By chomuth at 8:09 am, Feb 12, 2024

ALTA / NSPS LAND TITLE SURVEY HAPPY VALLEY / I-17

A PORTION OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

NOTES

THIS SURVEY IS BASED ON TITLE COMMITMENT ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, NO. NCS-1167334-PHX1, COMMITMENT DATE: COMMITMENT DATE: MARCH 14, 2023 AT 7:30 A.M. AS TO THE RECORDS OF THE MARICOPA COUNTY RECORDER AND MARCH 9, 2023 AS 7:30 A.M. AS TO THE RECORDS OF THE ARIZONA STATE LAND DEPARTMENT

THE SURVEYOR'S SCOPE—OF—SERVICES IS LIMITED TO PROVIDING SERVICES IN A MANNER CONSISTENT WITH THE DEGREE OF CARE AND SKILL ORDINARILY EXERCISED BY MEMBERS OF THE LAND SURVEY PROFESSION CURRENTLY PRACTICING UNDER SIMILAR CONDITIONS. SCHEDULE "B" ITEM DOCUMENTS MAY CONTAIN ENCUMBRANCES WHICH AFFECT THE SUBJECT PROPERTY IN A MANNER THE SURVEYOR IS NOT QUALIFIED TO INTERPRET AND/OR ARE NOT WITHIN THE SURVEYOR'S SCOPE—OF—SERVICES. IT IS RECOMMENDED THAT INTERESTED AND AFFECTED PARTIES OBTAIN LEGAL COUNSEL FOR ADDITIONAL INTERPRETATION OF ALL SCHEDULE "B" DOCUMENTS REFERENCED IN THE TITLE REPORT.

THE SURVEYOR HAS RELIED SOLELY ON INFORMATION SUPPLIED TO THE SURVEYOR FROM EITHER THE CLIENT OR THE TITLE COMPANY AND HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR ADDITIONAL EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER MATTERS THAT MAY AFFECT THE SUBJECT PROPERTY.

THE SITE HAS PHYSICAL ACCESS TO 29TH AVENUE, AS OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY FIELDWORK.

PURSUANT TO TABLE "A" ITEM 20, THE CLIENT AND THE SURVEYOR HAVE NEGOTIATED TO ADDITIONALLY SHOW UTILITIES WILL BE SHOWN FROM THE SURFACE FEATURES LOCATED ONSITE, RECORD AGENCY MAPS & MAPS PROVIDED BY THE CLIENT, AS REPRESENTED AND SHOWN HEREON.

LEGAL DESCRIPTION

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 NORTH, RANGE 2 EAST OF THE GILA AND RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA;

EXCEPT THAT YING SOUTHERLY OF THE NORTHERLY LINE AND THE POUR ON THE PROLONGATIONS OF THE PHOENIX PARK AND RIDE PROPERTY DESCRIPTION OF THE PHOENIX PARK AND RIDE PROPERTY DESCRIPTION OF THE LAND DEPARTMENT RIGHT OF THE PHOENIX PARK AND RIDE PROPERTY DESCRIPTION OF THE PHOENIX PARK AND RIDE PROPERTY DESCRIPTION OF THE PROPERTY DESCRIPTIO

A PARCEL OF LAND, L. THE NORTHEAST QUARTER OF SECTION ASHIP 4 NORTH, RANGE 2 EAST OF THE GILA AND SALT DIAN, MARICOPA COUNTY, ARIZO ARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAD OF SAID SECTION 1 CONA HIGHWAY DEPARTMENT BRASS CAP IN A HANDHOLE, FROM WHICH THE UARTER CORNE SECTION 11, A MARICOPA COUNTY ALUMINUM CAP FLUSH, BEARS SOU 2" WEST, A SECTION 15 2650.73 FEET;

THENCE ALONG THE NORTH LINE OF SALES 1 9°45'40" WEST, A DISTANCE OF 1325.33 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11 AND THE CENTERLINE OF 29TH AVENUE;

THENCE LEAVING SAID NORTH LINE, ALONG AND SAID CENTERLINE, SOUTH 00°17'34" EAST, A DISTANCE 737.64 FEET;

THENCE LEAVING SAID WEST LINE AND TERLING 19.42'26" EAST, A DISTANCE 30.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF 29TH AND TO THE LINE OF BEGINNING;

THENCE LEAVING SAID EAST RY LINE, NORTH 89 A DISTANCE OF 746.56 FEET TO THE WESTERLY RIGHT-OF-WAY LY

THENCE ALONG SAID WE 2, SOUTH 50°50'27" EAST, A DIS 61 FEET TO THE NORTH LINE OF A 10.00 FOOT WIDE APS

THENCE LEAVING CRLY LINE, ALONG SAID NORTH LINE, SOUTH 8. ST, A DISTANCE OF 1173.26 FEET TO SAID FOR THE ST. A DISTANCE OF 1173.26

THENCE LEAVING NORTH LINE, ALONG SAID EAST RIGHT-OF-WAY LINE, NOR 34" WEST, A DISTANCE OF 350.00 FEET THE TRUE POINT OF BEGINNING.

SEE PAGE 3 FOR CORRECT LEGAL DESCRIPTION

SCHEDULE 'B' ITEMS

* DOES NOT AFFECT, 55' IN HAPPY VALLEY ROAD.

1. TAXES FOR THE FULL YEAR OF 2023. (THE FIRST HALF IS DUE OCTOBER 1, 2023 AND IS DELINQUENT NOVEMBER 1, 2023. THE SECOND HALF IS DUE MARCH 1, 2024 AND IS DELINQUENT MAY 1, 2024.)

2. ANY ADDITIONAL TAXES WHICH MAY BECOME A LIEN BY REASON OF THE COUNTY ASSESSOR REASSESSING THE WITHIN DESCRIBED PREMISES FOR THE YEAR(S) 2023.

3. RIGHT-OF-WAY NO. 09-000573 GRANTED BY THE ARIZONA STATE LAND DEPARTMENT TO ARIZONA DEPARTMENT OF TRANSPORTATION FOR HIGHWAY AND HAVING A TERM OF PERPETUAL DURATION. THE ORIGINAL RIGHT OF WAY WAS NOT FOUND IN THE FILE.

* DOES NOT AFFECT, IN I-17

4. RIGHT-OF-WAY NO. 09-001468 GRANTED BY THE ARIZONA STATE LAND DEPARTMENT TO ARIZONA STATE HIGHWAY COMMISSION FOR HIGHWAY AND HAVING A TERM OF PERPETUAL DURATION.

* DOES NOT AFFECT, IN I-17.

5. RIGHT-OF-WAY NO. 09-002796 GRANTED BY THE ARIZONA STATE LAND DEPARTMENT TO ARIZONA STATE HIGHWAY COMMISSION FOR HIGHWAY AND HAVING A TERM OF PERPETUAL DURATION. THEREAFTER AMENDMENT TO RIGHT OF WAY DATED APRIL 14, 1998.

* DOES NOT AFFECT, IN I-17.

6. RIGHT-OF-WAY NO. 09-003103 GRANTED BY THE ARIZONA STATE LAND DEPARTMENT TO MARICOPA COUNTY BOARD OF SUPERVISORS FOR HIGHWAY AND HAVING A TERM OF PERPETUAL DURATION. THEREAFTER THE GRANTEE'S NAME WAS CHANGED TO CITY OF PHOENIX BY CHANGE OF GRANTEE NAME DATED DECEMBER 27, 2022. A COPY OF THE ORIGINAL RIGHT OF WAY RECORDED SEPTEMBER 4, 1962 IN DOCKET 4275, PAGE 430.

7. RIGHT-OF-WAY NO. 09-004073 GRANTED BY THE ARIZONA STATE LAND DEPARTMENT TO MARICOPA COUNTY BOARD OF SUPERVISORS FOR HIGHWAY AND HAVING A TERM OF PERPETUAL DURATION. THEREAFTER THE GRANTEE'S INTEREST WAS ASSIGNED TO CITY OF PHOENIX, A MUNICIPAL CORPORATION BY ASSIGNMENT DATED NOVEMBER 19, 1985. A COPY OF THE ORIGINAL RIGHT OF WAY WAS RECORDED JULY 6, 1966 IN DOCKET 6117, PAGE 443.

* DOES NOT AFFECT, 30' IN 29TH AVENUE.

8. RIGHT-OF-WAY NO. 14-092761 GRANTED BY THE ARIZONA STATE LAND DEPARTMENT TO EL PASO NATURAL GAS COMPANY FOR GAS PIPELINE AND FACILITIES AND HAVING A TERM 50 YEARS FROM APRIL 25, 1986.

* DOES NOT AFFECT.

9. RIGHT-OF-WAY NO. 14-093827 GRANTED BY THE ARIZONA STATE LAND DEPARTMENT TO THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, A COLORADO CORPORATION FOR UNDERGROUND COMMUNICATION LINE AND HAVING A TERM 50 YEARS FROM SEPTEMBER 30, 1987. CHANGE OF LESSEE NAME TO U.S. WEST COMMUNICATIONS, INC., A COLORADO CORPORATION DATED MARCH 5, 1991. CHANGE OF GRANTEE NAME TO QWEST CORPORATION, A COLORADO CORPORATION DATED DECEMBER 15, 2000.

* DOES NOT AFFECT.

10. RIGHT-OF-WAY NO. 16-105132 GRANTED BY THE ARIZONA STATE LAND DEPARTMENT TO ARIZONA DEPARTMENT OF TRANSPORTATION FOR PUBLIC ROAD AND HAVING A TERM OF PERPETUAL DURATION. A COPY OF WHICH RECORDED APRIL 3, 2002 AS 2002-342854 OF OFFICIAL RECORDS.

* DOES NOT AFFECT, IN I-17.

- 11. RIGHT-OF-WAY NO. 16-109022 GRANTED BY THE ARIZONA STATE LAND DEPARTMENT TO CITY OF PHOENIX FOR PUBLIC ROAD AND UNDERGROUND UTILITIES AND HAVING A TERM OF PERPETUAL DURATION. A COPY OF WHICH RECORDED JUNE 2, 2004 AS 2004-622178 OF OFFICIAL RECORDS.

 * AFFECTS AS SHOWN HEREON (N.W.C. SITE)
- 12. RIGHT-OF-WAY NO. 14-111095 GRANTED BY THE ARIZONA STATE LAND DEPARTMENT TO QWEST CORPORATION FOR COMMUNICATION LINES AND HAVING A TERM WHICH EXPIRES MAY 8, 2058.

 * AFFECTS AS SHOWN HEREON.
- 13. RIGHT-OF-WAY NO. 14-112220 GRANTED BY THE ARIZONA STATE LAND DEPARTMENT TO AT&T CORPORATION FOR FIBER OPTIC COMMUNICATION LINE AND HAVING A TERM WHICH EXPIRES APRIL 8, 2060. THEREAFTER GRANTEE NAME CHANGED TO AT&T CORP. BY CHANGE OF GRANTEE NAME DATED MARCH 7, 2022.

 * AFFECTS AS SHOWN HEREON.
- 14. RIGHT-OF-WAY NO. 16-112562 GRANTED BY THE ARIZONA STATE LAND DEPARTMENT TO ARIZONA PUBLIC SERVICE COMPANY FOR OVERHEAD 500KV ELECTRICAL TRANSMISSION LINE WITH ONE 230KV ELECTRICAL SUB-TRANSMISSION LINE AND HAVING A TERM FOR A PERPETUAL TERM. THEREAFTER AMENDMENT TO RIGHT OF WAY DATED MARCH 14, 2022.

 * AFFECTS AS SHOWN HEREON, 500kv LINE WITH 130' WIDE EASEMENT.

15. RIGHT-OF-WAY NO. 18-120490 GRANTED BY THE ARIZONA STATE LAND DEPARTMENT TO COX COMMUNICATIONS ARIZONA, LLC FOR ABOVE AND UNDERGROUND COMMUNICATIONS LINE WITH FIBER OPTIC LINE AND HAVING A TERM WHICH EXPIRES DECEMBER 23, 2029.

* DOES NOT AFFECT.

16. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "UTILITY AGREEMENT INTERSTATE PROJECT I-17" RECORDED JULY 22, 1969 IN DOCKET 7704, PAGE 792 OF OFFICIAL RECORDS.

* DOES NOT AFFECT.

17. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "INTERGOVERNMENTAL AGREEMENT FOR THE ESTRELLA CORRIDOR STUDY" RECORDED MAY 22, 1998 AS 1998-430928 OF OFFICIAL RECORDS.

* NOT A SURVEY DOCUMENT

18. THE EFFECT OF RESOLUTIONS ADOPTING STATE ROUTE PLAN FOR THE I-17 AND ANY AMENDMENTS THERETO FOR THE PURPOSE OF CONTROLLING ACCESS AND ACQUIRING LANDS IN ADVANCE FOR RIGHTS-OF-WAY, RECORDED AS 2005-692016 OF OFFICIAL RECORDS AND 2006-697648 OF OFFICIAL RECORDS AND AMENDED RESOLUTION RECORDED AS 2006-1408858 OF OFFICIAL RECORDS AND THEREAFTER AMENDED RESOLUTION OF ESTABLISHMENT RECORDED AS 2007-734314 OF OFFICIAL RECORDS AND RECORDED AS 2017-967760 OF OFFICIAL RECORDS AND RECORDED AS 2018-475578 OF OFFICIAL RECORDS.

* DOES NOT AFFECT.

19. ALL MATTERS AS SET FORTH IN RESULTS OF SURVEY HAPPY VALLEY PARK N RIDE, RECORDED JANUARY 28, 2010 IN BOOK 1047 OF MAPS, PAGE 3.

* DOES NOT AFFECT.

20. THE RIGHT OF THE STATE OF ARIZONA TO PROHIBIT, LIMIT AND CONTROL ACCESS TO THE LIMITED ACCESS HIGHWAY AS SET FORTH IN DOCUMENTS FILED IN THE ARIZONA STATE LAND DEPARTMENT AND REFERENCED HEREIN.

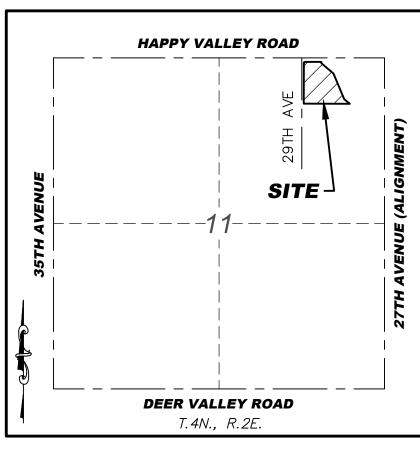
21. RESERVATIONS OR EXCEPTIONS IN PATENTS, OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF.

22. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH WOULD BE DISCLOSED BY A CORRECT ALTA/NSPS SURVEY.

23. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.

24. RIGHT-OF-WAY NO. 14-70719 GRANTED BY THE ARIZONA STATE LAND DEPARTMENT TO ARIZONA PUBLIC SERVICE COMPANY FOR 230KV ELECTRIC TRANSMISSION LINE AND HAVING A TERM 50 YEARS. NOTE: DOCUMENT STATES IT AFFECTS THE METES AND BOUNDS IN THE W2W2W2

* DOES NOT AFFECT.



VICINITY MAP

N.T.S.

AREA

352,230 SQ.FT., 8.086 ACRES, MORE OR LESS

BENCHMARK

FOUND 3" CITY OF PHOENIX BRASS CAP IN HANDHOLE AT THE INTERSECTION OF 35TH AVENUE AND HAPPY VALLEY ROAD (SOUTH).

ELEVATION = 1422.615 (NGVD '29)_

ADDRESS

NO ADDRESS PROVIDED
NO ASSESSOR'S PARCEL NUMBER

BASIS OF BEARING

THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN.

SAID LINE BEARS: S89°45'29"W, 2650.81'

FLOOD ZONE

ACCORDING TO THE FLOOD INSURANCE RATE MAP #04013C1280M, DATED 9/18/2020, THIS PROPERTY IS LOCATED IN FLOOD ZONE "X".

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.

CERTIFICATION

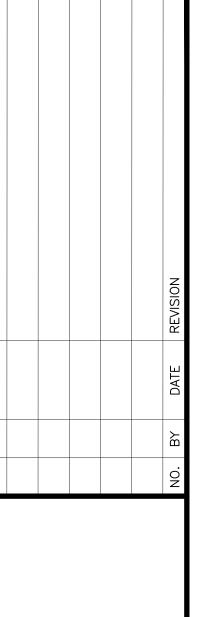
MTM DEVELOPERS, LLC; STATE OF ARIZONA; FIRST AMERICAN TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8, AND 20 OF TABLE A THEREOF.

FIELD WORK WAS COMPLETED APRIL 2023

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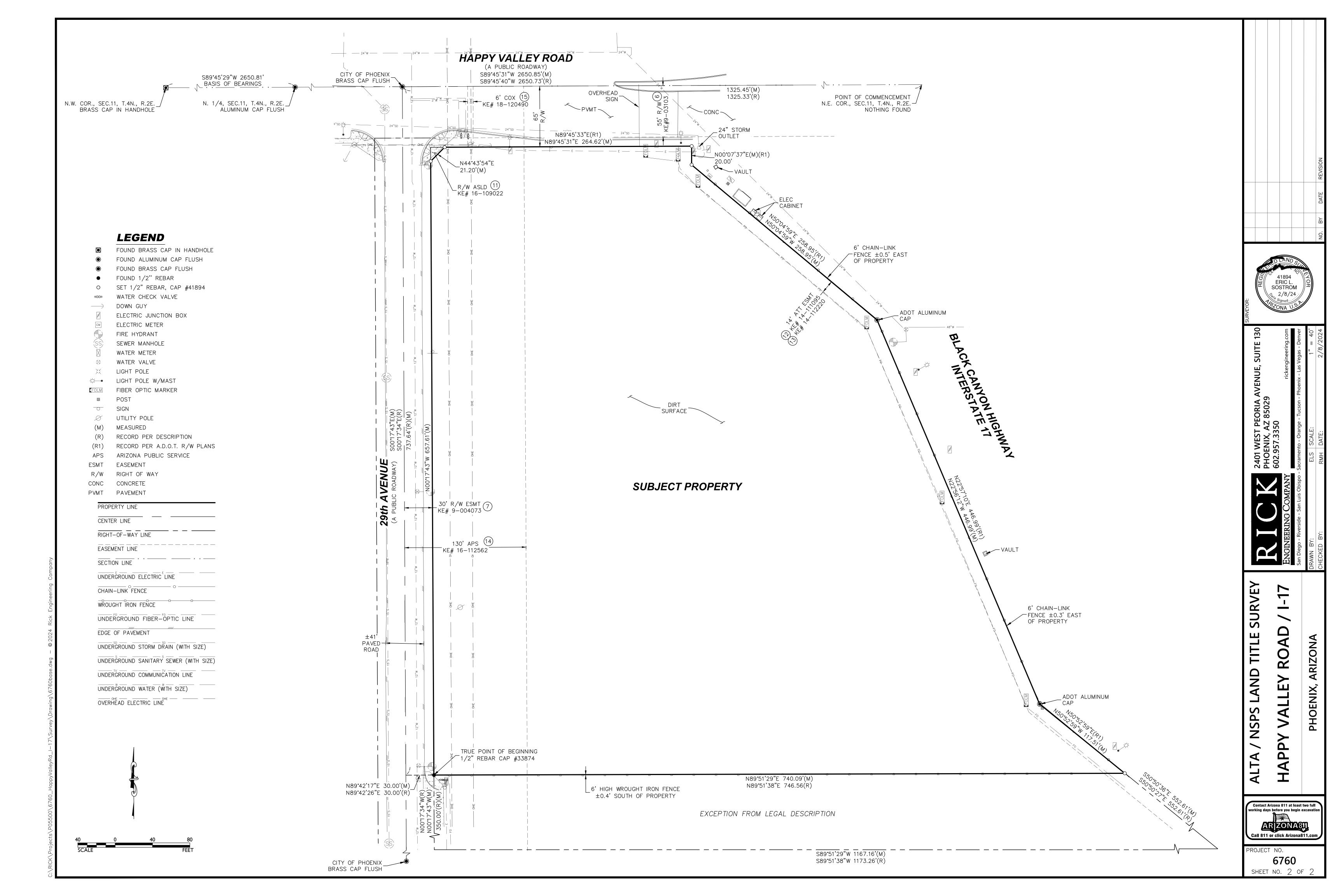


RIZ

ROJECT NO.

6760

SHEET NO. 1 OF 2



LEGAL DESCRIPTION S.E. CORNER of HAPPY VALLEY ROAD & 29th AVENUE PHOENIX, ARIZONA

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A PARCEL LOCATED IN THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 NORTH, RANGE 2 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 11, FROM WHICH THE NORTH QUARTER OF SAID SECTION 11 BEARS SOUTH 89 DEGREES 45 MINUTES 31 SECONDS WEST, A DISTANCE OF 2650.85 FEET;

THENCE ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, SOUTH 89 DEGREES 45 MINUTES 31 SECONDS WEST, A DISTANCE OF 1,325.45 FEET TO THE CENTERLINE INTERSECTION OF 29th AVENUE AND HAPPY VALLEY ROAD;

THENCE ALONG THE CENTERLINE OF 29th AVENUE, SOUTH 00 DEGREES 17 MINUTES 43 SECONDS EAST, A DISTANCE OF 737.64 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 89 DEGREES 42 MINUTES 17 SECONDS EAST, A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED:

THENCE NORTH 89 DEGREES 51 MINUTES 29 SECONDS EAST, A DISTANCE OF 740.09 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF A.D.O.T. INTERSTATE 17;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 50 DEGREES 52 MINUTES 59 SECONDS WEST, A DISTANCE OF 117.51 FEET;

THENCE NORTH 22 DEGREES 56 MINUTES 12 SECONDS WEST, A DISTANCE OF 446.99 FEET;

THENCE NORTH 50 DEGREES 04 MINUTES 59 SECONDS WEST, A DISTANCE OF 258.95 FEET;

THENCE NORTH 00 DEGREES 07 MINUTES 37 SECONDS EAST, A DISTANCE OF 20.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF HAPPY VALLEY ROAD;

THENCE ALONG A LINE 65' SOUTH OF AND PARALLEL WITH SAID HAPPY VALLEY ROAD, SOUTH 89 DEGREES 45 MINUTES 31 SECONDS WEST, A DISTANCE OF 264.62 FEET;

THENCE SOUTH 44 DEGREES 43 MINUTES 54 SECONDS WEST, A DISTANCE OF 21.20 FEET;

THENCE ALONG A LINE 30' EAST OF AND PARALLEL WITH SAID 29th AVENUE, SOUTH 00 DEGREES 17 MINUTES 43 SECONDS EAST, A DISTANCE OF 657.61 FEET TO THE **POINT OF BEGINNING**.

CONTAINS 352,230 SQUARE FEET OR 8.086 ACRES, MORE OR LESS.



