



Report to the Board of Supervisors

Prepared by the Maricopa County Department of Transportation

Case #/Title: PAB-0123 Federal Patent Easement Abandonment

Meeting Date: October 7, 2020

Supervisor District: 3

Applicant: Department of Transportation

Request: Approve the abandonment of that portion of the Patent Easement as proposed by the owner of the property located at 48134, 48126, 48118, and an unassigned address on North Coyote Pass Road, Cave Creek, Arizona 85087 and being identified as Assessor Parcel Numbers 202-11-035A, 202-11-035B, 202-11-035C, and 202-11-035D.

Department Recommendation:

Having received no objection to the full abandonment MCDOT recommends the following: Abandon the South 8 feet of the North 33 feet, EXCEPT the East 30 feet thereof; and the West 33 feet EXCEPT the North 33 feet and the South 33 feet thereof; and the West 3 feet of the East 33 feet, EXCEPT North 33 feet and South 33 feet thereof; and the South 33 feet, EXCEPT the East 30 feet thereof.

Presented by: Jennifer Toth, P.E.,
Director of Transportation/County Engineer

Support/Opposition: Request for comment has been circulated to all affected parties pursuant to County Ordinance P-34, Section 2d. An Initial Determination was circulated for review in November 2019, and results sent to the applicant in December 2019. The Application was circulated in review in July 2020. The following responses were received:

County Departments – No Objection: Transportation, Planning and Development, Real Estate, Parks and Recreation, and Flood Control District.

Utilities – No Objection: Arizona Public Service, Southwest Gas, CenturyLink, and Arizona State Land Department.

Agency – No Objection: City of Phoenix Street Transportation Department,
Arizona State Land Department.

Discussion: Laws 2013, Chapter 46 amended Arizona Revised Statutes, Section 11-251.16 to allow a county, at the request of a property owner, to abandon a federal patent easement established by the Small Tract Act of 1938. On May 7, 2014 the Maricopa County Board of Supervisors (BOS) approved Ordinance No. P-34, adopting procedures for the abandonment of Federal Patent Easements. The Maricopa County Department of Transportation (MCDOT) has considered and processed this request for abandonment in strict accordance with A.R.S. Section 11-251.16 and Ordinance No. P-34.

Attachments: Application / Proof of Ownership / Aerial Exhibit / Initial Determination Request / Legal Exhibit and Description

APPLICATION



MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION

2901 W. Durango Street • Phoenix, AZ 85009
Phone: (602) 506-4176

PATENT EASEMENT ABANDONMENT APPLICATION

Contact Information

Applicant Name: Jerry Pursell 40 Skelly Baumer
Mailing Address: 43816 N. 16th Street
City: New River State: AZ Zip: 85086
Phone (480)-215-7657 Email: happypeople1@msn.com

Parcel Detail

Assessor's Parcel Number: 202-11-035 202-11-035A, -035B, -035C
JM, 7/10/20

- 1. Location of Request: (ex: 3200 W. Dove Valley Road, Phoenix)
48060 N. 33rd Ave. New River, AZ. 85087
2. Description of Request: (ex: Abandon Easement bordering the South side of parcel 123-45-067A)
Abandon the patent easements pursuant to (MCDOT) objections and recommendations.
3. Applicant is REQUIRED to be the current owner of the described property. A copy of your property deed must be attached to the application.

I certify, under penalty of perjury, that no loss of currently existing legal and physical access to any property will occur if the County grants the patent easement abandonment requested in this application.

- 4. If you have a mortgage, deed of trust, upon your property you are REQUIRED to provide a letter from the lender approving your request to abandon a patent easement. Applications submitted without lender approval will not be processed. If you don't have a mortgage or deed of trust on the subject property, you will need to sign, before a notary, the affidavit below attesting to that status.

I, MC Offenburger attest that I own the subject property and that it is not encumbered by mortgage or deed of trust.

Subscribed and sworn to before me this

19 day of June, 2020
MC Offenburger
Notary Public

My Commission Expires: 4/21/2024
M. C. OFFENBURGER
Notary Public - State of Arizona
MARICOPA COUNTY
Commission # 578801
Expires April 21, 2024

Signature

Signature of Applicant: [Handwritten Signature]

Date: 6/19/2020

Maricopa County Use Only

Application Fee*: \$1,600
Check #: 100313 Total Received: 1350.00 Date: July 10, 2020 Rec'd By: [Signature]

*Application Fee will be \$1,350 (\$1,600 less \$250) if Initial Determination letter is provided; demonstrating an initial review of the parcel was conducted by the County within the last six months. The application fee is NOT refundable. Make checks payable to: MCDOT 2901 West Durango Street Phoenix, AZ 85009.



MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION

2901 W. Durango Street • Phoenix, AZ 85009

Phone: (602) 506-4176

PATENT EASEMENT ABANDONMENT APPLICATION

Contact Information

Applicant Name: Linda K. Cameron c/o Shelly Baumer PAB Number: PAB 0123
Mailing Address: 48060 N. 33rd Ave
City: New River State: AZ Zip: 85087
Phone (480) - 215 - 7657 Email: happypeople1@msn.com

Parcel Detail

Assessor's Parcel Number: 202-11-035-D

1. Location of Request: (ex: 3200 W. Dove Valley Road, Phoenix)

48060 N. 33rd Ave, New River, AZ

2. Description of Request: (ex: Abandon Easement bordering the South side of parcel 123-45-067A)

Abandon the patent easements pursuant to (MCDOT) objections and recommendations.

3. Applicant is REQUIRED to be the current owner of the described property. A copy of your property deed must be attached to the application.

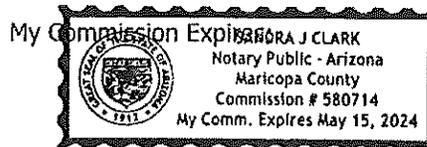
I certify, under penalty of perjury, that no loss of currently existing legal and physical access to any property will occur if the County grants the patent easement abandonment requested in this application.

4. If you have a mortgage, deed of trust, upon your property you are REQUIRED to provide a letter from the lender approving your request to abandon a patent easement. Applications submitted without lender approval will not be processed. If you don't have a mortgage or deed of trust on the subject property, you will need to sign, before a notary, the affidavit below attesting to that status.

I, LINDA K. CAMERON attest that I own the subject property and that it is not encumbered by mortgage or deed of trust.

Subscribed and sworn to before me this

3rd day of July, 2020
[Signature]
Notary Public



Signature

[Signature]
Signature of Applicant

7-3-2020
Date

Maricopa County Use Only

Application Fee*: \$1,600
Check #: Total Received: Date: Rec'd By:

*Application Fee will be \$1,350 (\$1,600 less \$250) if Initial Determination letter is provided; demonstrating an initial review of the parcel was conducted by the County within the last six months. The application fee is NOT refundable. Make checks payable to: MCDOT 2901 West Durango Street Phoenix, AZ 85009.



Maricopa County Department of Transportation
2901 W. Durango Street Phoenix, AZ 85009

Permit Receipt

Payer Name:

JERRY PURSELL
217 WINDOVER DR
COUNCIL BLUFF, Iowa 51503

Receipt #:

100313

Payment Date:

7/10/2020

Reference #:

PAB 0123 / APN 202-11-
035A - 035B - 035C

Receipt Type:

Patent Easements

Payment Items

| Description | Payment Type | Transaction # | Amount |
|--|--------------|---------------|-------------------|
| PATENT EASEMENT ABANDONMENT // JERRY PURCELL | Credit Card | 3785299847 | \$1,350.00 |
| Total: | | | \$1,350.00 |

PROOF OF OWNERSHIP

**WHEN RECORDED MAIL DOCUMENT AND
TAX STATEMENT TO:
The Jerry and Anna Marie Pursell Trust dated
March 7, 2018
43816 North 16th Street
New River, AZ 85087**

**Unofficial
20 Document**

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

WARRANTY DEED

**This Deed is Being Recorded Solely to
Split Parcel Number 202-11-035 into
4 New Parcels**

**This Deed is Exempt from Filing of the Affidavit of Property Value
Pursuant to ARS 11-134B5**

For the consideration of Ten Dollars, and other valuable consideration,

Jerry Pursell and Ana Marie Pursell, Trustees of The Jerry and Anna Marie Pursell Trust dated March 7, 2018

("Grantor") conveys to

Jerry Pursell and Ana Marie Pursell, Trustees of The Jerry and Anna Marie Pursell Trust dated March 7, 2018

the following real property situated in Maricopa County, ARIZONA:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Pursuant to ARS Section 33-404, the names and addresses of the beneficiaries of the Jerry and Ana Marie Trust dated March 7, 2018 are disclosed in Instrument No. 2019-0630884 recorded in the county where the property conveyed by this deed is located.

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

Grantor warrants the title against all persons whomsoever, subject to the matters set forth above.

Dated: November 14, 2019

Grantor(s):

The Jerry and Anna Marie Pursell Trust dated March 7, 2018

Jerry Pursell
Jerry Pursell, Trustee

The Jerry and Anna Marie Pursell Trust dated March 7, 2018

Anna Marie Pursell
Anna Marie Pursell, Trustee

NOTARY ACKNOWLEDGEMENT(S) TO WARRANTY DEED

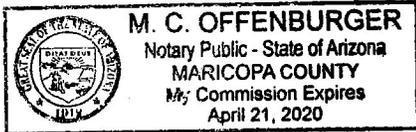
Unofficial Document

State of Az
County of Maricopa

The foregoing document was acknowledged before me this 14 day of Nov 2019

by Jerry Pursell and Ana Marie Pursell, Trustees of The Jerry and Anna Marie Pursell Trust dated March 7, 2018

(Seal)



M. C. Offenburger
Notary Public

EXHIBIT "A"

PARCELS LEGAL DESCRIPTIONS

PARCEL 1:

THE WEST HALF OF THE WEST HALF OF GLO LOT 5, SECTION 26, TOWNSHIP 7 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL 2:

THE EAST HALF OF THE WEST HALF OF GLO LOT 5, SECTION 26, TOWNSHIP 7 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL 3:

THE NORTH HALF OF THE EAST HALF OF GLO LOT 5, SECTION 26, TOWNSHIP 7 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

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PARCEL 4:

THE SOUTH HALF OF THE EAST HALF OF GLO LOT 5, SECTION 26, TOWNSHIP 7 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



EXHIBIT "B"

20' X 20' WELL SITE EASEMENT

THE SOUTH 20.00 FEET OF THE NORTH 53.00 FEET OF THE WEST 20.00 FEET OF THE NORTH HALF OF THE EAST HALF OF GLO LOT 5, SECTION 26, TOWNSHIP 7 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



Unofficial Document

EXHIBIT "C"

4' PRIVATE WATER LINE EASEMENT (P.W.L.E.)

THE WEST 4.00 FEET OF THE NORTH HALF OF THE EAST HALF OF GLO LOT 5, SECTION 26, TOWNSHIP 7 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE NORTH 53.00 FEET THEREOF;

TOGETHER WITH

THE SOUTH 4.00' ON THE NORTH 37.00 FEET OF THE THE EAST HALF OF THE WEST HALF OF GLO LOT 5, SECTION 26, TOWNSHIP 7 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

Unofficial Document



PARCEL 1

The West half of the West half of GLO Lot 5, Section 26, Township 7 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.



Unofficial Document

PARCEL 2

The East half of the West half of GLO Lot 5, Section 26, Township 7 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.



Unofficial Document

PARCEL 3

The North half of the East half of GLO Lot 5, Section 26, Township 7 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.



Unofficial Document

PARCEL 4

The South half of the East half of GLO Lot 5, Section 26, Township 7 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.



Unofficial Document

RECORDING REQUESTED BY:

Security Title Agency, Inc.

Escrow No.: 92200026-092-MO3**WHEN RECORDED MAIL DOCUMENT AND
TAX STATEMENT TO:**

The Linda K. Cameron Trust of 2005 dated

November 23, 2005

44236 N. 12th St

New River, AZ 85087

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable consideration,

Jerry Pursell and Anna Marie Pursell, Trustees of The Jerry and Anna Marie Pursell Trust dated March 7, 2018

("Grantor") conveys to

Linda K. Cameron, Trustee The Linda K. Cameron Trust of 2005 dated November 23, 2005

the following real property situated in **Maricopa County, ARIZONA:**

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Pursuant to ARS Section 33-404, the names and addresses of the beneficiaries of the Jerry and Anna Marie Pursell Trust dated March 7, 2018 are recorded in 2019-0923924, Maricopa County, Arizona

Pursuant to ARS Section 33-404, the names and addresses of the beneficiaries of the Linda K. Cameron Trust of 2005 dated November 23, 2005. See attached Trust Declaration:

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

Grantor warrants the title against all persons whomsoever, subject to the matters set forth above.

Dated: February 14, 2020

Grantor(s):

The Jerry and Anna Marie Pursell Trust dated
March 7, 2018

Jerry Pursell
Jerry Pursell, Trustee

The Jerry and Anna Marie Pursell Trust dated March 7,
2018

Anna Marie Pursell
Anna Marie Pursell, Trustee

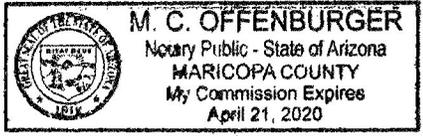
NOTARY ACKNOWLEDGEMENT(S) TO WARRANTY DEED

State of *Ariz*
County of *Maricopa*

The foregoing document was acknowledged before me this *18* day of *Feb* *2020*

by Jerry and Anna Marie Pursell, Trustee of The Jerry and Anna Marie Pursell Trust dated March 7, 2018

(Seal)



M. C. Offenburger
Notary Public

EXHIBIT "A"

Legal Description

THE LAND REFERRED TO HEREIN BELOW IS SITUATED NEW RIVER, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

The South half of the East half of G.L.O. Lot 5, Section 26, Township 7 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT all oil, gas and other mineral deposits, as reserved unto the United States of America in Patent recorded in Docket 3425, Page 200.

DATE: February 14, 2020

ESCROW NO.: 92200026-092-MO3

TRUST DECLARATION

Disclosure of Beneficiaries

Pursuant to ARS 33-404, the names of the beneficiaries of the Declaration of Trust dated November 23, 2005 are as follows:

Name: LINDA K. CAMERON

Address: 44236 N. 12th ST., NEW RIVER, AZ 85087

Name: _____

Address: _____

Name: _____

Address: _____

Unofficial Document

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

By: Linda K. Cameron
(Signature of Trustee)

(Signature of Trustee)

as Trustee (s) of The LINDA K. CAMERON TRUST

(This document will be recorded at the Close of Escrow attached to the Deed)

AERIAL EXHIBIT

PAB-0123

APN: 202-11-035A,
035B, 035C, 035D
Date: 7/13/2020

| Legend | |
|---|--------------------------|
|  | Current PAB |
|  | Lapsed |
|  | Pending |
|  | Abandoned |
|  | Patent Easement Boundary |
|  | Right of Way |
|  | Parcel boundary |
|  | State Trust |
|  | BLM |



**INITIAL
DETERMINATION
REQUEST**



MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION

2901 W. Durango Street • Phoenix, AZ 85009

Phone: (602) 506-4178

PATENT EASEMENT ABANDONMENT INITIAL DETERMINATION

Contact Information

Applicant Name: Jerry Pursell / Maincontact -> Shelly Baumer
Mailing Address: 43816 N. 16th St Call first
City: New River State: AZ Zip: 85087
Phone (480) - 215 - 9657 Email: happypeople1@msn.com

Parcel Detail

Assessor's Parcel Number: 202 - 11 - 035

1. Location of Request: (ex: 3200 W. Dove Valley Road, Phoenix)

48060 N 33rd Ave, New River, AZ, 85087

2. Description of Request: (ex: Abandon Easement bordering the South side of parcel 123-45-067A)

Abandon the North, South, East & West Patent easements

3. Access Certification:

I certify, under penalty of perjury, that no loss of currently existing legal and physical access to any property will occur if the County grants the patent easement abandonment requested in this initial determination.

Signature

Signature of Applicant: Jerry Pursell

Date: 11/13/19

Maricopa County Use Only

PAB Number: Initial Determination Fee*: \$250.00 Check #: 5300 PAID 11-13-19 Total Received: 250.00 Date: 11-13-19 Rec'd By: [Signature]

* The Initial Determination fee is NOT refundable. Make checks payable to: MCDOT 2901 West Durango Street Phoenix, AZ 85009.



Maricopa County Department of Transportation
2901 W. Durango Street Phoenix, AZ 85009

Permit Receipt

Payer Name:

JERRY L PURSELL // ANNA M PURSELL
48316 N 16TH ST
NEW RIVER, Arizona 85087

Receipt #:

100100

Payment Date:

11/13/2019

Reference #:

APN: 202-11-035

Receipt Type:

Patent Easements

Payment Items

| Description | Payment Type | Transaction # | Amount |
|-----------------|--------------|---------------|----------|
| APN: 202-11-035 | Check | 5300 | \$250.00 |
| Total: | | | \$250.00 |

RECORDING REQUESTED BY:

Security Title Agency, Inc.

Escrow No.: 92190179-092-MO3**WHEN RECORDED MAIL DOCUMENT AND
TAX STATEMENT TO:**The Jerry and Anna Marie Pursell Trust dated
March 7, 2018

217 Wendover Drive

Council Wendover, IA 51503

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable consideration,

Daniel Poole and Janet Poole, Husband and Wife and Jeremy Turner, An Unmarried Man and Jennifer Turner, An Unmarried Woman, Who Acquired Title as Husband and Wife

("Grantor") conveys to

Jerry Pursell and Anna Marie Pursell, Trustees of The Jerry and Anna Marie Pursell Trust dated March 7, 2018the following real property situated in **Maricopa County, ARIZONA:****SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.****Pursuant to ARS Section 33-404, the names and addresses of the beneficiaries of the Jerry and Anna Marie Pursell Trust dated March 7, 2018 . See attached Trust Declaration:**

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

Grantor warrants the title against all persons whomsoever, subject to the matters set forth above.

Dated: August 12, 2019

Grantor(s):

SIGNED IN COUNTERPART

SIGNED IN COUNTERPART

Daniel Poole

Janet Poole



Jeromy Turner



Jennifer Turner

NOTARY ACKNOWLEDGEMENT(S) TO WARRANTY DEED

State of Ariz
County of Maricopa

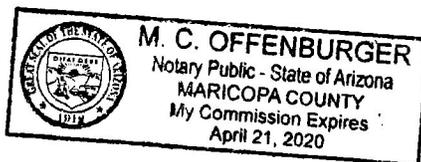
The foregoing document was acknowledged before me this 15 day of Aug 2019

by ~~Daniel Poole and Janet Poole~~ and Jeromy Turner and Jennifer Turner

(Seal)



Notary Public



Unofficial Document

EXHIBIT "A"

Legal Description

THE LAND REFERRED TO HEREIN BELOW IS SITUATED NEW RIVER, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

Lot 5, Section 26, Township 7 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT all oil, gas and other mineral deposits, as reserved unto the United States of America in Patent recorded in Docket 3425, Page 200.

Pursuant to ARS Section 33-404, the names and addresses of the Beneficiaries of
The Jerry and Anna Marie Pursell Trust dated March 7, 2018 are:

Jerry Pursell and Anna Marie Pursell

43816 North 16th Street

New River, AZ 85087

RECORDING REQUESTED BY:

Security Title Agency, Inc.

Escrow No.: 92190179-092-MO3**WHEN RECORDED MAIL DOCUMENT AND
TAX STATEMENT TO:****The Jerry and Anna Marie Pursell Trust dated
March 7, 2018****217 Wendover Drive****Council Wendover, IA 51503**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable consideration,

Daniel Poole and Janet Poole, Husband and Wife and Jeromy Turner, An Unmarried Man and Jennifer Turner, An Unmarried Woman, Who Acquired Title as Husband and Wife

("Grantor") conveys to

Jerry Pursell and Anna Marie Pursell, Trustees of The Jerry and Anna Marie Pursell Trust dated March 7, 2018the following real property situated in **Maricopa County, ARIZONA:****SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.****Pursuant to ARS Section 33-404, the names and addresses of the beneficiaries of the Jerry and Anna Marie Pursell Trust dated March 7, 2018 . See attached Trust Declaration:**

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

Grantor warrants the title against all persons whomsoever Unofficial Document to the matters set forth above.

Dated: August 12, 2019

Grantor(s):

Daniel Poole
Daniel Poole

Janet A Poole
Janet Poole

SIGNED IN COUNTERPART
Jeromy Turner

SIGNED IN COUNTERPART
Jennifer Turner

NOTARY ACKNOWLEDGEMENT(S) TO WARRANTY DEED

State of AZ
County of Maricopa

The foregoing document was acknowledged before me this 15th day of August 2019

by Daniel Poole and Janet Poole and ~~Jeromy Turner and Jennifer Turner~~

(Seal)



ALEGRIA TRINIDAD
Notary Public - Arizona
Maricopa County
Expires 04/10/2021

Alegria Trinidad
Notary Public

EXHIBIT "A"

Legal Description

THE LAND REFERRED TO HEREIN BELOW IS SITUATED NEW RIVER, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

Lot 5, Section 26, Township 7 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT all oil, gas and other mineral deposits, as reserved unto the United States of America in Patent recorded in Docket 3425, Page 200.

Pursuant to ARS Section 33-404, the names and addresses of the Beneficiaries of
The Jerry and Anna Marie Pursell Trust dated March 7, 2018 are:

Jerry Pursell and Anna Marie Pursell

43816 North 16th Street

New River, AZ 85087

Arizona 010325

The United States of America,

To all whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at **Phoenix, Arizona,** has been issued showing that full payment has been made by the claimant

Marie Cunningham,
pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land:

Gila and Salt River Meridian, Arizona.

T. 7 N., R. 2 E.,

Sec. 26, Lot 5.

The area described contains **5.00** acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding **33** feet in width, for roadway and public utilities purposes, to be located **along the boundaries of said land.**

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the **SIXTEENTH** day of **FEBRUARY** in the year of our Lord one thousand nine hundred and **FIFTY-NINE** and of the Independence of the United States the one hundred and **EIGHTY-THIRD.**

(SEAL)

For the Director, Bureau of Land Management.

By Rose M. DeLoe
Chief, Patents Section.

Patent Number 1192765

**LEGAL DESCRIPTION
AND EXHIBIT**

LEGAL DESCRIPTION
PAB-0123

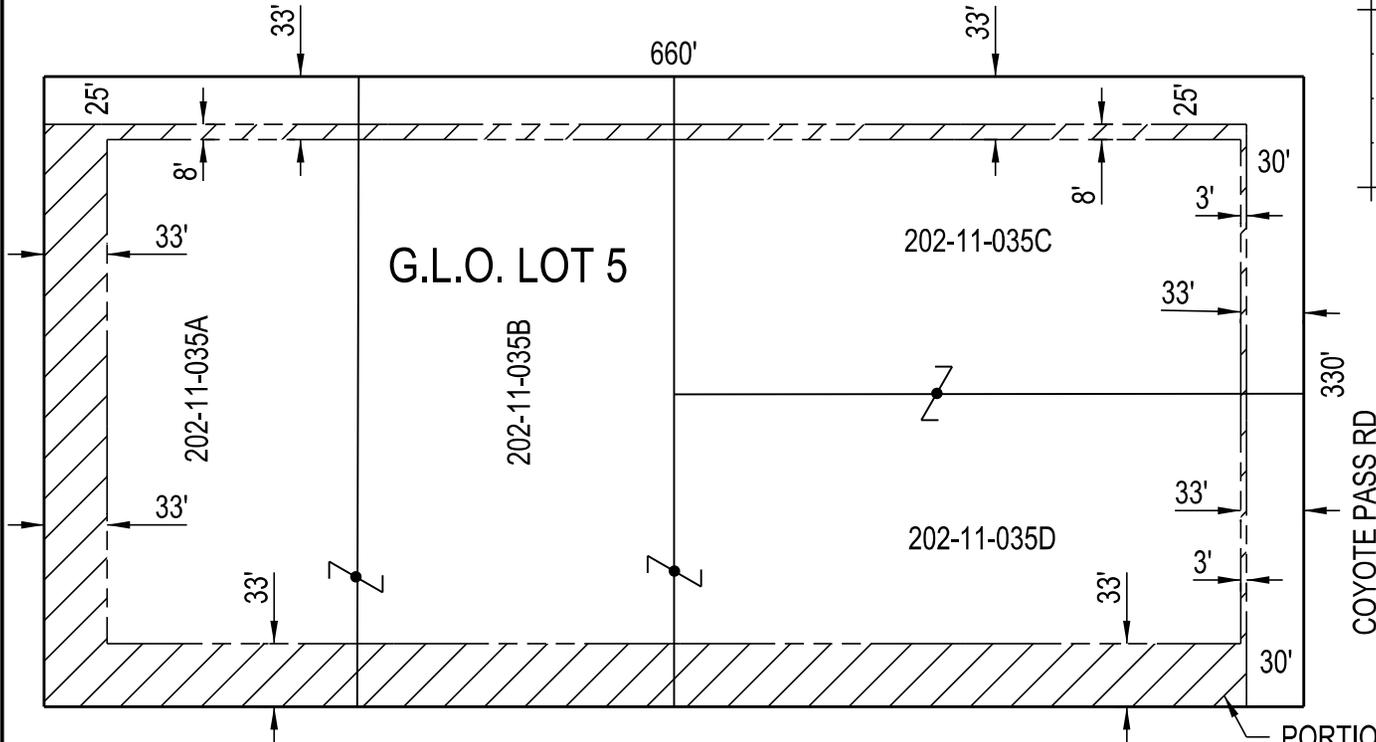
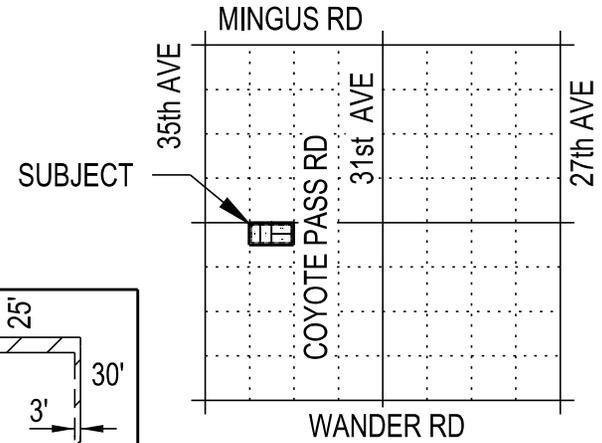
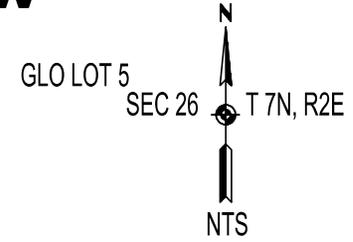
EXHIBIT "A"

Assessor Parcel No's. 202-11-035A, 035B, 035C, 035D

That portion of the easement described in Patent 1192765, lying in G.L.O. Lot 5 of Section 26 – T7N, R2E, of the Gila and Salt River Meridian, Maricopa County, Arizona being described as follows:

The South 8 feet of the North 33 feet, EXCEPT the East 30 feet thereof; and
the West 33 feet EXCEPT the North 33 feet and the South 33 feet thereof; and
the West 3 feet of the East 33 feet, EXCEPT North 33 feet and South 33 feet thereof;
and
the South 33 feet, EXCEPT the East 30 feet thereof.

**PATENT EASEMENT ABANDON
FILE NO. PAB-123**



PORTION OF
PAT. ESMT. NO. 1192765
ABANDONED BY PAB-0123

EXHIBIT

MARICOPA COUNTY - REAL ESTATE DIVISION