## FINAL PLAT

## "THE LOFTS AT SUPERSTITION VISTAS"

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 30 TOWNSHIP 1 NORTH, RANGE 7 EAST OF THE

GILA AND SALT RIVER BASE AND MERIDIAN

MARICOPA COUNTY, ARIZONA

1145 S. ROWEN, MESA AZ 85209

DEDICATION

STATE OF ARIZONA > 22 COUNTY OF MARICOPA )

KNOW ALL MEN BY THESE PRESENTS:

THAT LAVIGNA INVESTMENTS CORPORATION, AS OWNER, DOES HEREBY PUBLISH THIS FINAL PLAT FOR "THE LOFTS AT SUPERSTITION VISTAS" LOCATED IN THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 1 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN HEREON, AND HEREBY DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH OF THE 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

LAVIGNA INVESTMENTS CORPORATION HEREBY DEDICATES AND CONVEYS TO THE CITY OF MESA, IN FEE, ALL REAL PROPERTY DESIGNATED ON THIS PLAT AS "RIGHT-OF-WAY" OR "R/W" FOR USE AS PUBLIC RIGHT-OF-WAY.

EACH OF THE OWNERS, AS TO THE PORTION OF THE PROPERTY OWNED BY OWNER, HEREBY DEDICATES TO THE CITY OF MESA FOR USE AS SUCH VEHICULAR NON-ACCESS EASEMENTS AND PUBLIC UTILITY AND FACILITY EASEMENTS, AS SHOWN ON THE SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES. THE DEDICATION OF REAL PROPERTY MARKED AS STREETS ON THIS PLAT IS A DEDICATION TO THE CITY OF MESA, IN FEE, FOR THE CITY'S USE AS PUBLIC RIGHT-OF-WAY. THE DEDICATION OF REAL PROPERTY MARKED AS PUBLIC UTILITY AND FACILITIES EASEMENTS IS A DEDICATION OF A PUBLIC UTILITY AND FACILITIES EASEMENT TO THE CITY, WITH SUCH DEDICATION INCLUDING THE FOLLOWING USES: TO CONSTRUCT, INSTALL, ACCESS, MAINTAIN, REPAIR, RECONSTRUCT, REPLACE, REMOVE, UTILITIES AND FACILITIES (INCLUDING, BUT NOT LIMITED TO, WATER, WASTEWATER, GAS, ELECTRIC, STORM WATER, PIPES, CONDUIT, CABLES, AND SWITCHING EQUIPMENT), CONDUCTORS, CABLES FIBER OPTICS, COMMUNICATION AND SIGNAL LINES, TRANSFORMERS VAULTS, MANHOLES, CONDUITS, PIPES AND CABLES, FIRE HYDRANTS LIGHTS, STREET PAVEMENT, CURBS, GUTTERS, SIDEWALKS, TRAFFIC SIGNALS, EQUIPMENT AND SIGNS, PUBLIC TRANSIT FACILITIES, SHELTERS AND IMPROVEMENTS, LANDSCAPING, STORM DRAINAGE, WATER RETENTION AND DETENTION, FLOOD CONTROL, AND ALL APPURTENANCES TO ALL OF THE FOREGOING, AND ALL SIMILAR AND RELATED PURPOSES TO THE FOREGOING, TOGETHER WITH THE RIGHT TO ALTER GROUND LEVEL BY CUT OR FILL (PROVIDED THAT GROUND LEVEL SHALL NOT BE ALTERED IN A MANNER THAT CONFLICTS WITH THE OPERATION, MAINTENANCE, OR REPAIR OF EXISTING UTILITY OR PUBLIC IMPROVEMENTS) AND THE UNRESTRICTED AND ACROSS THE EASEMENT PROPERTY. ADDITIONALLY, THE CITY IS AUTHORIZED TO PERMIT OTHERS TO USE THE PUBLIC UTILITY AND FACILITY EASEMENT PROPERTY FOR ALL USES AND FACILITIES ALLOWED HEREIN, ALL OTHER EASEMENTS ARE HEREBY DEDICATED FOR THE PURPOSES SHOWN. UNLESS APPROVED OTHERWISE BY THE CITY OF MESA, ALL EASEMENTS CREATED BY THIS PLAT ARE PERPETUAL AND NONEXCLUSIVE EASEMENTS.

IT IS AGREED THAT LAVIGNA INVESTMENTS CORPORATION 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 OR 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 LAVIGNA INVESTMENTS CORPORATION OR THE SUCCESSORS OR ASSIGNS OF LAVIGNA INVESTMENTS CORPORATION AND THAT THE GRADE OVER ANY BURIED FACILITIES SHALL NOT BE CHANGED BY LAVIGNA INVESTMENTS CORPORATION OR THE SUCCESSORS OR ASSIGNS OF LAVIGNA INVESTMENTS CORPORATION 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.

LAVIGNA INVESTMENTS CORPORATION 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 2-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.

LAVIGNA INVESTMENTS CORPORATION HEREBY GRANTS TO THE CITY OF MESA A PERMANENT, NONEXCLUSIVE 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.

REFERENCE DOCUMENTS

COMMITMENT FOR TITLE INSURANCE FIRST AMERICAN TITLE INSURANCE CO., ORDER NO. 06178886-128-V60

(R) FINAL PLAT "FULTON HOMES AT SUPERSTITION SPRINGS UNIT 1", BOOK 355 OF MAPS, PG 41

SOUTHERN AVE, 72ND ST TO SOSSAMAN RD MAP OF DEDICATION, BOOK 333 OF MAPS, PG 35

DRAINAGE COVENANTS:

THE DRAINAGE EASEMENT SHOWN ON THIS PLAT AS TRACTS B & C IS HEREBY RESERVED AS A DRAINAGE FACILITY AND RETENTION BASIN FOR THE INCLUSIVE CONVEYANCE OF DRAINAGE AND STORAGE OF DRAINAGE FOR THIS SUBDIVISION AND FOR THE PUBLIC RIGHTS-OF-WAY PER THE APPROVED IMPROVEMENT PLANS ON FILE WITH THE CITY OF MESA, TOGETHER WITH THE RIGHT TO INGRESS AND EGRESS TO MAINTAIN SAID DRAINAGE FACILITY.

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

LAVIGNA INVESTMENTS CORPORATION 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 PROPERTY 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 LAVIGNA INVESTMENTS CORPORATION WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS PLAT IS RECORDED.

IN WITNESS WHEREOF:

LAVIGNA INVESTMENTS CORPORATION, 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 \_\_\_\_\_ 2022.

LAVIGNA INVESTMENTS CORPORATION

<u>ACKNOWLEDGMENT</u>

STATE OF ARIZONA

COUNTY OF MARICOPA

\_\_\_ , 2022, BEFORE ME, THE DAY OF UNDERSIGNED, PERSONALLY APPEARED 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 WHEREIN, I HAVE HEREUNTO SET MY HAND AND OFFICIAL

NOTARY PUBLIC

APPROVALS

DATE MY COMISSION EXPIRES

CITY CLERK

CITY ENGINEER

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MESA, ARIZONA ON THIS \_\_\_\_\_, 2024.

DATE

THIS IS TO CERTIFY 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.

DATE

SHEET INDEX

SHEET 1 COVER SHEET SHEET 2 FINAL PLAT SHEET

GENERAL NOTES:

- 1. Public Utility and Facility Easements (PUFE) will be treated like Public Utility Easements when determining who pays relocation costs of SRP and Southwest Gas Facilities in PUFE's 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-
- 2. Construction within utility easements except by public agencies and utility companies, shall be limited to utilities, paving, and wood, wire, removable section type fencing.
- 3. Utility lines are to be constructed underground as required by the Arizona Corporation Commission General Order R. (42) 33.
- 4. Electrical lines to be constructed underground as required by the Arizona Corporation Commission General Order R-14-2-133.
- 5. The City of Mesa is not responsible for and will not accept maintenance of any private drainage facilities, private utilities, private facilities, or landscaped areas within the project or within the public rights-of-way along Southern Ave and Rowen Road.
- 6. No structures 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.
- 7. This Development is within the City of Mesa Water Supply (Service) area and has been designated as having an Assured Water
- 8. The Homeowners Association will have the responsibility for maintaining the "Common Areas" to be noted as Tracts or Easements including landscaping and drainage facilities in accordance with approved construction documents (plans).
- 9. The area within the sight visibility easement and or triangle is to be clear of landscaping, signs, fences, or other items higher than 36-inch above street grades in these areas.
- 10. The City of Mesa will not be responsible for any special type of surface material such as but not limited to pavement, concrete, colored stamped pavement or concrete, or bricks, as noted in 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 accepted 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, Business Owner's Association, or the property owner(s).
- 11. Tract A is hereby dedicated as an easement for ingress/egress for refuse and emergency vehicles, public utilities and facilities and drainage purposes. To the City of Mesa for use as such the public utility and facilities easements, the controlled vehicular access easement and a blanket easement upon, across, over and under all accessways for ingress and egress for refuse and emergency type vehicles.
- 12. Proposed or future landscape and irrigation systems that are to be designed and installed within any PUFE or PUE must be designed in accordance with the City of Mesa Procedure Manual for Landscape and Irrigation Standards.
- 13. This subdivision is subject to the City of Mesa Residential Development Guidelines as well as the building form standards established in the City of Mesa Zoning Ordinance.
- 14. 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 areas shown on this plat.
- 15. An Avigation Easement and Release for this plat has been recorded with the Maricopa County Recorder. This subdivision is within two (2) miles of Phoenix Mesa Gateway Airport. Information regarding aircraft operations and airport development is available through the airport administration office.
- 16. These properties, due to their proximity to Phoenix Mesa Gateway Airport, will experience aircraft overflights that generate noise levels which will be of concern to some individuals.
- 17. Noise attenuation measures are to be incorporated into the design and construction of the buildings to achieve a noise level reduction of

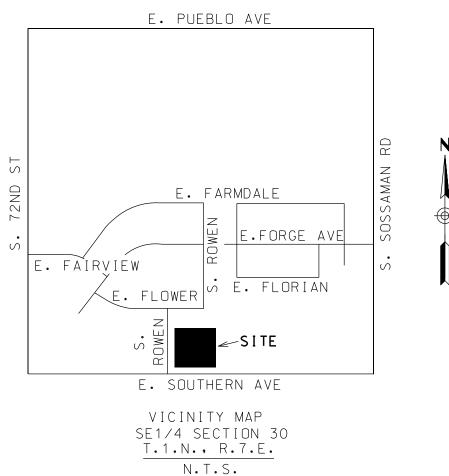
OWNER

LAVIGNA INVESTMENTS CORPORATION 1223 S. CLEARVIEW AVE #105 MESA, AZ 85209 480-222-5870

Surveyor

1915 E. Velvet Drive Tempe, Arizona 85284 602-206-0963 bheyse6565@msn.com

Bruce R. Heyse, R.L.S.



LEGAL DESCRIPTION PER TITLE REPORT

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

A PARCEL OF LAND LYING WITHIN SECTION 30, TOWNSHIP 1 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 30, A BRASS CAP IN HAND HOLE, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION, A BRASS CAP IN HAND HOLE BEARS SOUTH 89 DEGREES 30 MINUTES 54 SECONDS WEST (BASIS OF BEARINGS), A DISTANCE OF 2642.27 FEET;

THENCE ALONG THE SOUTH LINE OF SAID SECTION, SOUTH 89 DEGREES 30 MINUTES 54 SECONDS WEST, A DISTANCE OF 1382.75 FEET;

THENCE LEAVING SAID SOUTH LINE, NORTH OO DEGREES 29 MINUTES O6 SECONDS WEST, A DISTANCE OF 40.11 FEET TO THE INTERSECTION OF THE WESTERLY LINE OF TRACT "D" AND THE NORTHERLY RIGHT OF WAY LINE OF E. SOUTHERN AVENUE, AS SHOWN ON FINAL PLAT OF FULTON HOMES AT SUPERSTITION SPRINGS UNIT 1, RECORDED IN BOOK 355 OF MAPS, PAGE 41, RECORDS OF MARICOPA COUNTY, ARIZONA AND THE POINT OF BEGINNING;

THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, SOUTH 89 DEGREES 30 MINUTES 54 SECONDS WEST, A DISTANCE OF 259.96 FEET TO THE EASTERLY RIGHT OF WAY LINE OF S. ROWEN OF SAID FULTON HOMES AT SUPERSTITION SPRINGS UNIT 1 AND THE BEGINNING OF A CURVE;

THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE, ALONG THE SAID EASTERLY RIGHT OF WAY LINE, NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 15.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 90 DEGREES OO MINUTES OO SECONDS, A DISTANCE OF 23.56 FEET, TO THE CURVE'S END;

THENCE NORTH OO DEGREES 29 MINUTES 06 SECONDS WEST, A DISTANCE OF 265.00 FEET, TO THE SOUTHWEST CORNER OF LOT 72 OF SAID FULTON HOMES AT SUPERSTITION SPRINGS UNIT 1;

THENCE LEAVING SAID EASTERLY RIGHT OF WAY LINE, ALONG THE SOUTHERLY LINES OF LOTS 70, 71 AND 72 OF SAID FULTON HOMES AT SUPERSTITION SPRINGS UNIT 1, NORTH 89 DEGREES 30 MINUTES 54 SECONDS EAST, A DISTANCE OF 274.96 FEET TO SAID WESTERLY LINE OF TRACT "D";

THENCE LEAVING SAID SOUTHERLY LINES, ALONG SAID WESTERLY LINE, SOUTH OO DEGREES 29 MINUTES O6 SECONDS EAST, A DISTANCE OF 280.00 FEET TO THE POINT OF BEGINNING.

ZONING:

CITY OF MESA LC LIMITED COMMERCIAL

PROPERTY DATA APN 218-64-642D

ADDRESS: 1145 S. ROWEN MESA, AZ 85209

LOT AREA: 76,940.48 SQ. FT 1.7663 ACRES FLOOD ZONE "X"

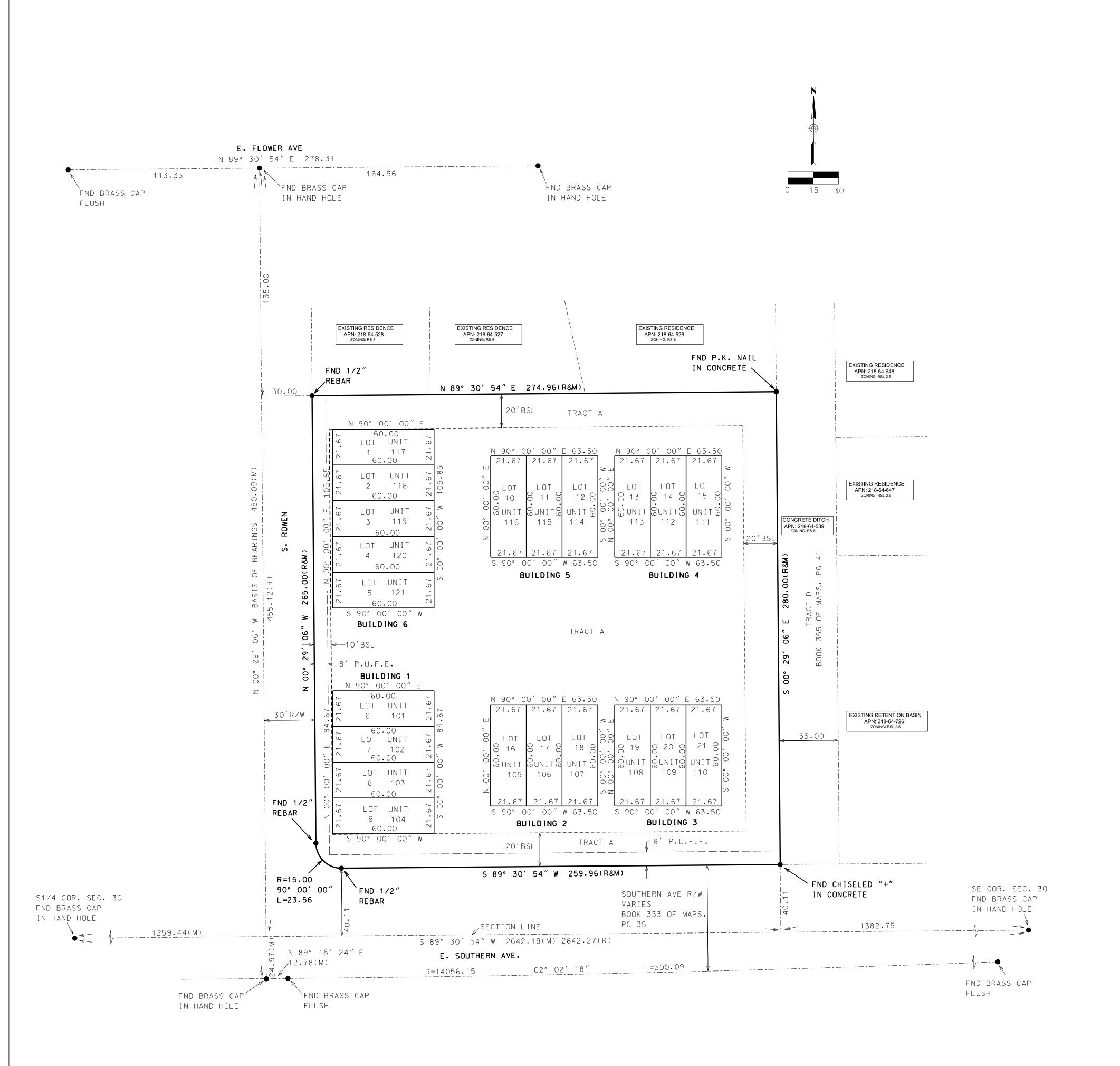
AREA OF 0.2% ANNUAL CHANCE OF FLOOD AREAS OF 1% ANNUAL CHANCE OF FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR DRAINAGE AREAS LESS 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

SURVEYORS CERTIFICATION

I Bruce R. Heyse hereby certify I am a registered land surveyor in the State of Arizona, that this plat consisting of two sheets represents a survey performed under my supervision during the month of September, 2022. That the survey is correct and accurate to the best of my knowledge and belief, that the boundary monuments, control points and lot corners shall be located as shown and will be sufficient to enable the survey to be retraced.

Date

Bruce R. Heyse L.S.#23949 SE • 🗠 R SU RUCI  $\mathcal{O}$  $\bigcirc$ Z ш  $\geq$  $\circ$  $\simeq$  $\simeq$  $\sim$ 4  $\overline{\phantom{a}}$  $\triangleleft$ ليا 工 



## LEGEND

CORNER OF THIS SUBDIVISION SURVEY MONUMENT FOUND AS NOTED BRASS CAP TO BE SET BY CONTRACTOR AT TIME OF CONSTRUCTION

B.S.L. BUILDING SETBACK LINE DOC. DOCUMENT

DKT. DOCKET EX. EXISTING

D.E. DRAINAGE EASEMENT FND

FOUND P.U.F.E.

PUBLIC UTILITY AND FACILITES EASEMENT

SEC.

V.N.A.E. VEHICULAR NON-ACCESS EASEMENT RIGHT-OF-WAY

SUBDIVISION LINE LOT LINE

MONUMENT LINE

RIGHT-OF-WAY

B.S.L.

EASEMENT LINE AS NOTED

## BASIS OF BEARINGS

THE MONUMENT LINE OF S. ROWEN BETWEEN E. FLOWER AVE AND E. SOUTHERN AVE

NORTH OO DEGREES 29 MINUTES 06 SECONDS EAST

	TRACT USE TABL	E	
TRACT	USE	AREA(SF)	AREA(AC)
А	PRIVATE STREET, PUBLIC INGRESS, EGRESS FOR REFUSE, & EMERGENCY VEHICLES, PUBLIC UTILITIES AND FACILITIES EASEMENT & DRAINAGE EASEMENT	49,640	1.1400

	UNIT AREA 1	TABLE
NIT#	AREA(SF)	AREA(AC
1	1,300	0.0298
2	1,300	0.0298
3	1,300	0.0298
4	1,300	0.0298
5	1,300	0.0298
6	1,300	0.0298
7	1,300	0.0298
8	1,300	0.0298
9	1,300	0.0298
10	1,300	0.0298
11	1,300	0.0298
12	1,300	0.0298
13	1,300	0.0298
14	1,300	0.0298
15	1,300	0.0298
16	1,300	0.0298
17	1,300	0.0298
18	1,300	0.0298
19	1,300	0.0298
20	1,300	0.0298
21	1,300	0.0298

	PROJ#: 233-11	NOTES:	FINAL PLAT	BRH SUrveying, L.L.C.
DWG. NO	DATE: SEPTEMBER 26, 2022	APN 218-64-642D		
	SCALE: 1" = 30'			LAND SURVEYING
SHEET 2 OF 2	DRAWN: BRH		HE LUFIS AI SUPERSIIIIUN VISIAS	1915 E. VELVET DRIVE TEMPE, ARIZONA 85284
	APPROVED: BRH			BHEYSE6565@MSN.COM