

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

**TOWN OF PRESCOTT VALLEY  
WATER EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

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

**YK COMMERCIAL REALTY, LLC.  
1707 E. Highland, Suite 100, Phoenix, AZ. 85021**

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 survey, erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove public 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 as follows:

**See Exhibit "A"**

together with the right of full and free ingress and egress for the purposes herein specified, and the right to authorize, permit and license public utility companies 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.

GRANTEE shall have the right to erect, maintain and use gates in all fences which now cross said easement and trim, cut, and clear away trees or brush whenever in its judgment the same shall be necessary for the convenience and safe exercise of the rights hereby granted.

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 28<sup>th</sup> day of September, 2009.

GRANTOR:  
YK COMMERCIAL REALTY, LLC

By: Prescott Valley Crossroads, LLC  
Its: Managing – Member

By: Kitchell Development Company  
Its: Managing – Member

By: Jeff Allen  
Its: President

Jeff Allen

STATE OF ARIZONA )  
 ) §  
COUNTY OF MARICOPA )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of September, 2009, by Jeff Allen  
Print - (Name of Owner/Officer/Agent)

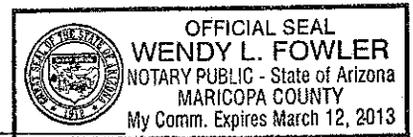
President of Kitchell Development Company  
(Title) (Name of Corporation/Company/LLC)

a(n) ARIZONA Company  
(State or place of incorporation) Write in type: Corporation/Company/LLC

On behalf of said YK Commercial, LLC  
Write in type: Corporation/Company/LLC

Wendy L. Fowler  
Notary Public

3-12-2013  
My Commission Expires:



## LEGAL DESCRIPTION

### PUBLIC UTILITY EASEMENT

A Public Utility Easement lying within Yavapai County Parcel # 103-09-245V, located in a portion of Section 21, Township 14 North, Range 1 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows.

(Basis of Bearings is North 88°56'22" West as measured between an aluminum cap at the southeast corner of said Section 21 and a ½" rebar at the south quarter corner of said Section 21, recorded as North 89°10'18" West on a Record of Survey in Book 5 of Maps and Plats, Page 53-54, Yavapai County Recorders Office, Yavapai County, Arizona)

COMMENCING at a found aluminum cap at the southeast corner of said Section 21;

THENCE North 88°56'22" West, along the south line of said Section 21, a distance of 2416.08 feet to appoint on the southeasterly right-of-way line of State Route 69;

THENCE North 33°49'23" East, along said southeasterly right of way line, a distance of 493.70 feet;

THENCE North 84°01'03" East, along said southeasterly right of way line, a distance of 78.10 feet;

THENCE North 33°49'23" East, along said southeasterly right of way line, a distance of 100.00 feet;

THENCE North 12°01'18" East, along said southeasterly right of way line, a distance of 161.56 feet;

THENCE North 33°49'23" East, along said southeasterly right of way line, a distance of 587.88 feet;

THENCE North 75°46'10" East, along the southerly boundary line of said Yavapai County Parcel # 103-09-245V, a distance of 125.92 feet;

THENCE South 14°13'50" East, along said southerly boundary line, a distance of 20.51 feet;

THENCE North 75°46'02" East, along said southerly boundary line, a distance of 156.08 feet to the TRUE POINT OF BEGINNING;

THENCE North 13°30'01" West, a distance of 16.47 feet;

THENCE North 75°46'54" East, a distance of 5.24 feet;

THENCE North 14°59'54" West, a distance of 1.77 feet;

THENCE North 75°00'06" East, a distance of 10.00 feet;

THENCE South 14°59'54" East, a distance of 11.91 feet;

THENCE South 75°46'54" West, a distance of 5.51 feet;

THENCE South 13°30'01" East, a distance of 6.46 feet to a point on the southerly boundary line of said Yavapai County Parcel # 103-09-245V;

THENCE South 75°46'02" West, along said southerly boundary line, a distance of 10.00 feet to the TRUE POINT OF BEGINNING.

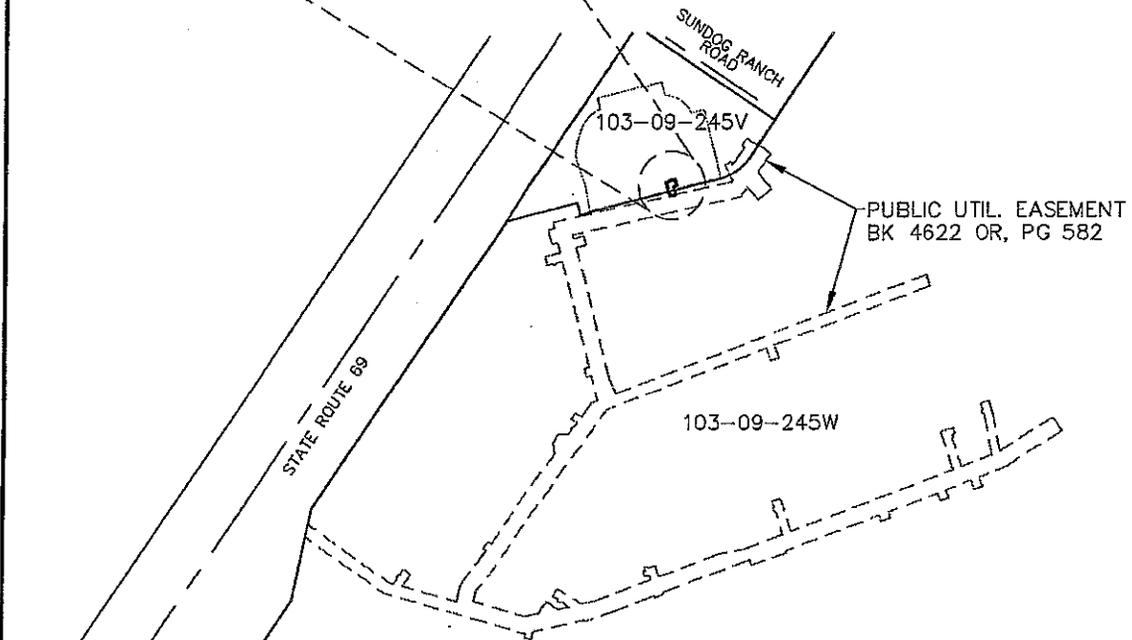
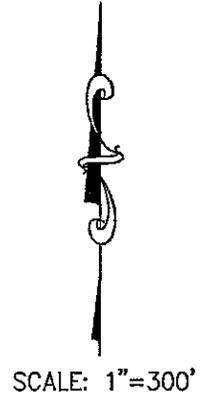
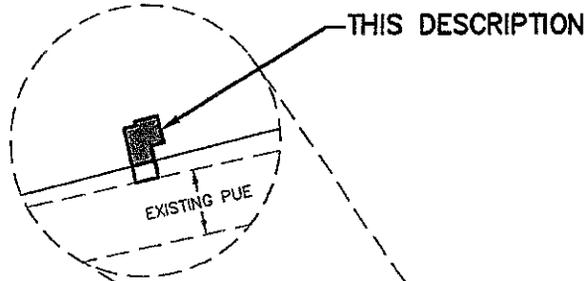
Containing 236.76 square feet, more or less.

09/24/09  
LE#643-05  
103-09-254V PUE.doc



Exp: 6/30/2010

MAP TO ACCOMPANY  
LEGAL DESCRIPTION



SOUTHEAST  
CORNER  
SECTION 21

A small circle with a crosshair inside, representing the southeast corner of Section 21. A dashed line extends from the bottom of the map towards this marker.