

October 30, 2003

VIA E-MAIL

Mr. Simmons Buntin
Association Spokesperson
Civano Neighbors
10367 East Sixto Molina Lane
Tucson, AZ 85747

Re: **The Community of Civano; October 20, 2003 Letter to Vice Mayor Scott**

Dear Mr. Buntin:

The Community of Civano (“COC”) received its copy of the Civano Neighbors’ October 20, 2003 letter to Vice Mayor Shirley Scott. Your position statement makes four points, to which COC responds below:

1. **Master Developer:** COC and Pulte are evaluating several options for a single master developer for the residential development within Civano. However, because the commercial property in Civano is not owned solely by either COC or Pulte, COC cannot provide for one master developer for the entire project, to include the commercial property.

2. **Planning for Neighborhoods 2, 3 and the Town Center:** Pulte has committed to the lengthy process to prepare, submit and process a Planned Area Development (“PAD”) through the City of Tucson’s PAD procedures (essentially a rezoning) that may take between 12 to 18 months to complete. In the interim, Pulte has requested the opportunity to develop the 45+ acre parcel along Houghton Road under a more rapid timetable in order to create a gateway development for the remaining residential property in Civano. Additionally, because the commercial property is not owned entirely by either COC or Pulte, and because there are currently no prospective tenants and no development plan, COC cannot commit to impose a PAD on the commercial property. Further, the City’s Land Use Code does not permit a PAD for property of less than 40 acres and property that is not under single ownership.

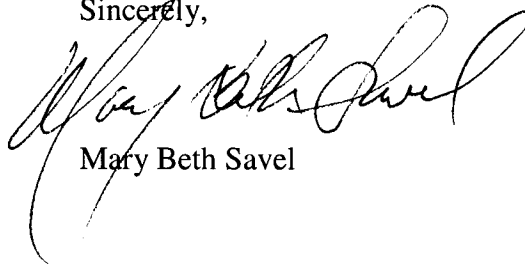
3. **Monitoring and Reporting:** This is the first time that the Civano Neighbors has mentioned this issue as a concern. Regardless, we discussed the request

with City staff who appear to be willing to consider terminating the monitoring and reporting obligations at some stage in late build-out (*e.g.* 75%) or upon termination of the development agreement in 2012, whichever occurs first.

4. 10% Not-for-Profit: As COC has repeatedly explained, the disposition of these funds is a decision of the Mayor and Council. COC is prepared to reimburse the total value of the sewer credits that the City assigned to various Civano builders (\$234,000.00) to whichever recipient is designated by the Mayor and Council.

Please feel free to contact me if you have questions regarding COC's response.

Sincerely,



Mary Beth Savel

MBS/sdl

cc: Vice Mayor Shirley Scott
City Manager James Keene
Hector Martinez
Michael McCrory, Esq.
Judith Kilroy
Thomas Dolan, Esq.
Bruce Stokes
Paula Meade