

When recorded, return to:

Town of Prescott Valley
7401 E. Civic Circle
Prescott Valley, AZ 86314
Attn: Ivan Legler

SPECIAL WARRANTY DEED

For Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, PVL, LLC, an Arizona limited liability company (“Grantor”), hereby grants, sells and conveys to TOWN OF PRESCOTT VALLEY, a municipal corporation of Arizona (“Grantee”), that real property located in Yavapai County, Arizona and legally described on Exhibit A attached hereto and incorporated herein by this reference (the “Property”), but reserving unto Grantor (i) all oils, gases, geothermal resources, coal, ores, minerals, fertilizer and fossils of every kind which may be in or upon such Property, as well as the right to enter the Property to inspect, explore or extract any such items, and (ii) all water rights, claims or title to water relating to or appurtenant to the Property, as well as the right to enter the Property to inspect, explore or extract water. By acceptance of this Special Warranty Deed, Grantee agrees on its own behalf and on behalf of all future owners of all or any portion of the Property that the Property may be used only for public recreation and open space purposes and for the location of necessary public water utilities, such as tanks, pumps, and pipes. The Property may not be subdivided in any manner. The restrictions on use and subdivision contained in the preceding sentence will run with the land and bind all future owners of all or any portion of the Property.

SUBJECT TO: current taxes not yet due and payable, assessments and any other liens arising therefrom, all reservations in patents, deed restrictions, if any, all easements, rights of way, covenants, conditions, restrictions, encroachments, liens, encumbrances, obligations and liabilities as may appear of record, and all other matters that can be determined by a visual inspection or a complete and accurate survey of the Property.

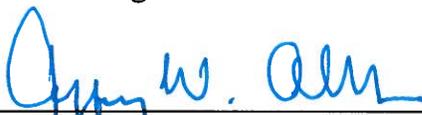
Notwithstanding any warranty which may otherwise be implied from the use of any word, phrase or clause herein, Grantor warrants title to the Property, subject to the matters referred to above, only against its own acts, but not the acts of any others.

DATED as of this _____ day of September, 2013.

[SIGNATURE PAGE FOLLOWS]

PVL, LLC, an
Arizona limited liability company
("PVL")

By: Kitchell Development Company,
an Arizona corporation
Its Manager

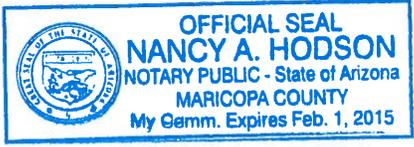
By 

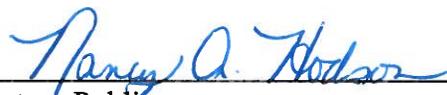
Jeffrey W. Allen
President

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing document was acknowledged before me this 3rd day of September, 2013, by Jeffrey W. Allen, the President of Kitchell Development Company, an Arizona corporation, the Manager of PVL, LLC, an Arizona limited liability company, on behalf of said limited liability company.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.





Notary Public

EXHIBIT A
LEGAL DESCRIPTION

[SEE ATTACHED]

PARCEL 4

A portion of Section 21, Township 14 North, Range 1 West of the Gila and Salt River Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the east quarter corner of Section 21 as identified by a 2 ½" brass cap in concrete;

thence, along the east line of Section 21, South 01°06'45" West, 321.03 feet to the southerly right-of-way line of 2nd Street as shown on the dedication map recorded in Book 50 of Maps and Plats, Page 8 in the Yavapai County Recorder's Office and to the **POINT OF BEGINNING**.

Thence, continuing along the east line of Section 21, South 01°06'45" West, 139.96 feet to the northeasterly line of the parcel recorded in Book 4826 of Official Records, Page 516, and from which point the southeast corner of Section 21, as identified by a 2" aluminum cap stamped "ARIZONA ENGR. CO. LS 13010 LS 18297", is South 01° 06' 45" West, 2,070.13 feet;

thence, along the northeasterly line of the parcel recorded in Book 4826 of Official Records, Page 516, North 57°37'58" West, 198.44 feet to the most northerly corner of the parcel recorded in Book 4826 of Official Records, Page 516;

thence, along the northeasterly line of the second parcel recorded in Book 4466 of Official Records, Page 464 in the Yavapai County Recorder's Office, North 57°37'58" West, 188.31 feet to the most northerly corner of the second parcel recorded in Book 4466 of Official Records, Page 464;

thence, along the northeasterly prolongation of the northwesterly line of the second parcel recorded in Book 4466 of Official Records, Page 464, North 58°16'40" East, 139.16 feet to the southwesterly right-of-way line of said 2nd Street;

thence, along the southwesterly right-of-way line of 2nd Street, along a non-tangent curve to the left, having a chord bearing South 86°52'32" East, a chord length of 6.61 feet, a radius of 45.00 feet, a central angle of 8°25'36", and an arc length of 6.62 feet;

thence, continuing along the southwesterly right-of-way line of 2nd Street, along a curve to the right, having a chord bearing South 66°05'30" East, a chord length of 21.13 feet, a radius of 25.00 feet, a central angle of 49°59'41", and an arc length of 21.81 feet;

thence, continuing along the southwesterly right-of-way line of 2nd Street, South 41°05'39" East, 135.30 feet;

thence, continuing along the southwesterly right-of-way line of 2nd Street, along a curve to the left, having a chord bearing South 71°59'24" East, a chord length of 97.56 feet, a radius of 95.00 feet, a central angle of 61°47'29", and an arc length of 102.45 feet;

thence, continuing along the southwesterly right-of-way line of 2nd Street, North 77°06'52" East, 3.47 feet to the **POINT OF BEGINNING**.

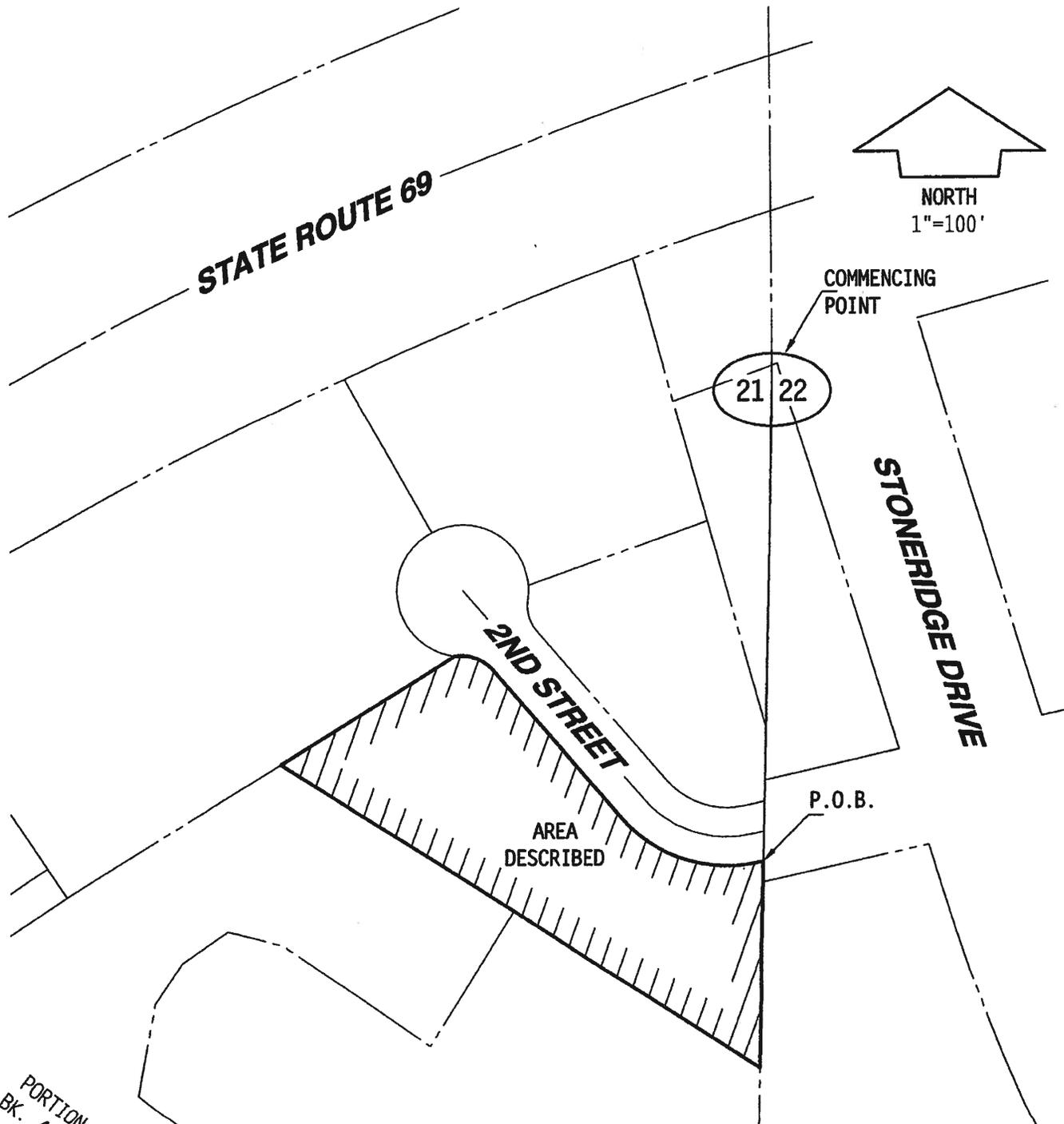
This description yields 0.82 acres.

I certify that, I, Thomas G. Callahan, am a Registered Land Surveyor in the State of Arizona, that this description was prepared under my direction and contains adequate information to allow retracement thereof.



EXHIBIT

A PORTION OF SECTION 21,
T. 14 N., R. 1 W., G. & S. R. M.



PORTION OF 2ND PARCEL
BK. 4466 O.R., PG. 464

BK. 4826 O.R.,
PG. 516

DAYA & ASSOCIATES, INC.
310 EAST UNION STREET
PRESCOTT, ARIZONA 86303
928-778-7587

542KDC\C3D\SURVEY\PARCEL-4.DWG B.K. 08/06/2013
SEE 542KDC\WORD\PARCEL-4.DSC

DAVA AND ASSOCIATES
310 EAST UNION STREET PRESCOTT, ARIZONA 86303
928-778-7587

PARCEL 5

Description of land in the northwest quarter of Section 21, Township 14 North, Range 1 West of the Gila and Salt River Meridian, Yavapai County, Arizona.

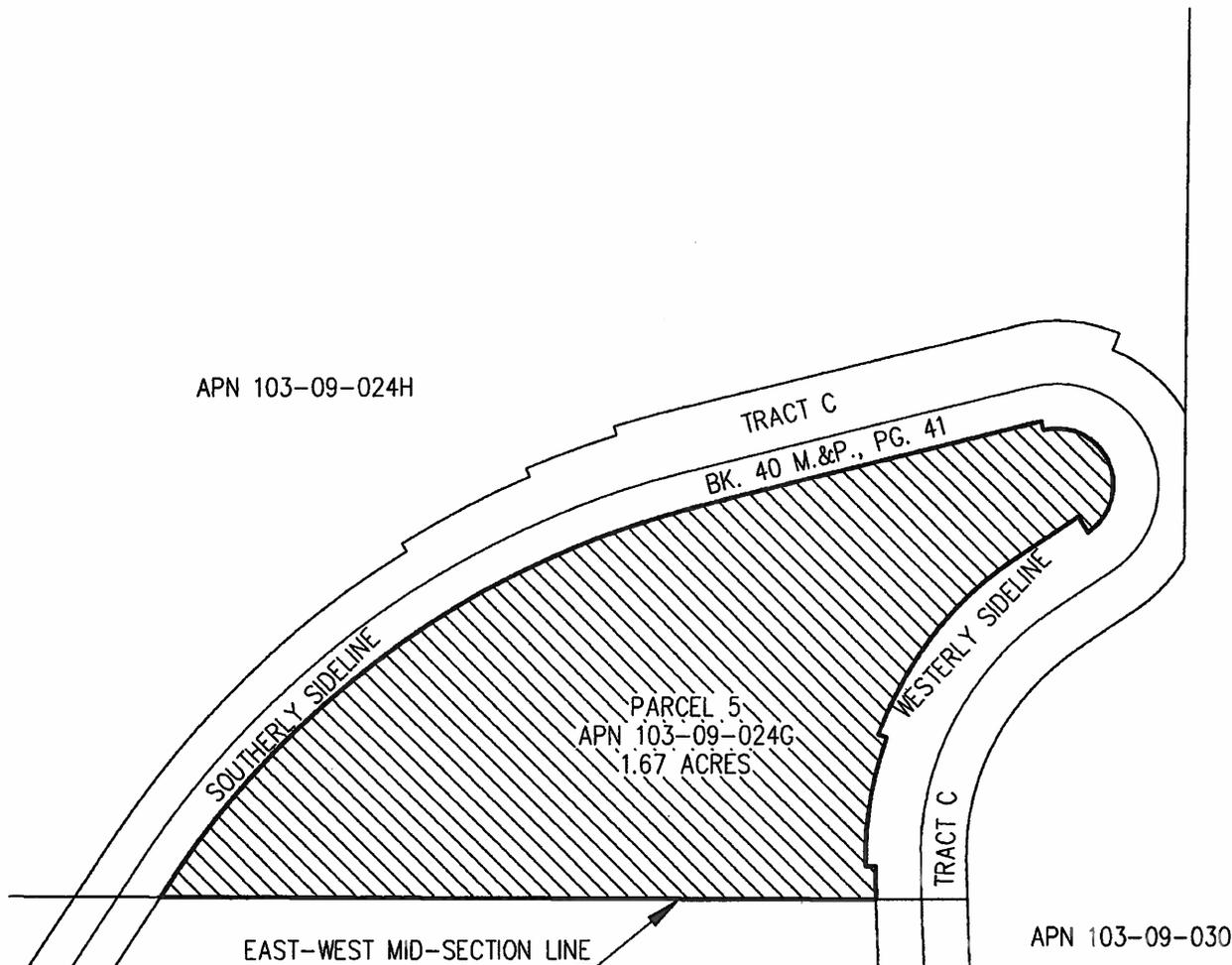
A portion of land bound on the south by the east-west mid-section line of said section, bound on the east and northwest by the westerly and southeasterly sidelines of Tract C lying within the northwest quarter of said section 21 as shown in Book 40 of Maps and Plats, Page 41 in the Yavapai County Recorders Office.

This description yields 1.67 acres.

I certify that, I, Thomas G. Callahan, am a Registered Land Surveyor in the State of Arizona, that this description was prepared under my direction and contains adequate information to allow retracement thereof.



EXHIBIT



SCALE IN FEET

APN 103-09-024R

APN 103-09-030

DAVA AND ASSOCIATES
310 EAST UNION STREET
PRESCOTT, ARIZONA 86303
928-778-7587

PARCEL 5.DWG T.M.S. 12/06/2011 REVISED T.G.C. 07/09/2013
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DAVA AND ASSOCIATES
310 EAST UNION STREET PRESCOTT, ARIZONA 86303
928-778-7587

PARCEL 6

Description of land in Section 21, Township 14 North, Range 1 West of the Gila and Salt River Meridian, Yavapai County, Arizona, described as follows.

The northwest quarter of Section 21.

EXCEPTING THERE FROM

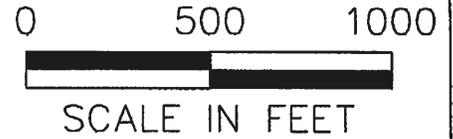
Any portion lying southerly of the northerly line of Tract C as shown in Book 40 of Maps and Plats, Page 41 in the Yavapai County Recorders Office.

This description yields 156.12 acres.

I certify that, I, Thomas G. Callahan, am a Registered Land Surveyor in the State of Arizona, that this description was prepared under my direction and contains adequate information to allow retracement thereof.



EXHIBIT



STATE LAND

STATE LAND

PARCEL 6
APN 103-09-024H
156.12 ACRES

APN 103-09-024N

BK.40 M.&P., PG 41

DAVA AND ASSOCIATES
310 EAST UNION STREET
PRESCOTT, ARIZONA 86303
928-778-7587

PARCEL 6.DWG T.M.S. 12/06/2011 REVISED T.G.C. 07/09/2013
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**DAVA AND ASSOCIATES
310 EAST UNION STREET PRESCOTT, ARIZONA 86303
928-778-7587**

PARCEL 9

Description of land in Section 21, Township 14 North, Range 1 West of the Gila and Salt River Meridian, Yavapai County, Arizona.

A portion of land bound on the north by the Mid-Section line of said section, bound on the east, south, and west by Tract C as shown in Book 40 of Maps and Plats, Page 41 in the Yavapai County Recorders Office.

This description yields 0.60 acres.

I certify that, I, Thomas G. Callahan, am a Registered Land Surveyor in the State of Arizona, that this description was prepared under my direction and contains adequate information to allow retracement thereof.



EXHIBIT

APN 103-09-024M

BK. 40 M.&P., PG. 41

PARCEL 9
APN 103-09-024D
0.60 ACRES



0 60 120



SCALE IN FEET

APN 103-09-024N

DAVA AND ASSOCIATES
310 EAST UNION STREET
PRESCOTT, ARIZONA 86303
928-778-7587

PARCEL 9.DWG T.M.S. 12/06/2011 REVISED T.G.C. 07/09/2012
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