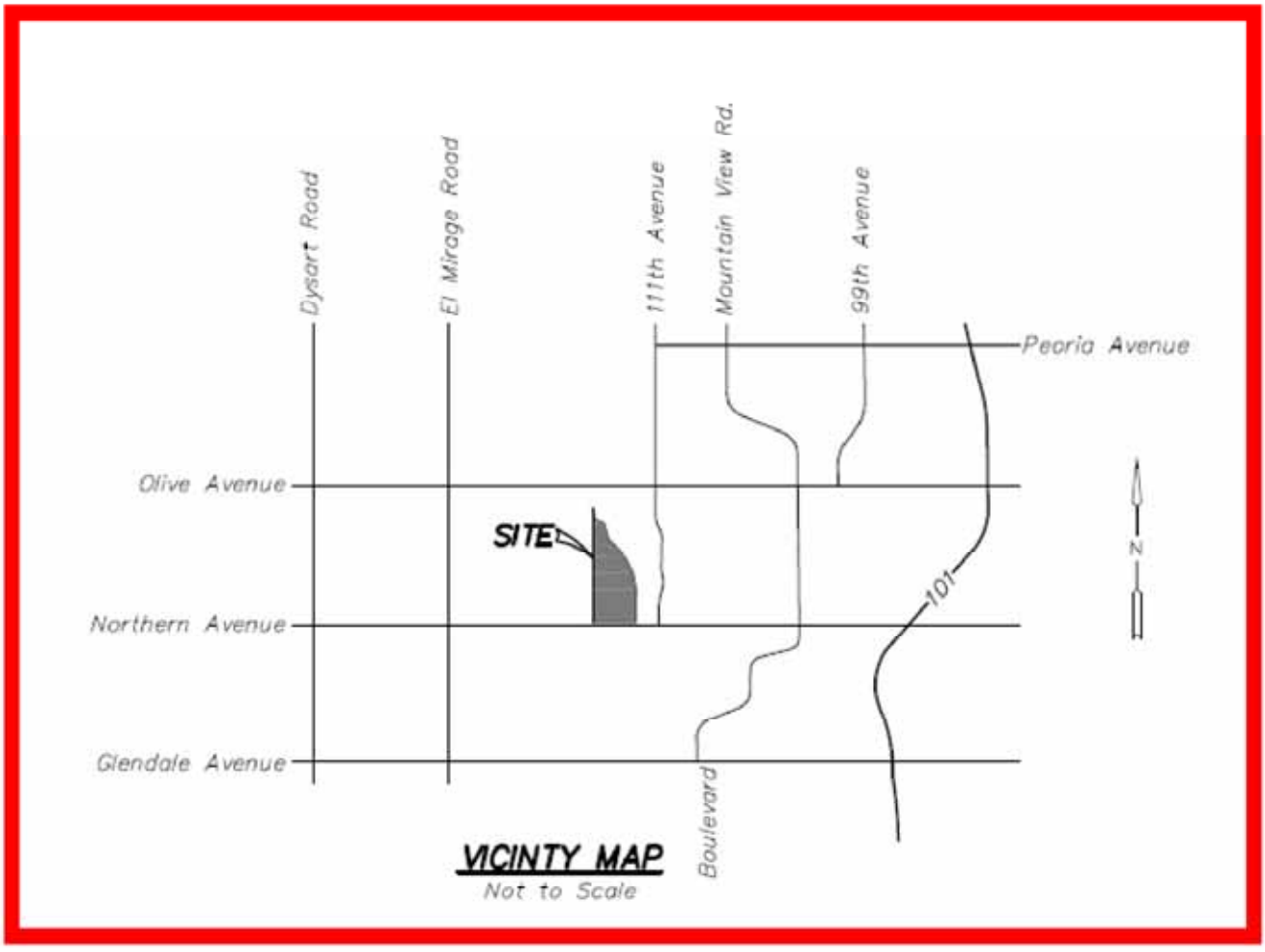
115th & Northern Reclamation

Northeast Corner of 115th Avenue Alignment and Northern Avenue.

Special Use Permit
Z11-0007
Third Submittal



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Revised May 30, 2012

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DEVELOPMENT TEAM

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INTRODUCTION

Request

On behalf of the property owner, Agua Fria Lowlands LLC, and the proposed purchaser, Dirt 101 Investors LLC, Beus Gilbert PLLC is proposing this Special Use Permit in order to allow continuation of an existing aggregate mining operation with the addition of a land reclamation operation on the subject 127+/- acre property to be known as 115th and Northern Reclamation. The land reclamation will be limited to the acceptance of inert material which will be utilized as fill to reclaim the property to a condition similar to that of pre-mining in order for redevelopment of the land and permanent closure of the mining operation. Such reclamation and preparation of the property for a post-mining land use is required of all mining pursuant to Arizona Revised Statutes.

This report is intended to provide the City of Peoria with the necessary information to review and approve the requested Special Use Permit (SUP) for the 115th and Northern Reclamation facility.

Project Location

A vicinity map is located on the cover sheet of this narrative and an aerial photo/context plan is included as Exhibit "A". The property is generally bounded on the south by Northern Avenue, the west by the 115th Avenue alignment, and the east by the existing residential development of Suncliff. More specifically, the request concerns Assessor Parcel Numbers 142-71-005A and 142-74-006A.

CURRENT CONDITIONS

Site

The subject property is generally situated about a half mile east of the Agua Fria River, and within a regional corridor that has historically been mined for aggregate including sand and gravel. The major portion of this subject property has been mined to an average depth of 30-35 feet. There is an approximate 20 acre area at the southeast corner that has not yet been mined. Within this area is Pioneer Landscape Materials, an existing tenant that leases property for the sale of aggregate and other landscaping material. This lease will continue until at least such time that the property is ready to be re-developed with a higher and better use.

The property has a triangular shape with approximately 1,800 linear feet of frontage on Northern Avenue and the northernmost tip of the property falls about 550' south of Olive Avenue. The mining begins at a point that is approximately 750' south of Olive Avenue. The east and west boundaries of this narrow portion are defined by graded slopes that rise approximately 15' at gradients that exceed a 1:1 slope (refer to Exhibit "B" existing Topography Map). Continuing south from this narrow north end, the property expands to a width of approximately 1,500' at the Butler Drive alignment and ultimately 1,800' along the Northern Avenue frontage. Between the northernmost point of the property and Northern

Avenue on the south, there is a relative drop in elevation of approximately 50' for an average of 1%. The relative elevation of the adjacent residential development along the entire east property line is situated from 10-20' above the subject property.

As described earlier, there is an existing tenant, Pioneer Landscape Materials, who leases the southeast corner of the subject property, which includes approximately 900' of frontage along Northern Avenue.

Surrounding Development

The subject property is within the City of Peoria, but shares jurisdictional boundaries with the Town of Youngtown to the north, the City of Glendale to the south, and Maricopa County to the west.

North:	Residential (Suncliff)
East:	Residential (Suncliff)
South:	City of Glendale Landfill
West:	Aggregate Mining and Batch Plant

Accessibility

The project site is currently accessible from one driveway entrance off Northern Avenue, which is the current access for Pioneer Materials.

Existing Area Rights-of-Way

Northern Avenue: 61-82' north-half varies. The entire ROW for Northern Avenue is within the City of Peoria's jurisdiction. Northern Avenue is a section line arterial, but Maricopa County and the Cities of Peoria, El Mirage, and Glendale are jointly working on the Northern Parkway, an urban freeway that will extend between Grand Avenue (US 60) and the Loop 303. Expansion of the right-of-way is expected.

Olive Avenue: 33' south half. This ROW is within Maricopa County's jurisdiction.

Butler Drive: 80' is typical for a mid-section arterial.

Street Improvements

Northern Avenue is currently improved with two lanes of traffic; one lane in each direction. There are no existing curb, gutter, or sidewalk. Future improvements associated with the 115th and Northern Reclamation facility will include two additional driveways. No other improvements are anticipated until the property is redeveloped with a use that has traffic counts warranting improvements or the Northern Parkway improvements are installed by others. Discussions with Ben Wilson, an Engineer with the Capital Engineering Division for the City of Peoria, indicate that Requests-For-Proposals will be issued early in 2012 for the interim Phase 2 extension of the Northern Parkway between Dysart Road and 111th Ave. The Design Concept Report indicates that the Phase 2 improvements will include only the

south four lanes with a turning lane proposed for driveways on the north side of the road. Ben explained that an integral part of the interim Phase 2 design will be to determine the final ROW dimension and the locations of additional access points off Northern Parkway.

It is understood at this time, the expected Northern Parkway ROW will be 180' in width from the section line. The typical cross-section for this portion of the final Parkway improvements calls for a paved north half of 75' from centerline to face of curb. This includes three lanes of traffic and an auxiliary lane and two paved shoulders.

Olive Avenue is currently improved with five lanes of traffic, two each way with a common left turn lane. The subject property does not have any direct access to Olive Avenue; however, there is potential for access through easements across either public and private property that is directly adjacent.

115th Avenue is a section line boundary and typically designated as an arterial road. While the property containing the 115th Avenue alignment is not a part of this application, how 115th Avenue evolves in the future will be directly dependent on the redevelopment plan for this property and the surrounding area, along with the later improvements associated with the Northern Parkway. Pursuant to the Parkway Design Concept Report, there are two solutions that will influence both circulation and land use. Option 1 indicates a street intersection with right-in and right-out access in the general area of 115th Avenue. Option 2 indicates a diamond interchange specifically at the 115th Avenue alignment serving as a connection point to a roadway connecting to the north. While both options call for access to the subject property, Option 2 is capable of attracting much higher traffic counts and therefore higher intensities of land use.

Zoning

The subject property is zoned PAD, approved under application Z88-51. The PAD allows approximately 30 acres of Light Industrial at the southwestern portion of the property and Single Family Residential on the remainder with a minimum lot size of 5,000 sq ft and average of 6,000 sq. ft. Projected density of the residential is 4.8 du/ac. Exhibit "C" shows the City zoning for the subject parcel and surrounding area.

The subject property has received registration as a Non-Conforming Sand and Gravel Operation by the City of Peoria in 2007 under application NC07-01. Sand and Gravel Extraction/Aggregate Mining continues on the property to this date. As a part of the registration as a non-conforming operation, a list of the existing mining activities was included. This list included all activities associated with aggregate mining, but did not specifically list any type of reclamation operation. Pursuant to ARS §27-1222 reclamation of all aggregate mining operations is required by the State.

Land Use Designation

The property is designated as *Residential Medium* within the City of Peoria General Plan. That category allows for residential at a gross density of 5 to 8 dwelling units per acre with a target of 6 dwelling units per acre.

Pursuant to Article 14-41-2(I) of the Peoria Zoning Ordinance, a sand and gravel operation or similar mining use, or in our case the continuation of an existing aggregate mining operation and the addition of a reclamation operation, is allowed only by Special Use Permit approved by the Council. A Special Use Permit is allowed within any zoning district, including Residential. As such, approval of the Special Use Permit for an aggregate mining operation along with a reclamation operation does not require an amendment to the City of Peoria General Plan land use designation of *Residential Medium*.

DESCRIPTION OF PROPOSAL

The property owner wishes to perform the required reclamation of the formerly mined property and redevelop it with future uses. In order to build the property back up to a usable level, following the removal of material for aggregate mining, we wish to utilize the property on an interim basis as a reclamation facility for inert materials.

As discussed in the *Current Conditions* section, the subject property has previously been mined for aggregate. Pursuant to ARS §27-1222 reclamation of all aggregate mining operations is required by the State in order to stabilize and secure the land following the completion of the mining and prepare for post-mining land uses. It is presumed within ARS §27-1275 that open pits, such as that found on the subject property, will be reclaimed through backfilling or returning material to the open pits.

The subject request is a Special Use Permit in order to allow the operation that will reclaim the property pursuant to Arizona Revised Statutes. The Special Use Permit is requested under Article 14-41-2(I) of the Peoria Zoning Ordinance, which in order allows for a *"Sand and Gravel, Rock Quarrying, and similar mining use"*. Within our request, we are seeking permission to allow the reclamation operation, which would only be permitted to accept inert material as fill for the open pits. By allowing only inert material the requested 115th and Northern Reclamation operation is essentially the required process by which the existing mining operation is closed over time and the property transitioned to a beneficial and productive post-mining use.

We believe that an operation like 115th Avenue and Northern Reclamation is the next logical step in the lifecycle of the subject property. Its current blighted conditions are the result of the mining operations that were not reclaimed properly and in order for the property to be cleaned up to once again benefit the City of Peoria and its residents, it needs to be redeveloped. Until the mining pits are filled in though, and the property level brought back up to its pre-mining condition, this redevelopment cannot and will not occur. The Maricopa County Flood Control District has also expressed support for the reclamation and redevelopment of mines within floodplains by way of utilizing inert material as fill, such as the subject request.

In order to address the requirements of a Special Use Permit application contained within Article 14-41-2(I) of the Zoning Ordinance for a *"Sand and Gravel, Rock Quarrying, and similar mining use"*, we offer an Operations Plan, Re-Use Plan, and Closure Plan beginning on the following page.

OPERATIONS PLAN

This Operations Plan for 115th and Northern Reclamation reflects the same general elements that Dirt 101 Investors has successfully adopted for their soon to be completed 35 acre facility located at the northwest corner of Glendale Avenue and the 117th Avenue alignment. This facility was originally permitted within unincorporated Maricopa County and subsequently annexed in the City of Glendale and regulated by that jurisdiction. This Operations Plan will detail the limitations placed on the acceptance of material, how that material will be inspected and regulated, and how operations and layout of the reclamation facility will address any potential real or perceived impacts.

Accepted Material

115th and Northern Reclamation will be limited to the acceptance of inert materials, which is defined by Arizona Revised Statutes §49-701(15) as follows:

> *"Inert material":*
> *(a) Means material that satisfies all of the following conditions:*
> *(i) Is not flammable.*
> *(ii) Will not decompose.*
> *(iii) Will not leach substances in concentrations that exceed applicable aquifer water quality standards prescribed by section 49-201, paragraph 20 when subjected to a water leach test that is designed to approximate natural infiltrating waters.*
>
> *(b) Includes concrete, asphaltic pavement, brick, rock, gravel, sand, soil and metal, if used as reinforcement in concrete, but does not include special waste, hazardous waste, glass or other metal.*

Inert material is the most restrictive material allowed as fill and due to its nature and limitations, inert material is specifically excluded from the definition of "Solid Waste" by ARS §49-701.01(B)(17). By excluding inert material as solid waste, its placement and disposition is not regulated by the Arizona Department of Environmental Quality (ADEQ). As you can see by the definition above, inert material cannot be flammable, will not decompose, and will not leach.

The limited specific items that can be classified as inert material are substances that had at one time been previously mined or removed from the earth, making the reclamation operation analogous to mining which is already allowed on the subject property.

Regulatory Permits and Compliance with Applicable Laws

Listed below is a summary of the expected regulatory procedures expected for approval and operation of a land reclamation facility on the subject parcel. This summary may not contain all the applicable permits and applicable laws; however, the applicant agrees that 115th and

Northern Reclamation will be approved by all applicable entities before commencement and operated in accordance with all known regulations and laws.

City of Peoria

As required under Article 14-41-2(I) of the Peoria Zoning Ordinance, a Special Use Permit (SUP) application is required for approval of the reclamation operation on the subject property. If approved, 115th and Northern Reclamation will be operated in accordance with the provisions included within this narrative, as well as the plans and exhibits including in the SUP application subject to any conditions required by the City Council at the time of the SUP's approval. Applicant will apply for all applicable City permits for the associated site improvements.

Maricopa County

The reclamation operation will be subject to regulation by the Maricopa County Air Quality Department related to fugitive dust from any unstable or disturbed dirt surfaces. A Dust Control Permit will be required.

State (ADEQ)

As noted previously, pursuant to State Law, a land reclamation operation that only accepts Inert Material as fill is not defined as a Solid Waste Facility and is therefore not regulated by ADEQ. It is expected however, that while the 115th and Northern Reclamation operation will not require a permit from ADEQ, they will be inspecting the property if complaints are received about improper materials being accepted.

Federal

A portion of the subject property is currently included within the FEMA flood zone for the Agua Fria River. Following the reclamation of the property by way of the inert material, the property owner may apply to FEMA, through the City of Peoria, for a map revision to remove the property from the flood zone if necessary for redevelopment.

Quality Control

In order to maintain the integrity of the reclamation of the subject property for future use and to insure that the material being delivered meets the criteria of Inert Material, we have prepared a quality control plan to provide brief but concise procedures for maintaining clean fill material. The long term benefit and motivation for 115th and Northern Reclamation is to reclaim the property for future development; therefore, quality control of the materials used as stable and compacted fill is very important to Dirt 101 Investors LLC.

We have adopted the following measures to manage the inflow of fill material.

1. Access to the property is controlled and secured off of Northern Avenue. Fencing has been installed around the property to restrict any off-site access and the fencing will be maintained.
2. Prior to entering the property, all deliveries must stop for an inspection at a guard house/office. The reclamation operator stationed at the guard gate preforms a visual

inspection of the fill materials. If there is unqualified materials, the delivery is rejected and forwarded onto the City of Glendale Municipal Landfill or another solid waste facility.

3. Approved deliveries are recorded in the delivery log and the drivers are instructed on where to dump their loads and then directed into the property and down into down into the pit.
4. Depending on the volume contained within the delivery, a dozer will be used to push-off and sort material. If unqualified material is discovered, the dozer operator will separate that material and place it into a commercial dumpster located within the pit. When there is an adequate collection of unqualified material, the dumpster will be trucked to the City of Glendale Municipal Landfill.
5. We understand that ADEQ as well as the City of Peoria may inspect the property and operations at any time and encourage their observations.
6. Given our existing reclamation operation located on Glendale Avenue, we have developed a very compatible relationship with the City of Glendale Municipal Landfill's staff. If the City receives a load of Inert Material, which is not necessarily desirable in the Municipal Landfill, they will be encouraged to come to our facility. As previously stated, unqualified loads and materials at our facility will be directed to the Municipal Landfill.

The delivery log of all incoming material will be maintained daily, kept at the check-in office, and available for inspection at any time as requested by the City of Peoria or any other regulating authority.

Traffic

As Pioneer Landscape Materials is expected to remain as a long term tenant, their existing driveway will remain and be limited to their use. 115th and Northern Reclamation is requesting access to the property by way of two new driveways directly off of Northern Avenue. The first driveway will be located on the west side of the Pioneer Materials lease boundary where the native grade is still even with Northern Avenue, generally located in the center of the site's frontage. This driveway will be used for ingress only. Directional signage as well as gated access will control both access and on-site circulation. The second driveway for 115th and Northern Reclamation will be located along the west property line at the 115th Avenue alignment through adjacent property (owned by the same property owner) and will be used only for egress. It is expected that this off-site access will be secured by easements prior to the initiation of the reclamation operation.

Phasing

In order for adequate phasing of 115th and Northern Reclamation, the overall property will be broken up into smaller regions or cells that will make up the various phases of the reclamation operation. Phasing is expected to generally head from the southern portions of the property closest to Northern Avenue and work north. Although completely dependent on market demand, it is expected that approximately five acres will be filled per year. Attached

as Exhibits "D" and "E", are site plans showing phase one improvements which include the following:

- Two new driveway entrances off Northern Avenue. Both of these entrances will be incorporated into the existing pipe rail fence and gated to restrict after hour access.
- Project signage and directional signage will be placed on-site at both of these driveway locations.
- Access roads will be graded into the existing side slopes for both the entrance and exit roads. The entrance roadway will lead directly into the property while the exit roadway will connect to Northern Avenue by way of an adjacent parcel along the 115th Avenue alignment.
- The check-in station, a 10' x 30' modular building, will be placed approximately 150' to 200' north of the Northern Avenue ROW.
- The entrance road will be paved with milled asphalt from Northern Avenue north to the check-in station. Fencing will be installed on both sides to restrict errant traffic into Pioneer Materials and to restrict traffic from the existing pit drop-off.
- The exit roadway will be paved with milled asphalt leading out of the pit.
- The landscape buffer as illustrated on the attached landscape buffer plan (Exhibit H)will be installed along the designated portion of the east boundary.
- With these improvements completed, 115th and Northern Reclamation will then begin the operation.

Attached as Exhibit "G" is a conceptual phasing plan showing how we expect the order the site will be filled for reclamation. You will see the timeline generally works south to north with the exception of phase 6, the final phase, which is located in the center of the property along the western edge. This phase is last as it will house the various noise generating operations, such as a crusher, in order to keep these operations located as far away from the existing homes as possible at all times.

Mitigation Measures

With the exception of quality control in the acceptance of material, mitigation of actual and perceived impacts is the most important aspect of this Operations Plan. As noted previously, the actual filling operations will not encompass the entire 133 acre site all at once. Operations will be phased into smaller regions or cells thereby condensing the area for potential impacts.

Visual Blight

The subject property has been mined for aggregate since the 1970's with most of the heavy mining occurring in the last 20 years. As such, the property has been left in a blighted condition with a majority of the property left at 30 to 35 feet below natural grade. The purpose of the requested reclamation facility is to reclaim the land and bring it back up to natural grade for redevelopment of the property.

As a part of 115th and Northern Reclamation, we plan on providing a landscape buffer and separation from the existing residential homes within the existing

subdivision to the east. This landscape buffer will provided separation between the reclamation and the homes as well as provide trees to visually screen some operations. The selected buffering trees species are included in the Arizona Department of Water Resources low water use plant list for the Phoenix Active Management Area (Phoenix AMA) and carefully chosen for their rapid growth and year round branch coverage.

Details on the proposed landscaping and buffer can be found in the "landscaping" section.

Dust

The reclamation operation is subject to regulation by the Maricopa County Air Quality Department related to fugitive dust from any unstable or disturbed dirt surfaces. A Dust Control Permit will be required to be submitted and approved prior to any work, and the County will conduct regular inspections. Based upon experience with our other reclamation facility, the ground and material will be watered quite regularly to limit airborne particulate matter/fugitive dust. Trucks leaving the property will be required to pass over a trackout control device so as to restrict mud from being tracked out on to the paved roadways.

Noise

As with the existing aggregate mining on the subject property and in the immediate area, limiting noise will be an important day-to-day requirement of 115th and Northern Reclamation. In order to limit noise impacts to a minimal amount, the reclamation operation will be buffered and separated from the existing residential as much as possible. Material entering the property to be used as fill may need to be crushed in order to aid in compaction; however, as depicted on the submitted site plan, the crusher has been located in the most remote location possible on the property and buffered by an earthen berm. The crusher will comply with all applicable City of Peoria noise regulations. All the earthmoving or compacting equipment that 115th and Northern Reclamation will utilize is modern construction equipment with all required mufflers for sound attenuation. While back-up alarms for the equipment are required by OSHA, they will be set on the lowest setting allowed to limit unnecessary noise.

Normal hours of operation will be limited to 6am to 3pm in the summer months and 7am to 4pm the remainder of the year so as to limit any noise impacts in the evenings and nighttime.

Odor

As the proposed reclamation operation will only be accepting a limited scope of inert materials, there will be no odor associated with the facility.

Lighting

Reclamation operations will not occur before sunrise or after sunset, therefore site lighting other than simple security and building lighting is not required. All security

lighting and lighting attached to the check-in building will be down-facing, flat-lensed, and full cut-off to minimize glare and light trespass onto adjacent property.

Security

As noted previously, there is existing fencing along the entire north, east and south property lines. These existing fences will remain in place for the duration of the reclamation phases unless there is a decision to initiate site redevelopment. Due to the historic use of the subject property and the existing sand and gravel operations on the adjoining property to the west as part of a larger mining district, there is no fence along the west property line. 115th and Northern Reclamation will install a temporary 6' chain link fence along this west side during the filling of adjacent phases so as to restrict access and retain all reclamation activity to the subject parcels.

As part of the rezoning and site plan approval processes for redevelopment, the phased separation and type of perimeter screening of the development parcels will be determined at that time.

Aquifer Protection

As there are existing private and municipal wells in the surrounding area and given the proximity to the Agua Fria River, concern over protection of those wells and the aquifer has been expressed. As indicated previously, 115th and Northern Reclamation is requesting a Special Use Permit to allow reclamation of the mining property by way of only inert materials, which by its definition "*Will not leach substances in concentrations that exceed applicable aquifer water quality standards prescribed by section 49-201, paragraph 20 when subjected to a water leach test that is designed to approximate natural infiltrating waters*" As such inert material is not considered solid waste and not regulated by ADEQ as aquifer protection is not necessary.

Other Potential Nuisances

Both during the review of this Special Use Permit and following approval during operation 115th and Northern Reclamation will work with the City of Peoria and area residents to address any additional real or perceived nuisances that may be expressed.

Hours of Operation

As noted in the Mitigation Measures section, the normal hours of operation will be limited to 6am to 3pm in the summer months and 7am to 4pm the remainder of the year.

Site improvements

Pursuant to Article 14-41-2(I) of the Peoria Zoning Ordinance "Sand and Gravel, Rock Quarrying, and similar mining uses are exempt from design review and landscaping requirements in the site plan approval process…". As a part of the proposed reclamation operation there will be no lasting improvements made to the property other than the reclamation accorded by the fill itself. Some temporary improvements will be placed on the property during the reclamation operations.

Modular Office/Guard House

In order to effectuate and operate, 115th and Northern Reclamation will place a modular building at the access roadway which will serve as a check-in station for trucks and office for the employees. This modular building will either be relocated from the existing operation in the City of Glendale or a new modular building, and placed following the receipt of all applicable permits with the City of Peoria. Exhibit "F" includes photos of an example modular building. Pursuant to Article 14-41-2(I) of the Peoria Zoning Ordinance, mining uses are exempt from design review, but given that the building will be located a minimum of 150 feet from Northern Avenue, aesthetics will not be an issue regardless.

Alongside of the modular office/guard house there will be visitor parking including an ADA handicap accessible space.

Driveways and Roadways

All internal roadways and driveways leading into or out of the pits will be surfaced with milled asphalt to limit dust. As required by the Maricopa County Air Quality Department, trackout control devices will be appropriately placed to restrict mud from being tracked out on to the paved roadways.

Crusher

In order to crush larger material for the best possible compaction, a crusher will be included on the property. As noted under the noise mitigation section, the crusher will be located in the most remote locations possible on the property and will be screened by an earthen berm. The crusher will be operated in accordance with applicable City of Peoria noise standards by not exceeding 65dBA when measured at any point 50 feet from the adjacent residential properties. Pursuant to Article 14-41-2(I) of the Zoning Ordinance, in the absence of any mitigation measures, any mining equipment must be located a minimum of 300' from adjacent residential. 115th and Northern Reclamation is providing noise and visual mitigation in the form of a landscape buffer, earthen berm, and will be locating the crusher no closer than 1000' to adjacent residential.

Signage

Project signage will be limited to the frontage along Northern Avenue. Proposed signage will consist of one permanent project identification monument sign for 115th and Northern Reclamation and will be placed at the main entrance driveway. Directional signs will be placed at the applicable driveway to indicate the property entrance and exit. Signage will require a separate City of Peoria permit application.

Details of these site improvement are shown on Exhibits "D" and "F".

During the lifespan of the reclamation operation, other temporary structures may be needed and all applicable permits with the City of Peoria will be acquired.

Landscaping

Pursuant to Article 14-41-2(I) of the Peoria Zoning Ordinance "Sand and Gravel, Rock Quarrying, and similar mining uses are exempt from design review and landscaping requirements in the site plan approval process…". Even with this exemption, as a part of our Special Use Permit request, in order to mitigate potential impacts, we have committed to provide a landscape buffer to screen and limit the views from the established neighborhoods along the east property line.

The presence of the mined area is a given condition that the residents have dealt with, but the purpose of the buffer is to mitigate the views of the operations involved with the reclamation of the property in order to be a good neighbor. Fortunately, the single family residential lots that are north of Butler Drive and are in the closest proximity to the operations, are also elevated approximately 20' above the perimeter of the mined pit. This orientation will permit the installation of screening trees that can effectively block views of the reclamation operations yet preserve some distant panoramic views of the White Tanks Mountains to the west. In order to provide the best location for these screening trees, the applicant is working with the City of Peoria on plans for placing some of the trees in a 50 foot wide strip between the 115th and Northern Reclamation operation and the existing residents, that is owned by the City. It is expected that all applicable easements will be secured from the City of Peoria before installation of any landscaping or improvements within the City's property.

South of Butler Drive is an extended common area open space that varies from a minimum width of 50' to 150' which is owned and maintained by the Suncliff III and IV Home Owners Association. The elevation of the homes backing onto this existing buffer varies from 5-10' above the adjacent subject property. Along this property line section, landscape trees will be placed solely on 115th and Northern Reclamation property.

The design and development of this landscape buffer is an essential feature in establishing a positive long term relationship with the adjacent neighborhoods. While this buffer will initially serve to screen the reclamation operations over the next 25-30 years, it can remain in-place as later redevelopment occurs, as a mature landscape buffer. For the purpose of developing an effective long term landscape buffer, three species will be used: Sonoran Palo Brea (Parkinsonia praecox), Mesquite (Prosopis species), and Flowering Desert Willow (Chilopsis linearis). The Sonoran Palo Brea and the Mesquite trees will both easily grow to 25' in height and develop a full diameter spread of 30-40'. The Desert Willow will be incorporated randomly into the grouping for additional color. Refer to the buffer landscape plans included in this report as Exhibits "H" and "I".

Since the fill operations will be phased from the south to the north, the installation of the landscape buffer will reflect a similar pattern. The south half of the buffer located from Pioneer Landscape Materials to Butler Drive, will be installed with 15 gallon sized trees at an average spacing 30' on-center. From Butler Drive north, these same trees will be installed in the same pattern and spacing, but as 5 gallon trees. All these trees will be planted with phase one of 115th and Northern Reclamation and it is the nature of these species to grow very quickly. Typically they can grow from a 5 gallon container to a 24" box container size in one season. By the time the reclamation operations reach adjacent to the 15 gallon trees they will

have grown a few years and by the time operations reach adjacent to the 5 gallon trees they will have grown for a number of years and both sections will be afforded a significant buffer. As the purpose of this landscaping is purely as a visual buffer, no shrubs will be utilized at this time and a dust palliative will be used in lieu of groundcover to suppress any fugitive dust.

The Northern Avenue frontage will be partially landscaped as a part of 115th and Northern Reclamation. Since the Northern Parkway has not yet progressed past the Design Concept Report (DCR) stage, there is currently no set dimension for the north right-of-way boundary; however, it is expected to be around 180' from the section line. The existing mining pit begins immediately north of the current ROW which varies from 61-82' north of the Northern Avenue section line. Assuming a ROW of 180' for the parkway, the new ROW boundary would be within the pit making frontage landscaping impossible at this time. Also given the fact that in the future there will be substantial modifications to Northern Avenue for its development into the Northern Parkway, permanent frontage landscaping within the existing ROW does not appear warranted as it will soon need to be removed. The final permanent frontage landscape along Northern Avenue should be completed as a part of the Parkway improvements by the City, or with the redevelopment of the reclaimed property, whichever occurs first. In the meantime however, in order to provide an attractive frontage along Northern Avenue, 115th Avenue and Northern Reclamation is proposing some temporary landscape improvements within the City of Peoria ROW. This frontage landscape is detailed on the landscape plans included in this report as Exhibit "J".

When the property is redeveloped at a later date, the City can determine where additional trees, shrubs, and groundcover should be installed within the buffer and Northern Parkway frontage to satisfy site development criteria for the specific new use.

Utilities

115th and Northern Reclamation is a temporary operation and there will be limited connections to the existing City of Peoria public utilities for the reclamation operation. As a part of the future re-development, the owner will present master plans for both water and wastewater which will address connections and impacts on the City of Peoria's utility infrastructure.

Water

Given the nature of the operation, the main requirement of water will be for dust suppression, which does not need to be treated drinking water from a public source. Water for the dust suppression will be provided by a temporary private well drilled on the property. This well will be limited to production of less than 35 gallons per minute classifying it as an Exempt Well pursuant to ADWR regulations and will be abandoned upon closure of the reclamation operations. In addition to the proposed limited well, 115th and Northern Reclamation will also explore other options for dust suppression water by way of filling their water truck from an alternate private source or with Peoria on use of City water through an off-site fire hydrant or an off-site reclaimed water source.

Water for the landscaping will be accomplished by way of a meter, or meters, connected to the existing City of Peoria water lines in Suncliff as these connections will be

permanent and remain following the closure of the reclamation operation. Drinking water for within the modular office building will be by way of bottled water.

Wastewater

The demand for restroom facilities for the reclamation operation will be quite limited. An ADA compliant port-a-potty will be used and placed adjacent to the modular office building. The port-a-potty will be pumped and serviced on a regular basis.

Continued Aggregate Mining

As discussed previously, the subject property has received registration as a Non-Conforming Sand and Gravel Operation by the City in 2007 under application NC07-01 and Sand and Gravel Extraction/Aggregate Mining continues on the property to this date. As a part of the 115th and Northern Reclamation operation, there may be a need to extract additional aggregate material from the property. All continued aggregate mining will be in accordance with the approval granted in NC07-01, which limits the operations to those as defined within ARS § 27-441.

RE-USE PLAN

The paramount reason for the requested Special Use Permit is reclamation of the formerly mined property for re-use. Following the mining, which is expected to continue in a very limited fashion, a majority of the property has been left in a blighted condition with elevations at 30 to 35 feet below natural grade and the need to fill in 11 million tons of material. The requested land reclamation is essentially the re-use plan for that mining and will reclaim the land and bring it back up to natural grade for redevelopment and re-use of the property.

Future Land Use Plan

The Future Land Use Plan included here as Exhibit "L", illustrates the currently planned redevelopment of the property. This plan mirrors the existing PAD zoning of the property as approved by the City in case Z88-51. This PAD allows approximately 30 acres of Light Industrial at the southwest of the property and Single Family Residential on the remainder of the property with a minimum lot size of 5,000 sq. ft. and an average of 6,000 sq. ft. This current PAD zoning is in compliance with the Peoria General Plan.

Feasibility of Future Land Use Plan

Given that the existing PAD zoning was approved over 20 years ago and before the property was completely mined, the market demand for the property may have shifted. Following commencement of the reclamation, and as property becomes available for redevelopment, Dirt 101 Investors will work with the City on a revised land use plan showing feasible land uses, and apply for a rezoning if necessary.

CLOSURE PLAN

As each operations phase of 115th and Northern Reclamation is completed, that phase will be closed and prepared for redevelopment if the market conditions support the redevelopment. Upon cessation of the land reclamation operations for each phase, the applicable area will receive a final grading to support drainage and retention if necessary. Upon cessation of the 115th and Northern Reclamation operations as a whole, all equipment and structures associated with the reclamation will be removed from the property and the well utilized for dust control water will be capped appropriately.

A site plan/design review application will be submitted for review and approval by the City of Peoria before any development following the closure.

Arizona State Mine Inspector Reclamation Plan

Pursuant to ARS §27-1222 the owner or operator of an aggregate mining operation is required to submit a reclamation plan to the State Mine Inspector. The purpose of this plan is to discuss the closure of the operation and the reclamation measures that will be undertaken to achieve the post-aggregate mining land use and the measures that will be taken to restrict access to the property and control erosion.

Review of the Mine Inspector's records did not reveal a reclamation plan for the subject property. It is not apparent whether this was an oversight in implementation of the statutes by the Mine Inspector or if a plan was submitted but misplaced. In coordination with the property owner, Dirt 101 Investors has submitted a reclamation plan to the State Mine Inspector. This plan indicates that the reclamation of the formerly mined property will be accomplished by the filling of the existing open pits with inert material. According to the Mine Inspector's office and in accordance with ARS §27-1275, the re-filling of open pits is the most preferred form of reclamation.

Also pursuant to State statues, as a part of the reclamation plan, Dirt 101 Investors will be required to provide financial assurance for the estimated costs for completion of the requested reclamation.

Grading

The final grading of the property, following the placement of the fill materials, will be in accordance with the plans prepared by Keogh Engineering included as Exhibit "L" and submitted separately as a part of this Special Use Permit request. The eastern edge of the fill will be determined by the natural grade of the land as it rises in elevation to the property line to match the property's grades before it was mined. The western edge of the fill will be along the western property line shared with the adjacent property currently being mined for aggregate. The grading of this edge will be dependent upon the topography of that property at the time of closure; however, the final grading plan attached shows the grading along the western edge based upon the current topography of that adjacent property, which may change. The western edge of the fill will be right up to the property line when the elevation

of the adjacent property is the same as the finished elevation. If the elevations are different with the finished elevation of the 115th and Northern Reclamation property being either above or below that of the adjacent property, a two-to-one slope will be preserved on the subject property from the shared property line.

Also in accordance with the plans prepared by Keogh Engineering, both temporary and permanent retention basins, and swales will be created to address both on-site and off-site drainage flows.

Timeline

The actual time period to complete 115th and Northern Reclamation will be highly influenced by the development industry which is expected to be the largest source of material. It took 20 plus years of aggregate removal for the property to be mined into its current condition therefore we are requesting a commensurate time limit on the requested Special Use Permit. Based on our estimates, the existing pits will hold 11 million tons of material and based on our experience at a similar reclamation facility for inert material, the subject property could average around 375,000 tons of fill per year; therefore, it is anticipated that the facility will be in operation for a total of about 30 years. If there is an overabundance of material available the reclamation will conclude earlier but it is expected that the closure of the first phases along Northern Avenue for re-development will come within a few years of initiation of 115th and Northern Reclamation.

Exhibit A
Aerial Photo/Context Plan

115TH & NORTHERN RECLAMATION

PEORIA, AZ

PREPARED FOR: LUKE LAND REALTY

EXHIBIT 'A'
CONTEXT PLAN

SCALE: 1" = 400'
DATE: 3-14-12
GP JOB# 11020

0' 200' 400' 800'

NORTH

GILMORE PARSONS
LAND DESIGN GROUP
2211 N. 7th Street, Phoenix, Az 85006
T 602.266.5622 F 602.266.5707
www.gilgilmore.com

Exhibit B
Existing Topography

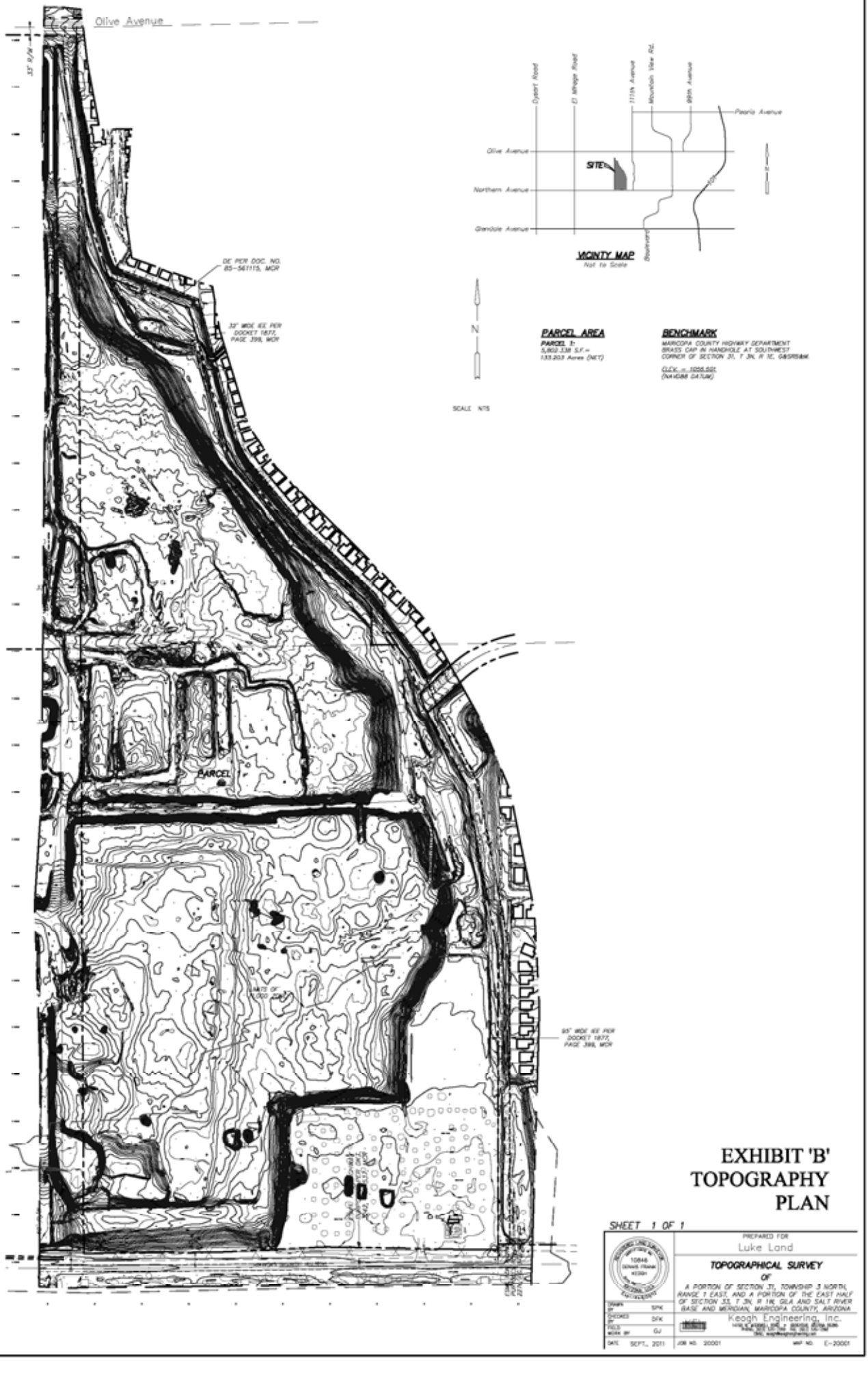
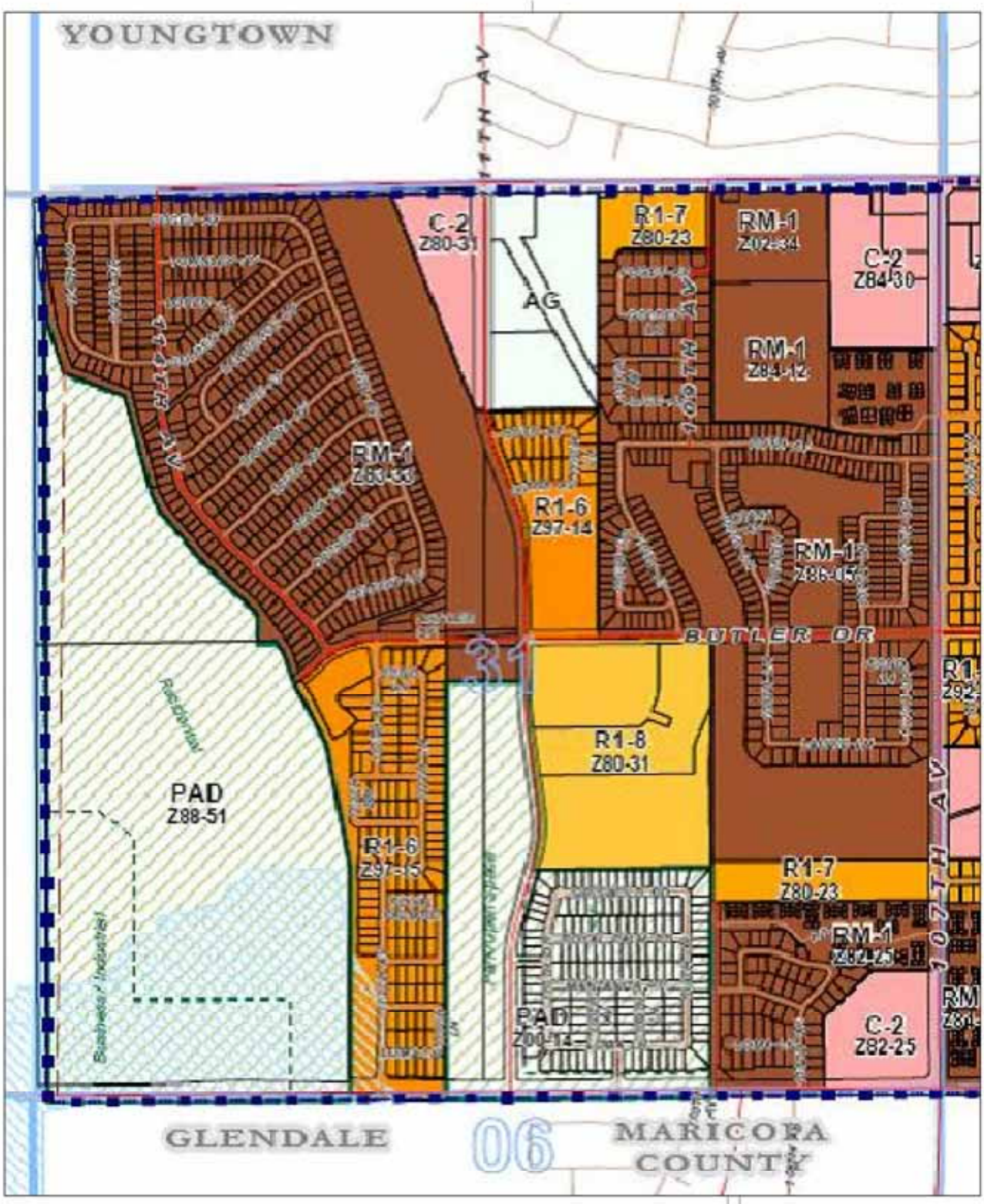

Olive Avenue
33' R/W
DE PER DOC. NO. 85-561115, MCR
32' WIDE IEE PER DOCKET 1877, PAGE 399, MCR
PARCEL
95' WIDE IEE PER DOCKET 1877, PAGE 399, MCR
Dysart Road
El Mirage Road
111th Avenue
Mountain View Rd.
99th Avenue
Peoria Avenue
Olive Avenue
SITE
Northern Avenue
Glendale Avenue
Boulevard
VICINITY MAP
Not to Scale
N
SCALE NTS
PARCEL AREA
PARCEL 1:
5,802,338 S.F.=
133.203 Acres (NET)
BENCHMARK
MARICOPA COUNTY HIGHWAY DEPARTMENT
BRASS CAP IN HANDHOLE AT SOUTHWEST
CORNER OF SECTION 31, T 3N, R 1E, G&SRS&M.
ELEV. = 1058.501
(NAVD88 DATUM)
EXHIBIT 'B'
TOPOGRAPHY
PLAN
SHEET 1 OF 1
PREPARED FOR
Luke Land
TOPOGRAPHICAL SURVEY
OF
A PORTION OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 1 EAST, AND A PORTION OF THE EAST HALF OF SECTION 33, T 3N, R 1W, GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA
Keogh Engineering, Inc.
DRAWN BY SPK
CHECKED BY DFK
FIELD WORK BY GJ
DATE SEPT., 2011
JOB NO. 20001
MAP NO. E-20001

Exhibit C
Existing City Zoning



115TH & NORTHERN RECLAMATION

PEORIA, AZ

PREPARED FOR: LUKE LAND REALTY

EXHIBIT 'C'
EXISTING ZONING PLAN

SCALE: NTS

NORTH

GILMORE PARSONS
LAND DESIGN GROUP
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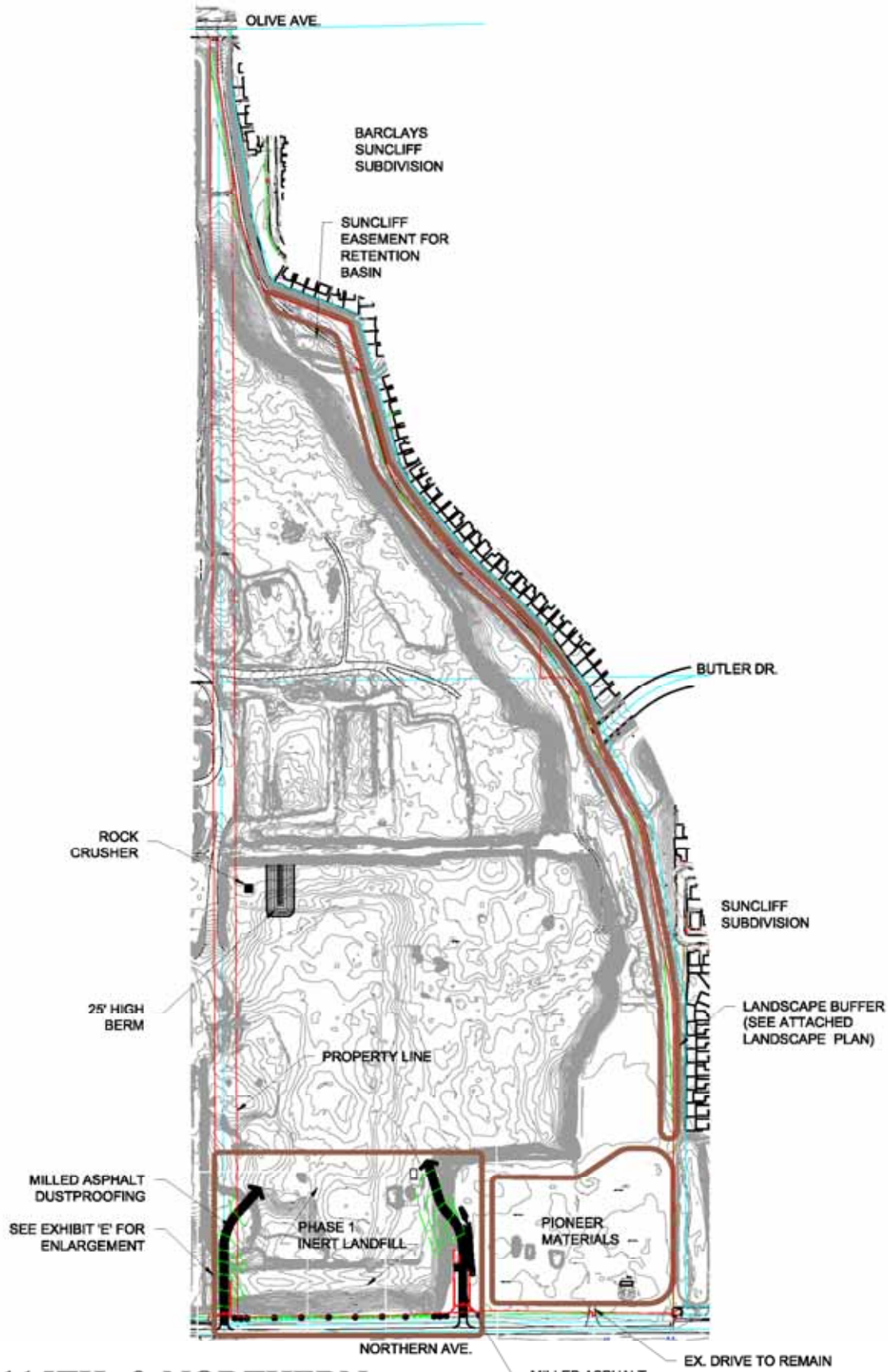
T 602.266.5622 F 602.266.5707
www.gilgilcom.com

Exhibit D
Phase One Site Improvements



115TH & NORTHERN RECLAMATION

PEORIA, AZ

PREPARED FOR: LUKE LAND REALTY

EXHIBIT 'D'

PHASE 1 IMPROVEMENT PLAN

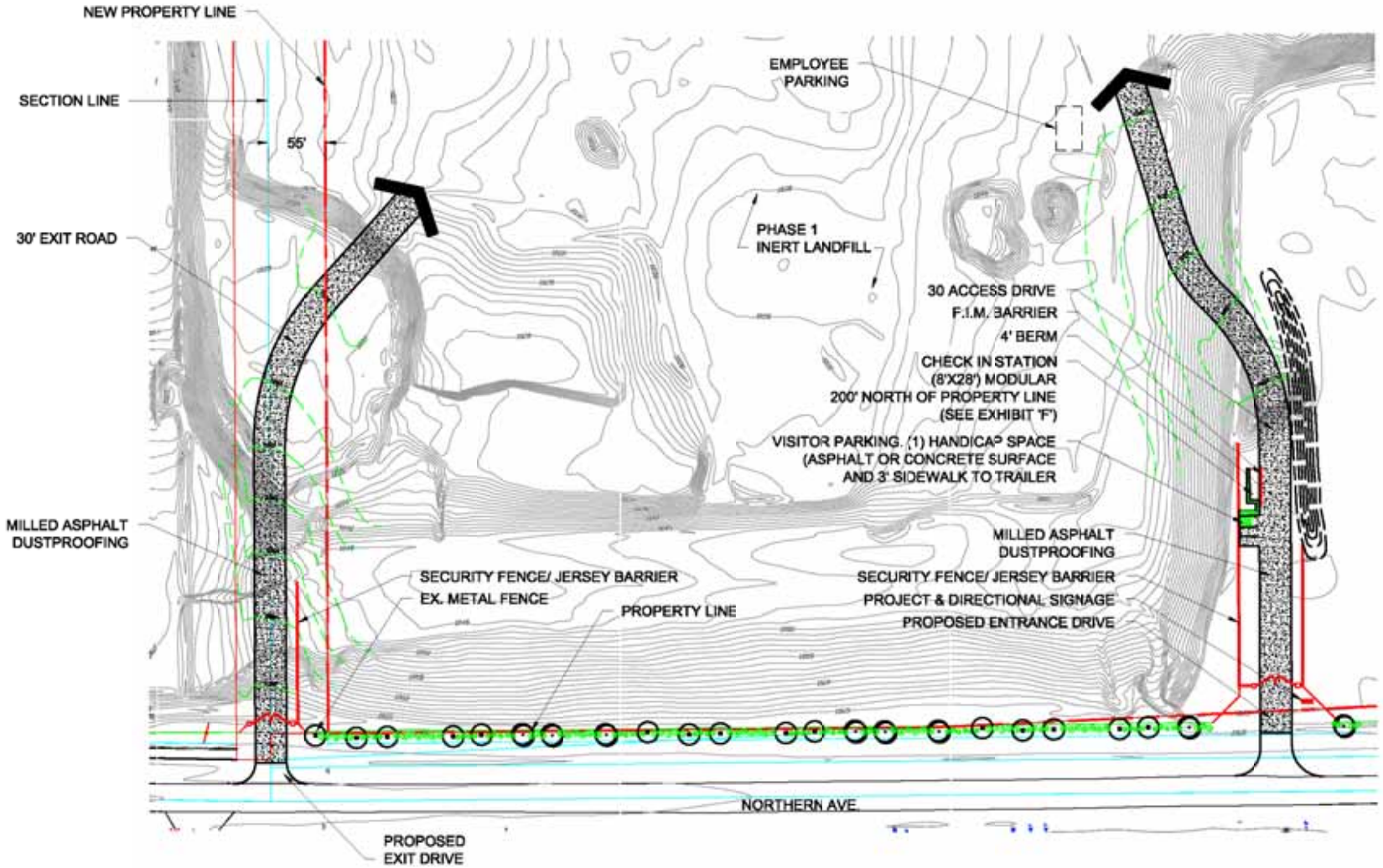
SCALE: 1" = 400'
DATE: 3-14-12
GP JOB# 11026

0' 200' 400' 800'

NORTH

GILMORE PARSONS
LAND DESIGN GROUP
2211 N. 7th Street, Phoenix, Az 85006
T 602.266.5632 P 602.266.5707
www.gpldgroup.com

Exhibit E
Phase One Site Improvements – Detail



115TH & NORTHERN RECLAMATION

PEORIA, AZ

PREPARED FOR: LUKE LAND REALTY

EXHIBIT 'E'

PHASE 1 SITE IMPROVEMENTS - DETAIL

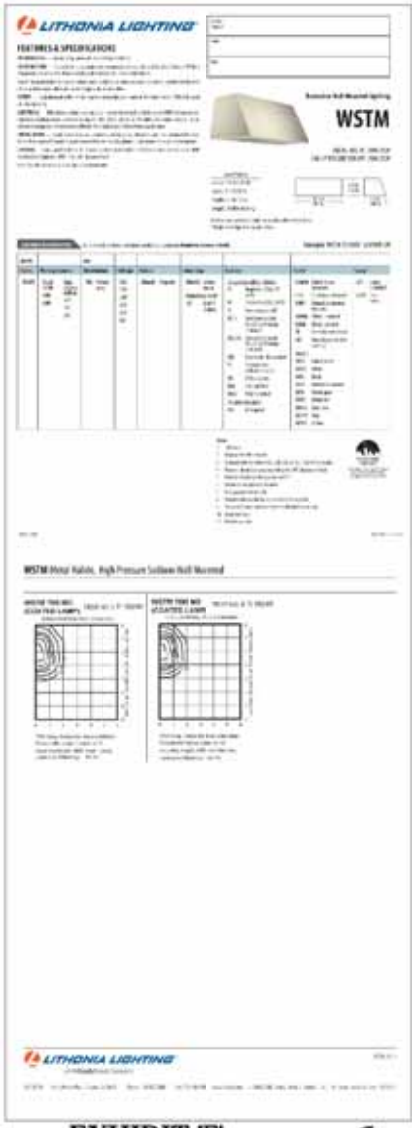
SCALE: 1" =100'

NORTH

GILMORE PARSONS
LAND DESIGN GROUP
2211 N. 7th Street, Phoenix, Az 85006
T 602.266.5622 F 602.266.5707
www.gpgilmore.com

Exhibit F
Modular Office Building

- 8'X28' MODULAR OFFICE
- SECURITY LIGHTS, ONE EACH FRONT AND BACK, WALL MOUNTED



115TH & NORTHERN RECLAMATION

PEORIA, AZ

PREPARED FOR: LUKE LAND REALTY

EXHIBIT 'F'
MODULAR OFFICE BUILDING/ SECURITY LIGHTS

SCALE: 1" = 400'
0' 200' 400' 800'
NORTH

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LAND DESIGN GROUP
2211 N. 7th Street, Phoenix, Az 85006
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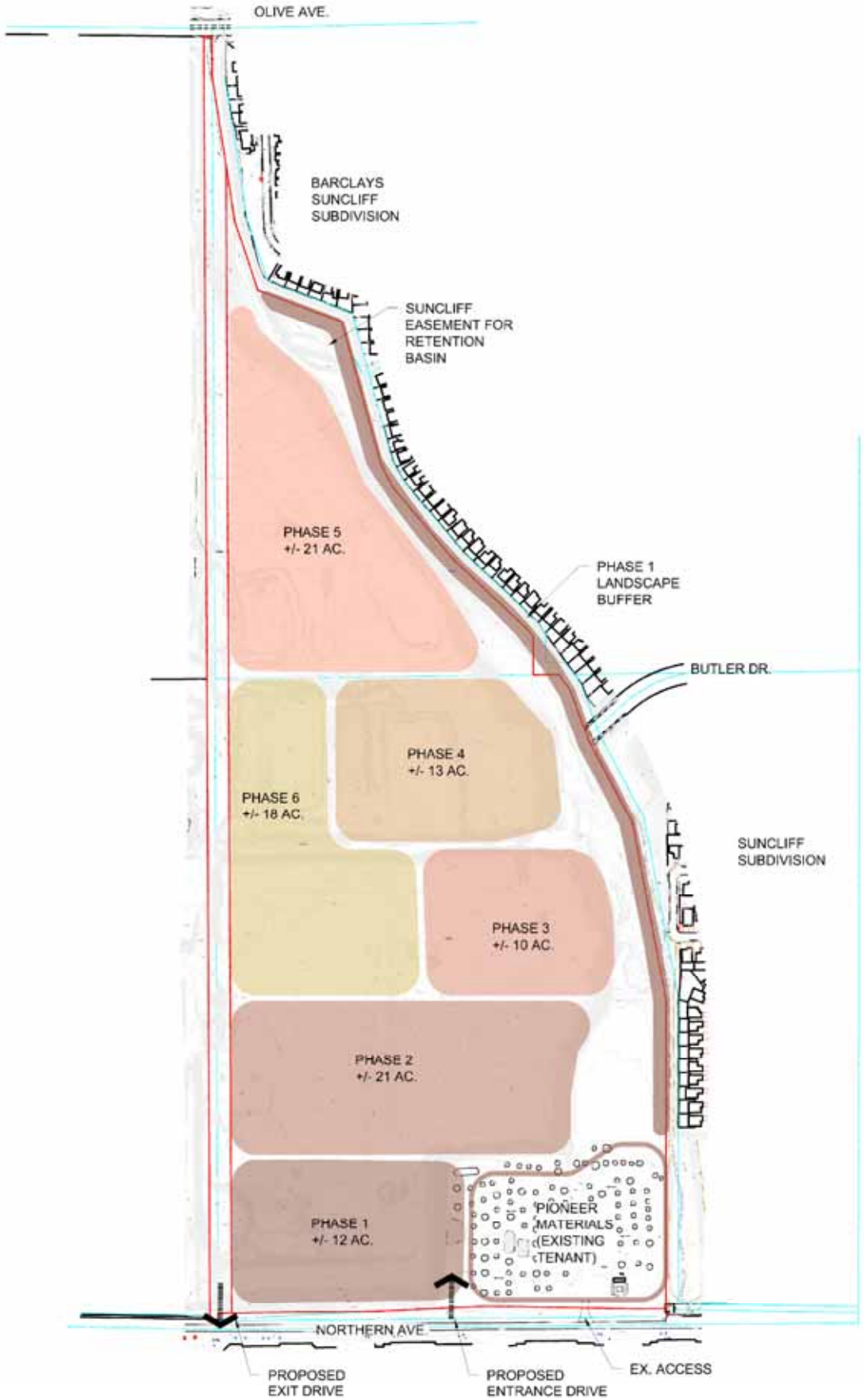
Exhibit G
Phasing Plan



115TH & NORTHERN RECLAMATION

PEORIA, AZ

PREPARED FOR: LUKE LAND REALTY

EXHIBIT 'G'
PHASING PLAN

SCALE: 1" = 400'

NORTH

GILMORE PARSONS
LAND DESIGN GROUP
2211 N. 7th Street, Phoenix, Az 85006
T 602.266.5622 F 602.266.5707
www.gilgilmore.com

Exhibit H
Landscape Buffer Plan

PLANT SCHEDULE

SYMBOL	BOTANICAL/COMMON NAME	CLPR/SIZE	QTY.	REMARKS
	TREE			
■	PARKINSONIA PREACOX PALO BREA	5 GAL. 15 GAL.	50 29	NORTH OF BUTLER DR. SOUTH OF BUTLER DR.
●	PROSOPIS JULIFLORA NATIVE MESQUITE	5 GAL. 15 GAL.	35 15	NORTH OF BUTLER DR. SOUTH OF BUTLER DR.
▲	CHILOPSIS LINEARIS 'BUBBA' BUBBA DESERT WILLOW	5 GAL. 15 GAL.	15 12	NORTH OF BUTLER DR. SOUTH OF BUTLER DR.

NOTE: (1) MULTI OUTLET EMITTER PER TREE

NOTE: DUST PALLIATIVE SURFACING

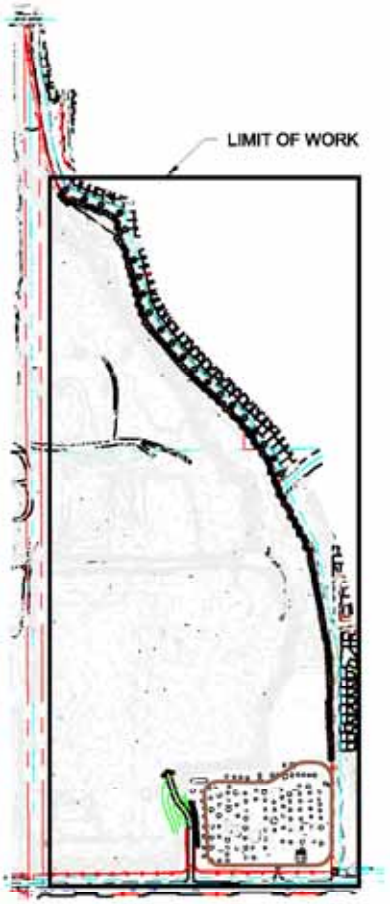
5 GALLON TREES
30' O.C. (TYP)

TREES ON SLOPE EVERY
OTHER LOT LINE (TYP)

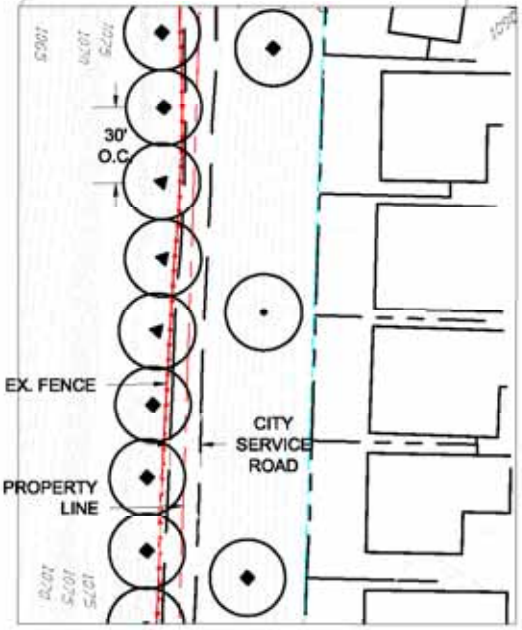
BUTLER DR.

EXISTING
50'
DRAINAGE
EASEMENT

LIMIT OF WORK



KEY MAP NTS



PLANTING ENLARGEMENT NTS

15 GALLON TREES
SOUTH OF BUTLER DRIVE.

EXISTING
LANDSCAPING
TO REMAIN

PIONEER
MATERIALS

NORTHERN AVE.

115TH & NORTHERN RECLAMATION

PEORIA, AZ

PREPARED FOR: LUKE LAND REALTY

EXHIBIT 'H'
LANDSCAPE BUFFER PLAN

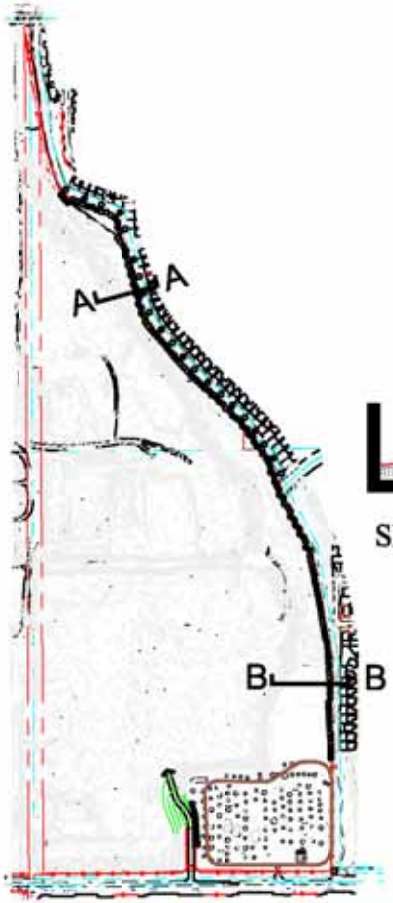
SCALE: 1" = 300'
DATE: 3-14-12
GP JOB# 11026

0' 150' 300' 600'

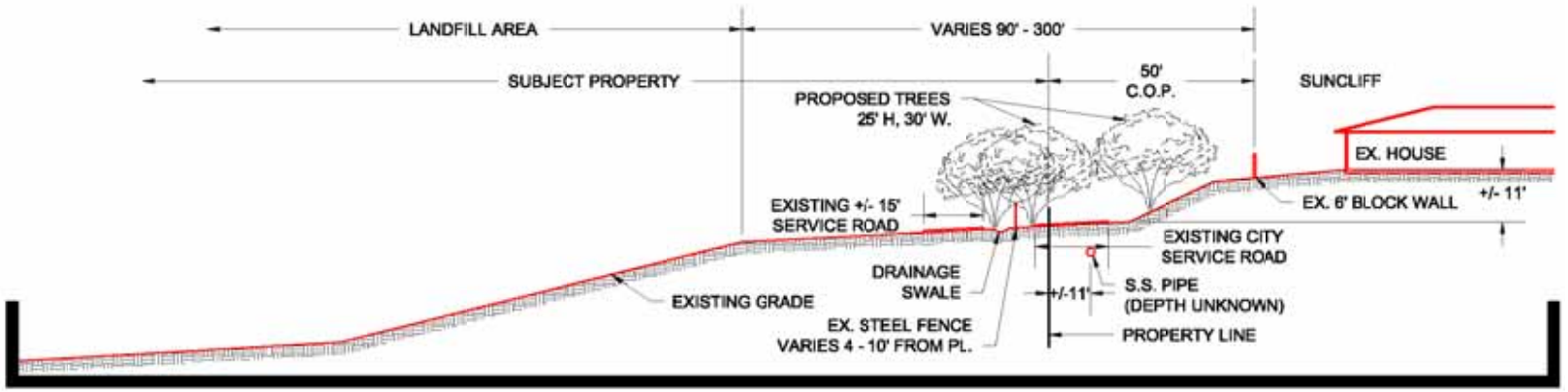
NORTH

GILMORE PARSONS
LAND DESIGN GROUP
2211 N. 7th Street, Phoenix, Az 85006
T 602.266.5632 P 602.266.5707
www.gpldzone.com

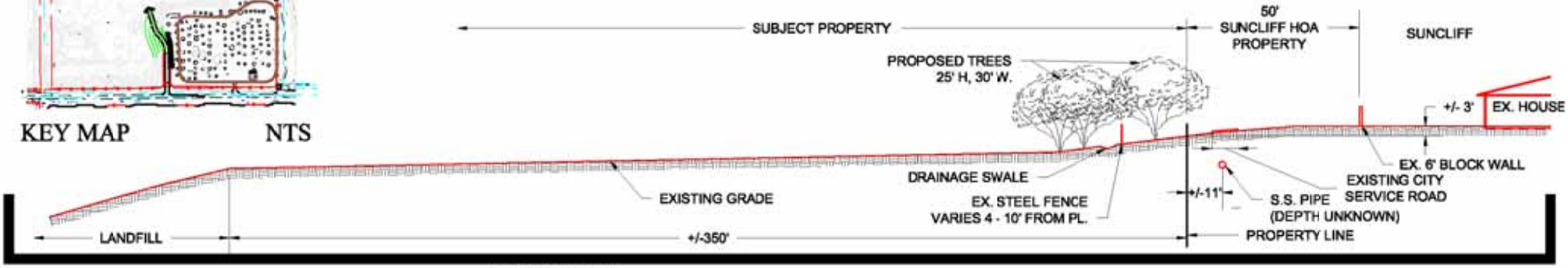
Exhibit I
Landscape Buffer Cross-Sections



KEY MAP NTS



SECTION 'A'



SECTION 'B'

115TH & NORTHERN RECLAMATION

PEORIA, AZ

PREPARED FOR: LUKE LAND REALTY

EXHIBIT 'I'

LANDSCAPE BUFFER SECTION

SCALE: 1" = 30'

NORTH

GILMORE PARSONS

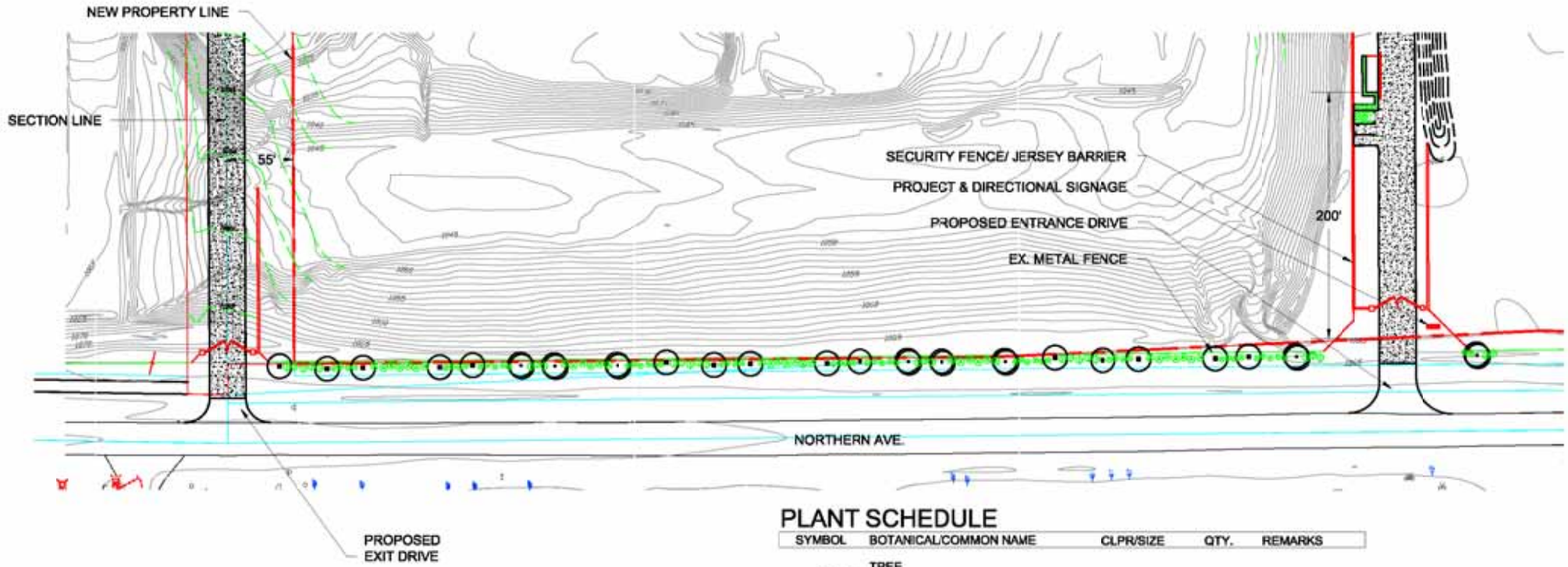
LAND DESIGN GROUP

2211 N. 7th Street, Phoenix, Az 85006

T 602.266.5622 F 602.266.5707

www.gmgilmore.com

Exhibit J
Frontage Landscape Plan



PLANT SCHEDULE

SYMBOL	BOTANICAL/COMMON NAME	CL/PR/SIZE	QTY.	REMARKS
	TREE			
	ACACIA SMALLII SWEET ACACIA	15 GAL.	8	STAKE AS REQUIRED
	PARKINSONIA PREACOX PALO BREA	15 GAL.	15	1 MULTI EMITTER
	SHRUBS			
	CAESALPINIA MEXICANA MEXICAN BIRD OF PARADISE	5 GAL.	33	1 GPH EMITTER
	CASSIA NEMOPHILA DESERT CASSIA	5 GAL.	26	1 GPH EMITTER
	LEUCOPHYLLUM LANGMANIAE 'RIO BRAVO'tm RIO BRAVO SAGE	5 GAL.	53	1 GPH EMITTER

NOTE: (1) MULTI OUTLET EMITTER PER TREE
NOTE: (1) SINGLE OUTLET EMITTER PER SHRUB
NOTE: 8' WIDE DECOMPOSED GRANITE DUST CONTROL TO BE PROVIDED SOUTH OF EX. FENCE

115TH & NORTHERN RECLAMATION

PEORIA, AZ

PREPARED FOR: LUKE LAND REALTY

EXHIBIT 'J'

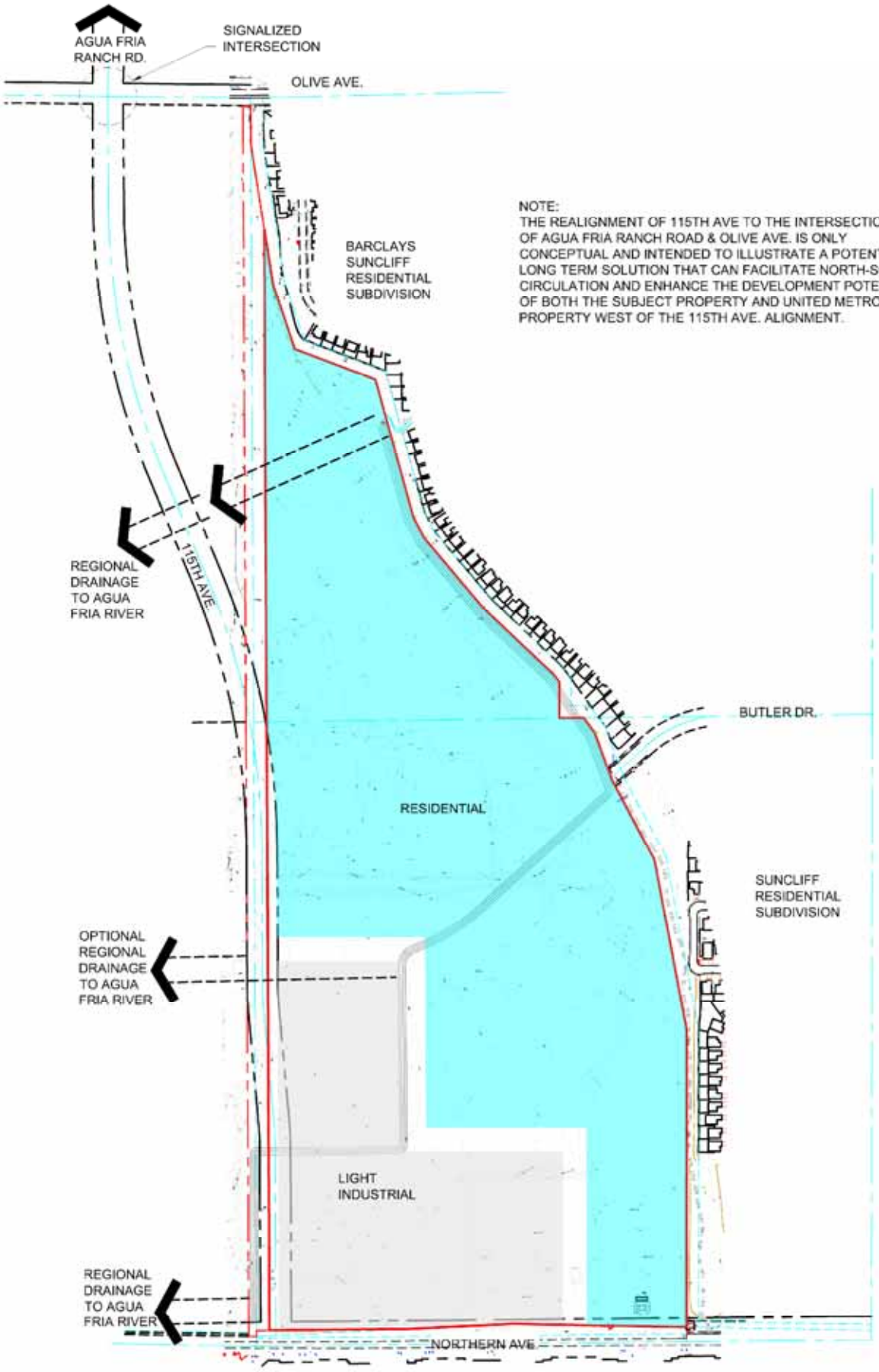
FRONTAGE LANDSCAPE PLAN

SCALE: 1" = 80'

NORTH

GILMORE PARSONS
LAND DESIGN GROUP
2211 N. 7th Street, Phoenix, Az 85006
T 602.366.5622 F 602.366.5707
www.gpgilmore.com

Exhibit K
Future Conceptual Land Use Plan



115TH & NORTHERN RECLAMATION

PEORIA, AZ

PREPARED FOR: LUKE LAND REALTY

EXHIBIT 'K'
CONCEPTUAL LAND USE PLAN

SCALE: 1" = 400'
0 200' 400' 800'
NORTH

GILMORE PARSONS
LAND DESIGN GROUP
2211 N. 7th Street, Phoenix, Az 85006
T 602.200.2022 F 602.200.3707
www.gpgilmore.com

Exhibit L
Finished Grading Plan

115TH and NORTHERN
MINE RECLAMATION
GRADING & DRAINAGE
PLANS
PEORIA, ARIZONA

LEGAL DESCRIPTION

A PORTION OF THE WEST HALF OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 31; THENCE NORTH 01°16'33" WEST ALONG THE WEST LINE OF SAID SECTION 31, A DISTANCE OF 40.01 FEET; THENCE NORTH 87°12'38" EAST, A DISTANCE OF 55.06 FEET TO A POINT ON THE NORTH LINE OF RIGHT OF WAY DESCRIBED IN DOCKET 3242, PAGE 537, RECORDS OF MARICOPA COUNTY ARIZONA AND THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 01°16'21" WEST, PARALLEL TO AND 55.00 FEET EAST OF THE WEST LINE OF SAID SECTION 31, A DISTANCE OF 2568.40 FEET; THENCE NORTH 01°16'35" WEST PARALLEL TO AND 55.00 FEET EAST OF THE WEST LINE OF SAID SECTION 31, A DISTANCE OF 2084.27 FEET; THENCE SOUTH 87°41'02" EAST ALONG THE WEST LINE OF BARCLAYS SUNCLIFF REPLAT, A SUBDIVISION RECORDED IN BOOK 336 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA, A DISTANCE OF 2332.46 FEET; THENCE SOUTH 18°21'02" EAST CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 262.17 FEET; THENCE SOUTH 69°01'20" EAST CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 384.43 FEET; THENCE SOUTH 15°21'49" EAST CONTINUING ALONG SAID WEST LINE AND ALONG THE WEST LINE OF REPLAT OF BARCLAYS SUNCLIFF AMENDED, A SUBDIVISION RECORDED IN BOOK 418 OF MAPS, PAGE 26, RECORDS OF MARICOPA COUNTY, ARIZONA , A DISTANCE OF 804.18 FEET; THENCE SOUTH 27°38'24" EAST CONTINUING ALONG THE WEST LINE OF SAID REPLAT OF BARCLAYS SUNCLIFF AMENDED, A DISTANCE OF 1083.04 FEET; THENCE SOUTH 10°05'10" EAST CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 383.61 FEET; THENCE SOUTH 16°37'25" EAST CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 410.19 FEET; THENCE SOUTH 39°09'06" EAST CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 28.98 FEET; THENCE SOUTH 01°01'19" EAST CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 153.77 FEET; THENCE NORTH 88°16'01" EAST CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 103.16 FEET; THENCE SOUTH 36°35'00" EAST CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 28.31 FEET; THENCE SOUTH 19°56'27" EAST CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 219.03 FEET; THENCE SOUTH 28°56'27" EAST ALONG THE WEST LINE OF SUNCLIFF IV, A SUBDIVISION RECORDED IN BOOK 488 OF MAPS, PAGE 30, RECORDS OF MARICOPA COUNTY, ARIZONA, A DISTANCE OF 374.33 FEET; THENCE SOUTH 10°43'20" EAST CONTINUING ALONG THE WEST LINE OF SAID SUNCLIFF IV, A DISTANCE OF 732.66 FEET; THENCE SOUTH 01°01'14" WEST CONTINUING ALONG SAID WEST LINE AND THE SOUTHERLY PROLONGATION THEREOF, A DISTANCE OF 1258.16 FEET TO A POINT 81.74 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 31 BEING THE NORTH LINE OF RIGHT OF WAY DESCRIBED IN DOCKET 3242, PAGE 537, RECORDS OF MARICOPA COUNTY, ARIZONA; THENCE NORTH 88°58'33" WEST ALONG SAID NORTH RIGHT OF WAY LINE AND DEPARTING SAID WEST LINE, A DISTANCE OF 732.53 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, SOUTH 87°12'38" WEST, A DISTANCE OF 1029.65 FEET TO THE TRUE POINT OF BEGINNING.

BENCHMARK

MARICOPA COUNTY DEPT.
BRASS CAP IN HAND
HOLE AT THE SOUTHWEST
QUARTER CORNER OF
SECTION 31, TOWNSHIP 3
NORTH, RANGE 1 EAST,
G&SRB&M.
ELEVATION = 1126.601
(NAVD88 DATUM)

ESTIMATED FILL

FILL = 1,568,234 C.Y.

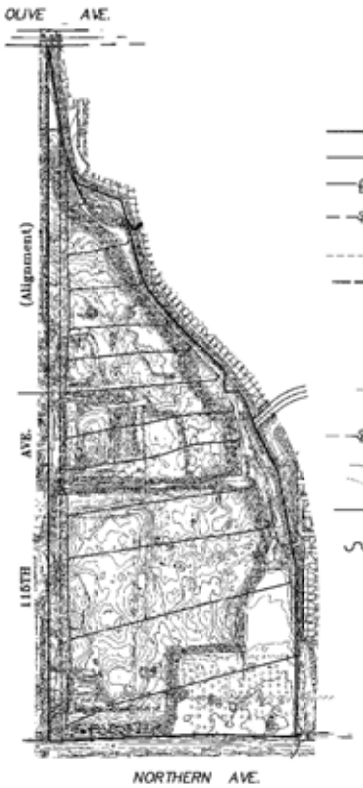
NOTE:
QUANTITIES ARE FOR ESTIMATING PURPOSES ONLY. CONTRACTORS SHOULD VERIFY ALL QUANTITIES. NO SHRINKAGE OR EXPANSION IS ASSUMED.

FLOOD NOTE

THIS TRACT IS LOCATED WITHIN ZONE X AND AE DELINEATED ON THE MARICOPA COUNTY ARIZONA AND INCORPORATED AREAS FLOOD INSURANCE RATE MAP/FLOOD HAZARD BOUNDARY MAPS PANEL NUMBER 0401L,2,2GBGJ DATED SEPTEMBER 30, 2005 AND PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. ZONE X IS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE (1) SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD. ZONE AE IS DEFINED AS SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD. BASE FLOOD DETERMINED.

UTILITY NOTE

LOCATION OF ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON INFORMATION SUPPLIED TO THE SURVEYOR BY THE APPROPRIATE UTILITY COMPANIES. SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR OR OWNER TO CONTACT BLUE STAKE AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION.



LEGEND

- Property Line
- Adjacent Lot or R/W
- Street Monument Line (Centerline)
- Section Line
- Easement (As Noted)
- Property Line/Corner
- R/W — Right of Way
- Fence
- Wall
- (Centerline)
- Section Line
- Existing Contours
- 1068 — Proposed Contour
- 100-Yr. Flood Elevation

VICINITY MAP
N.T.S.

OWNER / OPERATOR

DIRT 101 INVESTMENTS, LLC
7801 N. BLACK CANYON HWY.
PHOENIX, ARIZONA 85021
(602) 995-7575
Fax (623) 999-9225

SITE AREA

5,543,061 S.F.=
127.251 Acres (NET)

INDEX OF SHEETS

COVER SHEET ..... SHEET 1
GENERAL NOTES ..... SHEET 2
G&D PLAN SHEETS ..... SHEETS 3, 4 & 5
TYPICAL SECTIONS ..... SHEETS 6 & 7

SHEET 1 OF 7

PREPARED FOR
DIRT 101 INVESTMENTS, LLC

115TH and NORTHERN
MINE RECLAMATION
GRADING & DRAINAGE
PLANS
PEORIA, ARIZONA

Keogh Engineering, Inc.

DESIGN BY	RMV
CHECKED BY	DFK
DRAWN BY	GJ
DATE	MAR., 2012
JOB NO.	20001
MAP NO.	P-20001

CITY OF PEORIA
GENERAL NOTES

1. ALL CONSTRUCTION SHALL CONFORM TO THE LATEST EDITION OF THE MARICOPA ASSOCIATION OF GOVERNMENTS (MAG) UNIFORM STANDARD SPECIFICATIONS AND DETAILS FOR PUBLIC WORKS CONSTRUCTION. THE LATEST EDITION OF THE CITY OF PEORIA INFRASTRUCTURE DESIGN GUIDELINES, THE CITY OF PEORIA SUPPLEMENT TO MARICOPA ASSOCIATION OF GOVERNMENTS UNIFORM STANDARDS DETAILS AND THE CITY OF PEORIA STANDARD DETAILS WILL CONTINUE TO APPLY WHERE SUCH DETAILS WERE NOT ADOPTED OR INCLUDED BY MAG. ALTERNATE DETAILS AND SPECIFICATIONS MAY BE SUBMITTED FOR REVIEW AND ACCEPTANCE BY THE ENGINEERING DEPARTMENT. IF ACCEPTED, ALTERNATE DETAILS WILL BE SHOWN AS PART OF THE APPROVED PLAN/DETAIL SHEETS.

2. THIS SET OF PLANS HAS BEEN REVIEWED FOR COMPLIANCE WITH CITY REQUIREMENTS PRIOR TO INSURANCE OF ENGINEERING CONSTRUCTION PERMITS. HOWEVER, SUCH REVIEW SHALL NOT PREVENT THE ENGINEERING DIRECTOR FROM REQUIRING CORRECTION OF ERRORS OR OMISSIONS IN PLANS FOUND TO BE IN VIOLATION OF ANY LAW OR ORDINANCE.

3. APPROVAL BY THE ENGINEERING DIRECTOR MEANS FOR GENERAL LAYOUT IN RIGHT-OF-WAY ONLY. THIS APPROVAL OF CONSTRUCTION PLANS IS VALID FOR A PERIOD OF NINE MONTHS. ENGINEERING CONSTRUCTION PERMITS SHALL BE OBTAINED WITHIN THIS PERIOD OR THE PLANS SHALL BE RESUBMITTED FOR APPROVAL. WORK SHALL ALSO BE CONTINUOUSLY PURSUED IN ORDER TO MAINTAIN A VALID PLAN APPROVAL PERMIT. APPROVAL IS ONLY FOR WORK WITHIN THE JURISDICTION OF THE CITY OF PEORIA.

4. THE ENGINEERING DIRECTOR DOES NOT WARRANT ANY QUANTITIES SHOWN ON THE PLANS.

5. ENGINEERING CONSTRUCTION PERMITS FOR ANY WORK WITHIN THE RIGHT-OF-WAY AND EASEMENTS, AND ANY GRADING AND DRAINAGE, WHETHER ON-SITE OR OFFSET IS REQUIRED PRIOR TO COMMENCING WORK. THE BUILDING PERMIT SHALL NOT BE CONSTRUED IN ANY WAY AS PERMISSION TO COMMENCE WORK COVERED BY AN ENGINEERING CONSTRUCTION PERMIT. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR/DEVELOPER TO UNDERSTAND THE WORK COVERED BY VARIOUS PERMITS.

6. THE ENGINEERING DEPARTMENT, INSPECTION DIVISION, SHALL BE NOTIFIED 24-HOURS PRIOR TO ANY CONSTRUCTION WORK BY TELEPHONE AT (623) 773-8445. ANY WORK CONCEALED WITHOUT INSPECTION SHALL BE SUBJECT TO REMOVAL AND REPLACEMENT AT THE CONTRACTOR'S/DEVELOPER'S EXPENSE.

7. AN APPROVED SET OF PLANS MUST BE AVAILABLE ON THE JOB SITE AT ALL TIMES. THE CONTRACTOR'S/DEVELOPER'S REPRESENTATIVE (CAPABLE OF COMMUNICATING WITH THE CITY'S REPRESENTATIVE) SHALL BE ON THE JOB AT ALL TIMES THE WORK IS BEING PURSUED.

8. THE CONTRACTOR/DEVELOPER IS RESPONSIBLE TO PROVIDE EMERGENCY TELEPHONE NUMBERS TO THE CITY OF PEORIA AT TIME OF ISSUANCE OF ENGINEERING CONSTRUCTION PERMITS AND HAVE PERSONNEL AVAILABLE 24-HOURS A DAY TO RESPOND TO EMERGENCIES. IF THE CITY IS REQUIRED TO RESPOND AND MAKE EMERGENCY REPAIRS ON BEHALF OF THE CONTRACTOR/DEVELOPER, THE CONTRACTOR/DEVELOPER IS RESPONSIBLE TO REIMBURSE THE CITY FOR ALL COST INCURRED.

9. IT SHALL BE THE RESPONSIBILITY OF THE PERMITEE TO ARRANGE FOR THE RELOCATION AND RELOCATION COSTS OF ALL UTILITIES, AND SUBMIT RELOCATION SCHEDULE PRIOR TO THE ISSUANCE OF AN ENGINEERING CONSTRUCTION PERMIT.

10. ALL UNDERGROUND TANKS REQUIRE A PERMIT FROM THE FIRE DEPARTMENT PRIOR TO REMOVAL.

11. THE PROCEDURES AND METHODS USED TO SAMPLE, TEST MATERIAL, AND REPORT TEST RESULTS WILL BE DETERMINED BY THE ENGINEERING DEPARTMENT. FOR ALL PHASES OF CONSTRUCTION, THE TYPE, SCHEDULING, FREQUENCY AND LOCATION OF ALL MATERIALS TESTING AND SAMPLING SHALL BE DETERMINED BY THE ENGINEERING DEPARTMENT. ALL TEST RESULTS SHALL BE REPORTED DIRECTLY (IN WRITING) TO THE ENGINEERING DEPARTMENT. FOR EACH PHASE OF CONSTRUCTION, TEST RESULTS (IN WRITING) MUST BE RECEIVED FROM THE TESTING LABORATORY, PRIOR TO START OF THE NEXT PHASE OF CONSTRUCTION.

12. THE CONTRACTOR/DEVELOPER MUST GIVE A LOCATION FOR WASTING EXCESS EXCAVATION AND A LETTER FROM THE OWNER GIVING PERMISSION FOR DUMPING PRIOR TO STARTING ON-SITE CONSTRUCTION.

13. IT IS CONTRACTOR/DEVELOPER'S SOLE RESPONSIBILITY TO VERIFY THE PRESENTS AND LOCATION OF ALL EXISTING OVERHEAD AND/OR UNDERGROUND UTILITIES THAT MAY INTERFERE WITH THIS CONSTRUCTION, WHETHER OR NOT SAID UTILITIES ARE SHOWN ON THE CONSTRUCTION PLANS FOR THIS PROJECT AND TO ADEQUATELY PROTECT AND MAINTAIN ANY SUCH UTILITIES.

14. THE ENGINEERING DEPARTMENT DOES NOT ASSUME ANY LIABILITY FOR ERRORS OF THE LINE AND/OR ANY STAKING WHICH HAS BEEN DISTURBED IN ANY WAY, NOR DOES THE DESIGN ENGINEER ASSUME ANY LIABILITY FOR ERRORS OF LINE AND/OR ANY GRADE ON ANY STAKING THAT HAS BEEN IN PLACE FOR A PERIOD OF 24-HOURS OR MORE WITHOUT THE COMMENCEMENT OF THE CONSTRUCTION FOR WHICH IT WAS SET.

15. THE CONTRACTOR/DEVELOPER SHALL CONTACT BLUE STAKE (602) 263-1100 PRIOR TO CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO MAINTAIN CURRENT BLUE STAKE MARKINGS THROUGHOUT CONSTRUCTION.

16. THE CONTRACTOR/DEVELOPER SHALL OBTAIN A FIRE HYDRANT METER FOR CONSTRUCTION FROM MANAGEMENT SERVICES DEPARTMENT, CUSTOMER SERVICES. CONTACT CUSTOMER SERVICE (623) 773-7160 TO SCHEDULE THE RELOCATION OF HYDRANT METERS. CONTRACTORS SHALL NOT RELOCATE HYDRANT METERS THEMSELVES.

17. ALL CONTACTORS/DEVELOPERS ARE RESPONSIBLE TO CONSTRUCT STABILIZED CONSTRUCTION ENTRANCES IN ORDER TO REDUCE OR ELIMINATE THE TACKING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY OR STREETS. GRAVEL TRACK-OUT PADS SHALL MEET CURRENT MARICOPA COUNTY STANDARDS.

18. ALL DRAINAGE PROTECTIVE DEVICES SUCH AS SWALES, INTERCEPTION DITCHES, PIPES PROTECTION BERMS, CONCRETE CHANNELS OR OTHER MEASURES DESIGNED TO PROTECT IMPROVEMENTS, WHETHER EXISTING OR PROPOSED, FROM RUNOFF OR DAMAGE FROM STORM WATER, MUST BE CONSTRUCTED PRIOR TO THE CONSTRUCTION OF ANY IMPROVEMENTS.

19. TRAFFIC CONTROL SHALL CONFORM TO THE CITY OF PHOENIX TRAFFIC BARRICADE MANUAL, MUTCD, AND THE CITY OF PEORIA INFRASTRUCTURE DEVELOPMENT DESIGN GUIDELINES.

20. ANY AND ALL OBSTRUCTIONS WITHIN THE RIGHTS-OF-WAY AND EASEMENTS SHALL BE REMOVED BEFORE ANY CONSTRUCTION IS COMMENCED.

21. ALL CONTRACTORS/DEVELOPERS ARE RESPONSIBLE TO OBTAIN A NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT IN ACCORDANCE WITH FEDERAL AND STATE REGULATIONS, INCLUDING NOTICE OF INTENT (NOI), NOTICE OF TERMINATION, AND STORM WATER POLLUTION PREVENTION PLAN (SWPPP). A COPY OF THE NOI AND SWPPP SHALL BE AVAILABLE ON THE JOB SITE AT ALL TIMES. ALL SWPPP PLANS MUST INCLUDE THE N.O.I. TRACKING NUMBER ADMINISTERED BY ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ) ON THE BOTTOM RIGHT HAND CORNER OF THE SHEET.

22. ALL CONTRACTORS/DEVEOPERS ARE RESPONSIBLE TO OBTAIN THE NECESSARY 401 AND 404 PERMITS. A COPY OF THE PERMIT SHALL BE SUBMITTED TO THE CITY PRIOR TO APPROVAL OF THE GRADING AND DRAINAGE PLANS.

23. CONTRACTOR/DEVELOPER SHALL OBTAIN ANY AND ALL PERMITS AS REQUIRED BY OTHER AGENCIES WHICH HAVE JURISDICTION AT THE CONTRACTOR/DEVELOPER'S EXPENSE. THE CONTRACTOR/DEVELOPER SHALL MEET THE REQUIREMENTS OF THESE PERMITS AS SET FORTH THEREIN.

24. THE CONTRACTOR/DEVELOPER IS SOLELY RESPONSIBLE FOR ALL JOB SITE SAFETY, INCLUDING BUT NOT LIMITED TO MEETING ALL REQUIREMENTS OF OSHA AND ADOSH. THE CITY OF PEORIA ENGINEERING INSPECTOR IS NOT AUTHORIZED TO ADVISE OR DIRECT THE CONTRACTOR/DEVELOPER REGARDING MATTERS OF JOB SAFETY. SHOULD THE CONTRACTOR/DEVELOPER ACT ON SUCH ADVISE OR DIRECTION, IT IS THE RISK OF THE CONTRACTOR/DEVELOPER.

25. PER MARICOPA COUNTY AIR POLLUTION CONTROL RULES AND REGULATIONS ON EARTH MOVING EQUIPMENT PERMIT, NO PERSON SHALL CAUSE OR PERMIT THE USE OF ANY POWER OF MECHANICAL EQUIPMENT FOR COMMERCIAL PURPOSES TO CLEAR, EXCAVATE OR LEVEL LAND, INCLUDING BUT NOT LIMITED TO BLASTING, DEMOLITION, ROAD AND STREET CONSTRUCTION, SWIMMING POOL EXCAVATION, TRENCHING, VEGETATION REMOVAL, OR ENGAGED IN ANY EARTH MOVING ACTIVITIES WITHOUT FIRST OBTAINING A PERMIT FROM MARICOPA COUNTY ENVIRONMENT SERVICES DEPARTMENT. THE PROPERTY OWNER, LESSEE DEVELOPER, OR PRIME CONTRACTOR WILL BE RESPONSIBLE FOR ACQUIRING THE PERMIT.

IF THE ABOVE REFERENCED DEVELOPMENT HAS WORK THAT NEEDS TO BE DONE IN THE MARICOPA COUNTY RIGHTS-OF-WAY, PLEASE OBTAIN ALL PERMITS FROM THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION. THE ENGINEERING CONSTRUCTION PERMITS ISSUED BY THE CITY OF PEORIA DO NOT COVER THE MARICOPA COUNT RIGHTS-OF-WAY.

26. ALL IMPORT MATERIALS FOR FILL SHALL BE APPROVED INERT MATERIAL.

27. THE OPERATOR SHALL OBTAIN A DUST CONTROL PERMIT FROM MARICOPA COUNTY HEALTH DEPARTMENT AND PERFORM MEASURES AS REQUIRED BY THE PERMIT TO PREVENT EXCESS DUST.

28. INCOMING LOADS SHALL BE INSPECTED, THEN SPREAD AND WATERED ON A CONTINUOUS BASIS.

CITY OF PEORIA
GRADING AND DRAINAGE NOTES

1. THE GRADING AND DRAINAGE PLANS MUST BE APPROVED BY THE ENGINEERING DIRECTOR OR THEIR DESIGNEE. THE ENGINEERING DIRECTOR'S OFFICE WILL BE NOTIFIED AT (623) 773-7210, 48-HOURS BEFORE ANY ON-SITE CONSTRUCTION BEGINS.

2. A SEPARATE PERMIT IS REQUIRED PRIOR TO ANY ON-SITE GRADING, INCLUDING CUSTOM HOMES.

3. GRADING AND DRAINAGE PLAN APPROVAL INCLUDES:

A. CONSTRUCTION OF ALL SURFACE IMPROVEMENTS SHOWN ON THE APPROVED GRADING AND DRAINAGE PLAN, INCLUDING BUT NOT LIMITED TO, RETENTION AREAS AND/OR OTHER DRAINAGE FACILITIES, DRAINAGE PATTERNS, CHANNELS, WALL, CURBING, ASPHALT PAVEMENT, BANK PROTECTION AND CHANNELIZATION, AND BUILDING FLOOR ELEVATIONS.

B. CONSTRUCTION SHALL PROVIDE MINIMUM SLOPE TO THE BOTTOM IN ALL RETENTION BASINS AT ELEVATIONS AS SHOWN ON THE PLAN. RETENTION BASIN SIDE SLOPES SHALL NOT EXCEED 3:1 (UNDER SPECIAL CIRCUMSTANCES—REFER TO SECTION 4-3), AS CONFIRMED THROUGH THE GEOTECHNICAL REPORT, ON PRIVATE PROPERTY AND 6:1 ADJACENT TO PUBLIC RIGHT-OF-WAY UNLESS NOTED OTHERWISE ON PLANS.

4. ALL DRAINAGE PROTECTION DEVICES SUCH AS SWALES, INTERCEPTOR DITCHES, PIPES, PROTECTIVE BERMS, CONCRETE CHANNELS OR OTHER MEASURES DESIGNED TO PROTECT HOMES OR OTHER IMPROVEMENTS WHETHER EXISTING OR PROPOSED, FROM RUNOFF OR DAMAGE FROM STORM WATER, MUST BE CONSTRUCTED PRIOR TO THE CONSTRUCTION OF ANY IMPROVEMENTS.

5. DRYWELLS MUST BE DRILLED A MINIMUM OF 10-FEET IN PERMEABLE POROUS STRATA AND PERCOLATION TESTS WILL BE REQUIRED. THE ENGINEERING INSPECTOR MUST BE PRESENT BEFORE BACKFILL OR WALL PIPES ARE PLACED WITHIN ANY DRYWELL. PERCOLATION TESTS MUST BE CONDUCTED BY AN INDEPENDENT LABORATORY AND RESULTS PROVIDED TO THE ENGINEERING DEPARTMENT. ALL DRYWELL MUST BE REGISTERED WITH ADEQ. COPIES OF DRILLING LOGS AND ADEQ REGISTERED INFORMATION MUST BE PROVIDED TO THE CITY.

6. ALL FINISH FLOOR ELEVATIONS SHOWN ARE A MINIMUM OF 14-INCHES ABOVE THE POINT OF OUTFALL, OR ONE (1) FOOT, ABOVE THE 100-YEAR BASE FLOOD ELEVATION AS SHOWN ON THE APPROVED PLANS.

7. A FEMA ELEVATION CERTIFICATE FOR ALL NEW AND SUBSTANTIALLY IMPROVED CONSTRUCTION IN THE FLOODPLAIN SHALL BE SUBMITTED TO THE ENGINEERING DEPARTMENT PRIOR TO FINAL ACCEPTANCE OF THE PROJECT.

8. SOIL COMPACTION TEST RESULTS MUST BE SUBMITTED TO THE ENGINEERING DIRECTOR'S OFFICE FOR ALL BUILDING PADS THAT HAVE ONE-FOOT OR MORE OF FILL MATERIAL INDICATED.

9. STAKING PAD AND/OR FINISH FLOOR ELEVATIONS IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER. NO MINIMUM FINISH FLOOR ELEVATION WILL BE RAISED OR LOWERED WITHOUT THE APPROVAL OF THE ENGINEERING DIRECTOR. IN NONCRITICAL AREAS, DEVELOPER'S ENGINEER SHALL SUBMIT CERTIFICATION OF CONSTRUCTED BUILDING PAD ELEVATIONS PRIOR TO REQUEST FOR FINAL INSPECTION. IN CRITICAL DRAINAGE AREAS OR IN THE 100-YEAR FLOODPLAIN, SUBSTITUTE BUILDING FLOOR ELEVATION IN ABOVE NOTE, OR FEMA ELEVATION CERTIFICATE.

10. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING DEPTH OF ALL EXISTING UTILITY LINES WITHIN PROPOSED RETENTION AND DRAINAGE FACILITY AREAS. IF THE DRAINAGE FACILITIES CANNOT BE CONSTRUCTED PER PLAN AS A RESULT OF CONFLICT WITH UNDERGROUND UTILITIES, THE CONTRACTOR SHOULD CONTACT THE ENGINEERING DIRECTOR AND THE DESIGN ENGINEER AND REQUEST MODIFICATION OF THE DRAINAGE FACILITY DESIGN.

11. ALL BANK PROTECTION AND CHANNELIZATION MUST BE COMPLETED PRIOR TO FINAL ACCEPTANCE OF THE PROJECT.

SHEET 2 OF 7

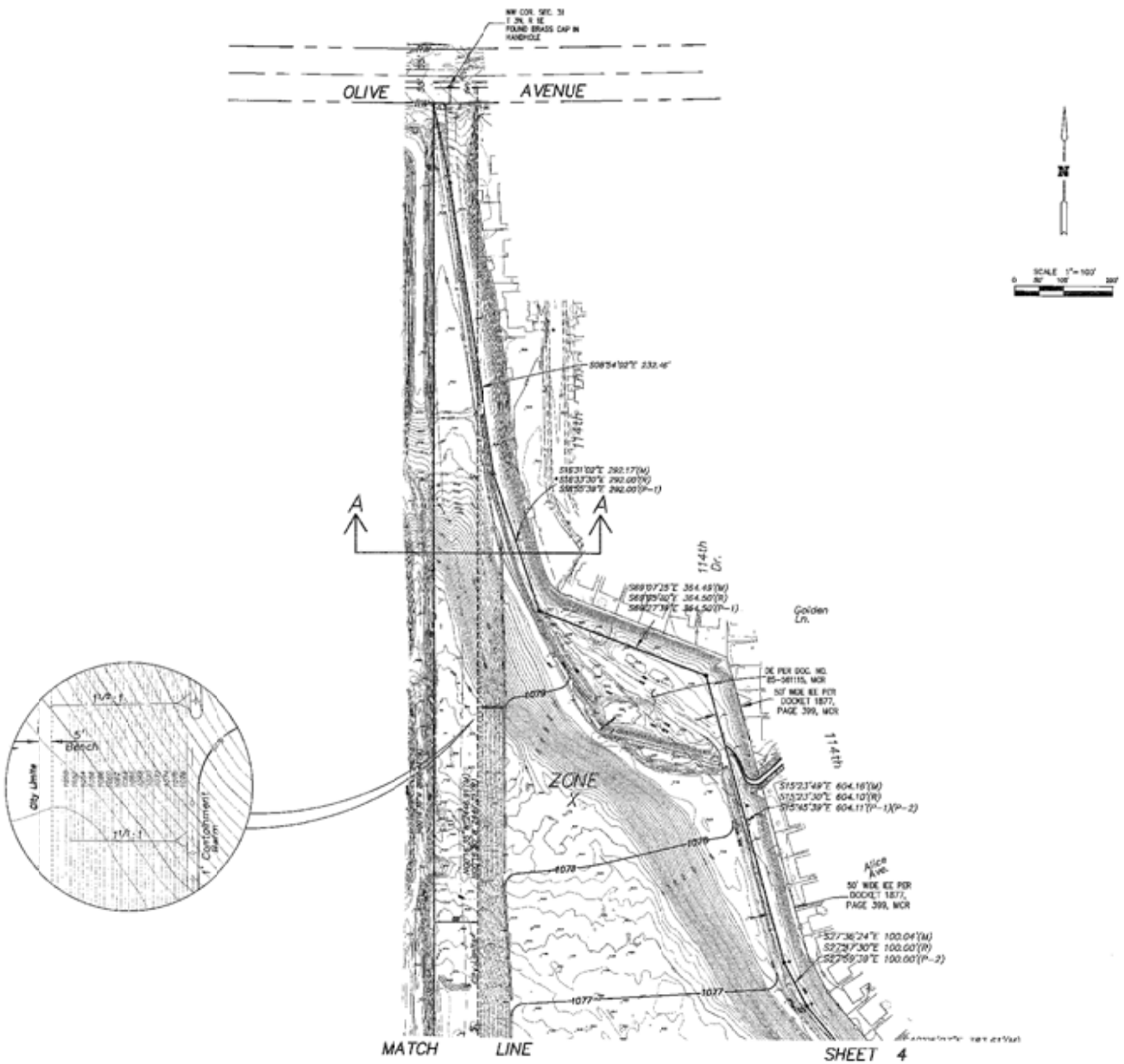
PREPARED FOR
DIRT 101 INVESTMENTS, LLC

115TH and NORTHERN
MINE RECLAMATION
GRADING & DRAINAGE PLANS
PEORIA, ARIZONA

DRAWN BY	RWV
CHECKED BY	DFK
FIELD WORK BY	GJ
DATE	MAR., 2012

Keogh Engineering, Inc.

JOB NO. 20001 — MAP NO. P-20001



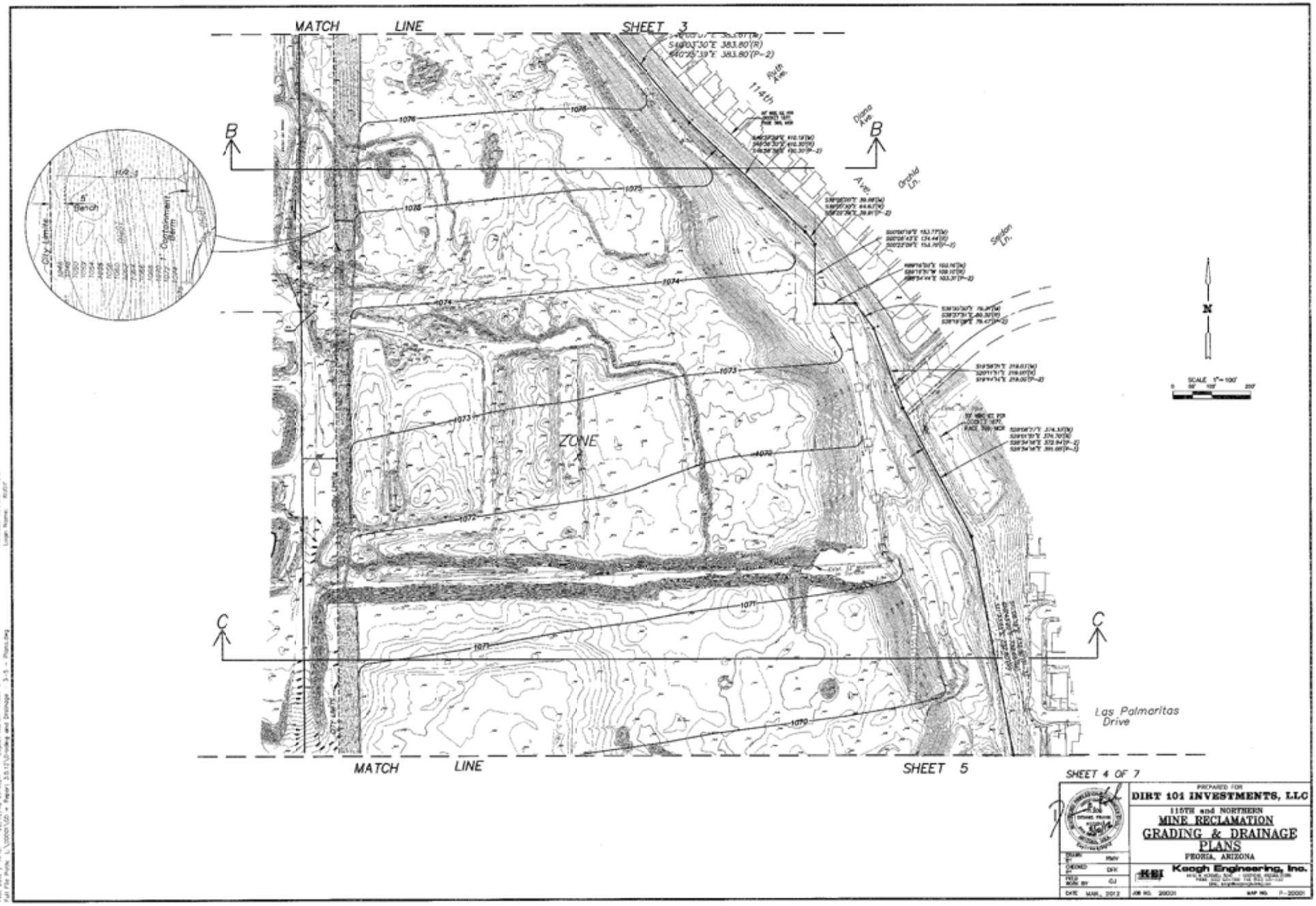
SHEET 3 OF 7

PREPARED FOR
DIRT 101 INVESTMENTS, LLC

115TH and NORTHERN
MINE RECLAMATION
GRADING & DRAINAGE PLANS
PEORIA, ARIZONA

Keogh Engineering, Inc.

DRAWN BY	RMV
CHECKED BY	DFK
PROJ. MGR. BY	GJ
DATE	MAR., 2012
JOB NO.	20001
MAP NO.	P-20001


MATCH LINE
SHEET 3
MATCH LINE
SHEET 5
ZONE
Las Palmaritas Drive
114th Ave.
Ruth Ave.
Diana Ave.
Orchid Ln.
Seldon Ln.
City Limits
5' Bench
1' Containment Berm
SCALE 1"=100'
N
SHEET 4 OF 7
PREPARED FOR
DIRT 101 INVESTMENTS, LLC
115TH and NORTHERN
MINE RECLAMATION
GRADING & DRAINAGE
PLANS
PEORIA, ARIZONA
Keogh Engineering, Inc.
DATE MAR., 2012
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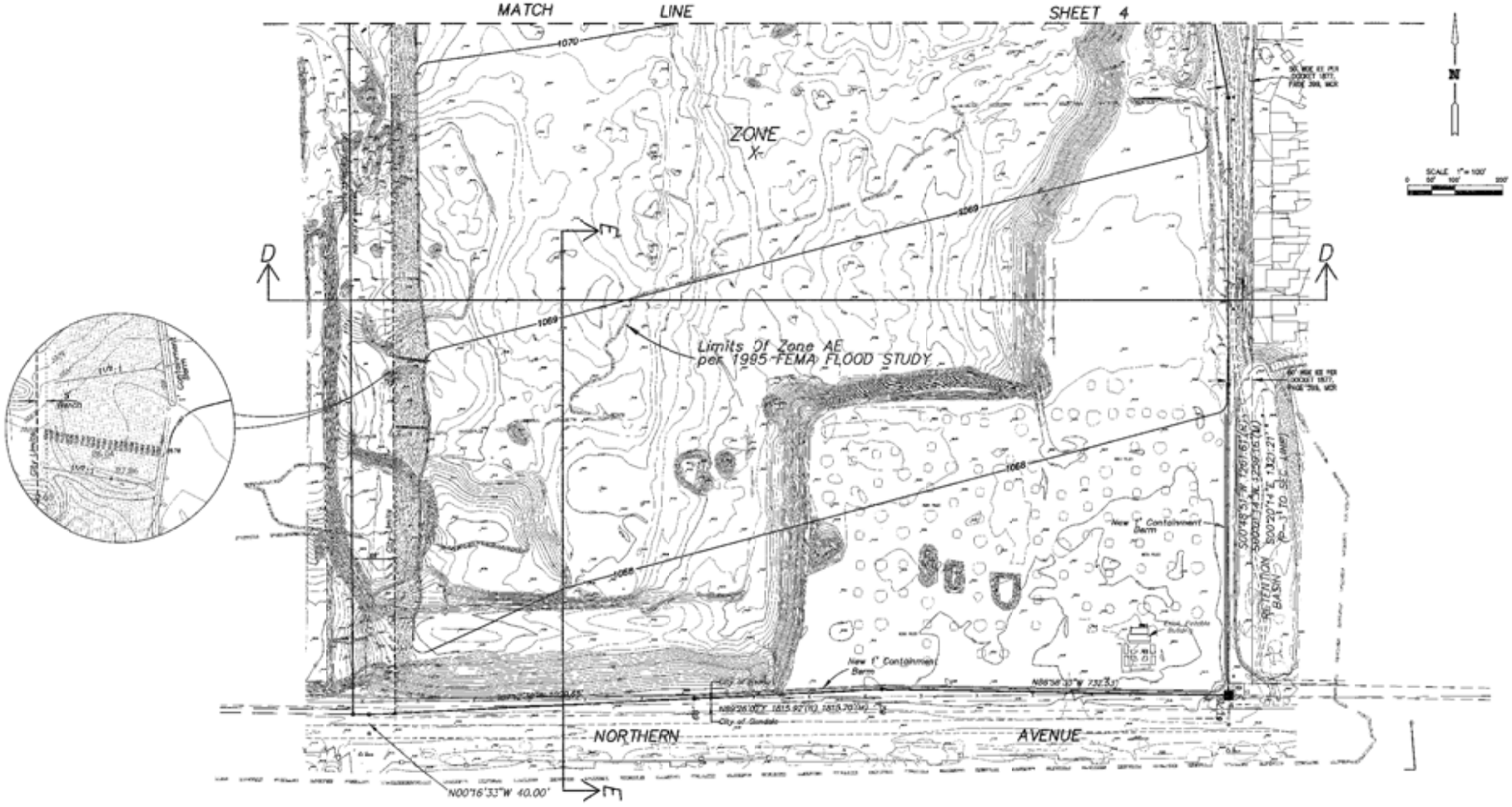

SHEET 5 OF 7

PREPARED FOR
DIRT 101 INVESTMENTS, LLC

115TH and NORTHERN
MINE RECLAMATION GRADING & DRAINAGE PLANS
PEORIA, ARIZONA

Keogh Engineering, Inc.

DRAWN BY	RMV
CHECKED BY	DFK
FIELD WORK BY	CJ
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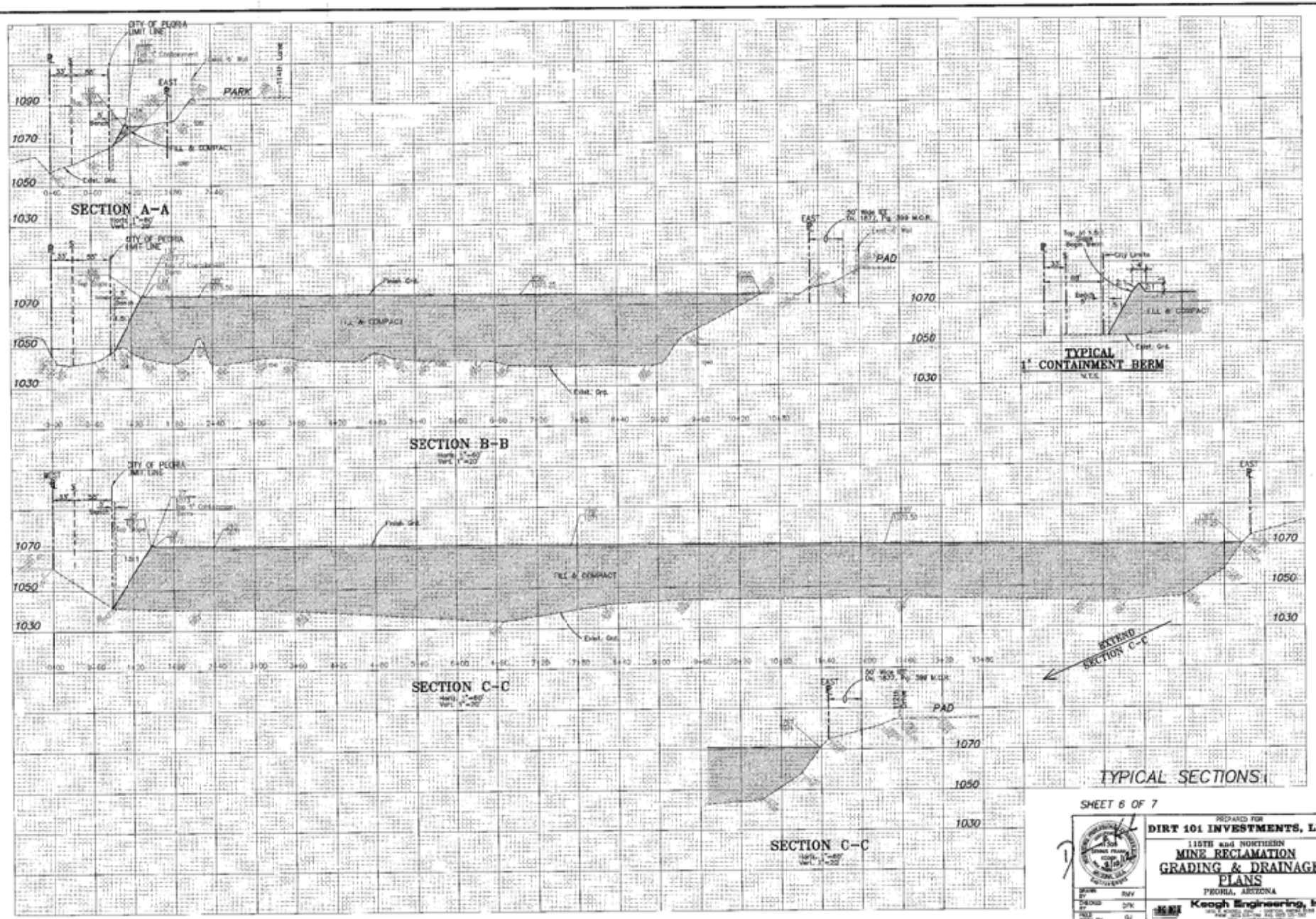

SHEET 6 OF 7

PREPARD FOR
DIRT 101 INVESTMENTS, LLC

115TH and NORTHERN
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PEORIA, ARIZONA

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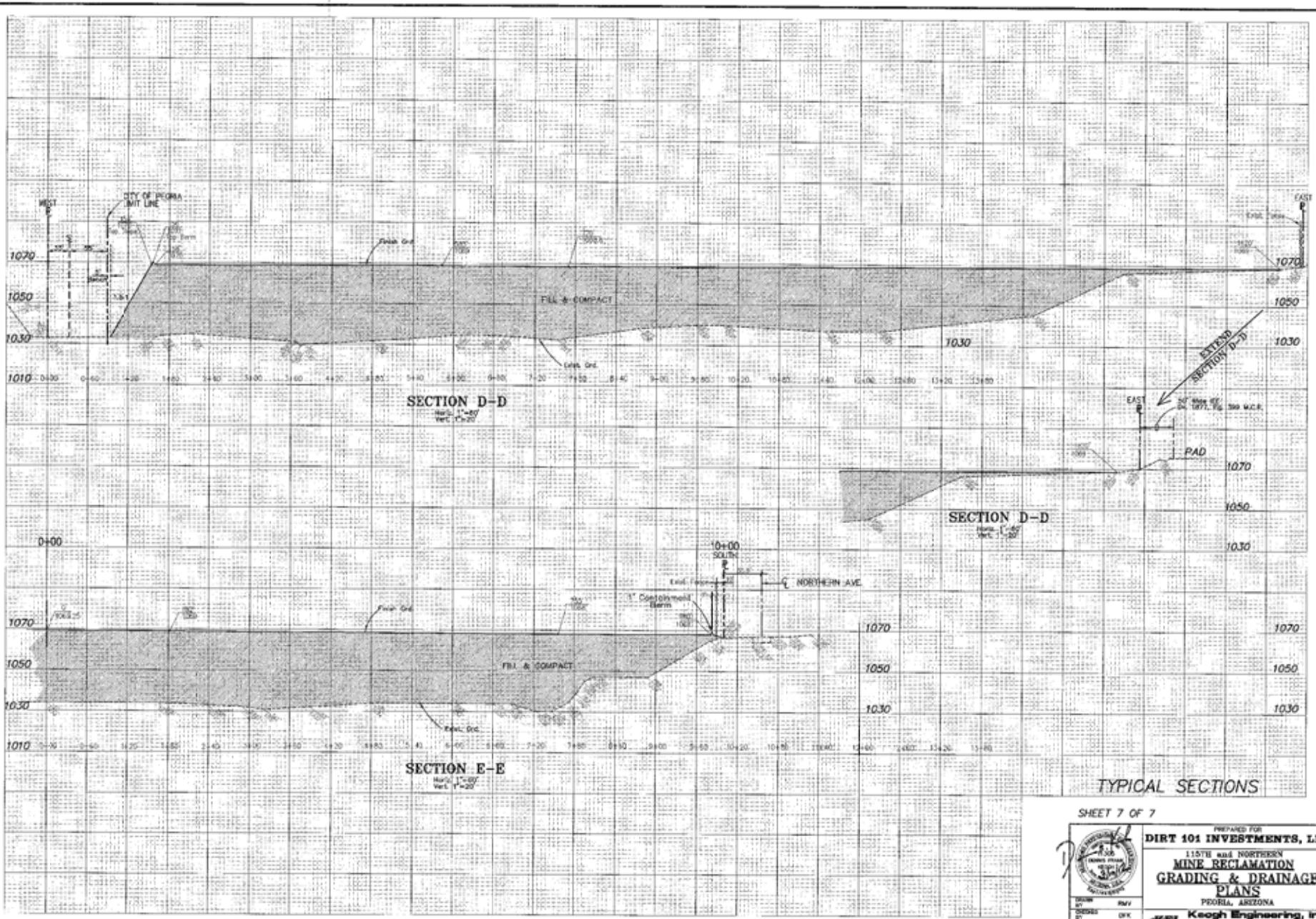

TYPICAL SECTIONS

SHEET 7 OF 7

PREPARED FOR
DIRT 101 INVESTMENTS, LLC

115TH and NORTHERN
MINE RECLAMATION
GRADING & DRAINAGE PLANS
PEORIA, ARIZONA

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