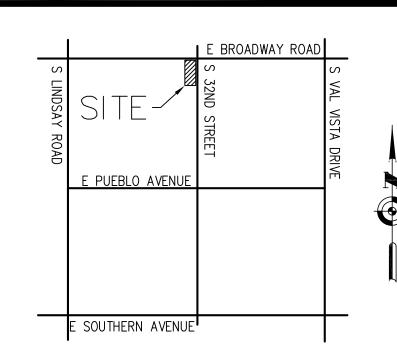
# FINAL PLAT FOR BROADWAY & 32ND TOWNHOMES

LOCATED WITHIN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



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STATE OF ARIZONA

STATE OF ARIZONA

STATE OF MARICOPA

KNOW ALL MEN BY THESE PRESENTS

THAT THINK INVESTMENTS, AS OWNER, DOES HEREBY PUBLISH THIS FINAL PLAT FOR BROADWAY & 32ND TOWNHOMES, A REPLAT OF LOT 1, BROADWAY & 32ND, LOCATED WITHIN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY ,ARIZONA AS SHOWN HEREON, AND HEREBY DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH OF THE PRIVATE STREETS, LOTS, TRACTS AND EASEMENTS CONSTITUTING SAME, AND THAT EACH OF THE STREETS ,LOTS, TRACTS AND EASEMENTS SHALL BE KNOWN BY THE NAME, NUMBER, OR LETTER GIVEN TO IT RESPECTIVELY.

THINK INVESTMENTS, HEREBY DEDICATES TO THE CITY OF MESA FOR USE AS SUCH THE PUBLIC UTILITY AND FACILITY EASEMENTS ("PUFE"), AS SHOWN ON THE SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES. ALL OTHER EASEMENTS ARE HEREBY DEDICATED FOR THE PURPOSES SHOWN. CONSTRUCTION WITHIN EASEMENTS, EXCEPT BY PUBLIC AGENCIES AND UTILITY COMPANIES, OTHERWISE BY THE CITY OF MESA, ALL EASEMENTS CREATED BY THIS PLAT ARE PERPETUAL AND NONEXCLUSIVE EASEMENTS.

IT IS AGREED THAT THINK INVESTMENTS, OR ITS SUCCESSORS OR ASSIGNS SHALL HAVE FULL USE OF THE EASEMENT EXCEPT FOR THE PURPOSE FOR WHICH THE SAME IS HEREIN CONVEYED TO THE CITY OF MESA, AND PROVIDED ALWAYS THAT NO BUILDING OR STRUCTURE OF ANY NATURE OF KIND WHATSOEVER, INCLUDING WITHOUT LIMITATION FENCES, NOR ANY PART OF SAME, SHALL BE CONSTRUCTED, INSTALLED OR PLACED ON OR OVER SAID EASEMENT OR ANY PART THEREOF BY THINK INVESTMENTS, OR THE SUCCESSORS OR ASSIGNS OF THINK INVESTMENTS, AND THAT GRADE OVER ANY BURIED FACILITIES SHALL NOT BE CHANGED BY THINK INVESTMENTS, OR THE SUCCESSORS OR ASSIGNS OF THINK INVESTMENTS, WITHOUT PRIOR WRITTEN CONSENT OF THE CITY OF MESA. THE RIGHTS AND OBLIGATIONS OF THE CITY OF MESA SHALL BE CONSTRUED BROADLY AND CONSISTENT WITH THE PERFORMANCE OF ITS OBLIGATIONS TO PROVIDE UTILITY SERVICE TO ITS CUSTOMERS.

THINK INVESTMENTS, HEREBY GRANTS TO THE CITY OF MESA A PERMANENT, NONEXCLUSIVE EASEMENT OVER, ACROSS, UNDER AND UPON ALL AREAS DESIGNATED ON THIS PLAT AS "SIGHT VISIBILITY EASEMENT" OR "SVE" FOR PURPOSES OF ESTABLISHING AREAS WITHIN WHICH NO LANDSCAPING OTHER THAN GROUND COVER, FLOWERS AND GRANITE LESS THAN 3-FEET (MATURE) IN HEIGHT, AND/OR TREES WITH BRANCHES NOT LESS THAN 8-FEET ABOVE GROUND, WHICH TREES, IF ANY, MUST BE SPACED NOT LESS THAN 8 FEET APART.

THINK INVESTMENTS HEREBY GRANTS TO THE CITY OF MESA A PERMANENT, NON-EXCLUSIVE EASEMENT OVER, ACROSS, UNDER AND UPON ALL AREAS DESIGNATED ON THIS PLAT AS "VEHICULAR NON-ACCESS EASEMENT" OR "VNAE" FOR PURPOSES OF ESTABLISHING AREAS WITHIN WHICH NO VEHICULAR ACCESS IS PERMITTED.

#### DRAINAGE COVENANTS

THE DRAINAGE FACILITIES AND RETENTION AREAS SHALL BE MAINTAINED BY THE OWNER, HIS SUCCESSORS AND ASSIGNS AND SHALL PROVIDE STORM WATER CONVEYANCE AND STORAGE AS PRIVATE DRAINAGE FACILITIES AND PRIVATE RETENTION BASINS ADEQUATE TO CONVEY AND STORE DRAINAGE FROM SAID PUBLIC RIGHTS—OF—WAY PER THE APPROVED IMPROVEMENT PLANS ON FILE WITH THE CITY OF MESA.

THE AGREEMENTS CONTAINED HEREIN SHALL BE A COVENANT RUNNING WITH THE LAND AND, UPON RECORDING, SHALL BE BINDING UPON ANY SUBSEQUENT PURCHASER OR OCCUPIER OF SAID PARCEL; AND

THIS COVENANT CAN BE ENFORCED OR REMOVED BY THE CITY OF MESA, WHO CAN BRING PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING OR THREATENING TO VIOLATE ANY OF THESE COVENANTS, TO PREVENT HIM OR THEM FROM SO DOING, AND TO RECOVER DAMAGES FOR SUCH VIOLATIONS. ANY PERSON OR PERSONS OF THE CITY OF MESA PROSECUTING ANY PROCEEDINGS AT LAW OR IN EQUITY HEREUNDER SHALL HAVE THE RIGHT TO RECOVER, IN ADDITION TO ANY DAMAGES, A REASONABLE SUM AS AND FOR ATTORNEY'S FEES AND COURT COSTS.

THINK INVESTMENTS, WARRANTS AND REPRESENTS TO THE CITY OF MESA THAT IT IS THE SOLE OWNER OF THE PROPERTY COVERED BY THIS PLAT, AND THAT EVERY LENDER, EASEMENT HOLDER OR OTHER PERSON OR ENTITY HAVING ANY INTEREST THAT IS ADVERSE TO OR INCONSISTENT WITH THE FOREGOING DEDICATION, OR ANY OTHER REAL PEROPERTY INTEREST CREATED OR TRANSFERRED BY THIS PLAT, HAS CONSENTED TO OR JOINED IN THIS PLAT AS EVIDENCED BY INSTRUMENTS WHICH ARE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE OR WHICH THINK INVESTMENTS WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS PLAT IS RECORDED.

## IN WITHNESS WHERE

THINK INVESTMENTS, AS OWNER, HAS HERETO CAUSED ITS NAME TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE UNDERSIGNED OFFICER THIS \_\_\_\_\_\_ DAY OF \_\_\_\_\_\_\_, 2019.

## THINK INVESTMENTS

MANAGING MEMBER

## ACKNOWLEDGMENT

STATE OF ARIZONA )
S.S.
COUNTY OF MARICOPA )

ON THIS \_\_\_\_\_\_ DAY OF \_\_\_\_\_\_, 2019, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED

\_\_\_\_\_\_, WHO ACKNOWLEDGED SELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: \_\_\_\_\_\_, 2019

# APPROVAL

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MESA, ARIZONA ON

THIS \_\_\_\_\_\_, 2018.

APPROVED BY: \_\_\_\_\_\_ ATTEST: \_\_\_\_\_

THIS IS TO CERTIFY THAT THE AREA PLATTED HEREON IS APPROVED AND LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF THE CITY OF MESA WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY IN ACCORDANCE WITH ARS 45-576.

CITY ENGINEER DATE

#### NOTES:

- 1. THIS SUBDIVISION IN LOCATED IN THE CITY OF MESA WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
- 2. UTILITY LINES TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY ARIZONA CORPORATION COMMISSION GENERAL ORDER R(42)33.
- 3. ELECTRICAL LINES ARE TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION GENERAL ORDER
- 4. COMMUNICATION LINES ARE TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION GENERAL ORDER R-14-2-133.8.
- 5. THE PROPERTY DEPICTED ON THIS PLAT IS LOCATED WITHIN AN AREA DESIGNATED AS OTHER FLOOD AREAS ZONE "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C2270 M, WITH A DATE OF NOVEMBER 04, 2016.
- 6. A PROPERTY OWNERS ASSOCIATION SHALL BE ESTABLISHED WITH ALL LOT OWNERS BEING MEMBERS OF THAT ASSOCIATION. THE PROPERTY OWNERS ASSOCIATION SHALL OWN AND MAINTAIN ALL TRACTS.
- 7. THE CITY OF MESA IS NOT RESPONSIBLE FOR AND WILL NOT ACCEPT MAINTENANCE OF ANY PRIVATE STREETS, PARKS, DRAINAGE FACILITIES OR LANDSCAPED AREAS WITHIN THE SUBDIVISION SHOWN ON THIS PLAT OR LANDSCAPING WITHIN THE RIGHT—OF—WAY ALONG THE ROADS SHOWN HEREON. ALL TRACTS SHALL BE PRIVATELY OWNED AND MAINTAINED, EXCEPT AS EXPRESSLY SET FORTH IN THE SUPPLEMENTAL DECLARATION WITH REGARD TO MAINTENANCE BY THE ASSOCIATION. THE MAINTENANCE OF EASEMENT PREMISES SHOWN ON THE PLAT WHICH LIE WITHIN THE BOUNDARIES OF A SUBDIVISION LOT IS THE RESPONSIBILITY OF THE INDIVIDUAL LOT OWNER, AND THE MAINTENANCE OF EASEMENT PREMISES SHOWN ON THE PLAT WHICH LIE WITHIN THE BOUNDARIES OF A TRACT IS THE RESPONSIBILITY OF THE TRACT OWNER.
- 8. IN ORDER TO COMPLY WITH THE ARIZONA BOUNDARY SURVEY MINIMUM STANDARDS (ADOPTED FEB. 6, 2010), EXTERIOR BOUNDARY CORNERS WILL BE SET BY THE SURVEYOR WHO CERTIFIED THIS PLAT. IT IS THE RESPONSIBILITY OF THE SUBDIVIDER TO ENSURE THAT INTERIOR CORNERS OF THE SUBDIVISION ARE SET (I) WITHIN NINETY (90) DAYS AFTER COMPLETION OF THE CONSTRUCTION IMPROVEMENTS, OR (II) WITHIN TWO (2) YEARS AFTER RECORDATION OF THE SUBDIVISION PLAT, WHICHEVER DATE IS FIRST TO OCCUR. THE INTERIOR CORNERS OF THE SUBDIVISION MAY BE STAKED BY SURVEYORS OTHER THAN WHO CERTIFIED THIS SURVEY. IT WILL BE THE RESPONSIBILITY OF THE OTHER SURVEYOR WHO STAKES THE INTERIOR CORNERS OF THE SUBDIVISION TO RECORD A "RECORD OF SURVEY" WITH THE COUNTY RECORDER CONSISTENT WITH CURRENT ARIZONA BOUNDARY SURVEY MINIMUM STANDARDS.
- 9. PER CITY OF MESA SUBDIVISION DESIGN PRINCIPLES AND STANDARDS, ALL SIDE LOT LINES ARE RADIAL TO CURVED RIGHT-OF-WAY LINES UNLESS OTHERWISE NOTED (SECTION 9-6-3-E.3).
- 10. ALL CURVES ARE TANGENT, COMPOUND OR REVERSE UNLESS OTHERWISE NOTED.
- 11. CONSTRUCTION WITHIN UTILITY EASEMENTS, EXCEPT BY PUBLIC AGENCIES AND UTILITY COMPANIES, SHALL BE LIMITED TO UTILITIES, PAVING AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING.
- 12. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED IN OR ACROSS, NOR SHALL IMPROVEMENTS OR ALTERATIONS BE MADE TO THE DRAINAGE FACILITIES THAT ARE A PART OF THIS DEVELOPMENT WITHOUT THE WRITTEN AUTHORIZATION OF THE CITY OF MESA.
- 13. IN EASEMENTS FOR THE EXCLUSIVE USE OF WATER, SANITARY SEWER, RECLAIMED WATER OR ANY COMBINATION THEREOF, ONLY GROUND COVER
- AND BUSHES ARE ALLOWED TO BE PLANTED WITHIN THE EASEMENT AREA. NO TREES ARE ALLOWED.

  14. VISIBILITY EASEMENT RESTRICTIONS: ANY OBJECT, WALL, STRUCTURE, MOUND OR LANDSCAPING (MATURE) OVER 24" IN HEIGHT IS NOT ALLOWED.
- WITHIN THE VISIBILITY EASEMENT EXCEPT TREES TRIMMED TO NOT LESS THAN 6' ABOVE THE GROUND. TREES SHALL BE SPACED NOT LESS
  THAN 8' APART.
- 15. NO STRUCTURES OR VEGETATION OF ANY KIND THAT WOULD IMPEDE THE FLOW OF WATER THROUGH THE EASEMENTS MAY BE CONSTRUCTED, PLANTED OR ALLOWED TO GROW WITHIN DRAINAGE EASEMENTS.
- 16. A DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (CC&R'S) HAS BEEN OR WILL BE RECORDED FOR THIS SUBDIVISION WHICH WILL GOVERN THE USE AND MAINTENANCE OF ALL ARES SHOWN ON THIS PLAT.
- 17. THE CITY OF MESA WILL NOT BE RESPONSIBLE FOR ANY SPECIAL TYPE OF SURFACE MATERIAL SUCH AS, BUT NOT LIMITED TO, SPECIALTY PAVEMENT OR CONCRETE, COLORED STAMPED PAVEMENT OR CONCRETE, OR BRICKS, AS NOTED WITHIN THE PROJECT'S CONSTRUCTION DOCUMENTS. SHOULD REMOVAL OF THE SPECIAL TYPE OF SURFACE MATERIAL BE REQUIRED BY THE CITY OF MESA FOR MAINTENANCE OF THE CITY'S FACILITIES, SUCH AS THE CITY'S UTILITY SYSTEMS, THE CITY WILL ONLY BE REQUIRED TO BACKFILL AND PROVIDE CITY OF MESA APPROVED TEMPORARY SURFACE MATERIAL OVER THE SAID UTILITY OR OTHER AREA DISTURBED. RECONSTRUCTION OF THE SPECIAL TYPE OF SURFACE MATERIAL SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION OR THE PROPERTY OWNER(S).
- 18. PUBLIC UTILITY AND FACILITY EASEMENTS WILL BE TREATED LIKE PUBLIC UTILITY EASEMENTS WHEN DETERMINING WHO PAYS RELOCATION COSTS FOR THE RELOCATION OF SRP AND SOUTHWEST GAS FACILITIES IN PUFEs ON THIS PLAT. THE DEFINITION OF PUBLIC EASEMENT IN M.C.C.\* 9-1-1 INCLUDES THE PUFEs ON THIS PLAT, THE TERM "PUBLIC EASEMENT" IN M.C.C. \* 9-1-5(A) INCLUDES PUFEs, AND PUFEs ON THIS PLAT ARE SUBJECT TO M.C.C. \* 9-1-5(A).

## **BASIS OF BEARING:**

THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION LINE OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 6 EAST, GILA AND SALT RIVER MERIDIAN MARICOPA COUNTY, ARIZONA AND THE MONUMENT LINE OF BROADWAY ROAD, BEARS NORTH 89°35'53" EAST.

## SITE INFORMATION:

 PARCEL
 APN:
 AREA

 PARCEL I
 140-40-002D
 137,399 SF 3.154 AC

 PARCEL 2
 140-40-002E
 1,725 SF 0.040 AC

## OWNER/DEVELOPER

Think Investments
1553 W. TODD DRIVE
SUITE 109
TEMPE, AZ 85283
PH: (480) 516-1116
CONTACT: BRETT KALINA

# <u>ENGINEER</u>

Larson Engineering, Inc.
6380 E. THOMAS RD
SUITE 300
SCOTTSDALE, AZ 85251
PH: (480) 212-4200
CONTACT: MIKE HREHA
EMAIL: MHREHA@LARSONENGR.COM

# LAND SURVEYOR

Synergy Geomatics
2125 E. 5TH STREET
SUITE 101
TEMPE, AZ 85281
PH: (480) 406-3648
CONTACT: ROB UNGER
EMAIL: ROB@SYN-GEO.COM

#### TITLE REPORT

THE BOUNDARY SURVEY OF THE SUBJECT PROPERTIES AS SHOWN HEREON WAS DETERMINED FROM EXHIBIT "A" IN THE TITLE REPORT FURNISHED BY FIDELITY NATIONAL TITLE AGENCY, INC. ORDER No. 88013913-088-BS-JD, DATED JANUARY 9, 2018 AT 7:30 A.M., AND IS LISTED HERE UNDER THE HEADING "LEGAL DESCRIPTION"



#### SHEET INDEX:

SHEET 1 COVER, NOTES, LOCATION MAP

SHEET 2 SURVEY, LEGEND
SHEET 3 DETAIL, ANNOTATION, LINE AND CURVE TABLES

#### LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED MESA, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

#### PARCEL NO. 1:

The North 537.75 feet of the East 1247.24 feet of the Northwest quarter of Section 29, Township 1 North, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPTING therefrom the West 935.43 feet thereof, and

EXCEPTING therefrom the North 33 feet, and further

EXCEPTING that portion conveyed to the City of Mesa, a municipal corporation by Quit Claim Deed recorded in Recording No. 1987—173480, records of Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the North quarter corner of Section 29, Township 1 North, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

THENCE South along the North-South midsection line of said Section 29, a distance of 55.00 feet to a point;

THENCE West a distance of 30.00 feet to the TRUE POINT OF BEGINNING:

THENCE continuing West a distance of 10.00 feet to a point;

THENCE South parallel to and 40.00 feet West of the North-South midsection line of said Section 29, a distance 482.75 feet to a point;

THENCE East a distance of 10.00 feet to a point;

THENCE North a distance of 482.75 feet to the TRUE POINT OF BEGINNING.

EXCEPTING the East 30 feet of the Northeast guarter of the Northwest guarter.

PARCEL NO. 2:

The North 6.12 feet of the following described property:

The North 1397.00 feet of the East 1247.24 feet of the Northwest quarter of Section 29, Township 1 North, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPTING therefrom the West 935.43 feet thereof; and

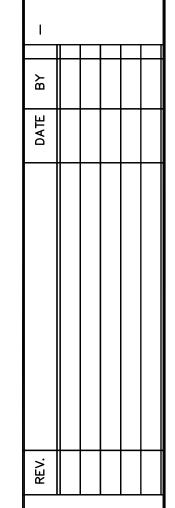
EXCEPTING further therefrom the North 537.75 feet and

# SURVEYOR'S CERTIFICATION:

ROBERT S. UNGER, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ARIZONA, DO HEREBY CERTIFY THAT THE SUBDIVISION PLATTED HEREON, CONSISTING OF (3) SHEETS, HAS BEEN PREPARED FROM A LAND SURVEY DURING THE MONTH OF SEPTEMBER 2018, MADE UNDER MY DIRECT SUPERVISION ACCURATELY REPRESENTS THE PROPERTY DESCRIBED HEREON. I FURTHER CERTIFY THAT THE EXTERIOR BOUNDARIES OF SAID SUBDIVISION ARE OR WILL BE MONUMENTS IN ACCORDANCE WITH THE "ARIZONA BOUNDARY SURVEY MINIMUM STANDARDS" ADOPTED ON 13 FEBRUARY 2002, AND THAT THE SIZE, LOCATION AND MATERIAL AS SHOWN HEREON ARE ACCURATE AS OF THE DATE OF THIS CERTIFICATION. MONUMENTS SHOWN ACTUALLY EXIST AND THAT THEIR POSITIONS ARE CORRECT AND ACCURATE AS SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. ALL LOT CORNERS HAVE BEEN OR WILL BE PERMANENTLY SET BY COMPLETION OF CONSTRUCTION.

ROBERT S. UNGER
REGISTERED LAND SURVEYOR
ARIZONA REGISTRATION NUMBER 35306
SYNERGY GEOMATICS
2125 E. 5TH STREET #101
TEMPE, AZ 85281
PHONE: 480-406-3648





SYNERGY GEOMATICS 2125 E. 5th STREET, #10 TEMPE, AZ 85281
PH: (480) 406-3648
EMAIL: rob@syn-geo.com



VNHOMES

DATE: 02/19/19

DWG: 18049F01.dwg

FINAL PLAT
ADWAY & 32ND TOWNHOME

PROJECT NO. 18\_049

RO,

 $\Box$ 

SHEET NUMBER

1

1 OF 3

