PRESCOTT VALLEY

Town of Prescott Valley

7501 E. Civic Circle
Prescott Valley
Arizona 86314

August 29, 2012

Mr. Robert Henning and Ms. Loreen Henning
5456 N. Poke Drive
Prescott Valley, AZ 86314

Re: Letter of Agreement for Drainage Easement and Temporary Construction Easement
Lot # 5660, Prescott Valley Unit # 15; APN 103-32-559
5456 N. Poke Drive, Prescott Valley, AZ 86314

Project: Western Boulevard Stormwater Management Improvement Project, Phase III
CIP # E328.3

Dear Mr. & Ms. Henning,

We have had a number of discussions with you about obtaining a permanent Drainage Easement and Temporary Construction Easement. This letter is to clarify and confirm our mutual understanding and agreement of the proposed Drainage Easement and the Temporary Construction Easement (both subject to approval by the Prescott Valley Town Council) for the purpose of constructing the next phase of the Western Boulevard Stormwater Management Improvement Project, Phase III, CIP # E328.3.

The Town of Prescott Valley will:

- Remove existing fence, irrigation, trees or shrubs within the limits of the Temporary Construction Easement as necessary to complete construction of the project.
- Protect trees and other landscape items outside the limits of the Temporary Construction Easement.
- Reinstall fence on property line after installation of stormdrain pipe. The location of the reinstallation of existing gates will be at the direction of Mr. & Mrs. Webster and will be determined prior to the fence being installed. Gate height and width will remain unchanged.
- Reinstall any landscape materials back to original condition to the best extent possible.
- Replace trees, shrubs and other landscape vegetation, to the best extent possible, as part of the project construction scope of work.
- Provide Notary services, for your convenience, to notarize the easements.

Mr. Robert Henning and Ms. Loreen Henning, will:

- Execute both the Drainage Easement and the Temporary Construction Easement, as enclosed.

It is further understood that:

- This proposal is subject to the approval of the Prescott Valley Town Council.

Mr. Robert Henning and Ms. Loreen Henning, if you agree and approve the above terms for both the proposed Drainage Easement and Temporary Construction Easement, please so indicate your agreement and approval in the space provided below.

An original, and a copy, of both the Drainage Easement and the Temporary Construction Easement are enclosed. Please review these easements and if you approve, please sign the original, have your signatures notarized and return it to us in the enclosed self-addressed stamped envelope.

Upon receipt of both of the signed and notarized easements, Town staff will prepare the proposed Drainage Easement, the proposed Temporary Construction Easement and associated information for presentation to the Town Council for their review and approval. If they accept the Drainage Easement and the Temporary Construction Easement, the Town will record the fully executed easements.

I look forward to our mutual resolution of this matter. If you have any questions or need additional information, please call or email me.

Sincerely,

Norm Davis

Norm Davis, P.E., Public Works Director
Phone: (928) 759-3070
Email: ndavis@pvaz.net

Agreed and Approved:

Robert J Henning
Signature By: Mr. Robert Henning

Loreen Henning
Signature By: Ms. Loreen Henning

Owner of Lot # 5660, Prescott Valley Unit # 15, APN # 103-32-559

Enclosures:
Original Drainage Easement and Temporary Construction Easement – to be returned to the Town
Copy of Drainage Easement and Temporary Construction Easement – for your records

cc:
Diane Russell, Town Clerk
Ron Pine, P.E., Engineer, Public Works
Ray Smith, P.E., R.L.S., Engineering Division Manager
Scott Lyon, P.E., Design Engineer
Kimberly J. Moon, P.E., Capital Projects Coordinator
File