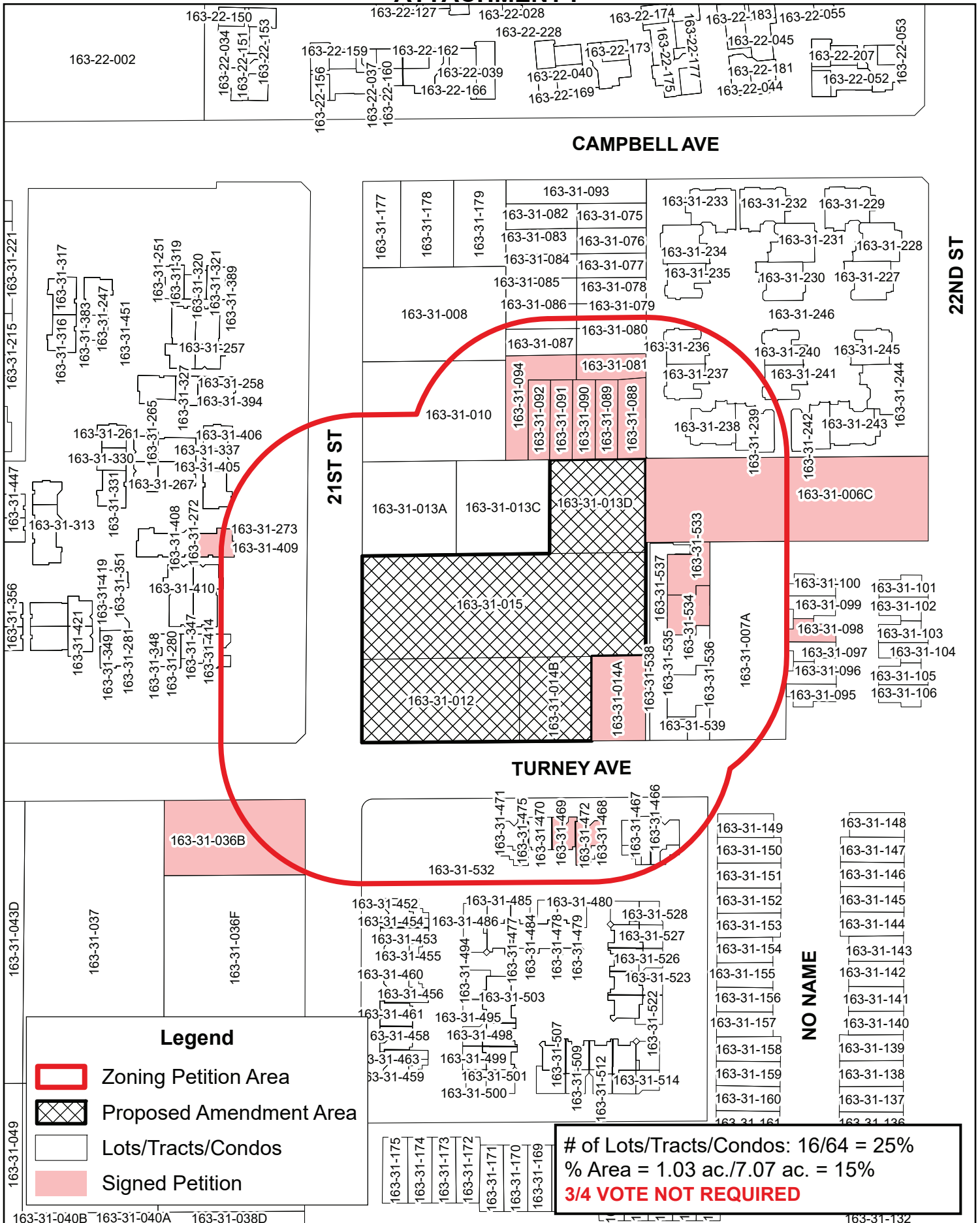


ATTACHMENT F



0 100 200 Feet

Map prepared by City of Phoenix, Planning & Development Services Dept. 10/18/2024

Petition Verification Map for Z-74-24-6

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:			
APPLICATION NO/ LOCATION	Z-74-24-6 (Continued from September 5, 2024) Northeast corner of 21st Street and Turney Avenue	(SIGNATURE ON ORIGINAL IN FILE)	
		opposition	x
APPEALED FROM:	PC 10/10/2024	2121 East Glenrosa Phoenix, AZ 85016	
	<i>PC DATE</i>	<i>STREET/ADDRESS/CITY/STATE/ZIP</i>	
TO PC/CC HEARING	CC 11/13/2024	John Paletta 602-300-4067 Jpaletta1@cox.net	
	<i>CC DATE</i>	<i>NAME / PHONE / EMAIL</i>	
REASON FOR REQUEST: Request for 3/4 vote: Opposition to rezoning case Z-74-24-6 and secure a three-quarter vote of Council.			
RECEIVED BY:	Julie Loewen	RECEIVED ON:	10/17/2024

Joshua Bednarek
 Tricia Gomes
 Racelle Escobar
 Sarah Stockham
 Adam Stranieri
 Stephanie Vasquez
 Heather Klotz

Camryn Thompson
 Daniel Inglese (Attorney)
 GIS
 Byron Easton (for PHO appeals only)
 Village Planner - John Roanhorse
 Applicant



CITY OF PHOENIX

OCT 17 2024

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development
Department

The **PLANNING COMMISSION** agenda for **October 10, 2024** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **October 17, 2024**.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **October 17, 2024**.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **October 17, 2024**.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **October 24, 2024**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

7-74-24-6
APPLICATION NO.

10-10-24
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

21ST STREET AND TURNER AVE
LOCATION OF APPLICATION SITE

Julia Loewen, Planner I
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

JOHN PALETTA
PRINTED NAME OF PERSON APPEALING

2121 EAST GLENDALE
STREET ADDRESS

PHOENIX, ARIZONA 85016
CITY, STATE & ZIP CODE

JPaletta1@cox.net
EMAIL ADDRESS

[Signature]
SIGNATURE

10/11/24
DATE OF SIGNATURE

602-300-4067
TELEPHONE NO.

REASON FOR REQUEST:

OPPOSITION TO REZONING CASE 7-74-24-6
AND SECURE 3/4 Vote of Council.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Deblin Manor
Board of Directors

Pres - Russell Burkland

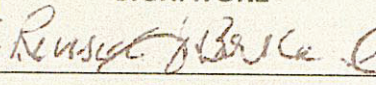
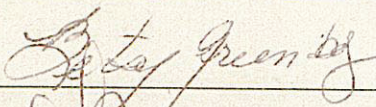
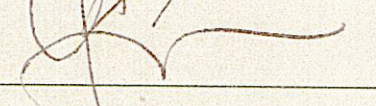
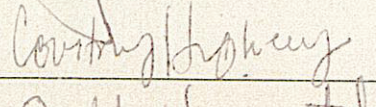
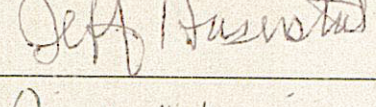
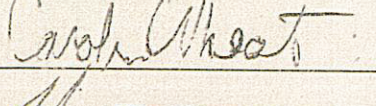
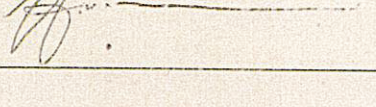
Vice P - Courtney
Humphrey

Sec - Yvette Grassie

Board - Jeff
Haskins

**PETITION for a THREE-FOURTHS (3/4) Vote by the City Council for REZONING # Z-74-24-6
from R3 to R-5 at 21st Street and Turney Ave.**

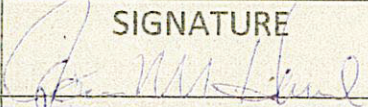
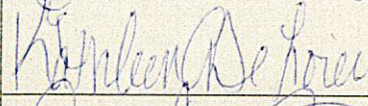
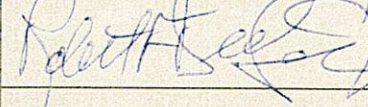
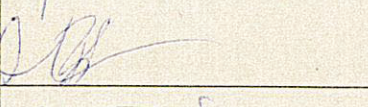
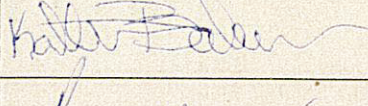
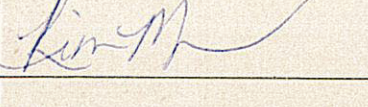
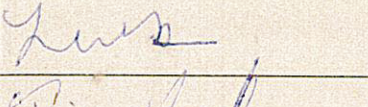
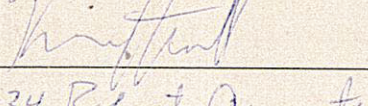
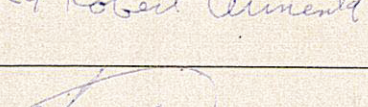
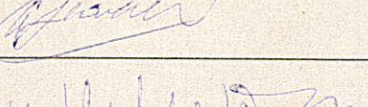
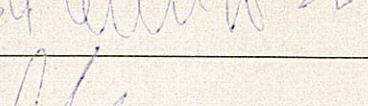
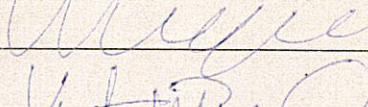
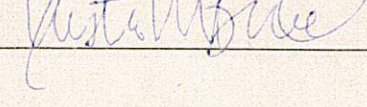
We, the undersigned property owners within the proposed area or within 150 feet of it, including all rights-of-way, are against the proposed rezoning from R3 to R5.

DATE	SIGNATURE	PRINT NAME	ADDRESS	APN
10-12-2014		Russell E. Dittland	4448 N 21st Pl, Phoenix, AZ 85016	163-31-094
10/12/24		BETSY GREENBERG	4437 N. 21st PL Phoenix AZ 85016	163-31-081
10/13/24		Yvette Grazer	4434 N 21st Pl Phoenix AZ 85016	163-31-092
10/13/24		Courtney Humphrey	4432 N. 21st Pl Phoenix, AZ 85016	163-31-091
10-14-24		Jeff Hasenstab	4435 N 21st Pl Phoenix, AZ 85016	163-31-088
10/15/24		Caroline Wheat	4433 N 21st PL Phoenix, AZ 85016	163-31-089
10/15/24		Daniela Howe	4431 N 21st Pl Phoenix AZ 85016	163-31-090

ERIC TEE

PETITION for a THREE-FOURTHS (3/4) Vote by the City Council for REZONING # Z-74-24-6
from R3 to R-5 at 21st Street and Turney Ave.

We, the undersigned property owners within the proposed area or within 150 feet of it, including all rights-of-way, are against the proposed rezoning from R3 to R5.

DATE	SIGNATURE	PRINT NAME	ADDRESS	APN
10-15-24		JOHN M. HAMER	2142 E TURNER AVE PHOENIX, AZ 85016 #13	163-31-098
10/14/24		KATHLEEN A DELOREY	2201 E. ROMA AVE PHX, AZ 85016	
10/14/24		ROBERT F. DELOREY	2201 E. ROMA AVE PHOENIX AZ 85016	
10/14/24		KATHERINE BARBER	2142 E Turney Ave #9 Phoenix AZ 85016	163-31-098
10/14/24		KATHERINE BARBER	2142 E Turney Ave #9 Phoenix AZ 85016	
10/14/24		KIM M. DRAEGER	2142 E Turney Ave #9 Phoenix, AZ 85016	
10/14/24		Leah Adelman	2130 E Turney Ave #1 Phoenix AZ 85016	163-31-533
10/14/24		Zayden Hochmull	2130 E Turney Ave #1 Phoenix AZ 85016	
10-15-24		Robert Armenta	2124 E. Turney Ave	163-31-014A
10/15/24		Alessandro Scavenna	2142 E Turney Ave. Unit 12	
10/15/24		Giulio Anichini	2142 E Turney Ave Unit 12	
10/15/24		Chrysanthe Cyron	4301 N. 21st Unit 39 PHX, AZ 85016	
10/15/24		Kerstin Bennos	2142 E TURNER AVE #8, PHX AZ 85016	

PETITION for a THREE-FOURTHS (3/4) Vote by the City Council for REZONING APPLICATION #Z-74-24-6 from R3 to R5 at 21st Street and Turney Ave.

We, the undersigned property owners within the proposed area or within 150 feet of it, including all rights-of-way, are against the proposed rezoning from R3 to R5.

DATE	SIGNATURE	PRINT NAME	ADDRESS	APN
09/17/24	<i>Cinda Callabres</i>	Cinda Callabres	4420 N. 22 nd Street Phoenix, AZ 85016	163-31-0000

PETITION for a THREE-FOURTHS (3/4) Vote by the City Council for REZONING APPLICATION #Z-74-24-6 from R3 to R5 at 21st Street and Turney Ave.

PETITION for a THREE-FOURTHS (3/4) Vote by the City Council for REZONING # Z-74-24-6
from R3 to R-5 at 21st Street and Turney Ave.

We, the undersigned property owners within the proposed area or within 150 feet of it, including all rights-of-way, are against the proposed rezoning from R3 to R5.

[illegible]

10

STATE OF ARIZONA

Corporation Commission



To all to Whom these Presents shall Come, Greeting:

BE IT KNOWN THAT

DEB-LIN MANOR HOMEOWNERS ASSOCIATION

HAVING SUBMITTED TO THE ARIZONA CORPORATION COMMISSION EVIDENCE OF COMPLIANCE WITH THE LAWS OF THE STATE OF ARIZONA GOVERNING THE INCORPORATION OF COMPANIES, BY VIRTUE OF THE POWER VESTED IN THE COMMISSION UNDER THE CONSTITUTION AND THE LAWS OF THE STATE OF ARIZONA, HEREBY GRANTED THIS

CERTIFICATE OF INCORPORATION

AUTHORIZING SAID COMPANY TO EXERCISE THE FUNCTIONS OF A CORPORATION UNDER THE LAWS NOW IN EFFECT IN THE STATE OF ARIZONA AND SUBJECT TO SUCH LAWS AS MAY HEREAFTER BE ENACTED FOR A PERIOD OF TWENTY-FIVE YEARS FROM THE DATE HEREOF, UNLESS SOONER REVOKED BY AUTHORITY OF LAW.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION:

In Witness Whereof,

ERNEST GARFIELD,

THE CHAIRMAN, HAVE HEREUNTO SET MY HAND AND CAUSED THE OFFICIAL SEAL OF THE ARIZONA CORPORATION COMMISSION TO BE AFFIXED AT THE CAPITOL, IN THE CITY OF PHOENIX, THIS 12th DAY OF April, A.D. 1976.

CHAIRMAN.

ATTEST

SECRETARY

NO

101990

BY

ASSISTANT SECRETARY

DEB-LIN MANOR HOMEOWNERS ASSOCIATION

ARTICLES OF INCORPORATION
DATED September 9, 1975

101990

ARIZONA SECRETARY OF STATE COMMISSION
RECORDS & ADMINISTRATION

SEP 9 1975

At 11:35 A.M. Request of
Mariscal, Weeks, Lehman & McIntyre, P.A.
Address 830 N. 1st Ave.,
Phoenix, Ari. 85003
By Trudy Krieger

George M. Dempsey

STATE OF ARIZONA }
County of Maricopa } ss

I hereby certify that the with
in instrument was filed and re-
corded at request of:

Mariscal Weeks et al

SEP 10 1975 -9 22

In Docket 11325
on page 498-497

Witness my hand and official
seal the day and year aforesaid.

Tom Freestone

County Recorder

By Lubley
(Deputy Recorder)

213319

COPY

ARIZONA CORPORATION COMMISSION

Corporate Name
And Address

Incorporating Division

1688 West Adams

Phoenix, Arizona 85007

**FEE FOR FILING THIS
CERTIFICATE \$1.00**

DEB-LIN MANOR HOMEOWNERS
ASSOCIATION

3201 North 16th Street
Phoenix, Arizona
248-8550

Certificate Of Conformance

A.R.S. 10-199

General Order 1-3

For new corporations:
File with articles.

For existing corporations:
File with annual report.

If officers not filed at time
of incorporation, file one
for them twenty days after
organizational meeting.

Check A or B, whichever is appropriate:

☒ **A. There are no persons serving either by election or appointment as an officer, director or incorporator of the above named corporation who have:**

1. Been convicted of either a felony or misdemeanor involving a transaction in securities within the ten year period immediately preceding his election or appointment, or

2. Been convicted of any other crime, essential elements of which are fraud and misrepresentation to the public within the ten year period immediately preceding his election or appointment, or

3. Is subject to an order, judgment or decree of a court of competent jurisdiction, entered within the ten year period immediately preceding his election or appointment, which order, judgment or decree enjoins or declares unlawful any conduct or practice in connection with a transaction involving securities.

☐ **B. The following persons serving either by election or appointment as an officer, director or incorporator of the above named corporation are the only such officers, directors or incorporators who have:**

1. Been convicted of either a felony or misdemeanor involving a transaction in securities within the ten year period immediately preceding his election or appointment, or

2. Been convicted of any other crime, essential elements of which are fraud and misrepresentation to the public within the ten year period immediately preceding his election or appointment, or

3. Is subject to an order, judgment or decree of a court of competent jurisdiction, entered within the ten year period immediately preceding his election or appointment, which order, judgment or decree enjoins or declares unlawful any conduct or practice in connection with a transaction involving securities.

If "B" is checked, insert a list of the names and corporate position of such persons together with a concise statement of the nature of the offense or transaction, the caption of the proceeding, the cause number, the name of the tribunal, the judgment or sentence imposed, whether the judgment or sentence has been satisfied or carried out, and the nature of any injunctions, orders, judgments or decrees in effect at the time of the making of the certification:

State Of ARIZONA

County Of Maricopa

ss.

We, _____ and

_____ of DEB-LIN MANOR HOME-

OWNERS ASSOCIATION

do solemnly swear that to the best of our knowledge and belief, the foregoing is a true, complete and correct statement, and have therefore caused same to be prepared and delivered to the Arizona Corporation Commission

(NOTE: THIS CERTIFICATE SHALL BE EXECUTED BY ANY TWO EXECUTIVE OFFICERS OR DIRECTORS OF THE CORPORATION OR COMBINATION THEREOF.)

(Signature)

(Title)

(Signature)

(Title)

Subscribed and sworn to before me this _____ day of _____, 19 _____.

(Signature)

My Commission Expires:

(NOTARY SEAL)

(CORPORATE SEAL)

(ALTERNATE FORM OF OATH TO BE USED BY INCORPORATORS FILING A CERTIFICATE OF CONFORMANCE PURSUANT TO A.R.S. 10-199.)

State Of ARIZONA

County Of Maricopa

ss.

We, Pasquale R. DiRuzza, Thomas L. Neddoff and Richard A. Polito the

incorporators of DEB-LIN MANOR HOMEOWNERS ASSOCIATION, do solemnly swear, that to the best of our knowledge and belief, the foregoing is a true, complete and correct statement, and have therefore caused same to be prepared and delivered to the ARIZONA CORPORATION COMMISSION.

Pasquale R. DiRuzza
Incorporator

Thomas L. Neddoff
Incorporator

RICHARD A. POLITO, incorporator

Subscribed and sworn to before me this 26th day of August, 1975.

Signature

My Commission Expires

My Comm. Expires _____

(NOTARY SEAL)

(CORPORATE SEAL)

AL FARRIN
COMMISSIONER
DIRECTOR GENERAL
FEDERAL
CORPORATION
COMMISSION
1000 N. ST. ADAMS
PHOENIX, ARIZONA 85007
PHONE (602) 271-4155



ARIZONA CORPORATION COMMISSION

1000 N. ST. ADAMS
PHOENIX, ARIZONA 85007
PHONE (602) 271-4155

J. L. FARRIN, JR.
ADMINISTRATIVE DIRECTOR
ROBERT G. MICHAEL
DIRECTOR
GEO. L. D. KELLER
DIRECTOR
JAMES L. KAVANAGH
DIRECTOR
FRANK BOWMAN
DIRECTOR

FOR THE PURPOSE OF CLARIFICATION: THE DEFINITION OF A FISCAL DATE AS IT PERTAINS TO THE FUNCTIONS OF THE ARIZONA CORPORATION COMMISSION, INCORPORATING DIVISION IS AS FOLLOWS---(THE FISCAL DATE OF A CORPORATION IS THAT DATE WHICH IS SELECTED BY A CORPORATION TO END OR CLOSE ITS ACCOUNTING PERIOD FOR THEIR CORPORATION AND UPON WHICH AN ANNUAL REPORT MUST BE FILED)---THIS PERIOD OF TIME MAY BE FOR TWELVE MONTHS OR LESS, BUT MUST END ON THE LAST DAY OF THE PERIOD SELECTED.

A FISCAL DATE LETTER IS REQUIRED AT THE TIME A REQUEST IS FILED IN THIS OFFICE FOR THE INCORPORATING OF A DOMESTIC CORPORATION, OR AT THE TIME OF SUBMISSION OF A REQUEST FOR A FOREIGN LICENSE.

YOU MUST KEEP US PROPERLY INFORMED AND CURRENT WHEN CHANGES OF FISCAL DATE ARE MADE BY YOUR CORPORATION.

YOU WILL NOTE THAT IN THE LOWER PORTION OF THIS LETTER THERE ARE NOTATIONS RELATIVE TO THE FISCAL DATE AND THEIR PARTICULAR APPLICATION TO YOUR CORPORATION. PLEASE COMPLETE THIS SECTION.

SINCERELY,

Caroline Granquist
CAROLINE GRANQUIST
CORPORATE DOCUMENT SECTION (27-4152)

FISCAL DATE REQUESTED FOR:

- A. FOREIGN CORPORATION ENTERING ARIZ. OR A NEW DOMESTIC CORP.
B. CHANGE OF FISCAL DATE FOR AN EXISTING CORP. (FROM _____)

EXACT NAME OF CORPORATION DEB-LIN MANOR HOMEOWNERS ASSOCIATION

FISCAL DATE REQUESTED January 1

REQUESTED BY Tom Neddoff, incorporator

DATE REQUEST MADE 8/26/75

Tom Neddoff
Tom Neddoff

ARTICLES OF INCORPORATION OF
DEB-LIN MANOR HOMEOWNERS ASSOCIATION

ARTICLE I

AUG 28 1975

Name. The name of this corporation, which is incorporated as a nonprofit corporation under the laws of the State of Arizona, is DEB-LIN MANOR HOMEOWNERS ASSOCIATION.

ARTICLE II

Principal Place of Business. The principal place of business of the corporation shall be located in the City of Phoenix, Maricopa County, Arizona, but the corporation may transact business anywhere in the world as may be directed by the board of directors.

ARTICLE III

A. General Nature of Business. The general nature of the business to be transacted by the corporation and the objects and purposes for which the corporation is established shall be and are to provide for the maintenance, preservation and architectural control of the planned unit development project situated on that certain real property located in the City of Phoenix, County of Maricopa, State of Arizona, and all structures and improvements thereon, described as follows:

Lots 1 through 18, and Tracts A and B, DEB-LIN MANOR AMENDED, a subplot development of the East half of Lot Three (3), Block One (1), Homeside Acres, according to the plat of record in the office of the Maricopa County Recorder in Book 155 of Maps, Page 29.

B. Powers. In furtherance and not in limitation of the general powers conferred upon corporations by the laws of the State of Arizona, and in furtherance and not in limitation of the objects and purposes set forth in these articles (but, however, subject to the limitations imposed by the laws of Arizona on Arizona nonprofit corporations), this corporation shall have and exercise all powers necessary for, incidental to, desirable for or useful or convenient in carrying out each and all of its objects and purposes (including implied objects and purposes). These powers shall include but not be limited to the following:

(1) To promote the health, safety and welfare of the residents within the above described property;

(2) To exercise all of the powers and privileges and to perform all of the duties and obligations of the corporation arising from any declaration, covenant or restriction

1 applicable to the above described property;

2 (3) To fix, levy, collect and enforce payment by
3 any lawful means, all charges or assessments pursuant to the
4 terms of the Declaration of Covenants, Conditions and Restrictions
5 (establishing a Planned Unit Development) to pay all expenses in
6 connection therewith and all office and other expenses incident
7 to the conduct of the business of the corporation, including all
8 the property of the corporation;

6 (4) To acquire (by gift, purchase or otherwise),
7 own, hold, improve, build upon, operate, maintain, convey, sell,
8 lease, transfer, dedicate for public use or otherwise dispose of
9 real or personal property in connection with the affairs of the
10 corporation;

9 (5) To borrow money and with the assent of two-
10 thirds of each class of members, mortgage, pledge, deed in
11 trust, or hypothecate any or all of its real or personal property
12 as security for money borrowed or debts incurred;

12 (6) To have and to exercise any and all powers,
13 rights, and privileges which a nonprofit corporation organized
14 under Arizona law may now or hereafter have or exercise;

14 (7) To do any and all things set forth or included
15 in these Articles by implication or otherwise as an object or
16 purpose or otherwise, either alone, as an agent, as principal
17 through the agency of others, by contract with any person, firm,
18 association, partnership or corporation, as a joint adventurer or
19 partner, and in any other manner whatsoever;

18 (8) To apply for, obtain, lease, register, purchase
19 or otherwise acquire, hold, own, control, sell and dispose of
20 letters patent, patents, patent rights, rights to patents pending,
21 applications for patents, copyrights, licenses and privileges,
22 inventions, improvements, processes, trademarks and trade names;
23 labels, brands, franchises, dealerships, and any other rights,
24 permits, or privileges of any kind or character whatsoever re-
25 lating to or useful in connection with any business of the
26 corporation, and to use, develop, exercise, grant license in
27 respect of, sell, let, protect, maintain, exchange or otherwise
28 deal in and with the same;

24 (9) To carry on business in its own name, in any
25 assumed business name, and through any partially or wholly owned
26 corporation and to sue and be sued in its own name, and any
27 assumed business name;

26 (10) To act as an incorporator of subsidiary
27 corporations formed to carry out any part of its objects, pur-
28 poses and functions;

28 (11) To act as agent, trustee, guardian, executor,
administrator, broker and in any other representative or fiduci-

1 any capacity, with or without revealing such relationship; the
2 grant or order of any court, and regardless of the kind of the
3 fiduciary relationship or the kind of assets held or to be
4 responsibilities upon it imposed by the instrument or order
5 creating the relationship, including the exercise of powers not
6 specifically or by implication herein set forth;

7
8 (12) To buy, acquire, acquire rights in, hold,
9 lease (as lessee or lessor), sell, transfer, convey and otherwise
10 dispose of improved or unimproved real property and interests
11 therein of every kind and description, whether or not in posses-
12 sion;

13 (13) To acquire and hold all licenses from govern-
14 mental agencies, necessary or desirable for the conduct of any
15 business undertaken by the corporation.

16 This Article III shall be construed as a statement both
17 of purposes and powers, and purposes and powers in each clause
18 shall be in no wise limited or restricted by reference to or
19 inference from the terms or provisions of any other clause, but
20 shall be broadly construed as independent purposes and powers.
21 Notwithstanding any of the above statements of purposes and
22 powers, the corporation shall not, except to an insubstantial
23 degree, engage in any activities or exercise any powers that are
24 not in furtherance of the primary purposes of the corporation.

25 C. Restriction on Powers While a Private Foundation.
26 During any period that this corporation is a private foundation,
27 as that term is defined at Section 509 of the Internal Revenue
28 Code of 1954, as amended, this corporation's powers shall be
restricted specifically as follows:

1 (1) The corporation shall be without power to
engage in any act of self-dealing as that term is defined at
Section 4941 of the Internal Revenue Code of 1954, as amended.

2 (2) The corporation shall be without power to
retain any excess business holdings as that term is defined at
Section 4943 of the Internal Revenue Code of 1954, as amended.

3 (3) The corporation shall be without power to
make any investment in any manner which would subject it to tax
under Section 4944 of the Internal Revenue Code of 1954, as
amended.

4 (4) The corporation shall be without power to
make any taxable expenditure as that term is defined at Section
4945 of the Internal Revenue Code of 1954, as amended.

5 D. Required Distribution of Income While a Private
6 Foundation. During any period that it is a private foundation,
7 as that term is defined at Section 509 of the Internal Revenue
8 Code of 1954, as amended, it shall be required to distribute such

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1 amounts at such time and in such manner as to prevent it from
2 becoming liable for the tax imposed by Section 49 of the
Internal Revenue Code of 1954, as amended.

3 ARTICLE IV

4 Nonstock, Membership Corporation. This shall be a
nonstock corporation. This shall be a membership corporation.
5 The authorized number and qualifications of members of the corpo-
6 ration, the different classes of membership, if any, the property,
voting and other rights and privileges of members, and their
7 liability for dues and assessments and the method of collection
thereof, shall be as set forth in the Bylaws.

8 ARTICLE V

9 Incorporators. The names, residences and post office
addresses of the incorporators are as follows;

10 Pasquale R. DiRuzza
11 5330 North 15th Street
12 Phoenix, Arizona 85014

13 Thomas L. Neddoff
14 2503 East Christy Drive
Phoenix, Arizona 85020

15 Richard A. Polito
16 2525 East Mercer Lane
Phoenix, Arizona 85020

17 ARTICLE VI

18 Time and Commencement. The time of commencement of
19 this corporation shall be the day a Certificate of Incorporation
shall be issued to it by the Arizona Corporation Commission, and
20 termination thereof shall be twenty-five years thereafter, with
the privilege of successive renewal as provided by law so as to
21 achieve perpetual succession.

22 ARTICLE VII

23 Conduct of Affairs. This corporation shall be a not-
for-profit corporation and shall have no stock. The affairs of
24 this corporation shall be conducted by the board of directors and
such officers and committees as the directors may from time to
25 time appoint. The number of directors shall be fixed by the
Bylaws, but shall not exceed the maximum number of directors
26 permitted by law. The directors shall serve without compensation
and no director shall receive any pecuniary benefit as a direct
27 result of being a director of the corporation. The initial board
of directors named herein and any subsequent board of directors
28 shall have power to increase the size of the board of directors
subject to the restrictions imposed by this Article. Such new

1 positions and any vacancies on the board of directors resulting
2 from death, resignation or inability to serve shall be filled in
3 a manner provided in the Bylaws. The failure to fill any vacancy
4 on the board of directors shall not operate to reduce the size of
5 the board of directors, but the directors actually in office
6 shall at any time constitute the board of directors, provided,
7 however, that should the number of directors actually in office
8 fall below three, the remaining directors shall be without power
9 to take any action except to fill the vacancy. The board of
10 directors shall have the power to appoint committees to act on
11 behalf of the corporation and to define, by appropriate bylaw,
12 each committee's purposes and powers. The committees appointed by
13 the board of directors may have all the powers available to the
14 board under these Articles of Incorporation and permitted by the
15 Bylaws except the power to amend the Bylaws or to fill vacancies
16 on the board of directors or any committee. The Bylaws shall
17 provide the method for election of directors. The annual meeting
18 of the corporation shall be held each year on January 2, or
19 such later date as may be specified by notice duly given in
20 accordance with the Bylaws to each member. The following persons
21 were elected as initial directors of the corporation at a meeting
22 of the incorporators held on June 11, 1975, at Phoenix
23 _____, Arizona;

24 Pasquale R. DiRuzza
25 Thomas L. Neddoff
26 Richard A. Polito
27
28

20 ARTICLE VIII

21 Indebtedness. The highest amount of indebtedness or
22 liability, direct or contingent, to which the corporation is at
23 any time to subject itself, is the sum of one million dollars
(\$1,000,000.00).

24 ARTICLE IX

25 Exemption of Private Property. The private property of
26 the incorporators, directors, officers, employees and agents of
27 this corporation shall be forever exempt from liability for its
28 debts or obligations.

27
28

ARTICLE X

Amendment of Articles. These Article of Incorporation may be amended by the membership at any regular or special meeting of members by the affirmative vote of three-fourths of the number of members present at the meeting in person or by proxy. At least ten days written notice of any proposed amendment to these Articles must be given each member in advance of the meeting at which such proposed amendment is to be considered. No additional notice to members shall be required.

ARTICLE XI

FHA/VA Approval. As long as there is a Class B membership, the following actions will require the prior approval of the Federal Housing Administration or the Veterans Administration: annexation of additional properties, mergers and consolidations, mortgaging of Common Area, dedication of Common Area, dissolution and amendment of these Articles.

ARTICLE XII

Dissolution. The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class of members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to such similar purposes.

ARTICLE XIII

Indemnification of Directors and Officers. Subject to the further provisions hereof, the corporation shall indemnify any and all of its directors, officers, former directors and former officers against all expenses incurred by them and each of them, including but not limited to legal fees, judgments, and penalties which may be incurred, rendered or levied in any legal action or omission alleged to have been committed while acting within the scope of employment as director or officer of the corporation. Whenever any director, officer, former director or former officer shall report to the president of the corporation or the chairman of the board of directors that he has incurred or may incur expenses, including but not limited to legal fees, judgments and penalties in a legal action brought against him for or on account of any action or omission alleged to have been committed by him while acting within the scope of his employment as a director or officer of the corporation, the board of directors of the corporation shall, at its next regular or at a special meeting held within a reasonable time thereafter, determine in good faith whether, in regard to the matter involved

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1 in the action or contemplated action, such person acted, failed
2 to act, or refused to act willfully, with gross negligence or
3 with fraudulent or criminal intent. If the board of directors
4 determines in good faith that such person did not act, failed to
5 act, or refused to act willfully or with gross negligence or with
6 fraudulent or criminal intent in regard to the matter involved in
7 the action or contemplated action, indemnification shall be
8 mandatory and shall be automatically extended as specified
9 herein, provided, however, that no such indemnification shall be
10 available with respect to liabilities under the Securities Act of
11 1933, and provided, further that the corporation shall have the
12 right to refuse indemnification in any instance in which the
13 person to whom indemnification would otherwise have been appli-
14 cable shall have unreasonably refused to permit the corporation,
15 at its own expense and through counsel of its own choosing, to
16 defend him in the action.

ARTICLE XIV

17 Statutory Agent. Mariscal, Weeks, Lehman & McIntyre, P.A.,
18 whose address is 830 North 1st Avenue, Phoenix, Arizona a cor-
19 poration authorized to do business in the State of Arizona is
20 hereby appointed the agent of the corporation, upon whom all
21 notices and processes, including service of sum. may be
22 served, and the service upon such agent shall be lawful personal
23 service on the corporation. This appointment may be revoked at
24 any time by the filing of the appointment of another agent as
25 provided by law.

26 IN WITNESS WHEREOF, THE incorporators hereunto set
27 their hands as of the 12th day of June, 1975.

28 
Pasquale R. DiRuzza


Thomas L. Neddoff


Richard A. Polito

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1 STATE OF ARIZONA)
2 County of Maricopa) ss

3 The foregoing instrument was acknowledged before me
4 this 12th day of June, 1975, by Pasquale R. DiRuzza

5
6 Notary Public

7 My commission expires:
8 March 14, 1979

9 STATE OF ARIZONA)
10 County of Maricopa) ss.

11 The foregoing instrument was acknowledged before me
12 this 12th day of June, 1975, by

13
14 Notary Public

15 My commission expires:
16

17 STATE OF ARIZONA)
18 County of Maricopa) ss.

19 The foregoing instrument was acknowledged before me
20 this 12th day of June, 1975, by Richard R. Polito

21
22 Notary Public

23 My commission expires:
24 March 14, 1979