



City of Phoenix
CITY CLERK DEPARTMENT

February 12, 2007

Mr. K. Scott McCoy
Earl, Curley and Lagarde
3101 North Central Avenue, Suite 1000
Phoenix, AZ 85012

RE: Application Z-129-06-1

Dear Mr. MCCoy:

The Phoenix City Council, at its meeting held February 7, 2007, considered a request to rezone 9.70 acres, located approximately 200 feet north of the northeast corner of 41st Drive and Opportunity Way, from CP/GCP to C-2 PCD, for commercial and office uses.

The Council granted this request as recommended by the Planning Commission for a C-2 PCD designation, subject to the following stipulations:

General

1. That development shall be in general conformance with the site plan date-stamped October 2, 2006, as approved by the Development Services Department.
2. That parking areas shall be designed with landscaped areas to break up the large expanses of parking that could be viewed from the freeway or access ramp. These parking areas shall be screened from view from the freeway by landscaping as approved by the Development Services Department.

Elevations

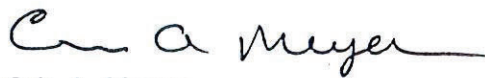
3. That buildings shall include architectural features in order to provide relief, shadow, and shade on all sides, as approved by the Development Services Department.

4. That all surfaces for structures, roofs, walls and fences shall use colors in desert tones, as approved by the Development Services Department.
5. That building materials have no greater than 20 percent reflectivity, as approved by the Development Services Department.

Development and use of the site is subject to compliance with all applicable codes and ordinances.

If you require further assistance or information, please contact the Planning Department, Second Floor of Phoenix City Hall, 200 West Washington Street, or call (602) 262-7131.

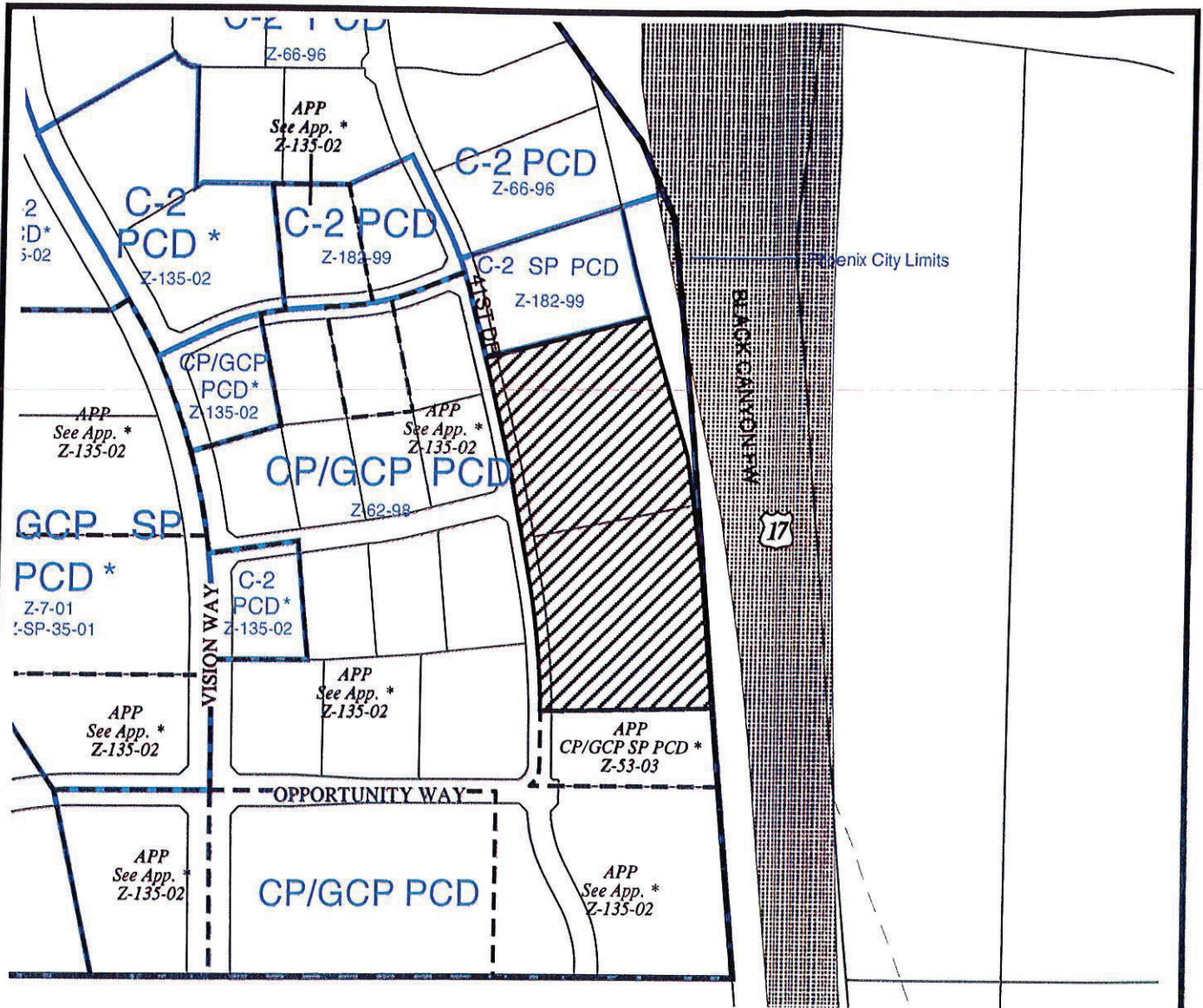
Sincerely,



Cris A. Meyer
Acting City Clerk

MP/sd/Item 17

cc: Phelps-Desert North Commerce Center I, 2535 East Round Hill Lane,
Bloomington, IN 47401
Planning Department
Development Services - John Parks
Development Services - Gerard Silvani
Street Transportation
Official Records



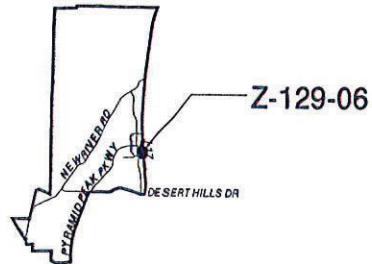
400 0 400 Feet



CITY OF PHOENIX PLANNING DEPARTMENT

New Village Village

CITY COUNCIL DISTRICT: 1



APPLICANT'S NAME: K. SCOTT McCOY, EARL, CURLEY AND LAGARDE		REQUESTED CHANGE:	
APPLICATION NO. Z-129-06	DATE: 10-8-2006 REVISION DATES:	FROM: CP/GCP (9.70 ac)	TO: C-2 PCD (9.70 ac)
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 9.70 Acres	<small>AERIAL PHOTO & QUARTER SEC. NO.</small> Q68-19	<small>ZONING MAP</small> U6	
MULTIPLES PERMITTED CP/GCP C-2	CONVENTIONAL OPTION N/A 140	* UNITS P.R.D. OPTION N/A 148	

* Maximum Units Allowed with P.R.D. Bonus

FIRST AMERICAN TITLE

When recorded, return to:

CRAIG K. WILLIAMS, ESQ.
SNELL & WILMER L.L.P.
Attention: Rebecca F. Cary, Paralegal
One Arizona Center
400 East Van Buren
Phoenix, AZ 85004-2202
Telephone: (602) 382-6000
NCS-453585 (1051)
Exempt pursuant to A.R.S. 11-1134(B)(1)

45:
mca

For Recorder's Use

TRUSTEE'S DEED

CRAIG K. WILLIAMS, ESQUIRE, as the duly appointed Successor Trustee of the Deed of Trust (hereafter, "Successor Trustee") hereinafter described, does hereby grant and convey, but without covenant or warranty, express or implied, to which, K2H DESERT NORTH, LLC, an Arizona limited liability company, whose mailing address is 348-1917 West 4th Avenue, Vancouver, British Columbia V6J 1M7, and who is the present owner and holder of the promissory note secured by the Deed of Trust (hereafter, "Grantee"), the real property, situated in MARICOPA County, Arizona, described as follows (hereafter called the "Property"):

Lot 2, of ANTHEM COMMERCE PARK 33.2, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 537 of Maps, page 26.

Together with all other property, interest and rights described in the Deed of Trust.

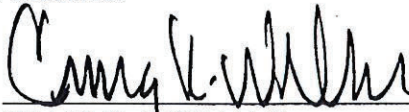
Successor Trustee states that:

This conveyance is made pursuant to the powers, including the power of sale, conferred by that certain Deed of Trust and Security Agreement, executed by Gust Rosenfeld Holding Company IV LLC, an Arizona limited liability company, n/k/a Phelps Anthem I LLC, an Arizona limited liability company, as Trustor, in which K2H Desert North, LLC, an Arizona limited liability company, is named as the current Beneficiary and Chicago Title Insurance Company, is named as the original Trustee, dated as of July 12, 2005, with an effective date of July 27, 2005, and recorded on July 27, 2005, at Instrument No. 2005-1058140 and re-recorded on November 8, 2005 at Instrument No. 2005-1695506, and as assigned pursuant to that certain Assignment of Deed of Trust and Security Agreement and Other Loan Documents, dated as of November 17, 2010, and recorded on November 23, 2010, at Instrument No. 2010-1026513, and that certain Assignment of Deed of Trust, dated as of June 23, 2011, with an effective of July 15, 2011, and recorded on July 18, 2011, at Instrument No. 2011-0591434, all in the Official Records of Maricopa County, Arizona (collectively, the "Deed of Trust"), and after fulfillment by Successor Trustee of the conditions specified in said Deed of Trust, and in compliance with all requirements of law regarding the recording of the Notice of Trustee's Sale and the mailing,

posting and publication of copies thereof and regarding the Trustee's Sale and all proceedings leading thereto.

The property was sold by Successor Trustee at public auction on July 29, 2011, at 1:30 p.m., at the place named in the Notice of Trustee's Sale, in the County of Maricopa, Arizona, in which the Property is situated. Grantee being the highest bidder at such sale, became the purchaser of the Property described in the Notice of Trustee's Sale, and made payment therefor to Successor Trustee of the amount bid, namely \$2,354,500.00 as made by credit bid.

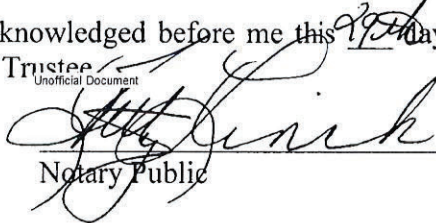
IN WITNESS WHEREOF, CRAIG K. WILLIAMS, ESQUIRE, as Successor Trustee, has this day caused this Trustee's Deed to be executed.



CRAIG K. WILLIAMS
Manner of Qualification: Member of the State Bar of Arizona, pursuant to A.R.S. §33-803(A)(2).

STATE OF ARIZONA)
)
) ss.
COUNTY OF MARICOPA)

The foregoing instrument was acknowledged before me this 29th day of July, 2011, by Craig K. Williams, Esquire, as Successor Trustee

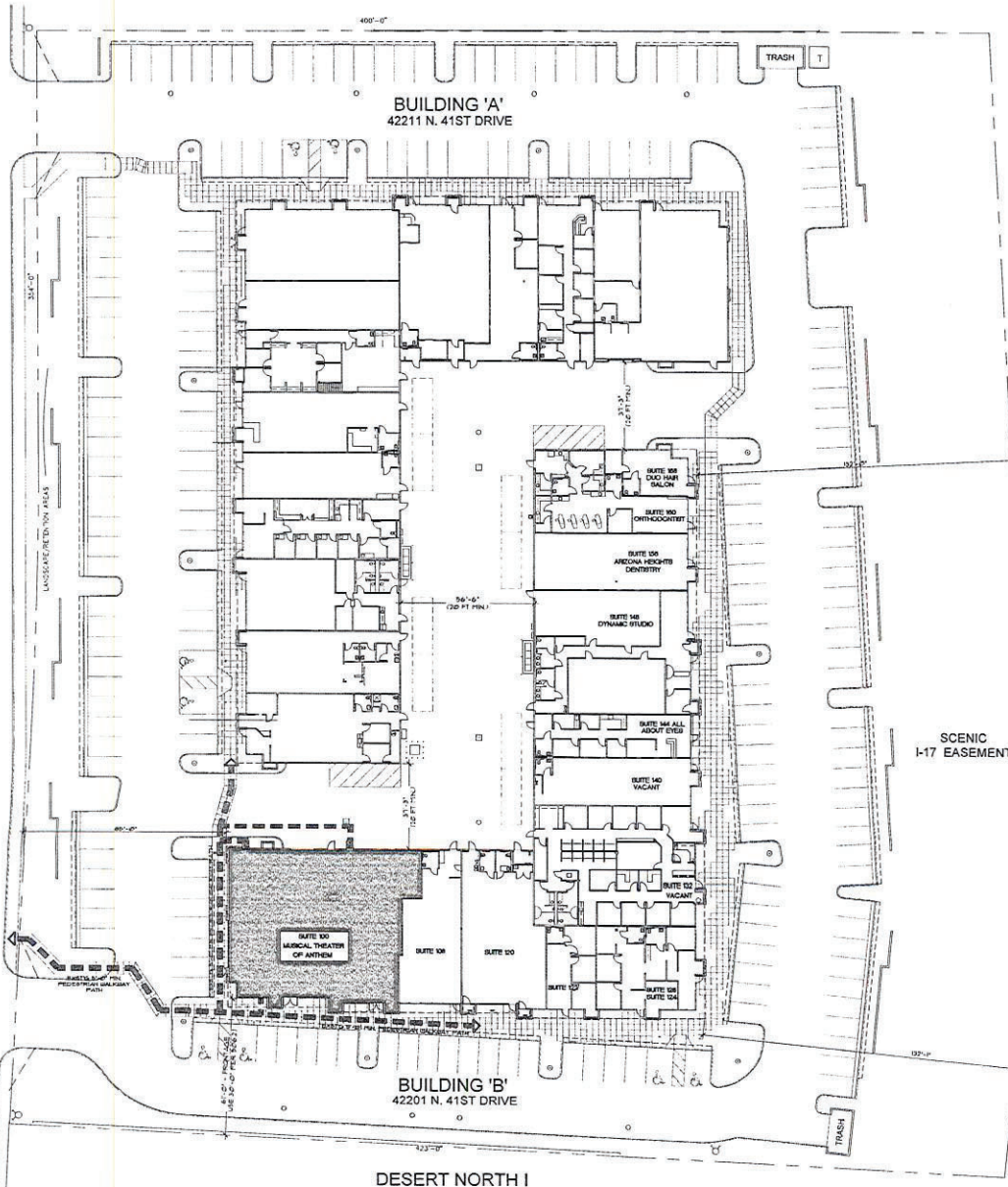


Notary Public

My Commission Seal:



41ST DRIVE



EXISTING SITE PLAN
SCALE: 1/8"=1'-0"



506.8 - MIXED OCCUPANCY AREA DETERMINATION - UNSEPARATED USE

THE TOTAL ALLOWABLE BUILDING AREA FOR BUILDINGS CONTAINING MIXED OCCUPANCIES SHALL BE DETERMINED IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THIS SECTION. A SINGLE ELEMENT SHALL NOT BE INCLUDED IN THE TOTAL ALLOWABLE BUILDING AREA, PROVIDED EACH ELEMENT DOES NOT EXCEED THE AREA PERMITTED FOR A BUILDING WITH NO MORE THAN ONE STORY ABOVE GRADE PLANE.

506.9 - NO MORE THAN ONE STORY ABOVE GRADE PLANE

FOR BUILDINGS WITH NO MORE THAN ONE STORY ABOVE GRADE PLANE AND CONTAINING MIXED OCCUPANCIES, THE TOTAL BUILDING AREA SHALL BE DETERMINED IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF SECTION 506.1.

506.1 - GENERAL

EACH PORTION OF A BUILDING SHALL BE INDIVIDUALLY CLASSIFIED IN ACCORDANCE WITH SECTION 502.1. UNLESS A BUILDING CONTAINS MORE THAN ONE OCCUPANCY GROUP, THE BUILDING OR PORTION THEREOF SHALL COMPLY WITH THE APPLICABLE PROVISIONS OF SECTION 506.2, 506.3 OR 506.4 OR A COMBINATION OF THESE SECTIONS.

EXCEPTIONS:

- OCCUPANCIES SEPARATED IN ACCORDANCE WITH SECTION 502.
- AREAS REQUIRED BY TABLE 503.2, AREAS OF GROUP A-1, A-2 AND A-3 OCCUPANCIES SHALL BE LOCATED IN A DETACHED BUILDING OR STRUCTURE.
- AREAS BEING LIVESAVED WITH COMPLIANCE WITH SECTION 415 ARE NOT CONSIDERED SEPARATE OCCUPANCIES.

506.2 - BUILDING AREA OCCUPANCIES

AREA: $FA \times (FA + 1) \times (FA + 1) \times (FA + 1)$ (SECTION 503)

WHERE:

- FA** = ALLOWABLE BUILDING AREA PER STORY (SQUARE FEET)
- FA** = TABULAR BUILDING AREA PER STORY AS ACCORDANCE WITH TABLE 503 (SQUARE FEET)
- FA** = AREA INCREASE FACTOR DUE TO FRONTAGE AS CALCULATED IN ACCORDANCE WITH SECTION 506.2
- FA** = AREA INCREASE FACTOR DUE TO FIREHOLE PROTECTION AS CALCULATED IN ACCORDANCE WITH SEC. 506.4
- FA** = 1
- FA** = 1.5
- FA** = 3 (AREA PER 503, SINCE SINGLE STORY)

506.2 - FRONTAGE INCREASE

FA = $1 + (F / P) \times (0.25 / 1.2)$

WHERE:

- F** = AREA INCREASE DUE TO FRONTAGE
- P** = BUILDING PERIMETER THAT FRONTS ON A PUBLIC WAY OR OPEN SPACE HAVING 20 FEET OPEN FRONTAGE (FEET)
- F** = PERIMETER OF BUILDING (FEET)
- F** = WIDTH OF PUBLIC WAY OR OPEN SPACE (FEET) IN ACCORDANCE WITH SECTION 506.2.1. (F SHALL BE MEASURED FROM THE EXTERIOR FACE OF EACH BUILDING TO THE OPPOSITE EXTERIOR FACE OF EACH ADJACENT BUILDING)

FA = 1.5

FA = 1.5

FA = 1.5

ACTUAL BUILDING AREA = 28,026 SF
ALLOWABLE BUILDING AREA = 28,026 SF

BUILDING B - 42201 N. 41ST DRIVE, PHOENIX, AZ, 85086

PREVIOUS PERMIT NOS. LPRB-0000101
DBV-0000274
KVA-98-0111

BUILDING SHELL DESIGNED OCCUP. A-1, B, S, U, H (PER A-1, MOST RESTRICTIVE USE)

BUILDING B AREA: 28,026 SF (28.0% OF ALLOWED)

BUILDING STORES: 1-STORY (2-STORIES ALLOWED)

BUILDING HEIGHT: 26'-0" FT (40 FT ALLOWED)

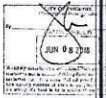
FIRE SPRINKLERS: YES (PER NFPA 13)

FIRE ALARMS: YES

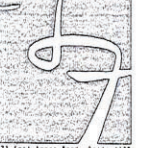
PER IBC, 506.4, NO SEPARATION REQUIREMENT

BUILDING B - SUITE RATIOS:

SUITE #	NSF	OCCUPANCY	TENANT
B-100	9,500	D, S-1, A-1, A-2	ANTHEM MUSICAL THEATER
B-108	16,644	D	VACANT
B-102	2,200	D	VACANT
B-101	633	D	THE SHARED LAW FIRM
B-103	1,435	D	ALL ABOUT EYES
B-104	3,733	D	VACANT
B-105	1,435	D	FARMERS INSURANCE
B-106	1,293	D	DUC
B-107	2,422	D	VACANT
B-109	1,669	D	ANGELA PASKON, DDS
B-110	1,341	D	VACANT
B-111	101	D	HENAPHY
TOTAL:	75,964	GUP	



taylor-fraccose
architecture



4232 East Agave Road, Suite 1125
Phoenix, AZ 85044
T: 480.659.6745
www.taylorfraccose.com

ARCHITECTURE-PLANNING
INTERIORS-RESEARCH DESIGN



ANTHEM MUSICAL THEATER
42201 N 41ST DR SUITE B #100
ANTHEM, AZ 85086

Approved by
City of Anthem
JUN 8 2010

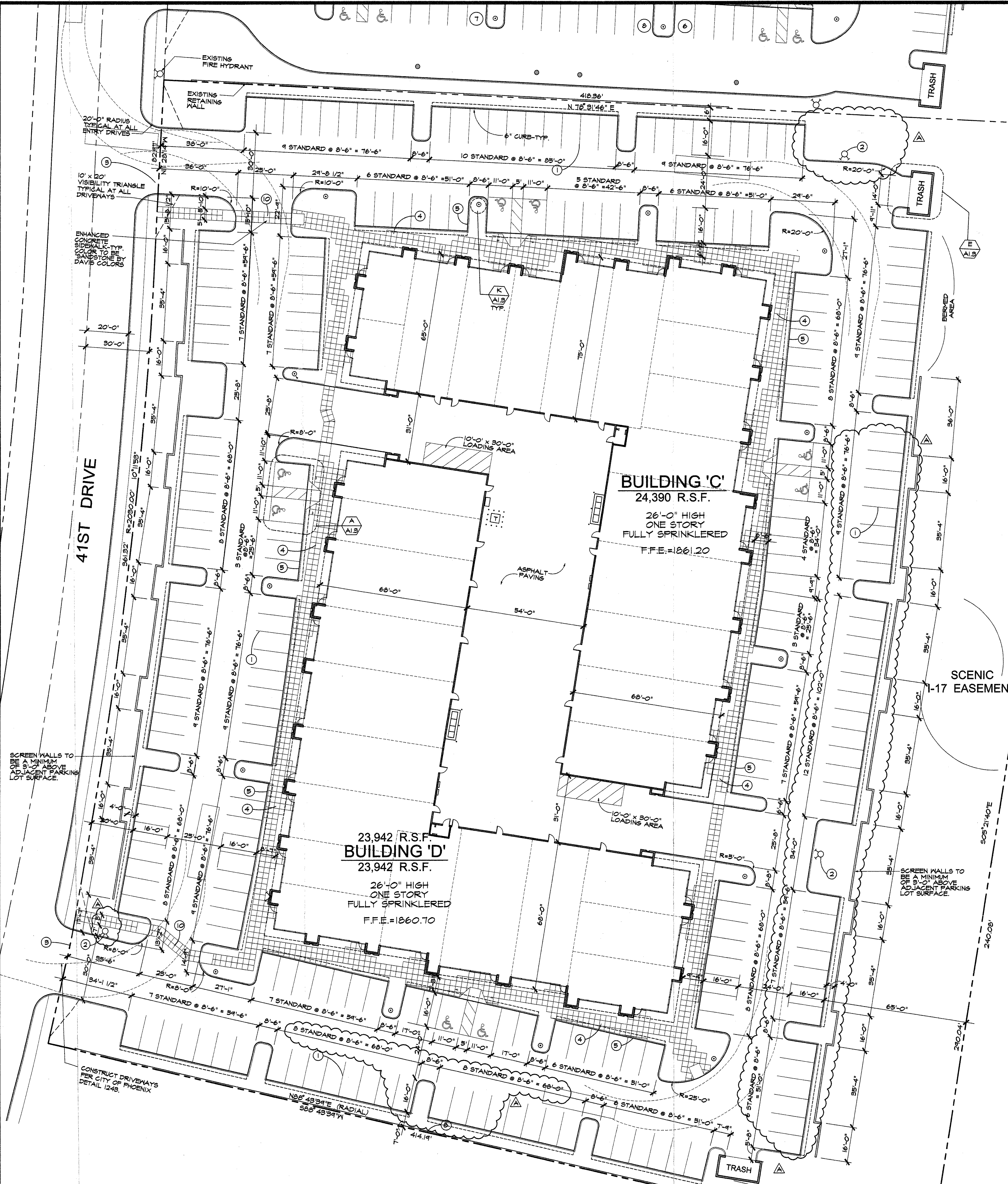
PROJECT COMMENTS
05/24/10
CITY COMMENTS
05/25/10

ISSUE SET: 04.07.10
FOR PERMIT: 04.08.10
SCALE: AS NOTED
DRAWN: JF
CHECKED: JF
TITLE: EXISTING SITE PLAN

A1 - 2
ISSUED FOR PERMIT

SITE PLAN

SCALE: 1"=20'-0"



- ### Site Plan Notes
- Development and use of this site will conform with all applicable codes and ordinances.
 - All new or relocated utilities will be placed underground.
 - Structures and landscaping within a triangle measured back 10' from the property line and 20' along the property line on each side of the driveway entrances will be maintained at a maximum height of 3'.
 - Any lighting will be placed so as to direct light away from adjacent residential districts and will not exceed one foot candle at the property line. No noise, odor, or vibration will be emitted at any level exceeding the general level of noise, odor, or vibration emitted by uses in the area outside of the site.
 - Owners of property adjacent to public rights-of-way will have the responsibility for maintaining all landscaping located within the rights-of-way, in accordance with approved plans.
 - After final approval the project will be inspected for zoning compliance during construction and prior to occupancy. The applicant is to notify DSD prior to occupancy to arrange for inspections. Call 262-6981 and request a Design Review Inspection.
 - All rooftop equipment and satellite dishes shall be screened to the height of the tallest equipment.
 - All service areas shall be screened to conceal trash containers, loading docks, transformers, backflow preventers and other mechanical or electrical equipment, from eye level adjacent to all public streets.
 - Barbed, razor, or concertina wire (or similar) shall not be used on this site where visible from public streets.
 - All on-site water lines, including those required for fire protection shall be private plumbing lines subject to the Phoenix Plumbing Code.
 - All new sanitary sewer lines within the site shall be private plumbing lines subject to the Phoenix plumbing code.
 - The existing structures must comply with the change of occupancy provisions in the Phoenix construction code prior to use.
 - Curbs and dustproof all drives and parking areas per Section 702.A of the Zoning Ordinance.
 - Remove all unused driveways and replace any broken or out of grade curb, gutter and sidewalk.
 - Fire lanes to be 16'-0" wide min. width with a 45' radius for turning movement and a 14' vertical clearance.
 - Building's may be used for storage in excess of 12'-0". Article 81 applies and fire sprinkler system is required.
 - All on-site water lines, including those required for fire protection shall be private plumbing lines subject to the Phoenix Plumbing Code.
 - All new sanitary sewer lines within the site shall be private plumbing lines subject to the Phoenix Plumbing Code.
 - All signage requires a separate review and permit.

Project Statistics

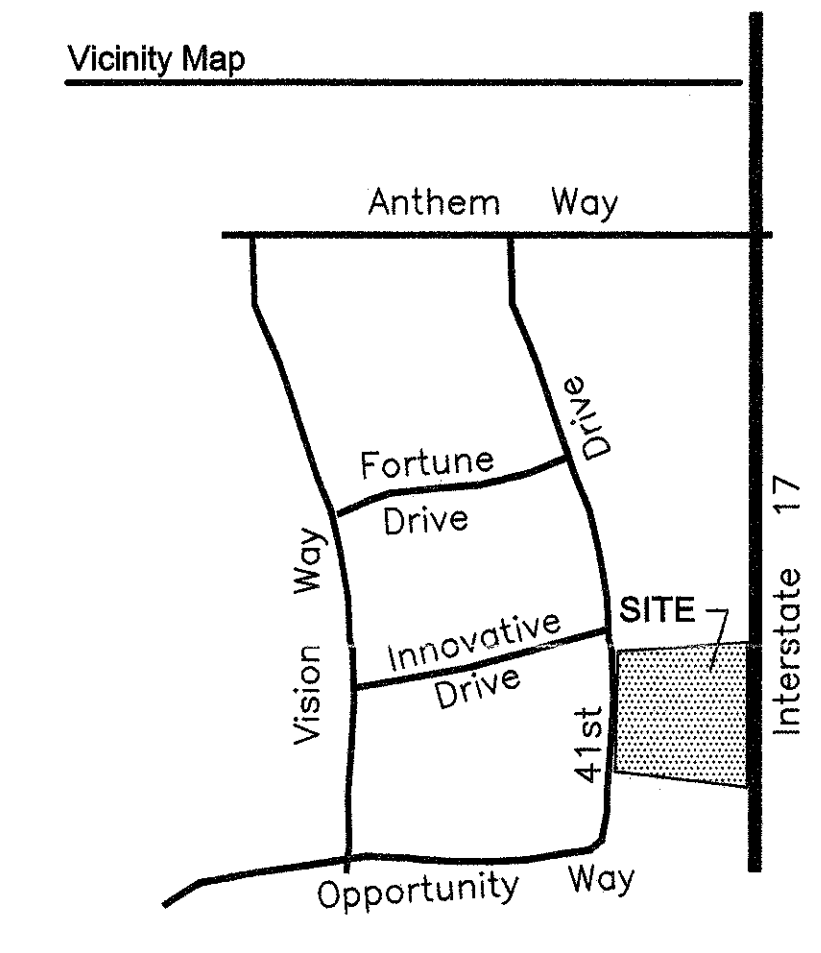
Zoning:	CP/GCP-PCD Z-62-98-1
Site Gross:	±197,692 S.F.
Site Net: (Site Area To Be Developed):	±164,424 S.F.
Total Building Area:	48,332 G.S.F.
Paving:	79,792 S.F.
Hardscape:	10,264 S.F.
Landscape:	26,722 S.F.
Bldg. Footprint Coverage On Site Net Area: Net Site Area (164,424 S.F.) Divided by Building Footprint (48,332 S.F.)	29.3%
Standard Parking Provided:	224
Compact Parking Provided:	0
Loading Bays:	2
Required:	2
Provided:	2
Accessible Parking: Required	7
Provided:	8
Total Parking Provided:	232 (4.80 / 1000)
Parking Calculations	
29,300 S.F. OF OFFICE = 1 SPACE PER 300 S.F. = 97 STALLS	
18,800 S.F. OF WAREHOUSE = 1 SPACE PER 1,000 S.F. = 19 STALLS	
NOTE:	
TOTAL REQUIRED = 116 STALLS	
Actual parking requirements may change once use is determined.	

Client	Architect
Voit Development Company 21700 Oxnard Street Suite 350 Woodland Hills, CA 91367 Contact: Ted Fisher T. (818) 593-6232 F. (818) 593-6274	Poliquin Kellogg Design Group 6400 Canoga Avenue Suite 215 Woodland Hills, CA 91367 Contact: Alan Grosky T. (818) 313.6813 F. (818) 313.6817

Legal Description
LOT 3 OF FINAL PLAT FOR ANTHEM
COMMERCE PARK 33.2 PER BOOK
537 PAGE 26, MARICOPA COUNTY
ARIZONA RECORDS.

CONSTRUCTION NOTES

- PAINT 4" WIDE PARKING STRIPINGS WITH HIGHWAY WHITE PAINT TYPICAL THROUGHOUT SITE.
- NEW ON SITE FIRE HYDRANT
- CONCRETE DRIVE APPROACH. SEE CIVIL DWG'S.
- CONCRETE SIDEWALKS, STOODS, STAIRS AND RAMP. BY 'DAVIS COLORS' SANDSTONE COLOR WITH LIGHT BROOM FINISH. (TO MATCH PHASE I)
- ON SITE CONCRETE CURBS, REFER TO CIVIL DWG'S.
- LANDSCAPE IRRIGATION METER - REFER TO LANDSCAPE DWG'S. AND CIVIL DRAWING'S
- LANDSCAPE CONTROLLER - REFER TO LANDSCAPE DWG'S.
- RETAINING WALL - REFER TO CIVIL DWG'S.
- PROPOSED MONUMENT SIGN (N.I.C.)
- 5'-0" WIDE CONCRETE CROSSWALK WITH 30"x30" SCORING PATTERN. COLOR AND FINISH TO MATCH SIDEWALKS.
- CONTRACTOR TO PROVIDE AND INSTALL THE FIRE DEPT. CONNECTION AND POST INDICATOR VALVE AND PROVIDE ELECTRICITY FOR CONNECTION TO P.I.V. ALL CONNECTIONS SHOULD INCLUDE VAULT AND LINES TO A POINT 5'-0" FROM THE BUILDING.
- BACKFLOW PREVENTER - SEE CIVIL DWG'S. SHT C5 & C6.
- LANDSCAPE AREAS - REFER TO LANDSCAPE DWG'S.



Approvals

12 68-17

APPROVED

City of Phoenix Development Services Department
98-92277-68-17
Date: 4-2-07

This approval is subject to all conditions of Resolution 98-177. This approval.

Remarks	Date	By
P.C. SUBMITTAL	11-05-02	
P.C. RESUBMITTAL #		
APPENDIX 'A'	02-06-03	

Sheet Title: **SITE PLAN**

KIVA# 98-9277
SDEV# 0201227
QSR# 68-19
LPRS# 0204411

Drawn By: [Signature]

Project No: 0503.10

Date: [Blank]

Scale: 1"=20'-0"

Sheet: **A12**

POLYQUIN KELLOGG DESIGN GROUP
ARCHITECTURE PLANNING | INTERIOR DESIGN
6400 Canoga Avenue, Suite 215
Woodland Hills, CA 91364
[P] 818 313 6813 [F] 818 313 6817

VOIT DEVELOPMENT COMPANY
MULTI TENANT BUILDINGS
ANTHEM COMMERCE PARK
Anthem, Arizona
PHASE II