



**ELECTION BY OWNER TO COMPLY WITH 2005 ZONING CODE  
AND WAIVE CLAIMS OF LEGAL NON-CONFORMING USE**

I, \_\_\_\_\_ hereby acknowledge as follows:

1. I am the \_\_\_\_\_ of \_\_\_\_\_ Corporation (“Owner”), owner of the property described in Exhibit A, attached hereto, and am authorized to execute this waiver on behalf of the Owner

OR

I am the Owner of the property described in Exhibit A, attached hereto.

2. Owner has applied for a zoning change, a preliminary subdivision plat, minor subdivision or minor land division, design review, a use permit or other approval under the 2005 Zoning Code related to property described on the attached Exhibit A (“Property”).

3. The Property is subject to land use regulations in existence prior to the adoption of the 2005 Zoning Code. The Town of Gilbert is willing to permit the Property to be governed by the 2005 Zoning Code instead of prior land use regulations.

4. Owner acknowledges that he must comply with either the 2005 Zoning Code or the land use regulations previously in effect, but not both, and that an election must be made.

5. Owner desires to take advantage of the provisions of the 2005 Zoning Code and, therefore, waives any claim whatsoever that Owner may have that Owner has a legal right to develop under the land use regulations previously in effect.

6. Owner agrees therefore to comply with the land use provisions of the 2005 Zoning Code.

\_\_\_\_\_  
Owner  
By its \_\_\_\_\_

STATE OF ARIZONA        )  
                                  ) ss.  
County of Maricopa        )

SUBSCRIBED AND SWORN TO before me this \_\_\_\_ day of \_\_\_\_\_,  
200\_, by \_\_\_\_\_, owner of the property described in Exhibit A,  
attached hereto.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_