CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION

CC: 29C
Amend No. _____

Date Prepared: October 10, 2008 **Council Meeting Date: November 18, 2008**

TO: Carl Swenson, City Manager

THROUGH: Susan Daluddung, Deputy City Manager

FROM: Andrew Granger, P.E., City Engineer

THROUGH: Dan Nissen, P.E., Assistant City Engineer
Maher Hazine, P.E., Assistant City Engineer

PREPARED BY: Lloyd Lane, Land Survey Coordinator

SUBJECT: Approve a Re-Plat of "Lot A1 of Las Tiendas," a request made by Jerry Yamashita as Managing Member. (Project No. R080073)

RECOMMENDATION:

Discussion and possible action to approve a Re-Plat of "Lot A1 of Las Tiendas," as recorded on the Final Plat of Las Tiendas Book 654, Page 36, Maricopa County Recorder, located on the east side of 91st Avenue, south of Union Hills Drive and authorize the Mayor and City Clerk to sign and record the Re-Plat with the Maricopa County Recorder's Office subject to the following stipulations:

1. All civil and landscape/irrigation plans must be approved by the City of Peoria (City) prior to recordation of the Re-Plat.
2. An approval of design from the City Engineering Department for the necessary improvements in accordance with the City Subdivision Regulations, as determined by the City Engineer, must be obtained prior to recording the Re-Plat.
3. The developer must provide a financial assurance in the amount agreed upon by the City Engineer and an Agreement to Install for construction of the infrastructure improvements in accordance with the City Subdivision Regulations, prior to recordation of the Re-Plat.
4. In the event that the Re-Plat is not recorded within 60 days of Council approval, the Re-Plat will become void. The developer may request re-approval from the City, with the understanding that the City has the option of imposing additional requirements or stipulations.

CITY CLERK USE ONLY:

☐ **Consent Agenda** **ORD. #**_____ **RES. #**_____
☐ **Carry Over to Date:**_____ **LCON#**_____ **LIC. #**_____
☐ **Approved** **Action Date:**
☐ **Unfinished Business (Date heard previous:**_____**)**
☐ **New Business**
☐ **Public Hearing: No Action Taken**

REV. 07/05

SUMMARY:

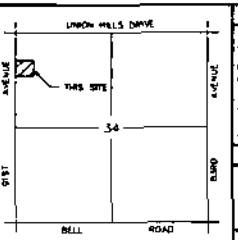
The purpose of the Re-Plat is to subdivide an existing lot into two (2) lots. This development has dedicated the required rights-of-way for 91st Avenue and is within the City's water\sewer service area.

ATTACHMENTS:

1. Re-Plat
2. Vicinity Map

REPLAT OF "LOT A1 OF LAS TIENDAS"

As recorded on the Final Plat of Las Tiendas Book 654, page 36 M.C.R.
A part of the Northwest quarter of Section 34, Township 4 North, Range 1 East
of the Gila and Salt River Meridian, Maricopa County, Arizona



VICINITY MAP
N.T.S.

NORTH

DEDICATION:

STATE OF ARIZONA)
) SS
COUNTY OF MARICOPA)

JERRY YAMASHITA, AS MANAGING MEMBER, DOES HEREBY PUBLISH THIS REPLAT OF "LOT A1 OF LAS TIENDAS" AS RECORDED ON THE FINAL PLAT OF LAS TIENDAS BOOK 654, PAGE 36 M.C.R. OVER A PORTION OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA, AS SHOWN AND PLATTED HEREON AND HEREBY PUBLISH THIS PLAT AS, AND FOR, THE PLAT OF SAID REPLAT OF "LOT A1 OF "LAS TIENDAS" AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, EASEMENTS AND STREETS CONSTITUTING SAME, AND THAT EACH LOT, TRACT AND STREET SHALL BE KNOWN BY THE NUMBER, LETTER, OR NAME GIVEN TO EACH RESPECTIVELY ON SAID PLAT AND HEREBY DEDICATES TO THE CITY OF PEORIA FOR USE, AS SUCH, THE STREET AS SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES. EASEMENTS ARE DEDICATED FOR THE PURPOSES SHOWN

THE OWNER DOES HEREBY GRANT AND CONVEY TO THE PUBLIC, NON-EXCLUSIVE, PERMANENT AND PERPETUAL CROSS ACCESS EASEMENTS FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS (BUT NOT PARKING) AND CROSS DRAINAGE EASEMENT UPON OR ACROSS WHICH EASEMENTS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON JERRY YAMASHITA SUCCESSORS AND ASSIGNS.

STREETS AND PUBLIC UTILITY EASEMENTS ARE DEDICATED TO THE PUBLIC FOR USE AS SUCH. THE MAINTENANCE OF LANDSCAPING WITHIN THE PUBLIC RIGHT-OF-WAY OF 91ST AVENUE SHALL BE THE RESPONSIBILITY OF THE FRONTING PROPERTY OWNER.

ALL NOTATIONS AND DEDICATIONS STATED ON OR WITHIN THE RECORDED OF "LAS TIENDAS" (M.C.R. BOOK 654, PAGE 36) SHALL REMAIN IN FULL FORCE AND EFFECT WITH THE RECORDATION OF THIS RE-PLAT

JERRY YAMASHITA, MANAGING MEMBER

ACKNOWLEDGMENT:

STATE OF ARIZONA) SS
COUNTY OF MARICOPA)

ON THIS DATE BEFORE ME THE UNDERSIGNED OFFICER PERSONALLY APPEARED JERRY YAMASHITA WHO ACKNOWLEDGED HIMSELF TO BE MANAGING MEMBER OF MORGAN FAMILY REAL ESTATE PARTNERS, L.L.C., AND AS SUCH EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.
IN WITNESS WHEREOF, I SET MY HAND AND SEAL.

BY MY COMMISSION EXPIRES:

NOTARY PUBLIC DATE

APPROVAL:

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA
THIS_____ DAY OF _____, 2008.

MAYOR DATE

ATTEST, CITY CLERK DATE

FOR CITY ENGINEER DATE

FLOOD PLAIN DATA:

STATE: OK
COMMUNITY: 040135
PANEL: 1170H
DATE: SEPTEMBER 30, 2005
FLOOD PLAIN: X
INFORMATION PROVIDED BY THE MARICOPA COUNTY FLOOD CONTROL DIST

CITY OF PEORIA NOTES:

1. 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.
2. ALL NEW AND EXISTING UTILITY, ELECTRICAL FACILITIES LESS THAN 69 KVA, CABLE T.V. TELECOMMUNICATIONS FIBER OPTICS, CELLULAR, GAS, ETC. SHALL BE INSTALLED UNDERGROUND AS PART OF THE STREET IMPROVEMENTS.
3. ALL LOT CORNERS SHALL BE MONUMENTED WITH 3/8"REBAR AND CAPPED OR TAGGED BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THEIR PLACEMENT.
4. SIGNS, FENCES, WALLS, UTILITY BOXES, STRUCTURES, SHRUBS, HEDGES OR OTHER PLANTS, BUT EXCLUDING TREES OVER 30 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 BELOW 84 INCHES ARE PERMITTED. TREES ARE TO BE PLANTED SO AS NOT TO OBSTRUCT 20% OF THE VISIBILITY WHEN COMBINED WITH OTHER OBSTRUCTIONS.
5. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF PEORIA WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING A 100-YEAR ASSURED WATER SUPPLY.
6. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF PEORIA SEWER SERVICE AREA.
7. THIS SUBDIVISION IS LOCATED WITHIN THE VICINITY OF A MILITARY AIRPORT.
8. NO STRUCTURE OF ANY KIND 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

BASIS OF BEARING:

N 00°33'11" W ALONG THE WEST LINE OF THE NORTHWEST QUARTER SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 EAST, AS RECORDED IN BOOK 654 OF MAPS, PAGE 36 RECORDS OF MARICOPA COUNTY, ARIZONA.

NOTES:

(R1) = RECORD FINAL PLAT BOOK 654, PAGE 36 M.C.R.
(R2) = LEGAL DESCRIPTION PER TITLE REPORT
THIS SURVEY IS BASED UPON THE CONDITION OF TITLE REPORT PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY. ORDER NO: 5001066, DATED FEBRUARY 5, 2008
UTILITIES SHOWN HEREON ARE FROM SURFACE LOCATIONS.

LEGAL DESCRIPTION:

LOT A1, OF 91ST AVENUE & UNION HILLS SHOPS, LLC, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 654 OF MAPS AT PAGE 36

FLOOD ZONE:

THIS SITE IS LOCATED IN ZONE "X", AS SHOWN ON THE F.E.M.A. MAPS, PANEL NO. 1170H, MAP NO 04013C1170H, DATED SEPTEMBER 30, 2005.

SUBDIVISION BOUNDARY AREA:

1.7329 ACRES OR 75,486± SQ. FT.

LOT AREA TABLE:

LOT #	AREA (SF)	AREA (ACRES)
A1A	56,550	1.2982
A1B	18,936	0.4347

SURVEYOR'S CERTIFICATION

I, BRETT L. NORWICKI, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA, THAT THIS PLAT, CONSISTING OF TWO SHEETS, CORRECTLY REPRESENTS A SURVEY DONE UNDER MY SUPERVISION DURING THE MONTH OF JULY, 2008, THAT THE SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT THE MONUMENTS SHOWN ACTUALLY EXIST AS SHOWN, THAT THEIR POSITIONS ARE CORRECT AND ACCURATE AS SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED

BRETT L. NORWICKI, R.L.S. #47896 DATE

R0080073

MARICOPA COUNTY RECORDER

PARCEL DATA:

Assessor Parcel Number
a part of 200-42-871

Recorded Documents
a part of 2004-0751429

Address
18475 N 91st Avenue, Peoria, AZ
The Southeast corner of 91st Avenue and Union Hills Drive

OWNER INFO:

Morgan Family Real Estate Properties, LLC
18455 N. 91st Avenue, Suite 1,
Peoria, AZ 85382

PREPARED FOR:

Gerald Yamashita
Wal-Zom Investments, LLC
18475 N. 91st Avenue
Peoria, AZ 85382

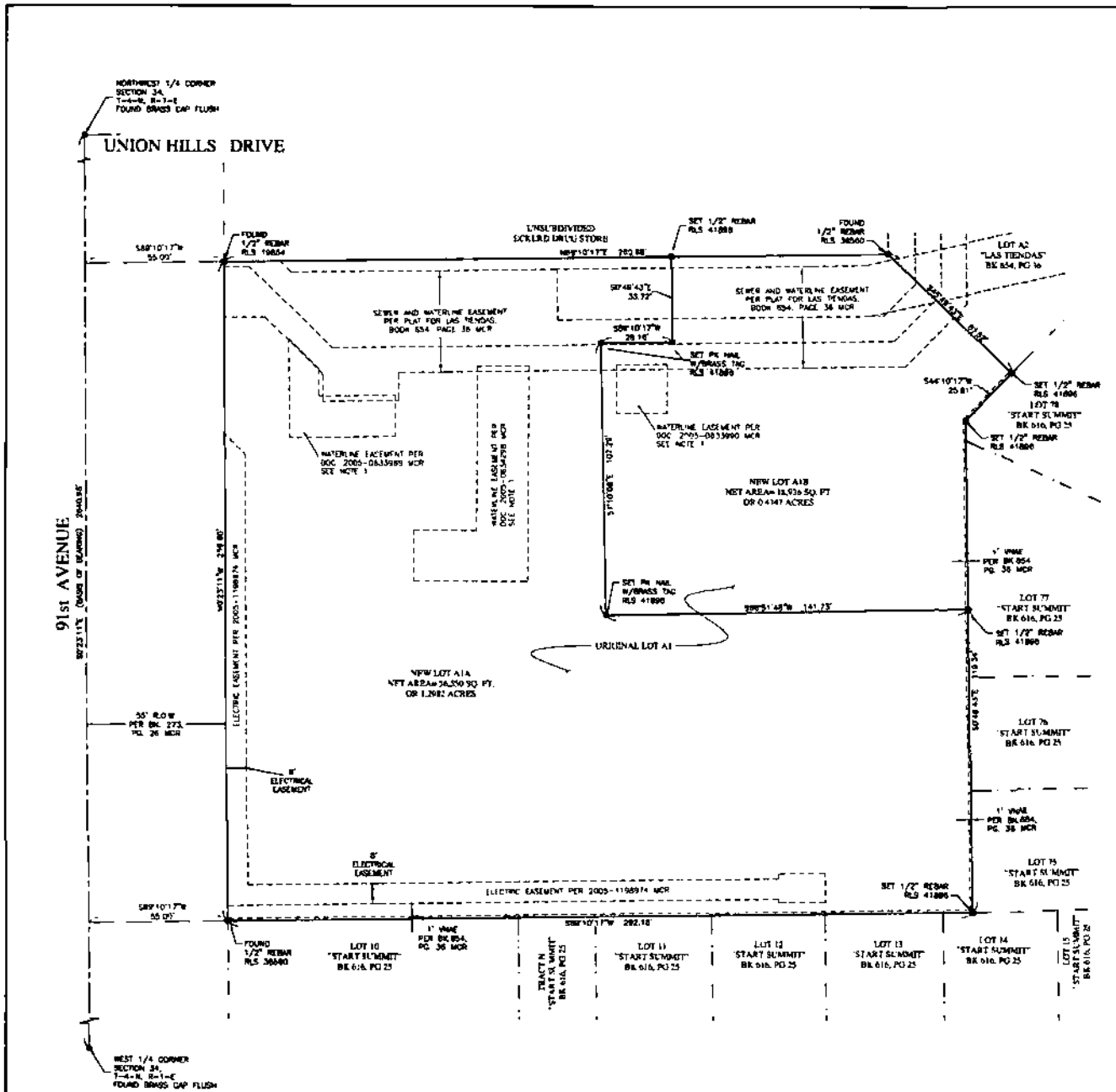
REPLAT OF LOT A1 OF LAS TIENDAS

Engineering Surveys, Inc.
1111 N. 3rd Street, Phoenix AZ 85004
phone (602) 385-1693 fax (602) 385-1698

SEAL

REVISIONS:

JOB NO:	08-204
DRAWN BY	BLN
CHECKED BY	BLN
DATE	OCTOBER 2, 2008
SHEET	1 OF 2



LEGEND

- MONUMENT LINE
- SITE PROPERTY LINE
- ADJOINING PROPERTY LINE
- EASEMENT LINE
- EXISTING BRASS CAP FLUSH
- DEED BRASS CAP IN HAND HOLE
- PROPERTY CORNER AS NOTED
- M.C.R. MARICOPA COUNTY RECORDERS
- SET PK NAIL W/BRASS TAG RLS 41896

GRAPHIC SCALE

NORTH

SURVEYOR'S NOTES:

1. EASEMENTS OF RECORD APPEAR TO HAVE ERRORS IN THE COURSES FROM THE NORTH PROPERTY LINE TO THE POINT OF BEGINNING OF EACH EASEMENT. THE EASEMENT LINES AS SHOWN HEREON ARE PER THE RECORDED DOCUMENTS

MARICOPA COUNTY RECORDER

PARCEL DATA:

Assessor Parcel Number
a part of 200-42-871

Recorded Documents
a part of 2004-0761429

Address
18475 N 91st Avenue, Peoria, AZ
The Southeast corner of 91st Avenue and Union Hills Drive

OWNER INFO:

Morgan Family Real Estate Properties, LLC
18431 N. 91st Avenue, Suite 1,
Peoria, AZ 85382

PREPARED FOR:

Gerald Yamashita
Mor-Zam Investments, LLC
18475 N. 91st Avenue
Peoria, AZ 85382

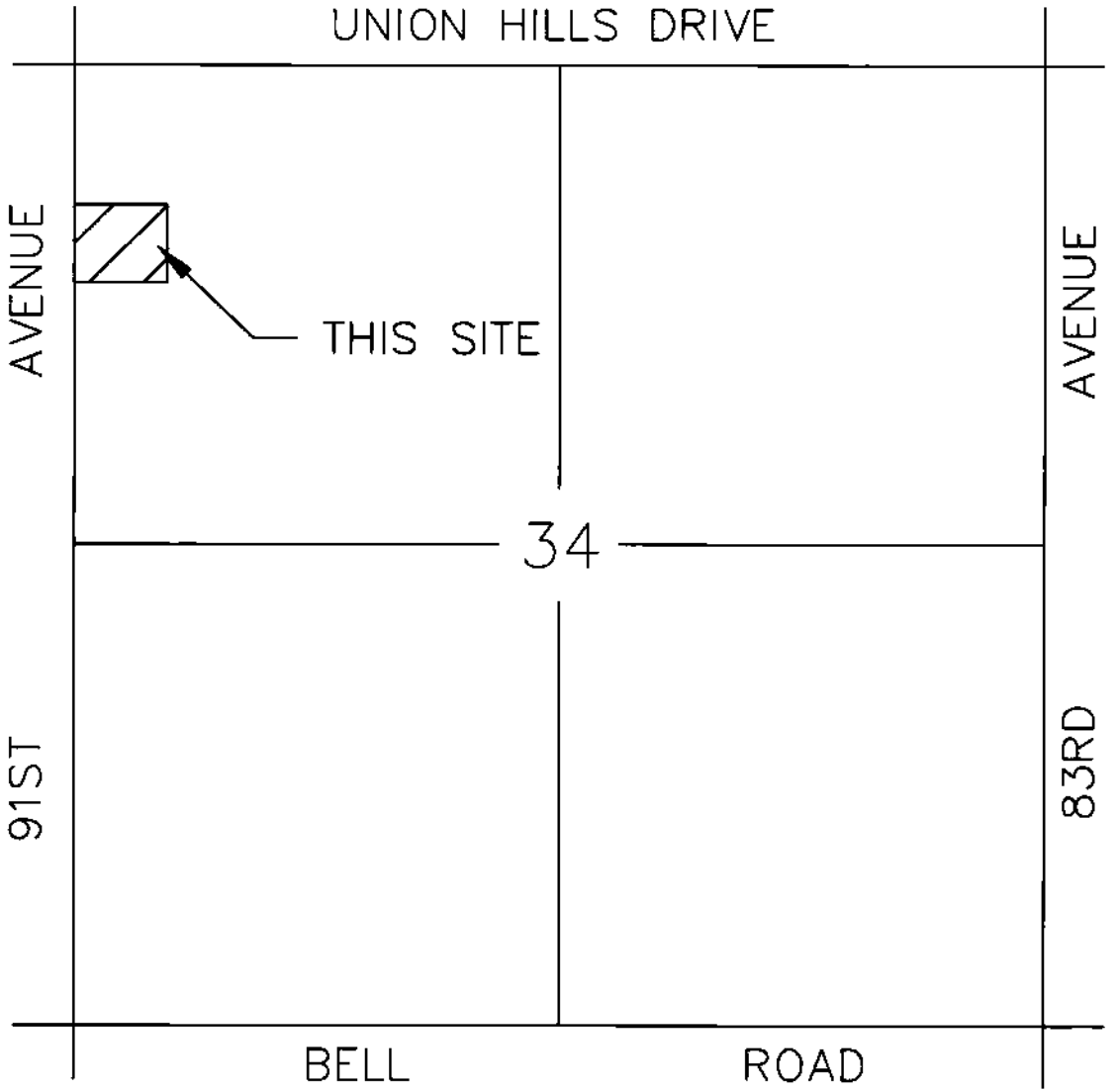
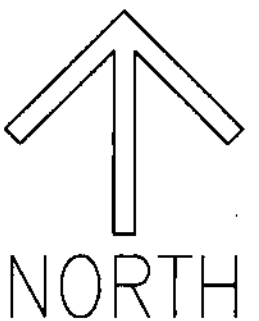
REPLAT OF LOT A1 OF LAS TIENDAS

Infinity Engineering Services, Ltd.
1111 N. 3rd Street, Phoenix, AZ 85004
phone (602) 385-1683 fax (602) 385-1995

SEAL

REVISIONS:

JOB NO	08-204
DRAWN BY	BLN
CHECKED BY	BLN
DATE	OCTOBER 2, 2008
SHEET	2 OF 2



VICINITY MAP
N.T.S.