

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 3/22/2022
Agenda Item: 5**

ACTION: Request a Preliminary Subdivision Plat consisting of two (2) lots for SOUTH POINT PLAZA, located at 2720 West Baseline Road. The applicant is Superior Surveying Services, Inc.

FISCAL IMPACT: There is no fiscal impact on City funds.

RECOMMENDATION: Approve, subject to conditions

BACKGROUND INFORMATION: SOUTH POINT PLAZA (PL210137) is requesting a subdivision plat to create a two (2) lot subdivision for property that has never been subdivided. City Council approved an Amended General and Final Plan of Development on March 21, 1996 for FRY'S SOUTH POINT PLAZA (SGF-96.16) which included variances to reduce minimum required building setbacks for the existing retail buildings located on Lots 1 and 2. Additional provided in the History and Facts section of this report. The request includes the following:

SBD210005 Preliminary Subdivision Plat consisting of two (2) lots.



Property Owner
Applicant
Zoning District
Net site area
Lot 1
Lot 2

MCS South Point Plaza, LLC
James Williamson, Superior Survey Services, Inc.
PCC-1
2.26 acres
1.85 acres
0.41 acres

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Lee Jimenez, Senior Planner (480) 350-8486

Department Director: Shelly Seyler, Interim Community Development Director
Legal review by: N/A
Prepared by: Lee Jimenez, Senior Planner
Reviewed by: Suparna Dasgupta, Principal Planner

COMMENTS

This site is located between West Minton Drive, West Baseline Road, South Calle Los Cerros Drive, and South 48th Street.

CONCLUSION

Based on the information provided and the above analysis, staff recommends approval of the requested Preliminary Subdivision Plat. The properties will have access to public streets and conform to the technical standards of the Tempe City Code for Subdivisions, Chapter 30.

CONDITIONS OF APPROVAL:

EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

1. Provide evidence of a cross drainage agreement to the Planning Division prior to recordation of the final subdivision plat. Alternatively, cross drainage may be declared through a covenant, conditions, and restrictions (CC&R). If done through CC&R, an Administrative Application for CC&R Review shall be submitted to the Community Development Department, Planning Division and provided in a form satisfactory to the Community Development Director and City Attorney.
2. The property owner shall record an off-site refuse agreement between all lots and provide evidence of such agreement to the Planning Division prior to recordation of the subdivision plat.
3. The plat shall provide a note to reference the cross-access agreement among all lots. Provide evidence of such agreement to the Planning Division prior to recordation of the subdivision plat.

CODE/ORDINANCE REQUIREMENTS:

THE BULLETED ITEMS REFER TO EXISTING CODE OR ORDINANCES THAT PLANNING STAFF OBSERVES ARE PERTINENT TO THIS CASE. THE BULLET ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT AND ARE NOT AN EXHAUSTIVE LIST.

DEADLINE: Preliminary Subdivision Plat approval shall be valid for a period of twelve (12) months from the date of Commission approval. Failure to submit a Final Subdivision Plat application within 12 months shall make the Preliminary Plat null and void.

HISTORY & FACTS:

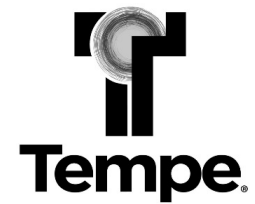
March 21, 1996

City Council approved an Amended General and Final Plan of Development for FRY’S SOUTH POINT PLAZA (SGF-96.16), located at 2700 West Baseline Road in the PCC-1, Planned Commercial Center Neighborhood District, which included the following variances.

- a. Reduce the minimum required rear yard setback for Parcel 1 from 40’ to 29’-3” along the east property line of the existing in-line shop area.
- b. Reduce the minimum required side yard setback for Parcel 1 from 40’ to 0’ along the south side of the in-line shop area adjacent to Fry’s.
- c. Reduce the minimum required rear yard setback for Parcel 1 from 40’ to 5’ along the east side of the existing restaurant pad building.
- d. Reduce the minimum required side yard setback for Parcel 1 from 40’ to 20’-5” along the south side of the existing restaurant pad building.
- e. Reduce the minimum required front yard setback for Parcel 2 from 50’ to 0’ along the west side of the existing in-line shop area.
- f. Reduce the minimum required side yard setback for Parcel 2 from 40’ to 0’ along the north side of the existing in-line shop area adjacent to Fry’s.
- g. Reduce the minimum required rear yard setback for Parcel 2 from 40’ to 0’ along the east property line.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-307, Subdivisions, Lot Splits and Adjustments

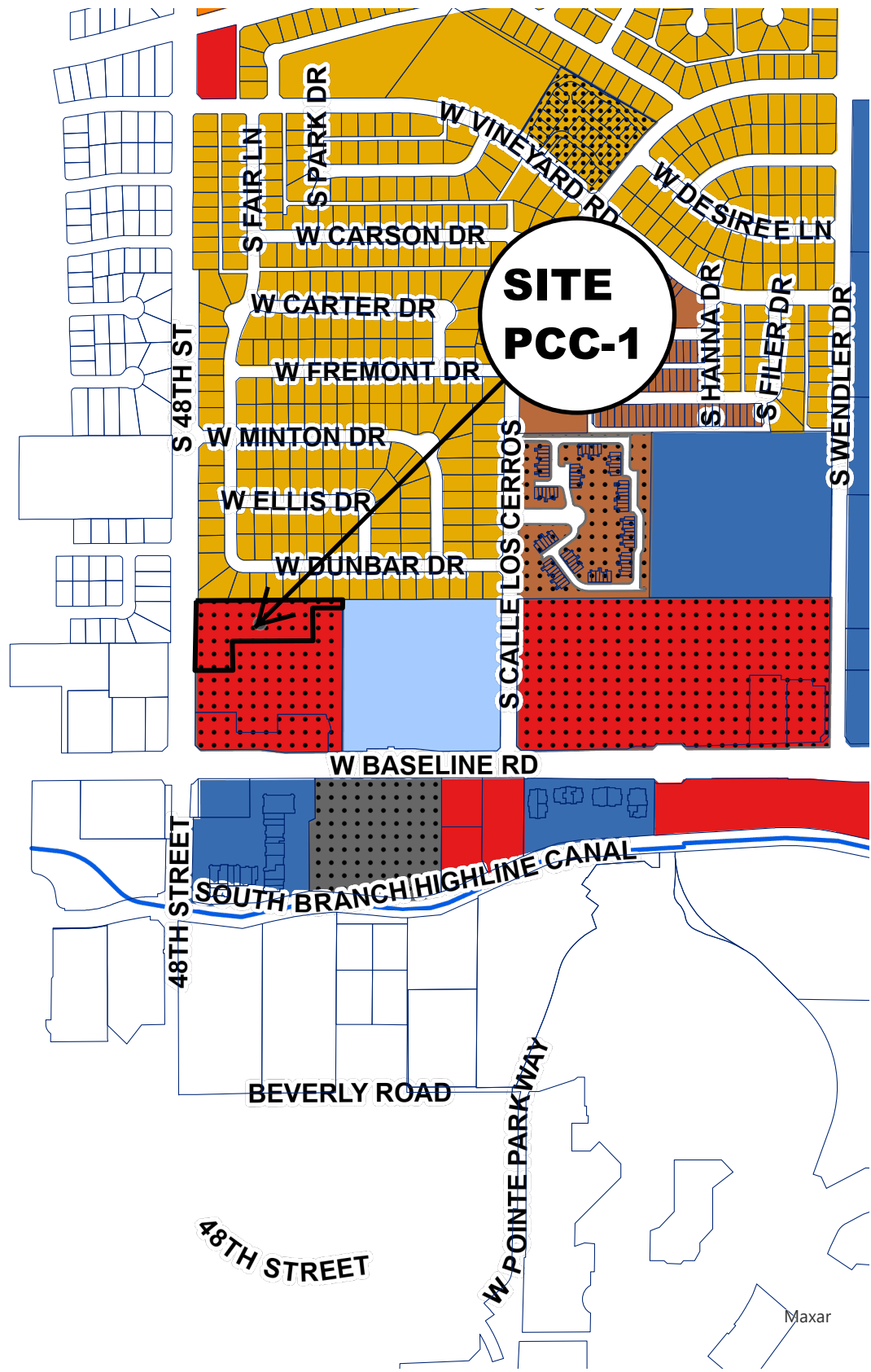


DEVELOPMENT PROJECT FILE
for
SOUTH POINT PLAZA
(PL210137)

ATTACHMENTS:

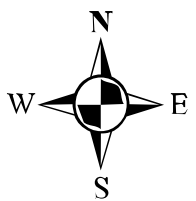
1. Location Map
2. Aerial
- 3-4. Letter of Explanation
- 5-7. Proposed Plat
- 8-9. A.L.T.A. / A.C.S.M Land Title Survey

SOUTH POINT PLAZA



- Light Industrial District (LID)
- General Industrial District (GID)
- Mixed Use Med-High (MU-3)
- Commercial Shopping and Services (CSS)
- Planned Commercial Center Neighborhood (PCC-1)
- Single-Family Residential (R1-6)
- Single-Family Residential (R1-4)

- Multi-Family Residential (R-2)
- Multi-Family Residential Restricted (R-3R)
- Mobile Home Residence (RMH)
- Override 1

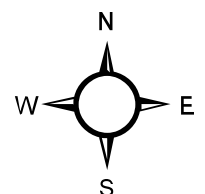


SOUTH POINT PLAZA

PL210137



Aerial Map



GAMMAGE & BURNHAM
A PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW
FORTY NORTH CENTRAL AVENUE
15TH FLOOR
PHOENIX, ARIZONA 85004
January 20, 2022

TELEPHONE (602) 256-0566
FACSIMILE (602) 256-4475

WRITER'S DIRECT LINE
(602) 256-4461
mvaz@gblaw.com

VIA ELECTRONIC DELIVERY

Lee Jimenez, Senior Planner
Tempe City Hall Municipal Complex
Community Development Department
Planning Division
31 East 5th Street
Tempe, AZ 85281
(480) 350-8486
Lee_Jimenez@tempe.gov

RE: South Point Plaza
Preliminary and Final Subdivision Plat (Tempe Planning Case No. PL210137)
Applicant's Letter of Explanation

Dear Lee:

This firm represents MCS South Point Plaza LLC, the owner of an approximate 2.04-acre property located approximately 320 feet north of the northeast corner of S. 48th Street and W. Baseline Road (the "Site") in Tempe, Arizona. The Site (Maricopa County Assessor Parcel No. 132-22-006K), which is zoned Planned Commercial Center Neighborhood (PCC-1), is part of an existing commercial center known as South Point Plaza ("South Point") that was developed in the 1980s. The Site's improvements include a one-story standalone building accommodating an urgent care center located along the Site's 48th Street frontage, a one-story building accommodating multiple commercial uses, and associated surface parking and landscape enhancements.

As you are aware, a preliminary and final subdivision request (the "Application") has been submitted to the City for the Site. The general purpose of the Application is to subdivide the Site into two lots for the purpose of creating a separate lot for the existing standalone building along the Site's 48th Street frontage.

The proposed subdivision is consistent with General Plan 2040. The purpose of the commercial land use projected for the Site by the General Plan is to accommodate a full range of commercial uses, including retail, service and medical uses. The platting of the Site into two lots will help to ensure the long-term viability and marketability of the Site's existing standalone building. As a result, the proposed subdivision will help to provide future opportunities to shop, dine and/or obtain services within an established commercial center.

The proposed subdivision will also conform to requirements of all applicable ordinances and regulations of the City, including the Zoning and Development Code and Arizona Revised Statutes.

Lastly and as reflected by the declaration of easements, covenants and restrictions, cross drainage and retention agreement and shared refuse agreement applicable to South Point and included as part of the resubmittal package for the Application, the proposed subdivision of the Site will not alter drainage infrastructure nor cross-access, cross-parking and shared refuse rights within a long-established commercial center.

South Point Plaza
January 20, 2022
Page 2

Please let us know if you require any additional information regarding this preliminary and final subdivision plat request.

Sincerely,
GAMMAGE & BURNHAM, P.L.C.

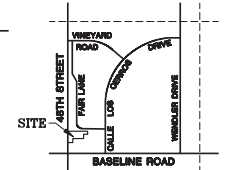
A handwritten signature in black ink, appearing to read 'S. Anderson', with a long horizontal stroke extending to the right.

By
Stephen W. Anderson

Enclosures

PLAT FOR SOUTH POINT PLAZA

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 32,
TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT
RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



VICINITY MAP
NOT TO SCALE

DEDICATION

MCS SOUTH POINT PLAZA LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AS OWNER; HAS REPLATTED UNDER THE NAME OF "SOUTH POINT PLAZA", A PORTION OF SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND HEREBY PUBLISHES THIS PLAT OF "SOUTH POINT PLAZA", AND DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, STREETS, AND EASEMENTS CONSTITUTING THE SAME AND THAT EACH LOT AND STREET SHALL BE KNOWN BY THE NUMBER OR NAME GIVEN TO EACH RESPECTIVELY ON SAID PLAT AND HEREBY DEDICATES TO THE CITY OF TEMPE FOR PUBLIC USE SUCH STREETS AND EASEMENTS AS SHOWN ON SAID PLAT AND IS INCLUDED IN THE ABOVE DESCRIBED PREMISES.

OWNER AUTHORIZATION

MCS SOUTH POINT PLAZA LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: _____ DATE: _____

ITS: _____

ACKNOWLEDGMENT

ON THIS ____ DAY OF _____ 2022, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ WHO ACKNOWLEDGED HIM/HERSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING TO THE INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

BY: _____ MY COMMISSION EXPIRES _____
NOTARY PUBLIC

LEGAL DESCRIPTION (PRIOR TO LOT SPLIT)

SEE SHEET 2

OWNER

MCS SOUTH POINT PLAZA LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
990 HIGHLAND DRIVE, SUITE 200,
SOLANA BEACH, CALIFORNIA 92075

DEVELOPER

M.C. STRAUSS COMPANY
990 HIGHLAND DRIVE, SUITE 200
SOLANA BEACH, CA 92075

BENCHMARK

THE BENCHMARK USED FOR THIS SURVEY IS THE CITY OF TEMPE BRASS CAP IN HANDHOLE AT THE INTERSECTION OF 48TH STREET AND BASELINE ROAD HAVING AN ELEVATION OF 1211.52' (NGVD29), CITY OF TEMPE DATUM.

BASIS OF BEARINGS

THE BASIS OF BEARING IS THE MONUMENT LINE OF BASELINE ROAD, ALSO BEING THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 32, USING A BEARING OF NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, PER THE FINAL PLAT OF SOUTH MOUNTAIN COMMERCE CENTER, RECORDED IN BOOK 708 OF MAPS, PAGE 49, MARICOPA COUNTY RECORDS.

APPROVALS

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA ON THIS ____ DAY OF _____, 2022.

BY: _____ DATE _____
MAYOR

ATTEST: _____ DATE _____
CITY CLERK

BY: _____ DATE _____
CITY ENGINEER

BY: _____ DATE _____
COMMUNITY DEVELOPMENT

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY OF THE PREMISES DESCRIBED AND REPLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF FEBRUARY 2022; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT THE POSITIONS ARE CORRECTLY SHOWN AND THE SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DAVID S. KLEIN, R.L.S. 42137 DATE _____



FOR REVIEW—
NOT FOR
CONSTRUCTION
RECORDING

DS210710

SBD210005

REC21052

NOTES

1. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF TEMPE AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.

2. LOT CORNERS TO BE SET WITH 1/2" CAPPED REBAR, STAMPED R.L.S. 42137 (UNLESS OTHERWISE NOTED).

3. ALL NEW AND EXISTING, AS WELL AS ON-SITE AND OFF-SITE UTILITY LINES (OTHER THAN TRANSMISSION LINES) SHALL BE PLACED UNDERGROUND.

4. ANY RETENTION SYSTEM AS SHOWN ON THE GRADING AND DRAINAGE PLANS SHALL RETAIN THE RUNOFF VOLUME FOR THE 100-YEAR DESIGN STORM PER ORD.819.1 AND SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER TO: (1) REGULARLY INSPECT THE SYSTEM (AT LEAST ANNUALLY), AND (2) MAINTAIN THE SYSTEM IN A CONDITION THAT WILL ALLOW THE SYSTEM TO STORE AND DISSIPATE THE VOLUME OF STORM WATER AS SHOWN ON THE DESIGN PLANS. THE FOREGOING RESTRICTION CANNOT BE CHANGED WITHOUT PRIOR WRITTEN CONSENT OF THE CITY TEMPE ENGINEER.

5. CROSS-ACCESS AND CROSS-PARKING ESTABLISHED PURSUANT TO DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS RECORDED AT INSTRUMENT NO. 1986-414915, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA.

6. CROSS DRAINAGE AND RETENTION ESTABLISHED PURSUANT TO CROSS DRAINAGE AND RETENTION AGREEMENT RECORDED AT INSTRUMENT NO. 20211336834, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA.

7. SHARED REFUSE ESTABLISHED PURSUANT TO SHARED REFUSE AGREEMENT RECORDED AT INSTRUMENT NO. 20211336833, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA.

FLOOD PLAIN CERTIFICATION

THIS IS TO CERTIFY THAT THE ABOVE SUBJECT PROPERTY LIES WITHIN ZONE "SHADED X" AS DESIGNATED ON THE FLOOD INSURANCE RATE MAP, MAP NUMBER 04013C 2240 M, DATED SEPTEMBER 18, 2020. AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE;

REC21052

SBD210005

DS210710

PLAT FOR
SOUTH POINT PLAZA
2700 W. BASELINE ROAD, TEMPE, AZ 85283

2122 W. Lone Cactus Drive, Suite 11
Tempe, Arizona 85283
623-869-0223 (office) 623-869-0726 (fax)
www.superiorsurveying.com
info@superiorsurveying.com



DWN: LE CHR: JW

SHEET 1 OF 3

DATE: 2/18/2022

JOB: 202101067

**LEGAL DESCRIPTION
(PRIOR TO LOT SPLIT)**

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT A BRASS CAP IN HANDHOLE MARKING THE SOUTHWEST CORNER OF SECTION 32, FROM WHICH A BRASS CAP IN HANDHOLE MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 32 BEARS SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 2636.51 FEET (BASIS OF BEARINGS FOR THIS DESCRIPTION);
 THENCE NORTH 00 DEGREES 27 MINUTES 16 SECONDS EAST 381.84 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER;
 THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 55.00 FEET TO THE MOST WESTERLY NORTHWEST CORNER OF PARCEL RECORDED IN DOCUMENT NO. 2013-0799703, RECORDS OF MARICOPA COUNTY ARIZONA, MARKED BY A RAILROAD SPIKE STAMPED "6021" AND THE POINT OF BEGINNING;
 THENCE NORTH 00 DEGREES 27 MINUTES 16 SECONDS EAST 280.55 FEET ALONG THE EAST LINE OF THE WEST 55.00 FEET OF SAID SOUTHWEST QUARTER TO A 1/2" REBAR WITH ALUMINUM CAP STAMPED "KLEIN 42137", ON THE SOUTH LINE OF KNOELL GARDENS AMENDED, RECORDED IN BOOK 163 OF MAPS, PAGE 43, RECORDS OF MARICOPA COUNTY ARIZONA;
 THENCE NORTH 89 DEGREES 58 MINUTES 04 SECONDS EAST 591.00 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF LOT 1, SOUTH MOUNTAIN COMMERCE CENTER, RECORDED IN BOOK 708 OF MAPS, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA;
 THENCE SOUTH 00 DEGREES 27 MINUTES 16 SECONDS WEST 32.59 FEET ALONG THE SAID WEST LINE TO A 1/2" REBAR WITH ALUMINUM CAP STAMPED "KLEIN 42137" ON THE NORTH LINE OF PARCEL RECORDED IN DOCUMENT NO. 2013-0799703, RECORDS OF MARICOPA COUNTY, ARIZONA;
 THENCE ALONG SAID NORTH LINE THE FOLLOWING FIVE COURSES;
 THENCE SOUTH 89 DEGREES 58 MINUTES 04 SECONDS WEST 118.83 FEET TO A NAIL IN WASHER STAMPED "KLEIN 42137";
 THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 129.63 FEET TO A TAG STAMPED "6021"
 THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 323.33 FEET TO A RAILROAD SPIKE;
 THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 118.59 FEET TO A NAIL IN WASHER STAMPED "KLEIN 42137";
 THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 150.78 FEET TO THE POINT OF BEGINNING.

DS210710

SBD210005

REC21052

-FOR REVIEW-
NOT FOR
CONSTRUCTION
OR RECORDING



DWN: LE CHK: JW

SHEET 2 OF 3

DATE: 2/18/2022

JOB: 202101067

DS210710

SBD210005

REC21052

2122 W. Lone Cactus Drive, Suite 11
 Tempe, Arizona 85283
 623-869-0223 (office) 623-869-0726 (fax)
 www.superiorsurveying.com
 info@superiorsurveying.com



PLAT FOR
SOUTH POINT PLAZA
2700 W. BASELINE ROAD, TEMPE, AZ 85283

A.L.T.A. / A.C.S.M. LAND TITLE SURVEY

OF A PORTION OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

NOTES

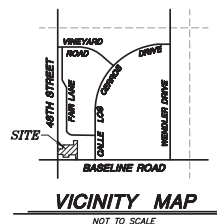
- The basis of bearing is the monument line of Baseline Road, also being the South line of the Southwest quarter of Section 32, using a bearing of North 90 degrees 00 minutes 00 seconds West, per the Final Plat of SOUTH MOUNTAIN COMMERCE CENTER, recorded in Book 708 of Maps, page 49, Maricopa County Records.
- All title information and the description shown is based on a Commitment for Title Insurance issued by Commonwealth Land Title Insurance Company, File Number 0086236-040-00, dated April 2, 2013.
- The number of striped parking spaces on the subject property are as follows:
Regular: 268
Handicapped: 8
Total: 276
- The building lines and dimensions shown depict the exterior building footprint of 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 leaseable area of any building. 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.
- According to FEMA Flood Insurance Rate Map, Map Number 04013C21E5H, dated September 30, 2005, the subject property is located in Zone X (shaded). Zone X (shaded) is defined as "Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood."
- The surveyor was not provided with zoning information by the insurer pursuant to Table A Item 6(b). According to City of Tempe Zoning Map 32N, dated September 7, 2006, the subject property is zoned PCC-1, Planned Commercial Center Neighborhood. The following zoning related information is based solely on the surveyor's interpretation of the City of Tempe, Zoning Ordinance. The certification on this survey does not guarantee or provide any warranty that the subject property is in compliance with the zoning regulations shown on this survey or any other zoning regulation that applies to the subject property.
Building Setback Restrictions:
Front: 0' Rear: 30' Side: 30' Street Side: 0'
Building Height Restriction:
35 feet
Maximum Lot Coverage:
50%
Parking Requirements:
Retail: 1 space per 300 sq. feet
Clinic: 1 space per 150 sq. feet
- The underground utilities shown are based on information obtained from plans and markings, combined with observed evidence. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. If this site is to be improved, the utilities and their locations shown on this survey should be verified. Please call an underground utility locator or "BLUE STAKE" at 263-1100 for the precise location and extent of all utilities in the area prior to any design and/or excavation.
- Pursuant to Table A Item 10(a) no party walls were identified by the Client at the time of this Survey.
- At the time the field work was performed, there was no observable evidence of earth moving work, building construction or building additions.
- The Surveyor has not obtained any information relating to, and has no knowledge of any proposed right of ways, easements, or dedications that any municipality, individual or governmental agency may require.
- At the time the field work was performed, there was no observable evidence of the site being used as a solid waste dump, sump or sanitary landfill.
- Superior Surveying Services, Inc. carries Liability Insurance in the amount of \$1,000,000.
- This A.L.T.A./A.C.S.M. 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.

SCHEDULE "B" ITEMS

- Reservations contained in the Patent From: The United States of America Recording Date: March 7, 1908 Recording No: Book 77 of Deeds, page 621
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 also subject to the right of the proprietor of a well or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted,
as provided by law; 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.
(AFFECTS SUBJECT PROPERTY - NOT PLOTTABLE)
- Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: El Paso Natural Gas Company
Purpose: pipelines and appurtenant fixtures
Recording Date: October 24, 1949
Recording No: Docket 450, page 205
Affects: said land more particularly described therein
Thereafter, Assigned in document recorded July 7, 1953 in Docket 1666, page 375 and Partial Release recorded May 3, 1972 in Docket 9410, page 663
- Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Purpose: use of ditches
Recording Date: July 15, 1982
Recording No: Docket 16154, page 1465
(BLANKET EASEMENT OVER SUBJECT PROPERTY FOR USE OF DITCHES - NOT PLOTTABLE)
- Covenants, conditions, restrictions and easements but amending 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: August 6, 1988 in Recording No. 86-414915
Thereafter, Amended in document recorded March 11, 1988 in Recording No. 86-113349
(BLANKET EASEMENT OVER COMMON AREAS OF SUBJECT PROPERTY AND ADJACENT PROPERTIES TO NORTH AND SOUTH FOR PARKING, INGRESS, EGRESS, UTILITIES, CONSTRUCTION, AND MINOR ENCROACHMENTS - NOT PLOTTABLE)
- Matters shown on General and Final Plan of Development for South Point Plaza
Recording No.: September 22, 1986 in Book 303 of Maps, page 5 and Amended July 5, 1988 in Book 323 of Maps, page 13 and Amended March 25, 1986 in Book 412 of Maps, page 14
(NO PLOTTABLE EASEMENTS AFFECTING THE SUBJECT PROPERTY ARE CREATED BY THESE DOCUMENTS)
- Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: City of Tempe
Purpose: sewer line
Recording Date: November 5, 1986
Recording No: 86-610173
Affects: said land more particularly described therein
Thereafter, Consent by Owner recorded November 5, 1986 in Recording No. 86-610175
- Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: City of Tempe
Purpose: waterline
Recording Date: November 5, 1986
Recording No: 86-610176
Affects: said land more particularly described therein
Thereafter, Consent by Owner recorded November 5, 1986 in Recording No. 86-610178
- Matters contained in that certain document
Entitled: Grants of Easement
Recording Date: March 11, 1988
Recording No: 88-113349
Reference is hereby made to said document for full particulars.
- Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Salt River Project Agricultural Improvement and Power District
Purpose: underground power
Recording Date: September 18, 1990
Recording No: 90-419653
Affects: said land more particularly described therein
- Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Salt River Project Agricultural Improvement and Power District
Purpose: underground power
Recording Date: January 11, 1991
Recording No: 91-012624
Affects: said land more particularly described therein
- Matters contained in that certain document
Entitled: Covenant and Agreement Regarding Maintenance of Off-Street Parking Space
Recording Date: April 19, 1996
Recording No: 96-026233
(AGREEMENT TO MAINTAIN NOT LESS THAN 121 PARKING SPACES ON SUBJECT PROPERTY FOR USE BY PROPERTY TO WHICH - NO EXACT LOCATION DEFINED - NOT PLOTTABLE)

REFERENCES

GOVERNMENT LAND OFFICE RECORDS ON FILE WITH THE U.S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT
SUBDIVISION OF "KNOLL GARDENS" RECORDED IN BOOK 163 OF MAPS, PAGE 43, MARICOPA COUNTY RECORDS
SUBDIVISION OF "SOUTH MOUNTAIN COMMERCE CENTER" RECORDED IN BOOK 708 OF MAPS, PAGE 49, MARICOPA COUNTY RECORDS
SPECIAL WARRANTY DEED IN 1988-0436922, MARICOPA COUNTY RECORDS



DESCRIPTION

That part of the Southwest quarter of the Southwest quarter of Section 32, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southwest corner of said Section 32; thence East along the South line of said Section 32, a distance of 646.00 feet; thence North 00 degrees 26 minutes 48 seconds East, a distance of 52.00 feet to a point on the North right-of-way line of Baseline Road, said point being the TRUE POINT OF BEGINNING; thence West along said North right-of-way line, a distance of 49.00 feet; thence North, a distance of 76.60 feet; thence East, a distance of 11.20 feet; thence North, a distance of 15.00 feet; thence North 16 degrees 21 minutes 04 seconds West, a distance of 39.78 feet; thence North 71 degrees 55 minutes 00 seconds West, a distance of 4.53 feet; thence North 14 degrees 00 minutes 00 seconds West, a distance of 19.40 feet; thence South, a distance of 72.00 feet; thence West, a distance of 170.30 feet; thence North, a distance of 81.41 feet; thence West, a distance of 165.78 feet to a point on the East right-of-way line of 48th Street; thence North 00 degrees 26 minutes 48 seconds East along said East right-of-way line, a distance of 167.01 feet; thence East, a distance of 150.78 feet; thence North, a distance of 118.59 feet; thence East, a distance of 323.53 feet; thence North, a distance of 129.63 feet; thence North 89 degrees 58 minutes 04 seconds East, a distance of 118.83 feet; thence South 00 degrees 26 minutes 48 seconds West, a distance of 574.72 feet to the TRUE POINT OF BEGINNING.

AREA = 4.356 ACRES

169,741 SQ. FT.

CERTIFICATION

To: 2700 W. BASELINE, LLC, an Arizona limited liability company, EISNER, KAHAN & GORRY; and COMMONWEALTH LAND 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 2011 Minimum Standard Detail Requirements for A.L.T.A./A.C.S.M. Land Title Surveys, jointly established and adopted by A.L.T.A. and NPSF, and includes Items 1, 2, 3, 4, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10(c) 11(b), 13, 14, 16, 17, 18, 19, 20(a), 20(b), and 21 of Table A thereof. The field work was completed on April 18, 2013.

Date of Plat or Map: April 24, 2013
Last Revised: May 1, 2013
David S. Klein
R.L.S. 42137



EXPIRES 3/31/14

ARIZONA PROFESSIONAL SURVEYOR

A.L.T.A./A.C.S.M. LAND TITLE SURVEY
SOUTH POINT PLAZA
2700 W. BASELINE ROAD, TEMPE, AZ 85283

21415 N. 27th Avenue, Phoenix, AZ 85027
602-969-0226 (ext. 726) (fax)
www.superiorsurveying.com
info@superiorsurveying.com

SUPERIOR
SURVEYING SERVICES, INC.

DRAWN BY: JAW
CHECKED BY: JAW
SUBMIT 1 OF 2
DATE: 4/24/13
JOB NO.: 130438

