

**APPRAISAL REPORT**

**A 1.830 Acre Tract Of Vacant Land  
Located Along the Interstate 17 Frontage Road  
South of Deer Valley Road  
Phoenix, Arizona 85027**

**ADOT Parcel No. L-M-541**

**PREPARED FOR:**

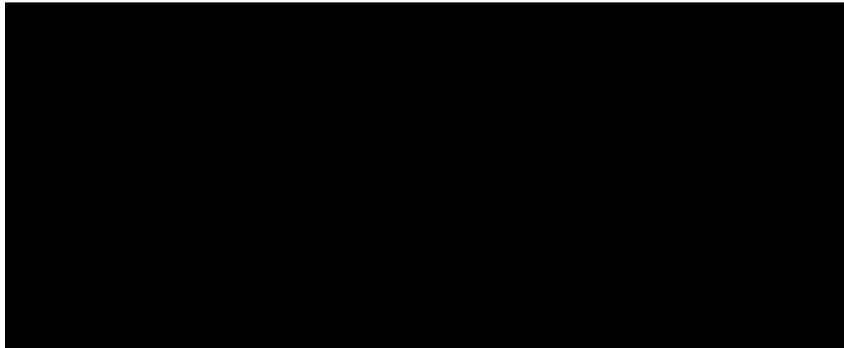
**ARIZONA DEPARTMENT OF TRANSPORTATION  
205 SOUTH 17<sup>TH</sup> AVENUE  
PHOENIX, ARIZONA 85007**

**ATTENTION: MR. STEVE TROXEL**

**DATE OF REPORT: MAY 4, 2015**

**DATE OF VALUATION: APRIL 30, 2015**

**DATE OF INSPECTION: APRIL 30, 2015**



**APPRAISAL COVER SHEET**

**PARCEL NO.:** L-M-541

**OWNER NAME:** Arizona Department of Transportation

**ADDRESS:** 205 South Seventeenth Avenue

Phoenix, Arizona 85007

**LOCATION**

**OF PROPERTY:** Along the East Interstate 17 Frontage Road

South of Deer Valley Road

Phoenix, Arizona 85027

**PROJECT:** H089301R

**HIGHWAY:** BLACK CANYON FREEWAY

**SECTION:** SR 101 - Carefree Highway

**CONTRACT NUMBER:** AD14-052969 # JW-15-008

**DATE OF APPRAISAL:** May 4, 2015

**DATE OF VALUATION:** April 30, 2015

**APPRAISER:**  \_\_\_\_\_

May 4, 2015

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

RE: Appraisal of a 1.830 acre tract of excess land along the east side of the Interstate 17 frontage road south of Deer Valley Road in north Phoenix, Arizona 85027

Dear Mr. Troxel:

At your request the value of the above referenced parcel of excess land has been appraised. The property is 1.830 acres in size and is long and narrow. It has lengthy frontage on the I-17 frontage road and lies just north of Lone Cactus Road and south of Deer Valley Road, east of the freeway. The Arizona Department of Transportation is in process of disposing of the property as excess land and as a result has had it appraised.

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. This report is not to be used by any other party or for any other purpose without the written consent of [REDACTED]. This report is written in narrative form. It is noted that I have appraised this property for the same client and with the same intended use on May 23, 2011. Other than that assignment, 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.

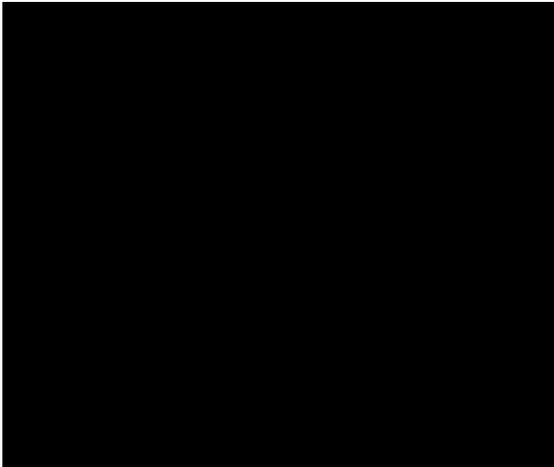
The property was inspected and analyzed for the purpose of estimating its market value, as defined in this report, as of April 30, 2015. The report is prepared to conform to the 2014-0215 Uniform Standards of Professional Appraisal Practice (USPAP) and the appraisal standards and specifications of ADOT, 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 subject parcel, as of April 30, 2015, is:

**FIVE HUNDRED NINETY EIGHT THOUSAND DOLLARS**  
**(\$598,000)**

Data used to support this value conclusion is presented and analyzed in the accompanying report. It is noted that no environmental hazards were noted to be influencing the subject property at the time of inspection, nor were there any underground site improvements identified.

The underlying assumptions and limiting conditions pertaining to this report are contained in the "Certificate of Appraiser" immediately following the Auditing Breakdown section of this report and 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.



## SUMMARY OF SALIENT FACTS AND CONCLUSIONS

<b>Type of Property:</b>	Vacant commercial land
<b>Location:</b>	East side of the I-17 frontage road north of Lone Cactus Road and south of Deer Valley Road in north Phoenix, Arizona 85027
<b>Purpose of the Appraisal:</b>	The purpose of this appraisal is to estimate market value of the fee interest in the subject parcel.
<b>Intended Use:</b>	To assist the Arizona Department of Transportation (ADOT) in disposing of the property as excess land.
<b>Intended User:</b>	ADOT.
<b>Hypothetical Conditions:</b>	None
<b>Legal Description:</b>	The legal description of the property is shown in the title report for the property provided by the client and may be found in the Addenda.
<b>Tax Parcel Numbers:</b>	Maricopa County Assessor's parcel numbers 209-07-045P, -045Q and -045V.
<b>Site Area:</b>	1.830 acres or 79,704 square feet
<b>Zoning:</b>	C-3, heavy commercial, by the City of Phoenix
<b>Site Improvements:</b>	None aside from some perimeter fencing.
<b>Highest &amp; Best Use:</b>	Hold for future commercial development.
<b>Value Estimate:</b>	\$598,000
<b>Date of Valuation:</b>	April 30, 2015
<b>Date of Inspection:</b>	April 30, 2015



**Appraisal Reporting Standards:**

This report is drafted to adhere to the 2014-2015 version of the Uniform Standards of Professional Appraisal Practice (USPAP) plus the appraisal standards and specifications of the Arizona Department of Transportation, as I understand them.

**Appraiser:**

[Redacted]

[Redacted]

# AERIAL PHOTO OF SUBJECT PROPERTY



## INTRODUCTION

The property that is the subject of this report is a 1.830 acre parcel of vacant land located along the east side of the northbound Interstate 17 frontage road south of Deer Valley Road in north Phoenix. It is long and slightly narrow and was originally acquired by the Arizona Department of Transportation (ADOT) in October 2007 as part of the I-17 improvement project through the area. It is now excess land and ADOT is seeking to dispose of the property and as a result has had it appraised. An aerial photo of the property is shown on the following page. 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. 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 standards and specifications of the Uniform Standards of Professional Appraisal Practice and ADOT.

### Scope of Work

The purpose of this appraisal is to estimate market value of the fee simple interest in the subject property, as of the date of valuation. The client and intended user is the Arizona Department of Transportation. The intended use is to assist ADOT in disposition of the site as excess land. No hypothetical conditions or extraordinary assumptions are made for the report. It is noted that although this firm has 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, we did complete an appraisal of the same property in May 2011.

## PROPERTY IDENTIFICATION

### Tax Parcel Numbers

The subject property is assessed by Maricopa County as three adjacent parcels known as 209-07-045P, -045Q, and -045V.

### Legal Description

The legal description provided by the client for the property is lengthy and is shown as “Exhibit A” on the last two pages of Exhibit 7 of the Addenda.

### Owner of Record

The owner of record is:

Arizona Department of Transportation  
205 South 17<sup>th</sup> Avenue, Maildrop 612E  
Phoenix, AZ 85007

## **Development History**

The subject site is vacant land, although it was previously developed with a mini-storage facility. In October 2007 ADOT acquired this parcel in association with a freeway improvement project for I-17 and subsequently removed the improvements as a part of the project. The result is the current vacant lot.

## **Five Year Chain of Title**

According to the title report provided by the client, ADOT acquired the property in October 2007. Due to changes in market conditions since that time, this transfer is not considered indicative of current market value so it is not analyzed in the valuation process.

## **Current Listing Price and Offerings**

The property is currently listed for sale on the ADOT website. The current listing price is reported as under review. It had previously been listed at \$797,000. No information on offers to purchase it have been presented to the appraiser.

## **Owner Contact and Site Inspection**

The property owner is the client and therefore no owner contact was necessary. The property was inspected on April 30, 2015. No one besides the appraiser was present.

## **Larger Parcel**

The subject property is a single contiguous tract and is considered as a single larger parcel.

## **Legal Description**

The property is legally described in the title report provided by the client and shown in exhibit 3 of the addenda.

## **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**

For the same reasons given above for exposure period, the marketing period is estimated to be six to nine months as well.

## **Easements and Encumbrances**

A title report was provided by the client for the subject tract. Several easements were noted in Schedule B of that title report for roadways and utility lines. It is assumed that none of these easements impact the utility or marketability of the property. In the event that such easements are identified the appraiser reserves the right to amend the value conclusion reached herein if necessary.

## **Hazardous Wastes**

No toxic waste or contaminants were identified on the site at the time of inspection. However, it does not mean that such materials do not exist either on or under the tract. 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 estimate 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 market value of the fee simple interest in the subject property, as of the date of valuation. The intended use is to assist the client in disposition of the site as excess land. The intended user is ADOT.

## **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 parcel is appraised, subject to the limitations and restrictions shown on schedule B of the title report in the addenda. The fee simple estate 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

It is noted that no personal property, business value or going concern values are considered in the subject value estimate. There are no known items of personal property attached to the site.

### Date of Inspection and Valuation

The property was inspected on April 30, 2015. This is also the date of valuation.

### Tenant Information

No leases impact the title of the subject property.

## APPRAISAL PROCESS

An appraisal of a right of way such as this involves a specific process in order to form an opinion of the market value of the fee simple interest in the property and an estimate of compensation to the owner as a result of the proposed acquisition. 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 and interviews with public officials relating to the property and competing properties to identify legally permitted uses and availability of public amenities; 3) performing a search of public records to identify sales of competing property in the market; 4) interviews with market participants including confirmation of relevant data for analysis of the sales and to identify those sales that are 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.

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

## **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.

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  
Affidavits of Property Value  
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 discusses broad economic and real estate market trends influencing the subject property. The subject neighborhood and site are described subsequently.

## **REGIONAL SUMMARY**

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 has shown a strong decline in value since that time, with an increase in the rate of decline since 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, showing at least modest gains in most areas, 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 incorporated and previously rapidly developing area in far north Phoenix, 20-22 miles northwest of the central business district of Phoenix. This area is characterized by a combination of industrial, commercial and mobile home park uses, as well as some open undeveloped land. Interstate 17 runs north through the area and the Deer Valley Airport is located at the northeast corner of the neighborhood. Both of these features helped drive strong business park and retail growth in the area up through the end of 2007, as well as to a much lesser degree from early 2008 to the present. As market conditions continue to improve, the area around the Deer Valley Airport is projected to be one of the stronger sub-markets in terms of industrial and commercial development.

### **Boundaries**

The neighborhood boundaries are concluded to be the Loop 101 Freeway to the south, Happy Valley Road to the north, Seventh Street to the east and 35<sup>th</sup> Avenue to the west. Each of these physical features may be seen on the neighborhood map on the following page. The size of this neighborhood is approximately four miles east/west by three miles north/south. The area that lies within these boundaries is a mixture of industrial and business park type uses, retail uses, small commercial properties or vacant land that is going to be developed to similar uses in the near future.

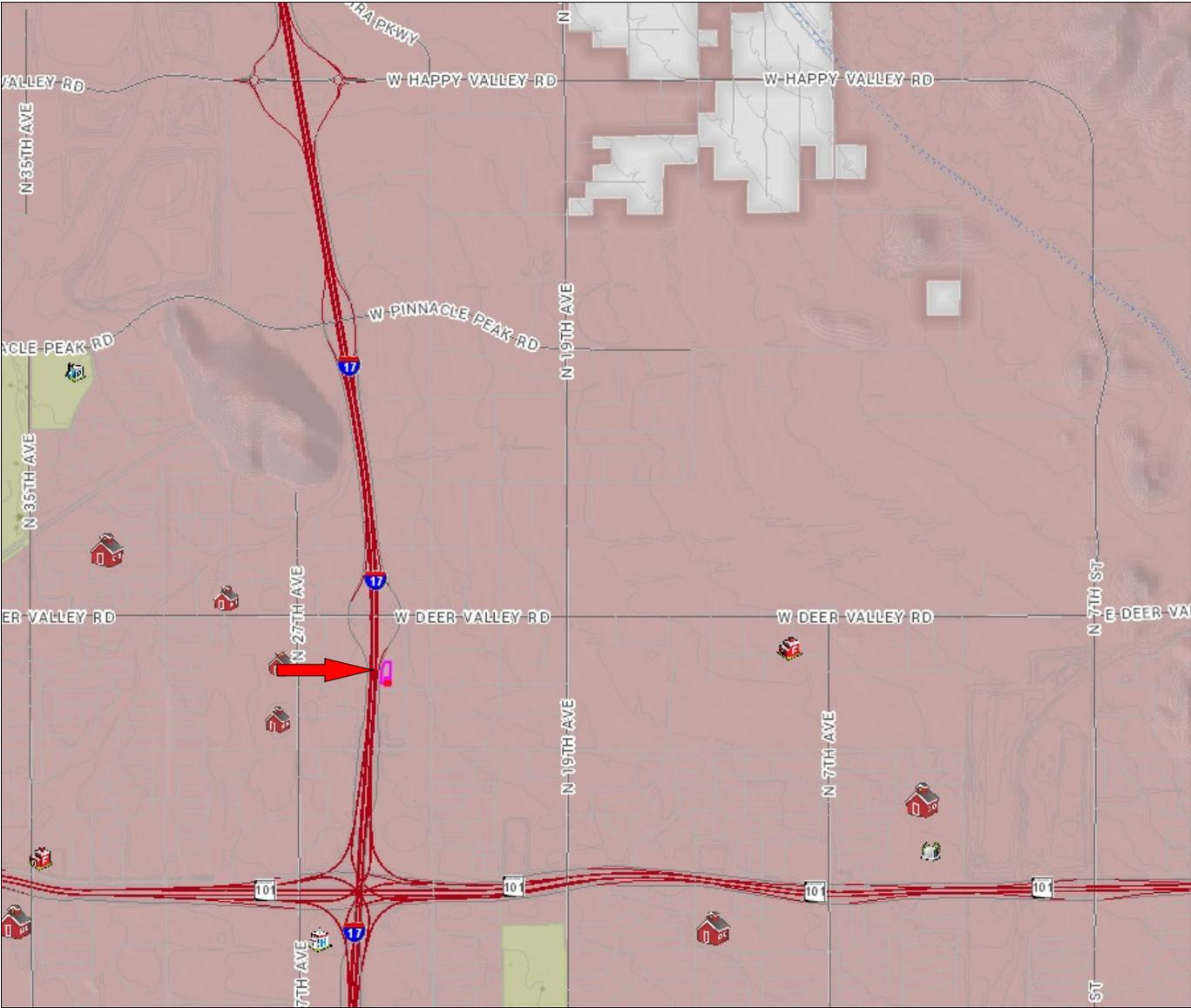
### **Topographic and Man-Made Features**

Interstate 17 runs northerly through this area from central Phoenix. Aside from the freeway, the primary man-made features in the area are the Deer Valley Airport and the Central Arizona Project (CAP) Canal. Deer Valley Airport is a satellite airport that has two parallel runways and accommodates a combination of cargo and general aviation aircraft. It does not have scheduled commercial passenger service. It has been an economic engine for the northwest Phoenix area, however, and several business park uses have been and are continuing to develop around the airport. The airport is located along the north side of Deer Valley Road between Seventh Street and 19<sup>th</sup> Avenue.

The CAP canal runs generally north-south through the area. It carries water from the Colorado River through the Phoenix metropolitan area, then south to agricultural users in Pinal County and ultimately to Tucson. It is a modern canal with concrete walls and chain link fencing along both banks. Skunk Creek flows virtually due south through the area and is the main rainwater collector for the basin between the two ranges of hills and for areas to the north. It has been leveed to encapsulate flow as it goes under I-17 one mile north of Happy Valley Road. Portions of the land along the creek upstream from the levees flood during heavy rain but it is dry most of the year.

The main roads providing access away from the freeway are the two freeway frontage roads as well as the section line roads in the area, namely Deer Valley Road, Pinnacle Peak Road and Happy Valley Road. Each of these three roads has a freeway interchange and they are located at one-mile increments along the freeway frontage. 19<sup>th</sup> avenue and North Valley Parkway also provide north-south access to the areas east of the freeway, while there are a limited number of north-south streets located west of the freeway due to the presence of several steep hills located along the west side of the freeway.

NEIGHBORHOOD MAP



NEIGHBORHOOD AERIAL PHOTO



## **Amenities**

Typical amenities for this type of neighborhood are available throughout the area, including municipal water and sewer services, police and fire protection, and electricity and telephone utilities. Schools, parks and shopping are available in the area as well as in areas to the south, east and west. Land to the north of Happy Valley Road is more rural, although it is also growing at a rapid rate.

## **Employment**

The area surrounding the Deer Valley Airport has historically been a more dirty industrial area, including contractor storage yards, building materials yards, gravel quarries, wrecking yards, and similar uses. However, as urban growth pressure reached this area in 1999 and 2000, the industrial area surrounding the airport has begun a transition to more business park oriented projects. Several large office buildings have been added over the last five years and several more are under construction. A new retail power center was added at the southeast corner of Happy Valley Road and the freeway and additional office and business park projects were planned in this area although changes in market conditions since late 2008 have resulted in many of these projects being tabled until market conditions improve to the point where development is again feasible.

The USAA insurance company headquarters is also located north of Happy Valley Road east of the freeway, which has spurred abundant growth in the area as well. As such, the Deer Valley Airport area is a larger employment center accessed from many parts of greater Phoenix. This growing trend is expected to continue over the next decade as additional employers move into the new space being constructed. The three freeway interchanges just west of the airport help provide access to the area and housing in the area immediately to the north in the Dynamite Mountain Ranch and Tramonto master plans, as well as further north in the Anthem area, allow employees affordable housing within a reasonable proximity to their job location.

## **Life Cycle**

The neighborhood was in a strong growth stage until the onset of the recent recession in the 4<sup>th</sup> quarter of 2008. As urban pressure grew northward from central Phoenix, the area has seen strong urban growth. This trend is expected to resume once the market recovers given its proximity to the freeway and Deer Valley Airport and signs are already evident that this is beginning to occur. The Phoenix General Plan shows most of the area east of the freeway designated for commerce park use, with other uses including commercial and public uses, especially along the freeway frontages. The area south of Pinnacle Peak Road along the freeway developed in the 1950's-1970's and is starting to see some re-development in the form of older mobile home parks being removed for commercial uses. This trend is expected to continue as the commercial land with freeway frontage becomes so valuable that the old mobile home uses are no longer the most valuable use.

## **Summary**

The subject neighborhood is a commercial and industrial area surrounding the Deer Valley Airport in north Phoenix. Land uses are mixed but newer development is predominantly light industrial, office and retail uses, while older areas include heavy industrial, mobile homes and some apartments. The area benefits from proximity to both the I-17 and Loop 101 freeway that run through the area. The older areas lie to the south and east while newer developing areas are to the north and east. The area is expected to see renewed commercial growth once market conditions improve to the point where demand for new development is warranted.

## **SITE DATA**

### **Location**

The subject site is located one parcel north of the northeast corner of Lone Cactus Road and the northbound I-17 frontage road that runs along the east side of I-17. Its street address is 21427 North Black Canyon Highway.

### **Assessor's Parcel Numbers**

The subject property consists of Maricopa County assessor's parcel numbers 209-07-045P, -045Q and -045V. Parcel 209-07-045V resulted from the recent merger of two former parcels, -045T and -045U.

### **Site Size, Dimensions and Shape**

According to information provided by the client the site has an area of 1.830 acres, or 79,704 square feet. It is slightly irregular in shape and is approximately 448 feet long north to south and approximately 169 feet wide, except for the north end which tapers to a width of 118 feet at the north end. It has frontage along the entire west side on the I-17 frontage road, although only approximately 230 feet is inaccessible due to a sound wall that runs along the remainder of the frontage to the north. A plat of the tract provided by the client is shown on the following page.

### **Topography and Cover**

The site is level and is basically graded dirt.

### **Access**

The site has one-way street access from the northbound I-17 frontage road. A concrete driveway is in place, although at present it is fenced off with a chain link fence within the ADOT right of way.

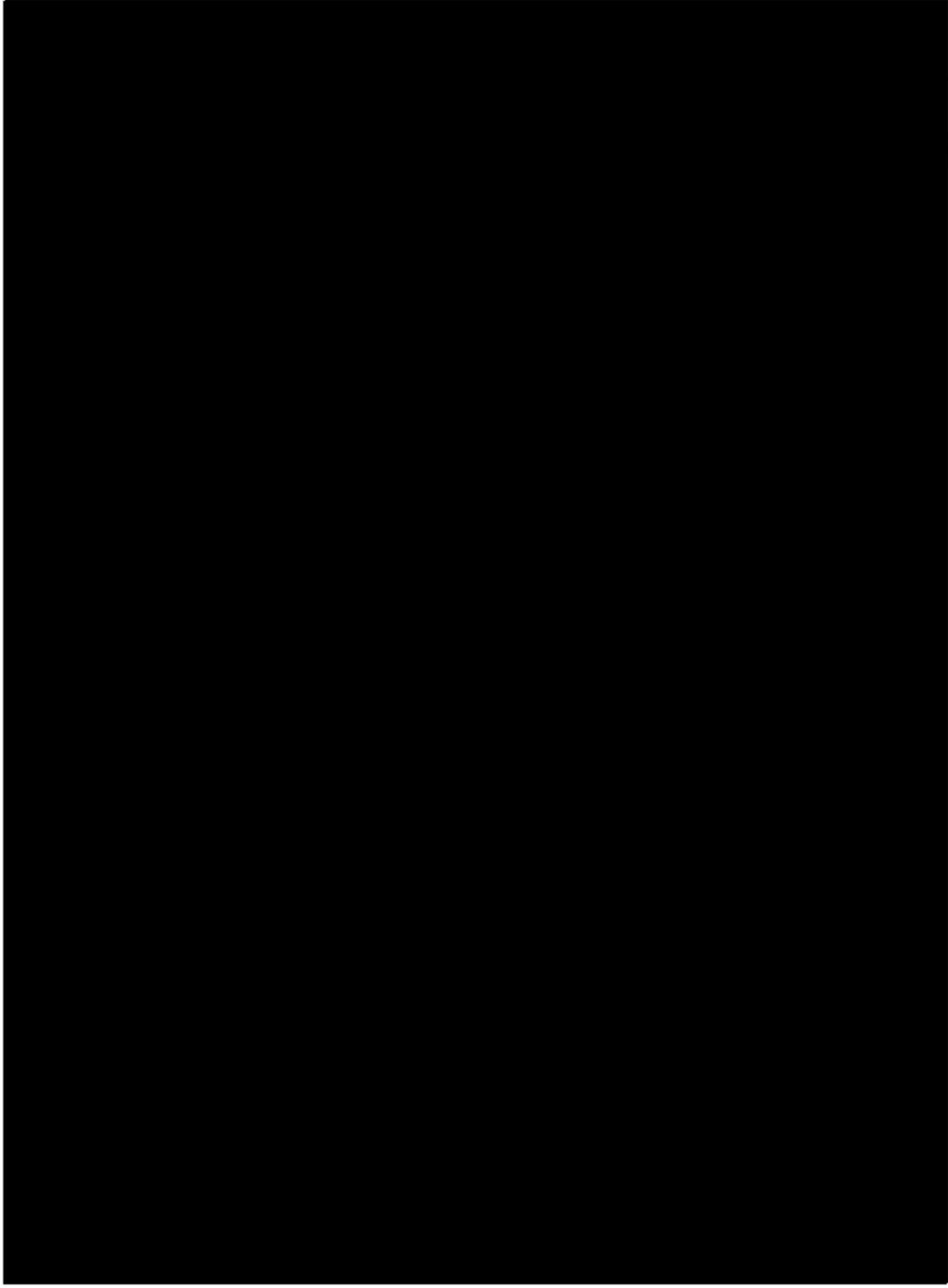
### **Street Improvements**

The frontage road is a completed street with curb and gutter along the subject frontage and a concrete driveway just west of the subject border where a future sidewalk will be placed.



# ADOT SUBJECT SKETCH

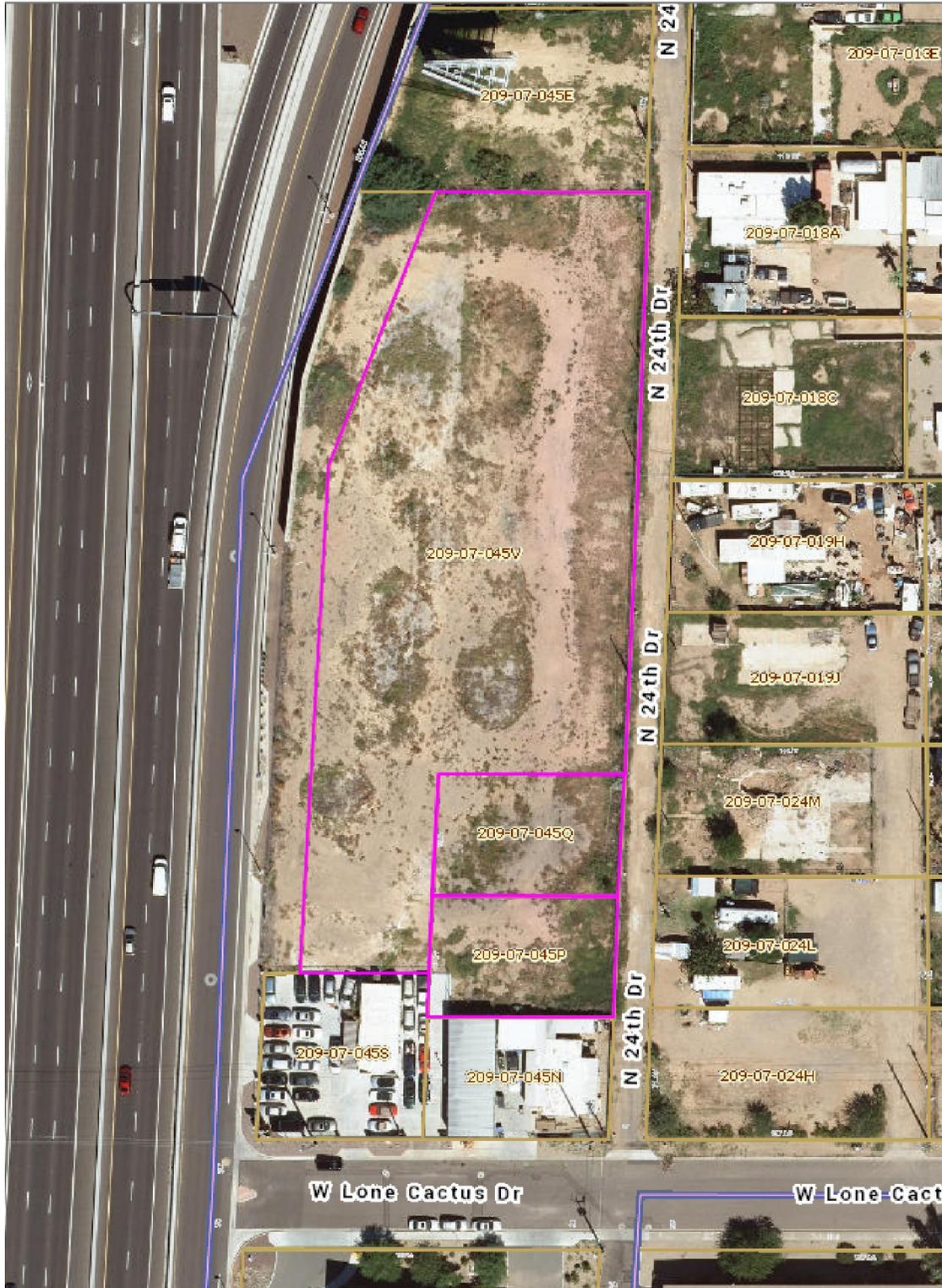
Sketch Plan 2



7281



# AERIAL PHOTO OF SUBJECT



## **Utilities**

All utilities are available in the neighborhood including water and sewer provided by the City of Phoenix and power and telephone by Arizona Public Service (APS) and CenturyLink Communications, respectively.

## **Flood Zone**

The subject lies within a shaded "X" flood zone according to FEMA maps for the area (flood panel 1290L dated October 16, 2013). The shaded "X" flood zone is defined as "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.

## **Easements**

A title report was provided by the client for the subject tract. Several easements were noted in Schedule B of that title report for roadways and utility lines. It is assumed that none of these easements impact the utility or marketability of the property. In the event that such easements are identified the appraiser reserves the right to amend the value conclusion reached herein if necessary.

## **Environmental Hazards**

During inspection of the sites no signs of toxic waste or contaminants were identified. However, it does not mean that such materials do not exist either on or under the tract. 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. ADOT has provided an environmental checklist that is included in the addenda. That checklist reports that no unusual environmental conditions have been reported, observed or suspected on the sit.

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**

Land to the west of the subject parcel lies within the I-17 right of way. Land to the south is a small commercial use while land tracts to the north and east are mobile homes. The subject site is consistent with the surrounding uses.

## **Summary of Site Analysis**

The subject property is a 1.830 acre tract of level land that lies along the east side of the I-17 frontage road. It is long and somewhat narrow and has all needed utilities to the site to allow for development. It is zoned C-3, discussed in the next section, making the site a logical location for commercial development.

## **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 C-3, heavy commercial district, enforced by the City of Phoenix. The purpose of this zoning classification is to provide areas for "the intensive commercial uses necessary to the proper development of the community." This district allows the widest variety of commercial uses including strip retail, as well as those uses allowed in the C-1 and C-2 districts. A complete description of the C-3, heavy commercial district zoning classification may be found in the addenda, along with a zoning map for the subject area.

Current use as well as the former use of the subject property appears to be in conformance with the C-3 zoning. It is noted that the property is appraised subject to current zoning, and not upon any anticipated zoning changes.

## **ASSESSED VALUE AND TAX DATA**

The subject site is assigned three adjacent assessor's parcel numbers. They are Maricopa County assessor's parcel numbers 209-07-045P, 045Q, and 045V. However, since they are state-owned they are not assessed any taxes. It is assumed that were the property sold on the open market that it would be assessed at a value consistent with surrounding properties and similar to the value concluded in this appraisal.

## **Special Assessments**

There are currently no known special assessments encumbering the subject parcel.

## 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 parcel.

### Legally Permissible

The most significant legal constraint that controls use of the subject site is its specific zoning, namely the C-3 heavy commercial zoning. Therefore, the legally permissible uses of the site include any of the allowed types of commercial development allowed under the C-3 zoning, which includes holding the property as a vacant site.

### Physically Possible

The possible uses of the subject site are dictated by the physical aspects of the site itself. Size, shape, accessibility and location all impact utility and value of a property. The subject site consists of approximately 1.830 acres, which would allow a small to medium-sized commercial building with on-site parking. The shape of the site is long and somewhat narrow, which actually is seen as a benefit to the site since it increases its visibility from the freeway and from the frontage road. However, the sound wall that runs along the northern end of the frontage offsets this to a large degree, but overall the site has adequate length and depth to permit efficient development. It has all needed utility services as well. Therefore, the site has no significant physical constraints to development to most commercial uses other than size.

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.

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

## **Financially Feasible**

While all of the uses are legally permissible and physically possible, the financially feasible uses must now be considered. The subject's location is a strong commercial location given its freeway frontage and visibility. Its location near the Deer Valley Airport and within two miles of two busy freeways also makes it attractive. Although market conditions are slowly improving, development of this site at the present time is considered only marginally financially feasible. The only other financially feasible use of the site is to hold it as an investment until market conditions improve to the point where development with a commercial or small business park type use is by then clearly financially feasible.

## **Maximally Productive Use**

Since holding the site as an investment for future development with an allowed commercial or use is considered the only financially feasible use of the subject site, it is by default concluded to be the maximally productive use. It may involve a holding period of one to three years but within this period the site appears to warrant development to a use allowed under the C-3 zoning.

## **Conclusion of Highest and Best Use**

Based upon the points discussed, the concluded highest and best use of the subject parcel is to hold the site as an investment for future development with a commercial use that fits on the site and takes advantage of its freeway visibility and frontage road access. Development is only marginally financially feasible at the present time, but as market conditions improve, which will likely take at least one year, it will reach a point where commercial development will clearly be feasible.

## **VALUATION**

Accepted appraisal techniques support value estimates 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. Therefore, only the sales comparison approach is analyzed to support a value estimate for the subject tract. The sales comparison approach is described briefly below.

## 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 market value of the subject site. 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.

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. Five sales with industrial or commercial development potential that are considered most comparable to the subject site have been selected for this analysis. The industrial land sales selected have generally similar or slightly broader use potential compared to the subject but are considered the most reliable indicators of value for the subject site since a potential buyer of this parcel would also considered these sites and zoning allowances as substitutes for the subject site.

The sales are analyzed on the basis of price paid per square foot of land area. 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 follows the chart. A discussion of the sales and their related adjustments continues. Complete data on each sale is displayed on data sheets in the final exhibit of the addenda. The adjusted prices per square foot are used as indicators of value for the subject site.



**SUMMARY OF COMPARABLE COMMERCIAL AND INDUSTRIAL DEVELOPMENT LAND SALES**

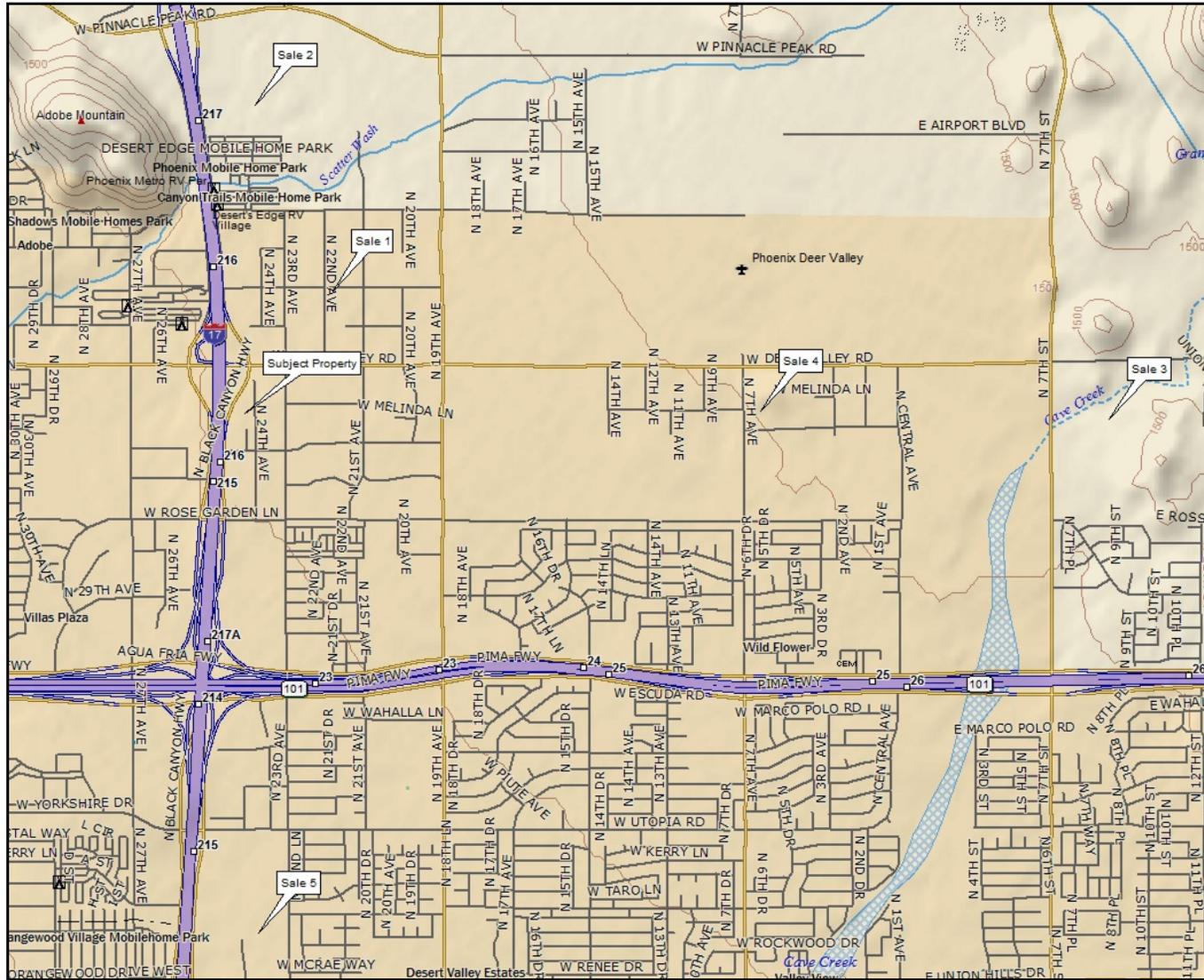
Sale No.	Contract Date	Price	Acres SF	\$/SF	Zoning	Remarks
1	12-13	\$580,000	2.06 89,660	\$6.47	A-1 Phoenix	Located at SEC of 22 <sup>nd</sup> Dr and Adobe. Purchased for truss plant use. Perimeter block walls and gates. Finished lot.
2	3-14	\$293,281	1.08 46,923	\$6.25	IP Phoenix	West of NW corner of Paradise Lane and 23 <sup>rd</sup> Ave. Purchased to construct an industrial bldg. Finished lot in business park just east of fwy.
3	11-14	\$487,000	1.58 68,651	\$7.09	A-1 Phoenix	Finished business park lot located SE of Deer Valley Road and 7 <sup>th</sup> St. Purchased to hold for devtpt with an owner-occupied bldg.
4	4-14	\$425,000	1.50 65,357	\$6.50	A-1 Phoenix	Interior arterial lot along east side of 7 <sup>th</sup> Ave south of Deer Valley Road. Finished site with retention basin in place along street frontage.
5	10-13	\$1,022,125	4.27 185,871	\$5.50	I-P Phoenix	Purchased by the adjacent owner to expand pending development. Finished site. Locates one mile south, north of Union Hills Drive.
Subj.			1.830 79,704		C-3 Phoenix	Long, narrow tract, level parcel with water and sewer to site. I-17 Freeway frontage. Former mini-storage development on this site.

**Discussion of Sales**

The five sales considered most indicative are discussed below. All are from generally similar commercial or industrial locations within or nearby the Dear Valley Airport sub-market and have been selected for that reason. Each sale is discussed below.

**Sale No. 1** is located at the southeast corner of 22<sup>nd</sup> Avenue and Adobe Drive, about one quarter mile northeast of the subject. In January 2014 this 2.06 acre site sold for \$580,000, or \$6.47 per square foot. It has a perimeter concrete block fence with spiral razor wire and two truck access gates. The buyer will use it as a contractor storage yard. It is zoned A-1, light industrial, which also allows all of the C-3 uses.

# COMPARABLE LAND SALES MAP



**Sale No. 2** is a 1.08 acre tract of land located within the Deer Valley Commerce Center Park. It is located about 1 mile north of the subject. In June, 2014 this parcel sold for \$290,328 or \$6.25 per square foot. It is zoned IP, or industrial park, and the buyer has since built an industrial building on the property.

**Sale No. 3** is a 1.58 acre tract of land that is zoned A-1, light industrial. It is located in the Spectrum Ridge industrial park southeast of Deer Valley Road and 7<sup>th</sup> Street, about 2 miles east of the subject. In December 2014 this site sold for \$487,000, or \$7.09 per square foot. The buyer will hold the land to develop an owner-occupied building in the future as a Boar's Head deli meat distribution facility.

**Sale No. 4** is located along the east side of 7th Avenue just south of Deer Valley Road. It is a 1.5 acre parcel that sold in June 2014 for \$425,000, or \$6.50 per square foot. It is zoned A-1, and remains vacant. It is a finished site with a retention basin along the street frontage.

**Sale No. 5** is located north of Union Hills Drive along the east side of 23<sup>rd</sup> Avenue. It is a 4.27 acre parcel that was purchased by the adjoining owner to use as a parking lot. In October 2013 this tract sold for \$1,022,125, cash. This equates to \$5.50 per square foot of site area. It is zoned I-P, industrial park, and was a finished site. The adjacent owner who purchased it has developed a large industrial building on their original site and incorporated this purchased land as a portion of the parking lot for the new building.

### **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

Since the unit of comparison applied in this market segment is the price per square foot of land area, that is the unit of comparison that will be applied in this analysis.



### 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 and no adjustment is required for financing or conditions of sale. All five sales were arm's length transactions so no adjustment is made for 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

There is still a large amount of vacant land in this sub-market area available for development, like the subject. Therefore, there is not a shortage of land that would force land values upward. However, interviews with the brokers in this market area during the sales confirmation process revealed a modest upward trend in values as buyers perceive a modest upward trend in the economy. As a result a modest one half percent per month upward adjustment is made to each of the sales for improving market conditions between the contract date of the sale and the date of valuation for the subject.

### Location

The subject property has a decent location for future commercial uses given its freeway frontage and its proximity to the Deer Valley Airport employment area. However, it does not have a freeway interchange location and it is nearly a mile west of the airport. Access to the site from the freeway is lengthy from either the Deer Valley Road exit, then east to 25<sup>th</sup> Avenue, south to Lone Cactus, then west to the frontage road, then north to the property, or via the Rose Garden Lane exit, then through the signal at Rose Garden Lane, then north along the frontage road. Either way access from the freeway is complicated.

Sale No. 1 is located at the southeast corner of Adobe Road and 22<sup>nd</sup> Avenue, about a quarter mile northeast of the subject. General locational attributes are similar to the subject but this site lacks freeway visibility. A small upward adjustment is estimated for this factor.

Sale No. 2 is located just over a mile north of the subject within the Deer Valley Commerce Center Park, west of 23<sup>rd</sup> Avenue and south of Pinnacle Peak Road. This is a growth area with attractive development that has occurred around it. It is superior to the subject in this regard and inferior since it lacks freeway visibility. Overall this location is considered inferior and an upward adjustment is made.

Sale No. 3 is located in the Spectrum Ridge business park slightly less than three miles east of the subject. It is a new park that is sparsely developed at this point. Compared to the subject this location is inferior in that it lacks freeway visibility but similar in terms of distance from the freeway since there is an exit off of the Loop 101 freeway one mile south of this sale. Overall a small upward adjustment is made for the subject's freeway visibility.

Sale No. 4 is located south of the southeast corner of Deer Valley Road and Seventh Avenue, 1.5 miles east of the subject. This location is considered similar in most regards to Sale No. 3 and a similar upward adjustment is made.

Sale No. 5 is located just north of Union Hills Drive on 23<sup>rd</sup> Avenue, which is just east of I-17. Its location is considered similar to the subject except for its lack of freeway visibility and an upward adjustment is made.

### Zoning

The subject site is zoned C-3, heavy commercial, by the City of Phoenix. Sales No. 1, 3 and 4 are zoned A-1, which allow all of the uses allowed under C-3, plus light industrial uses. As a result they are more versatile than the subject's C-3 zoning. Sales No. 2 and 5 are zoned IP, industrial park, which are slightly less versatile than the C-3 zoning. However, based upon current market conditions there does not appear to be a significant difference in value between these three zoning categories and as a result no adjustment is made.

### 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. Topography of the subject and each of the sales are the same and no adjustment is needed. All of the sales are finished sites like the subject and no adjustment is needed. The only factors requiring discussion then are size and shape/utility.

In terms of shape and site utility, the subject is somewhat narrow however its long side is along the freeway frontage, which is beneficial to commercial uses. The sound wall that runs along the north 218 feet does prevent visibility to the north end of the site, which is somewhat of a negative factor, but overall the impact on the shape of the subject site is considered neutral and no adjustments are made.

In terms of size, at 1.830 acres, the subject is of generally similar size to Sale No. 1, 3 and 4, at 2.06 acres, 1.58 acres and 1.50 acres, respectively, and no adjustment is made. Sale No. 2, at 1.08 acres, is smaller than the subject. Since smaller parcels tend to sell for a higher unit value than do otherwise comparable properties, a small downward adjustment is indicated for Sale No. 2. Sale No. 5 is 4.27 acres and applying the same reasoning results in an upward adjustment since it is larger than the subject.

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



## SUMMARY OF ADJUSTMENTS

Characteristic	Subject	Sale 1	Sale 2	Sale 3	Sale 4	Sale 5
\$ per square foot		\$6.47	\$6.25	\$7.09	\$6.50	\$5.50
Property Rights Transferred	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Terms of Sale	Cash	Cash	Cash	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	5-15 Modestly Improving	12-13	3-14	11-14	4-14	10-13
Market Conditions		+ 8.5%	+ 7%	+ 3%	+ 6.5%	+ 9.5%
Adjusted Price/ SF		\$7.02	\$6.69	\$7.30	\$6.92	\$6.02
Location	Fwy Fr. Rd. Parcel	Inferior + 10%	Inferior + 10%	Inferior + 5%	Inferior + 5%	Inferior + 10%
Zoning	C-3 Phoenix	A-1 Similar -0-	I-P Similar -0-	A-1 Similar -0-	A-1 Similar -0-	I-P Similar -0-
Physical Features						
Size	1.830 ac.	2.06 ac. -0-	1.08 ac. -10%	1.58 ac. -0-	1.50 ac. -0-	4.27 ac. + 10%
Site Improvements	Finished Site	Finished Site -0-				
Utility/ Shape	Normal but Narrow	Similar -0-				
Non-Realty Items	None	Similar	Similar	Similar	Similar	Similar
Combined Adj. for Location and Physical Factors		+ 10%	-0-	+ 5%	+ 5%	+ 20%
Indicated Value of Subject		\$7.72	\$6.69	\$7.67	7.27	\$7.23

## Conclusion of Value

Prior to adjustment the unit value of the sales fall within a range of \$6.25 to \$7.09 per square foot. After adjustment, the five sales indicate a range of value between \$6.69 and \$7.67 per square foot. Sale No. 1 has the closest location to the subject and is the most similar in terms of size. It also included a substantial concrete block perimeter wall and gates that result in a higher unit value than the other sales. Adjustment for this site improvement would result in a lower unit value, more in line with the indications from the other sales. It is one of the two oldest sales, weakening its indication somewhat but it is still considered a strong indicator of value.

Sale No. 2 has similar locational attributes and a complicated route of access from the freeway. It is the smallest sale and slightly more than a year old. Overall it is considered a generally reliable indicator but not one of the strongest. Sale No. 3 is also from a business park but it is the most recent and is also of similar size to the subject. It is considered a strong indication of value at the high end of the range.

Sale No. 4 reflects the lower end of the range at \$7.27 per square foot. However, it is impacted to some small degree by the retention basin that exists along its street frontage, and this may have resulted in a slightly lower unit value as a result. Lastly, Sale No. 5 has many similar locational attributes to the subject but is the largest sale and the oldest sale as well. It is considered a generally reasonable indicator of value.

Based upon the relative strengths and weaknesses of each of the five the final indicated value of the subject parcel is concluded at \$7.50 per square foot. Applying this to the total site area of 79,704 square feet leads to a final estimated value of \$597,780, rounded to \$598,000, as of May 4, 2015.



# ADOT CERTIFICATION OF APPRAISER

Project Number: HO89301R

Parcel Number: L-M-541

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 unapparent 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.

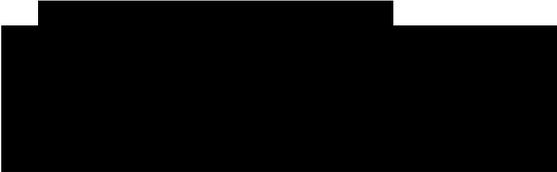
That neither my employment nor my compensation for making the appraisal and report are in any way contingent upon the values reported herein.

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 excess land parcel as of April 30, 2015 is \$598,000, based upon my independent appraisal and the exercise of my professional judgement.

Date: May 4, 2015

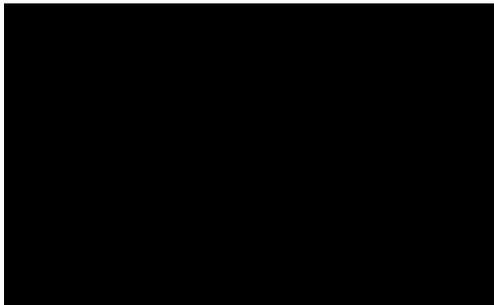
Signature: 



## USPAP 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 2014-2015 edition of the Uniform Standards of Professional Appraisal 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
- President Elect, Phoenix Chapter, 2006
- President, Phoenix Chapter, 2007
- Past President, Phoenix Chapter, 2008
- Member of the National Leadership Development and Advisory Council, 2006, 2007

**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:**

[REDACTED]

[REDACTED]

[REDACTED]

**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



**ARIZONA DEPARTMENT OF TRANSPORTATION  
PROCUREMENT**

1739 W. Jackson, Mail Drop 100P  
Phoenix, Arizona 85007-3276  
(602) 712-7211  
Fax No: (602) 712-8647

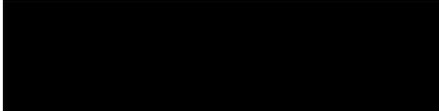
**PURCHASE ORDER**

SHOW THIS NUMBER ON ALL  
PAPERS AND PACKAGING

PG **UF9898**

<b>PAGE</b> 1	<b>CONTRACT NO.</b> AD14-052969	<b>VENDOR NO.</b> 86079170001	<b>DATE</b> 03/20/2015
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■ **SUPPLIER**



■ **SHIP TO**

ARIZONA DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY OPERATIONS RM 331  
205 S 17TH AVE MD 612E  
PHOENIX, AZ 85007  
CONTACT: **CARRIE MCCLURE**  
PHONE: (602) 712-7912

POLN	QUANTITY ORDERED	UNIT	COMMODITY CODE / DESCRIPTION	UNIT PRICE	EXTENDED PRICE
			<p>COMPLETE AN APPRAISAL IN ACCORDANCE WITH THE SCOPE OF WORK PROVIDED IN THE BID REQUEST DATED MARCH 11, 2015.</p> <p>PARCEL: L-M-541 PROJECT: H089301R HIGHWAY: BLACK CANYON FREEWAY SECTION: SR 101 - CAREFREE HIGHWAY</p> <p>FIVE (5) COPIES AND A CD OF EACH APPRAISAL MUST BE DELIVERED TO RIGHT-OF-WAY OPERATIONS CONTRACTS UNIT, 205 S. 17TH. AVENUE, ROOM 331, MD 612E, PHOENIX, AZ 85007 ON OR BEFORE 5:00 PM MST ON MAY 4, 2015.</p> <p>PLEASE INDICATE PURCHASE ORDER NUMBER PG UF9898, ALSO THE PARCEL NUMBER, PROJECT NUMBER, HIGHWAY AND SECTION ON YOUR INVOICE.</p> <p>PLEASE DIRECT YOUR QUESTIONS REGARDING THIS APPRAISAL TO JIM WALCUTT 520-591-7923.</p> <p>THE APPRAISER IS REQUIRED TO CONTACT BOTH: LAURA GILBREATH (602-712-8816) WITH THE ADOT R/W ACQUISITION SECTION AND RAUL TORRES (602-712-</p>		

DELIVERY/COMPLETION DATE: 05/04/2015	<b>B I L L T O</b>	ADOT RIGHT OF WAY OPERATIONS 205 S 17TH AVE RM 331 MD 612E PHOENIX AZ 85007	SUBTOTAL	
PAYMENT TERMS: NET 30			TAX	
FOB: DESTINATION			FREIGHT	
			TOTAL	

POLN	REQ NO.	RQLN	FUND	ORG NO.	FUNC	APPR	OBJ	SUBOBJ	ACTV	PROJECT	AMOUNT
01			HWY	9375	9375	0929	6299	04	AR22	H089301R	1,450.00

STEVE TROXEL  
RESPONSIBLE PERSON

712-7053  
RESPONSIBLE PHONE

**TO INSURE PAYMENT  
ADOT PO NUMBER  
MUST APPEAR ON  
ALL INVOICES**

612E  
MAIL DROP

**VENDOR COPY**



**ARIZONA DEPARTMENT OF TRANSPORTATION  
PROCUREMENT**

1739 W. Jackson, Mail Drop 100P  
Phoenix, Arizona 85007-3276  
(602) 712-7211  
Fax No: (602) 712-8647

**PURCHASE ORDER**

SHOW THIS NUMBER ON ALL  
PAPERS AND PACKAGING

PG UF9898

<b>PAGE</b> 2	<b>CONTRACT NO.</b> AD14-052969	<b>VENDOR NO.</b> 860791700	<b>DATE</b> 03/20/2015
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**SUPPLIER**

**SHIP TO**

ARIZONA DEPARTMENT OF TRANSPORTATION

POLN	QUANTITY ORDERED	UNIT	COMMODITY CODE / DESCRIPTION	UNIT PRICE	EXTENDED PRICE
001	1450.000	EA	<p>6568) WITH THE ADOT R/W PROPERTY MANAGEMENT SECTION A MINIMUM OF 48 HOURS BEFORE ANY INTIAL SITE VISIT SO AN AGENT FROM BOTH SECTIONS MAY ACCOMPANY YOU ON THIS FIRST VISIT. THE APPRAISER IS ALSO REMINDED THAT IT IS THEIR RESPONSIBILITY TO FOLLOW ALL INSTRUCTIONS GIVEN UNDER THE "SPECIAL INSTRUCTIONS" SECTION IN THESE BID DOCUMENTS AND FAILURE TO DO SO COULD RESULT IN THE FILING OF A NEGATIVE VENDOR PERFORMANCE REVIEW WITH THE APPROPRIATE ADOT PROCUREMENT CONTRACT OFFICER. THIS IS A MANDATORY REQUIREMENT.</p> <p>[REDACTED]</p> <p>EXCESS LAND PARCEL NUMBER L-M-541 946-15 EXCESS LAND PARCEL L-M-541: ORIGINAL APPRAISAL</p>	1.000000	1,450.00

DELIVERY/COMPLETION DATE:	<b>BILL TO</b>	SUBTOTAL	1,450.00
PAYMENT TERMS:		TAX	
FOB:		FREIGHT	
		TOTAL	1,450.00

POLN	REQ NO.	RQLN	FUND	ORG NO.	FUNC	APPR	OBJ	SUBOBJ	ACTV	PROJECT	AMOUNT

\_\_\_\_\_  
RESPONSIBLE PERSON

**TO INSURE PAYMENT  
ADOT PO NUMBER  
MUST APPEAR ON  
ALL INVOICES**

\_\_\_\_\_  
MAIL DROP

\_\_\_\_\_  
RESPONSIBLE PHONE

**VENDOR COPY**

STATE OF ARIZONA  
**BOARD OF APPRAISAL**

BE IT KNOWN THAT



HAS MET ALL THE REQUIREMENTS AS A  
**Certified General Real Estate Appraiser**

In accordance with Arizona Revised Statutes and on authority of the Board of Appraisal, State of Arizona.

This registration shall remain evidence thereof unless or until the same is suspended, revoked or expires in accordance with provisions of law.

CERTIFICATE NUMBER

**30471**

EXPIRATION DATE

**November 30, 2014**

In witness whereof the Arizona Board of Appraisal caused to be signed by the Chair of the Board and the Executive Director

Handwritten signature of the Chair of the Board of Appraisal.

Chair, Board of Appraisal

11/27/12

Date Issued

Handwritten signature of the Executive Director of the Board of Appraisal.

Executive Director of the Board of Appraisal

11/27/12

Date Issued



SHALL REMAIN PROPERTY OF ARIZONA BOARD OF APPRAISAL

**EXHIBIT 4**

Subject Property Title Report

ARIZONA DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY GROUP

RIGHT OF WAY DISPOSAL REPORT

Project: 017MA215H516201R  
Section: SR101-Carefree Highway  
Excess Land: L-M-541  
Parcel No: 7-10411

The undersigned has examined the title to the property described in EXHIBIT "A" and the FEE owner is:  
STATE OF ARIZONA by and through its Department of Transportation

Owner Address:  
205 S. 17<sup>th</sup> Ave, Mail Drop 612E, Phoenix, Arizona 85007

Please see the attached forms containing vesting information, resolutions information, if any, and the requirements for this parcel to be disposed of:

SEE ATTACHED FORMS

SCHEDULE A-1:

SEE EXHIBIT "A" ATTACHED

REMARKS:

ADOT records only searched

Search Date: 1/21/15

Examiner: Shirley Seeley 

Reviewer:

Assessor's #: 209-07-045U; 045T; 045Q; 045P

County: Maricopa

ARIZONA DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY GROUP

RIGHT OF WAY TITLE REPORT

The undersigned has examined the title to the property described in SCHEDULE A-1 and the record owner is:

Freeway Mini-Storage Co., an Arizona corporation, who acquired title as Freeway Mini-Storage Company, an Arizona corporation, as to Parcel Nos. 1 and 3, and Richard E. Gardner and Patricia A. Gardner, Trustees of the Richard Gardner and Patricia Gardner Revocable Living Trust dated September 7, 1984 as to Parcel No. 2

Address: 21427 North Black Canyon Highway, Phoenix, AZ 85027 (situs & mail) APN 209-07-045D, 2428 West Lone Cactus Dr., Phoenix, AZ (situs) APN 209-07-045R with the same mailing address as above, 22018 N. 23<sup>rd</sup> Avenue, Phoenix, Arizona 85027 (situs & mail) APN 209-07-045P and 045Q

By virtue of that certain: Warranty Deed from Richard E. Gardner, also known as Richard Gardner and Patricia A. Gardner, also known as Patricia Gardner, dated 12-20-1978, recorded 12-21-1978 in Docket 13342, page 1014 (Parcel No. 1) Warranty Deed from Viva Grunder, a widow, dated 7-2-1999, recorded 7-13-1999 in 99-0660258 (Parcel No. 2) Warranty Deed from Richard Earl Gardner and Patricia A. Gardner, husband and wife, dated 12-20-78, recorded 12-21-78 in Docket 13342, Page 1016 (Parcel No. 3), and thereafter dated 2-6-79, recorded 8-22-79 in Docket 13847, Page 8

Upon compliance with REQUIREMENTS herein, satisfactory title will vest in the State of Arizona subject to encumbrances set forth in SCHEDULE B.

SCHEDULE A-1

SEE EXHIBIT "A"

Contiguous Property: None:  See Schedule A-2:  Not Searched:  Not Applicable:

Encumbrances and Requirements are not included for property in Schedule A-2.

REMARKS: \*\*\*Amended to add assessor nos. 209-07-045p & 045q - change out parcel 2 easement

Date of Search:	09-22-05	Examiner:	Ardelle Newman	Reviewer:	
Update to:	06-22-07	Examiner:	Gregory Voss	Reviewer:	
Update to:		Examiner:		Reviewer:	

Tax Arb:	209-07-045D & 045R	County:	Maricopa	Title Arb:	
	209-07-045P & 045Q				

Project:	017MA215H516201R I-017-A-702	Section:	SR 101 - Carefree Highway	Parcel:	7-10411
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AMENDED

JUL 09 2007

R/W FILE COPY

## EXHIBIT "A"

### PARCEL NO. 1:

That portion of Tract "B", Black Canyon Heights, according to Book 56 of Maps, page 14, Record of Maricopa County, Arizona, described as follows:

Commencing at the Southeast corner of said Tract "B";

Thence North  $2^{\circ}55'34''$  East a distance of 197.81' to the East Southeasterly corner of this parcel and the TRUE POINT OF BEGINNING;

Thence Northerly along a nontangent curve concave to the West having a tangent bearing North  $2^{\circ}41'15''$  East,  $\text{delta} = 0^{\circ}46'14''$ ,  $R = 23507.98''$ ,  $L = 316.15'$ , to the Northeast corner of this parcel;

Thence North  $89^{\circ}56'04''$  West which is along the North line of said parcel a distance of 155.92' to a point on the East right of way line of Black Canyon access road;

Thence South  $21^{\circ}20'47''$  West which is along said right of way line a distance of 167.38';

Thence South  $3^{\circ}45'45''$  West which is also along said right of way line a distance of 43.96' to a point on a non-tangent curve concave to the West;

Thence Southerly along said right of way line and along said curve having a tangent bearing of South  $2^{\circ}25'23''$  West,  $\text{delta} = 0^{\circ}33'03''$ ,  $R = 23295.98'$ ,  $L = 223.96'$ ;

Thence South  $89^{\circ}55'45''$  East a distance of 111.17' to a point on a non tangent curve;

Thence Northerly along said curve concave Westerly having a tangent bearing of North  $2^{\circ}57'40''$  East,  $\text{Delta} = 0^{\circ}14'59''$ ,  $R = 23406.98'$ ,  $L = 107.79''$ ;

Thence South  $89^{\circ}55'45''$  East a distance 101.17' more or less to the TRUE POINT OF BEGINNING.

### PARCEL NO. 2:

That part of Tract B, Black Canyon Heights, according to Book 56 of Maps, Page 14, records of Maricopa County, Arizona, described as follows:

EXHIBIT "A" (CON'T)

Commencing at the North quarter corner of Section 24, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian;

Thence South 00 degrees 21 minutes 45 seconds East, 1463.91 feet along the centerline of 23<sup>rd</sup> Avenue to an iron pin;

Thence North 89 degrees 55 minutes 45 seconds West, 818.18 feet;

Thence North 03 degrees 30 minutes 00 seconds East, 162 feet to the True Point of Beginning;

Thence North 89 degrees 55 minutes 45 seconds West, 101.17 feet;

Thence North 03 degrees 30 minutes 00 seconds East, 65.18 feet;

Thence South 89 degrees 55 minutes 45 seconds East, 101.17 feet;

Thence South 03 degrees 30 minutes 00 seconds West, 65.18 feet to the True Point of Beginning.

PARCEL NO. 3:

That part of Tract "B", Black Canyon Heights, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 56 of Maps, Page 14, described as follows:

Commencing at the North quarter corner of Section 24, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian;

Thence South 00 degrees 21 minutes 45 seconds East, 1463.91 feet along the centerline of 23<sup>rd</sup> Avenue to an iron pin;

Thence North 89 degrees 55 minutes 45 seconds West, 828.18 feet;

Thence North 03 degrees 30 minutes 00 seconds East, 96.19 feet (to the True Point of Beginning);

EXHIBIT "A" (CON'T)

454  
Thence North 89 degrees 55 minutes 45 seconds West, 101.17 feet;

Thence North 03 degrees 30 minutes 00 seconds East, 65.81 feet;

Thence South 89 degrees 55 minutes 45 seconds East, 101.17 feet;

Thence South 03 degrees 30 minutes 00 seconds West, 65.81 feet to the True Point of Beginning;

EXCEPT any portion lying within the following described property:

That part of Tract "B", Black Canyon Heights, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 56 of Maps, Page 14, described as follows:

Commencing at the Southeast corner of said Tract "B";

Thence North 89 degrees 55 minutes 45 seconds West along the South line, a distance of 101.17 feet to the True Point of Beginning;

Thence Northerly along the centerline of the private drive as shown on Plat of Survey recorded in Book 167 of Maps, Page 44, a distance of 313.96 feet more or less to a point on the South line of the North 400 feet of Tract "B";

Thence North 89 degrees 55 minutes 45 seconds West 111.17 feet to a point lying 28 feet Easterly from the West line of said Tract "B" and being the East line of property granted to the State of Arizona for State Highway in Condemnation recorded in Docket 5812, Page 557;

Thence Southerly along the Easterly line of said State Highway property, a distance of 313.96 feet to the South line of Tract "B";

Thence East along the South line of Tract "B", a distance of 111.17 feet to the True Point of Beginning.

## SCHEDULE B

1. The lien of the current years taxes.
2. Personal Property taxes, if any. (in relation to Exception No. 8)
3. Restrictions, conditions and covenants recorded in Docket 1156, page 208 and amended in Docket 1295, page 263.
4. All matters shown on Maricopa County Geodetic Densification and Cadastral Survey recorded 12-15-2004 in Book 719 of Maps, page 4.
5. All matters shown on surveys recorded in Book 162 of Maps, page 46 and Book 167 of Maps, page 44, including, but not limited to, a public drive and a private drive. These maps are also referenced in the legal description subsequent to the partitioning of the adjoining property.
6. Easement 10 feet in width for roads and utilities, dated 12-9-1972, recorded 5-29-1974 in Docket 10673, Page 614, Official Records. (affects Parcel No. 2)
7. A purported easement for water line, power line and pole, dated 6-7-79, recorded 6-7-79 in Docket 13684, Page 114, Official Records. (affects Parcel Nos. 1 and 3)

**NOTE:** The above referenced easement contains insufficiencies that challenge its validity, effectiveness and actual affect on said parcels.

8. Affidavit of Affixture recorded 3-28-94 in 94-0245261, Official Records, affecting a mobile home as listed below:

Make: New Moon  
Model: Redman  
Year: 1954  
Serial number: 14973 (affects Parcel No. 2)

## REQUIREMENTS

1. Payment of any unpaid taxes. The taxes for the year 2005 and prior are paid
2. Proper showing as to the parties in possession, or parties with a right of possession to the premises herein, including either copies of all unrecorded leases, a current rent roll or an Affidavit by the proper parties as to the current tenants, whether by lease or month to month tenancies, and certification that the rights disclosed are all the rights affecting the property.

NOTE: If no unrecorded leases or month to month tenancies exist, certification to that fact will be required.

3. Record Certificate of Release of Affidavit of Affixture recorded March 28, 1994 in 94-0245261, Official Records, evidencing removal of that mobile home shown as Exception No. 8 of Schedule B herein.

NOTE: Upon compliance with the above requirement, Exception No. 8 can be removed from Schedule B.

4. Warranty Deed from Vestee to the State of Arizona, by and through its Department of Transportation. (Parcel No. 2)

NOTE: Said deed must be in compliance with ARS 33-404 which requires identification of the trust and must contain the names and addresses of the beneficiaries of said trust.

5. Warranty Deed from Vestee to the State of Arizona, by and through its Department of Transportation. (Parcel Nos. 1 and 3)

6. Certified copy of Resolution by the Board of Directors of Vestee, authorizing the execution and delivery by the proper officers of the Instrument called for in Requirement above.

NOTE: The Annual Report to be filed at the Arizona Corporation Commission by the Vestee was due 10-09-2005. As of 11-03-2005 it was not posted to the website. A further check must be made prior to closing this transaction.

NOTE TO PLANS: Unlike the property taken for Highway I-17 under Project No. I-17-1(1)9 lying South of Lone Cactus Drive; A.D.O.T. retained full controlled access pursuant to Final Order of Condemnation, Civil Action 148003, dated 10-19-1965 in Docket 5812, page 558. Item D-12.

However, the part of the above property lying within Item D-1(3) of the same project, the following is to be considered:

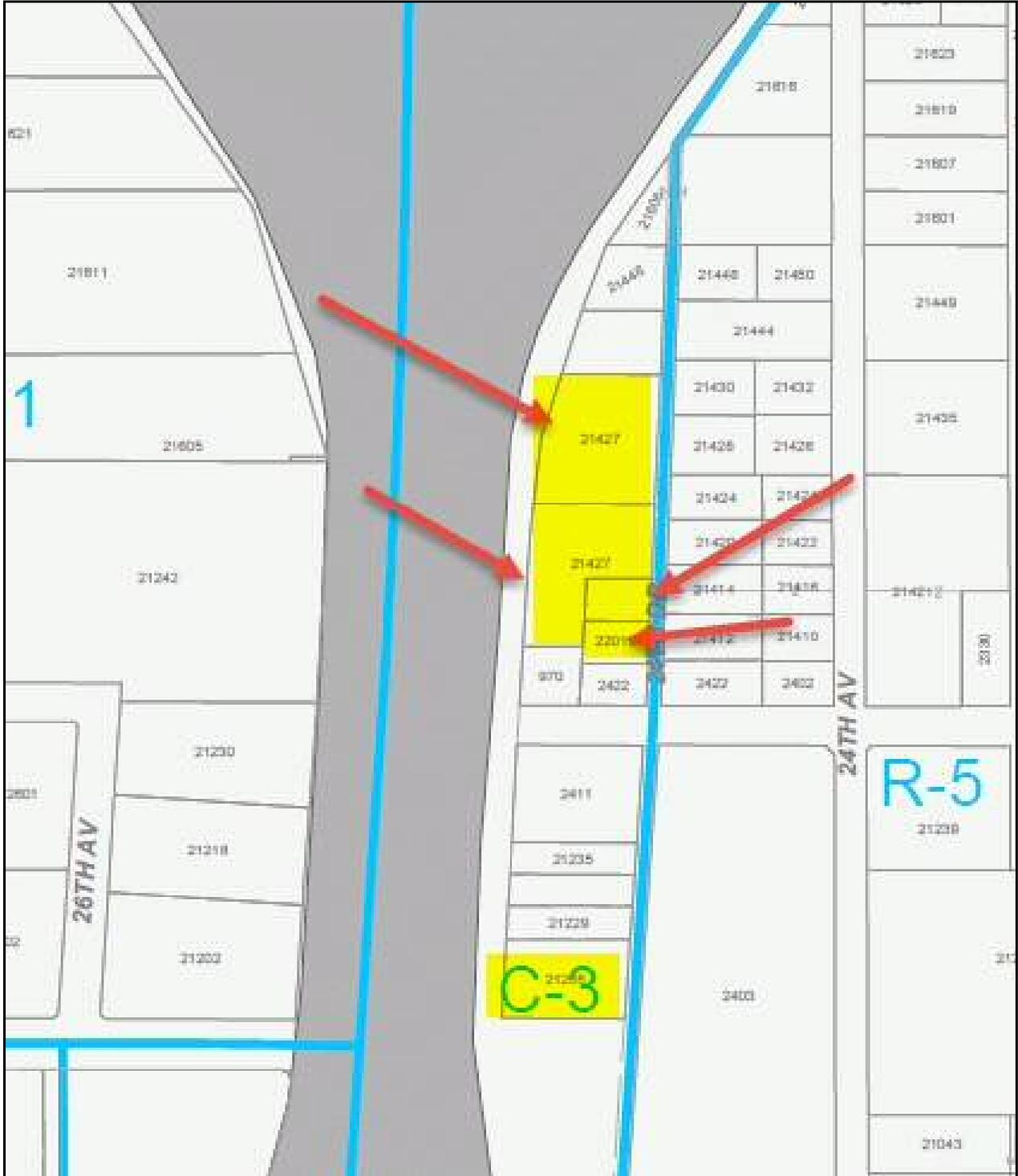
A.D.O.T. GAVE THE REMAINING LANDS ACCESS TO A FRONTAGE ROAD CONNECTING TO AN ESTABLISHED INTERCHANGE IN WARRANTY DEED, DATED 01-23-1963, RECORDED 04-12-1963 IN DOCKET 4536, PAGE 214.

NOTE TO PLANS: The legal description contained in this "First Amended" report differs from the original. The easement that was shown as Parcel No. 2 has been removed from the legal description and added to Schedule B herein.

## **EXHIBIT 5**

Zoning Map and Zoning Description

# ZONING MAP



**624 Commercial C-3 District—General Commercial.**

A. **Purpose.** The C-3 Commercial General District, is a district designed to provide for the intensive commercial uses necessary to the proper development of the community. \*15

B. **Reserved.** -29

C. **District Restrictions.** \*15

1. Any lighting shall be placed so as to reflect the light away from adjacent residential districts. No noise, odor or vibration shall be emitted so that it exceeds the general level of noise, odor or vibration emitted by uses outside the site. Such comparison shall be made at the boundary of the site.

2. The Board of Adjustment or Zoning Administrator may issue a use permit for the display of merchandise outdoors (excluding second hand/used merchandise sales) as an accessory use to the permitted uses set forth in Section 624.D and subject to the following standards for the outdoor display area: +21

a. A maximum three hundred (300) square feet of display area, can be located anywhere along the building except as noted in 2.b.; +21

b. No display or sale is permitted within ten (10) linear feet of either side of the building entrance or exit; +21

c. The depth, measured from the front facade of the building, may not exceed ten (10) feet unless otherwise approved by the Planning and Development Department upon a determination that a greater depth does not interfere with any pedestrian passage; +21

d. Payment for the products displayed must occur indoors; +21

e. Outdoor display or sales shall not be located within any required setbacks or in the parking lot. +21

3. A commercial property owner can display for sale vehicles, which for purposes of this provision includes trailers, watercraft or other types of transportation that are built to carry passengers or cargo, when the display is being done on behalf of or in conjunction with a registered vehicle retail sales dealership and a use permit has been obtained in compliance with Section 307. The actual sale of the vehicle displayed must be completed by the registered retail sales dealership at their vehicle sales dealership site. +23

4. With the exception of those instances listed above in 624.C.3., no other types of vehicle built to carry passengers or cargo can be sold or displayed for sale on-site except by a registered vehicle retail sales dealership. +23

D. **Permitted Uses.** All uses permitted in R1-6 if zoned commercial prior to January 5, 1994, non-single-family residential, and single-family attached uses permitted in R-3, R-4, R-5, R-4A,

C-1 and C-2 districts; and in addition the following, including the storage of all raw materials and finished products in connection herewith: \*8 \*10 \*15 \*26 \*27

1. Acoustical Material, Storage and Wholesale
2. Adult bookstore, adult novelty store, adult theatre, adult live entertainment, erotic dance or performance studio, subject to the following conditions or limitations: \*6 \*9
  - a. None of the above listed uses may be located within 1,000 feet of the same type of adult use or any of the other adult uses listed above. This distance shall be measured from the exterior walls of the buildings or portions thereof in which the businesses are conducted or proposed to be conducted. \*26
  - b. None of the above listed uses may be located within 1,320 feet of child care facility licensed by the State, private, public or charter school, a publicly owned playground, a publicly owned park recreation facility, or place of worship. This distance shall be measured from the nearest point on the property line of a parcel containing an adult oriented business to the nearest point on the property line of a parcel containing the specified use. In addition an adult use shall not locate within 1,320 feet of any of the following use districts: RE-43, RE-35, RE-24, R1-18, R1-14, R1-10, R1-8, R1-6, R-2, R-3, R-3A, R-4, R-4A, R-5, S-1, PAD-1 through PAD-15. This distance shall be measured from the nearest point on the property line of a parcel containing an adult oriented business to the nearest zoning district line. \*5 \*26  

An adult use lawfully operating in conformity with this section does not violate this section if the uses listed or zoning districts in this subsection subsequently locate within 1,320 feet of the adult use. +26
  - c. These provisions shall not be construed as permitting any use or act which is otherwise prohibited or made punishable by law.
  - d. Notwithstanding any other provision of this ordinance, an adult bookstore, adult novelty store, adult theatre, adult live entertainment establishment, or erotic dance or performance studio which is a nonconforming use or which does not conform to the separation standards set forth in this section shall not be converted to another of the above listed adult uses. An adult bookstore, adult novelty store, adult theatre, adult live entertainment establishment, or erotic dance or performance studio which is a nonconforming use or which does not conform to the separation standards set forth in this section shall not be expanded beyond the floor area devoted to such adult use on the effective date of this ordinance. \*6 \*9 \*26
3. Ammunition, commercial loading of small arms subject to the following limitations: +3
  - a. The quantities, arrangement, and distance requirements for the storage of propellant powder, primers, and percussion caps shall be in accordance with the Fire Code. +3
  - b. A permit to load ammunition shall be obtained from the Fire Department. \*3

- c. A use permit shall be obtained subject to the provisions of Section 307
- d. In addition to the requirements of subsections 1-3 above, the loading of specialty or custom ammunition shall be subject to obtaining a use permit pursuant to the provisions of Section 307. +3

4. Amusement park or other outdoor recreation facility; and subject to a use permit, temporary outdoor exhibition or production as provided in Section 637A.4; and, as an accessory use, subject to a use permit, power driven miniature vehicle track, where miniature vehicles do not exceed five horsepower engine.

- 5. Artificial Limbs, Manufacturing
- 6. Asbestos Products, Wholesale and Storage
- 7. Auctioneers' Auditorium, other than livestock
- 8. Automobile, Body and Fender Shops
- 9. Automobile Radiator Shops
- 10. Automobile Rental and Leasing
- 11. Bank Vault Storage
- 12. Battery Repair
- 13. Belting, Repairing
- 14. Beverages, Bottling
- 15. Blacksmiths
- 16. Bleach Blending
- 17. Boats, Custom Fabrication
- 18. Boilers, Retail Sales
- 19. Bottled or containerized fuel, storage, distribution, and retail sales. \*2 \*28
- 20. Bottles, Wholesale
- 21. Butter and Cheese, Manufacturing
- 22. Cabinet Makers
- 23. Camper Sales
- 24. Candy, Manufacturing
- 25. Canvas Goods, Fabrication

26. Carbide Sales and Distribution
27. Carbonic Gas Sales and Storage
28. Carbonic Ice Bulk Sales and Distribution
29. Carpenters' Shops
30. Carpets and Rugs, Wholesale, Warehouse and Manufacturing
31. Car Wash
32. Cigars, Manufacturing, Machine Rolled
33. Cleaning Compounds Storage
34. Clothing Manufacturing
35. Cold Storage, No Slaughtering
36. Concrete, Retail Sales upon compliance with the following conditions:
  - a. The securing of a use permit from the Zoning Administrator or the Board of Adjustment. In no event shall either issue a use permit for more than two batch mixers.
  - b. Any mobile or stationary batch-mixer on site shall not exceed one cubic yard capacity.
37. Corsets and Brassieres, Manufacturing
38. Commercial Radio or Television Tower or Transmitting Station
39. Dairy Products Manufacturing
40. Dance Halls, subject to a use permit
41. Department Stores Warehouse
42. Desks, Manufacturing
43. Disinfectants, Storage and Wholesale
44. Drive-in Restaurant
45. Drive-in Theatre
46. Electrical Appliances, Wholesale
47. Electrical Contractors' Shops
48. Equipment, Rentals

49. Excelsior, Storage and Distribution, Bulk
50. Express Companies, Warehouses and Garage
51. Firewood, Storage
52. Fish, Wholesale
53. Floor Refinishing, Contractors' Shop
54. Food Processing, Wholesale
55. Food Products, Warehouse
56. Freight Depot
57. Freight Forwarders' Warehouses
58. Frozen Foods, Processing
59. Fruit and Vegetable Market, Wholesale
60. Furnaces, Cleaning and Repairing Shop
61. Furniture, Wholesale and Storage
62. Golf or Baseball Driving Range
63. Grocers, Wholesale and Warehouse
64. Hardware, Wholesale
65. Horseshoeing
66. Ice Cream, Manufacturing
67. Imported Goods, Warehouse
68. Ink, Compounding, Packaging, Storage
69. Insecticides, Storage and Distribution
70. Iron, Custom Decorative Wrought Iron Shops +20
71. Linoleum Storage \*20
72. Lubricating Compounds, Storage \*20
73. Lumber, Cabinet Shop \*20
74. Lumber \*20
75. Lumber, Used and Wholesale\*20

76. Machine Shops \*20
77. Machine Tools, Storage \*20
78. Machinery Rentals, other than industrial \*20
79. Matches, Wholesale and Storage \*20
80. Mattresses, Manufacturing \*20
81. Meat, Storage and Wholesale \*20
82. Meat and Fish Wholesale Market \*20
83. Mexican Food Preparation, Wholesale \*20
84. Milk Bottling Plant \*20
85. Mining Machinery Supplies, Display and Retail Sales \*20
86. Mobile Home Sales \*20
87. Mobile vendors subject to the following conditions or limitations: +13 \*20
  - a. Mobile vendors or mobile food vendors shall not locate a mobile vending unit or mobile food vending unit less than one thousand three hundred twenty feet (1,320'), measured in a straight line from another mobile vending unit or mobile food vending unit on the same side of the street. The measurement shall be made from a line drawn around the mobile vending unit or mobile food vending unit with the line being at all points ten feet from the nearest point of the mobile vending unit or mobile food vending unit. +13 \*17
  - b. Notwithstanding the provisions of subsection a above, no more than two mobile vendors, mobile food vendors or a combination of the two shall be permitted on the corner lots at any intersection. +13 \*17
  - c. Mobile vendors and mobile food vendors shall operate only upon surfaces that comply with the dustproofing and paving requirements for parking and maneuvering areas as set forth in Section 702.A.2.d. of the Zoning Ordinance. +13 \*17
  - d. Mobile vendors and mobile food vendors shall not be located so as to obstruct parking spaces required by this ordinance for the operation of any other use on the site. +13 \*17
  - e. Mobile vendors and mobile food vendors must maintain on the site a minimum of three parking spaces designated for their use. +13 \*17
  - f. The use of signs by mobile vendors and mobile food vendors shall be governed by the sign regulations contained in Section 705 of the Zoning Ordinance. +13 \*17

g. Any mobile vendor and/or mobile food vendor located on a vacant lot shall be considered a use and be subject to all of the district regulations relating to users, except that the perimeter landscaping requirements of Section 624.E.4.d of the Zoning Ordinance shall not apply. +13 \*15 \*17

h. Notwithstanding the provisions of the subsection below (subsection i), a mobile vending unit or mobile food vending unit located on a lot which has another use shall also be considered a use if the mobile vending unit OR mobile food vending unit is located within or under any permanent structure. Such use shall comply with all of the regulations for a use in the district, except that the perimeter landscaping requirements of Section 624.E.4.d of the Zoning Ordinance shall not apply. For the purpose of this section, "permanent structure" shall mean a structure that is built or constructed such as an edifice, building, walls, benches, shade structure or any piece of work artificially built up or composed of parts joined together in some definite manner, and permanently attached to the ground. +13 \*15 \*17

i. If a mobile vendor or mobile food vendor is located on a lot which has another use, the mobile vendor or mobile food vendor shall be considered an accessory use. +13 \*17

j. No mobile vending unit or mobile food vending unit shall: +13 \*17

1. Be placed within fifteen feet of any street right-of-way. +13

2. Be placed within one hundred feet of the intersection of an on- or off-ramp of a freeway and the street to which the ramp exists. +13

k. Exemptions. These provisions shall not apply to mobile vendors or mobile food vendors or their respective vending units (1) located in a swap meet licensed pursuant to chapter 10 of the Phoenix City Code; (2) used exclusively for the sale of seasonal items such as Christmas trees or pumpkins that are sold prior to holidays or traditional observances such as Christmas or Halloween; (3) regulated as a temporary use pursuant to Section 708.D. of the Zoning Ordinance; or (4) regulated pursuant to Section 637.A.4 (Promotional events at shopping centers). +13 \*17

l. Neither the Zoning Administrator nor the Board of Adjustment shall have the jurisdiction to grant variances from the provisions of subsections (a), (b), (c), (d), (e), and (j)(1) and (2) above. +13

m. Any parcel upon which a mobile vendor or mobile food vendor use has been legally established shall be considered to be a mobile vendor or mobile food vendor site for purposes of applying subsections a and b above. In the event that the mobile vendor or mobile food vendor use ceases on the site for a period of one hundred eighty consecutive days and is not legally reestablished by the end of one-hundred-eighty-day period, the site shall no longer be considered a mobile vendor or mobile food vendor site for the purpose of applying subsections a and b above. +13 \*17

88. Monument Works, no outdoor sandblasting

89. Motor Freight Company Garages

- 90. Movers, Warehouses
- 91. Neighborhood Collection Center, subject to the following limitations:
  - a. A use permit shall be secured.
  - b. All loose materials shall be stored within an enclosed container or building.
  - c. The use shall be operated so as not to emit matter causing unpleasant odors that are perceptible by the average person at or beyond any lot line of the lot containing the use.
  - d. If the permitted use is for a location where processing as defined will be in an open environment and not in an enclosed building or container:
    - (1) The use shall be located no closer than seventy-five (75) feet to a public street.
    - (2) The use shall be located no closer than one hundred fifty (150) feet to a residential zoning district.
    - (3) The use shall be screened by a six (6) foot high solid masonry wall.
    - (4) Any storage shall be no higher than six (6) feet plus one (1) foot in height for every additional three (3) feet of setback from a property line.
  - e. No bay door shall face a residential zoning district if the use is located within one hundred fifty (150) feet of such a district.
  - f. The average noise level, measured at the property line, shall not exceed 55 dB (ldn) or ambient noise level in the immediate area whichever is greater when measured on an "A-weighted" sound level meter.
  - g. Other restrictions regarding hours of operation and outdoor activities as the hearing body shall deem appropriate. +1
- 92. Oil Burners, Service and Repair
- 93. Office Furniture, Storage and Warehouse
- 94. Paper Products, Wholesale and Storage
- 95. Pattern Shop
- 96. Perfumes, Compounding, Packaging, Storage
- 97. Pet Care Facility, subject to the following limitations: +14 \*15
  - a. Animal housing units shall be constructed so as not to allow for direct, unaccompanied access by animals to the outside areas of the buildings. +14

b. Animals must be accompanied by a facility employee at all times when outside of the building. All walks and exercise periods must take place on facility grounds. +14 \*15

c. When located adjacent to a residential district, every building and every outdoor dog exercise run shall be set back at least fifty feet from any lot line abutting such residential district. +14

d. A solid masonry wall or fence seven feet in height shall be constructed along the property line in both the rear and side yards. +14

e. Solid waste shall be removed from outdoor exercise areas five hours at a minimum during periods when these areas are in use. +14

f. The average noise level, measured at the property line, shall not exceed fifty-five dB (Ldn) when measured on an "A-weighted" sound level meter and according to the procedures of the Environmental Protection Agency. +14

98. Pharmaceutical Products, Compounding, Packaging, Storage \*15

99. Plant Nursery \*15

100. Plating Works, Precious Metals \*15

101. Plumbers' Shops \*15

102. Plumbing Fixtures and Supplies, Wholesale and Storage \*15

103. Pony Rides \*15

104. Potato Chip Manufacturing \*15

105. Printers' Equipment and Supplies, Wholesale \*15

106. Private Clubs and Lodges Qualifying by Law as a Non-Profit Entity \*15

107. Produce (Garden), Wholesale \*15

108. Produce, Warehouse \*15

109. Quick Freeze Plant \*15

110. Radio Equipment, Assembling \*15

111. Refrigerators, Wholesale, Storage \*15

112. Restaurants, Bars and Cocktail Lounges, subject to the following conditions or limitations: +24

a. Music or entertainment shall be permitted subject to the following regulations: +24

- (1) The stage or performance area shall be a maximum of 200 square feet unless a use permit is obtained. +24
  - (2) The noise level, measured at any point on the received property, shall not exceed 55 dBa unless a use permit is obtained. An occurrence where the sound level increases up to 60 dBa for five continuous seconds or less shall not be deemed a violation of this section as long as there are no more than five occurrences within an hour long interval. +24
  - (3) Nothing in this section shall be construed to include an adult use. +24
- b. Patron dancing shall be permitted. +24
- c. Outdoor recreation uses, outdoor dining, and outdoor alcoholic beverage consumption shall be permitted as accessory uses only upon securing a use permit, if within 500 feet of a residential district. This distance shall be measured from the exterior wall of the building or portion thereof in which the business is conducted or proposed use is to be conducted closest to the residential district zoning line. +24
- d. Drive-through facilities as an accessory use to a restaurant, subject to the following conditions: +24
- (1) Access to the site is to be from an arterial or collector street as defined on the street classification map. +24
  - (2) Securing a use permit if the queuing lane for the drive-through facility is less than 300 feet from a residential district zoning line. This distance shall be measured from the point of the queuing lane closest to the residential district zoning line. +24
- e. Any bar or cocktail lounge which exceeds 5,000 square feet in gross floor area and is located on a lot or parcel within 300 feet of a residential district shall be permitted only upon securing a use permit. This distance shall be measured from the exterior wall of the building or portion thereof in which the business is conducted or proposed use is to be conducted closest to the residential district zoning line. +24
- f. Outdoor food preparation and cooking shall be permitted as an accessory use subject to the following conditions: +25
- (1) Securing a use permit. +25
  - (2) The regularly used cooking area inside the establishment shall be of equal or greater size than the outdoor cooking area. +25
  - (3) The outdoor cooking area shall be located within 50 feet of a building entrance from where the restaurant is operated. This distance shall be measured from the appliance in the outdoor cooking area closest to the building entrance from where the restaurant is operated. +25

(4) The outdoor cooking area shall be set back a minimum of 300 feet from a residential district. This distance shall be measured from the appliance in the outdoor cooking area closest to the residential district zoning line. +25

113. Restaurant Equipment Service and Repair Shop \*15 \*24

114. Roofing Material, Storage and Sales \*15 \*24

115. School, Trade \*15 \*24

116. Self-Service Storage Warehouses \*15 \*24

a. All storage shall be within a closed building except that boats, trailers and motor vehicles may be placed in outdoor storage areas which are separate from the buildings and screened from view from adjacent streets and property by walls, fences or landscaping. Outdoor storage areas shall not exceed ten percent (10%) of the gross site area and shall not count toward meeting parking requirements.

117. Sheet Metal Work, Custom Fabrication \*15 \*24

118. Sheltered Workshops \*15 \*24

119. Shirt Factory \*15 \*24

120. Shooting Gallery \*15 \*24

121. Sign Shops, Any Type \*15 \*24

122. Skating Rinks \*15 \*24

123. Soaps, Compounding, Packaging, Storage \*15 \*24

124. Soda Water Manufacturing \*15 \*24

125. Stoves and Ranges, Wholesale Storage \*15 \*24

126. Termite Control Contractor Shops \*15 \*24

127. Terrazzo Contractor Shops \*15 \*24

128. Tire Repairing and Recapping \*15 \*24

129. Toiletries, Compounding, Packaging, Storage \*15 \*24

130. Toys, Fabrication \*15 \*24

131. Trailer Rental \*15 \*24

132. Trailer Sales \*15 \*24

133. Transfer Business \*15 \*24

134. Travel Trailer Sales \*15 \*24

- 135. Truck Freight Movers \*15 \*24
- 136. Used and New Car Sales \*15 \*24
- 137. Vegetable Market, Wholesale \*15 \*24
- 138. Wallboard, Wholesale and Storage \*15 \*24
- 139. Wine Bottling \*15 \*24
- 140. Wholesale Produce Storage or Market, Commercial \*15 \*24
- 141. Woodworking, Equipment, Wholesale \*15 \*24

No use shall be considered an accessory use which is listed as a permitted or accessory use in any of the following districts: A-1, A-2, S-1.

**E. Yard, Height and Area Requirements.** To protect surrounding neighborhoods and preserve the public welfare, standards are herein established for yard, height and area requirements to provide an appropriate transition between commercial uses and adjoining neighborhoods. In recognition of the goals contained in the General Plan for uses and intensities within core areas, greater heights and intensities are herein encouraged.

- 1. Any multiple family residential use shall conform to the yard, height, area and density requirements set forth in Section 615 except as provided herein: \*8
  - a. Where dwelling units do not occupy the ground floor, a front yard shall be maintained as provided in Section 701.D.3 for property defined in Section 624.E.3. \*8 \*15
  - b. A request to exceed the yard, height, area or density requirements of Section 615 up to, but not to exceed those of Section 618, may be granted by the City Council, after a recommendation is received from the Planning Commission and in accordance with Section 506, upon finding that such increase is not detrimental to adjacent property or the public welfare in general and that:
    - (1) The property is within an area of a village core designated on approved plans for such development, or
    - (2) The property is adjacent to high density residential development of similar intensity and character.Requests to amend a previously approved application shall follow the amendment procedure set forth in Section 506.
  - c. A site plan approved in accordance with Section 507 of this ordinance is required for all uses approved pursuant to Section 624.E.l.b. \*15
  - d. Neither the Zoning Administrator nor the Board of Adjustment shall have jurisdiction to vary the provisions of Section 624.E.1. \*15

- e. Any residential use within the downtown redevelopment area, as defined in City Council Resolution No. 15143, shall conform to the yard, height, area, and density requirements set forth in Section 618. \*15
2. Any single-family residential use shall conform to the following requirements: +8
    - a. Such development shall be permitted only if the property is designated as residential on the General Plan Map. If this standard is satisfied, the remainder of this section shall apply. +8
    - b. The applicant shall submit in writing to the Zoning Administrator a declaration of the development option (standard subdivision, average lot subdivision, conventional, or planned residential development) and density proposed for the residential use. +8 \*15
    - c. The Zoning Administrator shall determine the residential zoning district to which the proposed single-family development is equivalent. The use shall satisfy the development standards contained in Sections 609 through 613 for the development option and density of the equivalent zoning district. \*8
    - d. Upon completion of development of a single-family residential use in accordance with this section, the Planning Commission shall initiate an application for rezoning the site to the residential zoning district appropriate for the site. +8
  3. The following yard, height and area requirements shall apply to: 1) all structures located in a core area as defined in the General Plan except that for purposes of this provision, the Central City Village Core shall be defined as the area bounded by 7th Avenue, 7th Street, Roosevelt Street and Madison Street; 2) structures located on property which abuts Central Avenue between Camelback Road on the north and Harrison Street on the south; and 3) structures that have received rezoning approval prior to June 15, 1988, and are subject to a City Council stipulated site plan in accordance with Section 506.B and with exceptions as provided for residential uses in Section 624.E.1. \*7 \*8 \*15
    - a. A front yard is required as provided in Section 701.D.3.
    - b. Side yards are required as provided in Section 701.D.3.
    - c. Pumps dispensing liquid fuel at automobile service stations shall maintain such setbacks as required in Section 622.D (No. 141), Section 701.A.7, and as required by the City of Phoenix Fire Code. \*2 \*15
    - e. Where a district boundary abuts a residential district (RE-43 through R1-6 and any PAD) there shall be provided the following:
      - (1) No building or structure shall be placed within thirty (30) feet of the residential district.
      - (2) A six (6) foot solid fence or wall shall be erected on said district boundary or the fence or wall shall be erected adjacent to a landscaped area which shall be

installed with an appropriate watering system and be maintained between the wall and the district boundary.

f. Where a district is located on a street in which more than fifty percent (50%) of the lineal frontage of both sides of the street for the block in which the district is located is zoned residential (RE-43 through R1-6 and any PAD) there shall be provided the following:

(1) Any open use, visible from the abutting street, shall be screened with a six (6) foot solid fence or wall.

(2) Landscaping and setbacks shall be as provided by Sections 701.D.3 and 703.B of this ordinance.

g. A maximum building height of four (4) stories not to exceed fifty-six (56) feet shall be permitted. \*15

4. For any other non-residential uses permitted in this district, except as provided in Sections 624.E.3 and 624.E.5, the following requirements shall apply: \*8 \*15

a. A maximum building height of two (2) stories not to exceed thirty (30) feet shall be permitted.

b. Request to exceed the above height limits may be granted by the City Council for developments up to four (4) stories not to exceed fifty-six (56) feet upon recommendation from the Planning Commission or the Zoning Hearing Officer finding that such additional height is not detrimental to adjacent property or the public welfare in general.

c. Canal Right-of-Way Setbacks: An average 20-foot setback shall be provided for sites containing structures not exceeding two stories or 30 feet in height with a minimum 15-foot setback permitted for up to 50 percent of the structure (including projections). An average 30-foot setback shall be provided for sites containing any structure exceeding two stories or 30 feet in height with a minimum 20-foot setback permitted for up to 50 percent of the structure (including projections). Landscaping equal to the required average setback times the canal frontage (exclusive of necessary driveways or canal right-of-way access ways) shall be provided adjacent to the canal right-of-way property line and shall not be less than 15 feet in depth. \*10 \*15 \*30

d. Except as provided in Section 622.E.4.f. the following building setbacks (excluding canal right-of-way setbacks) shall apply: \*15 \*18

<b>BUILDING SETBACKS</b>		
<b>Adjacent to Streets</b>		
For structures not exceeding two stories or 30'	Average 25'	Minimum 20' permitted for up to 50% of structure, including projections

<b>BUILDING SETBACKS</b>				
For structures exceeding two stories or 30'		Average 30'		
<b>Not adjacent to Streets</b>				
When Adjacent Zoning is:				
Maximum building height	S-1, S-2, RE-43 to R-3(*)	R-3A, R-4, R-5, R-4A(*)	CP, Ind. Pk., PSC, RSC, MUA, DC, GC, RH, UR	C-1, C-2, C-3 A-1, A-2, CP, Ind. Pk., P-1, P-2
1 story (or 15')	25'	10'	10'	0'
2 story (or 30')	50'	15'	10'	0'
3 story (or 42')	100'	30'	10'	0'
4 story (or 56')	150'	45'	10'	0'

(\*) An additional one foot setback shall be provided for every one foot of height above 30 feet. \*15 \*18

e. Landscaping requirements/materials, except as provided in 624.E.4.f: \*15

<b>Streetscape</b>	
<b>Landscaped Setback</b>	Average 25' for structures not exceeding two stories or 30', minimum 20' permitted for up to 50% of the frontage. Average 30', for structures exceeding two stories or 30' minimum 20' for up to 50% of the frontage.
<b>Plant Type</b>	<b>Minimum Planting Size</b>
Trees*	Min. 2-inch caliper (50% of required trees) Min. 3-inch caliper or multi-trunk tree (25% of required trees) Min. 4-inch caliper or multi-trunk tree (25% of required trees)
Shrubs	Min. five (5) 5-gallon shrubs per tree
<b>Parking Lot Area</b>	
Interior surface area (exclusive of perimeter landscaping and all required setbacks)	Min. 10%
Landscaped planters	At ends of each row of parking & approximately every 110'
Landscaped planters**, single row of parking	Min. 120 sq. ft.***
Landscaped planters**, double row of parking	Min. 240 sq. ft.***

<b>Streetscape</b>	
Additional parking lot landscaping	As needed to meet 10% minimum requirement, evenly distributed throughout the entire parking lot. Min. interior dimension 5' (length and width).
Additional parking lot landscaping	As needed to meet 10% minimum requirement, evenly distributed throughout the entire parking lot. Min. interior dimension 5' (length and width).
<b>Plant Type</b>	<b>Minimum Planting Size</b>
Trees	Min. 2-inch caliper (60% of required trees) Min. 1-inch caliper (40% of required trees)
Shrubs	Min. five (5) 5-gallon shrubs per tree
<b>Perimeter Property Lines (not adjacent to a street)</b>	
Property lines not adjacent to a street	Min. 10-foot landscaped setback
Property lines not adjacent to a street, but adjacent to property zoned C-1 C-2, C-3, A-1, A-2, Commerce Park	None
<b>Plant Type</b>	<b>Minimum Planting Size</b>
Trees*	Min. 2-inch caliper (60% of required trees)Min. 1-inch caliper (40% of required trees)
Shrubs	Min. five (5) 5-gallon shrubs per tree
<b>Adjacent to a Building</b>	
Building facades within 100' of the public right-of-way or adjacent to public entries to the building (excluding alleys)**** *18	Min. 25% of the exterior wall length shall be treated with either a landscaped planter a min. five (5) feet in width or an arcade or equivalent feature.
<b>Plant Type</b>	<b>Minimum Planting Size</b>
Trees*	Min. 2-inch caliper (60% of required trees)Min. 1-inch caliper (40% of required trees)
Shrubs	Min. five (5) 5-gallon shrubs per tree

\* 20 feet on center or equivalent groupings.

\*\* Measured from inside face of curb to inside face of curb.

\*\*\* Not to exceed the length of a standard City of Phoenix parking stall. Modifications to the square footage may be approved by Planning and Development Department if the overall intent of the standard is being met. \*18

\*\*\*\* Or as approved by the Planning and Development Department. \*18

f. For new commercial and office development on parcels of five acres or less which are not located in commercial developments with shared access and parking that

are adjacent to pre-existing structures that have less than a 25-foot front building setback: \*19

(1) The twenty-five (25) foot minimum building and landscaped setback adjacent to a street for buildings less than two (2) stories or thirty (30) feet in height shall be reduced to the minimum setback established by the average frontage of existing buildings on a block not to exceed three hundred feet on any side of the subject property. The reduced building setback shall not conflict with visibility requirements. \*18 \*19

(2) A minimum of five (5) feet landscaping, canopy/shade structure, or combination thereof shall be provided adjacent to the street frontage. \*19

(3) At least one (1) identifiable public entrance directly accessible within fifty (50) feet adjacent to the street frontage shall be provided. \*19

(4) A minimum of 50% of the area of the front building facade shall be composed of windows, shadow boxes, artwork or comparable architectural feature. The area to be counted toward the 50% shall begin no higher than 12 feet above finished floor. This computation will exclude entrances to parking and loading areas. \*19

(5) The Zoning Administrator or Board of Adjustment may issue a use permit in accordance with the provisions of Section 307 to modify: \*19

(a) The requirements for structure setback and number or location of public entrances directly adjacent to the street frontage may be modified by up to fifty percent (50%) when: \*19

1. The modification furthers the intent of this section through the provision of alternative design features that enhance the urban character of the pre-existing structures on the subject block, or \*19

2. Due to a small or irregular lot size or configuration, reasonable compliance with the standards of this Section is precluded or impractical. \*19

(b) The requirements involving the area of the building facade that must be composed of windows, shadow boxes, artwork, or other architectural features, and the location of said features, may be modified by up to twenty-five percent (25%) when: \*19

1. The modification furthers the intent of this Section through the provision of alternative design features that enhance the urban character of the pre-existing structures on the subject block, or \*19

2. Due to a small or irregular lot size or configuration, reasonable compliance with the standards of this Section is precluded or impractical. \*19

g. Accessory Uses: No accessory uses except for site ingress and egress, and public transportation related pedestrian amenities shall be provided within any required perimeter landscaped setback. \*15

Surface and above grade public utilities may be permitted within the required perimeter landscaped setback subject to a use permit as approved by the Zoning Administrator or Board of Adjustment.

h. Lot Coverage: Lot coverage shall not exceed 50 percent (50%) of the net lot area exclusive of the first six (6) feet of roof overhang, open carports, covered patios or covered walkways. \*15

i. Site Access: Access to a site containing any structure exceeding two (2) stories or (30) feet in height shall only be from an arterial or collector street as defined on the street classification map. \*12 \*15

j. Site Plans: A site plan approved in accordance with Section 507 is required for sites containing any structure exceeding two (2) stories or thirty (30) feet in height. \*15

k. Neither the Board of Adjustment nor the Zoning Administrator shall have the jurisdiction to vary the height provision of this Section. \*15

l. The Zoning Administrator or Board of Adjustment may issue a use permit to modify lot coverage, landscape or structure setback requirements up to twenty-five percent (25%) of the established setback for one (1) and two (2) story structures when: \*15

(1) The proposed structure or use would occupy a lot which had been developed and used prior to June 15, 1988, and

(2) Due to the lot size or configuration, reasonable compliance with the standards of this Section is precluded, and

(3) It is demonstrated that the proposed structure and use furthers the intent of this Section through the provisions of alternative measures such as enhanced landscaping, screening walls, etc. which exceed the minimum standards as contained herein.

m. Walls and Screening: Outdoor storage shall be screened with a solid wall/fence or combination wall/fence and landscaping. Such storage shall be no higher than twelve (12) feet. +15

5. Any Large Scale Commercial Retail development shall conform to the following requirements: +15

a. Applicability: For all Large Scale Commercial Retail development for which unexpired preliminary or final Planning and Development Department site plan approval has been obtained prior to February 19, 2003, these standards shall not apply. +15

<b>Building Setbacks</b>	
From all property lines	Minimum 60-feet
<b>Building Height</b>	
Within 60 feet of property lines	Max. 35 feet
Greater than 60 feet	See Section <u>624</u> .E.4.d
<b>Landscape</b>	
<b>Streetscape</b>	
Setback	Average 30-foot setback, minimum 25-foot setback permitted for up to 50% of the frontage.**** +18
<b>Plant Type</b>	<b>Minimum Planting Size</b>
Trees*	Min. 2-inch caliper (50% of required trees) Min. 3-inch caliper or multi-trunk tree (25% of required trees) Min. 4-inch caliper or multi-trunk tree (25% of required trees)
Shrubs	Min. five (5) 5-gallon shrubs per tree
<b>Parking Lot Area</b>	
Interior surface area (exclusive of perimeter landscaping and all setbacks)	Min. 10%
Landscaped planters	At ends of each row of parking and approx. every 110'
Landscaped planters**, single row of parking	Min. 150 sq. ft.***
Landscaped planters**, double row of parking	Min. 300 sq. ft.***
Landscaping adjacent to pedestrian walkways	See b.(1) and b.(2) below
Additional parking lot landscaping*	As needed to meet 10% minimum requirement, addl. landscaping to be evenly distributed throughout the entire parking area. Min. interior dimension five (5) feet (length and width). Min. rate of one (1) for every six (6) parking spaces, evenly distributed throughout the entire parking area. *19
<b>Plant Type</b>	<b>Minimum Planting Size</b>
Trees	Min. one 2-inch caliper per planter**** +18
Shrubs	Min. five (5) 5-gallon shrubs per planter
<b>Perimeter Property Lines (not adjacent to a street)</b>	

Property lines adjacent to an existing residential use or residential zoning district	Min. 15-foot landscaped setback
All other perimeter property lines	Min. 10-foot landscaped setback
Property lines not adjacent to a street, but adjacent to property zoned C-2, C-3, A-1, A-2, Commerce Park	None
<b>Adjacent to a Building</b>	
Buildings that face a public street	See c.(1) and c.(2) below

\* 20 feet on center or equivalent groupings.

\*\* Measured from inside face of curb to inside face of curb. \*18

\*\*\* Not to exceed the length of a standard City of Phoenix parking stall. Modifications to the square footage may be approved by Development Service Department if the overall intent of the standard is being met.

\*\*\*\* Or as approved by the Planning and Development Department.

\*\*\*\* Standard is required for entire center in which large scale commercial retail development is located. +18

b. For landscaping adjacent to pedestrian walkways in parking lot, provide either: +15

(1) Minimum 15-foot wide combination sidewalk/landscaped planter along the walkway as approved by Planning and Development Department. Where planters are adjacent to head-in parking, they shall be a minimum 7.5 feet wide. At installation, the landscape palette shall contain a mixed maturity consisting of 60% trees with minimum 2-inch caliper, 40% with minimum 1 inch caliper, or +15

(2) An equivalent shade structure as approved by the Planning and Development Department. +15

c. Buildings that face a public street shall provide either: +15

(1) A minimum 15-foot combination sidewalk/landscaped planter at grade level adjacent to the building. The sum total of the landscaping shall be a minimum one-third (1/3) the length of the building facade and a minimum five (5) foot wide. Landscaping shall include minimum 2-inch caliper size trees placed 20 feet on center or in equivalent groupings with 5-gallon shrubs per tree, or +15

(2) An arcade or equivalent feature, as approved by the Planning and Development Department. +15

d. Access: +15

- (1) The development shall have direct site access as follows: +15
    - (a) To a freeway frontage road, or +15
    - (b) To one arterial road, or +15
    - (c) To a collector road. +15
  - (2) Except in a Village Core, access from a minor collector street where single-family residential zoning or uses are located within one-quarter (1/4) mile of the subject property shall be subject to a use permit in accordance with the provisions of Section 307. +15
  - (3) No access is permitted from a local street. +15
- e. Loading standards: +15
- (1) Hours of operation for developments within 300 feet of a residential district: +15
    - (a) Loading permitted between the hours of 6:00 a.m. and 10:00 p.m. Any expansion of the above mentioned hours are subject to obtaining a use permit in accordance with Section 307. +15
  - (2) Provide designated tractor-trailer stacking area that is not any closer than 60 feet to a residentially zoned property. +15 \*16
  - (3) Loading areas/docks shall not be closer than 60 feet to a residentially zoned district. +15
  - (4) Loading docks closer than 100 feet to a residential zoning district shall be screened with a solid masonry wall at a height determined by the Planning and Development Department to completely screen loading areas and delivery vehicles. +15 \*16
- f. Standards for permanent outdoor garden sales (garden/outdoor living center): +16 \*19
- (1) Permanent outdoor sales areas are limited to a maximum of 35,000 gross square feet. +16 \*19
  - (2) The Zoning Administrator or Board of Adjustment may issue a use permit in accordance with the provisions of Section 307 to increase the outdoor sales area from 35,000 gross square feet to a maximum area of 50,000 gross square feet when: +16 \*19
    - (A) It is demonstrated that the proposed modification is not detrimental to adjacent property or the public welfare in general, or +16 \*19

(B) Due to a small or irregular lot size or configuration, reasonable compliance with the standards of this section is precluded or impractical. +16 \*19

(3) Products sold outdoors shall be screened by a minimum eight (8) foot high solid masonry wall or screened so as not to be visible from property line or street. Wall shall have a decorative finish that is complimentary to the primary building walls for all required screening. +16 \*19

(4) Decorative screen material(s) may be used only in garden centers but shall not exceed 50% of the screened area. Decorative screening may include one or more of the following: wire, fabric, screen material, landscaping and/or alternative materials, as approved by the Planning and Development Department. +16 \*19

(5) Chain link fencing is not permitted. +16 \*19

g. Temporary outdoor display and sales: \*16 \*19

(1) Designate the area reserved for outdoor display and sales at front of building on site plan and delineate decoratively on the property. \*16 \*19

(2) Temporary outside display and sales areas are subject to the following standards: \*16 \*19

(A) Maximum 500 square feet of display area; \*16 \*19

(B) No display and/or sales is permitted within 25 linear feet of either side of the building entrance(s)/exit(s); \*16 \*19

(C) The Zoning Administrator or Board of Adjustment may issue a use permit in accordance with the provisions of Section 307 to modify the allowable square footage and/or proximity of the display area to the building entrances/exits by fifty percent (50%) when it is clearly demonstrated that the proposed modification is not detrimental to adjacent property and the public welfare in general. \*16 \*19

h. Temporary outdoor storage containers: +16 \*19

(1) Designate an area for screened temporary storage containers at rear or sides of property, if provided. +16 \*19

(2) Temporary storage container area shall be screened by a minimum eight (8) foot high solid masonry wall or screened so as not to be visible from property line or street. +16 \*19

(3) A use permit must be obtained in accordance with the provisions of Section 307 in order to install/place temporary storage container(s). +16 \*19

**F. Outdoor Storage, Push Carts. +15**

1. Push carts made available for use by the public may be stored in temporary cart corrals located within the parking area of the retail center during normal business hours. Push carts must be stored inside the building or in an outdoor enclosure that is fully screened so as not to be visible from the property line or street after normal business hours or when not being used on a daily basis. +15

Date of Addition/Revision/Deletion - Section 624

- +1 Addition on 11-28-1990 by Ordinance No. G-3378
- +2 Addition on 7-3-1991 by Ordinance No. G-3447
- \*2 Revision on 7-3-1991 by Ordinance No. G-3447
- +3 Addition on 9-18-1991 by Ordinance No. G-3461
- \*4 Revision on 12-18-1991 by Ordinance No. G-3483
- \*5 Revision on 1-22-1992 by Ordinance No. G-3494
- \*6 Revision on 11-18-1992 by Ordinance No. G-3604
- +6 Addition on 11-18-1992 by Ordinance No. G-3604
- \*7 Revision on 2-17-1993 by Ordinance No. G-3621
- +8 Addition on 1-5-1994 by Ordinance No. G-3720
- \*8 Revision on 1-5-1994 by Ordinance No. G-3720
- \*9 Revision on 2-2-1994 by Ordinance No. G-3731
- +10 Addition on 7-2-1997 by Ordinance No. G-4041
- \*10 Revision on 7-2-1997 by Ordinance No. G-4041
- \*11 Revision on 11-19-1997 by Ordinance No. G-4058
- \*12 Revision on 7-1-1998 by Ordinance No. G-4109
- +13 Addition on 10-4-2000 by Ordinance No. G-4298, eff. 2-1-2001
- +14 Addition on 6-27-2001 by Ordinance No. G-4366, eff. 7-27-2001
- +15 Addition on 2-19-2003 by Ordinance No. G-4498, eff. 2-19-2003
- +16 Addition on 6-4-2003 by Ordinance No. G-4515, eff. 6-4-2003
- \*16 Revision on 6-4-2003 by Ordinance G-4515, eff. 6-4-2003
- \*17 Revision on 6-25-2003 by Ordinance No. G-4526, eff. 7-25-2003
- +18 Addition on 7-2-2003 by Ordinance No. G-4532, eff. 7-2-2003
- \*18 Revision on 7-2-2003 by Ordinance No. G-4532, eff. 7-2-2003
- \*19 Revision on 12-17-2003 by Ordinance No. G-4566, eff. 12-17-2003
- +20 Addition on 3-30-2005 by Ordinance No. G-4685, eff. 4-29-2005
- \*20 Addition on 3-30-2005 by Ordinance No. G-4685, eff. 4-29-2005
- +21 Addition on 9-3-2008 by Ordinance No. G-5242, eff. 10-3-2008
- 22 Deletion on 11-3-2010 by Ordinance No. G-5561, eff. 12-3-2010
- +23 Addition on 12-8-2010 by Ordinance No. G-5544, eff. 1-7-2011
- +24 Addition on 6-8-2011 by Ordinance No. G-5632, eff. 7-8-2011
- \*24 Revision on 6-8-2011 by Ordinance No. G-5632, eff. 7-8-2011
- +25 Addition on 6-8-2011 by Ordinance No. G-5633, eff. 7-8-2011
- +26 Addition on 6-6-2012 by Ordinance No. G-5716, eff. 7-6-2012
- \*26 Revision on 6-6-2012 by Ordinance No. G-5716, eff. 7-6-2012
- \*27 Revision on 12-18-2013 by Ordinance No. G-5874, eff. 1-17-2014
- \*28 Revision on 10-1-2014 by Ordinance No. G-5951, eff. 11-1-2014
- 29 Deletion on 11-5-2014 by Ordinance No. G-5959, eff. 12-5-2014
- \*30 Revision on 11-5-2014 by Ordinance No. G-5959, eff. 12-5-2014



## **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

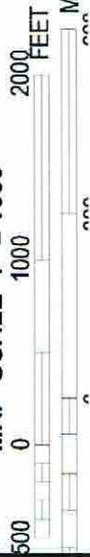


**ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.

**ZONE D** Areas in which flood hazards are undetermined, but possible.



MAP SCALE 1" = 1000'



NFIP  
 NATIONAL FLOOD INSURANCE PROGRAM

PANEL 1290L

## FIRM FLOOD INSURANCE RATE MAP MARICOPA COUNTY, ARIZONA AND INCORPORATED AREAS

PANEL 1290 OF 4425

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY NUMBER PANEL SUFFIX  
08X001 1290 L

PHOENIX, CITY OF

Note to User: This Map Number shown below should be used when plotting map orders; the Community Number shown is provided for insurance applications to the subject community.



MAP NUMBER  
04013C1290L

MAP REVISED  
OCTOBER 16, 2013

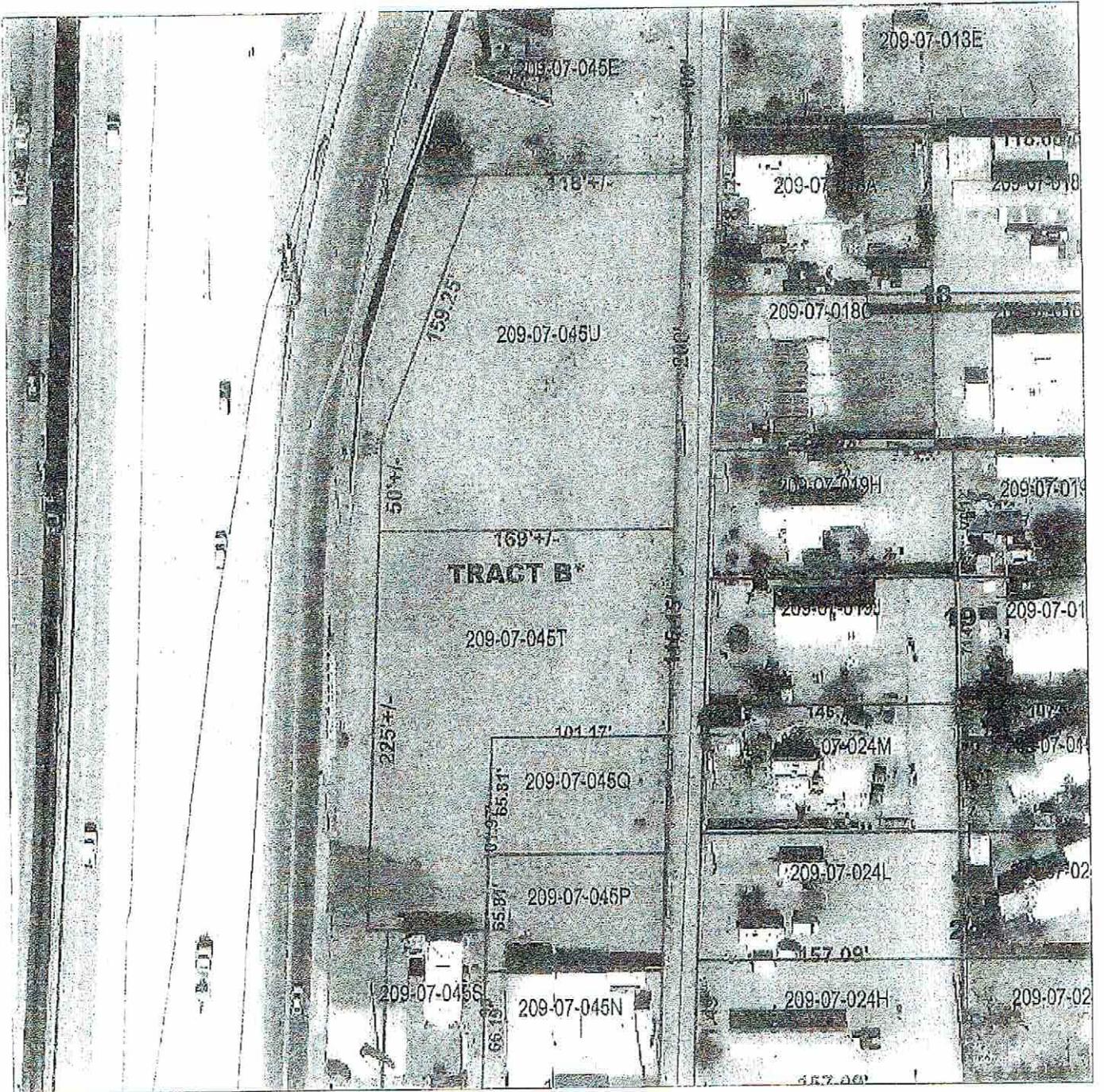
Federal Emergency Management Agency

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.nsc.fema.gov](http://www.nsc.fema.gov)

## **EXHIBIT 7**

Excess Land Exhibit Sheet

# County Parcels



## EXHIBIT "A"

That portion of the following PROPERTY DESCRIPTION in Tract "B", BLACK CANYON HEIGHTS, according to Book 56 of Maps, page 14, records of Maricopa County, Arizona, located in the East half of the Northwest quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$ ) of Section 24, Township 4 North, Range 2 East, Gila and Salt River Meridian, Maricopa County, Arizona, which lies easterly of the following described EXISTING EASTERLY RIGHT OF WAY LINE of Interstate Highway 17 (PHOENIX - CORDES JCT. HIGHWAY):

### PROPERTY DESCRIPTION

(Document 20100692241, Records of Maricopa County, Arizona)

#### Parcel No. 1

That portion of Tract "B", Black Canyon Heights, according to Book 56 of Maps, page 14, Record of Maricopa County, Arizona, described as follows:

Commencing at the Southeast corner of said Tract "B";

Thence North 2°55'34" East a distance of 197.81' to the East Southeasterly corner of this parcel and the TRUE POINT OF BEGINNING;

Thence Northerly along a nontangent curve concave to the West having a tangent bearing North 2°41'15" East, delta = 0°46'14", R = 23507.98', L = 316.15', to the Northeast corner of this parcel;

Thence North 89°56'04" West which is along the North line of said parcel a distance of 155.92' to a point on the East right of way line of Black Canyon access road;

Thence South 21°20'47" West which is along said right of way line a distance of 167.38';

Thence South 3°45'45" West which is also along said right of way line a distance of 43.96' to a point on a non tangent curve concave to the West;

Thence Southerly along said right of way line and along said curve having a tangent bearing of South 2°25'23" West, delta = 0°33'03", R = 23295.98', L = 223.96';

(continued)

**PAGE 1**

Thence South 89°55'45" East a distance of 111.17' to a point on a non tangent curve;

Thence Northerly along said curve concave Westerly having a tangent bearing of North 2°57'40" East, Delta = 0°14'59", R = 23406.98', L = 107.79';

thence South 89°55'45" East a distance 101.17' more or less to the TRUE POINT OF BEGINNING.

**Parcel No. 2**

That part of Tract B, Black Canyon Heights, according to Book 56 of Maps, Page 14, records of Maricopa County, Arizona, described as follows:

Commencing at the North quarter corner of Section 24, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian;

Thence South 00 degrees 21 minutes 45 seconds East 1463.91 feet along the centerline of 23 rd Avenue to an iron pin;

Thence North 89 degrees 55 minutes 45 seconds West, 818.18 feet;

Thence North 03 degrees 30 minutes 00 seconds East, 162 feet to the True Point of Beginning;

Thence North 89 degrees 55 minutes 45 seconds West, 101.17 feet;

Thence North 03 degrees 30 minutes 00 seconds East, 65.18 feet;

Thence South 89 degrees 55 minutes 45 seconds East, 101.17 feet;

Thence South 03 degrees 30 minutes 00 seconds West, 65.18 feet to the TRUE POINT OF BEGINNING;

**Parcel No. 3**

That part of Tract "B", Black Canyon Heights, according to the plat of record in the office of the County Recorder of Maricopa County in Book 56 of Maps, Page 14, described as follows:

Commencing at the North quarter corner of Section 24, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian;

(continued)

**PAGE 2**

Thence South 00 degrees 21 minutes 45 seconds East, 1463.91 feet along the center line of 23 rd Avenue to an iron pin;

Thence North 89 degrees 55 minutes 45 seconds West 828.18 feet;

Thence North 03 degrees 30 minutes 00 seconds East, 96.16 feet (to the True Point of Beginning);

Thence North 89 degrees 55 minutes 45 seconds West, 101.17 feet;

Thence North 3 degrees 30 minutes 00 seconds East, 65.81 feet;

Thence South 89 degrees 55 minutes 45 seconds East, 101.17 feet;

Thence South 03 degrees 30 minutes 00 seconds West, 65.81 feet to the True Point of Beginning;

EXCEPT that portion lying within the following described property:

That part of Tract "B", Black Canyon Heights, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 56 of Maps, Page 14, described as follows:

Commencing at the Southeast corner of said Tract "B";

Thence North 89 degrees 55 minutes 45 seconds West along the South line, a distance of 101.17 feet to the True Point of Beginning;

Thence Northerly along the centerline of the private drive as shown on Plat of Survey recorded in Book 167 of Maps, page 44, a distance of 313.96 feet more or less to a point on the South line of the North 400 feet of Tract "B";

Thence North 89 degrees 55 minutes 45 seconds West 111.17 feet to a point lying 28 feet Easterly from the West line of said Tract "B" and being the East line of property granted to the State of Arizona for State Highway in Condemnation instrument recorded in Docket 5812, page 557;

Thence Southerly along the Easterly line of said State Highway property, a distance of 313.96 feet to the South line of Tract "B";

Thence East along the South line of Tract "B", a distance of 111.17 feet to the True Point of Beginning.

(continued)

**PAGE 3**

EXISTING EASTERLY RIGHT OF WAY LINE DESCRIPTION:

Commencing at a brass cap in hand hole marking the Northwest corner of said Section 24, being North 89°44'26" West 2653.83 feet from a stone in hand hole marking the North quarter corner of said Section 24;

thence along the North line of said Section 24, South 89°44'26" East 1518.19 feet to the existing right of way Median centerline of said Interstate Highway 17;

thence along said centerline, from a Local Tangent Bearing of South 0°17'15" East, along a curve to the Right, having a radius of 22,966.32 feet, a length of 822.32 feet;

thence South 88°14'10" East 226.26 feet to the POINT OF BEGINNING on said existing easterly right of way line of Interstate Highway 17;

thence along said existing easterly right of way line of Interstate Highway 17 South 17°22'49" West 198.67 feet;

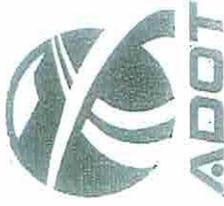
thence continuing along said existing easterly right of way line of Interstate Highway 17 South 6°46'21" West 154.12 feet;

thence continuing along said existing easterly right of way line of Interstate Highway 17 South 3°21'49" West 748.27 feet to the POINT OF ENDING on said existing easterly right of way line of Interstate Highway 17, being South 86°09'03" East 162.91 feet from a point on said existing right of way Median centerline of Interstate Highway 17, which is North 3°50'57" East 744.48 feet from a point on the East - West mid section line of said Section 24, which is South 89°49'27" East 1386.36 feet from a brass cap marking the West quarter corner of said Section 24.

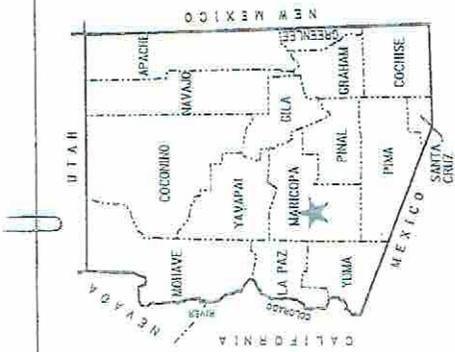
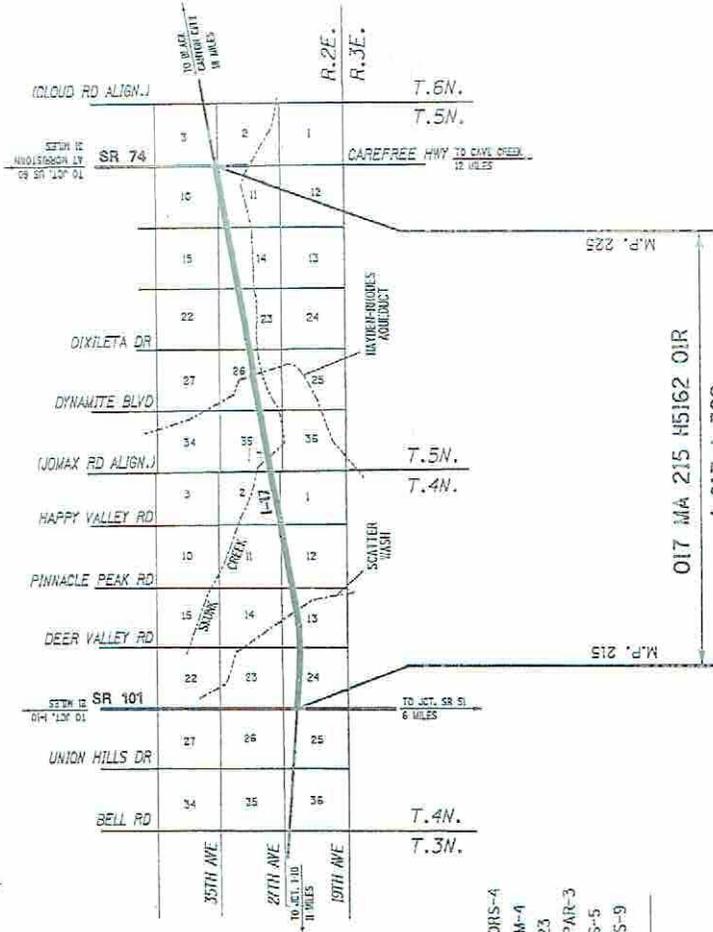
79,704 square feet, more or less.

GRANTOR RESERVES unto the public and various utility companies, easements for existing utilities, if any, within the above described property, in accordance with Arizona Revised Statute 28-7210. Access to the existing utilities will be by way of what exists at the time of this conveyance and shall be the responsibility of the Grantee herein and of the public or utility companies to show where that access is located.

**PAGE 4**



**RIGHT OF WAY PLANS OF THE  
PHOENIX - CORDES JCT. HIGHWAY  
SR 101 - CAREFREE HWY  
017 MA 215 H5162 OIR  
I 017-A-702**



	<b>PROJECT LOCATION</b>
	COUNTY NAME: MARICOPA
	LENGTH OF PROJECT: 10.0 MILES
	ADOT DISTRICT: PHOENIX (E)
	DRAWING NUMBER: D-7-T-953

- SHEET INDEX**
- I COVER SHEET
  - S-1 STANDARD ABBREVIATIONS & SYMBOLS
  - VM-1 TO VM-4 OWNERSHIP RECORD SHEET
  - P-1 TO P-23 VICINITY MAP SHEET
  - PAR-1 TO PAR-3 PLAN SHEET
  - SS-1 TO SS-5 PARCEL INSERT SHEET
  - MS-1 TO MS-9 SUPPLEMENTAL RESULTS OF SURVEY
  - RIGHT OF WAY MONUMENTATION SURVEY

TOTAL SHEETS 50

APPROVED IN ACCORDANCE WITH  
ARIZONA DEPARTMENT OF TRANSPORTATION BOARD  
RESOLUTION 2006-05-A-021 DATED 5-19-06  
RESOLUTION 2006-10-A-050 DATED 10-20-06  
RESOLUTION 2007-06-A-043 DATED 6-15-07  
RESOLUTION 2007-09-A-054 DATED 9-17-07  
RESOLUTION 2009-07-A-050 DATED 7-17-09



# RIGHT OF WAY -- STANDARD ABBREVIATIONS & SYMBOLS

Abbreviation	Description	Symbol	Page	Par. Pkwy. Pl. PE PUE	Pg. Par. Pkwy. Pl. PE PUE
A	Ac. Ahd. of vlr of ul of us Approx. Ave.	D	Parcel Parkway Place	0	0
B	Bk. Bk. Blvd. B.C. B.L.A. B.L.M. B.O.R.	F	Pending Easement Public Utility Easement	R	R
C	Bureau of Indian Affairs Bureau of Land Management Bureau of Reclamation	F	Quit Claim Used		
	Calculated Center Centerline Construction Corner County Curve Information Curve to Spiral Degree of Curve Delta Length of Curve Point of Compound Curve Point of Curvature Point of Intersection Point of Reverse Curve Point of Reverse Spiral Point of Tangent Point on Curve Point on Tangent Point on Tangent Point on Spiral	F	Railroad Record Right of Way Road		
	P.C.C. P.C. P.I. P.R.C. P.R.S. P.T. P.O.C. P.O.T. P.O.S.T. R S.C. S.T. T.S.	F	Section Slope Easement South Special Warranty Deed Square State Route Station Street Subdivision	S	S
	Sec. Sect. SE S. S.W. S.F. S.R. S.T. Subd. Telegraph Township Temp. Temporary Construction Easement Traffic Interchange	F	United States General Land Office Warranty Deed		
	U.S.G.L.O. W. WD	F	Unfound Quarter Corner		

Symbol	Description	Page	Par. Pkwy. Pl. PE PUE
⊙	Break Line	31.32	
⊙	Data Circle	6.15	
⊙	Data Box	Found or Set Quarter Corner	
⊙	Data Square	Found or Set Quarter Corner	
→	Dimension Arrow	31.32	
→	Dimension Tie	6.15	
⊙	Exist. R/W Monument	Unfound Quarter Corner	
⊙	New R/W Monument	Unfound Quarter Corner	
⊙	PC - PT Circle	Unfound Quarter Corner	

PROPERTY

ANCHOR BAR

PROPERTY-LEASE & UNPARTITIONED MINING CLAIM ANCHOR BAR

PROPERTY LIMIT ARROW

PROPERTY-LEASE & UNPARTITIONED MINING CLAIM LIMIT ARROW

PARCEL BUBBLE

N65 CONTROL PT OR ANGLE POINT

CHANGE ORDER REVISIONS

C.O. NO.	DATE	BY	DESCRIPTION
4-3			Found or Set Quarter Corner
4			Unfound Quarter Corner
5			Unfound Quarter Corner

SECTION 7  
MARICOPA CO.

North Arrow

Mill Post Marker

31.32  
6.15  
Found or Set Quarter Corner

31.32  
6.15  
Unfound Quarter Corner

MP  
1  
5

Abbreviation	Description	Page	Par. Pkwy. Pl. PE PUE
Boundary Lines			
City Limit Line			
County Line			
Forecast-City Limit Line			
Forecast-Reservation Line			
Land Grant Boundary Line			
National-State Boundary Line			
Centerlines			
Exist. Centerline w/Flags			
Exist. Centerline w/Hecks			
New Centerline			
New Survey Centerline			
Railroad Centerline			
Centerline on Results of Survey			
Control Lines			
Exist. Access Control Line			
New Access Control Line			
Easement Lines			
Exist. Easement Line			
Exist. Dr-alge Easement Line			
New Perpetual Easement Line			
TCE Line			
Misc. Lines			
Ditch-River Line			
Meander Line			
Mining Claim Line			
Property Lines			
Lease Property Line			
Property Line			
Subdivision Property/Road Line			
Additional area to be acquired			
Public Land Survey Lines			
Mid Section Line			
Sixteenth 42/60 Line			
Township Range Line			
R/W Lines			
Exist. ADOT R/W Line			
Exist. Non-ADOT R/W Line			
New R/W Line			
Railroad R/W Line			
Railroad-Highway R/W Line			
Topographic Features			
Cut Slope Limit Line			
Exist. Fence Line			
Exist. Topo Line			
Fill Slope Limit Line			
New Fence Line			

DATE: 1-17

PROJECT: SR 101 - Carrofree Highway

DESIGNED BY: PHOENIX - CORDES JCT.

CHECKED BY: PHOENIX - CORDES JCT.

DATE: 1-01-A-102

PROJECT NO.: 017 MA 215 H5162 DIR







# TRANSMITTAL

Date: 28 Jan 11

## Environmental Planning Group

Arizona Department of Transportation  
Mail Drop EM02  
1611 W. Jackson  
Phoenix AZ 85007

Phone: (602)712-7767  
Fax: (602)712-3066

Disposal Number: L-M-541

Disposal Name:

Deliver To

Sent From

Raul Torres

Thor Anderson

Property Management

Environmental Planning Group

612E

Attached

Under Separate Cover

### Action:

<input type="checkbox"/>	For your approval
<input type="checkbox"/>	For your information
<input type="checkbox"/>	As you requested
<input type="checkbox"/>	

<input checked="" type="checkbox"/>	For your use
<input type="checkbox"/>	For your response
<input type="checkbox"/>	For review and comment
<input type="checkbox"/>	

### Description:

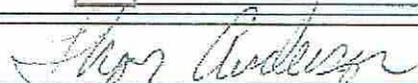
### Remarks:

### Distribution:

Reading File

Project File

Signed: Thor Anderson



Title: Environmental Planning Group Manager

Arizona Department of Transportation  
Environmental Planning Group  
Disposal Checklist

Disposal Number: L-M-541

Disposal Name: Parcel # 7-10411

Disposal Address: Parcel is located on the northeast corner of  
I-17 & W. Lone Cactus Dr.

Clearance

Prepared By: *Ed Green* Date: 28 Jan 11  
Ed Green  
Hazardous Materials Coordinator

Approved By: *Thor Anderson* Date: 1/28/11  
Thor Anderson  
Manager

TA:ekg

## I. PROJECT DESCRIPTION

- A. The Arizona Department of Transportation (ADOT) proposes to dispose of property L-M-541. This is also referred to as ADOT Parcel # 7-10411.
- B. Location: This parcel is located on the northeast corner of I-17 and Lone Cactus Dr.
- C. Purpose: The property will be sold in accordance with State law.

## II. IMPACT EVALUATION

### A. Natural Environment

This disposal property was acquired for the construction of SR 153.

#### Land Use Characteristics

	Current Condition	Former Use	Surrounding Area
Vacant	x	<input type="checkbox"/>	<input type="checkbox"/>
Residential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial	x	x	x
Industrial	x	x	x
Agricultural	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Natural	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Endangered Species Act Listed Species

	Yes	No	If Yes, List Species.	Comments.
Critical Habitat	<input type="checkbox"/>	x		
Suitable Habitat	<input type="checkbox"/>	x		

The disposal property is located in an area designated Zone X according to the FEMA Flood Insurance Rate Map.

### B. Physical/Construction

This type of action does not require any construction-related activities. No construction-related impacts will result from this disposal activity.

A PISA was performed by the ADOT Environmental Planning Group in January 2011. At that time, all permanent structures had been removed from the property.

Due to the lack of construction-related activities and impacts, this project is exempt from air quality conformity regulations.

The Arizona Department of Transportation's Noise Abatement Policy was written to conform to the federal policy and guidelines as stated in Title 23 of the Code of Federal Regulations Part 772. No analysis of traffic noise impacts is required for this project as it does not significantly alter the horizontal or vertical alignment of the existing highway nor does it increase capacity of transportation facilities.

### C. Socioeconomic

Title VI of the Civil Rights Act of 1964 and related statutes assure that individuals are not excluded from participation in, denied the benefit of, or subject to discrimination on the basis of Race, Color, National Origin, Age, Sex, and Disability. Executive Order 12898 on Environmental Justice directs that programs, policies and activities not have a disproportionately high and adverse human health and environmental effect on minority and low-income populations. This disposal project will not result in new impacts on the surrounding area. Sale of this property will not result in any residential or business relocation. This disposal will not have a disproportionately high or adverse impact on minority or low-income communities.

### D. Cultural Resources

This disposal project will have no effect on historic properties. No significant historic properties were identified for the site in a cultural resources survey. We have discussed these types of projects with the State Historic Preservation Office, and they agree that our in-house reviews are adequate to address this type of situation.

## III. PUBLIC INVOLVEMENT

This disposal action does not require a public involvement plan.

## IV. ACTION REQUIRED

<b>Federal-Aid Projects</b>	
Categorical Exclusion Group 2	<input type="checkbox"/>
Programmatic	<input type="checkbox"/>
Non-Programmatic	<input type="checkbox"/>
<b>State-Funded Projects</b>	
Environmental Clearance	X

Preliminary Initial Site Assessment

Project No. I-017-A-702 TRACS No. 017 MA 215 H5162 01R

Section I: Site Location Information

Assessor Parcel No. 209-07-045P, Q, T, & U ADOT Parcel No. 7-01411

Address/Route & Milepost I-17 MP 215.8

Section 24 Township 4N Range 2E  $\frac{1}{4}$   $\frac{1}{4}$   $\frac{1}{4}$

Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

Site Characteristics: Land Use

Agriculture \_\_\_\_\_ Residential \_\_\_\_\_ Commercial x Industrial \_\_\_\_\_ Natural \_\_\_\_\_

Vehicle Maintenance: \_\_\_\_\_ Chemical Storage: \_\_\_\_\_ UST System: \_\_\_\_\_

Septic System: \_\_\_\_\_ Water/Dry Well: \_\_\_\_\_ Pesticide/Herbicide \_\_\_\_\_

Other: \_\_\_\_\_

Section II: Site Surface Conditions

Dimensions: Length \_\_\_\_\_ Width \_\_\_\_\_

Area: \_\_\_\_\_ Sq. feet or \_\_\_\_\_ Sq. meters or 1.8 Acres

Topography: FLAT

Geology: Alluvium

Vegetation: Landscaping

Structures: None

Utilities: Typical Urban

Section III: Results of Database Review

No concerns on project      X Concerns on project \_\_\_\_\_  
(Complete Section IV)

Section IV: Environmental Concerns

Observed:      None \_\_\_\_\_

Suspected:      None \_\_\_\_\_

Unusual Conditions:      None \_\_\_\_\_

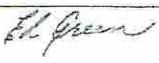
Section V: Recommendations

High Priority Phase I: \_\_\_\_\_ Medium Priority Phase I: \_\_\_\_\_ Low Priority Phase I: \_\_\_\_\_

No additional survey required: X \_\_\_\_\_ Aerial Photograph Review: \_\_\_\_\_

Section VI: Comments

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Consultant Name		Signature		Date	
ADOT Name	Ed Green HAZ-MAT ASSESSOR	Signature		Date	28 Jan 11

**EXHIBIT 8**

Photographs of Subject



View to northeast over north end of subject parcel.



Subject frontage road frontage, looking north, with subject at right of photo.





View of north end of subject parcel, located to right of sound wall and behind chain link fence by several feet.



Looking southeast over south end of subject parcel from frontage road.





View to east over center of subject parcel from frontage road.



Looking south along northbound I-17 frontage road with subject at left.



## **EXHIBIT 9**

Market Data Sheets for Land Sales

## LAND SALE NO. 1

**PROPERTY TYPE:** Vacant commercial/industrial land

**ADDRESS:** 2147Adobe Drive Phoenix AZ, 85027

**LEGAL DESCRIPTION:** Por lot 14 Sec 13 T4N R2E Gila and Salt River B&M

**ASSESSOR NO.:** 209-05-021C

**GRANTOR:** Marshimore Properties, LLC

**GRANTEE:** Candlewood Industrial Park LLC

**DOCUMENT NO.:** 2014-73241

**DOCUMENT TYPE:** Special Warranty Deed

**DATE OF SALE:** December 2013

**RECORD DATE:** January 31, 2014

**SALE PRICE:** \$580,000

**FINANCING:** Cash

**UNIT PRICE:** \$6.47 per square foot

**PROPERTY RIGHTS CONVEYED:** Fee Simple

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

**VERIFICATION:** Inspection, county records, affidavit of value, Chris Keeley, Phoenix Commercial Brokers, selling broker, 602516-7744

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

**SITE DATA:**

**Shape/Dimensions:** Rectangular

**Area:** 2.060 acres or 89,660 square feet

**Topography/Cover:** Level, dirt

**Zoning:** A-1, light industrial, Phoenix

**Frontage:** Adobe Drive and 23<sup>rd</sup> Avenue

**Access:** Adobe Drive and 23<sup>rd</sup> Avenue

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

**Intended Use:** Contractor Storage Yard

**COMMENTS:** Buyer will use the site as a truss plant.

**LAND SALE NO. 1**



**A. P. No. 209-05-021C**



## LAND SALE NO. 2

**PROPERTY TYPE:** Vacant commercial/industrial land

**ADDRESS:** 2320Parkside Ln Phoenix AZ, 85027

**LEGAL DESCRIPTION:** Lot 4 Deer Valley Commerce Center Park bk 855 pg 29

**ASSESSOR NO.:** 209-03-297

**GRANTOR:** Next Gen Commercial, LLC

**GRANTEE:** Mist123 Realty LLC

**DOCUMENT NO.:** 2014-145665

**DOCUMENT TYPE:** Special Warranty Deed

**DATE OF SALE:** March 2014

**RECORD DATE:** March 6, 2014

**SALE PRICE:** \$293,281

**FINANCING:** Cash to seller

**UNIT PRICE:** \$6.25 per SF

**PROPERTY RIGHTS CONVEYED:** Fee Simple

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

**VERIFICATION:** Inspection, county records, affidavit of value, Darren Tappen, Voit Real Estate Services, listing broker, 602-952-8648

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

**SITE DATA:**

**Shape/Dimensions:** Rectangular

**Area:** 1.080 acres or 46,922 square feet

**Topography/Cover:** Level, dirt

**Zoning:** IP, industrial park, Phoenix

**Frontage:** Parkside Lane

**Access:** Parkside Lane

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

**Intended Use:** Develop industrial building

**COMMENTS:** Buyer has since constructed an industrial building on the site.

**LAND SALE NO. 2**



**A. P. No. 209-03-297**



### LAND SALE NO. 3

**PROPERTY TYPE:** Vacant commercial/industrial land

**ADDRESS:** Lot 5B in Spectrum Ridge Bus. Park E. of 7th St Phoenix AZ, 85027

**LEGAL DESCRIPTION:** Lot 5B (being split off of Lot 5)

**ASSESSOR NO.:** 213-05-920 (ptn)

**GRANTOR:** TREF DV Build LLC

**GRANTEE:** N/Av

**DOCUMENT NO.:** N/Av

**DOCUMENT TYPE:** N/Av

**DATE OF SALE:** December 2014

**RECORD DATE:** December 9, 2014 per Costar

**SALE PRICE:** \$487,000

**FINANCING:** Cash

**UNIT PRICE:** \$7.09 per square foot

**PROPERTY RIGHTS CONVEYED:** Fee Simple

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

**VERIFICATION:** Inspection, county records, affidavit of value, DaRREN Tappen, Voit Real Estate Services, listing broker, 602-952-8648

**PRIOR SALES:** Prior sale as part of much larger holding in 2013

**SITE DATA:**

**Shape/Dimensions:** Irregular

**Area:** 1.580 acres or 68,650 square feet

**Topography/Cover:** Level, dirt

**Zoning:** A-1, light industrial, Phoenix

**Frontage:** East Salter Drive and 8<sup>th</sup> Avenue

**Access:** East Salter Drive and 8<sup>th</sup> Avenue

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

**Intended Use:** Develop distribution building

**COMMENTS:** Listing broker confirmed but recording documents were not available.

**LAND SALE NO. 3**



**Lot 5B Spectrum Ridge**



## LAND SALE NO. 4

**PROPERTY TYPE:** Vacant commercial/industrial land

**ADDRESS:** 216017th Avenue Phoenix AZ, 85027

**LEGAL DESCRIPTION:** Por NW4 Sec 20, T4N, R3

**ASSESSOR NO.:** 209-10-005X

**GRANTOR:** Blm Land LLC

**GRANTEE:** Hfm Facilities LLC

**DOCUMENT NO.:** 2014-367097

**DOCUMENT TYPE:** Special Warranty Deed

**DATE OF SALE:** April 2014

**RECORD DATE:** June 5, 2014

**SALE PRICE:** \$425,000

**FINANCING:** Cash

**UNIT PRICE:** \$6.50 per square foot

**PROPERTY RIGHTS CONVEYED:** Fee Simple

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

**VERIFICATION:** Inspection, county records, affidavit of value, Eric Bell, Voit Real Estate Services, selling broker, 602-513-5151

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

**SITE DATA:**

**Shape/Dimensions:** Rectangular

**Area:** 1.500 acres or 65,357 square feet

**Topography/Cover:** Level, dirt; small retention basin along 7<sup>th</sup> Avenue

**Zoning:** A-1, light industrial, Phoenix

**Frontage:** 7th Avenue

**Access:** 7th Avenue

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

**Intended Use:** Hold for future development with a veterinary office

**COMMENTS:** Site remains vacant.

# LAND SALE NO. 4



## A. P. No. 209-10-005X



## LAND SALE NO. 5

**PROPERTY TYPE:** Vacant commercial/industrial land

**ADDRESS:** 23<sup>rd</sup> Avenue north of Union Hills Drive Phoenix AZ, 85027

**LEGAL DESCRIPTION:** Par 1: Por N Lot 1 23<sup>rd</sup> Avenue & Union Hills Commerce Center SW4 Sec 25 T4N R2E Bk 566 Pg 12, easement .

**ASSESSOR NO.:** 209-15-007

**GRANTOR:** Chamberlain Holdings, LLC

**GRANTEE:** LBA Realty Fund-co XI

**DOCUMENT NO.:** 2013-882174

**DOCUMENT TYPE:** Special Warranty Deed

**DATE OF SALE:** October 2013

**RECORD DATE:** October 3, 2013

**SALE PRICE:** \$1,022,125

**FINANCING:** Cash

**UNIT PRICE:** \$5.50 per square foot

**PROPERTY RIGHTS CONVEYED:** Fee Simple

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

**VERIFICATION:** Inspection, county records, affidavit of value, James Wilson, Cushman & Wakefield, Inc., listing broker, 602-253-7900

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

**SITE DATA:**

**Shape/Dimensions:** Irregular

**Area:** 4.270 acres or 185,870 square feet

**Topography/Cover:** Level, dirt

**Zoning:** I-P, industrial park, Phoenix

**Frontage:** 23<sup>rd</sup> Avenue

**Access:** 23<sup>rd</sup> Avenue

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

**Intended Use:** Parking Lot

**COMMENTS:** Purchased by adjacent owner to use as a parking lot to expand their developable area.

