

**When recorded please mail to:**  
Kristi Salskov, CMC, Town Clerk  
Town of Pinetop-Lakeside  
325 W. White Mountain Blvd.  
Lakeside, AZ 85929

**TOWN OF PINETOP-LAKESIDE**

**RESOLUTION NO. 23-1688**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, NAVAJO COUNTY, ARIZONA, APPROVING TO ENTER INTO A GENERAL EASEMENT AGREEMENT BETWEEN THE LENSE FAMILY TRUST AND THE TOWN OF PINETOP-LAKESIDE FOR CONSTRUCTION AND MAINTENANCE OF A TOWN STORM WATER DRAINAGE SYSTEM.**

**WHEREAS,** the storm water system for the Top of the Woods Unit One drainage area is currently not suitable to accommodate a one-hundred-year storm event.

**WHEREAS,** the Town of Pinetop-Lakeside wishes to improve the storm water drainage system for the Top of the Woods drainage area to accommodate a potential one-hundred-year storm event; and

**WHEREAS,** portions of the proposed storm water drainage system will be constructed on private property; and

**WHEREAS,** the Town of Pinetop-Lakeside will enter into a General Easement Agreement with the Lense Family Trust to construct and maintain the storm water drainage system over their real property.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Pinetop-Lakeside, Navajo County, Arizona, hereby approve to enter into a general easement agreement between the Lense Family Trust and the Town of Pinetop-Lakeside; and authorize the Town Manager to execute all documents necessary in connection with this agreement.

**PASSED AND ADOPTED** by the Town Council of the Town of Pinetop-Lakeside, Navajo County, Arizona this 21<sup>st</sup> day of September 2023.



ATTEST:

  
Mackenzie Valichnac  
Deputy Town Clerk

**TOWN OF PINETOP-LAKESIDE**

  
Sterling Beus, Vice Mayor

APPROVED AS TO FORM:

  
William J. Sims, III  
Town Attorney

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325 W White Mountain Blvd.  
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**GENERAL EASEMENT AGREEMENT**

For consideration of Ten Dollars and other valuable considerations, I or we,

THE LENSE FAMILY TRUST (“Grantor”)

Do hereby convey to:

TOWN OF PINETOP-LAKESIDE, a municipal corporation (“Grantee”)

A perpetual easement for the following purposes only: Construction and maintenance of storm water drainage system to go through, over and across the following real property situated in Navajo County, Arizona.

See Exhibits ‘A’ and ‘B’ attached hereto and made a part hereof.

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.

The grantor warrants the title against all persons whomsoever.

The grantee agrees to maintain such public improvements which may be placed within said easement for the stated purpose.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Phillip G. Lense, Trustee of The Lense Family Trust

Dated: \_\_\_\_\_

\_\_\_\_\_  
Margaret J. Lense, Trustee of The Lense Family Trust

STATE OF ARIZONA        )  
  )SS  
COUNTY OF NAVAJO     )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023 before me, a Notary Public in and for the State of Arizona, duly commissioned and sworn, personally appeared Phillip and Margaret Lense personally known to me and proved to me on the basis of satisfactory evidence to be the persons who executed the foregoing instrument and acknowledged said instrument to be their free and voluntary act and deed for the uses and purposes therein mentioned.

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

\_\_\_\_\_  
Notary Public  
Signature

My commission  
expires: \_\_\_\_\_

**Exhibit 'A'**  
**LEGAL DESCRIPTION**  
**APN: 212-42-018C**

A portion of that parcel of land as described in Instrument Number 2023-01266, Official Records of Navajo County, lying within the northeast quarter of Section 1, Township 8 North, Range 22 East, of the Gila and Salt River Meridian, Navajo County, Arizona, described as follows:

Commencing at the east quarter corner of said Section 1, said point being in common with the southeast corner of said parcel, and from which a point on the east line of said Section 1, said point being in common with the northwest corner of The Woods at Pinetop, Unit 1 according to Book 17 of Plats, Page 19, Official Records of Navajo County (herein referred to as R1) bears, North 00°01'17" East, 1320.18 feet (Basis of Bearing) (North 00°05'58" East, 1320.18 feet per R1) and the **POINT OF BEGINNING**;

Thence along the east line of said Section 1, and the east line of said parcel, North 00°01'17" East, 330.08 feet to the northeast corner of said parcel;

Thence along the north line of said parcel, North 89°51'31" West, 20.00 feet;

Thence South 0°01'17" West, 54.30 feet;

Thence South 44°59'25" East, 14.14 feet;

Thence South 0°01'17" West, 217.50 feet;

Thence South 29°05'15" West, 41.16 feet;

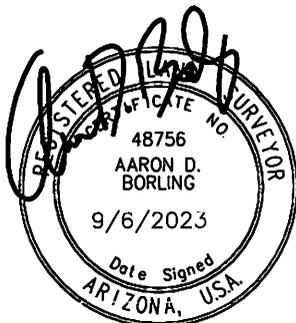
Thence South 0°02'46" West, 12.44 feet to a point on the south line of said parcel;

Thence along said south line, North 89°51'57" East, 30.00 feet to the **POINT OF BEGINNING**;

Containing 4,502 square feet, or 0.103 acres, more or less.

See Exhibit 'B' attached hereto and made a part hereof.

This legal description was prepared by Aaron D. Borling, RLS 48756, on behalf of and at the request of Shephard-Wesnitzer, Inc., Flagstaff, Az.



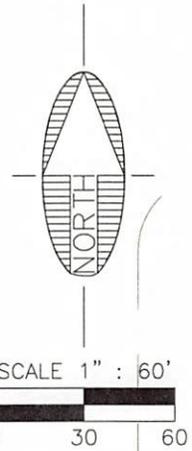
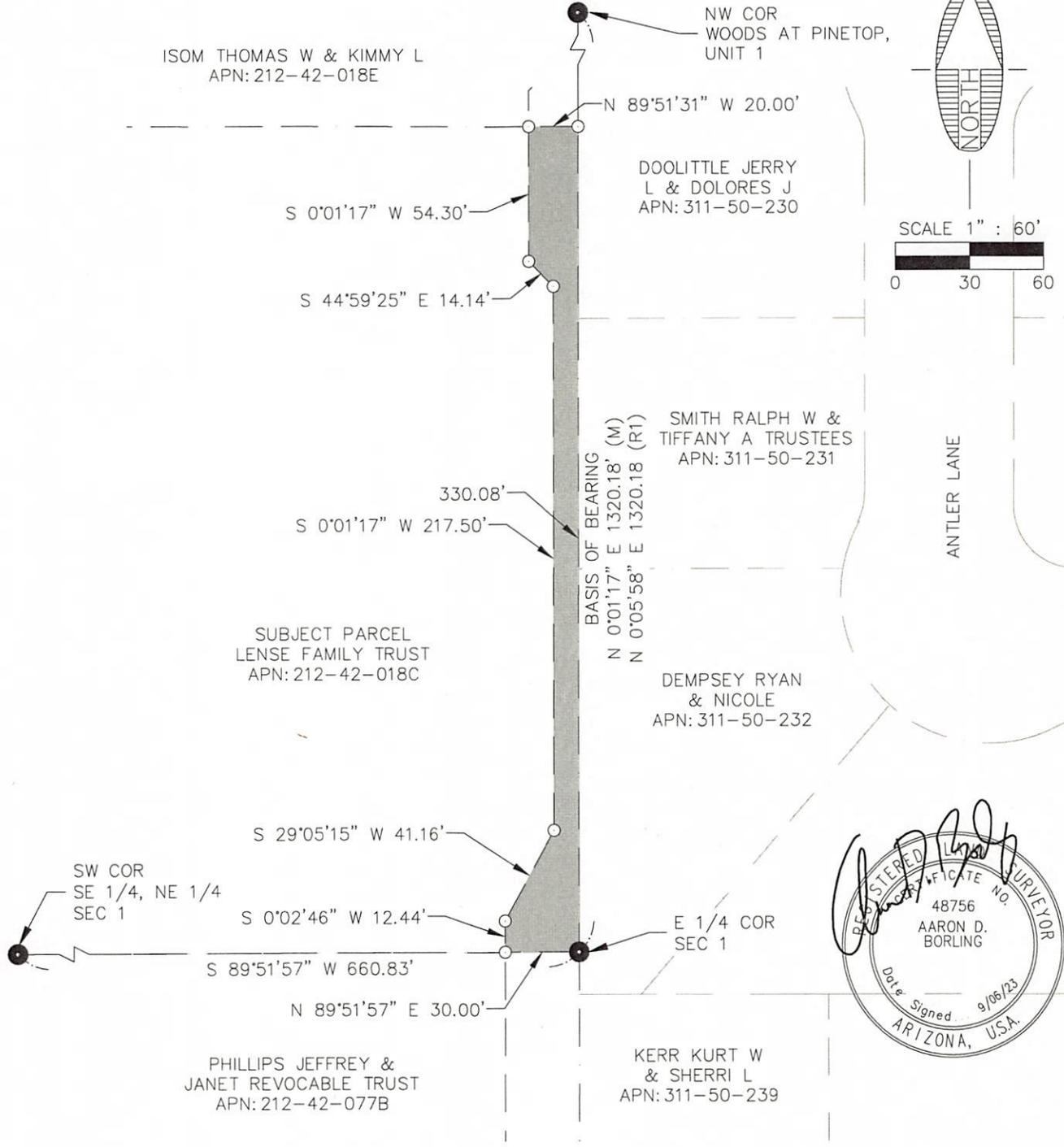
City File No. \_\_\_\_\_

Descriptive Title: \_\_\_\_\_

PLOTTED: Sep 06, 2023-3:23pm

# EXHIBIT 'B' TO ACCOMPANY LEGAL DESCRIPTION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 1,  
TOWNSHIP 8 NORTH, RANGE 22 EAST,  
GILA AND SALT RIVER MERIDIAN,  
NAVAJO COUNTY, ARIZONA



NOTE:  
THIS EXHIBIT DOES NOT REPRESENT THE RESULTS  
OF A BOUNDARY SURVEY AND SHOULD NOT BE  
CONSTRUED AS ONE. ITS SOLE PURPOSE IS TO  
DEPICT THE LOCATION OF THE AREA DESCRIBED.

CITY FILE NO. \_\_\_\_\_  
DESCRIPTIVE TITLE: \_\_\_\_\_

FILE: P:\2023\118530\LEGAL DESCRIPTIONS\LENSE -- DRAINAGE EASEMENT.DWG ABORLING



110 W. Dale Avenue  
Flagstaff, AZ 86001  
928.773.0354  
928.774.8934 fax  
www.ardurra.com

JOB NO.	222250
DATE	SEP 23
SCALE	AS SHOWN
DRAWN	HAS
DESIGN	
CHECKED	ADB

LENSE	NAVAJO COUNTY, ARIZONA
LEGAL EXHIBIT	

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