

From: Kevin Rice <kprice@up.com>
Sent: Friday, March 3, 2023 3:28 PM
To: Adam.Assenza@stb.gov; Buckley, Maggie
Cc: Tabachnick, Alan; Phoebus, Elizabeth (Betsi); Luhnnow, Glennda
Subject: [EXTERNAL] PIRATE I/L Real Estate Issues
Attachments: 18706G_A140 St George_Signed 6-9-2022.pdf; Acquisition Print.pdf

Adam/Maggie:

- I have confirmed land ownership for the St. George property we were discussing on Wednesday. UPRR has closed on the portion of the property that is in the proposed ROW. Please see attached documents for details.
- With regards to the access issues for properties that were split due to property purchases made by UPRR for the proposed ROW, our Real Estate department made the following statement:
 - *In the cases where a parcel is divided by UP's acquisition, and where there is not already other public access to the remainder parcels, UP has worked with the property owner to establish alternate access to those remainder parcels.*

Also, I have also spoken to Desert Archaeology Inc, and they will be providing me with the resumes needed to be able to view unredacted information related to Section 106. I hope to provide those on Monday, 3/6/23.

Thanks,

Kevin Rice, PE
Sr. Manager M/W Environmental
Union Pacific Railroad
(402) 544-2213

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LEGAL DESCRIPTION

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THEREFROM THAT PORTION CONVEYED TO THE CITY OF MESA IN SPECIAL WARRANTY DEED RECORDED NOVEMBER 19, 2001 IN DOCUMENT NO. 2001-1080994 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA THAT LIES WITHIN A 130.00 FEET STRIP OF LAND, THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 6;

THENCE NORTH 89°16'22" WEST ALONG THE EAST-WEST MIDSECTION LINE OF SAID SECTION 6 FOR A DISTANCE OF 471.60 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHEAST THE CENTER OF WHICH BEARS NORTH 00°43'38" EAST FOR A DISTANCE OF 1432.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°5'14" FOR A DISTANCE OF 771.33 FEET TO A POINT OF TANGENCY;

THENCE NORTH 58°24'41" WEST A DISTANCE OF 1652.58 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST THE CENTER OF WHICH BEARS SOUTH 31°35'19" WEST FOR A DISTANCE OF 1432.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°59'39" FOR A DISTANCE OF 774.64 FEET TO A POINT OF TANGENCY;

THENCE NORTH 89°24'20" WEST FOR A DISTANCE OF 443.17 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTH THE CENTER OF WHICH BEARS SOUTH 00°35'40" WEST FOR A DISTANCE OF 6000.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°04'19" FOR A DISTANCE OF 531.14 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 85°31'21" WEST FOR A DISTANCE OF 841.42 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6, SAID POINT ALSO BEING 1476.93 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 6;

THENCE SOUTH 85°31'21" WEST FOR A DISTANCE OF 5.70 FEET TO THE CENTERLINE OF A RIGHT OF WAY AS RECORDED IN BOOK 17 OF ROAD MAPS, PAGE 97, MARICOPA COUNTY RECORDS.

EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A STONE IN POTHOLE MARKING THE NORTH QUARTER CORNER OF SAID SECTION 6, FROM WHICH AN ALUMINUM CAP STAMPED 32778 MARKING THE NORTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 89°33'33" EAST 2,635.61 FEET;

THENCE SOUTH 00°44'27" WEST 1,317.94 FEET ALONG THE WEST LINE OF SAID NORTHEAST QUARTER TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID NORTHEAST QUARTER AND THE POINT OF BEGINNING;

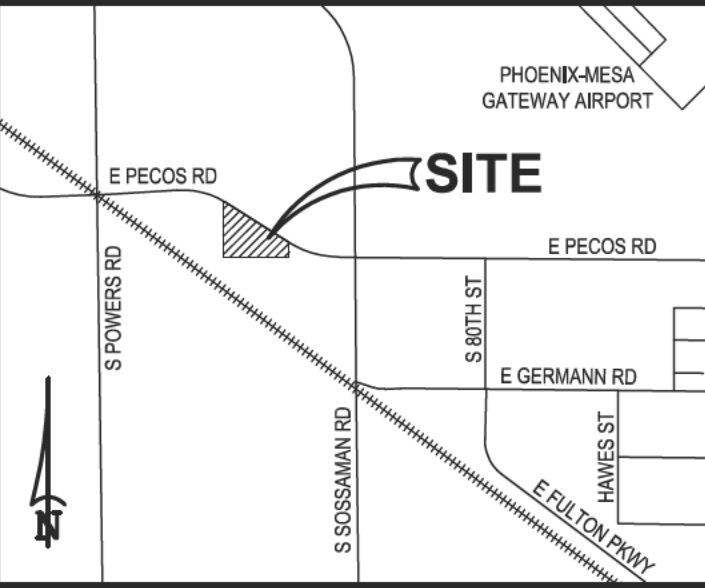
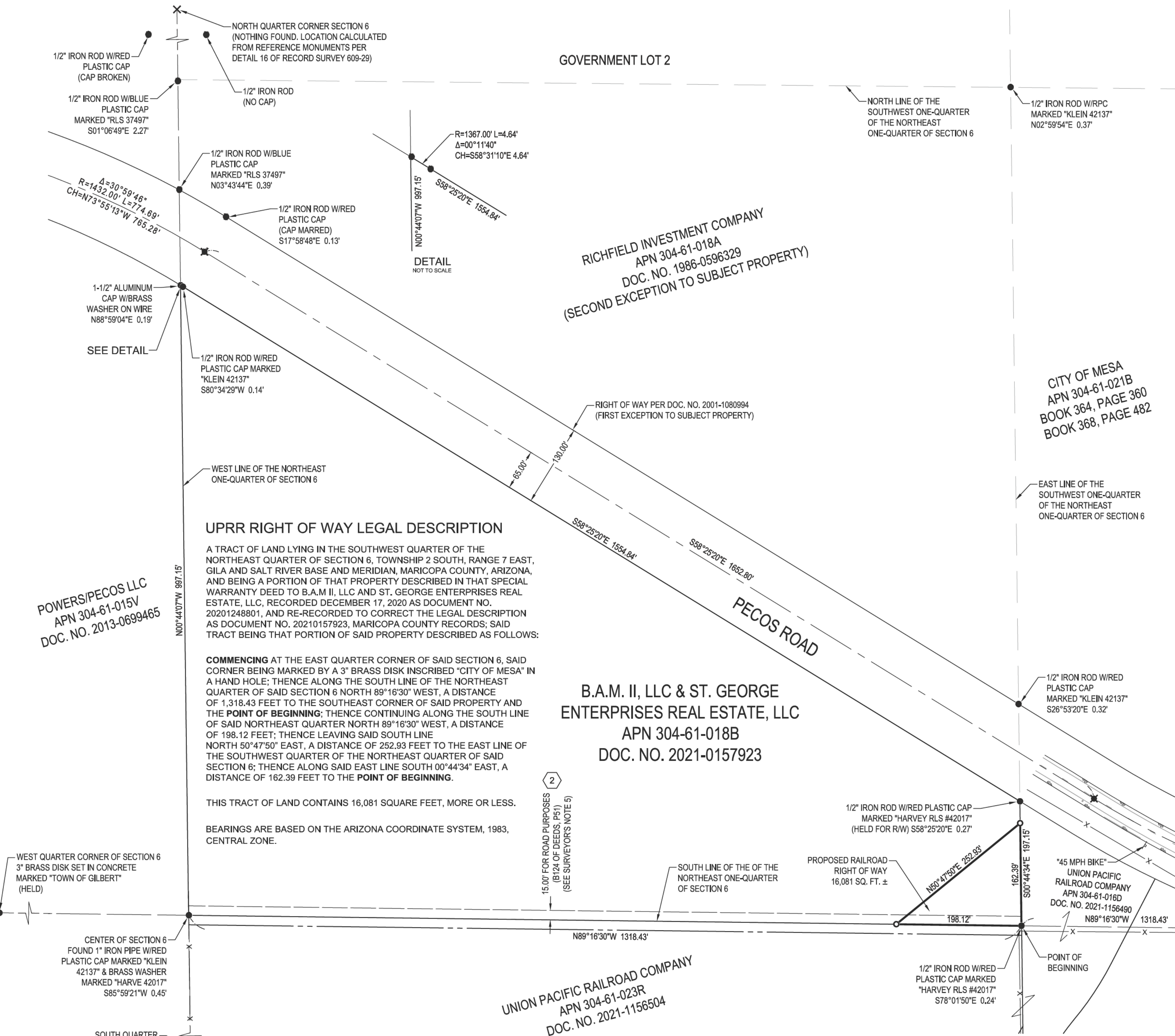
THENCE SOUTH 89°27'47" EAST 1,317.95 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID NORTHEAST QUARTER;

THENCE SOUTH 00°44'42" EAST 976.46 FEET ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID NORTHEAST QUARTER TO THE NORTH LINE OF THE DEDICATED ROADWAY RECORDED IN DOCUMENT NO. 2001-1080994, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 58°25'15" WEST 1,472.76 FEET ALONG SAID NORTH LINE TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1,497.00 FEET AND A CHORD BEARING OF NORTH 60°02'30" WEST 85.01 FEET;

THENCE CONTINUING ALONG SAID NORTH LINE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°15'15" AN ARC LENGTH OF 85.02 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER;

THENCE NORTH 00°44'27" WEST 175.04 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.



EXCEPTIONS

THE FOLLOWING ARE SPECIAL EXCEPTIONS TO TITLE INSURANCE COVERAGE LISTED IN THE REPORT REFERENCED IN SURVEYOR'S NOTE 1 WITH CORRESPONDING NUMBERS. REFER TO SAID REPORT FOR GENERAL EXCEPTIONS AND ADDITIONAL INFORMATION ON NON-SURVEY RELATED ITEMS SUCH AS TAXES, AGREEMENTS, LIENS, WAIVERS, LEASES AND TITLE INSURANCE REQUIREMENTS. SURVEYOR COMMENTS ARE ITALICIZED.

- AN EASEMENT FOR ROADWAY AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS BOOK 124 OF DEEDS, PAGE 51. SURVEYOR'S NOTE: SHOWN HEREON. SEE SURVEYOR'S NOTE 5.
- THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "DEVELOPMENT AGREEMENT" RECORDED MAY 02, 2001 AS 2001-0366200 OF OFFICIAL RECORDS. SURVEYOR'S NOTE: SAID DOCUMENT DEFINES AGREEMENT TO EXTEND PECOS ROAD BETWEEN POWER ROAD AND ELLSWORTH ROAD, AND SOSSAMAN ROAD FROM WILLIAMS GATEWAY AIRPORT TO GERMANN ROAD. SECTIONS 2.1 & 2.2 OF SAID DOCUMENT DEFINE REQUIRED RIGHTS OF WAY WIDTHS FOR SAID ROADS; SECTION 2.3 STATES FURTHER SURVEY REQUIRED TO FULLY DEFINE RIGHTS OF WAY, AFTER CONSTRUCTION OF SAID ROADS. THE NEW ROADS HAVE SINCE BEEN BUILT AND THE NEW PECOS ROAD RIGHT OF WAY (DOC. NO. 2001-1080994) IS SHOWN HEREON PER THE FIRST EXCEPTION OF THE SUBJECT PROPERTY DESCRIPTION.
- ALL MATTERS AS SET FORTH IN RECORD OF SURVEY, RECORDED AS BOOK 985 OF MAPS, PAGE 28. SURVEYOR'S NOTE: SAID SURVEY DOES NOT DEPICT ANY MATTERS BEYOND THOSE ALREADY SHOWN HEREON, AND WHICH ARE IN SUBSTANTIAL AGREEMENT WITH THIS SURVEY.
- ALL MATTERS AS SET FORTH IN RECORD OF SURVEY, RECORDED AS BOOK 1568 OF MAPS, PAGE 27. SURVEYOR'S NOTE: SAID SURVEY DOES NOT DEPICT ANY MATTERS BEYOND THOSE ALREADY SHOWN HEREON, AND WHICH ARE IN SUBSTANTIAL AGREEMENT WITH THIS SURVEY.
- WE FIND NO OUTSTANDING VOLUNTARY LIENS OF RECORD AFFECTING SUBJECT PROPERTY. AN INQUIRY SHOULD BE MADE CONCERNING THE EXISTENCE OF ANY UNRECORDED LIEN OR OTHER INDEBTEDNESS WHICH COULD GIVE RISE TO ANY SECURITY INTEREST IN THE SUBJECT PROPERTY. SURVEYOR'S NOTE: NOT SURVEY RELATED.
- ANY CLAIM THAT THE TITLE IS SUBJECT TO A TRUST OR LIEN CREATED UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930 (7 U.S.C. §§499A, ET SEQ.) OR THE PACKERS AND STOCKYARDS ACT (7 U.S.C. §§181 ET SEQ.) OR UNDER SIMILAR STATE LAWS.

CONSIDERATION FOR THE DELETION OF THIS EXCEPTION IS HIGHLY FACT INTENSIVE. PLEASE CONTACT THE UNDERWRITER ASSIGNED TO YOUR FILE AS SOON AS POSSIBLE TO DISCUSS. SURVEYOR'S NOTE: NOT SURVEY RELATED.

WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS. SURVEYOR'S NOTE: NOT SURVEY RELATED.

TABLE 'A' ITEMS

- THE SURVEYED PROPERTY'S CORNERS ARE ALREADY MARKED OR REFERENCED BY EXISTING MONUMENTS AS SHOWN HEREON.
- ACCORDING TO THE MARICOPA ASSESSOR, THE ADDRESS IS 7305 E PECOS ROAD, MESA, ARIZONA 85212.
- THE SITE HAS A FLOOD ZONE CLASSIFICATION OF "ZONE X, SHADED, 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" ACCORDING TO FEMA MAP 41013C2770L WITH AN EFFECTIVE DATE OF OCTOBER 16, 2013.
- GROSS LAND AREA OF THE SURVEYED PROPERTY IS 18,068 ACRES.
- NO BUILDINGS PRESENT ON SUBJECT PROPERTY AT TIME OF SURVEY.
- SUBSTANTIAL FEATURES OBSERVED DURING THE SURVEY ARE AS SHOWN.
- THERE ARE NO DELINEATED PARKING SPACES ON THE SITE.
- THE NAMES OF ADJOINING PROPERTY OWNERS ARE AS SHOWN.
- THE NEAREST INTERSECTING STREET IS SHOWN HEREON.

LEGEND

- FENCE LINE
- EDGE OF PAVEMENT
- EXCEPTION REFERENCE NUMBER
- FOUND METAL DISK IN CONCRETE IN HAND HOLE
- FOUND MONUMENT AS NOTED
- 5/8" X 30" IRON ROD W/PC MARKED "LS 71790" TO BE SET AFTER ACQUISITION

NOTE: MONUMENTS WITH NO FALLING TO THEIR TRUE LOCATION ARE WITHIN 0.1'.

SURVEYOR'S CERTIFICATE

TO UNION PACIFIC RAILROAD COMPANY, AND FIRST AMERICAN TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(A)(1), 8, 9, 13, AND 14 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MAY 13, 2021.

DATED THIS 9th DAY OF June, 2022.

JON M. YAMASHITA, PLS
REGISTRATION NO. 71790
JON.YAMASHITA@OTAK.COM



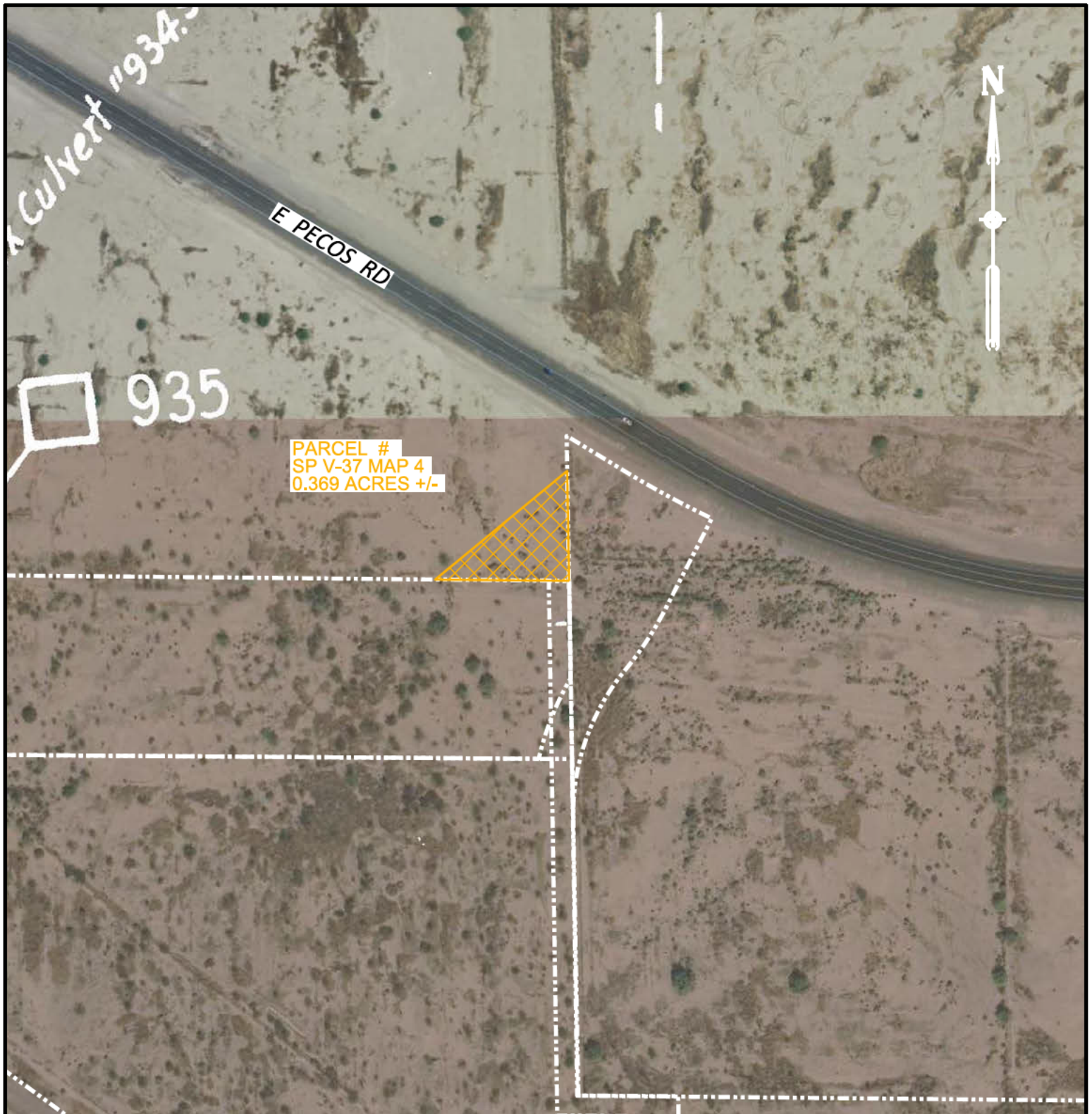
JVO	06-14-2021
Calculated	Date
DAC/MDR	06-02-2022
Drawn	Date
JMY/JVO	06-02-2022
Checked	Date

REVISIONS

ALTA/NSPS LAND TITLE SURVEY
SITUATED IN THE NORTHEAST ONE-QUARTER OF SECTION 6,
TOWNSHIP 2 SOUTH, RANGE 7 EAST, GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA

Otak
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Portland, Oregon 97204
Phone: (503) 287-6825
www.otak.com

1 OF 1
Sheet No.
18706G_A140
Project No.



LEGEND:

ACQUISITION AREA..... 

UPRRCO. R/W OUTLINED..... 

NOTE: BEFORE YOU BEGIN ANY WORK, SEE AGREEMENT FOR FIBER OPTIC PROVISIONS.

EXHIBIT "A"

UNION PACIFIC RAILROAD COMPANY

MESA, MARICOPA COUNTY, ARIZONA

M.P. 935 - PHOENIX SUB.

MAP SP V-37 / 4

SCALE: 1" = 200'

OFFICE OF REAL ESTATE
OMAHA, NEBRASKA DATE: 6-3-2022

PJB FILE: 0333489

CADD FILENAME	0333489
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SCAN FILENAME	X
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