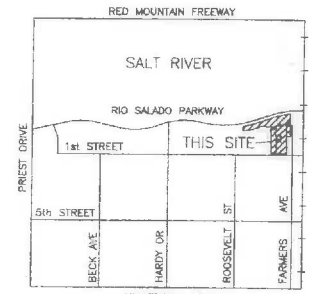


PRELIMINARY & FINAL P.A.D. FOR REGATTA POINTE

A PART OF THE N.E. 1/4 OF SECTION 16, T1N., R4E.
G. & S.R.B. & MERIDIAN, MARICOPA COUNTY, ARIZONA.

BOOK **548** PAGE **09**
OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2000-0865961
11/13/2000 10:31



VICINITY MAP
N.T.S.

CONDITIONS OF APPROVAL

- REGATTA POINTE #SPD-98.72
- a. THE PUBLIC WORKS DEPARTMENT SHALL APPROVE ALL ROADWAY, ALLEY, AND UTILITY EASEMENT DEDICATIONS, DRIVEWAYS, STORM WATER RETENTION, AND STREET DRAINAGE PLANS, WATER AND SEWER CONSTRUCTION DRAWINGS, REFUSE PICKUP, AND OFFSITE 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
 - d. ALL APPLICABLE OFF-SITE PLANS SHALL BE APPROVED PRIOR TO RECORDATION OF FINAL SUBDIVISION PLAT.
 2. a. ALL STREET DEDICATIONS SHALL BE MADE WITHIN (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 UNDERGROUND PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR THIS (RE) DEVELOPMENT IN ACCORDANCE WITH THE CODE OF THE CITY OF TEMPE, SECTION 25.120.
 3. SHOULD THE PROPERTY BE SUBDIVIDED, THE OWNER(S) SHALL PROVIDE A CONTINUING CARE CONDITION, COVENANT AND RESTRICTION FOR ALL OF THE PROJECT'S LANDSCAPING, REQUIRED BY ORDINANCE OR LOCATED IN ANY COMMON AREA ON SITE. THE CC&R'S SHALL BE IN A FORM SATISFACTORY TO THE DEVELOPMENT SERVICES DIRECTOR AND CITY ATTORNEY.
 4. NO VARIANCES MAY BE CREATED BY FUTURE PROPERTY LINES WITHOUT THE PRIOR APPROVAL OF THE CITY OF TEMPE.
 5. A VALID BUILDING PERMIT SHALL BE OBTAINED AND SUBSTANTIAL CONSTRUCTION COMMENCED WITHIN ONE YEAR OF THE DATE OF COUNCIL APPROVAL OR THE VARIANCES SHALL BE DEEMED NULL AND VOID.
 6. THIS FINAL PAD SHALL BE RECORDED PRIOR TO ISSUANCE OF PERMITS, AND SHALL SHOW CROSS ACCESS TO BE MAINTAINED THROUGHOUT THIS SITE OVER THE THE DRIVING AISLES. NO CHANGES OR MODIFICATIONS TO THE DRIVING AISLES WILL BE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE ENGINEERING DEPARTMENT.
 7. A FINAL SUBDIVISION PLAT OR LOT TIE, IF APPLICABLE, MUST BE APPROVED BY THE CITY COUNCIL AND RECORDED PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
 8. RECYCLING FACILITIES SHALL BE PROVIDED WITH DETAILS TO BE APPROVED BY THE PUBLIC WORKS DEPARTMENT PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
 9. BUS PULLOUT AND SHELTER SHALL BE PROVIDED PER TRANSIT STAFF REQUIREMENTS.
 10. A HORIZONTAL RESUME MAP SHALL BE APPROVED BY COMMISSION AND COUNCIL AND RECORDED AT THE MARICOPA COUNTY RECORDER'S OFFICE, NO LATER THAN 90 DAYS AFTER FINAL P.A.D. APPROVAL.
 11. THE PROJECT CANNOT HAVE A NEGATIVE IMPACT ON THE "FLOOD CONTROL BERRAS" AND MUST ABIDE BY THE CITY ORDINANCES AND IGAs WITH THE MARICOPA COUNTY FLOOD CONTROL DISTRICT IN REGARD TO SETBACKS FROM THE BACK OF THE UPPER LEVEE AND MAINTENANCE CORRIDORS, IN ORDER TO MAINTAIN THE LEVEE'S INTEGRITY AND TO ALLOW PROPER ACCESSIBILITY FOR MAINTENANCE VEHICLES. DETAILS TO BE RESOLVED WITH ENGINEERING STAFF.
 12. PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT, A \$7,000 BOND PAYMENT WILL BE MADE TO THE PUBLIC WORKS DEPARTMENT TRANSPORTATION DIVISION TO PARTICIPATE IN FINANCING A FUTURE PEDESTRIAN CONNECTION ACROSS RIO SALADO PARKWAY. IF THE CONNECTION IS NOT BUILT IN 5 YEARS, THIS AMOUNT WILL BE RETURNED TO THE OWNER.
 13. IF IN THE FUTURE A PEDESTRIAN CONNECTION IS PROVIDED, DEVELOPER/OWNER SHALL PROVIDE ONSITE PEDESTRIAN ACCESS (INCLUDING SECURITY GATE, LIGHTING, AND PATHWAY) FROM THE SITE TO THE OFF-SITE PATHWAY. DETAILS TO BE RESOLVED WITH DESIGN REVIEW. CONDITIONS OF APPROVAL SHALL RUN WITH THE LAND AND BE APPLICABLE TO ANY SUCCESSORS IN INTEREST OR THEIR ASSIGNS.
 14. APPLICANT SHALL PROVIDE DISCLOSURE STATEMENT TO ALL TENANTS OF THE PICERNE DEVELOPMENT, PER ATTACHED "NOTICE TO PROSPECTIVE PURCHASERS AND RENTERS OF PROPERTY IN PROXIMITY TO THE SAIL INN AND SKY HARBOR AIRPORT", DATED 4/1/99. THIS STATEMENT SHALL BE SIGNED BY EACH TENANT, PRIOR TO THEIR OCCUPANCY IN THE DEVELOPMENT. FURTHERMORE, THE APPLICANT SHALL COMPLY WITH TERMS OF ITS LETTER, SIGNED BY GINA LOMBARDI, FOR AND BEHALF OF THE SAIL INN DATED 3/4/99.
 15. THE CC&R'S SHALL INCLUDE A REQUIREMENT THAT A PORTION OF THE WORK SPACE IN THE LIVE/WORK UNITS BE REQUIRED TO BE HELD BY THE OWNER OR OCCUPANT OF THE LIVING SPACE ABOVE.
 16. FINAL PAD APPROVAL IS CONTINGENT UPON COUNCIL APPROVAL OF THE DEVELOPMENT AND DISPOSITION AGREEMENT (DDA). ONCE THE DDA IS APPROVED, BY COUNCIL, THE FINAL PAD WILL BECOME EFFECTIVE AND MAY THEN BE RECORDED AT THE MARICOPA COUNTY RECORDER'S OFFICE.

LEGAL DESCRIPTION

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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 16; THENCE SOUTH 89° 28' 08" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER 207.21 FEET TO THE INTERSECTION OF FARMERS AVENUE AND FIRST STREET; THENCE CONTINUING ALONG SAID SOUTH LINE SOUTH 89° 28' 08" WEST 110.01 FEET; THENCE NORTH 01° 00' 55" WEST 40.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89° 28' 08" WEST 300.00 FEET TO A POINT ON THE WEST LINE OF LOT 3E, STATE PLAT NO. 12 AMENDED, RECORDED IN BOOK 69 OF MAPS, PAGE 38, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00° 59' 55" WEST 550.33 FEET; THENCE NORTH 86° 42' 46" WEST 138.26 FEET; THENCE NORTH 00° 59' 55" WEST 42.32 FEET; THENCE NORTH 71° 09' 01" EAST 288.81 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 150.00 FEET;

THENCE EASTERLY ALONG THE ARC OF SAID TANGENT CURVE THROUGH A CENTRAL ANGLE OF 34° 53' 05" AN ARC DISTANCE OF 91.33 FEET;

THENCE SOUTH 73° 57' 53" EAST 150.19 FEET TO A POINT ON THE NORTHERLY PROLONGATION OF THE WESTERLY RIGHT OF WAY LINE OF FARMERS AVENUE; THENCE SOUTH 01° 01' 55" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE AND THE NORTHERLY PROLONGATION THEREOF 318.44 FEET;

THENCE SOUTH 80° 28' 08" WEST 78.90 FEET TO A POINT ON THE EAST LINE OF LOT 4 OF SAID STATE PLAT NO. 8;

THENCE SOUTH 81° 00' 55" EAST ALONG SAID EAST LINE 333.00 FEET TO THE TRUE POINT OF BEGINNING.

AREA= 239.143 S.F. OR 5.49 ACRES

OWNER'S STATEMENT

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

DAVID R. PICERNE *David R. Picerne*
NAME/SIGNATURE

MANAGER _____
TITLE _____

DATE 11/10/00

ACKNOWLEDGMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13th DAY OF NOVEMBER, 2000, BY DAVID R. PICERNE, THE MANAGER OF PICERNE-RIO SALADO, LLC, THE GENERAL PARTNER OF FIRST STREET AND FARMER, L.P. ON BEHALF THEREOF.

MY COMMISSION EXPIRES: 12/21/02

NOTARY PUBLIC *Heidi*



DEVELOPER

FIRST STREET AND FARMER L.P.
1420 E. MISSOURI AVE., #100
PHOENIX ARIZONA 85016
(602) 270-8484

VARIANCES

VARIANCES APPROVED:	FROM:	TO:
MIN. BIKE PARKING	182	124
MIN. RV PARKING	8	0
MIN. FRONT YARD SETBACK	25'	10' ON FIRST STREET
MIN. STREET SIDE YARD	25'	13' ON FARMER
LANDSCAPE REDUCTION	15'	10' ON FIRST STREET

BUILDING DATA

BUILDING DESCRIPTION: MIXED USE (LIVE/WORK)

CONSTRUCTION: V1 WITH SPRINKLERS

ZONING: EXIST. & PROP. -- MG (MULTI-USE GEN. ZONING)

GROSS AREA = 5,955 AC
NET AREA = 5,450 AC
CITY CSMT. AREA = 1,711.3 AC
FINAL PAD AREA = 7,201 AC*
* INCLUDES STATE LAND AREA= 0.0982 ACRES

BUILDING AREA: 251,384 S.F.
BUILDING HEIGHT: 50' MAX
NO. OF STORIES: 2,3 AND 4

ON-SITE LANDSCAPE REQUIRED: 20%(RIO SALADO OVERLAY DISTRICT)
ON-SITE LANDSCAPE PROVIDED: 31.58%

LOT COVERAGE: 55,487 S.F./7,201 AC
(1.77 AC OR 7,707 S.F.)

NO. OF UNITS: 136
DENSITY: 136 UNITS = 7,201 AC = 18.880/AC

USE PERMIT

ALLOW PARKING TO BE PARKED BY PEAK DEMAND AT A RATE OF 1.7 SPACES PER UNIT.

PARKING CALCULATION:	REQUIRED PER ORDINANCE	REQUIRED PER USE PERMIT
1 BEDROOM	33	
2 BEDROOMS	228	
GUEST	27	
TOTALS	288	233
PARKING PROVIDED	275 SPACES*	

RV PARKING REQUIRED: 0 SPACES
RV PARKING PROVIDED: 0 SPACES
BIKE SPACES REQUIRED: 124 SPACES
BIKE SPACING PROVIDED: 136 SPACES

* ALLOWANCE HAS BEEN MADE TO PROVIDE A MAX. OF 2% OF TOTAL REQUIRED PARKING FOR HANDICAPPED SPACES.

CERTIFICATION:

THIS IS TO CERTIFY THAT THE SURVEY AND SUBMISSION OF THE PREMISES DESCRIBED HEREON ARE CORRECT AND ACCURATE AND WERE MADE UNDER MY DIRECTION DURING THE MONTH OF AUG. 1999.

DAVID J. NYKHORCHUK
R.L.S. 13016



APPROVALS:

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA ON THIS 27TH DAY OF APRIL, 2000.

BY: *Ralph H. Sullivan* 11/8/00
MAYOR DATE

ATTEST: *Kathy R. West* 11/8/00
CITY CLERK DATE

BY: *Andy Sullivan* 11/8/00
CITY ENGINEER DATE

BY: *Timothy Sullivan* 11/9/00
DEVELOPMENT SERVICES DATE

P.A.A. INC.
CIVIL ENGINEERING
LAND SURVEYING

340 E. WILLETIA ST.
PHOENIX, ARIZONA
85004
(602) 271-9911

