

LEGAL DESCRIPTION - PAPAGO PARK CENTER

THOSE PORTIONS OF SECTION 8, SECTION 9, SECTION 10, SECTION 15 AND SECTION 16 OF TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

THAT PORTION OF SAID SECTION 8; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 8, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING.

THENCE SOUTH 1-5-21 WEST ALONG THE EAST SECTION LINE OF SAID SECTION 8, A DISTANCE OF 1200.01 FEET TO A POINT OF NON-TANGENT CURVATURE TO THE RIGHT, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY OF THE SOUTHERN PACIFIC RAILROAD;

THENCE ALONG SAID NORTH RIGHT-OF-WAY, ALONG SAID CURVE TO THE RIGHT BEING CONCAVE TO THE NORTHEAST, THROUGH A CENTRAL ANGLE OF 9-28-14 HAVING A RADIUS OF 1382.69 FEET, ALONG AN ARC LENGTH OF 227.74 FEET TO A POINT OF TANGENCY;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY, NORTH 73-30-15 WEST, A DISTANCE OF 906.71 FEET TO A POINT;

THENCE NORTH 00-07-49 EAST, LEAVING SAID RIGHT-OF-WAY, A DISTANCE OF 899.41 FEET TO A POINT;

THENCE SOUTH 89-47-58 EAST, A DISTANCE OF 487.97 FEET TO A POINT;

THENCE NORTH 00-19-54 EAST, A DISTANCE OF 344.84 FEET TO A POINT;

THENCE SOUTH 89-40-06 EAST, A DISTANCE OF 215.00 FEET TO A POINT;

THENCE NORTH 00-19-54 EAST, A DISTANCE OF 215.32 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WASHINGTON STREET;

THENCE SOUTH 81-53-01 EAST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 414.13 FEET TO A POINT ON THE SAID EAST LINE OF SAID SECTION 8;

THENCE ALONG SAID EAST LINE, SOUTH 00-22-49 WEST, A DISTANCE OF 502.24 FEET TO SAID WEST QUARTER CORNER AND THE TRUE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF SAID SECTION 9; LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF MILL AVENUE, LYING NORTH OF THE NORTH RIGHT-OF-WAY LINE OF THE RED MOUNTAIN FREEWAY AS RECORDED IN RESOLUTION ESTABLISHMENT DOCUMENT NO. 90-398247, AND LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 9, THENCE SOUTH 00-22-49 WEST ALONG THE WEST LINE OF SAID SECTION 9, A DISTANCE OF 956.59 FEET TO THE TRUE POINT OF BEGINNING OF SAID LINE;

THENCE SOUTH 89-37-11 EAST, A DISTANCE OF 70.00 FEET TO A POINT ON THE CENTERLINE OF DESERT DRIVE AS SHOWN ON THE SUBDIVISION PLAT OF PAPAGO PARK CENTER PHASE 1 AS RECORDED IN BOOK 334, PAGE 16, MARICOPA COUNTY RECORDER;

THENCE NORTH 00-22-49 EAST, PARALLEL WITH SAID WEST LINE OF SECTION 9, AND ALONG THE EAST RIGHT-OF-WAY OF 56TH STREET (PRIEST DRIVE), A DISTANCE OF 187.58 FEET TO A POINT ON THE NORTH BOUNDARY OF SAID SUBDIVISION PLAT;

THENCE SOUTH 89-41-35 EAST, ALONG SAID NORTH BOUNDARY, A DISTANCE OF 1041.11 FEET TO A POINT OF TANGENT CURVATURE TO THE RIGHT;

THENCE ALONG SAID CURVE TO THE RIGHT, BEING CONCAVE TO THE SOUTHWEST, THROUGH A CENTRAL ANGLE OF 45-00-00, HAVING A RADIUS OF 50.00 FEET, ALONG AN ARC LENGTH OF 39.27 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 44-41-35 EAST, A DISTANCE OF 11.61 FEET TO A POINT OF TANGENT CURVATURE TO THE LEFT;

THENCE ALONG SAID CURVE TO THE LEFT, BEING CONCAVE TO THE NORTHEAST, THROUGH A CENTRAL ANGLE OF 45-00-00, HAVING A RADIUS OF 50.00 FEET, ALONG AN ARC LENGTH OF 39.27 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89-41-35 EAST, CONTINUING ALONG SAID NORTH BOUNDARY, A DISTANCE OF 309.85 FEET TO A POINT OF TANGENT CURVATURE TO THE RIGHT;

THENCE ALONG SAID CURVE TO THE RIGHT, BEING CONCAVE TO THE SOUTHWEST, THROUGH A CENTRAL ANGLE OF 88-00-00, HAVING A RADIUS OF 100.00 FEET, ALONG AN ARC LENGTH OF 136.23 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 23-41-35 EAST, A DISTANCE OF 13.12 FEET TO A POINT OF TANGENT CURVATURE TO THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT, BEING CONCAVE TO THE NORTHEAST, THROUGH A CENTRAL ANGLE OF 68-00-00 HAVING A RADIUS OF 100.00 FEET, ALONG AN ARC LENGTH OF 115.19 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89-41-35 EAST, CONTINUING ALONG SAID NORTH BOUNDARY, A DISTANCE OF 161.34 FEET TO A POINT OF TANGENT CURVATURE TO THE RIGHT;

THENCE ALONG SAID CURVE TO THE RIGHT, BEING CONCAVE TO THE SOUTHWEST, THROUGH A CENTRAL ANGLE OF 89-24-00, HAVING A RADIUS OF 100.00 FEET, ALONG AN ARC LENGTH OF 170.23 FEET TO A POINT OF TANGENCY BEING ON THE EAST BOUNDARY OF SAID SUBDIVISION PLAT;

15TH AMENDED PRELIMINARY P.A.D. FOR PAPAGO PARK CENTER AND A REVISED FINAL P.A.D. FOR TRACT C-1B, PHASE III OF PAPAGO HILLS FOR PAPAGO HILLS RETAIL COURT
A PORTION OF SECTIONS 8, 9, 10, 15, & 16 OF TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA & SALT RIVER BASE & MERIDIAN MARICOPA COUNTY, ARIZONA



APPROVAL

APPROVAL BY:

Luis J. Dela

8/10/04

DEVELOPMENT SERVICES

DATE:

STATEMENT OF OWNERS

WE HAVE REVIEWED THIS PLAN AND APPROVED THE DEVELOPMENT AS SHOWN, SIGNED THIS 27TH DAY

OF July, 2004 BY *William P. Schrader*

SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT AS OWNER.

Terrell A. Lonon
 ATTEST AND COUNTERSIGN SECRETARY

ACKNOWLEDGMENT

STATE OF ARIZONA
 COUNTY OF MARICOPA

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED

BEFORE ME THIS 27TH DAY OF July, 2004

BY *William P. Schrader*

AS PRESIDENT, AND *Terrell A. Lonon*
 SECRETARY OF SALT RIVER PROJECT
 AGRICULTURAL IMPROVEMENT AND POWER DISTRICT.

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

NOTARY PUBLIC:

MY COMMISSION EXPIRES: *December 31, 2005*



VARIANCES

CASE RRC03062: A) A VARIANCE TO REDUCE THE BIKE PARKING FROM 170 SPACES TO 85 SPACES. B) A VARIANCE TO WAIVE THE REQUIRED PARKING SCREEN WALLS ALONG THE CENTER PARKWAY FRONTAGE AND ADJACENT TO PRIEST DRIVE BETWEEN THE NORTH AND SOUTH DRIVEWAY ENTRANCES FOR A TOTAL OF APPROXIMATELY 770 LINEAL FEET. THIS VARIANCE PERTAINS TO THE WELLS FARGO SITE ONLY.

CASE RRC03067: A) A VARIANCE TO REDUCE THE NUMBER OF MOTOR VEHICLE PARKING SPACES FROM 178 TO 109. B) A VARIANCE TO REDUCE THE REQUIRED NUMBER OF BICYCLE PARKING SPACES FROM 26 TO 13.

CASE RRC03089: A VARIANCE TO WAIVE THE REQUIRED SCREENING OF A LOADING/SERVICE BAY LOCATED AT 1150 WEST WASHINGTON STREET IN THE I-1, LIGHT INDUSTRIAL AND RIO SALADO OVERLAY DISTRICTS.

CASE RRC04005: A) A VARIANCE TO REDUCE THE REQUIRED LANDSCAPE SETBACK FROM 30 FEET TO 16 FEET TO ALLOW PARKING, MANEUVERING LANE, AND TRASH ENCLOSURES TO ENCRACH INTO THE STREET LANDSCAPE AREA ALONG THE WASHINGTON STREET FRONTAGE. B) A VARIANCE TO REDUCE THE REAR YARD AND SIDE YARD SETBACK FROM 12 FEET TO 6 FEET.

CASE BA979178: A VARIANCE TO REDUCE REQUIRED BICYCLE PARKING FROM 224 SPACES (ASU COMMUTING DISTRICT) TO 112 SPACES.

NOTE: REFER TO PREVIOUS AMENDMENTS FOR OTHER VARIANCES.

USE PERMITS

CASE RRC03042: A USE PERMIT TO ALLOW RESTAURANT WITH OUTDOOR DINING IN THE I-1, LIGHT INDUSTRIAL ZONING DISTRICT.

CASE RRC04005: A USE PERMIT TO ALLOW A DRIVE-THROUGH SERVICE WINDOW.

NOTE: REFER TO PREVIOUS AMENDMENTS FOR OTHER USE PERMITS.

PLANNED USES

	NET ACRES	BUILDING AREA
	MAX	
OFFICE	115.89	2,559,779
HOTEL-RETAIL	23.58	1,307,301
R&D-INDUSTRIAL	30.74	424,000
EXPOSITION CENTER	16.56	176,296
THE GRAND - OFFICE, RETAIL, HOTEL	91.82	1,968,030
RED RIVER OPRY - ENTERTAINMENT	4.38	85,000
RIVERWALK - RIO SALADO	12.56	466,692
TOTAL	295.53	6,965,098

NUMBERS OF TRACTS, LOTS AND PARCELS: 13 (+3 OUTSIDE TEMPE JURISDICTION)
 PARKING REQUIRED: 28,040 STD
 PARKING PROVIDED: REFER TO FINAL P.A.D.'S
 LOT COVERAGE PERMITTED: 10%
 LANDSCAPE REQUIRED (RIO SALADO): 50%

DS031621 SPD-2004.45 REC04053

BOOK 699 PAGE 31
 OFFICIAL RECORDS OF
 MARICOPA COUNTY RECORDER
 HELEN PURCELL
 2004-0941238
 08/10/04 09:39 AM

CONDITIONS OF APPROVAL: SPD-2004.45

4. FINAL DEVELOPMENT PLANS FOR ALL FUTURE PHASED DEVELOPMENT SHALL REQUIRE ADDITIONAL PROCESSING PRIOR TO ISSUANCE OF ANY BUILDING PERMIT FOR SUCH DEVELOPMENT.

6. A. THE PUBLIC WORKS DEPARTMENT SHALL APPROVE ALL ROADWAY, ALLEY, AND UTILITY EASEMENT DEDICATIONS, DRIVEWAYS, STORM WATER RETENTION, AND STREET DRAINAGE PLANS, WATER AND SEWER CONSTRUCTIONS DRAWINGS, REFUSE PICKUP, AND OFF-SITE IMPROVEMENTS.

B. OFF-SITE IMPROVEMENTS TO BRING ROADWAYS TO CURRENT STANDARDS INCLUDE:
 (1) WATER LINES AND FIRE HYDRANTS
 (2) SEWER LINES AND SEWER DEVELOPMENT FEES
 (3) STORM DRAINS
 (4) ROADWAY IMPROVEMENTS INCLUDING STREETLIGHTS, CURB, GUTTER, BIKE PATH, SIDEWALK, BUS SHELTER, AND RELATED AMENITIES.

C. FEES TO BE PAID WITH DEVELOPMENT OF THIS PROJECT INCLUDE:
 (1) WATER AND SEWER DEVELOPMENT FEES
 (2) WATER AND/OR SEWER PARTICIPATION CHARGES
 (3) INSPECTION AND TESTING FEES

D. ALL APPLICABLE OFF-SITE PLANS SHALL BE APPROVED PRIOR TO RECORDEATION OF FINAL SUBDIVISION PLAT.

7. A. ALL STREET DEDICATIONS SHALL BE MADE WITHIN SIX (6) MONTHS OF REDEVELOPMENT REVIEW COMMISSION APPROVAL.

B. PUBLIC IMPROVEMENTS MUST BE INSTALLED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMITS. ANY PHASING SHALL BE APPROVED BY THE PUBLIC WORKS DEPARTMENT.

C. ALL NEW AND EXISTING, AS WELL AS ON-SITE AND OFF-SITE, UTILITY LINES (OTHER THAN TRANSMISSION LINES) SHALL BE PLACED UNDERGROUND PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR THIS (RE)DEVELOPMENT IN ACCORDANCE WITH THE CODE OF THE CITY OF TEMPE-SECTION 25-120.

8. IF NEW PROPERTY OR LEASE LINES ARE CREATED ON THIS SITE, THE OWNER(S) SHALL PROVIDE A CONTINUING CARE CONDITION, COVENANT AND RESTRICTION FOR ALL OF THE PROJECT'S LANDSCAPING, REQUIRED BY ORDINANCE OR LOCATED IN ANY COMMON AREA ON SITE. THE COB'S SHALL BE IN A FORM SATISFACTORY TO THE DEVELOPMENT SERVICES MANAGER AND CITY ATTORNEY. THESE COB'S SHOULD PROVIDE THAT A SINGLE ENTITY WILL ULTIMATELY BE RESPONSIBLE FOR MAINTAINING ALL LANDSCAPING, BOTH REQUIRED BY ORDINANCE AND IN THE COMMON AREA ON SITE, ACCORDING TO THE LANDSCAPING PLAN APPROVED BY THE CITY, AND THAT SUCH PROVISION MAY NOT BE AMENDED WITHOUT PRIOR APPROVAL BY CITY ATTORNEY AND DEVELOPMENT SERVICES MANAGER.

9. NO VARIANCES SHALL BE CREATED BY FUTURE PROPERTY LINES WITHOUT THE PRIOR APPROVAL OF THE CITY OF TEMPE.

10. THE APPLICANT SHALL COMPLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS REGARDING ARCHEOLOGICAL ARTIFACTS ON THIS SITE.

AND ALL PREVIOUS APPLICABLE CONDITIONS OF APPROVAL FROM

- CASE SPD-88.57 / SBD-88.58
- CASE SPD-89.27
- CASE SPD-83.29
- CASE SPD-83.97
- CASE SPD-84.02
- CASE SPD-87.28
- CASE SPD-87.34
- CASE SPD-88.44
- CASE SPD-88.72
- CASE RRC03042

9/1

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15TH PRELIMINARY P.A.D.
 for
PAPAGO PARK CENTER

CHECKED BY: NJC
 DRAWN BY: EWS
 PROJECT #: C03046
 DATE: 06/18/04
 SCALE: SHEET OF

COVER 1 of 4

DS031621 SPD-2004.45 REC04053