

Notice of Airport in Vicinity

Planning Case Number: _____
(Completed by the City of Phoenix Planning Department)

The owner/developer acknowledges that he/she is aware of the proximity of Phoenix Sky Harbor International Airport (and/or other airports).

We are aware the owner/developer will be required, by stipulation, to notify prospective future owners/occupants of the subject property within the boundaries of a Public Airport Disclosure area.

The disclosure notice to prospective purchasers follows State guidelines set regarding the properties in the City of Phoenix underlying the flight patterns of Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, Phoenix Goodyear Airport, Glendale Municipal Airport, and the Scottsdale Municipal Airport. The Public Airport Disclosure area is defined and prepared in accordance to ARS, Section 28-8486. Copies of pertinent Airport Disclosure Maps are available from the Arizona Department of Real Estate's main office in Phoenix – 2910 N. 44th Street, Suite 100, Phoenix, AZ 85018, or from their web site (http://www.re.state.az.us/PUBLIC_INFO/PUBLIC_INFO.html). These maps are intended to generally depict areas of numerous aircraft overflights (operations).

Properties that are located within the boundaries of a Public Airport Disclosure Area will be subject to overflights of aircraft operating at the Airport. People are often irritated by repeated overflights regardless of the actual sound level at the overflight site. The stipulation should also include the proximity of the development to the nearest airport, operational areas, and conditions as follows:

Phoenix Sky Harbor International Airport is considered a busy large-hub airport. The number of takeoffs and landings at the airport average approximately 1600-1800 each day, but that number will vary and may increase with time. The majority of aircraft takeoffs and landings occur daily between 6:00 a.m. and 11:00 p.m.; however the airport is open twenty-four (24) hours each day, so takeoffs and landings may occur at any hour of the day or night. Altitudes of individual aircraft will vary with meteorological conditions, aircraft performance and pilot proficiency.

Phoenix Deer Valley Airport, Phoenix Goodyear Airport, Glendale Municipal Airport, and Scottsdale Municipal Airport, are considered busy general aviation/reliever airports. Operating hours vary for each airport, takeoffs and landings may occur at any hour of the day or night. Altitudes of individual aircraft will vary with meteorological conditions, aircraft performance and pilot proficiency.

The above mentioned airports have been at their present location for many years and future demand and airport operations may increase significantly in the future.

Flight tracks and traffic patterns may extend several miles beyond the Airport boundary. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to these annoyances can vary from person to person.

When residential and other noise sensitive buildings are constructed within noise contours of 65 DNL or higher, steps should be taken to achieve reduced interior noise levels.

The owner/developer acknowledges receipt of this notice.

SIGNED: _____

DATE: _____

PRINTED NAME: _____

Notice of Airport in Vicinity Instructions for Submittal

Development Customer,

You have received these documents because you are required to disclose that your development site is in defined proximity to an airport.

Attached you will find two templates for your use in completing an airport proximity disclosure notification. The "Notice to Prospective Purchasers of Proximity to Airport" contains wording for the notice that has been approved by City attorneys. You will notice brackets at several locations in the document. Please fill in the appropriate information and delete the brackets. This includes inserting your KIVA project number or zoning case number, as well as the name of your development team leader or zoning planner. This will assure that the recorded document is returned and filed correctly, thereby satisfying your stipulation.

The second template, Legal Description, will be written by you and should be the legal description of your parcel or development. Remove the brackets and everything in between and substitute your legal description. This will be "Exhibit A" as referenced in the airport proximity disclosure notification. You will need to have an authorized representative (owner or developer) sign this document for recordation.

Third, you need to obtain a current Federal Aviation Administration (FAA) map for the relevant airport. These maps can change from time to time as dictated by the FAA. An updated copy of the Airport Disclosure Map is available from the Arizona Department of Real Estate – 2910 North 44th Street, Suite 100, Phoenix, AZ 85018, or from their web site: http://www.re.state.az.us/PUBLIC_INFO/PUBLIC_INFO.html. This will be "Exhibit B" as referenced in the disclosure notification. Please note that the web site changes from time to time, but is always located at the Arizona Department of Real Estate. If it is not at the above link, try drilling down through public information documents from the home page located at: <http://www.re.state.az.us>.

After you assemble these three documents, take them to the County Recorder's office at 111 South Third Avenue, Phoenix, AZ 85003, and have them recorded with your property or your development's Covenants, Conditions and Restrictions (CC&Rs). The Recorder's Office will stamp them and give them a document number. You can then mail this to the address at the top of the disclosure notification, or simply hand carry it, to complete the stipulation of disclosure. When the recorded document appears in the site plan file, your stipulation will be satisfied.

In the event of difficulties:

- 1) Supervisors at the County Recorder's office have indicated that the document must be signed. We have included a signature block on the Legal Description attachment. It is NOT necessary to notarize your disclosure. If you are told that it must be notarized when you attempt to record, the County Recorder's Office suggests that you ask to speak with a supervisor.
- 2) The attached map does not meet legibility requirements per the County Recorder's guidelines. However, supervisors have indicated that it is acceptable for recordation with the Notice because the original map has been recorded by the Airport, and there is an address and web site on the Notice directing a potential purchaser to the information. If you are told that your map is not acceptable, the County Recorder's Office suggests that you ask to speak with a supervisor.

If you need further assistance with these instructions, please contact your team leader or planner.

KIVA Project Number _____

Zoning Case Number _____

When recorded, mail to:
CITY OF PHOENIX
DEVELOPMENT SERVICES DEPT
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Attn: [TEAM LEADER or ZONING PLANNER]

NOTICE TO PROSPECTIVE PURCHASERS OF PROXIMITY TO AIRPORT

All of the real property (the "Property") described in "Exhibit A" attached to this Notice, said Property also to be known as [NAME OF DEVELOPMENT, IF APPROPRIATE], lies within the boundaries of the Public Airport Disclosure area for [NAME OF AIRPORT]. The Property is located approximately [NUMBER OF MILES, SHORTEST DISTANCE] from [NAME OF AIRPORT].

The disclosure notice to prospective purchasers follows State guidelines regarding the properties in the City of Phoenix underlying the flight patterns of [NAME OF AIRPORT]. The Public Airport Disclosure area is defined and prepared in accordance to Arizona Revised Statute, Section 28-8486, and generally depicts areas of numerous aircraft overflights or aircraft operations. As of the date of this filing and attached as "Exhibit B" is the current Public Airport Disclosure Map which provides noise and overflight information. Updated copies of pertinent Airport Disclosure Maps are available from the Arizona Department of Real Estate's main office in Phoenix – 2910 N. 44th St., Suite 100, Phoenix, AZ 85018, or from their web site http://www.re.state.az.us/PUBLIC_INFO/PUBLIC_INFO.html.

Properties located within the boundaries of a Public Airport Disclosure Area will be subject to overflights of aircraft operating at the airport. People are often irritated by repeated overflights regardless of the actual sound level at the overflight site.

Phoenix Sky Harbor International Airport is considered a busy large-hub airport, and one of the busiest airports in the nation. The airport is open twenty-four hours each day, so takeoffs and landings may occur at any hour of the day or night. There are a significant number of takeoffs and landings at the airport and the volume of traffic is expected to increase with time. Altitudes of individual aircraft will vary with meteorological conditions, aircraft performance and pilot proficiency.

Phoenix Deer Valley Airport, Phoenix Goodyear Airport, Glendale Municipal Airport, and Scottsdale Municipal Airport are considered busy general aviation/reliever airports. Operating hours vary for each airport; takeoffs and landings may occur at any hour of the day or night. Altitudes of individual aircraft will vary with meteorological conditions, aircraft performance and pilot proficiency.

The above mentioned airports have been at their present locations for many years. Future demand and airport operations are anticipated to increase significantly in the future.

Flight tracks and traffic patterns may extend several miles beyond the Airport boundary. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to these annoyances can vary from person to person.

When residential and other noise sensitive buildings are constructed within noise contours of 65 DNL or higher, steps should be taken to achieve reduced interior noise levels.

Any questions regarding the content of this Notice can be directed to the City of Phoenix, Aviation Department, Planning Division, at (602) 273-3340.

EXHIBIT "A"

Legal Description

[PLEASE INCLUDE THE LEGAL DESCRIPTION OF YOUR PROPERTY OR PROJECT. THE LEGAL DESCRIPTION MAY BE OF A SINGLE LOT, OR AN ENTIRE SUBDIVISION.]

Printed Name

Date

Title

Company/Organization

Signature