

Castle & Cooke Arizona, Inc.

March 10, 2023

Cochise County Community Development
Planning, Zoning, and Building Safety Division
1415 Melody Lane, Building E
Bisbee, AZ 85603

RE: Request to extend assurance agreement for the Oaks Subdivision Improvements Docket No. S-04-03

Please be advised this is Castle & Cooke Arizona, Inc. formal request that the Board of Supervisors grant an additional three year extension to the assurance agreement to May 9, 2026

Please find below answers in red pertaining to the criteria in (F) (4) of the 501.01 Assurance Agreement requirements.

4. The developer must request an extension before the assurance agreement expires. The determination whether to extend an assurance agreement will be at the sole discretion of the Board of Supervisors, who may consider the following factors in making that determination:
- i) Whether the property taxes on the subject parcel are current. **The property taxes are current**
 - ii) If the subdivision is phased, whether the subdivision infrastructure improvements for at least 20% of the proposed phases have been completed. If it is not phased, whether at least 25% of the subdivision infrastructure improvements have been completed. **It is phased. 29 of the total of 113 lots have been developed. This represents 26% of onsite costs. In addition all offsite costs have been completed including the well and water storage facility for the entire property and the new Three Canyons Gate**
 - iii) The number of extensions previously granted. A maximum of three extensions, not exceeding a total of ten (10) years since either the original approval of the assurance agreement or the most recent release of a lot, whichever has occurred later. **Three prior extensions have been granted. We are requesting a Fourth due to the reasons set out below**
 - iv) The economic conditions or other circumstances that are affecting the developer's ability to complete subdivision improvements. **The first phase was completed slightly before the beginning of the "Great Recession" and three lots were sold in that period. Shortly after the beginning of the "Great Recession" the fire of 2011 ravaged the property, destroying or burning many of the splendid Oak trees covering the property, and for which it was named. This damage, combined with the economic forces of the recession, dramatically slowed successful selling of lots. Over the last several years the property has greened up, additional lots have been sold. Three houses have been completed, and one is under construction, and another about to start. I would note that the property is being maintained at a high level, and we have recently seal coated the streets.**
 - v) Has the character of the area or physical factors such as drainage, floodplain, water issues or circulation patterns changed significantly since plat approval that compliance with current County Subdivision and/or Zoning Regulations is necessary. **No.**

Regards,



Richard S. Coffman
Senior Vice President