bill and collect from its individual departments and divisions all charges as are required in the payment of the amounts due under this Agreement.

It will be the responsibility of each Party to this Agreement to take the appropriate steps in conformity with state or local laws to ensure that it appropriates sufficient funds to cover the obligations it assumes under this Agreement. Each Party recognizes that the performance by the Parties under this Agreement may be dependent upon the appropriation of funds to or by that Party. Should any Party fail to appropriate the necessary funds, or default on payments to the RWC, the Board may require that party to immediately withdraw from this Agreement on the last day of the fiscal period for which funds are legally available. Notwithstanding Section 9.4 or anything to the contrary in this Agreement, subject to Board approval, the RWC shall retain use of such portion of the Member's Real Property and Member Personal Property as the Board determines is necessary to the continued functioning of the network; however, the Board must endeavor to procure a satisfactory replacement for such property. Each Party agrees to give notice to the other Parties as soon as reasonably possible after the unavailability of funds comes to the Party's attention. Except as otherwise provided in this Section 3.3.1, the ownership of personal property and real property that is used in the Network shall be governed by Section 4 of this Agreement.

3.3.2. Member Fees, Payments, Allocations

Each Member agrees to pay fees assessed on a quarterly basis unless otherwise directed by the Board. Invoices are sent by the Administrative Manager in the months of July, October, January, and April of each year ("Member Fee") to cover the cost of RWC administrative services ("RWC Administrative Services") including allocated insurance premiums, self-insurance costs, costs of Claims, contingencies, Network operations and maintenance services, and capital projects, and other appropriate fees as set forth in the annual budget adopted by the Board. The Administrative Manager will deposit each Member's Member Fee into an account as designated by the Board that must only be used for RWC purposes. The Administrative Manager will draw down the actual costs incurred and report to the Members at least quarterly regarding withdrawals from such account. The Administrative Manager may change the method of payment for the Member Fee subject to the Board's approval. The Member Fee is intended to fund the Board approved operations and maintenance budget for the current Fiscal Year in addition to the amount approved by the Board for the subsequent year's infrastructure replacement and enhancement projects.

The prorated portion of the Member Fee that is intended to fund capital projects shall increase RWC Capital Equity, as established under Subsection 3.4, only to the extent that funds are deposited in the Capital Project Fund(s) as described in Subsection 3.3.2.3.

Notwithstanding the provisions of this Subsection 3.3.2 and Subsection 3.3.2.3, the Board upon Super-Majority Vote may adjust the amount a Member pays as its Member Fee. The Member Fee for such Member may be adjusted if the Board reasonably finds factors or circumstances are such that the formula used to determine the amount such Member pays for its Member Fee results in an unfair or inequitable assessment to that Member or to the other Members.

3.3.2.1. RWC Operating Fund

The portion of the Member Fee assessed by the Board and collected by the Administrative Manager to cover the cost of RWC Administrative Services, operations and maintenance, and contingency, will be deposited in the RWC Operating Fund.

3.3.2.2. Operating Fund Contingency Balance

The Board will establish and maintain an operating Fund Contingency Balance. The Board will maintain an Operating Fund Contingency Balance equal to twelve and one half percent (12.5%) of yearly budgeted total operation and maintenance costs or as otherwise determined by the Board. The Operating Fund Contingency Balance initially will be established semi-annually in the first year and maintained annually thereafter. The Board will establish the method for determining each Member's financial obligation to the Operating Fund Contingency Balance. The use of the Operating Fund Contingency Balance must be approved by the Board.

3.3.2.2.1. Operating Fund Settlement

After the end of each Fiscal Year, the Executive Director must prepare the RWC Operating Fund settlement statement by comparing fees assessed to actual expenditures paid. Each year, the Board must approve the distribution method for year-end reconciliation.

3.3.2.3. Capital Project Fund(s)

The Administrative Manager will deposit into the Capital Project Fund(s) the portion of the Member Fee assessed and collected to cover Board approved infrastructure replacements and enhancements and to maintain the minimum

Capital Project Fund(s) balance. Subsidiary records for each Member will be maintained. Interest or interest expense will be applied monthly to each subsidiary account based on the average daily balance during the month. The interest rate applied will be the rate earned in the Administrative Manager's pooled cash account.

3.3.2.3.1. Minimum Balance

The Board may establish a minimum balance for the Capital Project Fund(s) contingency for the following fiscal year by September 30th of each year. Should the Board not establish a new minimum balance for the following fiscal year by September 30th, the then-current minimum balance shall remain in effect for the following fiscal year.

3.3.2.3.2. Approved Uses

The Capital Project Fund(s) must be used only for infrastructure replacements and enhancements approved by the Board except in the event of a major failure, disaster or force majeure event that necessitates immediate action to restore the Network to operating condition. In such cases, the Executive Director is authorized to expend funds without first obtaining Board approval. The Executive Director will report to the Board at the next Board meeting the funds that were expended for ratification of the expenditure and Special Assessment, if necessary. The Administrative Manager will not expend funds that will cause the Capital Project Fund(s) to be in a deficit position at any time.

3.3.3. Special Assessments

The Board may assess other fees on an as needed basis to: (1) pay the costs of unplanned projects such as disaster recovery, certain extraordinary claims or lawsuits; (2) pay the costs for uninsured casualty losses, regulatory fines or insurance deductibles; (3) pay for the use of the Network by an Interoperability Participant, Conditional Participant, Network Partner or Associate; or (4) pay the costs of special projects or system changes, replacements and/or expansions not previously included in the budget. Such changes may not benefit all Members in a proportionate manner. The Board may assess fees proportionately or individually and such fees need not be equal among Members. The Administrative Manager will deposit such fees collected as a Special Assessment into a special revenue fund.

3.3.4. Project Settlements

On an annual basis and also after the project is completed, the Administrative Manager will prepare the project's subsidiary account reconciliation statement by comparing fees assessed and paid to actual expenditures paid. If such reconciliation shows actual expenditures exceeded fees assessed and paid, the Administrative Manager will bill the applicable Member(s) for an amount sufficient to cover the shortage. After project completion, if the reconciliation shows expenditures are less than the fees assessed and paid, the Administrative Manager must either refund the unused fees or apply a credit to the appropriate Member(s) account(s). When more than one Member is funding a project, the Administrative Manager will transmit to each Member billings and refunds in accordance with the Board approved funding plan for the project.

3.3.5. Applicant Impact Assessment Fee

The RWC may require an Applicant to pay an Impact Assessment Fee to cover the cost of developing an Impact Assessment that addresses the Applicant's request for RWC membership and the Applicant's potential effect on the existing RWC infrastructure and the Members.

3.3.5.1. New Member Special Assessment

The Board may require a new Member to pay a one-time Special Assessment in an amount up to the full cost associated with providing services to the new Member. The New Member Special Assessment may include the cost to

provide service to the new Member's Subscriber Units, Network infrastructure investment necessary to increase Network capacity, and other costs deemed necessary to ensure existing Members receive the same services and benefits they received before the new Member joined the Network. The New Member Special Assessment shall be paid in accordance with the terms and conditions established by the Board.

3.3.5.2. Existing Member Capacity and Coverage Upgrade

If any existing Member(s) make a request for a capacity, coverage and/or performance change or upgrade that is expected to impact the Network coverage, capacity and/or performance of other Members, the Board may require such existing Member(s) to pay a Special Assessment to cover the cost of an Impact Assessment. The Technical Working Group will provide an analysis and recommendation regarding the existing Member's request for a capacity, coverage and/or performance upgrade and forward the information to the Executive Committee for review and recommendation to the Board for final approval.

3.3.6. Grants

The Administrative Manager may proceed to obtain grant funding on behalf of the RWC with approval of the Board. Any matching funds required by a grant towards a Network wide project will be assessed to the Members based on an appropriate allocation method determined by the Board.

3.4. RWC Capital Equity

RWC Capital Equity and each Member's Equity will be recalculated when: (1) A Member contributes assets to the RWC; or (2) an enhancement, expansion or replacement is completed by the RWC.

At Fiscal Year-end after each Member's payments into the Capital Project Fund(s) are applied, actual expenditures are allocated against each Member's account, and interest is applied to each Member's cash balance.

If a Member brings assets to the RWC and the Board accepts the assets on behalf of the RWC, the Member's Equity will increase based on the value of the assets at the time of transfer to the RWC, as agreed upon by the contributing Member and the Administrative Managing Member. Assets that are individually owned, as permitted in Section 4 of this Agreement, will not be counted as part of the RWC Net Position, and the Member(s) owning those assets shall not receive credit towards equity in the Network until those assets become part of the RWC as described in Section 4.3 of this Agreement.

3.5. Annual Audit

RWC financial records will be independently audited annually. The Board will determine the scope of work for the independent annual financial audit.

4. RWC ASSETS, MAINTENANCE, AND OWNERSHIP

4.1. Member's Retention of Assets.

4.1.1. Real Property

Each Member shall retain (as Member Retained Property) any and all right, title and interest in the Member Real Property that the Member authorizes or allows the RWC to use as part of the Network unless such Member Real Property is transferred to the RWC as provided in Section 4.3 below, which real property after such transfer shall become RWC Capital Equity and shall be credited to the Member's Equity. Such Member Retained (Real) Property may

be disposed of by the Member only if such disposal does not adversely affect the Network, and provided such disposal is approved by the Board as set forth in Section 4.4 below. The RWC may replace any Member Real Property that was used by, but not transferred to, the RWC, upon Board approval and notice to the contributing Member, and such Member Real Property shall no longer be encumbered by this Agreement.

4.1.2. Personal Property

Each Member will retain any and all right, title and interest in its Member Personal Property that is used by the RWC in connection with the Network, where desired by such Member. Such Member Retained (Personal) Property may be disposed of by the Member only if such disposal does not adversely affect the Network, and provided such disposal is approved by the Board as set forth in Section 4.4 below. The RWC may replace personal property that was solely owned by a Member and used by the RWC, but not transferred to the RWC, upon Board approval and notice to the contributing Member, and such Member Personal Property shall no longer be encumbered by this Agreement.

4.2. RWC's Maintenance of Member Real Property and Member Personal Property

The Member and the RWC must enter into an agreement regarding the conditions concerning the Network's use and maintenance of the Member's Real Property and Member Personal Property. Otherwise, each Member is responsible for the cost of maintaining its Member Real Property (including fixtures thereto) and Member Personal Property that are made part of the Network, to the extent necessary to maintain the operational integrity and capacity necessary to operate the Network. Each Member agrees that it will make all reasonable arrangements necessary to allow the Administrative Manager, Network Administrator, or Network Manager reasonable access to that Member's Real Property and Member Personal Property that are part of the Network for the purposes of inspecting, operating, and maintaining the Network. Unless otherwise provided by agreement, prior to exercising the right of inspection provided by this section, the Administrative Manager, Network Administrator, or Network Manager must give the Member whose property is to be inspected reasonable notice under the circumstances then existing.

4.3. RWC Acquired Real and Personal Property

All real and personal property purchased by and on behalf of the RWC will be included in the RWC Capital Equity. The Board must approve any transfer of real or personal property by a Member to the RWC. Any real or personal property purchased by or on behalf of the RWC shall be considered RWC Assets and shall be held for the benefit of the Members. The future maintenance, upgrade, replacement or incurred expenses of any transferred real or personal property become the sole responsibility of the RWC. Each Member's equitable ownership interest in the RWC Assets will be proportionate to the amount of its Member's Equity. The Members agree that any real or personal property jointly purchased for the RWC's benefit or transferred to the RWC by a Member will be titled and held in the name of the Administrative Manager, even though all financially contributing Members to the purchase of such property shall actually own a percentage share in such real or personal property, as set forth above.

4.4. Sale or Removal of Real and Personal Property Owned by or Used by the RWC in Connection with the Network

Unless delegated by the Board to the Administrative Manager, the Board will determine whether to approve the sale or disposal of any RWC owned Network real or personal property. In the event of a sale, the Members shall share in the proceeds, considerations or benefits, if any, from the sale in proportion to Members' Equity at the time of sale. If the Board elects to dispose of RWC Assets that formerly were Member Real Property or Member Personal Property,

such disposal shall not occur until the contributing Member is given a reasonable opportunity to pay the fair market value, or make other Board-approved arrangement, to re-acquire the property.

4.5. Liens on Real or Personal Property Used in connection with the Network

If any obligations of a Member issued to finance any real or personal property made a part of the Network are secured by any right, title, interest or lien in or upon such property (a "Finance Lien"), the rights of the RWC and the Members in and to such property, including the rights to use such property as part of the Network, will at all times be subordinate and subject to such Finance Lien and the rights of the holder or holders of such Finance Lien. If such financing was obtained after the RWC was given the right to use the Member's Real Property or Member Personal Property, then the terms and conditions of such financing shall provide RWC the reasonable opportunity to cure any default or non-appropriation to allow the RWC and its Members continued Network use of such Member Real Property or Member Personal Property.

4.6. Actions Must Preserve Tax Exempt Status of Obligations.

Neither the RWC nor any Member will take or fail to take any action with respect to the use and operation of the Network that would adversely affect the tax-exempt or tax-advantaged status of any obligations issued by any Member to finance any real or personal property that is part of the Network. Without limiting the foregoing, neither the RWC nor any Member will permit any private business use of the Network where such private business use would cause any Member's obligations to lose tax exempt or tax advantaged status under the Internal Revenue Code, as amended.

5. INSURANCE

5.1. Real Property

Each Member is responsible to insure at appropriate and sufficient coverage levels its Member's Real Property, including fixtures thereto. Each Member that has licensed real property, including fixtures thereto, to be used in connection with the RWC Network is responsible to insure such property according to the terms of the license agreement and at appropriate and sufficient coverage levels.

The Administrative Manager is responsible to insure real property cooperatively purchased or licensed for the benefit of the RWC as directed and at coverage levels approved by the Board. The Administrative Manager also is responsible for insuring, as directed and at coverage levels approved by the Board, all real property used in connection with the Network and that a Member has transferred ownership of to the RWC under this Agreement. Neither the Board nor the Administrative Manager shall be responsible for a loss involving Member Real Property.

5.2. Personal Property

Each Member is responsible to insure at appropriate and sufficient coverage levels its Member Personal Property titled in its own name. Each Member that has leased or licensed personal property to be used in connection with the RWC Network is responsible to insure the leased or licensed personal property according to the terms of the lease or license and at appropriate and sufficient coverage levels.

The Administrative Manager is responsible to insure personal property cooperatively purchased or leased for the benefit of the RWC as directed and at coverage levels approved by the Board. The Administrative Manager is

responsible for insuring, as directed and at coverage levels approved by the Board, all personal property used in connection with the Network and that a Member has transferred ownership to the RWC under this Agreement. Notwithstanding the foregoing, however, any and all personal property that is purchased or owned exclusively by a Member and brought into the Network by that Member must be insured by such Member at appropriate and sufficient coverage levels. Neither the Board nor the Administrative Manager shall be responsible for a loss involving Member Personal Property.

5.3. Liability Insurance; Indemnification

Each Party understands and acknowledges that any Claim may be filed for damages resulting from acts or omissions in connection with planning, designing, constructing, operating, maintaining, and financing the Network or that other unforeseen costs and expenses may be incurred in connection with the planning, designing, constructing, operating, maintaining and financing the Network. The Parties agree that except to the extent this Agreement provides otherwise, a Claim will be shared by the Parties in proportion to each Party's share of the total number of Subscriber Units at the time the Claim is first served on the RWC or any Party. Each Party must promptly notify the Board and the Administrative Manager upon receipt of any Claim relating to the Network. The Administrative Manager will take the lead role on behalf of the RWC in coordinating the investigation and defense of any Claim made in connection with planning, designing, constructing, operating, maintaining or financing the Network; provided, however, that the Members must reimburse the Administrative Manager for all damages, costs and expenses of whatever kind (including but not limited to attorneys' fees and litigation expenses) incurred by the Administrative Manager as a result of such obligation. Nothing in this section will preclude any Party, at its expense, from providing its own legal counsel in connection with any Claim made in connection with planning, designing, constructing, operating, maintaining or financing the Network. Each Member is responsible to insure its liability relating to its RWC membership or liability that is not assumed by the RWC under this Agreement. With regard to any Claim arising out of or relating to the ownership or maintenance of Member Retained Property, such Member (as "Indemnitor") agrees to indemnify, defend, and hold harmless the other Members (as "Indemnitees") for, from, and against any Claim, but only to the extent that such Claim results in vicarious/derivative liability to the Indemnitees and are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers. The RWC, Board, Executive Director, Administrative Manager, Network Administrator, Network Manager, and Encryption Manager will not be liable for any Claim arising out of, based upon or attributable to any other Member's failure or omission in effecting or maintaining adequate insurance on its Member Retained Property.

The Board will authorize appropriate RWC insurance coverage to protect RWC from risks and potential liability under this Agreement and in connection with planning, designing, constructing, operating, maintaining or financing the Network The Board will direct the Administrative Manager to obtain such insurance on behalf of the RWC. In deciding what insurance coverage and indemnities are appropriate, the Board may elect to self-insure for all or a portion of the risks.

5.4. Insurance Programs

The RWC, Board, individual Members and the Administrative Manager may use any combination of insurance, excess insurance or self-insurance to satisfy the terms of Section 5.

6. OPERATIONAL CONTROL AND DUTIES (PROGRAMMING AND CAPABILITIES)

6.1. Network Systems

The Network Administrator will program, maintain, and manage all Network systems in a manner consistent with maximizing the operational performance and minimizing the loss or corruption of data. The Network Administrator is responsible for RWC Network systems' programming, maintenance, backup and archiving.

6.2. Policies and Procedures

Unless otherwise specified by the Board, the Executive Director will develop and maintain the RWC Policies and Procedures in coordination with the Executive Committee. At a minimum, the Executive Director must review all RWC Policies and Procedures every two years. Revisions to the RWC Policies and Procedures must be approved by the Board. The Executive Director may consider specific revisions at any time upon request by any Representative or Alternate Representative, and may set such requests as a future agenda item for consideration and approval by the Board.

7. SERVICES

7.1. Network Use, Programming and Reprogramming, Encryption

When using the Network each Member, Associate, Interoperability Participant, and Conditional Participant will abide by all policies, procedures and guidelines established by the RWC and the terms and conditions of all applicable agreements including, without limitation, this Agreement.

7.2. Interoperability

The RWC will support interoperability among all Members, Associates, Conditional and Interoperability Participants. The RWC will follow the National Incident Management System (NIMS) protocols for interoperable communications.

7.3. Training

Each Member, Associate, Conditional and Interoperability Participant must ensure that its users are properly trained on the Network capabilities, policies and procedures.

7.4. Requests for Service

7.4.1. Routine Service

The Technical Working Group, subject to Board approval, will establish policies and procedures relating to Network Services.

7.4.2. Expanded Service

Members requiring or desiring expanded Network Services that may impact the Network must submit these requests in writing to the Executive Director. Examples of such expanded services include, without limitation, requests to: (1) add sites to the Network; (2) to increase system performance or coverage; or (3) to implement a Network upgrade in order to receive a new feature. Criteria for expanded services will be evaluated by the process set forth in 2.1.5.1. Such services shall be approved, if at all, by the Board.

7.4.3. Emergency Service

The policies and procedures for Network Services must address emergency situations, tactical response to such emergencies, and the decision making authority for such emergencies. The policies and procedures must include

notification requirements. Notwithstanding anything to the contrary in this Section 7.4.3, the Executive Director at all times has the authority to provide access to the Network in emergency situations.

7.4.4. Network Resources

Unless otherwise directed by the Board, the Network Administrator in coordination with the Technical Working Group establishes and approves all Network Resource Plans. These plans are used to develop the radio programming files.

7.4.4.1. Network Resource Priorities

Unless otherwise directed by the Board, the User Working Groups must establish priority levels for the individual Network Resource Priorities. In general, Network Resource Priorities are assigned highest to lowest as follows: (1) emergency calls; (2) Public Safety calls; and (3) General Government Service Entities' calls.

8. MAINTENANCE

8.1. Subscriber Unit Maintenance and Repair Responsibility

Each Member, Associate, Interoperability Participant, and Conditional Participant is solely responsible for the maintenance and repair of its Subscriber Units.

9. GENERAL PROVISIONS

9.1. Limitations

No RWC Board Member will be liable to the RWC for monetary damages for any action taken or any failure to take action as a Board Member. To the extent permitted by Applicable Law, the RWC will indemnify any director, officer, Executive Director, Administrative Manager, Network Administrator, Network Manager, Encryption Manager, Encryption Service Operator, Member, Representative, or Alternate Representative (each an "Indemnified Party", and collectively the "Indemnified Parties") from any liability or expense sought or imposed because such person is made party to a proceeding because he/she is a director, officer, Executive Director, Administrative Manager, Member, Representative, or Alternate Representative of the RWC. No Indemnified Party will be personally liable to the RWC or its Members for monetary damages for breach of fiduciary duty as a director, officer, Executive Director, Administrative Manager, Representative, or Alternate Representative. The limitation of liability provided herein will continue after the Indemnified Party has ceased to occupy such position as to acts or omissions occurring during such director's term or terms of office, and no amendment or repeal of this Section 9.1will apply to or have any effect on the liability or alleged liability of any Indemnified Party for or with respect to any acts or omissions of such Indemnified Party occurring prior to such amendment or repeal. Notwithstanding the foregoing, the provisions of this Section 9.1are expressly subject to, and shall not be interpreted in a manner that would conflict with or cause violation of, Applicable Law.

9.2. Dissolution

If the Board determines that it is not feasible or desirable to continue the RWC activities, then, after complying with applicable federal or state dissolution procedures, assets of the RWC will be returned to the Members in proportion to their RWC Capital Equity.

9.3. Conflict Resolution

9.3.1. Mediation

If a complaint, dispute or controversy (hereinafter complaint) arises between any of the Parties to this Agreement, it is hereby agreed that the complaint will be brought to the Board for non-binding conflict resolution. The Board will have the authority to establish appropriate and reasonably prompt procedures to govern the processing of all complaints and an internal conflict resolution process.

The Parties agree that, at any point in the conflict resolution process, the Board may adopt and impose an interim emergency remedy to ensure the continuation of essential communication services until the matter is resolved.

9.3.2. Injunctive Relief

Nothing in this Agreement will prohibit any Party from seeking injunctive relief for the preservation of property. In the event any of the conflict resolution procedures are ruled unlawful or made unlawful by statute, the other terms of this Agreement are declared separate and severable and will remain in full force and effect.

9.3.3. Arbitration

In the event a dispute is not resolved pursuant to Section 9.3.1 of this Agreement, the Parties agree to use arbitration if arbitration is required by A.R.S. § 12-133 or A.R.S. § 12-1518.

9.3.4. Cooperation

9.3.4.1. Generally

The Parties agree to make, sign and deliver all documents and to perform all acts that are necessary to fully carry out the terms of this Agreement. Each of the Parties will fully cooperate with and assist one another in obtaining all licenses, permits, authorizations, approvals, and consents required in the performance of this Agreement. Nothing in this Agreement will be construed or interpreted to require the RWC to be responsible for dispatching or otherwise causing its Members to respond to an event within another Member's jurisdiction.

9.3.4.2. Specific Performance

RWC may elect and will have the right to seek specific performance by any Party of any or all of the obligations set forth in this Agreement. The Parties agree that RWC may seek specific performance by way of special action filed in superior court seeking an injunction ordering the Party to perform its obligations under this Agreement. The Parties agree not to raise as a defense the position that there is an "adequate remedy at law." If RWC seeks specific performance, the Parties hereby stipulate and consent to the jurisdiction of the superior court in any such special action.

9.4. Termination or Withdrawal

Subject to Section 3.3.1 above, any Member may voluntarily terminate its participation in the RWC (i) by providing twenty-four (24) months written notice to the Board or (ii) by providing prompt notice in the event the Member’s governing body fails to appropriate sufficient funds for the Member to continue its RWC membership; in either case provided that the terminating Member: (a) relinquishes all Network equipment purchased or partially purchased by the RWC; (b) transfers or relinquishes any unexpended RWC accounts which have been collected for the replacement

or expansion of equipment or infrastructure; (c) pays all fees and charges owed to the RWC up to and through the effective date of termination; (d) agrees to pay for all costs to effect the withdrawal of the Member, including costs to reconfigure the Network for the remaining Members, and (e) agrees to such additional or alternative terms and conditions as may be unanimously established by all Parties, including the terminating Member.

9.5. Amendments to the Agreement

Any Member may propose an amendment or an addendum to this Agreement to the Executive Director. The Executive Director will make a recommendation to the Board. The Board must vote on any amendments or addendums brought to it by the Executive Director. This Agreement may be recommended for amendment to the Parties' respective governing bodies only by a written document approved and executed after a Super-Majority vote of the Members. Upon a Super-Majority vote of the Members, each Member will take appropriate steps in conformity with state and local law to authorize and approve the proposed amendment or addendum. Each Member must file a copy of the appropriate resolution, ordinance or other recorded action by which its legislative or governing body approved the amendment with the Executive Director of the RWC. No such amendment shall be effective until approved by the governing bodies of the Parties to this Agreement.

9.6. Entire Agreement

This Agreement, together with the IGA, contains the entire agreement and understanding among the Parties concerning the subject hereof and supersedes and replaces all prior negotiations, agreements and proposed agreements, written or oral, relating thereto. Each of the Parties hereto acknowledges that no other Party, nor any agent or attorney of any Party, has made any promise, representation, or warranty whatsoever, expressed or implied, not contained herein concerning the subject matter hereof, to induce it to execute this Agreement and acknowledges that this Agreement has not been executed in reliance on any promise, representation or warranty not contained herein.

9.7. Existing and Future Agreements.

9.7.1. Incorporation in Future Agreements

The Parties agree that the provisions of this Agreement will be incorporated in any future subcontracts between the RWC, the Parties and any other person, political subdivision or public agency that contracts with RWC or any Party to make use of the Network.

9.7.2. No Subcontracts for Network Use without Board Approval

The Parties agree that they will not enter into subcontracts for the use of the Network without the prior approval of the Board, which will have the authority to review the subcontracts for conformity with the rights and obligations set forth in this Agreement.

9.7.3. Modification of Existing Network Contracts between any of the Parties

The Parties agree that this Agreement is a modification of all existing governance agreements between the Parties in regard to the Network. In the event of any conflict, inconsistency, or incongruity between the provisions of this Agreement and any of the provisions of any previous agreement between the Parties, the provisions of this Agreement shall in all respects govern and control.

9.7.4. Interpretation

Nothing in this Agreement shall be construed or interpreted:

9.7.4.1.1. To supersede any non-network-related contracts such as existing mutual aid agreements or radio support agreements between or among the Parties.

9.7.4.1.2. To prohibit a Party from entering into separate agreements after the Effective Date of this Agreement concerning Member Real Property and Member Personal Property that the Party authorizes and allows the RWC to use as part of the Network, provided the separate agreements are consistent with this Agreement and compatible with the RWC's use of the property for the Network.

9.7.4.1.3. To supersede prior existing agreements concerning a Member Real Property or Member Personal Property that the Party authorizes and allows the RWC to use as part of the Network.

9.7.5. No Third Party Beneficiary

This Agreement is entered into for the sole and exclusive benefit of the Parties, and no other person shall claim any implied right, benefit or interest in this Agreement. The Parties do not intend to create rights in or remedies to any third party as a beneficiary of this Agreement or of any duty, obligation, or undertaking established under this Agreement.

9.8. Records; Confidentiality

9.8.1. RWC Records

The RWC will make its financial records regarding the planning, designing, constructing, operating, maintaining and financing the Network available to any Party to this Agreement. Such request for inspection must not be made more frequently than once a month.

9.8.2. Party's Network Records

Each Party to this Agreement agrees to make available to the RWC its financial records related to planning, designing, constructing, operating, maintaining, and financing the Network. Such request for inspection may not be made more frequently than once a month.

9.8.3. Confidentiality of Network Information

To the extent permitted by Applicable Law, the Parties must treat Network information as proprietary and confidential. Network information includes, but is not limited to, technical data, engineering details, construction documents, equipment lists, programming configurations, and operational procedures. Any Party who receives a request for information or a public records request concerning Network information must promptly forward the request to the Executive Director for review and response, who shall have a reasonable amount of time to consider whether to object to or seek to enjoin disclosure of the requested information or any portion of it before the Party who received the request may disclose it. Notwithstanding the foregoing, nothing in this subsection shall prohibit any Member from producing non-confidential or non-proprietary documents or information pursuant to a public records request.

9.9. Notices

9.9.1. Notice Form and Service

Any notice, consent or other communications ("Notice") required or permitted under this Agreement must be in writing and either delivered in person, or, deposited in the United States mail, postage prepaid, registered, or certified mail, return receipt requested, or deposited with any commercial air courier or express service addressed with confirmed receipt to the addresses of each Member that are on file with the Executive Director.

9.9.2. Effective Service Date

If mailed as provided in Section 9.9.1 of this Agreement, notice will be deemed received five (5) days after the Notice is deposited in the U.S. mail as provided above. If delivered as provided in Section 9.9.1 of this Agreement, a notice will be deemed received at the time it is personally served, or on the day received as confirmed by any commercial air courier or express services. Any time period stated in a Notice shall be computed from the time the Notice is deemed received.

9.9.3. Change in Address

A Party may change its mailing address or the person to receive Notice by notifying the Executive Director and the other Parties as provided in Section 9.9.1.

9.10. Performance and Uncontrollable Events

9.10.1. Performance of Party Obligation

Unless provided otherwise in this Agreement, all terms and conditions that are to be performed by the Parties or any of the Parties will be performed at the sole expense of the Party so obligated, and if the RWC (or any other Party) pays any sum of money or does any act that requires the payment of money by reason of the failure, neglect or refusal of the obligated Party to perform such term or condition, the sum of money paid by the RWC (or the other Party) shall upon notice as required by Section 9.9.1 be payable to the RWC (or other Party) by the Party obligated to perform.

9.10.2. Uncontrollable Event

No Party will be considered to be in default in the performance of any obligations under this Agreement (other than obligations of a Party to pay costs and expenses) if failure of performance is due to an uncontrollable event. The term "uncontrollable event" means any cause beyond the control of the Party affected; including but not limited to flood, earthquake, storm, fire, epidemic, war, riot, civil disturbance or disobedience, labor dispute, action or non-action by (or failure to obtain the necessary authorizations or approvals from) any governmental agency or authority or the electorate, labor or material shortage, sabotage, and restraint by court order or public authority; that by exercise of due diligence and foresight the Party reasonably could not have been expected to avoid and that by exercise of due diligence it will be unable to overcome. A Party that is rendered unable to fulfill any obligation by reason of an uncontrollable event will exercise due diligence to remove such inability with all reasonable dispatch. Unavailability of funds shall not be deemed an uncontrollable event.

9.10.3. Burden of Proof regarding Uncontrollable Event

If any Party claims that its failure to perform was due to an uncontrollable event, the Party will bear the burden of proof that such activity was within the meaning and intent of this section, if such claim is disputed by any Party to this Agreement.

9.11. Governing Law

This Agreement will be governed by and construed in accordance with the laws of the State of Arizona applicable to contracts executed and intended to be performed entirely within the State of Arizona by residents of the State of Arizona. Any action at law, suit in equity or judicial proceeding for the enforcement of this Agreement or any provision therefore shall be instituted only in the courts of Maricopa County, Arizona.

9.12. Headings

Article and section headings are inserted herein solely for convenience and the same will not by themselves alter, modify, limit, expand or otherwise affect the meaning of any provision of this Agreement.

9.13. Assignment and Binding Effect

This Agreement will be binding upon and shall inure to the benefit of the Parties hereto and their respective successors and assigns; provided, however, that nothing herein will relieve any Party of any obligation under this Agreement, except upon the express written consent of the RWC.

Regional Wireless Cooperative
(RWC)
Adoption of New Governance Document
June 2018

Background

The RWC is a large public safety radio network serving the frontline needs of police, fire, first responders, and other governmental support personnel. The network operates in the 700 MHz frequency band and consists of over 80 strategically placed communication sites, providing seamless, wide area radio coverage across 11,000 square miles of the Phoenix metropolitan region.

Some of the benefits of this multi-agency radio system include wide area coverage beyond what individual agencies could achieve; seamless ***interoperability*** (the ability for diverse public safety agencies to communicate directly, in real-time, as the need requires); shared resources, such as staffing, equipment and tower sites. All funding and financial responsibilities are shared by all RWC Members based on the Member's relative size.

Formed in 2008, the RWC is a cooperative body formed under an Intergovernmental Agreement (IGA) with membership open to all local, county, state, and federal governmental and tribal entities. The RWC includes most of the cities, towns, and fire districts located within the Phoenix metropolitan region. The RWC Board of Directors consists of one executive representative from each Member. The nineteen Member Board directs the operation, maintenance, planning, design, implementation, and financing of the RWC. The City of Phoenix serves as the "Administrative Managing Member" responsible for the administration and financial management of the RWC.

Governance

The RWC's *Governance Document* (*Governance*) is identified as "Exhibit A" to the RWC IGA which was adopted and signed by all nineteen Member's governing bodies. The *Governance* provides written direction and guidance -- setting forth term definitions, management processes; and financial, accounting and network management of the RWC. The *Governance* is the administrative and managerial "rule book" used by the Board of Directors, Executive Director, and operational and technical support personnel for managing the RWC.

Updated *Governance Document*

In 2012, the RWC Board of Directors established a "Governance Working Group" (GWG) tasked with undertaking a full, detailed review of the *Governance* to ensure it was effectively meeting the needs for managing the RWC.

The GWG conducted over 80 meetings which included discussions and input with the RWC Board of Directors, fire and police chiefs, public safety committees, accounting staff, City of Phoenix Finance and Budget Departments, labor organizations, public safety and radio communications, technical and information technology subject matter experts. Also, as draft *Governance* documents were developed, legal staffs from every RWC Member were consulted and solicited for review and input.

Action and Next Steps

On Thursday, May 24, 2018, the RWC Board of Directors voted to approve the attached *"Regional Wireless Cooperative Governance Document".* The Board of Directors also directed each RWC Member to amend the RWC IGA via each Member's appropriate governing body. The amendment to the RWC IGA is required to replace the current *Governance Document* with the newly revised *Governance Document*.

Overview of Changes

As mentioned above, the GWG engaged in a very detailed and deliberate process of analysis, discussions, rewrites, and legal review. The result of the process is a much improved *Governance Document*. This process resulted in a significant structural reorganization of the *Governance Document* with modified language that clarified many sections. Since the review focused primarily on structure and clarity, few substantive changes were necessary.

A "redline" version, depicting every change to the Governance Document, would not be practical for review purposes. However, the following highlights are provided to focus on the most significant modifications:

New Recitals

- Emphasis and clarity of RWC purpose and vision

Definitions:

- Encryption Services Manager
- Encryption Services Operator
- General Government Services Entities
- Network Administrator
- Network Manager
- RWC Net Position
- Super Majority
- User Working Group
- Working Day

Member Categories:

- Associates
- Interoperability Participants
- Conditional Participants
- Network Partners

Board of Directors:

- Chair & Vice-chair clarification
- Representative vs Delegate clarification
- Voting Methodology
- Super-Majority Voting

Administrative Management:

- Administrative Manager

- Network Manager
- Encryption Services Manager
- Encryption Services Operator
- Executive Director

Advisory Committees:

- Executive Committee
- User Working Group
- Technical Working Group

Financial Management:

- Budget and Financial Planning and Reporting
- Simplify Fund Definitions
    - Operating
    - Capital
    - Reserves
- RWC Capital Equity
- Annual Audit Process

RWC Assets and Ownership:

- Clarification of Real vs Personal Property
- Clarification of Administrative Managing Member Responsibilities

Insurance:

- Clarification of Roles - Member versus Administrative Managing Member

Questions should be directed to:

David Felix, Executive Director
Regional Wireless Cooperative
(602) 495-2426

RECORDING REQUESTED BY
City of Phoenix, City Clerk
200 West Washington St, 15th Floor
Phoenix, AZ 85003

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20100330379 04/20/2010 02:20 #1248221
ELECTRONIC RECORDING (57 pages)

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124822-001

AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT TO PLAN, DESIGN, CONSTRUCT, OPERATE, MAINTAIN AND FINANCE THE REGIONAL WIRELESS COOPERATIVE NETWORK

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6/29/2009 08:54 AM

AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT TO PLAN, DESIGN, CONSTRUCT, OPERATE, MAINTAIN AND FINANCE THE REGIONAL WIRELESS COOPERATIVE NETWORK

This Amended and Restated Intergovernmental Agreement (this "Agreement") is entered into by and between the signatories below for the purpose of establishing the Regional Wireless Cooperative ("RWC"). Unless specifically defined in the main body of this Agreement, all capitalized terms used herein shall have the meanings set forth in the Regional Wireless Cooperative Governance Document attached hereto as Exhibit A.

Recitals

Whereas, by May 22, 2009, the following fourteen (14) entities were signatories to the original IGA and Exhibit A ("Initial Parties"): City of Avondale, City of Chandler, Daisy Mountain Fire District, City of El Mirage, City of Goodyear, Town of Guadalupe, City of Maricopa, City of Peoria, City of Phoenix, Sun City Fire District, Sun City West Fire District, Sun Lakes Fire District, City of Surprise, and the City of Tempe; and

Whereas such Initial Parties became Members of the RWC; and

Whereas each Member had appointed their respective representatives to the RWC Board of Directors; and

Whereas the RWC Board of Directors, at its May 22, 2009 meeting unanimously approved amending and restating the original IGA and Exhibit A, dated October 1, 2008, to permit personal property ownership, including ownership of frequencies, where required by a Member or potential Member for purposes of obtaining adequate financing in order to join the RWC or remain a Member thereof; and

Whereas, the RWC Board of Directors, at its June 26, 2009 meeting approved the amendments to the original IGA and Exhibit A;

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by reference, the following mutual covenants and conditions, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1.P arties. The Parties (individually, a "Party") to this Agreement consist of all of the signatories to this Agreement. Parties to this Agreement shall automatically become Members of the RWC, as detailed in Exhibit A.

2.Agr eement.

2.1.The Parties enter into this Agreement for the purpose of:

2.1.1. Using their best efforts, through cooperation and pooling of common resources, for the mutual benefit of all Parties to use, own, operate, maintain and improve a regional radio communications network.

2.1.2. Planning, designing, constructing, operating, maintaining and financing the Regional Wireless Cooperative Network.
2.1.3. Providing regional communications operability and interoperability.
2.1.4. Providing regional communications cost effectively and using economies of scale.
2.1.5. Providing communications interoperability with other jurisdictions that are not a Party to this Agreement, for the benefit of all Parties.

2.2.The Parties are authorized to enter into this Agreement by the joint exercise of powers provisions of Title 11, Chapter 7, Article 3 (§§ 11-951 et seq.), Arizona Revised Statutes and the authorization of their legislative or other governing bodies.

2.3.The Parties agree to form the Regional Wireless Cooperative, an unincorporated association of the Parties, to jointly and cooperatively exercise their powers to achieve the purposes specified in paragraph 2.1.

2.4.The rules and policies governing the regulation and management of the Regional Wireless Cooperative's internal affairs are set forth in a governance document, which is attached to this Agreement as Exhibit A and incorporated herein by this reference. Certain terms that are defined in Exhibit A are used in this Agreement. Those terms shall have the same meaning in this Agreement as such terms are defined in Exhibit A.

2.5.I t is the intention of the Parties that Exhibit A be enforceable to the same extent as this Agreement. Exhibit A shall be subject to amendment as provided herein and shall be valid for the duration of this Agreement. Exhibit A is approved by all Initial Parties and shall be binding upon any Parties that are admitted after the Initial Parties. No additional Parties shall be admitted to the Regional Wireless Cooperative without first agreeing to be as bound by Exhibit A as are the Initial Parties.

2.6.I t is the intention of the Parties that the RWC shall have the right to use, manage, upgrade, change, and configure the Network as a whole, regardless of individual or joint ownership of assets and frequencies.

3.Ter m and Duration of Agreement; Dissolution.

3.1.This Ag reement shall be binding upon each signing Party, and among and against all signing Parties as of the date on which the Agreement has been executed by each such Party, so long as such Party has complied with the requirements of A.R.S. § 11-952, which includes appropriate action by the legislative or other governing body of the Party for the approval of the Agreement, determination by the Party's attorney that the Agreement is within the powers and authority of the Party, and the proper filing of the Agreement. In order for this Agreement to have legal effect, at least two (2) Parties must sign it. The "Effective Date" of this Agreement is October 22, 2008. The initial term of this Agreement shall begin on that date and end on October 31, 2018; thereafter, the Agreement will automatically renew for terms of ten (10) years. Notwithstanding the foregoing, this Agreement shall automatically

terminate upon dissolution of the Regional Wireless Cooperative.

3.2.The Par ties do not anticipate that the Regional Wireless Cooperative will be dissolved until it is no longer desirable and feasible for the Regional Wireless Cooperative to operate the Network or the Network is transferred to another governmental or non-profit entity.

3.3.I f the Parties dissolve the Regional Wireless Cooperative other than by transferring the Network to a governmental or non-profit entity, the assets of the Regional Wireless Cooperative shall be returned to the Members in proportion to their contributions to the Regional Wireless Cooperative as determined in section 4.3 of Exhibit A. In the event of dissolution, real property that is owned separately by a Member, regardless of whether it is situated within a Member's boundaries or installed at a Member-owned communications facility shall be returned to such Member and credited to the Member's share of the assets to be returned. Real property purchased or owned separately by a Member shall remain the sole and separate property of that Member and shall not become the property of the Regional Wireless Cooperative. Real property that was purchased by the Regional Wireless Cooperative is owned by the Members of the Regional Wireless Cooperative in proportion to their financial contributions to such purchase, regardless of whose name title is in.

3.4.Radio fr equencies shall be dealt with in accordance with FCC licensing regulations. Each Member must ensure that its individually-owned frequency licenses are kept current.

4.Manner of Financing.

4.1.The cost of planning, designing, constructing, operating and maintaining the Network shall be paid in the manner specified in Exhibit A. An infrastructure replacement and enhancement program and an annual operating and maintenance budget shall be established and maintained as provided in Exhibit A. The costs paid by the Parties are expected to be the total costs for planning, designing, constructing, operating and maintaining the Network, less amounts, including grants and gifts, received from federal, state, regional or other funding sources.

4.2.Ea ch Party agrees to timely pay its share of the cost of planning, designing, constructing, operating and maintaining the Network as specified in Exhibit A. Each Party shall render its amounts payable to the Regional Wireless Cooperative no later than forty-five (45) days from the invoice date. The Regional Wireless Cooperative may collect interest at the rate of one percent (1%) per month for payments not received forty-five (45) days from the invoice date. The interest collected shall be deposited in the operating and maintenance budget and used to offset the costs of operation and maintenance.

4.3.I t will be the responsibility of each Party to this Agreement to take the appropriate steps in conformity with state or local laws to ensure that it appropriates sufficient funds to cover the obligations it assumes under this Agreement. Each Party recognizes that the performance by the Parties under this Agreement may be dependent upon the appropriation of funds by that Party. Should any Party fail to appropriate the necessary funds, that Party

may withdraw from this Agreement on the last day of the fiscal period for which funds are legally available, notwithstanding Section 6. Each Party agrees to give notice to the other Parties as soon as reasonably possible after the unavailability of funds comes to the Party's attention.

4.4.Eac h Party understands and acknowledges that claims and lawsuits may be filed for damages resulting from acts or omissions in connection with planning, designing, constructing, operating, maintaining financing, and cooperative ownership of the Network or that other unforeseen costs and expenses may be incurred in connection with the planning, designing, constructing, operating, maintaining, financing, and cooperative ownership of the Network.

The Parties agree that all damages, costs and expenses not specifically provided for in this Agreement, shall be shared by the Parties in proportion to each Party's share of the total weighted votes, in accordance with Section 3.2.1.3.2 of Exhibit A, at the time the claim or lawsuit, whichever first occurs, claim or lawsuit is first served on any Party or the unforeseen costs or expenses were incurred. Notwithstanding the foregoing, each Party shall be solely and separately responsible for its own gross negligence and willful misconduct, without joint liability by other Parties. Each Party shall promptly notify the Regional Wireless Cooperative and the Administrative Managing Member upon receipt of a claim or lawsuit relating to the Network. The Administrative Managing Member shall take the lead role on behalf of the Regional Wireless Cooperative in coordinating the investigation and defense of any claim or lawsuit made in connection with planning, designing, constructing, operating, maintaining or financing the Network. Nothing in this section shall preclude any Party, at its expense, from providing its own legal counsel in connection with any claim or lawsuit made in connection with planning, designing, constructing, operating, maintaining or financing the Network. Claims and lawsuits include any claims, losses, liability, costs, or expenses (including reasonable attorney fees) (hereinafter collectively referred to as "Claims") arising out of bodily injury of any person (including death) or property damage.

With regard to claims or lawsuits arising out of the ownership or maintenance of a Party's owned or leased real property, such Party (as "Indemnitor") agrees to indemnify, defend, and hold harmless the other Parties (as "Indemnitees") from and against any and all Claims and Lawsuits, but only to the extent that such Claims and Lawsuits which result in vicarious/derivative liability to the Indemnitees are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers. The Board and Administrative Managing Member shall not be liable for any loss or claim arising out of, based upon or attributable to any other Party's failure or omission in effecting or maintaining adequate insurance on such Party's owned or leased property.

4.5.The Regional Wireless Cooperative with the approval of its Board of Directors may apply for such federal, state or other grants as are made available for the planning, designing, constructing, operating, maintaining and financing the Network. The Executive Director or a Network Managing Member may submit the grant application on behalf of the Regional Wireless Cooperative in accordance with applicable laws, rules, regulations and procedures.

The grant agreement to be entered into by the Regional Wireless Network and the Grantor shall be incorporated and made a part of this Agreement, and each Party agrees to be bound by the terms and conditions of the grant and to comply with and enforce the grant provisions within the limits of its jurisdiction. Any grant funds received will be used to reduce the cost of the project for which a grant application was submitted. The application for or the award of a grant shall not relieve a Party of its obligation to pay costs billed by the Regional Wireless Cooperative as provided in this Agreement. The Regional Wireless Cooperative shall credit grant funds to the Parties, in proportion to the amount of funding each Party contributes towards the grant project, as the grant funds are received.

4.6.Any Party that intends to individually submit a grant application that may benefit the Regional Wireless Cooperative or the Network shall first submit its proposal and grant application to the Regional Wireless Cooperative for its recommendation. With approval of the Board of Directors, the Party may submit its application to obtain the grant funding. Acceptance and use of any grant funds so obtained for the Regional Wireless Cooperative and the Network is subject to the discretion and use of the Board of Directors. A Party who applies for, is awarded, and accepts grant funds under this paragraph 4.6 is individually responsible for meeting all terms, conditions and obligations of the grant. The Regional Wireless Cooperative shall credit any grant funds received pursuant to this paragraph 4.6 to all Parties, in proportion to the amount of funding each Party contributes towards the grant project as the grant funds are received.

4.7.The Regional Wireless Cooperative's Board of Directors shall use the Administrative Managing Member's procurement procedures and insurance procurement procedures.

4.8.Risk Mana gement. The Regional Wireless Cooperative's Board of Directors shall consult with the Administrative Managing Member to determine the insurance coverage appropriate to protect the Parties from risks concerning the Regional Wireless Cooperative and the Network. The Board of Directors shall direct the Administrative Managing Member to obtain such insurance on behalf of the Regional Wireless Cooperative. In deciding what insurance coverage and indemnities are appropriate, the Board of Directors may elect to self-insure for all or a portion of the risks, or if feasible and with the agreement of the Administrative Managing Member, to place the cooperative and network under the Administrative Managing Member's insurance/self-insurance program. The cost of any insurance and/or self-insurance provided under this section shall be shared by the Parties in accordance with sections 4.2.1 and 4.2.2 of Exhibit A. For the sole purpose of placing coverage for the RWC and Network under the Administrative Managing Member's insurance/self-insurance program, if so directed by the Board of Directors, the Administrative Managing Member agrees to indemnify and defend the RWC and Network for the shared liabilities and costs set forth in Section 4.4 herein, subject to the exceptions set forth in Section 4.4.

4.9.The Parties understand and acknowledge that certain Network equipment, hardware, software and other personal property that is held jointly and owned in common by the Parties will become in time unfit or unnecessary for use by the Regional Wireless Cooperative. To

provide for the disposal of such surplus Network personal property during the term of this Agreement, each Party agrees to obtain from its legislative or other governing body by ordinance, resolution or other applicable legal action, as necessary, appropriate authorization enabling the Regional Wireless Cooperative to dispose of or sell by public auction, sealed bids, or negotiation any and all surplus Network personal property.

5.Ob ligations as Members. Each Party to this Agreement shall be a Member of the Regional Wireless Cooperative and shall comply with and be subject to the obligations of Members as set forth in Exhibit A, including the obligation to contribute to the cost of the Network. This Agreement shall not relieve any Party of any obligation or responsibility imposed upon it by law.

6.Volun tary Termination or Withdrawal as Members. Any Member may voluntarily terminate its participation in the Regional Wireless Cooperative by providing twenty-four (24) months' prior written notice to the other Members. The Regional Wireless Cooperative Board of Directors will work with the withdrawing Member and remaining Members to determine cost and operational impacts of the withdrawal. Subject to the conditions below, the withdrawing Member retains rights to real property, personal property and frequencies as defined by the Agreement and as allowable by State and Federal law and/or regulation. Members voluntarily terminating their participation in the Regional Wireless Cooperative must comply with the following:

A. Transfer or relinquish to the Regional Wireless Cooperative any unexpended infrastructure replacement and expansion program funds and operating and maintenance funds.

B. Pay all fees and charges owed to the Regional Wireless Cooperative through the effective date of termination.

C. Agree to any additional or alternative terms and conditions reasonably related to essential Network operations as mutually determined by the Members, including terms relating to the continuing use of radio frequencies, real property, and personal property.

D. Agree to pay for all costs to effect the withdrawal of the Member including costs to reconfigure the Network for the remaining Members.

7.Add itional Parties. Other cities, towns, counties, and Indian communities and other public agencies, as that term is defined by A.R.S. § 11-951, shall become additional Parties to this Agreement and shall be bound by the terms of this Agreement at such times as those public agencies are admitted as Members of the Regional Wireless Cooperative.

8.F ailure to Pay Financial Obligation.

8.1.I f a Party is relieved from payment of its financial obligation to the Regional Wireless Cooperative as a matter of law, then the Regional Wireless Cooperative may suspend the

Party's right to vote and participate in the affairs of the Regional Wireless Cooperative until such time as the Party has paid the difference between the Party's share of the costs and the amount the Party has paid for such costs.

8.2.Ex cept as provided in paragraph 8.1, if a Party fails to pay a financial obligation within forty-five (45) days of the invoice date and then, upon notice by the Administrative Managing Member of the deficiency, fails to cure the non-payment within forty-five (45) days of the date of the deficiency notice, the Regional Wireless Cooperative shall suspend the Party's right to vote and participate in the affairs of the Regional Wireless Cooperative until such time as the Party has paid the difference between the Party's share of the costs and the amount the Party has paid for the costs.

9.Op en Meeting Law. The Regional Wireless Cooperative, including the Board of Directors and the Executive Committee shall comply with A.R.S. §§ 38-431, et seq. (Arizona Open Meeting Law) in conducting meetings to the extent the Law is applicable.

10. Records;Confidentiality.

10.1. The Regional Wireless Cooperative shall comply with A.R.S. §§ 39-121 et seq. (Arizona Public Records Law) in maintaining and providing access to the records of the Regional Wireless Cooperative.

10.2. The Regional Wireless Cooperative shall make its financial records regarding the planning, designing, constructing, operating, maintaining and financing the Network available to any official or agent of a Party to this Agreement. Such request for inspection shall not be made more frequently than once a month.

10.3. Each Party to this Agreement agrees to make available to the Regional Wireless Cooperative its financial records related to planning, designing, constructing, operating, maintaining and financing the Network. Such request for inspection shall not be made more frequently than once a month.

10.4. To the extent permitted by law, the Parties shall treat Network information as proprietary and confidential. Network information includes, but is not limited to, technical data, engineering details, construction documents, equipment lists, programming configurations, and operational procedures. Any Party who receives a request for information or a public records request concerning the Network shall initially and immediately notify the Executive Director of such request before following any customary internal practices or procedures with regard to such request.

11. Conflict of Interest. The Parties understand and acknowledge that this Agreement may be subject to cancellation under A.R.S. § 38-511 (Arizona's public employee conflict of interest law) in the event there is a conflict of interest of the type specified in A.R.S. § 38-511 by persons significantly involved in initiating, negotiating, securing, drafting or creating this Agreement.

12. Compliance with Applicable Laws. Each Party shall comply with all applicable laws, statutes, ordinances, executive orders, rules, regulations, standards, and codes of federal, state and local governments whether or not specifically referred to in this Agreement.

13. Cooperation.

13.1. The Parties agree to make, sign and deliver all documents and to perform all acts that are necessary to fully carry out the terms of this Agreement. Each of the Parties shall fully cooperate with and assist one another in obtaining all licenses, permits, authorizations, approvals and consents required in or related to the performance of this Agreement. This obligation includes performing an act that is not specifically referred to in this Agreement, so long as the obligation to perform such act is reasonably implied by the terms of this Agreement. Nothing in this Agreement shall be construed or interpreted to require the Regional Wireless Cooperative to be responsible for dispatching or otherwise causing its Members to respond to an event within another Member's jurisdiction.

13.2. In the event any legal proceeding is instituted challenging the authority and power of any of the Parties to execute this Agreement or to perform its terms and conditions, the Parties shall, in good faith, jointly and cooperatively defend the validity of this Agreement.

13.3. The Parties may elect and shall have the right to seek specific performance, where feasible and practicable, by any Party of any or all of the obligations (except payment obligations) set forth in this Agreement. The Parties agree that, in accordance with Section 18.3 herein, specific performance may be sought by way of special action filed in superior court seeking an injunction ordering the Party to perform its obligations under this Agreement. The Parties agree not to raise as a defense the position that there is an "adequate remedy at law." The Parties hereby stipulate and consent to the jurisdiction of the superior court in any such special action.

14. Amendment.

14.1. This Agreement may be amended only by a written document executed by a duly authorized representative of each of the Parties.

14.2. This Agreement, including Exhibit A, may be amended by one of the following two procedures:

14.2.1. RWC-Legislative Procedure. A proposed amendment to this Agreement, including Exhibit A, shall be submitted for approval to the Regional Wireless Cooperative's Board of Directors. Upon approval of the Board of Directors, each Party shall take appropriate steps in conformity with state and local law to authorize and approve the proposed amendment.

14.2.2. Formal Addendum Procedure. A proposed amendment to this Agreement, including Exhibit A, shall be presented to each Party in the form of an addendum, and, if approved by the Board of Directors, each Party will take appropriate steps in conformity with state and local law to authorize and approve the amendment.

14.3. Each Party shall file a copy of the appropriate resolution, ordinance or other recorded action by which its legislative or governing body approved the amendment with the Executive Director of the Regional Wireless Cooperative.

15. Existing and Future Agreements.

15.1. The Parties agree that the provisions of this Agreement shall be incorporated in any existing or future subcontracts between the Parties and any other person, political subdivision or public agency that contracts with the Parties to make use of the Network.

15.2. The Parties agree that they will not enter into subcontracts for the use of the Network without the prior approval of the Board of Directors, which shall have the authority to review the subcontracts for conformity with the rights and obligations set forth in this Agreement.

15.3. The Parties agree that this Agreement is a modification of all existing agreements between the Parties in regard to the Network. In the event of any conflict, inconsistency, or incongruity between the provisions of this Agreement and any of the provisions of any previous agreement between the Parties, the provisions of this Agreement shall in all respects govern and control.

15.4. Nothing in this Agreement shall be construed or interpreted:

15.4.1. To supersede prior existing mutual aid agreements or radio support agreements between or among the Parties.

15.4.2. To prohibit a Party from entering into separate agreements after the Effective Date of this Agreement concerning real estate, buildings and structures, and towers that the Party owns, leases, or licenses and that the Party authorizes and allows the Regional Wireless Cooperative to use as part of the Network, provided the separate agreements are consistent with this Agreement and compatible with the Regional Wireless Cooperative's use of the property for the Network.

15.4.3. To supersede prior existing agreements concerning real estate, buildings and structures, and towers that the Party owns, leases, or licenses and that the Party authorizes and allows the Regional Wireless Cooperative to use as part of the Network.

15.5. This Agreement is entered into for the sole and exclusive benefit of the Parties, and no other person shall claim any implied right, benefit or interest in this Agreement. The Parties do not intend to create rights in or remedies to any third party as a beneficiary of this

Agreement or of any duty, obligation, or undertaking established under this Agreement.

16. Notices.

16.1. Any notice, consent or other communication ("Notice") required or permitted under this Agreement shall be in writing unless otherwise specified herein and deposited in the U.S. mail, postage prepaid, registered or certified mail, return receipt requested.

16.2. Notice shall be deemed received five (5) days after the Notice is deposited in the U.S. mail as provided above. Any time period stated in a Notice shall be computed from the time the Notice is deemed received.

16.3. Any Party may change its mailing address or the person to receive Notice by notifying the other Parties as provided in this section. Routine notices shall be sent as provided in this Agreement.

17. Default And Cure.

17.1. Each Party agrees that it will perform all duties and obligations agreed to be performed by it under the terms and conditions of this Agreement, and that the unexcused failure of the Party to perform its duties and obligations shall constitute a default under this Agreement. In the event of a payment default by a Party, the Executive Director shall give written notice of the default, specifying the existence and the nature of the default. The defaulting Party shall have ten (10) days to remedy the default by making due payment. In the event of any performance default by a Party, the Executive Director shall give written notice of the default, specifying the existence and the nature of the default. The defaulting Party shall have thirty (30) days to remedy the default by rendering the necessary performance. In the event that the defaulting Party disputes an asserted default, the Party shall perform the disputed obligation, including making payment, but may do so under protest. The protest shall be in writing, and shall precede the performance of the disputed obligation, and shall specify the reasons upon which the protest is based. After performance of the disputed obligation under protest, the Party disputing the asserted default shall have the right to submit the dispute to the Regional Wireless Cooperative's Board of Directors for a recommendation on a non-binding resolution under paragraph 18.

17.2. Notwithstanding the provisions of paragraph 17.1, in the event a Party disputes an amount billed, it shall do so in writing to the Executive Director within forty-five (45) days after the invoice date. The Party shall pay the disputed amount, but may do so under protest. The protest shall be in writing, and shall accompany the disputed payment if not previously paid and shall specify the reason upon which the protest is based. After the protest has been filed and the disputed amount has been paid, the dispute shall be handled in accordance with the dispute resolution process specified in paragraph 18. Payments not made under protest shall be deemed to be correct. If a protest is not filed within forty-five (45) days of the invoice date, the Party waives its right to file a protest.

17.3. If a Party fails to cure a default within the time frames specified in 17.1, that Party will no longer be in "Good Standing," as defined in Exhibit A, and shall lose voting privileges as specified in paragraph 3.2.1.3 of Exhibit A. If the Party is still in default after six (6) consecutive months, the Board of Directors has the right to define additional cures up to and including expulsion from the RWC.

18. Alternative Dispute Resolution.

18.1. If any dispute, complaint or controversy, including a protest made pursuant to paragraph 17.1 or 17.2, ("dispute") arises between or among the Parties under this Agreement, the Parties agree that the dispute shall be brought to the Regional Wireless Cooperative's Board of Directors for non-binding dispute resolution. The Board of Directors shall establish appropriate and prompt procedures to govern the processing of complaints and the internal dispute resolution process. If a Party disagrees with the Board of Directors' recommendation, the Party may pursue the remedies otherwise provided for in this Agreement or provided at law.

18.2. The Parties agree that notwithstanding the existence of a dispute between or among the Parties, insofar as is possible under the terms of this Agreement, each Party shall continue to perform the obligations that are required of it and that are not related to the dispute. The Parties agree that at any point in the internal dispute resolution process, the Board of Directors may adopt and impose an interim emergency remedy to ensure the continuation of essential communication services until the dispute is resolved.

18.3. This Agreement shall not be construed or interpreted to prohibit a Party from seeking injunctive relief for the preservation of real property.

18.4. In the event a dispute is not resolved pursuant to paragraph 18.1, the Parties agree to use arbitration to the extent required under A.R.S. § 12-133 and A.R.S. § 12-1518.

19. Waiver. The waiver by any Party of any breach of any term, covenant or condition of this Agreement shall not be deemed a waiver of such term, covenant or condition or any subsequent breach of the same or any other term, covenant or condition of this Agreement.

20. Performance and Uncontrollable Events.

20.1. All terms and conditions that are to be performed by the Parties or any of the Parties shall be performed at the sole expense of the Party so obligated, and if any other Party pays any sum of money or does any act that requires the payment of money by reason of the failure, neglect or refusal of the obligated Party to perform such term or condition, the sum of money paid by the other Party shall immediately be payable to the other Party by the Party obligated to perform.

20.2. No Party shall be considered to be in default in the performance of any obligations under this Agreement (other than obligations of a Party to pay costs and expenses) if failure

of performance is due to an uncontrollable event. The term "uncontrollable event" means any cause beyond the control of the Party affected, including but not limited to flood, earthquake, storm, fire, epidemic, war, riot, civil disturbance or disobedience, labor dispute, labor or material shortage, sabotage and restraint by court order or public authority, that by exercise of due diligence and foresight the Party reasonably could not have been expected to avoid and that by exercise of due diligence it will be unable to overcome. A Party that is rendered unable to fulfill any obligation by reason of an uncontrollable event shall exercise due diligence to remove such inability with all reasonable dispatch.

20.3. If any Party claims that its failure to perform was due to an uncontrollable event, the Party shall bear the burden of proof that such activity was within the meaning and intent of this section, if such claim is disputed by any Party to this Agreement.

21. Assignment and Binding Effect. This Agreement shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns. No assignment shall be allowed without the prior written consent of the Board of Directors.

22. Entire Agreement. This Agreement, including Exhibit A, contains the entire agreement and understanding among the Parties regarding the formation, governance and operations of the Regional Wireless Cooperative, and supersedes and replaces all related prior negotiations, agreements and proposed agreements, written or oral regarding its contents and purpose, subject to the exceptions noted in Section 15.4. Each Party acknowledges that no other Party, nor any agent or attorney of any Party, has made any promise, representation, or warranty whatsoever, expressed or implied, not contained in this Agreement and acknowledges that this Agreement has not been executed in reliance on any promise, representation or warranty not contained in this Agreement. This Agreement shall not be amended, modified or supplemented at any time unless in writing.

23. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Arizona applicable to contracts executed and intended to be performed entirely within the State of Arizona by residents of the State of Arizona. Any action at law, suit in equity or judicial proceeding for the enforcement of this Agreement or any provision therefore shall be instituted only in the courts of Maricopa County, Arizona.

24. Severability. If any provision of this Agreement is declared void or unenforceable by a court of competent jurisdiction, the provision shall be severed from this Agreement, which shall otherwise remain in full force and effect if the remaining provisions permit the Parties to obtain the practical benefits of the Network. If any law or court of competent jurisdiction prohibits or excuses any Party from undertaking any contractual commitment to perform any act under this Agreement, this Agreement shall remain in full force and effect, but the provisions requiring such action shall be deemed to permit the Party to take such action at its discretion, if such a construction is permitted by law. This section shall not limit the discretion of the Parties to suspend a Party's right to vote and participate in the affairs of the Regional Wireless Cooperative as provided in section 8, entitled Failure To Pay Financial Obligation.

25. Headings. Section headings are inserted in this Agreement solely for convenience and the section headings shall not by themselves alter, modify, limit, expand or otherwise affect the meaning of any provision of this Agreement.

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For City of Avondale
City/Town/Agency Name

Date September 22, 2009

By _____
(Signature)

Charlie P. McClendon, City Manager
Printed Name and Title

ATTEST:

_____
(Signature)

Carmen Martinez, City Clerk
Printed Name and Title

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

_____
(Signature)

Andrew J. McGuire, City Attorney
Printed Name and Title

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For Town of Buckeye
City/Town/Agency Name

Date 8-18-09

By _____
(Signature)

Jackie Smecky, Mayor
Printed Name and Title

ATTEST:

_____
(Signature)

Lucinda J Aja, Town Clerk
Printed Name and Title

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

_____
(Signature)

Scott W. Ruby, Town Attorney
Printed Name and Title

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For City of Chandler
City/Town/Agency Name

Date 1/29/2010

By _____
(Signature)

Boyd W. Dunn, Mayor
Printed Name and Title

ATTEST:

_____
(Signature)

Marla Paddock, City Clerk
Printed Name and Title

CITY OF CHANDLER CORPORATE SEAL ARIZONA

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

_____ MW
(Signature)

Mary Wade, City Attorney
Printed Name and Title

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For Daisy Mountain Fire District
City/Town/Agency Name

Date 8/24/09

By _____
(Signature)

Brian V. Moore, Board Chair
Printed Name and Title

ATTEST:

_____
(Signature)

Wiatt E. Wong Board Treasurer
Printed Name and Title

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

_____
(Signature)

Nicolas J. Cornelius, Esq.
Printed Name and Title
Counsel to Daisy Mountain Fire District.

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For City of El Mirage
City/Town/Agency Name

Date 8/27/09

By _____
(Signature)

FREDERICK W. WATERMAN MAYOR
Printed Name and Title

ATTEST:

_____
(Signature)

Richard Sauthoff, City Clerk
Printed Name and Title

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

_____
(Signature)

RICHARD H. FLAAEN, CITY ATTORNEY
Printed Name and Title

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For City of Goodyear
City/Town/Agency Name

Date August 17, 2009

By _____
(Signature)

John F. Fischbach, City Manager
Printed Name and Title

ATTEST:

mp _____
(Signature)

Lynn J. Mulhall, City Clerk
Printed Name and Title

CITY OF GOODYEAR INCORPORATED 1946 GOODYEAR, ARIZONA

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

_____
(Signature)

Susan Rogers
Assistant City Attorney
Printed Name and Title

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For Town of Guadalupe
City/Town/Agency Name

Date 9-10-09

By Alma G Solarez
(Signature)

Alma Y Solarez / Mayor
Printed Name and Title

ATTEST:

(Signature)

RoseMary Arellano
Printed Name and Title Town Clerk

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

(Signature)

David E. Ledyard
Printed Name and Title

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For CITY OF MARICOPA
City/Town/Agency Name

Date 4/6/2010

By _____
(Signature)

Anthony Smith, Mayor
Printed Name and Title

CITY OF MARICOPA INCORPORATED — 2003 — MARICOPA, ARIZONA

ATTEST:

_____
(Signature)

VANESSA BUERAS / CITY CLERK
Printed Name and Title

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

_____
(Signature)

Denis M. Fitzgibbons
Printed Name and Title City Attorney

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For CITY OF PEORIA
City/Town/Agency Name

Date 9-21-2009

By _____
(Signature)

Carl Swenson, City Manager
Printed Name and Title

ATTEST:

_____
(Signature)

Mary Jo Kief, City Clerk
Printed Name and Title

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

_____
(Signature)

Stephen M. Kemp, City Attorney
Printed Name and Title

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For City of Phoenix
City/Town/Agency Name

Date October 16, 2009

By _____
(Signature)

Alton Washington, Assistant City Manager
Printed Name and Title

ATTEST:

_____
(Signature)

City Clerk
Mario Paniagua 4/20/10
Printed Name and Title

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

_____
(Signature) ACTING City Attorney
R.F.

Stephen L Wetherell, Asst Chief Counsel
Printed Name and Title

CITY CLERK DEPT.
2009 JUN 30 AM 11:09

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For Scottsdale
City/Town/Agency Name

Date 10-22-09

By _____
(Signature)

W.J. "Jim" Lane, Mayor
Printed Name and Title

ATTEST:

_____
(Signature)

Carolyn Jagger, City Clerk
Printed Name and Title

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

_____
(Signature)

Bruce Washburn, Deputy City Attorney
Printed Name and Title

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For Sun City Fire District
City/Town/Agency Name

Date October 20, 2009

By _____
(Signature)

Irvin S. Mitchell Chair
Printed Name and Title

ATTEST:

_____
(Signature)

Edwin L. George, Clerk of the Board
Printed Name and Title

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

_____
(Signature)

Bonnett, Fairbourn, Friedman & Balint PC
Michael N. Widener, Esq.
Printed Name and Title

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For Fire District of Sun City West
City/Town/Agency Name

Date 8-21-09

By G David Wilson
(Signature)

G. David Wilson SCWFD Board Chair
Printed Name and Title

ATTEST:

William W. Hamel
(Signature)

WILLIAM W. HAMEL BOARD CLERK
Printed Name and Title

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona

(Signature)

Michael N. Widener, Esq.
Printed Name and Title
Bonnett, Fairbourn, Friedman & Balint, P.C.

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For Sun Lakes Fire District
City/Town/Agency Name

Date August 25, 2009

By _____
(Signature)

Michael Sellers, Chairman of the Board
Printed Name and Title

ATTEST:
_____
(Signature)

Paul S. Wilson, Fire Chief
Printed Name and Title

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

_____
(Signature)

DONNA Aversa, Attorney
Printed Name and Title

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For City of Surprise
City/Town/Agency Name

Date 9-30-09

By _____
(Signature)

L. E. Truitt, Mayor
Printed Name and Title

ATTEST:

_____
(Signature)

Sherry Aguilar, City Clerk
Printed Name and Title

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

_____
(Signature)

_____
Printed Name and Title

26. Counterparts. This Agreement, which includes Exhibit A, "Regional Wireless Cooperative Governance Document," may be signed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in multiple counterparts by their duly authorized officers.

For City of Tempe
City/Town/Agency Name

Date August 20, 2009

By _____
(Signature)

Mayor Hugh Hallman
Printed Name and Title

ATTEST:

_____
(Signature)

City Clerk Jan Hort
Printed Name and Title

APPROVED AS TO FORM and within the powers and authority granted under the laws of Arizona.

_____
(Signature)

City Attorney Andrew Ching
Printed Name and Title

EXHIBIT A
REGIONAL WIRELESS COOPERATIVE
GOVERNANCE DOCUMENT

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EXHIBIT A
REGIONAL WIRELESS COOPERATIVE
GOVERNANCE DOCUMENT

1. DEFINITIONS

In this agreement, unless the context otherwise requires, the following terms mean:

Term	Definition
Administrative Managing Member	**The Managing Member responsible for the administration and financial management of the RWC.**
Alternate Representative	**A person designated by a Member to serve as an alternate for a Member's Representative and to have the authority specified in this Agreement.**
Annual Membership Fee	**Fee paid by all Members to cover the cost of RWC Administrative Services, Network Operations and Maintenance Services, and Network Infrastructure Replacement and Enhancement Projects.**
Assets	**RWC Assets are as defined in Section 5.**
Associate	**A non-Member entity that is authorized by the Board of Directors to use the Network to support an existing Member.**
Board of Directors	**The ruling body of the RWC that is comprised of one representative from each Member.**
Capital Investment in the RWC	**The amount paid for capital additions, upgrades or replacements for the RWC including real estate, real property and other property jointly purchased by the RWC. It does not include amounts related to real estate, real property and other property, as defined in Section 5 of this Agreement that will continue to be owned by individual Members. It also does not include fees paid by Members that are a Member's share of the operating costs.**
Conditional Participant	**A non-Member entity authorized by the Board of Directors to temporarily use the Network for special events, tactical situations or emergency circumstances.**
Executive Committee	**The RWC committee responsible for evaluating all RWC proposals and recommendations prior to submission to the Board of Directors.**
Executive Director	**The chief administrative officer responsible for coordination of RWC and Network activities.**
Fiscal Year	**The twelve (12) month accounting period for budgeting and expenditure reporting that commences on the first day of July and ends on the thirtieth day of June.**

Good Standing	**A Member who attends at least one Board meeting per twelve (12) month period, is current in all fees owed to the RWC, and whose vote is not suspended because the Party is relieved from payment as a matter of law.**
Impact Assessment	**The evaluation method used to identify the Network modifications and capital investment needed to add a new Member or change how an existing Member uses the Network.**
Infrastructure Replacement and Enhancement Fund	**The fund of monies set aside from the Annual Membership Fee to fund capital replacements, enhancements, and construction of the Network.**
Interoperability	**An essential communication link within Public Safety and Public Service wireless communications systems which permits units from two or more different agencies to interact with one another and to exchange information according to a prescribed method in order to achieve predictable results, as defined by the Public Safety Wireless Advisory Committee in a 1996 report to the FCC and NTIA.**
Interoperability Participant	**A non-Member entity authorized by the Board of Directors to use the Network for the purpose of participating in intermittent interoperable situations or circumstances.**
Maintenance Manager	**A Member or vendor responsible for providing maintenance for some portion of the Network.**
Member	**Any entity that executes and becomes a party to the Intergovernmental Agreement to plan, design, construct, operate, maintain, and finance the RWC Network.**
Member's Equity	**The Member's Equity Percentage of the Net Value of the RWC.**
Member's Equity Percentage	**A Member's Capital Investment in the RWC expressed as a percentage of the total Capital Investment in the RWC.**
Net Value of the RWC	**The total assets, minus liabilities of the RWC as reported in the RWC financial statements.**

Network	**The Public Safety and Public Service communications system that is planned, designed, constructed, operated, maintained, and financed by the RWC, including all real estate, real property and personal property that is purchased or licensed by the RWC or owned or licensed by a Member, and the radio system originally built by the City of Phoenix known as PRWN.**
Network Infrastructure Replacement and Enhancement Projects	**Projects approved by the Board of Directors to replace, expand, or enhance the Network infrastructure funded through the Annual Membership Fee.**
Network Managing Member	**The Member or Members who are responsible for the day to day operations of the Network.**
Network Maintenance Services	**Services provided to the RWC by a Maintenance Manager to ensure physical operation of all or some portion of the Network.**
Network Operations Services	**Services provided to the RWC by a Network Managing Member to ensure optimal operation of the Network.**
Numerical Vote	**A vote by Members of the Board of Directors voting on the basis of one vote per Member.**
Operations Working Group	**A staff working group consisting of representatives of the Members that is assembled by the Executive Director to address Network operational issues.**
Parties	**All signatories to the Intergovernmental Agreement (IGA) creating the RWC collectively.**
Party	**Any individual signatory to the IGA creating the RWC.**
PRWN	**The portion of the combined Network built by the City of Phoenix and known as the Phoenix Regional Wireless Network.**
Public Safety	**All federal, state, local, and Indian community law enforcement, fire service, emergency management and disaster preparedness agencies.**
Public Service	**All public works, transportation, and other agencies whose primary responsibility is providing residents with services other than Public Safety services.**

Regional Wireless Cooperative	**The unincorporated association that was formed by the Parties to jointly and cooperatively plan, design, construct, operate, maintain, and finance the Network.**
Representative	**The person designated by a Member to act on behalf of the Member on all matters concerning the RWC.**
RWC Administrative Services	**Services provided to the RWC by the Administrative Managing Member and the Executive Director in the areas of organizational management, accounting and budget, procurement and contracting, legal and all other duties as assigned by the Board of Directors.**
Special Assessment	**Fee assessed by the Board of Directors to pay the cost of unplanned projects such as disaster recovery, the use of the Network by an Interoperability or Conditional Participant, or system changes or expansions not previously included in the budget. Special Assessments may be charged proportionately or individually and need not be equal among Members.**
Subscriber Unit	**A voice or data unit in use on the Network (e.g., operating portable, mobile, control station or console). Subscriber Unit shall include a cache radio and a spare radio that has been assigned a valid system ID.**
Subscriber Units	**The total number of Subscriber Units in use on the Network.**
Talkgroup	**A defined organizational grouping of radio users who need to communicate with one another.**
Weighted Vote	**A vote by Members of the Board of Directors voting on the basis of weight according to share of total Subscriber Units as more fully described in Section 3.2.1.3.2.**

2. MANAGING MEMBERS

The City of Phoenix ("Phoenix") shall serve as the Maintenance Manager and Network Managing Member responsible for the day-to-day operations and maintenance of the Network. Phoenix shall also serve as the Administrative Managing Member responsible for the day-to-day management of the RWC organization and finances. The RWC may change and/or designate additional Maintenance Managers to maintain specific portions of the Network as appropriate. The RWC may change and/or designate additional Network Managing Members as the Network architecture changes to include specialized components such as county, state or federal sub-systems. Maintenance Managers and Administrative and Network Managing Members will be

reimbursed by the RWC Membership for all costs incurred as a result of performing their respective responsibilities. Management of construction projects and infrastructure added subsequent to this Agreement shall be determined by the Board of Directors.

2.1. Network Managing Member

A Network Managing Member shall have the following duties:

2.1.1. Manage and allocate Subscriber Unit identifications and priorities.

2.1.2. Manage and allocate Talkgroup identifications and priorities.

2.1.3. Collect and report statistical data of Network utilization.

2.1.4. Maintain, optimize, and backup Network databases.

2.1.5. Operate and maintain the Network and perform any necessary inspections.

2.1.6. Identify, track, and resolve Network problems.

2.1.7. Establish and maintain a disaster recovery plan.

2.1.8. Perform frequency management functions for RWC frequencies issued by the FCC.

2.1.9. Implement Board of Directors' policies and procedures.

2.1.10. Provide the support staff necessary to perform Network Managing duties.

2.1.11. Inform the Executive and Operations Working Groups of Network issues.

2.1.12. Perform all other duties as assigned by the Board of Directors.

2.2. Administrative Managing Member

As the Administrative Managing Member, Phoenix shall have the following powers and duties:

2.2.1. Appoint an Executive Director, subject to the approval of the Board of Directors.

2.2.2. Establish and maintain an accounting and budget system.

2.2.3. Collect and disburse monies.

2.2.4. Procure general goods and services and professional services for the RWC.

2.2.5. Contract with other federal, state, and local agencies as required to carry out the purposes of the RWC.

2.2.6. Serve as the contracting authority for the RWC.

2.2.7. Apply for and, if awarded, accept grants and gifts on behalf of the RWC.

2.2.8. Maintain inventory of all assets owned by and/or used on behalf of the RWC.

2.2.9. Provide reports as required by the Board of Directors.

2.2.10. Perform all other duties as assigned by the Board of Directors.

2.3. Maintenance Manager

A Maintenance Manager shall have the following duties:

2.3.1. Maintain that portion of the Network assigned by the Regional Wireless Cooperative.

2.3.2. Comply with all policies and procedures established by the Regional Wireless Cooperative.

2.3.3. Provide reports as required by the Board of Directors.

2.3.4. Support the Administrative Managing Member and Network Managing Members with information required to develop and manage budgets, inventory and maintenance history.

3. RWC STRUCTURE

The RWC structure for use, operations, maintenance and enhancement to the Network is defined as follows:

3.1. Radio Network Membership and Participants

The various categories of Membership shall be as follows:

3.1.1. Members

The RWC Membership shall be composed of the initial Members and any other entity that is admitted in accordance with Section 3.1.5 of this Agreement. Entity means any city, town, county, state, Indian nation, fire district or other separately constituted public entity. A municipal, county or state agency, department, or division does not constitute a separate entity for Membership purposes. A municipal, county or state agency, department, or division shall be represented by its corresponding city, town, county, state, Indian nation, or separate entity. Each city, town, county, state, Indian nation, fire district or separate entity shall constitute one Member of the RWC.

3.1.2. Associates

An entity may become an RWC Associate if the entity: (1) is under contract to a Member that uses the Network to provide public safety or public services and is authorized by the Board of Directors to use the Network to support the contracted activities, or periodically supports public safety services with an existing Member; and (2) is compliant with the conditions as set forth by the Board of Directors. Associates have no RWC voting rights or representation on the Board of Directors or the Executive Committee, but may have a representative on the Operations Working Group. Unless directed otherwise by the Board of Directors, fees or costs and weighted votes connected with an Associate's use of the Network shall be assessed to the Member supported by the Associate.

3.1.3. Interoperability Participants

If authorized, and subject to the conditions imposed by the Board of Directors, an Interoperability Participant may use the Network to support existing Members with intermittent interoperable situations. Interoperability Participants shall have no RWC voting rights or representation on the Board of Directors, Executive Committee or Operations Working Group. Unless directed otherwise by the Board of Directors, no fees and costs or weighted votes will be assessed to Interoperability Participants.

3.1.4. Conditional Participants

A non-Member entity may use the Network on a temporary basis for special events, tactical situations or emergency circumstances in support of an existing Member, if authorized by the Board of Directors. Conditional Participants have no RWC voting rights or representation on the Board of Directors, Executive Committee or Operations Working Group. Unless directed otherwise by the Board of Directors, no fees and costs or weighted votes will be assessed to Conditional Participants. In an emergency the Executive Director may authorize the addition of a Conditional Participant, but continuation of the Conditional Participant must be approved or disapproved by the Board of Directors at their next meeting.

3.1.5. Member Admission

Any entity in the Network service and expansion area, as defined by the Board of Directors, may apply for Membership. An applicant shall be admitted as a Member upon occurrence of all the following events:

- Applicant submits a written request for RWC Membership to the Board of Directors;
- Board of Directors approves applicant's written request;
- Applicant enters into an agreement with the RWC that specifies the fees and costs the applicant shall pay to the RWC pursuant to Section 4 of this Agreement;
- Applicant meets all conditions imposed by the Board of Directors; and
- Applicant executes and becomes a party to this Agreement.

3.1.5.1. Evaluation Factors

The Board of Directors has the sole and absolute discretion to either summarily deny or consider applicants for Membership status. If the Board of Directors elects to consider an application, the RWC will conduct an Impact Assessment to determine costs, risks and benefits to the RWC. The applicant shall pay the cost of the Impact Assessment prior to commencement of the analysis.

After completion of the Impact Assessment, the Executive Director, at the direction of the Operations Working Group, will develop a written recommendation, complete with financial and Network operational impact statements, for Executive Committee review and Board of Directors approval.

The RWC shall evaluate all requests giving the highest priority to maintaining service for public safety. The RWC shall not admit non-public-safety entities if such admittance would compromise the performance of the radio system in addressing public safety. The RWC will evaluate requests for new Membership using the following factors:

- Impact on Network Radio Frequency (RF) coverage;
- Impact on the Network Grade of Service (GOS);
- Interoperability requirements (e.g., extent of wide area roaming for both the existing and new Members);
- Need for additional infrastructure;
- Regulatory constraints;
- Applicant's infrastructure;
- Applicant's user needs assessment;
- Backhaul availability;
- Cost impacts;
- Impact on current operations;
- Roaming impact on existing Members;
- Benefits to the RWC to admit the applicant; and

Additional factors as determined by the RWC.

3.2. RWC Organization

The RWC organization shall have a Board of Directors, Executive Committee, and an Executive Director. An organization chart of the RWC is attached as Exhibit B.

3.2.1. Board of Directors

The Board of Directors shall set RWC policy, establish funding, approve Membership, and exercise any other authorized powers and duties. The Board of Directors shall act only by formal recorded action.

3.2.1.1.Members

The Board of Directors shall consist of the Representatives of the Members of the Regional Wireless Cooperative.

3.2.1.1.1. Representatives

Each Member is entitled to appoint one person to serve as that Member's Representative and one or more persons to serve as an Alternate Representative. The Member shall rank the Alternate Representatives in the order that they shall serve when the Representative is absent. If the Representative is not present at a meeting, then the Alternate Representative of the Member with the highest rank who is present shall act temporarily in place of the Representative and may exercise all powers of the Representative.

The Member shall notify the Executive Director in writing of the person or persons who serve as that Member's Representative or Alternate Representatives. The appointment is effective when the Executive Director receives the written notice.

The Representative or Alternate Representative(s) shall be vested with the authority to lawfully act on the Member's behalf with respect to the RWC. Each Member shall be bound by the acts of its Representative and/or Alternate Representative(s), and the RWC may rely on the act of a Representative and/or Alternate Representative(s) the same as if such act were done by the Member.

3.2.1.1.2. Removal or Replacement of Representative

A Member may remove or replace its Representative and Alternate Representative at any time by giving written notice to the Executive Director. The removal or replacement of a Representative or Alternate Representative is effective when the Executive Director receives the notice.

3.2.1.2.Meetings

The Board of Directors' shall hold regular meetings monthly, except to the extent that, and for such periods of time as, the Board of Directors shall determine that regular meetings should be held more or less frequently.

3.2.1.2.1. Chair and Vice-Chair

The Board of Directors shall elect one of its Members as the Chair. The Chair shall be the presiding officer of the Board of Directors and shall have a voice and vote in all Board of Directors' proceedings. The Chair shall serve a two-year term. No Member shall serve two consecutive terms as Chair. The Board of Directors shall elect one of its Members as Vice-Chair, who shall execute the duties of the Chair during the absence or disability of the Chair. During the absence or disability of the Chair and Vice-Chair, the Board of Directors shall elect a presiding officer for the meeting.

3.2.1.2.2. Special Meetings

Two or more Members with approval of the Chair may call a special meeting of the Board of Directors upon a minimum of three (3) working days notice to the other Members. In the event of an emergency, a meeting may be scheduled and noticed with less than three (3) working days notice, provided that a Quorum is present and appropriate notice is given.

3.2.1.2.3. Notice and Agenda

The Executive Director shall prepare the notice, agenda, and minutes of Board of Directors' meetings. A Member may add an item to be considered by the Board of Directors to the agenda by timely notifying the Chair and the Executive Director. The Executive Director shall provide the notice and agenda of a Board of Directors' meeting to each Member with at least as much notice as is given to the public.

3.2.1.2.4. Quorum

A quorum is required to conduct business. To constitute a quorum, a majority of all Members must be present.

3.2.1.2.5. Attendance

Upon approval by the Chair, a Member may attend and participate in a meeting by teleconference or video-conference, and such attendance and participation shall have the same effect as if the Member were present in person.

3.2.1.2.6. Rules

The Board of Directors shall establish rules for its proceedings. An item not specifically covered by the rules established by the Board of Directors or by law shall be decided by the presiding officer using the latest standard edition of Robert's Rules of Order.

3.2.1.3.Voting Methodology

It is contemplated that all Members will strive to promote cooperation and the welfare of the Regional Wireless Cooperative by consensus decision making. Each Member attending a meeting of the Board of Directors is required to vote on all legal matters to be decided by the Board of Directors at that meeting. A voluntary abstention, or a vote excused by applicable

federal or state conflict of interest laws shall not be counted as a vote, neither affirmative nor negative. Only Members in Good Standing are allowed to vote.

The voting rights of a Member shall be suspended for non-payment of the Member's financial obligations to the Regional Wireless Cooperative, in accordance with the IGA, Section 8, Failure to Pay Financial Obligation. If a Member's voting rights are suspended, this shall not affect the number of Weighted Votes of the other Members or the number of Weighted Votes required to decide a matter. The Weighted Votes of the Member whose voting rights have been suspended shall not be counted as being voted in favor of or against a matter.

3.2.1.3.1. Numerical Voting

All matters shall be decided by a Numerical Vote, provided that any Member may call for a Weighted Vote at any time before or after the Numerical Vote if the call for the Weighted Vote is made before adjournment of the meeting at which the Numerical Vote is taken. A Numerical Vote shall pass by the affirmative vote of a majority of the Members of the Board of Directors present and voting. In case of a tie in votes on any motion, the motion shall be considered lost. If a Weighted Vote is taken, the Numerical Vote shall have no effect unless it is in accord with the Weighted Vote.

3.2.1.3.2. Weighted Voting

Each Member of the Board of Directors shall have the number of Weighted Votes that are calculated in accordance with the following formula: Weighted Votes = 100 x (Total of Member's Subscriber Units/Total Network Subscriber Units). The number of Weighted Votes of each Member shall be recalculated at the beginning of each quarter or whenever a new Member joins the RWC.

A Weighted Vote shall pass by both the affirmative vote of a majority of the Members of the Board of Directors voting and the affirmative vote of Members representing eighty percent (80%) of the Weighted Votes of the Members voting. If the Weighted Vote does not pass, the original Numerical Vote has no effect. A Weighted Vote shall be taken on a roll call basis.

In the event a Weighted Vote does not pass and the Board of Directors is unable to decide the matter despite further discussion and another vote or votes, any Member may call for mediation to attempt to resolve the matter.

3.2.2. Executive Committee

The purpose of the Executive Committee is to provide high level expertise in communications and operations, advise the Board, help direct the efforts of Executive Director and provide intermediate strategic direction for the RWC. The Executive Committee shall review and approve all proposals and recommendations, budget and financial reports, Network performance reports, and Board of Directors meeting agendas prior to submittal to the Board of Directors. The Executive Committee shall have the authority to return proposals and recommendations back to the originator for review and revision. The Executive Committee shall identify for the

Board of Directors performance issues and recommendations for Network enhancements and construction.

At least one Representative from the Executive Committee shall attend each Board of Directors meeting.

3.2.2.1.Representation

The Executive Committee shall consist of five Representatives appointed by the Board of Directors, plus the Executive Director who will be a non-voting member. Representatives, selected from the RWC Membership, shall consist of: one (1) Police Department executive manager; one (1) Fire Department executive manager; one (1) Municipal executive manager; one (1) Chief Information Officer (or equivalent); and one (1) executive manager from a Network Managing Member. The Executive Committee shall not be comprised of Representatives from only one Member. Every two years the Board of Directors shall review the Executive Committee representation.

3.2.2.1.1. Chair

The Executive Committee shall elect one of its Representatives as Chair. The Chair shall be the presiding officer of the Executive Committee and shall serve a two-year term. The Chair shall not serve two consecutive terms.

The Executive Committee shall elect one of its Representatives as Vice-Chair. The Vice-Chair shall execute the duties of the Chair during the absence or disability of the Chair.

During the absence or disability of the Chair and Vice-Chair, the Executive Committee shall elect a presiding officer for the meeting.

3.2.2.2. Meetings

The Executive Committee will conduct regularly scheduled meetings. These meetings shall be held at least once monthly prior to the Board of Directors' meeting. Two (2) or more Representatives, with the approval of the Chair, may call a special meeting of the Executive Committee upon a minimum of three (3) working days notice to the other Representatives. In the event of an emergency, a meeting may be scheduled and noticed with less than three (3) working days notice, provided that a Quorum is present and appropriate notice is given.

3.2.2.2.1. Quorum

To constitute a quorum, there shall be at least three (3) Executive Committee Representatives present.

3.2.2.2.2. Attendance

Subject to approval by the Executive Committee Chair, a Representative may attend and participate in a meeting by teleconference or video conference, and such attendance and participation shall have the same effect as if the Representative were present in person.

3.2.2.3. Voting Methodology

A quorum shall be present to conduct business. A majority vote is required to approve any action taken by the Executive Committee.

3.2.3. Executive Director

The Administrative Managing Member, subject to the approval of the Board of Directors, shall appoint an Executive Director to perform RWC administrative duties. The Executive Director will report to the Board of Directors and serve as a non-voting member of the Executive Committee. The Executive Director shall:

- Maintain contact information for all Board of Directors, Executive Committee, and working group representatives;
- Attend all meetings and coordinate efforts of the Board of Directors, Executive Committee, and Operations Working Group;
- Prepare and maintain meeting notices, agendas and minutes for the Board of Directors and Executive Committee and Operations Working Group;
- Manage the overall administrative organizational structure and staffing of the RWC;
- Assemble working groups, in addition to the Operations Working Group, as necessary to address operational and technical issues;
- Prepare and submit to the Executive Committee and the Board of Directors revenue and expenditure budgets and financial reports that follow standard accounting practices;
- Update fee schedules and provide billing and cost recovery services using standard accounting practices;
- Maintain an inventory of all Network infrastructure and real property used on behalf of the RWC;
- Provide monthly Network performance reports;
- Maintain contact information for all Members and Member agencies of the Network;
- Serve as the custodian of records for the RWC and maintain this Agreement and all other records of the RWC, in accordance with the records retention and disposition schedule of the City of Phoenix;

- Create and annually update a five-year plan for approval by the Executive Committee and the Board of Directors.
- Maintain operating procedures and policies; and
- Perform other duties as directed by the Board of Directors and the Executive Committee.

3.2.4. Operations Working Group

The Operations Working Group shall be responsible for addressing Network operational issues and maintaining Board approved comprehensive policies and procedures for the operation and maintenance of the Network. The Operations Working Group shall review the RWC policies and procedures on an as needed basis, but not less than bi-annually, and shall submit necessary revisions to the Executive Director for Board of Directors' approval.

3.2.4.1. Representation

Each Member may have up to three (3) representatives ("Agency Representatives"), with one (1) Agency Representative each from a Law Enforcement Agency, Fire Services Agency and Municipal Agency. However, each Member may only have an Agency Representative from each agency for which the Member has actual users on the Network. The Agency Representatives will act as liaisons to their respective agencies and are responsible for promptly notifying the Operations Working Group of issues potentially affecting Network operations.

In addition to their respective Agency Representatives, each Network Managing Member will appoint one (1) Network Management and one (1) Maintenance Representative. The Network Management and Maintenance Representatives will provide technical expertise to assist Agency Representatives in making decisions regarding potential actions on the Network.

4. FINANCIAL MANAGEMENT

The Administrative Managing Member, under the direction of the Executive Director, shall be responsible for all financial management responsibilities including, but not limited to, fund management, budget development, rates and fees, Member billing, procurement, financial reporting, and financial audits.

4.1. Budget and Financial Reporting

The Executive Director, in cooperation with the Operations Working Group, shall prepare and present to the Executive Committee, by November of each year, a Preliminary Budget for the subsequent fiscal year, a Five-Year Financial Forecast, and Fund Balance Reports. The Preliminary Budget shall include all operational and maintenance costs, as well as planned capital costs for the upcoming year. The Five-Year Financial Forecast shall include projected revenue, operational and maintenance costs, capital costs, and fund balances for the five (5) years following the Preliminary Budget period. All significant issues and financial assumptions influencing the preparation of these reports shall be detailed and included as a part of the

presentation. After presentation to the Executive Committee, the Preliminary Budget, Five-Year Financial Forecast, Fund Balance Reports, and the presentation of significant issues and financial assumptions shall be forwarded to the Board of Directors for approval. The Board of Directors shall adopt each subsequent fiscal year's final operational and capital budget by December of the prior fiscal year. The budget approved by the Board of Directors shall be the basis for developing the Annual Membership Fees and Rate Schedule. A copy of the adopted budget shall be provided to all Members.

On a quarterly basis, each Member will receive an Activity Statement for its respective subsidiary accounts.

After the end of each fiscal year, the Executive Director shall submit to the Executive Committee and Board of Directors a summary of financial activity, including a comparison of budgeted expenditures to actual expenditures.

4.1.1. Preliminary Budget

The Preliminary Budget shall include all funding sources, operational and maintenance expenses, as well as planned capital costs for the subsequent year.

4.1.2. Five-Year Financial Forecast

The Five-Year Financial Forecast shall include projected revenues, operational and maintenance expenses, and capital costs for five (5) years following the Preliminary Budget. The Five-Year Financial Forecast will be used to prepare future years' annual budgets.

4.1.3. Fund Balance Report

A Fund Balance Report shall be prepared for the RWC Operating Fund in addition to the Infrastructure Replacement and Expansion Fund. A Fund Balance Report shall provide a projection of annual fund balances through the period covered by the Five-Year Financial Forecast and shall include recommendations regarding the adequacy of the fund balance reserve.

4.1.4. Activity Statements

On a quarterly basis, each Member will receive an Activity Statement for its Infrastructure Replacement and Enhancement Subsidiary Account and, if applicable, its Special Revenue Fund Project(s) Subsidiary Account(s).

Quarterly activity statements for subsidiary accounts associated with the Infrastructure Replacement and Enhancement Fund and the RWC Special Revenue Fund will be prepared and forwarded to each Member for review. The statements will indicate dates and amounts of all payments made into the accounts as well as expenditures charged to the accounts. The statements will also indicated the average daily account balance, the interest rate applied, and the resulting interest earnings or expense added to the account balance.

4.1.5. Year-end Expenditure Reporting

Year-end Expenditure Reporting shall include an accounting of the actual cost of the operation, maintenance and replacement of the Network compared to budgeted expenditures and fees assessed to Members.

4.2. Funding

The Members shall fund the RWC through Annual Membership Fees, Special Assessments, and grants, as determined by the Board of Directors.

It will be the responsibility of each Member to take the appropriate steps in conformity with the state and local laws to ensure that it appropriates sufficient funds to cover its obligations assumed under this Agreement. Each Member shall encumber its share of the RWC's current year's planned costs no later than July of each fiscal year. Members will advance funds to Administrative Managing Member on a quarterly basis upon receipt of an invoice. Payment of all invoices is due forty-five (45) days from the invoice date. The Administrative Managing Member will transfer funds for its share of the RWC's quarterly planned costs to the RWC operating fund no later than forty-five (45) days after the invoice date.

A late payment charge will be assessed at the rate of one percent (1%) per month for all payments received late. If the Administrative Managing Member does not transfer its share of the cost to the RWC Operating Fund as provided herein, the Administrative Managing Member shall pay interest at the rate of one percent (1%) per month. Interest collected will be deposited into the RWC Operating Fund and be used to offset operating and maintenance costs.

In the event a Member disputes an amount billed, it shall do so in writing to the Executive Director within forty-five (45) days after the invoice date. The Member shall pay the disputed amount, but may do so under protest. The protest shall be in writing, and shall accompany the disputed payment if not previously paid, and shall specify the reason upon which the protest is based. After the protest has been filed and the disputed amount has been paid, the dispute shall be handled in accordance with the dispute resolution terms and conditions outlined in the IGA, Section 17, Default and Cure, and Section 18, Alternative Dispute Resolution. Payments not made under protest shall be deemed to be correct. If a protest is not filed within forty-five (45) days of the invoice date, the Member waives its right to file a protest.

If a Member withdraws from the Network, that Member shall be responsible for all unpaid fees applicable for time of the Member's Membership.

It shall be the responsibility of each Member to bill and collect from its individual users such user charges and cost recovery charges as are required in the payment of the amounts due under this Agreement.

4.2.1. Annual Membership Fee

Each Member agrees to pay an Annual Membership Fee to cover the cost of RWC Administrative Services including allocated insurance premiums, self-insurance costs, costs of claims and lawsuits, Network Operations and Maintenance Services, and Network Infrastructure

Replacement and Enhancement Projects. The annual amount to be collected shall represent the Board approved operations and maintenance budget for the current fiscal year in addition to the amount approved by the Board for the subsequent year's infrastructure replacement and enhancement projects. The Annual Membership Fee shall be adjusted for any capital funding collected in previous years on behalf of capital projects included in the current fiscal year operating budget. In addition, the Annual Membership Fee shall also include the amount required to maintain the Board approved fund balance reserves in accordance with Section 4.2.1.4.1 and 4.2.1.5.1. Annual Membership Fees shall increase Members' Equity, as established under Section 4.3, only to the extent that funds are deposited in the Infrastructure Replacement and Enhancement Fund.

The cost of purchasing, maintaining and programming Subscriber Units shall be borne solely by the Member owning the Subscriber Units.

Notwithstanding the provisions of this Section 4.2.1 and Section 4.2.1.2, the Board of Directors shall have the discretion to adjust the amount a Member pays as its proportionate share of the Network Operations and Maintenance Services cost if the Board of Directors finds factors or circumstances relating to the provision of operational and maintenance services are such that the formula used to determine the amount the Member pays for Network Operations and Maintenance Services (i.e., an amount proportionate to its Subscriber Units in use on the Network at the time the fee is assessed) results in an unfair or inequitable assessment to that Member or to the other Members.

4.2.1.1. Rate Approval

The Annual Membership Fee rate shall be submitted to the Board of Directors for approval not later than one hundred twenty (120) days prior to the beginning of the fiscal year in which the proposed rates are to be in effect.

4.2.1.2. Payment Basis

The Annual Membership Fee shall be assessed and paid on a quarterly basis. Payments are due to the Administrative Managing Member in the months of July, October, January, and April of each year. The amount each Member shall pay will be proportionate to its Subscriber Units in use on the Network at the time the fee is assessed. Mid-quarter changes in Subscriber Units using the Network will not impact Members' share of costs until the beginning of the next quarter.

4.2.1.3. Interim Adjustments

If at any time during the current fiscal year, the Executive Director reasonably believes the budget used to calculate quarterly fees is grossly inaccurate, the Executive Director may present to the Executive Committee and Board of Directors a new budget. Upon approval by the Board of Directors, the new budget shall be used to recalculate the remaining quarterly fees due in that fiscal year.

If infrastructure replacement and enhancement projects are advanced or delayed, The Administrative Managing Member may propose interim changes to the quarterly Annual Membership Fee billings.

4.2.1.4. RWC Operating Fund

The portion of the Annual Membership Fee assessed and collected to cover the cost of RWC Administrative Services, Network operations and maintenance, and to maintain the minimum RWC Operating Fund balance, shall be deposited in the RWC Operating Fund. Interest or interest expense will be applied monthly to the RWC Operating Fund based on the average daily balance during the month. The interest rate applied will be the rate earned in the Administrative Managing Member's pooled cash account. Interest earned will be used to offset operating expenses.

4.2.1.4.1. Minimum Balance

Members agree to establish and maintain an operating fund balance reserve equal to twelve and one half percent (12.5%) of yearly budgeted total operation and maintenance costs excluding capital replacement fund charges. The fund balance reserve initially will be established semiannually in the first year and maintained annually thereafter. Each Member's obligation to fund the fund balance reserve shall be proportionate to its Subscriber Units in use on the Network at the time the fee is assessed. Midyear changes in Subscriber Units will not impact a Member's share of the fund balance reserve until the beginning of the next fiscal year. The Board of Directors shall approve any increase or decrease to the fund balance reserve.

4.2.1.4.2. Year-end Settlement

After the end of each fiscal year, the Executive Director shall prepare a settlement of the RWC Operating Fund by comparing fees assessed to actual expenditures paid. If the settlement shows for any Member that actual expenditures exceeded fees assessed, the Board of Directors may authorize the Executive Director to bill the applicable Member for an amount sufficient to cover the shortage. If the settlement shows for any Member that expenditures are less than the fees assessed, the unused fees shall be used to reduce the applicable Member's next quarterly Annual Membership Fee payment.

Amounts owed by or to the Administrative Managing Member as a result of the annual year-end settlement will accrue interest based on the earnings rate in Administrative Managing Member's pooled cash account until the appropriate funds are distributed or paid. Amounts owed by or to the Administrative Managing Member as result of the year-end settlement will be distributable within forty-five (45) days of the acceptance of the annual audit report by the Board of Directors.

4.2.1.5. Infrastructure Replacement and Enhancement Fund

The portion of the Annual Membership Fee assessed and collected to cover Board approved infrastructure replacements and enhancements and to maintain the minimum Infrastructure Replacement and Enhancement Fund balance shall be deposited into the Infrastructure

Replacement and Enhancement Fund. Subsidiary records for each Member will be maintained. Interest or interest expense will be applied monthly to each subsidiary account based on the average daily balance during the month. The interest rate applied will be the rate earned in the Administrative Managing Member's pooled cash account.

4.2.1.5.1. Minimum Balance

The Members agree to establish the Infrastructure Replacement and Enhancement Fund balance reserve. Each year, the Board of Directors shall establish the Minimum Balance for the Infrastructure Replacement and Enhancement Fund by September 30th, for the following fiscal year. Each Member's obligation to fund the fund balance reserve shall be proportionate to its Subscriber Units in use on the Network at the time the fee is assessed. The Board of Directors shall approve any increase or decrease to the fund balance reserve.

4.2.1.5.2. Approved Uses

The Infrastructure Replacement and Enhancement Fund shall be used only for infrastructure replacements and enhancements approved by the Board of Directors except in the event of a major failure, disaster or force majeure event that necessitates immediate action to restore the Network to operating condition. In such cases, the Executive Director is authorized to withdraw funds. Funds withdrawn under these circumstances shall be reported to the Members at the next Board of Directors meeting for after the fact approval and special assessment, if necessary.

Members agree that expenditures against the Infrastructure Replacement and Enhancement Fund shall not be authorized if they will cause the fund to be in a deficit position at any point in time. If the Infrastructure Replacement and Enhancement Fund is negative at the end of any month, the Administrative Managing Member will immediately bill each Member for an amount sufficient to cover the shortage and to re-establish the required deposit amount. These bills will be faxed to each Member and payments for these billings must be received by the Administrative Managing Member within thirty (30) working days. In such an event, the Administrative Managing Member will re-evaluate the approved budget for the remainder of the year to determine if the quarterly billings should be adjusted.

4.2.2. Special Assessments

The Board of Directors may assess other fees on an as-needed basis to pay the costs of unplanned projects such as disaster recovery, certain extraordinary claims or lawsuits, the use of the Network by an Interoperability or Conditional Participant, or to pay the costs of special projects or system changes and/or expansions not previously included in the budget. Such changes may not benefit all Members in a reasonably proportionate manner. Fees may be assessed proportionately or individually, as approved by the Board of Directors, and need not be equal among Members. Fees collected as a special assessment shall be deposited into a special revenue fund.

4.2.2.1. RWC Special Revenue Fund

The RWC Special Revenue Fund shall only be used to pay the costs of the projects for which a Special Assessment has been imposed. Subsidiary records for each project will be maintained. Interest will be applied monthly to each project's account based on the average daily balance during the month. The interest rate applied will be the rate earned in the Administrative Managing Member pooled cash account. Interest earned will remain in the project account to finance ongoing expenses associated with the project.

4.2.2.1.1. Settlements

After the project is completed and all related debts have been paid, the Administrative Managing Member shall prepare a reconciliation of the project's subsidiary account by comparing fees assessed and paid to actual expenditures paid. If the reconciliation shows actual expenditures exceeded fees assessed and paid, the Administrative Managing Member will bill the applicable Member(s) for an amount sufficient to cover the shortage. If the reconciliation shows expenditures are less than the fees assessed and paid, the unused fees shall be either refunded or applied as a credit to the applicable Member(s) account(s). When more than one Member is funding a project, billings and refunds will be sent to each Member in accordance with the Board approved funding plan for the project.

4.2.2.2. Applicant Impact Assessment

Each entity considered for Membership shall pay a Special Assessment to cover the cost of developing an Impact Assessment that will address the effect of the request on the existing infrastructure and Members. The Special Assessment shall be paid prior to commencement of the Impact Assessment study.

4.2.2.3. New Member

Each new Member to the RWC shall pay a Special Assessment equal to the full cost associated with providing services to the new Member. The amount to be paid will include the cost to provide service to the new Member's Subscriber Units, any investment in Network infrastructure necessary to increase Network capacity, and other costs deemed necessary to ensure existing Members receive the same services and benefits they received before the new Member joined the Network. The Special Assessment shall be paid in accordance with the terms and conditions established by the Board of Directors as part of the Membership agreement. If the infrastructure that must be purchased for such capacity could ultimately be used to handle additional Subscriber Units beyond the amount requested by the new Member, the new Member may enter into a capacity agreement that provides for reimbursement of a portion of these costs, if and when additional Subscriber Units are brought onto the Network.

4.2.2.4. Existing Member Capacity and Coverage Upgrade

A request from an existing Member expected to impact the Network coverage, capacity and/or performance of other Members will require the existing Member to pay a Special Assessment to cover the cost of an Impact Assessment to determine the impact of the request on the existing infrastructure and Members. Requests requiring a Special Assessment shall include, but are not

limited to, requests to increase the number of Subscriber Units, Talkgroups, roaming profiles, or coverage individually or cumulatively, by more than ten percent (10%). The Impact Assessment shall determine the cost and benefits of the request and assess the impact on the existing infrastructure including, but not limited to, controllers, base stations, facility capacity, traffic capacity, roaming capacity, microwave/fiber capacity, and overall coverage. The Operations Working Group shall consider such requests upon payment of the Special Assessment and forward their recommendation to the Executive Committee for review and Board of Directors for approval.

4.2.3. Grants

Acceptance and use of grant funds is at the discretion and approval of the Board of Directors. Grant funds acquired on behalf of the RWC will be used to reduce costs for the project for which the grant was applied. The application for or the award of a grant shall not relieve a Member of its obligation to pay, within forty-five (45) days of the invoice date, costs billed in accordance with this Agreement. Grant funds will be credited to each Member in proportion to the amount of funding each Member contributed towards the grant project, as grant funds are received. Grant funds credited to a Member will increase the Members' Equity pursuant to Section 4.3 of this Agreement.

4.3. Members' Equity

The total Members' Equity shall be equal to the Net Value of the RWC as defined in Section 1 of this Agreement. Each Member's Equity will be a proportionate share of the total Members' Equity, as defined in Section 1 of this Agreement. Members' Equity in the RWC will be recalculated when:

- A new Member joins the RWC;
- A major enhancement or expansion is completed;
- At fiscal year-end after each Member's payments into the Infrastructure Replacement and Enhancement Fund are applied, actual expenditures are allocated against each Member's account, and interest is applied to each Member's cash balance.

If a Member brings assets to the RWC and the Board of Directors accepts the assets on behalf of the RWC, the Members' Equity will increase based on the value of the assets at the time of transfer to the RWC.

Assets which are individually owned, as permitted in Section 5 of this Agreement, shall not be counted as part of the Net Value of the RWC, and the Member(s) owning those assets shall not receive credit towards equity in the system until those assets become part of the RWC as described in Section 5 of this Agreement.

4.4. Annual Audit

An independent audit of RWC financial records will be conducted annually. The Board of Directors shall determine the scope of work of the independent annual financial audit.

5. RWC ASSETS

Each Member shall retain any and all right, title and interest in real estate, real property and fixtures thereto, including without limitation real estate, buildings, structures, towers, and generators that the Member owns, leases or licenses and that the Member authorizes or allows the Regional Wireless Cooperative to use as part of the Network.

Each Member is responsible for and shall bear the cost of maintaining its real estate and real property, including fixtures thereto, that are made part of the Network, to the extent necessary to maintain the operational integrity and capacity necessary to operate the Network. Each Member agrees that it will make all arrangements necessary to allow the Managing Members reasonable access to that Member's real estate, buildings, structures, towers and other facilities that are part of the Network for the purposes of inspecting, operating, and maintaining the Network. Prior to exercising the right of inspection provided by this paragraph, the Managing Member shall give the Member whose property is to be inspected reasonable notice under the circumstances then existing.

Any and all real estate and real property that is purchased by and on behalf of the Regional Wireless Cooperative shall be included in the Net Value of the RWC, with each Member's ownership interest in RWC real estate and real property expressed in their Member's Equity as defined in Section 1 of this agreement.

Any and all personal property, including frequencies, equipment, hardware and software, that is owned by a Member and brought into the Network, or that is purchased by and on behalf of the RWC, shall be held jointly and owned in common by the Members with each Member's ownership interest in the RWC personal property proportionate to the amount each Member invested in the property.

The Board of Directors shall approve the sale or disposal of any Network assets. In the event of a sale, the Members shall share in the proceeds, considerations or benefits from the sale in proportion to Members' Equity in place at the time of sale.

Each Member agrees that as part of its obligations and commitments in support of the Regional Wireless Cooperative, that it will not dispose of or remove from the Network, without the approval of the Board of Directors, its real estate or real property that it has initially allowed all Members to use.

The Members of the RWC agree that any real or personal property jointly purchased for the benefit of the RWC shall be titled and held in the name of the Administrative Managing Member, even though all financially contributing Members to the purchase shall actually own a percentage share in such real or personal property.

Notwithstanding the foregoing, Members shall be permitted to maintain individual ownership over the personal property, including frequencies, equipment, hardware and software, where such individual ownership is desired Individual personal property ownership is also permitted where personal property has been purchased by a Member for the sole and exclusive use of that Member. Should the RWC replace personal property that was solely owned by a Member, the replacement personal property shall be deemed jointly owned personal property of the RWC. The replaced piece of personal property may be retained or disposed of by the Member.

If any obligations of a Member issued to finance any real or personal property made a part of the Network are secured by any right, title, interest or lien in or upon such property (a "Finance Lien"), the rights of the RWC and the Members in and to such property, including the rights to use such property as part of the Network, shall at all times be subordinate and subject to such Finance Lien and the rights of the holder or holders of such Finance Lien. The terms of any such financing shall provide the RWC the right and reasonable opportunity to cure any default or non-appropriation with respect to such financing to allow the continued use of such property by the RWC and the Members as part of the Network.

Neither the RWC nor any Member will take or fail to take any action with respect to the use and operation of the Network, which action or failure to act would adversely affect the tax-exempt status of any obligations issued by any Member to finance any real or personal property made a part of the Network. Without limiting the foregoing, neither the RWC nor any Member will permit any private business use of the Network where such private business use would cause any Member's obligations to be treated as Private Activity Bonds under the Internal Revenue Code, as amended.

6. INSURANCE

6.1. Real Property

Each Member is responsible to insure real property, including fixtures thereto, titled in its own name.

Each Member who has leased real property, including fixtures thereto, to be used in the cooperative is responsible to insure that property according to the terms of the lease.

The Administrative Managing Member is responsible to insure real property cooperatively purchased or leased for the benefit of the RWC as directed by the Board of Directors.

6.2. Personal Property

The Administrative Managing Member is responsible for insuring, as directed by the Board of Directors, all personal property brought into the network as described in Section 5 of this document. Notwithstanding the foregoing, however, any and all personal property that is purchased or owned exclusively by a Member and brought into the Network by that Member shall be insured by such Member. Neither the Board of Directors nor the Administrative Managing member shall be responsible for a loss involving Member-owned property that

became RWC jointly-owned property and was not timely reported in accordance with operating procedures that may be established by the Board of Directors.

6.3. Liability Insurance

Each Member is responsible to insure its liability assumed under the IGA Section 4.4.

The Board of Directors shall determine appropriate insurance coverage for the RWC's liability assumed under the IGA Section 4.4, in accordance with the IGA Section 4.8.

6.4. Insurance Programs

The RWC, Board of Directors, individual Members and Administrative Managing Member may use any combination of insurance, excess insurance or self-insurance to satisfy the terms of this Section 6.

7. SERVICES

The RWC will develop policies, procedures and guidelines that govern how Members, Associates, and Conditional and Interoperability Participants obtain services, whether routine or emergency, establish Talkgroups, set priorities, determine roaming/site access, use encryption, and operate on the Network. When using the Network each Member shall abide by all policies, procedures and guidelines established by the RWC and the terms and conditions of all applicable Agreements.

7.1. Programming and Reprogramming

The Network Managing Members, or a Board of Directors authorized provider, shall program or reprogram all Subscriber Units with a valid Network key. All Subscribers Units shall only be programmed or reprogrammed with valid programming templates that have been approved by the RWC. The cost of programming or re-programming Subscriber Units is the sole responsibility of each Member and is not included in the Annual Membership Fee.

7.2. Encryption

The Managing Members shall provide key management services including generation, distribution, storage, destruction and maintenance of key materials. Individual Members may be required to update key materials in Subscriber Units as directed by the RWC. The RWC may designate other agencies, such as Federal agencies, to provide key management services in special circumstances.

7.3. Network Management

The Network Managing Members shall program, maintain, and manage the Network databases in a manner that minimizes the degradation of operational performance and the loss or corruption

of data. The Network Managing Members shall follow RWC established policies and procedures applicable to Network Management.

7.4. Interoperability

The RWC shall establish procedures and practices to support interoperability among all Members, Associates and Conditional and Interoperability Participants. The RWC shall follow the National Incident Management System (NIMS) protocols for interoperable communications.

7.5. Training

Each Member shall ensure that its users are properly trained prior to any use of the Network.

8. PERFORMANCE AND OPERATION

The Network is designed and implemented in accordance with design and evaluation standards for public safety systems. During the technical analysis phase for adding new Members to the Network, the RWC shall follow the RWC design criteria and evaluation standards to protect both current and future Members. The RWC shall be responsible to maintain coverage, capacity and performance in accordance with public safety needs, requirements and standards. The RWC intends to maintain the existing Network coverage and capacity requirements; however, there are no guarantees of Network reliability and availability for new Members when operating within the existing service territory. The RWC anticipates in certain situations restrictions may have to be employed to assist with capacity control during the new Member evaluation process. The nature of the restrictions will be explored and discussed with each applicant on a case-by-case basis.

9. MAINTENANCE

9.1. Maintenance Plans Intra/Inter Agency

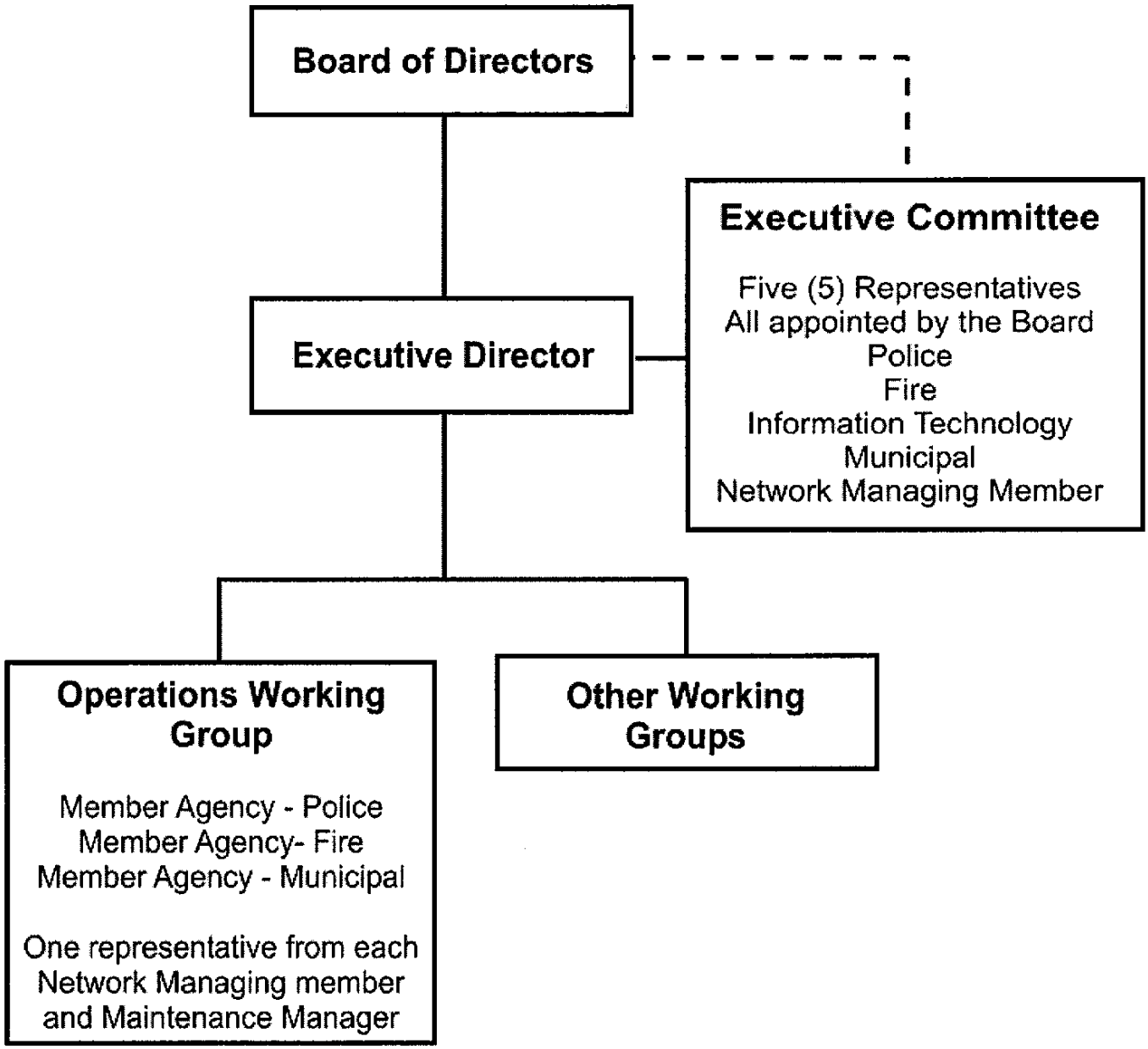
The Maintenance Managers and Network Managing Members shall provide Network maintenance in accordance with the policies, procedures, standards and responsibilities established by the RWC. The Maintenance Managers and Network Managing Members shall provide reasonable notice to Members of any scheduled or unscheduled service affecting a Member's use of the Network.

9.2. Responsibility for Repair of Subscriber Units

Each Network user is solely responsible for the maintenance and repair of its Subscriber Units. Only Members and vendors, certified by the RWC shall be used for the maintenance and repair of Subscriber Units. When maintaining and repairing Subscriber Units, authorized Members and vendors shall adhere to RWC policies and procedures including handling of Network keys, encryption keys, and configuration programming.

EXHIBIT B

RWC ORGANIZATION STRUCTURE



Regional Wireless Cooperative

Amended IGA Consideration

Background

- In 2008, Surprise became one of the original members of the Regional Wireless Cooperative (RWC), a seamless public safety radio network originally comprised of 14 agencies throughout Maricopa County (now 19 agencies).
- It is administered by the City of Phoenix, but overall management of the RWC is overseen by the Board of Directors which is comprised of representatives from the 19 member agencies.
- Each of the 19 entities has contributed money, personal property, real property or a combination thereof; the sharing of resources and costs is what makes the system invaluable.

Governance Review

- With the expansion and maturation of the system since its inception in 2008, it was deemed necessary to conduct an extensive review of the Governance Document (contained in the IGA) to ensure its effectiveness in meeting the needs of managing the RWC and its compliance with current law and policy.
- The Governance document serves as the administrative and managerial “Rulebook” used to manage the RWC.
- The proposed changes were reviewed and agreed to by each RWC participant and their legal representatives and has yielded a revised, comprehensive Governance Document.

Action Requested

- Staff is seeking Council authorization for the City Manager or designee to enter into an updated IGA with the RWC, which incorporates the updated Governance Document.
- If adopted, the changes would become effective January 1, 2019; there would be no financial impact to the city.

Comments & Questions

Thank you!

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Eric Fitzer - Community Development
Submitting Department:	CD	District:	5
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to an application for a major amendment to the Surprise Town Center Comprehensive Sign Program; case number FS16-387.

Motion:

I move to [approve/deny] FS16-387 Surprise Town Center Major Comprehensive Sign Program Major Amendment.

Background:

This request is the result of signage that was lost due to the US-60/Grand Avenue and Bell Road project which improved traffic operations and safety in the immediate vicinity of the Surprise Town Center. The Arizona Department of Transportation (ADOT) constructed a new Bell Road bridge over US 60 (Grand Avenue) and the adjacent railroad tracks. In order to reduce the project's length and lessen the overall impacts of construction, ADOT worked with the City of Surprise and local businesses to schedule a full closure of Bell Road between 134th Avenue and West Point Parkway. The City enacted the Bell Road Temporary Sign Policy (Resolution 2016-42) in March of 2016 to assist businesses during the construction of the Bell and Grand Overpass Project. The project has been completed and all lanes in each direction, Bell Road and Grand Avenue, are fully open for vehicular traffic. The City has since received inquires for permanent monument signage to replace signage which was removed due to right-of-way (ROW) expansion, Public Utility Easement (PUE) relocations along Bell Road, and construction of the overpass. The City has approved requests by the owner/operators of the Surprise Town Center regarding the replacement of signage which was lost along Grand Avenue because of ROW expansion and PUE relocation due to the project requirements associated with Grand Avenue. This request is to replace signage removed along Bell Road. Originally the Surprise Town Center Comprehensive Sign Program approved by the City allowed for signage along Bell Road to be at maximum 15' in height. Due to the topography of the road, safety features such as jersey barriers and railing, and the location of the sign relative to the Bell Road right-of-way, the applicant is asking for additional height. The applicant requests that the sign be at a maximum height of 52' and include the addition of Electronic Messaging located at the bottom of the sign.

At the regularly scheduled Planning and Zoning Commission meeting held on July 19, 2018 the

Planning and Zoning Commission recommended, by a vote of 6 to1, denial of FS16-387 Surprise Town Center Major Comprehensive Sign Program Amendment to the Mayor and City Council.

Objective Analysis:

Per Section 113-1415 of the Surprise Municipal Code, Council must evaluate whether the Comprehensive Sign Program application demonstrates the following:

1. The proposed signage represents a material improvement over what is otherwise permitted in Chapter 113 of the Surprise Municipal Code, and;

2. The proposed signage is appropriate to the character of the development covered by the Comprehensive Sign Program, and;

3. The proposed signage is appropriate to the neighborhood in which the property is located, and;

4. The comprehensive Sign Program creates a cohesive aesthetic that will apply to all signage covered by the Comprehensive Sign Program within the specific area covered by the Comprehensive Sign Program.

The burden is on the applicant to demonstrate these criteria are met.

Policy Compliant:

The process in which this application comes before City Council for Council's evaluation and either approval or denial is compliant with City Code.

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:

No new FTEs will be required by action on this item.

ATTACHMENTS:

Click to download

- FS16-387 Surprise Town Center Major CSP Amendment - CC Staff Report - 090418
- Vicinity Map
- Surprise Town Center Major CSP Amendment Request
- Final Presentation

MAJOR CSP AMENDMENT

REPORT TO THE MAYOR AND CITY COUNCIL

Case:	FS16-387
Project Name:	Surprise Town Center Major Comprehensive Sign Program Amendment
Council District:	5 - Palm
Meeting Date:	September 4, 2018
Planner:	Eric Fitzer, 623-222-3020, eric.fitzer@surpriseaz.gov

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Owner:	Surprise Town Center Holdings LLC
Applicant:	Bluemedia; Rick Rettelle
Request:	The applicant is requesting approval of a Major Amendment to the Surprise Town Center Comprehensive Sign Program.
Site Location:	The subject project is generally located on the northwest corner of Bell Road and Grand Avenue.
Motion:	The Planning and Zoning Commission recommends the Mayor and City Council move to **Deny** FS16-387 Surprise Town Center Major Comprehensive Sign Program Amendment.

Project Description:

This request is to replace signage removed along Bell Road. Originally the Surprise Town Center Comprehensive Sign Program approved by the City allowed for signage along Bell Road to be at maximum 15' in height. Due to the topography of the road, safety features such as jersey barriers and railing and the location of the sign relative to Bell Road right-of-way the applicant is requesting additional height, The request for the sign is to be at a maximum height of 52' and the addition of Electronic Messaging Center located at the bottom of the sign.

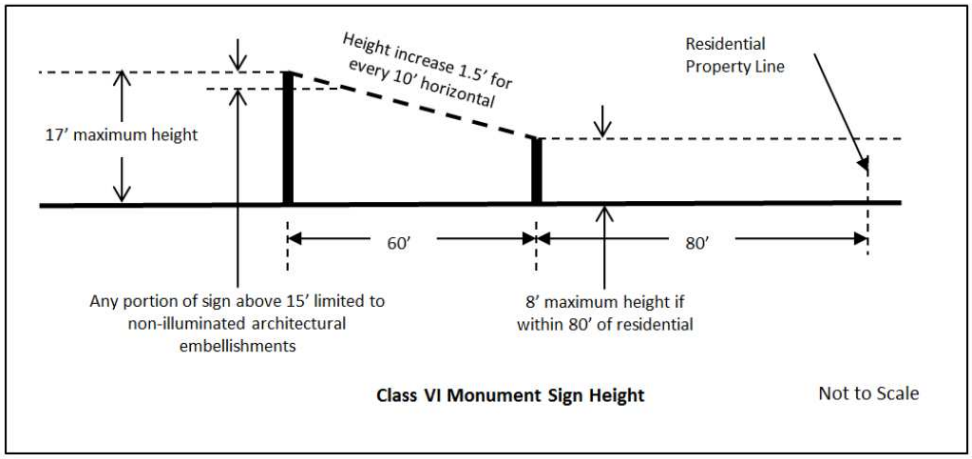
Analysis and Discussion:

The City received a request for permanent monument signage to replace signage which was removed due to Right-of-way (ROW) expansion, Public Utility Easement (PUE) relocations along Bell Road, and construction of the overpass. The City has approved requests by the owner/operators of the Surprise Town Center regarding the replacement of signage which was

lost along Grand Avenue because of ROW expansion and PUE relocation due to the project requirements associated with Grand Avenue.

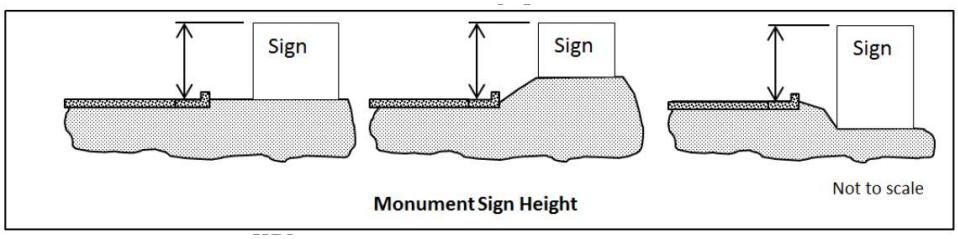
This specific request is to replace signage removed along Bell Road. Originally the Surprise Town Center Comprehensive Sign Program approved by the City allowed for signage along Bell Road to be at maximum 15' in height. Due to the topography of the road, safety features such as jersey barriers and railing and the location of the sign relative to Bell Road right-of-way, the applicant is asking for additional height. The applicant requests the sign to be a maximum height of 52' and include the addition of Electronic Messaging located at the bottom of the sign.

Currently the maximum sign height for any Class IV Monument Sign is 17’ as depicted below.



In order to measure the signage you must look at Chapter 113 Signe Sec 113-8 (d) (2):

> Monument sign height. Unless otherwise noted, notwithstanding adjacent topography, the height of any class of monument sign shall be measured from the closest adjacent curb, or if no curb is present, the closest adjacent pavement.



Based on the location and the relative height of the roadway at the potential location of the sign, if strict adherence to the code were utilized the sign would be allowed to be 22’ tall. As requested the 52’ tall sign is 30’ taller than per the code, which is why the applicant is looking for potential approval of an amendment to the Comprehensive Sign Program (CSP).

Per Sec 113-15 Comprehensive sign programs

(a) Purpose. The purpose of comprehensive sign programs is to provide a mechanism by which a specific set of sign criteria may be approved for a specific property or geographic area in a manner that is appropriate to the character of the community in which the comprehensive sign program will apply.

(b) A comprehensive sign program may be obtained for the following purposes:

(1) To allow a deviation from the requirements applicable to a particular sign class or type, and/or;

(2) To introduce a unique or creative sign type that is not listed as a permitted sign type in subsection 113-7(a).

(c) A comprehensive sign program may not introduce a sign type that is specifically prohibited in subsection 113-7(f).

(d) The comprehensive sign program must demonstrate that:

(1) The proposed signage represents a material improvement over what is otherwise permitted in chapter 113 of the Surprise Municipal Code,

(2) The proposed signage is appropriate to the character of the development covered by the comprehensive sign program,

(3) The proposed signage is appropriate to the neighborhood in which the property is located, and

(4) The comprehensive sign program creates a cohesive aesthetic that will apply to all signage covered by the comprehensive sign program within the specific geographic area covered by the comprehensive sign program.

(e) A comprehensive sign program may be included as part of a zone change request, or as an independent stand-alone document, in either case processed as a type IV application as outlined in article XII of the Surprise Unified Development Code. The approval or denial of a proposed comprehensive sign program is discretionary with the final approval authority lying with the Surprise City Council. A decision by the city council to deny a proposed comprehensive sign program shall not in any way be construed as a diminution of property values or a restraint of development rights.

As part of the request the applicant has included an Electronic Messaging Center (EMC). The EMC size is dictated by the Section 113-11 Electronic messaging centers (EMCs) (b) (4) which is as follows:

> *EMCs as a portion of sign area. When allowed, electronic messaging centers may comprise not more than 50 percent of the allowable sign area of a particular sign.*

The overall sign area is 306.7 square feet plus the addition of the EMC, which is 92 square feet, gives a total signage area of 398.7 square feet. The EMC inclusion into the signage would be equal to 23.1% and thus meets the thresholds as required by the above mentioned section.

At the regularly scheduled Planning and Zoning Commission meeting held on July 19, 2018 the Planning and Zoning Commission recommended 6-1 to recommend Denial of FS16-387 Surprise Town Center Major Comprehensive Sign Program Amendment to the Mayor and City Council.

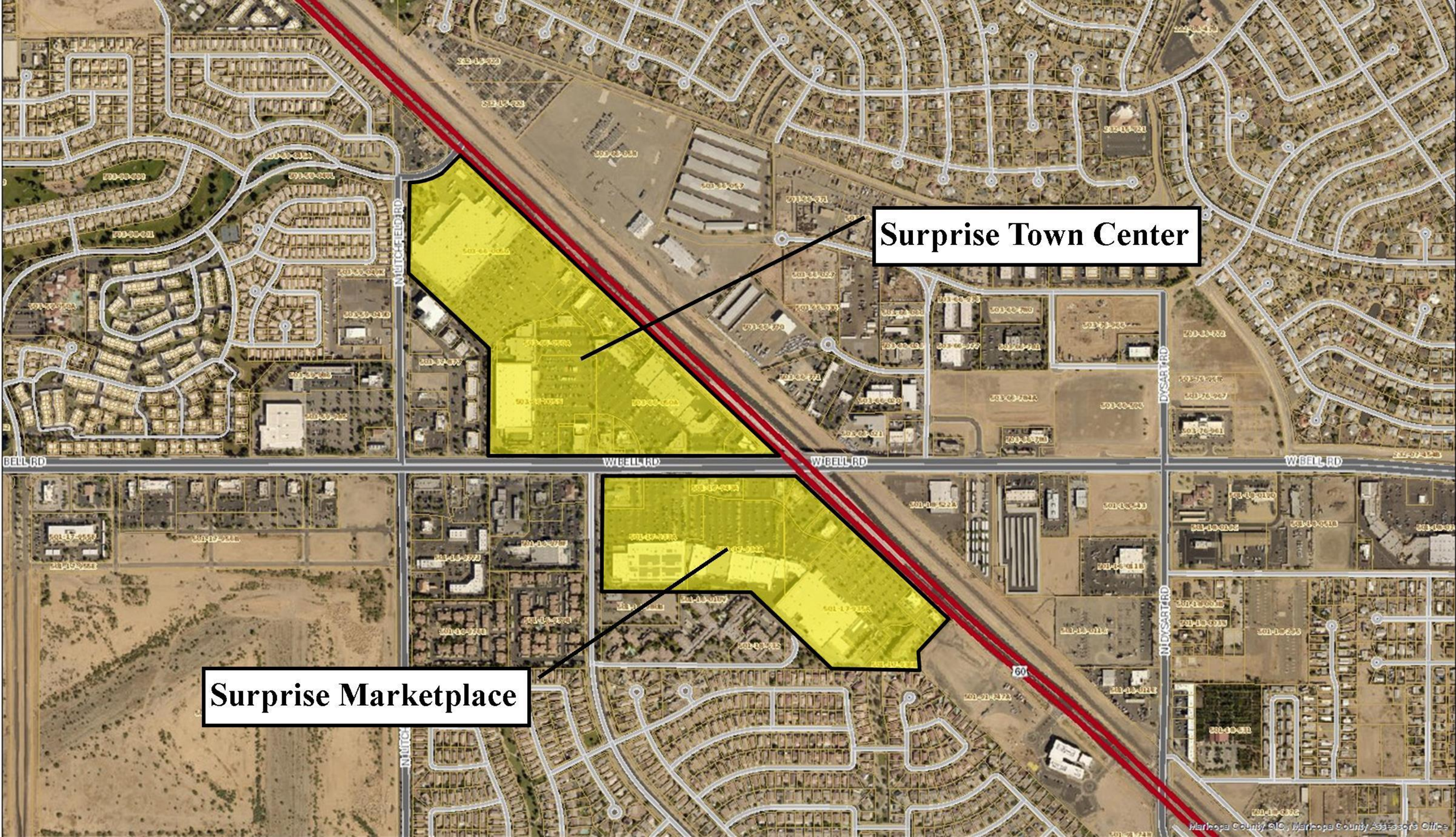
Recommendation:

The Planning and Zoning Commission recommends the Mayor and City Council move to **Deny** FS16-387 Surprise Town Center Major Comprehensive Sign Program Amendment.

Attachments:

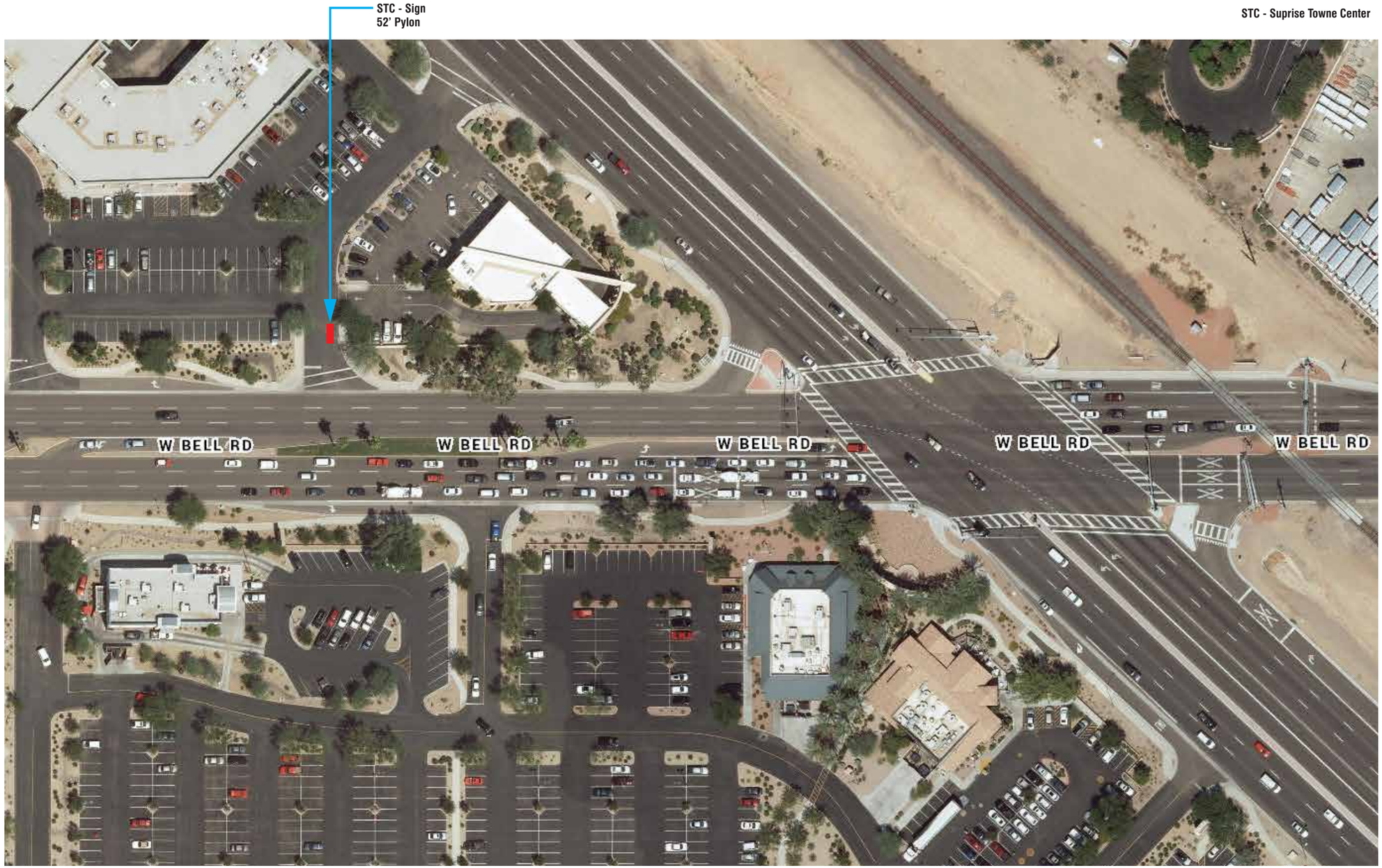
01 – Vicinity Map

02 – Surprise Town Center Signage


Surprise Town Center
Surprise Marketplace
BELL RD
W BELL RD
W BELL RD
W BELL RD
MITCHELL RD
DYSART RD
DYSART RD
60
Maricopa County GIO, Maricopa County Assessor's Office

Pylon Sign Concepts *Surprise Towne Center (STC)*

Sign with EMC Display



A Sign Location Plan
Not to Scale

bluemedia

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Towne Center

SITE ADDRESS
13702 W Bell Road
Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **RR**
DESIGNER **MDK/AG**

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SHEET # **1 of 5**

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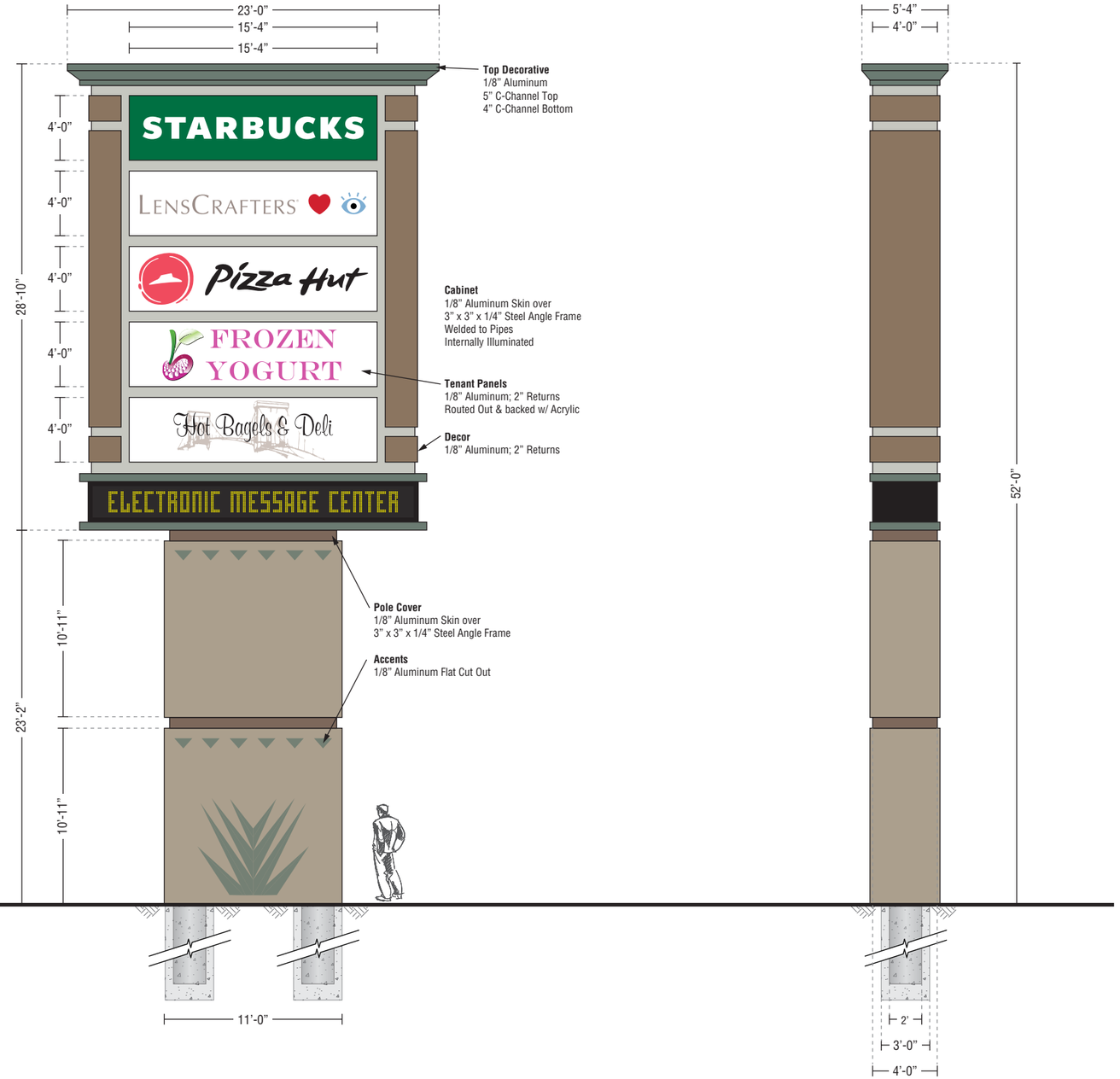
Pylon Sign Concepts *Surprise Towne Center (STC)*

Sign with EMC Display



POLE COVER (BASE) COLOR SCHEME:

- Painted MAP, Match CL 2854D Wood Ash
  Satin Finish
- Painted MAP, Match 5355A Koala Bear
  Satin Finish
- Painted MAP, Match Blue Agave Leaf
  Satin Finish
  (Formerly Known as CL 3026D Stigma)

SIGN CABINET COLORS TO BE FINALIZED WITH CLIENT

A Elevation View - Sign 52'
SCALE: 1/8" = 1'-0"

Sign Area: 663.16 SF

bluemedia

CLIENT
CB Richard Ellis

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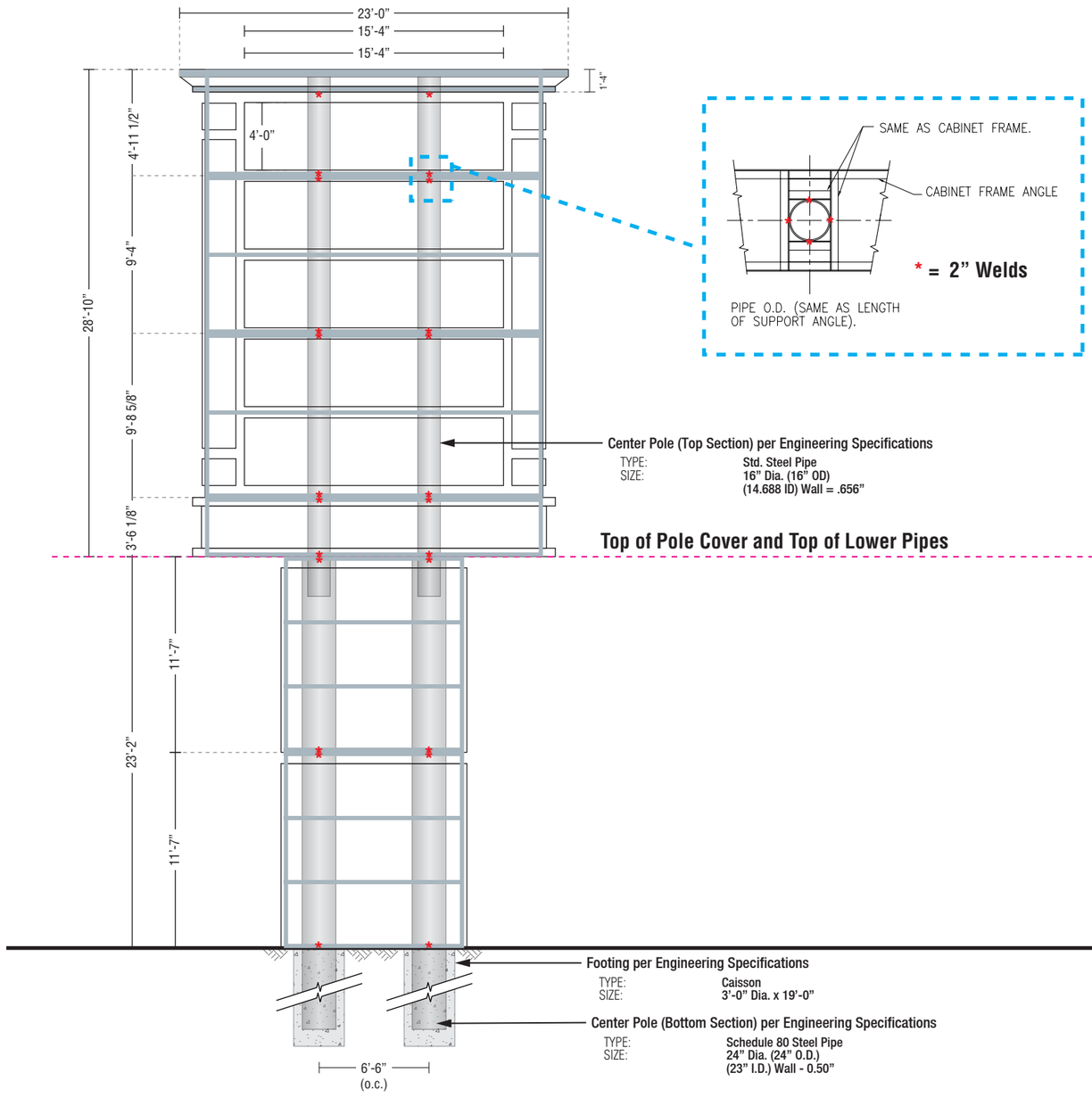
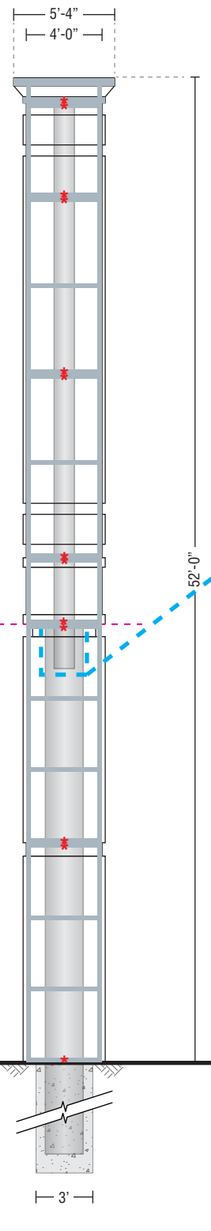
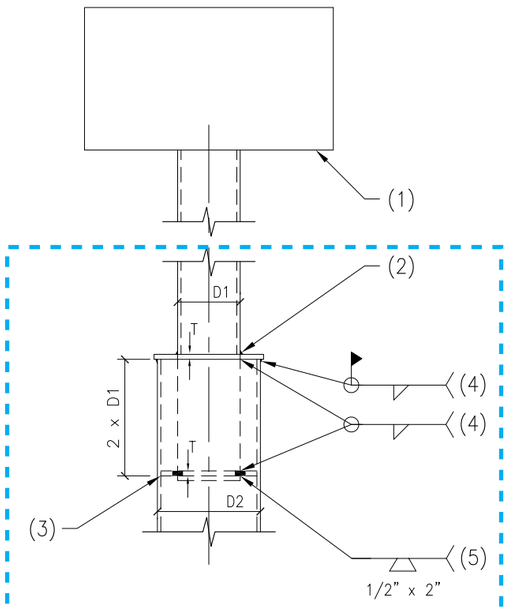
SHEET # **2 of 5**

Pylon Sign Concepts *Surprise Towne Center (STC)*

Sign with EMC Display







FOR D1 THRU 16" DIA, USE T = 1/2" PL.
FOR 16" DIA< D1 < 30", USE T= 3/4" PL.
FOR D1 > 30" DIA, USE T= 1" PL.

NOTES:

1. THE SIGN PRINCIPLE AXES ARE PARALLEL TO AND PERPENDICULAR TO THE SIGN AXIS.
2. FLEXIBLE, LONG LASTING CAULK TO BE APPLIED AFTER ALL FINISHES ARE IN PLACE.
3. LOWER PIPE RING. THERE SHALL BE A MAXIMUM 1/8" CLEARANCE BETWEEN THIS PLATE AND THE INTERIOR WALL FACE. THE LOWER PIPE MAY NEED TO BE ADJUSTED FOR OUT OF ROUNDNESS. THE LOWER RING SHALL NOT BE FIELD TRIMMED TO FACILITATE THE FIT.
4. 1/4" AT 1/2" PLATE; 5/16" AT 3/4" PLATE; 3/8" AT 1" PLATE.
5. 4 AT 90°. FOR PIPES, PLACE AT 45° AZIMUTH FROM PRINCIPAL AXIS OF THE SIGN BEING MOUNTED. FOR TUBES, PLACE ON ALL 4 ORTHOGONAL AXES.

A Elevation View - Sign 52'
SCALE: 1/8" = 1'-0"

Sign Area: 663.16 SF

bluemedia

CLIENT
CB Richard Ellis

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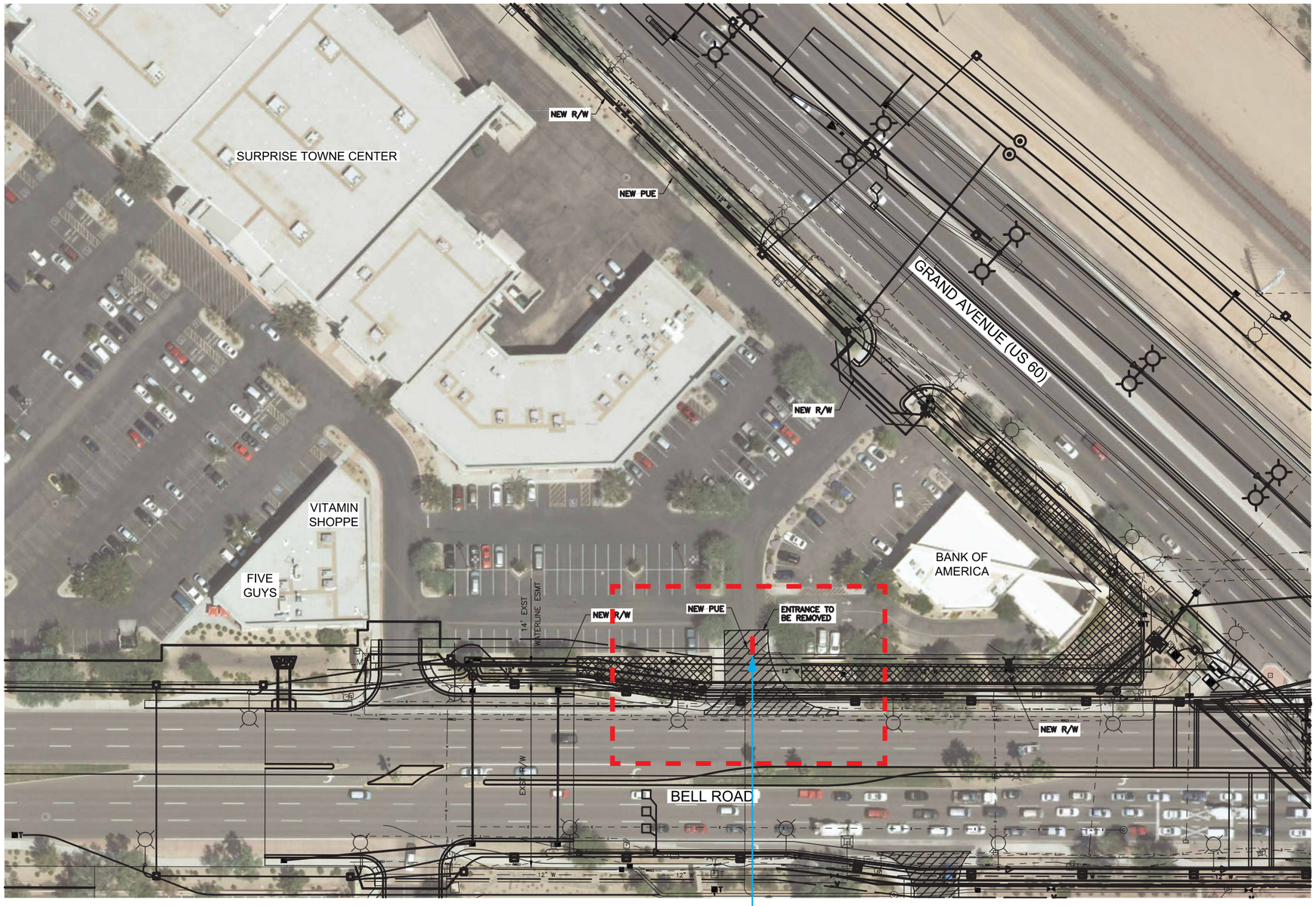
Sign with EMC Display



A Sign Location Plan - STC Sign B
Not to Scale

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CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Towne Center

SITE ADDRESS
13702 W Bell Road
Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **RR**
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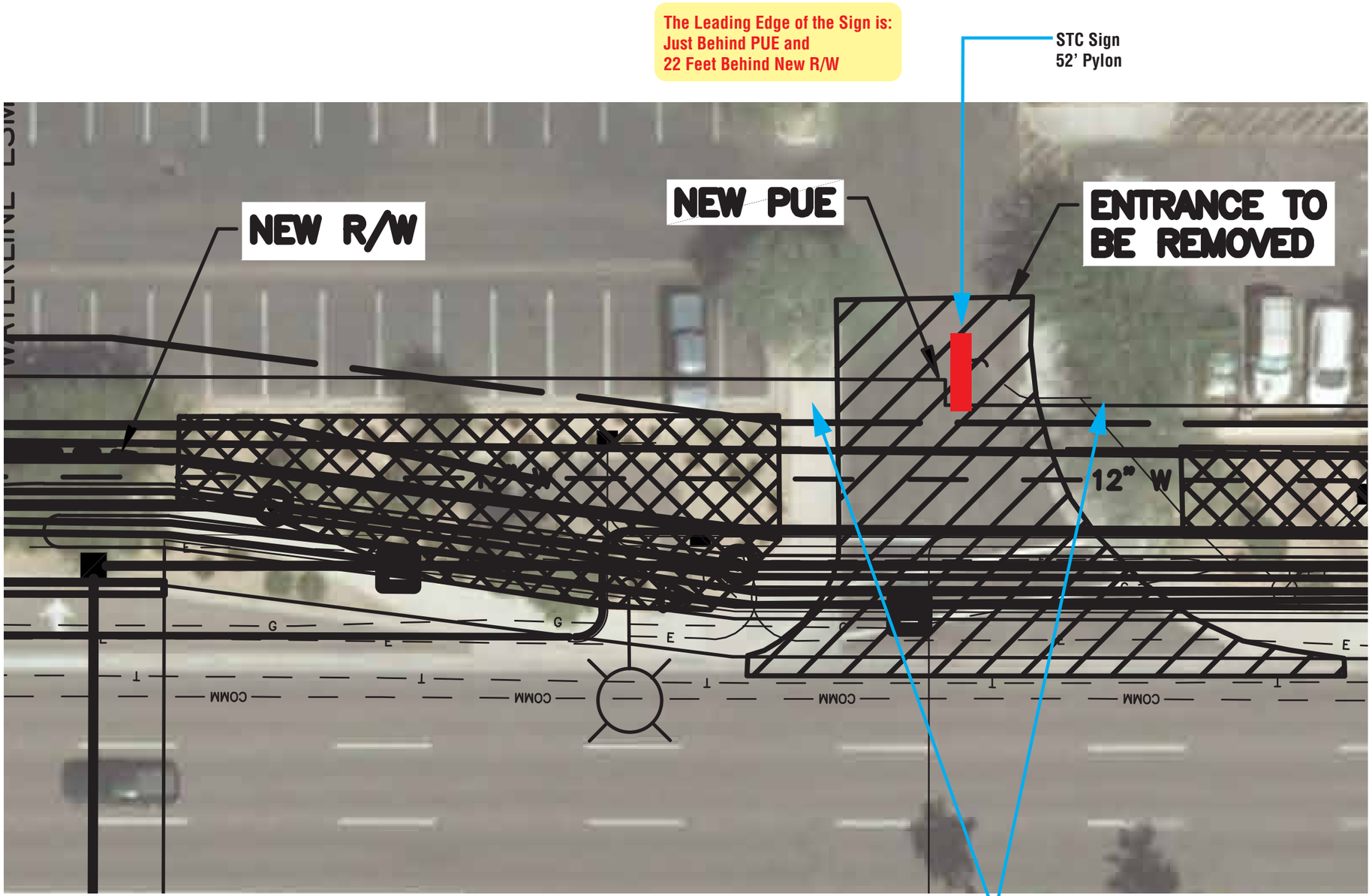
Sign with EMC Display



A Sign Location Plan - STC Sign B
Not to Scale

bluemedia

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Towne Center

SITE ADDRESS
13702 W Bell Road
Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **RR**
DESIGNER **MDK/AG**

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PERMIT DRAWING

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Make It Perfect.

DATE
06/21/2018

JOB #
59728

SHEET # **5 of 5**

59728 - Surprise Towne Center v02.ai

SURPRISE
ARIZONA

FS16-387 Surprise Town Center and FS-16-388 Surprise Marketplace Monument Signage

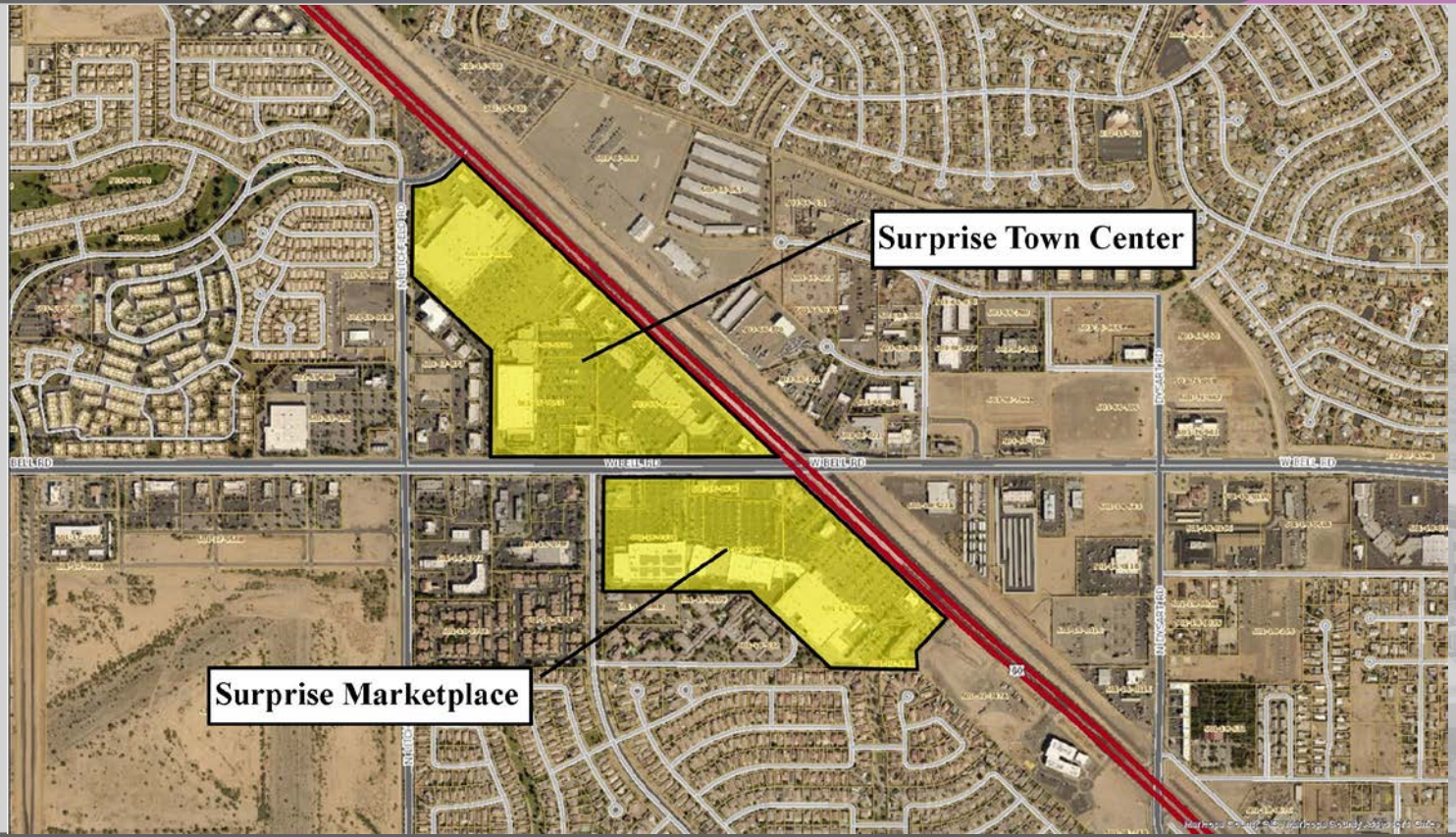
City Council

September 4, 2018

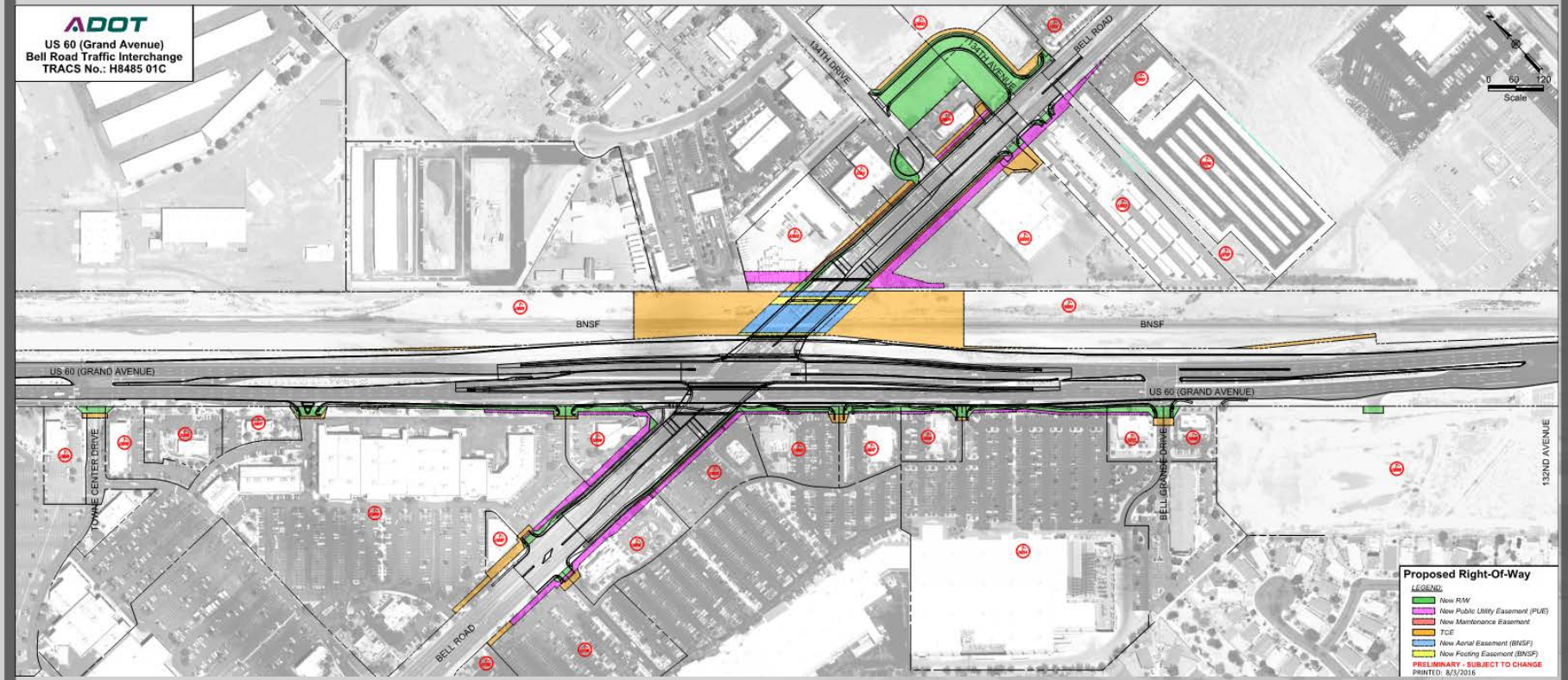
History

- Resolution 2016-42 the Bell Grand Temporary Sign and Temporary Use Permit Policy
  - Began March 15th, 2016
  - Valid until the substantial completion of construction of the Bell Grand Project and the Council repeals the policy (not defined)
  - Amended June 7th, 2016 to allow directional signage
- April 2016 Bell and Grand Overpass construction starts, Bell Road closed
  - Signage removed due to expansion of Right-of-way and relocation of utilities and easements
- November 2016 Bell Road reopened
- February 2017 Temporary Sign Policies Repealed
- July 2017 Surprise Town Center and Marketplace Grand Avenue Signage replacement approved administratively
- At the regularly scheduled Planning and Zoning Commission meeting held on July 19, 2018 the Planning and Zoning Commission recommended, **6-1** to **recommend Denial of FS16-387** Surprise Town Center Major Comprehensive Sign Program Amendment to the Mayor and City Council

Vicinity Map



Right of Way Map



Proposed Signage Surprise Town Center

Pylon Sign Concepts *Surprise Towne Center (STC)*
Sign with EMC Display

A Sign Location Plan
Not to Scale

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Towne Center

SITE ADDRESS
13702 W Bell Road
Surprise, AZ 85374

SALES REP: Rick Rettelle
PROJ MGR: RR
DESIGNER: MDK/AG

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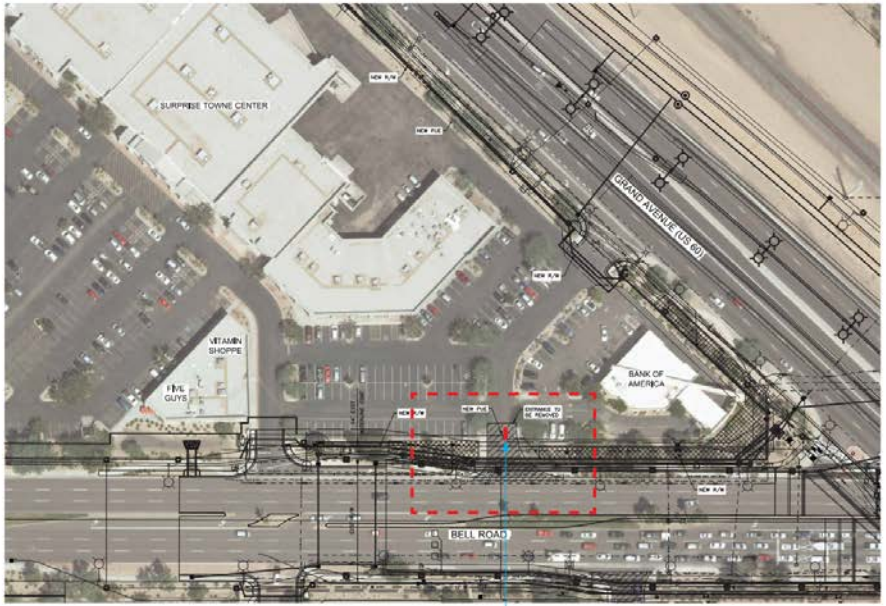
JOB #
59728

SHEET # 1 of 5

59728 - Surprise Towne Center v02.ai

Proposed Signage Surprise Town Center

Pylon Sign Concepts *Surprise Towne Center (STC)*
Sign with EMC Display



A Sign Location Plan - STC Sign B
Not to Scale

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Towne Center

SITE ADDRESS
13702 W Bell Road
Surprise, AZ 85374

SALES REP Rick Rettelle
PROJ MGR RR
DESIGNER MDK/AG

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DATE
06/21/2018

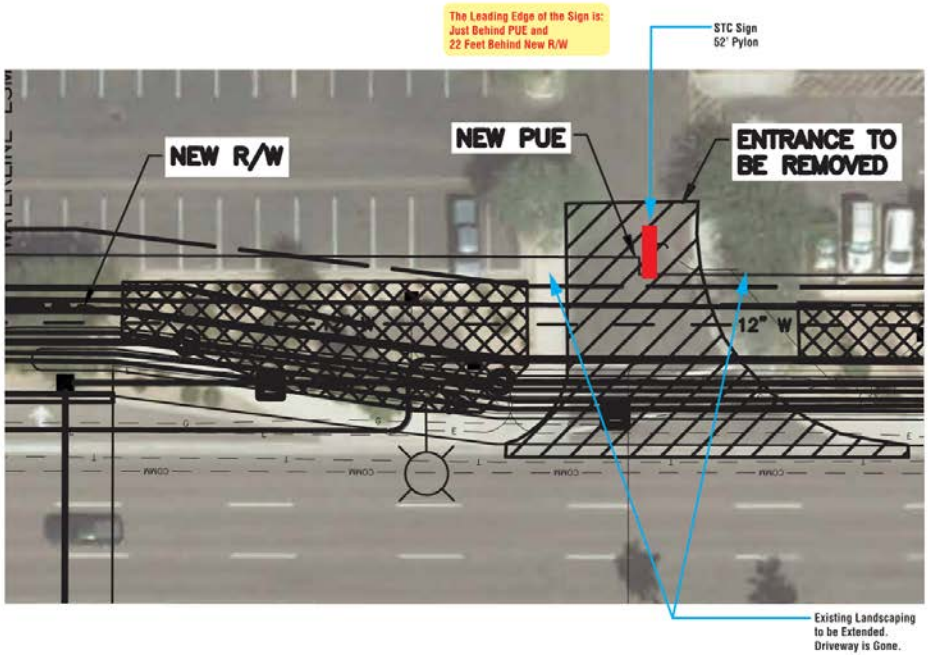
JOB #
59728

SHEET # 4 of 5

59728 - Surprise Towne Center v02.ai

Proposed Signage Surprise Town Center

Pylon Sign Concepts *Surprise Towne Center (STC)*
Sign with EMC Display



A Sign Location Plan - STC Sign B
Not to Scale

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Towne Center

SITE ADDRESS
13702 W Bell Road
Surprise, AZ 85374

SALES REP Rick Rettelle
PROJ MGR RR
DESIGNER MDK/AG

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Make It Perfect.

DATE
06/21/2018

JOB #
59728

SHEET # 5 of 5

59728 - Surprise Towne Center v07.ai

Proposed Signage

Pylon Sign Concepts *Surprise Towne Center (STC)*
Sign with EMC Display

POLE COVER (BASE) COLOR SCHEME:
- Painted MAP, Match CL 28540 Wood Ash
- Painted MAP, Match 535GA Koala Bear
- Painted MAP, Match Blue Agave Leaf

SIGN CABINET COLORS TO BE FINALIZED WITH CLIENT

A Elevation View - Sign 52'
SCALE: 1/8" = 1'-0"

Sign Area: 663.16 SF

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Towne Center

SITE ADDRESS
13702 W Bell Road
Surprise, AZ 85374

SALES REP Rick Rettelle
PROJ MGR RR
DESIGNER MDK/AG

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DATE
06/21/2018

JOB #
59728

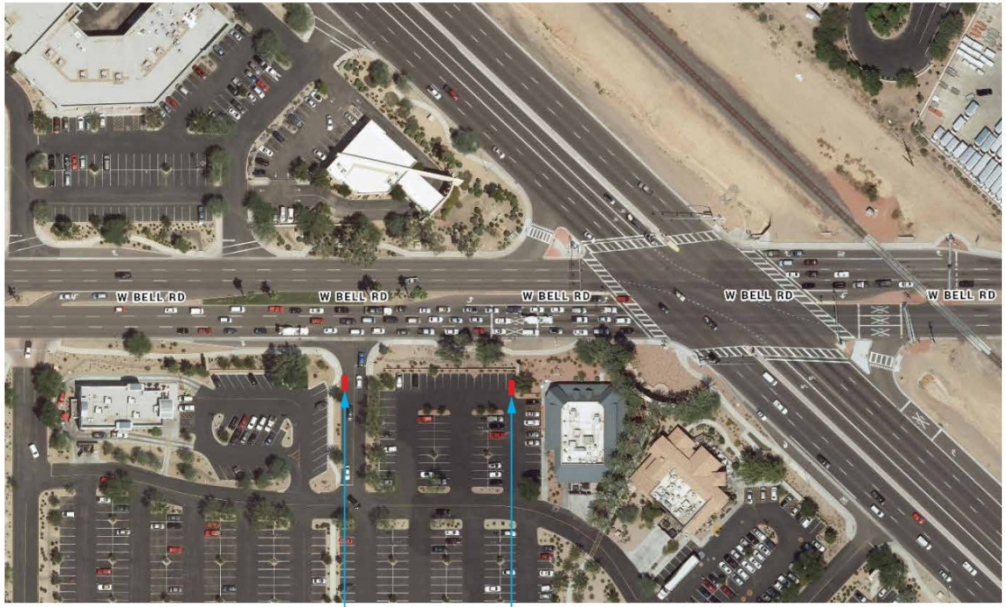
SHEET # 2 of 5

59728 - Surprise Towne Center v02.ai

Proposed Signage Surprise Marketplace

Pylon Sign Concepts *Surprise Marketplace (SMP)*
Sign A & Sign B with EMC Display

SMP - Suprise Marketplace



A Sign Location Plan
Not to Scale

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP Rick Rettelle
PROJ MGR GM
DESIGNER MDK/AG

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DATE
06/22/2018

JOB #
59728

SHEET # 1 of 7

59730 - Surprise Market Place v04.ai

Proposed Signage Surprise Marketplace

Pylon Sign Concepts *Surprise Marketplace (SMP)*
Sign A & Sign B with EMC Display

A Sign Location Plan
Not to Scale

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP Rick Rottelle
PROJ MGR GM
DESIGNER MDK/AG

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DATE
06/22/2018

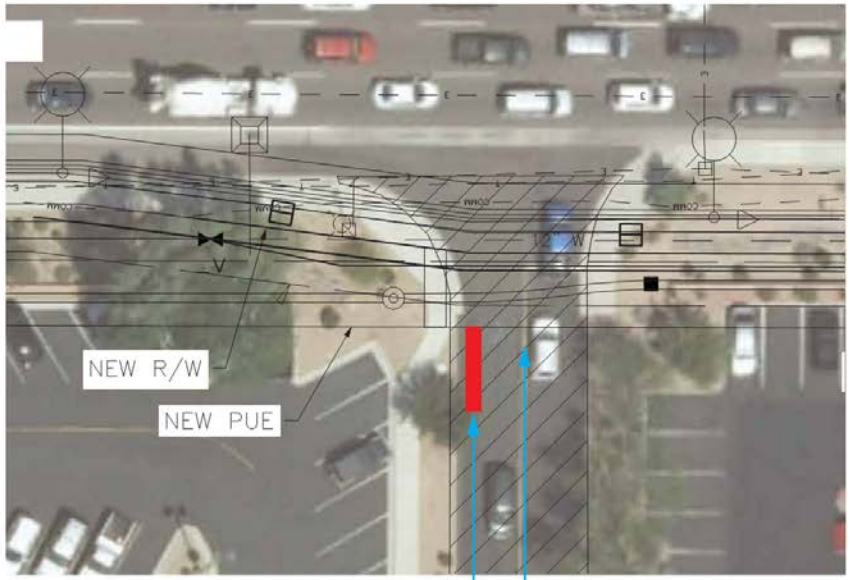
JOB #
59728

SHEET # 5 of 7

59730 - Surprise Market Place v04.ai

Proposed Signage Surprise Marketplace

Pylon Sign Concepts *Surprise Marketplace (SMP)*
Sign A & Sign B with EMC Display



The Leading Edge of the Sign is: 16 1/2 feet behind R/W & just behind PUE.

SMP Sign A
36' Pylon

Driveway is gone.
Area Around Sign Location to Receive New Landscaping.

A Sign Location Plan
Not to Scale

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
Sign A-12725 W Bell Rd Surprise, AZ 85374
Sign B-13709 W Bell Rd Surprise, AZ 85374

SALES REP Rick Rethelle
PROJ MGR GM
DESIGNER MDK/AG

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06/22/2018

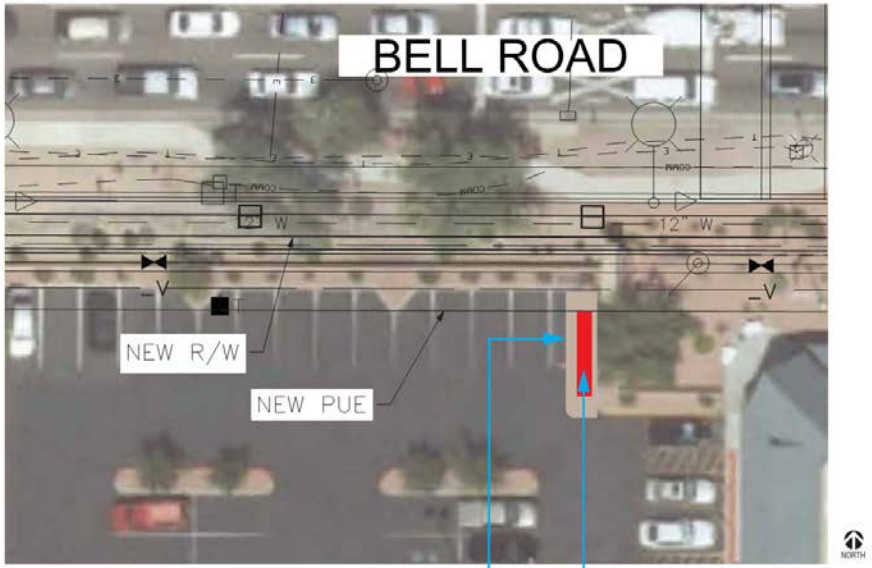
JOB #
59728

SHEET # 6 of 7

59728 - Surprise Market Place v04.ai

Proposed Signage Surprise Marketplace

Pylon Sign Concepts *Surprise Marketplace (SMP)*
Sign A & Sign B with EMC Display



The Leading Edge of the Sign is: 17 feet behind R/W & just behind PUE

Existing Landscaping to be Extended to Encompass New Sign

SMP Sign B 52' Pylon

A Sign Location Plan
Not to Scale

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13705 W Bell Rd Surprise, AZ 85374

SALES REP Rick Rettelle
PROJ MGR GM
DESIGNER MDK/AG

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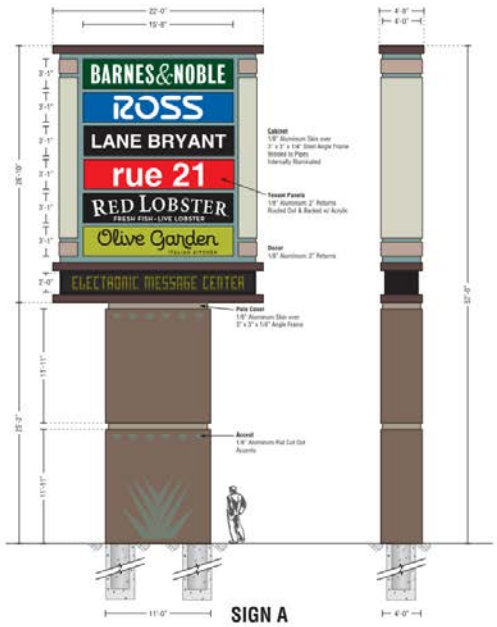
JOB #
59728

SHEET # 7 of 7

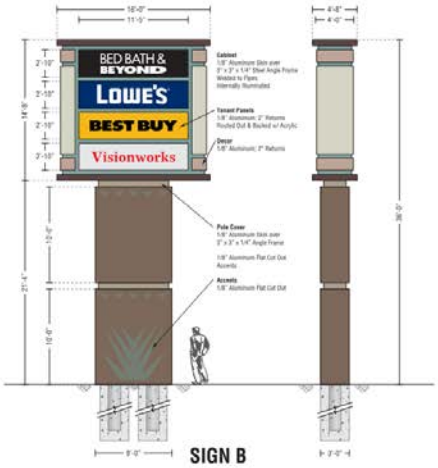
59728 - Surprise Market Place v04.ai

Proposed Signage

Pylon Sign Concepts *Surprise Marketplace (SMP)*
Sign A & Sign B with EMC Display



SIGN A



SIGN B

POLE COVER (BASE) COLOR SCHEME:
- Painted MAP, Match CL 2054D Weed Ash
- Painted MAP, Match S350A Koala Bear
- Painted MAP, Match Blue Agave Leaf

SIGN CABINET COLORS TO BE FINALIZED WITH CLIENT

A Elevation View - Sign A - 52'
SCALE: 1/8" = 1'-0"
Sign Cabinet Area: 590.33 SF

B Elevation View - Sign B - 36'
SCALE: 1/8" = 1'-0"
Sign Cabinet Area: 234.66 SF

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB- 13700 W Bell Rd Surprise, AZ 85374

SALES REP: Rick Rettelle
PROJ MGR: GM
DESIGNER: MDK/AG

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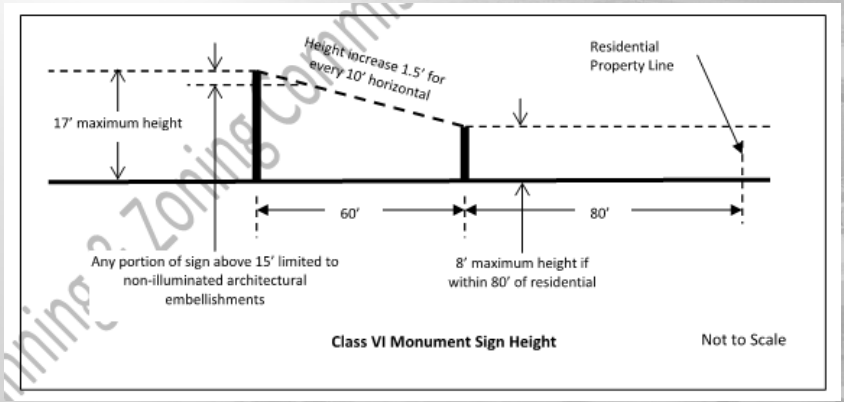
SHEET # 2 of 7

59728 - Surprise Market Place v04.ai

Freestanding Monument

- Section 113-09 – Sign Classifications and Types C. Freestanding Ground Signs 5. Class VI Monument Signs (Major Monument Signs)
  - c) If a Class VI Monument Sign is located within 80 feet of a property having single-family residential zoning, the height of the Class VI Monument Sign shall not exceed eight (8) feet; however, the height of a Class VI Monument Sign may increase one and one-half (1.5) foot for every additional ten (10) feet of horizontal distance the sign is located away from a property having single-family residential zoning up to a maximum height of seventeen (17) feet, provided however that any height in excess of fifteen (15) feet shall be limited to architectural embellishments.

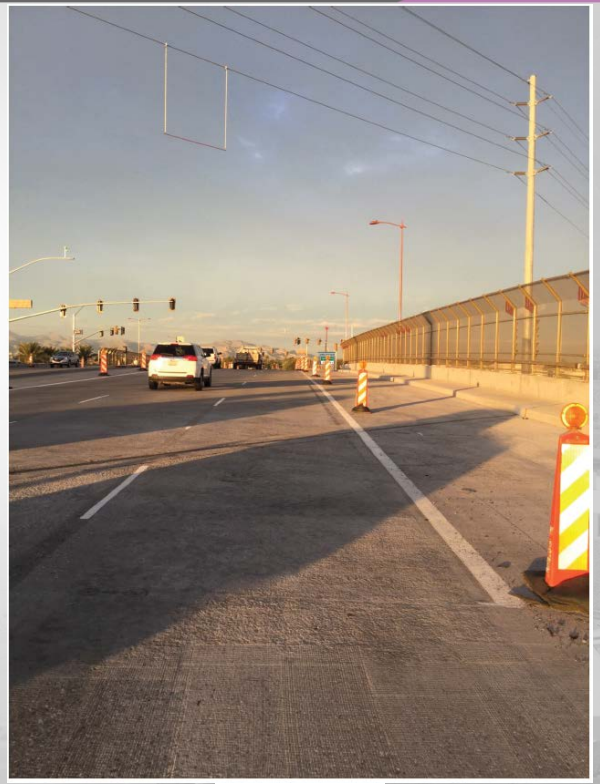


Freestanding Monument

- Section 113-15 – Comprehensive Sign Programs
  - A. Purpose: The purpose of Comprehensive Sign Programs is to provide a mechanism by which a specific set of sign criteria may be approved for a specific property or geographic area in a manner that is appropriate to the character of the community in which the Comprehensive Sign Program will apply.
  - E. A Comprehensive Sign Program may be included as part of a zone change request, or as an independent stand-alone document, in either case processed as a Type IV Application as outlined in Article XII of the Surprise Unified Development Code. The approval or denial of a proposed Comprehensive Sign Program is discretionary with the final approval authority lying with the Surprise City Council. A decision by the City Council to deny a proposed Comprehensive Sign Program shall not in any way be construed as a diminution of property values or a restraint of development rights.

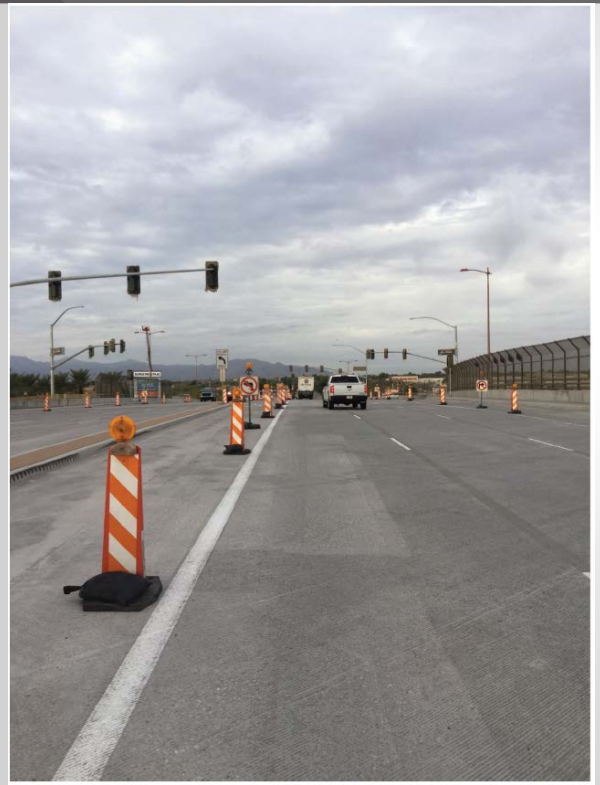
Examples of View Shed 50’

First Sight

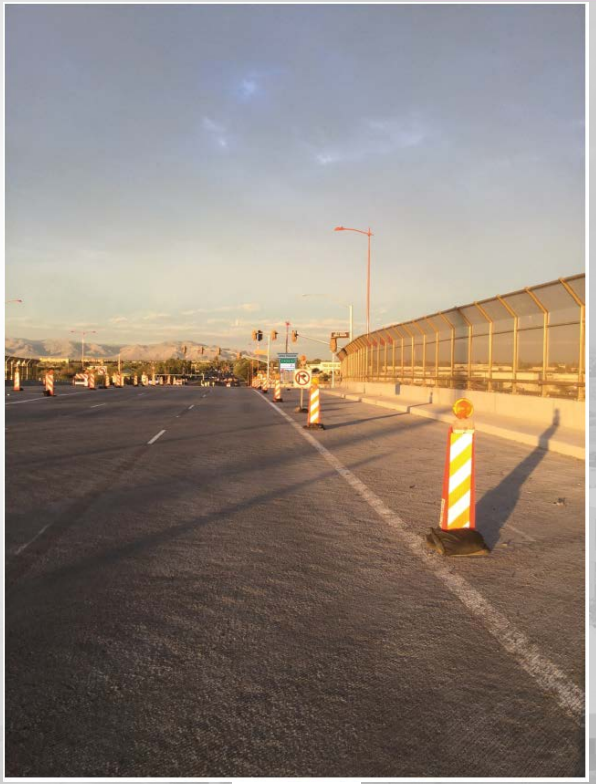


First Sight

Examples of View Shed 50’



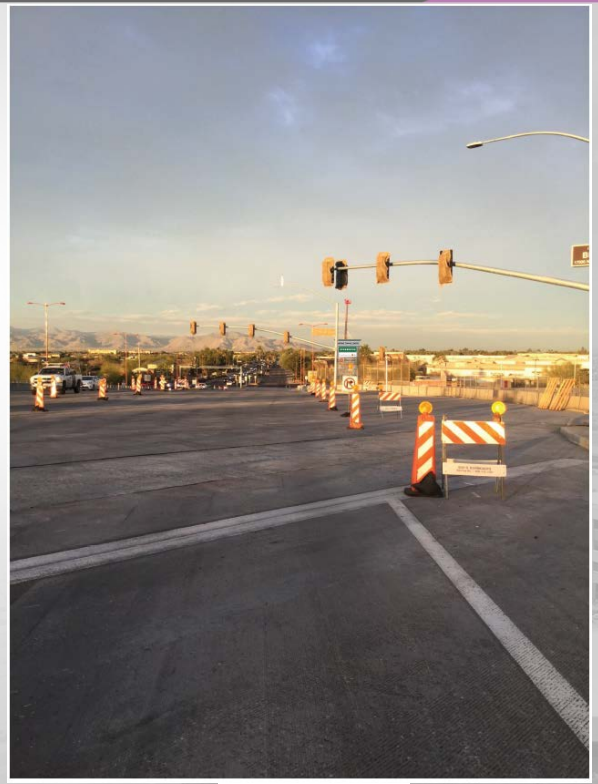
On Top



On Top

Examples of View Shed 50’

Down Slope



Down Slope

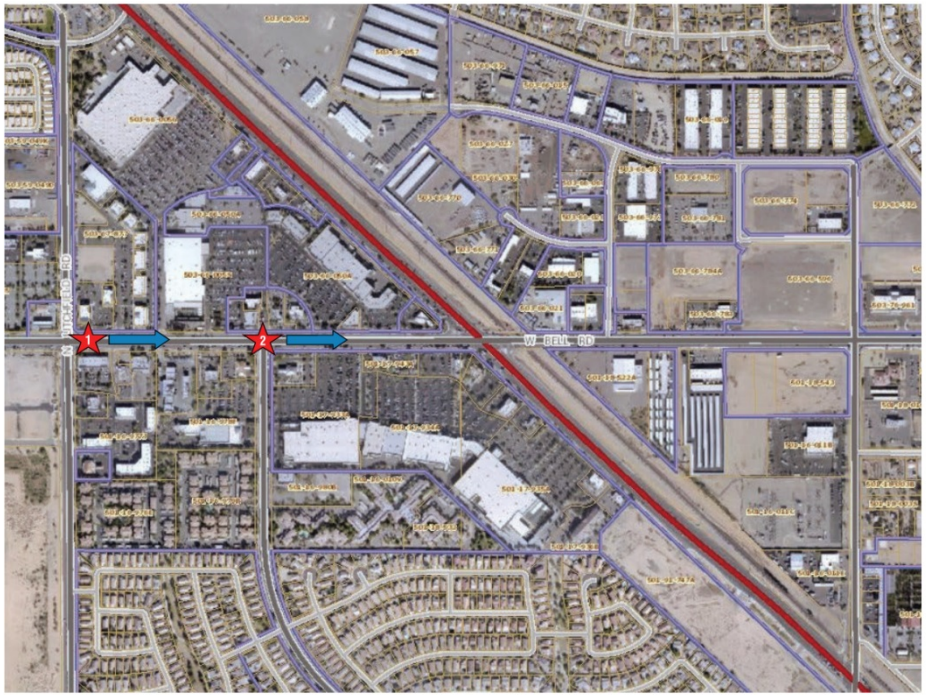
Examples of View Shed 36’

First Sight

On Top

Down Slope

Examples of View East



A Vantage Point Location Plan
Not to Scale

bluemedia.

CLIENT
Surprise Towne Center Holdings, LLC

DESCRIPTION
Pylon Signs Distance Views

SITE ADDRESS

SALES REP Rick Rettelle
PROJ MGR RR
DESIGNER MDK

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✦ CLIENT APPROVAL ✦
☐ APPROVED ☐ RE-PROOF
Signature
Date

✦ PROPERTY OWNER/MANAGER APPROVAL ✦
☐ APPROVED ☐ RE-PROOF
Signature
Date

DATE
07/25/2018

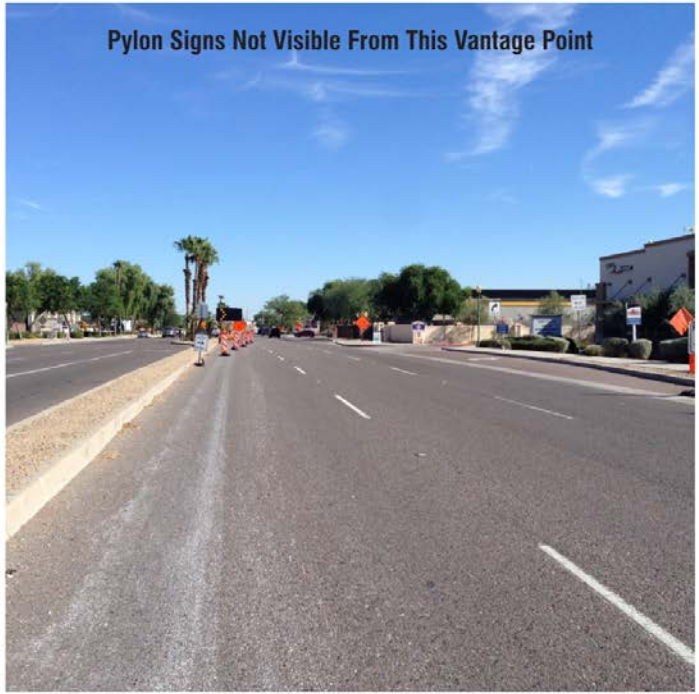
JOB #
59728-1

SHEET # 1 of 3

42241 - Grand & Bell Overpass CSP v06.ai

Examples of View East

View From Vantage Point 1
Intersection of Litchfield and Bell



A View East from Bell Road at Litchfield
Not to Scale

bluemedia.

CLIENT
Surprise Towne Center Holdings, LLC

DESCRIPTION
Pylon Signs Distance Views

SITE ADDRESS

SALES REP: Rick Rettelle
PROJ MGR: RR
DESIGNER: MDK

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☐ APPROVED ☐ RE-PROOF
Signature
Date

♦ PROPERTY OWNER/MANAGER APPROVAL ♦
☐ APPROVED ☐ RE-PROOF
Signature
Date

DATE
07/25/2018

JOB #
59728-1

SHEET # 2 of 3

42241 - Grand & Bell Overpass CSP v06.ai

Examples of View East

View From Vantage Point 2
Intersection of West Point and Bell

A View East from Bell Road at West Point
Approximation - Not to Scale

bluemedia.

CLIENT
Surprise Towne Center Holdings, LLC

DESCRIPTION
Pylon Signs Distance Views

SITE ADDRESS

SALES REP: Rick Rettelle
PROJ MGR: KR
DESIGNER: MDK

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☐ APPROVED ☐ RE-PROOF
Signature
Date

+ PROPERTY OWNER/MANAGER APPROVAL +
☐ APPROVED ☐ RE-PROOF
Signature
Date

DATE
07/25/2018

JOB #
59728-1

SHEET # 3 of 3

42241 - Grand & Bell Overpass CSP v05.ai

Code Requirements

- Town Center Pylon Sign (as submitted 52’)
  - Per the location of the pylon sign the closest adjacent curb is about 5’ higher than previous elevation
  - Per code the sign would permissible at 22’ tall without a CSP
  - 30’ discrepancy requires an amendment to the Town Center CSP
- Marketplace Pylon Sign (as submitted 52’)
  - Per the location of the pylon sign the closest adjacent curb is about 20’ higher than previous elevation
  - Per code the sign would be permissible at 37’ tall without a CSP
  - 15’ discrepancy requires an amendment to the Marketplace CSP
- Marketplace Pylon Sign (as submitted 36’)
  - Per the location of the pylon sign the closest adjacent curb is about 10’ higher than previous elevation
  - Per code the sign would be permissible at 27’ tall without a CSP
  - 9’ discrepancy requires an amendment to the Marketplace CSP

Requests

- Surprise Town Center Comprehensive Sign Program (CSP)
  - Sign Area is a one to one request
    - The signage area being requested is equal the signage area which was lost due to Bell and Grand Project
  - Sign Height proposed along Bell Road is outside of what is allowed by code
    - Allowed at 22’ tall
  - Electronic Messaging at 23.1% of overall sign area. Up to 50% is allowed by code
- Surprise Marketplace Comprehensive Sign Program (CSP)
  - Sign Area is a one to one request
    - All signage areas being requested are equal the signage area which was lost due to Bell and Grand Project
  - Sign Heights proposed along Bell Road is outside of what is allowed by code
    - Allowed at 37’ tall and 27’ tall per current code
  - Electronic Messaging on one sign at 13% of the overall sign area. Up to 50% is allowed by code.

Findings

Sec. 113-15. - Comprehensive sign programs

(d) The comprehensive sign program must demonstrate that:

(1) The proposed signage represents a material improvement over what is otherwise permitted in chapter 113 of the Surprise Municipal Code,

(2) The proposed signage is appropriate to the character of the development covered by the comprehensive sign program,

(3) The proposed signage is appropriate to the neighborhood in which the property is located, and

(4) The comprehensive sign program creates a cohesive aesthetic that will apply to all signage covered by the comprehensive sign program within the specific geographic area covered by the comprehensive sign program.

SURPRISE
ARIZONA

Questions & Comments

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Eric Fitzer - Community Development
Submitting Department:	CD	District:	5
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to an application for a major amendment to the Surprise Marketplace Comprehensive Sign Program; case number FS16-388.

Motion:

I move to [approve/deny] FS16-388 Surprise Marketplace Comprehensive Sign Program Major Amendment.

Background:

This request is the result of signage that was lost due to the US-60/Grand Avenue and Bell Road project which improved traffic operations and safety in the immediate vicinity of the Surprise Marketplace Center. The Arizona Department of Transportation (ADOT) constructed a new Bell Road bridge over US 60 (Grand Avenue) and the adjacent railroad tracks. In order to reduce the project's length and lessen the overall impacts of construction, ADOT worked with the city of Surprise and local businesses to schedule a full closure of Bell Road between 134th Avenue and West Point Parkway. The City enacted the Bell Road Temporary Sign Policy (Resolution 2016-42) in March of 2016 in order to assist businesses during the construction of the Bell and Grand Overpass Project. The project has been completed and all lanes in each direction, Bell Road and Grand Avenue, are fully open for vehicular traffic. The City has since received inquiries for permanent monument signage to replace signage which was removed due to Right-of-Way (ROW) expansion, Public Utility Easement (PUE) relocations along Bell Road, and construction of the overpass. The City has approved requests by the owner/operators of the Surprise Marketplace Center regarding the replacement of signage which was lost along Grand Avenue because of ROW expansion and PUE relocation due to the project requirements associated with Grand Avenue. This request is to replace signage removed along Bell Road. Originally the Surprise Marketplace Center Comprehensive Sign Program approved by the City allowed for signage along Bell Road to be at maximum 15' in height. Due to the topography of the road, safety features such as jersey barriers and railing and the location of the sign relative to Bell Road right-of-way, the applicant is asking for additional height. This request is for the sign to be at a maximum height of 52' and to include the addition of Electronic Messaging located at the bottom of the sign, and one sign with the maximum height of 36'.

At the regularly scheduled Planning and Zoning Commission meeting held on July 19, 2018 the Planning and Zoning Commission recommended, by a vote of 6 to1, denial of FS16-388 Surprise Marketplace Major Comprehensive Sign Program Amendment to the Mayor and City Council.

Objective Analysis:

Per Section 113-1415 of the Surprise Municipal Code, Council must evaluate whether the Comprehensive Sign Program application demonstrates the following:

1. The proposed signage represents a material improvement over what is otherwise permitted in Chapter 113 of the Surprise Municipal Code, and;

2. The proposed signage is appropriate to the character of the development covered by the Comprehensive Sign Program, and;

3. The proposed signage is appropriate to the neighborhood in which the property is located, and;

4. The comprehensive Sign Program creates a cohesive aesthetic that will apply to all signage covered by the Comprehensive Sign Program within the specific area covered by the Comprehensive Sign Program.

The burden is on the applicant to demonstrate these criteria are met.

Policy Compliant:

The process in which this application comes before City Council for Council's evaluation and either approval or denial is compliant with City Code.

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:

No new FTEs will be required by action on this item

ATTACHMENTS:

Click to download

- FS16-388 Surprise Marketplace Major CSP Amendment - CC Staff Report - 090418
- Vicinity Map
- Surprise Marketplace Major CSP Amendment Request
- Final Presentation

MAJOR CSP AMENDMENT

REPORT TO THE MAYOR AND CITY COUNCIL

Case:	FS16-388
Project Name:	Surprise Marketplace Major Comprehensive Sign Program Amendment
Council District:	5 - Palm
Meeting Date:	September 4, 2018
Planner:	Eric Fitzer, 623-222-3020, eric.fitzer@surpriseaz.gov

---

Owner:	Surprise Markeplace Holdings LLC
Applicant:	Bluemedia; Rick Rettelle
Request:	The applicant is requesting approval of a Major Amendment to the Surprise Marketplace Comprehensive Sign Program.
Site Location:	The subject project is generally located on the southwest corner of Bell Road and Grand Avenue.
Motion:	The Planning and Zoning Commission recommends the Mayor and City Council move to **Deny** FS16-388 Surprise Marketplace Major Comprehensive Sign Program Amendment.

Project Description:

This request is to replace signage removed along Bell Road. Originally the Surprise Marketplace Comprehensive Sign Program approved by the City allowed for signage along Bell Road to be at maximum 15' in height. Due to the topography of the road, safety features such as jersey barriers and railing and the location of the sign relative to Bell Road right-of-way the applicant is requesting additional height. In this center the applicant lost two signs. The first sign requested would be a maximum height of 52' with the addition of Electronic Messaging Center located at the bottom of the sign, and the second is a 36’ tall sign.

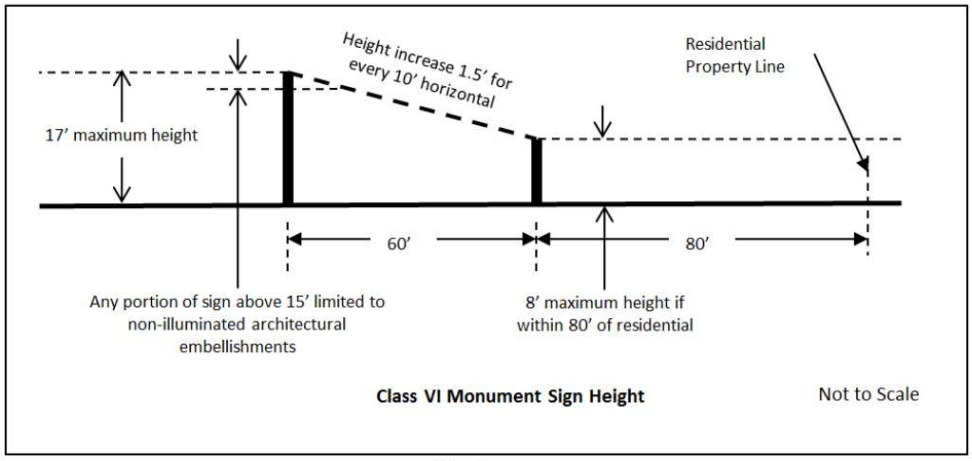
Analysis and Discussion:

The City received a request for permanent monument signage to replace signage which was removed due to Right-of-way (ROW) expansion, Public Utility Easement (PUE) relocations

along Bell Road, and construction of the overpass. The City has approved requests by the owner/operators of the Surprise Marketplace regarding the replacement of signage which was lost along Grand Avenue because of ROW expansion and PUE relocation due to the project requirements associated with Grand Avenue.

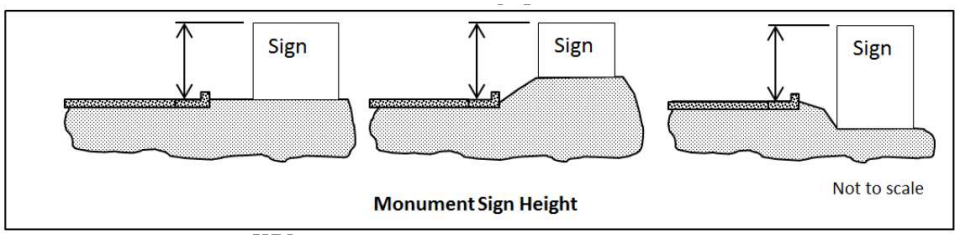
This specific request is to replace signage removed along Bell Road. Originally the Surprise Marketplace Comprehensive Sign Program approved by the City allowed for signage along Bell Road to be at maximum 15' in height. Due to the topography of the road, safety features such as jersey barriers and railing and the location of the sign relative to Bell Road right-of-way the applicant is requesting additional height. In this center the applicant lost two signs. The first sign requested would be a maximum height of 52' with the addition of Electronic Messaging Center located at the bottom of the sign and the second is a 36’ tall sign.

Currently the maximum sign height for any Class IV Monument Sign is 17’ as depicted below.



In order to measure the signage you must look at Chapter 113 Signe Sec 113-8 (d) (2):

> *Monument sign height. Unless otherwise noted, notwithstanding adjacent topography, the height of any class of monument sign shall be measured from the closest adjacent curb, or if no curb is present, the closest adjacent pavement.*



Based on the location and the relative height of the roadway at the potential location of the signs, if strict adherence to the code were utilized the larger of the signs requested would be allowed to be 37' tall with the smaller of the two signs requested could be a maximum of 27' tall. As requested the 52' tall sign is 15' taller than per the code, and the 36' tall sign is 9' taller than what would be allowed by code which is why the applicant is looking for potential approval of an amendment to the Comprehensive Sign Program (CSP).

Per Sec 113-15 Comprehensive sign programs

> *(a) Purpose. The purpose of comprehensive sign programs is to provide a mechanism by which a specific set of sign criteria may be approved for a specific property or geographic area in a manner that is appropriate to the character of the community in which the comprehensive sign program will apply.*
>
> *(b) A comprehensive sign program may be obtained for the following purposes:*
>
> > *(1) To allow a deviation from the requirements applicable to a particular sign class or type, and/or;*
> >
> > *(2) To introduce a unique or creative sign type that is not listed as a permitted sign type in subsection 113-7(a).*
>
> *(c) A comprehensive sign program may not introduce a sign type that is specifically prohibited in subsection 113-7(f).*
>
> *(d) The comprehensive sign program must demonstrate that:*
>
> > *(1) The proposed signage represents a material improvement over what is otherwise permitted in chapter 113 of the Surprise Municipal Code,*
> >
> > *(2) The proposed signage is appropriate to the character of the development covered by the comprehensive sign program,*
> >
> > *(3) The proposed signage is appropriate to the neighborhood in which the property is located, and*
> >
> > *(4) The comprehensive sign program creates a cohesive aesthetic that will apply to all signage covered by the comprehensive sign program within the specific geographic area covered by the comprehensive sign program.*
>
> *(e) A comprehensive sign program may be included as part of a zone change request, or as an independent stand-alone document, in either case processed as a type IV*

application as outlined in article XII of the Surprise Unified Development Code. The approval or denial of a proposed comprehensive sign program is discretionary with the final approval authority lying with the Surprise City Council. A decision by the city council to deny a proposed comprehensive sign program shall not in any way be construed as a diminution of property values or a restraint of development rights.

As part of the request the applicant has included an Electronic Messaging Center (EMC). The EMC size is dictated by the Section 113-11 Electronic messaging centers (EMCs) (b) (4) which is as follows:

EMCs as a portion of sign area. When allowed, electronic messaging centers may comprise not more than 50 percent of the allowable sign area of a particular sign.

The overall sign area is 289.8 square feet plus the addition of the EMC, which is 44 square feet, gives a total signage area of 333.8 square feet. The EMC inclusion into the signage would be equal to 13.1% and thus meets the thresholds as required by the above mentioned section.

At the regularly scheduled Planning and Zoning Commission meeting held on July 19, 2018 the Planning and Zoning Commission recommended 6-1 to recommend Denial of FS16-388 Surprise Marketplace Major Comprehensive Sign Program Amendment to the Mayor and City Council.

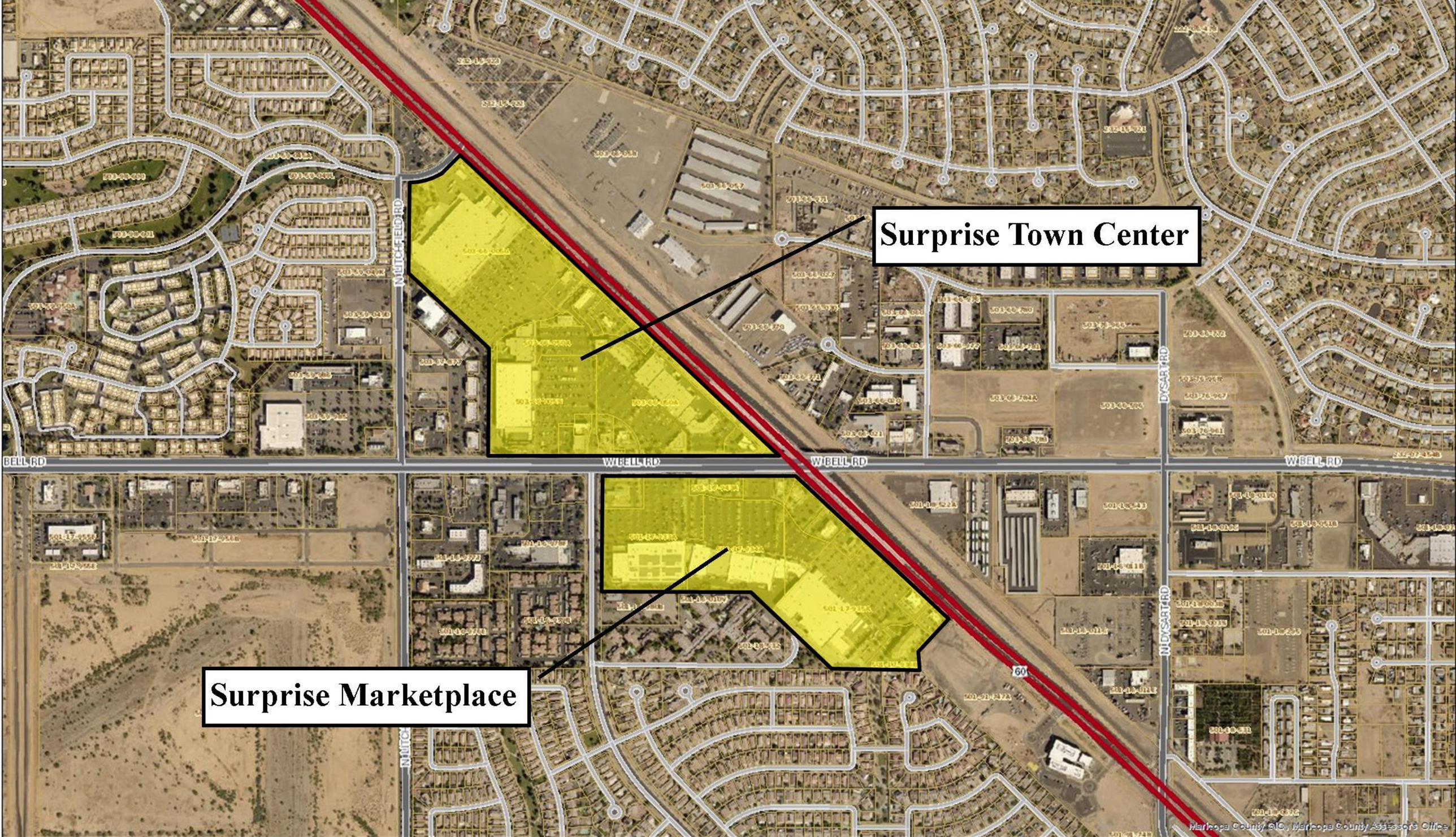
Recommendation:

The Planning and Zoning Commission recommends the Mayor and City Council move to **Deny** FS16-388 Surprise Marketplace Major Comprehensive Sign Program Amendment.

Attachments:

01 – Vicinity Map

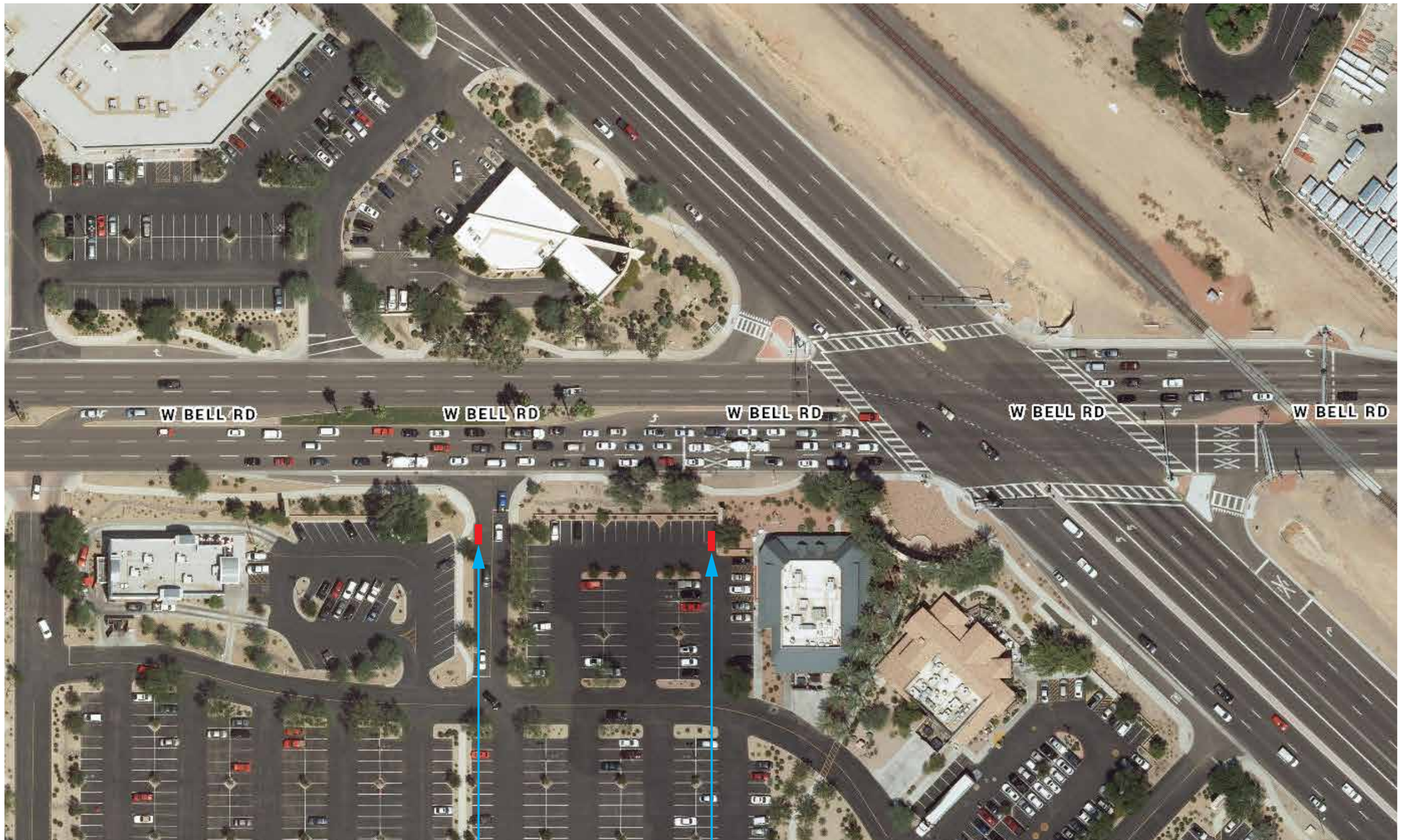
02 – Surprise Marketplace Signage


Surprise Town Center
Surprise Marketplace
BELL RD
W BELL RD
W BELL RD
W BELL RD
MITCHELL RD
DYSART RD
DYSART RD
60
Maricopa County GIO, Maricopa County Assessor's Office

Pylon Sign Concepts *Surprise Marketplace (SMP)*

Sign A & Sign B with EMC Display

SMP - Suprise Marketplace



A Sign Location Plan
Not to Scale

bluemedia

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **GM**
DESIGNER **MDK/AG**

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06/22/2018

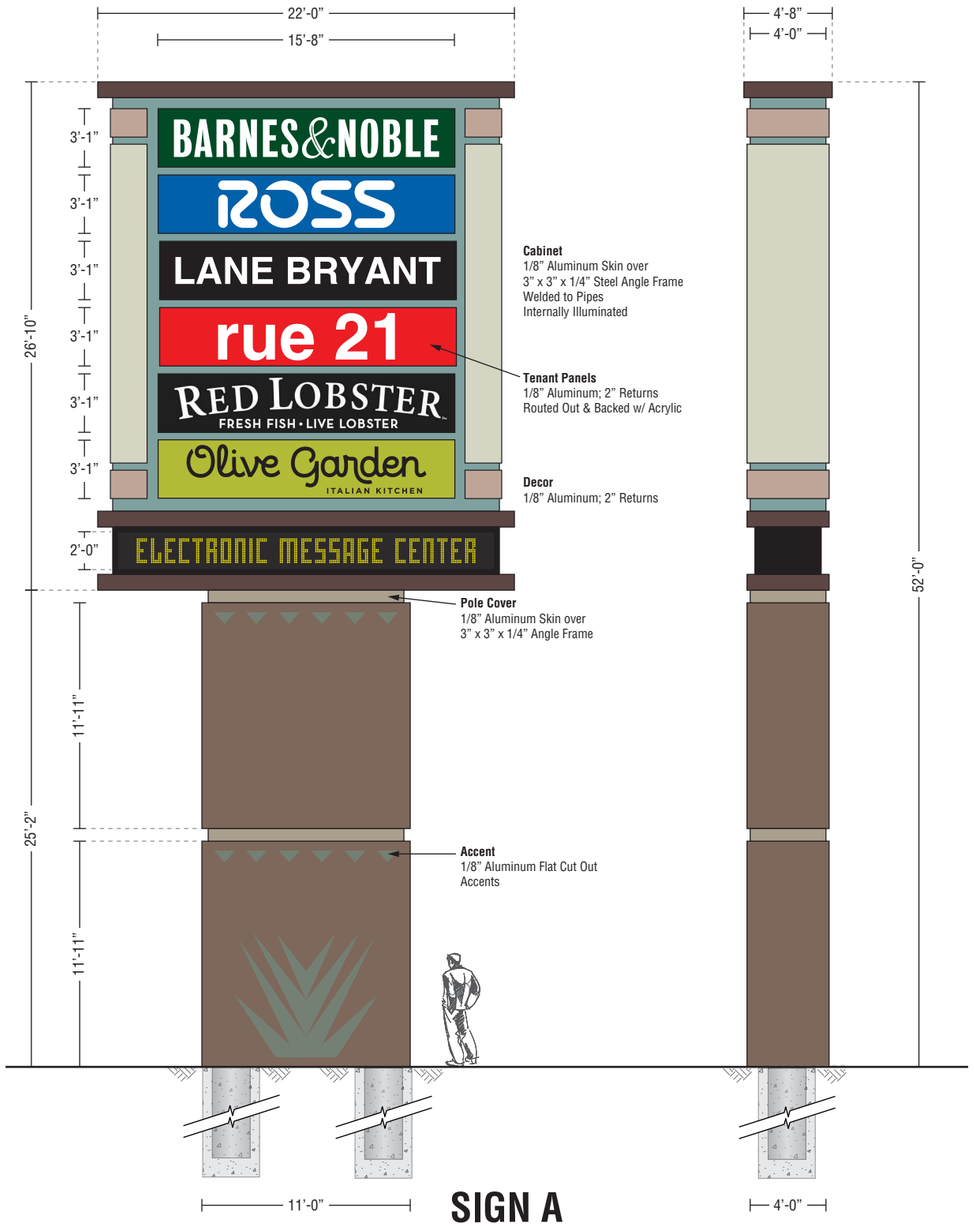
JOB #
59728

SHEET # **1 of 7**

59730 - Surprise Market Place v04.ai

Pylon Sign Concepts *Surprise Marketplace (SMP)*

Sign A & Sign B with EMC Display

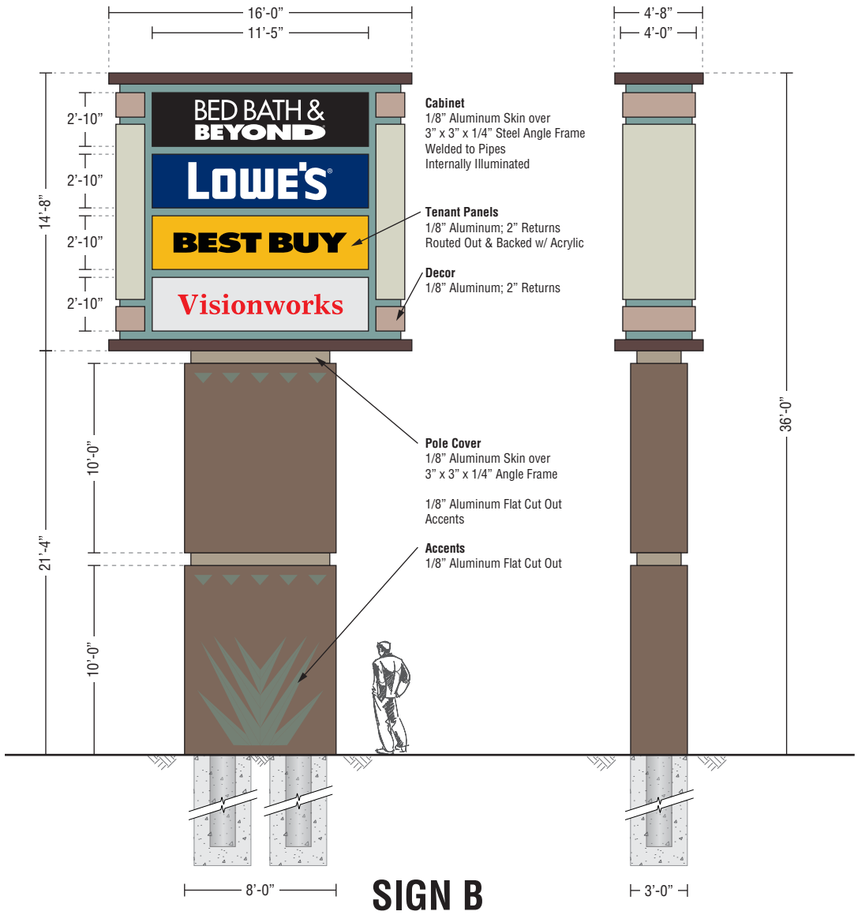


SIGN A

POLE COVER (BASE) COLOR SCHEME:

- Painted MAP, Match CL 2854D Wood Ash
  Satin Finish
- Painted MAP, Match 5355A Koala Bear
  Satin Finish
- Painted MAP, Match Blue Agave Leaf
  Satin Finish
  (Formerly Known as CL 3026D Stigma)

SIGN CABINET COLORS TO BE FINALIZED WITH CLIENT



SIGN B

A Elevation View - Sign A - 52'
SCALE: 1/8" = 1'-0"

Sign Cabinet Area: 590.33 SF

B Elevation View - Sign B - 36'
SCALE: 1/8" = 1'-0"

Sign Cabinet Area: 234.66 SF

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CLIENT
CB Richard Ellis

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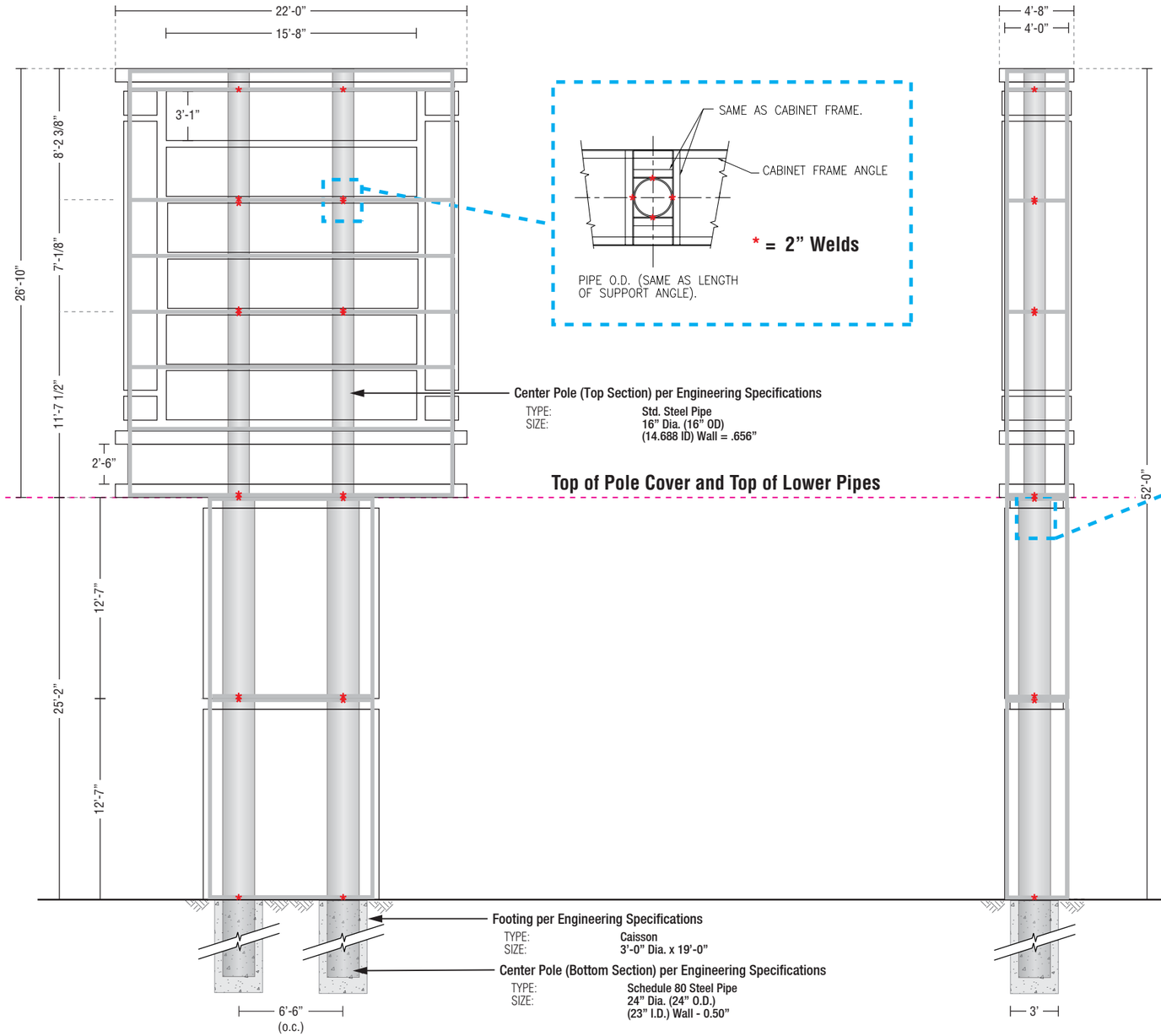
SHEET # **2 of 7**

59730 - Surprise Market Place v04.ai

Pylon Sign Concepts *Surprise Marketplace (SMP)*

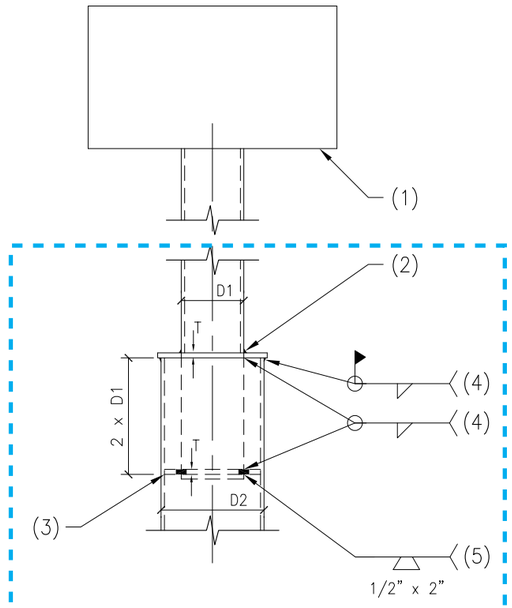
Sign A & Sign B with EMC Display



SIGN A

A Elevation View - Sign A - 52'

SCALE: 1/8" = 1'-0"



FOR D1 THRU 16" DIA, USE T = 1/2" P
FOR 16" DIA< D1 < 30", USE T= 3/4" P
FOR D1 > 30" DIA, USE T= 1" PL.

NOTES:

1. THE SIGN PRINCIPLE AXES ARE PARALLEL TO AND PERPENDICULAR TO THE SIGN AXIS.
2. FLEXIBLE, LONG LASTING CAULK TO BE APPLIED AFTER ALL FINISHES ARE IN PLACE.
3. LOWER PIPE RING. THERE SHALL BE A MAXIMUM 1/8" CLEARANCE BETWEEN THIS PLATE AND THE INTERIOR WALL FACE. THE LOWER PIPE MAY NEED TO BE ADJUSTED FOR OUT OF ROUNDNESS. THE LOWER RING SHALL NOT BE FIELD TRIMMED TO FACILITATE THE FIT.
4. 1/4" AT 1/2" PLATE; 5/16" AT 3/4" PLATE; 3/8" AT 1" PLATE.
5. 4 AT 90°. FOR PIPES, PLACE AT 45° AZIMUTH FROM PRINCIPAL AXIS OF THE SIGN BEING MOUNTED. FOR TUBES, PLACE ON ALL 4 ORTHOGONAL AXES.

Sign Cabinet Area: 590.33 SF

bluemedia

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **GM**
DESIGNER **MDK/AG**

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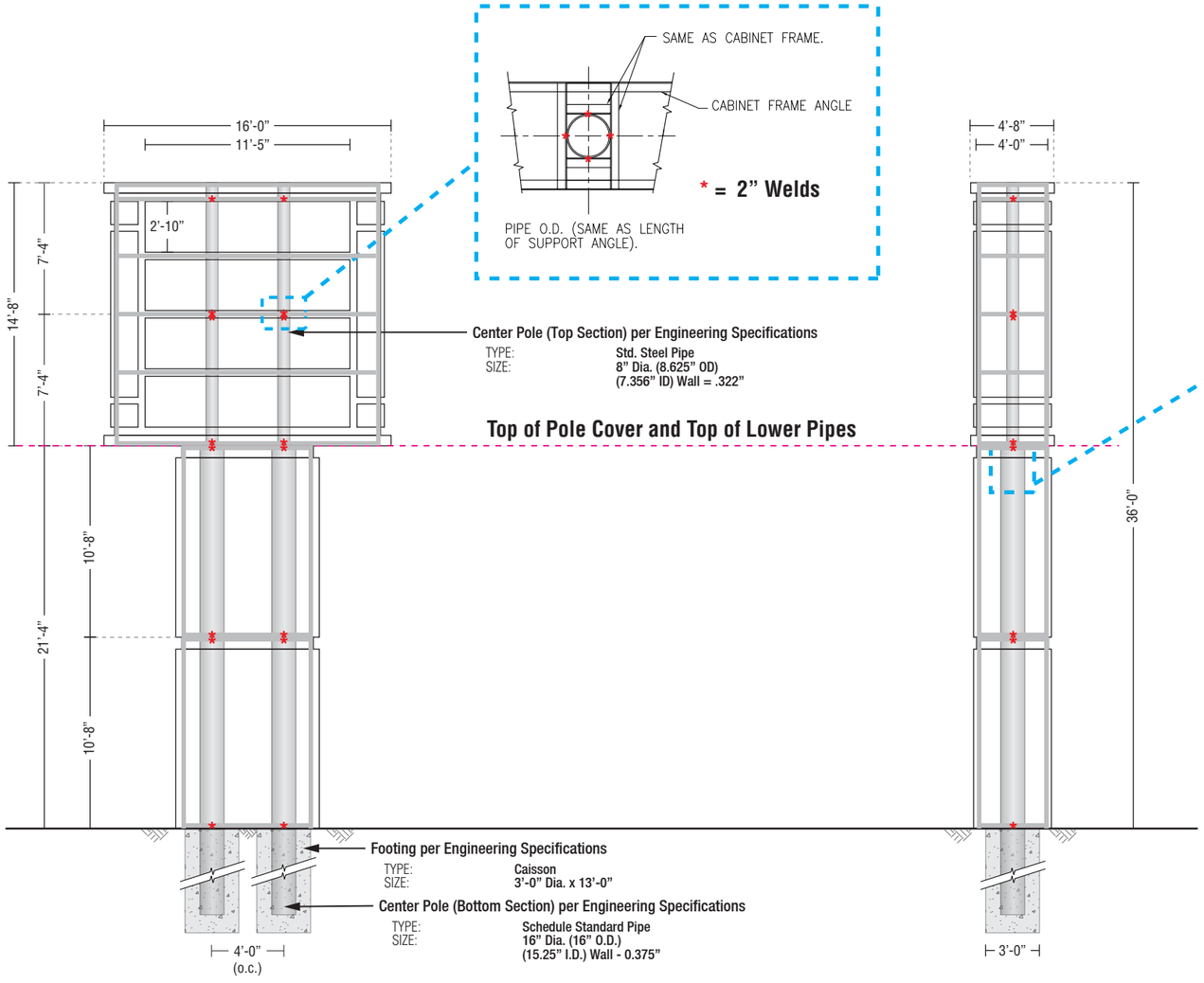
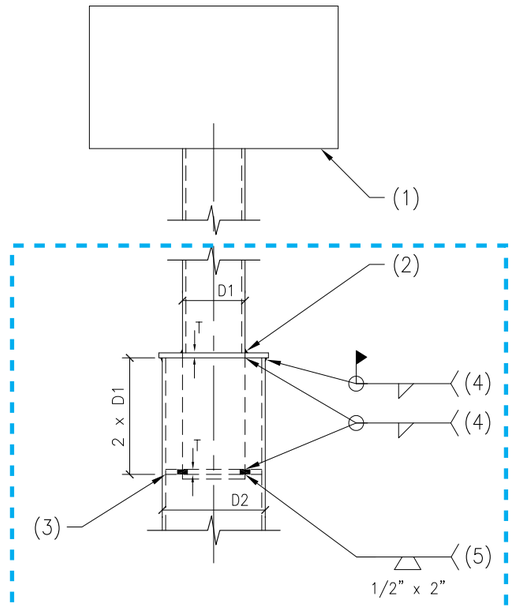
Pylon Sign Concepts *Surprise Marketplace (SMP)*

Sign A & Sign B with EMC Display



SIGN B



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FOR 16" DIA< D1 < 30", USE T= 3/4" P
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5. 4 AT 90°. FOR PIPES, PLACE AT 45° AZIMUTH FROM PRINCIPAL AXIS OF THE SIGN BEING MOUNTED. FOR TUBES, PLACE ON ALL 4 ORTHOGONAL AXES.

(A) Elevation View - Sign A - 52'
SCALE: 1/8" = 1'-0"

Sign Cabinet Area: 590.33 SF

bluemedia

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

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SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **GM**
DESIGNER **MDK/AG**

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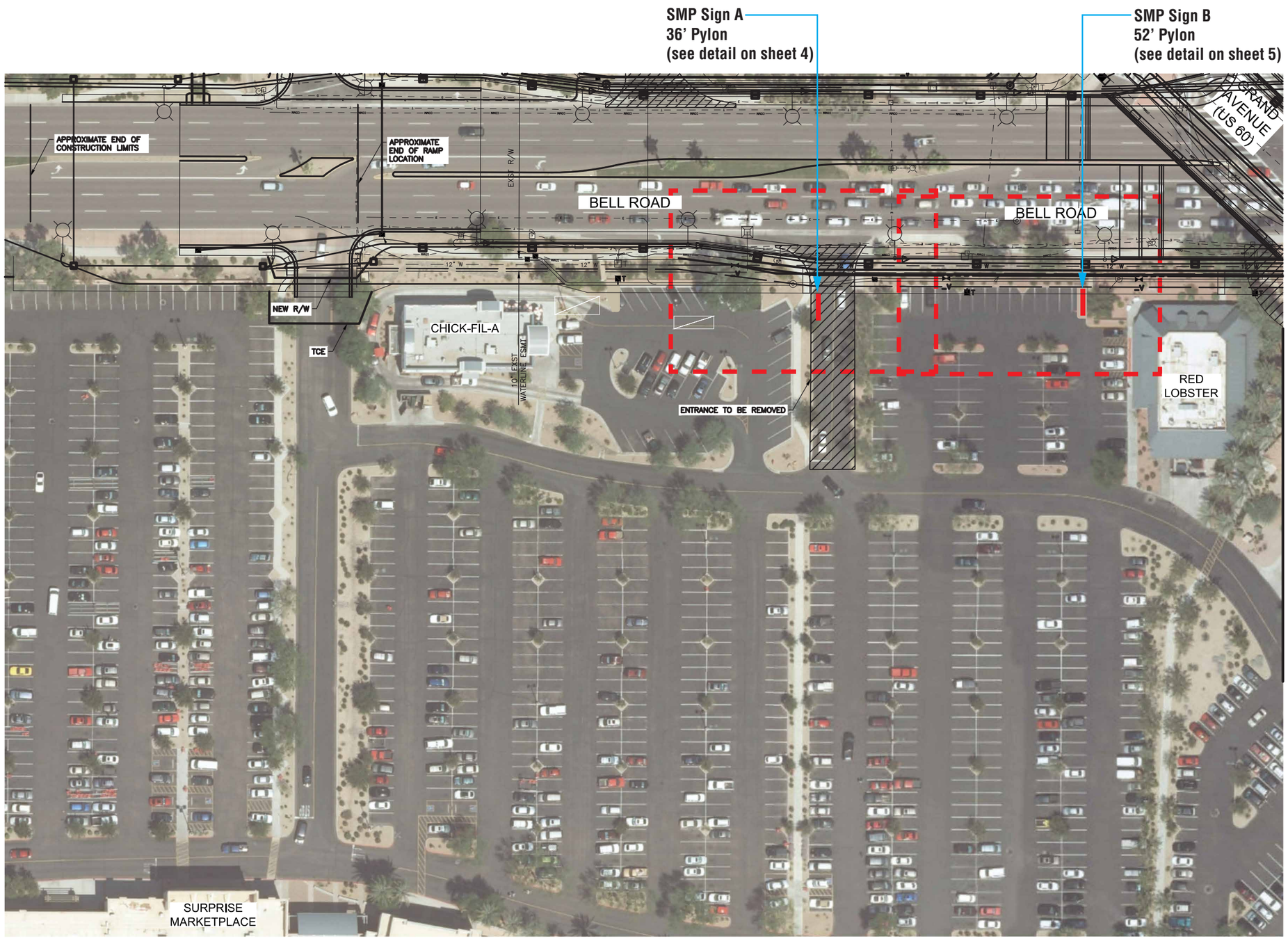
SHEET # **4 of 7**

Pylon Sign Concepts *Surprise Marketplace (SMP)*

Sign A & Sign B with EMC Display



A Sign Location Plan
Not to Scale

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CLIENT
CB Richard Ellis

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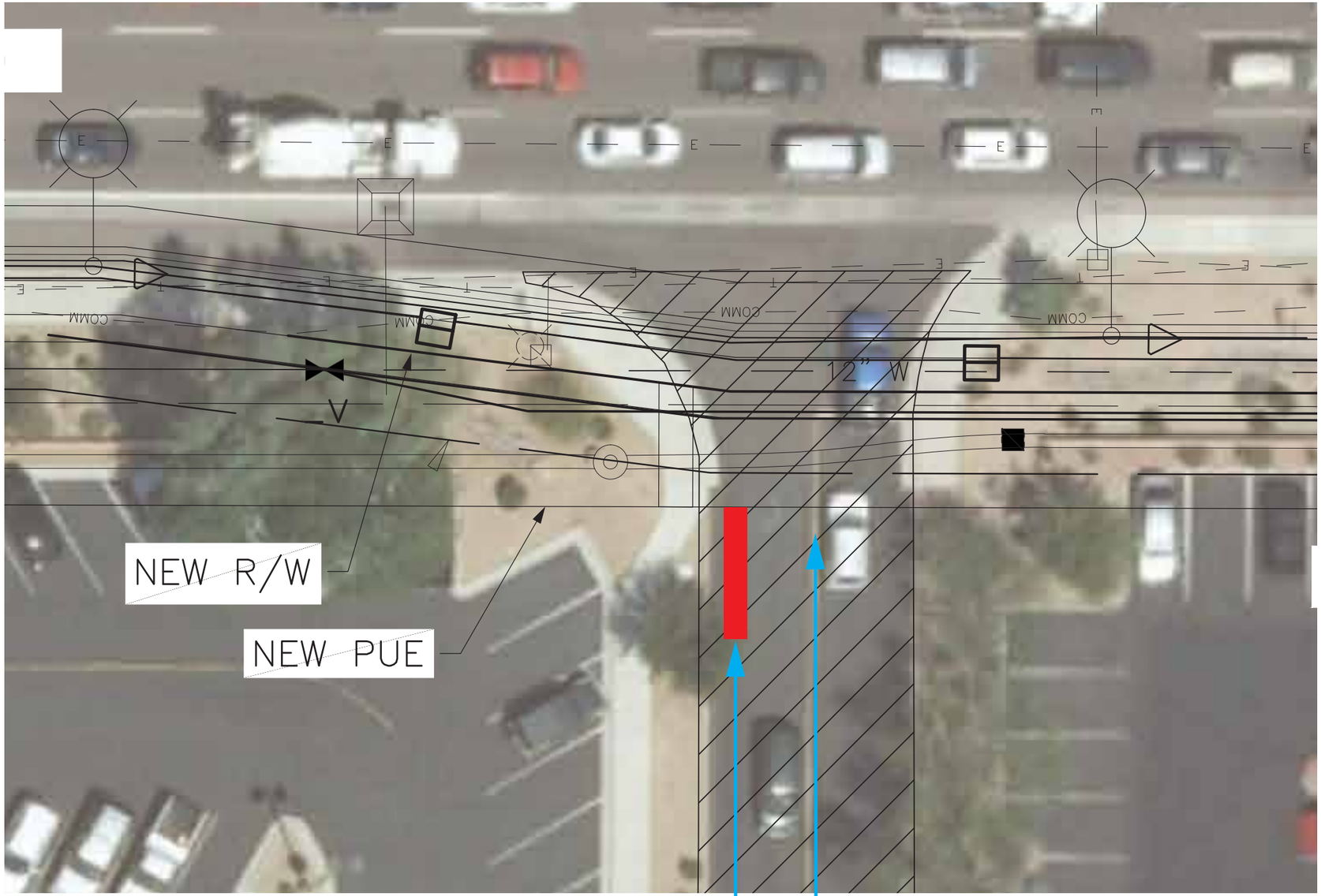
SHEET # **5 of 7**

59730 - Surprise Market Place v04.ai

Pylon Sign Concepts *Surprise Marketplace (SMP)*
Sign A & Sign B with EMC Display



NORTH

The Leading Edge of the Sign is: 16 1/2 feet behind R/W & just behind PUE.

SMP Sign A
36' Pylon

Driveway is gone.
Area Around Sign Location to Receive New Landscaping.

A Sign Location Plan
Not to Scale

bluemedia

CLIENT
CB Richard Ellis

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Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP **Rick Rettelle**
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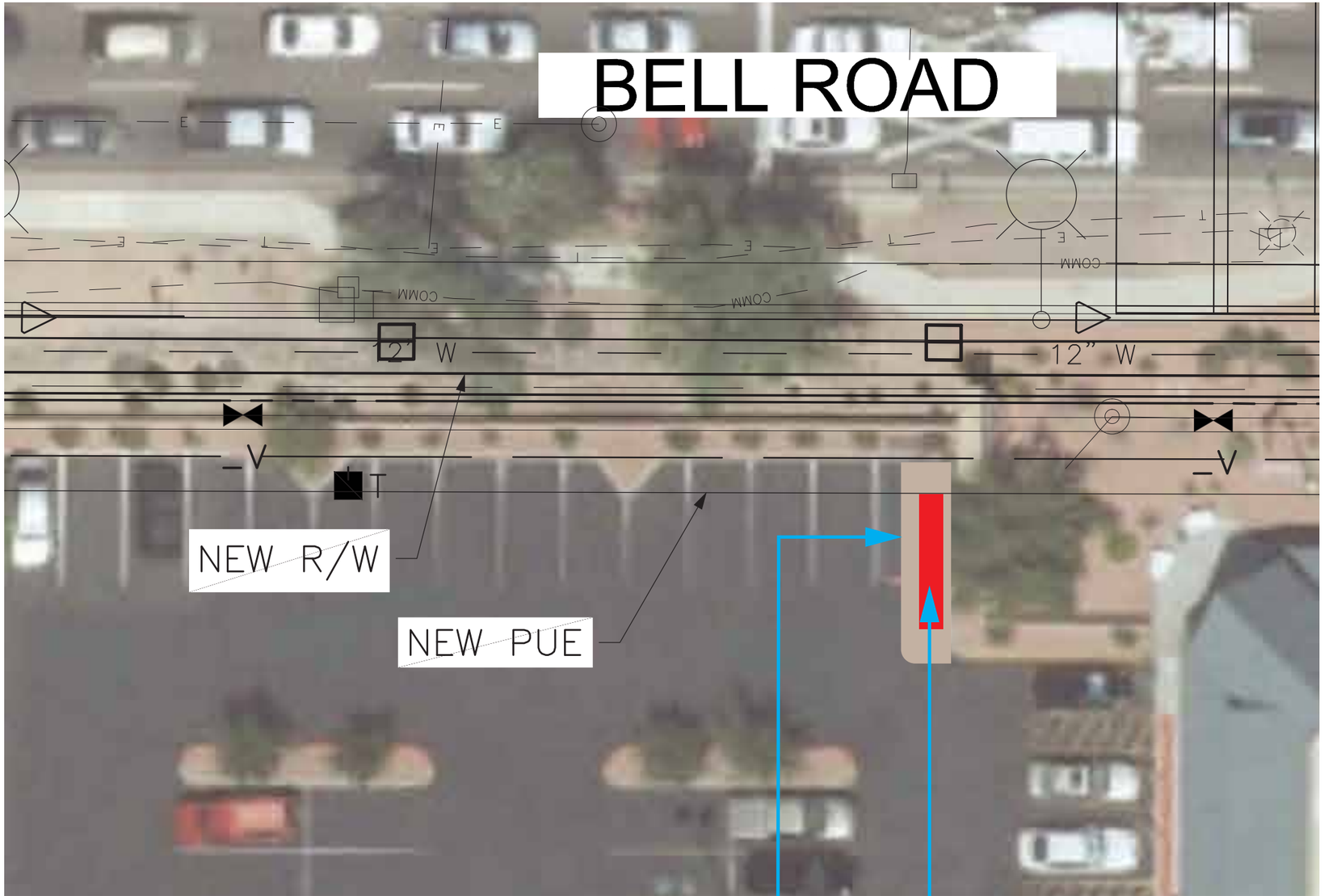
59730 - Surprise Market Place v04.ai

Pylon Sign Concepts *Surprise Marketplace (SMP)*
Sign A & Sign B with EMC Display



The Leading Edge of the Sign is: 17 feet behind R/W & just behind PUE

Existing Landscaping to be Extended to Encompass New Sign

SMP Sign B 52' Pylon

A Sign Location Plan
Not to Scale

bluemedia

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP **Rick Rettelle**
PROJ MGR **GM**
DESIGNER **MDK/AG**

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DATE
06/22/2018

JOB #
59728

SHEET # **7 of 7**

59730 - Surprise Market Place v04.ai

SURPRISE
ARIZONA

FS16-387 Surprise Town Center and FS-16-388 Surprise Marketplace Monument Signage

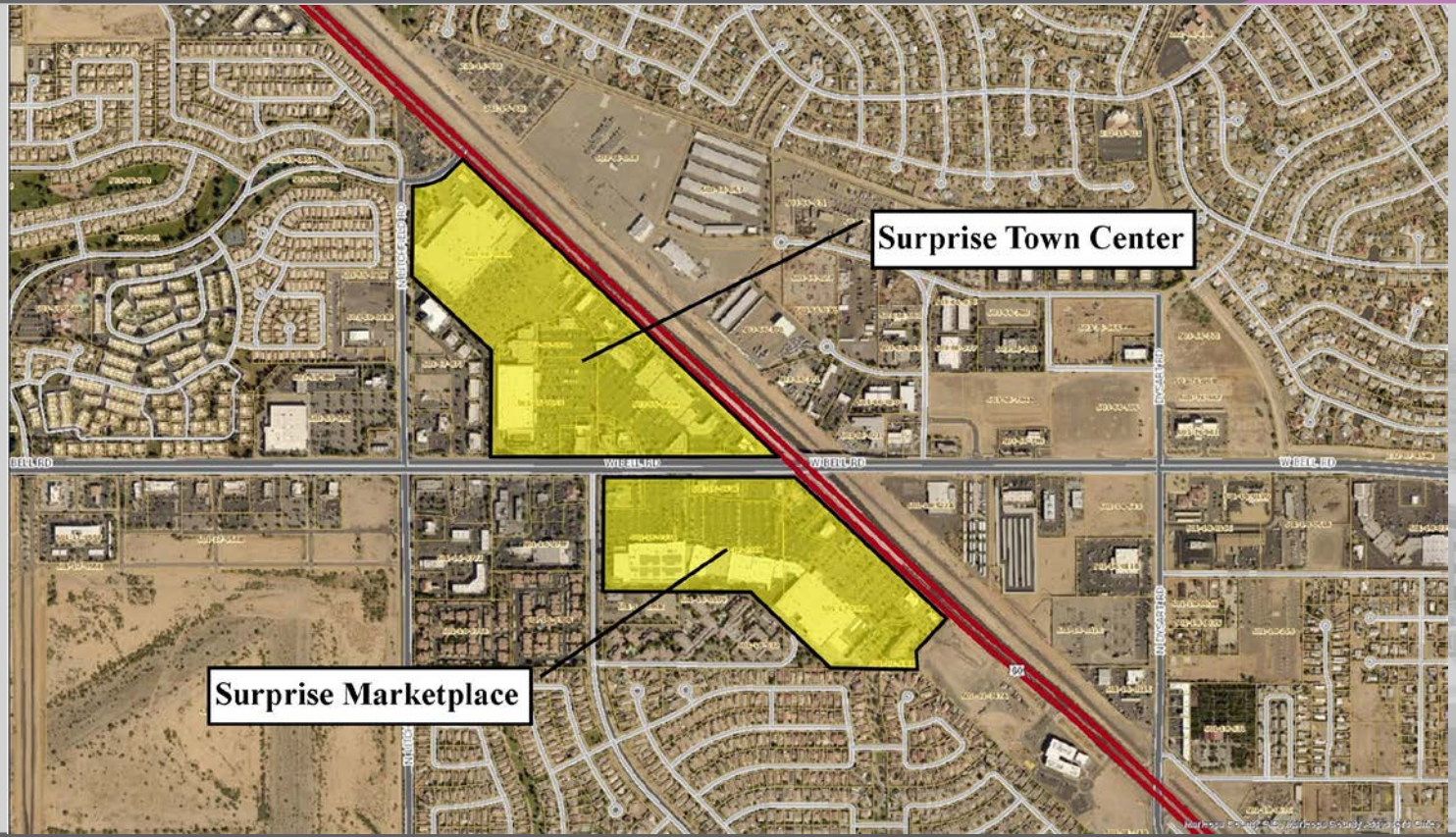
City Council

September 4, 2018

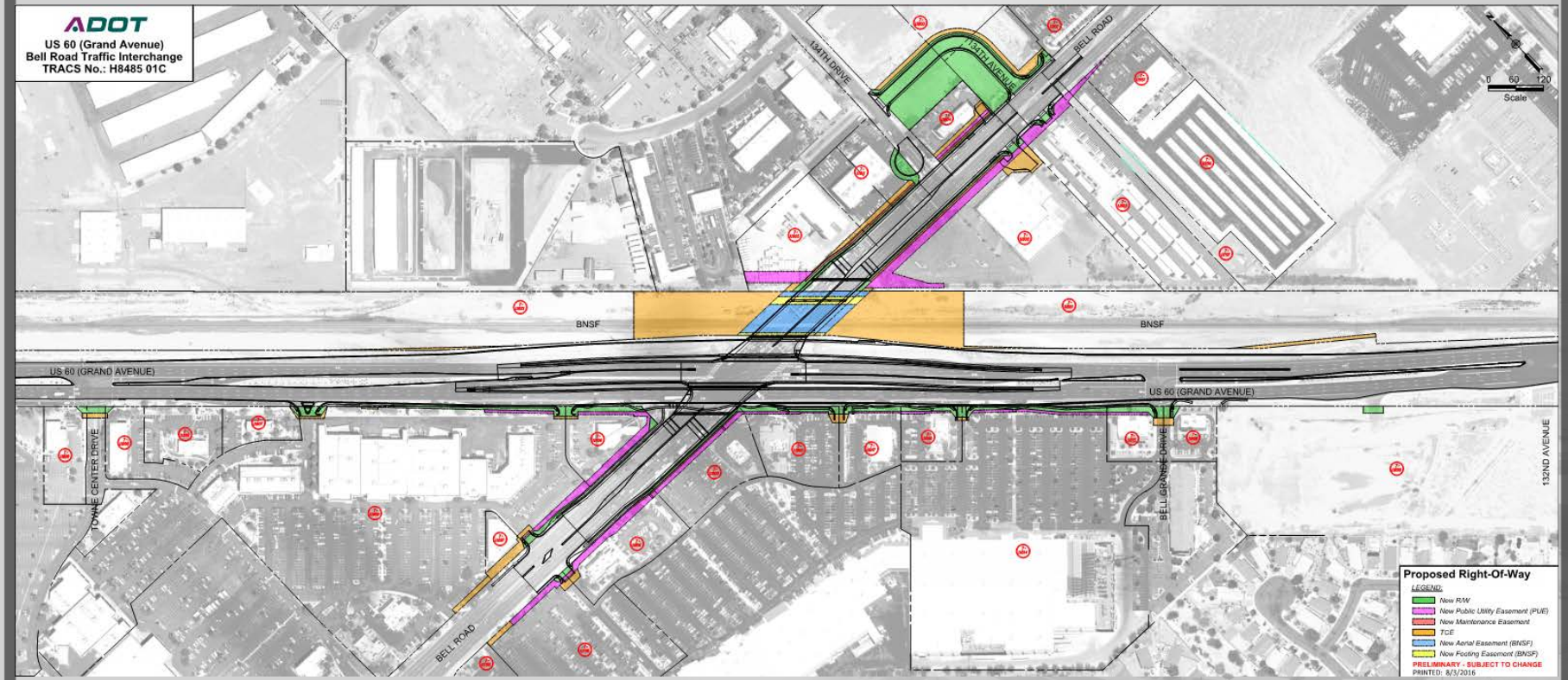
History

- Resolution 2016-42 the Bell Grand Temporary Sign and Temporary Use Permit Policy
  - Began March 15th, 2016
  - Valid until the substantial completion of construction of the Bell Grand Project and the Council repeals the policy (not defined)
  - Amended June 7th, 2016 to allow directional signage
- April 2016 Bell and Grand Overpass construction starts, Bell Road closed
  - Signage removed due to expansion of Right-of-way and relocation of utilities and easements
- November 2016 Bell Road reopened
- February 2017 Temporary Sign Policies Repealed
- July 2017 Surprise Town Center and Marketplace Grand Avenue Signage replacement approved administratively
- At the regularly scheduled Planning and Zoning Commission meeting held on July 19, 2018 the Planning and Zoning Commission recommended, **6-1** to **recommend Denial of FS16-387** Surprise Town Center Major Comprehensive Sign Program Amendment to the Mayor and City Council

Vicinity Map



Right of Way Map



Proposed Signage Surprise Town Center

Pylon Sign Concepts *Surprise Towne Center (STC)*
Sign with EMC Display

A Sign Location Plan
Not to Scale

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Towne Center

SITE ADDRESS
13702 W Bell Road
Surprise, AZ 85374

SALES REP: Rick Rettelle
PROJ MGR: RR
DESIGNER: MDK/AG

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DATE
06/21/2018

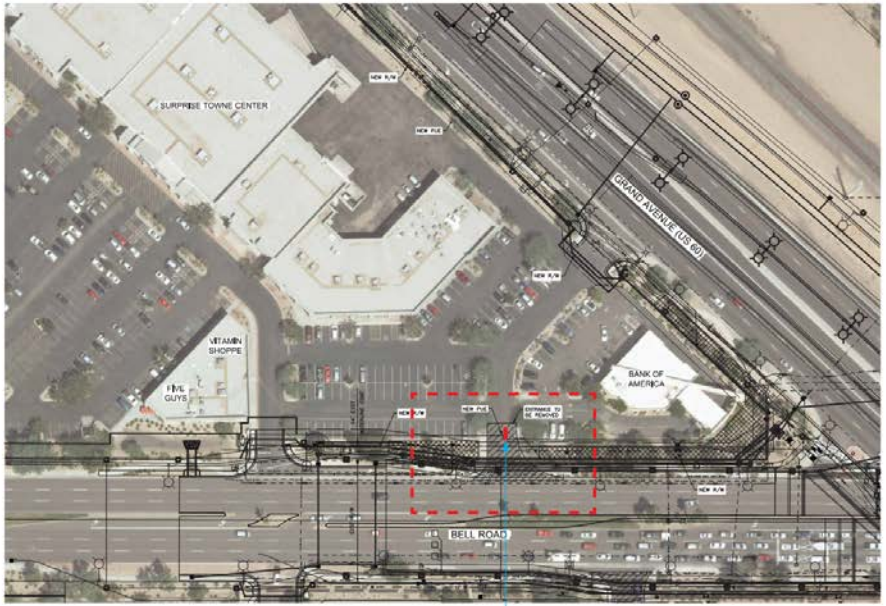
JOB #
59728

SHEET # 1 of 5

59728 - Surprise Towne Center v02.ai

Proposed Signage Surprise Town Center

Pylon Sign Concepts *Surprise Towne Center (STC)*
Sign with EMC Display



A Sign Location Plan - STC Sign B
Not to Scale

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Towne Center

SITE ADDRESS
13702 W Bell Road
Surprise, AZ 85374

SALES REP Rick Rettelle
PROJ MGR RR
DESIGNER MDK/AG

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DATE
06/21/2018

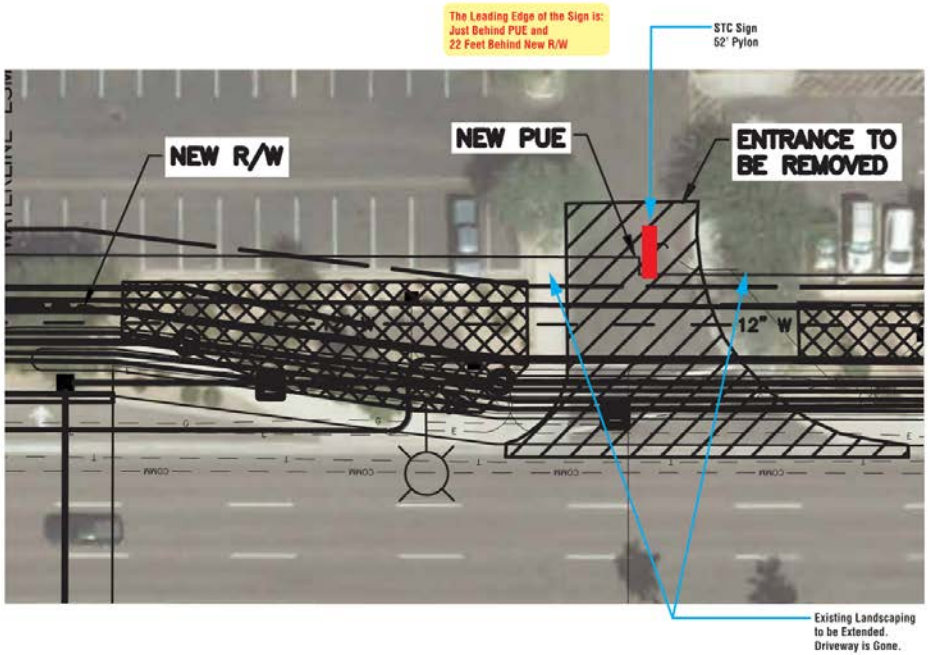
JOB #
59728

SHEET # 4 of 5

59728 - Surprise Towne Center v02.ai

Proposed Signage Surprise Town Center

Pylon Sign Concepts *Surprise Towne Center (STC)*
Sign with EMC Display



A Sign Location Plan - STC Sign B
Not to Scale

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Towne Center

SITE ADDRESS
13702 W Bell Road
Surprise, AZ 85374

SALES REP Rick Rettelle
PROJ MGR RR
DESIGNER MDK/AG

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DATE
06/21/2018

JOB #
59728

SHEET # 5 of 5

59728 - Surprise Towne Center v07.ai

Proposed Signage

Pylon Sign Concepts *Surprise Towne Center (STC)*
Sign with EMC Display

POLE COVER (BASE) COLOR SCHEME:
- Painted MAP, Match CL 28540 Wood Ash
- Painted MAP, Match 535GA Koala Bear
- Painted MAP, Match Blue Agave Leaf

SIGN CABINET COLORS TO BE FINALIZED WITH CLIENT

A Elevation View - Sign 52'
SCALE: 1/8" = 1'-0"

Sign Area: 663.16 SF

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Towne Center

SITE ADDRESS
13702 W Bell Road
Surprise, AZ 85374

SALES REP Rick Rettelle
PROJ MGR RR
DESIGNER MDK/AG

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DATE
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JOB #
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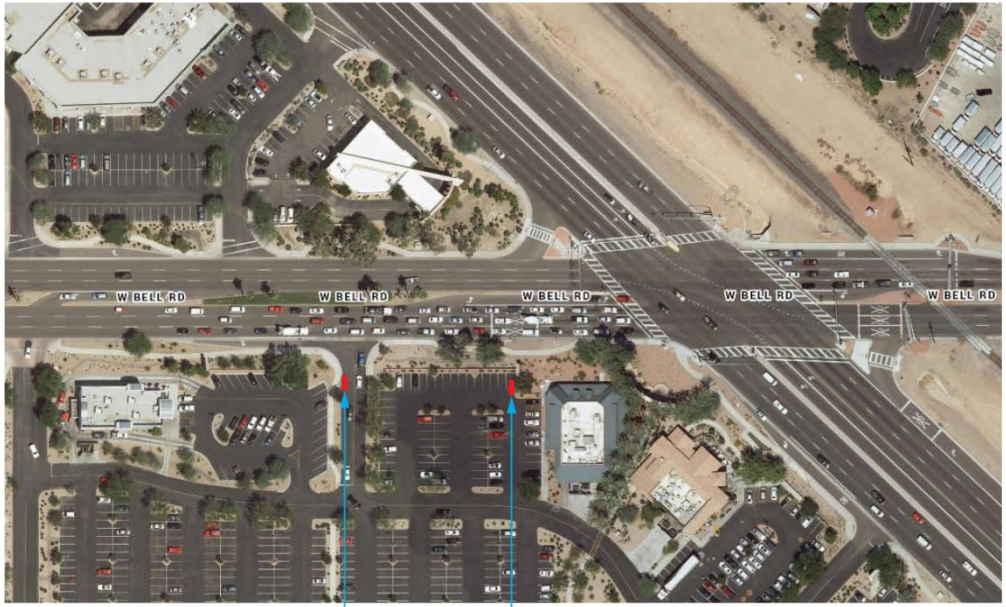
SHEET # 2 of 5

59728 - Surprise Towne Center v02.ai

Proposed Signage Surprise Marketplace

Pylon Sign Concepts *Surprise Marketplace (SMP)*
Sign A & Sign B with EMC Display

SMP - Suprise Marketplace



A Sign Location Plan
Not to Scale

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP Rick Rettelle
PROJ MGR GM
DESIGNER MDK/AG

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JOB #
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SHEET # 1 of 7

59730 - Surprise Market Place v04.ai

Proposed Signage Surprise Marketplace

Pylon Sign Concepts *Surprise Marketplace (SMP)*
Sign A & Sign B with EMC Display

A Sign Location Plan
Not to Scale

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13709 W Bell Rd Surprise, AZ 85374

SALES REP Rick Rottelle
PROJ MGR GM
DESIGNER MDK/AG

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DATE
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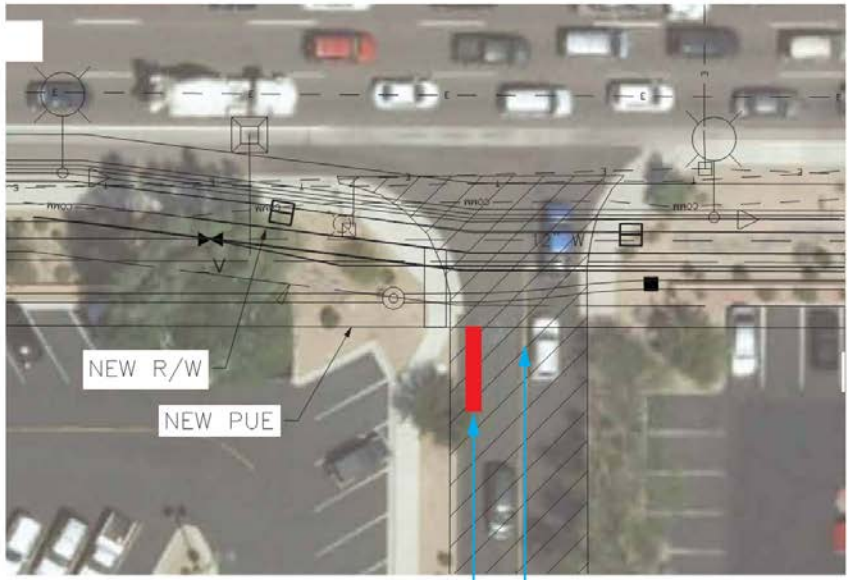
JOB #
59728

SHEET # 5 of 7

59730 - Surprise Market Place v04.ai

Proposed Signage Surprise Marketplace

Pylon Sign Concepts *Surprise Marketplace (SMP)*
Sign A & Sign B with EMC Display



The Leading Edge of the Sign is: 16 1/2 feet behind R/W & just behind PUE.

SMP Sign A
36' Pylon

Driveway is gone.
Area Around Sign Location to Receive New Landscaping.

A Sign Location Plan
Not to Scale

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
Sign A-12725 W Bell Rd Surprise, AZ 85374
Sign B-13709 W Bell Rd Surprise, AZ 85374

SALES REP Rick Rethelle
PROJ MGR GM
DESIGNER MDK/AG

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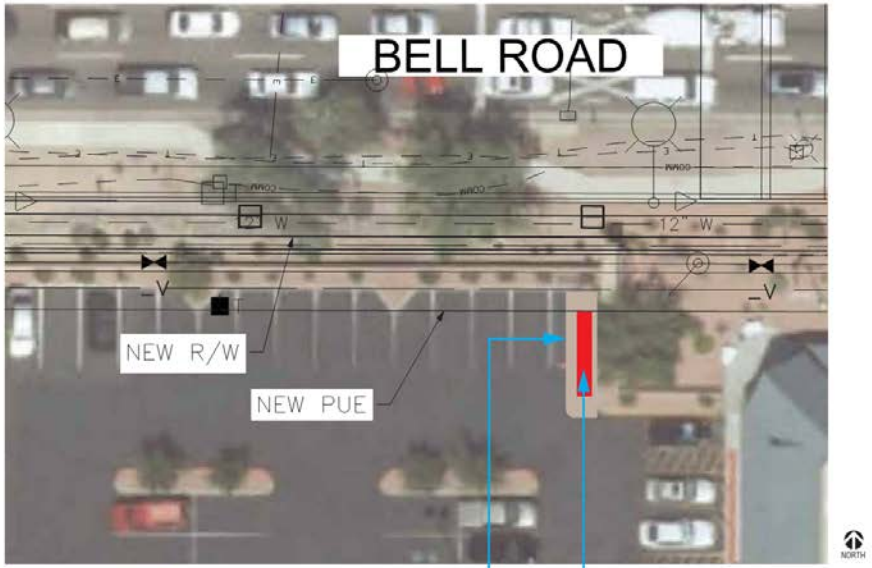
JOB #
59728

SHEET # 6 of 7

59728 - Surprise Market Place v04.ai

Proposed Signage Surprise Marketplace

Pylon Sign Concepts *Surprise Marketplace (SMP)*
Sign A & Sign B with EMC Display



The Leading Edge of the Sign is: 17 feet behind R/W & just behind PUE

Existing Landscaping to be Extended to Encompass New Sign

SMP Sign B 52' Pylon

A Sign Location Plan
Not to Scale

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB-13705 W Bell Rd Surprise, AZ 85374

SALES REP Rick Rettelle
PROJ MGR GM
DESIGNER MDK/AG

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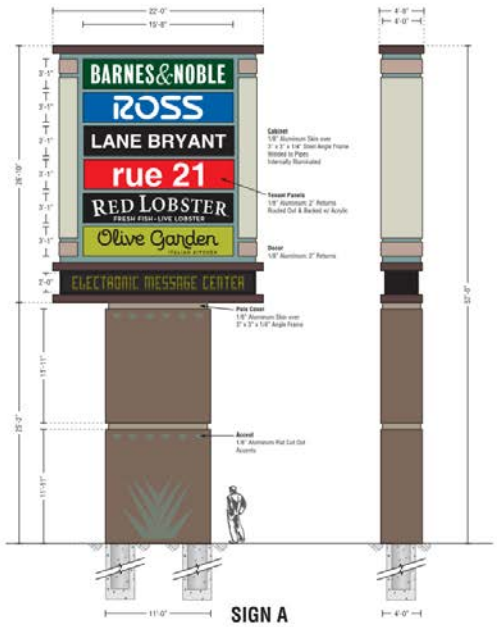
59728

SHEET # 7 of 7

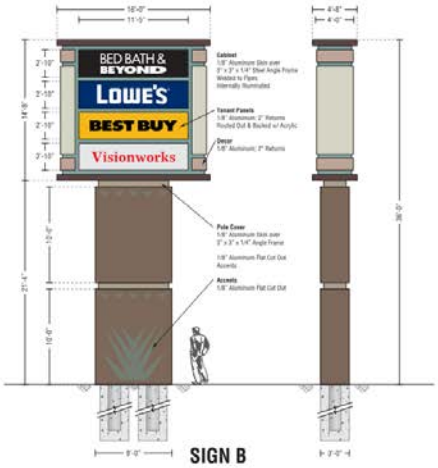
59728 - Surprise Market Place v04.ai

Proposed Signage

Pylon Sign Concepts *Surprise Marketplace (SMP)*
Sign A & Sign B with EMC Display



SIGN A



SIGN B

POLE COVER (BASE) COLOR SCHEME:
- Painted MAP, Match CL 2054D Weed Ash
- Painted MAP, Match S350A Koala Bear
- Painted MAP, Match Blue Agave Leaf

SIGN CABINET COLORS TO BE FINALIZED WITH CLIENT

A Elevation View - Sign A - 52'
SCALE: 1/8" = 1'-0"
Sign Cabinet Area: 590.33 SF

B Elevation View - Sign B - 36'
SCALE: 1/8" = 1'-0"
Sign Cabinet Area: 234.66 SF

bluemedia.

CLIENT
CB Richard Ellis

DESCRIPTION
Surprise Market Place

SITE ADDRESS
SignA-13725 W Bell Rd Surprise, AZ 85374
SignB- 13700 W Bell Rd Surprise, AZ 85374

SALES REP: Rick Rettelle
PROJ MGR: GM
DESIGNER: MDK/AG

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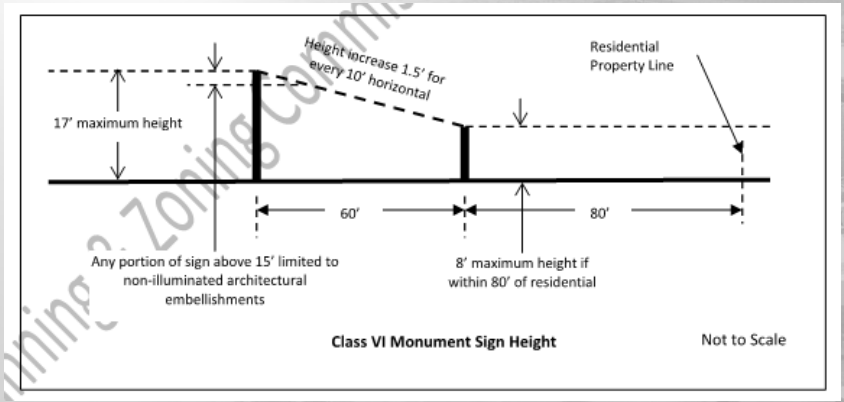
SHEET # 2 of 7

59728 - Surprise Market Place v04.ai

Freestanding Monument

- Section 113-09 – Sign Classifications and Types C. Freestanding Ground Signs 5. Class VI Monument Signs (Major Monument Signs)
  - c) If a Class VI Monument Sign is located within 80 feet of a property having single-family residential zoning, the height of the Class VI Monument Sign shall not exceed eight (8) feet; however, the height of a Class VI Monument Sign may increase one and one-half (1.5) foot for every additional ten (10) feet of horizontal distance the sign is located away from a property having single-family residential zoning up to a maximum height of seventeen (17) feet, provided however that any height in excess of fifteen (15) feet shall be limited to architectural embellishments.

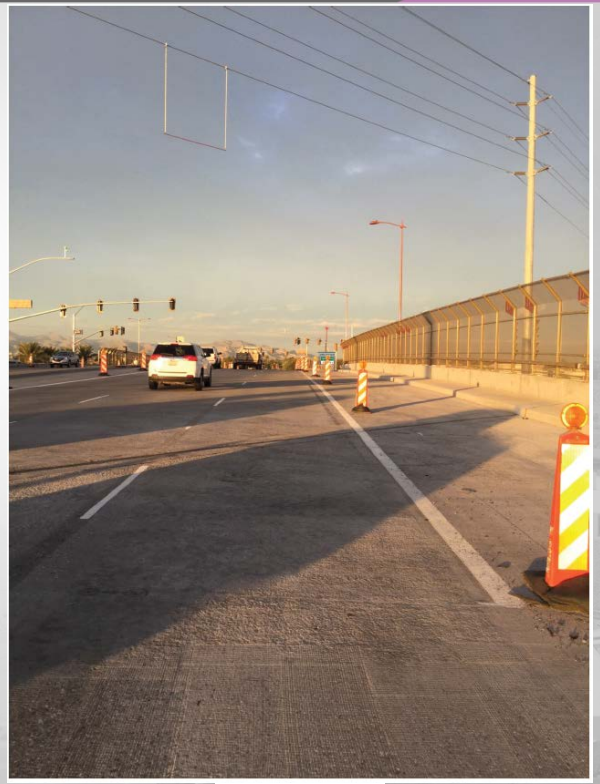


Freestanding Monument

- Section 113-15 – Comprehensive Sign Programs
  - A. Purpose: The purpose of Comprehensive Sign Programs is to provide a mechanism by which a specific set of sign criteria may be approved for a specific property or geographic area in a manner that is appropriate to the character of the community in which the Comprehensive Sign Program will apply.
  - E. A Comprehensive Sign Program may be included as part of a zone change request, or as an independent stand-alone document, in either case processed as a Type IV Application as outlined in Article XII of the Surprise Unified Development Code. The approval or denial of a proposed Comprehensive Sign Program is discretionary with the final approval authority lying with the Surprise City Council. A decision by the City Council to deny a proposed Comprehensive Sign Program shall not in any way be construed as a diminution of property values or a restraint of development rights.

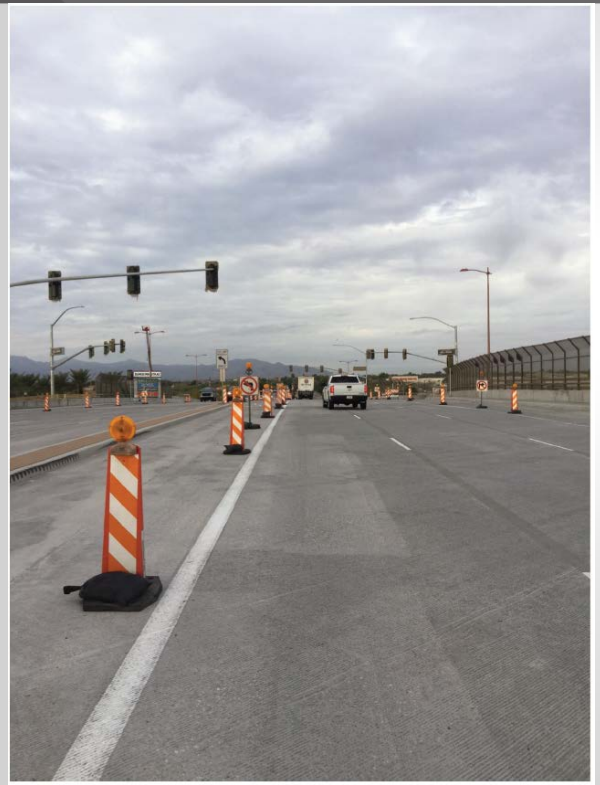
Examples of View Shed 50’

First Sight

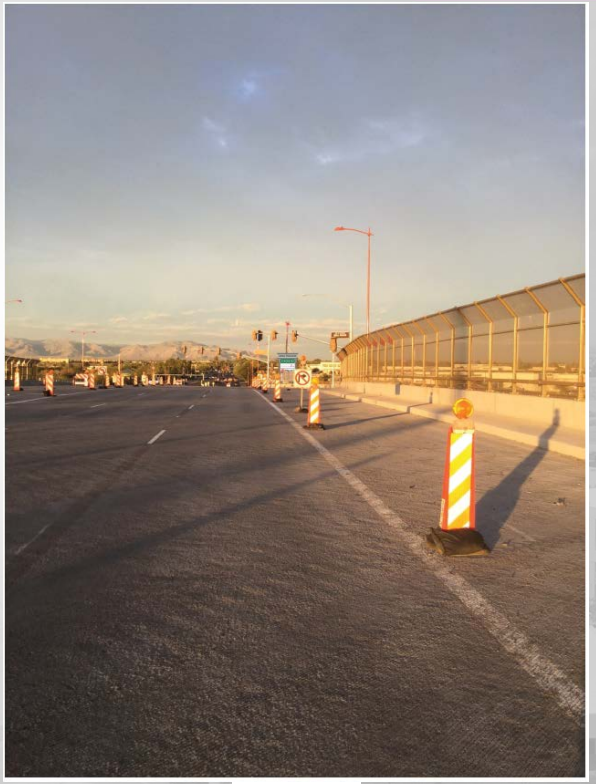


First Sight

Examples of View Shed 50’



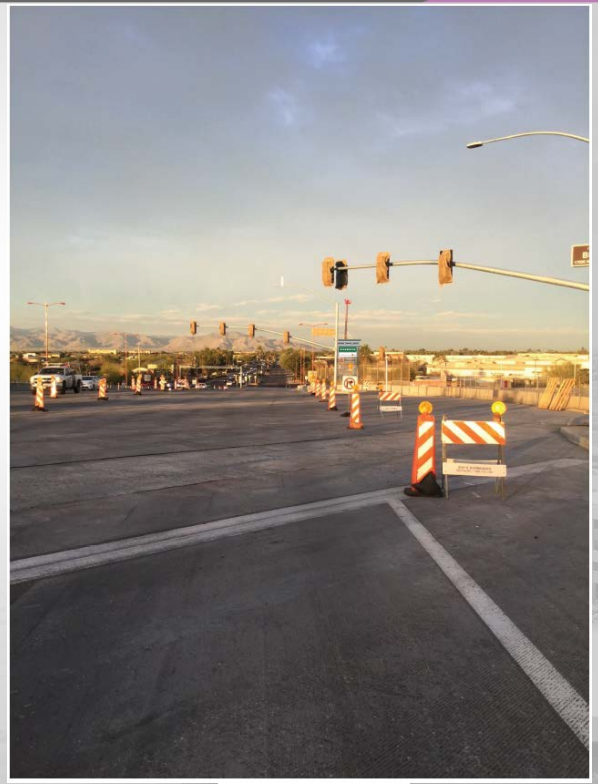
On Top



On Top

Examples of View Shed 50’

Down Slope



Down Slope

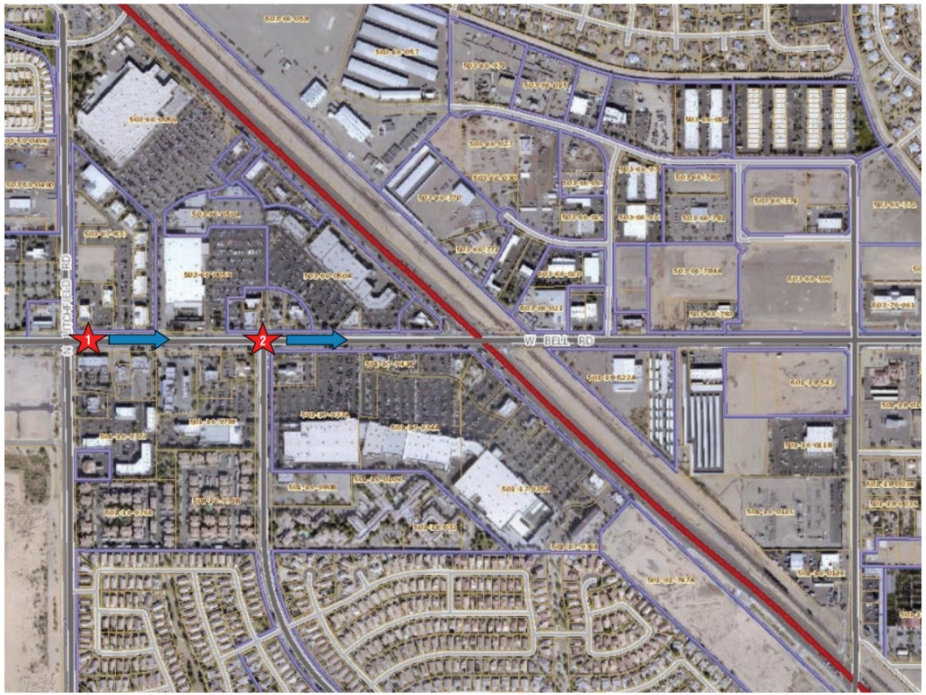
Examples of View Shed 36’

First Sight

On Top

Down Slope

Examples of View East



A Vantage Point Location Plan
Not to Scale

bluemedia.

CLIENT
Surprise Towne Center Holdings, LLC

DESCRIPTION
Pylon Signs Distance Views

SITE ADDRESS

SALES REP Rick Rettelle
PROJ MGR RR
DESIGNER MDK

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☐ APPROVED ☐ RE-PROOF
Signature
Date

✦ PROPERTY OWNER/MANAGER APPROVAL ✦
☐ APPROVED ☐ RE-PROOF
Signature
Date

DATE
07/25/2018

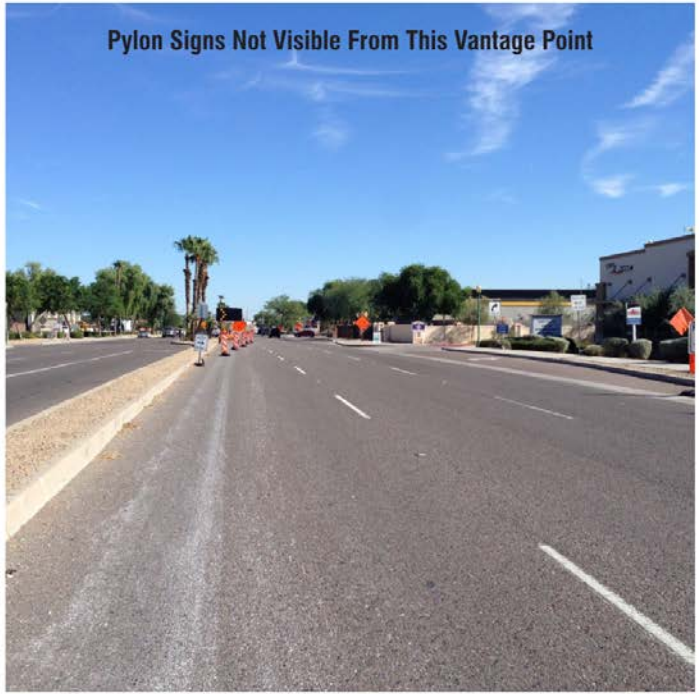
JOB #
59728-1

SHEET # 1 of 3

42241 - Grand & Bell Overpass CSP v06.ai

Examples of View East

View From Vantage Point 1
Intersection of Litchfield and Bell



A View East from Bell Road at Litchfield
Not to Scale

bluemedia.

CLIENT
Surprise Towne Center Holdings, LLC

DESCRIPTION
Pylon Signs Distance Views

SITE ADDRESS

SALES REP: Rick Rettelle
PROJ MGR: RR
DESIGNER: MDK

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CONCEPT DRAWING
NOT READY FOR PRODUCTION

♦ CLIENT APPROVAL ♦
☐ APPROVED ☐ RE-PROOF
Signature
Date

♦ PROPERTY OWNER/MANAGER APPROVAL ♦
☐ APPROVED ☐ RE-PROOF
Signature
Date

DATE
07/25/2018

JOB #
59728-1

SHEET # 2 of 3

42241 - Grand & Bell Overpass CSP v06.ai

Examples of View East

View From Vantage Point 2
Intersection of West Point and Bell

A View East from Bell Road at West Point
Approximation - Not to Scale

bluemedia.

CLIENT
Surprise Towne Center Holdings, LLC

DESCRIPTION
Pylon Signs Distance Views

SITE ADDRESS

SALES REP: Rick Rettelle
PROJ MGR: KR
DESIGNER: MDK

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NOT READY FOR PRODUCTION

+ CLIENT APPROVAL +
☐ APPROVED ☐ RE-PROOF
Signature
Date

+ PROPERTY OWNER/MANAGER APPROVAL +
☐ APPROVED ☐ RE-PROOF
Signature
Date

DATE
07/25/2018

JOB #
59728-1

SHEET # 3 of 3

42241 - Grand & Bell Overpass CSP v05.ai

Code Requirements

- Town Center Pylon Sign (as submitted 52’)
  - Per the location of the pylon sign the closest adjacent curb is about 5’ higher than previous elevation
  - Per code the sign would permissible at 22’ tall without a CSP
  - 30’ discrepancy requires an amendment to the Town Center CSP
- Marketplace Pylon Sign (as submitted 52’)
  - Per the location of the pylon sign the closest adjacent curb is about 20’ higher than previous elevation
  - Per code the sign would be permissible at 37’ tall without a CSP
  - 15’ discrepancy requires an amendment to the Marketplace CSP
- Marketplace Pylon Sign (as submitted 36’)
  - Per the location of the pylon sign the closest adjacent curb is about 10’ higher than previous elevation
  - Per code the sign would be permissible at 27’ tall without a CSP
  - 9’ discrepancy requires an amendment to the Marketplace CSP

Requests

- Surprise Town Center Comprehensive Sign Program (CSP)
  - Sign Area is a one to one request
    - The signage area being requested is equal the signage area which was lost due to Bell and Grand Project
  - Sign Height proposed along Bell Road is outside of what is allowed by code
    - Allowed at 22’ tall
  - Electronic Messaging at 23.1% of overall sign area. Up to 50% is allowed by code
- Surprise Marketplace Comprehensive Sign Program (CSP)
  - Sign Area is a one to one request
    - All signage areas being requested are equal the signage area which was lost due to Bell and Grand Project
  - Sign Heights proposed along Bell Road is outside of what is allowed by code
    - Allowed at 37’ tall and 27’ tall per current code
  - Electronic Messaging on one sign at 13% of the overall sign area. Up to 50% is allowed by code.

Findings

Sec. 113-15. - Comprehensive sign programs

(d) The comprehensive sign program must demonstrate that:

(1) The proposed signage represents a material improvement over what is otherwise permitted in chapter 113 of the Surprise Municipal Code,

(2) The proposed signage is appropriate to the character of the development covered by the comprehensive sign program,

(3) The proposed signage is appropriate to the neighborhood in which the property is located, and

(4) The comprehensive sign program creates a cohesive aesthetic that will apply to all signage covered by the comprehensive sign program within the specific geographic area covered by the comprehensive sign program.

SURPRISE
ARIZONA

Questions & Comments

Thank You

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Jeanine Jerkovic, Economic Development Director
Submitting Department:	Econ Development	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the fiscal year 2019 budget by reallocating $38,000 from Economic Development Part-time to Full-time Salaries by utilizing salary savings from a vacated position and approving a new full-time position; Resolution #2018-122.

Motion:

I move to approve Resolution #2018-122.

Background:

The Economic Development Department would like to utilize 10 hours per week from a recently vacated Economic Development Coordinator position to create a full-time Economic Development Administrative Assistant position, based at the AZ TechCelerator. This is important for capacity building and for retaining a position important to the success of the Economic Development Department. The position would have additional hours to address increasing small business and entrepreneurship programming as well as ongoing client and facility needs.

Objective Analysis:

The amendment reallocates $38,000 from the Economic Development Department Part-Time to Full-Time Salaries. No additional budget is required. With the additional hours, the Economic Development Administrative Assistant role will be able to assist the increasing workload associated with servicing new small business inquiries and existing needs that are ongoing.

Policy Compliant:

This item is policy compliant.

Financial Impact:

There is no personnel budget impact.

Budget Impact:

There is no personnel budget impact.

FTE Impact:

This action will add 1 FTE to the Economic Development Department and will replace and remove 1 part-time, 10-hour per week position.

ATTACHMENTS:

Click to download

- Resolution 2018-122 PT to FT position
- ED position change presentation

RESOLUTION # 2018-122

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2019 BUDGET BY REALLOCATING $38,000 FROM A VACANT PART-TIME COORDINATOR POSITION IN THE ECONOMIC DEVELOPMENT PERSONNEL BUDGET AND COMBINING IT WITH ANOTHER PART-TIME ECONOMIC DEVELOPMENT POSITION TO CREATE A FULL-TIME ECONOMIC DEVELOPMENT ASSISTANT POSITION AT THE AZ TECHCELERATOR.

WHEREAS, the City's Economic Development Department has developed new and reconstituted programs that align with the City Council strategic plan on Economic Development that when fully implemented will increase economic and social sustainability for the community;

WHEREAS, the FY2019 budget was adopted by Council Resolution #2018-78 on June 5, 2018;

WHEREAS, this action will necessitate a budget amendment; and

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

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

Section 1. That the statements and schedules attached as Exhibit A and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2018 through June 30, 2019.

APPROVED AND ADOPTED this_____day of _____, 2018.

Sharon R. Wolcott, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

RESOLUTION #2018-122
Exhibit A

1. The FY2019 Annual Budget is amended by reallocating appropriations among lawfully available appropriations to ensure the continued operations of the City of Surprise in the payment of necessary expenditures. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority. Additionally, these reallocations do not increase or decrease the total budget.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
General Fund	Economic Development	Part-Time	Exp	$45,000	($38,000)	$7,000
General Fund	Economic Development	Full Time	Exp	$496,000	$38,000	$534,000
				$541,000	**$0**	**$541,000**

2. The general fund change is as follows:

The total amendment amount of $38,000 reallocates appropriation of monies from the Economic Development Department Part-Time Salaries to Full-Time Salaries.

3. Full-Time Equivalent (FTE)

Fund	Department	Current FTEs	Increase/ (Decrease)	Amended FTEs
General Fund	Economic Development	6.8	.2	7.0

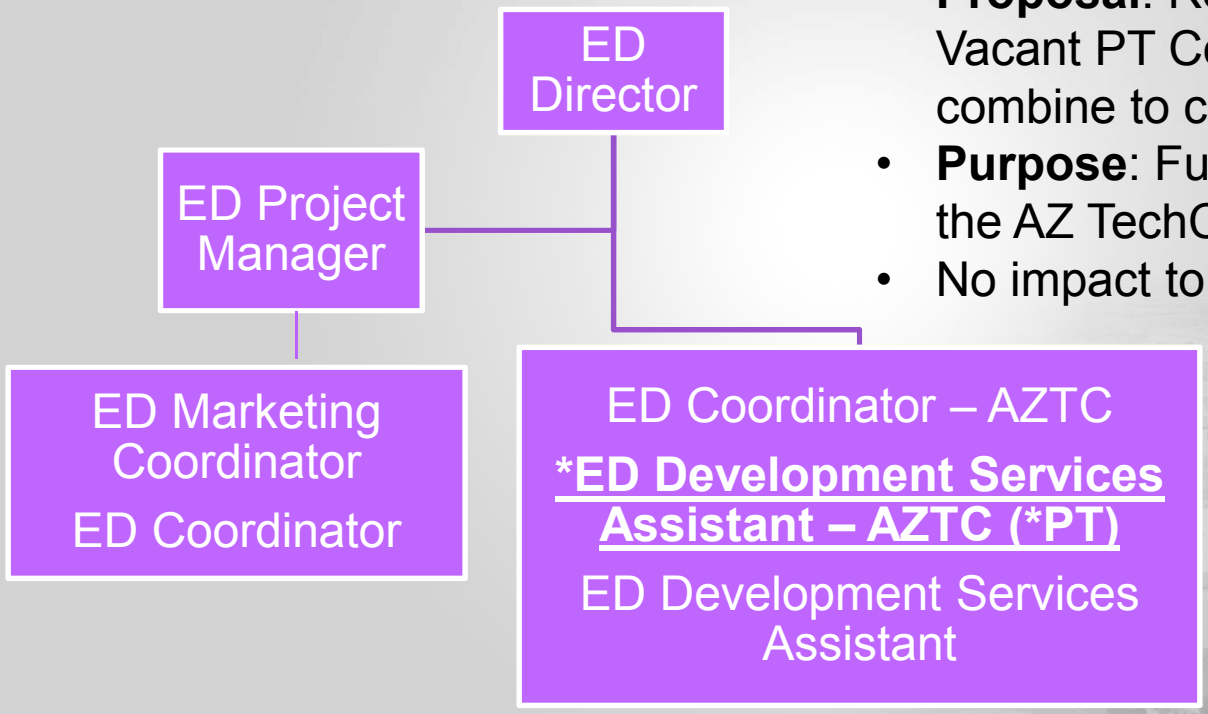
SURPRISE
ARIZONA

Economic Development

Part-Time to Full-Time Position Change

September 4, 2018

ED Position / PT to FT



- **Proposal**: Reallocate $38,000 from Vacant PT Coordinator position, combine to create FT ED position
- **Purpose**: Full-time facility support at the AZ TechCelerator
- No impact to personnel budget

SURPRISE
ARIZONA

Thank you

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Terry Lowe, Water Resources Management Director
Submitting Department:	Water Resource	District:	1
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to the approval of the First Amendment to the Development Agreement between the City of Surprise and 371 and 163rd, L.L.C (Altamira Development); Resolution #2019-137.

Motion:

I move to approve Resolution #2019-137.

Background:

The Altamira property is generally located at 163rd and Pinnacle Peak Road. In February 2015, Council approved a new Development Agreement which superseded the 2009 agreement and simplified the relationship with the developers, removed reimbursement requirements, and assured a regional approach to water supply and arsenic treatment at the Desert Oasis water supply facility.

This First Amendment modifies the developers' and City's obligations pertaining to the arsenic treatment facility. This amendment clarifies approval language for the developer and identifies the City's share of the facility's design costs proportionate to the City's capacity within the facility.

Objective Analysis:

Potential Positive Impacts Include: The City continue to share costs by participating in a joint project with the development community, growth is paying for itself, and infrastructure is being built in an area of the City needing public infrastructure.

Potential Negative Impacts: The partnership between the City and development community would be strained.

Policy Compliant:

This action is compliant with Council policy relative to growth paying for itself.

Financial Impact:

The one-time costs of the design of the Arsenic Treatment systems was approved by Council as CIP #P71020 in FY18 and shall be carried forward until expensed.

Budget Impact:

None at this time; however, the anticipated incremental additional maintenance expense associated with the public infrastructure will be incorporated in future budgets.

FTE Impact:

No new FTEs are anticipated at this time.

ATTACHMENTS:

Click to download

- Res 2018-137 and 1st Amendment

RESOLUTION # 2018-137

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING THE 1ST AMENDMENT TO THE ALTAMIRA DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SURPRISE AND 371 ON 163rd LLC, PERTAINING TO THE PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF PINNACLE PEAK AND 155TH AVENUE.

WHEREAS, the City of Surprise is authorized to enter into development agreements pursuant to Arizona Revised Statutes §9-500.05 of Surprise;

WHEREAS, the Altamira Development is generally located on the northwest corner of Pinnacle Peak Road and 155th Avenue;

WHEREAS, the Altamira Development was originally subject to that certain Development Agreement recorded on November 19, 2009 with the Maricopa County Recorder as Document No. 20091070006, which was then amended by the First Amendment to the Altamira Development Agreement recorded on November 27, 2012, with the Maricopa County Recorder as Document No. 20121070929;

WHEREAS, the Altamira Development Agreement, as amended, was subsequently terminated pursuant to the Termination of Development Agreement recorded on February 11, 2015 with the Maricopa County Recorder as Document No. 20150089439;

WHEREAS, the City Council approved a restated Altamira Development Agreement on February 3, 2015, which was recorded with the Maricopa County Recorder as Document No. 20150084882 on February 10, 2015; and

WHEREAS, the City of Surprise and 371 on 163rd LLC now desire to amend the restated Altamira Development Agreement to redefine the owner's water infrastructure requirements.

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

Section 1. The Mayor and Council hereby approve the First Amendment to Altamira Development Agreement between the City of Surprise and 371 on 163rd LLC, attached hereto as Exhibit A, which is incorporated by reference.

Section 2. The Mayor is hereby directed to execute the First Amendment and any other documents necessary to effectuate the intent of this Resolution.

APPROVED AND ADOPTED this _____day of _____, 2018.

Sharon R. Wolcott, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

EXHIBIT A

FIRST AMENDMENT TO THE ALTAMIRA DEVELOPMENT AGREEMENT

AFTER RECORDING, RETURN TO:

City Clerk
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

With a copy to:
Jeffrey Blilie
Beus Gilbert PLLC
701 N. 44th Street
Phoenix, Arizona 85008

FIRST AMENDMENT TO ALTAMIRA DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO ALTAMIRA DEVELOPMENT AGREEMENT ("**First Amendment**") is entered into as of the _____ day of _____, 2018 by and between the City of Surprise, an Arizona municipal corporation ("**City**"), and 371 on 163rd, L.L.C., an Arizona limited liability company ("**Owner**"). The City and Owner are referred to herein individually as a "**Party**" or collectively the "**Parties**."

RECITALS:

A. City and Owner are parties to that certain Altamira Development Agreement recorded as Instrument No. 2015-0084882, Records of Maricopa County, Arizona (the "**Agreement**").

B. The property subject to the Agreement includes approximately one hundred seventy eight (178) acres generally bounded by the Verdugo development on the West, Pinnacle Peak Road on the South, San Ysidro Road on the North and Reems Road on the East, and is more particularly described in the legal description attached hereto as Exhibit A (the "**Property**").

C. The Agreement addresses a number of infrastructure and development issues relative to the development of the Property.

D. Subsequent to entering into the Agreement Owner, as well as the owner of the adjacent Verdugo project ("**Verdugo**"), have had discussions with the owner of the Asante project ("**Lennar**") and the City regarding the development of various components of the water infrastructure.

E. The discussions have resulted in the Parties, including Lennar and Verdugo, agreeing to design and construct certain components of the water infrastructure that differ or are inconsistent with the water infrastructure required in the Agreement.

F. The purpose of this First Amendment is to redefine Owner's water infrastructure requirements consistent with the discussions between the Parties, Lennar and Verdugo.

G. City and Owner desire to amend the Agreement upon the terms and conditions contained herein.

AGREEMENT:

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements contained and herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and Owner, intending to be legally bound, covenant and agree for themselves and their successors and assigns as follows:

1. Definitions. Except as otherwise defined herein, all capitalized terms used herein shall have the meanings ascribed thereto in the Agreement.

2. Amendment to Section 5 of the Agreement. Section 5 of the Agreement is hereby deleted in its entirety and replaced with the following language.

> 5. Approvals. All approvals, conveyances, and acceptances of either Party, must be in writing and may not be unreasonably withheld, conditioned, or delayed. Certificates of occupancy for model home complexes, multi-family homes or non-residential structures within the Property and final inspections for single-family homes within the Property shall not be issued or performed unless the Necessary Public Infrastructure serving that parcel, lot, or pad being developed has been completed and accepted by the City. Building permits for model home complexes, single-family homes, multi-family homes or non-residential structures within the Property shall not be issued unless two points of emergency vehicle access are provided to the parcel, lot, or pad being developed and financial assurances are in place to fund the completion of the Necessary Public Infrastructure serving the parcel, lot, or pad being developed.

3. Amendment to Section 8.4.2 of the Agreement. Section 8.4.2 of the Agreement is hereby deleted in its entirety and replaced with the following language.

> 8.4.2. Well/Well Site(s). City acknowledges that Owner is working with Lennar and jointly developing Asante Well #1 to satisfy Owner's well obligation and approves the location of Asante Well #1. In the event Owner fails to develop Asante Well #1, Owner shall then provide a well/well site that shall comply with City Standards and the Water Master Plan, the location of which will be determined by Owner and City using the results of a professional well impact analysis paid for by Owner. If the well site is located on the Property, the site will be reflected on a final plat for the

applicable portion of the Property, or, if located outside the property, secured in a manner acceptable to the City prior to final plat approval. If necessary, Owner will dedicate to the City any necessary flowage easement(s) near the well sites for operation and maintenance purposes.

4. Addition of Section 8.4.2.1 to the Agreement. The following Section 8.4.2.1 is hereby added to the Agreement.

8.4.2.1. Redundant Well. To the extent the Water Master Plan requires a water supply greater than a single well is permitted to supply, but less than two wells would supply, Owner will either, (a) provide well impact waivers for a well or wells agreeable to both Parties that is sufficient to meet the supply required by the Water Master Plan, or (b) pay to the City an amount equal to five percent (5%) of the construction costs for a second well. The construction costs for a second well will be based on construction costs at the time the payment is made. City will not issue building permits beyond 30% of the residential lots on the property until the requirements of this section are satisfied. Both Parties agree that a well impact waiver for the Sunrise Ranch well would satisfy the requirements of this Section 8.4.2.1.

5. Amendment to Section 8.5.3 of the Agreement. Section 8.5.3 of the Agreement is hereby deleted in its entirety and replaced with the following language.

8.5.3. Owner shall design and construct an arsenic treatment system in accordance with the Water Master Plan and the Water Supply Facility master site plan, sufficient to treat 600 gpm which shall satisfy the Property's arsenic treatment needs.

6. Addition of Section 8.5.3.1 to the Agreement. The following Section 8.5.3.1 is hereby added to the Agreement.

8.5.3.1. Alternate Arsenic Treatment. The Parties understand that Lennar, pursuant to a development agreement with the City, is required to design and construct a 3800 gpm arsenic treatment system ("**Lennar Treatment**") at the Water Supply Facility. Owner has retained the right to purchase 600 gpm of arsenic treatment capacity of the Lennar Treatment. If Owner provides the City with written confirmation from Lennar that Owner has paid Lennar for its 600 gpm of arsenic treatment capacity in the Lennar Treatment, then Owner's obligation to design and construct an arsenic treatment system pursuant to Section 8.5.3 shall be deemed to have been satisfied and Owner shall not be required to design or construct any additional arsenic treatment to satisfy Owner's

obligation to provide arsenic treatment sufficient to treat the water needed to serve the Property.

7. Addition of Section 8.5.3.2 to the Agreement. The following Section 8.5.3.2 is hereby added to the Agreement

8.5.3.2. Reimbursement for Design Costs. City agrees to reimburse Owner 50% of the design costs incurred by Owner and the owner of the Verdugo project to design the arsenic treatment system identified in Section 8.5.3. The total design costs are $115,923.22, which have been reviewed and approved by the City. Owner's share of the design costs is $57,961.61. City shall make its reimbursement payment to Owner within thirty (30) calendar days from the date first above written.

8. Addition of Section 9.5 to the Agreement. The following Section 9.5 is hereby added to the Agreement.

9.5. 155th Avenue. The Parties anticipate that Owner will elect to enter into the City's Public Improvements In Lieu Payment Agreement and make an in lieu payment for the Design and Construction Costs for the portion of 155th Avenue adjacent to the Property and north of Asante Boulevard.

9. Amendment to Section 15.16 of the Agreement. Section 15.16 of the Agreement is hereby deleted in its entirety and replaced with the following language.

15.16 Termination upon Sale of Residential Lots. Except as otherwise provided for herein, this 2015 Altamira Agreement is not intended to and will not create conditions or exceptions to title or covenants running with the individual lots within the Property. Therefore, in order to alleviate any concern as to the effect of this 2015 Altamira Agreement on the status of title to any of the Property, so long as not prohibited by law, this 2015 Altamira Agreement will terminate without the execution or recordation of any further document or installment as to any finally subdivided residential lot on which a residential dwelling unit has been constructed and which has been sold to the end purchasers or users thereof, and thereupon such residential lot will be released from and no longer be subject to or burdened by the provisions of this 2015 Altamira Agreement. Any title insurer can rely on this paragraph when issuing any commitment to insure title or when issuing a title policy in connection with the sale of a particular residential lot within the Property and, accordingly, not show this 2015 Altamira Agreement as an exception to the title of such residential lot.

10. Governing Law. This First Amendment shall be governed by and construed in accordance with the laws of the State of Arizona. This First Amendment shall be construed according to its plain meaning and shall not be strictly construed either for or against any party hereto.

11. Counterparts. This First Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which combined shall constitute one and the same instrument.

12. Successors and Assigns. This First Amendment shall inure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.

13. Amendment. Except as otherwise amended hereby, all of the terms and provisions of the Agreement shall remain in full force and effect. In the event of any conflict between this First Amendment and the Agreement, the provisions of this First Amendment shall control. The City acknowledges and agrees that Owner and their successors and permitted assignees shall have a right to rely, and will be relying, on the terms, provisions and conditions of this First Amendment.

[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the date first above written.

CITY:

CITY OF SURPRISE, an Arizona municipal corporation

By:_____
Sharon Wolcott, Mayor

Date:_____

ATTESTED:

_____
Sherry Aguilar, City Clerk

APPROVED AS TO FORM:

_____
Robert Wingo, City Attorney

STATE OF ARIZONA
County of Maricopa

On this _____ day of_____, 2018, before me personally appeared Sharon Wolcott, the Mayor of the CITY OF SURPRISE, an Arizona municipal corporation, for and on behalf thereof, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above/attached document.

_____

[Affix notary seal here] Notary Public

OWNER:

371 on 163rd, L.L.C., an Arizona
limited liability company

By:_____
Keith Miller, Manager

Date:_____

STATE OF ARIZONA
County of Maricopa

On this _____ day of_____, 2018, before me personally appeared Keith Miller, Manager, for 371 on 163rd, L.L.C., an Arizona limited liability company, for and on behalf thereof, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above/attached document.

[Affix notary seal here]

_____
Notary Public

EXHIBIT A

LEGAL DESCRIPTION
BOUNDARY
ALTAMIRA

Job No. 16-142 JULY 28, 2016

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

A PORTION OF SECTION 7, 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 THE SOUTH QUARTER CORNER OF SAID SECTION 7;

THENCE SOUTH 89 DEGREES 55 MINUTES 12 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SECTION 7, A DISTANCE OF 533.69 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 04 MINUTES 45 SECONDS EAST, A DISTANCE OF 786.42 FEET; THENCE NORTH 00 DEGREES 27 MINUTES 21 SECONDS WEST, A DISTANCE OF 36.19 FEET; THENCE NORTH 02 DEGREES 40 MINUTES 08 SECONDS WEST, A DISTANCE OF 113.42 FEET; THENCE NORTH 06 DEGREES 01 MINUTES 27 SECONDS WEST, A DISTANCE OF 113.42 FEET;
THENCE NORTH 09 DEGREES 49 MINUTES 48 SECONDS WEST, A DISTANCE OF 143.85 FEET TO THE BEGINNING OF A NON-TANGENT CURVE;

THENCE WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 480.00 FEET CONCAVE SOUTHERLY, WHOSE RADIUS BEARS SOUTH 08 DEGREES 36 MINUTES 31 SECONDS EAST, THROUGH A CENTRAL ANGLE OF 01 DEGREES 04 MINUTES 36 SECONDS, A DISTANCE OF 9.02 FEET;

THENCE NORTH 09 DEGREES 41 MINUTES 07 SECONDS WEST, A DISTANCE OF 40.00 FEET; THENCE NORTH 14 DEGREES 46 MINUTES 20 SECONDS WEST, A DISTANCE OF 108.76 FEET; THENCE NORTH 17 DEGREES 57 MINUTES 09 SECONDS WEST, A DISTANCE OF 105.48 FEET; THENCE NORTH 21 DEGREES 05 MINUTES 03 SECONDS WEST, A DISTANCE OF 105.48 FEET; THENCE NORTH 24 DEGREES 12 MINUTES 57 SECONDS WEST, A DISTANCE OF 105.48 FEET; THENCE NORTH 27 DEGREES 20 MINUTES 51 SECONDS WEST, A DISTANCE OF 105.48 FEET; THENCE NORTH 30 DEGREES 28 MINUTES 45 SECONDS WEST, A DISTANCE OF 105.48 FEET; THENCE NORTH 33 DEGREES 36 MINUTES 39 SECONDS WEST, A DISTANCE OF 105.48 FEET; THENCE NORTH 36 DEGREES 44 MINUTES 33 SECONDS WEST, A DISTANCE OF 106.11 FEET; THENCE NORTH 33 DEGREES 31 MINUTES 38 SECONDS WEST, A DISTANCE OF 121.44 FEET; THENCE NORTH 23 DEGREES 52 MINUTES 01 SECONDS WEST, A DISTANCE OF 148.00 FEET; THENCE NORTH 08 DEGREES 11 MINUTES 01 SECONDS WEST, A DISTANCE OF 151.36 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 29 SECONDS EAST, A DISTANCE OF 60.00 FEET;

THENCE NORTH 89 DEGREES 58 MINUTES 31 SECONDS WEST, A DISTANCE OF 19.81 FEET;
THENCE NORTH 00 DEGREES 22 MINUTES 47 SECONDS WEST, A DISTANCE OF 164.41 FEET;
THENCE NORTH 44 DEGREES 49 MINUTES 14 SECONDS EAST, A DISTANCE OF 56.37 FEET TO THE CENTER OF SAID SECTION 7; THENCE SOUTH 89 DEGREES 58 MINUTES 44 SECONDS EAST, A DISTANCE OF 657.68 FEET;
THENCE SOUTH 89 DEGREES 58 MINUTES 31 SECONDS EAST, A DISTANCE OF 176.82 FEET;
THENCE SOUTH 89 DEGREES 59 MINUTES 00 SECONDS EAST, A DISTANCE OF 151.91 FEET;
THENCE SOUTH 89 DEGREES 57 MINUTES 40 SECONDS EAST, A DISTANCE OF 328.93 FEET;
THENCE NORTH 00 DEGREES 25 MINUTES 42 SECONDS WEST, A DISTANCE OF 659.44 FEET;
THENCE NORTH 00 DEGREES 21 MINUTES 05 SECONDS WEST, A DISTANCE OF 659.77 FEET;
THENCE SOUTH 89 DEGREES 59 MINUTES 51 SECONDS EAST, A DISTANCE OF 1313.10 FEET TO THE EAST LINE OF SAID SECTION 7; THENCE SOUTH 00 DEGREES 28 MINUTES 27 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 7, A DISTANCE OF 659.96 FEET;
THENCE SOUTH 00 DEGREES 29 MINUTES 58 SECONDS EAST, A DISTANCE OF 659.57 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 7;

THENCE SOUTH 00 DEGREES 28 MINUTES 48 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 7, A DISTANCE OF 2638.86 FEET;

THENCE NORTH 89 DEGREES 55 MINUTES 12 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SECTION 7, A DISTANCE OF 2101.30 FEET TO THE TRUE POINT OF BEGINNING.

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Terry Lowe
Submitting Department:		District:	1
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and approval of the First Amendment to the Development Agreement between the City of Surprise and Verdugo Land, L.L.C.; Resolution 2018-136.

Motion:

I move to approve Resolution 2018-136.

Background:

The Verdugo property is generally located at 163rd and Pinnacle Peak Road. In February 2015, Council approved a new Development Agreement which over wrote the 2009 agreement and simplified the relationship with the developers, removed reimbursement requirements, and assured a regional approach to water supply and arsenic treatment at the Desert Oasis water supply facility. This First Amendment modifies the developers' and City's obligations pertaining to the arsenic treatment facility. This amendment clarifies approval language for the developer and identifies the City's share of the facility's design costs proportionate to the City's capacity within the facility.

Objective Analysis:

Potential Positive Impacts Include: The City continue to share costs by participating in a joint project with the development community, growth is paying for itself, and infrastructure is being built in an area of the City needing public infrastructure. Potential Negative Impacts: The partnership between the City and development community would be strained.

Policy Compliant:

This action is compliant with Council policy relative to growth paying for itself.

Financial Impact:

The one-time costs of the design of the Arsenic Treatment systems was approved by Council as CIP #P71020 in FY18 and shall be carried forward until expensed.

Budget Impact:

None at this time; however, the anticipated incremental additional maintenance expense associated with the public infrastructure will be incorporated in future budgets.

FTE Impact:

No new FTEs are anticipated at this time.

ATTACHMENTS:

Click to download

- Res 2018-136 1st Amendment to Verdugo DA
- 1st Amendment

RESOLUTION # 2018-136

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING THE FIRST AMENDMENT TO THE VERDUGO DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SURPRISE AND FULTON HOMES CORPORATON, PERTAINING TO THE PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF PINNACLE PEAK AND 163RD AVENUE.

WHEREAS, the City is authorized to enter into development agreements pursuant Arizona Revised Statutes §9-500.05;

WHEREAS, the Verdugo Development (f/k/a Pinnacle Peak Country Estates) is generally located on the northeast corner of Pinnacle Peak Road and 163rd Avenue;

WHEREAS, the Verdugo Development was originally subject to that certain development agreement recorded with the Maricopa County Recorder as document number 20090343298 on April 17, 2009, which development agreement was terminated pursuant to the Termination of Development Agreement with Verdugo Land, LLC, recorded as document number 20150089440 on February 11, 2015;

WHEREAS, the City Council approved a restated Verdugo Development Agreement on February 3, 2015, which was recorded with the Maricopa County Recorder as document 20150085625 on February 10, 2015; and

WHEREAS, the City of Surprise and representatives of the Verdugo Development now desire to amend the restated Verdugo Development Agreement to redefine the owner's water infrastructure requirements.

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

Section 1. The Mayor and Council hereby approve the development agreement amendment between the City of Surprise and Fulton Homes Corporation, consisting of the "First Amendment to the Verdugo Development Agreement", attached as Exhibit A, which is incorporated by reference.

Section 2. The Mayor is hereby directed to execute the agreement and any other documents necessary to effectuate the intent of this Resolution.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____day of _____, 2018.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT A

1ST AMENDMENT TO THE VERDUGO DEVELOPMENT AGREEMENT

AFTER RECORDING, RETURN TO:

City Clerk
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

With a copy to:
Jeffrey Blilie
Beus Gilbert PLLC
701 N. 44th Street
Phoenix, Arizona 85008

FIRST AMENDMENT TO VERDUGO DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO VERDUGO DEVELOPMENT AGREEMENT ("**First Amendment**") is entered into as of the _____ day of _____, 2018 by and between the City of Surprise, an Arizona municipal corporation ("**City**"), and Fulton Homes Corporation, an Arizona corporation ("**Owner**"). The City and Owner are referred to herein individually as a "**Party**" or collectively the "**Parties**."

RECITALS:

A. City and Owner are parties to that certain Verdugo Development Agreement recorded as Instrument No. 2015-0085625, Records of Maricopa County, Arizona (the "**Agreement**").

B. The property subject to the Agreement includes approximately one hundred seventy three (173) acres generally bounded by the Altamira development on the East, Pinnacle Peak Road on the South, San Ysidro Road on the North and 163rd Avenue on the West, and is more particularly described in the legal description attached hereto as Exhibit A (the "**Property**").

C. The Agreement addresses a number of infrastructure and development issues relative to the development of the Property.

D. Subsequent to entering into the Agreement Owner, as well as the owner of the adjacent Altamira project ("**Altamira**"), have had discussions with the owner of the Asante project ("**Lennar**") and the City regarding the development of various components of the water infrastructure.

E. The discussions have resulted in the Parties, including Lennar and Altamira, agreeing to design and construct certain components of the water infrastructure that differ or are inconsistent with the water infrastructure required in the Agreement.

F. The purpose of this First Amendment is to redefine Owner's water infrastructure requirements consistent with the discussions between the Parties, Lennar and Altamira.

G. City and Owner desire to amend the Agreement upon the terms and conditions contained herein.

AGREEMENT:

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements contained and herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and Owner, intending to be legally bound, covenant and agree for themselves and their successors and assigns as follows:

1. Definitions. Except as otherwise defined herein, all capitalized terms used herein shall have the meanings ascribed thereto in the Agreement.

2. Amendment to Section 5 of the Agreement. Section 5 of the Agreement is hereby deleted in its entirety and replaced with the following language.

> 5. Approvals. All approvals, conveyances, and acceptances of either Party, must be in writing and may not be unreasonably withheld, conditioned, or delayed. Certificates of occupancy for model home complexes, multi-family homes or non-residential structures within the Property and final inspections for single-family homes within the Property shall not be issued or performed unless the Necessary Public Infrastructure serving that parcel, lot, or pad being developed has been completed and accepted by the City. Building permits for model home complexes, single-family homes, multi-family homes or non-residential structures within the Property shall not be issued unless two points of emergency vehicle access are provided to the parcel, lot, or pad being developed and financial assurances are in place to fund the completion of the Necessary Public Infrastructure serving the parcel, lot, or pad being developed.

3. Amendment to Section 6 of the Agreement. The reference to the "Altamira Planned Area Development" shall be replaced with a reference to the "Verdugo Planned Area Development."

4. Amendment to Section 8.4.2 of the Agreement. Section 8.4.2 of the Agreement is hereby deleted in its entirety and replaced with the following language.

> 8.4.2. Well/Well Site(s). City acknowledges that Owner is working with Lennar and jointly developing Asante Well #1 to satisfy Owner's well obligation and approves the location of Asante Well #1. In the event Owner fails to develop Asante Well #1, Owner shall then provide a well/well site that shall comply with City Standards and the Water Master Plan, the location of which will be determined by

Owner and City using the results of a professional well impact analysis paid for by Owner. If the well site is located on the Property, the site will be reflected on a final plat for the applicable portion of the Property, or, if located outside the property, secured in a manner acceptable to the City prior to final plat approval. If necessary, Owner will dedicate to the City any necessary flowage easement(s) near the well sites for operation and maintenance purposes.

5. Addition of Section 8.4.2.1 to the Agreement. The following Section 8.4.2.1 is hereby added to the Agreement.

8.4.2.1. Redundant Well. To the extent the Water Master Plan requires a water supply greater than a single well is permitted to supply, but less than two wells would supply, Owner will either, (a) provide well impact waivers for a well or wells agreeable to both Parties that is sufficient to meet the supply required by the Water Master Plan, or (b) pay to the City an amount equal to five percent (5%) of the construction costs for a second well. The construction costs for a second well will be based on construction costs at the time the payment is made. City will not issue building permits beyond 30% of the residential lots on the property until the requirements of this section are satisfied. Both Parties agree that a well impact waiver for the Sunrise Ranch well would satisfy the requirements of this Section 8.4.2.1.

6. Amendment to Section 8.5.3 of the Agreement. Section 8.5.3 of the Agreement is hereby deleted in its entirety and replaced with the following language.

8.5.3. Owner shall design and construct an arsenic treatment system in accordance with the Water Master Plan and the Water Supply Facility master site plan, sufficient to treat 600 gpm which shall satisfy the Property's arsenic treatment needs.

7. Addition of Section 8.5.3.1 to the Agreement. The following Section 8.5.3.1 is hereby added to the Agreement.

8.5.3.1. Alternate Arsenic Treatment. The Parties understand that Lennar, pursuant to a development agreement with the City, is required to design and construct a 3800 gpm arsenic treatment system ("**Lennar Treatment**") at the Water Supply Facility. Owner has retained the right to purchase 600 gpm of arsenic treatment capacity of the Lennar Treatment. If Owner provides the City with written confirmation from Lennar that Owner has paid Lennar for its 600 gpm of arsenic treatment capacity in the Lennar Treatment, then Owner's obligation to design and construct an arsenic treatment system pursuant to Section 8.5.3 shall be deemed

to have been satisfied and Owner shall not be required to design or construct any additional arsenic treatment to satisfy Owner's obligation to provide arsenic treatment sufficient to treat the water needed to serve the Property.

8. Addition of Section 8.5.3.2 to the Agreement. The following Section 8.5.3.2 is hereby added to the Agreement

8.5.3.2. Reimbursement for Design Costs. City agrees to reimburse Owner 50% of the design costs incurred by Owner and the owner of the Altamira project to design the arsenic treatment system identified in Section 8.5.3. The total design costs are $115,923.22, which have been reviewed and approved by the City. Owner's share of the design costs is $57,961.61. City shall make its reimbursement payment to Owner within thirty (30) calendar days from the date first above written.

9. Amendment to Section 14.1 of the Agreement. The Owner representative shall be Norm Nicholls.

10. Amendment to Section 15.16 of the Agreement. Section 15.16 of the Agreement is hereby deleted in its entirety and replaced with the following language.

15.16. Termination upon Sale of Residential Lots. Except as otherwise provided for herein, this 2015 Verdugo Agreement is not intended to and will not create conditions or exceptions to title or covenants running with the individual lots within the Property. Therefore, in order to alleviate any concern as to the effect of this 2015 Verdugo Agreement on the status of title to any of the Property, so long as not prohibited by law, this 2015 Verdugo Agreement will terminate without the execution or recordation of any further document or installment as to any finally subdivided residential lot on which a residential dwelling unit has been constructed and which has been sold to the end purchasers or users thereof, and thereupon such residential lot will be released from and no longer be subject to or burdened by the provisions of this 2015 Verdugo Agreement. Any title insurer can rely on this paragraph when issuing any commitment to insure title or when issuing a title policy in connection with the sale of a particular residential lot within the Property and, accordingly, not show this 2015 Verdugo Agreement as an exception to the title of such residential lot.

11. Governing Law. This First Amendment shall be governed by and construed in accordance with the laws of the State of Arizona. This First Amendment shall be construed according to its plain meaning and shall not be strictly construed either for or against any party hereto.

12. Counterparts. This First Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which combined shall constitute one and the same instrument.

13. Successors and Assigns. This First Amendment shall inure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.

14. Amendment. Except as otherwise amended hereby, all of the terms and provisions of the Agreement shall remain in full force and effect. In the event of any conflict between this First Amendment and the Agreement, the provisions of this First Amendment shall control. The City acknowledges and agrees that Owner and their successors and permitted assignees shall have a right to rely, and will be relying, on the terms, provisions and conditions of this First Amendment.

[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the date first above written.

CITY:

CITY OF SURPRISE, an Arizona municipal corporation

By:_____
Sharon Wolcott, Mayor

Date:_____

ATTESTED:

_____
Sherry Aguilar, City Clerk

APPROVED AS TO FORM:

_____
Robert Wingo, City Attorney

STATE OF ARIZONA
County of Maricopa

On this _____ day of_____, 2018, before me personally appeared Sharon Wolcott, the Mayor of the CITY OF SURPRISE, an Arizona municipal corporation, for and on behalf thereof, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above/attached document.

_____

[Affix notary seal here] Notary Public

OWNER:

FULTON HOMES CORPORATION,
an Arizona corporation

By:_____
Norm Nicholls, President

Date:_____

STATE OF ARIZONA
County of Maricopa

On this _____ day of_____, 2018, before me personally appeared Norm Nicholls, President of FULTON HOMES CORPORATION, an Arizona corporation, for and on behalf thereof, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above/attached document.

[Affix notary seal here]

_____
Notary Public

RESOLUTION # 2018-136

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING THE FIRST AMENDMENT TO THE VERDUGO DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SURPRISE AND FULTON HOMES CORPORATON, PERTAINING TO THE PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF PINNACLE PEAK AND 163RD AVENUE.

WHEREAS, the City is authorized to enter into development agreements pursuant Arizona Revised Statutes §9-500.05;

WHEREAS, the Verdugo Development (f/k/a Pinnacle Peak Country Estates) is generally located on the northeast corner of Pinnacle Peak Road and 163rd Avenue;

WHEREAS, the Verdugo Development was originally subject to that certain development agreement recorded with the Maricopa County Recorder as document number 20090343298 on April 17, 2009, which development agreement was terminated pursuant to the Termination of Development Agreement with Verdugo Land, LLC, recorded as document number 20150089440 on February 11, 2015;

WHEREAS, the City Council approved a restated Verdugo Development Agreement on February 3, 2015, which was recorded with the Maricopa County Recorder as document 20150085625 on February 10, 2015; and

WHEREAS, the City of Surprise and representatives of the Verdugo Development now desire to amend the restated Verdugo Development Agreement to redefine the owner's water infrastructure requirements.

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

Section 1. The Mayor and Council hereby approve the development agreement amendment between the City of Surprise and Fulton Homes Corporation, consisting of the "First Amendment to the Verdugo Development Agreement", attached as Exhibit A, which is incorporated by reference.

Section 2. The Mayor is hereby directed to execute the agreement and any other documents necessary to effectuate the intent of this Resolution.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____day of _____, 2018.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT A

1ST AMENDMENT TO THE VERDUGO DEVELOPMENT AGREEMENT

AFTER RECORDING, RETURN TO:

City Clerk
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

With a copy to:
Jeffrey Blilie
Beus Gilbert PLLC
701 N. 44th Street
Phoenix, Arizona 85008

FIRST AMENDMENT TO VERDUGO DEVELOPMENT AGREEMENT

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RECITALS:

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B. The property subject to the Agreement includes approximately one hundred seventy three (173) acres generally bounded by the Altamira development on the East, Pinnacle Peak Road on the South, San Ysidro Road on the North and 163rd Avenue on the West, and is more particularly described in the legal description attached hereto as Exhibit A (the "**Property**").

C. The Agreement addresses a number of infrastructure and development issues relative to the development of the Property.

D. Subsequent to entering into the Agreement Owner, as well as the owner of the adjacent Altamira project ("**Altamira**"), have had discussions with the owner of the Asante project ("**Lennar**") and the City regarding the development of various components of the water infrastructure.

E. The discussions have resulted in the Parties, including Lennar and Altamira, agreeing to design and construct certain components of the water infrastructure that differ or are inconsistent with the water infrastructure required in the Agreement.

F. The purpose of this First Amendment is to redefine Owner's water infrastructure requirements consistent with the discussions between the Parties, Lennar and Altamira.

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AGREEMENT:

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements contained and herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and Owner, intending to be legally bound, covenant and agree for themselves and their successors and assigns as follows:

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Owner and City using the results of a professional well impact analysis paid for by Owner. If the well site is located on the Property, the site will be reflected on a final plat for the applicable portion of the Property, or, if located outside the property, secured in a manner acceptable to the City prior to final plat approval. If necessary, Owner will dedicate to the City any necessary flowage easement(s) near the well sites for operation and maintenance purposes.

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11. Governing Law. This First Amendment shall be governed by and construed in accordance with the laws of the State of Arizona. This First Amendment shall be construed according to its plain meaning and shall not be strictly construed either for or against any party hereto.

12. Counterparts. This First Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which combined shall constitute one and the same instrument.

13. Successors and Assigns. This First Amendment shall inure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.

14. Amendment. Except as otherwise amended hereby, all of the terms and provisions of the Agreement shall remain in full force and effect. In the event of any conflict between this First Amendment and the Agreement, the provisions of this First Amendment shall control. The City acknowledges and agrees that Owner and their successors and permitted assignees shall have a right to rely, and will be relying, on the terms, provisions and conditions of this First Amendment.

[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the date first above written.

CITY:

CITY OF SURPRISE, an Arizona municipal corporation

By:_____
Sharon Wolcott, Mayor

Date:_____

ATTESTED:

_____
Sherry Aguilar, City Clerk

APPROVED AS TO FORM:

_____
Robert Wingo, City Attorney

STATE OF ARIZONA
County of Maricopa

On this _____ day of_____, 2018, before me personally appeared Sharon Wolcott, the Mayor of the CITY OF SURPRISE, an Arizona municipal corporation, for and on behalf thereof, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above/attached document.

_____

[Affix notary seal here] Notary Public

OWNER:

FULTON HOMES CORPORATION,
an Arizona corporation

By:_____
Norm Nicholls, President

Date:_____

STATE OF ARIZONA
County of Maricopa

On this _____ day of_____, 2018, before me personally appeared Norm Nicholls, President of FULTON HOMES CORPORATION, an Arizona corporation, for and on behalf thereof, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above/attached document.

[Affix notary seal here]

_____
Notary Public

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Metes and Bounds Legal Description of Combining Parcel 1, Parcel 2, Parcel 3, Parcel 4, Tract A, Tract B, Tract C, Tract D, Tract E, Tract F and Tract G of Verdugo Master Plat

A portion of Section 7, Township 4 North, Range 1 West, of the Gila and Salt River Meridian, Maricopa County, Arizona, said portion being comprised of Parcel 1, Parcel 2, Parcel 3, Parcel 4, Tract A, Tract B, Tract C, Tract D, Tract E, Tract F and Tract G of Verdugo Master Plat as recorded in Book 1362 of Maps, Page 45 of Official Records of the Maricopa County Recorder's Office and more particularly described as follows:

BEGINNING at the Southwest Corner of said Section 7, said Southwest Corner also being the Southwest Corner of said Tract B;

Thence along the West Line and North Line of said Tract B the following three courses:
North 00°21'11" East, 2634.04 feet to the West Quarter Corner of said Section 7;
North 00°20'48" East, 1317.10 feet;
South 89°43'33" East, 87.97 feet to the Northwest Corner of said Tract D;

Thence along the North Line and East Line of said Tract D the following two courses:
South 89°43'33" East, 1793.22 feet;
South 00°07'00" East, 27.50 feet to the Northeast Corner of said Tract E;

Thence along the eastern Lines of said Tract E the following fourteen courses:
South 00°07'00" East, 1290.62 feet;
South 45°02'20" West, 56.36 feet;
South 00°03'41" East, 164.35 feet;
South 89°38'19" East, 19.82 feet;
South 00°15'23" West, 60.09 feet;
South 07°54'47" East, 151.35 feet;
South 23°35'26" East, 148.04 feet;
South 33°13'12" East, 121.34 feet;
South 36°30'31" East, 106.11 feet;
South 33°20'42" East, 105.47 feet;
South 30°10'41" East, 105.48 feet;
South 27°04'20" East, 105.49 feet;
South 23°56'19" East, 105.61 feet;
South 20°49'00" East, 9.08 feet to the Northeast Corner of said Tract G;

Thence along the eastern Lines of said Tract G the following ten courses:
South 20°49'00" East, 96.25 feet;
South 17°40'11" East, 105.57 feet;
South 14°31'26" East, 108.72 feet;
South 09°27'10" East, 39.94 feet to the beginning of a non-tangent curve concave to the South and having a radius point which bears South 09°12'37" East 480.00 feet and a central angle of 01°04'45";
Easterly along the arc of said curve, 9.04 feet;

South 09°33’40” East, 143.86 feet;
South 05°43’43” East, 113.45 feet;
South 02°23’34” East, 113.41 feet;
South 00°12’16” East, 36.17 feet;
South 00°21’39” West, 731.48 feet to the Northeast Corner of said Tract A;

Thence along the East Line and South Lines of said Tract A the following three courses:
South 00°21’39” West, 55.00;
North 89°38’52” West, 533.54 feet to the South Quarter Corner of said section 7;
North 89°37’50” West, 1825.34 feet to the Southeast Corner of said Tract B;

Thence North 89°37’50” West, 68.00 feet to the POINT OF BEGINNING.

EXCEPT any portion of Parcel 6 of said Verdugo Master Plat within the above described portion more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 7, said Southwest Corner also being the Southwest Corner of said Tract B;

Thence South 89°37’50” East, 68.00 feet to the Southwest Corner of said Tract A;

Thence North 00°21’11” East, 75.00 feet to a Southwesterly Corner of said Parcel 6 and the POINT OF BEGINNING;

Thence along the Lines of said Parcel 6 the following six courses:
North 00°21’11” East, 948.22 feet;
South 89°41’45” East, 697.08 feet;
South 00°21’36” West, 957.01 feet;
South 45°22’04” West, 16.96 feet;
North 89°37’50” West, 664.97 feet;
North 44°38’19” West, 28.29 feet to the POINT OF BEGINNING.

The approximate area of combining Parcel 1, Parcel 2, Parcel 3, Parcel 4, Tract A, Tract B, Tract C, Tract D, Tract E, Tract F and Tract G together and excluding Parcel 6, is 7,658,746 square feet or 175.8206 acres more or less.

Expires:
6/30/2019

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Wingo, City Attorney
Submitting Department:	Attorney's Office	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the Surprise Municipal Code by adding Chapter 2, Article 12, Lobbyists; Ordinance # 2018-12.

Motion:

I move to approve Ordinance # 2018-12.

Background:

At the May 1, 2018 Regular City Council Meeting, Mayor Wolcott requested that the City Attorneys Office bring before City Council a proposed Lobbying Ordinance. Upon review of other Arizona municipal ordinances and state law pertaining to lobbying, the City Attorneys Office drafted a proposed ordinance based on same. The proposed ordinance would require Lobbyists to register with the City Clerk's Office prior to, or within five days of, engaging in lobbying City officials. The Lobbyist would then be required to annually disclose expenditures related to lobbying activity, or quarterly when it pertains to donations to campaigns of City officials. The ordinance further prohibits certain activities pertaining to gifts and also defines the penalties for violation, the first two violations being civil offenses with monetary penalties and suspensions of lobbying rights and the third violation being a misdemeanor criminal offense. The proposed ordinance was presented to City Council during workshop on August 7, 2018.

Objective Analysis:

The proposed ordinance is primarily designed to further transparency when it comes to lobbying City officials while at the same time not imposing too onerous of reporting requirements. The ordinance includes several exclusions to ensure that the public continue to have unabated access to City officials, but will require lobbyists to disclose their activities. The ordinance will require additional work from the City Clerk's Office in accepting and maintaining the registrations and disclosures. Likewise, should a complaint be lodged under the ordinance, the City Clerk's Office, as well as the City Attorneys Office will incur additional responsibilities in the form of review, investigation, and potentially enforcement of the ordinance.

Policy Compliant:

The proposed ordinance will further transparency as it related to City officials, which is in line with City Council policies and practices.

Financial Impact:

N/A.

Budget Impact:

N/A.

FTE Impact:

N/A.

ATTACHMENTS:

Click to download

- Ordinance 2018-18

ORDINANCE # 2018-12

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 2, SURPRISE MUNICIPAL CODE, BY ADDING A NEW ARTICLE XII, SECTIONS 2-380 TO 2-385, PERTAINING TO LOBBYING AND LOBBYISTS.

WHEREAS, City Council values transparency and implements, from time to time, ordinances, policies, and practices to ensure greater transparency in the operation of the City of Surprise; and

WHEREAS, the implementation of lobbyist registration and reporting requirements will further the public trust and contribute to transparency in the local decision-making processes by providing the public with information about the identity of individuals and organizations that are paid to lobby public officials, expenditures made, and the recipients of same.

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

Section 1. That Chapter 2 of the Surprise Municipal Code is hereby amended by adding a new Article XII, Sections 2-380 to 2-38, to be codified as set forth in Attachment A, which is incorporated herein by reference.

Section 2. A first violation of this Ordinance shall constitute a civil offense with a mandatory minimum fine of $1,000.00 per violation, not to exceed $2,500.00 per violation, and either a suspension from lobbying or a prohibition from registering to lobby with the City for 90 days.

A second violation of this Ordinance within 84 months constitutes a civil office with mandatory minimum fine of $2,000.00 per violation, not to exceed $2,500.00 per violation, and wither suspension from lobbying or a prohibition from registering to lobby with the City for 180 days.

A third violation within 84 months constitutes a class 1 misdemeanor. Upon conviction of a misdemeanor violation under this subsection, and in addition to the Court's sentence, the lobbyist shall either be suspended from lobbying or prohibited from registering to lobby with the City for one year.

Section 3. All ordinances, resolutions or codes in conflict with the provisions of this Ordinance or the Code adopted by this Ordinance are repealed upon the effective date of this Ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not be read to affect the validity of the remaining portions thereof.

Section 5. This ordinance will become effective at the time and manner prescribed by law.

PASSED AND ADOPTED this _____ day of _____, 2018.

Sharon R. Wolcott, Mayor

Attest:

Sherry Aguilar, City Clerk

Approved as to form:

Robert Wingo, City Attorney

Attachment A

ARTICLE XII. – LOBBYISTS

Sec. 2-380. – Definitions.

City official means the Mayor, Vice-Mayor, and Councilmembers of the City of Surprise, whether serving by election or appointment, and any person who serves in the administrative office of either the Mayor or Councilmembers, or any person who serves on a City of Surprise board, commission, or committee, or the City Manager, executive staff, and all City of Surprise department directors.

Compensation means money, service, facility, other thing of value, or benefit, including an interest in a business or an investment, which is received or will be received in return for or in connection with services rendered or to be rendered.

Expenditure means a purchase, payment, distribution, loan, advance, deposit or gift, or any other expense, and includes a promise or agreement, whether or not legally enforceable, to make an expenditure that provides a benefit to a public official that is incurred by or on behalf of a lobbyist.

Family gift means a gift to a City Official or a member of his or her household from a lobbyist who is a relative of the public official or a member of his or her household if the donor is not acting for someone not covered by this article.

Gift means a donation or transfer of money, real property, or tangible personal property. For purposes of this article, gift does not include:

(a) A gift or inheritance from a spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle or first cousin or any such person's spouse, or as devisee in a will, if the donor is not acting for someone not covered by this subsection and gifts of a personal nature were customarily received from such persons before becoming a public official.

(b) The value of meals, entertainment or lodging that is reported or exempt from reporting under this article.

(c) Salary, compensation or employer-reimbursed expenses lawfully paid to a City official.

(d) The value of professional or consulting services not rendered to obtain a benefit for any lobbyist or lobbyist's client.

(e) A plaque or similar item given to a City Official in recognition of service or notable accomplishment.

(f) Expenses relating to an event to which all members of the City Council, or all members of any board, commission, or committee, or the City Manager or all of the executive staff or all department directors are invited.

(g) Expenses relating to an event sponsored by a regional, statewide or national association of public officials.

(h) Informational material such as books, reports, pamphlets, media, calendars, or periodicals.

(i) An unused item that is returned to the donor or delivered to a charitable organization within fifteen (15) calendar days of receipt and is not claimed as a charitable contribution by a City Official for tax purposes.

(j) A campaign contribution that is properly received and reported as required by law.

(k) An item given to a City Official if an item of similar value is given by the public official to the lobbyist at the same time, or on a similar occasion under similar circumstances.

Lobby means communication with any City official for the purpose of influencing official action.

Lobbyist means any person who is compensated to lobby for a person other than himself or herself.

Official action means any action or non-action by a City Official.

Person means an individual, partnership, committee, association, limited liability company or corporation and any other organization, or group of persons.

Personal hospitality means meals, beverages, transportation or lodging furnished non-commercially by a person on his or her family's property or facilities.

Sec. 2-381 – Registration; Reports; Filing.

(a) Lobbyists shall register prior to lobbying, or within five business days after first lobbying, by filing a registration statement with the City Clerk, disclosing the following:

(1) If the lobbyist is an individual, the name and business address of the lobbyist and any employee of the lobbyist who acts as a lobbyist, provided that an individual who is included as a lobbyist on the registration of an entity under paragraph 2 of this subsection need not register separately.

(2) If the lobbyist is an organization, the legal name and business address of the entity, its chief executive officer or managing member or members and all its officers and employees who are designated to act as lobbyists in the City.

(3) The name and business address of all persons who compensate the lobbyist to lobby and all persons on whose behalf lobbying is performed.

(4) An unique e-mail address and agree to accept all notices at that e-mail address. The lobbyist shall ensure that any registered e-mail address is accurate and current at all times.

(b) Any change in the information required by subsection (a) shall be reported to the City Clerk by filing an amended registration statement within ten calendar days.

(c) At the time of registration or any time thereafter, a lobbyist may file an exemption statement declaring that the lobbyist intends to make no expenditures reportable under this article. Upon filing this statement, the lobbyist shall be exempt from the expenditure-reporting requirements of this section, so long as no expenditures are made. If a lobbyist who has signed an exemption statement subsequently makes any reportable expenditure, that lobbyist shall notify the City Clerk of such expenditure within five business days and shall thereafter be subject to expenditure reporting requirements.

(d) Lobbyists shall report expenditures annually. The report shall be filed between January 1 and January 31, following the reportable year ending the prior December 31. Expenditures over $50.00 shall be itemized separately, listing the date, amount and nature of the expenditure, the name of the City official receiving or benefitting from the expenditure, and the person on whose behalf the expenditure was made. Expenditures of $50.00 or less for each City official may be reported in the aggregate. If no expenditures were made during

the reporting period, a lobbyist may file a written statement declaring that no reportable expenditures were made during that period.

(e) All expenditures for an event to which more than one (1) public official are invited shall be allocated on a pro-rata basis based on the total number of public officials invited.

(f) Expenditures for the lobbyist's personal sustenance, family gifts, personal hospitality, preparation or distribution of informational materials, campaign contributions, professional or consulting services not made on behalf of another person for compensation, and not rendered primarily for the benefit of a City official, office expenses, filing fees, legal fees, employees, compensation and travel are not required to be reported under this article.

(g) All statements, reports and filing required by this article shall include a signed declaration as to the accuracy of the information, under oath, and be on forms prescribed by the City Clerk and filed in the Office of the City Clerk.

Sec. 2-382. – Exceptions.

(a) This article does not apply to:

(1) A person who is not compensated for lobbying activity other than reimbursement for actual expenses.

(2) A person, acting on his or her own behalf, who appears before a City official or contacts a public official to support or oppose official action.

(3) A City official, public employee or member of a state, county or local board, commission or council or an organization of governmental entities of which the City is a member acting in his or her official capacity on matters pertaining to his or her office, employment, board, commission or council.

(4) An expert introduced or identified by a registered lobbyist, or public official, who provides technical information or answers technical questions, and makes no expenditure required to be reported by this article.

(5) A person who performs professional services in drafting legislation, or in advising and rendering opinions to clients as to the construction and effect of proposed or pending legislation.

(6) An attorney who represents clients at any quasi-judicial hearing held by the City Council, board, commission or hearing officer, or in any litigation matter in which the City is a party and the public official is contacted pursuant to a duly filed notice, subpoena or request filed with legal counsel or the appropriate court.

(7) A person, including but not limited to a lobbyist, who contacts a public official solely for the purpose of obtaining information.

(8) A person who contacts a City official concerning any procurement awarded through a competitive procurement process. This provision shall not be construed to invalidate or otherwise affect any black-out provisions or communication prohibitions required by a solicitation process involving the City.

Sec. 2-383 – Disclosure.

Each lobbyist shall disclose to each City official with whom the lobbyist communicates that he or she is acting in the capacity of a lobbyist.

Sec. 2-384 – Political Contributions.

Lobbyists who contribute to, or solicit contributions on behalf of, political campaigns of City Officials shall file an annual report, which shall be combined with expenditure reports when applicable, disclosing the dates, amounts of contributions made by, or at the request of, the lobbyist, the contributors' names, addresses, occupations and employers and the City officials to whom the contributions were made.

Sec. 2-385 – Prohibited Practices.

(a) No person shall make a gift to, or expenditure on behalf of, a City official through another person to conceal the identity of the person making the gift or expenditure.

(b) No person shall give a gift to a City official for the performance of official duties, or if it may reasonably be interpreted to be offered in order to influence an action or decision of a City official.

Sec. 2-386 – Violations; Penalty.

(a) A person violates this article by failing to comply with any provision of this article; files any statement or report required by this article which contains materially false information; files any statement or report that omits material information; or fails to comply with any material requirement of this article.

(b) Any person claiming to have knowledge of a violation of this article may file with the City Clerk, a written charge signed by the complainant and verified by such signature. The charge shall set forth facts upon which it is based and shall identify the person charged.

(c) Upon receipt of a written charge, the City Clerk shall review the charge and if it appears on its face that a person may have violated any provision of this article, the City Clerk shall serve notice on the person by certified mail or at the registered e-mail address requiring compliance with this article within 20 calendar days. If the person takes corrective action within 20 days after the date of receipt of the notice of violation, the alleged violator is not subject to any penalty. If the person does not take corrective action by the close of business on the twentieth day, the City Clerk will forward the charge to the City Attorney.

(d) Upon receipt of the charge from the City Clerk, the City Attorney will make an initial evaluation to determine timeliness, jurisdiction, and whether the allegations are facially sufficient, in whole or in part, to warrant additional evaluation or investigation of the charge. Any charge not commenced in the court within one year after the date on which a violation occurred, outside the jurisdiction of the City, or factually insufficient to warrant prosecution, shall be dismissed.

(e) If after the City Attorney investigates the charge the City Attorney determines by a preponderance of the evidence that a violation of this article has occurred, the City Attorney may file a complaint with the Surprise Municipal Court. The Court may conduct a hearing on the merits and if any violation is sustained, the Court shall sentence the person according to this article.

(f) A first violation of this article shall constitute a civil offense with a mandatory minimum fine of $1,000.00 per violation, not to exceed $2,500.00 per violation, and either a suspension from lobbying or a prohibition from registering to lobby with the City for 90 days.

(g) A second violation within 84 months constitutes a civil office with mandatory minimum fine of $2,000.00 per violation, not to exceed $2,500.00 per violation, and wither suspension from lobbying or a prohibition from registering to lobby with the City for 180 days.

(h) A third violation within 84 months constitutes a class 1 misdemeanor. Upon conviction of a misdemeanor violation under this subsection, and in addition to the Court's sentence, the lobbyist shall either be suspended from lobbying or prohibited from registering to lobby with the City for one year.

CITY OF SURPRISE
Regular City Council Meeting

September 4, 2018 @ 6:00:00 PM

Back Print

Council Meeting Date:	September 4, 2018	Contact Person:	Robert Wingo, City Attorney
Submitting Department:		District:	Internal
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion

Agenda Wording:

Consideration and action to recess into executive session for the purpose of discussion and consideration of the City Manager's salary pursuant to A.R.S. 38-431.03(A)(1)

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

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No Attachments Available