

VALLEY DIVISION
YUMA PROJECT
YUMA COUNTY, ARIZONA

CONTRACT AND GRANT OF EASEMENT

THIS CONTRACT, made this _____ day of _____, 20____, pursuant to Section 14 of the Reclamation Project Act of August 4, 1939 (53 Stat. 197), the Act of Congress approved June 17, 1902 (32 Stat. 388), and Acts Amendatory thereof or supplementary thereto, between Yuma County Water Users' Association, a corporation, hereinafter referred to as the "ASSOCIATION," operating and maintaining the Valley Division of the Yuma Reclamation Project in Yuma County, Arizona, under contract with the United States of America, hereinafter referred to as the "UNITED STATES," and CITY OF YUMA , hereinafter referred to as "GRANTOR,"

WITNESSETH:

The following grants and mutual covenants, by and between the parties:

1. For the consideration hereinafter expressed, Grantor hereby grants to the Association, its successors and assigns, the right, privilege and easement to construct, reconstruct, operate and maintain the USBR THACKER LATERAL, with all necessary fixtures, structures and devices used or useful in the operation thereof through, over and across the following described land situated in the Gila and Salt River Meridian, County of Yuma, State of Arizona, to wit:

That portion of Section 6, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, more particularly described as follows:

Beginning at the West quarter corner of said Section 6;

Thence North 89°43'30" East along the North line of the Southwest quarter of said Section 6 a distance of 200.00 feet to the TRUE POINT OF BEGINNING;

Thence North 89°43'30" East continuing along the North line of the Southwest quarter of said Section 6 a distance of 100.00 feet;

Thence South 00°16'30" East a distance of 40.00 feet;

Thence North 89°43'30" East parallel with and 40.00 feet southerly of the North line of the Southwest quarter of said Section 6 a distance of 2323.90 feet to a point on the East line of the Southwest quarter of said Section 6;

Thence South 00°33'19" East along the East line of the Southwest quarter of said Section 6 a distance of 20.00 feet to a point on the southerly Right-of-Way line of 28th Street;

Thence South 89°43'30" West parallel with and 60.00 feet southerly of the North line of the Southwest quarter of said Section 6 and along the southerly Right-of-Way line of 28th Street a distance of 2424.00 feet;

Thence North 00°16'30" West a distance of 60.00 feet to a point on the North line of the Southwest quarter of said Section 6 and the TRUE POINT OF BEGINNING;

Containing 52,479 square feet, more or less.

This grant of easement shall include a right of way and easement to construct, operate, and maintain on said lands whatever structures, works and appurtenances may, in the discretion of the Association operating such facilities, be required for such purposes. The Association shall use due care in the construction and maintenance of said structures, works and appurtenances.

2. In case of permanent abandonment of said right-of-way, the title and interest herein granted shall end, cease and terminate.

3. The grant of easement herein contained is subject to existing rights of way for highways, roads, railroads, canals, laterals, ditches, pipelines, electrical transmission lines, and telephone and telegraph lines covering any part of the above-described land.

4. Grantor will obtain the written approval of the Association prior to granting any additional right-of-way over, across, or otherwise affecting the rights granted to Association in this Contract.

5. In complete consideration for the above grant of easement, the Association, agrees to pay the Grantor the sum of One Dollars (\$ 1.00).

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

**GRANTOR
CITY OF YUMA**

**YUMA COUNTY WATER USERS'
ASSOCIATION**

s/ _____

s/ _____

By: John D. Simonton
Title: City Administrator

By: Tom W. Davis
Title: Manager

ACKNOWLEDGMENT

State of Arizona)
)ss.
County of Yuma)

On this _____ day of _____, 20____, before me, _____,
Notary Public in and for said County and State personally appeared Tom W. Davis,
Manager, of Yuma County Water Users' Association, known to me to be the person
described in the foregoing instrument, and acknowledged to me that he executed the
same on behalf of Yuma County Water Users' Association in the capacity therein stated and
for the purposes therein contained.

Notary Public in and for said
County and State

My Commission Expires: _____

ACKNOWLEDGMENT

State of Arizona)
)ss.
County of Yuma)

On this ____ day of _____, 20____, before me, _____,
a Notary Public in and for said County and State personally appeared **John D. Simonton,**
City Administrator, of **City of Yuma,** **known** to me to be the person described in the
foregoing instrument, and acknowledged to me that **he** executed the same on behalf
of **City of Yuma** in the capacity therein stated and for the purposes therein contained.

Notary Public in and for said
County and State

My Commission Expires:_____