

REALTY INVESTMENT COMPANY

SINCE 1950

ONE WEST MADISON

PHOENIX, ARIZONA 85003

956-6070

RECEIVED

JUN 7 1978

Maricopa County Planning Dept.

By Z78-2

October 26, 1977

APPROVED

DATE

JUL 31 1978

CHAIRMAN BOARD OF SUPERVISORS
MARICOPA COUNTY

Maricopa County Planning and Zoning Commission
111 South Third Avenue
Phoenix, Arizona 85003

Re: Amendment of Special Use Permit
to Expand an Existing Airport Previously
Approved Under Z74-13

Gentlemen:

This is an application to amend an existing Special Use Permit from a 240 acre private airport to a 640 acre private airport.

The existing Special Use Permit is numbered Z74-13 granted to Realty Investment Company on May 6, 1974.

At the time of obtaining this Special Use Permit, Realty Investment Company owned all of Section 26. The company had limited plans for use of the approved 240 acre private airport.

The subject 240 acre airport is situated within the center portion of Section 26, T7N, R9W. This 640 acre section is located one mile south of the intersection of U.S. Highway 60-70 and Eagle Eye Road at Aguila, Arizona. Eagle Eye Road is a county maintained road and is paved from U.S. Highway 60-70 to the entrance gate at the NW corner of the Section 26.

Shortly after obtaining the airport use permit in 1974, Realty Investment Company began making substantial improvements to the entire 640 acres within Section 26.

During the time these first improvements were being made, many pilots and aircraft owners registered their interest in ownership in such a development. Because of this interest by pilots and aircraft owners, Realty Investment Company accelerated the pace for making these improvements. The development was named Eagle Roost Airdrome and described as a residential airpark.

Applicants' description of residential airpark is as follows:

A residential airpark is a community designed, developed and operated for the benefit of active pilots and, particularly those pilots owning their own aircraft. The aircraft community has all-weather taxiways directly from the runway to each individual ranch site. In other words, a pilot can fly to his airpark, land safely, taxi to his house and park

his plane in his attached or adjoining hangar. The pilot may conveniently service and repair his own aircraft. Some pilot's hobby is to build his own aircraft. A residential airpark is ideal for such persons. The uses within this Section 26 would be for those authorized under R-43 in addition to those mentioned herein. Eagle Roost Airdrome is similar in concept to Stellar Airpark near Chandler, Arizona.

The improvements mentioned above were made as follows:

A. Survey

A registered engineer's survey was obtained. The section was laid out in 16-forty acre parcels. Easements were established and recorded. Control points were installed with iron rods at each corner of each 40 acre parcel.

B. Runway

Early in 1974, Eagle Roost Airdrome registered the airport with FAA and the State Aeronautical Board. It is depicted on the Phoenix Section Chart.

The runway is 3800 feet, running North and South along the centerline within the south 3/4th of Section 26. The runway is within a 160 foot easement lying 80 feet each side of the centerline. It was constructed in early 1974. It has an asphaltic hard surface 40 feet wide. The centerline, threshold bars and direction numbers are painted white. Also painted white, are 24 foot letters spelling "Eagle Roost". The runway is in excellent condition and shows no sign of significant wear or damage from rains, floods, or heat.

C. Runway Lights

40 watt runway lights have been installed with 6 green threshold approach lights at each end of the runway. The lights are turned on automatically from the cockpit by the aircraft's 122.8 radio when the microphone is clicked 5 times within 5 seconds. The lights turn off automatically in 15 minutes.

D. Taxiways and Roadways.

Taxiways and roadways are graded, crowned along the center line and have had crushed manganese tailings imbedded into the surfaces by a vibrating roller. Three layers are applied and rolled. Any occasional damage or roughness is easily removed by leveling with a drag. Thereafter, a static roller keeps it in place. Maintenance is performed and paid-for through the property owners association. The interior roadways and taxiways to each of the 16 forty acre parcels have been installed for several years and have suffered no significant damage.

E. Public Utilities and Services

Arizona Public Service Co. serves Eagle Roost with an underground electric supply. Realty Investment Company has installed underground electric lines to serve 6 of the 40 acre parcels within the 640 acre development. Arizona Public Service has engineered additional installations and extensions within Eagle Roost Airdrome and the in-aid-of-construction costs has been paid by Realty Investment Company. A natural gas main is available and is

installed at the NW corner of Section 26.

F. Water Lines

Six inch water mains have been installed by Realty Investment Company into Eagle Roost Airdrome. The water is distributed by Aguila Water Service Co., a state franchised water company. The installation has been approved by the Maricopa County Health Department. The installation has been approved by the State Corporation Commission, Utilities Division, and fully paid for by Realty Investment Company.

G. Underground Telephone

Mountain Bell phone lines have been installed to the centerline of Eagle Roost Airdrome. Additional extensions are available at such time as a user may appropriately make application.

II. Security and Safety Provision

The perimeter of Eagle Roost Airdrome has been fenced and an all-weather patrol road has been constructed immediately inside this fence. The property is posted approximately every 165 feet by metal signs saying: No Trespassing, No Hunting, No Shooting, Private Property.

I. State Real Estate Department Final Public Report on Eagle Roost Airdrome Reference No. 8644, Date February 4, 1976.

Realty Investment Company filed for this report and was granted clearance to sell 16 forty acre parcels within Section 26, T7N, R9W.

J. Eagle Roost Management, Inc.

Eagle Roost Management, Inc., is a non-profit corporation formed as a land owners association. It provides a vehicle for self-government by the property owners of Eagle Roost and ownership by deed of the common areas. The common areas are comprised of runways, taxiways, roadways, and tie-down areas. The association will also own material and equipment for the maintenance of these common areas. At the time that Realty Investment Company has sold 320 acres of Eagle Roost (being one-half) the land owners are authorized to elect officers for the association. Until then no assessments are chargeable to owner members. The members of the association will assess themselves, collect and make payments for the expenses to operate the common areas. Election of officers will be held on or about January, 1978.

K. Provisions for Maintenance

Eagle Roost Management, Inc., will be responsible for the maintenance of roads, easements, runway, and taxiways and for all other expenses for the operation of Eagle Roost Airdrome.

L. Declaration of Restrictions

Restrictions have been recorded to provide the usual beneficial covenants for peaceful, residential living. These restrictions include provisions for: Livestock and poultry, except swine; enclosed repair of motor vehicles and aircraft; no commercial uses; no mobile homes; no elevated tanks; and architectural committee

approval for all improvements. Changes to restrictions may be made by the property owners from time-to-time by a majority rule.

M. Minimum Size Restricted to Minimum of Five Acres.

The size of any parcel of land within Section 26 has been restricted to minimum of five acres by recorded restrictions DKT 11940, pg. 265, dated November 12, 1976.

N. Building Set Back Lines

Included in the recorded declarations of restrictions are provision for building set back lines as follows:

- N-1 One hundred feet on either side of the exterior boundaries of the one hundred sixty foot easement for the approved runway.
- N-2 Eighty feet from any exterior boundry of any roadway or taxiway.
- N-3 Sixty feet from any side property line.

Airport Operating Regulations

These regulations are recorded along with restrictions. They provide orderly procedures for the operation of aircraft in the air and on the ground within Eagle Roost. Attached are recorded "Operating Regulations" (docket 10949, page 466.)

Advantages of location and favorable conditions relevant to Eagle Roost Airdrome are partly listed as follows:

1. Located far enough from the congestion and hum-drum of the large city, but, close enough to conveniently utilize the facilities of a metropolitan area.
2. Terrain.
The site is flat desert land with light vegetative cover. It is centrally situated in the Valley of the Eagle. The view for approach and take-off, to and from, the hard surface 3800' runway is unobstructed. The surface soils across the site are predominantly silt and sand mixture. There are no out-cropping of rocks. The soil is fertile and lends itself to small ranches and easily constructed taxiways, roadways and other improvements.
3. Sanitation.
Leach beds with septic systems, that are designed by the Maricopa Health Department, should operate satisfactorily. The topography, soil and drainage is no different than that in the surrounding area. Realty Investment Company has had several percolation test reports submitted to the County Health Department for other developments within 3/4 of a mile of Eagle Roost. All of these tests have been satisfactory.
4. Proximity of Town Facilities.
Aguila is one mile north of Eagle Roost. Convenience shopping includes full line grocery, general store, restaurants, service

stations, post office, churches, grade school, high school bus, Greyhound bus stop, repair garages, community hall, ten acre park and other services. Other town facilities include, electric, domestic water, telephones, natural gas and ambulance service with standby paramedics. Household appliance repair and services is available. Tradesmen and semi-skilled labor are available in the immediate area.

5. Elevation.

Eagle Roost has an elevation above mean sea level of 2200 feet. This is an ideal elevation for the performance of all aircraft having reciprocation engines. The airspace is clear and void of heavy aircraft traffic.

6. Accessibility to Eagle Roost.

Eagle Roost is bordered along the west line of Section 26 by a county maintained road. The road travels from 4 miles north at the county line to Interstate 10 southwardly to Tonopah. It is paved from U.S. Highway 60-70 to the entrance gate of Eagle Roost. One mile north, U.S. Highway 60-70 parallels the north line of Eagle Roost. U.S. Highway 60-70 can quickly be traveled to Wickenburg, 23 miles east. Phoenix is another 56 miles southeast from there. Prescott is 70 miles from Eagle Roost on State Highway 71.

7. Access Within Eagle Roost.

Around the perimeter of each of the sixteen 40 acre parcels there are no less than 33 foot easements for roadways, taxiways and underground utilities. See attached plat showing the recorded easement within Eagle Roost Airdrome.

8. Drainage and Flood Control

A unique and advantageous drainage situation exists for Eagle Roost Airdrome. The land gently slopes from southwest to northeast. The county-maintained road acts as a barrier for water from the west. 1 1/4 miles to the south, the land reaches its highest point. Consequently no large collection of water drains over Eagle Roost Airdrome. Runway, taxiways and roadways have been in operation for over 4 years within Eagle Roost and no damage from drainage or flood water have occurred, although there have been two severe rain storms. When these two severe rains occurred, flood control dams were broken within 2 miles east of Eagle Roost. Eagle Roost was not in the path of the released water, but this information is given to indicate unusual amounts of rains and surface water that have occurred without damage to Eagle Roost. Flood control documentation was required for all of Section 26, in February, 1976 by the State Real Estate Board for obtaining the Final Report.

9. Private Wells

Eagle Roost Airdrome and the surrounding "Valley of the Eagle" are not in the State of Arizona critical water area. Well permits from the State of Arizona are readily issued. The cost for a permit is \$3.00, and can be obtained at the State Land Department in the capitol-complex, Phoenix. The water level is about 500 feet below the surface. A private well would be needed if the user

were to irrigate larger acreages for farming.

10. Existing Tree Farm

In February 1975, 5600 seedlings were planted within 50 acres as shown on the attached plat. An irrigation pump is located within this 50 acres at the NE corner of the subject Section 26. Within this 50 acres, the 40 acres comprising the $N\frac{1}{2}$ of the $N\frac{1}{2}$ of the NE $\frac{1}{4}$ is topographically unsuited for residential construction because of surface water drainage.

Continuation of Restrictions.

All of the provisions of the Declaration of Covenants, Conditions and Restrictions, Operations Regulations, and any other provisions whatsoever, governing Eagle Roost Airdrome, including, without limiting the generality thereof, building set back lines, shall apply to all parcels, regardless of size.

Provision for Future Private Access.

Future easement, including, without limiting the generality thereof, easements for additional taxiways, roadways and utilities, may be provided by individual property owners for their convenience and/or for the convenience of other property owners.

Relationship to Surrounding Properties.

Section 26 is bordered on all four sides, by Rural 43 zoned land. The properties immediately adjoining on north, west and state land on the south are vacant range land. The east is bordered by operating farms. The nearest resident, a single-wide mobile home, lies on the north and is approximately 400 feet from the property line. No home or mobile home is within a $\frac{1}{2}$ mile of either end of the runway. There is no intention of adding any additional runways.

The impact of Eagle Roost Airdrome on the town of Aguila should be favorable. The town is primarily a farming community and previously was also a highway service community for travelers by auto. This was at the time that Interstate 10 passed through Aguila. When Interstate 10 was rerouted 19 miles south of Aguila, businesses such as restaurants, motels, and gas stations experienced an economic set back. Eagle Roost should have a beneficial effect on the economy and reduce unemployment in the community.

Realty Investment Company has sold 12 of the 16 forty acre parcels within the subject Section 26.

The applicant's need is to utilize all of Section 26 as a residential airpark. Presently, 240 acres of the 640 acres have been developed as a residential airpark with a Special Use Permit as an airport. The remaining 400 acres is better suited for this same use, as a residential airpark.

It is requested that the existing 240 acre Special Use Permit (Z74-13) be amended to include all of Section 26 and permit use as a residential airport, including, without limitation, the following:

- 1-a) Taxiing of aircraft from the approved and completed runway to any part of Section 26, via designated taxiways and for non-commercial use such as: parking, housing, servicing, refueling, storing and repainting of aircraft.
- 1-b) Construction of residential dwelling, hangars, repair and storage building, parking areas and any other improvements that may be pertinent to the use of the land as a residential airport. Such above ground buildings are to comply with set-back areas as provided in the deed restrictions.
- 1-c) Conforming period for the entire 640 acres for the maximum period permissible.
- 1-d) Use as an airport for the benefit of Realty Investment Company and other present owners of property within Section 26, their heirs, executors, administrators, successors or assigns.

Attached hereto is a copy of the existing runway plat showing the approach glide path, runway plan and profile as approved by the zoning case Z74-13 dated May 6, 1974. This zoning request does not request any additional approval for runway installation within the subject expansion area.

Sincerely,

Michael C. Sansone

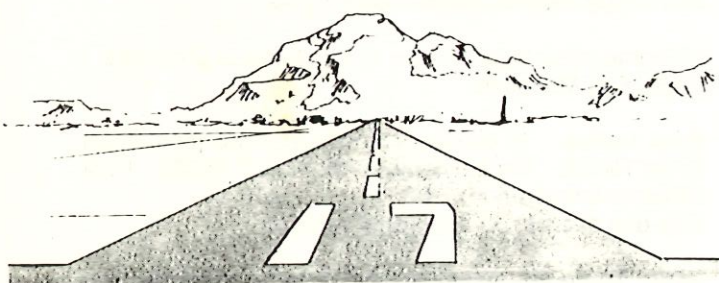
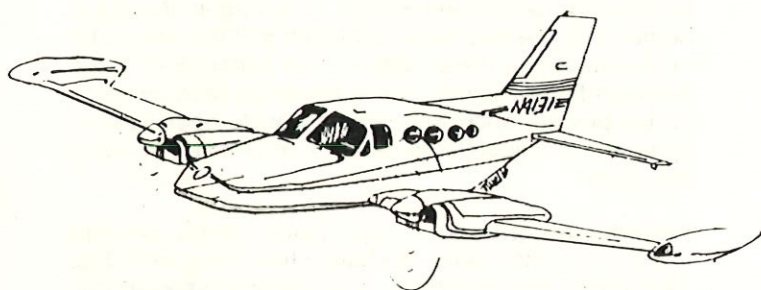
MCS/jm

Eagle Roost Airpark

by
Realty Investment Company

Home Office
Box 10402, Phoenix, Az. 85064
Michael Sansone
(602) 678-0045

In Aguila
Shirley A. McKay
(520) 685-2445



Land it... in your own backyard.

Location. West central Arizona. 20 miles west of Wickenburg (the dude ranch capital of the world).

Eagle Roost - 65 miles WNW of Phoenix.

On PHOENIX Sectional Chart. Lat. 33 55' 00" N.
Long. 113 10' 00" W.

Buckeye VOR 110.6 BXL Radial 315, 30 N.M.

Aviation Services. Wickenburg - 18 miles.
Phoenix - 60 miles.
Prescott - 60 miles.
Blythe, California - 75 miles.

Runway. Newly paved 3800 ft. N-S true bearing.
Runway numbers are designated as 17 and 35.

There are no landing or take-off obstructions to the North which has a 1400 ft paved overrun in emergencies.

No obstructions to the South within 1 mile of the threshold except desert growth.

The runway has a rise of approx. 20 ft from N. to S.

Runway Lights. Medium intensity lighting with automatic turn-on by five (5) quick clicks of aircraft radio on 122.9. To turn-off, it takes seven (7) quick clicks. After lighting activation the lights automatically turn themselves off in 15 minutes.

Fire Protection. Fire station is located in Aguila just one & three-quarter mile from the entrance gate to Eagle Roost.

Town site of Aguila. Aguila is one mile North of Eagle Roost. It has services which includes community hall, library, several convenience markets, restaurants, service station, city park, post office, general auto parts, auto repairs, general stores and farm offices with packing operations. There are always workers and general laborers available for home construction and household maintenance.

Terrain. Level and slightly sloping from SE to NW which provides for excellent gentle surface drainage. The soil is a sandy loam and the farm areas around Aguila are famous for their 2 crops per year of growing. This sandy loam allows for maximum percolation, thereby, giving individual septic systems the premium disposal method. Gardening and growing table fruits and vegetables is a green thumb's delight. Visit the pilots who are growing plants like "Jack and his bean stalk".

Government Offices. Phoenix is the State Capital and county seat for Maricopa County.

Wickenburg has Sheriff's Station, City Police and a J.P. Court.

Aguila has an active fire and crime citizen posse with portable radios.

Taxes. Real estate tax assessments, in the Aguila area, is among the lowest in the county. Aguila is a townsite and not an incorporated entity. Therefore certain county services are not provided, which in turn cannot be a charge as a collectable towards a tax to property owners in the immediate area. Unless Aguila incorporates into a large community and needs local governing, taxes will continue to be low.

✓ read pg 4 of Amant to SW for s/b certification dated 10/26/77

Recreation. The Colorado River is 79 miles West of the Colorado River. This is a No.1 area for water sports. The new Waddell Dam (the finest and largest interior lake in the western states) is only 45 miles East of Eagle Roost. You'll be hearing a great deal about this recreational lake in the near future.

Wickenburg (20 mi. E.) is a full shopping and service town with several resorts, dude ranches, golf courses, a tennis resort, riding academies and a top notched country club. All around Eagle Roost for miles and miles the government lands abound with outdoor recreational opportunities. 11,000 ft mountains at Flagstaff provide ski slopes within a 2 hour drive. There's no better fishing, skiing, hiking, rock hounding and hunting anywhere. State and Federal lands are open for public use.

The nearby mountains have many gold mines and Indian ruins to explore. There's opportunities for serious gold prospecting within 25 miles of Eagle Roost. The State of Arizona Minerals and Geology Departments will provide detail information and factual history for this enriched area. Ask Sansone about his mines and the professional data from the Geology Department of Arizona State University and several international exploration companies. These mine-sites are only 11 miles from Eagle Roost and they provide some of the most spectacular scenic and camping sites in the West. Bring a geologist's handpick, and get Sansone's maps and written permission to take some mineralized ore samples which are beautifully colored. If you need a pick we'll lend you one. In any event, bring your camera!

Weather. Eagle Roost is at 2,200 ft elevation. There is no smog. The air dry and clean. At this elevation it is 1,100 feet above Phoenix, so that, on an average Aguilas is 5 to 10 degrees lower than Phoenix. However, this does not mean that it doesn't get hot in the summer, it certainly gets up to 100 or maybe 108. But the payoff is that it is much more dry than Phoenix since this area does not have all the sprinkled landscaping, swimming pools, trees, golf courses, paved streets, shopping centers, freeways and automobiles. The night is always much cooler after the desert rapidly gives up its heat shortly after the sun goes down. A good nights sleep will make any day a great day. Some don't get as much sleep as others because they are out at night reaching up to the stars that are so bright, clear, close and plenty of them. Sunsets and sunrises are spectacular. Of course all of these wonderful things also make for the finest uncongested and fun flying anywhere. It's your choice of any type of flying machine at Eagle Roost.

Rainy Spells. Yes, we have our rains from time to time to enjoy. The rains make a beautiful change to the desert flora, a real sight to behold. Our rain is uncontaminated. We have no hurricanes, mud slides, cyclones, typhoons, floods, snowstorms, tidal waves or any of that sort stuff.

Medical. A hospital and doctors offices are 20 minutes non-stop from Eagle Roost. A 90 minute drive will get you to Mayo Clinic in Scottsdale. A paramedic crew is always on standby with ambulance nearby in Aguilas.

Schools. Aguilas elementary. High school is by bus non-stop to Wickenburg. These schools rank high in their teaching and sports achievements. University and Junior colleges are 90 min to Phoenix.

Present Homes. There are 32 owner built homes in Eagle Roost at the time of this writing (1-1-95). There are 6 additional custom homes under construction. Most homes have hangars, either attached or free standing. Each parcel is on no less than a gross 5 acres. Consequently there is plenty of open spaces between each. There are homes that would cost an easy million dollars to replace. Then again there are homes that are desirable and functional that would be in the moderate price range. The variance of value between homes is not a concern since each owner is on his private ranch with plenty of wide open spaces and each is unique to itself. No one is trying to outdo the other.

Friendly Neighbors. Eagle Roost pilots concern themselves with the fun of sharing their flying with their pilot friends and neighbors. The owner's association in the community of Eagle Roost has been one of compatible pilots with a common goal, with a friendly and happy attitude towards each other.

All home-sites have a view of our famous landmark - Eagle Eye Mountain.

Post Office. In center of Aguilas just two miles from Eagle Roost. The zip code for all mail is 85320. Post Office boxes rent for \$7.00 / yr. One day delivery to and from Phoenix.

UPS. There are two deliveries daily to and from your door. A UPS station is in Wickenburg.

Ownership of Runway, Taxi-ways, Roadways and Maintenance Equipment.

All of these items are owned by the owners of the land within Eagle Roost Airpark. The size Eagle Roost is a full section of land, which is 640 acres. The runway, taxi-ways and roadways are part of the common area that has been dedicated to a non-profit Arizona corporation, organized as Eagle Roost Management, Inc. Each of the 640 acres represents 1 share of the Corporation. Consequently each landowner has a share of all the common areas and equipment equal to his or her portion of land held within 640 acre Eagle Roost Airpark. 1 share (acre) has one vote in the corporation. There is no outside ownership or control regarding any facility within Eagle Roost.

Restrictions or CCRs. A copy of the Restrictions, flight operation regulations and amendments will be provided on request. Part of the restrictions are as follows:

Eagle Roost facilities are for the benefit of owners & their guests.

No mobile homes. No building prior to living facilities.

No building restrictions on time to start.

No commercial activities that encroach on residential zoning.

No off road vehicles to use common areas.

No unnecessary noise.

Plan approval of architectural committee. Mainly conventional design and desert tone colors.

Purchase Procedure. You need no money when you come to buy in Eagle Roost. After you have agreed to terms and price, walked the parcel of land you have selected, you give us the name you wish to take title insurance and your mailing address. From this information we will open an escrow with a major title company. Escrow instructions will be prepared and sent to you from the title company. If all is as agreed the Buyer will sign the instructions and include the small earnest deposit as part of the purchase price. It usually takes two or three weeks for title search and insuring before final closing and recording of the deed. Owner financing on easy terms.

Utilities. Water, electric and phone lines are underground and are available to each parcel of land in Eagle Roost.

East-West Emergency Runway. The 5,000 cross taxi way at the North end of the Eagle Roost runway is used in the event of adverse E-W cross winds. This is suggested only at pilot's discretion. The emergency cross taxi way is depicted as Ivor Rd. or Handshake Taxi way.

Delicious Drinking Water. If you come to Eagle Roost you should bring along some empty jugs to fill with our water so you can enjoy a delicious drink of coffee or tea at your next breakfast. You'll love it.

Water Supplier. Municipal water is supplied by Aguila Water Services, Inc. P.O. Box 1086 Sun City, Az. 85351. (602) 566-0167.

The water company is operated by franchise from the State of Arizona and is govern by the Rules and Regs. of the State Corp. Commission, Utilities Div. with compliance to State & County health provisions and requirements.

Water-Liquid Gold. This Valley of the Eagle sits on a canyon of subsurface pure potable water.

The Arizona Department of Water Resources has declared this Aguila Valley is not within it's water management area.

According to their Ground Management Code, "Assured Water Supply" means:

Sufficient ground water or surface water of adequate quality will be available to satisfy the water needs of the proposed use for at east 100 years.

Water wells, in this area, are unrestricted in the use of ground water.

This is very real asset in the area and will be for a long time to come.

The City of Phoenix paid \$30,000,000 for ground water rights from acreage in this area for a future supply of domestic water to the City.

Land it..... in your own Backyard.

On-site Representative at Eagle Roost

Shirley A. McKay

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Eagle Roost Airpark by

**Realty Investment Company
'RIC'**

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