



Supervisor Chip Davis - District 3  
Chairman  
Yavapai County Board of Supervisors

June 21, 2010

RE: HA# H10015 Abandonment of Final Plat - Villas at Beaver Creek

Dear Supervisor Davis,

The Beaver Creek Regional Council supports the abandonment of the Final Plat of the Villas at Beaver Creek. In recognition of the procedural and legal difficulties the County may encounter with such an action, the Council also supports amending or re-platting the sub-division with enforced stipulations protecting the Lake Montezuma community in particular and the Beaver Creek community in general. BCRC encourages the Supervisors to hold in the highest priority the rights of the Lake Montezuma property owners' and the social, economic and characteristic values of the Beaver Creek community.

This development as platted is in direct conflict of the Community Vision expressed by the Lake Montezuma residents and the Beaver Creek communities. Preservation of the historic Ranch House Restaurant and golf course is of importance to the community but threatened by the current plan. The Beaver Creek Plan survey identified clustered family housing as incompatible to the area. In general, the development as platted is not considered the best and highest land use or appropriate for its future growth as a retirement community.

The developers have failed to perform or deliver protections to the public such as financial assurances or bonds, traffic impact provisions, adequate water supply affidavits or an accurate Public Report for sub-divisions required by County and State regulatory departments.

They have demonstrated a total disregard for the community and willful neglect to the property. Under their ownership, the restaurant and golf course has fallen into deteriorated and unsafe conditions. Their abandonment of the golf course and its absence of maintenance have resulted in trees dying, weeds becoming fire hazards and destruction of the greens. These actions have resulted in the area's loss of property values, loss of jobs, and loss of a community asset.

In essence, none of the stipulations agreed to that should have been a part of the Final Plat for the protection of the Lake Montezuma residents was kept.

In the event of a re-platting or amendment of the Villas at Beaver Creek development, every opportunity should be taken to insure maximum community benefits and local control. To that end, BCRC has submitted recommend stipulations for inclusion in a new or amended plat plan.

Below are comments from the BCRC membership organizations.

**Lake Montezuma Property Owners Association: VOTE: YES- ABANDON FINAL PLAT**

Lake Montezuma Property Owners' Association (LMPOA) wish to express their support for the abandonment of the final plat for the Villas at Beaver Creek. One concern is that the original 2004 promises and commitments made by Beaver Creek Land & Water - in order to get community support - have not been kept, and there is no indication that these promises and commitments will be met in the future. Beaver Creek Land & Water has shown little, if any, concern for Lake Montezuma or the Beaver Creek area.

We also wish to express our appreciation to you for the work you have done and for making the information available. Thank you.

Karin Krippene

Alternate LMPOA Representative to  
Beaver Creek Regional Council

**Lake Montezuma Women's Civic Group: VOTE: YES- ABANDON FINAL PLAT**

We did not see the fine print when this was first presented or approved. We do not want a hotel and do not want to lose the Ranch House. This is not what our community wants.

Eileen Klein

Women's Civic Group Representative  
Beaver Creek Regional Council

**Beaver Creek Adult Center: VOTE: SAVE COURSE & RANCH HOUSE**

I have called all the board members of BCAC and we all agree that it is in the best interest of the community that we save the GOLF COURSE and the RANCH HOUSE what ever we can do, we will work to keep them alive and prosperous.

Kenneth E Stephens

President BCAC

**Beaver Creek Kiwanis: VOTE: YES- ABANDON FINAL PLAT**

As Kiwanis representative to BCRC, I wholeheartedly grant my vote of confidence to you to represent the position that was stated in the BCCDC position paper.

I also support the abandonment of the final plat for the Villas at Beaver Creek.

Also, I plan to attend that meeting in support of these positions.

Margaret A. Holt

Kiwanis Representative, BCRC

**Friends of the Well: VOTE: YES- ABANDON FINAL PLAT**

...After talking with my Board members this morning, FOTW unanimously favors abandonment of the final plat. Particularly of concern to us is the bogus Water Adequacy Report. Who needed to confirm this report? The Department of Real Estate or the County, or both? If the report was for a subdivision in Sedona and not for the Villas at Beaver Creek, that seems fraudulent. That alone should make the plat null and void. Could you point me to the documentation for this? Abandonment does not preclude developers from getting the land re-platted in the future so while some investors may have lost money on this deal, it's not like they don't have the means to recoup it in the future. Hopefully with a better deal for the community and with a real Water Adequacy Report.

Kayo Parsons-Korn

President, Friends of the Well

**Thunder Ridge POA: VOTE: YES- ABANDON FINAL PLAT**

The Thunder Ridge POA supports the position to abandon the final plat.

After review of this issue and the intensity of the majority of residents who have been affected by the developer's lack of performance and willful neglect to the community at large; I propose that the Thunder Ridge POA support HA# H10015 Abandonment of Final Plat - Villas at Beaver Creek

Tom Hawbaker

Director

Thunder Ridge POA Representative to BCRC

**Lower McGuireville POA: VOTE: AMMEND OR REPLAT**

Area residents were responsible for allowing the zoning of their neighborhood for years to come to attract development that could sustain a struggling golf course; perhaps done under duress or without understanding the details. The developers had the right and responsibility to execute the approved final plat in accordance to the law, which might have been ignored or broken. The county had the responsibility of oversight, enforcement and protecting the community from harm. Theirs is a government matter. Each failed to fulfill their responsibility.

Since the laws and procedures are unclear on how to correct this comedy of errors, Beaver Creek Village POA - Lower McGuireville property owners cannot issue a simple up or down vote on abandonment to BCRC. Instead it does recommend an amendment or re-platting of the development within the rights and responsibilities of the developers, the Lake Montezuma property owners and the public.

Ellen DalCerro

President

Beaver Creek Village POA – Lower McGuireville

**Montezuma Estates POA: VOTE: ABSTAINED**

**Rimrock Airport Association LLC: VOTE: NO VOTE**

**BCRC RESIGNED ORGANZATIONS:**

**Concerned Citizens Group: NO RESPONSE**

**Blackhawk Point – YAN: NO RESPONSE**

In summary, notwithstanding the legal complications, BCRC recommends the abandonment and re-platting or amendment of the Villas at Beaver Creek to include assurances that protects the communities' interests.

Respectfully Submitted

On Behalf of the Beaver Creek Regional Council

Kala Pearson - President

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