

AGENDA



**COUNCIL HEARS PLANNING AND ZONING
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, July 23, 2008
at 6:30 P.M.**

1. **Call to Order**

As a reminder, if you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off at this time.

2. **Roll Call**

3. **Pledge of Allegiance** – *(Please remove your hat.)*

4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.

a) **Approval of the Minutes:**

1) There are no minutes for approval.

b) **Set Next Meeting, Date and Time:**

- 1) July 30, 2008 at 6:00 p.m. – Special Session
- 2) August 6, 2008 at 6:15 p.m. – Special Session
- 3) August 6, 2008 at 6:30 p.m. – Regular Session
- 4) August 20, 2008 at 6:30 p.m. – Regular Session
- 5) August 27, 2008 at 6:30 p.m. – Council Hears Planning & Zoning

5. **Call to the Public for Items not on the Agenda.**

6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.

7. **Discussion, consideration, and possible direction to staff concerning process to select street and pathway light design to be used along Finnie Flat and other streets within Camp Verde.** (Staff Resource: Nancy Buckel)

8. **Public hearing, discussion and possible approval of Ordinance 2008-A352 of the Town of Camp Verde, Yavapai County, Arizona, adopting an amendment to the Zoning Map of the Planning and Zoning Ordinance for parcel 403-22-008 consisting of approximately 2.55 acres from R1L-70 to C3. Location of property is 1541 Peterson Road.** (Staff Resource: M. Jenkins)

- **Call for STAFF PRESENTATION**
- **Declare PUBLIC HEARING OPEN**
 - **Call for APPLICANT'S STATEMENT**
 - **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - **Call for APPLICANT'S REBUTTAL (if appropriate)**
- **Declare PUBLIC HEARING CLOSED**
- **Call for COUNCIL DISCUSSION**

9. **Call to the Public for Items not on the Agenda.**

There will be no Public Input on the following items:

10. **Advanced Approvals of Town Expenditures**
 - a) **There are no advanced approvals.**
11. **Manager/Staff Report**
12. **Adjournment**

Posted by:

V Jones

Date/Time:

7-16 08

9:15 a.m.

Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

TOWN OF CAMP VERDE
Council Agenda Action Form

Meeting Type: Regular

Meeting Date: 7-23-08

Consent: **Executive Session/Confidential:** Type(s) of Presentation: Visual

AGENDA TITLE: (Be Exact): Discussion, consideration and possible direction to staff concerning the process to select street and pathway light design to be used along Finnie Flat and other streets within Camp Verde.

PURPOSE AND BACKGROUND INFORMATION: The Town currently has no Development Standards to give developers guidance in developing their projects within our community. The Town Engineer has recognized the need for street lights to be installed along our commercial areas for the safety of pedestrians and drivers, therefore, during the development review process, the engineer has requested street lights to be installed where commercial development is occurring. The developers have agreed, but now need to have the specifications for the fixtures to include with their plans.

Staff recognizes the special atmosphere that was created in the Historic District with the pathway lighting and does not recommend duplicating this fixture anywhere else, but a complimentary lighting fixture could be found to be used in other commercial areas or even in residential development if the developer so chooses. Staff also recognizes the importance of protecting the dark skies with fully shielded fixtures. Because Finnie Flat is the gateway into our commercial area, it would seem appropriate to continue the banner display bars on the street lights to entice visitors, who may just stop to grocery shop in our community, into our historic downtown for special events and shopping experience.

The Town has an opportunity to establish a design feature that will add to the unique western flavor of the developing commercial area. The Design Review Board has been established to provide aesthetic direction for development within the Town to help preserve the western heritage and small town sense of place, therefore, it might be appropriate for them to also review any selection made by staff for the design of the street and pathway lights that will be installed in the commercial area of the Town. Staff is looking to Council for input on this matter and possible direction.

STAFF RECOMMENDATION(S): None

LIST ALL ATTACHMENTS: staff report

Type of Document Needing Approval (Check all that apply):

- | | | |
|---|---|--|
| <input type="checkbox"/> Acceptance/Approval | <input type="checkbox"/> Agreement/Contract | <input type="checkbox"/> Emergency Clause |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Grant Submission | <input type="checkbox"/> Intergovernmental Agreement |
| <input type="checkbox"/> Liquor/Bingo Application | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Resolution | <input type="checkbox"/> Special Consideration |
| <input type="checkbox"/> Special/Temp Use Permit | X <input type="checkbox"/> Other: | <input type="checkbox"/> Presentation/Report Only |

Submitting Department: Community Dev.

Contact Person: Nancy Buckel

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: JULY 23, 2008

Meeting Type: Regular

Type of Presentation: PowerPoint

REFERENCE DOCUMENT: Ordinance 2008 A 352

AGENDA TITLE: (Be Exact): Public hearing, discussion and possible approval of Ordinance 2008 A 352 of the Town of Camp Verde, Yavapai County, Arizona, adopting amendment 08-03 to the Zoning Map of the Planning and Zoning Ordinance for parcel 403-22-008 consisting of approximately 2.55 Acres from R1L-70 to C3 as requested by Mr. Brad Stevens, representative for Jehovah's Witnesses, owner. Location of property is 1541 Peterson Road.

PURPOSE AND BACKGROUND INFORMATION: This rezoning is in compliance with the General Plan Land Use Map which shows this parcel included in the Commercial and Minor Industrial Land Use designation.

Staff sent out 10 letters to property owners within 300 feet and as of the writing of this report, we have received no letters in opposition or approval.

A neighborhood meeting was noticed and held on April 29, 2008 on site. Four neighbors attended with several items being discussed such as water and road usage.

Agency review letters were sent out and the following comments were submitted concerning this Zoning Map Change request:

- * Camp Verde Fire Department: The subject property is within the Camp Verde Fire District.
- * Yavapai County Flood Control District: The subject property is not within a federally delineated floodplain nor impacted by any water courses with drainage areas greater than 40 acres. No objection to future development.
- * Town Engineer: Peterson Road will require the dedication of an 80-foot Right of Way to the Town of Camp Verde for that portion that passes through the subject parcel per the Town Uniform Standard Specifications. The Engineer has since amended his request to 60' because of the impact on the subject parcel and the potential future development in the area. See attached e-mail dated June 23, 2008.

At the regular session of the Town of Camp Verde Planning and Zoning Commission on June 5, 2008, the Commission voted six in favor and one in opposition to recommend approval to the Town Council for the subject Zone Change from R1L-70 to C3 for parcel 403-22-008. Initially, the applicant came before the Planning and Zoning Commission with a request for a Zoning Map Change from R1L-70 to M1. The Commission advised the applicant that due to the fact that there was existing C3 zoned property adjacent to the subject property at the South and existing R1L-70 zoned property adjacent to the subject property at the East, a recommendation of some type of Commercial Zoning would be better received. With that advise, the applicant withdrew their original request to be rezoned from R1L-70 to M1 and reapplied with a request to be rezoned from R1L-70 to C3, which was heard at the said June 5, 2008 Planning and Zoning Commission hearing.

Staff discussed with Commission the request from the Town Engineer for a dedication of a right of way along the existing Peterson Road through the subject property. This road easement, as described by the applicant, is currently 20-foot in width. This Right of Way dedication would only come from the applicant's property. To achieve a uniform Right of Way width along the total road section, will require future dedication from other properties as they develop.

There were several from the public that expressed concerns about possible drainage impacts from the future development of the roadway. Also, one individual from the public stated that developing the subject property might create a couple of jobs.

The Commission discussed the rezoning of the property strictly for the purpose of selling that property and the possible impacts to the surrounding properties based on the allowed uses of the C3 zoning district. The Commission further discussed the fact that the surrounding properties already have like and similar zoning of C3 and M1 and that the C3 zoning designation makes sense and is consistent with the General Plan.

Staff contacted the Town Attorney to review the Ordinance for the proposed Zone Change. The Attorney has recommended that the Right of Way dedication be a part of the Ordinance and should the Council approve this zone change, the Ordinance document would be recorded.

STAFF RECOMMENDATION(S): (Suggested Motion) Motion to approve ORDINANCE 2008 A 352 adopting amendment ZMC 08-03 to the Zoning Map of the Planning and Zoning Ordinance for Parcel 403-22-008 Consisting of 2.55 acres from R1L-70 to C3.

Type of Document Needing Approval: Ordinance

Submitting Department: Community Development

Contact Person: M. Jenkins



ORDINANCE 2008 A 352

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE PLANNING AND ZONING ORDINANCE FOR PARCEL 403-22-008 CONSISTING OF APPROXIMATELY 2.55 ACRES FROM R1L-70 TO C3. LOCATION OF PROPERTY IS 1541 PETERSON ROAD

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 87 A23, approved July 9, 1987 and,

WHEREAS, Section 113 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning boundaries or zoning text regulations of the Planning and Zoning Ordinance by the Town Council and,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE:

Section 1:

I The Town Council hereby finds as follows:

- A. A request for **Zoning Map Change 2008-03** was filed by Mr. Brad Stevens, representative for Verde Valley Congregation of Jehovah's Witnesses, owners, for the purpose of rezoning the parcel **403-22-008 FROM R1L-70 TO C3**. The legal description is attached as **Exhibit A and the Map as Exhibit B**.
- B. The Zoning Map Change was reviewed by the Planning Commission on **June 5, 2008** in public hearing that was advertised and posted according to state law.
- C. A neighborhood Meeting was held by the applicant on April 29, 2008 as required by ARS 9-462.03B.
- D. The Waiver of Diminution of Value Claim has been signed by the owner and is attached as **Exhibit C**.
- E. A 60' right of way for public use as described in **Exhibit D** has been dedicated to the Town.

- F. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.
- II. **Zoning Map Change 2008-03** is approved, based upon the following findings:
- A. The property is classified on the Town's General Plan Land Use Map as Industrial and is consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.
 - B. The Zoning Change will promote the public health, safety, and welfare of the general public.
-

Section 2. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 3. This ordinance is effective upon completion of publication and any posting as required by law.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by a majority vote of the Town Council in an open meeting by the Town Council, Town of Camp Verde, Arizona, on the 23rd day of July 2008.

Approved: _____
Tony Gioia, Mayor

Date: _____

Attest: _____
Deborah Barber, Town Clerk

Approved as to form:

Town Attorney

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY BEING REZONED

(Legal Description) 1541 Peterson Road, Camp Verde, AZ 86322

All that portion of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 25, Township 14 North, Range 4 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

Beginning at a point that lies North 02° 10' East, 457.00 feet from the center of said Section 25 and on the West line of said Southwest Quarter of the Northeast Quarter of Section 25 and which point is also the Northwest corner of the A. J. Parsons Tract;

Thence North 02° 10' East, 180.00 feet along the said West line of the Southwest Quarter of the Northeast Quarter to an iron pin;

Thence North 86° 00' East, 558.54 feet to an iron pin;

Thence South 00° 04' West, 216.41 feet to a point that is also the Northeast corner of the said A. J. Parsons Tract;

Thence North 89° 25' 30" West, 564.26 feet along the North line of said A. J. Parsons Tract to the **Point of Beginning**.

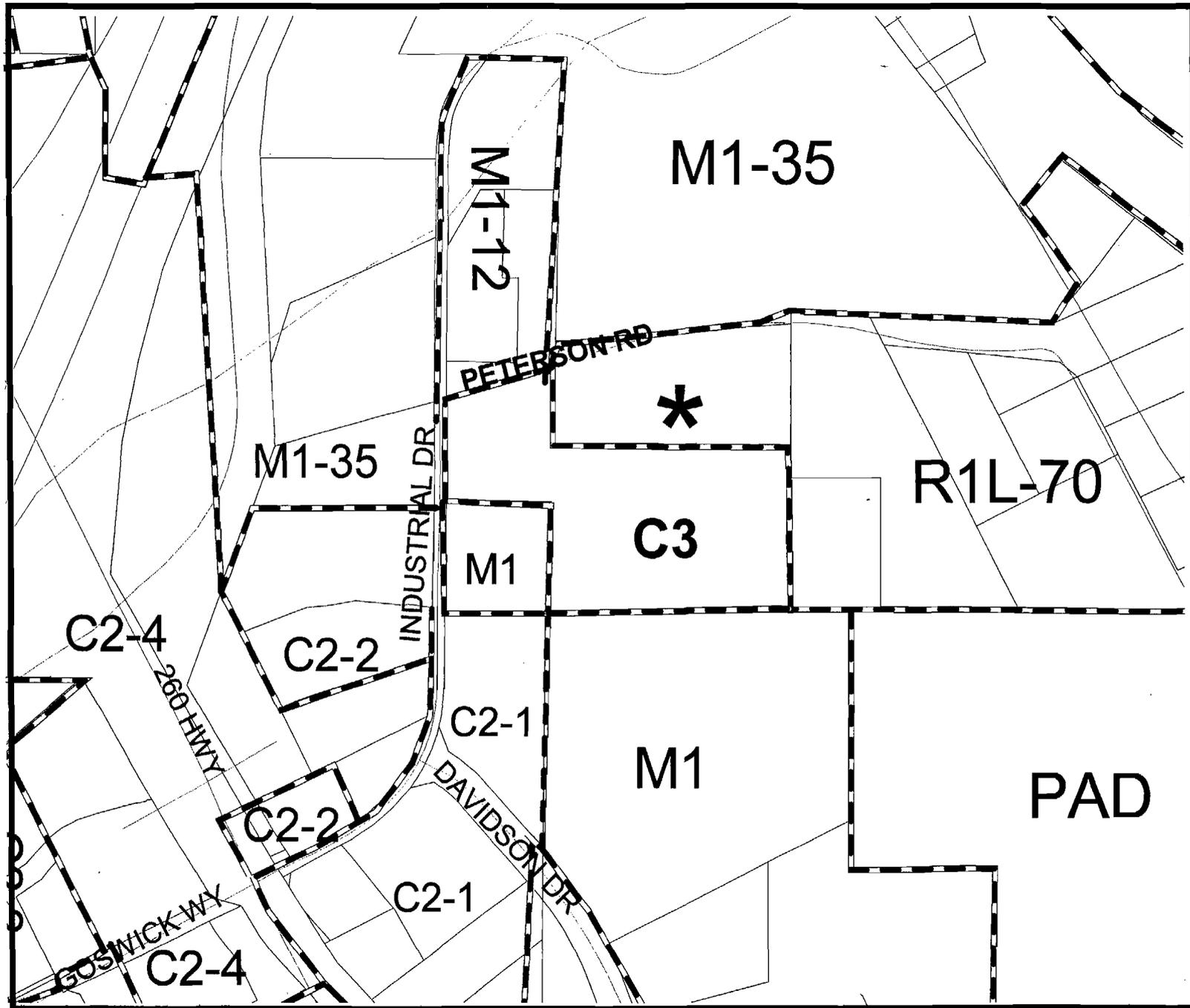
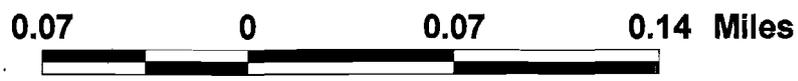


EXHIBIT B
MAP OF REZONING



ZONING MAP FOR
ZMC 08-03
FOR PARCEL 403-22-008
FROM R1L-70 TO C3

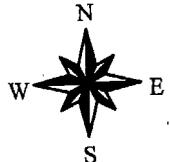


EXHIBIT C

CONSENT TO CONDITIONS/WAIVER FOR DIMINUTION OF VALUE

The undersigned is the owner of the parcel of land described in EXHIBIT A hereto that is the subject of the Zoning Map Change 2008-03 for parcel 403-22-008. I have reviewed the conditions of rezoning and by signing this document, the undersigned agrees and consents to all the conditions imposed by the Town of Camp Verde in conjunction with the approval of the Rezoning Application and waives any right to compensation for diminution in value pursuant to Arizona Revised Statutes § 12-1134 that may now or in the future exist as a result of the approval of the rezoning and conditions.

Dated this 13 day of June, 2008.

OWNER:

BRADLEY G. STEVENS
Print Name

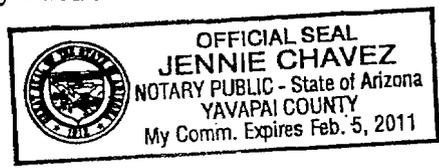
Bradley G. Stevens
Sign Name

STATE OF ARIZONA)
) ss.
County of Yavapai)

On this 13 day of June, 2008, before me, the undersigned Notary Public, personally appeared Bradley G. Stevens, who acknowledged that this document was executed for the purposes therein contained.

Jennie Chavez
Notary Public

My Commission Expires: 2-5-11



**EXHIBIT D
LEGAL DESCRIPTION OF 60' RIGHT OF WAY**

**EASEMENT FOR INGRESS AND EGRESS PURPOSES
LEGAL DESCRIPTION**

BEING a portion of the Southwest Quarter of the Northeast Quarter of Section 25, Township 14 North, Range 4 East, of the Gila and Salt River Meridian, Yavapai County, Arizona, being more particularly described as follows:

COMMENCING at the center of said Section 25, at a PK Nail with a washer stamped #27238;

THENCE, from said point, along the North-South mid section line North 02°10'00" East, a distance of 457.00' to a wooden hub, which point is also the Northwest corner of the A.J. Parsons Tract;

THENCE, from said point, continuing along the North-South mid section line, North 02°10'00" East, a distance of 116.62' to the POINT OF BEGINNING;

THENCE, from said point, continuing along the North-South mid section line North 02°10'00" East, a distance of 63.38' to the Northwest corner of lands described in Book 1572, Page 599, Official Records of Yavapai County;

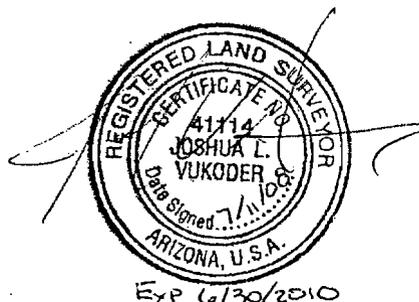
THENCE, from said point, along the Northerly line of said lands described in Book 1572, Page 599, North 86°39'36" East, a distance of 285.03' to a point;

THENCE, from said point, South 77°52'50" West, a distance of 70.52' to a point;

THENCE, from said point, South 73°21'49" West, a distance of 227.51' to the POINT OF BEGINNING.

CONTAINING a total area of 8359.49 Square Feet (0.1919 Acres)

For a map showing the above dimensions see Exhibit "A" attached hereto and by this reference made a part hereof.



Zoning Map Change Check List

- Proof of Ownership
- Notarized Permission to Enter Property – Original Document
- *Directions to Property**
- Notarized Special Power of Attorney – Original Document
- Legal Description
- *Letter of Intent (Narrative)**
- Agency Comments
 - Notification List
 - Responses
- Public Participation, Neighborhood meeting, completed. Date: _____
 - Copy of letter sent to neighbor's within 300'
 - Posting of Property by applicant (photo)
 - Affidavit attesting to notification of neighbors
 - Sign in sheet
 - ***Affidavit of summary of meeting**
 - ***Statement of how the applicant will address neighborhood concerns**
- Letter of request to be annexed into the Camp Verde Fire District or letter from the Camp Verde Fire District stating that applicant is already in the Camp Verde Fire District.
- *Site Plan (included in packet if provided)**
- *Maps**
 - Land Use Map
 - Vicinity Map
 - Zoning Map
- *Staff Report**

Will include summary of agency & citizen's comments, Town requirements, applicant's narrative as it addresses requirements for application and recommended stipulations if approved (if any).
- *Ordinance (for Council)**
- Advertising & Posting has been completed & meet State Law Requirements.

NOTE: * indicates information is included in the packet.

REQUEST NARRATIVE

The Verde Valley Congregation of Jehovah's Witnesses is requesting to rezone our property, located at 1541 Peterson Road, in harmony with the General Plan as well as a unanimous recommendation by the Planning & Zoning Commission for the Town of Camp Verde.

The parcel, no 403-22-008, is presently zoned R1L-70. We are requesting that the parcel be rezoned to C3. This would harmonize with the property adjacent and bordering our property to the South which is zoned C3.

The original intent was to build a house of worship on this parcel, but it is now surrounded on three sides by M1 and C3 zoned land and it is not suitable for the purpose we had originally intended or in fact for any residential use. This parcel is already located in the Camp Verde fire district.

We appreciate your assistance in processing our request.

RECEIVED
APR 29 2008

BY:  -----

CASE NO. 2008-04

PROJECT NO. ZMC 2008-02

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
473 S. MAIN STREET, SUITE 108
CAMP VERDE, ARIZONA 86322
(928) 567-8513 • FAX (928) 567-7401

RECEIVED
JAN 29 2008

CHANGE OF ZONING MAP OR DENSITY APPLICATION

BY: L
Receipt 012789

APPLICATION DATE 1-29-08 TAKEN BY _____

ASSESSOR'S PARCEL NO. 403-22-008 2.55 ACRES FEES _____

PRESENT ZONING R1L-70 HEARING DATE _____

SUBDIVISION _____ LAND USE DESIGNATION VACANT

ADDRESS OF PROPERTY 1541 PETERSON ROAD CAMP VERDE AZ 86322

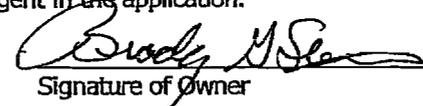
REQUEST:
TO REZONE PROPERTY TO ~~R1L~~ per request by applicant changing to C-30

OWNER VERDE VALLEY CONGREGATION PHONE 928-451-0430 FAX 928-567-1773
OF JEHOVAH'S WITNESSES

ADDRESS 6090 W SADDLE CREEK DR CITY CAMP VERDE STATE AZ ZIP 86322

CONTACT PERSON BRAD STEVENS

If the applicant is not the property owner, the owner shall complete and sign the following statement. I hereby authorize _____ to act as my agent in the application.

Name of Agent _____ Signature of Owner  Date 1-29-08

AGENT _____ PHONE _____ FAX _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

CONTACT PERSON _____

I hereby file the above request and declare that all information submitted is true and correct to the best of my knowledge and belief. I further acknowledge that any omission of information or any error in my application may be cause for delay in it's normal scheduling.

Signature of Applicant  Date 1-29-08

RECEIVED
JAN 29, 2008
BY: K

DIRECTIONS TO PROPERTY

Assessor's Parcel Number 403-22-008

Applicants Name VERDE VALLEY CONGREGATION OF
JEHOVAH'S WITNESSES

Property Address 1541 PETERSON RD, CAMP VERDE, AZ, 86322

Directions To

Property FROM RT. 260, TURN ONTO
INDUSTRIAL DRIVE, TURN ONTO
PETERSON ROAD. PROPERTY IS ON THE
RIGHT. PLEASE SEE SITE MAP.

PLEASE NOTE THAT THIS PROPERTY
IS ALREADY IN THE CAMP VERDE FIRE DISTRICT

RECEIVED
APR 29 2008

Affidavit

BY: [Signature]

I BRADLEY G. STEVENS owner of parcel 403-22-008 have notified my neighbors within 300' of my residence, by sending letters on 4-19-08 to notify them of the neighborhood meeting that I conducted on the 29th day of APRIL 2008.

I posted my property with meeting date and time on the 19 day of APRIL 2008.

I BRADLEY G. STEVENS owner of parcel 403-22-008 have provided a summary of Neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde within 15 days attesting to the issues and concerns discussed at the Neighborhood Meeting held on the 29 day of APRIL 2008.

Summary
Statement: There were 4 neighbors who attended. All of them indicated that they were not opposed to rezoning and actually wished us good luck with the process. Their main concern remain water purpase and road usage. We indicated that we will follow through with the process required to apply to C-3.

If Summary statement is too long, attach a copy.

State of Arizona}

County of Yavapai}

[Signature]
Signature of Document Signer No. 1

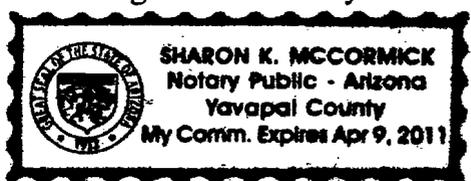
Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 29th day of April 2008.

(1) [Signature]
Name of Signer

(2) _____
Name of Signer

[Signature]
Signature of Notary



TCV Planning & Zoning

From: "Ron Long" <rlong@cvaz.org>
To: "Mike Jenkins" <mjenkins@cvaz.org>
Cc: "Nancy Buckel " <plnman@cvaz.org>
Sent: Monday, June 23, 2008 2:42 PM
Subject: Peterson Road ROW

Mike,

After our conversation with Nancy today I agree that based on the current and probable development along Peterson Road that the requirement for 80-feet of Right of Way to be dedicated to the Town of Camp Verde can be reduced to 60-feet.

This reduction in the requirement of ROW is based on the recognition that Peterson Road does have the possibility to have some industrial use in the future. However any development along Peterson Road is most likely to meet the commercial classification which only requires 60-feet of ROW.

Ron Long P. E.
Public Works Director/Engineer
Town of Camp Verde
395 South Main Street
Camp Verde, Arizona 86322
Office: (928) 567-0534 ext. 129
Fax: (928) 567-1540
rlong@cvaz.org

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"in addition, to ensure compliance with the Open Meeting Law, Council or Board/Commission members who are recipients of this message should not forward it to other members of the Council or Board/Commission of the Town of Camp Verde. Council Members or Board/Commission Members may reply to a staff member regarding this message, but they should not send a copy of a reply to other Council or Board Members."

**EASEMENT FOR INGRESS AND EGRESS PURPOSES
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