

# **APPRAISAL REPORT**

**A 5.002-Acre Tract of Vacant Land  
Located North of the Northeast Corner  
Of 76<sup>th</sup> Street and McKellips Road  
Mesa, Arizona 85207**

**ADOT Parcel No.: L-M-395-B**

**APPRAISAL COVER SHEET**

**PARCEL NO.:** L-M-395-B

**OWNER NAME:** Arizona Department of Transportation

**ADDRESS:** 205 South 17<sup>th</sup> Avenue

Phoenix, Arizona 85007

**LOCATION**

**OF PROPERTY:** North of the Northeast Corner of

76<sup>th</sup> Street and McKellips Road

Mesa, Arizona 85207

**PROJECT:** H089301R

**HIGHWAY:** RED MOUNTAIN FREEWAY

**SECTION:** Higley Road - US 60

**CONTRACT NUMBER:** AD14-052969 # JW-16-004

**DATE OF APPRAISAL:** September 25, 2015

**DATE OF VALUATION:** September 8, 2015

**APPRAISER:** 

September 25, 2015

Mr. Steve Troxel  
Right of Way Operations  
Arizona Department of Transportation  
205 South 17<sup>th</sup> Avenue, Mail Drop 612 E  
Phoenix, Arizona 85007

RE: Appraisal of ADOT Parcel No. L-M-395-B, a vacant tract of landlocked excess land located in an unincorporated county island east of Mesa, Arizona 85207.

Dear Mr. Troxel:

At your request we have completed an appraisal of a 5.002-acre vacant tract of landlocked excess land located north of the northeast corner of 76<sup>th</sup> Street and McKellips Road, Mesa, Arizona. The property is rectangular in shape and zoned R1-35, residential with a 35,000 square foot minimum lot size by Maricopa County. However, presently it lacks legal access which will need to be resolved before the site can be developed.

The purpose of the appraisal is to estimate the market value of the subject property. The intended use of this report is to assist the Arizona Department of Transportation (ADOT) in disposing of the site as excess land. The intended user is ADOT and potential buyers of the site. This report is not to be used by any other party or for any other purpose without the written consent of [REDACTED]

The property was inspected and analyzed for the purpose of estimating its market value, as defined in this report, as of September 8, 2015. The report is prepared to conform to the Uniform Standards of Professional Appraisal Practice (USPAP) and the appraisal standards and specifications of ADOT, as I understand them. It contains a description of the property appraised and the analysis of the data leading to the value stated. The data, opinions, and conclusions discussed are subject to the assumptions and limiting conditions contained in the addenda of this report.

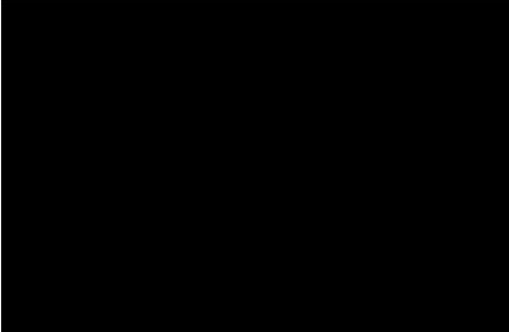
As a conclusion of the analysis, the estimated value of the fee simple interest in the property as of September 8, 2015, is:

**FOUR HUNDRED THIRTY THOUSAND DOLLARS**  
**(\$430,000)**

Data used to support the value conclusion is presented and discussed in the accompanying report. It is noted that no environmental hazards were noted to be influencing the subject property at the time of inspection.

The underlying assumptions and limiting conditions pertaining to this report are contained in the first exhibit in the Addenda. These assumptions and limiting conditions are an integral part of the report and are only placed at the end to facilitate reading of the report, not to minimize their importance.

Respectfully,



## SUMMARY OF SALIENT FACTS AND CONCLUSIONS

<b>Type of Property:</b>	Vacant land with single-family residential development potential.
<b>Location:</b>	North of the northeast corner of 76 <sup>th</sup> Street and McKellips Road Mesa, Arizona 85207.
<b>Purpose of Appraisal:</b>	Estimate market value of the fee simple interest in the subject property.
<b>Intended Use Of the Appraisal:</b>	To assist in disposition of the property as excess land.
<b>Hypothetical Conditions:</b>	None.
<b>Legal Description:</b>	The legal description is lengthy and found in the title report for the property shown in Exhibit 4 of the Addenda.
<b>Tax Parcel Number:</b>	219-26-096D
<b>Site Data:</b>	
Site Area:	5.002 net acres or 217,868 square feet per ADOT
Shape/Dimensions:	Rectangular; 330.25 feet wide by 660 feet deep
Frontage:	None
Access:	Presently the site has no legal access
Zoning:	R1-35, residential with a 35,000 square foot minimum lot size, by Maricopa County
Flood Plain:	Zone X; flood insurance is not required
Easements:	None noted other than a water line easement to the City of Mesa along the west border of the property.
<b>Building Improvements:</b>	None.
<b>Site Improvements:</b>	None.
<b>Hazardous Substance Issues:</b>	None noted.
<b>Highest and Best Use:</b>	Cure the legal lack of access and split the site into five rural residential home sites.
<b>Date of Value Estimate:</b>	September 8, 2015
<b>Date of Inspection:</b>	September 8, 2015
<b>Date of Report:</b>	September 25, 2015



**Estimated Market Value:** \$430,000

**Appraisal Reporting  
Standards:**

This report is drafted to adhere to the Uniform Standards of Professional Appraisal Practice (USPAP) plus the appraisal standards and specifications of ADOT as I understand them.

**Appraiser:**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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## **INTRODUCTION**

The property that is the subject of this report is a 5.002-acre tract of vacant land located north of the northeast corner of 76<sup>th</sup> Street and McKellips Road just east of Mesa, Arizona. The site was originally acquired by ADOT as part of the Loop 202 freeway construction project and now is excess land without legal access. The property is described in greater detail later in this report.

The property and related market influences are discussed later in this report. Maps and exhibits are shown throughout the text of this report in order to aid the reader in better visualizing the property and its surroundings. Subject photos and other exhibits are shown in the Addenda. Much of the information discussed above is repeated or defined specifically on following pages in more technical style to meet the requirements of the Uniform Standards of Professional Appraisal Practice.

### **Scope of Work**

The purpose of this appraisal is to estimate market value of the subject property. The client and intended user is the Arizona Department of Transportation. The intended use is to assist the client in disposition of the property as excess land. No extraordinary assumptions or hypothetical conditions are made to complete this assignment. It is noted that I have not performed any services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

## **PROPERTY IDENTIFICATION**

### **Tax Parcel Number**

Maricopa County assessor's parcel number 219-26-096D.

### **Legal Description**

The legal description is lengthy and found in Schedule A-1 of the title report for the property, which is shown in Exhibit 4 of the Addenda of this report.

### **Owner of Record**

The owner of record of the property is:

Arizona Department of Transportation  
205 S. Seventeenth Avenue  
Phoenix, Arizona 85007

# SUBJECT AERIAL PHOTOGRAPH



## **Development History**

The subject site is desert land that was acquired by ADOT when several parcels in this area were purchased for right of way of the Loop 202 Red Mountain Freeway in 2004. This parcel does not front on any existing streets or public rights of way. When the adjacent parcel to the south was lost in a tax sale, this tract was left without any access. It remains such today.

## **Five Year Chain of Title**

The property has been under the ownership of ADOT for at least five years.

## **Current Listing Price and Offerings**

The property is not currently listed for sale and has not been listed for sale in the recent past. No known offers have been made to purchase it according to Ms. Shirley Seeley of the property management division of ADOT.

## **Owner Contact and Site Inspection**

The owner is also the client and therefore owner contact was unnecessary. The site was inspected for this assignment on September 8, 2015. This is also the date of valuation.

## **Exposure Period**

Based upon information seen in the market, the projected exposure time required to sell the subject property on the open market is six to nine months based upon analysis of current market conditions, discussions with market participants and observers, and by comparison with marketing periods of the sales included in this report, where available. This conclusion is based upon the assumption that the property is properly marketed by a professional brokerage specializing in this type of property and at a price that is equal to or near the value concluded in this appraisal.

## **Marketing Period**

Given the availability of competing properties that were observed in the market that are available for sale around the time of the date of valuation, the estimated time required to market the property today is six to nine months. Again, this conclusion is based upon the assumption that the property is properly marketed by a professional brokerage specializing in this type of property and at a price that is equal to or near the value concluded in this appraisal.



## **Easements and Encumbrances**

A recent title report was provided by the client and is shown in the Addenda. It did not identify any easement or encumbrances impacting the property. Nor did inspection reveal any obvious restrictions or easements which would affect the utility or marketability of the property. However, in discussions with officials from the City of Mesa, they identified a water line that reportedly runs along the west border of the subject property. Otherwise, no easements are known to exist. In the event that an updated title report reveals other easements, the appraiser reserves the right to amend the value conclusion reached in this report accordingly.

## **Hazardous Wastes**

No toxic waste or contaminants are known to exist on the site as of the time of inspection, although the entire site was not inspected. However, this does not mean that such materials do not exist either on or under the subject parcel. The appraiser is without the expertise to identify or detect such substances. Because of the liability generated if toxic wastes or contaminants are found on the site, it is strongly recommended that a specialist in the detection of toxic waste be retained and the property checked for possible contamination.

If a toxic waste or contaminant is detected, the value estimates concluded in this report are no longer valid. If a reappraisal is required, it will be made at an additional charge and upon receipt of any additional information requested, including descriptions of the toxic waste or contaminant and the cost of removal.

## **PURPOSE AND INTENDED USE OF THE APPRAISAL**

The purpose of this appraisal is to estimate the market value of the subject property, as of the date of appraisal. The intended use is to assist ADOT in disposing of the site as excess land. The client and intended user are the Arizona Department of Transportation.

## **DEFINITION OF MARKET VALUE**

The definition of market value applied in this assignment, pursuant to the Arizona Revised Statute 28-7091, is as follows:

"...'Market Value' means the most probable price estimated in terms of cash in United States dollars or comparable market financial arrangements which the property would bring if exposed for sale in an open market, with reasonable time allowed in which to find a purchaser, buying with knowledge of all of the uses and purposes to which it was adopted and for which it was capable."



## **PROPERTY RIGHTS APPRAISED**

The fee simple estate of the subject property is appraised, which is defined as:

"Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.<sup>1</sup>

### **Division of Personalty and Realty**

No personal property, business value or going concern values are considered in the value estimate.

### **Tenant Information**

The property is vacant land and is not currently leased.

## **APPRAISAL PROCESS**

The scope of this appraisal involves a specific process in order to form an opinion of the market value of fee simple interest in each subject property. The process includes the following steps: 1) inspection of the subject property to identify the physical, locational and economic characteristics of the property relative to competing properties; 2) research and investigation of public records relating to the property and competing properties to identify legally permitted uses and availability of public amenities; 3) performing a search of public records and other sources to identify sales of competing property in the market; 4) analysis of the sales data to identify those sales most similar to the subject property; 5) formulating an opinion of the highest and best use of the subject property, and; 6) analysis of the sales comparison approach. Since the cost and income approaches apply to improved properties, they are not applicable in this case. The sales comparison approach is discussed in the Valuation section of this report.

### **Extent of Data Collection Process**

In order to analyze the forces affecting the subject market and the property's competitive position within the market, a number of independent investigations were conducted. Regularly updated data from published data services pertaining to the subject market and competing properties was referenced to gain current information on market conditions. Current sales data was gathered on numerous comparable properties in the subject market area and recorded affidavits of property value were checked to verify preliminary information. From this data search, the most comparable properties were selected for use supporting a value estimate for the site.

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<sup>1</sup> *The Dictionary of Real Estate Appraisal*, 4<sup>th</sup> Edition, (Chicago: Appraisal Institute, 2002), p.113.

Data used in the discussion of the Arizona and Phoenix metro area was gathered from many sources including Phoenix daily newspapers, publications by Arizona State University and the University of Arizona, and from other sources. Neighborhood data was collected by driving the area and making observations on location, nature, and condition of surrounding improvements and features.

Observations discussed in the site and improvement description sections as well as observations on quality and condition is based upon personal inspection of the property. All sales data applied in this report was confirmed from one or more of the following data sources:

Costar Real Estate Data Service  
Xceligent Real Estate Market Data Service  
Arizona Regional Multiple Listing Service (ARMLS)  
Affidavits of Property Value  
RealQuest Real Estate Data Service  
Owners or their representatives  
Maricopa County Records

The data collected and employed in the analysis is referenced throughout the report and typically includes the source of the data, degree of reliability, and overall significance of the data. From these investigations and data sources, the most relevant information was selected for analysis in supporting an estimate of value for the subject property. The next section summarizes economic and real estate market trends influencing the subject property. The subject neighborhood and site are described subsequently.

## **REGIONAL DESCRIPTION**

Since all parties concerned with this report are familiar with general conditions in the Phoenix area, most of the area description is omitted. Only a summary of conditions is included.

Overall, Arizona and the Phoenix metropolitan area offer many positive attributes. The area's favorable location within the sunbelt, affordable housing, cultural and recreational amenities and economic diversity are expected to result in continued population growth. This is demonstrated by past increases in annual population and employment growth rate statistics and a low unemployment rate relative to other regions and to the nation. These conditions are expected to continue as the market slowly emerges from the recession of 2009.

### **Overview of Real Estate Markets**

The Phoenix residential home market tends to have broad swings in its growth cycle. After a period of record-setting growth in 2003-2005, the residential home market languished in a period of over-supply that started in early 2007 and appeared to bottom out in late 2011. As a result, new home construction had ground to nearly a halt by all of the major production home builders during this period. However, as demand has begun to catch up with supply, new home construction began to recover in late 2012 and into 2013, with many submarkets showing signs of strength. Appreciation figures published in the media in 2013 indicated macro appreciation rates of over 20%, however these figures are somewhat misleading since they are skewed heavily by prices at the low end of the market that have seen extremely strong appreciation due to the severe previous declines in value in this market segment that are now being overcome.

Home builders reacted by purchasing lots and vacant land on which to develop residential subdivisions and started paying a much higher price for raw land in areas where all needed utilities for development are readily available. By early 2014, however, the residential home market leveled off somewhat and as a result the purchase of lots and land by home builders slowed again as the anticipated surge in new home demand failed to materialize to the level many builders were anticipating. The residential market is now seeing a moderate and fairly steady absorption of new homes, mainly on in-fill tracts and on the outer fringes of the metropolitan area similar to the subject location. This rate of growth is expected to be maintained through the end of 2015 and start to see some increases in 2016-2018 according to local economists.

The retail and office markets also suffered significant decline over the same period, with similar root causes. Although their vacancy rates are declining in many areas, rents have not begun to rise again, making new construction unfeasible in most areas, especially in the west valley. These submarkets are also starting to show signs of early recovery in the strongest areas, while others are expected to remain over-supplied for at least another year before they recover to the point where widespread new construction resumes.

The industrial market has seen the strongest recovery of the commercial/industrial market area. Although smaller spaces are still suffering from high vacancy, there has been strong enough demand for spaces larger than 200,000 square feet to see several large complexes be developed, mainly in the southwest Phoenix submarket. Land values have begun to see appreciation in the largest tracts and the pace and number of industrial land acquisitions has quickened, all indicating a return to healthier conditions in this market segment.

The speculative development land market experienced a tremendous run up in values during the period from 2004 through 2007 in part as a result of strong profits created by the home builders who sought new sites for future subdivisions. Another key component of this run up was a large amount of buyers from Las Vegas who were cashing out of developments in Nevada where available new developable land was drying up. These buyers created rapid appreciation in several future development areas including land surrounding Surprise, Buckeye and Maricopa. However, this upward trend in value came to an abrupt halt somewhere between September 2005 and June 2006, depending on the location and upon the reliability of sales data that can be used to draw a conclusion on the change in the trend.

It is widely agreed that the market had stopped appreciating sometime in 2006 and experienced a strong decline in value after that, with an increase in the rate of decline starting in late 2008, then slowing again in 2010. Overall most of the speculative land market saw a decline of between 70% and 90% in areas where the trend could be measured between late 2007 and early 2012. Virtually all markets have begun to recover, however, showing at least modest gains in most areas through the end of 2013. However, recently most outlying areas have again leveled off due to uncertainty that remains in the minds of land buyers and developers.

## **Summary of Regional Description**

The Phoenix metropolitan area has grown into a center for government, transportation, and commerce for most of the southwestern United States. Its warm climate, affordable housing, cultural and recreational amenities, and economic diversity are expected to result in continued population and employment growth over the next several years once the national recession is weathered. Each of the segments of its real estate market are in varying stages of recovery after having suffered through a period of dramatic correction between 2007 and 2012 that followed a period of rapid growth and appreciation. Uncertainty remains in most areas, although the residential land and industrial land markets are showing stability in most areas, and some appreciation in the best market locations.

## **NEIGHBORHOOD DESCRIPTION**

The subject property is located in an unincorporated area in far eastern Maricopa County, about 24 miles east southeast of the central business district of Phoenix. The area is characterized by a combination of open desert land at the northern edge, suburban areas along the western edge and low density rural residential uses throughout the remainder of the area. Some of the low density areas are also in transition from rural to suburban uses, mainly in the form of traditional residential subdivisions.

### **Boundaries**

The neighborhood boundaries are concluded to be Ellsworth Road to the east, Power Road to the west, the Mesa/Tonto National Forest boundary to the north and the Apache Trail to the south. The north border provides a logical break between this rural and transitioning area and the preserved open space to the north. The other three borders are selected somewhat subjectively but form approximate boundaries between more established urban areas and this less densely populated, more rural area. These boundaries may be seen on the neighborhood map on the following page.

This area described is a slightly irregular rectangle and is roughly three miles wide by five miles long. Most of the area lies within the Mesa City Limits but there is a large, irregularly shaped county island where the subject is located that is the exception.

### **Access Routes and Arterial Streets**

The metropolitan Phoenix street system is laid out on a grid, with arterial streets and roadways running north-south and east-west on section lines, one mile apart. This is also the case in this neighborhood. East-west section line roads include McDowell Road, McKellips Road, just south of the subject, Brown Road, University Road and Apache Trail. The Apache Trail runs east-west half way between University and Broadway and is also the former state Route 60.

The only north-south arterial streets that run uninterrupted through the area are Ellsworth Road, two miles east of the subject, and Power Road, one mile to the west. The arterial roads are typically two to four lanes with asphalt surface and typically no further finish such as curbs, gutters and sidewalks, with the exception of areas where subdivisions have been completed.



AERIAL PHOTO



In these areas the streets are typically finished with a full half street, which consists of two traffic lanes, a future center turn lane, and curb gutter and sidewalk along the subdivision frontage. Streets providing access to the interior of the squares formed by the section line roads are mainly either two lane paved streets in the more developed areas or unfinished gravel roads in the rural areas. 80<sup>th</sup> Street is one of these roads.

The Red Mountain Loop 202 Freeway also runs from the northwest to the southeast through the area about a quarter mile west of the subject property. It was completed in 2008 and is a modern six lane freeway with interchanges at the section line roads, including at McKellips Road just south and west of the subject. It provides excellent access to this area from other portions of metropolitan Phoenix.

### **Topographic and Man-Made Features**

The area is gently sloping to the south and west. The Central Arizona Project (CAP) Canal runs diagonally from the northwest to the southeast through the area but does not interrupt normal traffic or utility of the area. No other significant man-made or topographic features are noted in the area, with the exception of the Utery Mountain Recreation Area to the north, which also provides access from Ellsworth Road north into the Salt River Canyon recreation area and to Saguaro Lake reservoir. There are, however, scenic mountain views to the north of Red Mountain and to the east of the Superstition Mountains from much of the area.

### **Amenities**

As mentioned, the area is mainly either undeveloped or rural residential or low density residential subdivisions. However, as growth pressure from the west continues, some retail and other commercial uses are being added as the area grows. Mostly, however, urban amenities in the form of shopping and services are available to the west within the City of Mesa. Normal public utilities including electricity and telephone service are available as well as water service. Municipal sewer service is available in many but not all areas.

### **Life Cycle**

The neighborhood is in an early urban growth stage at present. As urban pressure continues, it is expected that this area will see renewed suburban growth over the next three to five years given its proximity to the freeway and scenic desert setting. Although many parcels in the area are one to five acres, which are not considered economic to redevelop with subdivisions, many larger tracts are expected to be subdivided for residential development. As this occurs in numerous stages, chunks of the area are expected to be annexed into the City of Mesa and City water and sewer service extended.

## **Neighborhood Summary**

The subject neighborhood is a partially developed, rural residential area located 24 miles southeast of downtown Phoenix, near the east border of Maricopa County. It is made up partly of county island area that is surrounded by incorporated Mesa. Land uses are predominantly rural residential home sites of one to five acres, with some larger tracts intermixed as well, some of which have been subdivided for residential uses. As the area continues to grow, more urbanized amenities are also being extended into the area. The area is expected to resume growth over the next three to five years.

## **SITE DATA**

### **Assessor's Parcel Number**

219-26-096D

### **Location**

The subject site is located north of the northeast corner of 76<sup>th</sup> Street and McKellips Road in Mesa, Arizona. Since it has no street frontage it has no known address.

### **Site Dimensions and Shape**

Per the client, the net area of the site is 217,868 square feet, or 5.002 acres. The site is rectangular in shape with approximate dimensions of 330.25 feet by 660 feet. It is illustrated on the plat map on the following page.

### **Topography**

The site is very gently sloping downward to the southwest and is at grade with adjoining properties. Drainage for the area is rated average, although it appears that some storm runoff does run over the property from the east. There are no known soil or sub-surface conditions which would adversely affect the development of the site.

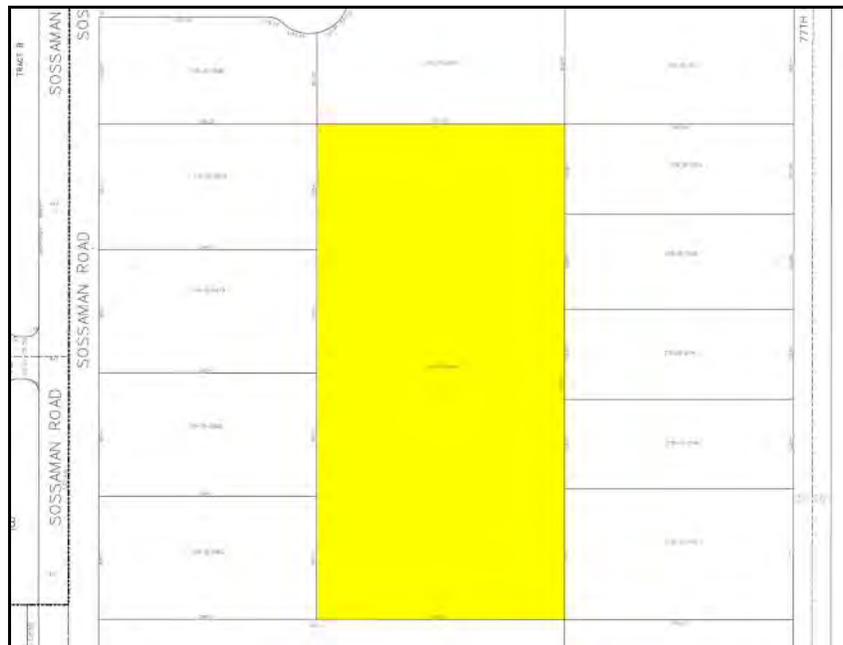
### **Access**

As mentioned several times, the subject property is landlocked. It has no frontage on any public roadway and no easements over adjoining properties from a public right of way. All of the properties to the east, west and north of the subject are improved with rural residences on large lots. The parcel to the south of the subject is vacant but has been approved with a subdivision plat by the City of Mesa that does not incorporate a route of access to the subject property. The likely solution to this lack of access would be to acquire either an access easement over one of the eleven improved parcels adjacent to it or acquire one of these properties outright. Once the property was acquired outright then an access easement could be placed over that property to allow access to the subject property.

# AERIAL PHOTO OF SUBJECT PROPERTY



# ASSESSOR'S PLAT



To develop up to five lots on the subject would only require a 22-244 foot wide roadway according to M. Derrick Shearer of the Maricopa County planning department and Mr. Jim Sargent a traffic engineer with Maricopa County Department of Transportation. It appears that this width of roadway could easily be accommodated over any of the four parcels to the west of the subject, but especially the north two properties. It is also possible that rights for an access easement could be acquired from the owner to the north, allowing access to the subject south from Leonora Street. It also could be possible to acquire access from the property to the south, although this would require replatting the approved subdivision on that parcel, at likely a far greater cost than placing a driveway over one of the other properties.

## **Utilities**

Currently, power and phone services are available to the subject site. City of Mesa water is to the site, while Mesa sewer is in the area but not to the site. Sewer could be available to the site if it were annexed into the City of Mesa. Wells and septic systems are also in use in the nearby unincorporated areas. Electricity and telephone are provided by Salt River Project and CenturyLink Communications, respectively.

## **Site Improvements**

There are no site improvements on the property.

## **Street Improvements**

The nearest streets are 76<sup>th</sup> Street, 320 feet to the west of the subject, 77<sup>th</sup> Place, 320 feet to the east, and Leonora Street, 125 feet to the north of the subject's northwest corner. 76<sup>th</sup> Street and 77<sup>th</sup> Place are rural streets with one asphalt paved lane in each direction but with no curb, gutter or sidewalk. Leonora Street is a new street with curb and gutter along both sides.

## **Traffic Counts**

No traffic count figures are known to be available in this area.

## **Flood Zone**

FEMA maps for the area denote the site as being in a Zone X flood rate area. The "X" designation indicates "Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas of less than one mile; and areas protected by levees from 1% annual chance flood". Flood insurance is not required in this flood zone. A copy of the flood panel showing the subject is shown in the addenda of this report under Exhibit 6. Conditions observed on the site indicated that sheet flow runoff from upper elevations run over the subject property. As a result some additional planning and possibly site preparation will be required to build on the property.



## **Easements and Encumbrances**

A recent title report was provided by the client and is shown in the Addenda. It did not identify any easement or encumbrances impacting the property. Nor did inspection reveal any obvious restrictions or easements which would affect the utility or marketability of the property. However, in discussions with officials from the City of Mesa, they identified a water line that reportedly runs along the wet border of the subject property. Otherwise, no easements are known to exist. In the event that an updated title report reveals other easements, the appraiser reserves the right to amend the value conclusion reached in this report accordingly.

## **Hazardous Wastes**

No toxic waste or contaminants are known to exist on the site as of the time of inspection, although the entire site was not inspected. However, this does not mean that such materials do not exist either on or under the subject parcel. The appraiser is without the expertise to identify or detect such substances. Because of the liability generated if toxic wastes or contaminants are found on the site, it is strongly recommended that a specialist in the detection of toxic waste be retained and the property checked for possible contamination.

If a toxic waste or contaminant is detected, the value estimates concluded in this report are no longer valid. If a reappraisal is required, it will be made at an additional charge and upon receipt of any additional information requested, including descriptions of the toxic waste or contaminant and the cost of removal.

## **Relation of Site to Surroundings**

Surrounding land uses include rural residences to the north, east and west, and a vacant lot planned for a subdivision to the south. Current and likely future use of the site is consistent with surrounding uses.

## **Summary of Site Analysis**

The subject site is located north of the northeast corner of 76<sup>th</sup> Street and McKellips Road in Mesa, Arizona. It is rectangular in shape and slopes gently to the south and west, giving it some views to the south and west as well. Although it is currently landlocked, it appears that several alternatives exist from which access might be achieved. No adverse easements are known. Power and phone are available in the area, as well as City of Mesa water. The site is not within a floodplain but may have some sheet flow drainage issues to address when the site is developed based upon its slope and apparent water flow routes over the site. It has a total area of 5.002 acres.

## **ZONING**

The purpose of zoning is to provide for the orderly growth and compatible development of land uses. It is intended to provide a basis for a consistent application of land use between public and private interests where both public and private objectives can be satisfied. Zoning ordinances outline the uses allowed for a particular property. Zoning can have a significant impact on property value if zoning is different from the highest and best use that would otherwise be appropriate for the site.

The subject site is zoned R1-35, single family residence district, 35,000 square foot minimum lot size, by Maricopa County. According to the R1-35 zoning code shown in the addenda, the purpose of this district is “to conserve, protect and encourage sustainable single-family residential development where minimum lots of not less than 35,000 square feet in area are suitable and appropriate taking into consideration existing conditions, including present use of land, present lot sizes, future land use needs, and the availability of public utilities. Principal uses permitted in this zoning district include single-family dwellings, churches, schools, parks, playgrounds and other community facilities”. A copy of a complete list of permitted uses is included in the Addenda. This use is also consistent with the land use plan for the City of Mesa, which designates this area as “Neighborhood Desert Uplands”.

Based upon the current zoning and the site size of 5.002 acres, the property would allow up to six lots that meet the zoning minimum. It is noted that up to five lots can be created from a single parcel through a simple lot split under Arizona law, while six or more lots requires a subdivision. A subdivision in turn has more legal requirements as well as likely requiring annexation into Mesa to tie into their water and sewer services. However, pursuing instead only five lots via a lot split would require virtually no additional legal or physical changes beyond the five way split.

## **ASSESSED VALUE AND TAX DATA**

The subject is owned by a department of the State of Arizona; therefore, property taxes are not collected.

## **SIGNS**

Inspection of the property did not reveal any billboard signs located on the subject property.

## HIGHEST AND BEST USE

In order to conclude the highest price a buyer is willing to pay for a property, the highest and best use of that property must first be estimated. Highest and best use is defined as follows:

“The reasonably probable and legal use of vacant land or an improved property, that is physically possible, appropriately supported, financially feasible, and that results in the highest value.”<sup>2</sup>

The highest and best use of a property must be legally permissible, physically possible, financially feasible, and maximally productive. Applying these four tests to all of the possible uses identifies the single use that maximizes value of the property.

To test highest and best use, all logical, feasible alternatives for which the site may be used are considered. Eliminating uses which are not legally permissible or physically possible reduces the alternatives significantly. These uses can be reduced by eliminating those uses that are not financially feasible. Of the uses considered financially feasible, only one use can be maximally productive, or most profitable. This process is discussed below for the subject property.

### **Legally Permissible**

The two significant legal constraints that control use of the subject site are; 1) its lack of legal access and; 2) its specific zoning, R1-35 by Maricopa County. Legal access can be remedied. The R1-35 district allows development with up to six lots of at least 35,000 square feet, as well as continued holding the site as a single parcel for investment purposes and splitting the parcel into up to five rural residential home sites.

#### Providing Legal Access

All of these uses will require bringing legal access to the parcel. By Arizona law, no parcel shall be prohibited from having access and there are legal processes that allow the property owner to sue for legal access over an adjacent parcel in order to bring access to the site, if necessary. The process is lengthy and expensive, but can be done. In the case of the subject, however, with so many adjacent ownerships that lie between it and the roadway, it is considered very likely that an access easement could be acquired over one of these properties in one of several ways.

The first possibility is by buying an easement directly from one of the property owners along one of the east-west running property lines from either 76<sup>th</sup> Street to the west or 77<sup>th</sup> Place to the east. These lots are 290 feet deep according to the assessor’s website. A 24 foot wide strip running approximately 290 feet is anticipated, totaling 0.16 acre. If one of these property owners is open to the prospect, the cost of the right of way would fall somewhere in the range of \$20,000 to \$30,000, based upon current lot values in the area of approximately \$125,000 per acre, and depending upon the additional premium/ enticement required to get one of the adjacent owners to sell. There will be additional fees for survey and title work, leading to a revised range of \$25,000 to \$35,000.

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<sup>2</sup>Appraisal Institute, *The Appraisal of Real Estate*, 13th Edition, p. 280

The second possibility would be to either wait for one of these residences to be listed for sale or to contact each owner until one is found that is ready to sell. Upon buying one of the residences an easement can be placed where necessary and the property re-listed for sale and sold subject to the easement. A reduction in value may result to the second selling price from placement of the access easement but it is considered a viable approach to solving the access condition. This approach will also involve additional marketing expenses and additional risk. Therefore, the option of purchasing one of the houses is less attractive than acquiring an easement outright, but may be necessary if a friendly acquisition is not possible.

The third approach would be to pursue a legal solution to acquiring access one of the adjacent parcels. In addition to the cost of acquiring the right of way outright, there are legal and other fees and an extended time period complete the process. The cost of legal fees, appraisal, title and survey work are estimated roughly at at least \$25,000, bringing the total cost of acquiring the easement through this strategy of up to \$60,000.

Considering these factors, the cost of acquiring legal access will fall into a range of \$25,000 to \$60,000.

### **Physically Possible**

The possible uses of the subject site are dictated by the physical aspects of the site itself. The size, shape, accessibility and location are determinants of value. The size of the site has considerable influence on its development. The subject site consists of 5.002 acres which is a limiting factor to its development. The shape of the site is generally rectangular and has adequate length and depth that permits efficient development. The site is gently sloping and easily developable to either a five lot or six lot project. Most utilities are available in the area and can be extended to the site, assuming legal access. Some potential flood water issues flowing over the property may require additional planning and development costs but not to the point where it impacts its utility. Therefore, once legal access is secured, a roadway can be constructed to the site and any of the three legally permissible uses may be pursued. Water can be provided to each lot via either a shared well, individual wells, or by connecting onto the City of Mesa line that runs through the property, according to Mr. Robert Apodaca of the City of Mesa.

It is noted that this appraisal does not take into consideration the possibility of the existence of toxic, hazardous or contaminated substances or problems relating to underground storage tanks or the cost of their encapsulation or removal.

### **Financially Feasible**

Securing legal access enhances the value of all three of the potential uses. Based upon land sales seen in the area, there is justification for all three of these uses as being financially feasible. A subdivision is planned on the adjacent parcel to the south while a large lot split occurred to the north. Holding the site is also considered feasible.



## **Maximally Productive and Highest and Best Use**

Based upon market activity observed for the assignment, and demonstrated by the sales data presented in the next section, a lot split of up to five lots is considered the maximally productive use of the property. Subdivision into six lots is expected to require significant costs over that which would be required for a five lot split, to the point where the six lot option is concluded to be slightly less valuable. Further, it will take longer to complete. Therefore, the five lot split is considered more valuable than the six lot subdivision. The option of holding the site as an investment may also be about as valuable as the five lot split, since some appreciation is noted in the market. However, it is not concluded to be more valuable. Therefore, the maximally productive, and therefore the highest and best use, is concluded to be to acquire legal access to the site so that it may be split into five rural residential home sites of at least 35,000 square feet each.

## **VALUATION**

Estimates of value are formulated by applying three different analyses the cost, sales comparison, and income capitalization approaches. The cost and income approaches apply to improved properties and do not apply in this situation, as the existing improvements do not contribute to value. Therefore, only the sales comparison approach is analyzed. The sales comparison approach is described briefly below, followed by analysis as it applies to the subject property.

## **SALES COMPARISON APPROACH**

The sales comparison approach is a method of estimating value that examines transfers of land that are similar to the subject site, both physically and in terms of utility and highest and best use. By comparing the sales on a common unit basis, a trend in values can usually be identified. By analyzing the most similar sales and making adjustments for factors that effect value, a value is indicated from each. Since these are the most likely alternative sites that would be considered by a potential buyer of the subject site, they are the most logical indications of its market value. The value indications are then reconciled into a single value estimate based upon the relative strengths of each adjusted sale. This process is applied below to the subject property assuming that it has legal and physical access. Once the value is concluded for the site assuming access, the cost of acquiring legal access and constructing physical access will be subtracted to conclude an “as is” value of the property in its current landlocked condition.

### **Valuation of Subject Tract**

In order to support a value estimate for the subject land use type, a search in the market area was made for vacant land sales with similar use potential to the subject parcel. However, since no landlocked sales were identified, a search for sales that are otherwise similar to the subject has been made and the best sales have been selected. They are analyzed below as though the subject has normal frontage and access and then at the end of the analysis an adjustment is made for the cost of bringing access to the site. After this adjustment the final estimated value of the site in its present landlocked condition is concluded.

The next discussion analyzes the five sales discovered that are most comparable to the subject site assuming normal access. The sales are analyzed on the basis of price per acre. Numerous factors that potentially affect value have been considered for the subject tract and for each sale, including location, date of sale, financing conditions, site utility, level of site improvements, availability of utilities, topography and other factors. The factors that require adjustment are discussed below as they apply to the subject. From these analyses, adjusted unit prices are used to indicate of value for the subject site.

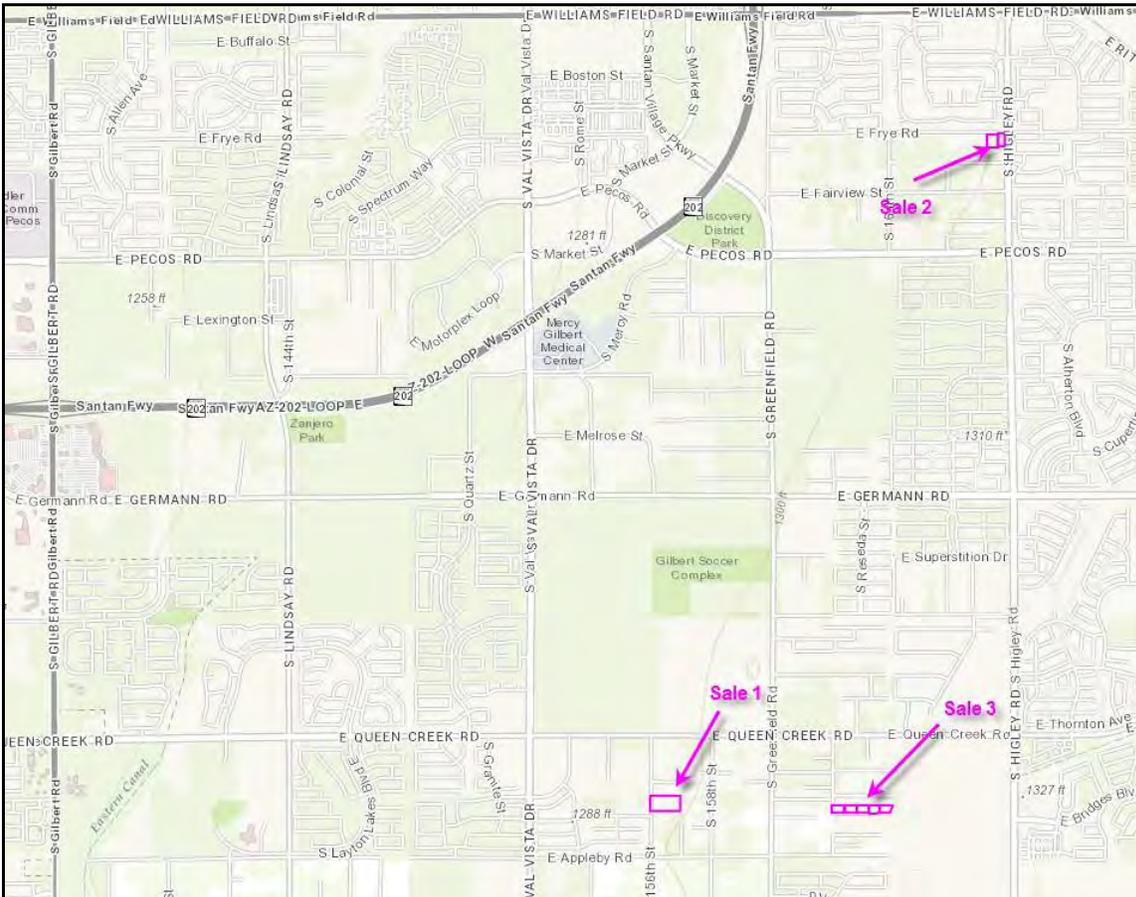
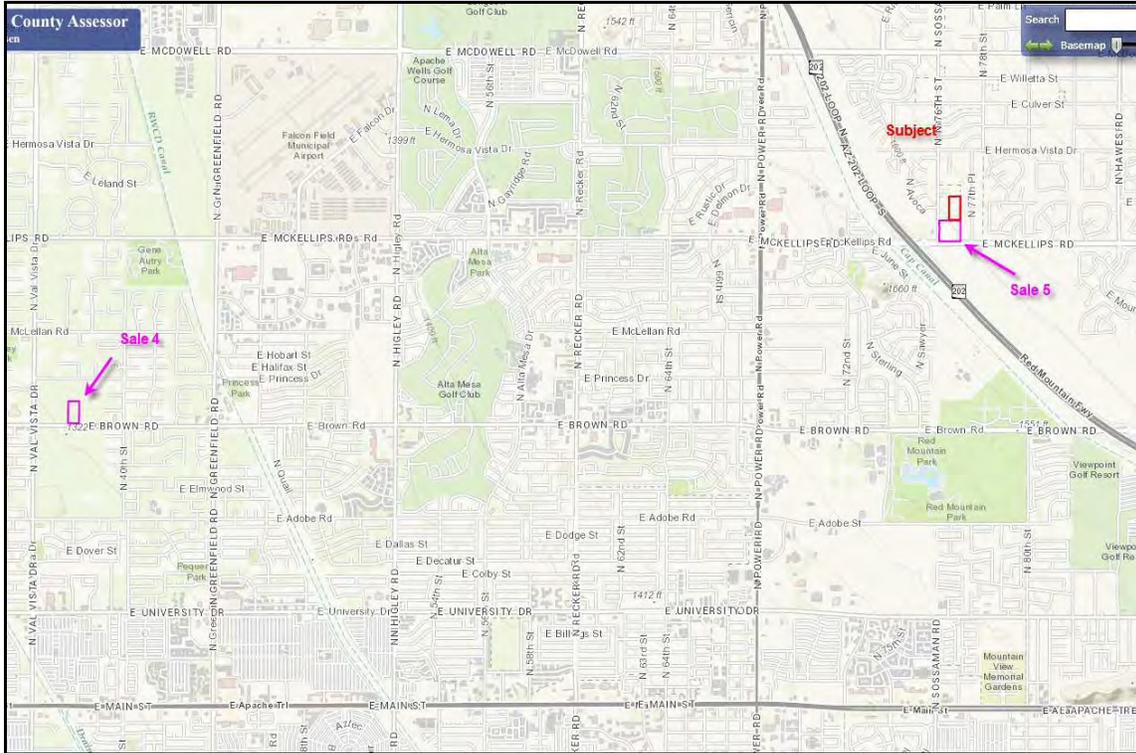
Significant details from each sale are summarized on the chart on the following page. A map showing the location of the subject site and each of the sales is shown on following page. A discussion of the sales and their related adjustments then follows the map. Complete data on each sale is displayed on data sheets in the final exhibit of the addenda. The adjusted prices per acre are used as indicators of value for the subject site.

SUMMARY OF COMPARABLE LAND SALES						
Sale No.	Contract Date	Price	Acres	\$/Acre	Zoning	Remarks
1	8-13	\$435,000	4.95	\$87,879	Rural-43 County	Long narrow parcel at the NEC of 162 <sup>nd</sup> St and Twin Acres Drive. County island in rural area. Buyer has split the site into five home sites for resale. They have all been built on.
2	4-14	\$370,000	3.00	\$123,333	Rural-43 County	SWC of Higley and Frye Roads on county island in Gilbert. Buyer will hold for investment. Fenced, billboards on east side generate some income per the broker.
3	11-14	\$685,000	5.09	\$134,578	SF-43 Gilbert	Seller had purchased this site for development with a school, then changed plans. Buyer has assembled with parcel to south hoping to develop 10 lot subdivision on 10 acres.
4	10-14	\$768,987	4.58	\$167,901	RS-35 Mesa	Located east of NEC of Brown Road and Val Vista Drive. Purchased for investment. Mature citrus orchard on the property. All utilities to site.
5	5-13	\$1,300,000	8.430	\$154,211	RS-15 Mesa	NEC of McKellips Road and 76 <sup>t</sup> St in NE Mesa. Purchased by production home builder. Finished lot approved for 20 lot subdivision.
Subj.			5.002		R1-35 County	Landlocked desert tract with rural residential lot potential.

### Discussion of Sales

A search for sales of comparable land zoned for low density residential use was made in the subject market area as well as similar areas of the southeast valley. Five sales considered most indicative are discussed below. All are from rural areas in Mesa, Chandler or Gilbert. Each sale is discussed below.

# COMPARABLE LAND SALES MAP



**Sale No. 1** is located south of Queen Creek Road on 162<sup>nd</sup> Street at the northeast corner of Twin Acres Drive and 162<sup>nd</sup> Street. It is a long narrow parcel totaling 4.95 acres. The buyer has since split the property into five separate parcels and has resold or built homes on all of them. The sale price in August 2013 was \$435,000, or \$87,078 per acre. The site has gravel road access from Queen Creek Road but has city water. There is no sewer service so each of the lots were developed on septic systems. Surrounding uses are rural.

**Sale No. 2** is located at the southwest corner of Higley Road and Frye Road in Gilbert. It is a 3.00 acre tract of vacant land according to the listing broker that is zoned Rural-43. It is in a county island. In April 2014 it sold for \$370,000 cash, or \$123,333 per acre. It has a private water source and no municipal sewer. Septic systems are utilized in this area. The buyer purchased the site as an investment.

**Sale No. 3** is located along the east side of 156<sup>th</sup> Street, south of Queen Creek Road in Gilbert. It is a 5.09 acre tract of land that sold in November 2014 for \$685,000 cash, or \$134,578 per acre. The buyer plans to assemble the property along with another 5.00 acre tract to the south to develop a ten lot subdivision. It is a county island within Gilbert and the site has water service but no sewer. Perry High School is located across 156<sup>th</sup> Street from this sale.

**Sale No. 4** is a 4.58 acre parcel of citrus orchard located along the north side of Brown Road east of Val Vista Drive. It sold in October 2014 for \$768,987, or \$167,901 per acre. It is zoned RS-35 by the City of Mesa. The fee simple estate sold under normal conditions of sale. The buyer assumed a \$748,879 loan on the property from the seller at unknown terms, assumed to be cash equivalent.

**Sale No. 5** is located at the northeast corner of 76<sup>th</sup> Street and McKellips Road, adjacent to the subject to the south. It is an 8.430 acre tract that sold in May 2013 for \$1,300,000, or \$154,211 per acre. It is zoned RS-15 by the City of Mesa and is a finished site that is approved for development with a 20 lot subdivision. The buyer is a production home builder. The fee simple estate sold for cash, under normal conditions of sale. The property was marketed by Nathan & Associates, Inc.

## **Discussion of Adjustments**

In order to properly estimate value through the adjustment of sales, the following categories of adjustment must be considered:

1. Property Rights Transferred
2. Terms of Sale
3. Conditions of Sale
4. Market Conditions
5. Location
6. Physical Features
7. Non-Realty Items

Each of these factors are discussed in order as they apply to each sale.

### Unit of Comparison

The price per acre is the unit of comparison applied in this market area for this type of land. Therefore, it is applied here.

### Factors Not Requiring Adjustment

Each of the sales involved transfer of the fee simple interest, similar to the subject site and no adjustment is estimated. All of the sales involved cash or terms assumed to be equivalent to cash, and no adjustment is required. Each transferred with normal conditions of sale. Finally, none of the sales were reported to include any personal property or other non-realty items. Adjustment is not required for any of these categories.

### Market Conditions

The five sales occurred between May 2013 and November 2014. Although there was a period of strong appreciation during 2013, brokers interviewed during several recent assignments report that the market cooled off rather abruptly at the beginning of 2014 and has not seen any significant recovery since then in terms of activity or in terms of appreciation. As a result, no adjustment for market conditions is considered warranted during the period between January 2014 and the date of valuation. The only sales that occurred prior to this were Sales No. 1 and 5, that went under contract in August 2013 and May 2013, respectively. An upward adjustment of one percent per month is applied to the four and seven months that elapsed in 2013 for Sales No. 1 and 5.

### Location

The subject property is located in a transitional area from suburban to rural, just east of the Loop 202 freeway north of the McKellips Road interchange. The freeway and interchange proximity provides both detriments and benefits to this location. Access is greatly enhanced to the site, especially given its proximity to the interchange. Conversely, the freeway does create some low level noise.

Sale No. 1 is located at the end of a gravel road in a more rural area than the subject, away from the freeway and away from an arterial street. This location is considered inferior to the subject in this regard, warranting an upward adjustment.

Sales No. 2 and 3 are located along arterial streets but within more rural areas of Gilbert, but nearby the Spectrum Mall and other amenities nearby. Overall locational characteristics are considered slightly superior to the subject and the freeway proximity is also considered an inferior factor. Downward adjustments are estimated to Sales No. 2 and 3 for their superior locations compared to the subject.

Sale No. 4 is located in northeast Mesa along the north side of Brown Road in a citrus orchard area. This location is considered superior to the subject and a downward adjustment is estimated. Sale No. 5 is located adjacent to the subject but at the arterial corner. Its location is considered superior as a result and a downward adjustment is made.

## Zoning

The subject site is zoned R1-35 by Maricopa County but has a likely development potential for five lots, or one lot per acre. Sales No. 1, 2 and 3 are zoned for one acre minimum and no adjustment is necessary. Sale No. 4 is zoned RS-35 in Mesa, similar to the subject, and no adjustment is considered warranted. Sale No. 5 was zoned RS-15 and had an approved subdivision plat on the site for 20 lots at the time of sale. This is superior to the subject and a downward adjustment is estimated.

## Physical Features

Physical characteristics that are considered for adjustment to these sales when compared to the subject site include size, level of development, shape and topography. All of the sales have a normal shape like the subject and no adjustment is needed. The factors requiring adjustment then are size, topography, and level of development (site improvements).

In terms of size, the subject is 5.002 acres. Four of the five sales are very similar to this and no adjustment is made. Sale No. 5 is 8.43 acres and a small upward adjustment is made since larger parcels tend to sell for a lower unit value than do smaller but otherwise comparable properties.

Regarding site improvements, the subject is considered as though it has an access road extended to its border and has water available from the City of Mesa line but no sewer. This is similar to Sales No. 1 and 2 and no adjustments are made. Sale No. 3 is similar in terms of utilities but required a significant cost for street frontage improvement, that the subject does not. An upward adjustment is made. Lastly, Sales No. 4 and 5 have both water and sewer to these sites, which is superior to the subject and a downward adjustment is made to each.

All of the sales have level topography. The subject has slightly sloping topography that will likely create some additional planning and possible site grading due to drainage concerns. This is considered inferior to each of the sales and a downward adjustment is made to each.

No other adjustments are noted. The adjustments discussed are summarized on the chart on the following page.

<b>SUMMARY OF ADJUSTMENTS</b>						
<b>Characteristic</b>	<b>Subject</b>	<b>Sale 1</b>	<b>Sale 2</b>	<b>Sale 3</b>	<b>Sale 4</b>	<b>Sale 5</b>
\$ per Acre		\$87,879	\$123,333	\$134,578	\$167,901	\$154,211
Property Rights Transferred	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Terms of Sale	Cash	Cash	Cash To Seller	Cash	Cash	Cash
Conditions of Sale	Arm's Length	Arm's Length	Arm's Length	Arm's Length	Arm's Length	Arm's Length
Date of Sale Market Conditions	9-15 Leveled	8-13 + 4%	4-14 -0-	11-14 -0-	10-14 -0-	5-13 + 7%
Adjusted Price/ SF		\$91,394	\$123,333	\$134,578	\$167,901	\$165,006
Location	Rural Uplands	NEC 162 <sup>nd</sup> St and Twin Acre Dr. Gilbert + 10%	SWC Higley and Frye Rds Gilbert -15%	156 <sup>th</sup> St So. of Germann Gilbert -20%	Brown Rd east of Val Vista Superior -20%	McKellips & 76 <sup>th</sup> St Superior -10%
Zoning	R1-35 County	Rural-43 County -0-	Rural-43 County -0-	SF-43 Gilbert -0-	RE-35 Mesa -0-	RS15 Mesa 20 lots approved -15%
Physical Features Size	5.002 ac.	4.95 ac. -0-	3.00 ac. -0-	5.09 ac. -0-	4.58 ac. -0-	8.43 ac. + 5%
Site Imps	Water to site, no sewer	Water to site Similar -0-	Water to site Similar -0-	Street fr. Needed Inferior + 5%	Water & Sewer Superior -10%	Water & Sewer Superior -10%
Topography	Potential Sheet runoff	Normal -5%	Normal -5%	Normal -5%	Normal -5%	Normal -5%
Non-Realty Items	None	Similar	Similar	Similar	Similar	Similar
Combined Adj. for Location and Physical Factors		+ 5%	-20%	-20%	-35%	-35%
Indicated Value of Subject		\$95,964	\$98,666	\$107,662	\$109,136	\$115,504

## Conclusion of Value

After adjustment, the five sales indicate a range of value of \$95,964 per acre to \$115,504 per acre. Sale No. 1 has the most distant location of the five compared to the subject and is one of the most recent. It is weakened to some degree by the fact that it is an REO sale, but it was exposed to the market and appears to be a valid indicator of market value. Sale No. 5 is the other most recent sale. It indicates the other end of the value range, at \$121,120 per acre. It is slightly larger than the subject and has more developed surroundings than the subject but overall it is considered a very strong indicator.

Sale No. 4 is also a very strong indicator. Although it is one of the oldest sales, from August 2013, it was purchased for split and development, like the subject, and is considered a strong indicator for this reason as well. Sales No. 2 and 4 are the least reliable of the five, although still generally strong support as well. They are less reliable since they are in higher density growth areas with different surroundings. However, their similarity in terms of size and density allowance make these sales fairly strong indicators as well.

Of the five sales, the best indicators are considered to be from Sales No. 4 and 5. Based upon the relative strengths and weaknesses of the market data, as well as the lot split potential of the subject site, the final estimated value of the subject property is \$105,000 per acre, assuming that the site has legal and physical access. Applying this to the total net site area of 5.002 acres leads to a total value of \$525,210.

### Cost to Cure Landlocked Condition

In its present condition the subject will require acquiring legal access, plus improving that access to the border of the property. The cost of acquiring legal access is discussed on page 18 and the total cost is estimated at \$25,000 to \$60,000 depending upon which approach to acquiring access is found to be feasible. The costs of constructing a 320 foot long two lane asphalt paved street with no edge improvements from 76<sup>th</sup> Street east to the property border are estimated at \$80 per linear foot, or a total of \$25,600.

Given the risks involved in undertaking this type of project, a potential buyer would be expected to discount the value by the upper end of the range, plus a profit margin, estimated at approximately 10%. Therefore, the total costs are projected at \$60,000 + \$25,600 or \$85,600. Adding a 10% profit margin of \$8,560 leads to a total estimated cost of curing the landlocked condition of \$94,160.

### Final Estimated "As Is" Value in Landlocked Condition

Subtracting the cost of curing the lack of physical and legal access of \$94,160 from the estimated value of the land with access of \$500,200 leads to an estimated "as is" value of \$525,210 - \$94,160 or \$431,050. This figure is rounded to \$430,000 to reflect market behavior where sales are negotiated in whole five or ten thousand dollar increments, as evidenced by four of the five sales that sold in five thousand dollar figures.

In conclusion, the final estimated value of the subject property, as of September 8, 2015, is:

**FOUR HUNDRED THIRTY THOUSAND DOLLARS  
(\$430,000)**

It is noted that the value conclusion is based upon the current condition that the subject property is landlocked. Notes within the title report indicate that there may be possible legal access that is not identified. In the event that an easement or other form of legal access is identified for this property, the appraiser reserves the right to revise this appraisal report accordingly and the value conclusion reached for the property.

## ADOT CERTIFICATION OF APPRAISER

Project Number: H089301R

Parcel Number: L M 395 B

I hereby certify:

That I have personally inspected the property herein appraised, and that I have afforded the property owner the opportunity to accompany me at the time of inspection. I also made a personal field inspection of each comparable sale relied upon in making said appraisal. The subject and the comparable sales relied upon in making the appraisal were as represented by the photographs contained in the appraisal.

That I have given consideration to the value of the property as well as the damages and benefits to the remainder, if any; I accept no liability for matters of title or survey. That to the best of my knowledge and belief, the statements contained in said appraisal are true, and the opinions, as expressed therein, are based upon correct information; subject to the limiting conditions therein set forth.

That no hidden or un apparent conditions of the property, subsoil, or structures were found or assumed to exist which would render the subject more or less valuable; and I assume no responsibility for such conditions, or for engineering which might be required to discover such factors. That, unless otherwise stated in this report, the existence of hazardous material, which may or may not be present in the property, was not observed by myself or acknowledged by the owner. I am not, however, qualified to detect such substances, the presence of which may affect the value of the property. No responsibility is assumed for any conditions, or for any expertise or engineering knowledge required to discover them.

That my analysis, opinions, and conclusions were developed, and this report has been prepared, in conformance with the Uniform Standards of Professional Appraisal Practice.

That this appraisal has further been made in conformity with the appropriate State and Federal laws, regulations, policies, and procedures applicable to appraisal of right of way for such purposes; and that to the best of my knowledge, no portion of the value assigned to such property consists of items which are non compensable under the established laws of said State.

That I understand this appraisal may be used in connection with that acquisition of right of way for a highway to be constructed by the State of Arizona with the assistance of Federal aid highway funds or other Federal funds.

That neither my employment nor my compensation for making the appraisal and report are in any way contingent upon the values reported herein.

That I have no direct or indirect present or contemplated future personal interest in the property that is the subject of this report, or any benefit from the acquisition of the property appraised herein.

That I have not revealed the findings and result of such appraisal to anyone other than proper officials of the Arizona Department of Transportation or officials of the Federal Highway Administration, and I will not do so unless so authorized by proper State officials, or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

That my opinion of the MARKET VALUE of the subject property, as of September 8, 2015, is \$430,000, based upon my independent appraisal and the exercise of my professional judgement.

As of the date of this report, I have completed the requirements of the continuing education program of the Appraisal Institute.

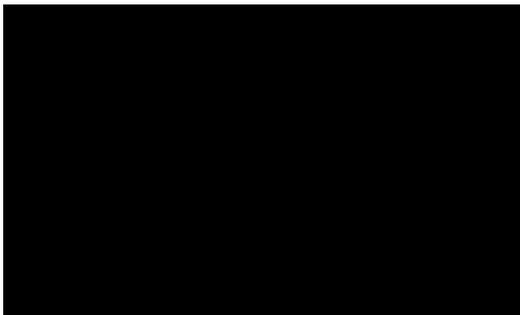
Date: September 8, 2015

Signature: 

## CERTIFICATION OF VALUE

I certify that, to the best of my knowledge and belief:

- That the statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and have no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent on the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Practice.
- I have made a personal inspection of the property that is the subject of this report.
- No one provided significant professional assistance in preparation of this report.
- I have not performed any services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- As of the date of this report, I have completed the continuing education program for Designated Members of the Appraisal Institute.
- That the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.



# **ADDENDA**

## **EXHIBIT 1**

Assumptions and Limiting Conditions

## **EXHIBIT 2**

Appraiser's Qualifications

## **EXHIBIT 3**

ADOT Purchase Order for Assignment  
Appraiser License

## **EXHIBIT 4**

Subject Property Title Report

## **EXHIBIT 5**

Zoning Map and Zoning Description

## **EXHIBIT 6**

Flood Plain Map

## **EXHIBIT 7**

Excess Land Exhibit Sheet

## **EXHIBIT 8**

Photographs of Subject

## **EXHIBIT 9**

Market Data Sheets for Land Sales

## **EXHIBIT 1**

Assumptions and Limiting Conditions

## **ASSUMPTIONS AND LIMITING CONDITIONS**

This appraisal is subject to the following assumptions and limiting conditions:

1. That the title to the property is marketable and free of all liens and encumbrances, except as noted in the report.
2. That no responsibility is assumed for the legal description or for matters including legal or title considerations.
3. That the descriptions and plats furnished are correct.
4. That information furnished by others is believed to be reliable. No warranty is made as to its accuracy, however.
5. That all engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
6. That there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
7. That there is full compliance with all applicable federal, state, and local environmental regulations and laws unless non-compliance is stated, defined, and considered in the appraisal report.
8. That all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the appraisal report.
9. That all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be renewed for any use on which the value estimate contained in this report is based.
10. That the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.
11. That the distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
12. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without written consent of the appraiser, and in any event only with proper written qualification and only in its entirety.

13. That neither all nor any part of the contents of this report, especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected, shall be disseminated to the public through advertising media, public relations media, news media, sales media, or any other public means of communication without the prior written consent and approval of the appraiser.
14. This appraisal report has been made in conformity with and is subject to the requirements of the Code of Professional Ethics of the Appraisal Institute.
15. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of any such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, petroleum contaminants, or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

## **EXHIBIT 2**

Appraiser's Qualifications



---

**Formal Education:**

Bachelor of Science from the University of California, Davis, with a degree in Agricultural and Managerial Economics, 1985.

**Professional Education:**

Successful completion of the following American Institute of Real Estate Appraisers Courses:

- |  |                                     |
|--|-------------------------------------|
| Appraisal Principles   | Advanced Capitalization Theory      |
| Valuation Procedures   | Case Studies in R. E. Valuation     |
| Capitalization Theory  | Standards of Professional Practice  |
| Ranch Appraisal  | Report Writing & Valuation Analysis |
| Comprehensive Examination  | Demonstration Appraisal Report      |
| Feasibility Analysis and Highest & Best Use  | Subdivision Analysis Seminar        |
| Advanced Condemnation Appraisal  | Land Valuation Adjustments          |
| Seminar on the <i>Uniform Appraisal Stds for Federal Land Acquisitions</i> (Yellow Book) |                                     |

**Professional Affiliations:**

Member of the Appraisal Institute, MAI.

- Continuing education requirements are current through December, 2016
- Admissions Committee Member, 1992 - 1998
- Chairman, Admissions Committee, 1995, 1996
- Ethics Review Committee Member 1999-2004



**Real Estate and Appraisal Experience:**

Leasing Agent/ Property Manager, Equitec Properties Company, Sacramento, California, 1986. Involved in leasing and managing 550,000 square feet of light industrial and commercial space.

## **Real Estate and Appraisal Experience, Continued:**

Appraiser, Harding Appraisal Company, Sebastopol, California, 1986 - 1990. Involved in appraisal of commercial and agricultural properties in Sonoma, Marin, Napa, Mendocino and Lake Counties of Northern California for purposes of acquisition, condemnation, divorce, estate planning, financing, foreclosure, etc.

## **Litigation Experience:**

**Qualified as an Expert Witness** in Superior Court and Bankruptcy Court, Phoenix, Arizona as well as in Mohave County Superior Court, Kingman, Arizona, Yavapai County Superior Court, Camp Verde, Arizona and Navajo County Superior Court, Holbrook, Arizona

## **Geographic Market Area:**

Throughout Arizona

## **Scope of Work:**

Eminent Domain Acquisition  
Subdivision Land  
Agricultural and Recreational Land  
Highest and Best Use Studies  
Office Buildings  
Industrial Buildings

Easement Valuation  
Vacant Development Land  
Master Planned Communities  
Valuation and Land Use Consultation  
Retail Centers  
Special Purpose Properties

## **Partial Client List:**

Arizona Department of Transportation  
Arizona State Land Department  
Arizona State Parks Department  
Arizona Department of Corrections

Arizona Game & Fish Department  
Arizona Department of Administration  
Arizona Schools Facilities Board

Maricopa County Department of Transportation  
Maricopa County Attorney's Office

Maricopa County Flood Control District

City of Phoenix  
City of Mesa  
City of Peoria  
Town of Prescott Valley

City of Glendale  
City of Chandler  
City of Surprise

**EXHIBIT 3**

ADOT Purchase Order for Assignment  
Appraiser License



Seller

Seller Administrator

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September 3, 2015 12:37:17 PM MST


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## Release Purchase Order ADSP014-052969:17

[General](#) | [Items](#) | [Attachments\(1\)](#) | [Notes](#) | [Change Orders](#) | [Subcontractors](#) | [Summary](#)

### Header Information

<b>Purchase Order Number:</b>	ADSP014-052969	<b>Release Number:</b>	17	<b>Short Description:</b>	L-M-395-B/H089301R/ORIGINAL APPRAISAL
<b>Status:</b>	3PS - Sent	<b>Purchaser:</b>	STEVE TROXEL	<b>Receipt Method:</b>	Quantity
<b>Fiscal Year:</b>	2016	<b>PO Type:</b>	Release	<b>Minor Status:</b>	
<b>Department:</b>	DT4ROW - RIGHT OF WAY	<b>Location:</b>	T4945 - RIGHT OF WAY	<b>Type Code:</b>	
<b>Alternate ID:</b>	PO0000023456	<b>Entered Date:</b>	09/02/2015 08:54:07 AM	<b>Control Code:</b>	
<b>Days ARO:</b>	0	<b>Retainage %:</b>	0.00%		
<b>Required By Date:</b>		<b>Promised Date:</b>			
<b>Contact Instructions:</b>	Contact STEVE TROXEL at (602)712-7053	<b>Tax Rate:</b>		<b>Actual Cost:</b>	\$2,900.00
<b>Ship-to Address:</b>	CARRIE MCCLURE ARIZONA DEPARTMENT OF TRANSPORTATION 205 S 17TH AVE MD 612E RM 331 PHOENIX, AZ 85007-3212 US Email: CMCCCLURE@AZDOT.GOV Phone: (602)712-7912	<b>Bill-to Address:</b>	CARRIE MCCLURE ARIZONA DEPARTMENT OF TRANSPORTATION 205 S 17TH AVE MD 612E RM 331 PHOENIX, AZ 85007-3212 US Email: CMCCCLURE@AZDOT.GOV Phone: (602)712-7912		

### Attachments

**Agency Files:** [iw-16-004.rtf](#)
**Agency Forms:**
**Vendor Files:**
**Vendor Forms:**

### PO Terms

**Preferred Delivery Method:** Email

Net 30

Best Way

Remit-to Address:

[REDACTED]

Payments

There are no payments.

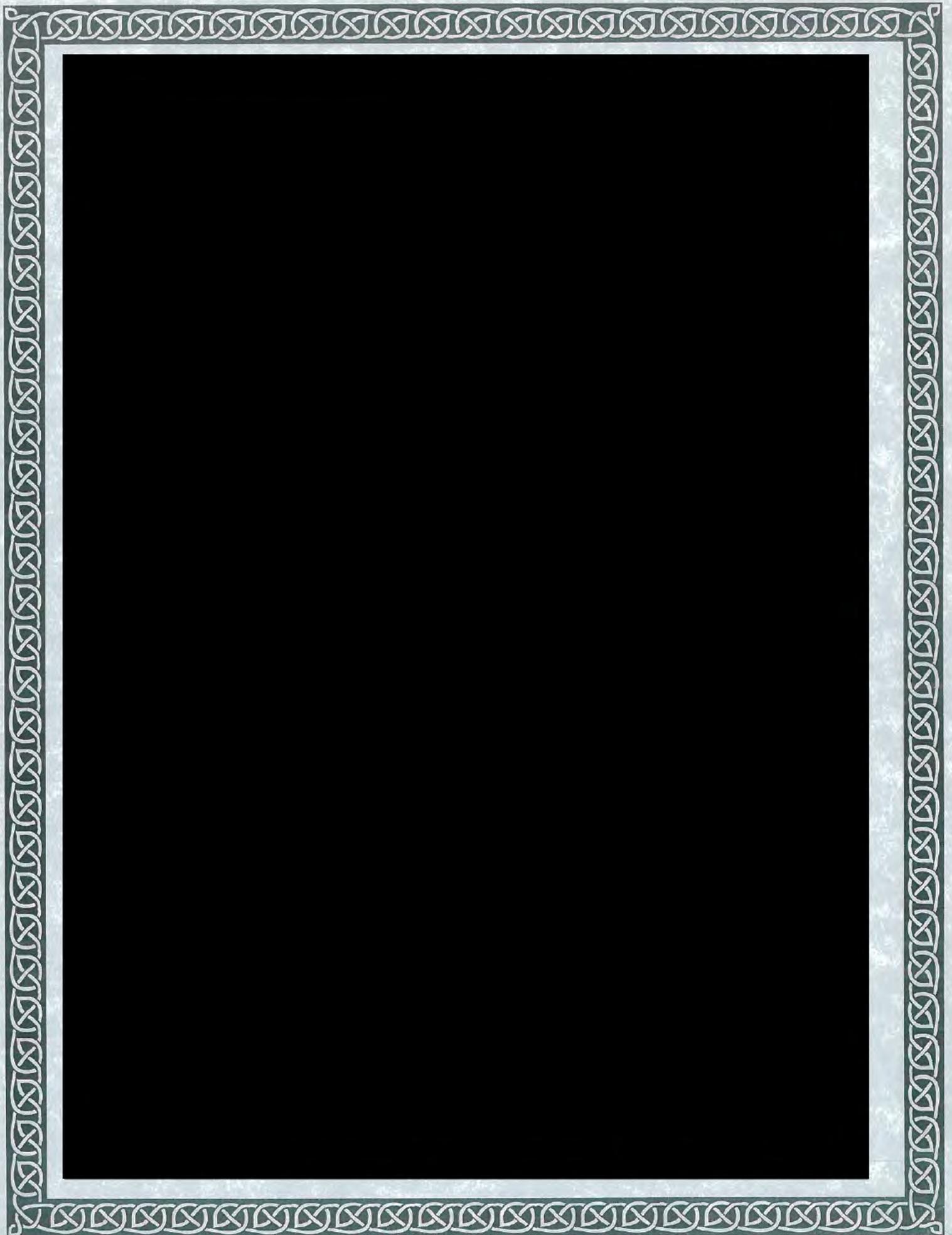
Item Information

Item #	Print Sequence	Blanket /Contract # /Line #	Item Description									Total Cost
			Quantity	Minimum Order Quantity	Catalog Price/ Unit Cost	Net Unit Cost	UOM	Total Discount Amt.	Tax Rate	Tax Amount	Freight	
1	1.0	<a href="#">ADSP014-052969 / 3</a>	( 946 - 15 ) General Real Property Appraisal Services, price is based on the quote submitted per scope of work for each appraisal rep... <a href="#">View Detail</a>									\$2,900.00
			2,900.0	0.0	\$1.00	\$1.00	EA - Each	\$0.00		\$0.00	\$0.00	

Exit

Print

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**EXHIBIT 4**

Subject Property Title Report



**SCHEDULE A-1  
LEGAL DESCRIPTION**

That portion of the Southwest quarter of the Southwest quarter of Section 5, Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, as depicted on Exhibit "A" attached, Sheets P-23 and P-24 of the Right of Way Plans of the RED MOUNTAIN FREEWAY, Higley Road - US 60 Section, Project 202L MA 000 H5401 01R / RAM 600-8-804.

**Note: The legal description of the area to be disposed will produced by the ADOT Right of Way Delineation Unit.**

**END OF SCHEDULE A-1**

## **RIGHT OF WAY VESTING**

- 1.) Sheriff's Deed from Joseph M. Arpaio, Sheriff of Maricopa County, to the State of Arizona, by and through its Department of Transportation, dated March 17, 2004, recorded April 1, 2004, in Document No. 2004-0343671, described as: the North half of the East half of the West half of the Southwest quarter of the Southwest quarter of Section 5, Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.  
[Parcel 7-4162, Project 202L MA 000 H5401 01R / RAM 600-8-804]

## **END OF RIGHT OF WAY VESTING**

## RESOLUTIONS

- I. Resolution 85-04-A-32, by the Arizona Department of Transportation, dated April 26, 1985, recorded May 9, 1985, in Document No. 85-212888, for adoption and approval of the state route plan for the Red Mountain Freeway, State Route 216.
- II. Resolution 86-03-A-23, by the Arizona Department of Transportation, dated March 21, 1986, recorded June 30, 1986, in Document No. 86-03-A-23, for advance acquisition of Parcel No. 7-4162.  
[Project AZM-600-8-701]
- III. Resolution 87-08-A-78, by the Arizona Department of Transportation, dated August 21, 1987, recorded September 16, 1987, in Document No. 87-578095, for approval and adoption of a refined portion of the state route plan for the Red Mountain corridor, and for advance acquisition of land.  
[Project RAM-600-8-701]
- IV. Resolution 87-11-A-105, by the Arizona Department of Transportation, dated December 18, 1987, recorded January 14, 1988, in Document No. 88-017431, for redesignation of the Red Mountain Freeway (State Route 216) as State Route 202 Loop.
- V. Resolution 2000-03-A-028, by the Arizona Department of Transportation, dated March 17, 2000, recorded March 29, 2000, in Document No. 00-0232638, for approval and adoption of a refined portion of the State Route Plan for the Red Mountain Corridor, and for early and advance acquisition within said corridor.  
[Project 600-8-705 / 202L MA 000 H5379 01R]
- VI. Amended Resolution and Resolution 2004-12-A-075, by the Arizona Department of Transportation, dated December 17, 2004, recorded December 22, 2004, in Document No. 2004-1508468, for amendment of Resolution 2003-21-A-075 due to design changes, and to establish a portion of State Route 202 Loop as a state route and state highway.  
[Project 600-8-804 / 202L MA 000 H5401 01R and 202-B-700 / 202L MA 030 H5783 01R]
- VII. Amended Resolution 2005-10-A-054, by the Arizona Department of Transportation, dated October 21, 2005, recorded November 2, 2005, in Document No. 2005-1662904, for a design change for modification of the area to be acquired.  
[Project 600-8-804 / 202L MA 000 H5401 01R]

END OF RESOLUTIONS

## REQUIREMENTS

1. Record Deed from the State of Arizona, by and through its Department of Transportation to the proposed buyer(s).

**NOTE: Repurchase rights do not apply due to the property being acquired April 7, 2004.**

**END OF REQUIREMENTS**

## **SCHEDULE B**

1. Lack of Access for the parcel of land described in Schedule A-1 due to failure to disclose valid access by a means of recorded documentation to a public right of way.

NOTE: There are various documents that may provide access to 76<sup>th</sup> Street but we are unable to confirm access at this time. (See attached)

**END OF SCHEDULE B**

PRELIMINARY TITLE REPORT  
TICOR TITLE INSURANCE COMPANY  
Issued by  
SECURITY TITLE AGENCY  
3636 North 3rd Avenue, Suite B  
Phoenix, AZ 85013  
(602) 230-6271

SCHEDULE A

AMENDED

1. Effective Date: February 13, 2004, at 7:50 AM
  
2. Policy to be issued: Order Number: 150328199/KR/LS/JPC
  - a) LTAA Standard Coverage Policy 1992 Amount: \$  
Proposed Insured:  

---
  
3. The estate or interest in the land is a fee.
  
4. Title to said estate or interest in said land is at the effective date hereof vested in:  
  
The Stockholders and their Spouses, if married on May 10, 1995, the Date of Revocation of McKELLIPS INVESTMENTS, INC. a defunct corporation
  
5. The land referred to in this commitment is in the State of Arizona, County of Maricopa and is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND  
BY REFERENCE MADE A PART HEREOF

EXHIBIT "A"

Parcel No. 1:

The Northeast quarter of the Southwest quarter of the Southwest quarter of the Southwest quarter of Section 5, Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Parcel No. 2:

The South half of the South half of the West half of the Southwest quarter of the Southwest quarter of Section 5, Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Parcel No. 3:

The North half of the East half of the West half of the Southwest quarter of the Southwest quarter of Section 5, Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - Section II

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

A. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records, or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.

B. Any LTAA Standard Coverage Policy issued pursuant hereto will contain under Part I of Schedule B the standard exceptions set forth on the inside of the back cover hereof.

~~1~~ 2004 taxes, a lien, but not yet due and payable.

2. Liabilities and Obligations imposed upon said land by reason of its inclusion within the following District(s):

East Valley Institute of Technology

~~3~~ Easement for road or highway, and rights incident thereto as set forth in Docket 3894, pages 474, 476, 482, 483 and 484, over the South 65.00 feet and the West 40.00 feet of Parcel No. 2.

4. Any action that might be taken by the Flood Control District of Maricopa County for the acquisition of land for Flood Control as set forth in Docket 12113, page 714.

5. Easement for public utilities, including irrigation, and rights incident thereto as set forth in Docket 12351, page 575, over the West 25.00 feet of the East half of the West half of the West half of the Southwest quarter.

~~6~~ A Resolution by the Board of Supervisors of Maricopa County, Arizona, recorded in Docket 13904, page 621, purporting to establish a roadway over a width consistent with the right-of-way of Sossaman Road.

~~7~~ Any action that may be taken by the Arizona Department of Transportation to acquire right of way and access for State Highway, as disclosed by Resolution of Establishment recorded in Document No. 860330994.

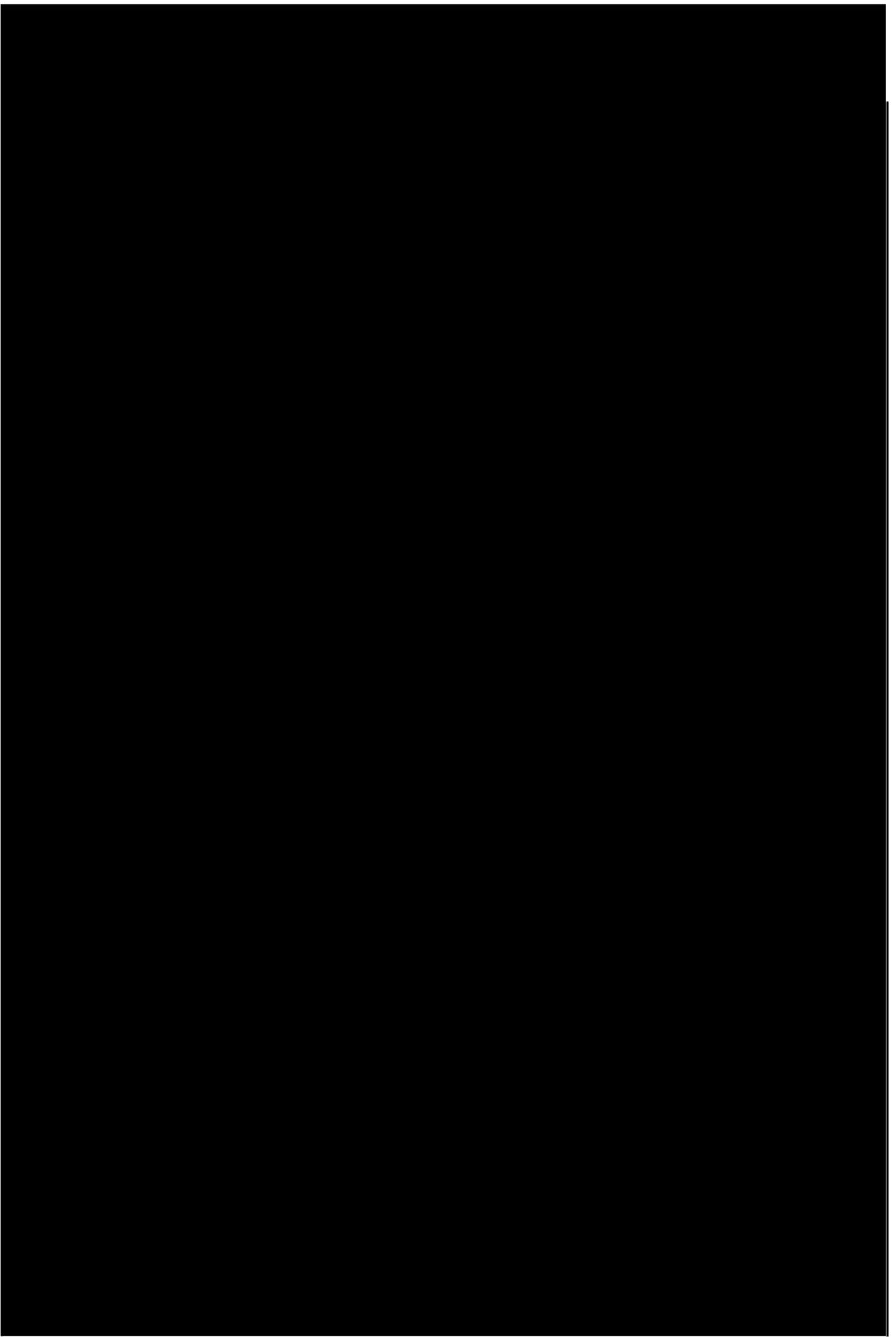
~~8~~ All matters shown on plat recorded in Book 513 of Maps, page 16.

150328199/KR/LS/JPC

9. Any action that might be taken by the Flood Control District of Maricopa County for the acquisition of land for Flood Control as set forth in Document No. 20021204419.

END OF SCHEDULE B





## **EXHIBIT 5**

Zoning Map and Zoning Description

# ZONING MAP



# MARICOPA COUNTY ZONING ORDINANCE

## Chapter 6 – Single Family Residential Zoning Districts

### SECTION 601. R1-35 (Single-Family Residential Zoning District - 35,000 Square Feet Per Dwelling Unit)

**ARTICLE 601.1. PURPOSE:** The principal purpose of this zoning district is to conserve, protect, and encourage sustainable single-family residential development where minimum lots of not less than **35,000 square feet** in area are suitable and appropriate taking into consideration existing conditions, including present use of land, present lot sizes, future land use needs, and the availability of public utilities. Principal uses permitted in this zoning district include single-family dwellings, churches, schools, parks, playgrounds and other community facilities. <sup>\*25</sup>

**ARTICLE 601.2. USE REGULATIONS:** A building or premises shall be used only for the following purposes:

1. **One single-family dwelling** per lot of record. <sup>\*6</sup>
2. Churches, including accessory columbaria provided that the building area of the columbarium shall not exceed **10%** of the total building area of the church building(s). <sup>\*9, \*25</sup>
3. Group homes for not more than **ten** persons, subject to the following performance criteria: <sup>\*13, \*18,</sup>
  - a. Dispersal: No such home shall be located on a lot with a property line within **1,320 feet**, measured in a straight line in any direction, of the lot line of another such group home.
  - b. If licensing is required by the State of Arizona for the use, proof of such licensure shall be available to the Department of Planning and Development prior to the use being established.
  - c. Residents shall not be adjudicated. <sup>\*42</sup>
4. Schools, elementary and high. <sup>\*21, \*26, \*42</sup>
5. Service to the public of water, gas, electricity, telephone and cable television. The foregoing shall be deemed to include without limitation, distribution, collector and feeder lines, pumping or booster stations along pipelines, and substations along electric transmission lines. (This does not include public utility treatment and generation plants.) <sup>\*6, \*26, \*42</sup>

# MARICOPA COUNTY ZONING ORDINANCE

## Chapter 6 – Single Family Residential Zoning Districts

6. Golf courses including clubhouses located thereon, but not including miniature courses or practice driving tees operated for commercial purposes.
7. Libraries, museums, parks, playgrounds, and community buildings, provided such uses are conducted on a nonprofit basis. <sup>\*2</sup>
8. Home occupations, cottage industry, subject to the following: <sup>\*11, \*42</sup>
  - a. The entrepreneur of a home occupation shall reside in the dwelling in which the business operates.
  - b. No one other than the residents of the dwelling shall be employed in the conduct of the home occupation.
  - c. The business shall be conducted entirely within a completely enclosed dwelling.
  - d. The total area used in the conduct of the business shall not exceed **15%** or **250 square feet** of the habitable dwelling area, whichever is less.
  - e. There shall be no signs, advertising, display or other indications of the home occupation on the premises.
  - f. The residential address of the business shall not be listed in any business directory or in any advertising.
  - g. Direct sales of products from display shelves or racks is prohibited. However, a customer may pick up an order previously made by telephone or at a sales meeting.
  - h. The home occupation shall not interfere with the delivery of utilities or other services to the area.
  - i. The business shall not generate any noise, vibration, smoke, dust, odors, heat, glare, or electrical interference with radio or television transmission in the area that would exceed that normally produced by a dwelling unit in a zoning district used solely for residential purposes.
  - j. No mechanical equipment or power tools shall be used except that used for normal household purposes.

# MARICOPA COUNTY ZONING ORDINANCE

## Chapter 6 – Single Family Residential Zoning Districts

- k. No toxic, explosive, flammable, radioactive, or other similar material shall be used, sold, or stored on the site.
  - l. There shall be no change to the residential appearance of the premises, including the creation of separate or exclusive business entrance(s).
  - m. No more than **one vehicle** used in commerce shall be permitted in connection with the home occupation. Said vehicle shall be stored in an enclosed garage at all times and shall have no more than **two axles**.
  - n. The number of clients or students on the premises shall not exceed **one** at any time.
  - o. No clients or students shall be permitted on the premises for business purposes between the hours of **10:00 p.m. and 7:00 a.m.**
  - p. Deliveries from commercial suppliers shall not occur more than once a month, shall not restrict traffic circulation and shall occur between **8:00 a.m. and 5:00 p.m.**, Monday through Friday.
  - q. Any outdoor display or storage of materials, goods, supplies, or equipment shall be prohibited.
  - r. If the home occupation requires that any clients or students visit the property, **one parking space** shall be provided per Chapter 11, Section 1102. of this Ordinance. For the purpose of providing said parking space, tandem parking is permissible.
9. Fences or freestanding walls per Article 1111.5 of this Ordinance. <sup>\*5, \*6, \*8, \*35, \*37</sup>
10. Accessory dwelling unit (ADU)/guest house. <sup>\*24, \*32, \*36</sup>
- a. Only one ADU/guest house shall be permitted where at least one, but no more than one, single-family residence exists on the property. <sup>\*24</sup>
  - b. An ADU/guest house may not be rented or leased separate from the primary structure. <sup>\*24</sup>

# MARICOPA COUNTY ZONING ORDINANCE

## Chapter 6 – Single Family Residential Zoning Districts

- c. An ADU/guest house shall not have a separate address or mailbox from the principal dwelling.<sup>\*24</sup>
  11. Accessory buildings and uses customarily incidental to the above uses, including:<sup>\*30</sup>
    - a. The keeping of a farm animals limited to the following:<sup>\*39</sup>
      1. Up to **five (5)** chicken hens.
      2. Corrals for the keeping of horses, provided such corrals are located in the rear yard, set back from all lot lines a distance of not less than **40 feet** and contain at least **1,200 square feet** of area for each horse kept therein. The keeping of horses on properties located in residential zoning districts in other than permitted corral areas is prohibited.
    - b. Private swimming pool along with incidental installations, such as pumps and filters, provided the following standards, and those in the current County Building Code, are met and maintained:<sup>\*23</sup>
      1. Such pool and incidental installations are located in other than the required front yard.
      2. Such pools are set back from all lot lines a distance of not less than **three feet**.
      3. All fish ponds and other contained bodies of water, either above or below ground level, with the container being **18 inches** or more in depth and wider than **eight feet** at any point measured on the long axis shall conform to the location and enclosure requirements for swimming pools as provided in the current County Building Code.<sup>\*23, \*42</sup>
      4. Irrigation and storm water retention facilities and the water features in public parks and golf courses are exempt from the fencing requirements for swimming pools as provided in the current County Building Code.<sup>\*23</sup>

# MARICOPA COUNTY ZONING ORDINANCE

## Chapter 6 – Single Family Residential Zoning Districts

5. It is the responsibility of the property owner to ensure that any pool enclosure fence and its appurtenances (e.g., gates, latching devices, locks, etc.) are maintained in safe and good working order. No person shall alter or remove any portion of a swimming pool enclosure except to repair, reconstruct or replace the enclosure in compliance with provisions of swimming pool barriers as provided in the current County Building Code.<sup>\*6, \*7, \*9, \*11, \*12, \*19 \*23</sup>
- c. Private tennis court, provided that such court is not constructed within **20 feet** of any adjoining property under other ownership, and provided that tennis court fences or walls shall not exceed **12 feet** in height.<sup>\*3, \*13</sup>
- d. Servant's quarters with kitchen facilities provided that the servant's quarters are integral to the primary dwelling unit and does not exceed **35%** of its area.<sup>\*\*13</sup>
- e. Accessory use lights provided that a permitted accessory use exists. The lights must be located on the property so as not to direct or reflect light upon adjoining land, shall not be constructed within **20 feet** of any adjoining property under other ownership, and shall not exceed **20 feet** in height.<sup>\*\*13</sup>
- f. Renewable energy systems as set forth in Section 1206 of this Ordinance. Where renewable energy systems involve the generation or storage of electricity, only grid-connected or off-grid systems are permitted.<sup>\*25</sup>
- g. Amateur radio antennas and antenna structures.<sup>\*42</sup>
12. Emergency housing: Temporary shelter required due to a natural disaster or fire or other circumstances determined to constitute an emergency by the zoning inspector.<sup>\*\*13, \*17</sup>
13. Model home sales complex, temporary real estate offices and temporary construction administrative offices/yard complex - as part of an approved, recorded subdivision provided that the following conditions are met:<sup>\*23, \*40, \*42</sup>
  - a. The uses are only associated with the developer/owner and subdivision or project in which they are located.<sup>\*42</sup>

# MARICOPA COUNTY ZONING ORDINANCE

## Chapter 6 – Single Family Residential Zoning Districts

- b. Upon sale of the development, cessation of the need for the use (**95% buildout**), or cessation of the use, all structures, modifications to structures and uses related to the temporary facility shall be removed. Cessation of use shall be deemed to have occurred if there have been no active building permits for a one (1) year period of time. <sup>\*40, \*42</sup>
  - c. Those uses of structures allowed shall meet all building code requirements.
  - d. All necessary permits must be issued prior to placement on the site.
  - e. Temporary flagpoles of up to 60 feet in height are allowed for model home sales complexes. These temporary flagpoles must be removed at the cessation of use as outlined above. <sup>\*42</sup>
  - f. Signage shall follow the General Sign Regulations, Residential Identification, and development standards for Commercial On-Site Wall signs and Commercial On-Site Freestanding signs. No Electronic Message Displays are allowed. <sup>\*40</sup>
  - g. All items stored on site shall only be those required for the construction on site.
  - h. The allowed uses may encroach into setback areas.
14. Home Daycare for up to **four (4)** children with the following stipulations: <sup>\*28</sup>
- a. A land use permit from Maricopa County is required establishing the use of the residence as day-care.
  - b. The permit holder of the daycare shall reside in the dwelling unit in which the daycare operates.
  - c. The rear and/or side yard is enclosed and provides a minimum of 75 sq. ft. per each child occupying the outdoor activity area.
  - d. There shall be no signs, advertising or other indications of the daycare on the premises.
  - e. The total number of children under compensated care shall not exceed four (4) at any one time.

# MARICOPA COUNTY ZONING ORDINANCE

## Chapter 6 – Single Family Residential Zoning Districts

- f. The residential address of the business shall not be listed in any business directory or in any advertising.
  - g. There shall be no change to the residential appearance of the premises, including the creation of separate or exclusive business entrance(s).
  - h. No pick-up or drop off of children shall be permitted on the premises between the hours of 10:00 p.m. and 6:00 a.m.
15. Gardens and community gardens as defined in Chapter 2. <sup>\*38</sup>
16. Offices for homeowners associations (HOA) and other HOA related uses such recreation centers and ancillary uses, maintenance facilities, storage facilities, horse stables and other facilities for the benefit of subdivision / master-planned community residents. <sup>\*42</sup>

**ARTICLE 601.3. HEIGHT REGULATIONS:** The height of buildings shall not exceed **30 feet.** <sup>\*29</sup>

**ARTICLE 601.4. YARD REGULATIONS:** The required yards are as follows:

1. **Front Yard:**
  - a. There shall be a front yard having a depth of not less than **40 feet.**
  - b. For through lots, a front yard shall be provided along both front lot lines.
  - c. Yards along each street side of corner lots shall have a width equal to not less than **half** the depth of the required front yard. Yards along each street side of corner lots shall otherwise conform with regulations applicable to front yards.
2. **Side Yard:** There shall be a side yard on each side of a building having a width of not less than **20 feet.**
3. **Rear Yard:** There shall be a rear yard having a depth of not less than **40 feet.**

**ARTICLE 601.5. INTENSITY OF USE REGULATIONS:** The intensity of use regulations are as follows: <sup>\*31</sup>

# MARICOPA COUNTY ZONING ORDINANCE

## Chapter 6 – Single Family Residential Zoning Districts

1. **Lot Area:** Each lot shall have a minimum lot area of **35,000 square feet**.
2. **Lot Width:** Each lot shall have a minimum width of **145 feet**.<sup>\*1</sup>
3. **Lot Area Per Dwelling Unit:** The minimum lot area per dwelling unit shall be **35,000 square feet**.
4. **Lot Coverage:** The maximum lot coverage shall be **30%** of the lot area.<sup>\*41</sup>

**ARTICLE 601.6. PARKING REGULATIONS:** The parking regulations are as provided in Chapter 11, Section 1102.<sup>\*25</sup>

**ARTICLE 601.7. SIGN REGULATIONS:** The sign regulations are as provided in Chapter 14, Section 1402.<sup>\*25</sup>

Date of Revisions					
* 1	Revised 10-13-70	*17	Revised 6-05-96	*31	Effective 10-19-11 – TA2011013
* 2	Revised 1-24-72	*18	Effective 5-16-98	*32	Effective 10-19-11 – TA2011014
* 3	Added 4-07-75	*19	Effective 8-06-99	*33	Effective 1-11-12 – TA2010012
* 4	Revised 1-03-77	*20	Effective 11-19-99	*34	Effective 1-11-12 – TA2007018
*5	Revised 6-06-77	*21	Effective 11-19-99	*35	Effective 8-22-12 – TA2010009
*6	Revised 11-08-82	*22	Deleted 11-19-99	*36	Effective 01-19-07 – TA2003002
*7	Revised 8-15-83	*23	Effective 07-07-06 – TA2003005	*37	Effective 9-18-10 – TA2010001
*8	Revised 4-01-85	*24	Effective 11-14-08 – TA2008005	*38	Effective 7-17-13 – TA2012011
*9	Revised 4-10-89	*25	Effective 11-19-10 – TA20090014	*39	Effective 7-17-13 – TA2012012
*11	Revised 9-12-90	*26	Effective 11-03-10 – TA2010013	*40	Effective 12-12-12– TA2012024
*12	Revised 7-05-91	*27	Effective 12-28-10 – TA2010017	*41	Effective 10-08-14– TA2014002
*13	Revised 2-20-94	*28	Effective 2-11-11 – TA2010014	*40	Effective 12-12-12– TA2012024
**13	Added 2-20-94	*29	Effective 3-16-11 – TA2010022	*41	Approved 10-08-14 TA2014002
*14	Added 7-23-94	*30	Effective 9-30-11 – TA2011001	*42	Approved 10-08-14 TA2014006

### SECTION 602. R1-18 (Single-Family Residential Zoning District - 18,000 Square Feet Per Dwelling Unit)

**ARTICLE 602.1. PURPOSE:** The principal purpose of this zoning district is to conserve, protect, and encourage sustainable single-family residential development where minimum lots of not less than **18,000 square feet** in area are suitable and appropriate taking into consideration existing conditions, including present use of land, present lot sizes, future land use needs and the availability of public utilities. Principal uses permitted in this zoning

# MARICOPA COUNTY ZONING ORDINANCE

## Chapter 6 – Single Family Residential Zoning Districts

district include single-family dwellings, churches, schools, parks and playgrounds and other community facilities.<sup>\*2</sup>

**ARTICLE 602.2. USE REGULATIONS:** The use regulations are the same as those in the **R1-35** Zoning District.

**ARTICLE 602.3. HEIGHT REGULATIONS:** The height of buildings shall not exceed **30 feet.**<sup>\*3</sup>

**ARTICLE 602.4. YARD REGULATIONS:** The required yards are as follows:

1. ***Front Yard:***

- a. There shall be a front yard having a depth of not less than **30 feet.**
- b. For through lots, a front yard shall be provided along both front lot lines.
- c. Yards along each street side of corner lots shall have a width equal to not less than **half** the depth of the required front yard. Yards along each street side of corner lots shall otherwise conform with regulations applicable to front yards.

2. ***Side Yard:*** There shall be a side yard on each side of a building having a width of not less than **ten feet.**

3. ***Rear Yard:*** There shall be a rear yard having a depth of not less than **30 feet.**

**ARTICLE 602.5. INTENSITY OF USE REGULATIONS:** The intensity of use regulations are as follows:<sup>\*4</sup>

1. ***Lot Area:*** Each lot shall have a minimum lot area of **18,000 square feet.**

2. ***Lot Width:*** Each lot shall have a minimum width of **120 feet.**

3. ***Lot Area Per Dwelling Unit:*** This minimum lot area per dwelling unit shall be **18,000 square feet.**

4. ***Lot Coverage:*** The maximum lot coverage shall be **35%** of the lot area.<sup>\*5</sup>

# MARICOPA COUNTY ZONING ORDINANCE

## Chapter 6 – Single Family Residential Zoning Districts

**ARTICLE 602.6. PARKING REGULATIONS:** The parking regulations are as provided in Chapter 11, Section 1102. <sup>\*2</sup>

**ARTICLE 602.7. SIGN REGULATIONS:** The sign regulations are as provided in Chapter 14, Section 1402. <sup>\*2</sup>

Date of Revisions			
*1	Revised 11-07-83	*4	Effective 10-19-11 – TA2011013
*2	Effective 11-19-10 – TA2009014	*5	Approved 10-08-14 – TA2014002
*3	Effective 3-16-11 – TA2010022		

### **SECTION 603. R1-10** (Single-Family Residential Zoning District 10,000 Square Feet Per Dwelling Unit)

**ARTICLE 603.1. PURPOSE:** The principal purpose of this zoning district is to conserve, protect, and encourage sustainable single-family residential development where minimum lots of not less than **10,000 square feet** in area are suitable and appropriate taking into consideration existing conditions, including present use of land, present lot sizes, future land use needs and the availability of public utilities. Principal uses permitted in this zoning district include single-family dwellings, churches, schools, parks and playgrounds and other community facilities. <sup>\*2</sup>

**ARTICLE 603.2. USE REGULATIONS:** The use regulations are the same as those in the **R1-35** Zoning District.

**ARTICLE 603.3. HEIGHT REGULATIONS:** The height of buildings shall not exceed **30 feet**. <sup>\*3</sup>

**ARTICLE 603.4. YARD REGULATIONS:** The required yards are as follows:

1. ***Front Yard:***

- a. There shall be a front yard having a depth of not less than **20 feet**.
- b. For through lots, a front yard shall be provided along both front lot lines.
- c. Yards along each street side of corner lots shall have a width equal to not less than **half** the depth of the required front yard. Yards along each street side of corner lots shall otherwise conform with regulations applicable to front yards.

## **EXHIBIT 6**

Flood Plain Map and Cover Page



# LEGEND



## SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.



## FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.



## OTHER FLOOD AREAS

- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

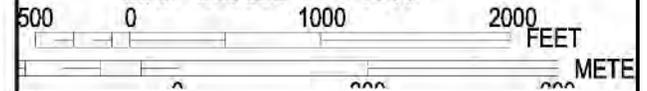


## OTHER AREAS

- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined but possible.



MAP SCALE 1" = 1000'



PANEL 2285L

INFUR

NATIONAL FLOOD INSURANCE PROGRAM

# FIRM

## FLOOD INSURANCE RATE MAP

### MARICOPA COUNTY, ARIZONA

#### AND INCORPORATED AREAS

#### PANEL 2285 OF 4425

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

#### CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
MARICOPA COUNTY	040037	2285	L
MESA CITY OF	040048	2285	L

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



**MAP NUMBER**  
04013C2285L

**MAP REVISED**  
OCTOBER 16, 2013

Federal Emergency Management Agency

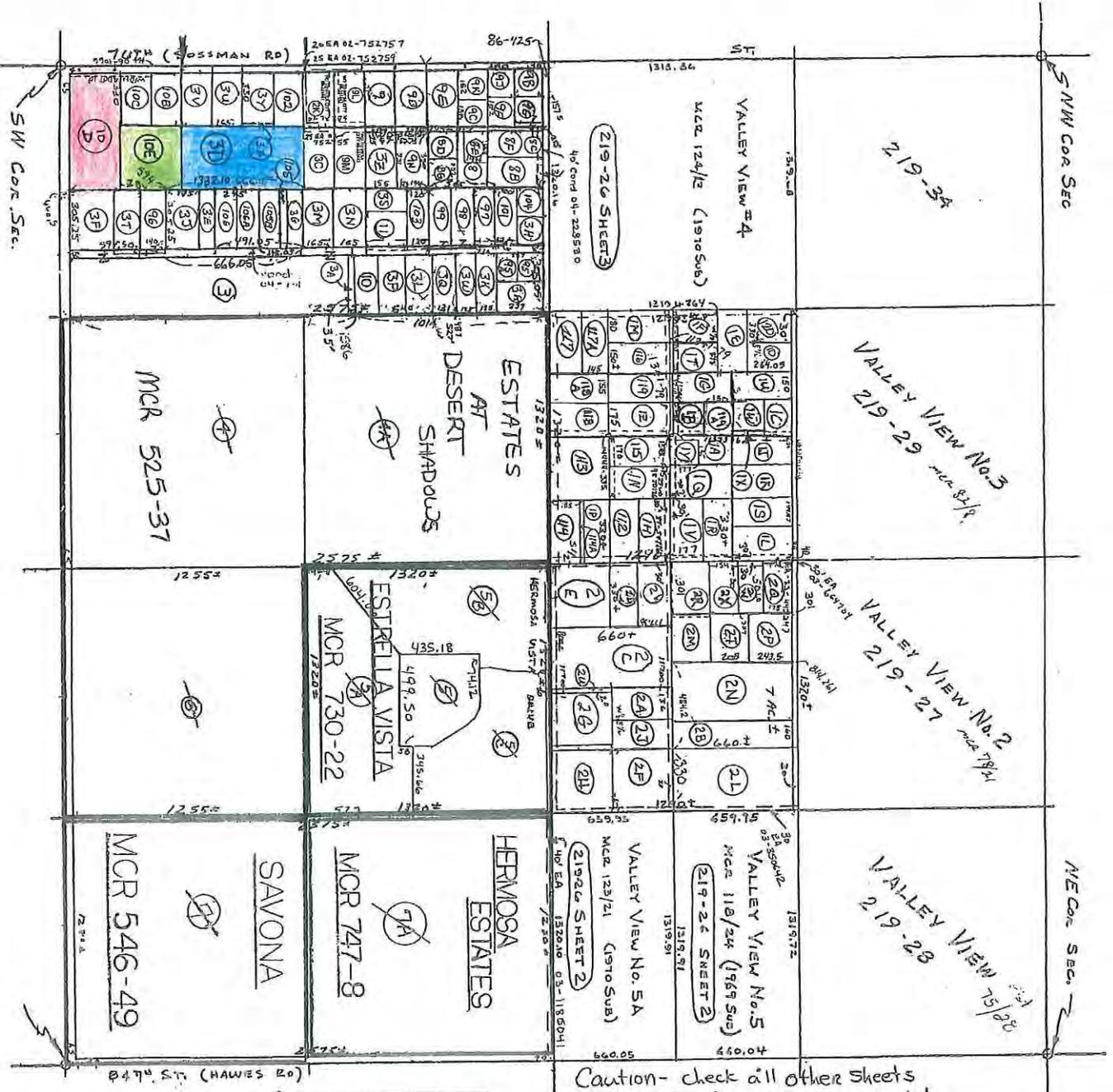
This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

## **EXHIBIT 7**

Excess Land Exhibit Sheet

SEC. 5 T. 1N R. 7E

BOOK 219  
 MAP 26  
 SHEET 01

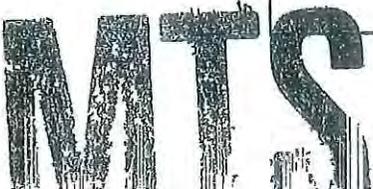


Caution - check all other sheets  
 Before Assigning new Arch  
 Numbers

SCALE  
 1" = 500'

4	3	2	1
4324	4300	4292	4276

GLO LOTS IN SEC. 5



EAS IN 04-19-2008

# EXHIBIT "C"

## ARIZONA DEPARTMENT OF TRANSPORTATION ADVANCE ACQUISITION PARCEL PLAT

Highway RED MOUNTAIN FRWY (S.R. 216)

Section bet. S.R. 217 - bet. S.R. 220

Project AZM-600-B-701

Approved for Advance Acquisition  
by R.P. Mickelson Deputy State Engineer  
on 3-27-86

Approved for Advance Acquisition by Transportation Board  
Resolution 86-03-A-23 dated 3-21-86

A. H. Dittie 5-7-86  
Chief Right of Way Agent Date

### OWNERSHIP RECORD

PARCEL	OWNER	DESCRIPTION	TOTAL AREA	GROSS AREA	NET AREA	ESMT. AREA	REMAIN. LEFT	REMAIN. RIGHT
7-4162	MCKELLIPS INVESTMENTS, INC.	PT. W <sup>2</sup> SW <sup>4</sup> SW <sup>4</sup> , Sec. 5, T.1N. R.7E.	11.27 AC.		11.27 AC.			

Gross area includes existing R/W  
Net area excludes existing R/W



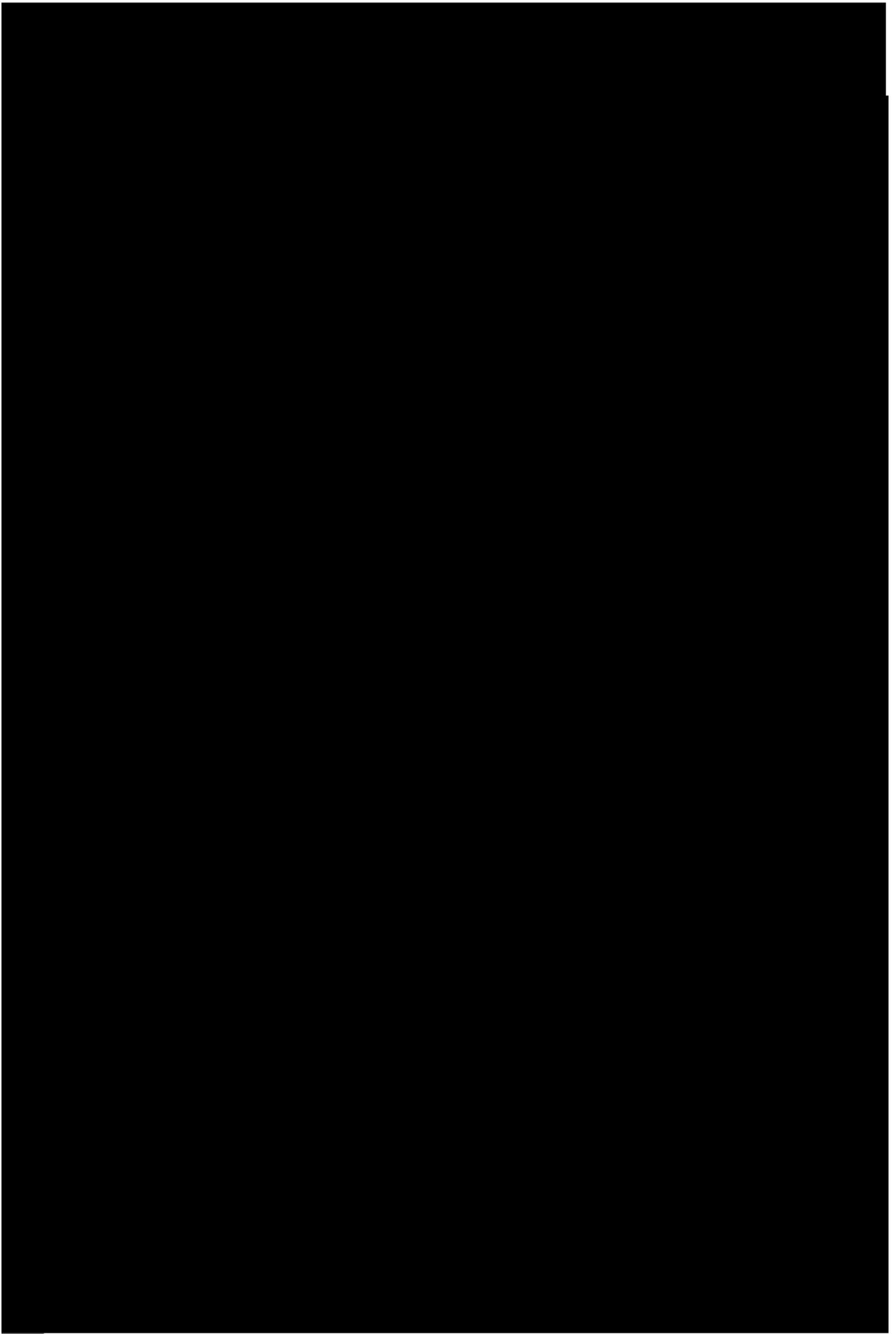
NOTE: Information taken from Assessor's Record Plat.

Drawn by 216-4-8-86

Checked by PJM

# County Parcels





RECEIVED

FEB 22 2007

RW PLANS

ARIZONA DEPARTMENT OF TRANSPORTATION INTERMODAL TRANSPORTATION DIVISION

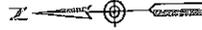
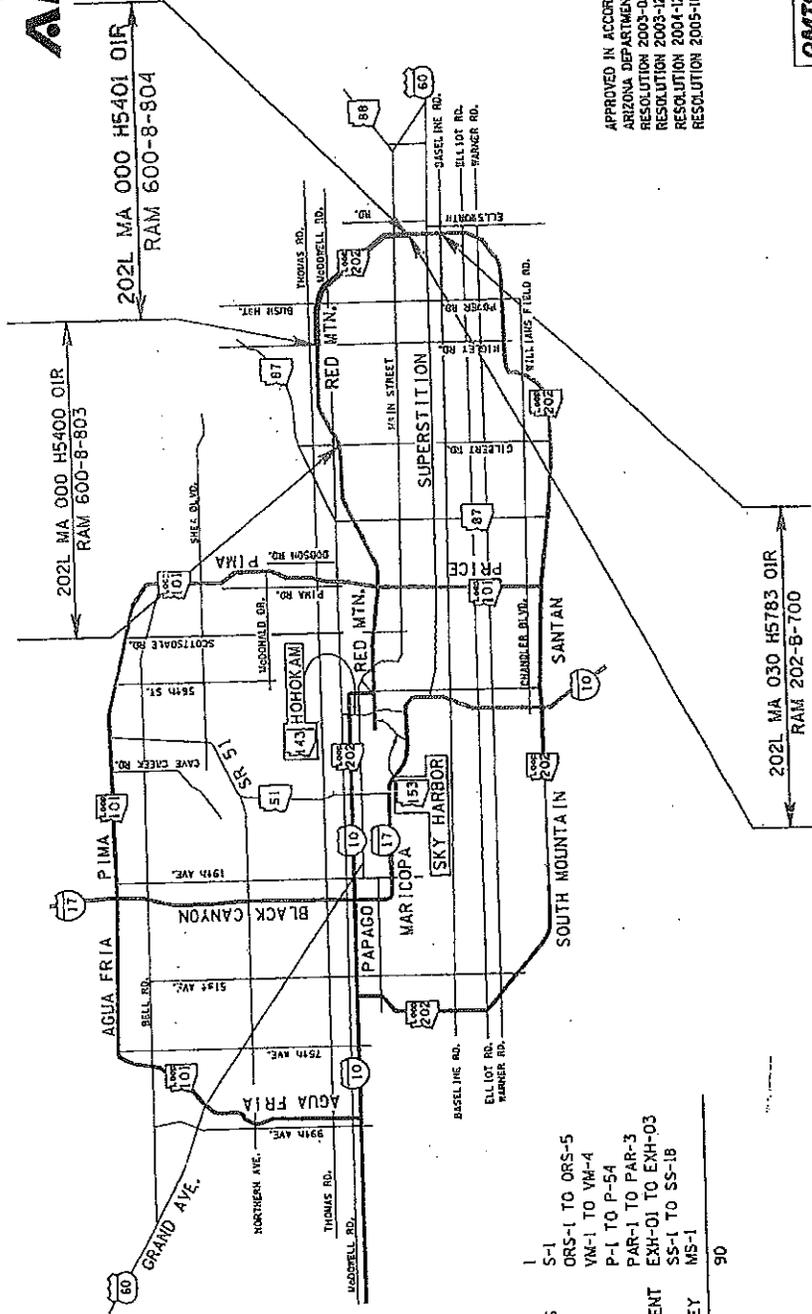


RIGHT OF WAY PLANS OF THE RED MOUNTAIN FREEWAY HIGLEY ROAD-US 60 202L MA 000 H5401 OIR RAM 600-8-804



PROJECT LOCATION
COUNTY NAME: MARICOPA
LENGTH OF PROJECT: 7.8 MILES
ADOT DISTRICT: PHOENIX (E)
DRAWING NUMBER: D-T-T-921

RW/PLANS FILE SET



- SHEET INDEX
COVER SHEET
STANDARD ABBREVIATIONS & SYMBOLS
OWNERSHIP RECORD SHEET
VICINITY MAP SHEET
PLAN SHEET
PARCEL INSERT SHEET
MCPD 5 YEAR MAINTENANCE AGREEMENT
SUPPLEMENTAL RESULTS OF SURVEY
RIGHT OF WAY MONUMENTATION SURVEY
TOTAL SHEETS 90

APPROVED IN ACCORDANCE WITH ARIZONA DEPARTMENT OF TRANSPORTATION BOARD RESOLUTION 2003-05-A-023 DATED 5-23-03 RESOLUTION 2003-12-A-076 DATED 12-19-03 RESOLUTION 2004-12-A-076 DATED 12-17-04 RESOLUTION 2005-10-A-054 DATED 10-21-05



OMT8

OWNERSHIP RECORD

RECORD

ACQUISITION RECORD

PARCEL NUMBER	OWNER	DESCRIPTION OF AREA REQUIRED	TOTAL AREA	AREA REQUIRED (EXISTING + NEW EASEMENTS)	REMAINDER	SHEET NO.	INSTRUMENT	RECORDED
① 7-4155	AMUNDSON ENTERPRISES, INC.	PT SEC 21 T.1N. R.7E.	1,378.494	632.566	729.720	P-42 TO P-44	WD 2/21/86	86-123702
② 7-4162	MCRAE INVESTMENTS, INC. II	PT S1/4 SEC 5 T.1N. R.7E.	546.792	5.652	520.053	P-23 TO P-24	WD 1/08/04	04-0184432
③ 7-5489	CACTUS WREN PARTNERS	PT SEC 28 T.1N. R.7E.	31,900	15.200	16,700	P-52 TO P-53	WD 10/14/87	88-006291
④ 7-5490	WISCOR, INC.	PT SEC 28 T.1N. R.7E.	22,260	13.600	8,660	P-59 TO P-52	WD 11/10/87	88-320205
⑤ 7-5503	MARANAND DEVELOPMENT CORP.	PT SEC 36 T.1N. R.6E.	1,533.989	34.491	1,499.498	P-9	WD 9/9/87	87-636106
⑥ 7-5898	FIDELITY NATIONAL TITLE AGENCY OF MARICOPA CO., INC.	PT SEC 20 T.1N. R.7E.	66.750	3.140	63.610	P-49 TO P-50	WD 11/30/87	86-320204
⑦ 7-5916	DAVID WEAVER, ET UX	PT SEC 16 T.1N. R.7E.	2,220	2,220		P-39	WD 3/23/88	88-229611
⑧ 7-6015	ATRINSON LAND HOLDINGS, LLC	PT W2NE4 SEC 21 T.1N. R.7E.	163.143	80.898		P-45 TO P-46	FOC 10/21/01	2001-0950468
⑨ 7-7571	ELLIS FAMILY TRUST	PT TRACT M, RIDGEVIEW SOUTH, SEC 35 T.2N. R.6E.		216.284		P-9 TO P-13	WD 12/09/94	94-0883493
⑩ 7-8933	MARK ARYEON DEVON	PT N1/4NE4 SEC 35 T.2N. R.6E.	217.800	31.675	186.125	P-1	WD 10/22/02	03-0093071
⑪ 7-8934	MARK ARYEON DEVON	PT N1/4NE4 SEC 35 T.2N. R.6E.	862.200	2,668	859.532	P-1P-2	WD 10/29/02	03-0163012
⑫ 7-8935	RED MOUNTAIN COMMERCIAL PARK, LLC	PT NE4 SEC 35 T.2N. R.6E.	3,955.583	1,504.105	1,154.388	P-1 TO P-5	FOC 6/30/04	04-0857721
⑬ 7-8936	CITY OF MESA	PT NE4 & S2 SEC 35 T.2N. R.6E.	3,201.464	8,562	3,196.902	P-5	FOC 1/19/05	05-0170871
⑭ 7-8936	DOVER ASSOCIATES, LLC	PT NE4 & S2 SEC 35 T.2N. R.6E.	3,201.464	8,562	3,196.902	P-5	FOC 1/19/05	05-0170871
⑮ 7-8937	RED MOUNTAIN CHURCH	PT NW4 SEC 36 T.2N. R.6E.				P-3 TO P-6	ACE 11/6/02	02-1268729
⑯ 7-8938	VIVIR, INC.	PT TRACT C, RIDGEVIEW SOUTH, SEC 35 T.2N. R.6E.				P-9, P-6	TCE 5/22/03	
⑰ 7-8943	THE VILLAS AT RED MOUNTAIN HOMEOWNERS ASSOCIATION	PT TRACT E, VILLAS AT RED MOUNTAIN, SEC 35 T.2N. R.6E.	605.720	29.916	576.204	P-11, P-13	TCE 8/18/05	
⑱ 7-8950	LAS SENDAS COMMUNITY ASSOC.	PT SEC 31 T.2N. R.7E.	572.057	217.952	354.505	P-9 TO P-13	WD 7/2/03	03-1096940
⑲ 7-8950-A	LAS SENDAS COMMUNITY ASSOC.	PT SEC 31 T.2N. R.7E.	572.057	217.952	354.505	P-9 TO P-13	WD 7/2/03	03-1096940
⑳ 7-8951	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY	PT SEC 31 T.2N. R.7E.	3,417.679	768.120	2,649.559	P-13 TO P-11	WD 7/28/05	05-1147487
㉑ 7-8951	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY	PT SEC 31 T.2N. R.7E.	3,417.679	768.120	2,649.559	P-13 TO P-11	WD 7/28/05	05-1147487
㉒ 7-8951	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY	PT SEC 6 T.1N. R.7E.	6,414.357	2,721.639	11,495.088	P-15 TO P-23	OIP 5/29/07	
㉓ 7-8951	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY	PT SEC 7 T.1N. R.7E.	901.037	643.288	257.749	P-15 TO P-23	PERMIT 9/1/08	
㉔ 7-8951	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY	PT SEC 8 T.1N. R.7E.	6,549.553	2,699.091	11,495.088	P-15 TO P-23	PERMIT 9/1/08	
㉕ 7-8951	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY	PT SEC 9 T.1N. R.7E.	75.900	58.111	17.789	P-32 TO P-35		
㉖ 7-8951	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY	PT SEC 16 T.1N. R.7E.	2,978.125	1,425.456	1,552.669	P-32 TO P-38		
㉗ 7-8951	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY	PT SEC 17 T.1N. R.7E.	286.318	216.040	70.278	P-30, P-32, P-35		

ALL AREAS ARE IN SQUARE FEET UNLESS OTHERWISE NOTED

SD = SHERIFF'S DEED  
ACE = ACCESS CONTROL ESMT.

① PARCEL ACQUIRED UNDER PROJECT NO. AZM-600-7-701

② PARCEL ACQUIRED UNDER PROJECT NO. 600-8-701

③ PARCEL ACQUIRED UNDER PROJECT NO. RBA-600-8-701

④ AREA INCLUDES 39,661<sup>sq</sup> OF EXIST R/W, 90TH STREET & APACHE TRAIL. (SEE DOC. 2001-0950468 FOR TOTAL AREA)

⑤ ACCESS RIGHTS TO BE ACQUIRED

⑥ INCLUDES 132,089<sup>sq</sup> OF AREA NOT TO BE INCLUDED IN THE 5 YEAR MAINTENANCE AGREEMENT.

⑦ INCLUDES 795,857<sup>sq</sup> OF AREA NOT TO BE INCLUDED IN THE 5 YEAR MAINTENANCE AGREEMENT.

⑧ MCFCD HAS AN EASEMENT INTEREST ONLY IN SECTION 8

⑨ TOTAL ACQUISITION

⑩ PARCEL ACQUIRED UNDER PROJECT NO. 600-8-804

⑪ AREA INCLUDES 16,482<sup>sq</sup> FOR NOISE WALLS ADJACENT TO PROPERTY LINE. SEE SHEET 55-16

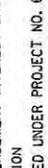
⑫ AREA INCLUDES 13,513<sup>sq</sup> FOR NOISE WALL ADJACENT TO PROPERTY LINE. SEE SHEET 55-17

⑬ NET AREA INCLUDES 35,777<sup>sq</sup> ACQUIRED DUE TO SEVERANCE OF ACCESS. SEE SHEET 55-17

CHANGE ORDER REVISIONS

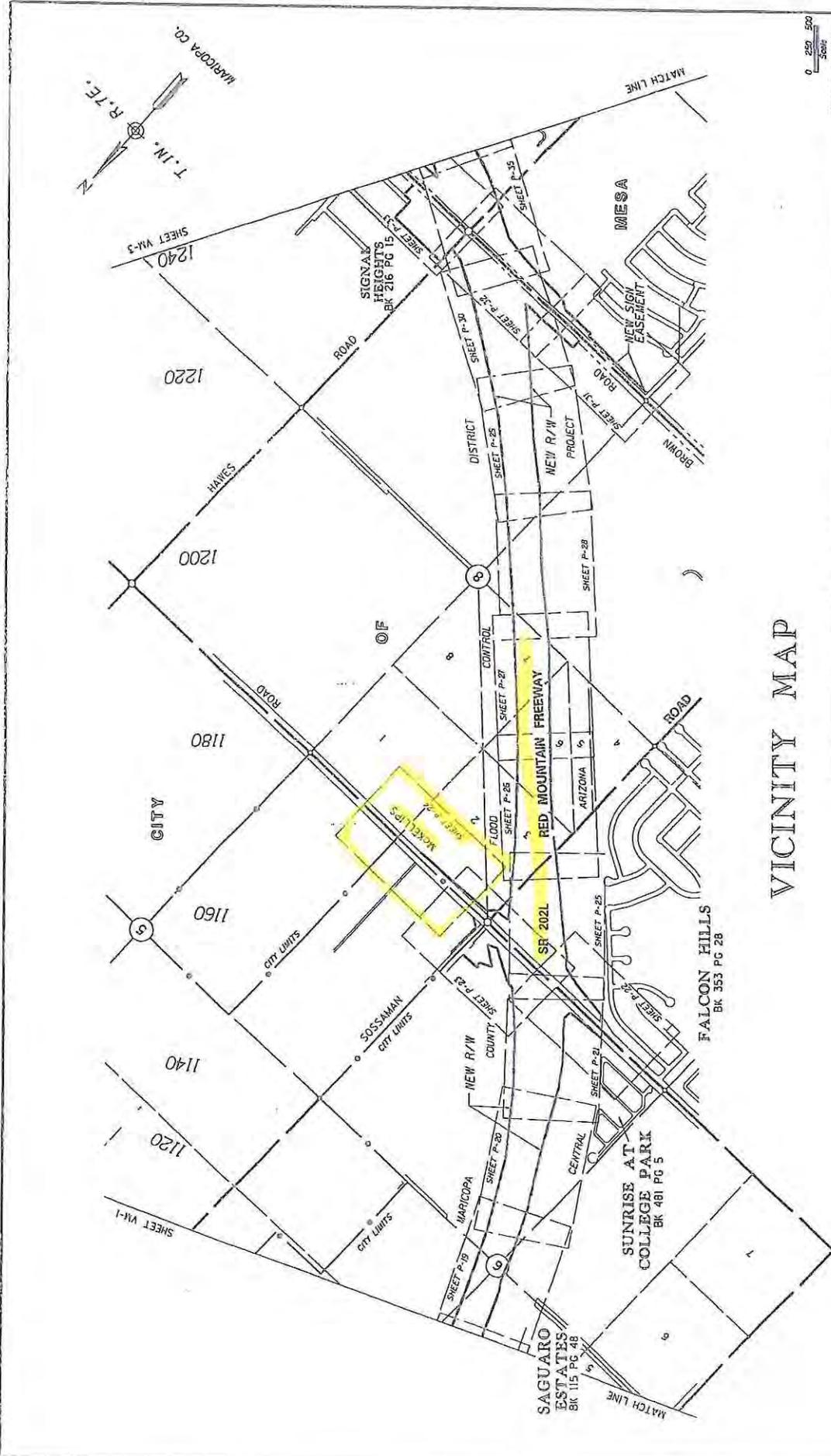
DATE	DESCRIPTION	REVISIONS
10-30-08	PT REVISION	NO. 1
10-30-08	PT REVISION	NO. 2
10-30-08	PT REVISION	NO. 3
10-30-08	PT REVISION	NO. 4
10-30-08	PT REVISION	NO. 5
10-30-08	PT REVISION	NO. 6
10-30-08	PT REVISION	NO. 7
10-30-08	PT REVISION	NO. 8
10-30-08	PT REVISION	NO. 9
10-30-08	PT REVISION	NO. 10
10-30-08	PT REVISION	NO. 11
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10-30-08	PT REVISION	NO. 95
10-30-08	PT REVISION	NO. 96
10-30-08	PT REVISION	NO. 97
10-30-08	PT REVISION	NO. 98
10-30-08	PT REVISION	NO. 99
10-30-08	PT REVISION	NO. 100

DATE: 10/30/08  
DRAWN BY: B. CORNEY  
CHECKED BY: B. CORNEY  
SCALE: AS SHOWN  
PROJECT: RAM 600-B-804  
SHEET: 55-16



ARIZONA DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
SECTION 100

PROJECT: RAM 600-B-804  
SHEET: 55-16  
DATE: 10/30/08  
DRAWN BY: B. CORNEY  
CHECKED BY: B. CORNEY  
SCALE: AS SHOWN  
PROJECT: RAM 600-B-804  
SHEET: 55-16



# VICINITY MAP

CHANGE ORDER REVISIONS		DRAWING NO.	DISTRICT	PROJECT NAME	PROJECT NO.
C.O. NO.	DATE	BY	DESCRIPTION OF REVISIONS	D-7-1-921	ARIZONA DEPARTMENT OF TRANSPORTATION
9125	3-17-09	ALL	Added New Sign EGGERTS	SURVEY	PHOENIX
				DRAWN/DATE	RED MOUNTAIN FREEWAY
				ADMT REVIEWER	RAM 600-8-804
				DATE	202L MA 000 H5-01 DIR
				PROJECT NO.	SR 202L
				SECTION NAME	Higley Road - US 60
				SHEET	MA-2





## **EXHIBIT 8**

Photographs of Subject



Subject property seen looking southwest from near the east border.



Looking north over the center of the property.





View to north along east property border.



Looking northwest from near the northeast corner.





View to southeast from northwest corner.



Looking east along north border.





View of the northwest corner of subject property.



Wall running along north border at the northwest corner.





Looking north from northwest corner of subject toward Leonora Street over a possible route of access to the property.



Looking south toward the north border of the subject from Leonora Street.





View west from the west border of the property over another possible route of access.



View west from the west border of the property over another possible route of access.





Looking north along the west property border.



## **EXHIBIT 9**

Market Data Sheets for Land Sales

## LAND SALE NO. 1

**PROPERTY TYPE:** Residential land  
**ADDRESS:** NE Corner of 162<sup>nd</sup> Street and Twin Acres Drive Gilbert AZ 85298  
**LEGAL DESCRIPTION:** Lengthy  
**ASSESSOR NO.:** 304-70-002X  
**GRANTOR:**  
**GRANTEE:** Grayson LLC  
**DOCUMENT NO.:** 13-  
**DOCUMENT TYPE:**

**DATE OF SALE:** August 27, 2013  
**RECORD DATE:** November 4, 2013

**SALE PRICE:** \$435,000

**FINANCING:** Cash

**UNIT PRICE:** \$87,879 per acre

**PROPERTY RIGHTS CONVEYED:** Fee Simple

**CONDITIONS OF SALE:** Arm's Length Transaction

**VERIFICATION:** Inspection, county records, Linda Muncey, listing broker 602-292-5300

**PRIOR SALES:** No prior sales within the last five years per Realquest

### SITE DATA:

**Shape/Dimensions:** Rectangular, narrow

**Area:** 4.95 acres

**Topography/Cover:** Level, grass

**Zoning:** Rural-43, Maricopa County

**Frontage:** 162<sup>nd</sup> Street and Twin Acres Drive

**Access:** 162<sup>nd</sup> Street and Twin Acres Drive

**Utilities:** Power and phone, municipal water, but no sewer; septic

**Intended Use:** Split into 5 lots and resell.

**COMMENTS:** The buyer has since split into five lots and resold them and each has already been built upon. Access is gravel roads in a county island. Buyer worked during escrow to secure zoning variance to receive 5 lots on 4.95 acres.

LAND SALE NO. 1



A. P. No. 304-70-002X  
(Now 304-70-969, -970, -971, -972A and -973A)



## LAND SALE NO. 2

**PROPERTY TYPE:** Residential home sites  
**ADDRESS:** 16404 South Higley Road Gilbert, AZ 85295  
**LEGAL DESCRIPTION:** Lengthy  
**ASSESSOR NO.:** 304-47-048C and -048D  
**GRANTOR:** Elizabeth Davis  
**GRANTEE:** Mar& Danette McComber  
**DOCUMENT NO.:** 14-297512  
**DOCUMENT TYPE:** Warranty Deed

**DATE OF SALE:** April 28, 2014  
**RECORD DATE:** May 7, 2014

**SALE PRICE:** \$370,000  
**FINANCING:** Cash  
**UNIT PRICE:** \$123,333 per acre

**PROPERTY RIGHTS CONVEYED:** Fee Simple  
**CONDITIONS OF SALE:** Arm's Length Transaction  
**VERIFICATION:** Inspection, county records, affidavit of value, MLS, Kelly Farnsworth, listing broker (602-769-7509)  
**PRIOR SALES:** No other sales are known within the last five years per Realquest. 12/28/2010 the property sold for \$210,000 (doc # 2010-1126809)

**SITE DATA:**

**Shape/Dimensions:** Rectangular  
**Area:** 3.00 acres per listing broker  
**Topography/Cover:** Level; perimeter fenced  
**Zoning:** Rural-43, Maricopa County  
**Frontage:** Frye Road and Higley Road  
**Access:** Frye Road and Higley Road  
**Utilities:** Power and phone, water company, no sewer; septic  
**Intended Use:** Hold for single family development

**COMMENTS:** Minor arterial corner purchased for future rural residential development.

LAND SALE NO. 2



A. P. No. 304-47-048C and -048D



### LAND SALE NO. 3

**PROPERTY TYPE:** Rural residential land

**ADDRESS:** 5015 South 156<sup>th</sup> Street Gilbert, AZ 85298

**LEGAL DESCRIPTION:** Lengthy

**ASSESSOR NO.:** 304-71-050E

**GRANTOR:** JALK LLC

**GRANTEE:** Farm House on Prince LLC

**DOCUMENT NO.:** 14-0777789

**DOCUMENT TYPE:** Warranty Deed

**DATE OF SALE:** October 2014

**RECORD DATE:** November 24, 2014

**SALE PRICE:** \$685,000

**FINANCING:** Cash

**UNIT PRICE:** \$134,578 per acre

**PROPERTY RIGHTS CONVEYED:** Fee Simple

**CONDITIONS OF SALE:** Arm's Length Transaction

**VERIFICATION:** Inspection, county records, affidavit of value, MLS

**PRIOR SALES:** Buyer purchased site in Sept 2013 for \$605,000. Selling broker attributed the increase to market improvement.

**SITE DATA:**

**Shape/Dimensions:** Rectangular

**Area:** 5.09 acres

**Topography/Cover:** Level, dirt

**Zoning:** SF-43, Gilbert

**Frontage:** 156<sup>th</sup> Street

**Access:** 156<sup>th</sup> Street

**Utilities:** Power and phone, municipal water, no sewer; septic

**Intended Use:** Single Family Development

**COMMENTS:** Seller had purchased the site to develop a school, but changed their plans. The buyer also purchased an adjoining 5 acre parcel to the south with a home on it with hopes of developing a ten unit subdivision on the two tracts.

LAND SALE NO. 3



A. P. No. 304-71-050E



## LAND SALE NO. 4

**PROPERTY TYPE:** Vacant residential land (citrus orchard)  
**ADDRESS:** 3700 East Brown Road Mesa, AZ 85205  
**LEGAL DESCRIPTION:** Por Lot 13 Oasis Citrus Groves Inc Trt 1 bk 24 pg 1  
**ASSESSOR NO.:** 141-31-016D  
**GRANTOR:** Djordjevich Milevoje  
**GRANTEE:** 3700 Brown Partners, LLC  
**DOCUMENT NO.:** 14-0738843  
**DOCUMENT TYPE:** Special Warranty Deed

**DATE OF SALE:** October 2014  
**RECORD DATE:** November 6, 2014

**SALE PRICE:** \$768,987  
**FINANCING:** Buyer assumed loans totaling \$748,879; without confirmation the terms are assumed to be cash equivalent at market terms  
**UNIT PRICE:** \$144,504 per gross acre

**PROPERTY RIGHTS CONVEYED:** Fee Simple  
**CONDITIONS OF SALE:** Arm's Length Transaction  
**VERIFICATION:** Inspection, county records, affidavit of value, Costar.  
**PRIOR SALES:** No sales known within the last five years per Realquest

**SITE DATA:**

**Shape/Dimensions:** Rectangular; 321.51 feet by 620.03 feet  
**Area:** 4.58 acres  
**Topography/Cover:** Level, dirt  
**Zoning:** RE-35, Mesa  
**Frontage:** Brown Road  
**Access:** Brown Road  
**Utilities:** Power and phone, municipal water and sewer  
**Intended Use:** Investment

**COMMENTS:** This parcel is located east of the northeast corner of Brown Road and Val Vista Drive in Mesa. It was purchased for investment. It has a mature citrus orchard on the property. It is a finished site.

LAND SALE NO. 4



A. P. No. 141-31-016D



## LAND SALE NO. 5

**PROPERTY TYPE:** Vacant residential land

**ADDRESS:** NE corner of 76<sup>th</sup> Street and McKellips Road Mesa, AZ

**LEGAL DESCRIPTION:** Pors sec 5 T1N R7E , Gila and Salt River Base and Meridian.

**ASSESSOR NO.:** 219-26-096P

**GRANTOR:** Foresight Group LLC

**GRANTEE:** Mesa 20, LLC

**DOCUMENT NO.:** 13-1092306

**DOCUMENT TYPE:** Special Warranty Deed

**DATE OF SALE:** May 2013

**RECORD DATE:** December 30, 2013

**SALE PRICE:** \$1,300,000

**FINANCING:** Cash

**UNIT PRICE:** \$154,211 per gross acre

**PROPERTY RIGHTS CONVEYED:** Fee Simple

**CONDITIONS OF SALE:** Arm's Length Transaction 1031 Exchange

**VERIFICATION:** Inspection, county records, affidavit of value, Rob Fabrizio, seller, (480-951-5920)

**PRIOR SALES:** No prior sales within the last five years per Realquest

**SITE DATA:**

**Shape/Dimensions:** Rectangular;

**Area:** 8.430 acres or 367,210 square feet

**Topography/Cover:** Level, dirt

**Zoning:** RS-15, Mesa

**Frontage:** 76th Street and McKellips Road

**Access:** 76th Street

**Utilities:** Power and phone, municipal water and sewer

**Intended Use:** Single Family Development

**COMMENTS:** Vacant tract of land near the freeway. The buyer is a production home builder who will develop 20 lots on the site.

LAND SALE NO. 5



A. P. No. 219-26-096P

