



P I N A L • C O U N T Y  
*wide open opportunity*

Greg Stanley  
County Manager

June 17, 2016

**PUBLIC NOTICE:**

Re: 2016 Pinal County Major Comprehensive Plan 60 Day Review

Enclosed are the proposed 2016 Major Amendments to the Pinal County Comprehensive Plan. State Law prescribes a 60 day review period for all Major Amendments to County Comprehensive Plans.

This year, the 60 day period will run between June 17, 2016 and August 16, 2016. Information regarding this year cases can also be found at <http://pinalcountyaz.gov/CommunityDevelopment/Planning/Pages/CompPlan.aspx>. To participate in the process, please have your comments to us by 4:30 pm, August 16, 2016. Thank you in advance for your attention, and we hope to hear from you with any questions or comments you may have.

**2016 Major Comprehensive Plan Cases:**

- PZ-PA-003-16 (Attesa)
- PZ-PA-004-16 (Pinal Central Power)

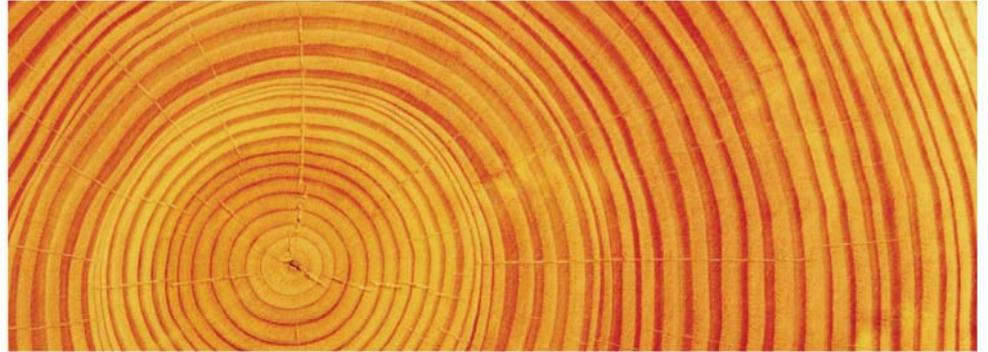
Comments may be submitted to:

Dedrick Denton  
Pinal County Community Development Department  
31 North Pinal Street, Building F  
Florence, AZ 85132

E-Mail Address: [dedrick.denton@pinalcountyaz.gov](mailto:dedrick.denton@pinalcountyaz.gov)

COMMUNITY DEVELOPMENT  
PLANNING DIVISION

**PZ-PA-003-16**



Danrick Builders, LLC

Comprehensive Plan  
Major Amendment

Nick Wood, Esq  
Attorney

Noel J. Griemsmann, AICP  
Sr. Urban Planner

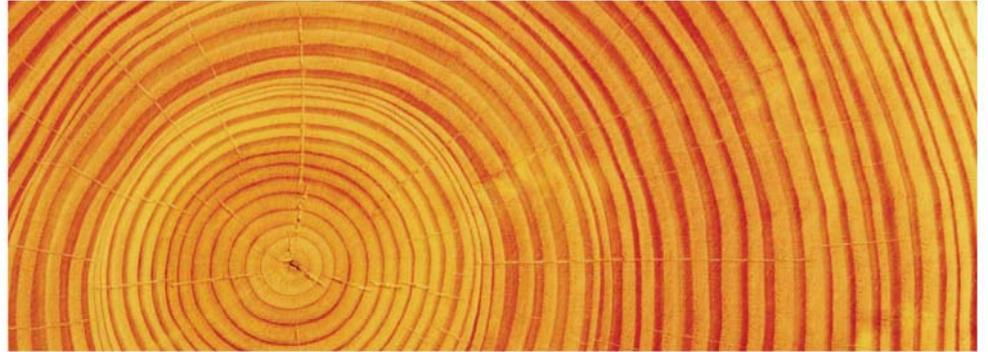
Stephanie M. Watney  
Urban Planner

**APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT IN AN  
UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA**

(all applications **must** be typed or written in ink)

1. The legal description of the property: Please see attached.  
\_\_\_\_\_  
\_\_\_\_\_
  
2. Parcel Number(s): Various. Please see attached. Total Acreage: Approximately 937
  
3. Current Land Use Designation: Very Low Density Res; Moderate Low Density Res & High Density Activity Cntr.
  
4. Requested Land Use Designation: Employment  
\_\_\_\_\_
  
5. Date of Concept Review: 5/24/16 Concept Review Number: Z-PA-022-16
  
6. Why is this Comprehensive Plan Amendment being requested? (You must provide a summary of the anticipated development on this page, if not provided, the application cannot be processed.): \_\_\_\_\_  
This Major Comprehensive Plan Amendment is requested in order to expand a 2010 approved amendment that is intended for the eventual development of the Attesa project, a major regional employment core that will focus on motor sports activities, testing and advanced technology. The Attesa project will include a regional track facility as its anchor, providing the catalyst for the eventual development of surrounding employment land uses as well as supporting commercial and residential land uses. Please see the enclosed narrative for additional details.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
7. Discuss any recent changes in the area that would support your application. \_\_\_\_\_  
The prior 2010 amendment established an Employment designation for most of the project site; this request is intended to expand that approval to encompass the entire Attesa project area.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
8. Explain why the proposed amendment is needed and necessary at this time. \_\_\_\_\_  
The Attesa project is ready to move forward with the required supporting land use entitlements. The Comprehensive Plan Land Use Map must be amended to support the vision of Attesa as an employment core. Please see the narrative for additional details.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECEIPT #: \_\_\_\_\_ AMT: \_\_\_\_\_ DATE: \_\_\_\_\_ CASE: \_\_\_\_\_



DRE Development, LLC  
Ownership Authorization

Nick Wood, Esq  
Attorney

Noel J. Griemsmann, AICP  
Sr. Urban Planner

Stephanie M. Watney  
Urban Planner

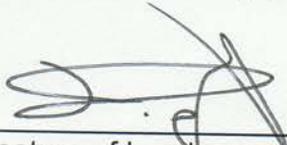
IN ADDITION TO THIS APPLICATION, YOU WILL NEED TO SUBMIT:

- A. One copy of a **certified** A.L.T.A. Survey, including legal descriptions of the proposed designations
- B. Location map which identifies the property and its relationship to Pinal County environs.
- C. Map showing the topography of the property.
- D. Site map which specifically identifies the property including parcels under separate ownership.
- E. Property owner(s) authorization for the Comprehensive Plan Amendment.
- F. Other information as may be determined necessary by the Planning staff or other information the applicant feels is pertinent to this request.
- G. Non-refundable filing fee as shown on the cover page.
- H. Submit a CD which contains a copy of the application and narrative in PDF format.

THIS APPLICATION MUST BE SUBMITTED IN PERSON.

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed.

DRE Development, LLC	N/A	N/A
Name of Landowner (Applicant)	Address	Phone Number

	N/A
Signature of Landowner (Applicant)	E-Mail Address

Nick Wood, Esq., Snell & Wilmer, L.L.P.	400 East Van Buren Street	602-382-6269
Name of Agent	Address	Phone Number

	nwood@swlaw.com
Signature of Agent	E-Mail Address

**The Agent has the authority to act on behalf of the landowner. The Agent will be the contact person for Planning staff and must be present at all hearings. Please use the attached Agency Authorization form, if applicable.**

**TO BE COMPLETED BY ALL LANDOWNERS OF SUBJECT PROPERTY WHEN LANDOWNERS DO NOT REPRESENT THEMSELVES. Instructions for completing required information are in bold and brackets below lines. If applicant is a company, corporation, partnership, joint venture, trustee, etc., please use the corporate signature block and have the notary fill in the notarization section for corporations not individuals.**  
**AGENCY AUTHORIZATION**

TO: Pinal County Planning & Development Services  
P.O. Box 2973  
Florence, AZ 85132

DRE Development, LLC, an Arizona Limited Liability Company  
[Insert Name -- If a Corporation, Partnership or Association, Include State of Incorporation]  
hereinafter referred to as "Owner," is/are the owner(s) of 427.85 acres located at N/A  
[Insert Address of Property] 51101016B; 51101016C; 51101018B; 51101018C;  
and further identified as assessor parcel number 51101018D; 51101017D; 51101017B and legally [Insert Parcel Number]  
described as follows:

**Legal Description is attached hereto as Exhibit A**

Said property is hereinafter referred to as the "Property."

Owner hereby appoints  
Nick Wood, Esq., Snell & Wilmer, L.L.P.

[Insert Agent's Name. If the Agent Is a Company, Insert Company Name Only]  
hereinafter referred to as "Agent," to act on Owner's behalf in relation to the Property in obtaining approvals from Pinal County for any necessary amendment to Pinal County's Comprehensive Plan; zone changes; planned area development overlay districts; platting of the subject property; special use permit or industrial use permit; and to file applications and make the necessary submittals for such approvals.

Owner consents and agrees to be bound by all stipulations agreed to by this Agent in connection with any of above-referenced processes.

**[Individual PROPERTY OWNER signature block and acknowledgment. DO NOT SIGN HERE IF SIGNING AS AN OFFICER OF A CORPORATION ON THE NEXT PAGE.]**

[Signature] \_\_\_\_\_

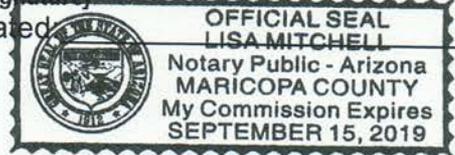
Dated: 5/23/2016

STATE OF Arizona )

COUNTY OF Maricopa ) ss.

[Signature] \_\_\_\_\_

Dated \_\_\_\_\_

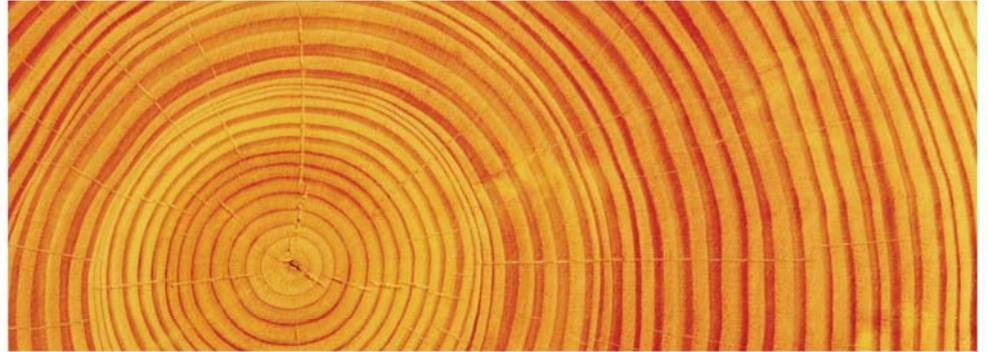


The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of May, 2016

By Daniel Erickson  
[Insert Name of Signor(s)]

Lisa Mitchell  
Notary Public

My commission expires September 15, 2019



Legal Descriptions  
(Exhibit A)

Nick Wood, Esq  
Attorney

Noel J. Griemsmann, AICP  
Sr. Urban Planner

Stephanie M. Watney  
Urban Planner

EXHIBIT A – OWNERSHIP MAP

PAGE 1 OF 3

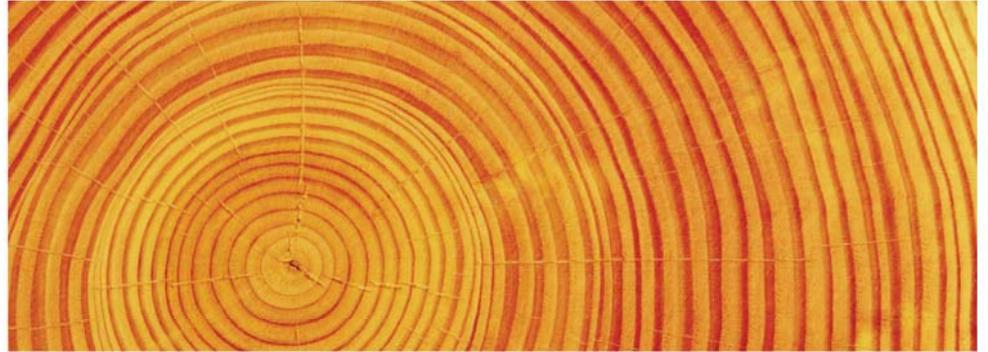


EXHIBIT A – Legal Descriptions

PAGE 2 OF 3

<u>Item #</u>	<u>Parcel</u>	<u>Ownership</u>	<u>Acres</u>	<u>Legal Description</u>
1	51115003A	Bingham Arizona Land LLC	149.26	The Northwest quarter of Section 17, Township 7 South, Range 5 East of Gila and Salt River Base and Meridian, Pinal County, Arizona;  Except the North 125.00 feet and the South 1379.00 feet of the West 100 feet thereof.
2	51115002	Bingham Arizona Land LLC	40	The Southeast quarter of the Southeast quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.
3	51101015	Bingham Arizona Land LLC	320	The North half of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.  Except all coal and other minerals as reserved by the United States of America in the Patents to said land, recorded in Book 40, page 580 of Deeds and Book 41, page 9 of Deed and  Also except 6% of any and all oil, gas and mineral rights as reserved in instrument recorded in Book 78, page 260 of Deeds.
4 5	51101016B 51101016C	DRE Development LLC	73.92 73.92	The Southeast quarter of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;  EXCEPT the South 200 feet thereof, as set forth in Declaration of Taking recorded in Docket 1340, page 868;  EXCEPT ½ of all oil, gas and mineral rights as reserved in Docket 1427, page 931.
6 7 8	51101018B 51101018C 51101018D	DRE Development LLC	66.90 33.45 33.45	The Southwest quarter of Section 21, Township 7 South, Range 5 East of Gila and Salt River Base and Meridian, Pinal County, Arizona;  EXCEPT the South 425.00 feet thereof, as set forth in Declaration of Taking recorded in Docket 1340, page 868; and  EXCEPT ½ of all oil, gas and mineral rights as reserved in Docket 1427, page 931.

<u>Item #</u>	<u>Parcel</u>	<u>Ownership</u>	<u>Acres</u>	<u>Legal Description</u>
9 10	51101017D 51101017B	DRE Development LLC	135.81 10.4	<p>The North half; and the Southeast quarter of Section 21, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;</p> <p>EXCEPT all coal, and other minerals as reserved by the United States of America, in the Patent to said land; and</p> <p>EXCEPTING therefrom the following described parcel: Beginning at the Northeast corner of the Northeast quarter of said Section 21;</p> <p>Thence along the Easterly line, South 00 degrees 22 minutes 53 seconds East, a distance of 115.00 feet Thence leaving said Easterly line, South 89 degrees 59 minutes 13 seconds West, a distance of 260.04 feet;</p> <p>Thence North 31 degrees 34 minutes 06 seconds West, a distance of 43.11 feet;</p> <p>Thence North 04 degrees 43 minutes 20 seconds West (measured) North 04 degrees 45 minutes 32 seconds East (record), a distance of 78.53 feet to the Northerly line of the Northeast quarter of said Section 21;</p> <p>Thence along said Northerly line, North 89 degrees 59 minutes 13 seconds East, a distance of 288.35 feet to the POINT OF BEGINNING; and</p> <p>EXCEPT the following Parcels A and B as set forth in Declaration of Taking recorded in Docket 1340, page 858 ... Parcel B: The North 110 feet of the south 500 feet of the West 145 feet; and the North 2180 feet of the South 2680 feet of the West 70 feet of the East half of said Section 21 (APN: <b>511-01-017B</b>, 017C, <b>017D</b>, and 017G)</p>
TOTAL			937	



DRE Development, LLC

DEED

Nick Wood, Esq  
Attorney

Noel J. Griemsmann, AICP  
Sr. Urban Planner

Stephanie M. Watney  
Urban Planner



OFFICIAL RECORDS OF  
PINAL COUNTY RECORDER  
VIRGINIA ROSS

FIDELITY NATIONAL TITLE AGENCY INC.

DATE/TIME: 04/24/2015 1049

FEE: \$18.00

PAGES: 12

FEE NUMBER: 2015-026197

After recording, please mail to:



Mast Law Firm, P.C.  
2415 East Camelback Road, Suite 455  
Phoenix, Arizona 85016  
Attn: Gregory L. Mast

71002514

3/3

### SPECIAL WARRANTY DEED

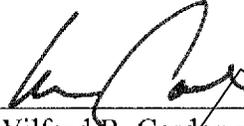
For the consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, WILFORD R. CARDON AS TRUSTEE OF THE JEITO FOUNDATION, FAR MAREL, LLC, an Arizona limited liability company, MT. OLYMPUS INVESTMENTS, LLC, an Arizona limited liability company, CARDON FAMILY, LLC, an Arizona limited liability company, NEAL MANAGEMENT, LLC, an Arizona limited liability company, SMT INVESTORS LIMITED PARTNERSHIP, an Arizona limited partnership, and MICHAEL T. COWLEY as TRUSTEE of the ANC IRREVOCABLE TRUST DATED October 18, 2004 (collectively, "Grantor"), does hereby grant and convey to DRE DEVELOPMENT LLC, an Arizona limited liability company ("Grantee"), that certain real property situated in the County of Pinal, State of Arizona legally described as set forth on Exhibit A attached hereto, together with all rights and privileges appurtenant thereto and Grantor's interest in all mineral rights and water rights that relate to such real property and improvements thereon (the "Property").

The Property is conveyed subject to all taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record. The Grantor hereby binds itself and its successors to warrant and defend the title as against all acts of the Grantor herein and no other, subject to the matters above set forth.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed effective as of April \_\_\_\_\_, 2015.

**GRANTOR:**

**The Jeito Foundation**

By:   
Wilford R. Cardon, Trustee

**Cardon Family, L.L.C.,**  
an Arizona limited liability company

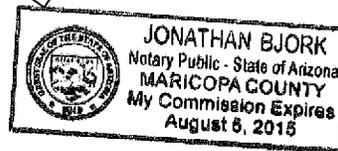
By:   
Wilford R. Cardon, Manager

STATE OF ARIZONA     )  
                                  ) ss  
County of Maricopa     )

The foregoing instrument was acknowledged before me this 21 day of April, 2015, by Wilford R. Cardon, who acknowledged himself to be (1) the Trustee of The Jeito Foundation, and (2) the Manager of Cardon Family, L.L.C., an Arizona limited liability company.

  
Notary Public

My Commission Expires: 8-5-15



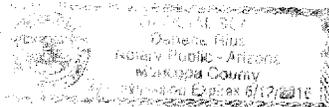
*UNRECORDED*

**Far Marel, L.L.C.,**  
an Arizona limited liability company

By: *B. Bowden*  
Brent A. Bowden, Manager

STATE OF ARIZONA     )  
  ) ss.  
County of Maricopa     )

The foregoing was acknowledged before me this 21 day of April, 2015, by Brent A. Bowden, as Manager of Far Marel, LLC, an Arizona limited liability company, on behalf thereof.



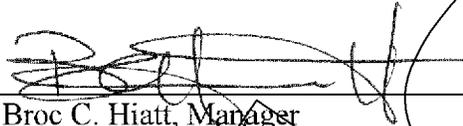
*Darlene Rios*  
6/12/2016

*Darlene Rios*  
Notary Public

My Commission Expires: 06/12/2016

UNOFFICIAL

**Mt. Olympus Investments, L.L.C.,**  
an Arizona limited liability company

By:   
Broc C. Hiatt, Manager

STATE OF ARIZONA     )  
                                  ) ss.  
County of Maricopa     )

The foregoing was acknowledged before me this 21 day of April, 2015, by Broc C. Hiatt, as Manager of Mt. Olympus Investments, L.L.C., an Arizona limited liability company, on behalf thereof.



Darlene Rios

  
Notary Public

My Commission Expires: 06/12/2016

UNOFFICIAL

**Neal Management, L.L.C.,**  
an Arizona limited liability company

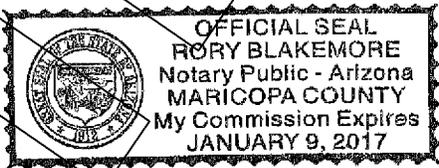
By: *David N. Neal*  
David N. Neal, Manager

STATE OF ARIZONA     )  
                                  ) ss.  
County of Maricopa     )

The foregoing was acknowledged before me this 23<sup>rd</sup> day of April, 2015, by David N. Neal, the Manager of Neal Management, LLC, an Arizona limited liability company, on behalf thereof.

*Rory Blakemore*  
Notary Public

My Commission Expires: 1/9/2017



Umo

**SMT Investors Limited Partnership**

an Arizona limited partnership

By: CCT Investors, LLC  
an Arizona limited liability company  
Its General Partner

By: Cowley Companies, Inc.,  
an Arizona corporation  
Its Manager

By: [Signature]  
Michael T. Cowley, President

**Michael T. Cowley, as Trustee of the  
ANC Irrevocable Trust dated October 18, 2004**

By: [Signature]  
Michael T. Cowley, Trustee

STATE OF ARIZONA )  
                                  ) ss.  
County of Maricopa )

The foregoing was acknowledged before me this 23<sup>rd</sup> day of April, 2015, by **Michael T. Cowley** (1) as the President of Cowley Companies, Inc., an Arizona corporation, the Manager of CCT Investors, LLC, an Arizona limited liability company, the General Partner of SMT Investors Limited Partnership, and (2) as Trustee of the ANC Irrevocable Trust dated October 18, 2004.

[Signature]  
Notary Public

My commission expires: 1/9/2017

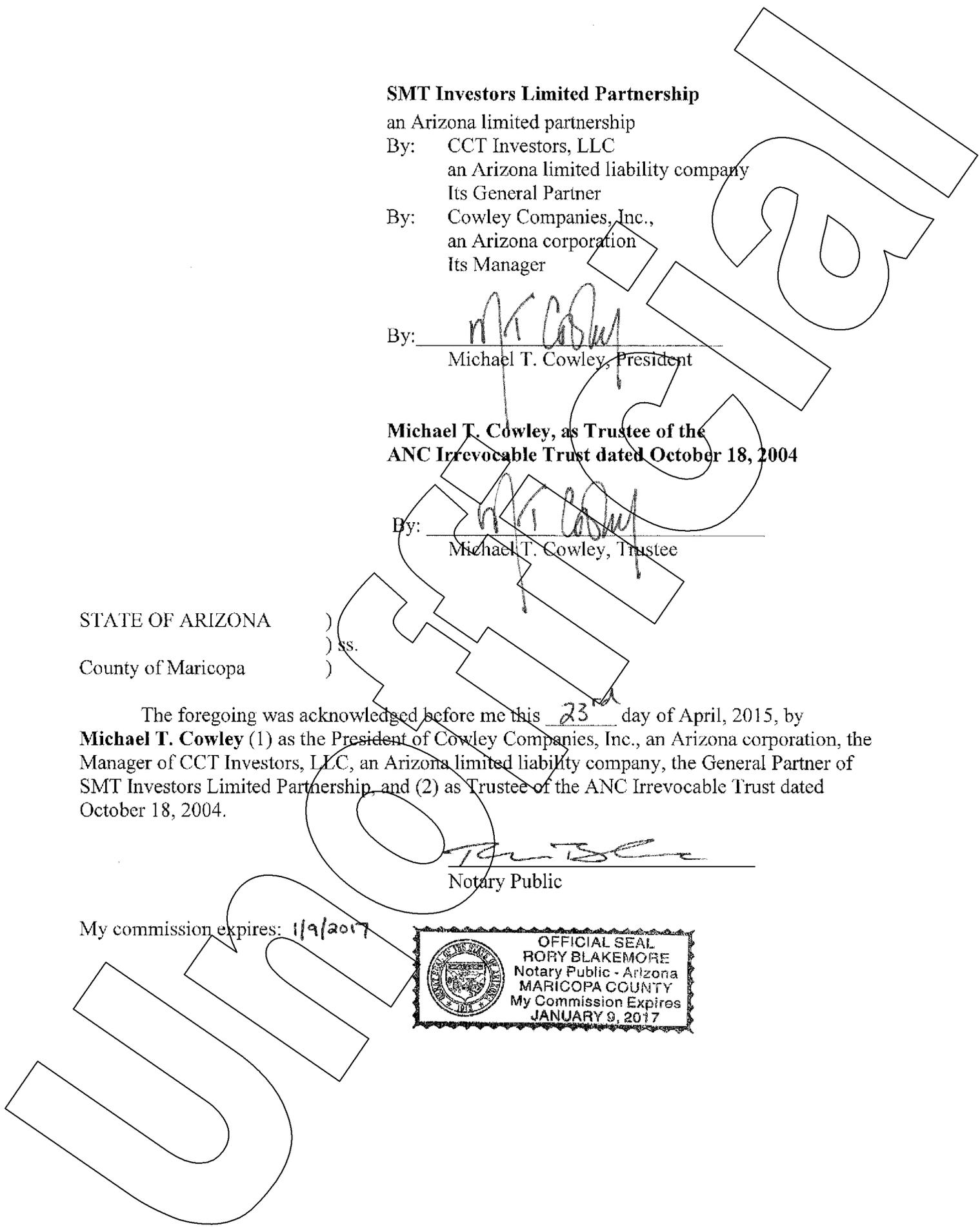
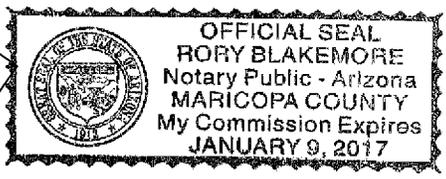


Exhibit A

Legal Description

UNOFFICIAL

Escrow No. 71002514-071-CH1

**Exhibit "A"**  
**LEGAL DESCRIPTION**

PARCEL NO. 1:

All of Section 16, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPTING therefrom the following described parcel:

BEGINNING at the Southeast corner of the Southeast quarter of said Section 16;

Thence along the Easterly line thereof, North 00 degrees 02 minutes 46 seconds West, a distance of 1503.61 feet;

Thence leaving said Easterly line, South 89 degrees 43 minutes 24 seconds West, a distance of 390.26 feet;

Thence South 00 degrees 04 minutes 18 seconds East, a distance of 552.59 feet;

Thence South 60 degrees 05 minutes 21 seconds East, a distance of 383.39 feet to a point hereinafter known as "Point A";

Thence South 23 degrees 36 minutes 11 seconds West, a distance of 499.91 feet;

Thence South 05 degrees 39 minutes 41 seconds West, a distance of 301.40 feet to the Southerly line of the Southeast quarter of said Section 16, said point hereinafter known as "Point B";

Thence along said Southerly line, North 89 degrees 59 minutes 13 seconds East, a distance of 288.36 feet to the POINT OF BEGINNING, and

EXCEPT all minerals, ores, metals of every kind and character, and all coal, asphaltum, oil, gases, fertilizers, fossils, and other like substances, as reserved by the State of Arizona in the Patent to said land; and

EXCEPT 6% of all oil, gas, and other minerals as reserved in the Book 78 of Deeds, page 260.

(APN: 511-01-012B, 511-01-012D)

PARCEL NO. 2:

The Northeast quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT all minerals, ores, metals of every kind and character, and all coal, asphaltum, oil, gases, fertilizers, fossils, and other like substances, as reserved by the State of Arizona in the Patent to said land; and

EXCEPTING therefrom 6% of all minerals rights as reserved in Book 78 of Deeds, page 260.

(APN: 511-15-001)

PARCEL NO. 3:

The West half of the Southeast quarter; and the Northeast quarter of the Southeast quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT 6% of all mineral rights as reserved in Book 78 of Deeds, page 260.

(APN: 511-15-001)

PARCEL NO. 4:

The Southwest quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT all minerals, ores, and metals of every kind and character, all coal, asphaltum, oil, gases, fertilizers fossils, and other like substances, as reserved by the State of Arizona, in the Patent to said land; and

EXCEPT 6% of all mineral rights as reserved in Book 78 of Deeds, page 260.

(APN: 511-15-004)

PARCEL NO. 5:

The Southeast quarter of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT the South 200 feet thereof, as set forth in Declaration of Taking recorded in Docket 1340, page 868;

EXCEPT 1/2 of all oil, gas, and mineral rights as reserved in Docket 1427, page 931.

(APN: 511-01-016B and 511-01-016C)

PARCEL NO. 6:

The Southwest quarter of Section 21, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT the South 425.00 feet thereof, as set forth in Declaration of Taking recorded in Docket 1340, page 868; and

EXCEPT 1/2 of all oil, gas, and mineral rights as reserved in Docket 1427, page 931.

(APN: 511-01-018B, 018C and 018D)

PARCEL NO. 7:

The North half; and the Southeast quarter of Section 21, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT all coal, and other minerals as reserved by the United States of America, in the Patent to said land; and

EXCEPTING therefrom the following described parcel:

BEGINNING at the Northeast corner of the Northeast quarter of said Section 21;

Thence along the Easterly line, South 00 degrees 22 minutes 53 seconds East, a distance of 115.00 feet;

Thence leaving said Easterly line, South 89 degrees 59 minutes 13 seconds West, a distance of 260.04 feet;

Thence North 31 degrees 34 minutes 06 seconds West, a distance of 43.17 feet;

Thence North 04 degrees 43 minutes 20 seconds West (measured) North 04 degrees 45 minutes 32 seconds East (record), a distance of 78.53 feet to the Northerly line of the Northeast quarter of said Section 21;

Thence along said Northerly line, North 89 degrees 59 minutes 13 seconds East, a distance of 288.35 feet to the POINT OF BEGINNING; and

EXCEPT the following Parcels A and B as set forth in Declaration of Taking recorded in Docket 1340, page 858.

Parcel A:

BEGINNING at a point in the East boundary of said Section 21, that bears North 00 degrees 15 minutes 26 seconds West 146.39 feet from the Southeast corner of said Section 21;

Thence South 89 degrees 26 minutes 47 seconds West, a distance of 101.15 feet;

Thence North 78 degrees 25 minutes 37 seconds West, a distance of 492.64 feet;

Thence North 84 degrees 04 minutes 31 seconds West, a distance of 36.42 feet;

Thence North 89 degrees 43 minutes 24 seconds West, a distance of 1784.65 feet;

Thence South 00 degrees 16 minutes 36 seconds West, a distance of 227.819 feet (measured) 245.00 feet (record) to the South boundary of said Section 21;

Thence North 89 degrees 43 minutes 24 seconds West, a distance of 200.00 feet along said South boundary;

Thence North 00 degrees 16 minutes 36 seconds East, a distance of 176.391 feet (measured) 195.00 feet (record);

Thence North 89 degrees 43 minutes 24 seconds West, a distance of 113.406 feet (measured) 78.79 feet (record) to the West boundary of the Southeast quarter of said Section 21;

Thence North 00 degrees 02 minutes 25 seconds East, a distance of 195.00 feet along said West boundary;

Thence South 89 degrees 43 minutes 24 seconds East, a distance of 2130.197 feet (measured) 2096.89 feet (record);

Thence South 78 degrees 25 minutes 36 seconds East, a distance of 491.80 feet;

Thence South 84 degrees 29 minutes 25 seconds East, a distance of 35.91 feet;

Thence North 89 degrees 26 minutes 47 seconds East, a distance of 68.44 feet to the East boundary of said Section 21;

Thence South 00 degrees 15 minutes 26 seconds East, a distance of 145.00 feet along said East boundary to the POINT OF BEGINNING.

Parcel B:

The North 110 feet of the South 500 feet of the West 145 feet; and the North 2180 feet of the South 2680 feet of the West 70 feet of the East half of said Section 21.

(APN: 511-01-017B, 017C, 017D, and 017G)

In accordance with Arizona Revised Statutes Section 33-404, the names and addresses of the beneficiaries of the ANC Irrevocable Trust dated October 18, 2004 are:

Michael Theron Cowley, 101 W. Cypress St., AZ 85004  
Timothy Neal Cowley, 2309 E. Grandview, Mesa, AZ 85213  
Kristen Laurie Cowley, 2309 E. Grandview, Mesa, AZ 85213  
Dallyn Laurie Cowley, 2309 E. Grandview, Mesa, AZ 85213  
Hunter Bronson Cowley, 2309 E. Grandview, Mesa, AZ 85213  
Monson Seville Cowley, 2309 E. Grandview, Mesa, AZ 85213  
Ashlyn Briana Cowley, 2309 E. Grandview, Mesa, AZ 85213  
Cannon Duke Cowley, 2309 E. Grandview, Mesa, AZ 85213  
Hollyn Tristen Cowley, 2309 E. Grandview, Mesa, AZ 85213  
McKaylin Marie Cowley, 2309 E. Grandview, Mesa, AZ 85213  
Perry Alice Cowley, 2309 E. Grandview, Mesa, AZ 85213  
Taft Marcia Cowley, 2309 E. Grandview, Mesa, AZ 85213  
Suzette Cowley Tyler, 2455 E. Emelita Ave., Mesa, AZ 85204  
Loren Ross Tyler, 2455 E. Emelita Ave., Mesa, AZ 85204  
Jacob Ross Tyler, 2455 E. Emelita Ave., Mesa, AZ 85204  
Janie Tyler, 2455 E. Emelita Ave., Mesa, AZ 85204  
Emma Tyler, 2455 E. Emelita Ave., Mesa, AZ 85204  
Alyse Tyler, 2455 E. Emelita Ave., Mesa, AZ 85204

**AFFIDAVIT OF PROPERTY VALUE**

1. ASSESSOR'S PARCEL IDENTIFICATION NUMBER(S)

Primary Parcel: **See attached for Tax Parcels**  
BOOK MAP PARCEL SPLIT

Does this sale include any parcels that are being split / divided?  
Check one: Yes  No

How many parcels, other than the Primary Parcel, are included in this sale? 13 total

Please list the additional parcels below (attach list if necessary):

- (1) \_\_\_\_\_ (2) \_\_\_\_\_  
(3) \_\_\_\_\_ (4) \_\_\_\_\_

2. SELLER'S NAME AND ADDRESS:

The Jeito Foundation et al  
1819 E. Southern #B10  
Mesa, AZ 85204

3. (a) BUYER'S NAME AND ADDRESS:

DRE Development LLC  
4492 W. Kitty Hawk  
Chandler, AZ 85226

(b) Are the Buyer and Seller related? Yes  No   
If Yes, state relationship: \_\_\_\_\_

4. ADDRESS OF PROPERTY:

Bianco Farms  
Vacant Land .. AZ

5. (a) MAIL TAX BILL TO: (Taxes due even if no bill received)

DRE Development LLC  
See #3 above

(b) Next tax payment due \_\_\_\_\_

6. PROPERTY TYPE (for Primary Parcel): NOTE: Check Only One Box

- a.  Vacant Land f.  Commercial or Industrial Use
- b.  Single Family Residence g.  Agricultural
- c.  Condo or Townhouse h.  Mobile or Manufactured Home  
 Affixed  Not Affixed
- d.  2-4 Plex i.  Other Use; Specify: \_\_\_\_\_
- e.  Apartment Building

7. RESIDENTIAL BUYER'S USE: If you checked b, c, d or h in Item 6 above, please check one of the following:

- a.  To be used as a primary residence
- b.  To be rented to someone other than a "qualified family member."
- c.  To be used as a non-primary or secondary residence.

See reverse side for definition of a "primary residence, secondary residence" and "family member."

8. If you checked e or f in Item 6 above, indicate the number of units: \_\_\_\_\_  
For Apartments, Motels / Hotels, Mobile Home / RV Parks, etc.

THE UNDERSIGNED BEING DULY SWORN, ON OATH, SAYS THAT THE FOREGOING INFORMATION IS A TRUE AND CORRECT STATEMENT OF THE FACTS PERTAINING TO THE TRANSFER OF THE ABOVE DESCRIBED PROPERTY.

Signature of Seller / Agent [Signature]  
State of AZ County of Maricopa  
Subscribed and sworn to before me on this 23<sup>rd</sup> day of April 2015  
Notary Public [Signature]  
Notary Expiration Date 1/31/16

Signature of Buyer / Agent [Signature]  
State of Arizona County of Maricopa  
Subscribed and sworn to before me on this 22<sup>nd</sup> day of April 2015  
Notary Public [Signature]  
Notary Expiration Date September 15, 2015

FOR RECORDER'S USE ONLY  
PINAL COUNTY  
DATE/TIME: 04/24/2015 1049  
FEE NUMBER: 2015-026197

9. TYPE OF DEED OR INSTRUMENT (Check Only One Box):  
a.  Warranty Deed d.  Contract or Agreement  
b.  Special Warranty Deed e.  Quit Claim Deed  
c.  Joint Tenancy Deed f.  Other: \_\_\_\_\_

10. SALE PRICE: \$ 10,595,250.00

11. DATE OF SALE (Numeric Digits): 01 / 2015  
Month / Year

12. DOWN PAYMENT \$ 10,595,250.00

13. METHOD OF FINANCING:  
a.  Cash (100% of Sale Price) e.  New loan(s) from financial institution:  
(1)  Conventional  
(2)  VA  
(3)  FHA  
b.  Barter or trade f.  Other financing; Specify: \_\_\_\_\_  
c.  Assumption of existing loan(s)  
d.  Seller Loan (Carryback)

14. PERSONAL PROPERTY (see reverse side for definition):  
(a) Did the Sale Price in Item 10 include Personal Property that impacted the Sale Price by 5 percent or more? Yes  No   
(b) If Yes, provide the dollar amount of the Personal Property:  
\$ 00 AND  
briefly describe the Personal Property: \_\_\_\_\_

15. PARTIAL INTEREST: If only a partial ownership interest is being sold, briefly describe the partial interest: \_\_\_\_\_

16. SOLAR / ENERGY EFFICIENT COMPONENTS:  
(a) Did the Sale price in Item 10 include solar energy devices, energy efficient building components, renewable energy equipment or combined heat and power systems that impacted the Sale Price by 5 percent or more? Yes  No   
If Yes, briefly describe the solar / energy efficient components: \_\_\_\_\_

17. PARTY COMPLETING AFFIDAVIT (Name, Address, Phone Number):  
DRE Development LLC  
See #3 above  
Phone: \_\_\_\_\_

18. LEGAL DESCRIPTION (attach copy if necessary):  
**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.**

JOEL MONTEMAYOR  
Notary Public - Arizona  
Maricopa County  
Expires 01/31/2016

LISA MITCHELL  
Notary Public - Arizona  
Maricopa County  
My Commission Expires  
September 15, 2015

**EXHIBIT "A"**  
**Legal Description**

PARCEL NO. 1:

All of Section 16, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPTING therefrom the following described parcel:

BEGINNING at the Southeast corner of the Southeast quarter of said Section 16;

Thence along the Easterly line thereof, North 00 degrees 02 minutes 46 seconds West, a distance of 1503.61 feet;

Thence leaving said Easterly line, South 89 degrees 43 minutes 24 seconds West, a distance of 390.26 feet;

Thence South 00 degrees 04 minutes 18 seconds East, a distance of 552.59 feet;

Thence South 60 degrees 05 minutes 21 seconds East, a distance of 383.39 feet to a point hereinafter known as "Point A";

Thence South 23 degrees 36 minutes 11 seconds West, a distance of 499.91 feet;

Thence South 05 degrees 39 minutes 41 seconds West, a distance of 301.40 feet to the Southerly line of the Southeast quarter of said Section 16, said point hereinafter known as "Point B";

Thence along said Southerly line, North 89 degrees 59 minutes 13 seconds East, a distance of 288.36 feet to the POINT OF BEGINNING; and

EXCEPT all minerals, ores, metals of every kind and character, and all coal, asphaltum, oil, gases, fertilizers, fossils, and other like substances, as reserved by the State of Arizona in the Patent to said land; and

EXCEPT 6% of all oil, gas, and other minerals as reserved in the Book 78 of Deeds, page 260.

(APN: 511-01-012B, 511-01-012D)

PARCEL NO. 2:

The Northeast quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT all minerals, ores, metals of every kind and character, and all coal, asphaltum, oil, gases, fertilizers, fossils, and other like substances, as reserved by the State of Arizona in the Patent to said land; and

EXCEPTING therefrom 6% of all minerals rights as reserved in Book 78 of Deeds, page 260.

(APN: 511-15-001)

PARCEL NO. 3:

The West half of the Southeast quarter; and the Northeast quarter of the Southeast quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT 6% of all mineral rights as reserved in Book 78 of Deeds, page 260.

(APN: 511-15-001)

**EXHIBIT "A"**  
(Continued)

PARCEL NO. 4:

The Southwest quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT all minerals, ores, and metals of every kind and character, all coal, asphaltum, oil, gases, fertilizers fossils, and other like substances, as reserved by the State of Arizona, in the Patent to said land; and

EXCEPT 6% of all mineral rights as reserved in Book 78 of Deeds, page 260.

(APN: 511-15-004)

PARCEL NO. 5:

The Southeast quarter of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT the South 200 feet thereof, as set forth in Declaration of Taking recorded in Docket 1340, page 868;

EXCEPT 1/2 of all oil, gas, and mineral rights as reserved in Docket 1427, page 931.

(APN: 511-01-016B and 511-01-016C)

PARCEL NO. 6:

The Southwest quarter of Section 21, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT the South 425.00 feet thereof, as set forth in Declaration of Taking recorded in Docket 1340, page 868; and

EXCEPT 1/2 of all oil, gas, and mineral rights as reserved in Docket 1427, page 931.

(APN: 511-01-018B, 018C and 018D)

PARCEL NO. 7:

The North half, and the Southeast quarter of Section 21, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT all coal, and other minerals as reserved by the United States of America, in the Patent to said land; and

EXCEPTING therefrom the following described parcel:

BEGINNING at the Northeast corner of the Northeast quarter of said Section 21;

Thence along the Easterly line, South 00 degrees 22 minutes 53 seconds East, a distance of 115.00 feet;

Thence leaving said Easterly line, South 89 degrees 59 minutes 13 seconds West, a distance of 260.04 feet;

**EXHIBIT "A"**  
(Continued)

Thence North 31 degrees 34 minutes 06 seconds West, a distance of 43.11 feet;

Thence North 04 degrees 43 minutes 20 seconds West (measured) North 04 degrees 45 minutes 32 seconds East (record), a distance of 78.53 feet to the Northerly line of the Northeast quarter of said Section 21;

Thence along said Northerly line, North 89 degrees 59 minutes 13 seconds East, a distance of 288.35 feet to the POINT OF BEGINNING; and

EXCEPT the following Parcels A and B as set forth in Declaration of Taking recorded in Docket 1340, page 858.

Parcel A:

BEGINNING at a point in the East boundary of said Section 21, that bears North 00 degrees 15 minutes 26 seconds West 146.39 feet from the Southeast corner of said Section 21;

Thence South 89 degrees 26 minutes 47 seconds West, a distance of 101.15 feet;

Thence North 78 degrees 25 minutes 37 seconds West, a distance of 492.64 feet;

Thence North 84 degrees 04 minutes 31 seconds West, a distance of 36.42 feet,

Thence North 89 degrees 43 minutes 24 seconds West, a distance of 1784.65 feet;

Thence South 00 degrees 16 minutes 36 seconds West, a distance of 227.819 feet (measured) 245.00 feet (record) to the South boundary of said Section 21;

Thence North 89 degrees 43 minutes 24 seconds West, a distance of 200.00 feet along said South boundary;

Thence North 00 degrees 16 minutes 36 seconds East, a distance of 176.391 feet (measured) 195.00 feet (record);

Thence North 89 degrees 43 minutes 24 seconds West, a distance of 113.406 feet (measured) 78.79 feet (record) to the West boundary of the Southeast quarter of said Section 21;

Thence North 00 degrees 02 minutes 25 seconds East, a distance of 195.00 feet along said West boundary;

Thence South 89 degrees 43 minutes 24 seconds East, a distance of 2130.197 feet (measured) 2096.89 feet (record);

Thence South 78 degrees 25 minutes 36 seconds East, a distance of 491.80 feet;

Thence South 84 degrees 29 minutes 25 seconds East, a distance of 35.91 feet;

Thence North 89 degrees 26 minutes 47 seconds East, a distance of 68.44 feet to the East boundary of said Section 21;

Thence South 00 degrees 15 minutes 26 seconds East, a distance of 145.00 feet along said East boundary to the POINT OF BEGINNING.

Parcel B:

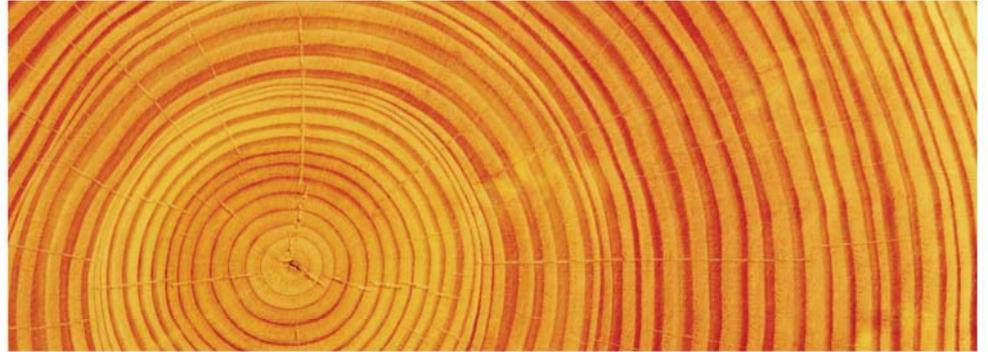
The North 110 feet of the South 500 feet of the West 145 feet; and the North 2180 feet of the South 2680 feet of the West 70 feet of the East half of said Section 21.

(APN: 511-01-017B, 017C, 017D, and 017G)

**EXHIBIT "A"**  
(Continued)

**Tax Parcel Numbers:**

- 511-01-012B
- 511-01-012D
- 511-01-016B
- 511-01-016C
- 511-01-017B
- 511-01-017C
- 511-01-017D
- 511-01-017G
- 511-01-018B
- 511-01-018C
- 511-01-018D
- 511-15-001
- 511-15-004



Bingham Arizona Land, LLC  
Ownership Authorization

Nick Wood, Esq  
Attorney

Noel J. Griemsmann, AICP  
Sr. Urban Planner

Stephanie M. Watney  
Urban Planner

IN ADDITION TO THIS APPLICATION, YOU WILL NEED TO SUBMIT:

- A. One copy of a **certified** A.L.T.A. Survey, including legal descriptions of the proposed designations
- B. Location map which identifies the property and its relationship to Pinal County environs.
- C. Map showing the topography of the property.
- D. Site map which specifically identifies the property including parcels under separate ownership.
- E. Property owner(s) authorization for the Comprehensive Plan Amendment.
- F. Other information as may be determined necessary by the Planning staff or other information the applicant feels is pertinent to this request.
- G. Non-refundable filing fee as shown on the cover page.
- H. Submit a CD which contains a copy of the application and narrative in PDF format.

THIS APPLICATION MUST BE SUBMITTED IN PERSON.

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed.

Bingham Arizona Land, LLC/Picacho 300, LLC	N/A	N/A
Name of Landowner (Applicant)	Address	Phone Number

	N/A
Signature of Landowner (Applicant)	E-Mail Address

Nick Wood, Esq., Snell & Wilmer, L.L.P.	400 East Van Buren Street	602-382-6269
Name of Agent	Address	Phone Number

	nwood@swlaw.com
Signature of Agent	E-Mail Address

**The Agent has the authority to act on behalf of the landowner. The Agent will be the contact person for Planning staff and must be present at all hearings. Please use the attached Agency Authorization form, if applicable.**

**TO BE COMPLETED BY ALL LANDOWNERS OF SUBJECT PROPERTY WHEN LANDOWNERS DO NOT REPRESENT THEMSELVES.** *Instructions for completing required information are in bold and brackets below lines. If applicant is a company, corporation, partnership, joint venture, trustee, etc., please use the corporate signature block and have the notary fill in the notarization section for corporations not individuals.*

**AGENCY AUTHORIZATION**

TO: Pinal County Planning & Development Services  
P.O. Box 2973  
Florence, AZ 85132

Bingham Arizona Land, LLC, an Arizona Limited Liability Company

**[Insert Name -- If a Corporation, Partnership or Association, Include State of Incorporation]**  
hereinafter referred to as "Owner," is/are the owner(s) of 509.26 acres located at N/A,  
**[Insert Address of Property]** 51115003A; 51115002O; and  
and further identified as assessor parcel number 511010150 and legally **[Insert Parcel Number]**  
described as follows:

**Legal Description is attached hereto as Exhibit A**

Said property is hereinafter referred to as the "Property."

Owner hereby appoints

Nick Wood, Esq., Snell & Wilmer, L.L. P.

**[Insert Agent's Name. If the Agent Is a Company, Insert Company Name Only]**  
hereinafter referred to as "Agent," to act on Owner's behalf in relation to the Property in obtaining approvals from Pinal County for any necessary amendment to Pinal County's Comprehensive Plan; zone changes; planned area development overlay districts; platting of the subject property; special use permit or industrial use permit; and to file applications and make the necessary submittals for such approvals.

Owner consents and agrees to be bound by all stipulations agreed to by this Agent in connection with any of above-referenced processes.

~~**[Individual PROPERTY OWNER signature block and acknowledgment. DO NOT SIGN HERE IF SIGNING AS AN OFFICER OF A CORPORATION ON THE NEXT PAGE.]**~~

~~\_\_\_\_\_  
**[Signature]**~~

~~Dated: \_\_\_\_\_~~

~~\_\_\_\_\_  
**[Signature]**~~

~~Dated: \_\_\_\_\_~~

~~STATE OF \_\_\_\_\_ )~~

~~) ss.~~

~~COUNTY OF \_\_\_\_\_ )~~

~~The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_~~

~~By \_\_\_\_\_~~

~~**[Insert Name of Signor(s)]**~~

~~My commission expires \_\_\_\_\_~~

~~\_\_\_\_\_  
Notary Public~~

[Corporate PROPERTY OWNER signature block and acknowledgment The appropriate Corporate officer or trustee signs this signature block NOT the block on the previous page.]

Picacho 300, LLC  
[Insert Company or Trustee's Name]

By: [Signature]  
[Signature of Authorized Officer or Trustee]

Its: JOHN W HOGLE, TRUSTEE OF THE JOHN WILSON HOGLE & RHONDA ELAINE HOGLE REVOCABLE FAMILY TRUST AS MEMBER OF RAVEN HOLDINGS, LLC AS SOLE MEMBER  
[Insert Title]

Dated: 5-20-16 OF PICACHO 300, LLC

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me, this \_\_\_\_ day of \_\_\_\_\_, by \_\_\_\_\_, \_\_\_\_\_ of \_\_\_\_\_, an \_\_\_\_\_  
[Insert Signor's Name] [Insert Title] [Insert Name of Company or Trust] [Insert State of Incorporation, if applicable]

and who being authorized to do so, executed the foregoing instrument on behalf of said entity for the purposes stated therein.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**ALTERNATE:** Use the following acknowledgment only when a second company is signing on behalf of the owner:

STATE OF ARIZONA )  
 ) ss.  
COUNTY OF MARICOPA )

On this 20<sup>th</sup> day of May, 2016, before me, the undersigned, personally appeared JOHN W. HOGLE Who acknowledged himself/herself to be  
[Insert Signor's Name]

TRUSTEE of THE JOHN WILSON HOGLE & RHONDA &  
[Title of Office Held] [Second Company]

As MEMBER for RAVEN HOLDINGS, LLC \*\*, and who being  
[i.e. member, manager, etc.] [Owner's Name]

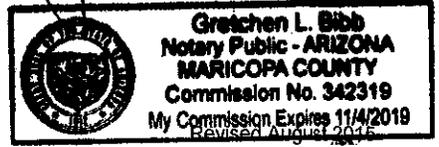
authorized to do so, executed the foregoing instrument on behalf of said entities for the purposes stated therein.

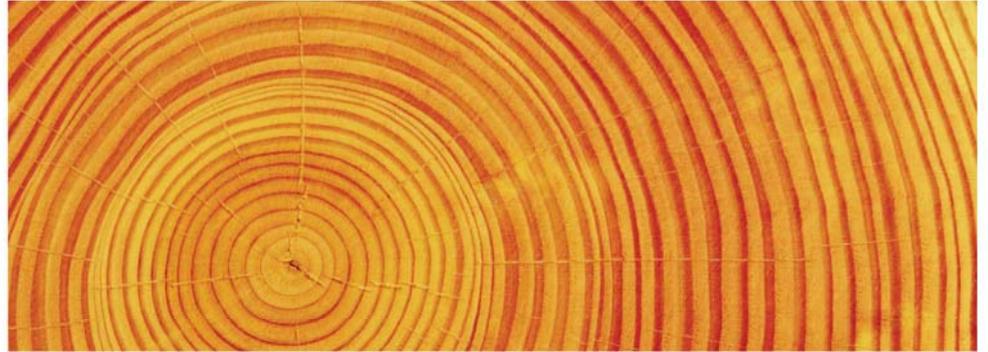
& ELAINE HOGLE REVOCABLE FAMILY TRUST

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

& AS SOLE MEMBER OF PICACHO 300, LLC.





Legal Descriptions  
(Exhibit A)

Nick Wood, Esq  
Attorney

Noel J. Griemsmann, AICP  
Sr. Urban Planner

Stephanie M. Watney  
Urban Planner

EXHIBIT A – OWNERSHIP MAP

PAGE 1 OF 3

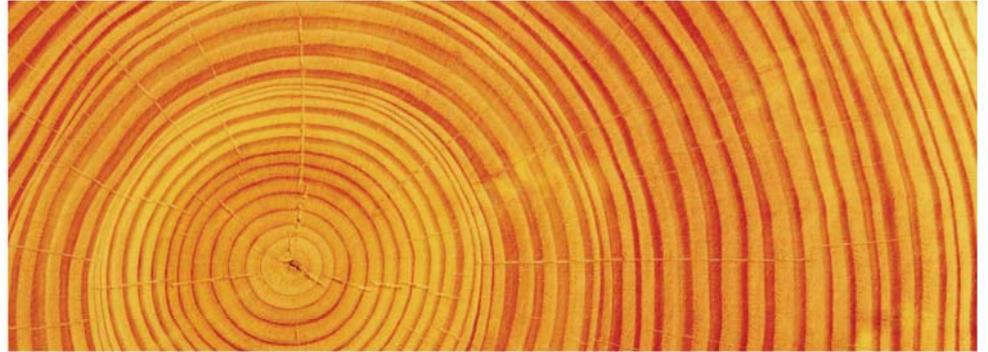


EXHIBIT A – Legal Descriptions

PAGE 2 OF 3

<u>Item #</u>	<u>Parcel</u>	<u>Ownership</u>	<u>Acres</u>	<u>Legal Description</u>
1	51115003A	Bingham Arizona Land LLC	149.26	The Northwest quarter of Section 17, Township 7 South, Range 5 East of Gila and Salt River Base and Meridian, Pinal County, Arizona;  Except the North 125.00 feet and the South 1379.00 feet of the West 100 feet thereof.
2	51115002	Bingham Arizona Land LLC	40	The Southeast quarter of the Southeast quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.
3	51101015	Bingham Arizona Land LLC	320	The North half of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.  Except all coal and other minerals as reserved by the United States of America in the Patents to said land, recorded in Book 40, page 580 of Deeds and Book 41, page 9 of Deed and  Also except 6% of any and all oil, gas and mineral rights as reserved in instrument recorded in Book 78, page 260 of Deeds.
4 5	51101016B 51101016C	DRE Development LLC	73.92 73.92	The Southeast quarter of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;  EXCEPT the South 200 feet thereof, as set forth in Declaration of Taking recorded in Docket 1340, page 868;  EXCEPT ½ of all oil, gas and mineral rights as reserved in Docket 1427, page 931.
6 7 8	51101018B 51101018C 51101018D	DRE Development LLC	66.90 33.45 33.45	The Southwest quarter of Section 21, Township 7 South, Range 5 East of Gila and Salt River Base and Meridian, Pinal County, Arizona;  EXCEPT the South 425.00 feet thereof, as set forth in Declaration of Taking recorded in Docket 1340, page 868; and  EXCEPT ½ of all oil, gas and mineral rights as reserved in Docket 1427, page 931.

<u>Item #</u>	<u>Parcel</u>	<u>Ownership</u>	<u>Acres</u>	<u>Legal Description</u>
9 10	51101017D 51101017B	DRE Development LLC	135.81 10.4	<p>The North half; and the Southeast quarter of Section 21, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;</p> <p>EXCEPT all coal, and other minerals as reserved by the United States of America, in the Patent to said land; and</p> <p>EXCEPTING therefrom the following described parcel: Beginning at the Northeast corner of the Northeast quarter of said Section 21;</p> <p>Thence along the Easterly line, South 00 degrees 22 minutes 53 seconds East, a distance of 115.00 feet Thence leaving said Easterly line, South 89 degrees 59 minutes 13 seconds West, a distance of 260.04 feet;</p> <p>Thence North 31 degrees 34 minutes 06 seconds West, a distance of 43.11 feet;</p> <p>Thence North 04 degrees 43 minutes 20 seconds West (measured) North 04 degrees 45 minutes 32 seconds East (record), a distance of 78.53 feet to the Northerly line of the Northeast quarter of said Section 21;</p> <p>Thence along said Northerly line, North 89 degrees 59 minutes 13 seconds East, a distance of 288.35 feet to the POINT OF BEGINNING; and</p> <p>EXCEPT the following Parcels A and B as set forth in Declaration of Taking recorded in Docket 1340, page 858 ... Parcel B: The North 110 feet of the south 500 feet of the West 145 feet; and the North 2180 feet of the South 2680 feet of the West 70 feet of the East half of said Section 21 (APN: <b>511-01-017B</b>, 017C, <b>017D</b>, and 017G)</p>
TOTAL			937	



Bingham Arizona Land, LLC

DEED(s)

Nick Wood, Esq  
Attorney

Noel J. Griemsmann, AICP  
Sr. Urban Planner

Stephanie M. Watney  
Urban Planner

When recorded mail to:  
Keith L. Hendricks  
Fennemore Craig  
3003 N. Central Ave. Suite 2600  
Phoenix, AZ 85012-2913

AZ-305-08

**SPECIAL WARRANTY DEED**

For the consideration of Ten Dollars (\$10.00) and other valuable consideration, the undersigned ("Grantor"), hereby sells, transfers and conveys to Bingham Arizona Land, LLC, an Arizona limited liability company, an undivided 31.67% interest in and to that certain real property situated in Pinal County, Arizona and which is legally described on Exhibit "A" annexed hereto and incorporated herein by reference.

Subject to: current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

And the Grantor hereby binds itself and its successors to warrant and defend title, against all acts of the Grantor herein, and no other, subject to the matters set forth.

DATED: March 7<sup>th</sup>, 2011

Exempt ARS 11-1134 B1

GRANTOR:

Mont 150, L.L.C., an Arizona limited liability company

By: Raven II Holdings, LLC, member

By: John Wilson Hogle, Jr. and Rhonda Elaine Hogle  
Revocable Family Trust, manager

By: *John W. Hogle, Jr.*  
John W. Hogle, Jr., trustee

STATE OF ARIZONA )  
                                  ) SS.  
COUNTY OF MARICOPA )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of March, 2011, by John W. Hogle, Jr., as trustee of John Wilson Hogle, Jr. and Rhonda Elaine Hogle Revocable Family Trust, as manager of Raven II Holdings, LLC, as member of Mont 150, L.L.C., an Arizona limited liability company, on behalf of the company.

*Thomas R. Kokaliaries*  
Notary Public

My Commission Expires:



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

The Northwest quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Except the North 125.00 feet and the South 1379.00 feet of the West 100 feet thereof.

Unofficial



Recorded at the request of *Capital Title Agency Inc.*  
when recorded mail to

Bingham Arizona Land, LLC  
135 South Mountain Way  
Orem, Utah 84058

DATE/TIME: 03/23/07 1454  
FEE: \$20.00  
PAGES: 9  
FEE NUMBER: 2007-035353

3/4

### Special Warranty Deed

Escrow No. 11070134

For the consideration of Ten Dollars, and other valuable considerations, I or we, **Hogle-Bawden Holdings, LLC**, an Arizona limited liability company as to an undivided 17.85% interest in Parcel 1 and **Mont 150, LLC**, an Arizona limited liability company as to an undivided 50% interest in Parcel 2 and **Picacho 300, LLC**, an Arizona limited liability company as to an undivided 50% interest in Parcel 3 and **Hanna 120 Holdings, LLC**, an Arizona limited liability company as to an undivided 17.87% interest in Parcel 4 and **Raven II Holdings, LLC**, an Arizona limited liability company as to an undivided 32.13% interest in Parcel 4 and **Goshawk Holdings, LLC**, an Arizona limited liability company as to an undivided 8.3475% interest in Parcel 5A and 5B and **Marsh 478 Holdings, LLC**, an Arizona limited liability company as to an undivided 11.35% interest in Parcel 6 and **Crismon Crossings II, LLC**, an Arizona limited liability company as to an undivided 36.585% interest in Parcel 8 and **Hamblin 20, L.L.C.**, an Arizona limited liability company as to an undivided 50% interest in Parcel 9, do/does hereby convey to **Bingham Arizona Land, LLC**, an Arizona limited liability company, the following real property situated in Pinal, County, Arizona:

\*-interest \*\*- and **Suncraft Construction, LLC** an Arizona limited liability company as to an undivided 50% interest in Parcel 7  
See Exhibit A attached hereto and made a part hereof.

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

And the Grantor hereby binds itself and its successors to warrant and defend the title, against all acts of the Grantor herein, and no other, subject to the matters set forth.

Dated this 28th day of February, 2007

Hogle-Bawden Holdings, LLC

By: Clyde Bawden, as member

Mont 150, LLC

By: Clyde Bawden, as member

Picacho 300, LLC

By: Clyde Bawden, as member

Hanna 120 Holdings, LLC

By: Clyde Bawden, as member

Raven II Holdings, LLC

By: Clyde Bawden, as member

Goshawk Holdings, LLC

By: Clyde Bawden, as member

Marsh 478 Holdings, LLC

By: Clyde Bawden, as member

Crismon Crossings II, LLC

By: Clyde Bawden, as member

Suncraft Construction LLC

Hamblin 20, L.L.C.

C. Bowen  
By: Clyde Bowen, as member

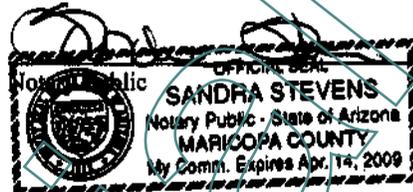
C. Bowen  
By: Clyde Bowen, as member

STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 10th day of March, 2007 by  
Clyde Bowen as member of Hogle-Bawden Holdings, LLC

My Commission Expires: 4-14-09



STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 12th day of March, 2007 by  
Clyde Bowen as member of Mont 150, LLC

My Commission Expires: 4-14-09



STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 12th day of March, 2007 by  
Clyde Bowen as member of Picacho 300, LLC

My Commission Expires: 4-14-09



STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 12th day of March, 2007 by  
Clyde Bowen as member of Hanna 120 Holdings, LLC

My Commission Expires: 4-14-09



STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 12th day of March, 2007 by  
Clyde Bowen as member of Raven II Holdings, LLC

My Commission Expires: 4-14-07



STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 10th day of March, 2007 by  
Clayce Bauden as member of Goshawk Holdings, LLC

My Commission Expires: 4-14-09



STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 10th day of March, 2007 by  
Clayce Bauden as member of Marsh 478 Holdings, LLC

My Commission Expires: 4-14-09



STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 10th day of March, 2007 by  
Clayce Bauden as member of Crimson Crossings II, LLC

My Commission Expires: 4-14-09

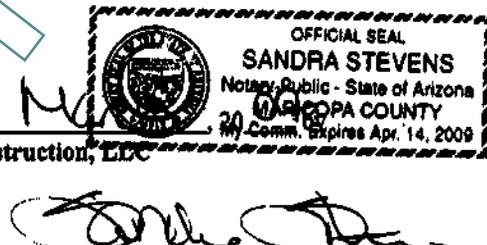


STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 10th day of March, 2007 by  
Clayce Bauden as member of Suncraft Construction, LLC

My Commission Expires: 4-14-09

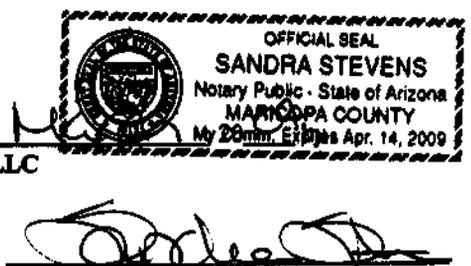


STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 10th day of March, 2007 by  
Clayce Bauden as member of Hamblin 20, LLC

My Commission Expires: 4-14-09



Attached For  
Clarification

Recorded at the request of *Capital Title Agency Inc.*  
when recorded mail to

Bingham Arizona Land, LLC  
135 South Mountain Way  
Orem, Utah 84058

1 of 30

3/4

# Special Warranty Deed

Escrow No. 11070134

For the consideration of Ten Dollars, and other valuable considerations, I or we, ~~Hogle-Bawden Holdings, LLC~~, an Arizona limited liability company as to an undivided 17.85% interest in Parcel 1 and ~~Mont 150, LLC~~, an Arizona limited liability company as to an undivided 50% interest in Parcel 2 and ~~Picacho 300, LLC~~, an Arizona limited liability company as to an undivided 50% interest in Parcel 3 and ~~Hanna 120 Holdings, LLC~~, an Arizona limited liability company as to an undivided 17.87%\* in Parcel 4 and ~~Raven II Holdings, LLC~~, an Arizona limited liability company as to an undivided 32.13%\* in Parcel 4 and ~~Goshawk Holdings, LLC~~, an Arizona limited liability company as to an undivided 8.3475%\* in Parcel 5A and 5B and ~~Marsh 478 Holdings, LLC~~, an Arizona limited liability company as to an undivided 11.35% interest in Parcel 6 and ~~Crismon Crossings II, LLC~~, an Arizona limited liability company as to an undivided 36.585% interest in Parcel 8 and ~~Hamblin 20, L.L.C.~~, an Arizona limited liability company as to an undivided 50% interest in Parcel 9, do/does hereby convey to Bingham Arizona Land, LLC, an Arizona limited liability company, the following real property situated in Pinal, County, Arizona:

\* - interest \*\* - and ~~Suncraft Construction, LLC~~ an Arizona limited liability company as to an undivided 50% interest in Parcel 7  
See Exhibit A attached hereto and made a part hereof.

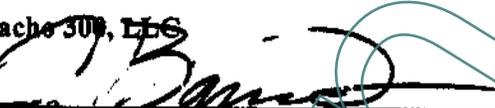
SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

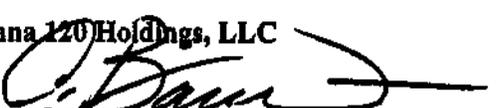
And the Grantor hereby binds itself and its successors to warrant and defend the title, against all acts of the Grantor herein, and no other, subject to the matters set forth.

Dated this 28th day of February, 2007

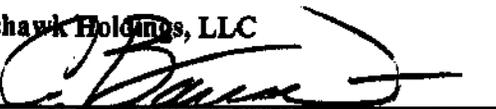
Hogle-Bawden Holdings, LLC  
  
By: Clyde Bawden, as member

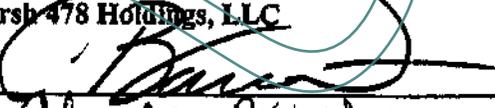
Mont 150, LLC  
  
By: Clyde Bawden, as member

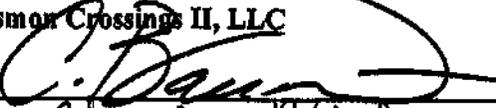
Picacho 300, LLC  
  
By: Clyde Bawden, as member

Hanna 120 Holdings, LLC  
  
By: Clyde Bawden, as member

Raven II Holdings, LLC  
  
By: Clyde Bawden, as member

Goshawk Holdings, LLC  
  
By: Clyde Bawden, as member

Marsh 478 Holdings, LLC  
  
By: Clyde Bawden, as member

Crismon Crossings II, LLC  
  
By: Clyde Bawden, as member

Suncraft Construction LLC

Hamblin 20, L.L.C.

C. Bawden  
By: Clyde Bawden, as member

C. Bawden  
By: Clyde Bawden, as member

STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 10th day of March, 2007 by  
Clyde Bawden as member of Hogle-Bawden Holdings, LLC

My Commission Expires: 4-14-09

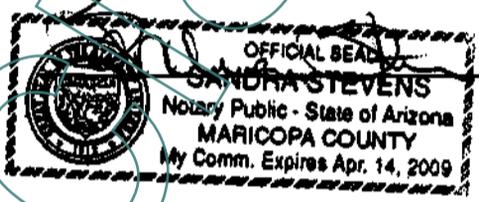


STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 12th day of March, 2007 by  
Clyde Bawden as member of Mont 150, LLC

My Commission Expires: 4-14-09



STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 12th day of March, 2007 by  
Clyde Bawden as member of Picacho 300, LLC

My Commission Expires: 4-14-09

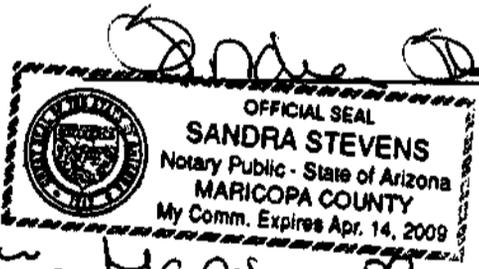


STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 12th day of March, 2007 by  
Clyde Bawden as member of Hanna 120 Holdings, LLC

My Commission Expires: 4-14-09

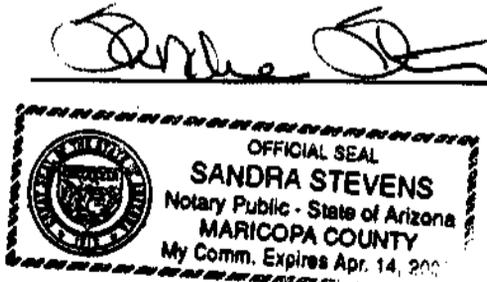


STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 12th day of March, 2007 by  
Clyde Bawden as member of Raven II Holdings, LLC

My Commission Expires: 4-14-09



STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 12th day of March, 2007 by  
Clyde Bauden as member of Goshawk Holdings, LLC

My Commission Expires: 4-14-09



STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 12th day of March, 2007 by  
Clyde Bauden as member of Marsh 478 Holdings, LLC

My Commission Expires: 4-14-09

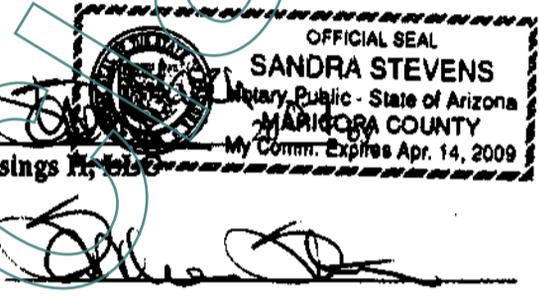


STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 12th day of March, 2007 by  
Clyde Bauden as member of Crismon Crossings II, LLC

My Commission Expires: 4-14-09

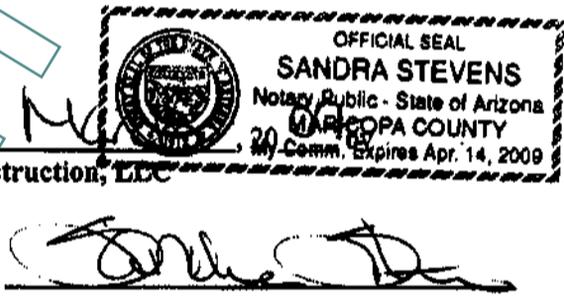


STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 12th day of March, 2007 by  
Clyde Bauden as member of Suncraft Construction, LLC

My Commission Expires: 4-14-09

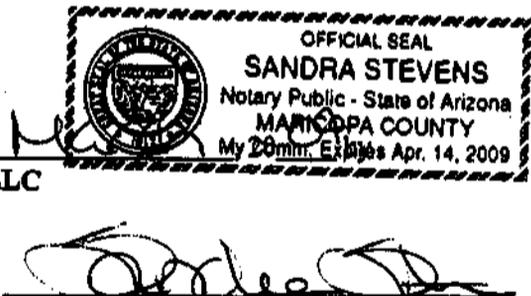


STATE OF ARIZONA  
COUNTY OF Maricopa

} SS:

This instrument was acknowledged before me this 12th day of March, 2007 by  
Clyde Bauden as member of Hamblin 20, LLC

My Commission Expires: 4-14-09



## LEGAL DESCRIPTION

### Parcel No. 1:

The Southeast quarter of the Southeast quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

### Parcel No. 2:

The Northwest quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Except the North 125.00 feet and the South 1379.00 feet of the West 100 feet thereof.

### Parcel No. 3:

The North half of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXCEPT all coal and other minerals as reserved by the United States of America in the Patents to said land, recorded in Book 40, page 580 of Deeds and Book 41, page 9 of Deeds and

Also except 6% of any and all oil, gas and mineral rights as reserved in instrument recorded in Book 78, page 260 of Deeds.

### Parcel No. 4:

The North half of the Southwest quarter of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

### Parcel No. 5A:

Parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15 and 16, of LITTLE CHIUCHU PLANTATION, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, page 74, being situate in Section 18, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Together with an undivided 13/16<sup>th</sup> interest in and to Tracts A, B, C and D, of LITTLE CHIUCHU PLANTATION, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, page 74, being situate in Section 18, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT therefrom a portion of the North half of Section 18, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, more particularly described as follows:

Commencing at the Northwest corner of said Section 18, said point being the TRUE POINT OF BEGINNING;

Thence South 89 degrees 52 minutes 19 seconds East along the North line of said Section 18, a distance of 1,371.33 feet to a point;

Thence South 00 degrees 52 minutes 58 seconds West, a distance of 1,282.62 feet to a point;

Thence North 89 degrees 38 minutes 55 seconds West, a distance of 1,351.30 feet to a point;

Thence North 00 degrees 00 minutes 46 seconds West, a distance of 1,277.25 feet to the TRUE POINT OF BEGINNING;  
and

EXCEPT therefrom a portion of the North half of Section 18, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona more particularly described as follows:

Commencing at the Northwest corner of said Section 18;

Thence South 89 degrees 52 minutes 19 seconds East along the North line of said Section 18, a distance of 1,371.33 feet to the TRUE POINT OF BEGINNING;

Thence South 89 degrees 52 minutes 19 seconds East, continuing along said North line a distance of 1,291.19 feet to a point;

Thence South 00 degrees 02 minutes 46 seconds West, a distance of 1,341.87 feet to a point;

Thence North 89 degrees 38 minutes 55 seconds West, a distance of 1,310.73 feet to a point;

Thence North 00 degrees 52 minutes 58 seconds East, a distance of 1,336.90 feet to the TRUE POINT OF BEGINNING.

**Parcel No. 5B:**

Lots 1, 2, 3 and 4; and the East half of the West half of Section 19, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT the South 175 feet of Government Lot 4 and the South 175 feet of the East half of the West half as conveyed to the United States of America in Docket 1349, page 790 and re-recorded in Docket 1354, page 855; and

ALSO EXCEPT all coal and other minerals as reserved by the United States of America in the Patent to said land. (Mineral reservation affects Government Lots 3 and 4 and the East half of the Southwest quarter of said Section 19).

**Parcel No. 6:**

A portion of Section 24, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona and more particularly described as follows:

Commencing at the Northwest corner of said Section 24,

Thence South 00 degrees 04 minutes 38 seconds West, along the West line of said Section 24, a distance of 1320.42 feet to a point;

Thence South 89 degrees 57 minutes 54 seconds East, a distance of 2589.58 feet to the TRUE POINT OF BEGINNING;

Thence South 89 degrees 58 minutes 00 seconds East, a distance of 2691.96 feet to a point;

Thence South 00 degrees 07 minutes 12 seconds West, a distance of 1320.15 feet to a point;

Thence South 00 degrees 08 minutes 08 seconds West, a distance of 1319.90 feet to a point;

Thence South 00 degrees 04 minutes 07 seconds West, a distance of 1319.89 feet to a point;

Thence North 89 degrees 58 minutes 38 seconds West, a distance of 2639.19 feet to a point;

Thence North 89 degrees 58 minutes 38 seconds West, a distance of 2640.22 feet to a point;

Thence North 00 degrees 04 minutes 38 seconds East, a distance of 1906.16 feet to a point;

Thence North 88 degrees 25 minutes 05 seconds East, a distance of 2590.87 feet to a point;

Thence North 00 degrees 04 minutes 16 seconds East, a distance of 1982.00 feet to the TRUE POINT OF BEGINNING.

**Parcel No. 7:**

A portion of the North half of Section 18, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona and more particularly described as follows:

Commencing at the Northwest corner of said Section 18, said point being the TRUE POINT OF BEGINNING;

Thence South 89 degrees 52 minutes 19 seconds East along the North line of said Section 18, a distance of 1,371.33 feet to a point;

Thence South 00 degrees 52 minutes 58 seconds West, a distance of 1,282.62 feet to a point;

Thence North 89 degrees 38 minutes 55 seconds West, a distance of 1,351.30 feet to a point;

Thence North 00 degrees 00 minutes 46 seconds West, a distance of 1,277.25 feet to the TRUE POINT OF BEGINNING.

**Parcel No. 8:**

Lots 9, 10, 11, 13, 14 and 15, Section 24, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

**Parcel No. 9:**

The North half of Lot 24, Section 13, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

Unofficial

**AFFIDAVIT OF PROPERTY VALUE**

1. ASSESSOR'S PARCEL IDENTIFICATION NUMBER(s)  
 Primary Parcel: SEE ATTACHED Exhibit B  
 BOOK MAP PARCEL SPLIT LETTER  
 Does this sale include any parcels that are being split / divided?  
 Check one: Yes  No   
 How many parcels, other than the Primary Parcel, are included in this sale? 21  
 Please list the additional parcels below (no more than four):  
 (1) \_\_\_\_\_ (3) \_\_\_\_\_  
 (2) \_\_\_\_\_ (4) \_\_\_\_\_

9. SPECIAL USE ONLY: Buyer and Seller leave blank  
 (a) \_\_\_\_\_  
 (b) COUNTY OF RECORDATION: PINAL \_\_\_\_\_  
 (c) FEE NO: 2007-035353 \_\_\_\_\_  
 (d) RECORD DATE: 03/23/07 \_\_\_\_\_  
 Validation Codes:  
 (e) ASSESSOR \_\_\_\_\_ (f) DOR \_\_\_\_\_  
 -----  
 ASSESSOR'S USE ONLY  
 Verify Primary Parcel In Item 1: \_\_\_\_\_  
 Use Code: Full Cash Value: \$ \_\_\_\_\_

2. SELLER'S NAME AND ADDRESS  
SEE ATTACHED  
4710 East Falcon Drive #106  
Mesa, AZ 85215

3. (a) BUYER'S NAME AND ADDRESS:  
Bingham Arizona Land, LLC  
135 South Mountain Way  
Orem, Utah 84058  
 (b) Are the Buyer and Seller related? Yes \_\_\_\_\_ No   
 If Yes, state relationship: \_\_\_\_\_

10. TYPE OF DEED OR INSTRUMENT (Check Only One Box):  
 a.  Warranty Deed d.  Contract or Agreement  
 b.  Special Warranty Deed e.  Quit Claim Deed  
 c.  Joint Tenancy Deed f.  Other: \_\_\_\_\_

11. SALE PRICE: \$ 8,250,000.00

12. DATE OF SALE (Numeric Digits): 03 / 07  
 Month Year  
 (For example: 03 / 08 for March 2008)

13. DOWN PAYMENT: \$ 250,000.00

14. METHOD OF FINANCING:  
 a.  Cash (100% of Sale Price)  
 b.  Exchange or trade  
 c.  Assumption of existing loan(s)  
 d.  Seller Loan (Carryback)  
 e.  New loan(s) from financial institution:  
 (1)  Conventional (2)  VA (3)  FHA  
 f.  Other financing; Specify: \_\_\_\_\_

4. ADDRESS OF PROPERTY:  
515.90 Acres I-8 & Montgomery, Casa Grande, AZ

5. MAIL TAX BILL TO:  
Bingham Arizona Land, LLC  
135 South Mountain Way  
Orem, Utah 84058

6. PROPERTY TYPE (for Primary Parcel): NOTE: Check Only One Box  
 a.  Vacant Land f.  Commercial or Industrial Use  
 b.  Single Family Residence g.  Agricultural  
 c.  Condo or Townhouse h.  Mobile or Manufactured Home  
 d.  2-4 Plex i.  Other Use; Specify: \_\_\_\_\_  
 e.  Apartment Building

15. PERSONAL PROPERTY (see reverse side for definition):  
 (a) Did the Sale Price in Item #11 include Personal Property that impacted the Sale Price by 5% or more? Yes \_\_\_\_\_ No   
 (b) If Yes, provide the dollar amount of the Personal Property:  
 \$ 00 AND  
 briefly describe the Personal Property: \_\_\_\_\_

7. RESIDENTIAL BUYER'S USE: If you checked b, c, d or h in Item 6 above, please check one of the following:  
 To be occupied by owner or "family member."  
 To be rented to someone Other than "family member."  
 See reverse side for definition of a "family member."

16. PARTIAL INTEREST: If only a partial ownership interest is being sold, Briefly describe the partial interest: \_\_\_\_\_

17. PARTY COMPLETING AFFIDAVIT (Name, Address, Phone):  
BUYER AND SELLER HEREIN

8. NUMBER OF UNITS: \_\_\_\_\_  
 For Apartment Properties, Motels, Hotels, Mobile Home Parks, RV Parks, Mini-Storage Properties, etc.

18. LEGAL DESCRIPTION (attach copy if necessary):  
SEE ATTACHED "LEGAL DESCRIPTION"

THE UNDERSIGNED BEING DULY SWORN, ON OATH, SAYS THAT THE FOREGOING INFORMATION IS A TRUE AND CORRECT STATEMENT OF THE FACTS PERTAINING TO THE TRANSFER OF THE ABOVE DESCRIBED PROPERTY.

Signature of Seller/Agent: Sandra Stevens  
 State of Arizona, County of Maricopa  
 Subscribed and sworn to before me this 14 day of April, 2007  
 Notary Public: [Signature]  
 Notary Expiration Date: 4-14-09

Signature of Buyer/Agent: [Signature]  
 State of Utah, County of Maricopa  
 Subscribed and sworn to before me this 8 day of March, 2007  
 Notary Public: [Signature]  
 Notary Expiration Date: 4/18/08

DOR Form 82182  
4-14-09

**SEE ATTACHED**  
 seal/acknowledgment attached  
 (Revised 5/2003)

This certificate is attached to a 1 page document entitled Affidavit of Property Value (or dealing with) and dated 3/8/07.  
# of pages

**ACKNOWLEDGMENT CERTIFICATE**

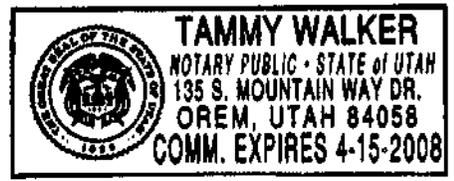
State of Utah  
County of Utah

On this 8<sup>th</sup> day of March, 2007.  
(Year)

Marc C. Bingham personally appeared before me,  
Print name(s) of signer(s)

- who is personally known to me
- whose identity I proved on the basis of \_\_\_\_\_
- whose identity I proved on the oath/affirmation of \_\_\_\_\_ a credible witness

as the signer(s) of the attached instrument, and he/she/they acknowledged that he/she/they signed the instrument voluntarily for the purpose expressed in it.



Witness my hand and official seal.

Tammy Walker  
Signature of Notary

Tammy Walker/Utah/4/15/08  
Print Notary's Name, County in which Commissioned and Commission Expiration Date

(Seal)

UNOFFICIAL

## LEGAL DESCRIPTION

### Parcel No. 1:

The Southeast quarter of the Southeast quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

### Parcel No. 2:

The Northwest quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Except the North 125.00 feet and the South 1379.00 feet of the West 100 feet thereof.

### Parcel No. 3:

The North half of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXCEPT all coal and other minerals as reserved by the United States of America in the Patents to said land, recorded in Book 40, page 580 of Deeds and Book 41, page 9 of Deeds and

Also except 6% of any and all oil, gas and mineral rights as reserved in instrument recorded in Book 78, page 260 of Deeds.

### Parcel No. 4:

The North half of the Southwest quarter of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

### Parcel No. 5A:

Parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15 and 16, of LITTLE CHIUCHU PLANTATION, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, page 74, being situate in Section 18, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Together with an undivided 13/16<sup>th</sup> interest in and to Tracts A, B, C and D, of LITTLE CHIUCHU PLANTATION, according to the survey of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 1 of Surveys, page 74, being situate in Section 18, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT therefrom a portion of the North half of Section 18, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, more particularly described as follows:

Commencing at the Northwest corner of said Section 18, said point being the TRUE POINT OF BEGINNING;

Thence South 89 degrees 52 minutes 19 seconds East along the North line of said Section 18, a distance of 1,371.33 feet to a point;

Thence South 00 degrees 52 minutes 58 seconds West, a distance of 1,282.62 feet to a point;

Thence North 89 degrees 38 minutes 55 seconds West, a distance of 1,351.30 feet to a point;

Thence North 00 degrees 00 minutes 46 seconds West, a distance of 1,277.25 feet to the TRUE POINT OF BEGINNING;  
and

EXCEPT therefrom a portion of the North half of Section 18, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona more particularly described as follows:

Commencing at the Northwest corner of said Section 18;

Thence South 89 degrees 52 minutes 19 seconds East along the North line of said Section 18, a distance of 1,371.33 feet to the TRUE POINT OF BEGINNING;

Thence South 89 degrees 52 minutes 19 seconds East, continuing along said North line a distance of 1,291.19 feet to a point;

Thence South 00 degrees 02 minutes 46 seconds West, a distance of 1,341.87 feet to a point;

Thence North 89 degrees 38 minutes 55 seconds West, a distance of 1,310.73 feet to a point;

Thence North 00 degrees 52 minutes 58 seconds East, a distance of 1,336.90 feet to the TRUE POINT OF BEGINNING.

**Parcel No. 5B:**

Lots 1, 2, 3 and 4; and the East half of the West half of Section 19, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT the South 175 feet of Government Lot 4 and the South 175 feet of the East half of the West half as conveyed to the United States of America in Docket 1349, page 790 and re-recorded in Docket 1354, page 855; and

ALSO EXCEPT all coal and other minerals as reserved by the United States of America in the Patent to said land. (Mineral reservation affects Government Lots 3 and 4 and the East half of the Southwest quarter of said Section 19).

**Parcel No. 6:**

A portion of Section 24, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona and more particularly described as follows:

Commencing at the Northwest corner of said Section 24;

Thence South 00 degrees 04 minutes 38 seconds West, along the West line of said Section 24, a distance of 1320.42 feet to a point;

Thence South 89 degrees 57 minutes 54 seconds East, a distance of 2589.58 feet to the TRUE POINT OF BEGINNING;

Thence South 89 degrees 58 minutes 00 seconds East, a distance of 2691.96 feet to a point;

Thence South 00 degrees 07 minutes 12 seconds West, a distance of 1320.15 feet to a point;

Thence South 00 degrees 08 minutes 08 seconds West, a distance of 1319.90 feet to a point;

Thence South 00 degrees 04 minutes 07 seconds West, a distance of 1319.89 feet to a point;

Thence North 89 degrees 58 minutes 38 seconds West, a distance of 2639.19 feet to a point;

Thence North 89 degrees 58 minutes 38 seconds West, a distance of 2640.22 feet to a point;

Thence North 00 degrees 04 minutes 38 seconds East, a distance of 1906.16 feet to a point;

Thence North 88 degrees 25 minutes 05 seconds East, a distance of 2590.87 feet to a point;

Thence North 00 degrees 04 minutes 16 seconds East, a distance of 1982.00 feet to the TRUE POINT OF BEGINNING.

**Parcel No. 7:**

A portion of the North half of Section 18, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona and more particularly described as follows:

Commencing at the Northwest corner of said Section 18, said point being the TRUE POINT OF BEGINNING;

Thence South 89 degrees 52 minutes 19 seconds East along the North line of said Section 18, a distance of 1,371.33 feet to a point;

Thence South 00 degrees 52 minutes 58 seconds West, a distance of 1,282.62 feet to a point;

Thence North 89 degrees 38 minutes 55 seconds West, a distance of 1,351.30 feet to a point;

Thence North 00 degrees 00 minutes 46 seconds West, a distance of 1,277.25 feet to the TRUE POINT OF BEGINNING.

**Parcel No. 8:**

Lots 9, 10, 11, 13, 14 and 15, Section 24, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

**Parcel No. 9:**

The North half of Lot 24, Section 13, Township 7 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

Unofficial

Exhibit "B"

Tax Parcel #511-15-002 (Parcel No. 1) – HOGLE-BAWDEN HOLDINGS, LLC, an Arizona limited liability company as to an undivided 17.85% interest.

Tax Parcel #511-15-003A (Parcel No. 2) – MONT 150, L.L.C., an Arizona limited liability company as to an undivided 50% interest

Tax Parcel #511-01-015 (Parcel No. 3) – PICACHO 300 LLC, an Arizona limited liability company as to an undivided 50% interest

Tax Parcel #511-01-014D (Parcel No. 4) – RAVEN II HOLDINGS, LLC, an Arizona limited liability company as to an undivided 32.13% interest and HANNA 120 HOLDINGS, LLC, an Arizona limited liability company as to an undivided 17.87% interest.

Tax Parcel #511-68-001

511-68-002A

511-68-004A

511-68-005

511-68-006

511-68-007

511-68-008

511-68-009

511-68-010

511-68-011

511-68-015

511-68-016 (Parcel No. 5A) – GOSHAWK HOLDINGS, L.L.C., an Arizona limited liability company, as to an undivided 8.3475% interest

Tax Parcel #511-16-003D (Parcel No. 5B) – GOSHAWK HOLDINGS, L.L.C., an Arizona limited liability company, as to an undivided 8.3475% interest

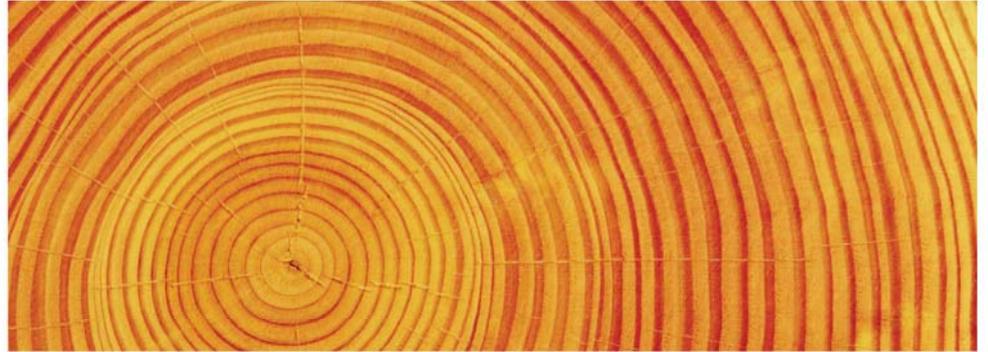
Tax Parcel #500-23-014A (Parcel No. 6) – MARSH 478 HOLDINGS LLCm an Arizona limited liability company, as to an undivided ~~32%~~ interest

11.35%

Tax Parcel #511-68-004B (Parcel No. 7) – SUNCRAFT CONSTRUCTION LLC, an Arizona limited liability company, as to an undivided 50% interest

Tax Parcel #500-23-004 (Parcel No. 8) – CRISMON CROSSINGS II LLC, an Arizona limited liability company, as to an undivided 36.585% interest

Tax Parcel #500-19-012A (Parcel No. 9) – HAMBLIN 20, L.L.C., an Arizona limited liability company as to an undivided 50% interest



Certified A.L.T.A Survey,  
Including Legal Descriptions  
of the Proposed Designations

Nick Wood, Esq  
Attorney

Noel J. Griemsmann, AICP  
Sr. Urban Planner

Stephanie M. Watney  
Urban Planner

# ALTA/ACSM LAND TITLE SURVEY

## GREENE WASH

A PORTION OF SECTIONS 16, 17, 20, & 21 TOWNSHIP 7 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE & MERIDIAN, PINAL COUNTY, ARIZONA.

### LEGAL DESCRIPTION

#### PARCEL NO. 1:

All of Section 16, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXCEPTING therefrom the following described parcel:

BEGINNING at the Southeast corner of the Southeast quarter of said Section 16:

Thence along the Easterly line thereof, North 00 degrees 02 minutes 46 seconds West, a distance of 1503.61 feet;

Thence leaving said Easterly line, South 89 degrees 43 minutes 24 seconds West, a distance of 390.26 feet;

Thence South 00 degrees 04 minutes 18 seconds East, a distance of 552.59 feet;

Thence South 60 degrees 05 minutes 21 seconds East, a distance of 383.39 feet to a point hereinafter known as "Point A";

Thence South 23 degrees 36 minutes 11 seconds West, a distance of 499.91 feet;

Thence South 05 degrees 39 minutes 41 seconds West, a distance of 301.40 feet to the Southerly line of the Southeast quarter of said Section 16, said point hereinafter known as "Point B";

Thence along said Southerly line, North 89 degrees 59 minutes 13 seconds East, a distance of 288.36 feet to the POINT OF BEGINNING; and

EXCEPT all minerals, ores, metals of every kind and character, and all coal, asphaltum, oil, gases, fertilizers, fossils, and other like substances, as reserved by the State of Arizona in the Patent to said land; and

EXCEPT 6% of all oil, gas, and other minerals as reserved in the Book 78 of Deeds, page 260.

(APN: 511-01-012B, 511-01-012D)

#### PARCEL NO. 2:

The Northeast quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXCEPT all minerals, ores, metals of every kind and character, and all coal, asphaltum, oil, gases, fertilizers, fossils, and other like substances, as reserved by the State of Arizona in the Patent to said land; and

EXCEPTING therefrom 6% of all mineral rights as reserved in Book 78 of Deeds, page 260.

(APN: 511-15-001)

#### PARCEL NO. 3:

The West half of the Southeast quarter; and the Northeast quarter of the Southeast quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXCEPT 6% of all mineral rights as reserved in Book 78 of Deeds, page 260.

(APN: 511-01-001)

#### PARCEL NO. 4:

The Southwest quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXCEPT all minerals, ores, and metals of every kind and character, all coal, asphaltum, oil, gases, fertilizers, fossils, and other like substances, as reserved by the State of Arizona, in the Patent to said land; and

EXCEPT 6% of all mineral rights as reserved in Book 78 of Deeds, page 260.

(APN: 511-01-004)

#### PARCEL NO. 5:

The Southeast quarter of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXCEPT the South 200 feet thereof, as set forth in Declaration of Taking recorded in Docket 1340, page 868;

EXCEPT 1/2 of all oil, gas, and mineral rights as reserved in Docket 1427, page 931.

(APN: 511-01-016B and 511-01-016C)

#### PARCEL NO. 6:

The Southwest quarter of Section 21, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXCEPT the South 425.00 feet thereof, as set forth in Declaration of Taking recorded in Docket 1340, page 868; and

EXCEPT 1/2 of all oil, gas, and mineral rights as reserved in Docket 1427, page 931.

(APN: 511-01-018B, 018C and 018D)

#### PARCEL NO. 7:

The North half; and the Southeast quarter of Section 21, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXCEPT all coal, and other minerals as reserved by the United States of America, in the Patent to said land; and

EXCEPTING therefrom the following described parcel:

BEGINNING at the Northeast corner of the Northeast quarter of said Section 21:

Thence along the Easterly line, South 00 degrees 22 minutes 53 seconds East, a distance of 115.00 feet;

Thence leaving said Easterly line, South 89 degrees 59 minutes 13 seconds West, a distance of 260.04 feet;

Thence North 31 degrees 34 minutes 06 seconds West, a distance of 43.11 feet;

Thence North 04 degrees 43 minutes 20 seconds West (measured) North 04 degrees 45 minutes 32 seconds East (record), a distance of 78.53 feet to the Northerly line of the Northeast quarter of said Section 21;

Thence along said Northerly line, North 89 degrees 59 minutes 13 seconds East, a distance of 288.35 feet to the POINT OF BEGINNING; and

EXCEPT the following Parcels A and B as set forth in Declaration of Taking recorded in Docket 1340, page 858.

#### Parcel A:

BEGINNING at a point in the East boundary of said Section 21, that bears North 00 degrees 15 minutes 26 seconds West 146.39 feet from the Southeast corner of said Section 21;

Thence South 89 degrees 26 minutes 47 seconds West, a distance of 101.15 feet;

Thence North 78 degrees 25 minutes 37 seconds West, a distance of 492.64 feet;

Thence North 84 degrees 04 minutes 31 seconds West, a distance of 36.42 feet;

Thence North 89 degrees 43 minutes 24 seconds West, a distance of 1784.65 feet;

Thence South 00 degrees 16 minutes 36 seconds West, a distance of 227.819 feet (measured) 245.00 feet (record) to the South boundary of said Section 21;

Thence North 89 degrees 43 minutes 24 seconds West, a distance of 200.00 feet along said South boundary;

Thence North 00 degrees 16 minutes 36 seconds East, a distance of 176.391 feet (measured) 195.00 feet (record);

Thence North 89 degrees 43 minutes 24 seconds West, a distance of 113.406 feet (measured) 78.79 feet (record) to the West boundary of the Southeast quarter of said Section 21;

Thence North 00 degrees 02 minutes 25 seconds East, a distance of 195.00 feet along said West boundary;

Thence South 89 degrees 43 minutes 24 seconds East, a distance of 2130.197 feet (measured) 2096.89 feet (record);

Thence South 78 degrees 25 minutes 36 seconds East, a distance of 491.80 feet;

Thence South 84 degrees 29 minutes 25 seconds East, a distance of 35.91 feet;

Thence North 89 degrees 26 minutes 47 seconds East, a distance of 68.44 feet to the East boundary of said Section 21;

Thence South 00 degrees 15 minutes 26 seconds East, a distance of 145.00 feet along said East boundary to the POINT OF BEGINNING.

#### Parcel B:

The North 110 feet of the South 500 feet of the West 145 feet; and the North 2180 feet of the South 2680 feet of the West 70 feet of the East half of said Section 21.

(APN: 511-01-017B, 017C, 017D, and 017G)

#### PARCEL NO. 1: (\*)

The Southeast quarter of the Southeast quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

#### PARCEL NO. 2: (\*)

The Northwest quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

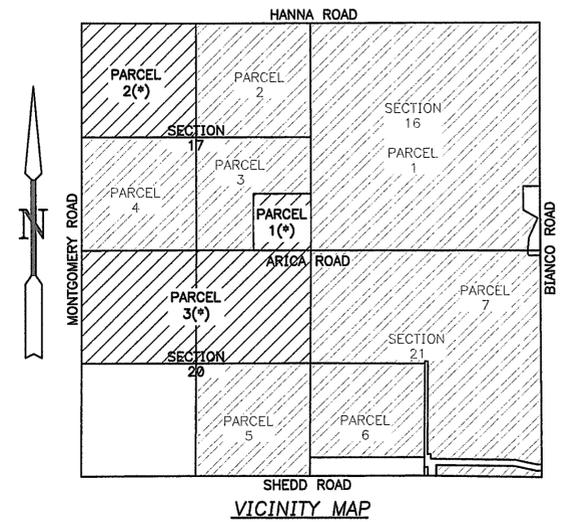
EXCEPT the North 125.00 feet and the South 1379.00 feet of the West 100 feet thereof.

#### PARCEL NO. 3: (\*)

The North half of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT all coal and other minerals as reserved by the United States of America in the Patents to said land, recorded in Book 40, page 580 of Deeds and Book 41, page 9 of Deeds and

Also except 6% of any and all oil, gas and mineral rights as reserved in instrument recorded in Book 78, page 260 of Deeds



VICINITY MAP

### ADDRESS

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### APN

511-01-012B, 511-01-012D, 511-15-001, 511-01-004  
511-01-016B, 511-01-016C, 511-01-018B, 511-01-018C,  
511-01-018D, 511-01-017B, 511-01-017C, 511-01-017D,  
511-01-017G, 511-15-003A(\*), 511-01-015(\*), 511-15-002(\*)

### ZONING

NOT SUPPLIED BY TITLE COMPANY

### BENCHMARK

NW CORNER SECTION 17, T7S, R5E  
GLO BRASS CAP 1' DOWN  
BL=1370.07 (NAVD 88)

### REFERENCE DOCUMENTS

PLAT OF BIANCO RANCHES  
BOOK 3 OF SURVEYS, PAGE 428  
DATED MAY 16, 2000

TITLE REPORT  
FIDELITY NATIONAL TITLE AGENCY  
TITLE NO.: 71003029-071-CH1  
DATE SEPT 18, 2015 AT 07:30 AM

### LAND AREA

	GROSS AREA (AC)	NET AREA (AC)
PARCEL 1	636.15	566.12
PARCEL 1(*)	40.25	40.25
PARCEL 2	161.23	143.50
PARCEL 2(*)	150.05	150.05
PARCEL 3	120.70	107.70
PARCEL 3(*)	321.95	321.95
PARCEL 4	160.69	156.70
PARCEL 5	148.37	146.52
PARCEL 6	134.43	132.75
PARCEL 7	472.62	419.56
TOTAL	2346.44	2185.10

NET AREA IS GROSS ACREAGE LESS THE ACREAGE WITHIN ANY EXISTING DEDICATIONS OR EASEMENTS FOR ROADS, RIGHTS-OF-WAY, ALLEYS, OR STREETS.

### BUILDING AREA

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### FLOOD ZONE DESIGNATION

A PORTION OF THE PROPERTY DESCRIBED ON THIS SURVEY LIES WITHIN A SPECIAL FLOOD HAZARD AREA AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE PROPERTY LIES WITHIN A ZONE "A" OF THE FLOOD INSURANCE RATE MAP IDENTIFIED AS COMMUNITY PANEL NO. 04021C1530E & 04021C1540E BEARING AN EFFECTIVE DATE OF DECEMBER 4, 2007.

### PARKING

NONE

OWNER  
DRE DEVELOPMENT, LLC  
16,066 N. 77TH ST.  
SCOTTSDALE, AZ 85260

ENGINEER  
LEN ERIE, P.E., L.S.  
ERIE & ASSOCIATES, INC.  
3120 NORTH 24TH STREET  
PHOENIX, ARIZONA 85016  
(602) 954-6399  
ERIE@WATERWIZ.NET

### CERTIFICATE OF SURVEY

TO (1) DRE DEVELOPMENT LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AND (2) FIDELITY NATIONAL 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 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 8, 9, 11A, 16, 17, 19, AND 20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON FEBRUARY 17, 2015.

DATE OF PLAT OR MAP: FEB 17, 2016



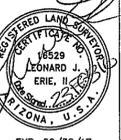
### GENERAL NOTES

- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. INFORMATION THAT MIGHT AFFECT THE QUALITY OF TITLE OF THE PARCEL(S) SHOWN HEREON IS BASED ON INFORMATION CONTAINED IN THE COMMITMENT FOR TITLE INSURANCE ORDER NO. 71003029-071-CH1 DATED SEPTEMBER 18, 2015 AT 7:30 A.M. BY FIDELITY NATIONAL TITLE AGENCY.
- THE LOCATION OF UNDERGROUND UTILITIES AS DEPICTED HEREON IS BASED ON FIELD LOCATED SURFACE FEATURES OF THOSE UTILITIES, AND SHOULD BE CONSIDERED APPROXIMATE AND POSSIBLY INCOMPLETE. NO EXCAVATIONS WERE MADE TO LOCATED BURIED UTILITIES DURING THE PROCESS OF OR FOR THE PURPOSE OF THIS SURVEY.
- MONUMENTS FOUND DURING THIS FIELD SURVEY WERE ACCEPTED UNLESS OTHERWISE NOTED HEREIN.
- IT IS RECOMMENDED THAT THE CLIENT RETAIN LEGAL CONSULTATION TO THOROUGHLY EXAMINE TITLE FOR ANY CLAIMS, DEFECTS OR LIABILITY UNDISCLOSED BY THIS SURVEY.
- THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY ISSUED AT THE SURVEY DATE WITH IT'S ORIGINAL SEAL TO ENSURE THE ACCURACY OF THE INFORMATION AND TO FURTHER ENSURE THAT NO CHANGES, ALTERATIONS OR MODIFICATIONS HAVE BEEN MADE.
- THIS SURVEY WAS PERFORMED USING GPS (GLOBAL POSITIONING SYSTEMS) TO OPTIMIZE THE RELATIVE POSITIONING OF FOUND CORNERS. EXTREME CARE HAS BEEN TAKEN TO PRODUCE SURFACE MEASUREMENTS OF THE MONUMENTS FOUND.
- THIS SURVEY SHOWS THE IMPROVEMENTS ON SUBJECT PARCEL.
- NO OBSERVED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL
- NO KNOWN WETLANDS IDENTIFIED BY THE CLIENT
- NO KNOWN CHANGES IN STREET R.O.W. OR RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS
- NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
- THERE ARE NO PARTY WALLS.

(\*) ADDITIONAL PARCELS ADDED 11-17-15

GREENE WASH  
ALTA/ACSM LAND TITLE SURVEY

1981-2016  
35  
YEARS OF  
EXCELLENCE  
ERIE &  
ASSOCIATES



ERIE & ASSOCIATES, INC.  
3120 N. 24th ST., DOWD 85016  
(602) 954-6399

JOB NO. 1852.08  
DATE: 02/17/2016  
SCALE: N.T.S.  
DRAWN: J.L.M.  
DESIGN: L.J.E.  
CHECKED: L.J.E.  
SHEET NO.

1 OF 5

SCHEDULE B ITEMS

INDICATES THE SCHEDULE "B" ITEMS THAT ARE PLOTTED.

BLANKET SCHEDULE "B" ITEMS

NOT PLOTTABLE

1. Intentionally Deleted.
The liabilities and obligations imposed upon said Land by reason of: (a) inclusion thereof within the boundaries of the Maricopa-Stanfield Irrigation and Drainage District; (b) membership of the owner thereof in the Maricopa-Stanfield Irrigation and Drainage District and (c) the terms of any Water Right Application made under the reclamation laws of the United States for the purposes of obtaining water rights for said Land.

Taxes and assessments levied by the City of Eloy.

Any rights, liens, claims or equities, if any, in favor of Central Arizona Water Conservation District.

Reservations contained in the Patent

From: The State of Arizona
To: Herbert A. Shedd
Recording Date: October 4, 1917
Recording No: Book 32 of Deeds, page 119
(as to Parcel No's. 2 and 4)

Which among other things recites as follows:

Subject to any and all easements or rights of way heretofore legally obtained and now in full force and effect.

Reservations contained in the Patent

From: The State of Arizona
To: Newton R. Bell
Recording Date: October 4, 1917
Recording No: Book 32 of Deeds, page 125
(as to Parcel No. 1)

Which among other things recites as follows:

Subject to any and all easements or rights of way heretofore legally obtained and now in full force and effect.

Reservations contained in the Patent

From: The United States of America
To: Jane L. Rappleye
Recording Date: November 21, 1925
Recording No: Book 40 of Deeds, page 515
(as to Parcel No. 3)

Which among other things recites as follows:

Subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by local customs, laws and decisions of courts. A right of way thereon for ditches or canals constructed by the authority of the United States of America.

Reservations contained in the Patent

From: The United States of America
To: Henri Bland
Recording Date: January 14, 1926
Recording No: Book 41 of Deeds, page 9
(as to Parcel No's. 6 and 7)

Which among other things recites as follows:

Subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by local customs, laws and decisions of courts. A right of way thereon for ditches or canals constructed by the authority of the United States of America.

Reservations contained in the Patent

From: The United States of America
To: Herbert R. Probst
Recording Date: August 31, 1927
Recording No: Book 43 of Deeds, page 59
(as to Parcel No. 5)

Which among other things recites as follows:

Subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by local customs, laws and decisions of courts. A right of way thereon for ditches or canals constructed by the authority of the United States of America.

Water rights, claims or title to water, whether or not disclosed by the public records.

The right of entry to prospect for, mine and remove the minerals excepted from the description of said Land in Schedule A.

12. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Purpose: Construct, operate and maintain a pipeline, telephone line, power transmission line and appurtenances thereto
Recording Date: November 15, 1946
Recording No: Docket 78, page 569
(undivided Portions of Parcel No's. 1 and 2) and

Thereafter an Amendment recorded February 10, 1961 in Docket 284, page 166.

13. A resolution in favor of Pinal County, Arizona

For: Road Declaration (Road File No. 37)
Recording Date: February 21, 1964
Recording No: Docket 375, page 572

14. Intentionally Deleted.

15. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Purpose: Construction, use maintenance, operation, replacement, and repair of levees, dikes, ditches, canals and other works of flood control and appurtenances thereto
Recording Date: August 6, 1969
Recording No: Docket 375, page 767
(as to Parcel No's. 6 and 7)

16. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Purpose: Right of way for the construction, use, maintenance, repair, and improvement of flood control works, and for flood control purposes, and appurtenances thereto, and the right to take and use materials from said land
Recording Date: November 10, 1969
Recording No: Docket 583, page 352
(as to Parcel No. 4)

17. Matters contained in that certain document

Entitled: Notice of Exercise of Reserved Right-of-Way by the United States of America
Recording Date: June 2, 1986
Recording No: Docket 1364, page 786

Reference is hereby made to said document for full particulars.

18. Intentionally Deleted.

19. Intentionally Deleted.

20. Intentionally Deleted.

21. Matters contained in that certain document

Entitled: Agreement relating to Exercise of Reserved Right-of-Way
Recording Date: October 22, 1987
Recording No: Docket 1505, page 186
(as to Parcel No. 7)

Reference is hereby made to said document for full particulars.

22. Matters contained in that certain document

Entitled: Agreement for Project Water Service
Recording Date: December 8, 1989
Recording No: Docket 1645, page 41
(as to Parcel No's. 1, 2 and 7)

Reference is hereby made to said document for full particulars.

23. Matters contained in that certain document

Entitled: Notice of Interest in Mineral Rights Proceeds
Recording Date: June 30, 1997
Recording No: 1997-022620
(as to Parcel No's. 1, 2 and 3)

Reference is hereby made to said document for full particulars.

24. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Purpose: Maintenance, repair, and replacement of irrigations ditch, pipelines, for irrigations water flowage, and appurtenances thereto
Recording Date: June 30, 1997
Recording No: 1997-022624
(as to Parcel No.1)

25. Matters contained in that certain document

Entitled: Exclusive Reciprocal Easements
Recording Date: September 11, 1998
Recording No: 1998-037129
(as to Parcel No's. 5 and 6)

Reference is hereby made to said document for full particulars.

26. Easements, covenants, conditions and restrictions as set forth on the plat recorded in Book 3 of Surveys, page 428. (Bianco Ranches, Parcel No's. 1 and 2)
(To be terminated at closing - see Requirement No. 23 herein)

27. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Purpose: construct, operate, and maintain communication facilities, and construct, operate and maintain a pipeline, telephone line, power transmission line, and appurtenances thereto.
Recording Date: May 3, 2000
Recording No: 2000-018711
(as to Parcel No's. 1 and 2)

28. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording No: 2000-021089
(Bianco Ranches, Parcel No's. 1 and 2)

(To be terminated at closing - see Requirement No. 23 herein)

29. Intentionally Deleted.

30. A resolution in favor of Pinal County, Arizona

For: Adopting Major Amendment to the Comprehensive Plan
Recording Date: December 13, 2010
Recording No: 2010-11-1955

31. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey.

Job No.: 1852.03
Dated: March 27, 2015; last revised . 2015
Prepared by: Eric & Associates, Inc.
Matters shown:

- a) power line running along the north boundary of Parcel No. 1;
b) irrigation canals running throughout Parcels 1, 2 and 7;
c) encroachment of a fence over the southwest boundary of Parcel No. 1;
d) encroachment of a fence over the west boundary of the southeast quarter of Parcel No. 7 into the Exception Parcel B;
e) a wash running through a portion of Parcels 3, 4, 5, 6 & 7 by the name of "Greene Wash";
f) Parcel 7 exception parcel A description appears to be in error by approximately 30' in distances to the section lines. Record dimensions shown are from the plat for "Bianco Ranches" per Book 3 of Surveys Page 428, Schedule B Item 26.

32. The rights of Bianco Farm as to the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the Public Records.

\* EASEMENT AFFECTS OFFSITE PROPERTIES AND BENEFITS PARCEL 1

GREENE WASH ALTA/ACSM LAND TITLE SURVEY

1881 - 2016 35 YEARS OF EXCELLENCE ERIE & ASSOCIATES

REGISTERED LAND SURVEYOR 18329 LEONARD J. ERIE, II ALTA/ACSM, U.S.A. EXP. 09/30/17

ERIC & ASSOCIATES, INC. 3170 N. 24th ST. DINA, ARIZONA 85016 (602) 984-6300

JOB NO. 1852.08 DATE: 02/17/2016 SCALE: N.T.S. DRAWN: J.L.M. DESIGN: L.J.E. CHECKED: L.J.E. SHEET NO.

SCHEDULE B ITEMS (\*)

◊ INDICATES THE SCHEDULE "B" ITEMS THAT ARE PLOTTED.

□ BLANKET SCHEDULE "B" ITEMS

△ NOT PLOTTABLE

1. Reservations contained in the Patent

From: The United States of America  
To: Jane L. Rappleye  
Recording Date: November 21, 1925  
Recording No: Book 40 of Deeds, page 515

Which among other things recites as follows:

Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of the courts, and the reservation from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.  
(Parcel 1)

2. Reservations contained in the Patent

From: The United States of America  
To: Edwin H. Bechtel  
Recording Date: September 19, 1921  
Recording No: Book 37 of Deeds, page 135

Which among other things recites as follows:

Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of the courts, and the reservation from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.  
(Parcel 2)

3. Reservations contained in the Patent

From: The United States of America  
To: William A. Plenz  
Recording Date: December 30, 1925  
Recording No: Book 40 of Deeds, page 580

Which among other things recites as follows:

Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of the courts, and the reservation from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.  
(The Northwest quarter of Parcel 3)

4. Reservations contained in the Patent

From: The United States of America  
To: Henri Blend  
Recording Date: January 14, 1926  
Recording No: Book 41 of Deeds, page 9

Which among other things recites as follows:

Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of the courts, and the reservation from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.  
(The Northeast quarter of parcel 3)

5. Water rights, claims or title to water, whether or not disclosed by the public records.

6. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the Second half of 2015.

7. Any rights, liens, claims or equities, if any, in favor of Central Arizona Water Conservation District.

8. The right of entry to prospect for, mine and remove the minerals excepted from the description of said Land in Schedule A.

9. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: telephone lines and power transmission lines  
Recording No: Book 78 of Deeds, page 225A  
(Parcel 2)

10. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: telephone lines and power transmission lines  
Recording No: Book 78 of Deeds, page 563  
Recording No: Docket 21, page 41  
(Parcel 2)

11. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: gas pipelines  
Recording No: Docket 688, page 802  
(Parcel 2)

12. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: communication system  
Recording No: 2000-33982  
(parcel 2)

13. Matters shown on record of survey:

Recording No.: Book 1 of Surveys, page 170  
(Parcel 3)

14. Matters shown on record of survey:

Recording No.: Book 1 of Surveys, page 173  
(Parcel 1)

15. All matters as set forth in Resolution No. 82-15, a resolution of the Board of Directors of Maricopa-Stanfield Irrigation & Drainage District, relating to the exclusion of unproductive land recorded in Docket 1141, page 447 (Parcels 1, 2 and 3)

16. All matters as set forth in License Agreement between the Board of Supervisors of Pinal County, Arizona and Eagle West, LLC., recorded in Document No. 2000-24966 (parcels 1, 2 and 3)

17. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the public records.

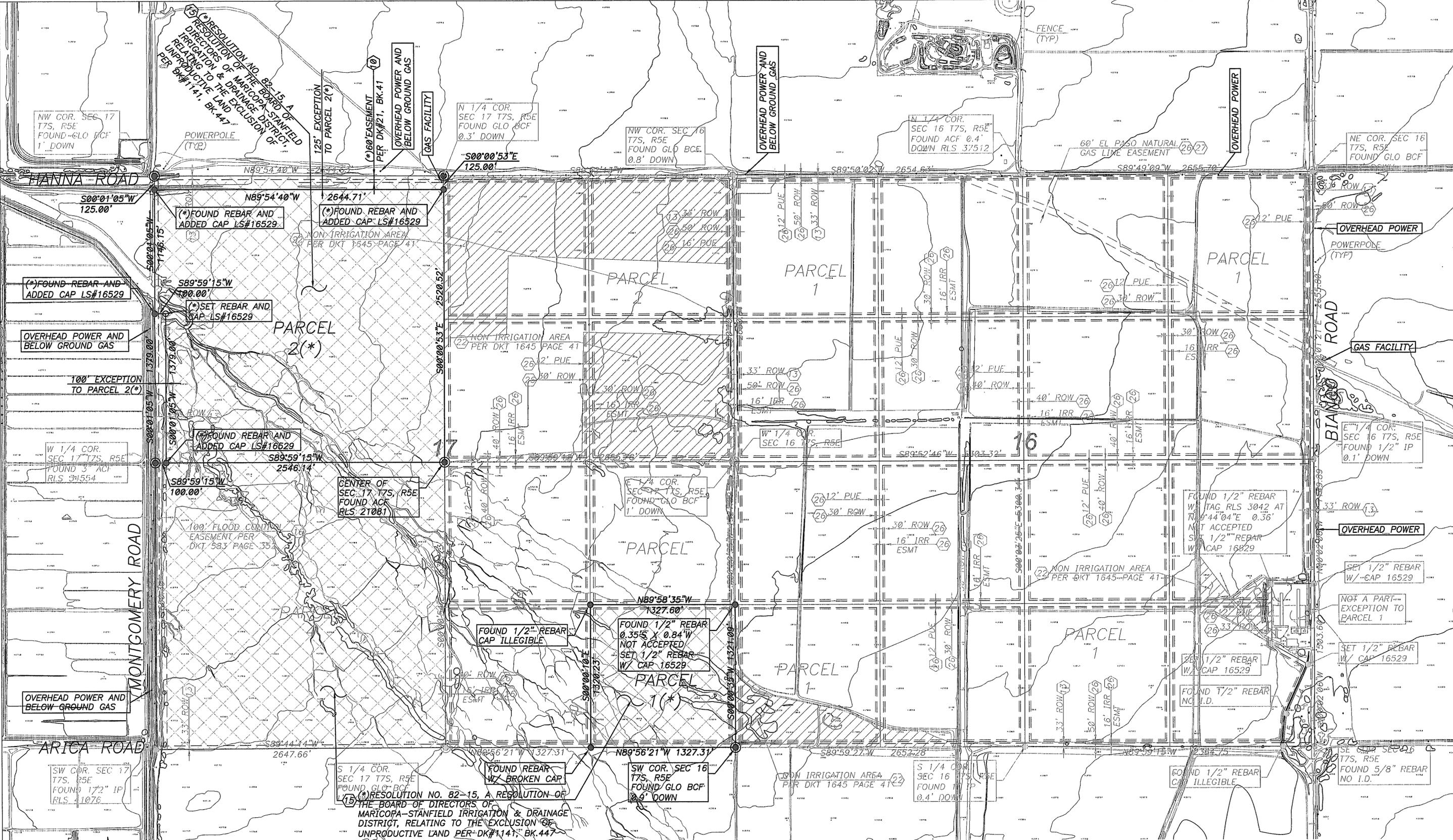
18. Matters which may be disclosed by an inspection and/or by a correct ALTA/ACSM Land Title Survey of said Land that is satisfactory to the Company, and/or by inquiry of the parties in possession thereof.

GREENE WASH  
ALTA/ACSM LAND TITLE SURVEY



JOB NO. 1962.08  
DATE: 02/17/2016  
SCALE: N.T.S.  
DRAWN: J.L.M.  
DESIGN: L.J.E.  
CHECKED: L.J.E.  
SHEET NO.

**GREENE WASH**  
A.L.T.A. LAND TITLE SURVEY

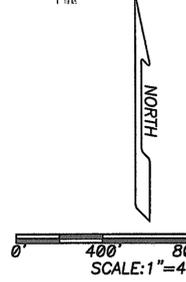


**LINE TABLE**

LINE	BEARING	LENGTH
L1	S89°44'04"E	390.26'
L2	S00°03'38"E	552.59'
L3	S60°04'41"E	383.39'
L4	S23°30'51"W	499.91'
L5	S05°40'21"W	301.33'
L6	S89°59'15"E	288.34'

**LEGEND**

	PROPERTY LINE
	EASEMENT LINE
	FOUND BRASS CAP OR AS CALLED OUT
	FOUND REBAR OR AS CALLED OUT
	(*)SET REBAR AND CAP LS#16529 AS CALLED OUT
	POWERPOLE
	FENCELINE



1985 - 2016  
35 YEARS OF EXCELLENCE  
ERIE & ASSOCIATES

EXP. 09/30/17

**ERIE & ASSOCIATES, INC.**  
3120 N. 24th ST.  
PHOENIX, ARIZONA 85016  
(602) 964-6389

JOB NO. 1852.08  
DATE: 02/18/2016  
SCALE: 1"=400'  
DRAWN: J.L.M.  
DESIGN: L.J.E.  
CHECKED: L.J.E.  
SHEET NO.

**GREENE WASH**  
A.L.T.A. LAND TITLE SURVEY

1881-2016  
35 YEARS OF EXCELLENCE  
ERIE & ASSOCIATES

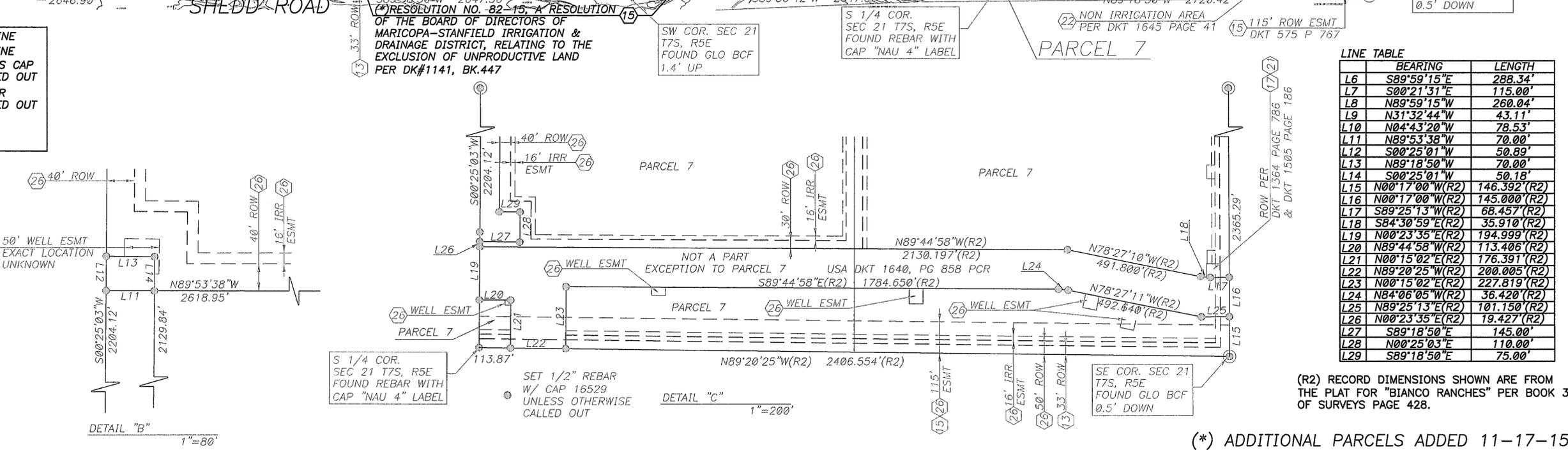
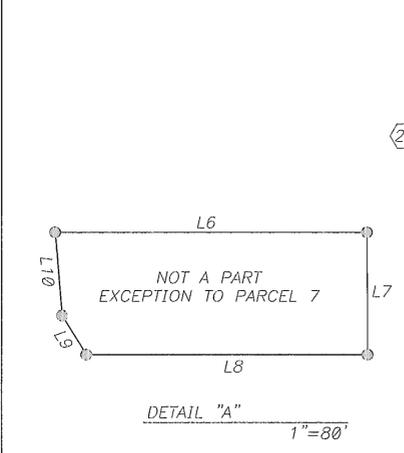
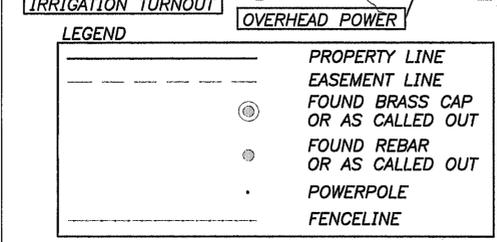
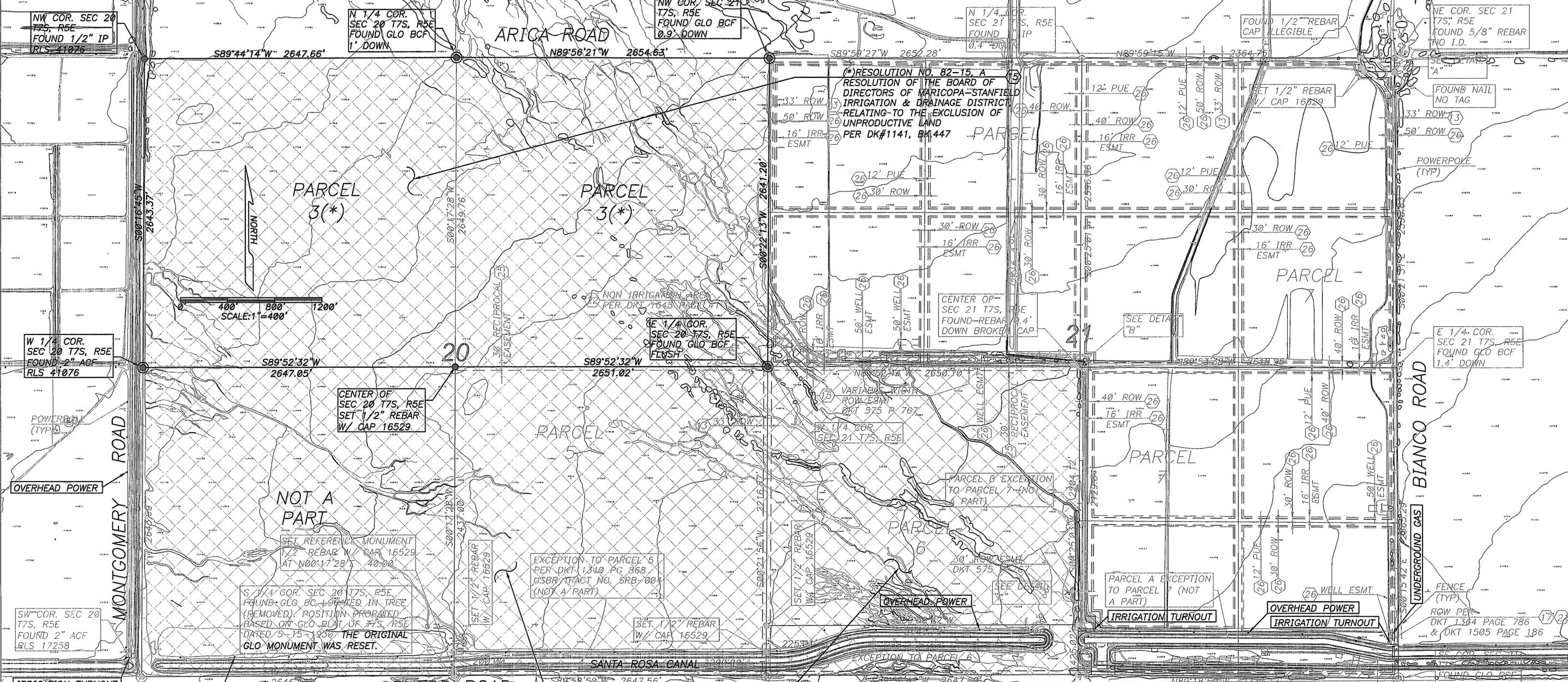


EXP. 09/30/17

ERIE & ASSOCIATES, INC.  
3120 N. 24th ST.  
PHOENIX, ARIZONA 85016  
(602) 964-6589



JOB NO. 1852.08  
DATE: 02/18/2016  
SCALE: 1"=400'  
DRAWN: J.L.M.  
DESIGN: L.J.E.  
CHECKED: L.J.E.  
SHEET NO.



**LINE TABLE**

LINE	BEARING	LENGTH
L6	S89°59'15"E	288.34'
L7	S00°21'31"E	115.00'
L8	N89°59'15"W	260.04'
L9	N31°32'44"W	43.11'
L10	N04°43'20"W	78.53'
L11	N89°53'38"W	70.00'
L12	S00°25'01"W	50.89'
L13	N89°18'50"W	70.00'
L14	S00°25'01"W	50.18'
L15	N00°17'00"W(R2)	146.392'(R2)
L16	N00°17'00"W(R2)	145.000'(R2)
L17	S89°25'13"W(R2)	68.457'(R2)
L18	S84°30'59"E(R2)	35.910'(R2)
L19	N00°23'35"E(R2)	194.999'(R2)
L20	N89°44'58"W(R2)	113.406'(R2)
L21	N00°15'02"E(R2)	176.391'(R2)
L22	N89°20'25"W(R2)	200.005'(R2)
L23	N00°15'02"E(R2)	227.819'(R2)
L24	N84°06'05"W(R2)	36.420'(R2)
L25	N89°25'13"E(R2)	101.150'(R2)
L26	N00°23'35"E(R2)	19.427'(R2)
L27	S89°18'50"E	145.00'
L28	N00°25'03"E	110.00'
L29	S89°18'50"E	75.00'

(R2) RECORD DIMENSIONS SHOWN ARE FROM THE PLAT FOR "BIANCO RANCHES" PER BOOK 3 OF SURVEYS PAGE 428.

(\* ) ADDITIONAL PARCELS ADDED 11-17-15

## **Legal Descriptions for Amendment Area per ALTA**

### Parcel #1(\*) – APN 511-15-002

The Southeast quarter of the Southeast quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

### Parcel #2(\*) – APN 511-15-003A

The Northwest quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT the North 125.00 feet and the South 1379.00 of the West 100 feet thereof.

### Parcel #3(\*) – APN 511-01-015

The North half of Section 20, Township 7 South, Range 5 East of the Gila and Salt River base and Meridian, Pinal County, Arizona;

EXCEPT all coal and other minerals as reserved by the United States of America in the Patents to said land, recorded in Book 40, page 580 of Deeds and Book 41, page 9 of Deeds and

Also except 6% of any and all oil, gas and mineral rights as reserved in instrument recorded in Book 78, page 260 of Deeds.

### Parcel #5 – APN's 511-01-016B and 511-01-016C

The Southeast quarter of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT the South 200 feet thereof, as set forth in Declaration of Taking recorded in Docket 1340, page 868; and

EXCEPT the ½ of all oil, gas, and mineral rights as reserved in Docket 1427, page 931.

### Parcel #6 – APN's 511-01-018B, 511-01-018C and 511-01-018D

The Southwest quarter of Section 21, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPT the South 425 feet thereof, as set forth in Declaration of Taking recorded in Docket 1340, page 868; and

EXCEPT the ½ of all oil, gas, and mineral rights as reserved in Docket 1427, page 931.

Parcel #7 (Southeast portion as described below) – APN 211-01-017D

The Southeast Quarter of Section 21, Township 7 South, Range 5 East of the Gila and Salt River Meridian, Pinal County Arizona;

EXCEPTING therefrom the following prescribed parcels:

PARCEL A:

BEGINNING at a point in the East boundary of said Section 21, that bears North 00 degrees 15 minutes 26 seconds West 146.39 feet from the Southeast corner of said Section 21;

Thence South 89 degrees 26 minutes 47 seconds West, a distance of 101.15 feet;

Thence North 78 degrees 25 minutes 37 seconds West, a distance of 492.64 feet;

Thence North 84 degrees 04 minutes 31 seconds West, a distance of 36.42 feet;

Thence North 89 degrees 43 minutes 24 seconds West, a distance of 1784.65 feet;

Thence South 00 degrees 16 minutes 36 seconds West, a distance of 227.82 feet (measured) 245.00 (record) to the South boundary of said Section 21;

Thence North 89 degrees 43 minutes 24 seconds West, a distance of 200.00 feet along said South boundary;

Thence North 00 degrees 16 minutes 36 seconds East, a distance of 176.391 feet (measured) 195.00 feet (record);

Thence North 89 degrees 43 minutes 24 seconds West, a distance of 113.406 feet (measured) 78.79 feet (record) to the West boundary of the Southeast quarter of said Section 21;

Thence North 00 degrees 02 minutes 25 seconds East, a distance of 195 feet along said West boundary;

Thence South 89 degrees 43 minutes 24 seconds East, a distance of 2130.197 feet (measured) 2096.89 (record);

Thence South 78 degrees 25 minutes 36 seconds, a distance of 491.80 feet;

Thence South 84 degrees 29 minutes 25 seconds, a distance of 35.91 feet;

Thence North 89 degrees 26 minutes 47 seconds East, a distance of 68.44 feet to the East boundary of said Section 21;

Thence South 00 degrees 15 minutes 26 seconds East, a distance of 145.00 feet along said East boundary to the POINT OF BEGINNING.

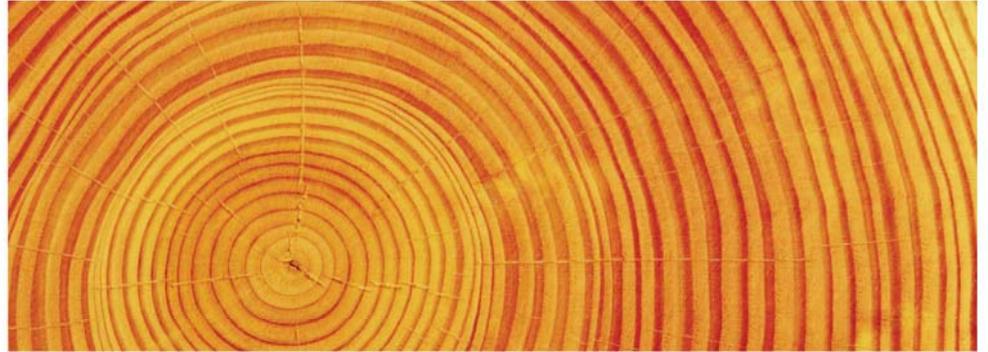
PARCEL B:

The North 110 feet of the South 500 feet of the West 145 feet; and the North 2180 feet of the South 2680 feet of the West 70 feet of the east half of said Section 21.

PARCEL C:

The portion of the Southeast Quarter of said Section 21 that lies south of the south line of exception Parcel A.

Said Parcel (APN 115-01-017D) contains 137.34 acres more or less.



Location Map

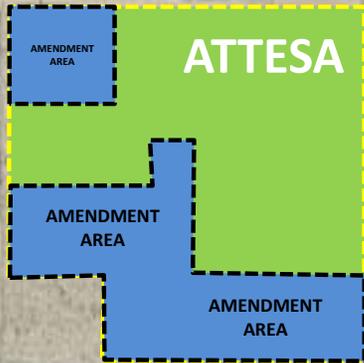
Nick Wood, Esq  
Attorney

Noel J. Griemsmann, AICP  
Sr. Urban Planner

Stephanie M. Watney  
Urban Planner

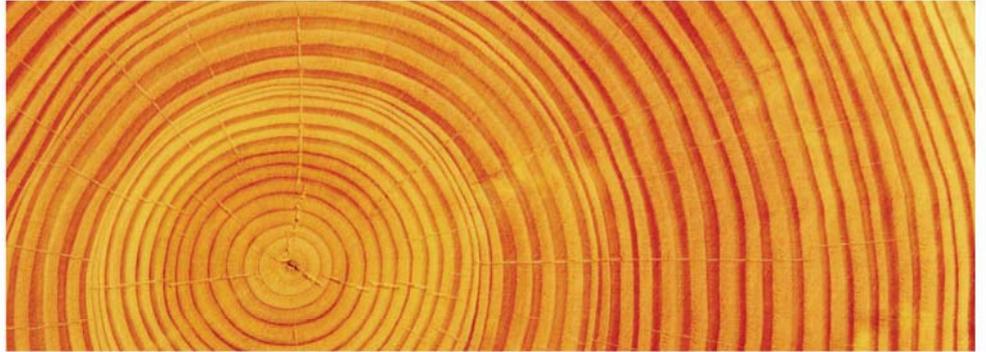


Tohono O'odham Nation



WWW.CASAGRANDE.AZ

Casa Grande



## Topography Map

Nick Wood, Esq  
Attorney

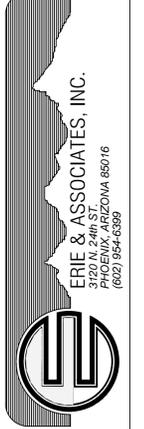
Noel J. Griemsmann, AICP  
Sr. Urban Planner

Stephanie M. Watney  
Urban Planner



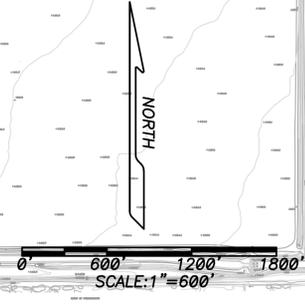
# ATESSA SITE TOPO

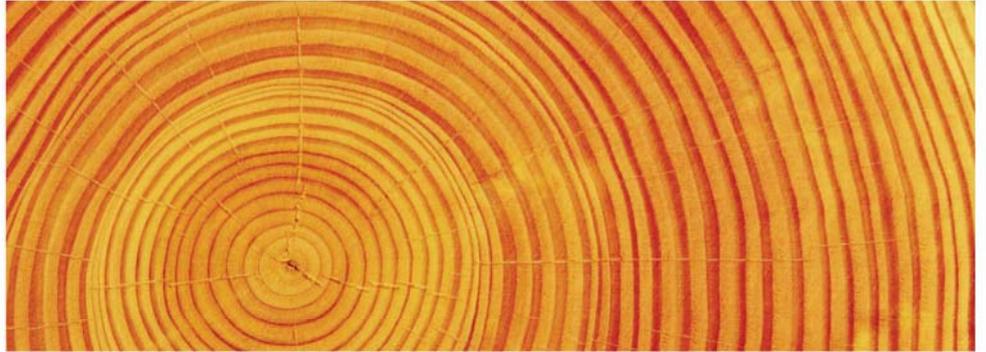
1981-2016  
**35**  
YEARS OF  
EXCELLENCE  
ERIE &  
ASSOCIATES



**ERIE & ASSOCIATES, INC.**  
ENGINEERS & ARCHITECTS  
PHOENIX, ARIZONA 85016  
(602) 954-6399

JOB NO. 1852.06  
DATE: 05/19/2016  
SCALE: 1"=600'  
DRAWN: J.L.M.  
DESIGN: L.J.E.  
CHECKED: L.J.E.  
SHEET NO.





Site Map with  
Parcel Ownership  
Information

Nick Wood, Esq  
Attorney

Noel J. Griemsmann, AICP  
Sr. Urban Planner

Stephanie M. Watney  
Urban Planner

EXHIBIT A – OWNERSHIP MAP

PAGE 1 OF 3

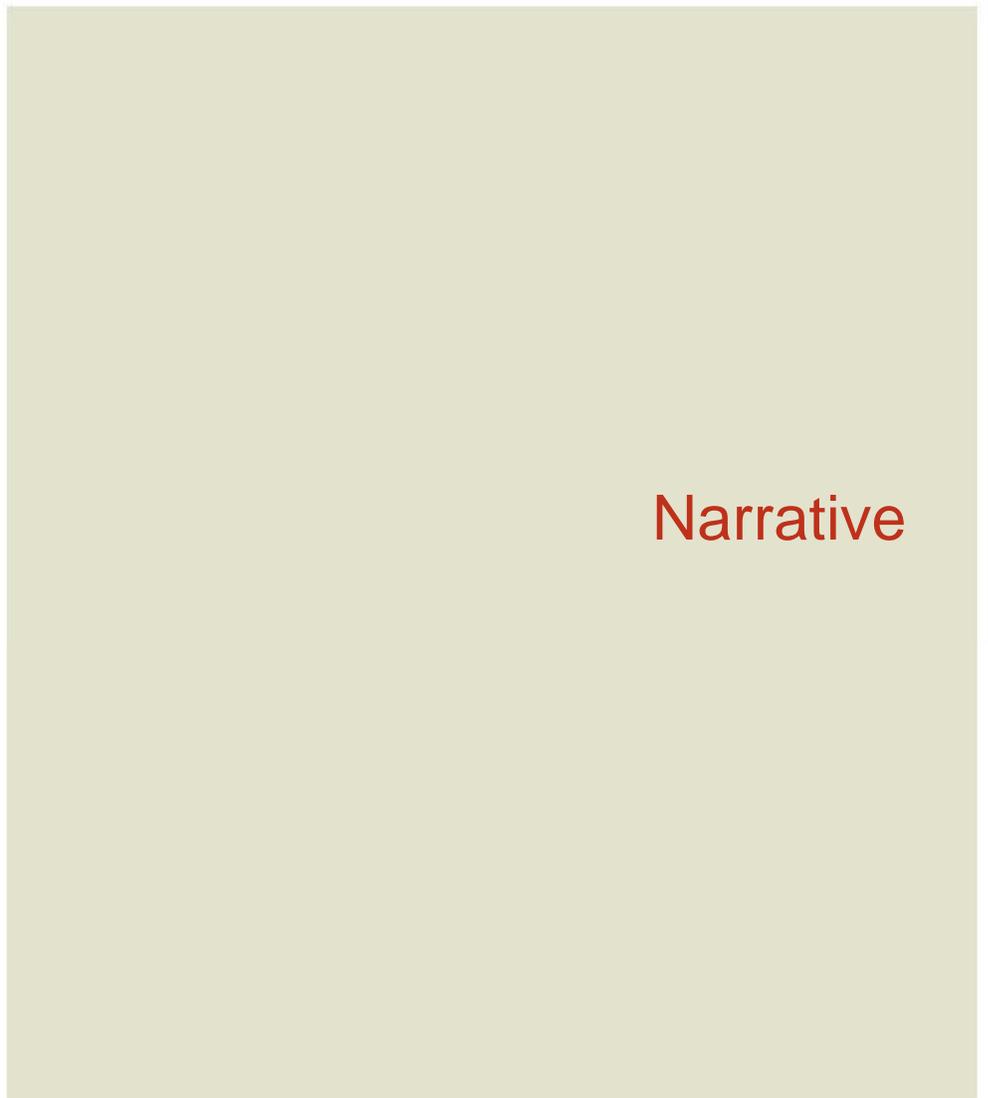
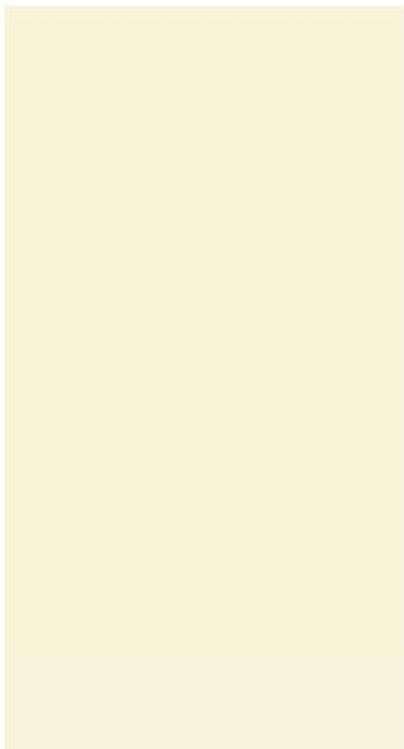
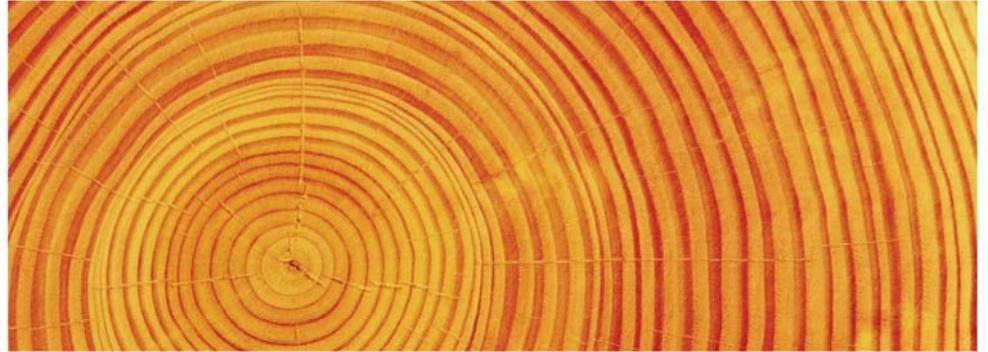


EXHIBIT A – Legal Descriptions

PAGE 2 OF 3

<u>Item #</u>	<u>Parcel</u>	<u>Ownership</u>	<u>Acres</u>	<u>Legal Description</u>
1	51115003A	Bingham Arizona Land LLC	149.26	The Northwest quarter of Section 17, Township 7 South, Range 5 East of Gila and Salt River Base and Meridian, Pinal County, Arizona;  Except the North 125.00 feet and the South 1379.00 feet of the West 100 feet thereof.
2	51115002	Bingham Arizona Land LLC	40	The Southeast quarter of the Southeast quarter of Section 17, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.
3	51101015	Bingham Arizona Land LLC	320	The North half of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.  Except all coal and other minerals as reserved by the United States of America in the Patents to said land, recorded in Book 40, page 580 of Deeds and Book 41, page 9 of Deed and  Also except 6% of any and all oil, gas and mineral rights as reserved in instrument recorded in Book 78, page 260 of Deeds.
4 5	51101016B 51101016C	DRE Development LLC	73.92 73.92	The Southeast quarter of Section 20, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;  EXCEPT the South 200 feet thereof, as set forth in Declaration of Taking recorded in Docket 1340, page 868;  EXCEPT ½ of all oil, gas and mineral rights as reserved in Docket 1427, page 931.
6 7 8	51101018B 51101018C 51101018D	DRE Development LLC	66.90 33.45 33.45	The Southwest quarter of Section 21, Township 7 South, Range 5 East of Gila and Salt River Base and Meridian, Pinal County, Arizona;  EXCEPT the South 425.00 feet thereof, as set forth in Declaration of Taking recorded in Docket 1340, page 868; and  EXCEPT ½ of all oil, gas and mineral rights as reserved in Docket 1427, page 931.

<u>Item #</u>	<u>Parcel</u>	<u>Ownership</u>	<u>Acres</u>	<u>Legal Description</u>
9 10	51101017D 51101017B	DRE Development LLC	135.81 10.4	<p>The North half; and the Southeast quarter of Section 21, Township 7 South, Range 5 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;</p> <p>EXCEPT all coal, and other minerals as reserved by the United States of America, in the Patent to said land; and</p> <p>EXCEPTING therefrom the following described parcel: Beginning at the Northeast corner of the Northeast quarter of said Section 21;</p> <p>Thence along the Easterly line, South 00 degrees 22 minutes 53 seconds East, a distance of 115.00 feet Thence leaving said Easterly line, South 89 degrees 59 minutes 13 seconds West, a distance of 260.04 feet;</p> <p>Thence North 31 degrees 34 minutes 06 seconds West, a distance of 43.11 feet;</p> <p>Thence North 04 degrees 43 minutes 20 seconds West (measured) North 04 degrees 45 minutes 32 seconds East (record), a distance of 78.53 feet to the Northerly line of the Northeast quarter of said Section 21;</p> <p>Thence along said Northerly line, North 89 degrees 59 minutes 13 seconds East, a distance of 288.35 feet to the POINT OF BEGINNING; and</p> <p>EXCEPT the following Parcels A and B as set forth in Declaration of Taking recorded in Docket 1340, page 858 ... Parcel B: The North 110 feet of the south 500 feet of the West 145 feet; and the North 2180 feet of the South 2680 feet of the West 70 feet of the East half of said Section 21 (APN: <b>511-01-017B</b>, 017C, <b>017D</b>, and 017G)</p>
TOTAL			937	



Narrative

Nick Wood, Esq  
Attorney

Noel J. Griemsmann, AICP  
Sr. Urban Planner

Stephanie M. Watney  
Urban Planner

# 2016 Major Comprehensive Land Use Plan Map Amendment

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A Regional Employment Core

Focused on Motorsports Activities, Testing, Advanced Technology, Entertainment and Supporting Uses

Prepared for:



Prepared by:



## **1. Introduction and Background**

Danrick Builders (“Danrick”) is master planning 2,360 acres into a unique, one of a kind regional sports and entertainment activity center, focused around motorsports racing and recreation, training, advanced automotive technology development and manufacturing to be known as “Attesa” (to be “in expectation of the new and exciting”).

The location is ideal for the proposed uses, with direct access to Interstate 8 provided at both Montgomery and Bianco Roads. The site itself is located about eight (8) miles west from the Interstate 10/Interstate 8 junction, five (5) miles southwest from downtown Casa Grande. This location is about an hour drive from downtown Phoenix, an hour and ten minutes to downtown Tucson and only six and a half hours from downtown Los Angeles. With Sky Harbor, an international airport within about 50 miles, Attesa will have easy over road accessibility to west coast markets as well as air accessibility for international visitors.

Attesa will be a regional employment core, with motorsports and event facilities anchoring a supporting community of research, development, training and high-tech manufacturing firms. Key to this vision is the motorsports technology core, which features a public raceway facility, a private raceway (similar to a golf club type facility), potentially a karting facility, club racing and training track facility, all totaling 640 acres of direct motorsports related tracks, spectator facilities, “pit” areas and related improvements. The racing circuits have been designed by Apex Circuit Design out of the United Kingdom, one of the top raceway design firms in the world. Because of the quality of their design, it is anticipated that Attesa will attract motorsport enthusiasts (both personal and corporate) to use, and locate near, the motorsports racing core.

To support this motorsports core, a hotel and conference center, grand plaza and related entertainment space is planned (approximately 106 acres) to provide food, amusement and accommodations for visitors. Event related camping and recreational vehicle facilities will also be provided as major events are anticipated to attract large (20,000 plus) crowds requiring a diversity in overnight accommodation options (as is found at most major motorsport track facilities). Attesa will be a regional draw, with visitors expected from all over the western United States (and beyond for sanctioned racing events).

The core, with its supporting entertainment areas, will attract businesses that desire proximity to high-quality race surfaces for testing, training and research purposes. Attesa will include, as a primary land use, over 420 acres of commerce park type land uses, appropriate for research facilities, manufacturing firms and other industrial type businesses that will derive value out of close proximity to the motorsports racing core and its facilities. It is envisioned that a wide range of automotive related firms will want to be located in Attesa, including automotive manufactures, engine and transmission

manufactures, customized parts firms, tire development, electric drivetrain and vehicle firms as well as battery, self-driving and advanced materials companies.

This attraction of numerous automotive related businesses will drive additional supporting development, including commercial (office type land uses), retail (to support visitors and local customer needs) as well as residential (both custom homes for those interested in raceway accessible living and residences for employees in the development itself). A small general aviation airport is proposed to provide access to visitors, event participants, residents and for business users.

To facilitate the above concepts included in the master plan, the Pinal County Comprehensive Plan requires amendment to an “Employment” designation to properly reflect the automotive related employment focused vision of Attesa (which is also inclusive of its required supporting land uses).

A portion of Attesa (about 1,834 acres) was reclassified in 2010, approved via Resolution PZ-PA-002-10. In the period since then, Danrick has expanded the vision to include a total of 2,360 acres, most of which is currently classified for low-density residential land use, which is not compatible with the future zoning classification Attesa will require (as shown in Exhibit A). This Comprehensive Plan Land Use Map application is required to expand the “Employment” classification to the entire Attesa project site (as shown on Exhibit B), which will be subject to a following rezoning application to approve the development of the project’s master plan.

## **2. Existing Land Use**

The property is partially open desert range and partially active farming operations. There is no significant development on-site and, other than a homestead on Bianco Road, there are neither residences nor other non-farm related development within a mile or more of the property. An aerial is provided as Exhibit C.

## **3. Future Land Use and Proposed Comprehensive Plan Designation**

Attesa is primarily about the motorsports activities core, which will support surrounding land uses that will complement the core, including commerce park (industrial and semi-industrial land uses), commercial (office and retail), temporary accommodation (hotel/resort, camping and recreational vehicle facilities) and residential land uses. A conceptual land use master plan is provided as Exhibit D. Please note this is a concept only.

The final zoning for Attesa will reflect flexibility in the exact nature, location and quality of each land use to support dynamic development over an extended period of time. Because the zoning will permit a range and variety in the exact location of specific land uses, it is most appropriate to classify the entire Attesa project as “Employment” which most closely matches the vision of the project as a regional employment core.

Other designations have been explored, and it has been determined that the other available land use designations do not properly describe Attesa's unique mix of land uses nor the intensity of the regional sports and entertainment activity center vision and therefore are not appropriate for the site (i.e. Mixed-Use Activity Center, General Commercial or Mixed-Use Residential Focused).

An "Employment" designation provides the policy support of the Comprehensive Plan to allow a wide range of underlying land uses, such as the raceways themselves to heavier industrial (such as an automotive electric vehicle battery manufacturer) that would otherwise not be encouraged in other, less intensive classifications.

#### **4. Purpose for Proposed Comprehensive Plan Designation**

The purpose of this request is to expand the prior approved Comprehensive Plan Land Use Map amendment (Resolution PZ-PA-002-10) to map the entire Attesa project site as "Employment". This amendment will provide the policy support for a subsequent rezoning to an appropriate zoning district that will permit the development of the motorsports and event facilities core and the surrounding land uses discussed above.

#### **5. Recent Changes in the Area that Would Support Request**

Unlike a typical amendment request, this application is not a departure from prior planning efforts in the area; rather it is the update of a prior approved vision for the site to accommodate the expanded project.

#### **6. Proposed Amendment in Necessary and Needed**

Without this amendment, the Attesa project would be limited to the smaller (1,800 acre) area approved in 2010 for what was then known as the "Arizona Raceway Park". This plan was focused around racing facilities only; it was not envisioned to develop as a true regional sports and entertainment activity center.

Attesa, with its expanded focus around a motorsports technology core, training, advanced automotive equipment development and manufacturing, will establish a true "Employment" core. Without this approval, the vision of Attesa would have to be re-evaluated and possibly refocused on a less grand project.

#### **7. Environmental Permits/Compliance with Federal, State and Local Regulations**

All development in Attesa will comply with all applicable requirements of federal and state agencies, as well as all Pinal County requirements.

#### **8. Infrastructure**

A key consideration in any development proposal is how the necessary water, wastewater, drainage and dry utilities will be provided. Below, each of these key items is

reviewed in concept. Please note that detailed planning for specific infrastructure will occur during the entitlement (rezoning) as well as development phases to ensure adequate facilities.

## WATER

Water service for Attesa will be provided by Arizona Water Company. Most of the project site is located within the Arizona Water Company's Certificate of Convenience and Necessity (CC&N) water service area boundary. It is anticipated that the remainder of the site will be added to the service area through a CC&N expansion request that will be submitted to the Arizona Corporation Commission for approval prior to development of those areas.

Arizona Water Company does not currently have water infrastructure adjacent to the project site. Therefore, it is anticipated that groundwater wells will be developed to serve the potable water demands for the development. Depending on Arizona Water Company needs and requirements, a water transmission main may also be installed to connect the site to the remainder of the existing potable water distribution system for additional redundancy.

The capacities, locations, and alignments of groundwater wells and/or transmission mains will be determined during the design phase. Depending on water quality, groundwater may be conveyed to a centralized water campus for treatment (if necessary) and storage and then pumped to the distribution system for delivery to individual parcels. The onsite potable water distribution system will generally consist of the pumps at the water campus and looped distribution mains, which will provide multiple points of connection to individual parcels. Water demands for Attesa will be refined in coordination with ongoing planning and design.

## WASTEWATER

Attesa is located within the municipal planning area for the City of Casa Grande relative to the Central Arizona Government (CAG) Areawide Water Quality Management Plan pursuant to section 208 of the Clean Water Act. It is anticipated that the City of Casa Grande will ultimately own and operate the water reclamation facility (WRF) and wastewater collection system. Since the site is located a distance from the City's existing wastewater infrastructure, a new WRF will be constructed in the northwestern portion of the site.

An amendment to the CAG 208 Plan may be required to ensure that the new WRF is consistent with regional planning. The collection system for Attesa will route wastewater flows from the individual parcels to the WRF for treatment. The treated effluent from the WRF may be discharged, reused, or recharged to the aquifer. The details of the WRF design, phasing, and effluent management will be developed during design. The anticipated wastewater generation rate for Attesa will be refined in coordination with ongoing planning and design.

## DRAINAGE

The Attesa project area is predominantly undeveloped native desert land and agricultural farm land, which is split by Greene Wash running from southeast to northwest with a slope of approximately 0.3 percent.

The Project is affected by two (2) significant offsite drainages, Greene Wash and flows from the property to the east. The predominant drainage impact is from Greene Wash watershed which contributes approximately 14,000 cubic feet per second (cfs) (Len Erie and Associates) which approaches the Project from southeast.

The southern boundary of the project is fronted by the Santa Rosa Canal that impedes surface flow that is necked approximately one half mile west of the West Bianco Road alignment. While the canal is a physical barrier, it is not considered a flood control measure or a flood levee and is not included in the Regional flood mapping performed on behalf of the FEMA defined flood hazard zone for Greene Wash. Offsite flows exit the property at the along the northwestern corner and is collected in an existing drainage channel that continues on to the northwest.

Offsite flows will be managed by engineered channels to divert runoff around the Project. A large earthen channel has been proposed which will traverse the southern and western border of the Project to convey the larger Greene Wash flows approaching the site from the south to the historic outfall located at the northwestern corner of the site. The regulatory (FEMA) flood hazard limits shall be removed from the Project via the Conditional Letter of Map Revision (CLOMR)/ Letter of Map Revision (LOMR) with the Project's development. A smaller drainage corridor will be sized to divert runoff from the adjacent property east of the Project, north along the Bianco Road and then west along Hanna Road to its natural outfall within Greene Wash.

The onsite drainage area for the Project consists of approximately 2,360 acres. Planned uses include motorsports tracks, single and multi-family residential neighborhoods, commercial and business parks, parking, public facilities, and open spaces. Onsite rainfall runoff from the Project will be routed via surface flow and stormdrains to retention basins where the 100-year, 2-hour runoff will be retained to ensure that post-developed flows do not exceed pre-developed flows exiting the property. Retention basins will be designed so that the runoff shall be disposed of within thirty-six (36) hours either by percolation, drywells or bleed-off connections into approved drainage ways. Flows from basins shall be in the location and direction of the historic flows. Excess runoff will overtop the retention basins and be routed emergency overflow corridors to the Project outfall located at the northwestern corner of the property.

All drainage infrastructure will be designed in accordance with Pinal County drainage standards and guidelines. The main objectives of the drainage plan is to ensure that the development provides 100-Year flood protection to habitable structures and the downstream drainage conditions are not significantly altered by the development of this

Project. The storm water management systems will consider both the potential of offsite flooding sources and the surface runoff generated within the Project boundary.

In summary, this amendment will result in future development that will provide adequate infrastructure to support any and all proposed development. Final design of the required infrastructure will inform the final intensity levels of and the types of various land uses permitted within the amendment area (and Attesa as a whole).

## **9. Compliance with Comprehensive Plan's Vision Components**

This proposed amendment is in compliance with the "Vision" of the Pinal County Comprehensive Plan. With its location, size and lack of an established development pattern in the vicinity, the Attesa project will redefine this area of the County from its current agricultural and vacant condition to an "Employment" core. More specifically, the proposed amendment is in compliance with the following Comprehensive Plan vision elements (in order as found listed on Appendix A, pages A-1 through A-6):

- A. Sense of Community (as per Chapter 3): Attesa will establish an employment node adjacent to a future "High Capacity Corridor" (as shown on the Economic Development Plan Exhibit 3-10) proposed for the Montgomery Road alignment. Furthermore, the Comprehensive Plan encourages "Employment" land uses along the Interstate 8 corridor. With easy access to the interstate, the future north/south corridor as well as its proximity to Casa Grande, Attesa is an ideal location for the proposed regional sports and entertainment activity center. The Growth Area Plan (Exhibit 3-20) identifies the site as being within the West Pinal Growth Area which notes that the area is intended for the "*development of...activity centers and employment areas will significantly add to the job base of Pinal County*" (Page 124). Jobs and economic growth are included in a number of the Goals, Objectives and Policies of this Vision Component (such as 3.7, 3.7.1.5 and others).
- B. Mobility and Connectivity (as per Chapter 4): Access is key to the success of Attesa. The core of the development will be a regional, if not international, draw for major events which will include automotive racing, motorcycle racing, concerns, festival type events and other gatherings of large numbers of visitors. Furthermore, the businesses in Attesa will require connectivity to reach their markets. While a general aviation airport is planned, access to Sky Harbor via the interstate is critical to providing access to those too far to conveniently drive to the site. The interstate also provides access to local and adjacent state visitors, as well as to markets in those areas. Capacity exists on Interstate 8 to support the anticipated traffic demands of Attesa. In addition, nearby roadways will be developed to accommodate peak demands (which will be event days). The development of a "High Capacity Corridor" on Montgomery Road (as planned in the Multimodal Circulation Plan, Exhibit 4-4) will provide additional roadway capacity and access to the site. Maximization of transportation corridors and the development of necessary supporting roadway infrastructure are

encouraged by several of the Goals, Objectives and Policies of this Vision Component (including 4.1, 4.1.1.9, etc.)

- C. Economic Sustainability (as per Chapter 5): As noted on Page 203, “[a] *successful economy does not just happen*”. It requires planning and investment. Attracting major employers, particularly those in high tech fields such as advanced autonomous automobile systems, electric car technology and cutting edge automotive materials requires a catalyst or a reason to locate in a particular area. With its increasing population, Pinal County is challenged to provide sufficient employment to keep up with this growth (as noted on Page 206). This Vision Component supports an Attesa vision of a regional employment core, specifically Goals, Objectives and Policies 5.1, 5.1.1, 5.1.1.5, 5.2, 5.3, and 5.3.2.2.
- D. Open Spaces and Places (as per Chapter 6): The Pinal County Open Space and Trails Master Plan provides a framework for County-wide trail connectivity, which Attesa will incorporate into the final development plans. A unique opportunity to conserve wildlife connectivity is offered by the future regional drainage improvements required by Attesa; these areas also will provide a large open space connection to act as a buffer to the Tohono O’odaham community to the south (allowing wildlife to connect through the site). This will meet the Vision Component Goals, Objectives and Policies 6.1.2, 6.1.2.3, 6.2.1.1, and 6.4.1.1.
- E. Environmental Stewardship (as per Chapter 7): Facilities developed within Attesa will be of the most current building code, material and design which will be best practices in energy, water, and material usage. Waste management will include recycling services as well as the careful disposal of any hazardous waste generated (i.e. from battery technology). Environmental Stewardship Vision Component Goals, Objectives and Policies will be met, particularly those related to solid and hazardous waste management, 7.1.6.1 and 7.1.6.3 respectively. Also, with the anticipated use of solar systems and high-tech equipment, 7.4.1 and 7.6.2 will be met.
- F. Healthy Happy Residents (as per Chapter 8): Attesa will be unique for its residents. Those that choose to live in Attesa will most likely be those that are attracted to the automotive related functions, such as the ability to rent “track time” or join a racing club. A large majority of the homes will be second homes, so an attractive living environment is a necessity. This Vision Component includes Objectives, such as 8.1.1, which calls for the County to “[s]upport a mix of quality housing opportunities to support economic development efforts” as well as 8.1.3.5 which states that the County should “[c]reate new development codes and ordinances to encourage urban style, higher density residential development in areas...of future activity”. The unique housing options of Attesa will forward this Vision Component.

G. Quality Educational Opportunities (as per Chapter 9): It is anticipated that Attesa will attract university and technical programs that are automotive focused, such as those that are automotive engineering, repair and manufacturing related. This Vision Component provides a clear Objective that states that the County should “[e]xpand educational quality and opportunities at all levels” (9.1.1). By providing an opportunity to attract both new higher education opportunities as well as new advanced vocational training to Pinal County, this Objective will be met.

## **10. Conformance with Comprehensive Plan’s Key Concepts**

The Comprehensive Plan includes “Key Concepts” that are illustrative in nature and are shown on the Land Use, Economic and Circulation graphics. These concepts are listed out in Appendix A, pages A-7 through A-10):

### *A. Consistency with the Land Use Designation shown on the graphics.*

The requested Land Use Designation modification will add additional “Employment” designation on property adjacent to the prior approval in 2010. Because this is a small addition to a prior approved amendment, the request is consistent with the vision provided for in both the Land Use and Economic Development graphics.

### *B. Consistency with the Mixed Use Activity Center Concept.*

A small portion of the northwestern corner of the Attesa project is currently classified as “Mixed Use Activity Center” (MUAC). However, due to the nature of the project, it is not appropriate to classify it as the “edge” of this concept and instead this area will be re-classified as “Employment” to create a uniform classification for the entire Attesa area. With this area re-classified, the project will not be shown within MUAC.

### *C. Consistency with the Planning Guidelines described in the Land Use element.*

The Employment Planning Guidelines (pages 85 – 86) suggest that projects should:

... “place Pinal County in a position to take advantage of future economic development opportunities”. Attesa will create a high-tech hub of advanced automotive technology businesses as well as provide a unique entertainment draw providing jobs for Pinal County residents.

“Employment designated land uses should be located where access to major transportation corridors exist or can be provided.” This amendment provides for additional “Employment” designated lands in proximity to both Interstate 8 as well as the future “High Capacity Corridor” on Montgomery Road.

“Retail and services as well as civic uses could be included in high intensity employment campus areas but not as the primary land use.” The primary land uses for Attesa will be racing and event facilities as well as employment uses, such as

manufacturing, research and testing. Supporting retail, services and even housing are required, but are not intended to be primary land uses.

This proposed amendment is in consistent with the above Planning Guidelines.

*D. Quality Employment Opportunities County-wide.*

This proposed amendment will increase the number of quality jobs in this portion of the County, as noted prior, this is in conformance with the vision of the Comprehensive Plan.

*E. Viable Agriculture, Equestrian and Rural Lifestyle.*

By amending the Comprehensive Plan to support the Attesa plan, the County's agricultural/equestrian/rural lifestyle will not be negatively impacted. The properties subject to the amendment are not in agricultural production. Furthermore, the multi-use trails will permit equestrian connections to and through the project, forwarding the vision of the Comprehensive Plan to support and maintain equestrian uses throughout the County.

*F. System of Connected Trails and Preservation of Open Space.*

This amendment will not impact the trails plans for the County, as reflected in the Open Space and Trails Plan (Exhibit 6-5). As the resulting project develops, the master plans will be required to comply with the County's trail system and open space preservation standards. By the eventual provision of master planned open space and connectivity, this amendment in conformance with this "Key Concept".

*G. Natural and Cultural Resource Conservation.*

The area has been reviewed for major cultural resources and none have been identified to date. Lands affected by this application are typical; there are no known special natural resources or extra ordinary features. By promoting the development of this area, much of which has been farmed prior, this amendment will be in conformance with this Comprehensive Plan element by avoiding areas of undisturbed or are in a more natural condition.

*H. Water Resources, Public Facilities/Services, and Infrastructure Support.*

This area has existing water rights and will include ground water recharge as part of the final development plans. All required infrastructure, including substations required for police, fire and/or medical services, shall be provided by the developer as the project is constructed. By establishing new infrastructure by the eventual development, this amendment is consistent with this "Key Concept".

In summary, this amendment is in conformance with the “Key Concepts” of the Pinal County Comprehensive Plan.

## **11. Conformance with Comprehensive Plan Amendment Determination Criteria**

The Comprehensive Plan includes specific criteria that a Major amendment “must address” as listed on Page 332 and 333. The following is a review of those criterion and a summary statement as to how each have been complied with to document the overall benefit and the improvement of the Comprehensive Plan as required.

Criteria #1: The identified site is appropriate for the proposed use.

The area of amendment is appropriate for the proposed “Employment” uses, particularly the specific project, Attesa, which is planned for the larger site. The property is generally flat, with prior disturbance from agricultural activities. The property has easy access to two (2) existing access ramps to Interstate 8 and is in reasonable proximity to nearby communities for both employees as well as visitors. The area has already been deemed appropriate for “Employment” uses via the 2010 amendment of a portion of the surrounding property. This portion of the County along this portion of Interstate 8 has been identified as appropriate for “Employment” land uses (see Exhibit 3-10, Economic Development Plan Map) as well as a “Growth Area” (Exhibit 3-20, Growth Area Plan). This is an appropriate location for the development of “Employment” type uses and this request will add a nominal amount of additional “Employment” appropriate land to the area.

Criteria #2: The amendment must constitute an overall improvement to the County.

By approving this amendment, the County will be improved. If developed as proposed, Attesa will be a world-class motorsports destination and employment hub that will attract new business to the County. Regardless of Attesa, development of the Interstate 8 corridor with “Employment” uses has been established as a key objective of the Comprehensive Plan, as discussed prior. This request will simply expand the available “Employment” land in the immediate area improving possible locations for jobs and employment related development.

Criteria #3: The amendment will not adversely impact a portion of, or the entire County, by:

*a. significantly altering existing land use patterns, especially in established neighborhoods.*

This request will not significantly alter existing land use patterns. The area is mostly vacant or otherwise agricultural; a land use pattern has not yet developed on or near the site. The area was already approved for “Employment” uses; this request adds some additional complementary area to that prior approval.

*b. significantly reducing the jobs per capita balance in Pinal County.*

Approval of this amendment will INCREASE the available area for employment uses, thereby creating more potential jobs.

*c. replacing employment with residential uses.*

This request replaces residential uses with employment.

*d. placing new development away from existing or approved development if the new development overtaxes infrastructure systems and public services when considering: future contribution to infrastructure and services through construction and dedication of improvements, payment of development fees, and other mitigation measures.*

The development in this amendment area, as well as those areas approved prior for “Employment” as part of the 2010 amendment, will require significant new infrastructure systems. Attesa will require the development of infrastructure and services which will be determined as the project moves forward into the entitlement and construction phases. Any new infrastructure and/or services will be provided as required by Pinal County.

*e. negatively impacting the existing character (i.e., visual, physical, environmental and functional) of the immediate area.*

Development in this area, once commenced, will set the character of the area. The final development plans for Attesa will be reviewed by Pinal County to ensure a balanced plan that establishes a “regional employment core” with a motorsports/automotive focus that promotes quality development and respects the environment in which the project is developed. Approval of this amendment will establish character, not negatively impact it.

*f. increasing the exposure of residential to aviation-generated noise, and/or flight operations.*

While Attesa will include a small general aviation airport, the local area is currently home to very few people. The eventual residents of Attesa (a non-primary use of the overall project area) will be made aware of the operational characteristics of this airport facility and therefore will be electing to locate in an area of possible aviation related sounds. With that in mind, the airport is intended to support small private operators, not large scale airline type activities.

*g. diminishing the environmental quality of the air, water, land, or cultural resources.*

As noted prior, this proposed amendment will result in a wide range of future employment related land uses. Any and all development will comply with the most current applicable environmental standards then in effect, ensuring that there will be no negative impacts to the localized or larger County's environment.

*h. significantly decreasing the quality or quality of recreational amenities such as open space, parks and trails.*

This amendment does not modify any proposed future open space areas nor modify the County trails plans.

In summary, the proposed amendment will be an overall improvement to the Pinal County Comprehensive Plan by expanding the prior "Employment" area to encompass the entire Attesa project site. This approval will comply with the Vision of the plan, as discussed prior, and will meet the applicable goals, objectives, policies and planning guidelines.

## **12. Pre-Application Meeting Staff Comments**

Please see [Attachment A](#) to this narrative.

## **13. Conclusion**

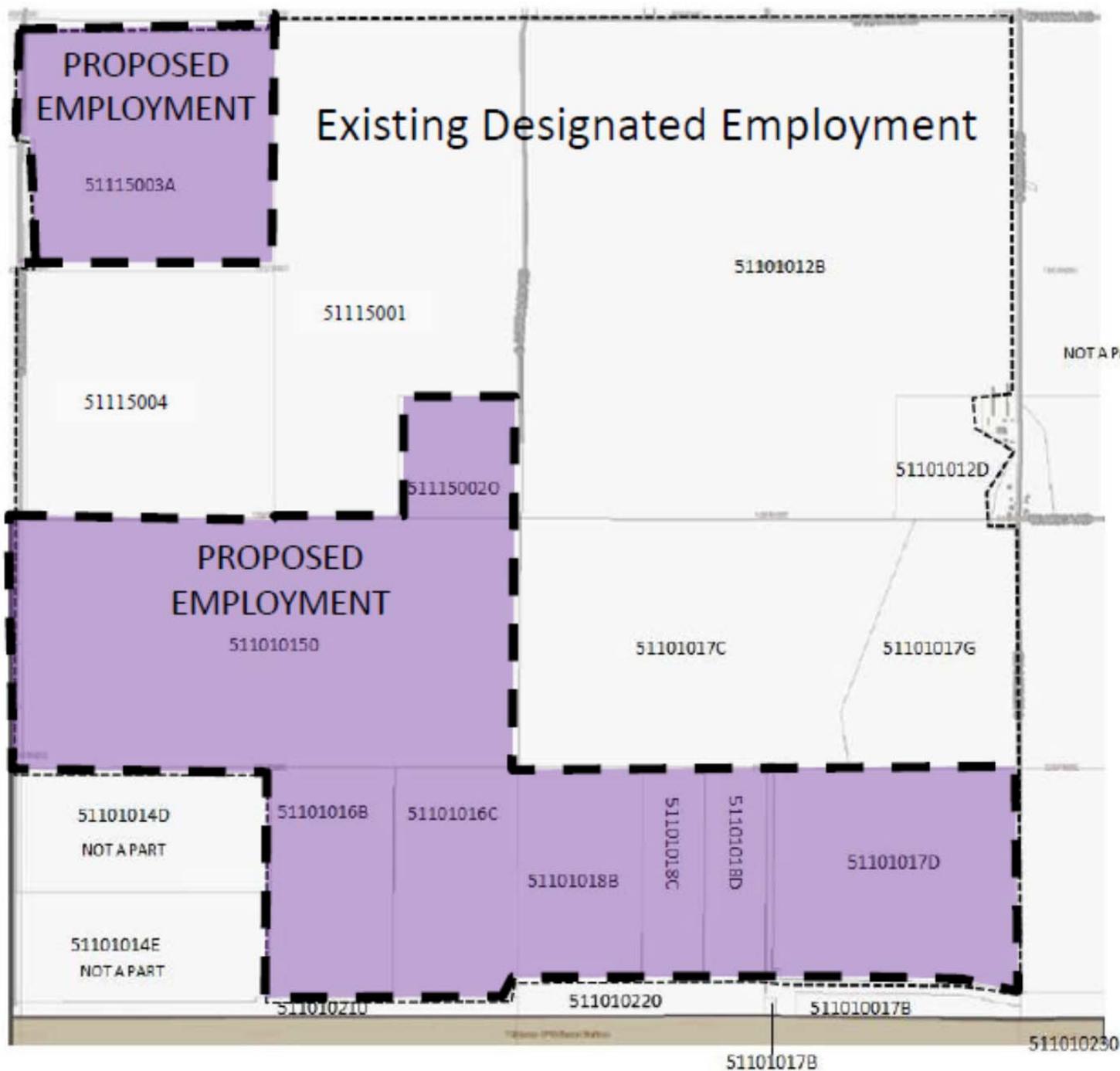
The initial vision of the lands making up the Attesa project as an area of "Employment" intensity was approved in 2010. Today, with the expanded land area and to support the necessary future rezoning for the project, this Major Comprehensive Plan Amendment is necessary to provide uniform "Employment" designation across the entire property.

This request complies with the applicable Vision of the plan, as well as the goals, objectives, policies and planning guidelines as described herein. Approval of this application will improve the Comprehensive Plan and will result in the development of a high-quality "Employment" core with a unique, one of a kind focus that will attract motorsports enthusiasts and related businesses from across the region and even from around the globe.

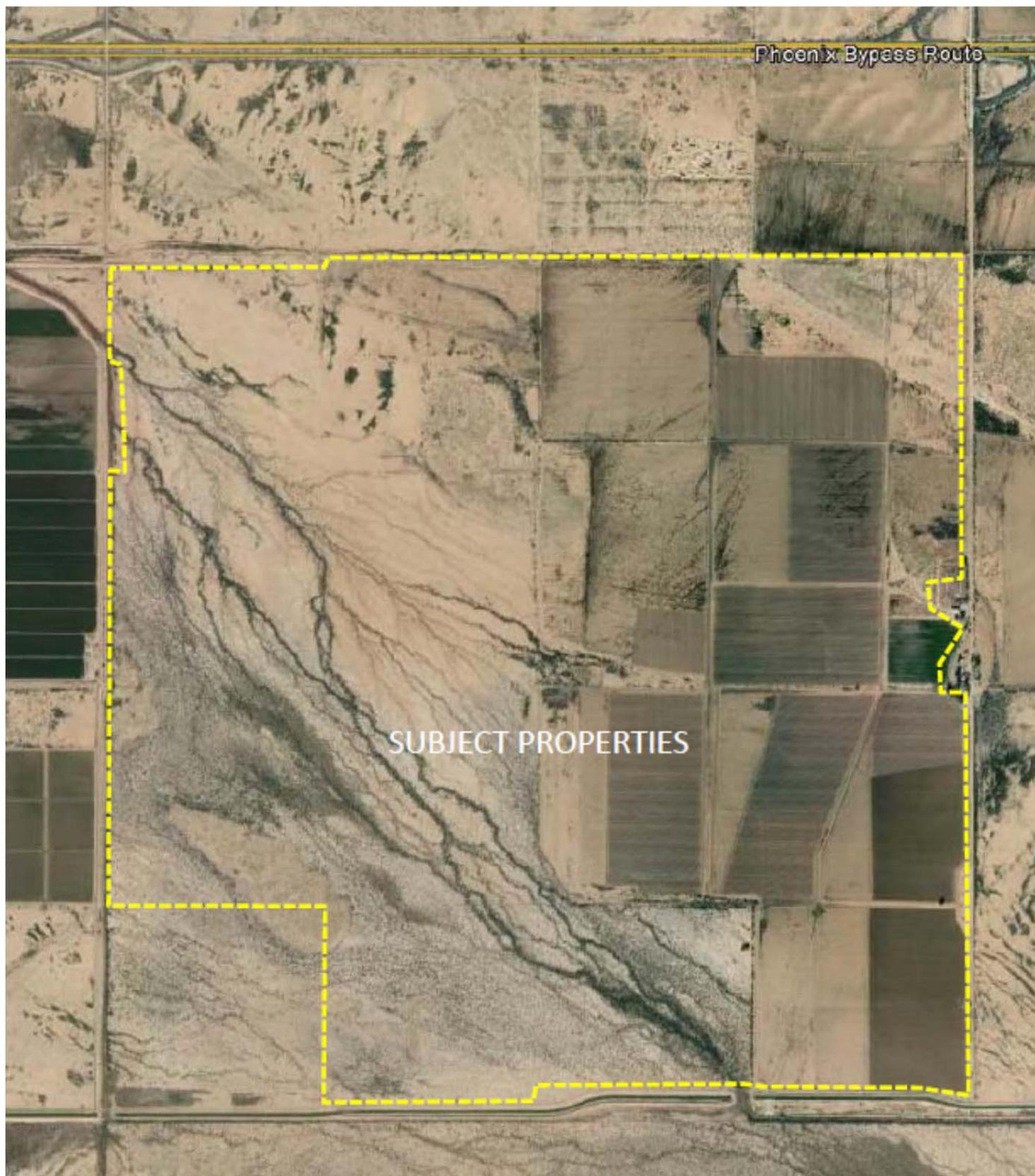
**Exhibit A – Current Comprehensive Plan Map Designations**



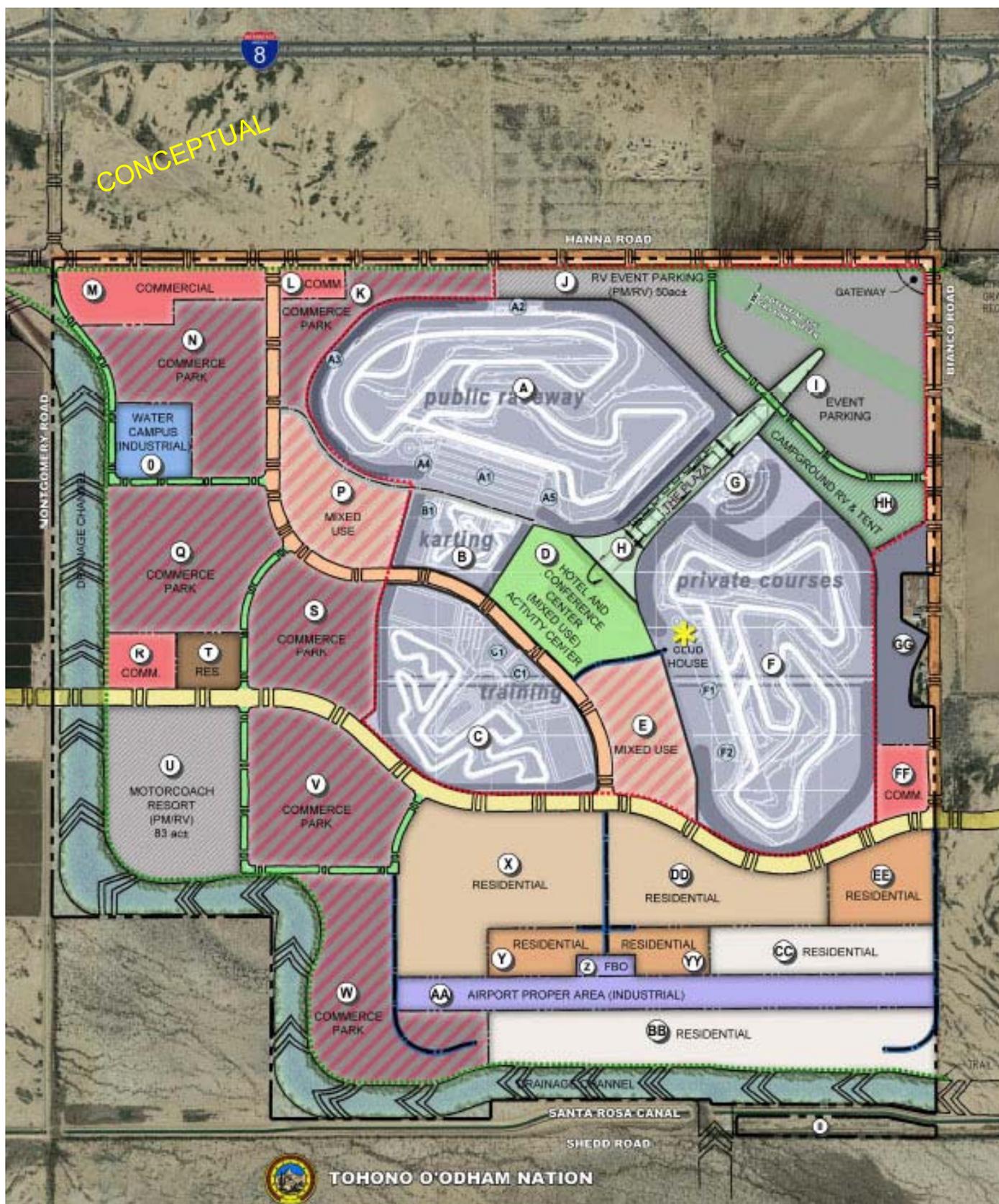
**Exhibit B – Proposed Comprehensive Plan Map Designation**



**Exhibit C – Site Aerial**



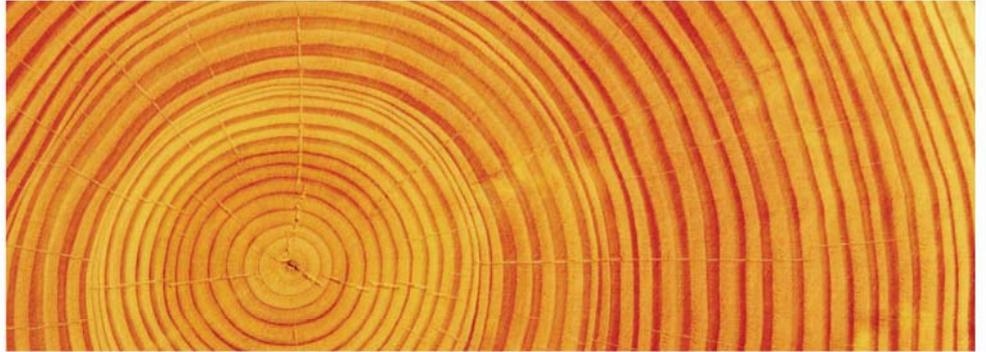
### Exhibit D – Conceptual Land Use Master Plan for Attesa



**Attachment A – Staff Pre-Application Comments**

Not issued as of June 1, 2016

Insert upon issuance by Pinal County



# Public Participation Plan

Nick Wood, Esq  
Attorney

Noel J. Griemsmann, AICP  
Sr. Urban Planner

Stephanie M. Watney  
Urban Planner

# Snell & Wilmer

LL.P.

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Senior Urban Planner  
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ngriemsmann@swlaw.com

June 1, 2016

DENVER  
LAS VEGAS  
LOS ANGELES  
LOS CABOS  
ORANGE COUNTY  
PHOENIX  
RENO  
SALT LAKE CITY  
TUCSON

## BY HAND DELIVERY

Steve Abraham, AICP  
Planning Manager  
Pinal County  
31 North Pinal Street  
Florence, AZ 85132

Re: Public Participation Program for the Attesa Major Comprehensive Plan Land  
Use Map Amendment

Dear Steve:

As required by Section 2.170.110.E, the following citizen participation plan has been prepared for your review and approval.

A. Dissemination of Information to the Public. Because the surrounding properties are either (i) undeveloped or (ii) in agricultural production, there are few traditional “neighbors” that will be impacted by the proposed amendment. Much of the surrounding area is owned by large land holding individuals or corporate entities. Rather than hold a typical neighborhood meeting (which, due to the limited number of neighbors and the corporate nature of many of the owning entities), we propose one-on-one meetings with those that are interested in discussing the project. We have found this approach to be very effective for situations where there are few neighbors and there are a number of corporate ownerships.

Our information dissemination plan will include the following:

1. Notice Letters. These will be sent via first class U.S. Mail to property owners that are (i) within 1,200 feet of the boundary of the amendment area and (ii) to all those property owners that are located within the “High Density Activity Center” designated area located to the northwest of the site, as per the Pinal County Assessor’s Office records. Those notice letters will include information about the amendment as well as a standing invitation to set up an in person meeting at their convenience if desired to review the request. The draft notice letter is attached as Exhibit B.

# Snell & Wilmer

L.L.P.

Steve Abraham, AICP

June 1, 2016

Page 2

2. Broadcast Notification Signs. County standard broadcast notification signs will be installed at the northwest corner (Hanna Road/Montgomery Road) and the northeast corner (Hanna Road/Bianco Road) of the property to provide notice to the public that the amendment is under consideration. Specific sign location information is provided as Exhibit A.

3. Press Release. The application will be announced to the broader public via a press release to the local media outlets after filing to inform the broader community that the application has been filed and to provide general information on the Attesa project.

4. Website. The applicant maintains a website and will include information about the Attesa project for those that are interested or are seeking additional information about the project. The website will be available at [www.atteda.com](http://www.atteda.com).

With the above four (4) approaches to notifying the public about this application (direct mail, sign posting, press release and internet presence) we believe that there will be sufficient notice to the public about this application and that the requirements of the Pinal County Zoning Ordinance are complied with.

Please confirm your approval of this public participation plan by signing below and returning a copy to my attention. Thank you for your assistance with this project.

Respectfully submitted,

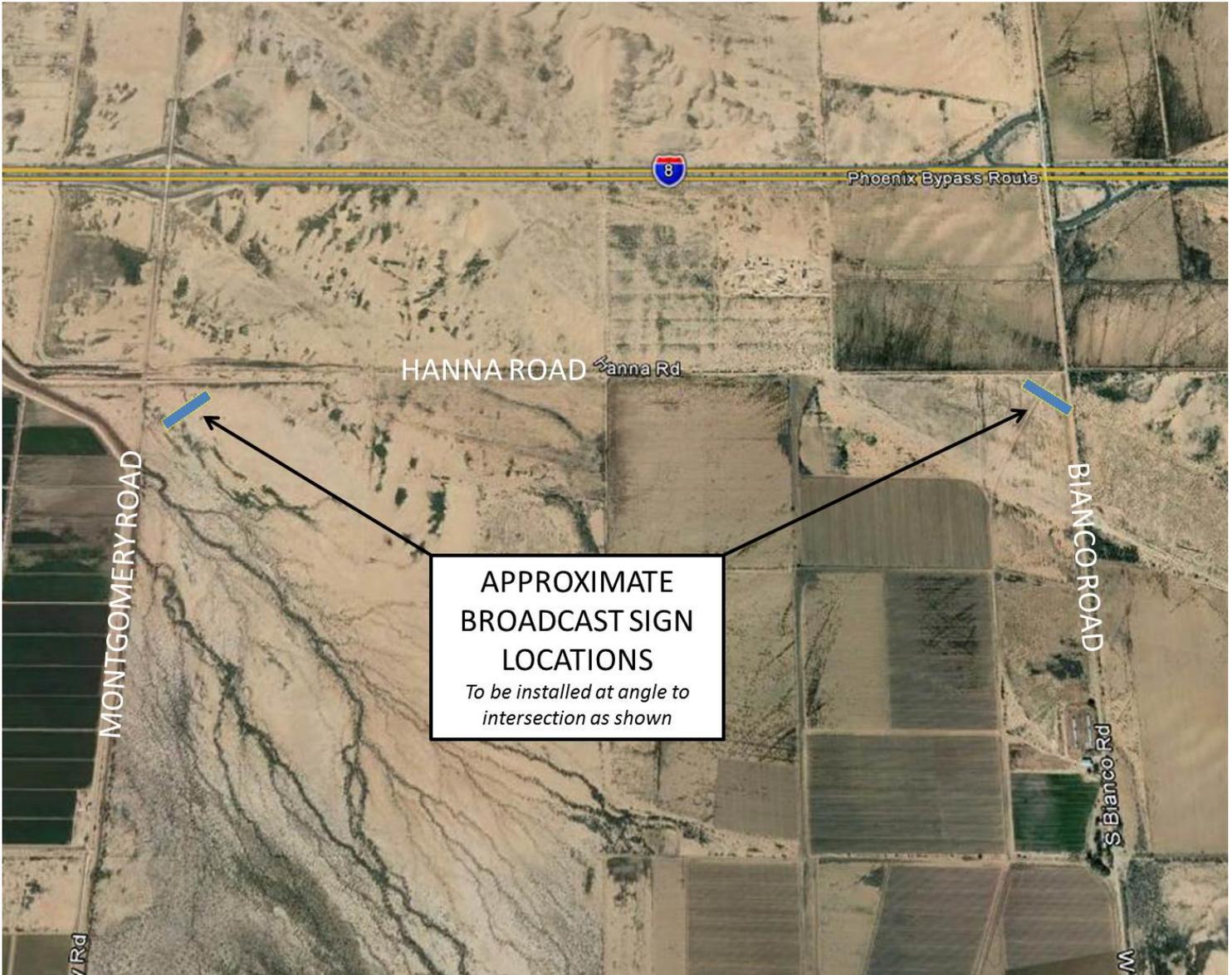
Snell & Wilmer

Noel J. Griemsmann, AICP  
Senior Urban Planner

Public Participation Program Approved

By: \_\_\_\_\_ Date: \_\_\_\_\_

**Exhibit A – Sign Location Exhibit**



Snell & Wilmer  
L.L.P.

Steve Abraham, AICP  
June 1, 2016  
Page 4

**Exhibit B – Draft Notice Letter**

SEE FOLLOWING PAGES

# Snell & Wilmer

LL.P.

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LOS CABOS  
ORANGE COUNTY  
PHOENIX  
RENO  
SALT LAKE CITY  
TUCSON

June \_\_\_\_, 2016

Re: Attesa Major Comprehensive Land Use Map Amendment Application \_\_\_\_\_

Dear Neighbor:

On behalf of Danrick Builders, we have recently filed an amendment to the Pinal County Comprehensive Land Use Plan. This amendment will change the current mix of classifications from the current mix of Very Low Density Residential, Moderate Low Density Residential and High Density Activity Center to Employment.

You are receiving this letter as your property is located in proximity to the amendment area and we would like to make you aware of this application as well as to provide an invitation to meet with us at your convenience to discuss the application, the Attesa project or to address any questions, concerns or comments that you may have. We are happy to schedule a telephone call or an in-person meeting to discuss this proposal.

In the future, you will receive additional mailings with specific hearing dates where the Pinal County Planning and Zoning Commission as well as the Pinal County Board of Supervisors will consider this application.

This amendment will expand a prior 2010 amendment that established Employment over a portion of the Attesa project; this request will expand that approval to incorporate all of the 2,360 acres planned to be part of Attesa (Exhibit A).

Please note that this is only an amendment to the Comprehensive Plan; future rezoning will be required to establish the appropriate zoning for the project. Enclosed are the current and proposed land use classification exhibits (Exhibit B).

As you will see on the attached conceptual master land use plan, Attesa will be located just south of Interstate 8, with Hanna Road as its northern boundary, Bianco Road as its eastern boundary and Montgomery Road the western boundary. To the south are the Santa Rosa Canal and the Tohono O'Odham Nation.

June \_\_, 2016

Page 2

The Attesa project itself will be a recreational motorsports destination that will create an economic engine for the region, a global magnet for entertainment, thought leadership for transportation design innovation, and educational partnerships with universities conducting automotive research and development.

Attesa will have two, 2.6-mile road courses, a possible karting track, a driver experience center and a multi-surface track and event area. A private airport with a 6,000-foot-long runway will enable patrons to fly in and out conveniently. Attesa also will include supporting residential, industrial and commercial uses.

In addition to the major motorsports facilities, the other development intended for Attesa will likely be automotive systems or component related. Examples of possible future land uses include automotive testing, racing systems development, autonomous technology as well as advanced drivetrain and battery systems. The goal is the establishment of a motorsports core (attracting events and tourists) surrounded by automotive related employment uses (and some complementary commercial and housing options).

This proposed Major Comprehensive Plan Land Use Map amendment is the first step in the required approvals for the Attesa project. As noted above, the next step will be a rezoning, likely in the fourth quarter of 2016 to formalize the specific zoning required for the project. As with this amendment, you will be updated on those efforts once they begin.

We look forward to discussing any questions or comments with you. Please feel free to contact me at the number above or contact my in-house urban planner, Noel J. Griemsmann, AICP, at 602-382-6824 or [ngriemsmann@swlaw.com](mailto:ngriemsmann@swlaw.com); he is also available to discuss the project at your convenience.

Thank you for your time.

Sincerely,

Snell & Wilmer

Nicholas J. Wood

**EXHIBIT A: Current and Proposed Comprehensive Land Use Map Designations**

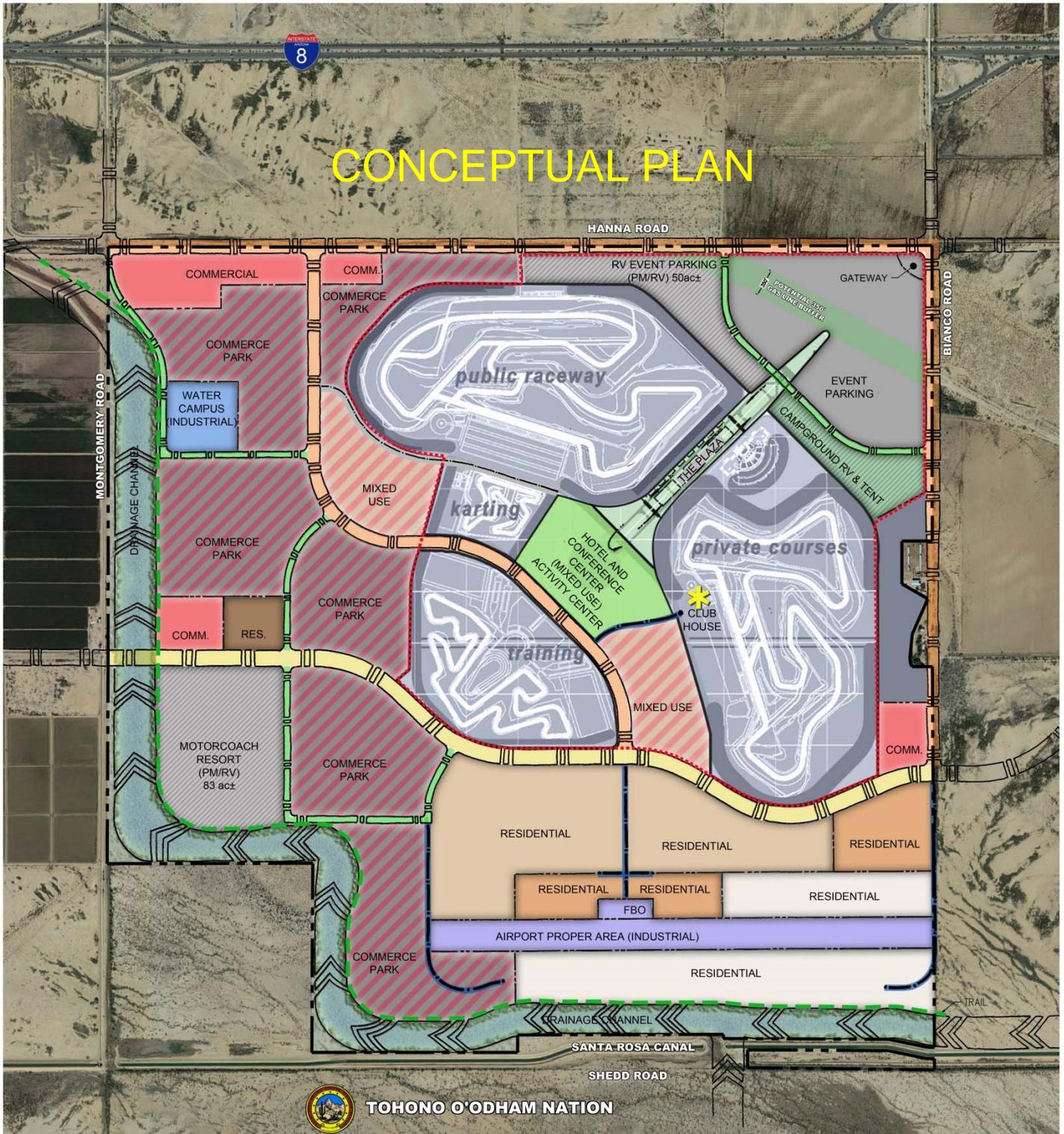
**CURRENT MAP**

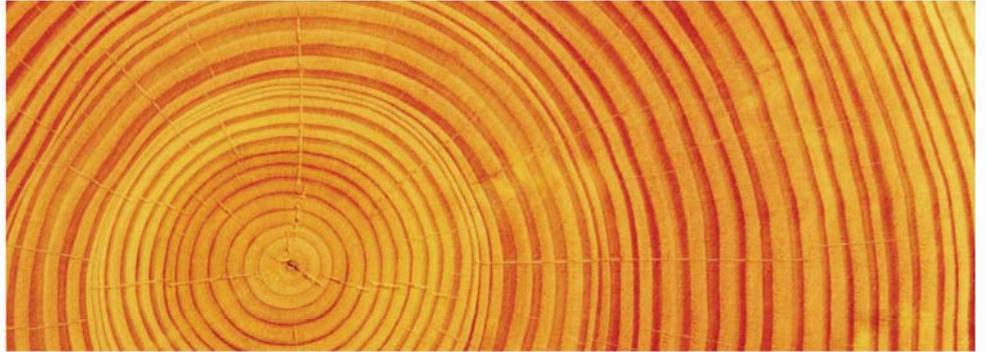


**PROPOSED MAP**



**EXHIBIT B – Conceptual Land Use Master Plan for Attesa**



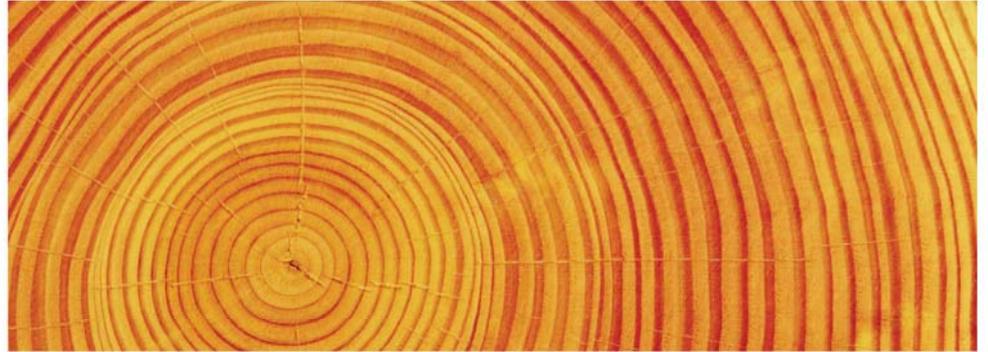


\$5,091.00 Filing Fee

Nick Wood, Esq  
Attorney

Noel J. Griemsmann, AICP  
Sr. Urban Planner

Stephanie M. Watney  
Urban Planner



CD Copy of Application

Nick Wood, Esq  
Attorney

Noel J. Griemsmann, AICP  
Sr. Urban Planner

Stephanie M. Watney  
Urban Planner

**PZ-PA-004-16**

**Pinal Central Power**

**Application for a  
Major Comprehensive Plan Amendment  
to Allow a Power Generation Facility**

PZ-PA-002-16

Prepared for  
**Pinal County**

Submitted by  
**Boulevard Associates, LLC**

Prepared by  
**EPG, LLC.**

**June 2016**

**APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA**

(all applications **must** be typed or written in ink)

1. The legal description of the property: Refer to ALTA Survey, attached to accompanying narrative report as Appendix A.
2. Parcel Number(s): 401430050, 40144001H, 40144001P, Total Acreage: 257.12  
401440060, 401440100
3. Current Land Use Designation: Moderate Low Density Residential
4. Requested Land Use Designation: General Public Facilities/Services
5. Date of Concept Review: May 10, 2016 Concept Review Number: PZ-PA-002-16
6. Why is this Comprehensive Plan Amendment being requested? (You must provide a summary of the anticipated development on this page, if not provided, the application cannot be processed.): Refer to attachment.
7. Discuss any recent changes in the area that would support your application. Refer to attachment.
8. Explain why the proposed amendment is needed and necessary at this time. Refer to attachment.

RECEIPT #: \_\_\_\_\_ AMT: \_\_\_\_\_ DATE: \_\_\_\_\_ CASE: \_\_\_\_\_

**6. Why is this Comprehensive Plan Amendment being requested? (You must provide a summary of the anticipated development on this page, if not provided, the application cannot be processed.):**

Boulevard Associates, LLC is requesting this amendment in order to construct and operate a power generating facility on the subject parcels. The proposed Project is expected to include a combined-cycle, gas-fired electrical generation facility with an output of up to approximately 600 megawatts (MW). Additionally, a photovoltaic solar field with an expected electrical output up to approximately 50 MW may also be developed on the site with the proposed combined-cycle generation facility, or as a stand-alone project. An energy storage facility with an expected electrical output of up to 50 MW may also be developed with the proposed combined-cycle generation facility or the proposed photovoltaic solar field. The Project will also require generation intertie (gen-tie) transmission lines and additional project infrastructure.

**7. Discuss any recent changes in the area that would support your application**

Immediately west of the Project site is the newly-constructed (2013) Pinal Central 500kV electrical substation, owned and operated by Salt River Project (SRP). Western Area Power Administration (WAPA) owns and operates the ED2 115kV electrical substation, which is located immediately west of the Pinal Central Substation. The SRP Pinal Central to Browning 500kV transmission line and the Tucson Electric Power Pinal Central to Tortolita 500kV transmission line were constructed in 2014 and 2015, respectively. Both of these high-voltage transmission lines connect into the Pinal Central Substation from the east, and pass near and through portions of the Project parcels.

SRP's Palo Verde to Pinal Central 500kV transmission line, which connects into the Pinal Central Substation from the west, was constructed in 2010. WAPA's two parallel ED2 to Coolidge 115kV transmission lines and two parallel ED2 to Saguaro 115kV line are located within 0.5 miles to the west of the Project parcels. In addition, in early 2016, the ACC approved a Certificate of Environmental Compatibility for the proposed SunZia Southwest Transmission Project, which would include two parallel 500kV transmission lines located along the southern boundary of the Project parcels, connecting from the east into the Pinal Central Substation.

The land use designation changes proposed under the requested Comprehensive Plan amendment are consistent with the existing and planned industrial/utility land uses on and adjacent to the Project parcels.

**8. Explain why the proposed amendment is needed and necessary at this time.**

Boulevard Associates has identified the Project site as an optimal location for an electrical generation facility based on the existence of compatible adjacent and nearby land uses; and the proximity to existing electrical infrastructure, major transportation corridors (highway and rail), utility corridors (electric and natural gas), and electrical load centers. The amendment is needed in order to facilitate development of the proposed electrical generation facility, in turn allowing the contribution of clean, safe, affordable, and efficient energy to the regional transmission grid. Demand for this type of electrical generation facility at this location, interconnecting to the Pinal Central Substation, will occur as early as the year 2020, and 3 to 4 years are likely required for planning, design, and construction of the facility.

IN ADDITION TO THIS APPLICATION, YOU WILL NEED TO SUBMIT:

- A. One copy of a **certified** A.L.T.A. Survey, including legal descriptions of the proposed designations
- B. Location map which identifies the property and its relationship to Pinal County environs.
- C. Map showing the topography of the property.
- D. Site map which specifically identifies the property including parcels under separate ownership.
- E. Property owner(s) authorization for the Comprehensive Plan Amendment.
- F. Other information as may be determined necessary by the Planning staff or other information the applicant feels is pertinent to this request.
- G. Non-refundable filing fee as shown on the cover page.
- H. Submit a CD which contains a copy of the application and narrative in PDF format.

THIS APPLICATION MUST BE SUBMITTED IN PERSON.

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed.

Inland Farms Inc 520-723  
2487 E. Hwy 287 Casa Grande, AZ 85194 4432

---

Name of Landowner (Applicant) Address Phone Number

Marvin Wuerst, President marvinwuerst@a  
hotmail.com

---

Signature of Landowner (Applicant) E-Mail Address

Mark Kornhaus 700 Universe Blvd., Juno Beach, FL (561) 304-6133  
33408

---

Name of Agent Address Phone Number

Mark Kornhaus Mark.Kornhaus@NEE.com

---

Signature of Agent E-Mail Address

The Agent has the authority to act on behalf of the landowner. The Agent will be the contact person for Planning staff and must be present at all hearings. Please use the attached Agency Authorization form, if applicable.

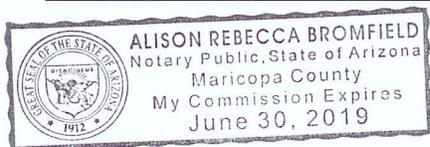


[Corporate PROPERTY OWNER signature block and acknowledgment The appropriate Corporate officer or trustee signs this signature block NOT the block on the previous page.]

Inland Farms, Inc.  
[Insert Company or Trustee's Name]  
By: *Marvin Wuertz*  
[Signature of Authorized Officer or Trustee]  
Its: President  
[Insert Title]

Dated: \_\_\_\_\_

STATE OF ARIZONA )  
 ) ss.  
COUNTY OF MARICOPA )



The foregoing instrument was acknowledged before me, this 1ST day of JUNE, 2016, by Marvin Wuertz, President of Inland Farms, Inc., an Arizona Corporation  
[Insert Signor's Name] [Insert Title] [Insert Name of Company or Trust] [Insert State of Incorporation, if applicable]

and who being authorized to do so, executed the foregoing instrument on behalf of said entity for the purposes stated therein.

*Alison Rebecca Bromfield*  
Notary Public

My commission expires: JUNE 30, 2019

**ALTERNATE: Use the following acknowledgment only when a second company is signing on behalf of the owner:**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_ Who acknowledged himself/herself to be  
[Insert Signor's Name] of \_\_\_\_\_  
[Title of Office Held] [Second Company]

As \_\_\_\_\_ for \_\_\_\_\_, and who being  
[i.e, member, manager, etc.] [Owner's Name]  
authorized to do so, executed the foregoing instrument on behalf of said entities for the purposes stated therein.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

***EXHIBIT A***

LEGAL DESCRIPTION: INLAND FARMS, INC

APN: 401-43-0050

The west half of the east half of the northwest quarter, and the west half of the northwest quarter of Section 29, Township 6 South, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.



**TO BE COMPLETED BY ALL LANDOWNERS OF SUBJECT PROPERTY WHEN LANDOWNERS DO NOT REPRESENT THEMSELVES. Instructions for completing required information are in bold and brackets below lines. If applicant is a company, corporation, partnership, joint venture, trustee, etc., please use the corporate signature block and have the notary fill in the notarization section for corporations not individuals.**

**AGENCY AUTHORIZATION**

TO: Pinal County Planning & Development Services  
P.O. Box 2973  
Florence, AZ 85132

Wuertz Farm Land LLC  
*[Insert Name -- If a Corporation, Partnership or Association, Include State of Incorporation]*  
hereinafter referred to as "Owner," is/are the owner(s) of 61.01 acres located at unassigned address,  
*[Insert Address of Property]* 401-44-001H, 401-44-0060,  
and further identified as assessor parcel numbers 401-44-0100 and legally  
*[Insert Parcel Number]*  
described as follows:

***Legal Description is attached hereto as Exhibit A***

Said property is hereinafter referred to as the "Property."

Owner hereby appoints

Boulevard Associates, LLC  
*[Insert Agent's Name. If the Agent Is a Company, Insert Company Name Only]*  
hereinafter referred to as "Agent," to act on Owner's behalf in relation to the Property in obtaining approvals from Pinal County for any necessary amendment to Pinal County's Comprehensive Plan; zone changes; planned area development overlay districts; platting of the subject property; special use permit or industrial use permit; and to file applications and make the necessary submittals for such approvals.

Owner consents and agrees to be bound by all stipulations agreed to by this Agent in connection with any of above-referenced processes.

**[Individual PROPERTY OWNER signature block and acknowledgment. DO NOT SIGN HERE IF SIGNING AS AN OFFICER OF A CORPORATION ON THE NEXT PAGE.]**

\_\_\_\_\_  
*[Signature]*  
Dated: \_\_\_\_\_

\_\_\_\_\_  
*[Signature]*  
Dated: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
By \_\_\_\_\_  
*[Insert Name of Signor(s)]*

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

[Corporate PROPERTY OWNER signature block and acknowledgment The appropriate Corporate officer or trustee signs this signature block NOT the block on the previous page.]

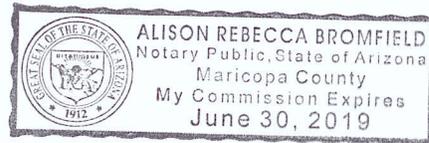
Wuertz Farm Land LLC  
[Insert Company or Trustee's Name]

By: Marvin Wuertz  
[Signature of Authorized Officer or Trustee]

Its: Manager  
[Insert Title]

Dated: 6-1-16

STATE OF ARIZONA )  
 ) ss.  
COUNTY OF MARICOPA )



The foregoing instrument was acknowledged before me, this 1st day of JUNE, 2016, by Marvin Wuertz, Manager of Wuertz Farm Land LLC, an Arizona Corporation

and who being authorized to do so, executed the foregoing instrument on behalf of said entity for the purposes stated therein.

Alison Rebecca Bromfield  
Notary Public

My commission expires: JUNE 30, 2019

**ALTERNATE: Use the following acknowledgment only when a second company is signing on behalf of the owner:**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned, personally appeared

\_\_\_\_\_  
[Insert Signor's Name] Who acknowledged himself/herself to be \_\_\_\_\_ of \_\_\_\_\_  
[Title of Office Held] [Second Company]

As \_\_\_\_\_ for \_\_\_\_\_, and who being  
[i.e, member, manager, etc.] [Owner's Name]  
authorized to do so, executed the foregoing instrument on behalf of said entities for the purposes stated therein.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

***EXHIBIT A***

LEGAL DESCRIPTION: WUERTZ FARM LAND, LLC

APN: 401-44-001H

That portion of the southeast quarter (SE 1/4) of Section Thirty (30), Township Six (6) South, Range Eight (8) East of the Gila and Salt River Base and Meridian, lying north of Florence-Casa Grande Canal;

Except five (5) acres in the southeast corner of the above described tract bordering 330 feet on the Florence Canal and 660 feet bordering the lateral Canal running north and south.

More particularly described as follows:

Beginning at the northwest corner of said southeast quarter; thence south 0 degrees 15 minutes east along the west line of said southeast quarter, a distance of 1,062.00 feet to the true point of beginning;

Thence continuing south 0 degrees 15 minutes east along the west line of said southeast quarter a distance of 660.00 feet to the corner of the Florence Canal;

Thence south 77 degrees 15 minutes east along the centerline of the Florence Canal a distance of 330.00 feet to a point;

Thence north 15 degrees 15 minutes west parallel to the west line of said southeast quarter a distance of 694.73 feet to a point;

Thence north 83 degrees 15 minutes west a distance of 323.95 feet more or less to the point of beginning.

Except any portion lying within property described in warranty deed recorded as 2013-018115

Excepting and reserving one half (1/2) of all gas, oil, and other minerals, as reserved in Docket 742, page 51, Records of Pinal County, Arizona.

APN: 401-44-0060

That portion of the southeast quarter of the southwest quarter of Section 30, Township 6 South, Range 8 East of the Gila and Salt River Base and Meridian, lying north of the old Florence-Casa Grande Canal.

Excepting and reserving one-half of all gas, oil, and other minerals, as Docket 742, page 51, Records of Pinal County, Arizona.

APN: 401-44-0100

A parcel of land located in the west half of the southeast quarter of Section 30, Township 6 South, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, described as follows:

Commencing at the center of said Section 30;

Thence south 00 degrees 15 minutes 00 seconds east along the north-south midsection line, a distance of 1062.00 feet to the true point of beginning;

Thence south 83 degrees 15 minutes 00 seconds east, a distance of 323.95 feet;

Thence south 00 degrees 15 minutes 00 seconds east, a distance of 694.73 feet to a point on the San Carlos Irrigation Canal;

Thence north 77 degrees 15 minutes 00 seconds west, a distance of 330.00 feet to a point of intersection of the north-south mid-section line and the San Carlos Irrigation Canal;

Thence north 00 degrees 15 minutes 00 seconds west along the north-south mid-section line, a distance of 660.00 feet to the true point of beginning.

Excepting and reserving one-half of all gas, oil, and other minerals, as reserved in Docket 742, page 51, Records of Pinal County, Arizona.





[Corporate PROPERTY OWNER signature block and acknowledgment The appropriate Corporate officer or trustee signs this signature block NOT the block on the previous page.]

Marvin and Kathleen Wuertz Trust  
[Insert Company or Trustee's Name]

By: *Marvin Wuertz*  
[Signature of Authorized Officer or Trustee]

Its: Trustee  
[Insert Title]

Dated: 6-1-16

STATE OF ARIZONA )  
 ) ss.  
COUNTY OF MARICOPA )



The foregoing instrument was acknowledged before me, this 1ST day of JUNE, 2016, by Marvin Wuertz, Trustee of Marvin and Kathleen Wuertz Trust, an Arizona Trust

and who being authorized to do so, executed the foregoing instrument on behalf of said entity for the purposes stated therein.

*Alison Rebecca Bromfield*  
Notary Public

My commission expires: JUNE 30, 2019

**ALTERNATE: Use the following acknowledgment only when a second company is signing on behalf of the owner:**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned, personally appeared

\_\_\_\_\_ Who acknowledged himself/herself to be  
[Insert Signor's Name]

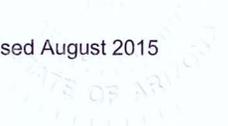
\_\_\_\_\_ of \_\_\_\_\_  
[Title of Office Held] [Second Company]

As \_\_\_\_\_ for \_\_\_\_\_, and who being  
[i.e. member, manager, etc.] [Owner's Name]

authorized to do so, executed the foregoing instrument on behalf of said entities for the purposes stated therein.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_



***EXHIBIT A***

**LEGAL DESCRIPTION: MARVIN AND KATHLEEN WUERTZ TRUST**

APN: 401-44-001P

The east half of the northeast quarter of Section 30, Township 6 South, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

Except one half of all gas, oil, and other minerals as reserved in deed recorded in Docket 742, page 51, Records of Pinal County, Arizona; and except any portion thereof lying south and east of the following described line:

Commencing at the east quarter corner of said Section 30, from which the northeast corner of said Section bears north 00 degrees 00 minutes 52 seconds east, a distance of 2645.16 feet;

Thence north 00 minutes 52 seconds east, along the east line of said northeast quarter, a distance of 47.60 feet;

Thence continuing north 00 degrees 00 minutes 52 seconds east, along said east line of the northeast quarter, a distance of 174.20 feet to the true point of beginning;

Thence south 87 degrees 55 minutes 20 seconds west along the north line of property described in instrument no. 2005-37665, records of Pinal County, Arizona, a distance of 850.85 feet to the northwest corner thereof;

Thence south 00 degrees 40 minutes 23 seconds west, along the west line of said property, a distance of 38.90 feet;

Thence south 04 degrees 15 minutes 00 seconds west, along the west line of that second parcel of land as described in instrument recorded in Docket 1011, page 297, to a point on the south line of said northeast quarter and the point of terminus;

Also except the following described parcel:

That portion of the northeast quarter of Section 30, Township 6 South, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, described as follows:

Commencing at a found rebar with tag, R.L.S. No. 5713, said rebar being the east quarter corner of said Section 30, from which the northeast corner of said section bears north 00 degrees 00 minutes 52 seconds east (basis of bearings), a distance of 2642.05 feet (measured), 2645.16 feet (record) to the point of beginning;

Thence north 00 degrees 00 minutes 52 seconds east, along line of said northeast quarter, a distance of 218.69 feet (calculated), 221.80 feet (record) to the true point of beginning;

Thence south 87 degrees 55 minutes 20 seconds west, a distance of 850.85 feet;

Thence south 00 degrees 40 minutes 23 seconds west, a distance of 38.90 feet;

Thence south 04 degrees 15 minutes 00 seconds west, a distance of 143.15 feet;

Thence north 89 degrees 35 minutes 18 seconds west, a distance of 457.42 feet;

Thence north 00 degrees 00 minutes 29 seconds west, a distance of 50.00 feet;

Thence south 89 degrees 35 minutes 18 seconds east, a distance of 421.05 feet;

Thence north 04 degrees 15 minutes 00 seconds east, a distance of 94.47 feet;

Thence north 00 degrees 40 minutes 23 seconds east, a distance of 75.78 feet;

Thence north 87 degrees 55 minutes 20 seconds east, a distance of 890.44 feet;

Thence south 00 degrees 00 minutes 52 seconds west, a distance of 40.03 feet to the true point of beginning.

**Pinal Central Power**

**Application Narrative for a  
Major Comprehensive Plan Amendment  
to Allow a Power Generation Facility**

PZ-PA-002-16

Prepared for  
**Pinal County**

Submitted by  
**Boulevard Associates, LLC**

Prepared by  
**EPG, LLC.**

**June 2016**

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## 1.0 EXECUTIVE SUMMARY

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Boulevard Associates, LLC (Boulevard Associates) is requesting an amendment to the 2009 Pinal County Comprehensive Plan (Comprehensive Plan) in order to construct and operate a power generating facility on five parcels comprising the proposed Pinal Central Power Project site (Project). Table 1 below lists the Project parcels, including Assessor's Parcel Numbers (APN), individual and total parcel acreage, and Public Land Survey System (PLSS) locations.

<b>Table 1. Proposed Comprehensive Plan Amendment Parcels</b>		
<b>APN</b>	<b>Acreage</b>	<b>PLSS Location</b>
401-43-0050	120.0	Section 29, Township 6S, Range 8E
401-44-001H	48.01	Section 30, Township 6S, Range 8E
401-44-001P	76.11	Section 30, Township 6S, Range 8E
401-44-0060	8.0	Section 30, Township 6S, Range 8E
401-44-0100	5.0	Section 30, Township 6S, Range 8E
	<b>Total Acreage: 257.12</b>	

The proposed Project is expected to include a combined-cycle, gas-fired electrical generation facility with an output of up to approximately 600 megawatts (MW). Additionally, a photovoltaic solar field with an expected electrical output up to approximately 50 MW may also be developed on the site with the proposed combined-cycle generation facility, or as a stand-alone project. An energy storage facility with an expected electrical output of up to 50 MW may also be developed with the proposed combined-cycle generation facility or the proposed photovoltaic solar field. The Project will also require generation intertie (gen-tie) transmission lines and additional project infrastructure.

Paved and unpaved rural roads provide access to the site and adjacent properties. South Sunshine Boulevard runs north to south through the northern portion of the site, and East Laughlin Road is located in the central portion of the site. State Highway (SR) 287 bounds the site on the north.

The amendment is needed in order to facilitate development of the proposed electrical generation facility, in turn allowing the contribution of clean, safe, affordable, and efficient energy to the regional transmission grid. Demand for this type of electrical generation facility at this location, interconnecting to the Pinal Central Substation, will occur as early as the year 2020, and 3 to 4 years are likely required for planning, design, and construction of the facility.

### 1.1 PROPOSED LAND USE

The Comprehensive Plan land use designation proposed for the site is General Public Facilities/Services, with the specific proposed land use consisting of power generation.

The Project parcels are currently designated as a Moderate Low Density Residential land use.

## **1.2 LOCATION & ACCESSIBILITY**

The Project site is located within unincorporated Pinal County, approximately 0.75 miles east-southeast of the intersection of 11-Mile Corner Road and SR287. The site is accessible via S. Sunshine Boulevard and E. Laughlin Road, both of which bisect portions of the site. The northernmost portion of the Project site fronts, and is also accessible via, SR287.

Interstate 10 (I-10), Interstate 8 (I-8), and the Union Pacific Railroad, all major transportation and freight corridors, are located less than 8 miles west of the Project site.

## **1.3 SITE SUITABILITY**

The Project site is well suited for the proposed changes to the Comprehensive Plan. Boulevard Associates has identified the Project site as an optimal location for an electrical generation facility based on the existence of compatible adjacent and nearby land uses; and the proximity to existing electrical infrastructure, major transportation corridors (highway and rail), utility corridors (electric and natural gas), and electrical load centers.

The Project site is generally level, is in proximity to existing transmission lines and substations for potential interconnection, and does not contain any recreation areas or residences. The Project site is designated as Moderate Low Density Residential by the Comprehensive Plan. There are no perennial surface waters or wetlands on or near the property; however, a canal owned and operated by the San Carlos Irrigation and Drainage District (SCIDD) runs east/west directly adjacent to a portion of the southern boundary of the project site with canal laterals running north/south through and adjacent to the Project site. No Special Flood Hazard Areas (100-year floodplains) have been identified by the Federal Emergency Management Agency (FEMA) or the Flood Control District of Pinal County on the Project site.

## **1.4 PUBLIC SERVICES/UTILITIES**

Existing utilities within the vicinity of the Project site include the Pinal Central Substation, a 115-kilovolt (kV) substation, three 500kV transmission lines, and four 115kV transmission lines. Two additional, parallel 500kV transmission lines are proposed to be constructed near the site and were recently permitted by the Arizona Corporation Commission (ACC) (Case No. 171, SunZia Southwest Transmission Project). There are also numerous electrical distribution lines, communications cables, and irrigation canals, laterals, and ditches within and in the vicinity of the site.

Immediately west of the Project site is the newly-constructed (2013) Pinal Central 500kV electrical substation, owned and operated by Salt River Project (SRP). Western Area Power Administration (WAPA) owns and operates the ED2 115kV electrical substation, which is located immediately west of the Pinal Central Substation. The SRP Pinal Central to Browning 500kV transmission line and the Tucson Electric Power Pinal Central to Tortolita 500kV transmission line were constructed in 2014 and 2015, respectively. Both of these high-voltage transmission lines connect into the Pinal Central Substation from the east, and pass near and through portions of the Project parcels.

SRP's Palo Verde to Pinal Central 500kV transmission line, which connects into the Pinal Central Substation from the west, was constructed in 2010. WAPA's two parallel ED2 to Coolidge 115kV transmission lines and two parallel ED2 to Saguaro 115kV line are located within 0.5 miles to the west of the Project parcels. In addition, in early 2016, the ACC approved a Certificate of Environmental Compatibility (CEC) for the proposed SunZia Southwest Transmission Project, which would include two parallel 500kV transmission lines located along the southern boundary of the Project parcels, connecting from the east into the Pinal Central Substation.

The land use designation changes proposed under the requested Comprehensive Plan amendment are consistent with the existing and planned industrial/utility land uses on and adjacent to the Project parcels.

Planned utilities and services on the site include water, electric, and natural gas.

The Pinal County Sheriff's Office provides law enforcement services to the Project vicinity. The Regional Fire and Rescue Department provides subscription-based fire and emergency medical services to the area. New or additional public services anticipated as a result of the proposed amendment are not anticipated.

## 2.0 PROJECT NARRATIVE

---

### 2.1 INTRODUCTION

This narrative report addresses the required information to support the request for a Major Comprehensive Plan Amendment (MCPA) for the Pinal Central Power Project (Project) on land in central Pinal County.

Boulevard Associates is requesting this amendment in order to construct and operate a power generating facility on the Project site. The proposed Project is expected to include a combined-cycle, gas-fired electrical generation facility with an output of up to approximately 600 megawatts (MW). Additionally, a photovoltaic solar field with an expected electrical output up to approximately 50 MW may also be developed on the site with the proposed combined-cycle generation facility, or as a stand-alone project. An energy storage facility with an expected electrical output of up to 50 MW may also be developed with the proposed combined-cycle generation facility or the proposed photovoltaic solar field. The Project will also require gen-tie transmission lines and additional project infrastructure.

Should the MCPA receive approval from Pinal County, Boulevard Associates intends to subsequently pursue and apply to Pinal County for a zoning change from General Rural (GR) to Industrial Zoning District (I-3) in order to allow for the development and operation of gas-fueled and solar power generation facility activities.

Boulevard Associates also intends to submit a Temporary Use Permit (TUP) application to Pinal County to allow for the installation and operation of a Meteorological Tower on one of the five Project parcels. The intent of the Meteorological Tower is to aid in understanding the climatological, weather, and air quality makeup in the region, and the data gathered through the use of the Meteorological Tower will help to inform and determine the specific technologies and arrangements Boulevard Associates would use in the proposed combined-cycle and solar generation facilities. Pre-construction and post-construction air monitoring is required under Pinal County Air Quality Control District Rule 3-3-260 in order to apply for and maintain an air permit for the proposed combined-cycle generation facility. Boulevard Associates expects to submit the TUP application to Pinal County in late second quarter, or early third quarter 2016.

A CEC will be required from the ACC to allow construction of the Project because the proposed combined-cycle generation facility is planned for an output capacity greater than 100MW, and because the gen-tie transmission lines connecting the generation facility to the existing power grid will likely be greater than 115kV. All requisite environmental studies and public participation activity results for the proposed Project will be compiled, formatted, and incorporated into a CEC application pursuant to the requirements of ARS 40-360 et seq. and ACC Rules of Practice and Procedure R14-3-219. The land use plan is one of the factors considered by the ACC in their review of a CEC application; consistency with Pinal County's Comprehensive Plan would be necessary in order to grant a CEC. Completing Pinal County's Comprehensive Plan Amendment process ensures the County's authority and opportunity for review prior to the State siting process (CEC). The public information process to be conducted

for the Pinal County zone change application process will supplement the Arizona CEC public involvement requirements.

Changing the Comprehensive Plan land use designation from Moderate Low Density Residential to General Public Facilities/Services for the Project site and subsequently granting a zoning change from GR to I-3 would allow development of this facility in a prime power generation area, which could increase the production of energy for delivery to the Phoenix metropolitan area and central Arizona where there is an increasing electrical demand. Additionally, a positive economic effect is expected to result from the proposed energy facility development by providing short and long-term job opportunities in the area, tax benefits to Pinal County, and local economic activity from Project workers' transactions with local businesses. Boulevard Associates will use local labor and local contractors/materials as much as possible for the Project.

Both the Project site and the region are well suited for the proposed changes to the Comprehensive Plan. The primary criteria for determining the location of power generation facilities include the existence of compatible adjacent and nearby land uses; minimal topographic variability; and the proximity to existing electrical infrastructure, major transportation corridors (highway and rail), utility corridors (electric and natural gas), and electrical load centers.

The Project site is displayed in Figure 1, Figure 2, and Figure 3, below. The site is generally level and in proximity to existing transmission lines, substations, highway and rail facilities, and large electrical load centers.

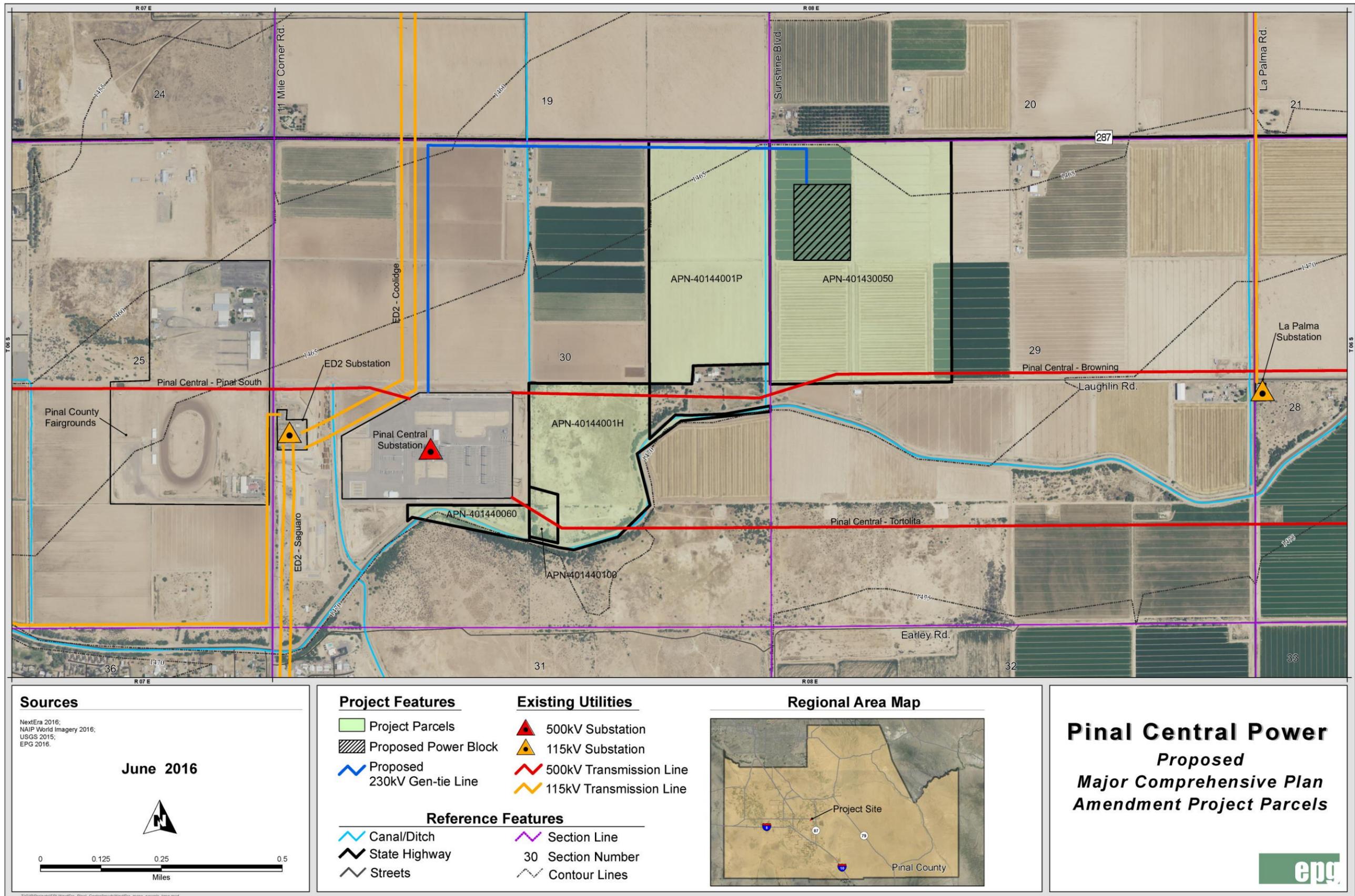


Figure 1. Project Parcels

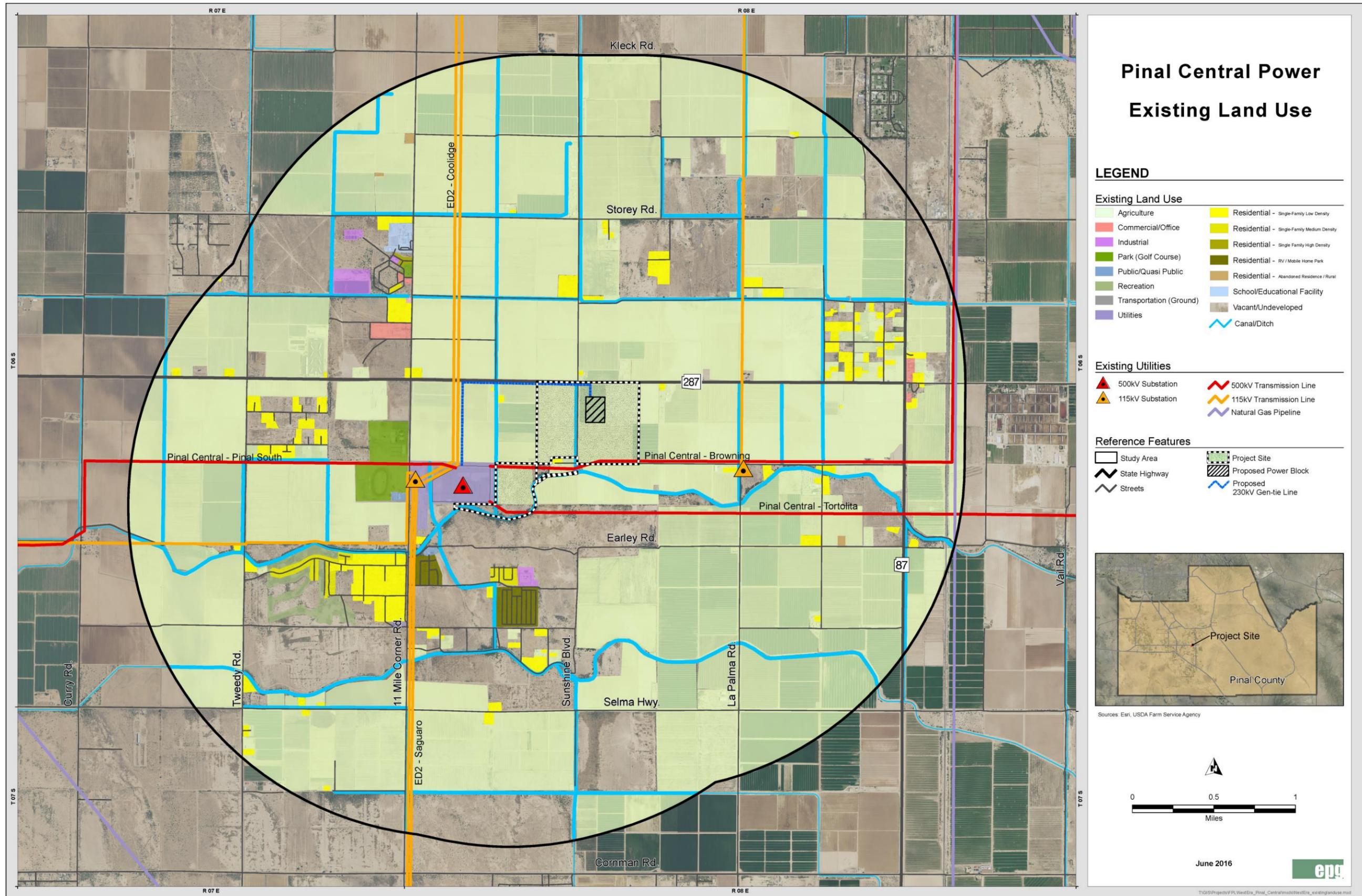


Figure 2 Existing Land Use

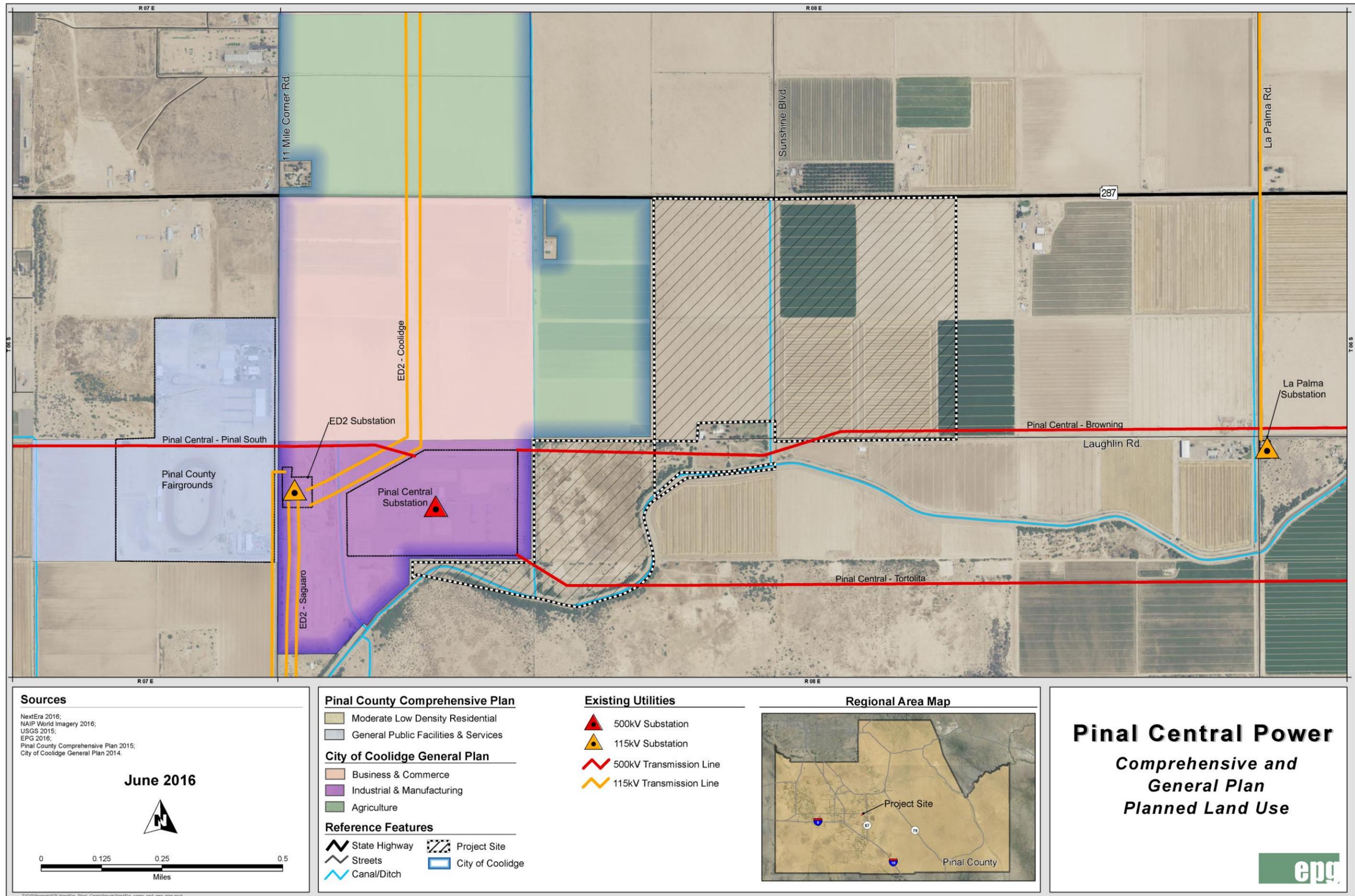


Figure 3 Planned Land Use

## **2.2 PHYSICAL SETTING, EXISTING USES, AND RELATIONSHIP TO SURROUNDING LAND USES**

Existing land uses within approximately two miles of the Project site (study area) are described below, and displayed in Figure 2, above. As shown previously in Figure 3, a newly annexed portion of the City of Coolidge is located immediately west of and adjacent to the Project site (Pinal Central Substation). The boundary of the City of Eloy is located approximately 1.8 miles west of the Project site. Existing land uses within the study area include transportation, agriculture, utilities, residential, recreation, commercial, public services, education, and vacant land. The closest residence is located immediately south of the Project parcels, while another is located north of the Project parcels, separated by SR287. Scattered single-family residences are located throughout the Project study area, and a mobile home park is located approximately 0.4 miles south of the subject property. There are no areas designated as Open Space within the Project site.

The Project site is located adjacent (east) to the Pinal Central Substation with two (Pinal Central – Tortolita, and Pinal Central – Browning) 500kV transmission lines crossing the property from east to west.

Transportation and travel routes in the Project vicinity include SR287, which travels east to west, north of and adjacent to the Project site, Eleven Mile Corner Road, which travels north to south, approximately one mile west of the Project site, and several unpaved roads surrounding the site.

Land adjacent to the Project site is privately owned and largely used for agricultural production. There are no areas designated as Open Space within the proposed Project site. The proposed Project would not impact known planned recreational uses.

The area in which the proposed Project would be located is addressed in the Comprehensive Plan. The plan designates the proposed site and adjacent land as Moderate Low Density Residential. This designation intends to “provide for a larger lot development pattern with options for [a] suburban residential pattern. Suitability is determined by location, access, existing land use patterns and natural and man-made constraints” (Pinal County 2009). Areas designated as Moderate Low Density Residential are intended suburban residential areas with an expected 1 to 3.5 dwelling units per acre (du/ac).

The Project site is zoned as GR and the land uses entail a combination of active farmland, fallow farmland, and vacant lands. The property is privately owned, and contains no residences or buildings.

### **3.0 COMPREHENSIVE PLAN AMENDMENT CRITERIA**

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The overall intent of the Comprehensive Plan is to act as a tool that will serve to “steer the County on a positive course of action to manage growth, preserve the quality of life, and promote sustainability. It is a long-term vision that promotes effective economic vitality while ensuring environmental stewardship. The Plan articulates the vision and outlines the strategic direction to position Pinal as a vibrant, healthy, and economically sustainable region within the state of Arizona.” (Pinal County 2009).

The proposed amendment is consistent with the vision components of the Comprehensive Plan, as discussed in the next section of this application. These include: Sense of Community; Mobility and Connectivity; Economic Sustainability; Open Spaces and Places; Environmental Stewardship; Healthy, Happy Residents; and Quality Educational Opportunities.

To ensure conformity with the Comprehensive Plan, all development proposals must meet the criteria outlined in the Plan’s compliance checklist. The following sections are written in response to the criteria listed in the Comprehensive Plan compliance checklist, focused on two major components:

- Consistency with Pinal County’s Vision Components, and
- Consistency with the Plan’s Key Concepts illustrated on Land Use, Economic, and Circulation graphics.

#### **3.1 CONSISTENCY WITH PINAL COUNTY’S VISION COMPONENTS**

The proposed land use associated with this amendment would be consistent with the goals, objectives, and policies of the current Comprehensive Plan

The chapters of the Comprehensive Plan include: Sense of Community; Mobility and Connectivity; Economic Sustainability; Open Spaces and Places; Environmental Stewardship; Healthy, Happy Residents; and Quality Educational Opportunities vision components and are discussed below with specific responses to the applicable questions included in the Comprehensive Plan compliance checklist.

##### **Sense of Community**

*Is the proposal consistent with the Sense of Community vision component?*

The proposed amendment is consistent with the Sense of Community vision component. Sense of Community is largely achieved by paying close attention to residential and commercial land uses in the area. Densities of development either encourage or discourage a sense of community based on the land uses described the Comprehensive Plan. According to the Land Use Plan described in *Chapter 3*, the Project site is located within the Moderate Low Density Residential land use. This designation allows medium and high density residential, commercial, and employment (office and light industrial) land uses. Adjacent parcels to the Project site are

generally vacant land under this designation, but also include existing and planned utility uses. The proposed amendment would be consistent with the Sense of Community vision as described in the Comprehensive Plan by consolidating energy facilities in an area that contains similar and compatible land uses, as well as vacant land.

### **Mobility and Connectivity**

*Is the proposal consistent with Mobility and Connectivity vision component?*

The proposed amendment is consistent with the Mobility and Connectivity vision component. *Chapter 4: Mobility and Connectivity* of the Comprehensive Plan explains Pinal County's vision to strive to serve persons with multimodal transportation options in transportation corridors at appropriate locations. Under the goals, objectives and policies in this chapter, *Policy 4.1.1.4* states that the County will evaluate the transportation impacts of all proposed Comprehensive Plan amendments and rezonings on Pinal County's regional transportation system. Power generation facilities on the Project site would have minimal impact on planned land uses from traffic and the goals that address this vision.

There would be a temporary increase in traffic volume during the construction period for the delivery of equipment and supplies and due to commuting workers. Existing roads and railroads are sufficient to accommodate the anticipated construction traffic. During the operational phase, traffic on area roads is not expected to increase due to the small operation and maintenance crew that would travel to and from the Project site.

### **Economic Sustainability**

*Is the proposal consistent with the Economic Sustainability vision component?*

The proposed amendment is consistent with the Economic Sustainability vision component. Balancing residential growth with job creation is the central theme of the Economic Development element. The Economic Development element concentrates on the County's ability to provide quality employment opportunities for its residents by setting specific goals, objectives and policies. Two main goals that address this vision are to:

1. Encourage a full range of quality jobs for residents of Pinal County and increase the jobs per capita ratio.
2. Encourage sustainable development consistent with Pinal County's environmental preservation philosophy.

The proposed amendment would further promote economic diversity and employment opportunities in the area by providing direct and indirect employment during the construction and operational life of the proposed facility. Additionally, power generated by the proposed facility could potentially support residential growth and job creation by providing clean, safe, affordable, and efficient electricity to local communities and the region. The proposed

amendment would be compatible with the vision outlined in *Chapter 5: Economic Stability* as described in the Comprehensive Plan.

### **Open Spaces and Places**

*Is the proposal consistent with the Open Spaces and Places vision component?*

The proposed amendment is consistent with the Open Spaces and Places vision component. According to the Comprehensive Plan, siting of specific proposed open space and trails is based on the “suitability of activities, surrounding land uses, ecological factors, topography, viewsheds, and cultural resources” (Pinal County 2009).

There are no existing dedicated open space areas or trails within the Project study area. However, the Comprehensive Plan and the final Open Space and Trails Master Plan for Pinal County identify a proposed designated trail corridor that would run parallel to SR287 on the north side, and north of the Project site. The proposed amendment is not expected to conflict with this proposed trail, and would not be in conflict with the planned land use.

### **Environmental Stewardship**

*Is the proposal consistent with the Environmental Stewardship vision component?*

The proposed amendment is consistent with the Environmental Stewardship vision component. Throughout initial Project planning, Boulevard Associates has considered potential environmental impacts in their Project plans, and is committed to minimizing impacts to the human, natural, and cultural environment resulting from the proposed development. The Project will comply with any and all applicable state and federal laws, regulations, and guidelines, as required.

Current Project design includes the use of dry-cooled combined-cycle gas-fired generators, which minimize water use. Solar generation conserves natural resources, and battery energy storage facilitates the integration of renewable resources into the power grid. Minimization of water use and the use of renewable energy sources are both stated elements of the Environmental Stewardship vision of the Comprehensive Plan.

### **Happy, Healthy Residents**

*Is the proposal consistent with the Happy, Healthy Residents vision component?*

The proposed amendment is consistent with the Happy, Healthy Residents vision component. Factors that contribute to Happy, Healthy Residents include well designed neighborhoods, the cost of housing, and public services, and the availability of healthy foods. *Chapter 8: Happy, Healthy Residents* of the Comprehensive Plan states the following goals for example:

*Goal 8.1:* Pinal County has a mix of housing types and is well positioned to respond to emerging housing industry trends and markets

*Goal 8.2:* Maximize residential development opportunities where existing infrastructure and services are provided or planned.

*Goal 8.3:* Promote a philosophy that new growth pays for its share of financial impacts in an equitable manner.

*Goal 8.4:* Maintain long-term financial sustainability for Pinal County.

*Goal 8.5:* Pinal County and its residents have access to healthy foods.

The proposed amendment would be consistent with this vision and would contribute toward maintaining long-term financial stability (Goal 8.4) by generating revenues and contributing to the tax base for Pinal County, and by allowing the contribution of clean, safe, affordable, and efficient energy to the regional transmission grid.

### **3.2 CONSISTENCY WITH THE PLAN'S KEY CONCEPTS ILLUSTRATED ON LAND USE, ECONOMIC, AND CIRCULATION GRAPHICS**

#### **Consistency with the Land Use Designation shown on the graphics**

Land uses in the area surrounding the subject site are designated Rural Residential, Low Density Residential, and Moderate Low Density Residential as indicated on the Land Use and Economic Development graphic. This application for a proposed Major Comprehensive Plan Amendment is requested to change the land use designation from Moderate Low Density Residential to General Public Facilities/Services. The land use change would be consistent with supporting public utility infrastructure and energy facility uses including the Pinal Central Substation, west of the subject site, and the major high-voltage transmission lines that surround and pass through portions of the subject site.

#### **Consistency with the Mixed Use Activity Center Concept**

The Project site is not located within a Mixed Use Activity Center. Three of the High Intensity Activity Centers are located in Coolidge, Eloy, and Casa Grande and a planned Mid-Intensity Activity Center is located approximately 6 miles east of the Project site.

#### **Consistency with the Planning Guidelines described in the Land Use element**

The project land uses are consistent with the applicable Planning Guidelines described in the Land Use element.

Medium and high density residential, commercial, and employment (office and light industrial) land uses are allowed in the Moderate Low Density Residential designation. Parcels adjacent to

the Project site under this designation are generally vacant. Also in close proximity to the proposed site are transmission lines and structures that cross the site and terminate at the nearby Pinal Central Substation. Two additional, parallel 500kV transmission lines are proposed to be constructed near the Project parcels and were recently permitted by the Arizona Corporation Commission. There are also numerous electrical distribution lines, communications cables, and irrigation canals, laterals, and ditches within and in the vicinity of the Project parcels.

The Project site is located within the West Pinal Growth Area, which is described in the Pinal County Comprehensive Plan as the “heart of the Sun Corridor Megapolitan Area”, planned for urbanization bordering Native American communities with expansion of new housing and commercial development. The site is also located within the City of Coolidge Planning Area containing about 12,000 acres surrounding the city to the east and south, designated Growth Area 2, which is projected to support a population of up to 148,000 (City of Coolidge 2014).

The proposed amendment would be a step toward allowing additional power generation and battery energy storage facilities and infrastructure within this Growth Area, which would contribute toward meeting regional electrical needs.

### **Quality Employment Opportunities County-Wide**

The proposal is consistent with the Economic Development element.

The proposed amendment would further promote economic diversity and employment opportunities in the area by providing quality jobs during the construction and operational life of the facility. The proposed amendment will be compatible with the vision outlined in *Chapter 5: Economic Stability* of the Comprehensive Plan.

### **Viable Agriculture, Equestrian and Rural Lifestyle**

The proposed amendment would cluster industrial (utility) development into an area that now supports many existing and planned utility uses, thus limiting dispersed impacts to open space and agriculture, or sprawl. A large portion of the Project site contains vacant or abandoned agricultural land.

### **System of Connected Trails and Preservation of Open Space**

The proposed amendment is consistent with the Trails and Open Space Master Plan and Comprehensive Plan Open Space and Places Chapter.

The Open Spaces and Places chapter of the Comprehensive Plan’s vision is to site specific proposed open space and trails based on the “suitability of activities, surrounding land uses, ecological factors, topography, viewsheds, and cultural resources” (Pinal County 2009).

Pinal County’s Open Space and Trails Master Plan promotes the quality of life of the region by providing areas of passive and active recreational opportunities, while conserving existing

resources, such as natural scenic beauty, view corridors, wildlife habitat, agricultural resources designated at risk, and cultural heritage for the benefit of present and future generations.

There are no existing dedicated open space areas, designated scenic resources, or designated view corridors within the study area. However, the Comprehensive Plan and the final Open Space and Trails Master Plan for Pinal County identify a proposed multi-use trail corridor that would run north of and parallel to SR287, which is north of the Project site. The proposed amendment would not interfere with the proposed trail corridor, or other designated open spaces, nor is it expected to impact any designated scenic resources. As part of the Project design, Boulevard Associates would include visual screening features to minimize visual impacts to residents and other viewers in the Project vicinity. The proposed amendment would be compatible with Pinal County's vision concerning open space and trails.

### **Natural Resource Conservation**

The proposal addresses environmentally sensitive areas it may impact, as described below.

Boulevard Associates has considered potential environmental impacts of the proposed Project, and will mitigate impacts to the natural and cultural environment by minimizing ground disturbance where possible. Development of the Project will comply with any and all applicable state and federal environmental laws, regulations, and guidelines, as required.

Based on preliminary review, the Project site is located in an area with minimal sensitive environmental resources present. Detailed environmental studies, including pedestrian biological and cultural/archaeological surveys will be completed for the site, and documented as part of the Arizona CEC application process. Results of a preliminary environmental review of the Project site are described below.

### **Biological Resources**

Sensitive species lists from the Arizona Game and Fish Department (AGFD) and Arizona Department of Agriculture (ADA) were reviewed with regard to species with the potential to occur in Pinal County. Current habitat characteristics on the Project site do not appear to provide significant suitable habitat for the presence of the majority of the identified federal and state sensitive species, as the site is composed principally of cultivated cropland, and the majority of the identified species with potential to occur are associated with significant riparian habitats, aquatic habitats, rocky slopes, or other habitat types not present on the site. Because nearly all of the Project site has been subject to ground disturbance in the past, no sensitive plants are likely to be present.

Sensitive species reported on these lists that may be present in the vicinity of the site include the Great Egret, Western Yellow Bat, Lesser Long-nosed Bat, California Leaf-nosed Bat, Greater Western Bonneted Bat, and Tucson Shovel-nosed Snake. The Yuma Clapper Rail, Southwestern Willow Flycatcher, and Western Yellow-billed Cuckoo have been recorded at the nearby Picacho Reservoir but no suitable habitat is present on the Project site.

The Great Egret is a wading bird associated with aquatic habitats such as lakes, streams, marshes, and ponds. This species has been documented from the general vicinity of the site, and is often observed foraging in human-modified landscapes, including irrigation canals and flooded fields. However, project development is unlikely to result in significant impacts to this species, as it is unlikely to nest on the site, and similar foraging habitats are common in the vicinity of the site.

Lesser Long-nosed Bats and California Leaf-nosed Bats roost in mines, caves, or similar crevices, and are unlikely to roost on the site due to a lack of suitable habitats. The Western Yellow Bat roosts primarily in deciduous trees and fan palms, and the site generally lacks suitable roosting habitat for this species. The Greater Western Bonneted Bat roosts in cliffs and crevices, and no suitable roost habitat for this species is present. However, all of these bat species have the potential to forage on the site or traverse the site during foraging activities. As these species are unlikely to roost on the site, and habitats composing the site are common to the area, project development is unlikely to result in significant impacts to these bat species.

The Tucson Shovel-nosed Snake is generally associated with creosote and mesquite floodplains on valley floors, and typically inhabits soft, sandy loams. Although the majority of the site is unlikely to provide suitable habitat as a result of its utilization for agricultural crop production, limited areas may provide suitable habitat. The undeveloped desert areas dominated by mesquite and wolfberry along the adjacent canal have the potential to provide suitable habitat for this species. Nevertheless, the site does not appear likely to provide significant suitable habitat for this species, and the patches of potential habitat are surrounded by farmland and isolated from remaining habitat in the region. Project development is unlikely to result in significant impacts to this species.

The site provides suitable habitat for the Burrowing Owl, which is present throughout the region. This species occurs in a variety of habitats and can often be found in agricultural landscapes, where soft soils along field margins and canal banks are suitable for burrowing rodents. Although the Burrowing Owl is not designated as a sensitive species, it is a species of general conservation concern, which is closely monitored in Arizona and is protected under the Migratory Bird Treaty Act (MBTA). Boulevard Associates will follow the current AGFD survey protocol for this species in order to minimize potential impacts, and to comply with MBTA regulations.

## **Cultural Resources**

The official database of cultural resources records (AZSITE) administered by the Arizona State Museum was reviewed to determine if cultural resources were located within the proposed site. Review of AZSITE indicated the presence of three historic period sites within or adjacent to the proposed site. These sites include the historic roadway alignments of SR287 and Sunshine Road, and the historic Casa Grande Canal.

The historic roadway alignment of SR287 is located adjacent to the northern boundary of the Project site. The original roadway of the segment adjacent to the site appears to have been obliterated by modern construction. Therefore, the historical integrity of this segment of roadway

has been compromised and would not be likely to contribute to the National Register of Historic Places (NRHP) eligibility of the overall historic roadway alignment.

Sunshine Road (or Sunshine Boulevard) traverses the center of the site in a north to south orientation. The portion of the roadway located within the Project site is a dirt road that is currently in use and shows signs of regular maintenance. Therefore, the historic integrity of the segment of roadway traversing the Project site has been compromised by modern use and maintenance and would not be likely to contribute to the NRHP eligibility of the overall historic roadway alignment.

The Casa Grande Canal traverses the site from roughly east to west. The portion of the canal that is located adjacent to the Project site is in use and show signs of regular maintenance. Due to the modern use and maintenance of the canal, the historic integrity of this segment of the canal has been affected.

Following the completion and documentation of Class III cultural surveys of the Project site, consultation with the State Historic Preservation Office, irrigation district, and relevant federal agencies will occur as part of the CEC process. Consultation with these agencies will be completed in order to determine the NRHP eligibility of the previously known and newly discovered sensitive cultural resources, and to determine if there would be impacts to these historic resources from project development.

### **Water Resources, Public Facilities/Services, and Infrastructure Support**

The proposal has accounted for adequate services being in place or planned for within a reasonable time of the start of the new development.

The Pinal County Sheriff's Office provides law enforcement services to the Project vicinity. The Regional Fire and Rescue Department provides subscription-based fire and emergency medical services to the area. New or additional public services resulting from the proposed amendment are not anticipated.

Planned utilities and services on the site include water, electric, and natural gas. The Project is anticipated to use substantially less water than typical farmlands within the region. Boulevard Associates intends to obtain water primarily from private water providers in the Project vicinity, and has initiated preliminary discussions to that end.

Development of the Project would not impact existing water quality. The site would be designed to pass offsite stormwater through or around the site and release it in a manner similar to the existing condition. Based on a final hydrologic analysis of the site, onsite drainage will be routed as necessary to retention basins as per Pinal County Public Works regulations. This drainage design concept would allow the site to be developed, while not increasing stormwater runoff or creating an adverse impact on adjacent properties. Site design that is sensitive to existing topography and drainage patterns would also function to protect water quality.

In areas where there is any potential for contamination, all stormwater would be retained onsite to comply with Arizona Department of Environmental Quality requirements. The Project would

comply with the Arizona Pollutant Discharge Elimination System Construction General Permit. In addition, the proposed Project will adhere to the Arizona Department of Environmental Quality Aquifer Protection Program and bi-annual Water Quality Assessment Report, as required by the Clean Water Act.

## 4.0 REFERENCES

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City of Coolidge 2014. City of Coolidge 2025 General Plan. Adopted June 23, 2014

Pinal County 2009. Pinal County Comprehensive Plan. Adopted November 18, 2009, updated January 20, 2014.

# **Appendix A: ALTA Survey**

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# PINAL CENTRAL SOLAR PROJECT ALTA/ACSM LAND TITLE SURVEY

LOCATED IN A PORTION OF SECTIONS 29 AND 30, TOWNSHIP 6 SOUTH, RANGE 8 EAST,  
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA

### SCHEDULE B DOCUMENTS

1. TAXES FOR THE FULL YEAR OF 2014.  
(THE FIRST HALF IS DUE OCTOBER 1, 2014 AND IS DELINQUENT NOVEMBER 1, 2014. THE SECOND HALF IS DUE MARCH 1, 2015 AND IS DELINQUENT MAY 1, 2015.)
2. ANY CHARGE UPON SAID LAND BY REASON OF ITS INCLUSION IN CENTRAL ARIZONA WATER CONSERVATION DISTRICT.  
(ALL ASSESSMENTS DUE AND PAYABLE ARE PAID.)
3. ANY CHARGE UPON SAID LAND BY REASON OF ITS INCLUSION IN SAN CARLOS IRRIGATION AND DRAINAGE DISTRICT.  
(ALL ASSESSMENTS DUE AND PAYABLE ARE PAID.)
4. ANY CHARGE UPON SAID LAND BY REASON OF ITS INCLUSION IN CENTRAL ARIZONA GROUNDWATER REPLENISHMENT DISTRICT.  
(ALL ASSESSMENTS DUE AND PAYABLE ARE PAID.)
5. ANY CHARGE UPON SAID LAND BY REASON OF ITS INCLUSION IN HOHOKAM IRRIGATION AND DRAINAGE DISTRICT.  
(ALL ASSESSMENTS DUE AND PAYABLE ARE PAID.)
6. RESERVATIONS OR EXCEPTIONS IN PATENTS, OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF.
7. THE RIGHT TO ENTER UPON SAID LAND TO PROSPECT AND REMOVE ALL URANIUM, THORIUM AND OTHER MINERALS AS SET FORTH IN SAID PATENT FROM THE UNITED STATE OF AMERICA
8. ALL MATTERS AS SET FORTH IN DECLARATION OF ROAD, RECORDED AS DOCKET 375, PAGE 572.  
(AFFECTS PARCEL NO. 1, 2, 3, 6, 7 AND 8)  
(BLANKET IN NATURE NOT PLOTTABLE)
9. ALL MATTERS SET FORTH IN RESULTS OF SURVEY RECORDED AS BOOK 5 OF SURVEYS, PAGE 228.  
(PLOTTED HEREON)
10. THE EFFECT OF RESOLUTIONS ADOPTING STATE ROUTE PLAN FOR THE CASA GRANDE-LA PALMA HIGHWAY AND ANY AMENDMENTS THERETO FOR THE PURPOSE OF CONTROLLING ACCESS AND ACQUIRING LANDS IN ADVANCE FOR RIGHTS-OF-WAY, RECORDED IN DOCKET 990, PAGE 981.  
(AFFECTS PARCEL NO. 1 AND 8)  
(PLOTTED HEREON)
11. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "NOTICE OF EXERCISE OF RESERVED RIGHT OF WAY" RECORDED MAY 17, 1989 AS DOCKET 1604, PAGE 976 OF OFFICIAL RECORDS.  
(AFFECTS PARCEL NO. 1)  
(PLOTTED HEREON)
12. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "NOTICE OF EXERCISE OF RESERVED RIGHT OF WAY" RECORDED MAY 16, 1990 AS DOCKET 1607, PAGE 393 OF OFFICIAL RECORDS.  
(AFFECTS PARCEL NO. 2 AND 3)  
(PLOTTED HEREON)
13. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "AGREEMENT RELATING TO EXERCISE OF RESERVED RIGHT OF WAY" RECORDED MAY 16, 1990 AS DOCKET 1676, PAGE 388 OF OFFICIAL RECORDS.  
(AFFECTS PARCEL NO. 1)  
(PLOTTED HEREON)
14. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "AGREEMENT RELATING TO EXERCISE OF RESERVED RIGHT OF WAY" RECORDED JUNE 12, 1990 AS DOCKET 1681, PAGE 444 OF OFFICIAL RECORDS.  
(AFFECTS PARCEL NO. 2 AND 3)  
(PLOTTED HEREON)
15. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "EASEMENT AND RIGHT OF FIRST REFUSAL AGREEMENT" RECORDED FEBRUARY 21, 2007 AS 2007-022164 OF OFFICIAL RECORDS.  
(AFFECTS PARCEL NO. 4, 7, 8)  
(BLANKET IN NATURE NOT PLOTTABLE)
16. AN EASEMENT FOR TELEPHONE AND TELEGRAPH LINES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS BOOK 22 OF MISCELLANEOUS, PAGE 414.  
(AFFECTS PARCEL NO. 5 & 7)  
(PLOTTED HEREON)

### SCHEDULE B DOCUMENTS CONTINUED

17. AN EASEMENT FOR PUBLIC HIGHWAY AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS BOOK 58 OF DEEDS, PAGE 452.  
(AFFECTS PARCEL NO. 1)  
(PLOTTED HEREON)
18. AN EASEMENT FOR ELECTRICAL TRANSMISSION LINE AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS DOCKET 740, PAGE 520.  
(AFFECTS PARCEL NO. 2 AND 3)  
(BLANKET IN NATURE NOT PLOTTABLE)
19. AN EASEMENT FOR ELECTRICAL TRANSMISSION LINE AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS DOCKET 757, PAGE 435.  
(AFFECTS PARCEL NO. 2, 3 AND 8)  
(BLANKET IN NATURE NOT PLOTTABLE)
20. AN EASEMENT FOR ELECTRICAL TRANSMISSION LINE AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS DOCKET 823, PAGE 647.  
(AFFECTS PARCEL NO. 2, 3, 6, 7 AND 8)  
(BLANKET IN NATURE NOT PLOTTABLE)
21. AN EASEMENT FOR TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND COMMUNICATION SIGNALS ALONG WITH INGRESS AND EGRESS AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS 2008-038811 OF OFFICIAL RECORDS.  
(AFFECTS PARCEL NO. 1)  
(PLOTTED HEREON)
22. AN EASEMENT FOR HIGH VOLTAGE LINES, ALONG WITH INGRESS AND EGRESS AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS 2008-051879 OF OFFICIAL RECORDS.  
(AFFECTS PARCEL NO. 3 AND 7)  
(PLOTTED HEREON)
23. RIGHT OF WAY FOR THE FLORENCE CASA-GRANDE CANAL.  
(AFFECTS PARCEL NO. 2, 3, 4, 6 AND 7)
24. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS THAT MAY EXIST OR ARISE BY REASON OF THE FOLLOWING MATTERS  
DISCLOSED BY AN ALTA/ACSM SURVEY MADE BY ATWELL, LLC ON OCTOBER 2014, DESIGNATED JOB NUMBER 14001340.
25. THE RIGHTS OF PARTIES IN POSSESSION BY REASON OF ANY UNRECORDED LEASE OR LEASES OR MONTH TO MONTH TENANCIES AFFECTING ANY PORTION OF THE WITHIN DESCRIBED PROPERTY.  
NOTE: THIS MATTER WILL BE MORE FULLY SET FORTH OR DELETED UPON COMPLIANCE WITH THE APPLICABLE REQUIREMENT(S) SET FORTH HEREIN.
26. THE PUBLIC RECORDS DO NOT SHOW ANY LEGAL RIGHT OF ACCESS TO OR FROM THE LAND, AND, BY REASON THEREOF, THE COMPANY DOES NOT INSURE ANY RIGHT OF ACCESS TO AND FROM THE INSURED PROPERTY.  
(AFFECTS PARCEL NO. 4, 5 AND 7)
27. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.
28. AN EASEMENT FOR ELECTRIC TRANSMISSION AND DISTRIBUTION RIGHT OF WAY AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS 2014-026216 OF OFFICIAL RECORDS.  
(AFFECTS PARCEL NO. 5, 6 AND 7)  
(PLOTTED HEREON)



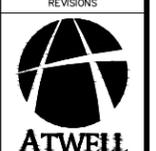
Land Development & Real Estate  
Power & Energy  
Telecommunications  
Infrastructure & Transportation  
Environmental & Soil Water  
Water & Wetland Resources



COUNTY: PINAL  
SECTION: 29 & 30  
TOWNSHIP: 6 SOUTH  
RANGE: 8 EAST

ALTA/ACSM LAND TITLE SURVEY  
PROJECT:  
PINAL CENTRAL  
CITY OF CASA GRANDE, ARIZONA

DATE: OCTOBER 2014  
REVISIONS

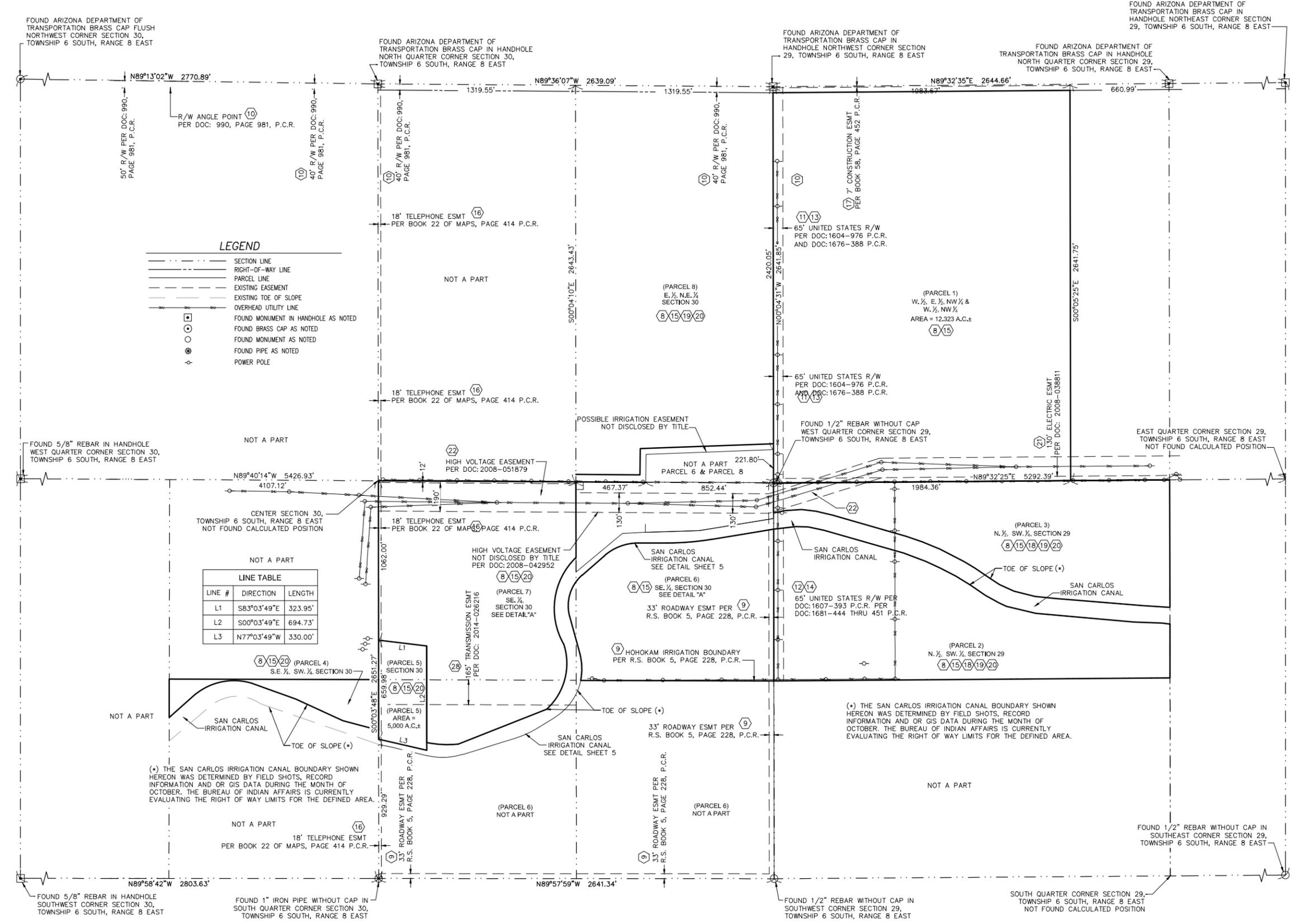


N.T.S.  
DR. RG CH. EB  
P.M. E. BALLIET  
CAD FILE:  
14001340 PINAL CENTRAL ALTA/ACSM  
JOB 14001340  
SHEET NO.  
2 OF 4

# PINAL CENTRAL SOLAR PROJECT ALTA/ACSM LAND TITLE SURVEY

LOCATED IN A PORTION OF SECTIONS 29 AND 30, TOWNSHIP 6 SOUTH, RANGE 8 EAST,  
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA

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Land Development & Real Estate  
Power & Energy  
Telecommunications  
Infrastructure & Transportation  
Investigations & Soil Water  
Water & Natural Resources



COUNTY: PINAL  
SECTION: 29 & 30  
TOWNSHIP: 6 SOUTH  
RANGE: 8 EAST

ALTA/ACSM LAND TITLE SURVEY  
PROJECT: PINAL CENTRAL  
CITY OF CASA GRANDE, ARIZONA

DATE: OCTOBER 2014

REVISIONS



SCALE 0 150 300  
1" = 300 FEET  
DR. RG CH. EB  
P.M. E. BALLIET  
CAD FILE:  
14001340 PINAL CENTRAL ALTA/ACSM  
JOB 14001340  
SHEET NO.  
3 OF 4



