

F. ANN RODRIGUEZ, RECORDER
 Recorded By: VJG
 DEPUTY RECORDER
 4967
 P1580
 PIMA CO FLOOD CONTROL DISTRICT
 - PICKUP



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PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT
 COVENANTS RUNNING WITH THE LAND

The undersigned hereby warrant to be Owner(s) of record of the real property described in Exhibit A ("Property") and hereby covenant and warrant that the Property shall be used, improved, occupied, held, sold and conveyed subject to the following conditions, covenants and restrictions running with the land.

General Conditions, Covenants and Restrictions:

1. **Uses of the Property are restricted by a Floodplain Use Permit issued by the Pima County Regional Flood Control District.**
2. **All or part of Property is located within a regulatory floodplain or erosion hazard area of Pima County and may be subject to damage from surface water, flood water, high ground water or erosion.**
3. **Floodplain Use Permit(s) are issued in direct reliance upon representations by the Owner(s) or their agents that any development of the property shall not create a danger or hazard, either on the property or on any other properties.**
4. **The natural drainage on and in the vicinity of the regulatory floodplain within the property shall not be altered, disturbed, obstructed or restricted, or any structure constructed or fence placed without the express written approval of the Pima County Flood Control District.**
5. **The Owner(s), their successors in interest and assigns shall assume full responsibility for their actions on the Property and shall indemnify, defend and hold harmless Pima County, and the Pima County Flood Control District, their officers, departments, employees and agents from and against any and all suits, actions, legal or administrative proceedings, claims, demands, or damages of any kind by reason of flooding, erosion or flowage arising out of or related to the use of the property, including all injuries and damages resulting from traversing or attempting to traverse private vehicular access during times of flooding.**

The undersigned, referred to in this declaration as Owner(s) has executed this instrument this 6th day of December, 2016.

John Esquivel General Partner
 Esquivel Family Limited Partnership, a California limited partnership

STATE OF ARIZONA)
)ss
 COUNTY OF PIMA)

This forgoing instrument was acknowledged before me this 6th day of DECEMBER, 2016,
 by John Esquivel of Esquivel Prop., a(n) LIMITED PARTNERSHIP
 on behalf of the Corporation.

TANIA KOCH
 Notary Public - State of Arizona
 PIMA COUNTY
 My Commission Expires
 Dec 7, 2019

Tanya Koch
 Notary Public

Exhibit "A"

Parcel 1

All that portion of the Southwest Quarter of the Northwest Quarter of Section 23, Township 13 South, Range 13 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

Beginning at a point which is the Northwest corner of said Southwest Quarter of the Northwest Quarter of Section 23;

Thence South 1 degree 02 minutes 50 seconds East, along the West line of said Southwest Quarter of the Northwest Quarter of Section 23, a distance of 493.74 feet to a point which is 825 feet North of the Southwest corner of said Southwest Quarter of the Northwest Quarter of Section 23;

Thence South 89 degrees 37 minutes East and parallel to the South line of said Southwest Quarter of the Northwest Quarter of Section 23, a distance of 485 feet to a point;

Thence South 1 degree 02 minutes 50 seconds East, a distance of 300 feet to a point;

Thence South 89 degrees 37 minutes East, a distance of 491.82 feet to a point;

Thence North 0 degrees 59 minutes West, a distance of 134.18 feet to a point;

Thence South 89 degrees 36 minutes 30 seconds East, a distance of 322.5 feet to a point on the East line of the Southwest Quarter of the Northwest Quarter of Section 23;

Thence North 0 degrees 59 minutes West, a distance of 659.13 feet to the Northeast corner of said Southwest Quarter of the Northwest Quarter of Section 23;

Thence North 59 degrees 35 minutes 50 seconds West, a distance of 1300.21 feet to the Point of Beginning.

EXCEPT the West 75 feet thereof.

(portion of JV Arb 270)

Parcel 2

The North 134.4 feet of the South Half of the East 322.5 feet of the Southwest Quarter of the Northwest Quarter of Section 23, Township 13 South, Range 13 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

EXCEPT any portion lying within Lake Drive as set forth on the plat of Vista Del Lago, a subdivision of record in Book 9 of Maps and Plats at page 113.

(Portion of JV Arb 270)

Parcel 3

The North 350 feet of the South 970 feet of the Southeast Quarter of the Northwest Quarter of Section 23, Township 13 South, Range 13 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

EXCEPT the East 500.7 feet thereof as described in Deed recorded in Book 53 of Deeds at page 394.

TOGETHER WITH an easement for ingress and egress over and across the South 20 feet of that certain parcel of land described in Contract for Sale of Real Estate recorded in Book 98 of Miscellaneous Records at page 107.

TOGETHER WITH an easement for ingress and egress over the East 20 feet of the South 99 feet of that certain parcel of land described in Contract for Sale of Real Estate recorded in Book 98 of Miscellaneous Records at page 205.

(JV Arb 266 & 269)

Parcel 4

That portion of the Southeast Quarter of the Northwest Quarter of Section 23, Township 13 South, Range 13 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

Beginning at a point on the West boundary line of said Southeast Quarter of the Northwest Quarter, distance 970 feet Northerly from the South line thereof;

Thence Easterly and parallel with the South line of said Northeast Quarter, a distance of 522.5 feet, more or less, to a point which is distance 797.5 feet from the East line of said Northwest Quarter of Section 23, said point being the Southwest corner of that property described in Contract for Sale of Real Estate recorded in Docket 1452 at page 108;

Thence Northerly, parallel to the East line of said Northwest Quarter, a distance of 350 feet, more or less, to the Northwest corner of that property described in Docket 1452 at page 108, said point being on the North line of the Southeast Quarter of the Northwest Quarter;

Thence Westerly, along said North line of the Southeast Quarter of the Northwest Quarter to a point on the West line of said Southeast Quarter of the Northwest Quarter, said point being distance 1,320 feet Northerly from the South line thereof;

Thence Southerly along the West line of said Southeast Quarter of the Northwest Quarter, a distance of 350 feet to the Point of Beginning;

WEST

TOGETHER WITH an easement for ingress and egress over, upon and across the South 171.05 feet of the 1/20 feet of the Northeast Quarter of the Northwest Quarter of said Section 23.

(JV Arb 253)

Parcel 5

That part of the Southeast Quarter of the Northwest Quarter of Section 23, Township 13 South, Range 13 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

Beginning at a point on the north/south quarter section line, 30 feet west of a point on the West line of Lot 9 of Haynes' Rillito Park subdivision (of record in Book 3 of Maps and Plats at page 17), which last named point is 42 feet South of the Northwest corner of said Lot 9;

Thence North along said quarter section line, 435 feet to a point;

Thence at right angles, West 500.7 feet to a point;

Thence at right angles South 435 feet to a point;

Thence at right angles East 500.87 feet to the Point of Beginning.

(JV Arb 4)