

When Recorded Mail To:  
Town of Prescott Valley  
7501 E. Civic Circle  
Prescott Valley, AZ 86314

**TOWN OF PRESCOTT VALLEY  
WATER LINE EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

That, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration paid to:

PRESCOTT VALLEY SHOPPING CENTER LIMITED PARTNERSHIP

hereinafter referred to as GRANTOR, by the Town of Prescott Valley, a municipal corporation of Arizona, its successors and assigns, hereinafter referred to as GRANTEE, the receipt of which consideration is hereby acknowledged, the GRANTOR does hereby grant, bargain, sell, transfer, and convey unto the GRANTEE, its successors and assigns, a perpetual easement with the right to:

*[erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove public water utility improvements and facilities, together with the manhole structures, pipelines, conduits, poles]*

together with the attendant customary uses, and all other necessary and appurtenant structures and facilities upon, along, over, under, across and through the land of the GRANTOR located in Yavapai County, Arizona, said land being more particularly described in Exhibit "A" attached hereto and made a part hereof by reference, together with the right of full and free ingress and egress for the purposes herein specified, and the right to authorize, permit and license the Town of Prescott Valley to use the easement jointly with the GRANTEE for their utility purposes.

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the GRANTOR, its heirs, successors, and assigns, by reason of the installation, operation, and maintenance of the structures or improvements referred to herein. The GRANTEE covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the GRANTOR, its heirs, successors and assigns.

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**Exempt from Affidavit of Value pursuant to ARS §11-1134(A)(2) and (3)**

GRANTOR shall not erect, construct or permit to be erected or constructed, any building or other structure; shall not plant any trees; shall not drill any well; shall not install any fences; and shall not alter ground level by cuts or fills within the limits of said easement without the express written permission of the GRANTEE.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 23<sup>rd</sup> day of January, 2014.

GRANTOR:

PRESCOTT VALLEY SHOPPING CENTER  
LIMITED PARTNERSHIP, an Arizona limited  
partnership

By: Painco Corporation, an Arizona corporation  
Its General Partner

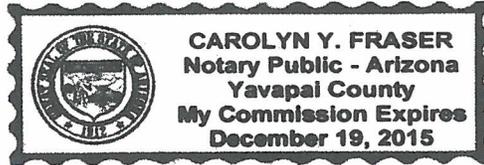
By: Norman W Fain II  
Norman W. Fain II, President

STATE OF ARIZONA )  
 ) ss:  
COUNTY OF Yavapai )

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of January, 2014, by Norman W. Fain II, President of Painco Corporation, an Arizona corporation, General partner of the Prescott Valley Shopping Center Limited Partnership, an Arizona limited partnership, on behalf of the corporation.

Carolyn Y. Fraser  
Notary Public

My Commission Expires:  
12-19-2015





**TOWN OF PRESCOTT VALLEY WATERLINE EASEMENT**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE TOWN OF PRESCOTT VALLEY, COUNTY OF YAVAPAI, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

**EASEMENT W-1**

ALL THAT PORTION OF PARCEL 1B AND THE ADDITIONAL ACCESS DRIVE AS DEPICTED IN BOOK 198 OF LAND SURVEYS, PAGE 58, YAVAPAI COUNTY OFFICIAL RECORDS, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, BEING MORE PRACTICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THAT 32-FOOT ACCESS DRIVE DESIGNATED AS EASEMENT NO. 2 OF 3, AS DESCRIBED IN BOOK 3252, AT PAGE 119, YAVAPAI COUNTY OFFICIAL RECORDS, SAID POINT MARKED BY A ½" REBAR AND TAG RLS 17564 BEHIND THE EXISTING CURB, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE EAST LINE OF THE ACCESS DRIVE PARCEL, S.05°38'07"W., A DISTANCE OF 5.00 FEET;

THENCE LEAVING SAID EAST LINE, N.86°06'55"W., A DISTANCE OF 121.75 FEET TO A POINT OF INTERSECTION WITH THE PROLONGATION OF THE LINE COMMON TO PARCEL 1B AND 2B AS DEPICTED IN BOOK 198 OF LAND SURVEYS, PAGE 58, YAVAPAI COUNTY OFFICIAL RECORDS;

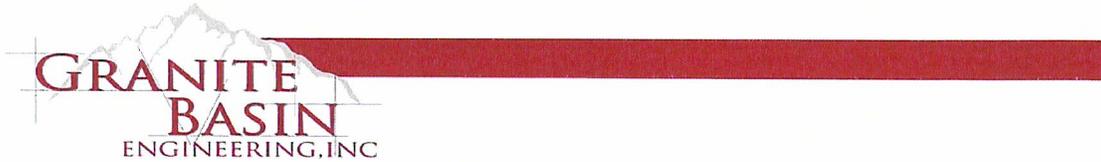
THENCE CONTINUE WESTERLY ALONG SAID LINE, N.86°06'55"W., A DISTANCE OF 46.14 FEET;

THENCE S.03°53'03"W., A DISTANCE OF 10.42 FEET;

THENCE N.86°06'57"W., A DISTANCE OF 10.00 FEET;

THENCE N.03°53'03"E., A DISTANCE OF 10.42 FEET; THENCE N.86°06'55"W., A DISTANCE OF 124.08 FEET;

THENCE S.03°53'05"W., A DISTANCE OF 10.12 FEET;



THENCE N.86°06'55"W., A DISTANCE OF 20.00 FEET;

THENCE N.03°53'05"E., A DISTANCE OF 15.12 FEET TO A POINT ON THE NORTH LINE OF THE ACCESS DRIVE PARCEL AS DEPICTED IN BOOK 198 OF LAND SURVEYS, PAGE 58, YAVAPAI COUNTY OFFICIAL RECORDS;

THENCE S.86°06'55"E., A DISTANCE OF 200.36 FEET TO A POINT OF INTERSECTION WITH THE PROLONGATION OF THE LINE COMMON TO PARCEL 1B AND 2B AS DEPICTED IN BOOK 198 OF LAND SURVEYS, PAGE 58, YAVAPAI COUNTY OFFICIAL RECORDS;

THENCE CONTINUE EASTERLY ALONG SAID LINE, S.86°06'55"E., A DISTANCE OF 121.76 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 1,916.93 SQUARE FEET, MORE OR LESS.



**EASEMENT W-2**

ALL THAT PORTION OF PARCEL 2B AS DEPICTED IN BOOK 198 OF LAND SURVEYS, PAGE 58, YAVAPAI COUNTY OFFICIAL RECORDS, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, BEING MORE PRACTICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THAT 32-FOOT ACCESS DRIVE DESIGNATED AS EASEMENT NO. 3 OF 3, AS DESCRIBED IN BOOK 3252, AT PAGE 119, YAVAPAI COUNTY OFFICIAL RECORDS, SAID POINT MARKED BY A ½" REBAR AND TAG RLS 17564 BEHIND THE EXISTING CURB, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE NORTH LINE OF SAID EASEMENT 3 OF 3, N.84°22'59"W., A DISTANCE OF 69.94 FEET;

THENCE LEAVING SAID LINE, N.05°47'17"E., A DISTANCE OF 14.54 FEET;

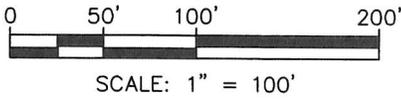
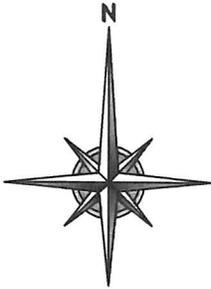
THENCE S.84°12'43"E., A DISTANCE OF 10.00 FEET;

THENCE S.05°47'17"W., A DISTANCE OF 9.05 FEET;

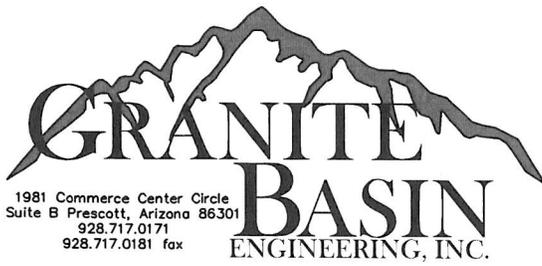
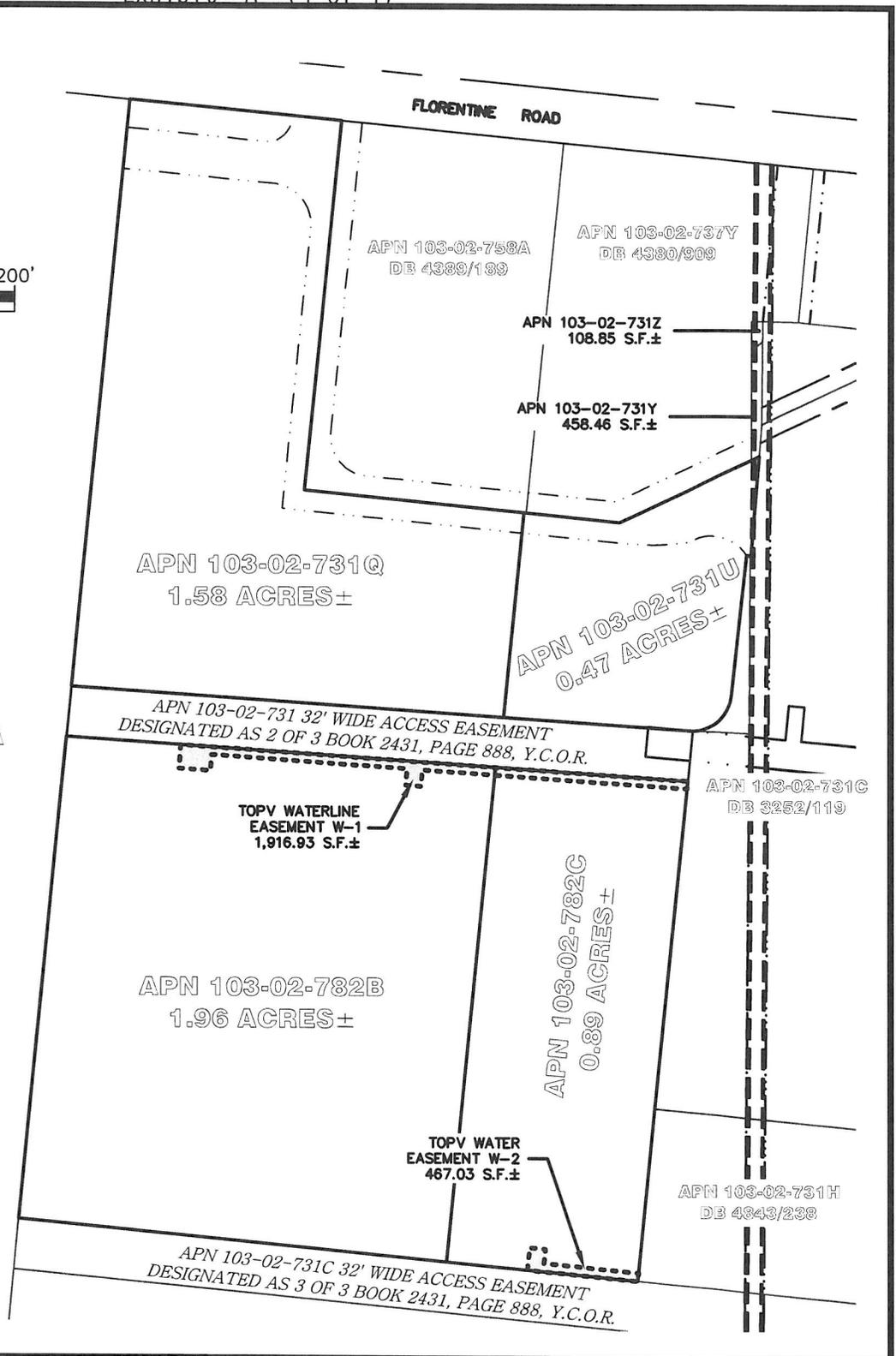
THENCE S.84°12'43"E., A DISTANCE OF 59.93 FEET TO A POINT IN THE EAST LINE OF PARCEL 2B AS DEPICTED IN BOOK 198 OF LAND SURVEYS, PAGE 58, YAVAPAI COUNTY OFFICIAL RECORDS;

THENCE ALONG SAID EAST LINE, S.05°38'07"W., A DISTANCE OF 5.28 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 467.03 SQUARE FEET, MORE OR LESS.



APN 103-02-725A  
K-MART



1981 Commerce Center Circle  
Suite B Prescott, Arizona 86301  
928.717.0171  
928.717.0181 fax

## TOWN OF PRESCOTT VALLEY WATERLINE EASEMENTS

FAIN SIGNATURE GROUP, LLC  
3001 N. MAIN STREET SUITE 2B,  
PRESCOTT VALLEY, AZ. 86314

GBE JOB #: 12056

DATE: JAN. 2014

DRAWN BY: TL

AS NOTED