

ALTA / NSPS LAND TITLE SURVEY

OF A PORTION OF THE NORTHEAST QUARTER OF SECTION 5,
TOWNSHIP 3 NORTH, RANGE 5 EAST OF THE GILA AND SALT
RIVER BASE AND MERIDIAN, MARICOPA COUNTY,
ARIZONA

SCHEDULE "B" ITEMS

NOTES

- The basis of bearing is the monument line of Bell Road, also being the North line of the Northeast of Section 5, using a bearing of South 89 degrees 57 minutes 44 seconds East per Plat of MCDOWELL MOUNTAIN MARKETPLACE, Book 767 of Maps, Page 37, records of Maricopa County, Arizona.
- All title information and the description shown is based on a 1st Amended Commitment for Title Insurance issued by Chicago Title Insurance Company, Commitment Number C1900746-346-SB2-STM, dated February 8, 2019 and Amended on February 13, 2019 that all easements, covenants and restrictions referenced in said title commitment or apparent from a physical inspection of the site or otherwise known to me have been plotted hereon or otherwise noted as to their effect on the subject property.
- The number of striped parking spaces on the subject property are as follows:
Regular: 43
Handicapped: 6
Total: 49
- The building lines and dimensions shown depict the exterior building footprint at ground level based on field measurements. This information is intended to depict the general configuration of the building at ground level and may or may not be the exact dimensions of the building foundation. The building square footage shown is based on the exterior building footprint and is not intended to reflect the interior or leasable area of any building. The building offset distances shown are to actual building corners. Building heights shown are the measurement between the adjacent natural ground to the highest point on the building visible from the ground.
- This survey shows visible above ground evidence of underground utilities or facilities on the subject property. No guarantee can be made as to the extent of the utilities available, either in service or abandoned, nor to their exact location. In the event this site is to be developed or improved this survey should not be used for design purposes. Please call an underground utility locator or "ARIZONA 811" at (602)263-1100 for the precise location and extent of all utilities in the area prior to any design and/or excavation.
- There was no observable evidence of cemeteries, gravesites, or burial grounds on the subject property as disclosed by record documents provided to the surveyor, or observed in the process of conducting the survey.
- The subject property has indirect access by way of easement to 100th Street, Bell Road and Thompson Peak Parkway, being improved and open public rights-of-way.
- The descriptions provided mathematically close and contain no gaps, gores or overlaps between the parcels described.
- This ALTA / NSPS Land Title Survey was prepared specifically for the use of the parties named in the certification and their representatives. Use of this survey by any other party is forbidden unless expressly permitted in writing in advance by Superior Surveying Services, Inc. This survey is not to be used for design purposes. Superior Surveying Services, Inc. shall have no liability for any unauthorized use of this information without their prior written consent.

REFERENCES

GENERAL LAND OFFICE RECORDS ON FILE WITH THE U.S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

PLAT OF "CACHET AT MCDOWELL MOUNTAIN RANCH PHASE 2 CONDOMINIUM" RECORDED IN BOOK 541 OF MAPS, PAGE 18, MARICOPA COUNTY RECORDS

PLAT OF "MCDOWELL MOUNTAIN MARKETPLACE" RECORDED IN BOOK 767 OF MAPS, PAGE 37, MARICOPA COUNTY RECORDS

SPECIAL WARRANTY DEED IN 2017-0632344, MARICOPA COUNTY RECORDS

- 3 Reservations contained in the Patent From: The United States of America To: Claude G. Burson Recording Date: March 22, 1949 Recording No: Docket 359, page 439 Which among other things recites as follows: Subject to any vested and accrued water rights for mining, agricultural, 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 the courts; and the reservation from the lands hereby granted of a right of way thereon for ditches or canals constructed by the authority of the United States. (PERTAINS TO LAND PATENT OVER SUBJECT PROPERTY - NOT PLOTTABLE)

- 6 Matters shown on the Map of Dedication McDowell Mountain Rach Phase One: Recorded: April 22, 1994 in Book 375 of Maps, page 8 and Certificate of Correction Recorded: February 1, 1995 Recording No: 95-0059652 (NO PLOTTABLE EASEMENTS REFERENCING SUBJECT PROPERTY ARE CREATED BY THIS DOCUMENT)

- 7 Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document Recorded: October 7, 1994 Recording No: 94-0730728 Thereafter, First Amendment recorded November 4, 1994 in Recording No. 94-0793318 The provisions of said covenants, conditions and restrictions were extended to include the herein described Land by Supplemental Declaration recorded May 25, 2000 in Recording No. 00-0398742 Liens and charges as set forth in the above mentioned declaration, Payable to: McDowell Mountain Ranch Community Association (NON EXCLUSIVE EASEMENT OVER & ACROSS SUBJECT PROPERTY, COMMON AREAS & ADJOINING PROPERTIES NORTH, EAST & WEST FOR INGRESS, EGRESS, MAINTENANCE, PEDESTRIAN & VEHICULAR ACCESS & UTILITIES - THIS IS ALSO PARCEL NO. 2)

- 8 Matters shown on the Map of Dedication McDowell Mountain Ranch Phase Two: Recorded: September 29, 1995 in Book 404 of Maps, page 19 (NO PLOTTABLE EASEMENTS REFERENCING SUBJECT PROPERTY ARE CREATED BY THIS DOCUMENT)

- 9 Matters contained in that certain document Entitled: Reciprocal Easement Agreement Dated: November, 2000 Executed by: McDowell Mountain Ranch Limited Partnership, an Arizona limited partnership; SC McDowell II, LLC, an Arizona limited liability company, and Cachet At McDowell Mountain Ranch Phase 2 Condominium Association, an Arizona nonprofit corporation Recording Date: November 17, 2000 Recording No: 2000-0884114 Thereafter, Assumption Statement recorded July 11, 2003 in Recording No. 20030912139. Reference is hereby made to said documents for full particulars. (NON EXCLUSIVE EASEMENT OVER & ACROSS SUBJECT PROPERTY, COMMON AREAS & ADJOINING PROPERTIES NORTH, EAST & WEST FOR INGRESS, EGRESS, MAINTENANCE, PEDESTRIAN & VEHICULAR ACCESS & UTILITIES - THIS IS ALSO PARCEL NO. 5)

- 10 Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document Recorded: December 20, 2000 in Recording No. 2000-0970809 (REFERENCES SUBJECT PROPERTY - NOT PLOTTABLE)

- 11 Matters contained in that certain document Entitled: Special Warranty Deed with Reservation of Easements and Covenants and Restrictions (Fire Station) Recording Date: December 20, 2000 Recording No: 2000-0970810 Re-Recording Date: November 26, 2002 Re-Recording No: 20021255801 Reference is hereby made to said documents for full particulars. (NON EXCLUSIVE EASEMENT OVER & ACROSS SUBJECT PROPERTY, COMMON AREAS & ADJOINING PROPERTIES NORTH, EAST & WEST FOR INGRESS, EGRESS, MAINTENANCE, PEDESTRIAN & VEHICULAR ACCESS & UTILITIES - THIS IS ALSO PARCEL NO. 3)

- 12 Matters contained in that certain document Entitled: Special Warranty Deed with Reservation of Easements and Covenants and Restrictions (Transit Station) Recording Date: December 20, 2000 Recording No: 2000-0970811 The effect of Termination of Restrictions, recorded June 7, 2015 in Recording No. 20150433114. Reference is hereby made to said documents for full particulars. (NON EXCLUSIVE EASEMENT OVER & ACROSS SUBJECT PROPERTY, COMMON AREAS & ADJOINING PROPERTIES NORTH, EAST & WEST FOR INGRESS, EGRESS, MAINTENANCE, PEDESTRIAN & VEHICULAR ACCESS & UTILITIES - THIS IS ALSO PARCEL NO. 4)

- 13 Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: Granted to: Arizona Public Service Company Purpose: electric lines and appurtenant facilities Recording Date: April 23, 2002 Recording No: 2002-0411458 Affects: said land more particularly described therein (PLOTTED HEREON)

- 14 Matters shown on the Map of Dedication of Easements For McDowell Mountain Marketplace: Recorded: April 30, 2003 in Book 633 of Maps, page 34 (PLOTTED HEREON)

- 15 Matters contained in that certain document Entitled: Common Operation and Reciprocal Easement Agreement for McDowell Mountain Marketplace Dated: July 10, 2003 Executed by: McDowell Mountain Marketplace 2003, LLC, a Delaware limited liability company Recording Date: July 11, 2003 Recording No: 20030912140 Thereafter, First Amendment recorded September 18, 2012 in Recording No. 2012-0843416. Reference is hereby made to said documents for full particulars. (NON EXCLUSIVE EASEMENT OVER & ACROSS SUBJECT PROPERTY, COMMON AREAS & ADJOINING PROPERTIES NORTH, EAST & WEST FOR INGRESS, EGRESS, MAINTENANCE, PEDESTRIAN & VEHICULAR ACCESS & UTILITIES - THIS IS ALSO PARCEL NO. 3)

- 16 Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: Granted to: Arizona Public Service Company Purpose: electrical lines and appurtenant facilities and fixtures Recording Date: June 7, 2005 Recording No: 2005-0760345 Affects: said land more particularly described therein (PLOTTED HEREON)

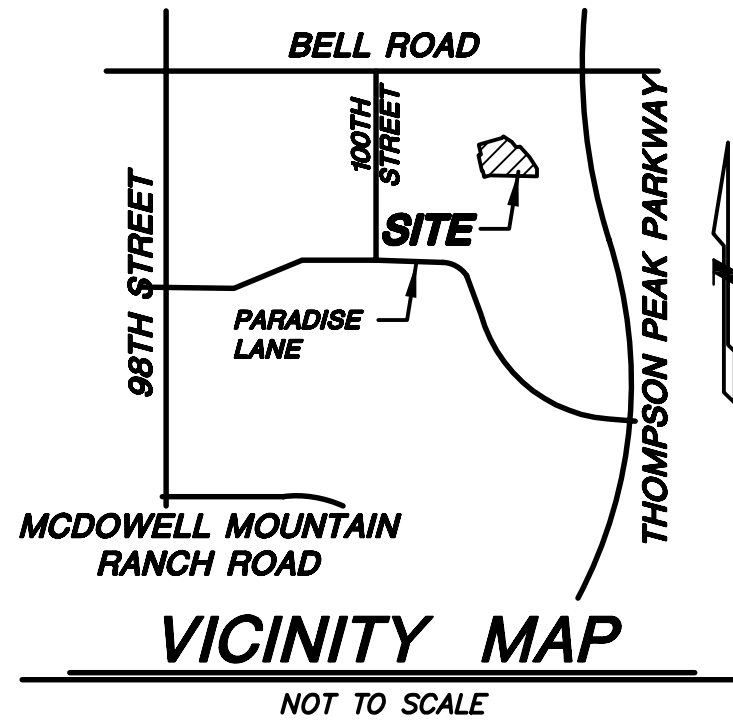
- 17 Easements, covenants, conditions and restrictions as set forth on the recorded plat of McDowell Mountain Marketplace, recorded August 4, 2005 in Book 767 of Maps, page 37. (PLOTTED HEREON)

- 18 Matters contained in that certain document Entitled: Reciprocal Easement Agreement Dated: February 15, 2006 Executed by: McDowell Mountain Marketplace 2003, LLC, a Delaware limited liability company and McDowell Marketplace Tower LLC, a Delaware limited liability company Recording Date: March 1, 2006 Recording No: 20060282307 Reference is hereby made to said document for full particulars. (REFERENCES SUBJECT PROPERTY - NOT PLOTTABLE)

- 19 Matters shown on the Results of Survey: Recorded: October 21, 2014 in Book 1204 of Maps, page 24 (NO PLOTTABLE EASEMENTS REFERENCING SUBJECT PROPERTY ARE CREATED BY THIS DOCUMENT)

- 20 Matters contained in that certain document Entitled: Reciprocal Easement Agreement (Access, Shared Parking and Shared Trash) Dated: August 20, 2015 Executed by: McDowell Mountain real, LLC, an Arizona limited liability company and Foothills Animal Rescue, Inc., an Arizona non-for-profit corporation Recording Date: August 20, 2015 Recording No: 20150604580 Reference is hereby made to said document for full particulars. (RECIPROCAL EASEMENT AGREEMENT FOR ACCESS, SHARED PARKING AND SHARED TRASH OVER SUBJECT PROPERTY - NOT PLOTTABLE - BLANKET IN NATURE)

- 21 Matters contained in that certain document Entitled: Agreement For The Waiver of Claims For Diminution in Value of Property Executed by: McDowell Mountain Retail, LLC, an Arizona limited liability company Recording Date: January 15, 2016 Recording No: 20160031338 Reference is hereby made to said document for full particulars. (REFERENCES SUBJECT PROPERTY - NOT PLOTTABLE)



DESCRIPTION

PARCEL NO. 1:
Lot 2, of MCDOWELL MOUNTAIN MARKETPLACE, according to Book 767 of Maps, page 37, records of Maricopa County, Arizona.

PARCEL NO. 2:
An easement of enjoyment in and to the common area pursuant to the Declaration of Covenants, Conditions, Restrictions, Assessments Charges, Servitudes, Liens, Reservations and Easements for McDowell Mountain Ranch, recorded October 7, 1994 in Recording 94-0730728, and First Amendment recorded November 4, 1994 in Recording No. 94-0793818 and Supplemental Declaration recorded May 25, 2000 in Recording No. 00-0398742, records of Maricopa County, Arizona.

PARCEL NO. 3:
A non-exclusive easement for surface storm water, drainage, access, utilities and other purposes pursuant to that certain Special Warranty Deed recorded December 20, 2000 in Recording No. 2000-0970810 and re-recorded November 26, 2002 in Recording No. 20021255801, records of Maricopa County, Arizona.

PARCEL NO. 4:
A non-exclusive easement for surface storm water, drainage, access, utilities, parking and other purposes pursuant to that certain Special Warranty Deed recorded December 20, 2000 in Recording No. 2000-0970811, records of Maricopa County, Arizona.

PARCEL NO. 5:
A non-exclusive easements for ingress and egress, construction, repair, service, delivery, sewer, water, utilities and other purposes pursuant to that certain Reciprocal Easement Agreement recorded November 17, 2000 in Recording No. 2000-0884114 and Assumption Agreement recorded July 11, 2003 in Recording No. 20030912139, records of Maricopa County, Arizona. APN: 217-14-986

AREA = 1499 ACRES
65,316 SQ. FT.

SIGNIFICANT OBSERVATIONS

- A EVIDENCE OF POTENTIAL ENCROACHMENT OF WALL OVER THE WEST BOUNDARY LINE BY A MAXIMUM OF 0.48 FEET.

CERTIFICATION

To: WELLS FARGO BANK, N.A., its successors and/or assigns; KUNA, LLC, a California limited liability company; LIPA, LLC, an Arizona limited liability company; THE ART AT MMM, LLC, an Arizona limited liability company; CHICAGO TITLE AGENCY, INC. issuing agent for CHICAGO TITLE INSURANCE COMPANY:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 2, 4, 7(a), 7(b)(1), 7(c), 8, and 9 of Table A thereof. The field work was completed on February 26, 2019.

Date of Plat or Map: March 1, 2019
Last revised on: March 4, 2019
David S. Klein
R.L.S. 42137



ALTA/NSPS LAND TITLE SURVEY
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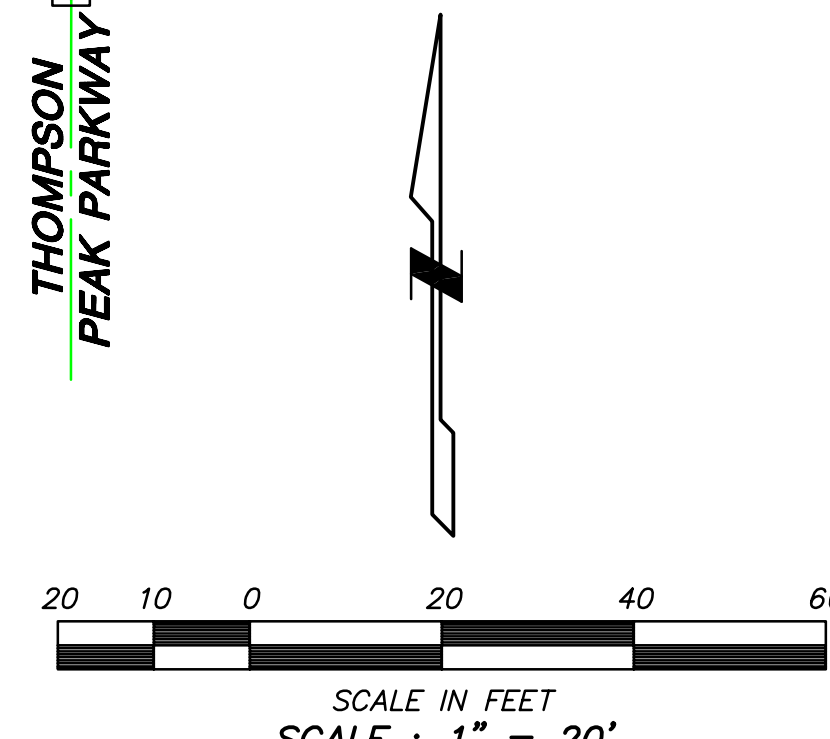
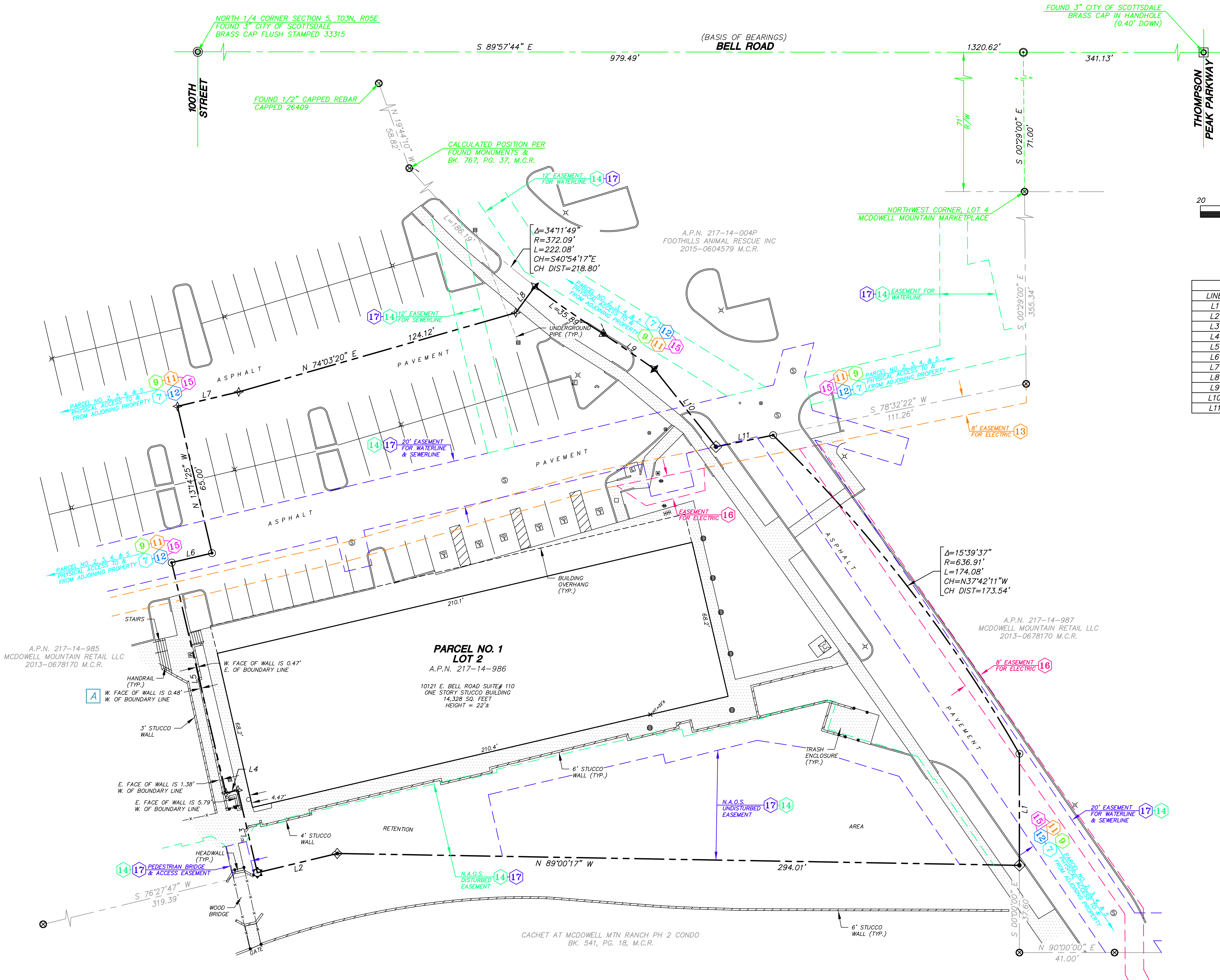
SUPERIOR
SURVEYING SERVICES, INC.

DWN:ELR CHK:GBF

SHEET 1 OF 2

DATE: 3/1/19

JOB NO.: 190228



LINE TABLE		
LINE	BEARINGS	LENGTH
L1	S 00°00'00" W	48.10'
L2	S 76°27'47" W	35.40'
L3	N 13°14'25" W	36.56'
L4	S 76°45'36" W	5.33'
L5	N 13°14'26" W	102.00'
L6	N 76°45'34" E	17.85'
L7	N 76°45'34" E	27.14'
L8	N 36°06'47" E	14.08'
L9	S 55°25'54" E	26.65'
L10	S 38°24'44" E	42.80'
L11	N 78°32'22" E	25.11'

- LEGEND**
- BOUNDARY LINE
 - CENTER LINE OR MONUMENT LINE
 - CONCRETE SURFACE
 - 6 INCH CONCRETE CURB
 - WALL
 - FENCE
 - FOUND NAIL NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
 - FOUND NAIL IN WASHER STAMPED 26409
 - SET NAIL IN WASHER STAMPED 42137
 - FOUND NAIL IN WASHER STAMPED 42137
 - FOUND CHISELED "A" SET NAIL IN WASHER STAMPED 42137
 - FOUND 1/2" CAPPED REBAR STAMPED 42137
 - FOUND 1/2" CAPPED REBAR STAMPED 42137
 - FOUND 1/2" CAPPED REBAR CAP ILLEGIBLE REPLACED CAP STAMPED 42137
 - CALCULATED POSITION NO MONUMENT FOUND OR SET
 - SCHEDULE B ITEM
 - SPRINKLER HOOK-UP (FIRE DEPARTMENT)
 - BACK FLOW PREVENTER
 - BIKE RACK
 - ELECTRIC BOX
 - ELECTRIC CABINET
 - FIRE HYDRANT
 - GUARD POST OR GATE POST
 - HANDICAPPED SPACE
 - METAL GRATE (CIRCULAR)
 - METAL GRATE (RECTANGULAR)
 - LIGHT POLE
 - MAIL BOX
 - METAL COVER (RECTANGULAR)
 - METAL COVER (CIRCULAR)
 - SEWER CLEAN OUT
 - SEWER MANHOLE
 - WATER METER
 - WATER VALVE
 - A.P.N. ASSESSORS PARCEL NUMBER
 - M.C.R. MARICOPA COUNTY RECORDS
 - R/W RIGHT OF WAY
 - BK BOOK
 - PG PAGE
 - (TYP.) TYPICAL



REVISIONS

DATE	DESCRIPTION
3/4/19	revised parking count

ALTA/NSPS LAND TITLE SURVEY
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SUPERIOR

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SHEET 2 OF 2

DATE: 3/1/19

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