



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

Thursday, September 5, 2019 @ 6:00 PM
COUNCIL CHAMBERS

A. Call To Order

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

B. Roll Call

C. Pledge of Allegiance

D. Proclamation and Community Acknowledgements

E. City Manager Report

1. Presentation of "Storm Ready" certification to the City of Surprise.

F. City Clerk Report

2. Consideration and action on the appointment of LaCoya Shelton to fill a vacancy on the Personnel Appeals Board with a four year term expiration of June 30, 2023 and directing City Clerk Aguilar to administer the Oath of Office. None
Sherry Aguilar
City Clerk

G. Call To The Public

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins.

[Download the Call to the Public form](#) (PDF download requires Adobe Acrobat Reader)

[Fill out the Call to the Public form online](#) If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time.

The Call to the Public form is also available at the front counter.

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

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

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

H. Regular City Council Meeting Agenda

CONSENT AGENDA:

3.	Citywide	Consideration and action on the minutes of August 6, 2019 Regular City Council Work Session, Executive Session and Regular City Council Meeting.	None Sherry Aguilar City Clerk
4.	Citywide	Consideration and action pertaining to the renewal of the Federal fiscal year 2020 U.S. Department of Justice Drug Enforcement Administration (DEA) Task Force Intergovernmental Agreement and accompanying budget amendment reallocating \$300; Resolution #2019-102.	None Terry Young Police
5.	District 5	Consideration and action pertaining to approval of a Quit Claim Deed to TR Surprise, LLC, releasing deed restrictions on one acre of real property located near Bullard Avenue and Greenway Road, within city center.	Chris Boyd Community Development
6.	District 1	Consideration and action pertaining to acceptance of a Drainage Easement from The Estate of Larry Klinger for roadway improvements along 171st Avenue between Jomax and Dale Lane.	None Chris Boyd Community Development
7.	District 1	Consideration and action pertaining to the dissolution of the City of Surprise, Arizona, Desert Oasis Parcel B10 #168 Lighting Improvement District (SLID); Resolution #2019-15.	None Mike Gent Public Works

- | | | | |
|-----|------------|---|---|
| 8. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Rancho Mercado Parcel A13" dated March 15, 2019, a property located in the Rancho Mercado PAD. | None

Sergio Angulo
Community
Development |
| 9. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "McMicken Way" dated June 28, 2019, a property located in the Rancho Mercado PAD. | None

Sergio Angulo
Community
Development |
| 10. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Plath Peakview Estates" dated July 1, 2019, a property generally located north of Peakview Road and east of 163rd Avenue, in a RR (Residential Ranch) zoning district. | None

Shirley Phan
Community
Development |
| 11. | District 1 | Consideration and action pertaining to approval of the Corrected Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 4" dated July 15, 2019, a property generally north of Old Oak Lane and east of the 145th Avenue alignments in Marley Park. | None

Shirley Phan
Community
Development |

REGULAR AGENDA ITEM - PUBLIC HEARING:

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|-----|------------|--|--|
| 12. | District 1 | Consideration and action regarding the annexation of approximately 201 acres generally located northeast of Happy Valley Road and 163rd Avenue, and establishing Surprise zoning districts Residential Medium Density (RM-9) and Rural Residential (RR). Planning case FS18-149, Paloma Creek annexation; Ordinance #2019-07. | None

Joshua Mike
Community
Development |
| 13. | District 1 | Consideration and action pertaining to approval of a rezoning of approximately 151 acres generally located east of 163rd Avenue between Happy Valley Road and Jomax Road from Residential Medium Density (RM-9), Residential Ranch (RR), and Planned Area Development (PAD) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD). Planning Case FS18-150 for Paloma Creek zone change; Ordinance #2019-22. | None

Robert Kuhfuss
Community
Development |
| 14. | District 1 | Consideration and action pertaining to approval of a Preliminary Plat entitled, " Paloma Creek" dated January 28, 2019, a 542 Lot, 49 Tract Preliminary Plat of property generally located east of 163rd Avenue between Happy Valley and Jomax Roads; Resolution # 2019-114. | None

Robert Kuhfuss
Community
Development |
| 15. | District 1 | Consideration and action pertaining to approval of a Preliminary Plat entitled, "Sunrise" dated June 7, 2019, a property located in the northeast corner of 171st Avenue and Jomax Road; Resolution 2019-113. | None

Sergio Angulo
Community
Development |

- | | | |
|----------------|---|--|
| 16. District 3 | Consideration and action pertaining to approval of the Final Plat entitled, "Toll at Prasada Phase 2 Master Plat" dated June 18, 2019, a property generally located on Peoria Avenue west of Cotton Lane. | None

Robert Kuhfuss
Community
Development |
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REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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| 17. Citywide | Consideration and action amending the Surprise Municipal Code, Chapter 2, Article VIII, Section 2-304 pertaining to Audit Committee membership; Ordinance #2019-23. | None

Carol Holley
City Manager
Office |
| 18. Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 Budget by reallocating appropriations of \$371,000 from water operations and grant contingency to establish a new capital project and to account for acceptance of an Arizona Department of Water Resource Water Management Assistance Grant in the amount of \$200,000; Resolution #2019-104. | None

Terry Lowe
Water Resource
Management |

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

- | | | |
|--------------|---|-------------------|
| 19. Internal | Consideration and action to recess into executive session to discuss and consider end of year personnel evaluations and Fiscal Year 2020 goals for the City Manager, City Clerk, and City Attorney pursuant to A.R.S. 38-431.03 (A)(1). | None

Legal |
|--------------|---|-------------------|

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

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2));

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

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

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

L. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: August 29, 2019 at 12:10 PM

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



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: September 5, 2019
Submitting Department: City Clerk
Staff Recommendations:

Contact Person:
District: Internal

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

Agenda Wording:

Invocation

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: September 5, 2019
Submitting Department: City Manager Office
Staff Recommendations: None

Contact Person: Tracy Montgomery
District: Citywide

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

Agenda Wording:

Presentation of "Storm Ready" certification to the City of Surprise.

Motion:

None, discussion only.

Background:

The National Weather Service is presenting the City of Surprise with its "Storm Ready" certification. This award affirms the City's readiness for storms and water-related events that will drastically improve our ability to save lives and reduce storm-related risk in our city through plans, communication, mitigation, and response strategies. This certification is the result of a detailed compliance qualification process on behalf of the city. More information, including photographs of other city presentations, can be accessed at www.weather.gov/stormready/.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 5, 2019
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: Internal

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

Consideration and action on the appointment of LaCoya Shelton to fill a vacancy on the Personnel Appeals Board with a four year term expiration of June 30, 2023 and directing City Clerk Aguilar to administer the Oath of Office.

Motion:

I move to approve appointment of LaCoya Shelton to fill a vacancy on the Personnel Appeals Board with a four year term expiration of June 30, 2023.

Background:

This action follows the City Code on filling Board/Commission vacancies as outlined in the Surprise City Code.

Sec. 2-296. - Member selection and replacement process.

The following process will apply to all openings or vacancies for appointment to a public body, unless otherwise indicated in the ordinance or resolution creating the body:

(a) Application process.

- (1) Upon notice of a vacancy, the city clerk will promptly notify the nominations committee chair, and post all vacancies on the city website. Vacancies will also be posted at all designated posting locations, no later than three business days after a vacancy is created and continue such posting until the position is filled.
- (2) The city clerk will maintain and distribute applications to all persons interested in being a member of a public body.
- (3) All persons, including current members seeking reappointment, interested in becoming a member of a public body must submit an application to the city clerk's office. Only applications received by the city clerk's office may be considered for body vacancies. Members with expiring terms who submit a timely application will automatically be nominated for reappointment unless the nominations committee

decides to open the reappointment process to competition. Notice of the nomination committee's decision will be provided to the member no less than ten business days after referral by the city clerk. The committee's decision is final and may be with or without cause.

(4) All applications will be accepted on an open rolling basis and will be maintained as an active application for four years.

(b) Boards and commissions nominations committee.

(1) The mayor will designate one city council member to serve as the chair of the nominations committee, who will serve on an ongoing basis until such time as the mayor makes a new designation.

(2) The chair will select two additional city council members to serve on the nominations committee. At the discretion of the chair, the chair or designee of the respective public body may also serve on the nominations committee.

(3) The nominations committee will interview all qualified applicants. All applicants will be asked the same questions in order to ensure that a fair assessment can be made of each applicant; however, additional questions may be asked for purposes of clarification after the standard questions have been asked.

(4) The committee will submit the names of qualified applicants selected for nomination to a public body to the city clerk on an agenda action form. The committee, in its sole discretion, may submit the name of a qualified applicant who has completed the application process through interview, for any subsequent vacancy occurring within ninety days of the applicant's interview. In the event the committee exercises this discretion, the application process set forth in this section is waived.

(5) The committee shall investigate and resolve, short of removal, any allegation of nonfeasance or malfeasance against a public body member. In the event the committee is unable to satisfactorily resolve the matter, or because of the severity of the substantiated conduct, the committee concludes removal is appropriate, the committee shall submit a report including findings and conclusions and a recommendation to city council for consideration and action. In administering this provision, the committee's actions should be progressive, from least punitive to the most punitive measure.

(c) Appointment.

(1) The city clerk will place the nomination for appointment on the agenda for the next available regular city council meeting and provide the nominees with the date, time, location and any other appropriate information regarding the city council meeting at which their possible appointment will be discussed.

(2) Appointment of any nominee requires an affirmative vote by a majority of city council in attendance at a properly noticed city council meeting.

(3) The city clerk will swear in all newly appointed members prior to acting in the capacity as a body member.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. PAB LACOYA SHELTON_Redacted

Date/Time/Initials Received by Clerk's Office:

5.17.19 AJL



City of Surprise

APPOINTMENT APPLICATION FOR ALL SURPRISE COMMISSIONS

Name:

Lalaya Shelton

Date Submitted:

4/24/2019

Resident of Surprise: ☒ Yes ☐ No Number of Years:

10

Board/Commission(s) you are applying for?

PERSONNEL BOARD

Education:

MASTER - ORG. MGMT, BACHELORS - BUSINESS

doctoral candidate

EMPLOYMENT BACKGROUND:

Present Employer/Position:

Chief Executive Officer

Revolutionary HR Consulting

Previous Employer(s)/Position (Last 5 Years):

Vice Chancellor

for Human Resources, MARICOPA

Community College

Special Qualifications (Include list of Surprise activities or organizations you have participated in and dates):

20 year HR career, 15 in exec. leadership roles &

public sector. Expert witness qualified for to

(Continued on Reverse Side)

backgrounds.

Do you currently serve, or have you previously served on any other City of Surprise Commissions? If yes, which one(s):

no

Statement as to why you want to serve as a Commission Member for the City of Surprise:

Please see attached

Additional Information/Comments:

www.LACOYASHELTON.COM

www.RevolutionaryHRconsulting.com

I, Lacey Shelton certify that to the best of my knowledge, all information given herewith is true and correct. I understand that any falsification or misrepresentation of facts will be cause for dismissal from the position if I am appointed by the City Council.


Applicant's Signature

Please return to:

City Clerk's Office
16000 N. Civic Center Plaza
Surprise, AZ. 85374
623-222-1200

Please note that applications are accepted on an open rolling basis and shall be maintained as an active application for future vacancies.

I am a three-decade resident of the great state of Arizona and 10-year resident of the City of Surprise. I am interested in serving as a member of the City of Surprise Personnel Board in order assist the City in its unwavering commitment to cultivating and maintaining a world-class workforce built upon employment practices that are consistently and equitably applied.

For the past two decades I have held several senior HR leadership positions in public sector environments where I have served as a trusted advisor and key decision maker in system-wide and often public-facing issues. Currently, I am the Chief Executive Officer of Revolutionary HR Consulting. Prior to this role, I served as the Vice Chancellor for Human Resources with the Maricopa Community Colleges District, one of the largest community college systems in the nation; and previously led the delivery of HR services for over 70 state agencies, boards and commissions with the State of Arizona and Department of Administration.

In these executive leadership roles, I have overseen large scale, complex employee relations and equal employment opportunity (EEO) matters in public sector, healthcare, transportation and education environments. I have served as organizational representative in appeals, grievances, labor union negotiations and legal proceedings where I worked closely with Chief and General counsels, partners and associates. In September 2018, I became a suggested expert witness resource from sitting President of the Arizona Employment Lawyers Association (AzELA) to its members.

Throughout my career I have dedicated my talents to creating workplaces where organization and employee goals work in concert and thrive. I have had the great fortune of helping to advance some of the most important missions providing memorable leadership within the organizations charged with advancing key strategic commitments critical to the accomplishment of those missions. It is my hope that I may contribute my vast knowledge and expertise to this outstanding City in the critically important role as City of Surprise Personnel Board Member.



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: September 5, 2019
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: Citywide

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

Agenda Wording:

Consideration and action on the minutes of August 6, 2019 Regular City Council Work Session, Executive Session and Regular City Council Meeting.

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. Work Session 8619
 2. 8619REG
-

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

Tuesday, August 6, 2019 @ 4:00PM

Call To Order

Roll Call

Mayor Hall called the Regular City Council Work Session to order at 04:00 PM at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on Tuesday, August 6, 2019. Also in attendance with Mayor Hall were Vice Mayor Winters, Council Member Duffy; Council Member Hayden, Council Member Sanders; Council Member Judd and Council Member Remley.

Pledge of Allegiance

Proclamation and Community Acknowledgements

Call To The Public

Regular City Council Work Session Agenda

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

1. Presentation and discussion pertaining to the Surprise Community Outreach Program and Neighborhood Grant Program award and project updates - NO ACTION

Jodi Tas gave a powerpoint presentation regarding this item. 32 applicants applied, 27 applicants were funded in an amount of \$110,000.

No comments or questions from City Council.

2. Presentation and discussion concerning the City's past efforts, partnerships and development of a Safe Routes to School Program for charter school and the Dysart Unified School District - NO ACTION

Lloyd Abrams gave a powerpoint presentation on this item. Topics included design, costs, and construction documents.

Council Member Sanders - funding question

Council Member Judd - Pool of money for this project to use as needed? Does each school do their own Safe Routes to School Study?

Mr. Abrams - Not as needed, several funding sources added into this program.

Council Member Remley - I am confused, the money comes from the Department of Transportation?

Mr. Abrams - Then goes to MAG, then distributed to various projects through an approval process.

Council Member Duffy - finance question

Mayor Hall - Kingswood Parke crossing with no sidewalk, so we built a sidewalk, was this Safe Routes To School Program?

Martin Lucero gave an update.

3. Presentation and update on the City's capital improvement projects - NO ACTION

Public Works, Michael Boule gave a powerpoint presentation on this item.

Vice Mayor Winters - 163rd Avenue intersection, are you widening both Jomax and 163rd?

Mr. Boule - Yes, signalized, dedicated turn lanes.

Council Member Duffy - Cactus Road improvements, thanked staff for their efforts.

Council Member Judd - Very happy that the Cactus Road intersection is being signalized.

Mayor Hall - Litchfield Road widening, any chance this is being addressed?

Mayor Hall - 163rd, funded by impact fees? You guys are doing super work.

Executive Session

Adjournment

Vice Mayor Winters made the motion to adjourn the Regular City Council Work Session of August 6, 2019 at 4:40 PM. Council Member Sanders seconded the motion. Seven yes votes, motion carried.

Skip Hall, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Work Session of **Tuesday, August 6, 2019.**

Sherry Ann Aguilar, City Clerk, MMC

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

Tuesday, August 6, 2019 @ 6:00PM

Call To Order

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

Raymond Grim gave the invocation.

Roll Call

Mayor Hall called the Regular City Council Meeting to order at 06:00 PM at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on Tuesday, August 6, 2019. Also in attendance with Mayor Hall were Vice Mayor Winters, Council Member Duffy; Council Member Hayden, Council Member Sanders; Council Member Judd and Council Member Remley.

Pledge of Allegiance

Proclamation and Community Acknowledgements

City Manager Report

1. Presentation and recognition of the 2019 Summer Youth Employment Program (SYEP) participants.

Lord Garciano gave a brief presentation on this year's Summer Youth Program.

Shelby McCay, interned in the City Manager's Office and enjoyed the experience.

13 of the 25 students were in attendance this evening.

City Clerk Report

City Clerk Aguilar announced that the 2nd meeting in August has been cancelled and the next meeting will be held on Thursday, September 5th.

Call To The Public

Regular City Council Meeting Agenda

CONSENT AGENDA:

Council Member Sanders made the motion to approve the consent agenda excluding items 9, 10, 14, 15 and 18. Vice Mayor Winters seconded the motion. Seven yes votes, motion carried.

2. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 capital budget by reallocating appropriations in the amount of \$51,800 from water operations to re-establish capital project P71030 Site and Security Improvements; Resolution #2019-94 - APPROVED

3. Consideration and action pertaining to approval of an Intergovernmental Agreement (IGA) with West Mec to facilitate donation of a surplus Surprise Police Department vehicle for educational purposes; Resolution #2019-95 - APPROVED

4. Consideration and action pertaining to conditional acceptance of certain street and public utility improvements, generally located at Reems Road and Hearn Road in the vicinity of Highland Preparatory Academy; Resolution # 2019-88 - APPROVED

5. Consideration and action on the minutes of June 18, 2019 Regular City Council Work Session and Regular City Council Meeting - APPROVED

6. Consideration and action pertaining to amending the current term expiration date for Public Safety Personnel Retirement System Local Board member James Conner to June 30, 2020 - APPROVED

7. Consideration and action pertaining to approval of an Intergovernmental Agreement with Maricopa County to send police recruits to the Maricopa County Sheriff's Office Academy; Resolution #2019-93 - APPROVED

8. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 budget by reallocating appropriations of \$100.00 from grant contingency to the Victim Rights Program (VRP) grant fund to account for acceptance of the VRP grant in the amount of \$2,100; Resolution #2019-90 - APPROVED

9. Consideration and action pertaining to acceptance of the art piece "May Peace Prevail on Earth" as a donation by the Rotary Club of Surprise - APPROVED

Paul Bernardo and Danielle Osborne thanked the Rotary Club of Surprise for the piece donated to the City.

Council Member Judd - What exactly is this?

Jay Lickus, Rotary Club commented that this has been a year in the making, started in 1965 and it is a project that reflects we are all one world, and we need this as a reminder. A local artist Joe Tyler designed and built a 13 foot stainless steel monument. English, German, Navajo and Spanish. It will be installed in Statler Park on International Peace Day.

Vice Mayor Winters - Thanked the Rotary Club for all that they do in Surprise.

Council Member Sanders made the motion to approve accepting the art piece "May Peace Prevail on Earth". Vice Mayor Winters seconded the motion. Seven yes votes, motion carried.

10. Consideration and action pertaining to approval of the Final Plat entitled, Rancho Mercado Parcel A dated May 24, 2019, a property generally located north of Happy Valley Road and east of 147th Avenue - APPROVED

Vice Mayor Winters - Has the infrastructure been done, including Happy Valley Road?

It is still in progress.

Vice Mayor Winters made the motion to approve the Final Plat Rancho Mercado parcel A15. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

11. Consideration and action pertaining to a grant of a Utility Easement to Southwest Gas for a natural gas line at the SPA 1 Water Reclamation Facility - APPROVED

12. Consideration and action pertaining to acceptance of a Quit Claim deed for Right of Way, a Municipal Use Easement and Temporary Drainage Easements from Suburban Land Reserve INC, for roadway improvements along Waddell Road between Sarival Road and Reems Road - APPROVED

13. Consideration and action pertaining to a grant of a Utility Easement to APS at Gaines park for ongoing activity associated with Heritage at Surprise - APPROVED

14. Consideration and action pertaining to approval of the Final Plat entitled, "Bell Pointe II -South" dated July 3, 2019, a property generally located north of Bell Road and east of Bell Pointe Boulevard; Resolution #2019-92 - APPROVED

City Planner, Robert Kuhfuss gave an overview for this item.

Vice Mayor Winters - How many homes are going in Bell Point 11 south and what

happened to Bell Point 11 North?

Vice Mayor Winters made the motion to approve Resolution 2019-90. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

15. Consideration and action on Final Plat entitled, Toll at Prasada "Cactus Road" dated May 9, 2019, a property generally located on Cactus Road west of Cotton Lane - APPROVED WITH AMENDING THE DATE OF MAY 9, 2019 TO JULY 29, 2019

Council Member Duffy removed item #15 for correction.

Mr. Kuhfuss explained correction.

Council Member Duffy made the motion to approve the Final Plat Toll at Prasada-Cactus Road with the amendment of changing the date from May 9, 2019 to July 29, 2019. Council Member Sanders seconded the motion. Seven yes votes, motion carried.

16. Consideration and action pertaining to approval of the Map of Dedication entitled, " Toll at Prasada" Peoria Avenue Phase 1 dated May 9, 2019, a property generally located on Peoria Avenue west of Cotton Lane - APPROVED

17. Consideration and action on the Map of Dedication entitled, Toll at Prasada Peoria Avenue Phase 2 dated March 15, 2019, a property generally located on Peoria Avenue west of Cotton Lane - APPROVED

18. Consideration and action pertaining to approval of the Final Plat entitled, Toll at Prasada Phase 2 Master Plat dated June 18, 2019, a property generally located on Peoria Avenue west of Cotton Lane - CONTINUED TO SEPTEMBER 5, 2019 REGULAR CITY COUNCIL MEETING

Council Member Duffy asked to continue this item to Thursday, September 5th, 2019.

Council Member Duffy made the motion to continue item #18 to the September 5, 2019 Regular City Council Meeting. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

19. Consideration and action pertaining to approval of the Re-Plat of Skyway Lot 27A, a property generally located north of the northwest corner of Peoria Avenue and Solar Canyon Way - APPROVED

20. Consideration and action on a shared parking agreement between the City of Surprise and the Housing Authority of Maricopa County – APPROVED

21. Consideration and action declaring the intent to enlarge an existing lighting improvement district known as City of Surprise, Arizona, Desert Oasis Lancer 5A, 5B, and 14A Lighting Improvement District, pursuant to A.R.S. Å§ 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution # 2019-91 - APPROVED

REGULAR AGENDA ITEM - PUBLIC HEARING:

22. Consideration and action on two Intergovernmental Agreements between the City of Surprise and the Maricopa Association authorizing the acceptance of 2 federal Grants through an Intergovernmental Agreement with the Maricopa Association of Governments for transportation improvements and amending the Fiscal Year 2020 Budget by reallocating appropriations of \$42,900 to facilitate acceptance of two federal Grants; Resolution # 2019-83 - APPROVED

Lloyd Abrams gave a powerpoint presentation on this item.

No public comments were made.

Council Member Judd - Are you bringing this back to Council for approval on the projects?

Council Member Remley - Asked for the slide of the costs to review. Is it coincidental that the design plans is exactly 10% off from the construction cost?

Council Member Judd made the motion to approve Resolution 2019-83. Vice Mayor Winters seconded the motion. Seven yes votes, motion carried.

23. Consideration and action on a re-zoning of approximately 2.49 acres of property generally located southwest of the southwestern corner of Bell Road and Dysart Roads from Regional Commercial (CR) to Industrial Performance (IP); Ordinance #2019-20 - APPROVED

City Planner, Hobart Wingard gave a powerpoint presentation on this item.

Mayor Hall - Is there a wall there now, or will there be one?

Mr. Wingard - Yes there will be a wall.

Council Member Hayden made the motion to approve Ordinance 2019-20. Vice Mayor Winters seconded the motion. Seven yes votes, motion carried.

24. Consideration and action pertaining to approval of the Revised Preliminary Plat entitled, "Unit P- Toll at Prasada" dated May 14, 2019, a property in the general vicinity of the corner of Cactus Road and Cotton Lane - APPROVED

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

Council Member Duffy made the motion to approve Revised Preliminary Plat, Unit P-Toll at Prasada. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

25. Consideration and action pertaining to the Revised Preliminary Plat entitled, "Unit E-Toll at Prasada dated April 30, 2019, a property generally located in the vicinity of the corner of Peoria Avenue and Cotton Lane - APPROVED

City Planner Robert Kuhfuss gave a powerpoint presentation on this item.

Council Member Judd - 5 pack is interesting, will this cause issues for public works, police and fire? Trash cans, etc.

Vice Mayor Winters - How many 5 packs do we have in this development?

Mr. Kuhfuss - approximately 20-5 packs are being designed, we will see if it is going to sell, if not, we will come back to revise.

Council Member Duffy - Is this comparable to Marley Park?

Council Member Remley - I am thinking this is comparable to Surprise Farms, or Coyote Lakes. The residents today in Coyote Lakes have issues with this.

Council Member Duffy made the motion to approve Revised Preliminary Plat, Unit E-Toll at Prasada. Council Member Judd seconded the motion. Seven yes votes, motion carried.

26. Consideration and action pertaining to approval of the Preliminary Plat entitled, "Heritage Asante- Parcel 2" dated February 12, 2019, a property generally located west of 163rd Avenue and north of Grand Avenue - APPROVED

City Planner, Sergio Angulo gave a powerpoint presentation on this item.

Vice Mayor Winters - Lennar has a few different projects in this area, will this be available in this private community? Not showing a super garage, but proposing a duplex in parcel 1.

Council Member Sanders - The active adult community, is there a demand for this product in this area?

Joan Scarborough, project manager, we are taking reservations already, 400 individuals who are interested.

Council Member Sanders made the motion to approve Preliminary Plat Heritage Asante Parcel 2. Vice Mayor Winters seconded the motion. Seven yes votes, motion carried.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

27. Consideration and action on the Final Plat entitled, Heritage Asante Parcel 2 dated May 30, 2019, a property generally located north of Grand Avenue and west of 163rd Avenue - APPROVED

City Planner, Sergio Angulo gave a powerpoint presentation on this item.

Vice Mayor Winters made the motion to approve Final Plat Heritage Asante Parcel 2. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

28. Consideration and action pertaining to approval of the Re-Plat of Lot 3 of "Prasada Phase 1B North", a property generally located south of Waddell Road between Loop 303 and Sarival Avenue; Resolution #2019-98 - APPROVED

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

Council Member Duffy made the motion to approve Resolution 2019-98. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

29. Consideration and action pertaining to approval of a Development Incentive Agreement between the City of Surprise and Surprise Center Development Company, LLC.; Resolution #2019-100

Vice Mayor Winters made the motion to recess the Regular City Council Meeting and enter into executive session at 6:59 PM. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

Executive Session

35. Consideration and action to recess into executive session for the purpose of discussion or consultation for legal advice with the City Attorney and to consider its position regarding an incentive agreement with Surprise Center Development Company, LLC, pursuant to A.R.S. 38-431.03(A)(3) and (4).

Mayor Hall reconvened the Regular City Council Meeting at 7:17 PM.

29. Consideration and action pertaining to approval of a Development Incentive Agreement between the City of Surprise and Surprise Center Development Company, LLC.; Resolution #2019-100 - APPROVED

Vice Mayor Winters made the motion to approve Resolution 2019-100. Council Member Sanders seconded the motion. Seven yes votes, motion carried.

Mayor Hall - commended staff and commented that we're at this point because of a lot of hard work.

30. Consideration and action pertaining to approval of an Agreement between the City of Surprise and the Greater Phoenix Economic Council (GPEC) - APPROVED

Economic Development Director, Jeanine Jerkovic gave a powerpoint presentation on this item.

Vice Mayor Winters - Thanked GPEC for all that they do to bring business to Surprise.

Council Member Sanders - Looking at the slide for Surprise activity, the numbers are looking good, are we getting better at this?

Mayor Hall - Jeanine you are such a great representative for Surprise and thanked GPEC, Chris Camacho, we have a good team.

Council Member Hayden made the motion to approve the Agreement with Greater Phoenix Economic Council. Vice Mayor Winters seconded the motion. Seven yes votes, motion carried.

31. Consideration and action pertaining to approval of the Wired Telecommunications License and Right of Way Use Agreement between the City of Surprise and Zayo Group, LLC; Resolution #2019-101 - APPROVED

Samantha Pinkal, ED Department, gave a powerpoint presentation on this item.

Council Member Remley - Zayo Group primarily provides fiber optics to business/commercial, correct?

Ms. Pinkal - Yes

Council Member Hayden made the motion to approve Resolution 2019-101. Vice Mayor Winters seconded the motion. Seven yes votes, motion carried.

32. Consideration and action on declaring the "2018 International Fire Code, Chapter 12 Energy Systems" and "2019 Amendments to the 2018 International Fire Code, Chapter 12 Energy Systems" as public records; Resolution # 2019-89 - APPROVED

Fire Chief, Tom Abbott gave a powerpoint presentation on this item.

Council Member Judd - Does APS have to pay attention to our building codes?

Chief Abbott - Yes, and pull permits.

Council Member Judd - We have several residents that have placed battery power walls in their homes.

Chief Abbott- Yes there are 19 throughout the City and we will be contacting each home to make sure they are safe and recommend these are located on the outside of their homes.

Vice Mayor Winters - Did we not know the batteries were there?

Council Member Judd made the motion to approve Resolution 2019-89. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

33. Consideration and action pertaining to an amendment to the Surprise Municipal Code, Section 105-19, by adopting Chapter 12 of the 2018 International Fire Code, and amendments thereto, as set forth in those certain public records entitled "2018 International Fire Code, Chapter 12 Energy Systems" and "2019 Amendments to the 2018 International Fire Code, Chapter 12, Energy Systems"; Ordinance # 2019-21 - APPROVED

Fire Chief, Tom Abbott gave a powerpoint presentation on this item.

Vice Mayor Winters made the motion to approve Ordinance 2019-21. Council Member Judd seconded the motion. Seven yes votes, motion carried.

Fire Chief, Tom Abbott gave a powerpoint presentation on this item.

34. Consideration and action pertaining to approval of the grant of a Public Water Easement to the City of El Mirage within the vicinity of Hollyhock street and Rimrock Street - APPROVED

Council Member Remley made the motion to approve the water easement to the city of El Mirage. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

Other Business and Future Agenda Items

Council Member Judd - Work Session swimming pool requirements. Seconded by council Member Hayden.

City Council Reports

City Council attended and/or reported on the following:

Council Member Remley - Meeting at the end of the month @ Rio Solado - Civic Center Master Plan.

Council Member Sanders - City Center presentation this Thursday at 6:00 p.m.
Congratulated Kendra and her team for an award.

Vice Mayor Winters - Tour of the Asante Library; remind everyone of the August 9th Meeting - 7:00 p.m. City Center presentation.

Council Member Duffy - Surprise Youth Foundation - Fill the Bus event. School is back in session, be patient.

Council Member Hayden - Attended Library tour, absolutely beautiful building; Growing Mind Pre-School Opening;

Council Member Judd - On the Board of the Northwest Valley YMCA; 500,000 volunteers nationwide. Joined the Board of Directors of the White Tank Conservancy, partnerships with developers around the White Tanks Mountain Range, protect the wildlife corridors. Toured Southwest Products here in Surprise.

Mayor Hall - A lot of events I attended have already been mentioned. Asante Prep is going to be opening on the Desert Moon campus. The Asante Library is going to be beautiful. Honored to be a part of the Surprise Youth Foundation on Fill The Bus event, held on a weekday and very successful.

Adjournment

Vice Mayor Winters made the motion to adjourn the Regular City Council Meeting of August 6, 2019 at 8:12 PM. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

Skip Hall, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council

Meeting of **Tuesday, August 6, 2019.**

Sherry Ann Aguilar, City Clerk, MMC



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 5, 2019
Submitting Department: Police
Staff Recommendations: None

Contact Person: Terry Young, POLICE CHIEF
District: Citywide

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

Agenda Wording:

Consideration and action pertaining to the renewal of the Federal fiscal year 2020 U.S. Department of Justice Drug Enforcement Administration (DEA) Task Force Intergovernmental Agreement and accompanying budget amendment reallocating \$300; Resolution #2019-102.

Motion:

I move to approve Resolution #2019-102.

Background:

This is an annual renewal of an agreement with the Department of Justice, which Surprise originally entered into in 2003. The Surprise Police Department (SPD) agrees to assign two (2) experienced officers to the DEA Phoenix Task Force for a period of not less than two (2) years. DEA agrees to reimburse the City of Surprise for up to \$18,649 per officer (no more than \$37,298 total) for overtime expenses each year in addition to all investigative expenses, travel expenses, and per diem.

Objective Analysis:

The negative result from entering into this agreement is that two experienced officers are at the task force and not performing daily police functions within the City. However, the positives more than outweigh these negatives; the agreement will help disrupt a considerable amount of drug trafficking activities, especially focused upon the West Valley, and these officers will return to the City of Surprise after two years having obtained considerable skills that they will use in the daily performance of their job.

Policy Compliant:

This action is compliant with City and Council policy. The City regularly partners with other government entities when it is beneficial to do so, as is this partnership. Also, the City has consistently and strongly opposed drug trafficking and the harm that results.

Financial Impact:

This grant award is for \$18,649 per officer for overtime expenses for a one-time total of \$37,298. There is no City match requirement; however, the City is responsible for payment of salary, benefits, and overtime to the officers assigned to the Task Force. The DEA will reimburse the SPD for overtime expenses. Additionally, the DEA will provide investigative equipment, supplies, training, and per diem to support the officer's activities in the Task Force.

Budget Impact:

Budget authority for this grant was included in the FY2020 budget in the amount of \$37,000; therefore, this action will reallocate appropriations in the amount of \$300 from Grant Contingency to FY20 DEA within the Grants Fund to establish a budget that aligns with the amount awarded for the DEA Task Force project for a total of \$37,300. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority.

FTE Impact:

The number of full-time equivalents (FTE) is not impacted by this action.

ATTACHMENTS:

1. FFY2020 DEA TASK FORCE AWARD LETTER
 2. 2020 DEA TASK FORCE IGA
 3. OJP-481
 4. Resolution 2019-102 2019-20 DEA Task Force IGA
-

Karen Cich

From: Clancy, Deborah A. <Deborah.A.Clancy@usdoj.gov>
Sent: Tuesday, July 23, 2019 5:00 PM
To: Karen Cich
Subject: 2020 interagency Program-Funded Agreement between the Surprise PD and DEA
Attachments: Surprise PD.pdf; 2020 Surprise PD Program Funded Agreement.docx

Follow Up Flag: Follow up
Due By: Wednesday, August 28, 2019 10:00 AM
Flag Status: Flagged

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Karen, I've have provided you with the 2020 Interagency Program - Funded Agreement with DEA, and the OJP-481 for processing.

The only **changes** in this document are the addition of the ORI#, the dates, and an increase in Overtime funding.

2020 Interagency Agreement with DEA

- **Agreement Dates:** October 1, 2019 – September 30, 2020.
 - **Increase in Overtime Funding:** \$18,649 for 2 Officers – currently Steven Kerr (still in background) and Josh Waldeck (being replaced in Oct by Jeffrey Thurman) or their replacements .
1. Please print out **two** copies of the **Agreement** for original signature and I will return one to you.
 2. Please print out **two** copies of the **OJP-481 Certifications and Drug-Free Workplace Requirements for original signature**.
 3. **Return the documents to my attention at the address below by September 2nd**
 - o To allow enough time for SAC Coleman to sign the Agreement;
 - o To ensure there will be no interruption in funding/liability coverage; and
 - o To ensure the Agreement is in Washington at DEA Headquarters **by September 13, 2019.**

If you have delays with getting this on the City Council 's Agenda please let me know and I'll work with you as I always do.

Once the Agreement is signed by SAC Coleman I will return an original document to you and follow up with an electronic copy, and additional information for those who will be processing the reimbursable agreement.

Thank you, and **don't hesitate to contact me with any questions** you may have.

Deborah Clancy

**Program Analyst
DEA Phoenix Division
3010 N. 2nd St. Suite 100
Phoenix, AZ 85012
P: 571-362-0473
C: 602-358-5575**

**PROGRAM-FUNDED STATE AND LOCAL TASK FORCE AGREEMENT
BETWEEN
DRUG ENFORCEMENT ADMINISTRATION
AND
THE CITY OF SURPRISE
ORI# AZ0072700**

This agreement is made this 1st day of October 2019, between the United States Department of Justice, Drug Enforcement Administration (hereinafter "DEA"), and The City of Surprise, Arizona Municipal Corporation (hereinafter "City"), acting through the Surprise Police Department (hereinafter "SPD"). DEA, City and SPD are referred to herein individually as "Party" and collectively as "Parties." The DEA is authorized to enter into this cooperative agreement concerning the use and abuse of controlled substances under the provisions of 21 U.S.C. § 873.

WHEREAS there is evidence that trafficking in narcotics and dangerous drugs exists throughout Arizona, and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of the State of Arizona, the parties hereto agree to the following:

1. The DEA Phoenix Task Force will perform the activities and duties described below:
 - a. disrupt the illicit drug traffic in the State of Arizona by immobilizing targeted violators and trafficking organizations;
 - b. gather and report intelligence data relating to trafficking in narcotics and dangerous drugs; and,
 - c. conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force's activities will result in effective prosecution before the courts of the United States and the State of Arizona.
2. To accomplish the objectives of the DEA Phoenix Task Force, the SPD agrees to detail two (2) experienced Officers to the Task Force for a period of not less than two years. During this period of assignment, the SPD Officers will be under the direct supervision and control of DEA supervisory personnel assigned to the Task Force.
3. The SPD Officers assigned to the Task Force shall adhere to DEA policies and procedures. Failure to adhere to DEA policies and procedures shall be grounds for dismissal from the Task Force.
4. The SPD Officers assigned to the Task Force shall be deputized as Task Force Officers of DEA pursuant to 21 U.S.C. §878.

5. To accomplish the objectives of the DEA Phoenix Task Force DEA will assign nine (9) Special Agents to the Task Force. DEA will also, subject to the availability of annually appropriated funds or any continuing resolution thereof, provide necessary funds and equipment to support the activities of the DEA Special Agents and SPD Officers assigned to the Task Force. This support will include: office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative equipment, training, and other support items.
6. During the period of assignment to the DEA Phoenix Task Force, the SPD will remain responsible for establishing the salary and benefits, including overtime, of the Officers assigned to the Task Force, and for making all payments due them. DEA will, subject to availability of funds, reimburse the SPD for overtime payments made by it to the SPD Officers assigned to the DEA Phoenix Task Force for overtime, up to a sum equivalent to 25 percent of the salary of a GS-12, Step 1, law enforcement officer general schedule locality pay tables, rest of the United States table (currently \$18,649), per officer. ***Note: Task Force Officer's Overtime" shall not include any costs for benefits, such as retirement, FICA, and other expenses."***
7. In no event will the SPD charge any indirect cost rate to DEA for the administration or implementation of this agreement.
8. The SPD shall maintain on a current basis complete and accurate records and accounts of all obligations and expenditures of funds under this agreement in accordance with generally accepted accounting principles and instructions provided by DEA to facilitate on-site inspection and auditing of such records and accounts.
9. The SPD shall permit and have readily available for examination and auditing by DEA, the United States Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts or expenditures relating to this agreement. The SPD shall maintain all such reports and records until all litigation, claim, audits and examinations are completed and resolved, or for a period of three (3) after termination of this agreement, whichever is later.
10. The SPD shall comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, as amended, and all requirements imposed by or pursuant to the regulations of the United States Department of Justice implementing those laws, 28 C.F.R. Part 42, Subparts C, F, G, H, and I.
11. The SPD agrees that an authorized Officer or employee will execute and return to DEA the attached OJP Form 4061/6, Certification Regarding Lobbying: Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements. The SPD acknowledges that this agreement will not take effect and no Federal funds will be awarded to the SPD by DEA until the completed certification is received.

12. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal money, the SPD shall clearly state: (1) the percentage of the total cost of the program or project which will be financed with Federal money; and, (2) the dollar amount of Federal funds for the project or program.
13. The term of this agreement shall be effective from the date in paragraph number one (1) until September 30, 2020. This agreement may be terminated by either party on thirty days' advance written notice. Billings for all outstanding obligations must be received by DEA within 90 days of the date of termination of this agreement. DEA will be responsible only for obligations incurred by SPD during the term of this agreement.

For the Drug Enforcement Administration:

Douglas W. Coleman
Special Agent in Charge

Date _____

For the City of Surprise, an Arizona Municipal Corporation, acting through the Surprise Police Department:

For the Surprise Police Department:

Terry Young
Chief of Police

Date _____

Attachment



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Department and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, Disclosure of Lobbying Activities, in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.310-

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart E, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620-

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about-

(1) The dangers of drugs abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site (a) for the performance of work done in connection with the specific grant.

Place of Performance (Street address, city, country, state, zip code)

DEA Arizona Offices

Check ☐ If there are workplace on file that are not identified here.

Section 67.630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 40817.

Check ☐ If the State has elected to complete OJP Form 40817.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1986, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620-

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in connection any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

City of Surprise, an Arizona Municipal Corporation, acting through the Surprise Police Department
14250 W. Statler Plaza, Suite 103, Surprise, AZ 85374

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

Terry Young, Chief of Police

5. Signature

6. Date

RESOLUTION # 2019-102

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2020 BUDGET BY REALLOCATING APPROPRIATIONS OF \$300 FROM CONTINGENCY TO OVERTIME WITHIN THE GRANTS FUND FOR RECEIPT OF GRANT FUNDING FROM THE UNITED STATES DEPARTMENT OF JUSTICE DRUG AND ENFORCEMENT ADMINISTRATION.

WHEREAS, pursuant to Arizona Revised Statute §11-951, *et seq.*, The City of Surprise has the authority to enter into an intergovernmental agreement with other governmental entities for the purposes set forth within;

WHEREAS, this is the annual renewal of an agreement with the Department of Justice, which the City of Surprise originally entered into in 2003.

WHEREAS, evidence shows that trafficking in narcotics and dangerous drugs exists in the area and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of the State of Arizona and the City of Surprise;

WHEREAS, the Drug Enforcement Administration and Surprise Police Department desire to partner together to combat these issues;

WHEREAS, the Drug Enforcement Administration, as part of their commitment to this partnership, desires to reimburse overtime incurred as a result of this partnership for the two assigned Surprise police officers up to the amount of \$18,649 per officer and the City of Surprise desires to accept such funding reimbursement; and

WHEREAS, budget authority for this grant was included in the FY2020 budget in the amount of \$37,000; therefore, \$300 in additional budget authority will need to be reallocated from the Grants Contingency Fund to this FY20 DEA Task Force grant in order to align with the total amount awarded; and

WHEREAS, funds for the City's share of the costs of this partnership were included in the City's FY2020 budget.

WHEREAS, the FY2020 budget was adopted by Council Resolution #2019-75 on June 4, 2019;

WHEREAS, this action will necessitate a budget amendment; and

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

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

Section 1. The Intergovernmental Agreement between the City of Surprise and the U.S. Department of Justice, Drug Enforcement Administration, attached as *Exhibit B*, 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.

Section 3. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2019 through June 30, 2020.

APPROVED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2019-102

Exhibit A

1. Appropriation - The allocation below represents a reallocation of appropriation in the amount of \$300 from Grant Contingency to FY20 DEA within the Grants Fund to establish a budget that aligns with the amount awarded for the DEA Task Force project for a total of \$37,298. 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
Grants	Police	#G31242 FY20 DEA	E	37,000	300	37,300
Grants	Police	#G31242 FY20 DEA	R	37,000	300	37,300
Grants	General Operations	Contingency	E	24,000,000	(300)	23,999,700
Grants	General Operations	Other	R	24,377,400	(300)	24,377,100
Expense Total				24,037,000	-	24,037,000
Revenue Total				24,414,400	-	24,414,400

EXHIBIT B
INTERGOVERNMENTAL AGREEMENT



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 5, 2019

Contact Person: Chris Boyd, AD - BS DV & CD
ENF

Submitting Department: Community Development District: District 5

Staff Recommendations:

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

Consideration and action pertaining to approval of a Quit Claim Deed to TR Surprise, LLC, releasing deed restrictions on one acre of real property located near Bullard Avenue and Greenway Road, within city center.

Motion:

I move to approve the Quit Claim Deed to TR Surprise, LLC.

Background:

In 1999 the City of Surprise sought to acquire by condemnation the approximately 630 acres, now known as City Center, from the City of Phoenix who had acquired the property from the United States and was holding it for aviation purposes including the protection of Luke Air Force Base. In November of that year, the Cities of Surprise and Phoenix entered into a settlement agreement to resolve any and all issues in the condemnation. As part of the settlement agreement, the parties agreed that deed restrictions would be placed on the property to prohibit certain land uses, such as uses including overnight stays. These deed restrictions attach and run with the land until such time as Luke Air Force bases may cease operations.

However, in 2013, the Cities of Surprise and Phoenix entered into an Intergovernmental Agreement (IGA) for the Assignment and Assumption of Beneficial Interest under Recorded Deed Restrictions. The IGA allows for the removal of deed restrictions placed on the property in exchange for certain consideration, one being payment to Phoenix of \$30,000 per acre adjusted annually in accordance with the US Department of Labor Consumer Price Index.

Because the Texas Rangers facility will include overnight accommodations, it is necessary for the deed restrictions to be removed for the project to conclude. TR Surprise, LLC has tendered the requisite monetary payment to the City of Phoenix, in coordination with the City of Surprise, and all interested parties are ready to move forward to remove the restriction on living facilities for the Texas Rangers players during their season.

The Quit Claim Deed under consideration will lift the deed restrictions from only the one acre being utilized by the Texas Rangers for overnight accommodations.

Objective Analysis:

The City will be exercising the authority granted by the IGA to release of deed restrictions on the property being utilized by the Texas Rangers facility, which is now under construction. TR Surprise LLC has complied with the requirements to release the deed restrictions and this will be the final step in the process as outlined in the IGA and agreed to between the Cities of Surprise and Phoenix.

Policy Compliant:

Approval of this item is consistent with the IGA between the City of Phoenix and the City of Surprise, recordation # 20131082868.

Financial Impact:

The cost to remove the restrictions is \$32,909.70 per acre. This consideration has been tendered directly to the City of Surprise by TR Surprise, LLC. The city will then remit the payment amount to the City of Phoenix once the deed restrictions are lifted per the IGA.

Budget Impact:

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

FTE Impact:

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

ATTACHMENTS:

1. Qcd with legal
-

When recorded return to:
City Clerk
City of Surprise, Arizona
16000 N. Civic Center Plaza
Surprise, AZ 85374

Exempt from Requirement for
Filing Affidavit of Property value
Pursuant to A.R.S. §11-1134(A)(3)

QUIT CLAIM DEED

Pursuant to that certain Intergovernmental Agreement dated December 19, 2013 between the City of Surprise and the City of Phoenix, the City of Surprise, an Arizona municipal corporation (the "City"), hereby quit-claims to **TR Surprise, LLC**, a Delaware limited liability company, all of the City's right, title and interest in the real property situated in the County of Maricopa, State of Arizona, known as Assessor's Parcel No. 509-01-163, and more particularly described in ***Exhibit "A"*** and depicted on ***Exhibit "B"*** attached hereto and incorporated herein by this reference, specifically including the benefit of the deed restrictions recorded as document no. 2000-0325404 and document no. 2000-0325405 Office of the County Recorder for Maricopa County, Arizona.

DATED: _____, 2019.

CITY OF SURPRISE, an Arizona municipal
corporation

By: _____
Name: _____
Title: _____

STATE OF ARIZONA)
) ss.
County of Maricopa)

On this _____ day of _____, 2019, before me personally appeared _____, the _____ of the City of Surprise, an Arizona municipal corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he or she claims to be, and acknowledged that he or she signed the foregoing Quit Claim Deed dated _____, 2019, on behalf of the City of Surprise

My Commission Expires: _____

NOTARY PUBLIC

DEED RESTRICTION
LEGAL DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 4, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 4 BEARS NORTH 00 DEGREES 11 MINUTES 00 SECONDS EAST A DISTANCE OF 2660.59 FEET, THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, NORTH 00 DEGREES 11 MINUTES 00 SECONDS EAST, A DISTANCE OF 797.85 FEET;

THENCE DEPARTING SAID WEST LINE, SOUTH 89 DEGREES 49 MINUTES 00 SECONDS EAST, A DISTANCE OF 63.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 49 MINUTES 00 SECONDS EAST, A DISTANCE OF 83.77 FEET;

THENCE SOUTH 00 DEGREES 54 MINUTES 48 SECONDS WEST, A DISTANCE OF 13.00 FEET;

THENCE SOUTH 89 DEGREES 05 MINUTES 13 SECONDS EAST, A DISTANCE OF 26.83 FEET;

THENCE NORTH 00 DEGREES 54 MINUTES 47 SECONDS EAST, A DISTANCE OF 32.04 FEET;

THENCE SOUTH 89 DEGREES 05 MINUTES 13 SECONDS EAST, A DISTANCE OF 276.29 FEET;

THENCE NORTH 00 DEGREES 54 MINUTES 47 SECONDS EAST, A DISTANCE OF 73.25 FEET;

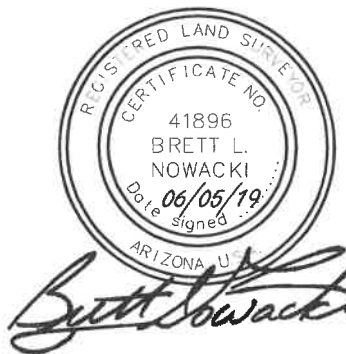
THENCE NORTH 89 DEGREES 05 MINUTES 13 SECONDS WEST, A DISTANCE OF 234.29 FEET;

THENCE NORTH 00 DEGREES 54 MINUTES 47 SECONDS EAST, A DISTANCE OF 78.34 FEET;

THENCE NORTH 89 DEGREES 05 MINUTES 13 SECONDS WEST, A DISTANCE OF 154.78 FEET;

THENCE SOUTH 00 DEGREES 11 MINUTES 00 SECONDS WEST, A DISTANCE OF 171.71 FEET TO THE POINT OF BEGINNING;

COMPRISING 42,979.36 SQUARE FEET MORE OR LESS.



DEED RESTRICTED BLOCK AREA FOR SURPRISE CENTER

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST OF
THE GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA

beck consulting engineers
9024 N. 25th Avenue
Suite 100
Phoenix, AZ 85021
Phone: (602) 944-8300
Fax: (602) 944-9201

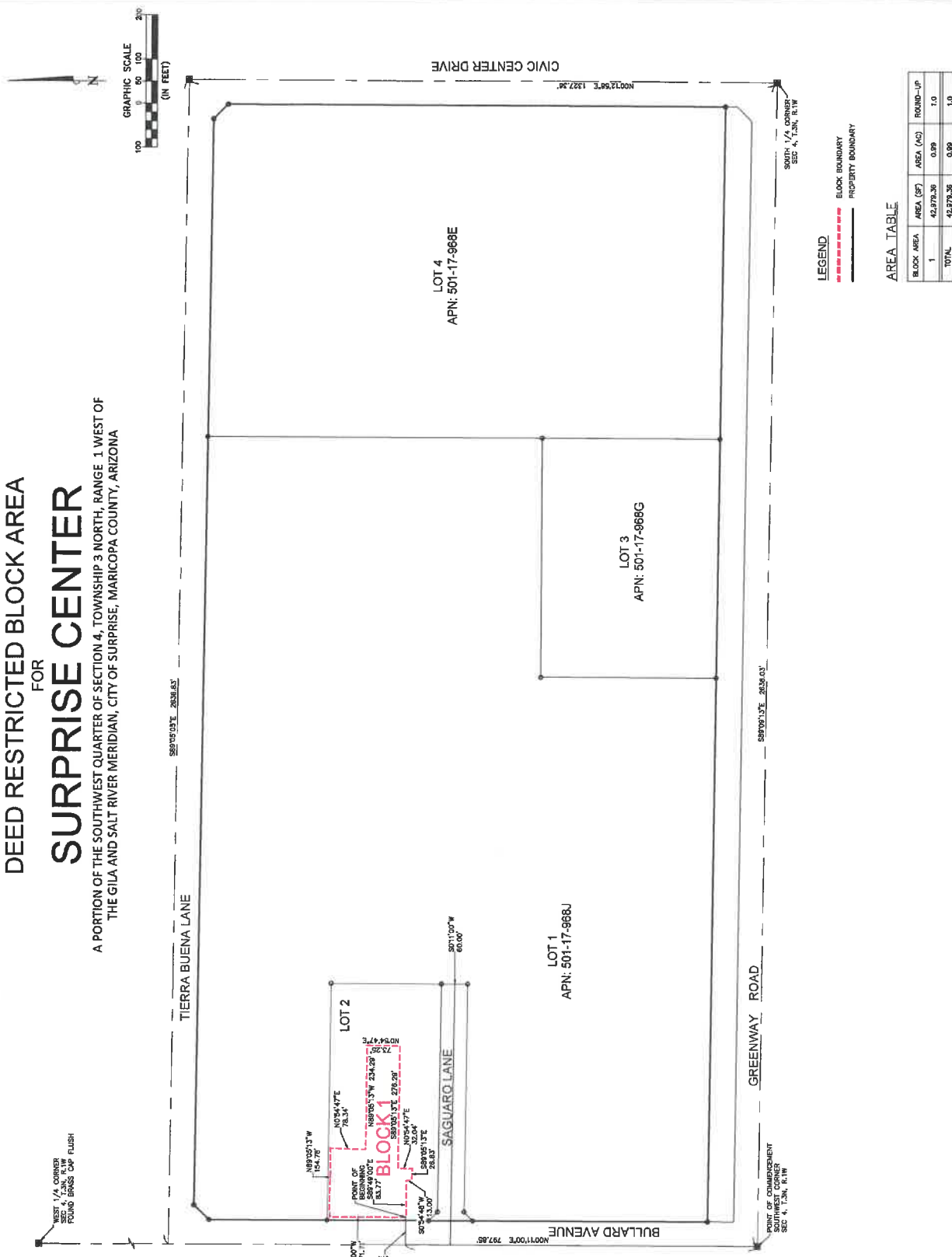
DATE: 11/07/2018
CHECKED BY: MB
DESIGNED BY: HW
SCALE: 1"=100'

DEED RESTRICTED BLOCK AREAS
SURPRISE CENTER
SURPRISE, ARIZONA

BY DATE APPR.
BY DATE APPR.
BY DATE APPR.



PROJECT NO.
172001
1 OF 1



LEGEND
BLOCK BOUNDARY
PROPERTY BOUNDARY

AREA TABLE

BLOCK AREA	AREA (SF)	AREA (AC)	ROUND-UP
1	42,873.36	0.99	1.0
TOTAL	42,873.36	0.99	1.0



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: September 5, 2019

Contact Person: Chris Boyd, AD - BS DV & CD
ENF

Submitting Department: Community Development District: District 1

Staff Recommendations: None

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

Consideration and action pertaining to acceptance of a Drainage Easement from The Estate of Larry Klinger for roadway improvements along 171st Avenue between Jomax and Dale Lane.

Motion:

I move to accept a Drainage Easement from the Estate of Larry Klinger.

Background:

The easement being dedicated is in association with the road improvements being done by the developer to improve 171st Avenue to access the Tierra Rico Development at 171st Avenue and Dale Lane.

Objective Analysis:

The planned improved roadway will need the additional drainage area on the west side of 171st Avenue for the completion of the roadway improvement leading into the Tierra Rico Development.

Policy Compliant:

Approval of this item is policy compliant.

Financial Impact:

This item does not have a direct financial impact, however 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 currently no budgetary impact related to approval of this item. The City will plan for future O&M when the road is in place and is accepted by the City.

FTE Impact:

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

ATTACHMENTS:

1. Klinger DE
-

WHEN RECORDED, RETURN TO:

City Clerk
City of Surprise
16000 N Civic Center Plaza
Surprise, AZ 85374

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

DRAINAGE EASEMENT

This Drainage Easement (the "Easement") is executed this _____ day of _____ 2019, by and between SHAWN D. KLINGER, PERSONAL REPRESENTATIVE OF THE ESTATE OF KLINGER LARRY D. ("Grantor") and the City of Surprise, an Arizona municipal corporation ("Grantee").

RECITALS

- A. Grantors are the fee title owners of a parcel of land in Maricopa County, Arizona located in Section 26, Township 5 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.
- B. Grantee desires to acquire from Grantors and Grantors desire to grant to Grantee a perpetual, exclusive drainage easement over, under and across a portion (the "Easement Area") of the above-mentioned Grantors' property. The Easement Area is legally described in Exhibit "A".

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and for the purpose set forth in the foregoing Recitals which are incorporated herein by reference, the parties hereto agree as follows:

- 1. Easements. Grantors hereby grant and convey to Grantee, its successors and assigns, a perpetual, exclusive easement over the Easement Area for drainage purposes. Grantors shall not erect or construct or permit to be erected or constructed any structure within the Easement Area, provided, however, Grantors shall have the right to construct and erect fences and walls, to install landscaping and to establish other uses which are not inconsistent with and do not unreasonably interfere with Grantee's use of the easement granted hereunder.
- 2. Restoration of Property. Grantee, its successors or assigns, or any other person or entity entering upon, performing any work within, or otherwise using the Easement Area pursuant to the rights granted pursuant to this Easement shall (a) promptly repair and

restore any damage to the Easement Area (including, but not limited to, any landscaping or other improvements placed upon the Easement Area (including, but not limited to, any landscaping or other improvements placed upon the Easement Area by Grantors pursuant to its rights reserved under paragraph 1 above resulting from such entry, work or use; (b) promptly remove any mechanics' or materialmen's lien arising from any such work within the Easement Area; and (c) indemnify, defend and hold Grantors harmless for, from and against any claims, liability, judgments, loss, cost or expense, including reasonable attorney's fees, solely to the extent arising from injuries to any person in connection with such entry, work or use. Notwithstanding the foregoing, neither grantee nor any person or entity shall be obligated to indemnify or hold Grantors harmless from any claims, judgments, loss, cost or expense arising out of Grantors' grossly negligent act or willful misconduct.

3. Runs With the Land. The Easement shall be appurtenant to and shall run with the land and shall be binding upon and inure to the benefit of Granters, Grantee and their respective heirs, administrator, personal representatives, successors and assigns.
4. Not a Public Dedication. Other than the grant of the easement as set forth herein, nothing contained in this Easement shall be deemed to be a conveyance or dedication of any portion of the Easement Area to the general public or for any public purpose whatsoever.
5. Miscellaneous. Headings in this Drainage Easement are for convenience only and shall not define or limit the provisions hereof This Drainage Easement shall be construed according to its ordinary meaning and shall not be strictly construed for and against Grantors or the Grantee. This Drainage Easement shall be governed by the laws of the State of Arizona. Should any term, provision, covenant or condition of this Drainage Easement be void, invalid or inoperative, the same shall not affect any other term, provision, covenant or condition of this Drainage Easement, but the remainder thereof shall be effective as though such void, invalid or inoperative term, provision, covenant or condition had not been contained herein.

IN WITNESS WHEREOF, the parties hereto have executed this Declaration as of the date above written.

GRANTOR:



SHAWN D. KLINGER, PERSONAL REPRESENTATIVE
OF THE ESTATE OF KLINGER LARRY D.

GRANTEE:

City of Surprise, an Arizona municipal corporation

By: _____

Name: Skip Hall

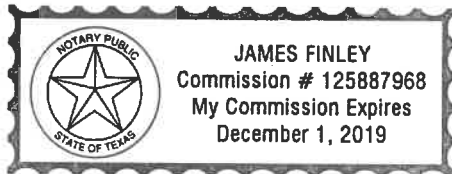
Its: Mayor

ATTEST:

Sherry Aguilar, City Clerk

STATE OF TEXAS)
) SS.
County of Jefferson)

The foregoing instrument was acknowledged before me this day 16th of July 2019, by Sharon D. Kinger and _____, known by me as owners of the subject property.



[Signature]
Notary

STATE OF ARIZONA)
) SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of _____, 2019, by _____, known by me as the Mayor of the City of Surprise, an Arizona municipal corporation.

Notary

Parcel: 503-51-946

Exhibit A

Legal Description

See Attached

**KLINGER
DRAINAGE EASEMENT
LEGAL DESCRIPTION**

The south 80.00 feet of the west 26.00 feet of the east 81.00 feet of the Northeast quarter of the Southeast quarter of the Southeast quarter of Section 26, Township 5 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona.

Said portion of land containing 2,080 sq.ft., or 0.0478 acres, more or less being subject to any easements, restrictions, rights-of-way of record or otherwise.

The descriptions shown hereon are not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

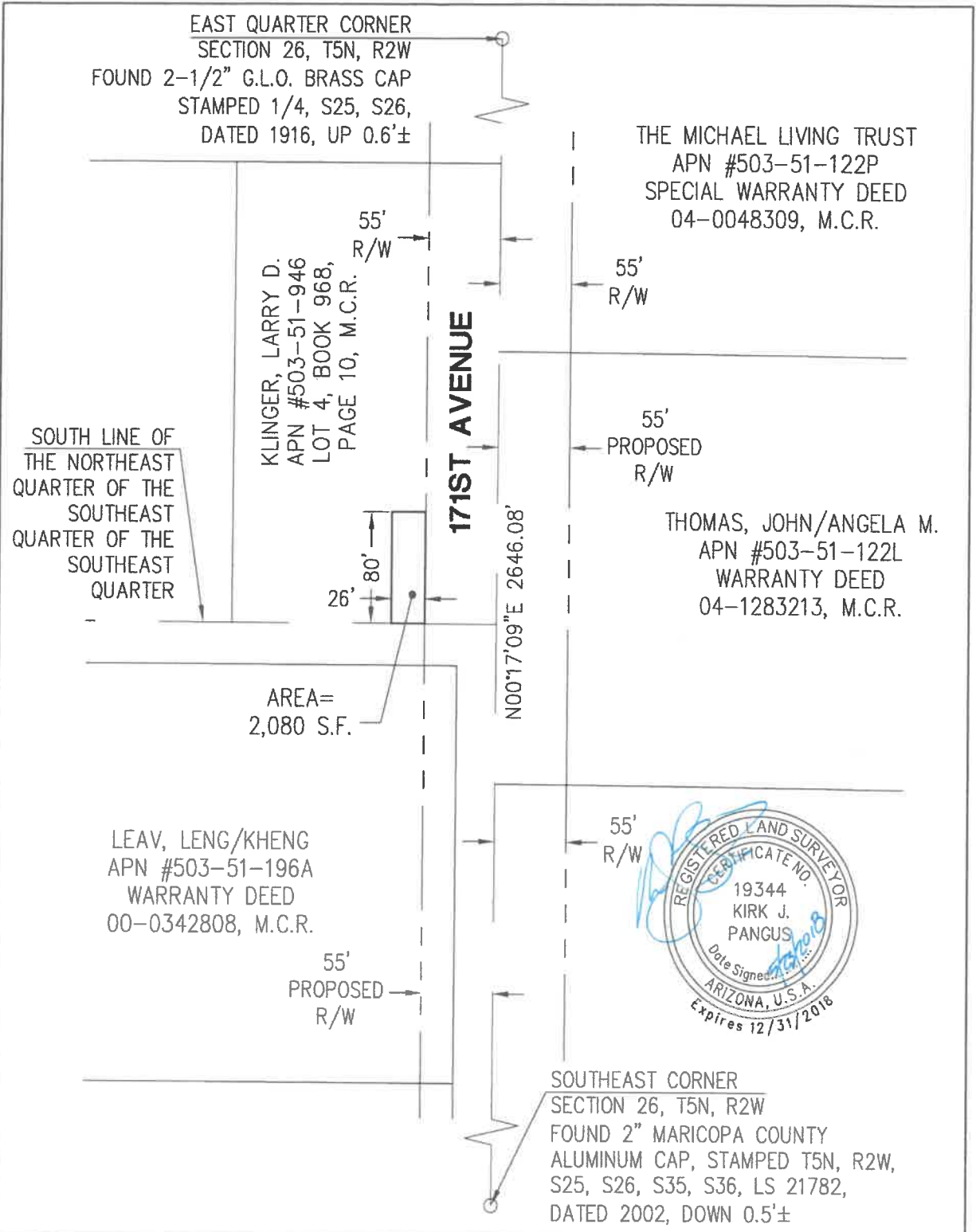
Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1308
Date: May 2018



Exhibit B

Depiction

See Attached



PROJ.NO.:	1308
DATE:	MAY 2018
SCALE:	N.T.S.
DRAWN BY:	JDL
CHECKED BY:	KJP

KLINGER PROPERTY
DRAINAGE EASEMENT
SURPRISE, ARIZONA

EXHIBIT

HILGARTWILSON
2141 E. HIGHLAND AVE., STE. 250
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: September 5, 2019
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 1

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

Agenda Wording:

Consideration and action pertaining to the dissolution of the City of Surprise, Arizona, Desert Oasis Parcel B10 #168 Lighting Improvement District (SLID); Resolution #2019-15.

Motion:

I move to approve Resolution #2019-15.

Background:

The City of Surprise, Arizona, Desert Oasis Lighting Improvement District No. 1 was formed by Council Resolution # 2004-01 on January 8, 2004. The City of Surprise, Arizona, Desert Oasis Parcel B10 #168 Lighting Improvement District was approved by Council Resolution # 2017-106 on November 21, 2017. The real property contained in the City of Surprise, Arizona, Desert Oasis Parcel B10 #168 Lighting Improvement District was originally encompassed by the boundaries of the Desert Oasis Lighting Improvement District No. 1, and was therefore redundant and unnecessary to establish.

Various provisions in Title 48 of the Arizona Revised Statutes allow for dissolution when a SLID is or becomes futile. The City wishes to dissolve Desert Oasis Parcel B10 #168 Lighting Improvement District as it was created inadvertently and serves no viable purpose.

Objective Analysis:

The discovery of the overlapping of these two Lighting Improvement Districts requires that the City of Surprise take action to dissolve Desert Oasis Parcel B10 #163, which is already encompassed by the boundaries of the previously established District No. 1. There is no detrimental result to resolving the erroneous creation of District #168 by its dissolution.

Policy Compliant:

This dissolution is in accordance with Title 48 of the Arizona Revised Statutes which allow for dissolution of Districts that serve no useful purpose.

Financial Impact:

Any financial impact on the City is anticipated to be minimal, as the Developer and District bear the costs and expenses of the District and street light improvement facilities.

Budget Impact:

Any impact on funding is anticipated to be minimal, as the impacted SLIDs were formed in 2004 and 2017. Separate funds for the District are currently in place to track the revenue and expenses.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 19.08.26 Res 2019-15 Dissolve Desert Oasis B10 SLID.final REV
-

RESOLUTION # 2019-15

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, DISSOLVING THE LIGHTING IMPROVEMENT DISTRICT KNOWN AS THE CITY OF SURPRISE, ARIZONA, DESERT OASIS PARCEL B10 #168 LIGHTING IMPROVEMENT DISTRICT.

WHEREAS, the City of Surprise, Arizona, Desert Oasis Lighting Improvement District No. 1 was formed by Council Resolution #2004-01 on January 8, 2004, as legally described in Exhibit A ("District No. 1");

WHEREAS, the City of Surprise, Arizona, Desert Oasis Parcel B10 #168 Lighting Improvement District was formed by Council Resolution # 2017-106 on November 21, 2017, as legally described in Exhibit B ("District No. #168");

WHEREAS, the entirety of the real property contained in the City of Surprise, Arizona, Desert Oasis Parcel B10 #168 District, was originally included and remained within the boundaries of District No. 1, such that said real property was inadvertently included in two separate lighting improvement districts; and

WHEREAS, the City desires to correct the inadvertent creation of two redundant lighting improvement districts which contain the same real property by dissolving District No. #168.

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

Section 1. The City of Surprise, Arizona, Desert Oasis Parcel B10 #168 Lighting Improvement District is hereby dissolved.

Section 2. The real property legally described in Exhibit B hereto is and shall remain part of District No. 1.

APPROVED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT A

**VAUGHN LAND SURVEYING INC.**

1707 E. Weber Drive
Suite 2
Tempe, AZ 85281
480-921-1565 • 480-921-1567 Fax

December 12, 2001

Job No.422

PARCEL DESCRIPTION

Being a portion of Section 1, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Beginning at a found G.L.O. Brass Cap, marking the South Quarter Corner of Section 36, Township 5 North, Range 2 West;

Thence North 89 degrees 38 minutes 36 seconds East, an assumed bearing, along the south line of said Section 36, a distance of 2,636.72 feet, to a found Brass Cap flush with the pavement, marking the Southeast Corner of said Section 36;

Thence North 89 degrees 40 minutes 48 seconds East, a distance of 907.44 feet, to a found 1" Iron Pipe below the pavement, marking the Northeast Corner of Section 1, Township 4 North, Range 2 West;

Thence South 00 degrees 05 minutes 27 seconds West, a distance of 2,279.33 feet, to a found 1/2" Rebar with a cap stamped LS4251, marking the East Quarter Corner of said Section 1;

Thence South 00 degrees 05 minutes 27 seconds West, a distance of 2,635.16 feet, to a found Brass Cap in a handhole, marking the Southeast Corner of said Section 1;

Thence North 47 degrees 10 minutes 41 seconds West, a distance of 7,182.23 feet, to a found 1" Iron Pipe, marking the Northwest Corner of said Section 1;

Thence North 89 degrees 38 minutes 02 seconds East, a distance of 1,731.67 feet, to the POINT OF BEGINNING.

Containing 12,965,427 square feet or 297.65 acres, more or less.

Subject to easements of record.

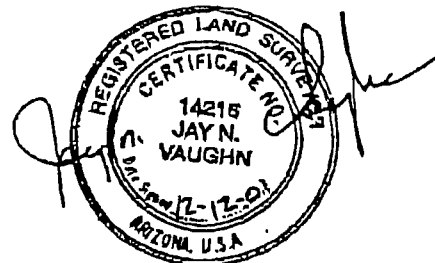


EXHIBIT A

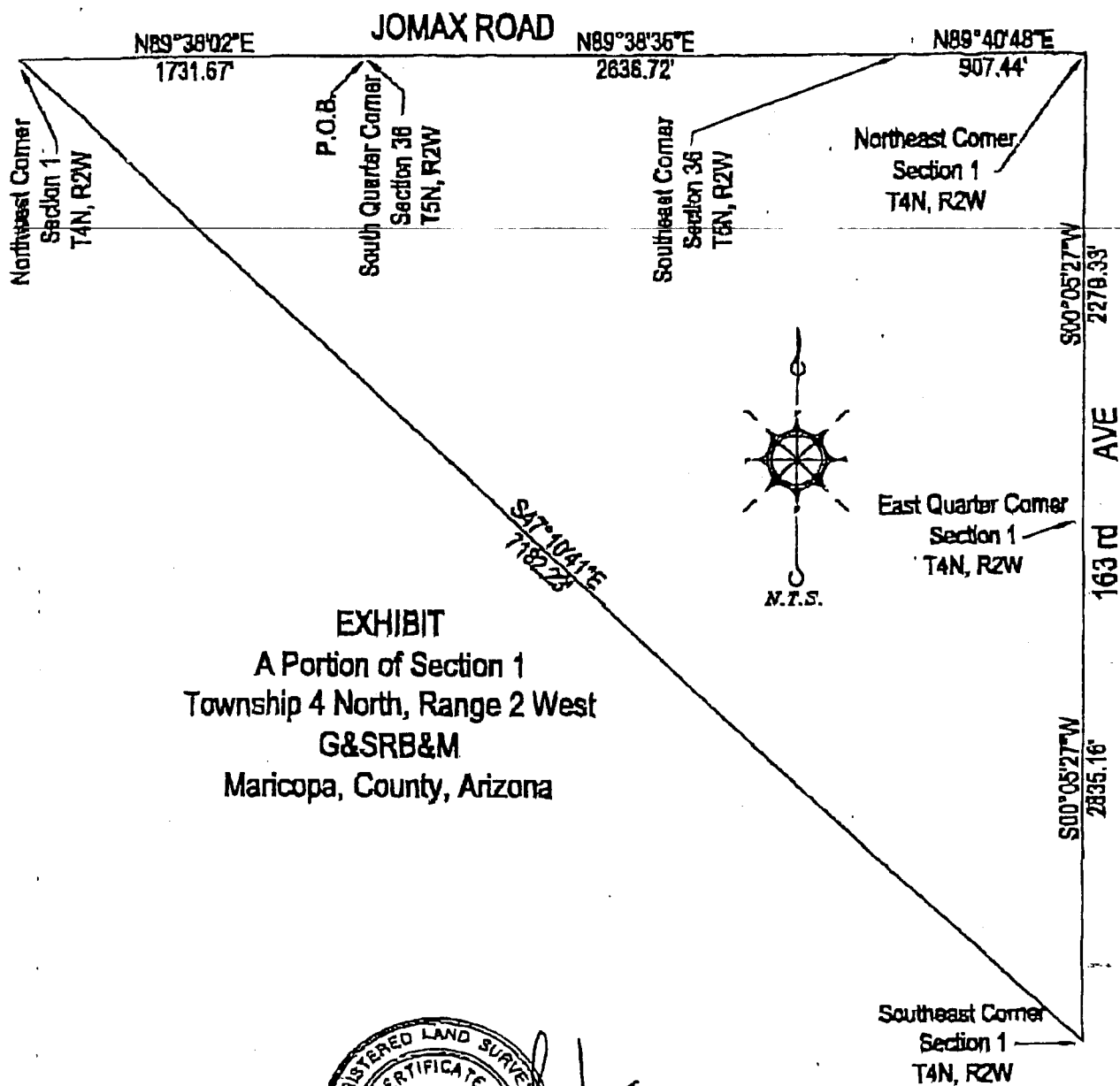


EXHIBIT B

DESERT OASIS BAER PARCEL B10 LEGAL DESCRIPTION

A PARCEL OF LAND DESCRIBED IN THE DEED RECORDED IN INSTRUMENT NUMBER 2009-0009275, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, STATE OF ARIZONA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 1;

THENCE NORTH 00 DEGREES 05 MINUTES 27 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 1, A DISTANCE OF 1108.71 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EAST LINE THE FOLLOWING TWO COURSES;

THENCE NORTH 00 DEGREES 05 MINUTES 27 SECONDS EAST, A DISTANCE OF 1526.45 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 1;

THENCE NORTH 00 DEGREES 05 MINUTES 27 SECONDS EAST, A DISTANCE OF 1096.05 FEET;

THENCE DEPARTING SAID EAST LINE, NORTH 80 DEGREES 36 MINUTES 35 SECONDS WEST, A DISTANCE OF 933.12 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 163RD AVENUE AS SHOWN ON A MAP OF DEDICATION FOR BAER PARCEL IN BOOK 666, PAGE 08 OF MAPS ON FILE IN THE MARICOPA COUNTY RECORDER'S OFFICE;

THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY THE FOLLOWING FOUR COURSES;

THENCE SOUTH 09 DEGREES 51 MINUTES 39 SECONDS WEST, A DISTANCE OF 449.56 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1685.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 1404.17 FEET THROUGH A CENTRAL ANGLE OF 47 DEGREES 44 MINUTES 47 SECONDS;

THENCE SOUTH 37 DEGREES 53 MINUTES 08 SECONDS EAST, A DISTANCE OF 681.92 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1465.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 532.99 FEET THROUGH A CENTRAL ANGLE OF 20 DEGREES 50 MINUTES 42 SECONDS TO THE POINT OF BEGINNING.

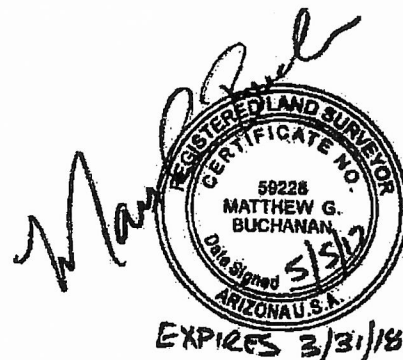
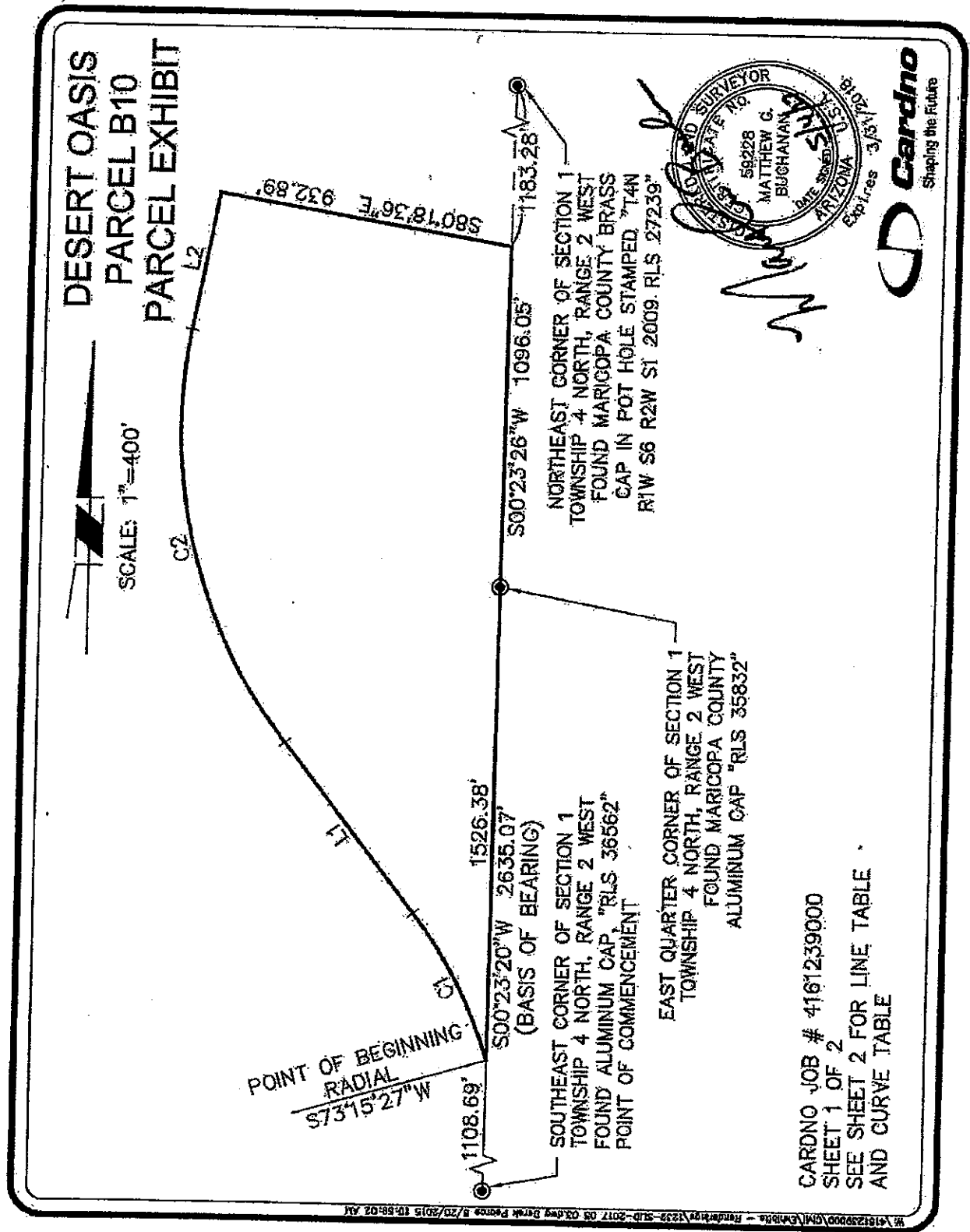


EXHIBIT B



DESERT OASIS PARCEL B10 PARCEL EXHIBIT

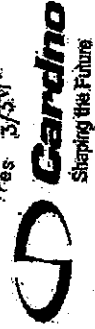
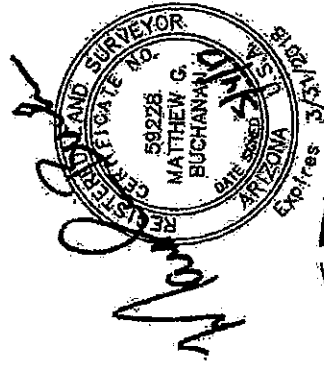
CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	20°50'43"	1465.00'	532.99'	269.48'	530.06'	N27°09'54"W
C2	47°44'58"	1685.00'	1404.26'	745.80'	1363.97'	N13°42'47"W

LINE TABLE

NO.	BEARING	LENGTH
L1	N37°35'16"W	681.57'
L2	N10°09'43"E	449.67'

CARDNO JOB # 4161239000
SHEET 2 OF 2
SEE SHEET 1 FOR EXHIBIT





CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: September 5, 2019 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Rancho Mercado Parcel A13" dated March 15, 2019, a property located in the Rancho Mercado PAD.

Motion:

I move to approve the Final Plat entitled, "Rancho Mercado Parcel A13" dated March 15, 2019.

Background:

Brookfield Holdings (Mercado), LLC on behalf of William Lyon Homes, seeks approval of a Final Plat for a 16.7-acre open space parcel in the Rancho Mercado PAD.

Objective Analysis:

This Final Plat is for a 16.7-acre open space parcel in the Rancho Mercado PAD. The tract will provide the residents of the area with a pedestrian trail and shaded seating.

Policy Compliant:

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

Financial Impact:

This item does not have a direct financial impact, however 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 staffing levels.

ATTACHMENTS:

1. 00 - FS18-585 - RM Parcel A13 - Final Plat - Staff Report
 2. 01 - FS18-585 - RM Parcel A13 - Final Plat
 3. FS18-585 - RM Parcel A13 - Final Plat - PowerPoint
-

Final Plat

REPORT TO THE CITY COUNCIL

1	Case:	FS18-585
2		
3	Project Name:	Rancho Mercado Parcel A13
4		
5	Council District:	1 – ACACIA
6		
7	Meeting Date:	September 5, 2019
8		
9	Planner:	Sergio Angulo
10		
11		
12	Owner:	Brookfield Holdings (Mercado), LLC
13		
14	Applicant:	William Lyon Homes
15		
16	Request:	Final Plat for Rancho Mercado Parcel A13
17		
18	Site Location:	North of Happy Valley Road and west of the 139 th Avenue
19		alignment
20		
21	Site Size:	16.739 Acres
22		
23	Density:	N/A
24		
25	General Plan	
26	Conformance:	The proposal is consistent with the Surprise General Plan 2035
27		as proposed under case FS18-585.
28		
29	Support/Opposition:	None known.
30		
31	Recommendation:	None

32 **Background:**

33
34 **November 10, 2007:** The subject property was annexed into the City of Surprise by the
35 Mayor and City Council.

36 **October 11, 2007:** The Mayor and City Council approved the Rancho Mercado Planned
37 Area Development (PAD).

38 **January 5, 2016:** The Mayor and City Council approved the Preliminary Plat for Rancho
39 Mercado Unit 1 which includes the subject property.

40 **March 10, 2016:** A Concept Review meeting was held for the current proposal under case
41 CR16-094.

42 **October 26, 2018:** The applicant filed a related request for a Final Plat under case FS18-
43 585, the subject case.

44 **Project Description:**

45
46 Brookfield Holdings (Mercado), LLC on behalf of William Lyon Homes, requests approval of
47 the Final Plat for Parcel A13 in the Rancho Mercado Planned Area Development (PAD).
48 The subject parcel is located north of Happy Valley Road and west of the 139th Avenue
49 alignment. Parcel A13 is zoned PAD and has a land use designation of Open Space/Park.
50 Onsite the applicant proposes a ramada, a pedestrian pathway, and an entry monument.

51
52 **Findings:**

- 53
54
 - The proposed Final Plat is consistent with the Surprise General Plan 2035.
 - The proposed Final Plat is consistent with the Rancho Mercado PAD and the SUDC.
 - The proposed Final Plat is in substantial conformance with the approved Preliminary
57 Plat under case FS15-069.

58
59 **Attachments:**

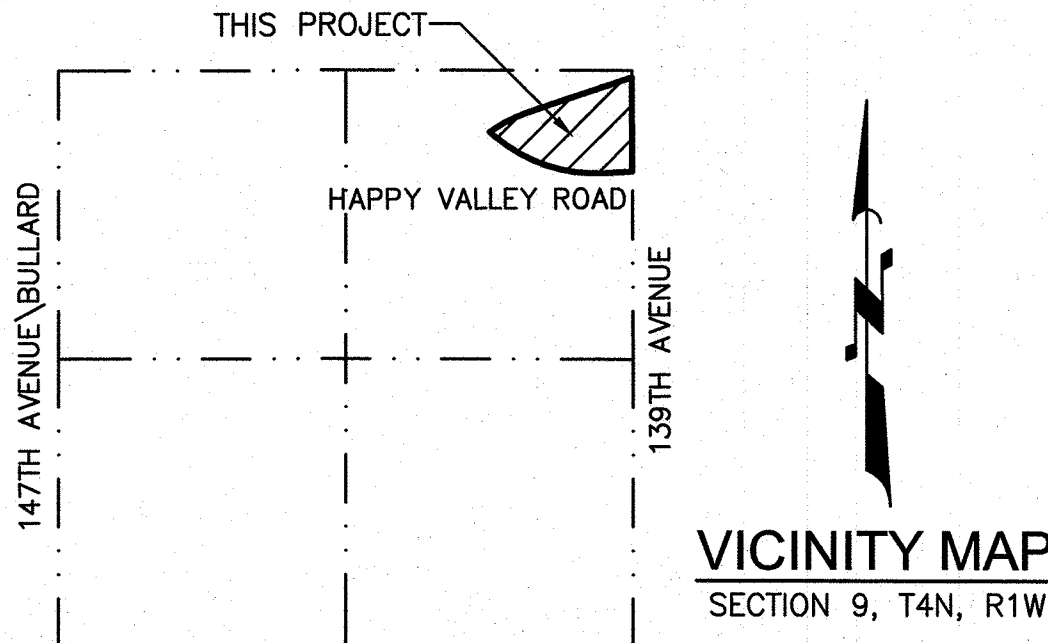
60
61 01 Final Plat

62
63 **Enclosure:**

64
65 Sealed mylars

k:\09001944\dwg\survey\final plat\013\08001944_rancho mercado parcel a13 fp.dwg Savedate:3/15/2019 8:40 AM Plotted:3/15/2019 9:39 AM
COPYRIGHT © 2019 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

FINAL PLAT
FOR
RANCHO MERCADO PARCEL A13
A PORTION OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 4
NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA



DEDICATION

STATE OF ARIZONA: }
COUNTY OF MARICOPA: } SS

KNOW ALL PERSONS BY THESE PRESENTS:

- THAT BROOKFIELD HOLDINGS (MERCADO) LLC, A DELAWARE LIMITED LIABILITY COMPANY, HEREINAFTER "OWNER", HAS SUBDIVIDED UNDER THE NAME "RANCHO MERCADO PARCEL A13", LOCATED WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND DOES HEREBY DECLARE THAT THIS FINAL PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH STREET AND EASEMENT CONSTITUTING SAME, AND THAT EACH STREET SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS FINAL 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.
- "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 FINAL PLAT FOR THE PURPOSE OF ACCESSING, 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 FINAL PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS FINAL 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 ODOR EASEMENT OVER, UPON AND ACROSS, THIS FINAL PLAT, WHICH EASEMENT SHALL INCLUDE, BUT NOT LIMITED TO, THE RIGHT TO INVADE WITH ODORS, FUMES, SMELLS, AND PHYSICAL AIRBORNE PARTICULATES CAUSED BY THE LAWFUL OPERATION AND MAINTENANCE OF THE CITY'S WATER RECLAMATION FACILITY.
- THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND PERPETUAL AND SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS FINAL PLAT OR ANY PARCEL THEREOF.
- "OWNER" HEREBY WARRANTS AND REPRESENTS TO THE CITY OF SURPRISE THAT IT IS THE SOLE OWNER OF THE PROPERTY COVERED BY THIS FINAL PLAT, AND THAT EVERY LENDER, EASEMENT HOLDER OR OTHER PERSON OR ENTITY HAVING ANY INTEREST THAT IS ADVERSE TO OR INCONSISTENT WITH THE FOREGOING DEDICATION, OR ANY OTHER REAL PROPERTY INTEREST CREATED OR TRANSFERRED BY THIS FINAL PLAT, HAS CONSENTED TO OR JOINED IN THIS FINAL PLAT AS EVIDENCED BY INSTRUMENTS WHICH ARE RECORDED WITH THE MARICOPA COUNTY RECORDERS OFFICE OR WHICH OWNER WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS FINAL PLAT IS RECORDED.
- "OWNER" HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL CROSS ACCESS EASEMENT ACROSS THE FINAL PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS AND ANY PROPERTY WITHIN THE FINAL PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY VEHICLES.
- "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 PARCEL A13, INCLUDING THE RIGHT OF INGRESS AND EGRESS ALONG AND ACROSS THE EASEMENT PREMISES, AS SHOWN ON THIS FINAL 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.
- PARCEL A13 IS NOT DEDICATED TO THE PUBLIC, BUT IS PLATTED AS COMMON PROPERTY DEDICATED TO THE RANCHO MERCADO COMMUNITY ASSOCIATION FOR THE USE AND ENJOYMENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION, AS MORE FULLY SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS.
- THE PARCEL PLATTED HEREON IS DEDICATED FOR THE PURPOSES AS NOTED IN THE PARCEL TABLE ON THIS FINAL PLAT AND SHALL BE MAINTAINED BY RANCHO MERCADO COMMUNITY ASSOCIATION.

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 _____, 2019.

BROOKFIELD HOLDINGS (MERCADO) LLC, A DELAWARE LIMITED LIABILITY COMPANY.

BY: _____

ITS: _____

NOTARY ACKNOWLEDGEMENT

STATE OF _____ }
COUNTY OF _____ } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019, BY ANDREW BRAUSA, THE SENIOR VICE PRESIDENT OF BROOKFIELD HOLDINGS (MERCADO) LLC, A DELAWARE LIMITED LIABILITY COMPANY, ON BEHALF OF THE COMPANY.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

RANCHO MERCADO COMMUNITY ASSOCIATION RATIFICATION

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

BY: _____ ITS PRESIDENT
KAREN BEACOM

NOTARY ACKNOWLEDGEMENT

STATE OF ARIZONA: }
COUNTY OF MARICOPA: } SS

ON THIS _____ DAY OF _____, 2019, KAREN BEACOM PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HERSELF TO BE THE PRESIDENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION, AND THAT SHE, AS PRESIDENT, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

BY: _____ MY COMMISSION EXPIRES _____ DATE
NOTARY PUBLIC

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2019, 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 _____, 2019.

MAYOR DATE

ATTEST:

CITY CLERK DATE

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.

SHEET INDEX

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

OWNER

BROOKFIELD HOLDINGS (MERCADO) LLC,
A DELAWARE LIMITED LIABILITY COMPANY
250 VESEY STREET, 15TH FLOOR
NEW YORK, NEW YORK 10281
PHONE NO: 212-301-2393
CONTACT: ANDREW BRAUSA, SENIOR VICE PRESIDENT

RELEASE OF LIABILITY

- BROOKFIELD HOLDINGS (MERCADO) LLC, A DELAWARE LIMITED LIABILITY COMPANY "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.
- THE CITY OF SURPRISE AGREES TO INDEMNIFY BROOKFIELD HOLDINGS (MERCADO) LLC, A DELAWARE LIMITED LIABILITY COMPANY "OWNER", 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 NEGLIGENT CONDUCT OF BROOKFIELD HOLDINGS (MERCADO) LLC, A DELAWARE LIMITED LIABILITY COMPANY "OWNER", ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF ITS SUCCESSORS AND ASSIGNS THAT WAS THE DIRECT CAUSE OF THE INJURY TO THE USER.

100 YEAR ASSURED WATER SUPPLY LANGUAGE

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

GENERAL NOTES

- 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.
- NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
- THIS FINAL PLAT IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT APPROVED BY THE CITY OF SURPRISE UNDER CASE FS15-069.
- A PORTION OF THE PROPERTY IS LOCATED WITHIN THE AREA HAVING FLOOD ZONES "X", "A" AND "AE", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAPS NO. 04013C1210L AND NO. 04013C1230L, WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED, AS MAY BE AMENDED FROM TIME TO TIME.
- THE MAINTENANCE OF THE LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPE MEDIANS WITHIN COLLECTORS AND LOCAL STREETS AND LANDSCAPE 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 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.
- LANDSCAPING MAINTENANCE WITHIN THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE THE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.
- THIS FINAL PLAT IS IN SUBSTANTIAL CONFORMANCE WITH THE DEVELOPMENT STANDARDS PER FS10-210.

BASIS OF BEARING

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

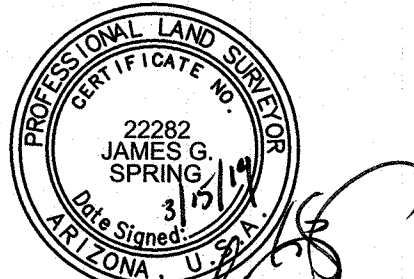
SURVEYOR'S CERTIFICATION

I, JAMES G. SPRING, PLS 22282, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS MAP OF DEDICATION CONSISTING OF TWO SHEETS REPRESENTS A SURVEY PREPARED UNDER MY SUPERVISION DURING THE MONTH OF MARCH, 2019; THAT THE SURVEY IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT THE EXTERIOR BOUNDARY MONUMENTS ACTUALLY EXIST AS SHOWN AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

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

NOTE:

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



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

FINAL PLAT
RANCHO MERCADO
PARCEL A13
CITY OF SURPRISE, ARIZONA

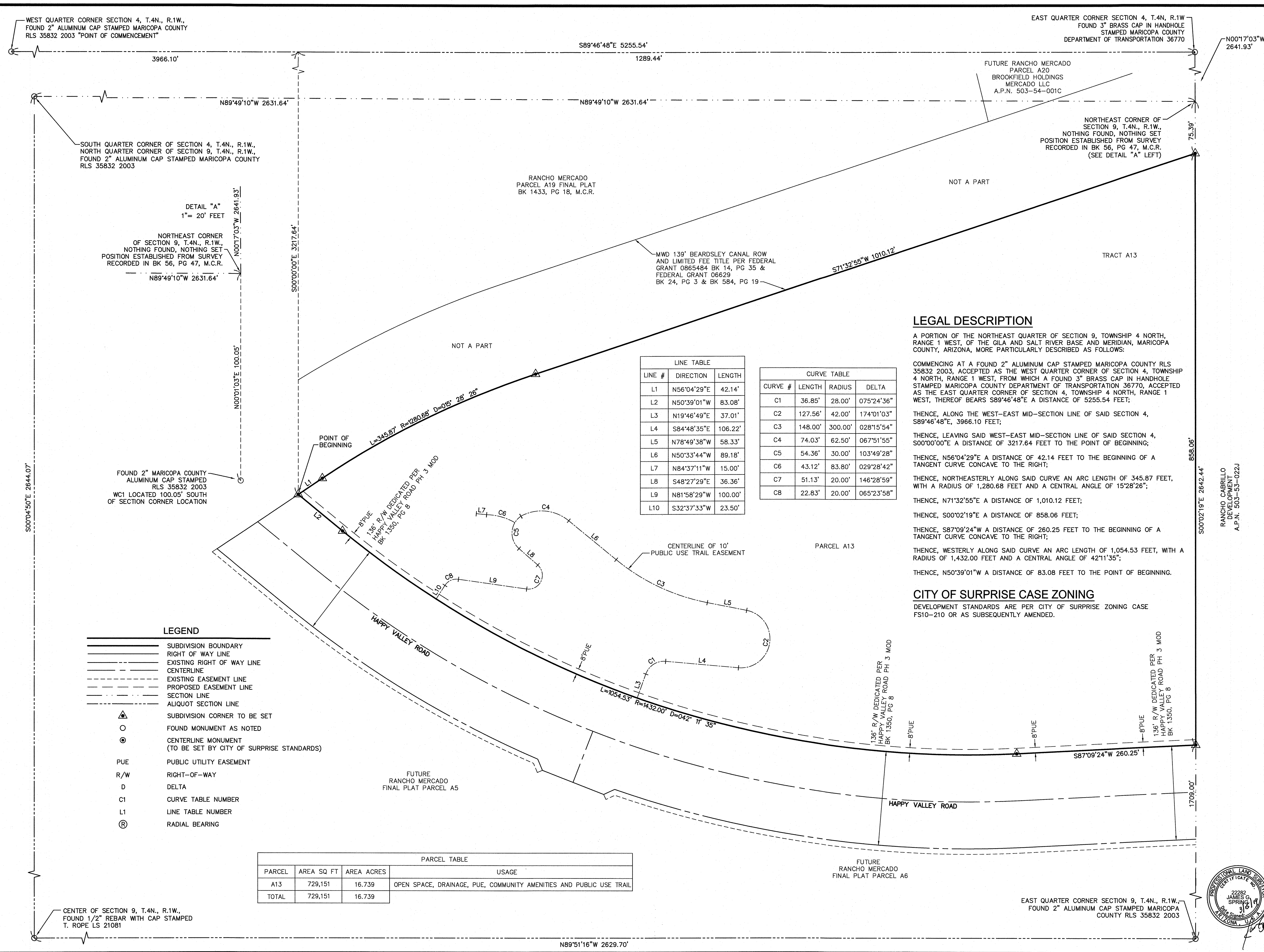
MARCH 2019

REVISIONS:

PM. J. SPRING
DR. R. GILES
JOB NO. 09002605
N.T.S.

SHEET NO.

1 OF 2

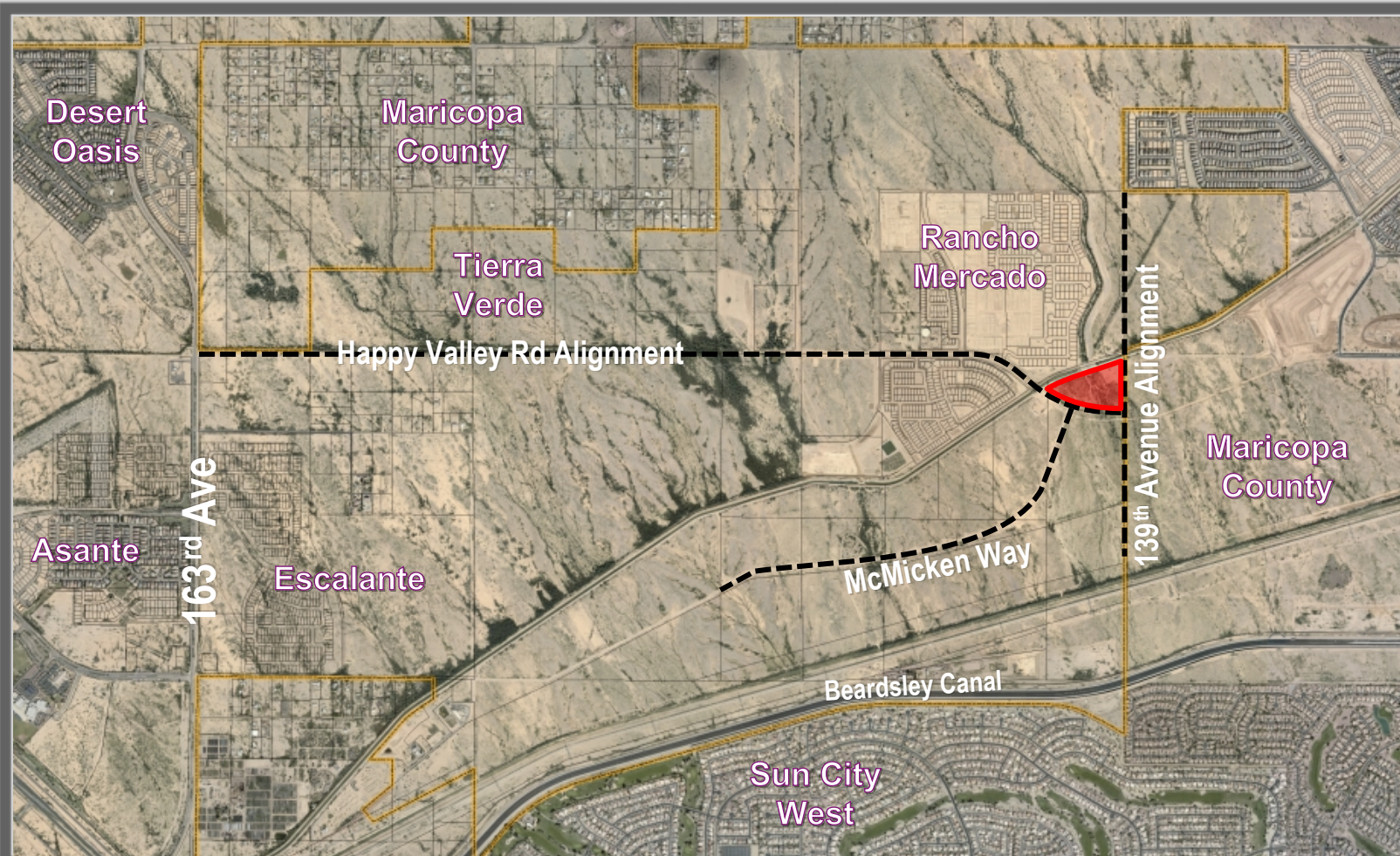


 ATWELL 866.850.4200 www.atwell-group.com 4700 E. SOUTHERN AVENUE MESA, AZ 85209 480.218.8831	COUNTY: MARICOPA	
	SECTION: 9	
	TOWNSHIP: 4 NORTH	
	RANGE: 1 WEST	
	FINAL PLAT	
	RANCHO MERCADO PARCEL A13 CITY OF SURPRISE, ARIZONA	
MARCH 2019		
REVISIONS:		
 ATWELL		
P.M.	J. SPRING	
D.R.	R. GILES	
JOB NO. 09002605		
SCALE	0 30 60 1" = 60 FEET	
CORRYA RANCHO MERCADO PARCELS AND PLATS		
SHEET NO.	2 OF 2	

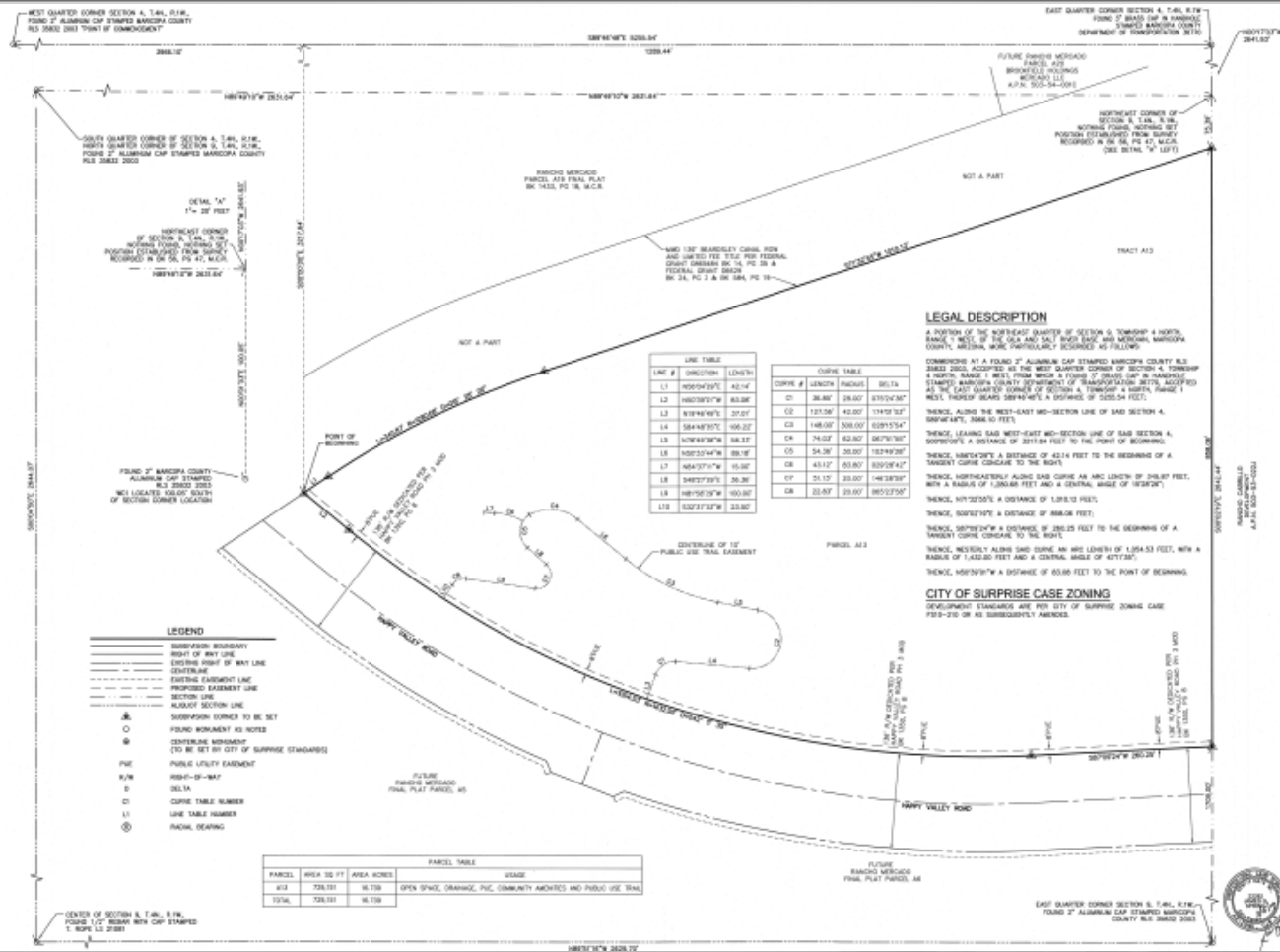


Rancho Mercado A13 Final Plat

City Council
September 5, 2019



VICINITY MAP



FINAL PLAT



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: September 5, 2019 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "McMicken Way" dated June 28, 2019, a property located in the Rancho Mercado PAD.

Motion:

I move to approve the Final Plat entitled, " McMicken Way" dated June 28, 2019.

Background:

Brookfield Holdings (Mercado), LLC on behalf of William Lyon Homes, seeks approval of a Final Plat that will dedicate 12.936 acres of right-of-way for McMicken Way in the Rancho Mercado PAD.

Objective Analysis:

This Final Plat will dedicate 12.936 acres of right-of-way for McMicken Way.

Policy Compliant:

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

Financial Impact:

This item does not have a direct financial impact, however 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 staffing levels.

ATTACHMENTS:

1. 00 - FS18-673 - McMicken Way - Final Plat - Staff Report
2. 01 - FS18-673 - McMicken Way - Final Plat
3. FS18-673 - McMicken Way - Final Plat - PowerPoint
4. Memo of Valuation RW value FS18-673 Final Plat for Rancho Mercado Phase 2 McMicken Way MOD

Final Plat

REPORT TO THE CITY COUNCIL

1 **Case:** **FS18-673**
2
3 **Project Name:** Rancho Mercado Phase 2 – McMicken Way Final Plat
4
5 **Council District:** **1 – ACACIA**
6
7 **Meeting Date:** **September 5, 2019**
8
9 **Planner:** Sergio Angulo
10
11
12 **Owner:** Brookfield Holdings (Mercado), LLC
13
14 **Applicant:** William Lyon Homes
15
16 **Request:** Final Plat for McMicken Way
17
18 **Site Location:** McMicken Way Alignment in Rancho Mercado
19
20 **Site Size:** 14.859 Acres
21
22 **Density:** N/A
23
24 **General Plan**
25 **Conformance:** The proposal is consistent with the Surprise General Plan 2035
26 as proposed under case FS18-673.
27
28 **Support/Opposition:** None known.
29
30 **Recommendation:** None

31 **Background:**

32
33 **November 10, 2007:** The subject property was annexed into the City of Surprise by the
34 Mayor and City Council.

35 **October 11, 2007:** The Mayor and City Council approved the Rancho Mercado Planned
36 Area Development (PAD).

37 **January 5, 2016:** The Mayor and City Council approved the Preliminary Plat for Rancho
38 Mercado Unit 1 which includes the subject property.

39 **March 10, 2016:** A Concept Review meeting was held for the current proposal under case
40 CR16-094.

41 **December 12, 2018:** The applicant filed a related request for a Final Plat under case FS18-
42 673, the subject case.

43 **Project Description:**

44
45 Brookfield Holdings (Mercado), LLC on behalf of William Lyon Homes, requests approval of
46 a Final Plat that will dedicate 12.936 acres of right-of-way for McMicken Way in the Rancho
47 Mercado Planned Area Development. McMicken Way is a collector street along that will
48 connect from Happy Valley Road to the western boundary of Parcel A1 in Rancho Mercado.
49 This Final Plat also includes Tract 'A' along the south side of the street for a Public Utility
50 Easement (PUE) and landscape.

51
52 **Findings:**

- 53
54 • The proposed Final Plat is consistent with the Surprise General Plan 2035.
55 • The proposed Final Plat is consistent with the Rancho Mercado PAD and the SUDC.
56 • The proposed Final Plat is in substantial conformance with the approved Preliminary
57 Plat under case FS15-069.

58
59 **Attachments:**

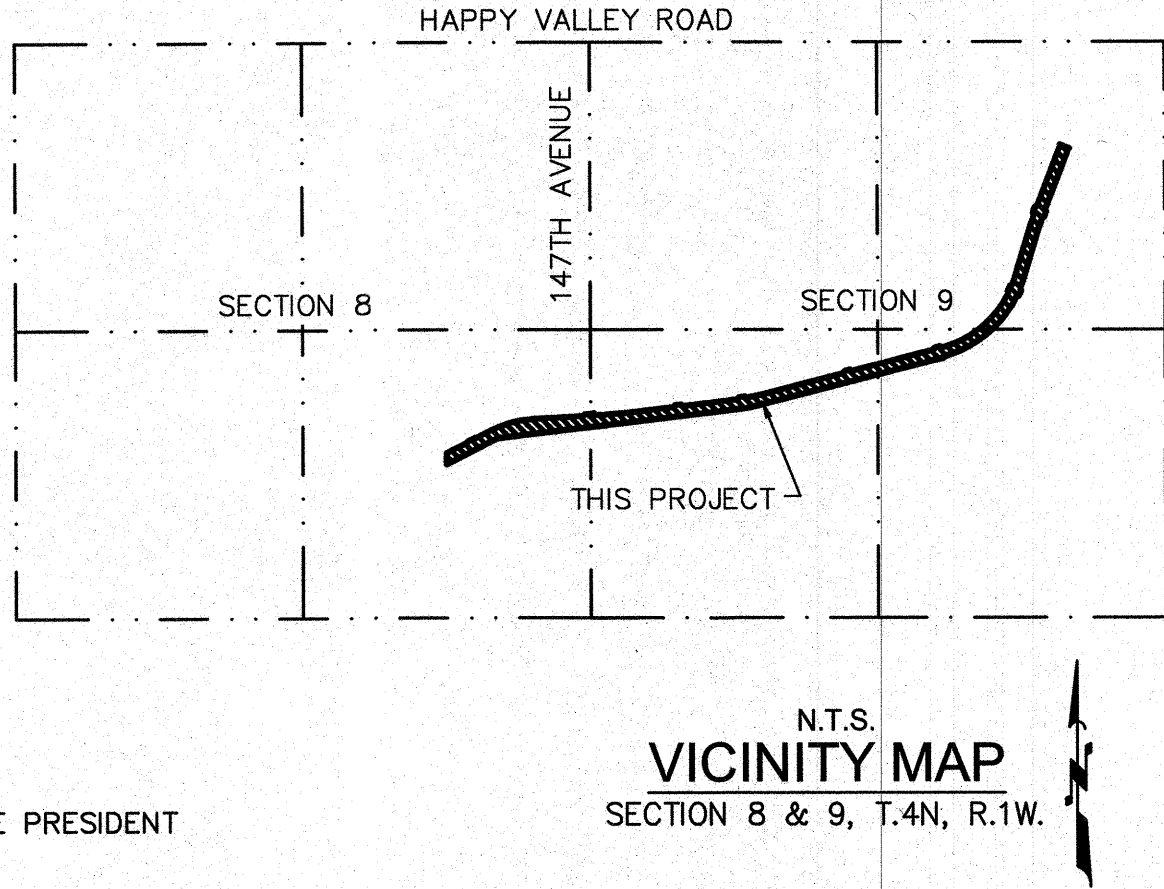
60
61 01 Final Plat

62
63 **Enclosure:**

64
65 Sealed mylars

FINAL PLAT FOR MCMICKEN WAY

A PORTION OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 WEST &
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 4 NORTH, RANGE 1 WEST
OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA



OWNER

BROOKFIELD HOLDINGS (MERCADO) LLC,
A DELAWARE LIMITED LIABILITY COMPANY
250 VESEY STREET, 15TH FLOOR
NEW YORK, NEW YORK 10281
PHONE NO: 212-301-2393
CONTACT: ANDREW BRAUSA, SENIOR VICE PRESIDENT

RELEASE OF LIABILITY

- BROOKFIELD HOLDINGS (MERCADO) LLC, A DELAWARE LIMITED LIABILITY COMPANY "OWNER" DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIRFORCE ("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.
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- BROOKFIELD HOLDINGS (MERCADO) LLC, A DELAWARE LIMITED LIABILITY COMPANY "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.

100 YEAR ASSURED WATER SUPPLY LANGUAGE

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

GENERAL NOTES

- IN ACCORDANCE WITH A.R.S. § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS FINAL PLAT ARE IN CONFORMANCE WITH THE CITY OF SURPRISE GENERAL PLAN.
- PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND #14710, WHEN APPLICABLE.
- NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
- THIS FINAL PLAT IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT APPROVED BY THE CITY OF SURPRISE UNDER CASE FS15-069.
- A PORTION OF THE PROPERTY IS LOCATED WITHIN THE AREA HAVING FLOOD ZONES "X", "A" AND "AE", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAPS NO. 04013C1210L AND NO. 04013C1230L, WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 2013. FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED, AS MAY BE AMENDED FROM TIME TO TIME.
- THE MAINTENANCE OF THE 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 THE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.
- THIS FINAL PLAT IS IN SUBSTANTIAL CONFORMANCE WITH FS10-210.
- THE MAINTENANCE OF THE 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.

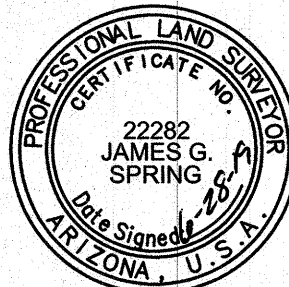
BASIS OF BEARING

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

SURVEYOR'S CERTIFICATION

I, JAMES G. SPRING, PLS 22282, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS FINAL PLAT CONSISTING OF TEN SHEETS REPRESENTS A SURVEY PREPARED UNDER MY SUPERVISION DURING THE MONTH OF JUNE, 2019; THAT THE SURVEY IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT THE EXTERIOR BOUNDARY MONUMENTS ACTUALLY EXIST AS SHOWN AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

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



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

DEDICATION

STATE OF ARIZONA: }
COUNTY OF MARICOPA: } SS

KNOW ALL PERSONS BY THESE PRESENTS:

- BROOKFIELD HOLDINGS (MERCADO) LLC, A DELAWARE LIMITED LIABILITY COMPANY, HEREINAFTER "OWNER", HAS SUBDIVIDED UNDER THE NAME "MCMICKEN WAY", LOCATED WITHIN A PORTION OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 WEST & A PORTION OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AND DOES HEREBY DECLARE THAT THIS FINAL PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH STREET, TRACT AND EASEMENT CONSTITUTING SAME, AND THAT EACH STREET AND TRACT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS FINAL PLAT.
- "OWNER" HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE FINAL 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, MARICOPA COUNTY, ARIZONA AND DOES HEREBY DECLARE THAT THIS FINAL PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH STREET, TRACT AND EASEMENT CONSTITUTING SAME, AND THAT EACH STREET AND TRACT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS FINAL PLAT.
- "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 FINAL PLAT FOR THE PURPOSE OF ACCESSING, 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 FINAL PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS FINAL 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 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.
- 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 FINAL PLAT OR ANY PARCEL THEREOF.
- "OWNER" HEREBY WARRANTS AND REPRESENTS TO THE CITY OF SURPRISE THAT IT IS THE SOLE OWNER OF THE PROPERTY COVERED BY THIS FINAL PLAT, AND THAT EVERY LENDER, EASEMENT HOLDER OR OTHER PERSON OR ENTITY HAVING ANY INTEREST THAT IS ADVERSE TO OR INCONSISTENT WITH THE FOREGOING DEDICATION, OR ANY OTHER REAL PROPERTY INTEREST CREATED OR TRANSFERRED BY THIS FINAL PLAT, HAS CONSENTED TO OR JOINED IN THIS FINAL PLAT AS EVIDENCED BY INSTRUMENTS WHICH ARE RECORDED WITH THE MARICOPA COUNTY RECORDERS OFFICE OR WHICH OWNER WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS FINAL PLAT IS RECORDED.
- "OWNER" HEREBY GRANTS TO THE RANCHO MERCADO COMMUNITY ASSOCIATION TRACT "A" AS A PART OF THIS FINAL PLAT. TRACT "A" SHALL BE USED FOR THE PURPOSES OF DRAINAGE AND PUBLIC UTILITY EASEMENTS.
- "OWNER" HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL CROSS ACCESS EASEMENT ACROSS THE FINAL 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 EMERGENCY 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 _____, 2019.

BROOKFIELD HOLDINGS (MERCADO) LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY _____ ITS SENIOR VICE PRESIDENT
ANDREW BRAUSA

NOTARY ACKNOWLEDGEMENT

STATE OF ARIZONA: }
COUNTY OF MARICOPA: } SS

ON THIS _____ DAY OF _____, 2019, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC APPEARED ANDREW BRAUSA OF BROOKFIELD HOLDINGS (MERCADO) LLC, A DELAWARE LIMITED LIABILITY COMPANY, WHO ACKNOWLEDGED HIMSELF TO BE THE SENIOR VICE PRESIDENT, AND THAT HE EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

BY: _____ MY COMMISSION EXPIRES _____ DATE
NOTARY PUBLIC

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.

RANCHO MERCADO COMMUNITY ASSOCIATION RATIFICATION

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

BY: _____ ITS PRESIDENT
KAREN BEACOM

NOTARY ACKNOWLEDGEMENT

STATE OF ARIZONA: }
COUNTY OF MARICOPA: } SS

ON THIS _____ DAY OF _____, 2019, KAREN BEACOM PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HERSELF TO BE THE PRESIDENT OF THE RANCHO MERCADO COMMUNITY ASSOCIATION, AND THAT SHE, AS PRESIDENT, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

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

BY: _____ MY COMMISSION EXPIRES _____ DATE
NOTARY PUBLIC

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2019, 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 _____, 2019.

MAYOR

ATTEST: _____ DATE

CITY CLERK

AREA CALCULATIONS

RIGHT OF WAY	563,492 SQ.FT.	12.936 AC
TRACT A	83,784 SQ.FT.	1.923 AC
TOTAL	647,275 SQ.FT.	14.859 AC

SHEET INDEX

DESCRIPTION	SHEET NO
COVER SHEET	1
KEYMAP	2
PLAT SHEETS	3, 4, 5, 6, 7, 8 & 9
LEGAL DESCRIPTION	10

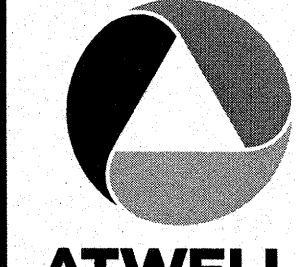


COUNTY: MARICOPA
SECTION: 8 & 9
TOWNSHIP: 4 NORTH
RANGE: 1 WEST

FINAL PLAT
MCMICKEN WAY
CITY OF SURPRISE, ARIZONA

JUNE 2019

REVISIONS:



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

N.T.S.

09001944 MOD MCMICKEN WAY.DWG

SHEET
NO.
1 OF 10

AREA TABLE			
TRACT	AREA SQ FT	AREA ACRES	USAGE
TRACT A	83784	1.923	PUE AND DRAINAGE

YEARLING ROAD
BASIS OF BEARING
S89°46'48"E 5255.54'

WEST QUARTER CORNER SECTION 4, T.4N., R.1W.,
FOUND 2" ALUMINUM CAP STAMPED MARICOPA COUNTY
RLS 35832 2003 "POINT OF COMMENCEMENT"

EAST QUARTER CORNER SECTION 4, T.4N., R.1W.
FOUND 3" BRASS CAP IN HANDHOLE
STAMPED MARICOPA COUNTY DEPARTMENT OF
TRANSPORTATION 36770

NORTH QUARTER CORNER OF SECTION 8, T.4N., R.1W.,
FOUND 2" ALUMINUM CAP STAMPED MARICOPA COUNTY
RLS 35832 2003

NORTH QUARTER CORNER OF SECTION 9, T.4N., R.1W.,
FOUND 2" ALUMINUM CAP STAMPED MARICOPA COUNTY
RLS 35832 2003

LEGEND

	SUBDIVISION BOUNDARY
	FUTURE RIGHT OF WAY LINE 147TH AVE
	EXISTING RIGHT OF WAY LINE
	EXISTING BEARDSLEY CANAL R/W
	FUTURE RANCHO MERCADO BOUNDARY LINE
	CENTERLINE
	EXISTING EASEMENT LINE
	PROPOSED EASEMENT LINE
	SECTION LINE
	ALIQUOT SECTION LINE
	SUBDIVISION CORNER TO BE SET
	FOUND MONUMENT AS NOTED
	CENTERLINE MONUMENT (TO BE SET BY CITY OF SURPRISE STANDARDS)
	PUE PUBLIC UTILITY EASEMENT
	R/W RIGHT-OF-WAY
	D DELTA
	C1 CURVE TABLE NUMBER
	L1 LINE TABLE NUMBER
	M.C.R. MARICOPA COUNTY RECORDS

MWD 139' BEARDSLEY CANAL R/W
AND LIMITED FEE TITLE CONCRETE DITCH
PER FEDERAL GRANT 0865484
BK 14, PG 35 & FEDERAL GRANT 06629
BK 24, PG 3 & BK 584, PG 19, M.C.R.

WEST CORNER SECTION 9, T.4N., R.1W.,
EAST CORNER SECTION 8, T.4N., R.1W.,
FOUND 2" ALUMINUM CAP
STAMPED RLS 35832 2003

MANDOU FAMILY TRUST
APN 503-69-010D

KAMARATA ARLENE G. TRUST
APN 503-69-003A

CENTER OF SECTION 9, T.4N., R.1W.,
FOUND 1/2" REBAR WITH CAP STAMPED
T. ROPE LS 21081

WEST QUARTER CORNER OF SECTION 8, T.4N., R.1W.,
FOUND 3 1/4" BRASS CAP STAMPED BLM 1964

FOUND 1/2" REBAR
WITH CAP RLS 19344

FUTURE
RANCHO MERCADO
FINAL PLAT PARCEL A1

FUTURE
RANCHO MERCADO
FINAL PLAT PARCEL A2

FUTURE
RANCHO MERCADO
FINAL PLAT PARCEL A3

FUTURE
RANCHO MERCADO
FINAL PLAT PARCEL A4

FUTURE
RANCHO MERCADO
FINAL PLAT PARCEL A5

FUTURE
RANCHO MERCADO
FINAL PLAT PARCEL A6

EAST QUARTER CORNER OF
SECTION 9, T.4N., R.1W.,
FOUND 2" M.C. ALUMINUM CAP
STAMPED RLS 35832 2003

MARICOPA COUNTY
FLOOD CONTROL DISTRICT
APN 503-69-011D

MARICOPA COUNTY
FLOOD CONTROL DISTRICT
APN 503-69-001

SOUTH QUARTER CORNER OF SECTION 8, T.4N., R.1W.,
FOUND 2" IRON PIPE STAMPED LS 21080

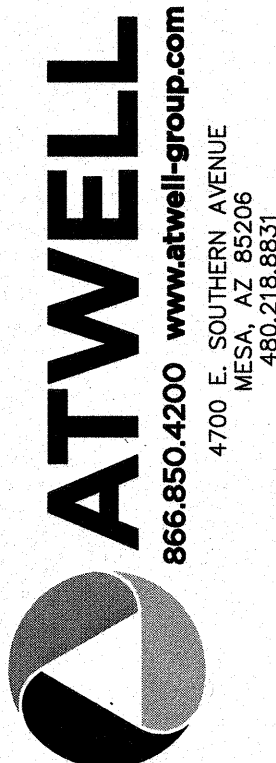
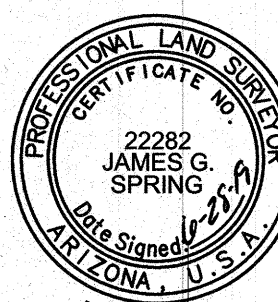
SOUTHWEST CORNER SECTION 9, T.4N., R.1W.,
SOUTHEAST CORNER SECTION 8, T.4N., R.1W.,
FOUND 2" ALUMINUM CAP STAMPED LS 33307 2011

SOUTH QUARTER CORNER OF
SECTION 9, T.4N., R.1W.,
NOTHING FOUND, NOTHING SET

SOUTHEAST CORNER OF
SECTION 9, T.4N., R.1W.,
NOTHING FOUND, NOTHING SET

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	393.06'	940.00'	023°57'30"
C2	121.31'	1960.00'	003°32'46"
C3	73.77'	1335.85'	003°09'51"
C4	79.57'	1415.00'	003°13'18"
C5	148.01'	1161.17'	007°18'12"
C6	801.64'	960.00'	047°50'40"
C7	78.16'	960.00'	004°39'54"
C8	71.84'	1540.00'	002°40'22"
C9	65.84'	1460.00'	002°35'02"
C10	88.29'	1040.00'	004°51'50"
C11	889.42'	1040.00'	048°59'59"

LINE TABLE			LINE TABLE			LINE TABLE		
LINE #	DIRECTION	LENGTH	LINE #	DIRECTION	LENGTH	LINE #	DIRECTION	LENGTH
L1	N62°54'20"E	214.21'	L18	N87°09'55"E	74.71'	L35	N22°48'00"W	11.14'
L2	N17°54'15"E	9.19'	L19	S53°15'53"E	5.65'	L36	S68°42'49"E	95.50'
L3	N62°54'20"E	74.00'	L20	N75°39'09"E	760.67'	L37	S65°22'22"W	11.14'
L4	S72°05'45"E	9.19'	L21	N31°37'33"E	6.99'	L38	S21°17'11"W	588.83'
L5	N62°54'20"E	155.85'	L22	N73°13'33"E	74.33'	L39	S23°42'49"E	8.77'
L6	N86°51'50"E	467.81'	L23	S58°22'27"E	11.14'	L40	S20°29'17"W	74.05'
L7	N43°21'50"E	19.99'	L24	N30°39'09"E	9.16'	L41	S65°35'24"W	9.43'
L8	N83°29'18"E	87.79'	L25	N75°35'05"E	74.04'	L42	S16°59'43"W	518.49'
L9	S46°38'10"E	26.10'	L26	S59°35'09"E	9.13'	L43	S22°51'05"E	11.21'
L10	N86°51'50"E	107.24'	L27	N19°08'17"W	7.93'	L44	S26°25'16"W	73.99'
L11	N83°19'04"E	483.13'	L28	N23°03'39"E	74.14'	L45	S69°17'19"W	7.66'
L12	N38°19'04"E	9.19'	L29	N68°51'12"E	9.96'	L46	S14°20'51"E	10.00'
L13	N83°19'04"E	74.03'	L30	N16°59'43"E	518.49'	L47	S62°55'40"W	516.79'
L14	S51°32'11"E	9.17'	L31	N24°22'27"W	8.97'	L48	N00°09'25"W	102.25'
L15	N80°05'46"E	100.60'	L32	N20°32'10"E	73.96'	L49	N00°01'03"E	100.05'
L16	N83°19'04"E	246.25'	L33	N66°17'11"E	9.58'			
L17	N36°35'44"E	12.25'	L34	N21°17'11"E	588.83'			



COUNTY: MARICOPA
SECTION: 8 & 9
TOWNSHIP: 4 NORTH
RANGE: 1 WEST

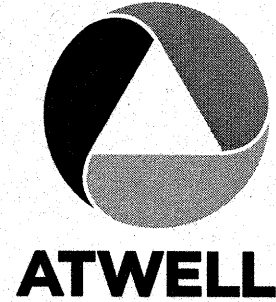
FINAL PLAT

MCMICKEN WAY

CITY OF SURPRISE, ARIZONA

JUNE 2019

REVISIONS:



PM. J. SPRING
DR. R. GILES

JOB NO.
09001944

SCALE 0 150 300
1" = 300 FEET

09001944 MOD MCMICKEN WAY

SHEET NO.

2 OF 10

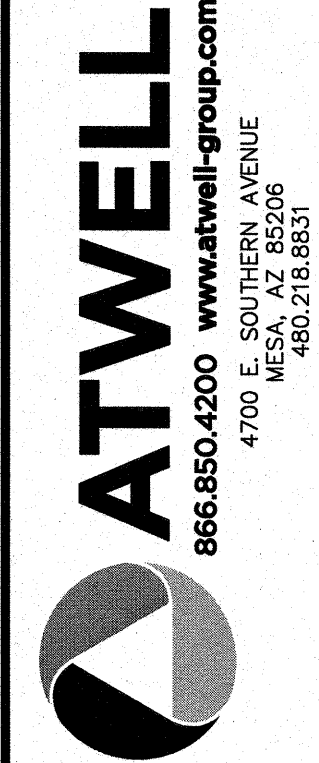
STATE TRUST LAND

FUTURE
RANCHO MERCADO
FINAL PLAT PARCEL A1

MARICOPA COUNTY
FLOOD CONTROL DISTRICT
APN 503-69-001

TRACT A

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N17°54'15"E	9.19'
L2	N62°54'20"E	74.00'
L3	S72°05'45"E	9.19'
L4	N27°05'40"W	46.50'

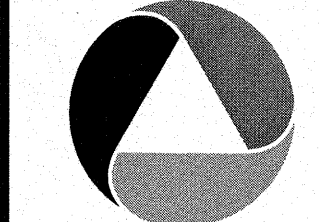


COUNTY: MARICOPA
SECTION: 8 & 9
TOWNSHIP: 4 NORTH
RANGE: 1 WEST

FINAL PLAT
MCMICKEN WAY
CITY OF SURPRISE, ARIZONA

JUNE 2019

REVISIONS:

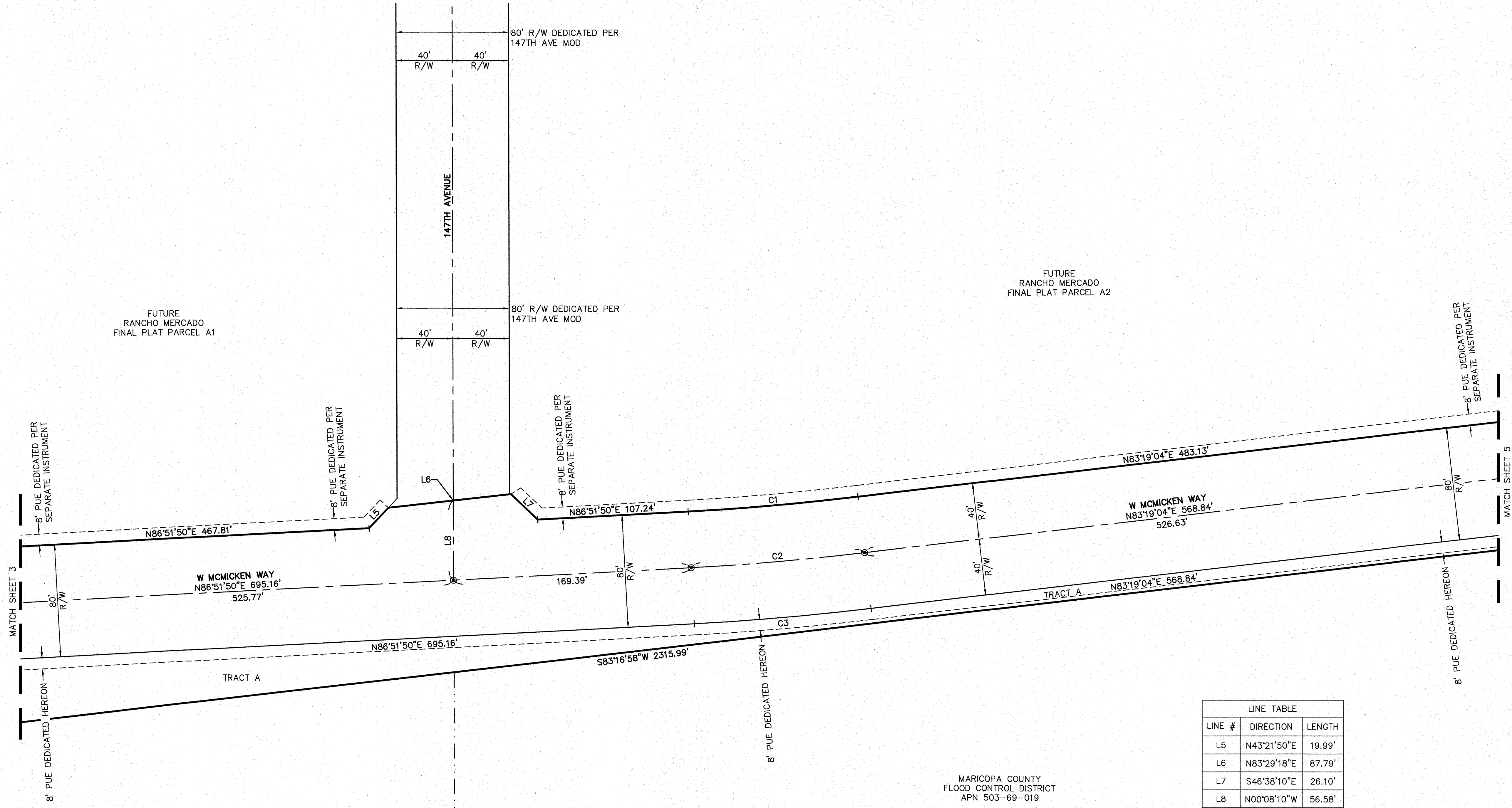


PM. J. SPRING
DR. R. GILES
JOB NO.
09001944

SCALE 0 20 40
1" = 40 FEET

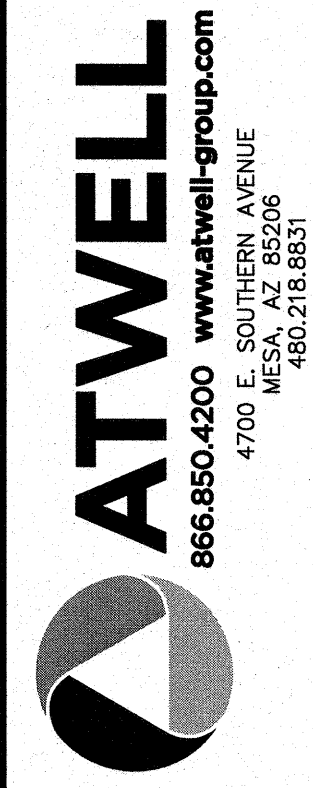
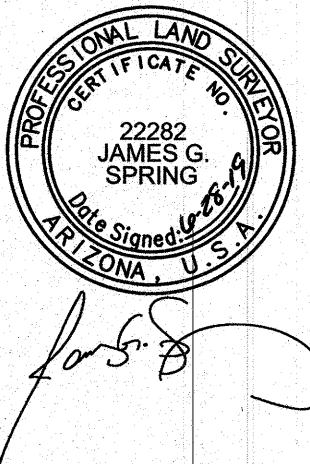
09001944 MOD MCMICKEN WAY.DWG

SHEET NO.
3 OF 10



LINE TABLE		
LINE #	DIRECTION	LENGTH
L5	N43°21'50"E	19.99'
L6	N83°29'18"E	87.79'
L7	S46°38'10"E	26.10'
L8	N00°08'10"W	56.58'

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	121.31'	1960.00'	003°32'46"
C2	123.78'	2000.00'	003°32'46"
C3	126.26'	2040.00'	003°32'46"



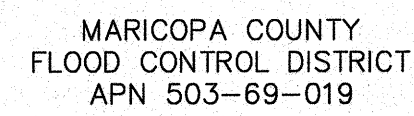
COUNTY: MARICOPA
SECTION: 8 & 9
TOWNSHIP: 4 NORTH
RANGE: 1 WEST

FINAL PLAT
MCMICKEN WAY
CITY OF SURPRISE, ARIZONA

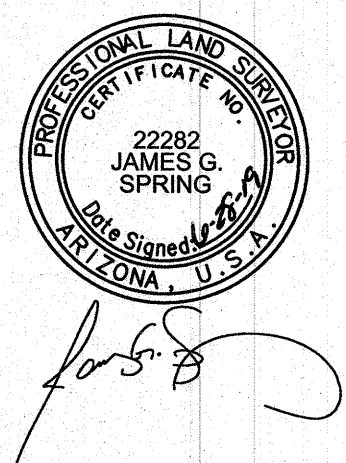
JUNE 2019

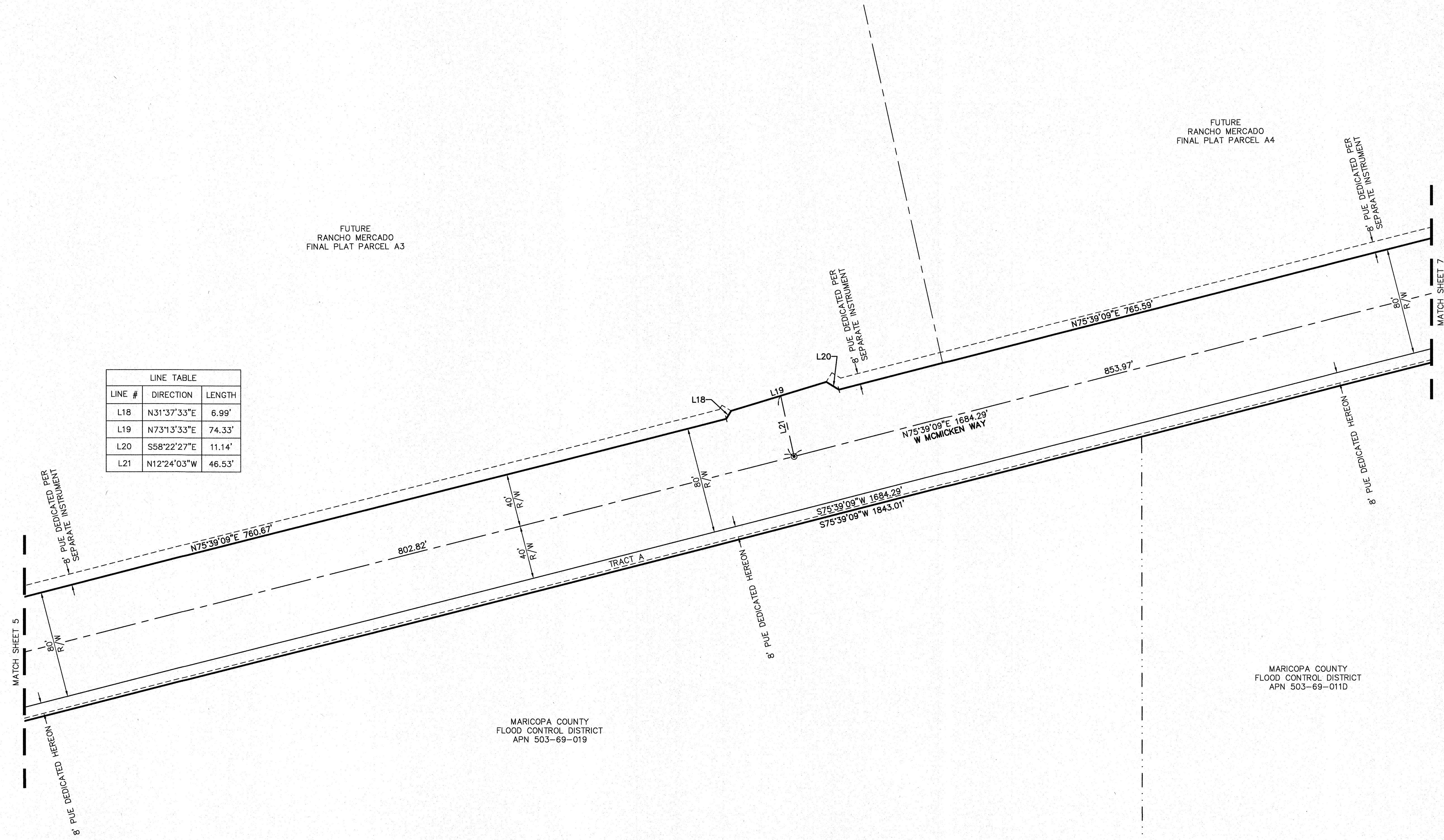
REVISIONS:

PM.	J. SPRING
DR.	R. GILES
JOB NO.	09001944
SCALE	0 20 40 1" = 40 FEET
09001944 MOD MCMICKEN WAY.DWG	
SHEET NO.	4 OF 10

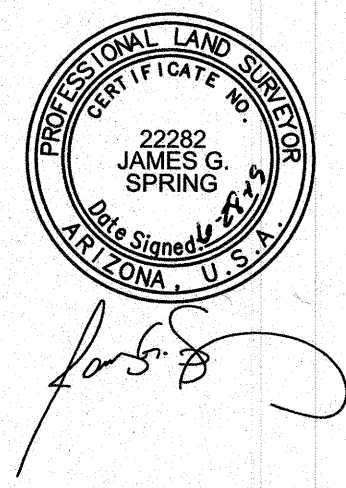


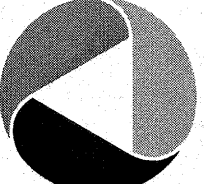
CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C4	73.77'	1335.85'	003°09'51"
C5	79.57'	1415.00'	003°13'18"
C8	75.07'	1335.00'	003°13'18"
C9	79.57'	1415.00'	003°13'18"
C22	77.32'	1375.00'	003°13'18"
C23	77.32'	1375.00'	003°13'18"
C24	26.99'	500.00'	003°05'34"





LINE TABLE		
LINE #	DIRECTION	LENGTH
L18	N31°37'33"E	6.99'
L19	N73°13'33"E	74.33'
L20	S58°22'27"E	11.14'
L21	N12°24'03"W	46.53'



**ATWELL**
866.850.4200 www.atwell-group.com
4700 E. SOUTHERN AVENUE
MESA, ARIZONA 85206
480.218.8831

COUNTY: MARICOPA

SECTION: 8 & 9

TOWNSHIP: 4 NORTH

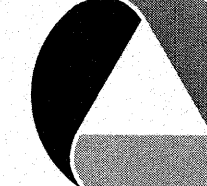
RANGE: 1 WEST

FINAL PLAT

MCMICKEN WAY
CITY OF SURPRISE, ARIZONA

JUNE 2019

REVISIONS:

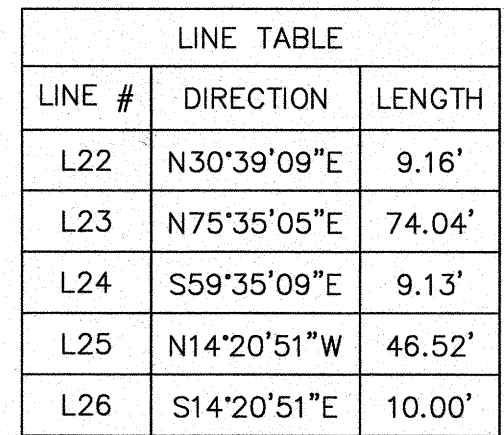
**ATWELL**

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

SCALE 0 20 40
1" = 40 FEET

09001944 MOD MCMICKEN WAY.DWG

SHEET NO.
6 OF 10



FUTURE
RANCHO MERCADO
FINAL PLAT PARCEL A6

MARICOPA COUNTY
FLOOD CONTROL DISTRICT
APN 503-69-011D

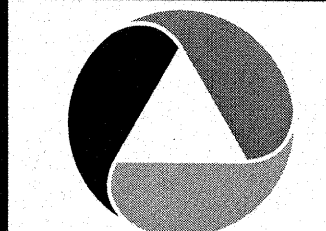


COUNTY: MARICOPA
SECTION: 8 & 9
TOWNSHIP: 4 NORTH
RANGE: 1 WEST

FINAL PLAT
MCMICKEN WAY
CITY OF SURPRISE, ARIZONA

JUNE 2019

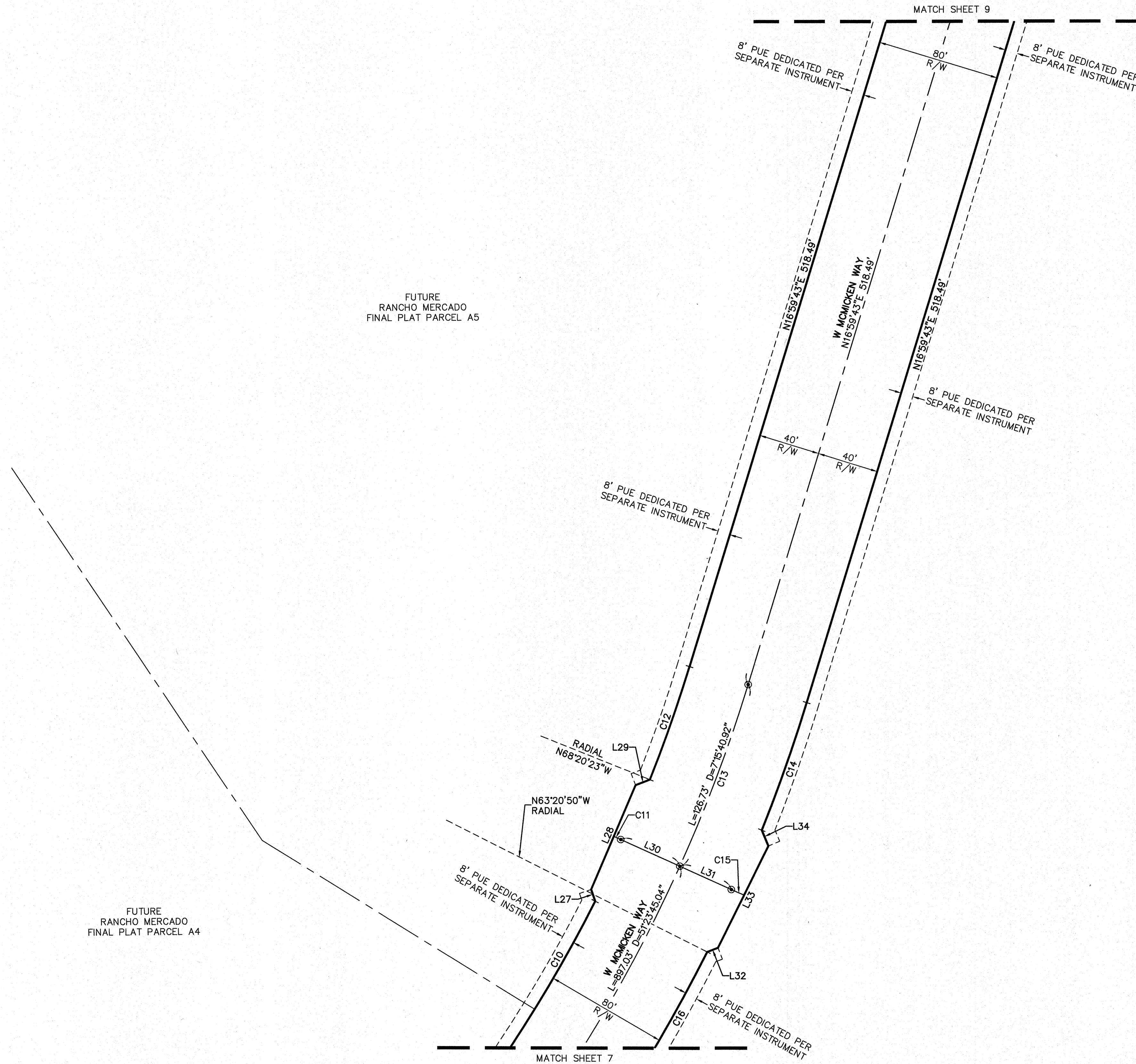
REVISIONS:



1" = 40 FEET

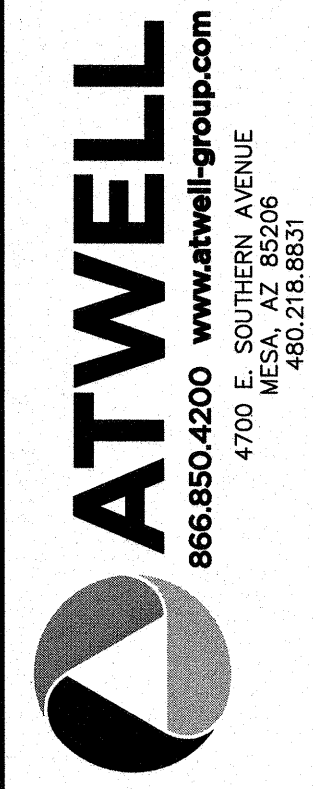
09001944 MOD MCWICKEN WAY.DWG

SHEET
NO.



LINE TABLE		
LINE #	DIRECTION	LENGTH
L27	N19°08'17"W	7.93'
L28	N23°03'39"E	74.14'
L29	N68°51'12"E	9.96'
L30	N65°44'36"W	42.26'
L31	N65°44'36"W	36.85'
L32	S69°17'19"W	7.66'
L33	S26°25'16"W	73.99'
L34	S22°51'05"E	11.21'

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C10	801.64'	960.00'	047°50'40"
C11	4.96'	300.00'	000°56'48"
C12	78.16'	960.00'	004°39'54"
C13	1023.76'	1000.00'	058°39'26"
C14	88.29'	1040.00'	004°51'50"
C15	9.10'	300.00'	001°44'17"
C16	889.42'	1040.00'	048°59'59"

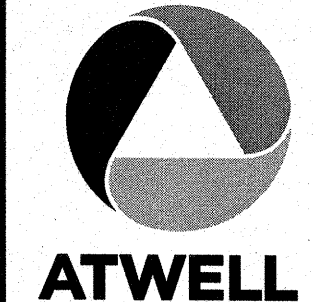


COUNTY: MARICOPA
SECTION: 8 & 9
TOWNSHIP: 4 NORTH
RANGE: 1 WEST

FINAL PLAT
MCMICKEN WAY
CITY OF SURPRISE, ARIZONA

JUNE 2019

REVISIONS:



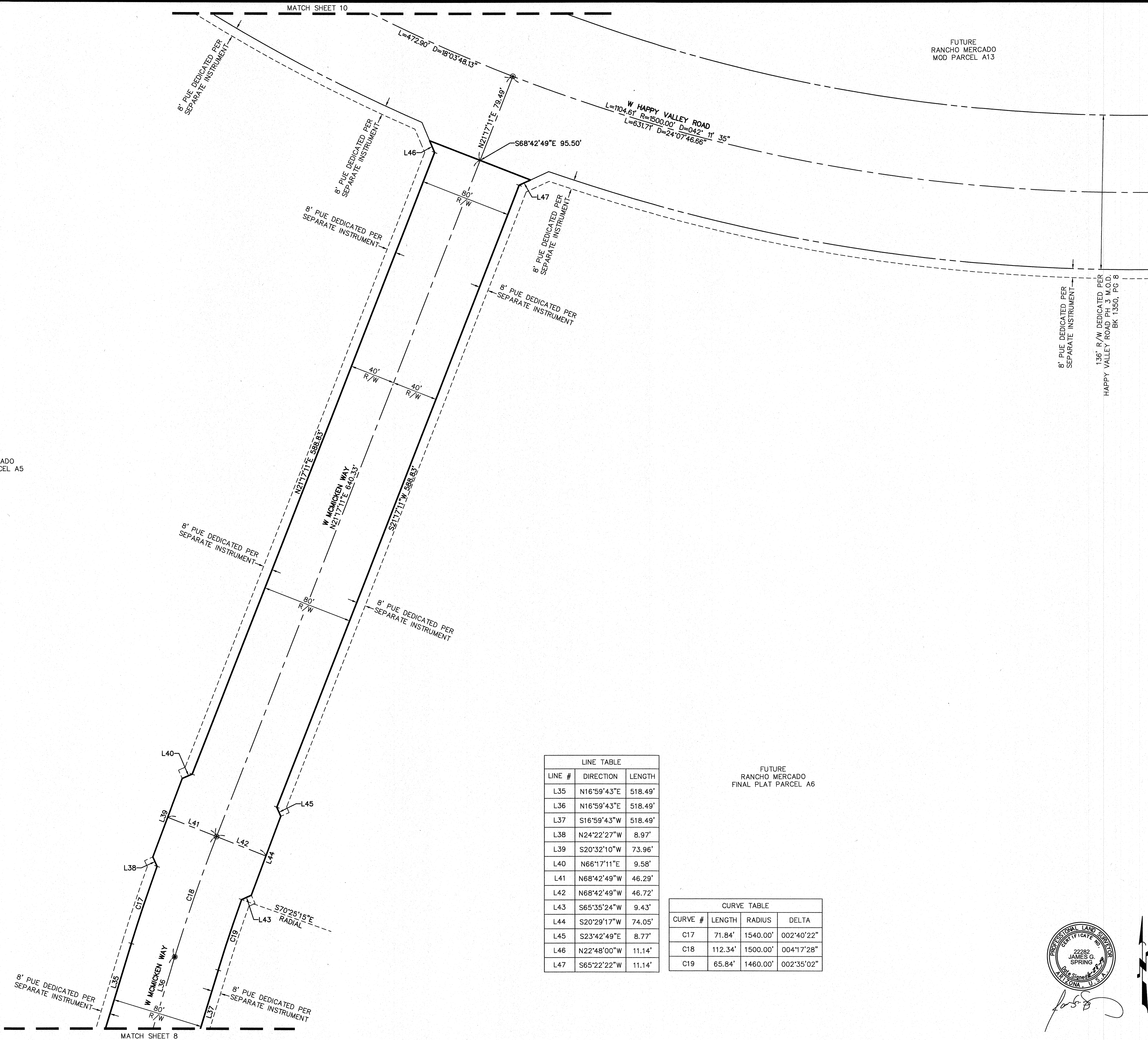
PM. J. SPRING
DR. R. GILES
JOB NO.
09001944

SCALE 0 20 40
1" = 40 FEET

09001944 MOD MCMICKEN WAY.DWG

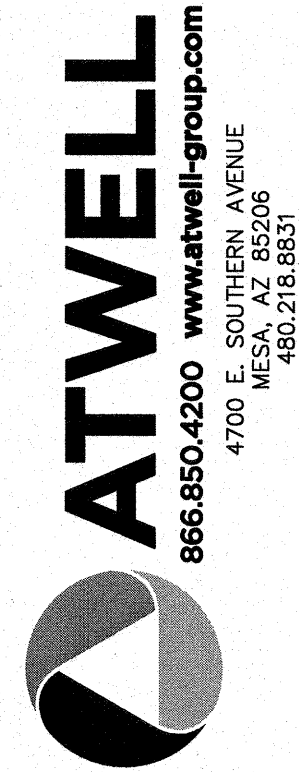
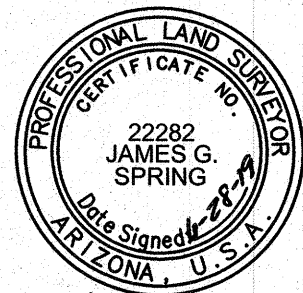
SHEET NO.
8 OF 10

FUTURE
RANCHO MERCADO
FINAL PLAT PARCEL A5



LINE TABLE		
LINE #	DIRECTION	LENGTH
L35	N16°59'43"E	518.49'
L36	N16°59'43"E	518.49'
L37	S16°59'43"W	518.49'
L38	N24°22'27"W	8.97'
L39	S20°32'10"W	73.96'
L40	N66°17'11"E	9.58'
L41	N68°42'49"W	46.29'
L42	N68°42'49"W	46.72'
L43	S65°35'24"W	9.43'
L44	S20°29'17"W	74.05'
L45	S23°42'49"E	8.77'
L46	N22°48'00"W	11.14'
L47	S65°22'22"W	11.14'

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C17	71.84'	1540.00'	002°40'22"
C18	112.34'	1500.00'	004°17'28"
C19	65.84'	1460.00'	002°35'02"

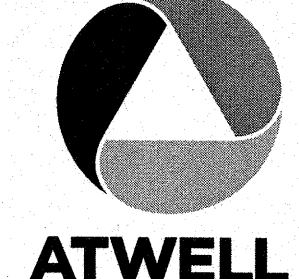


COUNTY: MARICOPA
SECTION: 8 & 9
TOWNSHIP: 4 NORTH
RANGE: 1 WEST

FINAL PLAT
MCMICKEN WAY
CITY OF SURPRISE, ARIZONA

JUNE 2019

REVISIONS:



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

SCALE 0 20 40
1" = 40 FEET

09001944 MOD MCMICKEN WAY.DWG

SHEET NO. 9 OF 10



McMicken Way Final Plat

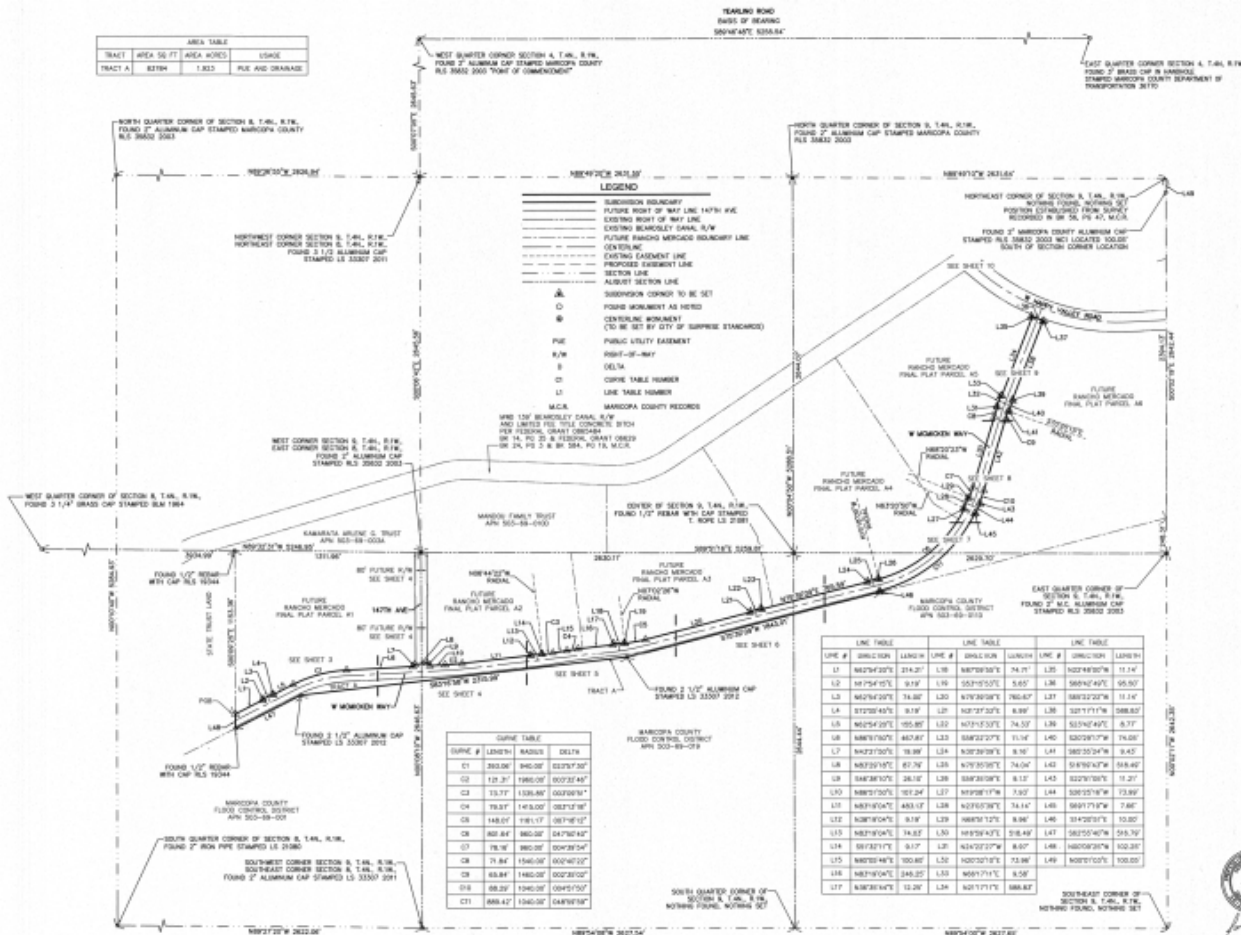
City Council
September 5, 2019

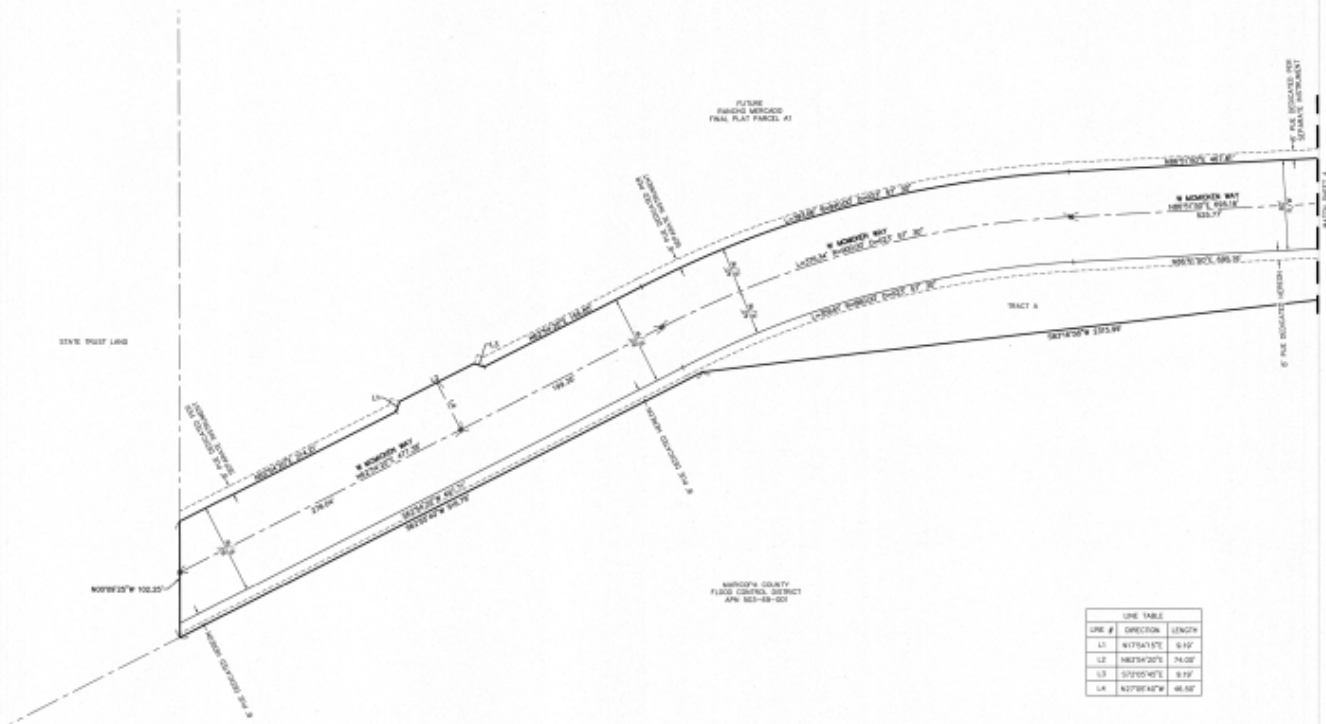


VICINITY MAP

FINAL PLAT

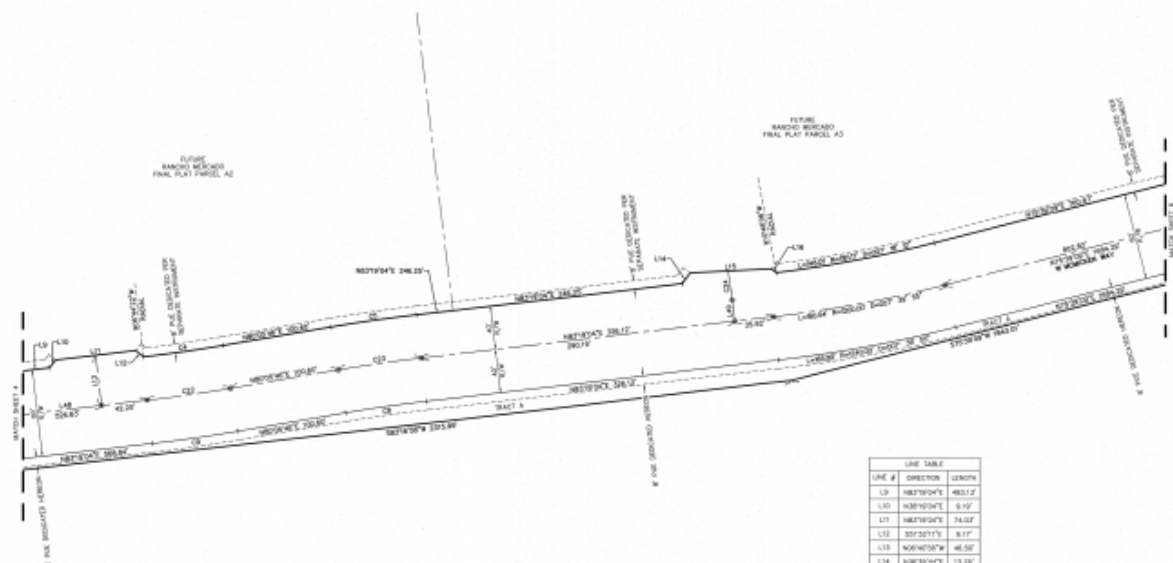
AREA TABLE			
TRACT	AREA SQ. FT.	AREA ACRES	USAGE
TRACT A	82194	1.835	PLU AND DRAINAGE





FINAL PLAT





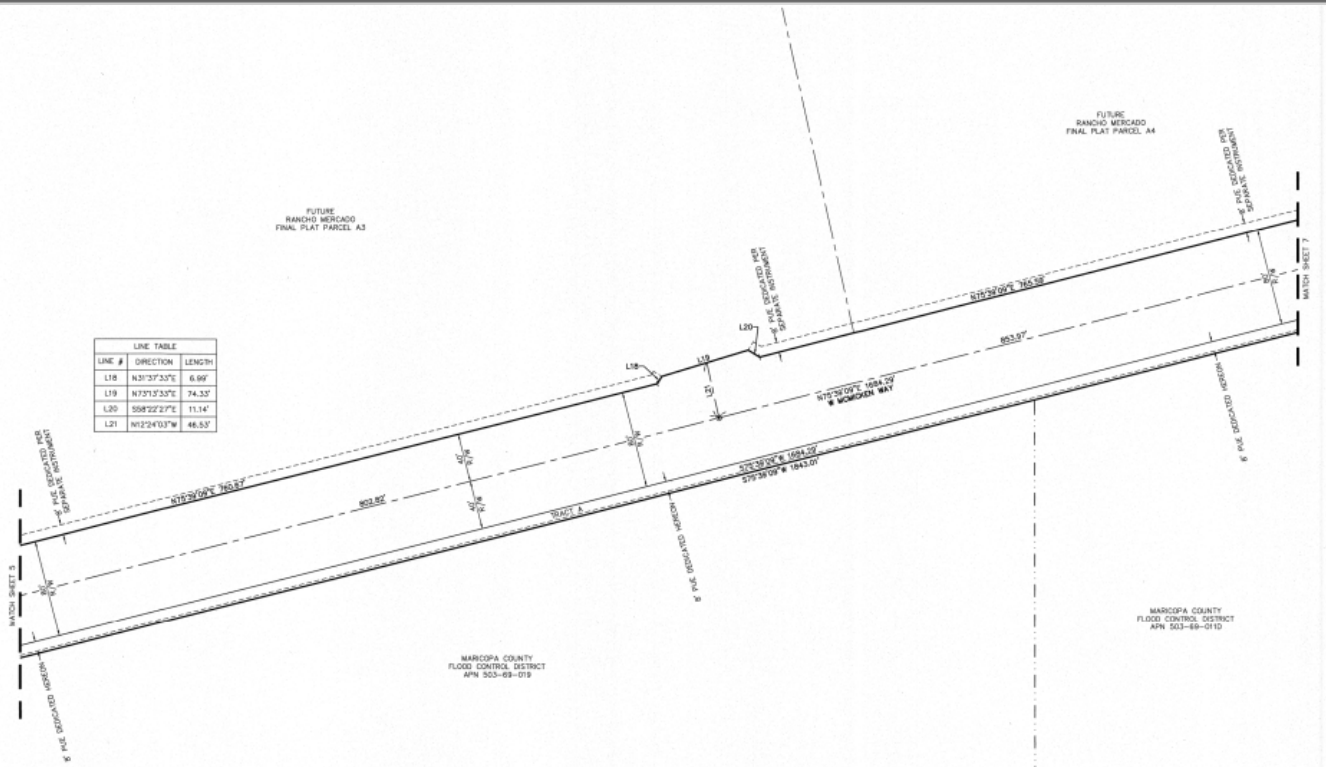
MINNEAPOLIS COUNTY
FLOOR CONCRETE, DISTRICT
APR 2013-09-09

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N87°10'00"E	483.12
L10	N30°10'00"E	5.10
L11	N87°10'00"E	74.60
L12	S87°10'00"E	8.17
L13	S00°00'00"E	45.50
L14	N08°30'00"E	12.20
L15	N87°10'00"E	74.70
L16	S87°10'00"E	8.60
L18	N87°10'00"E	388.84
L19	S08°40'00"E	18.00

CURVE TABLE			
CURVE #	LENGTH	PI/2000	DELTA
C1	51.37	1000.00	000°10'00"
C2	79.57	1413.80	000°10'00"
C3	79.57	1413.80	000°10'00"
C4	79.57	1413.80	000°10'00"
C5	71.37	1375.00	000°10'00"
C6	71.37	1375.00	000°10'00"
C7	26.89	500.00	000°10'00"



FINAL PLAT



LINE TABLE		
LINE #	DIRECTION	LENGTH
L18	N31°37'33"E	6.66'
L19	N73°13'33"E	74.33'
L20	S58°22'27"E	11.14'
L21	N12°24'13"W	48.53'

FINAL PLAT



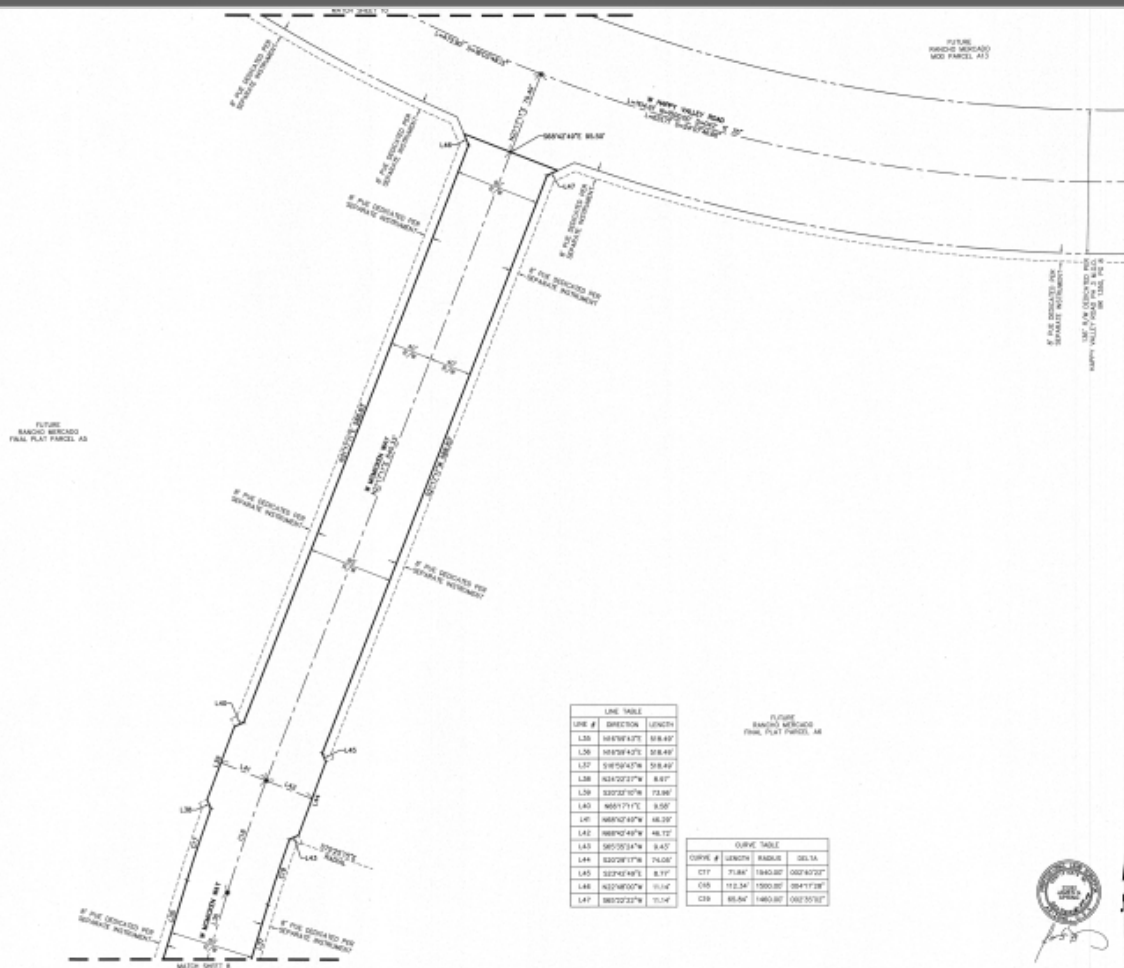


LINE TABLE		
LINE #	DIRECTION	LENGTH
L27	N 82°08'11"W	7.92
L28	N 23°00'38"E	74.14
L29	N 68°30'12"E	8.98
L30	N 65°44'38"W	43.28
L31	N 65°44'38"W	36.5
L32	S 68°15'08"W	7.68
L33	S 28°25'18"W	75.98
L34	S 23°19'06"E	11.2

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C10	821.84'	860.00'	047°30'45"
C11	4.90'	300.00'	008°50'44"
C12	76.16'	860.00'	004°30'36"
C13	1023.19'	1800.00'	058°39'28"
C14	58.29'	1340.00'	084°5'50"
C15	8.32'	300.00'	02°14'47.1"
C16	883.42'	1340.00'	048°39'18"



Page 96 of 464





QUESTIONS OR COMMENTS?

Thank You

Date: December 18, 2018

To: Finance

From: Lari Beth Kirkendall, Real Property Manager

Re: FS18-673 Final Plat Rancho Mercado Phase 2 McMicken Way MOD Right of Way Valuation

The Value of the Right of Way associated with the Rancho Mercado Phase 2 McMicken Way MOD Final Plat FS18-673 is \$2,817,460.00.

The area being dedicated as right-of-way is 563,492 square feet. The value of the land is \$5.00/sq foot.



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 5, 2019 Contact Person: Shirley Phan
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Plath Peakview Estates" dated July 1, 2019, a property generally located north of Peakview Road and east of 163rd Avenue, in a RR (Residential Ranch) zoning district.

Motion:

I move to approve the Final Plat entitled, "Plath Peakview Estates" dated July 1, 2019.

Background:

On November 3rd, 1988 the Mayor and City Council approved Ordinance #88-24 approving the annexation of the subject property. Paul Zeising on behalf of Robert Plath has submitted a request for a Final Plat dividing one parcel of approximately 4.7691 acres into two parcels.

Objective Analysis:

This Final Plat will split one 4.7 acre parcel into two parcels and establish a 100-foot right-of-way dedication in favor of the City of Surprise on 163rd Avenue.

Policy Compliant:

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

Financial Impact:

This item does not have a direct financial impact, however 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:

1. 00-FS19-144-Plath Peakview-Final Plat Staff Report
2. 01-FS19-144- Peakview- Vicinity Map

3. 02- FS19-144-Peakview- FINAL PLAT
 4. 03-FS19-144- Peakview Estates RW Memo of Valuation
 5. FS19-144-CC presentation 090519 revised
-

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case: FS19-144

Project Name: Plath Peakview Estates Final Plat

Council District: 1-Acacia

City Council Date: September 5, 2019

Planner: Shirley Phan

Owner: Robert Plath Sr.

Applicant: Paul Zeising, Custom Creations

Request: Final Plat to subdivide a 4.76 acre (approx.) parcel into two (2) parcels; Lot 1 (2.38 acre) and Lot 2 (2.38 acre) in the RR (Residential Ranch) zoning district.

Site Location: Generally north of Peakview Road and east of 163rd Avenue

Site Size: 4.76 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 4.76 acre parcel into 2 lots.

Denial of the requested Final Plat to subdivide a 4.76 acre parcel into 2 lots.

44 **PROJECT DESCRIPTION:**

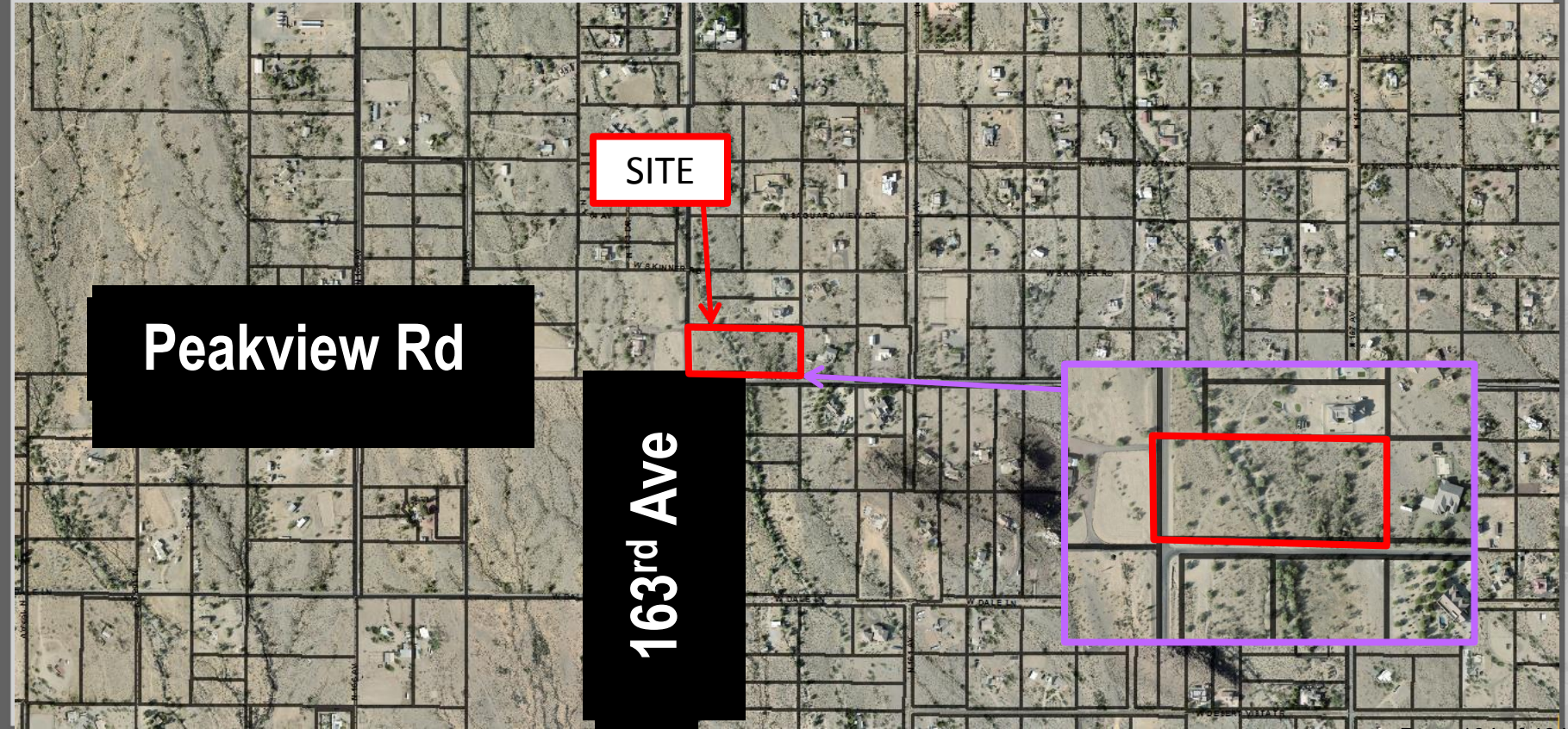
45
46 On November 3rd, 1988 the Mayor and City Council approved Ordinance #88-24 approving the
47 annexation of the subject property.

48
49 The applicant is requesting a final plat approval that will subdivide a 4.76 acre (approx.) parcel into
50 two (2) parcels; Lot 1 (2.38 acre) and Lot 2 (2.38 acre) in the RR (Residential Ranch) zoning district.
51 The final plat will be dedicating 100 feet of right-of-way on 163rd Avenue. Lots 1 and 2 are currently
52 vacant lands. The applicant plans to begin development soon after this final plat is approved.

53
54
55 **Attachments:**

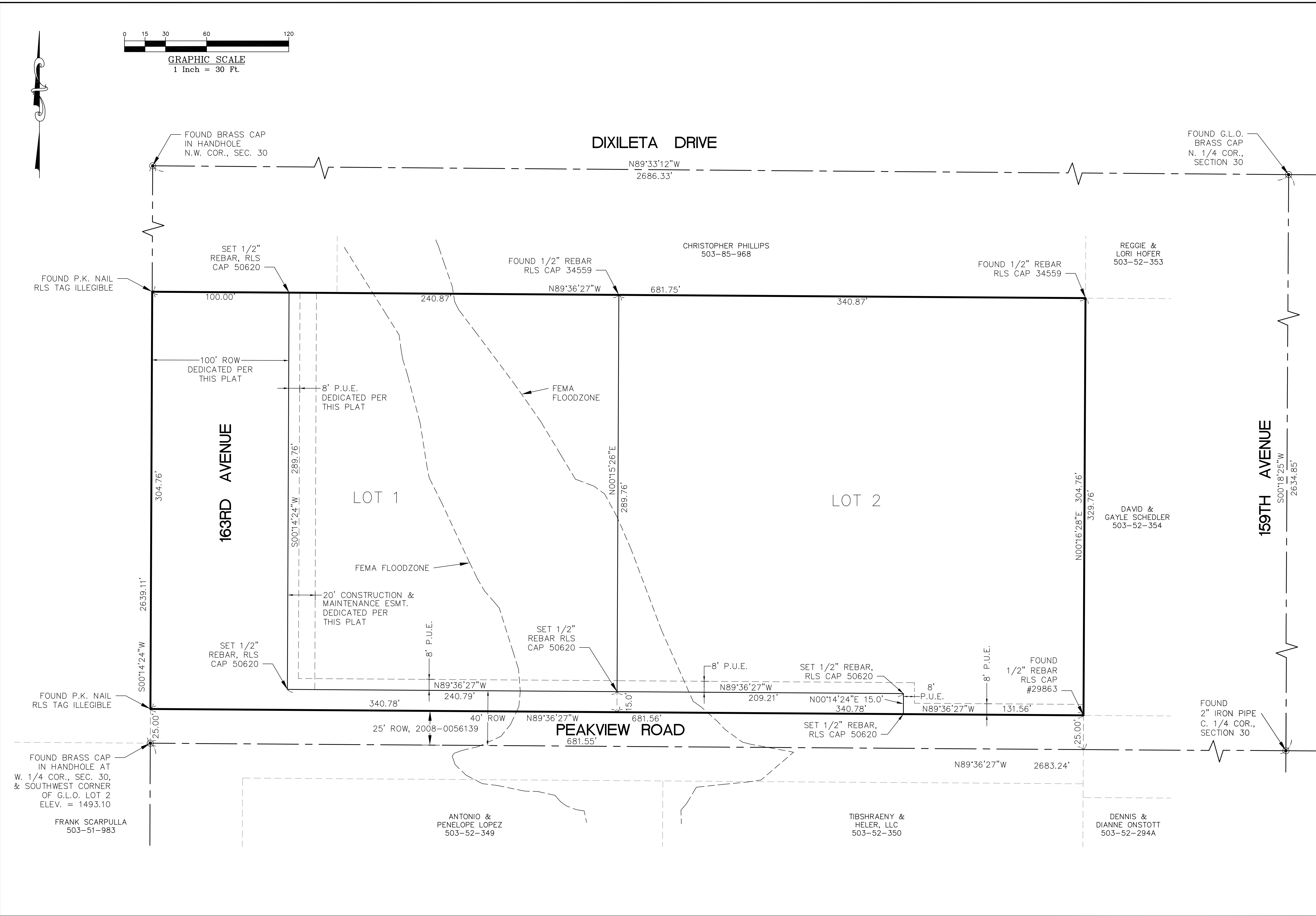
56
57 01 Vicinity Map
58 02 Final Plat
59

Vicinity MAP





PEAKVIEW ESTATES - FINAL





COMMUNITY DEVELOPMENT
CITY OF SURPRISE

16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374

T. 623-222-3000

Date: July 15, 2019

To: Finance

From: Lari Beth Kirkendall, Real Property Manager

Re: FS19-144 Plath Peakview Estates – Final Plat Right of Way Valuation

The Value of the Right of Way associated with FS19-144 Plath Peakview Estates – Final Plat is \$186,130.00.

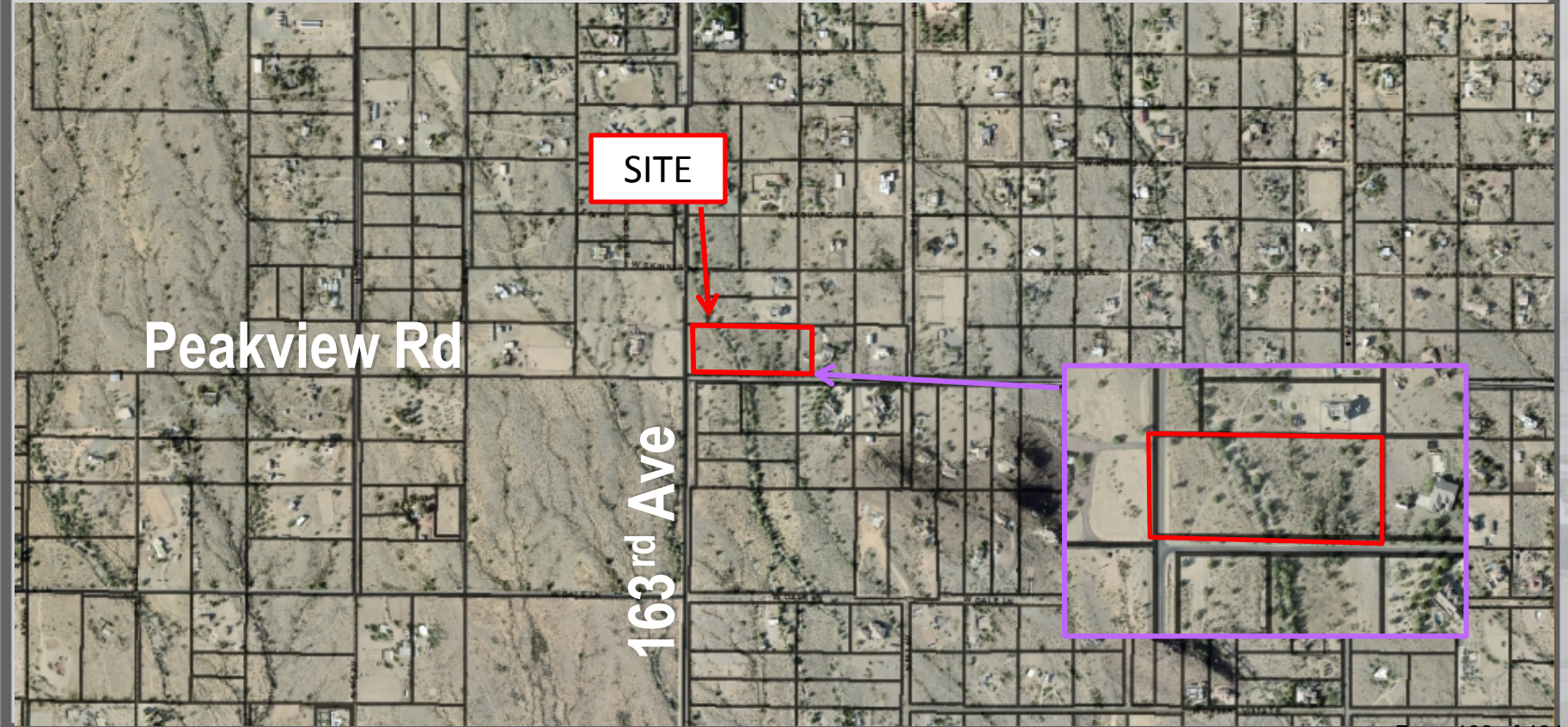
The area being dedicated as right-of-way is 37,226 square feet. The value of the land is \$5.00/sq foot.



FS19-144
Plath Peak View and 163rd Avenue
Final Plat

City Council
September 5, 2019

Vicinity MAP









QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 5, 2019 Contact Person: Shirley Phan
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of the Corrected Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 4" dated July 15, 2019, a property generally north of Old Oak Lane and east of the 145th Avenue alignments in Marley Park.

Motion:

I move to approve the Corrected Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 Parcel 4" dated July 15, 2019.

Background:

The original Final Plat for Homestead at Marley Park Phase 4 & 5 was approved by City Council on September 4, 2018, but was subsequently found to have the sequencing of certain lot numbers reversed.

Objective Analysis:

The previously approved Final Plat had certain lot numbers reversed. This corrected Final Plat seeks to correct the lot number sequence for Lots 271-281.

Policy Compliant:

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

Financial Impact:

This item does not have a direct financial impact, however, 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:

1. 00-FS18-177- Homestead at Marley Park Phase 4 & 5 Parcel 4- Staff Report
2. 01-FS18-177-Homestead Phase 4 & 5 Parcel 4 Vicinity Map- 090519

3. 02-FS18-177- Homestead Phase 4 & 5 Parcel 4- Final Plat
 4. FS18-177-CC presentation 090519 Revised
-

Case: **FS18-177**

Project Name: Homestead at Marley Park Parcel 4 Final Plat

Council District: 6 – Palo Verde

Meeting Date: **September 5, 2019**

Planner: Shirley Phan

Owner: Meritage Homes

Applicant: Mike Gleason, Entellus, Inc.

Request: To correct the lot number sequence for Lots 271-281 of the Homestead Phase 4 & 5 Parcel 4 Final Plat in the Marley Park PAD Zoning District

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

Alternative Actions: **Approval** of the requested Corrected Final Plat will correct the lot number sequence for Lots 271-281.

Denial of the requested Corrected Final Plat will not correct the lot number sequence for Lots 271-281.

44 **Project Description:**

45
46 Mike Gleason of Entellus, on behalf of Meritage Homes, requests approval of a Corrected Final Plat
47 in the Marley Park PAD. The original Final Plat for Homestead at Marley Park Phase 4 & 5 was
48 approved by City Council on September 4, 2018, but was subsequently found to have the
49 sequencing of certain lot numbers reversed.

50
51 **BACKGROUND:**

52
53 **October 25, 2000:** The City Council approved the original Marley Park PAD under case PAD00-091.

54
55 **September 26, 2002:** The City Council approved a Major Amendment to the Marley Park PAD for
56 the purpose of adding land mass to the PAD under case PADA02-104.

57
58 **March 23, 2006:** The City Council approved a Major Amendment to the Marley Park PAD for the
59 purpose of addressing densities in the eastern portion of Marley Park.

60
61 **March 12, 2018:** The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 9
62 under case FS18-135, which is discussed under separate cover.

63
64 **March 20, 2018:** The City Council approved the Preliminary Plat for Marley Park Phase 4 & 5 under
65 case FS17-508. The City Council also approved three (3) related Maps-of-Dedication (MOD) this
66 date. Said MODs were for Sweetwater Avenue, 144th Drive, and Old Oak Lane under cases FS17-
67 584, FS17-601, and FS17-618, respectively.

68
69 **March 26, 2018:** The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 8
70 under case FS18-162, which is discussed under separate cover.

71
72 **April 4, 2018:** The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 4
73 under case FS18-177, the subject case.

74
75 **April 4, 2018:** The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 3
76 under case FS18-178, which is discussed under separate cover.

77
78 **April 5, 2018:** The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 1A
79 and 1B under case FS18-181, which is discussed under separate cover.

80
81 **April 10, 2018:** The applicant filed a request for a Final Plat for Marley Park Phase 4 & 5, Parcel 7
82 under case FS18-190, which is discussed under separate cover.

83
84 **April 18, 2018:** The applicant filed a request for a Final Plat and Landscape Plan Review for Marley
85 Park Phase 4 & 5, Park "B" under case FS18-209, which is still under review.

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

89

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

92

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

95

96 **September 4, 2018:** The City Council approved a Final Plat for the Homestead and Marley Park
97 Phase 4 & 5 Parcel 4 under FS18-177.

98

99

100 **Attachments:**

101

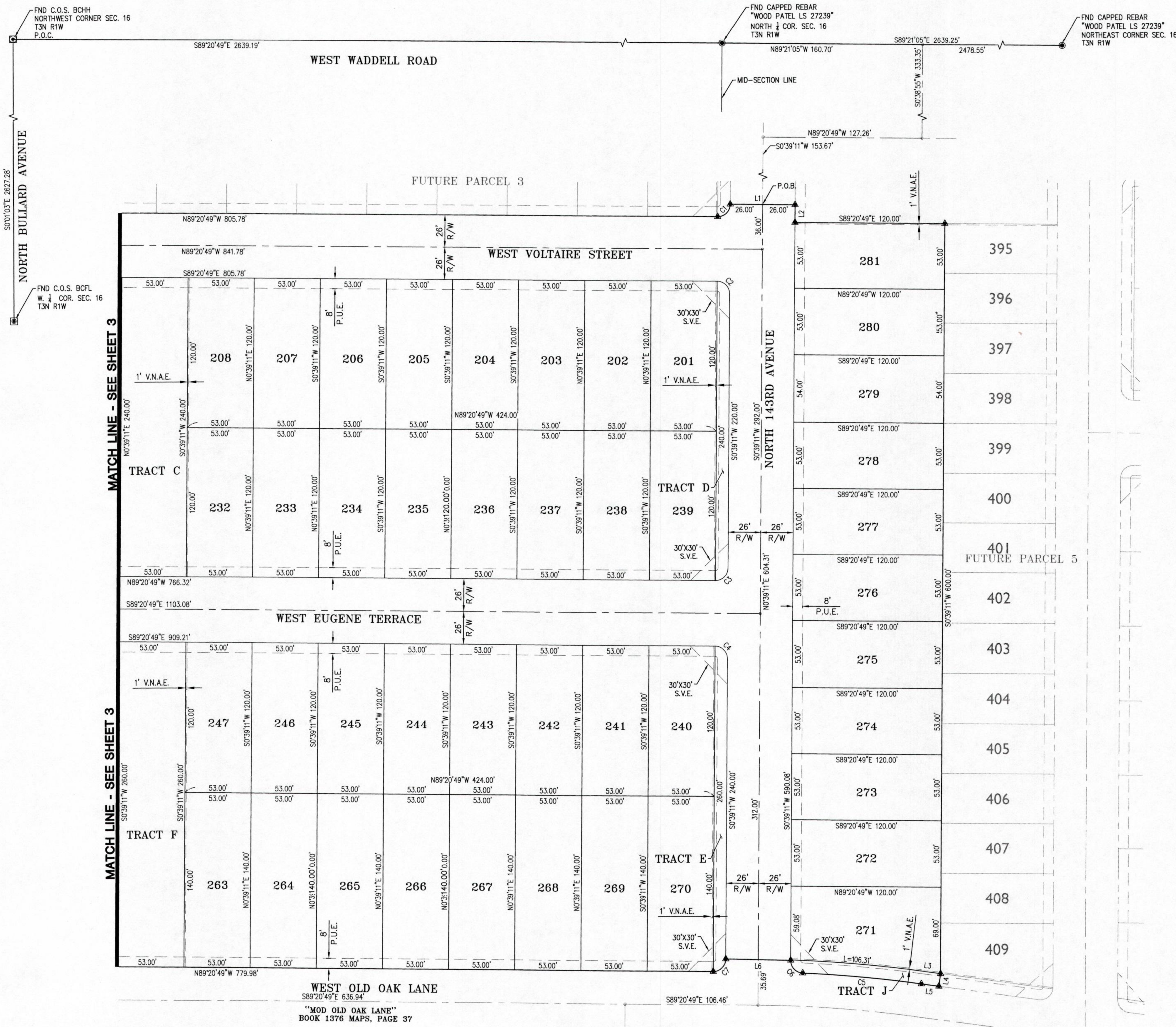
102 01 – Vicinity Map

103 02 – Final Plat

Vicinity MAP

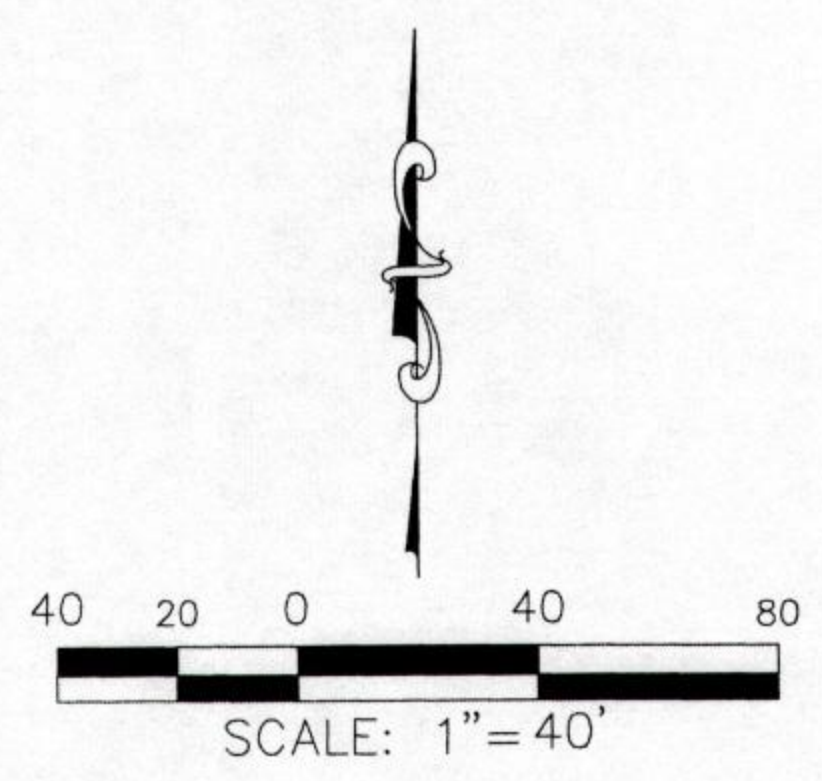


FINAL PLAT
HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 4
CORRECTED PLAT
SURPRISE, ARIZONA



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



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



REVISIONS:	
DATE	DESCRIPTION
1 6/01/18	1ST SUBMITTAL TO CITY OF SURPRISE
2 6/21/18	2ND SUBMITTAL TO CITY OF SURPRISE
3 7/11/19	RENUMBERED LOTS 271-275 & LOTS 277-281

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

Call at least two full working days before you begin excavation.
ARIZONA 811
Arizona Blue Stakes, Inc.
Call 8-1-1 or 1-800-874-4117 (728-834-0000)
In Maricopa County: (602) 269-1100



FS18-177

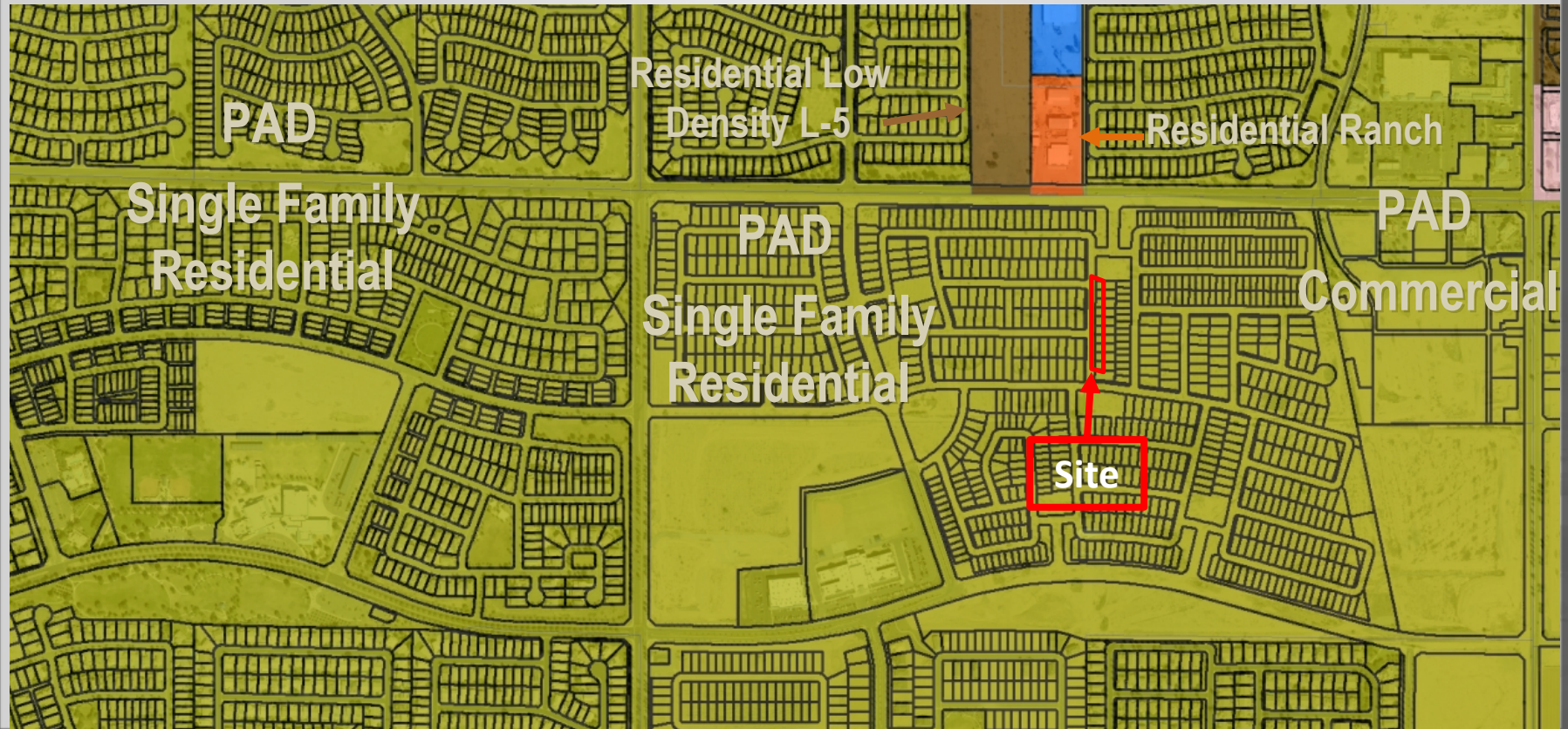
**Homestead at Marley Park Phase 4
& 5 Parcel 4 Corrected Final Plat**

City Council
September 5, 2019

Vicinity MAP

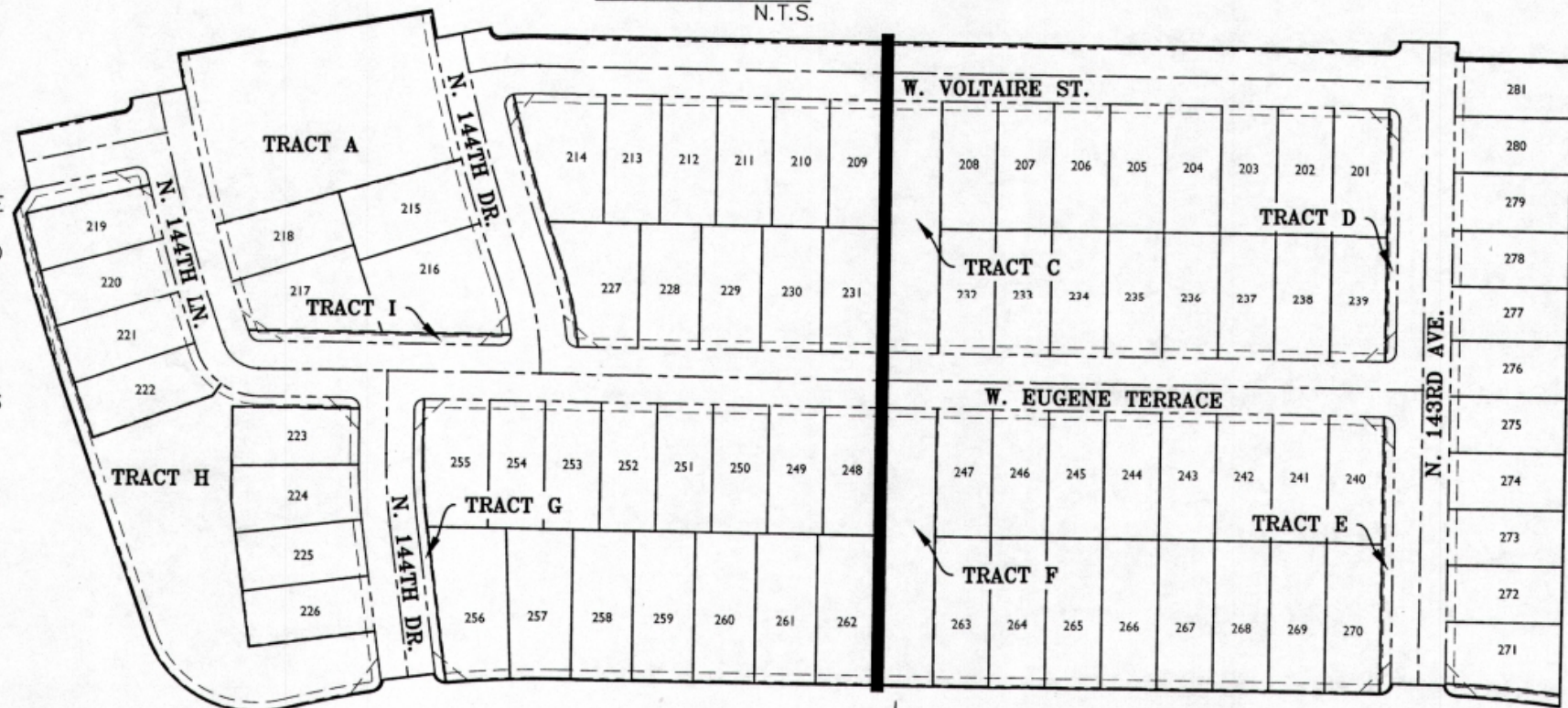


SURROUNDING ZONING



W SWEB

VICINITY MAP
N.T.S.



SHEET 3

SHEET 4

Original
Approved Plat
9/4/18



Final Plat





QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 5, 2019 Contact Person: Joshua Mike
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action regarding the annexation of approximately 201 acres generally located northeast of Happy Valley Road and 163rd Avenue, and establishing Surprise zoning districts Residential Medium Density (RM-9) and Rural Residential (RR). Planning case FS18-149, Paloma Creek annexation; Ordinance #2019-07.

Motion:

I move to approve Ordinance # 2019-07.

Background:

The property has 16 parcels with Maricopa County zoning districts that include R-5 Residential Unit of Planned Development (RUPD) and Rural-43. If annexed, the property will assume similar zoning of the Surprise Unified Development Code (SUDC) that includes Residential Medium Density (RM-9) with a maximum density of five dwelling units per acre (5du/ac) and Rural Residential (RR).

The applicant held a Citizen Review meeting on November 8, 2018 at the Sundown Mountain School. Advertisements were posted in a local newspaper and 3 signs were posted within the subject property. Surprise City Council approved Resolution # 2018-171, directing Staff to record a blank petition.

The blank petition was recorded with the Maricopa County Recorder's Office on January 25, 2019. Per the Arizona Revised Statutes (ARS) signatures of property owners could not be collected until 30 days after the recording of the blank petition and a public hearing must be held within the last ten days of the 30 day waiting period. Once the public hearing was held and the 30 day waiting period had expired state statute requires that an excess of 50% of the land owners and assessed valuation for all real and personal property sign the in order to validate the petition. The statute allows up to one year to obtain the signatures.

Objective Analysis:

Positive impacts include adding additional property to the incorporated limits which will generate additional property and potential development fees. Negative impacts could include providing services in a 201.54 acre area where the City did not have to previously serve.

Policy Compliant:

Annexation of this property is compliant with Council policy by expanding the range of influence of the

City. 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.

Financial Impact:

When the property is annexed into the City limits there may be financial impacts to the City to provide services to an area which the City did not provide services in the past. When the area is annexed that could result in future development fees, sales and property taxes.

Budget Impact:

At this time there are no budget impacts associated with this item. If the City Council moves forward to annex property into the City limits there may be minor budget impacts to the City to provide services to an area which the City did not provide services in the past. If the area is annexed that could result in future development fees, sales and property taxes.

FTE Impact:

At this time there are no additional FTEs associated with the annexation of this property. Future development applications will evaluate the need for additional staff.

ATTACHMENTS:

1. 19.08.19 EVR Paloma Creek Annexation CC 9-5-19 Staff Report
 2. 01 FS18-149 Paloma Creek Annexation - Vicinity Map
 3. 02 FS18-149 Paloma Creek Annexation - Case Map
 4. 03 FS18-149 Paloma Creek Annexation ORDINANCE 2019-07
 5. 04 FS18-149 Paloma Creek Annexation - Assessor Report
 6. 05 FS18-149 Paloma Creek Annexation - DOR ValueTransmittalLtrRpt
 7. 06 FS18-149 Paloma Creek Annexation Narrative 08-29-2018
 8. 07 FS18-149 Paloma Creek Citizen Outreach Summary REDACTED
 9. 08 FS18-149 Paloma Creek Fiscal Impact Analysis Memo
 10. 09 FS18-149 Paloma Creek Annexation - 9.5.19 CC Presentation
-



Case: FS18-149

Project Name: Paloma Creek

Council District: 1

City Council Date: September 5, 2019

Planner: Joshua Mike

Owner: Multiple Owners

Applicant: Kent A. Xander

Request: Annexation Public Hearing

Site Location: Generally located northeast of Happy Valley Road and 163rd Ave

Site Size: 201.54 acres (approx.)

Density: 5 dwelling units per acre

Actions: **Approve:** Approval of the annexation Ordinance 2019-07 will increase the corporate limits of the City of Surprise and allow for the subsequent approval of a related zone change request, which in turn will allow the property to be developed in accordance with the City of Surprise General Plan and Unified Development Code.

Deny: Denial of the proposed annexation will result in the continuation of a long-standing county island and prevent the City Council from taking action regarding the related Zone Change and Preliminary Plat requests.

Introduction:

Kent A. Xander seeks annexation of an undeveloped parcel generally located between Happy Valley Road and Jomax Road, east of 163rd Ave. The annexation proposal is for 201.54 acres, consisting of multiple owners, of unincorporated land adjacent to the Surprise city limits.

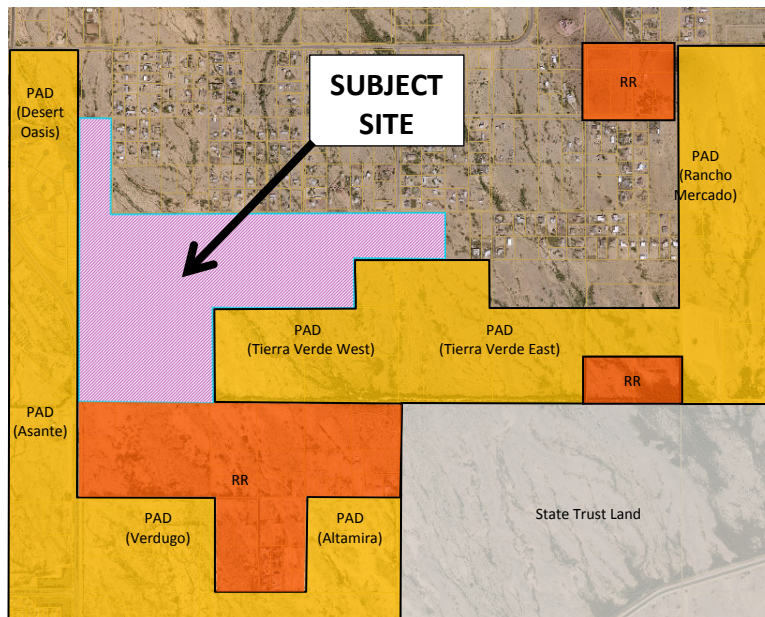
Annexation Process:

Arizona Revised Statutes established requirements for a municipality to annex unincorporated land. The City must file a blank annexation petition with Maricopa County where it is held for a 30-day waiting period. City Council must hold a public hearing during the last 10 days of the 30-day waiting period, also required by Arizona Revised Statutes. After the public hearing and the 30-day waiting period has ended, an excess of 50% of the land owners and assessed valuation for all real and personal property must sign the petition in order to validate the petition. State statute also allows up to one year following the end of the 30-day period to obtain the required number of signatures.

- The City recorded the blank petition with the Maricopa County Recorder's Office on January 25, 2019.
- Surprise City Council held a public hearing on February 19, 2019
- Mandatory 30-day waiting period ended on February 25, 2019
- Applicant submitted signed petition on March 11, 2019

Project Description:

The annexation boundary includes 16 parcels with Maricopa County zoning districts that include Multifamily Residential with a Residential Unit of Planned Development overlay zone (R-5 RUPD) and Rural-43 (R-43). If annexed, the property will assume similar zoning of the Surprise Unified Development Code (SUDC) that includes Residential Medium Density (RM-9) with a maximum density of five dwelling units per acre (5du/ac) and Rural Residential (RR). This property is part of a rezoning case FS18-150 , which is on this same City Council agenda. The Planning and Zoning Commission recommended approval of the rezoning on August 1st.



Background:

September 7, 2016: The Maricopa County Board of Supervisors approved application #Z2016-025, a zone change request for 132.65 acres from R-43 to R-5 RUPD.

October 8, 2018: Posted notice of the Citizen Outreach meeting in at least three conspicuous public places in the territory proposed to be annexed.

October 23, 2018: The applicant held a Citizen Outreach meeting that also discussed the concurrent development application for rezoning (FS18-150).

January 25, 2019: Blank petition with legal description and affidavit verifying that territory is not subject to an earlier filing for annexation is filed with Maricopa County Recorder's Office. Notice and copies of filings are sent to Clerk of the Board of Supervisors and County Assessor.

February 4, 2019: Notice published on City website and in the Daily News.

February 13, 2019: Request sent to Maricopa County Assessor's office and AZ Department of Revenue for the name and address of each owner and the assessed value of all property within the boundaries.

February 13, 2019: Posted notice of the public hearing on February 19, 2019 in at least three conspicuous public places in the territory proposed to be annexed. Notice sent by mail to Chair of Maricopa County Board of Supervisors and each owner of real and personal property within territory proposed to be annexed. Notice published in the Surprise Today.

February 19, 2019: The City Council held a public hearing during the last ten days of the 30-day waiting period as required by Arizona Revised Statutes.

March 18, 2019: Notice published on City website and in the Daily News.

March 20, 2019: Notice published in the Surprise Today.

July 9, 2019: Posted notice of the public hearing on September 5, 2019 in at least three conspicuous public places in the territory proposed to be annexed.

July 15, 2019: Notice published on City website and in the Daily News.

July 24, 2019: Notice published in the Surprise Today.

Citizen Outreach:

The site was posted in accordance with the SUDC and state statute. As noted above, the applicant held an outreach on October 8, 2018 for the concurrent rezoning application. The outreach meeting and associated hearings were advertised in accordance with the SUDC and state law. Concerns were expressed regarding domestic well draw-down, drainage and outdoor lighting. Several individuals indicated concerns over increased population and potential impacts on aquifer levels, wildlife, dust, traffic, access, crime, and illegal dumping.

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

Summary:

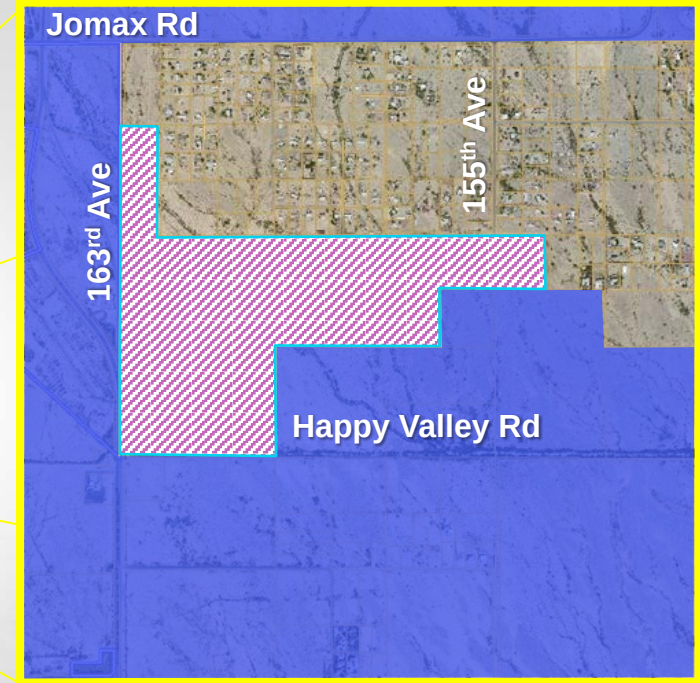
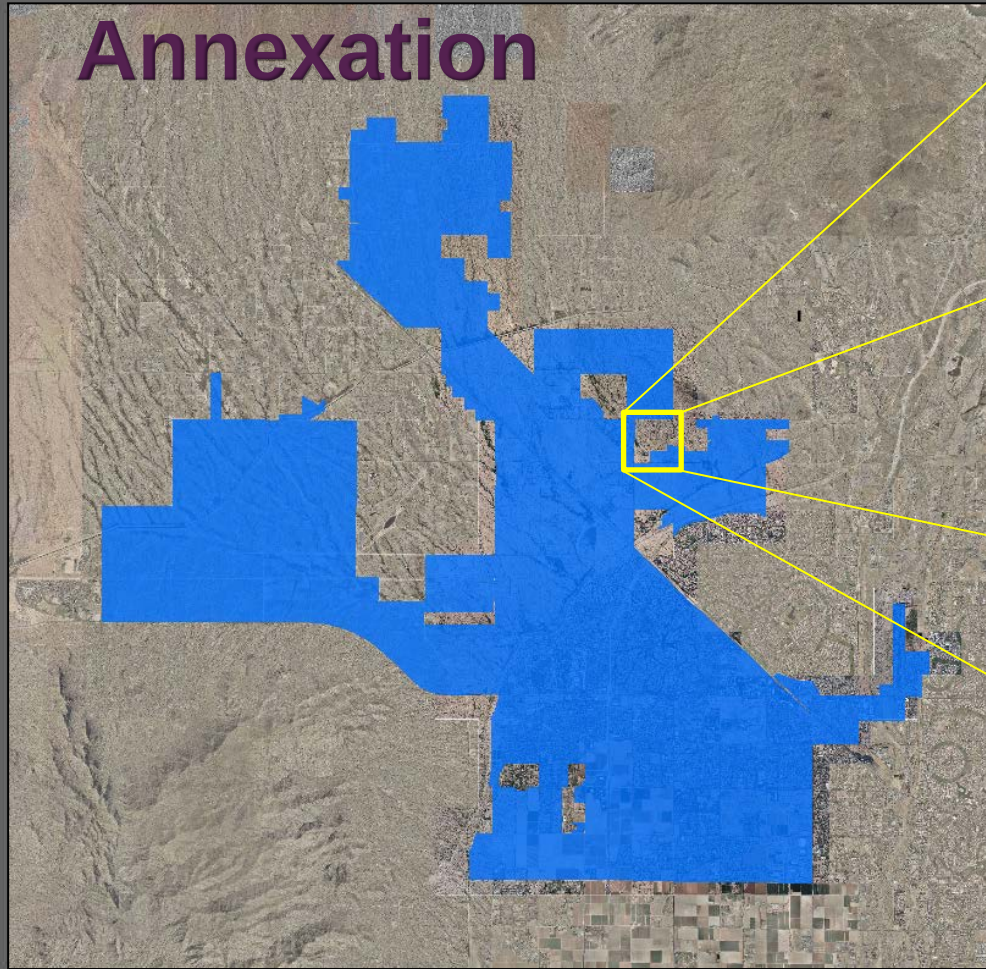
The annexation boundary to be annexed complies with all requirements for size, shape, and contiguity set forth in the Arizona annexation statutes. The proposed annexation is requested for 201.54 acres and requires signatures after the Arizona Revised Statutes required 30-day waiting period that concluded on February 25, 2019. Paloma Creek is eligible for annexation by the City of Surprise City Council.

Annexation Details	A.R.S Requirements (over 50%)	Provided	Percentage provided
Real Property - 16 parcels	10 signatures	12 signatures	66.7%
Personal Property - 2			
Total Assessed Value - \$282,954.26	Exceed \$141477.13	\$172,366	60.9%
Real Property - \$279,511			
Personal Property - \$3,443.26			

Attachments:

- 01 Vicinity Map
- 02 Case Map
- 03 Annexation Ordinance
- 04 Assessor Annexation Report
- 05 AZ Dept. of Revenue Value Transmittal Report
- 06 Annexation Narrative
- 07 Citizen Outreach Summary REDACTED
- 08 Fiscal Impact Analysis Memo
- 09 Presentation

Annexation



-  Existing Surprise Incorporated Limits
-  Paloma Creek Annexation Boundary

FS18-149

Jomax Rd

163rd Ave

155th Ave

Happy Valley Rd

Annexation

-  Existing Surprise Incorporated Limits
-  Paloma Creek Annexation Boundary

FS18-149

ORDINANCE 2019-07

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SURPRISE MARICOPA COUNTY STATE OF ARIZONA PURSUANT TO THE PROVISIONS OF ARIZONA REVISED STATUTES TITLE 9 CHAPTER 4 ARTICLE 7 AND AMENDMENTS THERETO BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF SURPRISE, CONSISTING OF 201.54 ACRES LOCATED WITHIN SECTIONS 5 AND 6, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, GENERALLY LOCATED AT THE NORTHEAST CORNER OF N 163RD AVENUE AND W HAPPY VALLEY ROAD.

WHEREAS, a petition, as shown in *Exhibit D*, in writing accompanied by a map or plot of said real property having been filed and presented to the Mayor and Council of the City of Surprise, Arizona, signed by the owners of more than one-half in value of the real and personal property and more than one-half of the persons owning real and personal property as would be subject to taxation by the City of Surprise in the event of annexation within the territory and land hereinafter described in the attached *Exhibit A* (the "Annexation Area") and as shown by the last assessment of said property which said Annexation Area is contiguous to the City of Surprise, and not now embraced within its limits, asking that the Annexation Area be annexed to the City of Surprise, and to extend and increase the corporate limits of the City of Surprise so as to embrace the same;

WHEREAS, the Mayor and Council of the City of Surprise Arizona are desirous of complying with said petition and extending and increasing the corporate limits of the City of Surprise to include said territory;

WHEREAS, the said petition sets forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed to the City of Surprise and had attached thereto at all times an accurate map of the territory, as shown in *Exhibit B*, desired to be annexed;

WHEREAS, no alterations increasing or reducing the territory sought to be annexed have been made after the said petition had been signed by any owner of real and personal property in such territory;

WHEREAS, the provisions of A.R.S. § 9-471, and amendments thereto, have been fully observed;

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file in the office of the City Clerk of the City of Surprise, Arizona, together with a true and correct copy of the original petition referred to herein, which is on file in the office of the County Recorder for Maricopa County, Arizona;

WHEREAS, certain of the properties, as shown in **Exhibit C**, are zoned Rural-43 (R-43) in Maricopa County;

WHEREAS, other of the properties, as shown in **Exhibit C**, are zoned Multi-Family Residential with a Residential Unit Plan of Development Overlay (R-5 RUPD) in Maricopa County under Maricopa County Zoning Case Z2016025 with conditions a-n;

WHEREAS, the Mayor and City Council, pursuant to A.R.S. § 9-471(L), shall adopt and apply to the properties, as shown in **Exhibit C**, zoned Rural-43 and Multi-Family Residential with a Residential Unit Plan of Development Overlay (R-5 PUD) in Maricopa County, the City of Surprise zoning districts that permit densities and uses no greater than those permitted by the Maricopa County zoning immediately before annexation; and

WHEREAS the Annexation Area is within the “Benefited Area,” as defined and depicted in Exhibit A to the “Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement)”, for water, wastewater, and roadway improvements, by and between the City of Surprise and William Lyons Homes, Inc. (“William Lyons”), approved by Resolution #2017-71, and recorded as Document No. 20170526362 on July 19, 2017, in the Office of the County Recorder of Maricopa County, Arizona.

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

SECTION 1. That the Annexation Area described in the attached **Exhibit A** and depicted in the attached **Exhibit B** be and the same hereby is annexed to the City of Surprise and that the present corporate limits be and the same hereby are extended and increased to include the Annexation Area described in **Exhibit A** and depicted in the attached **Exhibit B** contiguous to the present City limits.

SECTION 2. That a copy of this Ordinance together with an accurate map of the territory hereby annexed, as shown in **Exhibit B**, to the City of Surprise certified by the Mayor of the City of Surprise shall be recorded in the Office of the County Recorder of Maricopa County, Arizona, and that a copy of this ordinance shall be provided to the Clerk of the Board of Supervisors of Maricopa County, Arizona.

SECTION 3. That the property described in SECTION 1 of this Ordinance with Maricopa County zoning of Rural-43 (R-43), as shown in **Exhibit C**, shall be designated with City of Surprise zoning district Residential Ranch (RR) pursuant to A.R.S § 9-471(L).

SECTION 4. That the property described in SECTION 1 of this Ordinance with Maricopa County zoning of Multi-family Residential with a Residential Unit Plan of Development Overlay (R-5 RUPD), as shown in **Exhibit C**, shall be designated with City of Surprise zoning district Medium Density Residential (RM-9) with a maximum overall density of five dwelling units per acre (5 DU/ac) pursuant to A.R.S § 9-471(L), upon the effective date of this Ordinance, unless amended under a future ordinance.

SECTION 5. That prior to the City approving a final plat, site plan, or building permit within the Annexation Area, the applicant shall provide the City with a Notice of Payment from William Lyons that the “Buy-in Fee” has been paid, all as defined and described in the Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement).

SECTION 6. That the City of Surprise zoning map is herewith amended to reflect the change in districts referred to in SECTIONS 3 and 4 above.

SECTION 7. This Ordinance shall take effect and the annexation of the subject property shall become effective at the time and in the manner prescribed by law.

SECTION 8. This Ordinance is not of general application throughout the City and therefore will not be codified.

SECTION 9. That the provisions of this Ordinance are not severable, and the entirety of this Ordinance shall become null and void and of no effect in the event any provision is finally determined to be illegal or invalid by a court of competent jurisdiction or if any provision should be invalidated by a referendum vote.

PASSED AND ADOPTED this _____ day of _____ 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

CERTIFICATION OF MAP

MAP OF AREA TO BE ANNEXED

I, _____ Mayor of the City of Surprise Arizona do hereby certify that the foregoing map as expressed in Exhibit A is a true and correct map of the territory annexed under and by virtue of the petition of the real and personal property owners in the said territory and by Ordinance No _____, annexing the territory described in Ordinance No _____ and as shown on said map as a part of the territory to be included within the corporate limits of the City of Surprise Arizona

Mayor

ATTEST

Clerk

Exhibit A

SURPRISE ANNEXATION PARCEL LEGAL DESCRIPTION

That portion of Sections 5 and 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the West quarter corner of said Section 5;

Thence South 89° 41' 02" East along the North line of the Southwest quarter of Section 5 a distance of 654.57 feet to the West line of the East 655.08 feet of the North half of Northwest quarter of the Southwest quarter of the Section 5;

Thence South 00° 05' 23" West along said West line a distance of 660.04 feet to the South line of the North half of the Northwest quarter of the Southwest quarter of the Section 5 and the North line of that Parcel Annexed by the City of Surprise per Ordinance 05-60 as recorded in Document No. 2006-104870, Official Records;

Thence North 89° 39' 59" West along said line a distance of 655.22 feet to the common line between Sections 5 and 6;

Thence North 89° 47' 36" West along the South line of the Northeast quarter of the Northeast quarter of the Southeast quarter of Section 6 and the North line of said Annexation Parcel a distance of 657.76 feet;

Thence South 00° 06' 30" West along the East line of the Southwest quarter of the Northeast quarter of the Southeast quarter of Section 6 and the West line of said Annexation Parcel a distance of 659.68 feet;

Thence North 89° 46' 48" West along the North line of the South half of the Southeast quarter of Section 6 and the North line of said Annexation Parcel a distance of 1971.96 feet;

Thence South 00° 00' 23" East along the North-South mid-section line of Section 6 and the West line of said Annexation Parcel a distance of 1318.45 feet to the South quarter corner of Section 6;

Thence North 89° 45' 13" West along the South line of Section 6 and the North line of said Annexation Parcel a distance of 1795.95 feet to the East line of the West 55.00 feet of the Southwest quarter of Section 6 and the East line of that Parcel Annexed by the City of Surprise per Ordinance 88-24 as recorded in Document No. 1988-594510, Official Records;

Thence North 00° 23' 29" East along said East line a distance of 2635.25 feet to the East-West mid-section line of Section 6;

Thence North 00° 22' 45" East along the East line of the West 55.00 feet of the Northwest quarter of Section 6 and the East line of said Annexation Parcel a distance of 1317.51 feet to the North line of Lot 5 of Section 6;

Thence South 89° 50' 48" East along said North line a distance of 450.04 feet to the Northeast corner of said Lot 5;

Exhibit A

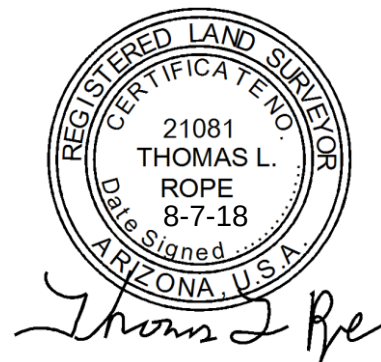
SURPRISE ANNEXATION PARCEL LEGAL DESCRIPTION

Thence South 00° 06' 11" East along the East line thereof a distance of 1317.84 feet to the East-West mid-section line of Section 6;

Thence South 89° 48' 24" East along said mid-section line a distance of 1316.52 feet to the Center of Section 6;

Thence continuing South 89° 48' 24" East along said mid-section line a distance of 2632.80 feet to the **POINT OF BEGINNING**.

Containing 201.54 acres



Land Survey Services PLC
3160 N. 302nd Lane
Buckeye, AZ 85396

Expires 3-31-2019

Job No. 10019

Exhibit B

**ANNEXATION PARCEL LYING WITHIN
SECTIONS 5 AND 6, T4N, R1W
G&SRBM, MARICOPA COUNTY, AZ**

LINE TABLE		
LINE NO.	BEARING	LENGTH
L1	S89°41'02"E	654.57
L2	S00°05'23"W	660.04
L3	N89°39'59"W	655.22
L4	N89°47'36"W	657.76
L5	S00°06'30"W	659.68
L6	S89°50'48"E	450.04

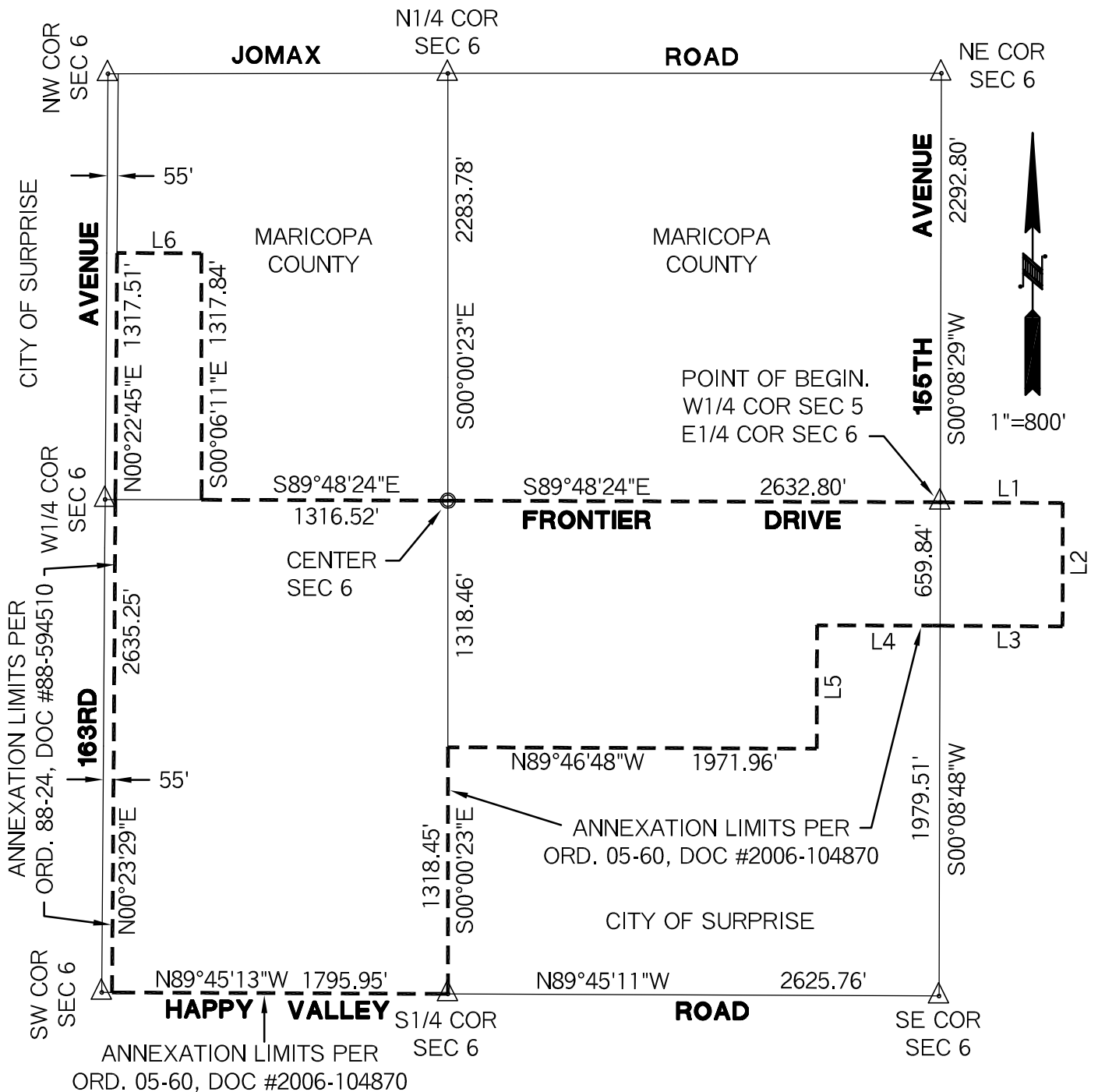


Exhibit C

Annexation Area Assessor Parcel numbers	Maricopa County Zoning	City of Surprise Zoning	Density (DU/ac)
1. 503-55-013B	R-5 RUPD	RM-9 PUD	5 (gross)
2. 503-55-014B	R-5 RUPD	RM-9 PUD	5 (gross)
3. 503-55-012A	R-5 RUPD	RM-9 PUD	5 (gross)
4. 503-55-012G	R-5 RUPD	RM-9 PUD	5 (gross)
5. 503-55-012D	R-5 RUPD	RM-9 PUD	5 (gross)
6. 503-55-012F	R-5 RUPD	RM-9 PUD	5 (gross)
7. 503-55-012E	R-5 RUPD	RM-9 PUD	5 (gross)
8. 503-55-011	R-5 RUPD	RM-9 PUD	5 (gross)
9. 503-54-011C	R-5 RUPD	RM-9 PUD	5 (gross)
10. 503-55-002B	R-5 RUPD	RM-9 PUD	5 (gross)
11. 503-55-002E	R-5 RUPD	RM-9 PUD	5 (gross)
12. 503-55-002A	RU-43	RR	1 (net)
13. 503-55-002C	RU-43	RR	1 (net)
14. 503-55-002D	RU-43	RR	1 (net)
15. 503-55-004	RU-43	RR	1 (net)
16. 503-55-016	RU-43	RR	1 (net)

ANNEXATION PETITION

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF
SURPRISE, ARIZONA:

We, the undersigned, the owners of one-half or more of the real and personal property that also represents one-half or more of the value of the real and personal property that would be subject to taxation by the City of Surprise in the event of annexation within the territory proposed to be annexed, which is hereafter described, said territory being contiguous to the corporate limits of the City of Surprise, with the exterior boundaries of the territory proposed to be annexed shown on the map attached hereto, marked Exhibit "B" and made a part hereof, request the City of Surprise to annex the following described territory, provided that the requirements of A.R.S. §9-471, and amendments thereto are fully observed.

The description of the territory proposed to be annexed, not already within the present limits of the City of Surprise and located in Maricopa County, Arizona, is as described and attached hereto, marked Exhibit "A" and made part thereof:

DATE	NAME OF PROPERTY OWNER	MAILING ADDRESS	PHONE NO	PARCEL NUMBER OR LEGAL DESCRIPTION
3-1-19	Pennscot Trust FBO Kent A. Xander <i>Kent Alexander</i> OWNER	10973 N. 138 th Way, Scottsdale, AZ 85259	602-499 9305	503-54-011C
3-1-19	KAX, LLC <i>Kent Alexander</i> Manager	10973 N. 138 th Way, Scottsdale, AZ 85259	602- 499-9305	503-55-002D

ANNEXATION PETITION

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF
SURPRISE, ARIZONA:

We, the undersigned, the owners of one-half or more of the real and personal property that also represents one-half or more of the value of the real and personal property that would be subject to taxation by the City of Surprise in the event of annexation within the territory proposed to be annexed, which is hereafter described, said territory being contiguous to the corporate limits of the City of Surprise, with the exterior boundaries of the territory proposed to be annexed shown on the map attached hereto, marked Exhibit "B" and made a part hereof, request the City of Surprise to annex the following described territory, provided that the requirements of A.R.S. §9-471, and amendments thereto are fully observed.

The description of the territory proposed to be annexed, not already within the present limits of the City of Surprise and located in Maricopa County, Arizona, is as described and attached hereto, marked Exhibit "A" and made part thereof:

DATE	NAME OF PROPERTY OWNER	MAILING ADDRESS	PHONE NO	PARCEL NUMBER OR LEGAL DESCRIPTION
3-7-19	TK Cowley Investments, LLC	1242 E. Jackson St. Phoenix, AZ 85034	(602) 385-4200	503-55-011
	X <i>Timothy N Cowley</i>			
3-7-19	LS Tyler Investments, LLC	1242 E. Jackson St. Phoenix, AZ 85034	(602) 385-4200	503-55-011
	X <i>Scott Tyler</i>			
3-7-19	Acate Capital, LLC	1242 E. Jackson St. Phoenix, AZ & 85034	(602) 385-4200	503-55-011
	X <i>Tim Tyler</i>			
3-7-19	San Felipe Neri Investments	1242 E. Jackson St. Phoenix, AZ 85034	(602) 385-4200	503-55-011
	X <i>Tim Tyler</i>			
3-7-19	Grape Ape Investments LLC	1242 E. Jackson St. Phoenix, AZ 85034	(602) 385-4200	503-55-011
	X <i>Tim Tyler</i>			

ANNEXATION PETITION

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF
SURPRISE, ARIZONA:

We, the undersigned, the owners of one-half or more of the real and personal property that also represents one-half or more of the value of the real and personal property that would be subject to taxation by the City of Surprise in the event of annexation within the territory proposed to be annexed, which is hereafter described, said territory being contiguous to the corporate limits of the City of Surprise, with the exterior boundaries of the territory proposed to be annexed shown on the map attached hereto, marked Exhibit "B" and made a part hereof, request the City of Surprise to annex the following described territory, provided that the requirements of A.R.S. §9-471, and amendments thereto are fully observed.

The description of the territory proposed to be annexed, not already within the present limits of the City of Surprise and located in Maricopa County, Arizona, is as described and attached hereto, marked Exhibit "A" and made part thereof:

DATE	NAME OF PROPERTY OWNER	MAILING ADDRESS	PHONE NO	PARCEL NUMBER OR LEGAL DESCRIPTION
3-7-19	SCM-Hansen, LLP	1242 E. Jackson St. Phoenix, AZ 85034	(602)385-4200	503-55-011
	X <i>[Signature]</i>			
3-7-19	SCM-Zaharis, LLP	1242 E. Jackson St. Phoenix, AZ 85034	(602)385-4200	503-55-011
	X <i>[Signature]</i>			
3-7-19	SCM-Pendleton, LLP	1242 E. Jackson St. Phoenix, AZ 85034	(602)385-4200	503-55-011
	X <i>[Signature]</i>			
3-7-19	SCM Woolley, LLP	1242 E. Jackson St. Phoenix, AZ 85034	(602)385-4200	503-55-011
	X <i>[Signature]</i>			
3-7-19	Allen-Lowley Living Trust	1242 E. Jackson St. Phoenix, AZ 85034	(602)385-4200	503-55-011
	X <i>[Signature]</i>			

ANNEXATION PETITION

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF
SURPRISE, ARIZONA:

We, the undersigned, the owners of one-half or more of the real and personal property that also represents one-half or more of the value of the real and personal property that would be subject to taxation by the City of Surprise in the event of annexation within the territory proposed to be annexed, which is hereafter described, said territory being contiguous to the corporate limits of the City of Surprise, with the exterior boundaries of the territory proposed to be annexed shown on the map attached hereto, marked Exhibit "B" and made a part hereof, request the City of Surprise to annex the following described territory, provided that the requirements of A.R.S. §9-471, and amendments thereto are fully observed.

The description of the territory proposed to be annexed, not already within the present limits of the City of Surprise and located in Maricopa County, Arizona, is as described and attached hereto, marked Exhibit "A" and made part thereof:

DATE	NAME OF PROPERTY OWNER	MAILING ADDRESS	PHONE NO	PARCEL NUMBER OR LEGAL DESCRIPTION
3-11-19	HVID, LLC	18835 N. Thompson Peak Parkway, #215 Scottsdale, AZ 85255	602-469- 8050	503-55-002B 503-55-002E
By:	 MANAGER			
3-11-19	HV31, LLC	18835 N. Thompson Peak Parkway, #215 Scottsdale AZ 85255	602-469 8050	503-55-013B 503-55-014B
By:	 MANAGER			
3-11-19	Happy Valley Twenty Five, LLC	18835 N. Thompson Peak Parkway #215, Scottsdale AZ 85255	602-469 8050	503-55-012A 503-55-012D 503-55-012F 503-55-012G
By:	 MANAGER			
3-11-19	Hatfield 15, LLC	18835 N. Thompson Peak Parkway, #215, Scottsdale AZ 85255	602-469 8050	503-55-012E
By:	 MANAGER			

FS18-149 Paloma Creek Annexation
Maricopa County Assessor Report (updated 5.28.19)

Parcel No	Tax Year	PUC	Property Use	Tax Area Code	Owner Name	Mailing Address	City State Zip	Centrally Valued	Land FCV	Improvement FCV	CVP PP FCV	Total FCV	Total Assed FCV	Total Exmpt Assed FCV	Total Net FCV	Total LPV	Total Assessed Value(LPV)	
503-54-011C	2019	4717	RANCHES	890007	PENSCO TRUST COMPANY	8530 E VIA DEL SOL DR	SCOTTSDALE AZ 85255		\$403	\$3,400	\$0	\$3,803	\$570		\$0	\$570	\$3,803	\$570
503-55-002A	2019	0014	VACANT LAND	890007	DITOLA GEORGE D	384 HIAWATHA TR	WOOD DALE IL 60191		\$87,900	\$0	\$0	\$87,900	\$13,185		\$0	\$13,185	\$47,861	\$7,179
503-55-002B	2019	4710	RANCHES	890007	HV 10 LLC	18835 N THOMPSON PEAK PKWY STE 215	SCOTTSDALE AZ 85255		\$171	\$0	\$0	\$171	\$26		\$0	\$26	\$171	\$26
503-55-002C	2019	0014	VACANT LAND	890007	XANDER LANDER LLC/PALOMA CREEK LAND LLC	10973 N 138TH WAY	SCOTTSDALE AZ 85259		\$84,300	\$0	\$0	\$84,300	\$12,645		\$0	\$12,645	\$45,563	\$6,834
503-55-002D	2019	4710	RANCHES	890007	KAX LLC	10973 N 138TH WAY	SCOTTSDALE AZ 85259	N	\$165	\$0	\$0	\$165	\$25		\$0	\$25	\$101	\$15
503-55-002E	2019	4710	RANCHES	890007	HV 10 LLC	18835 N THOMPSON PEAK PKWY STE 215	SCOTTSDALE AZ 85255		\$364	\$0	\$0	\$364	\$55		\$0	\$55	\$364	\$55
503-55-004	2019	4710	RANCHES	890007	ACE PSP LLC	1450 E INDIAN SCHOOL RD STE 104	PHOENIX AZ 85014		\$600	\$0	\$0	\$600	\$90		\$0	\$90	\$600	\$90
503-55-011	2019	4710	RANCHES	890007	SCM PENDLETON LLLP/SCM-WHITEMAN LLLP/ETAL	1242 E JACKSON ST	PHOENIX AZ 85034		\$1,600	\$0	\$0	\$1,600	\$240		\$0	\$240	\$1,600	\$240
503-55-012A	2019	0014	VACANT LAND	890007	HAPPY VALLEY TWENTY FIVE LLC	18835 N THOMPSON PEAK PKWY STE 215	SCOTTSDALE AZ 85255		\$180,500	\$0	\$0	\$180,500	\$27,075		\$0	\$27,075	\$110,105	\$16,516
503-55-012D	2019	0014	VACANT LAND	890007	HAPPY VALLEY TWENTY FIVE LLC	18835 N THOMPSON PEAK PKWY STE 215	SCOTTSDALE AZ 85255		\$69,400	\$0	\$0	\$69,400	\$10,410		\$0	\$10,410	\$42,334	\$6,350
503-55-012E	2019	0014	VACANT LAND	890007	HATFIELD 15 LLC	18835 N THOMPSON PEAK PKWY STE 215	SCOTTSDALE AZ 85255		\$90,700	\$0	\$0	\$90,700	\$13,605		\$0	\$13,605	\$55,327	\$8,299
503-55-012F	2019	0014	VACANT LAND	890007	HAPPY VALLEY TWENTY FIVE LLC	18835 N THOMPSON PEAK PKWY STE 215	SCOTTSDALE AZ 85255		\$162,500	\$0	\$0	\$162,500	\$24,375		\$0	\$24,375	\$99,125	\$14,869
503-55-012G	2019	0014	VACANT LAND	890007	HAPPY VALLEY TWENTY FIVE LLC	18835 N THOMPSON PEAK PKWY STE 215	SCOTTSDALE AZ 85255		\$143,900	\$0	\$0	\$143,900	\$21,585		\$0	\$21,585	\$87,779	\$13,167
503-55-013B	2019	0014	VACANT LAND	890007	HV 31 LLC	6064 E JENAN DR	SCOTTSDALE AZ 85254		\$239,300	\$0	\$0	\$239,300	\$35,895		\$0	\$35,895	\$145,973	\$21,896
503-55-014B	2019	0014	VACANT LAND	890007	HV 31 LLC	6064 E JENAN DR	SCOTTSDALE AZ 85254		\$256,700	\$0	\$0	\$256,700	\$38,505		\$0	\$38,505	\$156,587	\$23,488
503-55-016	2019	0014	VACANT LAND	890007	MARYE HARRILYN ELLEN REVOCABLE LIVING TRUST	499 W MISSOURI AVE	PHOENIX AZ 85013		\$541,500	\$0	\$0	\$541,500	\$81,225		\$0	\$81,225	\$260,617	\$39,093
									\$1,860,003	\$3,400	\$0	\$1,863,403	\$279,511		\$0	\$279,511	\$1,057,910	\$158,687

Personal Property	\$3,443
Total Assessed Value	\$282,954
Petitioners - value	\$172,366
Petitioners - % of total	61%

STATE OF ARIZONA

Department of Revenue
Local Jurisdictions District
Fax (602) 542-4425



Douglas A. Ducey
Governor

Carlton Woodruff
Interim Director

February 11, 2019

Mr. Joshua Mike
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

RE: Valuation Transmittal for Docket # 07-0078-00, FS18-149

Dear Mr. Mike:

According to information provided by the taxpayer(s) and based on unit values established by the Division of Property Valuation and Equalization, the estimates of value for properties located in the proposed annexation areas are as follows:

Taxpayer #	Taxpayer Name	Full Cash Value	Assessed Value
54641	SOUTHWEST GAS CORPORATION (T&D)	\$0.00	\$0.00
56795	Centurylink Communications LLC	\$19,129.25	\$3,443.26

Please direct any inquiries you may have regarding this estimate to my email address:
fvillaverde@azdor.gov

Sincerely,

Flo Villaverde

Flo Villaverde
GIS Annexations
Telephone: 602 716 6832
Fax: 602 542 4425

ANNEXATION NARRATIVE

FS18-149

Annexation of 201.54 acres

Assessor Parcel Numbers:

**503-55-013B, 503-55-014B, 503-55-012A, 503-55-012G,
503-55-012D, 503-55-012F, 503-55-012E, 503-55-011,
503-54-011C, 503-55-002B, 503-55-002E, 503-55-002D,
503-55-016, 503-55-004, 503-55-002C, 503-55-002A**

**A portion of an area between North of Happy Valley Road,
East of 163rd Avenue, South of W. Brilles Road, and West of
154th Avenue, Maricopa County, Arizona**

Submitted To: City of Surprise, Arizona

Dated: August 30, 2018

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EXHIBITS

A.	Vicinity Map.....	A
B.	Annexation Plan and Map.....	B
C.	Annexation Graphic, Survey, and Legal Description.....	C
D.	Annexation Section Map.....	D
E.	Adjacent Land Use Map.....	E
F.	Annexation Property Petitioner Valuations.....	F
G.	Annexation Property Non-Petitioner Valuations.....	G
H.	Maricopa County approved Development Standards Letter dated August 3, 2018.....	H
I.	Annexation Most Comparable Zoning District Comparison Chart.....	I

1.0 ANNEXATION PROPERTY PETITIONERS – See attached Exhibit F Petitioner 2018 Valuations

Property Owner and Petitioner:	APN#	Acres	2018 Value
Pensco Trust Company FBO Kent A. Xander IRA 10973 N. 138 th Way Scottsdale, Arizona 85259	503-54-011C	9.9217	\$162,600
Happy Valley Twenty Five LLC, an Arizona limited liability company 18835 N. Thompson Peak Pkwy Suite 215 Scottsdale, Arizona 85255	503-55-012A 503-55-012G 503-55-012D 503-55-012F	8.9485 9.9547 4.9787 9.9493	\$181,900 \$150,500 \$ 71,700 \$166,600
Hatfield 15 LLC 18835 N. Thompson Peak Pkwy Suite 215 Scottsdale, Arizona 85255	503-55-012E	4.9733	\$ 90,600
HV 10 LLC 18835 N. Thompson Peak Pkwy Suite 215 Scottsdale, Arizona 85255	503-55-002B 503-55-002E	4.2526 9.0753	\$ 53,800 \$133,800
HV 31 LLC 18835 N. Thompson Peak Pkwy Suite 215 Scottsdale, Arizona 85255	503-55-013B 503-55-014B	14.17 14.28	\$213,200 \$259,700
KAX, LLC 10973 N. 138 th Way Scottsdale, Arizona 85259	503-55-002D	4.1118	\$ 66,900
TK Cowley Investments, LLLP, an Arizona limited liability limited partnership as to an undivided 16.61164% interest; LS Tyler Investments, LLLP, an Arizona limited liability limited partnership, as to an undivided 15.53788% interest; Arete Capital, LLC, an Arizona limited liability company, as to an undivided 6.71441% interest; San Felipe Neri Investments, LLLP, an Arizona limited liability limited partnership, as to an undivided 1.79051% interest; Grape Ape Investments, LLLP, an Arizona limited liability limited partnership, as to an undivided 1.34288%	503-55-011	39.8267	\$815,700

interest; SCM Hansen, LLLP, an Arizona limited liability limited partnership, as to an undivided 4.47628% interest; SCM-Zaharis, LLLP, an Arizona limited liability limited partnership, as to an undivided 4.47628% interest; SCM Pendleton, LLLP, an Arizona limited liability limited partnership, as to an undivided 28.00744% interest; SCM Woolley, LLLP, an Arizona limited liability limited partnership, as to an undivided .89526% interest and Michael T. Cowley and F. Lee Allen and their Successors in Trust, as Trustees of The Allen-Cowley Living Trust dated December 19, 2007, as to an undivided 20.14742% interest
1242 E. Jackson Street
Phoenix, Arizona 85034

Total Annexation Property Petitioners Valuation	134.448	\$2,367,000
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1.1 ANNEXATION PROPERTY NON-PETITIONERS – See attached Exhibit G Non-Petitioner 2018 Valuations

<u>Additional Property Owner:</u>	<u>APN#</u>	<u>Acres</u>	<u>2018 Value</u>
George D. Di Tola 384 Hiawatha Trail Wood Dale, IL 60191	503-55-002A	4.9826	\$76,300
PHNX Housing Solutions II, L.L.C. 23233 N. Pima Road # 113240 Scottsdale, Arizona 85255	503-55-002C	4.6798	\$73,200
ACE PSP LLC, an Arizona limited liability company 1450 E. Indian School Road Suite 104 Phoenix, Arizona 85014	503-55-004	16.1166	\$237,900
Marye Harrilyn Ellen, Successor Trustee of the Marye Harrilyn Ellen Revocable Living Trust dated April 2, 1986 C/O Arizona Bank & Trust 2036 E. Camelback Road Phoenix, Arizona 85016	503-55-016	39.7569	\$845,300
Total Annexation Property Non-Petitioners Valuation		65.5359	\$1,232,700

1.2 NARRATIVE

1. The Annexation Assessor Parcel numbers are: 503-54-006G, 503-55-013B, 503-55-014B, 503-55-012A, 503-55-012G, 503-55-012D, 503-55-012F, 503-55-012E, 503-55-011, 503-54-011C, 503-55-002B, 503-55-002E, 503-55-002D, 503-55-016, 503-55-004, 503-55-002C, and 503-55-002A. See attached Exhibit C, Annexation Graphic, Survey, and Legal Description.
2. Annexation will follow ARS criteria and SUDC Section 122-149.
3. The 7 Petitioners 2018 Value equals: \$2,367,000. See Exhibit F
The 4 Non-Petitioners 2018 Value equals: \$1,232,700. See Exhibit G
4. The annexation area is vacant desert, demographic data is not applicable.
5. The Annexation Area are the following APN#'s: 503-55-013B, 503-55-014B, 503-55-012A, 503-55-012G, 503-55-012D, 503-55-012F, 503-55-012E, 503-55-011, 503-54-011C, 503-55-002B, 503-55-002E, 503-55-002D, 503-55-016, 503-55-004, 503-55-002C, and 503-55-002A has never filled an annexation petition.
6. The intent of this annexation is to lead to a complimentary zoning, based on Maricopa County existing zoning of R-5 Residential Unit Plan of Development (RUPD) that allows for a maximum overall density of five dwelling units per acre (5 du/ac.) and the Development Standards as outlined in the attached letter shown on Exhibit H, dated August 3, 2016 from City of Surprise to Maricopa County Planning. The residential medium density (RM) zoning district provides the most complimentary zoning because, a mixture of medium density residential uses including single-family detached and attached dwellings, duplexes or other types of medium density housing together. The district is designed to allow maximum flexibility while maintaining an environment compatible with adjoining neighborhoods. The applicable RM-9 character pattern regulations in article V of the Surprise Municipal Code also provide for the most complimentary character patterns for lot sizes, setbacks, building heights, and other dimensional restrictions. See attached Exhibit I Annexation Most Comparable Zoning District Comparison Chart.
7. The annexation of the Annexation Property owned by the Petitioners under FS18-149 is subject to the simultaneously successful rezoning and preliminary plat under FS18-150. The Annexation citizen review meeting will be at the same time the citizen review meeting is held for the rezoning and preliminary plat of the Petitioners vacant land.

1.3 LOCATION AND ADJACENT LAND USE

The Location of the Annexation Area is a portion of an area between North of Happy Valley Road, East of 163rd Avenue, South of W. Brilles Road, and West of 154th Avenue, Maricopa County, Arizona. Attached is a Vicinity Map, Exhibit A illustrating the Annexation Area location.

The Annexation Area is adjacent on 3 sides to Desert Oasis PAD, Tierra Verde West PAD, and Tierra Verde East PAD. The specific adjacent zoning is as follows:

1. On the South and East, Tierra Verde East PAD05-264 zoned residential allowing for a minimum lot sizes of 70' x 125'.
2. On the South, Tierra Verde West PAD zoned residential MDR allowing for a minimum lot size of 48' x 115' and 63' x 120'.
3. On the West, Parcel B10 Desert Oasis at Surprise PAD zoned residential MDR allowing for a minimum lot size of 50' x 115'.
4. On the north and south side, the adjacent zoning is Maricopa County residential zoning RU-43.

1.4 DESCRIPTION OF REQUEST

Annexation

The purpose of this request is to have the City of Surprise Annex vacant land consisting of 201.54 acres. The Annexation Map and Plan, Exhibit B, shows and includes the Annexation Area and all county rights-of-way and roadways that are within or contiguous to the exterior boundaries of the area of the proposed annexation.

The annexation process will rezone the subject property/parcels to City of Surprise residential medium density (RM) zoning district (RM-9) that allows a maximum overall density of five dwelling units per acre (5 du/ac) and Residential Ranch (RR) after they are incorporated into the City of Surprise, which is the most comparable zoning district under the City's Municipal Code, Section 122, Article V and VI.

Concurrently with this application, a rezone and preliminary plat application is being processed under City of Surprise case number (FS18-150).

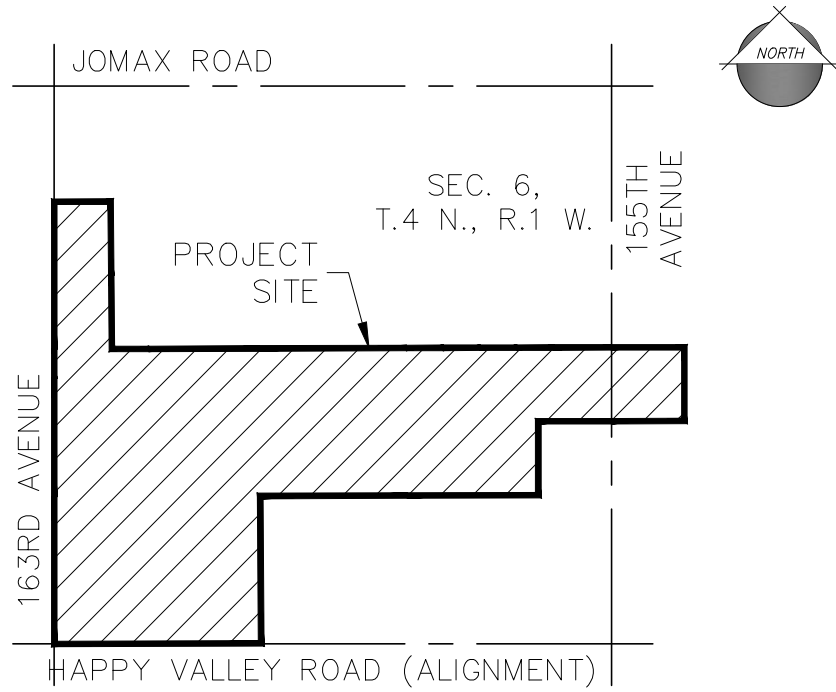
1.5 FUTURE UTILITIES, INFRASTRUCTURE AND ROADS

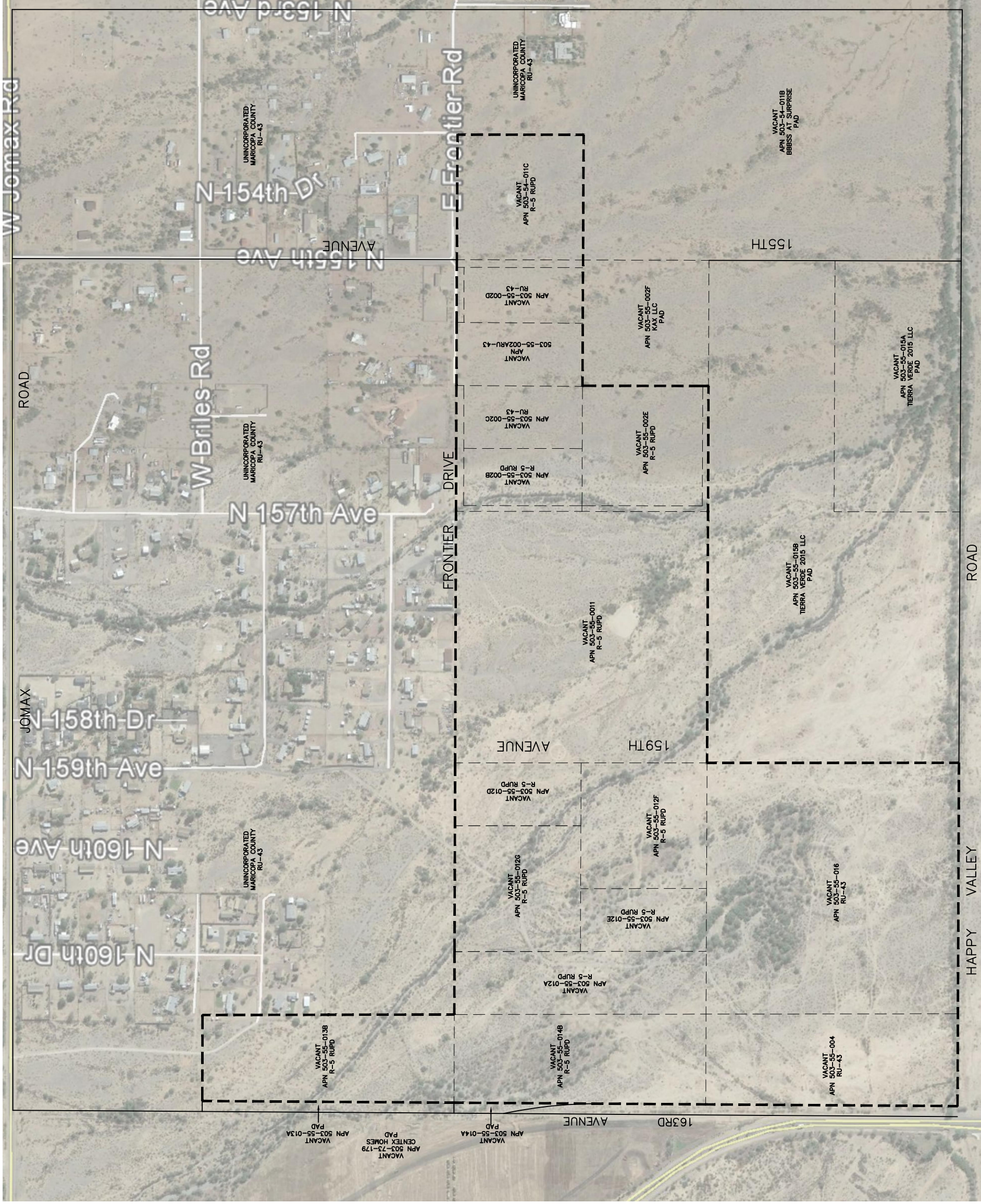
1. The Annexation Area is a portion of an area between North of Happy Valley Road, East of 163rd Avenue, South of W. Brilles Road, and West of 154th Avenue, Maricopa County, Arizona.
2. Upon development of Annexation Area, all necessary utilities for the land will be extended to the Annexation Area from adjacent Developments.
3. The Annexation Area is included in Rancho Mercado PAD Upper Pressure Zone.
4. In the future, the Annexation Area will purchase the necessary sewer capacity pursuant to SPA 2 Water Reclamation Facility Capacity Allocation Agreement.
5. Regional access to the Annexation area is via two existing alternatives. 1. 155th Avenue and Jomax Road, 2. Saddlehorn Road and 163rd Avenue. 3. Traffic from 163rd, 155th, and Happy Valley Road will have or have access east on Jomax Road to Dysart Road then south to Happy Valley Road and east Loop 303.
6. In the future, Rancho Mercado PAD will develop Happy Valley Road from 163rd Avenue east to City of Peoria where Happy Valley Road ends within the development of Rancho Cabrillo. When constructed, Happy Valley Road will connect 163rd Avenue and to Loop 303.

Exhibit A

VICINITY MAP

N.T.S.





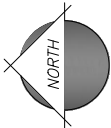
ANNEXATION PLAN FOR PALOMA CREEK

UTILITIES IN THE FUTURE. PUBLIC UTILITIES INCLUDING SEWER AND WATER ARE PLANNED TO BE CONSTRUCTED ADJACENT AND PHASED WITH AND PART OF THE DEVELOPMENT OF PALOMA CREEK.

— SURROUNDING LAND USES: VACANT LAND AND SINGLE FAMILY

— SURROUNDING ZONING OF ANNEXATION AREA: RU-43 AND PAD

— ZONING FOR ANNEXATION AREA: RU-43 AND R-5



N.T.S.

[illegible]

Call at least two full working days before you begin excavation.

811

Dial 8-1-1 or 1-800-STAKE-IT (782-5348) in Maricopa County. (© 02) 263-4100

Designer:	NG
Drawn by:	NG

Preliminary
Not For
Construction
Or
Recording

Job No.
16-400

Sheet No. 1 of 1

LEGAL DESCRIPTIONS

PARCEL NO. 1:
The North half of the Northwest quarter of the Southwest quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.
EXCEPT the East 655.08 feet thereof.

PARCEL NO. 2:
The West half of the Northeast quarter of the Northeast quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.
EXCEPT one-half of all oil rights as reserved in instrument recorded in Docket 1746, page 101, records of Maricopa County, Arizona.

PARCEL NO. 3:
The West half of the Northwest quarter of the Northeast quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.
EXCEPT one-half of all oil rights as reserved in instrument recorded in Docket 1746, page 101, records of Maricopa County, Arizona.

PARCEL NO. 4:
The East half of the Northwest quarter of the Northeast quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

PARCEL NO. 5:
The East half of the Northeast quarter of the Northeast quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.
EXCEPT one-half of all oil rights as reserved in instrument recorded in Docket 1746, page 101, records of Maricopa County, Arizona.

PARCEL NO. 6:
The Southwest quarter of the Northeast quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.
EXCEPT one-half of all oil rights as reserved in instrument recorded in Docket 1746, page 101, records of Maricopa County, Arizona.

PARCEL NO. 7:
Lot 7 of the Southwest quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;
EXCEPT the West 55.00 feet thereof.

PARCEL NO. 8:
The Northwest quarter of the Southwest quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

PARCEL NO. 9:
The West half of the West half of the Northeast quarter of the Southwest quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

PARCEL NO. 10:
The East half of the Northeast quarter of the Northeast quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;
EXCEPT the West 55.00 feet thereof.

PARCEL NO. 11:
The East half of the Southwest quarter of the Southwest quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

PARCEL NO. 12:
The Southwest quarter of the Northeast quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

PARCEL NO. 13:
The East half of the Northwest quarter of the Northeast quarter of the Southwest quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

PARCEL NO. 14:
G.L.O Lots 5 and 6 of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and meridian, Maricopa County, Arizona;
EXCEPT the West 55.00 feet thereof; and

PARCEL NO. 15:
The Southwest quarter of the Southwest quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

CERTIFICATION

To First American Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 4, 8, 9, 11, 16, 17 and 19 from Table A thereof. The field work was completed on April 13, 2011.

Thomas L. Rope, R.L.S. No. 21081

SCHEDULE B EXCEPTIONS

- The Following Matters Affect All Parcels:
1. Taxes for the full year of 2018. (The first half is due October 1, 2018 and is delinquent November 1, 2018. The second half is due March 2019, and the first half of 2019, in Acts authorizing the issuance hereof.
 2. Reservations or Exceptions in Patents, or in Acts authorizing the issuance hereof.
 3. The terms and provisions contained in the document entitled "SPA 2 Water Reclamation Facility Capacity Allocation Agreement" recorded May 20, 2015 as 2015-0354865 of Official Records.
 4. The terms and provisions contained in the document entitled "Rancho Mercado Supplmental Development Agreement (Regional Improvements Overlay Agreement)" recorded July 19, 2017 as 2017-0526362 of Official Records.
 5. Any claim that the Title is subject to a trust or lien created under the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. §§499a, et seq.) or the Packers and Stockyards Act (7 U.S.C. §§181 et seq.), or under similar state laws. (Affects Parcel Nos. 1, 3 and 5 through 14)
 6. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS survey made by Land Survey Services, PLLC on or about August 13, 2011, as recorded in Docket 10019, and/or to the extent of the following matters without described property. NOTE: This matter will be more fully set forth or deleted upon compliance with the applicable requirement(s) set forth herein.
 8. Water rights, claims or title to water, whether or not shown by the public records.

The Following Matters Affect Parcel No. 1:

9. Second installment of 2017 taxes, a lien, payable on or before March 1, 2018, and delinquent May 1, 2018.
10. An easement for roadway and incidental purposes in the document recorded October 26, 1955 as Docket 1746, Page 101.
11. An easement for electric lines and incidental purposes in the document recorded August 19, 1974 as Docket 10790, Page 1408.
12. An easement for electric lines and incidental purposes in the document recorded May 23, 1973 as Docket 10149, Page 1424.
11. An easement for electric lines and incidental purposes in the document recorded October 31, 1973 as Docket 10377, Page 1034.

The Following Matters Affect Parcel No. 2:

13. Second installment of 2017 taxes, a lien, payable on or before March 1, 2018, and delinquent May 1, 2018.
14. An easement for roadway and incidental purposes in the document recorded October 26, 1955 as Docket 1746, Page 101.
15. An easement for electric lines and incidental purposes in the document recorded August 19, 1974 as Docket 10790, Page 1408.
16. All matters as set forth in Road File Declarations, recorded October 01, 2014 as 2014-0651126 and Map of Roadway Designation, Road File No. A517 recorded October 16, 2014 as 2014-065921 of Official Records.

The Following Matters Affect Parcel No. 3:

17. An easement for ingress and egress and incidental purposes in the document recorded October 26, 1981 as Docket 15600, Page 1055, 1056, 1057 and 1058.

The Following Matters Affect Parcel No. 4:

18. Second installment of 2017 taxes, a lien, payable on or before March 1, 2018, and delinquent May 1, 2018.
19. All matters as set forth in Road File Declarations, recorded October 01, 2014 as 2014-0651126 and Map of Roadway Designation, Road File No. A517 recorded October 16, 2014 as 2014-065921 of Official Records.
20. All matters as set forth in Record of a Land Survey and Property Division, recorded as Book 633 of Maps, Page 46.
21. The effect of a document entitled "Special Warranty Deed", recorded August 09, 2017 as 20170595261 of Official Records. Purports to convey subject property, erroneous legal description and grantor does not have interest in subject property.

The Following Matters Affect Parcel No. 5:

22. All matters as set forth in Road File Declarations, recorded October 01, 2014 as 2014-0651126 and Map of Roadway Designation, Road File No. A517 recorded October 16, 2014 as 2014-065921 of Official Records.

The Following Matters Affect Parcel No. 7:

23. An easement for drainage and incidental purposes in the document recorded March 24, 1986 as 86-138580 of Official Records.
24. Intentionally Deleted.
25. An easement for permanent access road and incidental purposes in the document recorded January 23, 2008 as 2008-0061198 of Official Records. (Does not affect this property)

The Following Matters Affect Parcel No. 8:

26. An easement for ingress and egress and incidental purposes in the document recorded October 26, 1981 as Docket 15600, Page 1055, 1056, 1057 and 1058.
27. An easement for ingress and egress and incidental purposes in the document recorded April 05, 1985 as 85-151641 and recorded April 10, 1985 as 85-156943 of Official Records.
28. The terms and provisions contained in the document entitled "Memorandum of Agreement" recorded August 22, 2013 as 2013-0766990 of Official Records.

The Following Matters Affect Parcel No. 9:

29. An easement for ingress and egress and incidental purposes in the document recorded October 26, 1981 as Docket 15600, Page 1055 and 1058.
30. An easement for ingress and egress and incidental purposes in the document recorded April 19, 1985 as 85-173278 of Official Records.

The Following Matters Affect Parcel No. 10:

31. An easement for ingress and egress and incidental purposes in the document recorded October 26, 1981 as Docket 15600, Page 1055.
32. An easement for ingress and egress and incidental purposes in the document recorded April 19, 1985 as 85-173278 of Official Records.
33. An easement for ingress, egress and public utilities and incidental purposes in the document recorded May 28, 1985 as 85-241602 of Official Records.
34. An easement for ingress, egress, access and incidental purposes in the document recorded July 22, 2004 as 2004-0942343, 2004-0842346 and as 2004-0842349 all of Official Records.
35. All matters as set forth in Results of Survey, recorded as Book 699 of Maps, Page 19.

The Following Matters Affect Parcel No. 11:

36. An easement for ingress, egress, access and incidental purposes in the document recorded July 22, 2004 as 2004-0942343, 2004-0842346 and as 2004-0842349 all of Official Records.
37. All matters as set forth in Results of Survey, recorded as Book 699 of Maps, Page 19.

The Following Matters Affect Parcel No. 12:

38. An easement for ingress, egress, access and incidental purposes in the document recorded July 22, 2004 as 2004-0942343, 2004-0842346 and as 2004-0842349 all of Official Records.
39. All matters as set forth in Results of Survey, recorded as Book 699 of Maps, Page 19.

The Following Matters Affect Parcel No. 13:

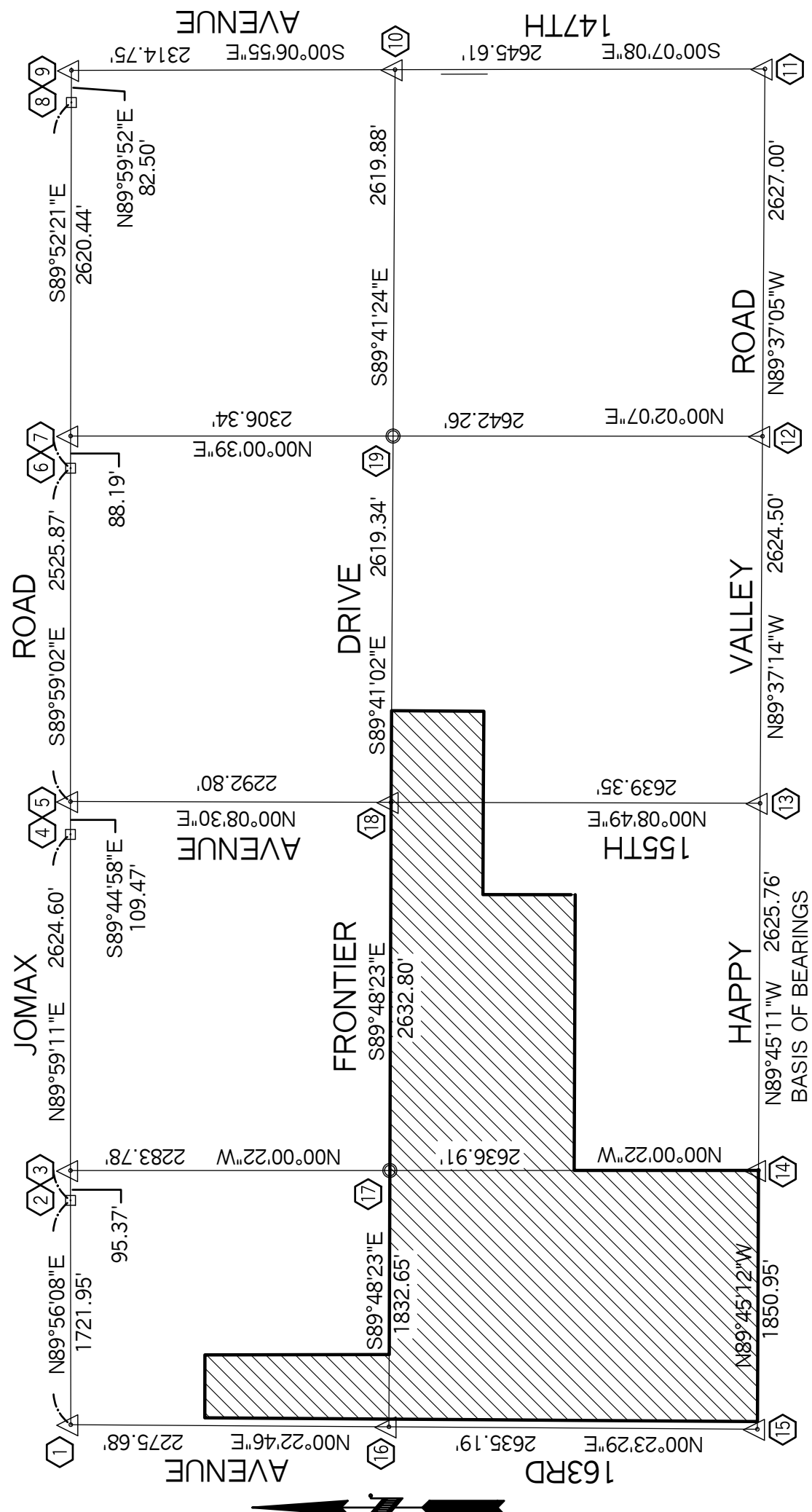
40. An easement for ingress and egress and incidental purposes in the document recorded April 19, 1985 as 85-173278 of Official Records.
41. An easement for ingress and egress and incidental purposes in the document recorded October 26, 1981 as Docket 15600, Page 1055 and 1057.
42. An easement for ingress, egress and public utilities and incidental purposes in the document recorded May 28, 1985 as 85-241602 of Official Records.
43. An easement for ingress, egress, access and incidental purposes in the document recorded July 22, 2004 as 2004-0942343, 2004-0842346 and as 2004-0842349 all of Official Records.
44. All matters as set forth in Results of Survey, recorded as Book 699 of Maps, Page 19.

45. Second installment of 2017 taxes, a lien, payable on or before March 1, 2018, and delinquent May 1, 2018.
46. All matters as set forth in Boundary Survey, recorded as Book 338 of Maps, Page 30.

NOTES

1. This survey is based upon a commitment for title prepared by First American Title Insurance Company, Escrow No. NCS 893631-PHX1 dated December 19, 2017.
2. This property lies in Flood Zones A and X-Dotted according to FIRM No. 04013C1135C as published by FEMA on October 16, 2013.
3. This property is zoned Rural-43 by Maricopa County, except for Parcel Nos. 11, 12 and 19, which are zoned P.A.D. by the City of Surprise.
4. There are no buildings on this property.
5. The Basis of Bearings is the West line of the Southwest quarter of Section 6, T4N, RTW (also the East line of the Southeast quarter of Section 1, T4N, R2W) being North 00° 23' 29" East, as taken from the GDACS Map recorded in Book 679 of Maps, page 19.
6. ©Copyright 2018. These drawings are an instrument of service and are the property of Land Survey Services. No reproduction or use of design concepts are allowed without written permission of Land Survey Services. Any violation of this copyright shall be subject to legal action.

SECTIONS 5 & 6, T4N, RTW



AREAS

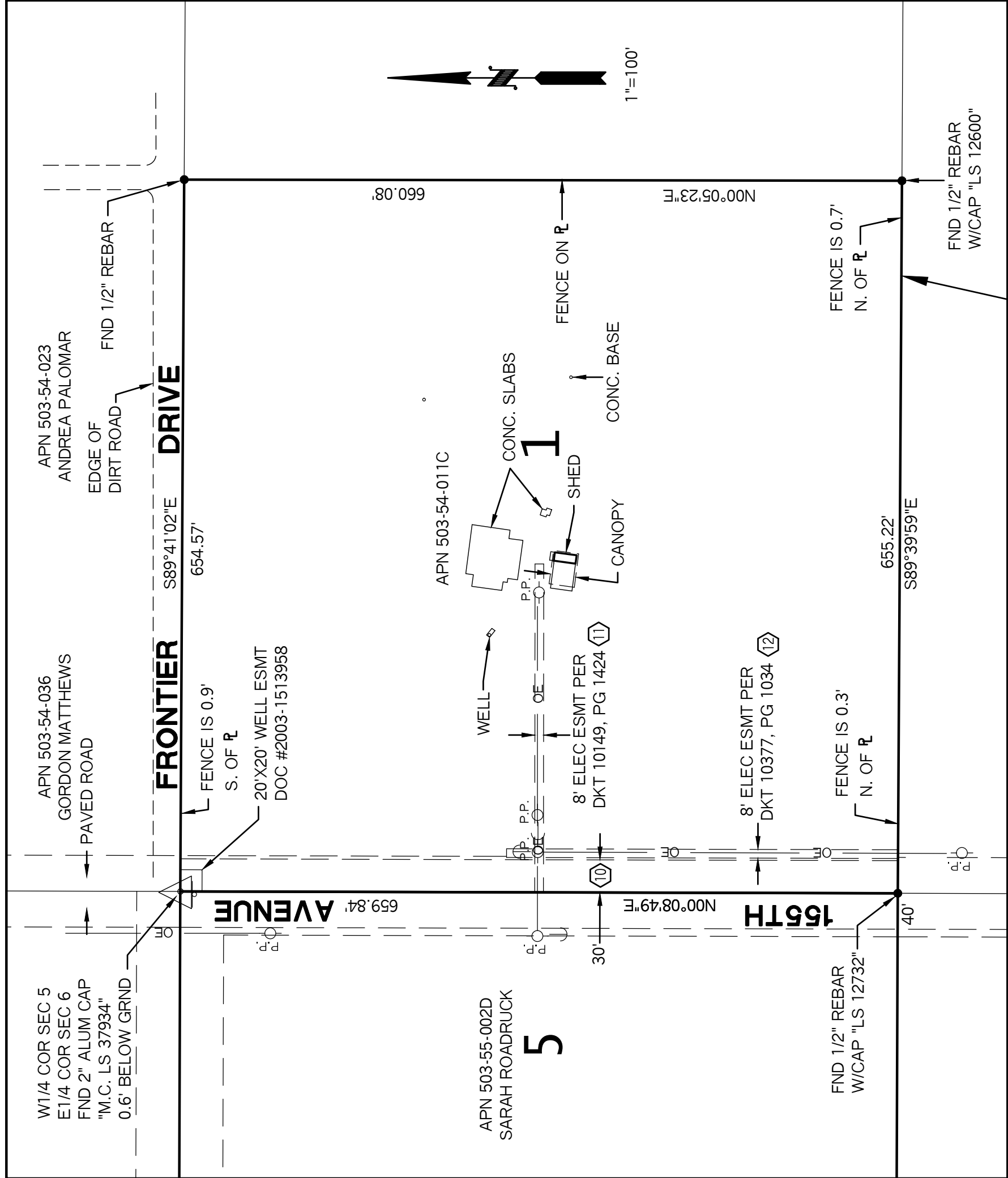
- PARCEL 1: 9.9217 AC
PARCEL 2: 4.9826 AC
PARCEL 3: 4.9815 AC
PARCEL 4: 4.9820 AC
PARCEL 5: 4.9832 AC
PARCEL 6: 9.9568 AC
PARCEL 7: 14.4519 AC
PARCEL 8: 39.8267 AC
PARCEL 9: 9.9485 AC
PARCEL 10: 4.9787 AC
PARCEL 11: 4.9733 AC
PARCEL 12: 9.9493 AC
PARCEL 13: 9.9547 AC
PARCEL 14: 27.8960 AC
PARCEL 15: 39.7569 AC
TOTAL: 201.54 ACRES

MONUMENT DESCRIPTIONS

- 1 NE CORNER SEC 6
2 ANGLE POINT
3 NW COR SEC 6
4 ANGLE POINT
5 NE CORNER SEC 6
6 NW CORNER SEC 6
7 ANGLE POINT
8 NW CORNER SEC 5
9 ANGLE POINT
10 NE COR SEC 5
11 SE COR SEC 5
12 NW COR SEC 5
13 SW COR SEC 5
14 SE COR SEC 6
15 SW COR SEC 6
16 NW COR SEC 6
17 CENTER SEC 6
18 NW COR SEC 5
19 CENTER SEC 5
20 ANGLE POINT
21 NW CORNER SEC 6
22 ANGLE POINT
23 NW CORNER SEC 5
24 ANGLE POINT
25 NW CORNER SEC 5
26 ANGLE POINT
27 NW CORNER SEC 5
28 ANGLE POINT
29 NW CORNER SEC 5
30 ANGLE POINT
31 NW CORNER SEC 5
32 ANGLE POINT
33 NW CORNER SEC 5
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95 NW CORNER SEC 5
96 ANGLE POINT
97 NW CORNER SEC 5
98 ANGLE POINT
99 NW CORNER SEC 5
100 ANGLE POINT

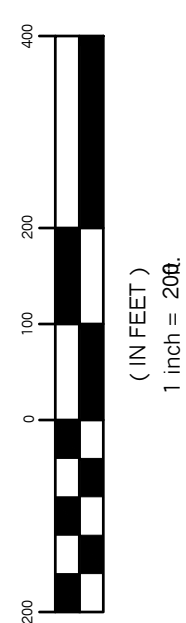
NOTE: IN PREVIOUS SURVEYS IN THIS AREA SINCE 2000, THIS SURVEYOR FOUND A U.S.D.I. B.L.M. BRASS CAP IN THIS LOCATION. THIS NEW ALUMINUM CAP IS 0.3" SOUTH OF THE PREVIOUS LOCATION. ALL MEASUREMENTS ON THIS SURVEY ARE BASED ON THE PREVIOUS LOCATION OF THE BRASS CAP.

DETAIL OF PARCEL 1



Sheet No.: 2 of 2

23



SURPRISE ANNEXATION PARCEL

That portion of Sections 5 and 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the West quarter corner of said Section 5;

Thence South 89° 41' 02" East along the North line of the Southwest quarter of Section 5 a distance of 654.57 feet to the West line of the East 655.08 feet of the North half of Northwest quarter of the Southwest quarter of the Section 5;

Thence South 00° 05' 23" West along said West line a distance of 660.04 feet to the South line of the North half of the Northwest quarter of the Southwest quarter of the Section 5 and the North line of that Parcel Annexed by the City of Surprise per Ordinance 05-60 as recorded in Document No. 2006-104870, Official Records;

Thence North 89° 39' 59" West along said line a distance of 655.22 feet to the common line between Sections 5 and 6;

Thence North 89° 47' 36" West along the South line of the Northeast quarter of the Northeast quarter of the Southeast quarter of Section 6 and the North line of said Annexation Parcel a distance of 657.76 feet;

Thence South 00° 06' 30" West along the East line of the Southwest quarter of the Northeast quarter of the Southeast quarter of Section 6 and the West line of said Annexation Parcel a distance of 659.68 feet;

Thence North 89° 46' 48" West along the North line of the South half of the Southeast quarter of Section 6 and the North line of said Annexation Parcel a distance of 1971.96 feet;

Thence South 00° 00' 23" East along the North-South mid-section line of Section 6 and the West line of said Annexation Parcel a distance of 1318.45 feet to the South quarter corner of Section 6;

Thence North 89° 45' 13" West along the South line of Section 6 and the North line of said Annexation Parcel a distance of 1795.95 feet to the East line of the West 55.00 feet of the Southwest quarter of Section 6 and the East line of that Parcel Annexed by the City of Surprise per Ordinance 88-24 as recorded in Document No. 1988-594510, Official Records;

Thence North 00° 23' 29" East along said East line a distance of 2635.25 feet to the East-West mid-section line of Section 6;

Thence North 00° 22' 45" East along the East line of the West 55.00 feet of the Northwest quarter of Section 6 and the East line of said Annexation Parcel a distance of 1317.51 feet to the North line of Lot 5 of Section 6;

Thence South 89° 50' 48" East along said North line a distance of 450.04 feet to the Northeast corner of said Lot 5;

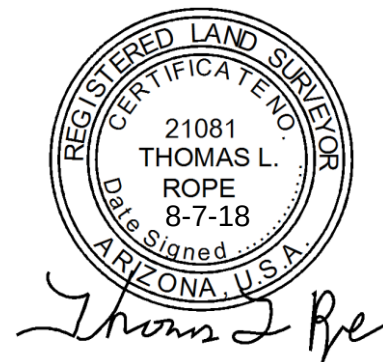
SURPRISE ANNEXATION PARCEL

Thence South 00° 06' 11" East along the East line thereof a distance of 1317.84 feet to the East-West mid-section line of Section 6;

Thence South 89° 48' 24" East along said mid-section line a distance of 1316.52 feet to the Center of Section 6;

Thence continuing South 89° 48' 24" East along said mid-section line a distance of 2632.80 feet to the **POINT OF BEGINNING**.

Containing 201.54 acres



Land Survey Services PLC
3160 N. 302nd Lane
Buckeye, AZ 85396

Expires 3-31-2019

Job No. 10019

Parcel Map Check Report

Prepared by:

Thomas Rope

Land Survey Services, PLC

3160 N. 302nd Lane

Date: 8/7/2018 4:41:30 PM

Parcel Name: 1

Description: Paloma Creek Annexation

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North: 989,276.2904'

East: 554,680.8580'

Segment# 1: Line

Course: S89°41'02"E

Length: 654.57'

North: 989,272.6790'

East: 555,335.4181'

Segment# 2: Line

Course: S0°05'23"W

Length: 660.04'

North: 988,612.6398'

East: 555,334.3845'

Segment# 3: Line

Course: N89°39'59"W

Length: 655.22'

North: 988,616.4549'

East: 554,679.1756'

Segment# 4: Line

Course: N89°47'36"W

Length: 657.76'

North: 988,618.8275'

East: 554,021.4199'

Segment# 5: Line

Course: S0°06'30"W

Length: 659.68'

North: 987,959.1486'

East: 554,020.1725'

Segment# 6: Line

Course: N89°46'48"W

Length: 1,971.96'

North: 987,966.7204'

East: 552,048.2271'

Segment# 7: Line

Course: S0°00'23"E

Length: 1,318.45'

North: 986,648.2704'

East: 552,048.3741'

Exhibit C, Page 6

Segment# 8: Line

Course: N89°45'13"W

North: 986,655.9935'

Length: 1,795.95'

East: 550,252.4407'

Segment# 9: Line

Course: N0°23'29"E

North: 989,291.1820'

Length: 2,635.25'

East: 550,270.4420'

Segment# 10: Line

Course: N0°22'45"E

North: 990,608.6632'

Length: 1,317.51'

East: 550,279.1609'

Segment# 11: Line

Course: S89°50'48"E

North: 990,607.4588'

Length: 450.04'

East: 550,729.1992'

Segment# 12: Line

Course: S0°06'11"E

North: 989,289.6209'

Length: 1,317.84'

East: 550,731.5696'

Segment# 13: Line

Course: S89°48'24"E

North: 989,285.1786'

Length: 1,316.52'

East: 552,048.0821'

Segment# 14: Line

Course: S89°48'24"E

North: 989,276.2947'

Length: 2,632.80'

East: 554,680.8671'

Perimeter: 18,043.59'

Error Closure: 0.0101

Error North : 0.00435

Area: 201.5411Acre

Course: N64°26'19"E

East: 0.00909

Precision 1: 1,786,494.06

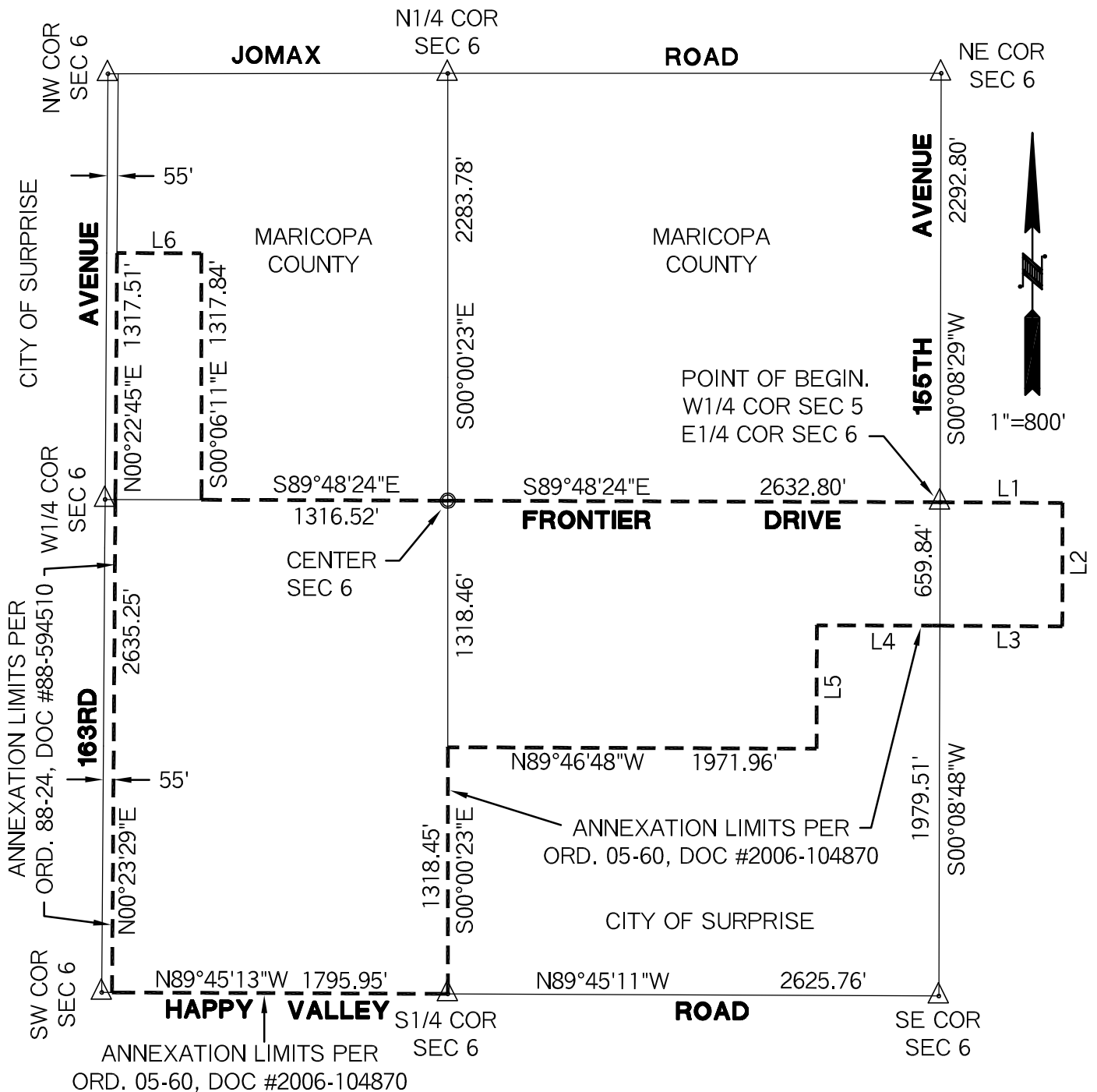


Expires 3/31/2019

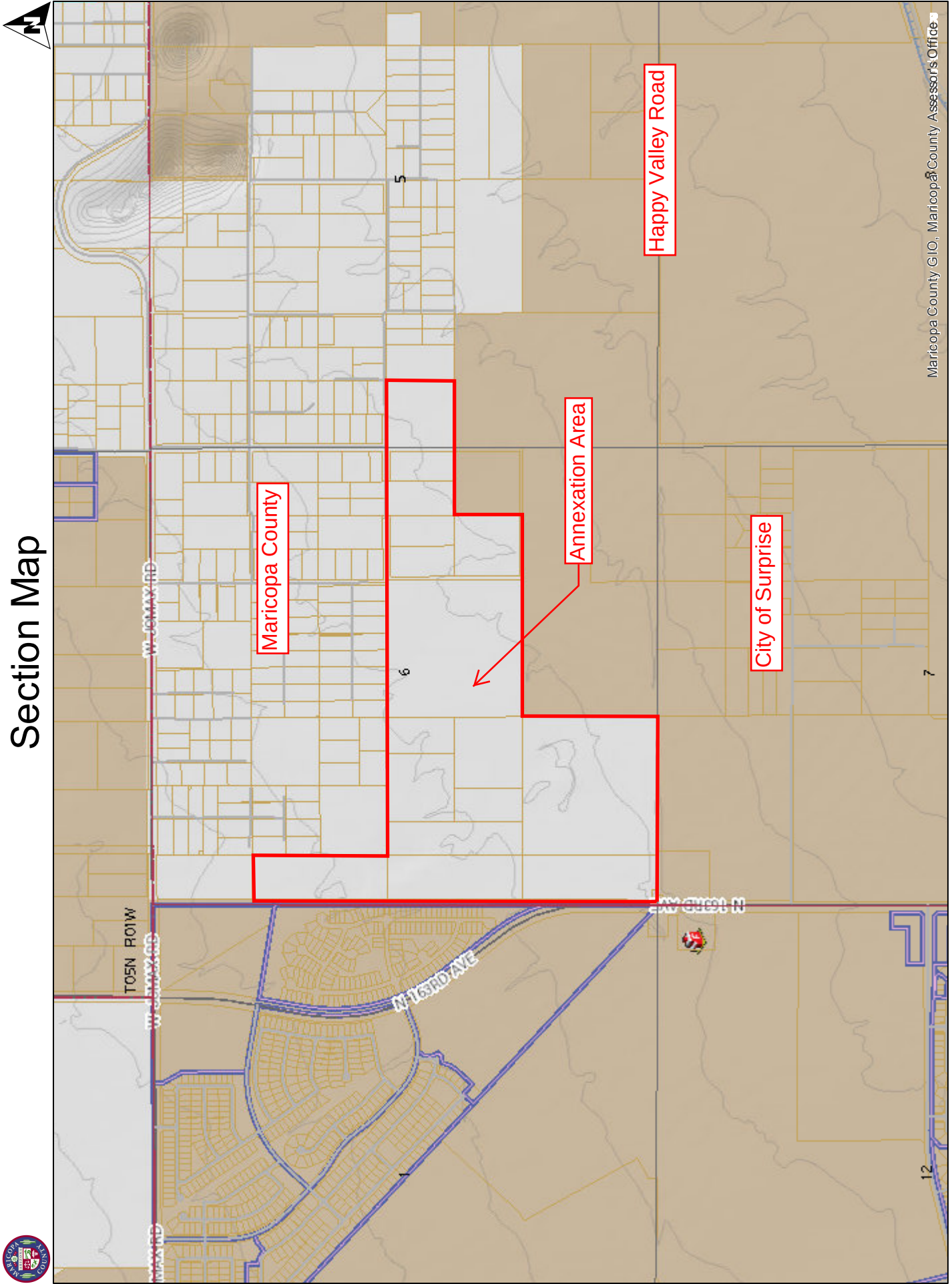
Exhibit C, page 7

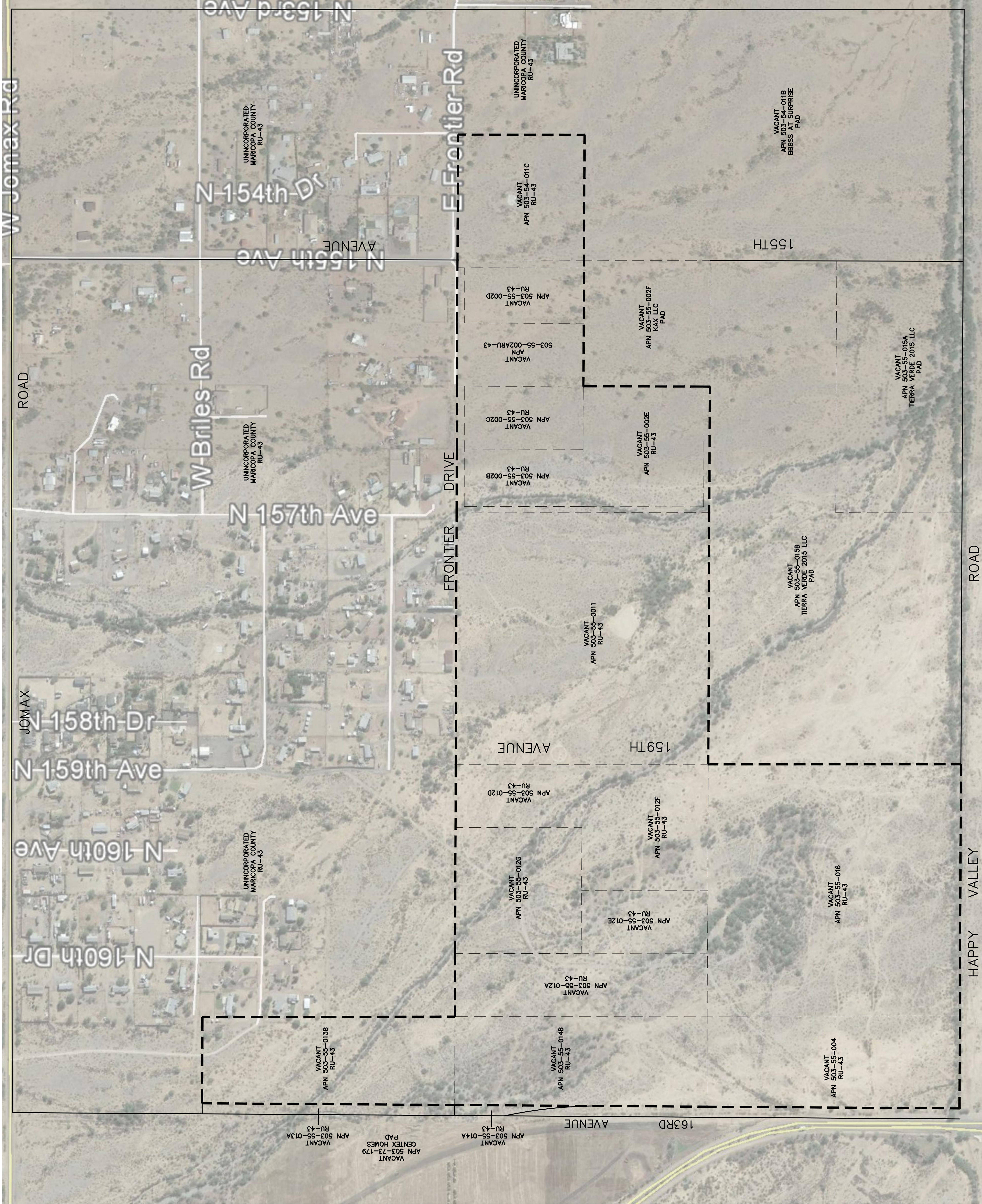
**ANNEXATION PARCEL LYING WITHIN
SECTIONS 5 AND 6, T4N, R1W
G&SRBM, MARICOPA COUNTY, AZ**

LINE TABLE		
LINE NO.	BEARING	LENGTH
L1	S89°41'02"E	654.57
L2	S00°05'23"W	660.04
L3	N89°39'59"W	655.22
L4	N89°47'36"W	657.76
L5	S00°06'30"W	659.68
L6	S89°50'48"E	450.04



Section Map





ADJACENT LAND USE PLAN FOR PALOMA CREEK

- UTILITIES IN THE FUTURE, PUBLIC UTILITIES INCLUDING SEWER AND WATER ARE PLANNED TO BE CONSTRUCTED ADJACENT AND PHASED WITH AND PART OF THE DEVELOPMENT OF PALOMA CREEK.
- SURROUNDING LAND USES: VACANT LAND AND SINGLE FAMILY
- SURROUNDING ZONING OF ANNEXATION AREA: RU-43 AND PAD

ADJACENT LAND USE PLAN

PALOMA CREEK

SURPRISE, AZ

Project:

:sl

MARCH 9, 2018 - IST ANNEXATION SUBMITTAL
AUGUST 7, 2018 - REVISED

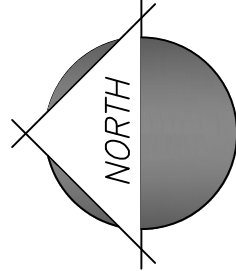


Designer:	NG
Drawn by:	NG

Preliminary
Not For
Construction
Or
Recording

Job No.
6-400

Sheet No. **1** of **1**



N.T.S.

Exhibit F

Annexation Property Petitioner 2018 Valuations

NOTICE OF VALUATION
THIS IS NOT A TAX BILL

Paul D. Petersen, Maricopa County Assessor

Parcel 503 - 54 - 011C Tax Year 2018 Notice Date 02/17/2017 Appeal Deadline 04/18/2017

2017 MARKET VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
LAND	2	181,900		
IMPR	2	7,379		
TOTAL FCV	2	189,279		
TOTAL LPV	2	119,246	15	17,887

2017 AGRICULTURAL VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
	2	605		
	2	7,379		
	2	7,984		
	2	5,030	15	755

2018 MARKET VALUE

LAND	2	159,200		
IMPR	2	3,400		
TOTAL FCV	2	162,600		
TOTAL LPV	2	100,812	15	15,122

2018 AGRICULTURAL VALUE

	2	504		
	2	3,400		
	2	3,904		
	2	3,904	15	586

Property Description:

Sec/Lot 5 Twns/Block 4N Range/Tract 1W

N2 NW4 SW4 SEC 5 EX E 655.08F TH/OF

PAUL D. PETERSEN

MARICOPA COUNTY ASSESSOR
301 W. JEFFERSON
PHOENIX, AZ 85003

PENSCO TRUST COMPANY
KENT A XANDER IRA FBO
8530 E VIA DEL SOL DR
SCOTTSDALE, AZ, 85255

NOTICE OF VALUATION
THIS IS NOT A TAX BILL

Paul D. Petersen, Maricopa County Assessor

Parcel 503 - 55 - 012A Tax Year 2018 Notice Date 02/17/2017 Appeal Deadline 04/18/2017

2017 MARKET VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
LAND	2	180,600		
IMPR				
TOTAL FCV	2	180,600		
TOTAL LPV	2	113,778	15	17,067

2017 AGRICULTURAL VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
	2	600		
	2	600		
	2	600	15	90

2018 MARKET VALUE

LAND	2	181,900		
IMPR				
TOTAL FCV	2	181,900		
TOTAL LPV	2	112,778	15	16,917

2018 AGRICULTURAL VALUE

	2	500		
	2	500		
	2	500	15	75

Property Description:

Sec/Lot 6 Twns/Block 4N Range/Tract 1W

W2 W2 NE4 SW4

PAUL D. PETERSEN

MARICOPA COUNTY ASSESSOR
301 W. JEFFERSON
PHOENIX, AZ 85003

HAPPY VALLEY TWENTY FIVE LLC
16585 N 104TH
SCOTTSDALE, AZ, 85255

NOTICE OF VALUATION
THIS IS NOT A TAX BILL

Paul D. Petersen, Maricopa County Assessor

Parcel 503 - 55 - 012G Tax Year 2018

Notice Date 02/17/2017

Appeal Deadline 04/18/2017

2017 MARKET VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
LAND	2	151,900		
IMPR				
TOTAL FCV	2	151,900		
TOTAL LPV	2	95,697	15	14,355

2017 AGRICULTURAL VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
	2	600		
	2	600		
	2	600	15	90

2018 MARKET VALUE

LAND	2	150,500		
IMPR				
TOTAL FCV	2	150,500		
TOTAL LPV	2	93,310	15	13,997

2018 AGRICULTURAL VALUE

	2	500		
	2	500		
	2	500	15	75

Property Description:

Sec/Lot 6

Twns/Block 4N

Range/Tract 1W

E2 NW4 NE4 SW4 & W2 NE4 NE4 SW4 SEC 6

PAUL D. PETERSEN

MARICOPA COUNTY ASSESSOR
301 W. JEFFERSON
PHOENIX, AZ 85003

HAPPY VALLEY TWENTY FIVE LLC
16585 N 104TH
SCOTTSDALE, AZ, 85255

NOTICE OF VALUATION
THIS IS NOT A TAX BILL

Paul D. Petersen, Maricopa County Assessor

Parcel 503 - 55 - 012D Tax Year 2018**Notice Date 02/17/2017****Appeal Deadline 04/18/2017****2017 MARKET VALUE**

	Legal Class	Value	Assessment Ratio	Assessed Value
LAND	2	70,800		
IMPR				
TOTAL FCV	2	70,800		
TOTAL LPV	2	44,604	15	6,691

2017 AGRICULTURAL VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
	2	290		
	2	290		
	2	290	15	44

2018 MARKET VALUE

LAND	2	71,700		
IMPR				
TOTAL FCV	2	71,700		
TOTAL LPV	2	44,454	15	6,668

2018 AGRICULTURAL VALUE

	2	242		
	2	242		
	2	242	15	36

Property Description:

Sec/Lot 6

Twns/Block 4N

Range/Tract 1W

E2 NE4 NE4 SW4 SEC 6

PAUL D. PETERSEN

MARICOPA COUNTY ASSESSOR
301 W. JEFFERSON
PHOENIX, AZ 85003

HAPPY VALLEY TWENTY FIVE LLC
16585 N 104TH
SCOTTSDALE, AZ, 85255

NOTICE OF VALUATION
THIS IS NOT A TAX BILL

Paul D. Petersen, Maricopa County Assessor

Parcel 503 - 55 - 012F Tax Year 2018 Notice Date 02/17/2017 Appeal Deadline 04/18/2017

2017 MARKET VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
LAND	2	166,800		
IMPR				
TOTAL FCV	2	166,800		
TOTAL LPV	2	105,084	15	15,763

2017 AGRICULTURAL VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
	2	600		
	2	600		
	2	600	15	90

2018 MARKET VALUE

LAND	2	166,600		
IMPR				
TOTAL FCV	2	166,600		
TOTAL LPV	2	103,292	15	15,494

2018 AGRICULTURAL VALUE

	2	500		
	2	500		
	2	500	15	75

Property Description:

Sec/Lot 6 Twns/Block 4N Range/Tract 1W

SE4 NE4 SW4 SEC 6

PAUL D. PETERSEN

MARICOPA COUNTY ASSESSOR
301 W. JEFFERSON
PHOENIX, AZ 85003

HAPPY VALLEY TWENTY FIVE LLC
16585 N 104TH
SCOTTSDALE, AZ, 85255

NOTICE OF VALUATION
THIS IS NOT A TAX BILL

Paul D. Petersen, Maricopa County Assessor

Parcel 503 - 55 - 012E Tax Year 2018**Notice Date 02/17/2017****Appeal Deadline 04/18/2017****2017 MARKET VALUE**

	Legal Class	Value	Assessment Ratio	Assessed Value
LAND	2	88,100		
IMPR				
TOTAL FCV	2	88,100		
TOTAL LPV	2	55,503	15	8,325

2017 AGRICULTURAL VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
	2	300		
	2	300		
	2	247	15	37

2018 MARKET VALUE

LAND	2	90,600		
IMPR				
TOTAL FCV	2	90,600		
TOTAL LPV	2	56,172	15	8,426

2018 AGRICULTURAL VALUE

	2	250		
	2	250		
	2	250	15	38

Property Description:

Sec/Lot 6

Twins/Block 4N

Range/Tract 1W

E2 SW4 NE4 SW4 SEC 6

PAUL D. PETERSEN

MARICOPA COUNTY ASSESSOR
301 W. JEFFERSON
PHOENIX, AZ 85003

HATFIELD 15 LLC
16585 N 104TH ST
SCOTTSDALE, AZ, 85255

NOTICE OF VALUATION
THIS IS NOT A TAX BILL

Paul D. Petersen, Maricopa County Assessor

Parcel 503 - 55 - 002B Tax Year 2018 Notice Date 02/17/2017 Appeal Deadline 04/18/2017

2017 MARKET VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
LAND	2	61,200		
IMPR				
TOTAL FCV	2	61,200		
TOTAL LPV	2	38,556	15	5,783

2017 AGRICULTURAL VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
	2	256		
	2	256		
	2	256	15	38

2018 MARKET VALUE

LAND	2	53,800		
IMPR				
TOTAL FCV	2	53,800		
TOTAL LPV	2	33,356	15	5,003

2018 AGRICULTURAL VALUE

	2	214		
	2	214		
	2	214	15	32

Property Description:

Sec/Lot 6 Twns/Block 4N Range/Tract 1W

W2 NW4 NE4 SE4 EX N 40' & W 30' RDS 4.27 AC

PAUL D. PETERSEN

MARICOPA COUNTY ASSESSOR
301 W. JEFFERSON
PHOENIX, AZ 85003

HV 10 LLC
16585 N 104TH ST
SCOTTSDALE, AZ, 85255

NOTICE OF VALUATION
THIS IS NOT A TAX BILL

Paul D. Petersen, Maricopa County Assessor

Parcel 503 - 55 - 002E Tax Year 2018 Notice Date 02/17/2017 Appeal Deadline 04/18/2017

2017 MARKET VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
LAND	2	152,800		
IMPR				
TOTAL FCV	2	152,800		
TOTAL LPV	2	96,264	15	14,440

2017 AGRICULTURAL VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
	2	547		
	2	547		
	2	547	15	82

2018 MARKET VALUE

LAND	2	133,800		
IMPR				
TOTAL FCV	2	133,800		
TOTAL LPV	2	82,956	15	12,443

2018 AGRICULTURAL VALUE

	2	456		
	2	456		
	2	456	15	68

Property Description:

Sec/Lot 6 Twns/Block 4N Range/Tract 1W

SW4 NE4 SE4 EX S & W 30' RDS 9.11 AC

PAUL D. PETERSEN

MARICOPA COUNTY ASSESSOR
301 W. JEFFERSON
PHOENIX, AZ 85003

HV 10 LLC
16585 N 104TH ST
SCOTTSDALE, AZ, 85255

NOTICE OF VALUATION
THIS IS NOT A TAX BILL

Paul D. Petersen, Maricopa County Assessor

Parcel 503 - 55 - 013B Tax Year 2018 Notice Date 02/17/2017 Appeal Deadline 04/18/2017

2017 MARKET VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
LAND	2	247,200		
IMPR				
TOTAL FCV	2	247,200		
TOTAL LPV	2	155,736	15	23,360

2017 AGRICULTURAL VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
	2	857		
	2	857		
	2	857	15	129

2018 MARKET VALUE

LAND	2	213,200		
IMPR				
TOTAL FCV	2	213,200		
TOTAL LPV	2	132,184	15	19,828

2018 AGRICULTURAL VALUE

	2	714		
	2	714		
	2	714	15	107

Property Description:

Sec/Lot 6 Twns/Block 4N Range/Tract 1W

LOT 5 (SW4 NW4) EX W 55F

PAUL D. PETERSEN

MARICOPA COUNTY ASSESSOR
301 W. JEFFERSON
PHOENIX, AZ 85003

HV 31 LLC
6064 E JENAN DR
SCOTTSDALE, AZ, 85254

NOTICE OF VALUATION
THIS IS NOT A TAX BILL

Paul D. Petersen, Maricopa County Assessor

Parcel 503 - 55 - 014B Tax Year 2018 Notice Date 02/17/2017 Appeal Deadline 04/18/2017

2017 MARKET VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
LAND	2	260,300		
IMPR				
TOTAL FCV	2	260,300		
TOTAL LPV	2	163,989	15	24,598

2017 AGRICULTURAL VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
	2	213		
	2	213		
	2	213	15	32

2018 MARKET VALUE

LAND	2	259,700		
IMPR				
TOTAL FCV	2	259,700		
TOTAL LPV	2	161,014	15	24,152

2018 AGRICULTURAL VALUE

	2	213		
	2	213		
	2	213	15	32

Property Description:

Sec/Lot 6 Twns/Block 4N Range/Tract 1W

LOT 6 (NW4 SW4) EX RD P/D 86-310134 & EX W 55F

PAUL D. PETERSEN

MARICOPA COUNTY ASSESSOR
301 W. JEFFERSON
PHOENIX, AZ 85003

HV 31 LLC
6064 E JENAN DR
SCOTTSDALE, AZ, 85254

NOTICE OF VALUATION
THIS IS NOT A TAX BILL

Paul D. Petersen, Maricopa County Assessor

Parcel 503 - 55 - 002D Tax Year 2018

Notice Date 02/17/2017

Appeal Deadline 04/18/2017

2017 MARKET VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
LAND	2	74,500		
IMPR				
TOTAL FCV	2	74,500		
TOTAL LPV	2	46,935	15	7,040

2017 AGRICULTURAL VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
	2	247		
	2	247		
	2	247	15	37

2018 MARKET VALUE

LAND	2	66,900		
IMPR				
TOTAL FCV	2	66,900		
TOTAL LPV	2	41,478	15	6,222

2018 AGRICULTURAL VALUE

	2	206		
	2	206		
	2	206	15	31

Property Description:

Sec/Lot 6

Twns/Block 4N

Range/Tract 1W

E2 NE4 NE4 SE4 EX N & E 40' RDS 4.12 AC

PAUL D. PETERSEN

MARICOPA COUNTY ASSESSOR
301 W. JEFFERSON
PHOENIX, AZ 85003

KAX LLC
8530 E VIA DEL SOL DR
SCOTTSDALE, AZ, 85255

NOTICE OF VALUATION
THIS IS NOT A TAX BILL

Paul D. Petersen, Maricopa County Assessor

Parcel 503 - 55 - 011 Tax Year 2018 Notice Date 02/17/2017 Appeal Deadline 04/18/2017

2017 MARKET VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
LAND	2	921,400		
IMPR				
TOTAL FCV	2	921,400		
TOTAL LPV	2	580,482	15	87,072

2017 AGRICULTURAL VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
	2	2,400		
	2	2,400		
	2	2,315	15	347

2018 MARKET VALUE

LAND	2	815,700		
IMPR				
TOTAL FCV	2	815,700		
TOTAL LPV	2	505,734	15	75,860

2018 AGRICULTURAL VALUE

	2	2,000		
	2	2,000		
	2	2,000	15	300

Property Description:

Sec/Lot 6 Twns/Block 4N Range/Tract 1W

NW4 SE4 40 AC

PAUL D. PETERSEN

MARICOPA COUNTY ASSESSOR
301 W. JEFFERSON
PHOENIX, AZ 85003

SCM PENDLETON LLLP/SCM-WHITEMAN LLLP/ETAL
1242 E JACKSON ST
PHOENIX, AZ, 85034

Exhibit G

Annexation Property Non-Petitioner 2018 Valuations

503-55-002A Land Parcel

This is a land parcel and the current owner is DITOLA GEORGE D. Its current year full cash value is \$76,300.

Property Information

MCR #
Description: W2 NE4 NE4 SE4 5 AC
Lat/Long
Lot Size 217,800 sq ft.
Zoning RU-43
Lot #
High School District DYSART UNIFIED #89
Elementary School District DYSART UNIFIED SCHOOL DISTRICT
Local Jurisdiction NO CITY/TOWN
S/T/R 6 4N 1W
Market Area/Neighborhood 11/006
Subdivision (Parcels)

Owner Information

[DITOLA GEORGE D](#)

Mailing Address 384 HIAWATHA TR, WOOD DALE, IL 60191
Deed Number [16405-1190](#)
Last Deed Date 11/05/1982
Sale Date n/a
Sale Price n/a

Valuation Information

We provide valuation information for the past 5 years. For mobile display, we only show 1 year of valuation information. Should you need more data, please look at our [data sales](#).

The Valuation Information displayed below may not reflect the taxable value used on the tax bill due to any special valuation relief program. [CLICK HERE TO PAY YOUR TAXES OR VIEW YOUR TAX BILL](#)

Tax Year	2018	2017	2016	2015	2014
Full Cash Value	\$76,300	\$85,300	\$63,900	\$60,100	\$37,500
Limited Property Value	\$45,582	\$43,411	\$41,344	\$39,375	\$37,500
Legal Class	2	2	2	2	2
Description	AG / VACANT LAND / NON-PROFIT R/P	AG / VACANT LAND / NON-PROFIT R/P	AG / VACANT LAND / NON-PROFIT R/P	AG / VACANT LAND / NON-PROFIT R/P	AG / VACANT LAND / NON-PROFIT R/P
Assessment Ratio	15%	15%	15%	16%	16%
Assessed FCV	n/a	n/a	n/a	n/a	\$6,000
Assessed LPV	\$6,837	\$6,512	\$6,202	\$6,300	\$6,000
Property Use Code	0014	0014	0014	0014	0014
PU Description	Vacant Residential Land	Vacant Residential Land	Vacant Residential Land	Vacant Residential Land	Vacant Residential Land
Tax Area Code	890007	890007	890007	890007	890007
Valuation Source	Notice	Notice	Notice	Notice	Notice

Similar Parcels

Parcels that are similar to this one (known as the reference parcel) are displayed below.

APN Address Sale Info FCV Size Livable Sq Ft Year Built Pool Foreclosed

No similar parcels found.

503-55-002C Land Parcel

This is a land parcel and the current owner is PHNX HOUSING SOLUTIONS II LLC. Its current year full cash value is \$73,200.

Property Information

MCR #
Description: E2 NW4 NE4 SE4 EX N 40' RD 4.70 AC
Lat/Long
Lot Size 204,732 sq ft.
Zoning RU-43
Lot #
High School District DYSART UNIFIED #89
Elementary School District DYSART UNIFIED SCHOOL DISTRICT
Local Jurisdiction NO CITY/TOWN
S/T/R 6 4N 1W
Market Area/Neighborhood 11/006
Subdivision (Parcels)

Owner Information

[PHNX HOUSING SOLUTIONS II LLC](#)

Mailing Address 23233 N PIMA RD NO 113 240, SCOTTSDALE, AZ 85255

Deed Number [080022472](#)

Last Deed Date 01/09/2008

Sale Date n/a

Sale Price n/a

Valuation Information

We provide valuation information for the past 5 years. For mobile display, we only show 1 year of valuation information. Should you need more data, please look at our [data sales](#).

The Valuation Information displayed below may not reflect the taxable value used on the tax bill due to any special valuation relief program. [CLICK HERE TO PAY YOUR TAXES OR VIEW YOUR TAX BILL](#)

Tax Year	2018	2017	2016	2015	2014
Full Cash Value	\$73,200	\$81,700	\$61,600	\$57,600	\$35,700
Limited Property Value	\$43,393	\$41,327	\$39,359	\$37,485	\$35,700
Legal Class	2	2	2	2	2
Description	AG / VACANT LAND / NON-PROFIT R/P	AG / VACANT LAND / NON-PROFIT R/P	AG / VACANT LAND / NON-PROFIT R/P	AG / VACANT LAND / NON-PROFIT R/P	AG / VACANT LAND / NON-PROFIT R/P
Assessment Ratio	15%	15%	15%	16%	16%
Assessed FCV	n/a	n/a	n/a	n/a	\$5,712
Assessed LPV	\$6,509	\$6,199	\$5,904	\$5,998	\$5,712
Property Use Code	0014	0014	0014	0014	0014
PU Description	Vacant Residential Land	Vacant Residential Land	Vacant Residential Land	Vacant Residential Land	Vacant Residential Land
Tax Area Code	890007	890007	890007	890007	890007
Valuation Source	Notice	Notice	Notice	Notice	Notice

Similar Parcels

Parcels that are similar to this one (known as the reference parcel) are displayed below.

APN Address Sale Info FCV Size Livable Sq Ft Year Built Pool Foreclosed

No similar parcels found.

NOTICE OF VALUATION
THIS IS NOT A TAX BILL

Paul D. Petersen, Maricopa County Assessor

Parcel 503 - 55 - 004 Tax Year 2018 Notice Date 02/17/2017 Appeal Deadline 04/18/2017

2017 MARKET VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
LAND	2	240,500		
IMPR				
TOTAL FCV	2	240,500		
TOTAL LPV	2	151,515	15	22,727

2017 AGRICULTURAL VALUE

	Legal Class	Value	Assessment Ratio	Assessed Value
	2	900		
	2	900		
	2	900	15	135

2018 MARKET VALUE

LAND	2	237,900		
IMPR				
TOTAL FCV	2	237,900		
TOTAL LPV	2	147,498	15	22,125

2018 AGRICULTURAL VALUE

	2	750		
	2	750		
	2	750	15	113

Property Description:

Sec/Lot 6 Twns/Block 4N Range/Tract 1W

LOT 7 OR SW4 SW4 EX W 55F & EX S 55F E 100F W 155 F

PAUL D. PETERSEN

MARICOPA COUNTY ASSESSOR
301 W. JEFFERSON
PHOENIX, AZ 85003

ACE PSP LLC
1450 E INDIAN SCHOOL RD STE 104
PHOENIX, AZ, 85014

503-55-016 Land Parcel

This is a land parcel and the current owner is MARYE HARRILYN ELLEN REVOCABLE LIVING TRUST. Its current year full cash value is \$845,300.

Property Information

MCR #
Description: SE4 SW4 40.00 AC
Lat/Long
Lot Size 1,731,423 sq ft.
Zoning RU-43
Lot #
High School District DYSART UNIFIED #89
Elementary School District DYSART UNIFIED SCHOOL DISTRICT
Local Jurisdiction NO CITY/TOWN
S/T/R 6 4N 1W
Market Area/Neighborhood 11/006
Subdivision (Parcels)

Owner Information

MARYE HARRILYN ELLEN REVOCABLE LIVING TRUST

Mailing Address 499 W MISSOURI AVE, PHOENIX, AZ 85013
Deed Number [160331049](#)
Last Deed Date 05/13/2016
Sale Date n/a
Sale Price n/a

Valuation Information

We provide valuation information for the past 5 years. For mobile display, we only show 1 year of valuation information. Should you need more data, please look at our [data sales](#).

The Valuation Information displayed below may not reflect the taxable value used on the tax bill due to any special valuation relief program. [CLICK HERE TO PAY YOUR TAXES OR VIEW YOUR TAX BILL](#)

Tax Year	2018	2017	2016	2015	2014
Full Cash Value	\$845,300	\$951,400	\$466,500	\$563,800	\$204,200
Limited Property Value	\$248,207	\$236,388	\$225,131	\$214,410	\$204,200
Legal Class	2	2	2	2	2
Description	AG / VACANT LAND / NON-PROFIT R/P	AG / VACANT LAND / NON-PROFIT R/P	AG / VACANT LAND / NON-PROFIT R/P	AG / VACANT LAND / NON-PROFIT R/P	AG / VACANT LAND / NON-PROFIT R/P
Assessment Ratio	15%	15%	15%	16%	16%
Assessed FCV	n/a	n/a	n/a	n/a	\$32,672
Assessed LPV	\$37,231	\$35,458	\$33,770	\$34,306	\$32,672
Property Use Code	0014	0014	0014	0014	0012
PU Description	Vacant Residential Land	Vacant Residential Land	Vacant Residential Land	Vacant Residential Land	Vacant Residential Land
Tax Area Code	890007	890007	890007	890007	890007
Valuation Source	Notice	Notice	Notice	Notice	Notice

Similar Parcels

Parcels that are similar to this one (known as the reference parcel) are displayed below.

APN Address Sale Info FCV Size Livable Sq Ft Year Built Pool Foreclosed

No similar parcels found.



Planning & Development Department



September 29, 2016

William E. Lally
Tiffany & Bosco, PA
2525 E. Camelback Road
7th Floor
Phoenix, AZ 85016

John Wittrock
18835 N. Thompson Peak Parkway
Suite 215
Scottsdale, AZ 85255

SUBJECT: Maricopa County Zoning Case Z2016025 – Marbella Homes Section 6
Assemblage

On September 7, 2016, the Maricopa County Board of Supervisors approved your Zone Change request from Rural-43 to R-5 Residential Unit Plan of Development (RUPD) for property generally located ¼ mile south of Jomax Rd. and east of 163rd Ave. in the Surprise area.

Provided the following conditions are met:

- a. Development of the site shall comply with the Zoning Exhibit entitled "Paloma Creek – A Rezone from RU-43 to R-5 RUPD," consisting of 1 full-size sheet, dated June 30, 2016 and stamped received July 1, 2016 except as modified by the following conditions. **Within 30 days of Board of Supervisors approval, the applicant shall submit a revised zoning exhibit to address changes as agreed upon by the City of Surprise.**
- b. Development of the site shall be in conformance with the Narrative Report entitled "Z2016025 – Marbella Homes – Paloma Creek", consisting of 18 pages, dated June 20, 2016, and stamped received July 1, 2016 except as modified by the following conditions. **Within 30 days of Board of Supervisors approval, the applicant shall submit a revised narrative report to address changes as agreed upon by the City of Surprise.**
- c. A Residential Unit Plan of Development (RUPD) is applied to the site specifically to limit the R-5 permitted uses to those acceptable to the Maricopa County Environmental Services Department (MCESD) until such

time that either water and sewer services are provided or effective annexation by the City of Surprise.

d. Unless the site is effectively annexed into the City of Surprise, a Final Plat is required prior to construction permitting.

e. The following R-5 RUPD standards shall apply:

1. Single-Family Traditional (Detached SFR or Attached Townhome)

- 1.Height: 30'/2 Stories – Detached SFR, 40'/3 Stories – Attached SFR Townhome
- 2.Front Yard: 20'
- 3.Side Yard: 5'
- 4.Street-side Yard: 10'
- 5.Rear Yard: 25' – Detached SFR, 12' – Attached SFR Townhome
- 6.Lot Area: 5,000 sq. ft.
- 7.Lot Width: 45' – Detached SFR, 30' – Attached SFR Townhome
- 8.Minimum Lot Area per Dwelling Unit: 5,000 sq. ft. – Detached SFR, 3,000 sq. ft. – Attached SFR Townhome
- 9.Maximum Lot Coverage: 60%
10. Parking Spaces: 2 Spaces

2. Neo- Traditional (Detached SFR or Attached Townhome)

- 1.Height: 40'/3 Stories
- 2.Front Yard: 5'
- 3.Side Yard: 5'
- 4.Street-side Yard: 5' or 2'; side-turn garage
- 5.Rear Yard: 5'
- 6.Lot Area: 2,500 sq. ft.
- 7.Lot Width: 45' – Detached SFR, 30' – Attached SFR Townhome
- 8.Minimum Lot Area per Dwelling Unit: 2,500 sq. ft.
- 9.Maximum Lot Coverage: 60% - Detached SFR, 60% - Attached SFR
10. Parking Spaces: 2 Spaces

3. Multi-Family (Apartments or Condominiums)

- 1.Height: 40'/3 Stories
- 2.Front Yard: 20'
- 3.Side Yard: 5'
- 4.Street-side Yard: 10'
- 5.Rear Yard: 25'
- 6.Lot Area: 6,000 sq. ft.
- 7.Lot Width: 60'
- 8.Minimum Lot Area per Dwelling Unit: 1,000 sq. ft.
- 9.Maximum Lot Coverage: 60%
10. Parking Spaces: 2 Spaces

- f. All buildings are subject to noise attenuation as per ARS § 28-8482(B).
- g. The following Planning and Engineering Comments shall apply:
 - 1. Without the submittal of a precise plan, no development approval is inferred by this review, including, but not limited to access, roadway alignments and required right-of-way dedications. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.
 - 2. The site contains significant areas of Special Flood Hazard Areas (SFHA) (Floodways and Floodplains). As development plans progress for this site, provision for the natural drainage corridors to remain must be included with any design. Alternatively, alteration or relocation of the SFHAs must be approved by the Flood Control District of Maricopa County and FEMA through the CLOMR/LOMR process.
 - 3. Submission of a CLOMR application to the Flood Control District must be prior to or concurrent with the application for preliminary plat or a precise plan of development to Planning & Development.
 - 4. Approval of the CLOMR by FEMA must be obtained prior to the issuance of any building permits on the site.
 - 5. Owner/developer shall be responsible for identifying and procuring any permit(s) for disturbance of, or work within, delineated jurisdictional (404) washes.
- h. Zoning approval is conditional per Maricopa County Zoning Ordinance, Article 304.6, and ARS § 11-814 for five (5) years for the initial phase and an additional five (5) years for each subsequent phase, within which time the subdivision infrastructure permit or construction permit for each phase must be obtained **annexation into the City of Surprise or an approved pre-annexation** development **agreement must occur**. The applicant shall submit a written report every five years from the date of Board of Supervisors approval of Z2016025, which details the status of this project, including progress on obtaining subdivision infrastructure and/or construction permits **annexing into the City of Surprise**. The status report to be administratively reviewed by Planning and Development with the ability to administratively accept or to carry the status report to the Board of Supervisors (Board), upon recommendation by the Planning and Zoning Commission (Commission) for consideration of amendments or revocation of zoning for undeveloped parcels. Status reports will be required until completion of the initial subdivision infrastructure and/or construction permits for each zoning parcel (R-5 RUPD) **annexation occurs**.
- i. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowners. The granting of this approval allows the property owners to enjoy uses in excess of those

permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, a hearing shall be scheduled with the Board of Supervisors for consideration to revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.

- j. **Multi-family housing will not be allowed in the Development.**
- k. **Public Use Trails will be developed within the site and will connect to a regional system in accordance to the City of Surprise Parks and Trails Master Plan.**
- l. **The applicant shall work with the City of Surprise on a transition to lower density housing products adjacent to current Rural Neighborhoods. A density transition should follow the Character Areas consistent with the Character Area Compatibility table within the Surprise General Plan 2035.**
- m. **The applicant understands that the property lies within the water and wastewater service area of the City of Surprise. The City of Surprise will provide water and wastewater services upon successful annexation into the City in accordance with the terms of that annexation. The applicant will not seek the expansion of any other water or wastewater service provider's CC&N into the subject property.**
- n. **The applicant agrees to work with the City of Surprise to create development standards that are acceptable to the City of Surprise.**

Enclosed is a full-size copy of the Preliminary Plat and Narrative report that have been stamped approved.

Please feel free to call me if you have any questions at 602-506-6533.

Sincerely,



Derek Scheerer, Planner
Maricopa County Planning and Development

Attachments: Approved Site Plan
 Approved Narrative

Cc: File



Community Development Department
Current Planning Division
16000 N Civic Center Plaza
Surprise, AZ 85374
Ph 623-222-3000
Fax 623-222-3002
TTY 623-222-1002

August 3, 2016

Derek Scheerer, Planner
Maricopa County Planning and Development Department
501 North 44th Street, Suite 200
Phoenix, AZ 85008-6526

Re: Marbella Rezone (AKA: Paloma Creek), Maricopa County Case # Z2016025
(Surprise Case # PS16-214)

Dear Mr. Scheerer,

We very much appreciate Maricopa County's support for the continuance and for the applicant's willingness to sit down with us to address our concerns. We met with the applicant and were able to come to an agreement regarding modified stipulations, which we believe will address our concerns, or will provide an opportunity to address those concerns at a later date. We concur with the revised stipulations as attached herein and withdraw our opposition to the request subject to these amended stipulations.

As always, we would appreciate continuing to be included in the routing of any further submittals regarding this project as well as the date and time of any public hearings on the matter. Please do not hesitate to contact me at 623-222-3137 or via email at robert.kuhfuss@surpriseaz.gov with any questions.

Respectfully,

Robert H. Kuhfuss, AICP, MPA
City of Surprise
Community Development Department

cc: Lloyd Abrams, City of Surprise Assistant Community Development Director
Eric Fitzer, City of Surprise Community Development Director
Terry Lowe, City of Surprise Water Resources Director
Mike Gent, City of Surprise Public Works Director
Tom Abbot, City of Surprise Fire Chief
Donna Bronski, City of Surprise Deputy City Attorney

Attachment: Modified Stipulations (draft)

Z2016025 – DRAFT Stipulations

- a. Development of the site shall comply with the Zoning Exhibit entitled "Paloma Creek – A Rezone from RU-43 to R-5 RUPD," consisting of 1 full-size sheet, dated June 30, 2016 and stamped received July 1, 2016 except as modified by the following conditions.
- b. Development of the site shall be in conformance with the Narrative Report entitled "Z2016025 – Marbella Homes – Paloma Creek", consisting of 18 pages, dated June 20, 2016, and stamped received July 1, 2016 except as modified by the following conditions.
- c. A Residential Unit Plan of Development (RUPD) is applied to the site specifically to limit the R-5 permitted uses to those acceptable to the Maricopa County Environmental Services Department (MCESD) until such time that either water and sewer services are provided or effective annexation by the City of Surprise.
- d. Unless the site is effectively annexed into the City of Surprise, a Final Plat is required prior to construction permitting.
- e. The following R-5 RUPD standards shall apply:

1. Single-Family Traditional (Detached SFR or Attached Townhome)

- 1. Height: 30'/2 Stories – Detached SFR, 40'/3 Stories – Attached SFR Townhome
- 2. Front Yard: 20'
- 3. Side Yard: 5'
- 4. Street-side Yard: 10'
- 5. Rear Yard: 25' – Detached SFR, 12' – Attached SFR Townhome
- 6. Lot Area: 5,000 sq. ft.
- 7. Lot Width: 45' – Detached SFR, 30' – Attached SFR Townhome
- 8. Minimum Lot Area per Dwelling Unit: 5,000 sq. ft. – Detached SFR, 3,000 sq. ft. – Attached SFR Townhome
- 9. Maximum Lot Coverage: 60%
- 10. Parking Spaces: 2 Spaces

2. Neo- Traditional (Detached SFR or Attached Townhome)

- 1. Height: 40'/3 Stories
- 2. Front Yard: 5'
- 3. Side Yard: 5'
- 4. Street-side Yard: 5' or 2'; side-turn garage
- 5. Rear Yard: 5'
- 6. Lot Area: 2,500 sq. ft.

7. Lot Width: 45' – Detached SFR, 30' – Attached SFR Townhome
8. Minimum Lot Area per Dwelling Unit: 2,500 sq. ft.
Maximum Lot Coverage: 60% - Detached SFR, 60% - Attached SFR
9. Parking Spaces: 2 Spaces

3. Multi-Family (Apartments or Condominiums)

1. Height: 40' / 3 Stories
2. Front Yard: 20'
3. Side Yard: 5'
4. Street-side Yard: 10'
5. Rear Yard: 25'
6. Lot Area: 6,000 sq. ft.
7. Lot Width: 60'
8. Minimum Lot Area per Dwelling Unit: 1,000 sq. ft.
9. Maximum Lot Coverage: 60%
10. Parking Spaces: 2 Spaces

4. Commercial uses shall be prohibited in the R-5 RUPD Zoning District.
- f. All buildings are subject to noise attenuation as per ARS § 28-8482(B).
- g. The following Planning and Engineering Comments shall apply:
1. Without the submittal of a precise plan, no development approval is inferred by this review, including, but not limited to access, roadway alignments and required right-of-way dedications. These items will be addressed as development plans progress **and are submitted to the County** for further review and/or entitlement.
 2. The site contains significant areas of Special Flood Hazard Areas (SFHA) (Floodways and Floodplains). As development plans progress for this site, provision for the natural drainage corridors to remain must be included with any design. Alternatively, alteration or relocation of the SFHAs must be approved by the Flood Control District of Maricopa County and FEMA through the CLOMR/LOMR process.
 3. Submission of a CLOMR application to the Flood Control District must be prior to or concurrent with the application for preliminary plat or a precise plan of development to Planning & Development.
 4. Approval of the CLOMR by FEMA must be obtained prior to the issuance of any building permits on the site.

5. Owner/developer shall be responsible for identifying and procuring any permit(s) for disturbance of, or work within, delineated jurisdictional (404) washes.
- h. Zoning approval is conditional per Maricopa County Zoning Ordinance, Article 304.6, and ARS § 11-814 for five (5) years for the initial phase and an additional five (5) years for each subsequent phase, within which time ~~the subdivision infrastructure permit or construction permit for each phase must be obtained~~ **annexation into the City of Surprise or an approved pre-annexation development agreement must occur.** The applicant shall submit a written report every five years from the date of Board of Supervisors approval of Z2016025, which details the status of this project, including progress on ~~obtaining subdivision infrastructure and/or construction permits~~ **annexing into the City of Surprise.** The status report to be administratively reviewed by Planning and Development with the ability to administratively accept or to carry the status report to the Board of Supervisors (Board), upon recommendation by the Planning and Zoning Commission (Commission) for consideration of amendments or revocation of zoning for undeveloped parcels. Status reports will be required until completion of ~~the initial subdivision infrastructure and/or construction permits for each zoning parcel (R-5-RUPD)~~ **annexation occurs.**
- i. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowners. The granting of this approval allows the property owners to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, a hearing shall be scheduled with the Board of Supervisors for consideration to revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.
- j. **Multi-family housing will not be allowed in the Development.**
- k. **Public Use Trails will be developed within the site and will connect to a regional system in accordance to the City of Surprise Parks and Trails Master Plan.**
- l. **The applicant shall work with the City of Surprise on a transition to lower density housing products adjacent to current Rural Neighborhoods. A**

density transition should follow the Character Areas consistent with the Character Area Compatibility table within the Surprise General Plan 2035.

- m. The applicant understands that the property lies within the water and wastewater service area of the City of Surprise. The City of Surprise will provide water and wastewater services upon successful annexation into the City in accordance with the terms of that annexation. The applicant will not seek the expansion of any other water or wastewater service provider's CC&N into the subject property.
- n. The applicant agrees to work with the City of Surprise do create development standards that are acceptable to the City of Surprise.

Exhibit “I”

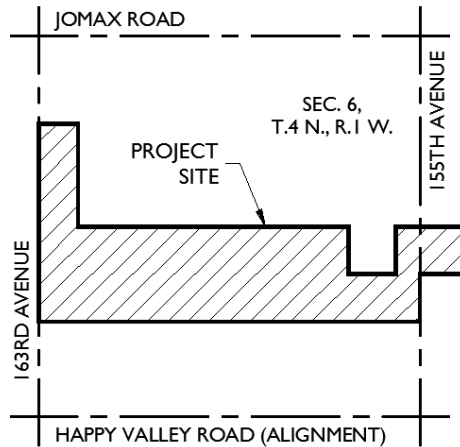
Annexation most comparable zoning district Comparison Chart

City of Surprise RM-9 Development Standards compared to Maricopa County Case # Z2016025 R-5 RUPD Development Standards

Minimum Standard	Surprise RM-9 Conventional Development Standards	County R-5 RUPD Single-Family Traditional (Detached SFR or attached Townhome) Development Standards	County R-5 RUPD Neo- Traditional (Detached SFR or attached Townhome) Development Standards
Minimum Width	40’	45’ - Detached SFR 30’ – Attached Townhome	45’ - Detached SFR 30’ – Attached Townhome
Minimum Lot Area per Dwelling Unit	4,500 sf	5,000 sf Detached SFR 3,000 sf Attached Townhome	2,500 sf
Minimum Lot Depth	100’		
Front Setback (Livable)	12’	20’	5’
Front Setback (Garage)	20’	20’	5’
Interior Side	TBD at Plat	5’	5’
Aggregate Side	TBD at Plat	10’	10’
Corner/Street Side	10’	10’	5’ or 2’; side-turn garage
Rear	20’	25’ - Detached SFR 12’ - Attached Townhome	5’
Maximum Building Height	35’	30’ / 2 Stories Detached SFR 40’ / 3 Stories Attached Townhome	40’ / 3 Stories
Building Coverage		60%	60%

**Paloma Creek
Citizen Outreach Summary
FS18-149 & FS18-150**

Submitted: January 28, 2019



DEVELOPER

KAX Group, LLC
8530 E. Via del Sol Drive
Scottsdale, AZ 85255

CONSULTANT

EPS Group, Inc.
2045 S. Vineyard, Suite 101
Mesa, AZ 85210
Contact: Daniel Auxier, P.E.
Tel. 480-503-2250



Submitted to the City of Surprise



Table of Contents

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Date: January 28, 2019

Purpose: The purpose of this citizen participation plan is to inform citizens, property owners, neighborhood associations, agencies, schools and businesses near the site of an application for Paloma Creek, a proposed residential planned community. This site is located at the northeast of 163rd Avenue and the Happy Valley Road alignment. The applicant is requesting the review and approval from the City of Surprise of the following applications:

1. Annexation of 201.5 acres of the subject property (FS18-149)
2. Rezone 149.6 acres of the annexed property from RM-9 and RR to RM-9 PUD (FS18-150)
3. Preliminary Plat of 542 single family residential lots on the rezone subject property (FS18-150)

These requests will allow for development of the Paloma Creek subdivision in the City of Surprise. This citizen participation plan will ensure that those affected by this application will have an adequate opportunity to learn and comment on the proposal.

Contact:

David Hughes
EPS Group, Inc.
2045 S. Vineyard, Suite 101
Mesa, AZ 85210
(480)503-2250 (phone)
(480)503-2258 (fax)
David.Hughes@epsgroupinc.com

Concept Review Meeting: The concept review meeting with City of Surprise Community Development staff was held on Thursday, September 28, 2017.

Citizen Review Meeting: In order to provide effective citizen participation in conjunction with their application, a neighborhood meeting was held on October 23, 2018 and conducted by the applicant to give the neighbors an adequate opportunity to learn about the applications that may affect them. Notice of the citizen review meeting was provided by the City of Surprise planning and zoning division in the form of a public notice to the following, when applicable:

1. The notice shall be published in a newspaper of general circulation or circulated in the municipality at least 15 days prior to the meeting date;
2. For applications involving rezoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice shall be transmitted to the planning agency of such government unit butting such land;
3. For applications involving rezoning, subdividing, planned unit developments, site plans with uses permitted on a conditional basis, and legislated matters, all real property owners within a 200-foot or 300-foot radius, the city shall send copies of the notice by first class mail, no less than seven days prior to the hearing.

4. Any village committee or special community group which is located in the area of the proposed public hearing request or has considerable interest in the nature of the application;
5. The head of any homeowner's association or registered neighborhood within the public notice area established in item (3) indicated above.

(All materials such as sign-in lists, comments, and petitions received are copied to the City of Surprise.)

Schedule:

Pre-Application Meeting: Thursday, September 28, 2017

Application Submittal: March 20, 2018

Notice of neighborhood meeting: 15 days prior to neighborhood meeting

Notification mailed: (Date to be provided by City of Surprise)

Sign Posted: October 8, 2018

Newspaper ad published: (Date to be provided by City of Surprise)

Neighborhood meeting: October 23, 2018

Submittal of Draft Citizen Participation Report: November 7, 2018

Submittal of Final Citizen Participation Report: TBD

Planning and Zoning Commission hearing: TBD

City Council hearing: TBD

Attachments:

Notification Letter (To be provided by City of Surprise)

Sign Posting Pictures and Affidavit

Neighborhood Meeting Sign-In Sheet

Neighborhood Meeting Minutes

Neighborhood Meeting Exhibits

PLACEHOLDER FOR NEIGHBORHOOD NOTICE

PLACEHOLDER FOR NEIGHBORHOOD NOTICE



AFFIDAVIT OF POSTING

Application No: FS18-149 and FS18-150
Applicant Name: EPS Group
Location: East of 163rd Ave and south of Jomax Rd__
Date Site Posted: October 8, 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 10/8/18
Applicant/Representative Signature Date

This instrument was acknowledged before me on this 8th day of October,

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



Sign-In Sheet

Paloma Creek – Neighborhood Meeting

Tuesday, October 23, 2018

Please provide all information so that we can provide you with future updates and notifications of meetings and/or

Name	JOSE ROSA	Phone	
Address			
Email		Affiliation	
Name	ANA ROSA	Phone	
Address			
Email		Affiliation	
Name	BILL + VIRGINIA Blanton	Phone	
Address			
Email		Affiliation	
Name	Jacqueline Rea Carroll	Phone	
Address			
Email		Affiliation	OWNER
Name	Tammy + Henry Rendon	Phone	
Address			
Email		Affiliation	
Name	Leah Bowers	Phone	
Address			
Email		Affiliation	I live here
Name	Bill + Paula Coughlan	Phone	
Address			
Email		Affiliation	home owner
Name	JIM CUNNINGHAM	Phone	
Address			
Email			
Name	Michelle Brown	Phone	
Address			
Email		Affiliation	



Sign-In Sheet
Paloma Creek – Neighborhood Meeting
Tuesday, October 23, 2018

Please provide all information so that we can provide you with future updates and notifications of meetings and/or

Name	DANNY LIVINGSTON	Phone	
Address			
Email		Affiliation	N/A Home owner
Name	R. Javier Olivares	Phone	
Address			
Email		Affiliation	
Name	CINDY RIVERA	Phone	
Address			
Email		Affiliation	Home owner
Name	Marta Rivera	Phone	Home owner
Address			
Email		Affiliation	OWNER
Name	ROBERT KETTLER	Phone	OWNER
Address			
Email		Affiliation	REP. OWNER
Name	ROLAND F. WINTERS JR	Phone	
Address			
Email		Affiliation	City Council
Name	Daniel & Cathy Zamorano	Phone	
Address			
Email		Affiliation	Home owner
Name	JOHN & DIANE GLOVER	Phone	
Address			
Email		Affiliation	Homeowners
Name		Phone	
Address			
Email		Affiliation	



Paloma Creek
Neighborhood Meeting Minutes
October 23, 2018

Attendees: Kent Xander (KAX Group, LLC), David Hughes (EPS Group, Inc.),
John Wittrock (Marbella Homes), Joshua Mike (City of Surprise),
Robert Kuhfuss (City of Surprise)

Meeting Summary:

On Tuesday, October 23, 2018, at 6:00pm, a neighborhood meeting was held at Sundown Mountain School to discuss a proposed single-family residential development located north of the northeast corner of 163rd Avenue and Saddlehorn Road ¼ mile north of the Happy Valley Road alignment. Twenty-two neighbors were in attendance for the meeting; see attached sign-in sheet. Kent Xander held a formal discussion with the neighbors to explain the project as well as the three application requests. The first request is for the City of Surprise to annex approximately 201.5 acres of Maricopa County land into the City's jurisdiction. The second request is to rezone approximately 149.6 acres of the newly annexed property to RM-9 PUD. The third request is for the review and approval of a preliminary plat for a residential neighborhood with 542 lots. The effect of these requests will allow for the development of a 542-lot single family residential development. Full size (24" x 36") copies of an Aerial Exhibit, which depicted the annexation property and the rezoning/preliminary plat property, an Annexation Plan, a Zoning Exhibit, and a black and white Development Plan were on display for overview and discussion (see attached).

Primary questions and concerns expressed by the neighbors in attendance included the following:

Question: Where is the water supply for the proposed development coming from?

Discussion: The proposed subdivision shall use City of Surprise water, and is within the City's 100 year assured water supply. A water campus is being built by William Lyon Homes in close proximity to Paloma Creek, and shall be taken over by the City of Surprise in the near future. Paloma Creek development will pay for its own domestic water cost.

Comment: Is there any commercial uses being proposed with this development?

Discussion: No, Paloma Creek development is a single-family residential subdivision.

Comment: How wide will 155th Avenue be constructed to?



Discussion: 155th Avenue shall be improved to the City of Surprise's standards for a minor arterial, which provides four travel lanes (two in each direction) and a 16' landscaped median.

Question: What will happen to the mail boxes along 155th Avenue, just north of Frontier Drive?

Discussion: The mailboxes along 155th Avenue, north of Frontier Drive, shall not be affected by the development as the 155th Avenue improvements stop at Frontier Drive.

Question: Will Frontier Drive be improved?

Discussion: No, Frontier Drive will not be improved. On most portions of Paloma Creek shall be a 55-foot wide landscape setback for a buffer between the Paloma Creek subdivision and the existing properties to the north.

Question: How many stories will the proposed homes be?

Discussion: The houses in the proposed community shall vary between single and two-story homes.

Question: How will the proposed development affect Jomax Road?

Discussion: When Happy Valley Road is built from 163rd Avenue to 147th Avenue (Bullard Ave.) by William Lyon Homes, future residents of Paloma Creek shall be reliant on Happy Valley Road to reach Loop 303 to the east or south, as Jomax Road is only two lanes wide and shall not be widened as part of this project.

Question: How will the proposed development affect the neighboring properties?

Discussion: The development of Paloma Creek will provide better access to this area. The public will have pedestrian access to the trail system within Paloma Creek.

Question: What will prevent the future residents from complaining about the animals in acre-lots to the north of the development?

Discussion: Disclose to prospective buyers there are domestic animals, such as roosters in the one-acre lots north of Frontier Road.

Question: Can the houses in this development be leased out?

Discussion: There are no restrictions on home owners leasing out their property.

Question: What are the proposed amenities of the development? Will there be a community pool?

Discussion: There are three main amenity areas being proposed in the development which shall provide ramadas, seating areas, tot lots, sports courts, and turf areas. Paloma Creek has many pedestrian trails which wind throughout the community connecting residents to the three amenity areas. The Paloma Creek development will not have a community pool, but the residential lots are large enough for individual home owners to build their own pool.

Question: Will there be a signal constructed at the intersection of 163rd Avenue and Happy Valley Road?



Discussion: William Lyon Homes is responsible for constructing Happy Valley Road and a traffic signal will be constructed in the future.

Question: What is the average size of the proposed housing product?

Discussion: 1,800 – 3,000 sq. ft.

Question: What will the pricing be for the homes?

Discussion: The price range for the propose homes will be from the mid 200,000's to low 300,000's.

Question: What is the current timing of the development process?

Discussion: It is too early in the development process to tell when Paloma Creek will begin constructing. The project is heavily dependent on the construction of Happy Valley Road.

Question: Will the posted signs be updated to show the dates of the upcoming hearings?

Discussion: Yes, when the City of Surprise set dates for the Planning & Zoning Commission and City Council, we update the posted sign with the correct hearing dates.

Question: Will there be a wall built along the northern boundary?

Discussion: Where Paloma Creek backs up to existing homes the rear property wall of the lots along the north shall be setback 55 feet from the northern property line. Along Frontier Road or vacant desert land walls will be built along the north property line.

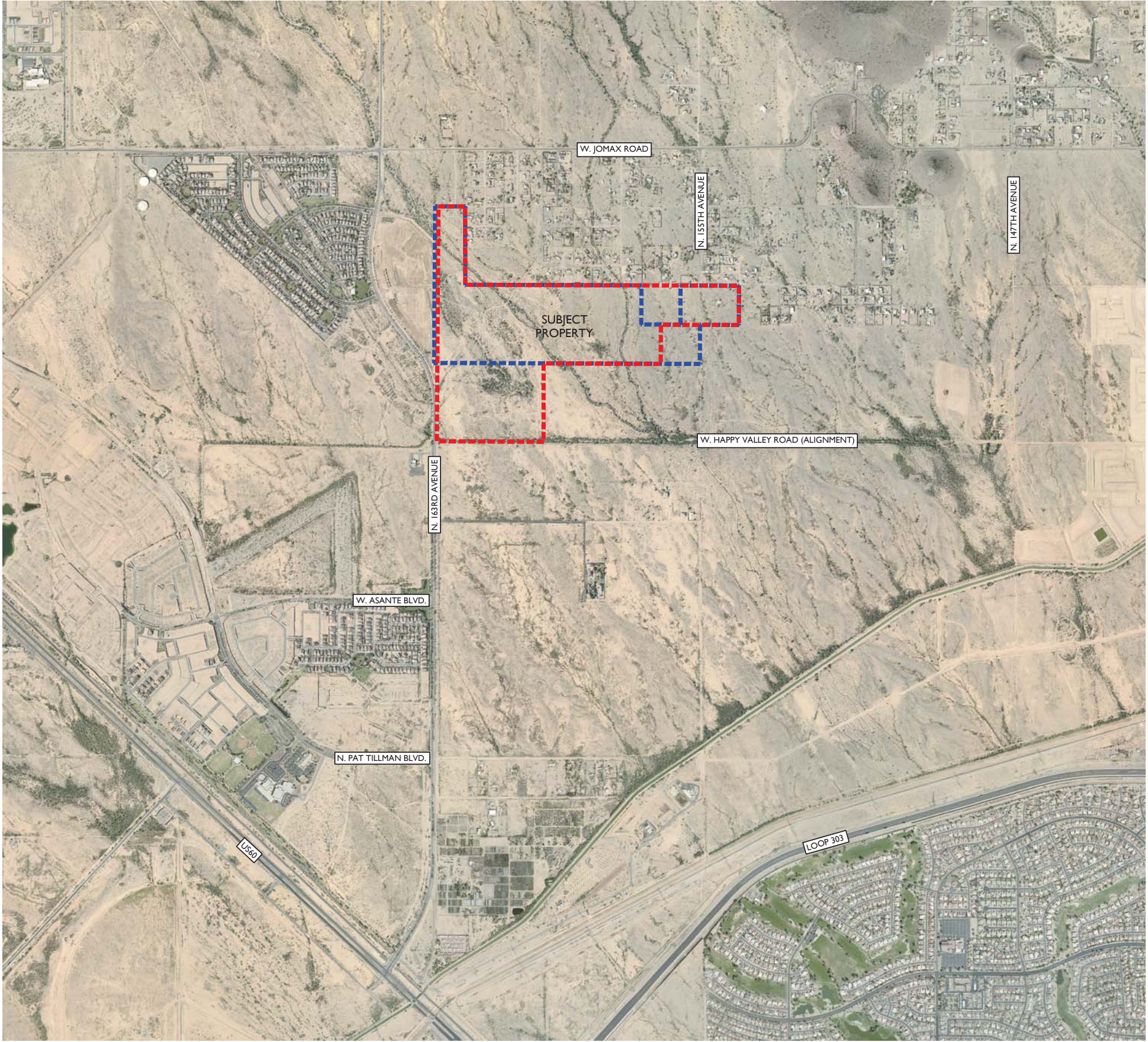
Question: Is there any chance the development can propose "soft lighting" in order to reduce light pollution?

Discussion: Applicant will provide "soft lighting" subject to City of Surprise approval.

Conclusion:

The attendance sign-in sheet and development exhibits are attached to this summary. The foregoing summarizes points of discussion and concerns expressed at this meeting. If there are any issues not recorded, or any discrepancies noted, please contact David Hughes by telephone at 480-503-2250, or by email at david.hughes@epsgroupinc.com. We thank you for giving up a portion of your evening and meeting with us.





AERIAL MAP FOR PALOMA CREEK

A PORTION OF SECTION 6 AND THE NORTHWEST QUARTER OF
OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SECTION 5, T.4 N., R.1 W., GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

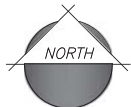
PROJECT TEAM

DEVELOPER
KAX GROUP, LLC
8530 E. VIA DEL SOL DRIVE
SCOTTSDALE, AZ 85255
TEL: (602)-499-9305
CONTACT: KENT XANDER

CONSULTANT:
EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: DANIEL AUXIER, PE

LEGEND

- ANNEXATION BOUNDARY
- ZONING & PRELIMINARY PLAT BOUNDARY

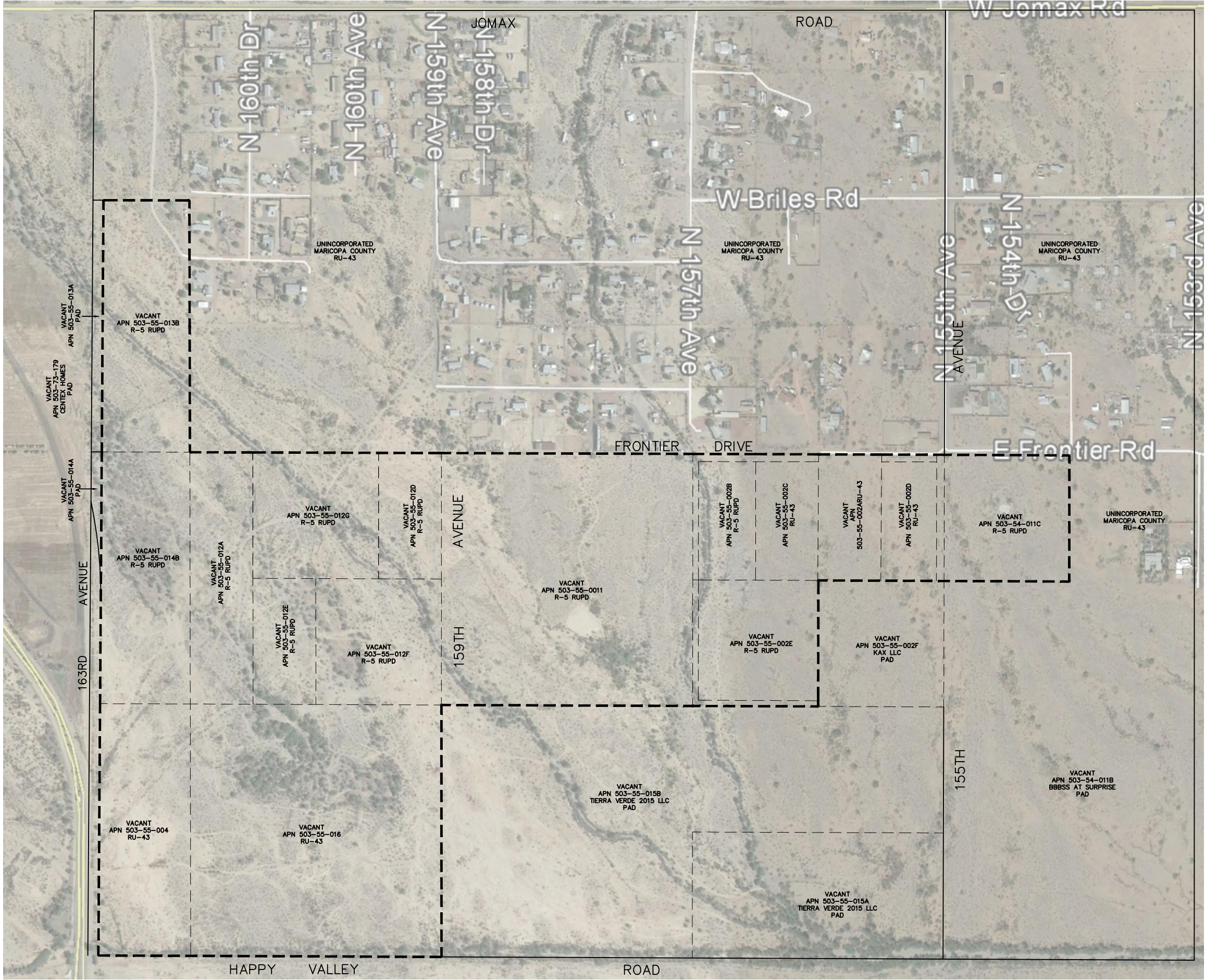


NOT TO SCALE

16-400

Aug_30_2018 8:18am S:\Projects\2016\16-400\Planning\Annexation\Exhibits\Paloma Creek Annexation Plan.dwg

dhughes



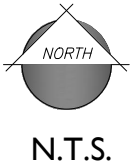
ANNEXATION PLAN
FOR
PALOMA CREEK

UTILITIES IN THE FUTURE, PUBLIC UTILITIES INCLUDING SEWER AND WATER ARE PLANNED TO BE CONSTRUCTED ADJACENT AND PHASED WITH AND PART OF THE DEVELOPMENT OF PALOMA CREEK.

- SURROUNDING LAND USES: VACANT LAND AND SINGLE FAMILY

- SURROUNDING ZONING OF ANNEXATION AREA: RU-43 AND PAD

- ZONING FOR ANNEXATION AREA: RU-43 AND R-5



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

Project:
PALOMA CREEK
SURPRISE, AZ

ANNEXATION PLAN

Revisions:
MARCH 9, 2018 - 1ST ANNEXATION SUBMITTAL
AUGUST 7, 2018 - REVISED
AUGUST 30, 2018 - REVISED

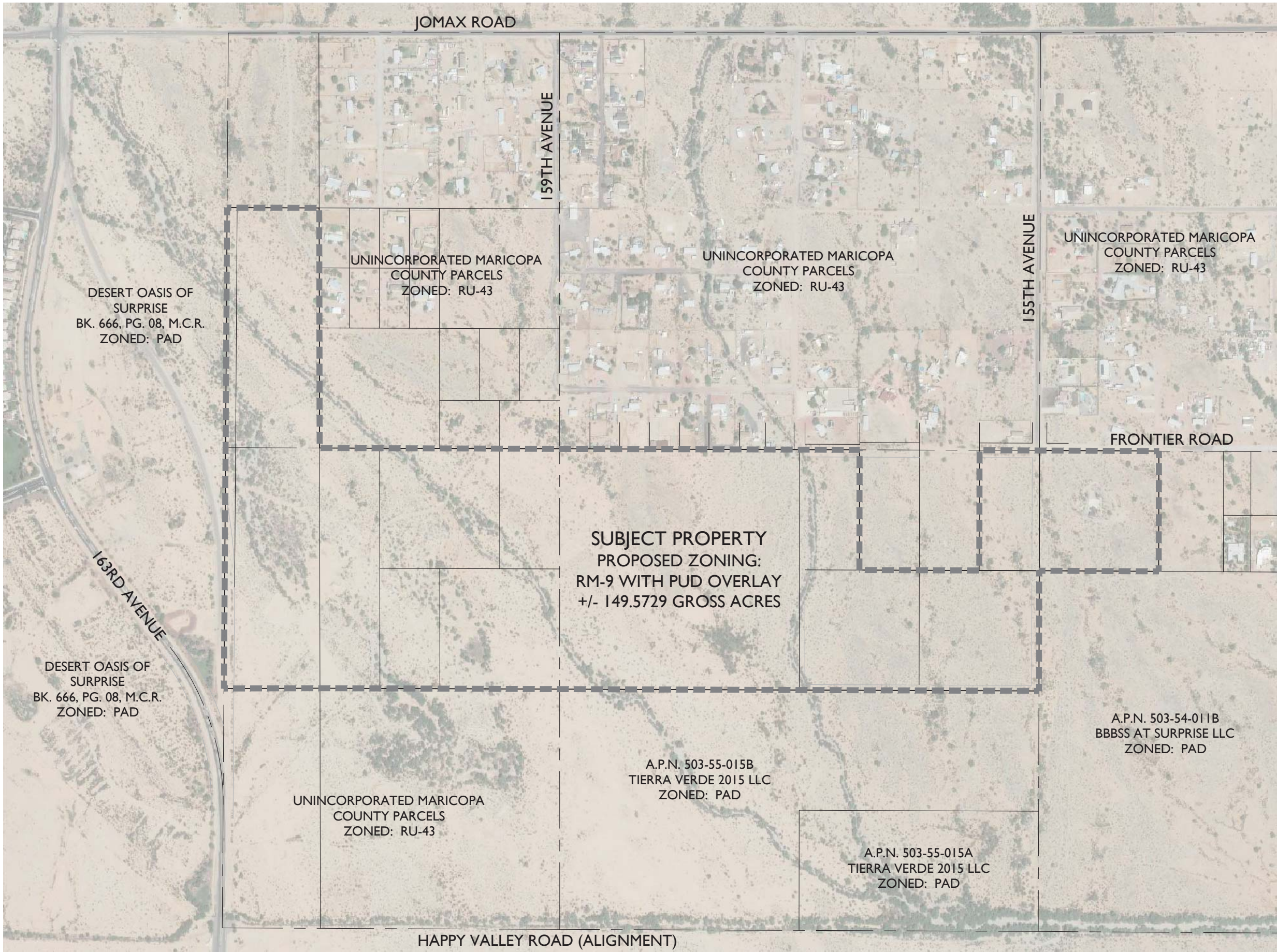
Designer: NG
Drawn by: NG

Preliminary
Not For
Construction
Or
Recording

Job No.
16-400

Sheet No.
1
of 1

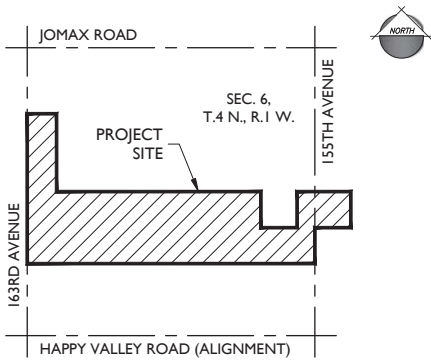
Page 212 of 464



ZONING EXHIBIT B FOR PALOMA CREEK WEST

A PORTION OF SECTION 6 AND THE NORTHWEST QUARTER OF
OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SECTION 5, T.4 N., R.1 W., GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

VICINITY MAP



PROJECT TEAM

DEVELOPER KAX GROUP, LLC 8530 E. VIA DEL SOL DRIVE SCOTTSDALE, AZ 85255 TEL: (602)-499-9305 CONTACT: KENT XANDER	CONSULTANT: EPS GROUP, INC. 2045 S. VINEYARD, SUITE 101 MESA, AZ 85210 TEL: (480)-503-2250 FAX: (480)-503-2258 CONTACT: DANIEL AUXIER, PE
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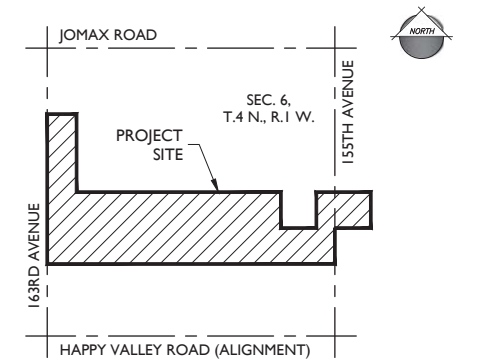
PROJECT DATA

A.P.N.	503-54-011C, 503-55-002B, 002D, 002E, 002F, 011, 012A, 012D, 012E, 012F, 012G, 013A, 013B, 014A, 014B
CURRENT LAND USE: EXISTING GENERAL PLAN: EXISTING ZONING: PROPOSED ZONING:	UNDEVELOPED NEIGHBORHOOD RR, RM-9, PAD / MDR RM-9 WITH PUD OVERLAY
GROSS AREA:	+/- 149.5729 ACRES

PHASE PLAN FOR PALOMA CREEK

A PORTION OF SECTION 6 AND THE NORTHWEST QUARTER OF
OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SECTION 5, T.4 N., R.1 W., GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

VICINITY MAP



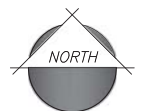
PROJECT TEAM

DEVELOPER
KAX GROUP, LLC
8530 E. VIA DEL SOL DRIVE
SCOTTSDALE, AZ 85255
TEL: (602)-499-9305
CONTACT: KENT XANDER

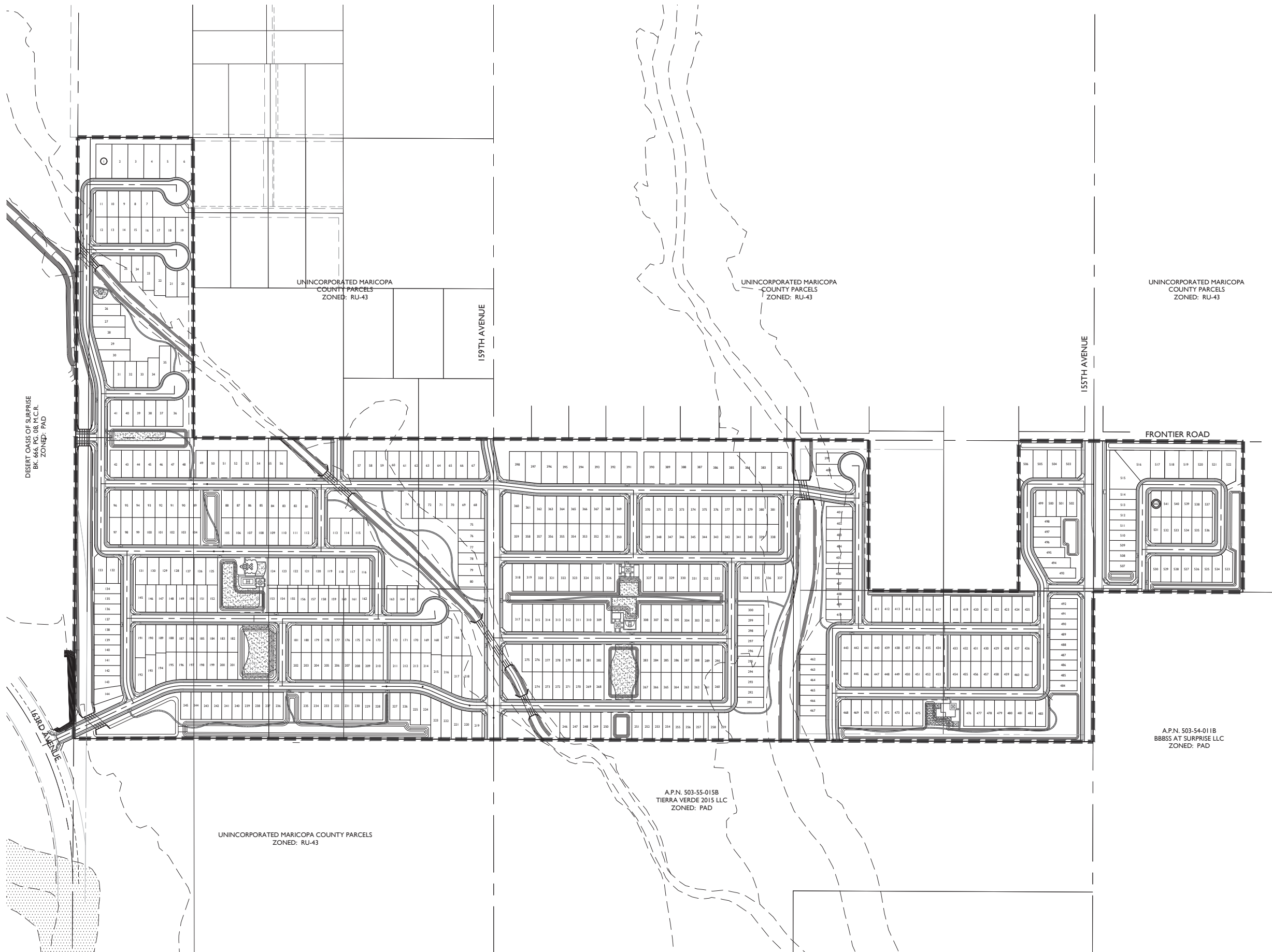
CONSULTANT:
EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: DANIEL AUXIER, PE

PROJECT DATA

A.P.N.	503-54-011C, 503-55-002B, 002D, 002E, 002F, 011, 012A, 012D, 012E, 012F, 012G, 013A, 013B, 014A, 014B
CURRENT LAND USE:	UNDEVELOPED
EXISTING GENERAL PLAN:	NEIGHBORHOOD
EXISTING ZONING:	RR, RM-9, PAD / MDR
PROPOSED ZONING:	RM-9 WITH PUD OVERLAY
GROSS AREA:	+/- 150.68 ACRES
NET RESIDENTIAL AREA:	+/- 116.88 ACRES (LOT AREA & OPEN SPACE TRACTS)
LOT SIZES	
45' x 115'	310
50' x 115'	197
62.5' x 122'	11
70' x 115'	24
TOTAL	542
GROSS DENSITY:	+/- 3.6 DU/AC
NET DENSITY:	+/- 3.7 DU/AC
OPEN SPACE:	+/- 43.31 ACRES
OPEN SPACE (%):	37.1% OF NET RESIDENTIAL AREA



200 0 200 400
scale feet



Additional Emails Received

From: Joshua Mike
To: ["Lana Peterson"](#)
Cc: [Robert Kuhfuss](#); [Lloyd Abrams](#)
Subject: RE: Rezone and Planned area development for Paloma Creek. Letters for Planning and Zoning and City Council
Date: Wednesday, July 31, 2019 11:50:00 AM

Good Morning Lana,

We have received your letter and will include it in the files. Thank you for your input.

Thanks,
Joshua J Mike
Planner II

City of Surprise | Community Development
16000 N. Civic Center Plaza | Surprise AZ | 85374
623.222.3134 **t**
623.222.3001 **f**

From: Lana Peterson [mailto:lkpete@gpcom.net]
Sent: Monday, July 29, 2019 8:07 AM
To: Joshua Mike
Subject: Rezone and Planned area development for Paloma Creek. Letters for Planning and Zoning and City Council

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

To the Zoning and Planning Commission and City Council:

I am writing this request as we are residents of the rural area next to the Paloma Creek development being considered for rezoning and development. Our address is 15805 West Prickly Pear Trail, Surprise, AZ 85837. Our home would be directly adjacent to the planned development.

We are opposed to the rezoning proposed by EPS Group, Inc. on behalf of HV 31, LLC (case FS18-150) from Residential Ranch (RR) to Residential Medium Density with Planned Unit Development Overlay for Paloma Creek. Our neighborhood and the surrounding area is all residential ranch development and has been consistently developed in this fashion on the east side of 163rd Avenue. This development will substantially change this use and is inappropriate for this area. Therefore, we oppose rezoning of this area inconsistent with existing uses.

Additionally, the properties along Prickly Pear Trail and our developed single family residential area are currently utilized as horse properties with access to state areas. It is important that substantial buffer zones be maintained with adequate access to other areas of the desert. Please include in any

development requirements a significant buffer zone (greater than 60 feet). We would also request that any buffer zone has a crushed rock equestrian path on the north side of the development next to our back and rural property lines. We need to be able to exit our property from our horse pens and travel horseback to other areas of the desert on that equestrian trail.

Also, if the rezoning is approved, we request that the houses be limited to single story homes less than 20' in height within ¼ mile of this rural area and our property, so houses don't restrict our valued rural views and privacy.

We appreciate your consideration of our concerns for development of this area. We oppose rezoning of this area. If rezoning is considered, we request adequate buffer zones and equestrian trails adjacent to our property. In addition, we request that the houses within our area be limited to single family, single story homes to not change the existing uses of the adjacent property owners.

Thank you

Randy and Lana Peterson
15805 West Prickly Pear Trail
Surprise AZ 85387



Memorandum

To: Lloyd Abrams, Assistant Director, Community Development
From: Stacie Cameron, Sr. Financial Management Analyst
Date: August 7, 2019
Re: FS18-149 Paloma Creek Fiscal Impact Analysis

Per the Annexation Policy Manual – 2008 Revision, a land use based fiscal impact analysis has been conducted utilizing data provided by the applicant. The data provided assumes residential development of approximately 200 acres located east of 163rd Avenue between Jomax Road and Happy Valley Road.

Based on the land use information, the construction timeline, and the development assumptions, the net financial impact to the operating funds of the City of Surprise is positive. Due to construction sales tax collection, a positive impact is projected annually during the first nine years of development. Over twenty years, expenses are projected to be \$17,454,409, and revenue is projected to be \$18,112,164, resulting in a net financial impact of \$657,755.



City Council

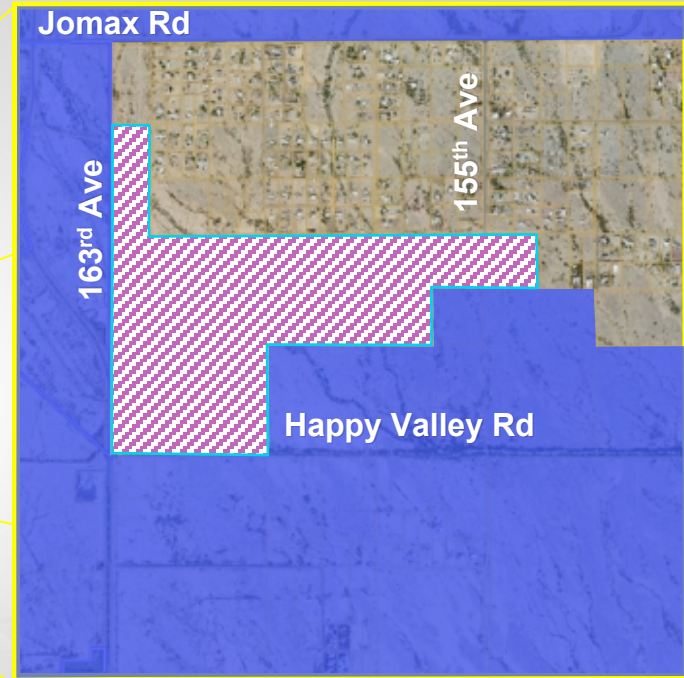
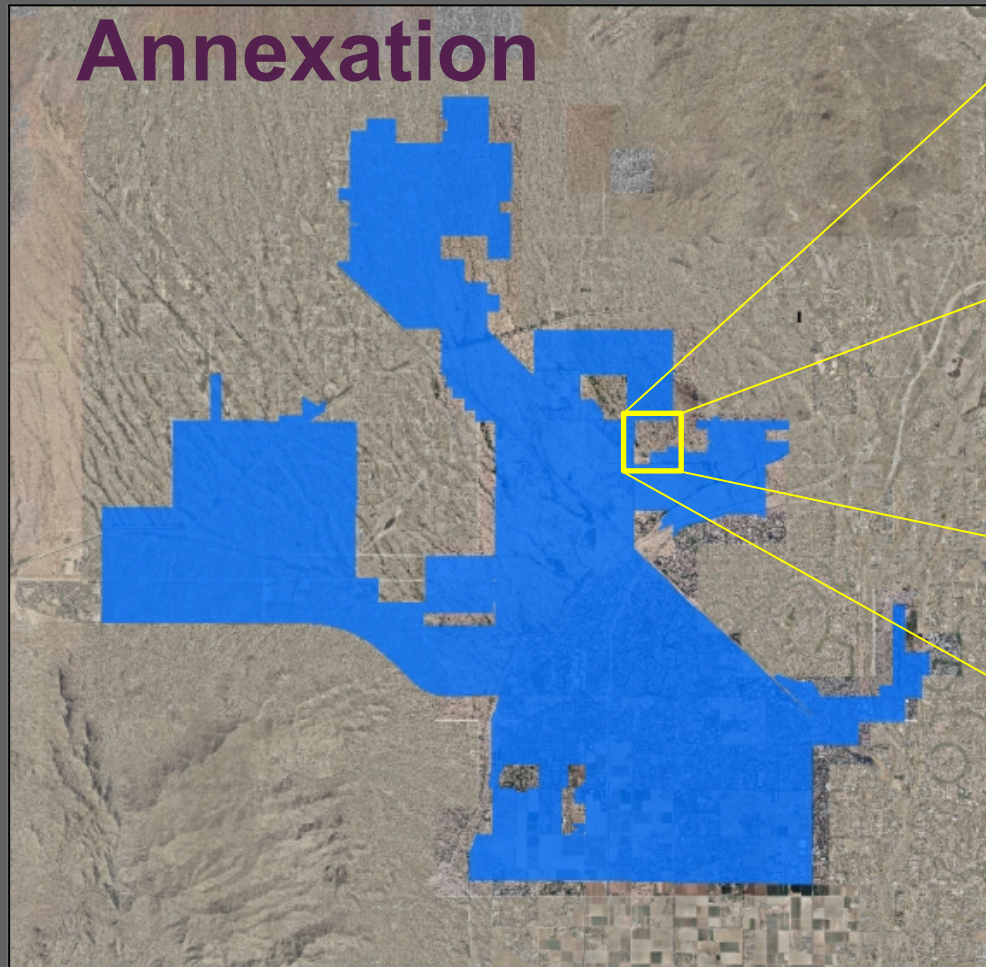
September 5, 2019



FS18-149

Paloma Creek Annexation Ordinance

Annexation



-  Existing Surprise Incorporated Limits
-  Paloma Creek Annexation Boundary

FS18-149

Jomax Rd

163rd Ave

155th Ave

Happy Valley Rd

Annexation



Existing Surprise Incorporated Limits



Paloma Creek Annexation Boundary

FS18-149

Jomax Rd

163rd Ave

155th Ave

Happy Valley Rd

Annexation

-  Existing Surprise Incorporated Limits
-  Paloma Creek R-5 RUPD
Maricopa County Zoning
-  RU-43 Maricopa County Zoning

FS18-149

Jomax Rd

163rd Ave

155th Ave

Happy Valley Rd

Annexation

-  Existing Surprise Incorporated Limits
-  Paloma Creek RM-9
Surprise Zoning (Max Density: 5 du/ac)
-  RR Surprise Zoning

FS18-149

Jomax Rd

155th Ave

163rd Ave

Happy Valley Rd

Concurrent Rezoning

-  Existing Surprise Incorporated Limits
-  Paloma Creek RM-9 Surprise Zoning
 - Proposed 542 dwelling units
-  Remain RR Surprise Zoning
 - Density: 1 du/ac

FS18-150

Concurrent Cases

Planning and Zoning Commission and City Council

➤ **FS18-150 Paloma Creek:**

- ✓ Rezoning: From RM-9 to RM-9 PUD
- ✓ Preliminary Plat (proposed 542 units)

Steps Taken

Resolution for the Intent to Annex - Completed

- City Council – November 22, 2018
- Reach out to County Assessor and Dept of Revenue

File Blank Petition: January 25, 2019

- Begins 30-day waiting period;

Public Hearing: February 19, 2019

- City council has public hearing to discuss the annexation proposal
- No action taken at this meeting

Waiting Period Ends: February 25, 2019

- Applicant obtains signatures, submits signed petition to City

Public Hearing: August 1, 2019

- Planning and Zoning Commission recommendation on concurrent rezoning cases

Public Hearing: September 5, 2019

- City Council action on annexation ordinance and concurrent rezoning cases



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: September 5, 2019 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of a rezoning of approximately 151 acres generally located east of 163rd Avenue between Happy Valley Road and Jomax Road from Residential Medium Density (RM-9), Residential Ranch (RR), and Planned Area Development (PAD) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD). Planning Case FS18-150 for Paloma Creek zone change; Ordinance #2019-22.

Motion:

I Move to approve Ordinance # 2019-22.

Background:

The subject request, and a related Preliminary Plat, were heard by the Planning and Zoning Commission on August 1, 2019, who voted 5 to 1 for approval.

Objective Analysis:

The applicant seeks a Zone Change over the subject 151 acres. The zoning of the property will be RM-9 with a PUD Overlay that amends development standards and caps the residential density to 4.0 DU/Ac. The proposed Preliminary Plat associated with the project includes buffering adjacent to existing rural development consistent with the goals of the General Plan, and the proposed stipulations of approval address buffering for the betterment of the project.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. The maximum density is capped at 4.0 DU/Ac, which is well below 8 DU/Ac.

The General Plan seeks a transition from less dense residential zoning to more dense residential zoning. There is no codified methodology for determining the extent or character of said transitions within the SUDC. The associated Preliminary Plat includes transitioning from the adjacent rural development; however, while the subject Zone Change proposal includes a conceptual lot layout, the Zoning Narrative does not specifically address this issue. If the associated Preliminary Plat should expire before Final Platting occurs, enforcement of this requirement could prove difficult. Staff therefore recommends the City Council include a stipulation of approval that requires compliance with the transition and buffer

policies of the General Plan. This is addressed in proposed stipulation “b”.

Financial Impact:

This item does not have a direct financial impact, however 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:

1. 00 FS18-150 Paloma Creek Rezone 09-05-19 CC Staff Report
 2. 01 FS18-150 Paloma Creek Vicinity Map
 3. 02 FS18-150 Paloma Creek Case Map
 4. 03 FS18-150 Paloma Creek Rezone Narrative - REVISED 08-08-19
 5. 04 FS18-150 Paloma Creek Citizen Outreach Summary REDACTED
 6. 19.08.19 EVR Paloma Creek Rezone Ordinance 2019-22
 7. 05b Ordinance 2019-22 Exhibits A and B
 8. FS18-150 Paloma Creek Rezone 09-05-19 CC Presentation
-

ZONE CHANGE

REPORT TO THE CITY COUNCIL

Case: FS18-150

Project Name: Paloma Creek Zone Change

Council District: 1 – Acacia

Meeting Date: September 5, 2019

Planner: Robert H. Kuhfuss, AICP

Owner: HV 13 LLC, et. al.

Applicant: Dan Auxier of EPS Group, Inc.

Request: Zone Change from Residential Ranch (RR), Residential Medium Density (RM-9), and Planned Area Development (PAD) to Residential Medium Density with Planned Unit Development Overlay (RM-9 PUD)

Site Location: Generally located east of 163rd Avenue between Happy Valley Road and Jomax Road

Area: 151 acres (approx.)

Density: 4.0 DU/Ac.

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

Support/Opposition: This request generated several items of opposition.

Commission

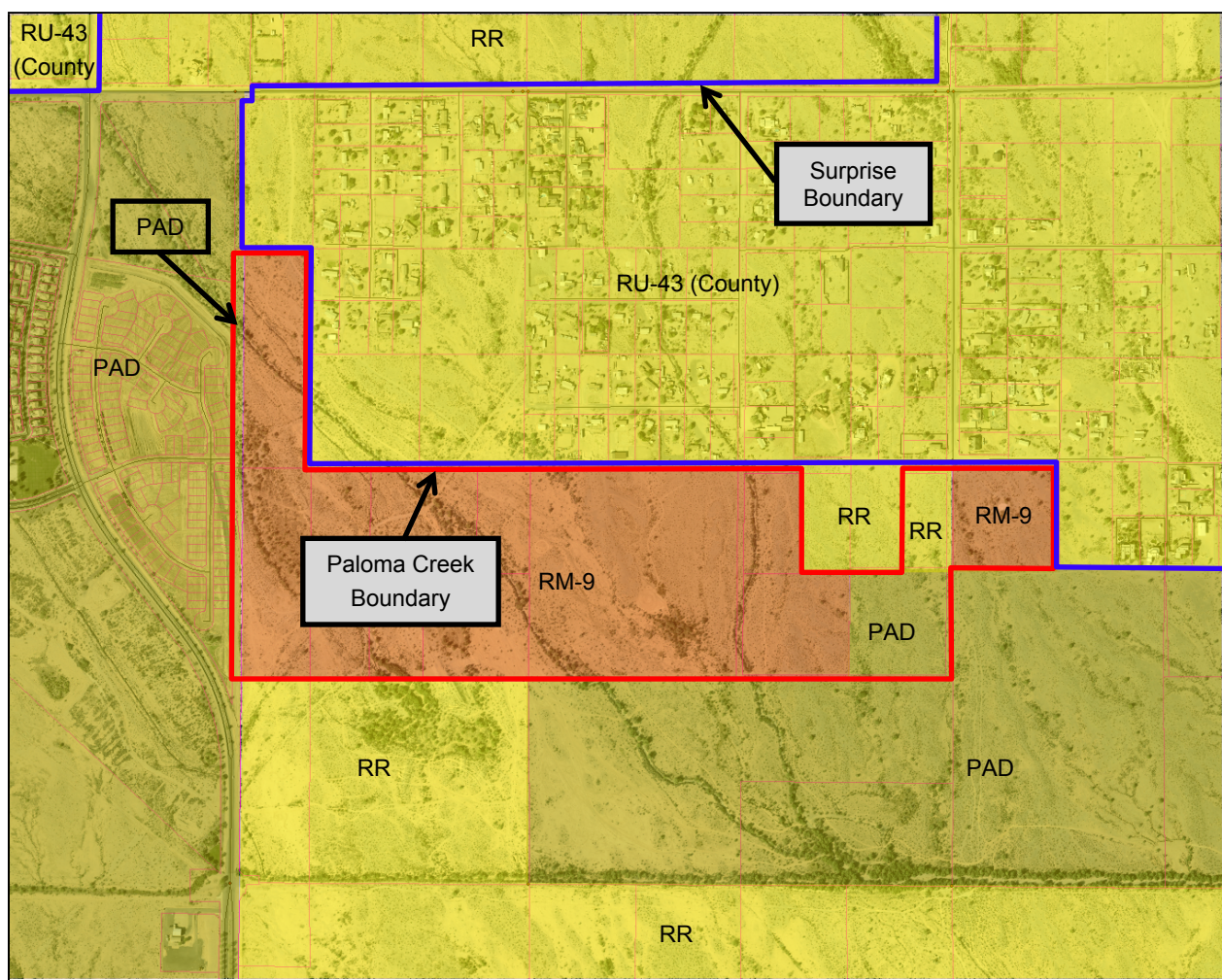
Recommendation: Approve, subject to stipulations ‘a’ through ‘c’.

Staff

Recommendation: Approve, subject to Commission-recommended stipulations “a” through “c”, with revision to stipulation “a” regarding document date.

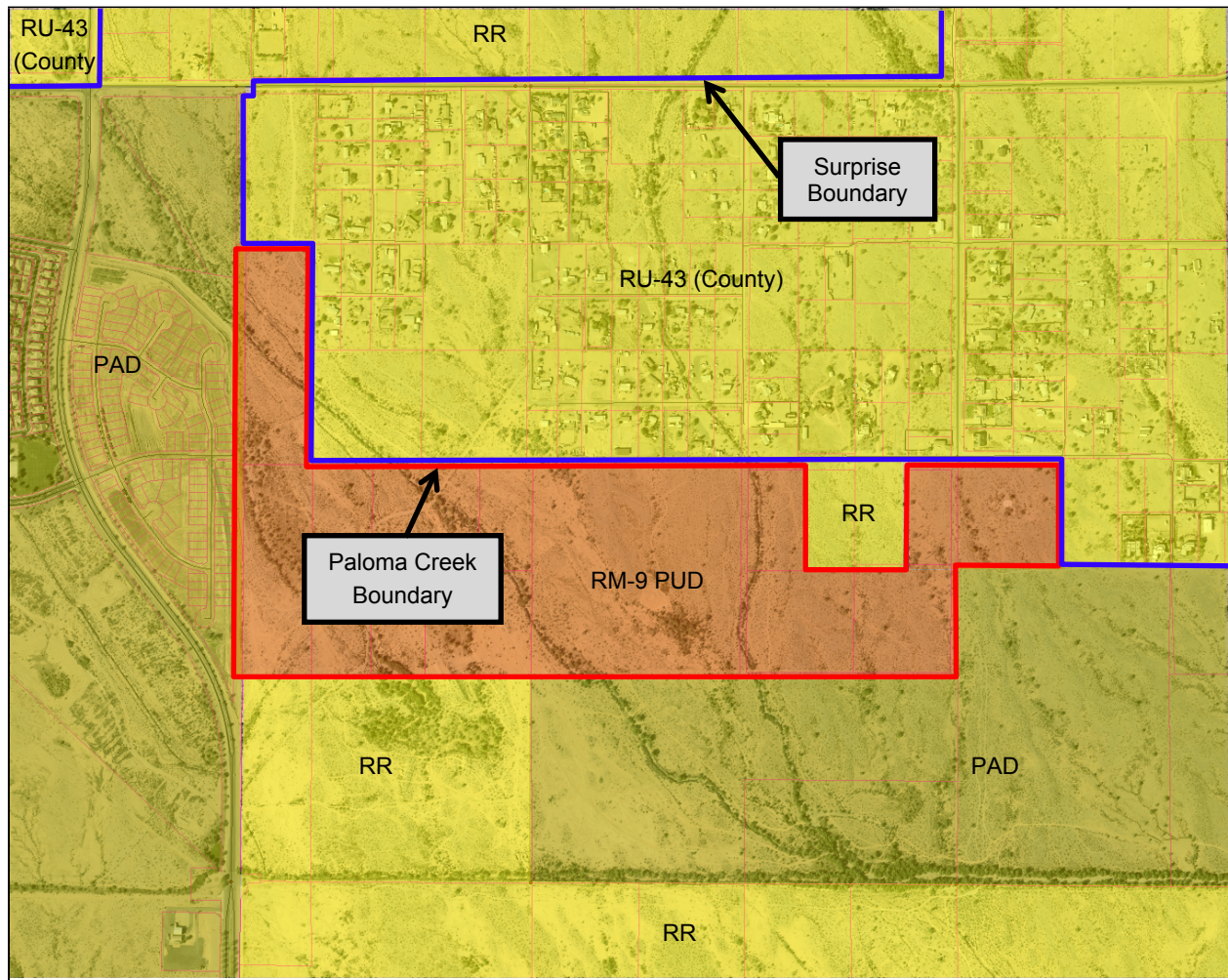
INTRODUCTION:

The subject property consists of an assemblage of parcels totaling approximately 151 acres. Twelve (12) of these parcels are currently located within the unincorporated area of Maricopa County and are part of a separate annexation case that is scheduled for City Council hearing on September 5, 2019 under case FS18-149. Of these unincorporated parcels, eleven (11) currently enjoy County R-5 RUPD zoning, while one (1) parcel currently enjoys County Rural-43 (RU-43) zoning. Should these unincorporated parcels be successfully annexed, like zoning of RM-9 (with a density cap of 5.0 DU/Ac), and Residential Ranch (RR) will attach. In addition to the currently unincorporated parcels, the subject request also includes three (3) parcels that are located within the City of Surprise and are zoned PAD. The applicant also proposes a Preliminary Plat, which is scheduled for the September 5, 2019 Council hearing and is discussed under separate cover. The following map illustrates the zoning of the subject site and its surrounds upon annexation.



[Continued on following page.]

60 The applicant seeks to rezone from the post-annexation zoning of Residential Medium Density (RM-9), Planned Area Development (PAD), and Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD), with a density cap of 4.0 DU/Ac. The following map illustrates the proposed zoning.



67 **PROJECT DESCRIPTION:**

69 The applicant seeks Surprise RM-9 PUD zoning that would potentially allow the development of 600
70 single-family dwellings over approximately 151 acres for a maximum gross density of 4.0 DU/Ac.
71 (although the associated Preliminary Plat only anticipates 542 lots for a gross density of 3.6 DU/Ac.)
72 The proposal includes amended development standards and anticipates four (4) single-family lot
73 categories. The proposal also seeks to delete the Community Pool requirement for Medium
74 Density Residential due to the increased rear yard setback proposed with the PUD Overlay, and
75 seeks to delete the landscape circle requirement for cul-de-sacs. The proposal also seeks to
76 increase the driveway width and area to 45% as opposed to 30%.

79
80 **BACKGROUND:**
81

82 **September 14, 2000:** The City Council approved the Desert Oasis PAD under case PAD99-129.
83

84 **March 21, 2006:** The City Council approved the Tierra Verde West PAD under PAD05-401.
85

86 **September 7, 2016:** The Maricopa County Board of Supervisors approved a Zone Change
87 request covering a portion of the subject site under Maricopa County case Z2016025. Said
88 approval included stipulations “a’ through “n” as stated in Exhibit D of the subject zoning
89 change narrative.
90

91 **November 17, 2016:** Staff met with the ownership group to discuss the project during a
92 regularly scheduled Concept Review meeting under CR16-481.
93

94 **September 28, 2017:** Staff met with the applicant to further discuss the project during a
95 regularly scheduled Concept Review meeting under CR17-513.
96

97 **March 20, 2018:** The applicant filed an Annexation request covering a portion of the subject
98 site under case FS18-149.
99

100 **March 20, 2018:** The applicant filed a Zone Change request covering the entirety of the subject
101 site under case FS18-150, the subject case.
102

103 **March 20, 2018:** The applicant filed a request for a Preliminary Plat covering the entirety of the
104 subject site under case FS18-150.
105

106 **October 23, 2018:** The applicant held a Citizen Outreach meeting to discuss the subject project.
107

108 **August 1, 2019:** The Planning and Zoning Commission recommended approval of the rezone
109 request subject to staff-recommended stipulations ‘a’ through ‘c’.
110

111 **August 8, 2019:** The applicant submitted a revised Zoning Narrative for the purpose of
112 correcting the proposed minimum lot width and minimum lot area.
113

114 **CITIZEN OUTREACH:**
115

116 The applicant held a citizen outreach meeting on October 23, 2018, which was well attended.
117 Numerous individuals voiced their concerns over the project ranging from impacts to local wells,
118 traffic, view shed, light pollution, and property tax increase. The results of that meeting are
119 summarized in the attached Public Participation Report. The site was also posted and advertised in
120 accordance with State and local requirements. Additional opposition was received just prior to the
121 Commission hearing and is also attached.
122

UTILITY AND SERVICES TABLE:

Electric:	Arizona Public Service
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	Southwest Gas
Irrigation:	N/A
Schools:	Dysart

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. The maximum density is capped at 4.0 DU/Ac, which is well below 8 DU/Ac.

The General Plan seeks a transition from less dense residential zoning to more dense residential zoning. There is no codified methodology for determining the extent or character of said transitions within the SUDC. The associated Preliminary Plat (discussed under separate cover) includes transitioning from the adjacent rural development; however, while the subject Zone Change proposal includes a conceptual lot layout, the Zoning Narrative does not specifically address this issue. If the associated Preliminary Plat should expire before Final Platting occurs, enforcement of this requirement could prove difficult. Staff therefore recommends the Commission include a stipulation of approval that requires compliance with the transition and buffer policies of the General Plan. This is addressed in proposed stipulation “b”.

ANALYSIS AND DISCUSSION:

As of the writing of this report, the majority of the subject property is located within the unincorporated portion of Maricopa County. The applicant recently obtained R-5 RUPD zoning from Maricopa County, which covered most of the subject property; however, during the processing of the rezone case with Maricopa County, Surprise staff expressed concerns over County R-5 zoning as it is among the most permissive zoning districts allowed by the County’s Zoning Ordinance. (County R-5 zoning allows single-family residential, duplex housing, multi-family housing, and light commercial.) Further, the proposal submitted to the County indicated water and sewer services would be provided by other than the City of Surprise, and did not take into consideration the City’s General Plan policy for transitioning and buffering adjacent to rural development. Further, the development standards sought under the County proposal would be difficult to administer.

To mitigate these issues, the County's zoning approval included a series of stipulations of approval, which included the following:

- Prohibitions against commercial and multi-family zoning;
- Inclusion of Public Use Trails within the site;
- A commitment to develop the site in a manner that respects the City's policy regarding buffering and transitioning adjacent to rural development;
- Recognition that the City of Surprise is the water and sewer provider for the area;
- An understanding that the City of Surprise would not provide municipal services absent annexation; and,
- A commitment to work with the City of Surprise to establish development standards acceptable to the City.

Upon successful annexation of the property into the City of Surprise, equivalent zoning of Residential Ranch (RR) and Medium Density Residential (RM-9) will attach. The annexation will cap the density of the RM-9 portion at 5.0 DU/Ac. consistent with the maximum density allowed under the County zoning. The post annexation RM-9 development standards, together with the proposed RM-9 PUD development standards are as indicated in the following table, taken from the Zone Change Narrative.

Paloma Creek Development Standards		
Minimum Standard	RM-9 Standards	Proposed RM-9 PUD Standards ^{(2),(4)}
Minimum Width	40'	45'
Minimum Lot Area (Per Unit)	4,500 Sq. Ft.	4,500 Sq. Ft.
Minimum Lot Depth	100'	100'
Front Setback (Livable)	12'	12'
Front Setback (Garage)	20'	20' ^{(1) (5)}
Interior Side	TBD by Preliminary Plat	5'
Aggregate Side	TBD by Preliminary Plat	10'
Rear	20'	20'
Maximum Building Height	35'	35'
Building Coverage		TBD by building envelope ⁽³⁾
Maximum Density	5.0 DU/Acre ⁽⁶⁾⁽⁷⁾	4.0 DU/Acre
Maximum Lot Count	625 ⁽⁶⁾	600
Driveway Width as % of Lot Width	30%	45%
Driveway Area as % of Front Yard Area	30%	45%

(1) Garage front setbacks may be less than livable as side-loaded garage only. The reduced front setback also applies to livable area, extended front porches and walled courtyards. Otherwise, the Garage front setback will be a minimum of 20' from the front lot line.

(2) Fireplace, pop-outs, bay windows, eaves, overhangs, porches/patios, 2nd story cantilevers, and/or other appendages may encroach 2.5' into the front, side, and rear yard setbacks, so long as they are not less than 3' from the property line.

(3) Building Lot coverage is established by the building envelopes created by the required setbacks and allowable projections as defined in this Table and Footnotes.

(4) Building setbacks apply equally to one and two story product.

(5) The Front Garage setback means front lot line to face of garage door only if the garage is located in the front yard.

(6) Per the approved Maricopa County zoning case Z2016025

(7) Per the City of Surprise Council-approved Annexation Ordinance.

Note: the zoning document provided to the Planning and Zoning Commission included an error regarding the proposed minimum lot width and the proposed minimum lot area. These items have been corrected and the date of the corrected document is referenced in the revised stipulations.)

185 **REVIEWING AGENCIES:**

186
187 The subject request was routed to the standard internal and external reviewing agencies, who
188 offered no objections or comments.

189
190 **SUMMARY:**

191
192 The applicant seeks a Zone Change over the subject. The zoning of the property will be RM-9 with a
193 PUD Overlay that amends development standards and caps the residential density to 4.0 DU/Ac.
194 The proposed Preliminary Plat associated with the project includes buffering adjacent to existing
195 rural development consistent with the goals of the General Plan, and the proposed stipulations of
196 approval address buffering for the betterment of the project.

197
198 **FINDINGS:**

- 199
200 • The proposed Zone Change, as amended by the recommended stipulations of approval, is
201 consistent with the Surprise General Plan 2035.
202 • The reviewing agencies have expressed no issues or concerns that are not addressed by the
203 recommended stipulations of approval.
204

205 **COMMISSION RECOMMENDATION:**

206
207 Based on the findings noted above, the Commission moved to recommend **approval** of the subject
208 rezone request to the City Council, subject to stipulations 'a' through 'c' as outlined below:

- 209
210 a. Development and use of the site shall be in conformance with the Zone Change
211 Narrative entitled "Paloma Creek (FS18-150) City of Surprise Zoning Project Narrative",
212 consisting of five (5) pages plus exhibits, prepared by EPS Group, Inc. and stamped
213 received ~~July 23,~~ August 8, 2019.
214
215 b. All subsequent Preliminary Plats and Final Plats shall demonstrate appropriate buffering
216 and transitions adjacent to existing RU-43 or RR zoning consistent with the policies
217 expressed in the Surprise 2035 General Plan.
218
219 c. Non-compliance with the stipulations of approval of this case will be treated as a
220 violation in accordance with the provisions of Article XIV of the Surprise Unified
221 Development Code.
222

223 However, should the Council wish to deny the request, the Council should make its own findings
224 and base its decision on those alternative findings.
225
226
227
228

229 **Attachments:**

230

231 01 Paloma Creek Vicinity Map

232 02 Paloma Creek Vicinity Case Map

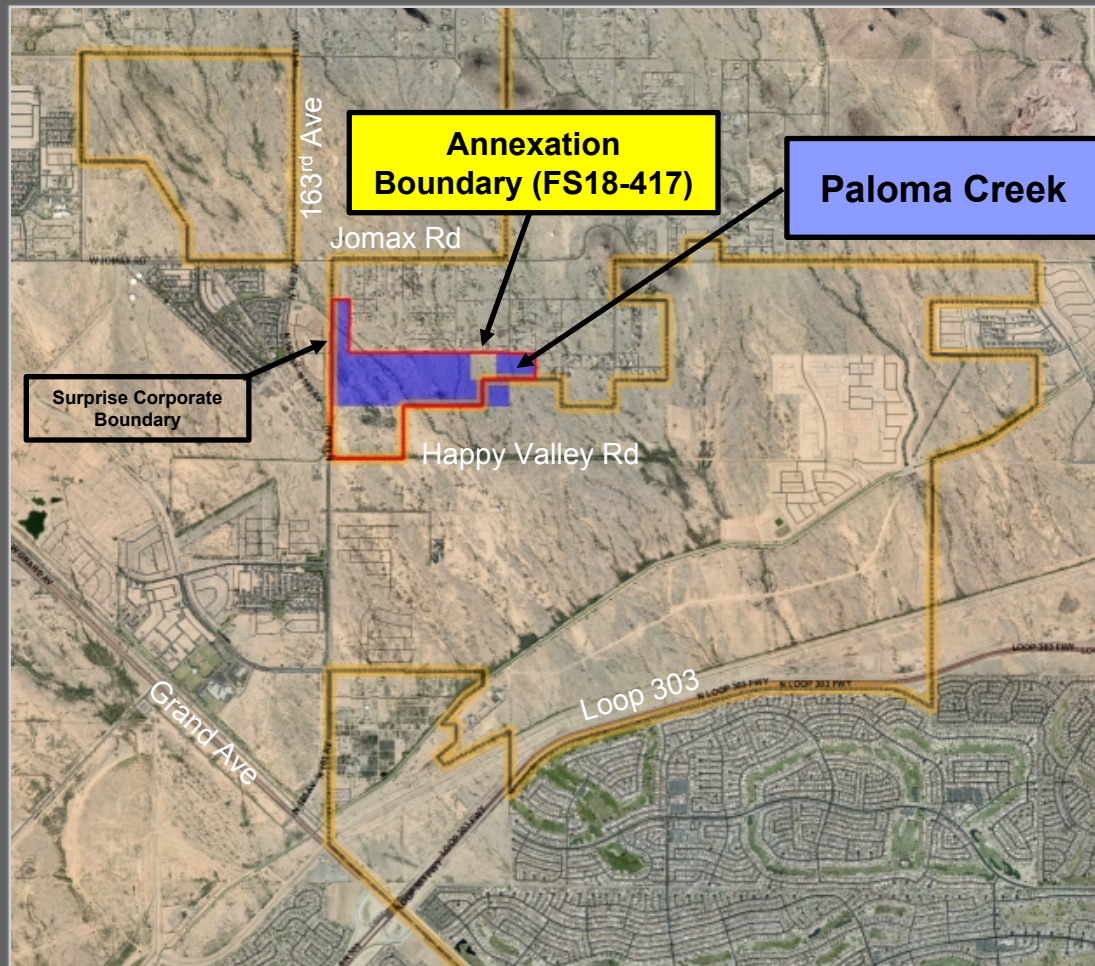
233 03 Paloma Creek Zone Change Narrative (revised August 8, 2019)

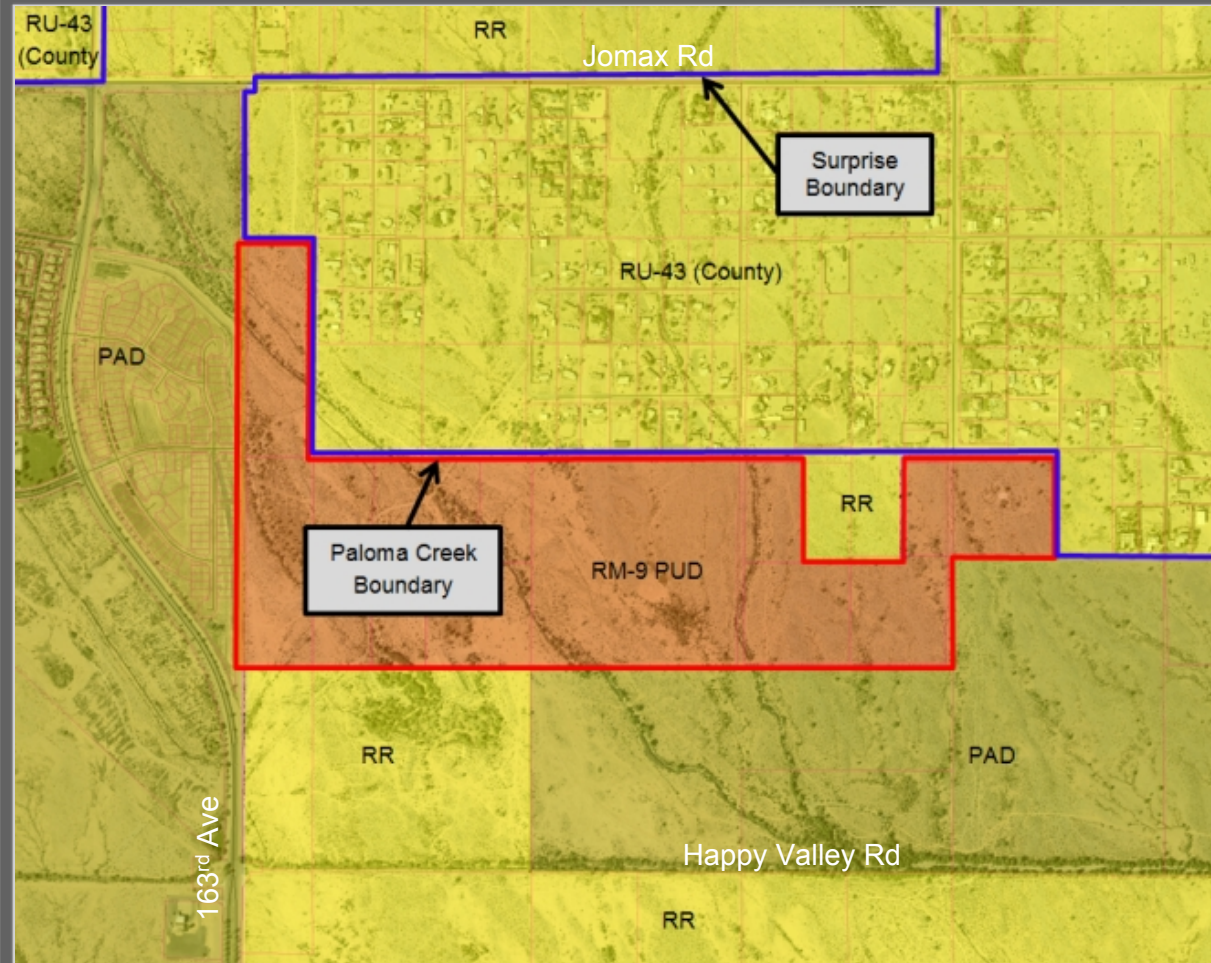
234 04 Paloma Creek Citizen Participation Report (redacted)

235 05 Paloma Creek Zone Change Adopting Ordinance w/ Exhibits – Revised, Draft

236 06 Additional Opposition (redacted)

FS18-150 Paloma Creek Vicinity Map





FS18-150 Paloma Creek Case Map

Paloma Creek (FS18-150) - City of Surprise

Received
August 8, 2019

Zoning Project Narrative

East of 163rd Avenue between Jomax Road and Happy Valley Road

Submitted: July 19, 2018

Revised: October 12, 2018

Revised: December 17, 2018

Revised: January 28, 2019

Revised: May 31, 2019



Owner Representative

KAX Group, LLC

10973 N. 138th Way

Scottsdale, AZ 85259

Tel: 602-499-9305

Contact: Kent A. Xander

Applicant/Engineer

EPS Group, Inc.

2045 S Vineyard Ave, Ste. 101

Mesa, AZ 85210

Tel: 480.503.2250

Contact: Daniel Auxier, PE

Landscape Architect

McGough Group

11110 N. Tatum Blvd, Ste. 100

Phoenix, AZ 85028

Tel: 602-997-9093

Contact: Nick Adamson, RLA

Introduction and Location

Paloma Creek is a proposed residential subdivision located in the City of Surprise, east of 163rd Avenue, a quarter of a mile south of Jomax Road, a quarter mile north of Happy Valley Road, and is within the City's 163rd Corridor Growth Area. **See Exhibit A, Vicinity Map.**

This application submittal is a request to process a Rezone with a Planned Unit Development (PUD) Overlay with the City to allow for the development of a single-family residential development with a maximum of 600 lots or 4 dwelling units per gross acres. **See Exhibit B, Zoning Exhibit.**

Project Data	
APN's	503-54-011C; 503-55-002B; 002D; 002E; 002F; 011; 012A; 012D; 012E; 012F; 012G; 013A; 013B; 014A; 014B
Current Land Use	Vacant / Undeveloped
Existing General Plan Land Use Designation	Neighborhood
Existing Zoning District	RM-9, RR, PAD/MDR
Proposed Zoning District	RM-9 PUD
Gross Area	+/- 150.68 Acres
Net Residential Area	+/- 115.02 Acres
Lot Sizes	
45' x 115'	309
50' x 115'	195
62.5' x 122'	11
70' x 115'	27

No. of Lots	542
Gross Density	+/- 3.6 DU/Acre
Open Space	+/- 41.57 Acres
Open Space (%)	+/- 36.1% of Net Residential Area

Area Context / Topography

The development area proposed for the Paloma Creek project is characterized by desert landscapes, vegetation, and soils. The existing area topography falls generally from the northwest to the southeast with areas that are carved out in topographic grade with ephemeral washes. The slope of the existing topography is anywhere from 0.50% to over 1.5% in some locations. The site topography in final developed conditions will be shaped to conform with existing conditions as much as possible, with site edge finishes observing and matching the existing grades and tying into surrounding existing developments and/or natural features.

Surrounding Land Uses

Paloma Creek is level undeveloped desert land. The proposed development is surrounded by unincorporated Maricopa County single family residences to the north, single family Tierra Verde Planned Area Development (PAD) to the south and east, and single-family Desert Oasis PAD to the west. The existing surrounding land uses and zoning districts are listed in the table below.

Surrounding Existing Use and Zoning Designations		
	Existing Use	Existing Zoning
North	Undeveloped Desert/Single Family Res.	RU-43 (Maricopa County)
East	Undeveloped Desert	Tierra Verde East PAD Single Family
South	Undeveloped Desert	Tierra Verde West PAD Single Family /RU-43 (County)
West	Single Family Residential	Desert Oasis of Surprise PAD Single Family

Historical Data

In 2016, Marbella Homes processed a rezoning application with Maricopa County to rezone 132.6 acres of the current 150.68 gross acre rezoning application of Paloma Creek. The Paloma Creek County zoning case Z2016025 was approved by Maricopa County Board of Supervisors on September 7, 2016, successfully rezoning the property from Rural-43 to R-5 Residential Unit Plan of Development (RUPD) allowing a maximum of 663 lots or 5 DU/AC. Maricopa County approval was subject to a number of stipulations intended to address concerns raised by the City of Surprise, and that it is the intent of this application to fulfill those stipulations as they relate to the zoning of the property.

Concurrently with this zoning application, an annexation application is being processed under City of Surprise case number (FS18-149) to annex the Paloma Creek and other unincorporated properties into the City of Surprise. The annexation application includes all of the properties that are a part of this rezoning application, except for APN's 503-55-013A, 503-55-014A, and 503-55-

002F which were previously incorporated into the City of Surprise. The annexation process also zoned some of the subject parcels to RM-9, with a density cap of 5 DU/acre, and Residential Ranch (RR). The residential medium density (RM) zoning district adopted with annexation of the property provides the most complimentary zoning to the County R-5 RUPD zoning. The development standards included under the proposed Planned Unit Development (PUD) Overlay are intended to allow maximum flexibility while maintaining an environment compatible with adjoining neighborhoods, and are intended to address Stipulation 'n' included in the County approval letter provided under attached **Exhibit D**.

The rezoning area of this application is 150.68 gross acres and includes Maricopa County Tax Assessor Parcel Numbers ("APN's") 503-54-011C, 503-55-002B, 002D, 002E, 002F 011, 012A, 012D, 012E, 012F, 012G, 013A, 013B, 014A and 014B. The following table shows Paloma Creek APN's, Existing and Proposed Zoning, Net and Gross Acres.

<u>Rezone & Planned Unit Development Overlay</u>					
Paloma Creek APN's, Existing and Proposed Zoning, Net and Gross Acres					
APN	Existing Zoning	Proposed Zoning	Net Area	Area of Adjacent Right of Way	Gross Area
503-54-011C	RM-9*	RM-9 PUD	9.92	0.00	9.92
503-55-002B	RM-9*	RM-9 PUD	4.25	0.73	4.98
503-55-002D	RR*	RM-9 PUD	4.11	0.87	4.98
503-55-002E	RM-9*	RM-9 PUD	9.07	0.89	9.96
503-55-002F	PAD/MDR	RM-9 PUD	8.93	1.03	9.96
503-55-011	RM-9*	RM-9 PUD	39.83	0.00	39.83
503-55-012A	RM-9*	RM-9 PUD	9.95	0.00	9.95
503-55-012D	RM-9*	RM-9 PUD	4.98	0.00	4.98
503-55-012E	RM-9*	RM-9 PUD	4.97	0.00	4.97
503-55-012F	RM-9*	RM-9 PUD	9.95	0.00	9.95
503-55-012G	RM-9*	RM-9 PUD	9.96	0.00	9.96
503-55-013A	PAD	RM-9 PUD	1.66	0.00	1.66
503-55-014A	PAD	RM-9 PUD	0.54	0.43	0.97
503-55-013B	RM-9*	RM-9 PUD	13.78	0.00	13.78
503-55-014B	RM-9*	RM-9 PUD	14.13	0.70	14.83
TOTALS			146.03	4.65	150.68

* As of annexation case FS18-149 approval.

This request is to rezone the subject property from the existing zoning of RM-9, Residential Ranch (RR), and PAD/MDR to RM-9 PUD including the proposed RM-9 PUD Development Standards described below.

Paloma Creek Development Standards		
Minimum Standard	RM-9 Standards	Proposed RM-9 PUD Standards ⁽²⁾⁽⁴⁾
Minimum Width	40'	45'
Minimum Lot Area (Per Unit)	4,500 Sq. Ft.	4,500 Sq. Ft.
Minimum Lot Depth	100'	100'
Front Setback (Livable)	12'	12'
Front Setback (Garage)	20'	20' ^{(1) (5)}
Interior Side	TBD by Preliminary Plat	5'
Aggregate Side	TBD by Preliminary Plat	10'
Rear	20'	20'
Maximum Building Height	35'	35'
Building Coverage		TBD by building envelope ⁽³⁾
Maximum Density	5.0 DU/Acre ⁽⁶⁾⁽⁷⁾	4.0 DU/Acre
Maximum Lot Count	625 ⁽⁶⁾	600
Driveway Width as % of Lot Width	30%	45%
Driveway Area as % of Front Yard Area	30%	45%

(1) Garage front setbacks may be less than livable as side-loaded garage only. The reduced front setback also applies to livable area, extended front porches and walled courtyards. Otherwise, the Garage front setback will be a minimum of 20' from the front lot line.

(2) Fireplace, pop-outs, bay windows, eaves, overhangs, porches/patios, 2nd story cantilevers, and/or other appendages may encroach 2.5' into the front, side, and rear yard setbacks, so long as they are not less than 3' from the property line.

(3) Building Lot coverage is established by the building envelopes created by the required setbacks and allowable projections as defined in this Table and Footnotes.

(4) Building setbacks apply equally to one and two story product.

(5) The Front Garage setback means front lot line to face of garage door only if the garage is located in the front yard.

(6) Per the approved Maricopa County zoning case Z2016025

(7) Per the City of Surprise Council-approved Annexation Ordinance.

When a house is built at Paloma Creek, the Buyer of the home would be able to construct a private pool in the backyard. No community pool or center will be required within Paloma Creek RM-9 PUD zoning.

The Paloma Creek RM-9 PUD also deletes the portion of SUDC Section 122-130(c) which requires a landscaped island at the end of a cul-de-sac because the City of Surprise Fire Department has indicted concerns over their use.

A Preliminary Plat is being processed concurrently under this rezoning case FS18-150.

INFRASTRUCTURE, ROADS, PROPOSED DEVELOPMENT PLAN

- Upon each phase of development of Paloma Creek, all necessary utilities for Paloma Creek will be extended from adjacent subdivisions and/or projects into Paloma Creek. Paloma Creek is to be included into Rancho Mercado PAD 2nd Water Campus. Paloma Creek will purchase sewer capacity pursuant to SPA 2 Water Reclamation Facility Capacity Allocation Agreement.
- Frontier Road – North side of Paloma Creek

In June 2018, Applicant worked with Community Development Director Eric Fitzer to provide access and design (including but not limited to density and lot sizes) on Frontier Road. Applicant agrees to the City email dated June 28, 2018 and Applicants letter to City dated June 28, 2018 as shown on **Exhibit C**.

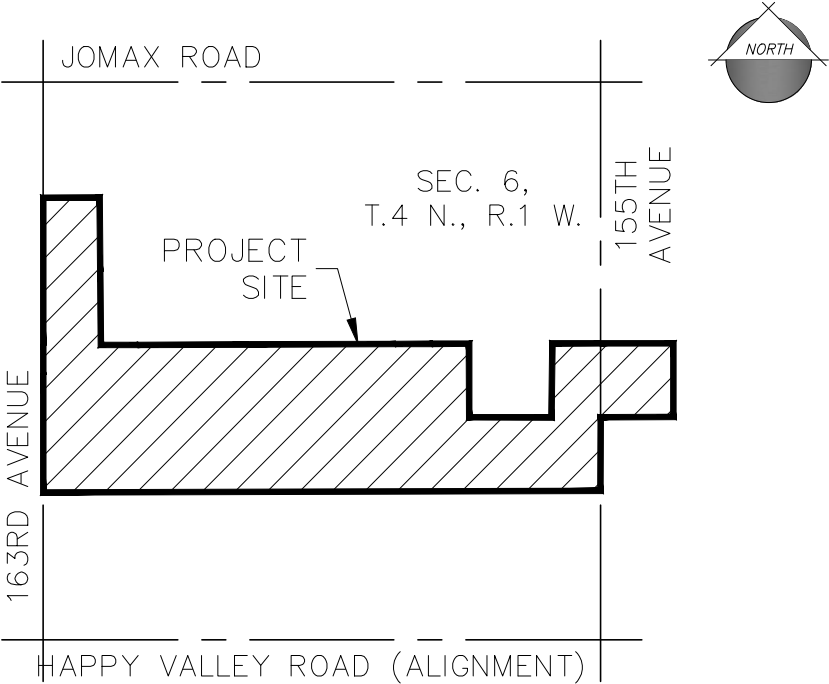
Conclusion

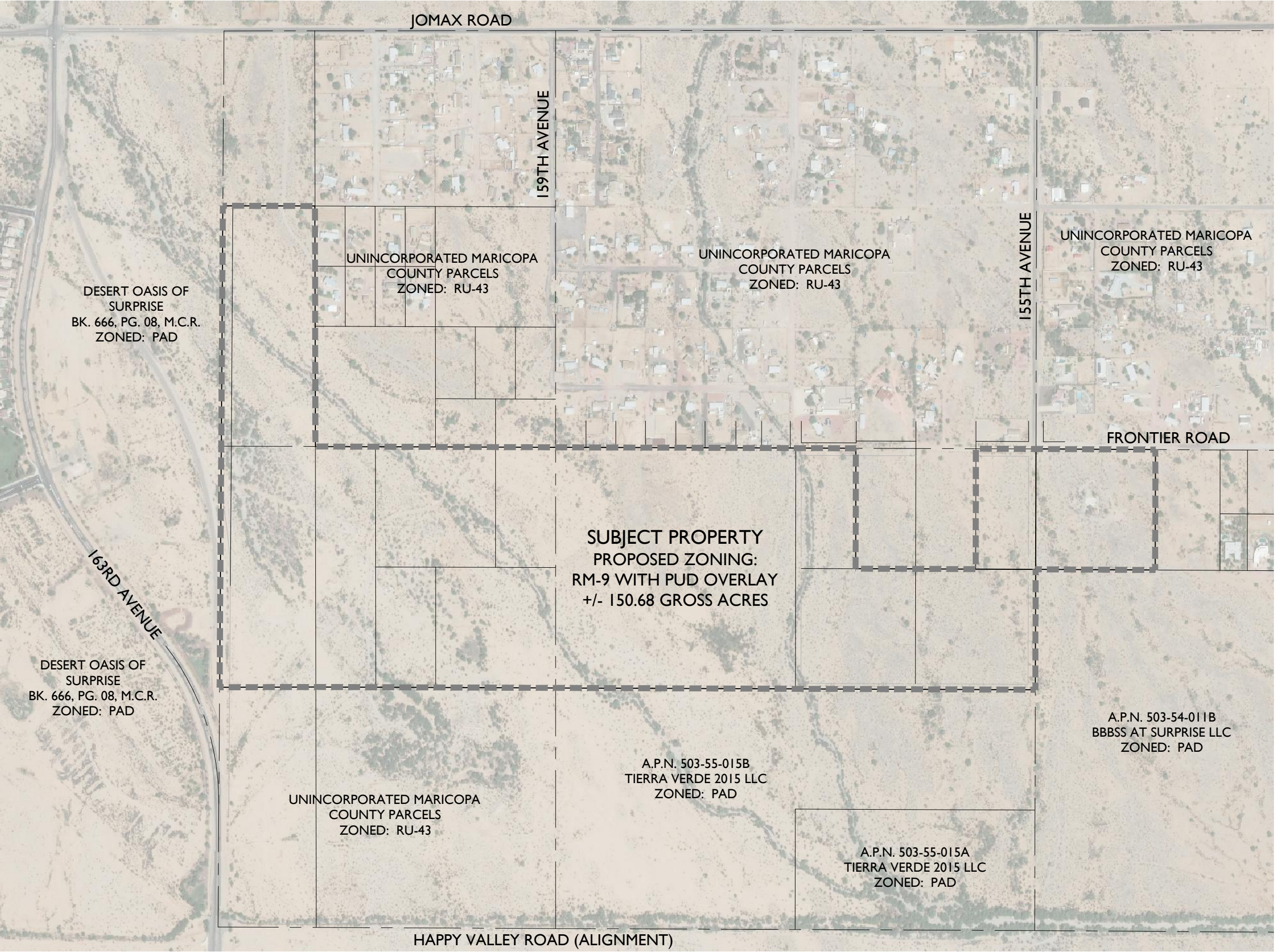
The Zoning application is the next step in the development process to put this site to a contributing use and will initiate the development of single family residential development that follows the vision, goals and policies of the City of Surprise's General Plan. The proposed development provides an opportunity for the City to increase compatible single-family residential development to the area that is in the best interest of the residents in the area, and provides a new and more diverse living space as a benefit to the community.

EXHIBIT A

VICINITY MAP

N.T.S.

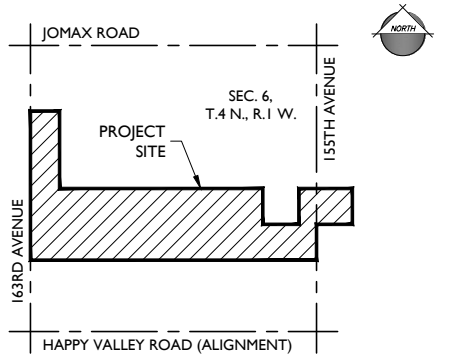




ZONING EXHIBIT B FOR PALOMA CREEK

A PORTION OF SECTION 6 AND THE NORTHWEST QUARTER OF
OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SECTION 5, T.4 N., R.1 W., GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

VICINITY MAP



PROJECT TEAM

DEVELOPER KAX GROUP, LLC 8530 E. VIA DEL SOL DRIVE SCOTTSDALE, AZ 85255 TEL: (602)-499-9305 CONTACT: KENT XANDER	CONSULTANT: EPS GROUP, INC. 2045 S. VINEYARD, SUITE 101 MESA, AZ 85210 TEL: (480)-503-2250 FAX: (480)-503-2258 CONTACT: DANIEL AUXIER, PE
---	---

PROJECT DATA

A.P.N.	503-54-011C, 503-55-002B, 002D, 002E, 002F, 011, 012A, 012D, 012E, 012F, 012G, 013A, 013B, 014A, 014B
CURRENT LAND USE: EXISTING GENERAL PLAN: EXISTING ZONING: PROPOSED ZONING:	UNDEVELOPED NEIGHBORHOOD RR, RM-9, PAD / MDR RM-9 WITH PUD OVERLAY
GROSS AREA:	+/- 150.68 ACRES

EXHIBIT C

Applicant agrees (see comments as noted in red) to the City email.

Date: June 28, 2018 at 3:20:03 PM MST

To: "Kurt A. Jones" <kajones@tblaw.com>

Subject: RE: Paloma Creek

Kurt,

I am in receipt of your letter dated June 12, 2018 regarding the Paloma Creek Development Challenges. Below are the City responses to the letter. Also, subsequently it was brought to my attention that there was a potential fire access issue in the area north of Frontier Road in the Northwest corner of the development.

I have addressed that lastly.

Section A:

City is in agreement.

Section B:

City is in agreement.

Section C:

City is in agreement.

Section D:

City requests that the trail be stubbed out to the east of the cul-de-sac. Otherwise City is in agreement. Applicant agrees that the trail shall be stubbed out to the east of the cul-de-sac.

Section E:

City is in agreement. That stated City would require a cross access agreement from the Paloma Creek Owned Parcels to allow the out parcel access to the roadways to facilitate necessary access points. Applicant agrees to provide cross access by way of easement agreement from the Paloma Creek Owned Parcels to allow the out-parcel access to the roadways to facilitate necessary access points.

Section F:

City requests view fencing be utilized instead the block fencing to combat CPTED issued posed along the trail corridor, and to provide the trail corridor to match that of the rest of the Paloma Creek. Applicant agrees to view fencing be utilized instead the block fencing to combat CPTED issued posed along the trail corridor, and to provide the trail corridor to match that of the rest of the Paloma Creek.

Section G:

City is in agreement. That stated City would require a cross access agreement from the Paloma Creek Owned Parcels to allow the out parcel access to the roadways to facilitate necessary access points. **Applicant agrees to provide cross access by way of easement agreement from the Paloma Creek Owned Parcels to allow the out-parcel access to the roadways to facilitate necessary access points.**

Staff would favor the option to provide the additional 30' wide open space to buffer the development from the existing rural residential development. From 162nd Ave to 157th Ave to enlarge the tract to 55'. **Applicant agrees to provide an additional 30' so the tract will be 55' wide.** The City will support the smaller lots (45' X 90' lots). Based on review from staff the phasing of the development, specifically the 1st phase associated with the area north of Frontier Road in the northwest portion of the development, does not provide two points of access as required by City code in the area. Staff recommends that this area, the area north of Frontier Road, be phased after or be located in the same phase that contains Saddlehorn Road to so as to facilitate two points of access as required by code. **Applicant agrees Phase 3 associated with the area north of Frontier Road in the northwest portion of Paloma Creek development will provide two points of access as required by City code in the area.**

If you have any further questions please let me know.

Regards,

Eric Fitzer

Community Development Director

City of Surprise | 16000 N. Civic Center Plaza | Surprise, AZ 85374 | 623 222-3020

Letter from Applicant to City

June 8, 2018

Eric Fitzer
Community Development Director
16000 N. Civic Center Plaza
Surprise, AZ 85374

RE: Paloma Creek – Development Challenges and Alternatives

Dear Mr. Fitzer:

Thank you for meeting with us last week on Paloma Creek which is a proposed subdivision that runs along the south side of the Frontier Road alignment between 163rd Avenue alignment on the west and approximately 155th Avenue on the east. Prior to us moving ahead and spending additional funds to revise the pre-plat showing Frontier Road and the transition lots, we would like you to discuss our comments below with staff. Our concerns/issues/solutions we have are as follows:

Section A

Frontier Road is a 46' right-of-way with homes fronting on this portion of Frontier Road west of Paloma Creek thru Desert Oasis Parcel B10. If more than 168 units access 163rd Avenue via Frontier Road from Paloma Creek, the "Level of Service" goes below D and the left turns start to break down at Frontier and 163rd Avenue.

Once Frontier Road enters Paloma Creek from Pulte B10, the circulation plan provides for Frontier Road to be moved South one (1) row of lots and then continue east to 159th Avenue. This will help with controlling the number of cars that pass-through Pulte's Parcel B10 to 163rd Avenue.

Section B

As noted on the attached plan, there is a 30' private easement approximately 1,320 feet shown in brown and an open space track 25' wide shown in green.

Paloma Creek will keep the 30' private easement in its natural condition, with the exception of minor modifications that may be necessary to address drainage/erosion issues that may be encountered and add a 25' wide Open Space track with a public pedestrian trail connecting all adjacent property to Paloma Creek and to the public trail system.

Two access points one at 159th Avenue and one at 160th Avenue will be built to access the land on the north side of Section B who is benefitted by the 30' private easement.

View fencing will be used in the back yards along the 25' wide Open Space tracks next to the 30' private easement with public pedestrian trail. Lots next to Frontier Road alignment in Section B may be a minimum of 50' wide.

A note on the Final Plat will be added noting that Owner is leaving the 30' private easement in its natural condition and location and will provide two public access points for the Owners of the benefitted property on the south side of the benefitted property.

Section C

As noted on the attached plan, there is a 30' private easement approximately 1,320 feet in length shown in brown and an open space track 25' wide shown in green.

Paloma Creek will keep the 30' private easement in its natural condition with the exception of minor modifications that may be necessary to address drainage/erosion issues that may be encountered and add a 25' wide Open Space track with a public pedestrian trail connecting all adjacent property to the Paloma Creek and to the public trail system.

View fencing will be used in the back yards along the 25' wide Open Space track next to the private easement with public pedestrian trail. Lots next to Frontier alignment in Section C will be a minimum of 70' wide.

A note on the Final Plat will be added noting that Owner is leaving the 30' private easement in its natural condition and location and will provide two public access points for the Owners of the benefitted property on the south side of the benefitted property.

Section D

40' of right of way will be dedicated to the City on the Frontier Road alignment and the pedestrian trail shall be extend east to the cul-de-sac and stop. The cul-de-sac will be developed to/or within the first 10 feet of the 40' right-of-way. No other road improvements shall be required. View fencing will be used in the back yards along the Open Space wash and lots sided on Frontier Road may be a minimum of 45' wide.

Section E

Section E consists of 2 separate land Owners. There is no road right-of-way easement on the Frontier Road alignment. Applicant has attempted to work with both separate property Owners over the past 3-4 years with no-avail.

Section F

40' of right of way will be dedicated to the City on the Frontier Road alignment and 55' right-of-way on 155th Avenue. No other road improvements shall be required. Regular block fencing will be used in the back yards along Frontier Road and the lots on Frontier Road may be a minimum of 62.5' wide.

Section G

Frontier Road East of 155th Avenue does not extend all the way to 147th Avenue – and never will due to county lot splits and existing houses.

40' of right of way will be dedicated to the City on the Frontier Road alignment and 55' right-of-way on 155th Avenue. No other road improvements shall be required. Regular block fencing will be used in the back yards along Frontier Road and the lots on Frontier Road may be a minimum of 62.5' wide.

Summary

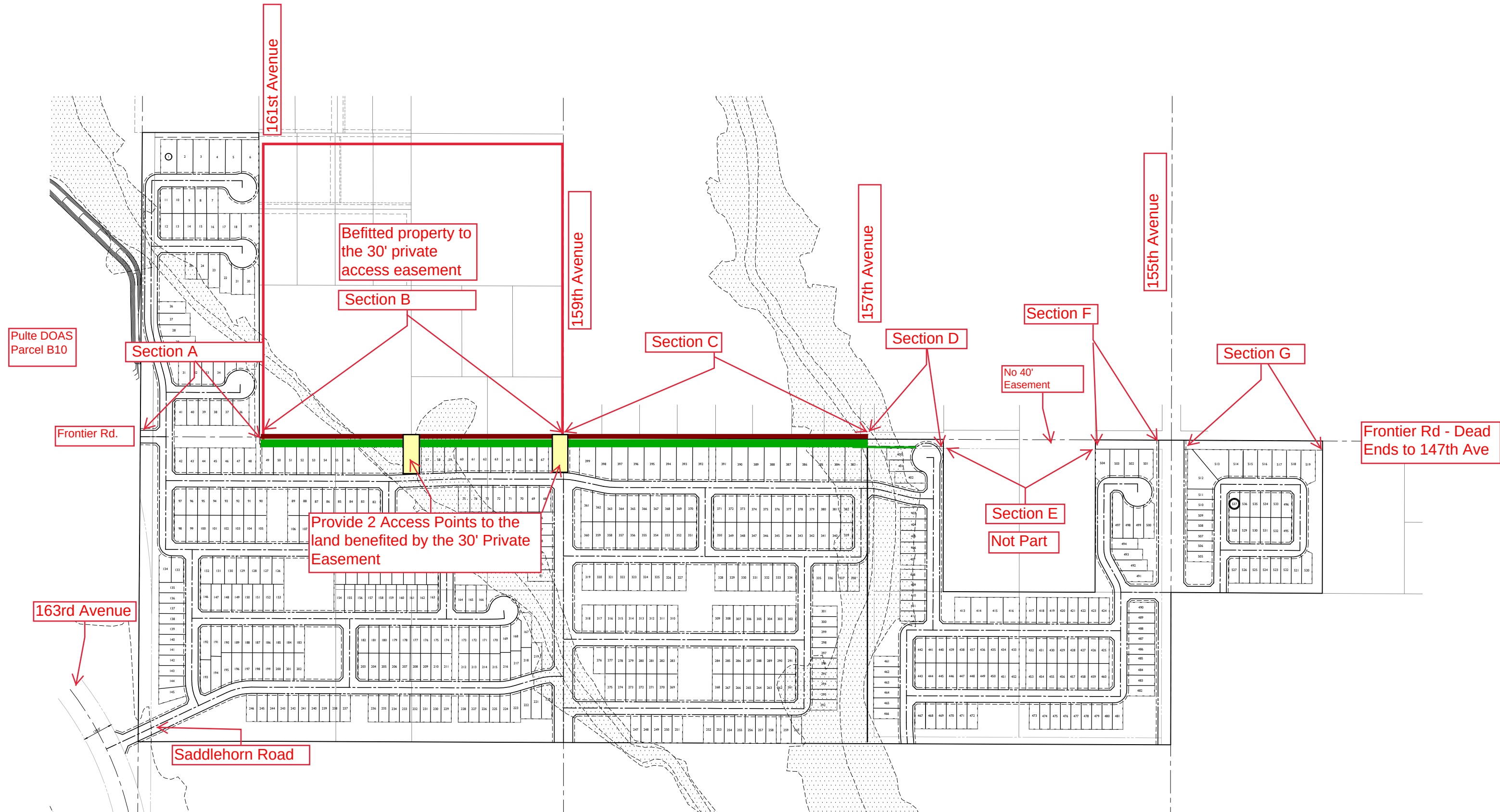
We feel we have resolved several issues with the above suggestions, such as:

- 1) Reduces the cost to develop Frontier Road in Sections D, F, and G. The owners of the 20 acres east of 157th Avenue, fronting on Frontier Road, have calculated that it would be better to stay in the County if Frontier Road improvements remain a requirement. The cost to improve 2,640 feet of perimeter roadway plus \$15,000 per EDU for development fees and impact fees does not pencil for the 20-acre portion. If the Frontier requirement does not remain, the 20 acres can be included in Paloma Creek and provide row dedications and improvements on 155th Avenue and tie into 155th pavement section in the county.
- 2) The only property owners to use the majority of Frontier Road would be very limited amount county residents to the north of Paloma Creek.
- 3) We would have provided a public road easement currently shown on our plan to the county residents to the north at 159th avenue and 160th Avenue (west of lot 57). This access would provide additional access to County property owners with them keeping their private easement rights.
- 4) Finally, with all of the issues outlined in this letter, this road would cost the project over \$1 million dollars to install a roadway servicing limited vehicle with unknown consequences to all of the above-mentioned issues.

As an Option, Paloma Creek could provide an additional 30-foot wide open space easement over the existing private access easement from 162nd Avenue to 157th Avenue. We will enlarge this tract to 55' with City support for smaller lots like a 45' x 90' and/or City approval for 46' to 50' right of way local streets for Paloma Creek.

If you agree these issues can be resolved with our proposed suggestions, we will move forward with the preliminary plat implementing these design solutions along with working out other minor planning comments we have to the City comments. Thank you for your understanding and assistance with this matter. We are dedicated to creating a wonderful residential community with logical solutions to a very dysfunctional set of lotting from the County. Thank you.

Sincerely,
Kurt Jones, AICP





Planning & Development Department



September 29, 2016

William E. Lally
Tiffany & Bosco, PA
2525 E. Camelback Road
7th Floor
Phoenix, AZ 85016

John Wittrock
18835 N. Thompson Peak Parkway
Suite 215
Scottsdale, AZ 85255

SUBJECT: Maricopa County Zoning Case Z2016025 – Marbella Homes Section 6
Assemblage

On September 7, 2016, the Maricopa County Board of Supervisors approved your Zone Change request from Rural-43 to R-5 Residential Unit Plan of Development (RUPD) for property generally located ¼ mile south of Jomax Rd. and east of 163rd Ave. in the Surprise area.

Provided the following conditions are met:

- a. Development of the site shall comply with the Zoning Exhibit entitled "Paloma Creek – A Rezone from RU-43 to R-5 RUPD," consisting of 1 full-size sheet, dated June 30, 2016 and stamped received July 1, 2016 except as modified by the following conditions. **Within 30 days of Board of Supervisors approval, the applicant shall submit a revised zoning exhibit to address changes as agreed upon by the City of Surprise.**
- b. Development of the site shall be in conformance with the Narrative Report entitled "Z2016025 – Marbella Homes – Paloma Creek", consisting of 18 pages, dated June 20, 2016, and stamped received July 1, 2016 except as modified by the following conditions. **Within 30 days of Board of Supervisors approval, the applicant shall submit a revised narrative report to address changes as agreed upon by the City of Surprise.**
- c. A Residential Unit Plan of Development (RUPD) is applied to the site specifically to limit the R-5 permitted uses to those acceptable to the Maricopa County Environmental Services Department (MCESD) until such

time that either water and sewer services are provided or effective annexation by the City of Surprise.

d. Unless the site is effectively annexed into the City of Surprise, a Final Plat is required prior to construction permitting.

e. The following R-5 RUPD standards shall apply:

1. Single-Family Traditional (Detached SFR or Attached Townhome)

- 1.Height: 30'/2 Stories – Detached SFR, 40'/3 Stories – Attached SFR Townhome
- 2.Front Yard: 20'
- 3.Side Yard: 5'
- 4.Street-side Yard: 10'
- 5.Rear Yard: 25' – Detached SFR, 12' – Attached SFR Townhome
- 6.Lot Area: 5,000 sq. ft.
- 7.Lot Width: 45' – Detached SFR, 30' – Attached SFR Townhome
- 8.Minimum Lot Area per Dwelling Unit: 5,000 sq. ft. – Detached SFR, 3,000 sq. ft. – Attached SFR Townhome
- 9.Maximum Lot Coverage: 60%
10. Parking Spaces: 2 Spaces

2. Neo- Traditional (Detached SFR or Attached Townhome)

- 1.Height: 40'/3 Stories
- 2.Front Yard: 5'
- 3.Side Yard: 5'
- 4.Street-side Yard: 5' or 2'; side-turn garage
- 5.Rear Yard: 5'
- 6.Lot Area: 2,500 sq. ft.
- 7.Lot Width: 45' – Detached SFR, 30' – Attached SFR Townhome
- 8.Minimum Lot Area per Dwelling Unit: 2,500 sq. ft.
- 9.Maximum Lot Coverage: 60% - Detached SFR, 60% - Attached SFR
10. Parking Spaces: 2 Spaces

3. Multi-Family (Apartments or Condominiums)

- 1.Height: 40'/3 Stories
- 2.Front Yard: 20'
- 3.Side Yard: 5'
- 4.Street-side Yard: 10'
- 5.Rear Yard: 25'
- 6.Lot Area: 6,000 sq. ft.
- 7.Lot Width: 60'
- 8.Minimum Lot Area per Dwelling Unit: 1,000 sq. ft.
- 9.Maximum Lot Coverage: 60%
10. Parking Spaces: 2 Spaces

- f. All buildings are subject to noise attenuation as per ARS § 28-8482(B).
- g. The following Planning and Engineering Comments shall apply:
 - 1. Without the submittal of a precise plan, no development approval is inferred by this review, including, but not limited to access, roadway alignments and required right-of-way dedications. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.
 - 2. The site contains significant areas of Special Flood Hazard Areas (SFHA) (Floodways and Floodplains). As development plans progress for this site, provision for the natural drainage corridors to remain must be included with any design. Alternatively, alteration or relocation of the SFHAs must be approved by the Flood Control District of Maricopa County and FEMA through the CLOMR/LOMR process.
 - 3. Submission of a CLOMR application to the Flood Control District must be prior to or concurrent with the application for preliminary plat or a precise plan of development to Planning & Development.
 - 4. Approval of the CLOMR by FEMA must be obtained prior to the issuance of any building permits on the site.
 - 5. Owner/developer shall be responsible for identifying and procuring any permit(s) for disturbance of, or work within, delineated jurisdictional (404) washes.
- h. Zoning approval is conditional per Maricopa County Zoning Ordinance, Article 304.6, and ARS § 11-814 for five (5) years for the initial phase and an additional five (5) years for each subsequent phase, within which time the subdivision infrastructure permit or construction permit for each phase must be obtained **annexation into the City of Surprise or an approved pre-annexation** development **agreement must occur**. The applicant shall submit a written report every five years from the date of Board of Supervisors approval of Z2016025, which details the status of this project, including progress on obtaining subdivision infrastructure and/or construction permits **annexing into the City of Surprise**. The status report to be administratively reviewed by Planning and Development with the ability to administratively accept or to carry the status report to the Board of Supervisors (Board), upon recommendation by the Planning and Zoning Commission (Commission) for consideration of amendments or revocation of zoning for undeveloped parcels. Status reports will be required until completion of the initial subdivision infrastructure and/or construction permits for each zoning parcel (R-5 RUPD) **annexation occurs**.
- i. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowners. The granting of this approval allows the property owners to enjoy uses in excess of those

permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, a hearing shall be scheduled with the Board of Supervisors for consideration to revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.

- j. **Multi-family housing will not be allowed in the Development.**
- k. **Public Use Trails will be developed within the site and will connect to a regional system in accordance to the City of Surprise Parks and Trails Master Plan.**
- l. **The applicant shall work with the City of Surprise on a transition to lower density housing products adjacent to current Rural Neighborhoods. A density transition should follow the Character Areas consistent with the Character Area Compatibility table within the Surprise General Plan 2035.**
- m. **The applicant understands that the property lies within the water and wastewater service area of the City of Surprise. The City of Surprise will provide water and wastewater services upon successful annexation into the City in accordance with the terms of that annexation. The applicant will not seek the expansion of any other water or wastewater service provider's CC&N into the subject property.**
- n. **The applicant agrees to work with the City of Surprise to create development standards that are acceptable to the City of Surprise.**

Enclosed is a full-size copy of the Preliminary Plat and Narrative report that have been stamped approved.

Please feel free to call me if you have any questions at 602-506-6533.

Sincerely,



Derek Scheerer, Planner
Maricopa County Planning and Development

Attachments: Approved Site Plan
 Approved Narrative

Cc: File



Community Development Department
Current Planning Division
16000 N Civic Center Plaza
Surprise, AZ 85374
Ph 623-222-3000
Fax 623-222-3002
TTY 623-222-1002

August 3, 2016

Derek Scheerer, Planner
Maricopa County Planning and Development Department
501 North 44th Street, Suite 200
Phoenix, AZ 85008-6526

Re: Marbella Rezone (AKA: Paloma Creek), Maricopa County Case # Z2016025
(Surprise Case # PS16-214)

Dear Mr. Scheerer,

We very much appreciate Maricopa County's support for the continuance and for the applicant's willingness to sit down with us to address our concerns. We met with the applicant and were able to come to an agreement regarding modified stipulations, which we believe will address our concerns, or will provide an opportunity to address those concerns at a later date. We concur with the revised stipulations as attached herein and withdraw our opposition to the request subject to these amended stipulations.

As always, we would appreciate continuing to be included in the routing of any further submittals regarding this project as well as the date and time of any public hearings on the matter. Please do not hesitate to contact me at 623-222-3137 or via email at robert.kuhfuss@surpriseaz.gov with any questions.

Respectfully,

Robert H. Kuhfuss, AICP, MPA
City of Surprise
Community Development Department

cc: Lloyd Abrams, City of Surprise Assistant Community Development Director
Eric Fitzer, City of Surprise Community Development Director
Terry Lowe, City of Surprise Water Resources Director
Mike Gent, City of Surprise Public Works Director
Tom Abbot, City of Surprise Fire Chief
Donna Bronski, City of Surprise Deputy City Attorney

Attachment: Modified Stipulations (draft)

Z2016025 – DRAFT Stipulations

- a. Development of the site shall comply with the Zoning Exhibit entitled "Paloma Creek – A Rezone from RU-43 to R-5 RUPD," consisting of 1 full-size sheet, dated June 30, 2016 and stamped received July 1, 2016 except as modified by the following conditions.
- b. Development of the site shall be in conformance with the Narrative Report entitled "Z2016025 – Marbella Homes – Paloma Creek", consisting of 18 pages, dated June 20, 2016, and stamped received July 1, 2016 except as modified by the following conditions.
- c. A Residential Unit Plan of Development (RUPD) is applied to the site specifically to limit the R-5 permitted uses to those acceptable to the Maricopa County Environmental Services Department (MCESD) until such time that either water and sewer services are provided or effective annexation by the City of Surprise.
- d. Unless the site is effectively annexed into the City of Surprise, a Final Plat is required prior to construction permitting.
- e. The following R-5 RUPD standards shall apply:

1. Single-Family Traditional (Detached SFR or Attached Townhome)

1. Height: 30'/2 Stories – Detached SFR, 40'/3 Stories – Attached SFR Townhome
2. Front Yard: 20'
3. Side Yard: 5'
4. Street-side Yard: 10'
5. Rear Yard: 25' – Detached SFR, 12' – Attached SFR Townhome
6. Lot Area: 5,000 sq. ft.
7. Lot Width: 45' – Detached SFR, 30' – Attached SFR Townhome
8. Minimum Lot Area per Dwelling Unit: 5,000 sq. ft. – Detached SFR, 3,000 sq. ft. – Attached SFR Townhome
9. Maximum Lot Coverage: 60%
10. Parking Spaces: 2 Spaces

2. Neo- Traditional (Detached SFR or Attached Townhome)

1. Height: 40'/3 Stories
2. Front Yard: 5'
3. Side Yard: 5'
4. Street-side Yard: 5' or 2'; side-turn garage
5. Rear Yard: 5'
6. Lot Area: 2,500 sq. ft.

7. Lot Width: 45' – Detached SFR, 30' – Attached SFR Townhome
8. Minimum Lot Area per Dwelling Unit: 2,500 sq. ft.
Maximum Lot Coverage: 60% - Detached SFR, 60% - Attached SFR
9. Parking Spaces: 2 Spaces

3. Multi-Family (Apartments or Condominiums)

1. Height: 40' / 3 Stories
2. Front Yard: 20'
3. Side Yard: 5'
4. Street-side Yard: 10'
5. Rear Yard: 25'
6. Lot Area: 6,000 sq. ft.
7. Lot Width: 60'
8. Minimum Lot Area per Dwelling Unit: 1,000 sq. ft.
9. Maximum Lot Coverage: 60%
10. Parking Spaces: 2 Spaces

4. Commercial uses shall be prohibited in the R-5 RUPD Zoning District.
- f. All buildings are subject to noise attenuation as per ARS § 28-8482(B).
- g. The following Planning and Engineering Comments shall apply:
1. Without the submittal of a precise plan, no development approval is inferred by this review, including, but not limited to access, roadway alignments and required right-of-way dedications. These items will be addressed as development plans progress **and are submitted to the County** for further review and/or entitlement.
 2. The site contains significant areas of Special Flood Hazard Areas (SFHA) (Floodways and Floodplains). As development plans progress for this site, provision for the natural drainage corridors to remain must be included with any design. Alternatively, alteration or relocation of the SFHAs must be approved by the Flood Control District of Maricopa County and FEMA through the CLOMR/LOMR process.
 3. Submission of a CLOMR application to the Flood Control District must be prior to or concurrent with the application for preliminary plat or a precise plan of development to Planning & Development.
 4. Approval of the CLOMR by FEMA must be obtained prior to the issuance of any building permits on the site.

5. Owner/developer shall be responsible for identifying and procuring any permit(s) for disturbance of, or work within, delineated jurisdictional (404) washes.
- h. Zoning approval is conditional per Maricopa County Zoning Ordinance, Article 304.6, and ARS § 11-814 for five (5) years for the initial phase and an additional five (5) years for each subsequent phase, within which time ~~the subdivision infrastructure permit or construction permit for each phase must be obtained~~ **annexation into the City of Surprise or an approved pre-annexation development agreement must occur.** The applicant shall submit a written report every five years from the date of Board of Supervisors approval of Z2016025, which details the status of this project, including progress on ~~obtaining subdivision infrastructure and/or construction permits~~ **annexing into the City of Surprise.** The status report to be administratively reviewed by Planning and Development with the ability to administratively accept or to carry the status report to the Board of Supervisors (Board), upon recommendation by the Planning and Zoning Commission (Commission) for consideration of amendments or revocation of zoning for undeveloped parcels. Status reports will be required until completion of ~~the initial subdivision infrastructure and/or construction permits for each zoning parcel (R-5-RUPD)~~ **annexation occurs.**
- i. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowners. The granting of this approval allows the property owners to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, a hearing shall be scheduled with the Board of Supervisors for consideration to revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.
- j. **Multi-family housing will not be allowed in the Development.**
- k. **Public Use Trails will be developed within the site and will connect to a regional system in accordance to the City of Surprise Parks and Trails Master Plan.**
- l. **The applicant shall work with the City of Surprise on a transition to lower density housing products adjacent to current Rural Neighborhoods. A**

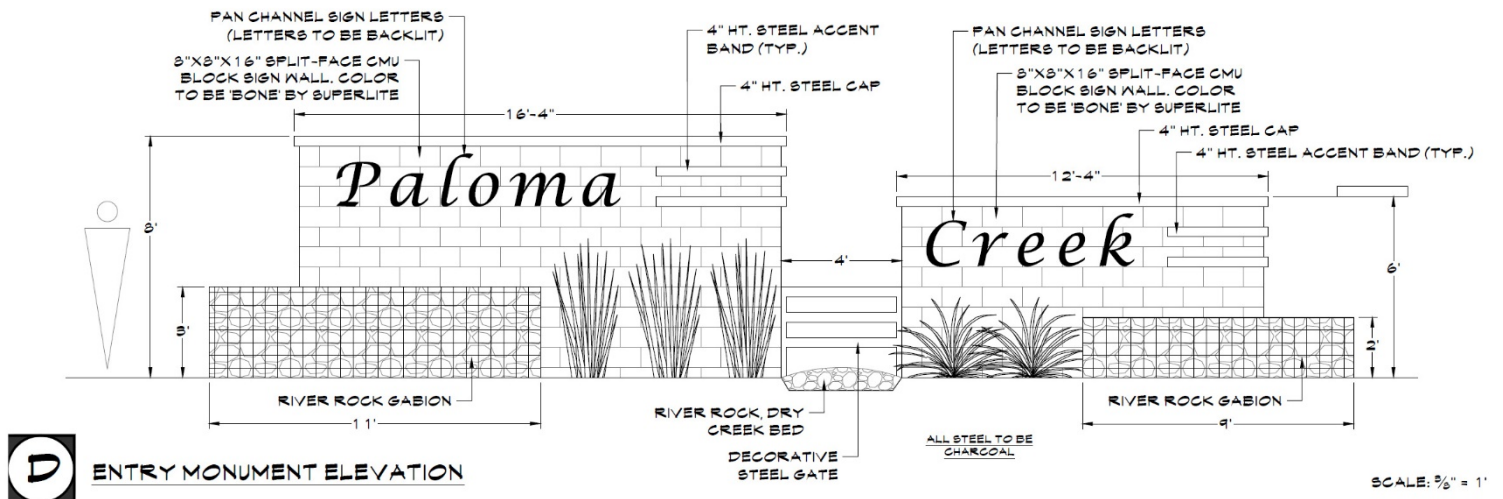
density transition should follow the Character Areas consistent with the Character Area Compatibility table within the Surprise General Plan 2035.

- m. The applicant understands that the property lies within the water and wastewater service area of the City of Surprise. The City of Surprise will provide water and wastewater services upon successful annexation into the City in accordance with the terms of that annexation. The applicant will not seek the expansion of any other water or wastewater service provider's CC&N into the subject property.
- n. The applicant agrees to work with the City of Surprise do create development standards that are acceptable to the City of Surprise.

EXHIBIT E

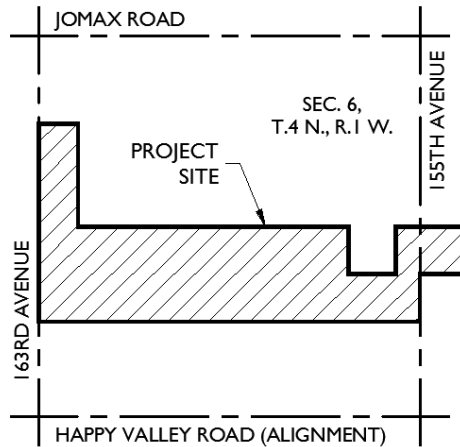
Paloma Creek Entry Monument

(See "Detail D" on sheet L6 of the Paloma Creek Landscape Plans)



**Paloma Creek
Citizen Outreach Summary
FS18-149 & FS18-150**

Submitted: January 28, 2019



DEVELOPER

KAX Group, LLC
8530 E. Via del Sol Drive
Scottsdale, AZ 85255

CONSULTANT

EPS Group, Inc.
2045 S. Vineyard, Suite 101
Mesa, AZ 85210
Contact: Daniel Auxier, P.E.
Tel. 480-503-2250



Submitted to the City of Surprise



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Date: January 28, 2019

Purpose: The purpose of this citizen participation plan is to inform citizens, property owners, neighborhood associations, agencies, schools and businesses near the site of an application for Paloma Creek, a proposed residential planned community. This site is located at the northeast of 163rd Avenue and the Happy Valley Road alignment. The applicant is requesting the review and approval from the City of Surprise of the following applications:

1. Annexation of 201.5 acres of the subject property (FS18-149)
2. Rezone 149.6 acres of the annexed property from RM-9 and RR to RM-9 PUD (FS18-150)
3. Preliminary Plat of 542 single family residential lots on the rezone subject property (FS18-150)

These requests will allow for development of the Paloma Creek subdivision in the City of Surprise. This citizen participation plan will ensure that those affected by this application will have an adequate opportunity to learn and comment on the proposal.

Contact:

David Hughes
EPS Group, Inc.
2045 S. Vineyard, Suite 101
Mesa, AZ 85210
(480)503-2250 (phone)
(480)503-2258 (fax)
David.Hughes@epsgroupinc.com

Concept Review Meeting: The concept review meeting with City of Surprise Community Development staff was held on Thursday, September 28, 2017.

Citizen Review Meeting: In order to provide effective citizen participation in conjunction with their application, a neighborhood meeting was held on October 23, 2018 and conducted by the applicant to give the neighbors an adequate opportunity to learn about the applications that may affect them. Notice of the citizen review meeting was provided by the City of Surprise planning and zoning division in the form of a public notice to the following, when applicable:

1. The notice shall be published in a newspaper of general circulation or circulated in the municipality at least 15 days prior to the meeting date;
2. For applications involving rezoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice shall be transmitted to the planning agency of such government unit butting such land;
3. For applications involving rezoning, subdividing, planned unit developments, site plans with uses permitted on a conditional basis, and legislated matters, all real property owners within a 200-foot or 300-foot radius, the city shall send copies of the notice by first class mail, no less than seven days prior to the hearing.

4. Any village committee or special community group which is located in the area of the proposed public hearing request or has considerable interest in the nature of the application;
5. The head of any homeowner's association or registered neighborhood within the public notice area established in item (3) indicated above.

(All materials such as sign-in lists, comments, and petitions received are copied to the City of Surprise.)

Schedule:

Pre-Application Meeting: Thursday, September 28, 2017

Application Submittal: March 20, 2018

Notice of neighborhood meeting: 15 days prior to neighborhood meeting

Notification mailed: (Date to be provided by City of Surprise)

Sign Posted: October 8, 2018

Newspaper ad published: (Date to be provided by City of Surprise)

Neighborhood meeting: October 23, 2018

Submittal of Draft Citizen Participation Report: November 7, 2018

Submittal of Final Citizen Participation Report: TBD

Planning and Zoning Commission hearing: TBD

City Council hearing: TBD

Attachments:

Notification Letter (To be provided by City of Surprise)

Sign Posting Pictures and Affidavit

Neighborhood Meeting Sign-In Sheet

Neighborhood Meeting Minutes

Neighborhood Meeting Exhibits

PLACEHOLDER FOR NEIGHBORHOOD NOTICE

PLACEHOLDER FOR NEIGHBORHOOD NOTICE



AFFIDAVIT OF POSTING

Application No: FS18-149 and FS18-150
Applicant Name: EPS Group
Location: East of 163rd Ave and south of Jomax Rd__
Date Site Posted: October 8, 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 10/8/18
Applicant/Representative Signature Date

This instrument was acknowledged before me on this 8th day of October,

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



Sign-In Sheet

Paloma Creek – Neighborhood Meeting

Tuesday, October 23, 2018

Please provide all information so that we can provide you with future updates and notifications of meetings and/or

Name	JOSE ROSA	Phone	
Address			
Email		Affiliation	
Name	ANA ROSA	Phone	
Address			
Email		Affiliation	
Name	BILL + VIRGINIA BLANTON	Phone	
Address			
Email		Affiliation	
Name	Jacqueline Rea Carroll	Phone	
Address			
Email		Affiliation	OWNER
Name	Tammy & Henry Rendon	Phone	
Address			
Email		Affiliation	
Name	Leah Bowers	Phone	
Address			
Email		Affiliation	I live here
Name	Bill & Paula Coughlan	Phone	
Address			
Email		Affiliation	home owner
Name	JIM CUNNINGHAM	Phone	
Address			
Email			
Name	Michelle Brown	Phone	
Address			
Email		Affiliation	



Sign-In Sheet
Paloma Creek – Neighborhood Meeting
Tuesday, October 23, 2018

Please provide all information so that we can provide you with future updates and notifications of meetings and/or

Name	DANNY LIVINGSTON	Phone	
Address			
Email		Affiliation	N/A Home owner
Name	R. Javier Olivares	Phone	
Address			
Email		Affiliation	
Name	CINDY RIVERA	Phone	
Address			
Email		Affiliation	Home owner
Name	Marta Rivera	Phone	Home owner
Address			
Email		Affiliation	OWNER
Name	ROBERT KETTLER	Phone	OWNER
Address			
Email		Affiliation	REP. OWNER
Name	ROLAND F. WINTERS JR	Phone	
Address			
Email		Affiliation	City Council
Name	Daniel & Cathy Zamorano	Phone	
Address			
Email		Affiliation	Home owner
Name	JOHN & DIANE GLOVER	Phone	
Address			
Email		Affiliation	Homeowners
Name		Phone	
Address			
Email		Affiliation	



Paloma Creek
Neighborhood Meeting Minutes
October 23, 2018

Attendees: Kent Xander (KAX Group, LLC), David Hughes (EPS Group, Inc.),
John Wittrock (Marbella Homes), Joshua Mike (City of Surprise),
Robert Kuhfuss (City of Surprise)

Meeting Summary:

On Tuesday, October 23, 2018, at 6:00pm, a neighborhood meeting was held at Sundown Mountain School to discuss a proposed single-family residential development located north of the northeast corner of 163rd Avenue and Saddlehorn Road ¼ mile north of the Happy Valley Road alignment. Twenty-two neighbors were in attendance for the meeting; see attached sign-in sheet. Kent Xander held a formal discussion with the neighbors to explain the project as well as the three application requests. The first request is for the City of Surprise to annex approximately 201.5 acres of Maricopa County land into the City's jurisdiction. The second request is to rezone approximately 149.6 acres of the newly annexed property to RM-9 PUD. The third request is for the review and approval of a preliminary plat for a residential neighborhood with 542 lots. The effect of these requests will allow for the development of a 542-lot single family residential development. Full size (24" x 36") copies of an Aerial Exhibit, which depicted the annexation property and the rezoning/preliminary plat property, an Annexation Plan, a Zoning Exhibit, and a black and white Development Plan were on display for overview and discussion (see attached).

Primary questions and concerns expressed by the neighbors in attendance included the following:

Question: Where is the water supply for the proposed development coming from?

Discussion: The proposed subdivision shall use City of Surprise water, and is within the City's 100 year assured water supply. A water campus is being built by William Lyon Homes in close proximity to Paloma Creek, and shall be taken over by the City of Surprise in the near future. Paloma Creek development will pay for its own domestic water cost.

Comment: Is there any commercial uses being proposed with this development?

Discussion: No, Paloma Creek development is a single-family residential subdivision.

Comment: How wide will 155th Avenue be constructed to?



Discussion: 155th Avenue shall be improved to the City of Surprise's standards for a minor arterial, which provides four travel lanes (two in each direction) and a 16' landscaped median.

Question: What will happen to the mail boxes along 155th Avenue, just north of Frontier Drive?

Discussion: The mailboxes along 155th Avenue, north of Frontier Drive, shall not be affected by the development as the 155th Avenue improvements stop at Frontier Drive.

Question: Will Frontier Drive be improved?

Discussion: No, Frontier Drive will not be improved. On most portions of Paloma Creek shall be a 55-foot wide landscape setback for a buffer between the Paloma Creek subdivision and the existing properties to the north.

Question: How many stories will the proposed homes be?

Discussion: The houses in the proposed community shall vary between single and two-story homes.

Question: How will the proposed development affect Jomax Road?

Discussion: When Happy Valley Road is built from 163rd Avenue to 147th Avenue (Bullard Ave.) by William Lyon Homes, future residents of Paloma Creek shall be reliant on Happy Valley Road to reach Loop 303 to the east or south, as Jomax Road is only two lanes wide and shall not be widened as part of this project.

Question: How will the proposed development affect the neighboring properties?

Discussion: The development of Paloma Creek will provide better access to this area. The public will have pedestrian access to the trail system within Paloma Creek.

Question: What will prevent the future residents from complaining about the animals in acre-lots to the north of the development?

Discussion: Disclose to prospective buyers there are domestic animals, such as roosters in the one-acre lots north of Frontier Road.

Question: Can the houses in this development be leased out?

Discussion: There are no restrictions on home owners leasing out their property.

Question: What are the proposed amenities of the development? Will there be a community pool?

Discussion: There are three main amenity areas being proposed in the development which shall provide ramadas, seating areas, tot lots, sports courts, and turf areas. Paloma Creek has many pedestrian trails which wind throughout the community connecting residents to the three amenity areas. The Paloma Creek development will not have a community pool, but the residential lots are large enough for individual home owners to build their own pool.

Question: Will there be a signal constructed at the intersection of 163rd Avenue and Happy Valley Road?



Discussion: William Lyon Homes is responsible for constructing Happy Valley Road and a traffic signal will be constructed in the future.

Question: What is the average size of the proposed housing product?

Discussion: 1,800 – 3,000 sq. ft.

Question: What will the pricing be for the homes?

Discussion: The price range for the propose homes will be from the mid 200,000's to low 300,000's.

Question: What is the current timing of the development process?

Discussion: It is too early in the development process to tell when Paloma Creek will begin constructing. The project is heavily dependent on the construction of Happy Valley Road.

Question: Will the posted signs be updated to show the dates of the upcoming hearings?

Discussion: Yes, when the City of Surprise set dates for the Planning & Zoning Commission and City Council, we update the posted sign with the correct hearing dates.

Question: Will there be a wall built along the northern boundary?

Discussion: Where Paloma Creek backs up to existing homes the rear property wall of the lots along the north shall be setback 55 feet from the northern property line. Along Frontier Road or vacant desert land walls will be built along the north property line.

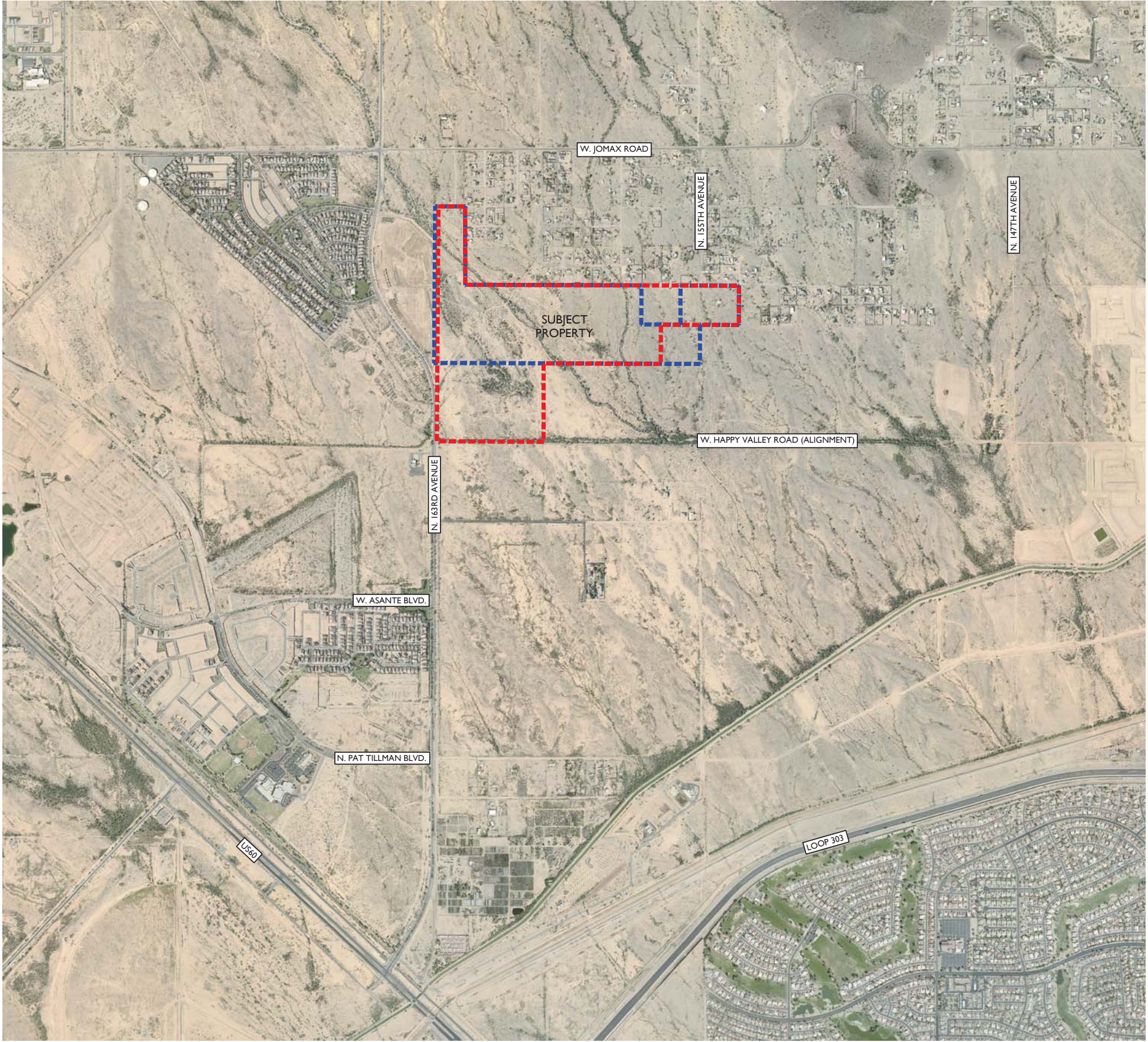
Question: Is there any chance the development can propose "soft lighting" in order to reduce light pollution?

Discussion: Applicant will provide "soft lighting" subject to City of Surprise approval.

Conclusion:

The attendance sign-in sheet and development exhibits are attached to this summary. The foregoing summarizes points of discussion and concerns expressed at this meeting. If there are any issues not recorded, or any discrepancies noted, please contact David Hughes by telephone at 480-503-2250, or by email at david.hughes@epsgroupinc.com. We thank you for giving up a portion of your evening and meeting with us.





AERIAL MAP FOR PALOMA CREEK

A PORTION OF SECTION 6 AND THE NORTHWEST QUARTER OF
OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SECTION 5, T.4 N., R.1 W., GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

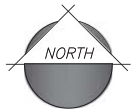
PROJECT TEAM

DEVELOPER
KAX GROUP, LLC
8530 E. VIA DEL SOL DRIVE
SCOTTSDALE, AZ 85255
TEL: (602)-499-9305
CONTACT: KENT XANDER

CONSULTANT:
EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: DANIEL AUXIER, PE

LEGEND

- ANNEXATION BOUNDARY
- ZONING & PRELIMINARY PLAT BOUNDARY

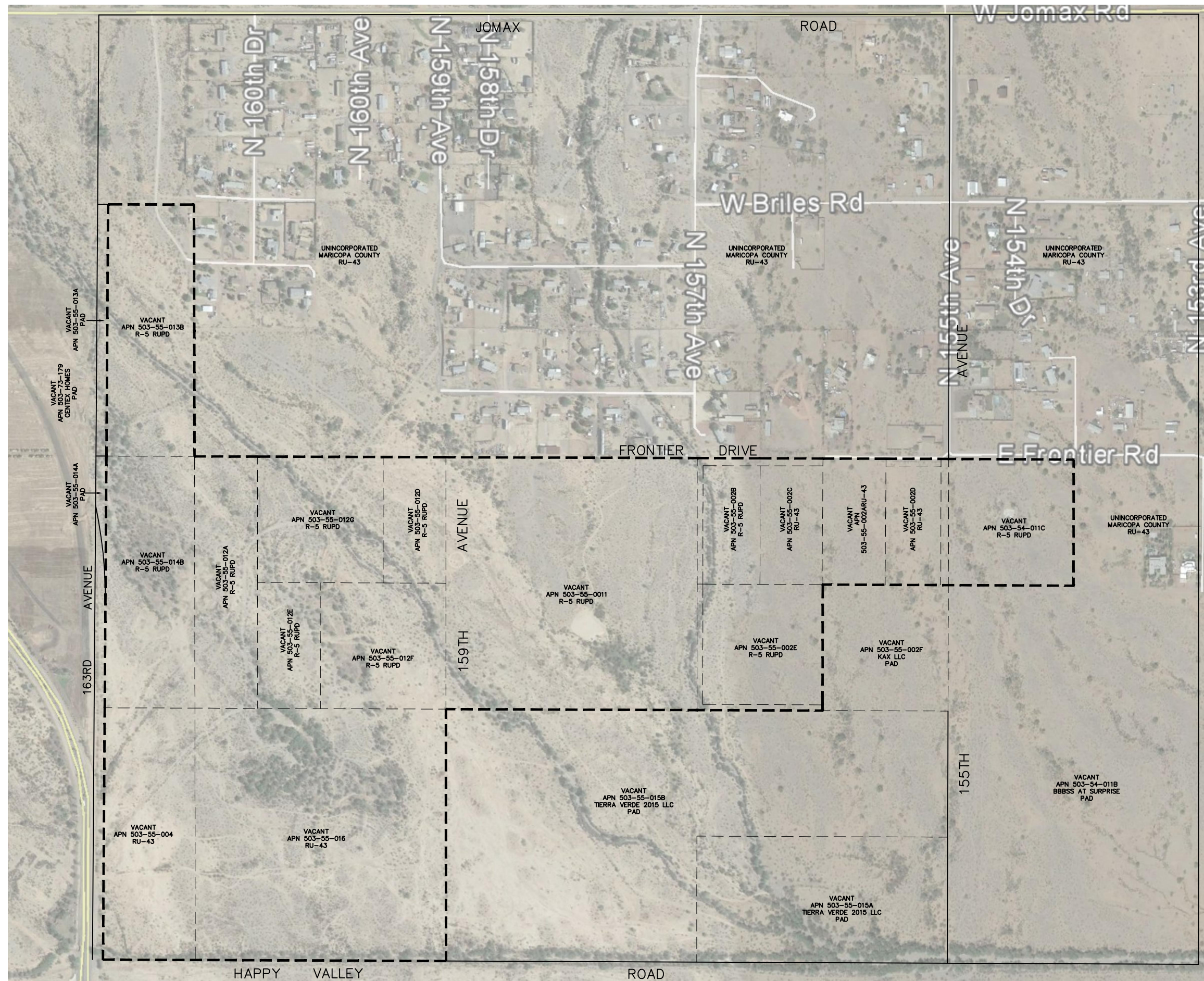


NOT TO SCALE

16-400

Aug 30, 2018 8:18am S:\Projects\2016\16-400\Planning\Annexation\Exhibits\Paloma Creek Annexation Plan.dwg

dhughes



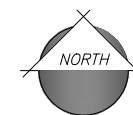
ANNEXATION PLAN FOR PALOMA CREEK

UTILITIES IN THE FUTURE, PUBLIC UTILITIES INCLUDING SEWER AND WATER ARE PLANNED TO BE CONSTRUCTED ADJACENT AND PHASED WITH AND PART OF THE DEVELOPMENT OF PALOMA CREEK.

SURROUNDING LAND USES:
VACANT LAND AND SINGLE FAMILY

SURROUNDING ZONING OF
ANNEXATION AREA: RU-43 AND PAD

ZONING FOR ANNEXATION AREA:
RU-43 AND R-5



N.T.S.

22045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com



PALOMA CREEK

SI PRICE A7

ANNEXATION PLAN

Project:

MARCH 9, 2018 - 1ST ANNEXATION SUBMITTAL
AUGUST 7, 2018 - REVISED
AUGUST 30, 2018 - REVISED
Revisions:

Call at least two full working
before you begin excavat

81

Dist 8-1-1 or 1-800-STAKE-IT (772-576-3439)

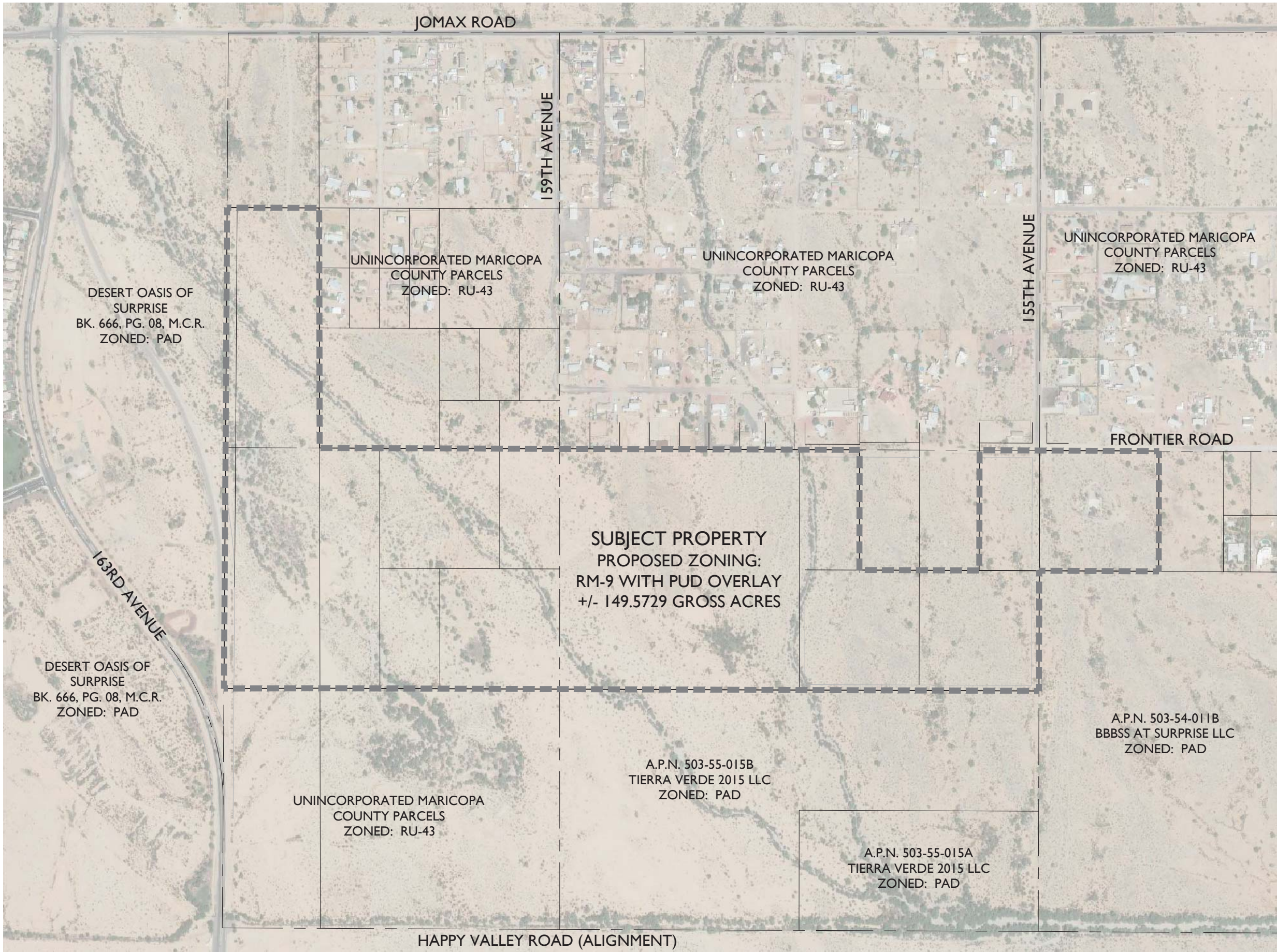
Designer: N

Drawn by: N

Preliminary
Not For
Construction
Or
Recording

Job No.
16-400

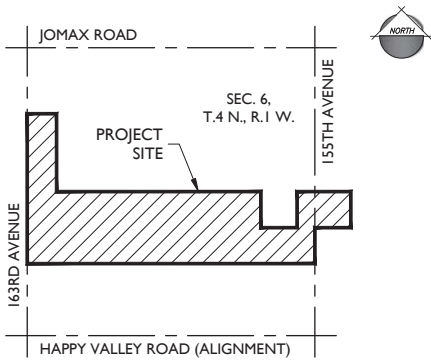
Sheet No. 1 of 1



ZONING EXHIBIT B FOR PALOMA CREEK WEST

A PORTION OF SECTION 6 AND THE NORTHWEST QUARTER OF
OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SECTION 5, T.4 N., R.1 W., GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

VICINITY MAP



PROJECT TEAM

DEVELOPER KAX GROUP, LLC 8530 E. VIA DEL SOL DRIVE SCOTTSDALE, AZ 85255 TEL: (602)-499-9305 CONTACT: KENT XANDER	CONSULTANT: EPS GROUP, INC. 2045 S. VINEYARD, SUITE 101 MESA, AZ 85210 TEL: (480)-503-2250 FAX: (480)-503-2258 CONTACT: DANIEL AUXIER, PE
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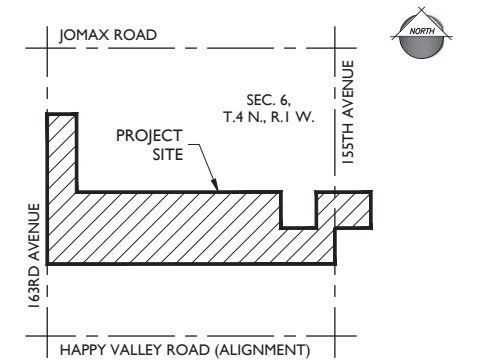
PROJECT DATA

A.P.N.	503-54-011C, 503-55-002B, 002D, 002E, 002F, 011, 012A, 012D, 012E, 012F, 012G, 013A, 013B, 014A, 014B
CURRENT LAND USE: EXISTING GENERAL PLAN: EXISTING ZONING: PROPOSED ZONING:	UNDEVELOPED NEIGHBORHOOD RR, RM-9, PAD / MDR RM-9 WITH PUD OVERLAY
GROSS AREA:	+/- 149.5729 ACRES

PHASE PLAN FOR PALOMA CREEK

A PORTION OF SECTION 6 AND THE NORTHWEST QUARTER OF
OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SECTION 5, T.4 N., R.1 W., GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

VICINITY MAP



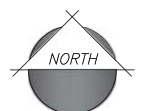
PROJECT TEAM

DEVELOPER
KAX GROUP, LLC
8530 E. VIA DEL SOL DRIVE
SCOTTSDALE, AZ 85255
TEL: (602)-499-9305
CONTACT: KENT XANDER

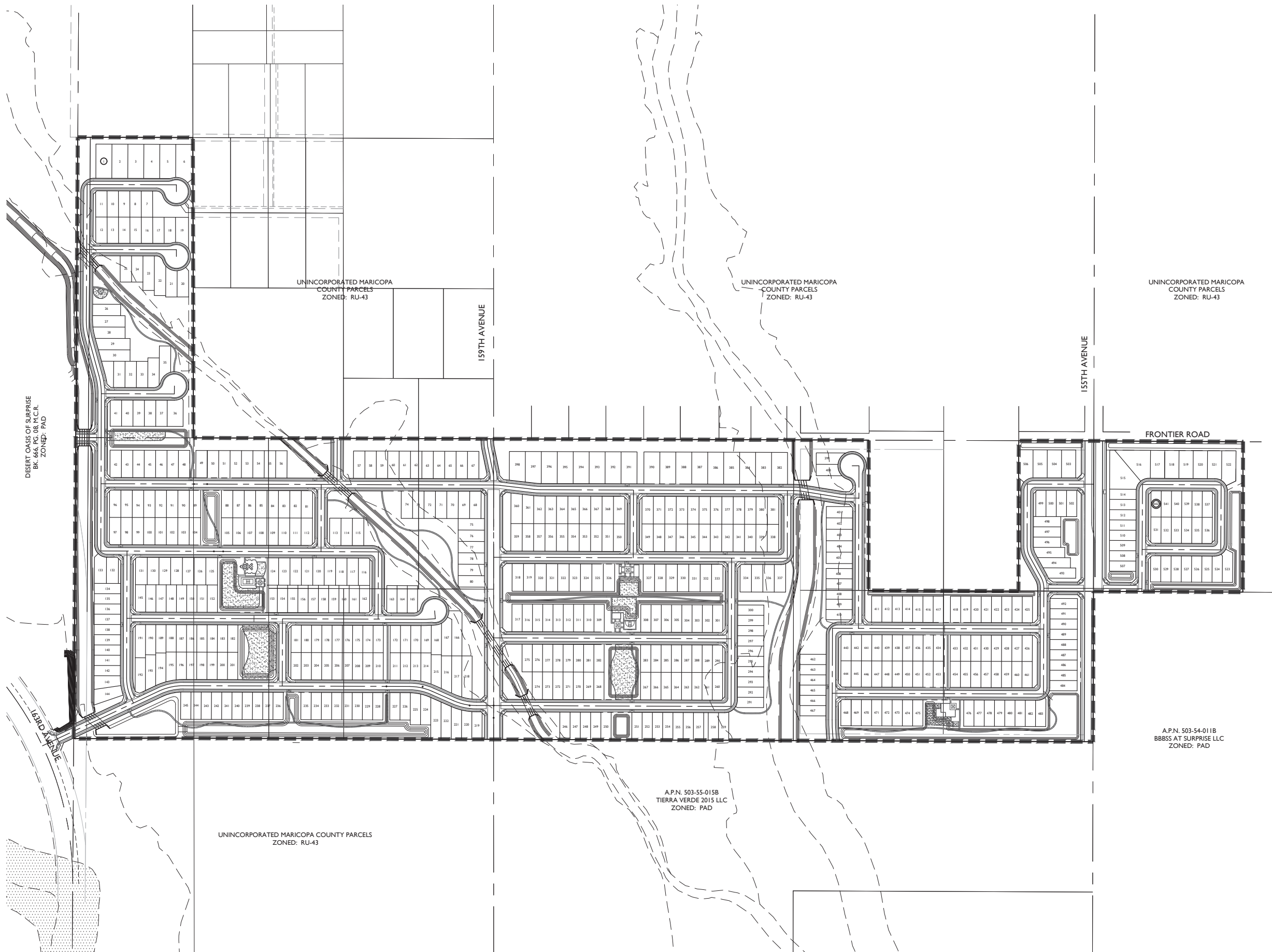
CONSULTANT:
EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: DANIEL AUXIER, PE

PROJECT DATA

A.P.N.	503-54-011C, 503-55-002B, 002D, 002E, 002F, 011, 012A, 012D, 012E, 012F, 012G, 013A, 013B, 014A, 014B
CURRENT LAND USE:	UNDEVELOPED
EXISTING GENERAL PLAN:	NEIGHBORHOOD
EXISTING ZONING:	RR, RM-9, PAD / MDR
PROPOSED ZONING:	RM-9 WITH PUD OVERLAY
GROSS AREA:	+/- 150.68 ACRES
NET RESIDENTIAL AREA:	+/- 116.88 ACRES (LOT AREA & OPEN SPACE TRACTS)
LOT SIZES	
45' x 115'	310
50' x 115'	197
62.5' x 122'	11
70' x 115'	24
TOTAL	542
GROSS DENSITY:	+/- 3.6 DU/AC
NET DENSITY:	+/- 3.7 DU/AC
OPEN SPACE:	+/- 43.31 ACRES
OPEN SPACE (%):	37.1% OF NET RESIDENTIAL AREA



200 0 200 400
scale feet



ORDINANCE 2019-22

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A REZONE FROM RESIDENTIAL MEDIUM DENSITY (RM-9), RESIDENTIAL RANCH (RR), AND PLANNED AREA DEVELOPMENT TO RM-9 PUD FOR PALOMA CREEK, GENERALLY LOCATED EAST OF 163RD AVENUE BETWEEN HAPPY VALLEY ROAD AND JOMAX ROAD.

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 generally located east of 163rd Avenue between Happy Valley Road and Jomax Road;

WHEREAS, the subject property was annexed into the City of Surprise as memorialized under City of Surprise Ordinance #2019-07;

WHEREAS, as a result of that Annexation, the portions of the subject site are zoned Residential Medium Density (RM-9) and Residential Ranch (RR);

WHEREAS, the subject site also includes lands that were previously zoned Planned Area Development (PAD);

WHEREAS, the Annexation Ordinance for Paloma Creek provided for a maximum density of 5.0 Dwelling Units per Acre;

WHEREAS, the proposed zoning provides for a maximum density of 4.0 dwelling units per acre;

WHEREAS, the rezone from RR, PAD, and RM-9 to RM-9 PUD is authorized by and satisfies the requirements of Surprise Municipal Code §122-68;

WHEREAS, the proposed use of the subject site requires modification of the applicable zoning regulations;

WHEREAS, this rezone is in harmony with the purposes and intent of the zoning ordinance and the Surprise General Plan; and,

WHEREAS, on August 1, 2019, the Planning and Zoning Commission recommended approval of the Paloma Creek rezone.

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

Section 1. *Rezoning to Residential Medium Density with Planned Unit Development Overlay.*

- A. The parcel referenced as “Paloma Creek Rezone Area #1”, legally described on Exhibit A and depicted on Exhibit B, is rezoned from Planned Area Development (PAD) to Residential Medium Density with Planned Unit Development Overlay (RM-9 PUD), subject to the stipulations as outlined in Section 2 herein.
- B. The parcel referenced as “Paloma Creek Rezone Area #2”, legally described on Exhibit A and depicted on Exhibit B, is rezoned from Planned Area Development (PAD) to Residential Medium Density with Planned Unit Development Overlay (RM-9 PUD), subject to the stipulations as outlined in Section 2 herein.
- C. The parcel referenced as “Paloma Creek Rezone Area #3”, legally described on Exhibit A and depicted on Exhibit B, is rezoned from Residential Medium Density (RM-9) to Residential Medium Density with Planned Unit Development Overlay (RM-9 PUD), subject to the stipulations as outlined in Section 2 herein.
- D. The parcel referenced as “Paloma Creek Rezone Area #4”, legally described on Exhibit A and depicted on Exhibit B, is rezoned from Residential Medium Density (RM-9) to Residential Medium Density with Planned Unit Development Overlay (RM-9 PUD), subject to the stipulations as outlined in Section 2 herein.
- E. The parcel referenced as “Paloma Creek Rezone Area #5”, legally described on Exhibit A and depicted on Exhibit B, is rezoned from Residential Ranch (RR) to Residential Medium Density with Planned Unit Development Overlay (RM-9 PUD), subject to the stipulations as outlined in Section 2 herein.

Section 2. *Stipulations of Approval.* The rezoning of the property as outlined in Section 1 above is approved subject to the following stipulations:

- A. Development and use of the site shall be in conformance with the Zone Change Narrative entitled “Paloma Creek (FS18-150) City of Surprise Zoning Project Narrative”, consisting of five (5) pages plus exhibits, prepared by EPS Group, Inc. and stamped received August 8, 2019.

B. All subsequent Preliminary Plats and Final Plats shall demonstrate appropriate buffering and transitions adjacent to existing RU-43 or RR zoning consistent with the Surprise 2035 General Plan.

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.

Section 3. *Amendment of Zoning Map.* The City of Surprise zoning map is herewith amended to reflect the changes in districts referred to in Section 1 above.

Section 4. *Codification.* This ordinance is not of a general nature and will not be codified.

Section 5. *Repeal of Conflicting Ordinances.* All ordinances or parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed, upon the effective date of this Ordinance.

Section 6. *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 7. *Effective Date.* This Ordinance shall become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED this _____ day of _____ 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Placeholder for Exhibit A Legal Description

Placeholder for Exhibit B Zoning Map

EXHIBIT "A"

DESCRIPTION

PALOMA CREEK REZONE

Portions of Sections 5 & 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

REZONE AREA #1

COMMENCING at the Northwest Corner of said Section 6;
Thence along the west line of the northwest quarter of said Section 6 South 00°22'45"
West 958.20 feet to the POINT OF BEGINNING;
Thence South 89°50'48" East 55.00 feet;
Thence South 00°22'45" West 1317.51 feet to a point on the East-West midsection line
of said Section 6;
Thence South 00°23'29" West 1317.59 feet;
Thence North 89°48'57" West 55.00 feet to the west line of the southwest quarter of said
Section 6;
Thence North 00°23'29" East 1317.60 feet to the West Quarter Corner of said Section 6;
Thence along said west line of the northwest quarter North 00°22'45" East 1317.48 feet
to the POINT OF BEGINNING.

Containing 3.3271 acres, more or less.

REZONE AREA #2

COMMENCING at the East Quarter Corner of said Section 6;
Thence along the east line of the southeast quarter of said Section 6 South 00°08'49"
West 659.84 feet to the POINT OF BEGINNING;
Thence continuing along said east line South 00°08'49" West 659.84 feet;
Thence North 89°46'48" West 657.32 feet;
Thence North 00°06'30" East 659.68 feet;
Thence South 89°47'36" East 657.76 feet to the POINT OF BEGINNING.

Containing 9.9591 acres, more or less.

REZONE AREA #3

COMMENCING at the Northwest Corner of said Section 6;
Thence along the west line of the northwest quarter of said Section 6 South 00°22'45"
West 958.20 feet;
Thence South 89°50'48" East 55.00 feet to the POINT OF BEGINNING;
Thence South 89°50'48" East 450.04 feet;
Thence South 00°06'11" East 1317.84 feet to a point on the East-West midsection line of
said Section 6;
Thence along said midsection line South 89°48'24" East 1316.52 feet to the Center
Quarter Corner of said Section 6;

DESCRIPTION continued on page 2 of 2

DESCRIPTION (continued from page 1 of 2)

Thence continuing along said midsection line South 89°48'24" East 1645.50 feet;
Thence South 00°05'22" West 659.61 feet;
Thence North 89°47'36" East 328.88 feet;
Thence South 00°06'30" West 659.68 feet;
Thence North 89°46'48" West 1971.96 feet to a point on the North-South midsection line of said Section 6;
Thence North 89°45'56" West 1314.62 feet;
Thence North 89°48'57" West 472.18 feet;
Thence North 00°23'29" East 1317.59 feet to a point on said East-West midsection line;
Thence North 00°22'45" East 1317.561 feet to the POINT OF BEGINNING.

Containing 122.4654 acres, more or less.

REZONE AREA #4

COMMENCING at the West Quarter Corner of said Section 5;
Thence along the East-West midsection line of said Section 5 South 89°41'02" East 654.57 feet;
Thence South 00°05'23" West 660.08 feet;
Thence North 89°39'59" West 655.22 feet to the west line of the southwest quarter of said Section 5;
Thence along said west line North 00°08'49" East 659.84 feet to the POINT OF BEGINNING.

Containing 9.9217 acres, more or less.

REZONE AREA #5

BEGINNING at the East Quarter Corner of said Section 6;
Thence along the east line of the southeast quarter of said Section 6 South 00°08'49" West 659.84 feet;
Thence North 89°47'36" West 328.88 feet;
Thence North 00°07'39" East 659.76 feet to the East-West midsection line of said Section 6;
Thence along said line South 89°48'24" East 329.10 feet to the POINT OF BEGINNING.

Containing 4.9832 acres, more or less.

Attached is Exhibit "B" and by this reference is made a part hereof.

End of description





SURPRISE

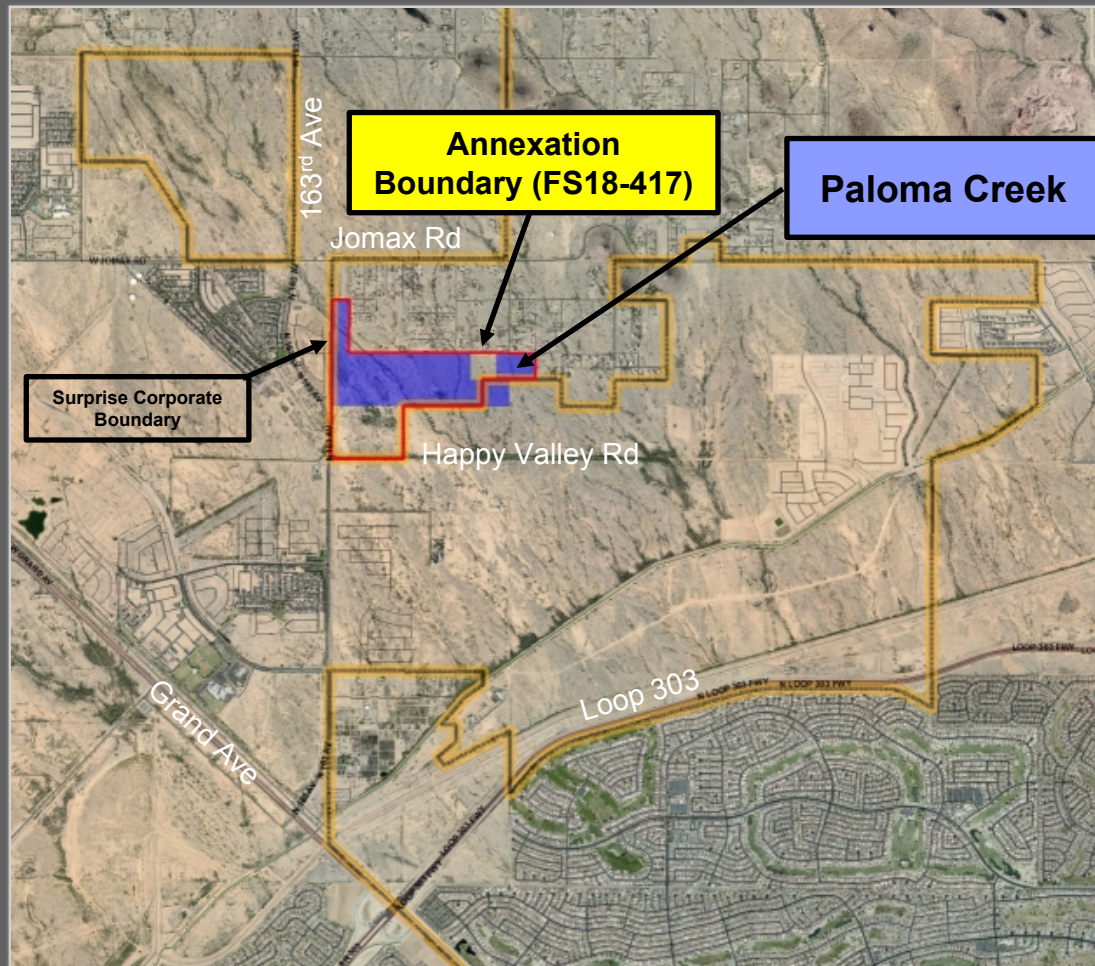
ARIZONA

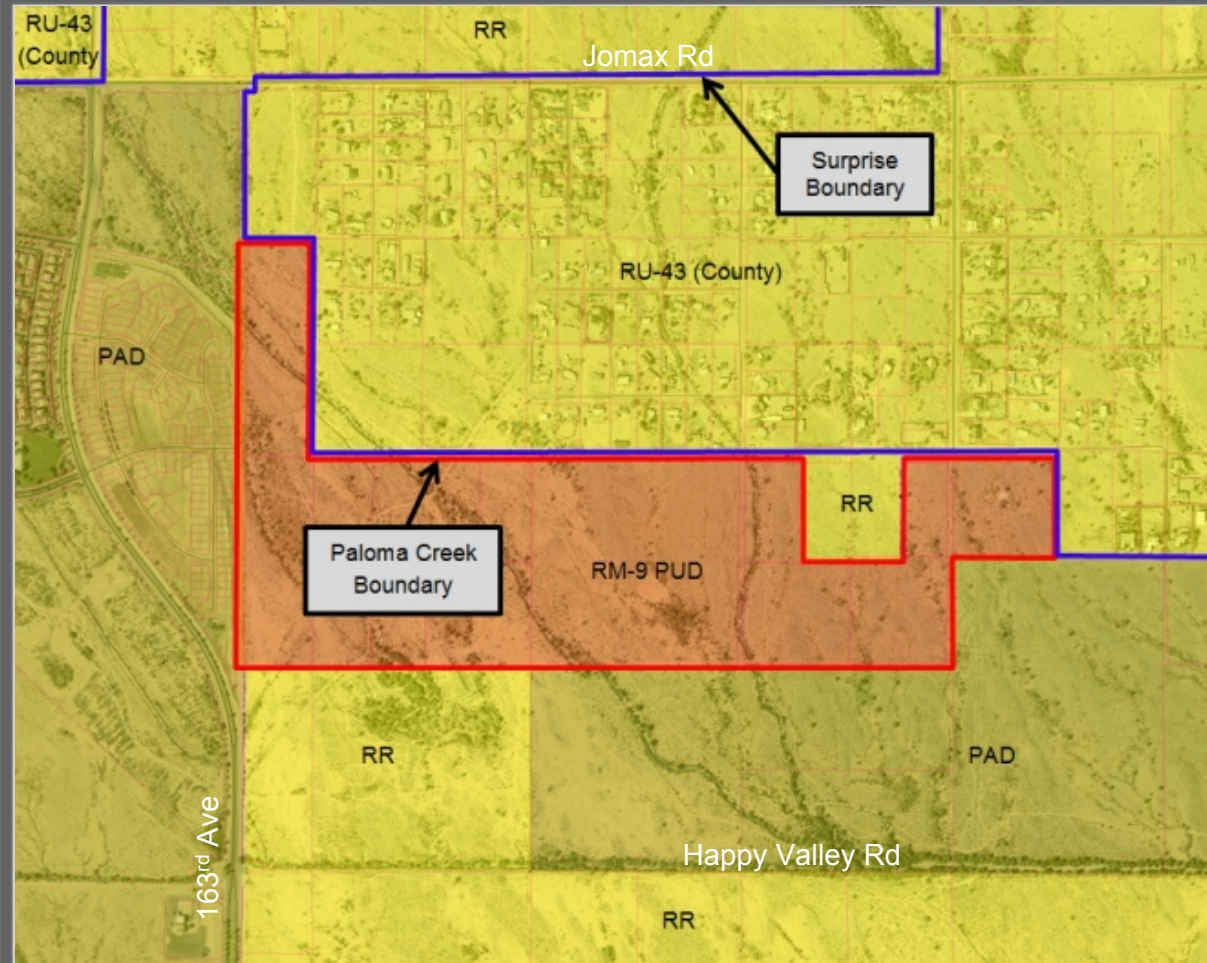
City Council

September 5, 2019

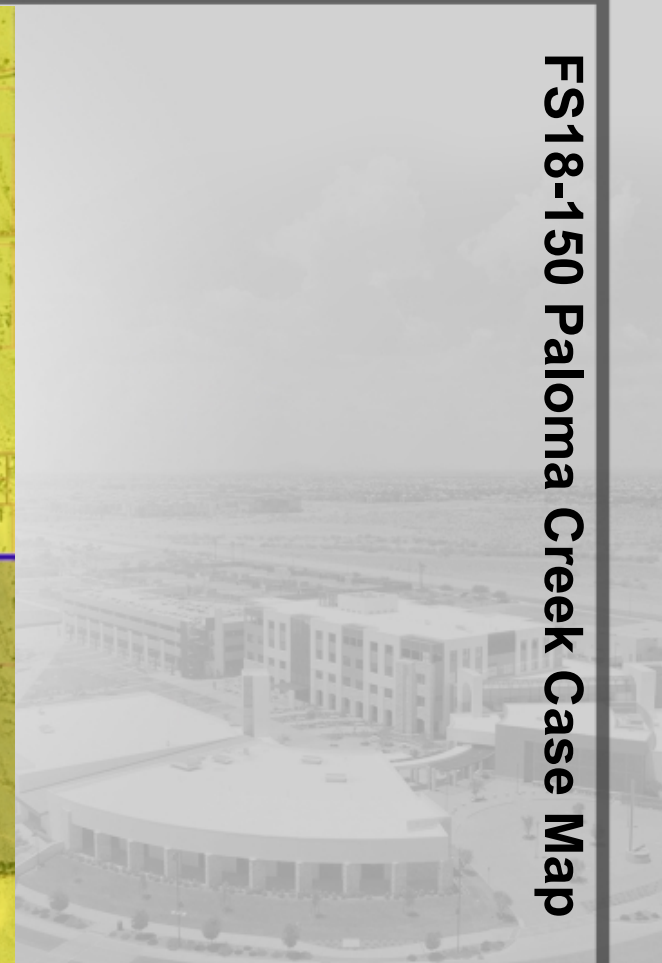
FS18-150 Paloma Creek Zone Change

FS18-150 Paloma Creek Vicinity Map





FS18-150 Paloma Creek Case Map



FS18-150 Paloma Creek Development Standards

Paloma Creek Development Standards		
Minimum Standard	RM-9 Standards	Proposed RM-9 PUD Standards ⁽²⁾⁽⁴⁾
Minimum Width	40'	45'
Minimum Lot Area (Per Unit)	4,500 Sq. Ft.	4,500 Sq. Ft.
Minimum Lot Depth	100'	100'
Front Setback (Livable)	12'	12'
Front Setback (Garage)	20'	20' ^{(1) (5)}
Interior Side	TBD by Preliminary Plat	5'
Aggregate Side	TBD by Preliminary Plat	10'
Rear	20'	20'
Maximum Building Height	35'	35'
Building Coverage		TBD by building envelope ⁽³⁾
Maximum Density	5.0 DU/Acre ⁽⁶⁾⁽⁷⁾	4.0 DU/Acre
Maximum Lot Count	625 ⁽⁶⁾	600
Driveway Width as % of Lot Width	30%	45%
Driveway Area as % of Front Yard Area	30%	45%

(1) Garage front setbacks may be less than livable as side-loaded garage only. The reduced front setback also applies to livable area, extended front porches and walled courtyards. Otherwise, the Garage front setback will be a minimum of 20' from the front lot line.

(2) Fireplace, pop-outs, bay windows, eaves, overhangs, porches/patios, 2nd story cantilevers, and/or other appendages may encroach 2.5' into the front, side, and rear yard setbacks, so long as they are not less than 3' from the property line.

(3) Building Lot coverage is established by the building envelopes created by the required setbacks and allowable projections as defined in this Table and Footnotes.

(4) Building setbacks apply equally to one and two story product.

(5) The Front Garage setback means front lot line to face of garage door only if the garage is located in the front yard.

(6) Per the approved Maricopa County zoning case Z2016025

(7) Per the City of Surprise Council-approved Annexation Ordinance.

Citizen Outreach:

October 23, 2018

Paloma Creek Zone Change

Staff Recommendation:

Approve subject to stipulations “a” through “c”



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 5, 2019 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of a Preliminary Plat entitled, " Paloma Creek" dated January 28, 2019, a 542 Lot, 49 Tract Preliminary Plat of property generally located east of 163rd Avenue between Happy Valley and Jomax Roads; Resolution # 2019-114.

Motion:

Move to approve Resolution # 2019-114,

Background:

The subject request, and the related Zone Change, were heard by the Planning and Zoning Commission on August 1, 2019, which voted 5 to 1 for approval.

Objective Analysis:

The applicant seeks a Preliminary Plat, which is consistent with the proposed RM-9 PUD zoning. The proposed Preliminary Plat includes buffering adjacent to existing rural development consistent with the goals of the 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 3.6 DU/Ac, the proposed Preliminary Plat is well below 8 DU/Ac.

The General Plan seeks a transition from less dense residential zoning to more dense residential zoning. There is no codified methodology for determining the extent or character of said transitions within the SUDC; however, the proposed Preliminary Plat includes transitioning from the adjacent rural development in the form of open space and larger lots.

Financial Impact:

This item does not have a direct financial impact, however, 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:

1. 18.08.21 EVR Paloma Creek Preliminary Plat CC Staff Report
 2. 01 FS18-150 Paloma Creek Vicinity Map
 3. 02 FS18-150 Paloma Creek Case Map
 4. 03 FS18-150 Paloma Creek Preliminary Plat
 5. 04 FS18-150 Paloma Creek Preliminary Landscape Plans
 6. 05 FS18-150 Paloma Creek Citizen Outreach Summary REDACTED
 7. 07 FS18-150 Paloma Creek Preliminary Plat 09-05-19 CC
 8. 19.08.26 EVR Paloma Creek Preliminary Plat Resolution 2019-114
-

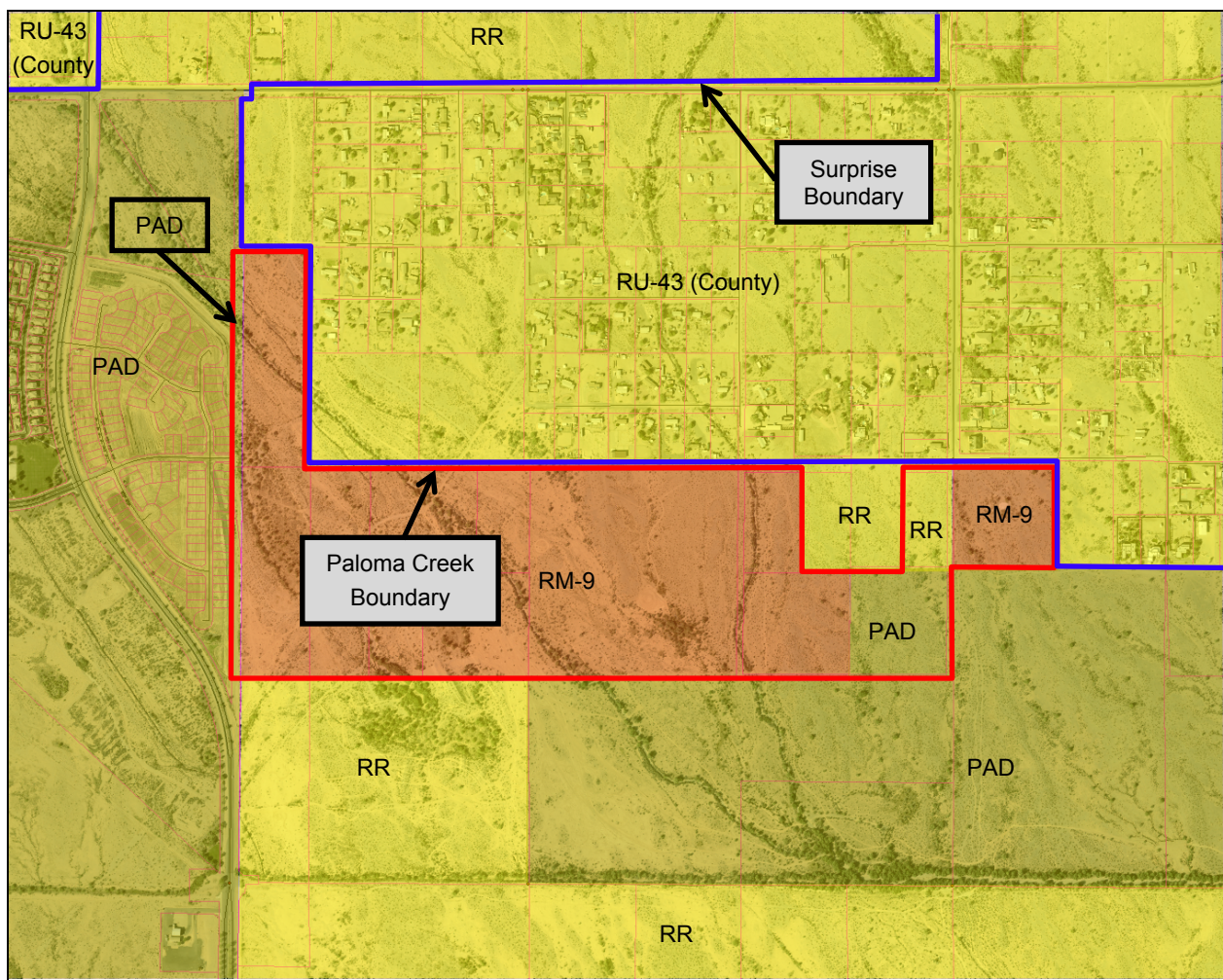
PRELIMINARY PLAT

REPORT TO THE CITY COUNCIL

1 **Case:** **FS18-150**
2
3 **Project Name:** Paloma Creek Preliminary Plat
4
5 **Council District:** 1 – Acacia
6
7 **Meeting Date:** **September 5, 2019**
8
9 **Planner:** Robert H. Kuhfuss, AICP
10
11
12 **Owner:** HV 13 LLC, et. al.
13
14 **Applicant:** Dan Auxier of EPS Group, Inc.
15
16 **Request:** 542 Lot, 49 Tract Preliminary Plat in the Residential Medium Density
17 with Planned Unit Development Overlay (RM-9 PUD) Zoning District
18
19 **Site Location:** Generally located east of 163rd Avenue between Happy Valley Road
20 and Jomax Road
21
22 **Area:** 151 acres (approx.)
23
24 **Density:** 3.6 DU/Ac.
25
26 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035
27
28 **Support/Opposition:** This request generated several items of opposition.
29
30 **Commission**
31 **Recommendation:** **Approve**, subject to stipulations ‘a’ through ‘c’
32
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INTRODUCTION:

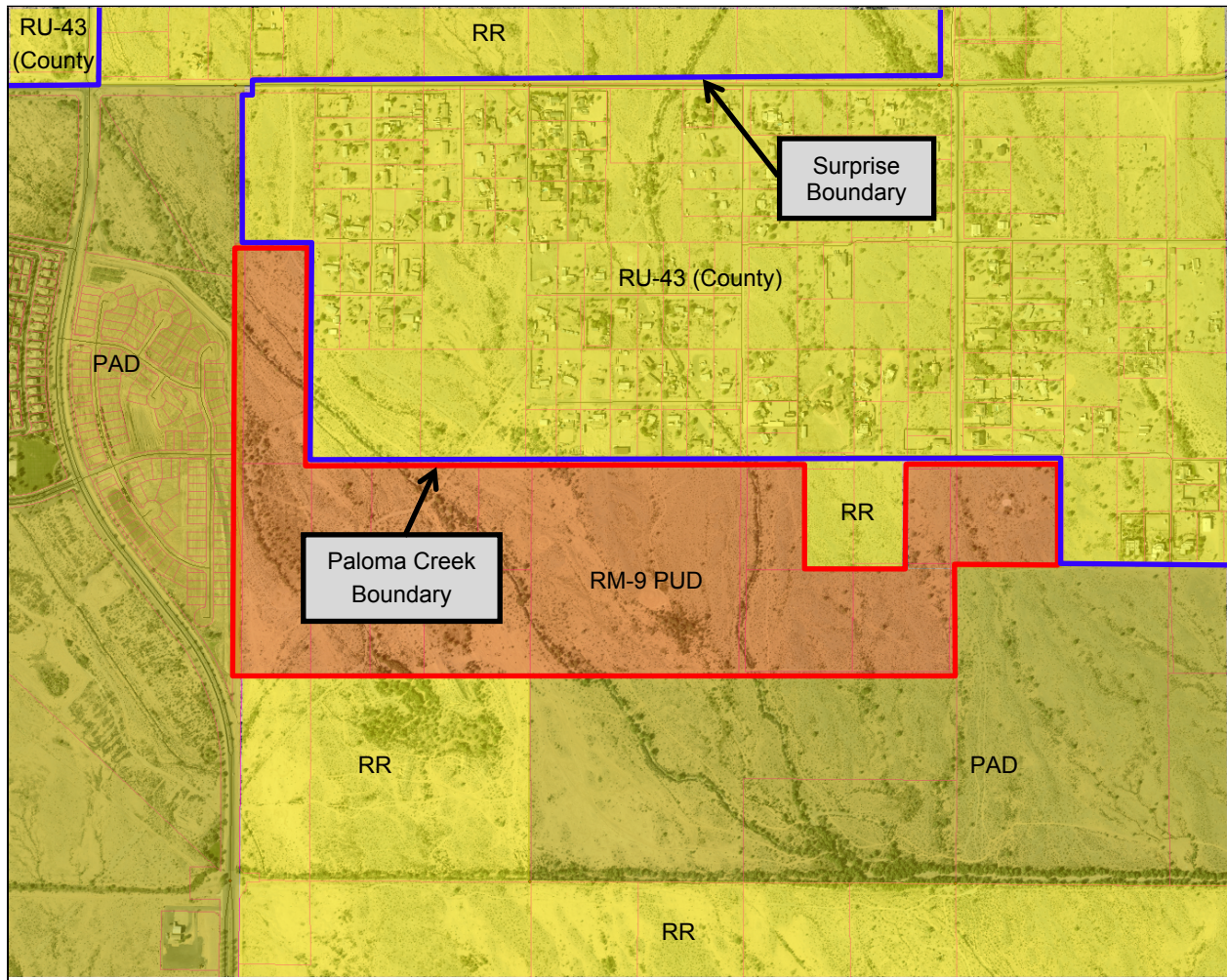
The subject property consists of an assemblage of parcels totaling approximately 151 acres. Twelve (12) of these parcels are currently located within the unincorporated area of Maricopa County and are part of a separate annexation case that is scheduled for City Council hearing on September 5, 2019 under case FS18-149. Of these unincorporated parcels, eleven (11) currently enjoy County R-5 RUPD zoning, while one (1) parcel currently enjoys County Rural-43 (RU-43) zoning. Should these unincorporated parcels be successfully annexed, like zoning of RM-9 (with a density cap of 5.0 DU/Ac), and Residential Ranch (RR) will attach. In addition to the currently unincorporated parcels, the subject request also includes three (3) parcels that are located within the City of Surprise and are zoned PAD. The applicant also proposes a Rezone of the subject property, which is scheduled for the September 5, 2019 Council hearing and is discussed under separate cover. The following map illustrates the zoning of the subject site and its surrounds upon annexation.



[Continued on following page.]

PROJECT DESCRIPTION:

The applicant seeks a Preliminary Plat consisting of 542 lots and 49 Tracts over 151 acres for a gross density of 3.6 DU/Ac. The proposed Preliminary Plat includes 41.57 acres of open space, which represents 36.1% of the Net Residential Area. The Preliminary Plat also anticipates four (4) lot categories consistent with the proposed zoning. The following map illustrates the project area.



BACKGROUND:

September 14, 2000: The City Council approved the Desert Oasis PAD under case PAD99-129.

March 21, 2006: The City Council approved the Tierra Verde West PAD under PAD05-401.

September 7, 2016: The Maricopa County Board of Supervisors approved a Zone Change request covering a portion of the subject site under Maricopa County case Z2016025. Said approval included stipulations “a” through “n” as stated in Exhibit D of the subject zoning change narrative.

November 17, 2016: Staff met with the ownership group to discuss the project during a regularly scheduled Concept Review meeting under CR16-481.

September 28, 2017: Staff met with the applicant to further discuss the project during a regularly scheduled Concept Review meeting under CR17-513.

March 20, 2018: The applicant filed an Annexation request covering a portion of the subject site under case FS18-149.

March 20, 2018: The applicant filed a Zone Change request covering the entirety of the subject site under case FS18-150, the subject case.

March 20, 2018: The applicant filed a request for a Preliminary Plat covering the entirety of the subject site under case FS18-150.

October 23, 2018: The applicant held a Citizen Outreach meeting to discuss the subject project.

August 1, 2019: The Planning and Zoning Commission recommended approval of the rezone request subject to staff-recommended stipulations 'a' through 'c'.

August 8, 2019: The applicant submitted a revised Zoning Narrative for the purpose of correcting the proposed minimum lot width and minimum lot area.

CITIZEN OUTREACH:

The applicant held a citizen outreach meeting on October 23, 2018, which was well attended. Numerous individuals voiced their concerns over the project ranging from impacts to local wells, traffic, view shed, light pollution, and property tax increase. The results of that meeting are summarized in the attached Public Participation Report. The site was also posted and advertised in accordance with State and local requirements. Additional opposition was received just prior to the Commission hearing and is also attached.

UTILITY AND SERVICES TABLE:

Electric:	Arizona Public Service
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	Southwest Gas
Irrigation:	N/A
Schools:	Dysart

CONFORMANCE WITH ADOPTED PLANS:

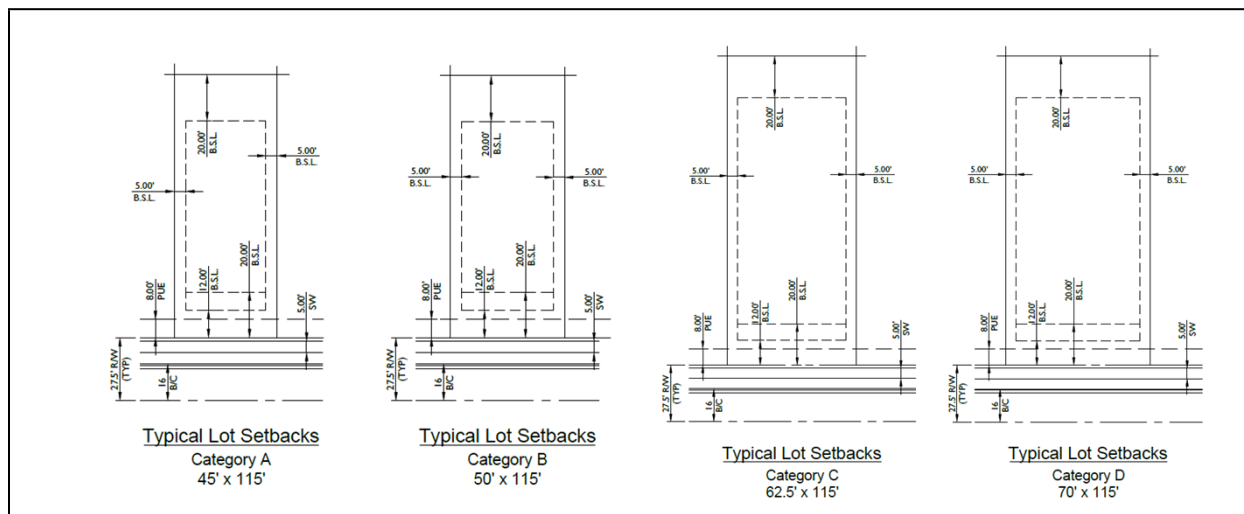
Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.6 DU/Ac, the proposed Preliminary Plat is well below 8 DU/Ac.

The General Plan seeks a transition from less dense residential zoning to more dense residential zoning. There is no codified methodology for determining the extent or character of said transitions within the SUDC; however, the proposed Preliminary Plat includes transitioning from the adjacent rural development in the form of open space and larger lots.

ANALYSIS AND DISCUSSION:

As of the writing of this report, the majority of the subject property is located within the unincorporated portion of Maricopa County. The applicant recently obtained R-5 RUPD zoning from Maricopa County, which covered most of the subject property. The annexation area also includes a small portion of RU-43 zoning. These areas will obtain like zoning of RM-9 and RR upon annexation. The subject property also includes a small portion of PAD zoning. All of these areas will become RM-9 PUD if the associated Zone Change request is approved.

The subject proposal includes four (4) lot categories as depicted below. The lot mix consists of 309 Category A (45' x 115') Lots, 195 Category B (50' x 115') Lots, 11 Category C (62.5' x 122') Lots, and 27 Category D (70' x 115') Lots.



The applicant proposes 41.57 acres of open space, which amounts to 36.1% of the Net Residential Area (NRA), and exceeds the minimum open space requirement of 20% NRA considerably. Within the open space areas, the applicant proposes a number of trails, both private and public, which fulfill the requirements of the General Plan and of the zoning. In addition, four (4) Amenity Areas are proposed throughout the site. These Amenity Areas will consist of turf play areas, ramadas, sport courts, drinking fountains, and BBQ areas.

Walls will consist of Theme Wall, View Fence, Partial View Fence, and Builder Wall. Primary and Secondary Theme Columns will punctuate the wall plain, while Primary and Secondary Monuments will provide identity and a sense of place. The site will be well landscaped consisting of drought tolerant plant species. Two (2) channels will bisect the site, with a third channel located along the western edge; however, the developer has committed to softening these channels by meandering the channel as much as possible and by varying the side slopes to create a more natural appearance as opposed to a trapezoidal channel.

REVIEWING AGENCIES:

The subject request was routed to the standard internal and external reviewing agencies, who offered no objections or comments.

SUMMARY:

The applicant seeks a Preliminary Plat, which is consistent with the proposed RM-9 PUD zoning. The proposed Preliminary Plat includes buffering adjacent to existing rural development consistent with the goals of the General Plan.

FINDINGS:

- The proposed Preliminary Plat is consistent with the Surprise General Plan 2035.
- The proposed Preliminary Plat is consistent with the RM-9 PUD Zoning District as proposed.
- The reviewing agencies have expressed no issues or concerns.

COMMISSION RECOMMENDATION:

Based on the findings noted above, the Commission moved to recommend **approval** of the subject Preliminary Plat request to the City Council, subject to stipulations 'a' through 'c' as outlined below:

- a. Development and use of the site shall be in conformance with the Preliminary Plat entitled "Preliminary Plat for Paloma Creek", consisting of six (6) sheets, prepared by EPS Group, Inc. and stamped received January 29, 2019.
- b. Landscaping of the development shall be consistent with the Preliminary Landscape Plans entitled "Paloma Creek Preliminary Landscape Plan", consisting of six (6) sheets prepared by The McCough Group and stamped received January 29, 2019.

188

189 c. Non-compliance with the stipulations of approval of this case will be treated as a
190 violation in accordance with the provisions of Article XIV of the Surprise Unified
191 Development Code.

192

193 However, should the City Council wish to deny the request, the Council should make its own
194 findings and base its decision on those alternative findings.

195

196 **Attachments:**

197

198 01 Paloma Creek Vicinity Map

199 02 Paloma Creek Vicinity Case Map

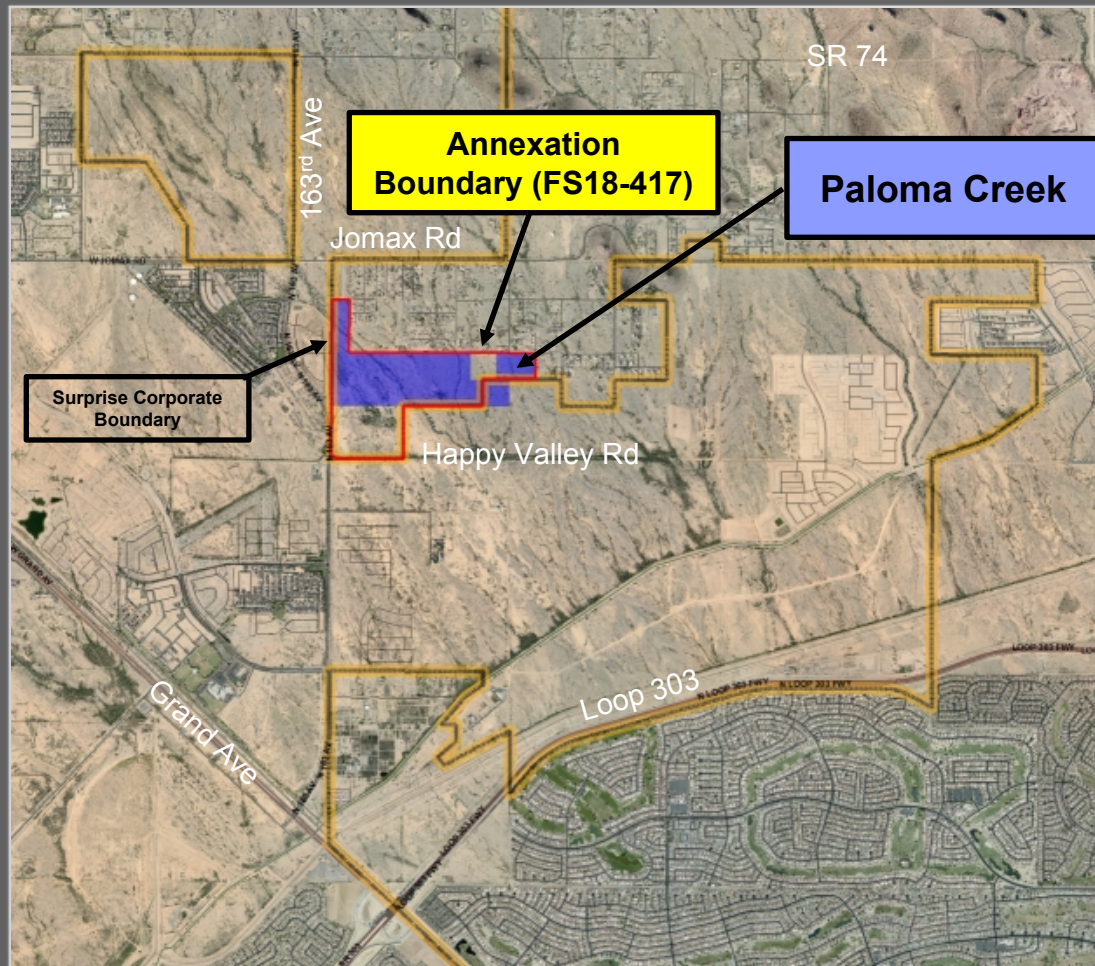
200 03 Paloma Creek Zone Preliminary Plat

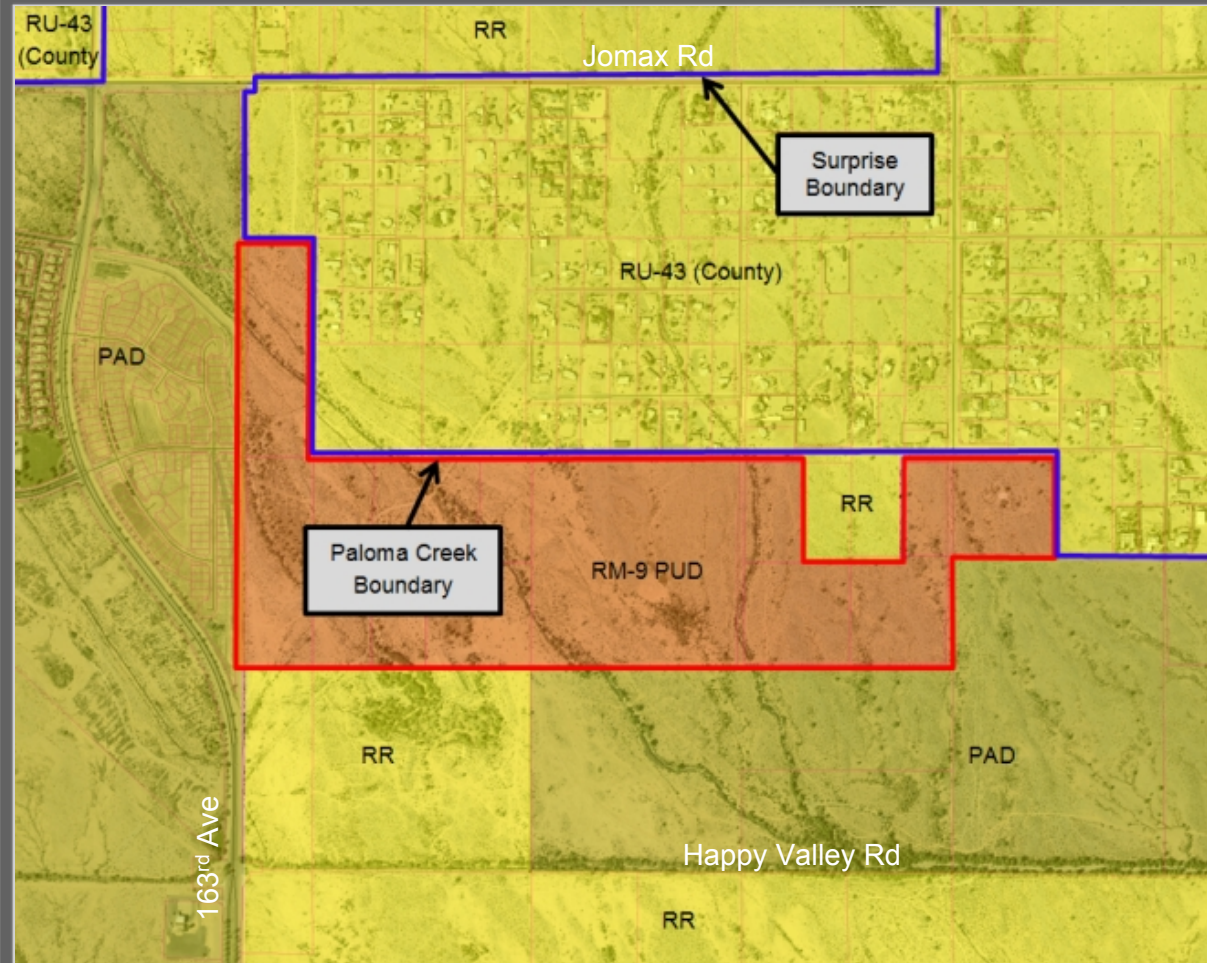
201 04 Paloma Creek Preliminary Landscape Plans

202 05 Paloma Creek Citizen Participation Report (redacted)

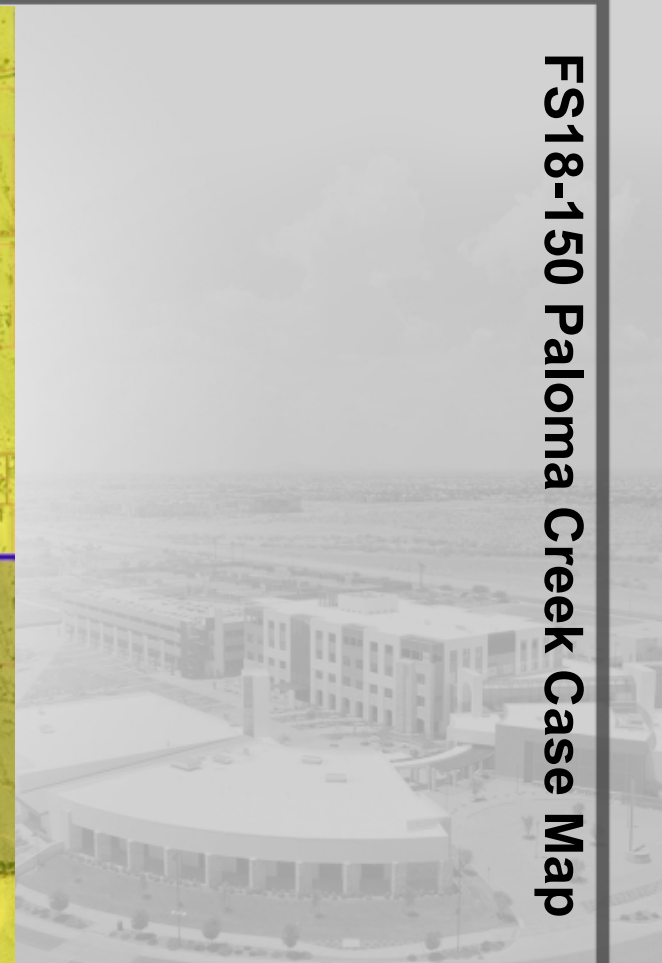
203 06 Additional Opposition (redacted)

FS18-150 Paloma Creek Vicinity Map





FS18-150 Paloma Creek Case Map

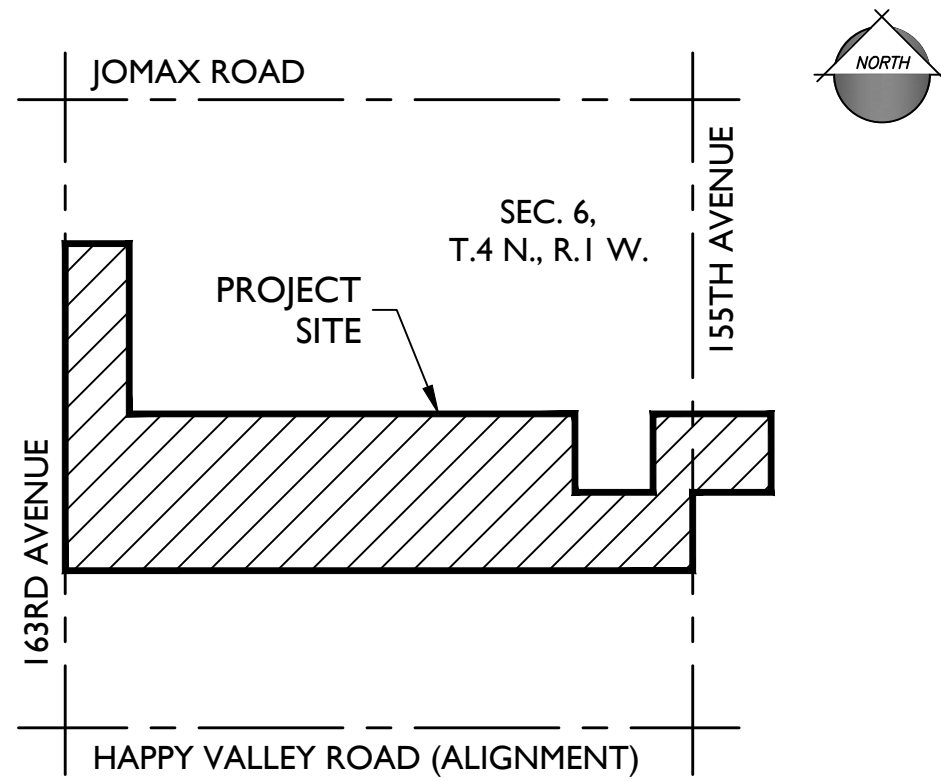


PRELIMINARY PLAT FOR PALOMA CREEK

A PORTION OF SECTION 6, AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 5, T.4 N., R.1 W., GILA AND SALT RIVER
MERIDIAN, MARICOPA COUNTY, ARIZONA

VICINITY MAP

N.T.S.



PROJECT TEAM

DEVELOPER
KAX GROUP, LLC
8530 E. VIA DEL SOL DRIVE
SCOTTSDALE, AZ 85255
TEL: (602)-499-9305
CONTACT: KENT XANDER

CONSULTANT:
EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: DANIEL AUXIER, PE

LANDSCAPE ARCHITECT:
MCGOUGH GROUP
11110 N. TATUM BLVD., SUITE 100
PHOENIX, AZ 85028
TEL: (602)-997-9093
CONTACT: NICK ADAMSON, RLA

PROJECT DATA

A.P.N. 503-54-011C, 503-55-002B, 002D, 002E, 002F, 011,
012A, 012D, 012E, 012F, 012G, 013A, 013B, 014A, 014B

CURRENT LAND USE: UNDEVELOPED
EXISTING GENERAL PLAN: NEIGHBORHOOD
EXISTING ZONING: RR, RM-9, PAD / MDR
PROPOSED ZONING: RM-9 WITH PUD OVERLAY

GROSS AREA: +/- 150.68 ACRES
NET RESIDENTIAL AREA: +/- 115.02 ACRES (LOT AREA & OPEN SPACE TRACTS)

LOT SIZES

45' x 115' (A)	309
50' x 115' (B)	195
62.5' x 122' (C)	11
70' x 115' (D)	27
TOTAL	542

GROSS DENSITY: +/- 3.6 DU/AC

OPEN SPACE: +/- 41.57 ACRES
OPEN SPACE (%): 36.1% OF NET RESIDENTIAL AREA

GENERAL NOTES

- THIS PLAN IS NOT A CONSTRUCTION DOCUMENT.
- LOT DIMENSIONS ARE APPROXIMATE, FINAL LOT DIMENSIONS SHALL BE PER FINAL PLAT.
- ALL LOCAL STREETS WILL BE CONSTRUCTED TO CITY OF SURPRISE MINIMUM STANDARDS, AS MODIFIED HEREIN.
- MAINTENANCE OF ALL COMMON AREAS, TRACTS AND LANDSCAPING IN ALL RIGHTS-OF-WAYS ON ALL LOCAL, ARTERIAL AND COLLECTOR ROADWAYS IS THE RESPONSIBILITY OF THE HOME OWNER'S ASSOCIATION.
- THIS DEVELOPMENT WILL PROVIDE FOR INSTALLATION OF REQUIRED STREET LIGHTS.
- DRAINAGE CONCEPTS ARE SHOWN ON THE PRELIMINARY GRADING PLAN.
- ALL LANDSCAPE AND OPEN SPACE CONCEPTS ARE SHOWN ON THE PRELIMINARY LANDSCAPE PLANS.

BASIS OF BEARING

THE MEASURED EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 4 NORTH, 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING N 0°08'56" E.

BENCHMARK

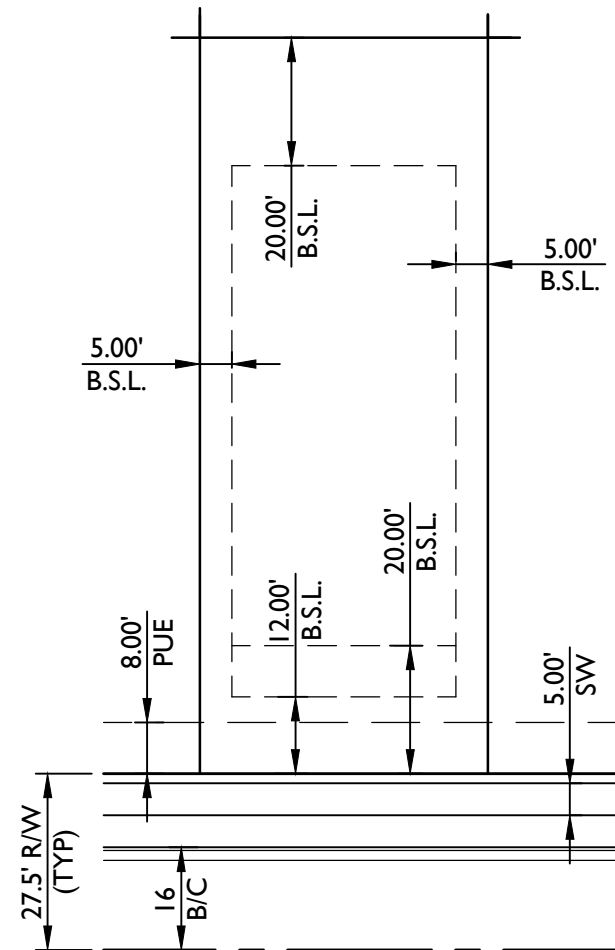
PRIMARY PROJECT BENCHMARK:
NGS POINT 41C1 (PID AJ3867) ELEV: 1423.80 (NAVD88)
SECONDARY PROJECT BENCHMARK:
NGS POINT Q366 (PID DV0080) ELEV: 1392.53 (NAVD88)

UTILITIES

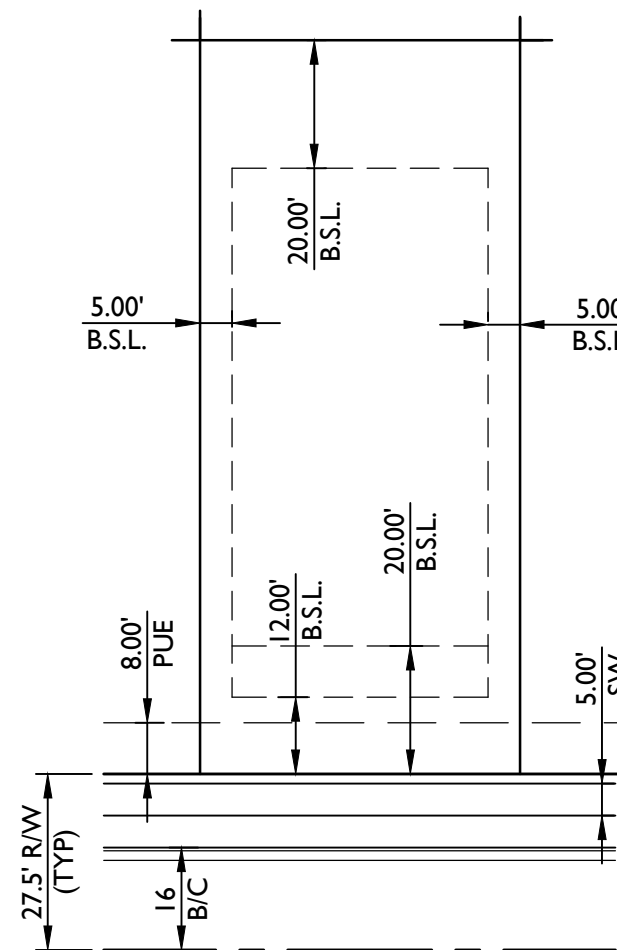
WATER	CITY OF SURPRISE
SEWER	CITY OF SURPRISE
GAS	SOUTHWEST GAS
ELECTRIC	ARIZONA PUBLIC SERVICE
TELEPHONE	CENTURY LINK / COX
CABLE TV	CENTURY LINK / COX
FIRE	CITY OF SURPRISE
POLICE	CITY OF SURPRISE

SHEET INDEX

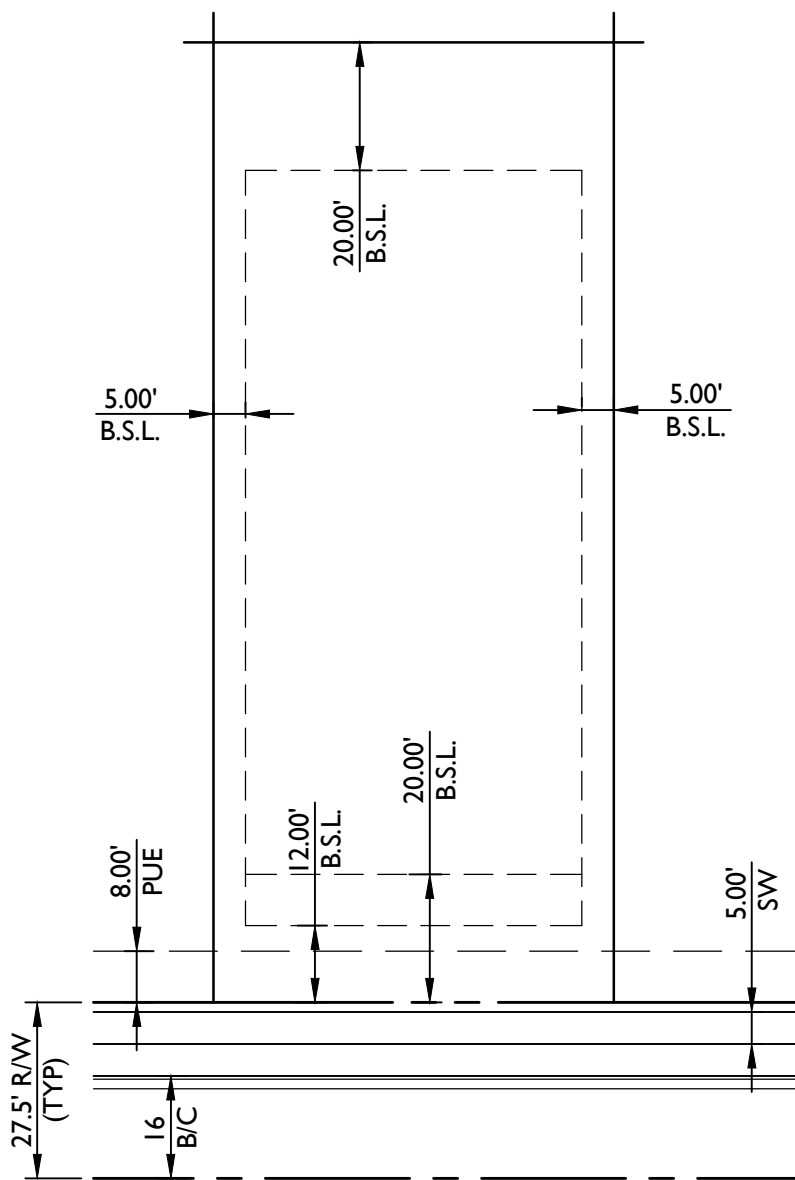
SHEET 1	CS01	COVER SHEET
SHEET 2 - 5	PP01 - PP04	PRELIMINARY PLAT
SHEET 6	PP05	PRELIMINARY PLAT DATA TABLES



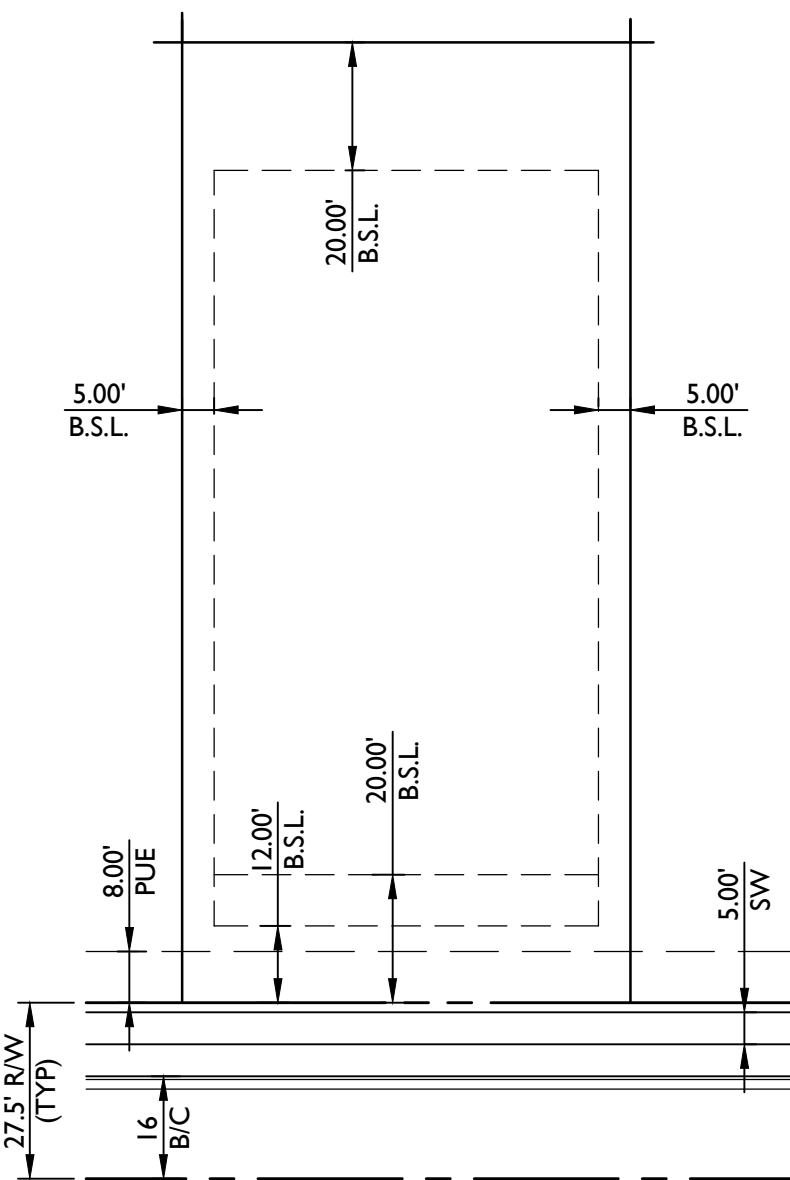
Typical Lot Setbacks
Category A
45' x 115'



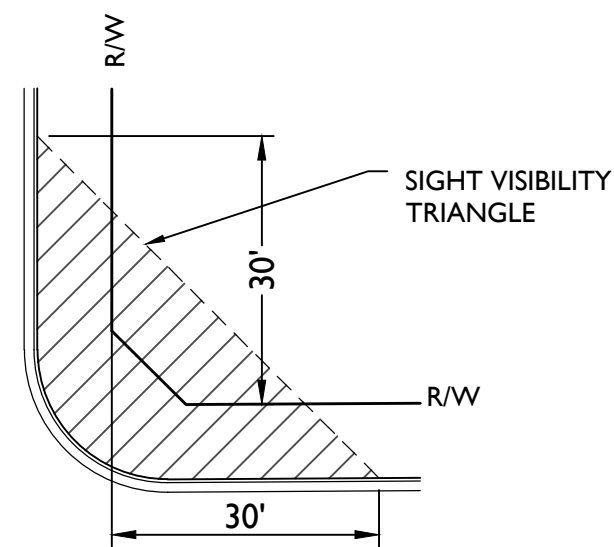
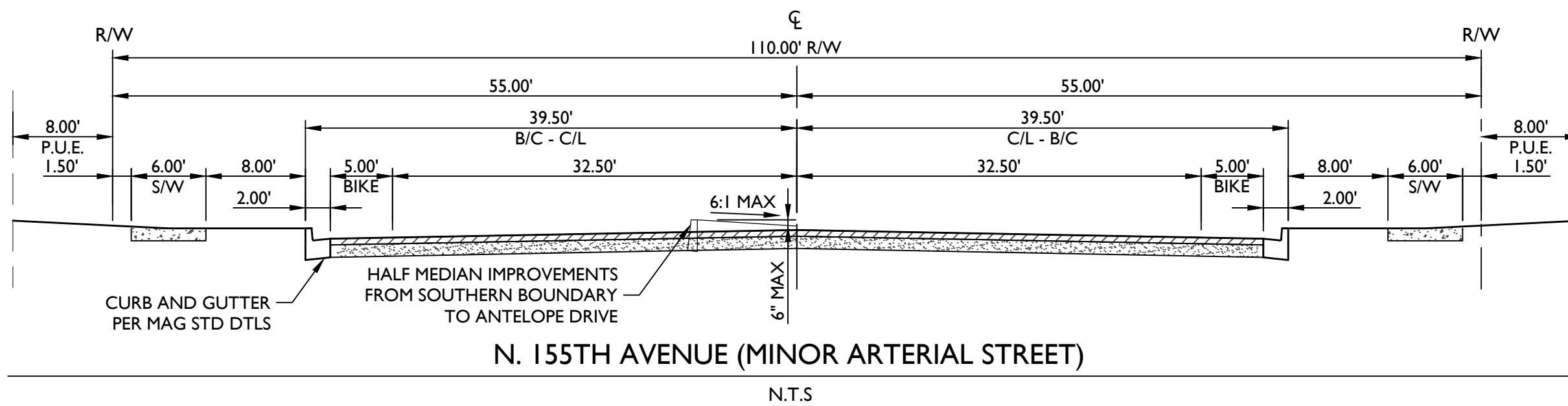
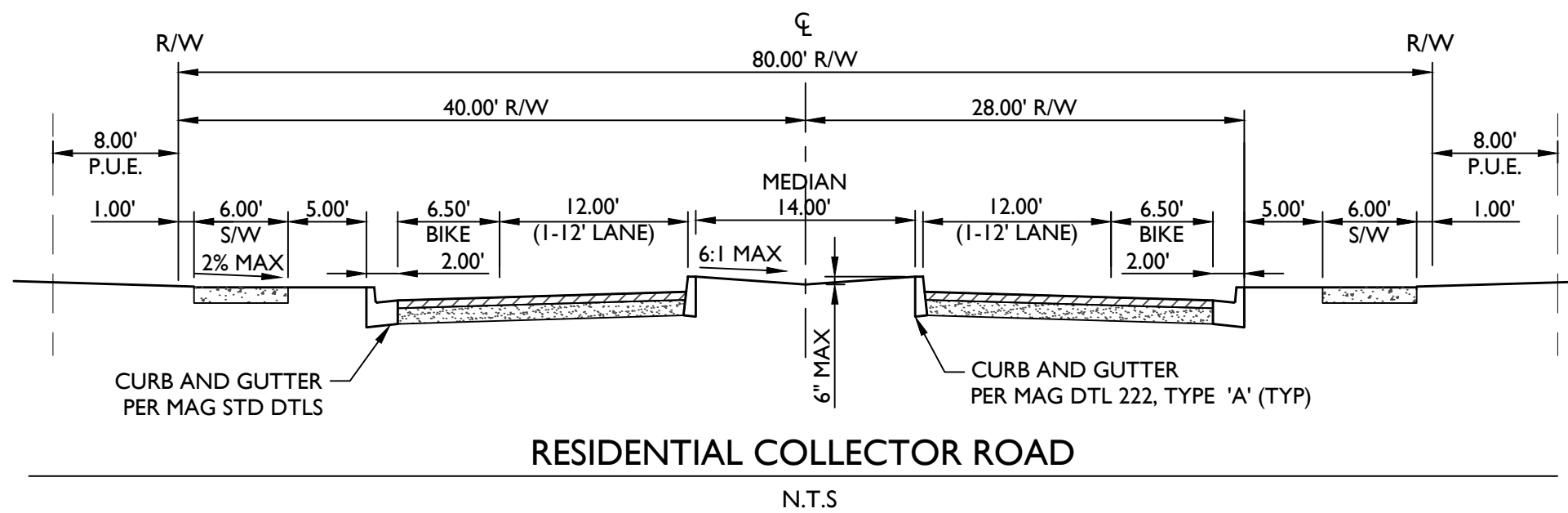
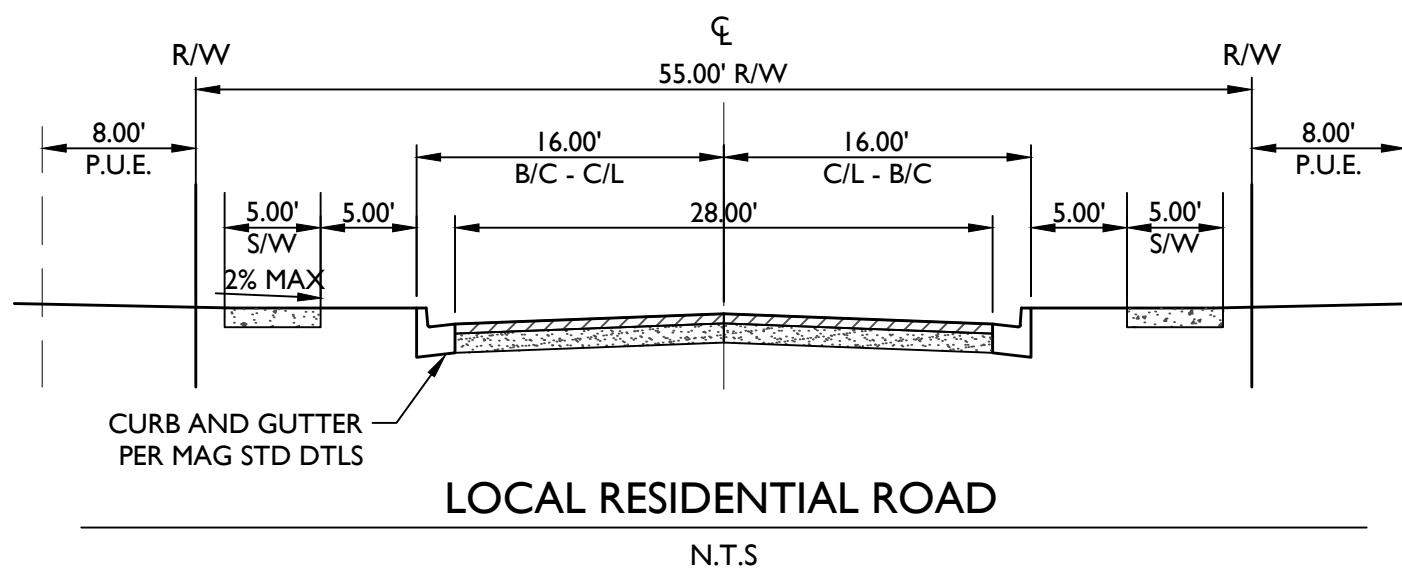
Typical Lot Setbacks
Category B
50' x 115'



Typical Lot Setbacks
Category C
62.5' x 115'



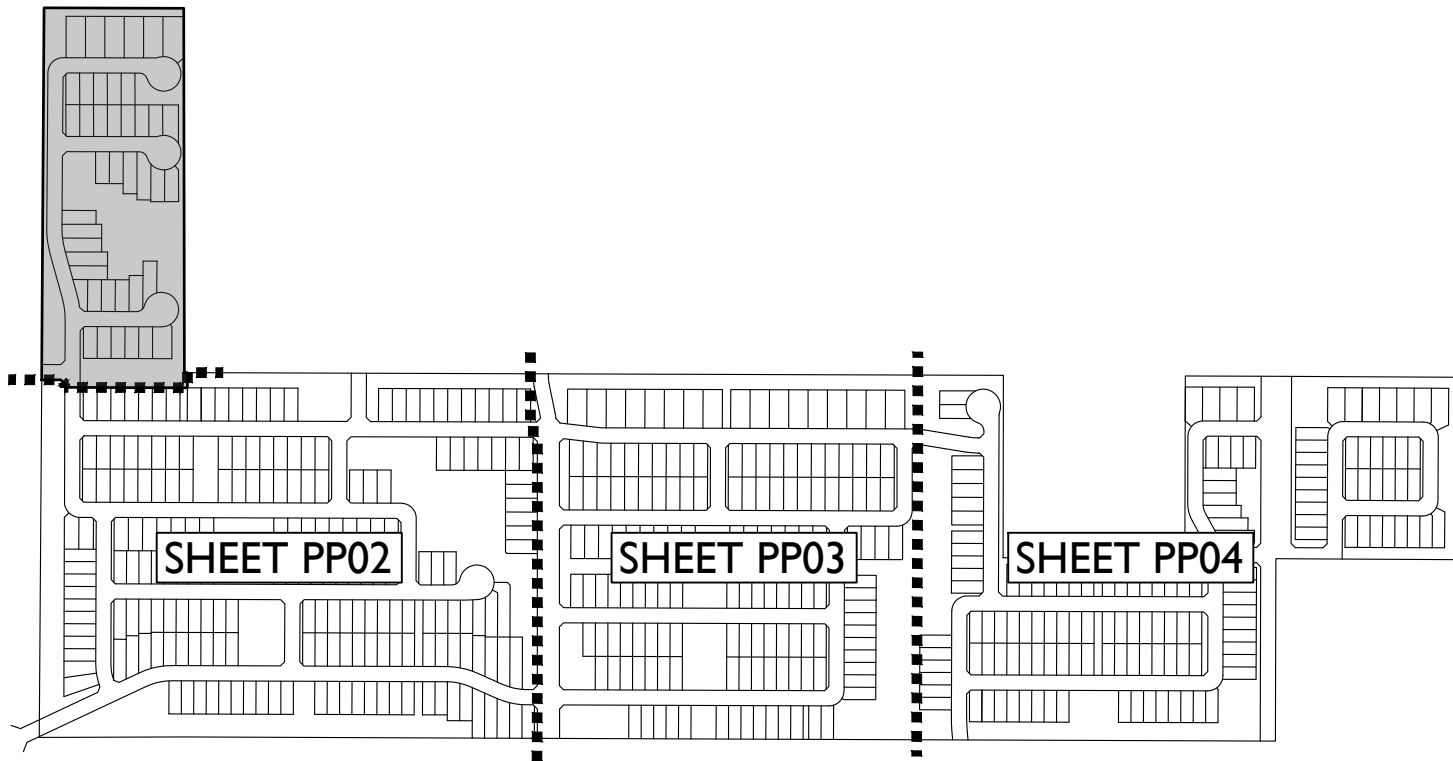
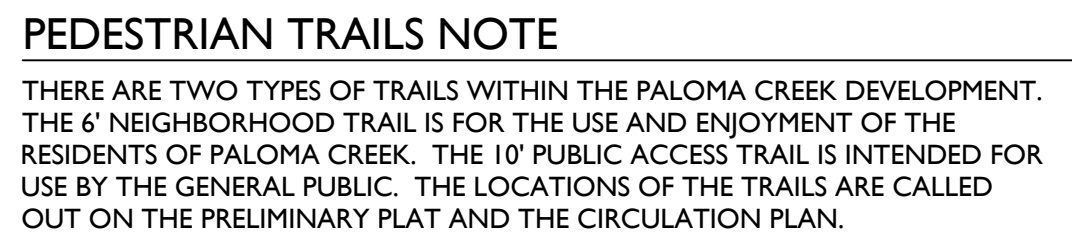
Typical Lot Setbacks
Category D
70' x 115'

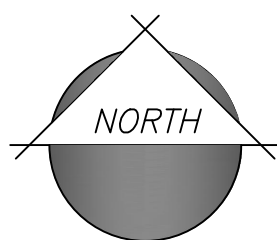


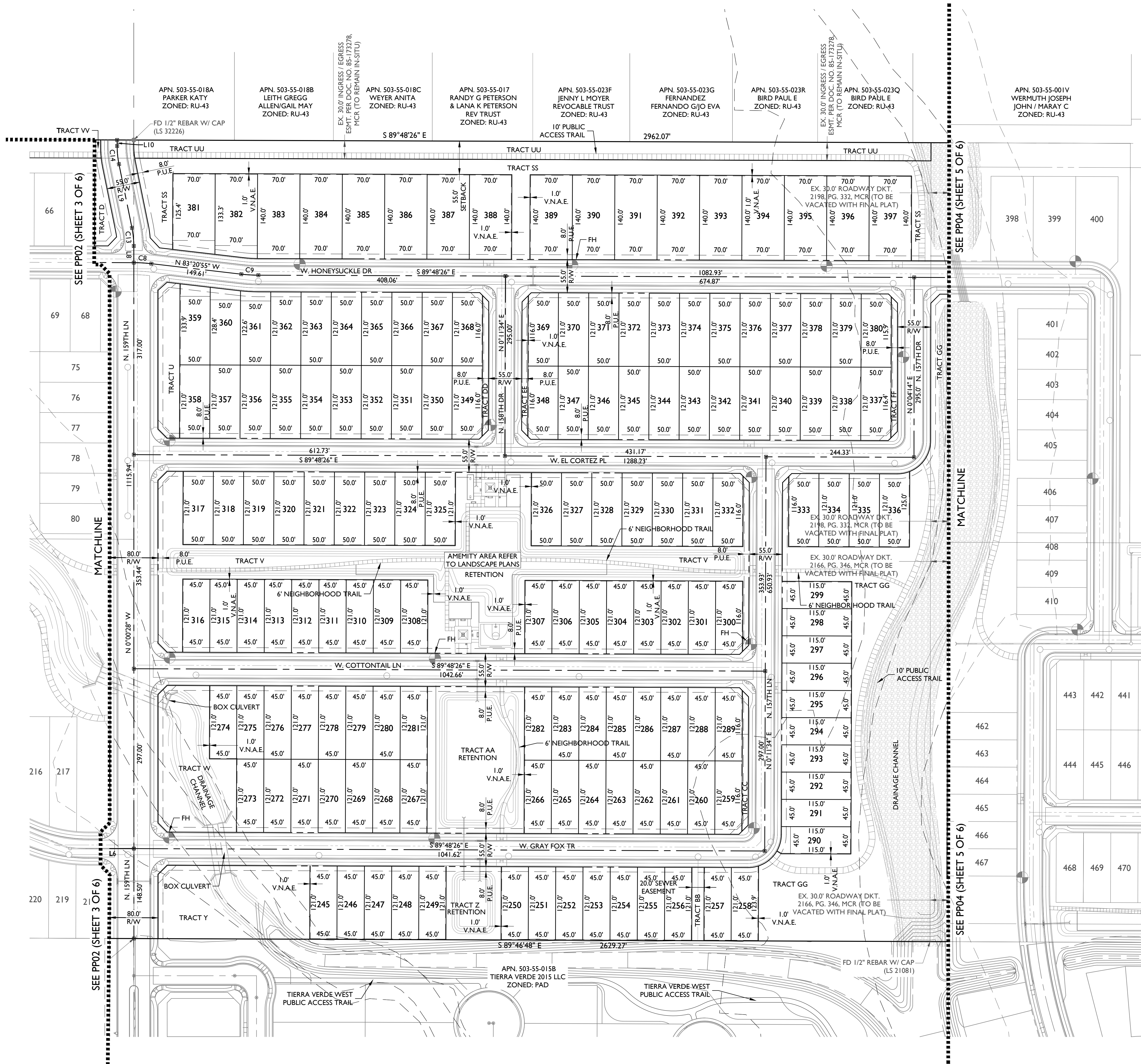
TYPICAL S.V.T. EASEMENT
LOCAL TO LOCAL STREET
N.T.S.
(PER CITY OF SURPRISE ENGINEERING
DESIGN STANDARDS DETAIL 4-02)

Paloma Creek Development Standards		
Minimum Standard	RM-9 Standards	Proposed RM-9 PUD Standards (2)(4)
Minimum Width	40'	45'
Minimum Lot Area (Per Unit)	4,500 Sq. Ft.	4,500 Sq. Ft.
Minimum Lot Depth	100'	100'
Front Setback (Livable)	12'	12'
Front Setback (Garage)	20'	20' (1)(5)
Interior Side	TBD by Preliminary Plat	5'
Aggregate Side	TBD by Preliminary Plat	10'
Rear	20'	20'
Maximum Building Height	35'	35'
Building Coverage		TBD by building envelope (3)
Maximum Density	5.0 DU/Acre (6)(7)	4.0 DU/Acre
Maximum Lot Count	625 (6)	600

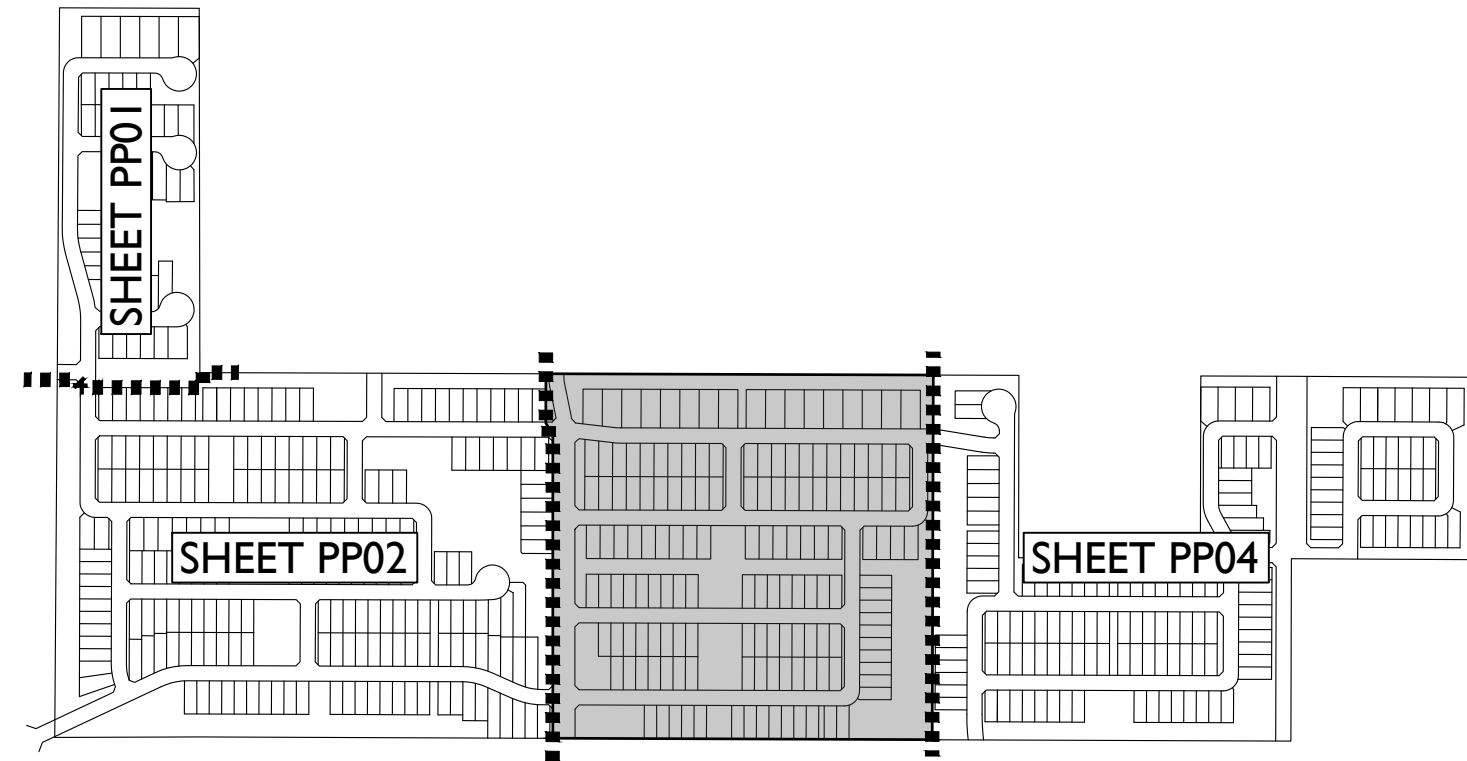
- GARAGE FRONT SETBACKS MAY BE LESS THAN LIVABLE AS SIDE-LOADED GARAGE ONLY. THE REDUCED FRONT SETBACK ALSO APPLIES TO LIVABLE AREA EXTENDED FRONT PORCHES AND WALLED COURTYARDS. OTHERWISE, THE GARAGE FRONT SETBACK WILL BE A MINIMUM OF 20' FROM THE FRONT LOT LINE.
- FIREPLACE, POP-OUTS, BAY WINDOWS, EAVES, OVERHANGS, PORCHES/PATIOS, 2ND STORY CANTILEVERS, AND/OR OTHER APPENDAGES MAY ENCROACH 2.5' INTO THE FRONT, SIDE, AND REAR YARD SETBACKS, SO LONG AS THEY ARE NOT LESS THAN 3' FROM THE PROPERTY LINE.
- BUILDING LOT COVERAGE IS ESTABLISHED BY THE BUILDING ENVELOPES CREATED BY THE REQUIRED SETBACKS AND ALLOWABLE PROJECTIONS AS DEFINED IN THE TABLE AND FOOTNOTES.
- BUILDING SETBACKS APPLY EQUALLY TO ONE AND TWO STORY PRODUCT.
- THE FRONT GARAGE SETBACK MEANS FRONT LOT LINE TO FACE OF GARAGE DOOR ONLY IF THE GARAGE IS LOCATED IN THE FRONT YARD.
- PER THE APPROVED MARICOPA COUNTY ZONING CASE Z2016025.
- PER THE CITY OF SURPRISE COUNCIL-APPROVED ANNEXATION ORDINANCE.





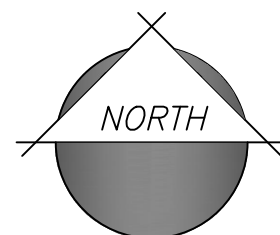


KEY MAP



PEDESTRIAN TRAILS NOTE

THERE ARE TWO TYPES OF TRAILS WITHIN THE PALOMA CREEK DEVELOPMENT. THE 6' NEIGHBORHOOD TRAIL IS FOR THE USE AND ENJOYMENT OF THE RESIDENTS OF PALOMA CREEK. THE 10' PUBLIC ACCESS TRAIL IS INTENDED FOR USE BY THE GENERAL PUBLIC. THE LOCATIONS OF THE TRAILS ARE CALLED OUT ON THE PRELIMINARY PLAT AND THE CIRCULATION PLAN.



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

Project:
Paloma Creek
SURPRISE, AZ

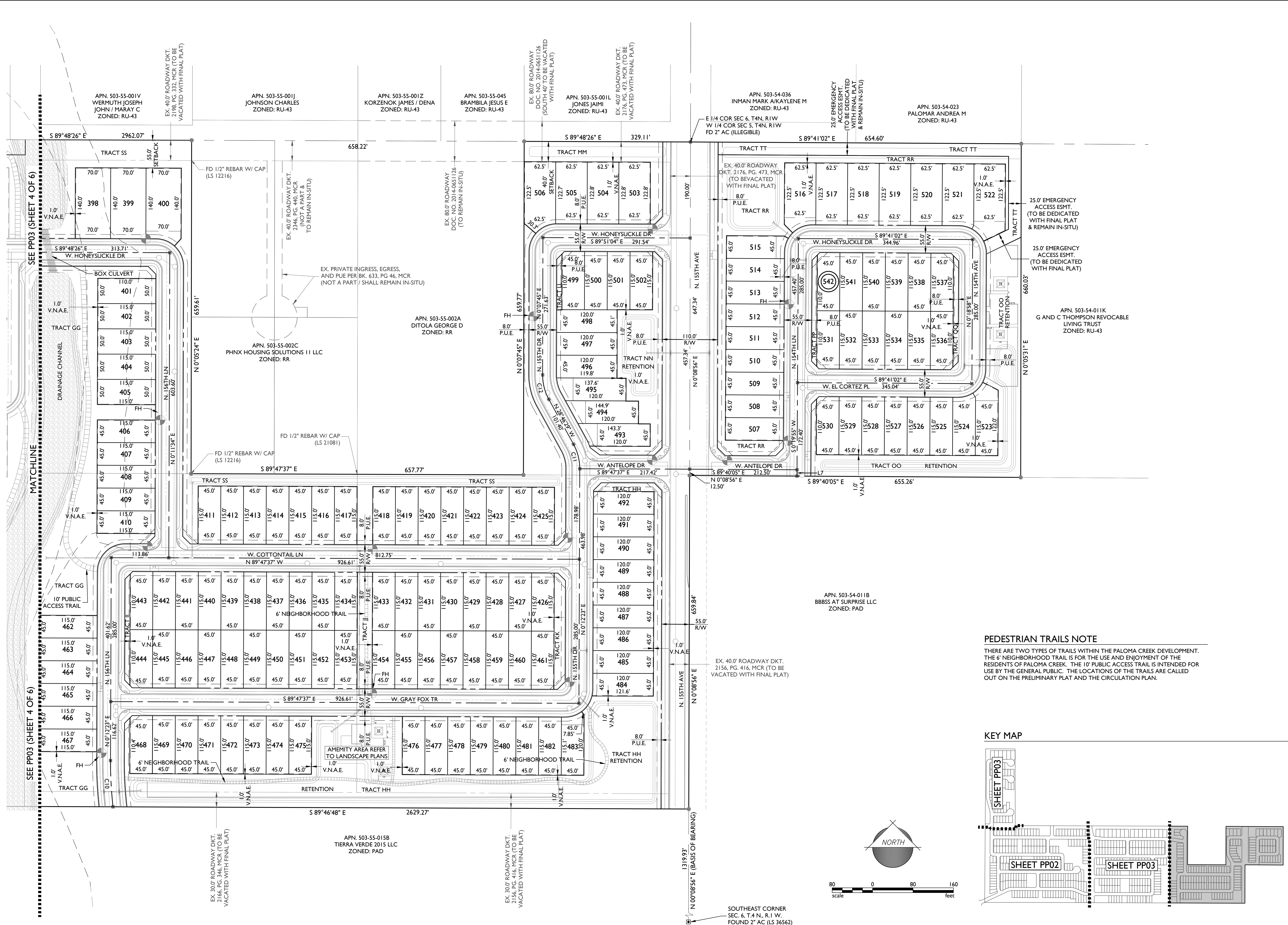
Revisions:
MARCH 13, 2018 - 1ST PRELIMINARY PLAT SUB.
SEPTEMBER 18, 2018 - 2ND PRELIMINARY PLAT SUB.
DECEMBER 14, 2018 - 3RD PRELIMINARY PLAT SUB.
JANUARY 28, 2019 - 4TH PRELIMINARY PLAT SUB.

Call it first and last working days
before you begin excavation
ARIZONA
State of Arizona
Daniel B. Auxier
Professional Engineer
No. 50291
Exp. 12/31/2020
Tel: 480.503.2250

Designer: JH
Drawn by: JAJ

Job No.
16-400
PP03

Sheet No.
4
of 6



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

Project:

Paloma Creek
SURPRISE, AZ

Revisions:

MARCH 13, 2018 - 1ST PRELIMINARY PLAT SUB.	
SEPTEMBER 18, 2018 - 2ND PRELIMINARY PLAT SUB.	
DECEMBER 14, 2018 - 3RD PRELIMINARY PLAT SUB.	
JANUARY 28, 2019 - 4TH PRELIMINARY PLAT SUB.	

Call it in the morning before you begin your day

Design: JH
Drawn by: JAJ

Registered Professional Engineer (PE)
CERTIFICATE NO. 50291
DAVID B. AUXIER
Exp. 12/31/2024

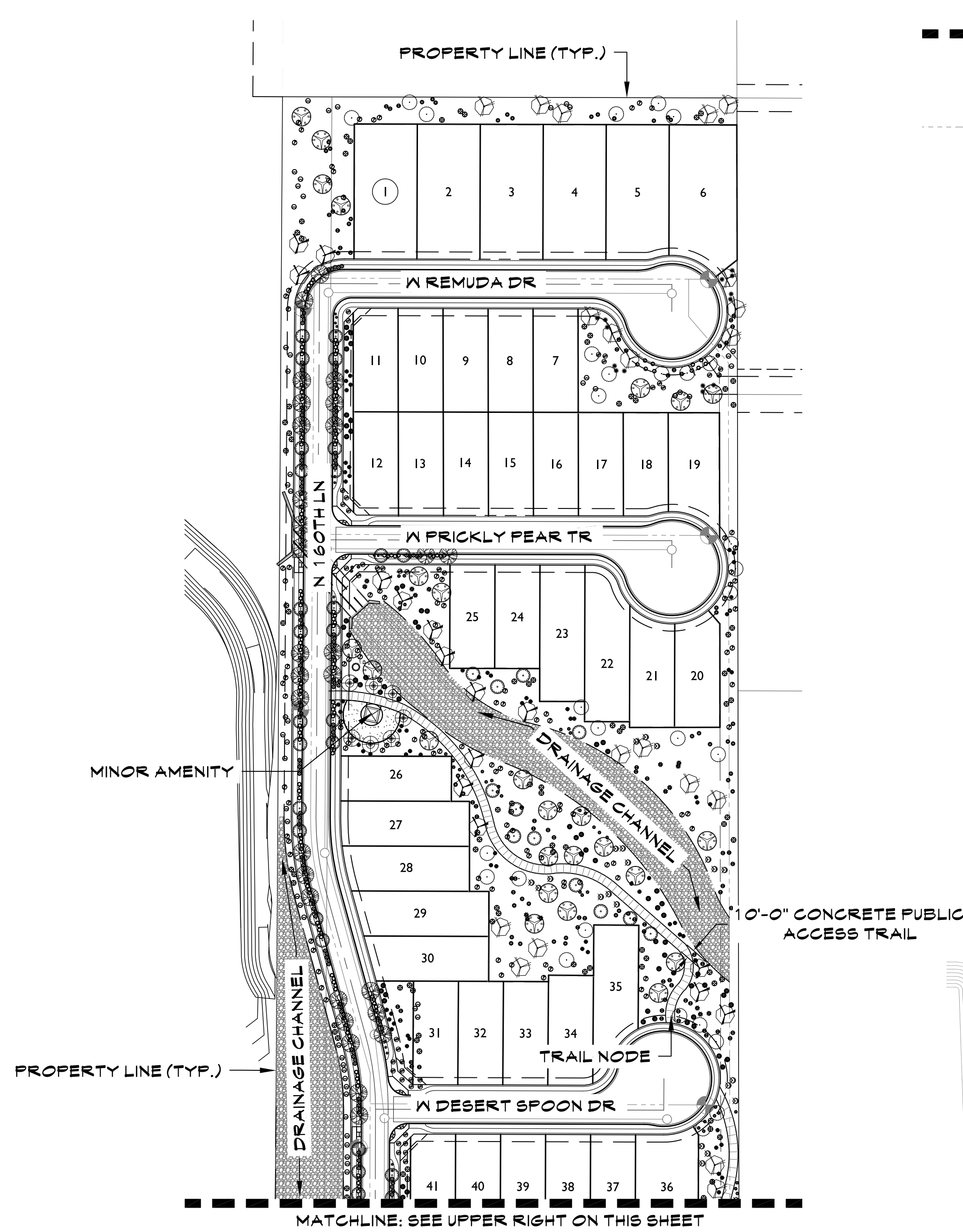
Job No.
16-400

PP04

Sheet No.
5
of 6

Lot Table																																																		
Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area												
1	D	10500.00	23	B	7574.53	45	B	6000.00	67	B	6000.00	89	B	6000.00	111	B	6000.00	133	B	6359.83	155	A	5400.00	177	A	5400.00	199	A	5400.00	221	A	6884.95	243	A	5400.00	265	A	5445.00	287	A	5445.00	309	A	5446.93	331	B	6050.00	353	B	6050.00
2	D	10500.00	24	B	5750.00	46	B	6000.00	68	B	5999.98	90	B	6000.00	112	B	5987.50	134	A	5175.00	156	A	5400.00	178	A	5400.00	200	A	5400.00	222	A	7770.08	244	A	5398.91	266	A	5445.00	288	A	5445.00	310	A	5446.93	332	B	6037.50	354	B	6050.00
3	D	10500.00	25	B	5750.00	47	B	6000.00	69	B	6000.00	91	B	6000.00	113	B	5987.50	135	A	5175.00	157	A	5400.00	179	A	5400.00	201	A	5387.50	223	A	5783.62	245	A	5445.00	267	A	5446.93	289	A	5432.50	311	A	5446.93	333	B	6037.50	355	B	6050.00
4	D	10500.00	26	B	6139.49	48	B	6000.00	70	B	6000.00	92	B	6000.00	114	B	6000.00	136	A	5175.00	158	A	5400.00	180	A	5387.50	202	A	5400.00	224	A	6246.82	246	A	5445.00	268	A	5446.93	290	A	5258.18	312	A	5446.93	334	B	6050.00	356	B	6050.00
5	D	10432.72	27	B	7132.63	49	B	6000.00	71	B	6000.00	93	B	6000.00	115	B	6000.00	137	A	5175.00	159	A	5400.00	181	A	5400.00	203	A	5400.00	225	A	5399.95	247	A	5445.00	269	A	5446.93	291	A	5175.00	313	A	5446.93	335	B	6050.00	357	B	6050.00
6	D	11634.44	28	B	6846.94	50	B	6000.00	72	B	6000.00	94	B	6000.00	116	B	5987.50	138	A	5175.00	160	A	5400.00	182	A	5400.00	204	A	5400.00	226	A	5400.00	248	A	5445.00	270	A	5446.93	292	A	5175.00	314	A	5446.93	336	B	6077.59	358	B	6050.00
7	B	5746.85	29	B	7291.69	51	B	6000.00	73	B	6000.00	95	B	6000.00	117	B	6000.00	139	A	5175.00	161	A	5400.00	183	A	5400.00	205	A	5400.00	227	A	5400.00	249	A	5445.00	271	A	5446.93	293	A	5175.00	315	A	5446.93	337	B	6039.59	359	B	6552.51
8	B	5746.85	30	B	6597.23	52	B	6000.00	74	B	6000.00	96	B	5987.50	118	B	6000.00	140	A	5175.00	162	A	5387.50	184	A	5400.00	206	A	5400.00	228	A	5400.00	250	A	5445.00	272	A	5446.93	294	A	5175.00	316	A	5446.93	338	B	6050.00	360	B	6269.51
9	B	5746.85	31	B	5750.03	53	B	6000.00	75	B	5807.08	97	B	5987.50	119	B	6000.00	141	A	5175.00	163	A	5387.50	185	A	5400.00	207	A	5400.00	229	A	5400.00	251	A	5445.00	273	A	5446.93	295	A	5175.00	317	B	6050.00	339	B	6050.00	361	B	6065.35
10	B	5746.85	32	B	5750.03	54	B	6000.00	76	B	5760.93	98	B	6000.00	120	B	6000.00	142	A	5175.00	164	A	5400.00	186	A	5400.00	208	A	5400.00	230	A	5400.00	252	A	5445.00	274	A	5443.07	296	A	5175.00	318	B	6050.00	340	B	6050.00	362	B	6050.00
11	B	5734.25	33	B	5750.03	55	B	6000.00	77	B	5760.93	99	B	6000.00	121	B	6000.00	143	A	5970.62	165	A	5379.54	187	A	5400.00	209	A	5400.00	231	A	5400.00	253	A	5445.00	275	A	5443.07	297	A	5175.00	319	B	6050.00	341	B	6050.00	363	B	6050.00
12	B	5736.82	34	B	6095.62	56	B	6000.00	78	B	5760.93	100	B	6000.00	122	B	6000.00	144	A	6868.71	166	A	7140.42	188	A	5584.70	210	A	5400.00	232	A	5400.00	254	A	5445.00	276	A	5443.07	298	A	5175.00	320	B	6050.00	342	B	6050.00	364	B	6050.00
13	B	5741.59	35	B	7192.94	57	B	6000.00	79	B	5760.93	101	B	6000.00	123	B	6000.00	145	A	5387.50	167	A	5928.34	189	A	5958.29	211	A	5400.06	233	A	5400.00	255	A	5445.00	277	A	5443.07	299	A	5175.00	321	B	6050.00	343	B	6050.00	365	B	6050.00
14	B	5741.59	36	D	8176.49	58	B	6000.00	80	B	5748.43	102	B	6000.00	124	B	6000.00	146	A	5400.00	168	A	5418.74	190	A	6532.55	212	A	5474.20	234	A	5400.00	256	A	5445.00	278	A	5443.07	300	A	5432.50	322	B	6050.00	344	B	6050.00	366	B	6050.00
15	B	5741.59	37	B	5750.00	59	B	6000.00	81	B	5987.50	103	B	6000.00	125	B	6170.40	147	A	5400.00	169	A	5400.00	191	A	6784.25	213	A	5845.77	235	A	5400.00	257	A	5445.00	279	A	5443.07	301	A	5445.00	323	B	6050.00	345	B	6050.00	367	B	6050.00
16	B	5741.59	38	B	5750.00	60	B	6000.00	82	B	6000.00	104	B	6000.00	126	B	6171.60	148	A	5400.00	170	A	5400.00	192	A	6578.24	214	A	6223.21	236	A	5400.00	258	A	5461.71	280	A	5443.07	302	A	5445.00	324	B	6050.00	346	B	6050.00	368	B	6037.50
17	B	5741.59	39	B	5750.00	61	B	6000.00	83	B	6000.00	105	B	6000.00	127	B	6171.60	149	A	5400.00	171	A	5400.00	193	A	6051.16	215	A	6883.24	237	A	5400.00	259	A	5432.50	281	A	5443.07	303	A	5445.00	325	B	6050.00	347	B	6050.00	369	B	6037.50
18	B	5676.87	40	B	5750.00	62	B	6000.00	84	B	6000.00	106	B	6000.00	128	B	6171.60	150	A	5400.00	172	A	5400.00	194	A	5651.85	216	A	7754.06	238	A	5400.00	260	A	5445.00	282	A	5445.00	304	A	5445.00	326	B	6050.00	348	B	6037.50	370	B	6050.00
19	B	6715.25	41	B	5744.13	63	B	6000.00	85	B	6000.00	107	B	6000.00	129	B	6171.60	151	A	5400.00	173	A	5400.00	195	A	5418.53	217	A	8360.66	239	A	5400.00	261	A	5445.00	283	A	5445.00	305	A	5445.00	327	B	6050.00	349	B	6037.50	371	B	6050.00
20	B	6075.70	42	B	5994.13	64	B	6000.00	86	B	6000.00	108	B	6000.00	130	B	6171.60	152	A	5400.00	174	A	5400.00	196	A	5400.00	218	A	5426.96	240	A	5400.00	262	A	5445.00	284	A	5445.00	306	A	5445.00	328	B	6050.00	350	B	6050.00	372	B	6050.00
21	B	6051.11	43	B	6000.00	65	B	6000.00	87	B	6000.00	109	B	6000.00	131	B	6159.10	153	A	5400.00	175	A	5400.00	197	A	5400.00	219	A	5588.73	241	A	5400.00	263	A	5445.00	285	A	5445.00	307	A	5445.00	329	B	6050.00	351	B	6050.00	373	B	6050.00
22	B	8072.79	44	B	6000.00	66	B	6000.00	88	B	6000.00	110	B	6000.00	132	B	6022.06	154	A	5400.00	176	A	5400.00	198	A	5400.00	220	A	6075.41	242	A	5400.00	264	A	5445.00	286	A	5445.00	308	A	5446.93	330	B	6050.00	352	B	6050.00	374	B	6050.00

Lot Table																							
Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area	Lot #	Category	Area
375	B	6050.00	397	D	9816.06	419	A	5175.00	441	A	5175.00	463	A	5175.00	485	A	5400.00	507	A	5175.00	529	A	5175.00
376	B	6050.00	398	D	9800.00	420	A	5175.00	442	A	5175.00	464	A	5175.00	486	A	5400.00	508	A	5175.00	530	A	5162.50
377	B	6050.00	399	D	9800.00	421	A	5175.00	443	A	5162.50	465	A	5175.00	487	A	5400.00	509	A	5175.00	531	A	5162.65
378	B	6050.00	400	D	10059.39	422	A	5175.00	444	A	5162.50	466	A	5175.00	488	A	5400.00	510	A	5175.00	532	A	5175.00
379	B	6050.00	401	B	5750.18	423	A	5175.00	445	A	5175.00	467	A	5175.00	489	A	5400.00	511	A	5175.00	533	A	5175.00
380	B	6037.15	402	B	5750.18	424	A	5175.00	446	A	5175.00	468	A	5164.60	490	A	5400.00	512	A	5175.00	534	A	5175.00
381	D	9052.58	403	B	5750.18	425	A	5175.00	447	A	5175.00	469	A	5175.00	491	A	5400.00	513	A	5175.00	535	A	5175.00
382	D	9597.86	404	B	5750.18	426	A	5175.00	448	A	5175.00	470	A	5175.00	492	A	5400.00	514	A	5175.00	536	A	5162.50
383	D	9800.00	405	B	5750.18	427	A	5175.00	449	A	5175.00	471	A	5175.00	493	A	5898.00	515	A	5262.18	537	A	5162.50
384	D	9800.00	406	A	5175.43	428	A	5175.00	450	A	5175.00	472	A	5175.00	494	A	5960.81	516	C	7990.34	538	A	5175.00
385	D	9800.00	407	A	5175.43	429	A	5175.00	451	A	5175.00	473	A	5175.00	495	A	5887.34	517	C	7656.25	539	A	5175.00
386	D	9800.00	408	A	5175.43	430	A	5175.00	452	A	5175.00	474	A	5175.00	496	A	5399.72	518	C	7656.25	540	A	5175.00
387	D	9800.00	409	A	5175.43	431	A	5175.00	453	A	5175.00	475	A	5175.00	497	A	5400.20	519	C	7656.25	541	A	5175.00
388	D	9800.00	410	A	5175.43	432	A	5175.00	454	A	5175.00	476	A	5177.27	498	A	5407.45	520	C	7656.25	542	A	5162.34
389	D	9800.00	411	A	5175.00	433	A	5175.00	455	A	5175.00	477	A	5177.27	499	A	5162.50	521	C	7721.63	TOTAL 3,199,531.55 SQ. FT		
390	D	9800.00	412	A	5175.00	434	A	5175.00	456	A	5175.00	478	A	5177.27	500	A	5175.00	522	C	8887.20			
391	D	9800.00	413	A	5175.00	435	A	5175.00	457	A	5175.00	479	A	5177.27	501	A	5175.00	523	A	6194.20			
392	D	9800.00	414	A	5175.00	436	A	5175.00	458	A	5175.00	480	A	5177.27	502	A	5175.00	524	A	5279.95			
393	D	9800.00	415	A	5175.00	437	A	5175.00	459	A	5175.00	481	A	5177.27	503	C	7661.59	525	A	5175.00			
394	D	9800.00	416	A	5175.00	438	A	5175.00	460	A	5175.00	482	A	5177.27	504	C	7664.59	526	A	5175.00			
395	D	9800.00	417	A	5175.00	439	A	5175.00	461	A	5175.00	483	A	5334.31	505	C	7667.51	527	A	5175.00			
396	D	9800.00	418	A	5175.00	440	A	5175.00	462	A	5175.00	484	A	5406.71	506	C	8138.99	528	A	5175.00			



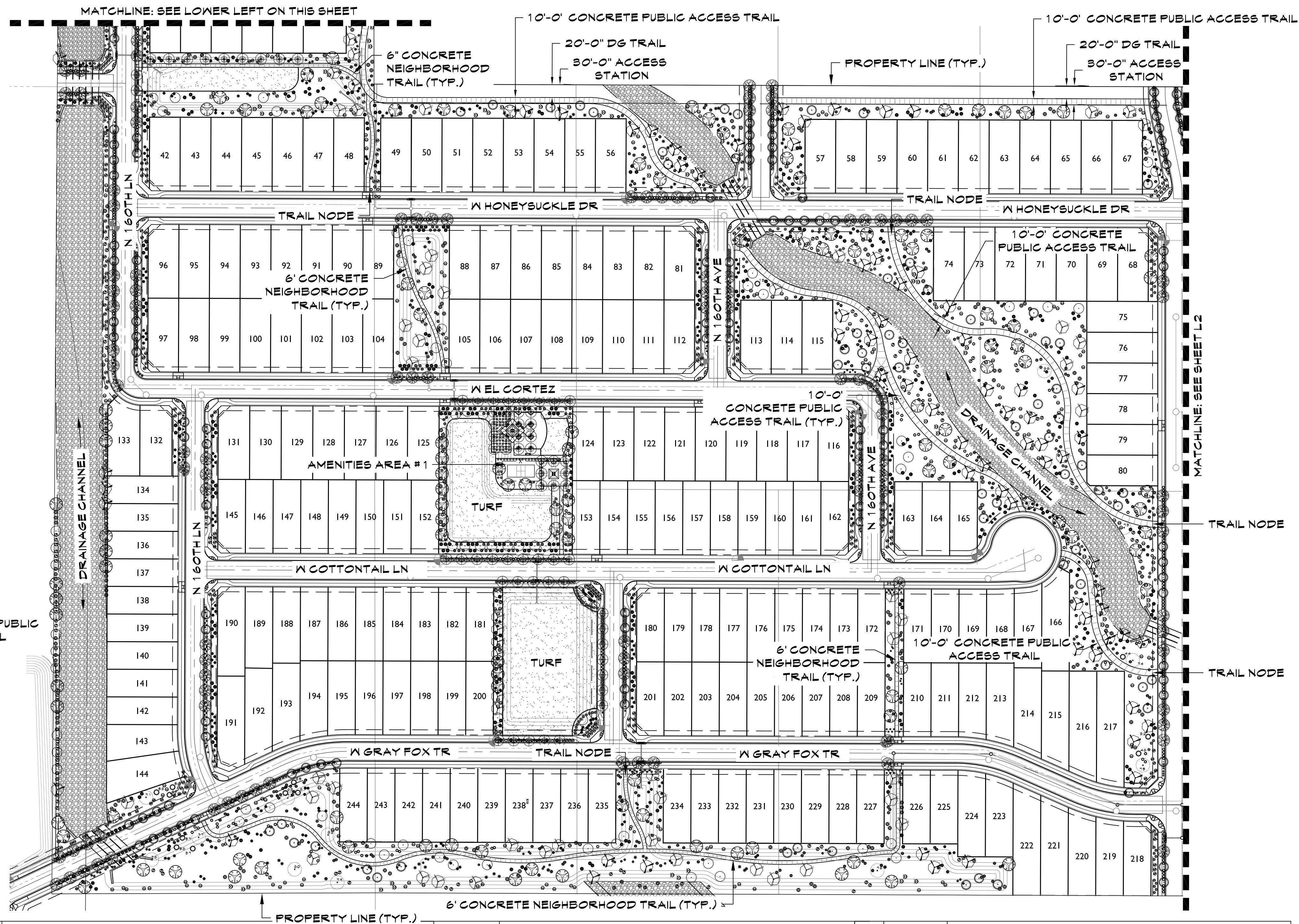
TRAIL NODES NOTE:
TRAIL NODES WILL BE DESIGNED FOR SMALLER GROUPS, AND
WILL INCLUDE A BENCH AND A SHADE TREE AT A MINIMUM.

PLANT LEGEND

TREES - ALL 24" BOX	ACACIA ANEURA / MULGA	SHRUBS - ALL 5 GAL.	CALLIANDRA ERIOPHYLLA / NATIVE FAIRY DUSTER	ACCENTS - ALL 5 GAL.	AGAVE AMERICANA / AMERICAN AGAVE	GROUND COVERS - ALL 5 GAL.	AMEROSIA DELTOIDEA / TRIANGLELEAF BUR-SAGE
	*ACACIA SALICINA / WILLOW ACACIA		ENCELIA FARINOSA / BRITTLEBUSH		YUCCA RUPICOLA / TWISTED LEAF YUCCA		BAILEYA MULTIRADIATA / DESERT MARIGOLD
	*CHILOPSIS SP. 'RIO SALADO' / 'RIO SALADO' DESERT WILLOW		DODONEA VISCOSA / HOP BUSH		ASCLEPIUS SUBULATA / DESERT MILKWEED		LANTANA MONTEVIDENSIS / 'PURPLE TRAILING'
	*QUERCUS VIRGINIANA / LIVE OAK TREE		JUSTICIA CALIFORNICA / CHUPAROSA		BOUTELOUA GRACILIS / BLONDE AMBITION GRASS		ACACIA REDOLENS / TRAILING ACACIA
	PARKINSONIA HYBRID / DESERT MUSEUM PALO VERDE		LARREA TRIDENTATA / CREOSOTE BUSH		DASYLIRION WHEELERI / DESERT SPOON		
	PARKINSONIA FLORIDA / BLUE PALO VERDE		LEUCOPHYLLUM LAEVIATUM / CHIHUAHUA SAGE		FOUQUERIA SPLENDENS / OCOTILLO		
	PROSOPIS HYBRID 'AZT' / 'AZT THORNLESS MESQUITE'		SIMMONDSIA CHINENSIS / JOJOBA		HESPERALOE PARVIFLORA 'PERPA' /		
	* INDICATES A CITY APPROVE STREET/R.O.W. TREE THAT IS TO BE INSTALLED WITH DEEP ROOT BARRIERS.		EREMOPHILA HYGROPHANA / 'BLUE BELLS'		BRAKELIGHTS RED YUCCA		
					MUHLENBERGIA RIGENS / DEER GRASS		
					OPUNITA SANTA RITA / PURPLE PRICKLY PEAR		

- NOTES:
1. DUE TO PLANT MATERIAL AVAILABILITY, SUBSTITUTIONS FOR PLANT MATERIAL LISTED ABOVE MAY BE USED. ANY ALTERNATES OR SUBSTITUTIONS MUST BE ON THE ADWR LOW WATER USE PLANT LIST.
 2. SUB-SPECIES OR HYBRIDS OF PLANT MATERIAL LISTED ABOVE MAY BE USED AS ALTERNATES/SUBSTITUTIONS.

PEDESTRIAN TRAILS NOTE:
THERE ARE TWO TYPES WITHIN THE PALOMA CREEK DEVELOPMENT, THE 6' NEIGHBORHOOD TRAIL IS FOR THE USE AND ENJOYMENT OF THE RESIDENTS OF PALOMA CREEK. THE 10' PUBLIC ACCESS TRAIL IS INTENDED FOR USE BY THE GENERAL PUBLIC. THE LOCATIONS OF THE TRAILS ARE CALLED OUT ON THE PRELIMINARY PLAT AND THE CIRCULATION PLAN.



3. ADDITIONAL PLANT MATERIAL MAY BE ADDED TO THE LIST ABOVE DUE TO UTILITY COMPANY OR H.O.A. REQUESTS AND/OR PLANTING RESTRICTIONS WITHIN UTILITY EASEMENTS.
4. NO TREES TO BE LOCATED WITHIN THE P.U.E. OR ANY OTHER NOTED EASEMENTS. FINAL PLANT MATERIAL SIZE AND LOCATION SHALL COMPLY WITH EDS STANDARD DETAILS 4-01 AND 4-02.

5. ALL TREES WITH AN UPRIGHT GROWTH HABIT SUCH AS HERITAGE LIVE OAK AND EVERGREEN ELM TREES INSTALLED WITHIN THE PUBLIC RIGHT-OF-WAY SHALL HAVE THEIR MAIN LEADERS INTACT. ANY TREES PLACED WITHIN THREE (3) FEET OF ANY SIDEWALK, CURB, PAVEMENT OR WALL WILL HAVE A ROOT BARRIER PER EDS- 8-14

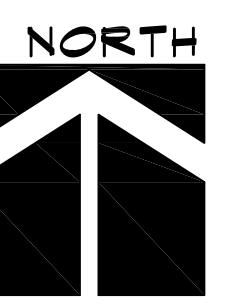
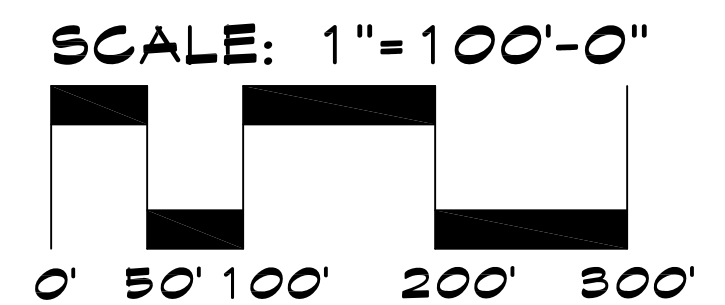
TURF- MID-IRON BERMUDA SOD. (165,978 SQ.FT)
(3.80 AC. OF TURF AREA)
DECOMPOSED GRANITE- TO BE DETERMINED BY OWNER.

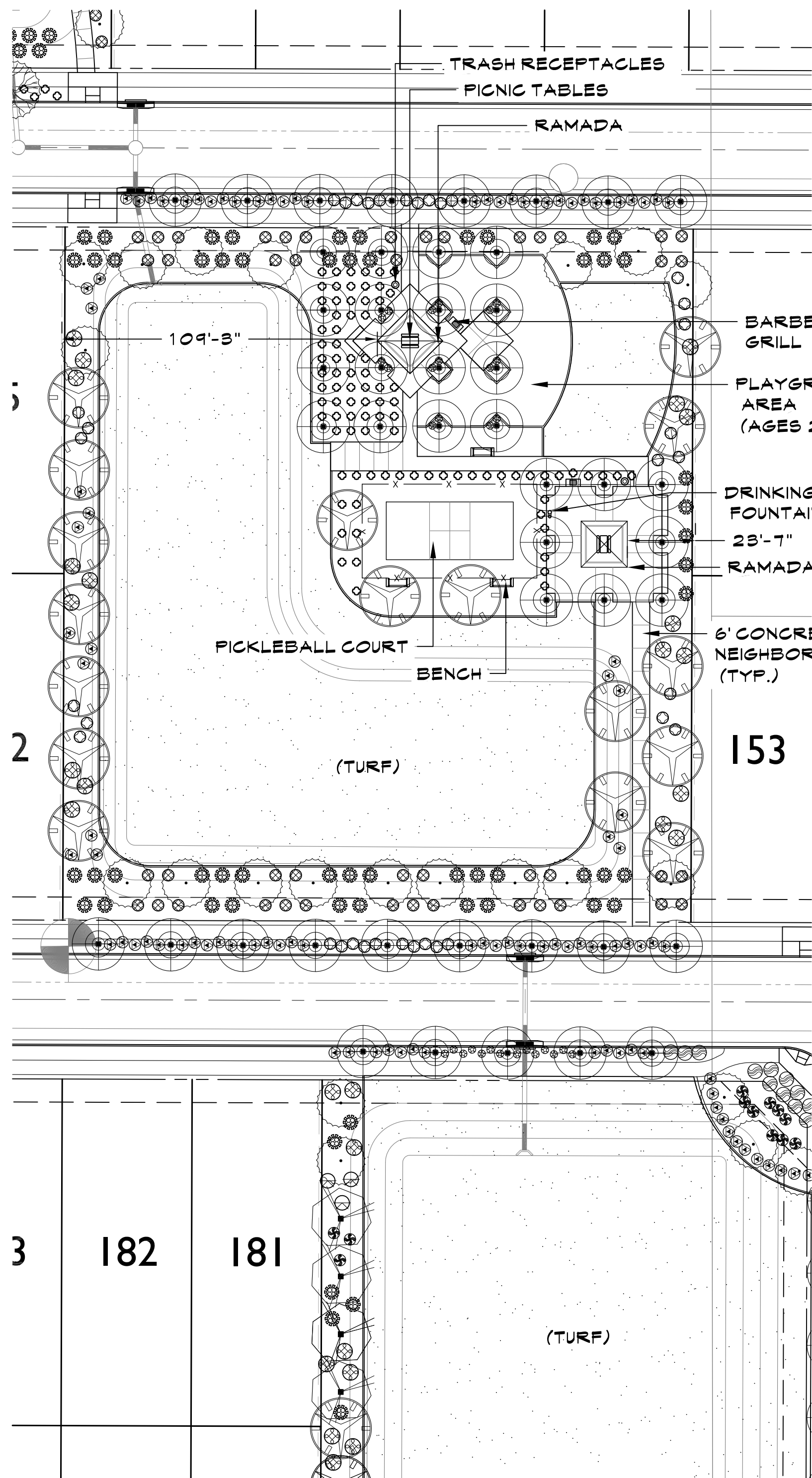
PALOMA CREEK PRELIMINARY LANDSCAPE PLAN

25000 N. 163RD AVE. - SURPRISE, ARIZONA
JANUARY 28, 2018

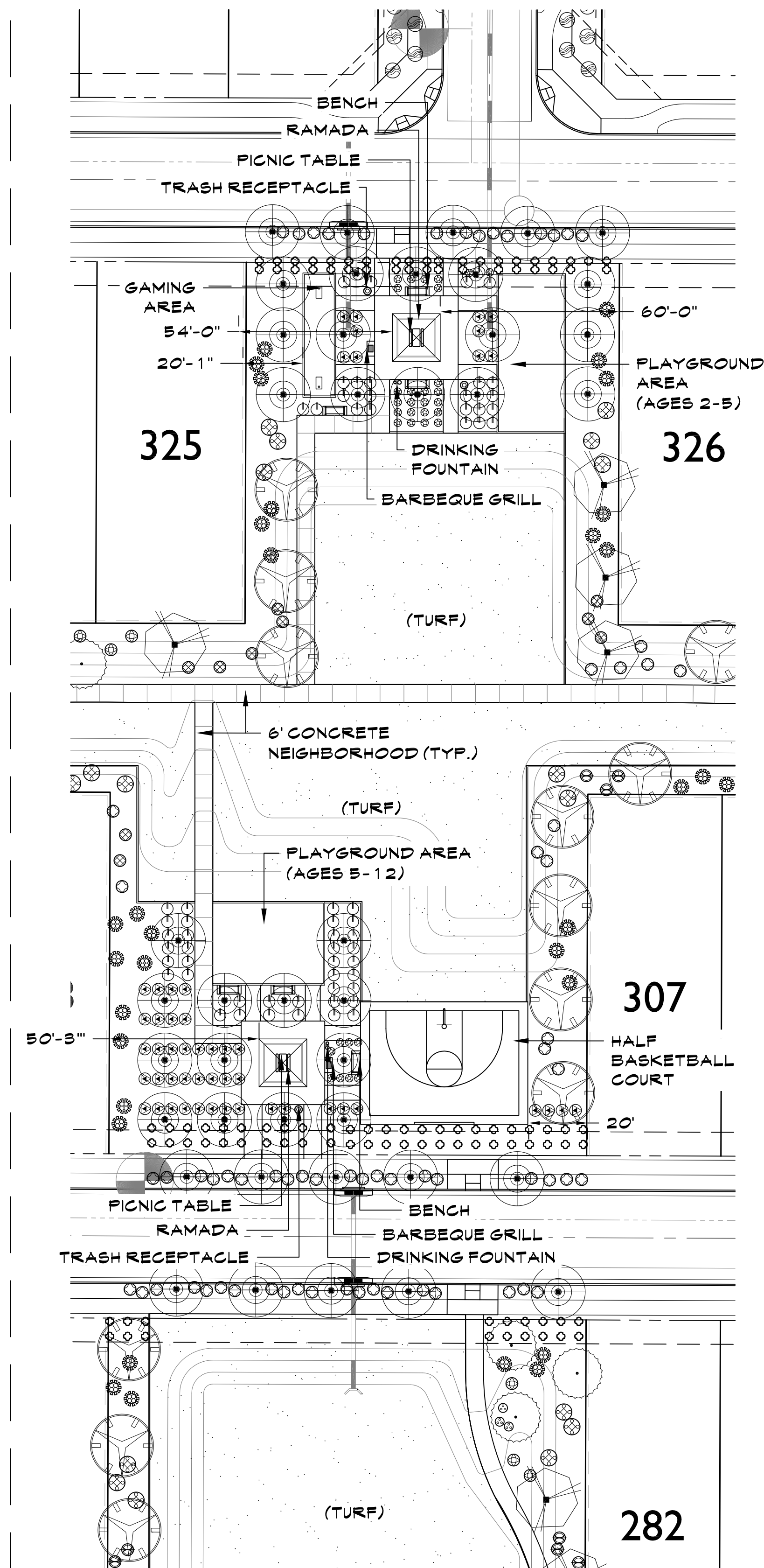
SHEET L 1

1 OF 6

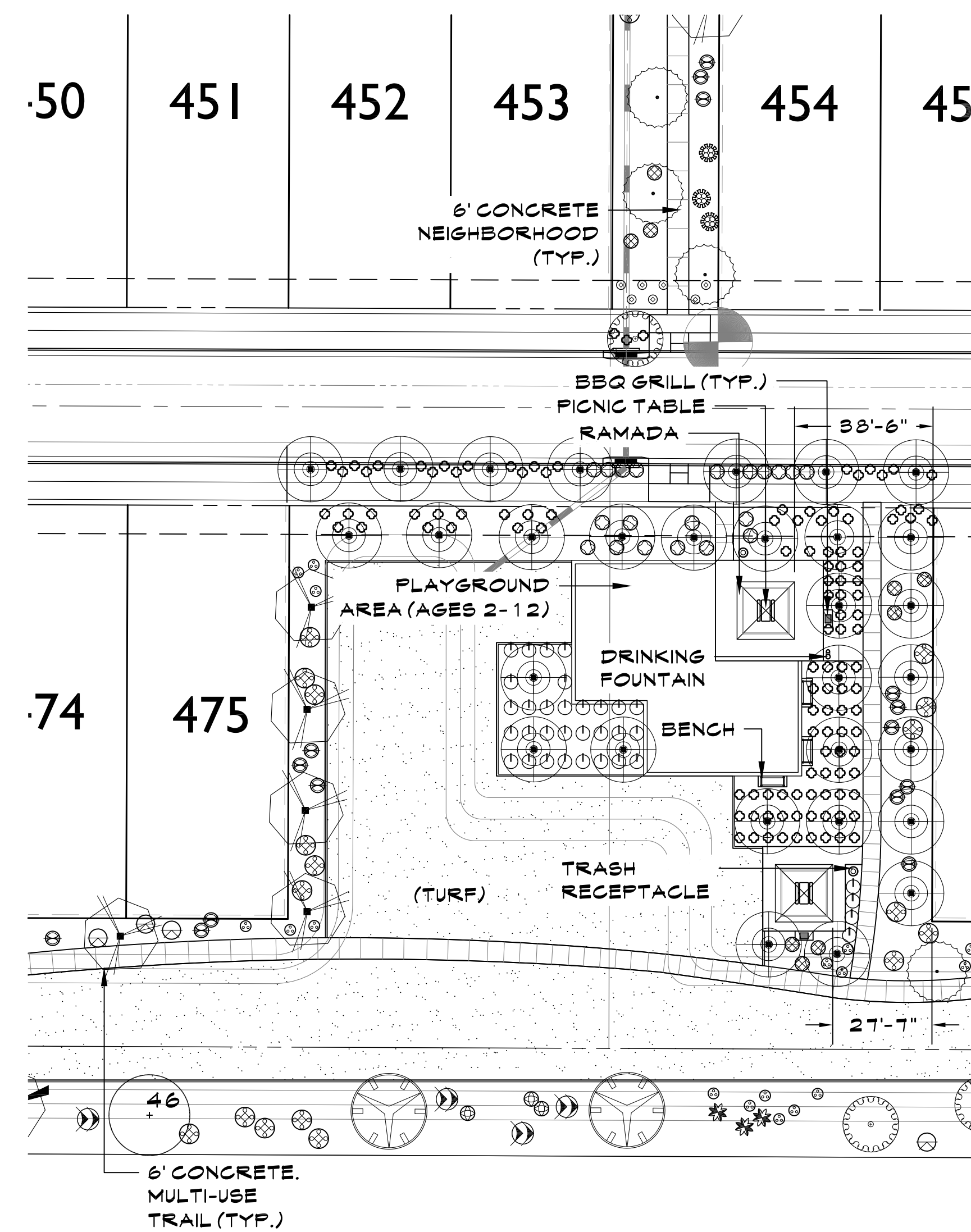




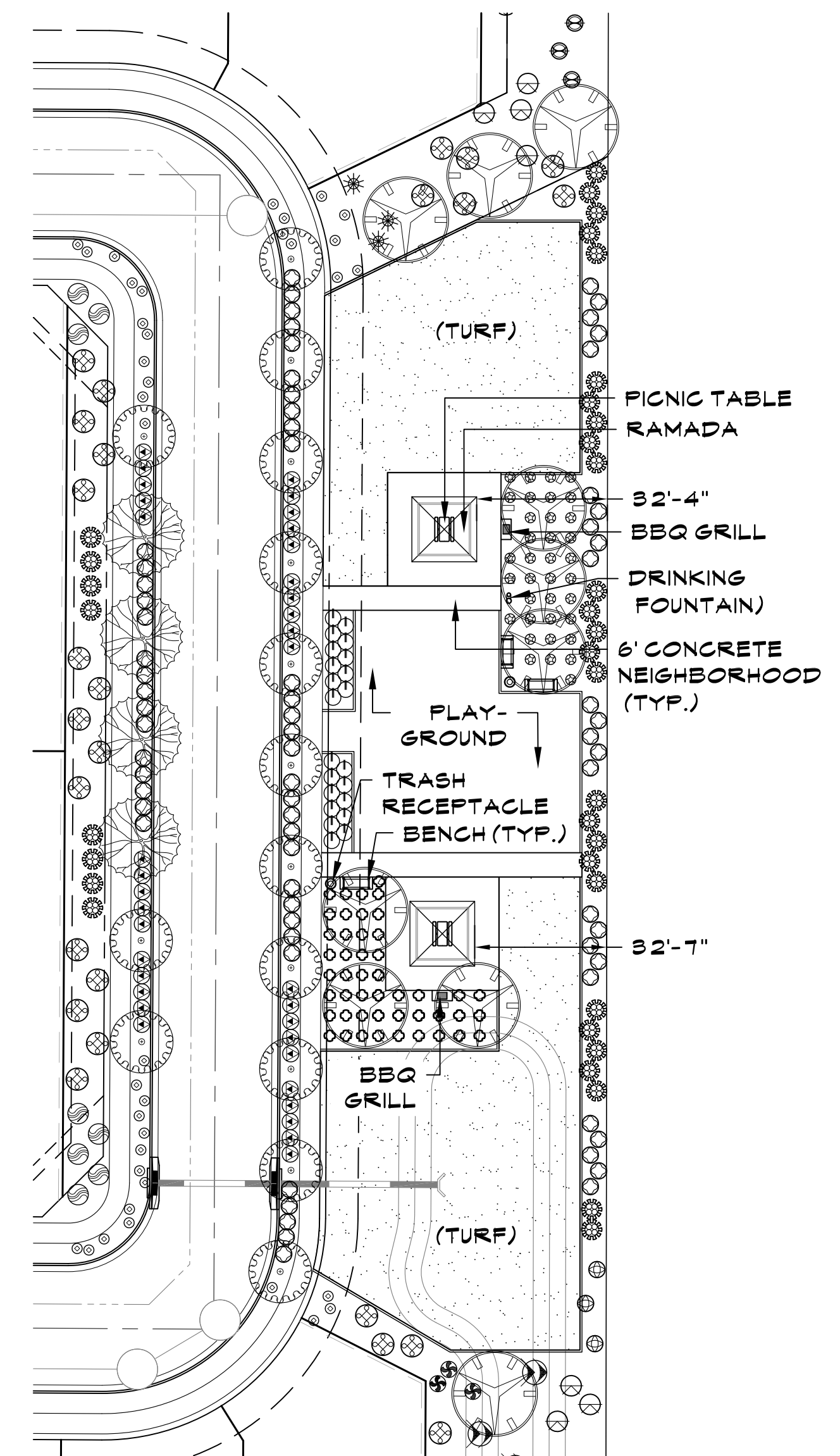
AMENITIES AREA #1



AMENITIES AREA #2



AMENITIES AREA #3



AMENITIES AREA #4

NOTE

FINAL PLAY EQUIPMENT TO BE DETERMINED. SWINGS TO BE PROVIDED IN AT LEAST (3) OF THE (4) AMENITIES AREA. INTEGRATED OR FREE STANDING SHADE STRUCTURES TO BE USED OVER A PORTION OF ALL PLAYGROUND AREA. FINAL DESIGN BASED ON FINAL PLAY EQUIPMENT SELECTION.

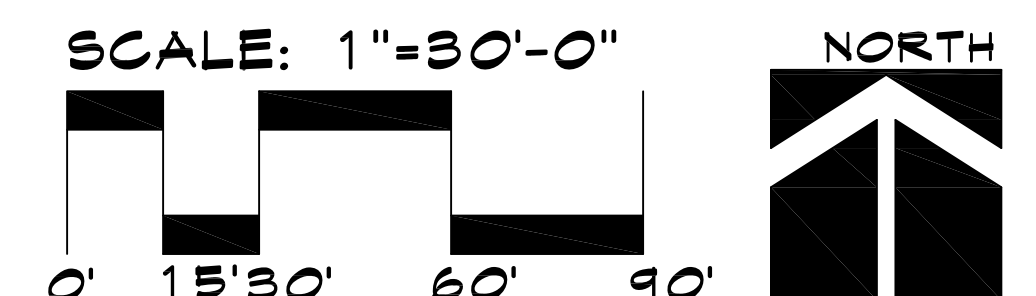


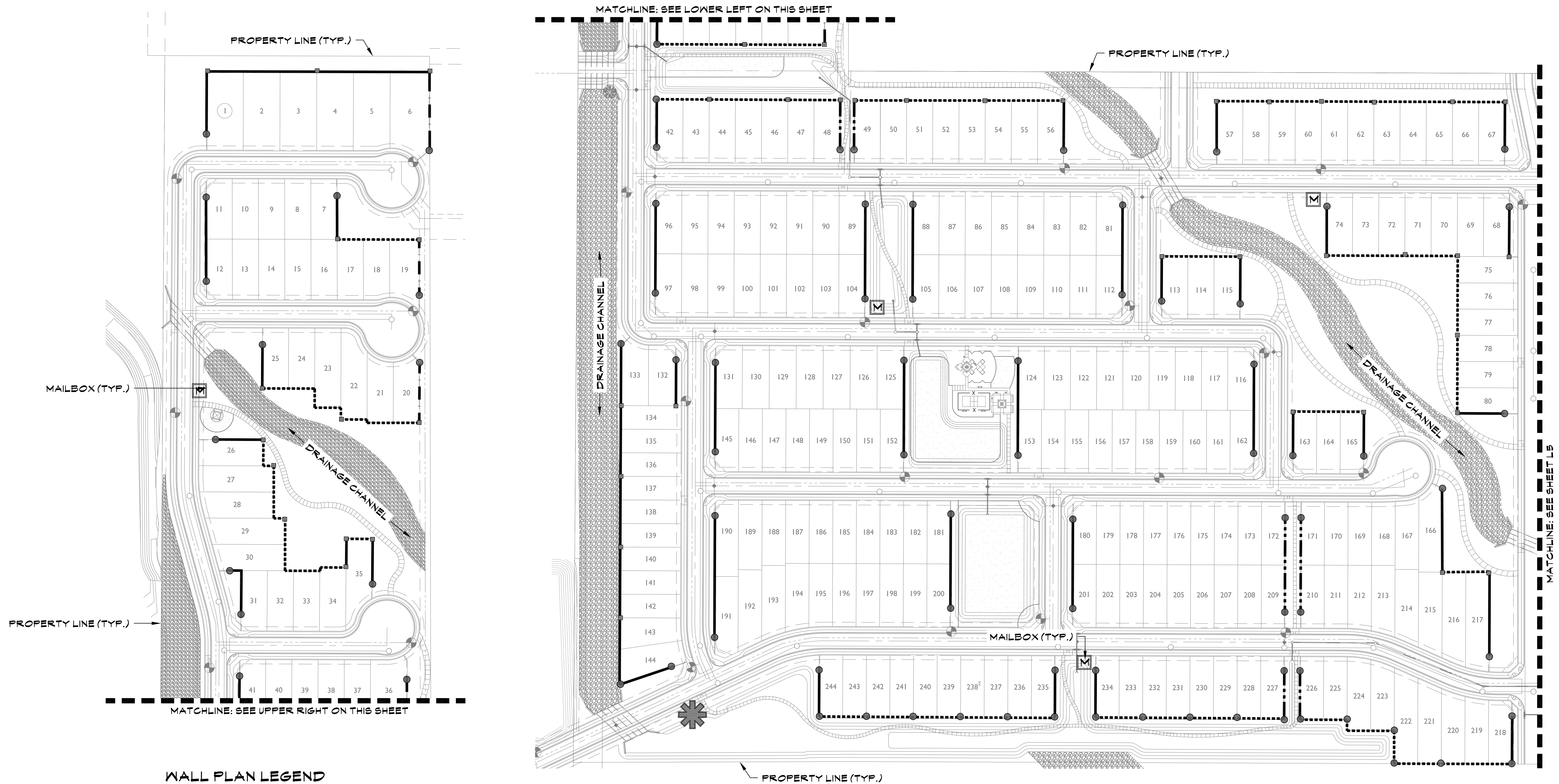
PALOMA CREEK
AMENITIES ENLARGEMENTS

25000 N. 163RD AVE. - SURPRISE, ARIZONA
JANUARY 28, 2018

SHEET L3

3 OF 6

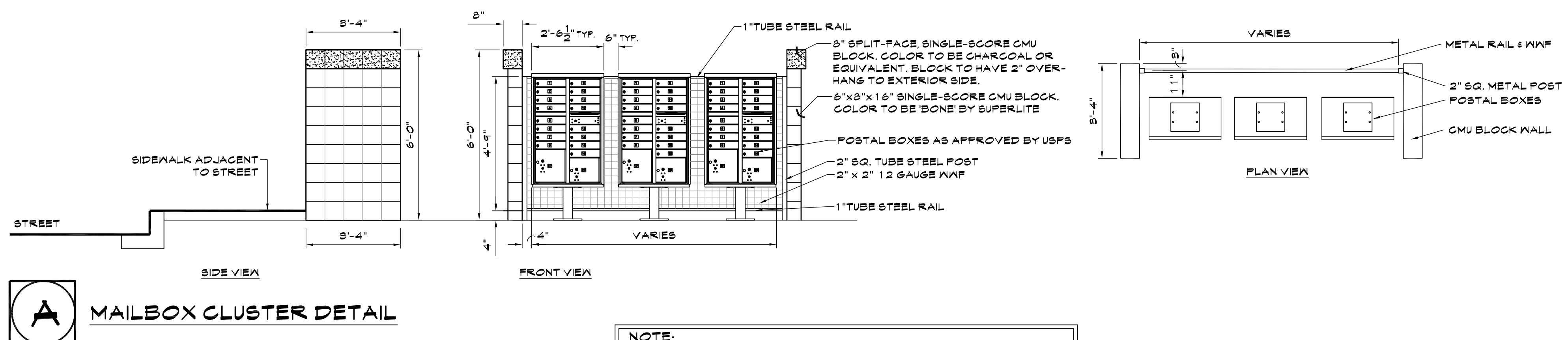




WALL PLAN LEGEND

	THEME WALL (≈ 13,490 LN.FT.) - SEE DETAIL 'A' ON SHEET L6.
	VIEW FENCE (≈ 7,840 LN.FT.) - SEE DETAIL 'B' ON SHEET L6.
	PARTIAL VIEW FENCE (≈ 1,952 LN.FT.) - SEE DETAIL 'C' ON SHEET L6.
	BUILDER WALL (≈ 4,990 LN.FT.) - SEE DETAIL 'G' ON SHEET L6.
	PRIMARY THEME COLUMNS - (191) TOTAL - SEE DETAIL 'F' ON SHEET L6.
	SECONDARY THEME COLUMNS - (109) TOTAL - SEE DETAIL 'F' ON SHEET L6.
	PRIMARY SIGN/ENTRANCE MONUMENT - SEE DETAIL 'D' ON SHEET L6.
	SECONDARY THEME MONUMENT - SEE DETAIL 'E' ON SHEET L6.
	MAILBOX LOCATIONS - SEE DETAIL 'A' ON SHEET L4.

NOTE: QUANTITIES ABOVE ARE PROVIDED FOR CONVENIENCE ONLY. CONTRACTOR TO USE THE FINAL PLAT (SITE PLAN) TO DETERMINE THE QUANTITY OF MATERIALS NECESSARY TO COMPLETE THE WORK.



NOTE:
MAILBOX CLUSTERS TO BE ILLUMINATED PER ARTICLE X1 OF THE SUDC. FINAL STREET LIGHT LAYOUT TO PROVIDE ADEQUATE ILLUMINATION LEVELS.

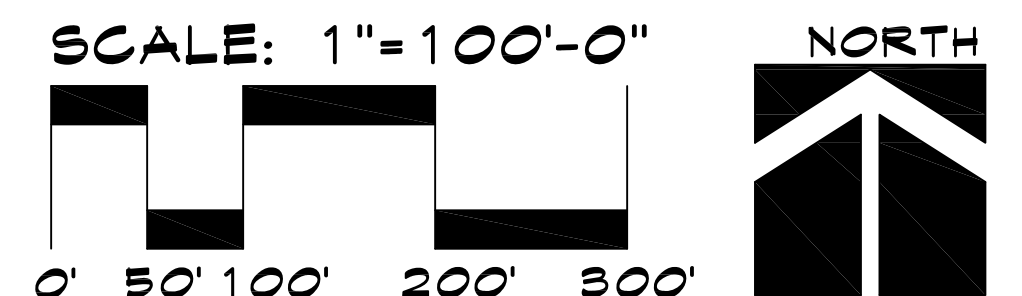
A MAILBOX CLUSTER DETAIL

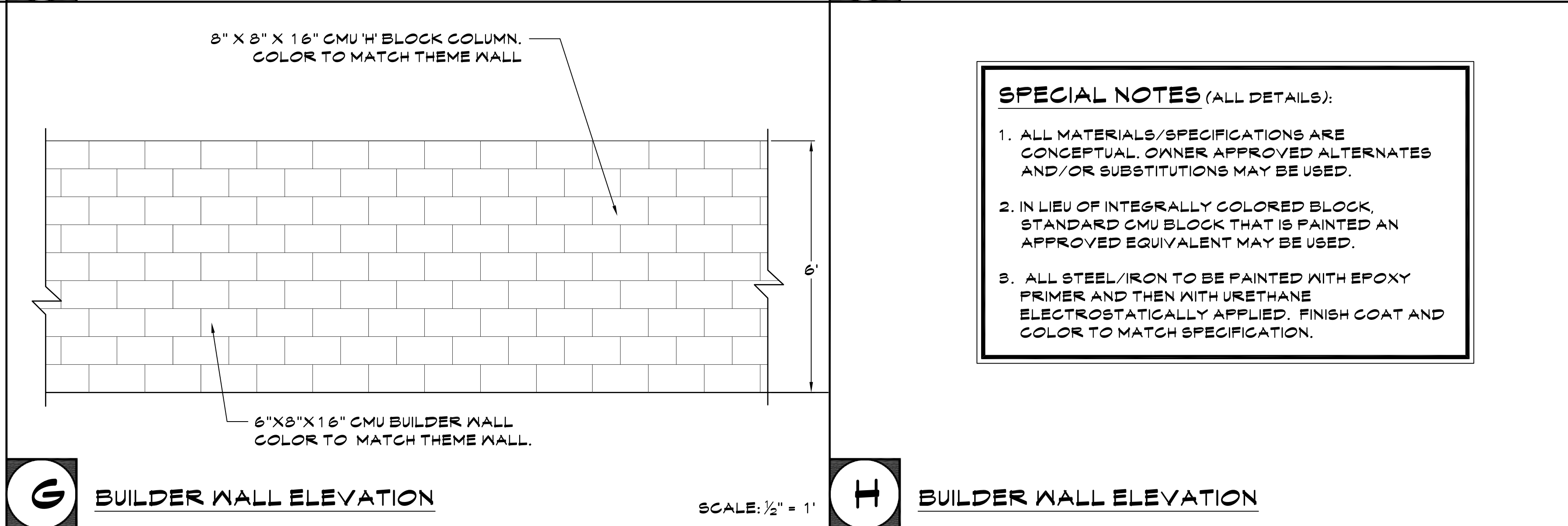
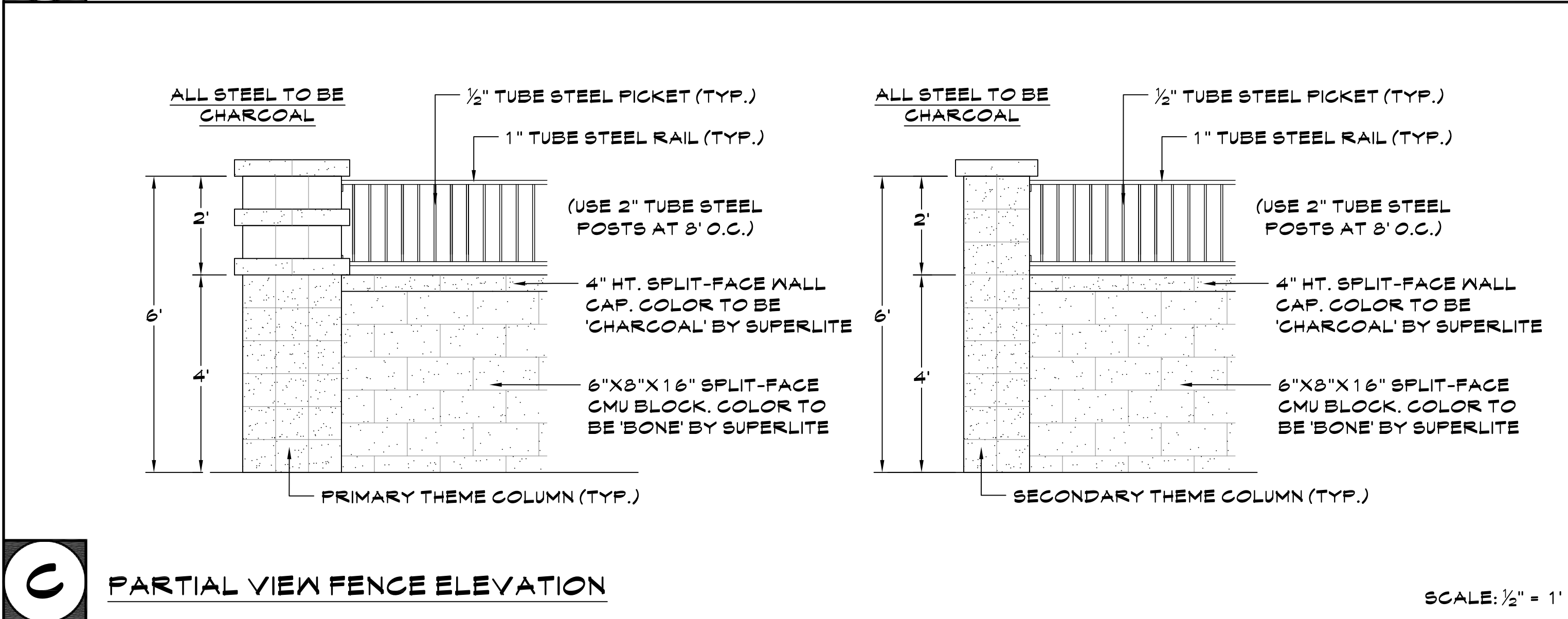
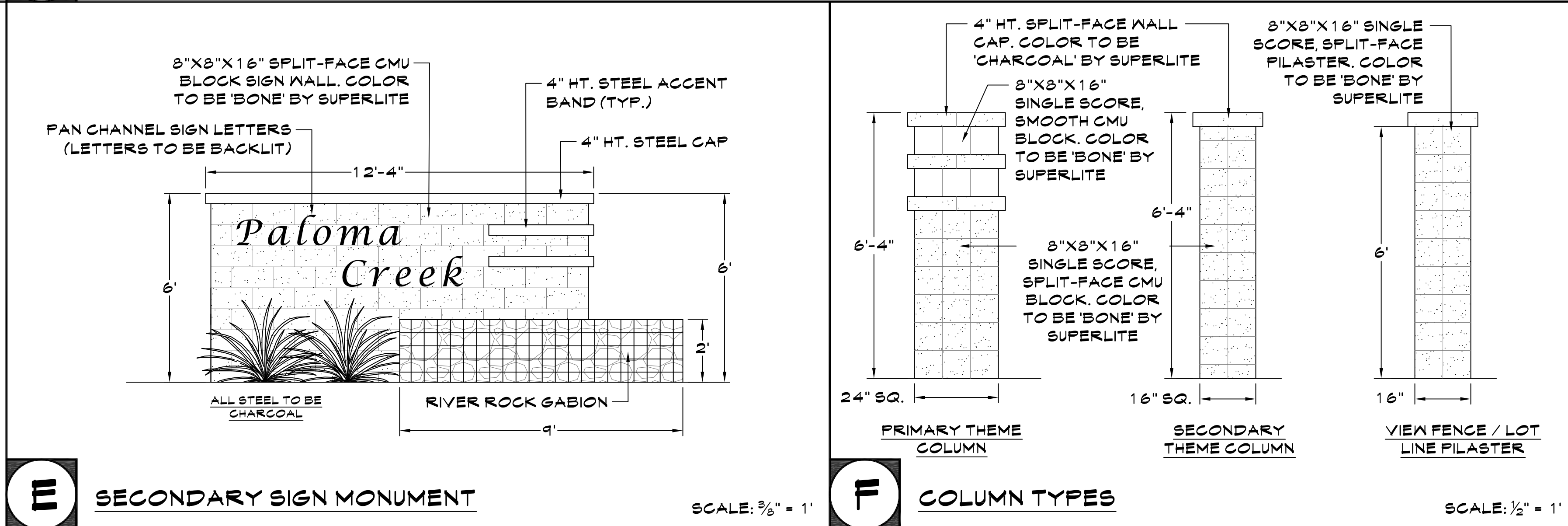
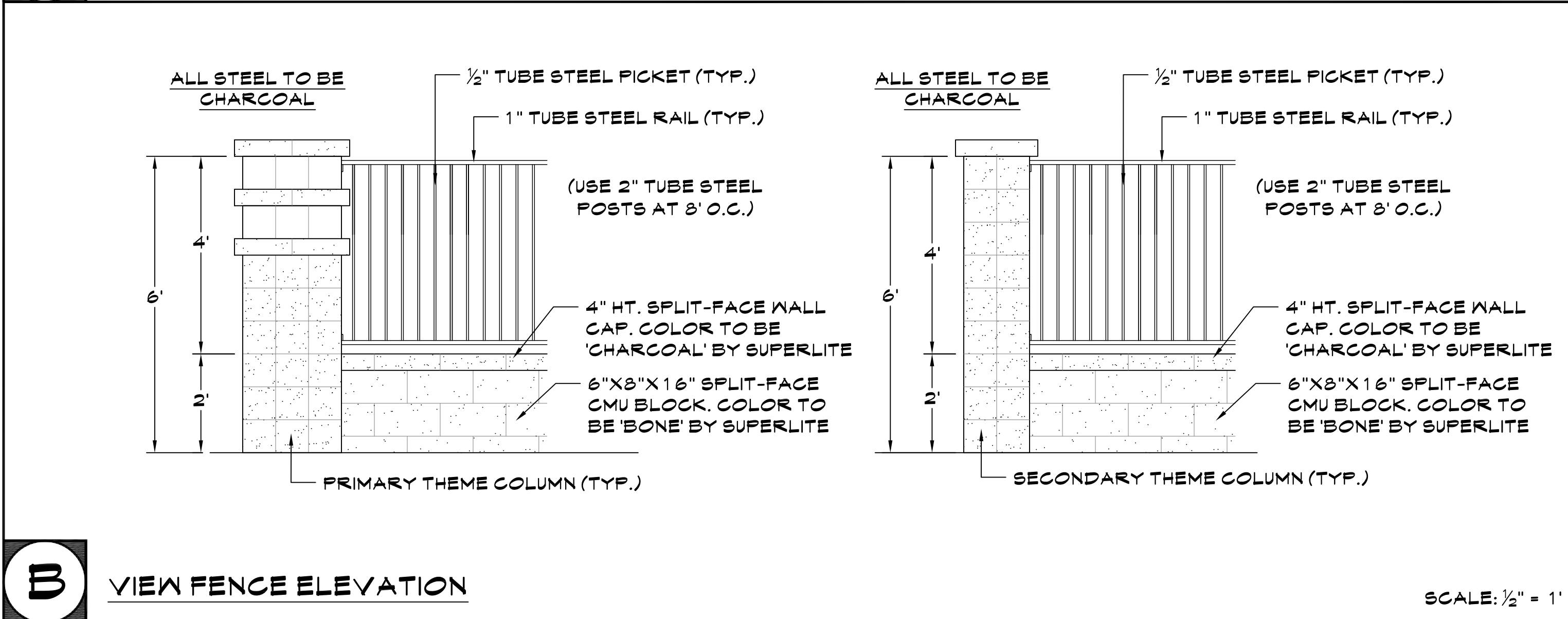
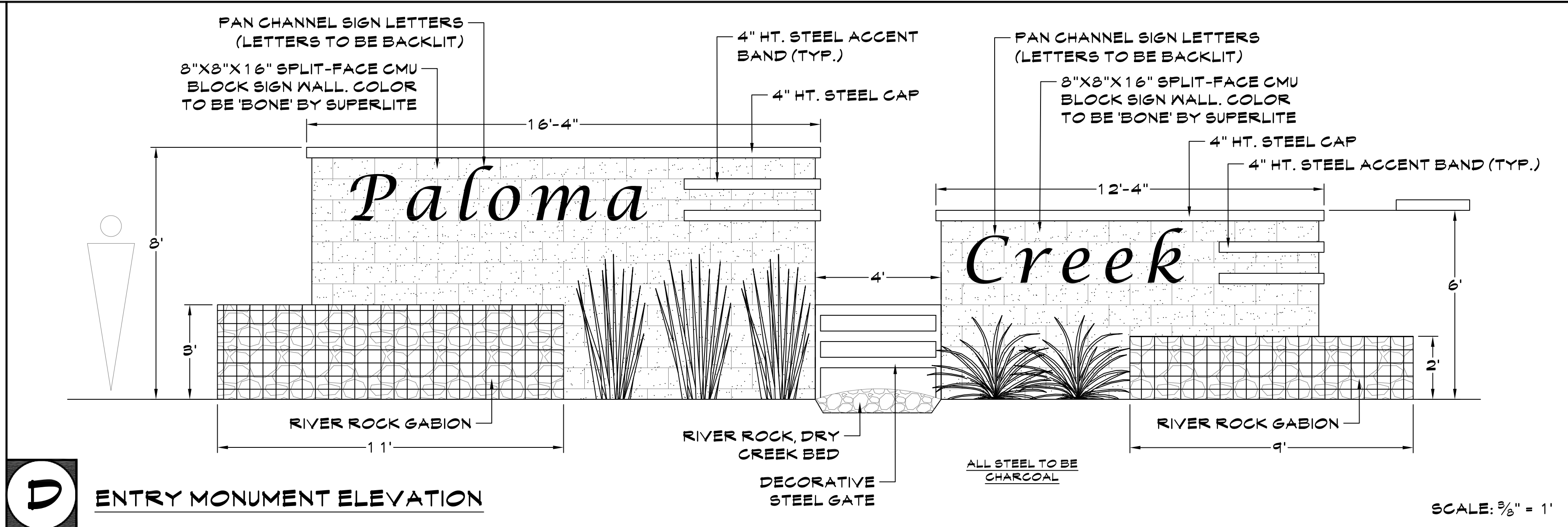
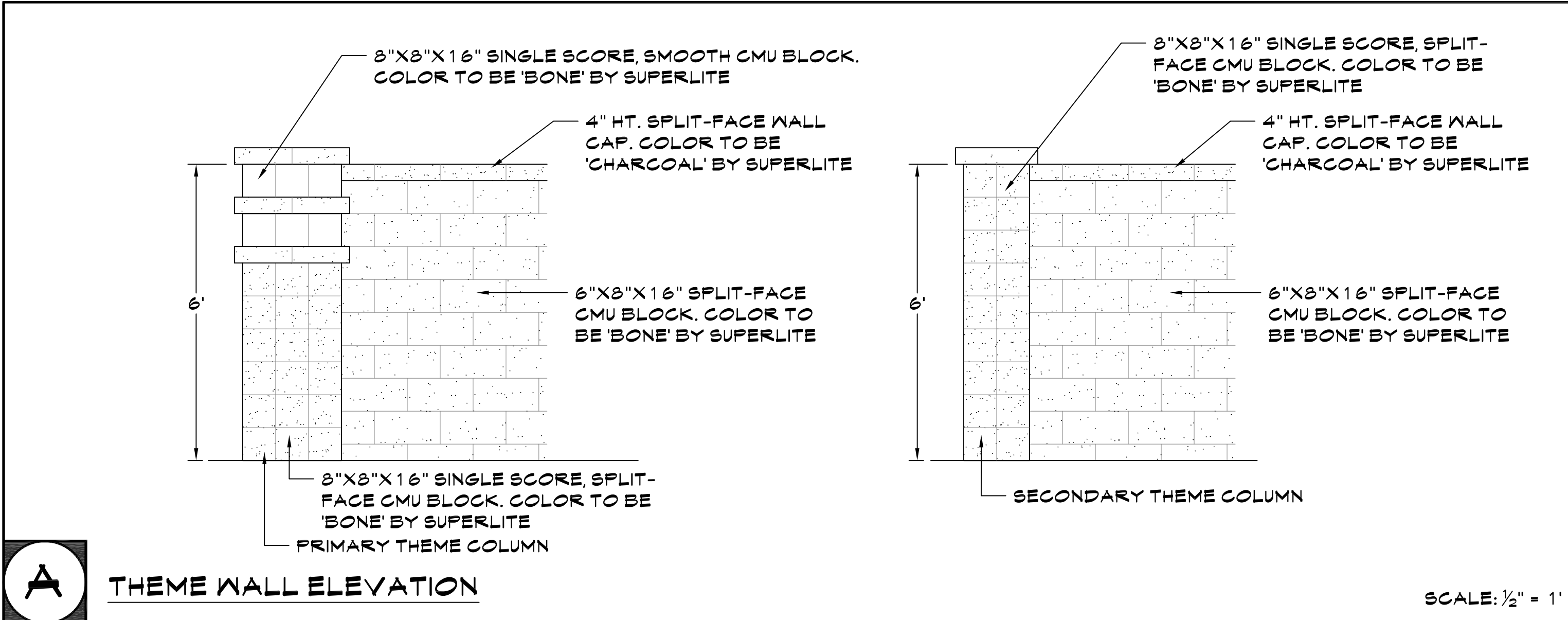
PALOMA CREEK PRELIMINARY WALL PLAN

25000 N. 163RD AVE. - SURPRISE, ARIZONA
JANUARY 28, 2018

SHEET L4

4 OF 6

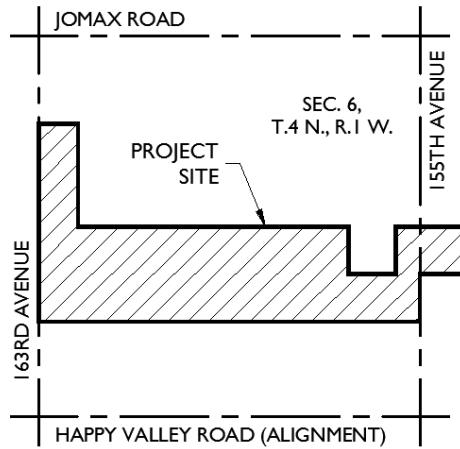




- SPECIAL NOTES (ALL DETAILS):**
1. ALL MATERIALS/SPECIFICATIONS ARE CONCEPTUAL. OWNER APPROVED ALTERNATES AND/OR SUBSTITUTIONS MAY BE USED.
 2. IN LIEU OF INTEGRALLY COLORED BLOCK, STANDARD CMU BLOCK THAT IS PAINTED AN APPROVED EQUIVALENT MAY BE USED.
 3. ALL STEEL/IRON TO BE PAINTED WITH EPOXY PRIMER AND THEN WITH URETHANE ELECTROSTATICALLY APPLIED. FINISH COAT AND COLOR TO MATCH SPECIFICATION.

**Paloma Creek
Citizen Outreach Summary
FS18-149 & FS18-150**

Submitted: January 28, 2019



DEVELOPER

KAX Group, LLC
8530 E. Via del Sol Drive
Scottsdale, AZ 85255

CONSULTANT

EPS Group, Inc.
2045 S. Vineyard, Suite 101
Mesa, AZ 85210
Contact: Daniel Auxier, P.E.
Tel. 480-503-2250



Submitted to the City of Surprise



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Date: January 28, 2019

Purpose: The purpose of this citizen participation plan is to inform citizens, property owners, neighborhood associations, agencies, schools and businesses near the site of an application for Paloma Creek, a proposed residential planned community. This site is located at the northeast of 163rd Avenue and the Happy Valley Road alignment. The applicant is requesting the review and approval from the City of Surprise of the following applications:

1. Annexation of 201.5 acres of the subject property (FS18-149)
2. Rezone 149.6 acres of the annexed property from RM-9 and RR to RM-9 PUD (FS18-150)
3. Preliminary Plat of 542 single family residential lots on the rezone subject property (FS18-150)

These requests will allow for development of the Paloma Creek subdivision in the City of Surprise. This citizen participation plan will ensure that those affected by this application will have an adequate opportunity to learn and comment on the proposal.

Contact:

David Hughes
EPS Group, Inc.
2045 S. Vineyard, Suite 101
Mesa, AZ 85210
(480)503-2250 (phone)
(480)503-2258 (fax)
David.Hughes@epsgroupinc.com

Concept Review Meeting: The concept review meeting with City of Surprise Community Development staff was held on Thursday, September 28, 2017.

Citizen Review Meeting: In order to provide effective citizen participation in conjunction with their application, a neighborhood meeting was held on October 23, 2018 and conducted by the applicant to give the neighbors an adequate opportunity to learn about the applications that may affect them. Notice of the citizen review meeting was provided by the City of Surprise planning and zoning division in the form of a public notice to the following, when applicable:

1. The notice shall be published in a newspaper of general circulation or circulated in the municipality at least 15 days prior to the meeting date;
2. For applications involving rezoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice shall be transmitted to the planning agency of such government unit butting such land;
3. For applications involving rezoning, subdividing, planned unit developments, site plans with uses permitted on a conditional basis, and legislated matters, all real property owners within a 200-foot or 300-foot radius, the city shall send copies of the notice by first class mail, no less than seven days prior to the hearing.

4. Any village committee or special community group which is located in the area of the proposed public hearing request or has considerable interest in the nature of the application;
5. The head of any homeowner's association or registered neighborhood within the public notice area established in item (3) indicated above.

(All materials such as sign-in lists, comments, and petitions received are copied to the City of Surprise.)

Schedule:

Pre-Application Meeting: Thursday, September 28, 2017

Application Submittal: March 20, 2018

Notice of neighborhood meeting: 15 days prior to neighborhood meeting

Notification mailed: (Date to be provided by City of Surprise)

Sign Posted: October 8, 2018

Newspaper ad published: (Date to be provided by City of Surprise)

Neighborhood meeting: October 23, 2018

Submittal of Draft Citizen Participation Report: November 7, 2018

Submittal of Final Citizen Participation Report: TBD

Planning and Zoning Commission hearing: TBD

City Council hearing: TBD

Attachments:

Notification Letter (To be provided by City of Surprise)

Sign Posting Pictures and Affidavit

Neighborhood Meeting Sign-In Sheet

Neighborhood Meeting Minutes

Neighborhood Meeting Exhibits

PLACEHOLDER FOR NEIGHBORHOOD NOTICE

PLACEHOLDER FOR NEIGHBORHOOD NOTICE



AFFIDAVIT OF POSTING

Application No: FS18-149 and FS18-150
Applicant Name: EPS Group
Location: East of 163rd Ave and south of Jomax Rd__
Date Site Posted: October 8, 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 10/8/18
Applicant/Representative Signature Date

This instrument was acknowledged before me on this 8th day of October,

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



Sign-In Sheet

Paloma Creek – Neighborhood Meeting

Tuesday, October 23, 2018

Please provide all information so that we can provide you with future updates and notifications of meetings and/or

Name	JOSE ROSA	Phone	
Address			
Email		Affiliation	
Name	ANA ROSA	Phone	
Address			
Email		Affiliation	
Name	BILL + VIRGINIA BLANTON	Phone	
Address			
Email		Affiliation	
Name	Jacqueline Rea Carroll	Phone	
Address			
Email		Affiliation	OWNER
Name	Tammy & Henry Rendon	Phone	
Address			
Email		Affiliation	
Name	Leah Bowers	Phone	
Address			
Email		Affiliation	I live here
Name	Bill & Paula Coughlan	Phone	
Address			
Email		Affiliation	home owner
Name	JIM CUNNINGHAM	Phone	
Address			
Email			
Name	Michelle Brown	Phone	
Address			
Email		Affiliation	



Sign-In Sheet
Paloma Creek – Neighborhood Meeting
Tuesday, October 23, 2018

Please provide all information so that we can provide you with future updates and notifications of meetings and/or

Name	DANNY LIVINGSTON	Phone	
Address			
Email		Affiliation	N/A Home owner
Name	R. Javier Olivares	Phone	
Address			
Email		Affiliation	
Name	CINDY RIVERA	Phone	
Address			
Email		Affiliation	Home owner
Name	Martina Rivera	Phone	Home owner
Address			
Email		Affiliation	OWNER
Name	ROBERT KETTLER	Phone	OWNER
Address			
Email		Affiliation	REP. OWNER
Name	ROLAND F. WINTERS JR	Phone	
Address			
Email		Affiliation	City Council
Name	Daniel & Cathy Zamorano	Phone	
Address			
Email		Affiliation	Home owner
Name	JOHN & DIANE FLORES	Phone	
Address			
Email		Affiliation	Homeowners
Name		Phone	
Address			
Email		Affiliation	



Paloma Creek
Neighborhood Meeting Minutes
October 23, 2018

Attendees: Kent Xander (KAX Group, LLC), David Hughes (EPS Group, Inc.),
John Wittrock (Marbella Homes), Joshua Mike (City of Surprise),
Robert Kuhfuss (City of Surprise)

Meeting Summary:

On Tuesday, October 23, 2018, at 6:00pm, a neighborhood meeting was held at Sundown Mountain School to discuss a proposed single-family residential development located north of the northeast corner of 163rd Avenue and Saddlehorn Road ¼ mile north of the Happy Valley Road alignment. Twenty-two neighbors were in attendance for the meeting; see attached sign-in sheet. Kent Xander held a formal discussion with the neighbors to explain the project as well as the three application requests. The first request is for the City of Surprise to annex approximately 201.5 acres of Maricopa County land into the City's jurisdiction. The second request is to rezone approximately 149.6 acres of the newly annexed property to RM-9 PUD. The third request is for the review and approval of a preliminary plat for a residential neighborhood with 542 lots. The effect of these requests will allow for the development of a 542-lot single family residential development. Full size (24" x 36") copies of an Aerial Exhibit, which depicted the annexation property and the rezoning/preliminary plat property, an Annexation Plan, a Zoning Exhibit, and a black and white Development Plan were on display for overview and discussion (see attached).

Primary questions and concerns expressed by the neighbors in attendance included the following:

Question: Where is the water supply for the proposed development coming from?

Discussion: The proposed subdivision shall use City of Surprise water, and is within the City's 100 year assured water supply. A water campus is being built by William Lyon Homes in close proximity to Paloma Creek, and shall be taken over by the City of Surprise in the near future. Paloma Creek development will pay for its own domestic water cost.

Comment: Is there any commercial uses being proposed with this development?

Discussion: No, Paloma Creek development is a single-family residential subdivision.

Comment: How wide will 155th Avenue be constructed to?



Discussion: 155th Avenue shall be improved to the City of Surprise's standards for a minor arterial, which provides four travel lanes (two in each direction) and a 16' landscaped median.

Question: What will happen to the mail boxes along 155th Avenue, just north of Frontier Drive?

Discussion: The mailboxes along 155th Avenue, north of Frontier Drive, shall not be affected by the development as the 155th Avenue improvements stop at Frontier Drive.

Question: Will Frontier Drive be improved?

Discussion: No, Frontier Drive will not be improved. On most portions of Paloma Creek shall be a 55-foot wide landscape setback for a buffer between the Paloma Creek subdivision and the existing properties to the north.

Question: How many stories will the proposed homes be?

Discussion: The houses in the proposed community shall vary between single and two-story homes.

Question: How will the proposed development affect Jomax Road?

Discussion: When Happy Valley Road is built from 163rd Avenue to 147th Avenue (Bullard Ave.) by William Lyon Homes, future residents of Paloma Creek shall be reliant on Happy Valley Road to reach Loop 303 to the east or south, as Jomax Road is only two lanes wide and shall not be widened as part of this project.

Question: How will the proposed development affect the neighboring properties?

Discussion: The development of Paloma Creek will provide better access to this area. The public will have pedestrian access to the trail system within Paloma Creek.

Question: What will prevent the future residents from complaining about the animals in acre-lots to the north of the development?

Discussion: Disclose to prospective buyers there are domestic animals, such as roosters in the one-acre lots north of Frontier Road.

Question: Can the houses in this development be leased out?

Discussion: There are no restrictions on home owners leasing out their property.

Question: What are the proposed amenities of the development? Will there be a community pool?

Discussion: There are three main amenity areas being proposed in the development which shall provide ramadas, seating areas, tot lots, sports courts, and turf areas. Paloma Creek has many pedestrian trails which wind throughout the community connecting residents to the three amenity areas. The Paloma Creek development will not have a community pool, but the residential lots are large enough for individual home owners to build their own pool.

Question: Will there be a signal constructed at the intersection of 163rd Avenue and Happy Valley Road?



Discussion: William Lyon Homes is responsible for constructing Happy Valley Road and a traffic signal will be constructed in the future.

Question: What is the average size of the proposed housing product?

Discussion: 1,800 – 3,000 sq. ft.

Question: What will the pricing be for the homes?

Discussion: The price range for the proposed homes will be from the mid 200,000's to low 300,000's.

Question: What is the current timing of the development process?

Discussion: It is too early in the development process to tell when Paloma Creek will begin constructing. The project is heavily dependent on the construction of Happy Valley Road.

Question: Will the posted signs be updated to show the dates of the upcoming hearings?

Discussion: Yes, when the City of Surprise set dates for the Planning & Zoning Commission and City Council, we update the posted sign with the correct hearing dates.

Question: Will there be a wall built along the northern boundary?

Discussion: Where Paloma Creek backs up to existing homes the rear property wall of the lots along the north shall be setback 55 feet from the northern property line. Along Frontier Road or vacant desert land walls will be built along the north property line.

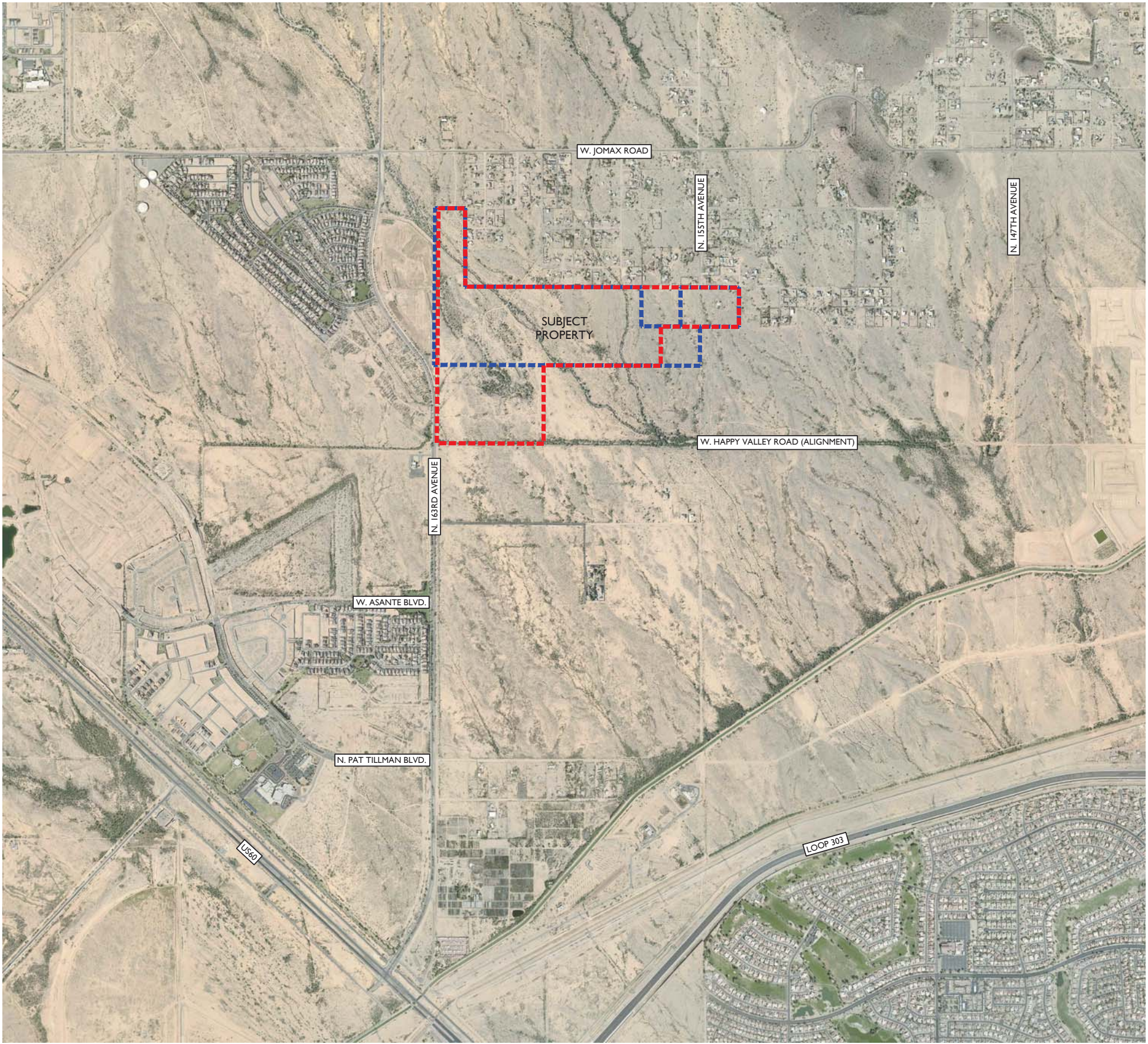
Question: Is there any chance the development can propose "soft lighting" in order to reduce light pollution?

Discussion: Applicant will provide "soft lighting" subject to City of Surprise approval.

Conclusion:

The attendance sign-in sheet and development exhibits are attached to this summary. The foregoing summarizes points of discussion and concerns expressed at this meeting. If there are any issues not recorded, or any discrepancies noted, please contact David Hughes by telephone at 480-503-2250, or by email at david.hughes@epsgroupinc.com. We thank you for giving up a portion of your evening and meeting with us.





AERIAL MAP FOR PALOMA CREEK

A PORTION OF SECTION 6 AND THE NORTHWEST QUARTER OF
OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SECTION 5, T.4 N., R.1 W., GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

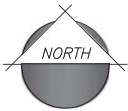
PROJECT TEAM

DEVELOPER
KAX GROUP, LLC
8530 E. VIA DEL SOL DRIVE
SCOTTSDALE, AZ 85255
TEL: (602)-499-9305
CONTACT: KENT XANDER

CONSULTANT:
EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: DANIEL AUXIER, PE

LEGEND

- ANNEXATION BOUNDARY
- ZONING & PRELIMINARY PLAT BOUNDARY

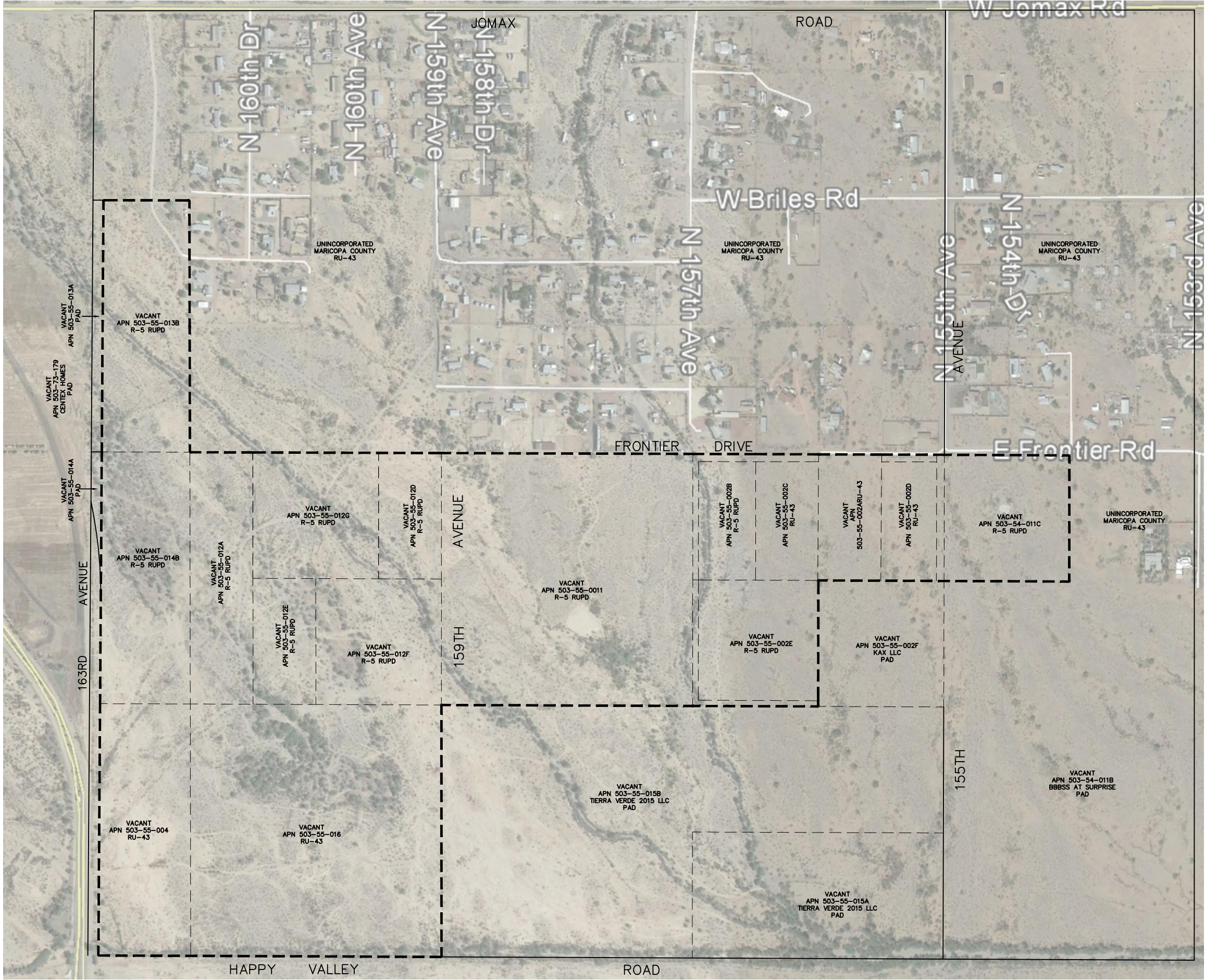


NOT TO SCALE

16-400

Aug_30_2018 8:18am S:\Projects\2016\16-400\Planning\Annexation\Exhibits\Paloma Creek Annexation Plan.dwg

dhughes



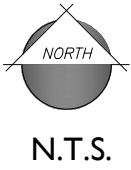
ANNEXATION PLAN
FOR
PALOMA CREEK

UTILITIES IN THE FUTURE, PUBLIC UTILITIES INCLUDING SEWER AND WATER ARE PLANNED TO BE CONSTRUCTED ADJACENT AND PHASED WITH AND PART OF THE DEVELOPMENT OF PALOMA CREEK.

- SURROUNDING LAND USES:
VACANT LAND AND SINGLE FAMILY

- SURROUNDING ZONING OF ANNEXATION AREA: RU-43 AND PAD

- ZONING FOR ANNEXATION AREA:
RU-43 AND R-5



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

Project:
PALOMA CREEK
SURPRISE, AZ

ANNEXATION PLAN

Revisions:
MARCH 9, 2018 - 1ST ANNEXATION SUBMITTAL
AUGUST 7, 2018 - REVISED
AUGUST 30, 2018 - REVISED

Seal 8-1-1 or 1-800-274-8285 (Toll Free)
in Maricopa County (928)250-1100

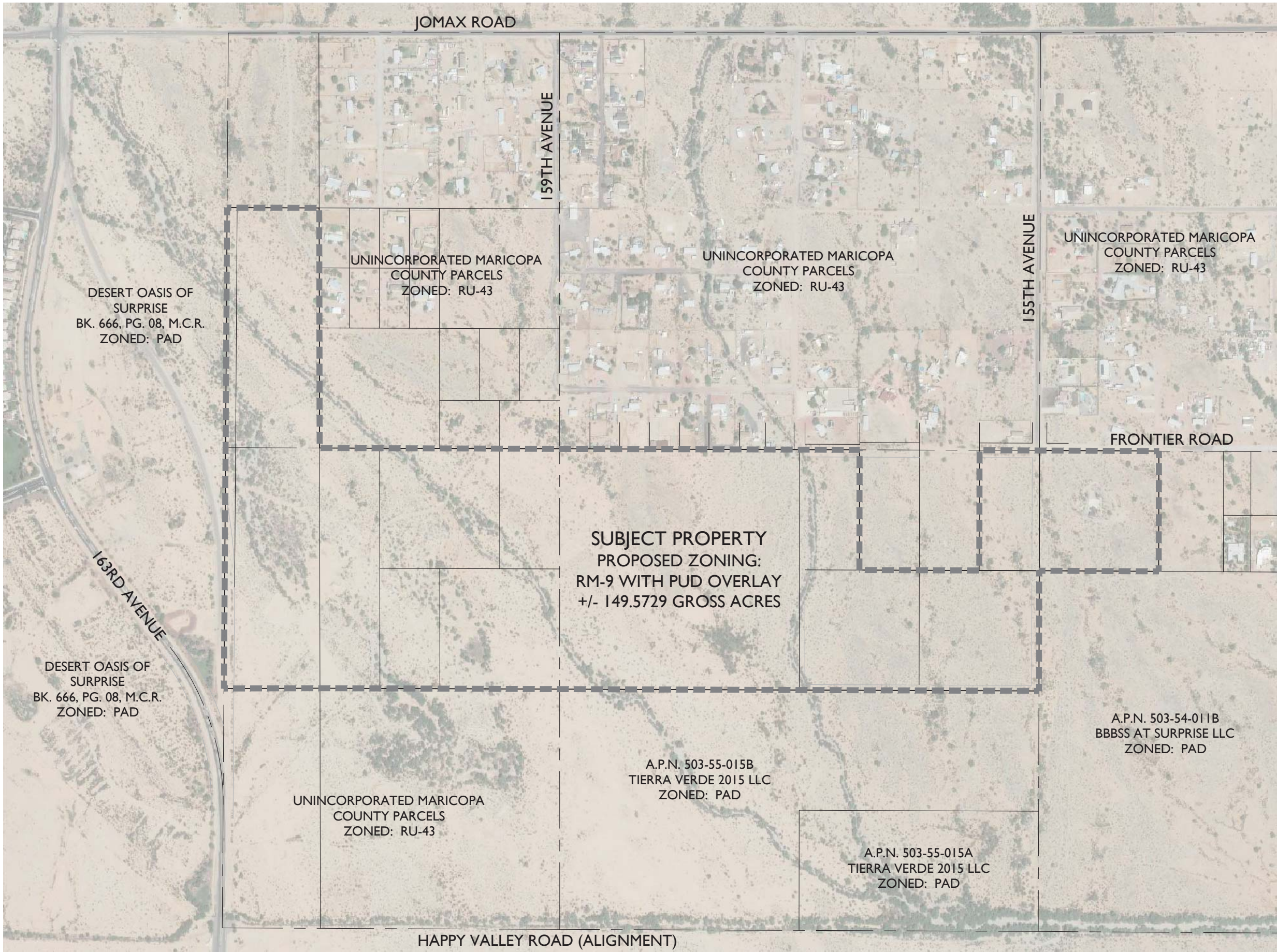
Designer: NG
Drawn by: NG

Preliminary
Not For
Construction
Or
Recording

Job No.
16-400

Sheet No.
1
of 1

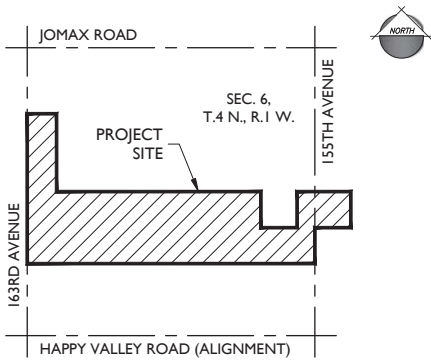
Page 332 of 464



ZONING EXHIBIT B FOR PALOMA CREEK WEST

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OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SECTION 5, T.4 N., R.1 W., GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

VICINITY MAP



PROJECT TEAM

DEVELOPER KAX GROUP, LLC 8530 E. VIA DEL SOL DRIVE SCOTTSDALE, AZ 85255 TEL: (602)-499-9305 CONTACT: KENT XANDER	CONSULTANT: EPS GROUP, INC. 2045 S. VINEYARD, SUITE 101 MESA, AZ 85210 TEL: (480)-503-2250 FAX: (480)-503-2258 CONTACT: DANIEL AUXIER, PE
---	---

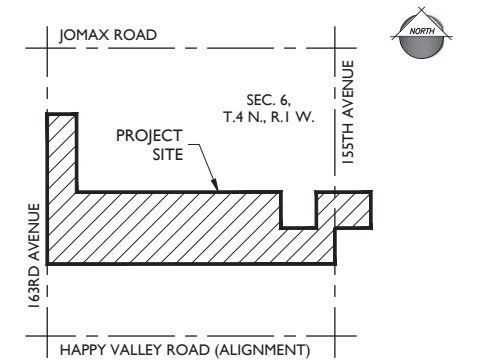
PROJECT DATA

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CURRENT LAND USE: EXISTING GENERAL PLAN: EXISTING ZONING: PROPOSED ZONING:	UNDEVELOPED NEIGHBORHOOD RR, RM-9, PAD / MDR RM-9 WITH PUD OVERLAY
GROSS AREA:	+/- 149.5729 ACRES

PHASE PLAN FOR PALOMA CREEK

A PORTION OF SECTION 6 AND THE NORTHWEST QUARTER OF
OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SECTION 5, T.4 N., R.1 W., GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

VICINITY MAP



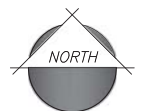
PROJECT TEAM

DEVELOPER
KAX GROUP, LLC
8530 E. VIA DEL SOL DRIVE
SCOTTSDALE, AZ 85255
TEL: (602)-499-9305
CONTACT: KENT XANDER

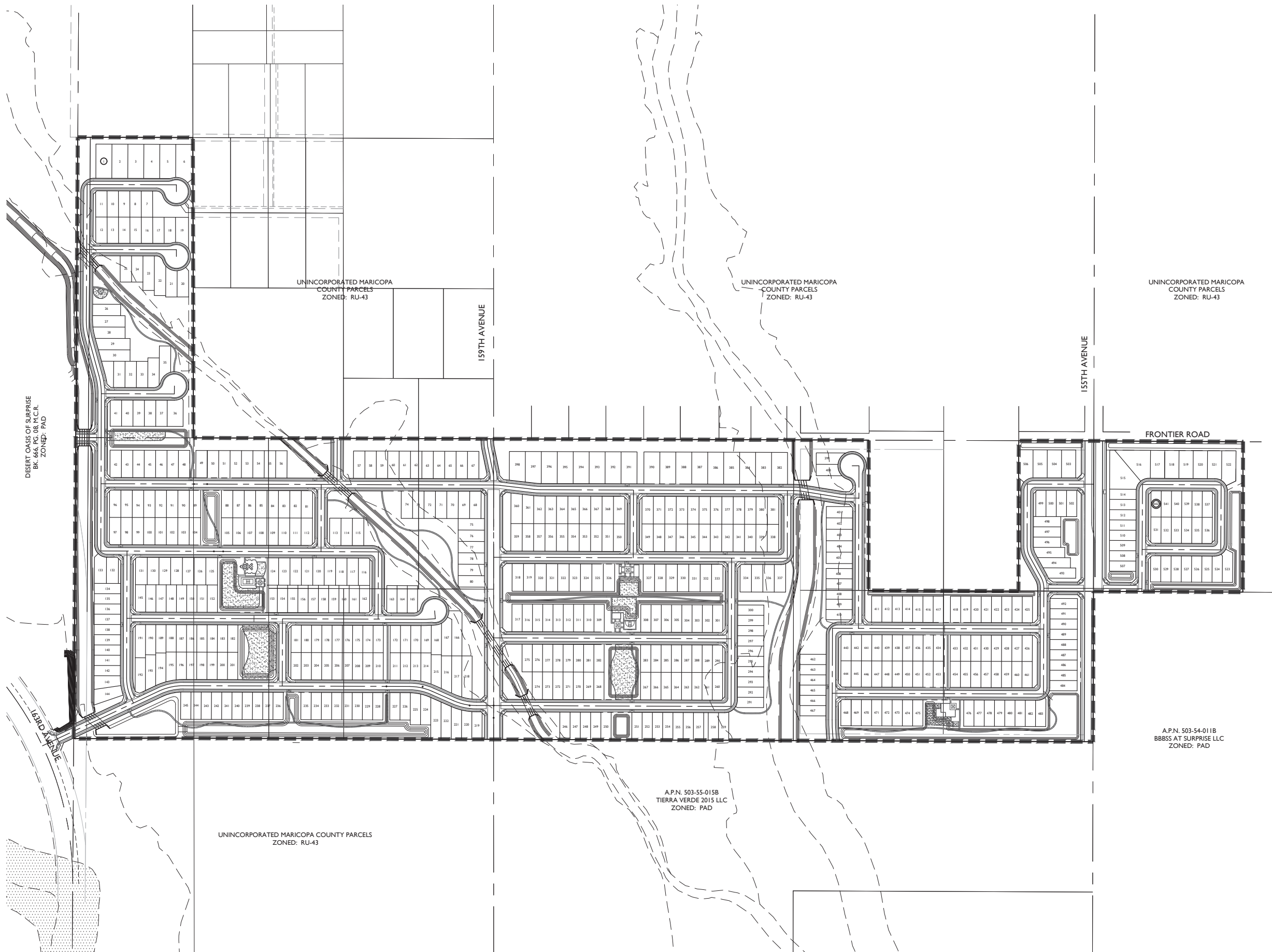
CONSULTANT:
EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: DANIEL AUXIER, PE

PROJECT DATA

A.P.N.	503-54-011C, 503-55-002B, 002D, 002E, 002F, 011, 012A, 012D, 012E, 012F, 012G, 013A, 013B, 014A, 014B
CURRENT LAND USE:	UNDEVELOPED
EXISTING GENERAL PLAN:	NEIGHBORHOOD
EXISTING ZONING:	RR, RM-9, PAD / MDR
PROPOSED ZONING:	RM-9 WITH PUD OVERLAY
GROSS AREA:	+/- 150.68 ACRES
NET RESIDENTIAL AREA:	+/- 116.88 ACRES (LOT AREA & OPEN SPACE TRACTS)
LOT SIZES	
45' x 115'	310
50' x 115'	197
62.5' x 122'	11
70' x 115'	24
TOTAL	542
GROSS DENSITY:	+/- 3.6 DU/AC
NET DENSITY:	+/- 3.7 DU/AC
OPEN SPACE:	+/- 43.31 ACRES
OPEN SPACE (%):	37.1% OF NET RESIDENTIAL AREA



200 0 200 400
scale feet





S U R P R I S E

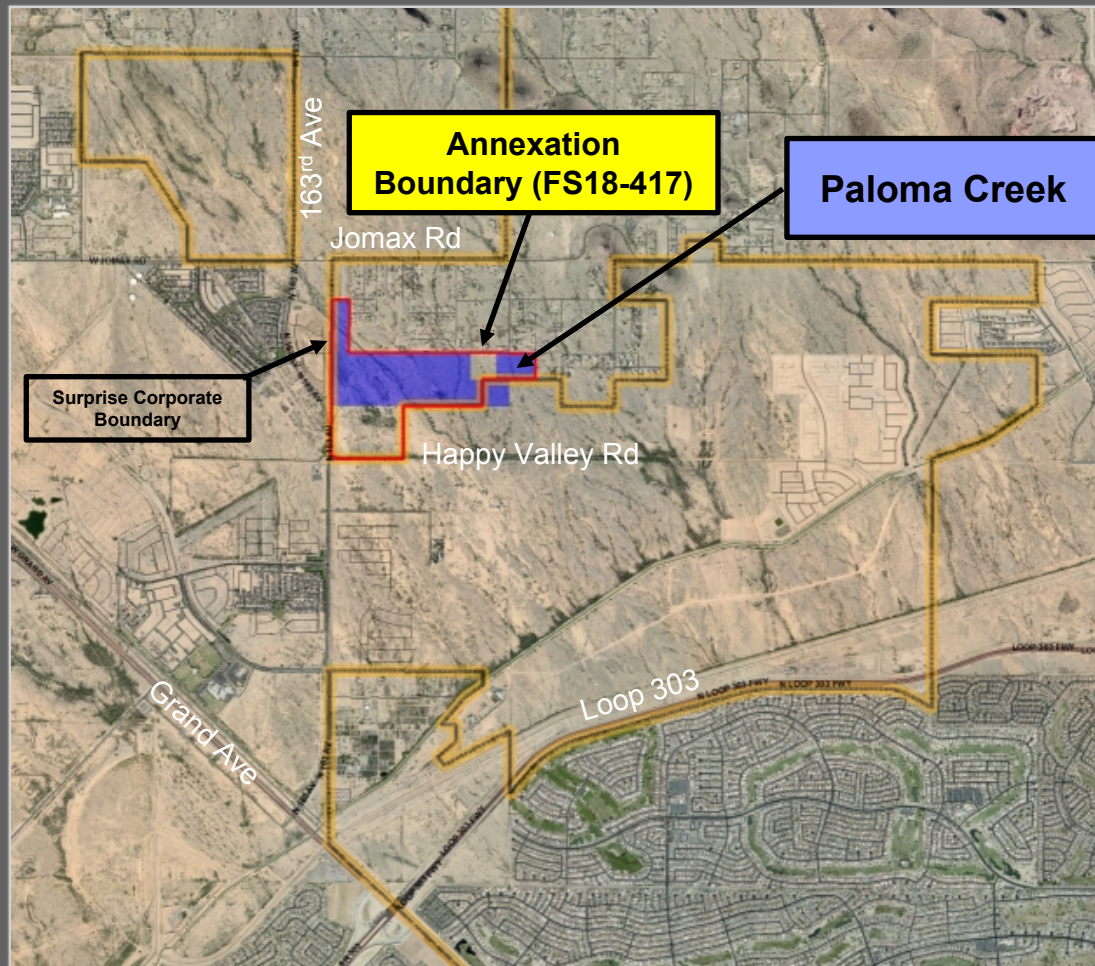
ARIZONA

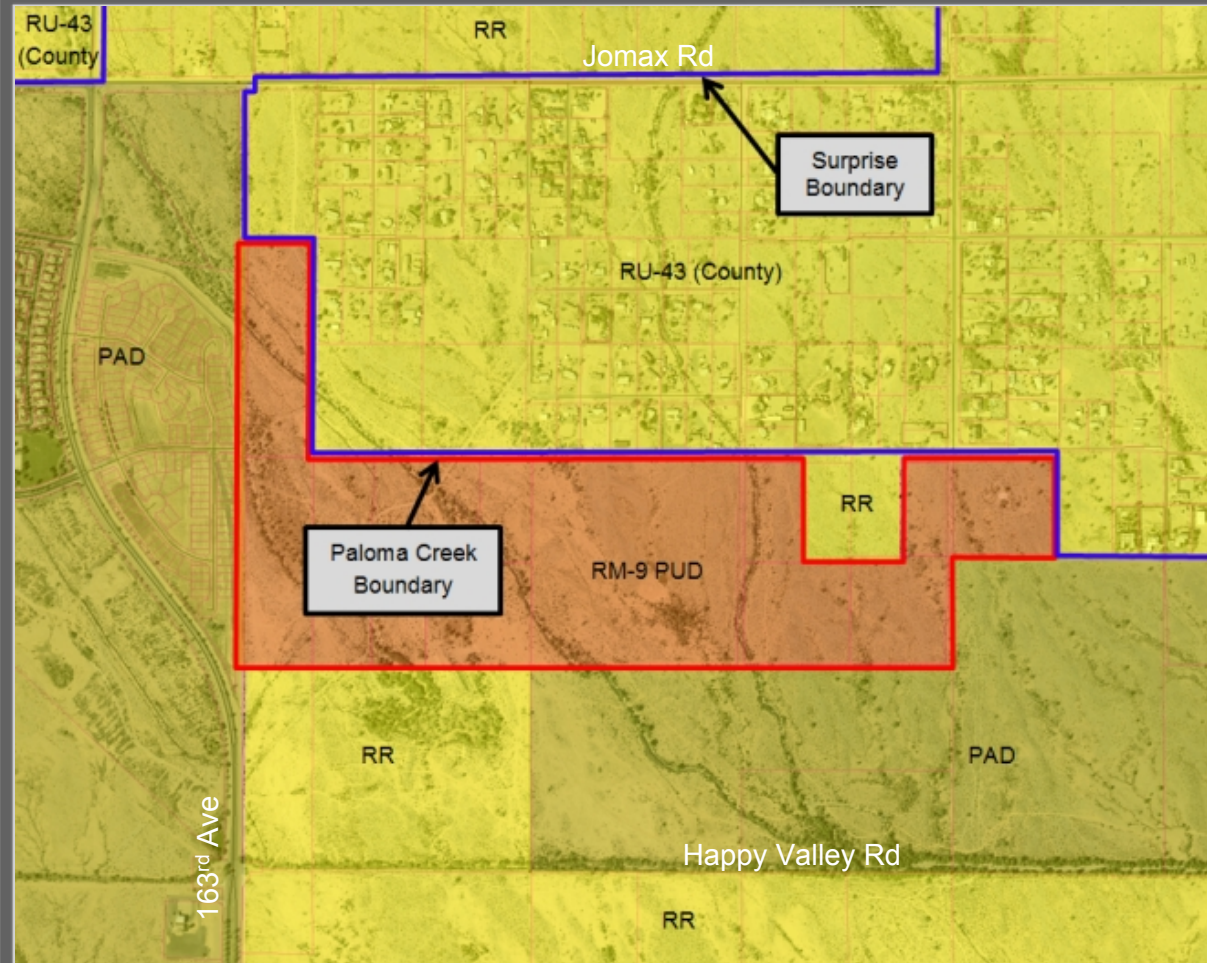
City Council

September 5, 2019

FS18-150 Paloma Creek Preliminary Plat

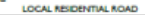
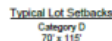
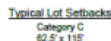
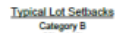
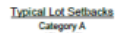
FS18-150 Paloma Creek Vicinity Map





FS18-150 Paloma Creek Case Map

A PORTION OF SECTION 6, AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 5, T.4 N., R.1 W., GILA AND SALT RIVER
MERIDIAN, MARICOPA COUNTY, ARIZONA



(1) **Ownership** of the property shall be Transferable to the owner by deed and shall be subject to the following conditions:

(a) **Transfer of the property shall be subject to the following conditions:**

(b) **Transfer of the property shall be subject to the following conditions:**

(c) **Transfer of the property shall be subject to the following conditions:**

(d) **Transfer of the property shall be subject to the following conditions:**

(e) **Transfer of the property shall be subject to the following conditions:**

(f) **Transfer of the property shall be subject to the following conditions:**

(g) **Transfer of the property shall be subject to the following conditions:**

(h) **Transfer of the property shall be subject to the following conditions:**

(i) **Transfer of the property shall be subject to the following conditions:**

(j) **Transfer of the property shall be subject to the following conditions:**

(k) **Transfer of the property shall be subject to the following conditions:**

(l) **Transfer of the property shall be subject to the following conditions:**

(m) **Transfer of the property shall be subject to the following conditions:**

(n) **Transfer of the property shall be subject to the following conditions:**

(o) **Transfer of the property shall be subject to the following conditions:**

(p) **Transfer of the property shall be subject to the following conditions:**

(q) **Transfer of the property shall be subject to the following conditions:**

(r) **Transfer of the property shall be subject to the following conditions:**

(s) **Transfer of the property shall be subject to the following conditions:**

(t) **Transfer of the property shall be subject to the following conditions:**

(u) **Transfer of the property shall be subject to the following conditions:**

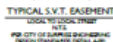
(v) **Transfer of the property shall be subject to the following conditions:**

(w) **Transfer of the property shall be subject to the following conditions:**

(x) **Transfer of the property shall be subject to the following conditions:**

(y) **Transfer of the property shall be subject to the following conditions:**

(z) **Transfer of the property shall be subject to the following conditions:**



LAND MASS AREA TABLE	
ENERGIZED RIGHTS-OF-WAY	22.42 AC.
PRIVATE ACCESS EASEMENTS	5.53 AC.
OPEN SPACE	41.57 AC.
CUMULATIVE LOT AREA	72.48 AC.
NET RESIDENTIAL AREA	113.08 AC.
OPEN SPACE % NET RESIDENTIAL AREA	36.3%
CROSS AREA	135.48 AC.



506/528

KAY GROUP, LLC
6505 E. VIA DEL SOL, DR.
SCOTTSDALE, AZ 85253
TEL: 480-499-5300
CONTRACT: KRG17-1446

**LANDSCAPE ARCHITECTS
PRODUCTION GROUP**
1110 N. TENTH AVE.,
PHOENIX, AZ 85006
TEL. (602) 977-1000

2/18

CURRENT LAND USE:
EXISTING GENERAL PLAN:
EXISTING ZONING:
PROPOSED ZONING:

CRUISE AREA:
NET RESIDENTIAL AREA:

LOT SIZES:

40' x 100' (4)
30' x 100' (8)
40' x 100' (10)
30' x 100' (2)
TOTAL

SPACE DENSITY:
OPEN SPACE:
OPEN SPACE (%)

4. THE PLANE MET

1. LOT DIMENSIONS
2. ALL LOCAL STREET STANDARDS, AS PER
4. TRANSPIRANCY OF FOLIAGE (CLIMAX)
5. 15% OVERSLOPE
6. DRAINAGE CONC
7. ALL LANDSCAPE

WEST OF THE GULF AND IS

PREPARE PROJECT WORK

UTILITIES

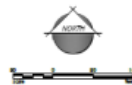
WATER
SEWER
GAS
ELECTRIC
TELEPHONE

SHEET INDEX

2-HEAT 1
2-HEAT 2-3
2-HEAT 4



PEDESTRIAN TRAILS NOTE



Preliminary Plat

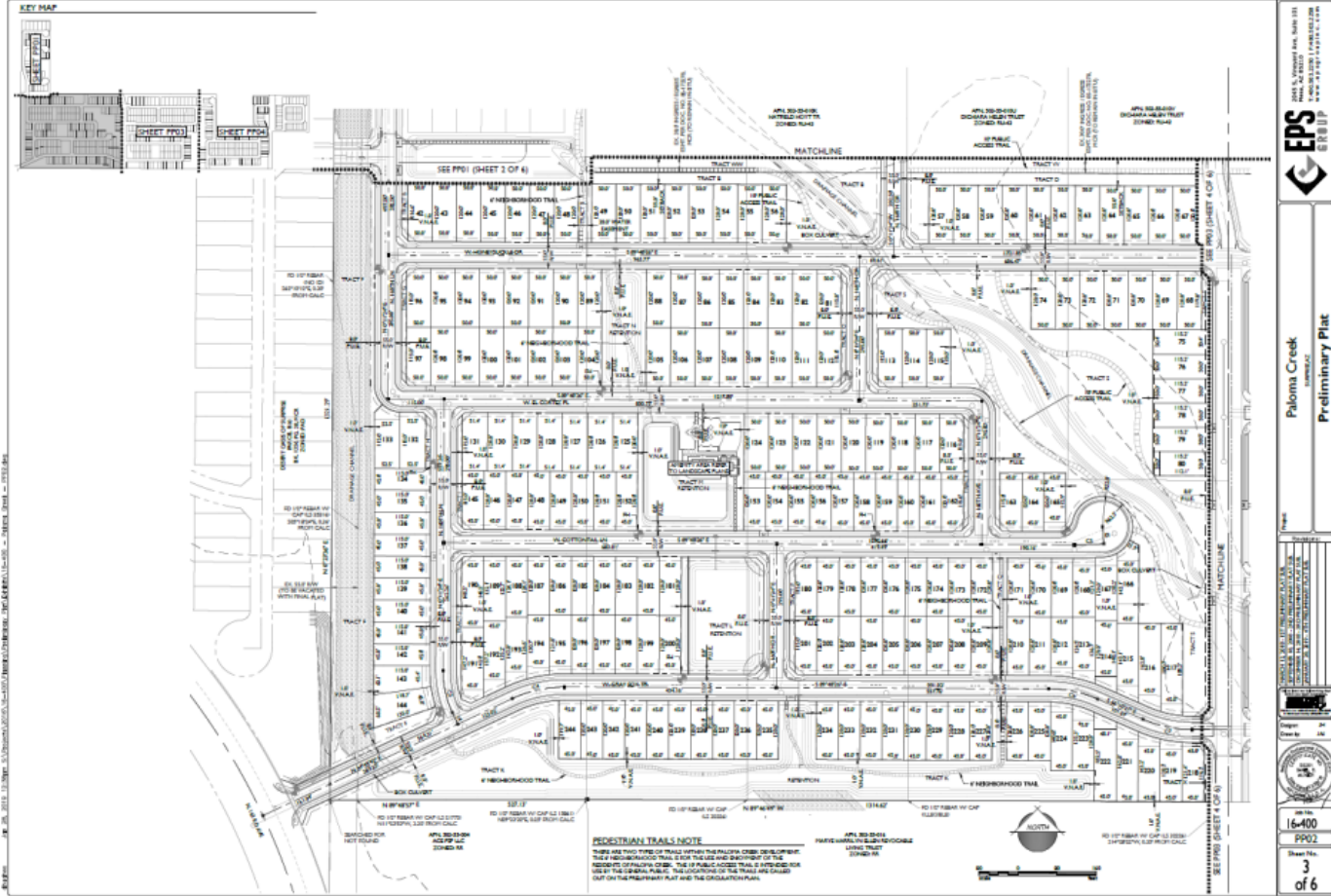
1048 S. Vineyard Ave., Suite 101
Pasadena, AZ 85310
Tel: 480.363.2290 | Fax: 480.363.2298
www.aia.org | aia@aia.org

Page 339 of 464



FS18-150 Paloma Creek Preliminary Plat

Page 340 of 464

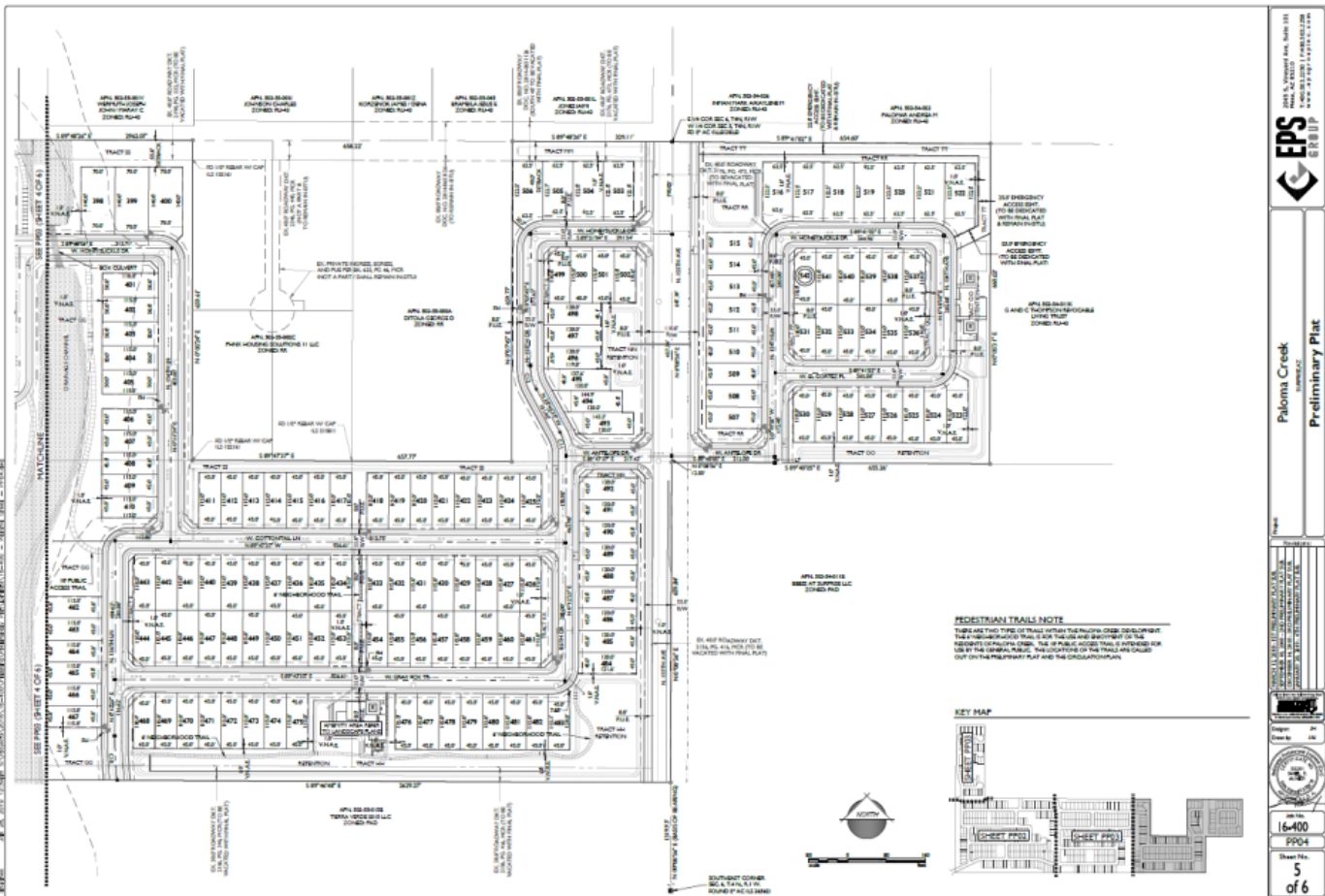




Alameda Creek Secondary Plant



Alamo Plaza



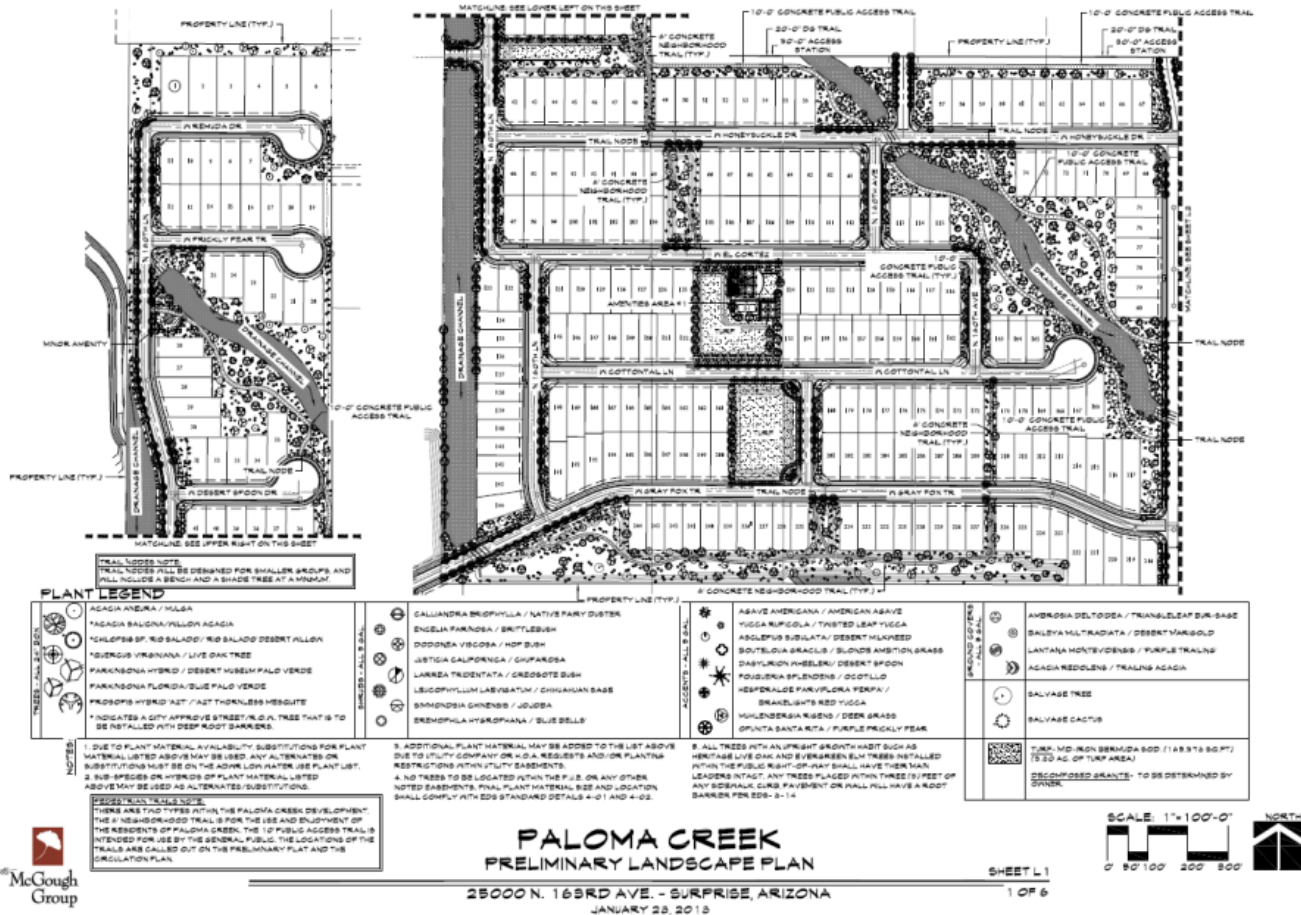
[illegible]

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	DELTA
C1	85.34	336.90	31.99	31°44'00"
C2	81.28	350.00	31.04	31°57'15"
C3	86.54	355.00	32.02	32°01'15"
C4	101.72	220.00	39.77	32°32'15"
C5	40.68	475.50	40.84	32°37'00"
C6	103.12	335.00	39.29	32°37'30"
C7	103.99	320.00	39.32	32°38'00"
C8	59.50	335.00	33.04	32°47'30"
C9	38.38	250.00	35.17	32°47'30"
C10	51.82	360.00	31.41	32°47'30"
C11	36.00	400.00	36.00	32°50'00"
C12	30.40	400.00	45.91	32°54'00"
C13	20.92	400.00	30.12	33°02'00"
C14	20.92	400.00	30.12	33°12'00"

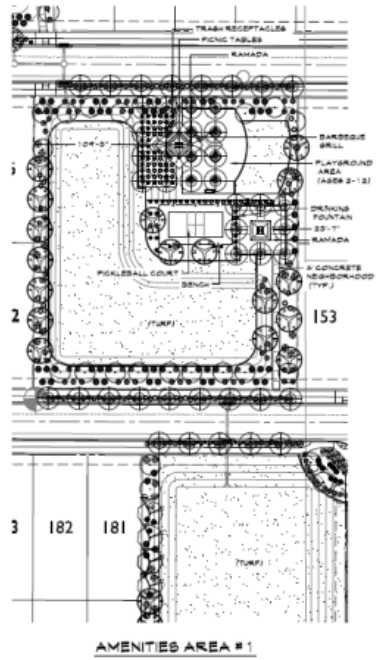
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Page 343 of 464

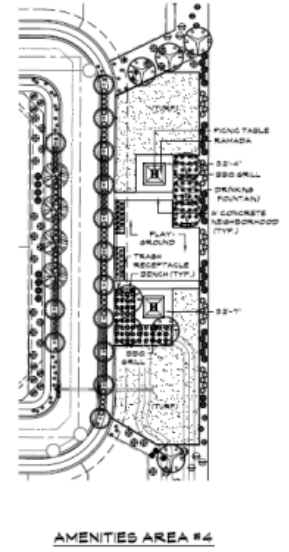
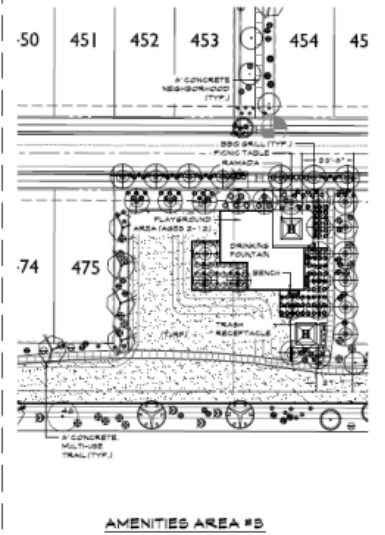
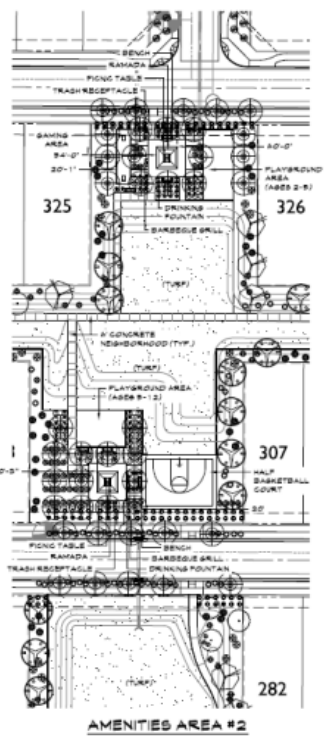
FS18-150 Paloma Creek Preliminary Landscape Plans



FS18-150 Paloma Creek Preliminary Landscape Plans



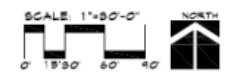
NOTE
FINAL PLAY EQUIPMENT TO BE DETERMINED. BENCHES TO BE PROVIDED (AT LEAST 1) OF THE (4) AMENITIES AREA. INTEGRATED OR FREE STANDING SHADE STRUCTURES TO BE USED OVER A PORTION OF ALL PLAYGROUND AREA. FINAL DESIGN BASED ON FINAL PLAY EQUIPMENT SELECTION.



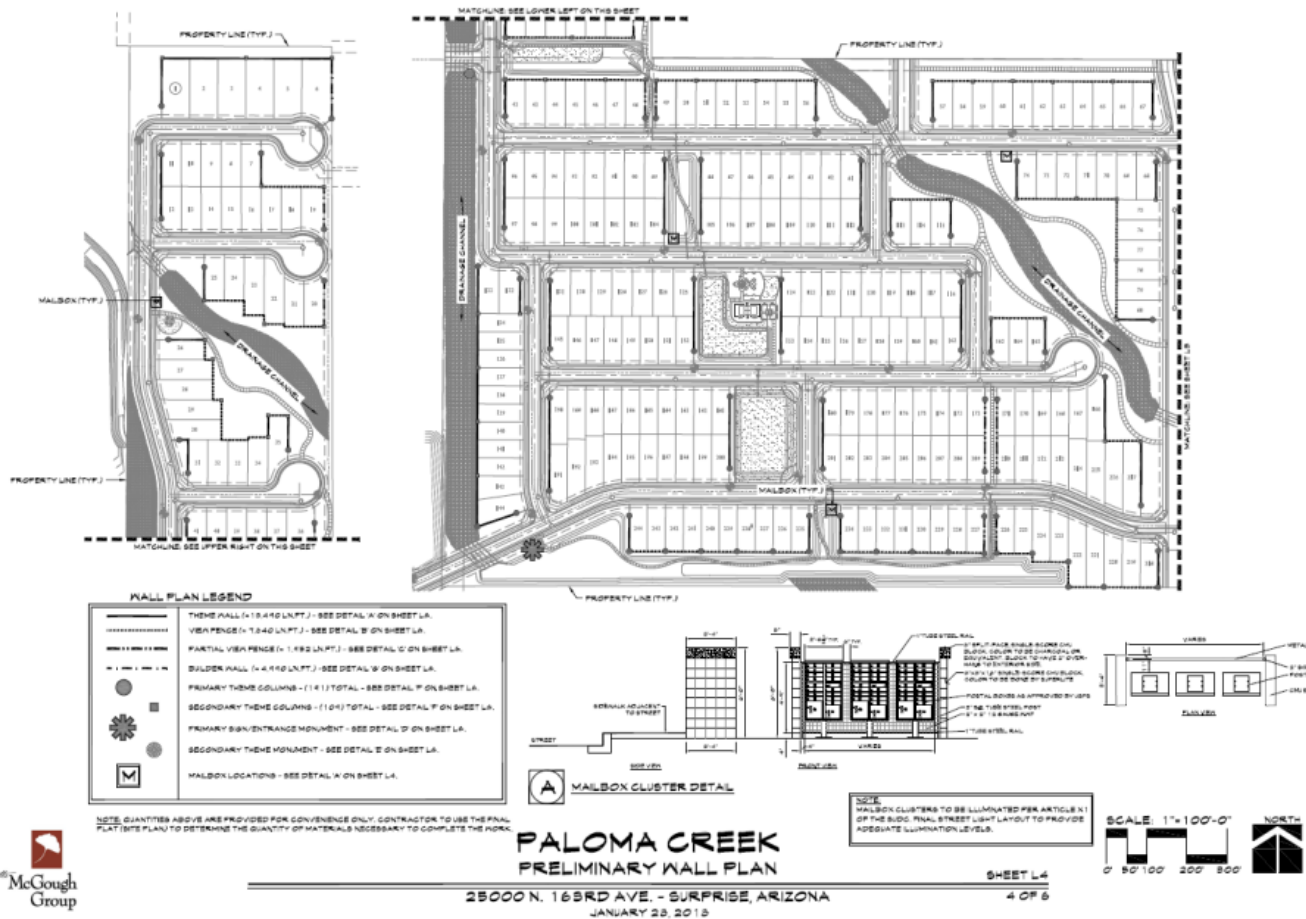
PALOMA CREEK AMENITIES ENLARGEMENTS

25000 N. 163RD AVE. - SURPRISE, ARIZONA
JANUARY 23, 2013

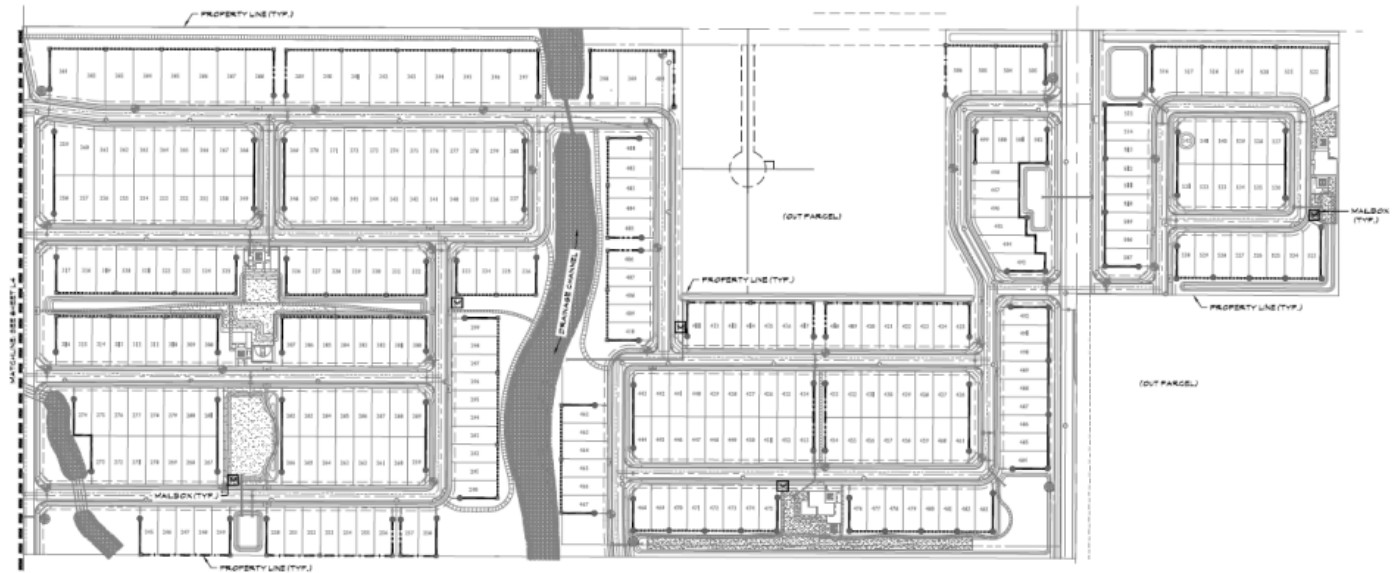
SHEET 13
5 OF 6



FS18-150 Paloma Creek Preliminary Landscape Plans



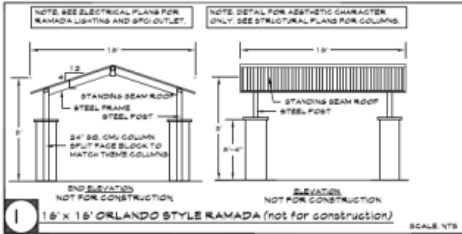
FS18-150 Paloma Creek Preliminary Landscape Plans



WALL PLAN LEGEND

	THIRTEEN WALL (13.4' ON LIFT) - SEE DETAIL A ON SHEET LA.
	VIEW FENCE (1.94' ON LIFT) - SEE DETAIL B ON SHEET LA.
	PARTIAL VIEW FENCE (1.93' ON LIFT) - SEE DETAIL C ON SHEET LA.
	BUILDING WALL (4.4' ON LIFT) - SEE DETAIL D ON SHEET LA.
	PRIMARY THEME COLUMN - (14) TOTAL - SEE DETAIL F ON SHEET LA.
	SECONDARY THEME COLUMN - (124) TOTAL - SEE DETAIL F ON SHEET LA.
	PRIMARY SIGN/ENTRANCE MONUMENT - SEE DETAIL G ON SHEET LA.
	SECONDARY THEME MONUMENT - SEE DETAIL H ON SHEET LA.
	MALIBON LOCATIONS - SEE DETAIL A ON SHEET LA.

NOTE: QUANTITIES ABOVE ARE PROVIDED FOR CONVENIENCE ONLY. CONTRACTOR TO USE THE FINAL PLAT (SITE PLAN) TO DETERMINE THE QUANTITY OF MATERIALS NECESSARY TO COMPLETE THE WORK.



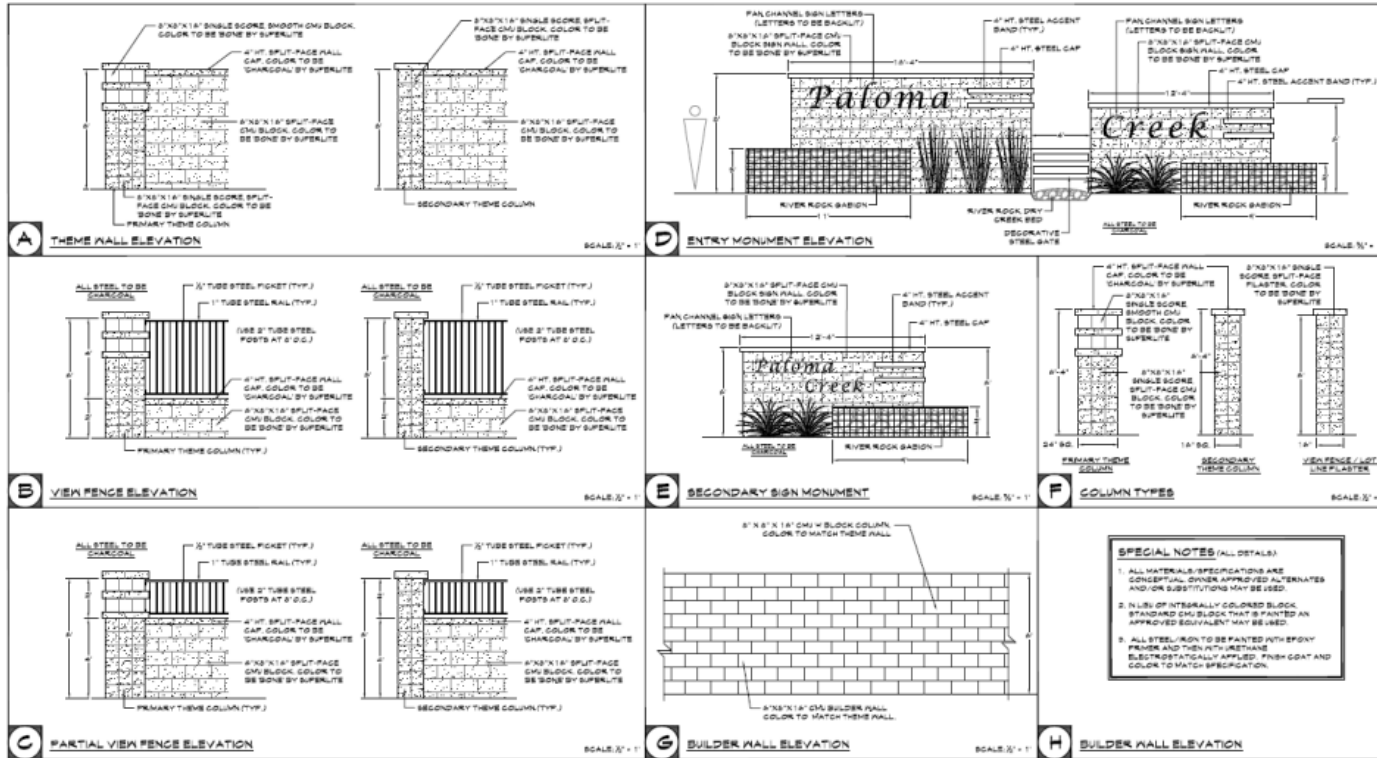
PALOMA CREEK PRELIMINARY WALL PLAN

25000 N. 163RD AVE. - SURPRISE, ARIZONA
JANUARY 23, 2013

SHEET LB
5 OF 6



FS18-150 Paloma Creek Preliminary Landscape Plans



Citizen Outreach:

October 23, 2018

Paloma Creek Preliminary Plat

Staff Recommendation:

Approve subject to stipulations “a” through “c”



QUESTIONS OR COMMENTS?

Thank You

RESOLUTION #2019-114

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A PRELIMINARY PLAT ENTITLED “PALOMA CREEK” GENERALLY LOCATED NORTH OF HAPPY VALLEY ROAD AND EAST OF 163RD AVENUE.

WHEREAS, on September 5, 2019, the Mayor and City Council approved the Paloma Creek Annexation, Ordinance 2019-07; and,

WHEREAS, on September 5, 2019, the Mayor and City Council approved the Paloma Creek Rezone, Ordinance 2019-22; 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 entitled “Paloma Creek” dated January 28, 2019, is approved, subject to the following conditions:

- a. Development and use of the site shall be in conformance with the Preliminary Plat entitled “Paloma Creek”, consisting of six (6) sheets, prepared by EPS Group, Inc. dated January 28, 2019, and stamped received January 29, 2019.
- b. Landscaping of the development shall be consistent with the Preliminary Landscape Plans entitled “Paloma Creek Preliminary Landscape Plan”, consisting of six (6) sheets prepared by The McCough Group dated January 28, 2019 and stamped received January 29, 2019.
- 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 _____ 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 5, 2019 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of a Preliminary Plat entitled, "Sunrise" dated June 7, 2019, a property located in the northeast corner of 171st Avenue and Jomax Road; Resolution 2019-113.

Motion:

I move to approve Resolution #2019-113.

Background:

On November 2, 2018 Coe and Van Loo Consultants Inc., submitted a request for a Preliminary Plat for Sunrise Ranch located in the northeast corner of 171st Avenue and Jomax Road.

Objective Analysis:

This proposed Preliminary Plat will allow for the development of a new residential subdivision of 476 lots on the subject site. On August 1, 2019 the Planning and Zoning Commission passed a motion to recommend approval to the Mayor and City Council of the Preliminary Plat case FS18-603, subject to stipulations 'A' to 'C'.

Policy Compliant:

The proposed project is consistent with City and Council Policy.

Financial Impact:

This item does not have a direct financial impact, however, 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:

1. 00 - FS18-603 - Sunrise Ranch - Staff Report
2. 01 - FS18-603 - Sunrise Ranch - Vicinity Map

3. 02 - FS18-603 - Sunrise Ranch - PrePlat
 4. 03 - FS18-603 - Sunrise Ranch - Landscape Plans
 5. FS18-603 - Sunrise Ranch - PowerPoint
 6. FS18-603 - Sunrise Ranch Res. 2019-113
-

Preliminary Plat

REPORT TO THE CITY COUNCIL

1 **Case:** **FS18-603**

2
3 **Project Name:** Sunrise Ranch

4
5 **Council District:** 1 – ACACIA

6
7 **Meeting Date:** **September 5, 2019**

8
9 **Planner:** Sergio Angulo

10
11
12 **Owner:** Metro Oasis LLLP

13
14 **Applicant:** Coe and Van Loo Consultants Inc.

15
16 **Request:** Preliminary Plat for 476 Lots.

17
18 **Site Location:** Northeast corner of 171st Avenue and Jomax Road.

19
20 **Site Size:** 130.17 Acres (approx.)

21
22 **Density:** 3.66 Dwelling Units per Acre

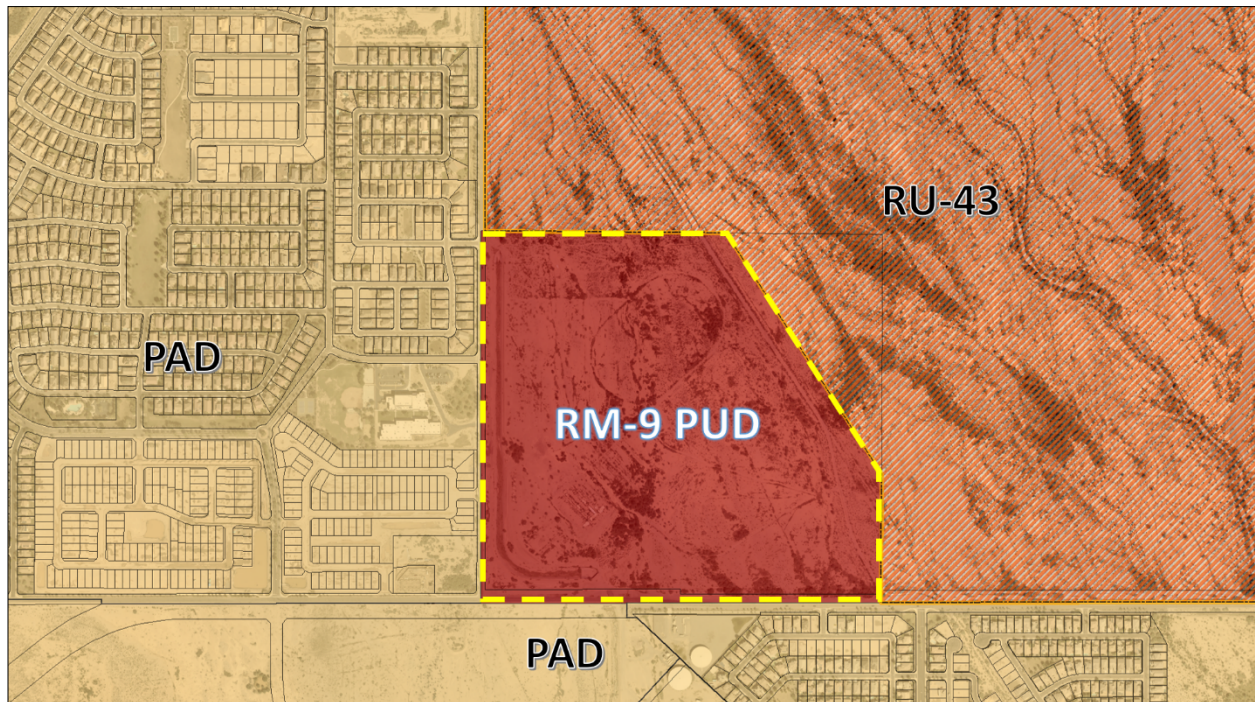
23
24 **General Plan**

25 **Conformance:** The proposal is consistent with the Surprise General Plan 2035
26 as proposed under case FS18-603.

27
28 **Support/Opposition:** None known.

29
30 **Recommendation:** On August 1, 2019 the Planning and Zoning Commission
31 passed a motion to recommend **approval** to the Mayor and City
32 Council of the Preliminary Plat case FS18-603, subject to
33 stipulations 'A' to 'C'.

34 **Existing Land Zoning:**



PAD – Desert Oasis	State Trust Land (RU-43)	Maricopa County (RU-43)
PAD – Desert Oasis	RM-9 PUD	State Trust Land (RU-43)
PAD – Asante	PAD – Asante/Desert Oasis	PAD – Desert Oasis

35 **History:**

36
 37 **December 12, 2008:** The subject property was annexed into the City of Surprise by the
 38 Mayor and City Council.

39
 40 **August 7, 2018:** The Mayor and City Council approved the Rezone for Sunrise Ranch from
 41 RL-5 to RM-9 PUD, Ordinance #2018-10.

42
 43 **September 6, 2018:** Staff met with the applicant to discuss the project during a regularly
 44 scheduled Concept Review meeting under CR18-403.

45
 46 **November 2, 2018:** The applicant filed a request for a Preliminary Plat approval for a new
 47 476-lot residential subdivision.

48
 49 **August 1, 2019:** The Planning and Zoning Commission passed a motion to recommend
 50 **approval** to the Mayor and City Council of the Preliminary Plat case FS18-603, subject to
 51 stipulations 'A' to 'C'.

52 **Project Description:**

September 5, 2019
 City Council
 Case: FS18-603
 Page 2 of 4

53
54 Coe and Van Loo Consultants Inc., on behalf of Metro Oasis LLLP, requests approval of a
55 Preliminary Plat to allow for the development of a single-family residential subdivision on
56 approximately 130.17 acres for Sunrise Ranch located on the northeast corner of 171st
57 Avenue and Jomax Road.

58
59 Sunrise Ranch is made up of four (4) parcels; Parcel A, B, C, and D. The applicant proposes
60 184 lots in Parcel A, 150 lots in Parcel B, 64 lots in Parcel C, and 78 lots in Parcel D. In total
61 the applicant proposes 476 residential lots and landscape tracts for open space recreation
62 and storm water retention.

63 The subject property is zoned RM-9 PUD. The approved PUD allows a maximum density of
64 3.68 dwelling units per acre and this development proposes a total density of 3.6 dwelling
65 units per acre.

66
67 The proposed subdivision shows two (2) access points into the site; one (1) located on the
68 west side from 171st Avenue and the other located on the south side from Jomax. This
69 development will also include a future access connection to the vacant parcel located to the
70 east (APN 503-51-023K) through Bajada Road.

71
72 The project proposes good pedestrian connectivity from the residential lots to the open space
73 tracts and to the proposed sidewalks along 171st Avenue and Jomax Road. The project also
74 proposes a trail along the south side of the development. This trail connects to the trail in the
75 development to the west.

76
77 The proposed subdivision consists of 476 single-family detached homes. The applicant
78 proposes 45' wide lots in Parcel A and C, 50' wide lots in Parcel B, and 55' wide lots in Parcel
79 D.

80
81 The site dedicates approximately 31.9 acres (24%) for open space which includes a 2.7-acre
82 recreation lot in Parcel A with playground equipment, BBQ facilities, shaded seating, a small
83 sport court field, and a large turf area. In addition, the applicant proposed smaller open space
84 tracts in Parcels B, C, and D and a trail system within the development that connects each
85 of the Parcels and open space tracts. Additional landscape and retention basins also
86 contribute to the total open space. The proposed open space and landscape meets and
87 exceeds the minimum requirements of the SUDC (20%). Stipulation 'B' simply requires the
88 applicant to plant street-appropriate trees in the right-of-way.

89
90 **Reviewing Agencies:**

91
92 In addition to the standard city internal reviewing departments, the Nadaburg Unified School
93 District, the Arizona Department of Transportation, Maricopa Water District, and Luke AFB
94 were included in the routing of this request. None of the reviewing agencies indicated any
95 concerns over the request.

96 **Summary:**

97
98 By accepting and incorporating stipulations 'A' through 'C' the proposed Preliminary Plat will
99 meet the requirements of the Sunrise Ranch PUD, the SUDC, and the General Plan.
100

101 **Findings:**

- 102
103 • The proposed Preliminary Plat is consistent with the Surprise General Plan 2035.
104 • The proposed Preliminary Plat is consistent with the Sunrise Ranch PUD and the
105 SUDC.
106

107 **Recommendation:**

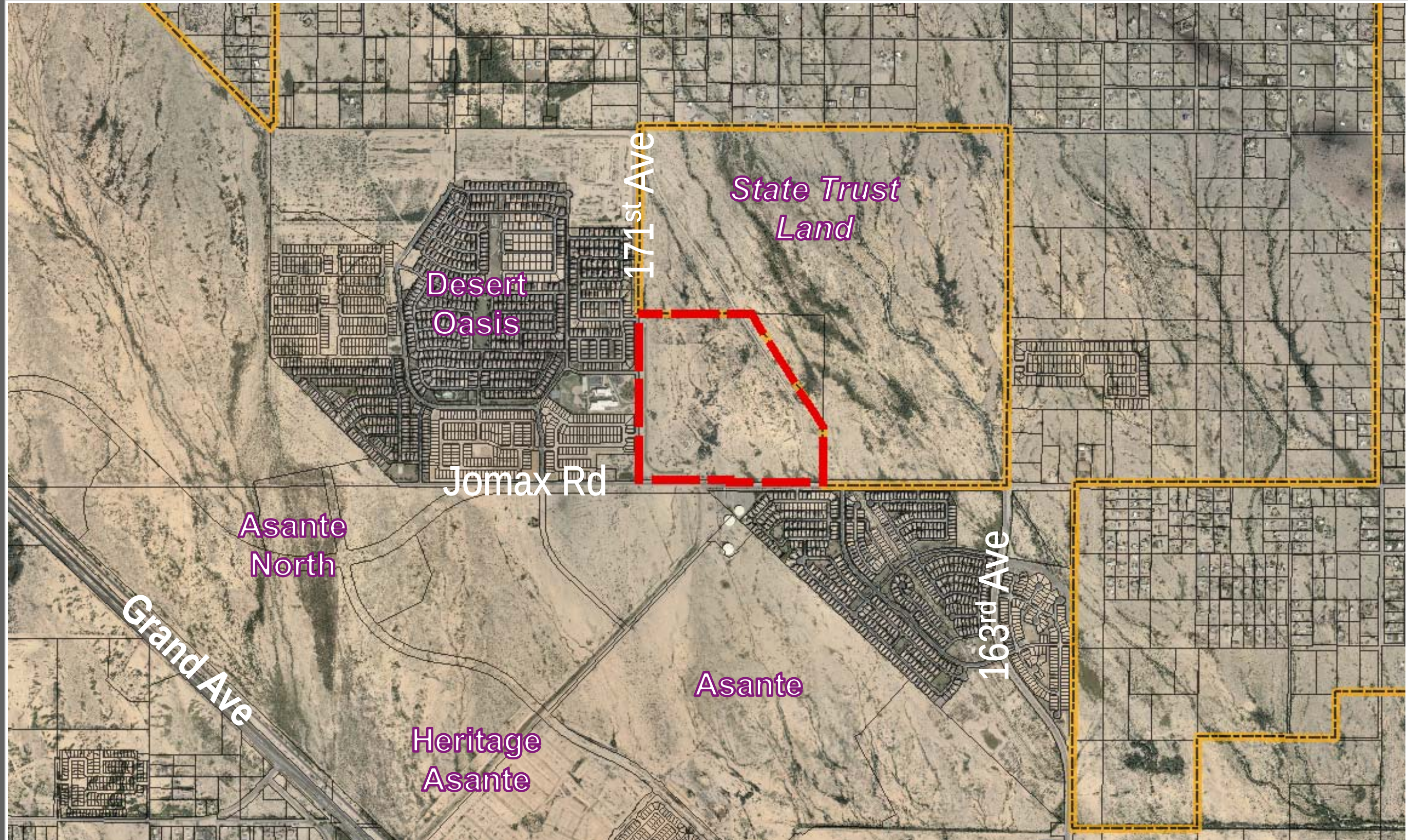
108
109 On August 1, 2019 the Planning and Zoning Commission passed a motion to recommend
110 **approval** to the Mayor and City Council of the Preliminary Plat case FS18-603, subject to
111 stipulations 'A' to 'C' as outlined below:
112

- 113 A. Development and use of the site shall be consistent with the Preliminary Plat
114 entitled "Preliminary Plat for Sunrise" prepared by CVL and stamped received June
115 10, 2019.
- 116 B. Landscaping, walls, and amenities associated with the site shall be consistent with
117 the Preliminary Landscape Plan entitled "Sunrise" prepared by Norris Design and
118 stamped received June 10, 2019, except that within 30 days of approval by the
119 City Council the applicant shall submit revised landscape plans that depict trees
120 located with the right-of-way consistent with Section 8.1.4 of the Surprise
121 Engineering Development Standards, but not including Thornless Mesquite,
122 Ironwood, or Palo Verde.
- 123 C. Non-compliance with the stipulations of approval of this case will be treated as a
124 violation in accordance with the provisions of Article XIV of the Surprise Unified
125 Development Code.

126 However, should the City Council wish to **deny** this request, the City Council should make
127 its own findings and base its decision on those alternative findings.
128

129 **Attachments:**

- 130
131 01 Vicinity Map
132 02 Preliminary Plat
133 03 Landscape Plans



VICINITY MAP

EMERGENCY VEHICLE ACCESS (E.V.A.)

EMERGENCY VEHICLE ACCESS (E.V.A.) MUST BE PROVIDED BY THE CONTRACTOR THROUGHOUT THE ENTIRE CONSTRUCTION SITE. THE E.V.A. ROUTE MUST BE SIGNED AND MAINTAINED BY THE CONTRACTOR AT ALL TIMES. SIGNS SHALL BE PLACED AT THE BEGINNING AT THE POINT OF ENTRY AND AT ALL DIRECTIONAL CHANGE LOCATIONS.

BASIS OF BEARING

THE BASIS OF BEARINGS FOR THIS SURVEY IS NORTH 89°56'33" EAST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN.

BENCHMARK

CITY OF SURPRISE BENCHMARK 52-1
CITY OF SURPRISE BRASS CAP FLUSH AT THE INTERSECTION OF MAYA WAY AND 175TH LANE STAMPED "BM 52-1"
ELEVATION=1460.35 (NAV88 DATUM, CITY OF SURPRISE DATA)

LEGAL DESCRIPTION

A PARCEL OF LAND SITUATE IN A PORTION OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 36 MONUMENTED BY A FOUND GLO BRASS CAP FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 36, MONUMENTED BY A FOUND 3" MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP, BEARS AS BASIS IF BEARING, ALONG THE SOUTHERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 36, NORTH 89°56'33" EAST, A DISTANCE OF 2636.34;

THENCE SOUTH 89°55' 26" WEST ALONG THE SOUTHERLY LINE OF THE SOUTHWEST QUARTER OS SAID SECTION36;

THENCE NORTH 00°04' 08" EAST, ALONG THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 2474.87 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 36;

THENCE NORTH 00°04' 08" EAST ALONG THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1601.40 FEET;

THENCE SOUTH 32°52' 12" EAST, A DISTANCE OF 1910.48 FEET TO A FOUND REBAR AFFIXED WITH RLS CAP NO. 31034 ON THE EASTERLYLINE OF SAIDSOUTHWEST QUARTER;

THENCE SOUTH 00°07' 45" WEST, ALONG THE EASTERLY LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 852.24 FEET TO THE TRUE POINT OF BEGINNING,

SAID LANDS SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD, IF ANY.

FLOOD ZONE CERTIFICATION

THIS IS TO CERTIFY THAT THIS PROPERTY IS LOCATED WITHIN THE ZONE "X", "A" & "AE" FLOOD HAZARD AREA PER FIRM MAP PANEL NUMBER 04013C-1210 L DATED OCTOBER 16, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

ZONE "X" AS DEFINED BY FEMA IS:

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.

ZONE "AE" AS DEFINED BY FEMA IS:

THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), ALSO KNOWN AS THE BASE FLOOD, IS THE FLOOD THAT HAS A 1% CHANCE OF BEING EQUALED OR EXCEEDED IN ANY GIVEN YEAR. THE SPECIAL FLOOD HAZARD AREA IS THE AREA SUBJECT TO THE FLOODING BY THE 1% ANNUAL CHANCE FLOOD. BASE FLOOD ELEVATIONS DETERMINED.

ZONE "A" AS DEFINED BY FEMA IS:

THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), ALSO KNOWN AS THE BASE FLOOD, IS THE FLOOD THAT HAS A 1% CHANCE OF BEING EQUALED OR EXCEEDED IN ANY GIVEN YEAR. THE SPECIAL FLOOD HAZARD AREA IS THE AREA SUBJECT TO THE FLOODING BY THE 1% ANNUAL CHANCE FLOOD. NO BASE FLOOD ELEVATIONS DETERMINED.

ASSURED WATER SUPPLY

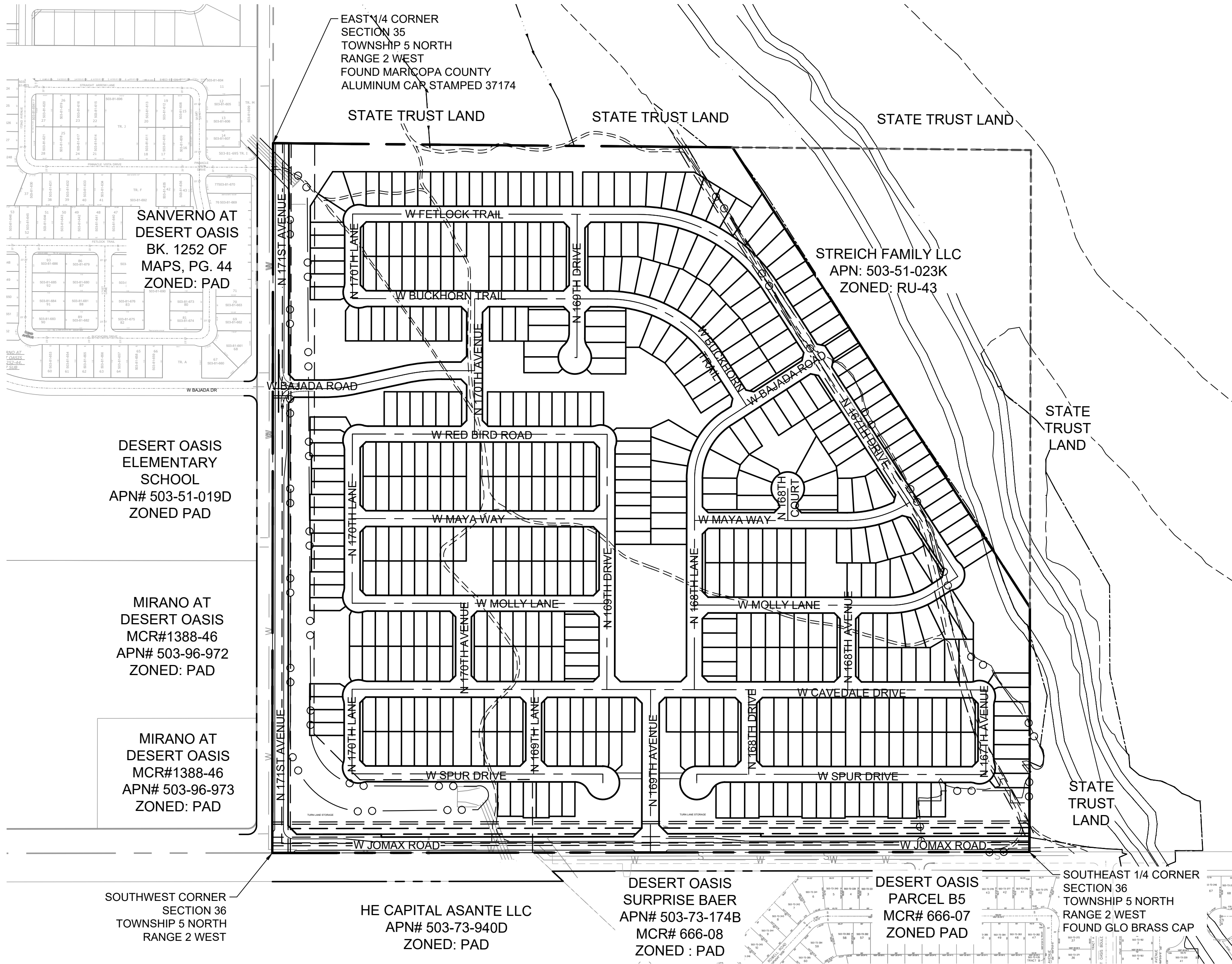
THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE, AWS No. 2010-012, SIGNED ON 9-29-2010, DECISION AND ORDER NUMBER 86-002344.001, WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. 45-576.

UTILITY PROVIDERS

UTILITY	UTILITY COMPANY
FIRE	CITY OF SURPRISE
WATER	CITY OF SURPRISE
SEWER	CITY OF SURPRISE
POWER	(APS) ARIZONA PUBLIC SERVICE
TELEPHONE	CENTURYLINK
GAS	SOUTHWEST GAS COMPANY
CATV	COX COMMUNICATIONS

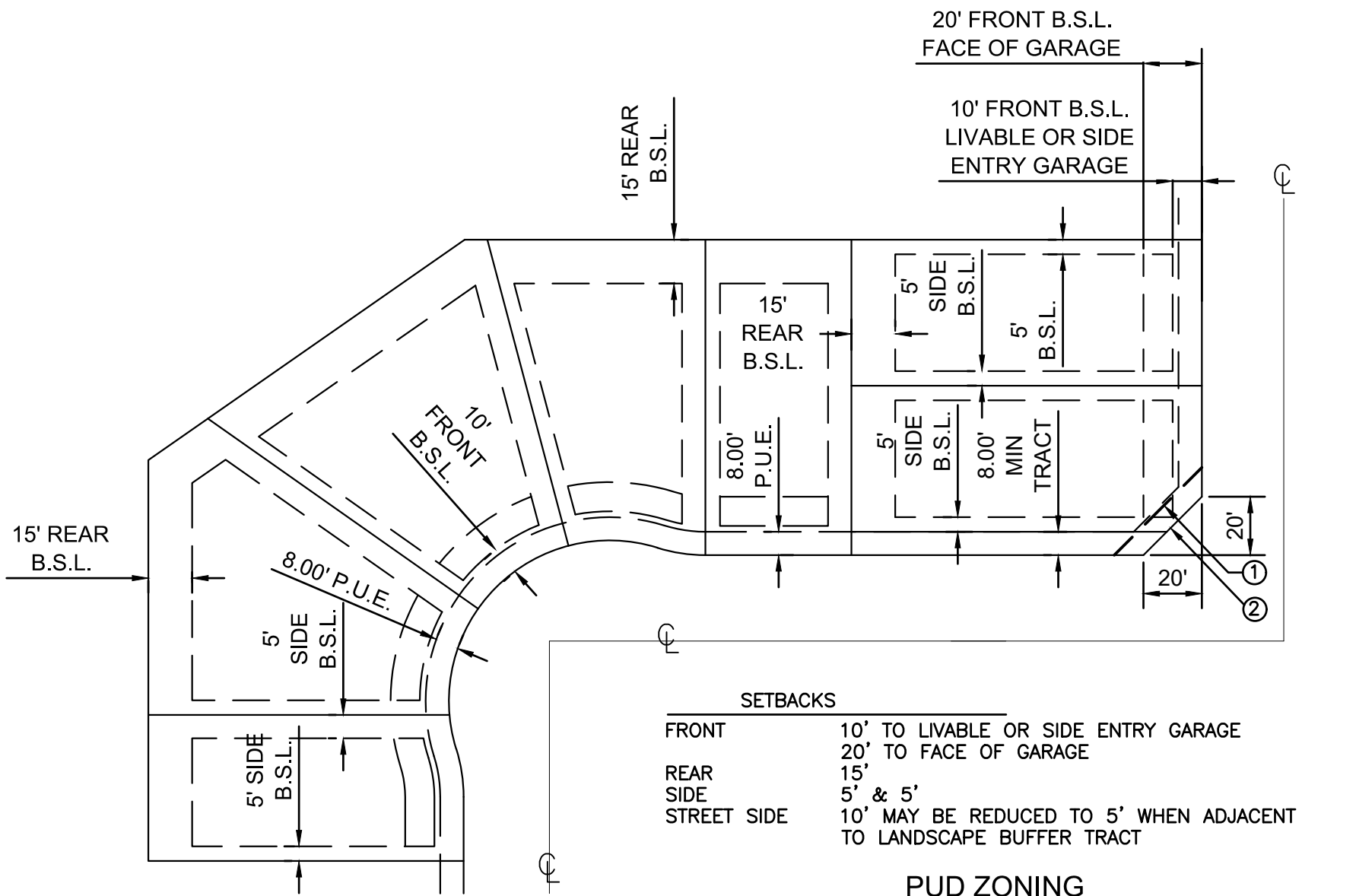
GENERAL NOTE

SUNRISE WILL INSTALL DECOMPOSED GRANITE GROUNDCOVER WITHIN RIGHT-OF-WAY EXTENSION FOR RED BIRD LANE FROM N 168TH AVENUE TO MARICOPA COUNTY ASSESSOR'S PARCEL NUMBER 503-51-023K AS AN INTERIM CONDITION. THE OWNER OF APN 503-51-023K IS RESPONSIBLE FOR THE FUTURE IMPROVEMENT OF THE RIGHT-OF-WAY EXTENSION FOR RED BIRD LANE, INCLUDING UTILITY EXTENSIONS, AS REQUIRED BY THE CITY OF SURPRISE AT THE TIME OF DEVELOPMENT OF APN 503-51-023K.



KEY MAP

(NOT-TO-SCALE)



PUD ZONING
TYPICAL LOT & PIE SHAPED LOT DETAIL SETBACKS
(NOT TO SCALE)

- 30' x 30' UNOBSTRUCTED VIEW EASEMENT AREA (LOCAL TO LOCAL)
NO OBJECT WITH VISIBILITY TRIANGLES MAY EXCEED 30" IN HEIGHT.
- 20' x 20' ROW CORNER CLIP AS REQUIRED BY CITY OF SURPRISE SUPPLEMENTAL ENGINEERING DEVELOPMENT STANDARD DETAILS (DETAIL NO. 3-15)

NOTE:
CONCRETE MASONRY WALLS CANNOT BE CONSTRUCTED IN THE PUBLIC UTILITY EASEMENT

STREET SIDE SETBACK MAY BE REDUCED BY 5' IF A LANDSCAPE TRACT IS USED ON THE STREET SIDE.

Development Standards (RM-9 PUD)			
MIN STANDARD	SUNRISE LOT CATEGORIES		
	A	B	C
MINIMUM LOT WIDTH	45'	50'	55'
MINIMUM LOT DEPTH	115'	115'	115'
MINIMUM LOT AREA	5,175	5,750	6,325
FRONT SETBACK LIVABLE	10'	10'	10'
FRONT SETBACK GARAGE (1)	10'	10'	10'
MIN REAR SETBACK HOUSE	15'	15'	15'
MIN SIDE SETBACK	5'/5'	5'/5'	5'/5'
MIN STREET SIDE (2)	10'	10'	10'
BUILDING COVERAGE	55%	55%	55%
MAX BUILDING HEIGHT	35'	35'	35'

NOTE:

1) FRONT GARAGE MAY BE LESS THAN LIVABLE AREA AS SIDE LOADED GARAGE ONLY. OTHERWISE, MINIMUM OF 20' GARAGE SETBACK AS MEASURED FROM FACE OF GARAGE DOOR TO PROPERTY LINE.

2) LANDSCAPE BUFFER TRACTS CAN REDUCE STREET SIDE SETBACK REQUIREMENTS BY THE WIDTH OF TRACT, UP TO 5'

SITE DATA					
GROSS AREAS (ACRES)			130.17		
NET AREAS (ACRES)			123.51		
PARCEL	MIN LOT SIZE	YIELD	MIX%	PARCEL AREAGE	PARCEL DENSITY (DU/AC)
A	45' X 115'	184	38.66%	51.31	3.59
B	50' X 115'	150	31.51%	38.47	3.90
C	45' X 115'	64	13.45%	17.54	3.65
D	55' X 115'	78	16.39%	22.86	3.41
YIELD TOTALS		476	100%	130.17	3.66

LOT MIX	45' X 115'	248	52%
	50' X 115'	150	32%
	55' X 115'	78	16%
TOTAL		476	100%
TOTAL ROW AREA			
LOCAL ROW AREAS (AC)	24.07	18%	
ARTERIAL ROW AREAS (AC)	6.67	5%	
COLLECTOR ROW AREAS (AC)	1.39	1%	
COMBINED ROW TOTALS	32.14	25%	
TOTAL DEVELOPED TRACT AREA			
LANDSCAPE TRACT	1.51	1.16%	
OPEN SPACE TRACT	30.42	23.37%	
TOTAL COMBINED TRACT AREA	31.93	24.53%	

PRELIMINARY PLAT
FOR
SUNRISE

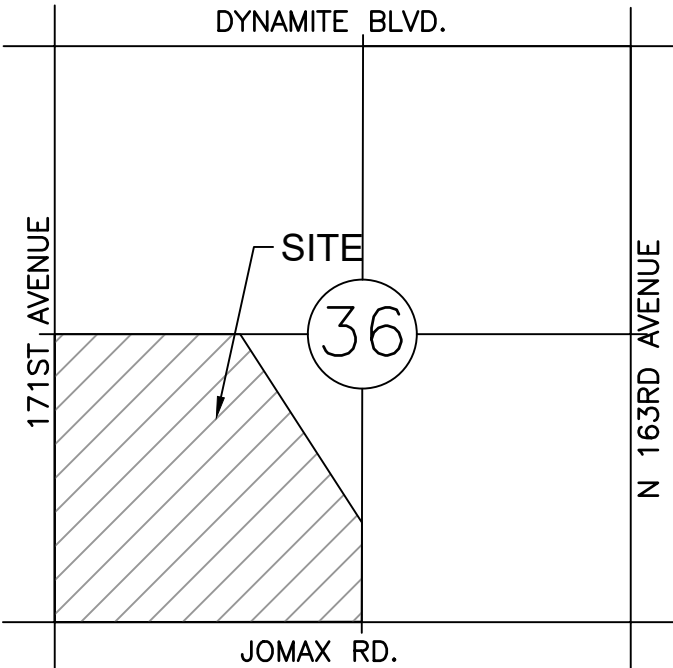
A PORTION OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OWNER / DEVELOPER

METRO OASIS, LLLP
17700 N. PACESETTER WAY
SUITE 100
SCOTTSDALE, AZ 85255
PHONE: (480) 515-3255
CONTACT: TIM BRISLIN

CVL DESIGN TEAM

CVL CONSULTANTS, INC.
4550 N. 12TH STREET
PHOENIX, AZ 85014
PHONE: (602) 285-4972
CONTACT: ALEX CARAVEO



VICINITY MAP

(NOT-TO-SCALE)

LEGEND

	PROPOSED LOTS
	PROPOSED ROW
	PROPOSED CENTER LINE
	(S.V.T.) SIGHT VISIBILITY TRIANGLE
	(V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
	(P.U.E.) INDICATES PUBLIC UTILITY EASEMENT
	INDICATES LINE DATA LABEL SEE SHEETS 02 FOR DATA TABLE
	INDICATES CURVE DATA LABEL SEE SHEETS 02 FOR DATA TABLE
	PROPOSED WATER
	PROPOSED SEWER
	(M.U.T.E.) MULTI USE TRAIL EASMENT

SHEET INDEX

SHEET 01 - KEY MAP / SITE DATA TABLE / DEVELOPMENT STANDARDS TABLE / TYPICAL LOT DETAIL / LEGAL DESCRIPTION
SHEET 02 - LOT AREA TABLES / TRACT TABLES / CENTERLINE CURVE DATA TABLE / CENTERLINE DATA TABLE
SHEET 03 - STREET SECTIONS
SHEET 04 - PARCEL MAP
SHEET 05 - SHEET INDEX MAP
SHEET 06 -11 - PRELIMINARY PLAT



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SHEET
01 OF 11

CVL# 01.0298201

DATE: 06/07/2019

6/7/19 LisaL

N:\010298201\Cadd\Preliminary\PB PRE PLAT.dwg

LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE	
LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)	LOT #	AREA (SQUARE FEET)
1	5,397	35	5,400	69	5,271	103	5,400	137	5,400	171	5,400	205	6,000	239	6,091	273	6,000	307	6,249	341	9,719	375	8,379	409	6,894	443	5,398	477	5,400	511	5,400	545	5,400
2	5,400	36	5,350	70	5,350	104	5,400	138	5,400	172	5,804	206	6,000	240	6,245	274	6,842	308	6,249	342	6,550	376	8,373	410	7,211	444	7,181	478	5,400	512	5,400	546	5,400
3	5,400	37	5,350	71	5,400	105	5,400	139	5,400	173	5,408	207	6,000	241	6,245	275	7,661	309	6,249	343	6,626	377	8,361	411	7,776	445	9,859	479	5,400	513	5,400	547	5,400
4	5,400	38	5,400	72	5,400	106	5,400	140	5,400	174	5,400	208	6,000	242	6,245	276	8,258	310	6,249	344	9,304	378	8,344	412	7,787	446	8,418	480	5,400	514	5,400	548	5,400
5	5,400	39	5,400	73	5,400	107	5,400	141	5,400	175	5,400	209	6,000	243	6,235	277	8,878	311	6,249	345	9,304	379	8,322	413	5,400	447	5,349	481	5,400	515	5,400	549	5,400
6	5,400	40	5,400	74	5,400	108	5,400	142	5,350	176	5,400	210	6,000	244	6,041	278	8,412	312	6,249	346	6,853	380	7,425	414	5,400	448	5,400	482	5,400	516	5,400	550	5,400
7	6,162	41	5,400	75	5,400	109	5,400	143	5,463	177	5,350	211	6,000	245	6,838	279	6,325	313	6,249	347	6,600	381	6,960	415	5,400	449	5,400	483	5,400	517	5,400	551	5,400
8	5,225	42	5,400	76	5,400	110	5,400	144	5,513	178	5,350	212	6,000	246	7,458	280	7,740	314	6,249	348	6,600	382	6,706	416	5,400	450	5,400	484	5,400	518	5,400	552	5,400
9	5,358	43	5,400	77	5,400	111	5,400	145	5,512	179	5,400	213	6,000	247	7,462	281	8,368	315	6,249	349	6,600	383	6,600	417	5,400	451	5,391	485	5,400	519	5,400	553	5,400
10	5,175	44	5,400	78	5,400	112	5,350	146	5,513	180	5,400	214	6,000	248	6,731	282	6,345	316	6,249	350	6,550	384	6,550	418	5,400	452	5,205	486	5,400	520	5,400	554	5,400
11	5,175	45	5,400	79	5,400	113	5,350	147	5,513	181	5,400	215	6,000	249	6,000	283	6,000	317	6,249	351	6,815	385	6,550	419	5,400	453	5,350	487	5,400	521	5,400	555	5,400
12	5,175	46	5,400	80	5,400	114	5,400	148	5,513	182	5,400	216	6,000	250	6,000	284	6,000	318	6,249	352	6,874	386	6,600	420	5,400	454	5,400	488	5,400	522	5,400	556	5,400
13	5,400	47	5,400	81	5,400	115	5,400	149	5,490	183	5,400	217	5,950	251	6,000	285	6,000	319	6,249	353	6,874	387	6,648	421	5,350	455	5,400	489	5,400	523	5,400	557	5,400
14	5,400	48	5,400	82	5,400	116	5,400	150	5,322	184	5,400	218	5,950	252	6,000	286	6,000	320	6,199	354	6,874	388	7,378	422	5,350	456	5,400	490	5,400	524	5,400	558	5,400
15	5,400	49	5,400	83	5,400	117	5,350	151	5,248	185	6,000	219	6,000	253	5,950	287	6,000	321	6,000	355	6,874	389	7,409	423	5,400	457	5,400	491	5,400	525	5,400	559	5,400
16	5,175	50	5,400	84	5,400	118	5,512	152	5,337	186	6,000	220	6,001	254	5,950	288	6,000	322	6,000	356	7,688	390	7,658	424	5,400	458	5,400	492	5,400	526	5,400	560	5,400
17	5,175	51	5,400	85	5,400	119	5,513	153	5,400	187	6,000	221	6,307	255	6,000	289	6,000	323	6,000	357	8,066	391	8,108	425	5,400	459	5,400	493	5,400	527	5,400	561	5,400
18	5,175	52	5,350	86	5,400	120	5,513	154	5,400	188	6,000	222	6,153	256	6,000	290	6,000	324	6,000	358	8,989	392	8,178	426	5,400	460	5,400	494	5,400	528	5,400	562	5,400
19	5,400	53	5,350	87	5,350	121	5,512	155	5,350	189	5,950	223	6,250	257	6,000	291	5,950	325	9,379	359	10,431	393	7,910	427	5,400	461	5,400	495	5,400	529	5,400	563	5,400
20	5,301	54	5,400	88	5,631	122	5,512	156	5,400	190	5,950	224	6,250	258	6,000	292	5,950	326	7,986	360	7,185	394	7,738	428	5,400	462	5,400	496	5,400	530	5,400	564	5,400
21	5,296	55	5,400	89	5,549	123	5,513	157	5,400	191	6,000	225	6,000	259	6,000	293	6,000	327	7,054	361	7,331	395	7,685	429	5,400	463	5,400	497	5,400	531	5,400	565	5,400
22	5,322	56	5,400	90	5,625	124	5,463	158	5,400	192	6,000	226	6,000	260	6,000	294	6,000	328	6,333	362	7,891	396	7,148	430	5,400	464	5,400	498	5,400	532	5,400	566	5,400
23	5,490	57	5,400	91	5,625	125	5,463	159	5,400	193	6,000	227	6,000	261	6,000	295	6,000	329	6,806	363	8,659	397	6,550	431	5,400	465	5,400	499	5,400	533	5,400	567	5,400
24	5,512	58	5,400	92	5,625	126	5,513	160	5,400	194	6,000	228	6,250	262	6,000	296	6,000	330	7,976	364	7,994	398	6,600	432	5,400	466	5,400	500	5,400	534	5,400	568	5,400
25	5,513	59	5,400	93	5,625	127	5,513	161	5,400	195	6,000	229	6,250	263	6,000	297	6,000	331	11,591	365	7,379	399	6,600	433	5,400	467	5,350	501	5,400	535	5,400	569	5,400
26	5,512	60	5,400	94	5,625	128	5,513	162	5,400	196	6,000	230	6,250	264	6,000	298	6,000	332	7,151	366	6,885	400	7,279	434	5,400	468	5,283	502	5,400	536	5,400	570	5,400
27	5,512	61	5,397	95	5,625	129	5,513	163	5,400	197	6,000	231	6,000	265	6,000	299	6,305	333	8,240	367	6,600	401	7,694	435	5,400	469	5,310	503	5,400	537	5,400	571	5,400
28	5,512	62	5,400	96	5,625	130	5,513	164	5,400	198	6,000	232	6,000	266	6,000	300	6,841	334	6,985	368	6,600	402	7,703	436	5,400	470	5,400	504	5,400	538	5,400	572	5,400
29	5,462	63	5,400	97	5,350	131	5,512	165	5,350	199	6,000	233	6,000	267	6,000	301	7,157	335	6,875	369	6,600	403	7,703	437	5,400	471	5,400	505	5,400	539	5,400	573	5,400
30	5,400	64	5,400	98	5,400	132	5,350	166	5,400	200	6,000	234	6,250	268	6,000	302	7,165	336	6,875	370	6,950	404	9,020	438	5,400	472	5,400	506	5,400	540	5,400	574	5,400
31	5,400	65	5,400	99	5,400	133	5,400	167	5,400	201	6,000	235	6,250	269	6,000	303	7,972	337	6,875	371	6,960	405	7,819	439	5,400	473	5,400	507	5,400	541	5,400	575	5,400
32	5,400	66	5,400	100	5,400	134	5,400	168	5,624	202	6,000	236	6,000	270	6,000	304	6,119	338	6,875	372	6,960	406	7,828	440	5,400	474	5,400	508	5,400	542	5,400	576	5,400
33	5,400	67	5,400	101	5,400	135	5,400	169	5,626	203	5,950	237	6,000	271	5,950	305	6,249	339	8,021	373	7,971	407	7,036	441	5,400	475	5,400	509	5,400	543	5,400	577	5,400
34	5,400	68	5,400	102	5,400	136	5,400	170	5,400	204	5,950	238	6,500	272	5,950	306	6,249	340	9,227	374	8,379	408	6,948	442	5,400	476	5,397	510	5,400	544	5,400	578	5,400

TRACT AREA TABLE		
TRACT	AREA (ACRES)	DESCRIPTION
TRACT A	9.255	OPEN SPACE/LANDSCAPE TRACT/RETENTION/DRAINAGE CHANNEL
TRACT B	2.818	OPEN SPACE/LANDSCAPE TRACT/RETENTION/TRAILS/AMENITIES
TRACT C	0.048	LANDSCAPE TRACT
TRACT D	0.266	OPEN SPACE/LANDSCAPE TRACT
TRACT E	0.048	LANDSCAPE TRACT
TRACT F	0.048	LANDSCAPE TRACT
TRACT G	0.638	OPEN SPACE/LANDSCAPE TRACT/RETENTION
TRACT H	0.048	LANDSCAPE TRACT
TRACT I	0.049	LANDSCAPE TRACT
TRACT J	0.049	LANDSCAPE TRACT
TRACT K	0.024	LANDSCAPE TRACT
TRACT L	0.024	LANDSCAPE TRACT
TRACT M	2.739	OPEN SPACE/LANDSCAPE TRACT/RETENTION/AMENITIES
TRACT N	0.048	LANDSCAPE TRACT
TRACT O	0.349	OPEN SPACE/LANDSCAPE TRACT
TRACT P	0.048	LANDSCAPE TRACT
TRACT Q	0.048	LANDSCAPE TRACT
TRACT R	0.048	LANDSCAPE TRACT
TRACT S	3.442	OPEN SPACE/LANDSCAPE TRACT/RETENTION/SEWER EASEMENT
TRACT T	0.048	LANDSCAPE TRACT
TRACT U	0.285	OPEN SPACE/LANDSCAPE TRACT
TRACT V	0.048	LANDSCAPE TRACT
TRACT W	1.824	OPEN SPACE/LANDSCAPE TRACT/RETENTION

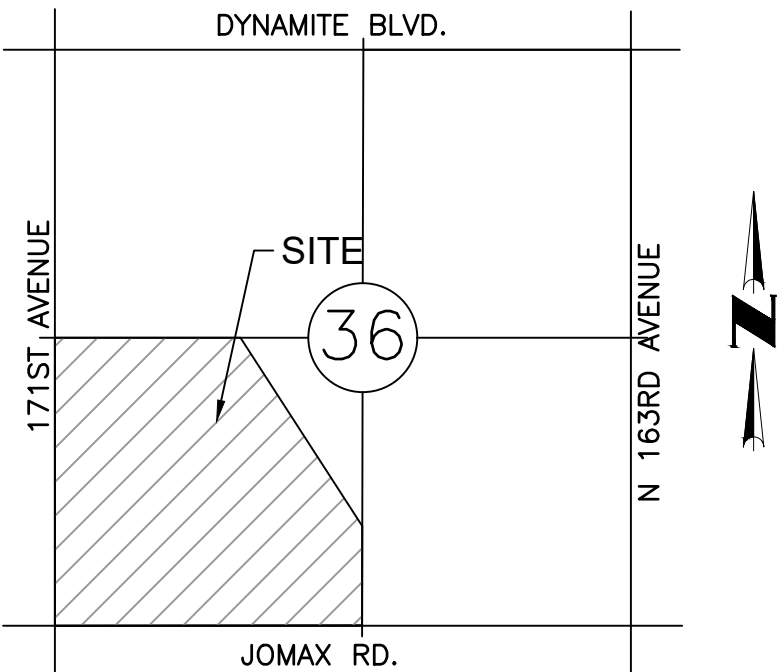
TRACT AREA TABLE		
TRACT	AREA (ACRES)	DESCRIPTION
TRACT X	0.048	LANDSCAPE TRACT
TRACT Y	0.048	LANDSCAPE TRACT
TRACT Z	0.051	LANDSCAPE TRACT
TRACT AA	0.051	LANDSCAPE TRACT
TRACT BB	0.048	LANDSCAPE TRACT
TRACT CC	0.695	OPENS SPACE/LANDSCAPE TRACT/RETENTION
TRACT DD	0.052	LANDSCAPE TRACT
TRACT EE	0.027	LANDSCAPE TRACT
TRACT FF	0.030	LANDSCAPE TRACT
TRACT GG	0.708	OPEN SPACE/LANDSCAPE TRACT/RETENTION
TRACT HH	0.055	LANDSCAPE TRACT
TRACT II	0.024	LANDSCAPE TRACT
TRACT JJ	0.025	LANDSCAPE TRACT
TRACT KK	0.025	LANDSCAPE TRACT
TRACT LL	0.048	LANDSCAPE TRACT
TRACT MM	0.039	LANDSCAPE TRACT
TRACT NN	0.029	LANDSCAPE TRACT
TRACT OO	0.048	LANDSCAPE TRACT
TRACT PP	0.048	LANDSCAPE TRACT
TRACT QQ	0.553	OPEN SPACE/LANDSCAPE TRACT/AMENITIES
TRACT RR	0.048	LANDSCAPE TRACT
TRACT SS	6.849	OPEN SPACE/LANDSCAPE TRACT/RETENTION/DRAINAGE CHANNEL
TRACT TT	0.132	LANDSCAPE TRACT/ACCESS EASEMENT

PRELIMINARY PLAT
FOR
SUNRISE

A PORTION OF LAND LOCATED IN THE SOUTHWEST QUARTER OF
SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

OWNER / DEVELOPER
METRO OASIS, LLLP
17700 N. PACESETTER WAY
SUITE 100
SCOTTSDALE, AZ 85255
PHONE: (480) 515-3255
CONTACT: TIM BRISLIN

CVL DESIGN TEAM
CVL CONSULTANTS, INC.
4550 N. 12TH STREET
PHOENIX, AZ 85014
PHONE: (602) 285-4972
CONTACT: ALEX CARAVEO



VICINITY MAP
(NOT-TO-SCALE)

LEGEND	
	PROPOSED LOTS
	PROPOSED ROW
	PROPOSED CENTER LINE
	(S.V.T.) SIGHT VISIBILITY TRIANGLE
	1" V.N.A.E. (V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
	8" P.U.E. (P.U.E.) INDICATES PUBLIC UTILITY EASEMENT
	INDICATES LINE DATA LABEL SEE SHEETS 02 FOR DATA TABLE
	INDICATES CURVE DATA LABEL SEE SHEETS 02 FOR DATA TABLE
	PROPOSED WATER
	PROPOSED SEWER
	(M.U.T.E.) MULTI USE TRAIL EASMENT

SHEET INDEX

SHEET 01 - KEY MAP / SITE DATA TABLE / DEVELOPMENT STANDARDS
TABLE / TYPICAL LOT DETAIL / LEGAL DESCRIPTION
SHEET 02 - LOT AREA TABLES / TRACT TABLES / CENTERLINE CURVE
DATA TABLE / CENTERLINE DATA TABLE
SHEET 03 - STREET SECTIONS
SHEET 04 - PARCEL MAP
SHEET 05 - SHEET INDEX MAP
SHEET 06 -11 - PRELIMINARY PLAT

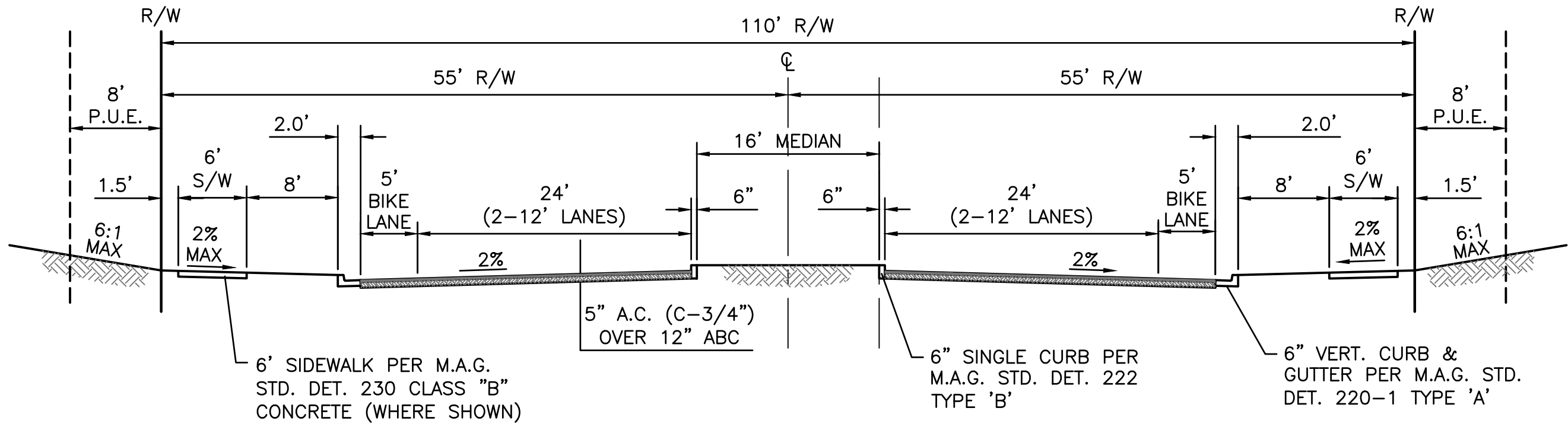


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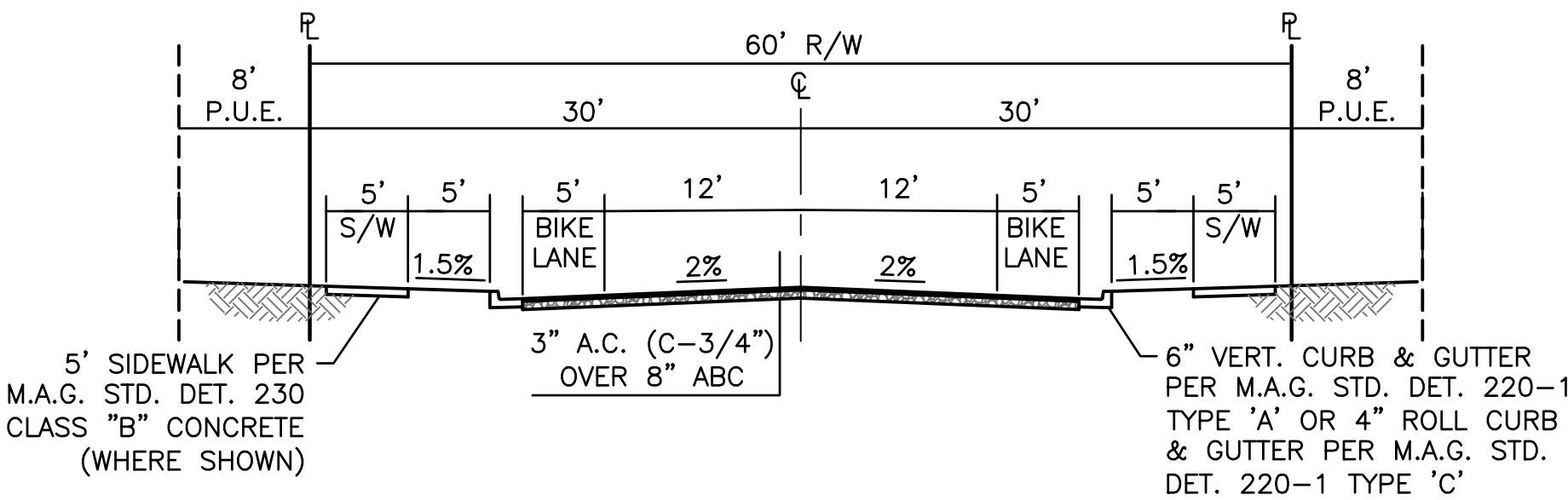


SHEET
03 OF 11
CVL# 01.0298201

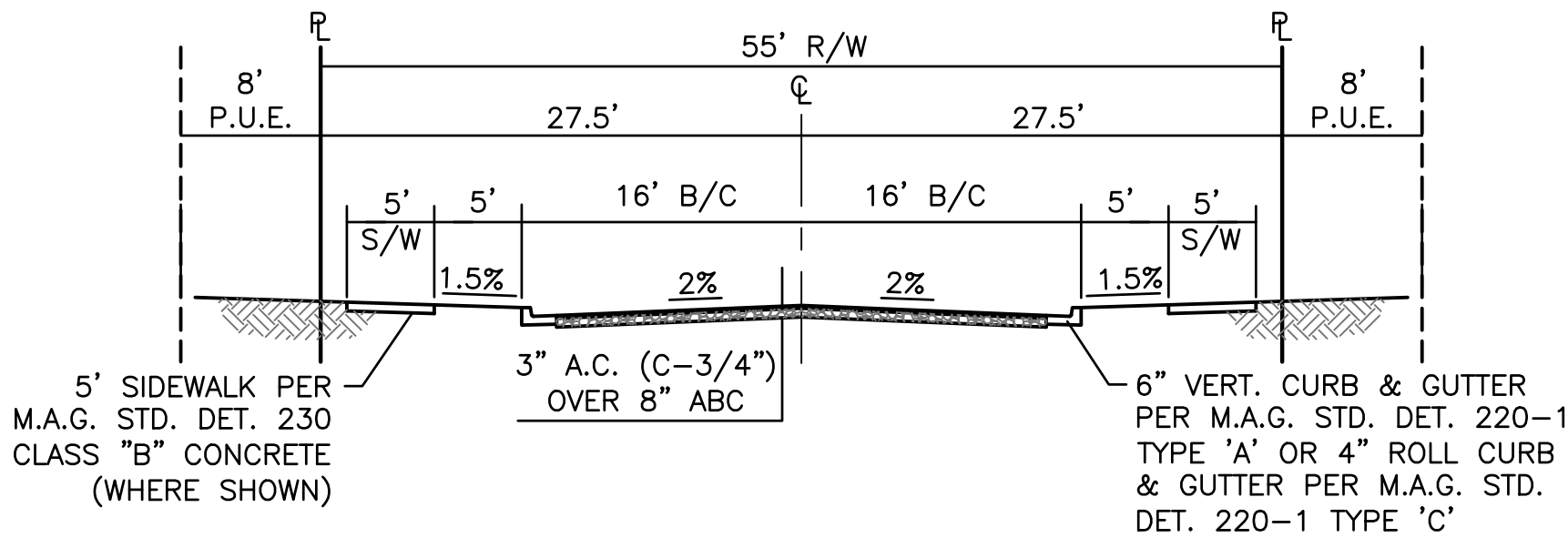
DATE: 06/07/2019



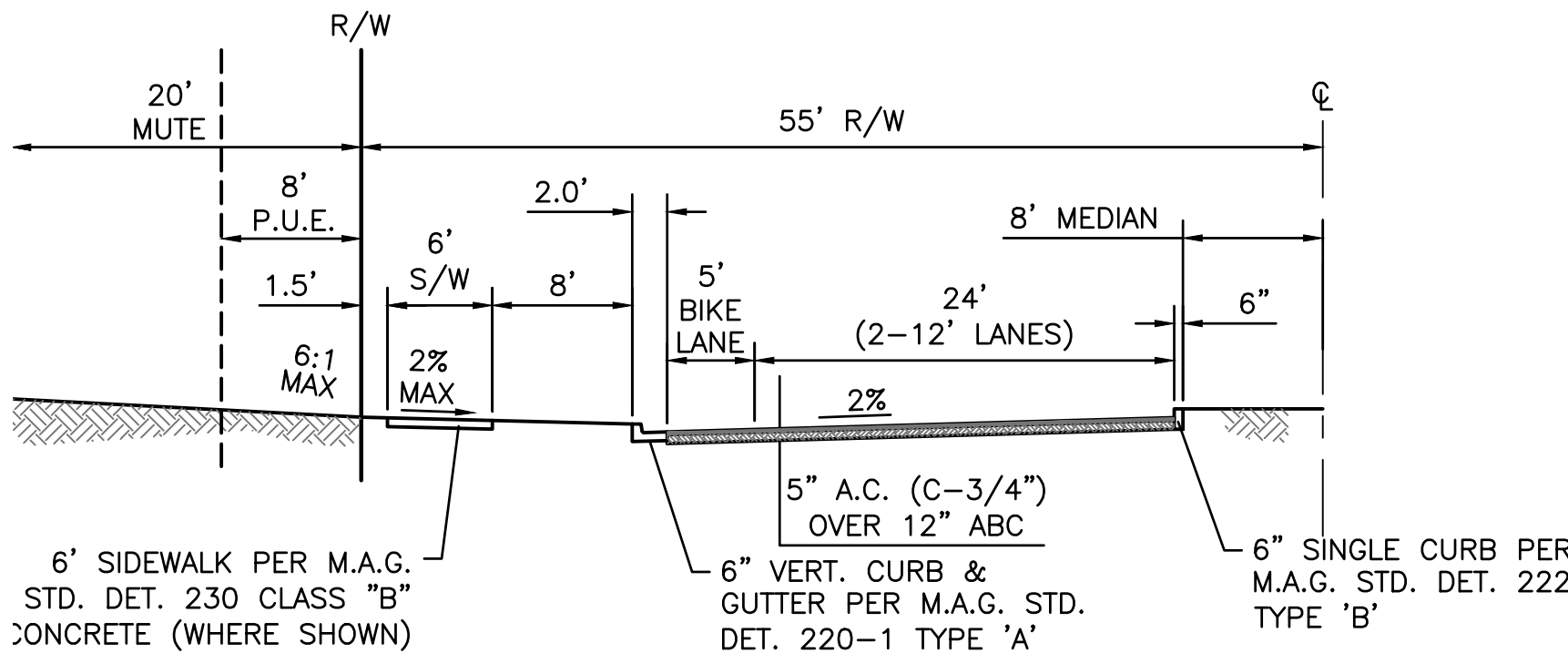
171st AVENUE
N.T.S.



TYPICAL ENTRY STREET (60' R/W)
N.T.S.



TYPICAL LOCAL STREET (55' R/W)
N.T.S.



JOMAX ROAD (1/2 STREET)
N.T.S.

ACCESS ROAD TURN DETAIL
AASHTO SU-40
N.T.S.

6/7/19 LisaL

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PRELIMINARY PLAT FOR SUNRISE

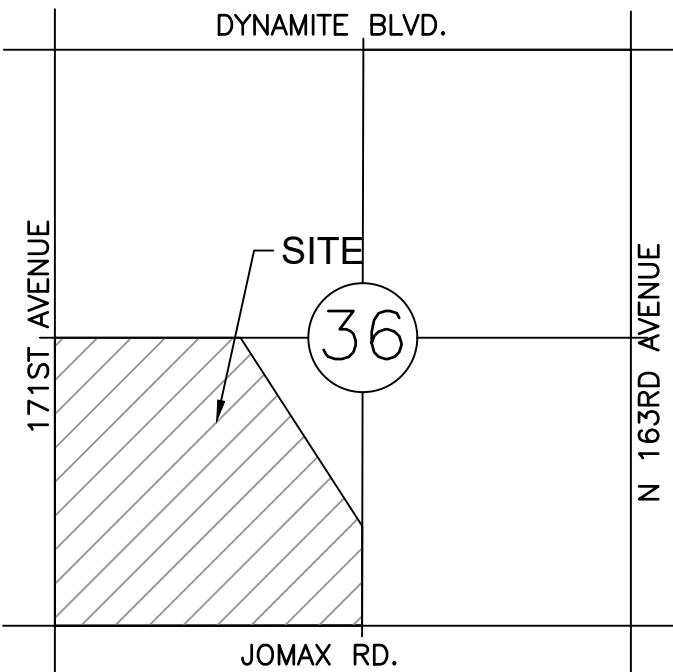
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VICINITY MAP
(NOT-TO-SCALE)

LEGEND

	PROPOSED LOTS
	PROPOSED ROW
	PROPOSED CENTER LINE
	(S.V.T.) SIGHT VISIBILITY TRIANGLE
	(V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
	(P.U.E.) INDICATES PUBLIC UTILITY EASEMENT
	INDICATES LINE DATA LABEL SEE SHEETS 02 FOR DATA TABLE
	INDICATES CURVE DATA LABEL SEE SHEETS 02 FOR DATA TABLE
	PROPOSED SEWER
	(M.U.T.E.) MULTI USE TRAIL EASEMENT

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SHEET
04 OF **11**

CVL# 01.0298201

DATE: 06/07/2019

PARCEL MAP

(NOT-TO-SCALE)

HE CAPITAL ASANTE
LLC
APN# 503-73-940D
ZONED: PAD

DESERT OASIS
SURPRISE BAER
APN# 503-73-174B
MCR# 666-08
ZONED : PAD

DESERT OASIS
PARCEL B5
MCR# 666-07
ZONED PAD

DESERT OASIS
PARCEL B4
MCR# 665-37

SOUTHEAST 1/4 CORNER
SECTION 36
TOWNSHIP 5 NORTH
RANGE 2 WEST
FOUND GLO BRASS CAP

SOUTHWEST CORNER
SECTION 36
TOWNSHIP 5 NORTH
RANGE 2 WEST

MIRANO AT DESERT
OASIS
MCR#1388-46
APN# 503-96-973
ZONED: PAD

MIRANO AT
DESERT OASIS
MCR#1388-46
APN# 503-96-972

DESERT OASIS ELEMENTARY
SCHOOL
APN# 503-51-019D
ZONED PAD

SANVERNO AT
DESERT OASIS
BK. 1252 OF
MAPS, PG. 44
ZONED: PAD

DESERT OASIS
PARCEL L14B
BK. 892 OF
MAPS, PG. 17

DESERT OASIS
PARCEL L13A
BK. 982 OF MAPS,
PG. 16

DESERT OASIS
PARCEL L14A
BK. 822 OF
MAPS, PG. 44

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PRELIMINARY PLAT
FOR
SUNRISE

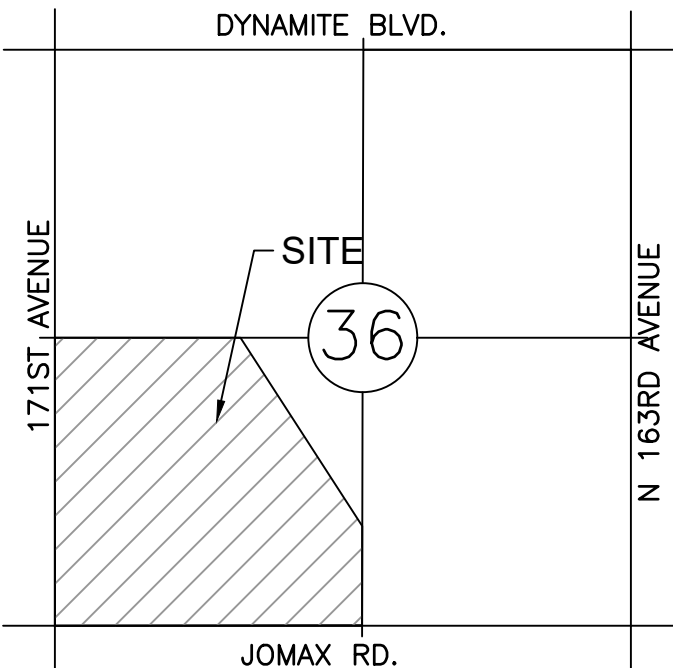
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VICINITY MAP
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LEGEND

	PROPOSED LOTS
	PROPOSED ROW
	PROPOSED CENTER LINE
	(S.V.T.) SIGHT VISIBILITY TRIANGLE
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	INDICATES LINE DATA LABEL SEE SHEETS 02 FOR DATA TABLE
	INDICATES CURVE DATA LABEL SEE SHEETS 02 FOR DATA TABLE
	PROPOSED SEWER
	(M.U.T.E.) MULTI USE TRAIL EASEMENT

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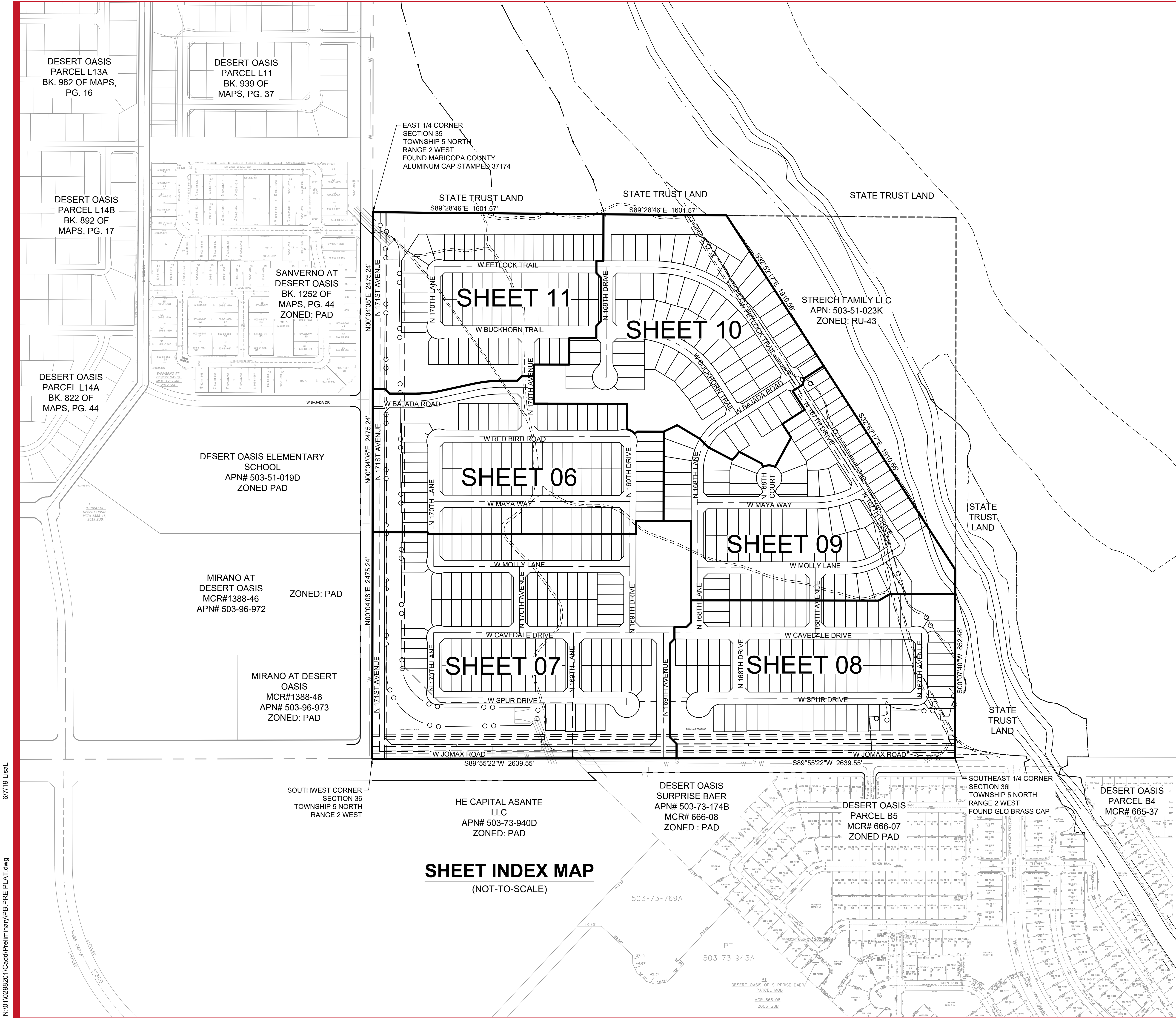


SHEET
05 OF 11

CVL# 01.0298201

DATE: 06/07/2019

SHEET INDEX MAP
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PRELIMINARY PLAT
FOR
SUNRISE

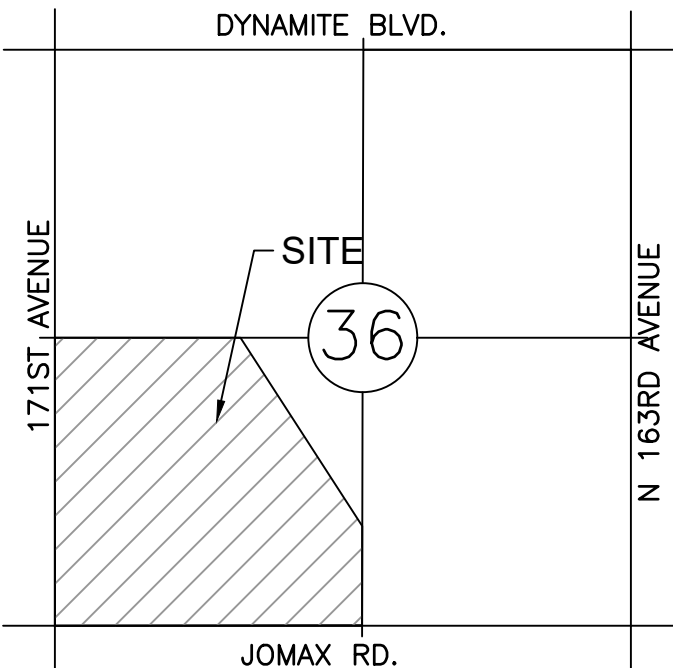
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CVL DESIGN TEAM

CVL CONSULTANTS, INC.
4550 N. 12TH STREET
PHOENIX, AZ 85014
PHONE: (602) 285-4972
CONTACT: ALEX CARAVEO



VICINITY MAP
(NOT-TO-SCALE)

LEGEND

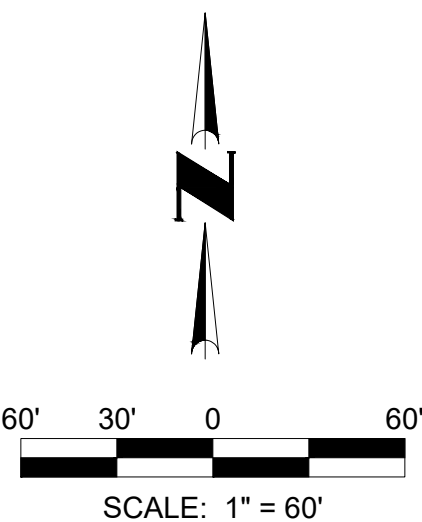
- PROPOSED LOTS
- PROPOSED ROW
- PROPOSED CENTER LINE
- (S.V.T.) SIGHT VISIBILITY TRIANGLE
- 1" V.N.A.E. (V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
- 8" P.U.E. (P.U.E.) INDICATES PUBLIC UTILITY EASEMENT
- L1 INDICATES LINE DATA LABEL SEE SHEETS 02 FOR DATA TABLE
- C1 INDICATES CURVE DATA LABEL SEE SHEETS 02 FOR DATA TABLE
- 8"W PROPOSED SEWER
- 8"S 20' M.U.T.E. (M.U.T.E.) MULTI USE TRAIL EASMENT

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- SHEET 02 - LOT AREA TABLES / TRACT TABLES / CENTERLINE CURVE DATA TABLE / CENTERLINE DATA TABLE
- SHEET 03 - STREET SECTIONS
- SHEET 04 - PARCEL MAP
- SHEET 05 - SHEET INDEX MAP
- SHEET 06-11 - PRELIMINARY PLAT



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SHEET
06 OF 11

CVL# 01.0298201

DATE: 06/07/2019

6/7/19 LisaL

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SHEET 06

SHEET 06

SHEET 09

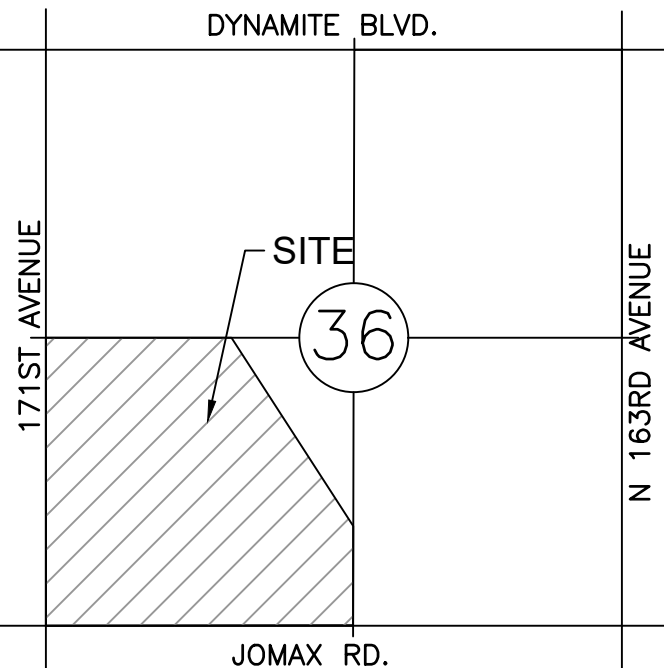
SHEET 08

PRELIMINARY PLAT FOR SUNRISE

A PORTION OF LAND LOCATED IN THE SOUTHWEST QUARTER OF
SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

OWNER / DEVELOPER
METRO OASIS, LLLP
17700 N. PACESETTER WAY
SUITE 100
SCOTTSDALE, AZ 85255
PHONE: (480) 515-3255
CONTACT: TIM BRISLIN

CVL DESIGN TEAM
CVL CONSULTANTS, INC.
4550 N. 12TH STREET
PHOENIX, AZ 85014
PHONE: (602) 285-4972
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VICINITY MAP
(NOT-TO-SCALE)

LEGEND

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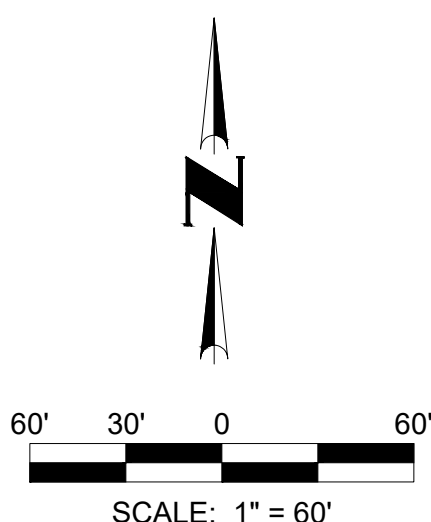
4550 N. 12th Street, Phoenix, AZ, 85014, phone 602.264.6831, fax 602.264.0928, www.cvlci.com
Civil Engineering, Water Systems, Wastewater Treatment, Land Planning, Energy, Land Survey, Landscape Architecture, Construction Management



SHEET
07 OF **11**

CVL# 01.0298201

DATE: 06/07/2019



HE CAPITAL ASANTE LLC
APN# 503-73-940D
ZONED: PAD

DESERT OASIS
SURPRISE BAER
APN# 503-73-174B
MCR# 666-08
ZONED: PAD

6/7/19 LisaL

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PRELIMINARY PLAT
FOR
SUNRISE

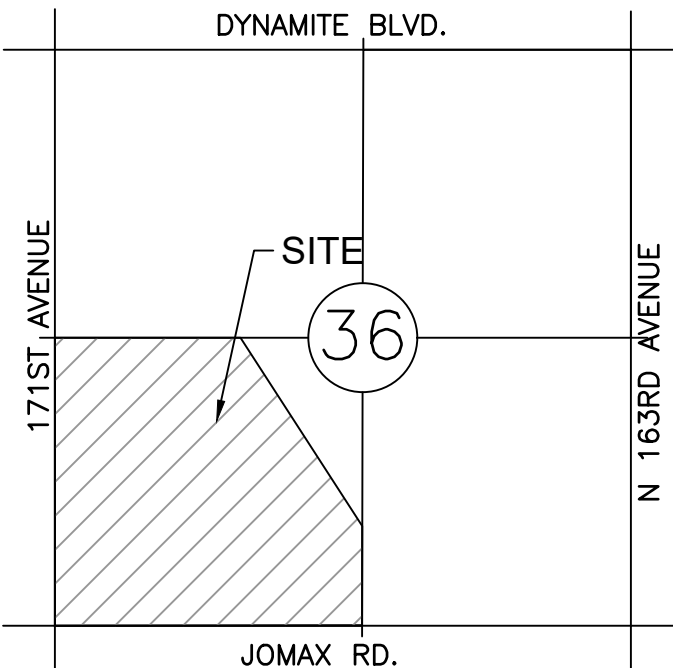
A PORTION OF LAND LOCATED IN THE SOUTHWEST QUARTER OF
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OWNER / DEVELOPER

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PHOENIX, AZ 85014
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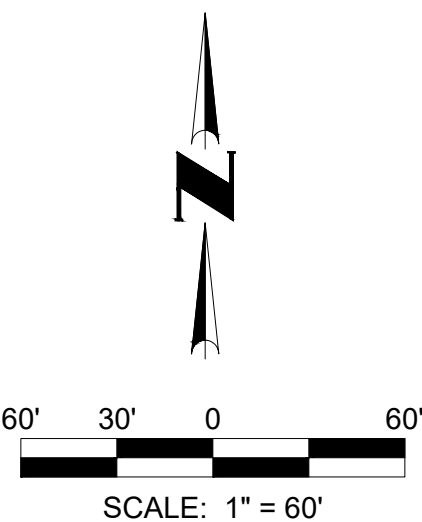
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SHEET
08 OF 11
CVL# 01.0298201

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6/7/19 LisaL

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DESERT OASIS
SURPRISE BAER
APN# 503-73-174B
MCR# 666-08
ZONED : PAD

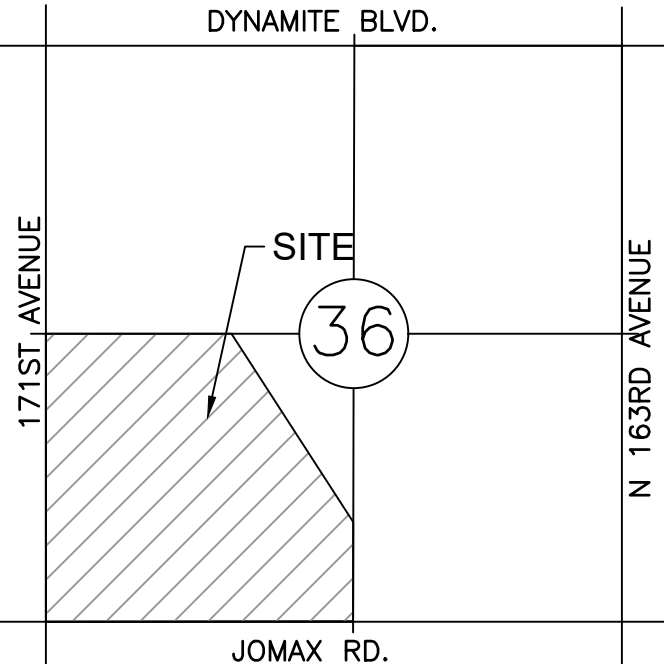
DESERT OASIS PARCEL B5
MCR# 666-07
ZONED PAD

PRELIMINARY PLAT
FOR
SUNRISE

A PORTION OF LAND LOCATED IN THE SOUTHWEST QUARTER OF
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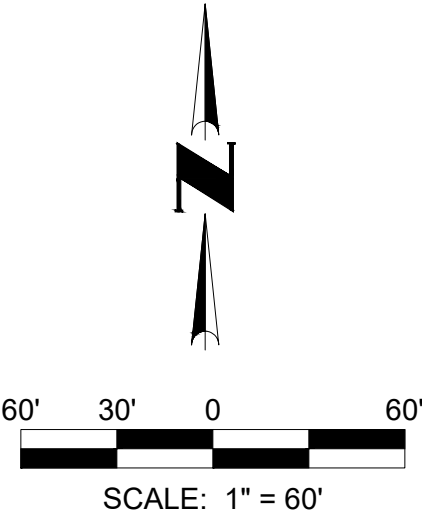


VICINITY MAP
(NOT-TO-SCALE)

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SHEET
09 OF **11**
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N:\010298201\Cadd\Preliminary\FB PRE PLAT.dwg 6/7/19 LisaL

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SUNRISE

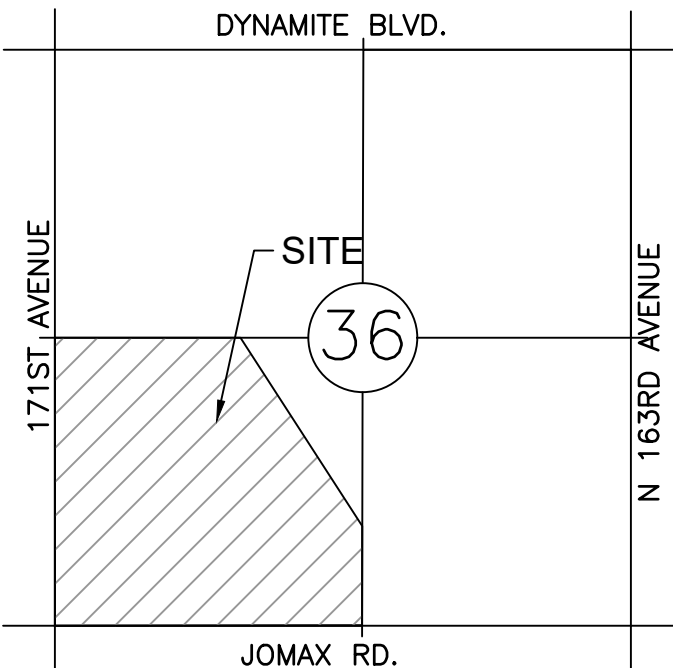
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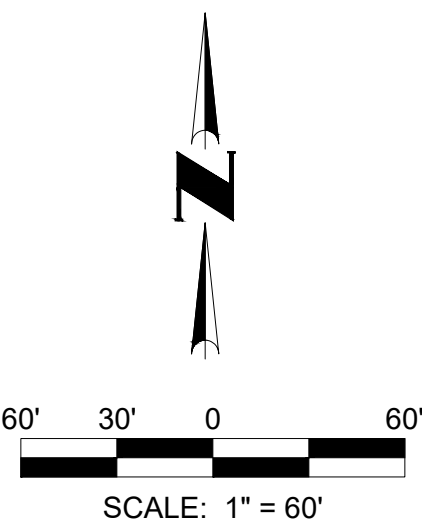
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SHEET
10 OF 11

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PRELIMINARY PLAT
FOR
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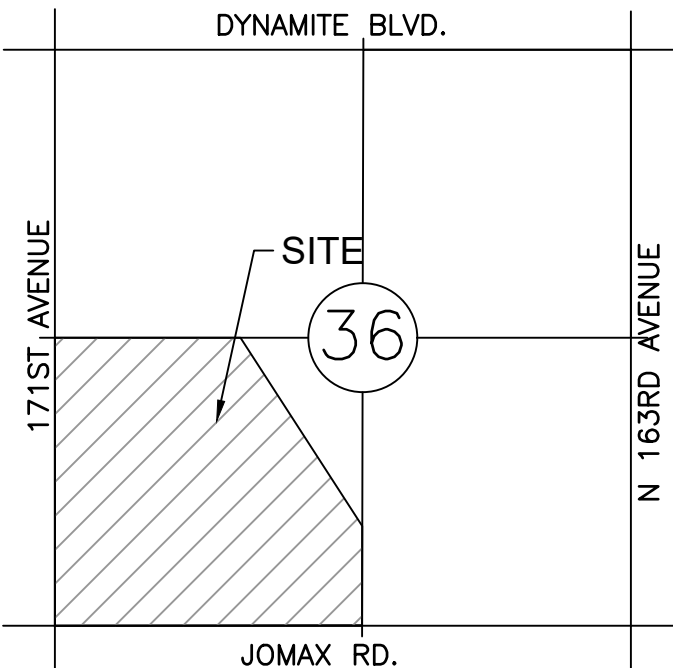
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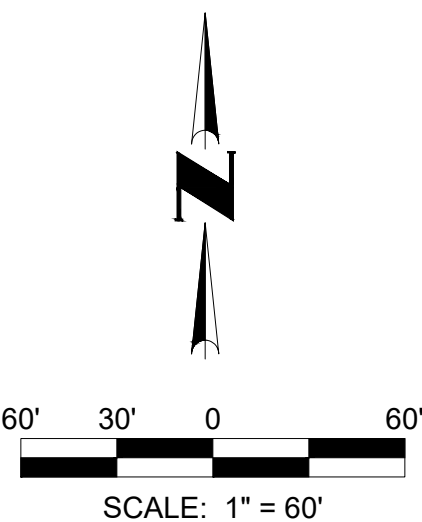
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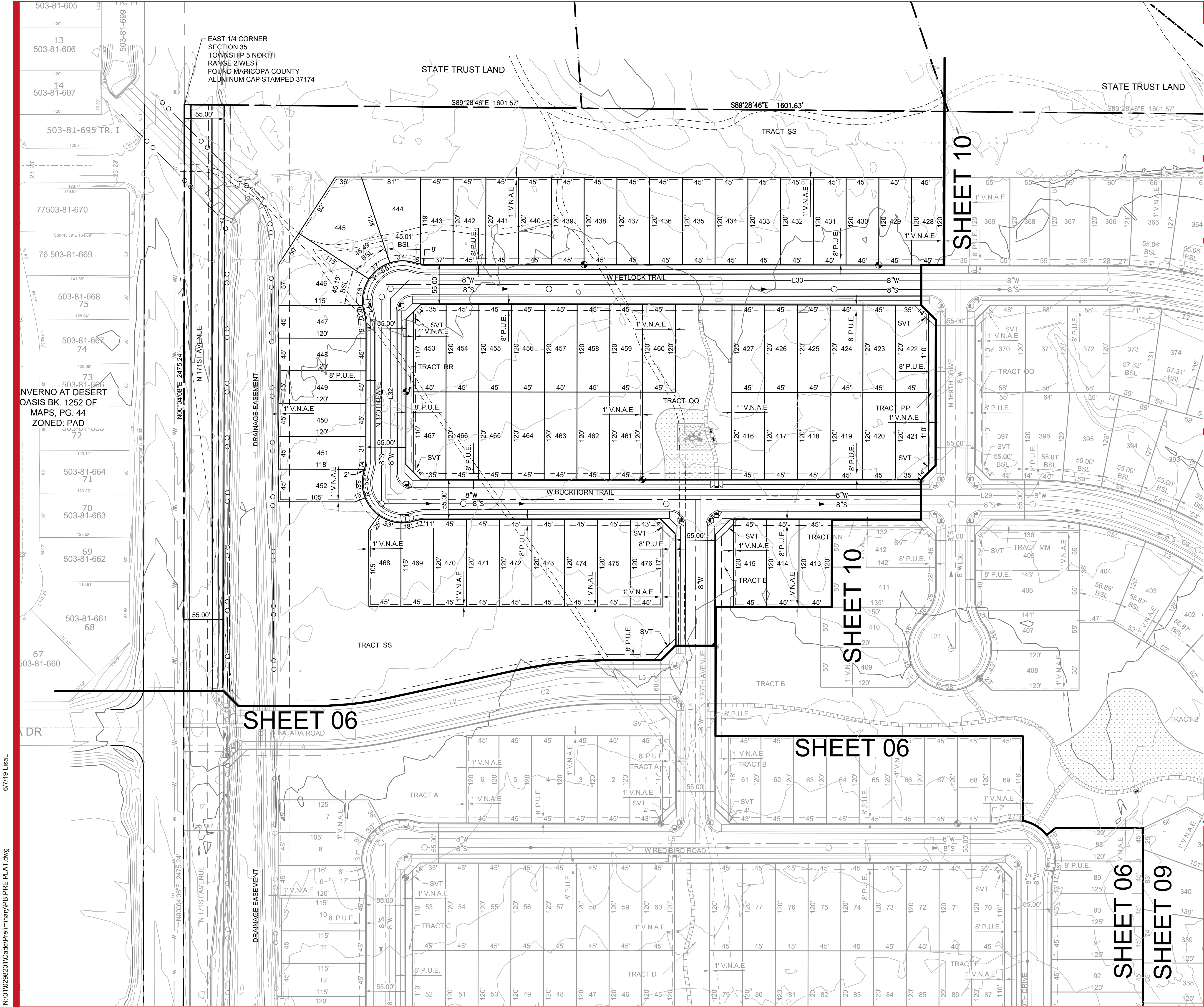
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SHEET
11 OF 11

CVL# 01.0298201

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6/7/19 LisaL

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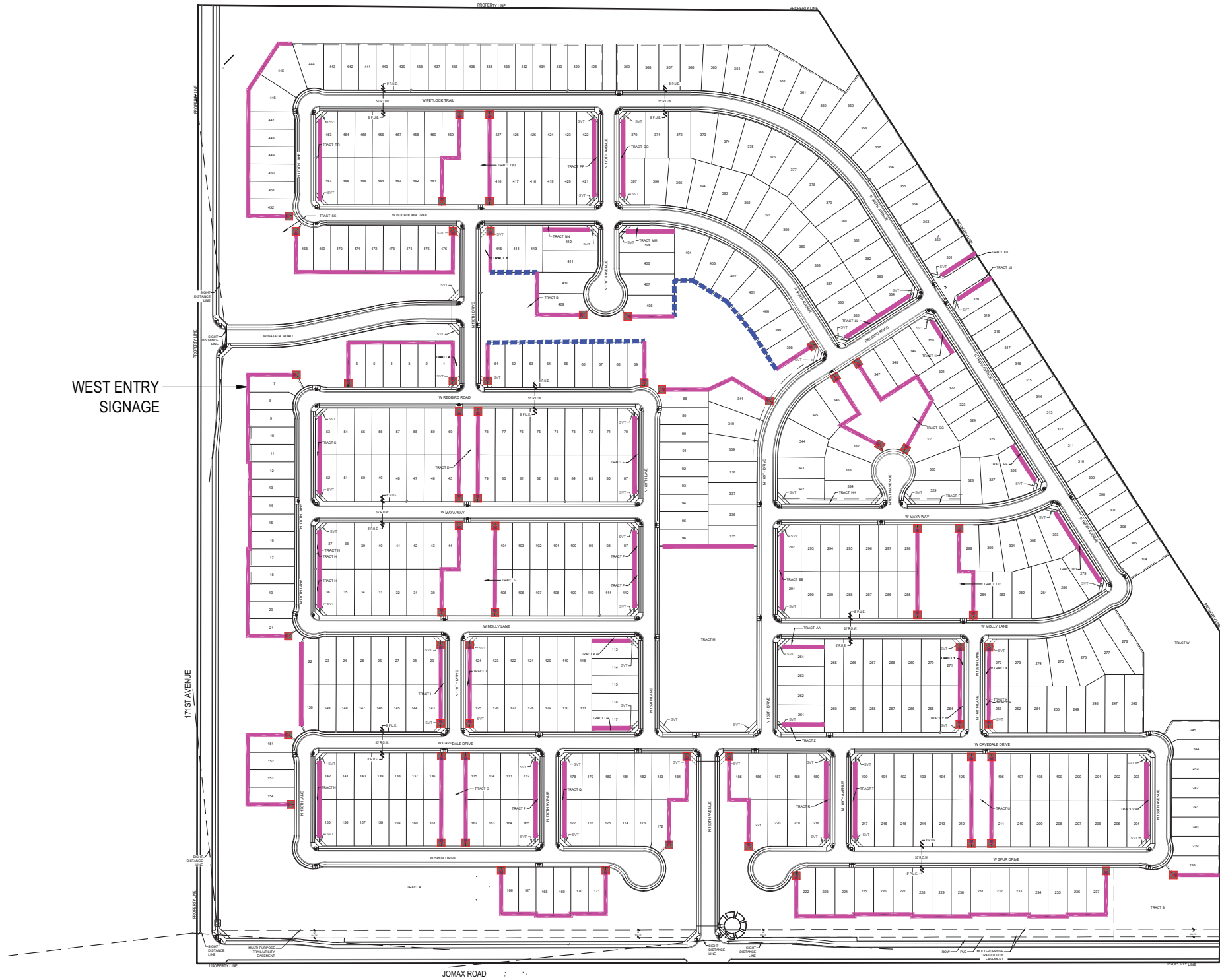


LANDSCAPE CALCULATIONS	
TOTAL SITE AREA	5,670,369 SQ FT (130 ACRES)
LANDSCAPE AREA	1,436,927 SQ FT (25% OF SITE)
TURF COVERAGE	76,639 SQ FT (5% OF LANDSCAPE AREA)

PLANT SCHEDULE		SIZE	CALIPER
BOTANICAL NAME COMMON NAME		BRANCHING	HT & W
TREES			
	<i>Acacia aneura</i> Mulga	24" BOX SINGLE	1.5" CALIPER 7' HT & 3' W
	<i>Chilopsis x 'Lucretia Hamilton'</i> Lucretia Hamilton Desert Willow	24" BOX SINGLE	1.5" CALIPER 7' HT & 4' W
	<i>Olneya tesota</i> Ironwood	24" BOX MULTI	6' HT & 3.5' W
	<i>Parkinsonia x 'Desert Museum'</i> Desert Museum Palo Verde	24" BOX MULTI	8' HT & 4' W
	<i>Quercus virginiana</i> Southern Live Oak	24" BOX SINGLE	1.5" CALIPER 9' HT & 4' W
	<i>Ulmus parvifolia</i> Chinese Evergreen Elm	24" BOX SINGLE	1.5" CALIPER 9' HT & 4' W
	<i>Vitex angus cactus</i> Chaste Tree	24" BOX MULTI	7' HT & 4' W
SHRUBS		SIZE	
	<i>Bougainvillea 'Monka'</i> Oo-La-La Bougainvillea	5 GAL	
	<i>Calliandra x Sierra Star</i> Sierra Star Fairy Duster	5 GAL	
	<i>Callistemon citrus 'Little John'</i> Little John Bottle Brush	5 GAL	
	<i>Dodonaea viscosa</i> Hopbush	15 GAL	
	<i>Encelia farinosa</i> Brittle Bush	5 GAL	
	<i>Eremophila maculata 'Valentine'</i> Red Emu Bush	5 GAL	
	<i>Justicia californica</i> Chuparosa	5 GAL	
	<i>Larrea tridentata</i> Creosote	5 GAL	
	<i>Leucophyllum laevigatum</i> Chihuahuan Sage	5 GAL	
	<i>Ruellia peninsularis</i> Baja Ruellia	5 GAL	
	<i>Russelia equisetiformis</i> Firecracker Bush	5 GAL	
	<i>Tecoma capensis</i> Cape Honeysuckle	5 GAL	
ACCENTS		SIZE	
	<i>Agave weberi</i> Weber's Agave	5 GAL	
	<i>Asclepias subulata</i> Desert Milkweed	5 GAL	
	<i>Bouteloua gracilis 'Blonde Ambition'</i> PP22049 Blonde Ambition Blue Grama	5 GAL	
	<i>Echinocactus grusonii</i> Golden Barrel Cactus	5 GAL	
	<i>Fouquieria splendens</i> Ocotillo	24" BOX FULLY ROOTED	
	<i>Hesperaloe funifera</i> Giant Yucca	15 GAL	
	<i>Hesperaloe parviflora 'Yellow'</i> Yellow Hesperaloe	5 GAL	
	<i>Muhlenbergia capallaris 'White Cloud'</i> White Awn Muhly	5 GAL	
	<i>Muhlenbergia capallaris Regal Mist</i> Guif Muhly	5 GAL	
	<i>Opuntia bigelovii</i> Teddy Bear Cholla	5 GAL	
	<i>Opuntia cacanapa 'Ellisiana'</i> Hardy Spineless Prickly Pear	5 GAL	
	<i>Opuntia microdasys</i> Bunny Ears	5 GAL	
	<i>Opuntia santa-rita</i> Santa Rita Prickly Pear	5 GAL	
	<i>Portulacaria afra</i> Elephant's Food	5 GAL	
	SALVAGED SAGUARO SEE: SUNRISE PLANT INVENTORY FOR SALVAGE INFORMATION		
GROUNDCOVERS		SIZE	
	<i>Acacia redolens 'Desert Carpet'</i> Prostrate Acacia	5 GAL	
	<i>Eremophila glabra</i> 'Mingenew Gold'	5 GAL	
	Outback Sunrise Emu		
	<i>Lantana montevidensis</i> Purple Trailing Lantana	1 GAL	
	<i>Lantana x 'New Gold'</i> New Gold Lantana	1 GAL	



CHECKED BY: JM
DRAWN BY: JH

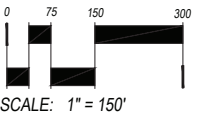


WALL PLAN

SYM.	PRODUCT DESCRIPTION	QTY.
	THEME WALL	15,360 L.F.
	VIEW FENCE (4' BLOCK / 2' FENCE)	985 L.F.
	WALL COLUMN	62
	ENTRY MONUMENT	1

NOTES:

- CONTRACTOR TO VERIFY SIDEYARD RETURN LOCATIONS WITH HOMEBUILDER PRIOR TO CONSTRUCTION
- ALL WALL COLUMNS ARE TO REMAIN OUTSIDE OF THE SVT. WALL COLUMN SYMBOLS ARE FOR REFERENCE ONLY AND DO NOT REFLECT THE FINAL SIZE OF THE COLUMNS.



SUNRISE

SURPRISE, ARIZONA
PRELIMINARY SUBMITTAL

OWNER:

METRO OASIS LLLP
TIM BRISLIN
17700 N. PACESETTER WAY STE 100
SCOTTSDALE, AZ 85255
480-348-1118



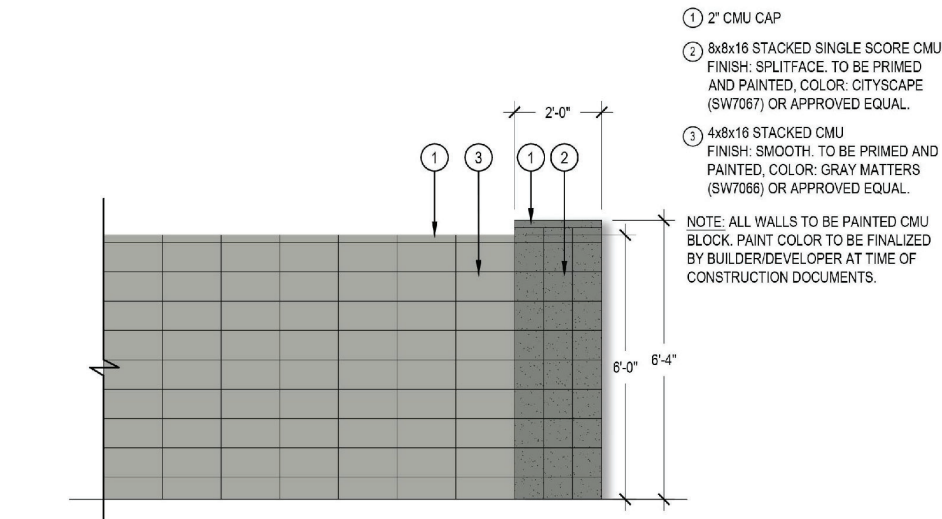
Joel D. Thomas

DATE:

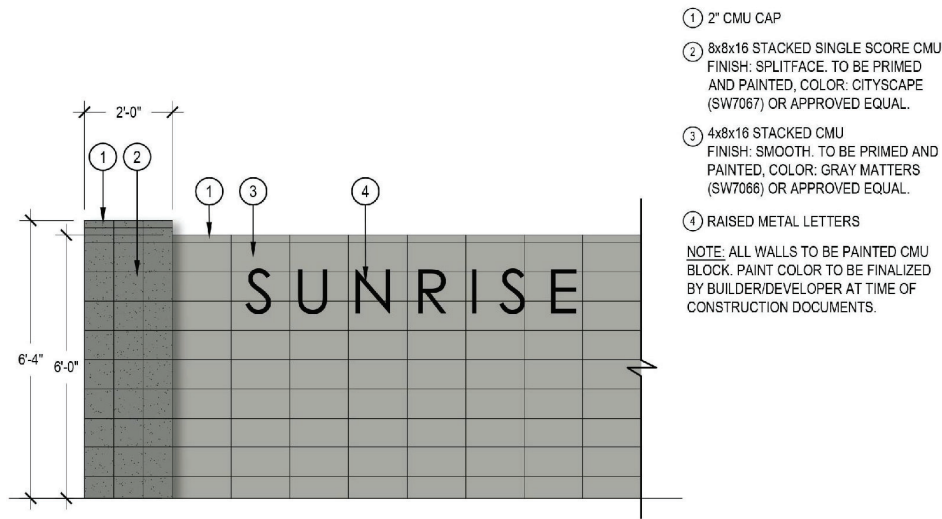
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4TH SUBMITTAL
4.16.19 - PRE-PLAT
3RD SUBMITTAL
2.4.19 - PRE-PLAT
2ND SUBMITTAL
10.9.18 - PRE-PLAT
1ST SUBMITTAL

SHEET TITLE:
WALL PLAN

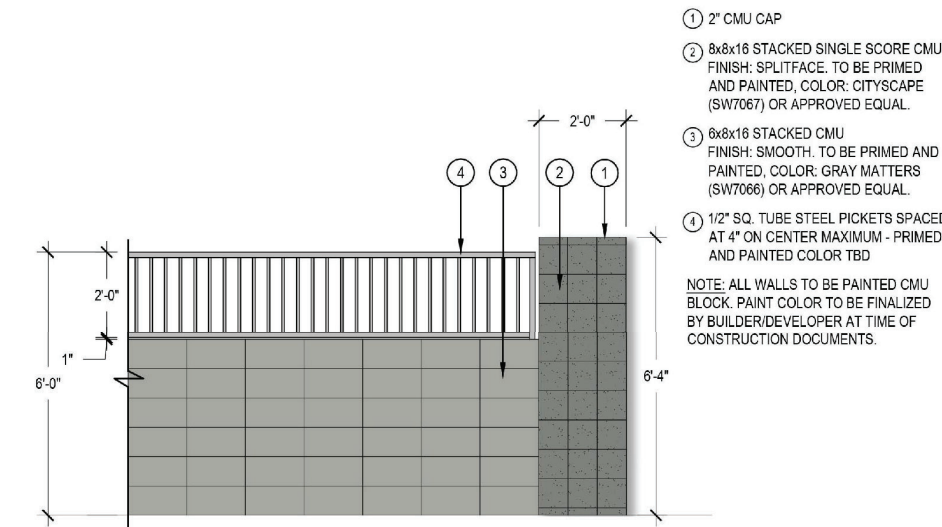
LA-101



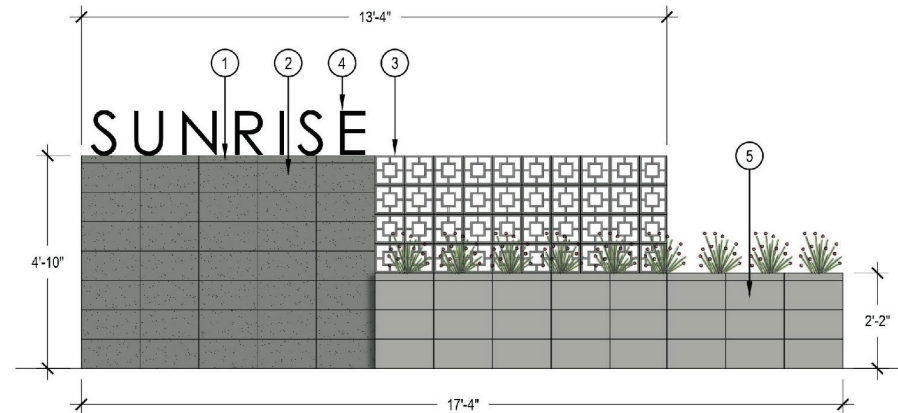
1 THEME WALL
SCALE: 1/2" = 1'-0"



3 WEST ENTRY SIGNAGE
SCALE: 1/2" = 1'-0"



4 VIEW FENCE
SCALE: 1/2" = 1'-0"



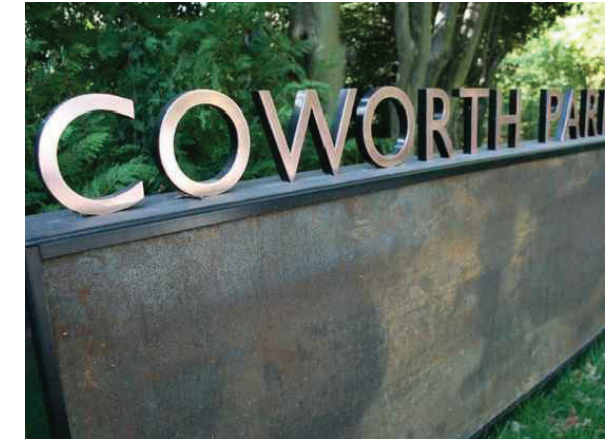
2 SOUTH ENTRY MONUMENT
SCALE: 1/2" = 1'-0"

CHARACTER IMAGES

STACKED CMU



ELEVATED METAL LETTERS



BREEZE BLOCK



- 1 2" CMU CAP
- 2 8x8x16 STACKED SINGLE SCORE CMU
FINISH: SPLITFACE. TO BE PRIMED
AND PAINTED, COLOR: CITYSCAPE
(SW7067) OR APPROVED EQUAL.
- 3 BREEZE BLOCK. TO BE PRIMED
AND PAINTED, COLOR: CITYSCAPE
(SW7067) OR APPROVED EQUAL.
- 4 RAISED METAL LETTERS
- 5 4x8x16 STACKED CMU
FINISH: SMOOTH. TO BE PRIMED
AND PAINTED, COLOR: GRAY
MATTERS (SW7066) OR APPROVED
EQUAL.

NOTE: ALL WALLS TO BE PAINTED CMU
BLOCK. PAINT COLOR TO BE FINALIZED
BY BUILDER/DEVELOPER AT TIME OF
CONSTRUCTION DOCUMENTS.

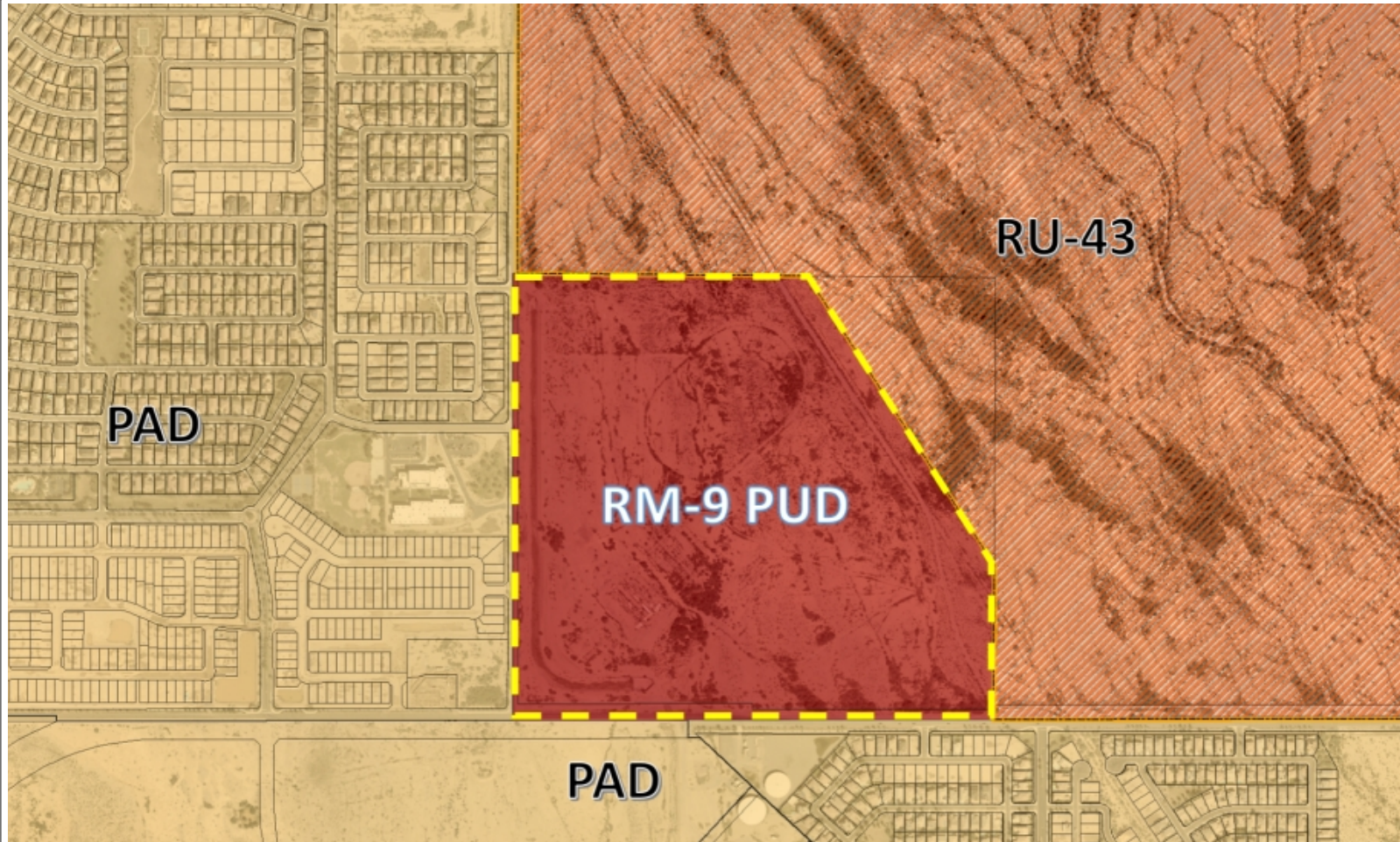


Sunrise Ranch Preliminary Plat FS18-603

City Council
September 5, 2019



VICINITY MAP



ZONING

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CVL DESIGN TEAM
CVA CONSULTANTS, INC.
4800 N. 12TH STREET
PHOENIX, AZ 85014
PHONE: (602) 254-4572
CONTACT: ALEX GARNICK



VICINITY MAP
(NOT TO SCALE)

LEGEND

- PROPOSED LOTS
- PROPOSED ROW
- PROPOSED CENTER LINE
- 5/17/18 VISIBILITY TRIANGLE
- N/A/E INDICATES VEHICULAR
NON-ACCESS EASEMENT
- P.U.E. INDICATES PUBLIC UTILITY
EASEMENT
- INDICATES LINE DATA LABEL, SEE
SHEETS 52 FOR DATA TABLE
- INDICATES CURVE DATA LABEL, SEE
SHEETS 53 FOR DATA TABLE
- PROPOSED WALKWAY
- PROPOSED SEWER
- M.U.T.E. (MULTI-USE TRAIL
EASEMENT)

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TABLE / PHYSICAL LOT DATA / LEGAL DESCRIPTION)
- SHEET 02 - LOT AREA TABLES / TRACT TABLES / CENTERLINE CURVE
DATA TABLE / CENTERLINE DATA TABLE
- SHEET 03 - STREET SECTIONS
- SHEET 04 - PARCEL SHIP
- SHEET 05 - STREET INDEX MAP
- SHEET 06-11 - PRELIMINARY PLAT

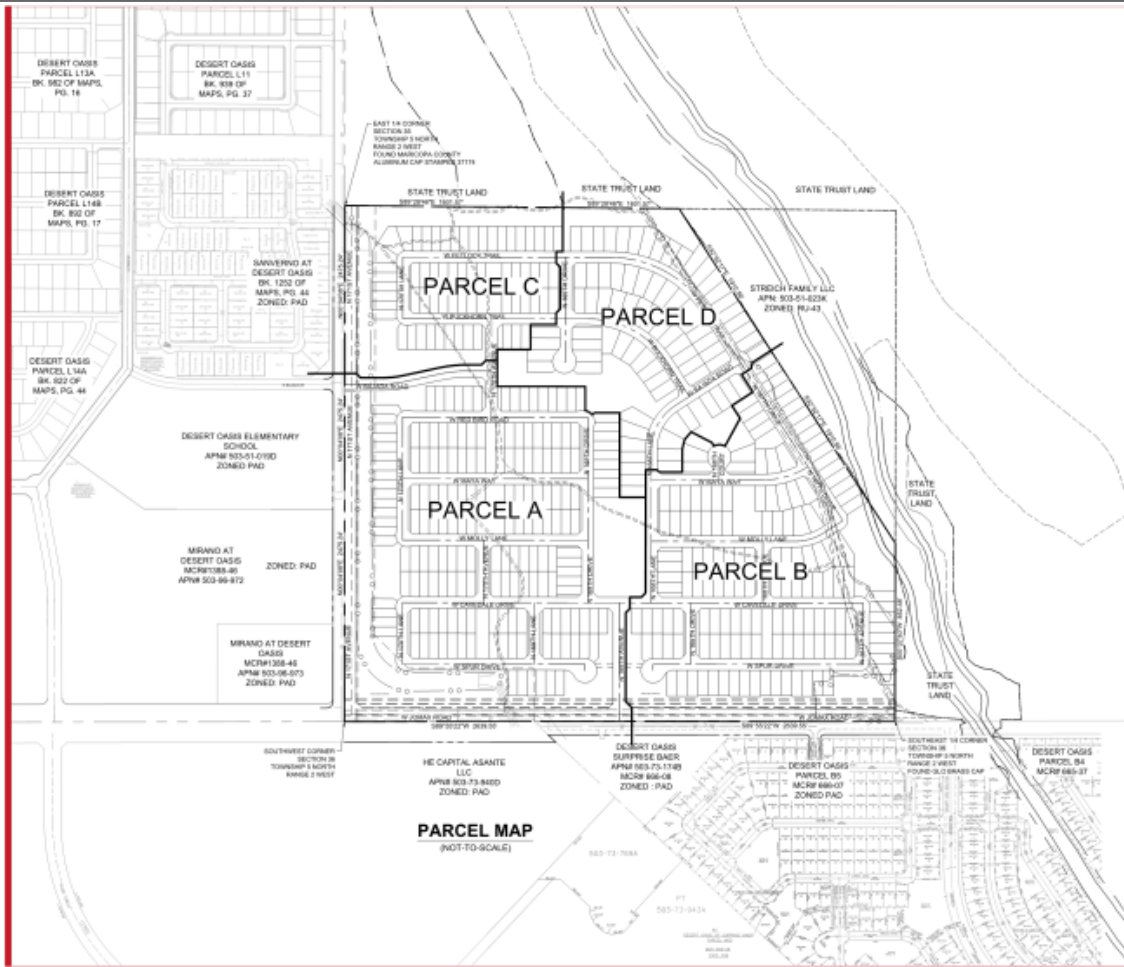


CVL CONSULTANTS, INC. 4800 N. 12TH STREET, PHOENIX, AZ 85014. PHONE: (602) 254-4572 FAX: (602) 254-4573 WWW.CVLCORP.COM
CVL Engineering, Inc. (Civil, Mechanical, Electrical, and Plumbing) 4800 N. 12TH STREET, PHOENIX, ARIZONA 85014



SHEET
04
OF
11

DATE: 01/01/2024



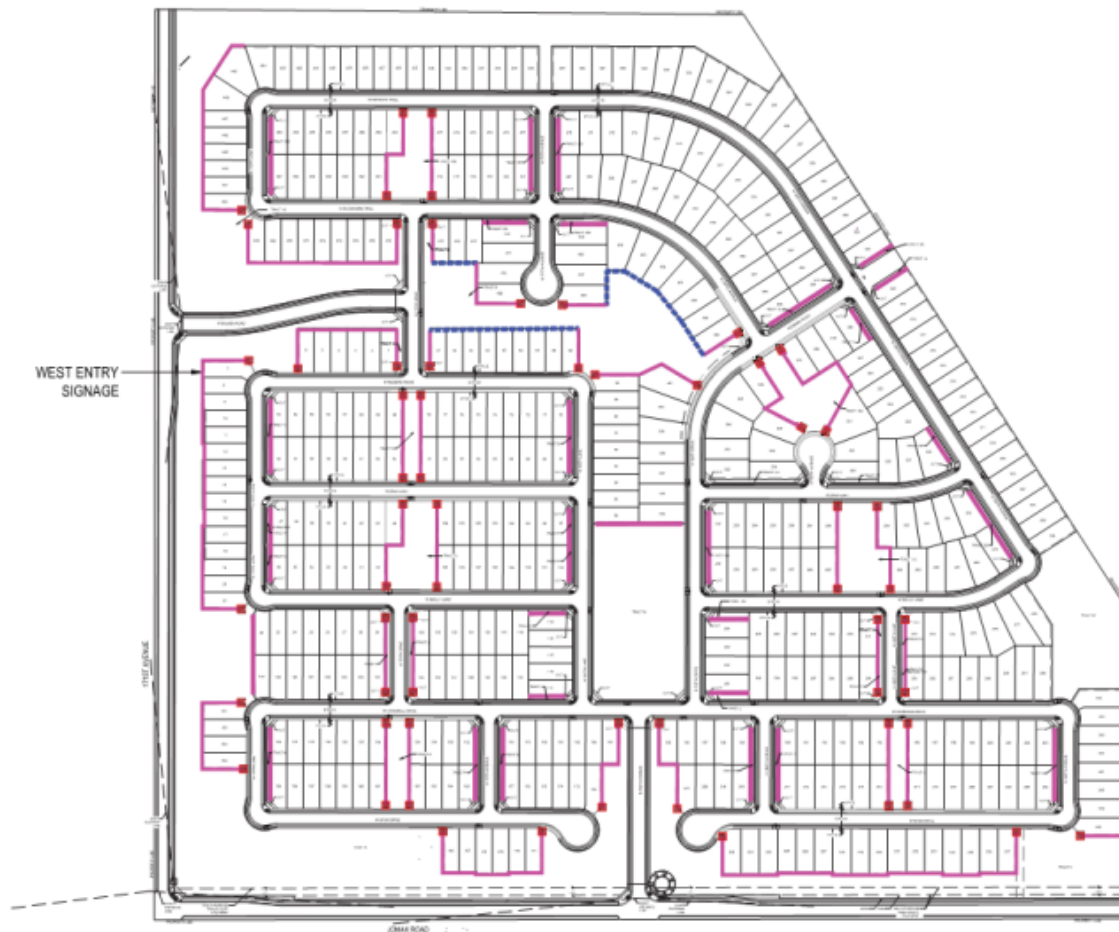
PARCEL MAP
(NOT TO SCALE)

WALL PLAN

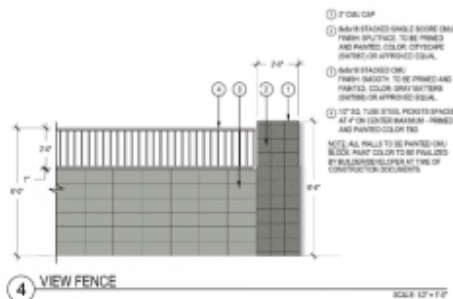
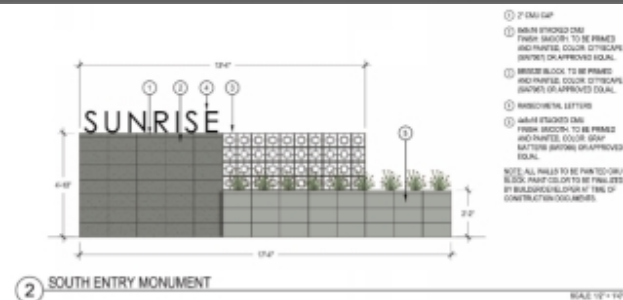
SYM.	PRODUCT DESCRIPTION	QTY
	THENE WALL	81,980 L.F.
	VIEW FENCE (IF BLOCK / 2' FENCE)	993 L.F.
	WALL COLUMN	82
	ENTRY MONUMENT	1

NOTES

1. CONTRACTOR TO VERIFY SIDEYARD RETURN LOCATIONS WITH HOMEBUILDER PRIOR TO CONSTRUCTION.
2. ALL WALL COLUMNS ARE TO REMAIN OUTSIDE OF THE SVT. WALL COLUMN SYMBOLS ARE FOR REFERENCE ONLY AND DO NOT REFLECT THE FINAL SIZE OF THE COLUMNS.



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RECOMMENDATION

August 1, 2019: The P&Z Commission Recommended Approval to the Mayor and City Council subject to Stipulations 'A' – 'C'.



QUESTIONS OR COMMENTS?

Thank You

RESOLUTION #2019-113

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A PRELIMINARY PLAT ENTITLED "SUNRISE" GENERALLY LOCATED AT THE NORTHEAST CORNER OF 171ST AVENUE AND JOMAX ROAD.

WHEREAS, on August 7, 2018 the Mayor and City Council approved the Rezone for Sunrise Ranch from RL-5 to RM-9 with a Planned Unit 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 entitled "Sunrise" dated June 7, 2019 is approved, subject to the following conditions:

- A. Development and use of the site shall be consistent with the Preliminary Plat entitled "Preliminary Plat for Sunrise" prepared by CVL and stamped received June 10, 2019.
- B. Landscaping, walls, and amenities associated with the site shall be consistent with the Preliminary Landscape Plan entitled "Sunrise" prepared by Norris Design and stamped received June 10, 2019, except that within 30 days of approval by the City Council the applicant shall submit revised landscape plans that depict trees located with the right-of-way consistent with Section 8.1.4 of the Surprise Engineering Development Standards, but not including Thornless Mesquite, Ironwood, or Palo Verde.
- 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 _____ 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 5, 2019 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 3
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Toll at Prasada Phase 2 Master Plat" dated June 18, 2019, a property generally located on Peoria Avenue west of Cotton Lane.

Motion:

I move to approve the Final Plat entitled "Toll at Prasada Phase 2 Master Plat" dated June 18, 2019.

Background:

This case was continued from August 6, 2019. The subject request involves a Master Plat for Phase 2 of the Toll at Prasada project. The purpose of this Master Plat is to create various Tracts and Parcels, which will accommodate the proposed golf course and future development parcels as well as internal circulation. Individual home sites are not included with this plat; however, the individual Parcels created by this Master Plat will be re-platted in the future following approval of a future Preliminary Plat, which has yet to be submitted for review.

Objective Analysis:

The Maricopa Water District (MWD) required the applicant to enter into a Development Agreement with MWD and to establish a number of new easements intended to replace certain existing easements that currently encumber the property and interfere with the development plans for the site. The applicant addressed this issue with MWD and entered into a Development Agreement with the District.

Policy Compliant:

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

Financial Impact:

This item does not have a direct financial impact, however 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:

1. 00 FS19-061 Toll at Prasada Phase 2 Master Plat 09-05-19 CC Staff Report
 2. 01 FS18-342, FS18-343, FS18-691, FS19-061 Toll at Prasada Joint Vicinity Map
 3. 02 FS19-061 Toll at Prasada Phase 2 Master Plat Case Map
 4. 03 FS19-061 Toll at Prasada Phase 2 Master Plat
 5. 04 FS19-061 Toll at Prasada 09-05-19 CC Presentation
-

Case: FS19-061

Project Name: Toll at Prasada Phase 2 Master Plat

Council District: 3 - Mesquite

City Council Date: **September 5, 2019** (Continued from August 6, 2019) *
(Changes since August 6, 2019 indicated with an asterisk *)

Planner: Robert H. Kuhfuss, AICP

Owner: Toll Prasada, LLC

Applicant: Aaron Insco of Toll Bros, Inc.

Request: Master Plat for Toll at Prasada Phase 2 within the Prasada PAD

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

Site Size: 383 acres (approx.)

Density: N/A

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

Support/Opposition: None known

Findings:

- The proposed Master Plat is consistent with the Prasada PAD.
- The proposed Master Plat is consistent with the Toll at Prasada Preliminary Plat as approved under FS17-394.
- The proposed Master 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 Master Plat will allow the developer to obtain civil permits and continue construction of the on-site infrastructure associated with Toll at Prasada Phase 2.

Denial of the requested Master Plat will deny the applicant the opportunity to continue construction associated with Toll at Prasada Phase 2 in the manner proposed.

44 **Project Description:**

45
46 The subject request involves a Master Plat for Phase 2 of the Toll at Prasada project. The purpose
47 of this Master Plat is to create various Tracts and Parcels, which will accommodate the proposed
48 golf course and future development parcels as well as internal circulation. Individual home sites are
49 not included with this plat; however, the individual Parcels created by this Master Plat will be re-
50 platted in the future following approval of a future Preliminary Plat, which has yet to be submitted
51 for review.

52
53 * Three (3) additional cases were approved by the City Council under separate cover on August 6,
54 2019. These include:

- 55
- 56 • FS18-342 – Phase 1 Cactus Road Final Plat
- 57 • FS18-343 – Phase 1 Peoria Avenue Map of Dedication
- 58 • FS18-691 – Phase 2 Peoria Avenue Map of Dedication
- 59

60 **BACKGROUND:**

61
62 **June 22, 2006:** The City Council approved the original Prasada PAD under case PAD05-465.

63
64 **December 21, 2016:** Staff approved a Minor Amendment to the Lake Village portion of the Prasada
65 PAD under case FS16-400 for the purpose of revising the Lake Village land plan and development
66 standards.

67
68 **February 12, 2018:** Staff approved a Minor Amendment to the Toll Brothers' portion of the Prasada
69 Lake Village under case FS17-587 for the purpose of revising specific development standards
70 related to the Toll Brothers development.

71
72 **April 17, 2018:** The City Council approved the Toll at Prasada Preliminary Plat under case FS17-394.

73
74 **July 5, 2018:** The applicant filed a request for the Cactus Road Phase 1 Final Plat under case FS18-
75 342.

76
77 **July 5, 2018:** The applicant filed a request for a Map of Dedication for Peoria Avenue Phase 1 under
78 case FS18-343.

79
80 **December 18, 2018:** Staff approved a Minor PAD Amendment to allow a Temporary Long Term
81 Construction Office, Temporary Nursery, and Stay-and-Play Cottages w/ associated parking under
82 case FS18-514.

83
84 **December 18, 2018:** The applicant filed a request for the Phase 2 Peoria Avenue Map of Dedication
85 under case FS18-691.

December 20, 2018: Staff met with the developer to discuss revised Preliminary Plats and related Final Plats for Parcels C, E, F, and P during a regularly scheduled Concept Review meeting under CR18-665.

January 15, 2019: The City Council approved the Toll at Prasada Phase 1 Infrastructure Plat under case FS18-290.

January 18, 2019: The applicant filed a request for the Phase 2 Master Plat under case FS19-061.

February 14, 2019: The applicant submitted a request for a revised Preliminary Plat for Unit P under case FS19-110.

March 4, 2019: The applicant submitted a request for a revised Preliminary Plat for Unit E under case FS19-145.

March 5, 2019: The Council approved Final Plats for Units A, B, and D, under cases FS18-260, FS17-700, and FS18-289, respectively.

March 25, 2019: The applicant submitted a request for a Preliminary Plat for Units C and P under case FS19-184.

***August 6, 2019:** The City Council continued the subject request to a date-certain of September 5, 2019.

Reviewing Agencies:

City of Surprise (COS): The request was routed to the standard reviewing agencies who have reviewed the proposal. All issues or concerns regarding this proposal have been addressed by the applicant.

Maricopa Water District (MWD): MWD notes the project will have a significant impact on MWD facilities in the area. The applicant has entered into a Development Agreement with MWD to address those issues.

Flood Control District of Maricopa County (FCDMC): FCDMC indicated the site is located within a floodplain and that a either a Floodplain Use Permit or CLOMR/LOMR is required.

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

Luke Air Force Base (LAFB): LAFB indicated no objections to the request.

Discussion:

The Maricopa Water District (MWD) required the applicant to enter into a Development Agreement with MWD and to establish a number of new easements intended to replace certain existing easements that currently encumber the property and interfere with the development plans for the site. The applicant addressed this issue with MWD and entered into a Development Agreement with the District.

Summary:

The proposed Master Plat is one of several case activities related to the Toll at Prasada development. City Council approval of the subject Master Plat will allow the applicant to obtain the civil construction permits necessary to continue construction of the on-site infrastructure associated with this Master Plat. The proposed Master Plat is consistent with the Prasada PAD and other regulatory documents, and the reviewing agencies have expressed no objections to the approval of the Master Plat.

Findings:

- The proposed Master Plat is consistent with the Prasada PAD.
- The proposed Master Plat is consistent with the Toll at Prasada Preliminary Plat as approved under FS17-394.
- The proposed Master Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

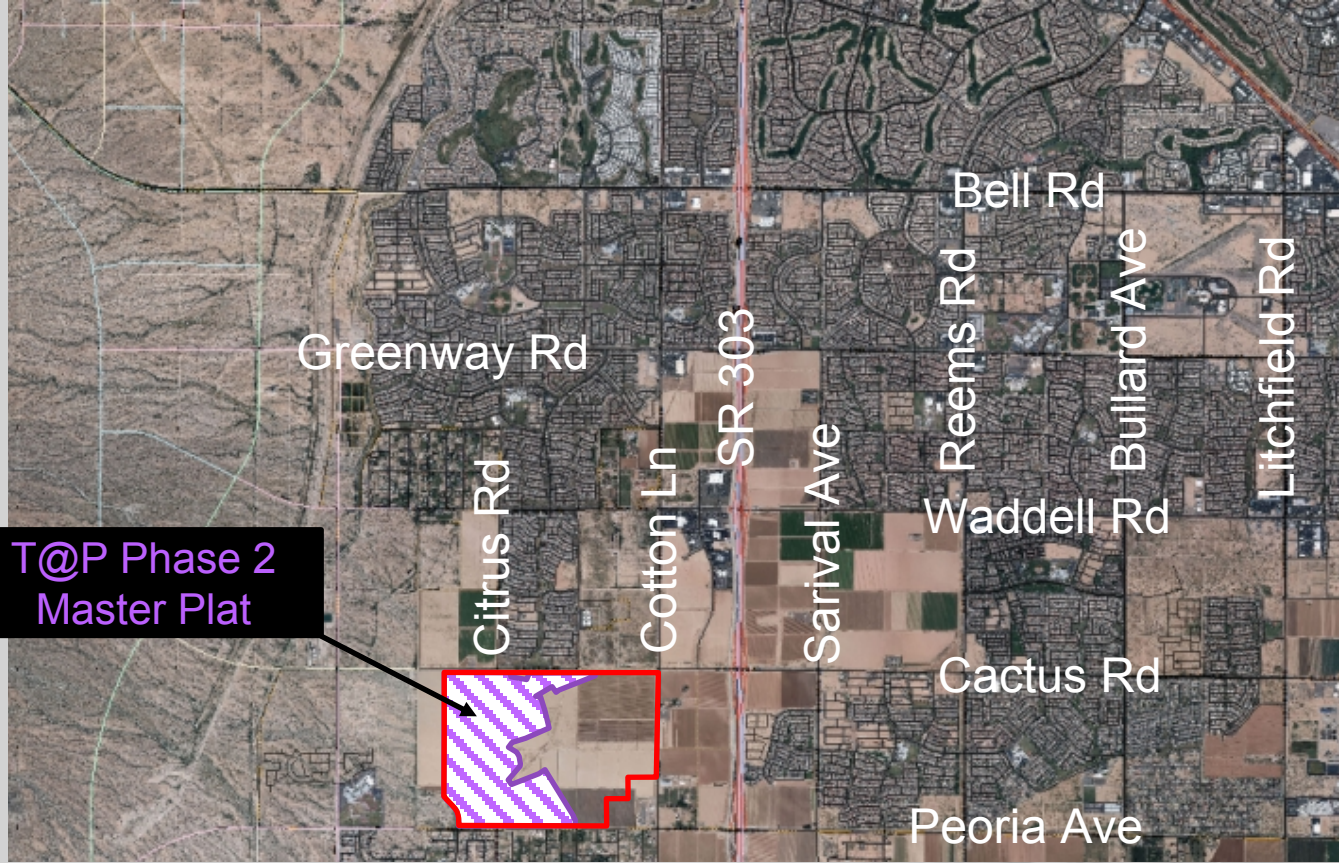
Alternative Actions:

Approval of the requested Master Plat will allow the developer to obtain civil permits and continue construction of the on-site infrastructure associated with Toll at Prasada Phase 2.

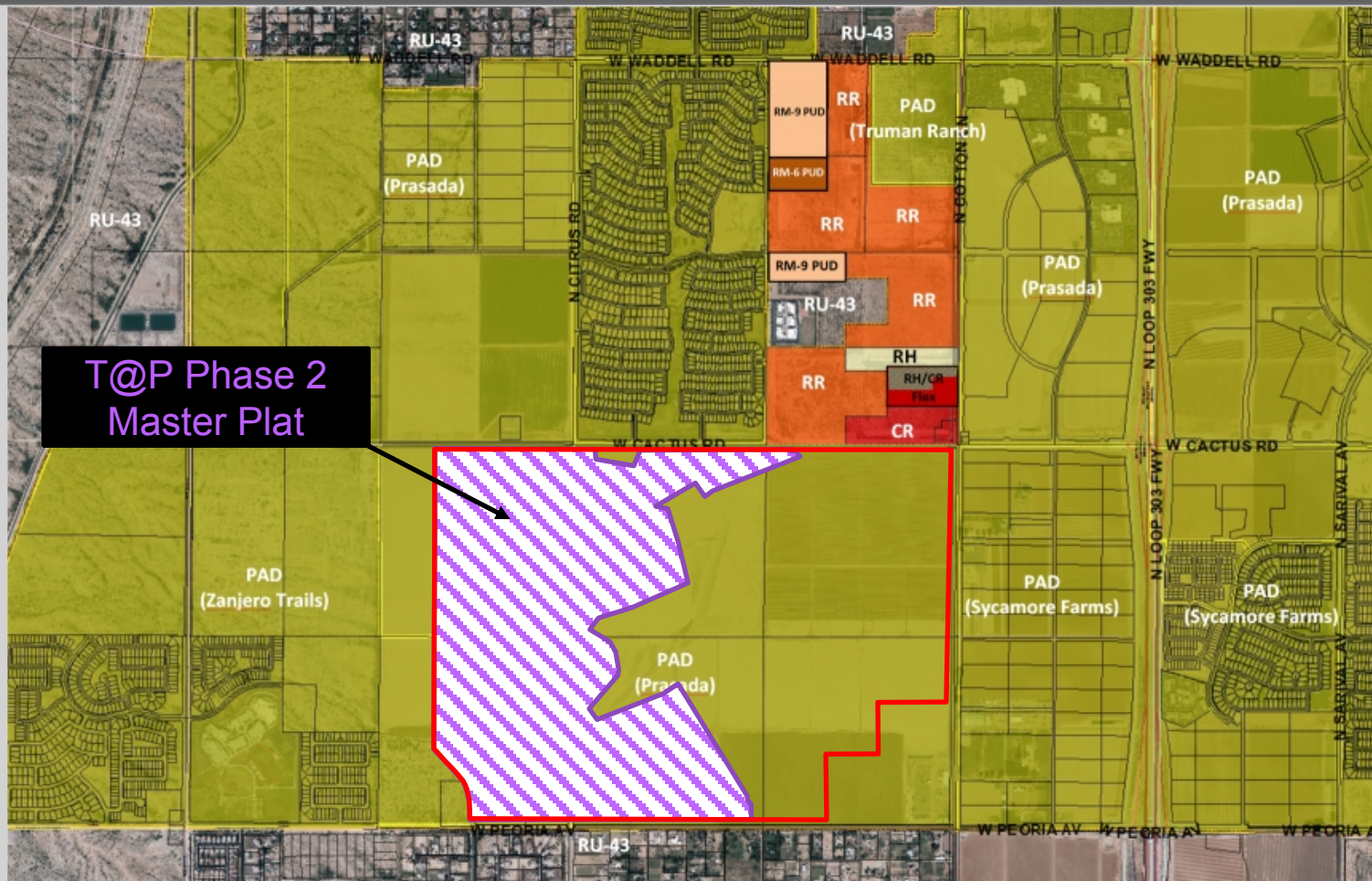
Denial of the requested Master Plat will deny the applicant the opportunity to continue construction associated with Toll at Prasada Phase 2 in the manner proposed.

Attachments:

- 01 Joint Vicinity Map
- 02 Case Map
- 03 Master Plat



FS19-061 Vicinity Map



FS19-061 Case Map

DEDICATION

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

KNOW ALL PERSONS BY THESE PRESENTS: THAT TOLL PRASADA LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS "OWNER", HEREBY PUBLISHES THIS FINAL PLAT OF TOLL AT PRASADA, PHASE 2 ONSITE INFRASTRUCTURE, BEING LOCATED IN A PORTION OF THE EAST HALF OF SECTION 22 AND A PORTION OF THE WEST HALF OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, 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 EXCLUSIVE EASEMENT OVER, UNDER, UPON AND ACROSS ALL AREAS DESIGNATED ON THE PLAT AS APPLICABLE: 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 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 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.

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.

TRACTS A THROUGH N, INCLUSIVE, ARE NOT DEDICATED TO THE PUBLIC, BUT ARE PLATTED AS COMMON PROPERTY FOR THE USE AND ENJOYMENT OF TOLL AT PRASADA COMMUNITY ASSOCIATION, INC., AN ARIZONA NON-PROFIT CORPORATION AS MORE FULLY SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS. HOA IS RESPONSIBLE FOR MAINTENANCE OF SAID TRACTS.

EXCEPT AS TO ANY AREA SUBJECT TO THE EASEMENT OR EASEMENTS GRANTED TO MARICOPA WATER DISTRICT, AS DEPICTED ON THIS PLAT AND RECORDED IN THE OFFICE OF THE RECORDER, MARICOPA COUNTY ARIZONA, A PERPETUAL WATER EASEMENT AS DESCRIBED IN THIS PLAT IS GRANTED TO EPCOR WATER ARIZONA INC. AND ITS SUCCESSORS AND ASSIGNS (COLLECTIVELY, "GRANTEE"), TO CONSTRUCT, OPERATE, AND MAINTAIN WATER 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.

MWD WELL SITE 7-23C IS OWNED BY MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD"). MWD WILL CONVEY THE WEBSITE TO OWNER UPON COMPLETION OF A SATISFACTORY REPLACEMENT WELL. SUCH WEBSITE SHALL BE DEEMED TO BE DEDICATED TO THE CITY OF SURPRISE UPON SUCH CONVEYANCE.

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 _____, 2019.

TOLL PRASADA LLC, AN ARIZONA LIMITED LIABILITY COMPANY

BY _____ DATE _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

ON THIS _____ DAY OF _____, 2019 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

NOTARY PUBLIC DATE _____

MY COMMISSION EXPIRES:

Final Plat
Toll at Prasada Phase 2 Master Plat

Portions of Sections 22 and 23,
Township 3 North, Range 2 West of the Gila and Salt River Meridian
Maricopa County, Arizona

NOTICE OF PRASADA PRE-ANNEXATION DEVELOPMENT AGREEMENT

OWNER'S PREDECESSOR, SUBURBAN LAND RESERVE, INC., A UTAH CORPORATION, FULTON HOMES CORPORATION, AN ARIZONA CORPORATION, AND WESTCOR/SURPRISE LLC, AN ARIZONA LIMITED LIABILITY COMPANY HAVE ENTERED INTO A PRE-ANNEXATION DEVELOPMENT AGREEMENT DATED SEPTEMBER 12, 2006 ("AGREEMENT") WITH CITY OF SURPRISE, AN ARIZONA MUNICIPAL CORPORATION, FOR WHICH A MEMORANDUM OF AGREEMENT WAS RECORDED ON SEPTEMBER 19, 2006, AT THE MARICOPA COUNTY RECORDER'S OFFICE AT DOCUMENT NO. 20061238109. AGREEMENT WAS RECENTLY AMENDED AND RECORDED ON JULY 20, 2018, AT THE MARICOPA COUNTY RECORDER'S OFFICE DOCUMENT NO. 20180551464. THE PROPERTIES INVOLVED IN THIS PLAT ARE SUBJECT TO THIS AGREEMENT.

NOTICE OF INTERGOVERNMENTAL AGREEMENT

THE CITY OF SURPRISE ("CITY") AND MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") ENTERED INTO AN INTERGOVERNMENTAL AGREEMENT DATED APRIL 8, 1997, AND RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE ON APRIL 9, 1997, UNDER DOCKET NO. 97-0231759 ("IGA"). CITY AND MWD HAVE FACILITIES AND PROPERTY INTERESTS DESCRIBED AND DELINEATED WITHIN CERTAIN SUBDIVISION PLATS OR, FOR LANDS NOT INCLUDED IN A SUBDIVISION PLAT, DECLARATIONS OF TURF LANDS OR DECLARATIONS OF URBANIZED AREA, THAT HAVE PRIOR AND SUPERIOR RIGHTS TO THE UTILITY SERVICE PROVIDERS, AS DEFINED IN THE IGA. THE IGA PROVIDES FOR THE CITY TO HAVE A PUBLIC UTILITY EASEMENT WITHIN CERTAIN MWD PROPERTY INTERESTS AND FOR MWD TO HAVE AN EASEMENT WITHIN CITY'S PUBLIC RIGHTS-OF-WAY. CITY AND MWD RIGHTS WITHIN THESE EASEMENTS ARE SUBJECT TO AND CONTROLLED BY THE TERMS AND CONDITIONS OF THE IGA.

IN LOCATIONS WHERE APPLICABLE, INCLUDING ANY AND ALL DEDICATIONS WITHIN A SUBDIVISION PLAT, MWD'S PRIOR AND SUPERIOR RIGHTS OF ACCESS TO AND USE OF EXISTING AND FUTURE MWD FACILITIES AND PROPERTY INTERESTS, SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE IGA.

CITY SHALL HAVE THE RIGHT TO AUTHORIZE AND CONTROL THE UTILITY SERVICE PROVIDER'S USE AND OCCUPANCY OF THESE EASEMENTS. CITY REQUIRES THAT UTILITY SERVICE PROVIDERS CONSENT TO BE BOUND BY THE IGA PRIOR TO THE USE OR OCCUPANCY OF THE EASEMENTS GRANTED UNDER THE IGA. SUCH USE OR OCCUPANCY OF THE EASEMENTS CONSTITUTES CONSENT OF THE UTILITY SERVICE PROVIDERS TO BE BOUND BY THE IGA.

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

TOLL PRASADA LLC, AN ARIZONA LIMITED LIABILITY COMPANY ("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.

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

100 YEAR ASSURED WATER SUPPLY

THE SUBDIVIDER HAS OBTAINED A CERTIFICATE OF 100 YEAR ASSURED WATER SUPPLY FROM THE DEPARTMENT OF WATER RESOURCES.

27-701007.0000 11/14/2018
CERTIFICATE NUMBER DATE

BASIS OF BEARING

THE BASIS OF BEARING IS THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 WEST, BEARING SOUTH 00 DEGREES 24 MINUTES 11 SECONDS WEST PER ODACS 661-18 MCR.

AREA SUMMARY TABLE		
DESCRIPTION	AREA (SF)	AREA (ACRES)
PARCELS	11,875,763.62	272.6300
TRACTS (EXCLUDING TRACT PS1 & PS2)	4,130,477.54	94.8227
PRIVATE STREETS (TRACT PS1 & PS2)	674,612.61	15.4870
NEW RIGHT-OF-WAY	0.00	0.0000
GROSS AREA	16,680,853.76	382.9397

GENERAL NOTES

- SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
- NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
- THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "ZONE X SHADED AND ZONE A," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1660L AND NO. 04013C1655L, 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.
- 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."
- IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
- PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND 14710, WHEN APPLICABLE.
- 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.
- ZONING OF THE PROPERTY IS PER SURPRISE ZONING CASE FS17-587 OR AS SUBSEQUENTLY AMENDED.
- THE FINAL PLAT IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT AS APPROVED UNDER CITY OF SURPRISE CASE FS17-394.
- ANY UTILITIES CROSSING MWD EASEMENTS MUST OBTAIN AN IGA APPROVAL FROM MWD PRIOR TO INSTALLATION.

NOTICE OF TOLL AT PRASADA DEVELOPMENT AND WATER DELIVERY AGREEMENT

LANDOWNER ENTERED INTO THE TOLL AT PRASADA DEVELOPMENT AND WATER DELIVERY AGREEMENT DATED JANUARY 2, 2019 ("AGREEMENT") WITH MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") FOR WHICH A MEMORANDUM OF AGREEMENT WAS RECORDED ON JANUARY 3, 2019, AT THE MARICOPA COUNTY RECORDERS' OFFICE AT DOCUMENT NO. 2019-0002436. THE PROPERTIES INVOLVED IN THIS PLAT ARE SUBJECT TO THIS AGREEMENT. THE AGREEMENT AND THIS PLAT, INCLUDING ANY AND ALL DEDICATIONS THEREIN, HEREBY PRESERVE MWD'S PRIOR AND SUPERIOR RIGHTS OF ACCESS TO AND USE OF EXISTING AND FUTURE MWD FACILITIES AND MWD PROPERTY INTERESTS, AS SUCH TERMS ARE DEFINED IN THE AGREEMENT, TO ENABLE MWD TO ACCOMPLISH ALL OF MWD'S PURPOSES, INCLUDING, BUT NOT LIMITED TO, THE TRANSMISSION AND DISTRIBUTION OF WATER, WASTEWATER, POWER AND COMMUNICATIONS, AND TO CONSTRUCT, RECONSTRUCT, OPERATE, MAINTAIN AND REPLACE THOSE MWD FACILITIES AND MWD PROPERTY INTERESTS. THE AGREEMENT IS ON FILE AT THE OFFICES OF TOLL PRASADA LLC, AN ARIZONA LIMITED LIABILITY COMPANY, 8767 E VIA DE VENTURA, SUITE 390, SCOTTSDALE, AZ 85258, AND MAY BE REVIEWED AS TO ALL DETAILS, WITH PARTICULAR REFERENCE TO SECTION 7 AND SECTION 9, UPON REASONABLE REQUEST.

DATED THIS _____ DAY OF _____, 2019.

MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA

BY: _____ ATTEST: _____
CHRISTINE CAIN GLEN VORTHERMS

ITS: PROPERTY & CONTRACTS MANAGER ITS: ASSISTANT SECRETARY

TOLL PRASADA LLC, AN ARIZONA LIMITED LIABILITY COMPANY

BY: _____

ITS: _____

DEVELOPER

TOLL PRASADA LLC
8767 E VIA DE VENTURA, SUITE 390
SCOTTSDALE, AZ 85258
TEL: (480) 314-6711
CONTACT: OSCAR DOMINGUEZ

ENGINEER

EPS GROUP, INC.
1130 N. ALMA SCHOOL ROAD, SUITE 120
MESA, AZ 85201
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: RICH HOPPE, P.E.

SHEET INDEX

- | | |
|-------|--|
| 1 | COVER SHEET |
| 2 | PARCEL AND TRACT TABLES, LEGAL DESCRIPTION |
| 3 - 7 | FINAL PLAT PLAN SHEETS |

HOMEOWNERS ASSOCIATION RATIFICATION

KNOW ALL MEN BY THESE PRESENTS: THAT TOLL AT PRASADA COMMUNITY ASSOCIATION, INC., AN ARIZONA NON-PROFIT CORPORATION, HEREBY RATIFIES, AFFIRMS AND APPROVES THIS PLAT FOR "TOLL AT PRASADA, PHASE 2 ONSITE INFRASTRUCTURE" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT.

IN WITNESS WHEREOF, TOLL AT PRASADA COMMUNITY ASSOCIATION, INC. HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF _____, 2019.

TOLL AT PRASADA COMMUNITY ASSOCIATION, INC., AN ARIZONA NON-PROFIT CORPORATION

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

ON THIS _____ DAY OF _____, 2019 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I 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 _____, 2019, 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 _____, 2019.

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 JANUARY, 2019; THAT THE SURVEY IS TRUE AND CORRECT AS SHOWN; 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, RLS 42937
EPS GROUP, INC.
1130 N. ALMA SCHOOL ROAD, SUITE 120
MESA, ARIZONA 85201
PHONE: (480) 503-2250
FAX: (480) 503-2258

DATE OF PREPARATION: JANUARY 9, 2019, REVISED JUNE 18, 2019

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

EPS GROUP

Toll at Prasada
Phase 2 Master Plat
SURPRISE, ARIZONA

Final Plat

Project: _____

Revisions: _____

Designer: JB
Drawn by: JB

REGISTERED LAND SURVEYOR
42937
JESSE BOYD
Arizona, U.S.A.
Date Signed 6/18/19

Job No.
16-339

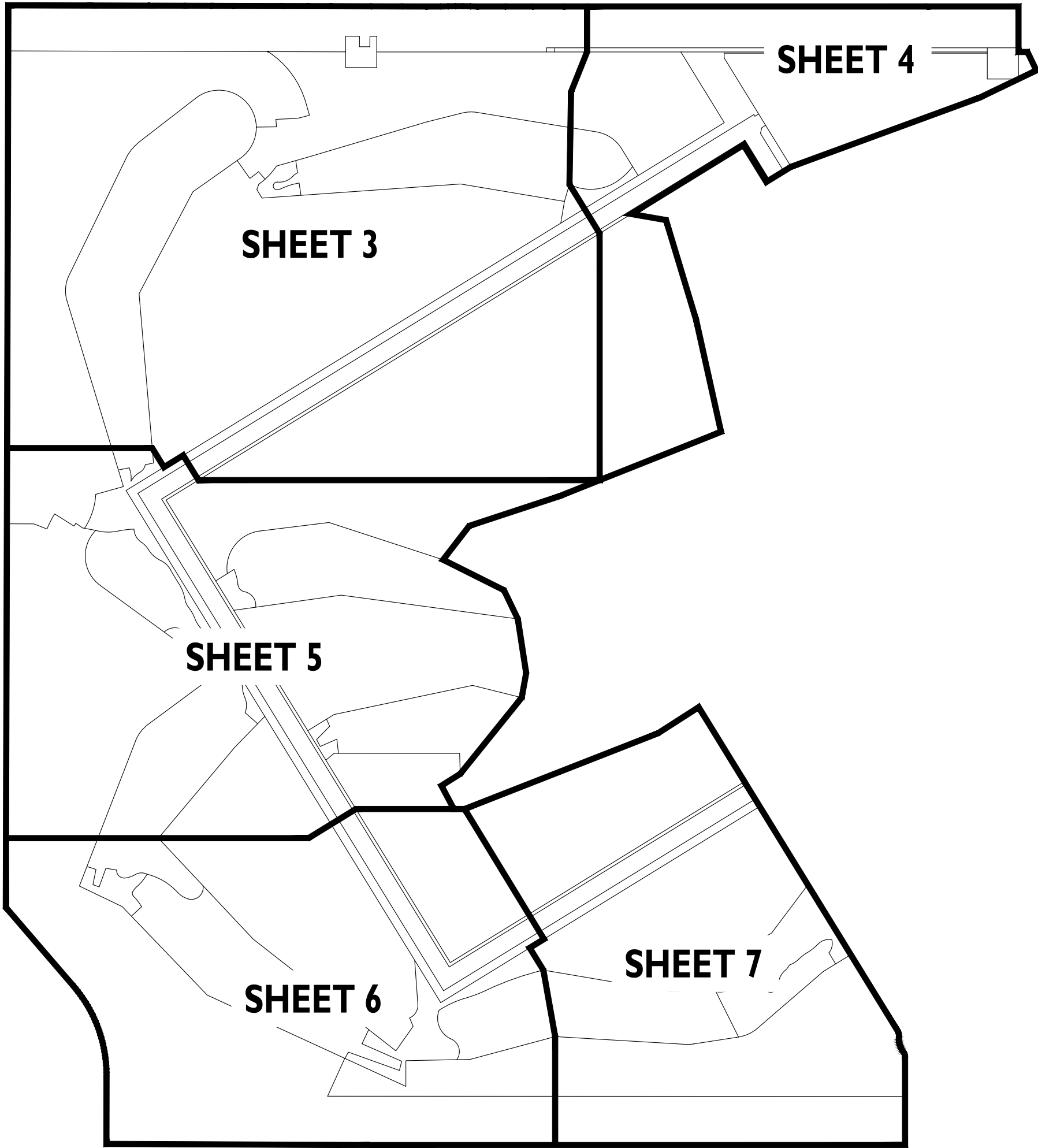
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Sheet No.
1
of **7**

Page 393 of 464

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
TRACT A	LANDSCAPE/OPEN SPACE	41,599.86	0.9550
TRACT B	LANDSCAPE/OPEN SPACE	7,513.06	0.1725
TRACT C	LANDSCAPE/OPEN SPACE	402,915.20	9.2497
TRACT D	LANDSCAPE/OPEN SPACE	9,509.47	0.2183
TRACT E	LANDSCAPE/OPEN SPACE	120,683.39	2.7705
TRACT F	LANDSCAPE/OPEN SPACE	25,577.09	0.5872
TRACT G	LANDSCAPE/OPEN SPACE	21,440.28	0.4922
TRACT H	LANDSCAPE/OPEN SPACE	91,379.43	2.0978
TRACT HOLE 2	LANDSCAPE/GOLF	373,409.53	8.5723
TRACT HOLE 3	LANDSCAPE/GOLF	152,166.42	3.4933
TRACT HOLE 4	LANDSCAPE/GOLF	626,791.24	14.3891
TRACT HOLE 5	LANDSCAPE/GOLF	459,301.56	10.5441
TRACT HOLE 13	LANDSCAPE/GOLF	87,283.39	2.0038
TRACT HOLE 14	LANDSCAPE/GOLF	386,011.47	8.8616
TRACT HOLE 15	LANDSCAPE/GOLF	371,901.48	8.5377
TRACT HOLE 16	LANDSCAPE/GOLF	386,445.43	8.8716
TRACT HOLE 17	LANDSCAPE/GOLF	221,603.51	5.0873
TRACT I	LANDSCAPE/OPEN SPACE	18,179.05	0.4173
TRACT J	LANDSCAPE/OPEN SPACE	8,901.70	0.2044
TRACT K	LANDSCAPE/OPEN SPACE	35,582.97	0.8169
TRACT L	LANDSCAPE/OPEN SPACE	124,494.20	2.8580
TRACT M	LANDSCAPE/OPEN SPACE	146,895.17	3.3722
TRACT N	LANDSCAPE/OPEN SPACE	10,892.66	0.2501
TRACT PS1	PRIVATE STREET/WATER & SEWER EASEMENT/ACCESS EASEMENT	673,812.60	15.4686
TRACT PS2	PRIVATE STREET/WATER & SEWER EASEMENT/ACCESS EASEMENT	800.01	0.0184

PARCEL AREA TABLE		
PARCEL	AREA (SF)	AREA (AC)
PARCEL G	806,783.85	18.5212
PARCEL H	590,500.08	13.5560
PARCEL I	869,698.13	19.9655
PARCEL J	583,582.80	13.3972
PARCEL K	1,802,813.51	41.3869
PARCEL L	1,270,207.66	29.1600
PARCEL M	1,500,005.83	34.4354
PARCEL N	2,159,132.34	49.5669
PARCEL NEW MWD WELL SITE 7-22 MODIFIED	20,000.03	0.4591
PARCEL NEW MWD WELL SITE 7-23C	22,500.00	0.5165
PARCEL O	738,423.90	16.9519
PARCEL Q	1,063,376.88	24.4118
PARCEL R	448,738.52	10.3016



LEGAL DESCRIPTION

A PORTION OF SECTIONS 22 AND 23, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND PIPE AT THE SOUTH QUARTER CORNER OF SAID SECTION 23, FROM WHICH A REBAR AT THE SOUTHWEST CORNER OF SAID SECTION 23 BEARS SOUTH 89 DEGREES 59 MINUTES 55 SECONDS WEST, 2644.60 FEET;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23, SOUTH 89 DEGREES 59 MINUTES 55 SECONDS WEST, 66.95 FEET;

THENCE NORTH 0 DEGREES 00 MINUTES 05 SECONDS WEST, 65.00 FEET;

THENCE NORTH 44 DEGREES 59 MINUTES 55 SECONDS EAST, 28.28 FEET;

THENCE NORTH 0 DEGREES 00 MINUTES 05 SECONDS WEST, 5.48 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 55 SECONDS EAST, 6.00 FEET;

THENCE NORTH 0 DEGREES 00 MINUTES 05 SECONDS WEST, 60.52 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 55 SECONDS WEST, 28.50 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 59 MINUTES 55 SECONDS WEST, 2575.15 FEET;

THENCE NORTH 89 DEGREES 44 MINUTES 37 SECONDS WEST, 1265.62 FEET;

THENCE NORTH 0 DEGREES 21 MINUTES 18 SECONDS EAST, 93.04 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 655.00 FEET;

THENCE NORTHWESTERLY 469.22 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 41 DEGREES 02 MINUTES 42 SECONDS;

THENCE NORTH 40 DEGREES 41 MINUTES 23 SECONDS WEST, 499.99 FEET;

THENCE NORTH 0 DEGREES 09 MINUTES 46 SECONDS EAST, 4117.67 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 14 SECONDS EAST, 1612.13 FEET;

THENCE SOUTH 0 DEGREES 09 MINUTES 46 SECONDS WEST, 75.00 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 14 SECONDS EAST, 150.00 FEET;

THENCE NORTH 0 DEGREES 09 MINUTES 46 SECONDS EAST, 75.00 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 21 SECONDS EAST, 10.28 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 58 SECONDS EAST, 423.91 FEET;

THENCE SOUTH 0 DEGREES 00 MINUTES 02 SECONDS WEST, 128.92 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWEST, FROM WHICH THE RADIUS POINT BEARS SOUTH 2 DEGREES 10 MINUTES 54 SECONDS WEST A DISTANCE OF 325.00 FEET;

THENCE SOUTHEASTERLY 41.66 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 7 DEGREES 20 MINUTES 38 SECONDS;

THENCE SOUTH 80 DEGREES 28 MINUTES 28 SECONDS EAST, 323.21 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWEST, HAVING A RADIUS OF 20.00 FEET;

THENCE NORTHEASTERLY 31.42 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 80 DEGREES 28 MINUTES 28 SECONDS EAST, 128.83 FEET;

THENCE NORTH 21 DEGREES 52 MINUTES 32 SECONDS EAST, 206.41 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 58 SECONDS WEST, 195.29 FEET;

THENCE NORTH 0 DEGREES 09 MINUTES 13 SECONDS EAST, 20.00 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 58 SECONDS EAST, 1829.88 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 46 SECONDS EAST, 440.09 FEET;

THENCE SOUTH 0 DEGREES 00 MINUTES 14 SECONDS WEST, 20.00 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 46 SECONDS EAST, 43.30 FEET;

THENCE SOUTH 25 DEGREES 42 MINUTES 54 SECONDS EAST, 98.49 FEET;

THENCE SOUTH 64 DEGREES 22 MINUTES 39 SECONDS WEST, 303.57 FEET;

THENCE SOUTH 69 DEGREES 52 MINUTES 39 SECONDS WEST, 964.65 FEET;

THENCE SOUTH 58 DEGREES 25 MINUTES 06 SECONDS WEST, 140.00 FEET;

THENCE NORTH 31 DEGREES 34 MINUTES 54 SECONDS WEST, 208.96 FEET;

THENCE SOUTH 58 DEGREES 25 MINUTES 06 SECONDS WEST, 633.75 FEET;

THENCE SOUTH 80 DEGREES 07 MINUTES 15 SECONDS EAST, 169.53 FEET;

THENCE SOUTH 16 DEGREES 48 MINUTES 00 SECONDS EAST, 501.47 FEET;

THENCE SOUTH 12 DEGREES 31 MINUTES 44 SECONDS EAST, 551.32 FEET;

THENCE SOUTH 68 DEGREES 18 MINUTES 21 SECONDS WEST, 839.76 FEET;

THENCE SOUTH 71 DEGREES 46 MINUTES 30 SECONDS WEST, 452.98 FEET;

THENCE SOUTH 37 DEGREES 42 MINUTES 00 SECONDS WEST, 205.77 FEET;

THENCE SOUTH 63 DEGREES 24 MINUTES 39 SECONDS EAST, 327.31 FEET;

THENCE SOUTH 25 DEGREES 42 MINUTES 54 SECONDS EAST, 153.35 FEET;

THENCE SOUTH 8 DEGREES 46 MINUTES 23 SECONDS EAST, 263.28 FEET;

THENCE SOUTH 10 DEGREES 16 MINUTES 41 SECONDS WEST, 120.00 FEET;

THENCE SOUTH 38 DEGREES 53 MINUTES 34 SECONDS WEST, 471.23 FEET;

THENCE SOUTH 57 DEGREES 54 MINUTES 18 SECONDS WEST, 106.56 FEET;

THENCE SOUTH 28 DEGREES 00 MINUTES 37 SECONDS EAST, 126.97 FEET;

THENCE SOUTH 89 DEGREES 57 MINUTES 29 SECONDS EAST, 52.00 FEET;

THENCE NORTH 68 DEGREES 36 MINUTES 49 SECONDS EAST, 998.42 FEET;

THENCE NORTH 57 DEGREES 20 MINUTES 30 SECONDS EAST, 232.56 FEET;

THENCE SOUTH 31 DEGREES 34 MINUTES 54 SECONDS EAST, 420.31 FEET;

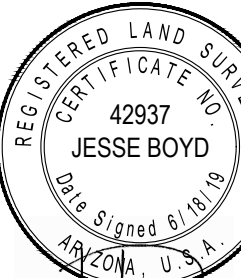
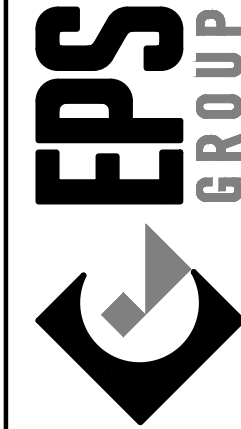
THENCE SOUTH 31 DEGREES 34 MINUTES 54 SECONDS EAST, 1406.88 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 43.50 FEET;

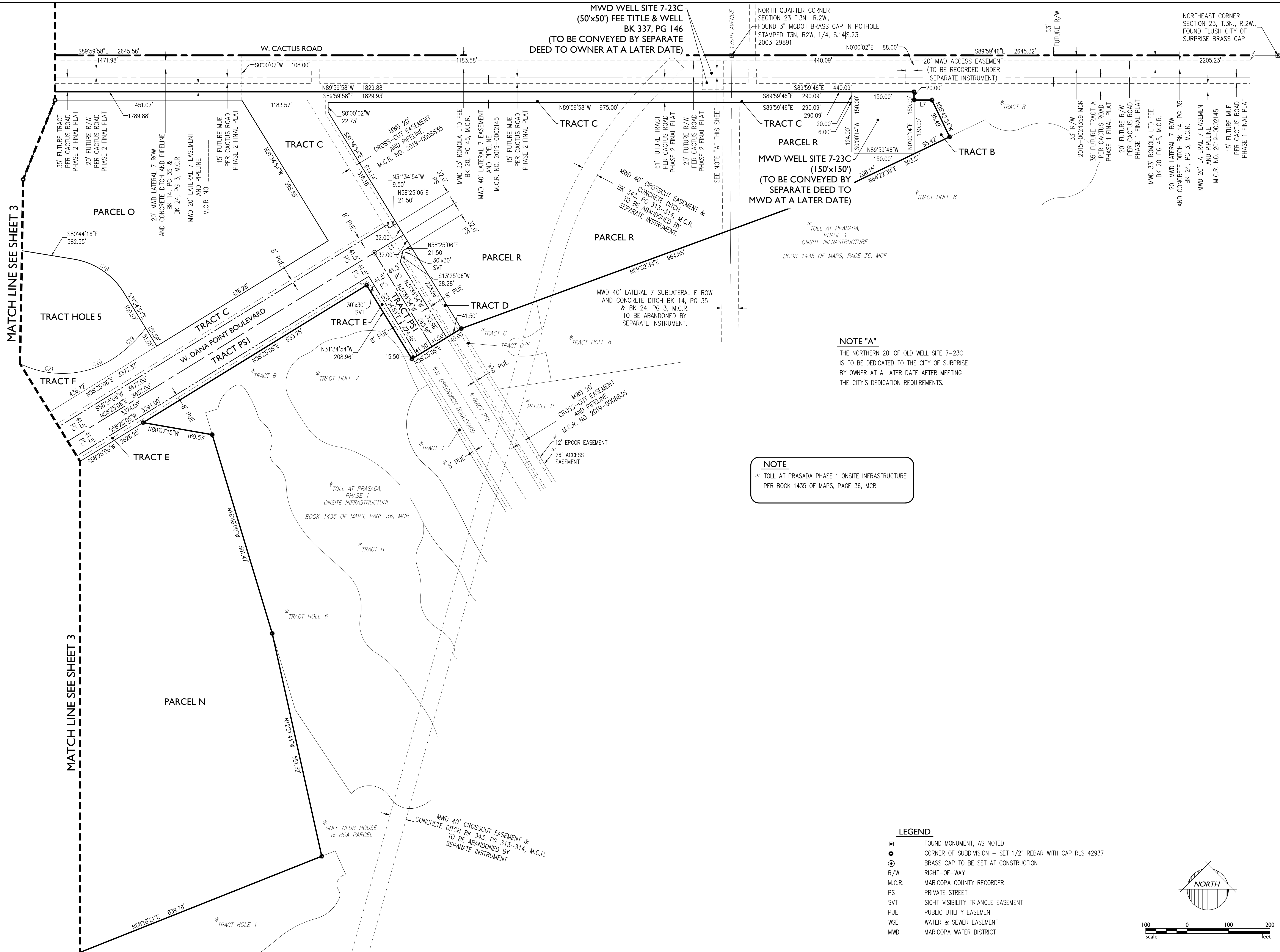
THENCE SOUTHEASTERLY 28.64 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 37 DEGREES 43 MINUTES 35 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 100.00 FEET;

THENCE SOUTHEASTERLY 76.57 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 43 DEGREES 52 MINUTES 22 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 43.50 FEET;

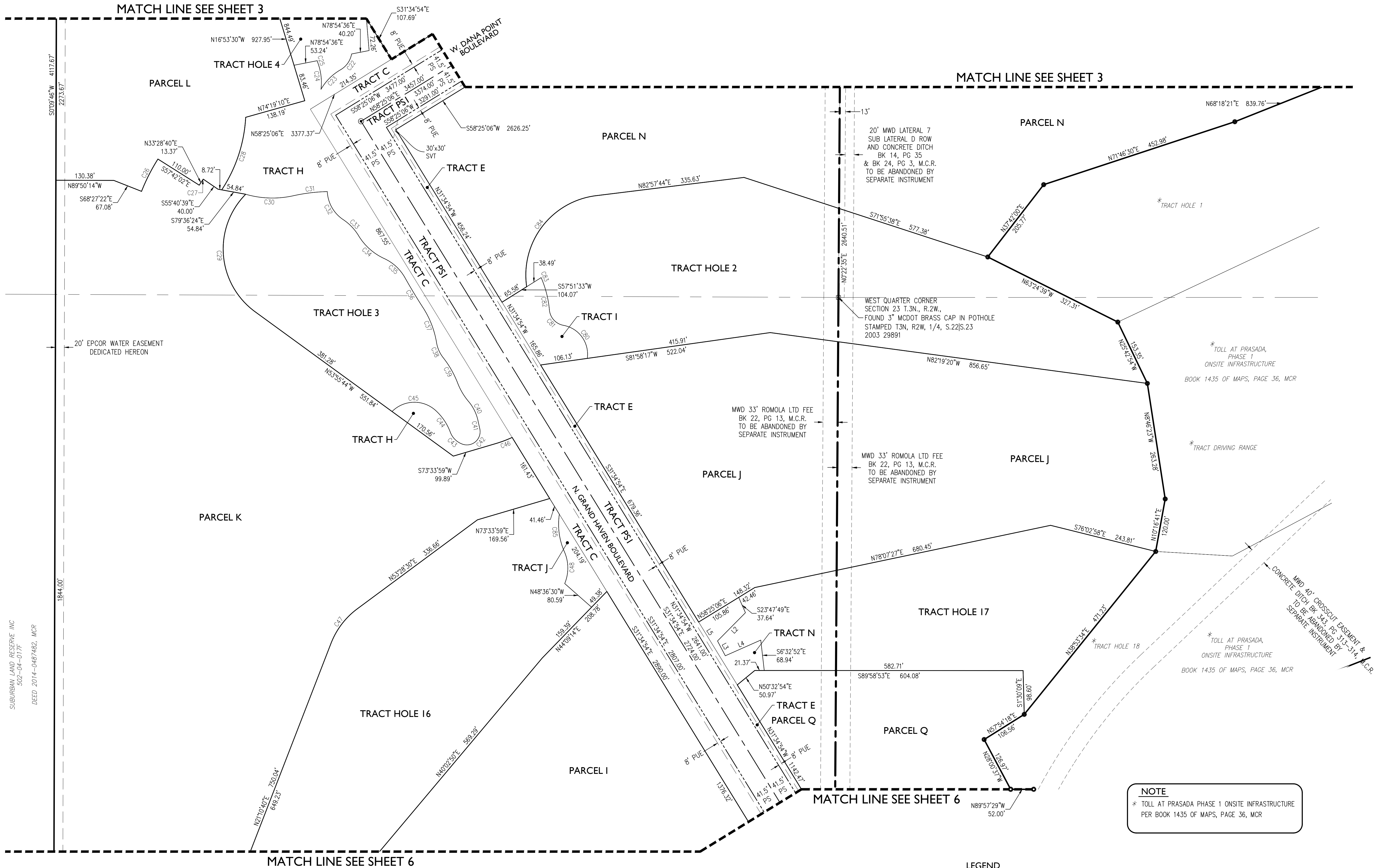
THENCE SOUTHEASTERLY 28.64 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 37 DEGREES 43 MINUTES 35 SECONDS;

THENCE SOUTH 0 DEGREES 00 MINUTES 05 SECONDS EAST, 188.68 FEET TO THE POINT OF BEGINNING.



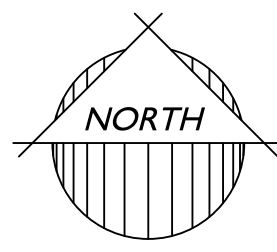


SUBURBAN LAND RESERVE INC
502-04-0177
DEED 2014-0487482, MCR



LEGEND

- FOUND MONUMENT, AS NOTED
- CORNER OF SUBDIVISION - SET 1/2" REBAR WITH CAP RLS 42937
- BRASS CAP TO BE SET AT CONSTRUCTION
- RIGHT-OF-WAY
- M.C.R. MARICOPA COUNTY RECORDER
- PS PRIVATE STREET
- SVT SIGHT VISIBILITY TRIANGLE EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- WSE WATER & SEWER EASEMENT
- MWD MARICOPA WATER DISTRICT



NOTE
* TOLL AT PRASADA PHASE 1 ONSITE INFRASTRUCTURE
PER BOOK 1435 OF MAPS, PAGE 36, MCR

1130 N. Alma School Rd., Ste 120
Mesa, AZ 85201
T:480.503.2350 | F:480.503.2358
www.epsgroupinc.com

Toll at Prasada
Phase 2 Master Plat
SURPRISE, ARIZONA

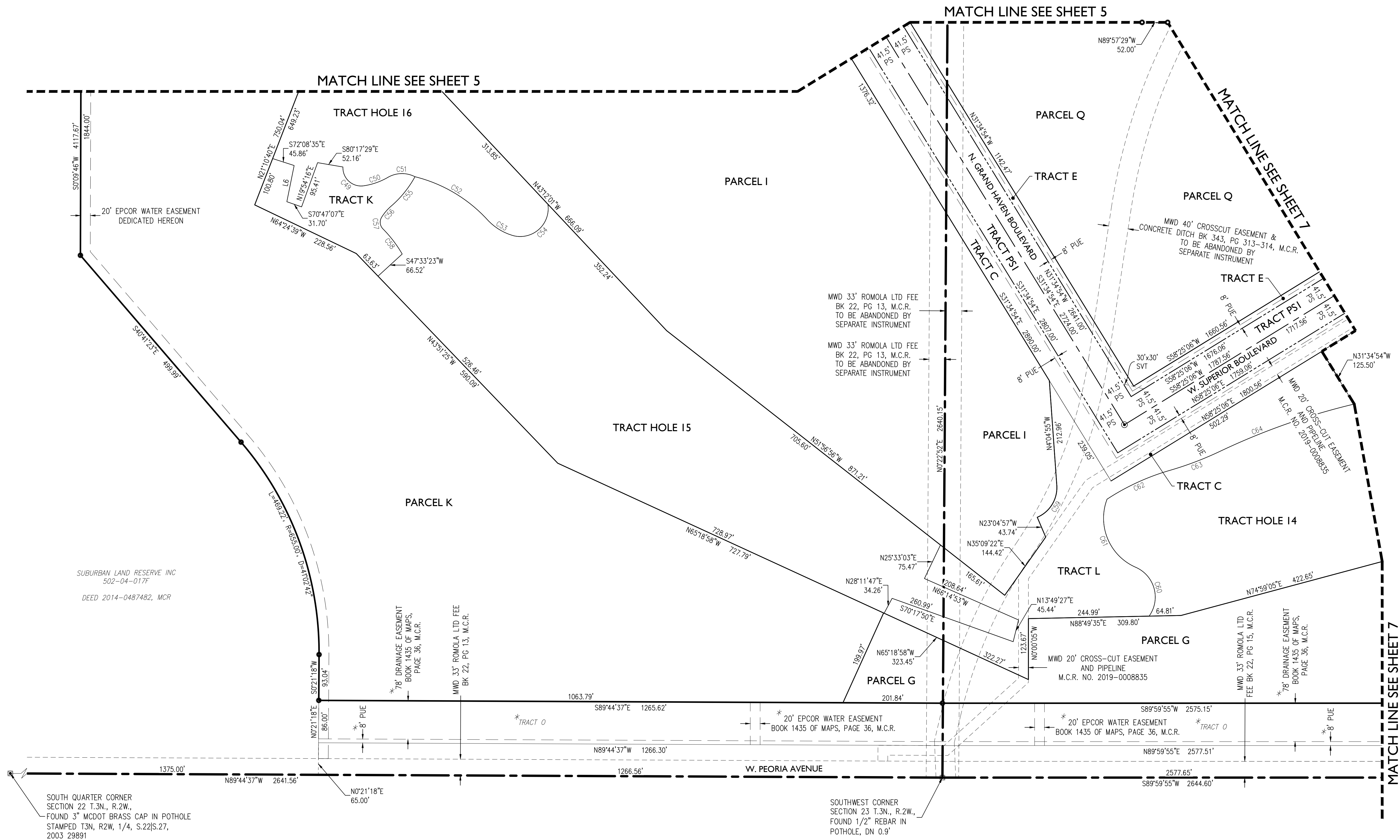
Final Plat

Project:

Revisions:

Designer: JB
Drawn by: JB

Job No.
16-339
FP05
Sheet No.
5
of 7

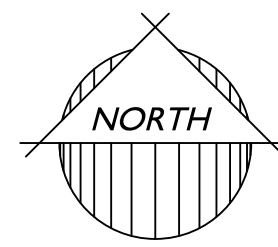


NOTE

* TOLL AT PRASADA PHASE 1 ONSITE INFRASTRUCTURE
PER BOOK 1435 OF MAPS, PAGE 36, MCR

LEGEND

- | | |
|--------|---|
| ■ | FOUND MONUMENT, AS NOTED |
| ● | CORNER OF SUBDIVISION – SET 1/2" REBAR WITH CAP RLS 42937 |
| ◎ | BRASS CAP TO BE SET AT CONSTRUCTION |
| R/W | RIGHT-OF-WAY |
| M.C.R. | MARICOPA COUNTY RECORDER |
| PS | PRIVATE STREET |
| SVT | SIGHT VISIBILITY TRIANGLE EASEMENT |
| PUE | PUBLIC UTILITY EASEMENT |
| WSE | WATER & SEWER EASEMENT |
| MWD | MARICOPA WATER DISTRICT |





LINE TABLE		
LINE	BEARING	LENGTH
L1	S58°25'06"W	83.00'
L2	S44°41'12"W	89.44'
L3	S27°44'23"E	37.70'
L4	N66°06'47"E	87.28'
L5	N31°34'54"W	166.07'
L6	S11°25'27"W	74.97'
L7	S89°59'46"E	43.30'
L8	S89°50'14"E	23.00'
L9	S89°50'14"E	50.00'
L10	N00°22'35"E	50.00'
L11	S89°50'14"E	50.00'
L12	S00°22'35"W	50.00'

LEGEND

■	FOUND MONUMENT, AS NOTED
□	CORNER OF SUBDIVISION – SET 1/2" REBAR WITH CAP RLS 42937
●	BRASS CAP TO BE SET AT CONSTRUCTION
R/W	RIGHT-OF-WAY
M.C.R.	MARICOPA COUNTY RECORDER
PS	PRIVATE STREET
SVT	SIGHT VISIBILITY TRIANGLE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
WSE	WATER & SEWER EASEMENT
MWD	MARICOPA WATER DISTRICT

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	311.20'	435.00'	40°59'24"	162.60'	304.61'	N36°35'42"W
C2	26.40'	122.00'	122°3'53"	13.25'	26.35'	N81°20'01"W
C3	391.02'	180.00'	124°27'53"	341.87'	318.54'	N62°59'52"W
C4	565.49'	180.00'	180°00'00"	INFINITY	360.00'	N35°13'49"W
C5	174.47'	180.00'	55°32'07"	94.77'	167.72'	N27°00'08"E
C6	85.78'	247.43'	19°51'44"	43.32'	85.35'	S41°08'36"W
C7	121.43'	169.78'	40°58'42"	63.44'	118.86'	S01°59'19"W
C8	33.33'	285.00'	6°42'05"	16.69'	33.31'	N51°25'09"W
C9	122.25'	333.00'	21°02'06"	61.82'	121.57'	N44°15'08"E
C10	122.25'	333.00'	21°02'06"	61.82'	121.57'	N44°15'08"E
C11	122.25'	333.00'	21°02'06"	61.82'	121.57'	N44°15'08"E
C12	87.72'	303.46'	16°33'42"	44.17'	87.41'	S72°50'03"W
C13	20.52'	72.75'	16°09'29"	10.33'	20.45'	N72°37'56"E
C14	63.22'	18.55'	195°17'03"	138.25'	36.77'	S01°38'48"E
C15	81.08'	87.46'	53°07'01"	43.72'	78.21'	N69°26'13"E
C16	29.21'	75.08'	22°17'24"	14.79'	29.02'	S54°01'24"W
C17	71.38'	175.00'	23°22'13"	36.19'	70.89'	S87°34'38"W
C18	150.14'	175.00'	49°09'23"	80.04'	145.58'	N56°09'35"W
C19	96.04'	328.45'	16°45'13"	48.37'	95.70'	N45°42'52"W
C20	103.58'	222.68'	26°39'04"	52.74'	102.65'	N67°24'45"E

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C81	50.42'	38.74'	74°33'39"	29.49'	46.94'	S42°26'23"E
C82	73.74'	235.22'	17°57'47"	37.18'	73.44'	N14°08'27"W
C83	1.71'	48.58'	2°00'41"	0.85'	1.71'	S27°00'00"E
C84	287.02'	180.00'	91°21'42"	184.33'	257.57'	S37°16'53"W
C85	86.13'	151.75'	32°31'03"	44.26'	84.97'	S07°36'57"E

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C21	144.05'	234.59'	35°11'02"	74.38'	141.80'	S81°40'12"E
C22	44.98'	51.18'	50°21'08"	24.06'	43.54'	N35°01'40"W
C23	62.83'	118.19'	30°27'27"	32.17'	62.09'	S44°58'30"W
C24	61.28'	126.84'	27°40'58"	31.25'	60.69'	N06°55'18"W
C25	4.33'	23.58'	10°31'56"	2.17'	4.33'	S15°29'48"E
C26	81.66'	435.00'	10°45'19"	40.95'	81.54'	S26°55'18"W
C27	2.93'	280.00'	3°35'56"	1.46'	2.93'	N34°21'24"E
C28	174.04'	328.00'	30°24'08"	89.12'	172.00'	N18°16'41"E
C29	301.32'	175.00'	98°39'04"	203.64'	265.45'	S04°36'11"E
C30	108.54'	216.49'	28°43'28"	55.43'	107.40'	S88°13'04"E
C31	77.02'	393.74'	11°12'27"	38.63'	76.90'	S83°01'26"W
C32	75.31'	80.53'	53°34'46"	40.66'	72.60'	S29°35'50"E
C33	50.50'	114.41'	25°17'30"	25.67'	50.09'	N34°44'28"W
C34	78.42'	130.73'	34°22'06"	40.43'	77.25'	S48°16'47"E
C35	64.38'	101.93'	36°11'23"	33.31'	63.32'	N47°22'08"W
C36	78.83'	1240.46'	3°38'29"	39.43'	78.82'	S31°05'41"E
C37	85.23'	207.52'	23°31'58"	43.23'	84.64'	N21°08'56"W
C38	37.53'	74.22'	28°58'15"	19.17'	37.13'	S23°52'05"E
C39	66.05'	217.45'	17°24'09"	33.28'	65.79'	N29°39'08"W
C40	47.83'	98.54'	27°48'28"	24.39'	47.36'	N26°25'46"W

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C41	19.69'	7500.04'	0°09'01"	9.84'	19.69'	N12°22'01"W
C42	63.12'	29.79'	121°25'23"	53.10'	51.96'	N48°20'11"W
C43	39.88'	45.14'	50°37'22"	21.35'	38.60'	S45°38'27"E
C44	59.91'	124.74'	27°31'16"	30.55'	59.34'	N34°05'24"W
C45	108.07'	70.99'	87°13'49"	67.63'	97.93'	S88°32'03"W
C46	39.21'	272.00'	81°5'34"	19.64'	39.18'	N69°26'12"E
C47	98.65'	175.00'	32°17'49"	50.67'	97.34'	S37°19'35"W
C48	73.88'	91.13'	32°27'06"	39.11'	71.87'	N00°38'56"W
C49	65.02'	36.87'	101°01'45"	44.76'	56.92'	S47°50'58"E
C50	52.16'	137.51'	21°43'56"	26.40'	51.84'	N70°46'11"E
C51	57.46'	57.36'	57°23'45"	31.40'	55.08'	S88°36'06"W
C52	173.19'	295.78'	33°32'57"	89.16'	170.73'	N59°18'57"W
C53	63.85'	112.88'	32°24'32"	32.81'	63.01'	S58°40'20"E
C54	111.16'	56.83'	112°03'45"	84.36'	94.27'	N47°23'05"W
C55	77.22'	214.11'	20°39'55"	39.04'	76.81'	N39°01'17"E
C56	29.95'	97.27'	17°38'32"	15.09'	29.83'	S40°31'59"W
C57	25.48'	19.08'	76°31'42"	15.05'	23.63'	S06°33'08"E
C58	64.48'	250.86'	14°43'35"	32.42'	64.30'	N37°27'11"W
C59	81.17'	65.50'	70°59'58"	46.72'	76.07'	S31°25'04"W
C60	117.80'	66.02'	102°14'07"	81.87'	102.79'	N15°20'29"W

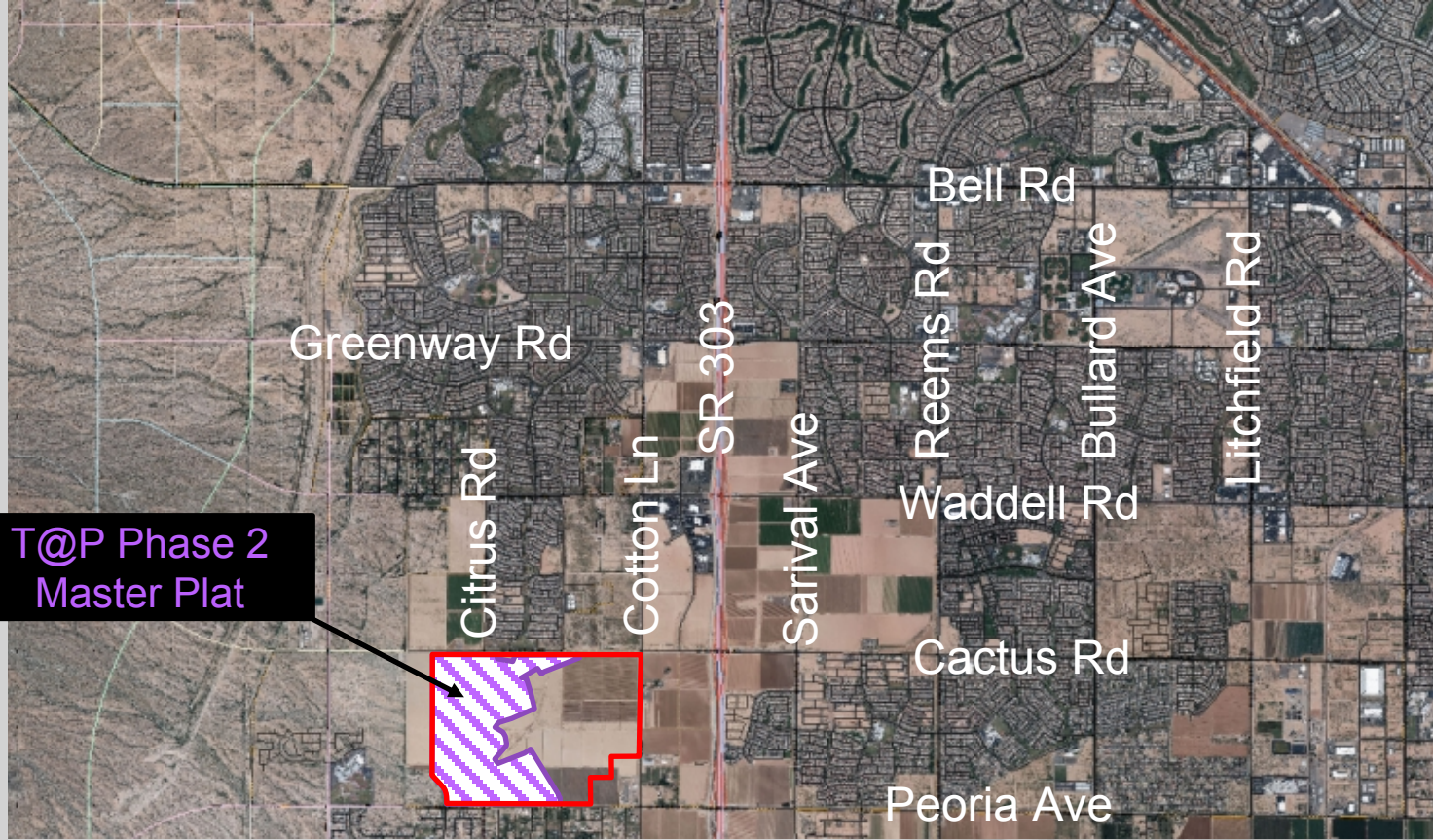
CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C61	165.49'	108.63'	87°16'59"	103.60'	149.93'	S22°49'04"E
C62	139.95'	468.64'	17°06'36"	70.50'	139.43'	S65°18'28"W
C63	110.15'	681.51'	9°15'38"	55.20'	110.03'	N69°13'57"E
C64	289.00'	1380.48'	11°59'41"	145.03'	288.47'	S70°35'59"W
C65	18.99'	24.13'	45°06'05"	10.02'	18.51'	S66°03'18"E
C66	38.58'	146.07'	15°07'55"	19.40'	38.47'	N83°49'42"E
C67	88.85'	467.46'	10°53'27"	44.56'	88.72'	N77°06'06"W
C68	114.06'	114.73'	56°57'40"	62.24'	109.42'	N79°51'47"E
C69	44.10'	26.85'	94°05'54"	28.84'	39.30'	N81°34'06"E
C70	42.65'	100.26'	24°22'23"	21.65'	42.33'	N22°19'57"E
C71	65.21'	92.34'	40°27'49"	34.03'	63.86'	S30°22'41"W
C72	31.50'	68.79'	26°14'10"	16.03'	31.22'	N37°29'30"E
C73	55.21'	130.51'	24°14'10"	28.02'	54.80'	N57°43'44"E
C74	48.72'	205.93'	13°33'18"	24.47'	48.61'	S52°23'45"W
C75	67.84'	259.28'	14°59'27"	34.11'	67.65'	N51°40'14"E
C76	72.66'	72.93'	57°05'00"	39.67'	69.69'	S72°43'01"W
C77	66.86'	66.75'	57°23'19"	36.54'	64.10'	N12°45'10"E
C78	99.15'	180.18'	31°13'43"	50.86'	97.90'	N65°01'11"E
C79	38.17'	180.00'	12°09'04"	19.16'	38.10'	N87°19'36"E
C80	101.34'	66.04'	87°55'16"	63.69'	91.69'	N35°45'35"W



September 5, 2019 City Council

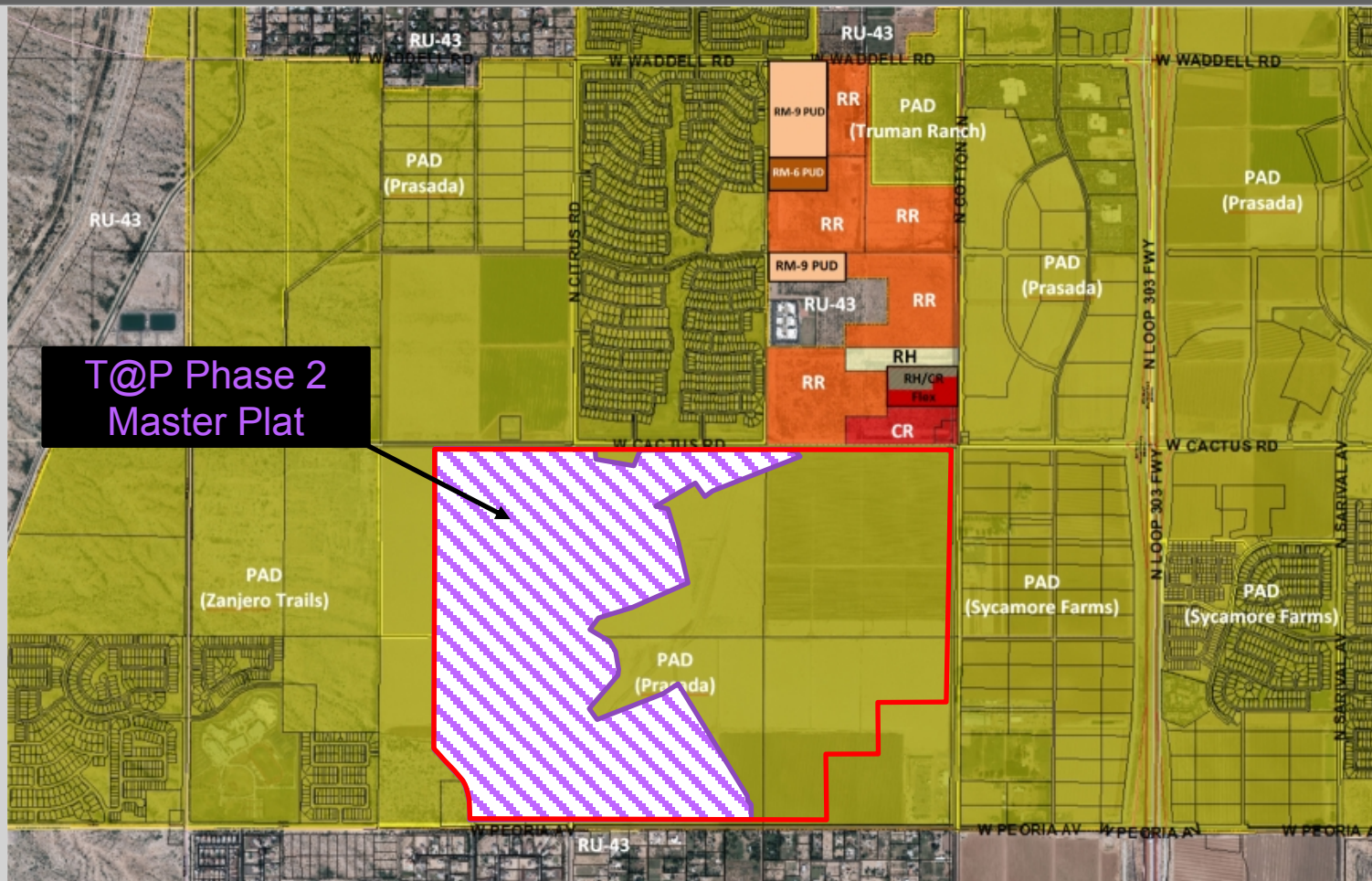
Toll at Prasada

FS19-061 Phase 2 Master Plat →



Combined Vicinity Map

Combined Case Map



KEY MAP 

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Book: <https://doi.org/10.1017/9781009052025> (2023) *Journal of the American Medical Association*, 329(14):1300–1301, October 2023. 11/23/2023



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QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 5, 2019
Submitting Department: City Manager Office
Staff Recommendations: None

Contact Person: Carol Holley
District: Citywide

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

Consideration and action amending the Surprise Municipal Code, Chapter 2, Article VIII, Section 2-304 pertaining to Audit Committee membership; Ordinance #2019-23.

Motion:

I move to approve Ordinance #2019-23.

Background:

One September 6, 2016, the Mayor and Council, by Ordinance #2016-25, formally established an Audit Committee of the City of Surprise, to provide oversight responsibilities regarding the integrity of the financial statements of the City, among other duties. To ensure that the Audit Committee is able to effectively perform this duty, it is essential that the Committee composition remain independent and free from conflict of interests. Therefore, there has been periodic review of the Committee's authority and bylaws.

Recent discussion with Audit Committee members have resulted in proposed changes to the Audit Committee bylaws by the City's internal auditor. Consequently, minor amendments to the code will ensure harmony between the Code and Committee bylaws.

Objective Analysis:

The changes proposed will result in clarification of appointment to the Committee and also support and ensures the independence of the Audit Committee. Section 2-304 will now be unambiguous as to how and who appoints both the two Council members and the two city employee members. The two city members will not have voting rights and a quorum and majority have been defined by the addition of section 2-304(e). No other changes are contemplated at this time.

Policy Compliant:

City Council established an Audit Committee by Ordinance #2016-25 with certain responsibilities to remain independent. This amendment furthers the objectives of the Committee.

Financial Impact:

This action will not have a financial impact.

Budget Impact:

This action will not have a budgetary impact.

FTE Impact:

This action will not change the full time equivalent count.

ATTACHMENTS:

1. Council Presentation MuniCode Chap 2 September 5, 2019 Meeting
 2. 19.21.08 Audit Committee Amendment Ord 2019-23 (2)
-



Municipal Code Chapter 2 Amendments

Internal Audit, September 5, 2019

Overview

RECENT DISCUSSION WITH AUDIT COMMITTEE MEMBERS REQUIRE AMENDMENTS TO MUNICIPAL CODE – CHAPTER 2

- **Membership**(Sec. 2-304(a))
 - Clarify City Council Audit Committee members are “Appointed by the Mayor”
 - Update Audit Committee City department staff members from “Voting” to “Non-Voting” members “Appointed by the City Manager”
 - Delete administrative purposes statement

Overview - Continued

- **Addition of Subsection - Quorum and Voting (Sec. 2-304(e))**
 - (e) QUORUM AND VOTING. A QUORUM OF THE AUDIT COMMITTEE SHALL CONSIST OF THREE VOTING MEMBERS, ONE OF WHOM SHALL BE A CITY COUNCIL MEMBER. A MAJORITY SHALL MEAN MORE THAN HALF OF THE VOTING MEMBERS PRESENT AT A MEETING. THE TWO CITY DEPARTMENT EXECUTIVE MEMBERS SHALL BE NON-VOTING MEMBERS.



QUESTIONS OR COMMENTS?

Thank You

ORDINANCE # 2019-23

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 2, ARTICLE VIII, SECTION 2-304, BY REVISING STAFFING, VOTING RIGHTS, AND DEFINING QUORUM OF THE COMMITTEE; INCLUDING SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, on September 6, 2016, City Council established an Audit Committee by Ordinance # 2016-25; and

WHEREAS, City Council has reviewed Section 2-304, as codified by Ordinance # 2016-25, and identified amendments to further ensure independence of the Audit Committee.

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

Section 1. Chapter 2, Article VIII, Section 2-304(a) is amended to read as follows:

(a) Membership. The audit committee will be compromised of seven members consisting of the following:

- (1) Two city council members APPOINTED BY THE MAYOR;
- (2) Three residents of the city; AND
- (3) Two NON-VOTING city department executives APPOINTED BY THE CITY MANAGER.

~~For administrative purposes, the city manager will facilitate the staffing of the audit committee.~~

Section 2. Chapter 2, Article VIII, Section 2-304 is amended by adding subsection (e) which will read as follows:

(e) QUORUM AND VOTING. A QUORUM OF THE AUDIT COMMITTEE SHALL CONSIST OF THREE VOTING MEMBERS, ONE OF WHOM SHALL BE A CITY COUNCIL MEMBER. A MAJORITY SHALL MEAN MORE THAN HALF OF THE VOTING MEMBERS PRESENT AT A MEETING. THE TWO CITY DEPARTMENT EXECUTIVE MEMBERS SHALL BE NON-VOTING MEMBERS.

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 10. This ordinance will become effective at the time and manner prescribed by law.

Section 11. All ordinances, resolutions or codes in conflict with the provisions of this ordinance or code adopted by this ordinance are repealed.

PASSED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: September 5, 2019
Submitting Department: Water Resource
Management
Staff Recommendations: None

Contact Person: Terry Lowe, DIRECTOR - WRM
District: Citywide

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

Consideration and action pertaining to approval of an amendment to the Fiscal Year 2020 Budget by reallocating appropriations of \$371,000 from water operations and grant contingency to establish a new capital project and to account for acceptance of an Arizona Department of Water Resource Water Management Assistance Grant in the amount of \$200,000; Resolution #2019-104.

Motion:

I move to approve Resolution #2019-104.

Background:

The purpose of this project is to demonstrate proper Xeriscape principles for residential and commercial property owners in the City of Surprise, as well as showcase innovative water conservation techniques such as commercial cooling structure condensate capture. The Water Resource Management (WRM) Department will host water efficiency classes in the garden, along with other events. Since 70% of residential water use occurs outdoors in Arizona, it is a strategic water conservation initiative of the WRM Department to educate residential and commercial property owners in the community how to develop and maintain a low water use landscape. The City has applied and been awarded funding support from the Water Management Assistance Program for development of the garden as it supports ADWR's water conservation goals for the Phoenix AMA.

Objective Analysis:

Initiate the design and construction of the Xeriscape Demonstration Garden improvements.

Policy Compliant:

This item is policy compliant and consistent with the General Plan, City Council's Strategic Plan and Water Resource Management Policy

Financial Impact:

The approval of this item will allow for the establishment of project G71010 Xeriscape Demonstration Garden and the one-time expenditure of \$371,000 for design and construction. The expenditures will be partially offset by a one-time grant in the amount of \$200,000 from the Arizona Department of Water Resources Water Management Assistance Program. The remaining \$171,000 is anticipated to be funded utilizing in-kind donations. While anticipated, the in-kind donations are not yet secured, therefore savings in the amount of \$171,000 has been identified within the Water Operations Fund to support the remaining project expenses if necessary.

Budget Impact:

This item will amend the fiscal year 2020 Budget by reallocating appropriations of \$200,000 within the Grants Fund and \$171,000 within the Water Operations Fund to fund project G71010 Xeriscape Demonstration Garden for a total project budget of \$371,000. In addition this item will amend the Capital and Operating List of Items Over \$50,000 to include reference number 20255 for project expenses.

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.

FTE Impact:

This item does not impact the total full-time equivalent count.

ATTACHMENTS:

1. WMAP Info Guidelines
 2. G71010_Xeriscape Garden Budget_Amendment_Update.xlsx NF
 3. Resolution 2019-104 Project Xeriscape Garden Final
 4. Xeriscape presentation
-

PROJECT PROPOSAL GUIDELINES

Water Management Assistant Program (WMAp)

INTRODUCTION

The Water Management Assistance Program (WMAp) is intended to provide financial and technical resources to assist water users in the development and implementation of conservation programs, facilitate augmentation and renewable water supply utilization, and obtain information on hydrologic conditions and water availability within an Active Management Area (AMA).

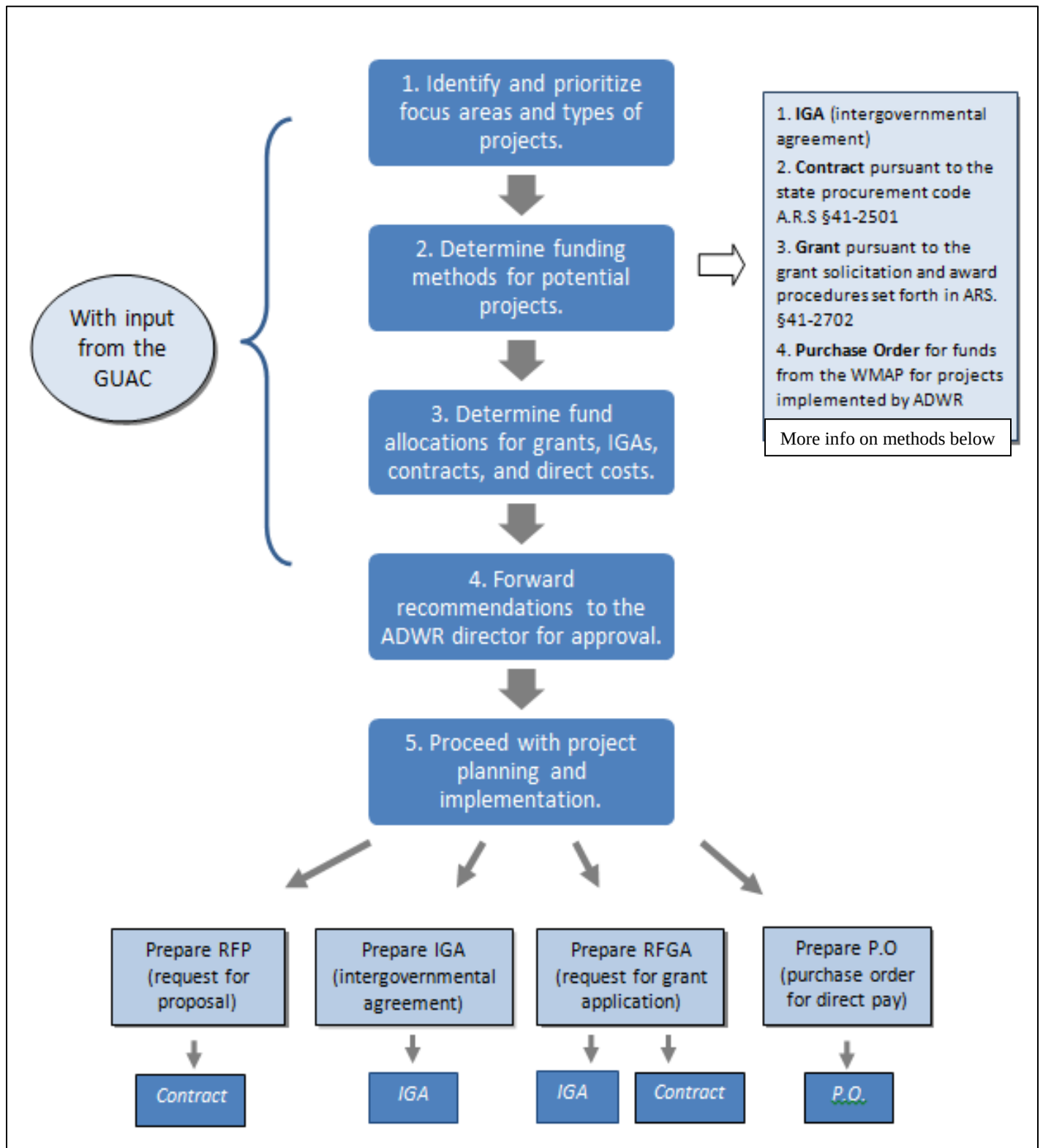
The WMAp is funded primarily from groundwater withdrawal fees collected from each person withdrawing groundwater in an AMA from a non-exempt well (A.R.S. § 45-611(C)). Withdrawal fees are authorized by the *1980 Groundwater Code* (Code) and are levied based on the acre-foot volume of groundwater withdrawn on an annual basis. The groundwater withdrawal fee rate for augmentation of the water supply, conservation assistance to water users within the AMA and monitoring and assessing water availability within the AMA is set annually by the Director. Programs funded by the WMAp help water users achieve efficient use of water supplies and help the AMA meet its water management goal.

Points for a Project Proposal to Address:

1. How does the project support augmentation of the water supply of the AMA; or provide conservation assistance to water users with the AMA; and/or support monitoring and assessing water availability within the AMA?
2. How is the project consistent with ADWR policies and programs, and the management goal of the AMA?
3. Describe how the proposed project benefits multiple water users or stakeholders, and provide a description of any community and/or sector support for the project.
4. Is there the potential to leverage the project with other proposed or ongoing projects? Are there cost-sharing opportunities with applicant or other parties? Would the project be otherwise implemented without WMAp funding?
5. How can the effectiveness of the project be measured? Examples of metrics might include comparing pre-project water use and post-project water savings; scientific data collections and reporting methods; or pre-program and post-program surveys to verify project results.
6. If the project is a continuation of ongoing activities, has the project been shown to be effective? If a new project, is the proposed work duplicative of work that has previously been performed?
7. Is the project proposal complete? In particular, proposals should include:
 - a. Clear statement of purpose, goals, methodology, and list of deliverables (data collection, interim and final reports, etc.);
 - b. Detailed project budget, including salary costs and benefits, retrofit device costs, equipment/supply purchases, etc.

Generally, it is suggested that the project description be concise and focused. It should demonstrate a particular need, and how that need will be addressed. Background narrative might be appropriate if it is directly relevant to the project.

WMAF Process for Funding Projects:



There are four methods through which **WMAP funds** may be provided; however, the first method (IGA) is the most likely to be used:

A. Intergovernmental Agreement (IGA)

ADWR may enter an IGA with public agencies (as defined in A.R.S. § 11-951). A.R.S. § 45-105(A)(8). IGAs are appropriate when the source of the service requested is limited, and the awards do not have to be competitive. The project must involve a joint exercise of powers common to the parties or an agreement for joint or cooperative action.

B. Contract

ADWR may enter into a contract for specific services by issuing a Request for Proposal (RFP). An RFP is used for specific services or a narrow scope of work and where the lowest bid is not necessarily the winning bid. A.R.S. § 41-2534. An RFP is used for purposes of procuring a specific end product in the form of materials, services or construction.

C. Grant

A grant process is used when selection requires a competitive process to be fair. It can be used for both governmental and non-governmental entities. The scope of the project should not be too specific as to single out only one or two possible entities and not too general so as to generate projects that do not meet project objectives. A.R.S. § 41-2702 (copy below) includes a set of requirements for the grants process including the following:

- Preparation of a Request for Grant Application that includes scope, funding amount and evaluation criteria (RFGA).
- Confidentiality of applications until an award or awards are made; and
- Evaluation by at least three evaluators. Note that GUAC members may not serve as evaluators, but can be involved in grant award selection.

D. Direct use by ADWR

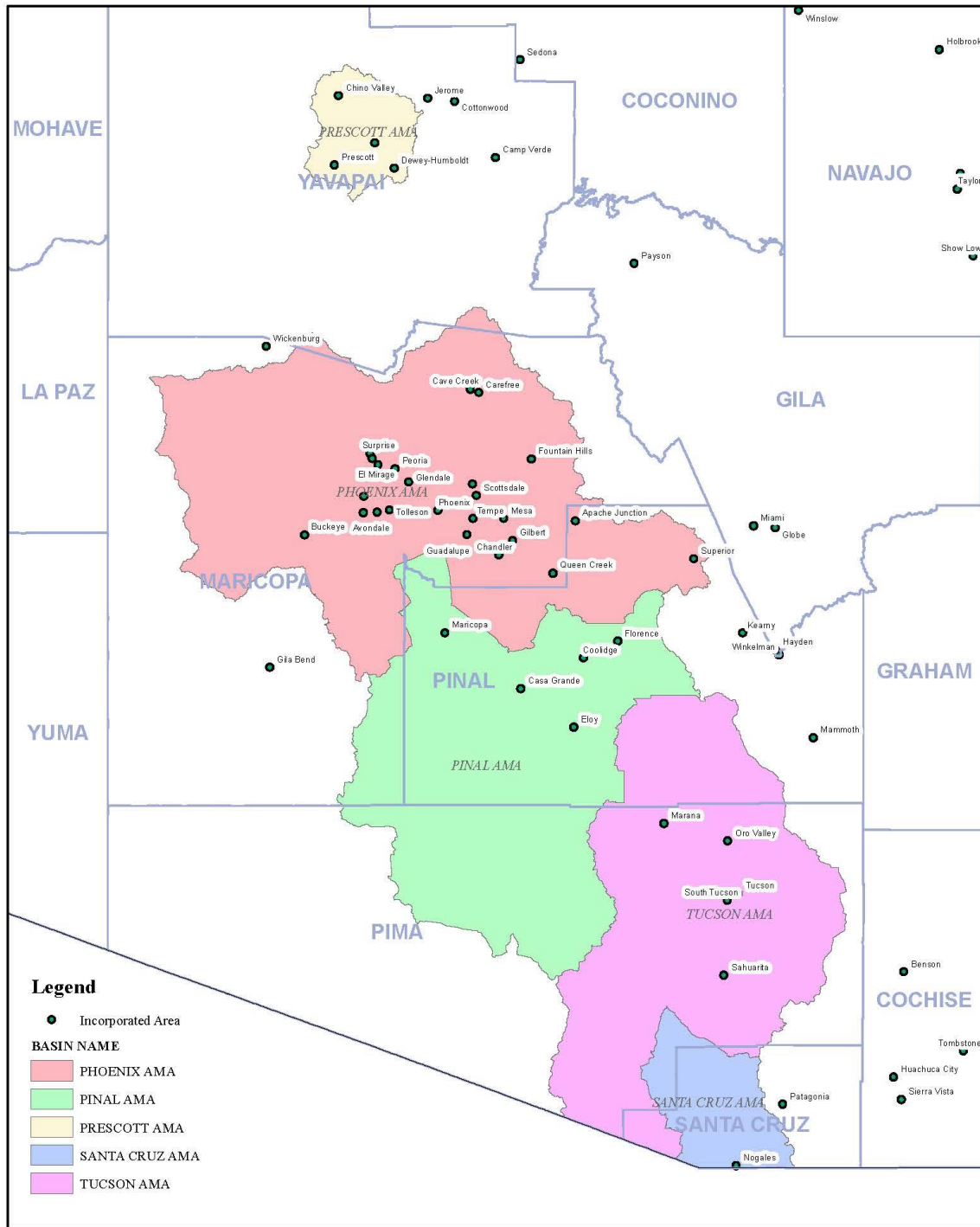
If a project is to be implemented by ADWR, it may use monies directly from the WMAP.

WMAP Solicitation and Award of Grant Applications- Statute 41-2702:

- A. State governmental units shall award any grant in accordance with the competitive grant solicitation requirements of this chapter.
- B. A state governmental unit shall prepare and issue a request for grant applications that includes at least the following information:
 1. A description of the nature of the grant project, including the scope of the work to be performed by an awardee.
 2. An identification of the funding source and the total amount of available funds.
 3. Whether a single award or multiple awards may be made.
 4. Encouragement of collaboration by entities for community partnerships, if appropriate.
 5. Any additional information required by the applications.
 6. The criteria or factors under which applications will be evaluated for award and the relative importance of each criteria or factor.
 7. The due date for submittal of applications and the anticipated time the awards may be made.

- C. Adequate public notice of the request for grant applications shall be given at least six weeks before the due date for the submittal of applications. Adequate notification of the request for grant applications shall also be provided to the central state permitting program pursuant to section 41-1505.08.
- D. A pre-application conference may be conducted before the due date for the submittal of applications to explain the grant application requirements. If a pre-application conference is held, it shall be held at least twenty-one days before the due date. Statements made at a pre-application conference are not amendments to the request for grant applications unless a written amendment is issued.
- E. Grant applications shall be publicly received at the time and place designated in the request for grant applications. The name of each applicant shall be publicly read and recorded. All other information in the grant application is confidential during the process of evaluation. All applications shall be open for public inspection after grants are awarded. To the extent the applicant designates, and the state concurs, trade secrets and other proprietary information contained in the application shall remain confidential.
- F. Applications shall be evaluated by at least three evaluators who are peers or other qualified individuals. The evaluators may allow applicants to make oral or written presentations regarding the scope of work, terms and conditions of the grant, budget and other relevant matters set forth in the request for grant applications. Applicants shall be accorded fair treatment with respect to any opportunity for oral or written presentations. The evaluators may require an applicant to revise its application to reflect information provided in an oral or written presentation. Any person who has information contained in the application of competing applications shall not disclose that information.
- G. The evaluators shall review each application based solely on the evaluation criteria or factors set forth in the request for grant applications. The evaluators shall maintain a written record of the assessment of each application, which shall include comments regarding compliance with each evaluation criteria or factor, the citation of a specific criteria or factor as the basis of each stated strength or weakness and a clear differentiation between comments based on facts presented in the application and comments based on professional judgment. Evaluator assessments shall be made available for public inspection no later than thirty days after a formal award is made.
- H. The evaluators shall make award recommendations to the head of the state governmental unit based on the evaluators' reviews of each application. The evaluators' recommendations may include the adjustment of the budgets of the applicants individually or collectively.
- I. The head of the state governmental unit may affirm, modify or reject the evaluators' recommendations in whole or in part. Modification of the evaluators' recommendations may include the adjustment of the budget on any proposed award individually or on all awards by an amount or percentage. If the head of the state governmental unit does not affirm the recommendations, the head of the state governmental unit shall document in writing the specific justifications for the action taken. The specific justifications shall be made available for public inspection no later than thirty days after the action is taken.
- J. The head of a state governmental unit may enter into agreements with other state governmental units to furnish assistance in conducting the solicitation of grant applications.

Active Management Areas



0 20 40 80 Miles
ADWR, AMA Planning & Data Management, December 16, 2016



Input Tab:

1. Type a reason for the transfer (see example on Input Tab), please wait to type the explanation of the t
2. Starting in row 7, type in the org, object and project numbers (if applicable) for the amendment
3. Repeat for each line of the amendment (if you have more than 100 lines contact your budget liaison)
4. Please keep in mind if you amendments will result in an actual transfer of cash from one fund to another
5. Using the summarized information in the **Exhibit - Approp Tab**, type an explanation of the transfers (s

Exhibit - Approp Tab:

1. Review the description and make changes on the **Input Tab** **bas necessary**
2. Check to verify that cell N3 does not say "**Unbalanced**". If it does the expenses and/or revenue lines o
3. Use the instructions in columns Q and R to fill in the Current Budget (Amended Budget) in Column M, I
4. Hide empty rows
5. Copy and use the paste special to paste a picture of cells H2:O55 into the Word file containing the Exhi

Exhibit - Transfer Tab:

1. Review the **Exhibit - Transfer Tab**, if any rows in column I say "**Check**" then the transfer out amount d
2. If there are actual cash transfers, hide empty rows
3. Use the instructions in columns L and M to fill in the Current Budget (Amended Budget) in Column H
4. Copy and use the paste special to paste a picture of cells A2 through at least J3 into the Word file cont:

Munis BA Input:

1. This tab can be used to assist in entering the information into the Budget Transfers and Amendments f

The allocation below represents a reallocation of appropriate funds to establish a new capital project G71010- ADWR Xeriscape

The City applied for and received notice of grant award in 2015. To establish the capital project, the department is requesting funding from water operations.

[illegible]

variation in the amount of \$371,000 from water operations and grant contingency to the Garden.	Example: The allocation below represents a reallocation within the Vehicle Replacement fund and \$14,900 from services operating budgets to a project in the Vehicle Replacement fund.
variation in the amount of \$200,000 from the Arizona Department of Water Resources. In order to accept a budget amendment to accept the grant award and reallocation of appropriations	Example: to cover the projected expenditures associated with the replacement of vehicles.

ition of appropriation in the amount of \$50,000 from/to projects
rom the Fire-Medical Department's General Fund supplies and
le Replacement Fund

iated with equipment and final installation service of two emergency

iated with equipment and final installation service of two emergency

Increase/
(Decrease)[illegible]

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1. Appropriation - The allocation below represents a reallocation of appropriation in the amount of \$371,010 grant contingency to establish a new capital project G71010- ADWR Xeriscape Garden. The City applied for a grant award in the amount of \$200,000 from the Arizona Department of Water Resources. In order to establish the department is requesting a budget amendment to accept the grant award and reallocation of appropriation. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority. Allocations do not increase or decrease the total budget.

Fund	Department	Project/Category	Rev/ Exp	Current Budget
Water Operations	Water Resource Management	Supplies	E	554,900
Water Operations	Water Resource Management	Services	E	7,427,300
Grants	General Operations	Contingency	E	24,000,000
Water Utility Capital	Water Resource Management	#G71010 ADWR Xeriscape Garden	E	-
Water Utility Capital	Water Resource Management	#G71010 ADWR Xeriscape Garden	R	-
Grants	General Operations	Other	R	24,377,400
Expense Total				31,982,200
Revenue Total				24,377,400

00 from water operations and
for and received notice of
establish the capital project, the
ns from water operations.
Additionally, these allocations

[Account Inquiry](#)

[Project Inquiry](#)

Current Budget
Lookup

Increase/ (Decrease)	Amended Budget
(35,000)	519,900
(136,000)	7,291,300
(200,000)	23,800,000
371,000	371,000
200,000	200,000
(200,000)	24,177,400
-	31,982,200
-	24,377,400

Account Inquiry
Account Inquiry
Account Inquiry
Project Inquiry
Project Inquiry
Account Inquiry

Search by:

CLICK 'Segment Find' search by Fund = 7010, Dept = 71, and Character Code = 12; CLICK 'Totals', RECORD 'Revised Budget' in L5
CLICK 'Segment Find' search by Fund = 7010, Dept = 71, and Character Code = 13; CLICK 'Totals', RECORD 'Revised Budget' in L6
CLICK 'Segment Find' search by Fund = 1140, Dept = 18, and Character Code = 15; CLICK 'Totals', RECORD 'Revised Budget' in L7
CLICK 'Search', search for Project: G71010; RECORD 'Expense' if L8 is E or 'Funding Source' if L8 is R for ORG = 70271990 in L8
CLICK 'Search', search for Project: G71010; RECORD 'Expense' if L9 is E or 'Funding Source' if L9 is R for ORG = 70271990 in L9
CLICK 'Segment Find' search by Fund = 1140, Dept = 18, and Character Code = 20; CLICK 'Totals', RECORD 'Revised Budget' in L10

Account Inquiry

[illegible]

2. List of Capital Items Over \$50,000 - Council approved Fiscal Year 2020 Capital Items Over \$50,000 Contract Authority list did not include contractual authority for ADWR Xeriscape Garden Project. This resolution provides authorization to add item 20255 Xeriscape Demonstration Garden project G71010 onto the current Fiscal Year 2020 Capital Items Over \$50,000.

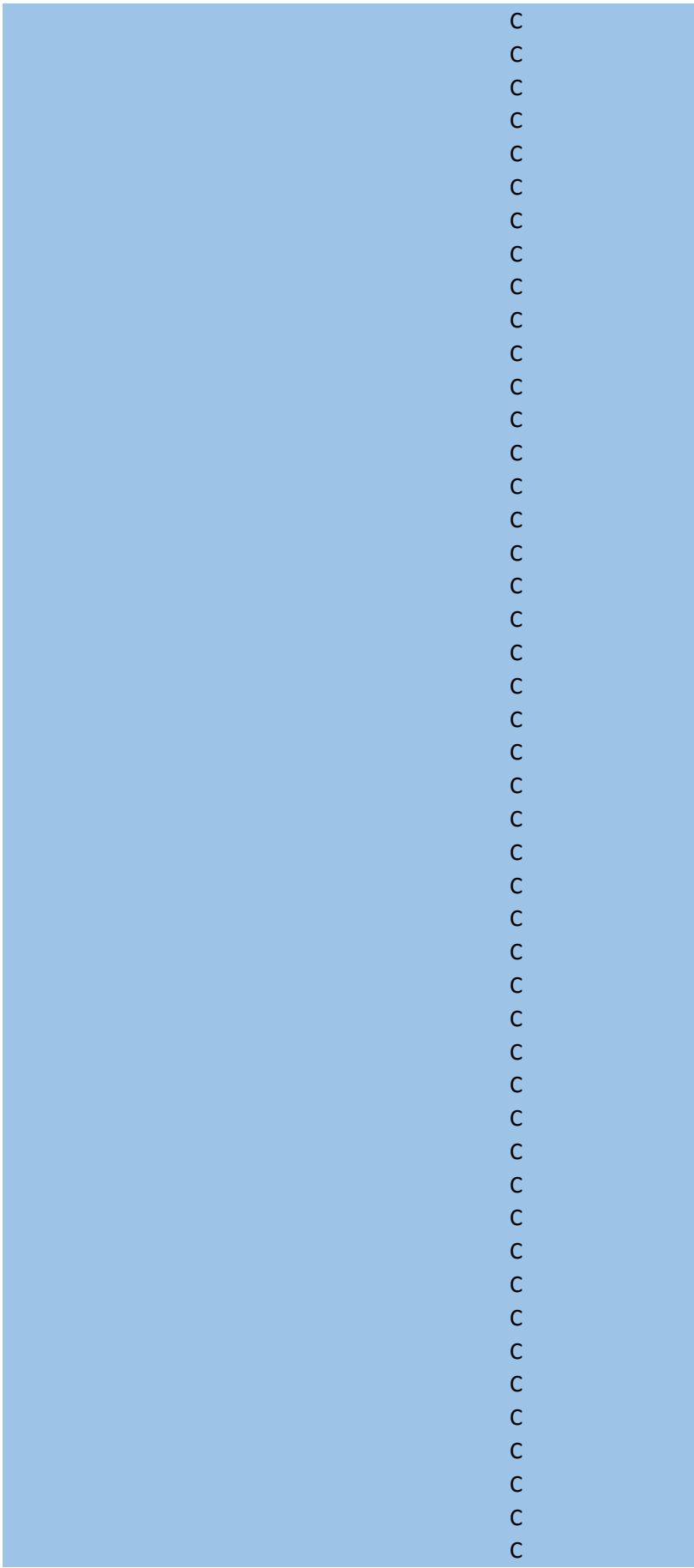
Reference#	Description	Current Amount	Increase/ (Decrease)	Amended Amount
20255	Xeriscape Garden G71010	-	371,000	371,000

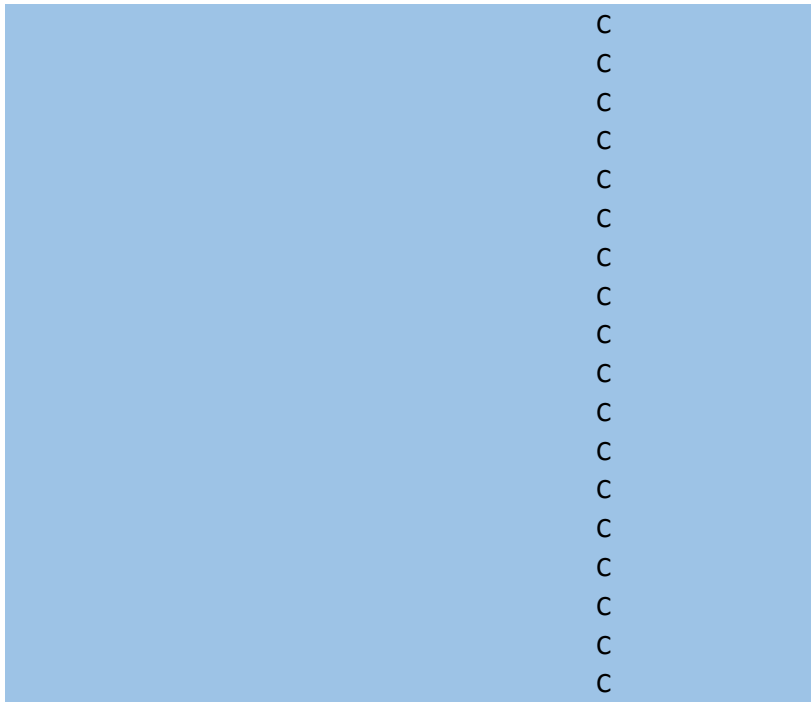
[illegible]

PA Type	Project Account				Org	Object	Project
					70171431	52001	
					70171121	55111	
					11418199	90010	
E	G71010	-70271990	-60090	-	70271990	60090	
E	G71010	-70271990	-60015	-	70271990	60015	
E	G71010	-70271990	-60525	-	70271990	60525	
F	G71010	-70271990	-41011	-	70271990	41011	
					11418111	41014	









RESOLUTION # 2019-104

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2020 BUDGET BY REALLOCATING APPROPRIATIONS OF \$371,000 FROM WATER OPERATIONS AND GRANT CONTINGENCY, AND ACCEPT A \$200,000 GRANT FROM ARIZONA DEPARTMENT OF WATER RESOURCES, WATER MANAGEMENT ASSISTANCE PROGRAM (WMAP) TO ESTABLISH PROJECT G71010 XERISCAPE DEMONSTRATION GARDEN AND AMENDING THE LIST OF CAPITAL ITEMS OVER \$50,000 TO ALLOW THE WATER RESOURCE MANAGEMENT DEPARTMENT TO ACCEPT THE GRANT AND DESIGN AND CONSTRUCT THE PROJECT.

WHEREAS, Project G71010 Xeriscape Demonstration Garden ("Project") is a grant awarded project and all grants must be accepted by Council;

WHEREAS, the Water Resource Management Department wishes to accept the grant and establish the Project which will educate City of Surprise property owners on innovative water conservation techniques;

WHEREAS, the FY2020 budget was adopted by Council Resolution #2019-75 on June 4, 2019, excluding funding for the Project;

WHEREAS, this action will necessitate a budget amendment through the reallocation of appropriations and a transfer of spending authority, but will not result in an increase or decrease to the budget; 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 fiscal year 2020 budget is hereby amended by reallocating appropriations of \$371,000 from water operations and grant contingency.

Section 2. That the City of Surprise accepts a \$200,000 Grant from the Arizona Department of Water Resources, Water Management Assistance Program (WMAP), to establish Project G71010 Xeriscape Demonstration Garden.

Section 3. That the list of capital items over \$50,000 is hereby amended to add item 20255 to allow the Water Resource Management Department to accept the Grant and to design and construct the Project.

Section 4. 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, 2019 through June 30, 2020.

APPROVED AND ADOPTED this ____ day of _____, 2019.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2019-104
Exhibit A

1. Appropriation - The allocation below represents a reallocation of appropriation in the amount of \$371,000 from water operations and grant contingency to establish a new capital project G71010- ADWR Xeriscape Garden. The City applied for and received notice of grant award in the amount of \$200,000 from the Arizona Department of Water Resources. In order to establish the capital project, the department is requesting a budget amendment to accept the grant award and reallocation of appropriations from water operations. 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
Water Operations	Water Resource Management	Supplies	E	554,900	(35,000)	519,900
Water Operations	Water Resource Management	Services	E	7,427,300	(136,000)	7,291,300
Grants	General Operations	Contingency	E	24,000,000	(200,000)	23,800,000
Water Utility Capital	Water Resource Management	#G71010 ADWR Xeriscape Garden	E	-	371,000	371,000
Water Utility Capital	Water Resource Management	#G71010 ADWR Xeriscape Garden	R	-	200,000	200,000
Grants	General Operations	Other	R	24,377,400	(200,000)	24,177,400

2. List of Capital Items Over \$50,000 - Council approved Fiscal Year 2020 Capital Items Over \$50,000 Contract Authority list did not include contractual authority for ADWR Xeriscape Garden Project. This resolution provides authorization to add item 20255 Xeriscape Demonstration Garden project G71010 onto the current Fiscal Year 2020 Capital Items Over \$50,000.

Reference#	Description	Current Amount	Increase/ (Decrease)	Amended Amount
20255	Xeriscape Garden G71010	-	371,000	371,000



Surprise Xeriscape Demonstration Garden

Water Resource Management



Goals of Xeriscape Garden

- Complete a new Vision for the north section of the City Hall Campus
- Provide Real World Demonstration of Water-wise Landscape Elements and Practices for the Community
- Provide Conservation Focused Educational Opportunities
- Provide Open Space for Gatherings and Events

Location



Xeriscape Demonstration Garden

Conceptual Design



Water Conservation Features

- Demonstration of Xeriscape landscape principles
 - *Right plant, right place*
- Demonstration of efficient irrigation technology
 - *Pressure compensating emitters & sprinklers, smart controller*
- Passive rainwater harvesting features
 - *Contouring, berms, microbasins*
- Active rainwater harvesting features
 - *Cooling tower condensate collection into cisterns for irrigation*
- Low-impact development features
 - *Curb cuts, permeable pavers*

Educational Opportunities

- 💧 On-site water conservation workshops
 - *Hands on training for residents*
 - *Irrigation maintenance & controller programming*
 - *Plant selection & placement*
- 💧 Educational signage
 - *Demonstration of residential desert landscapes*
 - *Demonstration of commercial rainwater harvesting & LID*
- 💧 Garden tours hosted by water conservation specialist
- 💧 K-12 Tours

Open Space

💧 Benefits to Stakeholders

- *City Hall special event space*
- *Arts HQ event space*
- *Master Gardener meeting space*
- *Volunteer opportunities for Ottawa students & MGs*

💧 Public Use

- *Respite space in proximity to civic center recreation areas*

💧 Special Events

- *Art & craft shows, Story time with Aquabella, yoga in the park, outdoor movies, Shakespeare in the park, etc.*

Support for the Project

- ADWR: \$200,000 grant contribution
- City of Surprise contribution
 - \$171,000 (includes in-kind contributions)
 - 500 hours project management
 - New conservation FTE (program admin. & maintenance)
- Community partnership opportunities
 - Ottawa University students/professors (installation)
 - Master Gardeners (plant selection, placement)
 - Businesses (e.g. irrigation suppliers, nurseries)

Project Timeline/Next Steps

- 💧 Acceptance of ADWR Grant – Tonight !
- 💧 Complete Full Design – December 2019
- 💧 Coordinate Stakeholders/Donations – March 2020
- 💧 Construction – November 2020



Questions or comments?

Thank you!



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: September 5, 2019
Submitting Department: Legal
Staff Recommendations: None

Contact Person:
District: Internal

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

Agenda Wording:

Consideration and action to recess into executive session to discuss and consider end of year personnel evaluations and Fiscal Year 2020 goals for the City Manager, City Clerk, and City Attorney pursuant to A.R.S. 38-431.03 (A)(1).

Motion:

I move to recess into executive session for the purpose noticed.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:
