

# GROVES POWER CENTER

## EIGHTH AMENDED GENERAL PLAN OF DEVELOPMENT & A SECOND FINAL PLAN

### OF DEVELOPMENT FOR WAL-MART SUPERCENTER #1746-01

#### A PORTION OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 1 SOUTH,

#### RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN

#### TEMPE, ARIZONA

#### GROVE POWER CENTER (EAST & WEST)

### LEGAL DESCRIPTION

THIS PORTION OF THE LEGAL DESCRIPTION HAS BEEN TAKEN FROM THE SEVENTH AMENDED GENERAL PLAN OF DEVELOPMENT FOR THE GROVES POWER CENTER.

LOT 2 OF "THE GROVES, AMENDED" ACCORDING TO BOOK 351 OF MAPS, PAGE 21 RECORDS OF MARICOPA COUNTY, ARIZONA.

LOT 4 OF "THE GROVES, AMENDED" ACCORDING TO BOOK 351 OF MAPS, PAGE 21 RECORDS OF MARICOPA COUNTY, ARIZONA.

LOT 5 OF "THE GROVES, AMENDED" ACCORDING TO BOOK 351 OF MAPS, PAGE 21 RECORDS OF MARICOPA COUNTY, ARIZONA.

LOT 6 OF "THE GROVES, AMENDED" ACCORDING TO BOOK 351 OF MAPS, PAGE 21 RECORDS OF MARICOPA COUNTY, ARIZONA.

LOT 7 OF "THE GROVES, AMENDED" ACCORDING TO BOOK 351 OF MAPS, PAGE 21 RECORDS OF MARICOPA COUNTY, ARIZONA.

LOT 8 OF "THE GROVES, AMENDED" ACCORDING TO BOOK 351 OF MAPS, PAGE 21 RECORDS OF MARICOPA COUNTY, ARIZONA.

LOT 9 OF "THE GROVES, AMENDED" ACCORDING TO BOOK 351 OF MAPS, PAGE 21 RECORDS OF MARICOPA COUNTY, ARIZONA.

LEGAL DESCRIPTION FOR THE SECOND AMENDED FINAL PLAN OF DEVELOPMENT FOR WAL-MART SUPERCENTER.

PARCEL NO. 1:

LOT 3, THE GROVES, AMENDED, ACCORDING TO BOOK 351 OF MAPS, PAGE 21 AND AFFIDAVIT OF CORRECTION RECORDED IN INSTRUMENT NO. 92-0422707, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

THAT PORTION OF LOT 2, THE GROVES, SECOND AMENDED, ACCORDING TO BOOK 370 OF MAPS PAGE 39 AND AFFIDAVIT OF CORRECTION RECORDED IN INSTRUMENT NO. 94-0321556, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERLY NORTHWEST CORNER OF SAID LOT 2, ALSO BEING THE MOST NORTHERLY NORTHEAST CORNER OF LOT 3, THE GROVES AMENDED, ACCORDING TO BOOK 351 OF MAPS, PAGE 21 AND AFFIDAVIT OF CORRECTION RECORDED IN INSTRUMENT NO. 92-0422707, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 00 DEGREES 19 MINUTES 21 SECONDS EAST, 120.97 FEET (RECORD 120.98 FEET), COINCIDENT WITH THE COMMON LINE BETWEEN SAID LOT 2 AND SAID LOT 3;

THENCE SOUTH 89 DEGREES 40 MINUTES 39 SECONDS WEST, 53.15 FEET COINCIDENT WITH SAID COMMON LINE TO THE INTERSECTION WITH THE NORTHERLY EXTENSION OF A LINE COINCIDENT WITH THE WEST FACE OF THE BUILDING CURRENTLY OCCUPIED BY MOR FURNITURE, AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 00 MINUTES 08 SECONDS WEST, 243.22 FEET ALONG SAID LINE COINCIDENT WITH SAID MOR FURNITURE BUILDING;

THENCE SOUTH 89 DEGREES 59 MINUTES 51 SECONDS EAST, 58.31 FEET ALONG A LINE DRAWN ON A PERPENDICULAR FROM THE LAST DESCRIBED COURSE;

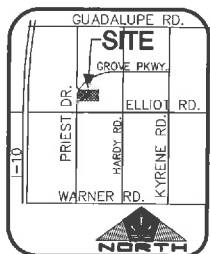
THENCE SOUTH 15 DEGREES 36 MINUTES 39 SECONDS WEST, 339.42 FEET TO THE EASTERLY EXTENSION OF THE MOST SOUTHERLY EAST-WEST COMMON LINE BETWEEN SAID LOT 2 AND SAID LOT 3, SAID LINE LYING 139.98 FEET (RECORD 140.00 FEET), NORTH OF AND PARALLEL WITH THE NORTHERLY RIGHT-OF-WAY LINE OF ELLIOT ROAD AS SHOWN ON THE FINAL PLAT OF THE GROVES, SECOND AMENDED, AFORESAID;

THENCE SOUTH 89 DEGREES 40 MINUTES 39 SECONDS WEST, 41.56 FEET ALONG SAID PARALLEL LINE TO THE MOST NORTHERLY SOUTHEAST CORNER OF THE COMMON LINE BETWEEN SAID LOT 2 AND SAID LOT 3;

THENCE NORTH 00 DEGREES 19 MINUTES 21 SECONDS WEST, 569.93 FEET (RECORD 570.00 FEET) COINCIDENT WITH SAID COMMON LINE TO THE MOST WESTERLY NORTHWEST CORNER OF SAID LOT 2 AND THE MOST WESTERLY NORTHEAST CORNER OF SAID LOT 3;

THENCE NORTH 89 DEGREES 40 MINUTES 39 SECONDS EAST, 77.81 FEET (RECORD REMAINDER 77.75 FEET) ALONG SAID COMMON LINE TO THE TRUE POINT OF BEGINNING.

CONTAINING 47,562 SQUARE FEET OR 1.09 ACRES.



**SITE LOCATION MAP**

NOT TO SCALE

### FLOOD ZONE

FLOOD ZONE DESIGNATION: PROJECT IS LOCATED IN ZONE X, FIRM MAP #0401302630F DATED: JULY 19, 2001. ZONE X AREAS OF 900-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD. PANEL 2630 OF 4350.

### BENCHMARK

CITY OF TEMPE BRASS CAP IN HANDHOLE AT THE INTERSECTION OF ELLIOT ROAD AND GROVE PARKWAY.

ELEVATION = 1234.86 (CITY OF TEMPE DATUM)

CITY OF TEMPE BRASS CAP IN HANDHOLE AT THE INTERSECTION OF ELLIOT ROAD AND HARDY AVENUE.

ELEVATION = 1212.85 (CITY OF TEMPE DATUM)

CITY OF TEMPE DATUM IS EQUIVALENT TO NGVD '29.

### BASIS OF BEARINGS

NORTH 89°40'39" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 9, AS SHOWN HEREON, COINCIDENT WITH THE CITY OF TEMPE GRID DATUM, RECORD BEARING FOR THIS LINE IS NORTH 89°42'14" EAST ACCORDING TO BOOK 280 OF MAPS, PAGE 45, "SANDERS RANCH UNIT 1".

### CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERLYING SURVEY ON THIS GENERAL PLAN OF DEVELOPMENT WAS MADE UNDER MY DIRECTION DURING THE MONTH OF May, 2004.

BY: Joseph Gault REGISTERED LAND SURVEYOR

### SHEET INDEX

- 1 GENERAL COVER
- 2 EIGHTH AMENDED GENERAL PLAN (WEST; FROM PRIEST DRIVE TO GROVE CENTER ROAD)
- 3 EIGHTH AMENDED GENERAL PLAN (EAST; FROM GROVE CENTER ROAD TO HARDY DRIVE)
- 4 SECOND AMENDED FINAL PLAN OF DEVELOPMENT COVER SHEET
- 5 SECOND AMENDED FINAL PLAN OF DEVELOPMENT FOR WAL-MART SUPERCENTER #1746-01

### OWNERS/DEVELOPERS

WAL-MART STORES, INC.  
2001 S.E. 10TH STREET  
BENTONVILLE, ARKANSAS  
72716-0550  
PH. 479-273-4000

PRICE LEGACY GROVES, L.P.  
17140 BERNARDO CTR. DR. #300  
SAN DIEGO, CA. 92128  
PH. 858-675-9400

### CERTIFICATE OF OWNERS

THIS IS TO CERTIFY THAT WE HAVE REVIEWED THIS PLAN

AND HEREBY APPROVE THE DEVELOPMENT AS SHOWN.

SIGNED THIS 20th DAY OF May, 2004.

BY: John Clarke  
ASST. VICE PRES.  
Wal-Mart Stores, Inc.

(STATE) Arkansas  
(COUNTY) Benton

SUBSCRIBED AND SWORN BEFORE ME THIS 20th

DAY OF May, 2004.

BY: Joseph Gault MY COMMISSION

EXPIRES 12-1-2009



### CERTIFICATE OF OWNERS

THIS IS TO CERTIFY THAT WE HAVE REVIEWED THIS PLAN

AND HEREBY APPROVE THE DEVELOPMENT AS SHOWN.

SIGNED THIS 16th DAY OF JUNE, 2004.

PRICE LEGACY GROVES L.P.; A CALIFORNIA LIMITED PARTNERSHIP.

BY: P-L GROVES, INC.; A DELAWARE CORPORATION, ITS GENERAL PARTNER.

BY: John Viscosi  
JOHN VISCOSI, VICE PRESIDENT.

(STATE) California  
(COUNTY) San Diego

SUBSCRIBED AND SWORN BEFORE ME THIS 15th

DAY OF June, 2004.

BY: Andrea Hall MY COMMISSION

EXPIRES 2-1-2007

BOOK 692 PAGE 2

OFFICIAL RECORDS OF MARICOPA COUNTY RECORDER HELEN PURCELL

2004-0707799

06/23/2004 01:59 PM

### VARIANCE(S)

REDUCE THE MINIMUM REQUIRED SIDE YARD BUILDING SETBACK, ALONG THE EAST SIDE PROPERTY LINE OF LOT 3 AND ALONG THE WEST SIDE PROPERTY LINE OF LOT 4 FROM 60 FEET TO 0 FEET.

### CONDITIONS OF APPROVAL: SGF-2003.92

THE APPROVAL WAS SUBJECT TO THE FOLLOWING CONDITIONS:

1. 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 CONSTRUCTION DRAWINGS, REFUSE PICKUP, AND OFF-SITE IMPROVEMENTS.
  - A. OFF-SITE IMPROVEMENTS TO BRING ROADWAYS TO CURRENT STANDARDS INCLUDE:
    - (1) WATER LINES AND FIRE HYDRANTS.
    - (2) SEWER LINES.
    - (3) STORM DRAINS.
    - (4) ROADWAY IMPROVEMENTS INCLUDING STREETLIGHTS, CURB, GUTTER, BIKE PATH, SIDEWALK, BUS SHELTER, AND RELATED AMENITIES.
- B. FEES TO BE PAID WITH THE 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 RECORDED OF FINAL SUBDIVISION PLAT.
2. A. PUBLIC IMPROVEMENTS MUST BE INSTALLED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMITS. ANY PHASING SHALL BE APPROVED BY THE PUBLIC WORKS DEPARTMENT.
  - A. 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.
3. THE APPLICANT/OWNER SHALL PROVIDE A CONTINUING CARE CONDITION, COVENANT AND RESTRICTION OF ALL OF THE PROJECT'S LANDSCAPING, REQUIRED BY ORDINANCE OR LOCATED IN ANY COMMON AREA ON SITE. THE CC&R'S SHALL BE IN A FORM SATISFACTORY TO THE DEVELOPMENT SERVICES DIRECTOR AND CITY ATTORNEY.
4. NO VARIANCES MAY BE CREATED BY FUTURE PROPERTY LINES WITHOUT THE PRIOR APPROVAL OF THE CITY OF TEMPE.
5. A VALID BUILDING PERMIT SHALL BE OBTAINED AND SUBSTANTIAL CONSTRUCTION COMMENCED WITHIN ONE YEAR OF THE DATE OF COUNCIL APPROVAL ON OR BEFORE JANUARY 8, 2005 OR THE VARIANCE SHALL BE DEEMED NULL AND VOID.
6. THE APPLICANT SHALL RESOLVE ALL LIGHTING AND SECURITY DETAILS WITH THE PLANNING AND CRIME PREVENTION STAFF PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
7. THIS PLAN SHALL SHOW CROSS ACCESS TO BE MAINTAINED THROUGHOUT THIS SITE OVER THE DRIVING AISLES. NO CHANGES OR MODIFICATIONS TO THE DRIVING AISLES WILL BE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE ENGINEERING DEPARTMENT.
8. THIS AMENDED GENERAL AND FINAL PLAN OF DEVELOPMENT SHALL BE PUT INTO PROPER ENGINEERED FORMAT WITH APPROPRIATE SIGNATURE BLOCKS AND RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE THROUGH THE CITY OF TEMPE'S DEVELOPMENT SERVICES DEPARTMENT ON OR BEFORE JANUARY 8, 2005. FAILURE TO RECORD THE PLAN WITHIN ONE YEAR OF COUNCIL APPROVAL SHALL MAKE THE PLAN NULL AND VOID.
9. AN AMENDED FINAL SUBDIVISION PLAT SHALL BE APPROVED BY CITY COUNCIL, AND RECORDED WITH THE MARICOPA COUNTY RECORDERS OFFICE PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

### APPROVALS

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE,

ARIZONA ON THIS 20th DAY OF January, 2004.

BY: Paul Mulvany 1/15/04  
MAYOR DATE

ATTEST: Kyffery 1/15/04  
CLERK DATE

BY: Andy Col 6/15/06  
CITY ENGINEER DATE

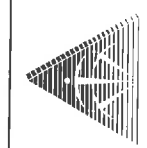
BY: Jonathan Vanden 6/17/04  
DEVELOPMENT SERVICES DATE



DS031195 SGF-2003.92 REC04008

NO.	DESCRIPTION	REV. BY	CD	DATE

**TRI-CORE ENGINEERING**  
7272 E. INDIAN SCHOOL RD. SUITE 420  
SCOTTSDALE, AZ 85251  
PHONE (480) 346-3200  
FAX (480) 346-3201



SCALE (H): N/A  
SCALE (V): N/A  
DRAWN BY: HN  
DESIGNED BY: HN  
CHECKED BY: FF  
DATE: 03/05/04

GROVES POWER CENTER  
TEMPE, ARIZONA  
NW CORNER OF ELLIOT RD. AND GROVE CENTER RD.  
FINAL PLAN OF DEVELOPMENT FOR LOT 2  
BUILDINGS 2,3,4 AND P2 (PHASE 1)  
GENERAL COVER SHEET

PROJECT NO. 5079-0017  
FILENAME GEN\_DEV01.DWG  
DRAWING NO. GEN-COV  
SHEET 1 OF 5

DS031195 SGF-2003.92 REC04008

95



**LEGEND**

- ⑤ BUILDING LEGEND
- Ⓟ STRIP MALL
- ⊙ PARKING COUNTS

NO.	REVISION	DATE

**TRI-CORE ENGINEERING**  
 7272 E. ANHANG SCHOOL RD. SUITE 220  
 SCOTTSDALE, AZ 85255  
 PHONE (480) 346-3000  
 FAX (480) 346-3000

SCALE (H): 1"=80'  
 SCALE (V): N/A  
 DRAWN BY: HN  
 DESIGNED BY: HN  
 CHECKED BY: FF  
 DATE: 02/05/04

THE GROVES POWER CENTER  
 TEMPE, ARIZONA  
 NW CORNER OF ELLIOT RD. & GROVE CENTER RD.

BOOK 692 PAGE 2  
 OFFICIAL RECORDS OF  
 MARICOPA COUNTY RECORDER  
 HELEN PURCELL  
 2004-0707799  
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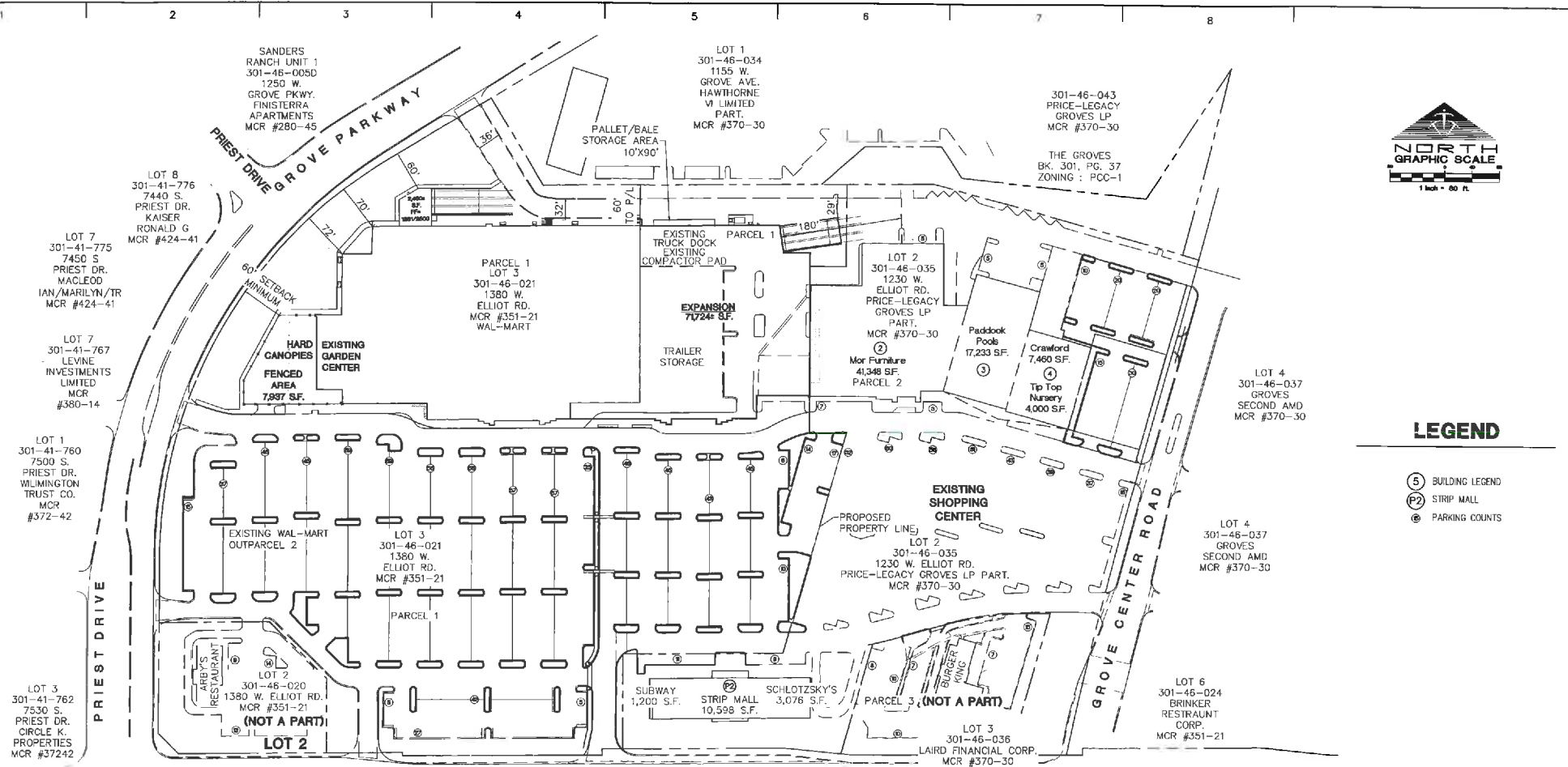
FINAL PLAN OF DEVELOPMENT FOR LOT 2  
 BUILDINGS 2.3.4 & P2 (PHASE 1)

PROJECT NO.  
5079-0017

FILENAME  
GEN\_DEV802.DWG

DRAWING NO. WEST

SHEET 2 OF 5

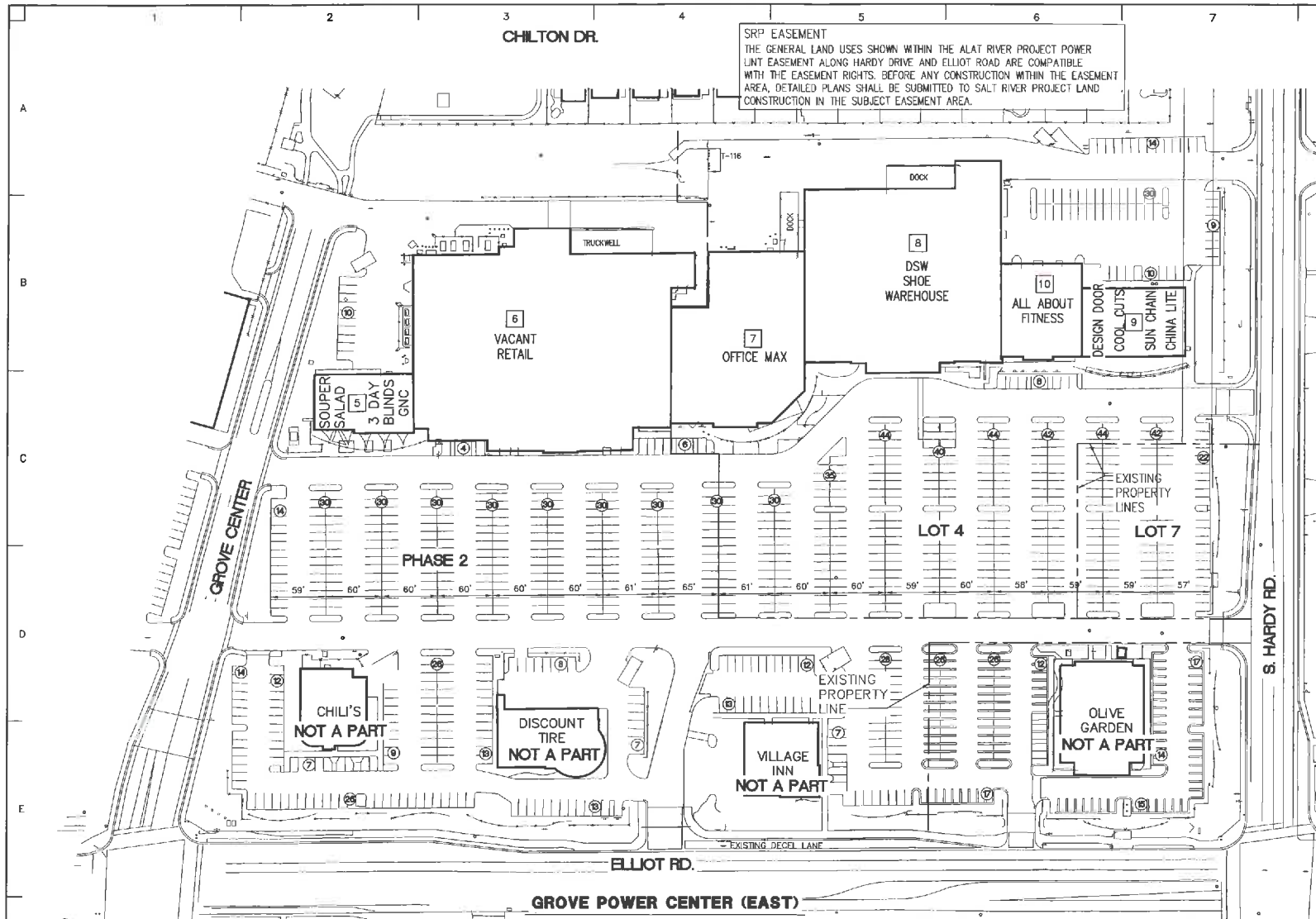


**GROVE POWER CENTER (WEST)**

TENANT NUMBER	ADDRESS	TYPE OF USE	GROSS BLDG. AREA (S.F.)	REQ'D PARKING	REQ'D PARKING SPACES	PROVIDED PARKING SPACES
2	MOR FURNITURE FOR LESS	1270 W. ELLIOT RD.	41,348	1/250	165	321
3	PADDOCK POOLS	1238 W. ELLIOT RD.	17,233	1/250	69	-
4	TIP TOP NURSERY	1230 W. ELLIOT RD.	11,460	1/250	46	95
P2	STRIP MALL (RETAIL PORTION ONLY)	1320 W. ELLIOT RD.	10,598	1/250	42	-
	WALMART	1380 W. ELLIOT RD.	192,867	1/250	771	816
	<b>TOTAL RETAIL</b>		<b>273,506</b>	<b>1/250</b>	<b>1,094</b>	<b>1,232</b>
P2	SUBWAY (LOCATED IN STRIP MALL)	1320 W. ELLIOT RD.	1,200	1/75	16	16
P2	SCHLOTZSKY'S (LOCATED IN STRIP MALL)	1320 W. ELLIOT RD.	3,076	1/75	41	41
	<b>TOTAL RESTAURANT</b>		<b>4,276</b>	<b>1/75</b>	<b>57</b>	<b>57</b>
	<b>TOTAL PARKING RATIO</b>				<b>1,151</b>	<b>1,289</b>

CROSS ACCESS TO BE MAINTAINED THROUGHOUT THIS SITE OVER THE DRIVING AISLES. NO CHANGES OR MODIFICATIONS TO THE DRIVING AISLES WILL BE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE ENGINEERING DEPARTMENT.

NOTES:  
 CALCULATIONS EXCLUDE THE FOLLOWING: ARBY'S, BURGER KING AND TIP TOP DISPLAY AREA.  
 \* CITY REQUIRES 1 SPACE /250 S.F. FOR RETAIL AND 1 SPACE /75 S.F. FOR RESTAURANTS



**SRP EASEMENT**  
 THE GENERAL LAND USES SHOWN WITHIN THE ALAT RIVER PROJECT POWER LINE EASEMENT ALONG HARDY DRIVE AND ELLIOT ROAD ARE COMPATIBLE WITH THE EASEMENT RIGHTS. BEFORE ANY CONSTRUCTION WITHIN THE EASEMENT AREA, DETAILED PLANS SHALL BE SUBMITTED TO SALT RIVER PROJECT LAND CONSTRUCTION IN THE SUBJECT EASEMENT AREA.



**LEGAL DESCRIPTION**  
 LOTS 4, 6 & 7 FINAL PLAT OF THE GROVES, SECOND AMENDED 370/30MCR

- LEGEND**
- Ⓢ PARKING COUNTS
  - ⑨ TENANT NUMBER
  - PROPERTY LINE
  - SUITE BOUNDARY

BOOK 692 PAGE 2  
 OFFICIAL RECORDS OF MARICOPA COUNTY RECORDER HELEN PURCELL  
 2004-0707799  
04/22/2004 01:59 PM

NOTE:  
 GROSS ACCESS TO BE MAINTAINED THROUGHOUT THIS SITE OVER THE DRIVING AISLES. NO CHANGES OR MODIFICATIONS TO THE DRIVING AISLES WILL BE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE ENGINEERING DEPARTMENT.

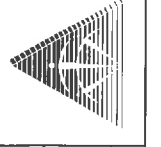
INFORMATION TAKEN FROM:  
 SEVENTH AMENDED GENERAL PLAN OF DEVELOPMENT AND FINAL PLAN OF DEVELOPMENT FOR PHASE 3 LOT 4 (BUILDINGS 9 & 10)

Notes:  
 Calculations exclude the following: Chili's, Discount Tire, Olive Garden & Village Inn.  
 \* City requires 1 space /250 S.F. for retail and 1 space /75 S.F. for restaurants

TENANT NUMBER	ADDRESS	TYPE OF USE	GROSS BLDG. AREA (S.F.)	REQ'D PARKING	REQ'D PARKING SPACES	PROVIDED PARKING SPACES
10	All About Fitness, Design Door, Cool Cut	Retail	13,600	1/250	54	595
8	DSW Shoe Warehouse	Retail	41,588	1/250	166	-
7	Office Max	Retail	23,675	1/250	95	-
5/6	GNC, 3 Day Blind & Vacant area	Retail	60,355	1/250	241	-
Total Retail			139,218	1/250	557	595
9	China Lite	Restaurant	2,800	1/75	37	38
5	Souper Salad	Restaurant	4,080	1/75	55	55
Total Restaurant			6,880	1/75	92	93
TOTAL PARKING RATIO			146,098		649	688

NO.	DESCRIPTION	REV. BY	CHK. BY	DATE

**TRI-CORE ENGINEERING**  
 7272 E. INMAN SCHOOL RD, SUITE 420  
 SCOTTSDALE, AZ 85251  
 PHONE (480) 346-3200  
 FAX (480) 346-3201



SCALE (H): 1"=60'  
 SCALE (V): N/A  
 DRAWN BY: HN  
 DESIGNED BY: HN  
 CHECKED BY: FF  
 DATE: 03/05/04

THE GROVES POWER CENTER  
 TEMPE, ARIZONA  
 NE CORNER OF ELLIOT RD. & PRIEST RD.  
 WAL-MART STORES, INC.  
 2001 S.E. 10TH STREET  
 BENTONVILLE, ARKANSAS 72716-0050  
 FINAL PLAN OF DEVELOPMENT FOR  
 WAL-MART SUPERCENTER STORE #1746

DS031195 SGF-2003.92 REC04008

PROJECT NO:  
 5079-0017  
 FILENAME  
 GEN\_DEV803.DWG  
 DRAWING NO. EAST  
 SHEET 3 OF 5