AGENDA

COUNCIL HEARS PLANNING & ZONING
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, DECEMBER 12, 2007
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) Regular Session/Council Hears P&Z **Combined** – December 19, 2007 at 6:30 p.m.
     2) Council Hears Planning & Zoning – December 26, 2007 – **CANCELLED**
     3) Regular Session – Wednesday, January 2, 2008 at 6:30 p.m.
     4) Work Session – Wednesday, January 9, 2008 at 6:30 p.m.
     5) Regular Session – Wednesday, January 16, 2008 at 6:30 p.m.
     6) Council Hears Planning & Zoning – Wednesday, January 23, 2008 at 6:30 p.m.

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.
   - **Councilor Garrison's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for placement on the District's standard agenda item for Council Updates/Reports.** Note: Requests may be identified, but no discussion of the item will occur at this time.

7. **Possible acceptance of Council Member Ron Smith's resignation followed by possible direction to staff to advertise for letters of interest from the general public to fill the vacancy. Mr. Smith's term expires in May 2009. The election for this position will occur in March/May 2009.**

8. **Discussion, consideration, and possible direction to staff regarding appraisal method and land exchange analysis for the possible exchange of Town property located on Oasis Road and SR 260, parcel 403-23-152A, for property located on 1451 Peterson Road, parcel 403-22-008.**

9. **Public Hearing and discussion, consideration, and possible approval of Resolution 2007-736, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting the Final Plat 2007-01 for Sleepy Hollow Town Homes located on parcel 404-30-029D consisting of 20 town home units on**

2.40 acres. This project is located off of Nichols Street and east of Town Hall.

10. **Public Hearing and discussion, consideration, and possible approval of Ordinance 2007-A344, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 108-D of the Zoning Ordinance to define the criteria for raising swine within the Town, to add definitions for Commercial Livestock Activity and Livestock Breeding Activity, to change the Use Permit process for Youth Livestock Activity on parcels smaller than ½ acre and to add language for setback requirements for Livestock Activity as was previously stated in Section 108.** (Staff Resource: Nancy Buckel)

    - **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**

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

There will be no Public Input on the following items:

12. **Advanced Approvals of Town Expenditures**
    a) **There are no advanced approvals.**

13. **Manager/Staff Report**

14. **Adjournment**

Posted by: U Jones Date/Time: 12-7-07 8:30 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.

Copied Council and Staff ✓
12-6-07

December 6, 2007

Town of Camp Verde
Office of the Clerk

12-06-07A09:51 RCVD

Effective today, I tender my resignation as Council person for the Town of Camp Verde. It has been a wonderful experience for the past two and a half years. Many things I have learned have enriched my life immeasurably. In my opinion, the staff is one of the hardest working that I have had the pleasure to know.

However, the Council for the past five months is moving in a direction I can no longer support, due to the circumventing of commissions, the multiple violations of Town code, and the wreck less disregard for the morale of our Town employees. I have made the Town Manager, acting Town Manager, Mayor, and Town Attorney, aware of all of my concerns regarding the above violations.

I take seriously my responsibilities as an elected Town official in all of it's capacities. I do my homework in representing all of the people of the Town of Camp Verde. When there is no support to follow the Town Code and the laws of Arizona, I can no longer be a representative of the Town of Camp Verde.

This has been an extremely difficult decision for me. I feel a heavy burden for being elected to this office and do not take it lightly.

Sincerely,

Ron Smith

Ron Smith

TOWN OF CAMP VERDE
Council Agenda Action Form

Meeting Type: Regular **Meeting Date:** December 12, 2007
Consent: ☐ **Executive Session/Confidential:** ☐ Type(s) of Presentation: Verbal Only

AGENDA TITLE: (Be Exact): Discussion, consideration, and possible direction to staff regarding appraisal method and land exchange analysis for the possible exchange of Town property located on Oasis Road and SR 260, parcel 403-23-152A, for property located on 1451 Peterson Road, parcel 403-22-008.

PURPOSE AND BACKGROUND INFORMATION: At the November 14th Council Session, Council considered a land exchange proposal by Mr. Bill Gardner, Verde Valley Congregation of Jehovah's Witnesses, where the Council directed staff to investigate the land exchange proposal to include both appraisal and property survey analysis to determine the viability of the proposal. The Verde Valley Congregation of Jehovah's Witnesses agreed to pay the cost associated with the analysis, with an expense limit of $1,000. Staff has requested price quotes from six appraisers to estimate property values for both properties at their highest and best use. We have received two price quotes totaling $2,200 and $4,000 respectively. As both amounts exceed the $1,000 expense limit specified by Mr. Gardner, staff consulted Mr. Gardner and he indicated their concern with the appraisal type and felt an analysis for the highest and best use would be unnecessary and or un-advantageous to the land exchange as Mr. Gardner believes the Peterson property would then be valued at a higher amount than the Oasis property and would not meet the Arizona State Statute requirement of the properties to be of relatively equal value. Therefore, staff is requesting clarification from the Town Council on how the Town should proceed regarding appraisal types etcetera. Staff would also note the need to clarify actual property sizes through site surveys or by legal description (staff is currently researching existing legal descriptions and site surveys). A thorough analysis of the two properties is necessary to ensure the proposal is in the Town's best interest. As such, staff recommends an appraisal analysis be completed for both subject properties at their highest and best use, and that accurate property surveys and legal descriptions will be needed and may require professional services if they do not currently exist. It is the Town's policy to require that all expenses related to the exchange are to be paid by the person or agency that requested the exchange. Exchange-related expenses will include, but not limited to: attorney fees, appraisal fees, survey fees, escrow fees, title costs, and closing costs. Staff would note that if the Council were to decide that land appraisals, using a highest and best use approach, are necessary in order to evaluate the proposed land trade that Mr. Gardner may not agree based on prior conversations and the Jehovah's Witnesses organization may elect to not proceed with the proposed land exchange.

STAFF RECOMMENDATION(S): To direct staff to continue with the proposed land exchange analysis, to include detailed property appraisals for both the Town owned property located on Oasis Road and State Route 260, parcel 403-23-152A, and property owned by the Verde Valley Congregation of Jehovah's Witnesses located on Peterson Road, parcel 403-22-008, pending the approval of and agreement by the Verde Valley Congregation of Jehovah's Witnesses to pay for all associated costs of property appraisals and other land exchange expenses including, but not limited to: attorney fees, appraisal fees, survey fees, escrow fees, title costs, and closing costs.

LIST ALL ATTACHMENTS: Camp Verde G.I.S. Maps: Aerial Map, Land Use Map, and Zoning Map. List of Appraisers, Bock Appraisal Services Proposal, Windstone Appraisal Service LLC Proposal, Unofficial Copies of Easement Documents for Peterson Property, Verde Valley Congregation of Jehovah's Witnesses Letter.

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

☒ Acceptance/Approval ☐ Agreement/Contract ☐ Emergency Clause

☐ Final Plat	☐ Grant Submission	☐ Intergovernmental Agreement
☐ Liquor/Bingo Application	☐ Ordinance	☐ Preliminary Plat
☐ Public Hearing	☐ Resolution	☐ Special Consideration
☐ Special/Temp Use Permit	☐ Other:	☐ Presentation/Report Only

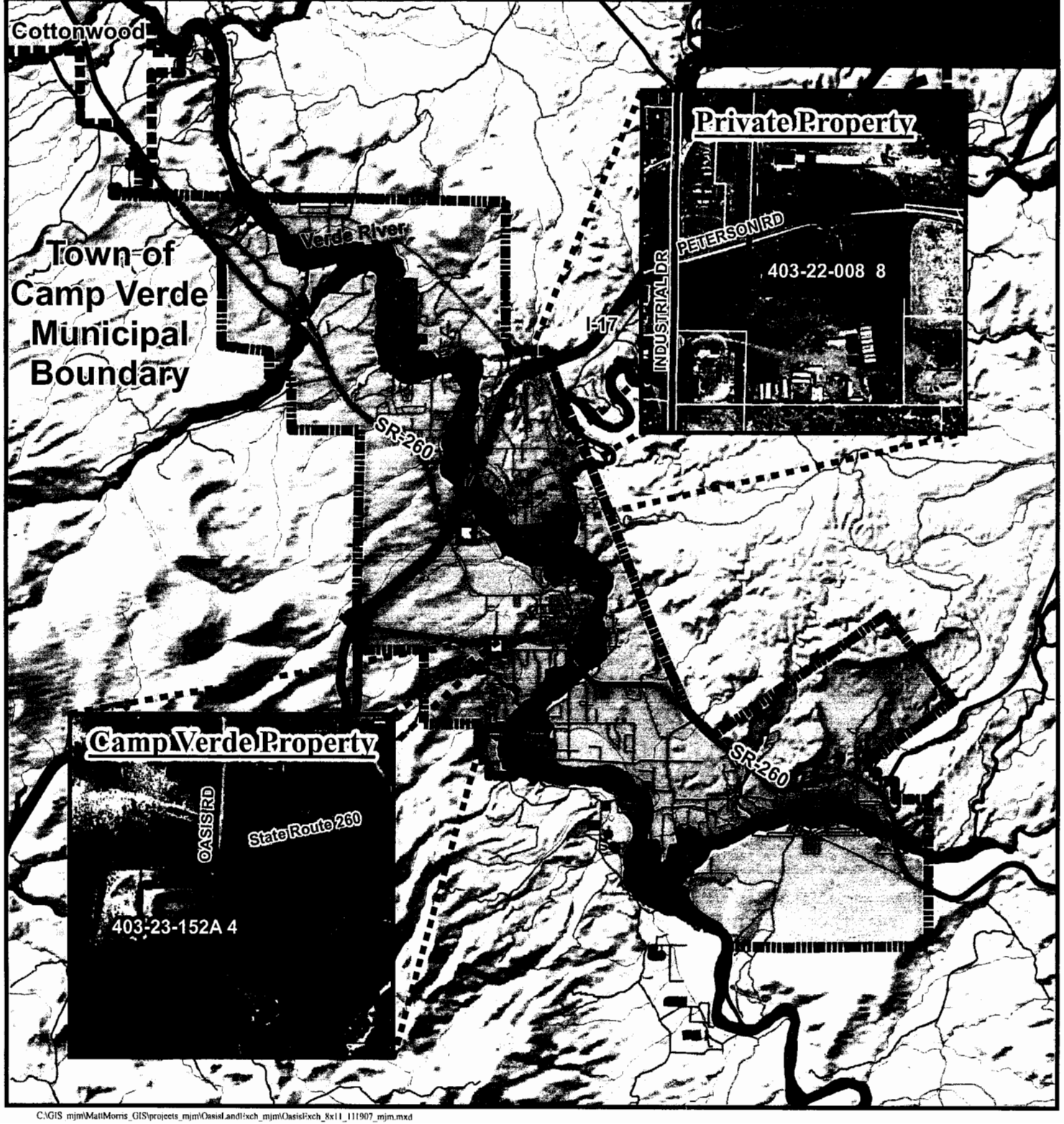
Finance Director Review
Budgeted/Amount No $_____
Comments: N/A

Fund: Line Item/:

Submitting Department: Housing & Neighborhood Revitalization **Contact Person:** Matt Morris

Town Manager/Designee:_____

Please Note: You are responsible for checking out, setting up, and returning all special equipment to the Clerk's Office.



Oasis-Peterson Land Exchange Analysis

Camp Verde Property

Owner: Town of Camp Verde
Parcel #: 403-23-152A
Location: Oasis Rd. (Near S.R. 260)
Size: 1.6 Acres

Private Property

Owner: Cottonwood Congregation Jehovahs Witness
Parcel #: 403-22-008
Location: Peterson Rd. (Near Industrial Dr.)
Size: 3.5 Acres

Flood Classifications

- Zone A or AE
- Zone AE Floodway
- Zone D
- Zone Shaded X

0 5,000 10,000 Feet

1 inch equals 10,000 feet

Source: Yavapai County, Town of Camp Verde, City of Sedona, USGS, and Landlogic.
Map Courtesy of Housing & Neighborhood Revitalization Department
Revision Date: November 20, 2007

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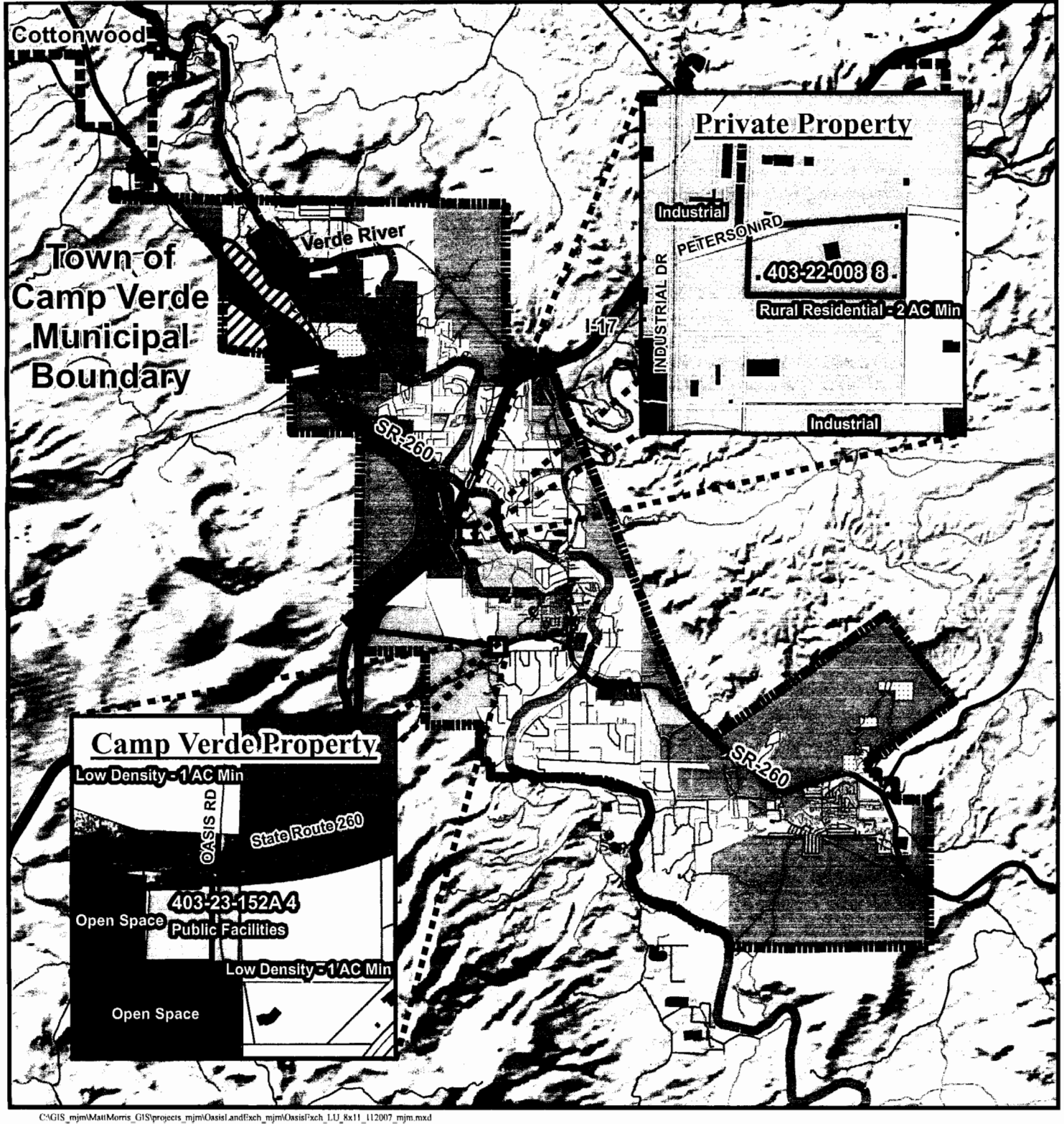
Oasis-Peterson Land Exchange Analysis

Land Use Map (2005 GP)



- Agriculture > 5 Acres
- Rural Residential - 2 AC Min
- Low Density - 1 AC Min
- Medium Density - 1/4 AC Min
- High Density - 11 Units AC Max
- Commercial
- Industrial
- Mixed Use
- Mixed Use - Com/Ind
- Public Facilities
- Yavapai-Apache Nation
- Natural Resource
- Open Space
- National Forest

0 5,000 10,000 Feet

1 inch equals 10,000 feet

Source: Yavapai County, Town of Camp Verde, City of Sedona, USGS, and Landlogic.
Map Courtesy of Housing & Neighborhood Revitalization Department
Revision Date: November 20, 2007

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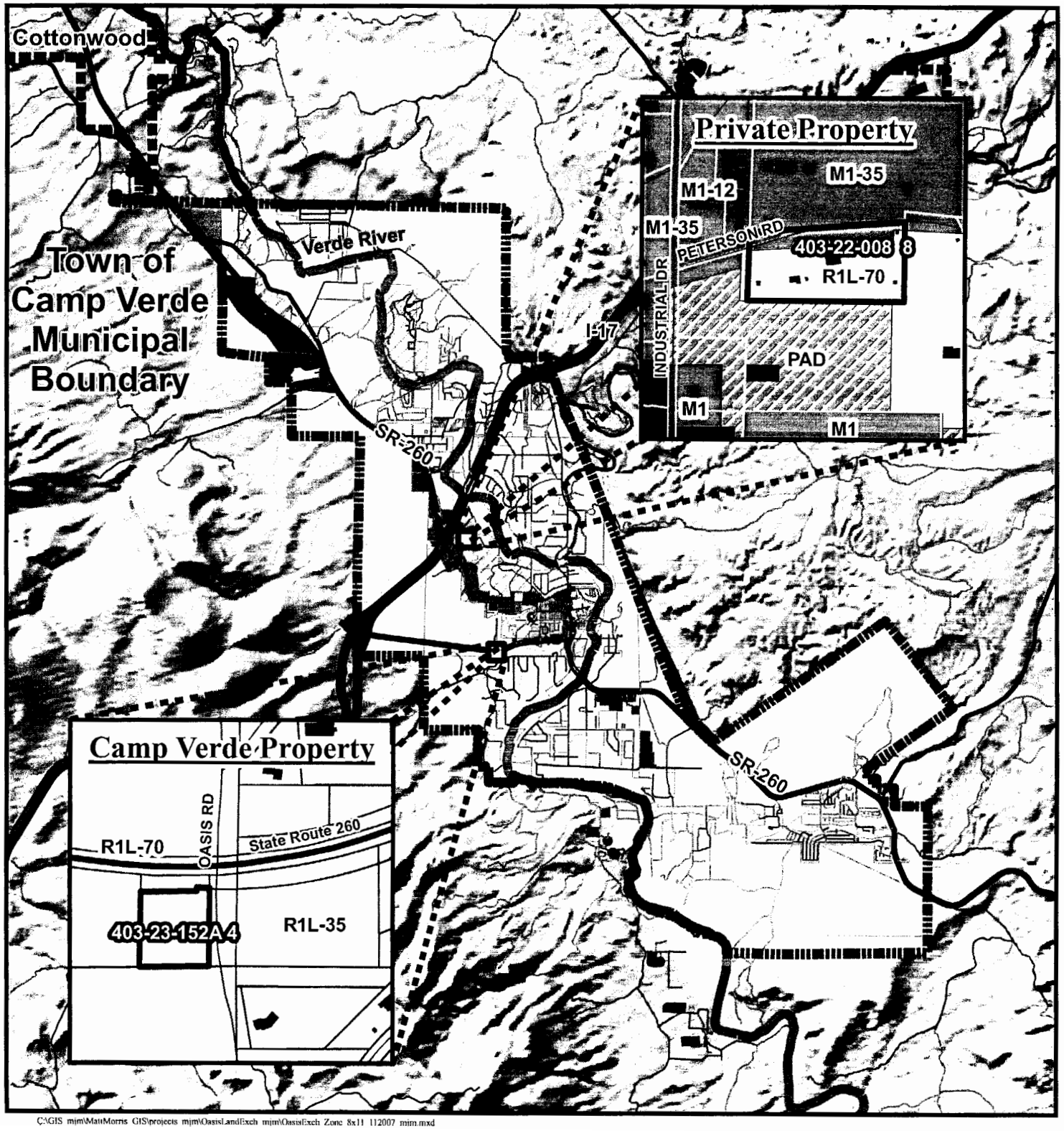
Oasis-Peterson Land Exchange Analysis

Zoning Map



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1 inch equals 10,000 feet

Source: Yavapai County, Town of Camp Verde, City of Sedona, USGS, and Landlogic.
Map Courtesy of Housing & Neighborhood Revitalization Department
Revision Date: November 20, 2007

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Windstone
Appraisal Service, LLC
Values You Can Count On
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Troy V. Krauter - cp
Office Manager 928 300-0612
troy@windstoneappraisal.com
FAX 567-1315
Tel: 877-214-7973 Fax: 877-214-7973
www.windstoneappraisal.com

Glenn Straub, SRA
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(928) 634-8255 - Voice & Fax

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LOPER & ASSOCIATES, L.L.C.
Appraisal Specialist
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RIGHT OF WAY CONSULTING

BOCK APPRAISAL SERVICES
2155 Shelby Drive, Suite C
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bockappraise@commspeed.net

FAX

Date: 11-26-07

To: Matthew J. Morris, Director

Company: Camp Verde Housing + Neighborhood Revitalization

Fax Number: 567-9061

Number of Pages including cover: 9

MESSAGE:

RE: Oasis Rd. / Peterson Rd. Appraisals

Mr. Morris,

Please see attached:

- Proposal
- Resume
- Sample of a portion of my Land reports

Joseph G. Bock

JOSEPH G. BOCK
REAL ESTATE APPRAISAL SERVICES

2155 Shelby Drive, Suite C
Sedona, AZ 86336

Phone: 928-282-0850
FAX: 928-282-0860

November 26, 2007

Mr. Matthew J. Morris
Director, Housing & Neighborhood Revitalization
Town of Camp Verde
473 So. Main Street, Suite 102
Camp Verde, AZ 86322

Re: Oasis Rd. / Peterson Rd. Appraisals

Dear Mr. Morris:

This is my formal proposal to provide appraisal reports of the following two vacant land parcels:

Oasis Rd.	APN 403-23-152A	2.97 acres	per County records
Peterson Rd.	APN 403-22-008	2.55 acres	per County records

The purpose of the valuation will be to determine the Fair Market Value of the property, for asset analysis and a possible trade.

For this assignment the term "Market Value "Is defined as the "most probable price estimated in terms of money which the property will bring if exposed for sale in the open market, with a reasonable time allowed to find a purchaser, buying with full knowledge of all the uses and purposes to which it is adapted and for which it is capable of being used."

The reports will be Summary narrative reports, and will be in conformance with the standards and practices of the State of Arizona Board of Appraisal, and the guidelines and recommendations set forth in the Uniform Standards of Professional Practice (U.S.P.A.P.) by the Appraisal Foundation.

The reports will contain a complete description of the properties appraised, its environs, the methodologies employed, a detailed valuation analysis *including a comprehensive Highest and Best Use analysis*, related exhibits and addenda, and conclusions relative to Fair Market Value.

I will provide you with three copies each of the completed reports with an estimated delivery date of 15 business days from your authorization to proceed.

Completion of the valuation service as described in this letter will constitute full performance by Joseph Bock dba Bock Appraisal Services. This agreement may be terminated by giving written notice of such termination and specifying the effective date,

thereof, at least three days before the effective date of the termination. In that event, Joseph Bock shall be entitled to receive just and equitable compensation for any work completed on such documents and other materials.

The fee for the service will be $2,200. Ordinarily, a retainer of 50% is requested, with the balance due upon delivery of the reports. Provided I receive payment within five business days of delivery of reports, I will waive the retainer.

I appreciate this opportunity to be of service to you and look forward to working on this assignment. I request your formal acceptance of this proposal by signing and returning (or faxing) one copy of this letter and the requested retainer, or you're sending me an engagement letter.

Very truly yours,

Joseph G. Bock, ACGA

Accepted: Dated:

_____ _____

RESUME AND QUALIFICATIONS

JOSEPH G. BOCK
Real Estate Appraiser

2155 Shelby Dr., Suite C
Sedona, AZ 86336

Phone: (928) 282-0850
Fax: (928) 282-0860

EXPERIENCE 35 years in Real Estate, Appraisal and Sales

EMPLOYMENT HISTORY

June 1996 – present — Independent Commercial Fee Appraiser
Sedona, Verde Valley (Cottonwood, Cornville, Clarkdale, Camp Verde, Rimrock)
Prescott, Flagstaff

Oct. 1998 – March 2000, also Commercial & Land Sales, Coldwell Banker 1st Affiliate, Sedona AZ,

1992 – 1996 — Senior Appraiser, San Francisco Federal, San Francisco, CA
Appraised Commercial, Land and Residential Subdivisions in San Francisco Bay Area & Southern CA (Company closed in 1996, acquired by 1st Nationwide Bank)

1990 – 1992 — American Appraisal Associates, San Francisco, CA
Senior Appraiser: Valued Commercial properties and Land in six states

1986 – 1989 — Owner, Residential & Commercial Appraisal Firm, three employees, Denver, CO

1980 – 1985 — Midland Federal Savings, Denver, CO
Assistant Vice President; Senior Appraiser and Review Appraiser.
Residential and Commercial

1976 – 1979 — Real Estate Broker: Merrill Lynch Relocation Co., Des Plaines, IL
Marketed residential properties purchased from transferred employees

1971 – 1975 — Real Estate Broker and Salesman, Arlington Heights, IL
Baird and Warner, a 30 office firm. Life Member, Million Dollar Club 1974

PROFESSIONAL AFFILIATIONS

State Certified General (Commercial and Residential) Real Estate Appraiser, Arizona
License/Certificate CGREA No. 30844)
International Right of Way Association Member since 1999
Realtor's Land Institute (RLI); the only Verde Valley/Flagstaff member of this organization
State Certified General Real Estate Appraiser; California (Cert. No. AG005273) 1992-1997
Graduate: Realtor's Institute, GRI designation, since 1975
Real Estate Broker's License, Arizona, current
Real Estate Instructor; Triton Community College, River Grove, IL 1975-1977

EDUCATION

Loyola University, Chicago, IL – Bachelor of Science Degree
Appraisal Institute, NAIFA, Society R.E. Appraisers, over 20 full courses (5-6 days each)
Appraisal classes (1-2 days each; over 36) taken for State license renewals since 1992
Red Rock Community College, Denver, CO; Solar energy and R. E. Development courses

REFERENCES References and Client list available upon request.

portion of a narrative
Commercial land appraisal
J D Bock

SALES COMPARISON APPROACH

In the Sales Comparison Approach, sales of similar parcels of land in the general area are reviewed and compared to the subject. The comparable sales will be compared to the subject property on the basis of the following factors:

First, adjustments are made for property rights conveyed, conditions of sale where atypical conditions are considered, financing terms, and market conditions since the sale date to present. These items result in an adjusted price for each comparable before other physical items are compared.

Next, the physical characteristics of each sale are identified and compared, including such elements as location, access, size, shape, topography, utilities, and corner exposure. These are then quantified to obtain a final adjusted price per unit.

When comparing the subject to the sales on all of these items, various adjustments may be appropriate for inferior and superior items. These adjustments are weighted according to their importance. The unit prices from the comparable sales are adjusted to provide indications of unit value for the Subject. Typically, the adjusted unit values of the sales provide a range. The last stage of the sales comparison approach is to reconcile these indicated unit values and select a unit value estimate for the subject.

On the following page is a summary of recent land sales. All of the sales are located in Cottonwood and within 0.1 to 2 miles of the subject property.

SUMMARY OF RESIDENTIAL ZONED LAND SALES (Before Adjustment)						
Sale No.	Location A.P.N.	Zoning	Sale Date	Sale Price	Size/ Acres/ Sq. Ft.	Price / Sq. Ft.
1.	836 Cove Parkway APN 406-55-012	C-1	12/06	$265,000	0.50 21,780	$12.26
2.	642 E. Hwy. 89A APN 406-06-019N	C-1	10/06	$300,000	0.60 26,136	$11.48
3.	781 Cove Pkwy APN 406-55-037	C-1	05/05	$120,000	0.18 1,786	$15.18
4.	955 S. Camino Real APN 406-04-048A	C-2	04/07	$495,000	1.33 57,935	$8.54
5.	Cor Willard & Cottonwood Sts. APN 406-08-007E	I-2	Pending Sale	$225,000	0.35 15,406	$14.60
6.	700 E. Mingus Ave. APN 406-42-012C	C-1	Listing	$395,000	0.64 27,670	$14.28
	Subject	C-1	N/A	N/A	0.48 20,909	N/A

COMPARABLES 1 and 3

Comparables 1 and 3 are located on Cove Parkway, a 3-block street with mostly newer small office uses. It has a slightly lower traffic count and visibility than the subject location. The lots are slightly superior physically with no wash across their front ends. A +4% annual date of sale was applied to these as well as the subsequent comparable sales for average appreciation over time. Comp 3 requires a downward adjustment for a much smaller site, because smaller sites sell for more per unit due to economics of scale.

COMPARABLE 2

Comparable 2 is a slightly superior location on busier Hwy. 89A. This is a level site adjacent to the Sonic Drive-In. It also had no wash in front.

COMPARABLE 4

Comparable 4 is in a secondary location with less visibility. The site is larger requiring an upward size adjustment. It has more frontage and thus slightly more utility, also no wash. The topography (sloped) is inferior.

COMPARABLE 5

Comparable 5 is an industrial zoned site nearby, a pending sale in a new industrial park. The sales price was verified with one of the principals as approximately $225,000. This sale was included for information only, as being industrial, it is not directly comparable.

COMPARABLE 6

Comparable 6 is a current listing located directly across the street from the subject. A large downward adjustment was made for a probable sale somewhere below list price. It is otherwise very similar to the subject but with no wash in front. However, the site has other limitations which limit its utility according to a local market participant.

The above comparables are now considered in relation to the subject, and are compared by making adjustments for the differences which were discussed above based on sale date, size, location, access, visibility, topography and zoning. These adjustments are summarized in the chart which follows. All of the sites were similar in regard to utilities available and in close proximity to the subject.

LAND SALES ADJUSTMENT SUMMARY (IN %)

Sale No.	Sale Price / Sq. Ft.	Prop. Rights	Cond. Sale	Terms / Financing	Sale Date	Adj. Price	Location Access	Size/ Acres	Zoning	Corner / Shape	Topo - graphy	Net Adj. %	Adjusted Price / Sq. Ft.
1	$12.26	Fee	Market	Cash Equivalent	12/06 2.7%	$12.59	836 Cove Parkway 5%	0.50	C-1	Sup -5%	Sup -5%	-5%	$11.96
2	$11.48	Fee	Market	Cash Equivalent	10/06 3.3%	$11.86	642 E. Hwy. 89A -10%	0.60 5%	C-1	Sup -5%	Sim	-10%	$10.67
3	$15.18	Fee	Market	Cash Equivalent	05/05 9.0%	$16.55	781 Cove Parkway 5%	0.18 -20%	C-1	Sup -5%	Sup -5%	-25%	$12.41
4	$8.54	Fee	Market	Cash Equivalent	04/07 1.3%	$8.65	955 S. Camino Real 10%	1.33 30%	C-2	Sup -5%	Inf 5%	40%	$12.11
5	$14.60	Fee	Market	Cash Equivalent	Pending Sale	$14.60	Cor. Willard & Cottonwood Sts. 5%	0.35 -5%	I-2	Sup -10%	Sim	-10%	$13.14
6	$14.28	Fee	Market	N/A	Active Listing -20.0%	$11.42	700 E. Mingus Ave.	0.64 5%	C-1	Inf 5%	Sim	10%	$12.57
Subject					N/A			0.48	C-1				

Analysis

After adjustment, the price per square foot indices range from $10.67 to $13.14. Most consideration given to Comps 1, 2, 3 and 4, which are closed sales. Based on these comparable land sales after adjustment, a value of $11.50 to $12.00 per sq. ft. is estimated. Correlating to the midpoint of this range, a land value index of $11.75 per sq. ft. is estimated for the subject site.

Subject = 0.48 Acres = 20,909 sq. ft.

20,909 x $ 11.75 = $ 245,681

$ 246,000 (Rounded)

Based on the investigation described, it is my opinion that as of August 20, 2007, the Fair Market Value of the land is reasonably represented as follows:

$246,000

(Two Hundred Forty-Six Thousand Dollars)

Windstone
Appraisal Service, LLC
Values You Can Count On

Matthew J. Morris
Director
Housing & Neighborhood Revitalization
Town of Camp Verde
473 South Main Street, Suite 102
Camp Verde, AZ 86322

Re: APN 403-22-008 and APN 403-23-152A

Mr. Morris:

Per your request, our fee to appraise the above referenced properties is $2000 per property.

Our estimated time of completion is 4 to 6 weeks from your authorization to proceed.

The reports are to be complete summary narrative appraisal reports, prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

Enclosed for your consideration is a copy of our appraisal qualifications.

Respectfully submitted,

Michael W. Ritzenthaler
Arizona Certified Residential Real Estate Appraiser No. 20696

for Roy E. Morris

Roy E. Morris III, SRA FASA FRICS
Arizona Certified General Real Estate Appraiser No. 30029

1062 Canal Circle Camp Verde, Arizona 86322 Tel: 877-214 -7973 Fax: 877-214-7973

APPRAISAL EXPERIENCE AND QUALIFICATIONS OF ROY E. MORRIS III

ADDRESS:	3295 NORTH DRINKWATER BOULEVARD, SUITE 7 SCOTTSDALE, ARIZONA 85251
TELEPHONE:	480/948-4866
FAX:	480/991-2505
E-MAIL:	PROFVALSVC@AOL.COM

STATE OF ARIZONA QUALIFICATIONS

CERTIFIED GENERAL REAL ESTATE APPRAISER NO. 30029; RECERTFIED THROUGH AUGUST 2008

PROFESSIONAL PARTICIPATION

THE APPRAISAL FOUNDATION: TRUSTEE, 1992, 1993, 1994; ELECTED TO 3-YEAR TERM 1995-1997; ELECTED OFFICER 1996

THE APPRAISAL FOUNDATION ADVISORY COUNCIL: 1998-2001

INVESTIGATOR FOR ARIZONA BOARD OF APPRAISAL: 1994-PRESENT

PROFESSIONAL ORGANIZATIONS

APPRAISAL INSTITUTE

- CHAPTER OFFICER 1980 THROUGH 1984
- CHAPTER LEGISLATIVE 1986 AND 1987
- CHAPTER PARLIAMENTARIAN 1986 THROUGH 1990
- NATIONAL CANDIDATE GUIDANCE 1991 THROUGH 1994

AMERICAN SOCIETY OF APPRAISERS (FASA DESIGNATION):

- CHAPTER OFFICER 1979 THROUGH 1981
- FIVE-STATE REGIONAL GOVERNOR 1981 AND 1982
- INTERNATIONAL TREASURER, VICE PRESIDENT AND SENIOR VICE PRESIDENT 1983-1987
- INTERNATIONAL PRESIDENT 1987 AND 1988
- CHAIRMAN/BOARD OF EXAMINERS 1998 THROUGH 1991

THE ROYAL INSTITUTE OF CHARTERED SURVEYORS (FRICS DESIGNATION)

INTERNATIONAL RIGHT-OF-WAY ASSOCIATION

BASIC EDUCATION AND CONTINUING EDUCATION FOR PROFESSIONAL RECERTIFICATION

AS STUDENT:

BACHELOR OF SCIENCE DEGREE IN FINANCE AND REAL ESTATE; ARIZONA STATE UNIVERSITY

COURSE 301, INVESTMENT AND FEASIBILITY ANALYSIS; SREA; 1977

NARRATIVE APPRAISAL REPORT WRITING SEMINAR; SREA; 1979 AND 1984

INSTRUCTORS CLINIC; SREA; 1984

MACHINERY AND EQUIPMENT APPRAISING COURSE; ASA; 1985

HP-12C INCOME PROPERTY ANALYSIS COURSE; NW CENTER FOR PROFESSIONAL DEVELOPMENT; 1986

THE EFFECTS OF CONTAMINATION ON VALUE; ASA; 1988

COURSE 201, PRINCIPLES OF INCOME PROPERTY APPRAISING; SREA; 1989

LEADING EDGE APPRAISER SEMINAR; AIREA; 1990

INCOME VALUATION FOR THE 1990S; SREA; 1990

SREA USPAP COURSE; 15-HOUR COURSE/EXAM; 1991

STATE CERTIFICATION EXAM PREP COURSE; ASA; 1991

APPRAISAL INSTITUTE STANDARDS MODULES A AND B; 1994

FAIR LENDING; APPRAISAL INSTITUTE; 1994
FHLMC LOAN PROSPECTOR "VALUE IT;" 1995
LITIGATION AND THE APPRAISER; APPRAISAL INSTITUTE; 1995
WRITING FHA APPRAISALS; APPRAISAL INSTITUTE; 1995
USPAP UPDATE AND INSTRUCTORS CLINIC; APPRAISAL FOUNDATION; 1996
COURSE 802, LEGAL ASPECTS OF EASEMENTS; IRWA; 1997
COURSE 902, PROPERTY DESCRIPTIONS; IRWA; 1998
ASFMRP SPRING AG FORUM; 1997 THROUGH 2002
USPAP UPDATE AND INSTRUCTORS CLINIC; APPRAISAL FOUNDATION; 1998 THROUGH 2001
NATIONAL APPROVED USPAP INSTRUCTOR; 2002
USPAP UPDATE; APPRAISAL FOUNDATION; JANUARY 2004
SPRING AG FORUM; ASFMRA; FEBRUARY 2004
INCOME APPROACH: AN INTERNATIONAL PERSPECTIVE; AMERICAN SOCIETY OF APPRAISERS; JULY 2004
EMINENT DOMAIN CASE STUDIES; AMERICAN SOCIETY OF APPRAISERS; JULY 2004

PROFESSIONAL INSTRUCTION EXPERIENCE

ASSOCIATION OF PROFESSIONAL MORTGAGE WOMEN UNDERWRITERS' SEMINAR; SREA; 1985
ARIZONA YOUNG MORTGAGE BANKERS UNDERWRITERS' SEMINAR; SREA; 1986
LAND ANALYSIS SEMINAR; SCOTTSDALE BOARD OF REALTORS; 1986 AND 1987
FUNDAMENTAL APPRAISAL COURSE; ASA; 1986 THROUGH 1993
UNDERWRITERS' SEMINAR; SREA; 1988
GRI PROGRAM INSTRUCTOR; ARIZONA ASSOCIATION OF REALTORS; 1989 AND 1990
APPRAISAL TRENDS AND REAL ESTATE MARKET; AZ SCHOOL OF REAL ESTATE/BUSINESS; 1990, 1992
COMMERCIAL APPRAISAL TRENDS FOR WESTCOR; REAL ESTATE SEMINARS, INC.; 1990
BEGINNING FINANCIAL ON HP-12C; REAL ESTATE SEMINARS, INC.; 1991
ANNUAL COLLOQUIUM; COMMISSION DE AVALUOS DE BIENES NACIONALES, MEXICO CITY; 1993-1994
COURSE 406 USPAP; INTERNATIONAL RIGHT-OF-WAY ASSOCIATION; 1999
APPRAISAL FOUNDATION NATIONALLY APPROVED USPAP INSTRUCTOR
USPAP COURSES 101/102; ARIZONA SCHOOL OF REAL ESTATE AND BUSINESS; 1999 TO PRESENT
APPRAISING MANUFACTURED HOUSING; JUNE 2004 AND AUGUST 2004
APPRAISAL REVIEW PROCESS; MAY 2004 AND JULY 2004

RELATED EMPLOYMENT

- UNITED BANK OF ARIZONA: SUPERVISOR IN TRUST DEPARTMENT. RESPONSIBLE FOR TRUST OPERATIONS WHICH INCLUDED REAL ESTATE INVESTMENTS/ANALYSIS; 1965-1966 AND 1968-1969.
- SOUTHWEST SAVINGS & LOAN ASSOCIATION: LOAN OFFICER IN MORTGAGE ORIGINATION DEPARTMENT. DUTIES INCLUDED SUPERVISION AND REVIEW OF STAFF APPRAISERS, FEE APPRAISERS, AND MAKING APPRAISALS ON SINGLE-FAMILY AND MULTI-FAMILY DWELLINGS, MOBILE HOMES, COMMERCIAL PROPERTIES, AND VACANT LAND.
- NATIONAL MODULAR SERVICES, INC.: RESPONSIBLE FOR DEVELOPMENT OF NEW AND USED MOBILE HOME/MODULAR HOME FINANCING AND APPRAISING IN THE STATE OF ARIZONA; RESPONSIBLE FOR APPRAISING AND DISPOSING OF REPOSSESSED MOBILE AND MODULE HOMES; 1972 TO 1974.

I HAVE APPRAISED REAL ESTATE AND MOBILE HOMES ON A FEE BASIS FOR GOVERNMENT AGENCIES, SAVINGS AND LOANS, MORTGAGE COMPANIES, INVESTMENT COMPANIES, ATTORNEYS (FOR ESTATE VALUATIONS, TRUSTS, EMINENT DOMAIN, AND TAX PURPOSES), AND FOR INDIVIDUALS. I AM A QUALIFIED EXPERT WITNESS IN THE STATES OF ARIZONA, COLORADO, AND CALIFORNIA, AND HAVE GIVEN TESTIMONY IN FEDERAL AND STATE COURTS. I HAVE ACTED IN CONSULTANT/REVIEW CAPACITY TO GOVERNMENT AGENCIES, MORTGAGE INSURANCE COMPANIES, CORPORATIONS, COURTS, AND INDIVIDUALS.

PARTIAL LIST OF CLIENTS

ARIZONA CORPORATION COMMISSION/SECURITIES FRAUD DIVISION
ARIZONA BOARD OF APPRAISAL
ARIZONA DEPARTMENT OF TRANSPORTATION
ARIZONA PUBLIC SERVICE COMPANY
ARIZONA STATE PARKS DEPARTMENT
ATTORNEY GENERAL OF STATE OF ARIZONA
CITY OF CHANDLER
CHOICE ONE MORTGAGE
FEDERAL BUREAU OF INVESTIGATION
FEDERAL DEPOSIT INSURANCE CORPORATION
G. E. MORTGAGE INSURANCE
CITY OF GLENDALE
LASALLE NATIONAL BANK
LOCKHEED FEDERAL CREDIT UNION
MARICOPA COUNTY COMMUNITY DEVELOPMENT
MARICOPA COUNTY FLOOD CONTROL DISTRICT
CITY OF MESA
PMI MORTGAGE INSURANCE CORPORATION
PERFORMANCE MORTGAGE
CITY OF PHOENIX
CITY OF SAFFORD
CITY OF SCOTTSDALE
SALT RIVER PROJECT
STATE FARM INSURANCE
STATE MORTGAGE
CITY OF TEMPE
U. S. ATTORNEY
U. S. MARSHALL SERVICE
TOWN OF WICKENBURG

APPRAISAL EXPERIENCE AND QUALIFICATIONS OF MICHAEL W. RITZENTHALER

ADDRESS: 1062 S. Canal Circle
Camp Verde, AZ 86322
TELEPHONE: 877-214-7973
FAX: 877-214-7973
E-MAIL: mike@windstoneappraisal.com

STATE OF ARIZONA QUALIFICATIONS

- Certified Residential Real Estate Appraiser #20696; Recertified through December 2008

PROFESSIONAL ORGANIZATIONS

- Member, Sedona Verde Valley Association of Realtors
- Member, Scottsdale Association of Realtors
- Member, Prescott Area Association of Realtors
- Member, Northern Arizona Board of Realtors

RELATED EMPLOYMENT EXPERIENCE

- Real Estate Appraiser with Windstone Appraisal Service from June 1992 to present.
- 3RD generation real estate appraiser.
- Owner/Manager of multi-appraiser firm providing service to 4 Arizona counties
- Extensive experience in appraisal of unique and high-value homes, including private golf resort properties, waterfront properties, ranchettes, etc.
- Experienced in the appraisal of complex residential properties, including vacant land, Straw bale and rammed earth construction, Alternative energy "off the grid" homes, and 2-4 family dwellings

RELATED EDUCATION

- Real Property Valuation 101; Arizona School of Real Estate; 1993
- Real Property Valuation 102; Arizona School of Real Estate; 1993
- Federal Fair Housing & the ADA; Arizona School of Real Estate; 1996
- Land Contamination & Environmental Survey; Arizona School of Real Estate; 1996
- Valuation of Detrimental Conditions in Real Estate; Appraisal Institute; 2000
- Residential Property Construction; Appraisal Institute; 2000
- Fundamentals of Real Estate Exchange; AZ School of Real Estate & Business; 2002
- Land Planning and Zoning; AZ School of Real Estate & Business; 2002
- FHA Appraisal Requirements; AZ School of Real Estate & Business; 2004
- Appraising Manufactured Housing; Appraisal Institute; 2006
- Real Property Valuation - Statistics & Analysis; Industrial Appraising
- USPAP 7 Hour Update; AZ School of Real Estate & Business; 2006

PARTIAL LIST OF CLIENTS

- State Farm Financial
- World Savings
- Great Southwest Mortgage
- USAA Federal Savings Bank
- Wells Fargo Home Mortgage/ RELS
- Town of Camp Verde
- Wallick & Volk
- Union Planters Mortgage
- Suburban Mortgage
- National Bank of Kansas City
- Flagstar Bank
- Lenders Service, Inc.
- Meridian Bank
- TransUnion Settlement Services

RUS

H. J. Wolfinger Golder

INSTRUMENT # 8941996
OFFICIAL RECORDS OF
YAVAPAI COUNTY
PATSY C. JENNEY
REQUEST OF:
H J WOLFINGER
DATE: 11/13/89 TIME: 12:35
FEE: 7.00 SC: 4.00 PT:
BOOK 2199 PAGE 331 PAGES: 007

$	1	P	4	Co	5	M
Bk		Map			Pcl	

UNOFFICIAL COPY

DECLARATION OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, being the owners of all parcels of land and property adjacent to the private easement and right of way hereby created, do hereby declare and dedicate for the use of the undersigned, their heirs, successors, and assigns, and their invitees, the strip of land and property, twenty (20) feet in width hereinafter described, as and for a private easement, roadway and right of way, for ingress to and egress from the properties of the undersigned.

Said easement and right of way shall be known as "PETERSON ROAD," and shall be located upon, over and across a portion of the North Half 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:

A strip of land 20.00 feet in width, being 10.00 feet to the left and 10.00 feet to the right of the following described center line:

Commencing at a point on the East-West midsection line of said Section 25 which bears N89°28'00"W, a distance of 1083.29 feet from the East Quarter Corner of said Section 25 and bears S89°28'00"E, a distance of 1565.47 feet from the center of said Section 25, thence N26°57'00"W, a distance of 47.44 feet to the point of beginning.

Thence from the point of beginning, continue N26°57'00"W, a distance of 599.76 feet; thence
N42°15'58"W, a distance of 38.05 feet; thence
N51°39'14"W, a distance of 35.26 feet; thence
N83°20'26"W, a distance of 39.77 feet; thence
S84°16'51"W, a distance of 58.66 feet; thence
N89°34'36"W, a distance of 54.47 feet; thence
N85°23'36"W, a distance of 55.12 feet; thence
N77°03'56"W, a distance of 238.72 feet; thence

N80°31'46"W, a distance of 90.57 feet; thence
N86°09'33"W, a distance of 72.33 feet; thence
N88°06'39"W, a distance of 36.23 feet; thence
S89°34'57"W, a distance of 70.15 feet; thence
S85°25'57"W, a distance of 78.28 feet; thence
S81°55'28"W, a distance of 116.32 feet; thence
S77°53'17"W, a distance of 88.91 feet; thence
S73°22'16"W, a distance of 475.47 feet, more or less to the point of terminus on the easterly right of way line of "Industrial Road," as shown and described in instrument recorded November 24, 1986 on Book 1878, Pages 624 through 626, official records of Yavapai County, Arizona.

For purposes of this description, the aforementioned lines being 10.00 feet to the left and 10.00 feet to the right of the above described line are intended to be lengthened or shortened to terminate on the aforementioned easterly right of way line of "Industrial Road."

IN WITNESS WHEREOF, the undersigned have executed this instrument as of this 31st day of October, 1989.

WILLIAM E. DAVIDSON

JULIE A. DAVIDSON

THOMAS R. FISCHER

PATRICIA FISCHER

BERNADINE LIPPINCOTT

RUTH DAVIDSON

KENNETH A. STOKES

LEAH K. STOKES

DALE W. STONE

NENA STONE

UNOFFICIAL COPY

SUPERIOR COMPANIES, a corporation

By _____ Its President

By _____ Its Secretary

_____ LENARD WILSON

_____ LAVERNA WILSON

SEAL

Donald H. Summit
DONALD H. SUMMIT

Lessie E. Wilson
LESSIE E. WILSON

La Vena L. Wilson
LA VENA WILSON

SUPERIOR MATERIALS, an Arizona Corporation

BY: _____
President

BY: _____
Secretary

STATE OF ARIZONA)
) ss.
County of Navajo)

The foregoing instrument was acknowledged before me this 8 day of November 1989, by William E. Davidson and Julie A. Davidson, husband and wife.

SEAL

Dixie G. Tupton
Notary Public

My commission expires:
My Commission Expires Feb. 2, 1992

STATE OF ARIZONA)
) ss.
County of ~~Navajo~~ Coconino)

The foregoing instrument was acknowledged before me this 23 day of October 1989, by Thomas R. Fischer and Patricia Fischer, husband and wife.

SEAL

Notary Public

My Commission expires:
My Commission Expires 7-17-91

UNOFFICIAL COPY

STATE OF ARIZONA)
) ss.
County of Yavapai)

The foregoing instrument was acknowledged before me this 17th day of October 1989, by Bernadine Lippincott.

OFFICIAL SEAL
EVELYN A. REICH
NOTARY PUBLIC, STATE OF ARIZONA
MARICOPA COUNTY
My Comm. Expires Nov. 14, 1991

Evelyn A. Uscio Mr: Reich
Notary Public

My commission expires:

STATE OF ARIZONA)
) ss.
COUNTY OF YAVAPAI)

The foregoing instrument was acknowledged before me this 17 day of October 1989, by Ruth Davidson.

SEAL

Nina G. Upton
Notary Public

My commission expires:
My Commission Expires Feb. 2, 1992

STATE OF ARIZONA)
) SS.
County of Yavapai)

The foregoing instrument was acknowledged before me this 17 day of October 1989, by Kenneth A. Stokes and Leah K. Stokes, husband and wife.

SEAL

Nina G. Upton
Notary Public

My commission expires:
My Commission Expires Feb. 2, 1992

STATE OF ARIZONA)
) ss.
SEAL County of Yavapai)

The foregoing instrument was acknowledged before me this 17 Day of October 1989, by Dale W. Stone and Nena Stone, husband and wife.

BOOK 2199 PAGE 335

Nina G. Upton
Notary Public

My commission expires My Commission Expires Feb. 2, 1992

UNOFFICIAL COPY

Page 5.

The following property owners are acknowledged but refused to sign this document.

WALTER E. KILLEEN and CONNIE V. KILLEEN, husband and wife
FRED L. MATHEWS and INEZ MATHEWS, husband and wife
KENNETH J. WESOLOWSKI and KATHLEEN R. WESOLOWSKI, husband and wife

UNOFFICIAL COPY

STATE OF Arizona }
County of Yavapai } ss.

On this the 17th day of October, 1989, before me,

the undersigned, a Notary Public, personally appeared

Lenzie E. Wilson and La Vena Wilson

known to me (or satisfactorily proven) to be the person s whose name s are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

My Commission expires

OFFICIAL SEAL
EVELYN A. REICH
NOTARY PUBLIC - STATE OF ARIZONA
YAVAPAI COUNTY
My Comm. Expires Dec. 21, 1991

Evelyn A. Reich nee: Reich
Notary Public

-NOTARY ACKNOWLEDGMENT-
FATCOA 6/71

STATE OF Arizona }
County of Yavapai } ss.

On this the 17 day of October, 1989, before me,

the undersigned, a Notary Public, personally appeared

Donald H. Summit

known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

SEAL
My Commission expires My Commission Expires Feb. 2, 1992

Nina G. Upton
Notary Public

-NOTARY ACKNOWLEDGMENT-
FATCOA 6/71

BOOK 2199 PAGE 336

STATE OF ARIZONA
County of Maricopa } ss.

The foregoing instrument was acknowledged before me this 17th day of August, 1989, by ARCHER V. SHELTON, President of Superior Companies, a corporation and by MARY A. KESSLER, Secretary of the corporation.

Caroline L. Stinsky
Notary Public

SEAL

My commission expires:
September 22, 1992

UNOFFICIAL COPY

INSTRUMENT # 9041992
OFFICIAL RECORDS OF
YAVAPAI COUNTY
PATSY C. JENNEY
REQUEST OF:
H J WOLFINGER
DATE: 10/31/90 TIME: 08:15
FEE: 5.00 SC: 4.00 PT:
BOOK 2301 PAGE 758 PAGES: 004

RUSH

DECLARATION OF EASEMENT

UNOFFICIAL COPY

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, FRED L. MATHEWS and INEZ MATHEWS, husband and wife, do hereby declare and acknowledge that the property hereinafter described, shall be and shall be used as a roadway and right of way on, over and across the property of the undersigned, hereinafter described.

The area traversed by said easement is described on Exhibit A, attached hereto and made a part hereof by reference.

This easement shall run with the title to the property of the undersigned affected thereby, and shall be for the use and benefit of the undersigned and of all owners of adjacent properties bordering the roadway known as BELLOWS LANE or PETERSON LANE, of which the above easement area is a part. Said Bellows Lane or Peterson Lane terminates at its Westerly end at Industrial Drive, a dedicated roadway.

Grantors have executed this easement on the specific understanding and assurance by the other affected land owners who have executed similar easements for Bellows or Peterson Lane, that the above description encompasses the roadway as it now exists and is being used and that said roadway will not be moved or expanded from its existing location and width.

BOOK 2301 PAGE 758

IN WITNESS WHEREOF, the undersigned have executed this Declaration of Easement this 26th day of October, 1990.

FRED L. MATHEWS

INEZ MATHEWS

STATE OF ARIZONA)
County of ~~Coconino~~ Yavapai) ss.

The foregoing instrument was acknowledged before me this 26th day of October, 1990, by FRED L. MATHEWS and INEZ MATHEWS, husband and wife.

SEAL

Notary Public

My commission expires:

My Commission Expires Feb 29, 1992

UNOFFICIAL COPY

Exhibit A-1

DALE W. STONE
REGISTERED LAND SURVEYOR

CAMP VERDE, ARIZONA 86322
(602) 567-5344

ALLIED LAND SURVEYING

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 Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

COMMENCING at the Southwest Corner of the Southwest Quarter of the Northeast Quarter of said Section 25, being also the center of said Section 25;

THENCE North 02°10'27" East (of record - North 02°10' East and North 01°44'53" East), along the west line of the Southwest Quarter of said Northeast Quarter, a distance of 457.00 feet (of record - 457.00 feet), to the southwest corner of that certain real property described in Book 1572, Page 599, Official Records of Yavapai County;

THENCE North 02°10'27" East, continuing along said west line, being also the west line of said real property, a distance of 118.66 feet to the POINT OF BEGINNING.

THENCE North 73°22'16" East, a distance of 226.90 feet;

THENCE North 77°53'17" East, a distance of 53.18 feet to a point on the south line of that certain real property described in Book 573, Page 129 of said records, being also a point on the north line of said real property described in Book 1572, Page 599 of said records;

THENCE South 86°49'49" West (of record - South 86°00' West), along said south line, a distance of 103.92 feet;

THENCE South 73°22'16" West, a distance of 172.03 feet to said west line of the Southwest Quarter of the Northeast Quarter of said Section 25;

THENCE South 02°10'27" West, along said west line, a distance of 21.13 feet to the POINT OF BEGINNING.

Comprising an area of 4,418.77 square feet, more or less (0.1014± acres).

See "Exhibit A" attached hereto and by this reference made a part hereof.

REGISTERED LAND SURVEYOR
12218
DALE W. STONE
1-16-90
Date Signed
Arizona U.S.A.

• COMPLETE SURVEYING SERVICES •

Sheet "1" of 1

Calculated by D.W.S.

P.O. BOX 1298
CAMP VERDE, AZ 86322

(602) 567-5344

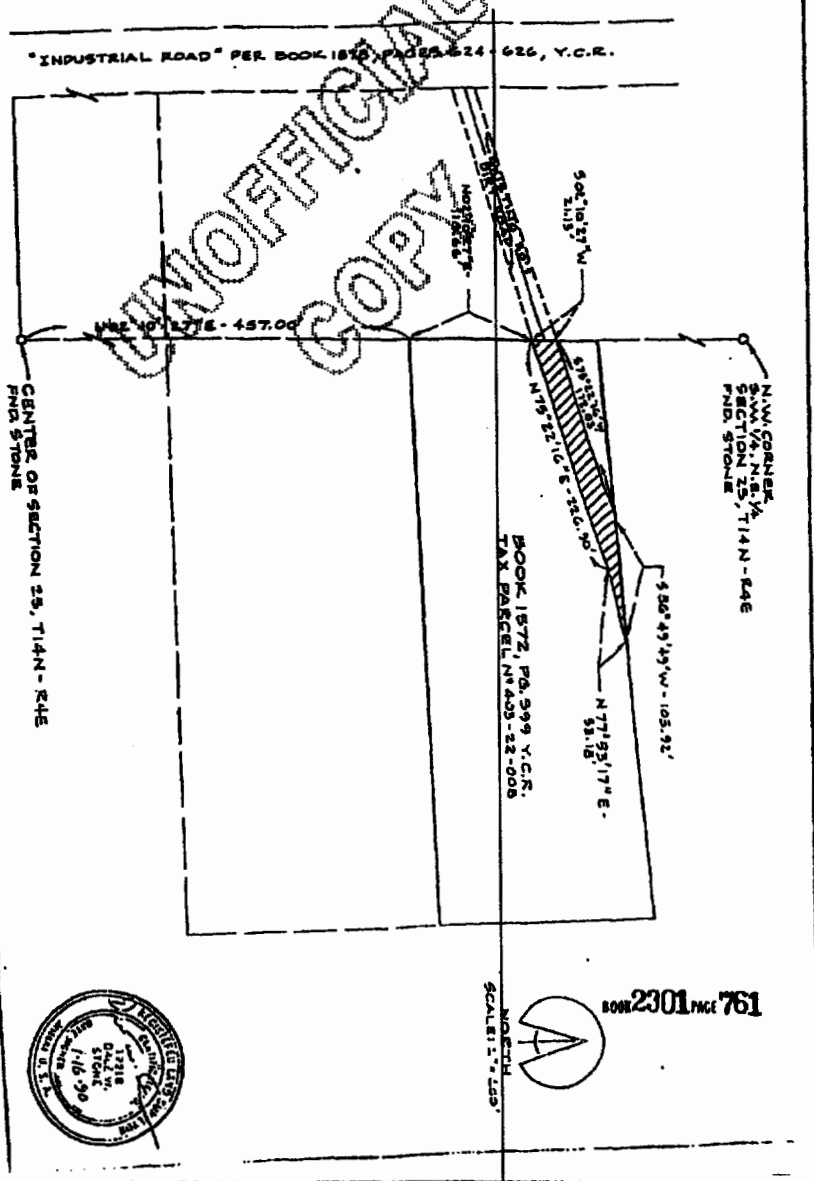
ALLIED LAND SURVEYING

DALE W. STONE
Registered Land Surveyor
Arizona Registration No. 12218

Date JAN. 15, 1990

Job No. MATHEWS

"EXHIBIT A"



UNOFFICIAL COPY

BOOK 2301 PAGE 761

STATE OF ARIZONA } ss. I hereby certify that the within instrument was filed
County of }

in DOCKET page and ind

at the request of

When recorded, mail to
Fred L. & Inez F. Mathews
Box 1271
Camp Verde, AZ 86322

Witness my hand and offic

By

Depaty Recorder

Instrument #32471
Recorded Official Records
of Yavapai County, Arizona.
SEP 28 '83 -12 13 PM
at the request of FIRST AMERICAN TITLE
PATSY C. JENNEY, County Recorder
Deputy Kathryn Johns

Fee

5

Order No.

JOINT TENANCY DEED

For the consideration of Ten and NO/100 Dollars, and other valuable considerations, I or we John L. Mathews an unmarried man

the GRANTORS

do hereby convey to Fred L. Mathews and Inez F. Mathews, husband and wife Joint Tenance With Right Of Survivorship

the GRANTEES

not as tenants in common and not as a community property estate, but as joint tenants with right of survivorship,

the following described real property situate in Yavapai County, Arizona.

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 2° 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 2° 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 0° 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.

THIS INSTRUMENT IS BEING RECORDED TO CORRECT PREVIOUS DEED RECORDED 8/23/83 in Book 1561 of official records, Page 968, to disclose marital status of the Grantor and to establish the joint tenancy of the Grantees.

SUBJECT TO: Existing taxes, assessments, liens, encumbrances, covenants, conditions, restrictions, rights of way and easements of record.

And the Grantor ___ do ___ warrant the title against all persons whomsoever, subject to the matters above set forth.

The grantees by signing the acceptance below evidence their intention to acquire said premises as joint tenants with the right of survivorship, and not as community property or as tenants in common.

Dated this 24th day of September, 1983.

Accepted and approved:

x Fred L. Mathews
Fred L. Mathews

x John L. Mathews
John L. Mathews

x Inez F. Mathews
Inez F. Mathews

STATE OF ARIZONA } ss.
County of Coconino }

This instrument was acknowledged before me this 24th day of September 1983 by
Fred L. Mathews
Inez F. Mathews
John L. Mathews

SEAL BOOK 1572 PAGE 599

Notary Public

My commission expires: 2 April 1985

STATE OF ARIZONA } ss.
County of }

This instrument was acknowledged before me this ..... day of ..... by

Notary Public

My commission expires:

FATCOA 8052 (Rev. 8/79)

3767420 BK 4188 PG 573
Yavapai County, Arizona
Patsy Jenney-Colon, Recorder
09/20/2004 11:21A PAGE 1 OF 3
YAVAPAI TITLE AGENCY
RECORDING FEE 7.00
SURCHARGE 8.00
POSTAGE 1.00

At the request of Yavapai Title Agency
when recorded mail to
DAVID COTE
P.O. BOX 2109
CAMP VERDE, ARIZONA 86322

09000322—EJ

Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, I or we,

LAWRENCE F. BELLISIME, as Trustee of the LAWRENCE F. BELLISIME REVOCABLE TRUST dated August 10,1988

do/does hereby convey to

DAVID COTE AND GILBERT D. KRAUSE AND RANDALL J. PELTON, AS TRUSTEES, OF THE COTTONWOOD CONGREGATION OF JEHOVAH'S WITNESSES, ARIZONA

the following real property situated in **YAVAPAI** County, Arizona:

See Exhibit A attached hereto and made a part hereof.

SEE TRUST DISCLOSURE ATTACHED

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

And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above.

Dated this **September 8, 2004**

LAWRENCE F. BELLISIME REVOCABLE TRUST
DATED AUGUST 10, 1988

LAWRENCE F. BELLISIME, TRUSTEE

STATE OF NEVADA
County of Clark } ss

This instrument was willingly acknowledged before me this 10th day of Sept, 2004 by **LAWRENCE F. BELLISIME, AS TRUSTEE OF THE LAWRENCE F. BELLISIME REVOCABLE TRUST DATED AUGUST 10, 1988**

Notary Public - State of Nevada
COUNTY OF CLARK
WENDY HOLLINGSWORTH
My Appointment Expires July 11, 2007

Notary Public
My commission will expire 07-11-2007

STATE OF ARIZONA
County of } ss

This instrument was willingly acknowledged before me this ___ day of _____, _____ by

Notary Public
My commission will expire_____

YAVAPAI TITLE AGENCY

"Commitment To Service"

TRUST DISCLOSURE

September 8, 2004

To: The Trustees of the LAWRENCE F. BELLISIME REVOCABLE TRUST dated AUGUST 10, 1988

Re: Escrow No. 09000322EJ

In order to complete your transaction it is necessary that you provide us with a copy of your trust. Specifically, we need at least the following:

1. The first page giving the date and name of the trust and the trustee(s)
2. The page which specifies the power of the trustee(s) necessary to execute the documents required in this transaction
3. The page disclosing the current beneficiaries, (NOT successor beneficiaries)
4. The signature page(s)

In order to comply with A.R.S. 33-404 on the conveyance, you will need to provide the name(s) and address(es) of the current beneficiaries:

Name	Address
DAVID J Bellisime	3704 N. KENNETH KINGMAN AZ 86401
DAWN M Bellisime (MOORSCHBACH)	3505 SE Russell CT. Hillsboro OR. 97123
LISA A SIMMONS	4280 Newland ST. Wheat Ridge Co. 80033

By signing below, you are assuring Yavapai Title Agency that you have provided a true and correct copy of the trust which has not been amended, terminated or revoked except as provided to us herewith, and that the same is in full force and effect.

Executed this 12 day of September,

[signature], Trustee

, Trustee

452 West Finnie Flat Rd S-M • Camp Verde, AZ 86322 • (928) 567-0590 • FAX:(928) 567-0592

Exhibit A

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;

BEGININNG 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 BEGININNG.

Verde Valley Congregation of Jehovah's Witnesses
Building Committee

c/o Bill Gardner
627 S. Azure Drive
Camp Verde, AZ 86322
928 567-2822
602 999-2799

Re: Proposed Oasis Road Land Exchange; Ltr dated 11/9/07

Dear Mr Scannell

We are in receipt of your letter and greatly appreciate the diligence you have shown in acting on this matter in such a timely manner.

We agree on the importance of getting the appraisals on both properties as soon as possible since the equivalency of the appraised values is critical to completion of the exchange. We agree to receive and pay the invoices for both appraisals as long as they are done by a certified appraiser. We expect the cost to be reasonable and usual for this area and therefore limit our obligation to $1000.00 for appraisals on both properties.

If the appraised value of the two properties meet the requirements of state statutes governing the trade of real property by incorporated towns then we will proceed to the additional steps necessary on the Oasis Drive property to accomplish the proposed trade.

We stated in the proposal to Town Council that if this trade can not be accomplished we will proceed with rezoning and sale of the Peterson Road property and seek a more a suitable site for the Kingdom Hall. Certain documents will be required in either event so we will arrange for an ALTA Survey and a Phase 1 Environmental Study on the Peterson Road property in addition to the appraisal. When called for in the process, if it is able to continue, these documents will be available for recording in the transfer of title. If the trade cannot be accomplished the documents will be of value to us in the sale of the property.

There is a matter that requires special attention to the appraiser regarding the Oasis Drive property. In the year 2002 ADOT adjusted the Right-of-way boundary on the north, and either ADOT or Town of Camp Verde adjusted the Right-of-Way boundary along Oasis Drive. These actions changed the lot size from 2.97, as Yavapai County records show, to 2.5 acres shown on the survey document sealed by Registered Land Surveyor Dugan L McDonald, dated 6/11/02. Mr. McDonald was associated with Heritage Land Surveying and Mapping Inc. located at 738 S. Parks, Camp Verde. Their Job Number shown on the survey is #02-0622LS. It appears that the change in property boundaries was not recorded

with the Yavapai County recorders office. It is doubtful that an appraiser would become aware of these changes which would result in an erroneous appraisal and delay in the process of trade. Your Mr. Marvin Buckel in the Street Department in Camp Verde is familiar with this issue.

Thank you again for your prompt response.

We, the Construction Committee for the Verde Valley Congregation, agree to pay the cost of appraisals arranged by the Town of Camp Verde on: the property owned by Town of Camp Verde located at Hwy 260 and Oasis Drive in Camp Verde and property owned by the Congregation at 1451 E. Peterson Road, Camp Verde; assuming costs are reasonable and usual for this area and do not exceed the maximum cost of $1000.00 for both appraisals.

Member: Bill Gardner Date: 11/25/07 Member: Jack Carlson Date: 11/25/07

Bill J. Gardner Jack Carlson

Member: Brad Stevens Date: 11/25/07 Member: Kevin C. Shafer Date: 11/26/07

Brad Stevens Kevin Shafer

TOWN OF CAMP VERDE
Council Agenda Action Form

Meeting Type: Special Session **Meeting Date: December 12, 2007**

Submitting Department: P&Z **Contact Person: Nancy Buckel**

Regular: ☒ **Requesting Action:** ☒

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

☐ Acceptance/Approval
☒ Final Plat
☐ Rezoning
☐ Public Hearing
☐ Special/Temp Use Permit

Preliminary Plat
☐ Special Consideration
☐ Other:

Agenda Text : RESOLUTION 2007-736 OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING FINAL PLAT 2007-01 FOR SLEEPY HOLLOW TOWN HOMES LOCATED ON PARCEL 404-30-029D CONSISTING OF 20 TOWNHOME UNITS ON 2.40 ACRES. THIS PROJECT IS LOCATED OFF OF NICHOLS STREET AND EAST OF TOWN HALL.

Purpose of Item and Background Information: Sleepy Hollow Limited Liability Corporation, Owners: Dugan McDonald and Dave Meier have requested the approval for the Final Plat of the Sleepy Hollow Town Homes Subdivision. Staff has completed their review for the FINAL PLAT and the ON & OFF SITE IMPROVEMENT PLANS for the development. On October 18, 2007, the Town Engineer authorized the Community Development Department to place this request for the Final Plat approval on the Town Council Agenda.

The Preliminary Plat for the Sleepy Hollow Town Homes Subdivision was approved by the Town Council on August 30, 2006 with the following stipulations:

1. The Developer will dedicate an additional 10 feet of Right of Way for Nichols Street and construct the sidewalk and curb along Nichols and Fain Streets. This stipulation was added per the Town Engineers review comments.
2. The Developer will provide a fire lane within the development and two fire hydrants as requested by the Camp Verde Fire District.
3. The Developer will provide automatic sprinklers in the garages of every unit and have a four-hour Firewall separating each unit.

Per Stipulation 1 from above:
The Town Engineer, during the review process, met with the developer to discuss area limitations to the proposed development. It was determined that in order for the development to maintain the required 20 feet wide clear fire lane and a proposed retaining wall along the East side of Nichols Street the stipulated additional 10 feet of Right of Way along Nichols Street would not be available. The Town Engineer determined that the Town of Camp Verde, being the owners of parcel 404-30-367A & 404-30-29, where the Streets Department Maintenance Shop is located, had enough area to provide the needed additional Right of Way for Nichols Street. Per the Final Plat for the Sleepy Hollow Town Homes, it is shown from the resulting survey by Dugan McDonald, that Fain Street, as it runs to the intersection of Woods Street, has only an existing 25 feet wide Right of Way. Also, Nichols Street has an existing 30 feet wide Right of Way as it runs North and South.

Nichols Street is a residential collector and is specified by the Town of Camp Verde Uniform Standards and Specifications to have a 50 feet wide Right of Way. As a requested future action of the Town Council, the Town Engineer is recommending that the Council approve the dedication of additional Right of Way from this Town owned property as referenced above to Nichols Street to bring it within the Town Standards and Specifications. In addition, it can be seen on the proposed Final Plat that the actual dirt roadway for Nichols Street is already encroaching into the Town property located on parcels 404-30-367A & 404-30-29. The Developer has indicated on the Final Plat, sheet 2 of 3, that a Vertical Curb and Sidewalk will be installed , at his cost, along the East (Starting at the Project Boundary) and side of Nichols Street and the South side of Fain Street to the intersection of Wood Street.

Per Stipulation 2 from above:
The Fire Lane has been provided on the Final Plat with individual garages and parking areas provided to each Town Home Unit. Two fire hydrant locations for the project have been approved by the Town of Camp Verde Fire District in a Plat Plan Review dated June 28, 2007.

Per Stipulation 3 from above:
The stipulation that the Developer provide automatic sprinklers in each garage and a 4 hour fire wall between each unit was removed in a Plat Plan Review by the Town of Camp Verde Fire District dated June 28, 2007.

Staff Recommendations: Should the Town Council decide to approve the Resolution Adopting the Final Plat for Sleepy Hollow Town Homes then, Staff is requesting that the Council provide direction on the future dedication of Right of Way from Town owned property along Nichols and Fain Street. Also, the following stipulations have been requested by the Town Engineer:

1. The Developer shall install a street light adjacent to Nichols Street near the entrance to the Sleepy Hollow Development.
2. The Developer shall construct vertical curb & gutter, and a 5 foot sidewalk along the East side of Nichols Street and the South side of Fain Street to the intersection with Woods Street.
3. The Developer is to prepare and submit the legal documents required for the recordation of the Dedication of the Town Property for the additional 20 and 25 Feet ROW on Nichols and Fain Streets, respectively.

List All Attachments as Follows: Resolution, Staff Report, Final Plat, Town Engineer comments and stipulations, Camp Verde Fire District Plat Plan Review Comments dated June 28, 2007, ADWR Water Report.

Type(s) of Presentation: Verbal Only

Signatures of Submitting Staff:

RESOLUTION 2007- 736

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING FINAL PLAT 2007-01 FOR SLEEPY HOLLOW TOWN HOMES LOCATED ON PARCEL 404-30-029D CONSISTING OF 20 TOWNHOME UNITS ON 2.40 ACRES. THIS PROJECT IS LOCATED OFF OF NICHOLS STREET AND EAST OF TOWN HALL.

WHEREAS, a request for a final plat (2007-01) approval was filed by Dugan Lee McDonald and David Meier, owners of parcel 404-30-029D, for Sleepy Hollow, LLC, and

WHEREAS, a preliminary plat was approved by the Common Council on August 30, 2006 in public hearings that were advertised and posted according to state law, and

WHEREAS, the purpose of the Final Plat is to allow for the development of a residential subdivision and to subdivide 2.40 acres into 20 Town Home lots, and

WHEREAS, the site construction improvement plans have been reviewed and approved by the Town Engineer, and

WHEREAS, the proposed subdivision will not constitute a threat to the health, safety, or welfare to the general public and should be approved;

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE RESOLVE, TO ADOPT FINAL PLAT 2007-736 FOR SLEEPY HOLLOW TOWN HOMES WITH THE FOLLOWING STIPULATIONS:

1. The Developer shall install a street light adjacent to Nichols Street near the entrance to the Sleepy Hollow Development.
2. The Developer shall construct vertical curb & gutter, and a 5-Foot sidewalk along the East side of Nichols Street and the South side of Fain Street to the intersection with Woods Street.
3. The Developer is to prepare and submit the legal documents required for the recordation of the dedication by the Town of the Town Property for the additional 20 and 25 Feet of ROW on Nichols and Fain Streets, respectively.

4. A Development agreement for off-site improvements must be recorded before, or at the same time as Final Plat recordation.

PASSED AND APPROVED by a majority vote of the Town Council of Camp Verde, Arizona, this 12th day of December 2007.

_____ Date: _____
Tony Gioia, Mayor

Approved as to Form:

_____ Attest: _____
Town Attorney Deborah Barber, Town Clerk

CASE NO. 2007-28

PROJECT NO. FP 2007-01

TOWN OF CAMP VERDE

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

SUBDIVISION PLAT APPLICATION

REQUEST:

PRELIMINARY PLAT _____
FINAL PLAT X
CONCEPTUAL PLAN _____
AMENDED PLAT _____
RESUBDIVISION _____
REVERSION TO ACREAGE _____
SUBDIVISION NAME Sleepy Hollow
TRACT Townhomes

APPLICATION DATE 5·7·07
ASSESOR'S PARCEL NO. 404-30-029D
PRESENT ZONING RZ-2

TAKEN BY _____
FEES _____
HEARING DATE _____

OWNER/DEVELOPER Dugan McDonald PHONE 567-9170 FAX 567-6351
ADDRESS P.O. Box 3270 CITY Camp Verde STATE Az. ZIP 86322
CONTACT PERSON Dugan McDonald RSHLS@Commspud.Net

****

ENGINEER Luke, W/S.E.C. PHONE 282-7787 FAX _____
ADDRESS 20 Stutz Bearcat CITY Sedona STATE Az ZIP _____
CONTACT PERSON Luke

PROPOSED LAND USE	NET ACREAGE (SQ FT.)	NO. LOTS OR TRACTS	MINIMUM LOT SIZE	MINIMUM LOT WIDTH	OTHER
SINGLE FAMILY					
MULTIPLE FAMILY					
MANUFACTURED HOME					
COMMERCIAL					
INDUSTRIAL					

RESIDENTIAL DENSITY (SEE REVERSE SIDE) _____ LINEAR FT OF STREETS _____

07-28-06P12:48 RCVD

NARRATIVE
SLEEPY HOLLOW DEVELOPMENT

My name is Dugan McDonald, as a principle owner of the proposed Sleepy hollow development. I am pleased to introduce to you our project. The Sleepy hollow development is a senior community consisting of twenty exclusive town homes with spacious living areas and provides enclosed parking for each of its residences. All within easy walking distance of downtown main street CampVerde, Arizona

Town of Camp Verde
Attn: Community Development
473 S. Main St., Suite 102
Camp Verde, AZ 86322
Phone: (928) 567-8513
Fax: (928) 567-7401

http:/www.cvaz.org

Special Power of Attorney
Authorization for Permit Application

Parcel Number: 404-30-029D Date: 5-7-07

Owner: Dugan Mc Donald

Address: P.O. Box 3270, Camp Verde, Az, 86322

Phone: ( ) 567-9170

WHEREAS, the above property owner is seeking to develop or improve real property within the municipal limits of the Town of Camp Verde, Yavapai County, Arizona, which will require the filing, processing, and payment of certain zoning, construction and inspection permits and reports, both from the Town and related agencies, and

WHEREAS, the owner elects to designate an agent with authority to file and process all necessary permits and information related to property zoning and improvement, including the authority to pay fees and consent to inspections,

NOW THEREFORE, the undersigned owner hereby designates N/A _____, whose address is: _____,

as agent to file the permit applications and related documents with the Town of Camp Verde, with such authority to continue to _____, 200__, or the application process is complete, whichever is later, or as may be earlier revoked in writing.

_____,

_____, Owners (s)

State of _____

County of _____, *ss.*

The foregoing special power of attorney for construction and zoning permit application was acknowledged before me this ____ day of _____, 200__, by_____, who is/are personally known by me or have produced identification.

_____, *Notary Public*

My Commission Expires:

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT

PERMISSION TO ENTER PROPERTY

HEARING APPLICATION: _____ PARCEL NO.: 404-30-029D

DATE: 5-7-07 LEGAL DESCRIPTION: Bk 655, Page 548

NAME: Dugan Mc Donald

ADDRESS: P.O. Box 3270, Camp Verde, Az. 86322

I, the undersigned, hereby give permission to the Town of Camp Verde Community Development Department or Public Official, in the discharge of duties as stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the application made under the terms of the Town of Camp Verde Planning and Zoning Ordinance. Such investigation may be made to determine whether or not any portion of such property, building or other structure is being placed, erected maintained, constructed or used in violation of the Town of Camp Verde Planning and Zoning Ordinance. Such entry shall be within 60 days of the date of my signature (below) or within 60 days of the scheduled date of a public hearing for review, transfer, or renewal of the application. Such entry shall be limited between the hours of 7AM and 6PM MST. I understand that this permission to enter property is OPTIONAL and VOLUNTARILY GIVEN and may be withdrawn or revoked (either in writing or orally) at any time.

Dugan McDonald — 5.7.07
Applicant's Signature — Date

Agent for: N/A

State of Arizona
Town of Camp Verde

On this 25th day of May, ~~19~~ 2007 before me, the undersigned Notary Public, personally appeared Dugan L. McDonald
Who executed the foregoing instrument for the purpose therein contained.

In witness whereof, I hereby set my hand and official seal.

Rhonda A. Stockseth
Notary Public

OFFICIAL SEAL
RHONDA A. STOCKSETH
NOTARY PUBLIC - State of Arizona
YAVAPAI COUNTY
My Comm. Expires Sept. 26, 2010

Sept. 26, 2010
Date Commission Expires

DIRECTIONS TO PROPERTY

ASSESSOR'S PARCEL NUMBER: 404-30-029 D

APPLICANT'S NAME: Dugan McDonald

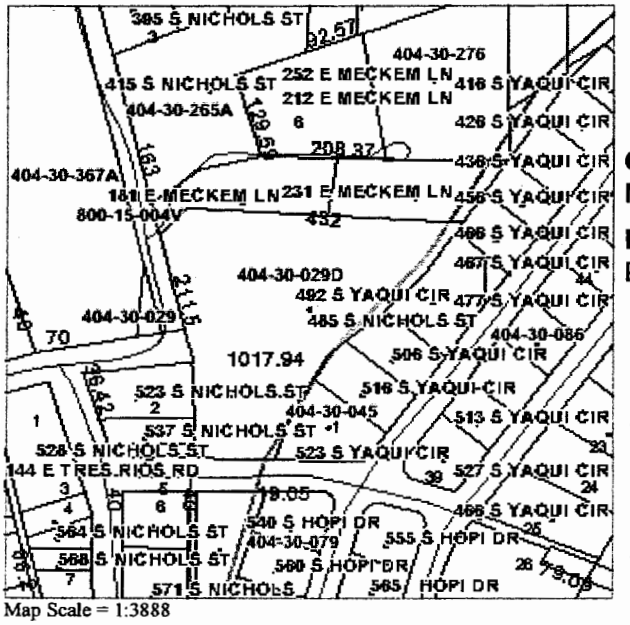
PROPERTY ADDRESS:

DIRECTIONS TO PROPERTY: Main Street, To Fain Street — East on Fain Street to Nichols Street The Property is located East From The Intersection of Nichols Street and Fain Street.

Please See Att Map.

Yavapai County, AZ-Parcel summary

Printed: 5/24/2007



Map Scale = 1:3888

Parcel ID
404-30-029D

Owner
MCDONALD DUGAN UI &

Mailing Address
PO BOX 3270

City	State	Zip
CAMP VERDE	AZ	86322

Secondary owner
MEIER DAVID L UI

Recorded Date	Last Transfer Doc Docket	Last Transfer Doc Page
7/29/2005	4292	549

Physical Address	Incorporated Area
485 S NICHOLS ST .	TOWN OF CAMP VERDE

DOR Acres	Calculated Acres	Subdivsion	Subdivision Type
2.41	2.361	MILITARY RESERVE ADDITION UNRECORDED 34	LAND SURVEY

School District	Fire District
CAMP VERDE SD #28	CAMP VERDE FD

Improvements (1)

Model Type	Total Floor Area	Const. Year
SINGLE FAMILY DWELLING	1652	1942

Assessment Ratio	Legal Class
10	Owner Occupied Residential

2006 Taxes Billed	2005 Taxes Billed
$1,089	$989

2008 Full Cash Value	2008 Limited Value	2008 Net Assessed FCV
$163,291	$119,460	$16,329

2007 Full Cash Value	2007 Limited Value	2007 Net Assessed FCV
$116,137	$104,850	$11,945

Instrument Type	Legal Class
Warranty Deed	03.00

Recent Sale Date	Sale Amount
7/1/2005	$300,000

Deed Type	Sale Docket	Sale Page
Warranty Deed	4292	549

Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. **No portion of the information should be considered to be, or used as, a legal document.** The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.

12-03-07P04:00 RCVD

SOUTHWESTERN
ENVIRONMENTAL
CONSULTANTS, INC.

E-mail: info@sec-landmgt.com
www.sec-landmgt.com

ENGINEER'S ESTIMATE

Sleepy Hollow 06-0502CEH

	DESCRIPTION	QUANTITY	UNIT	UNIT COST	COST
Site					
	Clearing & Grubbing	2.19	AC	1,700.00	3,723.00
	Earthwork and Dust Control*	334	CY	4.50	1,503.00
	Paving (2" AC)	2,919	SY	15.00	43,785.00
	ABC (under AC)	2,919	SY	5.00	14,595.00
	6" Vertical Curb	1,603	LF	12.00	19,236.00
	Concrete Valley Gutter	2,725	SF	5.00	13,625.00
	6.5' High Cantilever Retaining Wall	452	LF	150.00	67,800.00
	6' High Cantilever Retaining Wall	183	LF	140.00	25,620.00
	4.5' High Cantilever Retaining Wall	111	LF	125.00	13,875.00
	3' to 5' High Retaining Wall	424	LF	110.00	46,640.00
	Handrail	183	LF	50.00	9,150.00
	Stop Sign	1	EA	200.00	200.00
	*Note: No take-off from roadway, culverts, detention basins				
				SUBTOTAL	$ 259,752.00
Drainage					
	18" Dia.Culvert	170	LF	40.00	6,800.00
	24" Dia. Culvert	22	LF	55.00	1,210.00
	Type G Catch Basin	2	EA	1,200.00	2,400.00
	D50 6" Riprap	136	TON	45.00	6,120.00
	Leach Rock	216	TON	33.00	7,128.00
	Detention Basin Construction	1	LS	12,200.00	12,200.00
				SUBTOTAL	$ 35,858.00
Water					
	6" Dia. Ductile Iron Pipe	759	LF	32.00	24,288.00
	6" Gate Valve	8	EA	1,200.00	9,600.00
	Tee	2	EA	500.00	1,000.00
	45° Bend	7	EA	500.00	3,500.00
	22.5° Bend	2	EA	500.00	1,000.00
	11.5° Bend	3	EA	500.00	1,500.00
	Fire Hydrant Assembly	2	EA	3,000.00	6,000.00
	Blow-Off Valve	2	EA	500.00	1,000.00
	Air Release Valve	1	EA	500.00	500.00
	3/4" Dia. Water Service Laterals	15	LF	5.00	75.00
	Tapping Sleeve	1	EA	1,000.00	1,000.00
				SUBTOTAL	$ 49,463.00

Owner reserves the right to vary the quantities shown at their discretion. The above quantity estimates are for the use of the owner [illegible] not be used as your basis of bid. All facilities incidental to the item shall be included in the unit price b

ENGINEER'S ESTIMATE
Sleepy Hollow **06-0502CEH**

DESCRIPTION	QUANTITY	UNIT	UNIT COST	COST
Sewer				
8" Dia. PVC Pipe	830	LF	42.00	34,860.00
48" Dia. Sewer Manhole	8	EA	3,200.00	25,600.00
4" Dia. Sewer Service Lateral	481	LF	5.00	2,405.00
Sewer Stub Out	1	EA	200.00	200.00
			SUBTOTAL	$ 63,065.00
Dry Utilities (Does not include utility contact)				
Communications (Electric, Telephone)	750	LF	33.00	24,750.00
			SUBTOTAL	$ 24,750.00
Off-Site Improvements				
6" Curb and Gutter	680	LF	15.00	10,200.00
5 FT Sidewalk	1,700	SF	6.00	10,200.00
Light Pole	1	EA	2,000.00	2,000.00
			SUBTOTAL	$ 22,400.00
			TOTAL	$ 455,288.00
			10% Contingency	$ 45,528.80
			GRAND TOTAL	**$ 500,817**

Owner reserves the right to vary the quantities shown at their discretion. The above quantity estimates are for the use of the owner and should not be used as your basis of bid. All facilities incidental to the item shall be included in the unit price b

Registered Professional Engineer (Civil)
CERTIFICATE NO.
37322
LUKE A.
SEFTON
Date Signed 29 Nov 0
ARIZONA U.S.A.

TCV Planning & Zoning

From: "Ron Long" <rlong@cvaz.org>
To: "Mike Jenkins" <mjenkins@cvaz.org>
Cc: "Nancy Buckel" <plnrman@cvaz.org>
Sent: Monday, December 03, 2007 4:40 PM
Subject: Sleepy Hollow

Mike, I have reviewed the revised Engineer's cost estimates for the Sleepy Hollow Town homes, dated 11/29/07, that revision includes the Off Site Improvements Estimate for the Curb, Gutter, 5-foot wide Sidewalk, and Street Light that were required. I approve this revision for surety purposes.

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
Cell: (928) 238-0293
Fax: (928) 567-1540
rlong@cvaz.org

12-04-07A08:01 RCVD

TOWN OF CAMP VERDE

Memorandum
Public Works Department

To: Nancy Buckel, Community Development Director

From: Ron Long, Public Works Director/Engineer

Date: November 26, 2007

Re: Sleepy Hollow Town Homes Final Plat Clarification for December 12, 2007 Council Meeting

As part of the Sleepy Hollow Town Homes Subdivision Preliminary Plat submittal to Council the Developer was requested by the Town Engineer to dedicate 10 – feet of their property adjacent to the existing Nichols Street Right of Way (ROW) for the purpose of widening the ROW. This was approved by council and adopted by resolution dated August 30, 2006.

Upon closer review, which included a site investigation of the ROW by the Town Engineer, it was determined by the Engineer that the dedication of an additional 10 – Feet of property for ROW on Nichols Street is not required for the approval of the Final Plat for the Sleepy Hollow Town Homes Subdivision.

However as part of this development the developer shall provide the following public improvements and stipulations:

1. The Developer shall construct vertical curb & gutter, and a 5-Foot sidewalk along the East side of Nichols Street and the South side of Fain Street to the intersection with Woods Street.

2. The Developer shall install a Street light adjacent to Nichols Street near the entrance to the Sleepy Hollow Development.

3. Prepare and submit the legal documents required for the recordation of the dedication of the Town Property for the additional 20 – Feet of ROW on Nichols and Fain Streets.

Ron Long, P.E.
Public Works Director/Engineer

Camp Verde Fire Department
26 W. Salt Mine Rd.
P.O. BOX 386 • CAMP VERDE, AZ 86322-0386

Phillip R. Harbeson Sr.
Fire Chief

BUSINESS 567-9401 • EMERGENCY 567-4123 OR 911

Jack E. Blum
Secretary-Treasurer

June 28, 2007

FIRE AND LIFE SAFETY SUBDIVISION PLAT PLAN REVIEW

This review is based on: 2003 International Fire Code.

PROJECT — **SLEEPY HOLLOW SUBDIVISION**
20 LOTS
485 S NICHOLS ST
CAMP VERDE, AZ 86322

APPLICANT — **DUGAN MCDONALD**

1. Location of hydrants approved.
2. Roads shall have a clear access width of 20-feet maintained at all times with no parking of vehicles within the 20-foot area allowed.

PLANS ARE APPROVED with conditions indicated.
Failure to identify a code violation during this process of the plan review **DOES NOT** give the permit applicant the right nor authority to violate the code. **The final installation and construction must be in accordance with the code.**

Please feel free to contact me at (928) 567-9401, should you have any questions.

Sincerely,

Barbara Rice
Fire Inspector

ARIZONA DEPARTMENT OF WATER RESOURCES
Office of Assured and Adequate Water Supply
3550 North Central Avenue, Phoenix, Arizona 85012
Telephone 602 771-8500
Fax 602 771-8689

Janet Napolitano
Governor

Herbert R. Guenther
Director

April 25, 2007

Mr. Roy Tanney
Arizona Department of Real Estate
2910 N. 44th Street
Phoenix, Arizona 85018

Water Report #53-700284.0000
Subdivision Name: Sleepy Hollow Townhomes
Owner: Dugan McDonald and David Meier
Number of lots: 20
County: Yavapai
Township 14 North, Range 5 East, Section 32
Lots 1 thru 20, inclusive.

Water provided by: Camp Verde Water System
Water Type: Groundwater
Current water depth: No Information Provided
Estimated 100-year depth: No Information Provided
Current decline rate: No Information Provided
Basin: Verde Valley

Dear Mr. Tanney:

Pursuant to A.R.S. § 45-108, the Department of Water Resources has reviewed the available information pertaining to the water supply for the above-referenced subdivision. This letter constitutes the Department's report on the subdivisions water supply as required by A.R.S. § 45-108(A).

Adequacy of the 100-year water supply was reviewed by the Department with regard to physical, legal and continuous availability, water quality, and financial capability. No information has been provided to the Department that indicates that the applicant has satisfied the adequate water supply requirements as set forth in A.A.C. R12-15-701 *et seq.* Therefore, the Department of Water Resources finds the water supply to be *inadequate* to meet the subdivision's projected needs.

Pursuant to A.R.S. §32-2181(F) a summary of the Department's report for those with an inadequate water supply be included in all promotional material and contracts for sale of lots in the subdivisions. We suggest the following synopsis:

> "Sleepy Hollow Townhomes subdivision is being served groundwater by Camp Verde Water System. The developer has chosen not to demonstrate a 100-year adequate water supply. The applicant has not demonstrated that the criteria for physical, legal and continuous availability, water quality, and financial capability have been met. Therefore the Department must find the water supply to be *inadequate*. For additional information please contact Rosemary Lopez, of the Office of Assured and Adequate Water Supply at (602) 771-8585."

The developer, pursuant to A.R.S. §32-2181(F), may suggest a different summary of this report, but it must contain the above elements and/or the Department's findings.

06-27-07P02:46 RCVD

This letter is being forwarded to your office as required by A.R.S. § 45-108. This law requires the developer to hold the recordation of the subdivision's plat until receipt of the Department's report on the subdivision's water supply. By copy of this report, the Yavapai County Recorder is being officially notified of the developer's compliance with the law.

Sincerely,

Sandra Fabritz-Whitney

Sandra Fabritz-Whitney
Assistant Director
Water Management Division

cc: Yavapai County Planning and Zoning
Yavapai County Recorder
Dugan McDonald, Heritage Land Survey
Rosemary Lopez, Office of Assured and Adequate Water Supply

A subsidiary of Pinnacle West Capital Corporation

Station 4718
1250 E. Highway 89A
Cottonwood, AZ 86326
www.aps.com

7/16/07

Dugan McDonald
380 W. Grippen Road
Camp Verde, AZ 86322

Re: Power Availability for Sleepy Hollow Townhouse Subdivision.

Dear Mr. McDonald,

Thank you for the opportunity to provide information regarding electrical service to the above location. The referenced area is in Arizona Public Service Company's service area.

We will be extending our facilities to this location in accordance with the "Conditions Governing Extensions of Electric Distribution Lines and Services " (Schedule #3) and the "Terms and Conditions for the Sale of Electric Service" (Schedule #1) that are on file with the Arizona Corporation Commission at the time we begin installation of our electric facilities. Current copies are available on the Construction Corner at www.aps.com.

APS will provide you with requirements and specifications designed specifically for your project. In order to assist us in the timely preparation of a design for your project, please refer to the attached checklist of information that we will need before starting design.

Prior to construction, an advance payment may be required. The amount of any advance payment will be determined through an economic analysis based on the completed design and the information provided on your checklist. This advance payment may be refundable in accordance with Section 5 of Schedule #3. In addition, you may also incur additional charges which are non-refundable. These costs will depend on the type and extent of construction required to serve your project. Any APS charges will be set forth in an Extension Agreement which will require authorization by both APS and the customer.

All trenching and conduit installation will be the responsibility of the Customer and will be inspected by APS prior to installation of our facilities.

This letter is intended for your general information only and does not constitute any type of offer or agreement. Again, specific information for your project will be available upon receipt of the information listed on the enclosed check list and completion of the design process.

If I can be of further assistance at this time, please do not hesitate to call me at 928-646-8462. I will look forward to hearing from you soon.

Sincerely,

Robert B. Witte

Robert B. Witte
Customer Service Representative
Cottonwood Office

YAVAPAI COUNTY
DEVELOPMENT SERVICES DEPARTMENT

500 S. Marina Street; Prescott, AZ. 86303 Phone: (928) 771-3214 Fax: (928) 771-3432

10 S. 6th Street; Cottonwood, AZ. 86326 Phone: (928) 639-8151 Fax: (928) 639-8153

Addressing – Building Safety – Customer Service & Permitting – Environmental – Flood Control – Land Use – Planning & Design Review

Agreements must be filled out and signed by a representative of the collection agency and the operational authority of the landfill, and submitted with the application.

SOLID WASTE COLLECTION AGREEMENT –
As required by Arizona Department of Environmental Quality Rules and Regulations, and specifically Regulation R18-5-409.

The Waste Management (NAME OF COLLECTION AGENCY) agrees to provide refuse collection service to Sleepy Hollow Town Homes (NAME OF SUBDIVISION) Yavapai (COUNTY) in accordance with applicable rules and regulations governing refuse collection and disposal.

Date 8/2/07 Signed [signature] (REPRESENTATIVE OF COLLECTION AGENCY)

Title Residential Planning

Address 1580 E ELWOOD ST

City Phoenix 85040

In order to approve the above collection service we must also have the information in the agreement in the agreement below.

SOLID WASTE AGREEMENT –
As required by Arizona Department of Environmental Quality Rules and Regulations, and specifically Regulation R18-5-409.

The GRAY WOLF LANDFILL (NAME OF DISPOSAL SITE)

is operated by WASTE MANAGEMENT (NAME OF OPERATIONAL AUTHORITY)

in accordance with applicable rules and regulations governing refuse disposal and will accept refuse from previous persons living in

Sleepy Hollow Town Homes (NAME OF SUBDIVISION)

Date 8/2/07 Signed [signature] (REPRESENTATIVE OF OPERATIONAL AUTHORITY)

Title Residential Planning

Address 1580 E ELWOOD ST

City Phoenix 85040

f. Has application for an ADEQ Aquifer Protection Permit been submitted?
☐ Yes ☐ No Date: _____

WASTEWATER DISPOSAL – CONTINUED

9. Sewer facilities will be constructed by: ☒ Subdivider ☐ Municipality ☐ Sanitary District

10. Where individual on-site systems are proposed:

a. Distance to nearest public sewer: 300 ± Feet

b. In your opinion, is the terrain suitable for conventional septic tank/leach field systems? ☐ Yes ☐ No

c. Will prospective lot purchasers be informed that "alternate" systems may be required, and if so, that each must be designed by a registered civil or sanitary engineer? ☐ Yes ☐ No

SOLID WASTE DISPOSAL

11. Will municipal or private collection service be provided to the subdivision? ☒ Yes ☐ No

If answer is yes, give the name of the collection agency *(Attach completed and signed garbage service agreement and garbage disposal agreement).*

Waste Management, 319 S. 6th Street, Cottonwood Az.

If no, complete the following:

a. Will purchaser or tenant be informed of his responsibility for proper storage, hauling and disposal of solid waste? ☒ Yes ☐ No

b. Location of nearest approved disposal facility: _____

c. Distance from subdivision: _____

d. Identify the party (city, county, firm or individual) responsible for operating the site *(Attach completed and signed garbage disposal agreement)*:

I verify that all information given in this application is correct. I understand that no construction of sanitary facilities shall commence until construction permits have been issued by this Department. I am informed further that no operation of sanitary facilities shall commence until Discharge Authorization or Approval to Operate decisions have been issued by this Department.

Dugan McDonald, Subdivider & Owner
TYPE OR PRINT NAME OF SUBDIVIDER OR AGENT

7·16·07
DATE

SIGNATURE OF SUBDIVIDER OR AGENT
(If Agent, written confirmation must be submitted)

YAVAPAI COUNTY
DEVELOPMENT SERVICES DEPARTMENT

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10 S. 6th Street; Cottonwood, AZ. 86326 Phone: (928) 639-8151 Fax: (928) 639-8153

Addressing – Building Safety – Customer Service & Permitting – **Environmental** – Flood Control – Land Use – Planning & Design Review

Application for Approval of Sanitary Facilities for a Subdivision

Note: A copy of the Preliminary or Final Plat MUST accompany this application

GENERAL INFORMATION

1. Name of Subdivision: Sleepy Hollow, L.L.C., "Sleepy Hollow Town Homes"

   Lot Numbers: 1 - 20

   City or Location: Camp Verde, Az. Sect.: 32 Tp.: 14 N Rge.: 5 E

2. Owner or Subdivider: Dugan McDonald Phone: 567-9170

   Mailing Address: P.O. Box 3270 City: Camp Verde Zip Code: 86322

3. Area of Subdivision: 3 +/- acres Number of Lots: Residential: 20 Commercial: Ø

   If more than one type of lot, plat shall clearly show zoning Industrial: _____ TOTAL: _____

WATER SUPPLY *(Attach completed and signed water service agreement).*

4. Name of Water Supply: Camp Verde Water System Public Water System #: 13015

5. Have construction drawings been submitted to this Department?
   ☒ Yes ☐ No Date: _____

6. Water distribution system will be constructed by: ☒ Subdivider ☐ Water Company ☐ Municipality

WASTEWATER DISPOSAL *(Attach completed and signed sewage service agreement).*

7. Where existing wastewater treatment facilities are to be used:

   a. Name of existing system: Camp Verde Sanitary Dist. APP Permit #: 101360

   b. Have proposed sewer extensions been submitted to this Department?
      ☒ Yes ☐ No Date: _____

8. Where a separate community system is proposed:

   a. Description of proposed system: _____

   b. Proposed method of treatment: _____

   c. Proposed method of effluent disposal: _____

   d. Have plans/specifications been approved by either the ADEQ or this Dept.?
      ☐ Yes ☒ No Date: _____

   e. Has application for U.S. Environmental Protection Agency/NPDES permit been submitted?
      ☐ Yes ☒ No Date: _____

Revised 6/2007

YAVAPAI COUNTY
DEVELOPMENT SERVICES DEPARTMENT

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Addressing – Building Safety – Customer Service & Permitting – Environmental – Flood Control – Land Use – Planning & Design Review

CAPACITY ASSURANCE
For Sewage Collection System

Instructions: The owner or operator of the downstream sewage collection system must complete and submit this Capacity Assurance Form to comply with Arizona Administrative Code (AAC) R18-9-E301(C)(2) when the proposed sewage collection system is under different ownership or control.

1a. Proposed System or Expansion Design Flow:	1b. Proposed Sewage Collection System:
Project Name: Sleepy Hollow Town Homes	Name: Richard Spears
	Position: manager / operator
	Responsible Agency: Camp Verde Sanitary dist.
Design Flow: ~~.0054~~ .0054 (MGD) (MGD)	Address: PO BOX 1205 Camp Verde, AZ 86322
	Telephone No. 9285676794 Fax No. 9285678832
2a. Downstream Sewage Collection System Capacity:	**2b. Downstream Sewage Collection System:**
Capacity Downstream from point where new system or expansion is connected: .200 (MGD).	Name: Richard Spears
	Position: manager / operator
	Responsible Agency: Camp Verde Sanitary dist.
	Address: PO BOX 1205 Camp Verde, AZ 86322
	Telephone No. 9285676794 Fax No. 9285678832

Capacity is expressed in million gallons per day (MGD). **Design Flow** is based on the design flow for the proposed new system, such as a subdivision submitted in accordance with AAC R18-9-E301, or system expansion.

3. Capacity Assurance: To be completed by owner/operator identified in Item "2b" above.

I, Richard Spears, certify that the sewer collection system identified in item "2b" can maintain the performance standards required under A.A.C. R18-9-E301(B) for the increased flow from the proposed system or expansion identified in item "1a". I am aware that there are significant penalties for submitting false information including permit revocation as well as the possibility of fine and imprisonment for knowing violations.

Signature _____ Date 7/17/07

9. **Design Summary**

Population Served by Proposed System 40
Number of Service Connections 20
Total length of gravity sewer lines 1650 +/- Feet
Total length of force mains 0 Feet
Design flow of system at downstream point ~~700~~ .0054 (MGD) Gallons per day

Number of manholes 8
Number of lift stations N/A

SUPPLEMENTAL INFORMATION:

10. **Sewage Treatment Facility Capacity Assurance (Check Box if Complete)**
    - ☐ I have attached a completed Sewage Treatment Facility Capacity Assurance form.

11. **Capacity Assurance for a Sewage Collection System (Check One)**
    - ☐ I have attached a completed Sewage Collection System Capacity Assurance form.
    - ☐ The proposed sewage collection system does not deliver wastewater to a downstream collection system.

12. **Site Plan and Fee (Check Box if Complete)**
    - ☐ I have provided a general site plan showing the boundaries and key aspects of the project.
    - ☐ I have provided the appropriate fee.

13. **Construction Quality Drawings (Check Box if Complete)**
    - a. The plans and profiles for all sewer lines, manholes, force mains, depressed sewers, and lift stations with sufficient detail to allow Department verification of design and performance characteristics;
    - b. Relevant cross sections showing construction details and elevations of key components of the sewage collection system to allow Department verification of design and performance characteristics, including the slope of each gravity sewer segment stated as a percentage;
    - c. Drainage features and controls, and erosion protection as applicable, for the components of the project; and
    - d. Horizontal and vertical location of utilities within the area affected by the sewer line construction.
    - ☐ I have provided all the information listed in a through d above.

14. **Sewage Collection System Design Flows (Check Box if Complete)**
    - ☐ I have attached documentation of design flows for significant components of the sewage collection system and the basis for calculating the design flows.

15. **Operation and Maintenance Plan (Check One)**
    - ☐ I have attached an operation and maintenance (O & M) manual. The manual shall contain the 24-hour emergency number of the owner and operator of the sewage collection system.
    - ☐ A current O & M plan is already on file the Department. The specific file number of the project is _____

16. **Design Documents (Check Box if Complete)**
    - ☐ I have included design documents, including plans, specifications, drawings, reports, and calculations that are signed, dated, and sealed by an Arizona-registered professional engineer. The designer shall use good engineering judgment following engineering standards of practice, and rely on appropriate engineering methods, calculations, and guidance.

17. **Certification Statement (To be completed by the applicant in item 4 above)**

I, _____, certify that this Notice of Intent to Discharge and all attachments were prepared under my direction or authorization and all information is, to the best of my knowledge, true, accurate and complete. I also certify that the sewage collection system described in this form is or will be constructed, designed, and operated in accordance with terms and conditions of the Type 4.01 General Aquifer Protection Permit (A.A.C. R18-9-E301) and applicable requirements of Arizona Revised Statutes Title 49, Chapter 2, and Arizona Administrative Code Title 18, Chapter 9 regarding aquifer protection permits. I am aware that there are significant penalties for submitting false information including permit revocation as well as the possibility of fine and imprisonment for knowing violations.

Signature _____ Date 8·6·07

DEPARTMENT USE ONLY		DATE STAMP
File Number		
Fee Paid for this Project		
Check Total		

YAVAPAI COUNTY
DEVELOPMENT SERVICES DEPARTMENT

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10 S. 6th Street; Cottonwood, AZ. 86326 Phone: (928) 639-8151 Fax: (928) 639-8153

Addressing – Building Safety – Customer Service & Permitting – **Environmental** – Flood Control – Land Use – Planning & Design Review

NOTICE OF INTENT TO DISCHARGE FOR A SEWAGE COLLECTION SYSTEM
TYPE 4.01 GENERAL AQUIFER PROTECTION PERMIT

GENERAL INFORMATION:

1. **Project Name:** Sleepy Hollow Town Homes

2. **Assessor's Parcel Number:** 404-30-029D

3. **Owner/Operator of Wastewater Treatment Plant (person responsible for overall compliance)**

Name Rick Spears Phone (928) 301-7486

Title Operator Firm Name Camp Verde Sanitary District

Mailing Address PO Box 1205 City Camp Verde State AZ Zip 86322

4. **Applicant for this project**

Name Dugan McDonald Phone 567-9170

Title Owner Firm Name Heritage Land Survey

Mailing Address P.O. Box 3270 City Camp Verde State Az. Zip 86322

5. **Contact Person/Agent (if different from applicant)**

Name _____ Phone _____

Title _____ Firm Name _____

Mailing Address _____ City _____ State _____ Zip _____

6. **Site Information**

City Camp Verde, Az.

Location of downstream end of proposed system

Township 14N Range 5E Section 32

Latitude _____ ° _____ ' _____ " N _____ Longitude _____ ° _____ ' _____ " W

Legal description of area served by sewage collection system: Township 14N Range 5E Section 32

7. **Existing ADEQ Permits for the Wastewater Treatment Plant**

Name: Camp Verde Sanitary District

APP (Aquifer Protection Permit) Number: P101360

AZPDES Permit Number: N/A

ADEQ Site Code: 1403

Mailing Address for Treatment Plant: PO Box 1205 Camp Verde AZ 86322

Telephone No. (928) 567-6794

Fax No. (928) 567-8832

8. **Narrative Project Description:** Sleepy Hollow Town Homes, Located within Camp Verde, Az. Camp Verde Sanitary District small Sewer Project.

YAVAPAI COUNTY
DEVELOPMENT SERVICES DEPARTMENT

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Addressing – Building Safety – Customer Service & Permitting – Environmental – Flood Control – Land Use – Planning & Design Review

Sewage Treatment Facility
CAPACITY ASSURANCE

Instructions: The owner or operator of the downstream sewage treatment facility must complete and submit this Capacity Assurance Form to comply with Arizona Administrative Code (AAC) R18-9-E301(C)(1).

1. Sewage Treatment Facility:

Name: Camp Verde Sanitary District

APP (Aquifer Protection Permit) Number: P 101360

AZPDES Permit Number: N/A

ADEQ Site Code: 1403

Address: PO Box 1205
Camp Verde, AZ 86322

Telephone No. (928) 567-6794 Fax No. (928) 567-8832

2. Owner/Operator for Facility Operation:

Name: Rick Spears

Position: Operator

Firm Name: Camp Verde Sanitary District

Address: PO Box 1205
Camp Verde AZ 86322

Telephone No. (928) 301-7486 Fax No. (928) 567-8832

3. Facility Capacity:

Current 208 Plan* Approved Capacity: N/A (MGD)

Constructed Capacity: .280 (MGD)

APP Approved Capacity: .200 (MGD)

AZPDES Discharge Limit: N/A (MGD)

Operational Flow: .185 (MGD)

*Areawide Wastewater Management Plan, per Section 208 of the Clean Water Act (State only capacity indicated in current approved plan on file with the Designated Management Agency)

4. Proposed Subdivision or other project:

Name: Sleepy Hollow Townhomes

Design Flow: 100 GPA Per Day (MGD)

Total Design Flow Connected to Facility: 100 GPA per day (MGD)

Capacity is expressed in million gallons per day (MGD) based on the monthly average capacity of the facility. **Operational Flow** is expressed in MGD based on the maximum monthly average flow for the last 12 months. **Design Flow** is based on the design flow for the proposed subdivision as submitted in accordance with AAC R18-9-E301.

5. Facility Plan and Schedule to Construct Additional Capacity: (Provide detail if total design flow connected to facility is greater than APP approved capacity).

6. Capacity Assurance: To be completed by owner/operator identified in Item "2" above.

I, Rick Spears, affirm that the additional volume of sewage delivered to the facility by the sewer collection system serving the proposed subdivision will not cause any flow or effluent quality limits of the facility's individual permit to be exceeded. I am aware that there are significant penalties for submitting false information including permit revocation as well as the possibility of fine and imprisonment for knowing violations.

Signature

Date 7/16/07

06-13-07A08:37 RCVD

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Sewage Treatment Facility
CAPACITY ASSURANCE

J:\shared\WEDR\APPLICATIONS-CollectionSystems\Notice Of Intent To Discharge -CAPACITY ASSURANCE for Sewage Treatment Facility 2/27/03

Instructions: The owner or operator of the downstream sewage treatment facility must complete and submit this Capacity Assurance Form to comply with Arizona Administrative Code (AAC) R18-9-E301(C)(1).

1. Sewage Treatment Facility:

Name: Camp Verde Sanitary District

APP (Aquifer Protection Permit) Number: P 101360

AZPDES Permit Number: N/A

ADEQ Site Code: 1403

Address: P.O Box 1205
Camp Verde, AZ 86322

Telephone No. 928-567-6794 Fax No. 928-567-8832

2. Owner/Operator for Facility Operation:

Name: Rob Witt / Rick Spears

Position: Chair Person / operator/manager

Firm Name: Camp Verde Sanitary Distric

Address: PO Box 1205
Camp Verde AZ 86322

Telephone No. 9285676794 Fax No. (928) 567-8832

3. Facility Capacity:

Current 208 Plan* Approved Capacity: N/A (MGD)

Constructed Capacity: .280 (MGD)

APP Approved Capacity: .200 (MGD)

AZPDES Discharge Limit: N/A (MGD)

Operational Flow: .185 (MGD)

*Areawide Wastewater Management Plan, per Section 208 of the Clean Water Act (State only capacity indicated in current approved plan on file with the Designated Management Agency)

4. Proposed Subdivision or other project:

Name: Sleepy Hollow Townhomes

Design Flow: 100 GA Per Day (MGD)

Provide list of all previously approved subdivisions, commercial and industrial customers and associated design flows.

Total Design Flow Connected to Facility: 100 GA Per Day (MGD)

Capacity is expressed in million gallons per day (MGD) based on the monthly average capacity of the facility. **Operational Flow** is expressed in MGD based on the maximum monthly average flow for the last 12 months. **Design Flow** is based on the design flow for the proposed subdivision as submitted in accordance with AAC R18-9-E301.

5. Facility Plan and Schedule to Construct Additional Capacity: (Provide detail if total design flow connected to facility is greater than APP approved capacity)

6. Capacity Assurance: To be completed by owner/operator identified in Item "2" above.

I, Rick Spears, affirm that the additional volume of sewage delivered to the facility by the sewer collection system serving the proposed subdivision will not cause any flow or effluent quality limits of the facility's individual permit to be exceeded. I am aware that there are significant penalties for submitting false information including permit revocation as well as the possibility of fine and imprisonment for knowing violations.

Signature

6/17/07
Date

When recorded return to:

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SLEEPY HOLLOW TOWNHOUSES

ARTICLE I - INTRODUCTION 2

ARTICLE II - THE HOMEOWNER'S ASSOCIATION 3

ARTICLE III - INDIVIDUAL AND ASSOCIATION OWNERSHIP 4

ARTICLE IV - ARCHITECTURAL CONTROL 5

ARTICLE V - AGE RESTRICTIONS 5

ARTICLE VI - PERMITTED AND RESTRICTED USES 5

ARTICLE VII - COMMON WALLS 8

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ARTICLE IX - ASSESSMENTS BY THE ASSOCIATION 10

ARTICLE X - ENFORCEMENT 13

ARTICLE XI - EASEMENT TO ASSOCIATION 13

ARTICLE XII - GENERAL TERMS 14

ARTICLE XIII - AMENDMENTS 14

ARTICLE I - INTRODUCTION AND DEFINITIONS

The Declarant herein is the Owner of the Lots and common areas of:

Sleepy Hollow Townhouses subdivision as recorded in _____, records of Yavapai County, Arizona.

Declarant hereby declares that all of the property described above shall be held, used, sold and conveyed subject to the following covenants, conditions, charges, liens, restrictions, easements and reservations (hereinafter collectively sometimes called "restrictions"), all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the real property, and all of which are hereby declared to be for the benefit of all of the property described herein and the Owners thereof, their heirs, successors, grantees and assigns. These restrictions shall run with the real property and shall be binding on all parties having or acquiring any right, title or interest in the described properties or any part thereof.

It is the intention of these restrictions to maintain a very quiet, peaceful, attractive and generally first class residential area.

The following terms and abbreviations used in this document are defined as follows:

"Association" shall mean Sleepy Hollow Townhouse Owner's Association, an Arizona non-profit corporation.

"Board" shall mean the Board of Directors of Sleepy Hollow Townhouse Owner's Association.

"Board of Directors" shall mean the Board of Directors of Sleepy Hollow Townhouse Owner's Association.

"Declaration" shall mean this Restated and Amended Declaration of Covenants, Conditions and Restrictions, abbreviated as "CC&Rs.".

"Improvements" shall mean all buildings on the Subject Property.

"Lot" shall mean a Lot subject to individual ownership as designated on the subdivision plat of record and any improvements therein

"Owner" shall mean the owner of record of a Lot or Unit.

"Unit" shall be synonymous with "Lot".

"Restrictions" shall mean this Restated and Amended Covenants, Conditions and Restrictions.

"Subject Property" shall mean the entire Sleepy Hollow Townhouse subdivision.

ARTICLE II - THE HOMEOWNER'S ASSOCIATION

(a) Every Owner of a Lot in this subdivision shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Lot. Any conveyance (except a lease) of any Lot shall be an implied conveyance of the seller's interest in the Association and an implied conveyance of seller's equitable and beneficial interest in the property which the Association owns as trustee for the Owners.

(b) Each Owner shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members in the Association. The vote for such Lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any Lot.

(c) The Association shall be the entity through which the Owners shall act. The Association shall have such rights, powers and duties as are prescribed by law and as are set forth herein together with such rights, powers and duties as may be reasonably necessary in order to effectuate the objectives and purposes of the Association as set forth in this Declaration.

(d) The Association shall be managed and operated by a Board of Directors consisting of five (5) Owners elected by the Owners. The Board of Directors shall elect such officers as it deems appropriate and shall be governed by its bylaws.

(e) The Board of Directors may employ for the Association a management agent at a compensation established by the Board to perform such duties and services as the Board shall authorize.

ARTICLE III - INDIVIDUAL AND ASSOCIATION OWNERSHIP

(a) The subject property has designated Lots. The Lots are deemed to correspond directly to the exterior perimeter of the improvements erected on each Lot including decks, patios and porches. Where the Lots share a common boundary with an adjacent Lot the improvements shall share a common wall which shall be deemed to have the common Lot line as its centerline. Any Lot and its corresponding improvements may be owned in fee simple (subject to these and any other applicable restrictions) and may be transferred, leased, pledged or otherwise dealt with as any real property.

(b) The open space and yard areas designated on the plat of record of the subject property shall be considered common area and shall be owned by the Association in trust for the benefit of the Owners. The patio adjacent to each Unit shall be for the exclusive use of that Unit. The Unit Owner shall be responsible for maintaining the patio area. No patio may be used for storage or other than patio furniture and may not be furnished or decorated with anything other than patio furniture and barbeque grills. Each Owner shall be a beneficiary of an undivided interest in said trust. Maintenance and use of the common area shall be controlled by the Association.

(c) The Subject Property's streets, driveways, parking areas, aprons and sidewalks are owned and maintained by the Association. All Owners of Lots in this subdivision, their tenants and their guests shall have the perpetual use of the streets, driveways, parking areas, aprons and sidewalks for ingress and egress to their respective Lots and an easement for such use is hereby created. The Board of Directors shall make such rules regarding the use of the streets, driveways, parking areas, aprons and sidewalks as are deemed necessary. There shall be no parking allowed on the streets except as necessary for loading and unloading and as designated by the Board of Directors.

(d) Owners are responsible for the cleaning of any leaks or spills on the driveways, sidewalks or parking areas caused by the Owner, tenants, guests, visitors, agents or family.

ARTICLE IV - ARCHITECTURAL CONTROL

No building, fence, wall or other structure or any landscaping shall be erected upon any Lot or other portion of the subject property, nor shall any exterior alteration (including without limitation paint colors, trim, shape and character of any of the buildings or improvements upon the property and including window screens and screen doors) be made unless approved in writing by the Board of Directors.

ARTICLE V - AGE RESTRICTIONS

(a) This subdivision is age restricted as allowed by Arizona Revised Statutes § 41-1491.04.

(b) Each unit must be occupied by at least one person 55 years of age or older. "Occupied" means residing in the unit at least as much time as any other occupant of such unit.

(c) The Association has the obligation to see that the occupancy requirement is complied with by each unit owner. The Association may periodically require affidavits from the owner and occupants of each unit as to the age and occupancy time of the occupants. The Association may bring an action in the Superior Court for appropriate injunctive relief to enforce this occupant age requirement.

(d) The Association shall make it clear by signage and publications that this is an age restricted subdivision.

(e) The Board of Directors of the Association may grant an exception to the age restriction only upon a showing of unusual circumstances and hardship occurring after occupancy or purchase. No exception can be granted before a purchase. Any exception shall be for a limited period of time.

ARTICLE VI - PERMITTED AND RESTRICTED USES

(a) Each Unit is hereby restricted to use as a single family dwelling for residential use only. "Single Family Use" is defined as use or occupancy by a group of persons related by blood or marriage, or, a group with not more than two persons who are unrelated by blood or marriage.

(b) No pets are allowed or may be kept in any Unit except up to a total of two cats and/or dogs. The pet owner is responsible for keeping the pet(s) quiet at all times and for the immediate clean-up of the pet feces.

(c) No signs or objects determined to be unsightly by the Board of Directors shall be erected, placed or permitted to stand upon any Lot, provided, however, that a person desiring to sell a Lot may place one "For Sale" or "For Rent" sign upon said Lot or on Owner's assigned garage which shall not be over four (4) square feet nor higher than four (4) feet.

(d) No business, professional or commercial activities of any kind whatsoever shall be conducted on any portion of any Lot or the Subject Property unless such activity is conducted without clients, customers, employees, deliveries, shipping or similar traffic coming to the Lot.

(e) No outside speakers or other sound producing equipment shall be installed or maintained on any Lot. No open fires or burning shall be permitted on any part of the properties and no incinerators or like shall be placed, allowed or maintained upon any Lot. The foregoing shall not be deemed to preclude the use in customary fashion of outdoor barbecues or grills, unless such use is prevented or restricted by fire protection rules or regulations.

(f) No reflective materials, including, but without limitation, aluminum foil, reflective screens or glass, mirrors or similar items, shall be installed or placed upon the outside or inside of any windows of a Unit without the prior written approval of the Board of Directors. No awnings, shades, screens, window air conditioners or other items affecting the exterior appearance of a Unit shall be constructed or installed without the prior written consent of the Board of Directors.

(g) No tanks of any kind, elevated above the surface of the ground or visible in any manner, shall be erected, placed or permitted on any Lot. No exterior clothes line equipment of any kind shall be permitted on any part of the properties. No unsightly objects shall be permitted on any of the decks on any Lot. Any antenna or receiving dish must be approved by the Board of Directors and shall be limited in size and style and placed as unobtrusively as possible. Antenna "towers" shall not be allowed.

(h) All rubbish, trash or garbage shall be kept in closed containers and not allowed to accumulate on any of said Lots, and disposed of in designated dumpsters. Firewood may only be stored in Owners' assigned garages, away from wood surfaces. Owners are liable for the cost of treating or repairing termite damage resulting from the storage or firewood.

(i) No vehicle or equipment exceeding 20 feet in length, no commercially licensed vehicle or equipment, no recreational vehicle, no mobile home, no trailer, no boat nor any similar vehicle or equipment shall be parked at any time on any streets, driveways, parking areas, aprons or common area for more than 24 hours in any ten-day period without approval of the Board or its designee. The Board of Directors shall designate places for temporary guest parking. No vehicle, equipment, furniture or other objects shall be maintained, repaired, modified or otherwise worked on at any time upon any streets but may be so worked on upon driveways, parking areas, or aprons during daylight hours only. No objects shall be stored on the streets, driveways, parking areas, aprons or common areas. All garage doors shall be closed except when an individual is present in the garage.

(j) The Board of Directors shall have the right to have any vehicle, equipment or object, including but not limited to those referenced above, which is parked, kept, maintained, constructed, reconstructed or repaired in violation of these restrictions removed at the sole cost and expense of the Owner of the vehicle, equipment or object. Any expense incurred by the Association in connection with the removal of any vehicle, equipment or object shall be paid to the Association upon demand by the Owner of the vehicle or equipment.

(k) No noxious or offensive activity may be carried on or permitted on any part of the subject property, nor shall anything be done thereon which may be or become an annoyance or nuisance to residents of the neighborhood, including without limitation annoying or offensive sounds or odors. No hazardous activities (including fireworks) shall be conducted upon any part of the Subject Property nor shall any improvements or conditions which are unsafe or hazardous to any person or property be permitted.

(l) No fraternity, sorority nor other group or organization shall use any Unit as its residential headquarters.

(m) No Owner shall use the Lot or Unit in a manner which would create a fire danger. All fireplaces and flues must be used and maintained in a safe condition and are the responsibility of the individual Owner.

(n) Electric, telephone, water, sewer, cable television and other utility service lines (used for the general benefit of the Lots Owners) and other utility or service lines of every kind or character (whether or not hereafter invented or used) shall be placed and kept underground up to the unit walls (except to the extent, if any, such underground placement may be prohibited by law or, by the nature of the service to be rendered, such underground placement prevents the lines from being functional). No wires, conduits, cables, pipes nor any similar service lines may be installed on the exterior of Units without the prior written permission of the Board of Directors.

(o) Any remodeling, painting, guttering or other changes in the exterior appearance of any unit shall only be done after the approval of the Association. No such work may be done without the written approval of the Board of Directors.

(p) No fences, barriers, screens or walls may be erected approved by the Board of Directors. No trees may be planted or removed and no hedges may be planted or removed unless the Board of Directors gives written approval.

(q) No skateboards and no unlicensed motorized scooters or motor bikes are allowed anywhere in the subdivision. Tricycles, small bicycles and toys are allowed on the sidewalks.

ARTICLE VII - COMMON WALLS

(a) Each wall which lies on common Lot boundary line of any two Lots shall be considered a "common wall."

(b) In the event any such common wall is damaged or destroyed through the act of one adjoining Owner, or any of such Owner's guests, tenants, licensees, agents or family members. (whether or not such act is negligent or otherwise culpable) so as to deprive the other adjoining Owner of the full use and enjoyment of such wall, then the first of such Owners shall forthwith proceed to rebuild and repair the same to as good condition as formerly, without cost to the adjoining Owner.

(c) In the event any such common wall is damaged or destroyed by some cause other than the act of one of the adjoining Owners, Owners' agents, tenants, licensees or guests or family (including ordinary wear and tear and deterioration from lapse of time), then in such event, the Association shall proceed forthwith to rebuild or repair the same to as good condition as formerly, at the Association's expense.

(d) No Owner shall allow any machinery or appliance nor any sound producing equipment to be placed against or near any common wall so as to disturb the adjoining Owner's peaceful enjoyment of such Owner's property. No Owner shall do any act to completely penetrate the common wall.

ARTICLE VIII - MAINTENANCE, REPAIRS AND INSURANCE

(a) The Association shall provide exterior maintenance for the improvements upon each Lot so far as the painting, replacement, repair and care of exterior building surfaces. Such exterior maintenance shall include roofs, decks, siding, developer installed skylights and skylights installed by a licensed contractor approved by the Board of Directors but not any other skylights, fixtures or additions made by an individual Owner. In the event that the need for maintenance or repair is caused through the willful or negligent act of the Owner, the Owner's family, guests, tenants, or contractor not approved by the Board of Directors, the cost of such maintenance or repairs shall be added to and become a part of the assessment to which such Lot is subject. Each Owner shall maintain and repair the windows and screens of the Owner's Unit.

(b) Except as otherwise provided in this document, the Association shall have the responsibility for the maintenance and safety of the common areas of the Subject Property. The Association's responsibility shall include street, driveway, parking area, apron and sidewalk maintenance and repairs, snow removal and maintenance and repair of water and sewer lines not under city control. However, each individual Owner shall be responsible for repairs and maintenance to water, sewer and other utility lines within the Owner's Lot lines.

(c) The Association shall acquire liability insurance for itself and its officers, directors and agents. The Association shall decide whether it will acquire fire and casualty insurance for all improvements and structures or whether that shall be a requirement of each Owner regarding each individual Unit. Each Owner

shall acquire personal liability insurance and fire and casualty insurance regarding the personal property and building contents and accidents occurring on the Owner's property. Every Owner shall be deemed to be an insured under the insurance acquired by the Association and therefore there shall be no subrogation by the insurer against an Owner.

(d) The maintenance and repair of internal installations of each Unit such as water, light, gas, power, sewage, telephone, cable television, air conditioning, sanitary installations, doors, screens, windows, lamps, electronics equipment, and all other accessories belonging to the Unit area shall be at the Owner's expense. Every Owner must perform promptly all maintenance and repair work within his own Unit, which if omitted would affect the project in its entirety or in a part belonging to other Owners, being expressly responsible for the damages and liabilities that Owner's failure to do so may engender. An Owner shall reimburse the Association for any expenditures incurred in repairing or replacing any area and facility damaged through his fault.

(e) No Owner shall make structural modifications or alterations in Owner's Unit or installations located therein until plans and specifications have been approved by the Board of Directors. The Board of Directors shall approve or deny such applications within a time frame reasonable for review of the submitted plans and specifications.

(f) The Association has the authority to develop a landscape irrigating well on the Subject Property or to make a well sharing agreement with adjacent property owners.

ARTICLE IX - ASSESSMENTS BY THE ASSOCIATION

(a) The Declarant, for each Lot owned within the properties, hereby covenants, and each Owner of any Lot by acceptance of a deed therefor, whether or not it shall be so expressed in such deed, is deemed to agree to pay to the Association (1) annual assessments or charges, and (2) special assessments for capital improvements, and (3) enforcement assessments. The assessments, together with interest, costs and reasonable attorney's fees, shall be a charge on the Lot and shall be a continuing lien upon the property against which each such assessment is made. Each such assessment, together with interest, costs and

reasonable attorney's fees, shall also be the personal obligation of the person who was the Owner of a Lot at the time when the assessment became due.

(b) The Association shall not be obligated to spend in any year all the sums received by it in such year (whether by way of assessments, fees or otherwise) and may carry forward as surplus any balances remaining (rather than apply such surplus to reduction of the annual assessment in future years) in such amounts as the Association, in its discretion, may determine to be desirable for the financial security of the Association.

(c) The assessments levied by the Association through its Board of Directors shall be used exclusively to promote the recreation, health, safety and welfare of the residents in the subdivision and for the improvement and maintenance obligations of the Association and for the payment of any taxes, assessments or premiums owed by the Association and for payment of any professional fees or management expense. Any assessment (except enforcement assessments) shall be imposed on all Lots uniformly. Enforcement assessments shall be imposed on the Lots for which costs of enforcement of the assessment payment obligation are incurred.

(d) An annual assessment amount shall be established by the Board of Directors each year. However, if the annual assessment is to be more than 14% greater than the prior year, such assessment amount must be approved by a two-thirds majority of the Lots represented, whether in person or by proxy at the meeting called for such purpose. The date, time and place of such meeting will be determined by the Board of Directors. Each Owner shall be obligated to pay to the Association the Owner's annual assessment on an annual, semi-annual, quarterly or monthly basis as determined by the Board of Directors. Notice of any changes in the annual assessment and a report of the income and expenses for the prior year will be mailed to each Owner as such Owner's address appears on the records of the Yavapai County Assessor or at such address as the Owner shall designate.

(e) An Owner shall become obligated to begin paying the assessments at such time as Owner acquires legal or equitable title.

(f) In addition to the annual assessments authorized above, the Association, through its Board of Directors, may levy, in any assessment year, a special assessment applicable to that year only, for the purposes set forth above. Such

special assessment must have the approval in writing of the Owners of two-thirds of the Lots.

(g) Any assessment installment not paid within thirty (30) days after the due date shall accrue a one time late fee of $50 and shall bear interest from the due date at the rate of eighteen percent (18%) per annum. The Association may bring an action at law against the Owner personally obligated to pay the same, or foreclose the lien against the Lot pursuant to Arizona law pertaining to foreclosure of realty mortgages. No Owner may waive or otherwise escape liability for the assessments provided for herein by non-use or abandonment of Owner's Lot. The proceeds of a judicial sale following the foreclosure of such assessment lien shall first be paid to discharge court costs, other litigation costs including but not limited to reasonable attorney's fees, all interest accruing thereon, and all other expenses of such sale. Any balance of proceeds after satisfaction of such amounts and all other amounts due shall be paid to the Owner, and the Owner may redeem such Lot after the foreclosure sale as provided by law.

(h) The lien of the assessments provided for herein shall be subordinate to the lien of any first priority mortgage. Sale or transfer of any Lot shall not affect the assessment lien. However, the sale or transfer of any Lot pursuant to mortgage foreclosure or trustee's sale shall extinguish the lien of such assessments as to payments which became due prior to such sale or transfer. No such foreclosure or trustee's sale shall relieve the Owner from liability for the assessments accruing prior to the foreclosure or trustee's sale.

(i) The Association on written request shall furnish to a lienholder, Owner or person designated by an Owner a recordable statement setting forth the amount of unpaid Assessments against Owner's Lot. The statement shall be furnished within twenty (20) business days after receipt of the request and is binding on the Association. The Association may charge a reasonable fee in an amount established by the Board of Directors for each such statement.

(j) Each Seller of a Lot shall pay to the Association, immediately upon the conveyance of any Lot, a transfer fee in such amount as is established from time to time by the Board of Directors. Such fee is to defray the cost of changing the Association records.

(k) The Board of Directors shall decide whether water/sewer/trash expenses shall be assess uniformly or by separate meters.

ARTICLE X - ENFORCEMENT

(a) The Association or any Owner, or any combination thereof, in addition to any other remedy available at equity or law, may prosecute an action or other proceeding against any defaulting Owner for injunctive relief, specific performance, damages, a judgment for payment of money and collection thereof, or the appointment of a receiver to take possession of the improvements upon such Lot. By the acceptance of a deed to any Lot, or by signing a contract or agreement for the purchase of the same, the Association and each Owner does hereby agree that in addition to the relief prayed for in such action, the defaulting Owner shall be liable for all court costs and reasonable attorney's fees incurred in the prosecution of such action. Failure by anyone to enforce any condition, restriction, covenant or charges herein contained shall not constitute a waiver of the right to do so thereafter.

(b) Any violation of these covenants and restrictions by an Owner or his/her family members, guests, licensees or tenants, shall result in an assessment against the Owner for payment of the cost of any necessary remedial action and a violation assessment to defray the cost of enforcement as follows:

First Notice:	Certified letter notifying of violation, no assessment
Second Notice:	$50.00 assessment
Third Notice:	$100.00 additional assessment

(c) Any Owner who has been accused of a violation of these Restrictions may appeal such accusation to the Board of Directors. The Board shall hear the appeal and its decision shall be final.

ARTICLE XI - EASEMENT TO ASSOCIATION

(a) All Owners hereby grant an easement to the Association to come upon their respective Lots for the purpose of painting, repair, inspection and general maintenance of the building exterior and common area after five days written notice.

(b) In the event of any act or condition pertaining to the danger of fire, collapse or other such event which poses immediate danger or hazard to any other Owners of Lots, the Association or any Owner shall have the right to go immediately upon such Lot without notice and take such action as may be necessary to alleviate such dangerous or hazardous condition, and any expenses thereby incurred by the other Owner or the Association shall become a lien upon such Lot which may be foreclosed in the manner provided in Article VIII.

(c) Each Owner agrees to allow the Association the use of any exterior electrical outlet as required by the Association to maintain the landscaping in the immediate area of that Lot.

ARTICLE XII - GENERAL TERMS

(a) All covenants herein are intended to and shall constitute covenants running with the land or equitable servitude upon the land, as the case may be, and are intended to and shall be binding upon any present and future Owner of any interest in and to said property.

(b) The provisions hereof shall be deemed independent and severable and the invalidity or partial invalidity or unenforceability of any one provision shall not affect the validity or enforceability of any other provision hereof.

(c) These provisions shall be for the benefit of and be binding upon the heirs, executors, administrators, guardians, conservators, successors, purchasers, lessees, donees, grantees, mortgagees, lienors and assigns of and from the parties hereto.

(d) Each property Owner specifically waives any right to a partitioning of the common property by division of the property or liquidation.

ARTICLE XIII - AMENDMENTS

(a) These covenants, conditions and restrictions shall remain in effect until a notice of termination is recorded in Coconino County signed by the authorized representative of 75% of the Lots in the subdivision.

(b) These covenants, conditions and restrictions may be amended at any time by the Owners at any meeting where all Owners are given written notice of said meeting at least 20 days in advance; where the proposed amendment is set forth in the notice and the proposed amendment is in substantially the same form as later adopted and where the amendment is approved by a two-thirds vote of the Lots represented at said meeting.

(c) These covenants, conditions and restrictions may also be amended by a mail balloting procedure wherein each Owner is mailed a copy of the proposed amendment and a ballot for approval or disapproval. Upon receipt of approval of two thirds of the Owners within 30 days of the mailing, the amendment shall be deemed approved. The Board of Directors shall maintain the records and ballots for such amendment for five (5) years.

(d) These covenants, conditions and restrictions may not be amended so as to apply to less than all Lots or so as to apply differently to different Lots.

Dated: _____2006 DECLARANT

SLEEPY HOLLOW DEVELOPMENT COMPANY, L.L.C.

By _____ By_____
David Meier Dugan McDonald

STATE OF ARIZONA)
) ss.
County of Yavapai)

The foregoing instrument was acknowledged before me this ____ day of _____2006 by David Meier, member of Sleepy Hollow Development Company, L.L.C., known to me to be the person whose name is subscribed to this instrument and acknowledged that he executed the same on behalf of the company.

_____
Notary Public

STATE OF ARIZONA)
) ss.
County of Coconino)

The foregoing instrument was acknowledged before me this ____ day of _____ 2006 by Dugan McDonald , member of Sleepy Hollow Development Company, L.L.C., whose name is subscribed to this instrument and acknowledged that he executed the same on behalf of the company.

_____
Notary Public

TOWN OF CAMP VERDE
Council Agenda Action Form

Meeting Type: Regular **Meeting Date:12-12-07**
Type(s) of Presentation: Visual

AGENDA TITLE: Public Hearing, Discussion and possible approval of Ordinance 2007 A344 amending the Planning and Zoning Ordinance Section 108D : Animals to define the criteria for raising swine within the Town, to add definitions for commercial livestock activity and livestock breeding activity, both requiring a Use Permit approved by Council, change in the use permit process now required for youth livestock activity on parcel smaller than 1/2 acre and adding language for setback requirements for livestock activity as was previously stated in Section 109.

PURPOSE AND BACKGROUND INFORMATION: In February of this year Council gave staff the following directions to address the conflicting language in the zoning ordinance and to address the concerns of the public:

- Section 108 to be re-written to recognize some of the zoning districts in Section 109
- Revise Section 108 to accommodate how 4-H normally conducts its training and rearing of animals.
- Address ambiguous language regarding "except swine."
- Concern of public that a hog farm is similar to a dairy and that is not allowed.
- Have a full understanding of the 4-H requirements, how the particular classes and requests of 4-H work in order to protect 4-H projects.

Staff did a 1st draft of some language amendment to the Commission April and they proceeded to work through several drafts until they felt they had adequately addressed the issues and took the fourth draft to a Public Hearing on June 7th. During the Public Comment it was apparent to the Commission more work was needed to be done and the Public Hearing was continued until such time further work sessions could be held to address the public's concerns. On November 1, 2007 they held another Public Hearing where additional Public input was taken and this meeting was concluded on November 8, 2007 with the Commission recommending approval of AMD 2007 -03 to Council. This document is contained in the Ordinance 2007A344 presented in this packet.

In August, one Commissioner volunteered to put together a citizen group representing both sides of the livestock issue to try and reach a consensus for the amendment language. When the final draft was presented to the public there were many people in the audience concerned about losing their animal rights. Staff explained how grandfathered rights are established and who was qualified. The content and the format of the draft document was also explained because many in attendance had not been aware of this amendment process and did not correctly understand what was being changed in the language existing already in our code. The Chairperson went over the amendment process, how decisions were made and summerized the public input from the previous week trying encourage consensus from both groups to try and find a middle ground.

Some comment must be made as to this document's content and how it was developed. First, the paragraph added under D is not new language to the code for the most part, but moved from 3. Nuisance: d. In this first paragraph staff had added at the end, the statement " All livestock activity within the town limits will be considered an accessory use to the principal use on any parcel except in the Agriculture District." The Commission felt it was redundant language because it was already stated in Section 109 and removed from the approved draft. Staff would request that Council consider adding it back into Section 108 for clarification for the citizens wanting livestock use information. Secondly, the language added under the new 6. Maintenace of Livestock Facilities b. came from Section 109 that was recently removed when adding reference to Section 108 for livestock regulations. Next, the Use Permit requirements have been simplified for the youth livestock activity so that it can be done administratively through the Community Development Department. The only activity that would require a Use Pemit approved by Council would be Commercial and Breeding activity as

defined now in the ordinance. Also there was a change made in the chart increasing animal points to more correctly regulate the number of animals on property over an acre in size. The biggest change is the removal of Swine from the allowable livestock list and the creation of exceptions where and how swine may be kept. They also added Pot Bellied Pigs to the list of animals that will be controlled only by the nuisance factors.

STAFF RECOMMENDATION(S): If the Council chooses to approve the presented draft, staff would request the addition of the language of accessory use as requested in staff report.

LIST ALL ATTACHMENTS: Ordinance 2007 A344, final draft document, draft minutes of Nov 1 and Nov 8th Commission meeting, staff report.

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

☐ Acceptance/Approval	☐ Agreement/Contract	☐ Emergency Clause
☐ Final Plat	☐ Grant Submission	☐ Intergovernmental Agreement
☐ Liquor/Bingo Application	X☐ Ordinance	☐ Preliminary Plat
☐ Public Hearing	☐ Resolution	☐ Special Consideration
☐ Special/Temp Use Permit	☐ Other:	☐ Presentation/Report Only

Submitting Department: P&Z **Contact Person: Nancy Buckel**

ORDINANCE 2007 A344

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA AMENDING SECTION 108 D OF THE ZONING ORDINANCE TO DEFINE THE CRITERIA FOR RAISING SWINE WITHIN THE TOWN, TO ADD DEFINITIONS FOR COMMERCIAL LIVESTOCK ACTIVITY AND LIVESTOCK BREEDING ACTIVITY, TO CHANGE THE USE PERMIT PROCESS FOR YOUTH LIVESTOCK ACTIVITY ON PARCELS SMALLER THAN ½ ACRE AND TO ADD LANGUAGE FOR SETBACK REQUIREMENTS FOR LIVESTOCK ACTIVITY AS WAS PREVIOUSLY STATED IN SECTION 109.

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

WHEREAS, Section 108 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning text regulations of the Planning and Zoning Ordinance by the Town Council, and

WHEREAS, the Town Council has an abiding interest in protecting the public health safety and welfare by establishing requirements for provisions of the Planning and Zoning Ordinance by including definitions.

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

Section 1. Section 108 of the Zoning Code is hereby amended as the following:

D. ANIMALS: (***Revised ~~4/26/2000~~ 12-12-07***)

The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which constitutes a nuisance and which impairs the enjoyment or use of nearby properties or violates other legal restrictions to which the properties are subject. Zoning where the animals are kept must be a density of not less than 25 and a calculated size of not less than ½ acre (21,780 sq ft)

1. **Allowed Livestock:** Any of the species listed ~~on the Species Table~~ below which are cared for by the property owner or occupant ~~and are permitted on lots of one-half acre or larger~~ according to the following Animal Point**s** ~~Chart~~.

ANIMAL POINTS ~~CHART~~ ALLOWED PER ACREAGE

One-half acre through one acre:	24 ~~ANIMAL~~ POINTS
One acre plus ~~through two acres~~:	~~48 ANIMAL POINTS~~ each additional
contiguous ¼ acre allows for the increase of points by an increment of 6 points.	
Over Two acres:	24 ANIMAL POINTS per additional acre

~~**SPECIES**~~

SPECIES *(or associated types)*	POINTS ~~PER ADULTANIMAL~~
Alpacas:	3 POINTS
Emus:	3 POINTS
Pygmy goats:	3 POINTS
Sheep, Goats:	4 POINTS
Llamas:	6 POINTS
Miniature horses, Ponies and Sicilian donkeys:	6 POINTS
Ostriches:	6 POINTS
~~Swine:~~	~~6 POINTS~~
Cattle:	12 POINTS
Domestic deer:	12 POINTS
Horses, Mules, and Donkeys:	12 POINTS

~~*(If the property owner wants to increase the number of livestock on their property, they must have the total number of points required for that species)*~~

2. **Prohibited Livestock: Swine are prohibited within residential zones, unless excepted under paragraph 3c.**
3. **Exceptions:**
   a. **Young nursing** A~~a~~nimals ~~under one year of age or not weaned; whichever comes first~~ are not counted. ~~in the number of animals allowed.~~
   b. Fowl (chickens, ducks, geese, turkeys and peacocks), Rabbits, **Pot Bellied pigs** and Guinea pigs which are cared for by the property owner or occupant are limited by management, husbandry, fly and odor situations, not by numbers.
   c. **Swine may only be raised on property of an acre or more under the following conditions:**

      1) **1 pet or butcher pig per parcel.**
      2) **No breeding or reproduction stock allowed except with a (UP)**
      3) **All pens containing swine must meet the setback requirements for the zoning district.**
      4) **Additional 4-H or FFA swine will require a Temporary 4-H, FFA, or School Youth Livestock Use Permit.**

4. A Use Permit: A use permit is required for any of the following:

a. **Any Commercial Livestock Activity defined as raising livestock for sale for pecuniary gain and selling more than one litter, or more than ten animals in one year.**
b. **Any Livestock Breeding Activity as defined as an ongoing breeding project that involves two or more reproducing adults, other than horses and cattle, (Swine breeding is addressed in paragraph 3c.)**

5. Temporary 4-H, FFA, or School Youth Livestock Use Permit: The Community Development Director may issue a temporary use permit allowing the following livestock activity, using reasonable discretion:

a. **Supervised youth livestock market project of one market animal conducted on property less than ½ acre, or for swine on less than 1 acre, for a period specified by a start and stop date not to exceed 10 months in duration.**
b. **Supervised youth livestock market project that exceeds the number of animals allowed according to the animal points on property greater than ½ acre in size, except swine.**
c. **An application for the temporary permit shall be submitted to the Community Development Director who shall determine that the application meets the criteria set forth in Section 108 I. There will be no charge for the permit.**
d. **An application shall bear the signature of the local livestock youth advisor acknowledging that the project is a valid youth project, and the signature of at least one parent or guardian, as well as the signature of the youth acknowledging and accepting complete responsibility for the project.**
e. **A decision of the Community Development Director may be appealed to the Town Council pursuant to Section 108I (3) (i).**

~~c.~~ ~~Youth under the age of 21 may keep one livestock animal in conjunction with an approved stock raising program (4-H, FAA and the like) only for the life of the program *regardless of the lot size* with the following stipulations:~~

1) ~~Any youth raising livestock on a lot of less than one-half acre must obtain a Use Permit (for which all fees shall be waived) AND obtain the signatures of at least fifty percent (50%) of the property owners of parcels lying within 300 feet of the property.~~

f ~~2)~~The **market** projects shall be of a limited duration **specified by a start and stop date** not **to** exceeding ~~seven (7)~~ **10** months in one calendar year, allowing for care, feeding and grooming of such animals to be shown and/or sold annually at such events such as the Verde Valley, Yavapai County and/or Arizona State Fair.

g ~~3)~~ In the instance that a prize-winning animal is to be entered into competition more than one time, an extension of the permit may be applied for, and after evaluation by the Community Development Department, conditionally extended.

h. ***No special circumstances for additional swine on less than one acre will be considered.***

~~3.~~6. ~~Nuisance~~: Maintenance of Livestock Facilities

a. All structures and pens for animals shall be maintained in a clean and sightly manner so as not to be a nuisance to their neighbors.

b. Stables, barns, or structures used for housing or feeding animals must observe the same setbacks or yards as the dwelling unit.

c. Where the keeping of such animals becomes a nuisance, **as defined in Section 108A**, the ~~Zoning Inspector~~ **Code Enforcement Official** shall have the authority to require a reduction in the number and/or removal of the animals.

~~b.~~**d** A ten-day grace period will be allowed for compliance with the Ordinance after a **written** warning is given by the **Code** Enforcement Officer.

~~c.~~**e**. The **Code** Enforcement ~~Officer~~ Official has the authority to require immediate removal of the animals **under circumstances where they constitute a health or safety hazard to human beings.**~~in question in exceptional cases.~~

~~d. The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which constitutes a nuisance and which impairs the enjoyment or use of nearby properties or violates other legal restrictions the properties are subject to.~~

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

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. This ordinance is effective upon completion of publication and any posting as required by law.

PASSED AND APPROVED by a majority vote of the Town Council of the Town of Camp Verde, Arizona on this 12th day of December 2007.

_____ Date_____
Tony Gioia, Mayor

Approved as to form: Attest: _____
Deborah Barber, Town Clerk

_____
Town Attorney

MINUTES
REGULAR SESSION
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE COUNCIL CHAMBERS
THURSDAY NOVEMBER 08, 2007
6:30 PM

DRAFT

Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Commission motions to facilitate future research.
Public input, where appropriate, is heard prior to the motion

1. **Call to Order**
The meeting was called to order at 6:30 p.m.

2. **Roll Call**
Chairperson Freeman, Commissioners Hisrich, Parrish, German and Burnside were present; newly-appointed Commissioner Alan Buchanan was also present; Vice Chairperson Butner arrived at 6:38 p.m.

Also Present: Community Development Director Nancy Buckel, Sr. Planner Mike Jenkins, Town Clerk Debbie Barber, Records Administrator Sharon McCormick, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**
The Pledge was led by Burnside.

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 Commission so requests.
   a. **Approval of Minutes:**
   No minutes for approval
   b. **Set Next Meeting, Date and Time:**
   December 6, 2007 – Regular Session

On a motion by Hisrich, seconded by Burnside, the Consent Agenda was unanimously approved as presented.

5. **Call to the Public for Items not on the Agenda**
Vivian Raines commented that there are some property owners who claim to have more acreage than that shown on the County Assessor's records; those properties should be surveyed and taxed accordingly.

There was no further public input.

6. **Presentation and discussion by the Town Clerk's office on Open Meeting Law**
Town Clerk Barber introduced herself and Records Administrator Sharon McCormick, and explained that the subject presentation is made once a year, usually in October, when the new Commissioners are seated in order to train them in the requirements of the Open Meeting Law. Barber encouraged the members to ask questions at any time during the presentation.

Barber gave a Power Point presentation on the Open Meeting Law, beginning with an outline of the purpose and requirements, followed by a review of meeting procedures, contents of and importance of adherence to agendas, circumvention of the Open Meeting Law, public participation, executive sessions, and penalties

for violations. Throughout the presentation, including discussion with the members, Barber stressed that the Clerk's Office is available for any questions or concerns that any member may have at any time during their terms as Commissioners.

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7. **Continuance of Public Hearing, Discussion and possible Recommendation on AMD 2007-03 amending the Planning and Zoning Ordinance Section 108 D Animals: to more clearly define the criteria for raising swine within the Town's limits, to add definitions for commercial livestock activity and livestock breeding activity both of which would require a use permit approved by the Council, change the use permit process now required for youth livestock activity on parcels smaller than ½ acre and add language for setback requirements for livestock activity.**
On a motion by Hisrich, seconded by German, the Commission voted unanimously to recommend to Council approval of AMD 2007-03 amending the Planning and Zoning Ordinance Section 108 D Animals, as set forth in DRAFT 11-07, with the following modifications:

Remove following language from D.1.: All livestock activity within the Town limits will be considered an accessory use for the principal use on any parcel except in the Agriculture District.

3.b. Fowl (chickens, ducks, geese, turkeys and peacocks), Rabbits, Guinea Pigs, **and Pot Bellied Pigs** which are cared for by the property owner or occupant are limited by management, husbandry, fly and odor situations, not by numbers.

4a. Any Commercial Livestock Activity defined as raising livestock for sale for pecuniary gain and selling more than one litter, or more than **ten** animals in one year.

4b. Any Livestock Breeding Activity as defined as an ongoing breeding project that involves **two or more** reproducing adults, **other than horses and cattle. (Swine breeding is addressed in Paragraph 3c.)**

5. Temporary 4-H, FFA, or School Youth Livestock Use Permit: The Community Development Director may issue a temporary use permit allowing the following livestock activity, **using reasonable discretion.**

5.a. Supervised youth livestock market project of one market animal conducted on property less than ½ acre, or for swine on less than 1 acre, for a period **specified by a start and stop date not to exceed 10 months in duration.**

5.d. An application shall bear the signature of the local livestock youth advisor acknowledging **that the project is a valid youth project, and the signature of at least one parent or guardian, as well as the signature of the youth acknowledging and accepting complete responsibility for the project.**

5.f. The market projects shall be of a limited duration **specified by a start and stop date not to exceed 10 months,** allowing for care, feeding and grooming of such animals to be shown and/or sold annually at such events such as the Verde Valley, Yavapai County and/or Arizona State Fair.

Commission Discussion Continued:
Opening the Commission discussion continued from the previous meeting. Chairperson Freeman stressed that the challenge was to find the middle ground to provide equal protection for both the rights of the animal owners and the rights of their neighbors in a fair and enforceable manner. The discussion that followed acknowledged the extensive public input to date, as well as the months of effort by staff and the Commission, including legal research. There was considerable attention focused on the youth livestock activities requiring a Use Permit, which Community Development Director pointed out would be at no charge and the process had been simplified. The issue of needing stronger enforcement of the nuisance factor was also addressed. Outlining and analyzing each member's suggestions and opinions in detail, the Commissioners arrived at a consensus on final revisions to the draft amendment, and action was taken accordingly.

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There was no further public input.

8. **Discussion on AMD 07-05: Amendment to Section 118.IVA to prohibit A-frame signs and Section 103 Definitions adding "A-Frame Sign".**
(Continued to the next regular meeting.)

9. **Discussion on the use of shipping containers as accessory buildings in Camp Verde.**
(Continued to the next regular meeting.)

10. **Commission Informational Reports:**
Hisrich thanked all the members and staff for working well together on this difficult project.

Burnside requested an agenda item to discuss the Nuisance regulation ordinance.

German thanked everyone including the staff and all the community for all their hard work and input.

Freeman said he was pleased to have been able to chair the Commission during a difficult situation; the support of the staff and the Commission have been amazing.

11. **Staff Report**
Buckel thanked all the Commissioners for their input and participation; staff could not do it alone, and input from the citizens was very important as well.

12. **Adjournment**
On a motion by Hisrich, seconded by Butner, the meeting was adjourned at 9:30 p.m.

_____
Dave Freeman, Chairperson

_____
Planning & Zoning

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the regular meeting of the Planning & Zoning Commission of Camp Verde, Arizona, held on the 8th day of November 2007. I further certify that the meeting was duly called and held, and that a quorum was present.

DRAFT

Dated this _____ day of _____, 2007.

_____

Margaret Harper, Recording Secretary

MINUTES
REGULAR SESSION
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE COUNCIL CHAMBERS
THURSDAY NOVEMBER 01, 2007
6:30 PM

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Minutes are a summary of the actions taken. They are not verbatim.
Public Input is placed after Commission motions to facilitate future research.
Public Input, where appropriate, is heard prior to the motion

1. **Call to Order**
The meeting was called to order at 6:30 p.m.

2. **Roll Call**
Chairperson Freeman, Vice Chairperson Butner, Commissioners Hisrich, Parrish, German and Burnside were present; there is currently one seat vacant.

Also Present: Community Development Director Nancy Buckel, Sr. Planner Mike Jenkins, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**
The Pledge was led by German.

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 Commission so requests.
   a. **Approval of Minutes:**
   October 4, 2007 – Regular Session
   b. **Set Next Meeting, Date and Time:**
   November 8, 2007 – Regular Session

On a motion by German, seconded by Hisrich, the Consent Agenda was unanimously approved as presented.

5. **Call to the Public for Items not on the Agenda**
Kathy Rosenberg requested that a moratorium be placed on more subdivisions because she prefers animals to subdivisions.

There was no further public input.

6. **Public Hearing Discussion and possible action on AMD 2007-03: Amending the Planning and Zoning Ordinance Section 108 Livestock Ordinance to address the raising of swine within the Town's limits and other inconsistencies concerning livestock regulations.**
On a motion by Butner, seconded by Parrish, the Commission voted unanimously to continue this hearing until the November 8th meeting, and to start with the Board Discussion.

To open the hearing, Chairperson Freeman explained to those in attendance that the subject amendment was the culmination of approximately six months of work by the Commission based on input from numerous people on both sides of various issues, focusing in essence on the issue of what makes good or bad neighbors. He said that the proposed revision of Ordinance 108 has been drafted to best represent the full feelings of the entire community, not just some special

interest group or certain neighborhoods, and must apply fairly and equally to all parts of Camp Verde. Freeman stressed that this is not the time to express emotional feelings about the issues; at this point the Commission wants to be sure it has drafted the right ordinance that represents everybody's best interests regarding animals and is a fair and equitable balance. Freeman requested that when the public hearing is opened, speakers focus on the task at hand, to the extent that the Commission may not have heard every idea or suggestion, and that each person limit comments to two minutes. Freeman added that copies of the proposed ordinance were available for reference, and again urged everyone to stay on point and to offer only specific ideas or suggestions for revisions or additions.

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Prior to continuing further, Community Development Director Buckel advised the Chairperson that in order to accommodate the number of people arriving, it would be necessary to adjourn the meeting to the Gymnasium.

A recess was called at 6:43 p.m. in order to move the meeting to the Gymnasium; the meeting was called back to order at 6:55 p.m.

PUBLIC HEARING OPEN

Applicant/Staff Statement

Buckel reviewed the background of the work and research done by staff and the Commission on the proposed ordinance during the past 6 to 8 months, as directed by the Council, primarily addressing the issue of 4-H and FFA animal activities as well as protecting neighborhoods. Buckel said the document reflects the work of volunteers and much staff and attorney time, adds definitions including commercial livestock activity and breeding activities and simplifies the Use Permit application process for 4-H projects. Buckel said that the Town is not trying to prohibit livestock activities. She pointed out that Camp Verde citizens have long tolerated the activities of their neighbors, but the problem arises when those activities create a situation where a neighbor cannot enjoy his property.

Chairperson Freeman then opened the hearing to public input.

COMMENT FROM OTHER PERSONS

(Comments from the following persons are summarized.)

Judy Valentine, a 4-H leader and parent, said she has been a victim of a neighbor who had far too many animals, and said she appreciated the super job that was done on drafting an ordinance to regulate the number of animals. Ms Valentine again spoke later, saying that the issue is not about 4-H, but about kids being respectful to neighbors; there is always someone who ruins a situation for someone else.

Ginger Mason brought up the issue of pot-bellied pigs being pets, or brought onto property because of rescue situations.

Richard Clark said that the Town has the ability to control nuisances and to leave the ordinance alone or to revise it to where it is solving a problem, not creating one.

Paul Dinno protested that he had only found out about the proposed change today, suggested the actions were a type of Fascism, adding that we live in America. He also said that the Town should be concerned with keeping kids out of trouble.

Daria Weir said that eliminating swine is discriminatory and to please consider putting them back.

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Lynn Reddell said that if the Town had dealt with the pig problem long ago we would not be here now.

Harold Bullard accused the Town of becoming a dictatorship; it was rural long before the County had any restrictions.

Katherine Montgomery was concerned that the Town would be taking the students' futures away; they earn cash points from their activities.

Harline Nussberger said she had goats and chickens, raised them for food for her health, and was worried that they might be prohibited.

Charlotte Salsman moved to Camp Verde because she could have animals; she would rather see animals than concrete and sidewalks.

(Unintelligible – did not sign in) said please listen to what is being said.

Susan Danner said that no one is taking anything away, only regulating animals, and it has to be done.

Mary Montgomery wondered if the Town would regulate how many kids we can have.

Leann Russell was concerned about the portion regulating market projects and applying for an extension; she said to enforce the laws already in place.

Leonard Krautbauer voiced his complaint about the pigs next door; they are a pig farm in a residential area.

Eric Schweizer said that the people who complain about the ordinance are not in his shoes, and he asked for an explanation of the section regulating breeding or reproduction of stock.

Stacey Chambers, a former 4-H member and leader objected to the provision requiring leaders to take responsibility for how the children manage the projects.

Frank Geminden said he owns 40 acres, said the Town is concerned about small animals, and asked what about the larger ones.

Lu Petersen said she came to Camp Verde to live her childhood dream of being a farmer, and believes that the change probably came from disharmony between neighbors; be proactive, not reactive.

Cheyenne Robinson explained that market projects actually require longer than six months and suggested eight months; the projects teach kids the importance of being involved in the community.

Dave Sanders told how his daughter made enough money for college; his youngest daughter had turned the breeding operation over to the Terrys; the Town needs to back away from the problem, it will take care of itself.

Pam Sterrett complained that the citizens are being given false information and the promised meetings of the committee had not been held.

Irene Peoble asked how many staff members are needed to enforce the rules and what authority they have; there is not enough staff to enforce them as it is. She also suggested that the children need to learn the fine art of living together and being responsible citizens.

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John McReynolds said the problem is that there are way too many animals in a residential subdivision; the owners need to move to an area away from the residential area.

Karen Terry explained that she was left with the job of raising pigs by a previous swine 4-H leader; the ordinance should be re-worded to remove the requirement that the leader is responsible for how the children handle their projects.

George Penn said the focus should be on creating a community with quality of life and to keep in mind the quality of life for the animals that are being kept.

There was no further formal public input.

A recess was called at 8:15 p.m.; the meeting was called back to order at 8:30 p.m.

PUBLIC HEARING CLOSED
Commission Discussion
After the Chairperson closed the public hearing portion, questions and comments continued to be informally submitted from the audience during the Commission discussion, all of which were acknowledged. In summary, the Commission noted concerns as follows, in part:

- Revise the application requiring the youth advisor to accept responsibility; only to just sign the application to validate the project;
- Consider eliminating Section 4.a, and change 4.b. to "any swine breeding activity,"
- Address the issue of pot-bellied pigs as pets.

Because of the late hour the Commissioners generally agreed that the discussion would continue at the meeting to be held next week, November 8th, and the public was advised accordingly.

7. **Commission Informational Reports:**
There were no Commission informational reports.

8. **Staff Report**
There was no staff report.

9. **Adjournment**
On a motion by Butner, seconded by Parrish, the meeting was adjourned at 9:40 p.m.

_____
Dave Freeman, Chairperson

Planning & Zoning

DRAFT

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the regular meeting of the Planning & Zoning Commission of Camp Verde, Arizona, held on the 1ST day of November 2007. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2007.

Margaret Harper, Recording Secretary