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Catalina Foothills Association

NEWSLETTER
APRIL, 1999

Post Office Box 64546 • Tucson, Arizona 85728-4546
Devoted to the preservation of the unique character of the Catalina Foothills since 1952

PRESIDENT'S MESSAGE



Deed Restrictions In Area Nos. 1-4:

In an article in this newsletter two years ago, I stressed my concerns about unbridled development in Area Nos. 1 through 4 and the importance of having deed restrictions reinstated there. I want to bring you up to date as to what has transpired since. Further development has occurred in Area Nos. 1 through 4. Reasonable height restrictions and setbacks have been ignored in many instances, and a significant amount of vegetation has been destroyed. If this type of thing is allowed to continue, the quality of the area in which we live will be significantly impaired. I do want to stress I am not anti-development. I am sensitive to the economic needs or desires of some which can only be realized through subdivision of certain of the larger lots in our area. My goal is to do what I can to preserve the general character of the area in which we live so

we will be able to later enjoy it as much as we do now.

When the committee formed to secure reinstatement of deed restrictions first became active, an effort was made to sell neighbors on a set of new deed restrictions which was rather lengthy. Many persons expressed a willingness to sign such a document, but others did not. The message conveyed was that if we came up with something a little simpler or streamlined, our goal would more likely be realized. In turn, a more easy-to-read, straightforward set of deed restrictions was drafted. Area No. 3 was selected as a pilot area because it has fewer residents than Area Nos. 1, 2 or 4. I am very pleased to announce that we are on the verge of securing enough signatures in Area No. 3 to warrant the recording of a master document. The deed restrictions which will be recorded with respect to Area No. 3 do not preclude subdivision. Subdivision of a larger lot into lots of one acre is allowed. Aesthetics are not legislated. The height and set-back restrictions imposed are quite reasonable. Removal of vegetation is only allowed in those areas where, in the face of construction, it would be impractical to maintain it. No one, in good faith, can suggest the deed restrictions proposed are unreasonable or unfair. In reality, they are the same standards virtually any of us would choose to follow when building a home of our own. In the near future, we will broaden our efforts and begin

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contacting residents of the other areas mentioned regarding reinstatement of deed restrictions there. In the meantime, if any of you would like to discuss this issue, please contact me or one of the other members of the committee (David Hill, Jim Perrine, Ginny Sonett and John Trang). Any of us will be happy to talk with you about the situation. We do need any assistance you may be able to offer in your own area.

Speed Humps:

A few years ago, the residents in Area No. 8 arranged to have speed humps (not speed *bumps*) installed on Camino Miraval. If you are concerned about the speed with which motorists travel through your neighborhood, take a quick trip to Camino Miraval to see what has been done there. With speed humps in place, traffic speed on that roadway has been reduced significantly. I am not aware of any real complaints regarding installation. Residents in Area No. 8 no longer have to listen to the roar of vehicles speeding by, persons using the roadway on foot in a legal fashion are not in jeopardy and fewer pets are being flattened.

I am a resident of Area No. 3. Several of my neighbors have asked to have speed humps installed there. I suspect there are other residents in other areas who feel the same. I would urge anyone who is interested in organizing an effort to have speed humps installed in their neighborhood, to contact Jane Hoffmann (phone: 327-9693). She will provide you more detail regarding the process. I would also like to mention that such an effort is apparently underway in Area No. 7. I am sure there are persons there who are involved who would be most happy to help persons initiate a similar effort elsewhere.

Basic Steps to Initiate Speed Humps

1. A committee must be set up (3 to 6 people); these people get paper-work, petitions, etc. from the county.
2. A petition drive must take place; 60% of homeowners are required to sign the petition. This initiates a traffic-

study by the county.

3. Pima County presents to the committee its suggestions for changes and *scope* of work (traffic circles, speed humps, signing, etc.).
4. The committee takes this information back to the homeowners/residents, and then another petition is initiated, wherein 60% of the homeowners must agree to the *scope* of the work to be done.
5. If the area residents agree to the plan, a tax district is formed, and yet another petition is circulated, requiring 51% of the homeowners to agree to absorb a portion of the cost. If the affected neighborhood agrees to absorb the total cost of the work and pay up-front, then no petition is required at this stage.

Water Main Replacement:

As many of you are aware, Tucson Water is replacing the mains in Area Nos. 1 through 4. I have recently been advised that some persons are troubled by the conduct of some of the employees of the contractor hired by Tucson Water to perform the task. I am sure Tucson Water will be interested to learn of any problems which exist. Further, if any of you would like to bring problems you have noted to the attention of the Board for action, please contact me at my office: phone: 624-6691, or e-mail : Dhill@87816AOL.com. Someone will try to get back to you promptly.

Bond Override:

Catalina Foothills School District encompasses Area Nos. 1 through 6 and 8 through 9. A budget-override election is scheduled for May 18, 1999. I would urge you to vote in favor of the same. With renewal of the budget override, current class size, staffing and curriculum will be maintained. If the override fails, class sizes will increase and certain programs will be cut. Please remember that a "yes" vote on the override will not increase your taxes -- they will stay the same. I would add that the property values in the foothills area are increasing, in large part due to the quality of the education provided by District No. 16.

ANNUAL MEETING

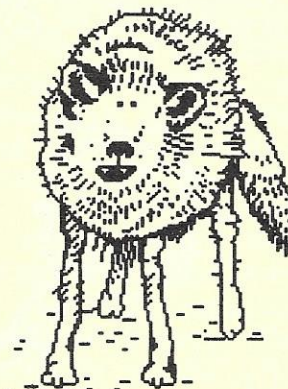
The 47th annual meeting of the Catalina Foothills Association, held on Wednesday, January 20, 1999, was called to order at 7:22 P.M. by acting president Tony Luebbermann. There was a total of 121 people in attendance.

Proposed and elected as a new Board member was Dr. Jerry Leroy, Area 5. Subsequent to the annual meeting, Polly O'Bier has been elected to the Board as representative of Area 9.

The first speaker of the evening was Katherine Jacobson, who discussed the pending new development of the four corners of the intersection of Campbell Avenue and Skyline Drive. The northeast corner ("Anthony's' corner") will be developed first. This development will consist of three separate buildings with 22,000 square feet of floor space, will include a series of art galleries, and the developer expects occupancy before the end of 1999. This property is no longer owned by the Murphey Family Trust, but instead belongs to the Matthews-Lasker-Cotes group. The Matthews-Lasker-Cotes group also hopes to acquire the southeast corner, where they would like to build a hotel. A Phoenix developer anticipates turning the northwest corner into a high-end shopping center. The design phase is expected between 2000 and 2002, with construction occupying the following two years. Ms. Jacobson describes these developments in further detail in an article which occurs later in this newsletter.

Next on the evening's agenda was Mr. Craig Miller, Southwest representative for the Defenders of Wildlife. Mr. Miller spoke to us about the recent re-introduction of Mexican wolves into eastern Arizona. He related that wolves in the wild Southwest have historically fed upon Coue's, whitetail and mule deer, pronghorn antelope and javelina. Interestingly, wolves fail to capture their prey up to 90% of the time. At the turn of the century, deer and elk populations were in decline while cattle and wolf populations were rising. This led to an inevitable confrontation between cattle ranchers and wolves, with the latter being the clear losers. By

1970 the last Mexican wolf was removed from the wild in the United States, with their disappearance occurring by 1950 in Arizona. Recent field investigations have confirmed that there were apparently no Mexican wolves surviving in the wild in the United States and Mexico in the 1980s. Currently, however, there are approximately 35 captive-breeding programs in place, and the total population of Mexican wolves stands at about 180. Many of these wolves have been used in traveling propaganda shows, mostly in schools, in the last six years.



Turkey Creek in the Blue Range of the Apache National Forest in eastern Arizona was chosen for the re-introduction of the Mexican wolf into the wild. Originally, eleven wolves in three family groups were released in this area; currently, nine are in acclimatization pens and four remain on the ground in the wild. Of those released into the woods, more than half have been killed. Furthermore, it takes approximately nine years for a substantive population to stabilize. This wolf-re-introduction process may also take place in New Mexico.

One interesting program created as a part of this wolf-re-introduction is a co-operative effort involving ranchers. Ranchers who run their cattle in new wolf territory are allowed to market "wolf-certified beef", which, it is hoped, will gain public favor over ordinary beef. In fact, this product is now available in some New Mexico markets.

Following Mr. Miller this evening was Ms. Carolyn Campbell, chairperson of the Coalition for the Sonoran Desert

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Protection Plan (later referred to as the "SDPP"). The SDPP is a science-based blueprint for the preservation of open spaces during urban development. Interestingly, Pima County and Tucson city governments appear to be committed to this plan. The SDPP consists of six elements: ranch conservation, cultural and historic preservation, riparian restoration, mountain-park expansion, protection of biological (wildlife) corridors, and conservation of critical and sensitive habitat. An important part of the SDPP is the protection of sensitive and potentially endangered animal species (and their associated plants) before and during development so that those fauna do not become listed as endangered under the Endangered Species Act.



Ms. Maveen Behan, administrative assistant to Mr. Chuck Huckleberry, Pima County Administrator, spoke to us next. She discussed Pima County's role in the SDPP, with emphasis on the cactus ferruginous pygmy owl (hereafter referred to as the pygmy owl). Ms. Behan remarked that land-use issues in Pima County government attract the "most talent, passion, and despair," not to mention the most outside activists. Currently in Pima County, a grand total of twelve individual pygmy owls have been counted, and this small group has brought some development in the northwest part of the county to a virtual standstill (just ask the Amphitheater School District!) These owls seem to reside in the fastest-growing area of Pima County and they are causing a big problem, all because of the federal government's Endangered Species Act. Section Nine of this law says, basically, that if the habitat of an individual member of an identified endangered

species is threatened by development, the individual animal must be protected; the development must cease! This is somewhat mitigated by Section Ten of the same Act, which states that one can compensate for the loss of an individual endangered animal by saving (an) other individual(s) of the same species. In other words, the *overall* conservation goals for a given endangered species must be met/achieved, and a failure to achieve the goal in one area may be offset by a success in another area. Pima County's strategy is going to be to get a Section-Ten permit for its land-use-development plan. Without this strategy, areas identified as pygmy-owl habitat are restricted to a density limit of greater than 3.1 acres per house. Thus, Ms. Behan concludes, endangered species and water will determine the entire growth pattern in Pima County for the foreseeable future.

The evening's last scheduled speaker was Mr. Bruce Messelt, assistant to the Tucson city manager. Mr. Messelt spoke mainly about the city of Tucson's participation in the purchase of the Bellota Ranch, northeast of Tucson (this ranch extends from the Reddington Pass all the way to the San Pedro River.) The Bellota Ranch is 18 miles from the corporate city limits of Tucson. This fact begs the question, "Why is the city of Tucson involved in buying this remote ranch?" Mr. Messelt's answer to this question is that there wasn't time to put together a traditional land-purchase deal; something had to be done, and done quickly, to get the ranch off the market. This is because ranches like this don't make any money; they must either be run as a rich man's hobby or be sold off for development. And developers were anxious to buy and develop the Bellota Ranch, especially the critical riparian area along the San Pedro River. The developers were willing to sell their new acquisition to Tucson, but the asking price (\$ 8,000,000) was way over appraised value. However, the land was considered to be such a treasure in need of saving from development that several other organizations and individuals became involved. Here is the outcome of that involvement. The Bureau of Land Management (BLM) bought the San

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Pedro River property, and removed it forever from development. The Nature Conservancy bought some, too. The city of Tucson bought the ranch headquarters near the river (for \$ 2,500,000) and will operate it as a ranch, now called the "A-7" ranch. Robert Cotes, owner of the Tanque Verde Guest Ranch bought the adjoining land (on the Tucson Valley side of Reddington Pass),

and will include his new purchase as a part of his now-extended Tanque Verde Guest Ranch; it will not be further developed. It is hoped that this preservation of critical habitat and open space will be a part of a natural corridor for animal movement all the way from the Catalinas to the Rincons to the Galiuro Mountains.

" SENSITIVITY " CHECKLIST

Most of us think of ourselves as being sensitive to our neighbors, but, in some cases, we do not realize that what looks "right" to us from our perspective is perhaps bothersome to others.

Here is a "check list." How do you score?

1.) Lighting

Now that you have put in those security lights, have you checked with your neighbors -- both adjacent and across the arroyo or across the street -- to find out if your lights are causing a light-pollution problem for them? Pima County has a light-pollution ordinance which requires that all lights be shielded and aimed in a downward direction.

2.) Trash Containers

If your covenants or policies allow for containers on the street, are they OUT early in the morning and IN at the end of the day? Are your papers and other less-dense trash items secured so that the wind cannot blow them away?

3.) Illegal Dumping

It is curious how little piles of bricks, mortar, asphalt, plastic bags filled with treasures, old buckets, and even water heaters appear in arroyos and along our streets. Do you instruct workers on your property to remove any leftover materials? Are they aware of the county ordinance against dumping? When you see illegal dumping, do you take the time to call the Hot-Line number (622-5800)?

4.) Mistletoe

Yes, there are several differing points of view regarding mistletoe removal. If you value that "privacy" screen between you and the street or a building, have you excised the mistletoe from your trees? If the mistletoe goes unchecked, the trees may eventually die, and there goes your screen!

5.) Flora

Are you aware that there is a state native-plant law, as well as a county ordinance, which prohibits removal of native plants from your property? Newcomers, you should check before removing any desert plant that may look like a "weed" to you, but is nurturing baby saguaros, et al.

6.) Fauna

Have you thought about the long-term effect on wildlife when you put out feed and water for them? Their dependency on you will discourage their foraging in their natural habitat. Also, standing water will attract undesirable insects such as mosquitoes.

7.) Speed

On your way to work or delivering your children to school are you forgetting that our residential streets have speed limits? Please keep in mind that walkers, school buses and children share the road with you.

8.) New Buildings

Perhaps you are making plans for additions to your home or patio. Have you considered the effect a new structure will have on the views of your neighbors? Those areas with covenants have a 30-foot set-back, but placement

on the lot can have a positive or negative impact on your neighbors.

Keeping in mind your neighbors' concerns might even put you in touch with some friendly and interesting people.

TRASH PICKUP

Catalina Foothills Estates #7 (hereafter referred to as "CFE #7") is by far the largest of the various areas of houses and townhomes which make up the Catalina Foothills Association. Its "Declarations of Protective Covenants" place binding and enforceable conditions and restrictions upon the use of each lot in this subdivision. These restrictions were and are designed to preserve the unique nature of our foothills lifestyle; this is why we choose to live here!

Covenant #15 states that "Garbage/trash cans must remain concealed and may not be placed along street rights-of-way." This notwithstanding, this author noticed that, on a recent trash-pickup day, more than half of the houses on Calle Luisa (in CFE #7) had their trash cans out along the side of the street (if we had curbs, this would be called "curb-side" placement of trash cans)! The folks over in the Via Entrada part of CFE #7 strictly monitor and enforce their covenants, but here we do not. This is a totally unfair situation because those of us who obey this covenant must pay extra each month for the trash-removal company to come onto our properties and physically move our trash containers to their truck for emptying.

Currently, this extra charge (for "carry-out" or "back-door" service) is substantial if your trash-hauler is Waste Management (see the accompanying table). It is unfortunate that some homeowners choose not to obey the covenants which were agreed to when they purchased their homes. Some may plead ignorance of the covenants, and some may balk at the extra cost to have their trash cans remain away from the street and be transported by the trash hauler. Also, some people do not like to have strangers (i.e., the trash-haulers) on their property (there have been



reports of damage to plants and other landscaping done by careless trashmen).

The only viable solution to this problem is compliance with the covenant. However, this is made easier by new competition in the trash-hauling business in Tucson. At least two (relatively) new companies are offering extremely attractive rates for trash removal, including carry-out, which would seem to obviate objections based upon the excessive cost of this necessary added service. Waste Management, in response to the new competition, will probably be forced to lower its rates, too. The following table summarizes services and associated costs of available trash-removal companies. The information in this table was acquired by telephone from various representatives of these companies, and may not reflect the current or best rate available to you. Discounts (including senior-citizen discounts) are available from at least some of these companies. To get the latest rate information for your particular residential needs, please contact these companies yourself.

Here follows some information on the companies which provide trash-removal services in our neighborhoods (not including roll-offs). Twenty or so years ago, our residential trash and garbage was taken away by companies with the following names: Waste

Management, Flight's, and J.D's. BFI came along not too long after this, and more recently USA Waste acquired BFI, Flight's and J.D.'s. Still more recently, Waste Management absorbed USA Waste's operations in the Foothills, leaving Waste Management as the sole commercial trash-removal provider in the Catalina Foothills. Since this latter

merger, two new companies, Reliable Environmental Services and Saguario Environmental Services, have sprung up to fill the perceived competition/service void. The rates for residential customers for these three companies are summarized in the following table. Please be sure to read the footnotes below the table.

company	pickups / week		monthly cost		# Foothills Customers
	trash	recyclables	curb-side	carry-out	
Waste Management	1	1	\$16.45*	\$37.50 to \$80.45**	> 1000
Saguaro	2	0	\$16.75	\$20.75†	> 50††
Saguaro	2	1	\$19.00	\$23.00†	> 50††
Reliable	2	1	\$10.00	\$15.00†††	2000

* This is WM's special homeowners'-association("HOA")-members' rate; at least some CFE #7 residents receive this rate.

** \$80.45 is the older, regular carry-out rate if not a member of a HOA.

** \$37.50 is the current HOA rate; WM plans to determine back-door (carry-out) rates for each customer on a case-by-case basis. WM provides one of the industry-standard 95-gallon containers for each customer. However, two containers per customer are at least sometimes available on request, and will be picked up for the same rate (this means that if you have too much trash for the single trash pickup [single container] each week, you may be able to use two containers to get the job done for the same price!)

† \$20.75/\$23.00 is the approximate current rate; Saguario plans to determine back-door (carry-out) rates for each customer on a case-by-case basis. One additional (up to a total of two) industry-standard 95-gallon containers of trash costs \$3 to \$4 more per month.

†† >50 people have signed up in just the last week for service scheduled to begin May 1, 1999.

††† if Reliable is made a "preferred provider," the curb-side rate drops to \$7.50. Reliable does not provide trash containers, but will pick up as many of the homeowner's own containers as he/she puts out for the price quoted above.

According to president Rob Howe, Reliable Environmental Services is a family-operated company made up of former-USA-Waste people which places an emphasis on customer service; it operates only in the Catalina Foothills, in an area bounded by First Avenue on the west, Craycroft on the east, and River Road on the south. Mr. Howe, who can be reached at 319-1046 (he still answers the 'phone himself), claims that the service he's offering must be a good one because his company has gone from zero subscribers to 2000 in just six months of operation! In at least some areas, Reliable may make use of trucks smaller than the large hydraulic compactors used by everyone else; these smaller trucks will be pulling one or more trash trailers. (This writer still remembers when the city of Tucson used to haul trash via little International Scouts, each pulling two, three or four trailers of trash). Reliable's truck-trailer

combinations are said to be extremely quiet, and more maneuverable and lighter in weight than big compactor trucks. Smaller, less heavy trucks do much less damage to our street surfaces and to adjacent vegetation.

Saguaro Environmental Services is a division of Republic Services, a very large corporation based in Florida; thus they won't be going out of business in the next week or so. Saguario is hitting the area pretty hard with their marketing campaign, emphasizing better service (including an "unconditional service guarantee") and dependability. This author's impression of Saguario is that they are very eager, well organized, and enthusiastic. They intend to begin service in the 85718 zip-code area after the first of May, and have already signed up more than 50 subscribers there.

Waste Management (hereafter referred to as "WM") has been doing

business in Tucson for more than 25 years. Because of their large number of customers, many of whom have been previously serviced by other companies (most recently USA Waste), WM is desperately trying to "take off the rough edges" of their operation and "make things run more smoothly," especially in light of their new competition. Working on this difficult task is Jeff Gilmore. They have customers whose rates reflect what they paid to their previous trash company, which WM wants to honor, even if it is lower than what WM currently charges for the same service. However, they also have customers who have historically paid more than what WM now charges for the same service. This even includes some people who have been with WM itself for a long time (including this author, going on 20 years) and who are being billed at a higher rate for the same service provided to newer customers at a lower rate. WM is trying to identify such cases of unfair billing, but it is a daunting task, given the size and history of their operation. WM's current charges for homeowners'-association members can be found in the table below. One long-time resident of Catalina Foothills Estates #7 was being billed \$63 per month by WM for "carry-out" service, reflecting an older, long-standing rate which had not been revised downward to the \$37.50 which WM now charges for this service. Once informed, WM immediately agreed to correct this condition. However, WM did not itself identify this unjust situation; it was the homeowner himself

who discovered he was being overcharged. If you, as a WM customer, think that you are being charged too much for the service that you are getting, call WM for verification/clarification. WM is attempting to come up with a standardized rate structure for all of its customers, including those in the Catalina Foothills. This will take into account costs of delivering the service (including distances the trucks have to travel [fuel, wear-and-tear, maintenance], labor costs of drivers, etc.) and will be competitive with rate of other companies. This new, standardized rate has not yet been arrived at for Catalina Foothills residents. Thus, the charges listed in the table above are only temporary and tentative.

The rates compared in the above table are not *exactly* comparable because Reliable does not provide containers, and Saguaro's rates rise if you put out more than one 95-gallon container; see the footnotes to the table.

Whatever service provider is chosen, there is one large advantage to having a single trash-hauling company per street; many different companies result in *more* trash-truck traffic (and more consequent damage to streets). More trucks are undesirable because:

- trucks leak oil and hydraulic fluid on our streets' surfaces
- trucks are noisy
- heavy trash trucks cause damage to our streets' surfaces.

Other suggestions to make the trash-removal process run more smoothly and comfortably include:



- You move your trash container part-way down the driveway toward the street so that the trash crewman can't get near your valuable (and possibly fragile)

landscaping; this will also cost you less if the trash-hauler charges you based upon how far he has to come onto your property.

- Get to know personally your trash crewman. You could even provide a gratuity at holiday times, or in the event that you have extra work for him to do. This can make for better service.

MARCH MADNESS

March Madness in the Catalina Foothills is not basketball, but property-valuation time. Each of the residents of Pima County has recently received the post-card notice declaring a new assessed valuation of his/her home. It is a mystery as to how these evaluations are determined, but one opinion is that the Catalina Foothills residents, as a group, saw their valuations increase by a seemingly automatic 10% limited valuation, and 15% full valuation. Another opinion on the subject suggests that while Pima County residents as a whole received an increase averaging 4%, Catalina Foothills residents were assessed 10%/15%, because home values in the Foothills *always* rise faster than Pima County property in general.



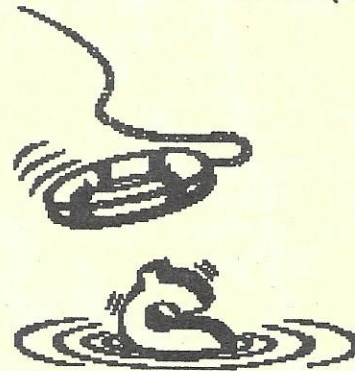
Obviously, individual home values in the Catalina Foothills exceed individual property values in the County in general. However, these values have already been factored into previous evaluations. Is it possible, then, that the Foothills have always been a special target of those "backroom" unknowns who decide on the assessment values? Ed. note: Could it be that this special-target status is given to Catalina Foothills residents because those "rich folks" don't ever protest or appeal their assessed valuations?

Fortunately, each Pima County resident, including those who live in the Catalina Foothills, has the right to

appeal. By simply calling the assessor's office and requesting an appeal form, one can exercise this right.

Review the sales that have occurred in your neighborhood. Always individualize your appeal and bear in mind the 4% county-wide figure. Take into consideration additional factors such as swimming pools, patios, and other improvements that may not be improvements on your own property. Recent remodeling by a neighbor can increase the value of that property and erroneously affect your valuation.

There are several appeal levels and these can be explained if a resident will take the time to call Rick Lyons, the Pima County Assessor. Mr. Lyons is easily accessible by telephone. He is a friendly and willing communicant and is a good source of information. (740-8231)



The right of appeal should be regarded as equal to the necessity to vote in every election. If every resident of Pima County would exercise both rights, Pima might be a different county.

The current system of financing schools and county government is flawed and must be revisited. A first step in the protest process is to appeal your assessed valuation.

JOESLER PLAZA UPDATE

The following information resulted from a telephone interview conducted by George Kiersch with Joesler Plaza developer/spokesman Ron Scholl which took place on February 9, 1999. Mr. Scholl has offices in Phoenix

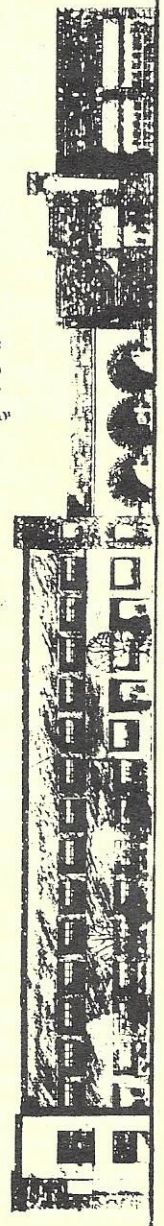
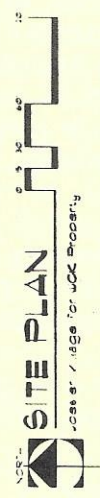
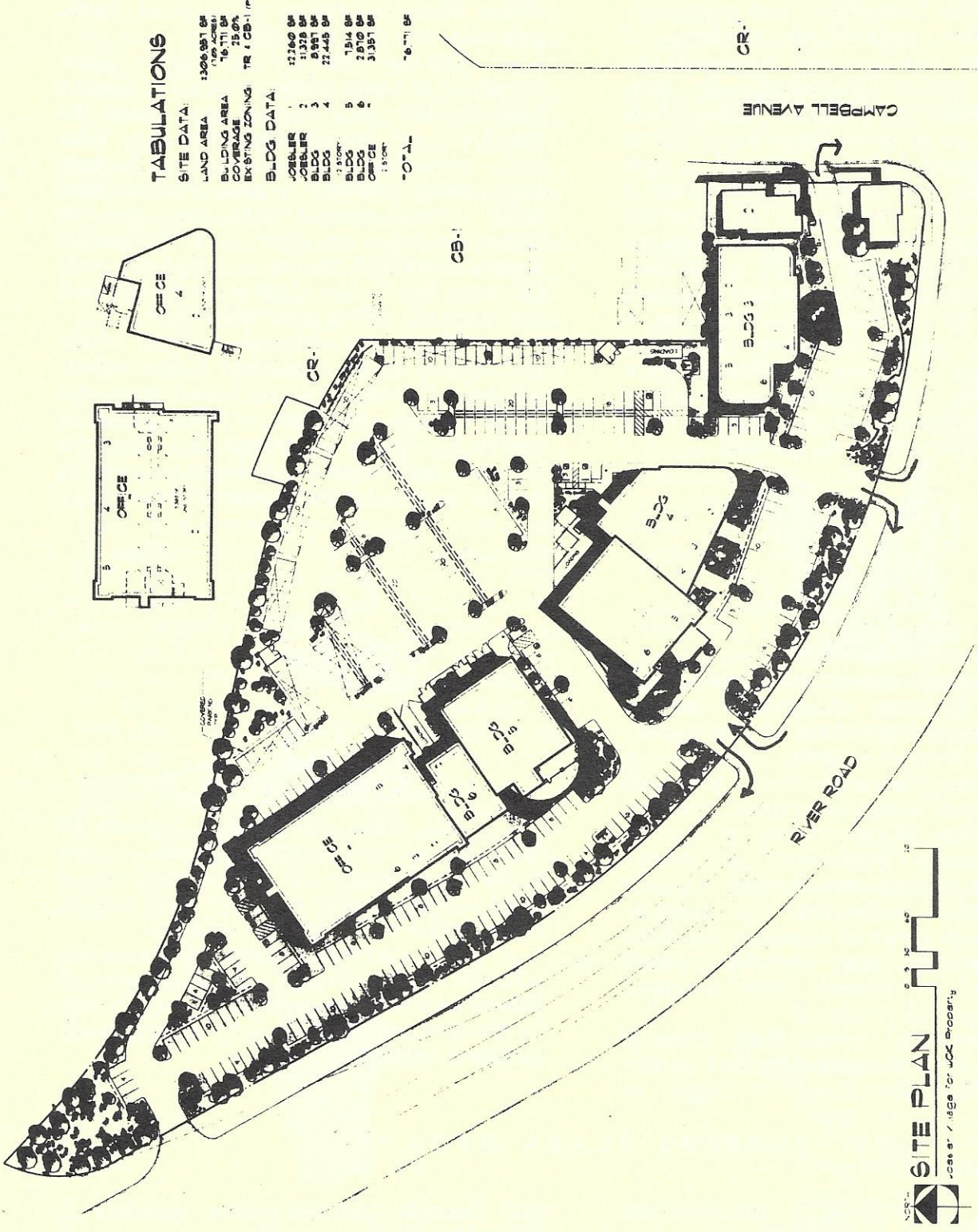
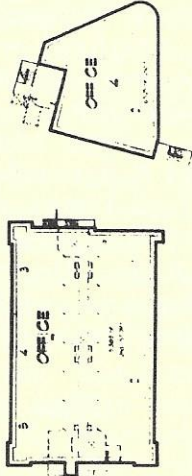
and Tucson; his telephone number is (520) 881-5101.

The folks involved in this project are:

- Developer: Beltway Development Co.
- Gen. Contractor: T.L. Roof & Co.

TABLATIONS

SITE DATA:	
LAND AREA:	130,681 SF (3.0 ACRES)
BUILDING AREA COVERAGE:	76.11% (25.0%)
EXISTING ZONING:	TR & CB-1 (MHA COUNTY)
BLDG. DATA:	
JOBLER	12,760 SF
JOBLER	11,378 SF
BLDG.	9,987 SF
BLDG.	22,445 SF
BLDG.	19,14 SF
BLDG.	2,870 SF
OFFICE	31,351 SF
TOTAL	106,711 SF



FRONT ELEVATION FACING RIVER ROAD

- Project Manager: Mr. Mike Margolis (792-0734).

Mr. Scholl freely discussed the project plans with Mr. Kiersch and also offered to meet him or any other CFA Board member on the property and explain further details, if additional information was desired, including landscaping, commercial tenants, or other aspects of interest to foothills residents.

The Joesler family, through the oldest living daughter, has given permission to use the family name for the development, which will be called the "Joesler Plaza."

The existing Joesler buildings on the site will undergo restoration in April and May of 1999, and are designated Arizona Historical Society Buildings. Three new buildings are under construction for commercial tenants, and these will have a total of 75,000 square feet of floor space. These new buildings will be constructed so as to appear about thirty-five years old and Joesler-like in architecture, with smooth adobe facades. Mr. Scholl indicated that the Joesler Plaza will blend in with the attractive St. Philip's Plaza on the other side of Campbell Avenue, and that it will be an equivalent-quality commercial project. One of the buildings, the first to be constructed, will be of two stories; the ground floor will be devoted to commercial tenants while the second level will contain offices. The other two buildings will be single-story structures, and will most likely be reserved for retail operations.

Currently committed commercial tenants of the new buildings include a national high-end steak house, a Mexican restaurant, an Italian restaurant, and a bakery. Originally, a hotel was intended to be a part of this development, but this did not come to fruition because a motel/inn of the high quality desired could not be signed.

The Catalina Wash is being encapsulated using four large-diameter "culverts" which are being covered with soils to provide additional parking space for the Joesler Plaza traffic. This is costing the developer an additional \$800,000.

Low-sodium lights will be installed throughout the parking area whose output is directed downward and away from property owners and businesses in the neighborhood.

The landscape plantings in the Joesler Plaza will, at least initially, be drip-irrigated from a well already sited on the property. However, the property is within the Tucson city limits, and city water is available. Unfortunately, reclaimed water is not available for Joesler Plaza flora because the developers have been unable to arrange for an extension of the reclaimed-water line from the nearby Cambric property.

Mr. Scholl expects some of the professional office space to be occupied by July or August of this year, with the remaining office-space users and commercial tenants operating by September.

Access to the Joesler Plaza is anticipated to be as follows. Southbound Campbell Avenue traffic will be able to enter the Plaza between the two pre-existing Joesler buildings. Access from River Road will be by way of three ingress/egress drives. There will be one main cross-over of the (future) median on River Road in the vicinity of Campbell Wash, which will serve the Post Office, Cambric Center and the Joesler Plaza. Please see the enclosed drawing.

Mr. Scholl claims that the River Road widening project (from Campbell Avenue to First Avenue)† is "reportedly" to begin in July of 1999. Mr. Scholl may be the only guy in town who actually *believes* this. I'm sure he *hopes* that it is true. Without improvements to this section of River Road, there will be no four lanes of traffic and no median on River Road to help mediate the gigantic traffic snarl which might result should the Joesler Plaza become rapidly popular with citizens. Mr. Scholl didn't mention what his plans are in the event that River Road *doesn't* get improved before his Plaza begins operating.

†Ed. note: According to the survey form sent by Mike Boyd, Pima County District-One Supervisor, the widening of River Road will end a few hundred yards east of Campbell Avenue, and is slated for

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"implementation" in the years 1998-2000. The year 1998 has long since past without seeing the beginning of this "implementation"; it certainly won't be *completed* by the year 2000! The next section to the east is estimated to begin in the years 2004-2006. Think about this: a predictable gridlock will undoubtedly result as Joesler Plaza, the U.S. Post Office, Cambric Center, St. Philip's Plaza,

apartments and condos all spew their traffic out onto River Road which is then choked into two lanes (going east) just opposite the Tucson Jr. League building! CALL MIKE BOYD (740-2738, or e-mail: district1@AZstarnet.com) and request that the widening of River Road continue east to a more practical location.

SKYLINE-CAMPBELL DEVELOPMENT

The four undeveloped corners at the intersection of Skyline Drive and Campbell Avenue have been the focus of much interest over the years. Recent activity indicates that we may soon be seeing development of these parcels of raw land which have, for over 30 years, been zoned for commercial use. This zoning allows for shopping centers, hotels, restaurants and office buildings. Once owned entirely by various partnerships within the Murphey Investment Trust (MIT), these parcels are now being sold or transferred.

The land on the southeast corner was transferred to Brad Murphey as his separate property. A "For Sale" sign appeared on the property shortly thereafter, but was taken down last year, and, to date, has not reappeared. The land on the northeast corner was purchased by El Cortijo, LLC. This limited-liability corporation includes Bob Cote, whose family has owned the Tanque Verde Guest Ranch for many years. The land on the southwest corner is in escrow to a partnership similar in ownership to El Cortijo, LLC. The largest parcel, on the northwest corner, is under contract to Westcor, a development group which has built high-end shopping centers in the Phoenix area.

At the present time, the only development plan going through the Pima-County-approval process is the one for the northeast corner. Here, the new owners plan three buildings with 10 to 12 art galleries and a café. A grand opening is scheduled for the first of November, 1999.

Delaying sale and development of the three other corners is a lawsuit

between the Murphey Investment Trust and the principals who bought the northeast corner and who have the southwest corner in escrow. As are most lawsuits, this one is complicated, but can be summarized as follows: El Cortijo, LLC and related parties feel that they have a binding contract to buy the other two corners (thus owning all four corners); MIT believes that this contract has expired, and, therefore, they have the right to sell to Westcor or any other entity they choose. A motion for summary judgment was filed, and the court ruled that MIT may sell the land to others; there is an appeal pending on this ruling. No development activity is anticipated until this court challenge is settled. However, Westcor has started preliminary survey work for a high-end shopping center with national retailers who are not yet in the Tucson market.

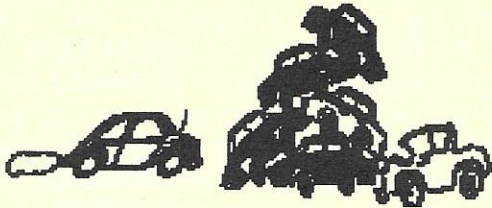
Even though the land has carried commercial zoning for many years, Pima County Planning and Zoning personnel state that all current ordinances will have to be adhered to when development plans are submitted. Your board (The Catalina Foothills Association Board) has asked a nearby homeowner to keep the Board informed of the progress toward settling the lawsuit and subsequent development, so as to ensure, as much as possible, that the development blends well into the area, and does not make worse the existing problems with traffic flow and noise, light-pollution, and animal-migration routes.

For additional information, you may contact K. Jacobson via e-mail at Jacobson@AZstarnet.com.

CAMPBELL AVENUE IMPROVEMENTS

Throughout recent years, many of our neighbors living adjacent to Campbell Avenue have expressed concerns regarding the amount of traffic on this street and the difficulty of entering and exiting their driveways, as well as the unacceptable level of noise associated with the high volume of traffic and the excessive speed of the vehicles using Campbell Avenue.

Prior to May, 1996, the speed limit on Campbell Avenue between River Road and Skyline Drive was 45 miles per hour, and there were no restrictions placed on commercial truck traffic. Accordingly, everyone drove around (or above) 55 miles per hour. The route was routinely used by large and noisy trucks which traveled north in the morning (usually around 5:30 a.m.) and returned southward to their construction yards each weekday afternoon.



In the spring of 1996, a small group of concerned neighbors met to discuss these issues and several other neighborhood-specific traffic concerns. After several very productive subsequent meetings with Mike Boyd (our representative on the County Board of Supervisors) and the county traffic engineers, our recommendations were considered and implemented. In May of 1996, three important changes were made for Campbell Avenue from River Road to Skyline Drive: 1) the speed limit was reduced from 45 to 35 mph; 2) through traffic by commercial trucks

was limited to 3/4-ton vehicles; and 3) the entire section was designated a Scenic Roadway.

These three changes resulted in a tremendous reduction in the amount of traffic, the general speed of the vehicles and the noise associated with commercial-truck use. As a resident living adjacent to Campbell Avenue, I was very pleased with the outcome of our efforts as concerned citizens. Unfortunately, following complaints by several foothills-area resorts, the commercial-truck weight-restriction for through traffic was relaxed in September, 1996, from 3/4 tons to a maximum GVW of 12,000 pounds. Despite this change, traffic conditions along Campbell Avenue are still much better than they were prior to May, 1996.

During our discussions with the traffic engineers, the only other change considered was the possibility of improved speed-limit enforcement through the installation of a monitoring device that would take photographs of vehicles and their drivers. Those found to be in violation would automatically receive tickets. The cost of this system was considered to be prohibitive at the time, and there were concerns regarding the legality of such devices.

If you have any suggestions for additional improvements along Campbell Avenue, or if you have traffic-related concerns regarding other trouble-spots in our neighborhoods, please do not hesitate to contact me (299-1019 or 326-9930) or the CFA board member in your area.

I look forward to hearing from you.

John M. Trang, Area 1

THANK YOU

We are grateful to the Fifth Third Bank, at River and Campbell, for agreeing to help with the notarization of the CFA Deed Restrictions.

SOME SOMETIMES-HANDY TELEPHONE NUMBERS

FOOTHILLS ELECTED OFFICIALS:

Pima County Board of Supervisors

- District 1: Mike Boyd (Republican) 740-8126
- District 4: Ray Carroll (Republican) 740-8126
- FAX line 622-0448

State Legislative District 13

- Senator George Cunningham (Democrat) 628-6596
- Rep. Brian Fagin (Democrat) 628-6593
- Rep. Andy Nichols (Democrat) 628-6593

State Legislative District 12

- Senator Ann Day (Republican) 628-6596
- Rep. "Freddy" Hershberger (Republican) 628-6593
- Rep. Dan Schottel (Republican) 628-6593

Fifth U.S. Congressional District

- U.S. Rep. Jim Kolbe (Republican) 881-3588

City of Tucson

Mayor & Council

- Citizen Comment Line 791-4700
- Police Information 791-4452

Pima County

- Assessor 740-8630
- Animal Control Center 743-7987
- Sheriff's Dept. Information 741-4600

State of Arizona

- Registrar of Contractors 628-6345
- Motor Vehicle Division
 Drivers' Licenses 629-9808
 Title & Registration 629-9808

MORE TELEPHONE NUMBERS:

Pima County Board of Supervisors

- EPA 1-800-438-2474
- Childhelp (Abuse) 1-800-422-4453
- Arizona Tourism Office 1-800-842-8257
- Illegal Dumping Hotline 622-5800

**WATER - LINE
QUESTIONS?**

David Heberle @ Tucson Water
will answer all questions you may have
about the installation of new water
lines.

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DUES ASSESSMENTS 1999†

Areas	1-6	\$30.
Areas	7-9 and all condominiums & townhomes that have their own homeowners'-association-mandated dues	\$10.

MAKE CHECKS PAYABLE TO:

CATALINA FOOTHILLS ASSOCIATION
P.O. Box 64546
Tucson, AZ 85728-4546

†It is important to note that, despite implications to the contrary appearing in previous communications, CFA dues are not tax deductible.

CATALINA FOOTHILLS ASSOCIATION
BOARD OF DIRECTORS
1999

The Catalina Foothills Association is a homeowners' organization which was begun around 1952, when this area of the Catalina foothills was beginning to be developed. Although Catalina Foothills Estates #7, #8, and #9 now have their own associations (and they are good ones!), these came to be only after their individual neighborhoods were developed and reached sufficient maturity to look after and preserve their own best interests. We and they share the same goal: maintaining the highest possible standard for quality of life for the people who live in our neighborhood (the Catalina Foothills). That is our *only* goal; we have no political or social agendas. We are neither bluebloods nor aristocrats nor social climbers nor jet-setters; we are your neighbors. We are unpaid volunteers who happen to live in the Catalina Foothills and we want to preserve and protect the unique qualities that this area of the Sonoran Desert affords its residents. Here's who we are:

NAME	AREA	TELEPHONE
David Hill, President	3	299-1633
Sterling Torrance, Vice. Pres., editor, newsletter	7	299-9026
T.S. Edison, Sec./Treasurer	5	299-2712
Polly O'Bier	9	299-2599
Barbara Burke	7	299-2889
David B. Elwood	7	299-4393
Lera Gates	2	299-6266
Neel Hall	1	299-6512
William Glascock	2	529-0694
Maureen Hutter	5	529-1961
George A. Kiersch	4	299-3776
Dr. Jerry Leroy	5	299-2620
Tony Lubbermann	8	299-4953
James J. Perrine	3	299-8271
David Ryan	4	299-8763
Dr. David Wayne Smith	5	529-0155
Virginia Sonett	5	299-3937
John Trang	1	299-1019
<u>SECRETARY TO THE BOARD</u>		
Jane Hoffmann		327-9693

DR. VIRGINIA FURROW

Dr. Virginia Furrow is a long-time Catalina Foothills Area #1 resident. She moved into her present house in 1960. She has always loved the pastoral setting of her home as well as its convenience to the University Medical Center, where she worked was a pediatrician on the Medical School faculty.

In doing estate planning, Dr. Furrow was asked, "Why do you care about your home in the foothills once you are gone?" Her emphatic reply was, "Oh, but I *do* care!" Thus, Dr. Furrow began to look for a way to leave a legacy for others to enjoy the open spaces and desert creatures as she does.

After researching her options, Dr. Furrow felt that the Arizona Openland

Trust and a family trust would protect her wishes that her fifteen acres not be developed, but instead be enjoyed in their undisturbed state by future generations of foothills residents.

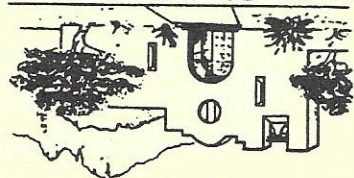
We applaud the generosity and forward-thinking of Dr. Furrow. She has a vision of the foothills for which we all can be thankful.

Anyone wishing to discuss protecting our beautiful desert may contact:

Doug Koppinger
P.O. Box 1083
Tucson, AZ 85702
(520) 298-3157

P.O. Box 64546 • Tucson, Arizona 85728

Catalina Foothills Association



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