

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

**TOWN OF PRESCOTT VALLEY
PUBLIC UTILITY EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

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

FAIN FAMILY LIMITED PARTNERSHIP, an Arizona limited partnership, and
THE NORMAN WILLIAM FAIN II AND NANCY LEE FAIN REVOCABLE
TRUST, DTD MAY 11, 1990

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 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 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.

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 23rd day of February, 2010.

GRANTOR:

FAIN FAMILY LIMITED PARTNERSHIP, an
Arizona limited partnership, by: Fain Enterprises,
Inc., Its General partner

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

THE NORMAN WILLIAM FAIN II AND
NANCY LEE FAIN REVOCABLE TRUST DTD
MAY 11, 1990

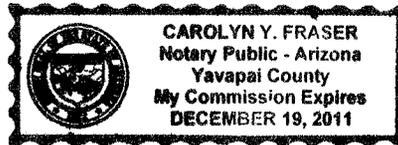
By: Norman W Fain
Norman W. Fain II, Trustee

STATE OF ARIZONA)
) ss:
COUNTY OF Yavapai)

The foregoing instrument was acknowledged before me this 23rd day of February, 2010, by Norman W. Fain II, President of Fain Enterprises, Inc., an Arizona corporation, General partner of Fain Family Limited Partnership, an Arizona limited partnership on behalf of the partnership.

Carolyn Y. Fraser
Notary Public

My Commission Expires:
12-19-2011

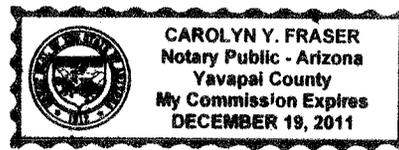


STATE OF ARIZONA)
) ss:
COUNTY OF Yavapai)

The foregoing instrument was acknowledged before me this 23rd day of February, 2010, by Norman W. Fain II, Trustee of The Norman William Fain II and Nancy Lee Fain Revocable Trust Dated May 11, 1990 on behalf of the Trust.

Carolyn Y. Fraser
Notary Public

My Commission Expires:
12-19-2011





**PUBLIC UTILITIES EASEMENT
LEGAL DESCRIPTION**

AS EASEMENT FOR THE PURPOSES OF INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES OVER, UNDER, ACROSS, AND THROUGH THAT PORTION OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, TOWN OF PRESCOTT VALLEY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND 20 FEET IN TOTAL WIDTH LYING SOUTH OF THE FOLLOWING DESCRIBED LINE;

COMMENCING AT THE NORTHEAST CORNER OF THAT PARCEL DESCRIBED IN BOOK 4337, PAGE 565 OF YAVAPAI COUNTY OFFICIAL RECORDS, THENCE ALONG THE EAST LINE OF SAID PARCEL, S.00°09'30"E., A DISTANCE OF 50 FEET TO THE TRUE POINT OF BEGINNING;

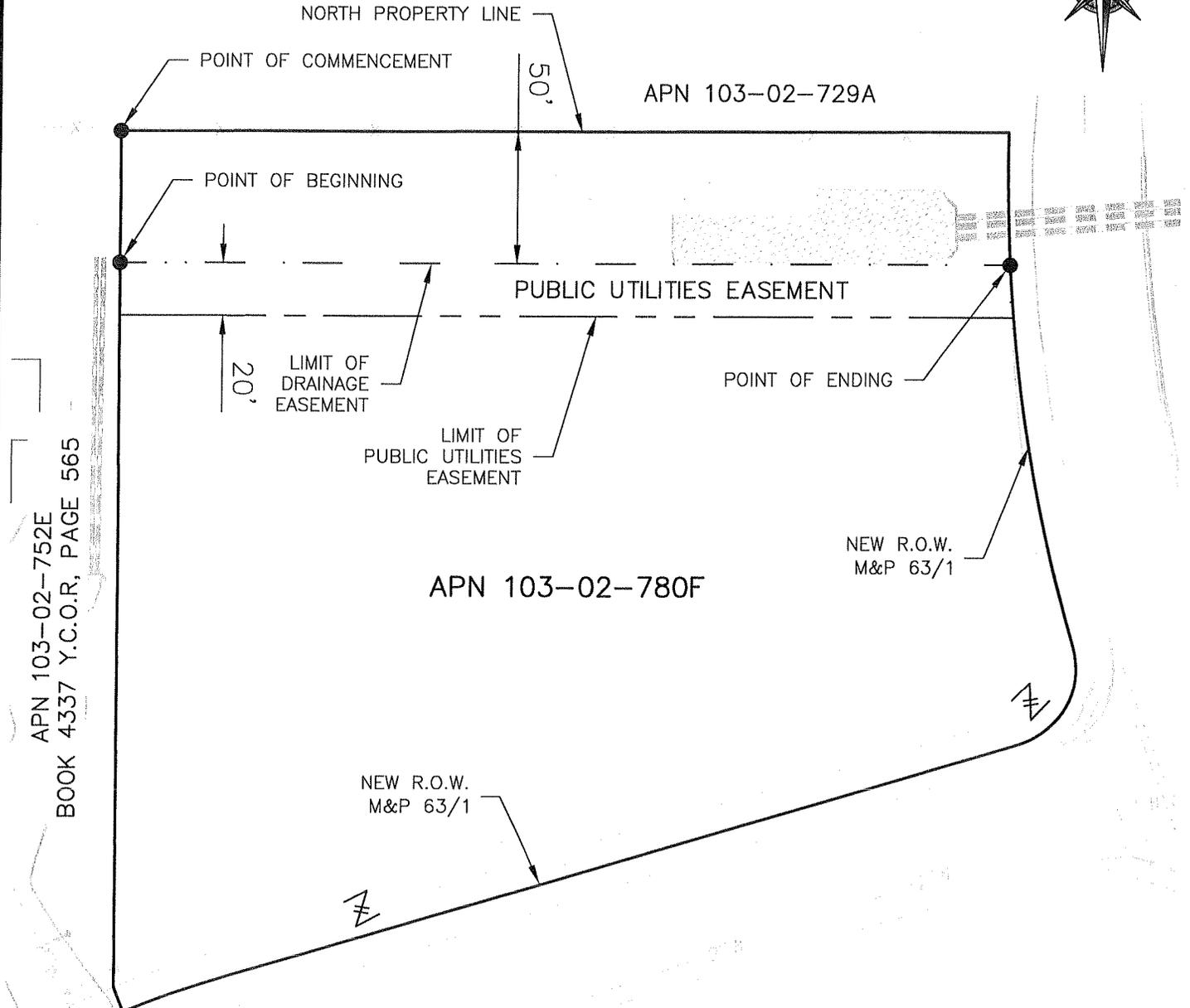
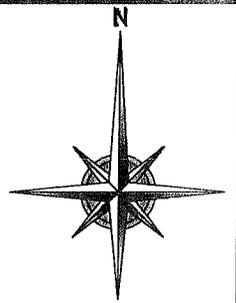
THENCE LEAVING SAID EAST LINE, N.89°59'40"E., A DISTANCE OF 342.20 FEET TO A THE POINT OF ENDING WHICH LIES ON THE WEST RIGHT OF WAY OF WINDSONG DRIVE (FORMERLY LOOS ROAD) AS DETAILED IN BOOK 63 OF MAPS AND PLATS, PAGE 1, YAVAPAI COUNTY OFFICIAL RECORDS.

THE SIDE LINES OF SAID EASMENT ARE LENGTHENED OR SHROTENED TO BE CONTIGUOUS WITH THE WEST AND EAST LINES OF THE INCUMBERED PARCEL.

CONTAINING 6,857.10 SQUARE FEET MORE OR LESS.

EASEMENT EXHIBIT OVER A PORTION OF
 APN 103-02-780F

SITUATE IN SECTION 14, TOWNSHIP 14 NORTH, RANGE 1 WEST
 GILA AND SALT RIVER MERIDIAN, YAVAPAI COUNTY, ARIZONA



APN 103-02-752E
 BOOK 4337 Y.C.O.R., PAGE 565

**GRANITE
 BASIN**
 ENGINEERING, INC.

3605 Crossings Drive, Suite B
 Prescott, Arizona 86305
 928.717.0171
 928.717.0181 fax

EASEMENT EXHIBIT
 APN 103-02-780F

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

GBE JOB #: 09032-10

TAL

DATE: FEBRUARY 2010

NTS