

ATTACHMENT E



Pamela H. Gulsvig
Legal Department
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Email: Pamela.Gulsvig@Robson.com

April 17, 2024

VIA Email Anthony.grande@phoenix.gov and US Mail

Anthony Grande, Planner
Planning and Development Department
City of Phoenix
200 West Washington Street, 2nd Floor
Phoenix, Arizona 85003

Re: Z-54-23-6 and GPA-CE-2-23-6

Mr. Grande,

I am in house legal counsel for Robson Communities, Inc. and its affiliates, including without limitation, 52nd Street and McDowell, LLC that is the owner of certain real property (Lot 1 of FINAL PLAT FOR LOFTIN ANNEX 52) that abuts the site of the above referenced applications for zoning change and general plan amendment. In particular, I am contacting you to make the City aware of the ownership and rights relating to the joint access at the traffic signal on 52nd Street south of McDowell so that you can consider the impact of such easements on the proposed redevelopment of the site that is the subject of the above referenced applications as well as any other entitlement, including any site plan, approvals to occur hereafter. Please note that the entire joint access is located across the northernmost portion of our property. A smaller version of the access easement was granted in 2008 by the declaration of access easement recorded 2008-0587153 and a separate slightly larger access easement was granted in 2020 by the access easement agreement recorded 20201132057. I have attached an illustration of both the 2008 easement area and the 2020 easement area across our property.

More specifically, we want to advise the City of the following:

First, only certain parcels (i.e. Lots 7, 8, 9, 10 and 11 of the plat recorded at Book 1263 of maps, page 14, **but not all** of the parcels included as part of the applicant's project, have the right to use joint access easement at the traffic signal on 52nd Street south of McDowell. I have attached an illustration of what portions of the applicant's project have the right to use the 2020 easement across our property. An even smaller portion of the applicant's project (i.e. only Lot 7) has the right to use the smaller 2008 easement across our property.

Second, any changes (such as changes in the location, size or configuration of the access or granting any additional portions of applicant's project the right to use the access) proposed or required to that joint access will require our specific written consent thereto.

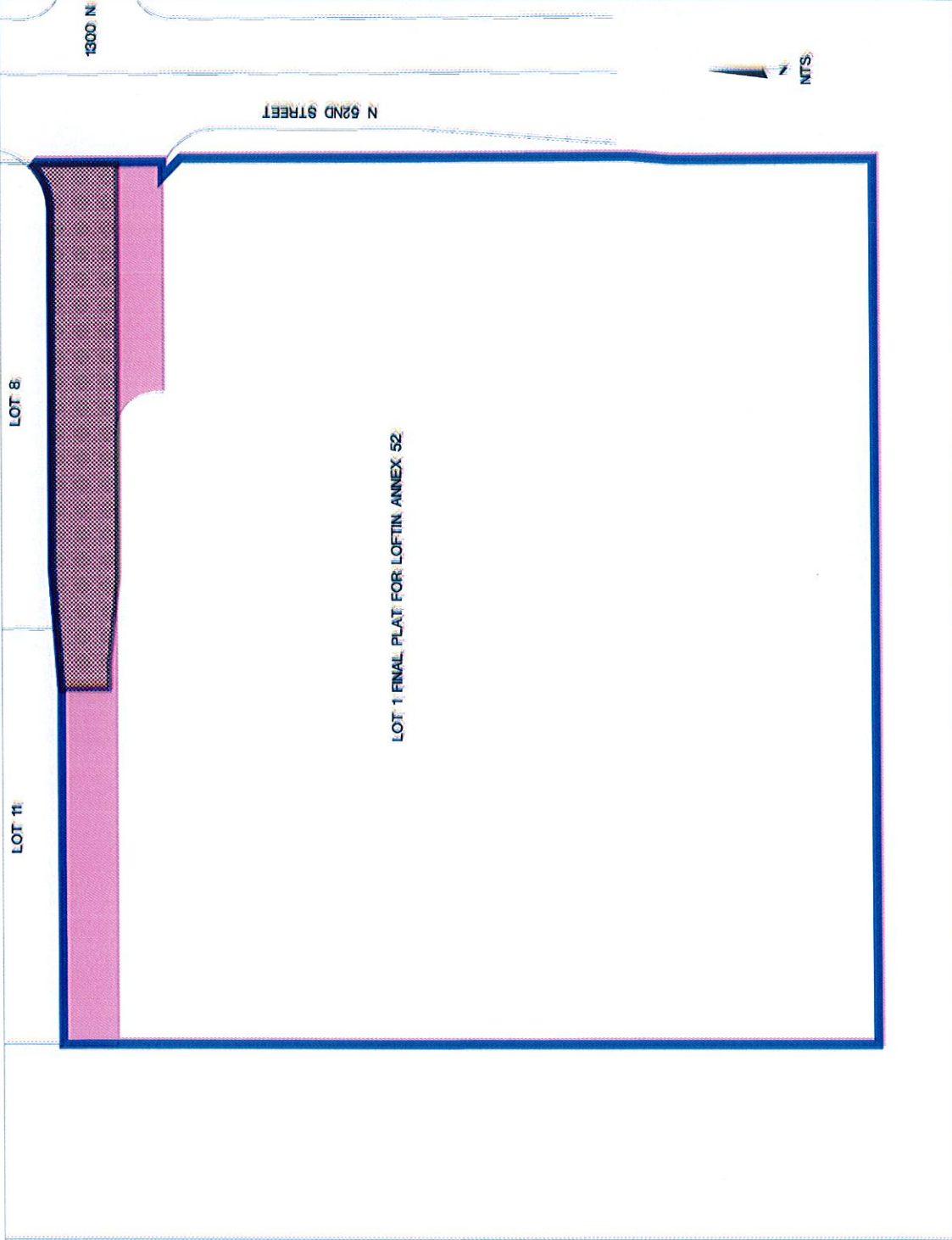
Please feel free to contact me with any questions or if you want to discuss this matter.

Best Regards,

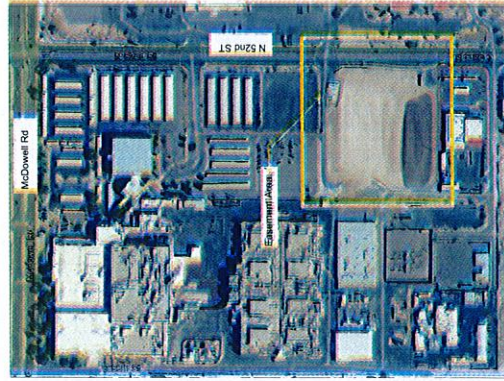
A handwritten signature in blue ink, appearing to read "Pamela Gulsvig", is written over the typed name.

Pamela Gulsvig
General Counsel

cc: City Attorney's Office, City of Phoenix (VIA US Mail and Fax 602-732-2768)



- ACCESS EASEMENT 20080587153
- ACCESS EASEMENT 20201132057
- PROPERTY BOUNDARY

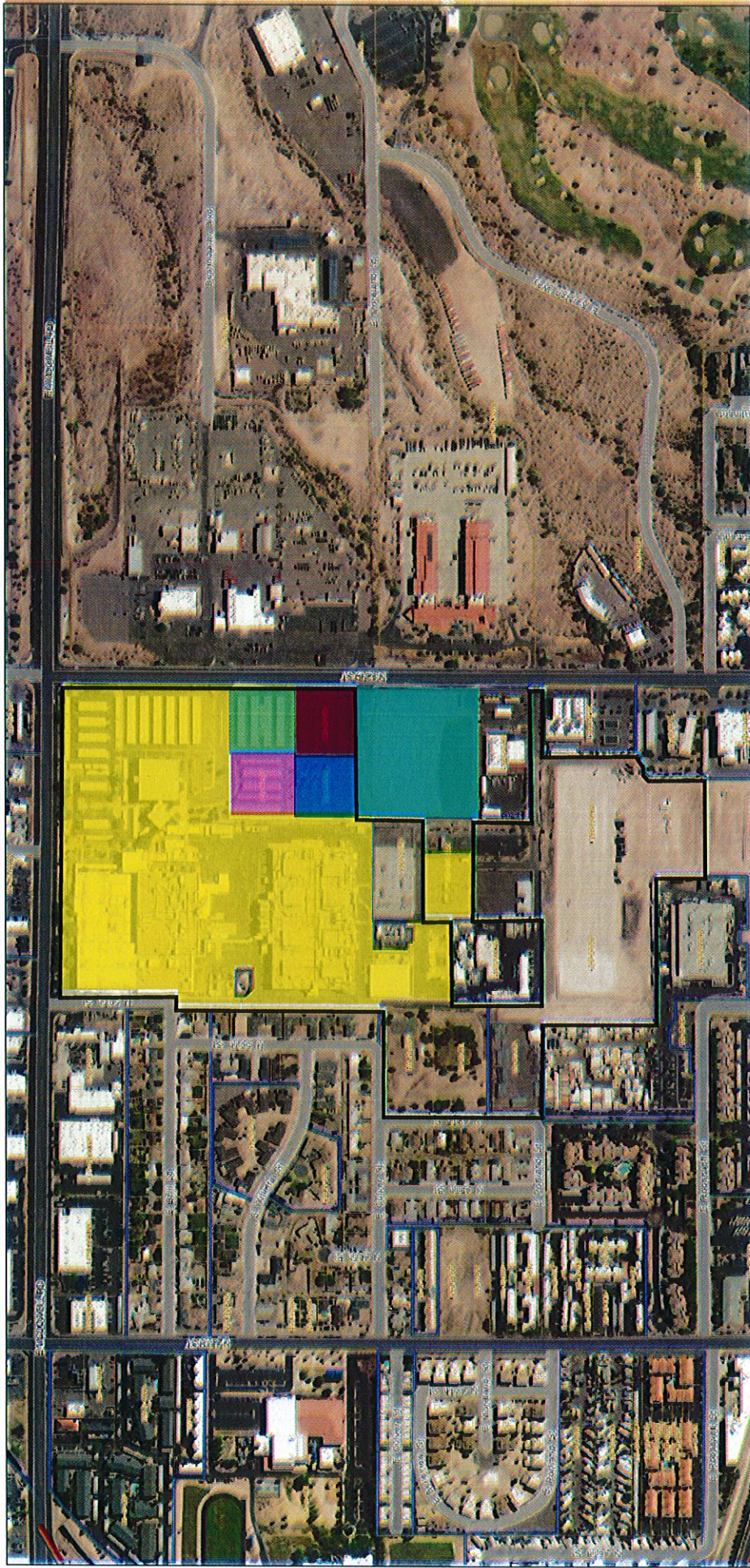


BR ENGINEERING INC.

9666 E. RIGGS RD. SUITE 118
SUN LAKES, ARIZONA 85248
PHONE: (480) 895-0799

CIVIL ENGINEERING LAND DEVELOPMENT

2020 ACCESS EASEMENT BENEFITTED PROPERTIES



LEGEND

LOT 1

LOT 7

LOT 8

LOT 9

LOT 10

LOT 11

PROPOSED CHANGE AREA
2024 GENERAL PLAN AMENDMENT

1:5,589
0 0.05 0.1 0.15 0.2 mi
0 0.07 0.15 0.3 km

Maricopa County GIO, Maricopa County Assessor's Office

NOTE: LOTS PER ACCESS
AGREEMENT 20201132057

2024 - Maricopa County Assessor's Office