

A FINAL PLAT FOR MIDWAY

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

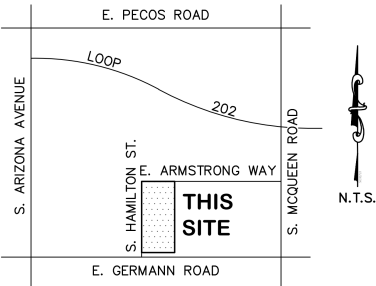
OWNER:

MIDWAY CC OWNER, LLC

1200 N. 52ND STREET
PHOENIX, ARIZONA 85008
PHONE: (480) 966-4001
CONTACT: JOHN MOCARSKI
EMAIL: JOHNMO@LGEDESIGNGROUP.COM

SURVEYOR:

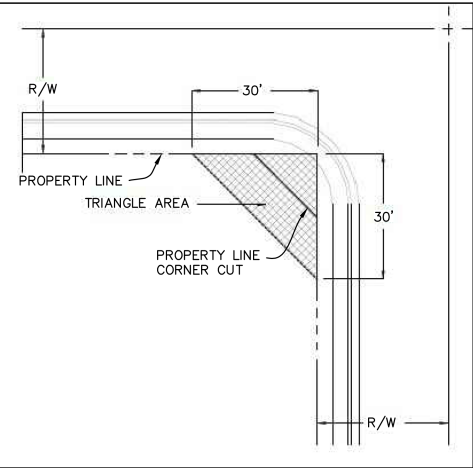
HUNTER ENGINEERING INC.
10450 N. 74TH ST., SUITE 200
SCOTTSDALE, ARIZONA 85258
PHONE: (480) 991-3985
FAX: (480) 991-3986
CONTACT: JAMES A. BRUCCI, R.L.S.
E-MAIL: jbrucci@hunterengineeringpc.com



VICINITY MAP:

SECTION 03
T.2S.,R.5E.

SIGHT VISIBILITY TRIANGLE DETAIL:



LEGEND:

- BRASS CAP IN HANDHOLE FOUND AS NOTED
- 1/2" REBAR & CAP STAMPED RLS 29865, TO BE SET AT COMPLETION OF MASS GRADING.
- R/W RIGHT OF WAY
- RIGHT OF WAY LINE
- MONUMENT LINE
- NET PROPERTY LINE
- EASEMENT LINE

AREA:

LOT 1: 734,029 SQ.FT.±, 16.851 ACRES± (NET)
835,350 SQ.FT.±, 19.177 ACRES± (GROSS)

SHEET INDEX:

SHEET 1 COVER SHEET
SHEET 2 LOT 1 MAP SHEET

BASIS OF BEARING:

BASIS OF BEARING FOR THIS SURVEY IS A BEARING OF SOUTH 89 DEGREES 59 MINUTES 50 SECONDS EAST, AS RECORDED IN SPECIAL WARRANTY DEED IN DOCUMENT NO. 20220251493, OF OFFICIAL RECORDS, MARICOPA COUNTY, ARIZONA, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

FEMA NOTES:

THE CURRENT FEMA FLOOD INSURANCE RATE MAP (FIRM) FOR THIS AREA, MAP NUMBER 04013C 2739M (EFFECTIVE REVISED DATE NOVEMBER 4, 2015), LOMA CASE NO.22-09-0675A DATED MARCH 8, 2022, DESIGNATES THE PROPERTY WITHIN FLOOD ZONE X.

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:

THIS IS TO CERTIFY THAT IN MY OPINION ALL LOTS, PARCELS AND TRACTS SHOWN ON THIS PLAT CONFORMS TO GOOD LAND PLANNING POLICIES AND ARE SUITABLE FOR THE PURPOSE FOR WHICH THEY ARE PLATTED.

DEVELOPMENT SERVICES DIRECTOR

DATE

CERTIFICATION:

THIS IS TO CERTIFY THAT ALL ENGINEERING CONDITIONS AND REQUIREMENTS OF THE CITY CODE HAVE BEEN COMPLIED WITH AND THAT THIS SUBDIVISION IS LOCATED WITHIN AN AREA DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO SECTION 45-576, ARIZONA REVISED STATUTES.

CITY ENGINEER

DATE

CERTIFICATION:

BY ACCEPTANCE OF THIS PLAT, THE CITY OF CHANDLER AGREES TO THE VACATION OR ABANDONMENT OF THE EASEMENTS DESCRIBED OR SHOWN HEREON AS BEING VACATED OR ABANDONED.

APPROVED BY THE COUNCIL OF THE CITY OF CHANDLER, ARIZONA THIS _____ DAY OF _____, 2023.

BY: _____ MAYOR _____ DATE _____

ATTEST: _____ CITY CLERK _____ DATE _____

CERTIFICATION:

THIS IS TO CERTIFY THAT THIS PLAT IS CORRECT AND ACCURATE AND THE MONUMENTS DESCRIBED HEREIN HAVE EITHER BEEN SET OR LOCATED AS DESCRIBED TO THE BEST OF MY KNOWLEDGE AND BELIEF.



JAMES A. BRUCCI
REGISTERED LAND SURVEYOR NO. 29865
10450 N. 74TH STREET, SUITE 200
SCOTTSDALE, ARIZONA 85258

MARICOPA COUNTY RECORDING DATA

A FINAL PLAT FOR MIDWAY

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

HUNTER ENGINEERING
10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

NO.	DATE	REVISION	BY

PURPOSE:
FINAL PLAT

DRAWN BY: PJF
CHECKED BY: Job

DEDICATION AND DECLARATION:

STATE OF ARIZONA }
COUNTY OF MARICOPA }SS

KNOW ALL MEN BY THESE PRESENTS:

MIDWAY CC OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER, HAS SUBDIVIDED UNDER THE NAME A FINAL PLAT FOR MIDWAY, BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN HEREON, AND HEREBY PUBLISHES THE FINAL PLAT OF MIDWAY AND DECLARES THAT SAID FINAL PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, STREETS, AND EASEMENTS CONSTITUTING THE SAME, AND DECLARES THAT EACH LOT, TRACT, AND STREET SHALL BE KNOWN BY THE NUMBER OR NAME, GIVEN EACH RESPECTIVELY ON SAID FINAL PLAT. EASEMENTS TO BE DEDICATED AS SHOWN ON THIS FINAL PLAT AND IN THE ABOVE DESCRIBED PREMISES. THE MAINTENANCE OF ALL LANDSCAPING WITHIN THE PUBLIC RIGHT-OF-WAYS TO THE BACK OF CURB SHALL BE THE RESPONSIBILITY OF THE ADJUTING PROPERTY OWNER.

AN EMERGENCY VEHICULAR ACCESS EASEMENT IS DEDICATED TO THE CITY OF CHANDLER ACROSS THIS PROPERTY.

MIDWAY CC OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER, DOES HEREBY GRANT AND CONVEY TO THE CITY OF CHANDLER, AN ARIZONA MUNICIPAL CORPORATION, AN EASEMENT FOR AVIGATION OVER AND ACROSS ALL LOTS AND TRACTS WITHIN SAID SUBDIVISION IN CONNECTION WITH FLIGHTS FROM THREE HUNDRED FIFTY (350) FEET ABOVE THE SURFACE TO AN INFINITE HEIGHT ABOVE THE SAME, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THE LAND, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT OR TAKING OFF FROM, OR OPERATING AT OR ON CHANDLER MUNICIPAL AIRPORT; AND THE OWNER (GRANTOR) DOES FURTHER RELEASE AND DISCHARGE TO THE CITY, FOR THE USE AND BENEFIT OF THE PUBLIC AND AGENCIES OF THE CITY, OF AND FROM ALL LIABILITY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE, OVER OR IN CONNECTION WITH THE OWNER'S (GRANTOR'S) PROPERTY ABOVE THREE HUNDRED FIFTY (350) FEET, TO AN INFINITE HEIGHT ABOVE THE SAME, WHETHER SUCH DAMAGE ORIGINATES FROM NOISE, VIBRATIONS, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON CHANDLER MUNICIPAL AIRPORT.

THE GRANTING OF THIS AVIGATION EASEMENT AND RELEASE DOES NOT RELIEVE THE OWNERS AND OPERATORS OF AIRCRAFT FROM LIABILITY FOR DAMAGES OR INJURY TO PERSONS OR PROPERTY CAUSED BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN, WITH RESPECT TO NOISE, VIBRATIONS, FUMES, DUST, FUEL AND LUBRICANT PARTICLES.

THE AVIGATION EASEMENT AND RELEASE SHALL BE BINDING UPON SAID OWNER (GRANTOR) AND THEIR HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO ALL LOTS AND TRACTS IN SAID SUBDIVISION AND THE STATEMENT OF RELEASE SHALL BE A COVENANT RUNNING WITH THE LAND.

PUBLIC RIGHT OF WAY SHOWN HEREON ARE HEREBY DEDICATED TO THE CITY OF CHANDLER FOR USE AS SUCH.

EASEMENTS ARE DEDICATED AS SHOWN ON THIS FINAL PLAT.

EASEMENTS FOR THE INSTALLATION, OPERATION AND FURNISHING OF MAINTENANCE OF PUBLIC UTILITY LINES AND FACILITIES, INCLUDING THE RIGHT OF INGRESS AND EGRESS FOR THE OPERATION AND MAINTENANCE OF SUCH UTILITY LINES AND FACILITIES, ARE DEDICATED AS SHOWN ON THIS PLAT. UTILITY PROVIDERS SHALL COMPLY WITH ANY APPLICABLE CODES, REGULATIONS, AND FRANCHISES OF THE CITY OF CHANDLER BEFORE ENTERING AN EASEMENT AND SHALL ASSUME FULL RESPONSIBILITY FOR THE CONSTRUCTION, OPERATION, MAINTENANCE AND REPAIR OF THEIR UTILITY LINES AND FACILITIES.

IN WITNESS WHEREOF, THE OWNER HAS HERETO CAUSED THEIR NAMES TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE UNDERSIGNED OFFICERS, THEREUNTO DULY AUTHORIZED

THIS ____ DAY OF _____, 2023.

MIDWAY CC OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY,

BY: MIDWAY CC JV, LLC
A DELAWARE LIMITED LIABILITY COMPANY,
ITS SOLE MEMBER

BY: MIDWAY CRE, LLC
A DELAWARE LIMITED LIABILITY COMPANY,
ITS GENERAL PARTNER

BY: _____
DAVID E. SELLERS, AUTHORIZED SIGNATORY

ACKNOWLEDGMENT:

STATE OF ARIZONA }
COUNTY OF MARICOPA }SS

ON THIS ____ DAY OF _____, 2023, BEFORE ME, THE UNDERSIGNED,

PERSONALLY APPEARED DAVID E. SELLERS, WHO ACKNOWLEDGED SELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

NOTARY PUBLIC _____ DATE _____

MY COMMISSION EXPIRES: _____

NOTES:

- CONSTRUCTION WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO UTILITIES, FENCES AND DRIVEWAYS.
- IN EASEMENTS FOR THE EXCLUSIVE USE OF WATER, SANITARY SEWER OR BOTH, ONLY GROUND COVER AND BUSHES ARE ALLOWED TO BE PLANTED WITHIN THE EASEMENT AREA. NO TREES ARE ALLOWED.
- NO STRUCTURES OR VEGETATION OF ANY KIND THAT WOULD IMPEDE THE FLOW OF WATER THROUGH THE EASEMENTS MAY BE CONSTRUCTED, PLANTED OR ALLOWED TO GROW WITHIN DRAINAGE EASEMENTS.
- VISIBILITY EASEMENT RESTRICTIONS: ANY OBJECT, WALL, STRUCTURE, MOUND OR LANDSCAPING (MATURE) OVER 24" IN HEIGHT IS NOT ALLOWED WITHIN THE VISIBILITY EASEMENT EXCEPT TREES TRIMMED TO NOT LESS THAN 6' ABOVE THE GROUND. TREES SHALL BE SPACED NOT LESS THAN 8' APART.
- ALL PARCEL MONUMENTATION TO BE SET AT COMPLETION OF MASS GRADING.
- THIS PLAT PROVIDES PRIVATE CROSS ACCESS EASEMENTS, WHICH ARE BLANKET IN NATURE, FOR: 1-PRIVATE POTABLE WATER, 2-PRIVATE SANITARY SEWER, 3-FIRELINE, 4-PEDESTRIAL ACCESS, AND 5-VEHICULAR ACCESS.

NOTE:

THIS PROPERTY IS WITHIN THE CHANDLER MUNICIPAL AIRPORT POTENTIAL AIRPORT INFLUENCE AREA AND IS SUBJECT TO AIRCRAFT NOISE AND OVERFLIGHT ACTMITY, AND IS ENCUMBERED BY AN AVIGATION EASEMENT GRANTED TO THE CITY OF CHANDLER IN DOCUMENT NO. 2002-0735797, M.C.R.

GROSS LEGAL DESCRIPTION:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP IN HANDHOLE MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 3 FROM WHICH A BRASS CAP IN HANDHOLE MARKING THE SOUTHEAST CORNER OF SAID SECTION 3 BEARS NORTH 89°59'50" EAST, A DISTANCE OF 2644.56 FEET;

THENCE NORTH 00°41'16" EAST, ALONG THE NORTH-SOUTH MID SECTION LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3, A DISTANCE OF 1324.42 FEET;

THENCE NORTH 89°57'33" EAST, A DISTANCE OF 633.43 FEET;

THENCE SOUTH 00°44'39" WEST, A DISTANCE OF 1244.85 FEET;

THENCE SOUTH 89°59'50" WEST, A DISTANCE OF 35.00 FEET;

THENCE SOUTH 00°44'39" WEST, A DISTANCE OF 80.01 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3;

THENCE SOUTH 89°59'50" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 597.12 FEET TO THE POINT OF BEGINNING.

LIEN HOLDER RATIFICATION:

KNOW ALL MEN BY THESE PRESENTS:

THAT THE UNDERSIGNED AS BENEFICIARY OF THAT CERTAIN DEED OF TRUST RECORDED IN INST. NO. 20220526209, RECORDS OF MARICOPA COUNTY RECORDER, MARICOPA COUNTY, ARIZONA, HEREBY RATIFIES, AFFIRMS, AND APPROVES THIS PLAT, THE DECLARATION OF RESTRICTION RECORDED CONCURRENTLY HEREWITH, AND EACH AND EVERY DEDICATION CONTAINED HEREIN. IN WITNESS WHEREOF, THE UNDERSIGNED HAVE SIGNED THEIR NAMES

THIS DAY OF _____, 2023

BY: WESTERN ALLIANCE BANK, AN ARIZONA CORPORATION

ITS: _____
TITLE OR POSITION

ACKNOWLEDGMENT:

STATE OF ARIZONA }
COUNTY OF MARICOPA }SS

ON THIS ____ DAY OF _____, 2023, BEFORE ME, THE UNDERSIGNED,

PERSONALLY APPEARED _____ WHO ACKNOWLEDGED SELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

NOTARY PUBLIC _____ DATE _____

MY COMMISSION EXPIRES: _____

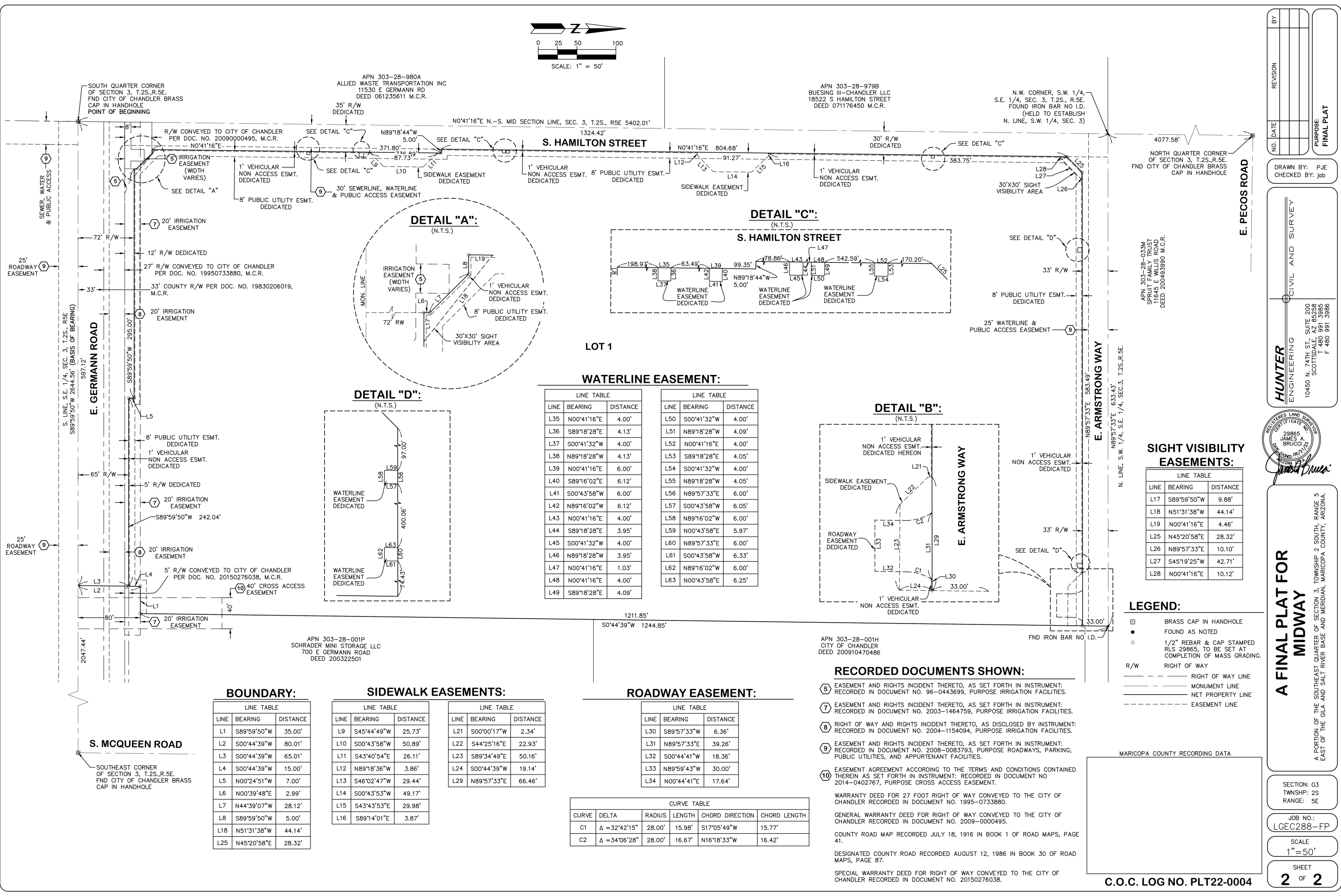
C.O.C. LOG NO. PLT 22-0004

SECTION: 03
TWNHP: 2S
RANGE: 5E

JOB NO.:
LGEC288-FP

SCALE
N.T.S.

SHEET
1 OF 2



SHEET
2 OF 2