

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

cc: 14C
Amend No. _____

Date Prepared: September 28, 2009 Council Meeting Date: November 17, 2009

TO: Carl Swenson, City Manager 
THROUGH: Susan J. Daluddung, Deputy City Manager
FROM: Andrew Granger, P.E., Engineering Director 
THROUGH: Rebecca Zook, P.E., Engineering Supervisor 
PREPARED BY: Jodi Breyfogle, P.E., CFM, Civil Engineer 
SUBJECT: Approve the RePlat of Lots 33, 40, and 41 of Vistancia Village A Parcel G3, located north of Lone Mountain Road and west of Westland Road. A request made by Vistancia, L.L.C., a Delaware Limited Liability Company (Project No. R050153A)

RECOMMENDATION:

Discussion and possible action to approve the RePlat of Lots 33, 40, and 41 of Vistancia Village A Parcel G3, located north of Lone Mountain Road and west of Westland Road, and authorize the Mayor and City Clerk to sign and record the Replat with the Maricopa County Recorder's Office, subject to the following stipulations:

1. In the event that the RePlat is not recorded within sixty (60) days of Council approval, the RePlat 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:

- ◆ Parcel G3 is a 141 lot residential subdivision. This Replat modifies the lot lines of lots 33, 40 and 41. All interior streets to the subdivision are public streets.
- ◆ This Development is within the Vistancia Community Facilities District (CFD).
- ◆ Water/Sewer service to the site will be serviced by the City of Peoria.

ATTACHMENTS:

1. RePlat
2. Vicinity Map

JAB

I:\projects\develop\Vistancia North\Parcels G1, G2, G3\Parcel G-3\replat\cc_Final Plat_R050153A

CITY CLERK USE ONLY:

- Consent Agenda
- Carry Over to Date: _____
- Approved
- Unfinished Business (Date heard previous: _____)
- New Business

ORD. # _____ RES. # _____
LCON# _____ LIC. # _____
Action Date: _____

**REPLAT OF
 LOTS 33, 40 AND 41 OF VISTANCIA VILLAGE A PARCEL G3
 BEING A RESUBDIVISION OF LOTS 33 40 AND 41 AS SHOWN ON THE FINAL PLAT FOR
 VISTANCIA VILLAGE A PARCEL G3, RECORDED IN BOOK 851, PAGE 32, MARICOPA
 COUNTY RECORDS, LYING WITHIN A PORTION OF THE NORTHWEST QUARTER OF
 SECTION 22, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER
 MERIDIAN, CITY OF PEORIA, MARICOPA COUNTY, ARIZONA**

DEDICATION

STATE OF ARIZONA)
) SS
 COUNTY OF MARICOPA)

KNOW ALL PERSONS BY THESE PRESENTS:

THAT ROSEWOOD-VISTANCIA 1, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, DOES HEREBY PUBLISH THIS "REPLAT OF LOTS 33, 40 AND 41 OF VISTANCIA VILLAGE A PARCEL G3," BEING A RESUBDIVISION OF LOTS 33, 40 AND 41 AS SHOWN ON WITHIN A PORTION OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATTED HEREON AND HEREBY PUBLISHES THIS PLAT AS THAT SAID REPLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, RIGHT OF WAY AND EASEMENTS CONSTITUTING SAME, AND THAT EACH LOT, TRACT, RIGHT OF WAY AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN TO EACH RESPECTIVELY ON SAID REPLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES. EASEMENTS ARE DEDICATED FOR THE PURPOSES SHOWN. PUBLIC UTILITY EASEMENTS ARE DEDICATED TO THE PUBLIC FOR USE AS SUCH.

ALL NOTATIONS AND DEDICATIONS STATED ON OR WITHIN THE RECORDED PLAT OF "VISTANCIA VILLAGE A PARCEL G3" RECORDED IN BOOK 851, PAGE 32, MARICOPA COUNTY RECORDS SHALL REMAIN IN FULL FORCE AND EFFECT WITH THE RECORDATION OF THIS REPLAT.

IN THE EVENT THE RIGHT, PRIVILEGE AND EASEMENTS 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 GRANTORS, THEIR HEIRS OR ASSIGNS.

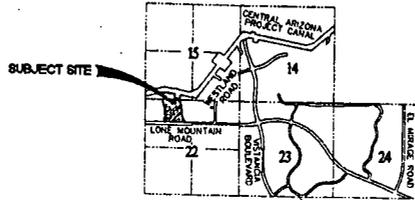
THE GRANTOR HEREBY COVENANTS THAT IT IS LAWFULLY SEIZED AND POSSESSED ON THIS AFOREMENTIONED TRACT OR PARCEL OF LAND, THAT IT HAS A GOOD AND LAWFUL RIGHT TO SELL AND CONVEY IT; AND THAT THEY WILL WARRANT THE TITLE AND QUIET POSSESSION THEREOF AGAINST THE LAWFUL CLAIM OF ALL PERSONS.

LANDSCAPING AND OTHER IMPROVEMENTS (OTHER THAN UTILITY IMPROVEMENTS, MAINTENANCE OF WHICH SHALL BE THE RESPONSIBILITY OF THE UTILITY PROVIDER) WITHIN EACH PUE SHALL BE MAINTAINED BY THE OWNER OF THE LOT ON WHICH SUCH PUE IS LOCATED.

THE UNDERSIGNED, ROSEWOOD-VISTANCIA 1, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, HAVE HEREBY CAUSED ITS NAME TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE UNDERSIGNED SIGNER THEREUNTO DULY AUTHORIZED ON THIS 27th DAY OF SEPTEMBER, 2009.

ROSEWOOD-VISTANCIA 1, LLC, AN ARIZONA LIMITED LIABILITY COMPANY

ITS: President



LEGAL DESCRIPTION

BEING ALL OF LOTS 33, 40 AND 41 AS SHOWN ON THE FINAL PLAT FOR VISTANCIA VILLAGE A PARCEL G3 RECORDED IN BOOK 851, PAGE 32, MARICOPA COUNTY RECORDS.

BASIS OF BEARING

THE BASIS OF BEARING FOR THE ABOVE DESCRIPTION IS N 89°30'09" W FOR THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, AS SHOWN ON AN ADJUTED RESULTS OF SURVEY RECORDED IN BOOK 632, PAGE 24, MARICOPA COUNTY RECORDS.

FLOOD PLAIN

ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) PANEL 040300740C, DATED SEPTEMBER 30, 2005, THIS SUBDIVISION IS LOCATED IN FLOOD INSURANCE ZONE X. ZONE X IS DEFINED AS FOLLOWS: AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN ONE FOOT OR WITH DRAINAGE AREAS LESS THAN ONE SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD.

ENGINEERING RESPONSIBILITY

THE FOLLOWING REGISTERED PROFESSIONAL CIVIL ENGINEER IS RESPONSIBLE FOR THE CIVIL ENGINEERING THAT IS NECESSARY FOR THE PREPARATION OF THIS SUBDIVISION: RICHARD R. NORTON P.E., 11236.



09/23 9/23/09

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF AUGUST 2009. THAT THE SURVEY IS COMPLETE AS SHOWN, THAT THE MONUMENTS SHOWN 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.

BY: [Signature] DATE: 9/24/09
 CLOVE J. MCCARTHY
 AL36 2170



09/23 9/23/2009

APPROVALS

APPROVED BY THE COUNCIL OF THE CITY OF PEORIA, ARIZONA ON THE _____ DAY OF _____, 2009.

MAYOR _____ DATE _____
 ATTEST, CITY CLERK _____ DATE _____
 CITY ENGINEER _____ DATE _____

NOTES

1. THIS SUBDIVISION IS SUBJECT TO MAINTENANCE IMPROVEMENT DISTRICT (MID) #1048 AND STREET LIGHT IMPROVEMENT DISTRICT (SLID) #1008.
2. NO CONSTRUCTION OF ANY KIND SHALL BE CONSTRUCTED OR PLACED WITHIN THE UTILITY EASEMENTS, EXCEPT UTILITIES, WOOD, HIRE, OR REMOVABLE SECTION PIPE PILING AND/OR PILING, NOR ANY PLANTING OR REPLACE ANY OBSTRUCTION OR PLANTING THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION OR RECONSTRUCTION.
3. ALL NEW AND EXISTING UTILITY FACILITIES, INCLUDING ELECTRICAL FACILITIES, LESS THAN 48 KV, CABLE T.V., TELECOMMUNICATIONS FIBER OPTICS, CELLULAR, FIBER, ETC. SHALL BE INSTALLED UNDERGROUND AS SHOWN ON THE STREET IMPROVEMENTS AS REQUIRED BY THE ARIZONA CORPORATION COMMISSIONER GENERAL ORDERS U-48 AND R-14-02-32.
4. ALL LOT OWNERS SHALL BE UNIFORMED WITH CITY REPAIR AND CARRIED ON TAGS BEARING THE REGISTRATION NUMBER OF THE SUBDIVISION RESPONSIBLE FOR THEIR PLACEMENT.
5. THE MASTER DEVELOPER SHALL CERTIFY THAT RULES AS MAY BE ESTABLISHED BY THE MARICOPA COUNTY HEALTH DEPARTMENT RELATING TO THE PROVISION OF DOMESTIC WATER SUPPLY AND SANITARY SEWER DISPOSAL HAVE BEEN FOLLOWED AS APPLICABLE.
6. THE CITY OF PEORIA WILL MAKE REASONABLE EFFORTS TO PROMPTLY RESPOND TO COMPLETE PAVEMENT SURFACES THAT ARE DAMAGED OR DISRUPTED DUE TO THE CONSTRUCTION OF OTHER ACTIVITIES IN THE AREAS CONTAINING SUCH SURFACES.
7. GRANTEE, ITS SUCCESSORS OR ASSIGNS AT ITS SOLE COST SHALL BE RESPONSIBLE FOR REPAIRS REGARDING ANY ASPHALT, LANDSCAPING OR ANY IMPROVEMENTS PLACED IN THE EASEMENT BY GRANTEE OR ITS SUCCESSORS OR ASSIGNS.
8. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF PEORIA WATER SERVICE AREA AND HAS BEEN DESIGNATED AS A 100-YEAR ASSIGNED WATER SUPPLY.
9. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF PEORIA SEWER SERVICE AREA.
10. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF PEORIA TRACT RIGHT-OF-WAY LONE MOUNTAIN ROAD IS DESIGNATED AS A TRACT ROUTE BY THE CITY OF PEORIA.
11. THIS SUBDIVISION IS LOCATED IN THE VICINITY OF A ROCK QUARRY (CRASH OPERATING).
12. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED OR ANY PLANTING BE PLANTED NOR BE ALLOWED TO GROW WITHIN ANY UTILITY EASEMENT CREATED BY THIS REPLAT OR ANY TRACT TO BE USED FOR ORNAMENTAL PURPOSES AS SET FORTH IN THIS REPLAT. SUCH STRUCTURE OR PLANTING SHALL BE REMOVED OR DESTROYED AT THE GRANTEE'S SOLE COST AND AT THE GRANTEE'S SOLE RISK. THE GRANTEE SHALL BE RESPONSIBLE FOR THE PROTECTION OF SUCH EASEMENTS FROM ANY DAMAGE TO SUCH EASEMENTS CAUSED BY THE GRANTEE OR GRANTEE'S SUCCESSORS OR ASSIGNS.
13. SIGN, FENCES, WALLS, UTILITY BOXES, STRUCTURES, SHEDS, TREES OR OTHER PLANTS (INCLUDING TREES OVER 30 INCHES IN HEIGHT) SHALL NOT BE PERMITTED WITHIN UNIMPROVED NEW EASEMENTS (EASEMENTS OR SOME UTILITY EASEMENTS (EASEMENTS) NO CANES, LEAVES, NETTLES OR OTHER PLANTS ABOVE 30 INCHES IN HEIGHT AND BROWN BRANCHES ARE PERMITTED. TREES ARE TO BE PLANTED SO AS NOT TO OBSTRUCT THE VISIBILITY WHEN COMBINED WITH OTHER OBSTRUCTIONS. THE CITY EASEMENT INCLUDES THE PORTION OF CUT BRANCH AND TRIM SUCH PORTION OF BRANCHES AND TOPS OF TREES GROWING OR THAT PREVENT OVERHANGING BRANCHES AND/OR MAY EXTEND OVER THE CITY EASEMENT SO AS TO PREVENT THE SAME FROM INTERFERING WITH THE EFFICIENT USE OF THE CITY EASEMENT.
14. THIS REPLAT WAS PREPARED WITH THE BENEFIT OF A TITLE SEARCH PERFORMED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED MAY 14, 2009.

DEDICATION ACKNOWLEDGMENT

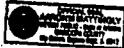
STATE OF ARIZONA)
) SS
 COUNTY OF MARICOPA)

ON THIS 27th DAY OF SEPTEMBER, 2009, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED [Signature] WHO ACKNOWLEDGED HIMSELF TO BE THE President OF ROSEWOOD-VISTANCIA 1, LLC, AN ARIZONA LIMITED LIABILITY COMPANY AND THAT SAID OFFICER, BEING DULY AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE SAME AS SAID OFFICER ON BEHALF OF THE FOREGOING.

IN WITNESS WHEREOF, I HEREBY SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC: [Signature]

MY COMMISSION EXPIRES: Sept 3, 2012



PREPARED BY

STANLEY CONSULTANTS, INC.
 1681 EAST CAMELBACK ROAD
 SUITE 400
 PHOENIX, AZ 85016-3903
 PHONE: 602.333.2200
 FAX: 602.333.2233

PREPARED FOR OWNER

ROSEWOOD-VISTANCIA 1, LLC
 8801 NORTH SCOTTSDALE RD.
 SUITE 230
 SCOTTSDALE, ARIZONA 85253
 PHONE: 480.822.8366

CITY OF PEORIA PLAN CHECK # 80610324	
PERSON	DATE
INITIAL PREPARATION	07/27/09
REVISION #1	08/18/09
REVISION #2	08/24/09
REVISION #3	09/16/09
REVISION #4	09/22/09
REVISION #5	09/22/09

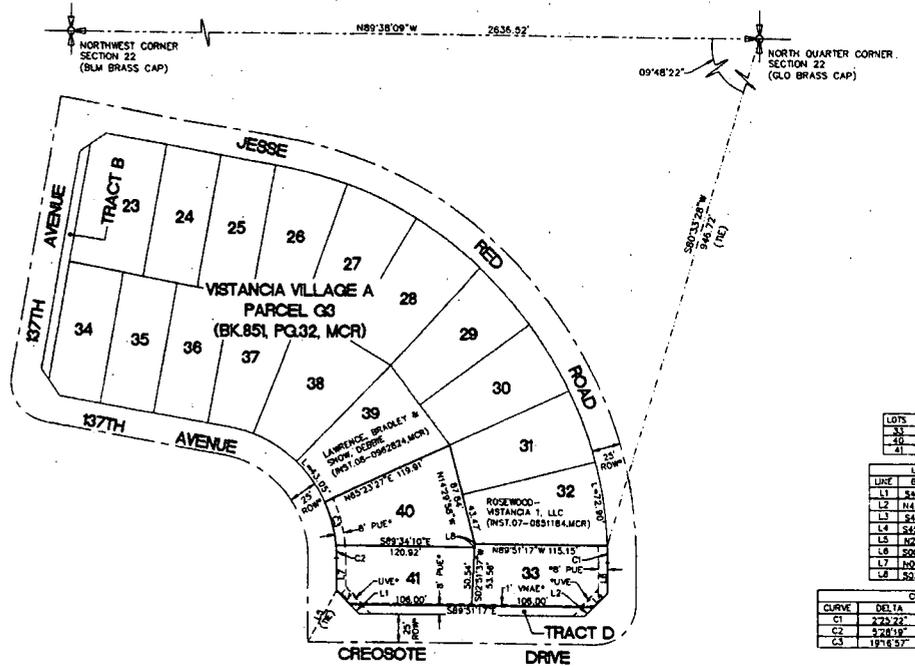
VISTANCIA

STANLEY CONSULTANTS INC.

VISTANCIA PARCEL G3 LOTS 33, 40 AND 41 REPLAT

DRAWN: HBU
 DESIGNED: HBU
 APPROVED: CJB

FILED 9/23/09
 REC'D 2009
 DISTRICT ENGINEER



LOTS	SQ FT	ACRES
33	6177	0.1417
40	5481	0.1253
41	5281	0.1194

LINE	BEARING	DISTANCE
L1	S44°51'17"W	11.31
L2	N43°08'43"E	11.01
L3	S44°51'17"E	18.87
L4	S45°02'43"W	18.87
L5	N09°11'29"E	21.48
L6	S00°09'43"W	26.82
L7	N00°08'43"E	28.12
L8	S02°31'37"W	3.02

CURVE	DELTA	RADIUS	CH. BEG.	LENGTH
C1	223.22°	245.00'	N01°03'36"W	14.28
C2	128.19°	118.00'	N02°28'22"W	10.89
C3	1916.57°	118.00'	N14°58'02"W	38.10

LEGEND

ABBREVIATIONS

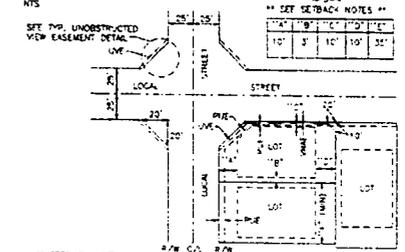
VWAE	VEHICLE NON-ACCESS EASEMENT	*	PER BK. 851, PG. 32, MCR
UVE	UNOBSTRUCTED VIEW EASEMENT	PUE	PUBLIC UTILITY EASEMENT
	PER PEORIA DETAIL 159	MCR	MARICOPA COUNTY RECORDS

** NOTE: ALL LINES INTERSECTING CURVES ARE RADIAL, UNLESS NOTED OTHERWISE.

LINE TYPES & SYMBOLS

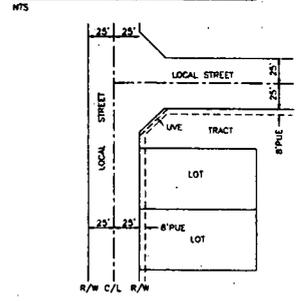
---	CENTERLINE	+	QUARTER SECTION CORNER
---	EASEMENT	+	SECTION CORNER
---	RIGHT OF WAY		
---	LOT BOUNDARY		
---	SECTION LINE		
---	SECTION 1E		

TYPICAL BUILDING SETBACKS AND LOT LAYOUTS

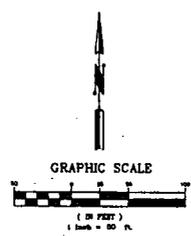
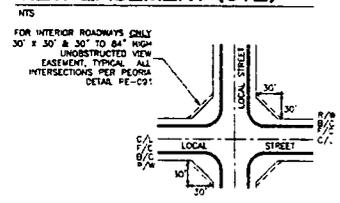


- ** SETBACK NOTES ****
1. A 10' FRONT YARD SETBACK WILL BE REQUIRED UNLESS OTHERWISE NOTED.
 2. A 10' REAR YARD SETBACK WILL BE REQUIRED UNLESS OTHERWISE NOTED.
 3. THE FRONT YARD SETBACK FOR THE FRONT COMPONENT OF HOME AND FOR TURN-IN GARAGE COMPONENT MAY BE SET AT 10' IN ANY RESIDENTIAL ZONING DISTRICT.

TYPICAL PUBLIC UTILITY EASEMENT (PUE) AT AN INTERSECTION



TYPICAL UNOBSTRUCTED VIEW EASEMENT (UVE)

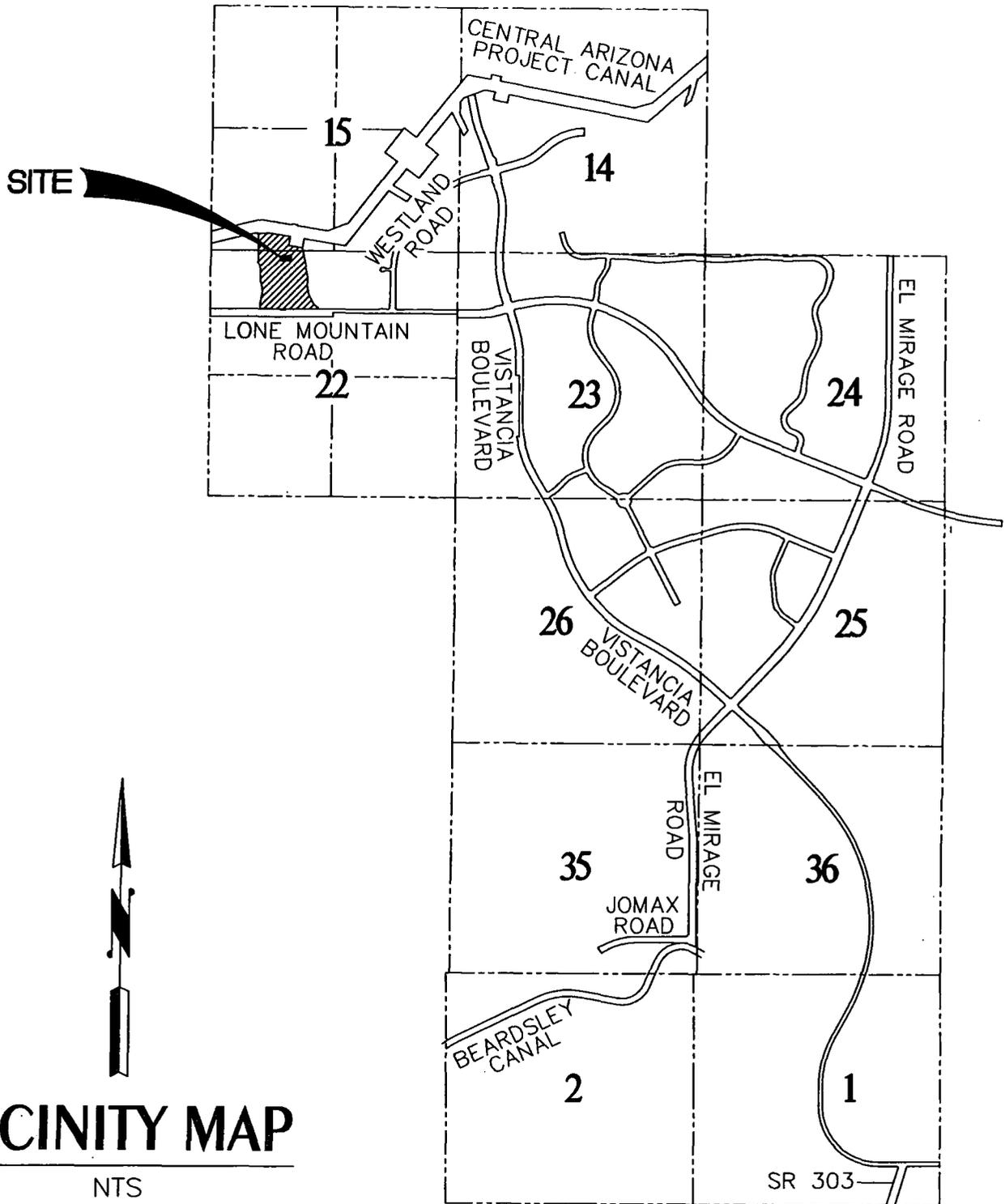


REVISION	DATE	
INITIAL PREPARATION-V1	07/07/09	
REVISION-V2	08/18/09	
REVISION-V3	09/25/09	
CITY COMMENTS-V4	09/18/09	
REVISE NOTE #14-V5	09/22/09	

VISTANCIA
PARCEL G3
LOTS 33, 40 AND 41 REPLAT

Stanley Consultants Inc.
DRAFTED: MSJ
DESIGNED: WBL
APPROVED: CMI

DATE: 9/20/2009
SHEET: 2 OF 2



VICINITY MAP

NTS

Vistancia



A Stanley Group Company
Stanley Consultants INC. Engineering, Environmental and Construction Services - Worldwide