

MACARTHUR PARCEL LEGAL DESCRIPTION (REVISED PRELIMINARY)

A PARCEL OF LAND CONFORMING IN PART TO THE GROUND FLOOR BUILDING LINES OF AN EXISTING STRUCTURE KNOWN AS THE MACARTHUR BUILDING, BEING A PART OF LOTS 4 AND 5 IN BLOCK 83 OF THE CITY OF TUCSON, PIMA COUNTY, ARIZONA, ACCORDING TO THE OFFICIAL FIELD NOTES, MAPS AND SURVEY OF SAID CITY, MADE AND EXECUTED BY S.W. FOREMAN AND APPROVED BY THE MAYOR AND COMMON COUNCIL OF SAID CITY (THEN VILLAGE) OF TUCSON, ON JUNE 26, 1872, AS RECORDED IN BOOK 3 OF MAPS AND PLATS, AT PAGE 71, RECORDS OF PIMA COUNTY, ARIZONA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE DIMENSIONS THAT FOLLOW ARE SHOWN ON CITY OF TUCSON PLAN No. H-2007-013;

COMMENCING AT THE INTERSECTION OF THE MONUMENT LINES OF PENNINGTON STREET AND TOOLE AVENUE AS MARKED BY A BRASS CAP SURVEY MONUMENT STAMPED RLS 14145;

THENCE SOUTH 45°33'07" EAST (BASIS OF BEARING), ALONG THE MONUMENT LINE OF TOOLE AVENUE, A DISTANCE OF 28.53 FEET;

THENCE SOUTH 44°26'53" WEST, PERPENDICULAR TO THE PREVIOUS LINE, A DISTANCE OF 35.90 FEET TO THE **TRUE POINT OF BEGINNING**, BEING A SCREW TAGGED RLS 12537 LYING ON THE NEW SOUTHWESTERLY RIGHT OF WAY LINE OF TOOLE AVENUE AS ESTABLISHED BY CITY OF TUCSON ORDINANCE No. 10226, DATED DECEMBER 13, 2005, AND RECORDED AS DOCKET 12722, PAGE 24, IN THE OFFICE OF THE COUNTY RECORDER OF PIMA COUNTY, ARIZONA;

THENCE SOUTH 45°36'24" EAST, ALONG SAID NEW SOUTHWESTERLY RIGHT OF WAY LINE OF TOOLE AVENUE, A DISTANCE OF 173.68 FEET TO A SET SCREW AND TAG STAMPED RLS 12537, LYING ON THE NORTHEASTERLY PROLONGATION OF THE SOUTHEASTERLY FACE OF THE EXISTING STRUCTURE KNOWN AS THE MACARTHUR BUILDING;

THENCE SOUTH 40°46'14" WEST, MORE OR LESS, ALONG SAID NORTHEASTERLY PROLONGATION AND ALONG SAID EXISTING BUILDING FACE, A DISTANCE OF 2.57 FEET, MORE OR LESS, TO AN ANGLE POINT THEREIN:

THENCE SOUTH 89°52'45" WEST, ALONG THE SOUTH FACE OF SAID EXISTING BUILDING, AND ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 127.50 FEET, TO THE SOUTHWEST CORNER OF SAID BUILDING, LYING ON THE EAST LINE OF VACATED ARIZONA AVENUE, SAID VACATION BEING RECORDED IN DOCKET 8634, PAGE 491, IN THE OFFICE OF THE COUNTY RECORDER OF PIMA COUNTY, ARIZONA;

THENCE NORTH 00°54'00" WEST, ALONG SAID EAST LINE OF VACATED ARIZONA AVENUE, AND ALONG SAID WEST BUILDING FACE, MORE OR LESS, AND ITS NORTHERLY PROLONGATION, A DISTANCE OF 122.00 FEET, TO A SET SCREW AND TAG STAMPED RLS 12537, LYING ON THE NEW SOUTHEASTERLY RIGHT OF WAY LINE OF PENNINGTON STREET, AS ESTABLISHED BY CITY OF TUCSON ORDINANCE No. 10226, DATED DECEMBER 13, 2005, AND RECORDED AS DOCKET 12722, PAGE 24, IN THE OFFICE OF THE COUNTY RECORDER OF PIMA COUNTY, ARIZONA;

THENCE NORTH 76°01'08" EAST, ALONG SAID NEW SOUTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 7.20 FEET, TO THE TRUE POINT OF BEGINNING.

THE HEREIN DESCRIBED PARCEL CONTAINS 8,536 SQUARE FEET, MORE OR LESS, OR 0.196 ACRES, MORE OR LESS.

TOGETHER WITH THOSE EASEMENTS AS DESCRIBED IN EXHIBITS 1 THRU 6 ATTACHED HERETO.

(PRELIMINARY)

EXHIBIT 1 EASEMENT ON WEST SIDE OF MACARTHUR BUILDING (PRELIMINARY)

AN APPROXIMATELY 3 FOOT WIDE EASEMENT FOR UTILITIES, BUILDING WALL ENCROACHMENT, DRAINAGE, CURB, ACCESS AND OTHER MISCELLANEOUS ITEMS ON OR NEAR THE WEST SIDE OF AN EXISTING BUILDING KNOWN AS THE MACARTHUR BUILDING, AS SHOWN ON CITY OF TUCSON PLAN No. H-2007-013, BEING A PORTION OF VACATED ARIZONA AVENUE AS DESCRIBED IN DOCKET 8634, PAGE 491, IN THE OFFICE OF THE COUNTY RECORDER OF PIMA COUNTY, ARIZONA, AND BEING A PORTION OF SECTION 12, TOWNSHIP 14 SOUTH, RANGE 13 EAST, GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA, LYING OVER, UNDER, ON AND THROUGH AN AREA DESCRIBED AS FOLLOWS:

THE DIMENSIONS THAT FOLLOW ARE SHOWN ON CITY OF TUCSON PLAN No. H-2007-013;

COMMENCING AT THE INTERSECTION OF THE MONUMENT LINES OF PENNINGTON STREET AND TOOLE AVENUE AS MARKED BY A BRASS CAP SURVEY MONUMENT STAMPED RLS 14145;

THENCE SOUTH 45°33'07" EAST (BASIS OF BEARING), ALONG THE MONUMENT LINE OF TOOLE AVENUE, A DISTANCE OF 28.53 FEET;

THENCE SOUTH 44°26'53" WEST, PERPENDICULAR TO THE PREVIOUS LINE, A DISTANCE OF 35.90 FEET TO A SCREW TAGGED RLS 12537 LYING AT THE INTERSECTION OF THE NEW SOUTHWESTERLY RIGHT OF WAY LINE OF TOOLE AVENUE AND THE NEW SOUTHEASTERLY RIGHT OF WAY LINE OF PENNINGTON STREET AS ESTABLISHED BY CITY OF TUCSON ORDINANCE No. 10226, DATED DECEMBER 13, 2005, AND RECORDED AS DOCKET 12722, PAGE 24, IN THE OFFICE OF THE COUNTY RECORDER OF PIMA COUNTY, ARIZONA;

THENCE SOUTH 76°01'08" WEST, ALONG SAID NEW SOUTHEASTERLY RIGHT OF WAY LINE OF PENNINGTON STREET, A DISTANCE OF 7.20 FEET TO A SET SCREW AND TAG STAMPED RLS 12537, LYING ON THE EAST LINE OF SAID VACATED ARIZONA AVENUE, LOCATED AT THE **TRUE POINT OF BEGINNING**;

THENCE SOUTH 00°54'00" EAST, ALONG SAID EAST LINE OF VACATED ARIZONA AVENUE, AND ALSO ALONG THE WEST BUILDING FACE OF SAID MACARTHUR BUILDING, MORE OR LESS, AND ITS NORTHERLY

PROLONGATION, A DISTANCE OF 122.00 FEET TO THE APPROXIMATE SOUTHWEST CORNER OF SAID MACARTHUR BUILDING;

THENCE SOUTH 89°52'45" WEST, MORE OR LESS, ALONG THE WESTERLY PROLONGATION OF THE SOUTH BUILDING FACE OF SAID MACARTHUR BUILDING, A DISTANCE OF 3.00 FEET, MORE OR LESS, TO THE WEST EDGE OF AN EXISTING CONCRETE CURB AND GUTTER;

THENCE NORTH 00°54'00" WEST, MORE OR LESS, ALONG A LINE 3.00 FEET, MORE OR LESS, WESTERLY OF AND PARALLEL TO SAID EAST LINE OF VACATED ARIZONA AVENUE, AND ALONG SAID WEST EDGE OF AN EXISTING CONCRETE CURB AND GUTTER, A DISTANCE OF 121.28 FEET TO A POINT LYING ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF PENNINGTON STREET, AS ESTABLISHED BY ORDINANCE No. 7280, RECORDED AS DOCKET 8634, PAGE 491, IN THE OFFICE OF THE COUNTY RECORDER OF PIMA COUNTY, ARIZONA;

THENCE NORTH 76°01'08" EAST, ALONG SAID NEW SOUTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 2.98 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

(PRELIMINARY)

EXHIBIT 2 AERIAL EASEMENT FOR MACARTHUR BUILDING ROOF OVERHANG ON TOOLE AVENUE

(PRELIMINARY)

AN AERIAL EASEMENT OF WIDTHS VARYING FROM 2.5 FEET TO 3 FEET, MORE OR LESS, TO ACCOMMODATE AN EXISTING ROOF AND ANY OTHER ITEMS LYING ABOVE A HEIGHT OF 20 FEET FROM EXISTING GROUND LEVEL AND ATTACHED TO THE NORTHEASTERLY BUILDING FACE OF AN EXISTING STRUCTURE KNOWN AS THE MACARTHUR BUILDING, SAID BUILDING BEING LOCATED AT THE SOUTHEASTERLY CORNER OF TOOLE AVENUE AND VACATED ARIZONA AVENUE, BEING A PORTION OF SECTION 12, TOWNSHIP 14 SOUTH, RANGE 13 EAST, GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT AREA BETWEEN THE EXISTING GROUND FLOOR BUILDING FACE OF SAID MACARTHUR BUILDING THAT FACES TOOLE AVENUE AND A LINE RUNNING 4 FEET, MORE OR LESS, NORTHEASTERLY OF AND PARALLEL TO SAID BUILDING FACE, AS SHOWN ON CITY OF TUCSON PLAN H-2007-013;

EXCEPT ANY PORTION LYING SOUTHWESTERLY OF THE NEW RIGHT OF WAY LINE OF SAID TOOLE AVENUE AS ESTABLISHED BY CITY OF TUCSON ORDINANCE No. 10226, DATED DECEMBER 13, 2005, AND RECORDED AS DOCKET 12722, PAGE 24, IN THE OFFICE OF THE COUNTY RECORDER OF PIMA COUNTY, ARIZONA, AND AS SHOWN ON CITY OF TUCSON PLAN H-2007-013;

EXHIBIT 5 TEMPORARY REVOCABLE EASEMENTS TO ACCOMMODATE MACARTHUR BUILDING AWNINGS

(preliminary)

T.R.E. No. 1:

A TEMPORARY REVOCABLE EASEMENT TO ACCOMMODATE AN EXISTING AWNING PROJECTING NORTHEASTERLY FROM A BUILDING CURRENTLY KNOWN AS THE MACARTHUR BUILDING, BEING A PART OF LOT 4 IN BLOCK 83 OF THE CITY OF TUCSON, PIMA COUNTY, ARIZONA, ACCORDING TO THE OFFICIAL FIELD NOTES, MAPS AND SURVEY OF SAID CITY, MADE AND EXECUTED BY S.W. FOREMAN AND APPROVED BY THE MAYOR AND COMMON COUNCIL OF SAID CITY (THEN VILLAGE) OF TUCSON, ON JUNE 26, 1872, AS RECORDED IN BOOK 3 OF MAPS AND PLATS, AT PAGE 71, RECORDS OF PIMA COUNTY, ARIZONA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE DIMENSIONS THAT FOLLOW ARE SHOWN ON CITY OF TUCSON PLAN No. H-2007-013;

COMMENCING AT THE INTERSECTION OF THE MONUMENT LINES OF PENNINGTON STREET AND TOOLE AVENUE AS MARKED BY A BRASS CAP SURVEY MONUMENT STAMPED RLS 14145;

THENCE SOUTH 45°33'07" EAST (BASIS OF BEARING), ALONG THE MONUMENT LINE OF TOOLE AVENUE, A DISTANCE OF 28.53 FEET;

THENCE SOUTH 44°26'53" WEST, PERPENDICULAR TO THE PREVIOUS LINE, A DISTANCE OF 35.90 FEET TO A SCREW TAGGED RLS 12537 LYING ON THE NEW SOUTHWESTERLY RIGHT OF WAY LINE OF TOOLE AVENUE AS ESTABLISHED BY CITY OF TUCSON ORDINANCE No. 10226, DATED DECEMBER 13, 2005, AND RECORDED AS DOCKET 12722, PAGE 24, IN THE OFFICE OF THE COUNTY RECORDER OF PIMA COUNTY, ARIZONA;

THENCE SOUTH 45°36'24" EAST, ALONG SAID NEW SOUTHWESTERLY RIGHT OF WAY LINE OF TOOLE AVENUE, A DISTANCE OF 65.42, MORE OR LESS, TO THE NORTHWESTERLY EDGE OF AN EXISTING AWNING AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 44°23'36" EAST, PERPENDICULAR TO THE PREVIOUS LINE, A DISTANCE OF 4.88 FEET, MORE OR LESS:

(preliminary) (EXHIBIT 5) PAGE 2 OF 3

THENCE SOUTH 45°36'24" EAST, PERPENDICULAR TO THE PREVIOUS LINE, A DISTANCE OF 9.05 FEET:

THENCE SOUTH 44°23'36" WEST, PERPENDICULAR TO THE PREVIOUS LINE, A DISTANCE OF 4.88 FEET, MORE OR LESS, TO A POINT LYING ON SAID NEW SOUTHWESTERLY RIGHT OF WAY LINE OF TOOLE AVENUE;

THENCE NORTH 45°36'24" WEST, ALONG SAID NEW SOUTHWESTERLY RIGHT OF WAY LINE OF TOOLE AVENUE, A DISTANCE OF 9.05 FEET TO THE TRUE POINT OF BEGINNING.

T.R.E. No. 2:

A TEMPORARY REVOCABLE EASEMENT TO ACCOMMODATE AN EXISTING AWNING PROJECTING SOUTHWESTERLY FROM A BUILDING CURRENTLY KNOWN AS THE MACARTHUR BUILDING, BEING A PART OF LOT 8 IN BLOCK 83 OF THE CITY OF TUCSON, PIMA COUNTY, ARIZONA, ACCORDING TO THE OFFICIAL FIELD NOTES, MAPS AND SURVEY OF SAID CITY, MADE AND EXECUTED BY S.W. FOREMAN AND APPROVED BY THE MAYOR AND COMMON COUNCIL OF SAID CITY (THEN VILLAGE) OF TUCSON, ON JUNE 26, 1872, AS RECORDED IN BOOK 3 OF MAPS AND PLATS, AT PAGE 71, RECORDS OF PIMA COUNTY, ARIZONA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE DIMENSIONS THAT FOLLOW ARE SHOWN ON CITY OF TUCSON PLAN No. H-2007-013;

COMMENCING AT THE INTERSECTION OF THE MONUMENT LINES OF PENNINGTON STREET AND TOOLE AVENUE AS MARKED BY A BRASS CAP SURVEY MONUMENT STAMPED RLS 14145;

THENCE SOUTH 45°33'07" EAST (BASIS OF BEARING), ALONG THE MONUMENT LINE OF TOOLE AVENUE, A DISTANCE OF 145.99 FEET;

THENCE SOUTH 44°26'53" WEST, MORE OR LESS, A DISTANCE OF 93.83 FEET, MORE OR LESS, TO THE **TRUE POINT OF BEGINNING**, LOCATED AT THE NORTHEAST CORNER OF AN EXISTING AWNING, LYING ON THE SOUTH BUILDING FACE OF SAID MACARTHUR BUILDING;

THENCE SOUTH 00°06'54" EAST, MORE OR LESS, ALONG THE EDGE OF SAID AWNING, A DISTANCE OF 5.97 FEET, MORE OR LESS;

THENCE SOUTH 89°53'06" WEST, MORE OR LESS, ALONG THE EDGE OF SAID AWNING, A DISTANCE OF 7.47 FEET, MORE OR LESS:

(EXHIBIT 5) PAGE 3 OF 3

THENCE NORTH 00°06'54" WEST, MORE OR LESS, ALONG THE EDGE OF SAID AWNING, A DISTANCE OF 5.97 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID AWNING, LYING ON SAID SOUTH BUILDING FACE OF THE MACARTHUR BUILDING;

THENCE NORTH 89°52'45" EAST, ALONG SAID SOUTH BUILDING FACE OF THE MACARTHUR BUILDING, A DISTANCE OR 7.47 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

(preliminary)

EXHIBIT 6

TEMPORARY REVOCABLE EASEMENT TO ACCOMMODATE UTILITIES AND OTHER ITEMS SERVING THE MACARTHUR BUILDING

(PRELIMINARY)

A TEMPORARY REVOCABLE EASEMENT TO ACCOMMODATE EXISTING UTILITIES AND OTHER ITEMS SERVING AN EXISTING BUILDING CURRENTLY KNOWN AS THE MACARTHUR BUILDING, SAID EASEMENT BEING LOCATED AT THE SOUTHWEST CORNER OF SAID BUILDING, BEING A PART OF LOT 8 IN BLOCK 83 OF THE CITY OF TUCSON, PIMA COUNTY, ARIZONA, ACCORDING TO THE OFFICIAL FIELD NOTES, MAPS AND SURVEY OF SAID CITY, MADE AND EXECUTED BY S.W. FOREMAN AND APPROVED BY THE MAYOR AND COMMON COUNCIL OF SAID CITY (THEN VILLAGE) OF TUCSON, ON JUNE 26, 1872, AS RECORDED IN BOOK 3 OF MAPS AND PLATS, AT PAGE 71, RECORDS OF PIMA COUNTY, ARIZONA, LYING OVER, UNDER, ON AND THROUGH AN AREA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE DIMENSIONS THAT FOLLOW ARE SHOWN.ON CITY OF TUCSON PLAN No. H-2007-013;

COMMENCING AT THE INTERSECTION OF THE MONUMENT LINES OF PENNINGTON STREET AND TOOLE AVENUE AS MARKED BY A BRASS CAP SURVEY MONUMENT STAMPED RLS 14145:

THENCE SOUTH 45°33'07" EAST (BASIS OF BEARING), ALONG THE MONUMENT LINE OF TOOLE AVENUE, A DISTANCE OF 28.53 FEET;

THENCE SOUTH 44°26'53" WEST, PERPENDICULAR TO THE PREVIOUS LINE, A DISTANCE OF 35.90 FEET TO A SCREW TAGGED RLS 12537 LYING ON THE NEW SOUTHEASTERLY RIGHT OF WAY LINE OF PENNINGTON STREET AS ESTABLISHED BY CITY OF TUCSON ORDINANCE No. 10226, DATED DECEMBER 13, 2005, AND RECORDED AS DOCKET 12722, PAGE 24, IN THE OFFICE OF THE COUNTY RECORDER OF PIMA COUNTY, ARIZONA;

THENCE SOUTH 76°01'08" WEST, ALONG SAID NEW SOUTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 7.20 FEET TO A SET SCREW AND TAG STAMPED RLS 12537, LYING ON THE EAST LINE OF VACATED ARIZONA AVENUE, SAID VACATION BEING RECORDED IN DOCKET 8634, PAGE 491, IN THE OFFICE OF THE COUNTY RECORDER OF PIMA COUNTY, ARIZONA;

THENCE SOUTH 00°54'00" EAST, ALONG SAID EAST LINE OF VACATED ARIZONA AVENUE, AND ALSO MORE OR LESS ALONG THE WEST BUILDING FACE OF SAID MACARTHUR BUILDING AND ITS NORTHERLY PROLONGATION, A DISTANCE OF 122.00 FEET TO THE SOUTHWEST

CORNER OF SAID MACARTHUR BUILDING AND THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING SOUTH 00°54'00" EAST, ALONG SAID EAST LINE OF VACATED ARIZONA AVENUE, A DISTANCE OF 8.82 FEET, MORE OR LESS, TO A POINT LYING ON THE WESTERLY PROLONGATION OF THE SOUTHERLY FACE OF AN EXISTING WALL;

THENCE NORTH 89°35'34" EAST, ALONG SAID SOUTHERLY WALL FACE AND ITS WESTERLY PROLONGATION, A DISTANCE OF 18.50 FEET, ACROSS A GATE, TO AN ANGLE POINT IN SAID WALL;

THENCE NORTH 45°18'14" EAST, ALONG THE SOUTHEASTERLY FACE OF SAID EXISTING WALL, A DISTANCE OF 4.88 FEET TO AN ANGLE POINT IN SAID WALL;

THENCE NORTH 00°07'15" WEST, ALONG THE EASTERLY FACE OF SAID EXISTING WALL, A DISTANCE OF 5.30 FEET TO A POINT LYING ON THE SOUTH BUILDING FACE OF SAID MACARTHUR BUILDING;

THENCE SOUTH 89°52'45" WEST, ALONG SAID SOUTH BUILDING FACE, A DISTANCE OF 22.10 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

(PRELIMINARY)