


When recorded mail to:
William E. Constable
Post Office Box 1189
Patagonia, AZ 85624

	INSTRUMENT # 9601832
	OFFICIAL RECORDS OF
	SANTA CRUZ COUNTY
	SUZANNE SAINZ
	COUNTY RECORDER
	REQUEST OF :
	CONSTABLE, WILLIAM E.
	DATE: 03/08/96 TIME: 9.55
	FEE: 8.00
	DOCK 688 PAGE 258 PAGES: 2

THE MESA WATER USE AGREEMENT

DOCK 688 PAGE 258

Whereas, we the owners of the following listed lots, covenant together, for our mutual benefit, for the purpose of sharing a domestic water system.

Whereas this agreement shall be transferable to the heirs or assigns of the present owners.

Therefore, the following is the complete list of lots and owners, never to exceed a total of four, of which are all in The Mesa, a plat map of which is attached hereto,

Lot #22, owned by Charles Lewton

Lot #23, owned by Charles Lewton

Lot #24, owned by Charles Lewton and Jean Lewton

Lot #25, owned by Jean Lewton

Whereas, this system is contained entirely within THE MESA, and the well is entirely on Lot #22, and the four lots are near one another.

Whereas, for the smooth operation of this system, we now set down these general guidelines;

1. Whichever purchaser builds first, whether Lot # 22, 23, 24, or 25, shall pay the cost of completing the pumping system on the well. Should the lot purchaser or purchasers build during the immediately following five year period, a prorata share of cost of completion shall be payable to the first builder by the other builder or builders factoring in cost and time.

2. A fund shall be established from donated money on the part of the owners, sufficient to pay monthly expenses as well as any maintenance or repair items. This fund shall be paid into monthly by the owners on an equitable basis based on the actual water usage determined by meters and equal payment of maintenance, repair, and replacement costs.

3. A caretaker shall be appointed on a rotating basis to oversee the necessary care of the system, including the fund.

4. Easements shall be granted as necessary for a waterline to service Lots #22, #23, #24, and #25.

IN WITNESS WHEREOF the parties hereto have signed this agreement this 29th day of February, 1996.

Lot #22

Lot #23

Lot #24

Lot #25

STATE OF ARIZONA)
COUNTY OF SANTA CRUZ) ss.

The foregoing instrument was acknowledged before me by Charles Lewton and Jean Lewton, who executed the foregoing instrument. IN WITNESS WHEREOF I have hereunto set my hand and affixed my seal this 29th day of February, 1996.

Elizabeth K. Kalling
Notary Public

my commission expires:



Exhibit A

