

Civil Engineering Final Plat Review Checklist

DATE:	Plan check No:
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PROJECT NAME: LOCATION:

CIVIL PLAN REVIEWER:

PHONE NO: E-MAIL:

Submittal No.

Standard comments are in black ink, see reviewer comment for additional clarification on reauirement

*(red) denotes additional reviewer comment 1st submittal

(green) denotes additional reviewer comment 2nd submittal *(purple) denotes additional reviewer comment 3rd submittal

The requirements referred to on the checklist can be found in the Chapter 35 (Land Use and Zoning) and Chapter 48 (Subdivision) of the Chandler City Code, and in the City's Zoning Code and Technical Design Manuals.

- 1. The improvement plans must be fully approved before the Final Plat approval.
- 2. Substitute "community association", "property owners association" or "unit owners association" for "homeowners association" where appropriate throughout this checklist, including those items that must appear on final plat. Homeowners association and community association usually apply to a residential development. Property owners association usually applies to a commercial or industrial development. Unit owners association usually applies to a condominium development whether residential, commercial or industrial in keeping with Arizona Revised Statutes, Title 33 - Property, Chapter 9 - Condominiums. The substitutions noted in item 2 also apply to the Covenants, Conditions and Restrictions (CC&R's) and the document that establishes the association.
- The minimum allowable scale is 1" = 100'. Note the scale on each sheet.
- 4. The minimum height of all text and symbols must be 0.1" (one-tenth of one inch) and must be in full density black ink.
- 5. All official seals, stamps and signatures affixed to the final plat must be in dark ink to ensure quality reproduction as required by the Maricopa County Recorder's Office.
- 6. Show the name, address, email and telephone number of the subdivider on the coversheet.

7. Provide the City's log number in lower right-hand margin of all sheets as follows:

C.O.C. Log No.

- 8. Place a key map on the cover sheet showing all tracts, parcels and lots by number or letter. When the plat contains more than two sheets, the key map must define the area covered by each sheet and indicate the sheet number.
- 9. Show the subdivision name on all sheets of the final plat. The plat must be titled as a unique name and then A Final Plat of (name of subdivision, if applicable), on the coversheet. Example:

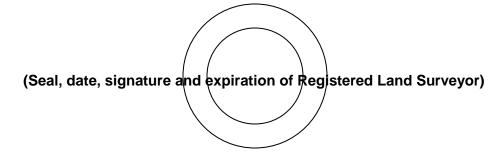
DESERT RANCH VISTA
A FINAL PLAT OF
DESERT RANCH VISTA SUBDIVISION
A PORTION OF THE NORTHEAST QUARTER
OF SECTION 30, T2S, R6E
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

For plats located in part or in total over a previously recorded plat, include the following:

LOVE SHACK LANDING
A RE-PLAT OF LOTS 3-5 OF
TIN ROOF ESTATES
A PORTION OF THE NORTHEAST QUARTER
OF SECTION 30, T2S, R6E
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

- 10. Show a metes and bounds legal description on the final plat, or recorded lot or tract with Maricopa County recording information.
- 11. Show on the coversheet the subdivision location as defined by its section, township, range, principal meridian, county and state.
- 12. Show the north arrow on each sheet.
- 13. Provide a vicinity map on the coversheet. Show the City limits if applicable. City of Chandler, Town of Gilbert, Maricopa County must be labeled, if applicable, where the project site abuts land that has not been incorporated by the City of Chandler.
- 14. Show the gross and net areas of each lot, tract and parcel on the cover sheet.
- 15. Provide a legend on the cover sheet.
- 16. Place the following certification including the name, address and registration number of the registered land surveyor preparing the final plat on the coversheet:

THIS IS TO CERTIFY THAT THIS PLAT IS CORRECT AND ACCURATE AND THE MONUMENTS DESCRIBED HEREIN HAVE EITHER BEEN SET OR LOCATED AS DESCRIBED TO THE BEST OF MY KNOWLEDGE AND BELIEF.



(Name of Registered Land Surveyor) Registered Land Surveyor No. (Street address) (City, State zip code

- 17. Designate all non-arterial median, except those in private streets, as tracts to be maintained by the homeowners association.
- 18. For property that has never been platted, number all lots consecutively beginning with lot number "1". Letter all tracts and parcels consecutively beginning with tract/parcel "A". For all lot line adjustments of previously platted lots, number all new lots consecutively beginning with the lowest lot number and creating new unique lot sequencing. Label exception parcels.

Example:

If re-platting lots 5, 6 and 7 into 2 new lots, they could be renamed lots 5A and 5B or 5A and 6A.

- 19. Note the reservation of tracts or parcels being dedicated to the City with this plat. Also, note their uses.
- 20. Add the following note(s) to the final plat, if applicable:

Construction within utility easements shall be limited to utilities, fences and driveways.

No structures or vegetation of any kind that would impede the flow of water through the easements may be constructed, planted or allowed to grow within drainage easements.

These private streets will remain private and will never convert to public ownership.

21. An easement is dedicated for the exclusive use of water, sanitary sewer or both. Include the following note on the cover sheet or in the easement by separate instrument:

In easements for the exclusive use of water, sanitary sewer or both, only ground cover and bushes are allowed to be planted within the easement area. No trees are allowed.

22. If a property is located within a reclaim water user area and planning has stipulated the use of reclaim for all landscaping, the following note is required on the final plat:

The person(s) holding title to the common area tracts ("titleholder(s)") shall be responsible for irrigation of the common area tracts. The source of irrigation water for the common area tracts shall be reclaimed water ("effluent"), but if reclaimed water is unavailable at the time construction in the subdivision begins, the titleholder(s) shall cause the common area tracts to be irrigated and supplied with water, other than surface water from any irrigation district, through sources consistent with the Arizona law and the rules and regulations of the Arizona Department of Water Resources. Once effluent of the quantity and quality needed to support such common area tracts is available, then the titleholder(s) shall cause effluent to be used to irrigate the common area tracts. At such time as title to the common area tracts is sold or otherwise transferred, in whole or in part, whether to the subdivision homeowners association or to some third party, the titleholder(s) shall also sell or transfer, at the option of the party acquiring title thereto, any water rights or permits held by or in the name of the titleholder(s) benefiting or otherwise applicable to the common area tracts.

- 23. A dedication statement is required on the cover sheet. The dedication must include the following:
 - A. The subdivision location as defined by its by its sections, township, range, county and state.
 - B. The attached specific language for an avigation easement if applicable.
 - C. Statement about all easements shown on the plat:

Easements are dedicated as shown on this plat.

- D. Mention of the r/w dedications to the City of Chandler.
- E. Emergency vehicular access easement across the property dedicate to the City of Chandler.
- F. Maintenance of landscaping statement:

The maintenance of landscaping within the public right-of-way to back of curb shall be the responsibility of the homeowners association or abutting property owner.

G. If items are platted as common property with an undivided interest owned in common by each lot owner, a statement about items maintained by the homeowners association:

All property, amenities and facilities proposed to be maintained by the homeowners association are herewith platted as common property with an undivided interest owned in common by each lot owner.

24. The dedication statement must be signed by the owner or the person authorized to act on behalf of the owner. An acknowledgement statement by a notary public also is required and the following form must be used:

	ACKNOWLEDGEMENT:						
	STATE OF ARIZONA)					
	COUNTY OF MARICOPA)S.S)					
	ON THISDAY OUNDERSIGNED, PERSONAL ACKNOWLEDGED SELF TO THE INSTRUMENT WITH INSTRUMENT FOR THE PURPLE OF THE P	HIN, AND	WHO EXE	CUTED		LIDED	, 10
	IN WITNESS WHEREOF, I H	IAVE HEREUN	NTO SET MY	HAND A	ND OFFIC	AL SEA	\L .
	NOTARY PUBLIC		DATE				
	MY COMMISSION EXPIRES	:	_,20				
25.	If lands dedicated are encum and all holders of each Dee statement by a notary public	d of Trust mu	st sign the ra	tification	. An ackno	wledgen	
	LIEN HOLDER RATIFICATION	ON:					
	KNOW ALL MEN BY THESE	PRESENTS:					
	THAT THE UNDERSIGNED RECORDED IN DKT. NO COUNTY RECORDER, M AFFIRMS, AND APPROVE RECORDED CONCURRENT CONTAINED HEREIN.	ARICOPA CO S THIS PLAT	OUNTY, ARI	, REC ZONA, .ARATIC	ORDS OF I HEREBY ON OF RE	MARICO RATIFI STRICT	OPA IES, ION
	IN WITNESS WHEREOF, TH		NED HAVE S	GNED	THEIR NAM	MES TH	IS_

	BY: (signature of beneficiary	as shown in ti	tle report)		
	ITS	(title)			
	ACKNOWLEDGEMENT:				
	STATE OF ARIZONA)			
	COUNTY OF MARICOPA)S.S)			
	ON THISDAY OF THE UNDERSIGNED, PERSONNEL SELF TO THE INSTRUMENT WITH THE INSTRUMENT FOR THE PURPLE OF THE PU	ΓHIN, AND	WHO EX	ECUTED T	BEFORE ME, , WHO SUBSCRIBED TO HE FOREGOING
	IN WITNESS WHEREOF, I	HAVE HEREU	NTO SET M	Y HAND AND	OFFICIAL SEAL.
	NOTARY PUBLIC		DATE		
	MY COMMISSION EXPIRES	S:	_,20		
26.	Homeowners association acknowledgement statemer required the following form n	nt by a notary			
	HOMEOWNERS ASSOCIA	TION RATIFIC	ATION:		
	BY THIS RATIFICATION _ ELECECTED _ ACKNOWLEDGES THE RE	SPONSIBILIT	_OF_ IES IDENTIF	FIED HEREON	DULY
	SIGNATURE		DATE		
	ACKNOWLEDGEMENT:				
	STATE OF ARIZONA)			
	COUNTY OF MARICOPA)S.S)			
	ON THISDAY OF THE UNDERSIGNED, PERSON ACKNOWLEDGED SELF THE INSTRUMENT WITH INSTRUMENT FOR THE PURPOSE THE P	SONALY APPI O BE THE PE THIN, AND	EARED RSON WHO WHO EX	SE NAME IS	

	NOTARY PUBLIC DATE
	MY COMMISSION EXPIRES:,20
27.	All individuals signing the plat, with the exception of City of Chandler representatives, must have documentation authorizing them to do so
	Any person signing the plat who is not an individual owner signing for oneself, must have authorization to act on behalf of the owner, whether the owner is a partnership, corporation or other entity. Submit a certified copy of resolution by the Board of Directors authorizing the individuals signing the plat to act on its behalf, or submit other signatory evidence. Signatory evidence is often contained in the bylaws of the entity.
28.	Add the following certification to the lower right corner of the cover sheet:
	THIS IS TO CERTIFY THAT IN MY OPINION ALL LOTS, PARCELS AND TRACTS SHOWN ON THIS PLAT CONFORMS TO GOOD LAND PLANNING POLICIES AND ARE SUITABLE FOR THE PURPOSE FOR WHICH THEY ARE PLATTED.
	TRANSPORTATION & DEVELOPMENT DIRECTOR DATE
29.	Add the following certification to the lower right corner of the cover sheet below Transportation & Development Director's certification:
	THIS IS TO CERTIFY THAT ALL ENGINEERING CONDITIONS AND REQUIREMENTS OF THE CITY CODE HAVE BEEN COMPLIED WITH AND THAT THIS SUBDIVISION IS LOCATED WITHIN AN AREA DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO SECTION 45-576, ARIZONA REVISED STATUES.
	CITY ENGINEER DATE
30.	Add the following certification to the lower right corner of the cover sheet below the City Engineer certification:
	APPROVED BY THE COUNCIL OF THIS CITY OF CHANDLER, ARIZONA THIS DAY OF, 20 BY:
	MAYOR DATE
	ATTEST:

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

CITY CLERK	DATE

- 31. If common property is deeded to a homeowners association:
 - A. Add the following note to the cover sheet:

All tracts that will not be conveyed to the City of Chandler and all common property shall be improved in accordance with plans approved by the City of Chandler and shall be conveyed by warranty (or special warranty) deed to the homeowners association. The homeowners association shall be responsible for the maintenance of the common property

B The following statements must appear in the dedication:								
	property for the	and are not dedicated to thuse and enjoyment of etforth in the Declara	ne publi (add na	i c, b me	out are ploof homed	latted wners	as comn associat	n on ion)

- 32. If common property is owned in common with an undivided interest by all lot owners:
 - A. Add the following note to the coversheet.

All tracts that will not be conveyed to the City of Chandler and all common property shall be improved in accordance with plans approved by the City of Chandler and shall be owned in common, with an undivided interest, by all lot owners of this subdivision. The common property shall be included within the scope of the deeds transferring ownership of lots in this subdivision. The lot owners shall be responsible for the maintenance of the common property

B. The following statements must appear in the dedication	on:
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33. The plat must contain a description of lot, parcel and tract monumentation and include the statement in the legend:

To be set at completion of mass grading

34. The basis of bearings given on the plat must be Maricopa County Recorder (MCR) recorded data. Show the appropriate MCR recordation information; e.g., book and page numbers or documentation, docket or instrument number.

- 35. Separate survey ties to two separate section corner, or quarter section quarters, are required. Define the type of monumentation at each tie.
- 36. Extend the subdivision boundary to the monument lines of adjacent streets. In locations where the full r/w has not been previously dedicated by a Final Plat, the plat boundary should extend to the monument line to allow for full r/w dedication. This is to address the case where there may be ownership interest within the area shown as the existing right-of-way.
- 37. Perimeter traverse data for the entire subdivision boundary.
 - A. For tangents this consists of:
 - 1. Bearing.
 - Distance
 - B. For curves this consists of:
 - 1. Raduis.
 - Central angle.
 - 3. Curve length
 - Radial bearings on non-tangent curves.
- 38. The plat boundary shown on the plans must match the boundary described in the title report.
- 39. Boundary closure calculations are required with error of closure for the following:
 - A. Total overall area
 - B. Each lot
 - C. Each tract
- 40. The subdivision is within an Airport Impact Overlay District. An avigation easement is required on the plat.

(Insert owners name here) DOES HEREBY GRANT AND CONVEY TO THE CITY OF CHANDLER, AN ARIZONA MUNICPAL CORPORATION, AN EASEMENT FOR AVIGATION PURPOSES OVER AND ACROSS ALL LOTS, TRACTS AND PARCELS OF SAID SUBDIVISION IN CONNECTION WITH FLIGHTS FROM THREE HUNDRED FIFTY (350) FEET ABOVE THE SURFACE TO AN INFINITE HEIGHT ABOVE THE SAME, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THE LAND, TOGETHER WITH ITS ATTENDANT NOISE, VIRBRATIONS, FLUMES, DUST, FUEL, AND LUBRICANT PARTICLES AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT OR TAKING OFF FROM OR OPERATING AT OR ON (insert THE CHANDLER MUNICIPAL AIRPORT or STALLER AIR PARK), AND THE OWNER (GRANTOR) DOES FUTHER RELEASE AND DISCHARGE THE CITY, FOR THE USE AND BENIFIT OF THE PUBLIC AND AGENCIES OF THE CITY, OF AND FROM ALL LIIABILITY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSON PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER OR IN CONNECTION WITH THE OWNER'S (GRANTOR'S) PROPERTY ABOVE THREE HUNDRED FIFTY (350) FEET, TO AN INFINITE HEIGHT ABOVE SAME, WHETHER SUCH DAMAGES SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, ORTAKING OFF FROM, OR OPERATING AT OR ON THE (insert CHANDLER MUNICPAL AIPORT or STELLAR AIR PARK).

THE GRANTING OF THIS AVIGATION EASEMENT AND RELASE DOES NOT RELIEVE THE OWNER AND OPERATORS OF AIRCRAFT FROM LIABILITY FOR DAMAGES OR INJURY TO PERSONS OR PROPERTY CAUSE BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HERIN WITH RESPECT TO NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES.

THIS AVIGATION EASEMENT AND RELEASE SHALL BE BINDING UPON SAID OWNER (GRANTOR) AND THEIR HEIRS, ASSIGNS AND SUCCESSORS IN INTEREST TO ALL LOTS, TRACTS, AND PARCELS IN THE SAID SUBDIVISION AND THE STATEMENT OF RELEASE SHALL BE A COVENANT RUNNING WITH THE LAND.

41. City Council has stipulated that an avigation easement is required on the plat because the subdivision is within a Potential Airport Influence Area, though not with the Airport Impact Overlay District. Specific language for the avigation easement is attached. Only if the City Council stipulation above applies, display the following statement on the cover sheet in large text:

This property is within the (insert Chandler Municipal Airport or Stellar Air Park) Potential Airport Influence Area and is subject to aircraft noise and overflight activity, and is encumbered by an avigation easement granted to the City of Chandler.

- 42. Street geometrics must match those shown on the approved preliminary plat.
- 43. Cul-de-sac/turn around geometrics must meet City standards.
- 44. Triangular property line corner cutoffs are required at all alley intersections with another alley. A 10' x10' triangular cutoff is required at each corner of a 3-leg and 4-leg intersections. Triangular cutoffs at the intersection of an alley with a street are required where requested by the City.
- 45. Triangular property line corner cutoffs are required at all street intersections. A 20' x 20' triangular cutoff is required along arterial streets and where a major or primary collector street intersects another major or primary collector street. A 15' x 15' triangular cutoff is required at all other street intersections.
- 46. Show on the plat visibility easements based on a 30' x 30' sight visibility triangle. They must comply with Figure 5 in <u>Technical Design Manual 4 Street Design and Access Control</u>. Include a sight visibility easement detail similar to Figure 5 on the plat. In the detail, the area actually encompassing the visibility easement must be labeled as such

and not as a visibility triangle; the easement is not triangular. The visibility easement, to which the detail applies, on the map sheets of the plat must include reference to the detail. Visibility easements with or located by bearings, distance and curve data, as applicable, must be shown on the plat and must comply with Standard Details C-246, C-248.

- A. Intersections (30' x 30' sight visibility).
- B. Corner lot
- C. Key lot.
- D. Show the following note on plat in lieu of any other note shown in the items referenced above.

Visibility easements restrictions: Any object, wall, structure, mound or landscaping (mature) over 24" in height is not allowed within the easement except trees trimmed to not less than 6' above ground. Trees shall be spaced not less than 8' apart.

- 47. Show 1' vehicular non-access easement (VNAE) on the plat at the following locations:
 - A. Lot abutting a retention basin.
 - B. Lot abutting perimeter street right-of-way.
 - C. Lot abutting a tract.
- 48. Show an 8' PUE adjacent to all streets.
- 49. Show all street centerline and property (parcel, tract, lot) line survey data.
 - A. For tangents this consist of
 - 1. Bearing
 - 2. Distance
 - 3. Total block length
 - B. For curves this consists of:
 - 1. Radius
 - 2. Central angle
 - 3. Arc length
 - 4. Radial bearings on non-tangent curves for street centerlines.
 - Radial bearing on non-tangent curves or curve data for sub-arc measured to the intersecting line for parcel or tract boundary line.
 Only the sub-arc length is required where a lot line intersects a street right-of-way.
- 50. Curvilinear back lot lines are discouraged. Every effort must be made to avoid them.
- 51. Show on the plat the names of all adjacent subdivisions and other land divisions, along with the corresponding MCR recordation information and the property lines that intersect the subdivision boundary. Identify unsubdivided property.

- 52. Match street names to those shown on the approved preliminary plat.
- 53. Show and label on the plat all easements, e.g. drainage, utility, vehicular non-access, etc., being dedicated with this plat.
- 54. Additional right-of-way is required.
- 55. The street construction centerline and the monument line are not the same. The proposed right-of-way dedication must comply with the approved transportation plan.
- 56. Show and label on the plat all existing easements and right-of-way within the plat boundary, as well as the existing easements and rights-of-way to the monument lines of adjacent streets, along with the corresponding MCR recordation information.
- 57. Easements must be abandoned and the following items apply
 - A. A letter from the utility company agreeing to the abandonment is required.
 - B. A legal description and MCR recordation is required.
 - C. The following statement is required above the Mayor's approved block on the plat

By acceptance of this plat, the City of Chandler agrees to the vacation or abandonment of the easements described or shown hereon as being vacated or abandoned.

- 58. Existing right-of-way must be abandoned and the following items apply:
 - A. The City Engineer must approve the abandonment.
 - B. The City Attorney must approve the abandonment
 - C. A vacation plat must be prepared by an RLS for approval by City Council by Ordinance
 - D. A filing and appraisal fee must be paid.
 - E. The following certification is required on the cover sheet of all vacation plats:

		D ABANDONMENT HE CITY OF CHAND		
NO		ON	20	
BY:				
	MAYOR		DATE	
ATTE	ST:			
	CITY CLERK	-	DATE	

59. An easement or right-of-way dedication is required by separate instrument. See attached checklist for processing separate instruments and submit a complete package of all items listed.

- 60. Submit a current title report, not older than six months, title report and a copy of all items listed in Schedule B pertaining to easements, right-of-way and CC&R's requested by the City:
 - A. Include in the metes and bounds legal description all land being platted and all land to adjacent monument line.
 - B. The title report must disclose all holders of rights, title or interest in all existing wells within the platted boundary of this subdivision
 - C. The report must be on the current condition of title not as it will exist after the final plat is recorded
- 61. Submit CC&R's that comply with Chapter 40 of the City Code, as amended by Ordinance No. 3317 and Ordinance No. 3263. Please include a coversheet with the CC&R's depicting the section(s) each item below is addressed in within the CC&R's:
 - A. CC&R's are not generic CC&R's but are those that will actually be recorded for the property being platted.
 - B. Common property is free and clear of encumbrances; the developer has not retained any interest in common areas.
 - C. Common property is deeded either to a homeowners association (HOA) or in common to lot owners.
 - D. If an HOA is established:
 - 1. HOA is granted authority to collect maintenance funds.
 - 2. Owners who benefit from common areas are automatically made members of the HOA.
 - 3. HOA must be given enforcement authority.
 - City is authorized to maintain common areas if the HOA, or others, fail to do so and the City is given the right to assess members for expenses.
 - 5. City is given authorization to enter the property to perform maintenance.
 - 6. Forbids the amending of provisions in the CC&R's concerning the City's right to maintain and collect expenses from lot owners.
 - 7. Forbids the dissolving of the HOA unless another entity has agreed to take over maintenance of common areas.
 - E. If HOA is not established, the requirements, noted above must be transferred to the lot owners in common.
 - F. Restrictions on easements or common areas do not conflict with the City's common area intended use of the property.
- 62. Provide an ALTA survey map.
- 63. Provide for review a Phase I Environmental Site Assessment in complying with <u>City of Chandler criteria</u> and ASTM E 1527 (current form) *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.* The Phase I ESA must include a records search for both VEMURs and DEURs.

Submit an original updated Phase I Environmental Site Assessment, naming the City as beneficiary, no older than one hundred and eighty (180) days, with the final plat Mylars at the time of final plat approval

- 64. Provide an 8 ½" x 11" reduction for submittal to City Council. This may normally be done after the second review.
- 65. The final plat must provide private cross access easements for:
 - A. Private potable water.
 - B. Private sanitary sewer
 - C. Fire line.
 - D. Pedestrian access
 - E. Vehicular access
 - F. Drainage

These can either be a blanket easement within the notes on the coversheet or dedicated by separate instrument.

- 66. Coordinate with the City of Chandler Community Services Department for property that will be reserved as a park site or for property other than street r/w that will be conveyed to the City of Chandler either by the final plat or by separate instrument.
- 67. If the property is located south of the monument line of Pecos Road, except those projects in the Ocotillo reclaimed water services area, and planning has stipulated the use of reclaim for all landscape, the following note is required on the final plat

The person(s) holding title to the common area tracts ("titleholder(s)") shall be responsible for irrigation of the common area tracts. The source of irrigation water for the common area tracts shall be reclaimed water ("effluent"), but if reclaim water is unavailable at the time construction in the subdivision begins, the titleholder(s) shall cause the common area tracts to be irrigated and supplied with water, other than surface water from any irrigation district, through sources consistent with the Arizona law and the rules and regulations of the Arizona Department of Water Resources. Once effluent of the quantity and quality needed to support such common area tracts is available, then the titleholder(s) shall cause effluent to be sued to irrigate the common area tracts. At such time as title to the common area tracts is sold or otherwise transferred, in whole or in part, whether to the subdivision homeowners association or to some third party, the titleholder(s) shall also sell or transfer, at the option of the party acquiring title thereto, any water rights or permits held by or in the name of the titleholder(s) benefiting or otherwise applicable to the common area tracts.

Submit a Reclaim Water Use Agreement for those projects south of the monument line of Pecos Road, except those projects in the Ocotillo reclaim water service area.

68. Buy-in is required to be paid before final plat can be approved.