When recorded, mail to:
Town of Prescott Valley
7501 E. Civic Circle
Prescott Valley, AZ 86314

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

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

Poquito Valley Investors Partnership LLP, an Arizona Limited Liability Partnership (formerly known as and which acquired title as Poquito Valley Partnership, an Arizona General Partnership) as sole member of Viewpoint North 1, LLC, an Arizona Limited Liability Company,

GRANTOR, by

Town of Prescott Valley, a municipal corporation of Arizona,

GRANTEE, the receipt of which consideration is hereby acknowledged, GRANTOR does hereby exercise its authority under that certain Declaration of Easement dated May 11, 1988 (Instrument No. 8816804 of Official Records of Yavapai County) to dedicate, grant, bargain, sell, transfer and convey unto the GRANTEE, its successors and assigns, a perpetual easement for the passage of vehicular and pedestrian traffic, together with the attendant customary uses (including drainage, public utilities, and the right to construct improvements thereon according to such plans and specifications, as will in GRANTEE'S opinion, best serve the public purpose) over, under, through, across and along all that certain lot, tract, or parcel of land situated in the County of Yavapai, State of Arizona, and described more particularly in Exhibit "A", attached hereto and by this reference made a part hereof.

The payment of the purchase price for this easement shall be considered full compensation for the property, as well as for any diminution in value that may result to the remaining property by virtue of proximity to the project, grade alignment, utility installation, or the alteration of drainage patterns and facilities. GRANTOR shall not erect, construct or permit to be erected or constructed any building, structure, plants, trees, fences, wells or other obstructions of any kind on, in, or within the above-described easement, without the

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

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

IN WITNESS WHEREOF, GRANTOR(S) has/have executed this Right-of-Way Easement themselves or by and through their authorized representative this 12 day of August, 2016.

Viewpoint North 1, LLC, an Arizona Limited Liability Company

By Poquito Valley Investors Partnership, LLP, an Arizona Limited Liability Partnership, Sole Member

By: _____
William L. Ball, General Partner

STATE OF ARIZONA)
) ss:
County of Yavapai)

On this 12th day of August, 2016, before me, the undersigned, personally appeared William Ball, known to me to be the person whose name is subscribed to the within instrument and acknowledged that(s) he executed the same for the purpose therein contained.

Amanda Garfield
Notary Public

My Commission Expires:
2/20/20

Amanda Garfield
Notary Public, Arizona
Yavapai County
Commission Expires
February 20, 2020

EXHIBIT "A"
Property Description

VIEWPOINT DRIVE

Parcels of land located in Section 23, Township 15 North, Range 1 West of the Gila and Salt River Meridian, Yavapai County, Arizona, described as follows:

Parcel 1

A portion of Parcel 15 and Parcel 16 as shown on the amended result of survey of Amended Poquito Valley as recorded in Book 8 of Land Surveys, Pages 1-7 in the Yavapai County Recorder's Office, described as follows:

BEGINNING at the northwest corner of Parcel 15;

thence, along the north line of Parcel 15, South 89°35'56" East, 33.00 feet to a 5/8" rebar with a cap stamped "GETL LS 16826" as shown on said amended result of survey;

thence, continuing along the north line of Parcel 15, South 89°34'54" East, 49.83 feet to a point on the northerly prolongation of the easterly right-of-way line of Viewpoint Drive as shown on the final plat of The Viewpoint North-Unit Seventeen as recorded in Book 53 of Maps and Plats, Pages 54-55, from which point the northeast corner of Parcel 15, as identified by a 2" aluminum cap stamped "GETL LS 16826", is South 89°34'54" East, 1,237.29 feet;

thence, along said prolongation, South 06°59'02" East, 272.85 feet to the northerly termination of the easterly right-of-way line of said Viewpoint Drive;

thence, along the northerly boundary of The Viewpoint North-Unit Seventeen, South 83°00'58" West, 100.00 feet to the northerly termination of the westerly right-of-way line of Viewpoint Drive;

thence, departing the northerly boundary of The Viewpoint North-Unit Seventeen and along the northerly prolongation of the westerly right-of-way line of Viewpoint Drive, North 06°59'02" West, 285.82 feet to the north line of said Parcel 16, from which point the northwest corner of Parcel 16, as identified by a 2" aluminum cap stamped "GETL LS 16826", is North 89°35'56" West, 1,302.03 feet;

thence, along the north line of Parcel 16, South 89°35'56" East, 18.01 feet to the **POINT OF BEGINNING**.

This description yields 0.64 acres.

TOGETHER WITH

Parcel 2

A portion of Parcel 17 as shown on the amended result of survey of Amended Poquito Valley as recorded in Book 8 of Land Surveys, Pages 1-7 in the Yavapai County Recorder's Office, described as follows:

The easterly 33.00 feet of Parcel 17 as shown on the amended result of survey of Amended Poquito Valley as recorded in Book 8 of Land Surveys, Pages 1-7.

This description yields 1.00 acres.

TOGETHER WITH

Parcel 3

A portion of Parcel 18 as shown on the amended result of survey of Amended Poquito Valley as recorded in Book 8 of Land Surveys, Pages 1-7 in the Yavapai County Recorder's Office, described as follows:

BEGINNING at the southwest corner of Parcel 18;

thence, along the west line of Parcel 18, North 00°25'02" East, 1,321.71 feet to the northwest corner of Parcel 18;

thence, along the north line of Parcel 18, South 89°44'22" East, 33.00 feet to a 5/8" rebar with a cap stamped "GETL LS 16826" as shown on said amended result of survey;

thence, continuing along the north line of Parcel 18, South 89°34'15" East, 17.00 feet to a point on a line 50.00 feet east of and parallel with the west line of Parcel 18, and from which point the northeast corner of Parcel 18, as identified by a 5/8" rebar with a cap stamped "GETL LS 16826", is South 89°34'15" East, 1,269.85 feet;

thence, along the line 50.00 easterly of and parallel with the west line of Parcel 18, South 00°25'02" West, 975.28 feet;

thence, departing said parallel line, along a curve to the left, having a chord bearing South 03°17'00" East, a chord length of 187.17 feet, a radius of 1,450.00 feet, a central angle of 7°24'04", and an arc length of 187.30 feet to a point on the northerly prolongation of the easterly right-of-way line of Viewpoint Drive as shown on the final plat of The Viewpoint North-Unit Seventeen recorded in Book 53 of Maps and Plats, Pages 54-55 in the Yavapai County Recorder's Office;

thence, along the northerly prolongation of the easterly right-of-way line of Viewpoint Drive, South 06°59'02" East, 161.07 feet to the south line of Parcel 18, from which point the

southeast corner of Parcel 18, as identified by a 2" aluminum cap stamped "GETL LS 16826", is South 89°34'54" East, 1,237.29 feet;

thence, along the south line of Parcel 18, North 89°34'54" West, 49.83 feet to a 5/8" rebar with a cap stamped "GETL LS 16826" as shown on said amended result of survey;

thence, continuing along the south line of Parcel 18, North 89°35'56" West, 33.00 feet to the **POINT OF BEGINNING.**

This description yields 1.62 acres.

TOGETHER WITH

Parcel 4

A portion of Parcel 20 as shown on the amended result of survey of Amended Poquito Valley as recorded in Book 8 of Land Surveys, Pages 1-7 in the Yavapai County Recorder's Office, described as follows:

The easterly 33.00 feet of Parcel 20 as shown on the amended result of survey of Amended Poquito Valley as recorded in Book 8 of Land Surveys, Pages 1-7.

This description yields 1.00 acres.

TOGETHER WITH

Parcel 5

A portion of the parcel described in the warranty deed recorded in Book 4084 of Official Records, Page 668 in the Yavapai County Recorder's Office, described as follows:

The westerly 33.00 feet of the parcel described in the warranty deed recorded in Book 4084 of Official Records, Page 668 in the Yavapai County Recorder's Office.

This description yields 0.50 acres.

TOGETHER WITH

Parcel 6

A portion of Parcel II as described in the warranty deed recorded in Book 4355 of Official Records, Page 824 in the Yavapai County Recorder's Office, described as follows:

The westerly 33.00 feet of Parcel II as described in the warranty deed recorded in Book 4355 of Official Records, Page 824 in the Yavapai County Recorder's Office.

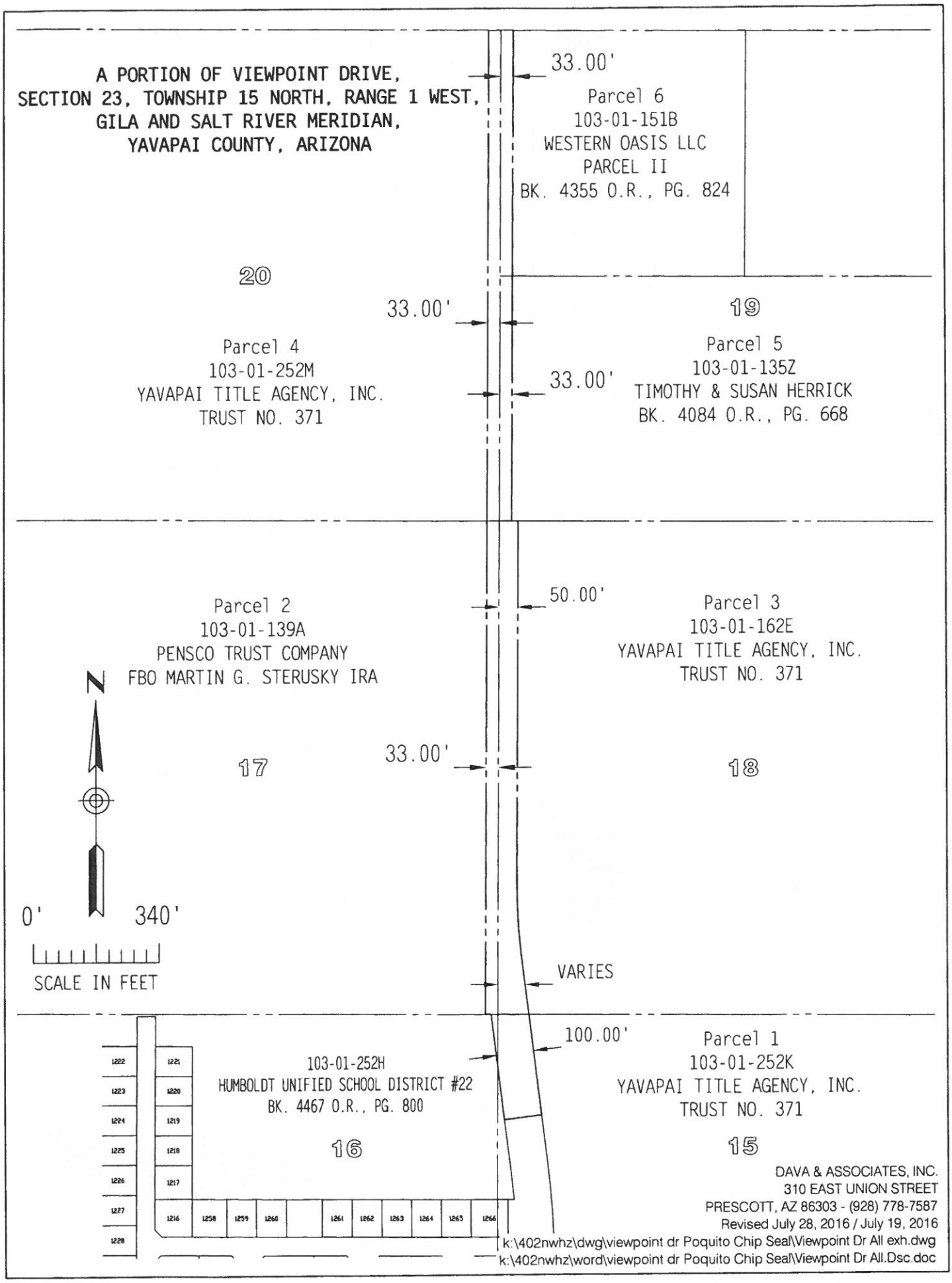
This description yields 0.50 acres.

This legal description yields an aggregate of 5.26 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.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
22752
THOMAS G.
CALLAHAN
Date Signed 8.1.16
ARIZONA, U.S.A.

EXPIRES 6/30/2017


A PORTION OF VIEWPOINT DRIVE,
SECTION 23, TOWNSHIP 15 NORTH, RANGE 1 WEST,
GILA AND SALT RIVER MERIDIAN,
YAVAPAI COUNTY, ARIZONA
33.00'
Parcel 6
103-01-151B
WESTERN OASIS LLC
PARCEL II
BK. 4355 O.R., PG. 824
20
33.00'
19
Parcel 4
103-01-252M
YAVAPAI TITLE AGENCY, INC.
TRUST NO. 371
33.00'
Parcel 5
103-01-135Z
TIMOTHY & SUSAN HERRICK
BK. 4084 O.R., PG. 668
50.00'
Parcel 2
103-01-139A
PENSCO TRUST COMPANY
FBO MARTIN G. STERUSKY IRA
Parcel 3
103-01-162E
YAVAPAI TITLE AGENCY, INC.
TRUST NO. 371
N
17
33.00'
18
0'
340'
SCALE IN FEET
VARIES
100.00'
103-01-252H
HUMBOLDT UNIFIED SCHOOL DISTRICT #22
BK. 4467 O.R., PG. 800
16
Parcel 1
103-01-252K
YAVAPAI TITLE AGENCY, INC.
TRUST NO. 371
15
1222
1221
1223
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DAVA & ASSOCIATES, INC.
310 EAST UNION STREET
PRESCOTT, AZ 86303 - (928) 778-7587
Revised July 28, 2016 / July 19, 2016
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