



Planning and Zoning
Commission
STAFF REPORT

AGENDA

TO: CASA GRANDE BOARD OF ADJUSTMENT

FROM: Paul Tice, Planning & Development Director

MEETING DATE: November 11, 2014

SUBJECT: DSA-14-00195

REQUEST

An Appeal by Judy Mulligan of an Administrative Decision requiring connection to the public wastewater sewer system for property located at 204 E. McMurray Blvd.

APPLICANT/OWNERS

Mrs. Judy Mulligan
204 E. McMurray Blvd.
Casa Grande, AZ 85122
Email: judy.mulligan@tlcscg.org

HISTORY

- 1959: House built on property (according to Pinal County Assessor Office records (Exhibit A).
- 5/13/14: Property purchased by Judy Mulligan.
- 7/21/14: Complaint received from neighbor indicating that the 204 E. McMurray was using a private septic wastewater system and requesting that City require connection to the public wastewater system as required by City Code (16.16.350).
- 9/22/14: Casa Grande Code Enforcement Specialist Rick Barnhart issues a letter to Judy Mulligan requesting connection to the City public wastewater system as required by Section 16.16.350 of the City Code (Exhibit B). Letter sent certified and signed for on Sept. 25th.
- 10/22/14: Judy Mulligan filed an Appeal of the Administrative Decision as allowed under sections 17.68.350 and 17.72.030 of the City Code.
- 11/11/14: Appeal scheduled for hearing at the Nov. 11, 2014 Board of Adjustment meeting.

Staff Analysis

As noted in History section of the staff report the fact that the 204 E. McMurray Blvd. property was using a private septic system, and not connected to the public wastewater system, was brought to the attention of the City by an adjoining property owner. This neighbor raised concerns due to the fact that the septic tank for the 204 E. McMurray Blvd. property was located underneath the common property boundary fence and a portion was encroaching into their property. Although staff made it clear that any such encroachment would be a private property matter that the City could not address the complainant requested that the City enforce the provision of the City Code (16.16.350-copy attached) that required that properties located with 300 feet of the public wastewater system connect to same.

16.16.350 Mandatory connection to public sewer system when.

If a public sanitary sewer is installed within three hundred feet of an individual lot, property, or sewer system, the owner thereof shall be required to connect to the sewer for the purpose of disposing of waste, and it is unlawful for any such owner or occupant to maintain upon any property the use of an individual sewage disposal system thereafter.

In response to this citizen complaint, Code Enforcement Specialist Rick Barnhart issued a letter to Judy Mulligan, owner of 204 E. McMurray Blvd., requesting that the property be connected to the public sanitary sewer (Exhibit B). Said public wastewater main exists in the alley located on the south side of McMurray Blvd. between N. Walnut Dr. and N. Center Ave. The distance from the public wastewater main to the southwest corner of the 204 E. McMurray Blvd. property is approximately 90 feet (Exhibit C).

Judy Mulligan filed an appeal of staff's administrative decision requiring the septic system to be discontinued and the home to be connected to the public wastewater system. Said appeal was filed in accordance with sections 17.68.350 and 17.72.030 of the City Code (see below) which essentially any administrative decision or code enforcement action undertaken by staff to be appealed to the Board of Adjustment.

17.68.350 Application for appeal.

A. Any aggrieved person, property owner, or any officer or department of the city affected by a decision of an administrative officer, pertaining to this title, may appeal to the board of adjustment by filing an application with the zoning administrator. The board of adjustment shall serve as the city's hearing officer in appeals of required dedications and exactions. The application shall state the name and address (or city office) of the applicant and the reasons for filing the appeal. The application shall be made within thirty days of the date of the decision which is being appealed. The zoning administrator shall then transmit to the board the complete record of the action for which the appeal is made. Appeals to the board may be made only in conjunction with an action.

17.72.030 Right of appeal.

Decisions of the zoning administrator may be appealed to the board of adjustment in accordance with Article VI. of this chapter.

The City Code does not set forth specific review criteria, nor guidelines for the Board of Adjustment to follow, in the consideration of appeals of administrative decisions and code enforcement actions. However, the Arizona Revised Statutes do contain provisions regarding the Board of Adjustment authority to consider appeals. These provisions are as follows:

9-462.06. Board of adjustment

A. The legislative body shall, by ordinance, establish a board of adjustment, which shall consist of not less than five nor more than seven members appointed by the legislative body in accordance with provisions of the ordinance, except that the ordinance may establish the legislative body as the board of adjustment. The legislative body may, by ordinance, delegate to a hearing officer the authority to hear and decide on matters within the jurisdiction of the board of adjustment as provided by this section, except that the right of appeal from the decision of a hearing officer to the board of adjustment shall be preserved.

B. The ordinance shall provide for public meetings of the board, for a chairperson with the power to administer oaths and take evidence, and that minutes of its proceedings showing the vote of each member and records of its examinations and other official actions be filed in the office of the board as a public record.

C. A board of adjustment shall hear and decide appeals from the decisions of the zoning administrator, shall exercise such other powers as may be granted by the ordinance and adopt all rules and procedures necessary or convenient for the conduct of its business.

D. Appeals to the board of adjustment may be taken by persons aggrieved or by any officer, department, board or bureau of the municipality affected by a decision of the zoning administrator, within a reasonable time, by filing with the zoning administrator and with the board a notice of appeal specifying the grounds thereof. The zoning administrator shall immediately transmit all records pertaining to the action appealed from to the board.

E. An appeal to the board stays all proceedings in the matter appealed from, unless the zoning administrator certifies to the board that, in the zoning administrator's opinion by the facts stated in the certificate, a stay would cause imminent peril to life or property. Upon such certification proceedings shall not be stayed, except by restraining order granted by the board or by a court of record on application and notice to the zoning administrator. Proceedings shall not be stayed if the appeal requests relief which has previously been denied by the board except pursuant to a special action in superior court as provided in subsection K of this section.

F. The board shall fix a reasonable time for hearing the appeal, and shall give notice of hearing by both publication in a newspaper of general circulation in accordance with section 9-462.04 and posting the notice in conspicuous places close to the property affected.

G. A board of adjustment shall:

1. Hear and decide appeals in which it is alleged there is an error in an order, requirement or decision made by the zoning administrator in the enforcement of a zoning ordinance adopted pursuant to this article.

2. Hear and decide appeals for variances from the terms of the zoning ordinance only if, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district. Any variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

3. Reverse or affirm, wholly or partly, or modify the order, requirement or decision of the zoning administrator appealed from, and make such order, requirement, decision or determination as necessary.

In consideration of this appeal the Board should evaluate whether staff made any error in the application of City Code 16.16.350 to the 204 E. McMurray Blvd. property. Staff believes that no error did occur in the application of this Code as:

- 1) The code provision is clear that when “a public sanitary sewer is installed within three hundred feet of an individual lot, property, or sewer system, the owner thereof shall be required to connect to the sewer” and that once public sanitary sewer is located within 300 feet of a property “it is unlawful for any such owner or occupant to maintain upon any property the use of an individual sewage disposal system thereafter.”
- 2) Staff has confirmed that there is a public wastewater main in the alley that is located on the south side of McMurray Blvd. between N. Walnut Ave. and N. Center Ave. and that said public wastewater main is located approximately 90 feet from the southwest corner of the 204 E. McMurray Blvd. property.
- 3) The appellant, in her justification statement (Exhibit D), notes that prior to purchase of the 204 E. McMurray Blvd. property she checked with both Pinal County and Casa Grande staff to see if the septic system could remain in place and was told that it could remain as a “grandfathered” use as long as it was operating properly. Staff is not disputing that the appellant may have been given this information but unfortunately allowing the private septic system to remain in place as long as it is operating adequately is not what is required by section 16.16.350.

Another factor that the Board may want to consider in this matter is the legislative intent and public policy that is associated with the requirement for existing private sewage systems to be abandoned and connected to the public wastewater system when feasible. It is staff’s understanding that the following are likely the basis for said policy and code requirement:

- 1) The City has made a significant investment of public funds in the construction of facilities for the treatment and collection of wastewater. It is important to have as many connections to said system as possible to spread the costs of constructing and operating this system to make the system economically viable.
- 2) Individual private septic systems do not generally treat wastewater as reliably, nor as thoroughly, as a wastewater treatment plant. Private septic systems have a high potential for eventually failing and allowing untreated or partially treated wastewater to infiltrate into, and pollute, the groundwater. This is especially a

concern in Casa Grande where the source of the public water supplied by Arizona Water Company is groundwater extracted from wells located in various locations through-out the City.

PUBLIC NOTIFICATION/COMMENTS

Notification

Public hearing notification efforts for this request meet the requirements set out by City Code. They include:

- A notice of time, date, place, and purpose of the public hearing was published in the Casa Grande Dispatch on October 25, 2014. An affidavit confirming this newspaper notice is in the City file for this appeal.
- A notice was mailed by the City on October 23, 2014 to each owner of property situated within two hundred (200) feet of the subject property. An affidavit confirming this mailed notice is in the City file for this appeal.
- A notice was posted by the applicant on the subject site at least 15 days prior to the appeal hearing. An affidavit confirming this posting was supplied by the applicant and is in the City file for this appeal.

Inquiries/Comments

At the time of writing, Staff has received one (1) general inquiry regarding this project.

RECOMMENDED MOTION

The Board of Adjustment has the ability to reverse, affirm or modify staff's decision and enforcement action in this matter. Staff recommends that the Board affirm staff's decision that the individual septic system for 204 E. McMurray Blvd. be abandoned and the home connected to the public wastewater system.

Attachments

- Exhibit A – Property Data from Pinal County Assessor Office
- Exhibit B – Sept. 22, 2014 Letter from Rick Barnhart, Code Enforcement Specialist
- Exhibit C – Aerial photo depicting 204. E. McMurray Blvd. property and location of nearest public wastewater system main.
- Exhibit D – Appellant's Justification documents

Menu

Change of Address

Exemptions

Prop 117

Senior Freeze

Forms

Administration

Divisions

News

FAQs

Glossary

About Us

Contact Us / Locations

Can't find something? Tell us!

Frequent Questions

- General Questions
- Appraisal
- Business Personal Property
- Maps/Splits
- Tax Area Code

Parcel Search®

Start a New Search

Search Results (1 Entries)

Parcel Details (506-05-028C)

Previous year valuations are subject to change as prescribed in the Arizona Revised Statutes. All changes in value may not be reflected in this data. For updated/correct figures, please refer to the Treasurer's Office website.

Link to This Parcel Print View

Parcel Number 506-05-028C shows the following information for Tax Year: 2015 Tax Year Chart

Parcel Number:	506-05-028C (Taxing Information)			Primary Owner:	MULLIGAN JUDY A
Section:	20	Township:	06S	Range:	06E
Atlas Number:	084-20	Map:	View Parcel Map		
Property Description: (What is this?)					
BEG AT SW CR SE NW SEC 20; TH N-30'; TH E-52.50' TO TPOB; TH E-174'; TH N-163'; TH N-87 DEG 09' W-42'; TH S-66 DEG 11' W-37'; TH S-80 DEG 41' 50 W-50.06'; TH S-51 DEG 40' 22 W-61.92'; TH S-104.0' TO TPOB SEC 20-6S-6E .6920 AC					
Tax Bill Mailing Address					
Address:	204 E MCMURRAY BLVD				
City:	CASA GRANDE				
State:	AZ				
Zip Code:	85122				

Date of Sale:	5/13/2014	Property Address (Location):			
Sale Amount:	Not Given	204 E MCMURRAY BLVD CASA GRANDE AZ 85122			
Document(s):					
2014-027746 2014-027745 2013-086250 2013-078617 1996-015351					
VIEW MAP					
Property Address refers to a geographical location. It may not match the mailing address city or zip code					

Subdivision:	KOENIG ESTATES				
Unit:	Block:	Lot:	Phase:		
Cabinet:	000A	Slide:	0021		

Imp:	1.00	Item:	Single Family Residential		
Const year:	1959	Grnd Flr Perim:	278		
Stories:		Total Sq. Ft.:	2832		

Parcel Size:	0.69
Size Indicator:	Acres
Tax Area Code:	0428 (Rates current as of 2013)
Use Code:	0131
Land Legal Class:	03L - Owner Occupied Residential
Impr. Legal Class:	03I - Owner Occupied Residential
Full Cash Value (FCV):	\$118,160.00
Limited Value (LPV):	\$97,664.00



City of Casa Grande

September 22, 2014

Certified 7009 1410 0000 2611 8086

Judy A. Mulligan
204 E. McMurray Blvd.
Casa Grande, AZ 85122

re: 204 E. McMurray Blvd, Casa Grande AZ 85122 Assessor's Parcel 506-05-028C

Dear Ms. Mulligan:

This letter is to advise you of an issue that's recently been brought to the attention of the City of Casa Grande. Your home has a septic system and part of that underground system appears to encroach onto neighboring properties. The City Code listed below, requires properties to be connected to the public sanitary sewer system, when that system is within 300 feet of said property.

16.16.350 Mandatory connection to public sewer system when.

If a public sanitary sewer is installed within three hundred feet of an individual lot, property, or sewer system, the owner thereof shall be required to connect to the sewer for the purpose of disposing of waste, and it is unlawful for any such owner or occupant to maintain upon any property the use of an individual sewage disposal system thereafter. (Ord. 1179 § 4.6(D))

The City of Casa Grande is requesting your cooperation to cause your property to be connected to the public sanitary sewer system. I've enclosed a plumbing permit and right-of-way use permit application. You will be required to use a licensed contractor familiar with connections to the public sanitary sewer system. Any questions you may have regarding this requirement may be directed to the Development Center located at City Hall 510 E. Florence Blvd.

If you have any questions of me, please call 520-421-8632 ext. 3160 or email rickb@casagrandeaz.gov

Sincerely,

A handwritten signature in black ink that reads "Rick".

Rick Barnhart
Code Enforcement
City of Casa Grande

CE-14-01655



3 in.

N Walnut Dr

E McMurray Blvd

N Koenig Dr

3 in.

6 in.

Judy Mulligan
 204 E McMurray Blvd.
 Casa Grande, AZ 85122

October 3, 2014

Dear Mr. Barnhart, and City Engineer.

This letter is in response to the letter I received on September 26, 2014 stating that my home has a septic system and part of an underground system which appears to encroach onto neighboring properties. The property located at 204 E. McMurray has recorded easements which existed at the time of development and subsequent sales of neighboring properties. Any "clean outs" of said septic tanks would occur on the 204 E McMurray Blvd. property line, not interfering with any neighbors.

Prior to me purchasing the house located at 204 E. McMurray I was advised of the ordinance that requires homes that are within 300 feet of a sewer connection to be connected, but that this was referencing any new construction. Pinal county environments services stated that if the pre-existing septic system was in good operating condition and is being maintained on a regular basis there was no need to change from septic to sewer. If the septic becomes an environmental nuisance or hazard, then there would be cause to comply with the city ordinance. They also stated that the county statute overrides the city ordinance when the septic system is in good operating condition. City officials and the County Supervisor stated there was no need for the owner of the property to change to a sewer connection unless it was personally desired.

Section 13.08.450 Private sewage systems allowed when-Compliance required.

- A. Except as provided in this article, it is unlawful to contract or maintain with the City any privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- B. Where a public sanitary sewer is not available for a distance of three hundred feet within the City or in any area under the jurisdiction of the City, the building deer shall be connected to private sewer disposal system, which complies with the regulations of the State Depart. of Public Health. Such private sewage disposal system shall be contracted, maintained and operated at all times in a sanitary manner. (prior code 13-4-5)

Prior to purchasing the property, I personally contacted the County Supervisor, Steve Miller and City Services Public Works, Jennifer and they reiterated the same information to me. It has also been explained to me that it has been the City's long standing rule that as long as a septic system stays functional, it would be grandfathered in.

I contacted the people who originally inspected the septic units and they also told me that the units were in good working condition and as long as I maintained them properly, I should not have any issues. When I moved in (July 2014), I purchased 12 monthly enzyme treatment packets and are using two each month as instructed. If you have any further questions regarding the condition of the units, please call George Allen at Desert Septic. 520-518-0179.

Had I been made aware that within 90 days of residence, I would have to then comply with ordinance 16.16.350, I may not have purchased said piece of property at that time or I would have requested it be complied with prior to escrow. To comply with connecting to the public sanitary sewer system would involve the excavation of McMurray Blvd. for access to the closest sewer main, please see attached photo, and would cause a great deal of burden to me at this time.

I am requesting at this time that the City of Casa Grande's City Engineer grant me permission to continue using the existing functioning septic system and not attach to the public sanitary sewer system. If a major problem occurs which then becomes an environmental hazard, then necessary steps will be taken to comply.

Thank you very much for your time.

Respectfully Submitted,

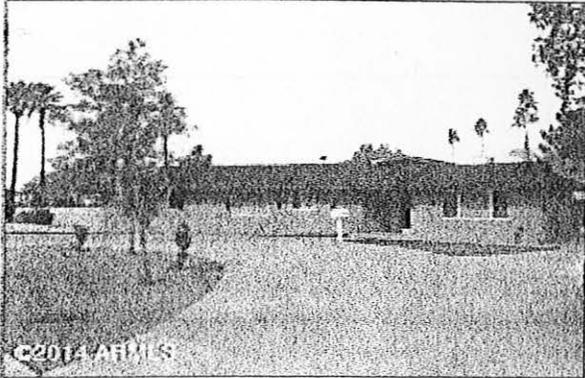
Judy Mulligan



Client Report (1)

204 E MCMURRAY BLVD Casa Grande, AZ 85122

\$249,900

	5048960 Residential Single Family - Detached Active	
	Beds/Baths: 3 / 2 Bedrooms Plus: 4 Approx SqFt: 3,402 / Owner Price/SqFt: \$73.46 Year Built: 1959 Pool: None Encoded Features: 32RXO2G12S Exterior Stories: 1 # of Interior Levels: 1 Dwelling Type: Single Family - Detached Dwelling Styles: Detached	Approx Lot SqFt: 30,144 / County Assessor Apx Lot Size Range: 24,001 - 35,000 Subdivision: unknown Tax Municipality: Casa Grande Marketing Name: Planned Cmty Name: Model: Builder Name: unknown Hun Block: Map Code/Grid: X41 Bldg Number:
	Ele Sch Dist: 0004 - Casa Grande Elementary District - Pinal Elementary School: Cholla Jr. High School: Casa Grande Middle	High School Dist #: 0082 - Casa Grande Union HS District - Pinal High School: Casa Grande Union

Cross Streets: Pinal Ave & McMurray Blvd Directions: From N Pinal Ave. Left on McMurray to the property.

Public Remarks: **" COMPLETELY REMODELED "** and Located on a 2/3 Acre Parcel. This is a Completely Remodeled and Updated Gem featuring a new roof, new windows, new flooring, new cabinetry, and many other interior upgrades. Also featuring an open, bright and spacious floor plan with a fully finished Arizona Room, come see for yourself!! All this, plus the Circular Driveway and the Extra Large Back Yard and Side Yard!

Features	Room Details	Construction & Utilities	County, Tax and Financing
Approx SqFt Range: 3,001 - 3,500 Garage Spaces: 2 Carport Spaces: 0 Total Covered Spaces: 2 Slab Parking Spaces: 12 Parking Features: Electric Door Opener Pool - Private: No Pool Spa: None Horses: N Fireplace: 1 Fireplace: Fireplace Family Rm Landscaping: Dirt Back; Desert Front Grass Front: Grass Back; Yrd Watering Sys Front: Auto Timer H2O Front Exterior Features: Patio; Circular Drive: Pvt Yrd(s); Ctryrd(s) Community Features: Transportation Svcs Flooring: Carpet; Tile Windows: Dual Pane	Kitchen Features: Range/Oven Elec; Disposal; Dishwasher; Built-in Microwave; Refrigerator; Walk-in Pantry; Granite Countertops; Kitchen Island Master Bathroom: Full Bth Master Bdrm; Separate Shwr & Tub; Double Sinks Master Bedroom: Downstairs Additional Bedroom: Other Bdrm Dwnstrs; Separate Bdrm Exit; Mstr Bdr Walkin Clst; Othr Bdr Walkin Clst Laundry: Wshr/Dry HookUp Only; Inside Laundry Dining Area: Eat-in Kitchen; Breakfast Bar; Dining in LR/GR Basement Y/N: N Sep Den/Office Y/N: N Other Rooms: Great Room; Bonus/Game Room; Arizona Room/Lanai Items Updated: Floor Yr Updated: 2013; Roof Yr Updated: 2013; Kitchen Yr Updated: 2013; Bath(s) Yr Updated: 2013	Architecture: Ranch Unit Style: All on One Level Const - Finish: Painted; Stucco; Brick Trim/Veneer Construction: Slump Block Roofing: Comp Shingle Fencing: Block Cooling: Refrigeration; Evaporative Heating: Gas Heat Plumbing: Gas Hot Water Heater Utilities: APS Water: Pvt Water Company Sewer: Sewer - Public Services: City Services Energy/Green Feature: Ceiling Fan(s); Multi-Zones	County Code: Pinal Legal Subdivision: AN: 506-05-028-C Lot Number: See Parcel Map Town-Range-Section: 06S-06E-20 Cty Bk&Pg: Plat: Taxes/Yr: \$1,335.16 2013 Ownership: Fee Simple New Financing: Cash; VA; FHA; Conventional Total Asum Mnth Pmts: \$0 Down Payment: \$0 Existing 1st Loan: Treat as Free & Clear Existing 1st Ln Terms: Disclosures: Seller Disc Avail Agency Disc Req Possession: Close of Escrow

Fees & Homeowner Association Information

HOA Y/N: N//	
HOA 2 Y/N: //	
HOA 3 Y/N: //	
Association Fee Incl: No Fees Assoc Rules/Info: None	Rec Center Fee Y/N: N Rec Center Fee 2 Y/N: N Land Lease Fee Y/N: N \$0 PAD Fee Y/N: N \$0 To Mnthly Fee Bdwn: \$0 Cap Improv/Impact Fee: \$0 \$ Cap Improv/Impact Fee 2: \$0 \$

Listing Dates	Pricing and Sale Info	Listing Contract Info
CDOM/ADOM: 18 / 18 Status Change Date: 01/04/2014	List Price: \$249,900	Special Listing Cond: Owner Agent

Listed by: Farhat & Associates (farh001)



Judy Mulligan <judy.mulligan@tlcscg.org>

RE: Septic/Sewar for 204 East McMurray Blvd, Casa Grande

1 message

Aziz Farhat <afarhat47@gmail.com>

Fri, Sep 26, 2014 at 9:28 AM

To: Judy Mulligan <msjudy17@msn.com>, Judy.mulligan@tlcscg.org

Cc: Aziz Farhat <afarhat47@gmail.com>, Deborah Farhat <farhathomes.com@gmail.com>

Hello Judy,

I have attached all of the information we have on file regarding the septic easement, septic inspections, and our overall findings detailed on addendum #2:

1. At the time we had done our research with city, county and title co., the existing Casa Grande city ordinance was referencing any new construction was mandatory to connect to sewer if the building was going to be within 300 feet of the main sewer line.
2. Pinal county and Pinal county environmental services clearly told us that you are not required to change from septic to sewer if your pre-existing septic system was in good operating condition and is being maintained on a regular basis. If the septic becomes an environmental nuisance or hazard, then there would be cause to comply with the city ordinance. They told us that the county statute overrides the city ordinance when the septic system is in good operating condition.
3. The property easement is fundamentally giving you the right to access the neighbors lot to dig up and remove the septic tanks if there was ever a reason to do that, otherwise, the septic clean-outs are located within your property line, so there is never a need to go into the neighboring property for normal on-going maintenance.

For additional information and verification, please contact County Supervisor Steve Miller at (520)866-7400 and Pinal County Environmental Services Doug Sandstrom at (520)421-8696 (see addendum #1 for details).

All the best to you,
Aziz

Aziz Farhat, REALTOR® - CDPE

Farhat & Associates

Serving Chandler, Gilbert, Maricopa, Casa Grande, Scottsdale & Ahwatukee, Arizona

Direct: (602) 743-7306

E-Fax: 1 (877) 794-3379

Email: AFarhat47@Gmail.com

Web Site: www.FarhatHomes.com

****Ready to find your new home now? Search the MLS anytime using your Mobile Phone:
Text AZ46 to 32323***

5 attachments

 **Septic #1 Inspection Rpt 04-16-14.pdf**
711K

 **Septic #2 Inspection Rpt 04-16-14.pdf**
702K

 **Septic #1 and #2 Invoice 04-16-14.pdf**
239K

 **Addendum #2 - Septic & Misc.pdf**



DESERT SEPTIC, LLC
 P.O. Box 3114 EMC
 Casa Grande, AZ 85122
 Office: 520-705-9922
 Fax: 520-494-9055

Invoice

Date	Invoice #
7/23/2014	2510

PA
CHK # 805

Judy

Description	Qty	PO Number	Terms
			Due on receipt
		Rate	Amount
Enzymes Treatment (12) monthly packets PROPERTY LOCATION: 204 McMurray Casa Grande, Arizona 85122	1	48.02	48.02
All work is complete! Thank you for choosing DESERT SEPTIC.		Total	\$48.02
		Payments/Credits	\$0.00
		Balance Due	\$48.02

Farhat & Associates

ADDENDUM 2

Document updated:
June 1993



The pre-printed portion of this form has been drafted by the Arizona Association of REALTORS®. Any change in the pre-printed language of this form must be made in a prominent manner. No representations are made as to the legal validity, adequacy and/or effects of any provision, including tax consequences thereof. If you desire legal, tax or other professional advice, please consult your attorney, tax advisor or professional consultant.



1. This is an addendum originated by the: Seller Buyer Landlord Tenant.
2. This is an addendum to the Contract dated April 5, 2014 between the following Parties: MO DAYR
3. Seller/Landlord: Aziz S. Farhat, Richard S., Brock, Ricardo M. Castro
4. Buyer/Tenant: Judy A. Mulligan
5. Premises: 204 E. McMurray Blvd, Casa Grande, AZ 85122
6. The following additional terms and conditions are hereby included as a part of the Contract between Seller and Buyer for the above referenced Premises:
7. Addendum to the Seller Property Disclosure Statement:
8. _____
9. The neighbor who has the easement on his property for the septic tank access contacted
10. one of the sellers on 5/7/14 stating he had an issue with the easement and the tank
11. being on his property. He stated there was a city ordinance that all homes in the area
12. needed to be switched over to sewer.
13. _____
14. The sellers have researched the neighbor's complaint and have found the following:
15. _____
16. -there is a city ordinance that requires homes that are within 300 feet of a sewer
17. connection to be connected.
18. _____
19. -there is a statute that overrides this ordinance for our subject property as the
20. septic tanks are fully operational without any issues. City officials and the County
21. Supervisor stated there was no need for the owner of this property to change to a
22. sewer connection unless it is personally desired.
23. _____
24. We encourage the buyer to contact the following city and county officials to confirm
25. this information. The neighbor has also been updated and provided with the number to
26. call the County Supervisor for questions.
27. _____
28. County Supervisor - Steve Miller - 520-866-7400
29. Environmental Services Pinal County - Doug Sandstrom - 520-421-8696
30. City Services Public Works - Jennifer in Finance - 520-421-8601 (billing of sewer
31. services)
32. _____
33. _____
34. _____
35. _____
36. There is a recorded easement
37. _____
38. _____
39. _____
40. _____
41. _____

Handwritten notes:
 Updated - Spoke Steve Miller
 5/8/14

Handwritten notes:
 unless it makes the
 of areas - must switch
 Best number
 Public Works
 520-421-8601

42. The undersigned agrees to the additional terms and conditions and acknowledges receipt of a copy hereof.
43. Richard S. Brock 5/8/2014 Judy A. Mulligan 5/8/2014
44. Seller Buyer Landlord Tenant MO/DA/YR MO/DA/YR
45. Seller Buyer Landlord Tenant MO/DA/YR MO/DA/YR
46. Aziz S. Farhat 5/8/2014
47. Seller Buyer Landlord Tenant MO/DA/YR MO/DA/YR
48. Seller Buyer Landlord Tenant MO/DA/YR MO/DA/YR

49. For Broker Use Only:
 Brokerage File Log No. _____ Manager's Initials _____ Broker's Initials _____ Date _____
 MO DAYR

Addendum • Updated: June 1993 • Copyright © 1993 Arizona Association of REALTORS®. All rights reserved.

