



Development Customer,

You have received these documents because you are required to disclose that your development site is in the defined boundaries of the Phoenix Deer Valley Airport Overlay District.

Attached you will find two templates for your use in completing this notice. The first template is the "Avigation Notice" which contains wording that has been approved by City attorneys. Please insert 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 is the Legal Description which is 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 Avigation Notice. You will need to have an authorized representative (owner or developer) sign this document for recordation.

Third, you need to obtain the current Federal Aviation Administration (FAA) map for the Phoenix Deer Valley 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 Avigation Notice. 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. You may also contact the City of Phoenix Business Customer Service Center at 602-534-2000.

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]

AVIGATION NOTICE

Deer Valley Airport Overlay District

All of the real property (the “Property”) described in “Exhibit A” attached to this Notice lies within the boundaries of the Deer Valley Airport Overlay District. This notice satisfies the requirements of the City of Phoenix Zoning Ordinance Section 658, and is intended to provide clear communication regarding the characteristics of the flight operations in the vicinity of the airport and to provide notice to property owners regarding those activities.

Background

Deer Valley Airport was built in 1960 as a private airfield with a single runway, located in the far northern desert well beyond the city limits. This simple facility had no control tower and very limited amenities. In 1971, the City of Phoenix purchased the 482 acre site. In 1975, a new terminal was constructed and the Federal Aviation Administration (FAA) began directing air traffic. The airport also became home to the Phoenix Police Department who utilize a 12,000 square foot hangar for their citywide helicopter operations. Today, Phoenix Deer Valley Airport is one of the busiest general aviation airports in the country with over 1,200 based aircraft and approximately 400,000 operations per year.

Section 1: Operational Characteristics

Phoenix Deer Valley Airport is one of the busiest general aviation/reliever airports in the United States. 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.

Properties located within the boundaries of the Deer Valley Airport Overlay District 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.

Flight tracks and traffic patterns generally 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 (noise, vibration, or odors, etc). Individual sensitivities to these annoyances vary for each person. Additionally, a substantial amount of aircraft operations originating at the airport are conducted by flight training schools; these training flights tend to remain in circular traffic patterns around the airport and practice touch and go landings.

KIVA Project Number _____

Zoning Case Number _____

Section 2: Deer Valley Airport Master Plan

Phoenix Deer Valley Airport has an airport master plan that is updated periodically. This is available for review at the airport administrative office or on the City of Phoenix website. The master plan provides additional information on future plans for the airport; including development options and long-range airport trends. Note that over the long-term, aircraft operations and the utilization of the airport is expected to increase over time.

Section 3: Public Right of Transit

The property described in Exhibit A is subject to regulations under subparts I, II, and III of part A of subtitle VII of title 49 of the United States Code, including airspace needed to ensure safety in the takeoff and landing of aircraft and the public right of transit through the navigable airspace (49 U.S.C. § 40102(a)(30) and § 40103(a)(b) (as amended) and 14 Code of Federal Regulations Section 91.119.

Section 4: Public Airport Disclosure

The disclosure notice to prospective purchasers follows the State of Arizona guidelines regarding properties underlying the typical flight patterns for Phoenix Deer Valley 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. Attached as “Exhibit B” is the current Public Airport Disclosure Map which provides noise and overflight information. Public 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, currently at:

[http://www.azre.gov/PUBLIC INFO/Airport Maps/Territory in the Vicinity of a Public Airport .html](http://www.azre.gov/PUBLIC_INFO/Airport_Maps/Territory_in_the_Vicinity_of_a_Public_Airport.html)

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