

FINAL PLAT
of
"MARIPOSA ESTATES, UNIT 2"

LOCATED IN
THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 1
NORTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER
BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

DEDICATION

STATE OF ARIZONA >
> SS
COUNTY OF MARICOPA >

KNOW ALL MEN BY THESE PRESENTS:

THAT HERITAGE GROUP LIMITED PARTNERSHIP, AS OWNER, DOES HEREBY PUBLISH THIS FINAL PLAT FOR "MARIPOSA ESTATES, UNIT 2" LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND 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 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.

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 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, 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 OR ITS HERITAGE GROUP LIMITED PARTNERSHIP 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 HERITAGE GROUP LIMITED PARTNERSHIP OR THE SUCCESSORS OR ASSIGNS OF HERITAGE GROUP LIMITED PARTNERSHIP. 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.

HERITAGE GROUP LIMITED PARTNERSHIP 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.

HERITAGE GROUP LIMITED PARTNERSHIP 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.

APPROVALS

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MESA, ARIZONA ON THIS _____ DAY OF _____, 2021:

BY: _____ MAYOR _____ DATE _____

ATTEST: _____ CITY CLERK _____ 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.

APPROVED: _____ CITY ENGINEER _____ DATE _____

DRAINAGE COVENANTS:

THE DRAINAGE EASEMENT SHOWN ON THIS PLAT AS TRACTS B & C HERITAGE GROUP LIMITED PARTNERSHIP IS HEREBY RESERVED AS A DRAINAGE FACILITY AND RETENTION BASIN FOR THE INCLUSIVE CONVEYANCE OF DRAINAGE AND STORAGE OF DRAINAGE FOR THIS SUBDIVISION 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.

HERITAGE GROUP LIMITED PARTNERSHIP 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 HEREUNDER SHALL HAVE THE RIGHT TO RECOVER, IN ADDITION TO ANY DAMAGES, A REASONABLE SUM AS AND FOR ATTORNEY'S FEES AND COURT COSTS.

IN WITNESS WHEREOF:

HERITAGE GROUP LIMITED PARTNERSHIP, 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 _____, 2021.

HERITAGE GROUP LIMITED PARTNERSHIP

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA

COUNTY OF MARICOPA

ON THIS _____ DAY OF _____, 2021, 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 WHEREIN, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC _____ DATE _____

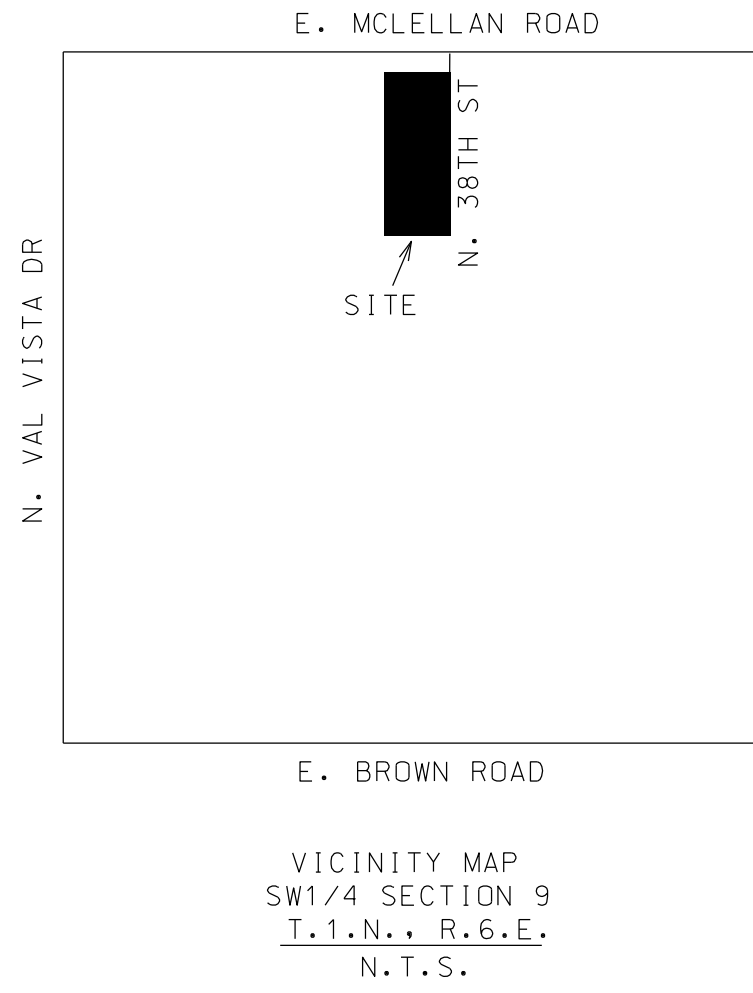
DATE MY COMISSION EXPIRES _____

GENERAL 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 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. 9-1-5(A).
- 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 RIGHT-OF-WAY.
- CONSTRUCTION WITHIN UTILITY EASEMENTS EXCEPT BY PUBLIC AGENCIES AND UTILITY COMPANIES, SHALL BE LIMITED TO UTILITIES, PAVING, AND WOOD, WIRE, REMOVABLE SECTION TYPE FENCING.
- UTILITY LINES ARE TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION GENERAL ORDER R. (42) 33.
- ELECTRICAL LINES TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION GENERAL ORDER R-14-2-133.
- 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. MCLELLAN RD AND N. 38TH STREET.
- 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.
- THIS DEVELOPMENT IS WITHIN THE CITY OF MESA WATER SUPPLY (SERVICE) AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
- ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
- ELECTRICAL LINES TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION.
- THE HOMEOWNERS ASSOCIATION (HERITAGE GROVE HOA) 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).
- 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.
- 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).
- TRACT B 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.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 FINAL PLAT SHEET



LEGAL DESCRIPTION

THE EAST 181.70 FEET OF THE WEST 657.60 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 1, NORTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA:

EXCEPT THE NORTH 25 FEET THEREOF.

OWNER

HERITAGE GROUP LIMITED PARTNERSHIP
Greg Scoresby, Manager
3725 E. McClellan Rd
MESA, AZ 85205
480-650-8150

Surveyor

Bruce R. Heyse, R.L.S.
1915 E. Velvet Drive
Tempe, Arizona 85284
602-206-0963
bheyse6565@msn.com

ZONING:

CITY OF MESA RS-35 PAD

TOTAL SUBDIVISION AREA:

113,168 SQ. FT. 2.5980 ACRES

REFERENCE DOCUMENTS

FINAL PLAT MARIPOSA ESTATES, BOOK 527 OF MAPS, PAGE 07

FINAL PLAT VILLA RICA, BOOK 502 OF MAPS, PAGE 30

FEMA FLOOD ZONE DELINEATION

THIS PROJECT LIES WITHIN ZONE "X" AS DEPICTED ON FLOOD INSURANCE RATE (FIRM) MAP NUMBER 0413C2260L, REVISED OCTOBER 16, 2013.

BASIS OF BEARINGS

NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 9 TOWNSHIP 1 NORTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.
NORTH 89 DEGREES 27 MINUTES 26 SECONDS EAST

BRH Surveying, L.L.C.

BRUCE R. HEYSE, R.L.S.
LAND SURVEYING
1915 E. VELVET DRIVE
TEMPE, ARIZONA 85284
602-206-0963
BHEYSE6565@MSN.COM

FINAL PLAT

MARIPOSA ESTATES, UNIT 2

NOTES:

APN 141-31-0228

PROJ#:

DATE: SEPTEMBER 10, 2021

SCALE: 1" = 40'

DRAWN: BRH

APPROVED: BRH

DWG. NO

FP1

SHEET 1 OF 2

