

14

Title Security Agency  
of Pinal County, L.L.C.

ADDRESS

WHEN RECORDED MAIL TO:

Steve Temple  
Jon Post  
c/o Long Realty  
3580 W. Ina Road #100  
Tucson, AZ 85741



OFFICIAL RECORDS OF  
PINAL COUNTY RECORDER  
LAURA DEAN-LYTLER

DATE/TIME: 10/27/05 1601  
FEE: \$23.00  
PAGES: 14  
FEE NUMBER: 2005-147681

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DO NOT REMOVE THIS COVER SHEET. IT IS NOW PART OF THE RECORDED  
DOCUMENT.

DOCUMENT TO BE RECORDED:

**WELL AGREEMENT**

TAX CODE: 410-31-004B-8

## WELL AGREEMENT

This Agreement is made among the present and future owner(s) hereto ("Owners") of the real property described herein and incorporated as part of this Agreement as EXHIBIT "A" (legal description attached) and may be executed in counterparts.

WHEREAS the Owners intend to be users of the water from a Community Water Well system, hereto (the "Well System") located on that certain well site described in EXHIBIT "B" (legal description attached).

WHEREAS the Owners shall have an interest in the Well System as follows:  
Each 2.5-acre parcel shall have a 1/7 interest (1 share) and the 4.44-acre parcel shall have 3/7 interest (3 shares) in Well System. There shall be no more than a total of seven (7) shares in the Well System.

A Water Users Trust, herein referred to as DAVIS RANCH RD WATER TRUST is hereby established for the control, operation and maintenance of the Well System, described below and for the management of said system.

From and after the 11<sup>th</sup> day of October, 2005 the undersigned hereby assume joint responsibility for the said Well System. Each of the undersigned parcel owners shall have an ownership in the: Access and utility easement, well and casing, pump, pipe, pressure tanks, wire, meter loop with breaker and entrance assembly and all other miscellaneous items required for proper operation of the well. All maintenance, repair, etc. of water lines from well to each service shall be the sole responsibility of the Owner of each service.

The Well System shall be managed and used in accordance with the terms specified herein. This document when, recorded together with: a plat map annotated to show well and water line routing, easement descriptions and EXHIBIT "C" and the Well site description shall constitute a permanent water system easement.

All Owners acknowledge that the well will be used in such a manner as to continue its status as an "exempt well" under the Arizona Groundwater Management. Each Owner shall have the right to use the water from the Well System for reasonable domestic uses on the Owners parcel so long as the Owner is not in default of that Owner's obligations under this agreement. Water shall not be used for commercial or agricultural purposes.

The Owners mutually consent to the recording of this document in the recorders office of Pinal County.

Each of the Owners shall pay an initial one-time hook-up fee of one hundred dollars (\$100.00) and a monthly maintenance fee, once use has been established. Use will be defined as having made a connection to the Well System for any purpose requiring the consumption of water. Users will not be allowed to share water from one parcel to any other. The schedule of fees shall be included among "Initial Agreements" detailed herein; it is required that these agreements be ratified by the Board of Trustees at its first annual meeting in February 2006.

Each of the Owners of the Well System is a member of the Board or Trustees of DAVIS RANCH RD WATER TRUST and shall have one vote per 1/7 interest owned; no fractional votes will be recognized. As a result of these qualifications and restrictions, there can never be more than SEVEN (7) Trustees. Quorum for the conduct of business shall require no less than a 3/4-majority vote of Trustees.

During the annual meeting of the Board of Trustees, a Chief Trustee shall be elected for a one-year term; a Chief Trustee may succeed himself or herself at the will of the Board.

The DAVIS RANCH RD WATER TRUST is and shall strictly remain a non-profit organization for the benefit of the members. The monthly fees shall be collected by the Chief Trustee and used for the sole purpose of maintenance, repair, electricity and replacement, in whole or in part, of the Well System. Each Trustee agrees to promptly remit fees and assessments when due or levied.

The Community Water Well System as herein described, shall not be expanded, altered, or changed by written consent of no less than a 3/4 majority of the total Trustees.

There shall be no connections to the Well System in excess of SEVEN (7), one for each of the SEVEN (7) shares of ownership's).

A fund is hereby established for accumulation of monies in excess of monthly operating costs. Said fund shall be allowed to accumulate to a maximum of Four Thousand Dollars (\$4,000.00); all funds in excess of said limit will be disposed of in a manner approved by a vote of no less than a 3/4 majority of the Board of Trustees.

Abandonment of this Agreement requires a unanimous vote of the Trustees. Any Trustee may terminate his/her interest by deeding (sale/gift), his/her interest to another of the Well System Owners of DAVIS RANCH RD WATER TRUST.

## INITIAL AGREEMENTS

(These are ratified by the undersigned and may be amended at the next annual meeting of the Board or Trustees):

1. All users are required to install a lockable shut-off valve, water meter and enclosure with lid, located and easily accessible within the utility easement at the individual users expense.
2. User maintenance fees shall be \$ 20.00 per month paid on a quarterly basis, once service is established. Fees shall be collected at the beginning of each quarter.
3. That portion of the electric bill that is charged to each user is determined as follows: Divide the total electric bill by the gallons of water used by all well users for the current billing period, then multiply that figure by the actual gallons of water used by each user for the current billing period.
4. Water line maintenance shall be the responsibility of each user.
5. Any user more than 15 days late with their payment shall pay an additional \$30.00 late fee.
6. In the event the Well use fee is past due by 60 days the Chief Trustee is authorized to terminate and discontinue the delinquent user's access to water from the Well System by locking the shut-off valve in the closed position. Chief Trustee must promptly restore water supply upon delinquent user's payment in full of well use fee, late fees and any other costs incurred due to termination of service.

## GENERAL TERMS

In the event any owner refuses to pay any sum due to the DAVIS RANCH RD WATER TRUST, to include sums that may have been reduced to judgment, the Trust will have, after written notice to the owner, the right to file, at the Trust's sole option, a lien against the real property that is serviced by the Well System, and further, in the event that the owner thereafter fails to pay the sums demanded, the Trust has the right to initiate a judicial foreclosure in accordance with A.R.S. Section 33741, et seq. The lien of the Trust shall be subordinate to any consensual first lien but shall be superior to any other liens recorded subsequent to the Trust's recordation or notice of lien.

All provisions, conditions, restrictions, covenants and charges herein set forth shall be binding upon all parcels of the subject properties and upon the present and future owners thereof, regardless of the source of title of such owners. Any breach of any of the provisions, conditions, restrictions, covenants, or charges above set forth, by any owner, if continued for a period of thirty (30) days after written notice to said owner by any other owner of the subject properties, shall be grounds for any owner or owners or the subject properties to apply to any court of law or equity having jurisdiction thereof for any

injunction or other proper relief, and if such relief can be granted, the Court may, in its discretion, award to plaintiff in such action his reasonable expenses in prosecuting such suit, including attorney's fees and damages.

All rights and remedies given herein are cumulative and not exclusive of any other remedy.

#### DUTIES OF CHIEF TRUSTEE:

- A. Insure and enforce compliance with the terms of this agreement and any other Conditions and /or restrictions set by the Board of Trustees, to include being empowered to refer for collection any trustee whose fees and/or assessments are considered to be in default of these agreements.
- B. Open & take charge of DAVIS RANCH RD WATER TRUST bank account and insure that funds are expended solely for the purpose provided for.
- C. Accept payment of the fees as scheduled herein and promptly deposit them in The account of DAVIS RANCH RD WATER TRUST.
- D. Receive the electric utility bill and pay the same before it becomes delinquent.
- E. Provide a semi-annual report to each of the other Trustees. All checks and reports must be signed by the Chief Trustee.
- F. Monitor the use of the Well System to insure that each of the services are equipped with a shut off valve so that the well pumping system shall not be shut down each time work must be done on any individual service line.
- G. Monitor the use of the Well System to insure that there will be no suction pumps on any part of the Well System, to include restricting such use on any individual service lines.
- H. Assess all the Trustee's equally to cover the cost of repair or replacement of components of the Well System when funds of the water trust account are not adequate to cover such expenses.

The Chief Trustee may limit the use of the water from said Well System if conditions such as a dangerous draw down of the water level warrant such action. If such an action is taken, a meeting of the Board of Trustees will be called forthwith to deal with such a problem.

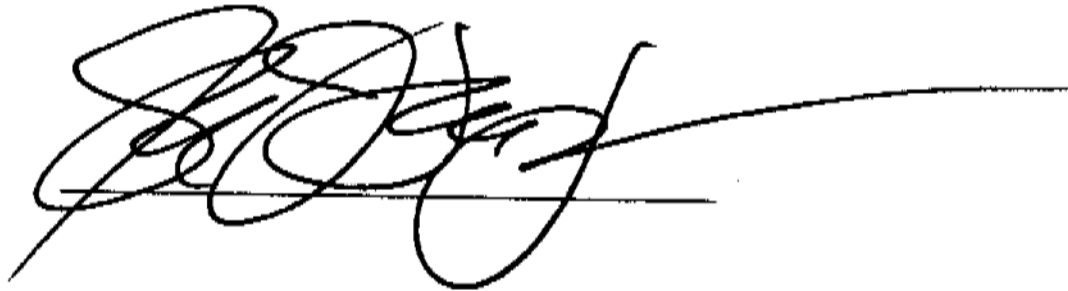
Steve Temple is selected as Chief Trustee for the period of

October 11, 2005 to February 1, 2006.

The Owner(s) acknowledge that this writing contains the entire Agreement and there are no oral agreements or understandings not contained in this Agreement.

Dated this 21<sup>st</sup> day of October, 2005

OWNER(S):



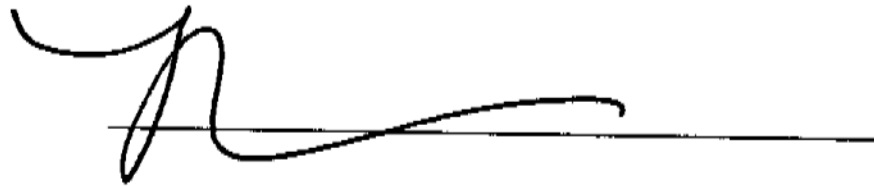
Jan Post 10-21-05

State of Arizona )  
County of Pima )

This instrument was acknowledged before me this 21<sup>st</sup> day of Oct, 2005

My commission expires;

2/28/07



Notary Public



EXHIBIT "A"

LOT 1

LEGAL DESCRIPTION

ALL THAT PORTION OF THAT CERTAIN REAL PROPERTY AS RECORDED IN DOCKET 1306 AT PAGE 882, RECORDS OF PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the northwest corner of Section 29, Township 10 South, Range 11 East, being a brass capped survey monument, stamped LS 12900;

THENCE upon the northerly line of said Section 29, South 89 degrees 57 minutes 40 seconds East for a distance of 826.12 feet to the POINT OF BEGINNING;

THENCE continue upon said northerly line, South 89 degrees 57 minutes 40 seconds East for a distance of 495.17 feet;

THENCE leaving said northerly line, South 00 degrees 01 minutes 40 seconds West for a distance of 269.96 feet;

THENCE North 89 degrees 57 minutes 40 seconds West for a distance of 495.20 feet;

THENCE North 00 degrees 02 minutes 20 seconds East for a distance of 269.95 feet to the POINT OF BEGINNING.

TOGETHER WITH and subject to an easement for Roadway and Public Utilities over the north 50 feet of the above described parcel as recorded in Fee No. 2004-053132, in the Office of the Pinal County Recorder, Pinal County, Arizona.

TOGETHER WITH and subject to covenants, easements and restrictions of record.

Said LOT 1 contains 108,900.0 sq. ft. or 2.50 acres, more or less.



## LEGAL DESCRIPTION

LOT 2

ALL THAT PORTION OF THAT CERTAIN REAL PROPERTY AS RECORDED IN DOCKET 1306 AT PAGE 882, RECORDS OF PINAL COUNTY, ARIZONA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the northwest corner of Section 29, Township 10 South, Range 11 East, being a brass capped survey monument, stamped LS 12900;

THENCE upon the northerly line of said Section 29, South 89 degrees 57 minutes 40 seconds East for a distance of 826.12 feet;

THENCE leaving said northerly line, South 00 degrees 02 minutes 20 seconds West for a distance of 269.95 feet to the **POINT OF BEGINNING**;

THENCE South 89 degrees 57 minutes 40 seconds East for a distance of 495.20 feet;

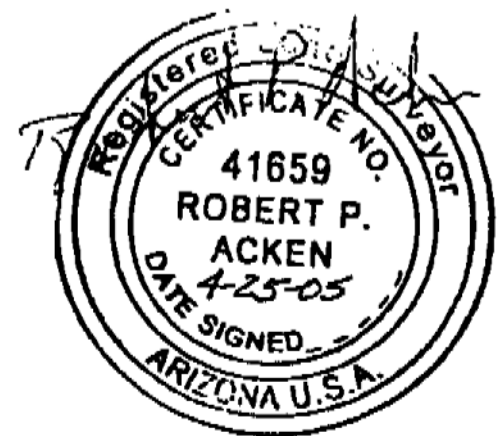
THENCE South 00 degrees 02 minutes 20 seconds West for a distance of 219.91 feet;

THENCE North 89 degrees 57 minutes 40 seconds West for a distance of 495.20 feet;

THENCE North 00 degrees 02 minutes 20 seconds East for a distance of 219.91 feet to the **POINT OF BEGINNING**.

TOGETHER WITH and subject to covenants, easements and restrictions of record.

Said LOT 2 contains 108,900.2 sq. ft. or 2.50 acres, more or less.



## LEGAL DESCRIPTION

LOT 3

ALL THAT PORTION OF THAT CERTAIN REAL PROPERTY AS RECORDED IN DOCKET 1306 AT PAGE 882, RECORDS OF PINAL COUNTY, ARIZONA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the northwest corner of Section 29, Township 10 South, Range 11 East, being a brass capped survey monument, stamped LS 12900;

THENCE upon the northerly line of said Section 29, South 89 degrees 57 minutes 40 seconds East for a distance of 826.12 feet;

THENCE leaving said northerly line, South 00 degrees 02 minutes 20 seconds West for a distance of 489.86 feet to the **POINT OF BEGINNING**;

THENCE South 89 degrees 57 minutes 40 seconds East for a distance of 495.20 feet;

THENCE South 00 degrees 02 minutes 20 seconds West for a distance of 219.91 feet;

THENCE North 89 degrees 57 minutes 40 seconds West for a distance of 495.20 feet;

THENCE North 00 degrees 02 minutes 20 seconds East for a distance of 219.91 feet to the **POINT OF BEGINNING**.

TOGETHER WITH and subject to covenants, easements and restrictions of record.

Said LOT 3 contains 108,900.0 sq. ft. or 2.50 acres, more or less.



## LEGAL DESCRIPTION

### LOT 4

ALL THAT PORTION OF THAT CERTAIN REAL PROPERTY AS RECORDED IN DOCKET 1306 AT PAGE 882, RECORDS OF PINAL COUNTY, ARIZONA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the northwest corner of Section 29, Township 10 South, Range 11 East, being a brass capped survey monument, stamped LS 12900;

THENCE upon the northerly line of said Section 29, South 89 degrees 57 minutes 40 seconds East for a distance of 826.12 feet;

THENCE leaving said northerly line, South 00 degrees 02 minutes 20 seconds West for a distance of 709.77 feet to the **POINT OF BEGINNING**;

THENCE South 89 degrees 57 minutes 40 seconds East for a distance of 495.20 feet;

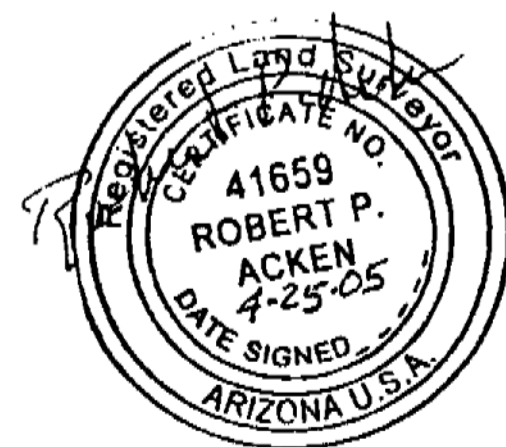
THENCE South 00 degrees 02 minutes 20 seconds West for a distance of 219.91 feet;

THENCE North 89 degrees 57 minutes 40 seconds West for a distance of 495.20 feet;

THENCE North 00 degrees 02 minutes 20 seconds East for a distance of 219.91 feet to the **POINT OF BEGINNING**.

TOGETHER WITH and subject to covenants, easements and restrictions of record.

Said LOT 4 contains 108,900.0 sq. ft. or 2.50 acres, more or less.



## LEGAL DESCRIPTION

### LOT 5

ALL THAT PORTION OF THAT CERTAIN REAL PROPERTY AS RECORDED IN DOCKET 1306 AT PAGE 882, RECORDS OF PINAL COUNTY, ARIZONA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the northwest corner of Section 29, Township 10 South, Range 11 East, being a brass capped survey monument, stamped LS 12900;

THENCE upon the northerly line of said Section 29, South 89 degrees 57 minutes 40 seconds East for a distance of 826.12 feet;

THENCE leaving said northerly line, South 00 degrees 02 minutes 20 seconds West for a distance of 929.68 feet to the **POINT OF BEGINNING**;

THENCE South 89 degrees 57 minutes 40 seconds East for a distance of 495.20 feet;

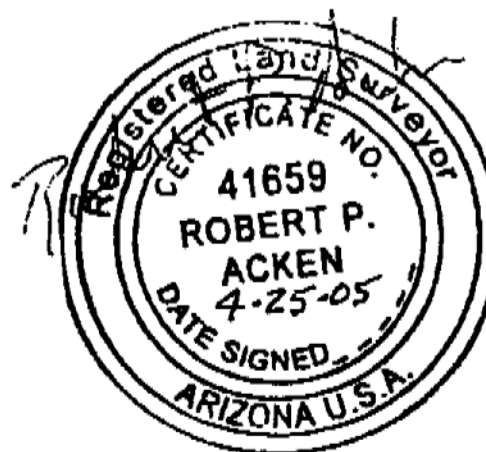
THENCE South 00 degrees 02 minutes 20 seconds West for a distance of 390.18 feet;

THENCE North 89 degrees 57 minutes 40 seconds West for a distance of 495.20 feet;

THENCE North 00 degrees 02 minutes 20 seconds East for a distance of 390.09 feet to the **POINT OF BEGINNING**.

TOGETHER WITH and subject to covenants, easements and restrictions of record.

Said LOT 5 contains 193,214.4 sq. ft. or 4.44 acres, more or less.



# EXHIBIT "B"

## LEGAL DESCRIPTION

### A 20 FOOT BY 20 FOOT WELL EASEMENT

ALL THAT PORTION OF THAT CERTAIN REAL PROPERTY AS RECORDED IN DOCKET 1306 AT PAGE 882, RECORDS OF PINAL COUNTY, ARIZONA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the northwest corner of Section 29, Township 10 South, Range 11 East, being a brass capped survey monument, stamped LS 12900;

THENCE upon the northerly line of said Section 29, South 89 degrees 57 minutes 40 seconds East for a distance of 826.12 feet;

THENCE leaving said northerly line, South 00 degrees 02 minutes 20 seconds West for a distance of 929.68 feet;

THENCE South 89 degrees 57 minutes 40 seconds East for a distance of 20.00 feet to the **POINT OF BEGINNING**;

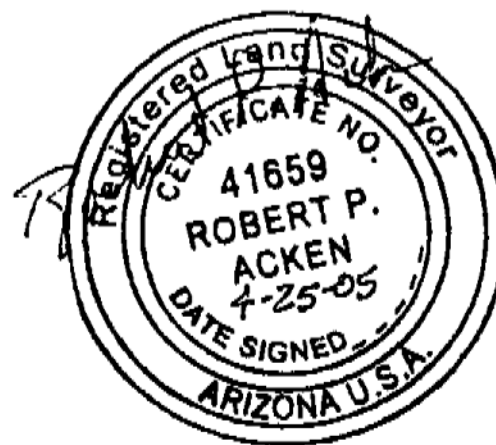
THENCE South 00 degrees 02 minutes 20 seconds West for a distance of 20.00 feet;

THENCE North 89 degrees 57 minutes 40 seconds West for a distance of 20.00 feet;

THENCE North 00 degrees 02 minutes 20 seconds East for a distance of 20.00 feet to the **POINT OF BEGINNING**.

TOGETHER WITH and subject to covenants, easements and restrictions of record.

Said WELL EASEMENT contains 400.0 sq. ft. or 0.01 acres, more or less.



# EXHIBIT 'C'

## LEGAL DESCRIPTION

### A 20 FOOT WIDE INGRESS, EGRESS AND UTILITY EASEMENT

ALL THAT PORTION OF THAT CERTAIN REAL PROPERTY AS RECORDED IN DOCKET 1306 AT PAGE 882, RECORDS OF PINAL COUNTY, ARIZONA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the northwest corner of Section 29, Township 10 South, Range 11 East, being a brass capped survey monument, stamped LS 12900;

THENCE upon the northerly line of said Section 29, South 89 degrees 57 minutes 40 seconds East for a distance of 826.12 feet;

THENCE leaving said northerly line, South 00 degrees 02 minutes 20 seconds West for a distance of 50.00 feet to the **POINT OF BEGINNING**;

THENCE South 89 degrees 57 minutes 40 seconds East for a distance of 20.00 feet;

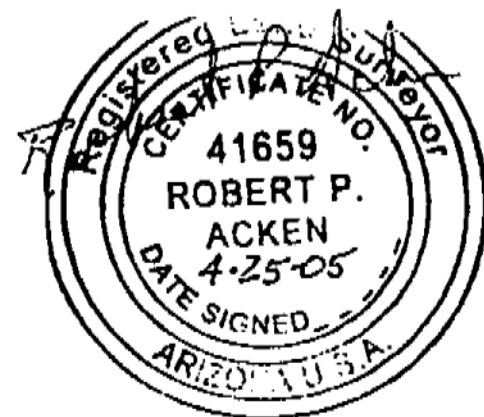
THENCE South 00 degrees 02 minutes 20 seconds West for a distance of 899.68 feet;

THENCE North 89 degrees 57 minutes 40 seconds West for a distance of 20.00 feet;

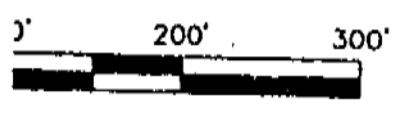
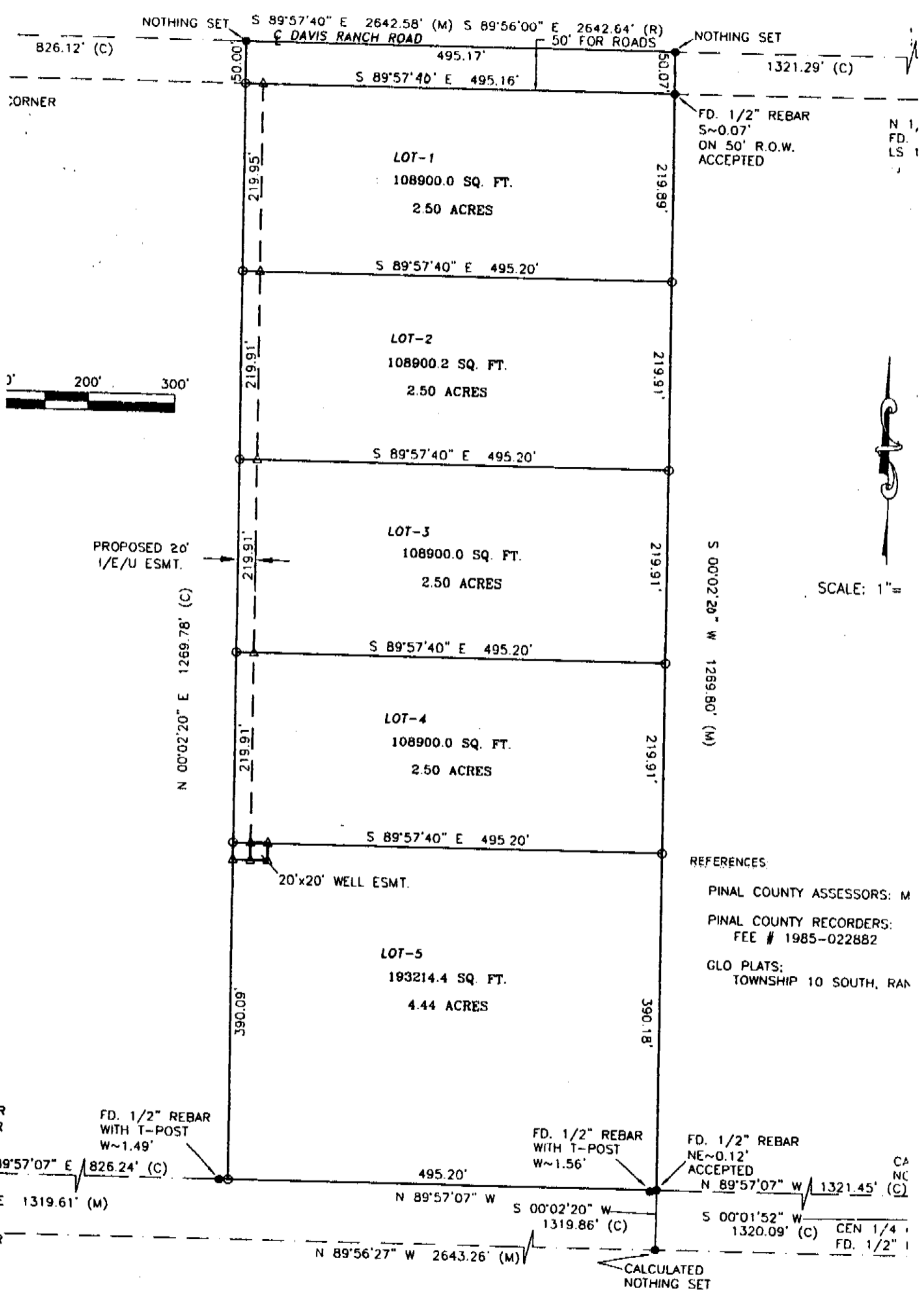
THENCE North 00 degrees 02 minutes 20 seconds East for a distance of 899.68 feet to the **POINT OF BEGINNING**.

TOGETHER WITH and subject to covenants, easements and restrictions of record.

Said EASEMENT contains 17,993.1 sq. ft. or 0.41 acres, more or less.



# EXHIBIT "C"



SCALE: 1" =

**REFERENCES:**  
 PINAL COUNTY ASSESSORS: M  
 PINAL COUNTY RECORDERS:  
 FEE # 1985-022882  
 GLO PLATS:  
 TOWNSHIP 10 SOUTH, RAN

CA  
 NC  
 CEN 1/4  
 FD. 1/2"



15  
When recorded mail to:  
Sherese Steffens  
5869 W. Oasis Rd  
Tucson, AZ 85742

DATE/TIME: 02/16/07 1323  
FEE: \$23.00  
PAGES: 15  
FEE NUMBER: 2007-020364

Date: January 22, 2007

### **Amendment to Well Agreement for Davis Ranch Rd Water Trust**

First paragraph on page one of Well Agreement recorded in Pinal County, Arizona in instrument No.2005-147681 shall be amended by the following:

EXHIBIT "D" (legal descriptions and applicable recorded surveys attached) shall replace EXHIBIT "A" (legal descriptions) of the original Well Agreement.

Third paragraph on page one of Well Agreement recorded in Pinal County, Arizona in instrument No. 2005-147681 shall be deleted and shall be replaced with the following paragraph:

WHEREAS the Owners shall have an interest in the Well System as described by the following EXHIBIT "D" (legal descriptions & applicable recorded survey attached) for each 1/7 interest (1 share) in the well system. There shall be no more than a total of seven (7) shares in the Well System.

ACCEPTED AND APPROVED BY THREE QUARTERS (3/4) MAJORITY of property owners (Trustees) as follows:

John A & Nancy A Gates  
Randall & Sherese Steffens  
Lester & Ann Hoskinson  
Thomas A & Sandy Niederriter  
Ralph E & Diana Layne Baker  
Debra Romines

(Signature pages attached hereto)

LOT 1  
APN

410-31-00458

EXHIBIT "D"

That portion of Lot 1, according to the plat of record in the office of the County Recorder of Pinal County, Arizona, recorded in Book 16 of Surveys, Page 14, being a portion of the Northwest quarter of the Northwest quarter of Section 29, Township 10 South, Range 11 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, more particularly described as follows:

BEGINNING at the Northwest corner of said Lot 1;

Thence, along the Westerly line of said Lot 1, South 00 degrees 02 minutes 20 seconds West, a distance of 50.00 feet to the Southerly right-of-way line of Davis Ranch Road;

Thence, continuing along said Westerly line, South 00 degrees 02 minutes 20 seconds West, a distance of 219.95 feet;

Thence, leaving said Westerly line, South 89 degrees 57 minutes 40 seconds East, a distance of 247.60 feet;

Thence North 00 degrees 02 minutes 08 seconds East, a distance of 219.95 feet to a point on said Southerly right-of-way;

Thence continuing North 00 degrees 02 minutes 08 seconds East, a distance of 50.00 feet;

Thence North 89 degrees 57 minutes 40 seconds West, a distance of 247.59 feet to the POINT OF BEGINNING.

EXCEPT all the coal and other minerals as reserved by the United States of America in the patent to said land.

APN # 410-31-004 M0

LEGAL DESCRIPTION EXHIBIT "D"

LOT 2

ALL THAT PORTION OF THAT CERTAIN REAL PROPERTY AS RECORDED IN DOCKET 1306 AT PAGE 882, RECORDS OF PINAL COUNTY, ARIZONA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the northwest corner of Section 29, Township 10 South, Range 11 East, being a brass capped survey monument, stamped LS 12900;

THENCE upon the northerly line of said Section 29, South 89 degrees 57 minutes 40 seconds East for a distance of 826.12 feet;

THENCE leaving said northerly line, South 00 degrees 02 minutes 20 seconds West for a distance of 269.95 feet to the POINT OF BEGINNING;

THENCE South 89 degrees 57 minutes 40 seconds East for a distance of 495.20 feet;

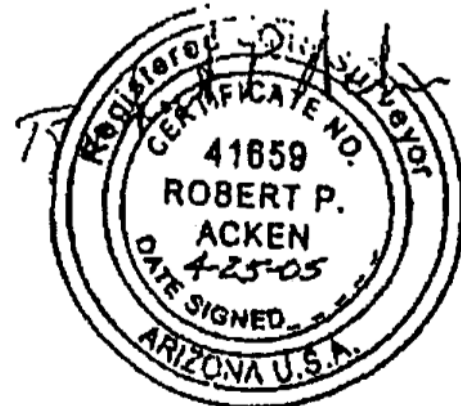
THENCE South 00 degrees 02 minutes 20 seconds West for a distance of 219.91 feet;

THENCE North 89 degrees 57 minutes 40 seconds West for a distance of 495.20 feet;

THENCE North 00 degrees 02 minutes 20 seconds East for a distance of 219.91 feet to the POINT OF BEGINNING.

TOGETHER WITH and subject to covenants, easements and restrictions of record.

Said LOT 2 contains 108,900.2 sq. ft. or 2.50 acres, more or less.



APN # 410-31-004T

EXHIBIT "D"  
LEGAL DESCRIPTION

PARCEL A (

A PORTION OF LOT-3 IN BOOK 16 OF SURVEYS AT PAGE 14, RECORDS OF PINAL COUNTY, ARIZONA WHICH IS A PART OF THE NORTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SECTION 29, TOWNSHIP 10 SOUTH, RANGE 11 EAST, GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA AND SHOWN ON THE MINOR LAND DIVISION PLAT RECORDED AS MLD#05-0556. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the southwest corner of said Lot-3;

THENCE upon the west line of said Lot-3, North 00 degrees 02 minutes 20 seconds East for a distance of 25.00 feet to the **POINT OF BEGINNING**;

THENCE continue upon said west line to the northwest corner of said Lot-3, North 00 degrees 02 minutes 20 seconds East for a distance of 194.91 feet;

THENCE leaving said west line, upon the north line of said Lot-3, South 89 degrees 57 minutes 40 seconds East for a distance of 279.36 feet;

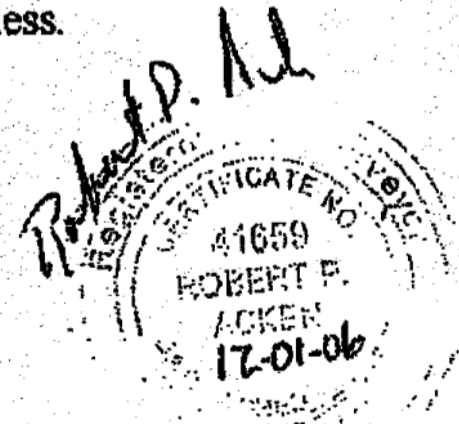
THENCE leaving said north line, South 00 degrees 02 minutes 20 seconds West for a distance of 194.91 feet;

THENCE upon a line 25.00 feet north of and parallel with the south line of said Lot-3, to a point on the west line of said Lot-3, North 89 degrees 57 minutes 40 seconds West for a distance of 279.36 feet to the **POINT OF BEGINNING**.

TOGETHER WITH and subject to an easement ingress, egress and utilities over the west 15.00 feet of said Lot-3, as shown on said Record of Survey, Book 16 at Page 14.

TOGETHER WITH and subject to covenants, easements and restrictions of record.

Said PARCEL A contains 54,450.0 sq. ft. or 1.25 acres, more or less.



gates

APN# 410-31-004L8  
LOT 4

EXHIBIT "D"

LEGAL DESCRIPTION

ALL THAT PORTION OF THAT CERTAIN REAL PROPERTY AS RECORDED IN DOCKET 1306 AT PAGE 882, RECORDS OF PINAL COUNTY, ARIZONA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the northwest corner of Section 29, Township 10 South, Range 11 East, being a brass capped survey monument, stamped LS 12900;

THENCE upon the northerly line of said Section 29, South 89 degrees 57 minutes 40 seconds East for a distance of 826.12 feet;

THENCE leaving said northerly line, South 00 degrees 02 minutes 20 seconds West for a distance of 709.77 feet to the **POINT OF BEGINNING**;

THENCE South 89 degrees 57 minutes 40 seconds East for a distance of 495.20 feet;

THENCE South 00 degrees 02 minutes 20 seconds West for a distance of 219.91 feet;

THENCE North 89 degrees 57 minutes 40 seconds West for a distance of 495.20 feet;

THENCE North 00 degrees 02 minutes 20 seconds East for a distance of 219.91 feet to the **POINT OF BEGINNING**.

TOGETHER WITH and subject to covenants, easements and restrictions of record.

Said LOT 4 contains 108,900.0 sq/ft. or 2.50 acres, more or less.

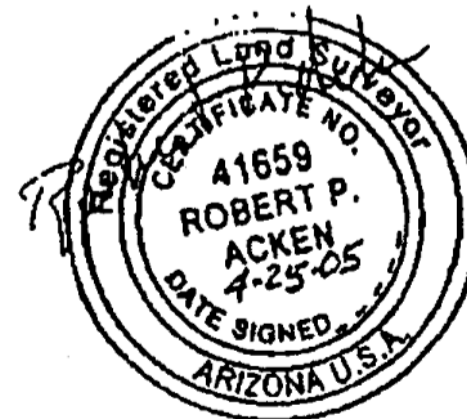


EXHIBIT "D"

410-31-004 Q2

LEGAL DESCRIPTION

LOT 1

ALL THAT PORTION OF THE SOUTH 390.18 FEET OF THE EAST 495.20 FEET OF THE NORTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SECTION 29, TOWNSHIP 10 SOUTH, RANGE 11 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the northwest corner of Section 29, Township 10 South, Range 11 East, being a brass capped survey monument, stamped LS 12900;

THENCE upon the northerly line of said Section 29, South 89 degrees 57 minutes 40 seconds East for a distance of 826.12 feet;

THENCE leaving said northerly line, South 00 degrees 02 minutes 20 seconds West for a distance of 929.69 feet;

THENCE continue South 00 degrees 02 minutes 20 seconds West for a distance of 195.06 feet to the **POINT OF BEGINNING**;

THENCE continue, South 00 degrees 02 minutes 20 seconds West for a distance of 195.03 feet;

THENCE South 89 degrees 57 minutes 07 seconds East for a distance of 330.14 feet;

THENCE North 00 degrees 02 minutes 20 seconds East for a distance of 195.09 feet;

THENCE North 89 degrees 57 minutes 40 seconds West for a distance of 330.14 feet to the **POINT OF BEGINNING**.

TOGETHER WITH and subject to covenants, easements and restrictions of record.

Said LOT 1 contains 64,397.4 sq. ft. or 1.48 acres, more or less.

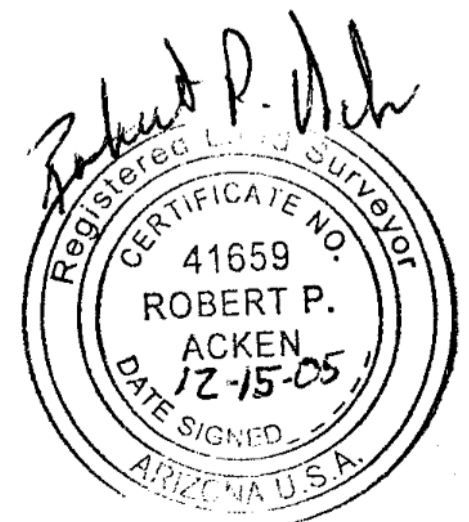


EXHIBIT "D"

410-31-004N2

LEGAL DESCRIPTION

LOT 2

ALL THAT PORTION OF THE SOUTH 390.18 FEET OF THE EAST 495.20 FEET OF THE NORTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SECTION 29, TOWNSHIP 10 SOUTH, RANGE 11 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the northwest corner of Section 29, Township 10 South, Range 11 East, being a brass capped survey monument, stamped LS 12900;

THENCE upon the northerly line of said Section 29, South 89 degrees 57 minutes 40 seconds East for a distance of 826.12 feet;

THENCE leaving said northerly line, South 00 degrees 02 minutes 20 seconds West for a distance of 929.69 feet to the **POINT OF BEGINNING**;

THENCE continue, South 00 degrees 02 minutes 20 seconds West for a distance of 195.06 feet;

THENCE South 89 degrees 57 minutes 40 seconds East for a distance of 330.14 feet;

THENCE North 00 degrees 02 minutes 20 seconds East for a distance of 195.06 feet;

THENCE North 89 degrees 57 minutes 40 seconds West for a distance of 330.14 feet to the **POINT OF BEGINNING**.

TOGETHER WITH and subject to covenants, easements and restrictions of record.

Said LOT 2 contains 64,397.4 sq. ft. or 1.48 acres, more or less.

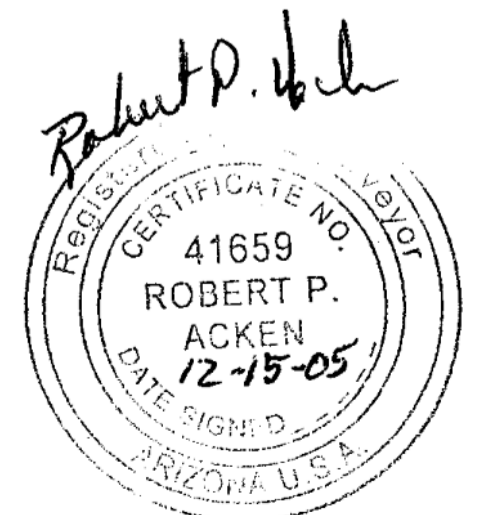


EXHIBIT "D"

410-31-004P6

LEGAL DESCRIPTION

LOT 3

ALL THAT PORTION OF THE SOUTH 390.18 FEET OF THE EAST 495.20 FEET OF THE NORTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SECTION 29, TOWNSHIP 10 SOUTH, RANGE 11 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the northwest corner of Section 29, Township 10 South, Range 11 East, being a brass capped survey monument, stamped LS 12900;

THENCE upon the northerly line of said Section 29, South 89 degrees 57 minutes 40 seconds East for a distance of 826.12 feet;

THENCE leaving said northerly line, South 00 degrees 02 minutes 20 seconds West for a distance of 929.69 feet;

THENCE South 89 degrees 57 minutes 40 seconds East for a distance of 330.14 feet to the **POINT OF BEGINNING**;

THENCE South 00 degrees 02 minutes 20 seconds West for a distance of 390.15 feet;

THENCE South 89 degrees 57 minutes 07 seconds East for a distance of 165.05 feet;

THENCE North 00 degrees 02 minutes 27 seconds East for a distance of 390.18 feet;

THENCE North 89 degrees 57 minutes 40 seconds West for a distance of 165.06 feet to the **POINT OF BEGINNING**.

TOGETHER WITH and subject to covenants, easements and restrictions of record.

Said LOT 3 contains 64,397.4 sq. ft. or 1.48 acres, more or less.

DR

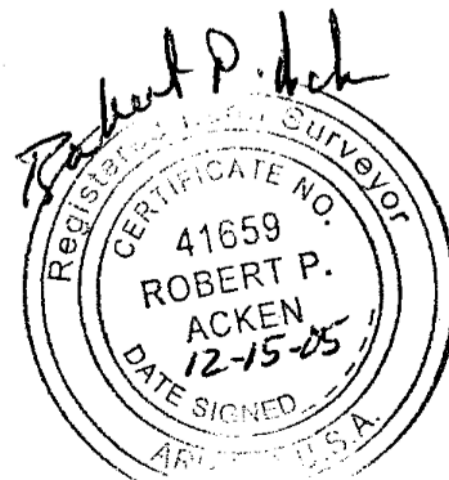
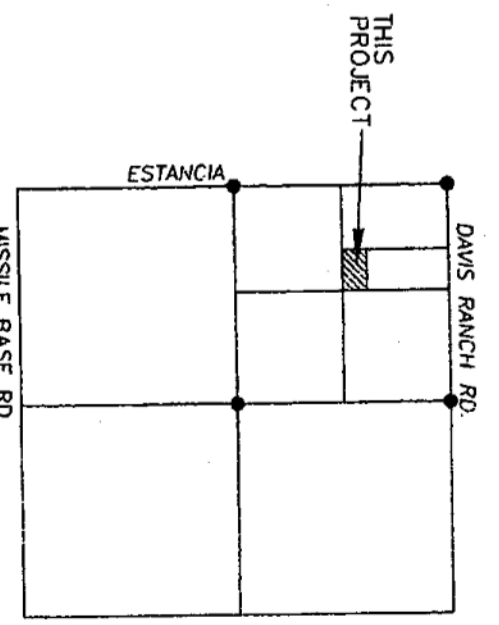
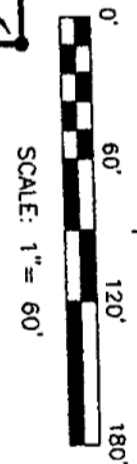
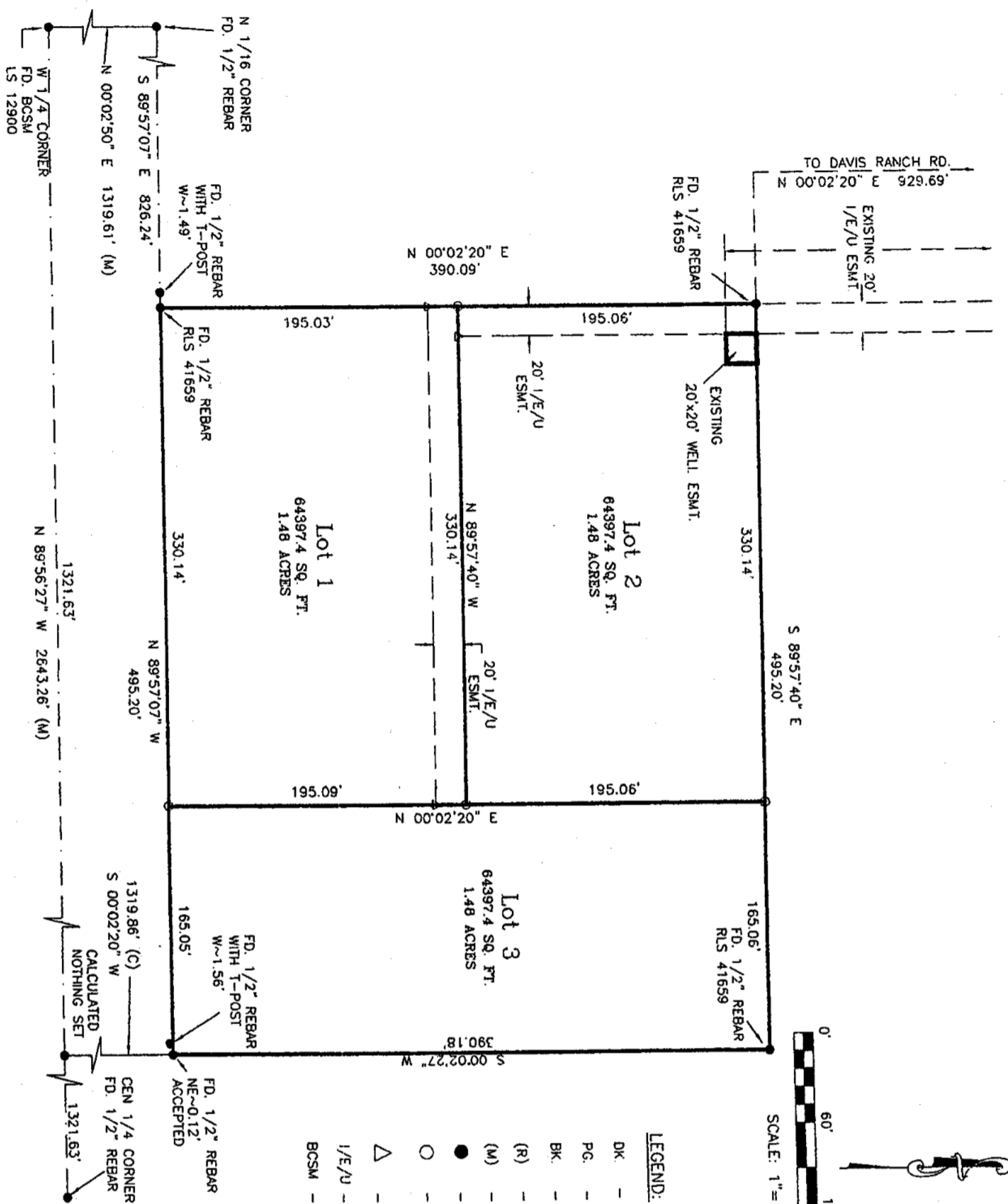


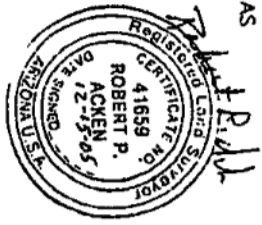
EXHIBIT "D"

EXHIBIT "D"



- LEGEND:**
- DK - DOCKET
  - PG - PAGE
  - BK - BOOK
  - (R) - RECORD
  - (M) - MEASURED
  - - FOUND AS NOTED
  - - SET 1/2" REBAR TAGGED RLS 41659
  - △ - SET UNTAGGED 1/2" REBAR
  - 1/E/U - INGRESS/EGRESS/UTILITY
  - BCSM - BRASS CAPPED SURVEY MONUMENT

**CERTIFICATION OF SURVEY**  
 THIS IS TO CERTIFY THAT THIS SURVEY WAS PERFORMED UNDER MY DIRECTION DURING THE MONTH OF DECEMBER, 2005 AND THAT ALL MONUMENTS EXIST AS SHOWN.



ROBERT P. ACKEN  
 REGISTERED LAND SURVEYOR  
 ARIZONA REGISTRATION No. 41659

**NOTES:**

- 1- THIS SURVEY WAS PERFORMED WITHOUT A TITLE REPORT. NO ATTEMPT HAS BEEN MADE TO LOCATE POSSIBLE EASEMENTS, EXCEPT AS SHOWN.
- 2- BASIS OF BEARINGS - ASTRONOMIC - DERIVED FROM GLOBAL POSITIONING OBSERVATIONS. ALL LINE BEARINGS SHOWN HEREON STAND ALONE AS A TRUE SURFACE BEARING.

**REFERENCES:**

- PINAL COUNTY ASSESSORS' MAPS
- PINAL COUNTY RECORDERS:  
FEE # 1985-022882
- GLO PLATS:  
TOWNSHIP 10 SOUTH, RANGE 11 EAST

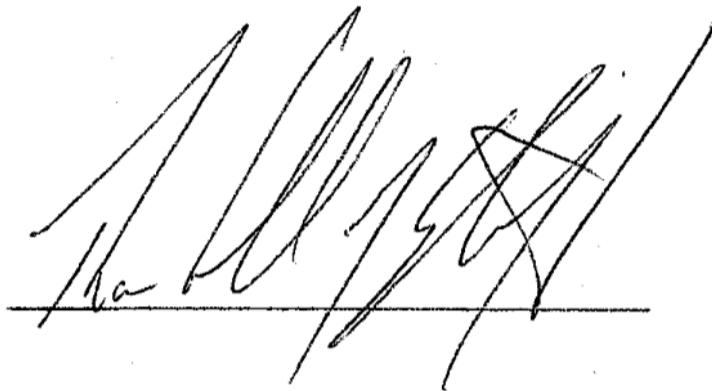
PINAL COUNTY  
 MLD#

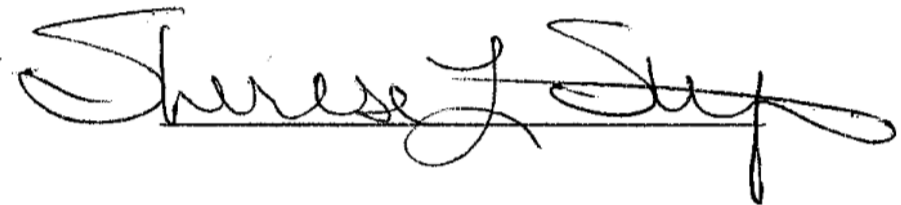
RACKEN SURVEY CONSULTANTS  
 Phone (520)825-2011  
 Mobile (520)631-9088  
 LAND SURVEYING

**RECORD OF SURVEY**  
 'MINOR LAND DIVISION'  
 SHERESE STEFFENS, ABR  
 S-390.18 OF E-495.2' OF THE NW4,  
 OF THE NW4 OF SECTION 29, T10S, R11E  
 G. & S.R.M., PINAL COUNTY, ARIZONA  
 DATE: 12/14/05 JOB # 25182

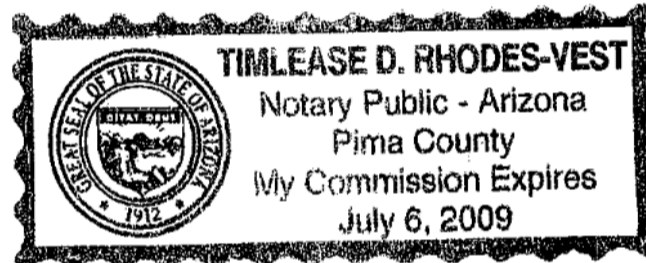
Dated this 10 day of February, 2007.

OWNERS:





State of Arizona )  
County of Pima )



This instrument was acknowledged before me this 10 day of February 2007

My commission expires;

July 6, 2009



Notary Public

Dated this 26 day of JAN, 2007.

OWNERS:

[Signature]

Sandy Niederwiter

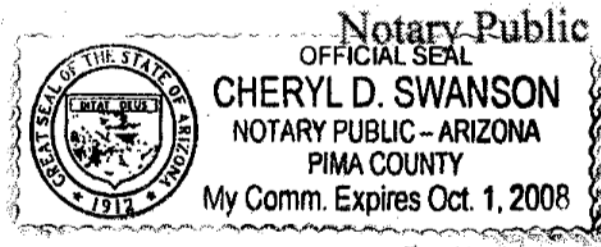
State of Arizona )  
County of Pima )

This instrument was acknowledged before me this 26 day of Jan, 2007

My commission expires;

Oct 1, 2008

Cheryl D Swanson



Dated this 13 day of February, 2007.

OWNERS:

Debra L. Romines

State of Arizona )  
County of Pima )



Official Seal  
NOTARY PUBLIC  
STATE OF ARIZONA  
County of Pima  
CAROLYN CRAWFORD  
Commission #266267  
My Commission Expires August 31, 2010

This instrument was acknowledged before me this 13 day of February 2007

My commission expires;

Aug 31 2007

Carolyn Crawford  
Notary Public

Dated this 8<sup>TH</sup> day of FEBRUARY, 2007.

OWNERS:

Reph E. M.

Diana Lane Bauer

State of Pennsylvania  
County of Bucks )

This instrument was acknowledged before me this 8<sup>th</sup> day of February, 2007

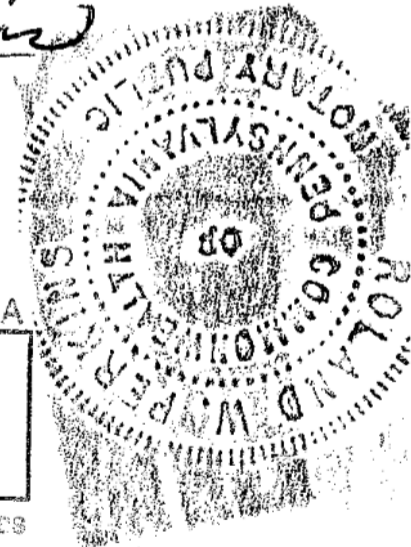
My commission expires;

06/14/2010

Roland W. Perkins

Notary Public

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Roland W. Perkins, Notary Public  
Warminster Twp., Bucks County  
My Commission Expires June 14, 2010  
Member, Pennsylvania Association of Notaries



Page 3 of 3

Dated this 29 day of January, 2007.

OWNERS:

Lester Hoskinson

Ann Hoskinson

[Signature]

[Signature]

State of ARIZONA )  
County of PIMA )

This instrument was acknowledged before me this 29 day of January, 2007

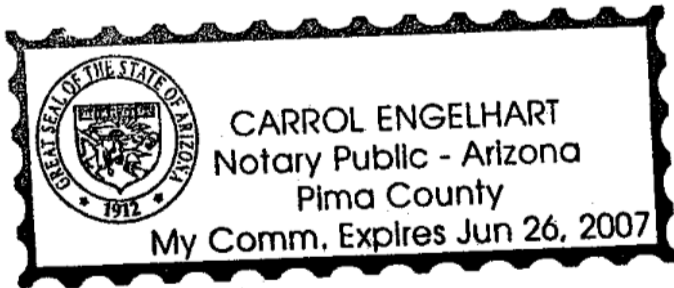
My commission expires:

June 26, 2007

[Signature]  
Notary Public

STATE OF Ar }  
COUNTY OF Pima } ss.

This instrument was acknowledged before me this 29 day of January 2007, by Carrol Engelhart  
In witness whereof I herewith set my hand and official seal.  
[Signature] Notary Public



Dated this 22nd day of January 2007

OWNERS:

John A Gates  
JOHN A GATES

Nancy A Gates  
NANCY A GATES

State of ARIZONA )  
County of PIMA )

This instrument was acknowledged before me this 22 day of January, 2007

My commission expires;

12/16/2009

Constance R. Rios

Notary Public

