

When recorded return to:
Clerk
Pinal County Board of Supervisors
P.O. Box 827
Florence, AZ 85132

CONSENT TO SCHEDULE FOR DEVELOPMENT/CONDITIONS/STIPULATIONS AND WAIVER OF CLAIMS FOR DIMINUTION IN VALUE

This Consent to Schedule for Development and Conditions/Stipulations and Waiver of Claims for Diminution in Value ("Consent and Waiver") is made in favor of Pinal County (the "County") by TSI/Elwood Properties LLC ("Owner").

Owner warrants and represents that Owner is the fee title owner of the property described herein, and that no other entity or person has an ownership interest in the property. Prior to Owner's transfer, sale or conveyance of all or any part of its right, title and interest in the Property at any time within thirty (30) days of the County's approval of Owner's application described herein, Owner shall notify the County of said transfer, sale or conveyance and shall require the new Owner to execute and agree to this Consent and Waiver as part of any transfer, sale or conveyance of the property described herein.

Owner acknowledges that A.R.S. § 12-1134 of the Arizona Private Property Rights Protection Act provides in some cases that a county is required to pay just compensation to a landowner if the County approves a land use law that reduces the fair market value of the owner's property. Owner further acknowledges that A.R.S. § 12-1134 authorizes a private property owner to waive any claim for diminution in value of property in connection with any action proposed by a county or any action requested by the property owner.

Owner has submitted an application to Pinal County ("County") requesting the County approve a Rezone and PAD Amendment for development of the following described property ("Property"):

LEGAL DESCRIPTION IS ATTACHED HERETO AS EXHIBIT "A."

By signing below, Owner agrees and consents to all conditions/stipulations/Schedule for Development imposed by Pinal County in conjunction with the approval of the Rezone and PAD Amendment, Case No. PZ-003-24 & PZ-PD-026-23, which are attached hereto as EXHIBIT B.

By signing below, Owner acknowledges that the approval of the Rezone and PAD Amendment, Case No. PZ-003-24 & PZ-PD-026-23 might affect existing rights to use, divide, sell or possess the Property.

By signing below, Owner hereby waives any and all rights to claim compensation for diminution in value pursuant to A.R.S. §12-1134 that may now or in the future exist as a result of the approval of the Rezone and PAD Amendment, Case No. PZ-003-24 & PZ-PD-026-23, and the Schedule for Development and conditions/stipulations imposed in conjunction with the approval. Owner waives any and all rights to claim compensation for diminution in value for any action taken by the County to rescind approval of Rezone & PAD Amendment in Case No. PZ-003-24 & PZ-PD-026-23 because of non-compliance with the Schedule for Development and/or any of the approved conditions/stipulations.

This Consent and Waiver shall run with the land and shall be binding upon all present and subsequent property owners.

Owner consents to the recordation of this Consent and Waiver after approval of the above-referenced case by the County. If Owner withdraws its application prior to final action of the County or the County denies the application, Owner is released from this Consent and Waiver.

OWNER: TSI/Elwood Properties LLC
[Print Entity Name]

OWNER: _____
[Print Entity Name]

Dan M. Muntz
Signature

Signature

Its: Manager
[Title, if applicable]

Its: _____
[Title, if applicable]

Dated: Sept Oct 7, 2024

Dated: _____

INDIVIDUAL ACKNOWLEDGMENT: *[To be filled out if NOT a corporation, partnership, or trust]*

STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this ____ day of _____, _____, by

[Insert Name of Signor(s)]

Notary Public

My commission expires: _____

CORPORATION, OFFICER, PARTNER OR TRUSTEE ACKNOWLEDGMENT: *[To be filled out if a corporation, partnership, or trust]*

STATE OF Arizona)
) ss.
COUNTY OF Maricopa)

The foregoing instrument was acknowledged before me, this 7 day of October, 2024, by Dale Mientie as

Manager of TSI/Elwood Properties LLC
[Insert Title] *[Insert Name of Company]*

an Arizona corporation, who being authorized to do so, executed the foregoing instrument on behalf of said entity for the purposes stated therein.

[Signature]

Notary Public

My commission expires: 10/7/27



ACKNOWLEDGMENT: *[Use only when a second company is signing on behalf of owner.]*

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me, this ____ day of _____, 20____, by _____ as

_____ of _____, an _____ corporation,
[Insert Signor's Name] *[Insert Title]*
[Insert Name of Second Company] *[Insert State of Incorporation]*

as _____ for _____
[i.e. member, manager, etc.] *[Owner's Name]*

who being authorized to do so, executed the foregoing instrument on behalf of said entities for the purposes stated therein.

Notary Public

My commission expires: _____