

THIRD AMENDED P.A.D. FOR FESTIVA TEMPE

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 1 SOUTH,
RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
AMENDING THE SECOND AMENDED FINAL P.A.D. AND FINAL PLAT FOR
FESTIVA TEMPE AS RECORDED IN BOOK 386 OF MAPS, PAGE 2
RECORDS OF MARICOPA COUNTY, ARIZONA.

OWNERS

GROVES CENTER DEVELOPMENT LIMITED PARTNERSHIP II
4040 EAST CAMELBACK ROAD, SUITE 250
PHOENIX, ARIZONA 85018
PHONE: (602) 840-3000
FAX: (602) 840-5101

D.R. HORTON, INC.
4500 S. LAKESHORE DRIVE, SUITE 205
TEMPE, ARIZONA 85282
PHONE: (602) 491-4323
FAX: (602) 756-2858

OWNERS STATEMENT

THIS IS TO CERTIFY THAT WE HAVE REVIEWED THIS PLAN
AND HEREBY APPROVE THE DEVELOPMENT AS SHOWN.

NAME Wm K. Clark
TITLE Vice President
DATE 1-17-95

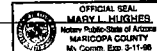
NAME R. Conito
TITLE Executive Vice President
Elluman Residential Development Corporation
DATE 23-20 January 1995

ACKNOWLEDGEMENT

ON THIS THE 30th DAY OF December, 1995, BEFORE ME, THE UNDERSIGNED, PERSONALLY
APPEARED R. Conito WHO ACKNOWLEDGED HIMSELF AS Executive Vice President

OF ELLUMAN RESIDENTIAL DEVELOPMENT, INC., THE GENERAL PARTNER OF GROVES CENTER
DEVELOPMENT LIMITED PARTNERSHIP II, THE OWNER, AND AS OWNER BEING DULY AUTHORIZED
SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED,
BY SIGNING HIS NAME AS OWNER. IN WITNESS WHEREOF, I HEREBY SET MY HAND AND OFFICIAL SEAL.

BY Mary D. Hughes DATE 2-11-96
NOTARY PUBLIC



ACKNOWLEDGEMENT

ON THIS THE 17th DAY OF January, 1995, BEFORE ME, THE UNDERSIGNED, PERSONALLY
APPEARED Wm K. Clark WHO ACKNOWLEDGED HIMSELF AS Vice President

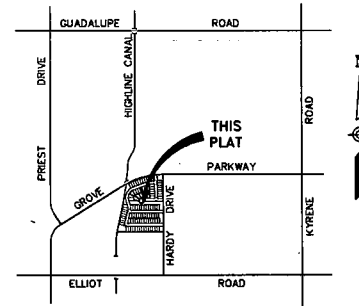
OF D.R. HORTON, INC., A DELAWARE CORPORATION, THE OWNER, AND AS OWNER BEING DULY
AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED,
BY SIGNING HIS NAME AS OWNER. IN WITNESS WHEREOF, I HEREBY SET MY HAND AND OFFICIAL SEAL.

BY Mary D. Miller DATE 2-2-96
NOTARY PUBLIC



BENCHMARK

CITY OF TEMPE BRASS CAP IN HANDHOLE AT THE INTERSECTION OF ELLIOT ROAD AND
GROVE PARKWAY ELEVATION = 1234.40 CITY OF TEMPE DATUM.



VICINITY
MAP
NTS

VARIANCES - AS APPROVED - SBD 93.77 SPD 93.78

- A. REDUCE REQUIRED SIDEYARD SETBACK FROM 10' TO 5' FOR UNITS WITHOUT COMMON WALLS.
- B. REDUCE REQUIRED MINIMUM STREET SIDEYARD SETBACK FROM 25' TO 5'.
- C. REDUCE REQUIRED GUEST PARKING FROM 22 SPACES TO 11 SPACES.
- D. REDUCE REQUIRED R.V. PARKING FROM 11 SPACES TO 6 SPACES.
- E. WAIVE REQUIRED LANDSCAPING (15 GALLON TREES 15' o.c.) ON ALL INTERNAL REAR YARD PROPERTY LINES BETWEEN LOTS IN THE SUBDIVISION.
- F. REDUCE REQUIRED FRONT YARD LANDSCAPING FROM ONE 15 GALLON/24" BOX TREE FOR EVERY 25' TO ONE 15 GALLON TREE PER INDIVIDUAL LOT.
- G. WAIVE REQUIREMENT THAT REQUIRED R.V. PARKING SPACES BE LOCATED ON SITE, OR ON AN ADJACENT SITE.

VARIANCES - AS APPROVED - SPD 94.72

- H. INCREASE HEIGHT OF CMU BLOCK WALL AND WROUGHT IRON FENCE ALONG THE WEST AND SOUTH BOUNDARIES, AS SHOWN ON SHEET 2 OF 2, TO 6 FEET.

VARIANCES - AS APPROVED - SPD 94.87

- I. INCREASE THE MAXIMUM ALLOWED LOT COVERAGE FROM 40% TO 55%.

VARIANCES - AS APPROVED - SPD 94.105

- J. DECREASE THE MINIMUM REQUIRED FRONT YARD BUILDING SETBACK FROM 25 FEET TO 20 FEET.

VARIANCES - AS APPROVED - SPD 94.126

- K. DECREASE THE MINIMUM REQUIRED SIDE YARD SETBACK FROM 5 FEET TO 3 FEET (FOR FIREPLACES AND BAY WINDOWS ONLY).

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR OF THE STATE OF ARIZONA; THAT THIS MAP CONSISTING OF 2 SHEETS, CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION FROM NOVEMBER, 1991 THROUGH APRIL, 1992; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

THOMAS J. LUTE
REGISTERED LAND SURVEYOR NUMBER 14959

STATE OF ARIZONA } 65
County of Maricopa }
I hereby certify that the within
instrument was filed and recorded
at request of
City of Tempe
2-2-95 1:39
In Book 390
on page 30
Witness my hand and official
seal this day and year aforesaid.
Notary Public
DATE 25-10-95 County Recorder
RECORDING NUMBER

PATIO HOMES - #SBD-93.77 & #SPD-93.78 #ZON-93.22

1. A. PUBLIC WORKS DEPARTMENT APPROVAL OF ALL ROADWAY, ALLEY AND UTILITY EASEMENT DEDICATIONS, DRIVEWAYS, STORM WATER RETENTION AND STREET DRAINAGE PLANS, WATER AND SEWER CONSTRUCTION DRAWINGS, REFUSE PICKUP, AND OFF-SITE IMPROVEMENTS.
- B. OFF-SITE IMPROVEMENTS TO BRING ROADWAYS TO CURRENT STANDARDS INCLUDE:
 - (1) WATER LINES AND FIRE HYDRANTS
 - (2) SEWER LINES
 - (3) STORM DRAINS
 - (4) ROADWAY IMPROVEMENTS INCLUDING STREET LIGHTS, CURB, GUTTER, BIKE PATH, SIDEWALK, BUS SHELTER AND RELATED AMENITIES.
- C. FEES TO BE PAID WITH THE DEVELOPMENT OF THIS PROJECT INCLUDE:
 - (1) WATER AND SEWER DEVELOPMENT FEES.
 - (2) WATER AND/OR SEWER PARTICIPATION CHARGES.
 - (3) INSPECTION AND TESTING FEES.
2. A. ALL STREET DEDICATIONS SHALL BE MADE WITHIN SIX (6) MONTHS OF COUNCIL APPROVAL.
- B. PUBLIC IMPROVEMENTS MUST BE INSTALLED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMITS. ANY PHASING SHALL BE APPROVED BY THE PUBLIC WORKS DEPARTMENT.
- C. ALL NEW AND EXISTING, AS WELL AS ON-SITE AND OFF-SITE, UTILITY LINES (OTHER THAN TRANSMISSION LINES) SHALL BE PLACED UNDER GROUND PRIOR TO ISSUANCE OF OCCUPANCY PERMIT FOR THIS (RE)DEVELOPMENT IN ACCORDANCE WITH ORDINANCE NO. 88.85.
3. APPROVAL OF CC&R'S FOR THE PATIO HOME DEVELOPMENT IN A FORM ACCEPTABLE TO THE CITY ATTORNEY AND COMMUNITY DEVELOPMENT DIRECTOR MUST TAKE PLACE PRIOR TO RECORDATION OF THE PLAN OR PLAT. THESE CC&R'S SHOULD PROVIDE THAT A SINGLE ENTITY WILL ULTIMATELY BE RESPONSIBLE FOR MAINTAINING ALL LANDSCAPING, BOTH REQUIRED BY ORDINANCE AND IN THE COMMON AREA ON SITE, ACCORDING TO THE LANDSCAPE PLAN APPROVED BY THE CITY, AND THAT SUCH PROVISION MAY NOT BE AMENDED WITHOUT PRIOR APPROVAL BY THE CITY ATTORNEY AND COMMUNITY DEVELOPMENT DIRECTOR.
4. NO VARIANCES MAY BE CREATED BY FUTURE PROPERTY LINES WITHOUT PRIOR APPROVAL OF THE CITY OF TEMPE.
5. VALID BUILDING PERMIT SHALL BE OBTAINED AND SUBSTANTIAL CONSTRUCTION COMMENCED WITHIN ONE YEAR OF DATE OF COUNCIL APPROVAL OR VARIANCES SHALL BE DEEMED NULL AND VOID.
6. BUILDING PERMIT SHALL BE OBTAINED AND SUBSTANTIAL CONSTRUCTION COMMENCED WITHIN TWO (2) YEARS OF THE DATE OF COUNCIL APPROVAL OR THE ZONING SHALL REVERT TO THAT IN PLACE AT THE TIME OF APPLICATION.
7. THE APPLICANT SHALL COMPLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS REGARDING ARCHEOLOGICAL ARTIFACTS ON THIS SITE.
8. PRIOR TO APPROVAL OF THE LANDSCAPE PLAN, THE DEVELOPER SHALL FURNISH THE CITY WITH A COPY OF THE AGREEMENT WITH SALT RIVER PROJECT REGARDING USE OF ITS EASEMENTS FOR ROADS, RV PARKING ETC., AND PROOF OF SRP APPROVAL OF ALL PROPOSED IMPROVEMENTS IN THESE EASEMENTS.
9. BIKE PATH, LIGHTING, LANDSCAPING AND BKE REST AREA TO BE INSTALLED PRIOR TO MARCH 31, 1996 AND MAINTAINED THEREAFTER BY THE DEVELOPER. DETAILS TO BE RESOLVED WITH ENGINEERING AND DESIGN REVIEW.
10. ALL STREETS, WATER AND SEWER LINES TO BE DEDICATED TO THE PUBLIC.

APPROVALS

APPROVED BY THE CITY COUNCIL OF THE CITY OF TEMPE THIS 1st DAY

BY Richard J. Conklin

ATTEST THE CITY CLERK OF THE CITY OF TEMPE THIS 30th DAY OF January, 1995.

BY Sharon R. Dowler

APPROVED BY THE CITY ENGINEER OF THE CITY OF TEMPE THIS 20th DAY OF February, 1995.

BY John J. Shaw

APPROVED BY THE COMMUNITY DEVELOPMENT DEPARTMENT OF THE CITY OF TEMPE THIS 2nd DAY OF February, 1995.

BY Fred Cuttington



THIRD AMENDED
P.A.D.
FOR
FESTIVA TEMPE



DAVID EVANS AND ASSOCIATES, INC.
ENGINEERS, SURVEYORS, PLANNERS, LANDSCAPE ARCHITECTS
2929 E. CAMELBACK RD. SUITE 240 PHOENIX, AZ 85018 (602)950-9880

DRAWN BY	CHECKED BY	DATE:	SECTION	TWNSP. RANGE
		1-95	9	1 S 4 E
JOB NO.:	HORN0002		SHEET	1 of 2

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