

Staff Summary Report



Development Review Commission Date: 01/08/08

Agenda Item Number: ____

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

DOCUMENT NAME: DRCr_FlourMillsPrelimPlat_010808

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

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

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

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

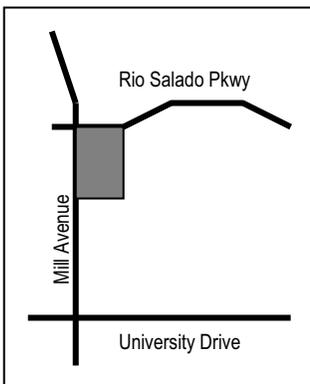
REVIEWED BY: Lisa Collins, Planning Director (480-350-8989) *LC*

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to condition 1.

ADDITIONAL INFO:



Gross/Net site area +/- 5.09 acres

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

PAGES:

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

ATTACHMENTS:

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

COMMENTS:

Project Analysis

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

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

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

REASON FOR APPROVAL:

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

SBD07055

CONDITION OF APPROVAL:

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

HISTORY & FACTS:

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

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

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

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

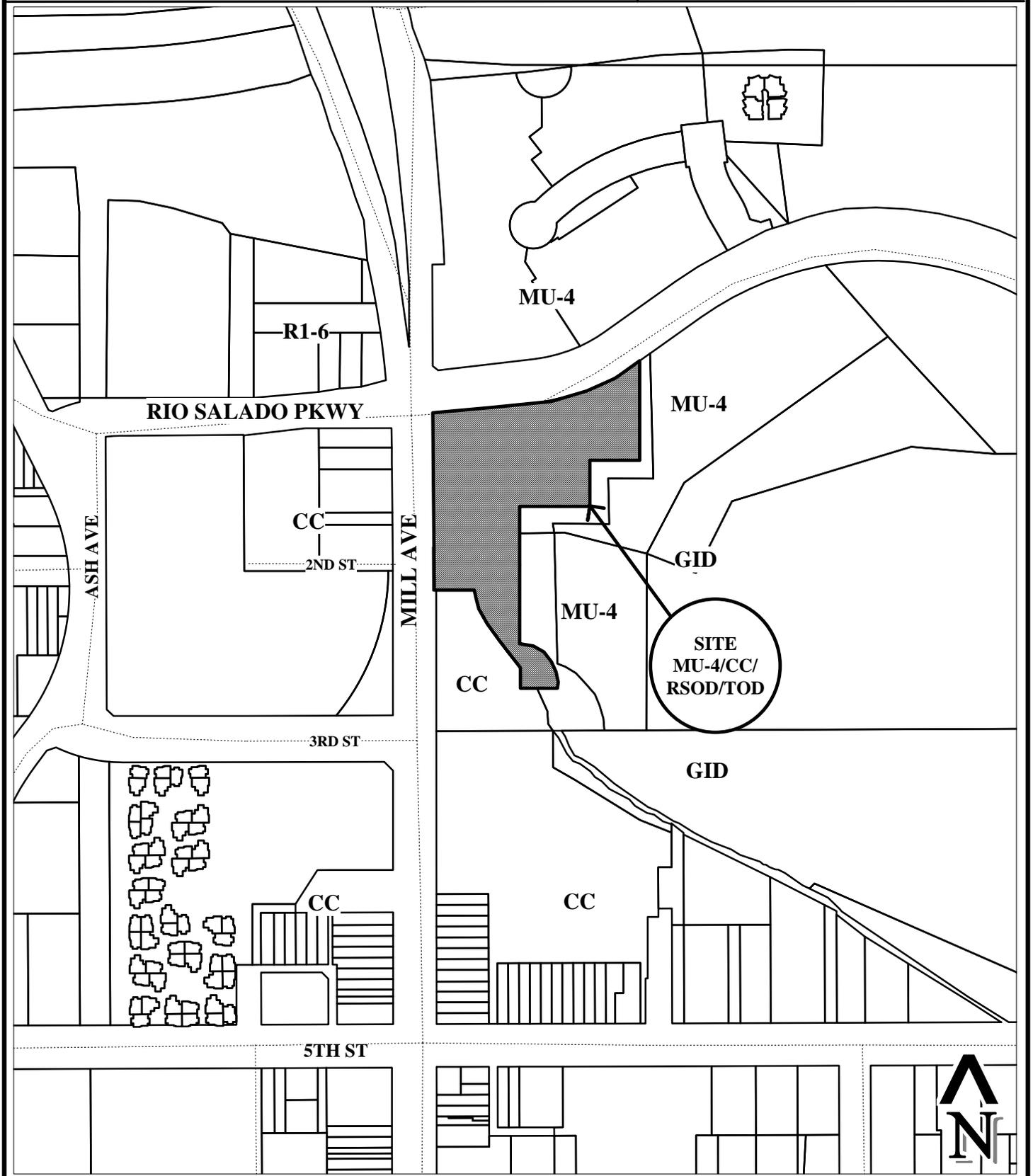
DESCRIPTION:

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

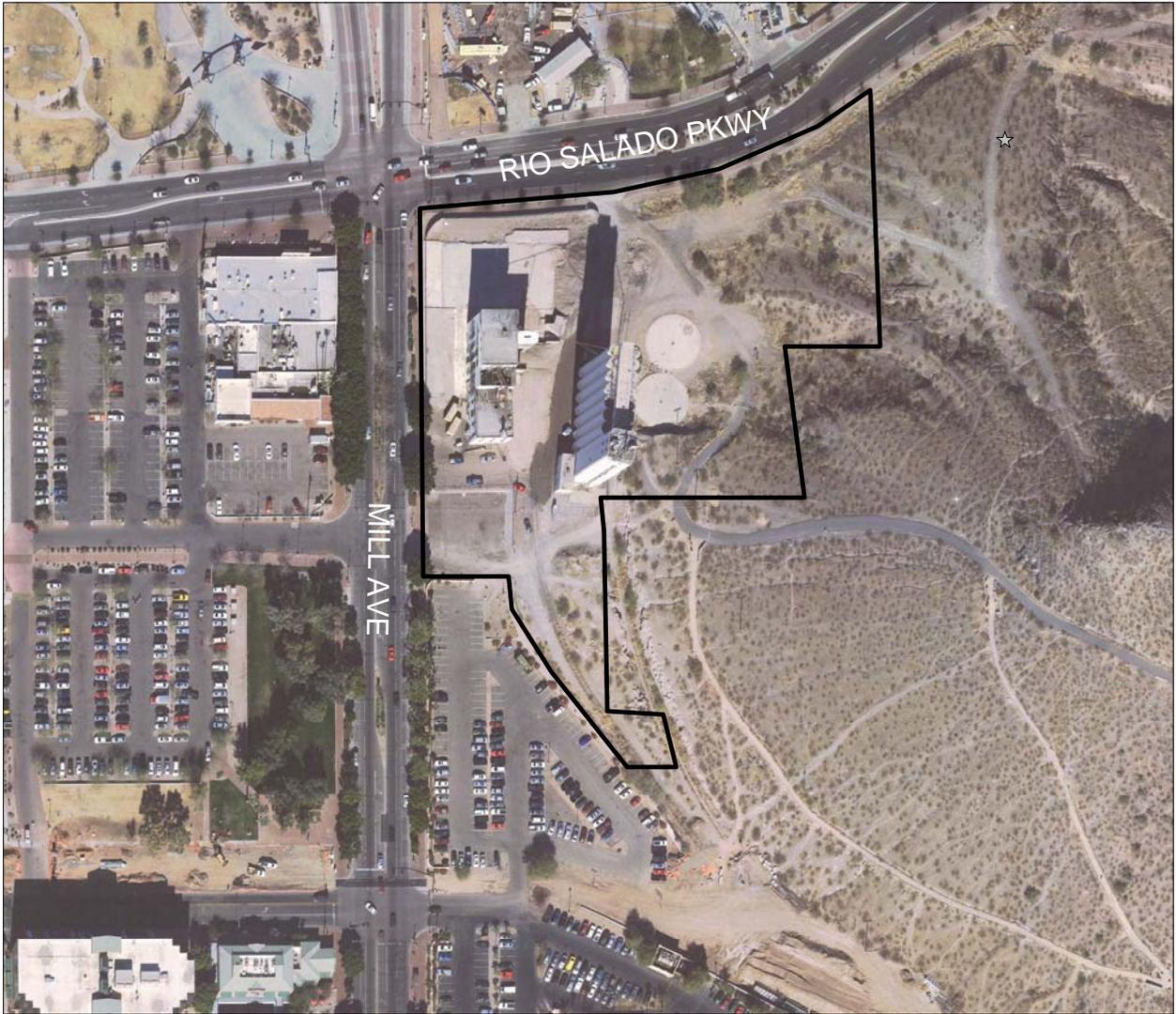
ZONING AND DEVELOPMENT CODE REFERENCE:
Section 6-307, Subdivisions, Lot Splits and Adjustments.

HAYDEN FLOUR MILLS

PL060637



Location Map



HAYDEN FLOUR MILLS (PL060637)



BRADY • AULERICH & ASSOCIATES, INC.

Civil Engineering • Land Surveying
Construction Staking

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

December 10, 2007

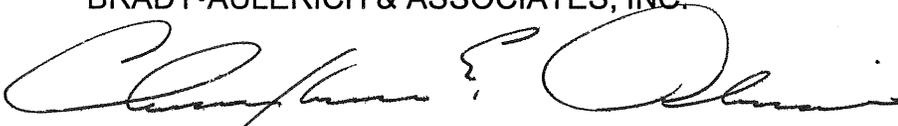
Mr. Kevin O'Melia
CITY OF TEMPE
31 East Fifth Street
Tempe, AZ 85281

RE: HAYDEN FLOUR MILL

Dear Mr. O'Melia:

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

Respectfully Submitted,
BRADY•AULERICH & ASSOCIATES, INC.



Christopher E. Aulerich, P.L.S.

CEA:abc

DEC 10 2007

HAYDEN FLOUR MILLS

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

OWNER/DEVELOPER:

CITY OF TEMPE
31 EAST FIFTH STREET
TEMPE, ARIZONA 85281

BENCH MARK:

TOP OF BRASS CAP IN HANDHOLE LOCATED AT THE INTERSECTION OF COLLEGE AVENUE AND UNIVERSITY DRIVE.
ELEVATION = 1167.50 PER CITY OF TEMPE DATUM.

BASIS OF BEARINGS:

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

APPROVALS:

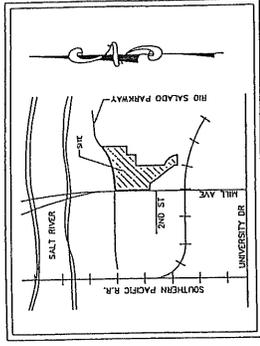
APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA ON THIS _____ DAY OF _____ 2007.

BY: _____ MAYOR _____ DATE _____
ATTEST: _____ CITY CLERK _____ DATE _____
BY: _____ CITY ENGINEER _____ DATE _____
BY: _____ DEVELOPMENT SERVICES _____ DATE _____

CERTIFICATION:

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

Christopher E. Aulerich #1987 PLS/19809 DATE 11/19/07
CHRISTOPHER E. AUERICH



VICINITY MAP
N.T.S.

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

NOTES:

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

FLOOD PLAIN CERTIFICATION:

THIS IS TO CERTIFY THAT THE ABOVE SUBJECT PROPERTY LIES WITHIN ZONE "X" AS DESIGNATED ON THE FLOOD INSURANCE RATE MAP, MAP NUMBER 14015J-000, EFFECTIVE SEPTEMBER 30, 2006. THERE IS NO CHANGE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD, WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

SHEET 1 OF 3

BRADY-AULERICH & ASSOCIATES, INC.
1000 E. Camelback Road
Phoenix, AZ 85014
Phone: (480) 948-0000 Fax: (480) 345-2729
DOUGLAS H. BRADY P.L.L.C. ROBERT N. HEDRICH P.L.C.
CHRISTOPHER E. AUERICH P.L.S.

DATE 12/19/07
SCALE: N.T.S.
DRAWN BY: CEA
CHECKED BY: GORRIS

REC07085

SBD07055

DS061386

DEDICATION:

STATE OF ARIZONA) SS:
COUNTY OF MARICOPA)

KNOW ALL MEN BY THESE PRESENTS:

THAT THE CITY OF TEMPE, A MUNICIPAL CORPORATION, AS OWNER, HAS PLATTED UNDER THE "HAYDEN FLOUR MILLS" A PORTION OF THE WEST HALF OF TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA AND HEREBY PUBLISHES THIS PLAT OF "HAYDEN FLOUR MILL", AND DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, SECTIONS AND BLOCKS CONSTITUTING THE SAME AND GIVEN TO EACH RESPECTIVELY ON SAID PLAT AND HEREBY DEDICATES TO THE CITY OF TEMPE FOR PUBLIC USE AS SUCH, THE STREETS, PUBLIC UTILITIES, DRAINAGE AND RETENTION EASEMENTS AS SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES.

ACKNOWLEDGEMENT:

STATE OF ARIZONA)
COUNTY OF MARICOPA)

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

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

BY: _____ NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____
THE CITY OF TEMPE A MUNICIPAL CORPORATION

BY: HUGH HALLMAN _____ DATE: _____
ITS: MAYOR

LEGAL DESCRIPTION: CITY OF TEMPE, HAYDEN FLOUR MILL

PARCEL 1

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

EXCEPT THAT PART OF BLOCK 60, DESCRIBED AS FOLLOWS:

- BEGINNING AT THE NORTHWEST CORNER OF BLOCK 60;
- THENCE SOUTH 25 FEET;
- THENCE NORTH 25 FEET;
- THENCE WEST 50 FEET TO THE POINT OF BEGINNING.

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

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

(CONTINUED ON SHEET 2)

HAYDEN FLOUR MILLS

LEGAL DESCRIPTION: (CONTINUED FROM SHEET 1)

CITY OF TEMPE, HAYDEN FLOUR MILL PARCEL 1

THENCE SOUTH 88° 48' 30" EAST ALONG AN EXISTING FENCE TO A POINT ON THE EAST LINE OF SAID BLOCK 60;
 THENCE NORTH ALONG THE EAST LINE OF BLOCK 60 TO THE NORTHEAST CORNER THEREOF;
 THENCE WEST ALONG THE NORTH LINE OF BLOCK 60 TO A POINT 50 FEET EAST OF THE NORTHWEST CORNER THEREOF;
 THENCE WEST 25.00 FEET;
 THENCE WEST 50 FEET TO A POINT ON THE WEST LINE OF BLOCK 60;

THENCE SOUTH ALONG THE WEST LINE OF BLOCK 60, A DISTANCE OF 5.55 FEET TO THE POINT OF BEGINNING.

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

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

THENCE SOUTH 89° 58' 50" EAST, 50.00 FEET;
 THENCE NORTH 00° 05' 56" EAST, 357.71 FEET;
 THENCE NORTH 00° 01' 45" WEST, 530.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 60 AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00° 01' 55" WEST, 325.08 FEET ALONG THE WEST LINE OF SAID BLOCK 60;
 THENCE NORTH 89° 47' 56" EAST, 95.15 FEET TO A POINT ON THE ARC OF A CIRCLE THE CENTER OF WHICH BEARS NORTH 83° 30' WESTERLY ALONG THE ARC OF SAID CIRCLE, 91.02 FEET TO THE POINT OF TANGENCY;

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

THENCE SOUTH 35° 48' 37" EAST, 70.94 FEET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF BLOCK 63 TEMPE;

THENCE SOUTH 00° 01' 10" WEST ALONG THE WEST LINE OF SAID BLOCK 63 TO THE POINT OF BEGINNING;

THENCE SOUTH 89° 57' 07" WEST ALONG THE SOUTH LINE OF SAID BLOCK 60, 275.16 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 2

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

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 15; THENCE ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 15, NORTH 00° 00' 00" WEST, A DISTANCE OF 132.93 FEET TO THE POINT OF BEGINNING;
 THENCE ALONG THE EAST-RIGHT-OF-WAY LINE OF MILL AVENUE, SAID POINT BEING THE POINT OF BEGINNING;

THENCE LEAVING SAID MID-SECTION LINE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 00° 15' 32" WEST, A DISTANCE OF 104.92 FEET;

THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE, NORTH 85° 29' 28" WEST, A DISTANCE OF 144.42 FEET;

TO THE BEGINNING OF A NON-TANGENT CURVE, HAVING A RADIUS OF 451.00 FEET, CONCAVE NORTHEASTERLY, WHOSE RADIUS BEARS NORTH 09° 07' 14" WEST, THROUGH A CENTRAL ANGLE OF 25° 22' 56", A DISTANCE OF 207.67 FEET TO THE CURVE'S END;

THENCE NORTH 54° 29' 50" EAST, A DISTANCE OF 151.60 FEET;

THENCE NORTH 82° 58' 22" EAST, A DISTANCE OF 48.17 FEET TO THE BEGINNING OF A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 451.00 FEET, CONCAVE NORTHEASTERLY, WHOSE RADIUS BEARS SOUTH 31° 36' 01" EAST, THROUGH A CENTRAL ANGLE OF 03° 49' 11", A DISTANCE OF 45.93 FEET TO THE CURVE'S END;

THENCE NORTH 60° 36' 21" EAST, A DISTANCE OF 100.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 699.00 FEET, CONCAVE SOUTHEASTERLY, WHOSE RADIUS BEARS SOUTH 19° 33' 32" EAST, THROUGH A CENTRAL ANGLE OF 09° 47' 59", A DISTANCE OF 119.55 FEET TO THE CURVE'S END;

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

THENCE SOUTH 53° 29' 46" WEST, A DISTANCE OF 598.74 FEET;

THENCE SOUTH 25° 45' 34" WEST, A DISTANCE OF 13.30 FEET;

THENCE SOUTH 00° 01' 26" WEST, A DISTANCE OF 5.72 FEET TO THE BEGINNING OF A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 194.65 FEET TO THE CURVE'S END;

THENCE SOUTH 89° 32' 00" WEST, A DISTANCE OF 67.06 FEET TO THE BEGINNING OF A NON-TANGENT CURVE;

THENCE NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 699.75 FEET, CONCAVE EASTERLY, WHOSE RADIUS BEARS NORTH 84° 08' 00" WEST, THROUGH A CENTRAL ANGLE OF 05° 06' 28", A DISTANCE OF 75.24 FEET TO THE CURVE'S END AND A POINT ON THE SOUTH LINE OF SAID BLOCK 67;

THENCE ALONG THE SOUTH LINE OF SAID BLOCK 67, SOUTH 89° 32' 00" WEST, A DISTANCE OF 37.57 FEET;

THENCE LEAVING SAID SOUTH LINE, SOUTH 04° 51' 35" WEST, A DISTANCE OF 30.68 FEET;

THENCE SOUTH 89° 29' 08" WEST, A DISTANCE OF 94.41 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF MILL AVENUE;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 00° 15' 32" WEST, A DISTANCE OF 193.72 FEET TO THE POINT OF BEGINNING;

EXCEPT ANY PORTION LYING WITHIN THE CORRECTED BOUNDARY OF THE PARCEL 1, MARICOPA COUNTY, ARIZONA, AS SHOWN ON MAPS, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

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

THENCE SOUTH 89° 58' 50" EAST, 50.00 FEET;

THENCE NORTH 00° 05' 56" EAST, 357.71 FEET;

THENCE NORTH 00° 01' 45" WEST, 530.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 60 AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00° 01' 55" WEST, 325.08 FEET ALONG THE WEST LINE OF SAID BLOCK 60;

THENCE NORTH 89° 47' 56" EAST, 95.15 FEET TO A POINT ON THE ARC OF A CIRCLE THE CENTER OF WHICH BEARS NORTH 83° 30' WESTERLY ALONG THE ARC OF SAID CIRCLE, 91.02 FEET TO THE POINT OF TANGENCY;

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

THENCE SOUTH 35° 48' 37" EAST, 70.94 FEET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF BLOCK 63 TEMPE;

THENCE SOUTH 00° 01' 10" WEST ALONG THE WEST LINE OF SAID BLOCK 63 TO THE POINT OF BEGINNING;

THENCE SOUTH 89° 57' 07" WEST ALONG THE SOUTH LINE OF SAID BLOCK 60, 275.16 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 3

THE NORTH 30.55 FEET OF BLOCK 60, TEMPE, ACCORDING TO BOOK 2 OF MAPS, PAGE 26, RECORDS OF MARICOPA COUNTY, ARIZONA; EXCEPT ANY PORTION LYING WITHIN THAT CERTAIN PARCEL AS DESCRIBED IN DOCUMENT NO. 98-097613 OF OFFICIAL RECORDS.



DATE 12/19/07
SCALE N.T.S.

PA

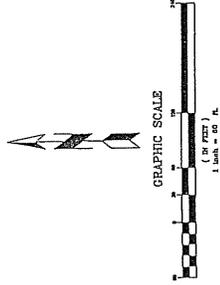
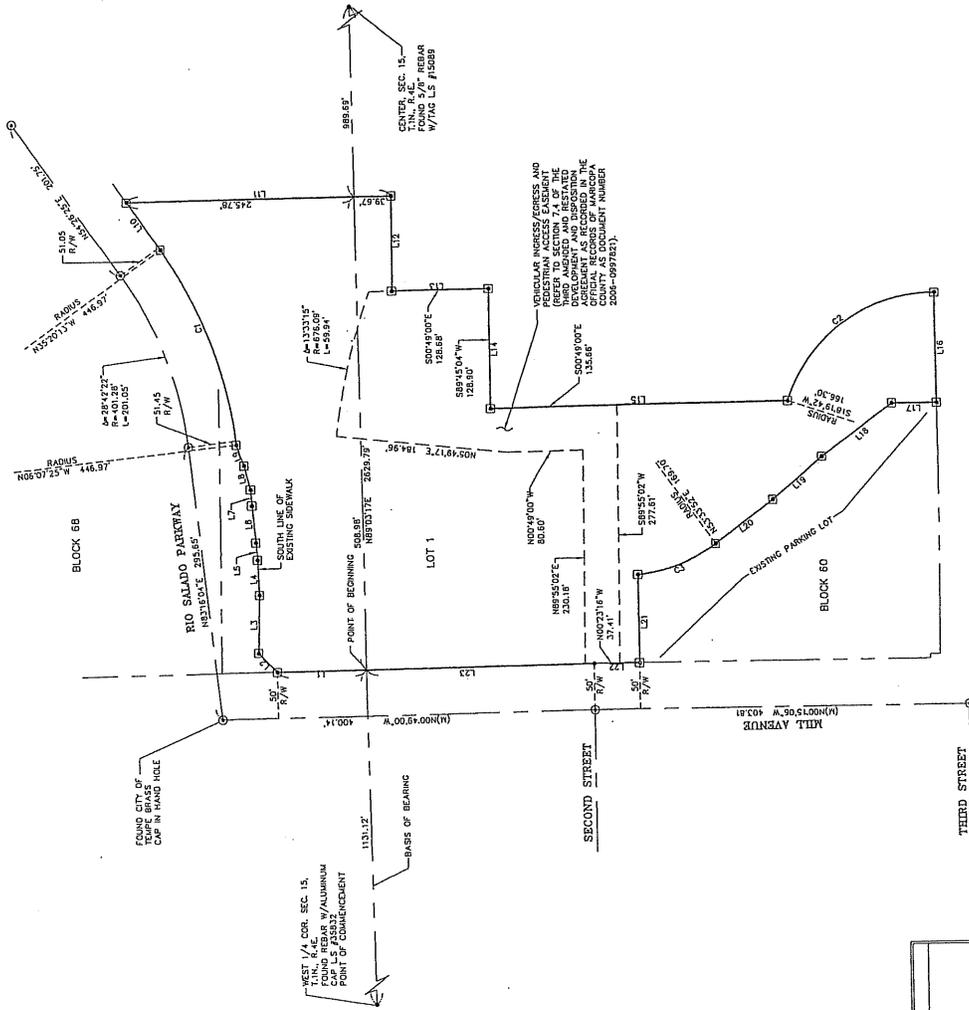
BRADY-AULERICH & ASSOCIATES, INC.
 Civil Engineering
 ONE
 1000 L. Goddard Road
 Tempe, Arizona 85283
 Phone: (480) 831-1000
 DONNS H. BRADY P.L.L.C.
 CHRISTOPHER E. AUERICH P.L.S.

CHECKED BY: [Signature]
 DRAWN BY: [Signature]
 CITY OF TEMPE
 REC-00000

DS061386 SBD07055 REC07085 SHEET 2 OF 3

DEC 19 2007

HAYDEN FLOUR MILLS



CURVE	DATA	CURVE TABLE	CHORD	CHORD BEARINGS
C1	133.12'	418.33'	272.00'	272.00'
C2	133.12'	418.33'	272.00'	272.00'
C3	133.12'	418.33'	272.00'	272.00'

LINE	BEARING	LENGTH	CHORD	CHORD BEARING
L1	N89°54'00"E	200.18'	128.68'	128.68'
L2	S00°49'00"E	128.68'	128.68'	128.68'
L3	N00°49'17"E	184.96'	128.68'	128.68'
L4	N00°49'17"E	184.96'	128.68'	128.68'
L5	S00°49'00"E	128.68'	128.68'	128.68'
L6	N00°49'00"E	128.68'	128.68'	128.68'
L7	N00°49'00"E	128.68'	128.68'	128.68'
L8	N00°49'00"E	128.68'	128.68'	128.68'
L9	N00°49'00"E	128.68'	128.68'	128.68'
L10	N00°49'00"E	128.68'	128.68'	128.68'
L11	N00°49'00"E	128.68'	128.68'	128.68'
L12	N00°49'00"E	128.68'	128.68'	128.68'
L13	N00°49'00"E	128.68'	128.68'	128.68'
L14	N00°49'00"E	128.68'	128.68'	128.68'
L15	N00°49'00"E	128.68'	128.68'	128.68'
L16	N00°49'00"E	128.68'	128.68'	128.68'
L17	N00°49'00"E	128.68'	128.68'	128.68'
L18	N00°49'00"E	128.68'	128.68'	128.68'
L19	N00°49'00"E	128.68'	128.68'	128.68'
L20	N00°49'00"E	128.68'	128.68'	128.68'
L21	N00°49'00"E	128.68'	128.68'	128.68'
L22	N00°49'00"E	128.68'	128.68'	128.68'
L23	N00°49'00"E	128.68'	128.68'	128.68'

LOT	AREA TABLE
LOT 1	201.728
LOT 2	5.062

LEGEND	
—	SECTION LINE
---	PROPERTY LINE
---	ADJACENT PROPERTY LINE
---	SUBDIVISION CORNER, SET 1/2" REBAR
---	W/TAC P.L.S. 1809 UNLESS
---	CONTOUR BRASS CAP
---	AS NOTED
---	PROPERTY CORNER, SET 1/2" REBAR
---	W/TAC P.L.S. 1809 UNLESS
---	OTHERWISE NOTED
---	POINT NOT FOUND OR SET
---	MARICOPA COUNTY RECORDS

SHEET 3 OF 3

BRADY AUERCH & ASSOCIATES, INC.
 CIVIL ENGINEERING & LAND SURVEYING
 1030 E. Camelback Road
 Phoenix (480) 335-4200 Fax (480) 343-9229
 DENNIS H. BRADY P.L.S. ROBERT N. HEDRUM P.L.S.
 DENNIS H. BRADY P.L.S. ROBERT N. HEDRUM P.L.S.
 DENNIS H. BRADY P.L.S. ROBERT N. HEDRUM P.L.S.

DATE: 12/19/07
 SCALE: 1"=40'
 DRAWN BY: CEA
 CHECKED BY: CEA
 JOB NO.: 050809

DS061386 SBD07055 REC07085

DEC 19 2007