

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

CC: 14C  
Amend No. \_\_\_\_\_

Date Prepared: May 08, 2008

Council Meeting Date: June 03, 2008

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**TO:** Terry Ellis, City Manager

**FROM:** David A. Moody, P.E., Engineering Director

**THROUGH:** Maher Hazine, P.E., CFM, Assistant City Engineer *EA*

**PREPARED BY:** Lloyd Lane, Senior Engineering Technician *JJ*

**SUBJECT:** Approve Indigo at Trianna, a Re-Plat of parcel 3 of Trianna as recorded in Book 979, Page 07 of the Maricopa County Record's. A request made by Triana Indigo L.L.C., an Arizona Limited Liability Company. (Project No. R080001)

**RECOMMENDATION:**

That Mayor and Council approve Indigo at Trianna, a Re-Plat of parcel 3 of Trianna, located at 88<sup>th</sup> Avenue and Thunderbird Road, and authorize Mayor and City Clerk to sign and record the Re-Plat with the Maricopa County Recorder's Office, subject to the following stipulations:

1. Water system infrastructure must be designed, constructed, inspected, tested and accepted by the City of Peoria and domestic water must be available to the development, prior to occupancy, except for models, which must satisfy the fire protection requirement of the Fire Marshal. If required, an interim water storage tank to satisfy fire flow requirements shall be designed, approved, and constructed prior to start of construction.
2. All civil and landscape/irrigation plans must be approved by the City, prior to recordation of the Re-Plat, unless specifically approved by the Engineering Director.
3. The actual developer must sign a statement agreeing to grant to the City of Peoria any required easements the City may deem necessary during its review process for the purposes of accommodating utilities and access to such facilities, per the City of Peoria Guidelines.

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**CITY CLERK USE ONLY:**

- Consent Agenda
- Carry Over to Date: \_\_\_\_\_
- Approved
- Unfinished Business (Date heard previous: \_\_\_\_\_)
- New Business
- Public Hearing: No Action Taken

ORD. # \_\_\_\_\_ RES. # \_\_\_\_\_  
LCON # \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

Council Communication  
Trianna – Re-Plat  
88<sup>th</sup> Avenue & Thunderbird Road  
June 3, 2008  
Page: 2

4. The Financial Assurance and Agreement to Install for construction of the infrastructure improvements off-site and on-site, including but not limited to water, sewer, street lights, grading and drainage, paving, curb, gutter, sidewalk, drainage features, and signing and striping, must be posted with the City in accordance with the City of Peoria Subdivision Regulations, prior to recordation of the Re-Plat.
5. All required drainage improvements upstream and downstream, as determined by the developer's engineers and as approved by the Engineering Director, for this project must be designed, constructed, inspected and accepted by the City, prior to any occupancy.
6. In the event that the Re-Plat is not recorded within 60 days of Council approval, the Re-Plat will become void. At which time, the Developer may request re-approval from the City, with the understanding that the City has the option of imposing additional requirements or stipulations.

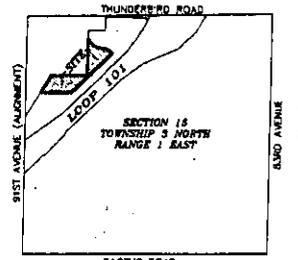
**SUMMARY:**

The purpose for this Re-Plat is to create easements for future construction. This project has dedicated the required rights-of-way and is within the City of Peoria water/sewer service area.

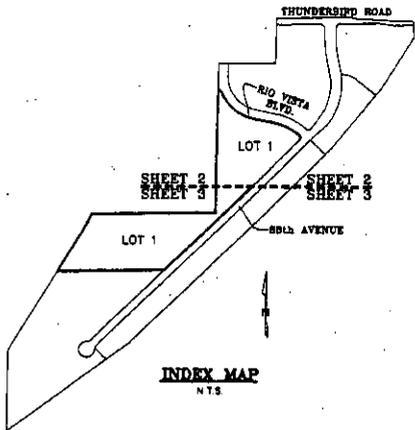
**ATTACHMENTS:**

1. Re-Plat
2. Vicinity Map

**"INDIGO AT TRIANNA"**  
**A REPLAT OF PARCEL 3 OF TRIANNA**  
**AS RECORDED IN BOOK 979, PAGE 07, MARICOPA COUNTY RECORDS**  
**LYING WITHIN A PORTION OF SECTION 15, T.3N., R.1E., OF THE G.&S.R.M.,**  
**CITY OF PEORIA, MARICOPA COUNTY, ARIZONA**



**VICINITY MAP**  
N.T.S.



**AREA TABLE**

LOT#	AREA (SF.)	AREA (AC)
1	810,141	11.7112

**DEDICATION**  
 STATE OF ARIZONA }  
 COUNTY OF MARICOPA } ss.  
 KNOW ALL PERSONS BY THESE PRESENTS:  
 THAT TRIANA INDIGO LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, DOES HEREBY PUBLISH THIS REPLAT FOR "INDIGO AT TRIANNA", A REPLAT OF PARCEL 3 OF TRIANNA AS RECORDED IN BOOK 979, PAGE 07, MARICOPA COUNTY RECORDS, LYING WITHIN A PORTION OF SECTION 15, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATTED HEREON AND HEREBY PUBLISHES THIS REPLAT AS, AND FOR, "INDIGO AT TRIANNA" AND HEREBY DECLARES THAT SAID REPLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOT AND EASEMENTS CONSTITUTING SAME, AND THAT THE LOT SHALL BE KNOWN BY THE NUMBER GIVEN TO IT ON SAID REPLAT. EASEMENTS ARE DEDICATED FOR THE PURPOSES SHOWN.

ALL NOTATIONS AND DEDICATIONS STATED ON OR WITH THE RECORDED PLAT OF "TRIANNA" AS RECORDED IN BOOK 979, PAGE 07, M.C.R. SHALL REMAIN IN FULL FORCE AND EFFECT WITH THE RECORDATION OF THIS REPLAT.

OWNER DOES HEREBY GRANT TO THE CITY OF PEORIA, AN ARIZONA MUNICIPAL CORPORATION, IN MARICOPA COUNTY, ARIZONA, ITS SUCCESSORS, AND ASSIGNS, A PERMANENT AND PERPETUAL EASEMENT SHOWN HEREON AS "W.L.E." OR WATER LINE EASEMENT FOR THE FOLLOWING PURPOSES, NAMELY: THE RIGHT TO ENTER UPON FOR CONSTRUCTION, MAINTENANCE, OPERATION AND REPLACEMENT OF A WATER LINE OVER, UNDER, AND ACROSS PARCELS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA.

TO HAVE AND TO HOLD THE SAID EASEMENT UNTO CITY OF PEORIA, A MUNICIPAL CORPORATION OF MARICOPA COUNTY, ARIZONA AND UNTO ITS SUCCESSORS AND ASSIGNS FOREVER, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS TO PERMIT THE CONSTRUCTION, OPERATION, MAINTENANCE, AND REPLACEMENT OF PUBLIC WATER LINE. SUBJECT TO NOTES 1, 2, 3, 4 AND 5.

AND THAT THE OWNER HEREBY COVENANTS THAT THEY ARE LAWFULLY SEIZED AND POSSESSED ON THIS AFOREMENTIONED PARCEL OF LAND, THAT IT HAS A GOOD AND LAWFUL RIGHT TO SELL AND CONVEY IT, AND THAT THEY WILL WARRANT THE TITLE AND QUIET POSSESSION THERETO AGAINST THE LAWFUL CLAIM OF ALL PERSONS.

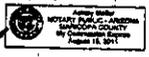
OWNER DOES HEREBY GRANT AND CONVEY TO THE PUBLIC, NON-EXCLUSIVE PERMANENT AND PERPETUAL CROSS ACCESS EASEMENTS FOR REFUSE VEHICLES AND EMERGENCY SERVICE TYPE VEHICLES AND CROSS DRAINAGE EASEMENTS FOR SURFACE WATER OVER, UNDER OR THROUGH THOSE PORTIONS THAT ARE IMPROVED AS ROADWAYS/DRIVEWAYS/ACCESS WAYS. THE CROSS ACCESS EASEMENTS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON TRIANNA INDIGO LLC, AN ARIZONA LIMITED LIABILITY COMPANY, SUCCESSORS AND ASSIGNS.

OWNER DOES HEREBY GRANT TO THE CITY OF PEORIA THE EASEMENTS SHOWN HEREON AS "DRAINAGE EASEMENTS" FOR STORM WATER DRAINAGE AND RETENTION FROM PUBLIC RIGHTS-OF-WAY.

THE UNDERSIGNED OWNER HAS HEREBY CAUSED HIS NAME TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE UNDERSIGNED SIGNER THEREUNTO DULY AUTHORIZED THIS 09th DAY OF MAY 2008.

TRIANA INDIGO LLC, AN ARIZONA LIMITED LIABILITY COMPANY  
 BY: [Signature] AN ARIZONA LIMITED LIABILITY  
 BY: DANIEL W. HILTON, SENIOR VICE PRESIDENT

**ACKNOWLEDGMENT**  
 STATE OF ARIZONA  
 COUNTY OF MARICOPA



ON THIS, THE 09th DAY OF MAY 2008, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED DANIEL W. HILTON, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT BY HIS SIGNATURE ON THE INSTRUMENT OR THE ENTRY UPON BEHALF OF WHICH THE PERSON, ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL  
 BY COMMISSION EXPIRES AUGUST 19, 2011  
 NOTARY PUBLIC [Signature]

**APPROVAL**  
 APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 MAYOR

ATTEST: \_\_\_\_\_ DATE: \_\_\_\_\_  
 CLERK

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 CITY ENGINEER

**DESCRIPTION**  
 Parcel 3 of TRIANNA as shown on Plat recorded in Book 979, page 07, M.C.R., a portion of Section 15, Township 3 North, Range 1 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**BASIS OF BEARING.**  
 THE BASIS OF BEARING IS THE NORTH LINE OF SECTION 15, TOWNSHIP 3 NORTH, RANGE 1 EAST, USING A BEARING OF NORTH 89 DEGREES 10 MINUTES 55 SECONDS EAST.

- NOTES**
- PUBLIC WATER EASEMENT INCLUDE THE RIGHT TO CUT BACK AND TRIM SUCH PORTION OF THE BRANCHES AND TOPS OF TREES NOW GROWING OR THAT MAY HEREAFTER GROW UPON SAID EASEMENT, AND/OR AS MAY EXTEND OVER SAID EASEMENT SO AS TO PREVENT THE SAME FROM INTERFERING WITH THE EFFICIENT USE OF SAID EASEMENT.
  - THE CITY OF PEORIA SHALL NOT BE RESPONSIBLE FOR REPLACING ANY LANDSCAPING OR ANY IMPROVEMENT PLACED IN THE EASEMENT BY THE OWNER OR ITS SUCCESSORS OR ASSIGNS, EXCEPT AS NOTED HEREIN.
  - THE CITY OF PEORIA WILL MAKE REASONABLE EFFORTS TO PROMPTLY RESTORE ASPHALT CONCRETE PAVEMENT SURFACES.
  - THE OWNER, ITS SUCCESSORS OR ASSIGNS AT ITS SOLE COST, SHALL BE RESPONSIBLE FOR PROMPTLY REPLACING ANY LANDSCAPING OR IMPROVEMENT(S) PLACED IN THE EASEMENT SHOWN HEREON.
  - IN THE EVENT THE RIGHT, PRIVILEGE AND EASEMENT HEREIN GRANTED SHALL BE ABANDONED AND PERMANENTLY CEASE TO BE USED FOR THE PURPOSES HEREIN GRANTED, ALL RIGHTS HEREIN GRANTED SHALL CEASE AND REVERT TO THE OWNER, ITS HEIRS OR ASSIGNS.
  - NO CONSTRUCTION OF ANY KIND SHALL BE CONSTRUCTED OR PLACED WITHIN THE UTILITY EASEMENTS, EXCEPT UTILITIES, WOOD, WIRE, OR REMOVABLE SECTION TYPE FENCING, AND/OR PAVING, NOR ANY PLANTING EXCEPT GRASS. IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF PEORIA SHALL NOT BE REQUIRED TO REPLACE ANY OBSTRUCTION OR PLANTING THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION OR RECONSTRUCTION.
  - ALL NEW AND EXISTING UTILITY, ELECTRICAL FACILITIES LESS THAN 60 KVIA, CABLE T.V., TELECOMMUNICATIONS FIBER OPTICS, CELLULAR, GAS ETC. SHALL BE INSTALLED UNDERGROUND AS PART OF THE STREET IMPROVEMENTS.
  - MAINTENANCE OF SURFACE AND UNDERGROUND DRAINAGE FACILITIES WITHIN THE LOT AND EASEMENT SHALL BE THE RESPONSIBILITY OF THE PARCEL OWNER.
  - ALL CORNERS SHALL BE MONUMENTED WITH 1/2" REBAR AND CAPPED OR TAGGED, BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THEIR PLACEMENT AT THE OF CONSTRUCTION.
  - SIGNS, FENCES, WALLS, UTILITY BOXES, STRUCTURES, SHRUBS, HEDGES OR OTHER PLANTS, BUT EXCLUDING TREES OVER 20 INCHES IN HEIGHT SHALL NOT BE PERMITTED WITHIN VIEW EASEMENTS OR THE SIGHT DISTANCE TRIANGLES. NO LIMBS, LEAVES, NEEDLES OR OTHER FOLIAGE ABOVE 30 INCHES IN HEIGHT OR BELIEFS 18 INCHES ARE PERMITTED. TREES ARE TO BE PLANTED SO AS NOT TO OBSTRUCT 20% OF THE VISIBILITY WHEN COMBINED WITH OTHER OBSTRUCTIONS OF CONSTRUCTION.
  - THIS REPLAT IS LOCATED WITHIN THE CITY OF PEORIA WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING A 100-YEAR ASSURED WATER SUPPLY.
  - THIS REPLAT IS LOCATED WITHIN THE CITY OF PEORIA SEWER SERVICE AREA.
  - THIS REPLAT IS LOCATED WITHIN THE VICINITY OF A MILITARY AIRPORT.
  - THIS REPLAT IS LOCATED WITHIN THE VICINITY OF A DESIGNATED TRUCK ROUTE. THUNDERBIRD ROAD IS DESIGNATED AS A TRUCK ROUTE BY THE CITY OF PEORIA.
  - THIS REPLAT IS LOCATED IN THE VICINITY OF A ROCK QUARRY.
  - NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED OR ANY VEGETATION BE PLANTED NOR BE ALLOWED TO GROW WITHIN THE DRAINAGE EASEMENT OR TRACT WHICH WOULD IMPEDE THE FLOW OF WATER OVER, UNDER, OR THROUGH THE EASEMENT OR TRACT.
  - ACCORDING TO PEORIA FLOOD INSURANCE RATE MAP NO. 04013C-030W DATED SEPTEMBER 30, 2005 AND MAP NO. 04013C-030W DATED SEPTEMBER 30, 2005, THE SUBJECT PROPERTY IS LOCATED IN OTHER FLOOD AREA ZONE X. OTHER FLOOD AREA ZONE X IS DESCRIBED AS: "AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD."

**CERTIFICATION**  
 I, KATHY M. SVECHOVSKY OF WOOD, PATEL & ASSOCIATES, INC., HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS MAP OR PLAT CONSISTING OF THREE (3) SHEETS REPRESENTS A SURVEY PERFORMED BY WOOD, PATEL & ASSOCIATES, INC., DURING THE MONTH OF NOVEMBER, 2007; THAT THE SURVEY IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT THE BOUNDARY MONUMENTS SHOWN ACTUALLY EXIST AS SHOWN AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

KATHY M. SVECHOVSKY  
 REGISTERED LAND SURVEYOR #46118  
 WOOD, PATEL & ASSOCIATES, INC.  
 2181 WEST NORTHERN AVENUE, SUITE 100  
 PHOENIX, ARIZONA 85021

NO80001

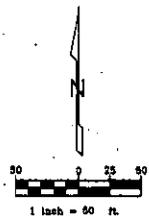


**WOOD/PATEL**  
 LAND SURVEYING & TITLE SERVICES  
 2181 WEST NORTHERN AVENUE, SUITE 100  
 PHOENIX, ARIZONA 85021  
 (602) 536-8500  
 www.woodpatel.com  
 LICENSED - LAND SURVEYING - AZ0001

DESIGNED BY: [Signature]  
 CAD: KEVIN  
 SCALE: N/A  
 DATE: 05-02-08  
 JOB NUMBER: 052837.05  
 SHEET: 1 OF 3

**INDIGO AT TRIANNA**  
 A REPLAT OF PARCEL 3 OF TRIANNA AS RECORDED IN BOOK 979, PAGE 07, M.C.R.

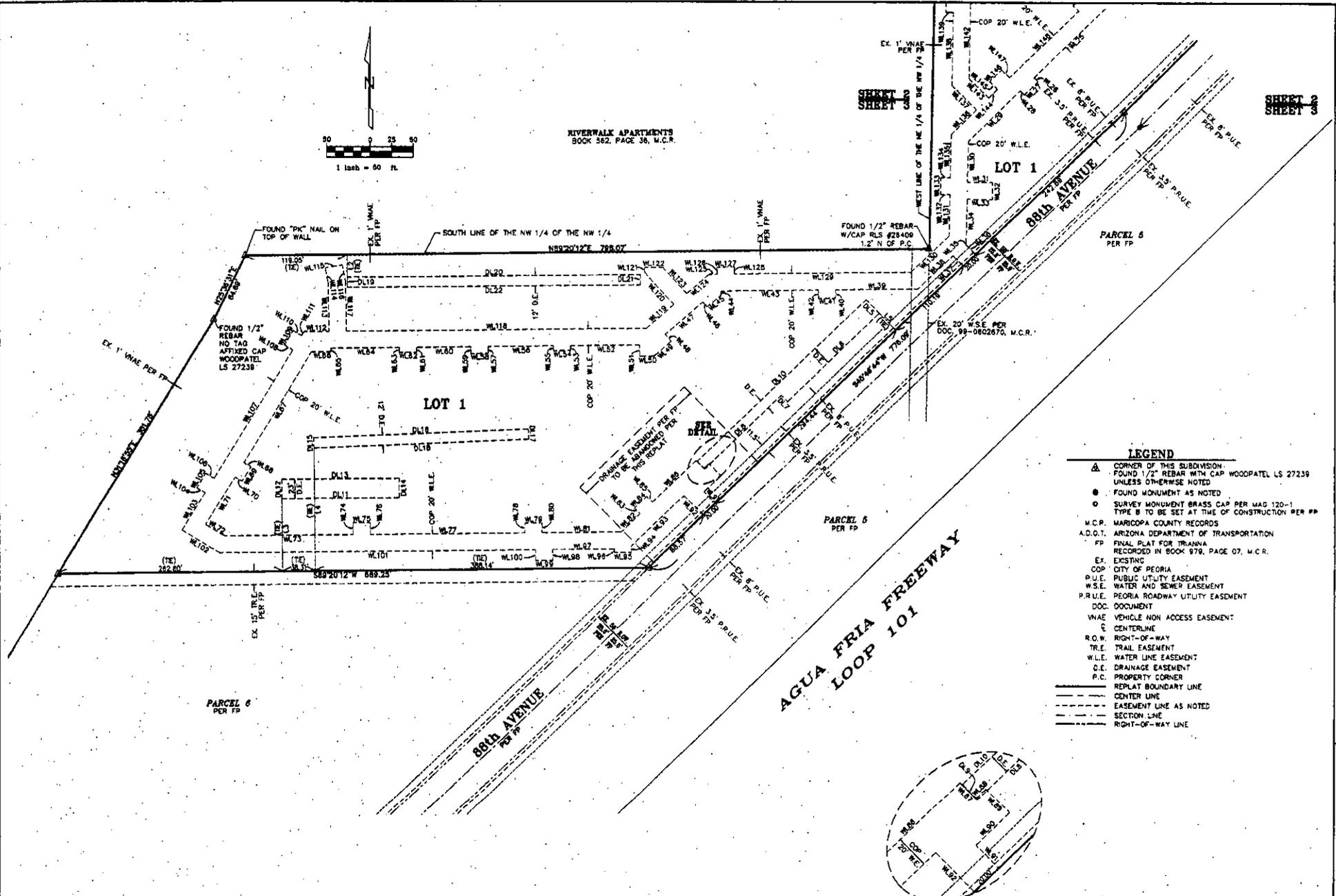




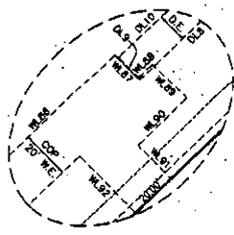
RIVERWALK APARTMENTS  
BOOK 582, PAGE 36, M.C.R.

SHEET 2  
CADD

SHEET 3  
CADD



- LEGEND**
- ▲ CORNER OF THIS SUBDIVISION FOUND 1/2" REBAR WITH CAP WOOD/PATEL LS 27239 UNLESS OTHERWISE NOTED
  - FOUND MONUMENT AS NOTED
  - SURVEY MONUMENT BRASS CAP PER MAG 120-1 TYPE B TO BE SET AT TIME OF CONSTRUCTION PER FP
  - M.C.R. MARICOPA COUNTY RECORDS
  - A.D.O.T. ARIZONA DEPARTMENT OF TRANSPORTATION
  - FP FINAL PLAT FOR TRIANNA RECORDED IN BOOK 978, PAGE 07, M.C.R.
  - EX. EXISTING
  - COP. CITY OF PEORIA
  - P.U.E. PUBLIC UTILITY EASEMENT
  - W.S.E. WATER AND SEWER EASEMENT
  - P.R.U.E. PEORIA ROADWAY UTILITY EASEMENT
  - DOC. DOCUMENT
  - VNAE VEHICLE NON ACCESS EASEMENT
  - C CENTERLINE
  - R.O.W. RIGHT-OF-WAY
  - TR.E. TRAIL EASEMENT
  - W.L.E. WATER LINE EASEMENT
  - D.E. DRAINAGE EASEMENT
  - P.C. PROPERTY CORNER
  - REPLAT BOUNDARY LINE
  - CENTER LINE
  - - - EASEMENT LINE AS NOTED
  - SECTION LINE
  - RIGHT-OF-WAY LINE



SEE SHEET 2 FOR WATER EASEMENT LINE TABLE  
AND DRAINAGE EASEMENT LINE TABLE

INDIGO AT TRIANNA

A REPLAT OF PARCEL 3 OF TRIANNA AS RECORDED IN BOOK 978, PAGE 07, M.C.R.



**WOOD/PATEL**  
LAND SURVEYORS & ENGINEERS  
REGISTERED & LICENSED PROFESSIONALS  
STATE OF ARIZONA & REGISTERED  
CONTRACT MANAGERS  
8015 N. Riverbend Ave.  
Peoria, AZ 85601  
(602) 538-8800  
www.woodpatel.com  
PHONE: 602-538-8800 FAX: 602-538-8801

CHECKED BY: MJS/TBG  
CAD TECHNICIAN: JK  
SCALE: 1" = 30'  
DATE: 05-02-08  
JOB NUMBER: 082457.03  
SHEET: 3 OF 3

