PANEL NO. 3080G DATED 5/29/1998 AND IS DEFINED AS AN AREA BETWEEN THE 100 YEAR AND 500 YEAR FLOOD. 4. PEGASUS AIRPARK UNIT TWO IS SERVED BY QUEEN CREEK WATER CO. AND HAS AN ASSURED WATER SUPPLY PURSUANT TO ARS 45-576 AND A.A.C. R-12-15-701 ET. SEQ.

5. THE TOWN OF QUEEN CREEK IS NOT RESPONSIBLE AND WILL NOT ACCEPT MAINTENANCE OF ANY PRIVATE UTILITIES, STREETS, FACILITIES, OR LANDSCAPED AREAS, ETC., WITHIN THE PROJECT.

6. A #5 REBAR 18" IN LENGTH WILL BE SET AT EACH LOT AND TRACT CORNER 7. LOTS 93 THROUGH 104 ARE SUBJECT TO OFFSITE DRAINAGE FROM THE ADJACENT TAXIWAY TO THE SOUTH, AND SHALI RETAIN THEIR PROPORTIONATE SHARE OF THE 100 YR - 2 HR RUNOFF IN ADDITION TO NUMBER 8 BELOW. 8. EACH LOT SHALL PROVIDE FOR ITS STORM WATER RETENTION AND THE STORM WATER RETENTION OF THE HALF STREET ADJACENT TO EACH LOT IN ACCORDANCE WITH APPROVED GRADING PLANS AND DRAINAGE REPORT. THE LOT OWNER SHALL BE RESPONSIBLE TO ENSURE THAT THE RETENTION REQUIREMENTS ARE PROVIDED AT ALL TIMES. INDIVIDUAL LOTS ARE REQUIRED TO RETAIN A MINIMUM OF 12,000 CUBIC FEET OF STORM WATER ON-SITE. 9. PEGASUS AIRPARK UNIT TWO IS SUBJECT TO NOISE LEVELS FROM AIRCRAFT BASED THEREIN AND MAY EXPERIENCE AIRCRAFT OVERFLIGHTS AND NOISE FROM A VARIETY OF AIRCRAFT DUF TO ITS CLOSE PROXIMITY TO WILLIAM'S GATEWAY AIRPORT. EACH LOT SHALL BE SUBJECTED TO NOISE OR SOUND ATTENUATION MEASURES SATISFACTORY TO THE TOWN OF QUEEN CREEK AND WHICH ARE CONSISTENT WITH REQUIREMENTS FOR PROPERTIES LOCATED IN AREAS DESIGNATED AS

AIRPORT OVERFLIGHT AREA III. 10. PEGASUS AIRPARK UNIT 2 IS SUBJECT TO A SPECIAL USE PERMIT FOR PEGASUS AIRPARK, QUEEN CREEK, ARIZONA (SUO1-97). AS IT MAY BE AMENDED FROM TIME TO TIME. THE TERMS OF WHICH SHALL APPLY TO PEGASUS AIRPARK UNIT TWO, ITS OWNERS, AND OCCUPANTS

11. THE OWNERS OF ALL LOTS HAVING RUNWAY ACCESS AND ALL PERSONS RENTING OR LEASING A TIE-DOWN FROM THE PEGASUS AIRPARK FLIGHT ASSOCIATION, AN ARIZONA NONPROFIT CORPORATION (OR OWNING A TIE-DOWN, IF SUCH ARE AVAILABLE FOR PRIVATE OWNERSHIP), SHALL BE MANDATORY MEMBERS OF THE PEGASUS AIRPARK FLIGHT ASSOCIATION, (REGARDLESS OF WHETHER SUCH OWNER OR PERSON IS AN ACTIVE PILOT OR AIRCRAFT OWNER). AND SHALL BE SUBJECT TO ALL RULES, REGULATIONS, AND ASSESSMENTS ESTABLISHED OR IMPOSED BY THE FLIGHT ASSOCIATION. 12. EACH OWNER SHALL HAVE THE RESPONSIBILITY OF ENGINEERING, GRADING, AND OTHERWISE PREPARING HIS LOT FOR THE CONSTRUCTION OF ANY IMPROVEMENTS THEREON, INCLUDING WITHOUT LIMITATION THE OBLIGATION TO PAY ALL ENGINEERING FEES AND COSTS ASSOCIATED WITH SITE PREPARATION, SUCH AS THE REMOVAL AND DISPOSAL OF EXCESS

DIRT OR THE PURCHASE AND ADDITIONAL FILL DIRT. 13. THE PEGASUS AIRPARK HOMEOWNERS ASSOCIATION SHALL MAINTAIN AND MANAGE ALL COMMON AREAS, WHICH SHALL SPECIFICALLY INCLUDE (i) THE PRIVATE ROADS WITHIN PEGASUS AIRPARK UNIT TWO, (ii) THE EQUESTRIAN TRAILS OR EASEMENTS WITHIN PEGASUS AIRPARK UNIT 2, (iii) THE IRRIGATION EASEMENTS WITHIN PEGASUS AIRPARK UNIT TWO, AND (iv) LANDSCAPE AREAS WITHIN OPEN SPACES, TRACTS, ARTERIAL STREETS AND COLLECTOR RIGHTS-OF-WAY CREATED OR DEDICATED SPECIFICALLY FOR THE BENEFIT OF PEGASUS AIRPARK UNIT TWO.

14. LANDSCAPING WITHIN THE MAJOR STREET AND PUBLIC RIGHT-OF-WAY TO THE BACK OF THE CURB SHALL BE MAINTAINED BY THE PEGASUS AIRPARK HOMEOWNERS ASSOCIATION. OWNERS OF LOTS NUMBERED 63, 72, 73, 77, 78, 87, 88, 92 & 104 SHALL BE RESPONSIBLE FOR PAYMENT OF ALL COSTS OF CONSTRUCTION AND MAINTENANCE OF THE LANDSCAPING (INCLUDING FENCES) ADJACENT TO THE STREET SIDE YARDS OF SUCH LOTS, RESPECTIVELY. EACH WALL (INCLUDING THE PILLARS THEREOF) SHALL BE CONSTRUCTED IN ACCORDANCE WITH AND PURSUANT TO THE DESIGN PREPARED THEREFORE BY PD/SOUREY ASSOCIATES.

15. ALL UTILITIES SHALL BE CONSTRUCTED UNDERGROUND 16. EACH LOT IS SUBJECT TO COMPRESSIBLE SOIL CONDITIONS. SPECIALIZED TREATMENT OF EXISTING SOILS WITHIN MOISTURE CONTENT OF FOUNDATION BEARING SOILS SHALL BE PERMITTED — SO AS TO ASSURE THAT POSITIVE DRAINAGE AWAY FROM STRUCTURES IS MAINTAINED. DURING AND AFTER CONSTRUCTION OF ANY BUILDING, STRUCTURAL FOUNDATION OR FLOOR SLAB. THE BEARING SOILS SHOULD NOT BE EXPOSED TO MOISTURE INFILTRATION OR MOISTURE CONTENT FLUCTUATIONS. DRAINAGE OF PROPERTY SURFACE WATER AND ROOF RUNOFF WATER AWAY FROM THE STRUCTURES MUST BE PROVIDED DURING CONSTRUCTION AS WELL AS THROUGHOUT THEIR LIFE. IN NO CASE SHOULD LONG TERM PONDING BE ALLOWED NEAR STRUCTURES. PROPER DESIGN AND PLACEMENT OF YARD VEGETATION AND IRRIGATION SYSTEMS SHOULD BE MAINTAINED SO THAT STRUCTURAL FOUNDATION AND FLOOR SLAB BEARING SOILS ARE NOT EXPOSED TO MOISTURE INFILTRATION OR MOISTURE CONTENT FLUCTUATIONS.

17. EACH LOT IS CONSIDERED SUITABLE FOR A SINGLE-FAMILY HOME IMPOSING RELATIVELY LIGHT FOUNDATION LOADS ONLY IF (i) FOUNDATIONS BEAR ON CONTROLLED COMPACTED FILL AND (ii) FOUNDATION BEARING SOILS ARE NOT EXPOSED TO MOISTURE INFILTRATION OR MOISTURE CONTENT FLUCTUATION.

18. EACH OWNER SHALL BE RESPONSIBLE TO "LASER" OR OTHERWISE PROPERLY LEVEL AND GRADE HIS LOT SO AS TO PROVIDE IRRIGATION AND SO AS TO ASSURE THAT ALL IRRIGATION WATER WILL BE RETAINED ON THE LOT AFTER CONSTRUCTION OF THE PRIMARY RESIDENCE AND ANY ACCESSORY STRUCTURES AND BUILDINGS. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED NOR ANY VEGETATION BE PLANTED BY THE BUYER ON ANY DRAINAGE EASEMENT WHICH WOULD OBSTRUCT OR DIVERT THE FLOW OR RETENTION STORM WATER.

19. FIRE SPRINKLER SYSTEMS ARE REQUIRED FOR LOTS NUMBERED 78 THROUGH 104. 20. THE MAINTENANCE OF LANDSCAPING WITHIN THE PUBLIC RIGHT OF WAY SHALL BE (A) THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION, IF CONTIGUOUS TO A DEDICATED TRACT, OR (B) THE RESPONSIBILITY OF THE LOT OWNER, IF CONTIGUOUS TO A LOT LINE WHERE THERE IS NO TRACT.

### **SUBORDINATION**

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, AS BENEFICIARY OF THAT CERTAIN DEED OF TRUST DATED 12/13/01 RECORDED IN THE OFFICIAL RECORDS OF THE MARICOPA COUNTY RECORDER ON 12/19/01, AS DOCUMENT NO. 20011195038, RE-RECORDED AS DOCUMENT NO. 20030762325, AND AS MODIFIED IN DOCUMENT NO. 20020286772, RE-RECORDED AS DOCUMENT NO. 20030762326, AND AS MODIFED IN DOCUMENT NO. 20021217753, RE-RECORDED AS DOCUMENT NO. 20030762327, HEREBY RATIFIES, AFFIRMS AND APPROVES THIS PLAT, THE SUPPLAMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CIRCLE G PEGASUS AIRPARK (RESIDENTIAL PROPERTY) TO BE RECORDED CONCURRENTLY HEREWITH, AND EACH AND EVERY DEDICATION, CONVENANT AND CONDITION CONTAINED HEREIN AND THEREIN, AND DOES HEREBY SUBORDINATE THE ABOVE-DESCRIBED DEED OF TRUST.

IN WITNESS WHEREOF THE UNDERSIGNED HAS ITS NAME HEREON THIS 1644 DAY OF **June**, 2003.

STATE OF ARIZONA ON THIS 16th DAY OF June, 2003, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, APPEARED Sand, Murphy WHO ACKNOWLEDGED HIMSELF TO BE THE Senior Vice President OF THE NATIONAL BANK OF ARIZONA, A CORPORATION, AND THAT HE EXECUTED THIS INSTRUMENT IN BEHALF OF SAID CORPORTATION BY AUTHORITY OF A RESOLUTION OF ITS BOARD OF DIRECTORS FOR THE PURPOSES HEREIN CONTAINED.

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

MY COMMISSION EXPIRES \_OC+ 29, 2005 By Lucinda Maegele June 16, 2003 NOTARY PUBLIC O



## A FINAL PLAT

# PEGASUS AIRPARK UNIT TWO

**LOTS 50 - 104** 

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34 AND A PORTION OF THE SOUTH ONE HALF OF SECTION 35, TOWNSHIP 2 SOUTH RANGE 7 EAST, GILA AND SALT RIVER MERIDIAN **MARICOPA COUNTY, ARIZONA DEDICATION** 

STATE OF ARIZONA

COUNTY OF MARICOPA

KNOW ALL MEN BY THESE PRESENTS: CIRCLE G PEGASUS, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS SUBDIVIDED UNDER THE NAME OF PEGASUS AIRPARK UNIT TWO, A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34 AND A PORTION OF THE SOUTH ONE HALF OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN PLATTED HEREON AND HEREBY PUBLISHES THIS PLAT AS AND FOR THE PLAT OF PEGASUS AIRPARK UNIT TWO, AND HEREBY DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, STREETS, AND EASEMENTS CONSTITUTING THE SUBDIVISION, AND DECLARES THAT EACH LOT, TRACT, AND STREET SHALL BE KNOW BY THE NUMBER LETTER, OR NAME THAT IS GIVEN TO EACH SUCH LOT, TRACT, AND STREET ON THIS PLAT, RESPECTIVELY. FURTHER, THE OWNER HEREBY DEDICATES TO THE PUBLIC (1) THE PUBLIC EASEMENTS AS DEPICTED ON THIS PLAT FOR THE PURPOSES SHOWN, (2) NON-EXCLUSIVE PUBLIC DRAINAGE EASEMENTS OVER TRACTS A & B, (3) A PUBLIC UTILITY EASEMENT AND INGRESS/EGRESS EASEMENT OVER THE ENTIRE AREA OF TRACTS A & B. ALL OTHER STREETS AND TRACTS ARE NOT DEDICATED TO THE PUBLIC, BUT ARE RESERVED FOR THE EXCLUSIVE USE OF THE OWNERS OF LOTS WITHIN PEGASUS AIRPARK, PEGASUS AIRPARK HOMEOWNERS ASSOCIATION (THE "ASSOCIATION"), OTHER ASSOCIATIONS TO WHICH THE OWNER(S) BELONG BY VIRTUE OF BEING OWNER(S) OF LOT(S) WITHIN PEGASUS AIRPARK UNIT TWO, THE OWNER OF A FIXED BASE OPERATION AND THE OWNERS OF LOTS WITHIN ANY ADDITIONAL PROPERTIES (AS SUCH TERMS ARE DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR PEGASUS AIRPARK (RESIDENTIAL PROPERTY) RECORDED IN THE OFFICIAL RECORDS OF THE MARICOPA COUNTY RECORDER ON 3/8/01 AS DOCUMENT #20010183803, AND THEIR GUESTS, INVITEES AND LICENSEES; SUCH RESERVATIONS AND USES SHALL INCLUDE. WITHOUT LIMITATION. AND THE NON-EXCLUSIVE USE OF TRACTS A & B FOR ROADWAY PURPOSES AND FOR THE ESTABLISHMENT AND MAINTENANCE OF SUCH EQUESTRIAN TRAIL AS MAY BE CREATED FROM TIME TO TIME BY THE ASSOCIATION.

IN WITNESS WHEREOF CIRCLE G PEGASUS, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS HEREUNTO CAUSED ITS NAME TO BE SIGNED BY THE UNDERSIGNED DUTY AUTHORIZED REPRESENTATIVE THIS 16 DAY OF June, 2003.

STATE OF ARIZONA

CONTAINED.

OFFICIAL SEAL.

COUNTY OF MARICOPA

**ACKNOWLEDGEMENT** 

ON THIS 16 DAY OF June 2003, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, APPEARED ROZAL SCROTTINUICZ WHO ACKNOWLEDGED HIMSELF TO BE A

member OF CIRCLE G PEGASUS L.L.C., AN ARIZONA LIMITED LIABILITY

IN WITNESS WHEREOF: I HEREUNTO SET MY HAND AND

MY COMMISSION EXPIRES: 10-16-04

COMPANY, AND THAT HE EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN

DATE

PREPARED BY:

SUNRISE ENGINEERING, INC.

1930 S. ALMA SCHOOL ROAD, SUITE A-114

MESA, ARIZONA 85210

(480) 768-8600

FAX (480) 768-8609

ITS: MEMBER

### **LEGAL DESCRIPTION**

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34 AND THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 7 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 1476.92 FEET NOO'12'29"E ALONG SECTION LINE FROM THE SOUTH QUARTER CORNER OF SAID SECTION 35 (BEING A 1 1/2" IRON PIPE)

AND RUNNING THENCE S89°59'45"W 2536.99 FEET;

THENCE N00°00'15"W 252.22 FEET;

THENCE N89°59'45"E 44.70 FEET;

THENCE NO0°00'15"W 50.00 FEET;

THENCE ALONG A CURVE TO THE RIGHT 31.42 FEET ALONG SAID CURVE WITH A CENTRAL ANGLE OF 90°00'00" AND A RADIUS OF 20.00 FEET [CHORD BEARS N45°00'15"W 28.28 FEET];

THENCE N00°00'15"W 534.00 FEET;

THENCE ALONG A CURVE TO THE RIGHT 31.42 FEET ALONG SAID CURVE WITH A CENTRAL ANGLE OF 90°00'00" AND A RADIUS OF 20.00 FEET [CHORD BEARS N44°59'45"E 28.28 FEET];

THENCE N00°00'15"W 60.00 FEET;

THENCE \$89°59'45"W 169.72 FEET:

THENCE NO0°00'15"W 217.78 FEET TO A POINT ON QUARTER SECTION LINE;

THENCE N89'59'45"E 23.20 FEET ALONG QUARTER SECTION LINE TO THE WEST QUARTER CORNER OF SAID SECTION 35;

THENCE EAST 2643.08 FEET ALONG QUARTER SECTION LINE TO THE CENTER OF SECTION 35 (BEING A 1" IRON PIPE);

THENCE S0012'29"W 1153.82 FEET ALONG QUARTER SECTION LINE TO THE POINT OF BEGINNING.

CONTAINING 67.44 ACRES OR 2,937,885 SQUARE FEET MORE OR LESS.

Notary Public - Arizon MARICOPA COUNT

**OCTOBER 16, 20** 

**DEVELOPER / OWNER** 

CIRCLE G PEGASUS, LLC 2152 S. VINEYARD, SUITE 105 MESA, AZ 85210 PHONE: (480) 632-7272

### **APPROVALS**

APPROVED BY THE TOWN COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA THIS 1814 DAY OF 14NE 2003.

EMPIRE BLVD.

**VICINITY MAP** 

- PROJECT LOCATION

### **BASIS OF BEARING**

WEST LINE OF SECTION 34, T2S, R7E, G.S.R.M. BEARING=S00°12'03"W

### **ASSURANCE STATEMENT:**

ASSURANCE IN THE FORM OF A \_\_\_\_\_\_, ISSUED FROM \_\_\_ AMOUNT OF \$\_\_\_\_\_ HAS BEEN DEPOSITED WITH THE TOWN ENGINEER TO GUARANTEE CONSTRUCTION OF THE REQUIRED SUBDIVISION IMPROVEMENTS

### CERTIFICATION

I, DALE ROBINSON, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA AND THAT THIS FINAL PLAT CORRECTLY REPRESENTS A SURVEY DONE UNDER MY SUPERVISION DURING THE MONTH OF MARCH 2002; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN ACTUALLY EXIST AS SHOWN OR WILL BE SET, THAT THE POSITIONS ARE CORRECT AND ACCURATE AS SHOWN, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.



SUNRISE -ENGINEERING

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