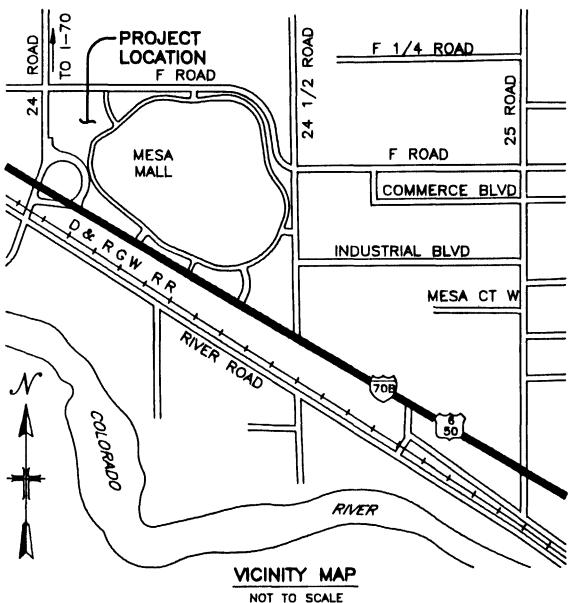
## MESA MALL'S SECOND MINOR SUBDIVISION

## PORTIONS OF LOT 1 AND LOT 4 OF THE MESA MALL SUBDIVISION AND PORTIONS OF THE SW1/4 SEC. 4 AND THE NW1/4 SEC. 9, T1S, R1W OF THE U.M.

NOTES CORRESPONDING TO SCHEDULE B ITEMS		
8	TRACT 4 TO MODERN MERCHANDISING, INC WITH CONVENANTS, RECORDED IN BOOK 1321 AT PAGE 928, IS NOTED AND PLOTTED HEREON	
9	A 10.0 FOOT WIDE PUBLIC SERVICE COMPANY OF COLORADO UTILITY EASEMENT, RECORDED IN BOOK 1322 AT PAGE 871, IS NOTED AND PLOTTED HEREON SAID EASEMENT DEDICATED AS PER THIS PLAT TO REMOVE ENCROACHMENT (SEE GENERAL NOTE 5 AND ITEM 31, B)	
10	A 45.0 FOOT WIDE CITY OF GRAND JUNCTION FLOODWAY, DRAINAGE AND UTILITY EASEMENT, RECORDED IN BOOK 1494 AT PAGE 881, IS NOTED AND PLOTTED HEREON	
(1)	A 20.0 FOOT WIDE CITY OF GRAND JUNCTION SANITARY SEWER EASEMENT, RECORDED IN BOOK 1524 AT PAGE 844, IS NOTED AND PLOTTED HEREON	
(12)	THIS ITEM DOES NOT AFFECT MESA MALL'S SECOND MINOR SUBDIVISION	
12 13 14	THIS ITEM DOES NOT AFFECT MESA MALL'S SECOND MINOR SUBDIVISION	
	THIS ITEM DOES NOT AFFECT MESA MALL'S SECOND MINOR SUBDIVISION	
15	A 50 0 FOOT WIDE GRAND VALLEY IRRIGATION COMPANY, INDEPENDENT RANCHMANS DITCH RELOCATION, UNRECORDED AGREEMENT, IS NOTED AND PLOTTED HEREON	
16	A 10.0 FOOT WIDE PUBLIC SERVICE COMPANY OF COLORADO EASEMENT, RECORDED IN BOOK 1239 AT PAGE 215, IS NOTED AND PLOTTED HEREON	
17	A PUBLIC SERVICE COMPANY OF COLORADO UTILITY AGREMENT, RECORDED IN BOOK 1285 AT PAGE 316, AFFECTS MESA MALL, IS NOTED HEREON	
(18)	THIS ITEM DOES NOT AFFECT MESA MALL'S SECOND MINOR SUBDIVISION	
19	SEWER AGREEMENT, ANNEX TO THE CITY OF GRAND JUNCTION, RECORDED IN BOOK 1216 AT PAGES 450 AND 452, AFFECTS ALL OF MESA MALL AND TRACT 3, IS NOTED HEREON	
20	A 20.0 FOOT WIDE CITY OF GRAND JUNCTION SEWER EASEMENT, RECORDED IN BOOK 1311 AT PAGE 824, IS NOTED AND PLOTTED HEREON	
21	THIS ITEM DOES NOT AFFECT MESA MALL'S SECOND MINOR SUBDIVISION	
22	A 20.0 FOOT WIDE CITY OF GRAND JUNCTION FLOODWAY, DRAINAGE AND UTILITY EASEMENT, RECORDED IN BOOK 1494 AT PAGE 882, IS NOTED AND PLOTTED HEREON	
23 24	THIS ITEM DOES NOT AFFECT MESA MALL'S SECOND MINOR SUBDIVISION	
24	THIS ITEM DOES NOT AFFECT MESA MALL'S SECOND MINOR SUED イルンロト	
25	LEASE AGREEMENT WITH COMMONWEALTH THEATERS REALTY, INC, RECORDED IN BOOK 1726 AT PAGE 231, AND ASSIGNMENT AND ASSUMPTION OF LEASE, RECORDED IN BOOK 1726 AT PAGE 242, AFFECTS MESA MALL, IS NOTED HEREON	
26	THIS ITEM DOES NOT AFFECT MESA MALL'S SECOND MINOR SUBDIVISION	
27	LEASE AGREEMENT WITH GART BROTHERS SPORTING GOODS COMPANY, RECORDED IN BOOK 1893 AT PAGE 720, AFFECTS MESA MALL, IS NOTED HEREON	
28	AN INGRESS AND EGRESS EASEMENT WITH MODERN MERCHANDISING, INC , RECORDED IN BOOK 1321 AT PAGE 934, IS NOTED AND PLOTTED HEREON	
29	OPERATING AGREEMENT WITH J C PENNEY PROPERTIES, INC AND DAYTON HUDSON CORPORATION, RECORDED IN BOOK 1247 AT PAGE 110, FIRST AMENDMENT RECORDED IN BOOK 1318 AT PAGE 580, FIRST AMENDMENT SUPPLEMENT RECORDED IN BOOK 1360 AT PAGE 483, SECOND AMENDMENT RECORDED IN BOOK 1394 AT PAGE 237, THIRD AMENDMENT RECORDED IN BOOK 1406 AT PAGE 723 AND THE FOURTH AMENDMENT RECORDED IN BOOK 1508 AT PAGE 592, AFFECTS ALL OF MESA MALL, IS NOTED HEREON	
30	THIS ITEM DOES NOT AFFECT MESA MALL'S SECOND MINOR SUBDIVISION	
31	MATTERS AS DISCLOSED ON ALTA SURVEY BY WESTERN ENGINEERS, INC DATED FEBRUARY 6, 1993, REVISION DATE OF MARCH 6, 1993, DRAWING NUMBER 3377-1191-1	
	ENCROACHMENT OF BUILDING ON LOT B IN TO FLOODWAY EASEMENT, RECORDED AT BOOK 1494 PAGE 881 (SEE ITEM 10), IS NOTED AND PLOTTED HEREON	
B	ENCROACHMENT OF BUILDING ON LOT B IN TO PUBLIC SERVICE UTILITY EASEMENT, RECORDED AT BOOK 1322 PAGE 871 (SEE ITEM 9), IS NOTED AND PLOTTED HEREON PUBLIC SERVICE EASEMENT DEDICATED AS PER THIS PLAT TO REMOVE ENCROACHMENT (SEE GENERAL NOTE 5 AND ITEM 9)	
$\odot$	ENCROACHMENT OF MAIN MALL BUILDING IN TO SANITARY SEWER EASEMENT, RECORDED AT BOOK 1311 PAGE 824 (SEE ITEM 20), IS NOTED AND PLOTTED HEREON	
32	RIGHTS OF TENANTS, UNLESS SPECIFIED TO THE CONTRARY IN TITLE POLICY, IS NOTED HEREON	

### GENERAL NOTES:

- 1) TITLE INFORMATION PROVIDED BY THE MESA COUNTY RECORDS AND CHICAGO TITLE INSURANCE COMPANY. POLICY NUMBER 6-52-61-15805, OFFICE FILE NUMBER 917106 WITH AN EFFECTIVE DATE OF MARCH 15, 1993
- 2) ZONING = HO (HIGHWAY ORIENTED) RETAIL SHOPPING MALL PERMITTED IN THIS ZONE BUILDING HEIGHT, SETBACK AND PARKING REQUIREMENTS FROM SPECIAL REVIEW BY MESA MALL AND THE CITY OF GRAND JUNCTION COMMUNITY DEVELOPMENT DEPARTMENT (970)244-1430 LEASE SITES NOT DEPICTED IT IS UNKNOWN WHAT THE SPECIFIC REQUIREMENTS WERE AT THE TIME OF THE ORIGINAL DEVELOPMENT
- 3) EASEMENT TO HERBERGERS IS AN EXTENSION OF AN EASEMENT GRANTED TO PUBLIC SERVICE COMPANY RECORDED IN BOOK 1239, PAGE 215 (SEE ITEM 16)
- 4) BASIS OF BEARINGS FROM ORIGINAL PLAT OF MESA MALL PROPERTY BY WESTERN ENGINEERS, INC. DATED DECEMBER 22, 1978, DRAWING NUMBER 1010-796-13, PLAT RECORDED AT PLAT BOOK 12 PAGE 130
- 5) PUBLIC SERVICE COMPANY OF COLORADO EASEMENT RECORDED AT BOOK 1322. PAGE 871 (SEE ITEM 9) IS DEDICATED AS PER THIS SUBDIVISION PLAT TO REMOVE ENCROACMENT OF SAID EASEMENT ONTO THE BUILDING ON LOT B (SEE ITEM 31, B)
- 6) AREA LABELED AS 20 0' WATER LINE EASEMENT IS NOT DEDICATED AS AN EASEMENT AS PER AGREEMENT BETWEEN THE UTE WATER CONSERVANCY DISTRICT AND GENERAL GROWTH MANAGEMENT INC , AGENT FOR OWNER WHERE GENERAL GROWTH MANAGEMENT INC, AGREES TO MAINTAIN ALL DOMESTIC WATER LINES AND FIRE SUPPLY LINES LOCATED ON GENERAL GROWTH MANAGEMENT. INC. MESA MALL PROPERTY AGREEMENT ALSO EXISTS BETWEEN THE UTE WATER CONSERVANCY DISTRICT AND SUTHERLANDS. WHERE SUTHERLANDS AGREES TO MAINTAIN ALL DOMESTIC WATER LINES AND FIRE SUPPLY LINES LOCATED ON LOT B OF MESA MALL'S SECOND MINOR SUBDIVISION
- 7) POSITIONAL TOLERANCE OF ALL MONUMENTS =  $\pm$  0.20 FEET
- 8) BENCHMARK DERIVED FROM NAVD 88 DATUM, NGS B M NUMBER D-416, ELEVATION = 4543 25, BENCHMARK IS NOTED AND PLOTTED HEREON
- 9) THE LENDER'S CLAUSE BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSOCIATION. AS TRUSTEE UNDER AND PURSUANT TO THE TERMS AND PROVISIONS OF THAT CERTAIN INDENTURE DATED AS OF MARCH 12, 1993 BY AND AMONG KIDDER PEABODY MORTGAGE FINANCE II LTD, AS ISSUER, AND BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSOCIATION, AS TRUSTEE, (AS PER TITLE POLICY AS DESCRIBED IN GENERAL NOTE ONE ABOVE)



ACREAGE	SUM
LOT	AC
LOT A	39
LOT B	7
TOTAL AC	47

NOTICE According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon NOTE

The word "Certify" is understood to be an expression of Professional opinion by the Land Surveyor which is based on his best knowledge, information and belief As such it constitutes neither a guarantee or warranty

#### KNOW ALL MEN BY THESE PRESENTS

That the undersigned, General Growth Monagement Inc., Agent for the owner of that real property situated in the County of Mesa, State of Colorado and that being part of the Southwest 1/4 of Section Four and the Northwest 1/4 of Section Nine, Township One South, Range One West of the Ute Meridian, which is previously described in book 1321, page 928 and book 1519, pages 196—199 of the Mesa County Records, said real property also being portions of Lot One and Lot Four of the Mesa Mall Subdivision as shown in Plat book 12, page 130 of the Mesa County Records and a portion of un-platted property as shown on the accompanying plat, said real property being more particularly described as follows

> Commencing at a Mesa County Brass Cap for the Southwest Corner of said Section Four and considering the line to a Mesa County Bress Cop, for the Northwest Corner of the Southwest 1/4 Southwest 1/4 of said Section Four to bear North 00'06'21" East 1319 78 feet with all bearings herein contained relative thereto, Thence North 89 56'13" East 459 17 feet along the South line of said Section Four to a point on the easterly right-of-way for Mesa County as described at Book 1405, Page 686 of the Mesa County records and the True Point of Beginning

Said True Point of Beginning being the beginning of a curve to the left, having a radius of 308 00 feet and the chord of which bears North 35'38'20" West 431 53 feet,

Thence leaving said South line along the arc of said curve, being on said easterly right-of-way, through a central angle of

88 56'24", 478 11 feet to the beginning of a curve to the right, having a radius of 232.00 feet and the chord of which bears North 61'10'08" West 150 61 feet,

Thence along the arc of said curve, being on said easterly right—of—way, through a central angle of 37 52'59", 153 38 feet, Thence North 00'06'21" East 79 19 feet along said easterly right-of-way,

Thence South 89'59'40" West 25 00 feet along said easterly right-of-way to a point on the easterly right-of-way for 24 Road as described at Book 1259, Page 942 of the Mesa County records, Thence North 00°06'21" East 477 00 feet along said easterly

right—of—way to a point on the southerly right—of way for F Road as described at Plat book 12, Page 130 of the Mesa County records, Thence North 89'59'40" East 619 07 feet along said southerly right-of-way,

Thence leaving said southerly right-of-way, South 00'00'20" East 25 00 feet, to the beginning of a curve to the left having a radius of 433.00 feet and the chord of which bears South 16 44'11" East 249 30 feet,

Thence along the arc of said curve, through a central angle of 33 27'42", 252.88 feet, Thence South 33'28'02" East 34 88 feet,

Thence North 47'12'30" East 386 96 feet

Thence North 00'00'20" West 30 00 feet to a point on the southerly right-of-way of F Road. [hence along said southerly right—of—way, North 89.59'40"

East 510 80 feet. Thence leaving said southerly right—of—way, South 00°00'20"

East 63 20 feet. Thence North 86°17′28″ East 293 94 feet to the beginning of a curve to the right, having a radius of 406.63 feet and the chord

of which bears South 88'43'23" East 70 68 feet, Thence along the arc of said curve, through a central angle of 09 58'18", 70 77 feet.

Thence South 10'00'00" West 175 21 feet,

Thence North 80°00'00" West 170 65 feet. Thence South 10'00'00" West 451 00 feet.

Thence South 80°00'00" East 34 30 feet to an existing building wall.

Thence along said wall South 10'00'00" West 0.75 feet. Thence along said wall South 80'00'00" East 91 95 feet.

Thence along said wall South 10°00'00" West 0.50 feet, Thence along said wall South 80'00'00" East 162 66 feet,

Thence along said wall North 10'00'00" East 1 25 feet,

Thence leaving said wall South 80'00'00" East 43.09 feet,

Thence South 10'00'00" West 94.48 feet to the beginning of a curve to the left having a radius of 88 00 feet and the chord of

which bears South 17°30'00" East 81 27 feet, Thence along the arc of said curve, through a central angle of 55'00'06", 84 47 feet,

Thence South 45'00'00" East 126 26 feet,

Thence North 45.00′00″ East 320.36 feet,

Thence North 08'00'20" West 329 39 feet.

Thence North 81'59'40" East 73 87 feet to a point on the southwesteriv right-of-way of F Road. Thence along said southwesterly right—of—way South 08 00'20" East 298 47 feet to the beginning of a curve to the left having a radius of 450.00 feet and the chord of which bears South

12'54'52" East 77 01 feet. Thence along the arc of said curve and said southwesterly

right-of-way, through a central angle of 09 49'02", 77 11 feet, Thence leaving said southwesterly right-of-way South

45'00'00" West 298 23 feet. Thence South 45'00'00" East 19:00 feet.

Thence South 45'00'00" West 130 00 feet to an existing building corner,

Thence along the wall of said building South 45.00'00" East 42 00 feet to a corner of said building,

Thence along and leaving a building dividing wall South 45 00'00" West 394 27 feet.

Thence entering, along and leaving another building dividing wall North 45'00'00" West 417 72 feet,

Thence South 45'00'00" West 565 72 feet, Thence South 45'00'00" East 45 14 feet to the beginning of

a curve to the left having a radius of 405 00 feet and the chord of which bears South 56'11'15" East 157 16 feet, Thence along the arc of said curve, through a central angle of 22'22'31", 158 16 feet.

Thence South 67°22′30" East 309 24 feet, Thence South 22 37'30" West 49 96 feet to the northerly

boundary of Lot 2, Mesa Mall Minor Subdivision as described at Plat Book 14, Page 64 of the Mesa County Records, Thence along said northerly boundary North 67°22'30" West

309 13 feet to the beginning of a curve to the right, having a radius of 455 00 feet and the chord of which bears North 56 11'15" West 176 56 feet,

Thence along the arc of said curve, being on said northerly boundary, through a central angle of 22°22′31″, 177 69 feet, Thence along said northerly boundary North 45 00'00" West 191 36 feet to the beginning of a curve to the left, having a radius of 550 00 feet and the chord of which bears North 48'08'00" West 60 13 feet.

Thence along the arc of said curve, being on said northerly boundary, through a central angle of 0616'02", 6016 feet. Thence along said northerly boundary North 51 16'00" West 307 91 feet to the beginning of a curve to the right, having a radius of 405 00 feet and the chord of which bears North 45 30'00" West 81 39 feet.

Thence along the arc of said curve, being on said northerly boundary, through a central angle of 11 32'02", 81 52 feet, Thence along said northerly boundary North 39 44'00" West

194 87 feet. Thence along said northerly boundary and the South line of said Section Four, South 89 56'13" West 81 47 feet to the True

Point of Beginning, This description contains 47.26 acres within the stated perimeter

**MARY** REAGE

34 AC 92 AC 26 AC

That said owner has caused the said real property to be laid out and surveyed as Mesa Mall's Second Minor Subdivision, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado

That said owner does hereby dedicate to the City of Grand Junction and the Public Utilities forever, those portions of real property as shown and labeled on the accompanying plat as sanitary sewer and utility easements, as easements for the installation and maintenance of utilities and sanitary sewer facilities, including but not limited to electric lines, gas lines, telephone lines and sanitary sewer lines, together with the right to trim interfering trees and brush, together with the perpetual right of ingress and egress for installation, maintenance and replacement of such lines. Said easements and rights shall be utilized in a reasonable and prudent manner

IN WITNESS WHEREOF said owner, NAME OF OWNER has caused his name to be hereunto subscribed this \_// day of \_\_\_\_\_ AD, 1995

das IN Brucch gent for the Equitable Life Assurance Society*d* The United States

(STATE OF COLORADO (COUNTY OF MESA

The foregoing instrument was acknowledged before me this <u>11th</u> day of <u>1104</u> A D 1995. by representative for General Growth Management, Inc.

My Commission expires 9-11-97 Witness by hand and official Seal

## CITY OF GRAND JUNCTION APPROVAL

This plat of Mesa Mall's Second Minor Subdivision, a subdivision of the City of Grand Junction, County of Mesa, and State of Colorado was approved and accepted on this 12th day of MAY AD, 1995

pred A. Varley ACAT & City Manager

CLERK AND RECORDERS CERTIFICAT (STATE OF COLORADO (COUNTY OF MESA I hereby certify that this instrument was filed in my office at\_\_\_\_\_ \_\_\_\_ o'clock \_\_\_\_\_ M , \_\_\_\_\_ AD, 1995, and is duly recorded in plat Book \_\_\_\_ day of \_\_\_\_\_ No \_\_\_\_\_ Page \_\_\_\_\_, Reception No \_\_\_\_\_ Clerk and Recorder Deputy SURVEYOR'S CERTIFICATE I, Michael J Helmer, do hereby certify that the accompanying plat of Mesa Mall's Second Minor Subdivision, a subdivision of a part of the City of Grand Junction, County of Mesa, has been prepared under my direction and accurately represents a field survey of same Also said plat conforms to all applicable survey requirements of the Zoning and Development Code of the City of Grand Junction and all applicable state laws and regulations <u>5-12-95</u> SHEET 1 OF 2

ESTERN CONSULTING ENGINEERS / LAND MURVEYORS ENGINEERS, INC 2150 May 6 & 50, Grand Janothan, CO (303)048-5000 FINAL PLAT FOR GENERAL GROWTH MANAGEMENT, INC OF MESA MALL'S SECOND MINOR SUBDIVISION LOCATED IN THE SW1/4 SEC. 4 AND THE NW1/4 SEC. 9, T1S, R1W OF THE U.M. CITY OF GRAND JCT, MESA COUNTY, COLORADO SURVEYED MJH DRAWN GBG CHECKED MJL DATE 3-6-95 WEI DWG NO 3745-796-34 01139901 tıf

# MESA MALL'S SECOND MINOR SUBDIVISION PORTIONS OF LOT 1 AND LOT 4 OF THE MESA MALL SUBDIVISION AND PORTIONS OF THE SW1/4 SEC. 4 AND THE NW1/4 SEC. 9, T1S, R1W OF THE U.M.

