

PLANNED AREA DEVELOPMENT OVERLAY
THE ARGO AT TOWN LAKE

PORTIONS OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA

ACKNOWLEDGEMENT

EVERGREEN LAKESIDE & RIO SALADO, L.L.C., an Arizona limited liability company.
By: EVERGREEN DEVELOPMENT COMPANY-2011, L.L.C., an Arizona limited liability company Its Manager
By: EVERGREEN DEVCO, INC., a California corporation Its Manager
By: Jason A. Donkersley Vice President - General Counsel
This instrument was acknowledged before me this 24 day of February, 2012 by Jason A. Donkersley, the Vice President - General Counsel of Evergreen Devco, Inc., a California corporation, the manager of Evergreen Development Company-2011, L.L.C., an Arizona limited liability company, the manager of Evergreen Lakeside & Rio Salado, L.L.C., an Arizona limited liability company. LAURAN D. HOGAN, the MANAGER of TR Skywater LLC, as successor in interest to Evergreen Lakeside & Rio Salado, L.L.C.
Notary Public
My Commission Expires: 1/27/2019
"OFFICIAL SEAL" Jennifer Escobarete Notary Public, State of Illinois My Commission Expires 1/27/2019

LEGAL DESCRIPTION

SEE SHEET PAD-2

APPROVAL

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE ON THIS 9th DAY OF AUGUST 2012.

OWNER/DEVELOPER

EVERGREEN-LAKESIDE & RIO SALADO, L.L.C.
2390 EAST CAMELBACK ROAD, STE 410
PHOENIX, ARIZONA 85016
602-808-8600 PHONE
602-808-9100 FAX

PROJECT DATA

ZONING DISTRICT AND OVERLAY
MU-4 MIXED USE W/ PAD OVERLAY

Table with 2 columns: STANDARD, MU-4 PAD OVERLAY. Rows include: DENSITY (D.U./ACRE), MAXIMUM BUILDING HEIGHT, MAXIMUM LOT COVERAGE, LANDSCAPE COVERAGE, MINIMUM SETBACKS, FRONT SETBACK (BLDG), SIDE SETBACK (BLDG), REAR SETBACK (BLDG), PARKING SETBACK.

Table with 2 columns: PROPOSED UNIT MIX, DWELLING UNITS. Rows include: LIVE/WORK, STUDIO, 1 BEDROOM, 2 BEDROOM, 3 BEDROOM, TOTAL UNITS.

PARKING STANDARDS:
PARKING STALL..... 18'-0" X 8'-6"
[16'-0" x 8'-6" at 2'-0" OVERHANG]
PARKING AISLE (FIRELANE)..... 23'-0"
REQUIRED PARKING :
REQUIRED PARKING..... 559 P.S.
PER KIMLEY- HORN PARKING STUDY

Table with 5 columns: DWELLING UNIT TYPE, QUANT., REQUIRED PER TEMPE ORDINANCE, REC. PER PARKING STUDY, PARKING SPACES REQUIRED. Rows include: LIVE/WORK (1-BED), LIVE/WORK (2-BED), STUDIO, 1 BEDROOM, 2 BEDROOM, 3 BEDROOM, GUEST, SUB-TOTAL, COFFEE SHOP, BUSINESS CENTER, TOTAL.

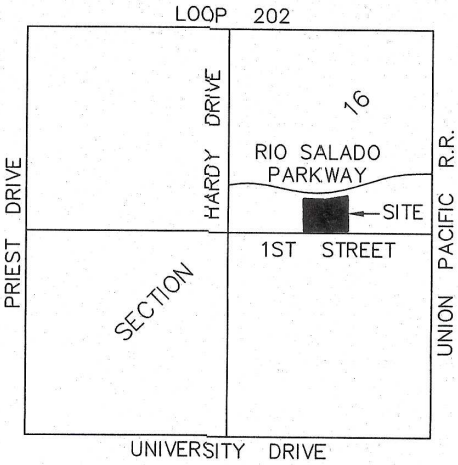
PROVIDED PARKING SPACES:
COVERED (GARAGE).....463 P.S.
UNCOVERED85 P.S.
ADA- COVERED (GARAGE).....9 P.S.
ADA- UNCOVERED4 P.S.

TOTAL PARKING PROVIDED 561 P.S.

PROVIDED BICYCLE SPACES:
STUDIO (.75 PER UNIT).....24 B.S.
1 BEDROOM (.75 PER UNIT)102 B.S.
2 BEDROOM (.75 PER UNIT)108 B.S.
3 BEDROOM (1 PER UNIT)16 B.S.
TOTAL BICYCLE SPACES PROVIDED 250 B.S.

ACCESSORY USE SQUARE FOOTAGES:
COFFEE SHOP.....738 S.F.
VACANT SPACE/ TO BE DETERMINED.....1,909 S.F.

SITE VICINITY MAP



CONDITIONS OF APPROVAL: PAD12003

- CONDITIONS:
- A building permit application shall be made on or before August 9, 2014, or the zoning of the property may revert to that in place at the time of application. Any reversion is subject to a public hearing process at a zoning map amendment.
 - The property owner(s) shall sign a waiver of rights and remedies form. By signing the form, the Owner(s) voluntarily waive(s) any right to claim compensation for diminution of Property value under A.R.S. 12-1134 that may now or in the future exist, as a result of the City's approval or this Application, including any conditions, stipulations, and/or modifications imposed as a condition of approval. The signed form shall be submitted to the Community Development Department no later than September 10, 2012, or the General Plan Map Amendment, Zoning Map Amendment, and Planned Area Development approval shall be null and void.
 - An Encroachment Permit must be obtained from the Engineering Department prior to submittal of construction documents for building permit.
 - The Planned Area Development for Argo at Town Lake shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Community Development Department prior to issuance of building permits.
 - An amended Subdivision Plat is required for this development and shall be recorded prior to issuance of building permits.
 - The developer must receive approval of the final Traffic Impact Study from the Traffic Engineering Prior to issuance of a building permit.

GENERAL NOTES

NO GENERAL NOTES

REC12013

CLIENT

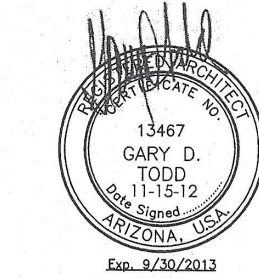
CONTACT

PAD12003

DATA

DS110334

NO. 11-2050-01
THE ARGO AT TOWN LAKE
EVERGREEN
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Phoenix, Arizona 85016
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DATE NOVEMBER 15, 2012
Proj Mgr.BAF
Dwn By: BAF
Rev. Date: Description:

PAD-1

PLANNED AREA DEVELOPMENT OVERLAY

THE ARGO AT TOWN LAKE

PORTIONS OF THE NORTHEAST QUARTER OF SECTION 16,TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA

LEGAL DESCRIPTION

PARCEL NO. 1:
LOT 10E, STATE PLAT NO. 12 AMENDED, ACCORDING TO BOOK 69 OF MAPS, PAGE 38, RECORDS OF MARICOPA COUNTY, ARIZONA;

EXCEPT 1/16TH OF ALL GAS, OIL, METAL AND MINERAL RIGHTS AS RESERVED TO THE STATE OF ARIZONA IN THE PATENT TO SAID LAND.

PARCEL NO. 2:
LOT 11E, STATE PLAT NO. 12 AMENDED, ACCORDING TO BOOK 69 OF MAPS, PAGE 38, RECORDS OF MARICOPA COUNTY, ARIZONA;

EXCEPT 1/16TH OF ALL GAS, OIL, METAL AND MINERAL RIGHTS AS RESERVED TO THE STATE OF ARIZONA IN THE PATENT TO SAID LAND.

PARCEL NO. 3:
THE WEST 75 FEET OF LOT 15, STATE PLAT NO. 9, ACCORDING TO BOOK 23 OF MAPS, PAGE 48, RECORDS OF MARICOPA COUNTY, ARIZONA; EXCEPTING AND RESERVING UNTO THE UNITED STATES RIGHTS-OF-WAY FOR DITCHES AND CANALS CONSTRUCTED BY THEIR AUTHORITY.

PARCEL NO. 4A:
LOT 9E, STATE PLAT NO. 12 AMENDED, ACCORDING TO BOOK 69 OF MAPS, PAGE 38, AND BEING PART OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND ALSO KNOWN AS LOT 12 AS SHOWN ON STATE PLAT NO. 9, RECORDED IN BOOK 23 OF MAPS, PAGE 48, RECORDS OF MARICOPA COUNTY, ARIZONA; EXCEPT 1/16TH OF ALL GAS, OIL, METAL AND MINERAL RIGHTS AS RESERVED TO THE STATE OF ARIZONA IN THE PATENT TO SAID LAND.

PARCEL NO. 4B:
LOT 8E, STATE PLAT NO. 12 AMENDED, ACCORDING TO BOOK 69 OF MAPS, PAGE 38, AND BEING A PART OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVE BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND ALSO KNOWN AS THE WEST 50 FEET OF LOT 11 AS SHOWN ON STATE PLAT NO. 9, RECORDED IN BOOK 23 OF MAPS, PAGE 48, RECORDS OF MARICOPA COUNTY, ARIZONA; EXCEPT 1/16TH OF ALL GAS, OIL, METAL AND MINERAL RIGHTS AS RESERVED TO THE STATE OF ARIZONA IN THE PATENT TO SAID LAND.

PARCEL NO. 4C:
THAT PORTION OF THE NORTHEAST QUARTER, BEING A STRIP OF LAND, 40 FEET WIDE, LYING ADJACENT TO THE NORTH END OF LOTS 8E AND 9E OF STATE PLAT NO. 12 AMENDED, RECORDED IN BOOK 69 OF MAPS, PAGE 38, RECORDS OF MARICOPA COUNTY, ARIZONA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 8E;
THENCE SOUTH 80 DEGREES 14 MINUTES 05 SECONDS WEST, 202.29 FEET ALONG THE NORTH BOUNDARY OF LOTS 8E AND 9E TO THE NORTHWEST CORNER OF LOT 9E; THENCE NORTI 01 DEGREES 05 MINUTES 55 SECONDS WEST, 40.46 FEET; THENCE NORTH 80 DEGREES 14 MINUTES 05 SECONDS EAST, 202.48 FEET; THENCE SOUTH 01 DEGREES 04 MINUTES 25 SECONDS EAST, 40.46 FEET TO THE TRUE POINT OF BEGINNING;

ALL IN SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; EXCEPT 1/16TH OF ALL GAS, OIL, METAL AND MINERAL RIGHTS AS RESERVED TO THE STATE OF ARIZONA IN THE PATENT TO SAID LAND.

PARCEL NO. 5:
LOT 13, SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND AS SHOWN ON PLATS RECORDED IN BOOK 8 OF MAPS, PAGE 43, IN BOOK 8 OF MAPS, PAGE 50 AND IN BOOK 23 OF MAPS, PAGE 48, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 6:
THAT PORTION OF 2ND AVENUE AS SHOWN ON STATE PLAT NO. 12 AMENDED, RECORDED IN BOOK 69 OF MAPS, PAGE 38, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING WITHIN THE NORTHEAST QUARTER OF SECTION 16,TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A CITY OF TEMPE BRASS CAP FLUSH WITH THE PAVEMENT MARKING THE CENTER OF SAID SECTION 16 AT THE INTERSECTION OF HARDY DRIVE AND 1ST STREET FROM WHICH A CITY OF TEMPE ALUMINUM CAP MARKING THE EAST QUARTER CORNER OF SAID SECTION BEARS NORTH 89 DEGREES 28 MINUTES 05 SECONDS EAST 2,674.63 FEET; THENCE NORTH 01 DEGREE 02 MINUTES 24 SECONDS WEST 477.81 FEET TO THE NORTHERLY LINE OF SAID 2ND AVENUE AS SHOWN ON SAID STATE PLAT NO. 12 AMENDED; THENCE EASTERLY ALONG SAID NORTHERLY LINE THE FOLLOWING FOUR COURSES AND DISTANCES:
THENCE NORTH 89 DEGREES 28 MINUTES 05 SECONDS EAST 195.99 FEET; THENCE NORTH 66 DEGREES 28 MINUTES 05 SECONDS EAST 123.20 FEET; THENCE SOUTH 83 DEGREES 00 MINUTES 55 SECONDS EAST 613.32 FEET; THENCE SOUTH 89 DEGREES 04 MINUTES 55 SECONDS EAST 163.25 FEET TO THE INTERSECTION OF SAID NORTH LINE WITH THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 11E OF SAID STATE PLAT NO 12 AMENDED AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTHERLY LINE SOUTH 89 DEGREES 04 MINUTES 55 SECONDS EAST 174.93 FEET; THENCE SOUTH 01 DEGREES 06 MINUTES 55 SECONDS EAST 40.03 FEET ALONG THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 10E OF SAID STATE PLAT NO. 12 AMENDED TO THE NORTHEAST CORNER OF SAID LOT 10E; THENCE NORTH 89 DEGREES 04 MINUTES 55 SECONDS WEST 174.95 FEET ALONG THE NORTH LINE OF SAID LOTS 10E AND 11E TO THE NORTHWEST CORNER OF SAID LOT 11E; THENCE NORTH 01 DEGREE 05 MINUTES 25 SECONDS WEST 40.02 FEET ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 11E TO THE POINT OF BEGINNING.

EXCEPT ALL OIL, GAS OTHER HYDROCARBON SUBSTANCES, HELIUM OR OTHER SUBSTANCE OF A GASEOUS NATURE, COAL, METALS, MINERALS, FOSSILS, FERTILIZERS OF EVERY NAME AND DESCRIPTION, TOGETHER WITH ALL URANIUM, THORIUM OR ANY OTHER MATERIAL WHICH IS OR MAY BE DETERMINED BY THE LAWS OF THE UNITED STATES OR OF THIS STATE, OR DECISIONS OF COURT, TO BE PECULIARLY ESSENTIAL TO THE PRODUCTION OF FSSIONABLE MATERIALS, WHETHER OR NOT OF COMMERCIAL VALUE.

PARCEL NO. 6A:
AN EASEMENT FOR DRIVEWAY FOR ACCESS AND EGRESS, SIDEWALK, LIGHTING, PUBLIC AND PRIVATE UTILITIES, STORM WATER DRAINAGE AND RETENTION, SIGNAGE, LANDSCAPE AND IRRIGATION PURPOSES OVER A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CITY OF TEMPE BRASS CAP FLUSH WITH THE PAVEMENT MARKING THE CENTER OF SAID SECTION 16 AT THE INTERSECTION OF HARDY DRIVE AND 1ST STREET FROM WHICH A CITY OF TEMPE ALUMINUM CAP MARKING THE EAST QUARTER CORNER OF SAID SECTION 16 BEARS NORTH 89 DEGREES 28 MINUTES 05 SECONDS EAST 2,674.63 FEET;

THENCE NORTH 89 DEGREES 28 MINUTES 05 SECONDS EAST 1,005.71 FEET ALONG THE MONUMENT LINE OF SAID HARDY DRIVE AND THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16 TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 15, STATE PLAT NO. 9, RECORDED IN BOOK 23 OF MAPS, PAGE 48, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 01 DEGREES 04 MINUTES 55 SECONDS WEST 443.49 FEET ALONG SAID SOUTHERLY EXTENSION AND THE WETS LINE OF SAID LOT 15 TO THE NORTHWEST CORNER OF SAID LOT 15 AND THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 01 DEGREES 04 MINUTES 55 SECONDS WEST 93.86 FEET ALONG NORTHERLY EXTENSION OF SAID WEST LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF RIO SALADO PARKWAY AS DESCRIBED IN DOCUMENT NO. 89-023644, OF OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, BEING THE BEGINNING OF A NON-TANGENT CURVE THE CENTER OF WHICH BEARS NORTH 03 DEGREES 26 MINUTES 01 SECOND EAST 1,974.86 FEET;

THENCE EASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 16 DEGREES 02 MINUTES 26 SECONDS AND ARC LENGTH OF 552.88 FEET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 8E, STATE PLAT NO. 12 AMENDED, RECORDED IN BOOK 69 OF MAPS, PAGE 38, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 01 DEGREE 04 MINUTES 25 SECONDS EAST 92.40 FEET ALONG SAID NORTHERLY EXTENSION;

THENCE SOUTH 80 DEGREES 14 MINUTES 05 SECONDS WEST 293.02 FEET;

THENCE NORTH 89 DEGREES 04 MINUTES 55 SECONDS WEST 260.53 FEET TO THE POINT OF BEGINNING;

EXCEPT ALL OIL, GAS OTHER HYDROCARBON SUBSTANCES, HELIUM OR OTHER SUBSTANCE OF A GASEOUS NATURE, COAL, METALS, MINERALS, FOSSILS, FERTILIZERS OF EVERY NAME AND DESCRIPTION, TOGETHER WITH ALL URANIUM, THORIUM OR ANY OTHER MATERIAL WHICH IS OR MAY BE DETERMINED BY THE LAWS OF THE UNITED STATES OR OF THIS STATE, OR DECISIONS OF COURT, TO BE PECULIARLY ESSENTIAL TO THE PRODUCTION OF FSSIONABLE MATERIALS, WHETHER OR NOT OF COMMERCIAL VALUE.

PARCEL NO. 7:
A PARCEL OF LAND LYING WITHIN SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER OF SAID SECTION 16, A MARICOPA COUNTY ALUMINUM CAP FLUSH, FROM WHICH THE CENTER OF SAID SECTION, A CITY OF TEMPE BRASS CAP IN HANDHOLE, BEARS SOUTH 89° 41' 29" WEST (BASIS OF BEARING), A DISTANCE OF 2674.58 FEET;

THENCE ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION, SOUTH 89° 41' 29" WEST, A DISTANCE OF 1412.10 FEET;

THENCE LEAVING SAID EAST-WEST MID-SECTION LINE, NORTH 00° 18' 31" WEST, A DISTANCE OF 436.86 FEET, TO THE NORTHERLY LINE OF STATE PLAT NO. 12 AMENDED, RECORDED IN BOOK 69, PAGE 38, MARICOPA COUNTY RECORDS (M.C.R.) AND THE POINT OF BEGINNING;

THENCE ALONG SAID NORTHERLY LINE, NORTH 88° 51' 28" WEST, A DISTANCE OF 184.70 FEET;

THENCE LEAVING SAID NORTHERLY LINE, NORTH 29° 11' 59" EAST, A DISTANCE OF 24.67 FEET;

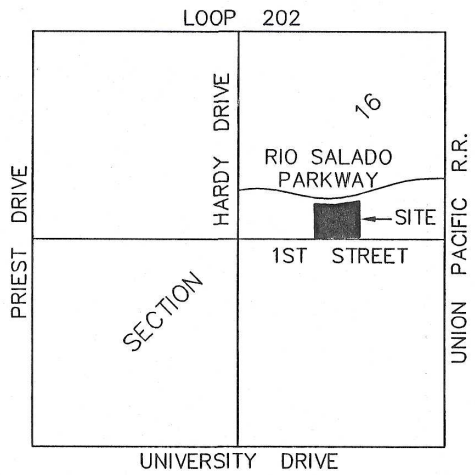
THENCE NORTH 87° 46' 47" EAST, A DISTANCE OF 189.50 FEET;

THENCE SOUTH 60° 48' 01" EAST, A DISTANCE OF 46.88 FEET, TO SAID NORTHERLY LINE;

THENCE ALONG SAID NORTHERLY LINE, SOUTH 80° 27' 49" WEST, A DISTANCE OF 58.45 FEET, TO THE POINT OF BEGINNING.

EXCEPT ALL OIL, GAS OTHER HYDROCARBON SUBSTANCES, HELIUM OR OTHER SUBSTANCE OF A GASEOUS NATURE, COAL, METALS, MINERALS, FOSSILS, FERTILIZERS OF EVERY NAME AND DESCRIPTION, TOGETHER WITH ALL URANIUM, THORIUM OR ANY OTHER MATERIAL WHICH IS OR MAY BE DETERMINED BY THE LAWS OF THE UNITED STATES OR OF THIS STATE, OR DECISIONS OF COURT, TO BE PECULIARLY ESSENTIAL TO THE PRODUCTION OF FSSIONABLE MATERIALS, WHETHER OR NOT OF COMMERCIAL VALUE.

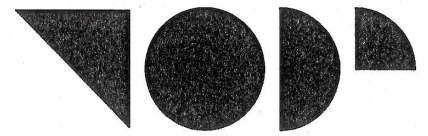
SITE VICINITY MAP



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Rev. Date: Description:



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DS110334

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