

EXHIBIT 1.

**LETTER OF INTENT, APPLICATION, CITIZEN PARTICIPATION
PLAN/REPORT, AND OTHER DOCUMENTS**

- 1a. Application
- 1b. Citizen Participation Plan
- 1c. Citizen Participation Report
- 1d. Special Warranty Deed
- 1e. Letters of Serviceability
- 1f. Title Report



**LETTER OF INTENT
DEVELOPMENT REVIEW
JORDAN TOWNHOMES
A.P.N. 401-58-001A
2.06 ACRES OF VACANT LAND
SUBMITTED
JANUARY 10, 2022
UPDATED AND RESUBMITTED
3-16, 2023**

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EXHIBITS:

1. LETTER OF INTENT, APPLICATION, CITIZEN PARTICIPATION PLAN/REPORT, AND OTHER DOCUMENTS

- 1a. Application
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I. ABOUT US

Since 1992, Miramonte (“the Developer”) has been building the finest homes and commercial properties across the state of Arizona. From the Sonoran Desert, Sedona, and the mountains of Flagstaff, Arizona is a land of stunning diversity. No one understands this better than the Miramonte Companies. Capturing the essence of each environmentally and culturally unique community it serves within the Grand Canyon State has helped transform this Arizona-based regional company into the state’s premier privately held homebuilder.

Miramonte stands as a hallmark of craftsmanship, value, and customer focus. Miramonte’s portfolio spans the entire range of the building continuum, including high-density, multi-family urban dwellings, semi-custom, and first move-up communities, and Miramonte’s visually stunning business, office, and warehouse spaces.

Owned by Chris Kemmerly and led by a team of experienced building professionals, Miramonte is a fully integrated builder with unparalleled scope, resources, and capabilities.

II. PURPOSE

The purpose of this development is to bring additional housing to the City of Sedona. According to the **Housing Needs Assessment & Five-Year Housing Action Plan, dated November 2020**, there are only 257 apartment units and 211 single-family attached units or townhomes in Sedona. Eighty-seven percent (87%) of housing units in the City are single-family detached units and mobile homes. The Plan also states there is a current housing shortage of 1,260 units in Sedona, which will increase to over 1,515 units within the next five years due to an anticipated increase in jobs. The Jordan Townhomes will help to address the housing need by bringing 24 rental units to City of Sedona.

III. OVERVIEW

Miramonte is proud to present the Jordan Townhomes Project (“the Project”) a 24-unit rental project. The development is proposed on a 2.06-acre vacant parcel in Uptown Sedona. The proposal is to develop the site under its current zoning, Multi-Family Residential High-Density (RM-2), under a new plan approval. This Project is attractive, and sustainable. It blends with the natural environment, preserves open space, and creates a sense of community and a sense of place. It conforms to the existing neighborhood and zoning, is pedestrian-friendly, and will enhance the adjacent neighborhood through the construction of high-quality development. It provides diversity in housing for Sedona and complies with Sedona’s Land Development Code (“LDC”), the Design Review, the Engineering, and Administrative Manual (“DREAM”), Sedona’s Community Plan, and the Housing Needs Assessment & Five-Year Housing Action Plan dated November 2020 which will be demonstrated throughout this document.

This application requires a Major Development Review by the Planning and Zoning Commission since it is greater than 11 units, **LDC 8.4 (A) Table 8.2**. All required documents are included in the application and fees have been paid as required in **DREAM Sections 1.1 and 1.2**. This application is being submitted by the owner of the land as required in the **Land Development Code (LDC), Section 8.3 C(1)(a)(1)**.

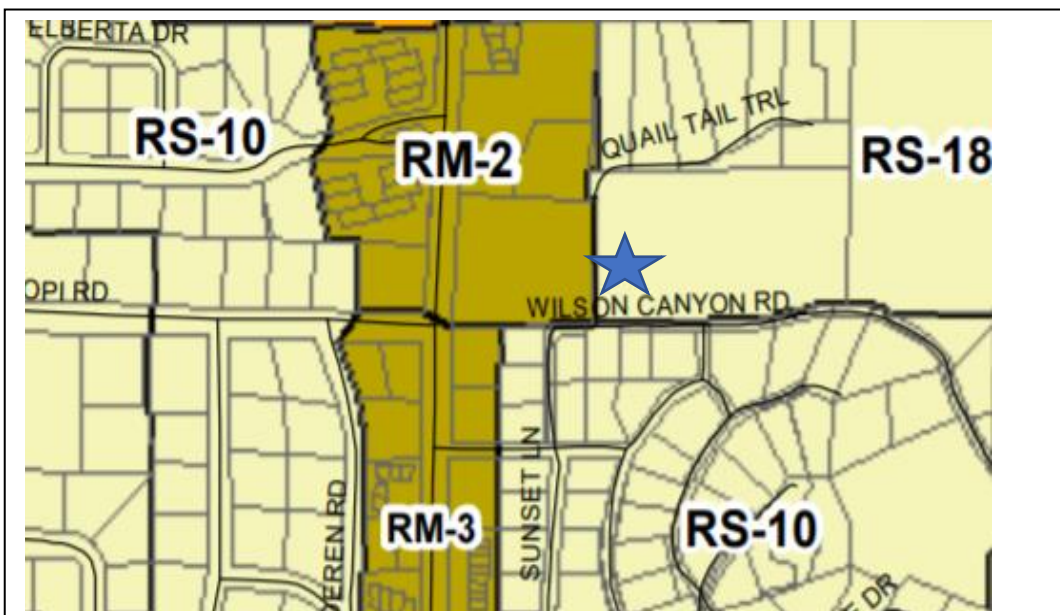
IV. SITE AND BUILDING DESIGN ANALYSIS

All new developments in the City of Sedona are required to comply with Land Development Code and Dream Manual. In this section the Jordan Townhomes will demonstrate how it meets the building design standards, to ensure the protection of the health, welfare, safety, and quality of life for Sedona and its residents and how the development will impact the adjacent properties, public streets, neighborhoods, and the natural environment.” A site plan analysis is required for a major site plan review per **Section 5.7.C(2)** to evaluate the site’s physical properties, amenities, unique attributes, character, and neighboring environment. The requirements of **Section 5.7** shall apply to all development subject to this Code under **Section 1.3**, Authority, Applicability, and Jurisdiction, except as provided in subsection **B(2)LDC 5.7B(1)**. The project site is located in Uptown Sedona, **Section 5.7** shall apply to properties in the Uptown area unless more specific standards are specified in the Main Street Manual or in adopted CFA plans” **LDC Section 5.7 B (2)**. This Section establishes the site and buildings design standards that “foster high-quality, attractive, and sustainable development that is compatible with the Sedona Community Plan principles and policies.” The site is vacant land, **Section 5.7B(3)** does not apply. A review for compliance with the standards in **Section 5.7** shall occur at the time of site plan review. **Section 5.7 C(1)**.

A. LOCATION

The property is located on the east side of Jordan Road adjacent to NavaHopi Road in Uptown Sedona in Coconino County, Assessor Parcel Number 401-58-001A. The property is vacant land, approximately 2.06 acres. It is zoned Multi-Family Residential High Density (RM-2). “The RM-2 district is intended to accommodate

medium to high-density multifamily residential uses, including limited single-family uses and duplexes” **LDC Section 2.9A**. The property is bordered by three different use designations; Multi Family Medium & High Density (north, west, and south) specifically, RM-2 & RM-3, Single Family Low Density (north and east) (RS-18), and Single-Family Medium Density (south) (RS-10). The development proposal is for a multi-



family development permitted by right on the RM-2 parcel, **LDC Article 3.2**. The application will receive plan approval by the City of Sedona and its appointed representatives and is not introducing any new use into the neighborhood. **LDC Section 8.3 E(5)c**.



B. LAND DEVELOPMENT CODE, SECTION 5.7 D. SITE DESIGN

(1) Intent

Site design standards address a development's relationship to its surrounding natural features and development patterns. They also address the relationship between key elements within the site. Site design standards should be considered at the outset, and throughout, the design process. These standards are intended to:

a. Ensure development relates to the physical characteristics of the site.

The site is located on the east side of Jordan Road. It is vacant land with no structures existing on the site. It is a relatively flat terrain, covered with shrubs, and native grass, few trees exist within the developable site. There are no rock outcroppings or major drainages existing on the site. Panoramic red rock views are visible from the site. There is man-made scarring on the west section of the site due to the property being used for parking by the City of Sedona and other groups for events in Uptown Sedona. A 20' roadway and water easement located over and under Quail Tail Trail is on the east property boundary providing access to the residents living north of the proposed development from Wilson Canyon Road. **Refer to the Existing Conditions and Tree Survey Map, Exhibit 5b.**

The site will be graded to construct four buildings, a total of twenty-four (24) units on the site. The finished floor elevations range from .5 ' to 2' above the natural grade. The existing shrubs and native grasses will be removed with the clearing and grubbing of the site. Adaptive and natural vegetation will be replanted to replenish the natural physical characteristics of the site. Existing vegetation will be preserved onsite as feasible. On the north and south sides of the development, benches, and ramadas will be provided for the residents to enjoy the red rock views. **Refer to the Landscape Plan, Exhibit 2c.**

The proposed drainage improvements will be designed to provide safe and efficient drainage across the project site. The open channels, catch basins, and storm drain structures will be designed to intercept 100% of the estimated 100-year flow for the on and off-site flows. The Project will be served with an offsite underground detention structure, to be located on the Jordan Estates parcel, Assessor Parcel Number 401-05-004A (the "Jordan Estates"). Jordan Estates will grant a drainage easement for the benefit of the Jordan Townhomes Project. All grading activities on the project site will comply with the City codes. **LDC Section 5.3., 5.7, DREAM Section 3.2. Exhibit 4d.**

b. Ensure building scale, orientation, and design relates to the surrounding uses and streets, and create a cohesive visual identity and an attractive street scene;

The project site is located in Uptown Sedona, this is an eclectic area with a variety of uses, building types, building heights, and styles such as single-family residential, condominiums, townhomes, multi-family apartments, vacation rentals, hotels, restaurants, and commercial businesses. North and west of the site are zoned RM-2 and south of the site is zone RM-3.

Jordan Townhomes building scale, orientation, and design meet the requirements in the RM-2 zone; the front setback is 25', the side setback is 10' and the rear setback is 25'. The max building height with alternative standards will not exceed 27', this complies with **LDC Sections 5.7 D, 2.24 E (1) d. 1 and 2. Refer to Exhibits 2a and 3b.**



The development will be off Jordan Road and access to the site will be from Harris Court, a 50' wide dedicated right-of-way. Harris Court will be paved and be 24' wide and include 5' sidewalks on the north and south sides of Harris court. Landscaping will be installed along Jordan Road and Harris Court to create a buffer and a beautiful streetscape, with natural and adaptive plants.

c. Ensure site design for efficient pedestrian, bicycle, transit, and vehicular circulation patterns, and create a high-quality pedestrian environment;

The proposed Harris Court will connect from Jordan Road to Quail Tail Trail and extend into the Jordan Estates Project as a dead end. Traffic will be accessing the site from the south on Jordan Road. The site can also be accessed off of Quail Tail Trail via Wilson Canyon Road through the Sierra Vista Subdivision. Pedestrians will be able to walk on sidewalks on both sides of Harris Court and along the site frontage. They will have to cross Jordan Road to the west side where the sidewalk extends to SR 89A. Emergency vehicles will have access to the site via Jordan Road, Harris Court and Quail Tail Trail From Wilson Canyon Road through the Sierra Vista Subdivision. There is an existing fire hydrant at the northwest corner of the site and another fire hydrant proposed at the intersection of Harris Court and Quail Tail Trail. The hydrants meet the minimum spacing required by the fire department. Each unit will have a garage except for Plan G, the one-bedroom unit. Tenants can use the garages to park their cars, and bicycles, and for additional storage or on the driveway. The ten half units will have shared driveways. No loading operations are proposed. The corner improvements are designed to meet the minimum turning radii of 25' for both the City and Fire Department Standards. In addition to the Jordan Townhomes, Harris Court will serve the eight parcels located at the end of Quail Tail Trail, cut-through traffic will be minimum. The development will include 5' sidewalks on the north and south of Harris Court and 10' wide sidewalks on the east side of Jordan Road in front of the development. **LDC 5.7 (1)c., LDC 5.5, LDC 5.6., DREAM 2.6. Refer to Exhibit 5c. Traffic Circulation Map, and Exhibit 2a. Preliminary Concept Grading and Utilities Plan.**

d. Promote design environments built to human scale

The development is built to human scale by positioning the smaller units along Jordan Road. The units are clustered into four buildings and the sidewalks and pedestrian pathways create a community for its residents to interact and enjoy nature. **Refer to Exhibit 2a. Preliminary Concept Grading and Utilities Plan.**

e. Ensure delivery, trash, and loading facilities are located so as not to impede regular vehicular and pedestrian circulation and access routes.

The apartment townhomes will have their own trash and recycling receptacles that will be placed for trash pickup at the end of their private driveways on Harris Court. Residents will be required per their lease agreement to promptly remove the receptacles from the street within 24 hours of trash and/or recycling pick-up. The trash and recycling receptacles will be hidden from the public view and placed in the garages of the units. The G unit will include a screening so the receptacles are not visible from the street. The development will not include loading facilities as a commercial component is not included in this development. **Exhibit 2a. Preliminary Concept Grading and Utilities Plan.**

f. Ensure safe and efficient access between buildings and parking areas.



Pedestrian pathways will be provided behind the buildings and between the buildings for the residents to enjoy and also to provide fire access. Parking will be in front of the units off Harris Court in the driveway or garages of the units. The driveways are oversized and will allow parking for multiple vehicles. **Exhibit 2a. Preliminary Concept Grading and Utilities Plan, Exhibit 2a.**

(2) Responsiveness to Natural Site Conditions and Context
The site design shall respond to the following standards.

a. General

1. Building envelopes and areas of disturbance shall be selected on the basis of natural landforms, native vegetation and native mature trees, underlying geology, floodways and floodplains, drainage ways, and required setbacks.

Building envelopes and areas of disturbance were selected based on the property constraints. The site is sparsely vegetated and is bounded by Jordan Road to the west, Quail Tail Trail to the east and developed property to the north and south. Harris Court was designed as an extension of Harris Court to the approved Jordan Estates and provided a north and south frontage for the buildings. The land is relatively flat with a low point in the middle of the property. The road design respects the low point on the property with storm drain system capturing flows at this point. The location of the buildings have larger than required setbacks at the back of each building to the north and south property boundaries.

2. Structures and access shall be designed and located to fit into the topographic contours of the site, minimize disturbance of sensitive areas, and preserve geologic and natural vegetative features. Natural vegetation, significant rock outcroppings, and existing landforms shall be retained to the maximum extent practicable. Flexibility and creativity are encouraged in designing development around existing features.

The structures and access are designed to fit the topography of the site. There are no sensitive areas, geologic or natural vegetative features on the property.

3. Site design shall maximize the use of disturbed land for roads, parking areas, or structures in order to preserve natural, undisturbed areas.

The west side of the site has been disturbed by overflow parking for the area. The remaining portion of the site is sparsely vegetated with natural grasses and a few small juniper trees that will be removed. New landscaping is proposed to be installed to create a natural look to the building surroundings.

b. Retaining Walls

The project does not propose to have any retaining walls. If it is determined that retaining walls are needed they will be faced with natural rock and/or constructed to blend with the adjacent surroundings. If they are constructed of block and/or finished with stucco, they shall comply with the color requirements of Section 5.7.F(5).

c. Trees and Vegetation

The Existing Conditions and Tree Survey Map, Exhibit 5b shows shrubs and trees as well as existing scaring on the site. There are no structures on the site, no rock outcroppings and no major drainages exist on



site. The site will be fully graded. Prior to certificate of occupancy, the site will be revegetated with native and adaptive plans according to the **Landscape Plan, Exhibit 2c.**

(3) Sensitive Area Protection in the OC Zoning District

This section of the Land Development Code does not apply to the Jordan Townhomes. It is not in the OC Zoning District.

(4) Protection from Potential Hazards

All proposed development shall be designed to protect the public from the potential hazards of drainage, debris flow, fire and erosion. Projects shall be designed with existing features in order to minimize disturbance to, and therefore mitigation of, land surfaces and hillsides.

The proposed drainage improvements will be designed to provide safe and efficient drainage across the project site. The open channels, catch basins, and storm drain structures will be designed to intercept 100% of the estimated 100 year flow for the on and off-site flows. The underground detention structure is proposed to be located under the fire truck turnaround on the Jordan Estates project site and will require approximately 36,0000 cubic feet of volume to attenuate peak flows to predevelopment rates. The first flush volume of approximately 6,700 cubic feet will be retained below the basin outlet with the excess storm water runoff being conveyed to the natural channel located near the southeast corner of the Jordan Estates project site. **Refer to, Exhibit 4d. Concept Drainage Report.**

Emergency vehicles will have access to the site via Jordan Road, Harris Court and Quail Tail Trail From Wilson Canyon Road through the Sierra Vista Subdivision. There is an existing fire hydrant at the northwest corner of the site and another fire hydrant proposed at the intersection of Harris Court and Quail Tail Trail. The hydrants meet the minimum spacing required by the fire department.

To protect the public from the potential hazards of drainage, debris flow, fire, and erosion, Best Management Practices (BMP's) as outlined in the Arizona Department of Transportation's Erosion and Pollution Control Manual and/or the Drainage Design Manual, Vol. III for Maricopa County Flood Control District, and as determined by the City of Sedona Engineering Standards will be followed during construction.

(5) Relationship to the Public Realm and Adjacent Developments

Sedona Heritage Museum and park is located within .1 miles from the project site. The Coconino National Forest is located approximately .45 miles from the site. Jordan Road trailhead is located approximately .95 miles from the site, and the Sedona Chamber of Commerce is approximately .5 from the site. West of the site is the Orchards multi-family community, south of the site is the Sierra Vista Subdivision, and single family residential homes not in a subdivision.

a. Development shall respect local development patterns and site features to the maximum extent practicable when such development patterns contribute to a unified visual appearance. Site designs shall respond to local contextual influences and to the design and layout of adjoining developments.



The Jordan Townhome Project is located in Uptown Sedona off Jordan Road adjacent to NavaHopi Road. Uptown Sedona is an eclectic area, with a mix of older and newer single-family homes, multi-family apartment homes, Airbnb's, hotels, restaurants, and commercial businesses. In this area, there is a variety of building types, styles and exterior finishes. The Jordan Townhomes is an appropriate development in its style, size and layout for the area.

b. Elements that shall be coordinated between adjacent sites to the maximum extent practicable include:

1. Shared driveways for accessing adjoining streets.

The G units will have shared driveways adjoining to Harris Court. All the other units will have their own private driveway and garage.

2. Linkages of internal vehicular circulation systems.

Harris Court will connect from Jordan Road to Quail Tail Trail and extend into the Jordan Estates Project as a dead end. Traffic will be accessing the site from the south on Jordan Road. The site can also be accessed off of Quail Tail Trail via Wilson Canyon Road through the Sierra Vista Subdivision.

3. Linkages of interior pedestrian systems.

The development will include 5' sidewalks on the north and south of Harris Court and 10' wide sidewalks on the east side of Jordan Road in front of the development. A crosswalk will be installed on Jordan Road to allow pedestrians to cross safely onto the west side of Jordan Road to walk on the sidewalks to the nearby commercial businesses in Uptown Sedona.

4. Linkages/continuation of open space systems.

The development does not have a direct linkage or continuation of open space, it is an infill lot surrounded by existing development.

5. Perimeter open space and landscape buffer zone.

Forty-six percent (46%) of the site will be preserved as open space and be revegetated with natural and adaptive plants and shrubs. The landscape will provide an attractive streetscape, buffer, and screening between Jordan Road the existing neighborhood, and the development. All plants selected will be drought tolerant and will benefit the environment by providing wildlife habitat, clean air, preventing erosion, recharging the groundwater, stormwater retention, and infiltration, aiding in water pollution, and reducing dust, noise, heat, and glare.

6. Areas and access for refuse collection.

The apartment townhomes will have their own trash and recycling receptacles that will be placed for trash pickup at the end of their private driveways on Harris Court. Residents will be required per their lease agreement to promptly remove the bins from the street within 24 hours of trash and/or recycling pick-up.



The trash and recycling receptacles will be hidden from the public view and placed in the garages of the units. The G unit will include a screening so the receptacles are not visible from the street. The development will not include loading facilities as a commercial component is not included in this development.

7. Drainage and detention facilities.

The proposed drainage improvements will be designed to provide safe and efficient drainage across the project site. The open channels, catch basins, and storm drain structures will be designed to intercept 100% of the estimated 100 year flow for the on and off-site flows. The underground detention structure is proposed to be located under the fire truck turnaround on the Jordan Estates project site and will require approximately 36,0000 cubic feet of volume to attenuate peak flows to predevelopment rates. The first flush volume of approximately 6,700 cubic feet will be retained below the basin outlet with the excess storm water runoff being conveyed to the natural channel located near the southeast corner of the Jordan Estates project site. **Refer to, Exhibit 4d. Concept Drainage Report.**

8. Linkages of any other networks and/or functional areas where a coordinated site design approach will benefit the cohesiveness of a larger area, such as a shared utility easement.

Quail Tail Trail is an roadway water easement that provides access and water to the residential development to the north of Jordan Townhomes. This easement will remain in place.

(6) Utilities

All utilities; water, sewer, telephone, cable television, electrical lines and other utilities to serve the development will be underground except for transformers, pedestals, fire hydrants and other appurtenances associated with the underground utilities are permitted on the surface per this **Section 5.7 D (6)**. Utilities will be provided within Harris Court to serve the development. During construction the Developer may have temporary emergency facilities above the surface of the ground for a period of four months, which may be extended only after obtaining a temporary use permit in accordance with the provisions of **Section 8.4D**.

C. LAND DEVELOPMENT CODE, SECTION 5.7 E. BUILDING PLACEMENT AND ORIENTATION

(1) Intent

The entrance into the development onto Harris Court is clearly visible off Jordan Road with the smaller G units placed adjacent to Jordan Road. The open space and landscape buffer along Jordan Road present an attractive, and welcoming entrance into the development.

(2) Building Locations (Multi-Building Developments)

Harris Court bisects the site, two buildings will be located on the north side of Harris Court and two buildings will be on the south of Harris Court. The placement of the buildings, the sidewalks on Jordan Road and Harris Court and installing the landscaped buffer adjacent to Jordan Road and Harris Court frames the entry point into the development. **Refer to the Landscape Plan Exhibit 2c.**

(3) Building Separation



The building separation between the adjacent buildings is greater than 20' , this exceeds the code requirement.

D. LAND DEVELOPMENT CODE, SECTION 5.7 F. BUILDING DESIGN

(1) Intent

Building design directly impacts the character and function of new development. The building design standards are intended to:

a. Ensure that new building design is sensitive to and compatible with the Sedona built and natural environment, which is achieved through compliance with this Code.

The varying unit heights and sizes and placement of the building on site considers the existing surrounding development and the natural environment by reducing the mass of the building, providing the landscape buffer adjacent to the right-of-way, creating a pedestrian pathway, utilizing low reflective materials in the exterior finishes and installing low LED lighting.

b. Ensure that multi-building or phased developments use compatible schemes of materials, colors, and architectural vocabulary to ensure consistency.

There will be four buildings on the site. Buildings 1 and 4 are mirrored and Buildings 2 and 3 will be different floor plans. The buildings will all be the same colored stucco, include the same type of stone veneer, and same corrugated metal as shown on the **Color Material Board, Exhibit 3h, and the Unit Elevations, Exhibit 3d.**

c. Ensure building materials are durable and have low-maintenance requirements in the semi-arid environment.

The buildings will be wood framed with stucco colored siding, stone veneer and corrugated metal will be used in the exterior finishes. This type of construction is common in Sedona and is durable and will have low- maintenance requirements.

d. Encourage sustainable development by limited the amount of resources necessary to construct and operate buildings and by designing buildings to be adaptable for multiple uses.

The development will be all electric. The townhome units will be EV-capable by installing an electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the EV parking in the garages.

e. Ensure that buildings are compatible in architectural style and proportionate to elements within the project site, adjacent and neighboring properties, and the area within which they are located.

The buildings have been designed to be compatible with the surrounding neighborhood and have been situated on the site to provide masses of different heights and planes in conformance with the City of Sedona. The construction will be wood frame, slab-on-grade. The roofs will be flat and will feature parapets of varying heights. The exteriors will be stucco with light reflective values of 8 and 9. Stone, wood, and metal will be incorporated into the exterior façade to complement the surrounding natural environment. There is a variety of



building types in the area. The Jordan Townhomes style of buildings is in conformance with the neighborhood.

(2) Building Form

a. Building Massing

(2) Multifamily Residential

The buildings units all vary in height by a minimum of two feet, and each building has a minimum of 100 square feet set back at a depth of 6' or greater oriented toward Harris Court. **LDC Sections 5.7, 8.3 E (5) e., g. , DREAM Sections 2.2, 2.7. Refer to Exhibits 2a, and 3b.**

b. Building Proportions and Scale

The larger taller units are located internally to a the site. Building units step down in height from 25' down to 18'. The development will be applying alternative height standards pursuant to **Section 2.24 E(4)**. Refer to the **Site Plan Height Exhibit 3b, and the Building Roof Plan Exhibit 3g.**

c. Building Articulation

The buildings will have horizontal and vertical articulation with the varying of unit sizes, unit heights and horizontal separation between the units. All sides of the buildings will include stucco siding, windows and stone veneer. The front of the units will also include covered front patios with standing seam corrugated metal roofs. The front of the units will have 30-37% apertures and the street side units will have 30% apertures. Refer to **Exhibit 3c. Floor Plans and Exhibit 3f. Building Elevations.**

(3) Architectural Style and Character

a. Compatibility

The character of the existing neighborhood and community is diverse. Existing land uses include full-time residents and part-time residents occupying both single-family residential homes as well multi-family dwellings, with nearby lodging/hotels, restaurants, retail other commercial uses/services. This development proposal continues the same land use themes that exist in the Uptown area and the neighborhood of the subject property in particular. Community character is enhanced by providing additional housing choices for the community. This land use is not introducing a use that does not exist in the immediate neighborhood and is compatible in massing, scale, and size. **LDC 5.7, 8.3E(5)e, DREAM 2.2.**

b. Building Design as Signage

This section is not applicable to this development.

c. Comprehensive and Unified Design

The architectural theme of the building is consistent around the entire building including the sides that face the public streets. All sides of the building will be stucco, and have stone veneer. The front of the buildings will include standing seam corrugated metal roofs to create an overhang for the front patio, all roofs will be flat and include a minimum of a 2' parapet. Each building has a minimum of 100 square feet set back at a depth of 6' or greater oriented toward Harris Court.



(4) Building Materials

The corrugated metal for the standing seam roofs will be rusted to reduce reflections. No prohibited materials as identified in this Section 5.7 F (4)b. will be utilized in the buildings.

(5) Building Color

The building colors have been selected to blend with the natural environment. Roycroft Bronze Green with light reflective value of 9, Rockwood Dark Brown a light reflective value of 8, will blend with the natural environment. Alternative height standards pursuant to **Section 2.24 E(4)** have been applied to this project. Refer to the **Color Material Board, Exhibit 3h**.

E. SUSTAINABLE DEVELOPMENT

The Jordan Townhomes will be an all-electric development and have Energy Star appliances and HVAC. LED interior and exterior lighting will be used. Low- VOC and formaldehyde-free materials will be used for the carpet, cabinets, and paint. The townhome units will be EV-capable by installing an electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the EV parking in the garages.

All townhomes will also include double heavy-duty hidden waste baskets in the kitchen cabinets to promote recycling. Our property manager will also include materials to residents at lease signing on what can and cannot be recycled and provide information on how they can learn more ways to recycle by contacting the City of Sedona Sustainability Program at 928-203-5060. **LDC 8.3 E (5)g. , DREAM 2.2(D)**.

F. LANDSCAPING, BUFFERING, AND SCREENING

The development has been designed to reduce the building coverage and provide additional open space. Twenty-four percent (24%) of the site is covered by buildings and 29% is covered by parking driveways and sidewalks for a total coverage of 54% which is less than the maximum total coverage allowed of 65%.

Forty-six percent (46%) percent of the site is open space. The Landscape Plan will incorporate native plants and adapted plants to blend the built environment with the natural landscape. At least 50% of the trees and shrubs will be native to the area, these plants are adapted to the dry climates of northern Arizona and are more resistant to our extreme temperatures. The native plants also provide wildlife habitat for birds and pollinators and are low maintenance. The adaptive plants that have been selected are also acclimated to Sedona's temperatures and are drought tolerant. The landscape will provide an attractive streetscape, buffer, and screening between Jordan Road the existing neighborhood, and the development. All plants selected will be drought tolerant and will benefit the environment by providing wildlife habitat, clean air, preventing erosion, recharging the groundwater, stormwater retention, and infiltration, aiding in water pollution, and reducing dust, noise, heat, and glare. **LDC 5.6 (C), LDC Sections 5.6, LDC Section E(5)g, DREAM Sections 2.2, 2.3, and 2.4.**

G. AMENITIES

The development is providing a "sense of place" for its residents, with 5' pedestrian pathways located on the north and south of the development providing access to private sitting areas to enjoy the beautiful red rock views and ramadas with picnic tables, and BBQ grills. A fenced-in dog park will also be provided where



residents can meet and get to know one another while playing with their pets at the dog park. **DREAM 2.2 (A, B).**

H. ACCESS, CONNECTIVITY, CIRCULATION, AND PARKING

Jordan Townhomes is ideally located in Uptown Sedona less than 1/3 mile from nearby restaurants and retail stores. Access to the development will be off Jordan Road and Harris Court. Harris Court will be a 50' right-of-way dedicated to the City of Sedona, the road width will be 24' with 5' sidewalks on the north and south of the road and a landscaped parkway. Harris Court will provide access to Quail Tail Trail, an existing 20' wide roadway, and extend into the Jordan Estates Subdivision as a dead end. Quail Tail Trail will be paved by the Developer. The site can also be accessed off of Quail Tail Trail via Wilson Canyon Road through the Sierra Vista Subdivision. **Exhibit 2a.**

Emergency vehicles will have access to the site via Jordan Road, Harris Court, and Quail Tail Trail from Wilson Canyon Road through the Sierra Vista Subdivision. There is an existing fire hydrant at the northwest corner of the site and another fire hydrant proposed at the intersection of Harris Court and Quail Tail Trail. The hydrants meet the minimum spacing required by the fire department. **Exhibit 2a.**

Parking for residents and their guests will be in their garages and/or driveways eliminating the need for large expanses of parking, thereby preserving more open space on site. There will be no parking on Harris Court in front of the Jordan Townhomes project. Plan G will have shared driveways. Bicycle parking for the development will be in the garages. G units may park their bicycles under their covered patios at their units. **Exhibit 2a, Exhibit 3.**

Pedestrians will be able to walk on the sidewalks on both sides of Harris Court and along the site frontage along 10' wide sidewalks installed on the east side of Jordan Road extending to the north and south property boundaries. Sidewalks within the development and on Jordan Road will reduce traffic by encouraging a walkable development and neighborhood, thus promoting active and healthy lifestyles and creating connections with residents and adjacent neighbors. **Exhibit 2a.**

A Traffic Impact Study was prepared by Civtech, dated November 2022 included as **Exhibit 4a.** CivTech conducted a site visit of the proposed development on February 7, 2022. The existing roadway network within the study area included Jordan Road, Orchard Lane, Navahopi Road, and Hillside Avenue. Jordan Road is classified by the city of Sedona as a major collector roadway; the others are all local roads and all public roads. The potential trip generation for the proposed development was estimated utilizing the latest (11th) edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (TripGen11) and the 3rd edition of the *Trip Generation Handbook*. Civtech calculated the trip generation based on the individual 24 dwelling units expected. The analysis reveals that the new development could generate 230 total vehicle trips each weekday. Adding these weekday trips to the approximately 1,000 vehicles per day (vpd) on Jordan Road yields a total of 1,200 to 1,250 vpd, which is well within the range of volumes (1,500-3,500 vpd) expected on a collector roadway. The development could generate 30 trips (7 in/23 out) during the weekday AM peak hour and 31 total vehicle trips (20in/11 out) during the weekday PM peak hour. The development could generate 30 trips (16 in/14 out) during the Saturday peak hour, which typically occurs midday (i.e., between 11 AM and 3 PM). **LDC Section 5.4, LDC Section 5.5., 5.7, DREAM Sections 3.3 and 3.4, Exhibit 4a.**

I. EXTERIOR LIGHTING




Lighting will be dark sky compliant. The lights will be exterior wall-mounted lanterns. All fixtures will house a Bulbrite Amber LED as noted in the table below to be sensitive to the existing neighborhood and wildlife habitat. **LDC Article 5.8, DREAM 2.8., Exhibit 2d.**

Unit Type Breakdown

Plan B= 5
 Plan C= 2
 Plan G=5 (10 half units)
 Plan E= 7

Fixture Type

Wall Sconce: SeaGull 88240D-780 
 w/ Bulbrite Bulb7W LED ST18 650 Lumen

Fixture Schedule & Lumen Calculation Table

Unit Type	# of Fixtures	Watts/ Fixture	Shielding	Lumen/ Fixture	Color Temp (Kelvin)	Lumens/ Unit	Total Lumens
Plan B	4	7	Full	650	2,200	2,600	13,000
Plan C	4	7	Full	650	2,200	2,600	5,200
Plan E	4	7	Full	650	2,200	2,600	18,200
Plan G	5	7	Full	650	2,200	3,250	16,250
Total							52,650

*** Allowed Lumens (70,000/net acre X 1.59=68,704 Maximum Lumens Allowed)
 (Net acreage is the total land area of the parcel, less any area devoted to public rights-of-way)**

J. SIGNS

If signs are to be installed for the Project, they shall comply with the code and will be chosen to enhance the community and appropriately placed within the development. A sign permit would be submitted to the City of Sedona for final review and approval. **LDC Article 6, DREAM Section 2.9.**

K. TOPOGRAPHIC AND FLOOD ZONE DESIGNATION

This is a relatively flat terrain, covered with shrubs and native grass. The Project is located in Zone X of the FEMA Flood Insurance Rate Map number 04005C7444G, effective September 3, 2010. Zone X is described as an area determined to be outside the 500-year floodplain.

The site is located within the City of Sedona Floodplain Management Study prepared by the Soil Conservation Service in May 1994. The Project is not located within a 100-year floodplain per this study. There is no urban or rural floodplain located on this site. Refer to the Concept Drainage Report prepared by Shephard Wesnitzer Engineering. **LDC Section 5.3.**

L. GRADING AND DRAINAGE

The proposed drainage improvements will be designed to provide safe and efficient drainage across the project site. The open channels, catch basins, and storm drain structures will be designed to intercept 100% of the estimated 100-year flow for the on and off-site flows.

The Project will be served with an offsite underground detention structure, to be located on the Jordan Estates parcel, Assessor Parcel Number 401-05-004A (the "Jordan Estates"). Jordan Estates will grant a



drainage easement for the benefit of the Jordan Townhomes Project. All grading activities on the project site will comply with the City codes. **LDC Section 5.3., DREAM Section 3.2. Exhibit 4d.**

M. WATER AND SEWER

A new 8” water line and 8” sewer line will be designed and installed by the City of Sedona Engineering Design Standards and ADEQ. **Refer to Exhibits 4a., 4b.**

N. TRASH COLLECTION

Trash collection will be provided by Taylor Waste, each unit will have its trash and recycling receptacles. Residents will be provided educational materials on recycling at lease signing. **DREAM 2.2.**

O. PUBLIC ART

Miramonte will follow the Public Art Requirements as defined in the **LDC Section 5.9 (C)** and provide a cash contribution to the City of Sedona Art in Public Places Fund.

P. PROJECT TIMING

Once land use entitlements are completed, the intent is to submit construction documents for approval and permitting to the City of Sedona. Once permitted, construction would then commence. The expected time frame for the commencement of construction is the fourth quarter of 2023.

V. NEIGHBORHOOD MEETING & CITIZEN PARTICIPATION PLAN

The Citizen Participation Plan was prepared in accordance with **LDC Section 8.3 D** and is attached as part of this application as **Exhibit 1b.**

On January 31st, 2022, the Developer held a neighborhood meeting. Mailing was sent per the Citizen Participation Plan via first-class mail to the following;

- a. Property owners within 600’,
- b. The head of any homeowners’ association, or community/neighborhood appointed representative adjoining the project site,
- c. Other interested parties who have requested that they be placed on the notification list for a particular project.

The Public Participation Report is included in the application as **Exhibit 1c. LDC Sections 8.3(D), 8.3(E)5e.**

VI. COMMUNITY PLAN CONFORMANCE

The Jordan Townhomes conform to the Sedona Community Plan as further described below. The Sedona Community Plan identifies outcomes, visions, goals, policies, and recommendations for the community. The Community Plan was reviewed for its compatibility with, and benefits provided by the Developer’s application. This application meets the Community Plan outcomes, visions, goals, policies, and recommendations, including providing clear benefits to the community. In comparing the Community Plan to this application, there are no conflicting elements between the Plan and this proposed project. **LDC Section 8.3(E)5c.**



A. VISION

The Jordan Townhomes complies with the Vision of the Community Plan by addressing Environmental Stewardship, Community Connections, Improved Traffic Flow, Walkability, Economic Diversity, and a Sense of Place.

1. ENVIRONMENTAL STEWARDSHIP

Jordan Townhomes supports the vision of Environmental Stewardship.

- ✓ Promoting recycling by providing double trash bins for pick up and inside the units and educating tenants.
- ✓ All electric development.
- ✓ 46% of the site will remain open space.
- ✓ Native and adaptive drought-tolerant plants will be installed.
- ✓ The exterior façade of the buildings will blend with the natural environment and include colors with light reflective values of 8 and 9.
- ✓ The units will have varying heights and planes to help preserve the view shed.
- ✓ Exterior lighting will be dark sky compliant and comply with Section 5.8 of the Land Development Code.

2. COMMUNITY CONNECTIONS

The Jordan Townhomes supports the vision of Community Connections.

- ✓ A dog park will be installed to provide a place for the residents to meet and gather.
- ✓ 5' sidewalks within the development provide a walkable community.
- ✓ 5' pedestrian pathways leading to ramadas and benches for picnics and red rock viewing.

3. IMPROVED TRAFFIC FLOW

The Jordan Townhomes supports the vision of Improved Traffic Flow.

- ✓ Access to the development off Jordan Road.
- ✓ 24' wide new right-of-way into the development, Harris Court providing accessibility to residents and service vehicles.
- ✓ Parking is provided at each townhome with either a garage and/or driveway.

4. WALKABILITY

The Jordan Townhomes supports the vision of Walkability.

- ✓ 5' wide sidewalks throughout the development.
- ✓ Pedestrian pathways.
- ✓ 10' wide sidewalks on Jordan Road adjacent to the development.

5. ECONOMIC DIVERSITY

The Jordan Townhomes supports the vision of Economic Diversity.

- ✓ 24 townhome rentals, one, two, and three-bedroom units, providing diversity in housing for residents in Sedona at different socio-economic levels and incomes.



6. SENSE OF PLACE

The Jordan Townhomes supports the vision of a Sense of Place.

- ✓ The built environment blends with the natural environment through the use of building materials and color schemes.
- ✓ Natural and adaptive landscaping.
- ✓ Sustainable development.
- ✓ Dog park to bring neighbors together to create a “Sense of Place”.
- ✓ Ramadas with BBQs.
- ✓ Pedestrian pathways and park benches to enjoy Sedona’s views.

B. LAND USE, HOUSING, AND GROWTH

Goals for Land Use, Housing, and Growth include:

1. Grow only within currently established residential and commercial limits.
2. Ensure harmony between the built and natural environments.
3. Reflect a unique sense of place in architecture and design.
4. Provide public gathering spaces that promote social interaction.
5. Create mixed-use, walkable districts.
6. Encourage diverse and affordable housing options.

Jordan Townhome supports the goals of Land Use, Housing, and Growth.

- ✓ The Jordan Townhomes project site is infill. Sedona encourages the development of infill sites within the city limits.
- ✓ The adjacent land uses range from low-density to high-density residential. This Jordan Townhomes would not introduce a new use into the neighborhood.
- ✓ There is harmony between the built environment and the natural environment. Exterior finishes and colors will blend with the environment. Lighting will comply with the dark sky ordinance. The units will have varying horizontal and vertical planes to preserve the viewshed and colors to blend with the environment.
- ✓ 46% of the site is open space.
- ✓ Natural and adaptive landscaping will be installed.

C. LAND USE POLICIES

The Land Use Policies Include:

1. Approve new housing units only if within the City’s current overall limit on the total number of homes that can be built under current zoning.
2. Establish good communication with community planning groups and public agencies within the Verde

Jordan Townhomes supports the Land Use Policies:



- ✓ Miramonte's Project is located on an infill lot and the development proposal is under the current zoning and meets the required units per acre for the RM-2 zoning.
- ✓ Miramonte's Citizen Participation Plan will facilitate communication and input from the constituencies identified in this policy.

D. CIRCULATION

The goals of Circulation include:

1. Reduce dependency on single-occupancy vehicles.
2. Provide for safe and smooth flow of traffic.
3. Coordinate land use and transportation planning and systems.
4. Make the most efficient use of the circulation system for long-term, community benefits.
5. Limit the building of new roads and streets and make strategic investments in other modes of travel.
6. Create a more walkable and bikeable community.

Jordan Townhomes supports the Circulation goals:

- ✓ Due to the density and infill location of the subject property, this proposal will likely reduce commuting and traffic for workers living and working in Uptown Sedona as a result of more centralized housing options for residents.
- ✓ Miramonte's application does not require any additional access points off Jordan Road or Highway 89A.
- ✓ The location of the property and use are supportive of creating a more walkable and bikeable environment.

E. ENVIRONMENT

The Community Plan identifies 5 primary Goals as follows:

1. Preserve and protect the natural environment.
2. Ensure a sufficient supply of quality water for the future.
3. Protect Oak Creek and its riparian habitat.
4. Reduce the impact of flooding and erosion on the community and environment.
5. Promote environmentally responsible building and design.

The Jordan Townhomes is supportive of the Environment goals:

- ✓ Landscaping design shall incorporate low water usage materials.
- ✓ Promoting recycling by providing double trash bins for pick up and inside the units and educating tenants.
- ✓ 46% of the site will remain open space.
- ✓ Native and adaptive drought-tolerant plants were chosen in the Landscape Plan.
- ✓ Exterior façade and stucco colors of 8 and 9 percent to blend with the natural environment.
- ✓ Building with different heights and planes.
- ✓ Exterior lighting will be dark sky compliant and comply with Section 5.8 of the Land Development Code.



F. PARK, RECREATION, AND OPEN SPACE

The Community Plan identifies three goals under Par, Recreation, and Open Space:

1. Protect and preserve natural open space.
2. Ensure the protection of the environment while providing for responsible outdoor recreation.
3. Provide activities and amenities that allow for community interactions and encourage active and healthy lifestyles.

Miramonte's application is supportive of these goals:

- ✓ The Project will preserve 46% percent of the site as open space.
- ✓ At least 50% of the trees and shrubs will be native to the area, these plants are adapted to the dry climates of northern Arizona and are more resistant to our extreme temperatures.
- ✓ A dog park will be provided for the residents.
- ✓ 5' sidewalks promoting a walkable neighborhood.
- ✓ 5' pedestrian pathways within the development.
- ✓ 10' sidewalks on the east side of Jordan Road on the

G. ECONOMIC DEVELOPMENT

This section of the Community Plan identifies five goals for the community.

1. Support locally owned businesses.
 2. Recruit new businesses and organizations representing different business and institutional sectors that diversify Sedona's economic base.
 3. Preserve and enhance Sedona's tourist-based economic sector.
 4. Incorporate an assets-based framework into the City's economic development efforts.
 5. Improve the City's transportation, information, and communication infrastructure to allow the businesses to compete regionally, nationally, and globally.
- ✓ The Jordan Townhomes Project does not directly address these goals.

Community Policies identified in this section that are supported by this application:

1. Partner with the private sector to build an economically and environmentally attractive community by utilizing the City's unique image to promote new investment.
 - ✓ The Jordan Townhomes does not directly address this policy.
2. Attract high-wage employment opportunities and professional-based businesses to diversify the City's economic base and generate positive secondary benefits for the community.
 - ✓ The Jordan Townhomes does not directly address this policy.

While the Jordan Townhome application doesn't directly address the Economic Development goals listed here, the addition of 24 townhome units supports Sedona's economy by providing additional rental housing for the community. It is anticipated that there will be an increase of over 1600 jobs in the next ten



years. Additional housing is needed for Sedona’s workforce. **Housing Needs Assessment, dated November 2030.**

H. COMMUNITY

This section of the Community Plan provides for five distinct goals:

1. Cultivate an appreciation and respect for Sedona’s distinctive community character.
2. Ensure that the needs and aspirations of the community now and into the future are met through a variety of cultural activities, opportunities, and facilities.
3. Create increased opportunities for formal and informal social interactions.
4. Enhance opportunities for artistic display, engagement, and learning.
5. Preserve and celebrate the community’s history.

Policies of this section that are supported by this application include the following:

3. Attract and retain creative professionals, businesses, and educational intuitions that contribute to the arts, cultural, and economic vitality of the community.
- ✓ Miramonte’s application provides housing for the creative professionals and businesses sought by the City, for themselves, and their employees, thus contributing to the vitality of the community, a Community Benefit.

VII. FINAL DESIGN REVIEW AND APPROVAL REQUESTED

As demonstrated throughout the Letter of Intent, this development proposal has met the applicable requirements of the Land Development Code and the Design, Review, Engineering, and Administrative Manual requirements of **LDC Section 8.3E(5)**. All required plans and documents have been submitted and are included in the packet and fees have been paid. The Developer requests final review and approval by the City of Sedona and decision-making bodies. **LDC 8.3E(5)a, DREAM 1.2A.**

EXHIBIT 1a. Application

Project Application

fillable PDF available online at:
www.sedonaaz.gov/projects



City Of Sedona

Community Development Department

102 Roadrunner Drive Sedona, AZ 86336
 (928) 282-1154 • www.sedonaaz.gov/cd

Application for (check all that apply):

- | | | | |
|---|---|--------------------------------------|---|
| <input type="checkbox"/> Conceptual Review | <input type="checkbox"/> Comprehensive Review | <input type="checkbox"/> Appeal | <input type="checkbox"/> Time Extension |
| <input type="checkbox"/> Community Plan Amendment | <input type="checkbox"/> Development Review | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Minor Modification |
| <input type="checkbox"/> Zone Change | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Variance | |

Project Information	Project Name			
	Project Address		Parcel No. (APN)	
	Primary Contact		Primary Phone	
	Email		Alt. Phone	
	Address		City/State/ZIP	
Office Use Only	<i>Application No</i>		<i>Date Received</i>	
	<i>Received by</i>		<i>Fee Paid</i>	

Project Description	
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Additional Contact Information: Please complete the following for all companies/people authorized to discuss the project with the City. Please attach additional sheets if necessary.

Contact #1	Company		Contact Name	
	Project Role		Primary Phone	
	Email		Alt. Phone	
	Address		City/State/ZIP	
Contact #2	Company		Contact Name	
	Project Role		Primary Phone	
	Email		Alt. Phone	
	Address		City/State/ZIP	
Contact #3	Company		Contact Name	
	Project Role		Primary Phone	
	Email		Alt. Phone	
	Address		City/State/ZIP	

EXHIBIT 1b. Citizen Participation Plan



**Citizen Participation Plan
Jordan Townhomes
A.P.N. 401-58-001A
January 10, 2022**

In connection with our application for design review for the Jordan Townhomes, the applicant, Jordan Road Lofts LLC, (Owner/Developer) has formulated this Citizen Participation Plan and welcomes feedback from the City of Sedona (the "City") regarding any of the details set forth herein. The information herein is intended to comply with relevant portions of the Land Development Code (the "Code"), Section 8.3 D. Citizen Review Process.

Introduction

Jordan Road Lofts, LLC is proposing to develop a 2.06-acre parcel located off Jordan Road, Sedona, Arizona, Assessor Parcel Number 401-58-001A. The development will consist of twenty-two, two story townhomes consisting of 76 bedrooms.

The property is zoned Multi-Family Residential High Density (RM-2) and allows for 12 units per acre.

Citizen Review Process, Land Development Code, Section 8D.

1. Purpose

The citizen review process is intended to:

- a. Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;
- b. Ensure that citizens and property owners within the community have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and

- c. Facilitate ongoing communication between the applicant, interested citizens, and property owners throughout the application review process.
2. Applicability
 - a. Applicant is requesting a public hearing and therefore shall prepare a citizen participation plan. Implementation of the plan shall begin upon submittal of the application.
 3. Target Area
 - a. Property owners within 600’.
 - b. The head of any homeowners’ association, or community/neighborhood appointed representative adjoining the project site; and
 - c. Other interested parties who have requested that they be placed on the notification list for a particular project.
 - d. The Director may determine that additional notices or areas should be provided.
 4. Citizen Participation Plan

The Target Area will be notified via first class mail of the proposed project, a virtual meeting will be scheduled on January 31st at 5:00 PM to provide an opportunity for interested parties to learn more about the project, provide suggestions and ask questions.

At the meeting, attendees will sign in, and an introduction and overview of the development will be presented. After the presentation, attendees will have the opportunity to ask questions and provide comments. Developer will invite contribution of comments and concerns to be submitted in advance of the meeting via email and at the meeting via chat features through the online meeting service. Upon collection of the attendees’ written responses, Miramonte will discuss some of the comments received and facilitate an open forum discussion with attendees. Miramonte will provide attendees with contact information to permit follow up discussions with any interested participant.

5. Citizen Participation Report

Pursuant to Code Section 8.3 D. (7) after the meeting a written summary of the meeting will be prepared and submitted to the Community Development Director. The report will include the (i) dates and location of the meeting; (ii) a copy of the notices provided, including dates and number of mailings or deliveries; (iii) a copy of the mailing list and a summary of where residents, property owners, and potentially affected citizens receiving notices, newsletters, or other written materials were located; (v) the number and names of people that participated in the process based on the sign-in sheet.

In addition, Miramonte's report will contain a summary of concerns, issues and problems expressed during the neighborhood meeting, including: (i) the substance of the concerns, issues, and problems raised during the process; (ii) how Miramonte has responded to these comments.

Finally, Miramonte will provide a copy of the written summary to all attendees who recorded their name on the sign-in sheet via e-mail. Miramonte welcomes any feedback from the City regarding its proposed neighborhood meeting plan.

Exhibits

Neighborhood Notice Letter

600' Radius Map

Owner Address Labels



Via First Class Mail

RE: Invitation for Citizen Participation Neighborhood Meeting
For: Jordan Townhomes
Property Owner/Developer: Jordan Road Lofts, LLC
Project Name: Jordan Townhomes
Property: A.P.N.: 401-58-001A

Dear Neighbors and Interested Parties:

We are pleased to invite you to a virtual Neighborhood Meeting, as an opportunity for you to provide your comments related to the development proposal Jordan Townhomes for the property located off Jordan Road, in Sedona, Arizona, Assessor Parcel Number 401-58-001A.

Jordan Road Lofts, LLC is the owner and developer of the property and proposes to develop 22 townhomes on the 2.06-acre parcel. The property is zoned Multi-Family Residential High Density (RM-2) and allows for 12 units per acre. The proposed development is allowed under the current zoning.

At the meeting, we will share additional documents and information about the project. The meeting structure will include an introduction of the project, optional written contribution from attendees, discussion of attendees' written contribution, and an opportunity for discussion with the various project team members.

**The meeting will be held virtually
Monday, January 31st, 2022
at 5:00PM**

To attend the meeting, login to the zoom link.

Topic: Jordan Townhomes

Time: Jan 31, 2022 05:00 PM Arizona

Join Zoom Meeting

<https://us02web.zoom.us/j/85074983525?pwd=ZmdGSmpieTJkM0JIN251TnRVekNRUT09>

Meeting ID: 850 7498 3525

Passcode: 197254

Dial by your location

1-346-248-7799 US



Interested persons may submit their comments/questions in advance of the meeting to, Charity Lee, clee@miramontehomes.com, or by mail at Miramonte Homes, 102 S. Mikes Pike, Flagstaff, AZ. 86001. For more information call (928)600-3594.

For Additional Information Contact:

Cari Meyer, Planning Manager
City of Sedona, Community Development Department
Community Development
102 Roadrunner Drive
Sedona, AZ 86336
cmeyer@sedonaaz.gov
(928) 203-5049

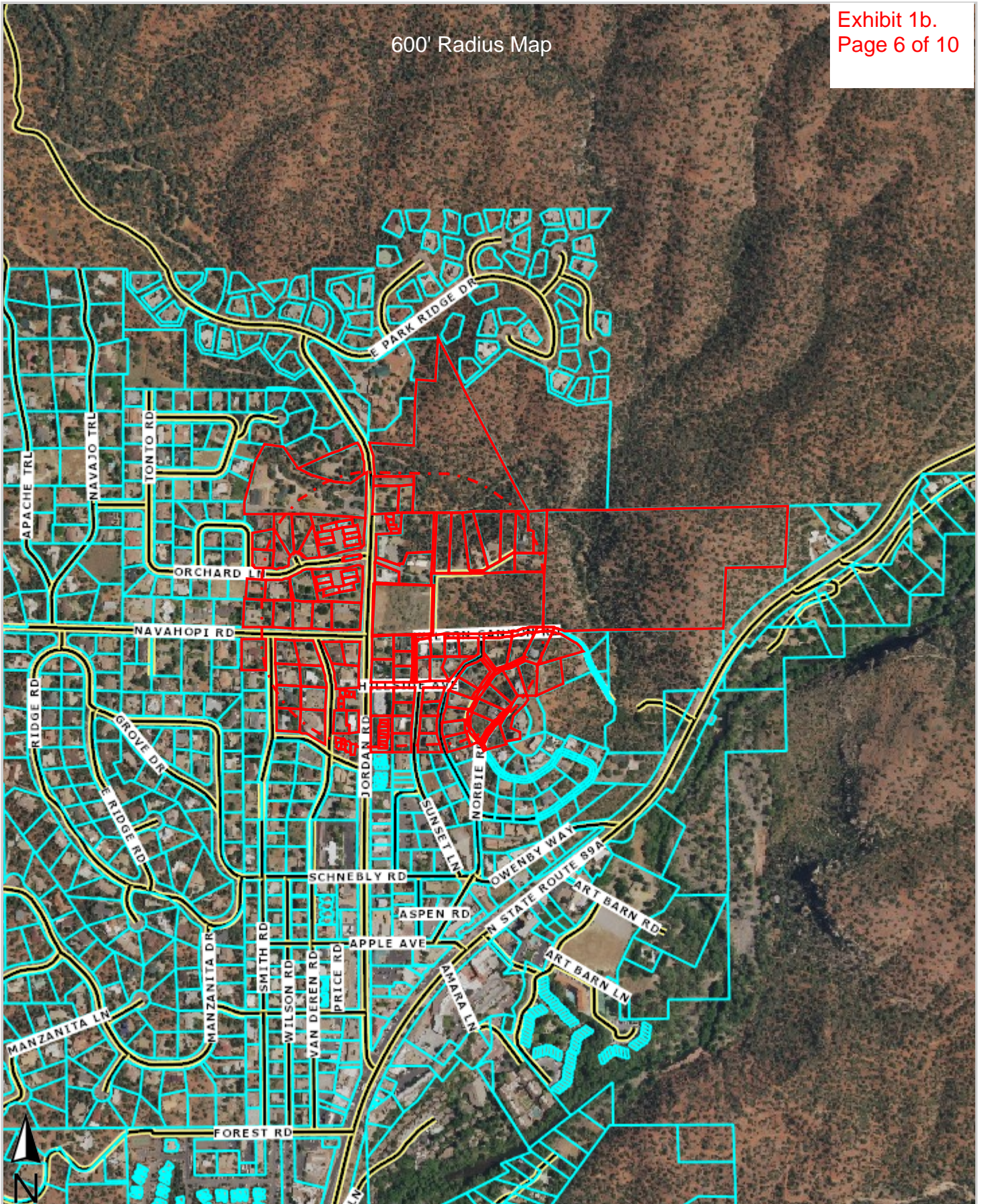
The developer and engineering team will be available at the meeting to answer your questions.

Sincerely,

Charity Lee
Land Acquisition and Development Manager
Miramonte Homes
102 S. Mikes Pike St.
Flagstaff, Az 86001
(928)600-3594
clee@miramontehomes.com

Encl.
Site Plan Exhibit
Architectural Drawings

600' Radius Map



Pioneer Title Agency
 COMMITMENT TO SERVICE

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

Sedona City Of
102 Roadrunner Dr
Sedona AZ 86336

Spaght David Lewis Rev Living Trust
346 Navahopi Rd
Sedona AZ 86336

Wilcoxson Decedents Family Rev
Trust
PO Box Ff
Sedona AZ 86339

Mark Buchanan
5030 E Calle Barril
Tucson AZ 85718

Joseph Murphy
PO Box 717
Sedona AZ 86339

Crowder-Pierce Living Trust
1084 E Park Ridge Dr SW
Sedona AZ 86336

Jerry Gilden
1151 Palisades Dr S
Sedona AZ 86336

Holmes Family Trust
650 Jordan Rd
Sedona AZ 86336

Klt Flagstaff LLC
4268 E Coburn Dr
Flagstaff AZ 86004

656 Jordan Lane LLC
656 Jordan Rd
Sedona AZ 86336

Recek-Cepek Family Trust
PO Box 216
Sedona AZ 86339

Smith Reyes Tempe LLC
2906 E Windsong Dr
Phoenix AZ 85048

David Blakemore
2885 Sanford Ave SW No 38002
Grandville MI 49418

Viviane Winthrop
PO Box 1803
Sedona AZ 86339

Kevin Scheel
6046 W Robin Ln
Glendale AZ 85310

Tenbroek Mark J Living Trust
3744 W Huron River Dr
Ann Arbor MI 48103

Jordan Road Lofts LLC
2502 E River Rd
Tucson AZ 85718

Carolyn Hartman
618 Camino De La Costa
La Jolla CA 92037

Miller Family Trust
760 Quail Tail Trl
Sedona AZ 86336

Miller Family Trust
375 Redondo Ave
Long Beach CA 90814

Jane Spain
PO Box 1149
Hobe Sound FL 33475

Green Hugh E Trust No 2
PO Box 2
Comins MI 48619

Roger Dybas
3336 N Randolph Rd
Phoenix AZ 85014

Karl Jenks
250 Hillside Ave
Sedona AZ 86336

Paul Lebrun
173 Wilson Canyon Rd
Sedona AZ 86336

Connolly Nonexempt Marital Trust
1433 Jesusita Rd
Santa Barbara CA 93105

Carol Schaeffer
141 Lake Dr
Sedona AZ 86336

Eldemira Portillo
25 Cochise Dr
Sedona AZ 86351

David Myers
595 Sunset Ln
Sedona AZ 86336

Houck Gary Dale & Anitra Lynn Rev
Trust
PO Box 1910
Sedona AZ 86339

Chilson Sharen L Rev Trust
229 Wilson Canyon Rd
Sedona AZ 86336

Theodore Nancy L 2011 Declaration
Of Trust
643 Oakhurst Dr
Naperville IL 60540

Deborah Sheahan
189 Wilson Canyon Rd
Sedona AZ 86336

Marrin Robinson
535 Circle Dr
Sedona AZ 86336

Diane Cooper
PO Box 687
Sedona AZ 86339

Gagon Fred H Jr Fam Livi Trust
3465 E Contessa St
Mesa AZ 85213

Sheila Smith
2658 N Peregrine Pl
Boise ID 83702

Theroux Family Trust
583 Circle Dr
Sedona AZ 86336

Lisa M Machina
1110 E Appalachian Rd
Flagstaff AZ 86004

Kolb Family Trust
27035 Diamondhead Ln
Rancho Palos Verdes CA 90275

Robin Blakey
595 Circle Dr
Sedona AZ 86336

Monty Wilson
385 Van Deren Rd
Sedona AZ 86336

Tropshaw Living Trust
3134 E Fargo Cir
Mesa AZ 85213

Monty Wilson
585 Norbie Rd
Sedona AZ 86336

Jka Trust
600 Norbie Rd
Sedona AZ 86336

Robert Block
82-5995 Coffee Pl
Capt Cook Kona HI 96704

Gary Morgan
1461 Deborah Dr
Clarkdale AZ 86324

William Sawyer
530 Norbie Rd
Sedona AZ 86336

Allan Benchman
605 Circle Dr
Sedona AZ 86336

Arizona Water Company (Sedona)
PO Box 29006
Phoenix AZ 85038

Sunset Mountain LLC
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Sedona AZ 86336

Bros Yannick
540 Sunset Ln
Sedona AZ 86336

Salvatore Tardio Jr
555 Mountain View Dr
Sedona AZ 86336

Marilyn Videlock
570 Hillside Ave
Sedona AZ 86336

Eileen Thompson
2329 Saint Elias Dr
Anchorage AK 99517

Jill Barnett
545 Sunset Ln
Sedona AZ 86336

Eric Juven
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Moorhead MN 56560

Carlton Woodson
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Cornville AZ 86325

Thomas Gorman
300 Apache Trl
Sedona AZ 86336

Three Strands LLC
2336 E Magnolia St
Phoenix AZ 85034

Loretta Johnstone
7238 Hendry Creek Dr
Fort Myers FL 33908

Diana Lee
40 Starview Ct
Sedona AZ 86351

Reeves Family Trust
278 E Paul Dr
Payson AZ 85541

Service Contractors Inc
PO Box 1909
Sedona AZ 86339

Gary Houck
PO Box 3982
Sedona West AZ 86340

Earl Gross
817 N Ridgeland Ave
Oak Park IL 60302

Jane Lammers
3848 Flowerwood Ln
Fallbrook CA 92028

Joseph Kerby
2711 E Melrose St
Gilbert AZ 85297

Red Rock Solutions LLC

Sedona Lodging Inc
595 Jordan Rd
Sedona AZ 86336

Jon Whitcomb
502 Granada Rd
Phoenix AZ 85003

Russell Edward K & Julie Metha
Family Trust
437 B Ave
Coronado CA 92118

Paula S Caldwell
5 Palatki Cir
Sedona AZ 86351

Steven Pishdad
559 Jordan Rd No 2
Sedona AZ 86336

Jodie Porumb-Wilson
559 Jordan Rd No 4
Sedona AZ 86336

Schryer Family Trust
11160 E Gold Dust Ave
Scottsdale AZ 85259

541 Jordan LLC
1040 Coast Blvd S No 102
La Jolla CA 92037

Alice Hawkins
7301 E Old Walnut Canyon Rd
Flagstaff AZ 86004

Steven Stallings
640 N Lisbon Ct
Chandler AZ 85226

Peter Wright
2 F Somerset Hills Ct
Bernardsville NJ 07924

Newlee Family Trust
360 Capital Butte Dr
Sedona AZ 86336

John Skaneski
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Tarpon Springs FL 34689

Joel Rudick
PO Box 4301
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Vinod Robert
85 Meadow Lark Ln
Sedona AZ 86336

Jensen Rev Trust
PO Box 5
Sedona AZ 86339

Edwin Rivera
909 Queens Ct
Santa Maria CA 93454

Arbogast-Athenour Family Trust
560 Smith Rd
Sedona AZ 86336

Diane Cooper
4946 Lasalle Ave
Bellingham WA 98229

Robert Morgan
560 Navahopi Rd
Sedona AZ 86336

Jannie Turner
3565 N Park Dr
Flagstaff AZ 86004

Donna Meek
2145 Sanborn Dr
Sedona AZ 86336

Richard Helt
1201 W University Heights Dr S
Flagstaff AZ 86005

Frederick Avery
340 Orchards Ln No 3
Sedona AZ 86336

Ratkovic Sally Ann Rev Trust
23368 N 74Th Pl
Scottsdale AZ 85255

Russell Turner
713 N Brainard Ave
La Grange Park IL 60526

Kelly Miller
340 Orchard Ln No 6
Sedona AZ 86336

Patricia A Falkowski Trust
906 Gloucester Xing
Lake Forest IL 60045

Fontaine Janet 2003 Family Trust
19836 Dawson Ln
Farmington MN 55024

Marcia Whiteside
PO Box 1318
Sedona AZ 86339

Gibson Family Rev Trust
335 Orchard Ln No 3
Sedona AZ 86336

Anne Andrade
335 Orchard Ln No 4
Sedona AZ 86336

Patricia Andrade
335 Orchard Ln No 5
Sedona AZ 86336

Fridley-Roemer 1999 Rev Trust
335 Orchard Ln No 6
Sedona AZ 86336

Conrad Family Trust
360 Orchard Ln
Sedona AZ 86336

Linda Jones
370 Orchard Ln
Sedona AZ 86336

Catherine Depasquale
380 Orchard Ln
Sedona AZ 86336

Barton Barbara A Rev Trust
400 Orchard Ln
Sedona AZ 86336

Winston Victor Living Trust
1358 Northwyck Ct
Mc Lean VA 22102

Spinelli Living Trust
2065 Whippet Way
Sedona AZ 86336

Clark Family Living Trust
389 Orchard Ln
Sedona AZ 86336

Nobuo Suzuki
359 Orchard Ln
Sedona AZ 86336

Richard Cseak Jr
1741 S Clarkson St
Denver CO 80210

Daniel Ghidoni
132 Rhode Island Ave
Lyman ME 04002

Recek-Cepek Family Living Trust
720 Jordan Rd #3
Sedona AZ 86336

Flam Marshall S Rev Trust
5451 N Parrish Way
Fresno CA 93711

EXHIBIT 1c. Citizen Participation Report

PUBLIC PARTICIPATION REPORT
JORDAN TOWNHOMES
Updated 3-14-2023

The Developer mailed 230 notifications of the neighborhood meeting on January 15, 2022, 2023 via first-class mail to the Target Area as identified in the Public Participation Plan. The meeting was held on January 30, 2022, via zoom, and 14 neighbors and interested parties attended. The meeting was scheduled for one hour and ended at one hour and twenty minutes. The Developer presented the project and afterward, the attendees asked questions and expressed concerns about rental rates, access from Wilson Canyon Road, short-term rentals, number of bedrooms and style of the units, construction staging, dust and traffic during construction, parking on Harris Court, deed restricting the land and/or including an HOA to prohibit short term rentals, and EV charging in the garages of the units. The meeting minutes are included as **Exhibit A** of the report.

The Developer also received e-mails from concerned residents which are attached as **Exhibit B**.

Below are the responses from the Developer related to the concerns, questions and comments that have been presented from the community regarding the Jordan Townhomes Project.

Question: Are the units for purchase or rent?

Response: This is a rental project.

Question: Will Quail Tail Trail be blocked to the South, so the residents can't access Wilson Canyon Trail?

Response: No

Question: Is the Common Area in the development available to the public.

Response: The Common Area/Open Space is for the residents and not open to the public.

Question: What will the rental rates be?

Response: The rents will be based on construction costs and the market value.

Question: Will Air B&B's be in the development.

Response: That is not our plan for the development.

Question: Will you be providing a gate to block off access to Wilson Canyon Road.

Response: No, we will not be providing a gate to block off access to Wilson Canyon Road. Access to Jordan Townhomes may be off Jordan Road and Wilson Canyon Road, which are both public rights-of-way.

Question: Would you be open to closing off Wilson Canyon Road?

Response: That is a question for the City of Sedona as it is a public right of way. That is not a decision that the Developer would make.

Question: The last proposal that we saw from Don Woods was to have a separate access road to Jordan Road to allow for the single-family residential to the east and Qual Tail properties to access off that road to Jordan Road and then there was a loop road for the townhomes that would come into that road. I think the difference is that you are looking to have all the single-family homes exist from the middle of the multi-family development where previously there was a separate road with separate connections.

Response: We will not be installing a loop road for the townhomes. Harris Court is 24' wide and meets the City's Engineering Standards.

Question: Can the buildings blend with the existing style instead of the modernistic development that you're proposing? Can the development be changed a bit? Because of the eclectic nature of the existing homes the development doesn't seem to fit.

Response: Uptown Sedona is eclectic, there's a variety of different styles. Most of the homes off Jordan Road are old and were built in the 1980s, we don't want to build a project that looks old. We are blending with the natural environment, we've chosen colors that are darker and have low reflective values, we think our project will be very attractive and will also increase the value of properties in the surrounding neighborhood.

Question: Will there be an onsite management office?

Response: No.

Question: Will the homes be rented out to multiple people?

Response: Our plan is not to rent by the room.

Question: Would you be willing to have CC&Rs to restrict renting by the room or lease terms less than 90 or 30 day rentals?

Response: No, we don't intend to encumber the property with CC&Rs.

Question: Will you be renting the townhomes fully furnished since 30-day rentals will be your minimum?

Response: That is not our intent.

Question: Back in May of last year (2021) there was a question asked at the first public meeting about soil testing, we know that the parcel you are planning on developing was historically used as a reservoir for 1500 or so trees in the Orchards and there could be a potential for lead and arsenic and other organic chemicals to have been used on those properties. At that meeting

the response was that you were planning on doing environmental testing in terms of environmental site assessment and I wonder if that had been completed and if the results are available at this time?

Response: We have done all our inspections and just recently acquired the property. A Phase I Environmental Assessment was completed. We don't desire to share our report it's our property and our private property. If there were any concerns that had been presented we would address them and take care of them, but there were none that were identified.

Question: Are you trying to be consistent with the Climate Action Plan for Sedona, which calls for no natural gas and calls for heat pump type mini split systems? Are you planning to use solar on the site? 5 KW per unit would probably reduce the cost of electricity for the residents down to nothing and the return on investment would probably be four or less years.

Response: We will be doing an all-electric development including all electric Energy Star Certified appliances. We will not be adding solar, it is not financially viable for this project.

Question: There are 22 units, and I didn't see any that are one bedroom. Let's just say there are 70 bedrooms. My observation is that the development is approximately the same number of bedrooms with 36 units that you were proposing on the development last year. Since 82 or 84 units translated into 500 trips per day, it seems that 125 vehicle trips per day is an underestimate. How are you going to handle it if a bunch of people get together, for people in a four-bedroom, and lease the units where are their cars going to go not just for parking but down Jordan Road?

Response: We have added a one bedroom unit. There will be 24 units and 59 bedrooms. All units except the G unit have a garage and all units have an extended driveway to allow for multiple vehicles to park. There will be no parking on Harris Court and "No Parking" signs will be installed.

A Traffic Impact Study was prepared by Civtech, dated November 2022. CivTech conducted a site visit of the proposed development on February 7, 2022. The existing roadway network within the study area included Jordan Road, Orchard Lane, Navahopi Road, and Hillside Avenue. Jordan Road is classified by the city of Sedona as a major collector roadway; the others are all local roads and all public roads. The potential trip generation for the proposed development was estimated utilizing the latest (11th) edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (TripGen11) and the 3rd edition of the *Trip Generation Handbook*. Civtech calculated the trip generation based on the individual 24 dwelling units expected. The analysis reveals that the new development could generate 230 total vehicle trips each weekday. Adding these weekday trips to the approximately 1,000 vehicles per day (vpd) on Jordan Road yields a total of 1,200 to 1,250 vpd, which is well within the range of volumes (1,500-3,500 vpd) expected on a collector roadway.

Question: You're adding a public right-of-way within the property, does the calculation of 12 units per acre include the right-of-way that you are adding? It seems that you would want to remove the right-of-way doing that calculation, and if you do then that bring you down to 1.70 acres, which would be 20 units would be the correct number, would you comment on that?

Response: Harris Court right-of-way was removed when calculating the density. The north side of Harris Court is .85 acres or 36,827 SF and is 10 units (12 units with the .5 half units) with a density of 11.76 units to the acre. The south side of Harris Court is .77 acres or 33,478 SF and has 9 units (12 units with the .5 half units) with a density of 11.69 units to the acre. The project provides a total of 24 units which are equivalent to 19 units per the Sedona Zoning The Land Development Code, **LDC Section 2.24 (B)** allows for units less than 500SF to be counted as half units (.5) when calculating density, therefore the 24 units count as 19 units per the zoning code.

Question: When do you plan to break ground and start construction?

Response: We plan to start horizontal construction in the fall of 2023 after civil plan approval and permits have been received.

Question: Where will the workforce that is constructing the units park?

Response: We own the site to the east which could possibly be a construction staging site, or we could do phasing on the project site and allow our contractors to park on the project site and coordinate the horizontal construction. It's a matter of coordinating, but we would park on our own project site.

Question: What is the plan for water sourcing as far as degradation of water pressure from all this new construction. How do you intend to address that if that should happen?

Response: Arizona Water Company has given us water approvals that we can go ahead and add this many units into the service area.

Question: Are you intending to put a common mailbox like many apartment complexes do and where would that be located?

Response: Yes, we proposed to have a central cluster unit mailboxes on the south side of the development between Buildings 3 and 4 for the residents.

Question: Where did the name Harris Court come from?

Response: The name came from the prior site plan that was proposed with the prior developer.

Question: Maybe the name could be Harris Hawk Court.

Response: We would be fine with changing the name of Harris Court if that is important to the surrounding residents.

Question: If your leases are down to 30 days and you're not furnishing the units, does that mean people could be moving in and out every 30 days with furniture?

Response: No, we don't anticipate that residents will be moving out every 30 days and moving furniture in and out.

Question: To have individual trash service instead of a common dumpster seems to me to be very difficult to work with people with short-term rentals and I think your setting yourself up for problems with javelina knocking over the containers, it's a huge problem in Uptown and having another 22 of those just gives them more to feed on.

Response: The apartment townhomes will have their own trash and recycling receptacles that will be placed for trash pickup at the end of their private driveways on Harris Court. Residents will be required per their lease agreement to promptly remove the bins from the street within 24 hours of trash and/or recycling pick-up. The trash and recycling receptacles will be hidden from the public view and placed in the garages of the units. The G unit will include a screening so the receptacles are not visible from the street. The development will not include loading facilities as a commercial component is not included in this development.

Question: I'm just wondering with the number of units, rooms and number of people that will be there have you sat down with the fire department to address the issue if you had a forest fire and people being able to get out? Because we have issues with Wilson Canyon being a small road and in the last minute it can get very desperate. Have you addressed that at all, because I know it came up in the prior development proposal?

Response: Emergency vehicles will have access to the site via Jordan Road, Harris Court, and Quail Tail Trail from Wilson Canyon Road through the Sierra Vista Subdivision. There is an existing fire hydrant at the northwest corner of the site and another fire hydrant proposed at the intersection of Harris Court and Quail Tail Trail. The Hydrants meet the minimum spacing required by the Fire Department. The corner improvements are designed to meet the minimum turning radii of 25' for both the City and Fire Department Standards. Pedestrian pathways will be installed around the building providing access around the buildings and connectivity to Harris Court, Quail Tail Trail and Jordan Road.

Question: Are there any Miramonte Developments that are currently managed as rentals?

Response: We have multiple rental projects in Tucson, Flagstaff and in Montana. We hire a management company to manage the rental projects.

Question: How many of those contain short-term rentals?

Response: None.

Question: Does that go for your single-family residential as well?

Response: We are planning on selling the single family sites. As far as what an individual owner would want to do with those I don't know, but they will be for sale.

Question: Will you have an HOA for the single family residential lots?

Response: We haven't gotten to that point with that project so I don't know.

Question: Are any walls being built?

Response: No, we will be planting native and adaptive landscaping for buffering between the Jordan Road and the development as well as on the north and southside of the project.

Question: Will you be providing EV parking or circuits?

Response: The townhome units will be EV-capable by installing an electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the EV parking in the garages.

Question: Will there be parking allowed on Harris Court?

Response: No, Parking will not be permitted on Harris Court. "No Parking" signs will be installed.

Question: If you have a laydown yard on the east parcel how are you going to guarantee we'll have access during the construction period? Will you have a site or layout plan for construction activities to make sure that we're ok?

Response: Yes, absolutely. I don't know at this time exactly where the construction yard will be, but working with our contractor we would put together a traffic plan and if directional signs are needed we would install those. There would be a plan, our intent is not to block any traffic for residents north of Quail Tail Trail or south off Wilson Canyon. We would work with our contractor regarding the traffic circulation.

Question: Dust control, how would that be managed through the life of the project?

Response: We'll be working with our contractor to mitigate dust. Dust control measures will be implemented during construction to ensure that temporary air impacts are reduced to insignificant levels and conform to ADEQ requirements. Measures shall include 1) watering all areas of exposed earth surfaces with non-potable water. 2) avoiding the overfilling of trucks to minimize potential spillage. Care will be taken to not use too much water, thereby causing runoff and erosion.

Question: I have a request that you create an HOA for the Jordan Estates subdivision to help protect us from Airbnbs.

Response: At this time, we have not determined what our plan is for the Jordan Estates single family development site.

Question: Will the final design address the “masing” of the exterior walls facing Jordan? The current plan shows one long flat wall. I believe the city planning requirements call for a 6’ massing maximum, which would mean that Miramonte would have to visually alter the wall with indents, bump outs, arches etc. and other architectural features to break up the mass. Is there any plan for green space, sidewalk or other outdoor features to promote interaction and community among the residents?

Response: The buildings units all vary in height by a minimum of two feet, and each building has a minimum of 100 square feet set back at a depth of 6’ or greater oriented toward Harris Court. The larger taller units are located internally to a the site. Building units step down in height from 25’ down to 18’. The buildings will have horizontal and vertical articulation with the varying of unit sizes, unit heights and horizontal separation between the units. All sides of the buildings will include stucco siding, windows and stone veneer. The front of the units will also include covered front patios with standing seam corrugated metal roofs. The front of the units will have 30-37% apertures and the street side units will have 30% apertures.

EXHIBIT A
Jordan Townhomes Public Participation
Neighborhood Meeting January 31, 2022, via Zoom

Attendees:

Stanford and Leigh Hartman- stanford.hartman@gmail.com, 619-990-8941
Fred and Rosemary Anderson
Mark Tenbroek-tenbroekmj@gmail.com
Adam Wayne-adam@beyondadobe.com
Tom and Nancy Theodore Theodore-tom@wealthsc.com, tom@wealthsc.com
Dave Theroux-dave.theroux@gmail.com
David Myers
Cheryl Barron 595 Jordan Rd.
Thomas Theodore-205 Wilson Canyon
Cheryl Barron-595 Jordan Road
Rick Cseak-rcseak@aol.com, M7208545876, 720 Jordan Road, #1, Sedona, AZ. 86336
Ann Holland- ann.holland99@gmail.com, 60 Elberta Drive
Jen Theroux-jlmtheroux1@gmail.com, 603-321-6388
Tonie Hansen

Comments:

Thomas Theodore- Are the units for purchase or rent?

Charity Lee- We plan to rent, this is planned to be a rental project. At this time there is no condo plat or subdivision plat proposed. We intend to retain ownership and rent the townhomes.

Thomas Theodore- Will Quail Tail Trail be blocked to the South, so they can't access Wilson Canyon Trail?

Charity Lee- We're not providing access to Wilson Canyon Road. We'll improve Quail Tail Trail but there will not be access from Quail Tail Trail to Wilson Canyon Road.

Jen Theroux- You mentioned there is common space available to the public in the facility, can you tell me more about that?

Charity Lee- The common space is for the residents. When I mentioned "sense of place" I was referring to the dog park that will be onsite. We don't propose that would be open to the public.

Cheryl Barron- Can you tell me the range of rent that you will be looking at?

Charity Lee- The rents will be based on construction costs and the market value once they are constructed. I anticipate that the units will start leasing in late 2023 and 2024, at this time there is no way to determine what the rents will be at that time.

Cheryl Barron- Will Air B&B's will be in the development.

Charity Lee- That is not our plan for the development.

Adam Wayne- Regarding the roads, you said that you would probably improve Quail Tail Trail but not provide access to Wilson Canyon Road. Does that mean you are going to provide some type of gate or blockade to prevent people from using Wilson Canyon Road from Quail Tail Trail? And will that be for the townhomes, or will there be separate access to Wilson for our single-family homes?

Charity Lee -Do the residents north of Quail Tail Trail use Wilson Canyon Trail as their access?

Mark TB- Yes, Wilson Canyon Trail is currently the only access for the residents north of Quail Tail Trail. The concern that many people have is that if the connection to Wilson Canyon Trail is shut off, the current residents of about 15 homes would have to pass through your development as well as the 8 single-family homes that are being proposed to the east and it would be congested and not ideal.

Charity Lee- We don't have plans to shut off Wilson Canyon Road. I think what we'll need to do is communicate with our residents that they don't have permission to use Wilson Canyon Road. As far as the Jordan Estates development, which will be 8 single-family residential homes just east of the Jordan Townhomes, they will go through the Jordan Townhomes project to their properties. We don't have any roads proposed off Wilson Canyon Road for our residents to access for either Jordan Townhomes or Jordan Estates. The intent is that our development access is off Jordan Road and not Wilson Canyon Road.

Mark TB- And all the other properties would drive through your development is what you're saying.

Charity Lee- All the other properties for our development, are the Jordan Townhomes and Jordan Estates.

Mark TB- And the existing Qual Tail Trail would travel through the middle of the multi-family development, right?

Art Beckwith- We're not proposing to stop traffic on or off Wilson Canyon Road. The development will be connected to Wilson Canyon Road. The residents that come up through Wilson Canyon will still be able to continue to go up through Wilson Canyon to Quail Tail Trail to their property or they could choose to go to Harris Court, which could be done as well. The plan is not to shut off Wilson Canyon Road.

Adam Wayne- Would you be open to closing it down to help limit the traffic through our streets?

Art Beckwith- That's a question for the City.

Adam Wayne- I'm asking Miramonte if that is something you would be open to.

Charity Lee- I think we can look into that to see if that is something we would consider. I don't know what that would entail at this point. Is that a specific request of the neighborhood that they want that access to be closed off to only the residents north of Qual Tail Trail?

Jen Theroux: Yes, please request to close Wilson Canyon Road except for emergency.

Adam Wayne- I am speaking for myself and the residents of the Sierra Vista neighborhood, it is certainly something we would like to see. We've got limited widths in the streets and there are a couple of turns

that our garbage truck can't make. I don't think it's a good use for a major ingress/egress to the new development. I am not opposed to leaving it available for emergency use.

Art Beckwith- The only access to the Quail Tail properties is through Quail Tail Trail from Wilson Canyon, they have an ingress/egress access easement over and across our property that would be difficult to extinguish without everyone's approval. The City would be the one that would have to dictate whether we were to do that or not.

Mark TB- The last proposal that we saw from Don Woods was to have a separate access road to Jordan Road to allow for the single-family residential to the east and Qual Tail properties to access off that road to Jordan Road and then there was a loop road for the townhomes that would come into that road. I think the difference is that you are looking to have all the single-family homes exist from the middle of the multi-family development where previously there was a separate road with separate connections.

Art Beckwith- It's in essence a subdivision road. It would be no different than having lots and access via a subdivision road. Harris Court is plenty wide at 24' of pavement. There are 8 lots that we are proposing east of the project together with the 7 lots in Quail Tail Trail. There will be some additional traffic on Harris Court, but it won't be unusual for that size of street to have that amount of traffic.

928-282-2133- Two cars can't even pass on Wilson Canyon.

Art Beckwith- The intent is not to take anybody through Wilson Canyon. The idea is that we cannot shut down access to Wilson Canyon.

928-282-2133- What about the gate that was mentioned in the earlier part of this conversation?

Art Beckwith- We didn't say there would be a gate, nor was there one in the Don Woods proposal.

928-282-2133-Someone in this conversation mentioned a gate earlier.

Charity Lee- I think there was a request or a question if we would close Wilson Canyon Road or we would install a gate. But we're not proposing either. As far as adding road, we did look and consider the site plan that was developed prior. There were three roads, a north, south and middle road. We took out the additional two roads because we wanted to preserve more open space. Our intent isn't to add more roads onto our site. We are sufficient in the road that is proposed.

Stanford Hartman- I was wondering if it would be better to blend with the existing style instead of the modernistic development that you're proposing? Can the development be changed a bit? Because of the eclectic nature of the existing homes the development doesn't seem to fit.

Charity Lee- As you mentioned the existing homes are eclectic, there's a variety of different styles. Most of the homes off Jordan Road are old and were built in the 1980s, we don't want to build a project that looks old. We are blending with the natural environment, we've chosen colors that are darker and have low reflective values, we think our project will be very attractive and will also increase the value of properties in the surrounding neighborhood.

Stanford Hartman- Is there going to be a management office onsite because you're going to be renting these out to other people?

Charity Lee- No, the development is not very large, so we won't have a leasing office onsite. We will be working with Bella Management. The rentals are more like a home, we intend to have longer-term renters, so there isn't a need for an onsite management office.

Stanford Hartman- Will the homes be rented out to multiple people? How many people could possibly be there? It seems that you would have multiple people in there and they would all have their own cars. What is your approach to that?

Charity Lee- Our plan is not to rent by the room. We're looking for renters that are looking for a home, where they're going to take pride of ownership, this is going to be there home.

Mark TB- Would you put that in your CC&Rs so if you were to move on there wouldn't be renting by the room or less than 90- or 30-day rentals?

Charity Lee- We don't intend to encumber the property. We don't intend to do CC&Rs, unless we were to do a subdivision there's not a need to do CC&Rs.

Adam Wayne- Will you be renting the townhomes fully furnished since 30-day rentals will be your minimum?

Charity Lee- That is not the intent.

Stanford Hartman- What about how the project will blend with the colors of the existing residential?

Charity Lee- We have been advised by the City of Sedona to choose dark colors that have low reflective values that are according to the code and that is what we've chosen.

Mark TB- Back in May of last year there was a question asked at the first public meeting about soil testing, we know that the parcel you are planning on developing was historically used as a reservoir for 1500 or so trees in the Orchards and there could be a potential for lead and arsenic and other organic chemicals to have been used on those properties. At that meeting the response was that you were planning on doing environmental testing in terms of environmental site assessment and I wonder if that had been completed and if the results are available at this time?

Charity Lee- Mark, thank you for your concern. I did receive your letter, I did discuss this with the owner of the property. We have done all our inspections and just recently acquired the property. A Phase I Environmental Assessment was completed as well as recently we performed soils testing. The reports came back clean there were no concerns on the site with any of the items that you refer to and it was recommended that no further investigations are needed. We don't desire to share our report it's our property and our private property. We can tell you that if there were any concerns that had been presented that we would address them and take care of them, but there were none that were identified.

Mark TB- If there were none, then I'm wondering why you're not willing to share that information with us? Seems like there is a historic use. I think the people in the area would have concern if you weren't to share that we would certainly go to AZDEQ and request for fugitive dust testing during construction of the site. I'd like to see if we can get a copy of the site assessment that you've said has come up clean.

Charity Lee- I appreciate your concern and we'll take that under consideration.

Mark TB- It's encouraging that you are trying to do things that are sustainable. Are you trying to be consistent with the Climate Action Plan for Sedona, which calls for no natural gas and calls for heat pump type mini split systems? Are you planning to use solar on the site? 5 KW per unit would probably reduce the cost of electricity for the residents down to nothing and the return on investment would probably be four or less years.

Charity Lee- There is a desire in many communities to do away with natural gas to reduce the carbon footprint and go all electric. What we have been doing in some of our other communities is to do all electric appliances except for natural gas furnaces. This is something we haven't discussed on this project but can take it into consideration. As far as solar, this specific site doesn't pencil to add solar. We aren't going to add solar.

David Myers- There are 22 units, and I didn't see any that are one bedroom. Let's just say there are 70 bedrooms. My observation is that the development is approximately the same number of bedrooms with 36 units that you were proposing on the development last year. Since 82 or 84 units translated into 500 trips per day, it seems that 125 vehicle trips per day is an underestimate. How are you going to handle it if a bunch of people get together, for people in a four-bedroom, and lease the units where are their cars going to go not just for parking but down Jordan Road?

Charity Lee- As far as your concern for parking and additional traffic, the City of Sedona has requested that we conduct a traffic impact analysis, which is underway and will be provided to the City of Sedona, as far as your concern that we've underestimated, we'll know more once we get the report.

David Myers- It seems like a back doorway to get the same number of bedrooms that you were proposing for the project that you withdrew.

Charity Lee- We are developing under the current zoning which allows for 22 units. Our prior development was asking for a major plan development modification and rezoning to develop 84 units across the two parcels. We substantially reduced that number and are planning to develop under the current zoning. If there are any concerns with traffic that should be addressed by the planning and zoning committee once we have the traffic impact analysis.

Mark TB- You're adding a public right-of-way within the property, does the calculation of 12 units per acre include the right-of-way that you are adding? It seems that you would want to remove the right-of-way doing that calculation, and if you do then that bring you down to 1.70 acres, which would be 20 units would be the correct number, would you comment on that?

Art Beckwith- Density is based on gross acreage.

Mark TB- Gross acreage in spite of the fact that you're adding right-of-way for other users doesn't impact the calculation?

Art Beckwith- That is correct.

Deb 928-282-2133- When do you plan on breaking ground and starting construction?

Charity Lee- Start of horizontal construction is estimated at second or third quarter of 2022.

Deb, 928-282-2133- Where will the workforce that is constructing the units park?

Charity Lee-We own the site to the east which could possibly be a construction staging site, or we could do phasing on the project site and allow our contractors to park on the project site and coordinate the horizontal construction. It's a matter of coordinating, but we would park on our own project site.

Deb, 928-282-2133- Ok, so nothing on Wilson Canyon, because it just can't take it.

Charity Lee- I understand.

Deb, 928-282-2133- What is the plan for water sourcing as far as degradation of water pressure from all this new construction. How do you intend to address that if that should happen?

Art Beckwith- Arizona Water Company has given us water approvals that we can go ahead and add this many units into the service area.

Deb, 928-282-2133- OK, so if that issue should come up are you ready to address that?

Art Beckwith- That would be the Arizona Water Companies issue and there shouldn't be any problem.

Mark TB- I was wondering about mail service, are you intending to put a common mailbox like many apartment complexes do and where would that be located?

Charity Lee- That is something we'll need to work with the postal service on, they may want us to have individual mailboxes per unit. That is something we're still exploring with the postal service.

Mark TB- Where did the name Harris Court come from?

Charity Lee- The name came from the prior site plan that was proposed with the prior developer.

Art Beckwith- The names on the site plan were all bird names, Harris Court is a bird name.

Fred & Rosemary- Maybe it could be Harris Hawk Court?

Charity Lee- Harris Hawk Court, we could certainly consider that.

Art Beckwith- What's the concern with Harris Court?

Adam Wayne- Well it's just a historical use area. We have the historical park across the way, it would be nice to reflect more of a pioneer or just its historical nature in its location.

Charity Lee- I appreciate the additional information, I think that is something we can look at, I think it would be a nice addition to the project to add some historical information there.

Mark TB- There are a lot of names in the Uptown area that are tied back to pioneers, I think that might be a good idea.

Fred & Rosemary- If your leases are down to 30 days and you're not furnishing the units, does that mean people could be moving in and out every 30 days with furniture?

Charity Lee- Our intent is not to have short-term leases. The reason why we may have a minimum of 30-day minimum clause is to allow professionals such as traveling nurses to lease the units. We would need to discuss as far as the management goes with our property manager Bella to see what works best for that project site and if there is a demand for this if we would need to furnish a unit. It has not been explored or vetted at this time. Overall, our project is not planning to do short-term leases.

Mark TB- Just to follow up, to have individual trash service instead of a common dumpster seems to me to be very difficult to work with people with short-term rentals and I think your setting yourself up for problems with javelina knocking over the containers, it's a huge problem in Uptown and having another 22 of those just gives them more to feed on.

Charity Lee- Thank you for your concern, we'll take that under consideration.

Stanford Hartman- I'm just wondering with the number of units, rooms and number of people that will be there have you sat down with the fire department to address the issue if you had a forest fire and people being able to get out? Because we have issues with Wilson Canyon being a small road and in the last minute it can get very desperate. Have you addressed that at all, because I know it came up in the prior development proposal?

Charity Lee- Our project has been designed in accordance with the code and it is in design review. If there are concerns with the width of our road and circulation, that should be addressed by the City. We have designed the project in accordance with the code.

Stanford Hartman- And if you know of California, there codes were also designed that way and there were disasters because of it. I'm just saying, is this something that you guys have thought about?

Charity Lee- I think the way our project is designed, God forbid there was a fire, there would be an ability for the residents to access off Jordan Road and if there was an emergency, we talked about Wilson Canyon Road as being a road that could be accessed, so there are multiple routes for residents to be able to vacate, in the event there was a situation.

Art Beckwith- The Fire Department will review the plans and they will give us their criteria and their comments as well.

Adam Wayne- Are there any Miramonte Developments that are currently managed as rentals?

Charity Lee- We have quite a few rental projects in Tucson and in Montana and we are in development in Flagstaff and working on a development in Cottonwood. We hire a management company to manage the rental projects.

Adam Wayne- How many of those contain short-term rentals?

Charity Lee- I don't know, as far as I am aware none. I just want to reiterate; we're not proposing a short-term rental project.

Deb, 928-282-2133- Does that go for your single-family residential as well?

Charity Lee- The single-family residential, we are planning on selling those. As far as what an individual owner would want to do with those I don't know, but they will be for sale.

Adam Wayne- No HOA?

Charity Lee- We haven't gotten to that point with that project so I don't know.

Deb, 928-282-2133- Are any walls being built?

Charity Lee- No, we will be planting native and adaptive landscaping for buffering between the Jordan Road and the development as well as on the north and southside of the project.

Mark TB- Since you're going to be providing indoor parking will you be providing EV parking or circuits?

Charity Lee- No that's not proposed for this project. We don't have plans for EV charging stations on this site.

Mart TB- What I meant was will you be providing a charger or the ability to have a charger in the units for people that have EVs?

Charity Lee- That's not proposed for this project.

Mart TB- I think commonly the City requires a 240 circuit in the garage for future EV, I believe that's for single-family.

Adam Wayne- Actually for single-family you have to provide the means for easy adaption for that so people can add. I don't know if that's a requirement for multi-family.

Mark TB- We're only talking about adding a 240 circuit in case someone has an EV. That's something that is easy to add and doesn't require a big modification.

Charity Lee- That's not proposed at this time, that being said, if that is something the City desires I think that could be something the Miramonte could consider.

Adam Wayne- It's a requirement in the new energy code for single-family, but I don't know if it's part of multi-family.

Stanford Hartman- Is there going to be a rule that keeps people from parking on Harris Court?

Charity Lee- Our plan is to dedicate Harris Court to the City as a public right-of-way, so whatever the requirements are in the code for on-street parking would either be allowed or not allowed. As far as enforcement if on-street parking isn't allowed that would be relayed to the tenants in their lease agreement and if there were violations we would be working with our property management to address those.

Stanford Hartman- Is that something you can look into? On-street parking could cause major congestion on that street, whether there is an emergency or whether trying to just get home.

Charity Lee- I understand. I appreciate your comments and we'll look into that.

Stanford Hartman- Can you get back to us on that?

Charity Lee- Yes. Please leave your contact information in the chat and I'll be following up with the Public Participation Report.

Mark TB- If you have a laydown yard on the east parcel how are you going to guarantee we'll have access during the construction period? Will you have a site or layout plan for construction activities to make sure that we're ok?

Charity Lee- Yes, absolutely. I don't know at this time exactly where the construction yard will be, but working with our contractor we would put together a traffic plan and if directional signs are needed we

would install those. There would be a plan, our intent is not to block any traffic for residents north of Quail Tail Trail or south off Wilson Canyon. We would work with our contractor regarding the traffic circulation.

Mark TB- The other issue is dust control and how you would manage that through the life of the project.

Charity Lee- Yes I understand that could be a concern and we'll be working with our contractor to mitigate dust. That is also a requirement of the City of Sedona during construction.

Cindi Lyn- I have a request that you do create an HOA for those homes that will be built in the back, to help protect us from Airbnbs.

Charity Lee- The project is going to be rentals so there isn't a need for an HOA. We don't intend to deed restrict the property. I have taken your comment down and noted that you have a concern. Thank you for your comment.

Charity Lee- Are there any further questions, concerns or comments? Thank you for attending the meeting. I'll be following up with the City of Sedona and send you also the Public Participation Report. Have a good night.

EXHIBIT B

Charity Lee

From: Mark TenBroek <tenbroekmj@gmail.com>
Sent: Monday, January 10, 2022 4:44 PM
To: Charity Lee
Cc: oconnor.morgan@azdeq.gov; rtolton@azda.gov; Sandy Moriarty; Scott Jablow; Tom Lamkin; Jessica Williamson; Holli Ploog; Kathy Kinsella; Jon Thompson; Kurt Christianson; Cari Meyer; Cynthia Lovely; Andy Dickey; Karen Osburn
Subject: [content not scanned] Soil Testing for Miramonte Homes Developments on 630 Jordan Road and 500 Quail Tail Trail
Attachments: Miramonte_Phase_1_v1.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Ms. Lee:

Attached to this email is a letter notifying Miramonte Homes, LLC of a concern from residents related to the possible contamination of the soils at the referenced properties from prior agricultural use.

We are assuming that soil testing has already been performed as part of your due diligence and we would like to obtain a copy of those testing results for our review. If soil sampling and testing has not been performed, then we would request notification prior to any soil sampling at these properties so that our environmental engineer can observe the soil sampling locations, methodologies, and potentially to take sample splits for independent testing.

Please acknowledge receipt of this email and the attached letter.

Sincerely,

Mark TenBroek
Uptown Sedona
734.417.5055

January 10, 2022

Ms. Charity Lee
Land Acquisition & Development Manager
Miramonte Homes, LLC
102 S Mikes Pike St
Flagstaff, AZ 86001

Subject: Soil Testing at 630 Jordan Road (APN 401-58-001A) &
500 Quail Tail Trail (APN 401-05-004A)

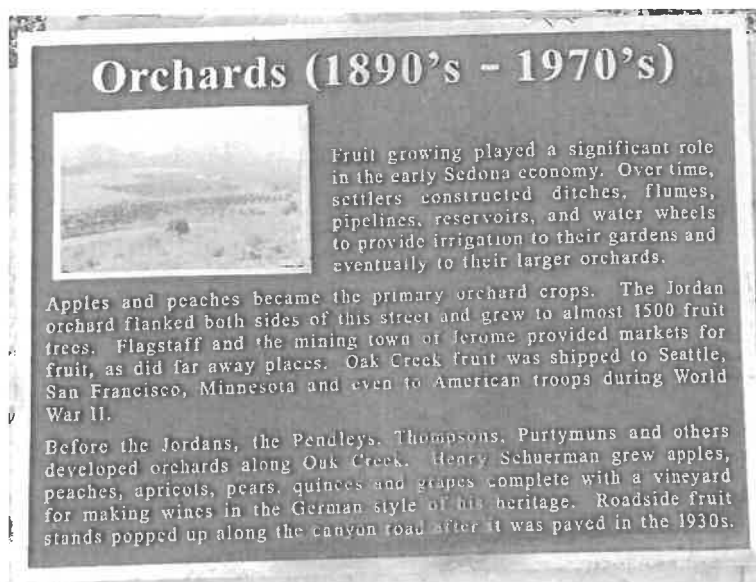
Dear Ms. Lee:

Earlier this year Miramonte Homes proposed the Jordan Lofts Development Community Plan Amendment (CPA) that included a single-family parcel located at 500 Quail Tail Trail and a multi-family parcel located at 630 Jordan Road. This CPA was withdrawn, and the east property remains zoned as single family residential (RS-18) and the west property zoned as medium high-density multi-family. We understand that Miramonte Homes is moving forward with development of the two properties as zoned.

At a public meeting held on May 1, 2021, your representative, Whitney Cunningham, was asked about whether soil testing had been performed on the parcels in question. In response, Mr. Cunningham stated that soil testing was planned and that the results would be shared with the residents. It is notable that the minutes prepared by Miramonte made no mention of the question or the response. However, the public comments included in the Planning and Zoning package for the June 1, 2021 meeting did include a letter (page 149) that made mention of the need for soil testing. This letter is a formal request to obtain a copy of the resulting soil testing performed on the two sites.

Background:

Residents questioned the environmental issues with these two parcels because it is known that both parcels may have soil contamination as a result of prior agricultural use. It is understood that up to 1,500 fruit trees were present in Uptown from the 1890s until the late 1970s. Please note the photo included in this letter shows a plaque on the west side of Jordan Road that documents this use.



January 10, 2022

Soil Testing at 630 Jordan Road (APN 401-58-001A) &
500 Quail Tail Trail (APN 401-05-004A)

It is well established that orchard agricultural runoff contains a variety of harmful substances including persistent pesticides, fungicides, and other organic chemicals. The most commonly used chemicals in orchards during the first half of the last century included lead arsenate and copper arsenate. Later in the century these persistent chemicals were replaced with carcinogenic organic chemicals such as DDT, chlordane, toxaphene, aldrin, dieldrin, and endrin . Most of these types of chemicals and their metabolites are also persistent and toxic and therefore can be dangerous when they accumulate.

Contamination, fish kill, neurological problems in people, delayed or reduced mental development in children, reproductive problems in people and animals, and severe illnesses in people have all been attributed to exposure to or inhalation of dust containing these chemicals that are the result of application or accumulation of these chemicals.

The Two Parcels:

It is understood that the 630 Jordan Road parcel (APN 401-58-001A) and the 500 Quail Tail Trail parcel (APN 401-05-004A) were previously used as orchard lands, storage or mixing of agricultural chemicals, or contained areas where significant evaporation of agricultural runoff could accumulate chemicals from these operations. Figure 1, which is attached, indicates areas that may have been used for different orchard operations on these two properties.

It is notable that the Arizona Water Company shows the annual average arsenic in water delivered to customers is at 7.2 ppb, slightly below the action level of 10 ppb. This report does not differentiate water supplied from different wells located throughout Sedona but notes that arsenic sources can include orchards.

Given this concern with the historic use of the two properties, we have contacted the Arizona Department of Environmental Quality and the Arizona Department of Agriculture with our concerns. As a result of this inquiry, these parcels have been placed on the AZ DEQ inventory for potentially contaminated properties. We have copied those parties on this correspondence.

As noted previously, a question was raised regarding contamination of the soil by these chemicals at a May 1, 2021 public meeting and representatives for Miramonte stated that they were planning to perform an environmental assessment of the soils on these parcels. It is assumed that this was part of the due diligence prior to closing on these properties. We would like to request a copy of this soil sampling and analysis.

Phase I Environmental Assessment for Agricultural Properties:

However, if a soil analysis has not already been performed, then prior to any disturbance of the soils on either parcel, and probably before any permitting is approved, it is essential that a proper Phase I Environmental Site Assessment for Agricultural Properties be performed by a qualified environmental firm that includes soil and water sampling at

January 10, 2022
Soil Testing at 630 Jordan Road (APN 401-58-001A) &
500 Quail Tail Trail (APN 401-05-004A)

a variety of depths and locations for all potential agricultural contaminants, including those noted above.

If this testing is still to be performed, we would like to request that adequate advance notice be provided so that we can have our environmental engineer present to observe the sampling, and potentially to take split samples for an independent analysis.

As we understand it, once a Phase I assessment has been completed, a Phase II evaluation may be required to identify the scope of the issue(s) and any necessary remedial measures. These remedial measures would need to be performed prior to any construction activities on the two parcels given the potential for health impacts to current and future residents from toxic dust. These remedial measures may include proper removal, testing, and disposal of all contaminated materials in a licensed hazardous waste landfill or other approved actions. Hopefully, all reviews and studies will be made available for public review.

Thank you for your time and consideration.

Sincerely,



Mark TenBroek
744 Quail Tail Trail

CC: Morgan O'Connor, AZ DEQ
Sandy Moriarty, Mayor
Kathy Kinsella, Councilor
Holli Ploog, Councilor
Jessica Williamson, Councilor
Andy Dickey, City Engineer
Cari Meyer, Planning

Robert Tolton, AZ Dept of Ag
Scott Jablow, Vice Mayor
Tom Lamkin, Councilor
Jon Thompson, Councilor
Karen Osburn, City Manager
Cynthia Lovely, Planning
Kurt Christianson, City Attorney

Charity Lee

From: Sally Owens <sally.owens@hotmail.com>
Sent: Friday, January 21, 2022 10:52 AM
To: Charity Lee
Subject: Re: Jordan Lofts project

Thank you.

Sent from my iPad

> On Jan 21, 2022, at 10:49 AM, Charity Lee <clee@miramontehomes.com> wrote:

>

> Hi Sally,

>

> Thank you for your interest in our project. The square footage of the units are as follows:

>

> Unit B- 1509 SF with a 221 SF garage (two story) Unit C-1676 SF with a

> 206 SF garage (two story) Unit E-2040 SF with a 394 SF garage (two

> story)

>

> At this time our plan is to rent the units (not sell). We plan to lease our units for no less than thirty days. Rents will be determined based on the current market value when certificate of occupancy is obtained. Construction is anticipated to start the second or third quarter of 2022. We plan to start leasing the units as they are completed. First units may be ready late 2023-2024.

>

>

> Charity Lee

> Northern AZ. Land Acquisition & Development Manager Miramonte Homes

> 102 S. Mikes Pike

> Flagstaff, AZ 86001

> Cell: (928) 600-3594

>

> No offer to sell or lease may be made or to purchase or lease may be accepted prior to issuance of an Arizona Public Report. A Public Report is available at the State Real Estate Department website <https://us-east-2.protection.sophos.com?d=azre.gov&u=d3d3LmF6cmUuZ292&i=NjE0MjgyZjc2OTNjMzAwZTcyMzhiZWl2&t=MnNwMTBBR2pWNS9yWXhYVzh3L0t3eENkbDhjdWwvN1RmOFB2NGl3MnA1OD0=&h=5c7591f3759e42958572b88cbc3005aa>. Miramonte Arizona, LLC ROC# 241199.

> Copyright © 2020 Miramonte Homes. All rights reserved.

>
> -----Original Message-----
> From: Sally Owens <sally.owens@hotmail.com>
> Sent: Friday, January 21, 2022 10:03 AM
> To: Charity Lee <clee@miramontehomes.com>
> Subject: Jordan Lofts project

>
> Hello, I have an interest in your Sedona townhome project. I received your mailing and would like to know what is the square footage of the floor plans, an approximate price range and if VRBO's will be allowed. Also, when will construction begin and when do you plan to have finished townhomes?

> Thank you.

> Sally

>
> Sent from my iPad

Charity Lee

From: Linda Jones <clayhorse.mama@gmail.com>
Sent: Tuesday, February 1, 2022 7:24 AM
To: Charity Lee
Subject: Marimonte development on Jordan Road

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Dear Charity Lee,

My concern at last night's Zoom meeting is about the eventual possibility of your 6 or 8 single family dwellings becoming Air B&B commercial properties.

Questions: How many bedrooms and how many bathrooms are planned for each of these "homes"?

What is the planned square footage of each dwelling ?

In addition, I feel it is VITALLY important and would be respectful to our communities uptown if you *would* create a Home Owners Association document for these homes to avoid any possibility of turning these into Air B&B properties. We would gladly share what we have created for our associations if you need assistance in this matter.

Thank you for your consideration.

Linda Jones
370 Orchard Lane

Charity Lee

From: Charity Lee
Sent: Wednesday, February 2, 2022 10:13 AM
To: d.a. sheahan
Subject: RE: jordan townhomes project

Dear Deb,

I am sorry to hear you weren't able to access the meeting. Here is a link so you can view the recording meeting. If you have any comments or questions can you please send them to me by this Friday 2/4/2022 so I can include them in my Public Participation report.

Topic: Jordan Townhomes
Start Time: Jan 31, 2022 04:41 PM

Meeting Recording:
https://us02web.zoom.us/rec/share/jhdOpiyamozyfGLPHhZEuaRYsoagovqazQ_F7CKs5Ph1n-msA19bPICRlnP_n0.aa18693rBRhONww6

Access Passcode: J@cupT3c

Thank you,

Charity Lee
Northern AZ. Land Acquisition & Development Manager
Miramonte Homes
102 S. Mikes Pike
Flagstaff, AZ 86001
Cell: (928) 600-3594



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From: d.a. sheahan <d.a.sheahan@hotmail.com>
Sent: Monday, January 31, 2022 6:38 PM

To: Charity Lee <clee@miramontehomes.com>

Subject: jordan townhomes project

Caution! This message was sent from outside your organization.

Hello Charity,

Since I could not get into your online meeting. Could you please send me the information you are sending to the others.

Directly across the street from me is the eastern parcel for single family homes. I am praying that I will not have to be looking at construction vehicles parked there for the duration of the project.

Thanks,

Deb

Charity Lee

From: Stephen Andrade <Stephen.Andrade@jwu.edu>
Sent: Wednesday, February 2, 2022 10:54 AM
To: Charity Lee
Subject: Re: Jordan Townhomes Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Thank you for the link.
This might be answered in the video, which I haven't yet viewed.

Will the final design address the "massing" of the exterior walls facing Jordan Road? The current plan shows one long flat wall. I believe the city planning requirements call for a 6-foot massing maximum, which would mean that Miramonte would have to visually alter the wall with indents, bump outs, arches etc. and other architectural features to break up the mass.

Is there any plan for a green space, sidewalk or other outdoor features to promote interaction and community among the residents?

Thank you - I am a direct neighbor across Jordan with a direct view of the property - front row seats so to speak.

Best
Steve Andrade
335 Orchard Lane #4
401-368-2033

From: Charity Lee <clee@miramontehomes.com>
Sent: Wednesday, February 2, 2022 10:18 AM
To: Stephen Andrade <Stephen.Andrade@jwu.edu>
Subject: Jordan Townhomes Meeting

WARNING: This email originated from **outside** of Johnson & Wales University.

Do not click links or open attachments unless you recognize the sender & are expecting the message.

Good afternoon,

I am sorry to hear you weren't able to access the meeting. The meeting was recorded and you may view it by clicking the link below. If you would like to comment or have questions, please send them to me before this Friday 2-4-2022 so I may include them in my Public Participation report.

Thank you,

Topic: Jordan Townhomes
Start Time: Jan 31, 2022 04:41 PM

Meeting Recording:

https://us02web.zoom.us/rec/share/jhdOpiyamozyfGLPHhZEuaRYsoagovqazQ_F7CKs5Ph1n-msAI9bPICRlnP_n0.aa18693rBRhONww6

Access Passcode: J@cupT3c

Charity Lee

Northern AZ. Land Acquisition & Development Manager

Miramonte Homes

102 S. Mikes Pike

Flagstaff, AZ 86001

Cell: (928) 600-3594



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Charity Lee

From: Richard C Helt <Richard.Helt@nau.edu>
Sent: Thursday, February 3, 2022 7:17 AM
To: Charity Lee
Subject: Thanks and comment

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization.

Hello, Charity,

Thank you for sending the video to Steve Andrade, who is replacing me as Orchards 1 HOA President. I have watched it and find that most of my own concerns were brought up during the meeting. One matter, however, definitely needs further clarification: You noted that Miramonte will NOT be furnishing these rental homes? If so, will there not be a constant flow of U-Hauls, etc., as renters (some as short-term as 30 days) come and go? There is potential here for a very substantial disruption to the neighborhood, to say nothing of the other renters! I look forward to your response.

Best regards,

Rich Helt, 340 Orchard Lane #2, Orchards Townhomes

Richard C. Helt, Ph. D.
Prof. Em. of German
Northern Arizona University



February 4, 2022

Mr. Mark TenBroek
744 Quail Tail Trail
Sedona, Arizona 86336

RE: Miramonte Homes, LLC – Jordan Lofts Project

Dear Mr. TenBroek:

This firm represents Miramonte Homes, LLC, (“Miramonte Homes”) in connection with the Jordan Road projects. This letter is in response to your letter to Charity Lee, dated January 10, 2022. Miramonte Homes takes its legal and social responsibilities seriously, and it has engaged community input throughout the development process. Miramonte Homes will evaluate credible concerns and take any necessary action. To that end, we request that you promptly deliver to us copies of any evidence in your possession substantiating the allegations in your January 10, 2022, correspondence.

Also, be aware that Arizona law prohibits an individual from communicating derogatory, false information to a third party regarding another’s business when such communications are designed to interfere with that business. *W. Tech., Inc. v. Sverdrup & Parcel, Inc.*, 154 Ariz. 1, 4, 739 P.2d 1318, 1321 (App. 1986). Businesses harmed by such false communications are entitled to collect civil damages against the person who makes them. Your letter contains serious allegations adverse to the Jordan Lofts Project, and it has been communicated by you to key decisionmakers at the state and city government levels. Therefore, it is critical that you share your evidence at once so that Miramonte Homes may evaluate your allegations in the context of the evidence on which you based them.

If we do not receive substantial evidence supporting your allegations on or before February 10, 2022, we will conclude that you are not in possession any such evidence and that your January 10 letter is based on mere speculation.

Additionally, as you know, Miramonte Homes’ property on Jordan Road is private property. We request that you refrain from entering the property without the permission of Miramonte Homes, and that you abstain from encouraging others to do so.

Mr. Mark TenBroek
February 4, 2022
Page 2

We look forward to reviewing any evidence you have regarding the claims in your January 10, 2022, letter. If you would like to discuss this matter further, you may contact me at (928) 774-1478.

Sincerely,
ASPEY, WATKINS & DIESEL, PLLC

A handwritten signature in black ink, appearing to read 'Whitney Cunningham', with a long horizontal flourish extending to the right.

Whitney Cunningham
WCC/EJC

From: Mark TenBroek <tenbroekmj@gmail.com>
Sent: Thursday, February 10, 2022 5:12 PM
To: Whitney Cunningham <WCunningham@awdlaw.com>
Subject: Miramonte Homes, LLC - Jordan Lofts Project - Response Letter

Mr. Cunningham:

I received your letter dated February 4, 2022 today (February 10, 2022) requesting information on concerns about soils on the Jordan Lofts properties by February 10, 2022. Given the short amount of time available to me, I am providing the attached response letter by email.

Mark TenBroek

February 10, 2022

Mr. Whitney Cunningham
Attorney
Aspey Watkins & Diesel, PLLC
123 San Francisco, Suite 300
Flagstaff, Arizona 86001

Subject: Miramonte Homes, LLS – Jordan Lofts Project
Letter Dated February 4, 2022

Dear Mr. Cunningham:

I received your demand letter dated February 4, 2022 today, February 10, by regular mail in which you request supporting information no later than February 10, 2022. Given the limited requested response time, I am providing this response letter by email and reserve the right to provide additional information that may become available.

To that end, the only “evidence” I have concerning soil contamination on the site was outlined in the letter provided to Ms. Charity Lee of Miramonte Homes on January 10, 2022.

At the Miramonte Homes public meeting held on May 1, 2021 that was conducted by you and Ms. Charity Lee of Miramonte Homes, a question was asked about whether soil testing had been performed on the parcels in question given their past use as a runoff retention pond from the orchards of up to 1,500 trees that existed in Uptown from 1890 to the 1970s.

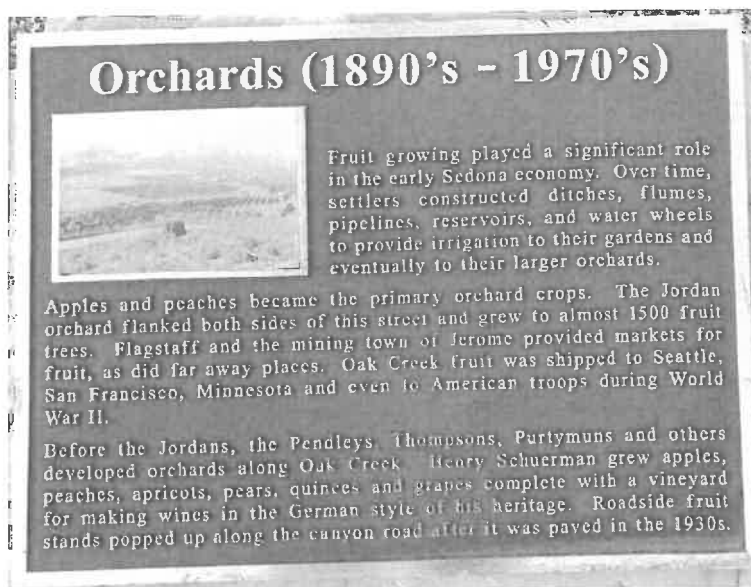
In response to that question, it was stated by the Miramonte Homes representatives that soil testing of the site was planned and that the results would be shared with the residents. It is notable that the minutes prepared by Miramonte Homes made no mention of the question or the response. However, the public comments included in the Planning and Zoning package for the June 1, 2021 meeting did include a letter (page 149) that made mention of the need for soil testing given the historical use of the property for agricultural use, which has historically been known to contain chemical toxins. The letter to Ms. Charity Lee was a formal request to obtain a copy of the resulting soil testing that was promised at that initial Public Meeting.

Historic Agricultural Use:

Residents at that May 1, 2021 Public Meeting questioned the environmental issues with these two parcels because it is known that both parcels may have soil contamination as a result of prior agricultural use. It is understood that up to 1,500 fruit trees were present in Uptown from the 1890s until the late 1970s. Please note the photo below shows a plaque that is prominently displayed on the west side of Jordan Road that documents this use.

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It is well established that orchard agricultural runoff contains a variety of harmful substances including persistent pesticides, fungicides, and other organic chemicals. The most commonly used chemicals in orchards during the first half of the last century included lead arsenate and copper arsenate. Later in the century these persistent chemicals were replaced with carcinogenic organic chemicals such as DDT, chlordane, toxaphene, aldrin, dieldrin, and endrin. Most of these types of chemicals and their metabolites are also persistent and toxic and therefore can be dangerous when they accumulate.



Contamination, fish kill, neurological problems in people, delayed or reduced mental development in children, reproductive problems in people and animals, and severe illnesses in people have all been attributed to exposure to or inhalation of dust containing these chemicals that are the result of application or accumulation of these chemicals.

It is notable that the Arizona Water Company shows the annual average arsenic in water delivered to customers is at 7.2 ppb, slightly below the action level of 10 ppb. This report does not differentiate water supplied from different wells located throughout Sedona but notes that arsenic sources can include orchards. These reports note that potential sources of arsenic can be from orchards, so I have attached that information to this letter.

As noted in the January 10, 2022 letter, given this concern with the historic use of the two properties, we have contacted the Arizona Department of Environmental Quality and the Arizona Department of Agriculture with our concerns. As a result of this inquiry, these parcels have been placed on the AZ DEQ inventory for potentially contaminated properties.

Environmental Site Assessments:

At the public meeting held on January 31, 2022, I asked the question again about the results of any soil sampling performed at the site. Ms. Charity Lee thanked me for the letter and the question and stated that as part of the due diligence for the property, Miramonte Homes had conducted a Phase I ESA and the report concluded that the site

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was “clean”. Further Ms. Lee stated that Miramonte Homes would not be willing to share copies of this ESA with the public.

As I understand it, a Phase I ESA normally does not (but can) include any soil sampling and analysis of the soil at the site, but instead is a risk assessment performed based on a visual inspection of the property, evaluation of past site uses, and available photos from the site property.

Given the past documented use of the site for agricultural uses, it would seem appropriate that a Phase II Environmental Site Assessment should be conducted to determine if any of the chemicals noted above or others of concern are found to be present at the site. If they are not, then everyone can move on and the public can feel safe. If the soil is found to have any actionable contamination, then a further Phase III Environmental Site Assessment may be appropriate to determine the extent of the contamination and develop a remediation strategy for protecting public health.

It is understood that the Miramonte Homes properties are private property. I do not enter the properties or encourage others from entering. In fact, I have discouraged people from entering these properties. The one exception to that is that there is an easement (Quail Tail Trail) across the east parcel that I routinely use for access to my property on Quail Tail Trail. I believe that I have a legal right to use this for my comings and goings.

Thank you for your time and consideration.

Sincerely,



Mark TenBroek
744 Quail Tail Trail

ARIZONA WATER COMPANY

– 2020 ANNUAL WATER QUALITY REPORT FOR SEDONA, ARIZONA, PWSID NO. 03-003 –

This report contains important information about your drinking water.
Este informe contiene información importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Arizona Water Company provides groundwater to its Sedona customers from wells located throughout the Sedona area.

All water samples are collected by state-certified employees of Arizona Water Company. Samples are analyzed by state-certified independent laboratories and the results are forwarded to the Arizona Department of Environmental Quality ("ADEQ"). The following report provides detailed information about the quality of the water delivered to customers. The water supplied by Arizona Water Company complies with all state and federal safe drinking water standards and regulations.

DETECTED WATER QUALITY CONSTITUENTS - GROUNDWATER

Primary Standards

Water Quality Constituent	Units	MCLG	MCL	Range of Levels Detected	Sample Year	Typical Source of Detected Constituent
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Inorganics

Arsenic	ppb	0	10	3.7 - 8.5	2012, 2020	Erosion of natural deposits; runoff from orchards; runoff from glass and electronics production wastes
				Highest Running Annual Average - 7.2	2020	
Barium	ppm	2	2	0.2 - 0.3	2012, 2015	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits
Chromium, Total	ppb	100	100	0.6 - 2	2015	Discharge from steel and pulp mills; erosion of natural deposits
Fluoride	ppm	4	4	ND - 0.1	2012, 2015	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories
Nitrate (as Nitrogen)	ppm	10	10	ND - 1.3	2020	Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits
Selenium	ppb	50	50	ND - 4	2012, 2015	Discharge from petroleum and metal refineries; erosion of natural deposits; discharge from mines

Radiological

Alpha emitters	pCi/L	0	15	1.3 - 2.8	2015, 2018	Erosion of natural deposits
Combined Radium	pCi/L	0	5	ND - 2	2015, 2018	Erosion of natural deposits

Organics

Xylenes	ppm	10	10	ND - 0.002	2015, 2018, 2019	Residual from solvent-based paint coating
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Disinfectant / Disinfection Byproducts

Water Quality Constituent	Units	MCLG (MRDLG)	MCL (MRDL)	HLRAA (Average Level Detected)	Range of Levels Detected	Sample Year	Typical Source of Detected Constituent
Chlorine Residual	ppm	(4)	(4)	(1.1)	0.6 - 1.4	2020	Drinking water disinfection
Total Trihalomethanes	ppb	NA	80	2	ND - 4.7	2020	Byproduct of drinking water disinfection

Additional Constituents (Unregulated)

Haloacetic Acids (six)	ppb	NS	NS	(0.4)	ND - 1.3	2020	Byproduct of drinking water disinfection
Haloacetic Acids (nine)	ppb	NS	NS	(0.5)	ND - 1.9	2020	Byproduct of drinking water disinfection
Manganese	ppt	NS	NS	(69)	ND - 590	2020	Naturally-occurring element; commercially available in combination with other elements and minerals; used in steel production, fertilizer, batteries and fireworks; drinking water and wastewater treatment chemical; essential nutrient
Sodium	ppm	NS	NS	(12)	6 - 23	2018	Unknown

Lead and Copper Monitoring

Water Quality Constituent	Units	MCLG	Action Level	90 th Percentile of Sample Results	Number of Samples That Exceeded the Action Level	Sample Year	Typical Source of Detected Constituent
Copper	ppm	1.3	1.3	0.3	0	2019	Internal corrosion of household water plumbing systems; erosion of natural deposits; leaching from wood preservatives
Lead	ppb	0	15	ND	1	2019	Internal corrosion of household water plumbing systems; erosion of natural deposits

Your drinking water complies with the United States Environmental Protection Agency's ("USEPA") safe drinking water standard for arsenic, though it contains low levels of arsenic. USEPA's safe drinking water standard balances the current understanding of arsenic's possible health effects against the costs of removing arsenic from drinking water. USEPA continues to research the health effects of low

levels of arsenic, which is a mineral known to cause cancer in humans at high concentrations and is linked to other health effects such as skin damage and circulatory problems.

Note: In addition to the constituents listed in this report, Arizona Water Company conducted monitoring for over 80 additional constituents and the results show none of those constituents were detected in the water. Data presented are from the most recent testing done in accordance with applicable regulations. Some constituents are monitored less frequently than once a year because either their concentrations do not change frequently or they are not likely to be detected. Therefore, some of the water quality testing data contained in this report, although representative, may be more than one year old. If you have questions about this water quality report, please contact Regina Lynde, Environmental Compliance Manager, Arizona Water Company, P.O. Box 29006, Phoenix, Arizona 85038-9006; telephone (602) 240-6860 or email mail@azwater.com.

In 2004, the ADEQ completed a Source Water Assessment of the water sources used by Arizona Water Company's Sedona water system. ADEQ reviewed the adjacent land uses that may pose a potential risk to the water sources. The result of the Assessment was a low risk to seven water sources. ADEQ determined that activity on an adjacent land use poses a high risk to one water source. Arizona Water Company regularly monitors drinking water sources to make sure your drinking water complies with the Safe Drinking Water Act.

The complete Assessment is available for inspection at ADEQ, 1110 West Washington Street, Phoenix, Arizona 85007, between the hours of 8:00 a.m. and 5:00 p.m. Electronic copies are available from ADEQ at recordscenter@azdeq.gov. For more information visit ADEQ's Source Water Assessment and Protection Unit website at: www.azdeq.gov/node/735.

The USEPA and ADEQ require Arizona Water Company to provide the following information:

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some constituents. The presence of constituents does not necessarily indicate that water poses a health risk. More information about constituents and potential health effects can be obtained by calling the USEPA's Safe Drinking Water Hotline (800-426-4791).

Some people may be more vulnerable to constituents in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. USEPA/CDC guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbial constituents are available from the Safe Drinking Water Hotline (800-426-4791).

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radiological material, and can pick up substances resulting from the presence of animals or from human activity.

Constituents that may be present in source water include:

- *Microbials, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.*
- *Inorganics, such as salts and metals, which can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.*
- *Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.*
- *Organics, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.*
- *Radiological material, which can be naturally-occurring or be the result of oil and gas production and mining activities.*

In order to ensure that tap water is safe to drink, USEPA prescribes regulations which limit the amount of certain constituents in water provided by public water systems. FDA regulations establish limits for constituents in bottled water which must provide the same protection for public health.

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. Arizona Water Company is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the USEPA's Safe Drinking Water Hotline or at <http://www.epa.gov/lead>.

DEFINITIONS, ABBREVIATIONS, AND UNIT DESCRIPTIONS:

Action Level	=	The concentration of a constituent which, if exceeded, triggers treatment or other requirements which a water system must follow.
CDC	=	United States Centers for Disease Control and Prevention
FDA	=	United States Food and Drug Administration
HLRAA	=	Highest Locational Running Annual Average
MCL	=	Maximum Contaminant Level, the highest level of a constituent that is allowed in drinking water. MCLs are set as close to the MCLGs using the best available treatment technology as is economically and technologically feasible.
MCLG	=	Maximum Contaminant Level Goal, the level of a constituent in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.
MRDL	=	Maximum Residual Disinfection Level, the highest level of a drinking water disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.
MRDLG	=	Maximum Residual Disinfection Level Goal, the level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial constituents.
NA	=	None adopted
ND	=	None detected
NS	=	No standard
pCi/L	=	Picocuries per liter
ppb	=	Parts per billion, or micrograms per liter (µg/L)
ppm	=	Parts per million, or milligrams per liter (mg/L)
ppt	=	Parts per trillion, or nanograms per liter (ng/L)
PWSID	=	Public Water System Identification

ARIZONA WATER COMPANY

– 2019 ANNUAL WATER QUALITY REPORT FOR SEDONA, ARIZONA, PWSID NO. 03-003 –

This report contains important information about your drinking water.
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Tradúzcalo o hable con alguien que lo entienda bien.

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DETECTED WATER QUALITY CONSTITUENTS - GROUNDWATER

Primary Standards

Water Quality Constituent	Units	MCLG	MCL	Range of Levels Detected	Sample Year	Typical Source of Detected Constituent	
Inorganics							
Arsenic	ppb	0	10	4.6 - 8.5	2012, 2019	Erosion of natural deposits; runoff from orchards; runoff from glass and electronics production wastes	
				Highest Running Annual Average - 7.2	2019		
Barium	ppm	2	2	0.2 - 0.3	2012, 2015	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits	
Chromium, Total	ppb	100	100	0.6 - 2	2015	Discharge from steel and pulp mills; erosion of natural deposits	
Fluoride	ppm	4	4	ND - 0.1	2012, 2015	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories	
Nitrate (as Nitrogen)	ppm	10	10	0.1 - 1.4	2019	Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits	
Selenium	ppb	50	50	ND - 4	2012, 2015	Discharge from petroleum and metal refineries; erosion of natural deposits; discharge from mines	
Radiological							
Alpha emitters	pCi/L	0	15	1.3 - 2.8	2015, 2018	Erosion of natural deposits	
Combined Radium	pCi/L	0	5	ND - 2	2015, 2018	Erosion of natural deposits	
Organics							
Xylenes	ppm	10	10	ND - 0.002	2015, 2018, 2019	Residual from solvent-based paint coating	
Disinfectant / Disinfection Byproducts							
Water Quality Constituent	Units	MCLG (MRDLG)	MCL (MRDL)	Average Level Detected	Range of Levels Detected	Sample Year	Typical Source of Detected Constituent
Chlorine Residual	ppm	(4)	(4)	1	0.6 - 1.5	2019	Drinking water disinfection
Total Trihalomethanes	ppb	NA	80	1.5	ND - 2.5	2019	Byproduct of drinking water disinfection
Additional Constituents (Unregulated)							
Sodium	ppm	NS	NS	12	6 - 23	2018	Unknown
Chlorate	ppb	NS	NS	83	ND - 320	2015	Agricultural defoliant or desiccant
Hexavalent Chromium	ppb	NS	NS	1.3	0.7 - 2	2015	Naturally-occurring element; used in making steel and other alloys
Strontium	ppb	NS	NS	127	88 - 220	2015	Naturally-occurring element
Vanadium	ppb	NS	NS	5	4 - 7	2015	Naturally-occurring elemental metal
Lead and Copper Monitoring							
Water Quality Constituent	Units	MCLG	Action Level	90 th Percentile of Sample Results	Number of Samples That Exceeded the Action Level	Sample Year	Typical Source of Detected Constituent
Copper	ppm	1.3	1.3	0.3	0	2019	Internal corrosion of household water plumbing systems; erosion of natural deposits; leaching from wood preservatives
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done in accordance with applicable regulations. Some constituents are monitored less frequently than once a year because either their concentrations do not change frequently or they are not likely to be detected. Therefore, some of the water quality testing data contained in this report, although representative, may be more than one year old. If you have questions about this water quality report, please contact Regina Lynde, Environmental Compliance Manager, Arizona Water Company, P.O. Box 29006, Phoenix, Arizona 85038-9006; telephone (602) 240-6860 or email mail@azwater.com.

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- ND = None detected
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- pCi/L = Picocuries per liter
- ppb = Parts per billion, or micrograms per liter (µg/L)
- ppm = Parts per million, or milligrams per liter (mg/L)
- PWSID = Public Water System Identification

ARIZONA WATER COMPANY

– 2018 ANNUAL WATER QUALITY REPORT FOR SEDONA, ARIZONA, PWSID NO. 03-003 –

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Water Quality Constituent	Units	MCLG	MCL	Range of Levels Detected	Sample Year	Typical Source of Detected Constituent
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Arsenic	ppb	0	10	4.8 - 8.5	2012, 2018	Erosion of natural deposits; runoff from orchards; runoff from glass and electronics production wastes
				Highest Running Annual Average - 7.7	2018	
Barium	ppm	2	2	0.2 - 0.3	2012, 2015	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits
Chromium, Total	ppb	100	100	0.3 - 2	2015	Discharge from steel and pulp mills; erosion of natural deposits
Fluoride	ppm	4	4	ND - 0.1	2012, 2015	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories
Nitrate (as Nitrogen)	ppm	10	10	ND - 1.5	2018	Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits
Selenium	ppb	50	50	ND - 4	2012, 2015	Discharge from petroleum and metal refineries; erosion of natural deposits; discharge from mines

Radiological

Alpha emitters	pCi/L	0	15	1.3 - 2.8	2015, 2018	Erosion of natural deposits
Combined Radium	pCi/L	0	5	ND - 2	2015, 2018	Erosion of natural deposits

Organics

Ethylbenzene	ppb	700	700	ND - 1.2	2015, 2018	Residual from solvent-based paint coating
Xylenes	ppm	10	10	ND - 0.01	2015, 2018	Residual from solvent-based paint coating

Disinfectant / Disinfection Byproducts

Water Quality Constituent	Units	MCLG (MRDLG)	MCL (MRDL)	Average Level Detected	Range of Levels Detected	Sample Year	Typical Source of Detected Constituent
Chlorine Residual	ppm	(4)	(4)	0.9	0.5 - 1.0	2018	Drinking water disinfection
Total Trihalomethanes	ppb	NA	80	1.5	ND - 2	2018	Byproduct of drinking water disinfection

Additional Constituents (Unregulated)

Sodium	ppm	NS	NS	12	6 - 23	2018	Unknown
Chlorate	ppb	NS	NS	83	ND - 320	2015	Agricultural defoliant or desiccant
Hexavalent Chromium	ppb	NS	NS	1.3	0.7 - 2	2015	Naturally-occurring element; used in making steel and other alloys
Strontium	ppb	NS	NS	127	88 - 220	2015	Naturally-occurring element
Vanadium	ppb	NS	NS	5	4 - 7	2015	Naturally-occurring elemental metal

Lead and Copper Monitoring

Water Quality Constituent	Units	MCLG	Action Level	90 th Percentile of Sample Results	Number of Samples That Exceeded the Action Level	Sample Year	Typical Source of Detected Constituent
Copper	ppm	1.3	1.3	0.3	0	2016	Internal corrosion of household water plumbing systems; erosion of natural deposits; leaching from wood preservatives
Lead	ppb	0	15	9.9	5	2016	Internal corrosion of household water plumbing systems; erosion of natural deposits

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In 2004, the ADEQ completed a Source Water Assessment of the water sources used by Arizona Water Company's Sedona water system. ADEQ reviewed the adjacent land uses that may pose a potential risk to the water sources. The result of the Assessment was a low risk to seven water sources. ADEQ determined that activity on an adjacent land use poses a high risk to one water source. Arizona Water Company regularly monitors drinking water sources to make sure your drinking water complies with the Safe Drinking Water Act.

The complete Assessment is available for inspection at ADEQ, 1110 West Washington Street, Phoenix, Arizona 85007, between the hours of 8:00 a.m. and 5:00 p.m. Electronic copies are available from ADEQ at dml@azdeq.gov. For more information visit ADEQ's Source Water Assessment and Protection Unit website at: www.azdeq.gov/environ/water/dw/swap.html.

The USEPA and ADEQ require Arizona Water Company to provide the following information:

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some constituents. The presence of constituents does not necessarily indicate that water poses a health risk. More information about constituents and potential health effects can be obtained by calling the USEPA's Safe Drinking Water Hotline (800-426-4791).

Some people may be more vulnerable to constituents in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. USEPA/CDC guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbial constituents are available from the Safe Drinking Water Hotline (800-426-4791).

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radiological material, and can pick up substances resulting from the presence of animals or from human activity.

Constituents that may be present in source water include:

- *Microbials, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.*
- *Inorganics, such as salts and metals, which can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.*
- *Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.*
- *Organics, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.*
- *Radiological material, which can be naturally-occurring or be the result of oil and gas production and mining activities.*

In order to ensure that tap water is safe to drink, USEPA prescribes regulations which limit the amount of certain constituents in water provided by public water systems. FDA regulations establish limits for constituents in bottled water which must provide the same protection for public health.

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. Arizona Water Company is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the USEPA's Safe Drinking Water Hotline or at <http://www.epa.gov/lead>.

DEFINITIONS, ABBREVIATIONS, AND UNIT DESCRIPTIONS:

Action Level	=	The concentration of a constituent which, if exceeded, triggers treatment or other requirements which a water system must follow.
CDC	=	United States Centers for Disease Control and Prevention
FDA	=	United States Food and Drug Administration
MCL	=	Maximum Contaminant Level, the highest level of a constituent that is allowed in drinking water. MCLs are set as close to the MCLGs using the best available treatment technology as is economically and technologically feasible.
MCLG	=	Maximum Contaminant Level Goal, the level of a constituent in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.
MRDL	=	Maximum Residual Disinfection Level, the highest level of a drinking water disinfectant allowed in drinking water
MRDLG	=	Maximum Residual Disinfection Level Goal, the level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial constituents.
NA	=	None adopted
ND	=	None detected
NS	=	No standard
pCi/L	=	Picocuries per liter
ppb	=	Parts per billion, or micrograms per liter (µg/l)
ppm	=	Parts per million, or milligrams per liter (mg/l)
PWSID	=	Public Water System Identification



April 14, 2022

Mr. Mark TenBroek
744 Quail Tail Trail
Sedona, Arizona 86336

Sent via US Mail and email to tenbroekmj@gmail.com

RE: Miramonte Homes, LLC – Jordan Road Project

Dear Mr. TenBroek:

On February 10, 2022, you provided my office with information you contend supports allegations you have made against this firm's client, Miramonte Homes, LLC, ("Miramonte Homes"), namely, your claims regarding soil contamination on Miramonte Homes' Jordan Road property. A review of the information you provided shows that you do not have any factual support for your claims beyond mere conjecture. Your continued dissemination of this misinformation is clearly designed with the intent of jeopardizing Miramonte Homes' Jordan Road project, and you must immediately cease and desist from this course of conduct or risk significant liability for damages your communications may cause Miramonte Homes.

As I previously communicated to you, Arizona law prohibits an individual from communicating derogatory, false information to a third party regarding another's business when such communications are designed to interfere with that business. *W. Tech., Inc. v. Sverdrup & Parcel, Inc.*, 154 Ariz. 1, 4 (App. 1986). "[F]alse assertions that state or imply a factual accusation may be actionable." *Burns v. Davis*, 196 Ariz. 155, 165 (App. 1999); *see also Rodriguez v. Panayiotou*, 314 F.3d 979, 985 (9th Cir. 2002) ("Even if the speaker states the facts upon which he bases his opinion, if those facts are either incorrect or incomplete, or if his assessment of them is erroneous, the statement may still imply a false assertion of fact.") (citation omitted). Businesses harmed by such false communications are entitled to collect civil damages against the person who makes them.

On multiple occasions, you have falsely made claims regarding soil contamination on Miramonte Homes' Jordan Road properties. That claim is based on an erroneous assessment of incomplete and non-specific information. In your February 10, 2022, correspondence, you confirmed that the only information you have relied upon is (1) a historical marker displayed on Jordan Road indicating the historic use of the surrounding area as orchards; and (2) Arizona Water Company's Annual Water Quality Reports for Sedona, which summarizes date of water testing from unspecified "wells located throughout the Sedona Area." You have not provided any information that directly connects these alleged sources to Miramonte Homes' property, let alone that evidences anything about the present soil conditions thereof. Historically, orchards occupied much of Sedona, a fact which has not caused city-wide health concerns or other reasons to prevent development. Moreover, the water quality from wells across Sedona cannot be attributed to any one parcel, or even the boundaries of Sedona alone. The information on which you base your accusations is vague, overbroad, and does not support the conclusion you have made. Your assessment of this information is deeply flawed, and your distribution of your unsupportable claim that the Jordan Road property's soil is contaminated is libelous.

Mr. Mark TenBroek
April 14, 2022
Page 2

Recently, I received a call from Morgan O'Connor, a community liaison with the Arizona Department of Environmental Quality (ADEQ). Mr. O'Connor called to address your multiple communications with ADEQ regarding Miramonte Homes' Jordan Roads property. His assessment of your claims is similar to that stated above; namely, that the information you provide does not in fact support the conclusion you have reached. Mr. O'Connor advised that ADEQ intends to take no further action on this matter.

In addition to your communications with ADEQ, you have distributed false information to numerous third parties. On January 10, 2022, you sent a letter multiple state and city officials that contained the foregoing false and injurious information, and you copied that letter to employees with ADEQ and the Arizona Department of Agriculture. Given the falsity of your claims regarding the Jordan Road properties, and the very serious risk of harm to Miramonte Homes' business your allegations entail, Miramonte Homes may already have a claim against you for any damages they have sustained.

This letter constitutes Miramonte Homes' demand that you immediately cease and desist from further making the injurious statements that interfere with Miramonte Homes' business before such statements cause further damages. Should you choose to ignore this notice, or should any of your prior communications adversely impact Miramonte Homes' Jordan Road project, be advised that we will take prompt action against you to enforce our client's legal rights and protect its business interests.

Sincerely,
ASPEY, WATKINS & DIESEL, PLLC

A handwritten signature in black ink, appearing to read 'Whitney Cunningham', with a horizontal line extending to the right.

Whitney Cunningham
WCC/EJC

Charity Lee

From: Charity Lee
Sent: Thursday, December 8, 2022 4:51 PM
To: stanford.hartman@gmail.com; tenbroekmj@gmail.com; adam@beyondadobe.com; tom@wealthsc.com; dave.theroux@gmail.com; rcseak@aol.com; ann.holland99@gmail.com; jlmtheroux1@gmail.com
Subject: Jordan Townhomes Resubmittal 12-8-22

Good afternoon,

I'm sending this e-mail out to you because you provided your e-mail address at the neighborhood meeting on January 31, 2022. I wanted to reach out and inform you that we have resubmitted our application to the City of Sedona. Our plan is largely the same, however, we did add an additional floor plan, which is a one-bedroom unit under 500 SF. Below is a link to the resubmitted documents. Please let me know if you have any questions. Feel free to pass this along to your neighbors that are not included in this e-mail.

https://www.dropbox.com/transfer/AAAAADwIUxFDyqEHEiotUnaoiM_squTfn1asgtxDG6FVkg7GDKNsGjs

Charity Lee
Land Acquisition & Entitlements Manager



MIRAMONTE
H O M E S
102 S. Mikes Pike
Flagstaff, AZ. 86001
928-600-3594 Cell

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Charity Lee

From: Charity Lee
Sent: Thursday, March 16, 2023 11:48 AM
To: stanford.hartman@gmail.com; tenbroekmj@gmail.com; adam@beyondadobe.com; tom@wealthsc.com; dave.theroux@gmail.com; rcseak@aol.com; ann.holland99@gmail.com; jlmtheroux1@gmail.com
Subject: Jordan Townhomes Resubmittal 3-16-23

Good afternoon,

I'm sending this e-mail out to you all, because you provided your e-mail address at the neighborhood meeting on January 31, 2022. I wanted to reach out and inform everyone that we will be resubmitting our development plans this afternoon to the City of Sedona. The City will updating the files on their website soon and will available for you to view at <https://www.sedonaaz.gov/your-government/departments/community-development/projects-and-proposals>.

Thank you,

Charity Lee
Land Acquisition & Entitlements Manager



102 S. Mikes Pike
Flagstaff, AZ. 86001
928-600-3594 Cell

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Charity Lee

From: Charity Lee
Sent: Thursday, March 16, 2023 11:54 AM
To: 'stephen.andrade@jwu.edu'
Subject: Jordan Townhomes Resubmittal 3-16-23

Good afternoon,

I wanted to reach out to let you know that we will be resubmitting our development plans this afternoon to the City of Sedona. The City will be updating the files on their website soon and they will be available for you to view at <https://www.sedonaaz.gov/your-government/departments/community-development/projects-and-proposals>.

Charity Lee
Land Acquisition & Entitlements Manager



102 S. Mikes Pike
Flagstaff, AZ. 86001
928-600-3594 Cell

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Charity Lee

From: Charity Lee
Sent: Thursday, March 16, 2023 11:54 AM
To: 'Richard.Helt@nau.edu'
Subject: Jordan Townhomes Resubmittal 3-16-23

Good afternoon,

I wanted to reach out to let you know that we will be resubmitting our development plans this afternoon to the City of Sedona. The City will updating the files on their website soon and they will be available for you to view at <https://www.sedonaaz.gov/your-government/departments/community-development/projects-and-proposals>.

Charity Lee
Land Acquisition & Entitlements Manager



102 S. Mikes Pike
Flagstaff, AZ. 86001
928-600-3594 Cell

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Charity Lee

From: Charity Lee
Sent: Thursday, March 16, 2023 11:56 AM
To: 'd.a. sheahan'
Subject: Jordan Townhomes Resubmittal 3-16-23

Good afternoon,

I wanted to reach out to let you know that we will be resubmitting our development plans this afternoon to the City of Sedona. The City will updating the files on their website soon and they will be available for you to view at <https://www.sedonaaz.gov/your-government/departments/community-development/projects-and-proposals>.

Charity Lee
Land Acquisition & Entitlements Manager



**102 S. Mikes Pike
Flagstaff, AZ. 86001
928-600-3594 Cell**

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Charity Lee

From: Charity Lee
Sent: Thursday, March 16, 2023 12:02 PM
To: 'clayhorse.mama@gmail.com'
Subject: Jordan Townhomes Resubmittal 3-16-23

Good afternoon,

I wanted to reach out to let you know that we will be resubmitting our development plans this afternoon to the City of Sedona. The City will be updating the files on their website soon and they will be available for you to view at <https://www.sedonaaz.gov/your-government/departments/community-development/projects-and-proposals>.

Charity Lee
Land Acquisition & Entitlements Manager



102 S. Mikes Pike
Flagstaff, AZ. 86001
928-600-3594 Cell

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EXHIBIT 1d. Special Warranty Deed

at the request of Pioneer Title Agency, Inc.

When recorded mail to
MICM Sedona Jordan Lofts Project LP
Christopher Kemmerly
2502 E. River Rd.
Tucson, AZ 85718

Exhibit 1d.
Page 1 of 9

70517552-SLC

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CAPTION HEADING: Special Warranty Deed/Affidavit of Property Value

This Special Warranty Deed and Affidavit of Property Value are being re-recorded for the sole purpose of adding the Date to Page 2 of the Special Warranty Deed to show as November 16, 2022.

DO NOT REMOVE

THIS IS PART OF THE OFFICIAL DOCUMENT

(THIS FORM IS FOR RECORDER'S USE ONLY)

Official Records of Coconino County 3964380
Patty Hansen - Recorder 11/17/2022 01:01:46 PM Pgs: 3
PIONEER TITLE AGENCY \$30.00

Exhibit 1d.
Page 2 of 9

When Recorded Return To:

MICM Sedona Jordan Lofts Project LP
2502 East River Road
Tucson, Arizona 85718
Attn: Christopher Kemmerly

70517552-5LC

For Recorder's Use

SPECIAL WARRANTY DEED

For the consideration of Ten Dollars (\$10.00) and other valuable consideration, Jordan Road Lofts, LLC, an Arizona limited liability company ("Grantor"), hereby conveys to MICM Sedona Jordan Lofts Project LP, a Delaware limited partnership ("Grantee"), the following Real Property situated in Coconino County, Arizona:

See Exhibit "A" attached hereto and incorporated herein (the "Property")

TOGETHER WITH any and all rights and privileges appurtenant or incidental thereto, including without limitation, strips and gores of land thereon, improvements, buildings, all mineral rights and water rights and well rights pertinent and used in connection with the Property that Grantor has the right to transfer and convey to Grantee, rights in adjacent strips of land, easements and rights of way, and all other appurtenant rights and privileges.

SUBJECT TO current and non-delinquent real property taxes and assessments, reservations in patents, all easements, rights-of-way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record, building codes and applicable zoning conditions, and all matters which an accurate survey of the Property or a physical inspection of the Property would disclose.

And Grantor hereby binds itself and its successors to warrant and defend the title, as against all acts of Grantor herein and none other, subject to the matters above set forth.

[Remainder of Page Left Intentionally Blank]

[Signature Page Follows]

[Signature Page to Special Warranty Deed]

DATED this ___th day of November, 2022.

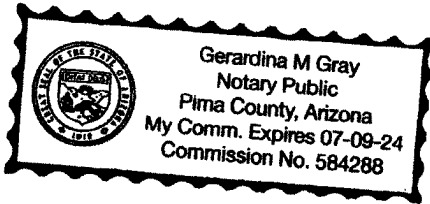
Jordan Road Lofts, LLC, an Arizona limited liability company

By: The Kemmerly Company, an Arizona corporation, its Manager

By: 
Christopher Kemmerly, President

STATE OF ARIZONA)
) ss.
County of Pima)

The foregoing instrument was acknowledged before me this 14th day of November, 2022, by Christopher Kemmerly, the President of The Kemmerly Company, an Arizona corporation, the Manager of Jordan Road Lofts, LLC, an Arizona limited liability company.



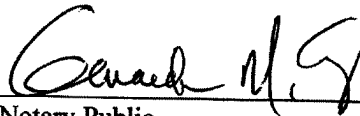

Notary Public

EXHIBIT "A" to Special Warranty Deed

Legal Description

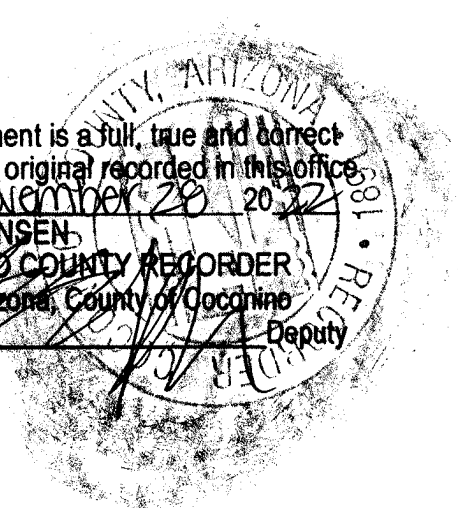
THE LAND REFERRED TO HEREIN IS SITUATED IN COCONINO COUNTY, ARIZONA,
AND IS DESCRIBED AS FOLLOWS:

That parcel shown on "Orchards Reversionary Plat" recorded in Document No. 3845469, and Affidavit of Correction recorded in Document No. 3847364, records of Coconino County, Arizona, being a portion of the Southwest quarter of the Southwest quarter of Section 5, Township 17 North, Range 6 East, Gila & Salt River Base and Meridian, Coconino County, Arizona;

Formerly described of record as:

Lots 1 through 9, inclusive and Tract A, Block 10, STRAWBERRY COURT OF THE ORCHARDS, TRACT NO 1188, as shown on the plat thereof recorded in Case 3, Map 27, records of Coconino County, Arizona.

This document is a full, true and correct
copy of the original recorded in this office.
Attest November 28 2022
PATTY HANSEN
COCONINO COUNTY RECORDER
State of Arizona, County of Coconino
By _____ Deputy



at the request of Pioneer Title Agency, Inc.

When recorded mail to
MICM Sedona Jordan Lofts Project LP
Christopher Kemmerly
2502 E. River Rd.
Tucson, AZ 85718

70517552-SLC

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CAPTION HEADING: Special Warranty Deed/Affidavit of Property Value

This Special Warranty Deed and Affidavit of Property Value are being re-recorded for the sole purpose of adding the Date to Page 2 of the Special Warranty Deed to show as November 16, 2022.

DO NOT REMOVE

THIS IS PART OF THE OFFICIAL DOCUMENT

(THIS FORM IS FOR RECORDER'S USE ONLY)

AFFIDAVIT OF PROPERTY VALUE

1. ASSESSOR'S PARCEL IDENTIFICATION NUMBER(S)

Primary Parcel: 401-58-001A
BOOK MAP PARCEL SPLIT

Does this sale include any parcels that are being split / divided?
Check one: Yes No

How many parcels, other than the Primary Parcel, are included in this sale? 0

Please list the additional parcels below (attach list if necessary):

(1) _____ (2) _____
(3) _____ (4) _____

2. SELLER'S NAME AND ADDRESS:

Jordan Road Lofts, LLC
2502 E. River Rd.
Tucson, AZ 85718

3. (a) BUYER'S NAME AND ADDRESS:

MCM Sedona Jordan Lofts Project LP
2502 E. River Rd.
Tucson, AZ 85718

(b) Are the Buyer and Seller related? Yes No
If Yes, state relationship: Related Business Entities

4. ADDRESS OF PROPERTY:

Vacant Land
Sedona, AZ

5. (a) MAIL TAX BILL TO: (Taxes due even if no bill received)

MCM Sedona Jordan Lofts Project LP
2502 E. River Rd.
Tucson, AZ 85718

(b) Next tax payment due October 1, 2023

6. PROPERTY TYPE (for Primary Parcel): NOTE: Check Only One Box

- a. Vacant Land
- b. Single Family Residence
- c. Condo or Townhouse
- d. 2-4 Plex
- e. Apartment Building
- f. Commercial or Industrial Use
- g. Agricultural
- h. Mobile or Manufactured Home
- i. Other Use; Specify: _____

7. RESIDENTIAL BUYER'S USE: If you checked b, c, d or h in Item 6 above, please check one of the following:

- a. To be used as a primary residence.
- b. To be rented to someone other than a "qualified family member".
- c. To be used as a non-primary or secondary residence.

See reverse side for definitions of a "primary residence, secondary residence" and "family member."

8. If you checked e or f in Item 6 above, indicate the number of units: _____
For Apartments, Motels / Hotels, Mobile Home / RV Parks, etc.

THE UNDERSIGNED BEING DULY SWORN, ON OATH, SAYS THAT THE FOREGOING INFORMATION IS A TRUE AND CORRECT STATEMENT OF THE FACTS PERTAINING TO THE TRANSFER OF THE ABOVE DESCRIBED PROPERTY.

Signature of Seller / Agent

State of ARIZONA County of Cocoonino

Subscribed and sworn to before me on this 17 day of November 2022

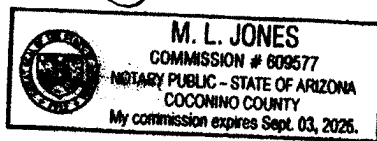
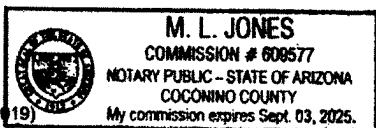
Notary Public [Signature]
Notary Expiration Date 9-30-25

Signature of Buyer / Agent

State of ARIZONA County of Cocoonino

Subscribed and sworn to before me on this 17 day of November 2022

Notary Public [Signature]
Notary Expiration Date 9-30-25



FOR RECORDER'S USE ONLY

SWF - 03 Pages: 2 3964380
11/17/2022 01:01:46 PM

9. TYPE OF DEED OR INSTRUMENT (Check Only One Box):

- a. Warranty Deed
- b. Special Warranty Deed
- c. Joint Tenancy Deed
- d. Contract or Agreement
- e. Quit Claim Deed
- f. Other: _____

10. SALE PRICE: \$ 1,140,000.00

11. DATE OF SALE (Numeric Digits): 11 / 2023
Month / Year

12. DOWN PAYMENT \$ 1,140,000.00

13. METHOD OF FINANCING:

- a. Cash (100% of Sale Price)
- b. Barter or trade
- c. Assumption of existing loan(s)
- d. Seller Loan (Carryback)
- e. New loan(s) from financial institution:
 - (1) Conventional
 - (2) VA
 - (3) FHA
- f. Other financing; Specify: _____

14. PERSONAL PROPERTY (see reverse side for definition):

- (a) Did the Sale Price in Item 10 include Personal Property that impacted the Sale Price by 5 percent or more? Yes No
- (b) If Yes, provide the dollar amount of the Personal Property:

\$ 00 AND

briefly describe the Personal Property: _____

15. PARTIAL INTEREST: If only a partial ownership interest is being sold, briefly describe the partial interest: N/A

16. SOLAR / ENERGY EFFICIENT COMPONENTS:

- (a) Did the Sale price in Item 10 include solar energy devices, energy efficient building components, renewable energy equipment or combined heat and power systems that impacted the Sale Price by 5 percent or more? Yes No
- If Yes, briefly describe the solar / energy efficient components: _____

17. PARTY COMPLETING AFFIDAVIT (Name, Address, Phone Number):

Pioneer Title Agency, Inc.
100 N. Elden Street Flagstaff, AZ 86001
Phone: (928) 779-0371

18. LEGAL DESCRIPTION (attach copy if necessary):

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Escrow No. 70517552-005-SLC
Affidavit of Property Value...Continued

EXHIBIT "A"
Legal Description

That parcel shown on "Orchards Reversionary Plat" recorded in Document No. 3845469, and Affidavit of Correction recorded in Document No. 3847364, records of Coconino County, Arizona, being a portion of the Southwest quarter of the Southwest quarter of Section 5, Township 17 North, Range 6 East, Gila & Salt River Base and Meridian, Coconino County, Arizona;

Formerly described of record as:

Lots 1 through 9, inclusive and Tract A, Block 10, STRAWBERRY COURT OF THE ORCHARDS, TRACT NO 1188, as shown on the plat thereof recorded in Case 3, Map 27, records of Coconino County, Arizona.

This document is a full, true and correct
copy of the original recorded in this office
Attest November 28 2022
PATTY HANSEN
COCONINO COUNTY RECORDER
State of Arizona County of Coconino
By [Signature] Deputy

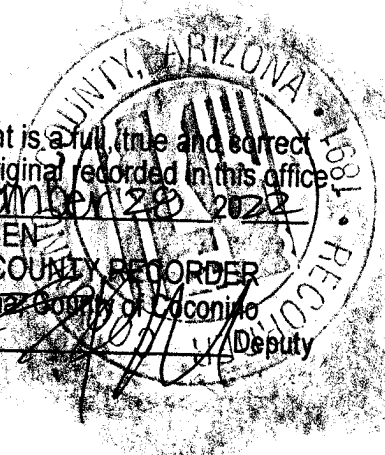


EXHIBIT 1e. Letters of Serviceability

ARIZONA WATER COMPANY

3805 N. BLACK CANYON HIGHWAY, PHOENIX, AZ 85015-5351 • P.O. BOX 29006, PHOENIX, AZ 85038-9006
PHONE: (602) 240-6860 • FAX: (602) 240-6874 • TOLL FREE: (800) 533-6023 • www.azwater.com

April 2, 2021

Arthur H. Beckwith, PE.
75 Kallof Place
Sedona, AZ 86336

Re: Domestic Water Service to Jordan Lofts - APN Nos. 401-58-001A and 401-05-004A

Dear Mr. Beckwith:

Arizona Water Company (the "Company") certifies that the above-described property is located within its Sedona Certificate of Convenience and Necessity in Sedona, Arizona, and that it will provide water service to the property in accordance with the Company's tariffs and the Arizona Corporation Commission's rules and regulations. It will be the responsibility of the developer to provide the funds to install the necessary water facilities, and the Company assumes no liability to install those facilities if the funds are not advanced by the developer.

The design of the water distribution system must comply with the Company's standard specifications that are on file at the Yavapai County Development Services. Both preliminary and final water system designs must be approved by the Company.

It will also be the responsibility of the developer to meet all the requirements of regulatory agencies having jurisdiction over Arizona subdivisions and of Arizona statutes applicable to subdivided or unsubdivided land, including, but not limited to, requirements relating to a Certificate of Assured Water Supply, as set forth in the Arizona Groundwater Management Act, A.R.S. §45-576.

Please notify the Company if you will be proceeding with development of the property so the Company can prepare the necessary Agreement.

Very truly yours,



Andrew J. Haas, P.E.
Vice President - Engineering
developmentservices@azwater.com

gs

E-MAIL: developmentservices@azwater.com





Mail:
102 Roadrunner Dr.
Sedona, AZ 86336

Site:
7500 W. SR 89A
Sedona, AZ 86336

(928) 204-2234
sedonaaz.gov

FAX (928) 204-7137

Wastewater Department

March 23, 2021

Arthur Beckwith, PE
Shephard-Wesnitzer, Inc.
PO Box 3924
Sedona, AZ 86340

SUBJECT: WILL SERVE SEWER – 630 JORDAN RD & 500 QUAIL TAIL TRAIL
APN 401-58-001A & 401-05-004A

This letter is in response to your request regarding sewer service availability for the properties referenced above.

These parcels have sewer availability, due to sewer being available adjacent to the point of access to the property, as defined in City Code section 13.15. Currently, both parcels are being billed the sewer standby fee.

However, depending on the scope and impact of the development proposal, adequate capacity may not be available. Available sewer capacity is on a first come-first served basis, and there are no guarantees of sewer capacity for this property until a development proposal is approved.

According to City records APN 401-58-001A (630 Jordan Rd) has services near the southwest corner of the parcel and approximately 18 linear feet east of the manhole located in the intersection of Sunset Lane and Wilson Canyon Road. APN 401-05-004A (500 Quail Tail Trail) has a service approximately 52 linear feet east of the manhole located in the intersection of Wilson Canyon Road and Quail Tail Trail, and 17 feet west of the last manhole in Quail Tail Trail. Field verification of these service lateral locations should be conducted.

In conclusion, sewer service is available on this property and, if adequate capacity is available at the time of development approval, sewer will be served by the city of Sedona. If you have any questions or concerns, please contact me at (928) 203-5069.

Sincerely,

A handwritten signature in blue ink, appearing to read "Roxanne Holland".

Roxanne Holland, PE
Director of Wastewater

RH:ms

cc: J. Andy Dickey, Director of Public Works/City Engineer (e-copy)
Hanako Ueda, Assistant Engineer (e-copy)
Sal Valenzuela, Chief Public Works Inspector (e-copy)
Marsha Beckwith, Accounting Technician (e-copy)
Streets file: Jordan Rd, Quail Tail Trail



1250 E. State Route 89A
Cottonwood, AZ 86326

April 20, 2021

To: Art Beckwith,

Regarding: Jordan Lofts – APN: 401-28-001A and 401-05-004A

The above referenced project is located in Arizona Public Service Company's electric service area. As a matter of fact, this property is already being served by APS. The Company extends its lines in accordance with the "Conditions Governing Extensions of Electric Distribution Lines and Services," Schedule 3, and the "Terms and Conditions for the Sale of Electric Service," Schedule 1, on file with the Arizona Corporation Commission at the time we begin installation of the electric facilities. These Schedules are available on-line at aps.com.

Application for the Company's electric service often involves construction of new facilities for various distances and costs depending upon customer's location, load size and load characteristics. With such variations, it is necessary to establish conditions under which Arizona Public Service will extend its facilities.

Sincerely,

Patty G

Verde Control Desk
928 646 8502
Verdecontroldesk@apsc.com

Our Purpose: As Arizona stewards, we do what is right for the people and prosperity of our state.

Our Vision: Create a sustainable energy future for Arizona.

Our Mission: Serve our customers with clean, reliable and affordable energy.



CenturyLink Engineering
500 S Calvary Way
Cottonwood, AZ 86326

March 24, 2021

Art Beckwith
Shepard – Wesnitzer, Inc
75 Kallof Place
Sedona, AZ 86336

RE: Jordan Lofts
Sedona, AZ 86336

Art,

The above mentioned property is located in a parcel located in Section 5, Township 17N and Range 6E in Coconino County.

In response to your “Service Availability” request for the above mentioned property, this letter is to acknowledge, the property is within the CenturyLink serving territory.

The tariff Rates and Regulations prescribed for service for this location are on file with your State Utilities Commission, and may be examined at your CenturyLink Business Office.

Nearest facilities are on the north/west corner of Navahopi Road and Jordan Road

Sincerely,

Armen McNerlin
Lumen/CenturyLink Engineer
500 S Calvary Way
Cottonwood, AZ 86326
office 928.634.2102
cell 928.821.4609



April 27, 2021

Arthur H. Beckwith, PE

Shephard Wesnitzer, Inc

RE: Jordan Lofts Parcel#401-58-001A, 401-05-004A Sedona, AZ

Thank you for your interest in the use of natural gas for the above location. There is natural gas mains that parallel both of these parcels, please see attached map. Gas can be served by running one or multiple new service lines depending on gas load.

Attached you will find a residential application for gas service, that explains the cost under the General Conditions and what the customer is responsible for. If you have any more questions please contact me at 928-203-1214.

Thank you,
Taylor Mathe
Planner

UniSource Energy Services
500 S Willard Street
Cottonwood, AZ 86336
928-203-1295

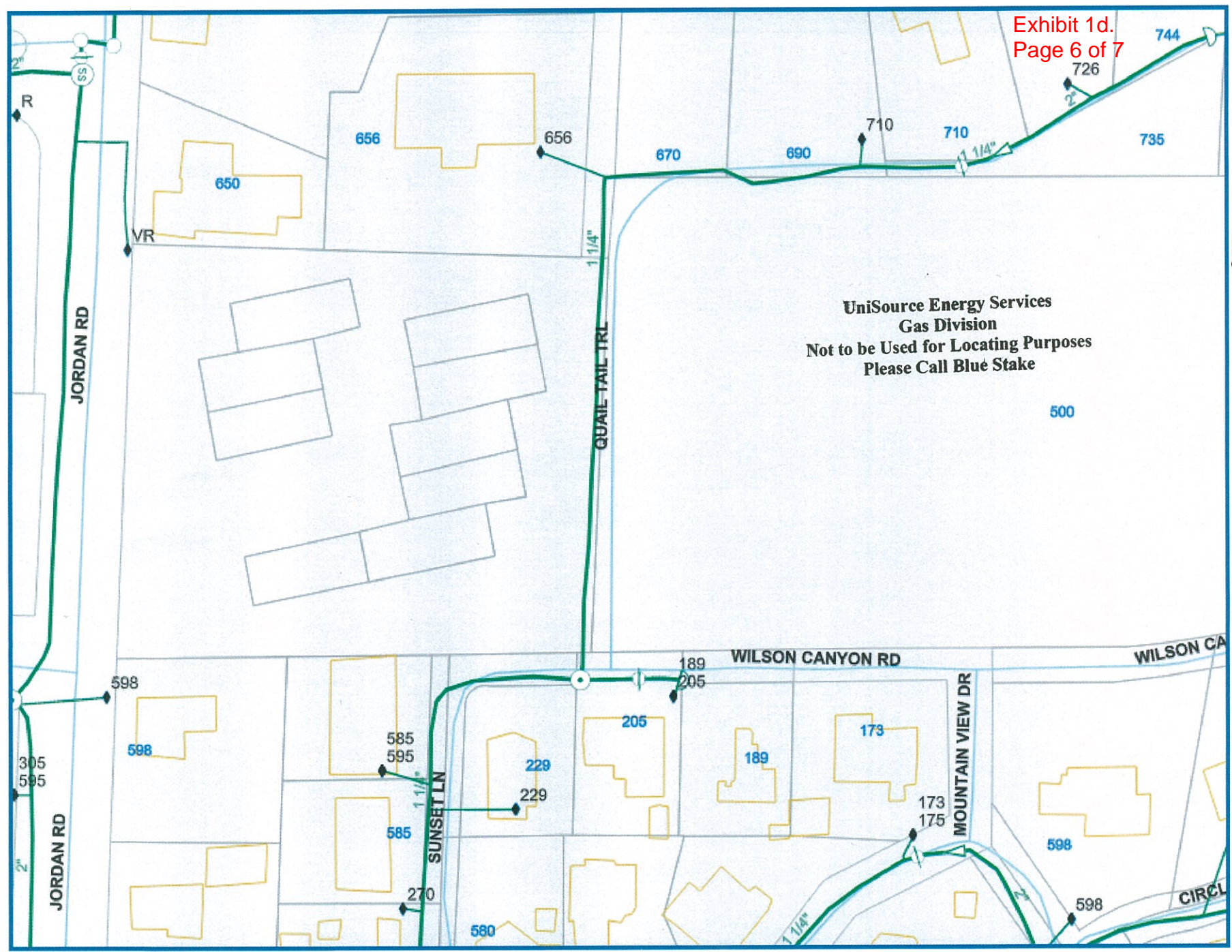
Exhibit 1d.
Page 6 of 7



1-800-STAKE IT



**UniSource Energy Services
Gas Division**
Not to be Used for Locating Purposes
Please Call Blue Stake



UniSourceEnergy
SERVICES



Taylor Waste

P.O. Box 3218 • Cottonwood, AZ 86326 • (928) 649-2662 • Prescott Valley, AZ • (928) 778-5454 • www.taylorwaste.com

03/24/2021

Exhibit 1d.
Page 7 of 7

SWI
75 Kallof Pl
Sedona, Az 86336

To: Shephard – Wesnitzer, Inc.

Re: Jordan Lofts, Job No. 20206

Thank you for requesting a letter of serviceability from Taylor Waste, Inc.

Taylor Waste can provide waste service for the Jordan Lofts – APN: 401-28-001A, 401-05-004A Section 05, T17N, R6E which are in the City of Sedona, off of Jordan Rd. Taylor Waste, Inc. already services numerous Customers on Jordan Rd and Wilson Canyon Rd.

Please call our office at (928) 649-2662 if you have any further questions.

Sincerely,

Chris Taylor
Owner/President

"Service taylored to your needs"

EXHIBIT 1f. Title Report



First American Title™

ALTA Commitment for Title Insurance

ISSUED BY

**Pioneer Title Agency, Inc. as agent for
First American Title Insurance Company**

Commitment

COMMITMENT FOR TITLE INSURANCE

Exhibit 1f.
Page 1 of 22

Issued By

FIRST AMERICAN TITLE INSURANCE COMPANY

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment [Conditions](#), **First American Title Insurance Company**, a Nebraska Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

First American Title Insurance Company

Kenneth D. DeGiorgio
President

Greg L. Smith
Secretary

Pioneer Title Agency, Inc.

100 N. Elden St.
Flagstaff, AZ 86001
(928) 779-0371

If this jacket was created electronically, it constitutes an original document.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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COMMITMENT CONDITIONS

Exhibit 1f.
Page 2 of 22

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements;
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.

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(g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

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First American Title™

ALTA Commitment for Title Insurance

ISSUED BY

Pioneer Title Agency, Inc. as agent
for First American Title Insurance Company

Schedule A

Transaction Identification Data for reference only:

Issuing Agent: Pioneer Title Agency, Inc.
Issuing Office's ALTA® Registry ID: 0000097
Escrow Officer: Stacey Shaddy
Property Address: Vacant Land, Sedona, AZ

Issuing Office: 100 N. Elden St., Flagstaff, AZ 86001
Loan ID No.:
Issuing Office File No.: 70517674-005-SLC

Exhibit 1f.
Page 4 of 22

SCHEDULE A

1. Commitment Date: November 18, 2022 at 7:30 am
2. Policy to be issued:
 - (a) **ALTA Standard Owners Policy (6-17-06)**
Proposed Insured: **Buyer**
Proposed Policy Amount: **\$To Come**
 - (b) **None**
Proposed Insured:
Proposed Policy Amount: **\$0.00**
 - (c) **None**
Proposed Insured:
Proposed Policy Amount: **\$0.00**
3. The estate or interest in the Land described or referred to in this Commitment is **Fee Simple**.
4. The Title is, at the Commitment Date, vested in:

MICM Sedona Jordan Lofts Project LP, a Delaware limited partnership
5. The Land is described as follows:
See Exhibit A attached hereto and made a part hereof.

First American Title Insurance Company

By: 
Authorized Signature

Note: Please direct all inquiries and correspondence to Stacey Shaddy, your escrow officer, at (928) 779-0371 or Stacey.Shaddy@PioneerTitleAgency.com. (K05)

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 First American Title™	ALTA Commitment for Title Insurance
	ISSUED BY Pioneer Title Agency, Inc. as agent for First American Title Insurance Company
Exhibit A	

Commitment No.: **70517674-005-SLC**

**Exhibit 1f.
Page 5 of 22**

**EXHIBIT A
Legal Description**

The Land referred to herein below is situated in the County of Coconino, State of Arizona, and is described as follows:

That parcel shown on "Orchards Reversionary Plat" recorded in Document No. [3845469](#), and Affidavit of Correction recorded in Document No. [3847364](#), records of Coconino County, Arizona, being a portion of the Southwest quarter of the Southwest quarter of Section 5, Township 17 North, Range 6 East, Gila & Salt River Base and Meridian, Coconino County, Arizona;

Formerly described of record as:

Lots 1 through 9, inclusive and Tract A, Block 10, STRAWBERRY COURT OF THE ORCHARDS, TRACT NO 1188, as shown on the plat thereof recorded in Case 3, Map [27](#), records of Coconino County, Arizona.

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	ISSUED BY Pioneer Title Agency, Inc. as agent for First American Title Insurance Company
Schedule BI	

Commitment No.: 70517674-005-SLC

Exhibit 1f.
Page 6 of 22

**SCHEDULE B, PART I
Requirements**

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. THE RIGHT is reserved to make additional exceptions or requirements upon submission of the name of the Proposed Insured Owner.
6. THE RIGHT is reserved to make additional exceptions or requirements upon submission of adequate information concerning the nature of the proposed transaction.
7. No open deeds of trust were found of record. Provide written verification by the principals and/or their agents that the subject property is free and clear of any voluntary encumbrances and advise the Title Department accordingly prior to close of escrow.
8. RECORD Deed from Vestee to Proposed Insured Owner.

NOTE: ARS 11:1133 may require the completion and filing of an Affidavit of Value.

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 First American Title™	ALTA Commitment for Title Insurance
	ISSUED BY Pioneer Title Agency, Inc. as agent for First American Title Insurance Company
Schedule BI (Cont.)	

Commitment No.: 70517674-005-SLC

Exhibit 1f.
Page 7 of 22

**SCHEDULE B, PART I
Requirements (Continued)**

NOTE: The names of the General Partner(s) of the Partnership referred to below are:

Name of Partnership	MICM Sedona Jordan Lofts Project LP, a Delaware limited partnership
Name of General Partner(s)	MICM Sedona Jordan Lofts Project GP LLC, a Delaware limited liability company

NOTE: THIS COMPANY has on file a copy of the Operating Agreement of the limited liability company named below, authorizing the persons listed below (with member/manager designation) to execute and deliver all instruments required to consummate this transaction:

Limited Liability Company	MICM Sedona Jordan Lofts Project GP LLC, a Delaware limited liability company
Person and designation	MICM Holding LP, a Delaware limited partnership, its Manager, by Miramonte RCM GP LLC, an Arizona limited liability company, its General Partner, by Christopher Kemmerly, its Manager

TAX NOTE:

Year	2022
Parcel No.	401-58-001A
Total Tax	\$4,353.40
First Half	PAID
Second Half	PAID

PRIOR to recording, obtain current tax information from:

Coconino County Treasurer
<https://treasurer.coconino.az.gov/treasurer/treasurerweb/search.jsp>
219 E. Cherry Ave.
Flagstaff, AZ 86001
(928) 679-7120

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	ISSUED BY Pioneer Title Agency, Inc. as agent for First American Title Insurance Company
Schedule BI (Cont.)	

Commitment No.: 70517674-005-SLC

Exhibit 1f.
Page 8 of 22

**SCHEDULE B, PART I
Requirements (Continued)**

NOTE: The only conveyance(s) affecting said land recorded within 24 months of the date of this commitment or most recent is (are) as follows:

Special Warranty Deed recorded December 17, 2021 as Document No. [3937774](#); Grantor: Garry J. Shuster No. 2 Family LLP, an Arizona limited liability partnership; Grantee: Jordan Road Lofts, LLC, an Arizona limited liability company.

Special Warranty Deed recorded November 17, 2022 as Document No. 3964380, and re-recorded November 29, 2022 as Document No. [3964934](#); Grantor: Jordan Road Lofts, LLC, an Arizona limited liability company; **Grantee: MICM Sedona Jordan Lofts Project LP, a Delaware limited partnership.**

NOTE: The address of said land is purported to be: **Vacant Land, Sedona, AZ**
The Company assumes no liability as to the validity and/or accuracy of any such address.

Note: Pursuant to Arizona Revised Statutes 11-480, effective January 1, 1991, the County Recorder may not accept documents for recording that do not comply with the following:

- **Print must be ten-point type (pica) or larger.**
- **Margins of at least one-half inch along the left and right sides one-half inch across the bottom and at least two inches on top for recording and return address information.**
- **Each instrument shall be no larger than 8 ½ inches in width and 14 inches in length.**

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 First American Title™	ALTA Commitment for Title Insurance
	ISSUED BY Pioneer Title Agency, Inc. as agent for First American Title Insurance Company
Schedule BII	

Exhibit 1f.
Page 9 of 22

SCHEDULE B, PART II
Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
2. a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
3. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession thereof.
4. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
5. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the Public Records.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
7. Any lien or right to a lien for services, labor or material not shown by the Public Records.

(Note: The above Exceptions Nos. 2 through 7, inclusive, will be eliminated from any A.L.T.A. Extended Coverage Policy, A.L.T.A. Homeowner's Policy, A.L.T.A. Expanded Coverage Residential Loan Policy and any short form versions thereof. However, the same or similar exception may be made in Schedule B of those policies in conformity with the remaining Exceptions of this Commitment shown below.)

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First American Title™

ALTA Commitment for Title Insurance

ISSUED BY

Pioneer Title Agency, Inc. as agent for
First American Title Insurance Company

Schedule BII (Cont.)

Commitment No.: 70517674-005-SLC

Exhibit 1f.
Page 10 of 22

SCHEDULE B, PART II

Exceptions (Continued)

8. TAXES AND ASSESSMENTS collectible by the County Treasurer, a lien not yet due and payable for the following year:

2023

9. OBLIGATIONS imposed upon said land by its inclusion within any district formed pursuant to Title 48, Arizona Revised Statutes, excluding however Municipal or County Improvement Districts.

10. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Book : 10 of Promiscuous Records
Page : 576
Purpose : Electric power transmission line
(Undefined)

11. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Docket : 241
Page : 46
Purpose : Road

12. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Docket : 270
Page : 115
Purpose : Road

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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AMERICAN
LAND TITLE
ASSOCIATION





First American Title™

ALTA Commitment for Title Insurance

ISSUED BY

Pioneer Title Agency, Inc. as agent for
First American Title Insurance Company

Schedule BII (Cont.)

Commitment No.: 70517674-005-SLC

Exhibit 1f.
Page 11 of 22

SCHEDULE B, PART II Exceptions (Continued)

13. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Docket : 311
Page : 28
Purpose : Water mains

14. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Docket : 339
Page : 182
Purpose : Road

15. MATTERS SHOWN ON SURVEY:

Recorded in Book : 6 of Surveys
Page : 84

16. MATTERS SHOWN ON SURVEY:

Recorded in Book : 8 of Surveys
Page : 3

17. MATTERS SHOWN ON SURVEY:

Recorded in Book : 8 of Surveys
Page : 68

18. MATTERS SHOWN ON SURVEY:

Recorded in Book : 8 of Surveys
Page : 83

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First American Title™

ALTA Commitment for Title Insurance

ISSUED BY

Pioneer Title Agency, Inc. as agent for
First American Title Insurance Company

Schedule BII (Cont.)

Commitment No.: 70517674-005-SLC

Exhibit 1f.
Page 12 of 22

SCHEDULE B, PART II Exceptions (Continued)

19. MATTERS SHOWN ON SURVEY:

Recorded in Book : 9 of Surveys
Page : 43

20. MATTERS SHOWN ON SURVEY:

Recorded in Book : 18 of Surveys
Page : 98

21. MATTERS SHOWN ON SURVEY:

Recorded in Document No. : 3441905

22. MATTERS SHOWN ON SURVEY:

Recorded in Document No. : 3469406

23. MATTERS SHOWN ON SURVEY:

Recorded in Document No. : 3480564

24. MATTERS SHOWN ON SURVEY:

Recorded in Document No. : 3495918

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 First American Title™	ALTA Commitment for Title Insurance
	ISSUED BY Pioneer Title Agency, Inc. as agent for First American Title Insurance Company
Schedule BII (Cont.)	

Commitment No.: 70517674-005-SLC

Exhibit 1f.
Page 13 of 22

SCHEDULE B, PART II
Exceptions (Continued)

25. EASEMENTS, restrictions, reservations and conditions as set forth on the plat;

Recorded in Case : 3 of Maps
Page : 27
AND Reversionary Plat:
Recorded in Document No. : 3845469
AND Affidavit of Correction:
Recorded in Document No. : 3847364

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Privacy Notice

Effective: January 1, 2020

Notice Last Updated: January 1, 2020

This Privacy Notice describes how First American Financial Corporation and its subsidiaries and affiliates (together referred to as “First American,” “we,” “us,” or “our”) collect, use, store, and share your information. This Privacy Notice applies to information we receive from you offline only, as well as from third parties. For more information about our privacy practices, please visit <https://www.firstam.com/privacy-policy/index.html>. The practices described in this Privacy Notice are subject to applicable laws in the places in which we operate.

What Type Of Information Do We Collect About You? We collect both **personal** and **non-personal information** about and from you. **Personal information** is non-public information that can be used to directly or indirectly identify or contact you. **Non-personal information** is any other type of information.

How Do We Collect Your Information? We collect your **personal** and **non-personal information**: (1) directly from you; (2) automatically when you interact with us; and (3) from third parties, including business parties and affiliates.

How Do We Use Your Information? We may use your personal information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, comply with relevant laws and our policies, and handling a claim. We may use your **non-personal information** for any purpose.

How Do We Share Your Personal Information? We do not sell your **personal information** to nonaffiliated third parties. We will only share your **personal information**, including to subsidiaries, affiliates, and to unaffiliated third parties: (1) with your consent; (2) in a business transfer; (3) to service providers; and (4) for legal process and protection. If you have any questions about how First American shares your **personal information**, you may contact us at dataprivacy@firstam.com or toll free at 1-866-718-0097.

How Do We Secure Your Personal Information? The security of your **personal information** is important to us. That is why we take commercially reasonable steps to make sure your **personal information** is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your **personal information**.

How Long Do We Keep Your Personal Information? We keep your **personal information** for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.

Your Choices We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and sharing of your **personal information**. In accordance with applicable law, your controls and choices. You can learn more about your choices, and exercise these controls and choices, by sending an email to dataprivacy@firstam.com or toll free at 1-866-718-0097.

International Jurisdictions: Our Products are hosted and offered in the United States of America (US), and are subject to US federal, state, and local law. If you are accessing the Products from another country, please be advised that you may be transferring your **personal information** to us in the US, and you consent to that transfer and use of your **personal information** in accordance with this Privacy Notice. You also agree to abide by the applicable laws of applicable US federal, state, and local laws concerning your use of the Products, and your agreements with us.

We may change this Privacy Notice from time to time. Any and all changes to this Privacy Notice will be reflected on this page, and where appropriate provided in person or by another electronic method. **YOUR CONTINUED USE, ACCESS, OR INTERACTION WITH OUR PRODUCTS OR YOUR CONTINUED COMMUNICATIONS WITH US AFTER THIS NOTICE HAS BEEN PROVIDED TO YOU WILL REPRESENT THAT YOU HAVE READ AND UNDERSTOOD THIS PRIVACY NOTICE.**

Contact Us dataprivacy@firstam.com or toll free at 1-866-718-0097.



For California Residents

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018 (“CCPA”). All phrases used in this section shall have the same meaning as those phrases are used under California law, including the CCPA.

Right to Know. You have a right to request that we disclose the following information to you: (1) the categories of personal information we have collected about or from you; (2) the categories of sources from which the personal information was collected; (3) the business or commercial purpose for such collection and/or disclosure of your personal information; (4) the categories of third parties with whom we have shared your personal information; and (5) the specific pieces of your personal information we have collected. To submit a verified request for this information, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097 and submitting written proof of such authorization to dataprivacy@firstam.com.

Right of Deletion. You also have a right to request that we delete the personal information we have collected from you. This right is subject to certain exceptions available under the CCPA and other applicable law. To submit a verified request for deletion, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097 and submitting written proof of such authorization to dataprivacy@firstam.com.

Verification Process. For either a request to know or delete, we will verify your identity before responding to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the personal information requested, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Right to Opt-Out. We do not sell your personal information to third parties, and do not plan to do so in the future.

Right of Non-Discrimination. You have a right to exercise your rights under California law, including under the CCPA, without suffering discrimination. Accordingly, First American will not discriminate against you in any way if you choose to exercise your rights under the CCPA.

Collection Notice. The following is a list of the categories of personal information we may have collected about California residents in the twelve months preceding the date this Privacy Notice was last updated, including the business or commercial purpose for said collection, the categories of sources from which we may have collected the personal information, and the categories of third parties with whom we may have shared the personal information:

Categories of Personal Information Collected	The categories of personal information we have collected include, but may not be limited to: real name; signature; alias; SSN; physical characteristics or description, including protected characteristics under federal or state law; address; telephone number; passport number; driver’s license number; state identification card number; IP address; policy number; file number; employment history; bank account number; credit card number; debit card number; financial account numbers; commercial information; internet or other electronic network activity; geolocation data; audio and visual information; professional or employment information; and inferences drawn from the above categories to create a profile about a consumer.
Categories of Sources	Categories of sources from which we’ve collected personal information include, but may not be limited to: the consumer directly; public records; governmental entities; non-affiliated third parties; social media networks; affiliated third parties
Business Purpose for Collection	The business purposes for which we’ve collected personal information include, but may not be limited to: completing a transaction for our Products; verifying eligibility for employment; facilitating employment; performing services on behalf of affiliated and non-affiliated third parties; debugging to identify and repair errors that impair existing intended functionality on our Websites, Applications, or Products; protecting against malicious, deceptive, fraudulent, or illegal activity



Categories of Third Parties Shared

The categories of third parties with whom we've shared **personal information** include, but may not be limited to: advertising networks; internet service providers; data analytics providers; service providers; government entities; operating systems and platforms; social media networks; non-affiliated third parties; affiliated third parties

Categories of Personal Information We Have Sold In The Past Year. We have not sold any personal information of California residents to any third party in the twelve months preceding the date this Privacy Notice was last updated.

Categories of Personal Information Disclosed For A Business Purpose In The Past Year. The following is a list of the categories of **personal information** of California residents we may have disclosed for a business purpose in the 12 months preceding the date this Privacy Notice was last updated: The categories of personal information we have collected include, but may not be limited to: real name; signature; alias; SSN; physical characteristics or description, including protected characteristics under federal or state law; address; telephone number; passport number; driver's license number; state identification card number; IP address; policy number; file number; employment history; bank account number; credit card number; debit card number; financial account numbers; commercial information; internet or other electronic network activity; geolocation data; audio and visual information; professional or employment information; and inferences drawn from the above categories to create a profile about a consumer.

Privacy Policy Statement

The Financial Services Modernization Act, known as the Gramm-Leach-Bliley Act, requires us to explain to our customers the ways in which we collect and use customer information.

We are committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with your personal and/or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, Pioneer Title Agency, Inc. has adopted this Privacy Policy to govern the use and handling of your personal information.

Personal Information Collected

- Information we receive from you on applications or other forms, such as your name, address, social security number, tax identification number, asset information, and income information;
- Information about your transactions with or services performed by us, our affiliates, or others, such as information concerning your policy, premiums, payment history, information about your home or other real property, information from lenders and other third parties involved in such transaction, account balances, and credit card information; and
- Information we receive from consumer or other reporting agencies and publicly recorded documents.

Use of Information

We may disclose the above information (excluding information we receive from consumer or other credit reporting agencies) about our customers or former customers to our affiliates or nonaffiliated third parties as permitted by law.

Disclosures may include, without limitation, the following:

- To insurance agents, brokers, representatives, support organizations, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third party contractors or service providers for the purpose of determining your eligibility for an insurance benefit or payment and/or providing you with services you have requested;
- To an insurance regulatory authority, or a law enforcement or other governmental authority, in a civil action, in connection with a subpoena or a governmental investigation;
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

Links to Other Websites

Our websites contain links to websites that are provided and maintained by third parties and that are not subject to our Privacy Policy Statement. Please review the privacy policy statements on those websites. We make no representations concerning and are not responsible for any such third party websites or their privacy policies or practices.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees to ensure that your information will be handled responsibly and in accordance with the Privacy Policy Statement. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

Parcel Viewer Map



12/6/2022, 9:38:05 AM

Addresses

- Primary
- Secondary

County Boundary

Municipal Boundaries

Coconino County Parcels

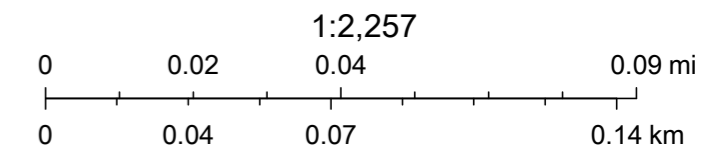
County Land Ownership

National Forest

Private

Private

Simultaneous Conveyance First Division



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors.

Parcel Viewer Map



12/6/2022, 9:38:02 AM

Addresses

- Primary
- Secondary

County Boundary

Municipal Boundaries

Coconino County Parcels

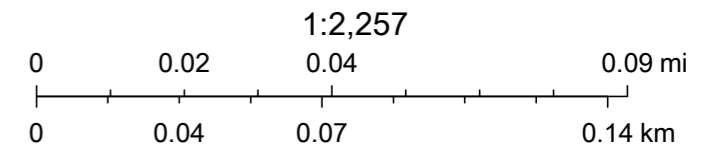
County Land Ownership

National Forest

Private

Private

Simultaneous Conveyance First Division

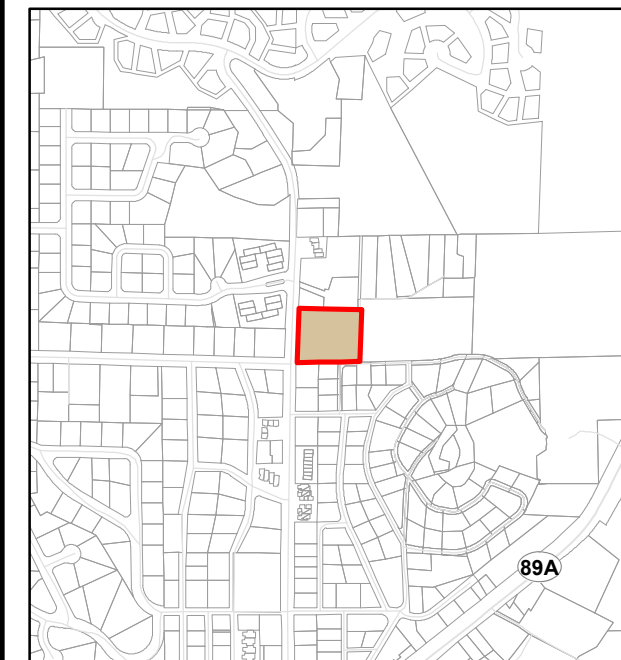


Maxar, Microsoft, County of Yavapai, Esri, HERE, Garmin, GeoTechnologies, Inc.

Book 401 Map 58

POR SW4 SW4 SEC 5 T17N R06E

Overview Map



Book 401 Map 58

1A

Legend

- Current Page
- Corner
- PLSS Boundaries
- Simultaneous Conveyance
- Parcels
- Encumbrance**
 - Right of Way, Vacation
 - Conservation
 - Easement - General; Utility Easement
 - Flood Easement
 - Ingress-Egress
 - Private Right Of Way
- Simultaneous Conveyance Division**
 - Alley
 - Lot, Block, Tract; Park
 - General Common Element

Notes:

Economic Area: 08
 Neighborhood 08.50
 Revision Date: 1/17/2020
 1 inch equals 19 feet

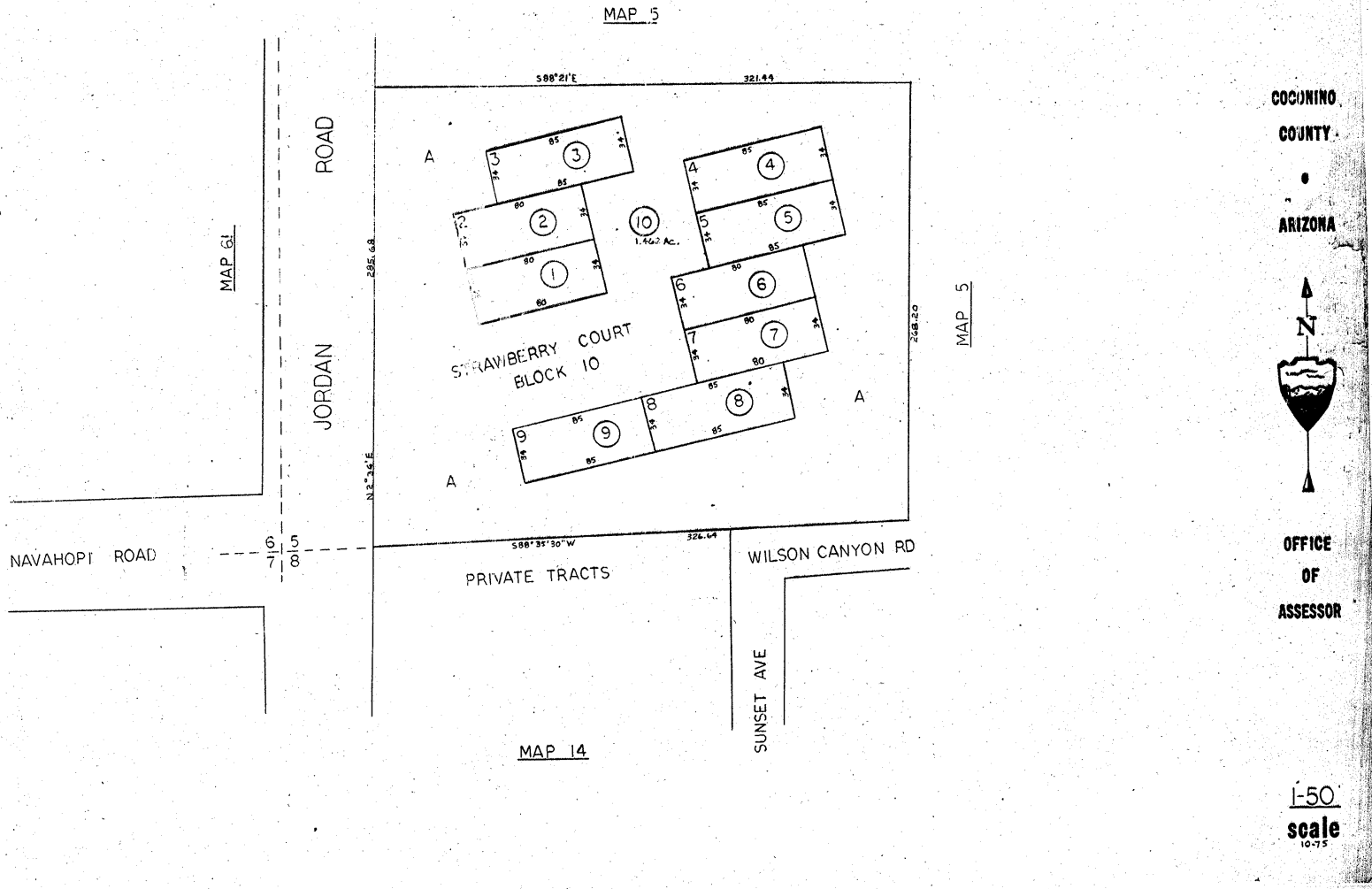
These data are for general planning purposes only
No warranty of accuracy is given or implied.

POR SW 1/4 SW 1/4 SECTION 5 T17N-R6E
THE ORCHARDS C3-27

Exhibit 1f.
Page 21 of 22

BOOK 401
MAP 58

Page 1 of 2
12/06/2022 9:39 AM



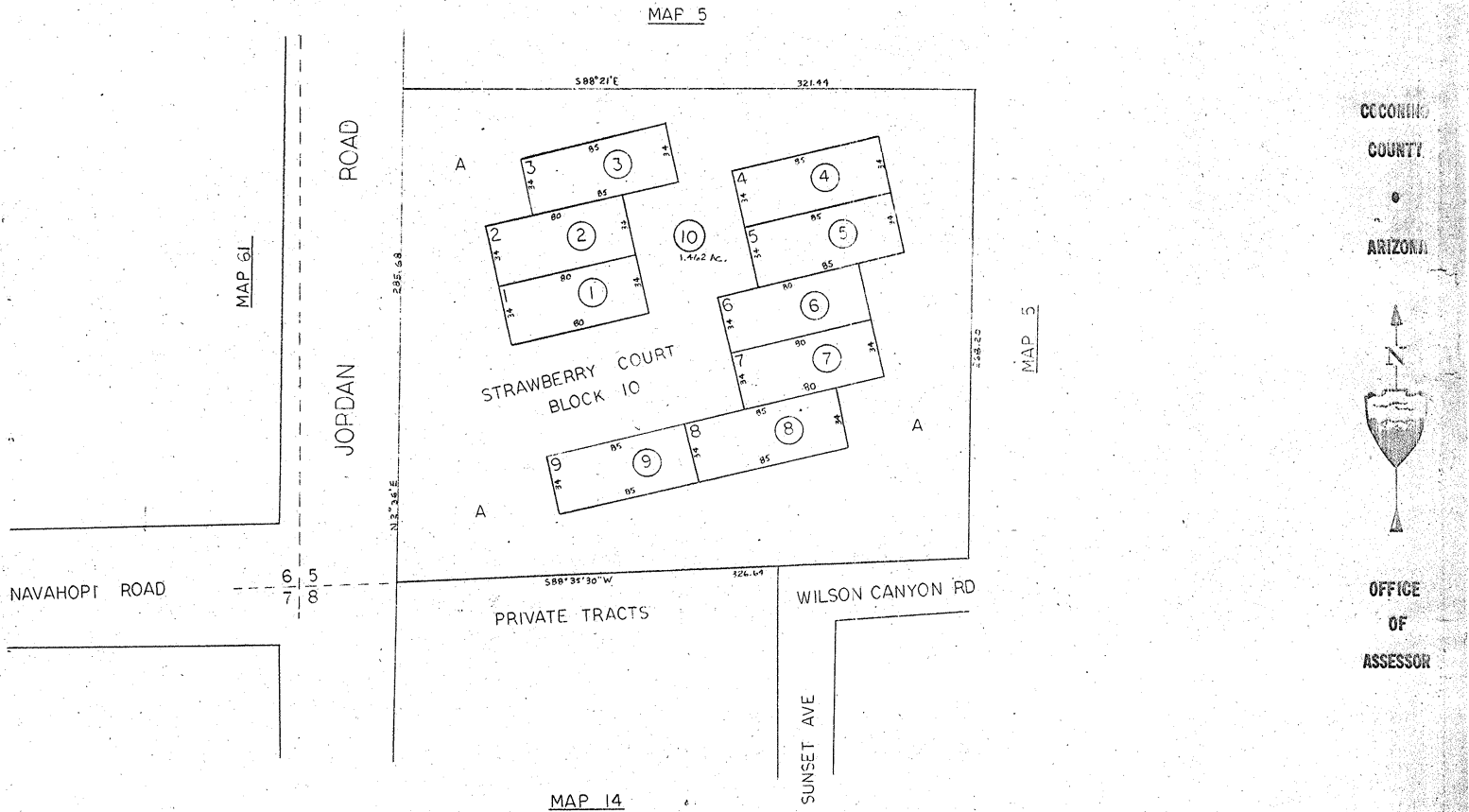
COCONINO
COUNTY
ARIZONA



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OF
ASSESSOR

1-50
scale

P.O.R. SW 1/4 SW 1/4 SECTION 5 T17N-R6E
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1-50

SCALE