A PORTION OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 35,

TOWNSHIP 1 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER MERIDIAN, MESA, MARICOPA COUNTY, ARIZONA

**DEDICATION** 

COUNTY OF MARICOPA)

STATE OF ARIZONA

KNOW ALL MEN BY THESE PRESENTS

THAT PACIFIC PROVING, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER, DOES HEREBY PUBLISH THIS MASTER FINAL PLAT FOR AVALON CROSSING DEVELOPMENT UNIT 1, A PORTION OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER MERIDIAN, MESA, 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 THE SAME AND THAT EACH OF THE STREETS. LOTS AND TRACTS AND EASEMENTS SHALL BE KNOWN BY THE NAME, NUMBER OR LETTER GIVEN TO IT RESPECTIVELY.

PACIFIC PROVING, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, 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. 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.

EACH OF THE OWNERS, AS TO THE PORTION OF THE PROPERTY OWNED BY THAT OWNER, HEREBY DEDICATES TO THE CITY OF MESA FOR USE AS SUCH THE 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, STREET 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 RIGHT OF VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS TO, FROM, 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 PACIFIC PROVING, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY 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 PACIFIC PROVING, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY OR THE SUCCESSORS OR ASSIGNS OF PACIFIC PROVING. L.L.C., A DELAWARE LIMITED LIABILITY COMPANY AND THAT THE GRADE OVER ANY BURIED FACILITIES SHALL NOT BE CHANGED BY PACIFIC PROVING, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY OR THE SUCCESSORS OR ASSIGNS OF PACIFIC PROVING, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY 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.

PACIFIC PROVING, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY HEREBY GRANTS TO THE CITY OF MESA A PERMANENT, NON-EXCLUSIVE 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.

DRAINAGE COVENANTS:

THE DRAINAGE EASEMENT SHOWN ON THIS PLAT AS PARCEL 1 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 COSTS.

# **DEDICATION (CONT.)**

PACIFIC PROVING, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY 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 PACIFIC PROVING, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS PLAT IS RECORDED.

IN WITNESS WHEREOF

PACIFIC PROVING, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, 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

PACIFIC PROVING, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY

## **ACKNOWLEDGEMENT**

STATE OF ARIZONA )

COUNTY OF MARICOPA) ON THIS, THE \_\_\_\_ DAY OF \_\_\_\_

, 2022, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED

PACIFIC PROVING, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, BEING DULY AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED BY SIGNING THEIR NAMES AS OFFICER.

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

MY COMMISSION EXPIRES

WHO ACKNOWLEDGED HIMSELF/HERSELF TO BE THE

**NOTARY PUBLIC** 

CITY CLERK

# **APPROVALS**

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

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.

APPROVED CITY ENGINEER

### **OWNER**

PACIFIC PROVING, L.L.C., WILLIAM S. LEVINE, MANAGER LEVINE INVESTMENTS, LP, MEMBER 2801 EAST CAMELBACK ROAD, SUITE 450 PHOENIX, ARIZONA 85016 CONTACT: ANDREW COHN PHONE: (602) 268-8181 EMAIL: ANDREW@LEVINEINVESTMENTS.COM

## NOTES

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 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).

**ENGINEER** 

COE AND VAN LOO, LLC

4550 NORTH 12TH STREET

PHOENIX, ARIZONA 85014

EMAIL: DCHUBIN @CVLCI.COM

CONTACT: DOUGLAS W. CHUBIN, P.E.

PHONE: (602) 264-6831

FAX: (602) 264-0928

- 2. THE CITY OF MESA IS NOT RESPONSIBLE FOR AND WILL NOT ACCEPT MAINTENANCE OF ANY PRIVATE UTILITIES, PRIVATE FACILITIES, PRIVATE DRAINAGE FACILITIES OR LANDSCAPED AREAS WITHIN THE PROJECT OR LANDSCAPING WITHIN ADJACENT
- 3. CONSTRUCTION WITHIN UTILITY EASEMENTS EXCEPT BY PUBLIC AGENCIES AND UTILITY COMPANIES, SHALL BE LIMITED TO UTILITIES, PAVING, AND WOOD, WIRE, REMOVABLE SECTION TYPE FENCING.
- 4. UTILITY LINES ARE TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION GENERAL ORDER R. (42) 33.
- 5. ELECTRICAL LINES TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION GENERAL ORDER R-14-2-133.
- 6. 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 E WILLIAMS FIELD RD, S CRISMON RD, E UNITY AVE, S LABELLE.
- 7. 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
- 8. THIS DEVELOPMENT IS WITHIN THE CITY OF MESA WATER SUPPLY (SERVICE) AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
- 9. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
- 10. ELECTRICAL LINES TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION.
- 11. THE CITY 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 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 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).
- 12. THIS SUBDIVISION IS SUBJECT TO THE "DEVELOPMENT AGREEMENT" BETWEEN THE CITY OF MESA AND PACIFIC PROVING, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, RECORDED IN DOCUMENT NO. 20190672439 M.C.R., DATED, AUGUST 29,
- 13. 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.
- 14. THIS PROPERTY. DUE TO ITS PROXIMITY TO PHOENIX-MESA GATEWAY ARE LIKELY TO EXPERIENCE AIRCRAFT OVERFLIGHTS, WHICH COULD GENERATE NOISE LEVELS THAT MAY BE OF CONCERN TO SOME INDIVIDUALS. INFORMATION REGARDING AIRCRAFT OPERATIONS AND AIRPORT DEVELOPMENT IS AVAILABLE THROUGH THE PHOENIX-MESA GATEWAY AIRPORT ADMINISTRATION OFFICE.
- 15. AN AVIGATION EASEMENT AND RELEASE FOR THIS PLAT IS RECORDED WITH MARICOPA COUNTY RECORDER. THIS SUBDIVISION IS WITHIN 1.07 MILES OF PHOENIX-MESA GATEWAY AIRPORT. INFORMATION REGARDING AIRCRAFT OPERATIONS AND AIRPORT DEVELOPMENT IS AVAILABLE THROUGH THE AIRPORT ADMINISTRATION OFFICE.
- 16. 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.
- 17. EVERYWHERE IN THIS PLAT THAT IS MARKED AS A PARKWAY EASEMENT WILL ALSO BE USED AS A DRAINAGE EASEMENT.

# **BENCHMARK**

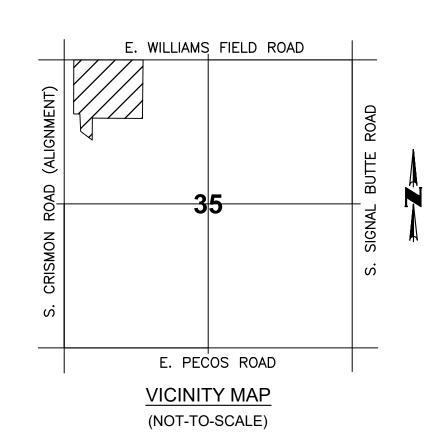
FOUND IRON PIPE WITH CAP, BEING THE NORTH QUARTER CORNER OF SECTION 27 AND THE SOUTH QUARTER CORNER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 7

**COUNTY RECORDER** 

ELEVATION = 1403.76 (CITY OF MESA DATUM/ NAVD-88) (PER CADENCE APPROVED PLANS)

### BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 89°38'25" EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER MERIDIAN, ACCORDING TO BOOK 1473 OF MAPS. PAGE 4. MARICOPA COUNTY RECORDS.



LAND USE TABLE			
LAND USE AREAS	SQUARE FEET	ACRES	
PARCEL 1	1,115,552	25.610	
PARCEL 2	197,246	4.528	
PUBLIC RIGHT-OF-WAY	172,236	3.954	
TOTAL GROSS AREA	1,485,034	34.092	

TOTAL LAND USE		
TOTAL NUMBER OF LOTS	0	
TOTAL NUMBER OF TRACTS	0	
GROSS RESIDENTIAL DENSITY	0 D.U./A.C.	

#### **CERTIFICATION**

I, RICHARD G. ALCOCER, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA, THAT THIS PLAT, CONSISTING OF SEVEN (7) SHEETS, CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE UNDER MY SUPERVISION DURING THE MONTH OF JUNE, 2021, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT ALL MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

RICHARD G. ALCOCER **REGISTRATION NUMBER 33851** 4550 N. 12TH STREET PHOENIX, ARIZONA 85014 (602)-264-6831 CVLSURVEY@CVLCI.COM

OF VL Contact: DOUG CHUBIN

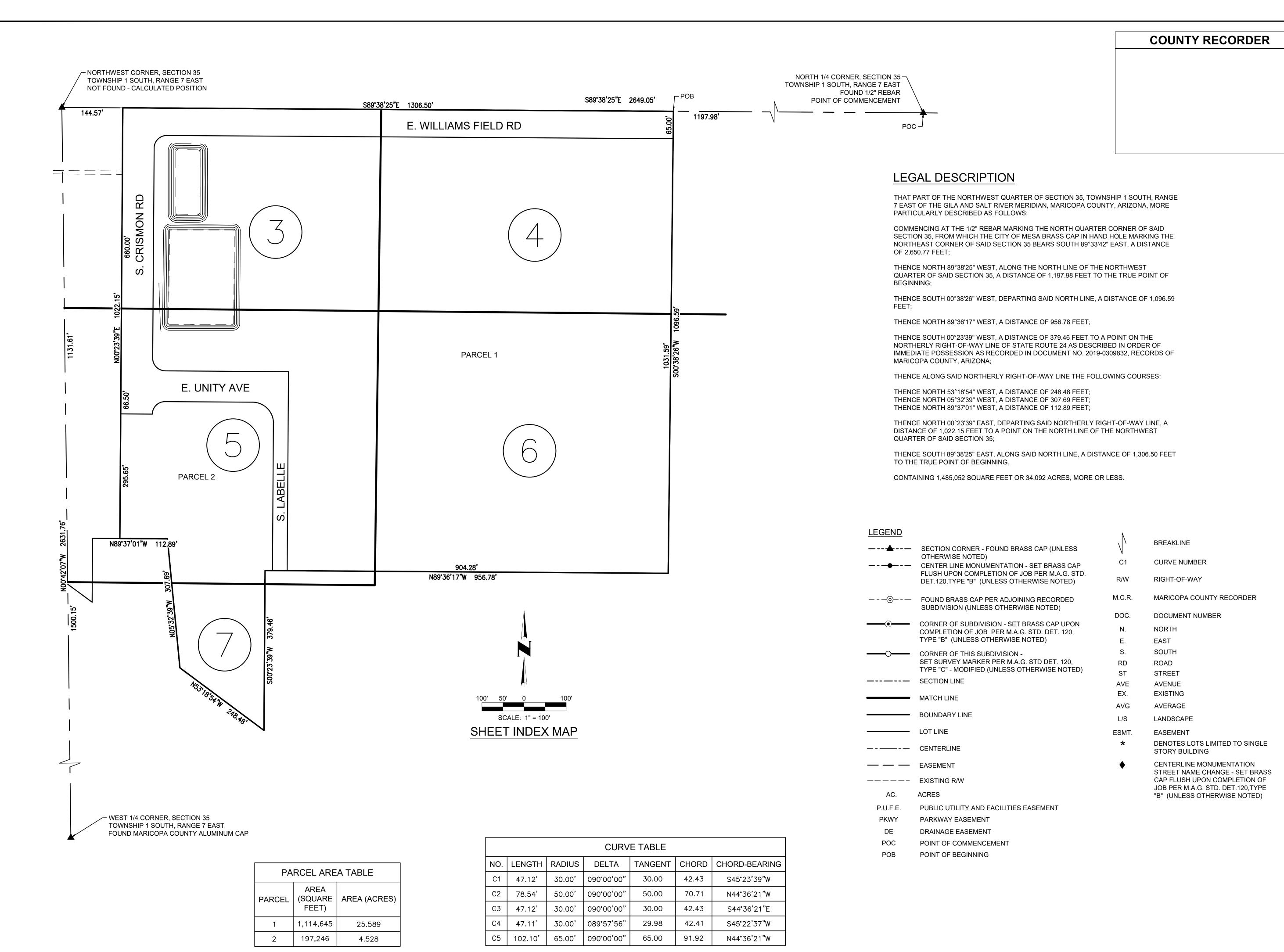
ME

 $\sum_{i=1}^{n}$ 

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GROSS AREA = 34.092 ACRES

SEE SHEET 02 FOR CURVE TABLE AND PARCEL TABLE



MENT OP

M 

02 SHEET OF CVL Contact: DOUG CHUBIN

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DEVELOPMENT

03 SHEET 07 CVL Contact: DOUG CHUBIN

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MATCHL

SHEET

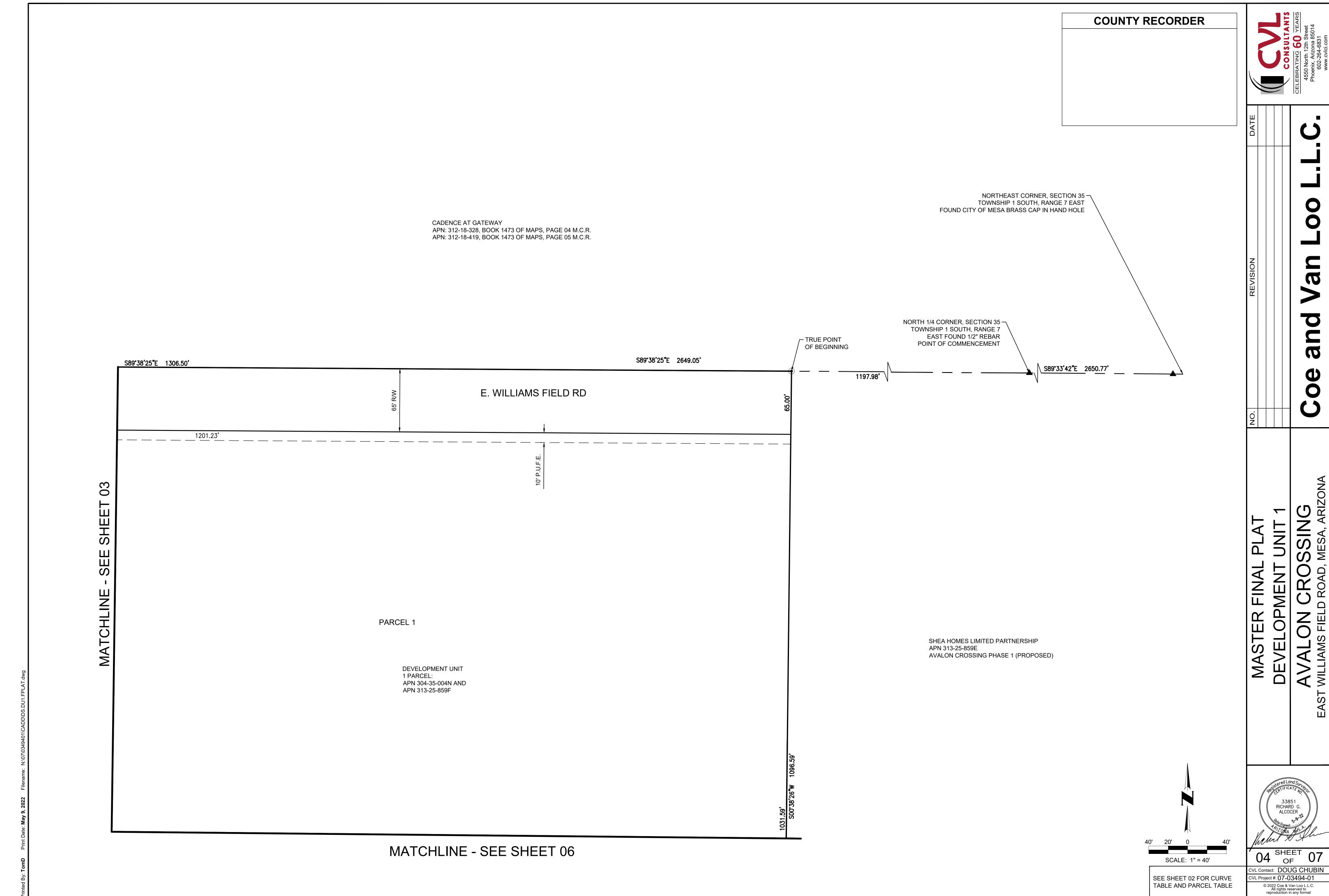
S89'38'25"E 2649.05' S89°38'25"E 1306.50' 144.57 E. WILLIAMS FIELD RD PARCEL 1 - TEMPORARY RETENTION BASIN (TO BE VACATED UPON FURTHER DEVELOPMENT) 10' P.U.F.E. 75' R/W DEVELOPMENT UNIT 1 PARCEL: APN 304-35-004N AND APN 313-25-859F

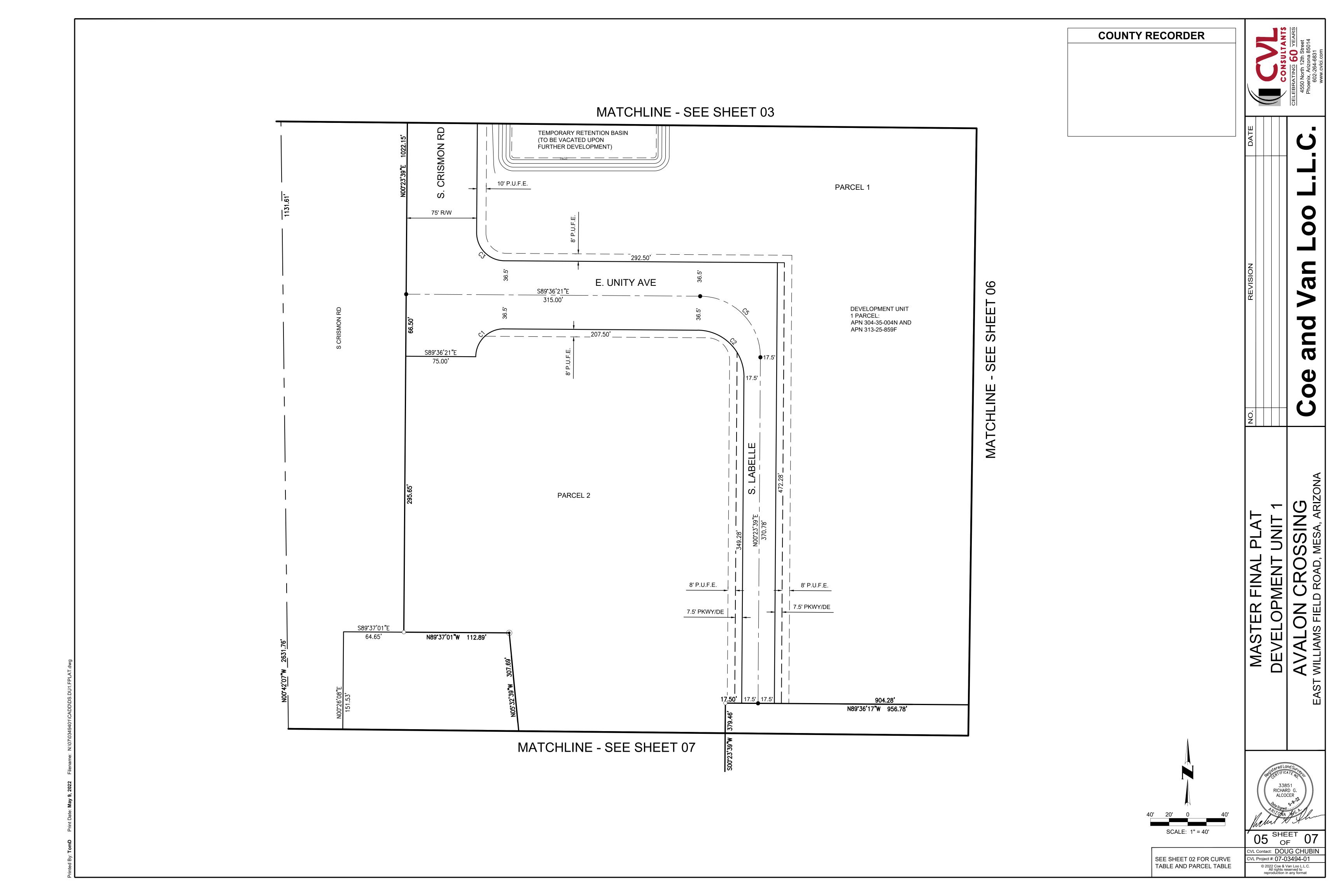
/- NORTHWEST CORNER, SECTION 35

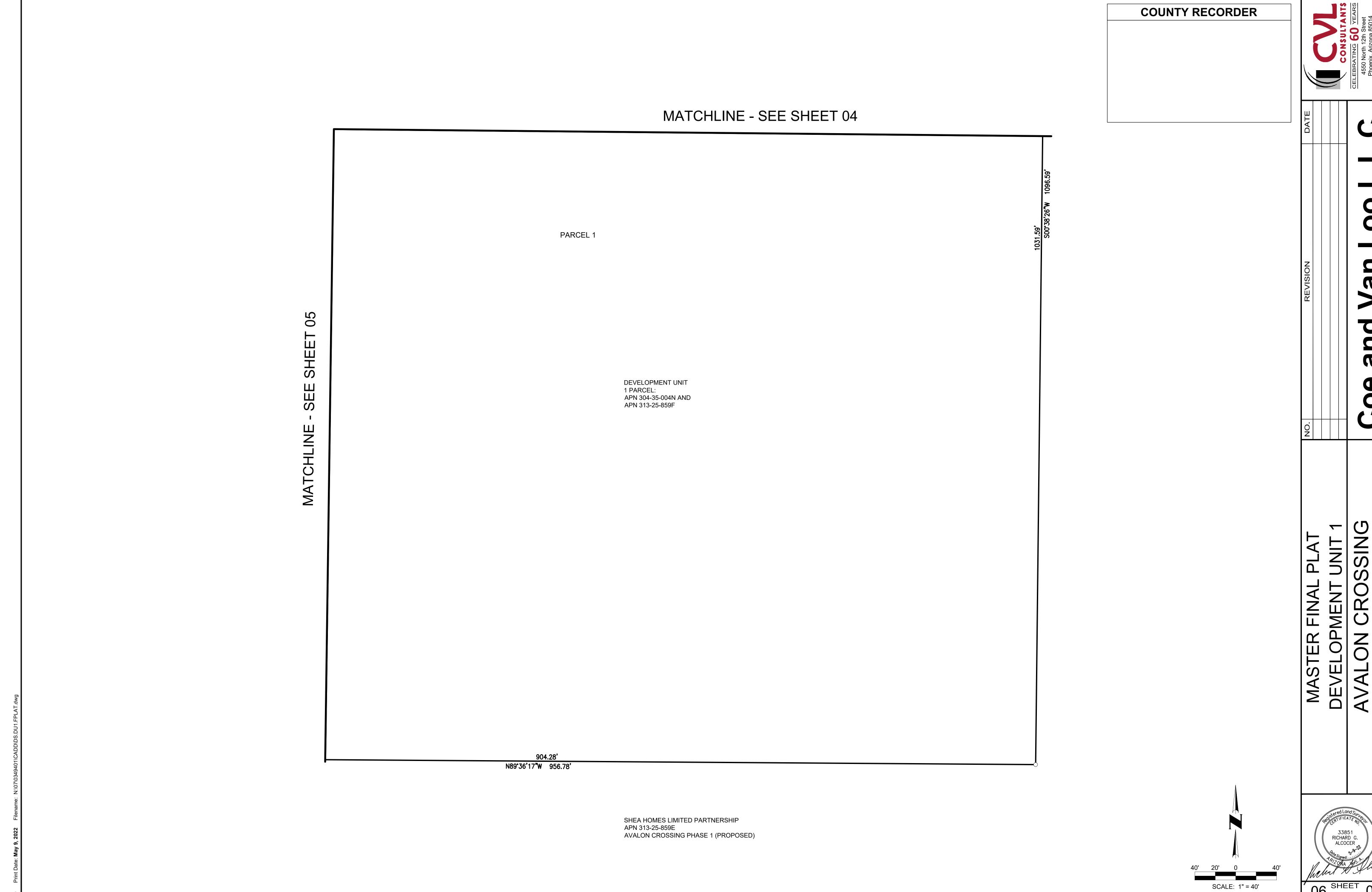
TOWNSHIP 1 SOUTH, RANGE 7 EAST NOT FOUND - CALCULATED POSITION

MATCHLINE - SEE SHEET 05

CADENCE AT GATEWAY







06 SHEET 07 CVL Contact: DOUG CHUBIN

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SEE SHEET 02 FOR CURVE TABLE AND PARCEL TABLE

