



Community Development Department  
7501 E. Civic Circle  
Prescott Valley AZ 86314  
Phone (928) 759-3050  
Fax (928)759-5511  
email: comdev@pvaz.net

## PRELIMINARY PLAT APPLICATION SUBMITTAL CHECKLIST

Application #: \_\_\_\_\_ Site Address: \_\_\_\_\_

**We do not accept any application via facsimile. Also, no application will be accepted unless it is complete including, but not limited to, the following:**

- Type of development plan:
  - Preliminary Plat     Preliminary Condominium Plat Preliminary
  - Minor Modification                       Major Modification
- A mandatory pre-application meeting with the Community Development Department Planner.
- Hearing application stating the request and the type of proposed development, the Assessor's Parcel #, application signed and dated, indicating whether the owner or the agent. If agent, include the name and address of the property owner, phone number, and a letter of authorization.
- A legal description of the property identified on the application in **electronic word format**.
- A site layout, landscape plan, building elevations and other pertinent data as requested (see requirements). **Electronic PDF image of site layout is also required.**
- Permission to enter property statement signed and notarized.
- A filing fee in the amount of:
  - Preliminary Plat and Condominium Plat - \$750.00 plus \$10.00 per lot or Unit**
  - Minor Plat Modifications – (2-4 lots/Less than 2 acres) = \$250.00**
  - Major Plat Modifications =**
    - Residential (5 or more lots) = **\$300.00 plus \$10.00 per lot**
    - Commercial (2 acres or more) = **\$300.00 plus \$35.00 per acre**
- Letter of intent detailing the proposed use(s) and time period requested (if applicable).
- Proposition 207 Waiver Form.

**Note:**    **The applicant or his representative should be present at scheduled meetings to answer questions. Any associated building permits will be issued after Public Hearing approvals and effective date of adopted Ordinances. If construction is planned, the applicants should obtain a Building Permit application and familiarize themselves with requirements.**



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**PLANNING DIVISION - HEARING APPLICATION  
 PRELIMINARY PLAN/PLAT (PP)**

**COMMERCIAL**  
 **RESIDENTIAL**

**PP**                       **Minor Modification**                       **Major Modification**

**Project Name:** \_\_\_\_\_ **Assessor's Parcel #:** \_\_\_\_\_

**Site Address:** \_\_\_\_\_ **Legal: Unit:** \_\_\_\_\_ **Lot:** \_\_\_\_\_

<b>Applicant/Owner Name &amp; Address:</b> _____ _____ _____ <b>Phone:</b> _____ <b>Fax:</b> _____ <b>Email:</b> _____	<i>For Staff Use Only</i>
	<b>Meeting Date:</b> /                      / <b>Application No.:</b> _____ <b>Township</b> _____ <b>Section</b> _____ <b>Range</b> _____ <b>Date Received:</b> _____ <b>Zoning:</b> _____ <b>Fees &amp; Charges:</b> _____ <b>Receipt #/Date:</b> _____ <b>Assigned To:</b> _____ <b>Taken By:</b> _____
<b>Agent (If different than property owner. Agent letter must accompany submittal)/Agent Address:</b> _____ _____ _____ <b>Phone:</b> _____ <b>Fax:</b> _____ <b>Email:</b> _____	

**Request For Preliminary Plat Approval:**

Subdivision Name: \_\_\_\_\_

Address or Location of Property: \_\_\_\_\_

Total Acres: \_\_\_\_\_ Total Lots: \_\_\_\_\_

Min. Lot Size: \_\_\_\_\_ Max. Lot Size: \_\_\_\_\_ Average Lot Size: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_  
 (if applicable)

Name	Signature	Date
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### AUTHORIZATION TO ENTER PROPERTY

APPLICATION #: \_\_\_\_\_ Parcel #: \_\_\_\_\_ Unit/Lot #: \_\_\_\_\_

Legal Description (see attached): \_\_\_\_\_

APPLICANT(s): \_\_\_\_\_

Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

I, the undersigned, hereby give permission to the Prescott Valley Zoning Inspector (or any Deputy Inspector) in the discharge of his/her duties as stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the enumerated application made under the terms of the Prescott Valley Town Code, or for any investigation as to whether or not any portion of such property, building or other structure is being placed, erected, maintained, constructed or used in violation of the Prescott Valley Town Code; or for any investigations for conditions, compliance and stipulations under the terms of the Prescott Valley Town Code and public hearings concerning this parcel. Such entry shall be within 60 days of the date of my signature (below) or within 60 days of the scheduled date of a public hearing for review, transfer or renewal of the application. Such entry shall be limited between the hours of 7 A.M. and 6 P.M. MST. I understand that this permission to enter property is **OPTIONAL** and **VOLUNTARILY GIVEN** and may be withdrawn or revoked (either in writing or verbally) at any time.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*(check one)*

- Owner
- Agent for \_\_\_\_\_

STATE OF ARIZONA        )  
                                          ) ss  
COUNTY OF YAVAPAI    )

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ before me, the undersigned Notary Public, personally appeared who executed the foregoing instrument for the purpose therein contained.

In witness whereof, I hereby set my hand and official seal,

Notary Public: \_\_\_\_\_

Date Commission Expires: \_\_\_\_\_



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#### **14-02-030 Preliminary Plat Stage.**

The Preliminary Plat stage of land and airspace subdivision includes detailed planning, submittal, review, and approval of the Preliminary Plat. To avoid delay in processing his application, the subdivider shall provide the department with all information essential to determine the character and general acceptability of the proposed development.

- A. **Zoning:** The subdivision shall be designed to meet the specific requirements for the zoning district within which it is located. However, in the event that a zoning amendment or a zoning adjustment is necessary for conformance with district regulations, said action shall be initiated by the property owner or his authorized agent. The department shall not proceed with processing of the Preliminary Plat until the necessary amendment or adjustment has been obtained. Any furtherance of pre-development activity engaged in, by, or on behalf of the developer while an application for zoning amendment or variance is pending shall in no instance be construed as having been undertaken in reliance of a favorable determination of such application (notwithstanding the nature of a department recommendation on the matter). In any event, any such zoning amendment or adjustment required in relation to the Preliminary Plat shall have been adopted prior to Preliminary Plat approval.
- B. **State and County Sanitary Sewerage and Water Supply Requirements:** Where location of the development requires that the State and/or County be involved in sewage disposal, water supply, or fire protection, the subdivider shall have first informed the appropriate State and/or County department of his tentative plans and learned the general requirements prior to preliminary plat review by the department.
- C. **Preliminary Plat Submission:**
  - 1. Twenty (20) copies of the Preliminary Plat, an eight and one-half by eleven (8 1/2x11) inch transparency and other required supporting data prepared in accordance with requirements set forth in this Section shall be filed with the department at least twenty-one (21) days prior to the Commission meeting at which the subdivider desires to discuss the plat. Submission shall include fees as required by Section 14-01-030 of this Chapter. Copies of the Preliminary Plat shall be reproduced in the form of blue line or black line prints on a white background. Scheduling of the case for Commission hearing shall be dependent upon adequacy of data presented and completion of processing.
  - 2. The submittal shall be checked by the department for completeness and assigned a case number. If it is incomplete as to those requirements set forth in this Section, the submittal shall be rejected and the subdivider notified within five (5) days from the date the map was received.
  - 3. Preliminary Plats of subdivisions outside the Town but within a three (3) mile radius of the Town shall be submitted by the developer to the Town Planning and Zoning Department for review with fees as outlined in Subsection 14-01-030(C) of this Chapter. In addition, the Joint

Town/County Planning and Zoning Commission shall meet to review the plat and forward its recommendation to the Yavapai County Planning and Zoning Commission pursuant to ARS §9-474, as amended.

D. Preliminary Plat Review:

1. On receipt of the Preliminary Plat, the Department shall perform its review for compliance to public objectives, giving special attention to design principles and standards as set forth in Article 14-03 of this Chapter; to streets and thoroughfares as related to the Town street and highway plans and to neighborhood circulation; to utility methods and systems; to existing and proposed zoning and land use of the tract and its environs; and to land required for schools, parks, and other public facilities.
2. The department shall distribute copies of the plat to the following reviewing offices:
  - a. Town Engineer for review.
  - b. Director of Public Works for review of the proposed street system; street plans, and compliance with Town street standards; tentative determination of street and drainage improvement and maintenance requirements; and water and sewage disposal proposals.
  - c. Police Chief, Fire Chief and Building Inspector for review of features of the proposed development relating to their respective areas of operation.
  - d. Where applicable, to the appropriate State and/or County departments for review of water and/or sewage disposal proposals.
  - e. Superintendent of the appropriate school district for his information.
  - f. Where the land abuts a State highway, to the Arizona Department of Transportation and to the County Highway Department for recommendations regarding right-of-way and intersection design.
  - g. Appropriate Town utility departments (as well as any other interested utilities).
  - h. United States Postmaster at Prescott, Arizona.
3. The reviewing offices shall transmit their recommendations to the department in writing. The department shall receive and summarize the reviewing offices' recommendations, prepare a report, and present it to the Commission.

E. Preliminary Plat Approval:

1. If the department report indicates that the requirements of this Chapter have been met, the Commission shall consider the Preliminary Plat at the next regular meeting [but not less than thirty (30) days from the date of filing].
2. The Commission shall consider the Preliminary Plat and the department's recommendations, and if satisfied that all objectives have been met, the Commission shall approve the Preliminary Plat and the secretary shall stamp a notation of approval on two (2) copies of the plat [one (1) being returned to the subdivider, and one (1) retained in the permanent Commission file].

3. If the plat is generally acceptable but requires minor revision before proceeding with preparation of the Final Plat, the Commission shall find conditional approval and note the required revisions in the minutes of the meeting and in a report to the subdivider. At the direction of the Commission, the plat may be given approval subject to the revisions in accordance with the stated conditions and reviewed by the department.
4. If the Commission finds that the plat requires major revision, the plat may be continued pending revision or re-submittal for the same tract or any part thereof, and shall follow the aforementioned procedure.

F. Significance of Preliminary Approval: Preliminary approval constitutes authorization for the subdivider to proceed with preparation of the Final Plat and the engineering plans and specifications for improvements. Preliminary approval is based upon the following items:

1. All subsequent Final Plats submitted within the Preliminary Plat shall comply with the basic conditions under which the Preliminary Plat is granted by the Planning and Zoning Commission.
2. Preliminary Plat approvals shall expire after twenty-four (24) months from the date of Commission approval unless a Final Plat which complies with the provisions of this Article is submitted for approval prior to the expiration of said period. Notwithstanding this requirement, a different period of validity may be negotiated as part of a development agreement between the subdivider and the Town pursuant to ARS §9-500.05 (as amended).
3. Preliminary Plat approval, in itself, does not assure final acceptance of streets for dedication nor continuation of existing zoning requirements for the tract or its environs, nor constitute authorization to record the plat.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-02-030; Ord. No. 268, Amended, 12/12/91; Ord. No. 375, Amended, 12/28/95; Ord. No. 386, Amended, 07/11/96; Ord. No. 442, Amended, 08/27/98)

**14-02-040 Information Required for Preliminary Plat Submittal.**

**THIS INFORMATION BELOW WONT NECESSARILY APPLY TO CONDOMINIUM PLATS AND PROVISION OF ARIZONA REVISED STATUTES, TITLE 33, CHAPTER 1, SHOULD BE REFERENCED FOR STATE COMPLIANCE.**

- A. Form of Presentation: The information hereinafter required as part of the Preliminary Plat submittal shall be shown graphically or by note on plans, or by letter, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be drawn at the same standard engineering scale, said scale having not more than one hundred (100) feet to an inch. Whenever practical, scale shall be adjusted to produce an overall drawing measuring twenty-two by thirty-six (22x36) inches and not exceeding thirty-two by forty-two (32x42) inches.
- B. Identification and Descriptive Data:
  1. Proposed name of subdivision and its location by section, township, range, and reference by dimension and bearing to a section or quarter section corner.

2. Name, address, and phone number of engineer, surveyor, landscape architect, or land planner preparing plat.
3. Name, address, and phone number of subdivider.
4. Scale, north point, and date of preparation (including dates of any subsequent revisions).
5. A location map which shows the relationship of the proposed subdivision to main traffic arteries and any other facilities which might help to locate the subdivision. This map may be on the Preliminary Plat., but, if this is not practical, then a separate map showing title, north point, scale, and date shall be provided.

C. Existing Conditions Data:

1. Topography by contours or "spot elevations" related to USC&GS survey datum, or other datum approved by the Town Engineer shown on the same map as the proposed subdivision layout. Contour interval shall be such as to adequately reflect the character and drainage of the land.
2. Location of fences, water wells, streams, canals, irrigation laterals, private ditches, washes, lakes or other water features; direction of flow; location and extent of areas subject to inundation (whether such inundation be frequent, periodic or occasional).
3. Location, widths and names of all platted streets, railroads, utility rights-of-way of record, public areas, and permanent structures to remain (including water wells and municipal corporation lines within, adjacent to, or extending from the tract).
4. Location of all existing improvements on public rights-of-way and on private property (including utility lines and trees).
5. Name, book, and page numbers of any recorded adjacent subdivisions having common boundaries with the tract.
6. By note, the existing zoning classifications of the subject tract and adjacent tracts.
7. By note, the acreage of the subject tract.
8. Boundaries of the tract to be subdivided shall be fully dimensioned.
9. Engineers' calculations and estimated values for each tributary storm runoff for the one hundred (100) year and fifty (50) year frequency storms (said values to be indicated along the boundary of the plat for all points of drainage entering the property).

D. Proposed Conditions Data:

1. Street layout, including location, width, curve radii, and proposed names of streets, alleys and crosswalks; and connections to adjoining platted tracts.
2. Typical lot dimensions (scaled); dimensions of all corner lots and lots of curvilinear sections of streets; individual lot numbers; total number of lots or dwelling units.

3. Designation of all land to be dedicated or reserved for public use (with use indicated).
4. If plat includes land for which multi-family, commercial, or industrial use is proposed, such areas shall be clearly designated together with existing zoning classifications and status of zoning change, if any.
5. Proposed development units.
6. Proposed storm water disposal system and preliminary calculations and layout of proposed drainage system. The direction of proposed street drainages to be indicated by arrows on the plat and, if required by the Town Engineer, a proposal to provide for detention of storm water is to be shown.
7. Compliance with:
  - a. The Town Flood Control Regulations in Chapter 12 of this Code relating to the construction (or prevention of construction) of streets in land established as being subject to periodic inundation.
  - b. Rules as may be established by the Arizona Department of Transportation relating to provisions for safety of entrance upon and departure from abutting State primary highways.
  - c. Statutes, ordinances, rules and regulations of the appropriate State, County, or Town departments (as applicable), relating to the provision of domestic water supply and sanitary sewerage disposal.

E. Proposed Utility Methods:

1. Sewage Disposal: A statement as to the type of facilities proposed shall appear on the Preliminary Plat.
2. Water Supply: A statement as to the water supply for the development shall appear on the Preliminary Plat.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-02-040; Ord. No. 268, Amended, 12/12/91; Ord. No. 375, Amended, 12/28/95; Ord. No. 563, Amended, 07/10/03)





## PRELIMINARY PLAN/PLAT CHECK LIST

The following items must accompany the submittal:

1. Proposed name of subdivision and its location by section, township and range; small scale vicinity map showing relative location of the plat referenced by dimension and bearing to section corners and quarter-section corners tied to a Town of Prescott Valley reference point; and subdivision boundaries clearly identified.
2. Name, address and phone number of landowner (and subdivider, if not the same), engineer, surveyor, architect, or land planner preparing plat, including registrations numbers.
3. Scale, north arrow and date of preparation, including dates of any subsequent revisions.
4. Topography by contours relating to Town of Prescott Valley survey datum, or other datum approved in writing by the Town Engineer, shown on same map as the proposed subdivision layout. Source and date of topography shall be noted on the Preliminary Plat.
5. Location, widths (or rights-of-way and pavement), ownership status and names of all existing streets and improvements therein, utility easements, public areas, existing structures. Access road to the proposed subdivision shall be described to its intersection with a public road right-of-way.
6. Name, book and page numbers of any recorded subdivisions within or having common boundary with the plat, or notation "UNSUBDIVIDED" where appropriate.
7. Location width and names of proposed streets, alleys, drainage ways, cross-walks and easements including all connections to adjoining platted or un-platted tracts. Typical roadway sections shall be depicted on the plat.
8. Lot layout: including minimum building setbacks relating to all streets; typical lot dimensions; dimensions of all corner lots and lots on curvilinear sections of street; each lot numbered individually and total number of lots shown.
9. Designation of all land to be dedicated or reserved for public or semi-public use, with use indicated.
10. Reference by note to source of proposed electricity, gas, telephone service, solid waste disposal, police and emergency service agencies.
11. If plat includes land for which multi-family, commercial or industrial use is proposed, such areas shall be clearly designated together with existing zoning classification, present district boundary lines and status of any pending zoning change.

- 12. Statement of method of sewage disposal.
- 13. Statement of method of water supply and a copy of the water resources report as submitted to the Arizona Water Commission required by A.R.S. Section 45-513.
- 14. Subdivider shall indicate distance and location of refuse disposal area. In addition, method of collection must be indicated.
- 15. Draft copy of deed restrictions or CC&RS.
- 16. List of proposed street names and alternate street names if determined to be duplicates or not acceptable pursuant to Town Code.
- 17. Preliminary drainage report.
- 18. Preliminary drainage report.
- 19. Any requested waiver or variance from approved construction standards or these regulations such as zoning, roads, flood control, etc., shall be in the form of an application of exception specifying each requested waiver of variance and associated justification.
- 20. The type or form of assurance that will be made for completion of improvements in a subdivision in accordance with A.R.S. Section II- 806-01 and Article V of these regulations.
- 21. Filing Fee.
- 22. Master Concept Report for Utilities.
- 23. Adequate information to allow Town Engineer to evaluate proposed roadways.

**AGENCY CONTACT LIST**  
(All are 928 area codes)

<b>Planning and Zoning</b>	<b>Phone</b>	<b>Fax</b>	<b>E-mail</b>
Richard Parker, Director	759-3050	759-5511	<a href="mailto:rparker@pvaz.net">rparker@pvaz.net</a>
Joe Scott, Planner	759-3057	759-5511	<a href="mailto:jscott@pvaz.net">jscott@pvaz.net</a>
Fernando Gonzalez, Code Enf. Supvsr	759-3067	759-5511	<a href="mailto:fgonzalez@pvaz.net">fgonzalez@pvaz.net</a>
<b>Building</b>			
Woody Lewis, Building Official	759-3054	759-5511	<a href="mailto:wlewis@pvaz.net">wlewis@pvaz.net</a>
<b>Public Works</b>			
Norm Davis, Director	759-3070	759-5514	<a href="mailto:ndavis@pvaz.net">ndavis@pvaz.net</a>
<b>Economic Development</b>			
	775-0032	759-0829	
<b>Parks and Recreation</b>			
Brian Witty, Director	759-3090	772-7829	<a href="mailto:bwitty@pvaz.net">bwitty@pvaz.net</a>
<b>Police Department</b>			
Chief	772-9261	772-2700	
<b>Fire Department</b>			
	759-9933	772-4957	
<b>Chamber of Commerce</b>			
	772-8857	772-4267	<a href="mailto:info@pvchamber.org">info@pvchamber.org</a>
<b>Yavapai County Health Dept.</b>			
	771-3122	771-3379	
	771-3377	771-3369	
<b>Utilities &amp; Others:</b>			
<b>Dava &amp; Associates</b>			
•	778-7587	778-1047	<a href="mailto:mail@davacivil.com">mail@davacivil.com</a>
<b>UniSource</b>			
•	771-7229	771-1794	
<b>Arizona Public Service</b>			
•	776-3696	776-3671	
<b>Century Link</b>			
•	776-2510	776-2504	
<b>Cable One</b>			
•	443-3341	443-3303	
<b>ADOT</b>			
•	777-5873	771-0058	
<b>ADA Needs</b>			
	772-1266	772-3808	
<b>OMI</b>			
	759-9062	759-9135	

When Recorded Return To:  
Town of Prescott Valley  
7501 East Civic Circle  
Prescott Valley, AZ 86314



**AGREEMENT  
TO WAIVE CLAIM FOR DIMINUTION IN VALUE  
REGARDING ACTION  
PROPOSED BY TOWN OR REQUESTED BY PROPERTY OWNER**

*This Waiver is related to Proposition 207 (Article 2.1 to Chapter 8, Title 12 of the Arizona Revised Statutes) dealing with eminent domain and regulatory takings. The Waiver is as an agreement between the Town and the owners in conjunction with the land use law actions requested by the property owners. Each owner of a fee interest in the subject property is asked to sign the waiver agreement and have the signatures properly notarized. Extra sheets for the Owners signature can be made for multiple owners involved in an application. A legal description should be attached by the applicant. The Town will complete the application number when the application is processed and attach a copy of the completed application.*

This Agreement to Waive Claim for Diminution in Value Regarding Action Proposed by Town or Requested by Property Owner ("Agreement") made as of this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between the Town of Prescott Valley, a municipal corporation of Arizona ("Town") and

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("Owner(s)");

WITNESSETH:

WHEREAS, on December 4, 2006, the Governor of Arizona signed into law the Private Property Rights Protection Act (Proposition 207) approved by the voters on November 7, 2006; and

WHEREAS, Proposition 207 added a new Article 2.1 to Chapter 8, Title 12 of the Arizona Revised Statutes (comprising §§12-1131 through 12-1138) dealing with eminent domain and regulatory takings; and

WHEREAS, ARS §12-1134 permits an owner of private real property to seek just compensation from the state or a political subdivision thereof that enacts or applies a land use law which (subject to certain exceptions) reduces

existing rights to use, divide, sell or possess said property and thereby reduces the fair market value of the property; and

WHEREAS, "land use law" includes any statute, rule, ordinance, resolution, or law enacted by the state or political subdivision that regulates the use or division of land or any interest in land; and

WHEREAS, ARS §12-1134(I) recognizes that the state or political subdivisions may reach agreements with private property owners to waive claims for diminution in value resulting from land use law actions proposed by the state or political subdivision or requested by the property owners; and

WHEREAS, Arizona courts have recognized the inherent authority of municipal corporations to enter into agreements within the scope of their legislative powers, the same as individuals and other corporations, in matters that appertain to said municipal corporations [see, *Town of Tempe v. Corbell*, 17 Ariz. 1 (1915)]; and

WHEREAS, the Town (through its Common Council) has, on the date first-above written, duly considered and approved this Agreement with the Owner(s) to waive any claims said Owner(s) may have for diminution in value that may result, now or in the future, from the land use law action(s) proposed by the Town or requested by the Owner(s) as more fully set forth herein;

NOW, THEREFORE, for and in consideration of the mutual covenants and promises contained herein (and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged), the parties hereto agree as follows:

SECTION ONE. This Agreement applies to that private real property described in Exhibit "A" attached hereto and expressly made a part hereof ("Property").

SECTION TWO. The land use law action(s) proposed by the Town or requested by the Owner(s) to which this Agreement applies have been designated as follows by the Town's Community Development Department:

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and are based on certain application(s), copies of which ("Application(s)) are shown as Exhibit "B" attached hereto and expressly made a part hereof ("Action(s)").

SECTION THREE. By signing this Agreement, the Owner(s) expressly agree(s) and acknowledge(s) that the Owner(s) hereby waive(s) any right to

claim diminution in value or claim just compensation for diminution in value of the Property under ARS §12-1134, now or in the future, in relation to the Action(s). This includes (but is expressly not limited to) agreement and consent by the Owner(s) to all conditions that may ultimately be imposed as part of the Action(s).

SECTION FOUR. It is expressly understood by the parties that this Agreement does not add to, detract from, or otherwise modify any discretion, right, power, authority, obligation, or duty of the Town under applicable law with respect to any legislative, administrative, or quasi-judicial action(s).

SECTION FIVE. This Agreement (including any exhibits attached hereto and any addendum) constitutes the entire understanding and agreement of the Owner(s) and the Town and shall supersede all prior agreements or understandings between the Owner(s) and Town regarding the Property. This Agreement may not be modified or amended except by written agreement of the Owner(s) and the Town.

SECTION SIX. This Agreement is made and entered into in Yavapai County, Arizona, and will be construed and interpreted under the laws of the State of Arizona.

SECTION SEVEN. The parties agree that this Agreement may be filed in the Official Records of the County Recorder's Office, Yavapai County, Arizona.

SECTION EIGHT. This Agreement runs with the land and is binding upon all present and future owners of the Property.

SECTION NINE. This Agreement is subject to the cancellation provisions of ARS §38-511.

SECTION TEN. The Owner(s) warrant(s) and represent(s) that the Owner(s) is/are the owner(s) of fee title to the Property, and that no other person(s) has/have any ownership interest(s) in the Property. The person(s) who sign(s) on behalf of the Owner(s) personally warrant(s) and guarantee(s) to the Town that he/she/they have the legal authority to bind the Owner(s) to this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their authorized representatives the day and year first-above written.

TOWN OF PRESCOTT VALLEY, a  
municipal corporation of Arizona,  
(Town)

\_\_\_\_\_  
Harvey C. Skoog, Mayor

ATTEST:

\_\_\_\_\_  
Diane Russell, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ivan Legler, Town Attorney

STATE OF ARIZONA     )  
                                          ) ss:  
County of Yavapai     )

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 20\_\_ by Harvey C. Skoog, Mayor of the Town of Prescott Valley, a municipal corporation of Arizona, on behalf of said municipal corporation.

\_\_\_\_\_  
Notary Signature

My Commission Expires:

\_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their authorized representatives the day and year first-above written.

\_\_\_\_\_, (Owner(s))

\_\_\_\_\_

\_\_\_\_\_  
Owner(s) Signature

\_\_\_\_\_  
Owner(s) Signature

STATE OF ARIZONA     )  
                                          ) ss:  
County of Yavapai     )

On this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, \_\_\_\_\_,  
personally appeared before me,  
\_\_\_\_\_ who is personally known to me,  
\_\_\_\_\_ whose identity I verified on the basis of \_\_\_\_\_  
\_\_\_\_\_ whose identity I verified on the oath/affirmation of \_\_\_\_\_  
a credible witness,  
to be the signer of the foregoing document, and he/she acknowledged that  
he/she signed it.

\_\_\_\_\_  
Notary Signature

My Commission Expires:  
\_\_\_\_\_



**EXHIBIT "A"**

**PROPERTY**

**EXHIBIT "B"**

**APPLICATION(S)**