# FINAL PLAT

"HERITAGE GROVE"

# 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 > 22

COUNTY OF MARICOPA )

KNOW ALL MEN BY THESE PRESENTS:

THAT HERITAGE GROUP LIMITED PARTNERSHIP, AS OWNER, DOES HEREBY PUBLISH THIS FINAL PLAT FOR "HERITAGE GROVE" LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 6 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 RESPECTIVELY.

HERITAGE GROUP LIMITED PARTNERSHIP, HEREBY DEDICATES TO THE CITY OF MESA, NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS FOR PRIVATE STREETS OVER TRACT "A".

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 HEREBY DEDICATES A PRIVATE PERMANENT, NON-EXCLUSIVE EASEMENT OVER, ACROSS, UNDER AND UPON ALL AREAS DESIGNATED AS "IRRIGATION EASEMENTS" OR "I.E." FOR PURPOSES OF INSTALLATION AND MAINTENANCE OF IRRIGATION FACILITIES. FURTHERMORE, EACH LOT IS SUBJECT TO AN "IRRIGATION EASEMENT" FOR THE BENEFIT OF USING IRRIGATION FACLITIES THAT ARE REASONABLY NECESSARY TO DELIVER IRRIGATION TO EACH BENEFITTED

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.

### DRAINAGE COVENANTS:

THE DRAINAGE EASEMENT SHOWN ON THIS PLAT AS TRACTS A, 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, EXCESS DRAINAGE FROM MARIPOSA ESTATES UNIT 2 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. 3. Construction within utility easements except by public agencies

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

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 HERITAGE GROUP LIMITED PARTNERSHIP WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS PLAT IS RECORDED.

# 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 \_\_\_\_\_,

HERITAGE GROUP LIMITED PARTNERSHIP

<u>ACKNOWLEDGMENT</u>

STATE OF ARIZONA

COUNTY OF MARICOPA

\_\_\_ , 2021, BEFORE ME, THE ON THIS 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

DATE MY COMISSION EXPIRES

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). 2. The City of Mesa is not responsible for and will not accept

GENERAL NOTES:

maintenance of any private utilities, private facilities, private drainage facilities or landscaped areas within the project, or landscaping within adjacent right-of-way.

1. Public Utility and Facility Easements (PUFE) will be treated like

Public Utility Easements when determining who pays relocation

- 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. McClellan Road.
- 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 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).
- 12. 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.
- 13. 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).
- 14. 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.
- 15. 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.
- 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. Lot owner of Lots 5 & 6 must place trash containers on the East side of North lemon Circle for pick up.
- 18. Fire hydrant spacing: This subdivision has two hydrants spaced at an average spacing of 500 feet. This allows the largest home on the lots to be a maximum of 4,800 square feet without suppression sprinkler systems under roof. Construction per the Mesa Building Code of at least Type VB Construction.
- 19. A portion of the subdivision is located within the 60 DB noise contours as shown on the Mesa Falcon Field Public Airport Disclosure Map Exhibit B5, dated October 2009, provided by Arizona Department of Real Estate websire (HTTPS://AZRE.gov) accessed on July 2021.



COUNTY, ARIZONA;

### OWNER

HERITAGE GROUP LIMITED PARTNERSHIP Greg Scoresby, Manager 3725 E. McLellan Rd MESA, AZ 85205

Surveyor

480-650-8150

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

bheyse6565@msn.com

### 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 0413C226OL, REVISED OCTOBER 16, 2013.

# BASIS OF BEARINGS

EXCEPT THE EAST 181.70 FEET THEREOF.

EXCEPT THE NORTH 25 FEET THEREOF.

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.

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10,

NORTH 89 DEGREES 27 MINUTES 26 SECONDS EAST

LEGAL DESCRIPTION

THE EAST 657.60 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

QUARTER OF SECTION 9, TOWNSHIP 1, NORTH, RANGE 6 EAST,

OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST

ZONING:

CITY OF MESA RS-35 PAD

ON FLOOD INSURANCE RATE (FIRM) MAP NUMBER

TOTAL SUBDIVISION AREA:

296,165 SQ. FT. 6.7990 ACRES

# APPROVALS

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MESA, ARIZONA ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_\_ 2021.

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

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:

# 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 July, 2021. 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.

Bruce R. Heyse L.S.#23949

