



# TOWN OF FLORENCE

## GENERAL PLAN AMENDMENT PROCESS AND APPLICATION

Community Development Department

P.O. Box 2670

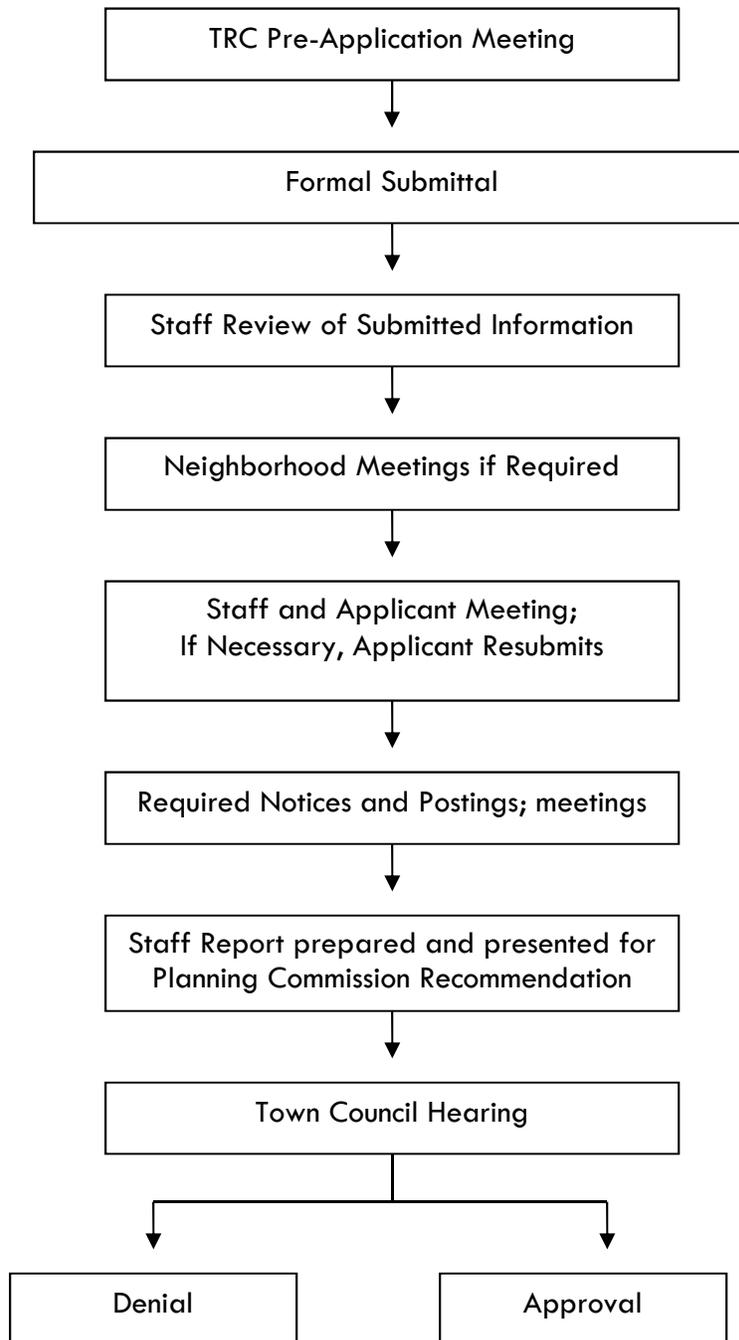
224 West 20<sup>th</sup> Street

Florence, Arizona 85132

(520) 868-7575

[www.florenceaz.gov](http://www.florenceaz.gov)

# TYPICAL GENERAL PLAN AMENDMENT PROCESS



# GENERAL PLAN AMENDMENT APPLICATION PROCEDURES

The following information is provided to assist in the preparation and submittal of an application for a General Plan map or text amendment for property within the Town of Florence.

It is important to note that since an amendment may affect the entire community, adjacent jurisdictions, schools and public utilities, the analysis of a General Plan Amendment request must be comprehensive in nature and address all potential impacts.

1. **Pre-Application Review Process** – Prior to filing an application for a General Plan Amendment, the applicant must participate in a Pre-Application review meeting with the Community Development Department and Technical Review Committee (TRC).
2. **Application Filing** – For an application to be accepted, the applicant must provide all of the required information described on the submittal checklist at the time of formal submittal. Ensuring the accuracy of the request is the responsibility of the applicant. Applications will not be accepted or processed without an adequate description of the "Request" being submitted. Incomplete applications will not be accepted.
  - a. **Major Amendments** – Applications for Major Amendments to the General Plan will be considered once a year. The Florence 2020 General Plan defines what constitutes a Major Amendment. Submittals are accepted based on the schedule provided in this application.
  - b. **Minor Amendments** – Minor General Plan Amendments include any change to the 2020 General Plan not defined as a Major Amendment. Applications may be filed at any time during the year.
3. **Staff Review** – Upon receiving a complete application, the submitted information will be routed to Town staff and applicable agencies for timely review and comment. After this review is completed, the comments are consolidated and returned to the applicant. The applicant is responsible for addressing staff comments and submitting revised plans.
4. **Neighborhood Meetings** – Neighborhood meetings beyond the required minimum Town hearings may be required for certain General Plan Amendments, as deemed necessary by state statutes and/or the Community Development Director. Applicants will be required to set up and conduct these meetings. Efforts shall be made to encourage public participation. The applicant and Town shall comply with minimum public notification requirements.

5. **Public Notice** – Except for requests limited to text amendments, the applicant will prepare the public notice to mail to surrounding property owners and provide a copy to the Town. The notice requires Town review and approval prior to mailing. The notice for the first public hearing must be mailed by the applicant at least fifteen (15) calendar days prior to the date of the hearing to the following:
- a. All property owners of record within three hundred (300) feet of the site.
  - b. To the owner, if the application is initiated by a person other than the owner; and
  - c. Any person or group who has requested notice in writing.

The Community Development Director may expand the notification area set forth in this section if it is determined that the potential impact of the project extends beyond the required notification boundary. The applicant must submit a signed affidavit of mailing prior to public hearing. Failure of the applicant to provide evidence of mailing will result in a postponement of the public hearing item. The applicant will be charged a fee for the postponement. In the event that the Town handles the mailing, the applicant affidavit of mailing shall not be applicable.

Minor or Major General Plan Amendments initiated by the Town for text changes or more extensive and sometimes, Town-wide, map changes may call for an adjustment of the individual notification process as approved by the Community Development Director.

The Town will send public hearing notices to the local newspaper of general circulation in accordance with State and local requirements.

6. **Property Posting (Sign)** – Notice of Public Hearing for a General Plan Amendment must be posted at least fifteen (15) calendar days prior to the date of each public hearing. The applicant is responsible for posting and maintaining the sign on the property, subject to the following specifications and requirements:
- a. Posting, maintenance, and removal of signs are the responsibility of the applicant;
  - b. Signs should not be removed until after the case is acted upon by the Town Council or, in the case of an application that is withdrawn, not until the withdrawal is officially accepted by the Town;
  - c. The applicant must remove all signs within ten (10) days after final action on the case. If the sign is not removed on time, the Town will remove the sign and charge the applicant a removal fee;
  - d. The signs must comply with the attached sign criteria, except as may be modified by the Community Development Director;

- e. The applicant must submit a signed and dated affidavit of posting, and color photos of the posted signs prior to the public hearing; and
- f. Failure of the applicant to provide evidence of posting could result in a postponement of the public hearing.

Minor or Major General Plan Amendments initiated by the Town for text changes or more extensive and sometimes, Town-wide, map changes may call for an adjustment of the sign posting requirements as approved by the Community Development Director.

**7. Public Participation Plan for Town-Initiated Application**

The Town may choose to develop a unique Public Participation Plan (PPP) for Town-initiated applications, particularly in the case of Major General Plan Amendments. Items in a PPP used by the Town could include a combination of public meetings, open houses, presentations, workshops, signs, display advertisements and other notification and participation methodologies/tools so long as minimum set State criteria is met.

- 8. **Staff Reports** – After the staff comments have been addressed and the project has been scheduled for the public hearings, the Community Development Department will prepare reports describing and evaluating the proposed project and making recommendations to the Planning and Zoning Commission and Town Council. Copies of the staff reports will be made available to the public and sent to the applicant prior to each public hearing.
- 9. **Planning and Zoning Commission Hearing** – The Planning and Zoning Commission will conduct at least one public hearing for a Minor General Plan Amendment and at least two public hearings for Major General Plan Amendments. The Planning Commission Major General Plan Amendment hearings schedule is included in this application. Regular meetings are held at Florence Town Hall, 775 North Main Street. The applicant or a project representative should be present at the hearing. Upon hearing the case, the Commission may forward a recommendation for approval, approval with modifications, or denial of a General Plan Amendment request to the Town Council. For General Plan Amendments, a tied vote shall be considered a recommendation for denial. The Commission may continue/table a Minor General Plan Amendment case as deemed necessary.
- 10. **Town Council Hearing** – Regular Town Council hearings occur on the first and third Monday of each month at 6:00 p.m. and are held in the Council Chambers, 775 North Main Street. The applicant or project representative must be present at the hearing. The Town Council will approve, approve with modifications and/or conditions, or deny the application. Approval of any Major General Plan amendment requires an affirmative vote by at least two-thirds of the members of the Council.

11. **Withdrawals** – A General Plan Amendment application that has been acted upon by the Planning and Zoning Commission may not be unilaterally withdrawn by an applicant/property owner after such action has occurred. The Town Council shall vote on whether to accept or not accept a request to withdraw an application. If the request for withdraw is not accepted, the matter shall move forward through the Town Council’s General Plan Amendment Public Hearing process.
  
12. **Inactive Cases** – All applications need to be actively pursued to a decision. If no activity has occurred on an application for 180 days, the application will be determined to be inactive, deemed to be withdrawn and the file will be closed. At least thirty (30) days prior to that date the staff will notify the applicant in writing. The applicant may submit a written request that the application remain active, with an explanation for the inactivity. The Community Development Director may grant an extension for up to 180 days for good cause if there is a reasonable belief that the application will be actively pursued during the extension period.

# GENERAL PLAN AMENDMENT TYPICAL MINIMUM CONTENT REQUIREMENTS

## 1. Project Narrative

- Description of proposed General Plan changes;
- If a Text Amendment, a detailed explanation of the proposed text changes;
- Explanation on how the proposed change is compatible with adjacent properties and other elements of the General Plan;
- An analysis/assessment of how the proposed amendment will impact the overall balance and mixture of land uses within the Town's Planning Area; and
- Explanation on the availability of public utilities and services.

## 2. Land Use or Circulation Exhibit

- Vicinity Map;
- Scale, north arrow, and dimensions;
- Existing roadways;
- Table indicating proposed roadway classifications.
- Proposed land use classification boundaries;
- Adjacent land use classifications within 300 feet;
- Project Data Table:
  - Gross acres;
  - Current and proposed General Plan Classification(s); and
  - Percent of total acreage in each land use classification.

## 3. Market Study (if applicable)

The Town may require a market study to be performed to evaluate the economic and fiscal impact of the proposed amendment on the Town and other land uses. Market studies will be the financial responsibility of the applicant and contracted by the Town to ensure objectivity.

# NARRATIVE STATEMENT/PROJECT JUSTIFICATION

A narrative is required for Town evaluation of all proposed General Plan Amendments. At a minimum, the narrative must address the following questions:

1. Why is the current land use/circulation classification not suitable?
2. Does the proposal conform with land use goals? Will the proposed change in land use or circulation do the following:
  - a. Support the goals and policies of the General Plan;
  - b. Conform to the proposed range of land uses, densities, and intensity of uses, hierarchy of transportation systems; and
  - c. Avoid creation of isolated uses that will cause incompatible community form and a burden on services and circulation systems?
3. What unique physical characteristics of the site present opportunities or constraints for the development under the existing classification?
4. What is the ability and capacity of the water and sewer system to accommodate development that may occur as a result of the General Plan Amendment without system extensions or improvements?
5. What is the ability of existing police and fire department personnel to provide adequate emergency services according to acceptable response standards set by the community?
6. What is the ability of the proposed public and private open space, recreation, schools, and library facilities to meet the projected demand of future development without reducing services below community standards?
7. What is the proposed fiscal impact of future development based on evaluation of projected revenues and the additional cost of providing public facilities and services to accommodate projected increases or decreases in population and development that could occur as a result of the General Plan Amendment?
8. How will the proposed amendment affect the ability of the community to sustain the physical and cultural resources, including air quality, water quality, energy, natural and human-made resources necessary to meet the demands of present and future residents?
9. What changes, if any, in Federal or State laws or policies substantiate the proposed amendment?

# GENERAL PLAN AMENDMENT CHECKLIST

REQUIRED MATERIALS	Applicant Checklist	Staff Verification
<b>Application</b>		
<b>Fee</b> Please review the fee schedule for applicable fees (all fees are Non-Refundable).		
<b>Project Narrative</b>		
<b>Owner's Authorization Form</b>		
<b>4 copies – Traffic Impact Analysis</b> (if required by Traffic Engineer)		
<b>Market Study</b> (if required by the Town)		
<b>Legal Description</b> (Metes and bounds description required for unplatted property) including total gross acreage, sealed and signed by a registered engineer or surveyor (8.5" x 11")		
<b>Pinal County Assessor Parcel Map</b> (8.5" x 11") (Highlight project area and provide parcel numbers)		
<b>Documentation of the Neighborhood Meeting including (as applicable and requested):</b>		
A typed listing of persons that attended the meeting Including their names, addresses, and telephone numbers.		
Minutes of the meeting addressing neighborhood concerns, topics discussed, and how the applicant addressed such concerns.		
Copy of the letter notifying property owners of the meeting.		
<b>Land Use or Circulation Exhibit</b> (N/A for text amendments; copy types and quantities subject to change):		
Initial 10 copies – Blueline, blackline or color prints (24" x 36") folded to approximately (9" x 12")		
Initial 10 copies – 11" x 17" versions of above noted exhibit		
1 copy – (8.5" x 11") laser print or photo reduction (photocopy of color rendered plan not acceptable)		

1 copy – (8.5" x 11") PMT (Photo Mechanical Transfer) must be submitted following an initial staff review, but prior to scheduling the item for a Planning Commission agenda. PowerPoint or alternative exhibits may be substituted.		
<b>Neighborhood Notice</b> (Where applicable; N/A for text amendments):		
A parcel map highlighting properties within 300 feet.		
Typed names and addresses of all property owners identified on highlighted parcel map.		

**STAFF TRANSMITTAL (Potential list of application recipients)**

- |   |   |
|---|---|
| <input type="checkbox"/> Florence Administration        | <input type="checkbox"/> Florence Unified School District |
| <input type="checkbox"/> Florence Community Development | <input type="checkbox"/> Bureau of Land Management        |
| <input type="checkbox"/> Florence Public Works          | <input type="checkbox"/> City of Coolidge                 |
| <input type="checkbox"/> Florence Parks and Recreation  | <input type="checkbox"/> City of Eloy                     |
| <input type="checkbox"/> Florence Fire                  | <input type="checkbox"/> CAG                              |
| <input type="checkbox"/> Florence Police                | <input type="checkbox"/> Arizona State Land Department    |
| <input type="checkbox"/> Pinal County                   | <input type="checkbox"/> Arizona Department of Commerce   |
| <input type="checkbox"/> Town of Queen Creek            | <input type="checkbox"/> MAG                              |
| <input type="checkbox"/> Gila River Indian Community    |   |
| <input type="checkbox"/> Tohono O'odham Indian Nation   |   |



**OWNER'S AUTHORIZATION FORM**

This sheet must be completed if the applicant is **not** the owner of the property.

I/we, the Undersigned, do hereby grant permission to: \_\_\_\_\_

to act on my/our behalf for the purpose of obtaining one or more of the following: Annexation, General Plan Amendment, Planned Unit Development, Zone Change, Conditional Use Permit, Design Review, Preliminary/Final Plat and/or other below-noted application on the following described property:

\_\_\_\_\_

Owner(s)

\_\_\_\_\_

Signature

\_\_\_\_\_

Print or Type Name

Address

\_\_\_\_\_

\_\_\_\_\_

Telephone

\_\_\_\_\_

STATE OF ARIZONA )

) ss

County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that \_\_\_\_\_ executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

\_\_\_\_\_

Notary Public

# POSTING REQUIREMENTS

Florence Code requires posting of a sign (or signs) announcing a Public Hearing regarding certain land-use actions a minimum of fifteen (15) days before the date of the Hearing. These actions include General Plan Amendments, Conditional Use Permits, Special Use Permits, Rezoning and Variance Requests. It shall be the responsibility of the applicant to erect and maintain the sign on the subject property as well as maintain the current public hearing information on the sign until formal decision of the case has been made by Town Council. It shall also be the responsibility of the applicant to remove the sign after final disposition of the case. The attached Affidavit of Sign Posting must be provided to the Community Development Department within twenty-four (24) hours of the posting. A general sign format to follow is provided below.

	<b>TOWN OF FLORENCE</b>	<b>]- 3"</b>
	(Planning & Zoning) or (Town Council)	<b>]- 3"</b>
	Public Hearing Notice	<b>]- 4"</b>
	<b>(space)</b>	
<b>3" -[</b>	(Action Requested)	
	<b>(space)</b>	
<b>2" -[</b>	(Project description and location)	
	<b>(space)</b>	
<b>2" -[</b>	(Time of Hearing),	<b>]- 2"</b>
<b>2" -[</b>	(Date of Hearing),	<b>]- 2"</b>
	775 North Main	More Information: Town of Florence Community Development Department
<b>2" -[</b>	Street	<b>]- 2"</b>
<b>2" -[</b>	Florence, Arizona	<b>]- 2"</b>
	520-868-7575	

- Contact the Community Development Department regarding number and placement of signs.
- Body of sign to be brilliant yellow and lettering to be black.
- Minimum Sign dimensions shall be 4' X 8' with lettering as noted above.
- Minimum height of sign shall be at least 6 feet from finished grade to the top of the sign.
- Sign shall be made of generally weather resistant material.
- Placement and maintenance of sign is applicant's responsibility.
- Applicant must post sign at least 15 calendar days prior to the hearing date.
- Applicant must remove sign within 10 working days of final action.
- The Community Development Director may allow changes to sign format so long as all sign content requirements are met.

# AFFIDAVIT OF SIGN POSTING

Applicant Name: \_\_\_\_\_

Project Name/Location: \_\_\_\_\_

I confirm that the site has been posted as required by Town of Florence Community Development Department. A picture of the sign(s) posted on the subject site has also been submitted.

\_\_\_\_\_  
Applicant/Representative Signature

\_\_\_\_\_  
Date

STATE OF ARIZONA                    )  
  )  
County of \_\_\_\_\_ )            ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that \_\_\_\_\_ executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

\_\_\_\_\_  
Notary Public

**Please return completed notarized affidavit and picture to the Community Development Department within forty-eight (48) business hours of the posting.**

# **MINOR GENERAL PLAN AMENDMENT PLANNING AND ZONING COMMISSION**

## ***2017 MEETING SCHEDULE***

Minor General Plan Amendments will be heard and acted upon by the Planning and Zoning Commission at one of their regularly scheduled meetings that occur on the first and third Thursday of the month. Meetings are held in the Town Hall Council Chambers (775 N. Main St.) starting at 6:00 p.m. Meeting dates, times, and/or locations may be changed if deemed necessary by the Town. Proper notice of such changes will be provided.

All meetings of the Planning and Zoning Commission are open to the Public.

Complete applications and fees are due to the Community Development Department by 12:00 p.m. (noon) on the deadline date.

Scheduling of your request for consideration by the Planning and Zoning Commission is contingent upon receipt of a complete application. Additional factors, such as review periods and minimum public notification requirements, will determine when your request is heard by the Planning and Zoning Commission. The applicant will be notified of their application's status.

A pre-application meeting with the Town's Technical Review Committee is required for most development applications. Applicant must set a meeting time with the Community Development Department prior to the submittal deadline.

A separate Planning and Zoning meeting schedule is provided for the consideration of Major General Plan Amendments.

# MAJOR GENERAL PLAN AMENDMENT PLANNING AND ZONING COMMISSION

## 2017 MEETING SCHEDULE

Special meeting dates, times and locations have been set for the consideration of Major Amendments to the Town's General Plan by the Planning and Zoning Commission as stated below. Meeting dates, times, and/or locations may be changed if deemed necessary by the Town. Proper notice of such changes will be provided.

All meetings of the Planning and Zoning Commission are open to the Public.

The following is the 2017 Planning and Zoning Commission meeting schedule for Major General Plan Amendments (contact the Town Clerk for Town Council meeting information):

**Submittal Deadline**

**May 1, 2017**

**\*First Meeting Date:**

**September 21, 2017**

**\*Second Meeting Date:**

**October 5, 2017**

**Town Council Meeting:**

**November 6, 2017**

Complete applications and fees are due to the Community Development Department by 12:00 p.m. (noon) on the deadline date.

Scheduling of your request for consideration by the Planning and Zoning Commission is contingent upon receipt of a complete application. The applicant will be notified of their application's status.

A pre-application meeting with the Town's Technical Review Committee is required for Major General Plan Amendment applications. If you are submitting for a Major General Plan Amendment the applicant must set a meeting time with Community Development Department prior to the submittal deadline. Application materials will be distributed to meet 60-day review and comment requirements. \*Two Planning and Zoning Commission meetings are required to promote public participation. The first meeting will be held at a location other than Florence Town Hall unless otherwise noticed by the Town. The second meeting will be held in the Town Hall Council Chambers at 775 N. Main St. unless otherwise noticed by the Town. Both meetings to be held at 6:00 pm unless otherwise noticed. The Town reserves the right to adjust meeting dates, times and/or locations so long as proper notice is provided.

**EXHIBIT B**

**CONSENT TO CONDITIONS/WAIVER FOR DIMINUTION OF VALUE**

WHEN RECORDED RETURN TO:  
FLORENCE TOWN CLERK  
PO Box 2670  
Florence, AZ 85132

**AGREEMENT FOR THE WAIVER OF CLAIMS  
FOR DIMINUTION IN VALUE OF PROPERTY**

This AGREEMENT FOR THE WAIVER OF CLAIMS FOR DIMINUTION IN VALUE OF PROPERTY (the “**Agreement**”) is made in favor of the Town of Florence and is entered into between \_\_\_\_\_, as the owner of the property described herein (the “**Owner**”) and the Town of Florence (“**Town**”) to waive any and all claims for just compensation, including diminution of value that may be based upon action by the Town in response to a request from the Owner. This Agreement is entered into in conformance with A.R.S. §12-1134(I).

**RECITALS**

- A. The Owner is the fee title owner of real property, Parcel No(s) \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ located at \_\_\_\_\_ (the “Property”).
- B. The Owner acknowledges that he/she has made a request to the Town for the application and/or enactment of its land use laws for the development of the Property and is under no compulsion, economic or otherwise, to enter into this Agreement.
- C. Arizona statute A.R.S. section 12-1134 (A) provides that a town must pay just compensation to a land owner, in some cases, if the town approves a land use law that reduces the fair market value of the owner’s property. This law is sometimes referred to as “Proposition 207” or the “Arizona Private Property Rights Protection Act.” (A.R.S. 12-1134, et. seq.)
- D. The Arizona Private Property Rights Protection Act (e.g. A.R.S. section 12-1134(I)) authorizes private property owners to enter into agreements with political subdivisions to waive any claim for diminution in value of their property in connection with any action requested by the property owner.
- E. The Town and the Owner seek to resolve whether the application of the Town’s land use laws to the Property constitutes a “diminution in value” of the Property or other harm entitling Owner, now or in the future, to seek compensation from the Town under the Arizona Private Property Rights Protection Act.

**AGREEMENTS**

NOW THEREFORE, in consideration of the above premises, the promises contained in the Agreement, and for other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, it is agreed as follows:

- 1. The recitals set forth above are true and correct and are incorporated herein by this reference.
- 2. The Owner acknowledges that he/she is aware of the Arizona Private Property Rights Protection Act (A.R.S. 12-1131, et.seq.).
- 3. The Owner acknowledges that he/she has independently determined and believes that the application of the Town’s land use laws to the Property will not reduce the fair market value of the Property.
- 4. The Owner acknowledges that he/she is aware that, as a condition of receiving approvals under the Town’s land use laws, the Town may impose various requirements upon the Property, such as requirements for right-of-way dedications, time limitations for development, and other land use enactments, including, but not limited to zoning ordinance stipulations and conditions.

5. The Owner is the holder of fee title to the real property located at \_\_\_\_\_, Florence, Arizona, (the "Property") which is more fully described in the Owner's application to the Town in Case No. \_\_\_\_\_ and incorporated herein. The Owner agrees that the stipulations and conditions set forth in Case No. \_\_\_\_\_ shall be included as part of the ordinance and/or other application/enactment of Town's land use laws that will be considered by the Town of Florence Town Council. Owner agrees that compliance with the stipulations and conditions set forth in Case No. \_\_\_\_\_ will govern development of the Property. Owner further understands and agrees that stipulations and conditions may be added or modified during the public hearing process and that those stipulations and conditions will be incorporated into this Agreement.
6. The Owner has requested this action because the Owner has plans for the development of the Property that require that application of Town's land use laws to Case No. \_\_\_\_\_. The Owner believes that the Town's application and enactment of land use laws to the Property will increase the value and development potential of the Property, and that this outweighs any rights or remedies that may be obtained under A.R.S. §12-1134 et. seq.
7. The Owner hereby waives and fully releases any and all financial loss, injury, claims and causes of action that Owner may have, now or in the future, for any "diminution in value" and for any "just compensation" under the Arizona Private Property Rights Protection Act based on the Owner's request in Case No. \_\_\_\_\_. This waiver constitutes a complete release of any and all claims and causes of action under the Arizona Private Property Rights Protection Act that may arise out of the Owner's request in Case No. \_\_\_\_\_. By signing this Agreement, the Owner waives any right or claim that may arise under A.R.S. §12-1134, including any claim for the reduction in the value of the Property, as a result of the request, including enactment of any zoning ordinance, in Case No. \_\_\_\_\_.
8. The Owner understands that Town staff may propose, the Planning Commission may recommend and the Mayor and Council may adopt conditions to the requested zoning application(s) that limit the potential development of the Property. The Owner acknowledges that the rezoning and conditions, along with any application or enactment of land use laws by the Town, are a single, integrated legislative approval. The Owner agrees and consents to all conditions that may be imposed. The Owner retains the right to withdraw its request prior to a vote by the Mayor and Council or to decline to implement the necessary requirements to effectuate the land use approvals or enactments if the Owner disagrees with any conditions that are proposed or approved. If the Owner does not withdraw the application, the Owner shall be deemed to have accepted all adopted conditions to the land use request.
9. The Owner hereby agrees to indemnify, hold harmless, pay and defend the Town of Florence, its Mayor and Council members and its officers, officials, representatives, agents and employees, from any and all claims, causes of action, demands, losses and expenses, including reasonable attorney's fees and litigation costs asserted by or resulting, directly or indirectly, in whole or in part, from any of the present owners of any interest in the Property seeking any potential compensation, damages, attorney's fees or costs under the Arizona Private Property Rights Protection Act that they may have based on the Owner's request in Case No. \_\_\_\_\_.
10. This Agreement shall run with the land and shall be binding upon all present and future owners of any interest in the Property. Owner consents to the recording of this Agreement with the County Recorder in which the Property is located.
11. The Owner agrees that, as of the effective date of this Agreement, he/she has received equal protection of the laws and due process of all claims and requests, and has not suffered any compensable regulatory taking (as those terms and their related claims are defined by Arizona state and federal constitutional jurisprudence).
12. The Owner warrants and represents that Owner is the holder of the fee title to the Property.
13. The person who signs this Agreement on behalf of the Owner personally warrants and guarantees to the Town that he/she has legal power to bind the Owner to this Agreement.
14. This Agreement shall be deemed to be made under, shall be construed in accordance with, and shall be governed by the laws of the State of Arizona, without reference to choice of law or conflicts of laws principles thereof.
15. The Owner has had the opportunity to consult with an attorney of the Owner's choice prior to entering this Agreement and enters it fully understanding that the Owner is waiving the rights and remedies as set forth herein.

Upon execution, this Agreement shall be recorded in the Office of the Pinal County Recorder.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Owner: \_\_\_\_\_  
(Name of Individual, Corporation, Partnership, or LLC, as applicable)

Owner: \_\_\_\_\_  
(Name of Individual, Corporation, Partnership, or LLC, as applicable)

By: \_\_\_\_\_  
(Signature of Owner or Authorized Representative, if applicable)

By: \_\_\_\_\_  
(Signature of Owner or Authorized Representative, if applicable)

Its: \_\_\_\_\_  
(Title of Individual Signing in Representative Capacity)

Its: \_\_\_\_\_  
(Title of Individual Signing in Representative Capacity)

State of Arizona )  
 )  
County of \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_ on the basis of satisfactory evidence to be the person who he or she claims to be, and acknowledged that he or she signed the above/attached document.

\_\_\_\_\_  
Notary Public

My Commission expires:  
\_\_\_\_\_

Town of Florence, an Arizona municipal corporation:

By: \_\_\_\_\_  
Community Development Department