TOWN OF CAREFREE, ARIZONA RESOLUTION 2019-05

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, APPROVING APPLICATION 19-01-RP, A FINAL PLAT NAMED "HAMPTON INN – CAREFREE", A REPLAT OF "EASY STREET NORTH CONDOMINIUMS, A CONDOMINIUM" (MCR 940-04); AND IMPOSING CONDITIONS UPON SUCH APPROVAL.

WHEREAS, On February 27, 2019, Olsson Engineering on behalf of CFM Realty (the "Applicant") submitted an application for approval of a Final Plat of a 97-room hotel development known as Hampton Inn by Hilton located in a portion of the northwest quarter of Section 35, Township 6 North, Range 4 East of the Gila and Salt River Meridian, Maricopa County, Arizona, and;

WHEREAS, Said application and supporting documents have been on file in the Town Hall offices at 8 Sundial Circle in Carefree for review by members of the general public, and;

WHEREAS, On April 2, 2019 the Carefree Town Council met to discuss and consider the development and receive comments from the general public, at which time the Final Plat was approved, subject to certain conditions which are addressed in the "Conditions for Approval" attached as Exhibit "A", and;

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Town of Carefree, Maricopa County, Arizona as follows:

- Section 1. The Final Plat for Hampton Inn Carefree and Legal Description, attached as Exhibits "B" and "C" are hereby approved.
- Section 2. The Town Engineer and the Applicant shall sign the Final Plat and the Town Clerk shall transcribe a Certificate of Approval upon the Final Plat.
- Section 3. The Town shall be provided copies of the recorded Final Plat.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Carefree, Arizona, this day of April, 2019.						
Ayes <u>&</u> Noes <u>&</u> Abstentions <u>&</u>	Absent/_					
	TOWN OF CAREFREE, an Arizona Municipal Corporation Les Peterson, Mayor					
ATTEST: Kandace French Contreras, Town Clerk						
APPROVED AS TO FORM:						
Michael W. Wright, Town Attorney						

EXHIBIT 'A' CONDITIONS FOR APPROVAL FINAL PLAT (19-01-RP) HAMPTON INN - CAREFREE

- 1. Building permits for improvement plans shall conform to the development plans and documents submitted in association with the Site Plan, Case #19-01-SP.
- 2. All improvements including, but not limited to streets, storm drainage, and waterlines shall be constructed as per Town of Carefree and Maricopa Association of Governments (MAG) standards and specifications.
- 3. All Site Plan conditions for approval as accepted by Town Council and/or the Development Review Board shall apply to this Replat.
- 4. After approval and prior to recording of the Replat, the following documents shall be submitted to the Town:
 - a. Three (3) copies of the approved and signed Replat on standard bond paper, and one (1) copy in PDF format.
 - b. One (1) Mylar copy.
- 5. After recording, the applicant shall submit to the Town one (1) copy of the approved, signed and recorded replat on standard bond paper, one (1) in PDF format and retain one copy for their records.

EXHIBIT 'B' FINAL PLAT DOCUMENTS HAMPTON INN - CAREFREE

EXHIBIT 'C' CURRENT LEGAL DESCRIPTION HAMPTON INN - CAREFREE

That property comprising:

UNITS 201 THROUGH 208; 210; 212; 214 THROUGH 220; 222; 301 THROUGH 308; 310; 312; 314 THROUGH 320; 322, TRACTS A THROUGH D AND CE, OF EASY STREET NORTH CONDOMINIUMS, A CONDOMINIUM AS CREATED BY THAT CERTAIN DECLARATION RECORDED IN 2007-915820 AND AS SHOWN ON THE PLAT OF SAID CONDOMINIUM RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 940 OF MAPS, PAGE 4.

A REPLAT OF "EASY STREET NORTH CONDOMINIUMS, A CONDOMINIUM" ACCORDING TO BOOK 940, PAGE 4, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 6 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

THIS PLAT VOIDS AND SUPERCEDES THE PREVIOUS PLAT RECORDED IN BOOK 940, PAGE 4, RECORDS OF MARICOPA COUNTY, ARIZONA.

DECLARATION AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT BUTTE CAREFREE CONDOS, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER OF THE PROPERTY HEREIN DESCRIBED AND GRANTOR, HEREBY VOIDS AND SUPERSEDES THE PREVIOUS CONDOMINIUM PLAT FOR "EASY STREET NORTH CONDOMINIUMS, A CONDOMINIUM" ACCORDING TO BOOK 949, PAGE 4, RECORDS OF MARICOPA COUNTY, ARIZONA AND PUBLISHES THE ATHOR TO "HAMPION INN-CAREFREE" LYING WITHIN SECTION 35, TOWNSHIP 6 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA. OWNER HEREBY DECLARES THAT SAID PLAT DEFINES A NEW PARCEL OF LAND IDENTIFIED HEREIN AS LOT 48A AND SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF SAID LOT, TRACTS, STREETS AND EASEMENTS AS APPLICABLE AND AS SHOWN AND MAPPED HEREON AND THAT SAID LOT, TRACTS, STREETS AND EASEMENTS AS APPLICABLE AND AS SHOWN AND MAPPED HEREON AND THAT SAID LOT, TRACTS, STREETS AND EASEMENTS AS APPLICABLE AND AS SHOWN AND MAPPED HEREON AND THAT SAID LOT, TRACTS OR STREETS AND EASEMENTS AS MADE MIMARE I LETTER OR NAME GIVEN TO EACH RESPECTIVELY. STREETS SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN TO EACH RESPECTIVELY.

GRANTOR HEREBY GRANTS ALL RIGHTS-OF-WAY AND EASEMENTS TO THE TOWN OF CAREFREE ("TOWN") EXCEPT GRANTOR HEREBY GRANTS ALL WATERLINE EASEMENTS TO THE CAREFREE WATER COMPANY ("WATER COMPANY"), THEIR SUCCESSORS AND ASSIGNS.

GRANTEE AUTHORIZES WATER COMPANY TO OPERATE, MAINTAIN, AND CONSTRUCT WATERLINES AND APPURTENANT FACILITIES UPON, ACROSS, OVER AND UNDER THE SURFACE OF THE WATERLINE EASEMENTS, TOGETHER WITH THE RIGHT TO OPERATE, REPAIR, REPLACE, MAINTAIN AND REMOVE THE FACILITIES FROM THE PREMISES; TO ADD TO OR ALTER THE FACILITIES, AND GRANTEE AGREES TO PROVIDE WATER COMPANY WITH THE REASONABLE INGRESS AND EGRESS TO THE FACILITIES.

NEITHER GRANTOR NOR THE OWNERS OF ANY PART OF THE PREMISES SHALL ERECT, CONSTRUCT OR PERMIT TO BE ERECTED OR CONSTRUCTED ANY BUILDING OR OTHER STRUCTURE WITHIN THE LIMITS OF WATERLINE EASEMENT; HOWEVER, THEY SHALL HAVE THE RIGHT TO CONSTRUCT AND ERECT DECORATIVE WALLS, TO INSTALL LANDSCAPING, PARKING FACILITIES AND DRIVEWAYS, AND TO ESTABLISH OTHER USES WHICH ARE NOT INCONSISTENT WITH USES WITHIN THE LIMITS OF SAID EASEMENT IN A MANNER WHICH WILL NOT UNREASONABLY INTERFERE WITH GRANTERS' ACCESS TO THER WATER FACILITIES, GRANTER AGREES TO EXERCISE REASONABLE CARE TO AVOID DAMAGE TO THE PREMISES AND ALL PROPERTY THAT MAY AT ANY TIME BE THEREON.

IN WITNESS WHEREOF: BUTTE CAREFREE CONDOS, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER AND GRANTOR, HAS HEREUNTO CAUSED ITS NAME TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE UNDERSIGNED OFFICER THEREUNTO DULY AUTHORIZED THIS ___DAY OF ______, 2019.

BUTTE CAREFREE CONDOS, U.C. AN ARIZONA LIMITED LIABILITY COMPANY

BY: BUTTE EASY STREET, LLC, AN ARIZONA LIMITED LIABILITY COMPANY

FDWARD LIPWIS

ACKNOWLEDGEMENT

STATE OF ARIZONA

COUNTY OF MARICOPA

ON THIS DAY OF 2019, BEFORE ME PERSONALLY APPEARED EDWARD L LEWIS, WHOSE DENTITY WAS FROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS DOCUMENT, AND WHO ACKNOWLEDGED THAT HE SIGNED THE ABOVE DOCUMENT IN HIS CAPACITY AS MANAGER OF BUTTE EASY STREET, LLC.

NOTARY PUBLIC

LEGAL DESCRIPTION (PER TITLE REPORT)

UNITS 201 THROUGH 208; 210; 212; 214 THROUGH 220; 222; 301 THROUGH 383; 310; 312; 314 THROUGH 326; 322, TRACTS A THROUGH 0 AND CE, OF EASY STREET NORTH COMDOMINUMS, A CONDOMINUM AS CREATED BY THAT CERTAIN DECLARATION RECORDED IN 3007-918380 AND AS SHOWN ON THE PLAT OF SAID CONDOMINUM RECORDED IN THE OFFICE OF THE COUNTY RECORDED OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 940 OF MAPS, PAGE 4.

LEGAL DESCRIPTION (PER BK 940, PG 4, MCR)

LOT 48, CAREFREE, ARIZONA AND THE S 1/2 OF THAT FORTION OF CAREFREE DRIVE SHOWN ON THE PLAT OF CAREFREE, ARIZONA, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE RECORDER OF MARICOPA COUNTY, ARIZONA, ACCORDING TO BK. 80 OF MAPS, PG. 27 AND ABANDONED IN RESOLUTION IN DKT. 6309, PG. 523 AND SHOWN ON MAP, RECORDED IN SK. 17 OF ROAD MAPS, PG. 48 RECORDS OF MARICOPA COUNTY, ARIZONA;

EXCEPT ALL THE COAL AND OTHER MINERALS AS RESERVED IN THE PATENT FROM THE UNITED STATES OF AMERICA;

EXCEPT THAT PORTION AS CONVEYED TO THE TOWN OF CAREFREE, A MUNICIPAL CORPORATION, BY QUIT CLAM DEED RECORDED SEPTEMBER 22, 2005 AS 2005-1413470 OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:
THAT PORTION OF THE S 1/2 OF CAREFREE DRIVE SHOWN ON THE PLAT OF CAREFREE, ARIZONA, BK, 80 OF MAPS, PG, 27 AS
ARAMDINED ACCORDING TO THE RESOLUTION RECORDED IN DKT, 6809, PG, 223, MARICOPA COUNTY RECORDS, AND SHOWN IN
BK, 17 OF ROAD MAPS, PG, 48, RECORDS OF SAID COUNTY, SITUATED IN SEC, 35, T6N, R4E OF THE GILA AND SALT RIVER BASE
AND MERDIAN, MARICOPA COUNTY, TOWN OF CAREFREE, ARIZONA, DESCRIZED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF CAREFREE DRIVE AND EASY STREET ACCORDING TO SAID CAREFREE, ARIZONA, SAID INTERSECTION BEING THE BEGINAING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 690.88 FT. WITH A TANGEST BEARING OF N 270*4600°C;
THENCE NORTHEASTERLY ALONG THE CENTERLINE OF SAID CAREFREE BIRNE, A ROADWAY HAVING A WIDTH OF 70 FT., AND SAID CLINE'S TRROUGH O EXPITAL AND BLE OF 1*28*27*. A DISTANCE OF 262*28 FT. TO THE WESTLEY PROLONGATION OF THE NORTHERLY LINE OF \$AD EASY STREET, A ROADWAY HAVING A WIDTH OF 50 FEET, ACCORDING TO SAID CAREFREE, ARIZONA, AND 37. THE PART OF BEGENNING. AND TO THE POINT OF BEGINNING.
THENCE DEPARTING SAD WESTERLY PROLONGATION CONTINUING NORTHEASTERLY ALONG SAID CENTERLINE AND SAID CURVE.

THROUGH A CENTRAL ANGLE OF 0°5522", A DISTANCE OF 1620 FT. TO THE BEGINNING OF A NON TANGENT CHING CONCAVE TO THE SOUTHWEST, THE CENTER OF WHICH LIES 8 41'0353" A DISTANCE OF 5620 FT. THE CHING AND CONTRAL ANGLE OF 24'20'33", A DISTANCE OF 25'20 FT. TO THE POINT ON SAID WESTERLY PROLONGATION;
THENCE D'82'20'0" WA LONG SAID WESTERLY PROLONGATION;
THENCE N'22'20'0" WA LONG SAID WESTERLY PROLONGATION A DISTANCE OF 20.55 FT. TO THE POINT OF REGINNING.

PARCEL 2:
THAT PORTION OF THE S 1/2 OF CAREFREE DRIVE SHOWN ON THE PLAT OF CAREFREE, ARIZONA, BK. 80 OF MAPS, PG. 27 AS
ABANDONED ACCORDING TO THE RESOLUTION RECORDED DIKT. 6309, PG. 523, MARICOPA COUNTY RECORDS, AND SHOM,1 IN BK.
17 OF ROAD MAPS, PG. 40, RECORDS OF EAD COUNTY SITUATED SEC. 35, TeN, RAE OF THE GILA AND SALT RIVER BASE, AND
MERIDIAN, MARICOPA COUNTY, TOWN OF CAREFREE, ARIZONA, DESCRIBED AS FOLLOWS;
COMMENCIONE AT THE INTERSECTION OF THE CENTERIALS OF CAREFREE DRIVE, A ROADWAY HAVING A WIDTH OF TO FT., AND
THE SOUTHWESTERLY EDGE OF TRACT 'G', A CIRCLE HAVING A RADIUS OF 45 FT., AS SHOWN ON THE PLAT OF SAID CAREFREE.

ARIZUNA;
THENCE DEPARTING SAID TRACT "G" S 49'37'00" W ALONG SAID CENTERLINE A DISTANCE OF 50 FT, TO THE NORTHERLY LINE OF
SAD ABANDONED, CAREFREE DRIVE AND THE BEGINNING OF A NON TANGENT CURVE CONCAVE TO THE NORTHEAST, THE
CENTER OF WHICH LESS NO 45'37'00" E A DISTANCE OF SAID OFT, AND THE POINT OF BEGINNING;
THENCE SOUTHEASTERLY ALONG SAID NORTHERLY LINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 11°17'50", A

THENCE SOUTHERSTEIN ALLOWS BY THE SET THE SET

DRIVE; THENGE N 45'3700" & ALONG SAID CENTERLINE A DISTANCE OF 24,02 FT. TO THE PONT OF BEGINNING

PARCEL 3:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 6 NORTH, RANGE 4 EAST OF THE G.A.

S.R.B. M., MARICOPA COUNTY SITUATED ADJACENT TO LOT 48 OF "CAREFREE ARIZONA" A SUBDIVISION RECORDED IN BOOK 80,
PAGE 27, M.C.R. MORE PARTICULARLY AS FOLLOWS.

COMMENCING AT THE NORTHERN MOST CORNER OF SAD LOT 48, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE
PARCEL OF LAND HERREN DESCRIBED;

PARCEL OF IAM DETERMINED THE LEFT AS SHOWN ON THE PLAT OF SAID "CAREFREE ARIZONA" WITH A RADIUS OF 20.00 FT., A CENTRAL ANGLE OF 68°5700" AND AN ARC LENGTH OF 23.37 FT. TO A POINT OF REVERSE CLIRVATURE AND A CURVE TO THE

Right; Thence through said curve with a radius of 95.00 ft., a central angle of 52*1158" and an arc length of 65.55 ft.

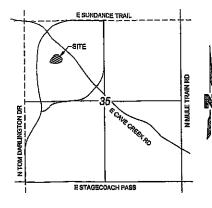
THENCE: HROUGH SAID CURVE WITH A RADIUS OF \$2.00 FT., A CENTRAL ANGLE OF \$271158" AND AN ARC LENGTH OF \$5.55 FT.
TO A NON-TANGENT POINT;
THENCE IN \$1'2135" E.A DISTANCE: OF \$2.25 FT. TO A POINT OF TRANGENCY OF A CURVE TO THE RIGHT WITH A RADIUS OF \$0.23 FT.;
THENCE SHOUGH SAID CURVE WITH A RADIUS OF \$0.22 FT., A CENTRAL ANGLE OF \$0'1339" AND AN ARC LENGTH OF \$4.04 FT.;
THENCE SHOYSEZ" E.A.ONG A LINE PARALLEL WITH AND 25 FT. SOUTH OF THE CENTERLINE OF EASY STREET AS SHOWN ON SAID FLAT OF "CAREFREE ARIZONA" A DISTANCE OF 17.37 FT. TO THE TRUE POINT OF BEGINNING OF THE PARCEL OF LAND

BASIS OF BEARING

S 89° 54' 55' W ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 6 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, AS MEASURED BETWEEN A MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP IN HAND HOLE AT THE SOUTHWEST CORNER OF SAID SECTION 35, AND A MARICOPA COUNTY BRASS CAP AT THE SOUTH QUARTER CORNER OF SAID SECTION 35.

REFERENCE DOCUMENTS

- 1. PLAT OF CAREFREE ARIZONA BK RD. PG 27, MCR.
- RECORD OF SURVEY, BK 584, PG 6, MCR RECORD OF SURVEY, BK 584, PG 6, MCR CONDOMINIUM PLAT, BK 940, PG 4, MCR
- 5. QUIT CLAIM DEED, REC. NO. 2005-1413470, MCR 6. ALTA LAND TITLE SURVEY, BK 1203, PG 44, MCR 7. CONDOMINIUM PLAT, BK 1270, PG 43, MCR



VICINITY MAP

OWNER - DEVELOPER BUTTE CAREFREE CONDOS LLC 7047 E GREENWAY PARKWAY, STE 100 SCOTTSDALE, AZ 85254

SURVEYOR'S NOTES

- 1. THIS SURVEY IS BASED UPON A COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO. NGS-939421-PHX1, SECOND AMENDED, EFFECTIVE MARCH 3, 2019 AT 8:00AM.
- ALL BEARINGS AND DISTANCES REPORTED ON THIS SURVEY ARE MEASURED TO THE MONUMENTS FOUND OR SET AS SHOWN, UNLESS OTHERWISE NOTED.
- 3. ALL DETAILS SHOWN HEREON ARE NOT TO SCALE AND ARE EXAGGERATED FOR THE PURPOSES
- THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE X DESIGNATED BY THE FEDERAL EMERGENCY THE SUBJECT PROPERTY IS DICATED WITHIN ZOIDE & DESIGNATED BY THE PEDERAL EMERGENCY WANAGEMENT AGENCY (FEMA) AS AN AREA OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SOURCE MILE; AND AREAS PROTECTED BY LEVES FROM 1% ANNUAL CHANCE FLOOD, ON FLOOD INSURANCE RATE MAP NO. 04013C08B3L, WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 2013 FOR COMMUNITY NO. 040128, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH THE SUBJECT PROPERTY IS SITUATED.
- NO BUILDINGS OR DEFINED PARKING EXIST ON THE SUBJECT PROPERTY AT THE TIME OF THIS

CERTIFICATION

I HEREBY CERTIFY THIS MINOR LAND DIVISION/COMBINATION AND HEREBY CERTIFY THAT ALL REQUIREMENTS HAVE BEEN COMPLIED WITH.

BY:	TOWN ENGINEER	DATE	

THIS IS TO CERTIFY THAT THIS MINOR LAND DIVISION/COMBINATION IS CORRECT AND ACCURATE AND THE MONUMENTS DESCRIBED HEREIN HAVE EITHER BEEN SET OR LOCATED AS DESCRIBED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MARK MACHEN REGISTERED LAND SURVEYOR ARIZONA RE. NO. 16294 7250 N 16TH STREET, STE 210 PHOENIX AZ 85020



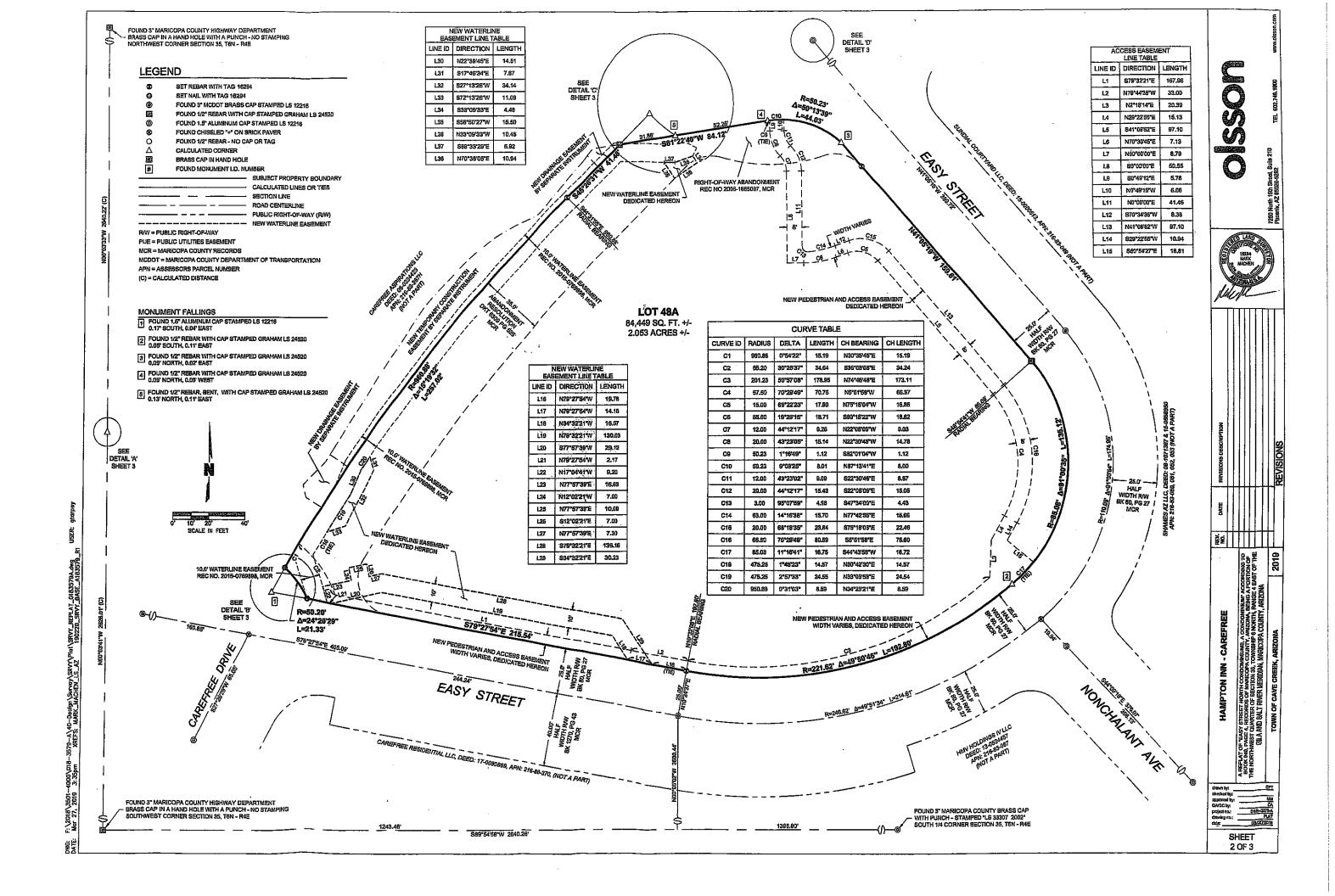
	S. A CONDOMINIUM ACCORDING TO TA ARIZONA, BEING A PORTICIA OF THE BIP 6 NORTH, RANDE 4 EAST OF THE OPA COUNTY, ARIZONA				ZU19		
						REVISIONS	

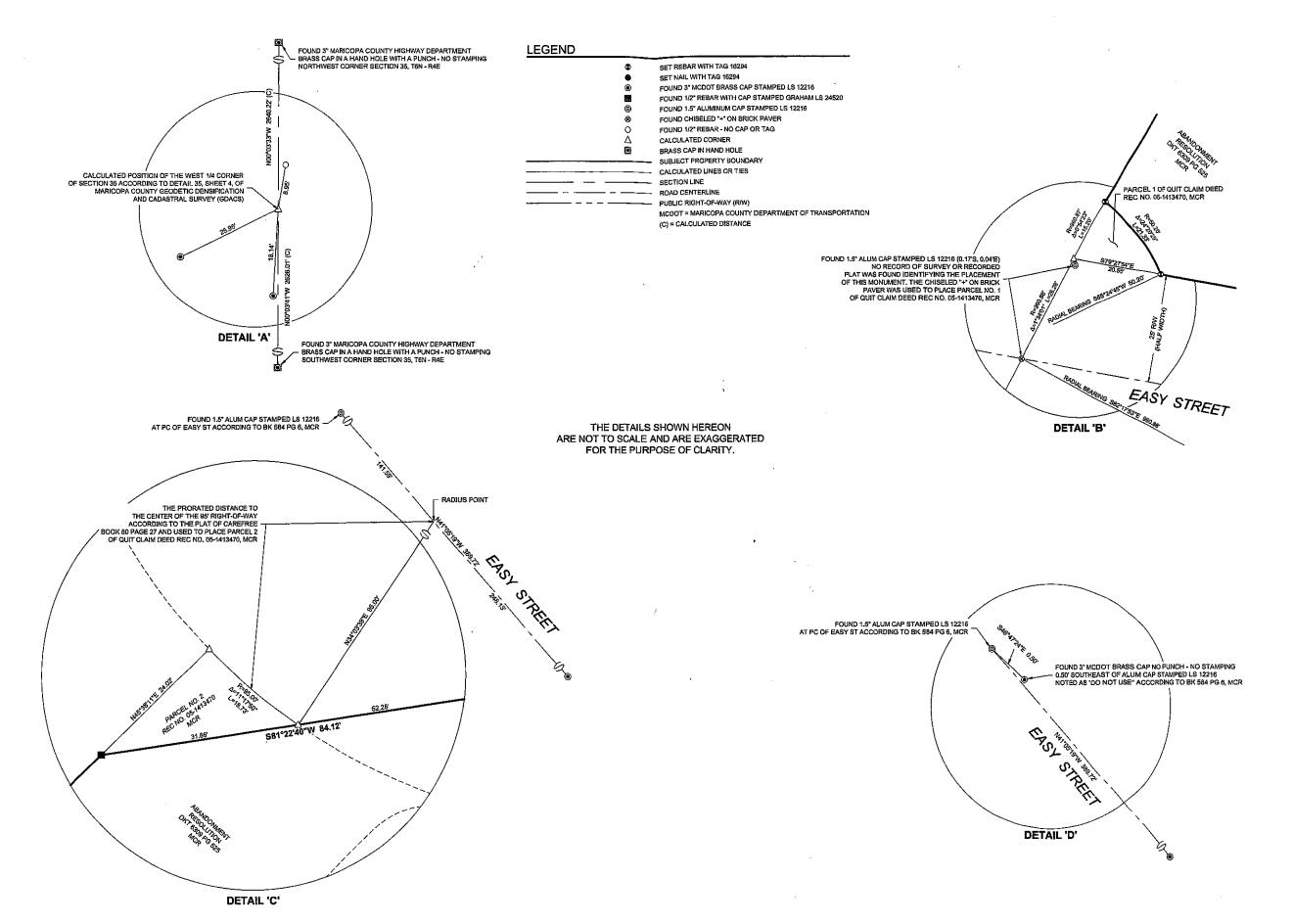
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HAMPTON INN - CAF

018-3579 03/27/201

SHEET





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HAMPTON INN - CAREFREE

SHEET