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OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20131047153 12/10/2013 10:28
ELECTRONIC RECORDING

5868G-14-1-1--A
sarabiam

CAPTION HEADING: ORDINANCE 5868G

RE-RECORDING TO CORRECT ZONING NUMBER ON PAGE 1

DO NOT REMOVE

THIS IS PART OF THE OFFICIAL DOCUMENT.

ORDINANCE G-5868

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-33-13-3) FROM C-2 TOD-1 (INTERMEDIATE COMMERCIAL, INTERIM TRANSIT-ORIENTED OVERLAY DISTRICT ONE), P-1 TOD-1 (PASSENGER AUTOMOBILE PARKING LIMITED, INTERIM TRANSIT-ORIENTED OVERLAY DISTRICT ONE), AND P-2 TOD-1 (PARKING, INTERIM TRANSIT-ORIENTED OVERLAY DISTRICT ONE), TO PUD (PLANNED UNIT DEVELOPMENT).

WHEREAS, on August 6, 2013, the City of Phoenix Planning and Development Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from Earl, Curley and Lagarde, having authorization to represent the owner, P63550 North Central LLC of an approximately 9.66 acre property located approximately 212 feet north of the northwest corner of Central Avenue and Osborn Road in a portion of Section 29, Township 2 North, Range 3 East, as described more specifically in Attachment "A," attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on November 12, 2013, and at this hearing recommended that the

ORDINANCE G-5868

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-39-13-4) FROM C-2 TOD-1 (INTERMEDIATE COMMERCIAL, INTERIM TRANSIT-ORIENTED OVERLAY DISTRICT ONE), P-1 TOD-1 (PASSENGER AUTOMOBILE PARKING LIMITED, INTERIM TRANSIT-ORIENTED OVERLAY DISTRICT ONE), AND P-2 TOD-1 (PARKING, INTERIM TRANSIT-ORIENTED OVERLAY DISTRICT ONE), TO PUD (PLANNED UNIT DEVELOPMENT).

WHEREAS, on August 6, 2013, the City of Phoenix Planning and Development Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from Earl, Curley and Lagarde, having authorization to represent the owner, P63550 North Central LLC of an approximately 9.66 acre property located approximately 212 feet north of the northwest corner of Central Avenue and Osborn Road in a portion of Section 29, Township 2 North, Range 3 East, as described more specifically in Attachment "A," attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on November 12, 2013, and at this hearing recommended that the

City Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on December 4, 2013, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1: The zoning of an approximately 9.66 acre property located approximately 212 feet north of the northwest corner of Central Avenue and Osborn Road in a portion of Section 29, Township 2 North, Range 3 East, as described more specifically in Attachment "A," is hereby changed from 3.46 acres of "C-2 TOD-1" (Intermediate Commercial, Interim Transit-Oriented Overlay District One), 4.75 acres of "P-1 TOD-1" (Passenger Automobile Parking Limited, Interim Transit-Oriented Overlay District One), and 1.45 acres of "P-2 TOD-1" (Parking, Interim Transit-Oriented Overlay District One) to "PUD" (Planned Unit Development) and that the Planning and Development Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B."

SECTION 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-39-13-4, on file with the Planning and Development Department. Due to the site's specific physical conditions

and the use district applied for by the applicant, this rezoning is subject to compliance with the PUD narrative and the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Broadstone Central PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped October 22, 2013, as modified by the following stipulations.

2. The Development Narrative shall be amended to reflect these changes:

a. Replace the nine instances in the document of "orientated" with "oriented".

b. The acreage in the first paragraph of Section G. shall be corrected to read 9.66.

c. Insert this paragraph in Section H. Development Standards and Guidelines after the first paragraph:

Unless specifically modified by the text below, all standards of the referenced Zoning Districts shall apply to this PUD. Where different standards (more or less restrictive) are specified below, these standards shall prevail over the standards in the ordinance.

d. Insert a third paragraph below the new paragraph outlined in c. above, to the Development Standards and Guidelines Section H:

This PUD shall conform to Section 507 of the Zoning Ordinance.

Applicability: Exterior structural remodeling or new façade treatment of buildings without additional square footage are subject to development review approval as follows:

a) Compliance with the development standards, design standards and guidelines of this PUD only for that exterior portion of the building being modified.

- b) Provision of landscaping in accordance with adopted streetscape design unless prohibitive because of existing public utilities.
- e. The title of the table in Section H. shall be amended to read "Development Standards and Guidelines".
- f. In Section H., delete language in the table stating "Minimum density for residential parcel, 46.85 dwellings per gross acre" and replaced with "Maximum density, Per Section 631 (HR) of the Phoenix Zoning Ordinance".
- g. In Section H. Bicycle Parking – Commercial, non-retail, delete existing language and replace with:
 - Bicycle Parking – Commercial, non-retail > than 5,000 square feet: Minimum one space per 40 vehicle parking spaces provided, up to a required maximum of 25 bicycle spaces.
 - Bicycle Parking – Commercial, non-retail > than 100,000 square feet: Minimum of two shower stalls and 10 lockers that are accessible to the building's occupants.
- h. In Section H., make the heading "Landscape Setback/Standards" bold so it is consistent with other table subheadings.
- i. In Section H., remove the "J." from the "Sustainability" subheading.
- j. Add a section to the Development Standards and Guidelines table in Section H. to read "Signage Standards", Per Section 705 (Signs) of the City of Phoenix Zoning Ordinance."
- k. The below language shall be added as a preamble statement on a blank page prior to the Table of Contents within the Development Narrative. This additional language and any modifications to the narrative made through the public hearing process shall be completed and a final written PUD Development Narrative and electronic PUD Development Narrative shall be submitted within 30 days of final City Council approval.
 - a) A Planned Unit Development (PUD) is intended to be

a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PUD are governed by the zoning ordinance. A PUD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PUD only modifies zoning ordinance regulations and does not modify other City Codes or requirements. Additional public hearings may be necessary such as but not limited to right-of-way abandonments.

3. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
4. The developer shall implement the Central Avenue Beautification Plan along Central Avenue. A 20-foot Image Enhancement Easement shall be dedicated along Central Avenue as approved or modified by the Street Transportation Department.
5. The developer shall submit a Traffic Impact Statement to the Street Transportation Department for this development. No preliminary approval of plans shall be granted until the statement is reviewed and approved by the City. Contact Mr. Chris Kowalsky at 602-495-3697, to set up a meeting to discuss the requirements of the study.
6. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
7. The applicant shall return to the Encanto Village Planning Committee to present the 2nd Avenue parking structure elevations for review and recommendation, prior to preliminary site plan approval.

SECTION 3: 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 hereof.

PASSED by the Council of the City of Phoenix this 4th day of December,

2013.



A handwritten signature in black ink, appearing to read 'J. F. ...'.

MAYOR

ATTEST:

C. Meyer City Clerk

APPROVED AS TO FORM:

Margaret Wilson Acting City Attorney

REVIEWED BY:

E. O. ... Acting City Manager

MLW.tml.1095605v1: (CM#39) (Item#22) 12/4/13

Attachments:

- A - Legal Description (5 Pages)
- B - Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-39-13-4PARCEL NO. 1:

LOTS 12, 13, 14 AND 15, LANE SUBDIVISION, A SUBDIVISION RECORDED IN BOOK 3 OF MAPS, PAGE 21, RECORDS OF MARICOPA COUNTY. ARIZONA;

EXCEPT THE WEST 25 FEET OF SAID LOT 15; AND
EXCEPT THAT PART OF LOT 12 DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 12;
THENCE SOUTH 00 DEGREES 00 MINUTES 40 SECONDS EAST, 5.22 FEET
ALONG THE EAST LINE OF SAID LOT 12;
THENCE NORTH 89 DEGREES 22 MINUTES 46 SECONDS WEST, 145.39 FEET;
THENCE NORTH 5.21 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 12;
THENCE SOUTH 89 DEGREES 23 MINUTES EAST, 145.39 FEET ALONG THE
NORTH LINE OF LOT 12 TO THE POINT OF BEGINNING; AND
EXCEPT THAT PART OF SAID LOT 12 MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

COMMENCING AT THE INTERSECTION OF CENTRAL AVENUE AND COLUMBUS
AVENUE (EAST);
THENCE, SOUTH 00 DEGREES 02 MINUTES 02 SECONDS WEST, ALONG THE
CENTERLINE OF SAID CENTRAL AVENUE. A DISTANCE OF 278.32 FEET;
THENCE, NORTH 89 DEGREES 20 MINUTES 45 SECONDS WEST, A DISTANCE OF
50.00 FEET TO THE POINT OF BEGINNING;
THENCE, SOUTH 00 DEGREES 02 MINUTES 02 SECONDS WEST. DISTANCE OF
123.25 FEET;
THENCE, NORTH 89 DEGREES 21 MINUTES 03 SECONDS WEST, A DISTANCE OF
2.90 FEET TO A POINT OF CUSP OF A CURVE WHOSE 10951.50 FOOT RADIUS
BEARS NORTH 88 DEGREES 44 MINUTES 24 SECONDS WEST AND IS CONCAVE
NORTHWESTERLY;
THENCE, NORTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF
0 DEGREES 38 MINUTES 41 SECONDS, A DISTANCE OF 123.25 FEET;
THENCE, SOUTH 89 DEGREES 20 MINUTES 45 SECONDS EAST, A DISTANCE OF
0.95 FEET TO THE POINT OF BEGINNING; AND

EXCEPT THAT PART OF SAID LOT 13, MORE PARTICULARLY DESCRIBED AS
FOLLOWS; COMMENCING AT THE INTERSECTION OF CENTRAL AVENUE AND
COLUMBUS AVENUE (EAST);
THENCE, SOUTH 00 DEGREES 02 MINUTES 02 SECONDS WEST, ALONG THE
CENTERLINE OF SAID CENTRAL AVENUE, A DISTANCE OF 401.03 FEET;
THENCE, NORTH 89 DEGREES 57 MINUTES 58 SECONDS WEST, A DISTANCE OF
50.00 FEET TO THE POINT OF BEGINNING;
THENCE, SOUTH 00 DEGREES 02 MINUTES 02 SECONDS WEST, A DISTANCE OF
128.48 FEET;

THENCE, NORTH 89 DEGREES 21 MINUTES 05 SECONDS WEST, A DISTANCE OF 6.06 FEET;

THENCE, NORTH 01 DEGREES 28 MINUTES 46 SECONDS EAST, A DISTANCE OF 86.50 FEET TO THE BEGINNING OF A TANGENT CURVE WHOSE 10951.51 FOOT RADIUS IS CONCAVE TO THE NORTHWEST;

THENCE, NORTHERLY, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00 DEGREES 13 MINUTES 10 SECONDS, A DISTANCE OF 41.91 FEET;

THENCE, SOUTH 89 DEGREES 21 MINUTES 02 SECONDS EAST, A DISTANCE OF 2.90 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 2:

LEASEHOLD INTEREST AS CREATED BY THAT CERTAIN LEASE DATED MARCH 1, 1963 EXECUTED BY AMBER H. DOYLE, WIDOW; GEORGE GREGORY DOYLE, III, HUSBAND OF FAYE DOYLE; PERRY W. DOYLE, HUSBAND OF MARY NEIL DOYLE; WILLIAM RICHARD DOYLE, HUSBAND OF MAURENE DOYLE; AMBER M. KLUGE, WIFE OF ALTON E. KLUGE AND DOROTHY JUNE FROGLEY, WIFE OF RALPH FROGLEY, AS LESSOR AND DAVID H. MURDOCK AND LILLIE ANNA MURDOCK, HIS WIFE AS LESSEE, RECORDED MARCH 27, 1963 IN DOCKET 4515, PAGE 330 RECORDS OF MARICOPA COUNTY. ARIZONA;

AND THEREAFTER AMENDMENT TO LEASE ADDING PARCEL NO. 3 HEREIN RECORDED DECEMBER 31, 1963 IN DOCKET 4864, PAGE 246;

AND THEREAFTER SECOND AMENDMENT, DATED JANUARY 1, 1994 AS DISCLOSED BY MEMORANDUM RECORD MARCH 23, 1994 RECORDED AT RECORDER'S NO. 94-233006, RECORDS OF MARICOPA COUNTY, ARIZONA;

AND THEREAFTER THE LESSOR'S INTEREST WAS ASSIGNED TO FIRST AMERICAN TITLE INSURANCE COMPANY, A CALIFORNIA CORPORATION, AS TRUSTEE UNDER TRUST NO. 8658 BY MESON ASSIGNMENTS OF RECORD THE LAST OF WHICH RECORDED SEPTEMBER 14, 2007 AT RECORDER'S NO. 2007-1023057, RECORDS OF MARICOPA COUNTY, ARIZONA AND AT RECORDER'S NO. 2007-1023058, RECORDS OF MARICOPA COUNTY. ARIZONA;

AND THEREAFTER THE LESSEE'S INTEREST WAS ASSIGNED TO 3550 NORTH CENTRAL AVENUE, LLC. A DELAWARE LIMITED LIABILITY COMPANY BY MESNE ASSIGNMENTS OF RECORD THE LAST OF WHICH RECORDED OCTOBER 8, 2004 AT RECORDERS NO. 2004-1185347, RECORDS OF MARICOPA COUNTY, ARIZONA;

AND THEREAFTER THE LESSEE'S INTEREST WAS ASSIGNED TO WBCMT 2005-C21 NORTH CENTRAL TOWER, LLC, AN ARIZONA LIMITED LIABILITY COMPANY BY TRUSTEE'S DEED RECORDED ON OCTOBER 11, 2011 AT RECORDER'S NO. 2011-841185.

LOTS 10 AND 11, LANE SUBDIVISION, A SUBDIVISION RECORDED IN BOOK 3 OF MAPS, PAGE 21, RECORDS OF MARICOPA COUNTY, ARIZONA;

EXCEPT THE WEST 25 FEET THEREOF; AND
EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE INTERSECTION OF CENTRAL AVENUE AND COLUMBUS AVENUE (EAST);
 THENCE, SOUTH 00 DEGREES 02 MINUTES 02 SECONDS WEST, ALONG THE CENTERLINE OF SAID CENTRAL AVENUE, A DISTANCE OF 16.14 FEET;
 THENCE, NORTH 89 DEGREES 20 MINUTES 53 SECONDS WEST. A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;
 THENCE, SOUTH 00 DEGREES 02 MINUTES 02 SECONDS WEST, A DISTANCE OF 61.51 FEET;
 THENCE, NORTH 88 DEGREES 56 MINUTES 31 SECONDS WEST, A DISTANCE OF 19.07 FEET;
 THENCE, NORTH 00 DEGREES 56 MINUTES 49 SECONDS EAST, A DISTANCE OF 25.97 FEET;

THENCE, NORTH 89 DEGREES 37 MINUTES 58 SECONDS WEST, A DISTANCE OF 9.08 FEET;
 THENCE, NORTH 00 DEGREES 12 MINUTES 48 SECONDS EAST. A DISTANCE OF 18.31 FEET;
 THENCE, NORTH 00 DEGREES 50 MINUTES 03 SECONDS WEST. A DISTANCE OF 17.51 FEET;
 THENCE, SOUTH 89 DEGREES 20 MINUTES 53 SECONDS EAST. A DISTANCE OF 27.94 FEET TO THE POINT OF BEGINNING
 AND ALSO:

COMMENCING AT SAID (BRASS CAP FLUSH) MONUMENT IN THE INTERSECTION OF CENTRAL AVENUE AND COLUMBUS AVENUE (EAST);
 THENCE SOUTH 00 DEGREES 02 MINUTES 02 SECONDS WEST, ALONG THE CENTERLINE OF SAID CENTRAL AVENUE, A DISTANCE OF 272.50 FEET;
 THENCE NORTH 89 DEGREES 57 MINUTES 58 SECONDS WEST, A DISTANCE OF 50.00 FEET TO THE TRUE POINT OF BEGINNING;
 THENCE SOUTH 00 DEGREES 02 MINUTES 02 SECONDS WEST, A DISTANCE OF 5.27 FEET;
 THENCE NORTH 89 DEGREES 20 MINUTES 45 SECONDS WEST, A DISTANCE OF 0.95 FEET TO THE BEGINNING OF A NON-TANGENT CURVE WHOSE 10,951.50 FOOT RADIUS BEARS NORTH 89 DEGREES 23 MINUTES 06 SECONDS WEST;
 THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00 DEGREES 01 MINUTE 39 SECONDS, A DISTANCE OF 5.27 FEET;
 THENCE SOUTH 89 DEGREES 20 MINUTES 45 SECONDS EAST, A DISTANCE OF 0.9 FEET TO THE POINT OF BEGINNING

PARCEL NO. 3:

LEASEHOLD INTEREST AS CREATED BY THAT CERTAIN LEASE DATED MARCH 1, 1963 EXECUTED BY AMBER H. DOYLE, WIDOW; GEORGE GREGORY DOYLE, III, HUSBAND OF FAYE DOYLE; PERRY W. DOYLE, HUSBAND OF MARY NELL DOYLE; WILLIAM RICHARD DOYLE, HUSBAND OF MAURENE DOYLE; AMBER M. KLUGE, WIFE OF ALTON E. KLUGE AND DOROTHY JUNE FROGLEY. WIFE OF

RALPH FROGLEY, AS LESSOR AND DAVID H. MURDOCK AND LILLIE ANNA MURDOCK, HIS WIFE AS LESSEE, RECORDED MARCH 27, 1963 IN DOCKET 4515, PAGE 330 RECORDS OF MARICOPA COUNTY, ARIZONA;

AND THEREAFTER AMENDMENT TO LEASE ADDING PARCEL NO. 3 HEREIN RECORDED DECEMBER 31, 1963 IN DOCKET 4864, PAGE 246;
 AND THEREAFTER SECOND AMENDMENT, DATED JANUARY 7, 1994 AS DISCLOSED BY MEMORANDUM RECORD MARCH 23, 1994 RECORDED AT RECORDER'S NO. 94-233006, RECORDS OF MARICOPA COUNTY, ARIZONA;
 AND THEREAFTER THE LESSOR'S INTEREST WAS ASSIGNED TO FIRST AMERICAN TITLE INSURANCE COMPANY, A CALIFORNIA CORPORATION, AS TRUSTEE UNDER TRUST NO. 8658 BY MESNE ASSIGNMENTS OF RECORD THE LAST OF WHICH RECORDED SEPTEMBER 14, 2007 AT RECORDER'S NO. 2007-1023057, RECORDS OF MARICOPA COUNTY, ARIZONA; AND AT RECORDER'S NO. 2007-1023058, RECORDS OF MARICOPA COUNTY, ARIZONA;
 AND THEREAFTER THE LESSEE'S INTEREST WAS ASSIGNED TO 3550 NORTH CENTRAL AVENUE, LLC, A DELAWARE LIMITED LIABILITY COMPANY BY MESNE ASSIGNMENTS OF RECORD THE LAST OF WHICH RECORDED OCTOBER 8, 2004 AT RECORDER'S NO. 2004-1185347. RECORDS OF MARICOPA COUNTY, ARIZONA
 AND THEREAFTER THE LESSEE'S INTEREST WAS ASSIGNED TO WBCMT 2005-C21 NORTH CENTRAL TOWER, LLC, AN ARIZONA LIMITED LIABILITY COMPANY BY TRUSTEE'S DEED RECORDED ON OCTOBER 11, 2011 AT RECORDER'S NO. 2011-841185.

THAT PART OF LOT 12, LANE SUBDIVISION, A SUBDIVISION RECORDED IN BOOK 3 OF MAPS. PAGE 21, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 12;
 THENCE, SOUTH 00 DEGREES 00 MINUTES 40 SECONDS EAST, 5.22 FEET ALONG THE EAST LINE OF SAID LOT 12;
 THENCE, NORTH 89 DEGREES 22 MINUTES 46 SECONDS WEST, 145.39 FEET;
 THENCE, NORTH 5.21 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 12;
 THENCE, SOUTH 89 DEGREES 23 MINUTES EAST, 145.39 FEET ALONG THE NORTH LINE OF SAID LOT 12 TO THE POINT OF BEGINNING; AND

EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE INTERSECTION OF CENTRAL AVENUE AND COLUMBUS AVENUE (EAST);
 THENCE, SOUTH 00 DEGREES 02 MINUTES 02 SECONDS WEST, ALONG THE CENTERLINE OF SAID CENTRAL AVENUE, A DISTANCE OF 272.50 FEET;
 THENCE, NORTH 89 DEGREES 57 MINUTES 58 SECONDS WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;

THENCE, SOUTH 00 DEGREES 02 MINUTES 02 SECONDS WEST. A DISTANCE OF 5.27 FEET;

THENCE, NORTH 89 DEGREES 20 MINUTES 45 SECONDS WEST, A DISTANCE OF 0.95 FEET TO THE CUSP OF A CURVE WHOSE 10951.50 FOOT RADIUS BEARS NORTH 89 DEGREES 23 MINUTES 06 SECONDS WEST AND IS CONCAVE WESTERLY;

THENCE, NORTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 00 DEGREES 01 MINUTES 39 SECONDS, A DISTANCE OF 5.27 FEET;

THENCE, SOUTH 89 DEGREES 20 MINUTES 45 SECONDS EAST, A DISTANCE OF 0.90 FEET TO THE POINT OF BEGINNING; AND

EXCEPT ANY PORTION CONVEYED BY DEED RECORDED AS 2006-1283 196 OF OFFICIAL RECORDS AND RE-RECORDED AS 2008-63330 OF OFFICIAL RECORDS

PARCEL NO. 4:

A NONEXCLUSIVE EASEMENT TO ERECT AND MAINTAIN STREETS AND SIDEWALKS FOR PURPOSES OF VEHICULAR AND PEDESTRIAN TRAFFIC AND RELATED CURBS AND GUTTERS; TO ERECT AND MAINTAIN UNDERGROUND PIPES AND UTILITY LINES WITH RELATED SURFACE SUPPORTING POLES AND OTHER STRUCTURES FOR THE PURPOSE OF SUPPLYING UTILITY SERVICES; TO ERECT AND MAINTAIN WALLS AND TRAFFIC CONTROL BARRIERS. SIGNS, LIGHTS AND RELATED FACILITIES ALL AS SET FORTH IN "RECIPROCAL EASEMENT AGREEMENT RECORDED IN DOCKET 15567, PAGE 916 AND THEREAFTER MODIFICATION, ASSIGNMENT, RATIFICATION OF AND CONSENT RECORDED IN DOCKET 15882, PAGE 164; THEREAFTER AMENDMENT RECORDED IN DOCKET 15912, PAGE 712 AND ACKNOWLEDGMENT RECORDED IN DOCKET 15912, PAGE 718, OVER THE FOLLOWING DESCRIBED PROPERTY:

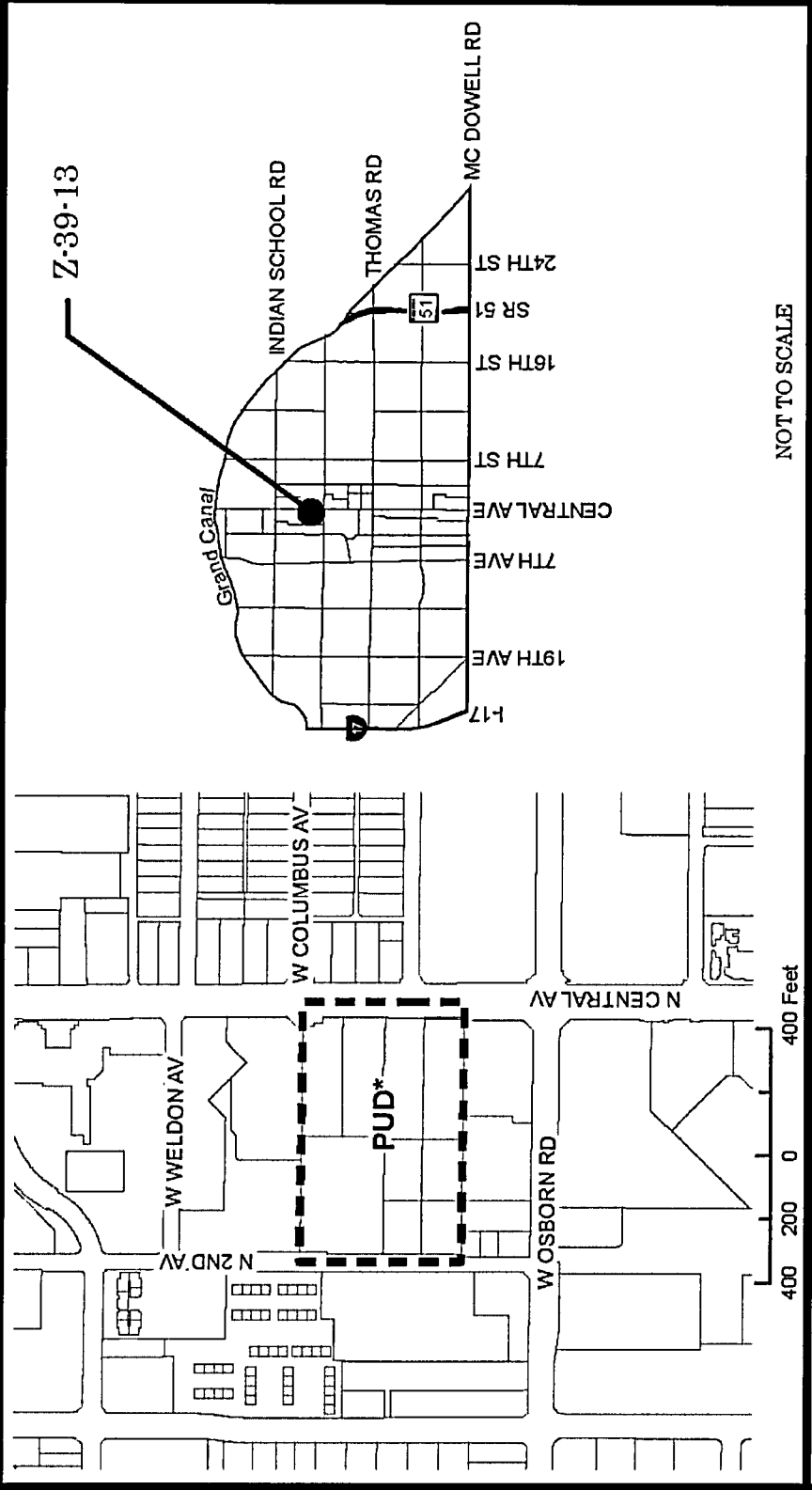
THE SOUTH 25 FEET OF LOT 2, ONE COLUMBUS PLAZA, A SUBDIVISION RECORDED IN BOOK 248 OF MAPS, PAGE 12, RECORDS OF MARICOPA COUNTY, ARIZONA.

ATTACHMENT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-39-13-4
Zoning Overlay: N/A
Planning Village: Encanto

ZONING SUBJECT TO STIPULATIONS:
SUBJECT AREA: ■■■■■■



Drawn Date: 11/6/13

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