

## Magma Flood Control District

### Minutes of the November 16, 2010 Board of Directors Meeting

President Vinson Dobson called the meeting to order 4:05 p.m. in the Band Room of the F.U.S.D. Anthem K-8 School, 2700 North Anthem Way, Florence, Arizona. Directors Vinson Dobson, Ty LeSueur, and Milton Smith were present telephonically. Kent Pace, District General Manager, was physically present. Larry Pfeiffer, Assistant Secretary to the Board, was present telephonically. Stephen Cooper, the District's attorney, was excused. No members of the public attended in person or telephonically.

Larry Pfeiffer was appointed Recording Secretary.

A MOTION was made by Smith, seconded by LeSueur, to approve the Minutes of the meeting of September 7, 2010. MOTION PASSED.

General Manager Pace briefed the Board on the status of various easements in the Upper Magma Channel. He stated that thirteen small parcels owned by four entities need to be included in the acquisitions of the District due primarily to 1) plans to expand the width of the Upper Magma Channel as a part of the rehabilitation of the Dam, and 2) a need to clean up existing easements (previously thought by the District to be entirely valid but which now may be clouded or unperfected). Pace noted that Chris Kramer, an attorney specializing in these matters, has been retained by the District and has drafted the proposed Resolution No: 2010-11-1 authorizing the District to acquire said properties. Pace informed the Board that an independent 3<sup>rd</sup> party appraisal of each property to be acquired is nearly complete and that it appears the appraised values may be lower than he would have anticipated based upon his own experience as a real estate broker. There was some discussion amongst the board in which Pace was encouraged to reach an agreement (or administrative settlement) with each land owner, as maybe reasonable and necessary in excess of the approved appraisal, depending on individual circumstances and input from property owners. Pace stated that LeSueur Investments has agreed to donate its parcels to the District to avoid any conflict of interest in this matter.

A MOTION was made by LeSueur, seconded by Smith, to approve Resolution No: 2010-11-1 authorizing and directing that certain property, hereinafter described, be acquired by the Magma Flood Control District by donation, purchase, or condemnation. MOTION PASSED.

A summary by owner of the MFC D Upper Magma Channel land right acquisition requirements is attached to these Minutes as Exhibit A. A copy of the executed Resolution No: 2010-11-1 (which includes a legal description of each of the thirteen parcels under consideration) is also attached to these Minutes as Exhibit B.

There were no Board member reports.

The next regularly scheduled meeting of the Board of Directors will be on Tuesday, December 7, 2010.

There being no further business before the Board, the meeting adjourned at 4:32 p.m.

Larry Pfeiffer  
Recording Secretary

**EXHIBIT A OF 11-16-2010 MFCD BOARD MTG. MINUTES**

**Summary of the MFCD Upper Magma Channel Land Right acquisition requirements:**

Barca (APN: 200-60-017)

Acreage	Category
1.41	Convert existing MFCD rights to Fee Title (adverse possession claim)
0	Additional Fee Title needed for improvements to Upper Magma Channel
0	Additional easements needed maintain improvements to Upper Magma Channel
0	Temporary Construction Easements
<u>1.41</u>	Total impacted acreage

Silver Links LLC (APN: 200-60-016)

Acreage	Category
4.58	Convert existing MFCD rights to Fee Title (adverse possession claim)
0.35	Additional Fee Title needed for improvements to Upper Magma Channel
0	Additional easements for maintenance/improvements of Upper Magma Channel
0.18	Temporary Construction Easements
<u>5.11</u>	Total impacted acreage

Megara Properties Arizona LLC (APN: 200-60-005 & 004)

Acreage	Category
1.82	Convert existing MFCD rights to Fee Title (easement to Fee Title)
1.93	Additional Fee Title needed for improvements to Upper Magma Channel
0	Additional easements for maintenance/improvements of Upper Magma Channel
0.34	Temporary Construction Easements
<u>4.09</u>	Total impacted acreage

\*LeSueur Investments (APN: 200-31-003)

Acreage	Category
0.45	Convert existing MFCD rights to Fee Title (adverse possession claim)
0	Additional Fee Title needed for improvements to Upper Magma Channel
0.41	Additional easements for maintenance/improvements of Upper Magma Channel
2.63	Temporary Construction Easements
<u>3.49</u>	Total impacted acreage

**SUMMARY OF CATEGORIES:**

Total Acreage	Category
8.26	Convert existing MFCD rights to Fee Title
2.28	Additional Fee Title needed for improvements to Upper Magma Channel
0.41	Additional easements for maintenance/improvements of Upper Magma Channel
3.15	Temporary Construction Easements
<u>14.10</u>	Grand Total impacted acreage

\* this property to be donated by owners to avoid any perceived conflict of interest with the District.

**EXHIBIT B OF 11-16-2010 MFCD BOARD MTG. MINUTES**

**Resolution No. 2010-11-1**

**A Resolution of the Board of Directors of the Magma Flood Control District Authorizing and Directing that Certain Property, hereinafter described, be Acquired by the Magma Flood Control District by Donation, Purchase or Condemnation**

Whereas the Board of Directors of the Magma Flood Control District (Board) is authorized to acquire property for public use pursuant to Arizona Revised Statute Sections 48-2664(C), 48-2667 and 48-2668(B); and

Whereas the Board has identified and determined that the acquisition of certain property, as hereafter described, is necessary for works required for drainage purposes;

Now therefore, be it ordained by the Board of Directors of the Magma Flood Control District as follows:

Section 1: That it is deemed necessary and essential, as a matter of public necessity and welfare, that certain property described in Exhibit A, attached and incorporated by this reference, be acquired by the Board, as such acquisitions are required for construction, use, maintenance, repair and improvement of works required for drainage purposes in the public interest and for public benefit;


Section 2: That the Magma Flood Control District's officers, staff and attorneys are hereby authorized and directed to perform all acts necessary to acquire said property by donation, purchase or condemnation;

Section 3: That the duly authorized officers of the Magma Flood Control District are hereby authorized and directed to pay all sums necessary to acquire said property, together with reasonable and necessary attorneys' fees and costs, recording fees, escrow, title insurance, closing and all other reasonable costs, fees and expenses necessary to acquire said property.

Section 4: Each property to be acquired will be appraised by an independent fee appraiser and the appraisals reviewed by a 2<sup>nd</sup> independent appraiser. The District's General Manager shall be the official designated to determine just compensation for each property acquired.

PASSED AND ADOPTED by the Board of Directors of the Magma Flood Control District, November 16, 2010.

FOR THE DISTRICT:

  
Vinson Dobson, Board President  
VINSON

ATTESTED TO:

  
Kent Pace, Board Secretary

**EXHIBIT A OF RESOLUTION NO. 2010-11-1**

**Legal Description  
MCFD Fee Property  
(Parcel A)  
APN: 200-60-016**

Job No. 07-014

October 22, 2010

A portion of the Northwest Quarter of Section 2, Township 4 South, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING from a 1" iron pipe in a hand hole at the Northwest corner of said Section 2, from which a 1.5" aluminum cap at the West Quarter corner of said Section 2 bears  $S00^{\circ}55'05''E$  (an assumed bearing) at a distance of 2665.84 feet; thence  $S89^{\circ}43'55''E$ , along the north line of the Northwest Quarter of said Section 2, for a distance of 657.65 feet to the northeast corner of the West Half of the West Half of the Northwest Quarter of said Section 2; thence  $S00^{\circ}55'55''E$ , along the east line of the West Half of the West Half of the Northwest Quarter of said Section 2, for a distance of 203.00 feet to the northeasterly most corner of the Land Area described in Order of Immediate Possession, defined in Docket 373, Page 352, records of Pinal County, Arizona, said point being the POINT OF BEGINNING;

Thence continuing  $S00^{\circ}55'55''E$ , along said east line, for a distance of 182.00 feet; thence  $S46^{\circ}53'20''W$ , along the easterly line of said Land Area, for a distance of 585.15 feet to the beginning of a curve, concave to the southeast, the center of which bears  $S43^{\circ}06'40''E$  at a distance of 417.46 feet; thence southwesterly, along the arc of said curve and the easterly line of said Land Area, through a central angle of  $47^{\circ}48'24''$  for a distance of 348.32 feet to a point on the east line of the west 87 feet of the Northwest Quarter of said Section 2; thence  $S00^{\circ}55'05''E$ , along the easterly line of said Land Area, for a distance of 1,566.76 feet to a point on the south line of the Northwest Quarter of said Section 2; thence  $N89^{\circ}43'07''W$ , along the south line of said Land Area, for a distance of 54.01 feet to a point on the east line of the west 33 feet of the Northwest Quarter of said Section 2; thence  $N00^{\circ}55'05''W$ , along the west line of said Land Area, for a distance of 1,863.80 feet; thence  $N46^{\circ}53'51''E$ , along the westerly line of said Land Area, for a distance of 765.33 feet; thence  $N37^{\circ}36'14''E$ , along the westerly line of said Land Area, for a distance of 92.26 feet to the POINT OF BEGINNING.

An area containing 199,549 square feet or 4.5810 acres, more or less.



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**Legal Description  
MCFD Fee Property  
(Parcel B)  
APN: 200-60-005**

Job No. 07-014

October 25, 2010

A portion of the Southwest Quarter of Section 2, Township 4 South, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

BEGINNING at a 1.5" aluminum cap at the West Quarter corner of said Section 2, from which a 1" iron pipe in a hand hole at the Northwest corner of said Section 2 bears N00°55'05"W (an assumed bearing) at a distance of 2665.84 feet; thence S89°43'07"E, along the north line of the Southwest Quarter of said Section 2 and along the north line of an Easement for Flowage of Waters, defined in Docket 371, Page 63, records of Pinal County, Arizona, for a distance of 87.02 feet to a point on the east line of the west 87 feet of the Southwest Quarter of said Section 2; thence S00°55'02"E, along said east line and along the east line of said Easement for Flowage of Waters, for a distance of 912.00 feet; thence S89°04'58"W, along the south line of said Easement for Flowage of Waters, for a distance of 87.00 feet to a point on the west line of the Southwest Quarter of said Section 2; thence N00°55'02"W, along said west line and along the west line of said Easement for Flowage of Waters, for a distance of 913.82 feet to the POINT OF BEGINNING.

An area containing 79,423 square feet or 1.8233 acres, more or less.



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**Legal Description  
MFCD Fee Property  
(Parcel D)  
APN: 200-60-016**

Job No. 07-014

Revised: October 22, 2010

A portion of the Northwest Quarter of Section 2, Township 4 North, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING at a 1.5" aluminum cap at the West Quarter corner of said Section 2, from which a 1" iron pipe in a hand hole at the Northwest corner of said Section 2 bears  $N00^{\circ}55'05''W$  (an assumed bearing) at a distance of 2665.84 feet; thence  $S89^{\circ}43'07''E$ , along the south line of the Northwest Quarter of said Section 2, for a distance of 87.02 feet to a point on the east line of the west 87 feet of the Northwest Quarter of Section 2, said point being the POINT OF BEGINNING;

Thence  $N00^{\circ}55'05''W$ , along said east line, for a distance of 459.02 feet; thence  $N89^{\circ}04'55''E$  for a distance of 33.00 feet to a point on the east line of the west 120 feet of the Northwest Quarter of said Section 2; thence  $S00^{\circ}55'05''E$ , along said east line, for a distance of 459.71 feet to a point on the south line of the Northwest Quarter of said Section 2; thence  $N89^{\circ}43'07''W$ , along said south line, for a distance of 33.01 feet to the POINT OF BEGINNING.

An area containing 15,159 square feet or 0.3480 acres, more or less.







**Legal Description  
MFC D Fee Property  
(Parcel E)  
APN: 200-60-017**

Job No. 07-014

Revised: October 22, 2010

A portion of the Northwest Quarter of Section 2, Township 4 North, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING at a 1" iron pipe in a hand hole at the Northwest corner of said Section 2, from which a 1.5" aluminum cap at the West Quarter corner of said Section 2 bears S00°55'05"E (an assumed bearing) at a distance of 2665.84 feet; thence S00°55'05"E, along the west line of the Northwest Quarter of said Section 2, for a distance of 802.61 feet to the POINT OF BEGINNING;

Thence N89°27'11"E for a distance of 33.00 feet to a point on the east line of the west 33 feet of the Northwest Quarter of said Section 2; thence S00°55'05"E, along said west line, for a distance of 1,863.70 feet to a point on the south line of the Northwest Quarter of said Section 2; thence N89°43'07"W, along said south line, for a distance of 33.01 feet to the West Quarter corner of said Section 2; thence N00°55'05"W, along the west line of the Northwest Quarter of said Section 2, for a distance of 1,863.23 feet to the POINT OF BEGINNING.

An area containing 61,494 square feet or 1.4117 acres, more or less.



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**Legal Description  
MCFD Fee Property  
(Parcel F)  
APN: 200-31-003**

Job No. 07-014

Revised: October 21, 2010

A portion of the East Half of Section 3, Township 4 South, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING from a 1" iron pipe in a hand hole at the Northeast corner of said Section 3, from which a 1.5" aluminum cap at the East Quarter corner of said Section 3 bears  $S00^{\circ}55'05''E$  (an assumed bearing) at a distance of 2665.84 feet; thence  $S00^{\circ}55'05''E$ , along the east line of the Northeast Quarter of said Section 3, for a distance of 802.61 feet to the POINT OF BEGINNING;

Thence continuing  $S00^{\circ}55'05''E$ , along said east line, for a distance of 1,863.23 feet to said East Quarter corner of said Section 3; thence  $S00^{\circ}55'02''E$ , along the east line of the Southeast Quarter of said Section 3 for a distance of 791.60 feet to a point on the north line of an Easement for Flood Channel, as defined in Docket 371, Page 69, records of Pinal County, Arizona; thence  $S89^{\circ}02'30''W$ , along said north line, for a distance of 13.66 feet; thence  $N00^{\circ}36'59''W$  for a distance of 791.87 feet; thence  $N00^{\circ}40'43''W$  for a distance of 1,863.00 feet; thence  $N89^{\circ}27'11''E$  for a distance of 1.71 feet to the POINT OF BEGINNING.

An area containing 19,612 square feet or 0.4502 acres, more or less.





**Legal Description  
MFCF Fee Property  
(Parcel G)  
APN: 200-60-005**

Job No. 07-014

Revised: October 22, 2010

A portion of the Southwest Quarter of Section 2, Township 4 South, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING at a 1.5" aluminum cap at the West Quarter corner of said Section 2, from which a GLO cap at the Southwest corner of said Section 2 bears S00°55'02"E (an assumed bearing) at a distance of 2639.30 feet; thence S89°43'07"E, along the north line of the Southwest Quarter of said Section 2, for a distance of 87.02 feet to a point on the east line of the west 87 feet of the Southwest Quarter of said Section 2, said point being the POINT OF BEGINNING;

Thence continuing S89°43'07"E, along said north line, for a distance of 33.01 feet to a point on the east line of the west 120 of the Southwest Quarter of said Section 2; thence S00°55'02"E, along said east line, for a distance of 911.31 feet; thence S89°04'58"W for a distance of 33.00 feet to a point on the east line of the west 87 feet of the Southwest Quarter of said Section 2; thence N00°55'02"W, along said east line, for a distance of 912.00 feet to the POINT OF BEGINNING;

An area containing 30,085 square feet or 0.6906 acres, more or less.





**Legal Description  
MFC D Fee Property  
(Parcel H)  
APN: 200-60-005**

Job No. 07-014

Revised: October 22, 2010

A portion of the Southwest Quarter of Section 2, Township 4 South, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING at a 1.5" aluminum cap at the West Quarter corner of said Section 2, from which a GLO cap at the Southwest corner of said Section 2 bears S00°55'02"E (an assumed bearing) at a distance of 2639.30 feet; thence S00°55'02"E, along the west line of the Southwest Quarter of said Section 2, for a distance of 913.82 feet to the POINT OF BEGINNING;

Thence N89°04'58"E for a distance of 72.50 feet to a point on the east line of the west 72.50 feet of the Southwest Quarter of said Section 2; thence S00°55'02"E, along said east line, for a distance of 407.53 feet to a point on the south line of the Northwest Quarter of the Southwest Quarter of said Section 2; thence N89°34'15"W, along said south line, for a distance of 72.52 feet to a point on the west line of the Southwest Quarter of said Section 2; thence N00°55'02"W, along said west line, for a distance of 405.83 feet to the POINT OF BEGINNING.

An area containing 29,484 square feet or 0.6769 acres, more or less.



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**Legal Description  
MCFD Easement  
(Parcel I)  
APN: 200-31-003**

Job No. 07-014

Revised: October 22, 2010

A portion of the Southeast Quarter of Section 3, Township 4 South, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING from a 1.5" aluminum cap at the East Quarter corner of said Section 3, from which a GLO cap at the Southeast corner of said Section 3 bears S00°55'02"E (an assumed bearing) at a distance of 2639.30 feet; thence S00°55'02"E, along the east line of the Southeast Quarter of said Section 3 for a distance of 911.60 feet to the POINT OF BEGINNING;

Thence continuing S00°55'02"E, along said east line, for a distance of 745.97 feet; thence S89°04'58"W for a distance of 22.00 feet to a point on the west line of the east 22 feet of the Southeast Quarter of said Section 3; thence N00°55'02"W, along said west line, for a distance of 715.34 feet; thence N50°59'47"W for a distance of 47.66 feet to a point on the south line of an Easement for Flood Channel, as defined in Docket 371, Page 69, records of Pinal County, Arizona; thence N89°02'30"E, along said south line, for a distance of 58.55 feet to the POINT OF BEGINNING.

An area containing 16,971 square feet or 0.3896 acres, more or less.



**Legal Description  
MFCD Temporary Construction Easement  
(Parcel J)  
APN: 200-60-016**

Job No. 07-014

Revised: October 22, 2010

A portion of the Northwest Quarter of Section 2, Township 4 North, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING at a 1.5" aluminum cap at the West Quarter corner of said Section 2, from which a 1" iron pipe in a hand hole at the Northwest corner of said Section 2 bears N00°55'05"W (an assumed bearing) at a distance of 2665.84 feet; thence N00°55'05"W, along the west line of the Northwest Quarter of said Section 2, for a distance of 1292.85 feet; thence N89°04'50"E for a distance of 87.00 feet the POINT OF BEGINNING;

Thence N00°55'10"W for a distance of 220.00 feet; thence N89°04'50"E for a distance of 10.00 feet; thence S00°55'05"E for a distance of 220.00 feet; thence S89°04'50"W for a distance of 10.00 feet to the POINT OF BEGINNING.

An area containing 2,200 square feet or 0.0505 acres, more or less.





**Legal Description  
MFCD Temporary Construction Easement  
(Parcel K)  
APN: 200-60-016**

Job No. 07-014

October 19, 2010

A portion of the Northwest Quarter of Section 2, Township 4 North, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING at a 1.5" aluminum cap at the West Quarter corner of said Section 2, from which a 1" iron pipe in a hand hole at the Northwest corner of said Section 2 bears N00°55'05"W (an assumed bearing) at a distance of 2665.84 feet; thence S89°43'07"E, along the south line of the Northwest Quarter of said Section 2, for a distance of 120.03 feet to a point on the east line of the west 120 feet of the Northwest Quarter of said Section 2, said point being the POINT OF BEGINNING;

Thence N00°55'05"W, along said east line, for a distance of 459.71 feet; thence S89°04'55"W for a distance of 33.00 feet to a point on the east line of the west 87 feet of the Northwest Quarter of said Section 2; thence N00°55'05"W, along said east line, for a distance of 20.00 feet; thence N89°04'55"E for a distance of 43.00 feet to a point on the east line of the west 130 feet of the Northwest Quarter of said Section 2; thence S00°55'05"E, along said east line, for a distance of 479.92 feet to a point on the south line of the Northwest Quarter of said Section 2; thence N89°43'07"W, along said south line, for a distance of 10.00 feet to the POINT OF BEGINNING.

An area containing 5,458 square feet or 0.1253 acres, more or less.





**Legal Description**  
**MFCD Upper Magma Channel Temporary Construction Easement**  
**(Parcel L)**  
**APN: 200-60-005**

Job No. 07-014

Revised: October 22, 2010

A portion of the Southwest Quarter of Section 2, Township 4 South, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING at a 1.5" aluminum cap at the West Quarter corner of said Section 2, from which a GLO cap at the Southwest corner of said Section 2 bears S00°55'02"E (an assumed bearing) at a distance of 2639.30 feet; thence S89°43'07"E, along the north line of the Southwest Quarter of said Section 2, for a distance of 120.03 feet to a point on the east line of the west 120 feet of the Southwest Quarter of said Section 2, said point being the POINT OF BEGINNING;

Thence continuing S89°43'07"E, along said north line, for a distance of 10.00 feet to a point on the east line of the west 130 feet of the Southwest Quarter of said Section 2; thence S00°55'02"E, along said east line, for a distance of 911.10 feet; thence S89°04'58"W for a distance of 10.00 feet to a point on the east line of the west 120 feet of the Southwest Quarter of said Section 2; thence N00°55'02"W, along said east line, for a distance of 911.31 feet to the POINT OF BEGINNING.

An area containing 9,112 square feet or 0.2092 acres, more or less.



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**Legal Description**  
**MFCD South Diversion Channel Temporary Construction Easement**  
**(Parcel M)**  
**APN: 200-60-005**

Job No. 07-014

Revised: October 22, 2010

A portion of the Southwest Quarter of Section 2, Township 4 South, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING at a 1.5" aluminum cap at the West Quarter corner of said Section 2, from which a GLO cap at the Southwest corner of said Section 2 bears S00°55'02"E (an assumed bearing) at a distance of 2639.30 feet; thence S00°55'02"E, along the west line of the Southwest Quarter of said Section 2, for a distance of 913.82 feet; thence N89°04'58"E for a distance of 72.50 feet to a point on the east line of the west 72.50 feet of the Southwest Quarter of said Section 2, said point being the POINT OF BEGINNING;

Thence continuing N89°04'58"E for a distance of 10.00 feet to a point on the east line of the west 82.50 feet of the Southwest Quarter of said Section 2; thence S00°55'02"E, along said east line, for a distance of 407.77 feet to a point on the south line of the Northwest Quarter of the Southwest Quarter of said Section 2; thence N89°34'15"W, along said south line, for a distance of 10.00 feet to a point on the east line of the west 72.50 feet of the Southwest Quarter of said Section 2; thence N00°55'02"W, along said east line, for a distance of 407.53 feet to the POINT OF BEGINNING.

An area containing 4,077 square feet or 0.0936 acres, more or less.



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**Legal Description  
MCFD Temporary Construction Easement  
(Parcel N)  
APN: 200-31-003**

Job No. 07-014

Revised: October 22, 2010

A portion of the East Half of Section 3, Township 4 South, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING from a 1" iron pipe in a hand hole at the Northeast corner of said Section 3, from which a 1.5" aluminum cap at the East Quarter corner of said Section 3 bears S00°55'05"E (an assumed bearing) at a distance of 2665.84 feet; thence S00°55'05"E, along the east line of the Northeast Quarter of said Section 3, for a distance of 802.61 feet; thence S89°27'11"W for a distance of 1.71 feet to the POINT OF BEGINNING;

Thence S00°40'43"E for a distance of 1,863.00 feet; thence S00°36'59"E for a distance of 761.87 feet; thence S46°47'12"W for a distance of 41.64 feet; thence S89°02'30"W for a distance of 240.26 feet; thence S00°57'30"E for a distance of 2.00 feet to a point on the north line of an Easement for Flood Channel, as defined in Docket 371, Page 69, records of Pinal County, Arizona; thence S89°02'30"W, along said north line, for a distance of 783.15 feet to the northwest corner of said Easement for Flood Channel; thence S00°57'30"E for a distance of 120.00 feet to the southwest corner of said Easement for Flood Channel; thence N89°02'30"E, along the south line of said Easement for Flood Channel, for a distance of 1,009.07 feet; thence S50°59'47"E for a distance of 47.66 feet to a point on the west line of the east 22 feet of the Southeast Quarter of said Section 3; thence S00°55'02"E, along said west line, for a distance of 568.37 feet; thence S89°04'58"W for a distance of 15.00 feet to a point on the west line of the east 37 feet of the Southeast Quarter of said Section 3; thence N00°55'02"W, along said east line, for a distance of 554.84 feet; thence N50°59'47"W for a distance of 37.56 feet; thence S89°02'30"W for a distance of 1,031.80 feet; thence N00°57'30"W for a distance of 160.00 feet; thence N89°02'30"E for a distance of 689.43 feet; thence N00°57'30"W for a distance of 10.00 feet; thence N89°02'30"E for a distance of 351.30 feet to a point on the west line of the east 57 feet of the Southeast Quarter of said Section 3; thence N00°55'02"W, along said west line, for a distance of 24.69 feet; thence N89°02'30"E for a distance of 26.82 feet; thence N01°01'09"W for a distance of 737.76 feet; thence N00°40'43"W for a distance of 1,862.57 feet; thence N89°27'11"E for a distance of 22.00 feet to the POINT OF BEGINNING.

An area containing 114,613 square feet or 2.6311 acres, more or less.



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**Legal Description  
MFC D Fee Property  
(Parcel P)  
APN: 200-60-004**

Job No. 07-014

Revised: October 22, 2010

A portion of the Southwest Quarter of Section 2, Township 4 South, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING at a 1.5" aluminum cap at the West Quarter corner of said Section 2, from which a GLO cap at the Southwest corner of said Section 2 bears  $S00^{\circ}55'02''E$  (an assumed bearing) at a distance of 2639.30 feet; thence  $S00^{\circ}55'02''E$ , along the west line of the Southwest Quarter of said Section 2, for a distance of 1319.65 feet to a point on the north line of the Southwest Quarter of the Southwest Quarter of said Section 2, said point being the POINT OF BEGINNING;

Thence  $S89^{\circ}34'15''E$ , along said north line, for a distance of 72.52 feet to a point on the east line of the west 72.50 feet of the Southwest Quarter of said Section 2; thence  $S00^{\circ}55'02''E$ , along said east line, for a distance of 336.22 feet; thence  $S89^{\circ}04'58''W$  for a distance of 72.50 feet to a point on the west line of the Southwest Quarter of said Section 2; thence  $N00^{\circ}55'02''W$ , along said west line, for a distance of 337.92 feet to the POINT OF BEGINNING.

An area containing 24,438 square feet or 0.5610 acres, more or less.



**Legal Description  
MFCD Temporary Construction Easement  
(Parcel Q)  
APN: 200-60-004**

Job No. 07-014

October 19, 2010

A portion of the Southwest Quarter of Section 2, Township 4 South, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING at a 1.5" aluminum cap at the West Quarter corner of said Section 2, from which a GLO cap at the Southwest corner of said Section 2 bears S00°55'02"E (an assumed bearing) at a distance of 2639.30 feet; thence S00°55'02"E, along the west line of the Southwest Quarter of said Section 2, for a distance of 1319.65 feet to a point on the north line of the Southwest Quarter of the Southwest Quarter of said Section 2; thence S89°34'15"E, along said north line, for a distance of 72.50 feet to a point on the east line of the west 72.50 feet of the Southwest Quarter of said Section 2, said point being the POINT OF BEGINNING;

Thence continuing S89°34'15"E, along said north line, for a distance of 10.00 feet to a point on the east line of the west 82.50 feet of the Southwest Quarter of said Section 2; thence S00°55'02"E, along said east line, for a distance of 189.01 feet; thence S89°04'58"W for a distance of 10.00 feet to a point on the east line of the west 72.50 feet of the Southwest Quarter of said Section 2; thence N00°55'02"W, along said east line, for a distance of 189.24 feet to the POINT OF BEGINNING.

An area containing 1,891 square feet or 0.0434 acres, more or less.





**Legal Description  
MCFD Easement  
(Parcel R)  
APN: 200-31-003**

Job No. 07-014

October 21, 2010

A portion of the East Half of Section 3, Township 4 South, Range 9 East, Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

COMMENCING from a 1" iron pipe in a hand hole at the Northeast corner of said Section 3, thence S00°55'05"E (an assumed bearing) at a distance of 2665.84 feet to a 1.5" aluminum cap at the East Quarter corner of said Section 3; thence S00°55'02"E, along the east line of the Southeast Quarter of said Section 3 for a distance of 791.60 feet to a point on the north line of an Easement for Flood Channel, as defined in Docket 371, Page 69, records of Pinal County, Arizona; thence S89°02'30"W, along said north line, for a distance of 13.66 feet to the POINT OF BEGINNING;

Thence continuing S89°02'30"W, along said north line, for a distance of 270.90 feet; thence N00°57'30"W for a distance of 2.00 feet; thence N89°02'30"E for a distance of 240.26 feet; thence N46°47'12"E for a distance of 41.64 feet; thence S00°36'59"E for a distance of 30.00 feet to the POINT OF BEGINNING.

An area containing 971 square feet or 0.0223 acres, more or less.

