

*Parcel A / 12150 East Prince Road
Request for Zoning Variance
May 20, 2014*

APPENDIX 7

Goldsen, Marc

From: JOE F. TARVER <jftarver@mindspring.com>
Sent: Wednesday, May 14, 2014 12:33 PM
To: Goldsen, Marc; jeffrey.malone@titlesecurity.com; suehill774@aol.com; gretchen.cochran@titlesecurity.com
Cc: 'Richard Jones'; 'Bill Kirchner'; Rollin, Larry; 'Carol A. Severyn'
Subject: RE: Todd Iman

We do not approve sticking another legal description into the document.

You need to make sure you are not encroaching on Parcel C.

Joe

Joe F. Tarver, Attorney
JOE F. TARVER, P.C.
4710 N. Caida Place
Tucson, AZ 85718-6728

Office Phone: 520-318-0800
Fax: 520-318-0900
Cell Phone: 520-405-5325
Email: jftarver@mindspring.com

*****Notice from Joe F. Tarver, P.C.*****

This message may be protected by the attorney-client privilege. If you believe that it has been sent to you in error, do not read, print or forward it. Please reply to the sender that you have received the message in error. Then delete it. Thank you.

From: Goldsen, Marc [<mailto:MGoldsen@udalllaw.com>]

Sent: Wednesday, May 14, 2014 12:02 PM
To: jeffrey.malone@titlesecurity.com; suehill774@aol.com; gretchen.cochran@titlesecurity.com
Cc: Richard Jones (joneslaw@cox.net); Bill Kirchner (bkirchner@qwestoffice.net); Rollin, Larry; Carol A. Severyn (cseveryn@qwestoffice.net); Joe F. Tarver (jftarver@mindspring.com)
Subject: FW: Todd Iman
Importance: High

Jeff,

I concur. We merely want to correct, not over-correct. In my opinion, the proper original legal description and corresponding survey drawing should be inserted between pages 2 and 3 of the correction document in the third attachment. In fact, the proper original legal description and original legal description can be referenced in the first paragraph on the first page as Attachment 1, while the deed and exhibits being corrected, currently referenced as Attachment 1, can be instead referenced as Attachment 2.

If anyone has any further questions or concerns, or if I can be of any further assistance, please do not hesitate to contact me at your convenience. In the meantime, if Ms. Severyn and Messrs. Jones and Kirchner can confirm that they have no objections, I think we will be ready to move forward once we have the proper original legal description and corresponding survey drawing confirmed.

Thanks,

Marc

Marc Cullen Goldsen, Esq.
Udall Law Firm, LLP
4801 E. Broadway Blvd., Suite 400
Tucson, AZ 85711
520.623.4353 Phone
520.792.3426 Fax
602.369.9186 Mobile
mgoldsen@udalllaw.com
www.udalllaw.com

This e-mail and any attachments hereto are intended only for use by the addressee(s) named herein and may contain legally privileged and confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments hereto, is strictly prohibited. If you have received this e-mail in error, please immediately notify me at (520) 623-4353 and permanently delete the original and any copy of any e-mail and destroy any printout thereof. Thank you.

IRS CIRCULAR 230 DISCLOSURE:

To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in the communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

From: Jeffrey Malone [<mailto:jeffrey.malone@titlesecurity.com>]
Sent: Wednesday, May 14, 2014 11:43 AM
To: SUE HILL; neilokleinman@yahoo.com; Goldsen, Marc
Subject: RE: Todd Iman

The correction document is third attachment above.
We were going to use a certified copy of the deed, which I can obtain.

BUT, I have a question.

I believe that the description for Parcel A, should be the description on the attached correction deed.

The description that Mr. Settlemeyer provided to you this week, appears to take some of the Parcel C, that was conveyed to Donna Inman.

Can he look at it, and advise?

I have attached a copy of the deed to Donna Inman for a reference.

Also, is there a copy of the original survey showing all the parcels?

I want to make sure that all the property in Parcel A is restored, but I do not want to go the other way, and have a problem later on. Thanks.

Title Security
Jeff Malone
7330 N Oracle
Suite 200
Tucson, AZ 85704

Phone: 520-202-6925
Fax: 520-202-6302

From: SUE HILL [mailto:suehill774@aol.com]

Sent: Wednesday, May 14, 2014 10:59 AM

To: neilokleinman@yahoo.com; mgoldsen@udalllaw.com; Jeffrey Malone

Subject: Re: Todd Iman

All,

I talked with Todd Iman this morning and here's the bottom line.....

Todd will sign whatever document/s that need to be signed, no problem whatsoever. Todd, who said he has not seen his sister Donna in over a year, said that he will then give the document to Donna's attorney. Todd said in a couple of other issues, Donna had asked her attorney to talk to Todd to see what Todd suggested; Todd said he suspected Donna will do the same with this. But he wanted me to know that he wasn't positive that he'd hear anything back once it is in Donna's attorney hands. Todd said he wants to help get this corrected NOW so that Neil Kleinman can get this property closed.

Jeff, can you please send me the documents that Todd and Donna need to sign and I will meet with Todd at a title company to get them notarized?

Sue *^^)

^..^..*^^) ^..*^^)

(^..^ (^..^ * The Land Lady! *

Cell: 520.906.4463

*Parcel A / 12150 East Prince Road
Request for Zoning Variance
May 20, 2014*

APPENDIX 8

Goldsen, Marc

From: surveys@settlemeier.tuccoxmail.com
Sent: Wednesday, May 14, 2014 3:14 PM
To: 'Jeffrey Malone'; 'SUE HILL'; neilokleinman@yahoo.com; Goldsen, Marc
Subject: RE: Prince Road Parcel A legal
Attachments: Part of JD's Map showing Difference.pdf; SCAN8843_000.pdf; Parcel A _4372 KL-1_.pdf

Please see the conflict on the attached diagram.
This shows the relationship of our description for Parcel A (Green Line)
and JD's Description for Parcel I (Red, no conflict with our A)
and Parcel II (Blue, showing lots of conflict).

If I may be so bold as to suggest you record parcel A (ours) along with the descriptions we wrote for Parcels B and C which provide proper SR acreage for all and resolves the conflict.

Mixing apples and oranges,

Jon
Settlemeier LLC
P: 520-512-0666
F: 520-512-1666
Jon@Settlemeier.com

From: Jeffrey Malone [<mailto:jeffrey.malone@titlesecurity.com>]
Sent: Wednesday, May 14, 2014 2:23 PM
To: SUE HILL; surveys@settlemeier.tuccoxmail.com; neilokleinman@yahoo.com; mgoldsen@udalllaw.com
Subject: RE: Prince Road Parcel A legal

Can you verify in relation to Parcels C and D conveyed to Inman, that the remaining Parcel A, would be the Parcel A on Sue's email?
I have attached a copy of the deed conveying Parcels C and D.
Thanks.

Title Security
Jeff Malone
7330 N Oracle
Suite 200
Tucson, AZ 85704

Phone: 520-202-6925
Fax: 520-202-6302

From: SUE HILL [<mailto:suehill774@aol.com>]
Sent: Wednesday, May 14, 2014 2:18 PM
To: surveys@settlemeier.tuccoxmail.com; Jeffrey Malone; neilokleinman@yahoo.com; mgoldsen@udalllaw.com
Subject: Re: Prince Road Parcel A legal

Jon, can you please confirm to the title company that the attached legal you gave me earlier in the week is the correct, original legal for Parcel A? Please Reply All.

Sue ~



This email is free from viruses and malware because avast! Antivirus protection is active.

Parcel "A"

All that certain real property situate in the County of Pima, State of Arizona, being a part of that parcel described in Docket 13735 at Page 5251 thereof, records of said Pima County as a portion of the west half of the northeast quarter of the southwest quarter of Section 29, Township 13 South, Range 16 East, Gila and Salt River Meridian;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the northwest corner of the southwest quarter (West Quarter Corner) of said Section 29, marked by a 5/8-inch rebar with Pima County reference ties;

Thence from said POINT OF BEGINNING, easterly along the north line of the southwest quarter of said Section 29, N 89° 56' 57" E, 1681.54 feet to a point establishing the northwest corner and TRUE POINT OF BEGINNING of Parcel "A" herein described, marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence from said TRUE POINT OF BEGINNING, continuing easterly along said north line, N 89° 56' 57" E, 300.06 feet to the northeast corner of the west half of the northeast quarter of the southwest quarter of said Section 29, marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said northeast corner, southerly along the east line of said west half, S 00° 03' 06" E, 480.33 feet to a point establishing the southeast corner of said Parcel "A", marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said east line, westerly, S 89° 56' 57" W, 300.18 feet to a point establishing the southwest corner of said Parcel "A" marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said established southwest corner, northerly along a line parallel with the west line of the northeast quarter of the southwest quarter of said Section 29, N 00° 02' 15" W, 480.33 feet to the TRUE POINT OF BEGINNING;

Containing 3.309 ACRES of land (more or less)

Subject to and together with all matters of public record

Basis of Bearings:

The north line of the southeast quarter of said Section 29, N 89° 56' 32" E, as recorded in Book 3 of Surveys at Page 79 thereof, records of said Pima County



Expires: 3-31-2011

Page: 1 of 1
Date: May 3, 2010
Project: 4372 KL-1

Settlemeier LLC
LAND SURVEYING SERVICES

P.O. Box 12612 - Tucson, AZ 85732

Phone (520) 512-0666

Fax (520) 512-1666

surveys@settlemeier.tuccoxmail.com

E
A
S
T
S
I
D
E

F. ANN RODRIGUEZ, RECORDER
Recorded By: JSH
DEPUTY RECORDER
497

TSTTI
DONNA IMAN
4584 N SUGARBUSH PL
TUCSON AZ 85749



SEQUENCE: 20111360727
NO. PAGES: 8
WTDEED 05/16/2011
AFFIDAVIT 18:00
MAIL
AMOUNT PAID: \$18.00

ESCROW NO.: 11001333 - 014 - RM

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, I or we,

Neil O. Kleinman, Trustee of the Neil O. Kleinman Exempt Trust and Ray Lopez, Trustee of The Atlantis Realty & Development Retirement Plan and Raymond J. Lopez, Trustee of The Raymond J. Lopez and Joanne M. Lopez Trust, dated September 11, 1998

do/does hereby convey to

Donna J. Iman, a single woman

the following real property situated in Pima County, ARIZONA:

See Exhibit A attached hereto and made a part hereof.

Disclosure of beneficiaries of the Lopez Trust and Kleinman Trust, in compliance with A.R.S. 33-404 (A.R.S. 33-401 prior to 8/18/87) is recorded in Docket 13835, page 2499, records of Pima County, Arizona.

The beneficiaries of the Atlantis Realty & Development Retirement Plan are the current and past employees of Atlantis Realty & Development c/o Ray Lopez P.O. Box 27546, Tucson, AZ 85726

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above.

Dated April 28, 2011

Neil O. Kleinman Exempt Trust

Neil O. Kleinman, as Trustee

Atlantis Realty & Development Retirement Plan

Ray Lopez, as Trustee

SIGNED IN COUNTERPART

Raymond J. Lopez & Joanne M. Lopez Trust, dated September 11, 1998

Raymond J. Lopez, as Trustee

State of ARIZONA } SS
County of Pima

This instrument was acknowledged before me this ____ day of April, 2011 by Neil O. Kleinman as Trustee of the Neil O. Kleinman Exempt Trust

Notary Public

My commission will expire _____

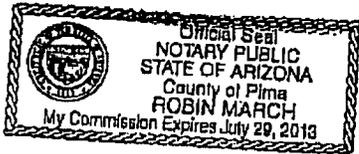
State of Arizona } SS
County of Pima

This instrument was acknowledged before me this 16 day of May, 2011 by Ray Lopez, as Trustee of Atlantis Realty & Development Retirement Plan

Robin March

Notary Public

My commission will expire 7-29-13



State of Arizona } SS
County of Pima

This instrument was acknowledged before me this 16 day of May, 2011 by Raymond J. Lopez and Joanne M. Lopez, as Trustees of the Raymond J. Lopez and Joanne M. Lopez Trust, dated September 11, 1998

Robin March

Notary Public

My commission will expire 7-29-13

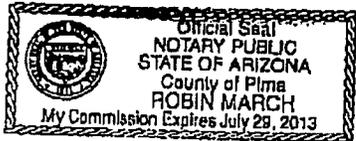


Exhibit A

PARCEL I:

Parcel 1:

A portion of that certain parcel of land described as Parcel I in Docket 13806, page 456, filed in the Office of the Recorder, Pima County, Arizona, within the West half of the Northeast quarter of the Southwest quarter of Section 29, Township 13 South, Range 16 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

COMMENCING at the West quarter corner of said Section 29, being a 5/8 inch rebar;

THENCE North 89° 56' 57" East (measured and record – basis of bearing) along the North line of the Southwest quarter of said Section 29, a distance of 1321.13 feet (1321.07 feet record) to the Northwest corner of the Northeast quarter of the Southwest quarter of said Section 29, also being the Northwest corner of Parcel II described in said Docket 13806, page 456, being a 5/8 inch rebar;

THENCE continue North 89° 56' 57" East along said North line, a distance of 30.00 feet to the Northeast corner of that certain Parcel of land described in Docket 13557, page 1579, filed in the Office of the Recorder, Pima County, Arizona, being a one-half-inch (1/2") rebar, RLS 26932;

THENCE South 00° 02' 21" West (South 00° 02' 15" West record) along the West line of said Parcel, a distance of 479.69 feet (measured and record) to the Southwest corner of said Parcel, being a one-half inch (1/2") rebar RLS 26392 and the POINT OF BEGINNING;

THENCE North 89° 56' 57" East (measured and record) along the South line of said Parcel, a distance of 300.47 feet (measured and record) to the Southeast corner of said Parcel, being a one-half inch (1/2") rebar, RLS 26932;

THENCE continue North 89° 56' 57" East, a distance of 30.42 feet to a one-half inch (1/2") rebar, RLS 25086;

THENCE South 00° 02' 21" East, a distance of 434.64 feet to a one-half inch (1/2") rebar, RLS 25086;

THENCE South 89° 56' 57" West, a distance of 330.89 feet to a one-half inch (1/2") rebar, RLS 26932;

THENCE North 00° 02' 21" West, a distance of 434.64 feet to the POINT OF BEGINNING.

(Parcel B)

(jv pt arb 164)

Parcel 2:

An easement for ingress, egress and utilities, being the West 30.00 feet of the North 914.33 feet of the West half of the Northeast quarter of the Southwest quarter of Section 29, Township 13 South, Range 16 East, Gila and Salt River Meridian, Pima County, Arizona.

PARCEL II:

A portion of that certain parcel of land described as Parcels I and II in Docket 13806, page 456, filed in the Office of the Recorder, Pima County, Arizona, all within the West half of the Northeast quarter of the Southwest quarter of Section 29, Township 13 South, Range 16 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

COMMENCING at the West quarter corner of said Section 29, being a 5/8 inch rebar;

THENCE North 89° 56' 57" East (measured and record – basis of bearing) along the North line of the Southwest quarter

of said Section 29, a distance of 1321.13 feet (1321.07 feet record) to the Northwest corner of the Northeast quarter of the Southwest quarter of said Section 29, also being the Northwest corner of Parcel II described in said Docket 13806, page 456, being a 5/8 inch rebar;

THENCE continue North 89° 56' 57" East (measured and record) along said North line, a distance of 30.00 feet (measured and record) to the Northwest corner of that certain Parcel of land described in Docket 13557, page 1579, filed in the Office of the Recorder, Pima County, Arizona, being a one-half-inch (1/2") rebar, RLS 26932;

THENCE continue North 89° 56' 57" East (measured and record) along said North line a distance of 300.47 feet (measured and record) to the Northeast corner of that certain Parcel of land described in said Docket 13577, page 1579, being a one-half inch (1/2") rebar, RLS 26932 and the POINT OF BEGINNING;

THENCE continue North 89° 56' 57" East (measured and record) along said North line a distance of 15.00 feet to a one-half inch (1/2") rebar, RLS 26932;

THENCE South 00° 02' 21" East, departing said North line, a distance of 456.69 feet to a one-half inch (1/2") rebar, RLS 25086;

THENCE North 89° 56' 57" East, a distance of 315.21 feet to a point on the East line of the West half of the Northeast quarter of the Southwest quarter of said Section 29, being a one-half inch (1/2") rebar, RLS 25086;

THENCE South 00° 03' 14" East along said East line, a distance of 457.64 feet to a one-half inch (1/2") rebar, RLS 26932;

THENCE South 89° 56' 57" West departing said East line, a distance of 299.91 feet to a one-half inch (1/2") rebar, RLS 25086;

THENCE North 00° 02' 21" West, a distance of 434.64 feet to a one-half inch (1/2") rebar, RLS 25086;

THENCE South 89° 56' 57" West, a distance of 30.42 feet to the Southeast corner of that certain Parcel of Land described in said Docket 13557, page 1579, being a one-half inch (1/2") rebar, RLS 26932;

THENCE North 00° 02' 21" West (North 00° 02' 15" West record) along the East line of said Parcel, a distance of 479.69 feet (measured and record) to the POINT OF BEGINNING.

(Parcel C)

(jv pt arb 164)

RECORDING REQUESTED BY
Stewart Title & Trust of Tucson
AND WHEN RECORDED MAIL TO:

DONNA J. IMAN
4584 N. SUGARBUSH PL.
TUCSON, AZ 85749-9525

ESCROW NO.: 11001333 - 014 - RM

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, I or we,
Neil O. Kleinman, Trustee of the Neil O. Kleinman Exempt Trust and Ray Lopez, Trustee of The Atlantis Realty & Development Retirement Plan and Raymond J. Lopez, Trustee of The Raymond J. Lopez and Joanne M. Lopez Trust,
dated September 11, 1998

do/does hereby convey to

Donna J. Iman, a single woman
the following real property situated in Pima County, ARIZONA:

See Exhibit A attached hereto and made a part hereof.

Disclosure of beneficiaries of the Lopez Trust and Kleinman Trust, in compliance with A.R.S. 33-404 (A.R.S. 33-401 prior to 8/18/87) is recorded in Docket 13835, page 2499, records of Pima County, Arizona.

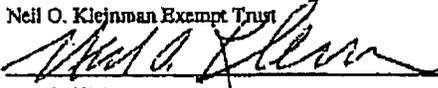
The beneficiaries of the Atlantis Realty & Development Retirement Plan are the current and past employees of Atlantis Realty & Development c/o Ray Lopez P.O. Box 27346, Tucson, AZ 85726

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above.

Dated April 28, 2011

Neil O. Kleinman Exempt Trust


Neil O. Kleinman, as Trustee

Atlantis Realty & Development Retirement Plan

Ray Lopez, as Trustee

Raymond J. Lopez & Joanne M. Lopez Trust, dated
September 11, 1998

Raymond J. Lopez, as Trustee

SIGNED IN COUNTERPART

State of ARIZONA
County of Pima

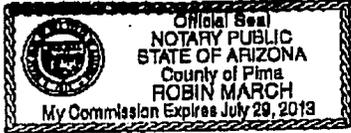
} SS

This instrument was acknowledged before me this 16 day of April, 2011 by Neil O. Kleiman as Trustee of the Neil O. Kleiman Exempt Trust

Robin March

Notary Public

My commission will expire 7-29-13



State of
County of

} SS

This instrument was acknowledged before me this ____ day of _____, 2011 by Ray Lopez, as Trustee of Atlantis Realty & Development Retirement Plan

Notary Public

My commission will expire _____

State of
County of

} SS

This instrument was acknowledged before me this ____ day of _____, 2011 by Raymond J. Lopez and Joanne M. Lopez, as Trustees of the Raymond J. Lopez and Joanne M. Lopez Trust, dated September 11, 1998

Notary Public

My commission will expire _____

Exhibit A

PARCEL I:

Parcel 1:

A portion of that certain parcel of land described as Parcel I in Docket 13806, page 456, filed in the Office of the Recorder, Pima County, Arizona, within the West half of the Northeast quarter of the Southwest quarter of Section 29, Township 13 South, Range 16 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

COMMENCING at the West quarter corner of said Section 29, being a 5/8 inch rebar;

THENCE North 89° 56' 57" East (measured and record - basis of bearing) along the North line of the Southwest quarter of said Section 29, a distance of 1321.13 feet (1321.07 feet record) to the Northwest corner of the Northeast quarter of the Southwest quarter of said Section 29, also being the Northwest corner of Parcel II described in said Docket 13806, page 456, being a 5/8 inch rebar;

THENCE continue North 89° 56' 57" East along said North line, a distance of 30.00 feet to the Northeast corner of that certain Parcel of land described in Docket 13557, page 1579, filed in the Office of the Recorder, Pima County, Arizona, being a one-half-inch (1/2") rebar, RLS 26932;

THENCE South 00° 02' 21" West (South 00° 02' 15" West record) along the West line of said Parcel, a distance of 479.69 feet (measured and record) to the Southwest corner of said Parcel, being a one-half inch (1/2") rebar RLS 26392 and the POINT OF BEGINNING;

THENCE North 89° 56' 57" East (measured and record) along the South line of said Parcel, a distance of 300.47 feet (measured and record) to the Southeast corner of said Parcel, being a one-half inch (1/2") rebar, RLS 26932;

THENCE continue North 89° 56' 57" East, a distance of 30.42 feet to a one-half inch (1/2") rebar, RLS 25086;

THENCE South 00° 02' 21" East, a distance of 434.64 feet to a one-half inch (1/2") rebar, RLS 25086;

THENCE South 89° 56' 57" West, a distance of 330.89 feet to a one-half inch (1/2") rebar, RLS 26932;

THENCE North 00° 02' 21" West, a distance of 434.64 feet to the POINT OF BEGINNING.

(Parcel B)

(v pt arb 164)

Parcel 2:

An easement for ingress, egress and utilities, being the West 30.00 feet of the North 914.33 feet of the West half of the Northeast quarter of the Southwest quarter of Section 29, Township 13 South, Range 16 East, Gila and Salt River Meridian, Pima County, Arizona.

PARCEL II:

A portion of that certain parcel of land described as Parcels I and II in Docket 13806, page 456, filed in the Office of the Recorder, Pima County, Arizona, all within the West half of the Northeast quarter of the Southwest quarter of Section 29, Township 13 South, Range 16 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

COMMENCING at the West quarter corner of said Section 29, being a 5/8 inch rebar;

THENCE North 89° 56' 57" East (measured and record - basis of bearing) along the North line of the Southwest quarter

of said Section 29, a distance of 1321.13 feet (1321.07 feet record) to the Northwest corner of the Northeast quarter of the Southwest quarter of said Section 29, also being the Northwest corner of Parcel II described in said Docket 13806, page 456, being a 5/8 inch rebar;

THENCE continue North 89° 56' 57" East (measured and record) along said North line, a distance of 30.90 feet (measured and record) to the Northwest corner of that certain Parcel of land described in Docket 13557, page 1579, filed in the Office of the Recorder, Pima County, Arizona, being a one-half-inch (1/2") rebar, RLS 26932;

THENCE continue North 89° 56' 57" East (measured and record) along said North line a distance of 300.47 feet (measured and record) to the Northeast corner of that certain Parcel of land described in said Docket 13577, page 1579, being a one-half inch (1/2") rebar, RLS 26932 and the POINT OF BEGINNING;

THENCE continue North 89° 56' 57" East (measured and record) along said North line a distance of 15.00 feet to a one-half inch (1/2") rebar, RLS 26932;

THENCE South 00° 02' 21" East, departing said North line, a distance of 456.69 feet to a one-half inch (1/2") rebar, RLS 25086;

THENCE North 89° 56' 57" East, a distance of 315.21 feet to a point on the East line of the West half of the Northeast quarter of the Southwest quarter of said Section 29, being a one-half inch (1/2") rebar, RLS 25086;

THENCE South 00° 03' 14" East along said East line, a distance of 457.64 feet to a one-half inch (1/2") rebar, RLS 26932;

THENCE South 89° 56' 57" West departing said East line, a distance of 299.91 feet to a one-half inch (1/2") rebar, RLS 25086;

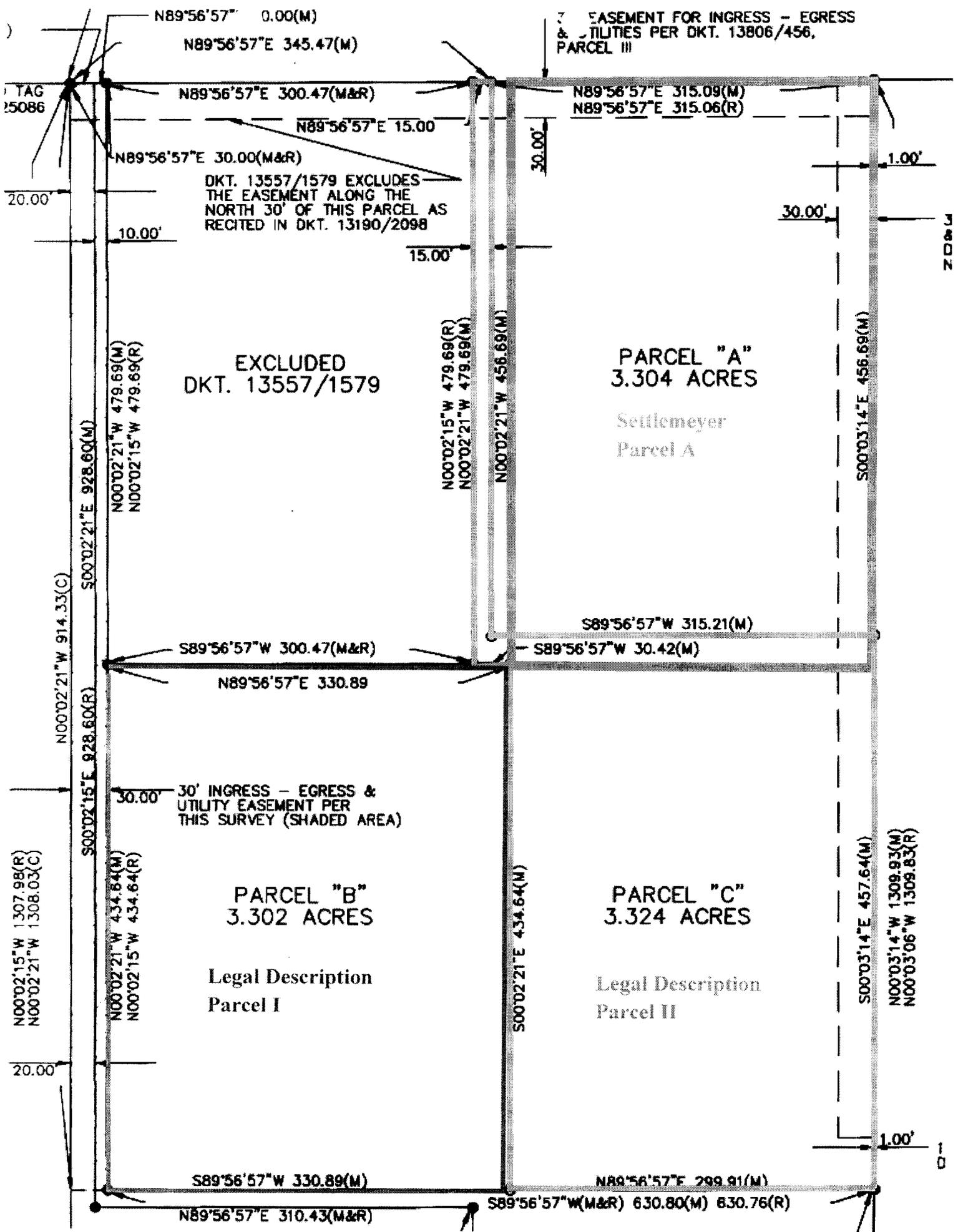
THENCE North 00° 02' 21" West, a distance of 434.64 feet to a one-half inch (1/2") rebar, RLS 25086;

THENCE South 89° 56' 57" West, a distance of 30.42 feet to the Southeast corner of that certain Parcel of Land described in said Docket 13557, page 1579, being a one-half inch (1/2") rebar, RLS 26932;

THENCE North 00° 02' 21" West (North 00° 02' 15" West record) along the East line of said Parcel, a distance of 479.69 feet (measured and record) to the POINT OF BEGINNING.

(Parcel C)

(jv pt arb 164)



N89°56'57" 0.00(M)

N89°56'57"E 345.47(M)

EASEMENT FOR INGRESS - EGRESS & UTILITIES PER DKT. 13806/456, PARCEL III

TAG 25086

N89°56'57"E 300.47(M&R)

N89°56'57"E 315.09(M)

N89°56'57"E 315.06(R)

N89°56'57"E 15.00

N89°56'57"E 30.00(M&R)

DKT. 13557/1579 EXCLUDES THE EASEMENT ALONG THE NORTH 30' OF THIS PARCEL AS RECITED IN DKT. 13190/2098

20.00'

10.00'

15.00'

30.00'

30.00'

1.00'

ZONES

EXCLUDED DKT. 13557/1579

PARCEL "A" 3.304 ACRES

Settlemeier Parcel A

N00°02'21"W 479.69(M)
N00°02'15"W 479.69(R)

N00°02'15"W 479.69(R)
N00°02'21"W 479.69(M)

N00°02'21"W 456.69(M)

S00°03'14"E 456.69(M)

N00°02'21"W 914.33(C)

S00°02'21"E 928.60(M)

S00°02'15"E 928.60(R)

N00°02'21"W 434.64(M)
N00°02'15"W 434.64(R)

S89°56'57"W 300.47(M&R)

N89°56'57"E 330.89

S89°56'57"W 315.21(M)

S89°56'57"W 30.42(M)

30' INGRESS - EGRESS & UTILITY EASEMENT PER THIS SURVEY (SHADED AREA)

PARCEL "B" 3.302 ACRES

Legal Description Parcel I

PARCEL "C" 3.324 ACRES

Legal Description Parcel II

N00°02'15"W 1307.98(R)
N00°02'21"W 1308.03(C)

20.00'

S00°02'21"E 434.64(M)

S00°03'14"E 457.64(M)

N00°03'14"W 1309.93(M)
N00°03'06"W 1309.83(R)

S89°56'57"W 330.89(M)

N89°56'57"E 299.91(M)

N89°56'57"E 310.43(M&R)

S89°56'57"W(M&R) 630.80(M) 630.76(R)

1.00'

10

*Parcel A / 12150 East Prince Road
Request for Zoning Variance
May 20, 2014*

APPENDIX 9

Goldsen, Marc

From: Jeffrey Malone <jeffrey.malone@titlesecurity.com>
Sent: Thursday, May 15, 2014 4:30 PM
To: Goldsen, Marc; SUE HILL; neilokleinman@yahoo.com
Cc: Rollin, Larry; Bill Kirchner (bkirchner@qwestoffice.net); Richard Jones (joneslaw@cox.net); sweiss@karpweiss.com; Carol A. Severyn (cseveryn@qwestoffice.net); Joe F. Tarver (jftarver@mindspring.com); Gretchen Cochran; Rollin, Larry
Subject: RE: Prince Road Parcel A legal
Attachments: 20100416 Map_4372 KL-1.pdf; 20100503 Parcel A_4372 KL-1.pdf; 20100503 Parcel B_4372 KL-1.pdf; 20100503 Parcel C_4372 KL-1 Revised 20110808.pdf; 20110428 JD's first Map.pdf; 20110809 JD's Second map.pdf; 20110914 SEQ 20112570146; JD's description for Parcel C-1.pdf

Mr. Settlemyer created a survey for the parcels.
That was created in April of 2010.
Parcel A was basically 300.06 wide (East and West) by 480.33 long (North and South).

Parcel B was 300.47 wide (East and West) by 434.64 long (North and South).
Parcel B had a 15 foot strip running from the North line of Parcel B to Prince Road.

Parcel C was 434 feet long (North and South) by 300.18 feet wide (East and West)
Again there was a 15 foot strip included that ran North to Prince Road.
That survey appears to be recorded in Book 78 of Surveys at Page 100.

A copy is attached.
Copies of Mr. Settlemyers Parcels A, B, and C are attached.

In May of 2011 Mr. Stizer created a new survey.
At that time Parcel A is 456.89 feet Long (North and South) and 315.09 feet wide (East and West)
Parcel B is 330.89 feet wide (East and West) and 434.64 feet Long (North and South)
Parcel C 457.64 North and South on the East side, and 434.54 feet on the West side, with a 15 foot strip running North and South to Prince Road.
Parcel B has access by way of a 30 feet easement along the West side of the parcels.
Mr. Stizer's survey is attached.
Mr. Stizer's descriptions for Parcels B and C were the descriptions used in the deed to the Donna Iman.
By that deed the smaller parcel A was created.
As that would be the remainder parcel, once the new Parcels B and C were conveyed.
In September of 2011, the first survey by Mr. Stizer was amended to show the Parcels B-1 and C-1 we have today.
The deed with the legal for C-1 is attached.
That is the deed that we have been talking about correcting, to Except out any portion in Parcel A, but that would be the smaller parcel A.
If you want to go back to Mr. Settlemyer's Parcel A, some property would need to be deeded from the Iman Parcel, and that would have to be done by a deed, not by a rerecordation of a recorded deed.
We would need to take into account any presumptive community property interest of Donna's spouse at the time, if she was married.
And the title company would be concerned that all the proper interests were conveyed.
That appears to be where we are at the moment.

Title Security
Jeff Malone
7330 N Oracle
Suite 200
Tucson, AZ 85704

Phone: 520-202-6925
Fax: 520-202-6302

From: Goldsen, Marc [mailto:MGoldsen@udalllaw.com]
Sent: Thursday, May 15, 2014 2:59 PM
To: Jeffrey Malone; SUE HILL; neilokleinman@yahoo.com
Cc: Rollin, Larry; Bill Kirchner (bkirchner@qwestoffice.net); Richard Jones (joneslaw@cox.net); sweiss@karpweiss.com; Carol A. Severyn (cseveryn@qwestoffice.net); Joe F. Tarver (jftarver@mindspring.com); Gretchen Cochran; Rollin, Larry
Subject: RE: Prince Road Parcel A legal

Jeff,

I am still waiting on your corroborating e-mail, per our telephone conversation yesterday. Please advise ASAP.

Thanks,

Marc

Marc Cullen Goldsen, Esq.
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From: Goldsen, Marc
Sent: Wednesday, May 14, 2014 4:36 PM
To: 'Jeffrey Malone'; SUE HILL; neilokleinman@yahoo.com
Cc: Rollin, Larry; Bill Kirchner (bkirchner@qwestoffice.net); Richard Jones (joneslaw@cox.net); sweiss@karpweiss.com; Carol A. Severyn (cseveryn@qwestoffice.net); Joe F. Tarver (jftarver@mindspring.com); Gretchen Cochran; Rollin, Larry
Subject: RE: Prince Road Parcel A legal

Upon conferring with Messrs. Malone and Settlemeyer, I believe I have found the sticking point. Jeff Malone will be sending confirmation of this shortly.

The problem is that there is apparently MORE THAN ONE erroneous J.D. Stitzer survey/legal description to correct. Apparently, J.D. Stitzer did the survey in connection with the ORIGINAL CONVEYANCE of Parcels B and C TO DONNA IMAN, AS WELL AS the survey in connection with the split, conveyance and reconveyance of Parcels C1 and C2

between Donna and Todd Iman, and BOTH surveys (and perhaps even MORE surveys) shorted Parcels A AND B in favor of a very funky configuration of Parcel C.

As such, there are multiple J.D. Stitzer surveys/legal descriptions that are inaccurate and require correction in order to restore the parcels to their proper configuration. There are multiple erroneous Stitzer surveys/legal descriptions that need to be undone.

Thanks,

Marc

Marc Cullen Goldsen, Esq.
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From: Jeffrey Malone [<mailto:jeffrey.malone@titlesecurity.com>]
Sent: Wednesday, May 14, 2014 3:22 PM
To: Goldsen, Marc; SUE HILL; neilokleinman@yahoo.com
Cc: Rollin, Larry; Bill Kirchner (bkirchner@qwestoffice.net); Richard Jones (joneslaw@cox.net); sweiss@karpweiss.com; Carol A. Severyn (cseveryn@qwestoffice.net); Joe F. Tarver (jftarver@mindspring.com); Gretchen Cochran; Rollin, Larry
Subject: RE: Prince Road Parcel A legal

Please see Mr. Settlemeyers email.

It appears the Stitzer survey was used when the parcels were conveyed to the Inmans, as best as I can tell.

Title Security
Jeff Malone
7330 N Oracle
Suite 200
Tucson, AZ 85704

Phone: 520-202-6925
Fax: 520-202-6302

From: Goldsen, Marc [<mailto:MGoldsen@udalllaw.com>]
Sent: Wednesday, May 14, 2014 3:10 PM
To: Jeffrey Malone; SUE HILL; neilokleinman@yahoo.com
Cc: Rollin, Larry; Bill Kirchner (bkirchner@qwestoffice.net); Richard Jones (joneslaw@cox.net); sweiss@karpweiss.com; Carol A. Severyn (cseveryn@qwestoffice.net); Joe F. Tarver (jftarver@mindspring.com); Gretchen Cochran; Rollin, Larry
Subject: RE: Prince Road Parcel A legal
Importance: High

That doesn't make any sense, and even if it did, then there was an error in the original sale to Inman. Please advise. We need the proper descriptions and configurations for Parcels A, B and C.

Thanks,

Marc

Marc Cullen Goldsen, Esq.
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From: Jeffrey Malone [<mailto:jeffrey.malone@titlesecurity.com>]
Sent: Wednesday, May 14, 2014 3:05 PM
To: Goldsen, Marc; SUE HILL; neilokleinman@yahoo.com
Cc: Rollin, Larry; Bill Kirchner (bkirchner@qwestoffice.net); Richard Jones (joneslaw@cox.net); sweiss@karpweiss.com; Carol A. Severyn (cseveryn@qwestoffice.net); Joe F. Tarver (jftarver@mindspring.com); Gretchen Cochran
Subject: RE: Prince Road Parcel A legal

The Correction Warranty Deed attached will put things back the way they were, after the Parcels B and C were deeded to inman.

It does not appear that it will put things back to the point that you have the Original Parcel A.

A portion of that now appears to be property that was sold to Inman in the original deed, and that 15 foot strip.

Title Security
Jeff Malone

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Phone: 520-202-6925
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From: Goldsen, Marc [<mailto:MGoldsen@udalllaw.com>]
Sent: Wednesday, May 14, 2014 2:52 PM
To: Jeffrey Malone; SUE HILL; neilokleinman@yahoo.com
Cc: Rollin, Larry; Bill Kirchner (bkirchner@gwestoffice.net); Richard Jones (joneslaw@cox.net); sweiss@karpweiss.com; Carol A. Severyn (cseveryn@gwestoffice.net); Joe F. Tarver (jftarver@mindspring.com); Gretchen Cochran
Subject: RE: Prince Road Parcel A legal

So, how do you suggest that we resolve this such that the incorrect legal description and survey is undone, but we ensure that the resulting corrected legal description for Parcel A is accurate?

Regards,

Marc

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From: Jeffrey Malone [<mailto:jeffrey.malone@titlesecurity.com>]
Sent: Wednesday, May 14, 2014 2:47 PM
To: SUE HILL; neilokleinman@yahoo.com; Goldsen, Marc
Subject: RE: Prince Road Parcel A legal

Unfortunately I still have concerns.
Because you asked if the Parcel A was the original Parcel A, but using the Inman deed, and following the calls, the East boundary of the 15 foot strip is 456.69 feet, then it runs along the South line of Parcel A, a distance of 315.21 feet.

But on the original legal for Parcel A, he is showing an additional 15 foot strip, and a distance of 480.33 , rather than the 456,69 feet.

When you run East, if you include the 15 foot strip, you would have the 315.18.

But it appears to me, using the Inman deed, and figuring the remainder parcel as Parcel A, that parcel is not the same as the Parcel A on the Original Parcel A legal.

Title Security
Jeff Malone
7330 N Oracle
Suite 200
Tucson, AZ 85704

Phone: 520-202-6925
Fax: 520-202-6302

From: SUE HILL [mailto:suehill774@aol.com]
Sent: Wednesday, May 14, 2014 2:32 PM
To: Jeffrey Malone; neilokleinman@yahoo.com; mgoldsen@udalllaw.com
Subject: Re: Prince Road Parcel A legal

Jeff, please advise if Jon's confirmation settles this issue. I would like to get back to Todd Iman sooner rather than later with document/s so please advise and email to me the documents Todd and Donna are required to sign in front of a notary.

Sue ~

-----Original Message-----

From: surveys <surveys@settlemeier.tuccoxmail.com>
To: 'SUE HILL' <suehill774@aol.com>; jeffrey.malone@titlesecurity.com; neilokleinman@neilokleinman@yahoo.com; mgoldsen@udalllaw.com
Sent: Wed, May 14, 2014 2:25 pm
Subject: RE: Prince Road Parcel A legal

Confirmed.
See cleaner copy attached

Jon
Settlemeier LLC
P: 520-512-0666
F: 520-512-1666
Jon@Settlemeier.com

From: SUE HILL [mailto:suehill774@aol.com]
Sent: Wednesday, May 14, 2014 2:18 PM
To: surveys@settlemeier.tuccoxmail.com; jeffrey.malone@titlesecurity.com; neilokleinman@yahoo.com; mgoldsen@udalllaw.com
Subject: Re: Prince Road Parcel A legal

Jon, can you please confirm to the title company that the attached legal you gave me earlier in the week is the correct, original legal for Parcel A? Please Reply All.

Sue ~



This email is free from viruses and malware because avast! Antivirus protection is active.

Parcel "A"

All that certain real property situate in the County of Pima, State of Arizona, being a part of that parcel described in Docket 13735 at Page 5251 thereof, records of said Pima County as a portion of the west half of the northeast quarter of the southwest quarter of Section 29, Township 13 South, Range 16 East, Gila and Salt River Meridian;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the northwest corner of the southwest quarter (West Quarter Corner) of said Section 29, marked by a 5/8-inch rebar with Pima County reference ties;

Thence from said POINT OF BEGINNING, easterly along the north line of the southwest quarter of said Section 29, N 89° 56' 57" E, 1681.54 feet to a point establishing the northwest corner and TRUE POINT OF BEGINNING of Parcel "A" herein described, marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence from said TRUE POINT OF BEGINNING, continuing easterly along said north line, N 89° 56' 57" E, 300.06 feet to the northeast corner of the west half of the northeast quarter of the southwest quarter of said Section 29, marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said northeast corner, southerly along the east line of said west half, S 00° 03' 06" E, 480.33 feet to a point establishing the southeast corner of said Parcel "A", marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said east line, westerly, S 89° 56' 57" W, 300.18 feet to a point establishing the southwest corner of said Parcel "A" marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said established southwest corner, northerly along a line parallel with the west line of the northeast quarter of the southwest quarter of said Section 29, N 00° 02' 15" W, 480.33 feet to the TRUE POINT OF BEGINNING;

Containing 3.309 ACRES of land (more or less)

Subject to and together with all matters of public record

Basis of Bearings:

The north line of the southeast quarter of said Section 29, N 89° 56' 32" E, as recorded in Book 3 of Surveys at Page 79 thereof, records of said Pima County



Expires: 3-31-2011

Page: 1 of 1
Date: May 3, 2010
Project: 4372 KL-1

Settlemeier LLC
LAND SURVEYING SERVICES

P.O. Box 12612 - Tucson, AZ 85732

Phone (520) 512-0666

Fax (520) 512-1666

surveys@settlemeier.tuccoxmail.com

Parcel "B"

All that certain real property situate in the County of Pima, State of Arizona, being a part of that parcel described in Docket 13735 at Page 5251 thereof, records of said Pima County as a portion of the west half of the northeast quarter of the southwest quarter of Section 29, Township 13 South, Range 16 East, Gila and Salt River Meridian;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the northwest corner of the southwest quarter (West Quarter Corner) of said Section 29, marked by a 5/8-inch rebar with Pima County reference ties;

Thence from said POINT OF BEGINNING, easterly along the north line of the southwest quarter of said Section 29, N 89° 56' 57" E, 1651.54 feet to a point establishing the TRUE POINT OF BEGINNING of Parcel "B" herein described, marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence from said TRUE POINT OF BEGINNING, continuing easterly along said north line, N 89° 56' 57" E, 15.00 feet to a point thereon, establishing the northeast corner of said Parcel "B", marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said north line, southerly along a line parallel with the west line of the northeast quarter of the southwest quarter of said Section 29, S 00° 02' 15" E, 914.33 feet to a point establishing the southeast corner of said Parcel "B", marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said parallel line, westerly, S 89° 56' 57" W, 315.47 feet to a point establishing the southwest corner of said Parcel "B", marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said established southwest corner, northerly along a line parallel with the west line of the northeast quarter of the southwest quarter of said Section 29, N 00° 02' 15" W, 434.64 feet to a point thereon, marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said parallel line, easterly, N 89° 56' 57" E, 300.47 feet to an established interior angle point in the boundary of said Parcel "B", marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said angle point, northerly, N 00° 02' 15" W, 479.69 feet to the TRUE POINT OF BEGINNING;

Containing 3.313 ACRES of land (more or less)

Subject to and together with all matters of public record

Basis of Bearings:

The north line of the southeast quarter of said Section 29, N 89° 56' 32" E, as recorded in Book 3 of Surveys at Page 79 thereof, records of said Pima County



Expires: 3-31-2011

Page: 1 of 1
Date: May 3, 2010
Project: 4372 KL-1

Settlemyer LLC
LAND SURVEYING SERVICES

P.O. Box 12612 - Tucson, AZ 85732

Phone (520) 512-0666

Fax (520) 512-1666

surveys@settlemyer.tuccoxmail.com

Parcel "C"

All that certain real property situate in the County of Pima, State of Arizona, being a part of that parcel described in Docket 13735 at Page 5251 thereof, records of said Pima County as a portion of the west half of the northeast quarter of the southwest quarter of Section 29, Township 13 South, Range 16 East, Gila and Salt River Meridian;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the northwest corner of the southwest quarter (West Quarter Corner) of said Section 29, marked by a 5/8-inch rebar with Pima County reference ties;

Thence from said POINT OF BEGINNING, easterly along the north line of the southwest quarter of said Section 29, N 89° 56' 57" E, 1666.54 feet to a point establishing the TRUE POINT OF BEGINNING of Parcel "C" herein described, marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence from said TRUE POINT OF BEGINNING, continuing easterly along said north line, N 89° 56' 57" E, 15.00 feet to a point thereon, establishing the northeast corner of said Parcel "C", marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said north line, southerly along a line parallel with the west line of the northeast quarter of the southwest quarter of said Section 29, S 00° 02' 15" E, 480.33 feet to an established interior angle point in the boundary of said Parcel "C", marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said angle point, easterly, N 89° 56' 57" E, 300.18 feet to a point establishing an exterior angle point in the boundary of said Parcel "C" on the east line of the west half of the northeast quarter of the southwest quarter of said Section 29, marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said established angle point, southerly along said east line, S 00° 03' 06" E, 434.00 feet to a point thereon, marked by a half-inch rebar with registration cap and tag, RLS 26932;

Thence leaving said east line, westerly, S 89° 56' 57" W, 315.29 feet to an established exterior angle point in the boundary of said Parcel "C", marked by a half-inch rebar with registration cap and tag, RLS 26932;

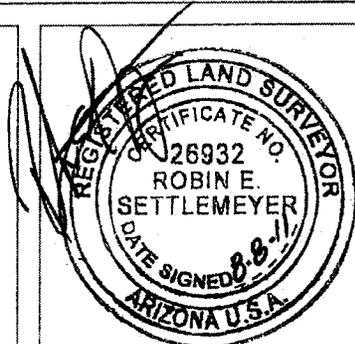
Thence leaving said angle point, northerly, N 00° 02' 15" W, 914.33 feet to the TRUE POINT OF BEGINNING;

Containing 3.306 ACRES of land (more or less)

Subject to and together with all matters of public record

Basis of Bearings:

The north line of the southeast quarter of said Section 29, N 89° 56' 32" E, as recorded in Book 3 of Surveys at Page 79 thereof, records of said Pima County



Page: 1 of 1
Date: August 8, 2011
Project: 4372 KL-1

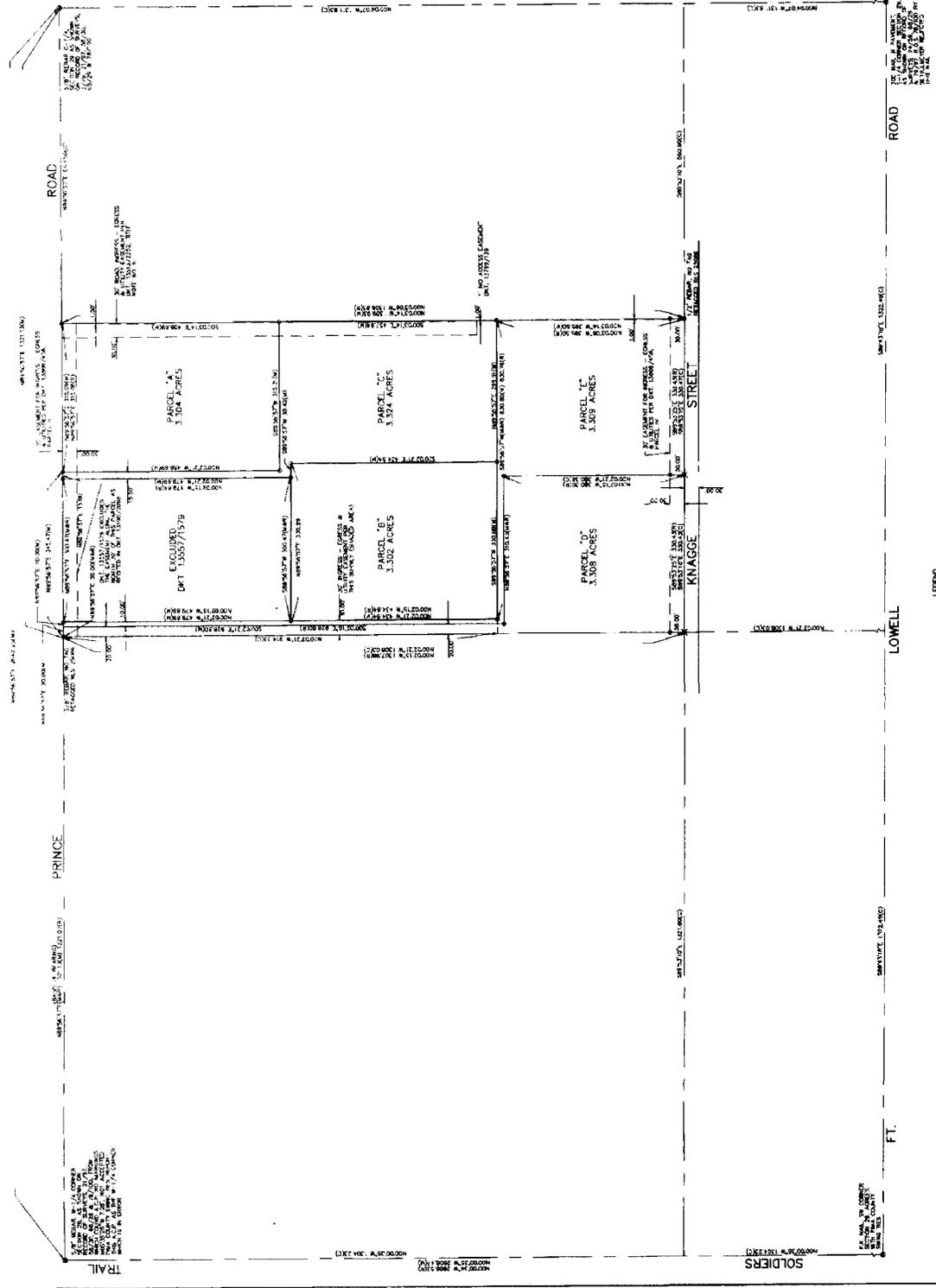
Settlemeyer LLC
LAND SURVEYING SERVICES

P.O. Box 12612 - Tucson, AZ 85732

Phone (520) 512-0666

Fax (520) 512-1666

surveys@settlemeyer.tuccoxmail.com



GENERAL NOTES

1. THE BASIS OF BEARING FOR THIS SURVEY IS THE NORTH LINE OF THE SW-1/4 OF SECTION 29, T13S - R16E, G.A.S.R.M. PINA COUNTY, ARIZONA PER RECORD OF SURVEY BK. 78, PG. 100, BEING INSTRUMENT, AS SHOWN HEREON.
2. THIS SURVEY IS A RETRIBUTION OF A SURVEY BY WILLIAMER INC. AND, HAS BEEN RECORDED ON RECORD OF SURVEY, BK. 78, PG. 100.
3. THE EASEMENTS AS SHOWN HEREON ARE FROM A TRUST DEED, ORDER NO. 1100333, EFFECTIVE FEBRUARY 29, 2011, AT 8:00 P.M. OTHER THAN THE EASEMENTS SHOWN HEREON, THE SURVEYOR HAS BEEN ADVISED THAT NO OTHER EASEMENTS OR ENCUMBRANCES EXIST. THE EXISTENCE OF ANY OTHER EASEMENTS THAT MAY BE IN EXISTENCE THAT COULD AFFECT ANY OF THE PARCELS SHOWN HEREON.
4. THIS SURVEY WAS PERFORMED TO RECONFIRM PARCELS "A", "B", AND "C" AS SHOWN ON RECORD OF SURVEY, BK. 78, PG. 100.
5. NO ATTEMPT WAS MADE TO LOCATE ANY UTILITIES WITHIN THE SURVEY AREA THAT MAY BE SERVING THE SUBJECT PARCELS. THE SUBJECT PARCELS OF THIS SURVEY ARE VACANT, WITH NO IMPROVEMENTS NOTED.
6. THE FOLLOWING ALIQUOTS OF SURVEY WERE USED AS REFERENCE FOR THIS SURVEY: 3/78, 2/87, 2/79, 50/26, 62/78 AND 78/100.



James D. Stewart
 State of Arizona
 License No. 2811260134
 Date: 02/24/2011
 Surveyed by: James D. Stewart
 Witnessed by: [Signature]
 Date: 02/24/2011
 Surveyed by: James D. Stewart
 Witnessed by: [Signature]
 Date: 02/24/2011

City of Maricopa
 P.O. Box 123333
 601 West McDowell Street
 Phoenix, AZ 85002
 BY: [Signature]
 Deputy



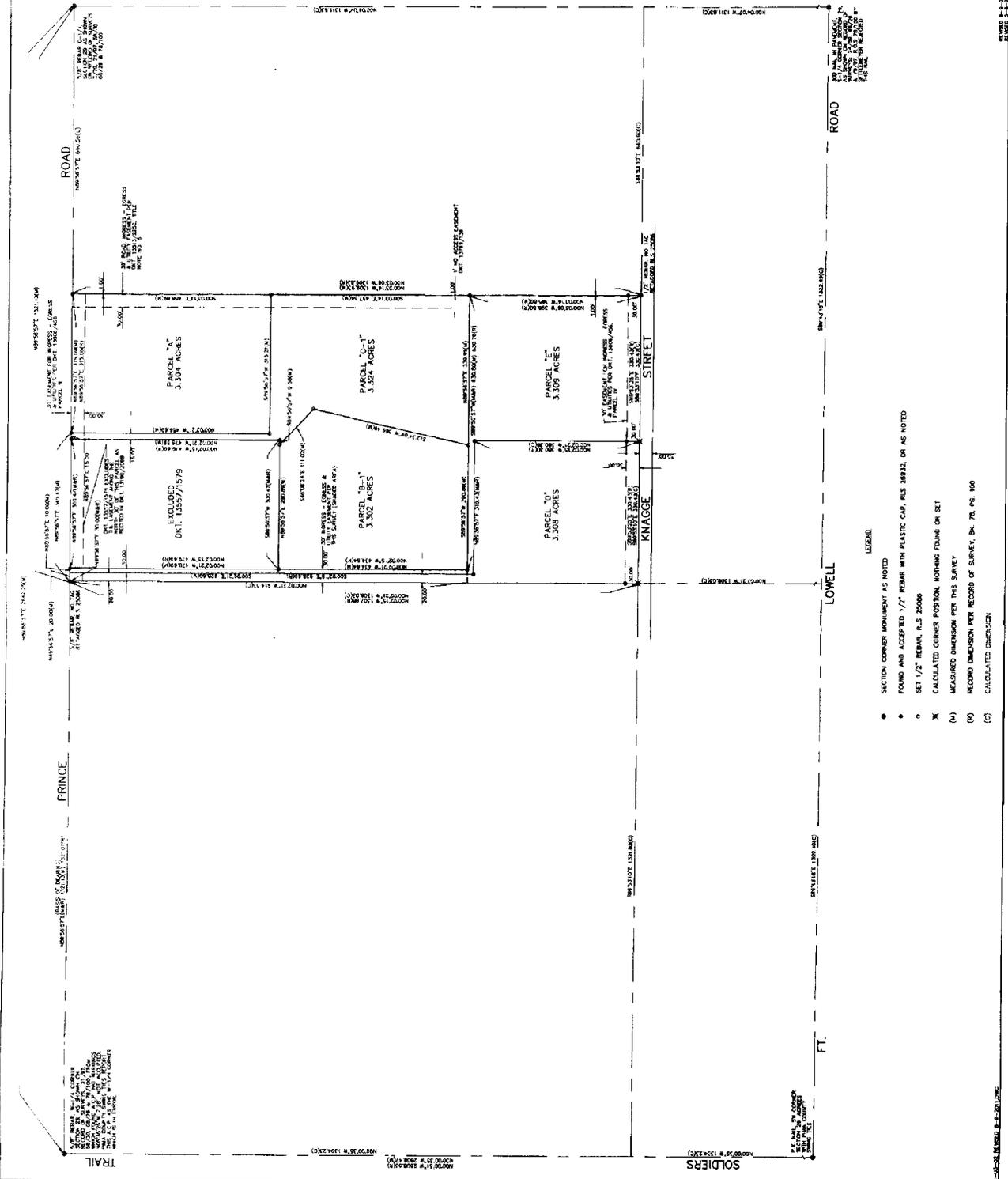
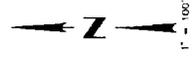
Scale: 1" = 100'
 0 100 200 300
 FEET

RECORD OF SURVEY

BOUNDARY SURVEY FOR FIVE PARCELS OF LAND WITHIN THE W-1/2 OF THE NE-1/4 OF THE SW-1/4 OF SECTION 29, T13S - R16E, G.A.S.R.M., PINA COUNTY, ARIZONA. FOR: DONNA IMAN

BY: SAS SURVEYS, INC. 1847 N. FIRST AVE. P.O. BOX 66078
 TUCSON, AZ 85726 (520)624-5466
 DATE: 02/24/2011

- LEGEND**
- SECTION CORNER MONUMENT AS NOTED
 - FOUND AND ACCEPTED 1/2" REBAR WITH PLASTIC CAP, RLS 20932, OR AS NOTED
 - SET 1/2" REBAR, RLS 20806
 - ✕ CALCULATED CORNER POSITION, NOTHING FOUND OR SET
 - (M) MEASURED DIMENSION PER THIS SURVEY
 - (R) RECORD DIMENSION PER RECORD OF SURVEY, BK. 78, PG. 100
 - (C) CALCULATED DIMENSION



GENERAL NOTES

1. THE BASIS OF BEARING FOR THIS SURVEY IS THE NORTH LINE OF THE SW-1/4 OF SECTION 29, T13S - R16E, G&S.R.M., PIMA COUNTY, ARIZONA PER RECORD OF SURVEY, BK. 78, PG. 100, BEING 88°58'37.4\"
2. THIS SURVEY IS A RETROFIT OF A SURVEY BY BERTERRELL SURVEYS, INC. (B.S. 2832) AS DEPICTED ON RECORD OF SURVEY, BK. 78, PG. 100.
3. THE EASEMENTS AS SHOWN HEREON ARE FROM A TITLE REPORT PROMISED BY THE CLIENT FROM STEWART TITLE AND TRUST OF TUCSON, ORDER NO. 1000333, DATED FEBRUARY 28, 2011 AT 5:00 P.M. OTHER EASEMENTS NOT SHOWN HEREON ARE EASEMENTS THAT WERE INDEPENDENTLY OBTAINED AND WERE NOT MADE TO THE BEST OF OUR KNOWLEDGE AND BELIEF. THE EXISTENCE OF ANY OTHER EASEMENTS THAT MAY BE IN EXISTENCE THAT COULD AFFECT ANY OF THE PARCELS SHOWN HEREON.
4. THIS SURVEY WAS PERFORMED TO RECONFIRM PARCELS "A", "B" AND "C" AS SHOWN ON RECORD OF SURVEY, BK. 78, PG. 100.
5. NO ATTEMPT WAS MADE TO LOCATE ANY UTILITIES WITHIN THE SURVEY AREA. THE SURVEYOR HAS BEEN ADVISED THAT THERE ARE NO UTILITIES WITHIN THE PARCELS AS OF THE DATE OF THIS SURVEY ARE LOCATED WITH NO IMPROVEMENTS NOTED.
6. THE FOLLOWING RECORDS OF SURVEY WERE USED AS REFERENCES FOR THIS SURVEY: 3/7/9, 2/7/97, 2/4/99, 9/6/00, 6/2/09 AND 7/6/10.
7. THIS SURVEY IS AN UPDATE OF B.L.S. 2803, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847, 2848, 2849, 2850, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 2868, 2869, 2870, 2871, 2872, 2873, 2874, 2875, 2876, 2877, 2878, 2879, 2880, 2881, 2882, 2883, 2884, 2885, 2886, 2887, 2888, 2889, 2890, 2891, 2892, 2893, 2894, 2895, 2896, 2897, 2898, 2899, 2900, 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2908, 2909, 2910, 2911, 2912, 2913, 2914, 2915, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927, 2928, 2929, 2930, 2931, 2932, 2933, 2934, 2935, 2936, 2937, 2938, 2939, 2940, 2941, 2942, 2943, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2955, 2956, 2957, 2958, 2959, 2960, 2961, 2962, 2963, 2964, 2965, 2966, 2967, 2968, 2969, 2970, 2971, 2972, 2973, 2974, 2975, 2976, 2977, 2978, 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986, 2987, 2988, 2989, 2990, 2991, 2992, 2993, 2994, 2995, 2996, 2997, 2998, 2999, 3000.

141 COUNTY OF MARICOPA
 JOHN D. JONES
 2011010203



THIS PLAT IS TO BE FILED IN THE PUBLIC RECORDS OF THE COUNTY OF MARICOPA, ARIZONA, ON THE RECORD DATE 02/27/2011.



DATE: 2/27/2011
 TIME: 10:30 AM
 BY: JOHN D. JONES
 DEPUTY

RECORD OF SURVEY
BOUNDARY SURVEY FOR FIVE PARCELS OF LAND WITHIN THE W-1/2 OF THE NE-1/4 OF THE SW-1/4 OF SECTION 29, T13S - R16E, G&S.R.M., PIMA COUNTY, ARIZONA. FOR: DONNA IMAN
 BY: SAS SURVEYS, INC. 3847 N. FIRST AVE. P.O. BOX 66078 TUCSON, AZ. 85728 (520)824-6466

- LEGEND**
- SECTION CORNER IMPROVEMENT AS NOTED
 - FOUND AND ACCEPTED 1/2" IRON BAR WITH PLASTIC CAP, BLS 88932, OR AS NOTED
 - SET 1/2" IRON BAR, P.L.S. 20086
 - ✱ CALCULATED CORNER POSITION, NOTHING FOUND OR SET
 - (M) MEASURED DIMENSION PER THIS SURVEY
 - (R) RECORD DIMENSION PER RECORD OF SURVEY, BK. 78, PG. 100
 - (C) CALCULATED DIMENSION

SEQ 20112940063

F. ANN RODRIGUEZ, RECORDER
Recorded By: JSH
DEPUTY RECORDER
497



SEQUENCE: 20112570146
NO. PAGES: 5
WTDEED 09/14/2011 13:01
MAIL
AMOUNT PAID: \$10.00

W
DONNA IMAN
4584 N SUGARBUSH PL
TUCSON AZ 85749

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Affidavit exempt per A.R.S. 11-1134 B-9

Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, I or we,
Todd Iman, a single man, as Straw Person in a fiduciary capacity only
do/does hereby convey to

Donna J. Iman, a single woman
the following real property situated in Pima County, ARIZONA:

See Exhibit A attached hereto and made a part hereof.

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above.

Dated September 14, 2011

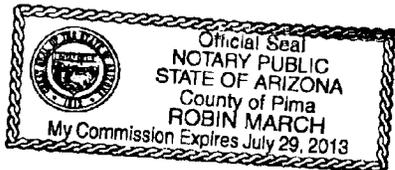
Todd Iman

State of ARIZONA
County of Pima

} SS

This instrument was acknowledged before me this 14th day of September, 2011 by Todd Iman

Notary Public



My commission will expire 7-29-13

S & S SURVEYS, INC.

P.O. Box 66078
TUCSON, ARIZONA 85728-6078
PHONE: (520) 624-6466
FAX: (520) 623-4877
EMAIL: JDSTITZER@SANDSSURVEYS.BIZ



JOHN D. STITZER · REGISTERED LAND SURVEYOR
PRESIDENT

LEGAL DESCRIPTION PARCEL "C-1"

A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCELS I AND II, IN DOCKET 13806, PAGE 456, FILED IN THE OFFICE OF THE RECORDER, PIMA COUNTY ARIZONA, ALL WITHIN THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, T13S - R16E, G.&S.R.M., PIMA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 29, BEING A 5/8" REBAR;

THENCE NORTH 89°56'57" EAST (MEASURED AND RECORD- BASIS OF BEARING) ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 1321.13 FEET (1321.07 FEET RECORD) TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29, ALSO BEING THE NORTHWEST CORNER OF PARCEL II DESCRIBED IN SAID DOCKET 13806, PAGE 456, BEING A 5/8" REBAR;

THENCE CONTINUE NORTH 89°56'57" EAST (MEASURED AND RECORD) ALONG SAID NORTH LINE, A DISTANCE OF 30.00 FEET (MEASURED AND RECORD) TO THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DOCKET 13557, PAGE 1579, FILED IN THE OFFICE OF THE RECORDER, PIMA COUNTY, ARIZONA, BEING A 1/2" REBAR, RLS 26932;

THENCE CONTINUE NORTH 89°56'57" EAST (MEASURED AND RECORD) ALONG SAID NORTH LINE A DISTANCE OF 300.47 FEET (MEASURED AND RECORD TO THE NORTHEAST CORNER OF CERTAIN PARCEL OF LAND DESCRIBED IN SAID DOCKET 13577, PAGE 1579, BEING A 1/2" REBAR, RLS 26932 AND THE POINT OF BEGINNING;

THENCE CONTINUE NORTH 89°56'57" EAST (MEASURED AND RECORD) ALONG SAID NORTH LINE A DISTANCE OF 15.00 FEET TO A 1/2" REBAR, RLS 26932;

THENCE SOUTH 00°02'21" EAST, DEPARTING SAID NORTH LINE A DISTANCE OF 456.69 FEET TO A 1/2" REBAR, RLS 25086;

THENCE NORTH 89°56'57" EAST, A DISTANCE OF 315.21 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29, BEING A 1/2" REBAR, RLS 25086;

THENCE SOUTH 00°03'14" EAST ALONG SAID EAST LINE, A DISTANCE OF 457.64 FEET TO A 1/2" REBAR, RLS 26932;

LEGAL DESCRIPTION PARCEL "C-1" CONTINUED, PAGE 2

THENCE SOUTH 89°56'57" WEST DEPARTING SAID EAST LINE, A DISTANCE OF 339.91 FEET TO A 1/2" REBAR, RLS 25086;

THENCE NORTH 12°34'09" EAST, A DISTANCE OF 366.49 FEET TO A 1/2" REBAR, RLS 25086;

THENCE NORTH 46°08'24" WEST, A DISTANCE OF 111.02 FEET TO A POINT ON THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN SAID DOCKET 13557, PAGE 1579, BEING A 1/2" REBAR, RLS 25086;

THENCE NORTH 89°56'57" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 9.58 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN SAID DOCKET 13557, PAGE 1579, BEING A 1/2" REBAR, RLS 26932;

THENCE NORTH 00°02'21" WEST (NORTH 00°02'15" WEST RECORD) ALONG THE EAST LINE OF SAID PARCEL, A DISTANCE OF 479.69 FEET (MEASURED AND RECORD) TO THE POINT OF BEGINNING.

CONTAINING 3.324 ACRES, MORE OR LESS.

SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.



EXPIRES 6/30/2013

PRINCE

ROAD

LOWELL

ROAD

KNAGGE

STREET

PANEL 70
1,308 ACRES

PANEL 71
1,308 ACRES

PANEL 72
1,308 ACRES

PANEL 73
1,308 ACRES

EXCLUDED
D.M.T. 135877/1578

- 1 SECTION CORNER MONUMENT AS NOTED
- 2 FOUND AND ACCEPTED 1/2" BEAD WITH PLASTIC CAP, N.S. 18412, ON N.E. QUARTER
- 3 20' x 7' BEAD, N.S. 20086
- 4 CALCULATED CORNER POSITION, NOTHING FOUND IN SET
- 5 MEASURED DIMENSION FOR 1/4" BENCH
- 6 RECORD MEASUREMENT RECORD OF SURVEY, N.S. 78, 92, 100
- 7 CALCULATED DIMENSION

RECORD OF SURVEY

BOUNDARY SURVEY FOR FIVE PARCELS OF LAND WITHIN THE W-1/2 OF THE NE-1/4 OF THE SW-1/4 OF SECTION 29, T13S - R16E, G. & S.R.M., PIMA COUNTY, ARIZONA.

FOR: DONNA IMAN

BY: S&G SURVEYS, INC. 1847 N. 98TH AVE. P.O. BOX 58078
TUCSON, AZ 85718 (520)832-8465



DAVID VARNITZ

30' 0" 20' 0" 10' 0"

1" = 100'



GENERAL NOTES

1. THE BASIS OF BEARING FOR THIS SURVEY IS THE MERIDIAN LINE OF THE SW-1/4 SECTION 29, T13S - R16E, G. & S.R.M., PIMA COUNTY, ARIZONA, RECORD OF SURVEY, N.S. 78, 92, 100, BEING NEARLY STRAIGHT, AS SHOWN HEREON.
2. THIS SURVEY IS A REPRODUCTION OF A SURVEY BY STEPHENSON SURVEYS, INC., N.S. 28842, AS SHOWN ON RECORD OF SURVEY, N.S. 78, 92, 100.
3. THE EXISTENCE AS SHOWN HEREON ARE FROM A TITLE REPORT PROVIDED IN THE CLIENT FROM STEPHENSON TITLE AND THAT OF RECORD BOOKS NO. 104544, 104545, 104546, 104547, 104548, 104549, 104550, 104551, 104552, 104553, 104554, 104555, 104556, 104557, 104558, 104559, 104560, 104561, 104562, 104563, 104564, 104565, 104566, 104567, 104568, 104569, 104570, 104571, 104572, 104573, 104574, 104575, 104576, 104577, 104578, 104579, 104580, 104581, 104582, 104583, 104584, 104585, 104586, 104587, 104588, 104589, 104590, 104591, 104592, 104593, 104594, 104595, 104596, 104597, 104598, 104599, 104600, 104601, 104602, 104603, 104604, 104605, 104606, 104607, 104608, 104609, 104610, 104611, 104612, 104613, 104614, 104615, 104616, 104617, 104618, 104619, 104620, 104621, 104622, 104623, 104624, 104625, 104626, 104627, 104628, 104629, 104630, 104631, 104632, 104633, 104634, 104635, 104636, 104637, 104638, 104639, 104640, 104641, 104642, 104643, 104644, 104645, 104646, 104647, 104648, 104649, 104650, 104651, 104652, 104653, 104654, 104655, 104656, 104657, 104658, 104659, 104660, 104661, 104662, 104663, 104664, 104665, 104666, 104667, 104668, 104669, 104670, 104671, 104672, 104673, 104674, 104675, 104676, 104677, 104678, 104679, 104680, 104681, 104682, 104683, 104684, 104685, 104686, 104687, 104688, 104689, 104690, 104691, 104692, 104693, 104694, 104695, 104696, 104697, 104698, 104699, 104700, 104701, 104702, 104703, 104704, 104705, 104706, 104707, 104708, 104709, 104710, 104711, 104712, 104713, 104714, 104715, 104716, 104717, 104718, 104719, 104720, 104721, 104722, 104723, 104724, 104725, 104726, 104727, 104728, 104729, 104730, 104731, 104732, 104733, 104734, 104735, 104736, 104737, 104738, 104739, 104740, 104741, 104742, 104743, 104744, 104745, 104746, 104747, 104748, 104749, 104750, 104751, 104752, 104753, 104754, 104755, 104756, 104757, 104758, 104759, 104760, 104761, 104762, 104763, 104764, 104765, 104766, 104767, 104768, 104769, 104770, 104771, 104772, 104773, 104774, 104775, 104776, 104777, 104778, 104779, 104780, 104781, 104782, 104783, 104784, 104785, 104786, 104787, 104788, 104789, 104790, 104791, 104792, 104793, 104794, 104795, 104796, 104797, 104798, 104799, 104800, 104801, 104802, 104803, 104804, 104805, 104806, 104807, 104808, 104809, 104810, 104811, 104812, 104813, 104814, 104815, 104816, 104817, 104818, 104819, 104820, 104821, 104822, 104823, 104824, 104825, 104826, 104827, 104828, 104829, 104830, 104831, 104832, 104833, 104834, 104835, 104836, 104837, 104838, 104839, 104840, 104841, 104842, 104843, 104844, 104845, 104846, 104847, 104848, 104849, 104850, 104851, 104852, 104853, 104854, 104855, 104856, 104857, 104858, 104859, 104860, 104861, 104862, 104863, 104864, 104865, 104866, 104867, 104868, 104869, 104870, 104871, 104872, 104873, 104874, 104875, 104876, 104877, 104878, 104879, 104880, 104881, 104882, 104883, 104884, 104885, 104886, 104887, 104888, 104889, 104890, 104891, 104892, 104893, 104894, 104895, 104896, 104897, 104898, 104899, 104900, 104901, 104902, 104903, 104904, 104905, 104906, 104907, 104908, 104909, 104910, 104911, 104912, 104913, 104914, 104915, 104916, 104917, 104918, 104919, 104920, 104921, 104922, 104923, 104924, 104925, 104926, 104927, 104928, 104929, 104930, 104931, 104932, 104933, 104934, 104935, 104936, 104937, 104938, 104939, 104940, 104941, 104942, 104943, 104944, 104945, 104946, 104947, 104948, 104949, 104950, 104951, 104952, 104953, 104954, 104955, 104956, 104957, 104958, 104959, 104960, 104961, 104962, 104963, 104964, 104965, 104966, 104967, 104968, 104969, 104970, 104971, 104972, 104973, 104974, 104975, 104976, 104977, 104978, 104979, 104980, 104981, 104982, 104983, 104984, 104985, 104986, 104987, 104988, 104989, 104990, 104991, 104992, 104993, 104994, 104995, 104996, 104997, 104998, 104999, 105000.
4. THIS SURVEY WAS REPRODUCED TO RECONSTRUCT PARCELS "A", "B" AND "C" AS SHOWN ON RECORD OF SURVEY, N.S. 78, 92, 100.
5. NO ATTEMPT WAS MADE TO LOCATE ANY TIES WITH THE SURVEY PARCELS AS OF THE DATE OF THIS SURVEY AND VACANT WITH NO ENCUMBRANCES NOTED.
6. THE FOLLOWING RECORDS OF SURVEY WERE USED AS REFERENCES FOR THIS SURVEY: 1778, 1779, 24776, 24777, 24778, 24779 AND 24780.
7. THIS SURVEY IS AN ADJUSTED BY A.L.S. SURVEYING METHOD AND THE ADJUSTMENT OF THE SURVEY DATA BETWEEN PARCELS "A", "B" AND "C".

*Parcel A / 12150 East Prince Road
Request for Zoning Variance
May 20, 2014*

APPENDIX 10

From: Goldsen, Marc
Sent: Sunday, May 18, 2014 2:17 PM
To: Joe Tarver
Cc: Jeffrey Malone; SUE HILL; Neil Kleinman; Rollin, Larry; Bill Kirchner (bkirchner@qwestoffice.net); Richard Jones (joneslaw@cox.net); Steve Weiss; Carol A. Severyn (cseveryn@qwestoffice.net); Gretchen Cochran
Subject: RE: Prince Road Parcel A legal
Importance: High

I think I might have found a solution that should work for everyone.

When I last heard from Joe, the primary concern he expressed on Carol Severyn's behalf, with respect to correcting the survey and legal description for the original conveyance from my client to Donna Iman, was that the community property interest acquired by Donna's ex-husband would make it impossible to quit-claim anything back to the owner of Parcel without the signature of Donna's ex-husband.

I have accordingly reviewed the original closing packet in connection with Donna's acquisition of Parcels B and C. At the time of that acquisition, Donna was a single woman, and Donna was the sole Grantee. I therefore believe that she has sole authority to dictate and clarify what she acquired in the first place before the property passed into the marital community.

That being the case, is there any reason Donna cannot, by herself as the sole original Grantee, sign off on a corrective disclaimer deed in connection with her acquisition of Parcels B and C, in order to correct the erroneous Stitzer legal descriptions for Parcels A, B and C in relation to the original acquisition, while at the same time also doing the corrective recording with respect to the C1/C2 split, in order to keep the legal descriptions accurate and in conformity with the proper Settlemeyer survey?

Were that to happen, it would be as though Donna originally only acquired the accurately-depicted Parcels B and C, which means that her marital community succeeded only to such accurately-depicted parcels. In the unlikely event her ex-husband comes in and tries to claim any interest in any of the property, the record would clarify that Donna only acquired the accurately-described Parcels B and C, which would restore Parcel A to its acceptable configuration as set forth in the accurate Settlemeyer deed, and that any claim by Donna's ex-husband to a community property interest in Parcels B and/or C would be limited to the corrected depictions of such parcels as acknowledged by Donna on the record. I can't imagine the title company having any problem with insuring that.

As such, I propose the following: Two corrective recording packets, the first to be executed by Donna and the original Grantors (I believe Neil Kleinman and Ray Lopez were the signatories) to correct the survey and legal description in connection with Donna's original acquisition of Parcels B and C, and then the second as prepared by Joe to be executed by Donna and Todd to correct the survey and legal description in connection with the split of Parcel C into Parcels C1 and C2, and the conveyance thereof to Todd and re-conveyance back to Donna.

I think this would put everything as needed with accurate surveys and legal descriptions for Parcels A, B, C1 and C2, such that there would be no further zoning problems, the title company can properly insure in connection with the pending sale of Parcel A, and we can conclude this matter expediently.

Please let me know your thoughts as soon as possible.

Regards,

Marc

Marc Cullen Goldsen, Esq.
Udall Law Firm, LLP
4801 E. Broadway Blvd., Suite 400
Tucson, AZ 85711
520.623.4353 Phone
520.792.3426 Fax
602.369.9186 Mobile
mgoldsen@udalllaw.com
www.udalllaw.com

This e-mail and any attachments hereto are intended only for use by the addressee(s) named herein and may contain legally privileged and confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments hereto, is strictly prohibited. If you have received this e-mail in error, please immediately notify me at (520) 623-4353 and permanently delete the original and any copy of any e-mail and destroy any printout thereof. Thank you.

IRS CIRCULAR 230 DISCLOSURE:

To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in the communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

From: Goldsen, Marc
Sent: Saturday, May 17, 2014 5:50 PM
To: Joe Tarver
Cc: Jeffrey Malone; SUE HILL; Neil Kleinman; Rollin, Larry; Bill Kirchner (bkirchner@qwestoffice.net); Richard Jones (joneslaw@cox.net); Steve Weiss; Carol A. Severyn (cseveryn@qwestoffice.net); Gretchen Cochran
Subject: Re: Prince Road Parcel A legal

Joe,

With all due respect, the equitable and legally proper thing would be to undo all the errors created by the Stitzer surveys, not just certain errors. That being said, it appears you are willing only to undo the error in the C1/C2 split but not in Ms. Iman's initial acquisition of Parcel C. Please confirm if this is the case, or if in fact you are unwilling to cooperate in undoing all survey and legal description errors of Mr. Stitzer, and instead only willing to cooperate in connection with the C1/C2 split.

Once you confirm the extent to which you are willing to agree and cooperate in undoing Mr. Stitzer's errors, I am respectfully requesting confirmation from Jeff as to whether that leaves Parcel A shorted by Mr. Stitzer's errors and therefore undersized for the designated zoning.

My client and I will therefore proceed accordingly.

Thank you.

Marc
Sent from my Verizon Wireless BlackBerry

-----Original Message-----

From: Joe Tarver <jftarver@mindspring.com>
Date: Sun, 18 May 2014 02:29:34
To: Goldsen, Marc <MGoldsen@udalllaw.com>
Cc: Jeffrey Malone <jeffrey.malone@titlesecurity.com>; SUE HILL <suehill774@aol.com>; Neil Kleinman <neilokleinman@yahoo.com>; Rollin, Larry <LRollin@udalllaw.com>; Bill Kirchner (bkirchner@qwestoffice.net) <bkirchner@qwestoffice.net>; Richard Jones (joneslaw@cox.net) <joneslaw@cox.net>; Steve Weiss <sweiss@karpweiss.com>; Carol A. Severyn (cseveryn@qwestoffice.net) <cseveryn@qwestoffice.net>; Gretchen Cochran <gretchen.cochran@titlesecurity.com>
Subject: Re: Prince Road Parcel A legal

Marc,

From our standpoint, the only thing that we can do is to shrink Parcel C-1 back to Parcel C, which is what Donna received, and I think that that is all a court would make us do. If Parcel A is undersized after that, then perhaps the owners of Parcel A can carve something out of the other upper parcel if they still own it.

Joe F. Tarver
JOE F. TARVER, P.C.
4710 N. Caida Place
Tucson, Arizona 85718

Office - (520) 318-0800
Cell - (520) 405-5325
jftarver@mindspring.com

On May 18, 2014, at 1:15 AM, "Goldsen, Marc" <MGoldsen@udalllaw.com> wrote:

Jeff, Bill, Richard, Steve, Carol and Joe,

As soon as possible, please let me know if Jeff and I can put a corrective recording packet together that fixes all of the J.D. Stitzer errors, as opposed to just the error related to the C1/C2 split. If we can do so, then great. Jeff and I will take care of the rest, with the understanding that Bill and Richard will secure signatures as needed from Donna and Todd Iman.

If a fully corrective recording is no longer a possibility, please let me know as soon as possible, as my client and I will then be forced to explore an alternative that while ultimately effective will unfortunately be more expensive and time-consuming.

Thank you.

Marc Goldsen
Sent from my Verizon Wireless BlackBerry _____
From: Jeffrey Malone <jeffrey.malone@titlesecurity.com>
Date: Thu, 15 May 2014 23:30:01 +0000
To: Goldsen, Marc <MGoldsen@udalllaw.com>; SUE HILL <suehill774@aol.com>; neilokleinman@yahoo.com <neilokleinman@yahoo.com>

Cc: Rollin, Larry<LRollin@udalllaw.com>; Bill Kirchner (bkirchner@qwestoffice.net)<bkirchner@qwestoffice.net>; Richard Jones (joneslaw@cox.net)<joneslaw@cox.net>; sweiss@karpweiss.com<sweiss@karpweiss.com>; Carol A. Severyn (cseveryn@qwestoffice.net)<cseveryn@qwestoffice.net>; Joe F. Tarver (jftarver@mindspring.com)<jftarver@mindspring.com>; Gretchen Cochran<gretchen.cochran@titlesecurity.com>; Rollin, Larry<LRollin@udalllaw.com>
Subject: RE: Prince Road Parcel A legal

Mr. Settlemeier created a survey for the parcels.

That was created in April of 2010.

Parcel A was basically 300.06 wide (East and West) by 480.33 long (North and South).

Parcel B was 300.47 wide (East and West) by 434.64 long (North and South).

Parcel B had a 15 foot strip running from the North line of Parcel B to Prince Road.

..

*Parcel A / 12150 East Prince Road
Request for Zoning Variance
May 20, 2014*

APPENDIX 11

Goldsen, Marc

From: Goldsen, Marc
Sent: Sunday, May 18, 2014 4:14 PM
To: Joe Tarver
Cc: Jeffrey Malone; SUE HILL; Neil Kleinman; Rollin, Larry; Bill Kirchner (bkirchner@qwestoffice.net); Richard Jones (joneslaw@cox.net); Steve Weiss; Carol A. Severyn (cseveryn@qwestoffice.net); Gretchen Cochran
Subject: Re: Prince Road Parcel A legal

Even if that's the case (which would then likely call for an equitable reformation of the original deed of Parcels B and C, anyway), Donna was still identified as the sole Grantee. Her ex-husband's name and signature are found nowhere on any of the closing documents for Donna's original acquisition of Parcels B and C. Subject to the title company's sign-off on insurability of course, I think this proposed solution should still work.

Regards,

Marc
Sent from my Verizon Wireless BlackBerry

-----Original Message-----

From: Joe Tarver <jftarver@mindspring.com>
Date: Mon, 19 May 2014 01:00:36
To: Goldsen, Marc <MGoldsen@udalllaw.com>
Cc: Jeffrey Malone <jeffrey.malone@titlesecurity.com>; SUE HILL <suehill774@aol.com>; Neil Kleinman <neilokleinman@yahoo.com>; Rollin, Larry <LRollin@udalllaw.com>; Bill Kirchner (bkirchner@qwestoffice.net) <bkirchner@qwestoffice.net>; Richard Jones (joneslaw@cox.net) <joneslaw@cox.net>; Steve Weiss <sweiss@karpweiss.com>; Carol A. Severyn (cseveryn@qwestoffice.net) <cseveryn@qwestoffice.net>; Gretchen Cochran <gretchen.cochran@titlesecurity.com>
Subject: Re: Prince Road Parcel A legal

Sorry, Marc, she was married. She misstated her marital status.

Joe

Joe F. Tarver
JOE F. TARVER, P.C.
4710 N. Caida Place
Tucson, Arizona 85718

Office - (520) 318-0800
Cell - (520) 405-5325
Email - jftarver@mindspring.com

On May 18, 2014, at 11:16 PM, "Goldsen, Marc" <MGoldsen@udalllaw.com> wrote:

I think I might have found a solution that should work for everyone.

When I last heard from Joe, the primary concern he expressed on Carol Severyn's behalf, with respect to correcting the survey and legal description for the original conveyance from my client to Donna Iman, was that the community

property interest acquired by Donna's ex-husband would make it impossible to quit-claim anything back to the owner of Parcel without the signature of Donna's ex-husband.

I have accordingly reviewed the original closing packet in connection with Donna's acquisition of Parcels B and C. At the time of that acquisition, Donna was a single woman, and Donna was the sole Grantee. I therefore believe that she has sole authority to dictate and clarify what she acquired in the first place before the property passed into the marital community.

That being the case, is there any reason Donna cannot, by herself as the sole original Grantee, sign off on a corrective disclaimer deed in connection with her acquisition of Parcels B and C, in order to correct the erroneous Stitzer legal descriptions for Parcels A, B and C in relation to the original acquisition, while at the same time also doing the corrective recording with respect to the C1/C2 split, in order to keep the legal descriptions accurate and in conformity with the proper Settlemyer survey?

Were that to happen, it would be as though Donna originally only acquired the accurately-depicted Parcels B and C, which means that her marital community succeeded only to such accurately-depicted parcels. In the unlikely event her ex-husband comes in and tries to claim any interest in any of the property, the record would clarify that Donna only acquired the accurately-described Parcels B and C, which would restore Parcel A to its acceptable configuration as set forth in the accurate Settlemyer deed, and that any claim by Donna's ex-husband to a community property interest in Parcels B and/or C would be limited to the corrected depictions of such parcels as acknowledged by Donna on the record. I can't imagine the title company having any problem with insuring that.

As such, I propose the following: Two corrective recording packets, the first to be executed by Donna and the original Grantors (I believe Neil Kleinman and Ray Lopez were the signatories) to correct the survey and legal description in connection with Donna's original acquisition of Parcels B and C, and then the second as prepared by Joe to be executed by Donna and Todd t

*Parcel A / 12150 East Prince Road
Request for Zoning Variance
May 20, 2014*

APPENDIX 12

From: Steve Weiss <sweiss@karpweiss.com>
Sent: Tuesday, May 13, 2014 8:05 AM
To: Goldsen, Marc
Cc: Bill Kirchner (bkirchner@qwestoffice.net)
Subject: RE: 12150 E Prince Road Parcel A #500-24238-GC

Marc,

I've been involved in this issue, albeit on the periphery. Bill Kirchner has been more directly involved particularly in communications with Carol. So, I suggest you touch base with him. Frankly, if Carol is not on board I don't know what good it would do to get Donna's signature.

Steve Weiss

Attorney at Law

KARP & WEISS, P.C.

3060 North Swan Rd.

Tucson, Arizona 85712

Ph: (520) 325-4200

Fax: (520) 325-4224

-----Original Message-----

From: Goldsen, Marc [mailto:MGoldsen@udalllaw.com]
Sent: Monday, May 12, 2014 6:23 PM
To: Gretchen Cochran; SUE HILL; Jeffrey Malone; Neil Kleinman; Joe Tarver
Cc: Rollin, Larry; Steve Weiss
Subject: RE: 12150 E Prince Road Parcel A #500-24238-GC
Importance: High

Steve,

Between what Joe Tarver has prepared and the two-page insert the title company has provided to me, I believe the correction documentation is ready to go. If, for some reason, Joe Tarver is unable to proceed through Carol Severyn, the Trustee, would you be able to get Donna Iman to execute where needed in the correction documentation, if I were to forward it to you? I'm hoping it won't come to that, but I'm checking just in case. We really need to get this resolved ASAP.

Thanks,

Marc

Marc Cullen Goldsen, Esq.

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From: Goldsen, Marc
Sent: Monday, May 12, 2014 5:50 PM
To: Gretchen Cochran; SUE HILL; Jeffrey Malone; Neil Kleinman; Joe Tarver
Cc: Rollin, Larry
Subject: Re: 12150 E Prince Road Parcel A #500-24238-GC

Personally, I think we're good to go with the packet Joe Tarver prepared with the Settlemeyer document inserted between pages 2 and 3.

Regards,

Marc

Sent from my Verizon Wireless BlackBerry _____

From: Gretchen Cochran <gretchen.cochran@titlesecurity.com>

Date: Tue, 13 May 2014 00:35:14 +0000

To: SUE HILL<suehill774@aol.com>; Jeffrey Malone<jeffrey.malone@titlesecurity.com>;

mgoldsen@udalllaw.com<mgoldsen@udalllaw.com>; neilokleinman@yahoo.com<neilokleinman@yahoo.com>

Subject: RE: 12150 E Prince Road Parcel A #500-24238-GC

Sue -

The correction documentation is being attorney prepared. I will prepare the conveyance deed once all of this is straightened out and we are in a position to close the escrow.

Gretchen Cochran
Escrow Officer
Title Security Agency of Arizona
6390 E. Tanque Verde Rd.
Tucson, AZ 85715
Phone (520) 885-1600
Direct Phone (520) 618-7417
Direct Fax (520) 901-1271

From: SUE HILL [mailto:suehill774@aol.com]

Sent: Monday, May 12, 2014 5:09 PM

To: Jeffrey Malone; mgoldsen@udalllaw.com; Gretchen Cochran; neilokleinman@yahoo.com

Subject: Re: 12150 E Prince Road Parcel A #500-24238-GC

All,

I have attached the original legal of Parcel A and a survey of Parcel A that I obtained from surveyor Jon Settlemyer this morning. Will the title company please prepare the necessary document/s so we can present them to the representatives for Donna and Todd to sign, per Jeff's email and request below. Please send a copy of the document/s to Marc Goldstein, Neil Kleinman and myself. Thank you for your patience through this process.

Sue ~

Cell: 520.906.4463

-----Original Message-----

From: Jeffrey Malone <jeffrey.malone@titlesecurity.com<mailto:jeffrey.malone@titlesecurity.com>>

To: SUE HILL <suehill774@aol.com<mailto:suehill774@aol.com>>

Cc: Regina Findley <regina.findley@titlesecurity.com<mailto:regina.findley@titlesecurity.com>>

Sent: Thu, May 8, 2014 8:39 am

Subject: RE: 12150 E Prince Road Parcel A #500-24238-GC Hi Sue, with the rerecording of the deed, that will put Parcel A back to its original size, as created by the first survey.

They probably should verify with the surveyor, that the Parcel A has the correct size, and attach a copy of the survey with the original parcel A to the deed.

We will also want both Todd, and Donna, to sign off on the rerecording.