



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: July 3, 2018

Title: P1298-096 MOUNTAIN VIEW RANCH SUBDIVISION (LOTS 87-89) (Lot Split)

Introduction/Background:

The applicant requests to reconfigure and split three undeveloped GR-1 residential subdivision lots consisting of 5.34 acres into five parcels of approximately 1.00, 1.00, 1.00, 1.28, and 1.06 acres.

Discussion:

Plat note #1 requires Board approval of further subdividing or lot splitting within the subdivision. The note ensures review of the splits for code compliance and utility and service provisions. The proposed parcel layout and sizes appear to allow for compliance with GR-1 (Rural Residential) development standards and use of individual septic sewage disposal systems as sewer is not available within the mostly undeveloped subdivision. Direct access to the subdivision cul-de-sac is maintained, but two parcels will have long driveway access with potential dust generation if not paved or otherwise surface treated. Water service has been resolved; and a transregional gas pipeline easement through part of the property will not be affected.

Conclusion:

The information submitted shows the ability to split the lots in compliance with applicable codes. Therefore, staff supports the request subject to a condition for parcels to have direct access to the subdivision street as proposed.

Recommendation:

Staff recommends approval of the proposed lot splits subject to an access condition as shown in the staff report.

Fiscal Impact:

N/A

Board of Supervisor District:

1 2 3 4 5 All

Department: Development Services Department - Planning Telephone: 520-724-9000

Contact: David Petersen Telephone: 520-724-9000

Department Director Signature/Date: [Signature] 6/14/18

Deputy County Administrator Signature/Date: [Signature] 6/13/18

County Administrator Signature/Date: C. [Signature] 6/18/18

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mll



PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Steve Christy, Supervisor, District 4

FROM: Chris Poirier, Deputy Director *John Prazowski*
Public Works-Development Services Department-Planning Division

DATE: June 12, 2018

SUBJECT: P1298-096 Mountain View Ranch Subdivision (Lots 87-89) Lot Split

The above referenced Lot Split is within your district and is scheduled for the Board of Supervisors' **TUESDAY, JULY 3, 2018** hearing.

REQUEST: For a **split** of Lots 87-89 of Mountain View Ranch (Bk. 54, Pg. 5) into five parcels of approximately 1.00 acre, 1.00 acre, 1.00 acre, 1.28 acres and 1.06 acres. Plat note #1 states that there will be no further subdividing or lot splitting without the written approval of the Board of Supervisors. The subject lots total approximately 5.34 acres zoned GR-1 (Rural Residential) and are located on the east side and at the terminus of E. Costello Ranch Place between N. Davidson Road and State Route 83 (S. Sonoita Highway).

OWNERS: Four R Property, LLC
Attn: Ranel Cox, Manager
10510 E. Escalante Road
Tucson, AZ 85730-5537

AGENT: James McMurtrie, P.E.
Dynamic Civil Designs, LLC
10150 N. Tall Cotton Drive
Marana, AZ 85653

DISTRICT: 4

STAFF CONTACT: David Petersen

PUBLIC COMMENT TO DATE: As of June 12, 2018, staff has received no public comments.

STAFF RECOMMENDATION: APPROVAL SUBJECT TO A SPECIAL CONDITION.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The site is located within the Biological Core Management Area of the Maeveen Marie Behan Conservation Lands System (CLS).

TD/DP/ar
Attachments



BOARD OF SUPERVISORS MEMORANDUM

Subject: P1298-096

Page 1 of 3

FOR JULY 3, 2018 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Deputy Director
Public Works-Development Services Department-Planning Division

DATE: June 12, 2018

UNADVERTISED ITEM FOR PUBLIC HEARING

LOT SPLIT

P1298-096 MOUNTAIN VIEW RANCH (LOTS 87-89)

Request of Four R Properties, LLC, represented by Dynamic Civil Designs, LLC, for a split of Lots 87-89 of Mountain View Ranch (Bk. 54, Pg. 5) into five parcels of approximately 1.00 acre, 1.00 acre, 1.00 acre, 1.28 acres and 1.06 acres. Plat note #1 states that there will be no further subdividing or lot splitting without the written approval of the Board of Supervisors. The subject lots total approximately 5.34 acres zoned GR-1 (Rural Residential) and are located on the east side and at the terminus of E. Costello Ranch Place between N. Davidson Road and State Route 83 (S. Sonoita Highway). Staff recommends **APPROVAL SUBJECT TO A SPECIAL CONDITION.** (District 4)

STAFF REPORT

Staff recommends **APPROVAL** of the proposed splits of Lots 87-89 of the Mountain View Ranch subdivision subject to the following condition:

All proposed lots shall maintain frontage access to the subdivision street.

The proposed lot split will allow three undeveloped subdivision lots to be reconfigured into five parcels for residential development. Each parcel will be at least one acre in size with configurations that appear to allow for compliance with GR-1 development standards. The area of the lots is relatively flat. The acre-plus parcel sizes are also adequately sized for use of on-site sewage disposal (septic) systems. Sewer service is not available in the area, nor was it planned for the 362-lot subdivision.

There are existing easements for a transregional gas line and for Pima County trails that encumber portions of proposed Parcels 3, 4, and 5. The trails easements are not shown on the lot split plan. No above-ground structural development is allowed within these easements. Utility easements also exist within all proposed parcels. All easements are shown on the subdivision plat.

Lots within subdivisions are required to have direct access to a street. The proposed parcels are configured to provide direct access, and staff recommends a condition for direct access. Original Lot 89 has an unusual "flagpole" lot configuration with the "pole" portion being on average, 191 feet in length extending from the cul-de-sac. This "pole" configuration is maintained with the proposed reconfiguration of the lot for proposed Parcel 5. Additionally, an even longer adjacent "pole" configuration is proposed to extend from the cul-de-sac for proposed Parcel 4. The poles will serve as driveway connections from the paved street to the developable portions of the proposed parcels. El Paso Natural Gas has provided an exhibit of their past review and approval of a concrete driveway and water line through its easement for original Lot 89. They indicate the same could be done for the proposed Parcels 4 and 5. The long driveways could generate excessive dust if not dust controlled with a surface treatment.

Vail Water Company will provide water service to the proposed parcels, but the water main will need to be extended from the center of the cul-de-sac to the property lines for proposed Parcels 4 and 5. As understood by staff, this is due to the extended length of the service lines to the developable portions of the parcels.

Despite the proposed creation of two additional parcels from the original three lots, the proposed minimum acre and greater parcel sizes will be within the norm for the subdivision. Three parcels are proposed to be an acre, the other two will be 1.28 acres and 1.06 acres. The subdivision contains lots of various sizes, ranging from over two acres to under an acre. The original GR-1 zoning of the subdivision requires a minimum of 36,000 square feet (less than one acre) per lot.

Plat note #1 states that there will be no further subdividing or lot splitting without the written approval of the Board of Supervisors. The note allows for review of the proposed lot splits against code and utility service requirements including zoning standards, street standards, wastewater disposal requirements, and water and emergency services. The review also protects buyers of the property.

The subject lots are within a within a group of lots (Lots 85-91) that are physically separated from the larger subdivision by State Route 83 (Sonoita Highway). The applicant has provided a recorded amendment to the subdivision's CC&R's which terminates Lots 87-91 from the terms of the CC&R's. There is no common area within this area of the subdivision west of Sonoita Highway for which CC&R's would be necessary. The applicant has indicated that the owner is not a party to the original subdivision. The subdivision plat Mountain View Ranch (Bk. 54, Pg. 5) was approved in 2000. The subdivision remains mostly undeveloped, but the street network and utilities are built.

TRANSPORTATION REPORT

Site Development on behalf of PDOT has no issue with the splitting of these three lots into five. All existing conditions of the subdivision plat to remain including the access control easement along the Sonoita Highway.

All lots are proposed to maintain direct access to the paved, County-maintained cul-de-sac. The additional two lots will generate approximately 20 average daily trips within the subdivision.

FLOOD CONTROL REPORT

Lot 1 includes regulatory floodplain and habitat. This area should be avoided during development as permits are required for encroachment.

WASTEWATER RECLAMATION REPORT

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the request and offers the following comments for your use. The applicant proposes to split the subject lots 87, 88, and 89 of the Mountain View Ranch subdivision into five parcels for proposed residential use. The subject property is located on the west side of State Route 83 (Sonoita Highway), east of Davidson Road. The proposed five lots are one acre or greater than one acre in size.

The subject property is outside the PCRWRD service area; there is no public sewer in the area. The proposed residential lots will utilize individual on-site sewage disposal systems.

The PCRWRD has no objection to the above referenced request for a lot split. The owner(s) must secure approval from the Pima County Department of Environmental Quality to use on-site sewage disposal system at the time a development plan or request for building permit is submitted for review.

VAIL WATER COMPANY COMMENTS

Vail Water Company has not provided written comments, but left a phone message with staff indicating no objection to the lot split request based on having settled issues of location of the water main. The water main within the cul-de-sac will be extended to the lot line.

EL PASO NATURAL GAS COMMENTS

EPNG does not object to the lot split proposal, but no structures, walls, or trees can be placed within EPNG's 120' pipeline right-of-way. (Paved) driveway(s) (are) fine because EPNG has already reviewed and approved a driveway crossing on the current Lot 89 (see the attachment for the approved version). The alignment is slightly different on the new lot split scenario, but the change is minimal. The biggest factor is the depth of the pipelines, and in this case, they were plenty deep.

TUCSON ELECTRIC POWER COMPANY COMMENTS

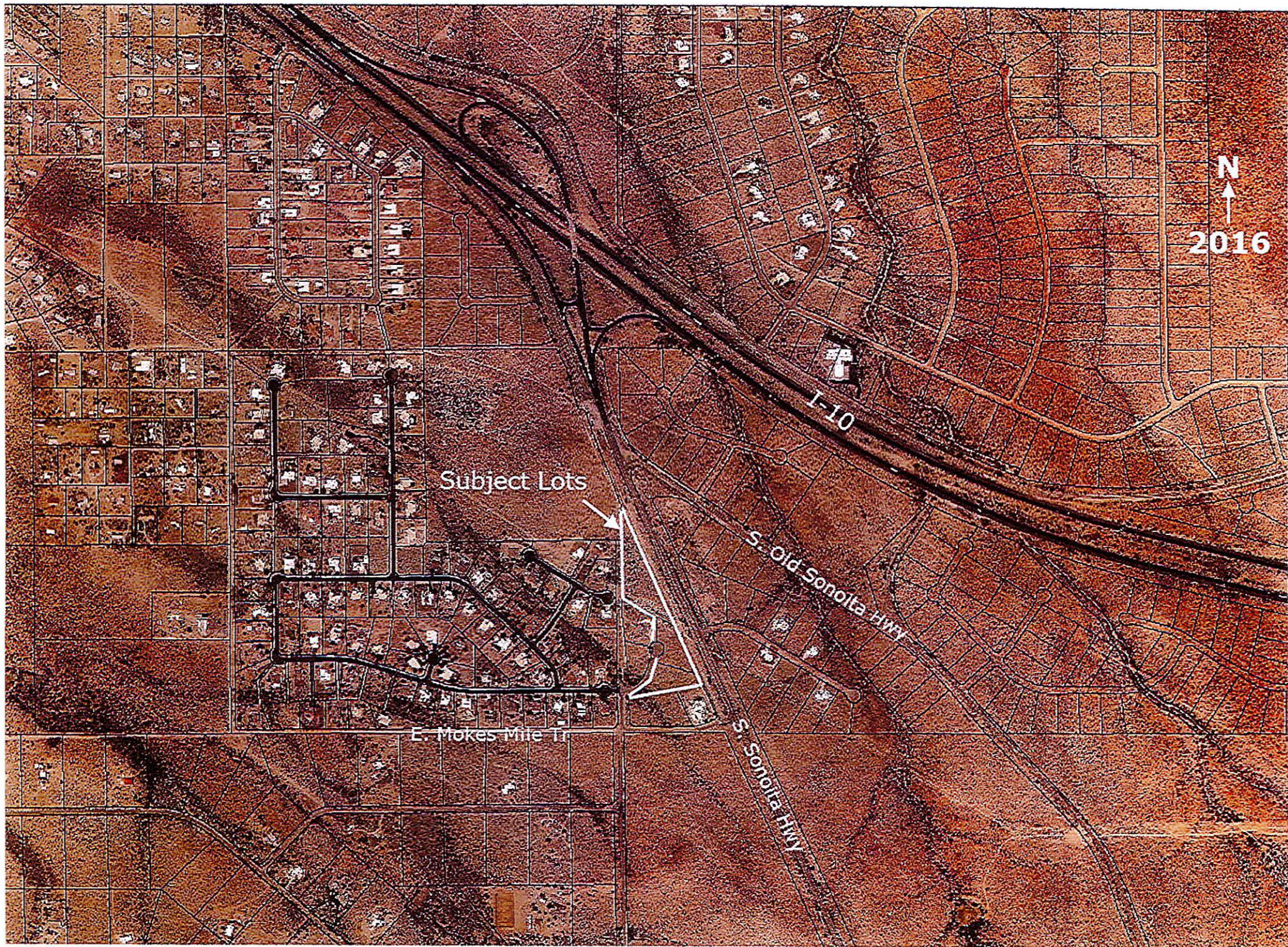
To date, there has been no response to a request for comments.

RINCON VALLEY FIRE DISTRICT COMMENTS

To date, there has been no response to a request for comments.

TD/DP/ar
Attachments

cc: James McMurtrie, P.E., Dynamic Civil Designs, LLC, 10150 N. Tall Cotton Drive
Marana, AZ 85653
Tom Drzazgowski, Chief Zoning Inspector
P1298-096 File



N
↑
2016

Subject Lots

E. Mokes Mile Tr

S. Old Sonoita Hwy



S. Sonoita Hwy

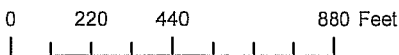
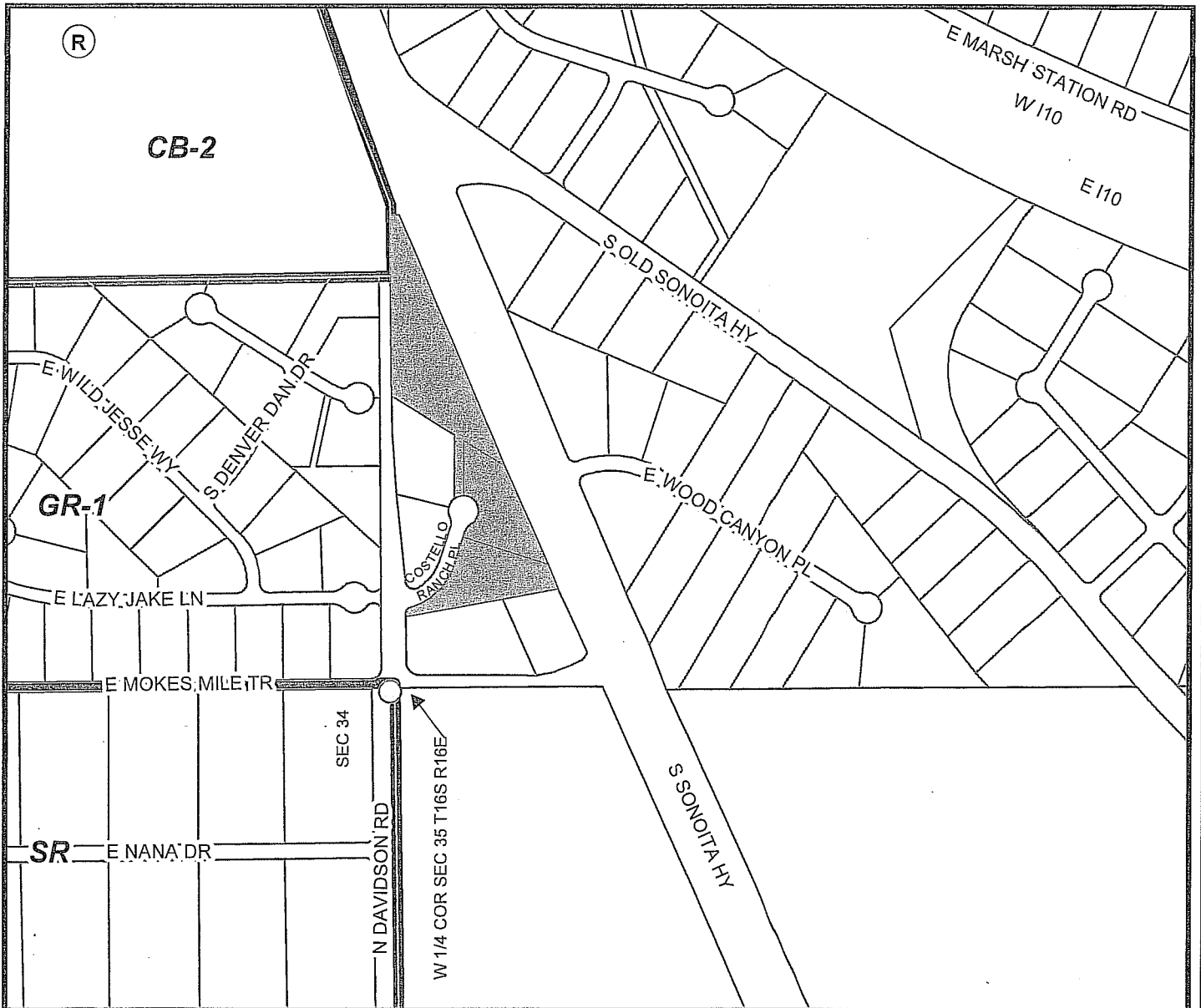
I-10

Case #: P1298-096



Case Name: Mountain View Ranch Subdivision - Lots 87-89 Lot Split

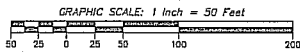
Tax Code(s): 305210930, 305210940, 305210950

 Subject Property
 Zoning Boundary



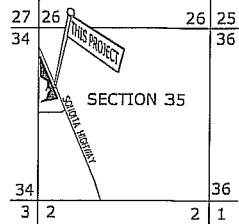
**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

 PIMA COUNTY DEVELOPMENT SERVICES	Notes: Mountain View Ranch - Lot 87-89 lot split	
	PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10	
	Board of Supervisors Hearing: 7/3/18	
	Map Scale: 1:6,000 Map Date: 06/05/2018 - ds	



LINE	BEARING	DISTANCE
L1	S 00°39'21" E	6.65'
L2	S 83°00'19" W	50.00'
L3	S 00°00'16" E	50.00'
L4	S 17°27'44" E	50.00'
L5	S 35°32'31" E	50.00'

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH
C1	25.00'	73°56'40"	32.26'
C2	50.00'	41°23'33"	36.14'
C3	50.00'	66°03'30"	57.65'
C4	50.00'	83°00'34"	72.44'
C5	50.00'	17°27'28"	13.23'
C6	50.00'	19°24'47"	16.94'



LOCATION MAP 1" = 1 MILE
 A PORTION OF SECTION 35, T.16 S., R.16 E.,
 G. & S. R. M., PIMA COUNTY, ARIZONA

LEGEND

- SET 1/2" REBAR
- TAGGED "RLS 35543"
- SET CHISELED X IN CONCRETE
- FOUND BRASS CAP STAMPED AS NOTED
- FOUND MONUMENT AS NOTED
- FOUND MONUMENT AS NOTED
- FOUND BRASS CAP STAMPED AS NOTED
- FOUND BRASS CAP STAMPED AS NOTED
- PROPERTY LINE
- EASEMENT LINE
- CENTER LINE

NOTES

1. THE LOCATION AND/OR EXISTENCE OF UTILITY SERVICE LINES TO THE PROPERTY ARE UNKNOWN AND NOT SHOWN.
2. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT RESEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
3. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE SOUTH LINE OF LOT 87 AS SHOWN ON THIS MAP AND THE PLAT RECORDED AT BOOK 54 AT PAGE 5 OF MAPS AND PLATS, PIMA COUNTY RECORDS. THE BEARING OF SAID LINE IS NORTH 79°30'21" EAST.

CERTIFICATION OF SURVEY

THIS IS TO CERTIFY THAT THIS SURVEY WAS PERFORMED UNDER MY DIRECTORSHIP DURING THE MONTH OF AUGUST, 2017, AND THAT ALL MONUMENTS EXIST AS SHOWN.

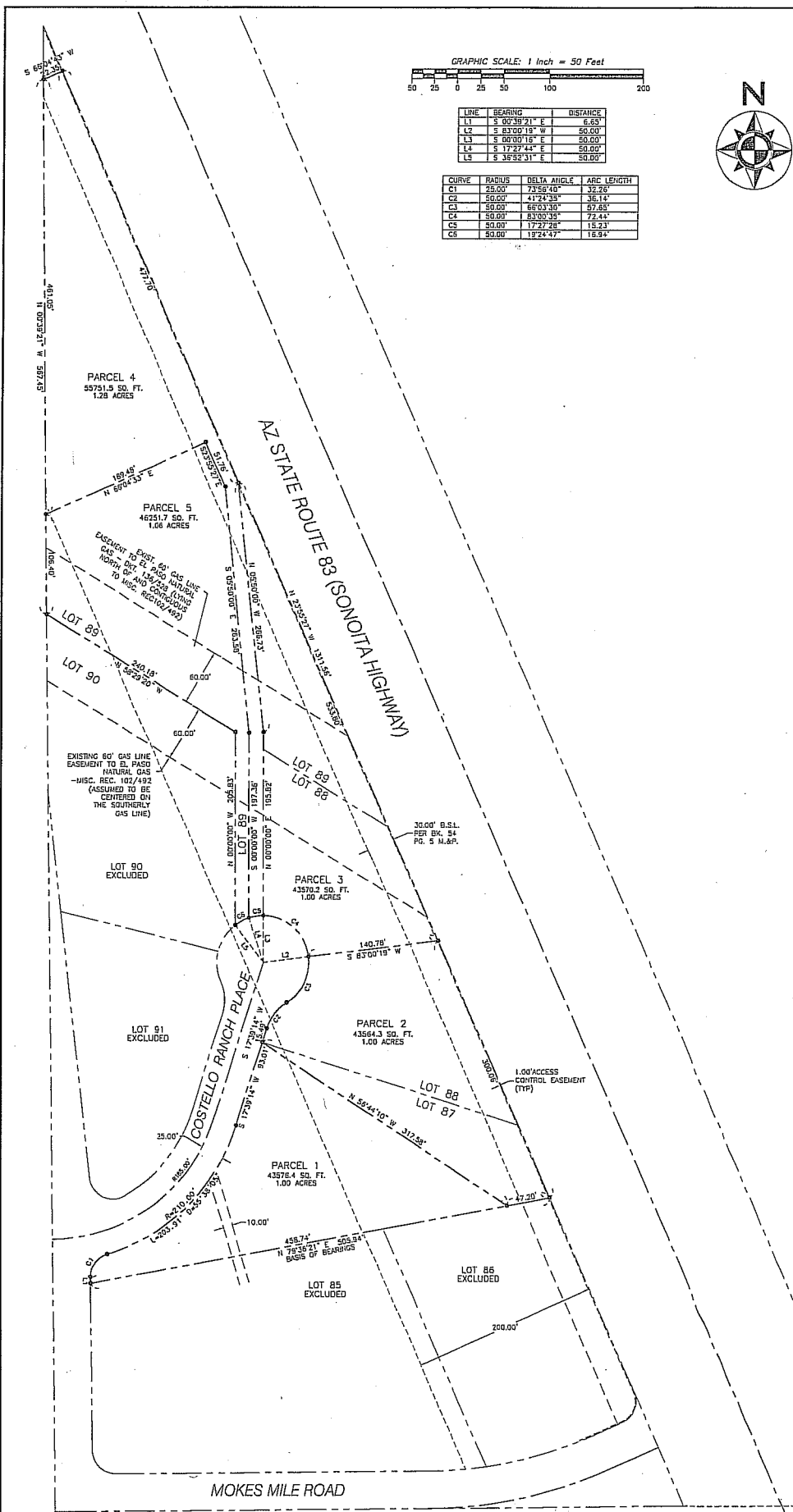


EXPIRES 12/31/18

TODD A. HOUT
 REGISTERED LAND SURVEYOR
 ARIZONA REGISTRATION No. 35543

SEQUENCE _____
 FEE _____
 STATE OF ARIZONA
 COUNTY OF PIMA
 I HEREBY CERTIFY THAT THE INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF _____
 OF _____
 DATE _____
 TIME _____
 WITNESS MY HAND AND OFFICIAL SEAL DAY AND YEAR WRITTEN ABOVE
 F. ANN RODRIGUEZ, COUNTY RECORDER
 BY _____ DEPUTY

RECORD OF SURVEY



SURVEY: PG
 CAD: TAH-DH
 CHECKED: TAH
 JOB NO.: 17118
 SHEET: 1 OF 1



POLARIS LAND SURVEYING, LLC
 3528 N. FLOWING WELLS RD.
 TUCSON, ARIZONA 85705
 TEL.: (520) 322-6400
 FAX: (520) 322-6401

LOT LINE ADJUSTMENT SURVEY OF LOTS 87-89 OF "MOUNTAIN VIEW RANCH" AS RECORDED IN BOOK 54 PAGE 5 OF MAPS AND PLATS, LOCATED IN THE N.W. 1/4 OF SECTION 35, T. 16 S., R. 16 E., G. & S. R. M., PIMA COUNTY, ARIZONA

May 4, 2018

Pima County Development Services, Planning Dept.
201 N Stone Ave, 2nd Floor
Tucson Arizona 85701
Ph: (520) 724-9000

RE: Special Action Request - "Lot Split Request" for Lots 87-89 of Mountain View Ranch Bk54, Pg05

Dear Staff Members:

The owner of Lots 87-89 of Mountain View Ranch, currently addressed as 14340, 14350, and 14465 E Costello Ranch Place, are requesting a lot split to reconfigure the three lots into a total of five lots. The subject lots, being Assessor's Parcel Numbers 305-21-0930, 0940, and 0950, total 5.34 acres. Permitting Note No. 1 on the subdivision plat, which restricts further subdividing without the approval of the Board of Supervisors, is the reason this Special Action Request is necessary.

The owner recorded deeds for the proposed lots with the Pima County Recorder's office being unaware of the requirement to go before the Board with this request. The legal descriptions and lot split map are included with this application for reference.

It may be important to note that in a third amendment to the Declaration of Covenants, Conditions and Restrictions for Mountain View Ranch, recorded in Docket 12816 at Page 5764, the subject lots 87-89, as well as neighboring lots 90 and 91, were deleted from the Declaration "such that those Lots are no longer subject to the terms of the Declaration." A copy of the recorded amendment has been included with this application for reference.

The Arizona Department of Real Estate (AZRE) has been contracted to inquire if any additional requirements will be initiated by that department. The response received from Rose Frazee, of AZRE Development Services, is that there are no AZRE concerns and no Public Report will be necessary because the request does not result in the creation of six or more lots. A copy of the correspondence has been included with this application for reference.

Existing physical and legal access to all five lots exists via E Costello Ranch Place, which is a paved County-maintained road.

The owner has coordinated with Vail Water Co. and water service will be available to all of the lots in their proposed reconfiguration.

There is no public sewer in the area. All lots in this area are served by individual on-site disposal systems (septics) and this project proposes the same. Each of the five lots will have a minimum area of 1-acre for that purpose.

The owner has spoken with TEP about electric service and the existing transformers and/or pedestals in the area will be adequate for the provision of services for all five lots.

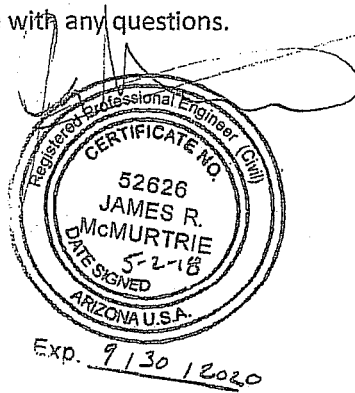
The contact information for the current owner is below:

Four R Property LLC
Attn: Ranel Cox (LLC Manager)
10510 E Escalante Rd
Tucson, Arizona 85730
PH: (520) 808-3517
Email: fourrdev10@msn.com

Please feel free to contact me with any questions.

Regards,

James McMurtrie PE



May 11, 2018

Pima County Development Services, Planning Dept.
201 N Stone Ave, 2nd Floor
Tucson Arizona 85701
Ph: (520) 724-9000

**RE: Special Action Request - "Lot Split Request" for Lots 87-89 of Mountain View Ranch Bk54, Pg05
DISCLOSURE OF OWNERSHIP**

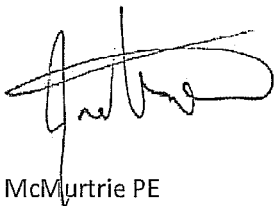
Dear Staff Members:

The owner of Lots 87-89 of Mountain View Ranch, currently addressed as 14340, 14350, and 14465 E Costello Ranch Place, is Four R Property LLC. The sole member of Four R Property LLC is Ranel Cox, who is the managing member and the statutory agent. The owner's contact information is below.

Four R Property LLC
Attn: Ranel Cox (LLC Manager)
10510 E Escalante Rd
Tucson, Arizona 85730
PH: (520) 808-3517
Email: fourrdev10@msn.com

Please feel free to contact me with any questions.

Regards,



James McMurtrie PE

To: 'rfraze@azre.gov' <rfraze@azre.gov>

Cc: Ranel Cox (fourrdev10@msn.com) <fourrdev10@msn.com>; Ranel Cox (ranelc10@gmail.com) <ranelc10@gmail.com>

Subject: Mountain View Ranch lot split

Hello Rose,

Thank you for taking my call today. As we discussed my client acquired 3 contiguous lots in this previously platted subdivision and processed a lot split to turn his 3 lots into a total of 5 by recording new deeds and legals with the Pima County Recorder's Office. The County is now making us complete a more formal lot split application to obtain approval from the Board of Supervisors because the original plat had a note requiring the BOS approval for any further dividing. Baring any other requirements from AZRE, he will be done with the process at that point. The County suggested I check with you to verify there are no issues. After talking to you, it sounded like there would not be, but I am sending the attachments for you to verify. The 1st attachment is the original plat. We are talking about lots 87-89. The second attachment is his surveyor's lot split map showing the new 5- lot configuration.

I think a response to this email will suffice. We appreciate your help.

Regards,
James McMurtrie, PE

10150 N Tall Cotton Dr
Marana AZ 85653
(520) 461-8016

From: Rose Frazee
To: [James McMurtrie](#)
Cc: [Rose Frazee](#); [Stephen Ochoa](#)
Subject: RE: Mountain View Ranch lot split
Date: Thursday, April 19, 2018 8:29:45 AM
Attachments: [image001.png](#)
[image003.jpg](#)
[image005.jpg](#)
Importance: High

Hello James McMurtrie,

My apologies we are so swamped with reviews of application that I don't know what day it is... 🙄

We appreciate the information, I hope all goes well with the project. The Department's requirement for a public report as I mentioned is under ARS 32-2181 and ARS 32-2183; definition of Subdivider ARS 32-2101.55.

Six or more lots require a public report.

From: James McMurtrie [<mailto:james.mcm@live.com>]
Sent: Wednesday, April 18, 2018 3:29 PM
To: Rose Frazee <RFrazee@azre.gov>
Cc: Ranel Cox (fourrdev10@msn.com) <fourrdev10@msn.com>; Ranel Cox (ranelc10@gmail.com) <ranelc10@gmail.com>
Subject: RE: Mountain View Ranch lot split

Hello Rose,

I left you another voicemail today as I have not heard back on the request below. Have you had a chance to look this over?

Regards,
James McMurtrie, PE

10150 N Tall Cotton Dr
Marana AZ 85653
(520) 461-8016

From: James McMurtrie
Sent: Tuesday, April 3, 2018 3:37 PM

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F. ANN RODRIGUEZ, RECORDER
RECORDED BY: C D
DEPUTY RECORDER
0224 FE2



TTISE
LEWIS AND ROCA
ONE SOUTH CHURCH AVE STE 700
TUCSON AZ 85701

DOCKET: 12816
PAGE: 5764
NO. OF PAGES: 4
SEQUENCE: 20061050772
06/01/2006
ARSTRT 17:30
MAIL
AMOUNT PAID \$ 13.00

When recorded, mail to:
Lewis D. Schorr, Esq.
Lewis and Roca LLP
One South Church Avenue, Suite 700
Tucson, Arizona 85701

**THIRD AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR MOUNTAIN VIEW RANCH, LOTS 1-362 AND
COMMON AREA "A" (PRIVATE STREETS) AND COMMON AREA "B" (OPEN SPACE)**

This Third Amendment of Declaration of Covenants, Conditions and Restrictions for Mountain View Ranch, Lots 1-362 and Common Area "A" (Private Streets) and Common Area "B" (Open Space) (the "Third Amendment") is made by Holsaloa Mountain View Ranch, LLC, an Arizona limited liability company ("Developer"), Lawyers Title of Arizona, Inc., an Arizona corporation, as Trustee under Trust No. 7539-T ("Trust 7539"), and Lawyers Title Agency of Arizona, LLC, an Arizona limited liability company, as Trustee under Trust No. 18101-T ("Trust 18101").

RECITALS

A. Developer is the Developer under that certain Declaration of Covenants, Conditions and Restrictions for Mountain View Ranch, Lots 1-362 and Common Area "A" (Private Streets) and Common Area "B" (Open Space) recorded October 26, 2000 at Docket 11412, Page 545, Official Records of Pima County, Arizona, as amended by that certain First Amendment of Declaration of Covenants, Conditions and Restrictions for Mountain View Ranch, Lots 1-362 and Common Area "A" (Private Streets) and Common Area "B" (Open Space), recorded January 6, 2006 at Docket 12715, Page 5998, Official Records of Pima County, Arizona, and as further amended by that certain Second Amendment of Declaration of Covenants, Conditions and Restrictions for Mountain View Ranch, Lots 1-362 and Common Area "A" (Private Streets) and Common Area "B" (Open Space), recorded concurrently herewith in the Official Records of Pima County, Arizona (collectively, the "Declaration").

B. Trust 7539 and Trust 18101 are the fee title owners of those Lots within the Properties (as that term is defined in the Declaration) that remain subject to the Declaration.

000544.1

14-00-1010-01-0001-1

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Partial Termination. Developer, Trust 7539 and Trust 18101 hereby agree and declare that Lot # 87, Lot # 88, Lot # 89, Lot # 90 and Lot # 91 as shown on the Plat are hereby deleted from the Declaration such that those Lots are no longer subject to the terms of the Declaration.

2. Full Force and Effect: Definitions. Except as specifically amended hereby, the Declaration remains in full force and effect. All capitalized terms used herein which are not defined herein shall have the same meanings ascribed to them in the Declaration.

IN WITNESS WHEREOF, the parties have executed this Third Amendment as of the date first set forth above.

HOLUALOA MOUNTAIN VIEW RANCH, LLC,
an Arizona limited liability company

By: Holualoa Arizona, Inc., an Arizona
corporation

Its: Manager

By: [Signature]
Name: LIONARD KAUFFMAN
Title: V.P. FINANCE
Date: 5/10/06

LAWYERS TITLE OF ARIZONA, INC., an
Arizona corporation, AS TRUSTEE UNDER
TRUST NO. 7539-T, as Trustee only and not in its
general corporate capacity

By: [Signature]
Name: SCOTT B. FORD
Title: TRUST OFFICER
Date: 6-1-06

1-1000-100 000-000

LAWYERS TITLE AGENCY OF ARIZONA, LLC,
an Arizona limited liability company, AS TRUSTEE
UNDER TRUST NO. 13101-T, as Trustee only and
not in its general corporate capacity

By: [Signature]
Name: TERESA A. FERRERO WOOD
Title: TRUSTEE OF TRUST
Date: 6-1-06

STATE OF Arizona
County Pima

On MAY 31, 2006, before me, TERESA A. Ferrero-Wood personally
appeared RICHARD KAUFMAN personally known to me (or proved to me on the
basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or
the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

Teresa A. Ferrero-Wood
Notary Public

[SEAL]



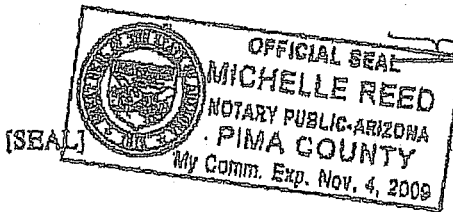
TERESA A. FERRERO-WOOD
Notary Public - Arizona
Pima County
Expires 03/31/09

13101-T-0001-1

STATE OF ARIZONA
County Pima

On June 1, 2006, before me, Michelle Reed personally appeared Joyce M. Rodda personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

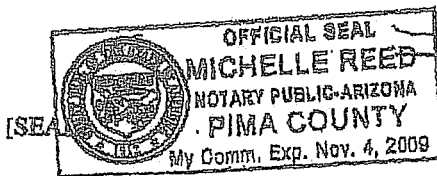


Michelle Reed
Notary Public

STATE OF ARIZONA
County Pima

On June 1, 2006, before me, Michelle Reed personally appeared Joyce M. Rodda personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.



Michelle Reed
Notary Public

1-1000-10 0017-07

MOUNTAIN VIEW RANCH

MP 54005

RECORDED: OCTOBER 26, 2000

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