

APR 09 A.M.

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O'Clock, A.M
APR 09 2002
BY JEANNE HICKS
Deputy

State Bar I.D. No. 005188

Attorney for The Verde Ditch Company

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

In the Matter of)	No. 4772
)	
THE VERDE DITCH COMPANY,)	Division 1
)	
)	ORDER APPROVING AND
)	AUTHORIZING THE VERDE DITCH
)	COMMISSIONERS TO EXECUTE AN
)	EASEMENT
)	
)	

Upon Application being filed and good cause appearing therefrom and the Court being fully advised of the premises,

NOW THEREFORE, it is ORDERED, ADJUDGED and DECREED:

1. Granting the Application of the VERDE DITCH COMMISSIONERS to execute and deliver a non-exclusive perpetual easement over and across the Verde Ditch as described in the Application and which may be executed by any two of the VERDE DITCH COMMISSIONERS;

2. Granting the VERDE DITCH COMMISSIONERS the authority to review and approve, on behalf of THE VERDE DITCH COMPANY, the plans

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(+) Pits/Atty Mabery () Arb w/file
(+) Deft/Atty Jones, Skelton TOTAL
() Vis Judge () Other
() Div w/file () Other Verde Ditch Co.

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and specifications for the construction of the improvements to be built by the **ARIZONA DEPARTMENT OF TRANSPORTATION**;

3. Such construction will not unduly or unreasonably interfere with the operations of the Verde Ditch;

4. The improvements built by the **ARIZONA DEPARTMENT OF TRANSPORTATION** shall not unreasonably impair or restrict the ability of **THE VERDE DITCH COMPANY** to inspect, repair and maintain the Verde Ditch within the easement area;

5. **ARIZONA DEPARTMENT OF TRANSPORTATION** shall be solely responsible for any damage or liability arising from the design, construction and maintenance of the highway and improvements built by **ARIZONA DEPARTMENT OF TRANSPORTATION** within the easement area; and

6. The **VERDE DITCH COMMISSIONERS** are authorized to accept the sum of \$3,013.00 for and on behalf of **THE VERDE DITCH COMPANY** and shareholders thereof.

DONE in Open Court this 9th day of April, 2002



David L. Mackey
Division 1
Master of the Verde Ditch