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L. Richard Mabery, Esq.  
L. RICHARD MABERY, P.C.  
101 East Gurley Street, Suite 203  
Prescott, Arizona 86301  
(602) 778-1116  
State Bar I.D. No. 005188

345 FILED  
O'Clock, P M  
AUG 30 1991  
NOBERT G. WEDEPOHL, Clerk  
By *[Signature]*  
Deputy

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI

GEORGE W. HANCE, et al. )  
 ) No. 4772  
Plaintiff, )  
 )  
vs. ) Division 3  
 )  
WALES ARNOLD, et ux., et al. )  
 )  
Defendant. ) STIPULATED ORDER

Upon Stipulation being filed and good cause appearing therefrom, it is hereby ORDERED, ADJUDGED AND DECREED:

1. The VERDE DITCH COMPANY shall have an easement for ingress, egress and maintenance of the Verde Ditch over and across the real property described in Exhibit "A" attached hereto and by this references made a part hereof owned by JIM DAVIS and COLLEEN DAVIS, husband and wife, for a distance of twenty (20) feet commencing at the centerline of the existing Verde Ditch. Said easement shall be appurtenant to the land described in Exhibit "A" and shall be for the benefit of the Verde Ditch Company, its successors and assigns.

2. Defendants, JIM DAVIS and COLLEEN DAVIS, husband and wife, shall within thirty (30) days remove all existing fences or

\* \* \* \* \*

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1 any other improvements constructed within the ditch easement set  
2 forth hereinabove.

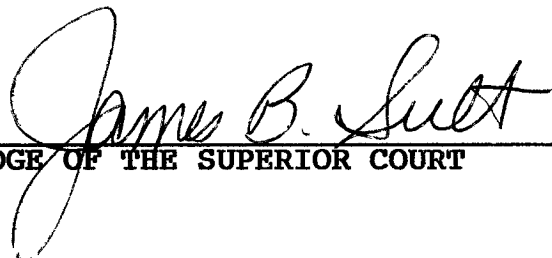
3 3. Defendants and their successors and assigns shall  
4 not construct or install any gates, buildings, posts, fences,  
5 cross-fences or any other obstructions along or over the ditch or  
6 in the easement area adjacent to the ditch as set forth herein-  
7 above, which interferes with the flow of the Verde Ditch or the  
8 ability of the Verde Ditch Commissioners, agents or employees to  
9 move necessary equipment up and down the ditch and ditch banks.

10 4. Verde Ditch Company shall pay Defendants \$750.00 for  
11 and as a portion of the costs for removal of all gates, fences or  
12 other improvements located within the ditch right-of-way and  
13 easement as granted herein.

14 5. Each party shall pay their own attorney's fees and  
15 court costs incurred herein. All other claims by and between the  
16 parties as set forth in the respective parties' pleadings on file  
17 herein are dismissed.

18 6. There being no just cause for delay, the court  
19 orders that this judgment shall be entered pursuant to Rule 54(b),  
20 Arizona Rules of Civil Procedure.

21 DONE IN OPEN COURT this 30 day of August,  
22 1991.

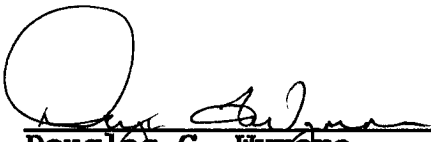
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26 JUDGE OF THE SUPERIOR COURT


27 \* \* \* \* \*

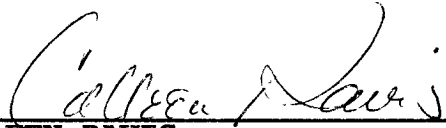
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**APPROVED AS TO FORM AND CONTENT:**

  
\_\_\_\_\_  
**Douglas G. Wymore**  
**Counsel for DAVIS**

  
\_\_\_\_\_  
**JAMES A. DAVIS, also known as**  
**JIM DAVIS**

  
\_\_\_\_\_  
**COLLEEN DAVIS**

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EXHIBIT "A"

A parcel of land located in the Southeast one quarter of the Northwest one quarter of Section 6, Township 13 North, Range 5 East, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, being more particularly described as follows:

COMMENCING for reference at the West one quarter corner of said Section 6 from which the Southwest corner of said Section bears South  $00^{\circ}05'35''$  East;  
Thence South  $00^{\circ}05'35''$  East along the West line of the Southwest one quarter of said Section 6, a distance of 180.97 feet to a point;  
Thence South  $89^{\circ}58'30''$  East, a distance of 1295.58 feet to a point on the West line of Lot 8 of said Section 6;  
Thence North  $00^{\circ}12'18''$  East, along the West line of said Lot 8, a distance of 179.02 feet to the Northwest corner of said Lot 8, said point also being the Southwest corner of the aforesaid Southeast one quarter of the Northwest one quarter of Section 6;  
Thence continuing North  $00^{\circ}12'18''$  East, along the West line of the said Southeast one quarter of the Northwest one quarter, a distance of 117.28 feet to the TRUE POINT OF BEGINNING;  
Thence continuing North  $00^{\circ}12'18''$  East, along said West line, a distance of 679.89 feet to a point;  
Thence leaving said West line, North  $89^{\circ}55'05''$  East, a distance of 480.65 feet to a point in the center of the Woods Ditch;  
Thence South  $23^{\circ}50'58''$  West, along the center of the Woods Ditch, a distance of 183.95 feet to a point;  
Thence South  $18^{\circ}05'51''$  West along the center of the Woods Ditch, a distance of 280.34 feet to a point;  
Thence South  $33^{\circ}50'44''$  West along the center of the Woods Ditch, a distance of 126.47 feet to a point;  
Thence South  $44^{\circ}46'55''$  West, along the center of the Woods Ditch, a distance of 96.97 feet to a point;  
Thence South  $59^{\circ}03'44''$  West, along the center of the Woods Ditch, a distance of 93.17 feet to a point;  
Thence leaving said ditch, North  $41^{\circ}07'10''$  West, a distance of 26.88 feet to a point;  
Thence South  $52^{\circ}59'20''$  West, a distance of 106.89 feet to the TRUE POINT OF BEGINNING; and

Subject to all other covenants, conditions, restrictions, easements, rights of way, liens and encumbrances of record. ...