

APR 30 P.M.

9:30 FILED
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APR 30 2002
JEANNE HICKS, Clerk
BY ~~NANETTE S. HOWARD~~
Deputy

L. Richard Mabery
L. RICHARD MABERY, P.C.
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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

GEORGE W. HANCE, <u>et al.</u> ,)	No. 4772
)	
Plaintiffs,)	Division 1
vs.)	
)	
WALES ARNOLD, et us., et al.,)	
)	
Defendants,)	
)	ORDER
<hr/> THE VERDE DITCH COMPANY,)	
)	
Petitioner,)	
)	
vs.)	
)	
BARBARA ANN SCHAEFFER, as)	
Trustee of the RAZZANN TRUST,)	
)	
Respondent.)	
<hr/>)	

Upon Stipulation being filed and good cause appearing:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That BARBARA ANN SCHAEFFER, as Trustee of the RAZZAN TRUST, (hereafter SCHAEFFER), shall remove the existing fence along the Verde Ditch at her expense and shall not construct, build or

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MABERY/ANY () Arb w/file
JONES/SKEETON TOTAL 3
Schaeffer
() Vis Judge () Arbitr
() Div w/file () Other Verdeditch Co. Prob 2345 CV 86322

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place any fences or structures within fifteen (15) feet of the west bank of the Verde Ditch as it crosses the **SCHAEFFER** property.

2. So long as **SCHAEFFER** maintains her fence fifteen (15) feet or greater from the west bank of the Verde Ditch, the **VERDE DITCH** shall install, at its expense, two metal gates, one at the north end and one at the south end of the **SCHAEFFER** property adjacent to the Verde Ditch. The **VERDE DITCH** shall lock both gates with a **VERDE DITCH** lock and **SCHAEFFER** shall be entitled to place her lock on both gates in order that the parties shall have access through the gates and along the Verde Ditch bank, but will not allow unauthorized persons or trespassers to access the west bank of the Verde Ditch over the **SCHAEFFER** property.

3. The **VERDE DITCH** will remove the growth along the west bank of the Verde Ditch within the proscribed fifteen (15) feet of the easement across the **SCHAEFFER** property to facilitate **VERDE DITCH** monitoring, maintenance and repair.

4. Each party shall pay their respective attorney's fees and costs incurred herein.

DATED this 30th day of April, 2002.


Honorable David L. Mackey
Judge of the Superior Court

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