

# Staff Summary Report



Development Review Commission Date: 01/08/08

Agenda Item Number: \_\_\_\_

**SUBJECT:** Hold a public meeting for a Preliminary Subdivision Plat for HAYDEN FLOUR MILLS located at 119 South Mill Avenue.

**DOCUMENT NAME:** DRCr\_FlourMillsPrelimPlat\_010808

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Request for **HAYDEN FLOUR MILLS (PL060637)** on +/- 5.09 net acres located at 119 South Mill Avenue in the MU-4, Mixed-Use High Density District; the CC, City Center District; the RSOD, Rio Salado Overlay District and the TOD, Transportation Overlay District, including the following:

**SBD07055** – Preliminary Subdivision Plat to combine the property into one lot including the adjustment of public right of way.

**PREPARED BY:** Kevin O'Melia, Senior Planner (480-350-8432)

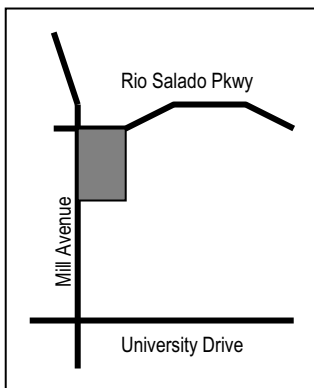
**REVIEWED BY:** Lisa Collins, Planning Director (480-350-8989) 

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval, subject to condition 1.

## ADDITIONAL INFO:



Gross/Net site area +/- 5.09 acres

A Preliminary and Final Subdivision Plat is being undertaken to unify the three pieces of land that make up the proposal into one parcel and make minor adjustments to the right of way line along Rio Salado Boulevard. The Preliminary Subdivision Plat is before the Commission this evening in accordance with the Zoning and Development Code Sec. 6-307 (C).

**PAGES:**

1. Table of Contents
2. Comments / Reason for Approval / Condition of Approval
- 3-5. History & Facts
5. Description / Zoning & Development Code Reference

**ATTACHMENTS:**

1. Location Map
2. Aerial Photo
3. Letter of Explanation
4. Subdivision Plat Title Sheet, Sheet 1 of 3
5. Subdivision Plat Legal Description continuation Sheet 2 of 3
6. Subdivision Plat Site Plan, Sheet 3 of 3

## **COMMENTS:**

### **Project Analysis**

Hayden Flour Mills Phase I is a proposed redevelopment at the southeast corner of Mill Avenue and Rio Salado Parkway. The property currently includes the landmark 1918 Flour Mill concrete structure and the 1951 grain storage silos. Hayden Butte is to the east. Property under the control of Tempe Mission Palms is to the south.

The applicant is requesting a Preliminary and Final Subdivision Plat to unify the three parcels of land that make up the site into one parcel. As part of the subdivision plat, the right of way line along Rio Salado Parkway is being adjusted to follow the south edge of the existing sidewalk and allow the efficient placement of Phase I surface parking without disturbing the historic flour mill structure. A vehicular ingress/egress and pedestrian access easement is being dedicated on site between Mill Avenue and the Hayden Butte trailhead in accordance with Section 7.4 of the Third Amended and Restated Development and Disposition Agreement. Where they are no longer needed, existing utility easements on site will be abandoned by separate instrument. The Preliminary Subdivision Plat is required to be reviewed by the Development Review Commission prior to review of the Final Subdivision Plat by City Council.

The Subdivision Plat meets the minimum required technical standards of the Tempe City Code Chapter 30, Subdivisions. Staff recommends approval subject to conditions of approval. Public input is not required.

### **REASON FOR APPROVAL:**

1. The Preliminary and Final Subdivision Plat conforms to the technical standards of Tempe City Code Chapter 30, Subdivisions.

### **SBD07055**

#### **CONDITION OF APPROVAL:**

1. Place the Subdivision Plat for Hayden Flour Mills into proper engineered format with appropriate signature blanks. Record the Subdivision Plat with the Maricopa County Recorder's Office through the Tempe Development Services Department by January 10, 2009. Failure to record the plan by one year from date of City Council approval shall make the approval of the Subdivision Plat null and void. Record the Subdivision Plat prior to issuance of building permit.

## **HISTORY & FACTS:**

- November 17, 1870: Charles Trumbell Hayden gave notice of the formation of the Hayden Milling and Farming Ditch Company.
- May, 1874: Charles Trumbell Hayden began construction of the Hayden Flour Mill in 1872, completing the adobe wall and wood roof structure by May, 1874.
- July 8, 1895: The original mill burned and a second mill, of similar construction to the original, was built on the site.
- June 11, 1915: Carl Trumbull Hayden (the son of Charles Trumbell Hayden), C. G. Jones, and F. A. Van Ritten incorporated the Tempe Milling Company to continue operation of the Hayden Flour Mill
- July, 10, 1917: The second mill was destroyed by fire.
- July 10, 1918: Operations began in the third mill, a cast in place concrete structure. This structure is the core of the current proposal.
- February 6, 1924: Salt River Project began installing an 11,000 volt electric line along First Street at the Tempe Milling Company's plant to replace the water power which had operated the mill for half a century.
- 1951: A concrete grain elevator with seven silos was added to the site by the Mayer-Osborn Company of Denver, Colorado.
- 1966: One level concrete masonry unit wall and wood roof additions were constructed on the top levels of the mill building.
- January 7, 1981: Hayden C. Hayden (grandson of Charles Trumbull Hayden) sold the flour mill to Bay State Milling Company of Quincy, Massachusetts, concluding three generations of Hayden family involvement in this landmark business.
- December 1982: Multiple Resource Area National (Historic) Register Nomination (prepared by James Woodward) listed 119 South Mill Avenue, including the flour mill and brick warehouse, as an individually eligible property.
- September 22, 1983: Historic Sites Review Committee passed a motion recommending that the Tempe Multiple Resource Area be placed on the National Register of Historic Places at the "state level of significance".
- October 10, 1984: At the request of Arizona State Historic Preservation Office, The Keeper of the National Register of Historic Places completed a Formal Determination of Eligibility for the Hayden Flour Mill, but did not list the 119 South Mill Avenue property on the National Register of Historic Places at the "state level of significance" due to an objection by Bay State Milling Company to the listing of the property on the National Register.
- December 18, 1997: City Council approved a Zoning change (ZON97-.13 Ordinance No. 808.9715) and Preliminary Planned Area Development (SPD-97.85) for 312,600 s.f. of mixed use development including a forty suite hotel, office, retail and restaurant. The Planned Area Development was never recorded and the approvals have since lapsed.

- April 1, 1998: Bay State Milling Company ceased flour production operations at 119 South Mill Avenue.
- June 8, 1998: MCW Holdings (MCW Tempe Mill LLC) purchased the property on June 8, 1998 from Bay State Milling.
- August 8, 2002: City Council approved the establishment of the Hayden Butte Preserve (Resolution #2002.43) consisting of approximately 27 acres, including six acres of the flour mill site.
- October 01, 2002: Fire extensively damaged the third mill. The feed store, a historic brick warehouse (between the mill and Mill Avenue) was subsequently demolished.
- December 10, 2002: Submittal was made by MCW Tempe Mill LLC for a Preliminary Planned Area Development for Hayden Flour Mill at 119 South Mill Avenue in the MG, Multi-Use General District but this application was allowed to lapse.
- July 15, 2003: City of Tempe purchased the property for \$11,800,000. The purchase was contemplated as part of the development agreement if performance criteria were not met by MCW Tempe Mill LLC, the developer that had an interest in the site.
- January 20, 2005: The MG Mixed-Use General District of 119 South Mill Avenue automatically converted to MU-4, Mixed-Use, High Density District with the adoption of the Zoning and Development Code.
- April 7, 2005: Tempe Historic Preservation Commission approved a recommendation to the Tempe Redevelopment Review Commission that the Hayden Flour Mill & Silos be designated as an historic property and listed on the Tempe Historic Property Register.
- May 3, 2005: Redevelopment Review Commission approved a recommendation to the City Council that the Hayden Flour Mill & Silos be designated as an historic property and listed on the Tempe Historic Property Register.
- June 2, 2005: City Council tabled an ordinance that would authorize the historic designation of the Hayden Flour Mill and Silos, 119 South Mill Avenue, pending resolution of a lawsuit between the City of Tempe and MCW Tempe Mill LLC, the developer that previously had an interest in the site. Note: this lawsuit has since been settled.
- July 20, 2006: City Council approved a Third Amended Development and Disposition Agreement with MCW Tempe Mill LLC.
- August 17, 2006: City Council approved the assignment of the Third Development and Disposition Agreement from MCW Tempe Mill LLC to the present developer (Tempe Flour Mill LLC).
- October 10, 2006: Tempe Flour Mill LLC presented the Hayden Flour Mills Phase I site plan and design concept at a Tempe Historic Preservation Commission Meeting for first review.
- November 9, 2006: Tempe Flour Mill LLC presented the Hayden Flour Mills Phase I site plan and design concept (presentation matches SPR06162 exhibits submitted to the Tempe Development Services Department on November 3, 2006) at a Tempe Historic Preservation Commission Meeting for second review. The Tempe HPC approved a

recommendation of the general form and massing of the project subject to the following conditions: 1) that the finish material selected not compete with the general form and surface of the historic mill building and 2) that the silo building is not substantially obscured from critical view points identified previously.

- November 14, 2006: Staff (using the SPR06162 exhibits) presented the Hayden Flour Mills Phase I site plan to the Project Review Committee of the Rio Salado Advisory Commission for first review.
- December 14, 2006: Tempe Flour Mill LLC presented the Hayden Flour Mills Phase I site plan and design concept (presentation matches PAD06014 exhibits submitted to the Tempe Development Services Department on November 21, 2006) at a Tempe Historic Preservation Commission Meeting for third review. The purpose of this presentation was to indicate to the HPC that the conditions of their November 9, 2006 recommendation have been fulfilled. The HPC favorably received the presentation.
- January 4, 2007: Staff (using the PAD06014 exhibits) presented the Hayden Flour Mills Phase I site plan and design concept to the Project Review Committee of the Rio Salado Advisory Commission for second review. The Committee determined the use is appropriate and the project furthers the goals of the Rio Salado District.
- January 4, 2007: Tempe Flour Mill LLC presented the Hayden Flour Mills Phase I site plan and design concept at a Neighborhood Meeting at the Westside Multi-Generational Center. The proposal was favorably received by the attendees.
- January 23, 2007: Development Review Commission approved the request for Hayden Flour Mills Phase I, located at 119 South Mill Avenue, for a Development Plan (DPR06127) including site plan, building elevations and landscape plan, and approved a recommendation to City Council for a Planned Area Development Overlay (PAD06014) for 5.08 acres.
- March 01, 2007 City Council approved the request by Hayden Flour Mills (PL060637) (Chris Messer, representative, City of Tempe, property owner; Rick Labonte, Tempe Flour Mill L.L.C., applicant) for a phase I renovation of the historic flour mill including a six story addition in the MU-4 and CC Zoning Districts and the Transportation Overlay and Rio Salado Overlay Districts, including the following:  
PAD06014 – (Ordinance No. 2007.08) Planned Area Development Overlay to define development standards for the MU-4 and CC Zoning Districts.

#### **DESCRIPTION:**

Owner – City of Tempe  
Applicant – Chris Aulerich, Brady-Aulerich & Associates, Inc.  
Land Surveyor – Chris Aulerich, Brady-Aulerich & Associates, Inc.  
**General Plan 2030**  
Projected Land Use – Mixed Use  
**Zoning**  
Existing Zoning: MU-4, Mixed-Use District, High Density, CC, City Center District, RSOD, Rio Salado Overlay District and TOD, Transportation Overlay District  
**Site**  
Gross/ Net Site Area: +/- 5.09 acres (221,728 s.f.)

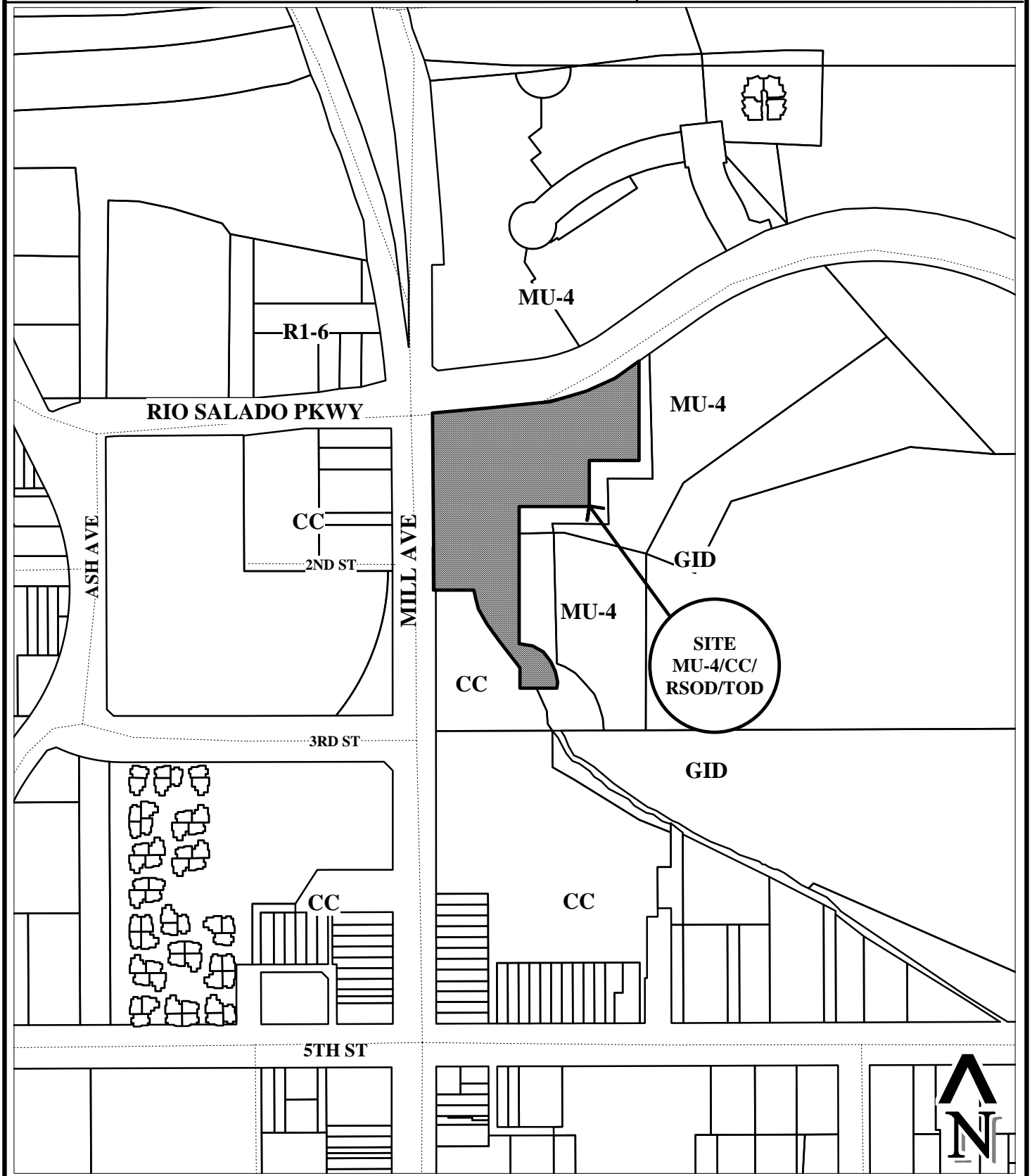
#### **ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 6-307, Subdivisions, Lot Splits and Adjustments.

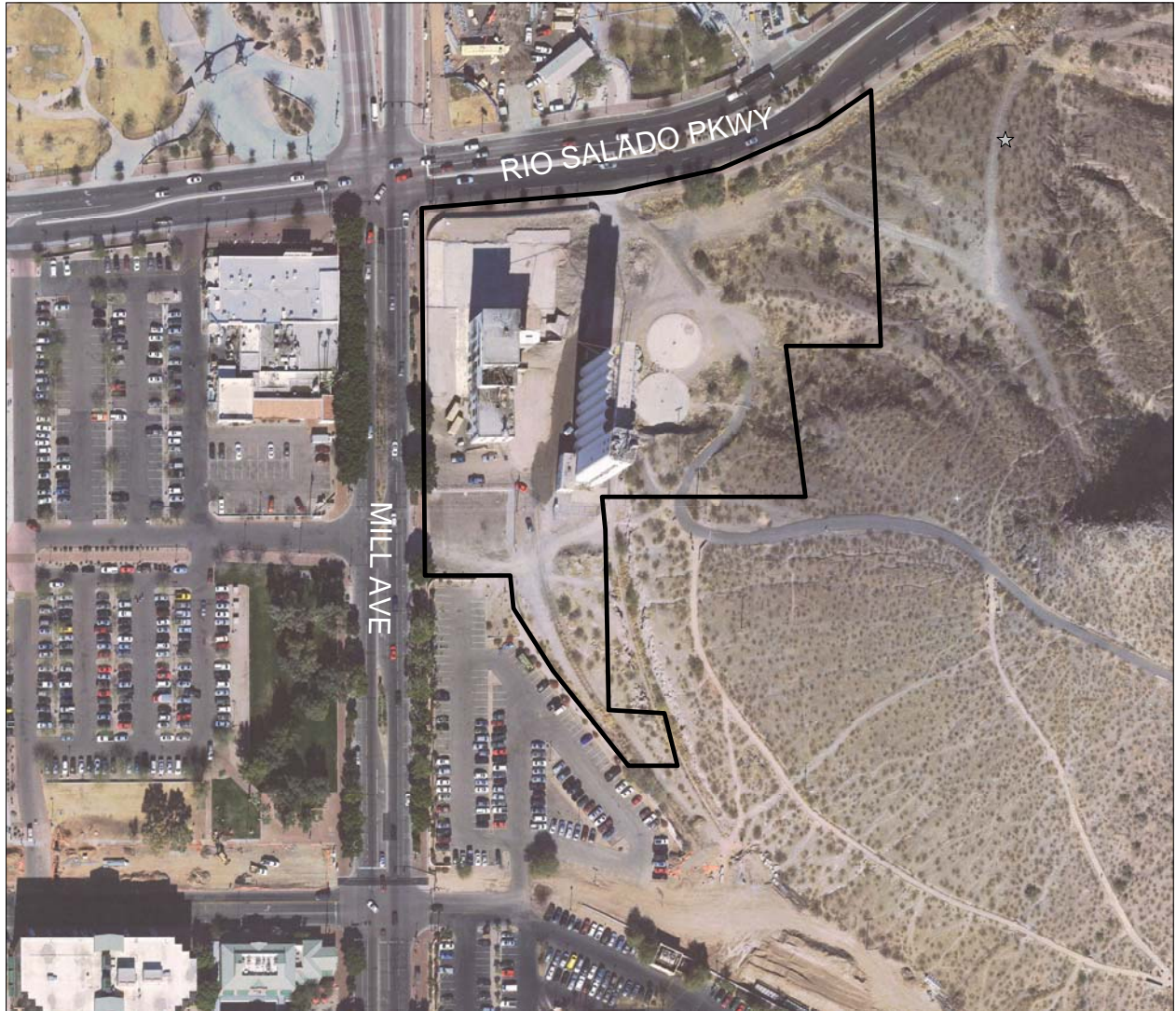
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# HAYDEN FLOUR MILLS

PL060637



**Location Map**



HAYDEN FLOUR MILLS (PL060637)





**BRADY • AULERICH & ASSOCIATES, INC.**

Civil Engineering • Land Surveying  
Construction Staking

C.E. Aulerich	P.L.S.
Dennis H. Brady	R.L.S.
Robert N. Hermon	P.E./R.L.S.
E. Terry Holbert	R.L.S.
Larry B. James	R.L.S.

December 10, 2007

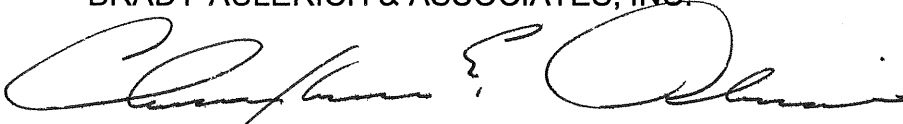
Mr. Kevin O'Melia  
CITY OF TEMPE  
31 East Fifth Street  
Tempe, AZ 85281

RE: HAYDEN FLOUR MILL

Dear Mr. O'Melia:

The City of Tempe has requested a one (1) lot subdivision located at the Hayden Flour Mill site, South of Rio Salado Parkway and East of Mill Avenue, in order to transfer property for private development.

Respectfully Submitted,  
BRADY•AULERICH & ASSOCIATES, INC.



Christopher E. Aulerich, P.L.S.

CEA:abc

DEC 10 2007

A SUBDIVISION OF A PORTION OF THE WEST HALF OF SECTION 15,  
TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE  
AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

CITY OF TEMPE  
331 EAST FIFTH STREET  
TEMPE, ARIZONA 85281

TOP OF BRASS CAP IN HANDHOLE LOCATED AT THE INTERSECTION  
OF COLLEGE AVENUE AND UNIVERSITY DRIVE.  
ELEVATION = 1187.50 PER CITY OF TEMPE DATUM.

THE EAST-WEST MID-SECTION LINE OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 4 EAST, AS RECORDED IN INSTRUMENT NO. 00-0257055, MARICOPA COUNTY RECORDS, SAID BEARING BEING NORTH 89° 03' 17" EAST.

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF  
TEMPE, ARIZONA ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
\_\_\_\_\_ 2007.

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

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

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

BY: \_\_\_\_\_ REVENUE SERVICES \_\_\_\_\_ DATE \_\_\_\_\_

THIS IS TO CERTIFY THAT THE SURVEY OF THE PREMISES DESCRIBED ABOVE AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF NOVEMBER, 2007; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR CAN BE SET AS SHOWN; THAT THE POSITIONS ARE CORRECTLY SHOWN AND THE SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

CHRISTOPHER E. AULERICH      PLS# 19809      DATE 12/19/07

STATE OF ARIZONA )  
 ) SS:  
COUNTY OF MARICOPA )

KNOW ALL MEN BY THESE PRESENTS:

THAT THE CITY OF TEMPE, A MUNICIPAL CORPORATION, AS OWNER, HAS PLATTED UNDER THE NAME OF "HAYDEN FLOUR MILLS" A PORTION OF THE WEST HALF OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 1 EAST AND HEREBY PUBLISHES THIS PLAT AND MENDEN FLOUR MILL AND DECLARES THAT SAID PLAT SETS FORTH THE BASE AND MENDEN FLOUR MILL AND GIVES THE DIMENSIONS OF THE LOTS, STREETS AND ALLEYS OF THE PLAT, AND HEREBY DEDICATES THE SAME TO EACH OF THEM RESPECTIVELY ON SAID PLAT AND CONSTITUTING THE SAME GIVEN TO EACH OF THEM RESPECTIVELY ON SAID PLAT AND HEREBY DEDICATED TO THE CITY OF TEMPE FOR PUBLIC USE AS SUCH, THE STREETS, PUBLIC UTILITIES, DRAINAGE ROADS DESCRIBED IN THE FOREGOING PREMISS.

STATE OF ARIZONA ) ss:  
COUNTY OF MARICOPA )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007 BEFORE ME, THE  
UNDERSIGNED, PERSONALLY APPEARED \_\_\_\_\_, WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON  
WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO  
EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN  
CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL

BY: \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_  
THE CITY OF TEMPE A MUNICIPAL CORPORATION

BY: HUGH HALLMAN DATE: \_\_\_\_\_  
ITS: MAYOR

## PARCEL 1

THAT PART OF BLOCK 60, TEMPE, ACCORDING TO BOOK 2 OF MAPS, PAGE 26, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING NORTH OF LINE PARALLEL TO AND A DISTANCE OF 135 FEET FROM THE SOUTH BOUNDARY OF SAID BLOCK 60;

EXCEPT THAT PART OF BLOCK 60 DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF BLOCK 60:

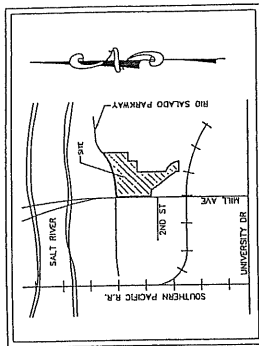
THENCE SOUTH 25 FEET;  
THENCE EAST 50 FEET;

THENCE NORTH 25 FEET;  
THENCE WEST 50 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION OF BLOCK 60 DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID BLOCK 60,  
FROM WHICH THE SOUTHWEST CORNER OF SAID BLOCK 60 BEARS  
SOUTH (ASSUMED BEARING) A DISTANCE OF 425.08 FEET;

/CONTINUED ON SHEET 2)



## VICINITY MAP

H.T.S.

SECTION LINE  
PROPERTY LINE  
EASEMENT LINE  
MONUMENT LINE  
SUBDIVISION CORNER PIN TO BE SET  
FOUND BRASS CAP AS NOTED  
PROPERTY CORNER PIN TO BE SET  
MARICOPA COUNTY RECORDER  
M.C.R.

- 1.) THIS SUBDIVISION IS LOCATED WITH THE CITY OF TEMPE AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
- 2.) LOT CORNERS TO BE SET WITH 1/2" REBAR WITH TAG P.L.S. #19809
- 3.) ALL NEW AND EXISTING, AS WELL AS ON-SITE AND OFF-SITE UTILITY LINES (OTHER THAN TRANSMISSION LINES) SHALL BE PLACED UNDERGROUND.

THIS IS TO CERTIFY THAT THE ABOVE SUBJECT PROPERTY LIES WITHIN ZONE "X" AS DESIGNATED ON THE FLOOD INSURANCE RATE MAP, MAP NUMBER 04013C 2165 H, DATED SEPTEMBER 30, 2005. AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS NOT COVERED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

SHEET 1 OF 3



**BRADY-AULERICH & ASSOCIATES, INC.**  
CIVIL ENGINEERING - LAND SURVEYING  
1030 E. Guadalupe Road  
Tempe, Arizona 85283  
Phone (480) 838-1090 Fax (480) 315-9259  
DENNIS H. BRADY P.E. ROBERT N. HELTMAN P.E.  
CHRISTOPHER E. AULERICH P.L.S.

CITY OF TEMPE	DRAWN BY:	JOB NO.
	REA	060809
	CHECKED BY:	
	CEA	

REC07085

SBD07055

DS061386

# HAYDEN FLOUR MILLS

## LEGAL DESCRIPTION: (CONTINUED FROM SHEET 1)

### CITY OF TEMPE, HAYDEN FLOUR MILL PARCEL 1

THENCE SOUTH 89° 48' 30" EAST ALONG AN EXISTING FENCE TO A POINT ON THE EAST LINE OF SAID BLOCK 60;  
THENCE NORTH ALONG THE EAST LINE OF BLOCK 60 TO THE NORTHEAST CORNER THEREOF;  
THENCE WEST ALONG THE NORTH LINE OF BLOCK 60 TO A POINT 50 FEET EAST OF THE NORTHWEST CORNER THEREOF;  
THENCE WEST 50 FEET TO A POINT ON THE WEST LINE OF BLOCK 60;  
THENCE SOUTH ALONG THE WEST LINE OF BLOCK 60, A DISTANCE OF 5.55 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PART OF BLOCK 60, TEMPE, A SUBDIVISION AS SHOWN ON MAP OF TEMPE, MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 2 OF MAPS, PAGE 26, MARICOPA COUNTY RECORDS, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MONUMENTED INTERSECTION OF THE CENTER LINES OF MILL AVENUE AND FIFTH STREET;

THENCE SOUTH 89° 58' 50" EAST, 50.00 FEET;  
THENCE NORTH 00° 05' 58" EAST, 357.71 FEET;  
THENCE NORTH 01° 46' 00" EAST, 300.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 60 AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00° 01' 55" WEST, 325.08 FEET ALONG THE WEST LINE OF SAID BLOCK 60;  
THENCE NORTH 89° 47' 56" EAST, 95.15 FEET TO A POINT ON THE ARC OF A CIRCLE THE CENTER OF WHICH BEARS NORTH 83° 30' 00" EAST, 100.00 FEET TO THE POINT OF TANGENCY;

91.02 FEET TO THE POINT OF TANGENCY;

THENCE SOUTH 35° 12' 48" EAST, 78.26 FEET;

THENCE SOUTH 35° 48' 37" EAST, 70.04 FEET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF BLOCK 63 TEMPE;

THENCE SOUTH 00° 01' 10" WEST ALONG THE EAST LINE OF SAID BLOCK 63, 47.73 FEET TO THE SOUTH LINE OF SAID

SAID BLOCK 60, 275.16 FEET TO THE POINT OF BEGINNING.

## PARCEL NO. 2

A PARCEL OF LAND LYING WITHIN SECTION 15, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 15;

THENCE ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 15, A DISTANCE OF 1132.93 FEET

TO THE POINT OF BEGINNING;

THENCE LEAVING SAID MID-SECTION LINE ALONG SAID EAST

RIGHT-OF-WAY LINE, NORTH 00° 15' 32" WEST, A DISTANCE OF 104.92 FEET

THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE,

NORTH 83° 30' 00" WEST, A DISTANCE OF 144.42 FEET;

TO THE BEGINNING OF A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS

OF 451.00 FEET, CONCAVE NORTHWESTERLY, WHOSE RADIUS BEARS

NORTH 09° 07' 14" WEST, THROUGH A CENTRAL ANGLE OF 25° 22' 56",

A DISTANCE OF 207.67 FEET TO THE CURVE'S END;

THENCE NORTH 84° 29' 50" EAST, A DISTANCE OF 151.50 FEET;

THENCE NORTH 82° 58' 22" EAST, A DISTANCE OF 48.17 FEET;

TO THE BEGINNING OF A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF

889.00 FEET, CONCAVE SOUTHEASTERLY, WHOSE RADIUS BEARS

SOUTH 31° 36' 01" EAST, THROUGH A CENTRAL ANGLE OF 03° 49' 11",

A DISTANCE OF 45.93 FEET TO THE CURVE'S END;

THENCE NORTH 80° 36' 21" EAST, A DISTANCE OF 100.00 FEET TO

THE BEGINNING OF A NON-TANGENT CURVE;

THENCE SOUTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF

699.00 FEET, CONCAVE SOUTHEASTERLY, WHOSE RADIUS BEARS

SOUTH 19° 33' 32" EAST, THROUGH A CENTRAL ANGLE OF 09° 47' 58",

A DISTANCE OF 119.55 FEET TO THE CURVE'S END;

THENCE SOUTH 42° 07' 28" EAST, A DISTANCE OF 204.18 FEET;

THENCE SOUTH 53° 29' 48" WEST, A DISTANCE OF 599.74 FEET;

THENCE SOUTH 58° 45' 34" WEST, A DISTANCE OF 176.08 FEET;

THENCE SOUTH 00° 01' 22" WEST, A DISTANCE OF 5.72 FEET;

TO THE BEGINNING OF A NON-TANGENT CURVE;

THENCE SOUTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF

194.65 FEET TO THE CURVE'S END;

THENCE SOUTH 89° 32' 00" WEST, A DISTANCE OF 67.06 FEET TO THE

BEGINNING OF A NON-TANGENT CURVE;

THENCE NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF

899.75 FEET, CONCAVE EASTERLY, WHOSE RADIUS BEARS NORTH 84° 08'

EAST, THROUGH A CENTRAL ANGLE OF 08° 00' 26", A DISTANCE OF 75.24

FEET TO THE CURVE'S END AND A POINT ON THE SOUTH LINE OF SAID

BLOCK 67;

THENCE ALONG THE SOUTH LINE OF SAID BLOCK 67, SOUTH 89° 32' 00"

WEST, A DISTANCE OF 37.57 FEET;

THENCE LEAVING SAID SOUTH LINE, SOUTH 04° 51' 35" WEST, A DISTANCE

OF 30.68 FEET;

THENCE SOUTH 89° 26' 00" WEST, A DISTANCE OF 94.41 FEET TO A

POINT ON THE EAST RIGHT-OF-WAY LINE OF MILL AVENUE;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 00° 15' 32"

WEST, A DISTANCE OF 193.72 FEET TO THE POINT OF BEGINNING;

EXCEPT ANY PORTION LYING WITHIN THE CORRECTED BOUNDARY OF THE

10 ACRES MORE OR LESS, AS SHOWN ON MAP RECORDED BY DEED RECORDED OCTOBER 27, 1998

IN INSTRUMENT NO. 96-096375 AND RE-RECORDED APRIL 5, 2000 IN

INSTRUMENT NO. 00-0257055.

## PARCEL NO. 3

THE NORTH 30.55 FEET OF BLOCK 60, TEMPE, ACCORDING TO BOOK 2 OF MAPS, PAGE 26, RECORDS OF MARICOPA COUNTY, ARIZONA; EXCEPT ANY PORTION LYING WITHIN THAT CERTAIN PARCEL AS DESCRIBED IN DOCUMENT NO. 98-807613 OF OFFICIAL RECORDS.

	<b>PA</b>	<b>SHEET 2 OF 3</b>	
		BRADY-AULERICH & ASSOCIATES, INC. Civil Engineers and Surveyors ONE 1000 E. Camelback Road Tempe, Arizona 85283 Phone: (480) 944-4400 FAX: (480) 944-4438 ROBERT N. NELSON P.E. DONNE H. BRADY P.L.S. CHRISTOPHER E. AULERICH P.L.S.	
DATE 12/19/07	CHECKED BY: N.T.S.	DRAWN BY: REA	CITY OF TEMPE
SCALE:			

REC07085

SBD07055

DS061386

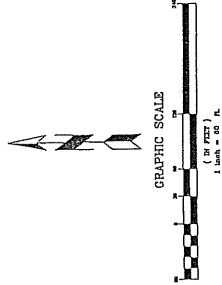
DEC 19 2007

[illegible]

CURVE	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	29°12'49"	446.97	277.90'	275.44'	58°16'11" W
C2	72°27'58"	166.50	210.33'	198.59'	53°57'20" E
C3	30°52'30"	169.70	90.34'	87.59'	53° W

LINE TABLE		
LINE	BEARING	LENGTH
L1	N05°49'30"W	96.51
L2	N05°49'30"W	96.51
L3	N45°13'42"E	62.65
L4	N45°13'42"E	62.65
L5	N07°16'47"E	38.45
L6	N04°20'53"E	18.11
L7	N84°47'07"E	39.92
L8	N45°36'56"E	17.25
L9	N45°36'56"E	17.25
L10	N72°35'18"E	28.39
L11	N04°14'43"E	62.00
L12	S00°14'00"E	28.45
L13	N85°45'04"W	102.78
L14	S00°49'00"W	104.00
L15	N85°45'04"W	120.90
L16	N85°45'04"W	120.90
L17	S89°45'04"W	171.54
L18	N00°12'08"W	47.84
L19	N43°01'53"W	94.94
L20	N46°49'03"W	70.00
L21	N43°24'13"W	76.26
L22	S89°16'00"W	46.82
L23	N60°13'00"W	14.65

LOT AREA TABLE		
LOT #	GROSS SQ.FT.	GROSS ACRES
1001	221,728	5.0902



	<p><b>PA</b></p>	<p><b>BRADY-AULRICH &amp; ASSOCIATES, INC.</b>          CIVIL ENGINEERING          10000 W. Century Blvd.          Suite 1000          Dallas, Texas 75243          Phone (407) 835-0000 Fax (407) 835-9229          DONALD H. BRADY P.E.          ROBERT N. HEDMAN P.E.          CHRISTOPHER E. AULRICH P.E.</p>	<p><b>QTY OF TEMPE</b></p>	<p><b>CITY OF TEMPE</b></p>	<p><b>JOB NO.</b>          060809  <b>DATE</b>          06/08/09</p>
<p><b>DATE</b> 12/19/07</p>	<p><b>SCALE</b> 1"=60'</p>	<p><b>DRAWN BY</b> CEJA  <b>REA</b></p>	<p><b>CHECKED BY:</b></p>	<p><b>DATE</b></p>	<p><b>JOB NO.</b>          060809  <b>DATE</b>          06/08/09</p>

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