

CITY OF TEMPE DEVELOPMENT REVIEW COMMISSION

Council Meeting Date: 06/27/2017

Agenda Item: 3

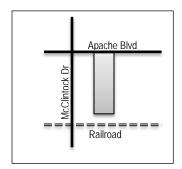
<u>ACTION</u>: Approve a Preliminary Subdivision Plat for McCLINTOCK STATION, located at 1831 East Apache Boulevard. The applicant is Hubbard Engineering.

FISCAL IMPACT: There is no fiscal impact on City funds.

RECOMMENDATION: Approve, subject to conditions

BACKGROUND INFORMATION: McCLINTOCK STATION (PL150499) consists of three lots that were formerly the Tempe Travel Trailer Park on the west side and a mobile home park, Pony Acres on the east side. The site is located within the Transportation Overlay District Station Area and is approximately 327 feet wide east to west, along the street front and 1,265 feet deep from north to south. The site is under construction and has made application for the Subdivision Plat to be completed to combine the lots into one. The zoning is MU-4 (Mixed Use, High Density). The project is under construction and requires completion of the plat process prior to certificate of occupancy. The request includes the following:

1. Final Subdivision Plat to combine three lots into one.



Property Owners

Applicant Zoning Gross/Net site area McClintock Station LLC/Richard F. Richardson Trust /Deborah L. Richardson Trust /Westley G. Richardson Trust/Nano McFadden

Trust/Carlson Family Trust/Charlene C. Glotzer Trust Shawn Hanrahan, Hubbard Engineering

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MU-4 PAD TOD Station Area

13.466 gross acres / 13.198 net acres

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Diana Kaminski, Senior Planner, (480) 858-2391

Department Director: Chad Weaver, Community Development Director

Legal review by: NA

Prepared by: Diana Kaminski, Senior Planner Reviewed by: Suparna Dasgupta, Principal Planner

COMMENTS:

This site includes three lots, two with access to the street front. Located on the south side of Apache Boulevard within the Transportation Overlay District Station Area, the site extends south at a dead end at the Union Pacific Railroad corridor; Broadway Road is further south of the site. The site is east of McClintock Drive, and adjacent to and west of the Tempe Police Sub Station. Other uses in the area include student housing at Grigio Metro to the west of the site, recreational vehicle trailer park to the north, existing small retail and restaurant businesses, established apartment communities and newer mixed-use student housing developments. The area south of the railroad alignment is industrial and office uses. The closest single family residential neighborhood is Hudson Manor, on the south side of Apache Boulevard, west of McClintock Drive. This request includes the following:

1. Preliminary Subdivision Plat to combine three lots into one.

The applicant is requesting Development Review Commission approval of the Preliminary Subdivision Plat and will be requesting City Council approval for a Final Subdivision Plat.

Conclusion

Based on the information provided, staff recommends approval of the requested Subdivision Plat. The property will have access to a public street and conforms to the technical standards of the Tempe City Code for Subdivisions, Chapter 30.

CONDITIONS OF APPROVAL:

EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

General

- 1. A Final Subdivision Plat shall be recorded prior to issuance of Certificate of Occupancy.
- 2. The Subdivision Plat shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe's Community Development Department on or before July 27, 2018. Failure to record the plat within one year of City Council approval shall make the plat null and void.
- 3. All property corners shall be set and verified with staff upon final recordation of the subdivision plat, no later than three (3) months from the date of County recordation or as determined by staff.

CODE/ORDINANCE REQUIREMENTS:

THE BULLETED ITEMS REFER TO EXISTING CODE OR ORDINANCES THAT PLANNING STAFF OBSERVES ARE PERTINENT TO THIS CASE. THE BULLET ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT AND ARE NOT AN EXHAUSTIVE LIST.

- Development plan approval shall be void if the development is not commenced or if an application for a building permit
 has not been submitted, whichever is applicable, within twelve (12) months after the approval is granted or within the
 time stipulated by the decision-making body. The period of approval is extended upon the time review limitations set
 forth for building permit applications, pursuant to Tempe Building Safety Administrative Code, Section 8-104.15. An
 expiration of the building permit application will result in expiration of the development plan.
- Specific requirements of the Zoning and Development Code (ZDC) are not listed as a condition of approval, but will
 apply to any application. To avoid unnecessary review time and reduce the potential for multiple plan check submittals,
 become familiar with the ZDC. Access the ZDC through www.tempe.gov/zoning or purchase from Community
 Development.
- SITE PLAN REVIEW: Verify all comments by the Public Works Department, Community Development Department, and
 Fire Department given on the Preliminary Site Plan Review. If questions arise related to specific comments, they should
 be directed to the appropriate department, and any necessary modifications coordinated with all concerned parties, prior
 to application for building permit. Construction Documents submitted to the Building Safety Division will be reviewed by
 planning staff to ensure consistency with this Design Review approval prior to issuance of building permits.

STANDARD DETAILS:

- Access to Tempe Supplement to the M.A.G. Uniform Standard Details and Specifications for Public Works
 Construction, at this link: http://www.tempe.gov/city-hall/public-works/engineering/standards-details or purchase book from the Public Works Engineering Division.
- Access to refuse enclosure details an all other Development Services forms at this link: http://www.tempe.gov/city-hall/community-development/building-safety/applications-forms. The enclosure details are under Civil Engineering & Right of Way.
- BASIS OF BUILDING HEIGHT: Measure height of buildings from top of curb at a point adjacent to the center of the front property line.

COMMUNICATIONS:

- For building height in excess of 50'-0", design top of building and parapet to allow cellular communications providers
 to incorporate antenna within the building architecture so future installations may be concealed with little or no
 building elevation modification.
- WATER CONSERVATION: Under an agreement between the City of Tempe and the State of Arizona, Water
 Conservation Reports are required for landscape and domestic water use for the non-residential components of this
 project. Have the landscape architect and mechanical engineer prepare reports and submit them with the construction
 drawings during the building plan check process. Report example is contained in Office Procedure Directive # 59. Refer
 to this link: www.tempe.gov/modules/showdocument.aspx?documentid=5327. Contact Public Works Department, Water
 Conservation Division with questions regarding the purpose or content of the water conservation reports.
- HISTORIC PRESERVATION: State and federal laws apply to the discovery of features or artifacts during site excavation (typically, the discovery of human or associated funerary remains). Contact the Historic Preservation Officer with general questions. Where a discovery is made, contact the Arizona State Historical Museum for removal and repatriation of the items.

SECURITY REQUIREMENTS:

- Design building entrance(s) to maximize visual surveillance of vicinity. Limit height of walls or landscape materials, and design columns or corners to discourage to opportunity for ambush opportunity. Maintain distances of 20'-0" or greater between a pedestrian path of travel and any hidden area to allow for increased reaction time and safety.
- Follow the design guidelines listed under appendix A of the Zoning and Development Code. In particular, reference the CPTED principal listed under A-II Building Design Guidelines (C) as it relates to the location of pedestrian environments and places of concealment.
- Provide method of override access for Police Department (punch pad or similar) to controlled access areas including pool, clubhouse or other gated common areas.
- The Owner is required to prepare a security plan for the project with the Police Department. The architect should be involved to verify any modification that would require design revisions. To avoid revisions to permitted construction documents, initial meetings with the Police Department regarding the security plan are recommended before building permits are issued. At a minimum, the Owner shall contact the Police Department to begin security plan process approximately eight weeks prior to receipt of certificate of occupancy.
- In conjunction with the security plan, Crime Free Multi-Housing status for this property may be required.
- Provide a security vision panel at service and exit doors (except to rarely accessed equipment rooms) with a 3" wide high strength plastic or laminated glass window, located between 43" and 66" from the bottom edge of the door.

FIRE:

- Clearly define the fire lanes. Ensure that there is at least a 20'-0" horizontal width, and a 14'-0" vertical clearance from the fire lane surface to the underside of tree canopies or overhead structures. Layout and details of fire lanes are subject to Fire Department approval.
- Provide a fire command room(s) on the ground floor of the building(s). Verify size and location with Fire

Department.

ENGINEERING:

- Underground utilities except high-voltage transmission line unless project inserts a structure under transmission line.
- Coordinate site layout with Utility provider(s) to provide adequate access easement(s).
- Clearly indicate property lines, the dimensional relation of the buildings to the property lines and the separation of the buildings from each other.
- Verify location of any easements, or property restrictions, to ensure no conflict exists with the site layout or foundation design.
- 100 year onsite retention required for this property, coordinate design with requirements of the Engineering Department.

REFUSE:

- Enclosure indicated on site plan is exclusively for refuse. Construct walls, pad and bollards in conformance with standard detail DS-116.
- Develop strategy for recycling collection and pick-up from site with Sanitation. Roll-outs may be allowed for recycled materials. Coordinate storage area for recycling containers with overall site and landscape layout.
- Gates for refuse enclosure(s) are not required, unless visible from the street. If gates are provided, the property manager must arrange for gates to be open from 6:00am to 4:30pm on collection days.

DRIVEWAYS:

- Construct driveways in public right of way in conformance with Standard Detail T-320. Alternatively, the installation
 of driveways with return type curbs as indicated, similar to Standard Detail T-319, requires permission of Public
 Works, Traffic Engineering.
- Correctly indicate clear vision triangles at both driveways on the site and landscape plans. Identify speed limits for adjacent streets at the site frontages. Begin sight triangle in driveways at point 15'-0" in back of face of curb. Consult Intersection Sight Distance memo, available from Traffic Engineering if needed www.tempe.gov/index.aspx?page=801. Do not locate site furnishings, screen walls or other visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.

PARKING SPACES:

- Verify conformance of accessible vehicle parking to the Americans with Disabilities Act and the Code of Federal Regulations Implementing the Act. Refer to Building Safety ADA Accessible Parking Spaces Marking/Signage on Private Development details.
- At parking areas, provide demarcated accessible aisle for disabled parking.
- Distribute bike parking areas nearest to main entrance(s). Provide parking loop/rack per standard detail T-578. Provide 2'-0" by 6'-0" individual bicycle parking spaces. One loop may be used to separate two bike parking spaces. Provide clearance between bike spaces and adjacent walkway to allow bike maneuvering in and out of space without interfering with pedestrians, landscape materials or vehicles nearby.

LIGHTING:

- Design site security light in accordance with requirements of ZDC Part 4 Chapter 8 (Lighting) and ZDC Appendix E (Photometric Plan).
- Indicate the location of all exterior light fixtures on the site, landscape and photometric plans. Avoid conflicts between lights and trees or other site features in order to maintain illumination levels for exterior lighting.

LANDSCAPE:

Prepare an existing plant inventory for the site and adjacent street frontages. The inventory may be prepared by the
Landscape Architect or a plant salvage specialist. Note original locations and species of native and "protected"
trees and other plants on site. Move, preserve in place, or demolish native or "protected" trees and plants per State
of Arizona Agricultural Department standards. File Notice of Intent to Clear Land with the Agricultural Department.
Notice of Intent to Clear Land form is available at www.azda.gov/ESD/nativeplants.htm. Follow the link to

"applications to move a native plant" to "notice of intent to clear land".

• SIGNS: Separate Development Plan Review process is required for signs in accordance with requirements of ZDC Part 4 Chapter 9 (Signs). Obtain sign permit for identification signs. Directional signs (if proposed) may not require a sign permit. Directional signs are subject to review by planning staff during plan check process.

HISTORY & FACTS:

January 1930	Based on aerial photography from the Flood Control District of Maricopa County, the property was used for agricultural purpose, with the railway line to the south and Apache Boulevard terminating at McClintock at the west.
February 1949	Residential structures were located at the north end of the lot, facing Apache Boulevard, by 1953, the eastern lot structure was removed and the western lot structure remained.
1951	Annexation of the area east of McClintock brought properties into the jurisdiction of the City of Tempe with a zoning of Business district.
1957	Business Zoning was changed to C-2 Commercial district.
February 1959	Development is shown on the north side of Apache Boulevard; however there is no aerial shown on the south side.
January 1969	The Pony Acres Trailer Park is fully developed sometime between 1954 and 1969. It is established as a Residential Mobile Home Park for lease of lots for homes that do not have chassis or qualify as a vehicle. The site to the west was not developed at this time. The beginning of a development was started on the lot to the east.
November 16, 1972	Board of Adjustment approves a Use Permit to allow a Trailer Park in C-2 General Commercial District on the property west of Pony Acres. The allowance of the trailer park was in conformance with the Zoning Ordinance requirements that the commercial facility was used for travel or recreational vehicles on nightly, weekly or monthly rentals of 89 spaces to vehicles no larger than 35'. The vehicles would not remain on site for more than three months in any one year. The travel trailer park was intended for tourism business, similar to a campground or hotel use, not permanent residency.
December 1979	By aerial imagery, it appears the Tempe Travel Trail Park is fully developed. The lot east of Pony Acres appears to have limited use.
1997	City Council adopted a resolution to adopt the fourth General Plan; General Plan 2020 designated both the travel trailer and mobile home park properties, along with most properties on Apache Boulevard as Mixed-Use land use.
December 11, 1997	City Council adopted a resolution to create the Apache Boulevard Redevelopment Area, for redevelopment of properties along the boulevard.
December 4, 2003	City Council approved General Plan 2030 and in May 2004, voters ratified the plan confirming the land use designation of Mixed-Use along Apache Boulevard.
January 20, 2005	City Council adopted a new Zoning and Development Code, which changed the name of C-2 Zoning district to CSS, Commercial Shopping and Service.
November 17, 2005	An Ordinance for the Transportation Overlay District was adopted.

October 2006	The site to the east remained vacant for a decade prior to development of the Tempe Police Substation.
July 22, 2014	Development Review Commission heard and continued the request until August 25, 2014 for the proposed multi-family development is seeking to change the zoning from CSS Commercial Shopping and Service, to MU-4 Mixed Use, High Density with a Planned Area Development on 5 acres.
August 25, 2014	Development Review Commission held a second hearing, took public input and voted 4 to 3 in favor of the request.
September 11, 2014	City Council held an introduction and first public hearing for the Pony Acres site to be redeveloped in conformance with the General Plan.
October 2, 2014	City Council held a second public hearing and approved the Pony Acres site entitlement.
March 9, 2015	A new request for entitlement was made, incorporating both the Pony Acres and Trailer park properties into a proposed new development as described in this report.
May 12, 2015	Development Review Commission held a public hearing, took public input, discussed and unanimously approved the project with modifications to the conditions of approval.
June 11, 2015	City Council held a first public hearing for this request.
June 25, 2015	City Council held a second public hearing for this request and approved the development.
June 27, 2017	Development Review Commission is scheduled for review of a Preliminary Subdivision Plat.
July 27, 2017	City Council is scheduled for review of a Final Subdivision Plat.

ZONING AND DEVELOPMENT CODE REFERENCE: Section 6-307, Subdivisions, Lot Splits and Adjustments



DEVELOPMENT PROJECT FILE

for MCCLINTOCK STATION (PL150499)

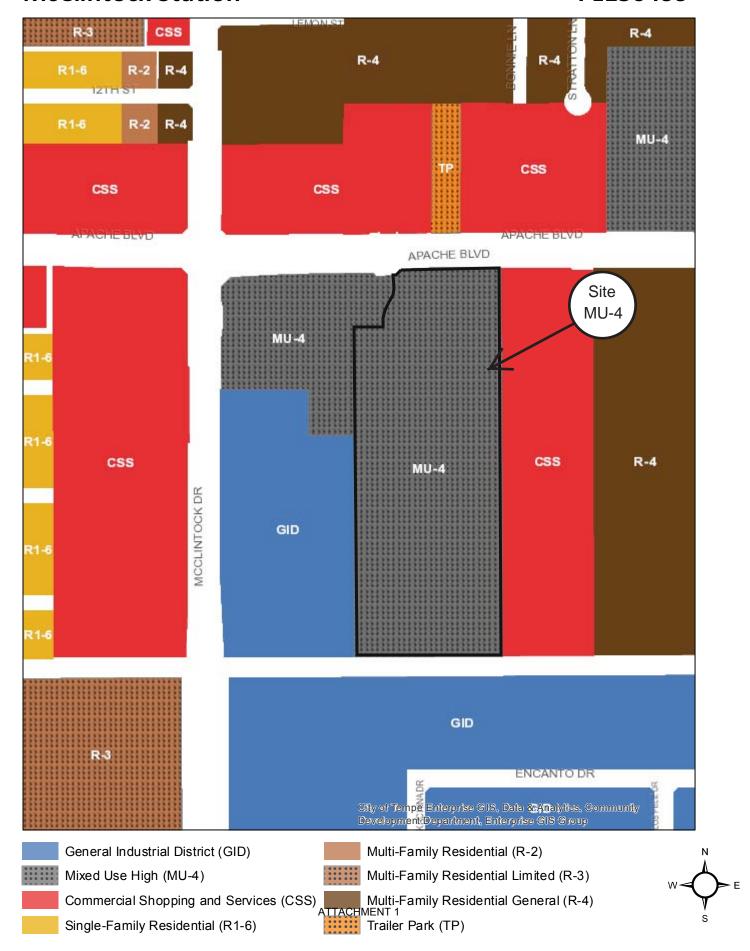
ATTACHMENTS:

- 1. Location Map
- 2. Aerial
- 3. Letter of Explanation
- 4. Site Plan (for reference only)
- 5-8. Preliminary Subdivision Plat

Tempe_®

McClintock Station

PL150499





McClintock Station

PL150499



Aerial Map





City of Tempe Community Development 31 East 5th St. Tempe, AZ 85280

RE: Letter of Explanation for Preliminary Plat – McClintock Station, 1800 Block of Apache Blvd.

The subject property that will be combined to one parcel includes APN#133-04-006-A, 133-.4-002-A and 133-04-007-A. The proposed development will include a 420 unit multi-family project for approximately 13.20 acres. The existing zoning is MU-4. There will be a City of Tempe Water and Sewer Easement along with a Drainage Easement for underground retention maintenance. The electric, gas and cable utilities will have separate and private easements.

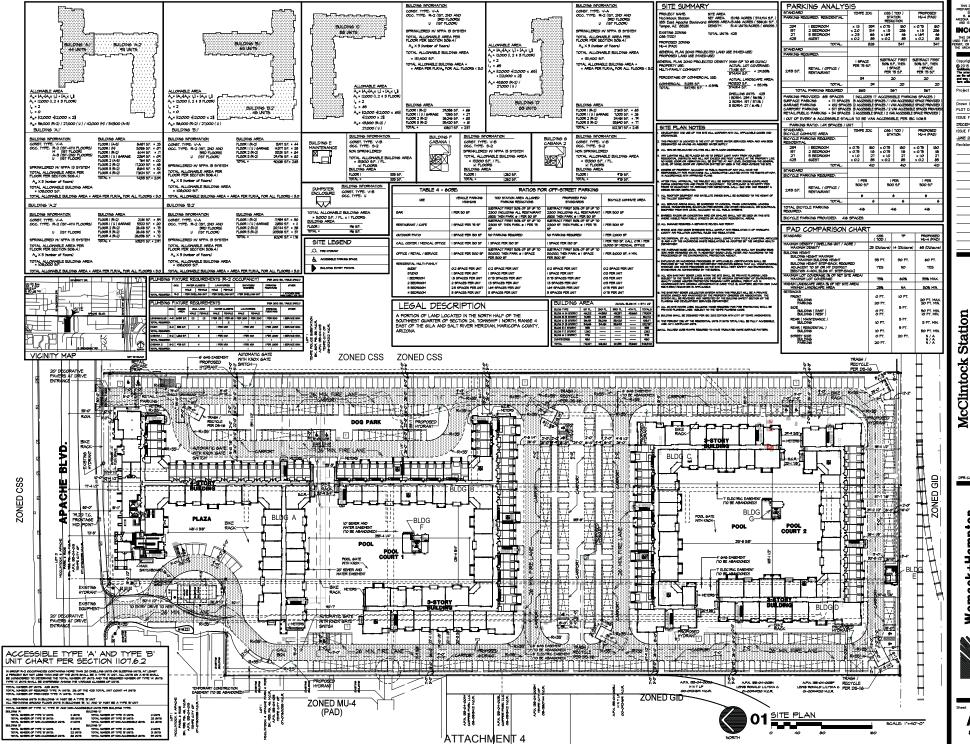
The site will retain the 100-yr 2-hr storm event and has a storm outfall at Apache Blvd.

Pease feel free to contact me with any questions.

Shawn Hanrahan

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Senior Project Manager



PREPARED UNDER THE DRECT SUPERVISION OF R. MICHAEL HAMPTON ARIZONA REGISTRATION \$3987 AND IS CONSIDERED TO BE INCOMPLETE THIS DRAWING MAY NOT BE

Copyright.

© 2015 by Womack+Hampton Architects, LLC. All rights reserved. The arrangements depicted basels are the sets property of WHA, LLC and may rest be repreduced in am form utilised setting permission. ISSUE FOR PERMIT SET: DECEMBER 01, 2015

JUNE 28, 2016

DPR CASE NO. 4PL 1408

Vomack+Hampton Aвситеств, L.L.C.

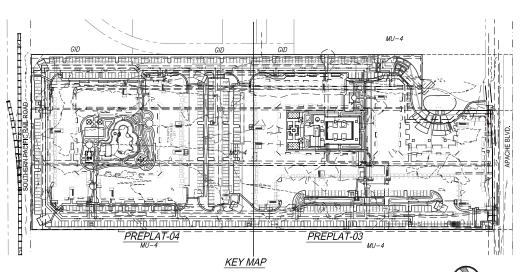


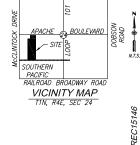
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A PRELIMINARY SUBDIVISION PLAT

"McCLINTOCK STATION"

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA





UNIVERSITY DRIVE

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02

PL 150499

Date 05/23/2017 Project E M. WOLF

Mgr.

SHT: 01 OF 04 PREPLAT-0

LEGEND

= SECTION LINE = PROPERTY LINE = EXISTING PARCEL = EXISTING EASEMENT AS NOTED = PROPOSED EASEMENT AS NOTED SURVEY MONUMENT AS NOTED ▲ = SET REBAR W/CAP LS 41282

 = BRASS CAP AS NOTED = FOUND MONUMENT AS NOTED BCHH = BRASS CAP IN HANDHOLE RBR = REBAR

APN = ASSESSORS PARCEL NUMBER DKT. PG. = DOCKET PAGE BK. PG. = BOOK PAGE = DOCUMENT

DOC. FND = FOUND BCF = BRASS CAP FLUSH BCHH = BRASS CAP HANDHOLE M.C.R. = MARICOPA COUNTY RECORDER

ESMT. = EASEMENT R/W = RIGHT-OF-WAY

NOTES

1. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF TEMPE AND HAS BEEN DESIGNATED AS HAVING AS ASSURED WATER SUPPLY.

2. LOT CORNERS TO BE SET WITH 1/2" REBAR. RLS#41282

3. ALL NEW AND EXISTING, AS WELL AS ON-SITE AND OFF-SITE UTILITY LINES (OTHER THAN TRANSMISSION LINES) SHALL BE PLACED UNDERGROUND.

4. ANY RETENTION SYSTEM AS SHOWN ON THE GRADING AND DRAINAGE PLANS SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER TO: (1) REGULARLY INSPECT THE SYSTEM (AT LEAST ANNUALLY), AND (2) MAINTAIN THE SYSTEM IN A CONDITION THAT WILL ALLOW THE SYSTEM TO STORE AND DISSIPATE THE VOLUME OF STORM WATER AS SHOWN ON THE DESIGN PLANS. THE FOREGOING RESTRICTION CANNOT BE CHANGED WITHOUT PRIOR WRITTEN CONSENT OF THE CITY OF TEMPE ENGINEER.

UTILITIES

DS141018

SALT RIVER PROJECT DISTRICT SALT RIVER PROJECT DIST, SRP IRRIGATION ARIZONA PUBLIC SERVICE OWEST/CENTURY LINK SOUTHWEST GAS CO. COX CABLE T.V. CITY OF TEMPE ASU

CIVIL ENGINEER

HUBBARD ENGINEERING 1840 S. STAPLEY DR. SUITE 21415 N. 23RD AVE. #137 MESA, AZ 85204 PHONE: (480) 892-3313 CONTACT: SHAWN D. HANRAHAN

SUPERIOR SURVEYING, INC. PHOENIX, AZ. 85027 PHONE: (623) 869-0223 CONTACT: DAVID S. KLEIN

OWNER/DEVELOPER

P7 MCCLINTOCK STATION OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY 1741 VILLAGE CENTER CIRCLE LAS VEGAS, NV. 89134

BENCHMARK

CITY OF TEMPE BRASS CAP IN HANDHOLE AT THE INTERSECTION OF BROADWAY ROAD AND MCCLINTOCK DRIVE. ELEVATION = 1182.78 (CITY OF TEMPE DATUM)
POINT NUMBER 197 PER TEMPE, ARIZONA SURVEY CONTROL

BASIS OF BEARINGS

THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

MEASURED BEARING = N89*56'54'E

CITY OF TEMPE DATUM N89*57'07"E

RECORD BEARING = N89'56'54"E AS SHOWN IN RECORD OF SURVEY, BOOK 1004 OF MAPS, PAGE 30, M.C.R.

SHEET INDEX

PREPLAT-01_____PREPLAT-02_____ COVER SHEET ____LEGAL DESCRIPTION PREPLAT-03 THRU PREPLAT-04____PRELIMINARY SITE DESIGN

REC15146

PL150499

ATTACHMENT 5

SURVEY

ZONING

TAX ASSESSOR #'s 133-04-006A

133-04-002A AREA 574,914 SQ.FT. 13.1982 AC.

Project No 14148





141018

Project 141

Call before you d

602,263,1100

LEGAL DESCRIPTION

THAT PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 24;

RUN EAST ALONG THE NORTH LINE THEREOF (SAID NORTH LINE BEING IDENTICAL WITH THE CENTER LINE OF STATE HIGHWAY) 490.40 FEET;

THENCE SOUTH 50 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED AND THE NORTHWEST CORNER HEREOF, SAID POINT OF BEGINNING BEING A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE STATE

THENCE SOUTH 1270.93 FEET TO A POINT OF THE NORTH RIGHT-OF-WAY LINE OF THE ARIZONA EASTERN RAILROAD:

THENCE NORTH 89 DEGREES 43 MINUTES EAST ALONG THE SAID RAILROAD RIGHT-OF-WAY, 150.8 FEET;

THENCE NORTH O DEGREES 6 MINUTES WEST 1270.19 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF THE STATE HIGHWAY;

THENCE WEST ALONG SAID RIGHT OF WAY LINE, 153 FEET TO THE POINT OF

EXCEPT THAT PART CONVEYED TO THE CITY OF TEMPE IN RECORDING NO. 20060004837. DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 24. SAID POINT ALSO BEING THE INTERSECTION OF APACHE BOULEVARD AND McCLINTOCK ROAD:

THENCE NORTH 89 DEGREES 56 MINUTES 54 SECONDS EAST, ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 24 AND THE CENTER LINE OF APACHE BOULEVARD, A DISTANCE OF 490,40 FEET:

THENCE SOUTH OF DEGREES OF MINITES 13 SECONDS FAST A DISTANCE OF 55 OF FEET TO A POINT BEING ON THE EXISTING RIGHT-OF-WAY LINE OF APACHE BOULEVARD AND THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 56 MINUTES 54 SECONDS EAST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 153.00 FEET;

THENCE SOUTH OO DEGREES OO MINUTES 32 SECONDS EAST, A DISTANCE OF 193.98 FEET;

THENCE NORTH 89 DEGREES 36 MINUTES 08 SECONDS WEST, A DISTANCE OF 152.80 FEET;

THENCE NORTH OO DEGREES O4 MINUTES 13 SECONDS WEST, A DISTANCE OF 192.78 FEET TO THE POINT OF BEGINNING.

APN: 1.33-04-006A

THAT PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE RIGHT OF WAY OF THE TEMPE-MESA STATE HIGHWAY AS THE SAME IS NOW LOCATED AND ESTABLISHED 643.4 FEET EAST OF THE WEST LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24:

THENCE IN A STRAIGHT LINE SOUTHERLY, A DISTANCE OF 1324.05 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24, WHICH IS 641.2 FEET EAST OF THE WEST LINE OF SAID NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24;

THENCE FAST ALONG THE SOLITH LINE OF SAID NORTH HALF OF THE SOLITHWEST QUARTER OF SAID SECTION 24, A DISTANCE OF 151.4 FEET:

LEGAL DESCRIPTION (CONTINUED)

THENCE IN A STRAIGHT LINE NORTHERLY A DISTANCE OF 1324.05 FEET, MORE OR LESS, TO THE SAID SOUTH LINE OF THE RIGHT OF WAY OF THE TEMPE-MESA STATE

THENCE WEST ALONG THE SOUTH LINE OF THE TEMPE-MESA STATE HIGHWAY, A DISTANCE OF 152 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION CONVEYED TO THE CITY OF TEMPE IN DOCUMENT NO. 2006-399304 AND 2006-1073026

APN: 133-04-002A

PARCEL 3:

THAT PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 24 TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE TEMPE-MESA STATE HIGHWAY, AS THE SAME IS NOW LOCATED AND ESTABLISHED, 889.00 FEET EAST OF THE WEST LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24, AND RUN THENCE SOUTH ON A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 24, A DISTANCE OF 320.00 FEET;

THENCE WEST 75 FEET:

THENCE SOUTH ON A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 24, A DISTANCE OF 1004.05 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24;

THENCE RUN EAST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24. A DISTANCE OF 175.00 FEET:

RUN THENCE NORTH ON A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 24. A DISTANCE OF 1324.05 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE TEMPE-MESA STATE HIGHWAY, THENCE WEST A DISTANCE OF 100.00 FEET, TO THE PLACE OF BEGINNING;

EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCEL, TO-WIT:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE TEMPE-MESA STATE HIGHWAY, AS THE SAME IS NOW LOCATED AND ESTABLISHED, 970.00 FEET EAST OF THE WEST LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND RUN THENCE IN A STRAIGHT LINE SOUTHERLY, A DISTANCE OF 1324.05 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24, WHICH IS 971.20 FEET EAST OF THE WEST LINE OF SAID NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24

THENCE RUN EAST ALONG THE SOUTH LINE OF SAID NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24, A DISTANCE OF 17.80 FEET;

THENCE RUN NORTH ON A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 24, A DISTANCE OF 1324.05 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE TEMPE-MESA STATE HIGHWAY, THENCE WEST A DISTANCE OF 19.00 FFFT TO THE POINT OF BEGINNING.

PARCEL NO. 3B: THE EAST 75.00 FEET OF THE NORTH 370.00 FEET OF THE WEST 889.00 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24. TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA,

PARCEL NO. 3C:
THAT PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 24. TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION (CONTINUED)

BEGINNING AT A POINT ON THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE TEMPE-MESA STATE HIGHWAY, AS THE SAME IS NOW LOCATED AND ESTABLISHED. 795.40 FEET EAST OF THE WEST LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24;

RUN THENCE IN A STRAIGHT LINE SOUTHERLY, A DISTANCE OF 1324.05 FEET, MORE OR LESS, TO A POINT IN THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24, WHICH IS 792.60 FEET EAST OF THE WEST LINE OF SAID NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION

THENCE RUN EAST ALONG THE SOUTH LINE OF SAID NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24, A DISTANCE OF 21.40 FEET;

THENCE RUN NORTH ON A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 24, A DISTANCE OF 1324.05 FEET. MORE OR LESS. TO THE SAID SOUTH LINE OF THE RIGHT-OF-WAY OF THE TEMPE-MESA STATE HIGHWAY.

AND THENCE RUN WEST ALONG THE SOUTH LINE OF THE TEMPE-MESA STATE HIGHWAY, A DISTANCE OF 18.60 FEET TO THE POINT OF BEGINNING.

