

**RESOLUTION NO. 2960**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING AND APPROVING: (1) A PURCHASE AGREEMENT; (2) SUMMARY STATEMENT OF OFFER TO PURCHASE AND IMPROVEMENT REPORT; (3) WARRANTY DEED; (4) TEMPORARY CONSTRUCTION EASEMENT AND (5) DRAINAGE EASEMENT FOR THE EAST BONITA STREET IMPROVEMENTS PROJECT PHASE II RELATED TO 501 E. BONITA STREET---APN 304-04-035A (“SUBJECT PROPERTY”).**

**WHEREAS**, the Town of Payson, a municipal corporation and a political subdivision of the State of Arizona, is located entirely in Gila County and incorporated and organized under A.R.S. §§ 9-101 and 9-231; and

**WHEREAS**, pursuant to A.R.S. § 9-240 (B)(3), the Town Council shall also have power to exercise exclusive control over the streets, alley, easement, avenue, park, public place or sidewalk and to vacate, abandon, accept or abolish same within the town limits; and

**WHEREAS**, A.R.S. § 9-241 provides that the Town of Payson may receive real property necessary or proper to carry out the purposes of the municipal corporation, within or without its limits; and

**WHEREAS**, the Town of Payson has planned, designed and is ready to implement the East Bonita Street Improvements Project Phase II to be managed by ADOT to include, but not be limited to, road surface replacement, bike lanes, storm drain upgrades and separate utility upgrades or replacement in conjunction with this project; and

**WHEREAS**, it is the desire of the Town of Payson to accept and approve a Purchase Agreement, a Summary Statement, a Warranty Deed, a Temporary Construction Easement and a Drainage Easement for the SUBJECT PROPERTY; and

**WHEREAS**, said real property is located within the corporate limits of the Town of Payson,

**NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:**

Section 1: That the Purchase Agreement is accepted and approved in substantially the form attached hereto under Exhibit I together with the Summary Statement of offer to Purchase and Improvement Report.

Section 2: That the Town of Payson does hereby approve the consideration paid and accepts said Warranty Deed described and depicted under Exhibit “I” and individually identified as Exhibits “A” and “B” attached hereto and incorporated by reference as though set forth in full herein.

Section 3: That the Town of Payson does hereby approve the consideration paid and accepts said Temporary Construction Easement described and depicted under Exhibit "I" and individually identified as Exhibits "A" and "B" attached hereto and incorporated by reference as though set forth in full herein.

Section 4: That the Town of Payson does hereby approve the consideration paid and accepts said Drainage Easement described and depicted under Exhibit "I" and individually identified as Exhibits "A" and "B" attached hereto and incorporated by reference as though set forth in full herein.

Section 5: That Kenny J. Evans, Mayor of the Town of Payson, is authorized to execute Resolution No. 2960 and the Purchase Agreement in substantially the form attached hereto and marked under Exhibit I.

Section 6: That the Town of Payson and Town Officials be and are hereby authorized to take such other and further actions as may be necessary or appropriate in perfecting the use and control thereof, including, but not limited to, the maintenance thereof, and the official recordation of the documents attached hereto under Exhibit "I".

**PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON** this, \_\_\_\_\_ day of September, 2016 by the following vote:

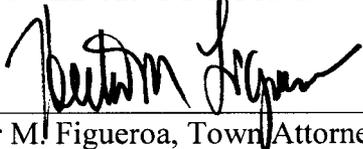
AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSTENTIONS \_\_\_\_\_ ABSENT \_\_\_\_\_

\_\_\_\_\_  
Kenny J. Evans, Mayor

**ATTEST:**

\_\_\_\_\_  
Silvia Smith, Town Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Hector M. Figueroa, Town Attorney

***EXHIBIT "I"***  
***to Resolution No. 2960***

**(Bonita Phase II 501 E. BONITA)**



August 2, 2016

**HAND DELIVERED**

Brian and Kerri Clifford  
501 E. Bonita Street  
Payson, AZ 85541

RE: Project: East Bonita Street Improvements Phase II  
Project No.: SZ068  
Address: 501 E. Bonita Street, Payson, AZ 85541  
APN: 304-04-035A

Dear Mr. and Mrs. Clifford:

The Town of Payson presents its offer of \$5,700.00 for the property rights needed in connection with the above project. Attached is a summary of the offer.

Provided is a map showing how your land is affected by this project, and a copy of the independent appraisal upon which the offer is based.

Also enclosed are the documents necessary to transfer your property rights to the Town. If you accept the offer, please sign all documents on the appropriate lines provided, and in cases where "Notary Certification" is indicated, have your signature(s) acknowledged before a notary public. The documents marked "Your Copy" are for your records.

After the signed documents are returned they will be processed in accordance with the terms of the *Purchase Agreement* and in compliance with the laws of the State. Processing time and final payment is generally 30-60 days after the signed documents are received; however, unusual circumstances may increase this time.

If you have any questions, please contact me at 2001 W. Camelback Road, Ste. 285, Phoenix, Arizona 85015, or call 602-682-0000. Thank you for your consideration.

Sincerely,

Shenique Colby, Right of Way Agent  
Tierra Right of Way Services, Ltd.  
As agent for the Town of Payson

Attachment/Enclosures

THE TOWN OF PAYSON  
**PURCHASE AGREEMENT**

Title Company Pioneer Title Agency  
 Address 421 South Beeline Hwy  
 Town Payson Arizona  
 Escrow Officer Christine Brunson  
 Escrow No. \_\_\_\_\_  
 Grantor Brian Clifford and Kerri Clifford, Husband and Wife as Community Property With Right of Survivorship

Date \_\_\_\_\_  
 (to be completed by Title Company, if applicable)  
 Zip Code 85541  
 Phone 928-474-3235  
 Fax No. 866-742-4508

Address 501 E. Bonita Street Road, Payson, AZ 85541  
 Phone/Fax/Mobile 928-970-2314

Grantee: The Town of Payson  
 Mailing Address: Town Clerk, Town of Payson  
 303 N Beeline Hwy, Payson, AZ 85541

The TOWN shall pay directly to the Grantor, or deposit with the Title Company ("Escrow Agent") if escrowed, the purchase price plus all lawful costs incidental to closing as follows:

Escrow Fees	_____	
Title Policy Fees	_____	
<b>TOTAL ESCROW &amp; TITLE FEES</b>		<u>\$0.00</u>
<b>Recording Fees</b>		
Deed	_____	
Easement	_____	
Release	_____	
	_____	
<b>TOTAL RECORDING FEES</b>		<u>\$0.00</u>
<b>Other Charges</b>		
Release Fees	_____	
SRVWUA Fee	_____	
Prorated Taxes/Dates	_____	
<b>TOTAL OTHER CHARGES</b>		<u>\$0.00</u>
		<u>\$0.00</u>
		<u>\$0.00</u>
Title Report Credit	_____	
Total Closing Costs	_____	<u>\$0.00</u>
Land & Improvements*	_____	
	_____	
	_____	
	_____	
	_____	
	_____	
	_____	
Total Purchase Price		<u>\$5,700.00</u>
<b>TOTAL WARRANT**</b>		<u>\$0.00</u>

Charges and disbursements to be paid from Grantor's funds as follows (check all that apply):

**Total Acquisition of Grantor's Property:** Full release of all monetary liens and encumbrances, and leases of any kind. Pay in full all due and delinquent real property taxes and general and special improvement assessments. Grantor will be charged for any costs necessary to make the property compliant with the Covenants, Conditions and Restrictions. Prorate the current year's real property taxes on closings that occur on or after the 3<sup>rd</sup> Monday of August each year. Escrow Agent shall withhold the prorated amounts from each party and pay the lien of the current year's taxes in full.

**Partial Acquisition of Grantor's Property:** Partial release of all monetary liens and encumbrances, and leases of any kind. At the discretion of Town, pay due and delinquent property taxes and general and special improvement assessments, including full payment of taxes and assessments on individual assessor parcels within Town's partial acquisition, and any Certificate(s) of Purchase. The current year's taxes shall not be prorated regardless of the closing date.

**Easement(s):** Consent to easement(s) by secured party(ies).

**Other Disbursements:**

**Security Deposits and Prepaid Rents, if Applicable:** Grantor agrees to return all security deposits and prepaid rents directly to lessee(s) outside of escrow.

\*\*\*\*\*

**Possession Date:** Close of escrow/date of recording.

Special Conditions Right of Way Contract Yes  No   
 Entry Agreement\*\*\* Yes  No

\*\*\* If yes, Town shall pay statutory interest on the "Total Purchase Price" from \_\_\_\_\_ to the close of escrow/date of recording directly to Grantor by separate warrant.

**Special Instructions/Information:**

\* Escrow and title policy fees based on this amount only.

\*\*Sum of "Total Closing Costs" and "Total Purchase Price" only.

THE GRANTOR, having executed a conveyance of certain real property rights to the GRANTEE in a certain conveyance dated described in Exhibit "A" and Exhibit "B" attached hereto and made a part hereof, and having delivered same to the above Title Company as Escrow Agent, said agent is directed to deliver said conveyance to the TOWN OF PAYSON; title to said property to pass upon the acceptance of delivery and possession by the TOWN OF PAYSON.



# EXHIBIT "A"

## LEGAL DESCRIPTION FOR TOWN OF PAYSON – EAST BONITA STREET (SZ068) ASSESSOR PARCEL 304-04-035A

An "L" and a rectangular shaped land tract situated in Lot 34, Mogollon Rim Addition Plat Two as recorded on Map 150 of Gila County Recorder records within the south half of Section 3, Township 10 North, Range 10 East of the Gila and Salt River Base and Meridian, (S½, Sec 3, T10N, R10E, G&SRB&M) Gila County, Arizona more particularly described below:

**A basis for bearings** is South 88° 44' 19" East as measured along the north line of the south half of the south half of the northwest quarter of the southeast quarter of said Section 3 having a distance of 2,645.33 feet between arbitrary points on said line determined from found monuments representing the Center ¼ corner of Section 3 (0.5" rebar), thence South 00° 54' 27" West, 983.42 feet to the point on the line and the East ¼ corner of Section 3 (brass cap in handhole), thence South 01° 13' 20" West, 973.07 feet to the point on the line.

### **For New Drainage Easement**

The west 5.00 feet of the south 71.00 feet of the north 82.00 feet together with the north 11.00 feet of the west 76.00 feet of said Lot 34.

Containing 1,191 square feet (0.0273 acres) more or less.

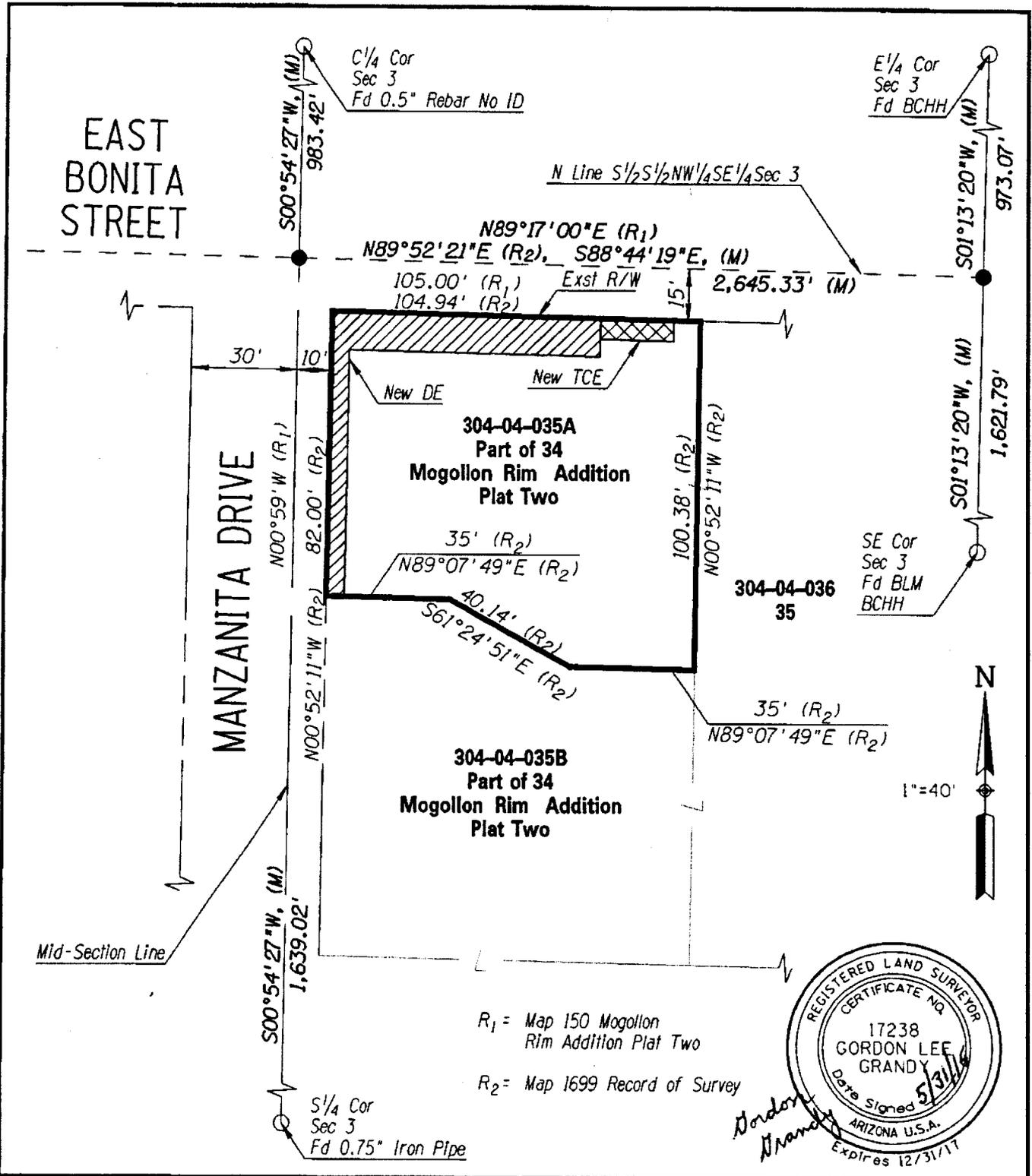
### **For Temporary Construction Easement**

The north 6.00 feet of the west 21.46 feet of the east 28.96 feet of said Lot 34.

Containing 129 square feet (0.0030 acres) more or less.



# EXHIBIT "B"



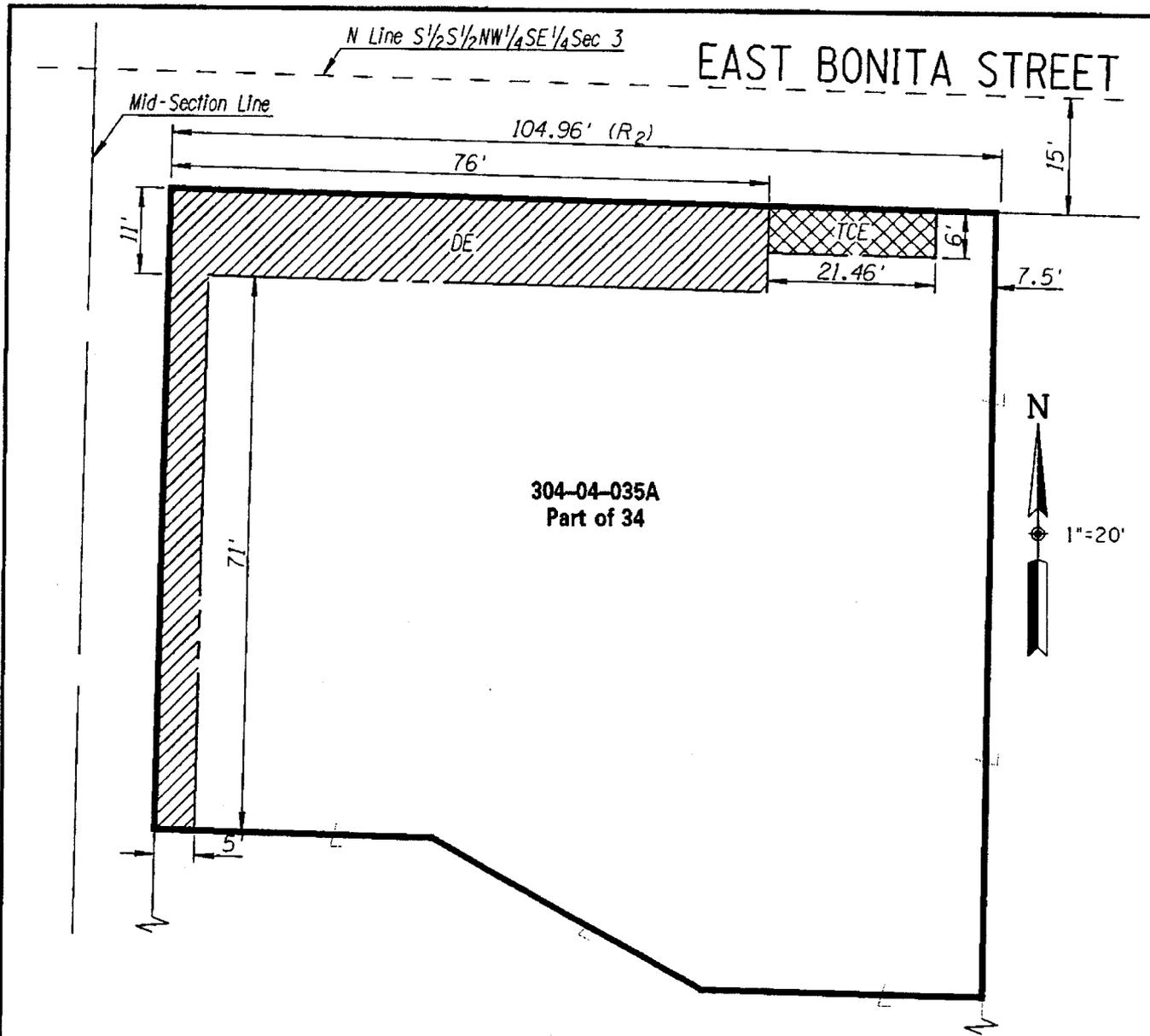
**NFra Inc.**  
a transportation engineering firm  
77 East Thomas Road, Suite 200  
Phoenix, Arizona 85012

**EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION FOR DRAINAGE EASEMENT & TEMPORARY CONSTRUCTION EASEMENT ASSESSOR PARCEL 304-04-035A**

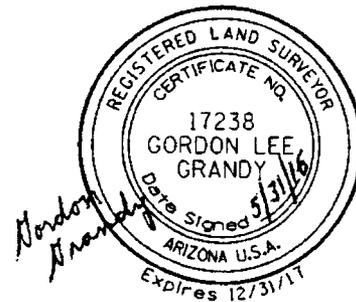


DATE: 5/16  
DSN: KRT  
DRN: KRT  
CHK: GLG

**PROJECT NUMBER**  
0000 GI PAY SZ068 01C  
**SHEET 1 OF 2**



	Parcel Area	Sq Ft	Acres
Before	Gross/Net	9,571	0.2197
Proposed Acquisition	New DE 	1,191	0.0273
After	Net	9,571	0.2197
	New TCE 	129	0.0030



**NFra Inc.**  
 a transportation engineering firm  
 77 East Thomas Road, Suite 200  
 Phoenix, Arizona 85012

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
 FOR DRAINAGE EASEMENT &  
 TEMPORARY CONSTRUCTION EASEMENT  
 ASSESSOR PARCEL 304-04-035A



DATE: 5/16  
 DSN: KRT  
 DRN: KRT  
 CHK: GLG

PROJECT NUMBER  
 0000 GI PAY SZ068 01C  
 SHEET 2 OF 2

WHEN RECORDED RETURN  
Town Clerk  
Town of Payson  
303 N. Beeline Highway  
Payson, AZ 85541

Escrow No.  
Exempt From Affidavit  
By A.R.S. 11-1134-A-3

TOWN OF PAYSON  
**WARRANTY DEED**

For consideration of Ten and 00/100 Dollars, and other valuable consideration, Brian Clifford and Kerri Clifford, Husband and Wife as Community Property With Right of Survivorship, ("Grantor"), does hereby convey to the TOWN OF PAYSON, an Arizona Municipal Corporation ("Grantee"), the following described real property situated in Gila County, Arizona (the "Property"):

**SEE EXHIBIT "A" AND "B" ATTACHED HERETO  
AND BY REFERENCE MADE A PART HEREOF**

**SUBJECT TO** current taxes and assessments, reservations and all easements, rights of way, covenants, conditions, restrictions, liens and encumbrances of record.

IN WITNESS WHEREOF, this instrument is executed this 2 day of August, 20 16

[Signature]  
Brian Clifford

[Signature]  
Kerri Clifford

**NOTARY CERTIFICATION**  
Capacity claimed by signer(s)

- Individual
- Corporate
- Trustee(s)
- Other

Entity(ies) Represented

State Of Arizona )  
 County Of Gila )  
 Title of Signer )  
 )SS )

Before me, Sheniquè L. Colby, the undersigned officer/notary  
(Name of Notary)

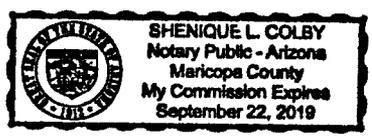
On August 2, 20 16 personally appeared Brian Clifford and Kerri Clifford

IN WITNESS, my hand and official seal

Personally known –OR– proved to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

[Signature]  
(Signature of Notary)

My Commission Expires: 9-22-19



(Notary Seal)

Approved by the Director of Development and Community Services/Town Engineer, Town of Payson

Accepted: Town of Payson \_\_\_\_\_, 20\_\_\_\_\_  
By \_\_\_\_\_



# EXHIBIT "A"

## LEGAL DESCRIPTION FOR TOWN OF PAYSON – EAST BONITA STREET (SZ068) ASSESSOR PARCEL 304-04-035A

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### For New Drainage Easement

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Containing 1,191 square feet (0.0273 acres) more or less.

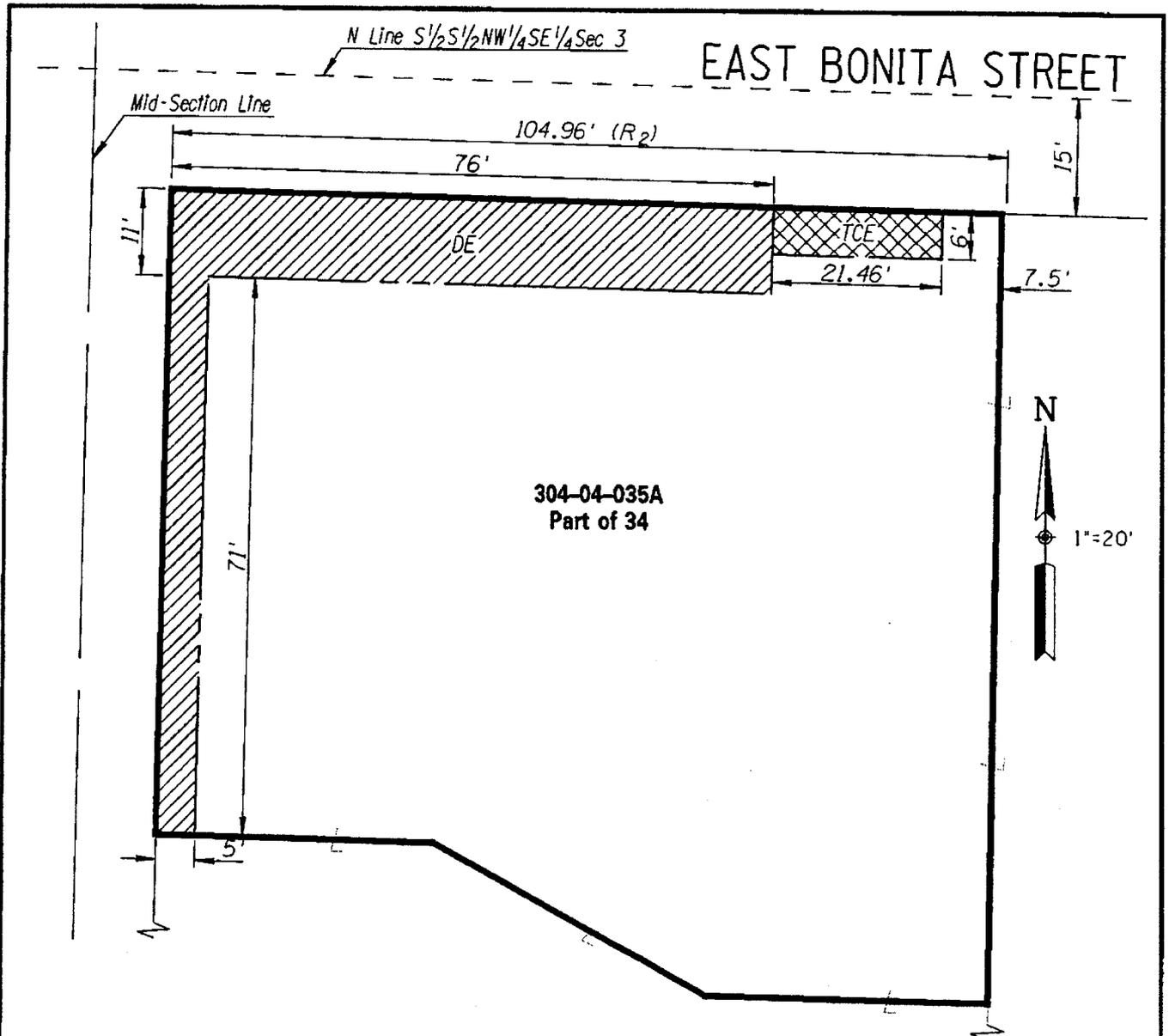
### For Temporary Construction Easement

The north 6.00 feet of the west 21.46 feet of the east 28.96 feet of said Lot 34.

Containing 129 square feet (0.0030 acres) more or less.







304-04-035A  
Part of 34

	Parcel Area	Sq Ft	Acres
Before	Gross/Net	9,571	0.2197
Proposed Acquisition	New DE	1,191	0.0273
After	Net	9,571	0.2197
	New TCE	129	0.0030



**NFra Inc.**  
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Phoenix, Arizona 85012

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
FOR DRAINAGE EASEMENT &  
TEMPORARY CONSTRUCTION EASEMENT  
ASSESSOR PARCEL 304-04-035A



DATE: 5/16  
DSN: KRT  
DRN: KRT  
CHK: GLG

PROJECT NUMBER  
0000 GI PAY SZ068 01C  
SHEET 2 OF 2

**SUMMARY STATEMENT OF OFFER TO PURCHASE  
AND  
IMPROVEMENT REPORT**

This statement accompanies our letter of August 2, 2016 and shows the basis on which the offer is made.

**A. IDENTIFICATION OF THE PROPERTY**

Parcel One, as shown on Records of Survey recorded as Survey Map No. 1699, being a portion of Lot 34, Mogollon Rim Addition Plat 2, according to Map No. 150, records of Gila County, Arizona

also known as Assessor Parcel No(s). 304-04-35A

**B. THE ESTATE OR INTEREST NEEDED**

The estate(s) or interest(s) needed is/are as follows (indicated by an "X"):

<input type="checkbox"/> Fee interest (new right-of-way)		Square Feet
<input type="checkbox"/> Underlying fee interest (existing rights-of-way)		Square Feet
<input type="checkbox"/> Easement (new right-of-way)		Square Feet
<input checked="" type="checkbox"/> Drainage Easement	1,191	Square Feet
<input checked="" type="checkbox"/> Temporary Construction Easement	129	Square Feet
<input type="checkbox"/>		Square Feet

**C. THE OFFER AS JUST COMPENSATION, AND BREAKDOWN**

The amount offered represents just compensation, and is the result of a review and analysis of an appraisal made by a certified real estate appraiser. If only part of the property is needed, full consideration has been given to the value of the remaining property, including items requiring compensation on a "cost-to-cure" basis, if any. The analysis of the remaining property takes into account the effect of the acquisition of the land needed, and the establishment and construction of the project. A breakdown of the offer is as follows:

Land (including improvements)	\$	1,120.00
Severance Damages to remaining property (possible on partial acquisitions only)	\$	
Temporary Construction Easement	\$	54.00
Drainage Easement	\$	4,502.00
Total Just Compensation	\$	5,700.00

\*Explanation of "Cost-to-Cure" item(s):

**D. THE IMPROVEMENTS**

THE IMPROVEMENTS ACQUIRED AS A PART OF THE PURCHASE ARE DESCRIBED AS FOLLOWS:

One (1) medium tree and 8 lineal feet of fence

It is hereby acknowledged that all buildings and other improvements listed above that are situated entirely within or partially within the Right of Way take limits are conveyed to the Town of Payson with Rights of Entry upon the Grantors remaining land for the purpose of building removal and other improvements as noted.

COMMENTS AND/OR EXCLUSIONS:

PERSONAL PROPERTY NOT ACQUIRED (INCLUDES ITEMS NOT PERMANENTLY ATTACHED):

**E. THE DOCUMENTS NEEDED**

Following is a summary of the documents requiring signature (indicated by "X"):

- Purchase Agreement** (this document shows the terms of the transaction, and the attached Exhibit "A" provides the exact legal description)
- Warranty/Special Warranty/Quitclaim Deed** (to be notarized)
- Extended Occupancy Agreement**  Mobile/RV/ Vehicle Title
- Right of Way Contract** (to be notarized)  **Easement** (to be notarized)
- Temporary Construction Easement**  **Arizona Substitute W-9 Form**
- Summary Statement of Offer to Purchase and Improvement Report** (see below)

**F. SECURITY DEPOSIT INFORMATION AND ACKNOWLEDGMENT**

The Town of Payson shall withhold \$0.00 in escrow, as a security deposit, in accordance with the terms of the Purchase Agreement.

**G. SUBSURFACE IMPROVEMENT STATEMENT**

1. I  am  am not aware of the presence of any subsurface improvements (e.g., septic systems, storm cellars, ground wells) within the area of the Town's acquisition.\*
2. Well(s)  Yes  No Well Registration No(s): 55-\_\_\_\_\_
3. Irrigation Water Rights  Yes  No **IGR Number:** 58-\_\_\_\_\_  
(NOTE: If you answered yes regarding water rights, please provide a copy of the appropriate certificate)

\*If aware of such improvements, please provide any information that may assist in locating same.

**GRANTOR: BRIAN CLIFFORD AND KERRI CLIFFORD, HUSBAND AND WIFE AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP**

Brian Clifford Date 8-2-16

Kerri Clifford Date 8-2-16

When Recorded Mail To:  
Town Clerk  
Town of Payson  
303 N. Beeline Highway  
Payson, AZ 85541

Exempt under A.R.S. § 11-1134(A)(2)

### **TEMPORARY CONSTRUCTION EASEMENT**

For and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, we/I, Brian Clifford and Kerri Clifford, Husband and Wife as Community Property With Right of Survivorship (“Grantors”) does/do hereby grant and convey to the TOWN OF PAYSON, ARIZONA, an Arizona Municipal Corporation (“Grantee”), a Temporary Construction Easement for Roadway/Utility/Drainage/Driveway Slope installation purposes, together with the temporary right of ingress and egress for the purposes of excavating and removing, installation, placement or replacement of soil and/or asphalt and construction plans identified below, including any additional grading work deemed necessary or appropriate by the Grantee over, under and across the real property situated in Gila County, Arizona, as described in **Exhibit A** and **Exhibit B** attached hereto and made a part hereof, and as shown on Construction Plans entitled “East Bonita Street, Route 87 to Bentley Street”, prepared by NFra Inc., and dated June 2, 2016. Grantor’s property shall be restored by Grantee to an “as good as” condition as existed prior to construction.

**This easement right, related to Parcel No.: 304-04-035A, shall be extinguished twelve (12) months from the date of commencement of construction by the Town of Payson.**

Grantors agree that for a period of one year following construction completion and upon five (5) days’ prior written notice by Grantee to Grantor, Grantee may enter upon the property described in **Exhibit A** and **Exhibit B** for the purposes of performing any required warranty work. Grantor’s property shall be restored by Grantee to an “as good as” condition as existed prior to performance of the warranty work.

Dated this 2 day of August, 2016

Brian Clifford  
Brian Clifford

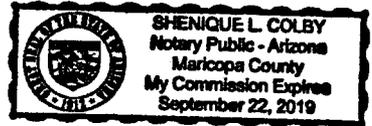
Kerri Clifford  
Kerri Clifford

STATE OF ARIZONA        )  
  ) ss  
County of Gila            )

The foregoing Temporary Construction Easement was personally acknowledged before me this 2 day of August, 2016, by Brian Clifford Kerri Clifford who executed the foregoing instrument for the purposes therein contained.

Shenique L. Colby  
Notary Public

My Commission Expires:  
9-22-19



Description Of Document This Notarial Certificate Is Being Attached To:	
TYPE/TITLE	Temporary Construction Easement
DATE OF DOCUMENT	August 2, 2016
NUMBER OF PAGES	5
ADDITIONAL SIGNORS	None
(other than those named in the notarial certificate)	

# EXHIBIT "A"

## LEGAL DESCRIPTION FOR TOWN OF PAYSON – EAST BONITA STREET (SZ068) ASSESSOR PARCEL 304-04-035A

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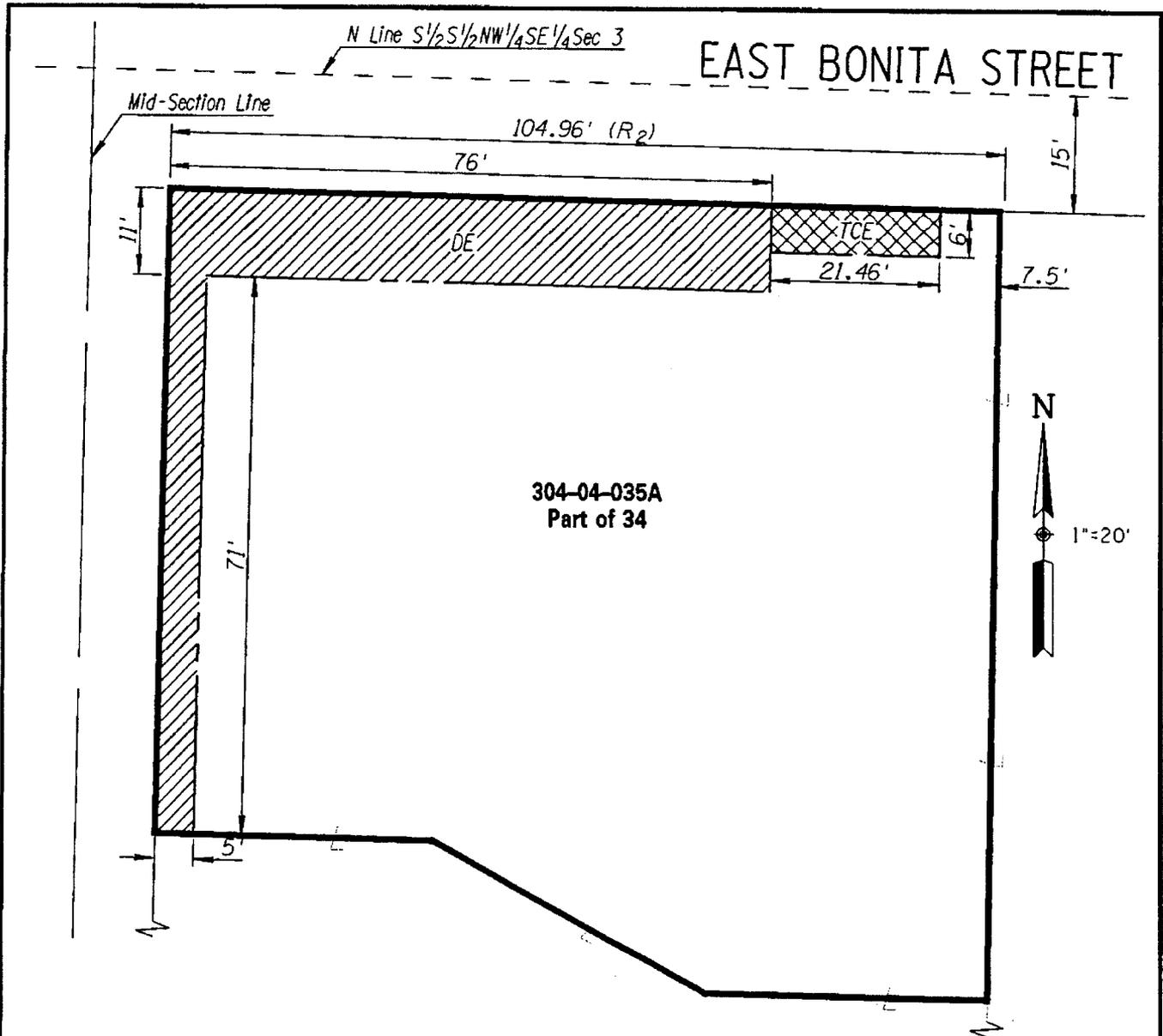
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	Net	9,571	0.2197
	New TCE	129	0.0030



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 77 East Thomas Road, Suite 200  
 Phoenix, Arizona 85012

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
 FOR DRAINAGE EASEMENT &  
 TEMPORARY CONSTRUCTION EASEMENT  
 ASSESSOR PARCEL 304-04-035A



DATE: 5/16  
 DSN: KRT  
 DRN: KRT  
 CHK: GLG

PROJECT NUMBER  
 0000 GI PAY SZ068 01C  
 SHEET 2 OF 2

When recorded return to:  
Town Clerk  
Town of Payson  
303 N. Beeline Highway  
Payson, Arizona 85541

## DRAINAGE EASEMENT

That for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, we/I, Brian Flifford and Kerri Clifford, Husband and Wife as Community Property With Right of Survivorship, (“Grantor”), hereby conveys to the Town of Payson, Arizona (“Grantee”), an easement for drainage purposes in and upon the property legally described in **Exhibit A and B** (the “Easement Area”). This easement is granted conditioned upon all of the following:

1. This easement shall continue in perpetuity, commencing upon recordation and terminating when the drainage uses authorized by this easement are no longer required by the Grantee or its assigns as set forth in a recorded Termination of Easement.
2. The use granted herein shall be limited exclusively to the purposes of construction and maintenance of drainage in the Easement Area, installation and maintenance of drainage conveyance in the Easement Area and uses incidental to such purposes. As used herein “drainage” shall mean the flow of normal and excess rainwater across the Easement Area.
3. Grantee or its assigns shall have the right to enter the Easement Area at all times necessary to maintain the drainage easement or, the underground pipe. Grantee shall be responsible for maintenance of underground pipe.
4. No building or structure shall be constructed or placed on or over the Easement Area without the prior written consent of Grantee, however, that Grantor, or its successors and assigns may plant, install or construct such landscaping improvements and related facilities as are depicted in a landscape plan approved subject to administrative approval of plans.
5. Grantor shall have the right to enter the Easement Area for ingress and egress purposes at the locations designated on Exhibit A and Exhibit B.
6. This easement constitutes a covenant running with the land for the benefit of Grantee, its successors and assigns.
7. This easement may be terminated by a written termination of easement signed by the Town Engineer and recorded in the Official Records of Gila County, Arizona.

IN WITNESS WHEREOF, the parties herein have executed this Agreement on the date and year first herein written.

GRANTOR: Brian Clifford and Kerri Clifford, Husband and Wife as Community Property With Right of Survivorship

*Brian Clifford*

Brian Clifford

*Kerri Clifford*

Kerri Clifford

ACKNOWLEDGEMENT

STATE OF ARIZONA )  
County of Gila ) ss.

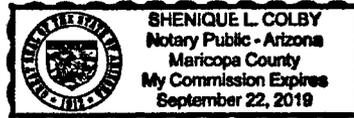
On this 7 day of August, 2016, before me, a notary public in and for said state, personally appeared Brian & Kerri Clifford, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

*Shenique L. Colby*  
Notary public

My Commission Expires:

9-22-16



Description Of Document This Notarial Certificate Is Being Attached To:	
TYPE/TITLE	Drainage Easement
DATE OF DOCUMENT	August 2, 2016
NUMBER OF PAGES	5
ADDITIONAL SIGNORS (other than those named in the notarial certificate)	None

# EXHIBIT "A"

## LEGAL DESCRIPTION FOR TOWN OF PAYSON – EAST BONITA STREET (SZ068) ASSESSOR PARCEL 304-04-035A

An "L" and a rectangular shaped land tract situated in Lot 34, Mogollon Rim Addition Plat Two as recorded on Map 150 of Gila County Recorder records within the south half of Section 3, Township 10 North, Range 10 East of the Gila and Salt River Base and Meridian, (S½, Sec 3, T10N, R10E, G&SRB&M) Gila County, Arizona more particularly described below:

**A basis for bearings** is South 88° 44' 19" East as measured along the north line of the south half of the south half of the northwest quarter of the southeast quarter of said Section 3 having a distance of 2,645.33 feet between arbitrary points on said line determined from found monuments representing the Center ¼ corner of Section 3 (0.5" rebar), thence South 00° 54' 27" West, 983.42 feet to the point on the line and the East ¼ corner of Section 3 (brass cap in handhole), thence South 01° 13' 20" West, 973.07 feet to the point on the line.

### For New Drainage Easement

The west 5.00 feet of the south 71.00 feet of the north 82.00 feet together with the north 11.00 feet of the west 76.00 feet of said Lot 34.

Containing 1,191 square feet (0.0273 acres) more or less.

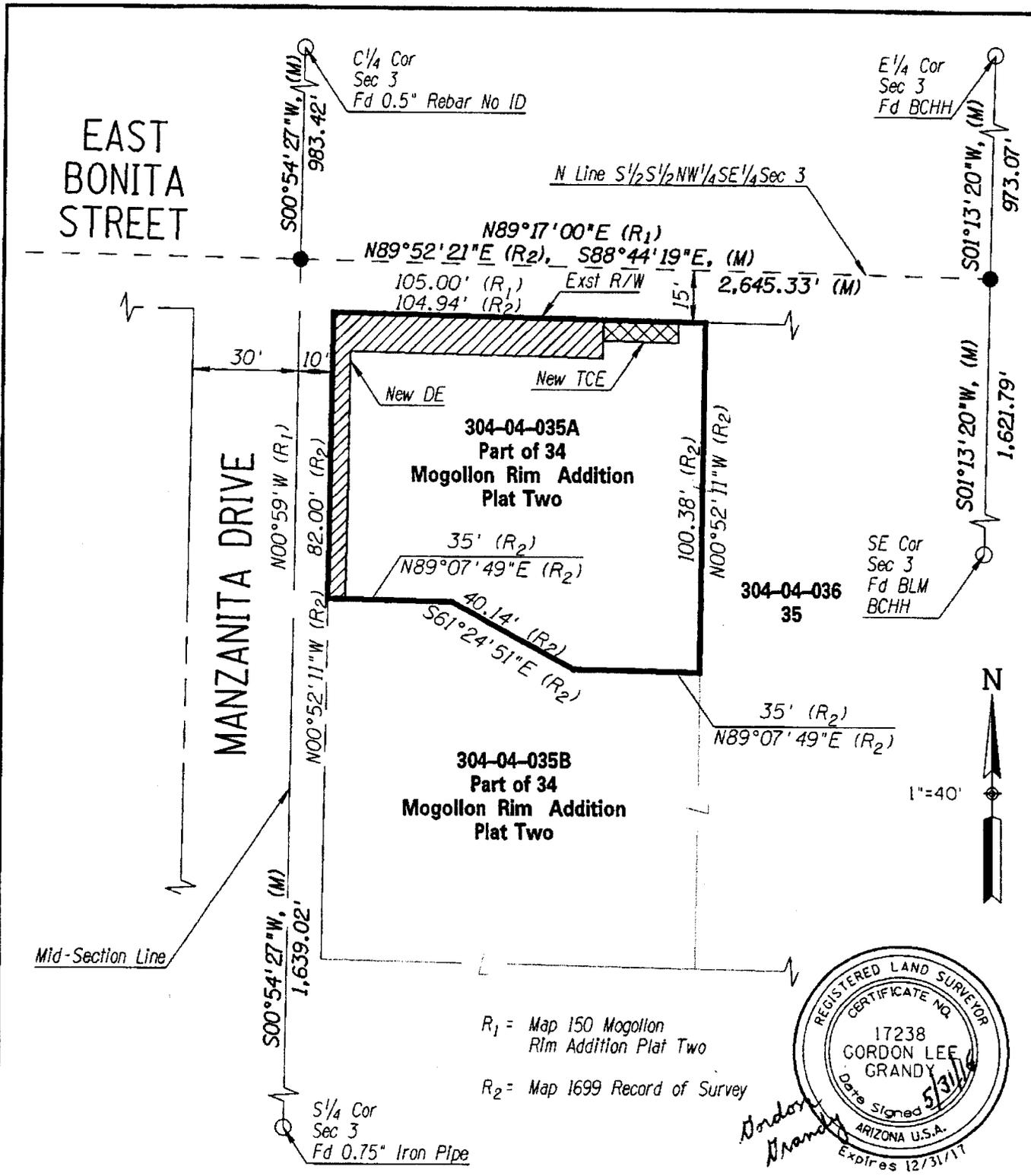
### For Temporary Construction Easement

The north 6.00 feet of the west 21.46 feet of the east 28.96 feet of said Lot 34.

Containing 129 square feet (0.0030 acres) more or less.



**EXHIBIT "B"**

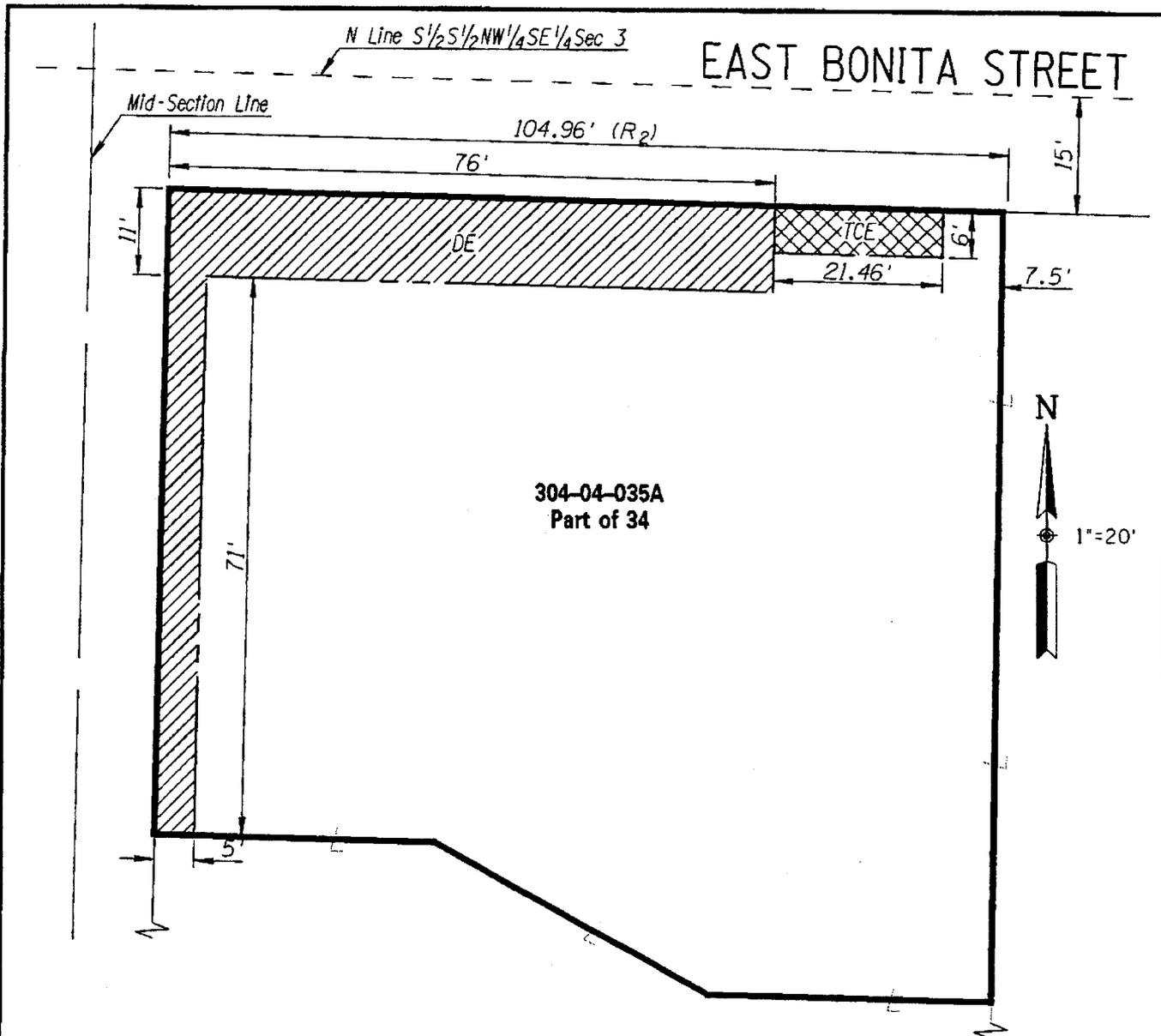


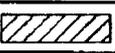
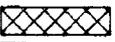
R<sub>1</sub> = Map 150 Mogollon Rim Addition Plat Two

R<sub>2</sub> = Map 1699 Record of Survey

 <p><b>NFra Inc.</b> a transportation engineering firm 77 East Thomas Road, Suite 200 Phoenix, Arizona 85012</p>	<p><b>EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION FOR DRAINAGE EASEMENT &amp; TEMPORARY CONSTRUCTION EASEMENT ASSESSOR PARCEL 304-04-035A</b></p>	
	<p>DATE: 5/16</p> <p>DSN: KRT</p> <p>DRN: KRT</p> <p>CHK: GLG</p>	<p><b>PROJECT NUMBER</b> 0000 GI PAY SZ068 01C</p> <p><b>SHEET 1 OF 2</b></p>





	Parcel Area	Sq Ft	Acres
Before	Gross/Net	9,571	0.2197
Proposed Acquisition	New DE 	1,191	0.0273
After	Net	9,571	0.2197
	New TCE 	129	0.0030



**NFra Inc.**  
a transportation engineering firm  
77 East Thomas Road, Suite 200  
Phoenix, Arizona 85012

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
FOR DRAINAGE EASEMENT &  
TEMPORARY CONSTRUCTION EASEMENT  
ASSESSOR PARCEL 304-04-035A



DATE: 5/16  
DSN: KRT  
DRN: KRT  
CHK: GLG

PROJECT NUMBER  
0000 GI PAY SZ068 01C  
SHEET 2 OF 2



# State of Arizona Substitute W-9 & Vendor Authorization Form

**Purpose:** Establish or update a vendor account with the State of Arizona. This form meets the Federal requirements to request a taxpayer identification number (TIN), request certain certifications and claims for exemption, as well as the State of Arizona requirements for vendor establishment.

**Instructions:** Complete form if  
1. You are a U.S. person (including a resident alien);  
2. You are a vendor that provides goods or services to an Arizona state agency; **AND**  
3. You will receive payment from the State of Arizona.

**Type of Request (Must select at least ONE)**

New Request     New Location (Additional Address ID)     Change (Select the type(s) of change from the following:

Tax ID     Legal Name     Entity Type     Minority Business Indicator  
 Main Address     Remittance Address     Contact Information

**Taxpayer Identification Number (TIN) (Provide ONE Only)**

Social Security Number (SSN) 524-77-5330    OR    Federal Employer Identification Number (FEIN) \_\_\_\_\_

**Entity Name (\* Must Provide Legal Name. Must match SSN or FEIN given. If Individual or Sole Proprietorship enter First, Middle, Last Name.)**

Legal Name\* Kerri Clifford

DBA Name \_\_\_\_\_

**Entity Type (Must Select One of the Following)**

Individual/Sole Proprietor or single-member LLC (61)     An international organization or any of its agencies/instrumentalities (5U)  
 Corporation (5A)     The US or any of its political subdivisions or instrumentalities (2G)  
 Partnership (5C)     A state, a possession of the US, or any of their political subdivisions or instrumentalities (4G)  
 Limited liability company (LLC) including Corporations & Partnerships (5A)     Other: Tax Reportable Entity (5P)    Description \_\_\_\_\_  
 Other: Tax Exempt Entity (5H)

**Minority Business Indicator (Must select one of the following)**

Small Business (01)     Small, Woman Owned Business- Hispanic (31)     Minority Owned Business- African American (04)  
 Small Business- African American (23)     Small, Woman Owned Business- Native American (33)     Minority Owned Business- Asian (32)  
 Small Business- Asian (24)     Small, Woman Owned Business- Other Minority (11)     Minority Owned Business- Hispanic (74)  
 Small Business - Hispanic (25)     Woman Owned Business (03)     Minority Owned Business- Native American (15)  
 Small Business- Native American (27)     Woman Owned Business- African American (17)     Minority Owned Business- Other Minority (02)  
 Small Business- Other Minority (05)     Woman Owned Business- Asian (18)     Non-Profit, IRC §501(c) (88)  
 Small, Woman Owned Business (06)     Woman Owned Business- Hispanic (19)     Non-Small, Non-Minority or Non-Woman Owned Business (00)  
 Small, Woman Owned Business- African American (29)     Woman Owned Business- Native American (21)  
 Small, Woman Owned Business- Asian (30)     Woman Owned Business- Other Minority (08)     Individual, Non-Business (00)

**Veteran Owned Business?**     YES     NO

**Main Address (Where tax information and general correspondence is to be mailed)**    **Remittance Address (Where payment is to be mailed)**     Same as Main

Address 501 E. Bonita St    Address Line 1 \_\_\_\_\_  
City Payson    State AZ    Zip code 85541    Address Line 2 \_\_\_\_\_  
City \_\_\_\_\_    State \_\_\_\_\_    Zip code \_\_\_\_\_

**Vendor Contact Information**

Name Kerri L. Clifford    Title \_\_\_\_\_  
Phone # 908-970-2341    Ext. \_\_\_\_\_    Fax \_\_\_\_\_    Email Racinfan2@live.com

**Certification**     Exempt from backup withholding

Under Penalties of perjury, I certify that:  
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me) AND  
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding AND  
3. I am a U.S. person (including U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN.

**The Internal Revenue Service does not require your consent to any provision of this document other than the certification required to avoid backup withholding.**

Signature Kerri L. Clifford    Title \_\_\_\_\_    Date 8/2/16

Return completed form to the state agency with whom you do business, for review and authorization.

**STATE OF ARIZONA AGENCY USE ONLY - AGENCY AUTHORIZATION**    **VENDOR: DO NOT WRITE BELOW THIS LINE**

State HRIS EIN \_\_\_\_\_    Print Name \_\_\_\_\_    Signature \_\_\_\_\_  
AGY \_\_\_\_\_    Title \_\_\_\_\_    Phone # \_\_\_\_\_    Email \_\_\_\_\_    Date \_\_\_\_\_

**STATE OF ARIZONA GAO USE ONLY**    **VENDOR & STATE AGENCY: DO NOT WRITE BELOW THIS LINE**

IRS TIN Matching     HRIS     Other    Vendor Number \_\_\_\_\_    Processed by \_\_\_\_\_    Date Processed \_\_\_\_\_