

ORANGETREE

A SUBDIVISION OF A PORTION OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

DEDICATION:

STATE OF ARIZONA
COUNTY OF MARICOPA

Know all men by these presents:

That Transamerica Title Insurance Company, a California Corporation, as Trustee and not personally, under its Trust No. 7024, and that Cathedral of Praise, an Arizona Corporation, as Owner of "Tract A", has subdivided under the name of "Orangetree" that portion of the Southeast Quarter of Section 18, Township 1 South, Range 5 East of the G & SRB & M, Maricopa County, Arizona, as shown hereon, and hereby publishes this plat as and for the plat of said "Orangetree" and hereby declares that said plat sets forth the location and gives the dimensions of the lots, streets, tracts, and easements constituting the same, and that each lot, street, and tract shall be known by the number, name or letter that is given to each, respectively on said plat; and that Transamerica Title Insurance Company, a California Corporation, as Trustee, hereby dedicates to the public, for use as such, the streets and easements for public utilities as shown on said plat and included in the above described premises. Other easements are to be provided for the purposes shown hereon.

In witness whereof:

Transamerica Title Insurance Company, a California Corporation, as Trustee, has caused its corporate name to be signed and its corporate seal to be affixed by the undersigned officer, thereunto duly authorized this 6TH day of July, 1979.

For Transamerica Title Insurance Company, a California Corporation, as Trustee:

Roy R. Tannev
ASSISTANT SECRETARY

In witness whereof:

Cathedral of Praise, an Arizona Corporation, as Owner of "Tract A", has caused its corporate name to be signed and its corporate seal to be affixed by the undersigned officer, thereunto duly authorized this 9TH day of July, 1979.

For Cathedral of Praise, an Arizona Corporation:

Greg Rodman
Pastor & President

ACKNOWLEDGEMENT:

STATE OF ARIZONA
COUNTY OF MARICOPA

On this, the 6TH day of July, 1979, before me the undersigned officer, personally appeared Roy R. Tannev, who acknowledged himself to be Assistant Secretary of Transamerica Title Insurance Company, a California Corporation, and acknowledged that he, as Assistant Secretary, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation, as Trustee, by himself, as Assistant Secretary.

In witness whereof: I hereunto set my hand and official seal:

My commission expires: Sept. 27, 1982 Notary Public Barbara Ann

ACKNOWLEDGEMENT:

STATE OF ARIZONA
COUNTY OF MARICOPA

On this, the 9TH day of July, 1979, before me the undersigned officer, personally appeared Greg Rodman, who acknowledged himself to be an Officer of Cathedral of Praise, an Arizona Corporation, and acknowledged that he, as such Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation.

In witness whereof: I hereunto set my hand and official seal:

My commission expires: May 25, 1982 Notary Public Anna M. Root

APPROVALS:

Approved by the City Council of the City of Chandler, Arizona, on this, the 24TH day of MAY, 1979.

By: Jerry Mahell Mayor Attest: Helen McCain City Clerk

I certify that all engineering conditions and requirements of the Chandler Subdivision Code have been complied with.

Douglas Davis 7-10-79
City Engineer Date

I certify that in my opinion all lots shown on the subdivision conform to good land planning policies and are suitable for the purposes for which they were subdivided.

Walter J. Welfer 7-10-79
City Planner Date

BASIS OF BEARINGS:

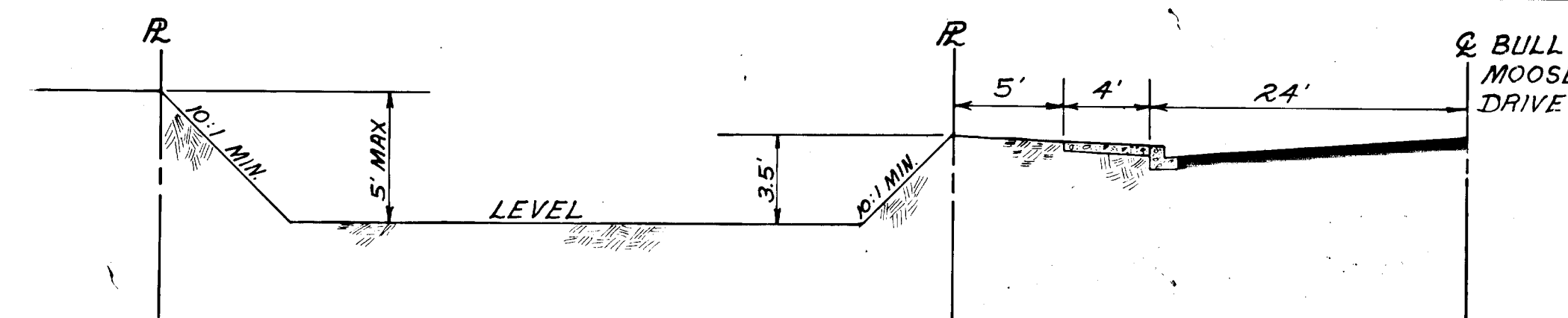
The bearing, N89°59'33"W, of the monumentline of Warner Road, as shown on the map of "Caballeros Ranchitos", as recorded in Book 118 of Maps, Page 31, Records of Maricopa County was taken as the Basis of Bearings for this map.

LEGEND:

- Subdivision Boundary
- Easements for Public Utilities (EPU) or Service Easements (SE.)
- Existing Rights-of-Way or Development
- Monument (Set 1/2" Rebar, unless otherwise noted)
- ⊙ Monument (Fd. 1/2" Rebar, unless otherwise noted)
- 3" SERVICE EASEMENT (TYP) --- Easements to Mountain Bell, Arizona Public Service, & Salt River Project for Telephone, Gas, & Electric Facilities & Other Public Utilities
- 6" x 6" TRANSFORMER EASEMENT (TYP) --- 6" x 6" Transformer Easement (Typ)
- 79 78
- 1' Vehicular Non Access Easement
- 1' V.N.A.E.

BENEFICIARY OF TRUST:

The beneficiaries of the Trust are disclosed in the instrument recorded in Docket 12018 Page 922, M.C.R.



DETAIL "A"

NOT TO SCALE
E & W. X-SECTION OF RETENTION EASEMENT

NOTES:

1. Gross Area 107.399 Acres
2. Number of Lots 280 Lots
3. Construction within utility easements to be limited to utilities and wood, wire, or removable-section type fencing.
4. All communication lines to be constructed underground as required by the Arizona Corporation Commission General Order R-14-2-133.

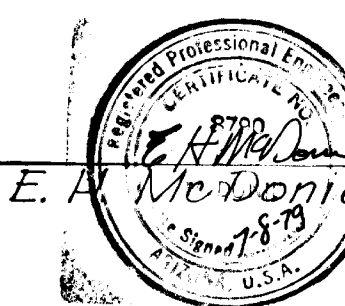
RETENTION EASEMENT COVENANT

An Easement for the Disposal of Storm Water Runoff Subject to the Following Terms and Conditions, Over, Under and Across the Indicated Properties.

Unless Written Authorization has been Granted by the City of Chandler, the Owner(s) of "Tract A" of "Orangetree" Development shall not at any Time Hereafter Fill, Alter or Deviate from "Detail A" of this Plat the Proposed Grades Shown or Reduce the Volume of Storage Required Within the Easement. Nor the said Owner(s) shall not at any Time Hereafter Block, Obstruct or Impede in any Manner the Flow of Water to or Across or Through the Easements or Drainage Structures on said "Tract A" nor shall said Owner(s) Cause or Suffer to be Erected on the Easement Area any Building or Structure. In the Event Damage Results from Violating this Covenant to any Property said Owner(s) Agrees to Repair at His Own Expense All Such Damage. The Owner(s) shall have a Perpetual Obligation to Maintain the Easement Area and/or Structure(s) Described on the Plat to the City of Chandler Standards for Maintenance.

ENGINEER'S CERTIFICATE:

I, E. H. McDonie, hereby certify: that I am a Registered Civil Engineer in the State of Arizona; that this map, consisting of 5 sheets, correctly represents a survey made under my supervision during the month of November, 1978; that the survey is true and complete as shown; that all monuments shown actually exist as shown, that their positions are correct as shown, and that said monuments are sufficient to enable the survey to be retraced.



E. H. McDonie - P.E. 8790 - 7-8-79 Date

STATE OF ARIZONA } ss 250388
County of Maricopa }

I hereby certify that the within instrument was first and recorded at request of

Eng Corp

JUL 11 1979 - 115

in Book 212

on page 22

and may be stored

in the office of the

Sheet 1 of 6 Sheets

Age engineering corporation
4820 N. Black Canyon Highway - Suite 200
Phoenix, Arizona 85017
(602) 249-1893

213-22

2503.88

STATE OF ARIZONA
County of Maricopa } \$5
250.

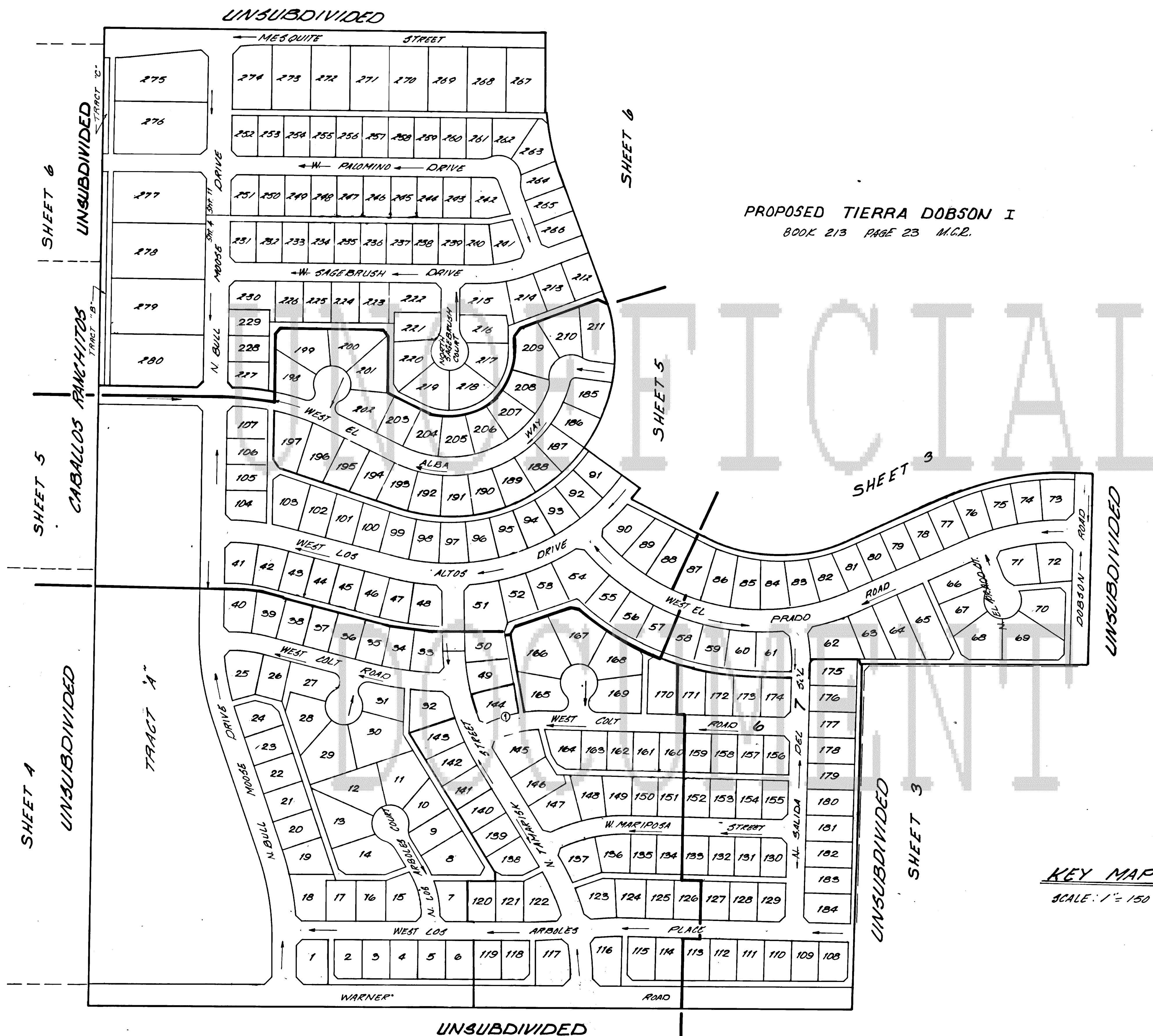
I hereby certify that the within instrument was filed and recorded at request of
Dodge Eng Corp

 JUL 11 1979 - *15*

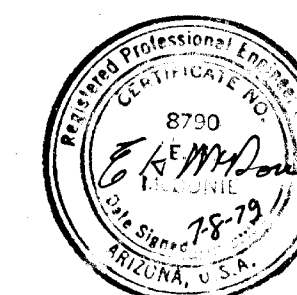
In Book *215*
on page _____

"Witness my hand and official seal the day and year aforesaid"
Bill Arnes

County Recorder
By *R B [Signature]*
Deputy Recorder



KEY MAP
SCALE: 1" = 150'



SHEET 2 OF 6 SHEETS

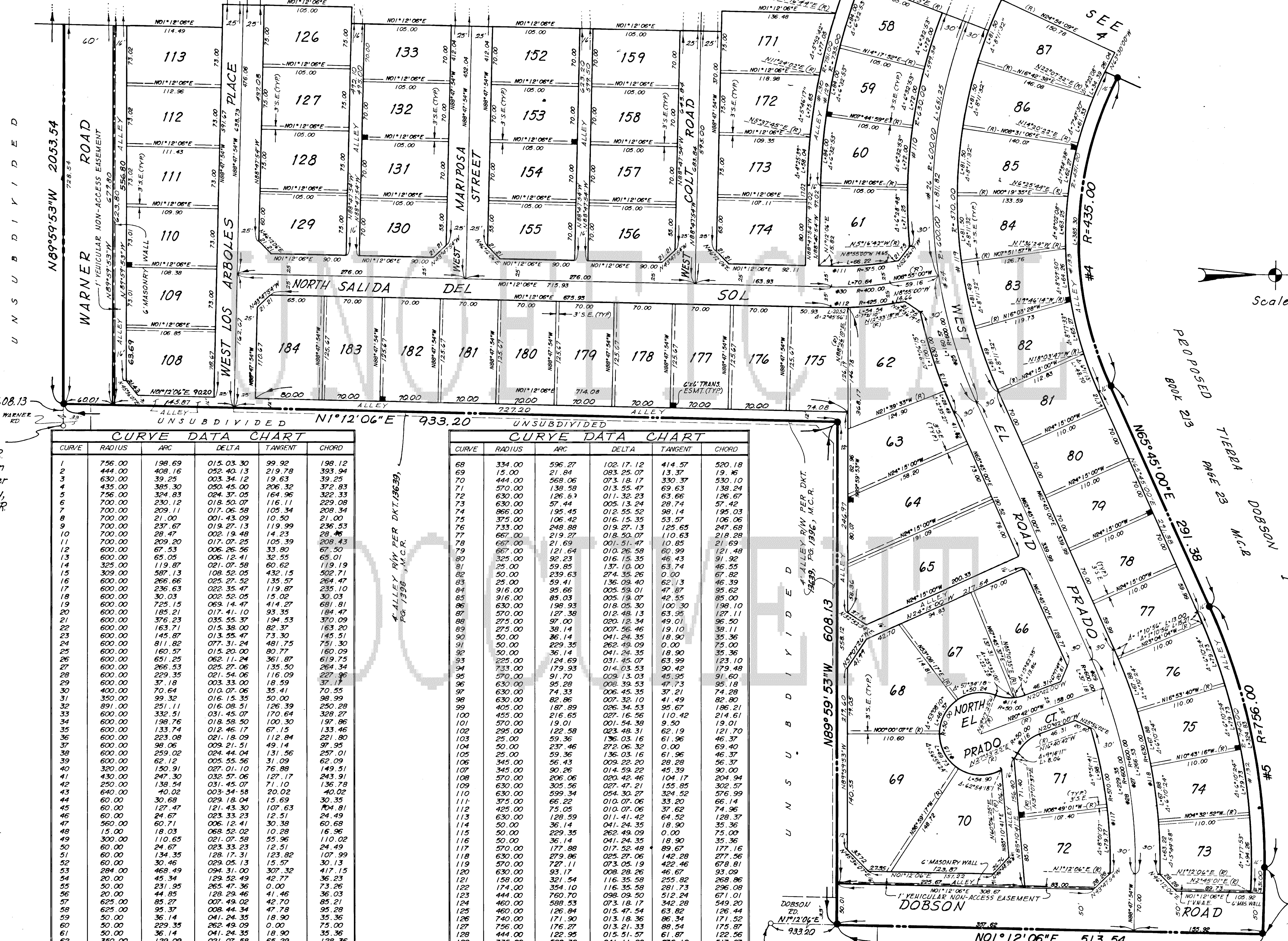
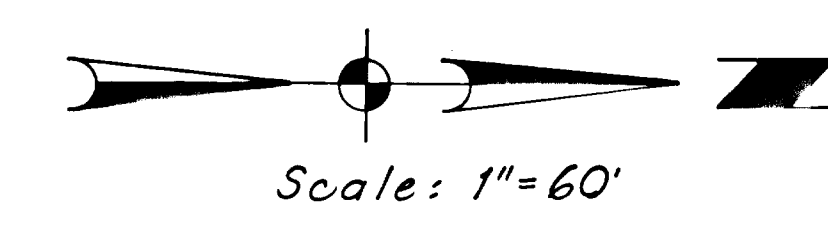
 Sage engineering corporation
4820 n. black canyon highway — suite 200
phoenix, arizona 85017
(602) 249-1893

Estes - "Orangetree" - Final Plat - Job # 77030 - Nov 1978

MATCH LINE SEE SHEET 3

MATCH SHEET LINE SEE 4

STATE OF ARIZONA
County of Maricopa
I hereby certify that the within
instrument was filed and its
contents as required of
Sage Eng Corp
JUL 11 1979 - 11 15
In Book 213
on page 23
Witness my hand and official
seal the day and year aforesaid
Bill Sherry
County Recorder
Deputy



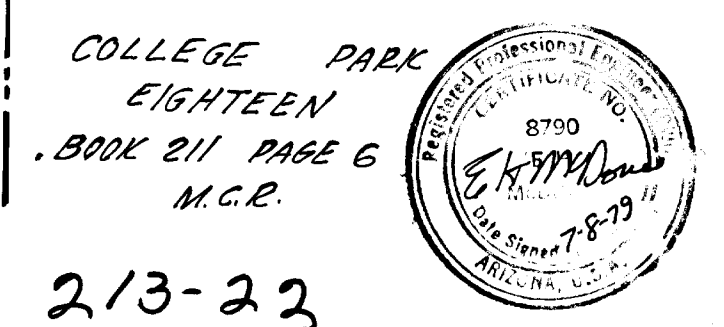
S.E. Cor. Sec. 18
T.1S, R.5E, G.4SR
B & M, Fd Cotton
Parker Spindle per
Record of Survey,
Bk. 198, Pg. 19, M.C.R.

CURVE DATA CHART				
CURVE	RADIUS	ARC	DELTA	TANGENT
1	756.03	198.69	015.03.30	99.92
2	444.00	408.16	052.40.13	219.78
3	630.00	39.25	003.34.12	19.63
4	435.00	385.30	050.45.00	206.32
5	756.00	324.83	024.37.05	164.96
6	700.00	230.12	018.50.07	116.11
7	700.00	209.11	016.50.07	105.34
8	700.00	21.00	001.43.09	10.50
9	700.00	237.67	019.27.13	119.99
10	700.00	28.47	002.19.48	14.23
11	700.00	209.20	017.07.25	105.39
12	600.00	67.53	006.26.56	33.80
13	600.00	65.05	005.12.41	32.55
14	325.00	119.87	021.07.58	60.62
15	587.13	108.52.05	042.15.57	502.71
16	600.00	266.66	025.27.52	135.57
17	600.00	236.63	022.35.47	119.87
18	600.00	30.03	002.52.05	15.02
19	600.00	725.15	063.14.47	381.81
20	600.00	185.21	017.41.10	93.35
21	600.00	376.23	035.55.37	194.53
22	600.00	163.71	015.38.00	82.37
23	600.00	145.87	013.55.47	73.30
24	600.00	81.12	007.31.24	49.17
25	600.00	160.57	015.20.00	80.77
26	600.00	651.25	062.11.24	361.87
27	600.00	266.53	025.27.06	135.50
28	600.00	229.35	021.54.06	116.09
29	600.00	37.18	003.33.00	18.59
30	400.00	101.07.06	35.41.06	52.00
31	350.00	99.32	016.15.35	50.00
32	891.00	251.11	016.08.51	126.39
33	600.00	332.51	031.45.07	170.64
34	600.00	198.76	018.58.50	100.30
35	600.00	133.74	012.46.17	67.15
36	600.00	223.08	021.18.09	112.84
37	600.00	98.06	009.21.51	49.14
38	600.00	259.02	024.44.04	131.56
39	600.00	62.12	005.55.56	31.09
40	320.00	150.91	027.01.10	76.88
41	430.00	247.30	032.57.06	127.10
42	250.00	138.54	031.45.07	71.10
43	640.00	40.02	003.34.58	20.02
44	60.00	30.68	029.18.04	15.69
45	60.00	127.47	121.43.30	107.63
46	60.00	24.67	023.33.23	12.51
47	560.00	60.71	006.12.41	30.38
48	15.00	18.03	068.52.02	16.96
49	300.00	110.65	021.07.58	55.96
50	60.00	24.67	023.33.23	12.51
51	60.00	134.35	128.17.31	123.82
52	60.00	30.46	029.05.13	15.57
53	284.00	468.49	094.31.00	307.32
54	20.00	29.52	129.52.49	42.34
55	50.00	231.95	265.47.36	0.00
56	20.00	44.85	128.29.46	41.46
57	625.00	85.27	007.49.02	42.70
58	625.00	95.37	008.44.34	47.78
59	50.00	36.14	041.24.35	18.90
60	229.35	252.49.09	0.00	75.00
61	50.00	36.14	041.24.35	18.90
62	350.00	129.09	021.07.58	65.29
63	570.00	688.89	063.14.47	393.56
64	630.00	41.58	003.46.54	20.80
65	630.00	95.36	008.40.23	47.77
66	575.00	875.44	008.30.36	47.83
67	575.00	143.85	014.20.02	72.30

4 ALLEY R/W PER DKT. 15639, PG. 1398, M.C.R.

CURVE DATA CHART				
CURVE	RADIUS	ARC	DELTA	TANGENT
68	334.00	596.27	102.17.12	414.57
69	15.00	21.84	083.25.07	13.37
70	444.00	568.06	073.18.17	330.37
71	570.00	138.58	013.55.47	69.63
72	630.00	126.51	011.32.23	63.66
73	630.00	57.44	005.13.24	28.74
74	866.00	195.45	012.55.52	98.14
75	370.00	106.42	016.15.35	53.57
76	733.00	248.88	019.27.13	125.65
77	667.00	219.27	018.50.07	110.63
78	667.00	21.69	001.51.47	10.85
79	667.00	121.64	010.26.58	60.99
80	325.00	91.92	016.15.35	47.87
81	25.00	59.85	137.10.00	63.74
82	50.00	239.63	274.35.26	0.00
83	25.00	59.41	136.09.40	62.13
84	916.00	95.66	005.59.01	47.87
85	916.00	85.03	005.19.07	42.55
86	630.00	198.93	018.05.30	108.10
87	570.00	127.38	012.48.13	63.36
88	275.00	97.00	020.12.34	49.01
89	275.00	38.14	007.56.46	19.10
90	50.00	269.35	041.24.35	18.90
91	50.00	229.35	041.24.35	18.90
92	50.00	36.14	041.24.35	18.90
93	225.00	124.69	031.45.07	63.99
94	733.00	179.93	014.03.53	90.42
95	570.00	91.70	008.13.03	45.95
96	630.00	95.28	008.13.03	47.73
97	630.00	74.33	006.45.35	37.21
98	630.00	82.86	007.32.10	41.49
99	405.00	187.89	026.34.53	95.67
100	455.00	216.65	027.16.56	110.42
101	570.00	19.01	001.54.38	9.50
102	295.00	122.58	023.48.31	62.19
103	25.00	59.36	136.03.16	61.96
104	50.00	237.46	272.06.32	0.00
105	25.00	59.36	136.03.16	61.96
106	345.00	56.43	009.22.20	28.28
107	345.00	90.26	014.59.22	45.39
108	570.00	206.06	020.42.46	104.17
109	630.00	305.56	027.47.21	155.85
110	630.00	599.34	054.32.27	324.52
111	375.00	66.22	010.07.06	33.20
112	425.00	75.05	010.07.06	37.62
113	630.00	128.59	011.41.42	64.52
114	50.00	36.14	041.24.35	18.90
115	50.00	229.35	041.24.35	18.90
116	50.00	36.14	041.24.35	18.90
117	570.00	177.88	017.52.48	89.67
118	630.00	279.86	025.27.06	142.28
119	570.00	727.11	073.05.19	422.46
120	630.00	93.17	008.28.26	46.67
121	158.00	321.54	116.35.58	255.82
122	174.00	296.08	116.35.58	296.08
123	444.00	760.70	098.09.50	512.24
124	460.00	588.53	073.18.17	342.28
125	460.00	126.84	015.47.54	63.82
126	740.00	171.90	013.18.36	86.34
127	740.00	126.84	015.47.54	63.82
128	444.00	122.58	011.41.42	64.52
129	735.00	528.38	041.11.20	276.19
130	751.00	275.55	021.01.20	139.34
131	751.00	187.38	014.17.44	94.18
132	740.00	348.72	027.00.01	177.66
133	451.00	399.48	050.45.00	213.91
134	640.00	16.00	001.25.57	8.00

S.E. Cor. Sec. 18 T.1S, R.5E, G.4SR, B & M, Fd Cotton Parker Spindle per Rec. of Survey, Bk. 198, Pg. 19, M.C.R.



Sheet 3 of 6 Sheets
Sage engineering corporation
4820 N. Black Canyon Highway - suite 200
Phoenix, Arizona 85017
(602) 249-1893

ORANGETREE

STATE OF ARIZONA
County of Maricopa
I hereby certify that the within
instrument was duly and lawfully
recorded at the office of the
County Recorder on the 11th day of
February, 1978, at 11:15 AM.
in Book 213-22
on page 118.
Witness my hand and official
seal the day and year aforesaid.
By *R. R. [Signature]*
County Recorder



S 1/4 Cor, Sec. 18,
T1S, R5E, G4
S.R.B. & M., Fd. 1/2" I.P.,
per Rec. of Survey,
Bk. 198, Pg. 19, M.C.R.



Sheet 4 of 6 Sheets

Age engineering corporation
4820 N. Black Canyon Highway - Suite 200
Phoenix, Arizona 85017
(602) 249-1893

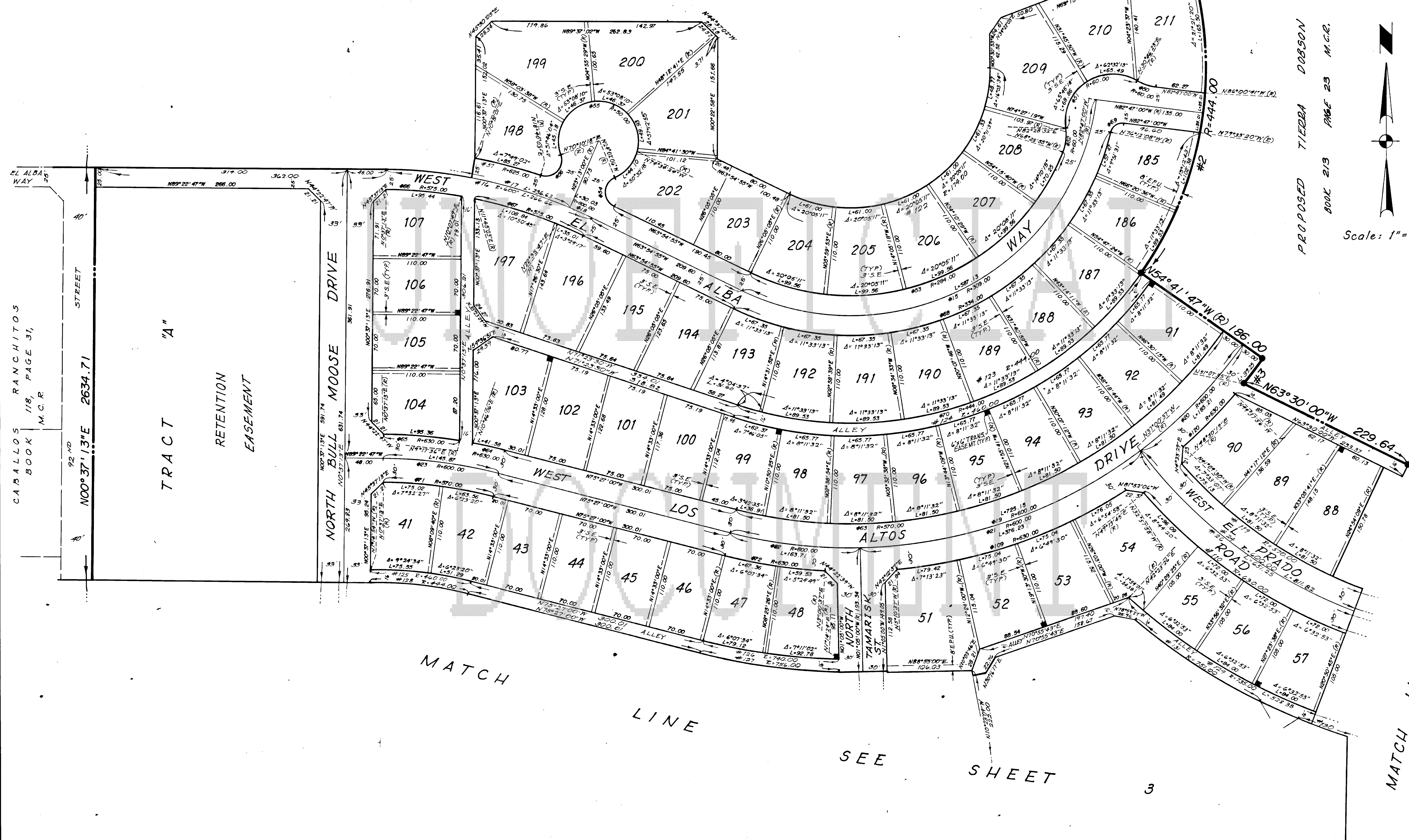
PROPOSED TIERRA DOBSON I
800K 213 0455 23 MCP



Scale: $1'' = 60'$

LINE SEE SHEET 3

ORANGE TREE



Sheet 5 of 6 Sheets

 Sage engineering corporation
4820 n. black canyon highway — suite 200
phoenix, arizona 85017
(602) 249 1893

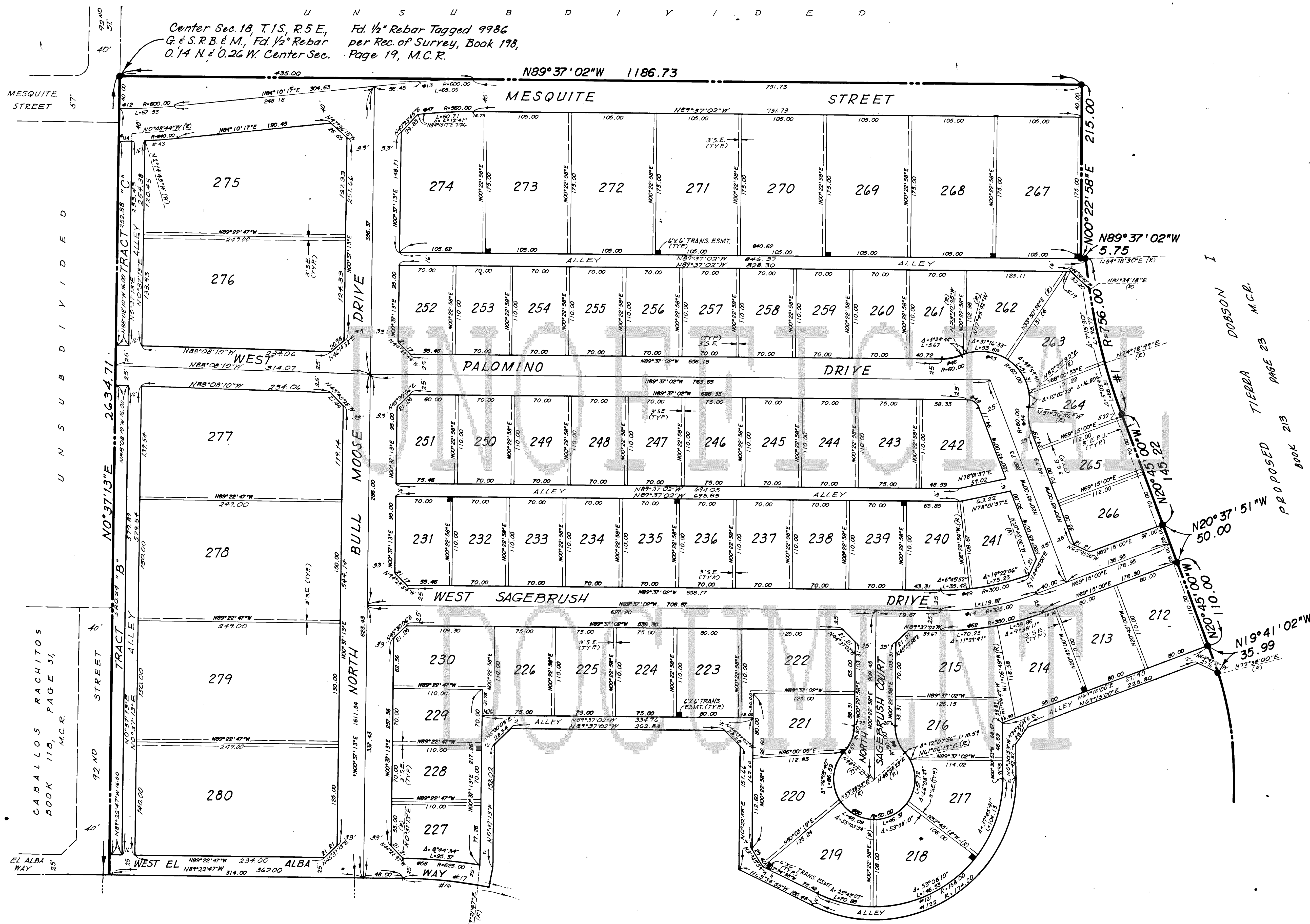
213-22

ESTES - "ORANGETREE" - FINAL PLAT - JOB # 77.030 - NOV., 1978

STATE OF ARIZONA
County of Maricopa
I hereby certify that the within instrument was filed and recorded at request of
Sage Engineering Corp
in Book 213
on page 23
Witness my hand and official seal this day and year aforesaid.
County Recorder
By [Signature]

Scale: 1"=60'

ORANGETREE



MATCH LINE SEE SHEET 4



Sheet 6 of 6 Sheets

Sage engineering corporation
4820 N. Black Canyon Highway - Suite 200
Phoenix, Arizona 85017
(602) 249-1893

DUANE LIDMAN
2315 W. Palomino Drive
Chandler, AZ 85224-2195

City of Chandler Planning Division
215 E. Buffalo St.
Chandler, Arizona 85225

December 3, 2018

Attn: Lauren Schumann
Senior Planner, City of Chandler Planning Division

RE: DVR18-0021 Willow Park

Dear Ms. Schumann

It was good to meet you on November 27th 2018 at the initial neighborhood meeting and to learn more information about the Preliminary Development Plan for the Willow Park Subdivision.

As I said during the neighborhood meeting, I agree with the City Planning Department that a single family subdivision would be a good fit for our neighborhood. But I do contest that the proposed development plan that requires the HOA for a 7.9 acre subdivision to own and maintain a 5 acre regional retention basin/park as a part of the 12.9 acre total PAD is not a sustainable plan. The proposed Willow Park development plan is very likely to fail over time from the financial liability of the regional retention basin just like the previous development plan for the Orangetree Subdivision has failed.

The Orangetree development and subdivision that was approved in 1979 by the Mayor, Chandler City Council, City Clerk, City Engineer and the City Planner having the Cathedral of Praise Church owning and maintaining a 5 acre regional storm water retention basin should be used as a text book example of a development plan that was destined to fail over time.

I have attached a copy of my letter to Mr. David Verheist, Storm Water Programs Coordinator for the City of Chandler dated May 2, 2018 as a reference to the long history of issues with the regional retention basin that is owed by Cathedral of Praise Church an Arizona tax exempt corporation.

Now more than ever it is imperative that the City of Chandler take ownership of this regional storm water retention basin by donation, purchase or Eminent Domain.

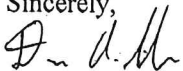
I am respectfully requesting that the City of Chandler carefully review all the facts and past history of this unique regional retention basin then change the city's position of refusing to take ownership of this basin in order to fix the mistake that was made 39 years ago.

I have attached several documents related to the history of this unique regional storm water retention basin.

This letter will serve as notice, that the storm water retention easement for the Orangetree and Tierra Dobson I subdivisions might not be designed or constructed correctly. Also, the retention easement has not been maintained by the property owner which has caused a public health hazard.

Thank you for your consideration of my requests.

Sincerely,



Duane A Lidman

DUANE LIDMAN
2315 W. Palomino Drive
Chandler, AZ 85224-2195

May 2, 2018

Addenda added
09-17-2019

City of Chandler
Mail Stop 909
PO Box 4008
Chandler, Arizona 85224-4008

Attn: David Verhelst

RE: Storm Water Retention Easement

Dear Mr. Verhelst

It was good to meet with you at the Mayor's Listening Tour on April 3, 2018 and to discuss the issues with the storm water retention easement for the Orangetree and Tierra Dobson I subdivision watershed areas.

As we discussed the retention basin for the two subdivisions was inundated with storm water after the record setting rainfall event in September of 2014. The top of the water pool was backed up onto several streets in the Orangetree Subdivision and was lapping at the garage doors of several houses along North Bullmoose Dr. The water did not percolate and the affected streets held the water pool until a City of Chandler Fire Department pump truck transferred the water into a nearby ADOT retention basin two days later. I have attached a few pictures showing the extent of the water pool. After the storm I drove around to look at other nearby subdivisions and noted there retention basins were all at full capacity but none of the water pools had backed up onto the neighborhood streets to the extent and depth that it did in our subdivision. After these observations it is apparent that the retention easement for the Orangetree and Tierra Dobson I subdivisions does not have an adequate water volume capacity for the watershed area. *Storm water pictures attached.*

The storm water retention easement for the Orangetree and Tierra Dobson I subdivisions is on private land that is owned the Cathedral of Praise Inc. at 2400 W Warner Road. I suspect that private ownership of a retention easement for two subdivisions is a unique condition within the City of Chandler. The vast majority of retention easements for residential subdivisions within Chandler are on land owned by HOAs, the City of Chandler Parks Division, utility, railroad, or irrigation district easements. *County Assessor and ACC documents enclosed.*

See
Addenda

~~The Cathedral of Praise Inc. subdivided their land in 1979 into the Orangetree and Tierra Dobson I subdivisions.~~
After reviewing the subdivision documents the retention easement lies within tract A of the 107.399 acre Orangetree subdivision. The 40.81 acre Tierra Dobson I subdivision is also within the retention easement watershed but it is not apparent on the subdivision documents that these 40.81 acres were also included in the storage volume design for the Orangetree retention easement. In fact no watershed area and retention easement volume storage calculations are included on the Orangetree subdivision document. *Subdivision documents and areal image enclosed.*

The overall condition of the retention basin has been in a slow decline for many years. Silt and grass has built up at the ends of the concrete splash aprons to a depth of more than 12". This silt and grass buildup impedes the water flow onto the easement which creates small pools of stagnant water that do not percolate through the concrete aprons. During our monsoon season these pools of stagnant water become a breeding ground for swarms of mosquitoes that are a known vector for disease and a public health hazard. The sloped banks of the retention easement have been slowly eroding for many years and the naturally occurring silt buildup at the terminus of the concrete aprons has never been removed. In 1997 the perimeter of the basin had 41 trees (satellite view attached) in 2018 this number has declined to 18 live trees, one dead standing tree and several plies of dead tree trimmings

DUANE LIDMAN
2315 W. Palomino Drive
Chandler, AZ 85224-2195

and brush. The grass area of the basin has seen a history of minimal irrigation or lawn mowing maintenance.
Aerial and street level images attached.

During the subdivision process it is unclear why the Cathedral of Praise Inc. chose to retain ownership of the retention easement in tract A which includes a potential for liability and seems to be a maintenance burden as a perpetual obligation to the parcel owner. It is however apparent that the condition of the retention easement has been in a slow decline since the subdivisions were created in 1979. It is also evident that the Cathedral of Praise Inc. has not maintained the retention easement and landscaping in a manner that complements adjacent properties and our community.

I am respectfully requesting that the City of Chandler take the following actions for the storm water retention easement for the Orangtree and Tierra Dobson I Subdivisions:

- Forward these concerns to the city planning and engineering departments for a review of the subdivision documents in order to determine that the retention easement volume calculations for both subdivisions meet the City of Chandler and Maricopa County Flood Control District requirements.
- If the storm water storage volume for both subdivisions or the percolation rate of the retention easement is found to not meet all current City and Maricopa County Vector Control requirements then action should be taken to require the land owner to bring the retention easement into compliance before the 2018 monsoon season.
- Inspect the current condition of the retention easement and then fully enforce all City of Chandler standards for maintenance as mandated by the Retention Easement Covenant as a part of the Orangtree Subdivision documents.

If the perpetual obligation for the maintenance of the retention easement is too large of a financial burden for the private land owner then I respectfully request that the City of Chandler use Eminent Domain to acquire the portion of parcel 302-79-503 that includes the retention easement, then increase the storage capacity of the easement for the protection of the two subdivisions and the benefit of our community and its citizens.

If the retention easement is acquired by the City of Chandler perhaps the chain link fence, private property/no trespassing signs, dead trees, landscape debris, seasonal weeds and 39 years of naturally occurring silt infill could be removed from the easement. In the future with planning and budget allocations the retention easement could be further improved and incorporated within the City Parks Department. A small City of Chandler Park within the retention easement would be of great benefit for all citizens of our community as well as the owner of the remaining portion of parcel 302-79-503.

Thank you for your consideration of my requests.

This letter will serve as notice that the storm water retention easement for the Orangtree and Tierra Dobson I subdivisions might not be designed or constructed properly and the retention easement has not been maintained by the property owner which has caused a public health hazard.

If you would like to further discuss the issues with this storm water retention easement I can be reached at the following number. Duane Lidman, Cell 602-722-1989

Sincerely,



Duane A Lidman

DUANE LIDMAN

2315 W. Palomino Drive
Chandler, AZ 85224-2195

Addenda

Letter to Verhelst 5-2-18

09-17-2019

Reference: Maricopa County Recorders Document Docket 13326 Page 1197-1199

Deed Of Trust - signed December 11th 1978 by Greg Rodman Pastor and President of Cathedral of Praise.

The Cathedral of Praise purchased Orangetree Subdivision Tract A which includes the stormwater retention easement from the developer Estes Homes who carried the loan.

According to Mr. Steve McGough who was the Superintendent for Estes Homes and worked on the Orangetree Subdivision project the Cathedral of Praise purchased Tract A from Estes Homes as part of what he describes as a “three-way unorthodox deal” between the City of Chandler, Estes Homes and the Cathedral of Praise Church.

At the time the City of Chandler was asking developers to build subdivisions with an HOA which was a newer concept in the late 1970s.

Estes Homes who owned the land was not interested in developing a subdivision with an HOA.

At the same time the Cathedral of Praise Church was looking for some land to build a new church and school in the East Valley.

These three parties agreed on a deal where the Cathedral of Praise would purchase Tract A at a deeply discounted price in exchange for taking on the maintenance of the retention basin for the Orangetree Subdivision.

When the plat was approved in 1979 it included the Retention Easement Covenant where the owner of Tract A the Cathedral of Praise was responsible for maintenance and assumed liability of retention basin in perpetuity.

The three party “AGREEMENT” was also signed in 1979 by the City of Chandler, the owner of Tract A the Cathedral of Praise and the developer Estes Homes. This agreement was essentially an insurance policy in case the developer or the owner of Tract A defaulted on their obligations. The AGREEMENT also defines the specific requirements for the maintenance of the basin to a park like condition. Many of the home loans within the subdivision were backed by the FHA and maintenance of the stormwater retention basin serving the borrowers was a requirement for lending.

Buy signing the 1979 AGREEMENT the City of Chandler was required to “notify the FHA that it will maintain the Retention Basin in the event either or both the Owner of Developer fails to perform”.

Estes homes then moved forward with developing the subdivision and selling homes with FHA backed loans for many of their sales.

According to Mr. Steve McGough it was early on when church was not following through with their obligation to mow the lawn area on a regular basis. Steve attended a number of meetings with the City of Chandler and the Owner of Tract A to enforce the agreement.

In October of 1984 Estes Homes sold the last home in the Orangetree Subdivision and completed their obligation as part of the three party “AGREEMENT” that was signed in 1979.

The Owner of Tract A and City of Chandler are still bound by the 1979 AGREEMENT that runs with the land in perpetuity.

Retention Ownership

Legend

Carriage Lane Park
City of Mesa

Carriage Lane
City of Chandler

Palo Verde Park
City of Mesa

City of Mesa

City of Chandler

City of Chandler

Heatherbrook HOA
No Trespassing

City of Chandler

City of Chandler

City of Chandler

Orangetree &
Tiera Dobson
Retention
Owned by
Cathedral of Praise
No Trespassing

Shawnee Park
City of Chandler

Hoopers Park
City of Chandler

City of Chandler

City of Chandler

City of Chandler

Amberwood Park
City of Chandler

Brooks Crossing
City of Chandler

Apache Park
City of Chandler

Google Earth

© 2018 Google

1 mi



Historical Aerial Photography



12/8/2018 5:41:43 AM

Maricopa County
 — Arterial
— Ramp

Local
 — Highway
Image

Interstate\State\US\Other Highway
 High : 255

1959

1:9,028

0 0.05 0.1 0.2 mi
 0 0.1 0.2 0.4 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCAN,

Office of Enterprise Technology/GIS
© 2017 Maricopa County

Historical Aerial Photography



12/8/2018 5:57:55 AM

 Maricopa County Highway

Local

Arterial

Interstate\State\US\Other Highway

— Ramp

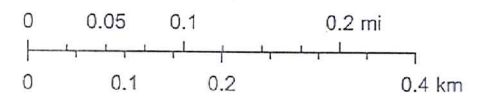
Image

High : 255



1979

1:9,028

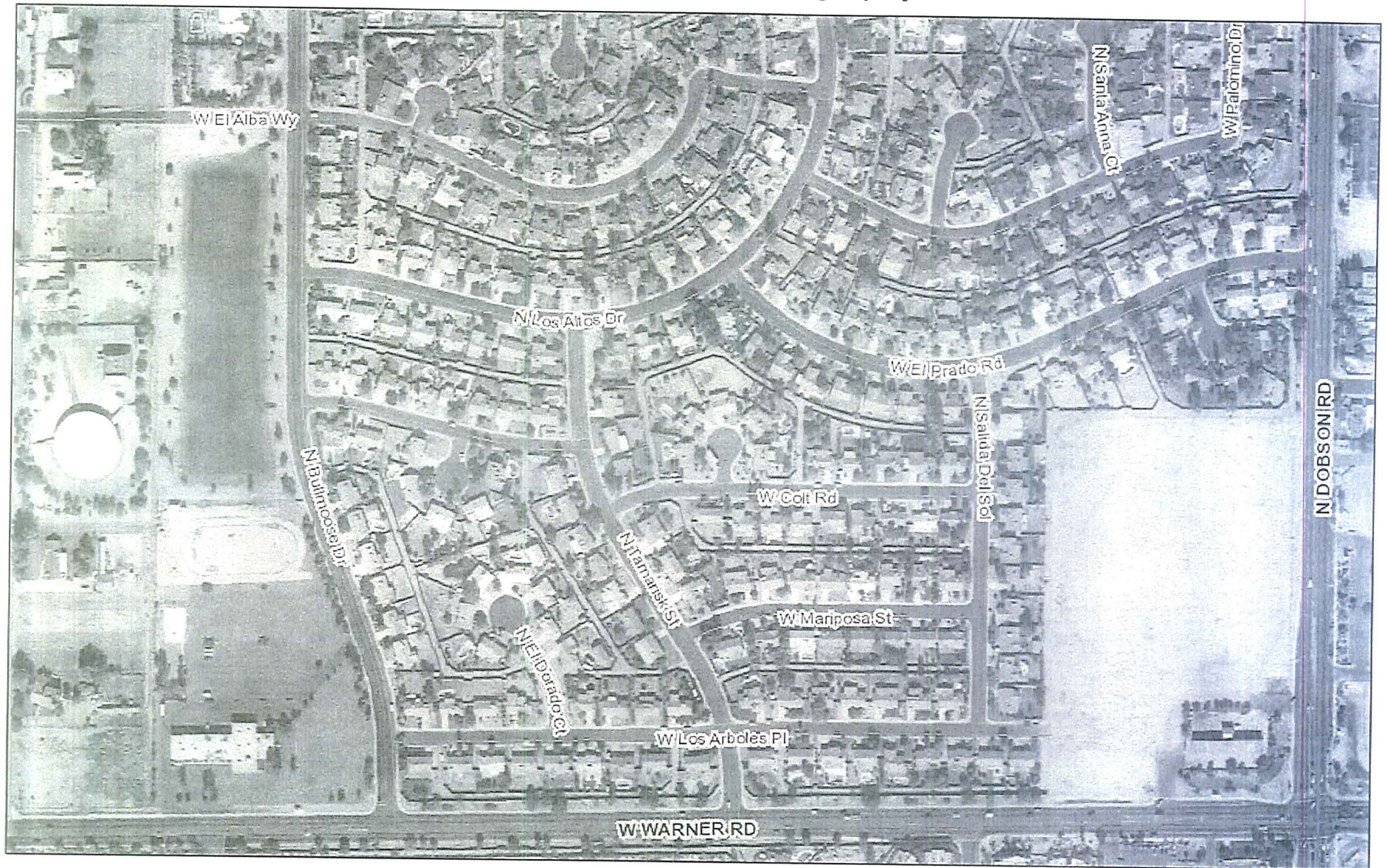


Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

Office of Enterprise Technology/GIS

© 2017 Maricopa County

Historical Aerial Photography



12/8/2018 6:13:18 AM

Maricopa County
 Arterial
 Ramp
 Image

Local
 Highway
 Interstate\State\US\Other Highway
 High : 255

1996

1:4,514

0 0.03 0.06 0.12 mi

0 0.05 0.1 0.2 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

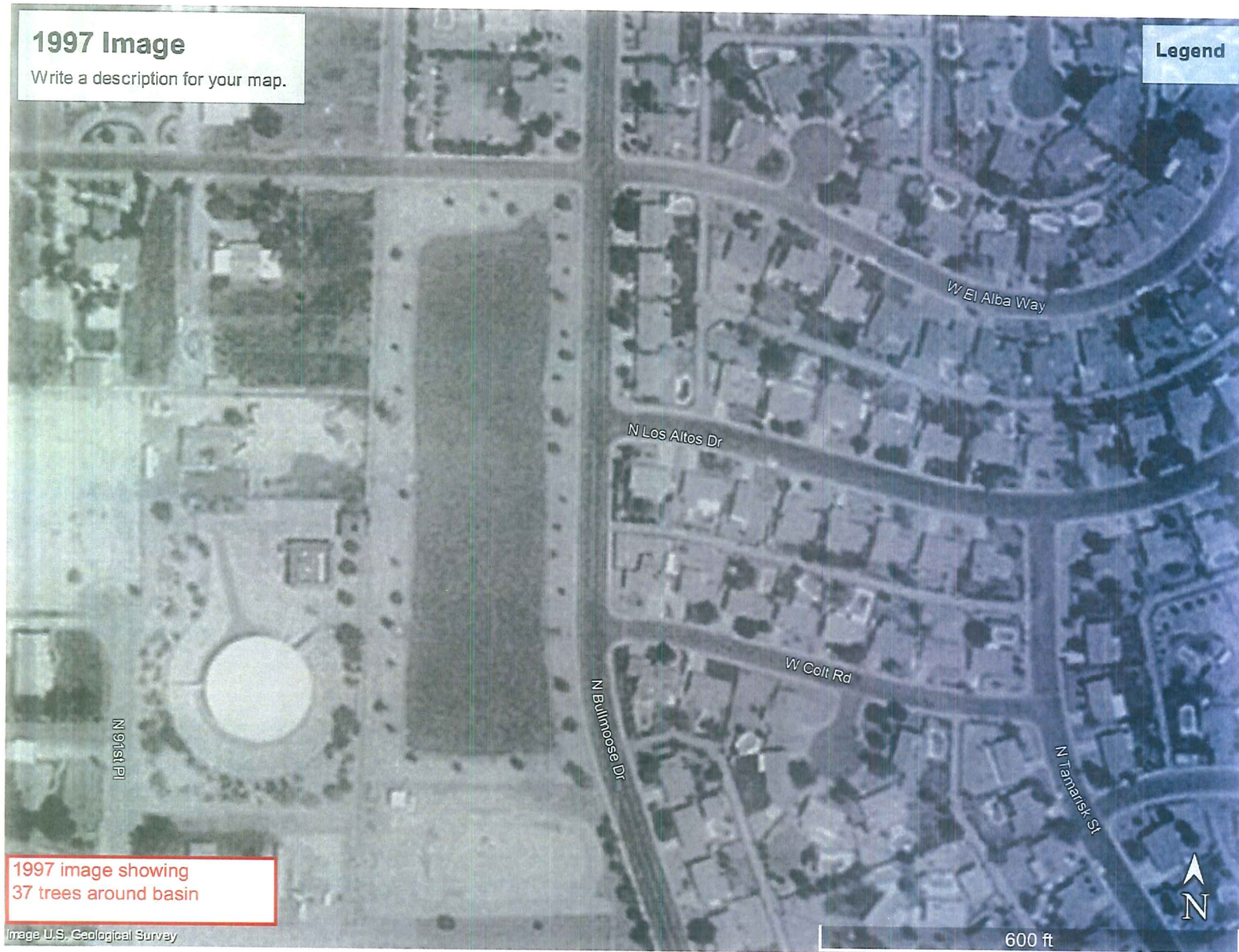
Office of Enterprise Technology/GIS

© 2017 Maricopa County

1997 Image

Write a description for your map.

Legend



1997 image showing
37 trees around basin

Image U.S. Geological Survey

2017 Image

Write a description for your map.

Legend

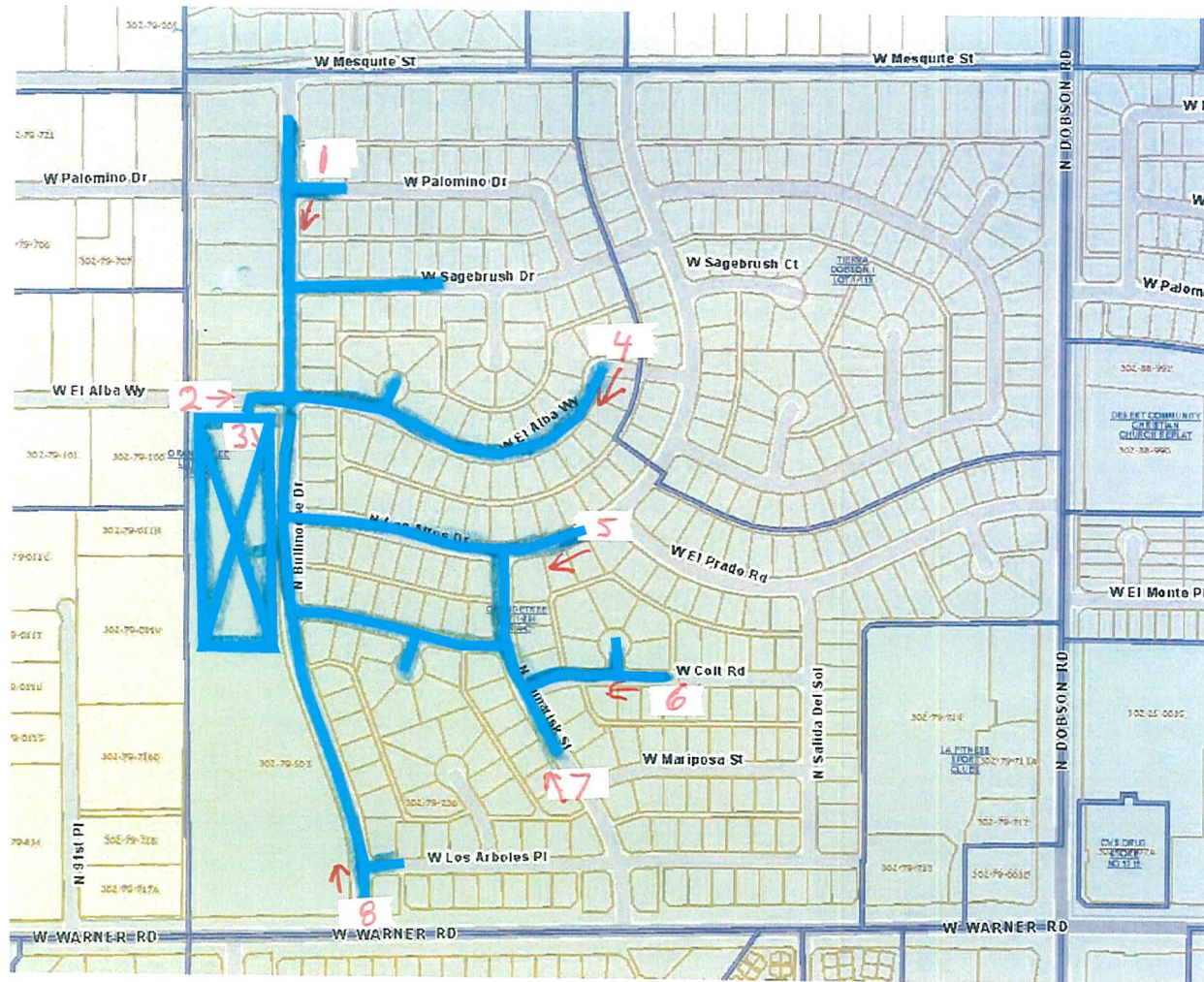
2017 image
with 24 live trees &
1 dead standing tree
around basin

Google Earth

600 ft



MESQUITE ST



WARNER RD

DoBSON RD

↑
NORTH



Retention Basin

Highwater mark was 2"
above sidewalk

1 - Bullmoose Dr & Palomino Dr
looking South



High water mark
was at garage door

Retention Basin

2 - El Alba Dr at Bullmoose Dr
looking East



Bullmoose Dr

Retention Basin

3 - Bullmoose Dr underwater



4 - El Alba Wy
looking West



5 - Los Altos & Tamarisk St
looking West



6 - Colt Rd
looking West





Retention Basin

High water mark was 2"
above sidewalk

8 - Bullmoose Dr at Los Arboles Pl
looking North



High water mark was at
garage doors of houses
along Bullmoose Dr.

Bullmoose Dr

Retention Basin

September 2014 Floodwater

High water reference September 2014
Looking south along Bullmose from Palomino Dr.

Water pool was 3" above level
shown in this picture



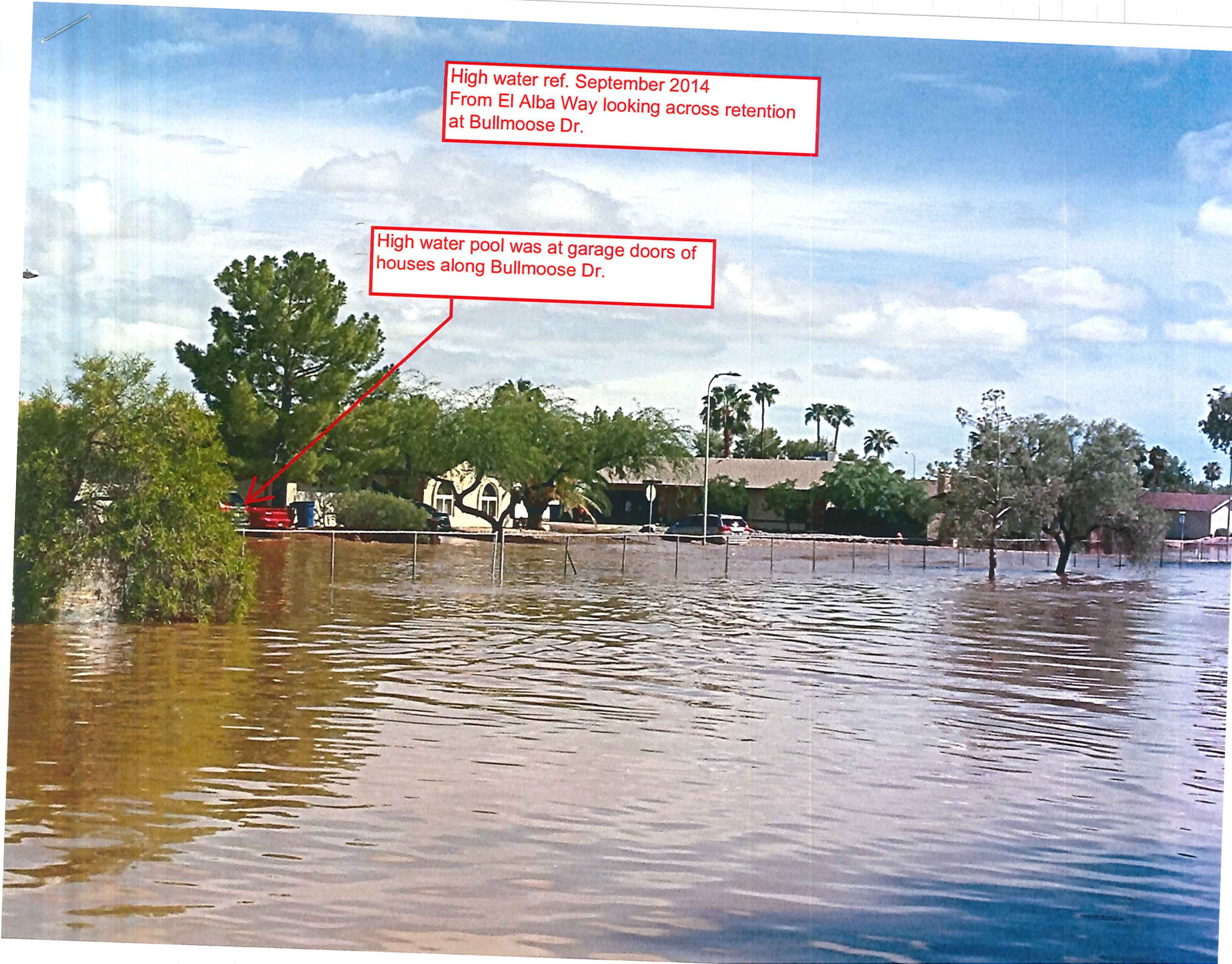
High water ref. September 2014
Intersection of El Alba Way and
Bullmoose Dr.

High water pool was at
garage doors of houses along
Bullmoose Dr.



High water ref. September 2014
From El Alba Way looking across retention
at Bullmoose Dr.

High water pool was at garage doors of
houses along Bullmoose Dr.



2017 Image

Write a description for your map.

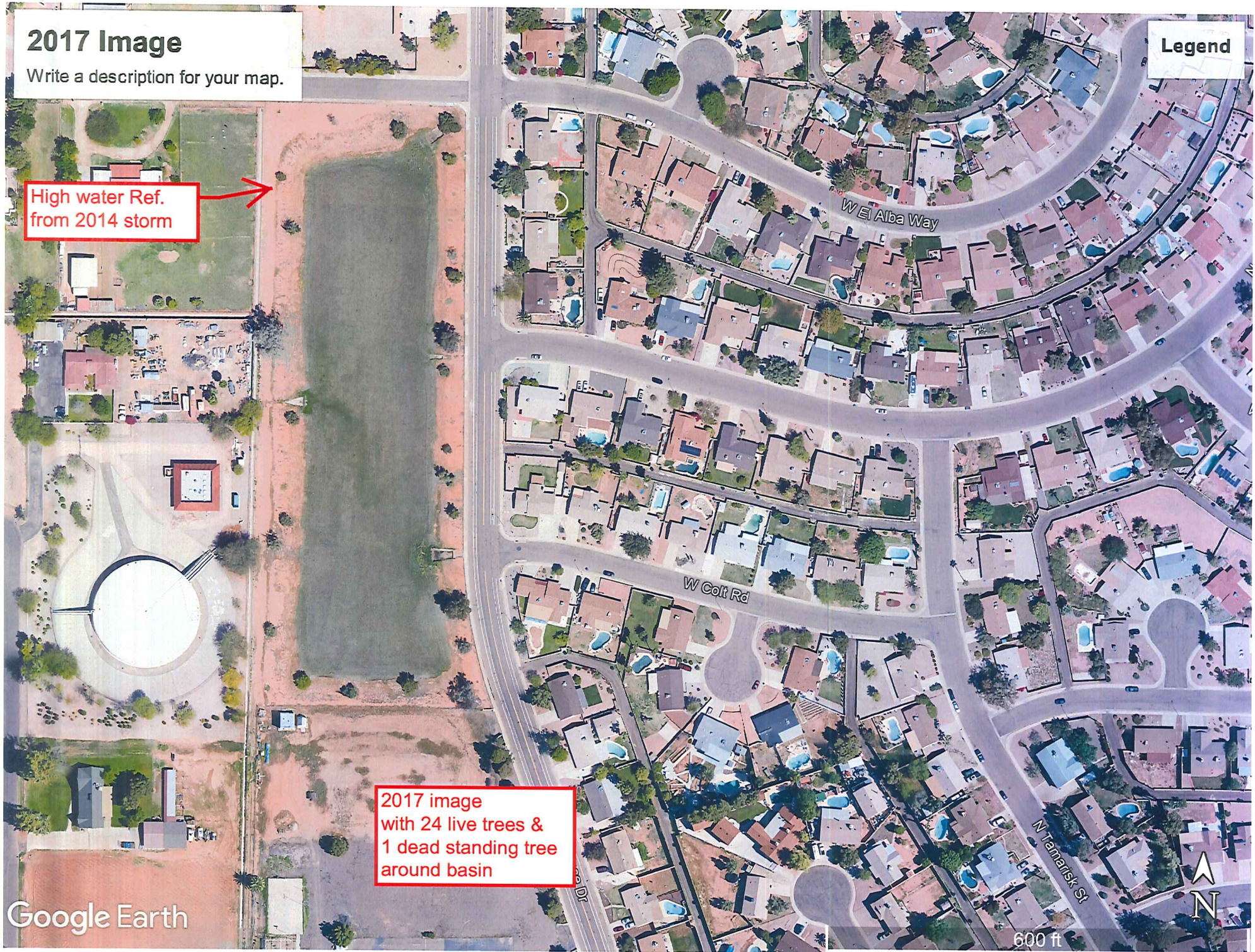
High water Ref.
from 2014 storm

2017 image
with 24 live trees &
1 dead standing tree
around basin

Legend

Google Earth

600 ft





CATHEDRAL
OF PRAISE
CHURCH
AND SCHOOL
SUN 10:30

WORSHIP
10:30



Silt & grass build up
at end of concrete
apron



Silt & grass build up
at end of concrete
apron



Mosquito
Breeding Pool