

# ROSE GARDEN EAST

ARIZONA CANAL

**BASIS OF BEARING**  
SOUTH 31°38'43" WEST BETWEEN FOUND BRASS CAP IN HAND HOLE IN RIGHT OF WAY AT SOUTHWEST CORNER OF LOT 23 OF NEARY PLACE PLAT 2 A SUBDIVISION OF TRACT "A", TRACT "B" AND A PORTION OF LOTS 7 AND 8, NEARY PLACE SITUATED IN THE NE1/4 SE1/4 SECTION 22 T2N, R4E, G & S R B&M, MARICOPA COUNTY, ARIZONA BOOK 56, PAGE 33 MCR AND A FOUND BRASS CAP IN HANDHOLE IN RIGHT OF WAY OF 5TH AVENUE AT A POINT OF CURVATURE IN FRONT OF THE PROPERTY AT 7078 E. 5TH AVENUE, SCOTTSDALE, ARIZONA 85251

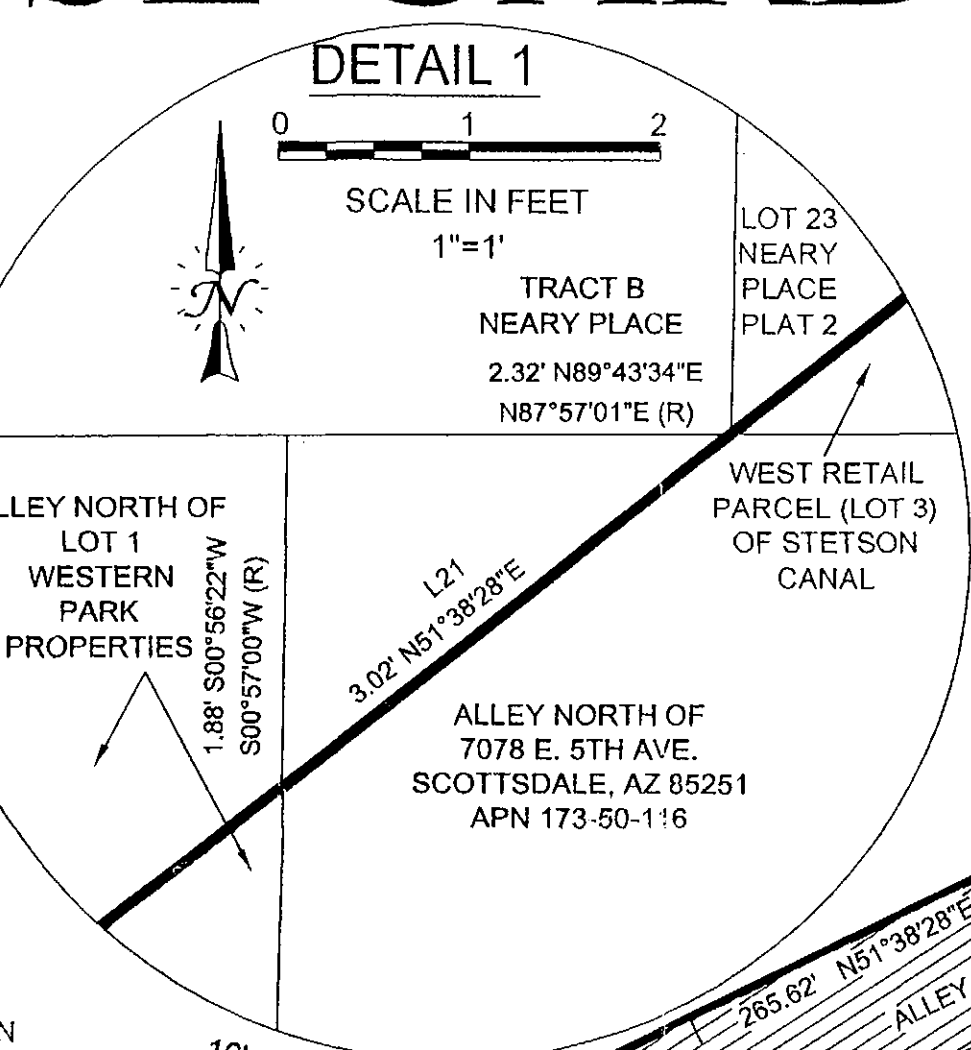
STETSON CANAL A REPLAT OF A PORTION OF THE NEARY PLACE PLAT 2 THROUGH 32 OF ADJOINING PUBLIC ALLEY RIGHT-OF-WAY, ALL SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, OF THE GILA & SALT RIVER BASE AND MERIDIAN, CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA BOOK 905, PAGE 42, M.C.R.

**RECORDED INSTRUMENTS**

1. CITY OF SCOTTSDALE UTILITY EASEMENT  
INSTRUMENT: #2006-0531417  
RECORDED: 4/20/06  
OWNER: CITY OF SCOTTSDALE
2. CITY OF SCOTTSDALE EMERGENCY AND SERVICE VEHICLE EASEMENT  
INSTRUMENT: #2006-0531416  
RECORDED: 4/20/06  
OWNER: CITY OF SCOTTSDALE
3. NON-EXCLUSIVE INGRESS/EGRESS AND MAINTENANCE EASEMENT  
INSTRUMENT: #2006-0531418  
RECORDED: 4/20/06  
OWNER: PRANTCO, LLC AND ROSE GARDEN, LLC
4. IRREVOCABLE, EXCLUSIVE PARKING EASEMENT  
INSTRUMENT: #2006-0531420  
RECORDED: 4/20/06  
OWNER: ROSE GARDEN, LLC AND PRANTCO, LLC  
(COVERS PARKING (4A), DUMPSTERS (4B), AND ACCESS AREAS (4C))
5. EASEMENT AGREEMENT FOR PARKING  
INSTRUMENT: #2005-1573407  
RECORDED: 10/20/05  
OWNER: ROSE GARDEN, LLC AND BROOKS BUILDINGS, INC.
6. EASEMENT AGREEMENT FOR TEMPORARY CONSTRUCTION AND ACCESS  
INSTRUMENT: #2005-1573409  
RECORDED: 10/20/05  
OWNER: BROOKS BUILDINGS, INC., AND ROSE GARDEN, LLC
7. EASEMENT AGREEMENT FOR TEMPORARY CONSTRUCTION, ACCESS AND MAINTENANCE  
INSTRUMENT: #2005-1573408  
RECORDED: 10/20/05  
OWNER: ROSE GARDEN, LLC
8. EMERGENCY AND SERVICE VEHICLE EASEMENT  
INSTRUMENT: #2005-1573410  
RECORDED: 10/20/05  
OWNER: BROOKS BUILDINGS, INC. AND CITY OF SCOTTSDALE
9. PUBLIC UTILITY EASEMENT  
INSTRUMENT: #2005-1573411  
RECORDED: 10/20/05  
OWNER: BROOKS BUILDINGS, INC. AND CITY OF SCOTTSDALE
10. ASSIGNMENT OF TEMPORARY EXCLUSIVE PARKING RIGHTS AND AGREEMENT  
INSTRUMENT: #2006-0531419  
RECORDED: 4/20/06  
OWNER: ROSE GARDEN, LLC AND PRANTCO, LLC
11. EASEMENT TO BE RECORDED

**LEGEND**

- BCF BRASS CAP FLUSH
- BCHH BRASS CAP IN HAND HOLE
- BK BOOK
- CL CENTER LINE
- COS CITY OF SCOTTSDALE
- CPS COTTON PICKER SPINDLE
- E EAST
- FD FOUND
- G & SR B & M GILA AND SALT RIVER BASE AND MERIDIAN
- IB/IP IRON BAR/IRON PIPE
- LS LAND SURVEYOR
- (M) MEASURED
- M.C.R. MARICOPA COUNTY RECORDER
- N NORTH
- PL PROPERTY LINE
- PG PAGE
- PUE PUBLIC UTILITY EASEMENT
- (R) RECORDED
- ROW RIGHT OF WAY
- S SOUTH
- SQ. FT. SQUARE FEET
- SRVWUA SALT RIVER VALLEY WATER USERS' ASSOCIATION
- SRP SALT RIVER PROJECT
- W WEST
- LOT CORNER
- ◉ SUBDIVISION CORNER



**CENTER CHIP (LOT 1)**  
273 SQ. FT.

**CENTER LARGE (LOT 2)**  
21,643 SQ. FT.

**EAST SMALL (LOT 4)**  
6,699 SQ. FT.

**EAST LARGE (LOT 3)**  
29,188 SQ. FT.

7078 E. 5TH AVE.  
SCOTTSDALE, AZ 85251  
APN 173-50-116

7088 E. 5TH AVE.  
SCOTTSDALE, AZ 85251  
APN 173-50-115

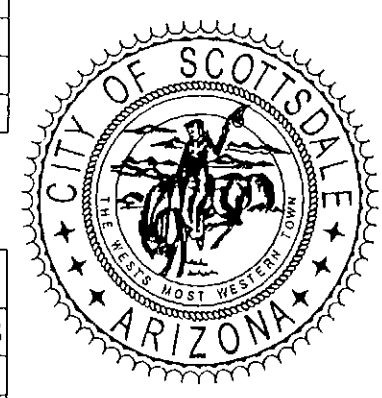
## ROSE GARDEN EAST A REPLAT AND PARTIAL COMBINATION OF

A PORTION OF WESTERN PARK PROPERTIES A SUBDIVISION OF PART OF THE SE 1/4, SEC. 22, T.2N., R.4E., G & S.R.M., MARICOPA COUNTY, ARIZONA  
BOOK 60, PAGE 50 M.C.R. AND A PORTION OF NEARY PLACE A SUBDIVISION OF PART OF THE NE1/4 SE1/4 SECTION 22 T.2N. R.4 E. G.&S.R. B.&M. MARICOPA COUNTY, ARIZONA BOOK 46, PAGE 21 M.C.R. ALONG WITH A PORTION OF NEARY PLACE PLAT 2 A SUBDIVISION OF TRACT "A" TRACT "B" AND A PORTION OF LOTS 7 AND 8, NEARY PLACE SITUATED IN THE NE1/4 SE1/4 SECTION 22 T2N, R4E G & SRB&M MARICOPA COUNTY, ARIZONA BOOK 56, PAGE 33 M.C.R.  
LOTS 1 THROUGH 4 OF WESTERN PARK PROPERTIES A SUBDIVISION OF PART OF THE SE 1/4, SEC. 22, T.2N., R.4E., G & S.R.M., MARICOPA COUNTY, ARIZONA  
BOOK 60, PAGE 50 M.C.R. AND ADJACENT PUBLIC ALLEY RIGHT OF WAY, ALONG WITH A PORTION OF LOT 23 OF NEARY PLACE PLAT 2 A SUBDIVISION OF TRACT "A" TRACT "B" AND A PORTION OF LOTS 7 AND 8, NEARY PLACE SITUATED IN THE NE1/4 SE1/4 SECTION 22 T2N, R4E G & SRB&M MARICOPA COUNTY, ARIZONA BOOK 56, PAGE 33 M.C.R. AND TRACT "B" OF NEARY PLACE A SUBDIVISION OF PART OF THE NE1/4 SE1/4 SECTION 22 T.2N. R.4 E. G.&S.R. B.&M. MARICOPA COUNTY, ARIZONA BOOK 46, PAGE 21 M.C.R. (WHICH IS ALSO MENTIONED IN NEARY PLACE PLAT 2), ALL SITUATED IN THE NORTHEAST QUARTER, OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, OF THE GILA & SALT RIVER BASE AND MERIDIAN, CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA

LINE TABLE			LINE TABLE		
LINE	LENGTH	DIRECTION	LINE	LENGTH	DIRECTION
L1	13.59'	S 11°19'22" W	L14	4.99'	N 51°45'06" E
L2	5.31'	S 38°14'54" E	L15	4.96'	N 51°38'28" E
L3	2.00'	S 89°34'53" W	L16	17.63'	N 51°38'28" W
L4	13.25'	N 00°25'07" W	L17	48.83'	S 41°32'50" E
L5	18.40'	N 02°07'31" E	L18	45.27'	S 51°30'48" W
L6	11.52'	N 02°36'12" E	L19	18.50'	S 60°33'32" E
L7	8.35'	N 06°58'28" E	L20	36.09'	S 51°33'53" W
L8	17.63'	N 06°29'17" E	L21	3.02'	S 51°38'28" W
L9	24.90'	N 08°29'03" E	L22	4.99'	S 51°38'28" W
L10	9.12'	N 09°34'22" E	L23	4.99'	S 51°45'06" E
L11	21.18'	N 10°50'37" E			
L12	15.46'	N 51°38'28" E			
L13	5.02'	N 51°38'28" E			

CURVE TABLE					
CURVE	LENGTH	RADIUS	INCLUDED ANGLE	CHORD LENGTH	CHORD DIRECTION BEARING TO RADIUS
C1	50.41'	100.61'	28°42'22"	49.88'	N 41°29'29" E N 34°09'20" W
C2	66.27'	29.33'	129°27'59"	53.04'	N 65°08'36" W N 39°52'36" W
C3	5.25'	100.61'	02°58'52"	5.23'	N 57°20'06" E N 31°10'27" W

Two working days before you dig  
CALL FOR THE BLUE STAKES  
Within Maricopa County  
**602-263-1100**  
Outside Maricopa County  
1-800-782-5348  
BLUE STAKE CENTER



**NOT TO APPEAR  
ON FINAL  
RECORDED  
VERSION**



**ROSE GARDEN, L.L.C.**  
ROSE GARDEN EAST, A REPLAT OF  
A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&SRM  
SCOTTSDALE, ARIZONA

**GOOKIN ENGINEERS**  
ENGINEERS - HYDROLOGISTS - PLANNERS - SURVEYORS  
4300 NORTH BROWN AVENUE  
SCOTTSDALE, ARIZONA 85251  
480-947-3741

Scale 1"=20'  
Date 6-7-06  
Rev  
Designed WSG  
Drawn SF  
File: ROSE GARDEN EAST REPLAT 12-14-07.dwg

SHEET 2A  
of  
2 SHEETS  
JOB NO.  
**20901**

**RESEARCH NOTES**

- A TITLE REPORT BY FIDELITY TITLE INSURANCE COMPANY, ORDER NO. 20008985-D WAS PROVIDED TO THE SURVEYOR FOR THIS SURVEY.
- BOUNDARY INFORMATION COLLECTED FROM RECORDED PLATS AND FOUND MONUMENTS.
- DOCUMENTS ACQUIRED BY GOOKIN ENGINEERS & REVIEWED FOR RESOLUTION OF THIS ALTA/ACSM LAND TITLE SURVEY WERE:
  - \* NEARY PLACE, BK. 46, PG. 21, M.C.R.
  - \* NEARY PLACE PLAT 2, BK. 56, PG. 33, M.C.R.
  - \* CIRCLE K ACRES, BK. 44, PG. 23, M.C.R.
  - \* WESTERN PARK PROPERTIES, BK. 60, PG. 50, M.C.R.
  - \* PARADISE PALMS, BK. 54, PG. 13, M.C.R.
  - \* S.R.V.W.U.A./RIGHT OF WAY MANAGED BY S.R.P., BK. 470, PG. 18
  - \* ARCADIA WATER COMPANY, BK. 114, PG. 6, M.C.R.
  - \* DEDICATED TOWN OF SCOTTSDALE ROADS, BK. 9, PG. 85 M.C.R.
  - \* PUBLIC UTILITY AND TRAFFIC CONTROL DEVICE EASEMENT, BK. 336, PG. 14.
  - \* TOPOGRAPHIC SURVEY ARIZONA CANAL BY LAND SURVEY SERVICES, P.L.C., JOB NO.02110, SHEET 2 OF 3, DATED 7-8-04, DRAWN BY THOMAS ROPE, NOT RECORDED
  - \* RESULTS OF SURVEY ARIZONA CANAL BY LAND SURVEY SERVICES, P.L.C., JOB NO. 02110, SHEET 1 OF 2, DATED 7-8-04, DRAWN BY THOMAS ROPE, NOT RECORDED
  - \* WESTERN PARK PROPERTIES ALTA/ACSM LAND TITLE SURVEY, BK. 710, PG. 13, M.C.R.
  - \* WESTERN PARK PROPERTIES RECORD OF SURVEY, BK. 729, PG. 33 M.C.R.
  - \* STETSON CANAL, LLC SOUTH CANAL BANK RECORD OF SURVEY, BK. 704, PG. 3 M.C.R.
  - \* AFFIDAVIT OF CORRECTION, INSTRUMENT NO. 2005-1005992 M.C.R.
  - \* FIDELITY NATIONAL TITLE REPORT ORDER NO. 20008985
  - \* THE LEGAL ELEMENTS OF BOUNDARIES AND ADJACENT PROPERTIES BY RAY HAMILTON SKELTON PAGE 194 PARAGRAPH 197
  - \* WRITING LEGAL DESCRIPTIONS BY GROUND H. WATTLES CHAPTER 4 PAGE 30.
- NO OTHER BOUNDARY SURVEYS WERE LOCATED FROM AN INTERNET SEARCH.
- LOCATIONS OF EXISTING UTILITIES BASED ON FIELD OBSERVATIONS AND MEASUREMENTS DURING THIS SURVEY, AS WELL AS MAPS RECEIVED FROM
  - \* SALT RIVER PROJECT IRRIGATION
  - \* SALT RIVER PROJECT ELECTRIC
  - \* COX COMMUNICATIONS
  - \* QWEST
  - \* SOUTHWEST GAS
  - \* CITY OF SCOTTSDALE WATER & SEWER QUARTER SECTION MAP
  - \* ARIZONA PUBLIC SERVICE

CALL BLUESTAKE AT 602-263-1100 TO VERIFY EXACT LOCATIONS.

20. THIS SURVEY IS LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

21. PHYSICAL CONDITIONS SHOWN ARE AS OF 7-19-05 AND DO NOT REFLECT CHANGES, IF ANY, BEYOND THAT DATE.

22. THERE IS EVIDENCE OF EARTH MOVING WORK IN PROGRESS IN 70TH PLACE AND 5TH AVENUE AS OF 7-19-05. THE SITE IS CURRENTLY UNDER CONSTRUCTION.

23. 5TH AVENUE WAS ORIGINALLY REFERRED TO AS "WESTERN PARK DRIVE" ON THE WESTERN PARK PROPERTIES (WESTERN) PLAT AS RECORDED IN BOOK 60 OF MAPS, PAGE 50 M.C.R. GOLDWATER BOULEVARD WAS ORIGINALLY REFERRED TO AS "ORANGE AVENUE", LATER IT BECAME "70TH STREET". IN ADDITION GOLDWATER BOULEVARD WAS EXTENDED TO CROSS OVER THE ARIZONA CANAL AND LOTS 7-11 WERE MODIFIED ACCORDINGLY. ALSO, THE MAJORITY OF LOT 5 WAS USED TO CREATE A THOROUGHFARE NOW REFERRED TO AS 70TH PLACE WHICH ALLOWS ACCESS TO GOLDWATER BOULEVARD AS WELL. WESTERN ALSO REFERS TO "MARSHALL AVENUE" WHICH HAS NOW BECOME KNOWN AS MARSHALL WAY.

24. THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.

25. THE RESULT OF SURVEY SHOWING THE S.R.V.W.U.A. (SRP) CANAL RIGHT OF WAY, AS RECORDED IN BK. 470, PG. 18, M.C.R., DATED 5-7-1998, DIFFERS WITH WESTERN PARK PROPERTIES (WESTERN), AS RECORDED IN BK. 60, PG. 50, M.C.R., DATED 10-11-1954. THE GOOKIN SURVEY LOCATED A COTTON PICKER SPINDLE SOUTHWESTERLY OF LOT 2, WESTERN, WHICH WAS ACCEPTED AS ONE OF THE DEFLECTION POINT SPINDLES INDICATED AS "SET" ON THE SRP SURVEY. GOOKIN ALSO LOCATED AN IRON BAR (LAND SURVEYOR TAG 15895) APPROXIMATELY 425 FEET NORTHEASTERLY FROM THE FOUND COTTON PICKER SPINDLE. THIS IRON BAR WAS ACCEPTED AS BEING ALONG THE SRP CANAL R.O.W. THE SURVEYED ITEMS WERE THEN ROTATED AROUND THE FOUND COTTON PICKER SPINDLE, MAKING THE BEARING BETWEEN THE TWO ABOVE DESCRIBED OBJECTS MATCH THE BEARING FROM A PREVIOUS GOOKIN SURVEY (STETSON CANAL, LLC SOUTH CANAL BANK ALTA/ACSM LAND TITLE SURVEY, BK. 704, PG. 13 M.C.R.), WHICH INCLUDED THESE OBJECTS. THE LOT LINES OF THE LOTS IN THE WESTERN PARK PROPERTIES SUBDIVISION WERE THEN LENGTHENED SO THAT THEIR ENDS NEAREST TO THE SRP CANAL ROW ENDED 16' FROM THE SRP ROW. THE ALLEY WAS MAINTAINED AT 16' IN WIDTH AS SHOWN ON THE WESTERN PLAT.

26. THE ORIGINAL WESTERN PARK PROPERTIES (BOOK 60 OF MAPS, PAGE 50 M.C.R.) PLAT DOES NOT CLOSE ON PAPER BY OVER 4 FEET (4.04'). THE GOOKIN SURVEY FOUND AN IRON PIPE BURIED APPROXIMATELY 1' BELOW THE PAVEMENT IN THE CENTER OF 5TH AVENUE. IN CHECKING THE DISTANCE BETWEEN THE BURIED IRON PIPE AND A FOUND CHISELED X ON A CURB TO THE EAST (WHICH IS ASSUMED TO BE THE INTERSECTION OF 5TH AVENUE AND MARSHALL WAY), THE DISTANCE IS WITHIN 0.17' (SHORT). MEASURING BETWEEN THE BURIED IRON PIPE AND THE BRASS CAP IN A HAND HOLE AT THE INTERSECTION OF GOLDWATER BOULEVARD AND 5TH AVENUE, THE DISTANCE VARIES FROM THE PLAT DISTANCE BY 0.15' (LONG). THE TOTAL DISTANCE BETWEEN THE CHISELED X AND THE BRASS CAP IN A HAND HOLE AT THE INTERSECTION OF GOLDWATER BOULEVARD AND 5TH AVENUE VARIES FROM THE PLAT DISTANCE BY ONLY 0.02' (SHORT). THE BREAK IN BEARING BETWEEN THE FOUND POINTS AS COMPARED TO THE BREAK IN BEARING BETWEEN THE PLATTED POINTS REVEALS A DIFFERENCE OF 0°237". THE FOUND POINT ANGLE IS LARGER THAN THE PLAT ANGLE. BASED ON THIS INFORMATION THE FOUND POINTS IN 5TH AVENUE HAVE BEEN ACCEPTED AS SUBDIVISION CORNERS. THE BRASS CAP IN A HAND HOLE AT THE INTERSECTION OF GOLDWATER BOULEVARD AND 5TH AVENUE IS BELIEVED TO BE THE POINT SHOWN ON THE PLAT AS THE INTERSECTION OF ORANGE AVENUE AND WESTERN PARK DRIVE.

27. SINCE THE WESTERN PARK PROPERTIES (BOOK 60 OF MAPS, PAGE 50 M.C.R.) PLAT (WESTERN) WAS MADE, MANY CHANGES HAVE BEEN MADE IN THE SUBDIVISION. MANY OF THEM HAVE NOT BEEN WELL DOCUMENTED. THESE INCLUDE THE CREATION OF GOLDWATER BOULEVARD THROUGH WESTERN AND THE CREATION OF THE ROSE GARDEN PARKING LOT (SEE RECORDED DOCUMENT NUMBER 92-726905). ALSO LOT 5 OF WESTERN, EXCEPT FOR THE WEST AND EAST 4.99 FEET (SEE RECORDED WARRANTY DEED 9358/175) HAS BEEN CONVERTED TO A SHORT ROAD LEADING TO THE ALLEY. MANY CITY DOCUMENTS REFER TO THIS AS 70TH PLACE. NO OTHER EVIDENCE EITHER COMPLETED OR PROPOSED AND AVAILABLE FROM THE CONTROLLING JURISDICTION REGARDING CHANGES IN STREET RIGHT OF WAY LINES. NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK SIDEWALK CONSTRUCTION OR REPAIRS.

28. ACCESS IS AVAILABLE FROM 5TH AVENUE IN THE FRONT AND AN ALLEY IN THE REAR.

**RESEARCH NOTES CONTINUED**

17. SURVEYED BUILDINGS COME VERY CLOSE TO AND AT TIMES ENROACH UPON PROPERTY LINE. SEE PAGE 2 FOR NUMERIC VALUES OF ENCROACHMENTS.

18. LOTS 4-8 OF WESTERN PARK PROPERTIES WERE CONSTRUCTED USING VARIOUS SOURCES. LOT 8 WAS CONSTRUCTED BASED ON LEGAL DESCRIPTION CONTAINED IN WARRANTY DEED RECORDED IN INSTRUMENT 2003-0589122, RECORDS OF MARICOPA COUNTY, ARIZONA. LOT 7 WAS CONSTRUCTED BASED ON LEGAL DESCRIPTION CONTAINED IN WARRANTY DEED RECORDED IN INSTRUMENT 1999-0494408, RECORDS OF MARICOPA COUNTY, ARIZONA. THE DISAGREEMENT BETWEEN THE TWO INSTRUMENTS (2003-0589122 GIVES A RADIUS OF 511.50 FEET FOR LOT 8, WHILE 1999-0494408 GIVES A RADIUS OF 511.00 FEET FOR LOT 7) WAS NOT RESOLVED AND THE PROPERTY CORNERS WERE SET BASED ON SAID INSTRUMENTS. LOTS 4, 5, AND 6 WERE CONSTRUCTED BY OFFSETTING A LINE CONNECTING THE FOUND MONUMENTS ALONG THE CENTERLINE OF 5TH AVENUE (A FOUND IRON PIPE IN FRONT OF LOT 4 BURIED APPROXIMATELY 1 FOOT DEEP AND A BRASS CAP IN A HAND HOLE AT THE INTERSECTION OF 5TH AVENUE AND GOLDWATER BOULEVARD) THE APPROPRIATE 40 FEET FOR THE RIGHT-OF-WAY, THUS ESTABLISHING THE FRONT PROPERTY LINE. THE REAR PROPERTY LINE WAS THEN ESTABLISHED BY OFFSETTING THE RIGHT-OF-WAY LINE OF THE ARIZONA CANAL 16 FEET PER THE PLAT OF WESTERN PARK PROPERTIES, BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA. THE EAST PROPERTY LINE OF LOT 3 WAS ESTABLISHED IN A PRIOR GOOKIN SURVEY (BOOK 710 OF MAPS, PAGE 13, RECORDS OF MARICOPA COUNTY, ARIZONA). THIS WAS THEN OFFSET AT 60 FOOT INCREMENTS TO THE WEST TO ESTABLISH THE NORTH-SOUTH LINES OF LOTS 4, 5, AND 6.

**GENERAL NOTES**

1. THE PROJECTIONS OF THE PROPERTY LINES TO THE SUBDIVISION BOUNDARY WERE ADDED AT THE REQUEST OF THE CLIENT. THEY HAVE NO OTHER IMPORTANCE TO THE SURVEY.

**CONDITIONS (FROM TITLE REPORT ORDER NO. 2008985-C)**

- THE TERM MORTGAGE, WHEN USED HEREIN, SHALL INCLUDE DEED OF TRUST, TRUST DEED, OR OTHER SECURITY INSTRUMENT.
- IF THE PROPOSED INSURED HAS OR ACQUIRED ACTUAL KNOWLEDGE OF ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM OR OTHER MATTER AFFECTING THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT OTHER THAN THOSE SHOWN IN SCHEDULE B HEREOF, AND SHALL FAIL TO DISCLOSE SUCH KNOWLEDGE TO THE COMPANY IN WRITING, THE COMPANY SHALL BE RELIEVED FROM LIABILITY FOR ANY LOSS OR DAMAGE RESULTING FROM ANY ACT OF RELIANCE HEREIN TO THE EXTENT THE COMPANY IS PREJUDICED BY FAILURE TO SO DISCLOSE SUCH KNOWLEDGE. IF THE PROPOSED INSURED SHALL DISCLOSE SUCH KNOWLEDGE TO THE COMPANY, OR IF THE COMPANY OTHERWISE ACQUIRES ACTUAL KNOWLEDGE OF ANY SUCH DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM OR OTHER MATTER, THE COMPANY AT ITS OPTION MAY AMEND SCHEDULE B OF THIS COMMITMENT ACCORDINGLY, BUT SUCH AMENDMENT SHALL NOT RELIEVE THE COMPANY FROM LIABILITY PREVIOUSLY INCURRED PURSUANT TO PARAGRAPH 3 OF THESE CONDITIONS.
- LIABILITY OF THE COMPANY UNDER THIS COMMITMENT SHALL BE ONLY TO THE NAMED PROPOSED INSURED AND SUCH PARTIES INCLUDED UNDER THE DEFINITION OF INSURED IN THE FINDER OF POLICY OR POLICIES COMMITTED FOR AND ONLY FOR ACTUAL LOSS INCURRED IN RELIANCE HEREON IN UNDERTAKING IN GOOD FAITH (A) TO COMPLY WITH THE REQUIREMENTS HEREOF, OR (B) TO ELIMINATE EXCEPTIONS SHOWN IN SCHEDULE B, OR (C) TO ACQUIRE OR CREATE THE ESTATE OF INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT. IN NO EVENT SHALL SUCH LIABILITY EXCEED THE AMOUNT STATED IN SCHEDULE A FOR THE POLICY OR POLICIES COMMITTED FOR AND SUCH LIABILITY IS SUBJECT TO THE INSURING PROVISIONS AND CONDITIONS AND THE EXCLUSION FROM COVERAGE OF THE FORM OF POLICY OR POLICIES COMMITTED FOR IN FAVOR OF THE PROPOSED INSURED WHICH ARE HEREBY INCORPORATED BY REFERENCE AND ARE MADE A PART OF THIS COMMITMENT EXCEPT AS EXPRESSLY MODIFIED HEREIN.
- THIS COMMITMENT IS A CONTRACT TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES AND IS NOT AN ABSTRACT OF TITLE OR A REPORT OF THE CONDITION OF TITLE. ANY ACTION OR ACTIONS OR RIGHTS OF ACTION THAT THE PROPOSED INSURED MAY HAVE OR MAY BRING AGAINST THE COMPANY ARISING OUT OF THE STATUS OF THE TITLE TO THE ESTATE OR INTEREST OR THE STATUS OF THE MORTGAGE THEREON COVERED BY THIS COMMITMENT MUST BE BASED ON AN ARE SUBJECT TO THE PROVISIONS OF THIS COMMITMENT.
- THE POLICY TO BE ISSUED CONTAINS AN ARBITRATION CLAUSE. ALL ARBITRABLE MATTERS WHEN THE AMOUNT OF INSURANCE IS \$2,000,000 OR LESS SHALL BE ARBITRATED AT THE OPTION OF EITHER THE COMPANY OR THE INSURED AS THE EXCLUSIVE REMEDY OF THE PARTIES. YOU MAY REVIEW A COPY OF THE ARBITRATION RULES AT <http://www.ulta.org>.

**SHEET INDEX**

- SHEET 1: COVER SHEET AND NOTES  
 SHEET 2: SCHEDULE B ITEMS FROM TITLE REPORT NO. 20008985-A  
 SHEET 3: LEGAL DESCRIPTIONS FROM TITLE REPORT NO. 20008985-A  
 SHEET 4: PLAN VIEW SHOWING BOUNDARY AND EXISTING FEATURES  
 SHEET 5: PLAN VIEW SHOWING BOUNDARY AND RECORDED EASEMENTS

**FIRM INFO FOR PARCELS 1A, 1B FLOOD INSURANCE RATE MAP (FIRM) INFORMATION**

COMMUNITY NUMBER	PANEL NUMBER (PANEL DATE)	SUFFIX	DATE OF FIRM (INDEX DATE)	FIRM ZONE	BASIN FLOOD ELEVATION (IN AO ZONE, USE DEPTH)
045012	2160 09-30-05	"F"	09-30-05	SHADED "X"	<1

**FIRM INFO FOR PARCELS 2D, 2E, 3A, 3B, 3C, 4, 5, 6, 7, 8, 9, 10, 11 FLOOD INSURANCE RATE MAP (FIRM) INFORMATION**

COMMUNITY NUMBER	PANEL NUMBER (PANEL DATE)	SUFFIX	DATE OF FIRM (INDEX DATE)	FIRM ZONE	BASIN FLOOD ELEVATION (IN AO ZONE, USE DEPTH)
045012	2160 09-30-05	"F"	09-30-05	"X"	N/A

NOTE: PARCELS 2A, 2B, 2C, AND 12 APPEAR IN BOTH THE SHADED "X" AND "X" FIRM ZONES.

NOTE: PARCELS 1A-1B, 2A-2E, 12 NOT A PART OF THIS ALTA/ACSM SURVEY

**ALTA/ACSM SURVEY  
 ROSE GARDEN PARTNERS  
 LOTS 4, 5, 6, AND  
 FRACTIONAL PORTIONS OF LOTS  
 1,2,3,7, AND 8 OF WESTERN PARK PROPERTIES  
 A PART OF THE SOUTHEAST QUARTER OF  
 SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST,  
 OF THE GILA AND SALT RIVER MERIDIAN,  
 MARICOPA COUNTY, ARIZONA**

**ZONING  
 C-2 DO**

SITE DEVELOPMENT STANDARDS		ADDITIONAL REGULATIONS
I. DEVELOPMENT REQUIREMENTS WITHIN THE (DO) DOWNTOWN OVERLAY (ALL NON (D) DOWNTOWN ZONED ZONING DISTRICTS)		
1	FLOOR AREA RATIO (FAR)	0.8
	A. FAR BONUS MAXIMUM	0.5
	TOTAL MAXIMUM FAR (EXCLUDING RESIDENTIAL)	1.3
2	BUILDING VOLUME	NO MAXIMUM
3	OPEN SPACE	NONE REQUIRED AND THE SITE DEVELOPMENT SHALL DEMONSTRATE CONFORMANCE TO THE DOWNTOWN PLAN URBAN DESIGN AND ARCHITECTURAL GUIDELINES.

II. SITE REQUIREMENTS WITHIN (DO) DOWNTOWN OVERLAY (ALL ZONING DISTRICTS)		
1	MINIMUM SITE AREA	NONE REQUIRED
2	MINIMUM FRONT BUILDING SET-BACK	16 FEET FROM PLANNED CURB
3	MINIMUM INTERIOR SIDE SET-BACK	NONE REQUIRED
4	MINIMUM CORNER SIDE BUILDING SET-BACK	16 FEET FROM PLANNED CURB
5	MINIMUM REAR BUILDING SETBACK	MINIMUM OF 50 FEET WHEN ADJACENT TO SINGLE-FAMILY RESIDENTIAL DISTRICTS, AND MINIMUM OF 25 FEET WHEN ADJACENT TO MULTI-FAMILY RESIDENTIAL DISTRICTS. NO MINIMUM IN ALL OTHER INSTANCES EXCEPT AS REQUIRED FOR OFF-STREET LOADING AND TRASH STORAGE

III. BUILDING DESIGN REQUIREMENTS (ALL NON-(D) DOWNTOWN ZONED ZONING DISTRICTS)		
	PROPERTIES WITH (S-R) SERVICE RESIDENTIAL ZONING	ALL OTHER ZONING DISTRICTS
1	HEIGHT MAXIMUM (ALL USES)	26 FEET
2	BUILDING ENVELOPE, STARTING AT A POINT 26 FEET ABOVE THE BUILDING SETBACK LINE, THE INCLINED SETBACK PLANE SLOPES AT:	2:1 ON THE FRONT, AND 1:1 ON THE OTHER SIDES OF A PROPERTY

IV. RESIDENTIAL DENSITY (ALL ZONING DISTRICTS)		
1	MAXIMUM RESIDENTIAL DENSITY	23 DWELLING UNITS PER GROSS ACRE

C. ADDITIONAL REGULATIONS

- SPACING BETWEEN TWO (2) BUILDINGS ON THE SAME SITE SHALL BE NOT LESS THAN TEN (10) PERCENT OF THE LARGER BUILDING'S TWO (2) LONGEST ADJACENT SIDES AT THE SPACE (E.G. FRONT AND SIDE).
- WHERE EXISTING SETBACKS ON FORTY (40) PERCENT OR MORE OF A BLOCK FACE ARE LESS THAN THE SPECIFIED SETBACK, THE REQUIRED SETBACK ON A SITE TO BE DEVELOPED SHALL BE THE AVERAGE SETBACK OF THE DEVELOPED PORTION OF THE BLOCK FACE. SECTION 7.201 (ADJUSTMENT OF FRONT YARD REQUIREMENTS) SHALL NOT APPLY.
- BUILDINGS FRONTING ON CAMELBACK ROAD, INDIAN SCHOOL ROAD, AND ON SCOTTSDALE ROAD NORTH FROM CAMELBACK ROAD AND SOUTH FROM OSBORN ROAD TO THE DOWNTOWN OVERLAY DISTRICT BOUNDARY, SHALL BE SETBACK FORTY (40) FEET FROM THE PLANNED CURB LINE. BUILDINGS FRONTING ON DRINKWATER BOULEVARD AND GOLDWATER BOULEVARD SHALL BE SETBACK THIRTY (30) FEET FROM THE PLANNED CURB LINE. THE REGULATIONS OF SECTION 5.3062 SHALL ALSO APPLY TO THESE FRONT SETBACKS. (ORD. NO. 3520, § 1.7-1-03; ORD. NO. 3543, § 1(EXH. 1) 12-9-03)

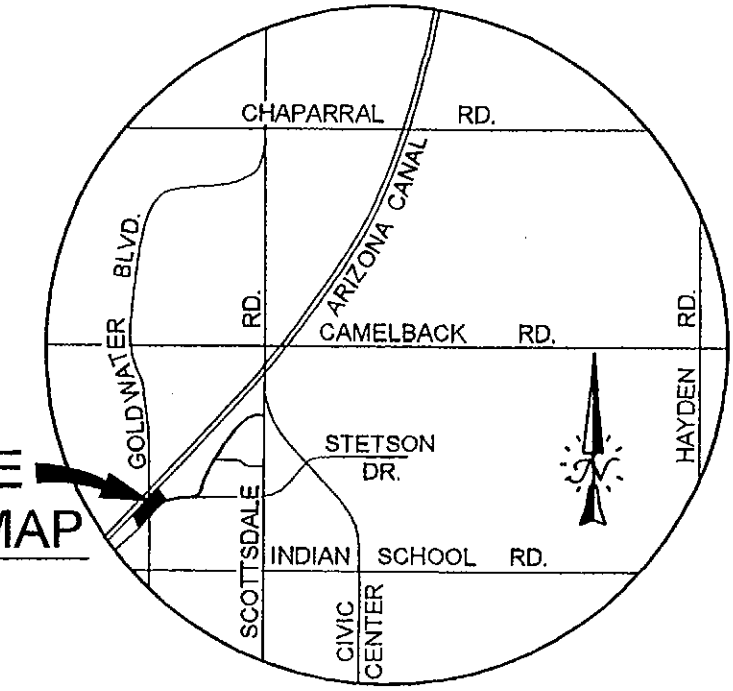
**AREAS**

ORDER NO. 20008985-D  
 PARCEL NO. 1A: 4.684 SF OR 0.1075 ACRES ± (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 1B: 258 SF OR 0.0059 ACRES ± (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 2A: 1.417 SF OR 0.0325 ACRES ± (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 2B: 12.398 SF OR 0.2846 ACRES ± (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 2C: 4.979 SF OR 0.1143 ACRES ± (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 2D: 5.658 SF OR 0.1299 ACRES ± (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 2E: 38.457 SF OR 0.8829 ACRES ± (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 3A: 8.059 SF OR 0.1850 ACRES ± (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 3B: 6.460 SF OR 0.1483 ACRES ± (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 3C: 1.782 SF OR 0.0409 ACRES ± (PARCEL NO. 4: 6.203 SF OR 0.1424 ACRES ± (PARCEL NO. 5: 8.059 SF OR 0.1850 ACRES ± (PARCEL NO. 6: 2.998 SF OR 0.0688 ACRES ± (PARCEL NO. 7: 8.588 SF OR 0.1972 ACRES ± (PARCEL NO. 8: 1.812 SF OR 0.0416 ACRES ± (PARCEL NO. 9: 1.938 SF OR 0.0445 ACRES ± (PARCEL NO. 10: 2.741 SF OR 0.0629 ACRES ± (PARCEL NO. 11: 15.171 SF OR 0.3483 ACRES ± (PARCEL NO. 12: 20.963 SF OR 0.4812 ACRES ± (PARCEL NOT A PART OF THIS ALTA SURVEY)

NOTE: AREAS SHOWN ARE BASED ON LEGAL DESCRIPTIONS FOUND IN TITLE REPORT ORDER NO. 20008985-A.

**PARCEL NUMBERS**

ORDER NO. 20008985-D  
 PARCEL NO. 1A: 173-48-087, 173-48-088, 173-48-089, 173-48-090 (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 1B: 173-48-049M (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 2A: 173-48-049F (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 2B: 173-48-049G (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 2C: 173-48-049K (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 2D: 173-48-044B (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 2E: 173-48-044B AND 173-48-046 (PARCEL NOT A PART OF THIS ALTA SURVEY)  
 PARCEL NO. 3A: 173-50-084A  
 PARCEL NO. 3B: 173-50-086C  
 PARCEL NO. 3C: 173-48-044C  
 PARCEL NO. 4: 173-50-084A  
 PARCEL NO. 5: 173-50-083A  
 PARCEL NO. 6: 173-50-082A  
 PARCEL NO. 7: 173-50-059A  
 PARCEL NO. 8: 173-42-080A  
 PARCEL NO. 9: 173-42-028A  
 PARCEL NO. 10: N/A (ALLEY PARCEL)  
 PARCEL NO. 11: N/A (ALLEY PARCEL)  
 PARCEL NO. 12: N/A (ALLEY PARCEL)  
 (PARCEL NOT A PART OF THIS ALTA SURVEY)



**SITE VICINITY MAP**  
 N.T.S.

**CERTIFICATION**

TO BANK USA FS&B, ROSE GARDEN PARTNERS, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, CITY OF SCOTTSDALE, AND FIDELITY TITLE:

THIS IS TO CERTIFY THAT THIS MAP AND THE SURVEY ON WHICH IT IS BASED WERE MADE (i) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED BY ALTA, ASCM, AND NSPS IN 1999, AND INCLUDES ITEMS 1, 6, 8, 10, 11, 14, 15 AND 16 OF TABLE A HEREOF, AND (ii) PURSUANT TO THE ACCURACY STANDARDS (AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION) OF AN URBAN SURVEY.

DATE: \_\_\_\_\_

W.S. GOOKIN JR. AZ. L.S. 15865

**OWNER**

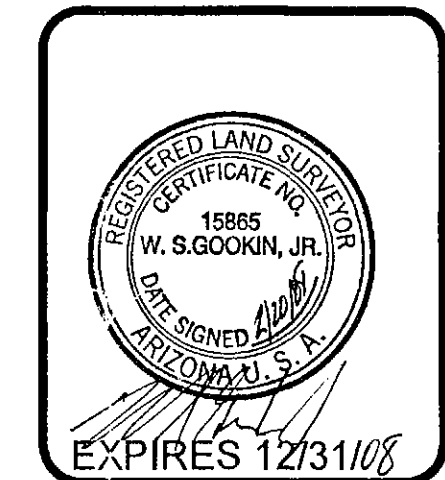
ORDER NO. 20008985-D  
 CITY OF SCOTTSDALE  
 (PARCEL NO. 2A, 2B, 2C, 2D, 2E, 4, 10 AND 11)  
 3939 N. DRINKWATER BOULEVARD  
 SCOTTSDALE, ARIZONA 85251

ROSE GARDEN, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY  
 (PARCEL NO. 1A, 1B, 6, 7, 8 AND 9)  
 7127 EAST 6TH AVENUE  
 SCOTTSDALE, ARIZONA 85251  
 (O): 480-874-1002 (F): 480-874-1742

THE SURVIVORS' TRUST UNDER THE ALCALAY TRUST  
 DATED MARCH 26, 1990  
 (PARCEL NO. 3A, 3B, 3C AND 5)  
 916 CHAUTAUQUA BOULEVARD  
 PACIFIC PALISADES, CALIFORNIA 90272-3804  
 (O):310-459-6022

ALCALAY NON-EXEMPT MARITAL TRUST UNDER ALCALAY LIVING TRUST DATED MARCH 26, 1990  
 (PARCEL NO. 3A, 3B, 3C AND 5)  
 916 CHAUTAUQUA BOULEVARD  
 PACIFIC PALISADES, CALIFORNIA 90272-3804  
 (O):310-459-6022

Two working days before you dig  
 CALL FOR THE BLUE STAKES  
 Within Maricopa County  
**602-263-1100**  
 Outside Maricopa County  
 1-800-782-5348  
 BLUE STAKE CENTER



**C.O.S. Q.S. 17-44**

**ROSE GARDEN PARTNERS, LLC**  
 LOTS 4, 5, 6 AND FRACTIONAL PORTIONS OF LOTS 1,2,3,7 AND 8 OF WESTERN PARK PROPERTIES  
**ALTA/ACSM LAND TITLE SURVEY**  
 A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&SRM

Scale	N/A		<b>GOOKIN ENGINEERS</b> ENGINEERS - HYDROLOGISTS - PLANNERS - SURVEYORS 4200 NORTH BROWN AVENUE SCOTTSDALE, ARIZONA 85251 480-947-3741	SHEET 1 of 5 SHEETS JOB NO. <b>2090L</b>
Date	9-13-05			
Rev	12-6-07			
Designed	WSG			
Drawn	SF			

File: WESTERN ALTA 9-8-05 updated 12-6-07.dwg

SCHEDULE B ITEMS (ORDER NUMBER 20008985-D)

SECTION I

- REQUIREMENTS:
1. FURNISH FOR REVIEW, A FULL AND COMPLETE COPY OF ANY UNRECORDED AGREEMENT, CONTRACT, LICENSE AND/OR LEASE, TOGETHER WITH ALL SUPPLEMENTS, ASSIGNMENTS AND AMENDMENTS THERETO, PRIOR TO THE CLOSE OF THIS TRANSACTION.
2. FURNISH A PLAT OF A ALTA/ACSM LAND TITLE SURVEY...
3. INTENTIONALLY OMITTED.
4. NOTIFY THE TITLE DEPARTMENT SUFFICIENTLY IN ADVANCE OF RECORDING TO ARRANGE FOR A PRIORITY INSPECTION OF SAID LAND TO DETERMINE THAT NO WORK HAS BEEN COMMENCED AS OF THE TIME OF THE RECORDING.
5. PROPERTY TAXES FOR THE FULL YEAR SHOWN BELOW ARE EXEMPT.
6. PROPERTY TAXES FOR THE FULL YEAR SHOWN BELOW ARE PAID.
7. PAY SECOND HALF PROPERTY TAXES, INCLUDING ANY PERSONAL PROPERTY TAXES, ANY ASSESSMENTS COLLECTED WITH TAXES, LEVIED FOR THE YEAR 2007.
8. PAY FULL YEAR PROPERTY TAXES, INCLUDING ANY PERSONAL PROPERTY TAXES AND ANY ASSESSMENTS COLLECTED WITH TAXES, LEVIED FOR THE YEAR 2007.
9. PAY THE DELINQUENT PROPERTY TAXES INCLUDING INTEREST, FEES, AND COSTS, FOR THE YEAR(S) SHOWN BELOW BY REDEMPTION FROM THE SALE OF THE LIEN THEREOF FOR THE YEAR(S).
10. FURNISH EVIDENCE THAT ALL REGULAR AND SPECIAL ASSESSMENTS LEVIED BY SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT WHICH ARE NOW DUE AND PAYABLE ARE PAID.
11. RECORD A FULL RELEASE AND RECONVEYANCE OF THE DEED OF TRUST AMOUNT: \$400,000.00
12. FURNISH A COPY OF THE BORROWER'S AUTHORIZATION TO CLOSE CREDIT LINE IF THE DEED OF TRUST SHOWN ABOVE SECURES A CREDIT LINE LOAN.
13. RECORD A PARTIAL TERMINATION STATEMENT TERMINATING THE FINANCING STATEMENT DESCRIBED BELOW.
14. RECORD A FULL RELEASE AND RECONVEYANCE OF THE DEED OF TRUST AMOUNT: \$695,000.00
15. FURNISH A COPY OF THE BORROWER'S AUTHORIZATION TO CLOSE CREDIT LINE IF THE DEED OF TRUST SHOWN ABOVE SECURES A CREDIT LINE LOAN.
16. INTENTIONALLY OMITTED.
17. INTENTIONALLY OMITTED.
18. INTENTIONALLY OMITTED.
19. INTENTIONALLY OMITTED.
20. INTENTIONALLY OMITTED.
21. FURNISH FOR REVIEW, THE FOLLOWING DOCUMENTS FROM THE LIMITED LIABILITY COMPANY NAMED BELOW PRIOR TO THE CLOSE OF THIS TRANSACTION...

- 22. INTENTIONALLY OMITTED.
23. INTENTIONALLY OMITTED.
24. FURNISH A COMPLETE COPY OF THE EXECUTED TRUST AGREEMENT OF THE THE SURVIVORS' TRUST UNDER THE ALCALAY LIVING TRUST DATED MARCH 26, 1990 AND ALCALAY NON-EXEMPT MARITAL TRUST UNDER THE ALCALAY LIVING TRUST DATED MARCH 26, 1990, WHEREIN IS/ARE NAMED AS TRUSTEE(S), TOGETHER WITH ANY AMENDMENTS OR RESTATEMENTS THEREOF FOR REVIEW.
25. RECORD A CERTIFIED COPY OF THE ORDINANCE OF THE CITY OF SCOTTSDALE, AUTHORIZING THE EXECUTION AND DELIVERY OF ALL INSTRUMENTS NECESSARY TO CONSUMMATE THIS TRANSACTION.
26. RECORD A CERTIFIED COPY OF THE RESOLUTION OF THE BOARD OF SUPERVISORS OF THIS COUNTY AUTHORIZING (a) THE EXECUTION AND DELIVERY OF ALL INSTRUMENTS NECESSARY TO CONSUMMATE THIS TRANSACTION.
27. INTENTIONALLY OMITTED.
28. THE TRANSACTION CONTEMPLATED IN CONNECTION WITH THIS REPORT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE COMPANY'S CORPORATE UNDERWRITING DEPARTMENT.
29. FURNISH THE NAME(S) AND TYPE OF ENTITY, IF APPLICABLE, OF THE PROPOSED INSURED.
30. INTENTIONALLY OMITTED.
31. RECORD A DEED FROM ROSE GARDEN, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY AS TO PARCEL NO 1A, 1B, 5, 7, 8 AND 9;
32. THE SURVIVORS TRUST UNDER THE ALCALAY LIVING TRUST DATED MARCH 26, 1990 AND ALCALAY NON-EXEMPT MARITAL TRUST UNDER THE ALCALAY LIVING TRUST DATED MARCH 26, 1990 AS TO PARCEL NO.3A, 3B, 3C AND 5;
33. THE CITY OF SCOTTSDALE FOR THE PUBLIC'S USE, AS DEDICATED ON PLAT RECORDED IN BOOK 60 OF MAPS, PAGE 50, AS TO PARCEL NO. 11 AND COUNTY OF MARICOPA, A BODY POLITIC, AS TO PARCEL NO. 12 TO \_\_\_\_\_ (TO COME).

SECTION II

- EXCEPTIONS:
SCHEDULE B OF THE POLICY OR POLICIES TO BE ISSUED WILL CONTAIN EXCEPTIONS TO THE FOLLOWING MATTERS UNLESS THE SAME ARE DISPOSED OF TO THE SATISFACTION OF THE COMPANY.
1. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING A SUBSEQUENT TO THE EFFECTIVE DATE BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT.
2. EXCEPTIONS AND EXCLUSIONS FROM COVERAGE WHICH WILL APPEAR IN THE POLICY OR POLICIES TO BE ISSUED AS SET FORTH IN EXHIBIT A ATTACHED.
3. INTENTIONALLY OMITTED.
4. ANY ACTION BY MARICOPA COUNTY ASSESSOR AND/OR TREASURER, ALTERING THE CURRENT OR PRIOR TAX ASSESSMENT, SUBSEQUENT TO THE DATE OF THE POLICY OF TITLE INSURANCE.
5. PROPERTY TAXES, WHICH ARE A LIEN NOT YET DUE AND PAYABLE, INCLUDING ANY PERSONAL PROPERTY TAXES AND ANY ASSESSMENTS COLLECTED WITH TAXES TO BE LEVIED FOR THE YEAR 2008.
6. RESERVATIONS, EXCEPTIONS AND PROVISIONS CONTAINED IN THE PATENT OR IN THE ACTS AUTHORIZING THE ISSUANCE THEREOF.
7. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS.
8. THE LIABILITIES AND OBLIGATIONS IMPOSED UPON SAID LAND BY REASON OF: (a) INCLUSION THEREOF WITHIN THE BOUNDARIES OF THE SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT; (b) MEMBERSHIP OF THE OWNER THEREOF IN THE SALT RIVER VALLEY WATER USERS' ASSOCIATION, AN ARIZONA CORPORATION AND (c) THE TERMS OF ANY WATER RIGHT APPLICATION MADE UNDER THE RECLAMATION LAWS OF THE UNITED STATES FOR THE PURPOSE OF OBTAINING WATER RIGHTS FOR SAID LAND.
9. RIGHT OF WAY OF ARIZONA CANAL AND HEADER DITCH.
10. COVENANTS, CONDITIONS AND RESTRICTIONS DELETING THEREFROM ANY RESTRICTIONS INDICATING ANY PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN) AS SET FORTH IN THE DOCUMENT
11. EASEMENTS, RESTRICTIONS, AND MATTERS SHOWN ON THE PLAT RECORDED IN BOOK 60 OF MAPS, PAGE 50.
12. ALL MATTERS CONTAINED IN THE PLAT OF PUBLIC UTILITIES AND TRAFFIC CONTROL DEVICE EASEMENT RECORDED IN BOOK 336 OF MAPS, PAGE 14.
13. ALL MATTERS SHOWN ON RESULTS OF SURVEY RECORDED IN BOOK 470 OF MAPS, PAGE 18.
14. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT.
15. ALL MATTERS CONTAINED IN PHOENIX RESOLUTION NO. 13039, ESTABLISHING POLICY GOVERNING THE FLOOD CONTROL CHANNEL-FREWAY CORRIDOR WITHIN THE INDIAN BEND FLOOD PLAN, AS SET FORTH IN DOCUMENT RECORDED IN DOCKET 7309, PAGE 516.
16. ALL MATTERS CONTAINED IN AGREEMENT OF INTENTION RECORDED IN DOCKET 10285, PAGE 137.
17. ANY ACTION THAT MAY BE TAKEN BY THE FLOOD CONTROL DISTRICT OF MARICOPA COUNTY TO ACQUIRE PROPERTY OR RIGHTS OF WAY FOR FLOOD CONTROL AS DISCLOSED BY INSTRUMENT RECORDED IN DOCKET 13356, PAGE 212.
18. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN DOCUMENT.
19. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT.
20. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT.
21. ALL MATTERS CONTAINED IN RESOLUTION NO. 3712, DESIGNATING THE SITE OF THE SCOTTSDALE ROSE GARDEN AND AUTHORIZING THE EXECUTION OF EASEMENT AGREEMENT NO. 1 920139, RECORDED IN INSTRUMENT NO. 92-726905.
22. ALL MATTERS SET FORTH IN RESOLUTION NO. 3722 OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, REGARDING A REDEVELOPMENT AREA RECORDED IN INSTRUMENT NO. 94-0726168.
23. ALL MATTERS SET FORTH IN RESOLUTION NO. 4698 OF THE COUNCIL OF THE CITY OF SCOTTSDALE, ARIZONA, REGARDING ENHANCED MUNICIPAL SERVICES IN A DESIGNATED AREA, RECORDED IN INSTRUMENT NO. 97-086152.
24. ALL MATTERS CONTAINED IN INTERIM AGREEMENT RECORDED APRIL 5, 1999 IN INSTRUMENT NO. 99-0324702.
25. MAINTENANCE AGREEMENT BY AND BETWEEN SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT AND THE CITY OF SCOTTSDALE, RECORDED OCTOBER 25, 2001 IN INSTRUMENT NO. 2001-0982227.
26. ANY OBLIGATIONS IMPOSED UPON SAID LAND BY ITS INCLUSION WITHIN THE FOLLOWING NAMED DISTRICT
DISTRICT: CITY OF SCOTTSDALE, DOWNTOWN ENHANCED MUNICIPAL SERVICES DISTRICT NO. 2, AS DISCLOSED BY DOCUMENT RECORDED MAY 28, 2002 IN INSTRUMENT NO. 2002-0538464.

SECTION II

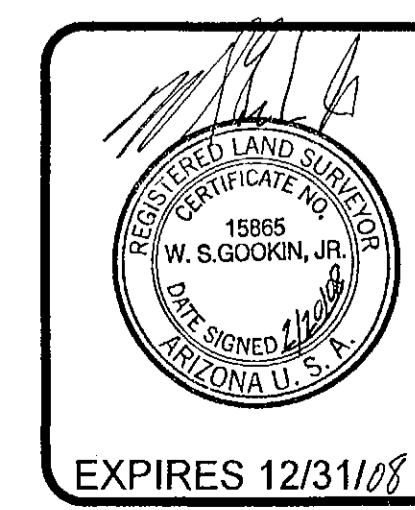
- EXCEPTIONS (CONTINUED):
SCHEDULE B OF THE POLICY OR POLICIES TO BE ISSUED WILL CONTAIN EXCEPTIONS TO THE FOLLOWING MATTERS UNLESS THE SAME ARE DISPOSED OF TO THE SATISFACTION OF THE COMPANY.
27. AN UNRECORDED LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN AS DISCLOSED BY THE DOCUMENT
28. AN UNRECORDED LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN AS DISCLOSED BY THE DOCUMENT
29. AN UNRECORDED LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN AS DISCLOSED BY THE DOCUMENT
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36. AN UNRECORDED LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN AS DISCLOSED BY THE DOCUMENT
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40. AN UNRECORDED LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN AS DISCLOSED BY THE DOCUMENT
41. AN UNRECORDED LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN AS DISCLOSED BY THE DOCUMENT
42. EASEMENT AGREEMENT FOR PARKING RECORDED IN INSTRUMENT NO. 2005-1573407 (PARCEL NO. 6)
43. EASEMENT AGREEMENT FOR TEMPORARY CONSTRUCTION, ACCESS AND MAINTENANCE, RECORDED IN INSTRUMENT NO. 2005-1573408. (PARCEL NO. 6)
44. EASEMENT AGREEMENT FOR TEMPORARY CONSTRUCTION AND ACCESS, RECORDED IN INSTRUMENT NO. 2005-1573409. (PARCEL NO. 6)
45. CITY OF SCOTTSDALE EMERGENCY AND SERVICE VEHICLE EASEMENT, RECORDED IN INSTRUMENT NO. 2005-1573410. (PARCEL NO. 6)
46. CITY OF SCOTTSDALE PUBLIC UTILITY EASEMENT RECORDED IN INSTRUMENT NO. 2005-1573411. (PARCEL NO. 6)
47. ALL MATTERS SHOWN ON SURVEY RECORDED IN BOOK 729 OF MAPS, PAGE 33.
48. ALL MATTERS SET FORTH IN THAT CERTAIN NOTICE OF COVENANT TO CONVEY LAND RECORDED IN INSTRUMENT NO. 2005-1067073.
49. REVERSION PROVISIONS CONTAINED IN DEED RECORDED IN INSTRUMENT NO. 2006-531415. (PARCEL NO. 7)
50. DEVELOPMENT AGREEMENT RECORDED AUGUST 9, 2005 IN INSTRUMENT NO. 20051135841.
51. FIRST AMENDMENT TO DEVELOPMENT AGREEMENT RECORDED MAY 19, 2005 IN INSTRUMENT NO. 20060682893; SECOND AMENDMENT TO DEVELOPMENT AGREEMENT RECORDED FEBRUARY 22, 2007 IN INSTRUMENT NO. 2007-214652 AND THIRD AMENDMENT TO DEVELOPMENT RECORDED FEBRUARY 27, 2007 IN INSTRUMENT NO. 2007-230812.
52. ALL MATTERS SET FORTH IN RECORD OF SURVEY RECORDED IN BOOK 734 OF MAPS, PAGE 10, IN BOOK 784 OF MAPS, PAGE 11 AND IN BOOK 797 OF MAPS, PAGE 44.
53. EASEMENTS, RESTRICTIONS, AND MATTERS SHOWN ON THE PLAT RECORDED IN BOOK 802 OF MAPS, PAGE 49.
54. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT.
55. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT.
56. NON-EXCLUSIVE INGRESS/EGRESS AND MAINTENANCE EASEMENT RECORDED IN INSTRUMENT NO. 2006-531418.
57. ASSIGNMENT OF TEMPORARY EXCLUSIVE PARKING RIGHTS AND AGREEMENT RECORDED IN INSTRUMENT NO. 2006-531419.
58. ALL MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED IRREVOCABLE, EXCLUSIVE PARKING EASEMENT, RECORDED IN INSTRUMENT NO. 2006-531420.
59. ALL MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED POST-CLOSING AGREEMENT, RECORDED IN INSTRUMENT NO. 2006-531421.
60. THE LACK OF A LEGAL RIGHT OF ACCESS TO AND FROM A PUBLIC STREET OR HIGHWAY. (PARCEL NO. 6)
61. ANY RIGHTS OF THE PARTIES IN POSSESSION OF A PORTION OF, OR ALL OF, SAID LAND, WHICH RIGHTS ARE NOT DISCLOSED BY THE PUBLIC RECORD.
62. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.
63. EASEMENTS, RESTRICTIONS, AND MATTERS SHOWN ON THE RECORDED MAPS OF SAID SUBDIVISION IN BOOK 46 OF MAPS, PAGE 21 AND BOOK 56 OF MAPS, PAGE 33.
64. EASEMENTS, RESTRICTIONS, AND MATTERS SHOWN ON THE RECORDED MAP OF SAID SUBDIVISION IN BOOK 704 OF MAPS, PAGE 3 AND EVIDENCE OF CORRECTIVE INSTRUMENT NO. 2005-1059922.
65. COVENANTS, CONDITIONS AND RESTRICTIONS (DELETING THEREFROM ANY RESTRICTIONS INDICATING AN PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN) AS SET FORTH IN THE DOCUMENT
66. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT
67. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT

SECTION II

- EXCEPTIONS (CONTINUED):
SCHEDULE B OF THE POLICY OR POLICIES TO BE ISSUED WILL CONTAIN EXCEPTIONS TO THE FOLLOWING MATTERS UNLESS THE SAME ARE DISPOSED OF TO THE SATISFACTION OF THE COMPANY.
68. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT
69. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT
70. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT
71. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT
72. ALL MATTERS AS SET FORTH IN DEVELOPMENT AGREEMENT RECORDED IN INSTRUMENT NO. 2003-1441816.
73. ALL MATTERS AND CONDITIONS AS SET FORTH IN DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION, AND STETSON CANAL LLC, AN ARIZONA LIMITED LIABILITY COMPANY, RECORDED MAY 27, 2004 IN INSTRUMENT NO. 20040600853 AND FIRST AMENDMENT RECORDED IN INSTRUMENT NO. 20050698367, SECOND AMENDMENT RECORDED IN INSTRUMENT NO. 07-0228182, INSTRUMENT NO. 07-0214852 AND THIRD AMENDMENT RECORDED IN INSTRUMENT NO. 07-0228182.
74. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED "RIGHT-OF-ENTRY" DATED MARCH 10, 2005, EXECUTED BY AND BETWEEN STETSON CANAL, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY (GRANTOR) AND THE CITY OF SCOTTSDALE, A MUNICIPAL CORPORATION, RECORDED MARCH 18, 2005, INSTRUMENT NO. 2005-0330428.
75. ALL MATTERS CONTAINED IN CONVEYANCE OF EASEMENT WITH RETENTION OF PRIOR RIGHTS AGREEMENT RECORDED IN INSTRUMENT NO. 2007-0252184.

C.O.S. Q.S. 17-44

Two working days before you dig CALL FOR THE BLUE STAKES Within Maricopa County 602-263-1100



ROSE GARDEN PARTNERS, LLC
LOTS 4, 5, 6, AND FRACTIONAL PORTIONS OF LOTS 1, 2, 3, 7 AND 8 OF WESTERN PARK PROPERTIES
ALTA/ACSM LAND TITLE SURVEY
A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&SRM
Scale N/A Date 9-13-05 Rev 12-6-07 Designed WSG Drawn SF
SHEET 2 of 5 SHEETS
GOOKIN ENGINEERS
ENGINERS - HYDROLOGISTS - PLANNERS - SURVEYORS
4203 NORTH BROWN AVENUE
SCOTTSDALE, ARIZONA 85251
480-947-3741
2090L

\\samm\hngookin\file\_share\land\_projects\20761 & 2090 STEVENSON AND WESTERN PARK COMMINGLED\WESTERN ALTA 9-8-05 updated 12-6-07.dwg Author: W.S. Gookin, Jr. Date: 9-13-05 4:16pm Scale: Final

**LEGAL DESCRIPTION**

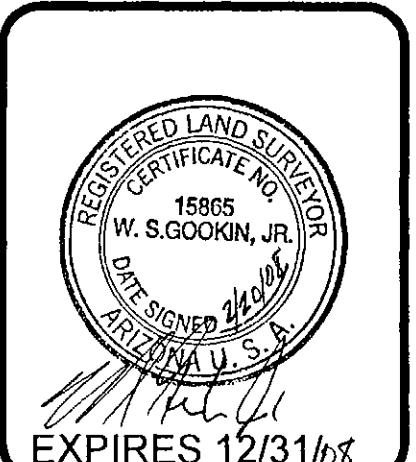
ORDER NO. 20008985-D  
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:  
PARCEL NO. 1A (NOT A PART OF THIS ALTA/ACSM SURVEY)  
A PARCEL OF LAND LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE WESTERLY CORNER OF "TRACT A" OF VALLEY PLAZA, ACCORDING TO BOOK 72 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA  
THENCE NORTH 51 DEGREES 48 MINUTES, 30 SECONDS EAST, A DISTANCE OF 161.77 FEET (NORTH 51 DEGREES 58 MINUTES 00 SECONDS EAST, A DISTANCE OF 171.41 FEET MEASURED), TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED RECORDED IN DOCKET 12188, PAGE 410, RECORDS OF MARICOPA COUNTY, ARIZONA, ALSO BEING THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST, A DISTANCE OF 99.95 FEET (NORTH 51 DEGREES 58 MINUTES 00 SECONDS EAST A DISTANCE OF 99.75 FEET MEASURED), TO THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED RECORDED AT DOCKET 9916, PAGE 603, RECORDS OF MARICOPA COUNTY, ARIZONA;  
THENCE SOUTH 3 DEGREES 28 MINUTES 50 SECONDS EAST ALONG THE WEST LINE OF THE LAST REFERENCED PROPERTY, 83.76 FEET (SOUTH 3 DEGREES 29 MINUTES 40 SECONDS EAST, A DISTANCE OF 82.23 FEET MEASURED) TO A POINT ON A NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS BEARING SOUTH 10 DEGREES 37 MINUTES 22 SECONDS EAST, A DISTANCE OF 259.84 FEET AND THE NORTHERLY RIGHT OF WAY LINE OF WESTERN PARK DRIVE (5TH AVENUE), ALSO BEING THE SOUTHWEST CORNER OF THE LAST REFERENCED PROPERTY;  
THENCE ALONG SAID CURVE TO THE LEFT, ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF WESTERN PARK DRIVE (5TH AVENUE) THROUGH A CENTRAL ANGLE OF 13 DEGREES 38 MINUTES 48 SECONDS, A DISTANCE OF 61.89 FEET TO A POINT OF NON-TANGENCY AND THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED RECORDED AT DOCKET 12188, PAGE 410; THENCE NORTH 32 DEGREES 14 MINUTES 22 SECONDS WEST, A DISTANCE OF 46.03 FEET (46.25 MEASURED) TO THE POINT OF BEGINNING.  
PARCEL NO. 1B (NOT A PART OF THIS ALTA/ACSM SURVEY):  
A PARCEL OF LAND LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE WESTERLY CORNER OF "TRACT A" OF VALLEY PLAZA, ACCORDING TO BOOK 72 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA;  
THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST, A DISTANCE OF 165.81 FEET (NORTH 51 DEGREES 58 MINUTES 00 SECOND EAST, A DISTANCE OF 165.80 FEET MEASURED), TO THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST (NORTH 51 DEGREES 58 MINUTES 00 SECONDS EAST MEASURED), A DISTANCE OF 5.66 FEET;  
THENCE SOUTH 32 DEGREES 14 MINUTES 22 SECONDS EAST, A DISTANCE OF 46.03 FEET (46.25 FEET MEASURED) TO A POINT ON A NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS BEARING SOUTH 24 DEGREES 16 MINUTES 10 SECONDS EAST, A DISTANCE OF 259.84 FEET, AND THE NORTHERLY RIGHT-OF-WAY LINE OF WESTERN PARK DRIVE (5TH AVENUE);  
THENCE ALONG SAID CURVE TO THE LEFT, ALSO BEING THE NORTHERLY RIGHT-OF-WAY LINE OF WESTERN PARK DRIVE (5TH AVENUE) THROUGH A CENTRAL ANGLE OF 1 DEGREES 15 MINUTES 44 SECONDS, A DISTANCE OF 5.72 FEET TO A POINT OF NON-TANGENCY;  
THENCE NORTH 32 DEGREES 10 MINUTES 36 SECONDS WEST, A DISTANCE OF 44.94 FEET TO THE TRUE POINT OF BEGINNING.  
PARCEL NO. 2A (NOT A PART OF THIS ALTA/ACSM SURVEY):  
ALL OF THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SAID SECTION 22;  
THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST, ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE ARIZONA CANAL, 53.37 FEET;  
THENCE EAST 25.88 FEET TO INTERSECTION WITH A LINE IS PARALLEL TO AND DISTANT 16.00 FEET SOUTHEASTERLY FROM SAID SOUTHEASTERLY RIGHT OF WAY LINE;  
THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST, ALONG SAID PARALLEL LINE, 1292.75 FEET TO THE NORTHWEST CORNER OF WESTERN PARK PROPERTIES, RECORDED IN BOOK 60, PAGE 50 OF MAPS, RECORDS OF SAID COUNTY OF MARICOPA, BEING THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 00 DEGREES 30 MINUTES 00 SECONDS WEST, ALONG THE WEST LINE OF SAID WESTERN PARK PROPERTIES, 159.01 FEET, TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF WESTERN PARK DRIVE;  
THENCE SOUTH 51 DEGREES 48 MINUTES 30 SECONDS WEST, ALONG SAID RIGHT OF WAY, 9.76 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 135.25 FEET;  
THENCE SOUTHWESTERLY AND WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 38 DEGREES 13 MINUTES 57 SECONDS A DISTANCE OF 90.25 FEET TO A POINT;  
THENCE NORTH 03 DEGREES 24 MINUTES 00 SECONDS WEST, A DISTANCE OF 115.42 FEET TO A POINT;  
THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST, A DISTANCE OF 126.78 FEET TO A POINT OF BEGINNING.  
EXCEPT THAT PORTION OF SAID PREMISES DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SAID SECTION 22;  
THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST, ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE ARIZONA CANAL, 53.37 FEET;  
THENCE EAST, 25.88 FEET TO INTERSECTION WITH A LINE WHICH IS PARALLEL TO AND DISTANT 16.00 FEET SOUTHEASTERLY FROM SAID SOUTHEASTERLY RIGHT OF WAY LINE;  
THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST, ALONG SAID PARALLEL LINE, 1292.75 FEET TO A POINT ON THE WEST LINE OF WESTERN PARK PROPERTIES, RECORDED IN BOOK 60, PAGE 50 OF MAPS, RECORDS OF SAID COUNTY OF MARICOPA, BEING THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 00 DEGREES 30 MINUTES 00 SECONDS WEST, ALONG THE WEST LINE OF SAID WESTERN PARK PROPERTIES, 159.01 FEET, TO A POINT IN THE NORTHWESTERLY RIGHT OF WAY LINE OF WESTERN PARK DRIVE;  
THENCE SOUTH 51 DEGREES 48 MINUTES 30 SECONDS WEST, ALONG SAID RIGHT OF WAY, 9.76 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 135.25 FEET;  
THENCE SOUTHWESTERLY AND WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34 DEGREES 57 MINUTES 00 SECONDS, A DISTANCE OF 82.49 FEET;  
THENCE NORTH 00 DEGREES 30 MINUTES 00 SECONDS EAST, ALONG A LINE WHICH IS PARALLEL TO SAID WEST LINE OF SAID WESTERN PARK PROPERTIES, 127.74 FEET;  
THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST, 106.78 FEET TO THE POINT OF BEGINNING.  
PARCEL NO. 2B (NOT A PART OF THIS ALTA/ACSM SURVEY):  
ALL OF THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SAID SECTION 22;  
THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST, ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE ARIZONA CANAL, 53.37 FEET;  
THENCE EAST, 25.88 FEET TO INTERSECTION WITH A LINE WHICH IS PARALLEL TO AND DISTANT 3.00 FEET SOUTHEASTERLY FROM SAID SOUTHEASTERLY RIGHT-OF-WAY LINE;  
THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST, ALONG SAID PARALLEL LINE, 1292.75 FEET TO A POINT ON THE WEST LINE OF WESTERN PARK PROPERTIES, RECORDED IN BOOK 60 OF MAPS, PAGE 50, RECORDS OF SAID COUNTY OF MARICOPA, BEING THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 00 DEGREES 30 MINUTES 00 SECONDS WEST, ALONG THE WEST LINE OF SAID WESTERN PARK PROPERTIES, 159.01 FEET, TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF WESTERN PARK DRIVE;  
THENCE SOUTH 51 DEGREES 45 MINUTES 30 SECONDS WEST, ALONG SAID RIGHT-OF-WAY, 9.76 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 135.25 FEET;  
THENCE SOUTHWESTERLY AND WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34 DEGREES 57 MINUTES 00 SECONDS, A DISTANCE OF 82.49 FEET;  
THENCE NORTH 00 DEGREES 30 MINUTES 00 SECONDS EAST, ALONG A LINE WHICH IS PARALLEL TO SAID WEST LINE OF SAID WESTERN PARK PROPERTIES, 127.74 FEET;  
THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST, 106.78 FEET TO THE POINT OF BEGINNING.  
PARCEL NO. 2C (NOT A PART OF THIS ALTA/ACSM SURVEY):  
THAT PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHWEST CORNER OF WESTERN PARK PROPERTIES SUBDIVISION ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE MARICOPA COUNTY RECORDER IN BOOK 60 OF MAPS, PAGE 50, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE ARIZONA CANAL;  
THENCE SOUTH 00 DEGREES 30 MINUTES 00 SECONDS WEST, AN ASSUMED BEARING, ALONG THE WEST LINE OF SAID WESTERN PARK PROPERTIES FOR A DISTANCE OF 20.50 FEET;  
THENCE SOUTH 51 DEGREES 48 MINUTES 30 SECONDS WEST PARALLEL TO THE SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE TRUE POINT OF BEGINNING, SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO FOX LAND & INVESTMENTS, INC., AN ARIZONA CORPORATION BY INSTRUMENT RECORDED DECEMBER 19, 1998 IN DOCKET 7398, PAGE 495;  
THENCE SOUTH 03 DEGREES 21 MINUTES 44 SECONDS EAST ALONG THE WESTERLY LINE OF SAID FOX LAND & INVESTMENTS, INC. FOR A DISTANCE OF 116.99 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WESTERN PARK DRIVE, SAID POINT ALSO BEING ON A CURVE CONCAVE NORTHERLY THE CENTER OF WHICH BEARS NORTH 00 DEGREES 25 MINUTES 22 SECONDS WEST A DISTANCE OF 135.25 FEET;  
THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00 DEGREES 28 MINUTES 58 SECONDS FOR A DISTANCE OF 1.14 FEET TO A POINT OF REVERSE CURVATURE THE CENTER OF WHICH BEARS SOUTH 00 DEGREES 03 MINUTES 36 SECONDS WEST A DISTANCE OF 259.84 FEET;  
THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10 DEGREES 46 MINUTES 26 SECONDS FOR A DISTANCE OF 48.86 FEET;  
THENCE NORTH 03 DEGREES 28 MINUTES 50 SECONDS WEST, LEAVING SAID NORTHERLY RIGHT-OF-WAY OF WESTERN PARK DRIVE, FOR A DISTANCE OF 83.76 FEET TO A POINT ON A LINE PARALLEL TO AND 16.00 FEET SOUTHEASTERLY OF THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF THE ARIZONA CANAL;  
THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST PARALLEL TO THE SAID RIGHT-OF-WAY FOR A DISTANCE OF 61.00 FEET TO THE TRUE POINT OF BEGINNING.  
PARCEL NO. 2D (NOT A PART OF THIS ALTA/ACSM SURVEY):  
LOT 8, WESTERN PARK PROPERTIES, ACCORDING TO BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA;  
EXCEPT THAT PART OF SAID LOT 8, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHERLY MOST CORNER OF SAID LOT 8;  
THENCE SOUTH 38 DEGREES 11 MINUTES 30 SECONDS EAST ALONG THE NORTHEASTERLY LINE OF SAID LOT 8, A DISTANCE OF 42.44 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING SOUTH 38 DEGREES 11 MINUTES 30 SECONDS EAST ALONG THE NORTHEASTERLY LINE A DISTANCE OF 70.06 FEET;  
THENCE SOUTH 51 DEGREES 48 MINUTES 30 SECONDS WEST, A DISTANCE OF 5.22 FEET;  
THENCE SOUTH 5 DEGREES 25 MINUTES 41 SECONDS WEST, A DISTANCE OF 12.31 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHERLY, FROM WHICH THE RADIUS POINT ON SAID CURVE BEARS NORTH 33 DEGREES 14 MINUTES 35 SECONDS WEST;  
THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 21.50 FEET AND A CENTRAL ANGLE OF 122 DEGREES 42 MINUTES 03 SECONDS FOR AN ARC DISTANCE OF 46.04 FEET TO A POINT ON A COMPOUND CURVATURE ON A TANGENT CURVE CONCAVE EASTERLY, FROM WHICH THE RADIUS POINT ON SAID CURVE BEARS NORTH 89 DEGREES 17 MINUTES 28 SECONDS EAST;  
THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 504.50 FEET AND A CENTRAL ANGLE OF 00 DEGREES 20 MINUTES 10 SECONDS FOR AN ARC DISTANCE OF 2.96 FEET TO A POINT OF NON-TANGENCY;  
THENCE SOUTH 89 DEGREES 47 MINUTES 38 SECONDS WEST, A DISTANCE OF 7.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY, FROM WHICH THE RADIUS POINT OF SAID CURVE BEARS NORTH 89 DEGREES 47 MINUTES 38 SECONDS EAST;  
THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 511.50 FEET AND A CENTRAL ANGLE OF 5 DEGREES 35 MINUTES 23 SECONDS FOR AN ARC DISTANCE OF 49.90 FEET TO A POINT OF NON-TANGENCY, THE TRUE POINT OF BEGINNING.  
PARCEL NO. 2E (NOT A PART OF THIS ALTA/ACSM SURVEY):  
LOTS 9 THRU 13 INCLUSIVE, WESTERN PARK PROPERTIES, ACCORDING TO BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA.  
PARCEL NO. 3A:  
LOT 6 AND THE WEST 4.99 FEET OF LOT 5, WESTERN PARK PROPERTIES, ACCORDING TO BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA.

ORDER NO. 20008985-D  
PARCEL NO. 3B:  
LOT 7, OF WESTERN PARK PROPERTIES, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 60 OF MAPS, PAGE 50; EXCEPT THAT PART CONVEYED TO THE CITY OF SCOTTSDALE RECORDED IN INSTRUMENT NO. 89-276956 OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
ALL THAT PORTION OF SAID LOT 7 INCLUDED WITHIN A STRIP OF LAND 100.00 FEET OF EVEN WIDTH, THE WESTERLY AND EASTERLY LINES OF SAID 100.00 FOOT WIDE STRIP OF LAND LYING 52.00 FEET WESTERLY AND 48.00 FEET EASTERLY, RESPECTIVELY, MEASURED AT RIGHT ANGLES AND RADially, FROM THE FOLLOWING DESCRIBED LINE:  
COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;  
THENCE NORTH 2 DEGREES 11 MINUTES 37 SECONDS EAST, 210.00 FEET TO THE BEGINNING OF A TANGENT 560.00 FOOT RADIUS CURVE CONCAVE WESTERLY;  
THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 2 DEGREES 22 MINUTES 22 SECONDS, A DISTANCE OF 23.19 FEET;  
THENCE TANGENT TO SAID CURVE, NORTH 00 DEGREES 10 MINUTES 45 SECONDS WEST, 396.76 FEET TO THE BEGINNING OF A TANGENT 560.00 FOOT RADIUS CURVE CONCAVE WESTERLY;  
THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 1 DEGREE 41 MINUTES 27 SECONDS, A DISTANCE OF 16.53 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE TANGENT TO SAID CURVE, NORTH 1 DEGREE 52 MINUTES 12 SECONDS WEST, 300.00 FEET TO THE BEGINNING OF A TANGENT 560.00 FOOT RADIUS CURVE CONCAVE EASTERLY;  
THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 12 DEGREES 30 MINUTES 00 SECONDS, A DISTANCE OF 122.17 FEET;  
THENCE TANGENT TO SAID CURVE, NORTH 10 DEGREES 37 MINUTES 48 SECONDS EAST, 250.00 FEET AND  
EXCEPT THAT PART CONVEYED TO THE CITY OF SCOTTSDALE, RECORDED IN INSTRUMENT NO. 89-346884 OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 7;  
THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST ALONG THE NORTHWESTERLY LINE OF SAID LOT 7, A DISTANCE OF 44.76 FEET;  
THENCE SOUTH 11 DEGREES 29 MINUTES 24 SECONDS WEST, A DISTANCE OF 7.17 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE EASTERLY;  
THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 512.00 FEET AND A CENTRAL ANGLE OF 05 DEGREES 20 MINUTES 37 SECONDS, FOR AN ARC DISTANCE OF 47.75 FEET TO A POINT OF NON-TANGENCY;  
THENCE NORTH 83 DEGREES 51 MINUTES 13 SECONDS WEST ALONG THE PROLONGATION OF A RADIAL LINE OF SAID CURVE, A DISTANCE OF 1.25 FEET TO A POINT ON A CURVE CONCENTRIC WITH THE LAST DESCRIBED CURVE;  
THENCE SOUTHERLY ALONG THE ARC OF SAID CONCENTRIC CURVE, HAVING A RADIUS OF 513.25 FEET AND A CENTRAL ANGLE OF 00 DEGREES 33 MINUTES 29 SECONDS, FOR AN ARC DISTANCE OF 5.00 FEET TO A POINT OF NON-TANGENCY ON THE SOUTHWESTERLY LINE OF SAID LOT 7;  
THENCE NORTH 38 DEGREES 11 MINUTES 30 SECONDS WEST ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 39.91 FEET TO THE POINT OF BEGINNING; AND  
EXCEPT THE FOLLOWING DESCRIBED PROPERTY:  
BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 7;  
THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST ALONG THE NORTHWESTERLY LINE OF SAID LOT 7, A DISTANCE OF 46.94 FEET;  
THENCE SOUTH 11 DEGREES 29 MINUTES 24 SECONDS WEST, A DISTANCE OF 11.20 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE EASTERLY AND HAVING A RADIUS OF 511.00 FEET;  
THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 5 DEGREES 55 MINUTES 00 SECONDS, A DISTANCE OF 52.77 FEET TO A POINT OF NON-TANGENCY ON THE SOUTHEASTERLY LINE OF SAID LOT 7;  
THENCE NORTH 38 DEGREES 11 MINUTES 30 SECONDS WEST ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 43.30 FEET TO THE POINT OF BEGINNING.  
PARCEL NO. 3C:  
THAT PART OF LOT 8, WESTERN PARK PROPERTIES, ACCORDING TO BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT 8;  
THENCE SOUTH 38 DEGREES 11 MINUTES 30 SECONDS EAST ALONG THE NORTHEASTERLY LINE OF SAID LOT 8, A DISTANCE OF 42.44 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING SOUTH 38 DEGREES 11 MINUTES 30 SECONDS EAST ALONG SAID NORTHEASTERLY LINE, A DISTANCE OF 70.06 FEET;  
THENCE SOUTH 51 DEGREES 48 MINUTES 30 SECONDS WEST A DISTANCE OF 5.22 FEET;  
THENCE SOUTH 5 DEGREES 25 MINUTES 41 SECONDS WEST, A DISTANCE OF 12.31 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHERLY, FROM WHICH THE RADIUS POINT OF SAID CURVE BEARS NORTH 33 DEGREES 14 MINUTES 35 SECONDS WEST;  
THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 21.50 FEET AND A CENTRAL ANGLE OF 122 DEGREES 42 MINUTES 03 SECONDS, FOR AN ARC DISTANCE OF 46.04 FEET TO A POINT OF COMPOUND CURVATURE ON A TANGENT CURVE CONCAVE EASTERLY, FROM WHICH THE RADIUS POINT OF SAID CURVE BEARS NORTH 89 DEGREES 17 MINUTES 28 SECONDS EAST;  
THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 504.50 FEET AND A CENTRAL ANGLE OF 00 DEGREES 20 MINUTES 10 SECONDS, FOR AN ARC DISTANCE OF 2.96 FET TO A POINT OF NON-TANGENCY;  
THENCE SOUTH 89 DEGREES 47 MINUTES 38 SECONDS WEST, A DISTANCE OF 7.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY, FROM WHICH THE RADIUS POINT OF SAID CURVE BEARS NORTH 89 DEGREES 47 MINUTES 38 SECONDS EAST;  
THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 511.50 FEET AND A CENTRAL ANGLE OF 05 DEGREES 35 MINUTES 23 SECONDS, FOR AN ARC DISTANCE OF 49.90 FEET TO A POINT OF NON-TANGENCY AND THE TRUE POINT OF BEGINNING.  
PARCEL NO. 4:  
LOT 5, WESTERN PARK PROPERTIES, ACCORDING TO BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA;  
EXCEPT THE EAST 4.99 FEET, AND  
EXCEPT THE WEST 4.99 FEET THEREOF.  
PARCEL NO. 5:  
LOT 4 AND THE EAST 4.99 FEET OF LOT 5, WESTERN PARK PROPERTIES, ACCORDING TO BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA.  
PARCEL NO. 6:  
REAR 50 FEET OF LOT 3, WESTERN PARK PROPERTIES (HENCEFORTH REFERRED TO AS WESTERN PARK), ACCORDING TO BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHERNMOST CORNER OF LOT 3, WESTERN PARK;  
THENCE NORTH 38 DEGREES 14 MINUTES 54 SECONDS WEST, ALONG THE WEST PROPERTY LINE OF SAID LOT 3, A DISTANCE OF 74.63 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE NORTH 38 DEGREES 14 MINUTES 54 SECONDS WEST, CONTINUING ALONG THE WEST PROPERTY LINE OF SAID LOT 3, A DISTANCE OF 50.00 FEET TO THE WESTERNMOST CORNER OF SAID LOT 3, WHICH IS 16 FEET FROM THE SOUTHEASTERLY LINE OF THE ARIZONA CANAL RIGHT OF WAY PER BOOK 470 OF MAPS, PAGE 18, M.C.R., AND 16 FEET FROM THE NORTHEASTERLY LINE OF THE WESTERN PARK SUBDIVISION;  
THENCE NORTH 51 DEGREES 38 MINUTES 28 SECONDS EAST, ALONG THE ALLEY BEHIND SAID LOT 3, WHICH IS 16 FEET FROM THE NORTHEASTERN BOUNDARY OF THE WESTERN PARK SUBDIVISION;  
NORTHEASTERN BOUNDARY OF THE WESTERN PARK SUBDIVISION, A DISTANCE OF 59.95 FEET TO THE NORTHERNMOST CORNER OF SAID LOT 3;  
THENCE SOUTH 38 DEGREES 14 MINUTES 54 SECONDS EAST, LEAVING THE ALLEY BEHIND SAID LOT 3, WHICH IS 16 FEET FROM THE SOUTHEASTERLY LINE OF THE ARIZONA CANAL RIGHT OF WAY, AND 16 FEET FROM THE NORTHEASTERN BOUNDARY OF THE WESTERN PARK SUBDIVISION, ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 50.00 FEET TO A POINT;  
THENCE SOUTH 51 DEGREES 38 MINUTES 28 SECONDS WEST, LEAVING THE EAST LINE OF SAID LOT 3, A DISTANCE OF 59.95 FEET TO RETURN TO THE TRUE POINT OF BEGINNING.  
PARCEL NO. 7:  
THAT PORTION OF LOTS 1 AND 2, WESTERN PARK PROPERTIES, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 60 OF MAPS, PAGE 50, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING A THE SOUTHWEST CORNER OF SAID LOT 2;  
THENCE NORTHWESTERLY ALONG THE WEST PROPERTY LINE OF SAID LOT 2, NORTH 38 DEGREES 14 MINUTES 54 SECONDS WEST, A DISTANCE OF 74.93 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING;  
THENCE NORTHWESTERLY CONTINUING ALONG THE WEST PROPERTY LINE OF SAID LOT 2, NORTH 38 DEGREES 14 MINUTES 54 SECONDS WEST, A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 2, SAID CORNER BEING 16 FEET FROM THE SOUTHEASTERLY LINE OF THE ARIZONA CANAL RIGHT-OF-WAY LINE ACCORDING TO BOOK 470 OF MAPS, PAGE 18, MARICOPA COUNTY RECORDER'S OFFICE, WHICH IS ALSO THE NORTHWESTERN BOUNDARY OF WESTERN PARK PROPERTIES;  
THENCE NORTHEASTERLY ALONG THE NORTH PROPERTY LINE OF SAID LOT 2, AND PARALLEL TO THE SOUTHEASTERLY ARIZONA CANAL RIGHT-OF-WAY LINE WHICH IS ALSO THE NORTHWESTERN BOUNDARY OF WESTERN PARK PROPERTIES, NORTH 51 DEGREES 38 MINUTES 28 SECONDS EAST, A DISTANCE OF 59.95 FEET TO THE MOST NORTHERN CORNER OF SAID LOT 2, POINT ALSO BEING THE MOST WESTERN CORNER OF SAID LOT 1;  
THENCE NORTHEASTERLY ALONG THE NORTH PROPERTY LINE OF SAID LOT 1, AND PARALLEL TO THE SOUTHEASTERLY ARIZONA CANAL RIGHT-OF-WAY LINE WHICH IS ALSO THE NORTHWESTERN BOUNDARY OF WESTERN PARK PROPERTY, NORTH 51 DEGREES 38 MINUTES 28 SECONDS EAST, A DISTANCE OF 79.99 FEET TO THE MOST WESTERLY OF THE 2 NORTHERLY PROPERTY CORNER OF SAID LOT 1;  
THENCE EASTERLY ALONG THE NORTH PROPERTY LINE OF SAID LOT 1, NORTH 89 DEGREES 50 MINUTES 42 SECONDS EAST, A DISTANCE OF 80.85 FEET TO A POINT 68.00 FEET PERPENDICULAR FROM THE SOUTHEASTERLY ARIZONA CANAL RIGHT-OF-WAY LINE WHICH IS ALSO THE NORTHWESTERN BOUNDARY OF WESTERN PARK PROPERTIES;  
THENCE SOUTHWESTERLY AND PARALLEL TO THE SOUTHEASTERLY ARIZONA RIGHT-OF-WAY LINE WHICH IS ALSO THE NORTHWESTERN BOUNDARY OF WESTERN PARK PROPERTIES, SOUTH 51 DEGREES 38 MINUTES 28 SECONDS WEST, A DISTANCE OF 143.52 FEET TO A POINT ON THE WEST PROPERTY LINE OF SAID LOT 1;  
THENCE SOUTHWESTERLY AND PARALLEL TO THE SOUTHEASTERLY ARIZONA RIGHT-OF-WAY LINE WHICH IS ALSO THE NORTHWESTERN BOUNDARY OF WESTERN PARK PROPERTIES, SOUTH 51 DEGREES 38 MINUTES 28 SECONDS WEST, A DISTANCE OF 59.93 FEET TO RETURN TO THE POINT OF BEGINNING.  
PARCEL NO. 8:  
THAT PORTION OF LOT 23, NEARY PLACE PLAT 2, ACCORDING TO BOOK 56 OF MAPS, PAGE 33, RECORDS OF MARICOPA COUNTY, ARIZONA, SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHERNMOST CORNER OF THE WEST RETAIL PARCEL (LOT 3) OF THE STETSON CANAL SUBDIVISION, ACCORDING TO BOOK 905 OF MAPS, PAGE 42, MARICOPA COUNTY RECORDS, WHICH IS THE SOUTHEAST CORNER OF TRACT 'B' AS RECORDED IN THE NEARY PLACE SUBDIVISION IN BOOK 46 OF MAPS, PAGE 21, MARICOPA COUNTY RECORDS, WHICH IS THE SOUTHWEST CORNER OF LOT 23 OF THE NEARY PLACE PLAT 2 SUBDIVISION AS RECORDED IN BOOK 56 OF MAPS, PAGE 33, MARICOPA COUNTY RECORDS;  
THENCE NORTH 00 DEGREES 57 MINUTES 00 SECONDS EAST, LEAVING THE SOUTHERNMOST CORNER OF SAID WEST RETAIL PARCEL, ALONG THE EAST LINE OF SAID TRACT 'B', WHICH IS THE WEST LINE OF SAID LOT 23, A DISTANCE OF 59.50 FEET TO A POINT ON THE SOUTH LINE OF A PUBLIC ALLEYWAY ADJACENT TO SAID LOT 23;  
THENCE NORTH 51 DEGREES 38 MINUTES 28 SECONDS EAST ALONG THE SOUTH LINE OF SAID PUBLIC ALLEYWAY, A DISTANCE OF 35.07 FEET TO A POINT ON THE WEST LINE OF SAID WEST RETAIL PARCEL;  
THENCE SOUTH 41 DEGREES 32 MINUTES 50 SECONDS EAST ALONG THE WEST LINE OF SAID WEST RETAIL PARCEL, A DISTANCE OF 28.80 FEET TO A DEFLECTION POINT ON THE WEST LINE OF SAID WEST RETAIL PARCEL;  
THENCE SOUTH 51 DEGREES 38 MINUTES 48 SECONDS WEST ALONG THE WEST LINE OF SAID WEST RETAIL PARCEL, A DISTANCE OF 45.27 FEET TO A DEFLECTION POINT ON THE WEST LINE OF SAID WEST RETAIL PARCEL;  
THENCE SOUTH 60 DEGREES 33 MINUTES 32 SECONDS EAST ALONG THE WEST LINE OF SAID WEST RETAIL PARCEL, A DISTANCE OF 18.50 FEET TO A DEFLECTION POINT ON THE WEST LINE OF SAID WEST RETAIL PARCEL;  
THENCE SOUTH 51 DEGREES 33 MINUTES 53 SECONDS WEST ALONG THE WEST LINE OF SAID WEST RETAIL PARCEL, A DISTANCE OF 36.09 FEET TO RETURN TO THE TRUE POINT OF BEGINNING.  
PARCEL NO. 9:  
TRACT 'B', NEARY PLACE, ACCORDING TO BOOK 46 OF MAPS, PAGE 21, RECORDS OF MARICOPA COUNTY, ARIZONA;  
EXCEPTING ANY PART OF TRACT 'B' LYING NORTH OF A LINE PARALLEL TO AND 20.00 FEET SOUTHEAST OF THE RIGHT OF WAY LINE OF THE ARIZONA CANAL AS IT NOW EXISTS, ACCORDING TO THE RESULTS OF SURVEY RECORDED IN BOOK 470 OF MAPS, PAGE 18, PERFORMED BY THE SALT RIVER PROJECT, SAID SOUTHEAST RIGHT OF WAY LINE OF THE ARIZONA CANAL ALSO BEING CALLED A SUBDIVISION BOUNDARY ON SAID NEARY PLACE AND NEARY PLACE PLAT 2; AND ALSO  
EXCEPT ANY PORTION LYING WITHIN THE PROPERTY CONVEYED TO THE CITY OF SCOTTSDALE, DESCRIBED IN SPECIAL WARRANTY DEED RECORDED IN INSTRUMENT NO. 2004-0659750.  
PARCEL NO. 10:  
THE 20.00 FOOT WIDE ALLEY LYING NORTH OF THAT PORTION DESCRIBED IN DEED RECORDED IN INSTRUMENT NO. 2007-1084676 OF LOT 23, NEARY PLACE PLAT 2, ACCORDING TO BOOK 56 OF MAPS, PAGE 33, RECORDS OF MARICOPA COUNTY, ARIZONA, AS AMENDED, ACCORDING TO THE RESULTS OF SURVEY RECORDED IN BOOK 470 OF MAPS, PAGE 18;  
TOGETHER WITH THAT PORTION OF TRACT 'B', NEARY PLACE, ACCORDING TO BOOK 46 OF MAPS, PAGE 21, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING NORTH OF A LINE PARALLEL TO AND 20.00 FEET SOUTHEASTERLY FROM THE SOUTHEAST RIGHT OF WAY LINE OF THE ARIZONA CANAL, AS SET FORTH IN RESULTS OF SURVEY RECORDED IN BOOK 470 OF MAPS, PAGE 18, SAID SOUTHEAST RIGHT OF WAY LINE ALSO BEING CALLED A SUBDIVISION BOUNDARY ON SAID NEARY PLACE.  
PARCEL NO. 11:  
THE ALLEY AS SHOWN ON WESTERN PARK PROPERTIES SUBDIVISION LEGAL DESCRIPTION AS SHOWN ON BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA.  
PARCEL NO. 12 (NOT A PART OF THIS ALTA/ACSM SURVEY):  
THAT PORTION OF THE FOLLOWING DESCRIBED PARCEL LYING NORTHERLY AND ADJACENT TO THAT PROPERTY DESCRIBED IN PARCEL NOS. 1A, 1B, 2A, 2B, AND 2C HEREIN:  
THAT PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF OF THE SOUTHEAST QUARTER OF SAID SECTION 22;  
THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST (ASSUMED BEARING) ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE ARIZONA CANAL, A DISTANCE OF 53.37 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE OF SAID CANAL, A DISTANCE OF 1327.52 FEET TO A POINT ON THE WEST LINE OF WESTERN PARK PROPERTIES, ACCORDING TO BOOK 60 OF MAPS, PAGE 50, MARICOPA COUNTY RECORDS;  
THENCE SOUTH 0 DEGREES 30 MINUTES WEST ALONG THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 20.50 FEET TO A POINT;  
THENCE SOUTH 51 DEGREES 48 MINUTES 30 SECONDS WEST, PARALLEL TO AND 16 FEET SOUTHEASTERLY, AS MEASURED AT RIGHT ANGLES, FROM THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE ARIZONA CANAL, A DISTANCE OF 1292.75 FEET TO A POINT;  
THENCE WEST A DISTANCE OF 25.88 FEET TO THE TRUE POINT OF BEGINNING.

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**C.O.S. Q.S. 17-44**

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CALL FOR THE BLUE STAKES  
Within Maricopa County  
**602-263-1100**  
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**ROSE GARDEN PARTNERS, LLC**  
LOTS 4, 5, 6, AND FRACTIONAL PORTIONS OF LOTS 1,2,3,7 AND 8 OF WESTERN PARK PROPERTIES  
**ALTA/ACSM LAND TITLE SURVEY**  
A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G6&8RM

Scale	N/A	SHEET 3 of 5 SHEETS JOB NO. <b>2090L</b>
Date	9-13-05	
Rev	12-6-07	
Designed	WSG	
Drawn	SF	

File: WESTERN ALTA 9-8-05 updated 12-6-07.dwg

**GOOKIN ENGINEERS**  
ENGINEERS - HYDROLOGISTS - PLANNERS - SURVEYORS  
4203 NORTH BIRCH AVE  
SCOTTSDALE, ARIZONA 85251  
480-947-3741

**RESEARCH NOTES**

1. A TITLE REPORT BY FIDELITY TITLE INSURANCE COMPANY, ORDER NO. 20004900-A AMENDMENT, WAS PROVIDED TO THE SURVEYOR FOR THIS SURVEY.
2. BOUNDARY INFORMATION COLLECTED FROM RECORDED PLATS AND FOUND MONUMENTS.
3. DOCUMENTS ACQUIRED BY GOOKIN ENGR'S & REVIEWED FOR RESOLUTION OF THIS ALTA/ACSM LAND TITLE SURVEY WERE:
  - \* NEARY PLACE, BK. 46, PG. 21, M.C.R.
  - \* NEARY PLACE PLAT 2, BK. 56, PG. 33, M.C.R.
  - \* CIRCLE K ACRES, BK. 44, PG. 23, M.C.R.
  - \* WESTERN PARK PROPERTIES, BK. 60, PG. 50, M.C.R.
  - \* PARADISE PALMS, BK. 54, PG. 13, M.C.R.
  - \* S.R.V.W.U./ RIGHT OF WAY MANAGED BY S.R.P., BK. 470, PG. 18
  - \* ARCADIA WATER COMPANY, BK. 114, PG. 6, M.C.R.
  - \* DEDICATED TOWN OF SCOTTSDALE ROADS, BK. 9, PG. 85 M.C.R.
  - \* PUBLIC UTILITY AND TRAFFIC CONTROL DEVICE EASEMENT, BK. 336, PG. 14.
  - \* TOPOGRAPHIC SURVEY ARIZONA CANAL BY LAND SURVEY SERVICES, PLC. JOB NO.02110, SHEET 2 OF 3, DATED 7-8-04, DRAWN BY THOMAS ROPE, NOT RECORDED
  - \* RESULTS OF SURVEY ARIZONA CANAL BY LAND SURVEY SERVICES, PLC, JOB NO. 02110, SHEET 1 OF 2, DATED 7-8-04, DRAWN BY THOMAS ROPE, NOT RECORDED
  - \* THE LEGAL ELEMENTS OF BOUNDARIES AND ADJACENT PROPERTIES BY RAY HAMILTON SKELTON PAGE 194 PARAGRAPH 197
  - \* WRITING LEGAL DESCRIPTIONS BY GURDON H. WATTLES CHAPTER 4 PAGE 30.
4. NO OTHER BOUNDARY SURVEYS WERE LOCATED FROM AN INTERNET SEARCH.
5. LOCATIONS OF EXISTING UTILITIES BASED ON FIELD OBSERVATIONS AND MEASUREMENTS DURING THIS SURVEY, AS WELL AS MAPS RECEIVED FROM
  - \* SALT RIVER PROJECT IRRIGATION
  - \* SALT RIVER PROJECT ELECTRIC
  - \* COX COMMUNICATIONS
  - \* QWEST
  - \* SOUTHWEST GAS
  - \* CITY OF SCOTTSDALE WATER & SEWER QUARTER SECTION MAP
  - \* ARIZONA PUBLIC SERVICE

CALL BLUESTAKE AT 602-263-1100 TO VERIFY EXACT LOCATIONS.

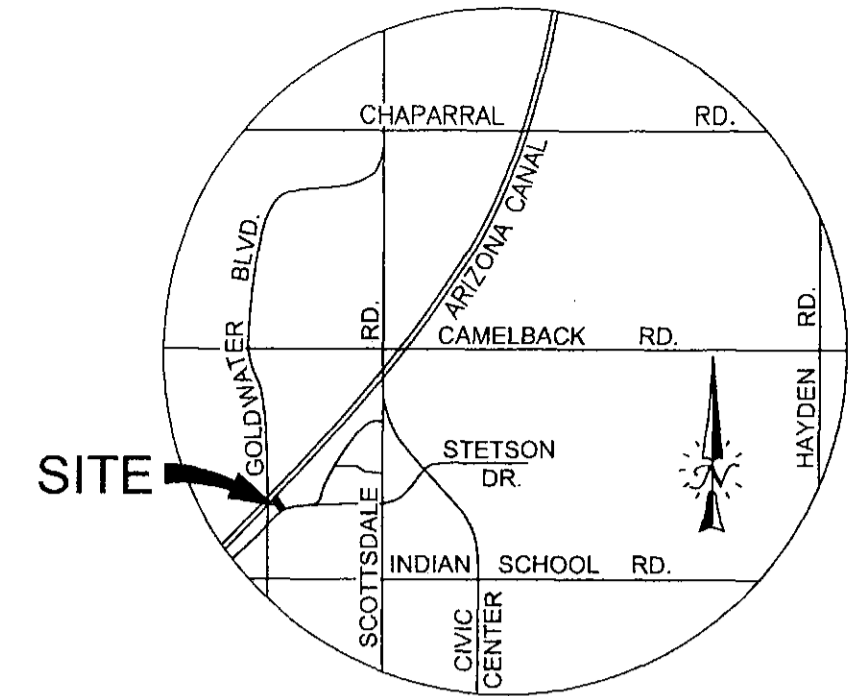
6. THIS SURVEY IS LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.
7. PHYSICAL CONDITIONS SHOWN ARE AS OF 10-11-04 AND DO NOT REFLECT CHANGES, IF ANY, BEYOND THAT DATE.
8. THERE IS NO EVIDENCE OF EARTH MOVING WORK IN PROGRESS AS OF 10-11-04.
9. 5TH AVENUE WAS ORIGINALLY REFERRED TO AS "WESTERN PARK DRIVE" ON THE WESTERN PARK PROPERTIES (WESTERN) PLAT AS RECORDED IN BOOK 60 OF MAPS, PAGE 50 M.C.R. GOLDWATER BOULEVARD WAS ORIGINALLY REFERRED TO AS "ORANGE AVENUE". LATER IT ALSO BECAME "70TH STREET". IN ADDITION GOLDWATER BOULEVARD WAS EXTENDED TO CROSS OVER THE ARIZONA CANAL AND LOTS 7-11 WERE MODIFIED ACCORDINGLY. ALSO, THE MAJORITY OF LOT 5 WAS USED TO CREATE A THOROUGHFARE NOW REFERRED TO AS 70TH PLACE WHICH ALLOWS ACCESS TO GOLDWATER BOULEVARD AS WELL. WESTERN ALSO REFERS TO "MARSHALL AVENUE" WHICH HAS NOW BECOME KNOWN AS MARSHALL WAY. WHILE THERE HAVE BEEN CHANGES TO OTHER LOTS WITHIN WESTERN THERE IS NO EVIDENCE THAT LOT 3 WAS AFFECTED.
10. THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.
11. THE RESULT OF SURVEY SHOWING THE S.R.V.W.U.A. (SRP) CANAL RIGHT OF WAY, AS RECORDED IN BK. 470, PG. 18, M.C.R., DATED 5-7-1998, DIFFERS WITH WESTERN PARK PROPERTIES (WESTERN), AS RECORDED IN BK. 60, PG. 50, M.C.R., DATED 10-11-1954. THE GOOKIN SURVEY LOCATED A COTTON PICKER SPINDLE SOUTHWESTERLY OF LOT 3, WESTERN, WHICH WAS ACCEPTED AS ONE OF THE DEFLECTION-POINT SPINDLES INDICATED AS "SET" ON THE SRP SURVEY. GOOKIN ALSO LOCATED AN IRON BAR (LAND SURVEYOR TAG 15865) APPROXIMATELY 425 FEET NORTHEASTERLY FROM THE FOUND COTTON PICKER SPINDLE. THIS IRON BAR WAS ACCEPTED AS BEING ALONG THE SRP CANAL R.O.W. THE SURVEYED ITEMS WERE THEN ROTATED AROUND THE FOUND COTTON PICKER SPINDLE, MAKING THE BEARING BETWEEN THE TWO ABOVE DESCRIBED OBJECTS MATCH THE BEARING FROM A PREVIOUS GOOKIN SURVEY WHICH INCLUDED THESE OBJECTS. THE LOT LINES WERE THEN LENGTHENED SO THAT THEIR ENDS NEAREST TO THE SRP CANAL ROW ENDED 16' FROM THE SRP ROW. THE ALLEY WAS MAINTAINED AT 16' IN WIDTH AS SHOWN ON THE WESTERN PLAT.

12. THE ORIGINAL PLAT DOES NOT CLOSE ON PAPER BY OVER 4 FEET (4.04"). THE GOOKIN SURVEY FOUND AN IRON PIPE BURIED APPROXIMATELY 1' BELOW THE PAVEMENT IN THE CENTER OF 5TH AVENUE. IN CHECKING THE DISTANCE BETWEEN THE BURIED IRON PIPE AND A FOUND CHISELED X ON A CURB TO THE EAST (WHICH IS ASSUMED TO BE THE INTERSECTION OF 5TH AVENUE AND MARSHALL WAY), THE DISTANCE IS WITHIN 0.17' (SHORT). MEASURING BETWEEN THE BURIED IRON PIPE AND THE BRASS CAP IN A HAND HOLE AT GOLDWATER BOULEVARD AND 5TH AVENUE, THE DISTANCE VARIES FROM THE PLAT DISTANCE BY 0.15' (LONG). THE TOTAL DISTANCE BETWEEN THE CHISELED X AND THE BRASS CAP IN A HAND HOLE AT GOLDWATER BOULEVARD AND 5TH AVENUE VARIES FROM THE PLAT DISTANCE BY ONLY 0.02' (SHORT). THE BREAK IN BEARING BETWEEN THE FOUND POINTS AS COMPARED TO THE BREAK IN BEARING BETWEEN THE PLATTED POINTS REVEALS A DIFFERENCE OF 0°23'37". THE FOUND POINT ANGLE IS LARGER THAN THE PLAT ANGLE. BASED ON THIS INFORMATION THE FOUND POINTS IN 5TH AVENUE HAVE BEEN ACCEPTED AS SUBDIVISION CORNERS. THE BRASS CAP IN A HAND HOLE AT GOLDWATER BOULEVARD AND 5TH AVENUE IS BELIEVED TO BE THE POINT SHOWN ON THE PLAT AS THE INTERSECTION OF ORANGE AVENUE AND WESTERN PARK DRIVE.

13. SINCE THE PLAT WAS MADE, MANY CHANGES HAVE BEEN MADE IN THE WESTERN PARK PROPERTIES ( WESTERN) SUBDIVISION. MANY OF THEM HAVE NOT BEEN WELL DOCUMENTED. THESE INCLUDE THE CREATION OF GOLDWATER BOULEVARD THROUGH WESTERN AND THE CREATION OF THE ROSE GARDEN PARKING LOT (SEE RECORDED DOCUMENT NUMBER 92-726905). ALSO LOT 5 OF WESTERN, EXCEPT FOR THE WEST AND EAST 4.99 FEET (SEE RECORDED WARRANTY DEED 9358/175) HAS BEEN CONVERTED TO A SHORT ROAD LEADING TO THE ALLEY. MANY CITY DOCUMENTS REFER TO THIS AS 70TH PLACE.

14. ACCESS IS AVAILABLE FROM 5TH AVENUE IN THE FRONT AND AN ALLEY IN THE REAR.

**ALTA/ACSM SURVEY**  
**WESTERN PARK PROPERTIES LOT 3**  
 A PART OF THE SOUTHEAST QUARTER OF  
 SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST,  
 OF THE GILA AND SALT RIVER MERIDIAN,  
 MARICOPA COUNTY, ARIZONA



**VICINITY MAP**  
N.T.S.

**GENERAL NOTES**

1. THE REAR 50' OF THE LOT WERE DIMENSIONED AT THE REQUEST OF THE CLIENT, THIS HAS NO OTHER IMPORTANCE TO THE SURVEY.
2. THE PROJECTIONS OF THE PROPERTY LINES TO THE CANAL RIGHT OF WAY LINE WERE ADDED AT THE REQUEST OF THE CLIENT. THEY HAVE NO OTHER IMPORTANCE TO THE SURVEY.

**SCHEDULE B ITEMS**

IN ADDITION TO THE STANDARD SCHEDULE B ITEMS, THE FOLLOWING ITEMS WERE LISTED:

EXCEPTIONS AND EXCLUSIONS FROM COVERAGE WHICH WILL APPEAR IN THE POLICY OR POLICIES TO BE ISSUED AS SET FORTH IN EXHIBIT A. AFFECTS: NOT SPECIFIC

ANY ACTION BY MARICOPA COUNTY ASSESSOR AND/OR TREASURER, ALTERING THE CURRENT OR PRIOR TAX ASSESSMENT, SUBSEQUENT TO THE DATE OF THE POLICY OF TITLE INSURANCE. AFFECTS: NOT SPECIFIC

PROPERTY TAXES, INCLUDING ANY PERSONAL PROPERTY TAXES AND ANY ASSESSMENTS COLLECTED WITH TAXES, FOR THE SECOND HALF OF THE YEAR 2004. AFFECTS: NOT SPECIFIC

THE LIABILITIES AND OBLIGATIONS IMPOSED UPON SAID LAND BY REASON OF : (A) INCLUSION THEREOF WITHIN THE BOUNDARIES OF THE SALT RIVER AGRICULTURAL IMPROVEMENT AND POWER DISTRICT, (B) MEMBERSHIP OF THE OWNER THEREOF IN THE SALT RIVER VALLEY WATER USERS' ASSOCIATION, AN ARIZONA CORPORATION AND (C) THE TERMS OF ANY WATER RIGHT APPLICATION MADE UNDER THE RECLAMATION LAWS OF THE UNITED STATES FOR THE PURPOSE OF OBTAINING WATER RIGHTS FOR SAID LAND. AFFECTS: NOT SPECIFIC

RESERVATIONS, EXCEPTIONS AND PROVISIONS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA OR IN THE ACTS AUTHORIZING THE ISSUANCE THEREOF, AS FOLLOWS: "SUBJECT TO ANY VESTED AND ACCRUED WATER RIGHTS FOR MINING, AGRICULTURE, MANUFACTURING, OR OTHER PURPOSES, AND RIGHTS TO DITCHES AND RESERVOIRS USED IN CONNECTION WITH SUCH WATER RIGHTS AS MAY BE RECOGNIZED AND ACKNOWLEDGED BY THE LOCAL CUSTOMS, LAWS AND DECISIONS OF COURTS AND ALSO SUBJECT TO THE RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTS, AS PROVIDED BY LAW." AFFECTS: NOT SPECIFIC

WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS. AFFECTS: NOT SPECIFIC

RIGHT OF WAY FOR THE ARIZONA CANAL AND THE HEADER DITCH. AFFECTS: RIGHT OF WAY FOR THE ARIZONA CANAL IS A SUBDIVISION BOUNDARY, NO OBSERVABLE EVIDENCE OF A HEADER DITCH

INCLUSION WITHIN THE CITY OF SCOTTSDALE WATERFRONT REDEVELOPMENT AREA AS DISCLOSED BY RESOLUTION RECORDED IN INSTRUMENT NO. 94-0726168. AFFECTS: ENTIRE LOT INCLUDED IN SCOTTSDALE WATERFRONT REDEVELOPMENT AREA

**LEGEND**

- (C) CALCULATED
- CATV □ CABLE TELEVISION
- CO ○ CLEAN OUT
- CPS COTTON PICKER SPINDLE
- EP EDGE OF PAVEMENT
- EM ELECTRIC METER
- FD FOUND
- GR GRATE
- GM GAS METER
- GAS SO ⊗ GAS SHUT OFF
- IB/IP IRON BAR / IRON PIPE
- LS LAND SURVEYOR
- LIGHT
- (M) MEASURED
- MH ⊙ MAN HOLE
- OHE OVERHEAD ELECTRIC
- PED PEDESTAL
- PL PROPERTY LINE
- (R) RECORDED
- PP POWER POLE
- SRP SALT RIVER PROJECT
- SIGN SIGN
- CO ○ SEWER CLEAN OUT
- TEL TELEPHONE
- TREE TREE
- WM WATER METER
- WH WATER HEATER
- △ FOUND CPS POINT PER SRP

**ZONING**

C-2 DO

**SITE DEVELOPMENT STANDARDS**

I. DEVELOPMENT REQUIREMENTS WITHIN THE (DO) DOWNTOWN OVERLAY (ALL NON (D) DOWNTOWN ZONED ZONING DISTRICTS)		ADDITIONAL REGULATIONS
1	FLOOR AREA RATIO (FAR)	0.8
	A. FAR BONUS MAXIMUM	0.5
	TOTAL MAXIMUM FAR (EXCLUDING RESIDENTIAL)	1.3
2	BUILDING VOLUME	NO MAXIMUM
3	OPEN SPACE	NONE REQUIRED AND THE SITE DEVELOPMENT SHALL DEMONSTRATE CONFORMANCE TO THE DOWNTOWN PLAN URBAN DESIGN AND ARCHITECTURAL GUIDELINES.

**II. SITE REQUIREMENTS WITHIN (DO) DOWNTOWN OVERLAY (ALL ZONING DISTRICTS)**

1	MINIMUM SITE AREA	NONE REQUIRED	
2	MINIMUM FRONT BUILDING SET-BACK	16 FEET FROM PLANNED CURB	SECTIONS 6.1207.C.2 AND 6.1207.C.3
3	MINIMUM INTERIOR SIDE SET-BACK	NONE REQUIRED	
4	MINIMUM CORNER SIDE BUILDING SET-BACK	16 FEET FROM PLANNED CURB	
5	MINIMUM REAR BUILDING SETBACK	MINIMUM OF 50 FEET WHEN ADJACENT TO SINGLE-FAMILY RESIDENTIAL DISTRICTS, AND MINIMUM OF 25 FEET WHEN ADJACENT TO MULTI-FAMILY RESIDENTIAL DISTRICTS. NO MINIMUM IN ALL OTHER INSTANCES EXCEPT AS REQUIRED FOR OFF-STREET LOADING AND TRASH STORAGE.	

**III. BUILDING DESIGN REQUIREMENTS**

(ALL NON-(D) DOWNTOWN ZONED ZONING DISTRICTS)		PROPERTIES WITH (S-R) SERVICE RESIDENTIAL ZONING	ALL OTHER ZONING DISTRICTS
1	HEIGHT MAXIMUM (ALL USES)	26 FEET	36 FEET
2	BUILDING ENVELOPE, STARTING AT A POINT 26 FEET ABOVE THE BUILDING SETBACK LINE, THE INCLINED SETBACK PLANE SLOPES AT:	DOES NOT APPLY	2:1 ON THE FRONT, AND 1:1 ON THE OTHER SIDES OF A PROPERTY

**IV. RESIDENTIAL DENSITY (ALL ZONING DISTRICTS)**

1	MAXIMUM RESIDENTIAL DENSITY	23 DWELLING UNITS PER GROSS ACRE
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**C. ADDITIONAL REGULATIONS**

1. SPACING BETWEEN TWO (2) BUILDINGS ON THE SAME SITE SHALL BE NOT LESS THAN TEN (10) PERCENT OF THE LARGER BUILDING'S TWO (2) LONGEST ADJACENT SIDES AT THE SPACE (E.G. FRONT AND SIDE).
2. WHERE EXISTING SETBACKS ON FORTY (40) PERCENT OR MORE OF A BLOCK FACE ARE LESS THAN THE SPECIFIED SETBACK, THE REQUIRED SETBACK ON A SITE TO BE DEVELOPED SHALL BE THE AVERAGE SETBACK OF THE DEVELOPED PORTION OF THE BLOCK FACE. SECTION 7.201 (ADJUSTMENT OF FRONT YARD REQUIREMENTS) SHALL NOT APPLY.
3. BUILDINGS FRONTING ON CAMELBACK ROAD, INDIAN SCHOOL ROAD, AND ON SCOTTSDALE ROAD NORTH FROM CAMELBACK ROAD AND SOUTH FROM OSBORN ROAD TO THE DOWNTOWN OVERLAY DISTRICT BOUNDARY, SHALL BE SETBACK FORTY (40) FEET FROM THE PLANNED CURB LINE. BUILDINGS FRONTING ON DRINKWATER BOULEVARD AND GOLDWATER BOULEVARD SHALL BE SETBACK THIRTY (30) FEET FROM THE PLANNED CURB LINE. THE REGULATIONS OF SECTION 5.3062 SHALL ALSO APPLY TO THESE FRONT SETBACKS. (ORD. NO. 3520, § 1.7-1-03; ORD. NO. 3543, § 1(EXH. 1) 12-9-03)

**FLOOD INSURANCE RATE MAP (FIRM) INFORMATION**

COMMUNITY NUMBER	PANEL NUMBER (PANEL DATE)	SUFFIX	DATE OF FIRM (INDEX DATE)	FIRM ZONE	BASIN FLOOD ELEVATION (IN AO ZONE, USE DEPTH)
045012	2160 7-19-01	"E"	7-19-01	"X"	N/A

BOOK 710 PAGE 13

OFFICIAL RECORDS OF  
 MARICOPA COUNTY RECORDER  
 HELEN PURCELL

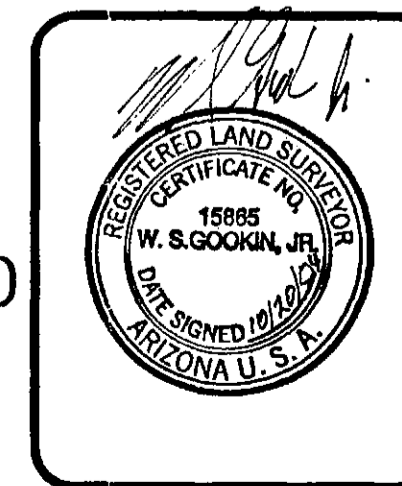
2004 - 1231748

10/21/2004

11:40 AM  
 COBERT/EC



Two working days before you dig  
 CALL FOR THE BLUE STAKES  
 Within Maricopa County  
**602-263-1100**  
 Outside Maricopa County  
 1-800-782-5348  
 BLUE STAKE CENTER



C.O.S. Q.S. 17-44

**WESTERN PARK PROPERTIES**  
**RECORD OF SURVEY**  
 A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&SRM  
**SCOTTSDALE, ARIZONA**

Scale 1"=10'  
 Date 8-25-04  
 Rev  
 Designed WSG  
 Drawn SF  
 File: WESTERN AFTER ROTATION.dwg



**GOOKIN ENGINEERS**  
 ENGINEERS - HYDROLOGISTS - PLANNERS - SURVEYORS  
 4203 NORTH BROWN AVENUE  
 SCOTTSDALE, ARIZONA 85251  
 480-947-3741

SHEET 1 of 2 SHEETS  
 JOB NO.  
**2090**

**CERTIFICATION**

TO NATIONAL BANK OF ARIZONA, A NATIONAL BANKING ASSOCIATION, STETSON L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, CITY OF SCOTTSDALE, AND FIDELITY TITLE:

THIS IS TO CERTIFY THAT THIS MAP AND THE SURVEY ON WHICH IT IS BASED WERE MADE (i) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED BY ALTA, ASCM, AND NSPS IN 1999, AND INCLUDES ITEMS 1, 6, 8, 10, 11, 14, 15 AND 16 OF TABLE A THEREOF, AND (ii) PURSUANT TO THE ACCURACY STANDARDS (AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION) OF AN URBAN SURVEY.

DATE: 10/20/04

W.S. GOOKIN JR. AZ. L.S. 15865

**LEGAL DESCRIPTION**

LOT 3, WESTERN PARK PROPERTIES, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE MARICOPA COUNTY RECORDER, IN BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA.

**A.P.N.**

173-50-062

**AREA**

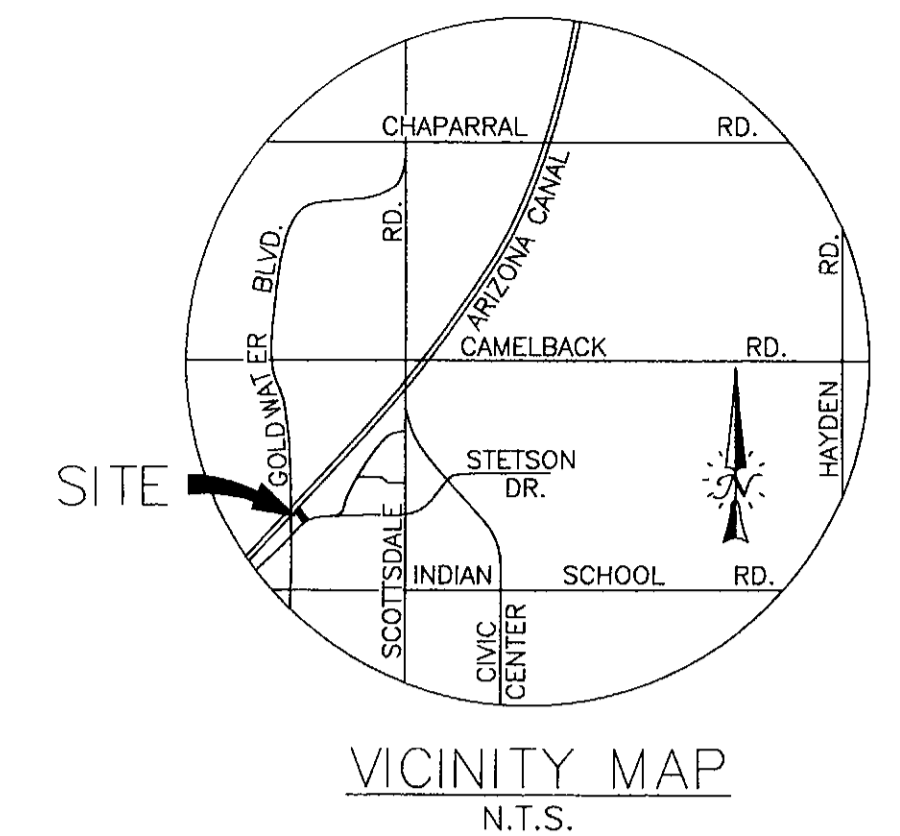
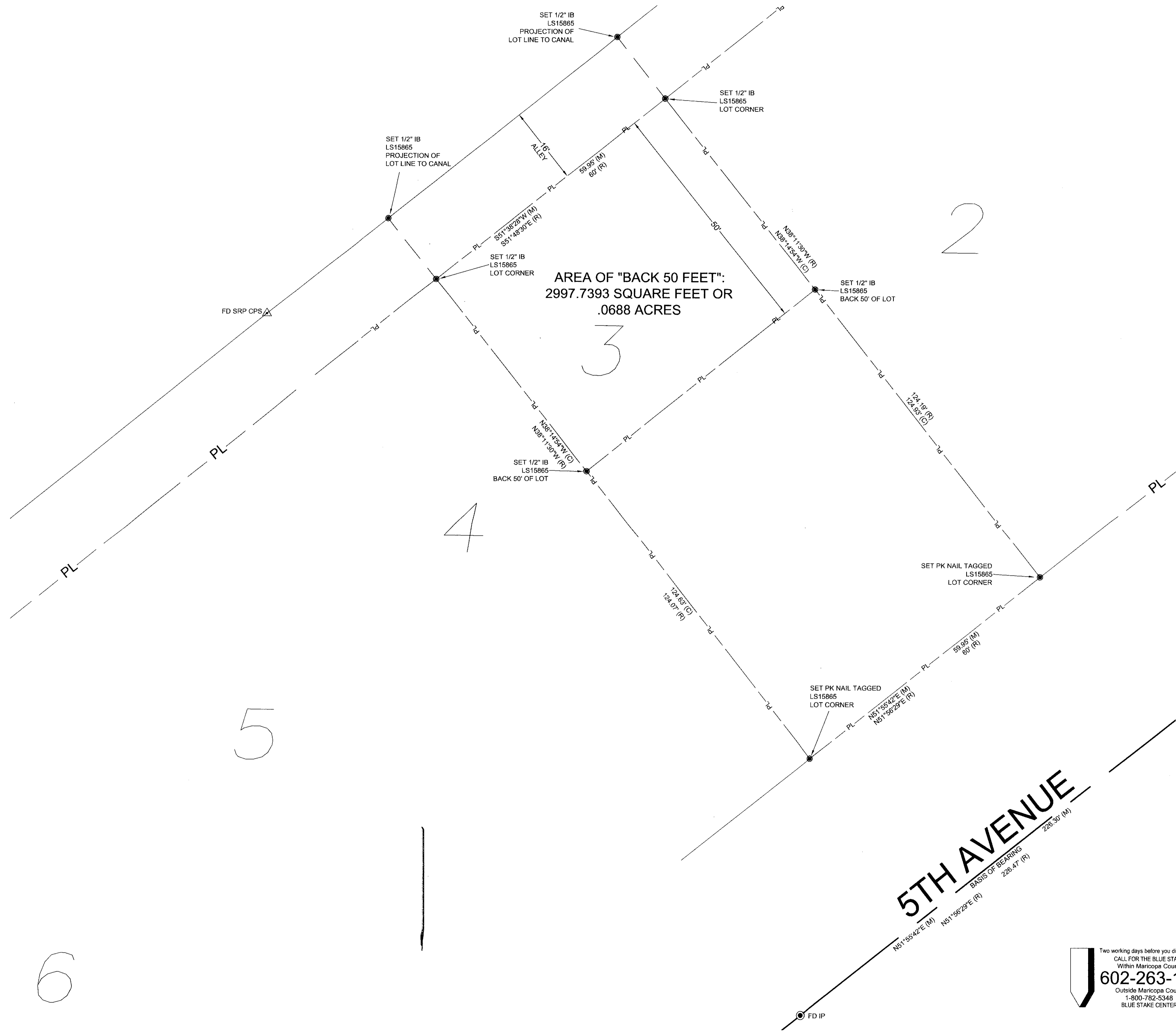
7,447 S.F. OR 0.171 ACRES

**SITE ADDRESS**

7048 E. 5TH AVENUE  
 SCOTTSDALE, ARIZONA 85251

**OWNER**

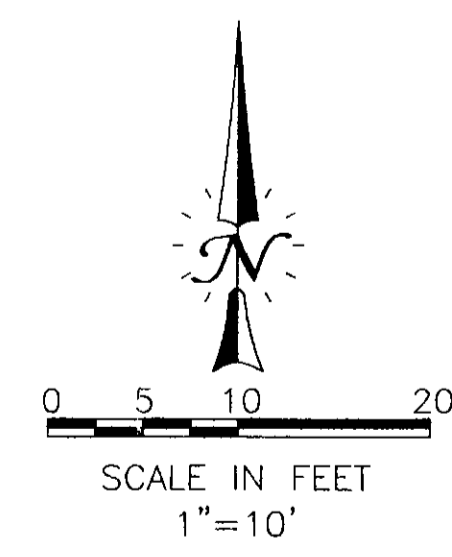
BROOKS BUILDING INC.  
 4300 N. MILLER RD. #110  
 SCOTTSDALE, ARIZONA 85251



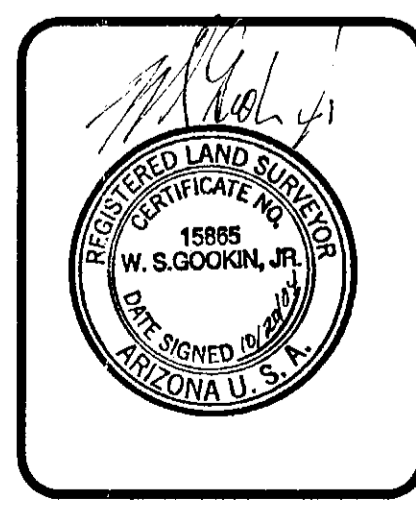
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

**RECORDING NOTE**  
 SOME UTILITY INFORMATION AND CURB DETAIL INFORMATION OMITTED FROM RECORDED DRAWING TO COMPLY WITH RECORDER REQUIREMENTS. ALL BOUNDARIES STILL SHOWN.

BOOK 710 PAGE 13  
 OFFICIAL RECORDS OF  
 MARICOPA COUNTY RECORDER  
 HELEN PURCELL  
 2004 - 1231748  
 10/21/2004 11:40 AM  
 CAPRETEC



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 BLUE STAKE CENTER



<b>WESTERN PARK PROPERTIES</b> <b>RECORD OF SURVEY</b> A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&SRM SCOTTSDALE, ARIZONA		SHEET 2 of 2 SHEETS JOB NO. <b>2090</b>
Scale 1"=10' Date 10-18-04 Rev Designed WSG Drawn SF	<b>GOOKIN ENGINEERS</b> ENGINEERS - HYDROLOGISTS - PLANNERS - SURVEYORS 4203 NORTH BROWN AVENUE SCOTTSDALE, ARIZONA 85251 480-947-3741	File: WESTERN AFTER ROTATION.dwg

6

5

4

3

2

**RESEARCH NOTES**

- A TITLE REPORT BY FIDELITY TITLE INSURANCE COMPANY, ORDER NO. 20004933, WAS PROVIDED TO THE SURVEYOR FOR THIS SURVEY.
- BOUNDARY INFORMATION COLLECTED FROM RECORDED PLATS AND FOUND MONUMENTS.
- DOCUMENTS ACQUIRED BY GOOKIN ENGR'S & REVIEWED FOR RESOLUTION OF THIS ALTA/ACSM LAND TITLE SURVEY WERE:
  - \* NEARY PLACE, BK. 46, PG. 21, M.C.R.
  - \* NEARY PLACE PLAT 2, BK. 56, PG. 33, M.C.R.
  - \* CIRCLE K ACRES, BK. 44, PG. 23, M.C.R.
  - \* WESTERN PARK PROPERTIES, BK. 60, PG. 50, M.C.R.
  - \* PARADISE PALMS, BK. 54, PG. 13, M.C.R.
  - \* S.R.V.U.A./ RIGHT OF WAY MANAGED BY S.R.P., BK. 470, PG. 18
  - \* ARCADIA WATER COMPANY, BK. 114, PG. 6, M.C.R.
  - \* DEDICATED TOWN OF SCOTTSDALE ROADS, BK. 9, PG. 85 M.C.R.
  - \* PUBLIC UTILITY AND TRAFFIC CONTROL DEVICE EASEMENT, BK. 336, PG. 14.
  - \* TOPOGRAPHIC SURVEY ARIZONA CANAL BY LAND SURVEY SERVICES, P.L.C. JOB NO.02110, SHEET 2 OF 3, DATED 7-8-04, DRAWN BY THOMAS ROPE, NOT RECORDED
  - \* RESULTS OF SURVEY ARIZONA CANAL BY LAND SURVEY SERVICES, P.L.C. JOB NO. 02110, SHEET 1 OF 2, DATED 7-8-04, DRAWN BY THOMAS ROPE, NOT RECORDED
  - \* WESTERN PARK PROPERTIES ALTA/ACSM LAND TITLE SURVEY, BK. 710, PG. 13 M.C.R.
  - \* STETSON CANAL, LLC SOUTH CANAL BANK ALTA/ACSM LAND TITLE SURVEY, BK. 704, PG. 13 M.C.R.
  - \* THE LEGAL ELEMENTS OF BOUNDARIES AND ADJACENT PROPERTIES BY RAY HAMILTON SKELTON PAGE 194 PARAGRAPH 197
  - \* WRITING LEGAL DESCRIPTIONS BY GURDON H. WATTLETS CHAPTER 4 PAGE 30.
- NO OTHER BOUNDARY SURVEYS WERE LOCATED FROM AN INTERNET SEARCH.
- LOCATIONS OF EXISTING UTILITIES BASED ON FIELD OBSERVATIONS AND MEASUREMENTS DURING THIS SURVEY, AS WELL AS MAPS RECEIVED FROM
  - \* SALT RIVER PROJECT IRRIGATION
  - \* SALT RIVER PROJECT ELECTRIC
  - \* COX COMMUNICATIONS
  - \* QWEST
  - \* SOUTHWEST GAS
  - \* CITY OF SCOTTSDALE WATER & SEWER QUARTER SECTION MAP
  - \* ARIZONA PUBLIC SERVICE
 CALL BLUESTAKE AT 602-263-1100 TO VERIFY EXACT LOCATIONS.
- THIS SURVEY IS LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.
- PHYSICAL CONDITIONS SHOWN ARE AS OF 11-3-04 AND DO NOT REFLECT CHANGES, IF ANY, BEYOND THAT DATE.
- THERE IS NO EVIDENCE OF EARTH MOVING WORK IN PROGRESS AS OF 11-3-04.
- 5TH AVENUE WAS ORIGINALLY REFERRED TO AS "WESTERN PARK DRIVE" ON THE WESTERN PARK PROPERTIES (WESTERN) PLAT AS RECORDED IN BOOK 60 OF MAPS, PAGE 50 M.C.R. GOLDWATER BOULEVARD WAS ORIGINALLY REFERRED TO AS "ORANGE AVENUE". LATER IT BECAME "70TH STREET". IN ADDITION GOLDWATER BOULEVARD WAS EXTENDED TO CROSS OVER THE ARIZONA CANAL AND LOTS 7-11 WERE MODIFIED ACCORDINGLY. ALSO, THE MAJORITY OF LOT 5 WAS USED TO CREATE A THOROUGHFARE NOW REFERRED TO AS 70TH PLACE WHICH ALLOWS ACCESS TO GOLDWATER BOULEVARD AS WELL. WESTERN ALSO REFERS TO "MARSHALL AVENUE" WHICH HAS NOW BECOME KNOWN AS MARSHALL WAY. WHILE THERE HAVE BEEN CHANGES TO OTHER LOTS WITHIN WESTERN THERE IS NO EVIDENCE THAT LOTS 1 AND 2 WERE AFFECTED.
- THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.
- THE RESULT OF SURVEY SHOWING THE S.R.V.U.A. (SRP) CANAL RIGHT OF WAY, AS RECORDED IN BK. 470, PG. 18, M.C.R., DATED 5-7-1998, DIFFERS WITH WESTERN PARK PROPERTIES (WESTERN), AS RECORDED IN BK. 60, PG. 50, M.C.R., DATED 10-11-1954. THE GOOKIN SURVEY LOCATED A COTTON PICKER SPINDLE SOUTHWESTERLY OF LOT 2, WESTERN, WHICH WAS ACCEPTED AS ONE OF THE DEFLECTION-POINT SPINDLES INDICATED AS "SET" ON THE SRP SURVEY. GOOKIN ALSO LOCATED AN IRON BAR (LAND SURVEYOR TAG 15865) APPROXIMATELY 425 FEET NORTHEASTERLY FROM THE FOUND COTTON PICKER SPINDLE. THIS IRON BAR WAS ACCEPTED AS BEING ALONG THE SRP CANAL R.O.W. THE SURVEYED ITEMS WERE THEN ROTATED AROUND THE FOUND COTTON PICKER SPINDLE, MAKING THE BEARING BETWEEN THE TWO ABOVE DESCRIBED OBJECTS MATCH THE BEARING FROM A PREVIOUS GOOKIN SURVEY (STETSON CANAL, LLC SOUTH CANAL BANK ALTA/ACSM LAND TITLE SURVEY, BK. 704, PG. 13 M.C.R.), WHICH INCLUDED THESE OBJECTS. THE LOT LINES OF THE LOTS IN THE WESTERN PARK PROPERTIES SUBDIVISION WERE THEN LENGTHENED SO THAT THEIR ENDS NEAREST TO THE SRP CANAL ROW ENDED 16' FROM THE SRP ROW. THE ALLEY WAS MAINTAINED AT 16' IN WIDTH AS SHOWN ON THE WESTERN PLAT.
- THE ORIGINAL WESTERN PARK PROPERTIES (BOOK 60 OF MAPS, PAGE 50 M.C.R.) PLAT DOES NOT CLOSE ON PAPER BY OVER 4 FEET (4.04'). THE GOOKIN SURVEY FOUND AN IRON PIPE BURIED APPROXIMATELY 1' BELOW THE PAVEMENT IN THE CENTER OF 5TH AVENUE. IN CHECKING THE DISTANCE BETWEEN THE BURIED IRON PIPE AND A FOUND CHISELED X ON A CURB TO THE EAST (WHICH IS ASSUMED TO BE THE INTERSECTION OF 5TH AVENUE AND MARSHALL WAY), THE DISTANCE IS WITHIN 0.17' (SHORT). MEASURING BETWEEN THE BURIED IRON PIPE AND THE BRASS CAP IN A HAND HOLE AT THE INTERSECTION OF GOLDWATER BOULEVARD AND 5TH AVENUE, THE DISTANCE VARIES FROM THE PLAT DISTANCE BY 0.15' (LONG). THE TOTAL DISTANCE BETWEEN THE CHISELED X AND THE BRASS CAP IN A HAND HOLE AT THE INTERSECTION OF GOLDWATER BOULEVARD AND 5TH AVENUE VARIES FROM THE PLAT DISTANCE BY ONLY 0.02' (SHORT). THE BREAK IN BEARING BETWEEN THE FOUND POINTS AS COMPARED TO THE BREAK IN BEARING BETWEEN THE PLATTED POINTS REVEALS A DIFFERENCE OF 0°23'7". THE FOUND POINT ANGLE IS LARGER THAN THE PLAT ANGLE. BASED ON THIS INFORMATION THE FOUND POINTS IN 5TH AVENUE HAVE BEEN ACCEPTED AS SUBDIVISION CORNERS. THE BRASS CAP IN A HAND HOLE AT THE INTERSECTION OF GOLDWATER BOULEVARD AND 5TH AVENUE IS BELIEVED TO BE THE POINT SHOWN ON THE PLAT AS THE INTERSECTION OF ORANGE AVENUE AND WESTERN PARK DRIVE.
- SINCE THE WESTERN PARK PROPERTIES (BOOK 60 OF MAPS, PAGE 50 M.C.R.) PLAT (WESTERN) WAS MADE, MANY CHANGES HAVE BEEN MADE IN THE SUBDIVISION. MANY OF THEM HAVE NOT BEEN WELL DOCUMENTED. THESE INCLUDE THE CREATION OF GOLDWATER BOULEVARD THROUGH WESTERN AND THE CREATION OF THE ROSE GARDEN PARKING LOT (SEE RECORDED DOCUMENT NUMBER 92-726905). ALSO LOT 5 OF WESTERN, EXCEPT FOR THE WEST AND EAST 4.99 FEET (SEE RECORDED WARRANTY DEED 9358/175) HAS BEEN CONVERTED TO A SHORT ROAD LEADING TO THE ALLEY. MANY CITY DOCUMENTS REFER TO THIS AS 70TH PLACE. NO OTHER EVIDENCE EITHER COMPLETED OR PROPOSED AND AVAILABLE FROM THE CONTROLLING JURISDICTION REGARDING CHANGES IN STREET RIGHT OF WAY LINES. NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK SIDEWALK CONSTRUCTION OR REPAIRS.
- ACCESS IS AVAILABLE FROM 5TH AVENUE IN THE FRONT AND AN ALLEY IN THE REAR.

**RESEARCH NOTES CONTINUED**

- PARCELS 1 AND 2 ARE LOCATED IN WHAT WAS ONCE REFERRED TO AS THE SUBDIVISION CIRCLE K ACRES (BOOK 44 OF MAPS, PAGE23 M.C.R.). FIDELITY INSURANCE CLAIMS THAT CIRCLE K ACRES HAS SINCE BEEN REPLACED AND THAT ANY INFORMATION RESULTING FROM THE SAID PLAT MAY BE IGNORED.
- PARCELS 1 AND 2 WERE CREATED BY REFERENCING DEDICATED TOWN OF SCOTTSDALE ROADS (BOOK 9 OF MAPS, PAGE 85 M.C.R.) BOTH ADJACENT CURVES ALONG E. 5TH AVENUE (MARSHALL AVENUE ON THE PLAT) WERE ORIGINALLY ASSUMED TO BE TANGENT TO E. STETSON DRIVE (ALSO MARSHALL AVENUE ON THE PLAT). THIS RESULTED IN THE WEST END OF THE CURVES BEING WELL NORTH OF THE BRASS CAP IN A HANDHOLE FOUND IN THE STREET (BY 1.9632"). THEREFORE, THE PORTION OF E. 5TH AVENUE LYING SOUTH OF PARCELS 1 AND 2 WAS CREATED BY MAKING THE CURVES TANGENT TO NEITHER THE EAST/WEST PORTION OF E. 5TH AVENUE, NOR THE NORTH/SOUTH PORTION OF E. 5TH AVENUE, RATHER ROTATING THE CURVES ABOUT THE EAST END OF THE 88.7' LINE ALONG THE EAST/WEST CENTERLINE OF E. 5TH AVENUE UNTIL THEIR EAST END MATCHED AS CLOSELY AS POSSIBLE TO THE FOUND BRASS CAP AT THE INTERSECTION OF WHAT IS NOW E. STETSON DRIVE AND E. 5TH AVENUE. THE ARC IN PARCEL 2 WAS ALSO FOUND TO NOT BE TANGENT. A CHORD WAS DRAWN BETWEEN THE SOUTHWEST CORNER OF THE PARCEL AND THE SOUTH END OF THE EAST PROPERTY LINE. THIS RESULTED IN AN ARC WITH AN INCLUDED ANGLE OF 89°0'59". A TANGENT OF 70.01', A RADIUS OF 71.22' AND A LENGTH OF 110.65' (THE RECORDED ARC HAD AN INCLUDED ANGLE OF 88°59'13", A TANGENT OF 69.97', RADIUS OF 71.22', AND A LENGTH OF 110.61').
- SURVEYED BUILDINGS COME VERY CLOSE TO AND AT TIMES ENCR OACH UPON PROPERTY LINE. SEE PAGE 2 FOR NUMERIC VALUES OF ENCR OACHMENTS.
- THE DEDICATED TOWN OF SCOTTSDALE ROADS PLAT (BOOK OF MAPS 9, PAGE 85 M.C.R.) WAS USED TO DETERMINE THE CENTERLINE ALONG MARSHALL AVENUE NEAR PARCELS 1 AND 2 AND THE NORTH AND WEST BOUNDARIES AS WELL. THE PLATS DISTANCES AND BEARINGS RESULT IN A CLOSURE OF THE CENTERLINE AND THE NORTH AND WEST BOUNDARIES WITHIN .0063'. HOWEVER, ONCE THE CENTERLINE IS OFFSET THE PLATTED 40', THE SET OF ADJACENT CURVES ALONG WHAT IS NOW E. 5TH AVENUE ENCR OACHES ON THE PLATTED PROPERTY LINE. THE MOST EXTREME ENCR OACHMENT IS 3.48'. WHEN THE SAME CURVES WERE OFFSET 40' BASED ON FOUND POINTS (AFTER THE ROTATION OF THE CURVES DUE TO THEIR LACK OF TANGENCY AS DESCRIBED ABOVE) THE RESULTING ENCR OACHMENT WAS 3.50'. CONCLUSION: THE ORIGINAL DEDICATED TOWN OF SCOTTSDALE ROADS DID NOT PROVIDE A FULL 40' ROW FOR THE ENTIRE FRONTAGE OF PARCEL 2. THIS CONDITION CONTINUES TO EXIST.

**SCHEDULE B ITEMS**

IN ADDITION TO THE STANDARD SCHEDULE B ITEMS, THE FOLLOWING ITEMS WERE LISTED:

EXCEPTIONS AND EXCLUSIONS FROM COVERAGE WHICH WILL APPEAR IN THE POLICY OR POLICIES TO BE ISSUED AS SET FORTH IN EXHIBIT A. AFFECTS: NOT SPECIFIC

ANY ACTION BY MARICOPA COUNTY ASSESSOR AND/OR TREASURER, ALTERING THE CURRENT OR PRIOR TAX ASSESSMENT, SUBSEQUENT TO THE DATE OF THE POLICY OF TITLE INSURANCE. AFFECTS: NOT SPECIFIC

PROPERTY TAXES, INCLUDING ANY PERSONAL PROPERTY TAXES AND ANY ASSESSMENTS COLLECTED WITH TAXES, FOR THE SECOND HALF OF THE YEAR 2004. AFFECTS: NOT SPECIFIC

THE LIABILITIES AND OBLIGATIONS IMPOSED UPON SAID LAND BY REASON OF : (A) INCLUSION THEREOF WITHIN THE BOUNDARIES OF THE SALT RIVER AGRICULTURAL IMPROVEMENT AND POWER DISTRICT; (B) MEMBERSHIP OF THE OWNER THEREOF IN THE SALT RIVER VALLEY WATER USERS' ASSOCIATION, AN ARIZONA CORPORATION AND (C) THE TERMS OF ANY WATER RIGHT APPLICATION MADE UNDER THE RECLAMATION LAWS OF THE UNITED STATES FOR THE PURPOSE OF OBTAINING WATER RIGHTS FOR SAID LAND. AFFECTS: NOT SPECIFIC

RESERVATIONS, EXCEPTIONS AND PROVISIONS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA OR IN THE ACTS AUTHORIZING THE ISSUANCE THEREOF, AS FOLLOWS: "SUBJECT TO ANY VESTED AND ACCRUED WATER RIGHTS FOR MINING, AGRICULTURE, MANUFACTURING, OR OTHER PURPOSES, AND RIGHTS TO DITCHES AND RESERVOIRS USED IN CONNECTION WITH SUCH WATER RIGHTS AS MAY BE RECOGNIZED AND ACKNOWLEDGED BY THE LOCAL CUSTOMS, LAWS AND DECISIONS OF COURTS AND ALSO SUBJECT TO THE RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTS, AS PROVIDED BY LAW." AFFECTS: NOT SPECIFIC

WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS. AFFECTS: NOT SPECIFIC

RIGHT OF WAY FOR THE ARIZONA CANAL AND THE HEADER DITCH. AFFECTS: RIGHT OF WAY FOR THE ARIZONA CANAL IS A SUBDIVISION BOUNDARY, NO OBSERVABLE EVIDENCE OF A HEADER DITCH

EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT

PURPOSE: RESERVATION OF A RIGHT OF WAY FOR THE CONSTRUCTION AND MAINTENANCE OF A DITCH RECORDED: IN BOOK 83, PAGE 309, OF AGREEMENTS AND IN DOCKET 254, PAGE 20 AFFECTS: AS SET FORTH THERIN (PARCEL NO. 1), BELIEVED TO BE OLDER DEED, ILLEGIBLE

EASEMENTS FOR THE PURPOSES SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT

PURPOSE: IRRIGATION DITCH RECORDED: DOCKET 262, PAGE 247 AFFECTS: AS SET FORTH THEREIN (PARCEL NO. 1), BELIEVED TO BE OLDER DEED, ILLEGIBLE

COVENANTS, CONDITIONS AND RESTRICTIONS (DELETING THEREFROM ANY RESTRICTIONS INDICATING ANY PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN) AS SET FORTH IN THE DOCUMENT RECORDED: IN DOCKET 262, PAGE 247 (PARCEL NO. 1), BELIEVED TO BE OLDER DEED, ILLEGIBLE

THE EFFECT OF THE FAILURE OF THE GRANTOR IN DEED RECORDED IN DOCKET 262, PAGE 247, TO WARRANT THE TITLE TO THE WEST 3 FEET. (PARCEL NO. 1), BELIEVED TO BE OLDER DEED, ILLEGIBLE

INCLUSION WITHIN THE CITY OF SCOTTSDALE WATERFRONT REDEVELOPMENT AREA AS DISCLOSED BY RESOLUTION RECORDED IN INSTRUMENT NO. 94-0726168.

**LEGAL DESCRIPTION**

PARCEL NO. 1:  
THE NORTH 215.5 FEET OF THE WEST 88 FEET OF THE EAST 12 RODS OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; EXCEPT THE NORTH 7.5 FEET; AND EXCEPT THE SOUTH 104 FEET.

PARCEL NO. 2:  
THAT PORTION OF THE SOUTH 104 FEET OF THE NORTH 111.50 FEET OF THE EAST 198 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, LYING NORTH AND WEST OF THE NORTHERLY AND WESTERLY LINES, RESPECTIVELY OF MARSHALL AVE. AS SHOWN ON PLAT OF DEDICATED TOWN OF SCOTTSDALE ROADS, RECORDED IN BOOK 9 OF ROAD MAPS, PAGE 85, RECORDS OF MARICOPA COUNTY, ARIZONA; EXCEPT THE WEST 88 FEET THEREOF.

PARCEL NO. 3:  
LOT 1, WESTERN PARK PROPERTIES, ACCORDING TO BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 4:  
LOT 2, WESTERN PARK PROPERTIES, ACCORDING TO BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA.

**RECORD OF SURVEY**  
**WESTERN PARK PROPERTIES LOT 3**  
A PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

**ZONING**

C-2 DO

**SITE DEVELOPMENT STANDARDS**

I. DEVELOPMENT REQUIREMENTS WITHIN THE (DO) DOWNTOWN OVERLAY (ALL NON (D) DOWNTOWN ZONED ZONING DISTRICTS)		ADDITIONAL REGULATIONS
1	FLOOR AREA RATIO (FAR)	0.8
	A. FAR BONUS MAXIMUM	0.5
	TOTAL MAXIMUM FAR (EXCLUDING RESIDENTIAL)	1.3
2	BUILDING VOLUME	NO MAXIMUM
3	OPEN SPACE	NONE REQUIRED AND THE SITE DEVELOPMENT SHALL DEMONSTRATE CONFORMANCE TO THE DOWNTOWN PLAN URBAN DESIGN AND ARCHITECTURAL GUIDELINES.

II. SITE REQUIREMENTS WITHIN (DO) DOWNTOWN OVERLAY (ALL ZONING DISTRICTS)		
1	MINIMUM SITE AREA	NONE REQUIRED
2	MINIMUM FRONT BUILDING SET-BACK	16 FEET FROM PLANNED CURB
3	MINIMUM INTERIOR SIDE SET-BACK	NONE REQUIRED
4	MINIMUM CORNER SIDE BUILDING SET-BACK	16 FEET FROM PLANNED CURB
5	MINIMUM REAR BUILDING SETBACK	MINIMUM OF 50 FEET WHEN ADJACENT TO SINGLE-FAMILY RESIDENTIAL DISTRICTS, AND MINIMUM OF 25 FEET WHEN ADJACENT TO MULTIFAMILY RESIDENTIAL DISTRICTS. NO MINIMUM IN ALL OTHER INSTANCES EXCEPT AS REQUIRED FOR OFF-STREET LOADING AND TRASH STORAGE

III. BUILDING DESIGN REQUIREMENTS (ALL NON-(D) DOWNTOWN ZONED ZONING DISTRICTS)		PROPERTIES WITH (S-R) SERVICE RESIDENTIAL ZONING	ALL OTHER ZONING DISTRICTS
1	HEIGHT MAXIMUM (ALL USES)	26 FEET	36 FEET
2	BUILDING ENVELOPE, STARTING AT A POINT 26 FEET ABOVE THE BUILDING SETBACK LINE, THE INCLINED SETBACK PLANE SLOPES AT:	DOES NOT APPLY	2:1 ON THE FRONT, AND 1:1 ON THE OTHER SIDES OF A PROPERTY

IV. RESIDENTIAL DENSITY (ALL ZONING DISTRICTS)	
1	MAXIMUM RESIDENTIAL DENSITY
	23 DWELLING UNITS PER GROSS ACRE

**C. ADDITIONAL REGULATIONS**

- SPACING BETWEEN TWO (2) BUILDINGS ON THE SAME SITE SHALL BE NOT LESS THAN TEN (10) PERCENT OF THE LARGER BUILDING'S TWO (2) LONGEST ADJACENT SIDES AT THE SPACE (E.G. FRONT AND SIDE).
- WHERE EXISTING SETBACKS ON FORTY (40) PERCENT OR MORE OF A BLOCK FACE ARE LESS THAN THE SPECIFIED SETBACK, THE REQUIRED SETBACK ON A SITE TO BE DEVELOPED SHALL BE THE AVERAGE SETBACK OF THE DEVELOPED PORTION OF THE BLOCK FACE. SECTION 7.201 (ADJUSTMENT OF FRONT YARD REQUIREMENTS) SHALL NOT APPLY.
- BUILDINGS FRONTING ON CAMELBACK ROAD, INDIAN SCHOOL ROAD, AND ON SCOTTSDALE ROAD NORTH FROM CAMELBACK ROAD AND SOUTH FROM OSBORN ROAD TO THE DOWNTOWN OVERLAY DISTRICT BOUNDARY, SHALL BE SETBACK FORTY (40) FEET FROM THE PLANNED CURB LINE. BUILDINGS FRONTING ON DRINKWATER BOULEVARD AND GOLDWATER BOULEVARD SHALL BE SETBACK THIRTY (30) FEET FROM THE PLANNED CURB LINE. THE REGULATIONS OF SECTION 5.3062 SHALL ALSO APPLY TO THESE FRONT SETBACKS. (ORD. NO. 3520, § 1.7-1-03; ORD. NO. 3543, § 1(EXH. 1) 12-9-03)

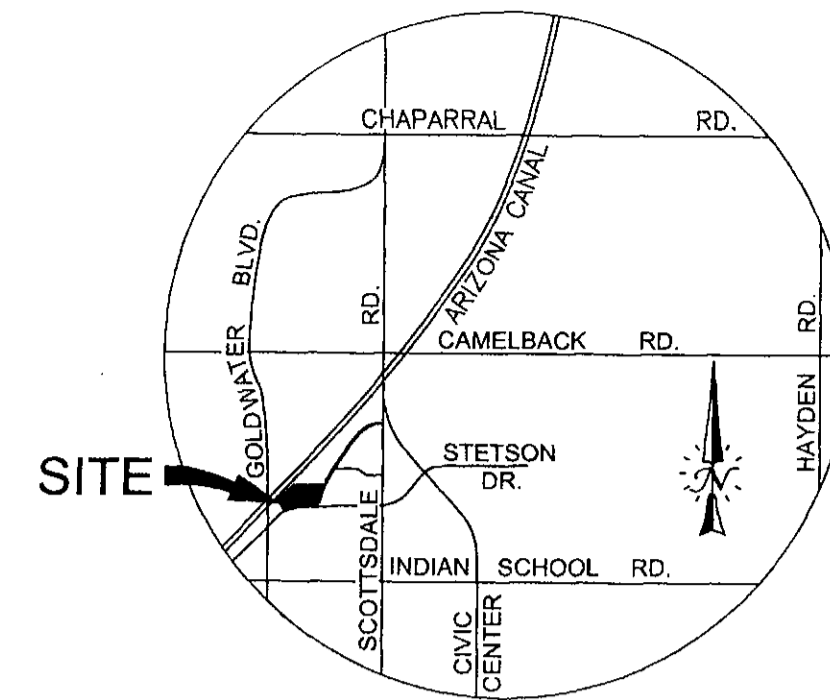
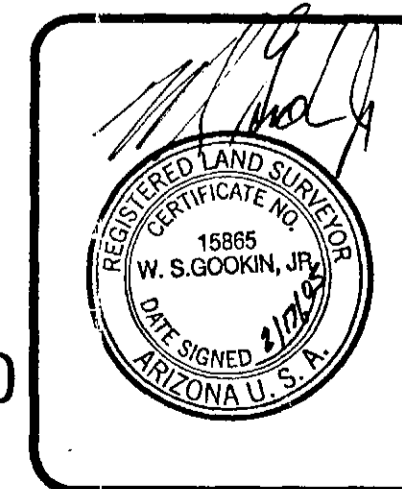
**SURVEYOR NOTES**

- THE WESTERN PARK PROPERTIES PLAT (BOOK 60 OF MAPS, PAGE 50 M.C.R.) AND THE DEDICATED TOWN OF SCOTTSDALE ROADS PLAT (BOOK 9 OF MAPS, PAGE 85 M.C.R.) HAVE A DISAGREEMENT. THE WESTERN PARK PROPERTIES PLAT SHOWS THE BEARING ALONG WESTERN PARK DRIVE NEAR THE NORTHERN PORTION OF THE SUBDIVISION TO BE N 51°56'29" E, WHILE THE DEDICATED TOWN OF SCOTTSDALE ROADS SHOWS THE BEARING OF WESTERN PARK DRIVE AT THE SAME LOCATION TO BE N 51°55'29" E. BOTH SURVEYS, HOWEVER WHERE CONDUCTED BY PRESTON A. PADON IN 1954.
- 1 ROD = 16.5 FEET.

**GENERAL NOTES**

- THE REAR 50' OF PARCELS 1 AND 2 WERE DIMENSIONED AT THE REQUEST OF THE CLIENT. THIS HAS NO OTHER IMPORTANCE TO THE SURVEY. TOTAL AREA INSCRIBED = 8591.4259 SF OR 0.1972319 ACRES.
- THE PROJECTIONS OF THE PROPERTY LINES TO THE SUBDIVISION BOUNDARY WERE ADDED AT THE REQUEST OF THE CLIENT. THEY HAVE NO OTHER IMPORTANCE TO THE SURVEY.

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**VICINITY MAP**  
N.T.S.

BOOK 729 PAGE 33

OFFICIAL RECORDS OF  
MARICOPA COUNTY RECORDER  
HELEN PUNZELL  
2005 - 0203038

02/18/2005 08:10 / M  
PT 11:00A

**CERTIFICATION**

TO NATIONAL BANK OF ARIZONA, A NATIONAL BANKING ASSOCIATION, STETSON L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, CITY OF SCOTTSDALE, AND FIDELITY TITLE:

THIS IS TO CERTIFY THAT THIS MAP AND THE SURVEY ON WHICH IT IS BASED WERE MADE (i) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED BY ALTA, ASCM, AND NSPS IN 1999, AND INCLUDES ITEMS 1, 6, 8, 10, 11, 14, 15 AND 16 OF TABLE A THEREOF, AND (ii) PURSUANT TO THE ACCURACY STANDARDS (AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION) OF AN URBAN SURVEY.

DATE: 2/17/05  
*[Signature]*  
W.S. GOOKIN JR., AZ. L.S. 15865

**PARCEL NUMBERS**

PARCEL NO. 1: 173-50-116  
PARCEL NO. 2: 173-50-115  
PARCEL NO. 3: 173-50-059  
PARCEL NO. 4: 173-50-060

**AREA**

PARCEL NO. 1: 9,116 SF OR 0.2093 ACRES  
PARCEL NO. 2: 6,226 SF OR 0.1429 ACRES  
PARCEL NO. 3: 15,842 SF OR 0.3637 ACRES  
PARCEL NO. 4: 7,499 SF OR 0.1722 ACRES

**SITE ADDRESS**

PARCEL NO. 1:  
7078 E. 5TH AVENUE  
SCOTTSDALE, ARIZONA 85251

PARCEL NO. 2:  
7088 E. 5TH AVENUE  
SCOTTSDALE, ARIZONA 85251

PARCEL NO. 3:  
7064 E. 5TH AVENUE  
SCOTTSDALE, ARIZONA 85251

PARCEL NO. 4:  
7056 E. 5TH AVENUE  
SCOTTSDALE, ARIZONA 85251

**OWNER**

PRANTCO LLC  
130 W. NORTHERN AVE.  
PHOENIX, ARIZONA 85021

**FLOOD INSURANCE RATE MAP (FIRM) INFORMATION**

COMMUNITY NUMBER	PANEL NUMBER (PANEL DATE)	SUFFIX	DATE OF FIRM (INDEX DATE)	FIRM ZONE	BASIN FLOOD ELEVATION (IN AO ZONE, USE DEPTH)
045012	2160 7-19-01	"E"	7-19-01	"X"	N/A

C.O.S. Q.S. 17-44

**STETSON CANAL LLC**  
**RECORD OF SURVEY**  
A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&SRM  
**SCOTTSDALE, ARIZONA**

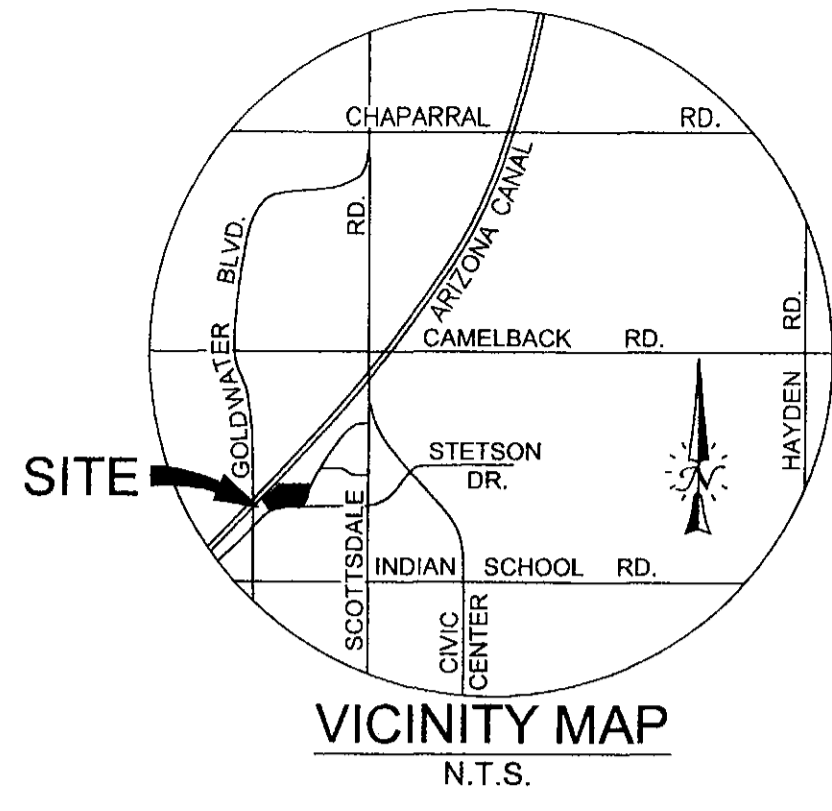
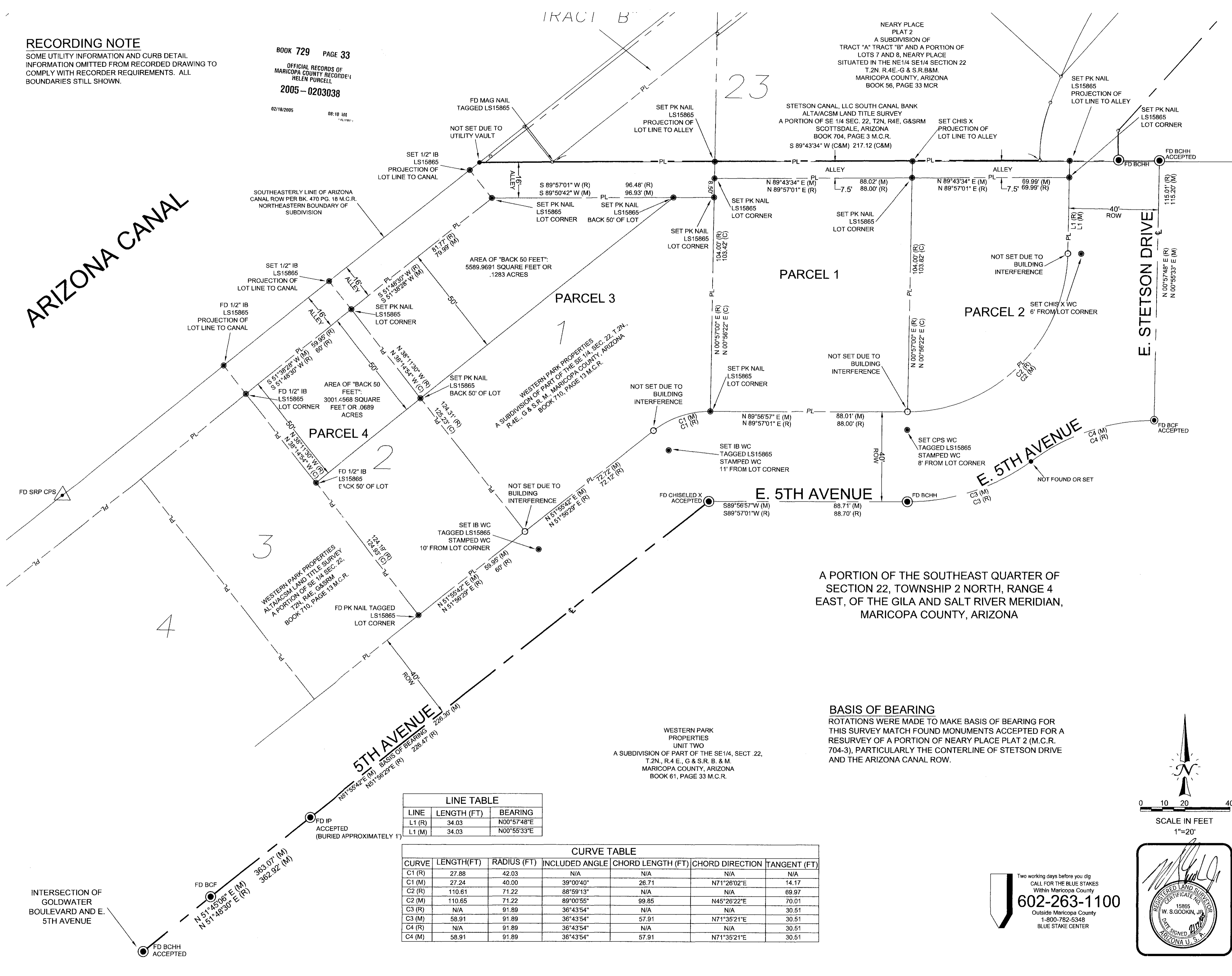
Scale: N/A		SHEET 1 of 2 SHEETS
Date: 11-8-04		JOB NO.
Rev:		2090A
Designed: WSG		
Drawn: SF	<b>GOOKIN ENGINEERS</b> ENGINEERS - HYDROLOGISTS - PLANNERS - SURVEYORS 4200 NORTH BROWN AVENUE SCOTTSDALE, ARIZONA 85251 480-947-3741	File: 4 PARCELS ALTA FOR MCR 2-14-05.dwg

**RECORDING NOTE**  
 SOME UTILITY INFORMATION AND CURB DETAIL INFORMATION OMITTED FROM RECORDED DRAWING TO COMPLY WITH RECORDER REQUIREMENTS. ALL BOUNDARIES STILL SHOWN.

BOOK 729 PAGE 33  
 OFFICIAL RECORDS OF  
 MARICOPA COUNTY RECORDER  
 HELEN PURCELL  
 2005-0203038

02/18/2005 08:10 AM

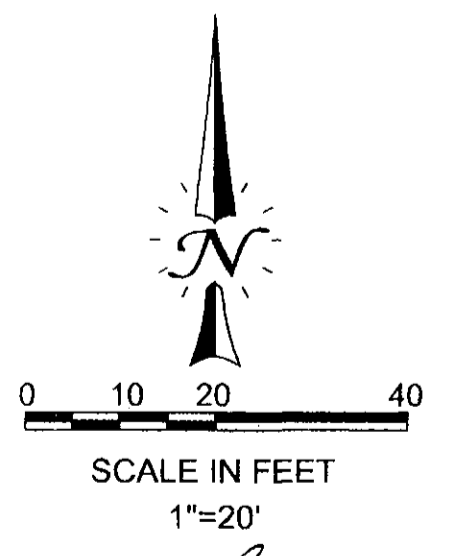
ARIZONA CANAL



- LEGEND**
- ACP ASBESTOS CEMENT PIPE (WATER LINE)
  - BCF BRASS CAP FLUSH
  - BCHH BRASS CAP IN HAND HOLE
  - BFP BACKFLOW PREVENTER
  - CALCULATED
  - CTV CABLE TELEVISION
  - CHIS X CHISELED X IN CONCRETE FOR WITNESS CORNER
  - CO CLEAN OUT
  - CPS COTTON PICKER SPINDLE
  - EP EDGE OF PAVEMENT
  - EM ELECTRIC METER
  - FD FOUND
  - FC FLUSH CURB
  - ⊙ FH FIRE HYDRANT
  - GM GAS METER
  - GUY GUY
  - IB/IP IRON BAR / IRON PIPE
  - ICV IRRIGATION CONTROL VALVE
  - LS LAND SURVEYOR
  - LIGHT
  - (M) MEASURED
  - MH (S) MAN HOLE
  - OH-E&CTV OVERHEAD ELECTRIC AND CABLE TELEVISION
  - PED PEDESTAL
  - PL PROPERTY LINE
  - (R) RECORDED
  - ROW RIGHT OF WAY
  - RC ROLL CURB
  - PP POWER POLE
  - SRP SALT RIVER PROJECT
  - S.R.V.W.U.A. SALT RIVER VALLEY WATER USERS ASSOCIATION SIGN
  - TEL TELEPHONE
  - TS TELEPHONE SERVICE
  - TREE
  - TSB TRAFFIC SIGNAL BOX
  - UGE UNDERGROUND ELECTRIC
  - VC VERTICAL CURB
  - VCG VERTICAL CURB AND GUTTER
  - VCP VITRIFIED CLAP PIPE (SEWER LINE)
  - WM WATER METER
  - WH WATER HEATER
  - WV WATER VALVE
  - WC WITNESS CORNER
  - SET POINT OR WITNESS CORNER AS MARKED
  - FOUND POINT
  - ▲ FOUND CPS POINT PER SRP
  - 6ACP- 6" WATER LINE
  - CTV- CABLE TELEVISION LINE
  - G- GAS LINE
  - OH-E&CTV- OVERHEAD ELECTRIC AND CABLE TELEVISION LINE
  - 8VCP- 8" SEWER LINE
  - T- TELEPHONE LINE
  - UGE- UNDERGROUND ELECTRIC LINE

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

**BASIS OF BEARING**  
 ROTATIONS WERE MADE TO MAKE BASIS OF BEARING FOR THIS SURVEY MATCH FOUND MONUMENTS ACCEPTED FOR A RESURVEY OF A PORTION OF NEARY PLACE PLAT 2 (M.C.R. 704-3), PARTICULARLY THE CENTERLINE OF STETSON DRIVE AND THE ARIZONA CANAL ROW.



**LINE TABLE**

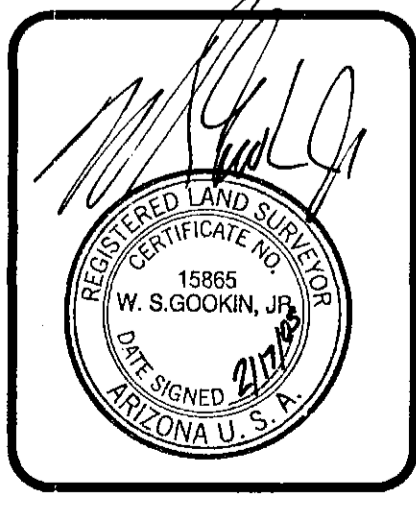
LINE	LENGTH (FT)	BEARING
L1 (R)	34.03	N00°57'48"E
L1 (M)	34.03	N00°55'33"E

**CURVE TABLE**

CURVE	LENGTH(FT)	RADIUS (FT)	INCLUDED ANGLE	CHORD LENGTH (FT)	CHORD DIRECTION	TANGENT (FT)
C1 (R)	27.88	42.03	N/A	N/A	N/A	N/A
C1 (M)	27.24	40.00	39°00'40"	26.71	N71°26'02"E	14.17
C2 (R)	110.61	71.22	88°59'13"	N/A	N/A	69.97
C2 (M)	110.65	71.22	89°00'55"	99.85	N45°26'22"E	70.01
C3 (R)	N/A	91.89	36°43'54"	N/A	N/A	30.51
C3 (M)	58.91	91.89	36°43'54"	57.91	N71°35'21"E	30.51
C4 (R)	N/A	91.89	36°43'54"	N/A	N/A	30.51
C4 (M)	58.91	91.89	36°43'54"	57.91	N71°35'21"E	30.51

INTERSECTION OF GOLDWATER BOULEVARD AND E. 5TH AVENUE

Two working days before you dig  
 CALL FOR THE BLUE STAKES  
 Within Maricopa County  
**602-263-1100**  
 Outside Maricopa County  
 1-800-782-5348  
 BLUE STAKE CENTER



C.O.S. Q.S. 17-44  
**STETSON CANAL LLC**  
**RECORD OF SURVEY**  
 A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&SRM  
 SCOTTSDALE, ARIZONA

Scale 1"=20'  
 Date 11-8-04  
 Rev  
 Designed WSG  
 Drawn SF

**GOOKIN ENGINEERS**  
 ENGINEERS - HYDROLOGISTS - PLANNERS - SURVEYORS  
 4303 NORTH BROWN AVENUE  
 SCOTTSDALE, ARIZONA 85251  
 480-947-3741

SHEET 2 of 2 SHEETS  
 JOB NO. 2090A  
 File: 4 PARCELS ALTA FOR MCR 2-14-05.dwg

**OWNER**  
 ORDER NO. 20005938-B  
 SCOTTSDALE CANAL PROJECT LLC  
 7154 E. STETSON DRIVE  
 SCOTTSDALE, ARIZONA 85251

ORDER NO. 20005940  
 SUNBRELLA PROPERTIES LLC  
 6925 E. 5TH AVENUE  
 SCOTTSDALE, ARIZONA 85251

**PARCEL NUMBERS**  
 ORDER NO. 20005938-B  
 PARCEL NO. 1: 173-50-065A  
 PARCEL NO. 2: 173-50-068C  
 PARCEL NO. 3: 173-48-044C

ORDER NO. 20005940  
 173-50-063A

**AREA**  
 ORDER NO. 20005938-B  
 PARCEL NO. 1: 8,059 SF OR 0.1850 ACRES  
 PARCEL NO. 2: 6,460 SF OR 0.1483 ACRES  
 PARCEL NO. 3: 1,782 SF OR 0.0409 ACRES

**RECORDING NOTE**

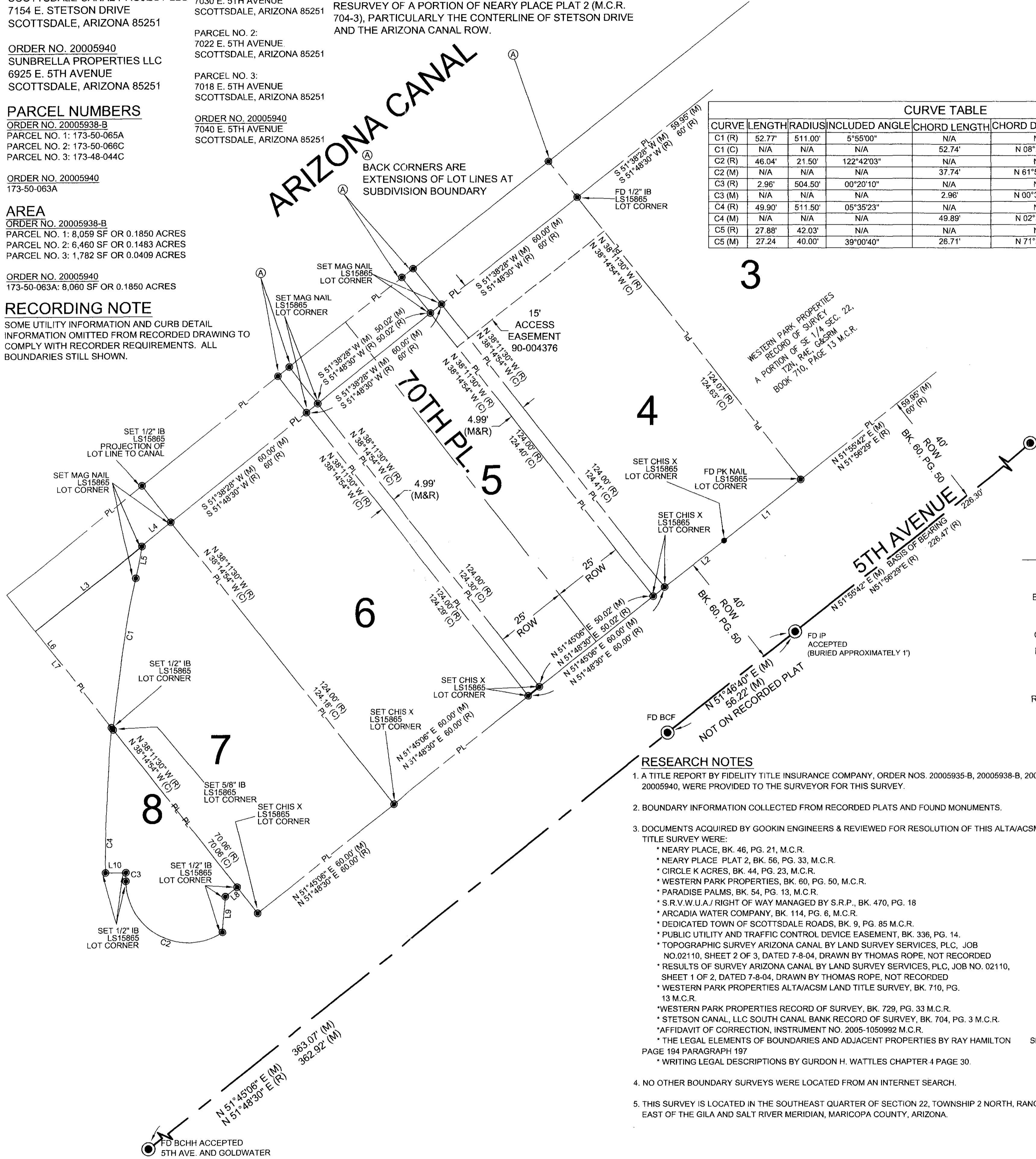
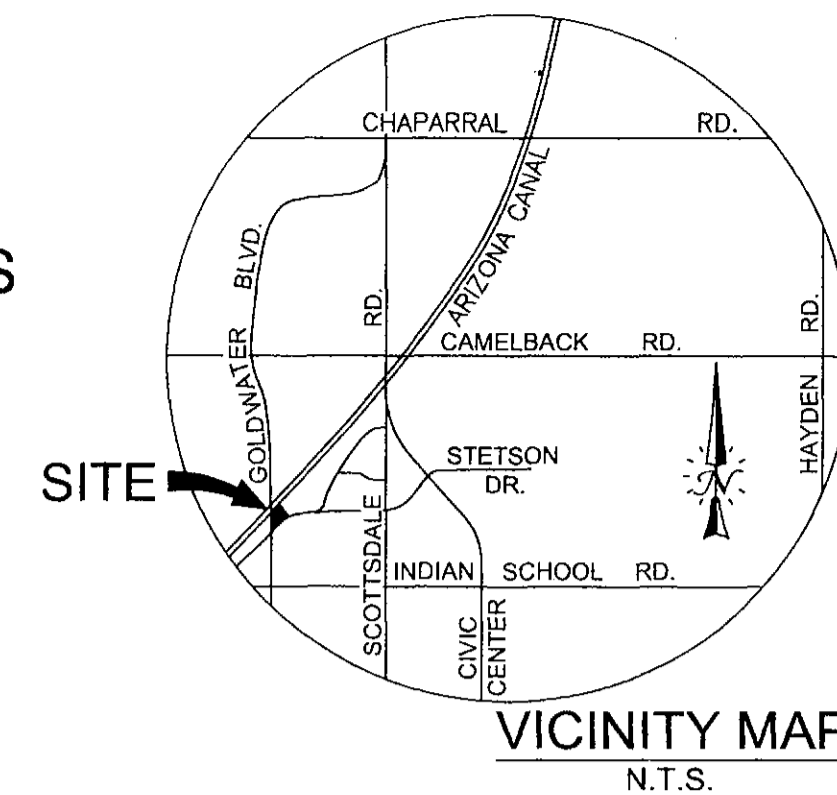
SOME UTILITY INFORMATION AND CURB DETAIL INFORMATION OMITTED FROM RECORDED DRAWING TO COMPLY WITH RECORDER REQUIREMENTS. ALL BOUNDARIES STILL SHOWN.

**SITE ADDRESS**  
 ORDER NO. 20005938-B  
 PARCEL NO. 1:  
 7030 E. 5TH AVENUE  
 SCOTTSDALE, ARIZONA 85251  
 PARCEL NO. 2:  
 7022 E. 5TH AVENUE  
 SCOTTSDALE, ARIZONA 85251  
 PARCEL NO. 3:  
 7018 E. 5TH AVENUE  
 SCOTTSDALE, ARIZONA 85251

ORDER NO. 20005940  
 7040 E. 5TH AVENUE  
 SCOTTSDALE, ARIZONA 85251

**BASIS OF BEARING**  
 ROTATIONS WERE MADE TO MAKE BASIS OF BEARING ON 5TH AVENUE MATCH FOUND MONUMENTS ACCEPTED FOR A RESURVEY OF A PORTION OF NEARY PLACE PLAT 2 (M.C.R. 704-3), PARTICULARLY THE CENTERLINE OF STETSON DRIVE AND THE ARIZONA CANAL ROW.

**RECORD OF SURVEY**  
**ROSE GARDEN PARTNERS**  
 LOTS 4, 5, 6, AND FRACTIONAL PORTIONS OF LOTS 7 AND 8 OF WESTERN PARK PROPERTIES  
 A PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



**CURVE TABLE**

CURVE	LENGTH	RADIUS	INCLUDED ANGLE	CHORD LENGTH	CHORD DIRECTION	BEARING TO RADIUS	TANGENT
C1 (R)	52.77'	511.00'	5°55'00"	N/A	N/A	N/A	N/A
C1 (C)	N/A	N/A	N/A	52.74'	N 08°28'30" E	N/A	N/A
C2 (R)	46.04'	21.50'	122°42'03"	N/A	N/A	N33°14'35" W	N/A
C2 (M)	N/A	N/A	N/A	37.74'	N 61°56'57" W	N/A	N/A
C3 (R)	2.96'	504.50'	00°20'10"	N/A	N/A	N89°17'28" E	N/A
C3 (M)	N/A	N/A	N/A	2.96'	N 00°35'51" W	N/A	N/A
C4 (R)	49.90'	511.50'	05°35'23"	N/A	N/A	N89°47'38" E	N/A
C4 (M)	N/A	N/A	N/A	49.89'	N 02°31'58" E	N/A	N/A
C5 (R)	27.88'	42.03'	N/A	N/A	N/A	N/A	N/A
C5 (M)	27.24'	40.00'	39°00'40"	26.71'	N 71°26'02" E	N/A	14.17'

**LINE TABLE**

LINE	LENGTH	BEARING
L1 (R)	33.89'	N51°56'29" E
L1 (M)	33.73'	N51°55'42" E
L2 (R)	26.31'	N51°48'30" E
L2 (M)	26.27'	N51°48'30" E
L3 (R)	46.94'	N51°48'30" E
L3 (C)	46.94'	N51°38'28" E
L4 (R)	13.06'	N51°48'30" E
L4 (M)	13.06'	N51°38'28" E
L5 (R)	11.20'	S11°29'24" W
L5 (M)	11.20'	S11°26'00" W
L6 (R)	43.40'	N38°11'30" W
L6 (C)	43.40'	N38°14'54" W
L7 (R)	42.44'	S38°11'30" E
L7 (C)	42.44'	S38°14'54" E
L8 (R)	5.22'	S38°11'30" E
L8 (M)	5.22'	N38°14'54" E
L9 (R)	12.31'	S05°25'41" W
L9 (M)	12.31'	S05°22'17" W
L10 (R)	7.00'	S89°47'38" W
L10 (M)	7.00'	S89°44'14" W

**LEGEND**

FD	FOUND
BCF	BRASS CAP FLUSH
BCHH	BRASS CAP IN HANDHOLE
(C)	CALCULATED
CHIS	CHISELED
IB/IP	IRON BAR/IRON PIPE
(M)	MEASURED
PL	PROPERTY LINE
R.O.W.	RIGHT OF WAY
(R)	RECORDED

- RESEARCH NOTES**
- A TITLE REPORT BY FIDELITY TITLE INSURANCE COMPANY, ORDER NOS. 20005935-B, 20005938-B, 20005939, 20005940, WERE PROVIDED TO THE SURVEYOR FOR THIS SURVEY.
  - BOUNDARY INFORMATION COLLECTED FROM RECORDED PLATS AND FOUND MONUMENTS.
  - DOCUMENTS ACQUIRED BY GOOKIN ENGINEERS & REVIEWED FOR RESOLUTION OF THIS ALTA/ACSM LAND TITLE SURVEY WERE:
    - \* NEARY PLACE, BK. 46, PG. 21, M.C.R.
    - \* NEARY PLACE PLAT 2, BK. 56, PG. 33, M.C.R.
    - \* CIRCLE K ACRES, BK. 44, PG. 23, M.C.R.
    - \* WESTERN PARK PROPERTIES, BK. 60, PG. 50, M.C.R.
    - \* PARADISE PALMS, BK. 54, PG. 13, M.C.R.
    - \* S.R.V.U.A./ RIGHT OF WAY MANAGED BY S.R.P., BK. 470, PG. 18
    - \* ARCADIA WATER COMPANY, BK. 114, PG. 6, M.C.R.
    - \* DEDICATED TOWN OF SCOTTSDALE ROADS, BK. 9, PG. 85, M.C.R.
    - \* PUBLIC UTILITY AND TRAFFIC CONTROL DEVICE EASEMENT, BK. 336, PG. 14.
    - \* TOPOGRAPHIC SURVEY ARIZONA CANAL BY LAND SURVEY SERVICES, PLC, JOB NO.02110, SHEET 2 OF 3, DATED 7-8-04, DRAWN BY THOMAS ROPE, NOT RECORDED
    - \* RESULTS OF SURVEY ARIZONA CANAL BY LAND SURVEY SERVICES, PLC, JOB NO. 02110, SHEET 1 OF 2, DATED 7-8-04, DRAWN BY THOMAS ROPE, NOT RECORDED
    - \* WESTERN PARK PROPERTIES ALTA/ACSM LAND TITLE SURVEY, BK. 710, PG. 13, M.C.R.
    - \* WESTERN PARK PROPERTIES RECORD OF SURVEY, BK. 729, PG. 33, M.C.R.
    - \* STETSON CANAL, LLC SOUTH CANAL BANK RECORD OF SURVEY, BK. 704, PG. 3, M.C.R.
    - \* AFFIDAVIT OF CORRECTION, INSTRUMENT NO. 2005-1050992 M.C.R.
    - \* THE LEGAL ELEMENTS OF BOUNDARIES AND ADJACENT PROPERTIES BY RAY HAMILTON SKELTON PAGE 194 PARAGRAPH 197
    - \* WRITING LEGAL DESCRIPTIONS BY GURDON H. WATTLES CHAPTER 4 PAGE 30.
  - NO OTHER BOUNDARY SURVEYS WERE LOCATED FROM AN INTERNET SEARCH.
  - THIS SURVEY IS LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

**LEGAL DESCRIPTION**

ORDER NO. 20005938-B  
 PARCEL NO. 1:  
 LOT 6 AND THE WEST 4.99 FEET OF LOT 5, WESTERN PARK PROPERTIES, ACCORDING TO BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:  
 LOT 7, WESTERN PARK PROPERTIES, ACCORDING TO BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXCEPT THE FOLLOWING DESCRIBED PROPERTY:  
 THAT PART OF LOT 7, WESTERN PARK PROPERTIES, AS RECORDED IN BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 7;  
 THENCE NORTH 51 DEGREES 48 MINUTES 30 SECONDS EAST ALONG THE NORTHWESTERLY LINE OF SAID LOT 7, A DISTANCE OF 46.94 FEET;  
 THENCE SOUTH 11 DEGREES 29 MINUTES 24 SECONDS WEST, A DISTANCE OF 11.20 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE EASTERLY AND HAVING RADIUS OF 511.00 FEET;  
 THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 5 DEGREES 55 MINUTES 00 SECONDS, A DISTANCE OF 52.77 FEET TO A POINT OF NON-TANGENCY ON THE SOUTHEASTERLY LINE OF SAID LOT 7;  
 THENCE NORTH 38 DEGREES 11 MINUTES 30 SECONDS WEST ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 43.40 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 3:  
 THAT PART OF LOT 8, WESTERN PARK PROPERTIES, ACCORDING TO BOOK 60 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT 8;  
 THENCE SOUTH 38 DEGREES 11 MINUTES 30 SECONDS EAST ALONG THE NORTHEASTERLY LINE OF SAID LOT 8, A DISTANCE OF 42.44 FEET TO THE TRUE POINT OF BEGINNING;  
 THENCE CONTINUING SOUTH 38 DEGREES 11 MINUTES 30 SECONDS EAST ALONG SAID NORTHEASTERLY LINE, A DISTANCE OF 70.06 FEET;  
 THENCE SOUTH 51 DEGREES 48 MINUTES 30 SECONDS WEST, A DISTANCE OF 5.22 FEET;  
 THENCE SOUTH 5 DEGREES 25 MINUTES 41 SECONDS WEST, A DISTANCE OF 12.31 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHERLY, FROM WHICH THE RADIUS POINT OF SAID CURVE BEARS NORTH 33 DEGREES 14 MINUTES 35 SECONDS WEST;  
 THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 21.50 FEET AND A CENTRAL ANGLE OF 122 DEGREES 42 MINUTES 03 SECONDS, FOR AN ARC DISTANCE OF 46.04 FEET TO A POINT OF COMPOUND CURVATURE ON A TANGENT CURVE CONCAVE EASTERLY, FROM WHICH THE RADIUS POINT OF SAID CURVE BEARS NORTH 89 DEGREES 17 MINUTES 28 SECONDS EAST;  
 THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 504.50 FEET AND A CENTRAL ANGLE OF 00 DEGREES 20 MINUTES 10 SECONDS, FOR AN ARC DISTANCE OF 2.96 FEET TO A POINT OF NON-TANGENCY;  
 THENCE SOUTH 89 DEGREES 47 MINUTES 38 SECONDS WEST, A DISTANCE OF 7.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY, FROM WHICH THE RADIUS POINT OF SAID CURVE BEARS NORTH 89 DEGREES 47 MINUTES 38 SECONDS EAST;  
 THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 511.50 FEET AND A CENTRAL ANGLE OF 05 DEGREES 35 MINUTES 23 SECONDS, FOR AN ARC DISTANCE OF 49.90 FEET TO A POINT OF NON-TANGENCY AND THE TRUE POINT OF BEGINNING.

**CERTIFICATION**

I, W.S. GOOKIN, JR., HEREBY CERTIFY THAT THE SURVEY AS SHOWN HEREON WAS PREPARED UNDER MY DIRECT SUPERVISION DURING THE MONTH OF JULY 2005, AND THAT IT IS A TRUE AND ACCURATE REPRESENTATION OF THE PROPERTY DESCRIBED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

W.S. GOOKIN, JR., RLS 15865  
 DATE

BOOK 784 PAGE 11  
 OFFICIAL RECORDS OF  
 MARICOPA COUNTY RECORDER  
 HELEN PURCELL  
 2005-1514595  
 10/12/2005 08:05 AM

Two working days before you dig  
 CALL FOR THE BLUE STAKES  
 Within Maricopa County  
**602-263-1100**  
 Outside Maricopa County  
 1-800-782-5348  
 BLUE STAKE CENTER



**ROSE GARDEN PARTNERS, LLC**  
**RECORD OF SURVEY**  
 A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&SRM  
 SCOTTSDALE, ARIZONA

Scale 1"=20'  
 Date 9-13-05  
 Rev  
 Designed WSG  
 Drawn SF  
 File: WESTERN ALTA 6-05.dwg

**GOOKIN ENGINEERS**  
 ENGINEERS - HYDROLOGISTS - PLANNERS - SURVEYORS  
 4203 NORTH BROWN AVENUE  
 SCOTTSDALE, ARIZONA 85251  
 480-947-3741

SHEET 1 of 1 SHEETS  
 JOB NO. 2090C

I:\Plat\mrc\Lead\Projects\2076 & 2090 STETSON AND WESTERN PARK COMBINED\W\WESTERN VIEW MCDR Oct 11, 2005 - 10:06am Scott Frantz

# ROSE GARDEN EAST

## DEDICATION

STATE OF ARIZONA }  
 COUNTY OF MARICOPA } S.S.

KNOW ALL MEN BY THESE PRESENTS:

THAT THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION, AND ROSE GARDEN, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AND THE SURVIVORS' TRUST UNDER THE ALCALAY TRUST DATED MARCH 26, 1990, AND ALCALAY NON-EXEMPT MARITAL TRUST UNDER ALCALAY LIVING TRUST DATED MARCH 26, 1990, AND SCOTTSDALE CANAL PROJECT, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNERS OF THEIR RESPECTIVE PARCELS, HAVE RE-PLATTED UNDER THE NAME ROSE GARDEN EAST, A REPLAT AND PARTIAL COMBINATION OF A PORTION OF WESTERN PARK PROPERTIES A SUBDIVISION OF PART OF THE SE 1/4, SEC. 22, T.2N., R.4E., G & S.R. M., MARICOPA COUNTY, ARIZONA BOOK 60, PAGE 50 M.C.R. AND A PORTION OF NEARY PLACE A SUBDIVISION OF PART OF THE NE1/4 SE1/4 SECTION 22 T.2N. R.4 E. G.&S.R. B.&M. MARICOPA COUNTY, ARIZONA BOOK 46, PAGE 21 M.C.R. ALONG WITH A PORTION OF NEARY PLACE PLAT 2 A SUBDIVISION OF TRACT "A" TRACT "B" AND A PORTION OF LOTS 7 AND 8, NEARY PLACE SITUATED IN THE NE1/4 SE1/4 SECTION 22 T2N, R4E G & SRB&M MARICOPA COUNTY, ARIZONA BOOK 56, PAGE 33 M.C.R., AS SHOWN AND PLATTED HERON, AND HEREBY PUBLISHES THIS PLAT AS AND FOR CENTER CHIP (LOT 1), CENTER LARGE (LOT 2), EAST LARGE (LOT 3), AND EAST SMALL (LOT 4) AND DECLARES THAT SAID PLAT SETS FORTH AND GIVES THE DIMENSIONS OF THE LOTS, AND THAT EACH LOT SHALL BE KNOWN BY NAME AND NUMBER GIVEN ON SAID PLAT.

ROSE GARDEN, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY ("GRANTOR"), AND THE SURVIVORS' TRUST UNDER THE ALCALAY TRUST DATED MARCH 26, 1990 ("GRANTOR"), AND ALCALAY NON-EXEMPT MARITAL TRUST UNDER ALCALAY LIVING TRUST DATED MARCH 26, 1990 ("GRANTOR"), AND SCOTTSDALE CANAL PROJECT, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY ("GRANTOR") DO HEREBY GRANT TO THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION ("GRANTEE"):

1) EASEMENTS AS SHOWN (IF ANY). THE PURPOSE OF THE EASEMENT IS FOR ELECTRICITY WATER, WASTEWATER, TELECOMMUNICATIONS AND ALL OTHER MANNER OF UTILITIES, AND FOR CONSTRUCTION, OPERATION, USE, MAINTENANCE, REPAIR, MODIFICATION AND REPLACEMENT FROM TIME TO TIME OF IMPROVEMENTS RELATED THERETO.

ROSE GARDEN, L.L.C., AND THE SURVIVORS' TRUST UNDER THE ALCALAY TRUST DATED MARCH 26, 1990, AND ALCALAY NON-EXEMPT MARITAL TRUST UNDER ALCALAY LIVING TRUST DATED MARCH 26, 1990, AND SCOTTSDALE CANAL PROJECT, L.L.C. WARRANTS AND REPRESENTS TO THE CITY OF SCOTTSDALE THAT EVERY LENDER, EASEMENT HOLDER OR OTHER PERSON OR ENTITY HAVING ANY INTEREST IN ITS RESPECTIVE LAND ADVERSE TO OR INCONSISTENT WITH THE DEDICATIONS, CONVEYANCES OR OTHER REAL PROPERTY INTERESTS CREATED OR TRANSFERRED BY THIS MAP HAS CONSENTED TO OR JOINED IN THIS MAP AS EVIDENCED BY INSTRUMENTS RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE, OR WHICH WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS MAP IS RECORDED.

IN WITNESS WHEREOF, THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION AND ROSE GARDEN, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AND THE SURVIVORS' TRUST UNDER THE ALCALAY TRUST DATED MARCH 26, 1990, AND ALCALAY NON-EXEMPT MARITAL TRUST UNDER ALCALAY LIVING TRUST DATED MARCH 26, 1990, AND SCOTTSDALE CANAL PROJECT, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY AS OWNERS OF THEIR RESPECTIVE LAND, HAVE HEREBY CAUSED THEIR RESPECTIVE NAMES TO BE SIGNED BY THEIR RESPECTIVE UNDERSIGNED OFFICERS THEREUNTO DULY AUTHORIZED SO TO DO. THIS DAY OF \_\_\_\_\_, 2007.

THE CITY OF SCOTTSDALE, AS OWNER ONLY

BY: \_\_\_\_\_  
 (MAYOR)

ROSE GARDEN, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY

BY: \_\_\_\_\_  
 FREDERICK R. UNGER

ITS: \_\_\_\_\_

THE SURVIVORS' TRUST UNDER THE ALCALAY TRUST DATED MARCH 26, 1990

BY: \_\_\_\_\_  
 FREDERICK R. UNGER

ITS: \_\_\_\_\_

ALCALAY NON-EXEMPT MARITAL TRUST UNDER ALCALAY LIVING TRUST DATED MARCH 26, 1990

BY: \_\_\_\_\_  
 FREDERICK R. UNGER

ITS: \_\_\_\_\_

## ACKNOWLEDGEMENT

STATE OF ARIZONA }  
 COUNTY OF MARICOPA } S.S.

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007, BEFORE THE UNDERSIGNED OFFICER PERSONALLY APPEARED \_\_\_\_\_ AND ACKNOWLEDGED HIMSELF TO BE \_\_\_\_\_ OF ROSE GARDEN, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY AND THAT AS SUCH OFFICER BEING DULY AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE CITY, AS OWNER.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL

\_\_\_\_\_  
 (NOTARY PUBLIC) MY COMMISSION EXPIRES \_\_\_\_\_

STATE OF ARIZONA }  
 COUNTY OF MARICOPA } S.S.

ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007, BEFORE ME THE UNDERSIGNED OFFICER PERSONALLY APPEARED \_\_\_\_\_ AND ACKNOWLEDGED HIMSELF TO BE \_\_\_\_\_ OF ROSE GARDEN, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY AND THAT AS SUCH OFFICER BEING DULY AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE COMPANY, AS OWNER.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL

\_\_\_\_\_  
 (NOTARY PUBLIC) MY COMMISSION EXPIRES \_\_\_\_\_

STATE OF ARIZONA }  
 COUNTY OF MARICOPA }

ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007, BEFORE ME THE UNDERSIGNED OFFICER PERSONALLY APPEARED \_\_\_\_\_ AND ACKNOWLEDGED HIMSELF TO BE \_\_\_\_\_ OF THE SURVIVORS' TRUST UNDER THE ALCALAY TRUST DATED MARCH 26, 1990 AND THAT AS SUCH OFFICER BEING DULY AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE COMPANY, AS OWNER.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL

\_\_\_\_\_  
 (NOTARY PUBLIC) MY COMMISSION EXPIRES \_\_\_\_\_

STATE OF ARIZONA }  
 COUNTY OF MARICOPA }

ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007, BEFORE ME THE UNDERSIGNED OFFICER PERSONALLY APPEARED \_\_\_\_\_ AND ACKNOWLEDGED HIMSELF TO BE \_\_\_\_\_ OF ALCALAY NON-EXEMPT MARITAL TRUST UNDER ALCALAY LIVING TRUST DATED MARCH 26, 1990 AND THAT AS SUCH OFFICER BEING DULY AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE COMPANY, AS OWNER.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL

\_\_\_\_\_  
 (NOTARY PUBLIC) MY COMMISSION EXPIRES \_\_\_\_\_

STATE OF ARIZONA }  
 COUNTY OF MARICOPA }

ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007, BEFORE ME THE UNDERSIGNED OFFICER PERSONALLY APPEARED \_\_\_\_\_ AND ACKNOWLEDGED HIMSELF TO BE \_\_\_\_\_ OF SCOTTSDALE CANAL PROJECT, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY AND THAT AS SUCH OFFICER BEING DULY AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE COMPANY, AS OWNER.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL

\_\_\_\_\_  
 (NOTARY PUBLIC) MY COMMISSION EXPIRES \_\_\_\_\_

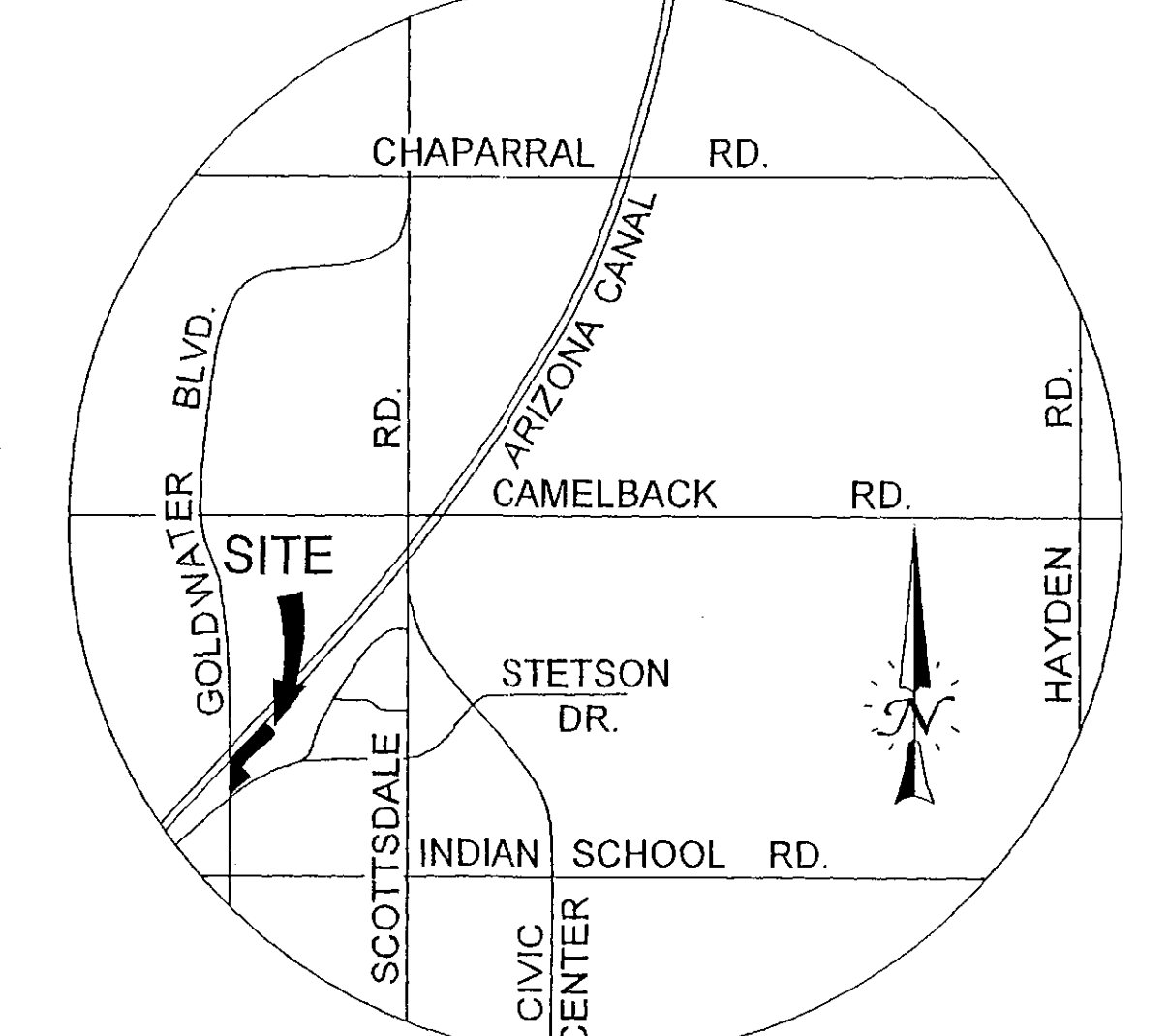
STATE OF ARIZONA }  
 COUNTY OF MARICOPA }

## A REPLAT AND PARTIAL COMBINATION OF

A PORTION OF WESTERN PARK PROPERTIES A SUBDIVISION OF PART OF THE SE 1/4, SEC. 22, T.2N., R.4E., G & S.R. M., MARICOPA COUNTY, ARIZONA

BOOK 60, PAGE 50 M.C.R. AND A PORTION OF NEARY PLACE A SUBDIVISION OF PART OF THE NE1/4 SE1/4 SECTION 22 T.2N. R.4 E. G.&S.R. B.&M. MARICOPA COUNTY, ARIZONA BOOK 46, PAGE 21 M.C.R. ALONG WITH A PORTION OF NEARY PLACE PLAT 2 A SUBDIVISION OF TRACT "A" TRACT "B" AND A PORTION OF LOTS 7 AND 8, NEARY PLACE SITUATED IN THE NE1/4 SE1/4 SECTION 22 T2N, R4E G & SRB&M MARICOPA COUNTY, ARIZONA BOOK 56, PAGE 33 M.C.R. LOTS 1 THROUGH 4 OF WESTERN PARK PROPERTIES A SUBDIVISION OF PART OF THE SE 1/4, SEC. 22, T.2N., R.4E., G & S.R. M., MARICOPA COUNTY, ARIZONA

BOOK 60, PAGE 50 M.C.R. AND ADJACENT PUBLIC ALLEY RIGHT OF WAY, ALONG WITH A PORTION OF LOT 23 OF NEARY PLACE PLAT 2 A SUBDIVISION OF TRACT "A" TRACT "B" AND A PORTION OF LOTS 7 AND 8, NEARY PLACE SITUATED IN THE NE1/4 SE1/4 SECTION 22 T2N, R4E G & SRB&M MARICOPA COUNTY, ARIZONA BOOK 56, PAGE 33 M.C.R. AND TRACT "B" OF NEARY PLACE A SUBDIVISION OF PART OF THE NE1/4 SE1/4 SECTION 22 T.2N. R.4 E. G.&S.R. B.&M. MARICOPA COUNTY, ARIZONA BOOK 46, PAGE 21 M.C.R. (WHICH IS ALSO MENTIONED IN NEARY PLACE PLAT 2), ALL SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, OF THE GILA & SALT RIVER BASE AND MERIDIAN, CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA



VICINITY MAP  
 N.T.S.

APPROVAL BLOCK FOR A SUBDIVISION PLAT	
APPROVED BY THE COUNCIL OF THE CITY OF SCOTTSDALE, ARIZONA, THIS THE _____ DAY OF _____, 2007.	
BY: _____	(MAYOR)
ATTEST BY: _____	(CITY CLERK)
I HEREBY CERTIFY THAT THIS PLAT SUBSTANTIALLY CONFORMS TO THE APPROVED PRELIMINARY PLAT.	
BY: _____	DATE: _____ (CHIEF DEVELOPMENT OFFICER)
I HEREBY CERTIFY THAT ALL ENGINEERING CONDITIONS AND REQUIREMENTS OF THE CITY CODE HAVE BEEN COMPLIED WITH.	
BY: _____	DATE: _____ (PROJECT COORDINATOR)

## REFERENCE DOCUMENTS

- DOCUMENTS ACQUIRED BY GOOKIN ENGINEERS & REVIEWED FOR RESOLUTION OF THIS REPLAT:
- \* NEARY PLACE, BK. 46, PG. 21, M.C.R.
  - \* NEARY PLACE PLAT 2, BK. 56, PG. 33, M.C.R.
  - \* CIRCLE K ACRES, BK. 44, PG. 23, M.C.R.
  - \* WESTERN PARK PROPERTIES, BK. 60, PG. 50, M.C.R.
  - \* PARADISE PALMS, BK. 54, PG. 13, M.C.R.
  - \* S.R.V.W.U.A./RIGHT OF WAY MANAGED BY S.R.P., BK. 470, PG. 18
  - \* ARCADIA WATER COMPANY, BK. 114, PG. 8, M.C.R.
  - \* DEDICATED TOWN OF SCOTTSDALE ROADS, BK. 9, PG. 85 M.C.R.
  - \* PUBLIC UTILITY AND TRAFFIC CONTROL DEVICE EASEMENT, BK. 336, PG. 14.
  - \* TOPOGRAPHIC SURVEY ARIZONA CANAL BY LAND SURVEY SERVICES, PLC, JOB NO.02110, SHEET 2 OF 3, DATED 7-8-04, DRAWN BY THOMAS ROPE, NOT RECORDED
  - \* RESULTS OF SURVEY ARIZONA CANAL BY LAND SURVEY SERVICES, PLC, JOB NO. 02110, SHEET 1 OF 2, DATED 7-8-04, DRAWN BY THOMAS ROPE, NOT RECORDED
  - \* WESTERN PARK PROPERTIES ALTA/ACSM LAND TITLE SURVEY, BK. 710, PG. 13 M.C.R.
  - \* WESTERN PARK PROPERTIES RECORD OF SURVEY A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&SRM BOOK 710, PAGE 13 M.C.R.
  - \* STETSON CANAL LLC RECORD OF SURVEY A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&SRM BOOK 729, PAGE 33 M.C.R.
  - \* STETSON CANAL, LLC SOUTH CANAL BANK ALTA/ACSM LAND TITLE SURVEY A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&SRM SCOTTSDALE, ARIZONA BOOK 704, PAGE 3 M.C.R.
  - \* AFFIDAVIT OF CORRECTION, INSTRUMENT NO. 2005-1050992 M.C.R.
  - \* RECORD OF SURVEY ROSE GARDEN PARTNERS LOTS 4, 5, 6, AND FRACTIONAL PORTIONS OF LOTS 7 AND 8 OF WESTERN PARK PROPERTIES A PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA BOOK 784, PAGE 11.
  - \* THE LEGAL ELEMENTS OF BOUNDARIES AND ADJACENT PROPERTIES BY RAY HAMILTON SKELTON PAGE 194 PARAGRAPH 197
  - \* WRITING LEGAL DESCRIPTIONS BY GORDON H. WATTLES CHAPTER 4 PAGE 30.

## NOTES

- THE PARCELS CREATED HEREON ARE NAMED IN ACCORDANCE WITH AMENDED AND RESTATED MEMORANDUM OF NEW LEGAL DESCRIPTIONS AS RECORDED IN INSTRUMENT NO. 2007-0825442 RECORDS OF MARICOPA COUNTY, ARIZONA.
- THE PROPERTY PLATTED HEREON IS SUBJECT TO THAT CERTAIN AMENDED AND RESTATED DEVELOPMENT AGREEMENT DATED JULY 19, 2007, BETWEEN CITY AND DEVELOPER AND RECORDED JULY 20, 2007 AT DOCUMENT NO. 2007-0824739 OF THE PUBLIC RECORDS OF MARICOPA COUNTY, ARIZONA.
- THIS PLAT IS LOCATED WITHIN THE CITY OF SCOTTSDALE WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
- CONSTRUCTION WITHIN PUBLIC UTILITY EASEMENTS, EXCEPT BY PUBLIC AGENCIES AND UTILITY COMPANIES, SHALL BE LIMITED TO WOOD, WIRE, OR REMOVABLE SECTION-TYPE FENCING AND MUST BE IN CONFORMANCE WITH APPLICABLE CC&RS AND DESIGN GUIDELINES.
- ELECTRIC LINES ARE TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY ARIZONA CORPORATION COMMISSION GENERAL ORDER U-48.
- ZONING IS C2-DO.
- SIGNS REQUIRE SEPARATE PERMITS AND APPROVALS.
- ALL PARCELS SHALL BE KNOWN AND CONVEYED BY THEIR NAMES SHOWN HEREON IN ACCORDANCE WITH THE NOTED MEMORANDUM OF NEW LEGAL DESCRIPTIONS AND THE NOTED DEVELOPMENT AGREEMENT.
- OUTER BOUNDARIES CONSTRUCTED FROM STETSON CANAL, LLC SOUTH CANAL BANK RECORD OF A SURVEY OF A PORTION OF SE1/4 SEC. 22, T2N, R4E, G&SRM SCOTTSDALE, ARIZONA RECORDED AT BOOK 704, PAGE 3 M.C.R., WESTERN PARK PROPERTIES RECORD OF SURVEY A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&SRM BOOK 710, PAGE 13 M.C.R., STETSON CANAL LLC RECORD OF SURVEY A PORTION OF SE 1/4 SEC. 22 T2N, R4E, G&SRM BOOK 729, PAGE 33 M.C.R., RECORD OF SURVEY ROSE GARDEN PARTNERS LOTS 4, 5, 6, AND FRACTIONAL PORTIONS OF LOTS 7 AND 8 OF WESTERN PARK PROPERTIES A PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA BOOK 784, PG. 11 M.C.R.
- 15' ACCESS EASEMENT IN LOT 4 TO BE ABANDONED BY THE CITY OF SCOTTSDALE.
- ALLEY BEHIND WESTERN PARK PROPERTIES, TRACT "B" OF NEARY PLACE, AND LOT 23 OF NEARY PLACE PLAT 2 TO BE ABANDONED BY THE CITY OF SCOTTSDALE.

## BASIS OF BEARING

BASIS OF BEARING FOR THIS PLAT IS SOUTH 31°28'43" WEST BETWEEN FOUND BRASS CAP IN HAND HOLE IN RIGHT OF WAY AT SOUTHEAST CORNER OF LOT 23 OF NEARY PLACE PLAT 2 A SUBDIVISION OF TRACT "A", TRACT "B" AND A PORTION OF LOTS 7 AND 8, NEARY PLACE SITUATED IN THE NE1/4 SE 1/4 SECTION 22 T2N, R4E, G & S R B&M, MARICOPA COUNTY, ARIZONA BOOK 56M PAGE 33 MCR AND A FOUND BRASS CAP IN HANDHOLE IN RIGHT OF WAY OF 5TH AVENUE AT A POINT OF CURVATURE IN FRONT OF THE PROPERTY AT 7078 E. 5TH AVENUE, SCOTTSDALE, ARIZONA 85251.

## CERTIFICATION

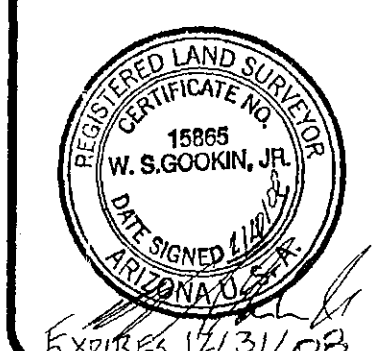
THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WERE MADE UNDER MY DIRECTION DURING THE MONTH OF AUGUST 2006; AND THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; AND THAT MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN; AND THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

W. S. GOOKIN, JR., REGISTERED LAND SURVEYOR DATE: \_\_\_\_\_

## OWNERS

- CITY OF SCOTTSDALE (CITY)  
 3939 N. DRINKWATER BOULEVARD  
 SCOTTSDALE, ARIZONA 85251
- ROSE GARDEN, L.L.C. (DEVELOPER)  
 7127 EAST 6TH AVENUE  
 SCOTTSDALE, ARIZONA 85251  
 (O): 480-874-1002 (F): 480-874-1742
- THE SURVIVORS' TRUST UNDER THE ALCALAY TRUST DATED MARCH 26, 1990 (DEVELOPER)  
 916 CHAUTAUQUA BOULEVARD  
 PACIFIC PALISADES, CALIFORNIA 90272-3804  
 (O): 310-459-6022
- ALCALAY NON-EXEMPT MARITAL TRUST UNDER ALCALAY LIVING TRUST DATED MARCH 26, 1990 (DEVELOPER)  
 916 CHAUTAUQUA BOULEVARD  
 PACIFIC PALISADES, CALIFORNIA 90272-3804  
 (O): 310-459-6022

Two working days before you dig  
 CALL FOR THE BLUE STAKES  
 Within Maricopa County  
**602-263-1100**  
 Outside Maricopa County  
 1-800-782-5348  
 BLUE STAKE CENTER



<b>ROSE GARDEN, L.L.C.</b>		<b>ROSE GARDEN EAST, A REPLAT OF</b>		<b>A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&amp;SRM</b>		<b>SCOTTSDALE, ARIZONA</b>	
Scale	N/A	DATE	6-7-06	DESIGNED BY	WSG	DRAWN BY	SF
<b>GOOKIN ENGINEERS</b>				ENGINEERS - HYDROLOGISTS - PLANNERS - SURVEYORS		SHEET 1 of 2 SHEETS	
4305 NORTH BROWN AVENUE				SCOTTSDALE, ARIZONA 85251		JOB NO. 20901	
(O): 480-947-3741				FILE: ROSE GARDEN EAST REPLAT 12-14-07.AWG		DATE: 6/7/06	

# ROSE GARDEN EAST

ARIZONA CANAL

## RECORDED INSTRUMENTS

- ① INSTRUMENT: #2008-0531417
- ② INSTRUMENT: #2008-0531416
- ③ INSTRUMENT: #2008-0531418
- ④ INSTRUMENT: #2008-0531420
- ⑤ INSTRUMENT: #2005-1573407
- ⑥ INSTRUMENT: #2005-1573409
- ⑦ INSTRUMENT: #2005-1573408
- ⑧ INSTRUMENT: #2005-1573410
- ⑨ INSTRUMENT: #2005-1573411
- ⑩ NOT USED
- ⑪ EASEMENT TO BE RECORDED

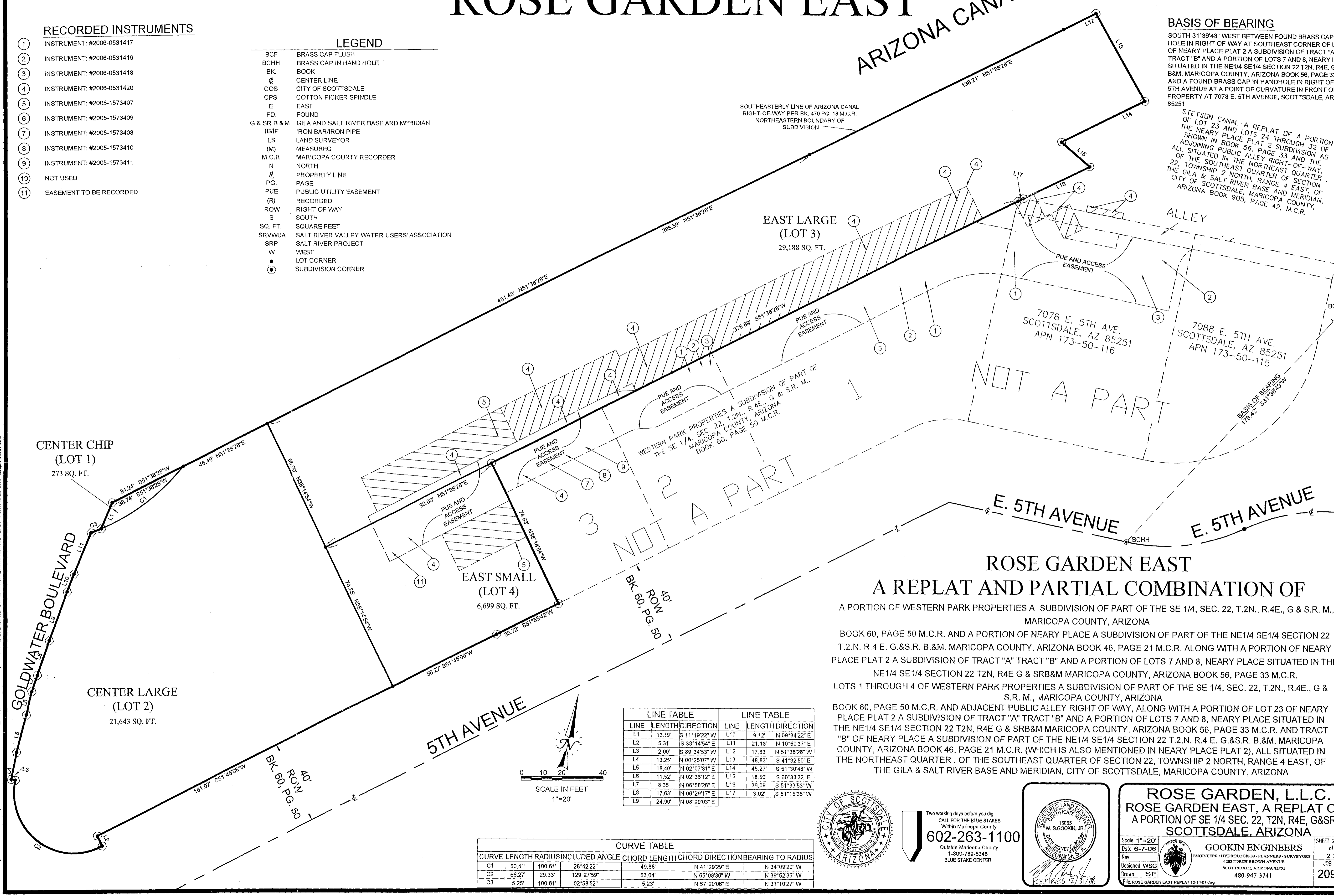
## LEGEND

- BCF BRASS CAP FLUSH
- BCHH BRASS CAP IN HAND HOLE
- BK BOOK
- CL CENTER LINE
- COS CITY OF SCOTTSDALE
- CPS COTTON PICKER SPINDLE
- E EAST
- FD FOUND
- G & SR B & M GILA AND SALT RIVER BASE AND MERIDIAN
- IB/IP IRON BAR/IRON PIPE
- LS LAND SURVEYOR
- (M) MEASURED
- M.C.R. MARICOPA COUNTY RECORDER
- N NORTH
- PL PROPERTY LINE
- PG PAGE
- PUE PUBLIC UTILITY EASEMENT
- (R) RECORDED
- ROW RIGHT OF WAY
- S SOUTH
- SQ. FT. SQUARE FEET
- SRVWUA SALT RIVER VALLEY WATER USERS' ASSOCIATION
- SRP SALT RIVER PROJECT
- W WEST
- LOT CORNER
- ◉ SUBDIVISION CORNER

## BASIS OF BEARING

SOUTH 31°38'43" WEST BETWEEN FOUND BRASS CAP IN HAND HOLE IN RIGHT OF WAY AT SOUTHEAST CORNER OF LOT 23 OF NEARY PLACE PLAT 2 A SUBDIVISION OF TRACT "A", TRACT "B" AND A PORTION OF LOTS 7 AND 8, NEARY PLACE SITUATED IN THE NE1/4 SE1/4 SECTION 22 T2N, R4E, G & S R B&M, MARICOPA COUNTY, ARIZONA BOOK 56, PAGE 33 MCR AND A FOUND BRASS CAP IN HANDHOLE IN RIGHT OF WAY OF 5TH AVENUE AT A POINT OF CURVATURE IN FRONT OF THE PROPERTY AT 7078 E. 5TH AVENUE, SCOTTSDALE, ARIZONA 85251

STETSON CANAL A REPLAT OF A PORTION OF LOT 23 AND LOTS 24 THROUGH 32 OF THE NEARY PLACE PLAT 2 SUBDIVISION AS SHOWN IN BOOK 56, PAGE 33 AND THE ADJOINING PUBLIC ALLEY RIGHT-OF-WAY, ALL SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, OF THE GILA & SALT RIVER BASE AND MERIDIAN, CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA BOOK 905, PAGE 42, M.C.R.



G:\msh\proj\2008\rose garden east\rose garden east replat.dwg, Feb. 20, 2008, 3:56pm, Scott Ffriend

## ROSE GARDEN EAST A REPLAT AND PARTIAL COMBINATION OF

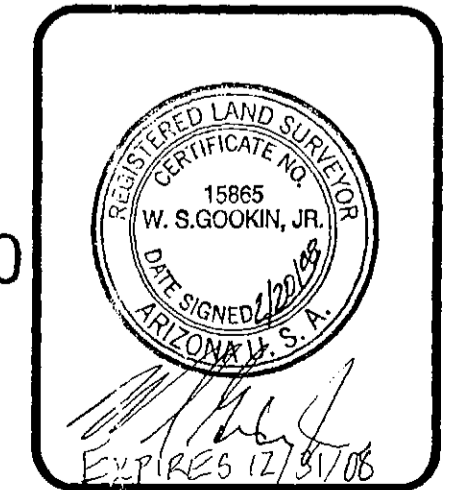
A PORTION OF WESTERN PARK PROPERTIES A SUBDIVISION OF PART OF THE SE 1/4, SEC. 22, T.2N., R.4E., G & S.R. M., MARICOPA COUNTY, ARIZONA BOOK 60, PAGE 50 M.C.R. AND A PORTION OF NEARY PLACE A SUBDIVISION OF PART OF THE NE1/4 SE1/4 SECTION 22 T.2N. R.4 E. G.&S.R. B.&M. MARICOPA COUNTY, ARIZONA BOOK 46, PAGE 21 M.C.R. ALONG WITH A PORTION OF NEARY PLACE PLAT 2 A SUBDIVISION OF TRACT "A" TRACT "B" AND A PORTION OF LOTS 7 AND 8, NEARY PLACE SITUATED IN THE NE1/4 SE1/4 SECTION 22 T2N, R4E G & SRB&M MARICOPA COUNTY, ARIZONA BOOK 56, PAGE 33 M.C.R. LOTS 1 THROUGH 4 OF WESTERN PARK PROPERTIES A SUBDIVISION OF PART OF THE SE 1/4, SEC. 22, T.2N., R.4E., G & S.R. M., MARICOPA COUNTY, ARIZONA BOOK 60, PAGE 50 M.C.R. AND ADJACENT PUBLIC ALLEY RIGHT OF WAY, ALONG WITH A PORTION OF LOT 23 OF NEARY PLACE PLAT 2 A SUBDIVISION OF TRACT "A" TRACT "B" AND A PORTION OF LOTS 7 AND 8, NEARY PLACE SITUATED IN THE NE1/4 SE1/4 SECTION 22 T2N, R4E G & SRB&M MARICOPA COUNTY, ARIZONA BOOK 56, PAGE 33 M.C.R. AND TRACT "B" OF NEARY PLACE A SUBDIVISION OF PART OF THE NE1/4 SE1/4 SECTION 22 T.2N. R.4 E. G.&S.R. B.&M. MARICOPA COUNTY, ARIZONA BOOK 46, PAGE 21 M.C.R. (WHICH IS ALSO MENTIONED IN NEARY PLACE PLAT 2), ALL SITUATED IN THE NORTHEAST QUARTER, OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, OF THE GILA & SALT RIVER BASE AND MERIDIAN, CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA

LINE TABLE			LINE TABLE		
LINE	LENGTH	DIRECTION	LINE	LENGTH	DIRECTION
L1	13.59'	S 11°19'22" W	L10	9.12'	N 09°34'22" E
L2	5.31'	S 38°14'54" E	L11	21.18'	N 10°50'37" E
L3	2.00'	S 89°34'53" W	L12	17.63'	N 51°38'28" W
L4	13.25'	N 00°25'07" W	L13	48.83'	S 41°32'50" E
L5	18.40'	N 02°07'31" E	L14	45.27'	S 51°30'48" W
L6	11.52'	N 02°36'12" E	L15	18.50'	S 60°33'32" E
L7	8.35'	N 06°58'26" E	L16	36.09'	S 51°33'53" W
L8	17.63'	N 06°29'17" E	L17	3.02'	S 51°15'35" W
L9	24.90'	N 08°29'03" E			

CURVE TABLE					
CURVE	LENGTH	RADIUS	INCLUDED ANGLE	CHORD LENGTH	CHORD DIRECTION BEARING TO RADIUS
C1	50.41'	100.61'	28°42'22"	49.88'	N 41°29'29" E
C2	66.27'	29.33'	129°27'59"	53.04'	N 65°08'36" W
C3	5.25'	100.61'	02°58'52"	5.23'	N 57°20'06" E



Two working days before you dig  
CALL FOR THE BLUE STAKES  
Within Maricopa County  
602-263-1100  
Outside Maricopa County  
1-800-782-5348  
BLUE STAKE CENTER



**ROSE GARDEN, L.L.C.**  
ROSE GARDEN EAST, A REPLAT OF  
A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&SRM  
SCOTTSDALE, ARIZONA

Scale 1"=20'  
Date 6-7-08  
Rev  
Designed WSG  
Drawn SF  
File: ROSE GARDEN EAST REPLAT 12-14-07.dwg

**GOOKIN ENGINEERS**  
ENGINEERS - HYDROLOGISTS - PLANNERS - SURVEYORS  
4203 NORTH BROWN AVENUE  
SCOTTSDALE, ARIZONA 85251  
480-947-3741

SHEET 2 of 2 SHEETS  
JOB NO. 20901

# ROSE GARDEN EAST

## DEDICATION

STATE OF ARIZONA } S.S.  
COUNTY OF MARICOPA }

KNOW ALL MEN BY THESE PRESENTS:

THAT THE CITY OF SCOTTSDALE, ARIZONA, AN ARIZONA MUNICIPAL CORPORATION, AND ROSE GARDEN PARTNERS, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNERS OF THEIR RESPECTIVE PARCELS, HAVE RE-PLATTED UNDER THE NAME ROSE GARDEN EAST, A PORTION OF WESTERN PARK PROPERTIES A SUBDIVISION OF PART OF THE SE 1/4, SEC. 22, T.2N., R.4E., G & S.R. M., MARICOPA COUNTY, ARIZONA BOOK 60, PAGE 50 M.C.R. AND A PORTION OF NEARY PLACE A SUBDIVISION OF PART OF THE NE 1/4 SE 1/4 SECTION 22 T.2N. R.4 E. G.&S.R. B.&M. MARICOPA COUNTY, ARIZONA BOOK 46, PAGE 21 M.C.R. ALONG WITH A PORTION OF NEARY PLACE PLAT 2 A SUBDIVISION OF TRACT "A" TRACT "B" AND A PORTION OF LOTS 7 AND 8, NEARY PLACE SITUATED IN THE NE 1/4 SE 1/4 SECTION 22 T.2N. R.4 E. G.&S.R. B.&M. MARICOPA COUNTY, ARIZONA BOOK 56, PAGE 33 M.C.R., AS SHOWN AND PLATTED HERON, AND HEREBY PUBLISHES THIS PLAT AS AND FOR CENTER CHIP (LOT 1), CENTER LARGE (LOT 2), EAST 70TH (LOT 3), WEST 70TH (LOT 4), EAST LARGE (LOT 5), AND EAST SMALL (LOT 6) AND DECLARES THAT SAID PLAT SETS FORTH AND GIVES THE DIMENSIONS OF THE LOTS, AND THAT EACH LOT SHALL BE KNOWN BY NAME AND NUMBER GIVEN ON SAID PLAT.

ROSE GARDEN PARTNERS, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY ("GRANTOR"), DOES HEREBY GRANT TO THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION ("GRANTEE"):

1) EASEMENTS AS SHOWN (IF ANY). THE PURPOSE OF THE EASEMENT IS FOR ELECTRICITY WATER, WASTEWATER, TELECOMMUNICATIONS AND ALL OTHER MANNER OF UTILITIES, AND FOR CONSTRUCTION, OPERATION, USE, MAINTENANCE, REPAIR, MODIFICATION AND REPLACEMENT FROM TIME TO TIME OF IMPROVEMENTS RELATED THERETO.

ROSE GARDEN PARTNERS, L.L.C. WARRANTS AND REPRESENTS TO THE CITY OF SCOTTSDALE THAT EVERY LENDER, EASEMENT HOLDER OR OTHER PERSON OR ENTITY HAVING ANY INTEREST IN ITS RESPECTIVE LAND ADVERSE TO OR INCONSISTENT WITH THE DEDICATIONS, CONVEYANCES OR OTHER REAL PROPERTY INTERESTS CREATED OR TRANSFERRED BY THIS MAP HAS CONSENTED TO OR JOINED IN THIS MAP AS EVIDENCED BY INSTRUMENTS RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE, OR WHICH WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS MAP IS RECORDED.

IN WITNESS WHEREOF, THE CITY OF SCOTTSDALE, ARIZONA, AN ARIZONA MUNICIPAL CORPORATION AND ROSE GARDEN PARTNERS, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNERS OF THEIR RESPECTIVE LAND, HAVE HEREBY CAUSED THEIR RESPECTIVE NAMES TO BE SIGNED BY THEIR RESPECTIVE UNDERSIGNED OFFICERS THEREUNTO DULY AUTHORIZED SO TO DO. THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

THE CITY OF SCOTTSDALE, AS OWNER ONLY

BY: \_\_\_\_\_ (MAYOR)

ROSE GARDEN PARTNERS, L.L.C.

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

ITS: \_\_\_\_\_

## ACKNOWLEDGEMENT

STATE OF ARIZONA } S.S.  
COUNTY OF MARICOPA }

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006, BEFORE THE UNDERSIGNED OFFICER PERSONALLY APPEARED \_\_\_\_\_ AND ACKNOWLEDGED HIMSELF TO BE MAYOR OF THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION AND THAT AS SUCH OFFICER BEING DULY AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE CITY, AS OWNER.

IN WITNESS WHEREOF I HERETO SET MY HAND AND OFFICIAL SEAL

\_\_\_\_\_, MY COMMISSION EXPIRES \_\_\_\_\_ (NOTARY PUBLIC) } S.S.

STATE OF ARIZONA } S.S.  
COUNTY OF MARICOPA }

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006, BEFORE ME THE UNDERSIGNED OFFICER PERSONALLY APPEARED \_\_\_\_\_ AND ACKNOWLEDGED HIMSELF TO BE \_\_\_\_\_ OF ROSE GARDEN PARTNERS, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY AND THAT AS SUCH OFFICER BEING DULY AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE COMPANY, AS OWNER.

IN WITNESS WHEREOF I HERETO SET MY HAND AND OFFICIAL SEAL

\_\_\_\_\_, MY COMMISSION EXPIRES \_\_\_\_\_ (NOTARY PUBLIC)

## CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HERON WERE MADE UNDER MY DIRECTION DURING THE MONTH OF AUGUST 2006, AND THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; AND THAT MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN; AND THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

W. S. GOOKIN, JR. REGISTERED LAND SURVEYOR

DATE: \_\_\_\_\_

## APPROVAL BLOCK FOR A SUBDIVISION PLAT

APPROVED BY THE COUNCIL OF THE CITY OF SCOTTSDALE, ARIZONA, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005.

BY: \_\_\_\_\_ (MAYOR)

ATTEST BY: \_\_\_\_\_ (CITY CLERK)

I HEREBY CERTIFY THAT THIS PLAT SUBSTANTIALLY CONFORMS TO THE APPROVED PRELIMINARY PLAT.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_ (CHIEF DEVELOPMENT OFFICER)

I HEREBY CERTIFY THAT ALL ENGINEERING CONDITIONS AND REQUIREMENTS OF THE CITY CODE HAVE BEEN COMPLIED WITH.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_ (PROJECT COORDINATOR)

## NOTES

- THE PARCELS CREATED HEREON ARE NAMED IN ACCORDANCE WITH MEMORANDUM OF NEW LEGAL DESCRIPTIONS, RECORDED IN INSTRUMENT NO. 2005-1135957 RECORDS OF MARICOPA COUNTY, ARIZONA, RECORDED AUGUST 9, 2005, AND FIRST AMENDMENT TO MEMORANDUM OF NEW LEGAL DESCRIPTIONS.
- THE PROPERTY PLATTED HEREON IS SUBJECT TO THAT CERTAIN DEVELOPMENT AGREEMENT RECORDED IN INSTRUMENT NO. 2005-1135941 RECORDS OF MARICOPA COUNTY, ARIZONA, RECORDED AUGUST 9, 2005, AND FIRST AMENDMENT TO DEVELOPMENT AGREEMENT RECORDED IN INSTRUMENT NO. 2006-0682993, RECORDS OF MARICOPA COUNTY, ARIZONA, RECORDED MAY 19, 2006.
- THIS PLAT IS LOCATED WITHIN THE CITY OF SCOTTSDALE WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
- CONSTRUCTION WITHIN PUBLIC UTILITY EASEMENTS, EXCEPT BY PUBLIC AGENCIES AND UTILITY COMPANIES, SHALL BE LIMITED TO WOOD, WIRE, OR REMOVABLE SECTION-TYPE FENCING AND MUST BE IN CONFORMANCE WITH APPLICABLE CC&R'S AND DESIGN GUIDELINES.
- ELECTRIC LINES ARE TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY ARIZONA CORPORATION COMMISSION GENERAL ORDER U-48.
- ZONING IS C2-D0.
- SIGNS REQUIRE SEPARATE PERMITS AND APPROVALS.
- BASIS OF BEARING FOR THIS PLAT IS SOUTH 31°36'43" WEST BETWEEN FOUND BRASS CAP IN HAND HOLE IN RIGHT OF WAY AT SOUTHEAST CORNER OF LOT 23 OF NEARY PLACE PLAT 2 A SUBDIVISION OF TRACT "A", TRACT "B" AND A PORTION OF LOTS 7 AND 8 NEARY PLACE SITUATED IN THE NE 1/4 SE 1/4 SECTION 22 T.2N, R.4E, G & S R B&M, MARICOPA COUNTY, ARIZONA BOOK 56M PAGE 33 MCR AND A FOUND BRASS CAP IN HANDHOLE IN RIGHT OF WAY OF 5TH AVENUE AT A POINT OF CURVATURE IN FRONT OF THE PROPERTY AT 7078 E. 5TH AVENUE, SCOTTSDALE, ARIZONA 85251.
- ALL PARCELS SHALL BE KNOWN AND CONVEYED BY THEIR NAMES SHOWN HEREON IN ACCORDANCE WITH THE NOTED MEMORANDUM OF NEW LEGAL DESCRIPTIONS AND THE NOTED DEVELOPMENT AGREEMENT.
- OUTER BOUNDARIES CONSTRUCTED FROM STETSON CANAL, LLC SOUTH CANAL BANK RECORD OF A SURVEY OF A PORTION OF SE 1/4 SEC. 22, T.2N, R.4E, G&SRM SCOTTSDALE, ARIZONA RECORDED AT BOOK 704, PAGE 3 M.C.R., WESTERN PARK PROPERTIES RECORD OF SURVEY A PORTION OF SE 1/4 SEC. 22, T.2N, R.4E, G&SRM BOOK 710, PAGE 13 M.C.R., STETSON CANAL LLC RECORD OF SURVEY A PORTION OF SE 1/4 SEC. 22 T.2N, R.4E, G&SRM BOOK 729, PAGE 33 M.C.R., RECORDS OF SURVEY ROSE GARDEN PARTNERS LOTS 4, 5, 6, AND FRACTIONAL PORTIONS OF LOTS 7 AND 8 OF WESTERN PARK PROPERTIES A PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA BOOK 784, PG. 11 M.C.R.
- 15' ACCESS EASEMENT IN LOT 4 TO BE ABANDONED BY THE CITY OF SCOTTSDALE.
- ALLEY BEHIND WESTERN PARK PROPERTIES, TRACT "B" OF NEARY PLACE, AND LOT 23 OF NEARY PLACE PLAT 2 TO BE ABANDONED BY THE CITY OF SCOTTSDALE.

## OWNERS

OWNER: CITY OF SCOTTSDALE (CITY)  
3939 N. DRINKWATER BOULEVARD  
SCOTTSDALE, ARIZONA 85251

OWNER: ROSE GARDEN PARTNERS LLC (DEVELOPER)  
7154 E. STETSON DRIVE  
SCOTTSDALE, ARIZONA 85251  
(O): 480-874-1002  
(F): 480-874-1742

## A REPLAT AND PARTIAL COMBINATION OF

A PORTION OF WESTERN PARK PROPERTIES A SUBDIVISION OF PART OF THE SE 1/4, SEC. 22, T.2N., R.4E., G & S.R. M., MARICOPA COUNTY, ARIZONA

BOOK 60, PAGE 50 M.C.R. AND A PORTION OF NEARY PLACE A SUBDIVISION OF PART OF THE NE 1/4 SE 1/4 SECTION 22 T.2N. R.4 E. G.&S.R. B.&M. MARICOPA COUNTY, ARIZONA BOOK 46, PAGE 21 M.C.R. ALONG WITH A PORTION OF NEARY PLACE

PLAT 2 A SUBDIVISION OF TRACT "A" TRACT "B" AND A PORTION OF LOTS 7 AND 8, NEARY PLACE SITUATED IN THE NE 1/4 SE 1/4 SECTION 22 T.2N, R4E G & SRB&M MARICOPA

COUNTY, ARIZONA BOOK 56, PAGE 33 M.C.R. LOTS 1 THROUGH 4 OF WESTERN PARK PROPERTIES A SUBDIVISION OF PART OF THE SE 1/4, SEC. 22, T.2N., R.4E., G & S.R. M., MARICOPA COUNTY, ARIZONA

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SUBDIVISION OF PART OF THE NE 1/4 SE 1/4 SECTION 22 T.2N. R.4 E. G.&S.R. B.&M. MARICOPA COUNTY, ARIZONA BOOK 46, PAGE 21 M.C.R. (WHICH IS ALSO MENTIONED IN NEARY PLACE PLAT 2), ALL SITUATED IN THE NORTHEAST QUARTER, OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, OF THE GILA & SALT RIVER BASE AND MERIDIAN, CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA

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## TRACT INFORMATION (FROM EXHIBIT 'D' OF MEMORANDUM OF NEW LEGAL DESCRIPTION INSTRUMENT #20051135957 AND FIRST AMENDMENT TO MEMORANDUM OF NEW LEGAL DESCRIPTIONS)

TRACT	OWNER	LEGAL DESCRIPTION
CANAL	BOR	EXISTING ARIZONA CANAL RIGHT-OF-WAY.
CENTER ALLEY	CITY	EXISTING PUBLIC ALLEY RIGHT-OF-WAY ADJACENT OT THE SOUTH SIDE OF THE CANAL TRACT BETWEEN THE CENTER NORTH CHIP TRACT AND THE NORTH 70 TRACT.
CENTER NORTH CHIP	CITY	A TRIANGULAR PORTION OF THE EXISTING PUBLIC ALLEY RIGHT-OF-WAY SOUTH OF THE CANAL TRACT. ONE BOUNDARY IS THE EAST BOUNDARY OF THE GOLDWATER TRACT. ANOTHER BOUNDARY IS THE SOUTH BOUNDARY OF THE CANAL TRACT. THE THIRD BOUNDARY IS A LINE EXTENDING FROM THE INTERSECTION OF THE SOUTH BOUNDARY OF THE CENTER ALLEY TRACT WITH THE EAST BOUNDARY OF THE GOLDWATER TRACT TO A POINT ON THE SOUTH BOUNDARY OF THE CANAL TRACT LYING 50 FEET FROM THE INTERSECTION OF THE EAST BOUNDARY OF THE GOLDWATER TRACT AND THE SOUTH BOUNDARY OF THE CANAL TRACT.
CENTER SOUTH CHIP	CITY	PER RECORDED DOCUMENT AT TIME OF CITY'S GOLDWATER TRACT ACQUISITION, AS DEPICTED HEREIN.
CURVE OLD	CITY	TAX PARCEL NUMBERS 173-48-049K, 173-48-049F, AND 173-48-049G, EXCEPT FOR THE DRIVEWAY ALLEY TRACT. (THE EXCEPTION OF THE DRIVEWAY ALLEY TRACT WAS DELETED IN FIRST AMENDMENT TO MEMORANDUM OF NEW LEGAL DESCRIPTIONS.)
DRIVEWAY ALLEY	CITY	A 30-FOOT WIDE STRIP OF LAND BEING THE WEST PART OF TAX PARCEL NUMBER 173-48-049K, CURRENTLY BEING USED FOR A PUBLIC ALLEY RIGHT-OF-WAY IMMEDIATELY WEST OF THE CURVE OLD TRACT BETWEEN THE WEST STREET TRACT AND THE CANAL TRACT. (THIS ENTRY DELETED IN FIRST AMENDMENT TO MEMORANDUM OF NEW LEGAL DESCRIPTIONS.)
EAST ALLEY	CITY	EXISTING PUBLIC ALLEY RIGHT-OF-WAY BETWEEN THE EAST OLD TRACT AND THE CANAL TRACT FROM THE EAST BOUNDARY OF THE NORTH 70 TRACT TO THE WEST BOUNDARY OF THE EAST ALLEY EXTENSION TRACT, TOGETHER WITH THE CONTINUATION OF SUCH RIGHT-OF-WAY ALONG THE NORTH BOUNDARY OF THE EAST OLD TRACT, AS DEPICTED HEREIN. (ADDITIONAL "THE EAST END OF THE EAST ALLEY TRACT INCLUDES AN EXISTING SEVEN AND ONE-HALF FOOT (7 1/2') STRIP OF RIGHT-OF-WAY LYING WEST OF THE WEST EDGE OF THE DRIVEWAY THAT THE SITE PLAN SHOWS AT THE EAST END OF THE NEW ALLEY PARCEL." INSERTED IN FIRST AMENDMENT TO MEMORANDUM OF NEW LEGAL DESCRIPTIONS.)
EAST ALLEY EXTENSION	CITY	EXISTING PUBLIC ALLEY RIGHT-OF-WAY BETWEEN THE EAST OLD EXTENSION TRACT AND THE CANAL TRACT.
EAST STREET	CITY	EXISTING FIFTH AVENUE PUBLIC STREET RIGHT-OF-WAY EAST OF THE GOLDWATER TRACT.
GOLDWATER	CITY	EXISTING GOLDWATER BOULEVARD PUBLIC STREET RIGHT-OF-WAY. THE WEST BOUNDARY IS 52 FEET WEST OF THE "CENTER LINE" PURSUANT TO CITY'S 2004 MAP HERETOFORE DELIVERED TO DEVELOPER, AS DEPICTED HEREIN. THE EAST BOUNDARY IS THE EAST BOUNDARY OF CITY'S RIGHT-OF-WAY ACQUISITION AT THE TIME CITY ACQUIRED THE GOLDWATER TRACT, AS DEPICTED HEREIN. IN NO EVENT SHALL THE WEST BOUNDARY EXCLUDE ANY PART OF THE EXISTING RETAINING WALL ON THE WEST SIDE OF THE GOLDWATER TRACT.
NORTH 70	CITY	EXISTING 70TH STREET RIGHT-OF-WAY SOUTH OF AND WITHIN 66 FEET OF THE SOUTH BOUNDARY OF THE CANAL TRACT.
SOUTH 70	CITY	EXISTING 70TH STREET RIGHT-OF-WAY BETWEEN THE SOUTH BOUNDARY OF THE NORTH 70 TRACT AND THE NORTH BOUNDARY OF THE EAST STREET TRACT.
WEST ACCESS TRACT	DEVELOPER	A THIRTY-FOOT (30) WIDE STRIP OF LAND BEING THE WEST THIRTY FEET (30') OF A PARCEL COMPRISING APPROXIMATELY FOUR THOUSAND NINE HUNDRED SIXTY SQUARE FEET (4,960) AND LOCATED JUST WEST OF THE CURVE OLD TRACT BETWEEN THE WEST ALLEY TRACT AND THE WEST STREET TRACT. (THIS ENTRY ADDED IN FIRST AMENDMENT TO MEMORANDUM OF NEW LEGAL DESCRIPTIONS.)
WEST ALLEY	CITY	EXISTING PUBLIC ALLEY RIGHT-OF-WAY BOUNDED BY THE DRIVEWAY ALLEY TRACT, THE CURVE OLD TRACT, THE WEST STREET TRACT, THE WEST OLD TRACT, THE WEST CHIP TRACT, AND THE CANAL TRACT, AS DEPICTED HEREIN. (THIS LEGAL DESCRIPTION REPLACED WITH "EXISTING PUBLIC ALLEY RIGHT-OF-WAY BOUNDED BY THE SHORT OLD TRACT, THE CURVE OLD TRACT, THE WEST STREET TRACT, THE WEST OLD TRACT, THE WEST CHIP TRACT, THE CANAL TRACT, AND THE NORTHERLY PROLONGATION OF THE EAST BOUNDARY OF THE WEST ACCESS TRACT AS DEPICTED HEREIN." IN FIRST AMENDMENT TO MEMORANDUM OF NEW LEGAL DESCRIPTIONS.)
WEST CHIP	CITY	A TRIANGULAR PORTION OF THE EXISTING PUBLIC ALLEY RIGHT-OF-WAY SOUTH OF THE CANAL TRACT. ONE BOUNDARY IS THE WEST BOUNDARY OF THE GOLDWATER TRACT. ANOTHER BOUNDARY IS THE SOUTH BOUNDARY OF THE CANAL TRACT. THE THRD BOUNDARY IS A LINE EXTENDING FROM THE INTERSECTION OF THE SOUTH BOUNDARY OF THE WEST ALLEY TRACT WITH THE WEST BOUNDARY OF THE GOLDWATER TRACT AT A POINT ON THE SOUTH BOUNDARY OF THE CANAL TRACT LYING 90 FEET FROM THE INTERSECTION OF THE WEST BOUNDARY OF THE GOLDWATER TRACT AND THE SOUTH BOUNDARY OF THE CANAL TRACT.
WEST OLD	CITY	LOTS 9,10,11,12 AND 13, EXCLUDING THE GOLDWATER TRACT.
SHORT OLD TRACT	DEVELOPER	A PARCEL COMPRISING APPROXIMATELY FOUR THOUSAND NINE HUNDRED SIXTY SQUARE FEET (4,960) AND LOCATED JUST WEST OF THE CURVE OLD TRACT BETWEEN THE WEST ALLEY TRACT AND THE WEST STREET TRACT, FROM WHICH SUBTRACT THE WEST ACCESS TRACT. (THIS ENTRY ADDED IN FIRST AMENDMENT TO MEMORANDUM OF NEW LEGAL DESCRIPTIONS.)
WEST STREET	CITY	EXISTING FIFTH AVENUE PUBLIC STREET RIGHT-OF-WAY WEST OF GOLDWATER TRACT.
CENTER OLD	DEVELOPER	LOTS 6, 7 AND 8 EXCLUDING THE GOLDWATER TRACT AND THE CENTER SOUTH CHIP.
EAST ACCESS	OTHERS	AS DEFINED IN PARAGRAPH 4.5.1 OF THE ST

# ROSE GARDEN EAST

## RECORDED INSTRUMENTS

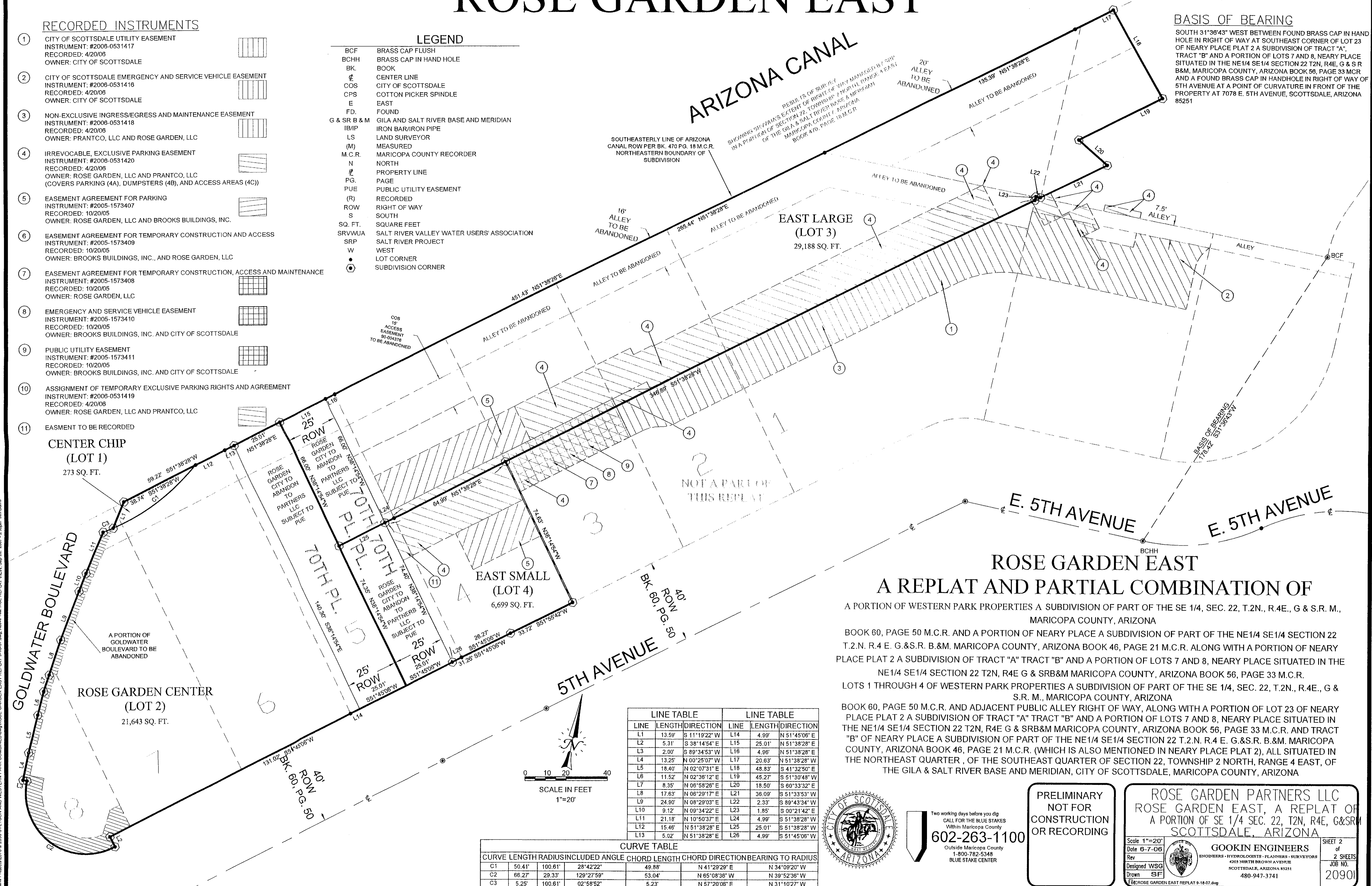
- 1 CITY OF SCOTTSDALE UTILITY EASEMENT  
INSTRUMENT: #2008-0531417  
RECORDED: 4/20/08  
OWNER: CITY OF SCOTTSDALE
- 2 CITY OF SCOTTSDALE EMERGENCY AND SERVICE VEHICLE EASEMENT  
INSTRUMENT: #2008-0531416  
RECORDED: 4/20/08  
OWNER: CITY OF SCOTTSDALE
- 3 NON-EXCLUSIVE INGRESS/EGRESS AND MAINTENANCE EASEMENT  
INSTRUMENT: #2006-0531418  
RECORDED: 4/20/06  
OWNER: PRANTCO, LLC AND ROSE GARDEN, LLC
- 4 IRREVOCABLE, EXCLUSIVE PARKING EASEMENT  
INSTRUMENT: #2006-0531420  
RECORDED: 4/20/06  
OWNER: ROSE GARDEN, LLC AND PRANTCO, LLC  
(COVERS PARKING (4A), DUMPSTERS (4B), AND ACCESS AREAS (4C))
- 5 EASEMENT AGREEMENT FOR PARKING  
INSTRUMENT: #2005-1573407  
RECORDED: 10/20/05  
OWNER: ROSE GARDEN, LLC AND BROOKS BUILDINGS, INC.
- 6 EASEMENT AGREEMENT FOR TEMPORARY CONSTRUCTION AND ACCESS  
INSTRUMENT: #2005-1573409  
RECORDED: 10/20/05  
OWNER: BROOKS BUILDINGS, INC., AND ROSE GARDEN, LLC
- 7 EASEMENT AGREEMENT FOR TEMPORARY CONSTRUCTION, ACCESS AND MAINTENANCE  
INSTRUMENT: #2005-1573408  
RECORDED: 10/20/05  
OWNER: ROSE GARDEN, LLC
- 8 EMERGENCY AND SERVICE VEHICLE EASEMENT  
INSTRUMENT: #2005-1573410  
RECORDED: 10/20/05  
OWNER: BROOKS BUILDINGS, INC. AND CITY OF SCOTTSDALE
- 9 PUBLIC UTILITY EASEMENT  
INSTRUMENT: #2005-1573411  
RECORDED: 10/20/05  
OWNER: BROOKS BUILDINGS, INC. AND CITY OF SCOTTSDALE
- 10 ASSIGNMENT OF TEMPORARY EXCLUSIVE PARKING RIGHTS AND AGREEMENT  
INSTRUMENT: #2008-0531419  
RECORDED: 4/20/08  
OWNER: ROSE GARDEN, LLC AND PRANTCO, LLC
- 11 EASMENT TO BE RECORDED

## LEGEND

- |              |  |
|--------------|--|
| BCF          | BRASS CAP FLUSH                            |
| BCHH         | BRASS CAP IN HAND HOLE                     |
| BK           | BOOK                                       |
| CL           | CENTER LINE                                |
| COS          | CITY OF SCOTTSDALE                         |
| CPS          | COTTON PICKER SPINDLE                      |
| E            | EAST                                       |
| FD           | FOUND                                      |
| G & SR B & M | GILA AND SALT RIVER BASE AND MERIDIAN      |
| IB/IP        | IRON BAR/IRON PIPE                         |
| LS           | LAND SURVEYOR                              |
| (M)          | MEASURED                                   |
| M.C.R.       | MARICOPA COUNTY RECORDER                   |
| N            | NORTH                                      |
| PL           | PROPERTY LINE                              |
| PG.          | PAGE                                       |
| PUE          | PUBLIC UTILITY EASEMENT                    |
| (R)          | RECORDED                                   |
| ROW          | RIGHT OF WAY                               |
| S            | SOUTH                                      |
| SQ. FT.      | SQUARE FEET                                |
| SRV/WJA      | SALT RIVER VALLEY WATER USERS' ASSOCIATION |
| SRP          | SALT RIVER PROJECT                         |
| W            | WEST                                       |
| ●            | LOT CORNER                                 |
| ⊙            | SUBDIVISION CORNER                         |

## BASIS OF BEARING

SOUTH 31°36'43" WEST BETWEEN FOUND BRASS CAP IN HAND HOLE IN RIGHT OF WAY AT SOUTHEAST CORNER OF LOT 23 OF NEARY PLACE PLAT 2 A SUBDIVISION OF TRACT "A", TRACT "B" AND A PORTION OF LOTS 7 AND 8, NEARY PLACE SITUATED IN THE NE 1/4 SE 1/4 SECTION 22 T2N, R4E, G & S R B&M, MARICOPA COUNTY, ARIZONA BOOK 56, PAGE 33 MCR AND A FOUND BRASS CAP IN HANDHOLE IN RIGHT OF WAY OF 5TH AVENUE AT A POINT OF CURVATURE IN FRONT OF THE PROPERTY AT 7078 E. 5TH AVENUE, SCOTTSDALE, ARIZONA 85251



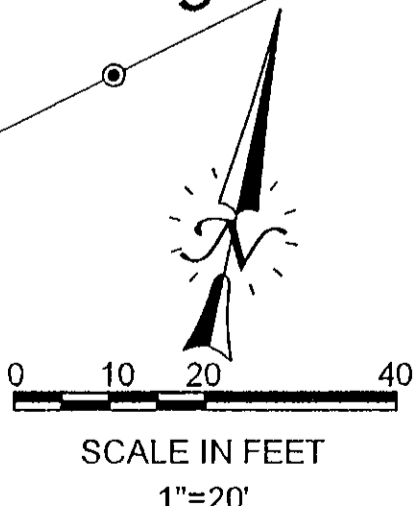
Z:\Land Projects\0278 & 2090 STETSON AND WESTERN PARK COMBINED\ROSE GARDEN EAST REPLAT 9-18-07.dwg, Active Tab: AGE REPLAT VIEW, Sep 28, 2007, 3:16pm, Jim Burns

## ROSE GARDEN EAST A REPLAT AND PARTIAL COMBINATION OF

A PORTION OF WESTERN PARK PROPERTIES A SUBDIVISION OF PART OF THE SE 1/4, SEC. 22, T.2N., R.4E., G & S.R. M., MARICOPA COUNTY, ARIZONA  
BOOK 60, PAGE 50 M.C.R. AND A PORTION OF NEARY PLACE A SUBDIVISION OF PART OF THE NE 1/4 SE 1/4 SECTION 22 T.2N. R.4 E. G.&S.R. B.&M. MARICOPA COUNTY, ARIZONA BOOK 46, PAGE 21 M.C.R. ALONG WITH A PORTION OF NEARY PLACE PLAT 2 A SUBDIVISION OF PART OF THE NE 1/4 SE 1/4 SECTION 22 T2N, R4E G & SRB&M MARICOPA COUNTY, ARIZONA BOOK 56, PAGE 33 M.C.R.  
LOTS 1 THROUGH 4 OF WESTERN PARK PROPERTIES A SUBDIVISION OF PART OF THE SE 1/4, SEC. 22, T.2N., R.4E., G & S.R. M., MARICOPA COUNTY, ARIZONA  
AND ADJACENT PUBLIC ALLEY RIGHT OF WAY, ALONG WITH A PORTION OF LOT 23 OF NEARY PLACE PLAT 2 A SUBDIVISION OF TRACT "A" TRACT "B" AND A PORTION OF LOTS 7 AND 8, NEARY PLACE SITUATED IN THE NE 1/4 SE 1/4 SECTION 22 T2N, R4E G & SRB&M MARICOPA COUNTY, ARIZONA BOOK 56, PAGE 33 M.C.R. AND TRACT "B" OF NEARY PLACE A SUBDIVISION OF PART OF THE NE 1/4 SE 1/4 SECTION 22 T.2N. R.4 E. G.&S.R. B.&M. MARICOPA COUNTY, ARIZONA BOOK 46, PAGE 21 M.C.R. (WHICH IS ALSO MENTIONED IN NEARY PLACE PLAT 2), ALL SITUATED IN THE NORTHEAST QUARTER, OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, OF THE GILA & SALT RIVER BASE AND MERIDIAN, CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA

LINE	LENGTH	DIRECTION	LINE	LENGTH	DIRECTION
L1	13.59'	S 11°19'22" W	L14	4.99'	N 51°45'06" E
L2	5.31'	S 38°14'54" E	L15	25.01'	N 51°38'28" E
L3	2.00'	S 89°34'53" W	L16	4.96'	N 51°38'28" E
L4	13.25'	N 00°25'07" W	L17	20.63'	N 51°38'28" W
L5	18.40'	N 02°07'31" E	L18	48.83'	S 41°32'50" E
L6	11.52'	N 02°36'12" E	L19	45.27'	S 51°30'48" W
L7	8.35'	N 08°58'28" E	L20	18.50'	S 60°33'32" E
L8	17.63'	N 08°29'17" E	L21	36.09'	S 51°33'53" W
L9	24.90'	N 08°29'03" E	L22	2.33'	S 89°43'34" W
L10	9.12'	N 09°34'22" E	L23	1.85'	S 00°21'42" E
L11	21.18'	N 10°50'37" E	L24	4.99'	S 51°38'28" W
L12	15.46'	N 51°38'28" E	L25	25.01'	S 51°38'28" W
L13	5.02'	N 51°38'28" E	L26	4.99'	S 51°45'06" W

CURVE	LENGTH	RADIUS	INCLUDED ANGLE	CHORD LENGTH	CHORD BEARING TO RADIUS
C1	50.41'	100.61'	28°42'22"	49.88'	N 41°29'29" E N 34°09'20" W
C2	66.27'	29.33'	129°27'59"	53.04'	N 65°08'36" W N 39°52'36" W
C3	5.25'	100.61'	02°58'52"	5.23'	N 57°20'06" E N 31°10'27" W



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CONSTRUCTION  
OR RECORDING

ROSE GARDEN PARTNERS LLC  
ROSE GARDEN EAST, A REPLAT OF  
A PORTION OF SE 1/4 SEC. 22, T2N, R4E, G&SR  
SCOTTSDALE, ARIZONA

Scale 1"=20'  
Date 6-7-06  
Rev  
Designed WSG  
Drawn SF  
File:ROSE GARDEN EAST REPLAT 9-18-07.dwg

**GOOKIN ENGINEERS**  
ENGINEERS - HYDROLOGISTS - PLANNERS - SURVEYORS  
4203 NORTH BROADWAY AVENUE  
SCOTTSDALE, ARIZONA 85251  
480-947-3741

SHEET 2  
of  
2 SHEETS  
JOB NO.  
20901