

16

JAN 26 2012



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM

Real Estate - Council Memo No. RE12-104

DATE: JANUARY 26, 2012

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
PAT MCDERMOTT, ASSISTANT CITY MANAGER *PM*
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJ*
SHEINA HUGHES, CITY ENGINEER *SH*

FROM: ERICH KUNTZE, REAL ESTATE COORDINATOR *EK*

SUBJECT: RESOLUTION NO. 4572 AUTHORIZING AND APPROVING THE RELEASE AND EXTINGUISHMENT OF SEVERAL PUBLIC UTILITY EASEMENTS LOCATED ON THE EAST SIDE OF GILBERT ROAD BETWEEN MARKWOOD DRIVE ON THE NORTH AND OCOTILLO ROAD ON THE SOUTH, IN CHANDLER, ARIZONA.

RECOMMENDATION: Staff recommends that Council pass and adopt Resolution No. 4572 authorizing and approving the release and extinguishment of several Public Utility Easements located on the east side of Gilbert Road between Markwood Drive on the north and Ocotillo Road on the south, in Chandler, Arizona.

BACKGROUND/DISCUSSION: Several Public Utility Easements (PUE's) were recently recorded along the east side of Gilbert Road as part of the Gilbert Road Improvement Project from Queen Creek Road to Ocotillo Road. These PUE's were recorded prematurely and need to be released and extinguished so that several power easements to Salt River Project (SRP) can be recorded first pursuant to a prior agreement with SRP. After the SRP easements are recorded the City will record new PUE's to replace the ones that are the subject of this Resolution.

FINANCIAL IMPLICATIONS:

Cost: N/A
Savings: N/A
Long Term Costs: N/A

Resolution No. 4572

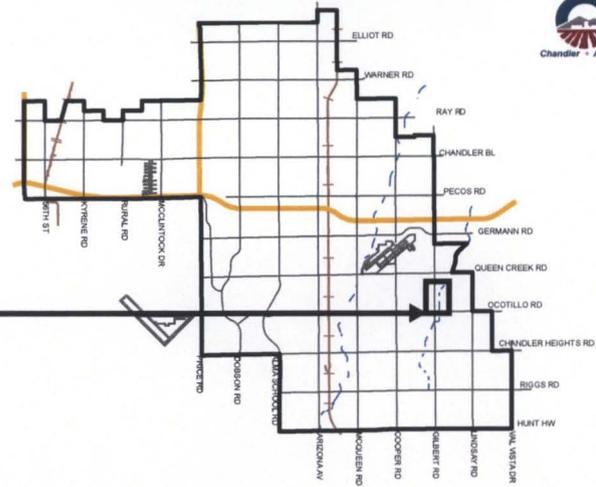
January 26, 2012

Page Two.

PROPOSED MOTION: Move that Council pass and adopt Resolution No. 4572 authorizing and approving the release and extinguishment of several Public Utility Easements located on the east side of Gilbert Road between Markwood Drive on the north and Ocotillo Road on the south, in Chandler, Arizona.

Attachments: Location Map
 Resolution No. 4572

RELEASE AND EXTINGUISH PUBLIC UTILITY EASEMENTS ALONG THE EAST SIDE OF GILBERT RD FROM MARKWOOD DR TO OCOTILLO RD



MEMO NO. RE12-104

 PUBLIC UTILITY EASEMENTS



RESOLUTION NO. 4572

A RESOLUTION OF THE COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING THE RELEASE AND EXTINGUISHMENT OF SEVERAL PUBLIC UTILITY EASEMENTS LOCATED ON THE EAST SIDE OF GILBERT ROAD BETWEEN MARKWOOD DRIVE ON THE NORTH AND OCOTILLO ROAD ON THE SOUTH, IN CHANDLER, ARIZONA.

WHEREAS, the City of Chandler recently recorded several Public Utility Easements along the East side of Gilbert Road between Markwood Drive on the North and Ocotillo Road on the South ; and

WHEREAS, these Public Utility Easements were recorded prematurely; and

WHEREAS, it was agreed to record several power easements to Salt River Project (SRP) to accommodate the improvement of Gilbert Road from Queen Creek Road to Ocotillo Road prior to recording the said PUE's; and

WHEREAS, after the Salt River Project Easements are recorded the PUE's that are being released and extinguished by this Resolution will be re-recorded;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. That the City of Chandler is authorized to release and extinguish the public utility easements upon the property described in the attached Exhibit "A".

Section 2. That said release and extinguishment of the public utility easements shall be in the form as approved by the City Attorney.

Section 3. That the Mayor of the City of Chandler is authorized to execute and deliver all documents necessary to effect the release and extinguishment of the above described public utility easements.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this
_____ day of _____, 2012.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4572 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2012, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

GAB

When recorded, mail to
City Clerk's Office
City of Chandler
Mail Stop 606
P.O. Box 4008
Chandler, AZ. 85244-4008

RELEASE OF EASEMENT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, CITY OF CHANDLER, an Arizona municipal corporation ("City"), does hereby release and extinguish any and all interest that it may have in that certain real property described in Exhibit "A" to those certain Public Utility Easements recorded with the Maricopa County Recorder on December 30, 2011, as Instrument Nos. 2011-1075562, 2011-1075613, 2011-1075280 and on January 5, 2012, as Instrument No. 2012-0006895 attached hereto and made a part hereof, arising by virtue of the execution and recording of said easement. This Release of Easement is not intended to release any interest that City may have in any portion of the subject real property arising by virtue of any other instrument recorded with the Maricopa County Recorder, including without limitation, any deed or easements other than the aforementioned easements.

Dated this ____ day of _____, 2012.

CITY OF CHANDLER, an Arizona municipal corporation

By: _____
Its: _____

STATE OF ARIZONA)
) ss.
County of Maricopa)

On this, the ____ day of _____, 2012, before me, the undersigned, a Notary Public, personally appeared _____, who acknowledged himself/herself to be the _____ of the City of Chandler, an Arizona municipal corporation, and that he/she as such officer of the municipal corporation being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the municipal corporation as such officer.

Notary Public

APPROVED AS TO FORM:

City Attorney 

Lennar001dPUs-9-1-1--
chagollaj

When recorded, mail to:
City Clerk
City of Chandler
Mail Stop 606
P.O. Box 4008
Chandler, AZ 85244-4008
SW1/4 Sec. 18, T 2 South, Range 6 East
APN: 304-73-001D
ek 11/11

This document is exempt from Affidavit and Fee requirements pursuant to A.R.S.
§11-1134.A.2.

**PUBLIC UTILITIES EASEMENT
(PUE-South)**

For and in consideration of the sum of Ten and no/100 dollars (\$10.00) and other
good and valuable consideration, the receipt of which is hereby acknowledged,

Lennar Layton L.L.C., a Delaware limited liability company

("Grantor"), do/does hereby grant and convey unto the CITY OF CHANDLER, an
Arizona municipal corporation ("Grantee"), an Easement for Public Utilities with the
right of ingress and egress for the purpose of installations, maintenance and replacement
over, under and across the real property situated in Maricopa County, Arizona and
described in **Exhibit A** (Legal Description) and depicted in **Exhibit B** (Drawing),
attached hereto and made a part hereof (the "Property").

Dated this 19th day of DECEMBER, 2011.

GRANTOR: Lennar Layton L.L.C.,
a Delaware limited liability company

By: Lennar Communities Development, INC.
a Delaware corporation, its Member

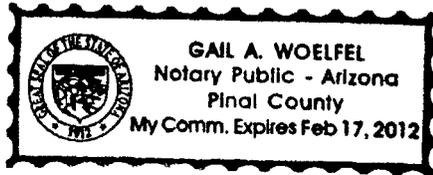
By: 
Jeff Gunderson
Its: Vice President

STATE OF ARIZONA)
)ss
COUNTY OF MARICOPA)

The foregoing EASEMENT was personally acknowledged before me this 19th day of DECEMBER, 2011, by JEFF GUNDERSON as VICE PRESIDENT for LENAR COMMUNITIES DEVELOPMENT., a DELAWARE CORPORATION, who, being authorized to do so for the corporation, executed the foregoing instrument for the purposes therein contained.

Gail A. Woelfel
Notary Public

My Commission Expires:
Feb. 17, 2012



20111075280

EXHIBIT "A"

 **Entellus™**
 2255 N. 44th Street, Suite 125
 Phoenix, AZ 85008.9279
 Tel 602.244.2566
 Fax 602.244.8947
 Email: www.entellus.com

304-73-001-D SOUTH

EXHIBIT "A"

LEGAL DESCRIPTION
 FOR
 PARCEL NO. 304-73-001-D SOUTH
 GILBERT ROAD IMPROVEMENTS
 PUBLIC UTILITY EASEMENT



Those portions of a parcel of land described as Layton Lakes Phase Two, Parcel No. 1 in Document # 2008-1059878, records of MARICOPA COUNTY, ARIZONA located in the SOUTHWEST QUARTER of SECTION 18, TOWNSHIP 2 SOUTH, RANGE 6 EAST of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the WEST QUARTER CORNER of SAID SECTION 18, being monumented with a Brass Cap flush, from which the NORTHWEST CORNER OF SAID SECTION 18, being monumented with a Brass Cap in handhole, bears North 00 degrees 18 minutes 57 seconds West a distance of 2648.72 feet, said line being the West line of the Northwest Quarter of said Section 18 and the basis of bearings for this description;

Thence along the West line of said Southwest Quarter, South 00 degrees 15 minutes 51 seconds East a distance of 1521.27 feet to a point;

Thence North 89 degrees 44 minutes 09 seconds East a distance of 91.00 feet to a point on a line parallel with and 91.00 feet easterly, measured at right angles, from said West line of the Southwest Quarter of Section 18, said point being the POINT OF BEGINNING;

Thence along said parallel line, South 00 degrees 15 minutes 51 seconds East a distance of 11.31 feet;

Thence South 44 degrees 44 minutes 08 seconds West a distance of 16.97 feet to a point on a line parallel with and 79.00 feet easterly, measured at right angles, from said West line of the Southwest Quarter of Section 18;

Thence along last-mentioned parallel line, South 00 degrees 15 minutes 51 seconds East a distance of 307.19 feet;

Thence South 89 degrees 44 minutes 09 seconds West a distance of 6.00 feet to a point on a line parallel with and 73.00 feet easterly, measured at right angles, from said West line of the Southwest Quarter of Section 18;

Thence along last-mentioned parallel line, South 00 degrees 15 minutes 51 seconds East a distance of 524.28 feet;

Thence North 89 degrees 44 minutes 09 seconds East a distance of 10.00 feet to a point on a line parallel with and 83.00 feet easterly, measured at right angles, from said West line of the Southwest Quarter of Section 18;

Thence along last-mentioned parallel line, South 00 degrees 15 minutes 51 seconds East a distance of 180.14 feet;

10-10-11



Thence South 45 degrees 46 minutes 19 seconds East a distance of 28.26 feet to a point on a line parallel with and 73.00 feet northerly, measured at right angles, from the South line of said Southwest Quarter of Section 18;

Thence along last-mentioned parallel line, North 88 degrees 43 minutes 11 seconds East a distance of 273.05 feet;

Thence North 46 degrees 08 minutes 07 seconds East a distance of 9.16 feet;

Thence North 87 degrees 59 minutes 21 seconds East a distance of 11.99 feet;

Thence South 46 degrees 08 minutes 07 seconds West a distance of 21.21 feet to a point on the existing North Right of Way of Ocotillo Road;

Thence along said existing North Right of Way of Ocotillo Road, South 88 degrees 43 minutes 11 seconds West a distance of 279.52 feet;

Thence North 45 degrees 46 minutes 19 seconds West a distance of 34.97 feet to a point on the existing East Right of Way of Gilbert Road;

Thence along said existing East Right of Way of Gilbert Road, North 00 degrees 15 minutes 51 seconds West a distance of 175.49 feet to an angle point therein;

Thence South 89 degrees 44 minutes 09 seconds West a distance of 10.00 feet to an angle point in said existing East Right of Way of Gilbert Road;

Thence continuing along said existing East Right of Way of Gilbert Road, North 00 degrees 15 minutes 51 seconds West a distance of 540.28 feet to an angle point therein;

Thence North 89 degrees 44 minutes 09 seconds East a distance of 6.00 feet to an angle point therein;

Thence continuing along said existing East Right of Way of Gilbert Road, North 00 degrees 15 minutes 51 seconds West a distance of 302.50 feet;

Thence North 44 degrees 44 minutes 08 seconds East a distance of 28.28 feet to the POINT OF BEGINNING.

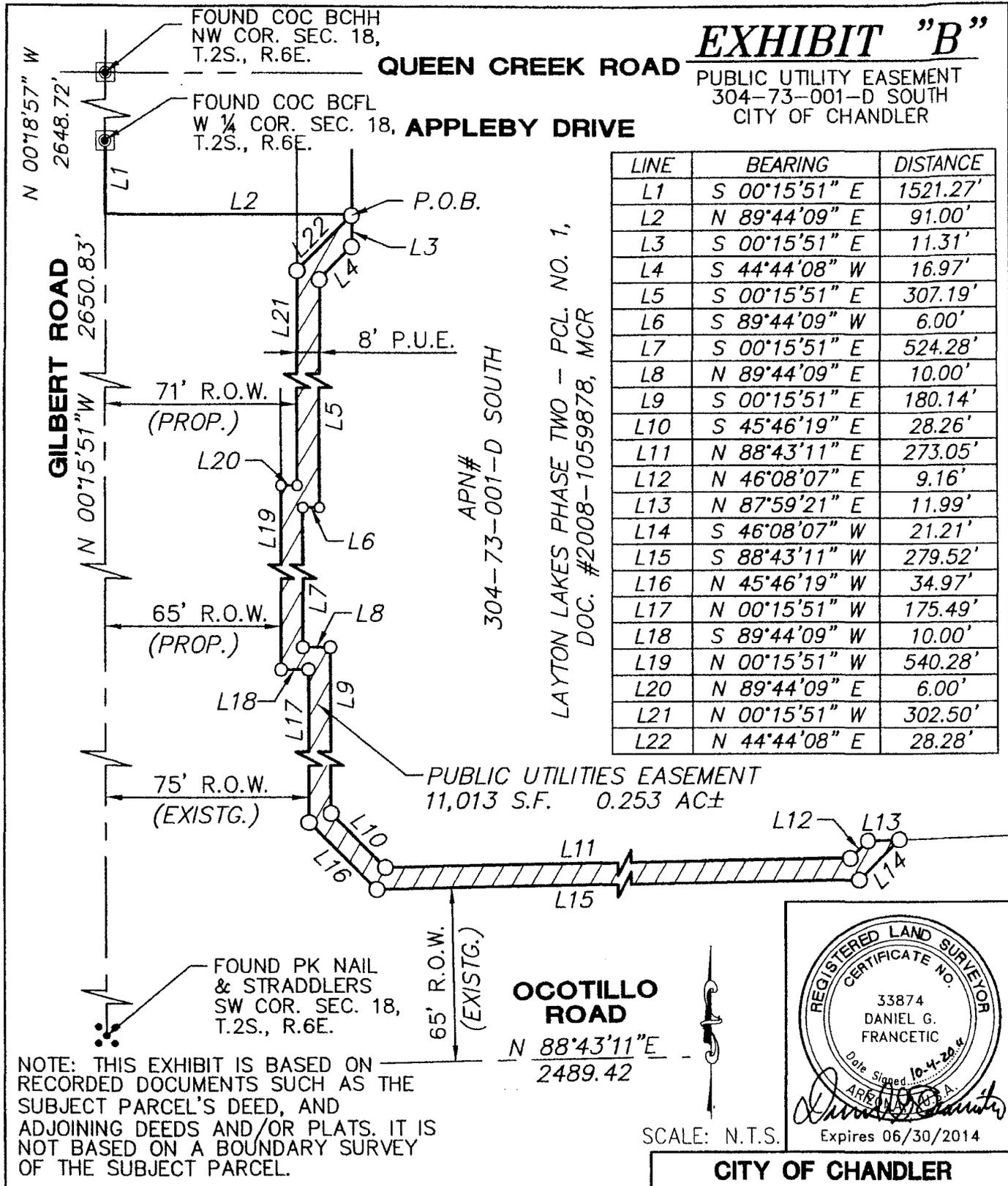
Containing an area of 11,013 SQUARE FEET or 0.253 ACRES, more or less.

See Exhibit "B"

Note: The legal description above is based on recorded documents such as the subject parcel's deed, adjacent parcel deeds and/or plats. It is not based on a boundary survey of the subject parcel.

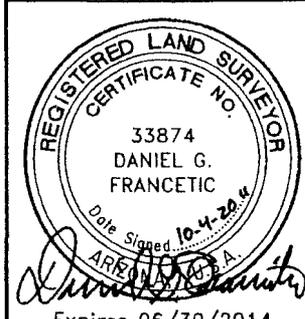
EXHIBIT "B"

PUBLIC UTILITY EASEMENT
304-73-001-D SOUTH
CITY OF CHANDLER



LINE	BEARING	DISTANCE
L1	S 00°15'51" E	1521.27'
L2	N 89°44'09" E	91.00'
L3	S 00°15'51" E	11.31'
L4	S 44°44'08" W	16.97'
L5	S 00°15'51" E	307.19'
L6	S 89°44'09" W	6.00'
L7	S 00°15'51" E	524.28'
L8	N 89°44'09" E	10.00'
L9	S 00°15'51" E	180.14'
L10	S 45°46'19" E	28.26'
L11	N 88°43'11" E	273.05'
L12	N 46°08'07" E	9.16'
L13	N 87°59'21" E	11.99'
L14	S 46°08'07" W	21.21'
L15	S 88°43'11" W	279.52'
L16	N 45°46'19" W	34.97'
L17	N 00°15'51" W	175.49'
L18	S 89°44'09" W	10.00'
L19	N 00°15'51" W	540.28'
L20	N 89°44'09" E	6.00'
L21	N 00°15'51" W	302.50'
L22	N 44°44'08" E	28.28'

NOTE: THIS EXHIBIT IS BASED ON RECORDED DOCUMENTS SUCH AS THE SUBJECT PARCEL'S DEED, AND ADJOINING DEEDS AND/OR PLATS. IT IS NOT BASED ON A BOUNDARY SURVEY OF THE SUBJECT PARCEL.



SCALE: N.T.S.

LEGEND

PROPOSED PUBLIC UTILITY EASEMENT

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 18 BEARING N 00°18'57" W

2255 N. 44th Street Suite 125
Phoenix, AZ 85008.3279
Tel 602.244.2566
Fax 602.244.8947
Website: www.Entellus.com

CITY OF CHANDLER	
GILBERT ROAD	
SECTION 18, T.2S., R.6E.	
PROPOSED PUBLIC UTILITY EASEMENT	
DATE: 7/2/09	REV'D: 9/22/11
DRAWN BY: JD/CHK'D: DGF	PG: 3 OF 3
FILE: 304-73-001-D SOUTH.DWG	

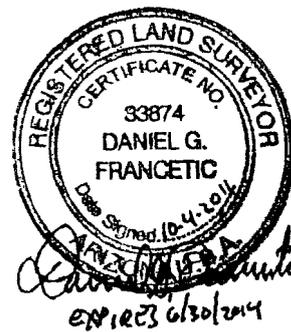
20111075280

615055A GILBERT ROAD
304-73-001D PUE "SOUTH"
Polyline Report

Thu Sep 22 09:52:58 20

Northing	Easting	Bearing	Distance
819150.345	739082.498	S 00°15'51" E 11.314	
819139.031	739082.550	S 44°44'08" W 16.969	
819126.977	739070.607	S 00°15'51" E 307.186	
818819.794	739072.023	S 89°44'09" W 6.000	
818819.767	739066.024	S 00°15'51" E 524.284	
818295.488	739068.442	N 89°44'09" E 10.000	
818295.535	739078.442	S 00°15'51" E 180.138	
818115.398	739079.273	S 45°46'19" E 28.258	
818095.688	739099.521	N 88°43'11" E 273.046	
818101.789	739372.499	N 46°08'07" E 9.161	
818108.137	739379.104	N 87°59'21" E 11.990	
818108.557	739391.087	S 46°08'07" W 21.209	
818093.860	739375.795	S 88°43'11" W 279.519	
818087.615	739096.346	N 45°46'19" W 34.969	
818112.006	739071.288	N 00°15'51" W 175.494	
818287.498	739070.479	S 89°44'09" W 10.000	
818287.452	739060.479	N 00°15'51" W 540.284	
818827.730	739057.987	N 89°44'09" E 6.000	
818827.757	739063.987	N 00°15'51" W 302.499	
819130.253	739062.591	N 44°44'08" E 28.283	
819150.345	739082.498		

Closure Error Distance > 0.00000
Total Distance > 2776.602
Polyline Area: 11013.2 sq ft, 0.2528 acres



LENDER RATIFICATION AND CONSENT

The undersigned lender which is the beneficiary under that certain Construction Deed of Trust, Assignment of Leases and Rents and Security Agreement (Including Fixture Filing), dated as of October 16, 2006, and recorded on October 17, 2006, as Instrument No. 2006-1369045 in the office of the County Recorder of Maricopa County, Arizona, as a first lien on the property described therein, as amended (and as further amended or otherwise modified from time to time, the "**Deed of Trust**"), for and on behalf of itself and its successors and assigns, hereby ratifies, confirms, consents to, and approves the foregoing Public Utilities Easement (PUE South) (the "**Easement**") and agrees that in the event the beneficiary under the Deed of Trust, its successors or assigns, exercises the power of sale under the Deed of Trust or otherwise forecloses the lien evidenced by the Deed of Trust the Easement shall continue in full force and effect.

Dated as of: 12-20, 2011.

ARMED FORCES BANK, a national banking association, as successor by merger to Bank Midwest, N.A.

By: 
Its: 

STATE OF MISSOURI)
) ss:
 County of Jackson)

On Dec 20, 2011, before me, Tracy R. Dyer,
 the undersigned Notary Public, personally appeared John R Price
 _____, personally known to me (or proved to me on the basis of
 satisfactory evidence) 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 upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

Tracy R Dyer

TRACY R. DYER
 Notary Public-Notary Seal
 (Seal) STATE OF MISSOURI
 Platte County
 My Commission Expires Aug 2, 2015
 Commission # 11846540

A.R.S. § 41-313(C) DISCLOSURES

Description of document this notarial certificate is being attached to:	
Type/Title	PUBLIC UTILITIES EASEMENT (PUE SOUTH)
Date of Document	
Number of Pages	Nine Pages including a Two-Page Lender Ratification and Consent Form
Add'l Signers (other than those named in the notarial certificate.)	LENNAR LAYTON, LLC, a Delaware limited liability company

Lennar001dPUn-9-1-1--
ramirezp

When recorded, mail to:
City Clerk
City of Chandler
Mail Stop 606
P.O. Box 4008
Chandler, AZ 85244-4008
SW1/4 Sec. 18, T 2 South, Range 6 East
APN: 304-73-001D
ek 11/11

This document is exempt from Affidavit and Fee requirements pursuant to A.R.S.
§11-1134.A.2.

**PUBLIC UTILITIES EASEMENT
(PUE-South)**

For and in consideration of the sum of Ten and no/100 dollars (\$10.00) and other
good and valuable consideration, the receipt of which is hereby acknowledged,

Lennar Layton L.L.C., a Delaware limited liability company

("Grantor"), do/does hereby grant and convey unto the CITY OF CHANDLER, an
Arizona municipal corporation ("Grantee"), an Easement for Public Utilities with the
right of ingress and egress for the purpose of installations, maintenance and replacement
over, under and across the real property situated in Maricopa County, Arizona and
described in **Exhibit A** (Legal Description) and depicted in **Exhibit B** (Drawing),
attached hereto and made a part hereof (the "Property").

Dated this 19th day of DECEMBER, 2011.

GRANTOR: Lennar Layton L.L.C.,
a Delaware limited liability company

By: Lennar Communities Development, INC.
a Delaware corporation, its Member

By: _____


Jeff Gunderson

Its: _____

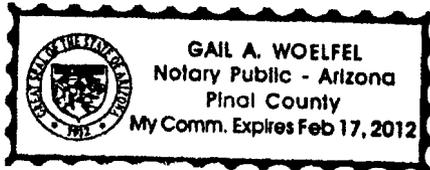
Vice President

STATE OF ARIZONA)
)ss
COUNTY OF MARICOPA)

The foregoing EASEMENT was personally acknowledged before me this 19th day of
DECEMBER, 2011, by JEFF GUNDERSON as VICE PRESIDENT
for LENNAR COMMUNITIES DEVELOPMENT, a
DELAWARE CORPORATION, who, being authorized to do so for
the corporation, executed the foregoing instrument for the purposes therein contained.

Gail A. Woelfel
Notary Public

My Commission Expires:
Feb. 17, 2012



20111075562

EXHIBIT "A"

Entellus™
2255 N. 44th Street Suite 125
Phoenix, AZ 85008.9279
Tel 602.244.2566
Fax 602.244.8947
Email: www.entellus.com

304-73-001-D SOUTH

EXHIBIT "A"

**LEGAL DESCRIPTION
FOR
PARCEL NO. 304-73-001-D SOUTH
GILBERT ROAD IMPROVEMENTS
PUBLIC UTILITY EASEMENT**



Those portions of a parcel of land described as Layton Lakes Phase Two, Parcel No. 1 in Document # 2008-1059878, records of MARICOPA COUNTY, ARIZONA located in the SOUTHWEST QUARTER of SECTION 18, TOWNSHIP 2 SOUTH, RANGE 6 EAST of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the WEST QUARTER CORNER of SAID SECTION 18, being monumented with a Brass Cap flush, from which the NORTHWEST CORNER OF SAID SECTION 18, being monumented with a Brass Cap in handhole, bears North 00 degrees 18 minutes 57 seconds West a distance of 2648.72 feet, said line being the West line of the Northwest Quarter of said Section 18 and the basis of bearings for this description;

Thence along the West line of said Southwest Quarter, South 00 degrees 15 minutes 51 seconds East a distance of 1521.27 feet to a point;

Thence North 89 degrees 44 minutes 09 seconds East a distance of 91.00 feet to a point on a line parallel with and 91.00 feet easterly, measured at right angles, from said West line of the Southwest Quarter of Section 18, said point being the POINT OF BEGINNING;

Thence along said parallel line, South 00 degrees 15 minutes 51 seconds East a distance of 11.31 feet;

Thence South 44 degrees 44 minutes 08 seconds West a distance of 16.97 feet to a point on a line parallel with and 79.00 feet easterly, measured at right angles, from said West line of the Southwest Quarter of Section 18;

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Thence along last-mentioned parallel line, South 00 degrees 15 minutes 51 seconds East a distance of 180.14 feet;

10/10/11



Thence South 45 degrees 46 minutes 19 seconds East a distance of 28.26 feet to a point on a line parallel with and 73.00 feet northerly, measured at right angles, from the South line of said Southwest Quarter of Section 18;

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Thence North 87 degrees 59 minutes 21 seconds East a distance of 11.99 feet;

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Thence along said existing North Right of Way of Ocotillo Road, South 88 degrees 43 minutes 11 seconds West a distance of 279.52 feet;

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Thence along said existing East Right of Way of Gilbert Road, North 00 degrees 15 minutes 51 seconds West a distance of 175.49 feet to an angle point therein;

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Thence continuing along said existing East Right of Way of Gilbert Road, North 00 degrees 15 minutes 51 seconds West a distance of 540.28 feet to an angle point therein;

Thence North 89 degrees 44 minutes 09 seconds East a distance of 6.00 feet to an angle point therein;

Thence continuing along said existing East Right of Way of Gilbert Road, North 00 degrees 15 minutes 51 seconds West a distance of 302.50 feet;

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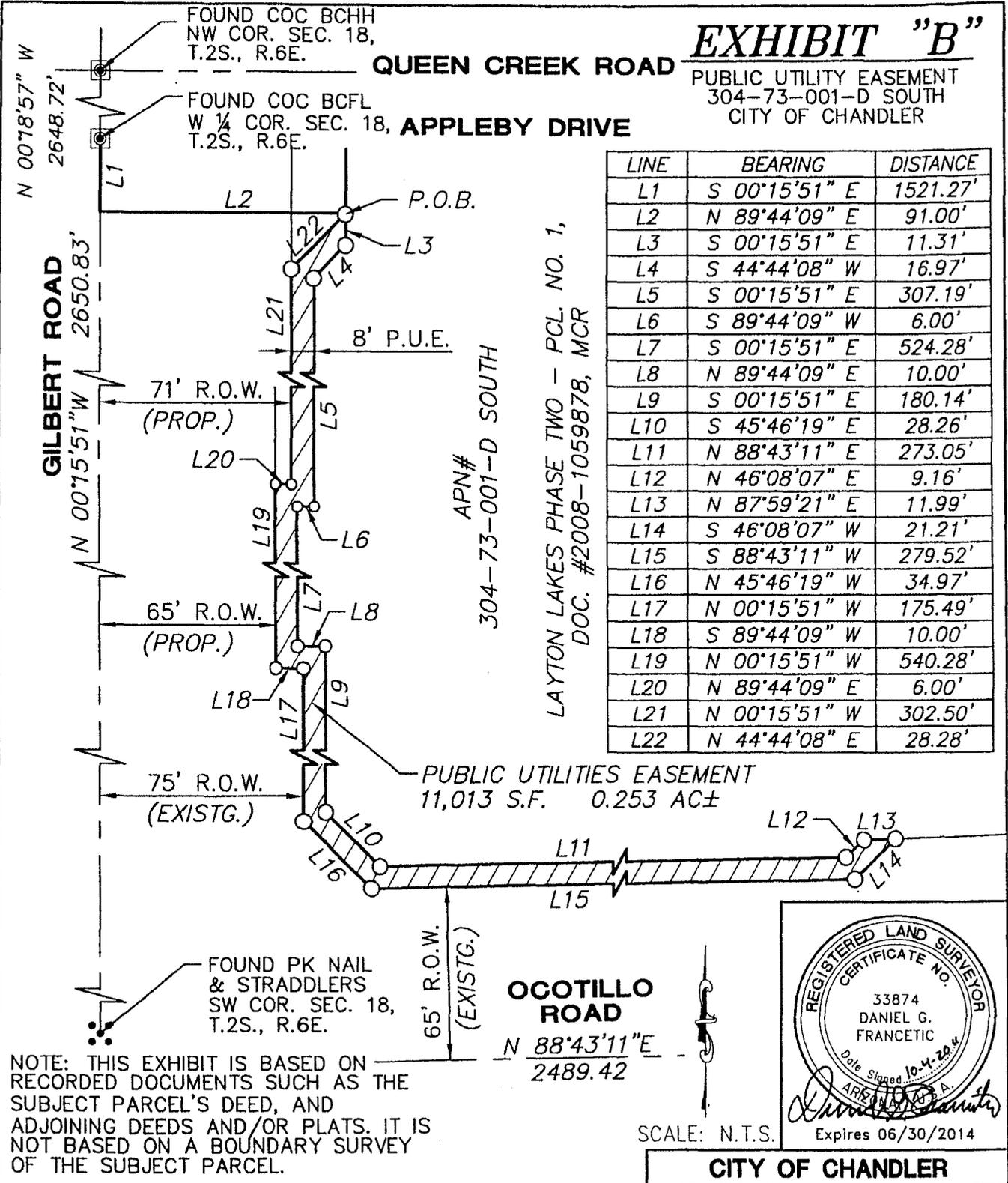
Containing an area of 11,013 SQUARE FEET or 0.253 ACRES, more or less.

See Exhibit "B"

Note: The legal description above is based on recorded documents such as the subject parcel's deed, adjacent parcel deeds and/or plats. It is not based on a boundary survey of the subject parcel.

EXHIBIT "B"

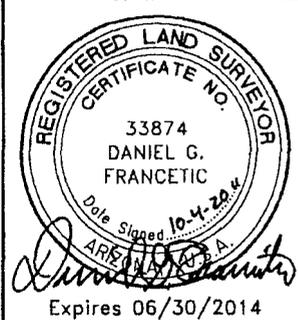
PUBLIC UTILITY EASEMENT
304-73-001-D SOUTH
CITY OF CHANDLER



LINE	BEARING	DISTANCE
L1	S 00°15'51" E	1521.27'
L2	N 89°44'09" E	91.00'
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APN# 304-73-001-D SOUTH
LAYTON LAKES PHASE TWO - PCL. NO. 1,
DOC. #2008-1059878, MCR

PUBLIC UTILITIES EASEMENT
11,013 S.F. 0.253 AC±



NOTE: THIS EXHIBIT IS BASED ON RECORDED DOCUMENTS SUCH AS THE SUBJECT PARCEL'S DEED, AND ADJOINING DEEDS AND/OR PLATS. IT IS NOT BASED ON A BOUNDARY SURVEY OF THE SUBJECT PARCEL.

SCALE: N.T.S.

LEGEND
 PROPOSED PUBLIC UTILITY EASEMENT
BASIS OF BEARING
 THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 18 BEARING N 00°18'57" W

Entellus
 2255 N. 44th Street Suite 125
 Phoenix, AZ 85008.3279
 Tel 602.244.2566
 Fax 602.244.8947
 Website: www.Entellus.com

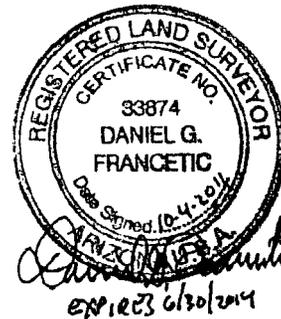
CITY OF CHANDLER	
GILBERT ROAD	
SECTION 18, T.2S., R.6E.	
PROPOSED PUBLIC UTILITY EASEMENT	
DATE: 7/2/09	REV'D: 9/22/11
DRAWN BY: JD	CHK'D: DGF
PG: 3 OF 3	
FILE: 304-73-001-D SOUTH.DWG	

615055A GILBERT ROAD
 304-73-001D PUE "SOUTH"
 Polyline Report

Thu Sep 22 09:52:58 20

Northing	Easting	Bearing	Distance
819150.345	739082.498		
		S 00°15'51" E	11.314
819139.031	739082.550		
		S 44°44'08" W	16.969
819126.977	739070.607		
		S 00°15'51" E	307.186
818819.794	739072.023		
		S 89°44'09" W	6.000
818819.767	739066.024		
		S 00°15'51" E	524.284
818295.488	739068.442		
		N 89°44'09" E	10.000
818295.535	739078.442		
		S 00°15'51" E	180.138
818115.398	739079.273		
		S 45°46'19" E	28.258
818095.688	739099.521		
		N 88°43'11" E	273.046
818101.789	739372.499		
		N 46°08'07" E	9.161
818108.137	739379.104		
		N 87°59'21" E	11.990
818108.557	739391.087		
		S 46°08'07" W	21.209
818093.860	739375.795		
		S 88°43'11" W	279.519
818087.615	739096.346		
		N 45°46'19" W	34.969
818112.006	739071.288		
		N 00°15'51" W	175.494
818287.498	739070.479		
		S 89°44'09" W	10.000
818287.452	739060.479		
		N 00°15'51" W	540.284
818827.730	739057.987		
		N 89°44'09" E	6.000
818827.757	739063.987		
		N 00°15'51" W	302.499
819130.253	739062.591		
		N 44°44'08" E	28.283
819150.345	739082.498		

Closure Error Distance > 0.00000
 Total Distance > 2776.602
 Polyline Area: 11013.2 sq ft, 0.2528 acres



LENDER RATIFICATION AND CONSENT

The undersigned lender which is the beneficiary under that certain Construction Deed of Trust, Assignment of Leases and Rents and Security Agreement (Including Fixture Filing), dated as of October 16, 2006, and recorded on October 17, 2006, as Instrument No. 2006-1369045 in the office of the County Recorder of Maricopa County, Arizona, as a first lien on the property described therein, as amended (and as further amended or otherwise modified from time to time, the "**Deed of Trust**"), for and on behalf of itself and its successors and assigns, hereby ratifies, confirms, consents to, and approves the foregoing Public Utilities Easement (PUE South) (the "**Easement**") and agrees that in the event the beneficiary under the Deed of Trust, its successors or assigns, exercises the power of sale under the Deed of Trust or otherwise forecloses the lien evidenced by the Deed of Trust the Easement shall continue in full force and effect.

Dated as of: 12-20, 2011.

ARMED FORCES BANK, a national banking association, as successor by merger to Bank Midwest, N.A.

By: 

Its: S. P.

STATE OF MISSOURI)
) ss:
 County of Jackson)

On Dec 20, 2011, before me, Tracy R. Dyer,
 the undersigned Notary Public, personally appeared John B Price
 _____, personally known to me (or proved to me on the basis of
 satisfactory evidence) 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 upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

Tracy R Dyer

TRACY R. DYER
 Notary Public-Notary Seal
 (Seal) STATE OF MISSOURI
 Platte County
 My Commission Expires Aug 2, 2015
 Commission # 11840540

A.R.S. § 41-313(C) DISCLOSURES

Description of document this notarial certificate is being attached to:	
Type/Title	PUBLIC UTILITIES EASEMENT (PUE SOUTH)
Date of Document	
Number of Pages	Nine Pages including a Two-Page Lender Ratification and Consent Form
Add'l Signers (other than those named in the notarial certificate.)	LENNAR LAYTON, LLC, a Delaware limited liability company

Lennar012lpu-8-1-1--
mcdevittr

When recorded, mail to:
City Clerk
City of Chandler
Mail Stop 606
P.O. Box 4008
Chandler, AZ 85244-4008
NW1/4 Sec. 18, T2 South, Range 6 East
APN: 304-73-012L
ek 11/11

This document is exempt from Affidavit and Fee requirements pursuant to A.R.S.
§11-1134.A.2.

PUBLIC UTILITIES EASEMENT

For and in consideration of the sum of Ten and no/100 dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged,

Lennar Layton, LLC., a Delaware limited liability company

("Grantor"), do/does hereby grant and convey unto the CITY OF CHANDLER, an Arizona Municipal corporation ("Grantee"), an Easement for Public Utilities with the right of ingress and egress for the purpose of installations, maintenance and replacement over, under and across the real property situated in Maricopa County, Arizona and described in **Exhibit A** (Legal Description) and depicted in **Exhibit B** (Drawing), attached hereto and made a part hereof (the "Property").

Dated this 19th day of DECEMBER, 2011.

GRANTOR: Lennar Layton, LLC., a Delaware limited liability company

By: Lennar Communities Development, Inc., a Delaware corporation, its Member

By: 
Its: Jeff Gunderson
Vice President

STATE OF ARIZONA)
)ss
COUNTY OF Maricopa)

The foregoing EASEMENT was personally acknowledged before me this 19th day of

DECEMBER, 2011, by JEFF GUNDERSON as

VICE PRESIDENT for LENNAR COMMUNITIES DEV., a
DELAWARE CORPORATION, who, being authorized to do so for the corporation,
executed the foregoing instrument for the purposes therein contained.

Gail A. Woelfel
Notary Public

My Commission Expires:

Feb. 17, 2012

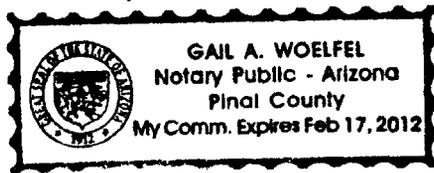


EXHIBIT "A"

EXHIBIT "A"

LEGAL DESCRIPTION
 FOR
 PARCEL NO. 304-73-012-L
 GILBERT ROAD IMPROVEMENTS
 PUBLIC UTILITY EASEMENT

That portion of a parcel of land described as Layton Lakes Phase Two, Parcel No. 3 in Document # 2008-1059878, records of MARICOPA COUNTY, ARIZONA located in the NORTHWEST QUARTER of SECTION 18, TOWNSHIP 2 SOUTH, RANGE 6 EAST of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the NORTHWEST CORNER OF SAID SECTION 18, being monumented with a Brass Cap in handhole, from which the WEST QUARTER CORNER of SAID SECTION 18, being monumented with a Brass Cap flush, bears South 00 degrees 18 minutes 57 seconds East a distance of 2648.72 feet, said line being the West line of said Northwest Quarter of Section 18 and the basis of bearings for this description;

Thence along said West line of the Northwest Quarter, South 00 degrees 18 minutes 57 seconds East a distance of 1341.57 feet to a point;

Thence North 89 degrees 41 minutes 03 seconds East a distance of 83.01 feet to a point on the South line of an 8.00 foot wide Public Utility Easement as described in Document #2011-0401592, Records of Maricopa County, said point also being the POINT OF BEGINNING;

Thence continuing along said South line, North 89 degrees 41 minutes 09 seconds East a distance of 11.31 feet to a point;

Thence South 44 degrees 41 minutes 06 seconds West a distance of 21.66 feet to a point in a line parallel with and 79.00 feet easterly, measured at right angles, from said West line of the Northwest Quarter of Section 18;

Thence along said parallel line, South 00 degrees 18 minutes 57 seconds East 309.69 feet to a point;

Thence South 89 degrees 41 minutes 03 seconds West a distance of 6.00 feet to a point in a line parallel with and 73.00 feet easterly, measured at right angles, from said West line of the Northwest Quarter of Section 18;

Thence along last-mentioned parallel line, South 00 degrees 18 minutes 57 seconds East 932.93 feet to a point;

Thence South 45 degrees 42 minutes 06 seconds East a distance of 39.54 feet to a point in a line parallel with and 20.00 feet northerly, measured at right angles, from the south line of said Northwest Quarter of Section 18;

Thence along last-mentioned parallel line, South 88 degrees 55 minutes 02 seconds West a distance of 11.24 feet to a point;


Entellus™
 2255 N. 44th Street Suite 125
 Phoenix, AZ 85008.3279
 Tel 602.244.2566
 Fax 602.244.8947
 Email: www.entellus.com

Thence North 45 degrees 42 minutes 06 seconds West a distance of 34.99 feet to a point on said existing East Right of Way of Gilbert Road;

Thence along said existing East Right of Way of Gilbert Road, North 00 degrees 18 minutes 57 seconds West a distance of 944.27 feet to a point;

Thence North 89 degrees 41 minutes 03 seconds East a distance of 6.00 feet to a point on the proposed East Right of Way of Gilbert Road;

Thence along said proposed East Right of Way of Gilbert Road, North 00 degrees 18 minutes 57 seconds West a distance of 305.00 feet to a point;

Thence North 44 degrees 41 minutes 06 seconds East a distance of 16.98 feet to the POINT OF BEGINNING.

Containing an area of 10,468 SQUARE FEET or 0.240 ACRES, more or less.

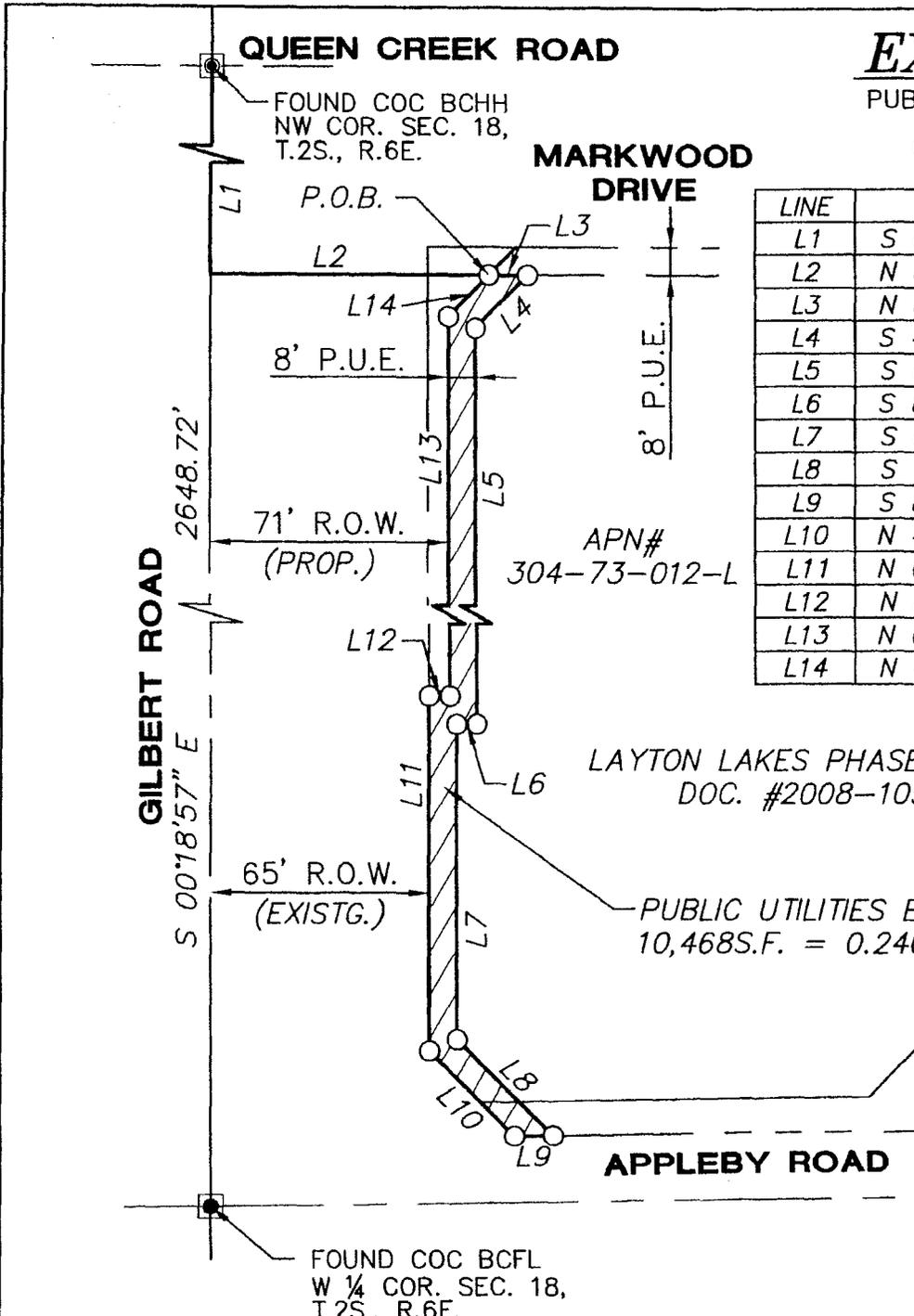
See Exhibit "B"



Note: The legal description above is based on recorded documents such as the subject parcel's deed, adjacent parcel deeds and/or plats. It is not based on a boundary survey of the subject parcel.

EXHIBIT "B"

PUBLIC UTILITY EASEMENT
304-73-012-L
CITY OF CHANDLER



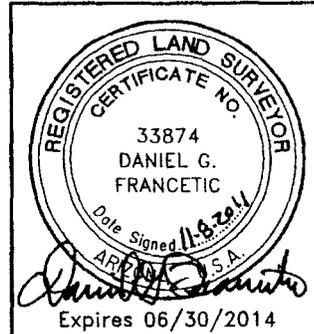
LINE	BEARING	DISTANCE
L1	S 00°18'57" E	1341.67'
L2	N 89°41'03" E	83.01'
L3	N 89°41'09" E	11.31'
L4	S 44°41'06" W	21.66'
L5	S 00°18'57" E	309.69'
L6	S 89°41'03" W	6.00'
L7	S 00°18'57" E	932.93'
L8	S 45°42'06" E	39.54'
L9	S 88°55'02" W	11.24'
L10	N 45°42'06" W	34.99'
L11	N 00°18'57" W	944.27'
L12	N 89°41'03" E	6.00'
L13	N 00°18'57" W	305.00'
L14	N 44°41'06" E	16.98'

APN#
304-73-012-L

LAYTON LAKES PHASE TWO - PCL. NO. 3,
DOC. #2008-1059878, MCR

PUBLIC UTILITIES EASEMENT
10,468S.F. = 0.240 AC±

SCALE: N.T.S.



NOTE: THIS EXHIBIT IS BASED ON RECORDED DOCUMENTS SUCH AS THE SUBJECT PARCEL'S DEED, AND ADJOINING DEEDS AND/OR PLATS. IT IS NOT BASED ON A BOUNDARY SURVEY OF THE SUBJECT PARCEL.

LEGEND

PROPOSED PUBLIC UTILITY EASEMENT

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 18 BEARING S 00°18'57" E

Entellus™
2255 N. 44th Street Suite 125
Phoenix, AZ 85008.3279
Tel 602.244.2566
Fax 602.244.8947
Website: www.Entellus.com

CITY OF CHANDLER
GILBERT ROAD
SECTION 18, T.2S., R.6E.

PROPOSED PUBLIC UTILITY EASEMENT

DATE: 7/2/09 | REV'D: 11/8/11
DRAWN BY: | CHK'D: DGF | PG: 3 OF 3
FILE: 304-73-012-L.DWG

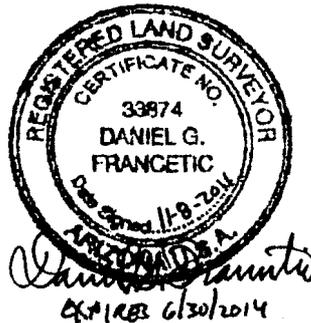
20111075613

615055A GILBERT ROAD
304-73-012L PUE
Polyline Report

Tue Nov 08 08:46:47 20

Northing	Easting	Bearing	Distance
821978.671	739060.285	N 89°41'09" E	11.314
821978.733	739071.599	S 44°41'06" W	21.665
821963.330	739056.364	S 00°18'57" E	309.686
821653.648	739058.070	S 89°41'03" W	6.000
821653.615	739052.070	S 00°18'57" E	932.928
820720.702	739057.211	S 45°42'06" E	39.538
820693.089	739085.509	S 88°55'02" W	11.239
820692.876	739074.271	N 45°42'06" W	34.989
820717.312	739049.230	N 00°18'57" W	944.273
821661.571	739044.026	N 89°41'03" E	6.000
821661.604	739050.026	N 00°18'57" W	304.999
821966.599	739048.345	N 44°41'06" E	16.980
821978.671	739060.285		

Closure Error Distance> 0.00000
Total Distance> 2639.611
Polyline Area: 10468.3 sq ft, 0.2403 acres



LENDER RATIFICATION AND CONSENT

The undersigned lender which is the beneficiary under that certain Construction Deed of Trust, Assignment of Leases and Rents and Security Agreement (Including Fixture Filing), dated as of October 16, 2006, and recorded on October 17, 2006, as Instrument No. 2006-1369045 in the office of the County Recorder of Maricopa County, Arizona, as a first lien on the property described therein, as amended (and as further amended or otherwise modified from time to time, the "**Deed of Trust**"), for and on behalf of itself and its successors and assigns, hereby ratifies, confirms, consents to, and approves the foregoing Public Utilities Easement (the "**Easement**") and agrees that in the event the beneficiary under the Deed of Trust, its successors or assigns, exercises the power of sale under the Deed of Trust or otherwise forecloses the lien evidenced by the Deed of Trust the Easement shall continue in full force and effect.

Dated as of: 12-20, 2011.

ARMED FORCES BANK, a national banking association, as successor by merger to Bank Midwest, N.A.

By: 
Its: Sr. V.P.

STATE OF MISSOURI)
) ss:
 County of Jackson)

On Dec 20, 2011, before me, TRACY R DYER,
 the undersigned Notary Public, personally appeared John R Hill
 _____, personally known to me (or proved to me on the basis of
 satisfactory evidence) 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 upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

Tracy R Dyer

TRACY R. DYER
 (Seal) Notary Public-Notary Seal
 STATE OF MISSOURI
 Platte County
 My Commission Expires Aug 2, 2015
 Commission # 11846540

A.R.S. § 41-313(C) DISCLOSURES

Description of document this notarial certificate is being attached to:	
Type/Title	PUBLIC UTILITIES EASEMENT 012L
Date of Document	
Number of Pages	Eight Pages including a Two-Page Lender Ratification and Consent Form
Add'l Signers (other than those named in the notarial certificate.)	LENNAR LAYTON, LLC , a Delaware limited liability company

LennarPUN-8-1-1--
chagollaj

When recorded, mail to:
City Clerk
City of Chandler
Mail Stop 606
P.O. Box 4008
Chandler, AZ 85244-4008
SW1/4 Sec. 18, T 2 South, Range 6 East
APN: 304-73-001D
ek 11/11

This document is exempt from Affidavit and Fee requirements pursuant to A.R.S.
§11-1134.A.2.

**PUBLIC UTILITIES EASEMENT
(PUE-North)**

For and in consideration of the sum of Ten and no/100 dollars (\$10.00) and other
good and valuable consideration, the receipt of which is hereby acknowledged,

Lennar Layton L.L.C., a Delaware limited liability company

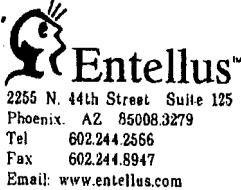
("Grantor"), do/does hereby grant and convey unto the CITY OF CHANDLER, an
Arizona municipal corporation ("Grantee"), an Easement for Public Utilities with the
right of ingress and egress for the purpose of installations, maintenance and replacement
over, under and across the real property situated in Maricopa County, Arizona and
described in **Exhibit A** (Legal Description) and depicted in **Exhibit B** (Drawing),
attached hereto and made a part hereof (the "Property").

Dated this 19th day of DECEMBER, 2011.

GRANTOR: Lennar Layton L.L.C.,
a Delaware limited liability company

By: Lennar Communities Development, INC.
a Delaware corporation, its Member

By: 
Jeff Gunderson
Its: Vice President

**EXHIBIT "A"**

LEGAL DESCRIPTION
 FOR
 PARCEL NO. 304-73-001-D NORTH
 GILBERT ROAD IMPROVEMENTS
 PUBLIC UTILITY EASEMENT

Those portions of a parcel of land described as Layton Lakes Phase Two, Parcel No. 1 in Document # 2008-1059878, records of MARICOPA COUNTY, ARIZONA located in the SOUTHWEST QUARTER of SECTION 18, TOWNSHIP 2 SOUTH, RANGE 6 EAST of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the WEST QUARTER CORNER of SAID SECTION 18, being monumented with a Brass Cap flush, from which the NORTHWEST CORNER OF SAID SECTION 18, being monumented with a Brass Cap in handhole, bears North 00 degrees 18 minutes 57 seconds West a distance of 2648.72 feet, said line being the West line of the Northwest Quarter of said Section 18 and the basis of bearings for this description;

Thence along the West line of said Southwest Quarter, South 00 degrees 15 minutes 51 seconds East a distance of 20.00 feet to a point on a line parallel with and 20.00 feet southerly, measured at right angles, from the northerly line of said Southwest Quarter; said point being the Northwest corner of said parcel of land described as Layton Lakes Phase Two, Parcel No. 1 in Document # 2008-1059878;

Thence along the North line of said parcel of land, North 88 degrees 55 minutes 02 seconds East a distance of 103.55 feet to a point, said point being the POINT OF BEGINNING;

Thence continuing along said North line of said parcel of land, North 88 degrees 55 minutes 02 seconds East a distance of 11.40 feet;

Thence South 44 degrees 19 minutes 36 seconds West a distance of 51.19 feet to a point on a line parallel with and 79.00 feet distant from said West line of the Southwest Quarter of Section 18;

Thence along last-mentioned parallel line, South 00 degrees 15 minutes 51 seconds East a distance of 341.19 feet to a point;

Thence South 89 degrees 44 minutes 09 seconds West a distance of 6.00 feet to a point on a line parallel with and 73.00 feet distant from said West line of the Southwest Quarter;

Thence along last-mentioned parallel line, South 00 degrees 15 minutes 51 seconds East a distance of 1040.24 feet to a point;

Thence South 45 degrees 15 minutes 48 seconds East a distance of 14.54 feet;

Thence North 89 degrees 44 minutes 09 seconds East a distance of 7.72 feet to a point on a line parallel with and 91.00 feet easterly, measured at right angles, from said West line of the Southwest Quarter of Section 18;

10-10-11
 ✓


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 2255 N. 44th Street Suite 125
 Phoenix, AZ 85008.3279
 Tel 602.244.2566
 Fax 602.244.8947
 Email: www.entellus.com

304-73-001-D NORTH

Thence along last-mentioned parallel line South 00 degrees 15 minutes 51 seconds East a distance of 8.02 feet to a point;

Thence South 89 degrees 50 minutes 22 seconds West a distance of 11.03 feet to a point;

Thence North 45 degrees 15 minutes 48 seconds West a distance of 21.17 feet to a point on the existing East Right of Way of Gilbert Road;

Thence along said existing East Right of Way, North 00 degrees 15 minutes 51 seconds West a distance of 1051.56 feet to an angle point in said existing East Right of Way;

Thence North 89 degrees 44 minutes 09 seconds East a distance of 6.00 feet to an angle point in said existing East Right of Way;

Thence along said existing East Right of Way, North 00 degrees 15 minutes 51 seconds West a distance of 337.19 feet to a point;

Thence North 44 degrees 19 minutes 36 seconds East a distance of 46.36 feet to the POINT OF BEGINNING;

Containing an area of 11,740 SQUARE FEET or 0.270 ACRES, more or less.

See Exhibit "B"

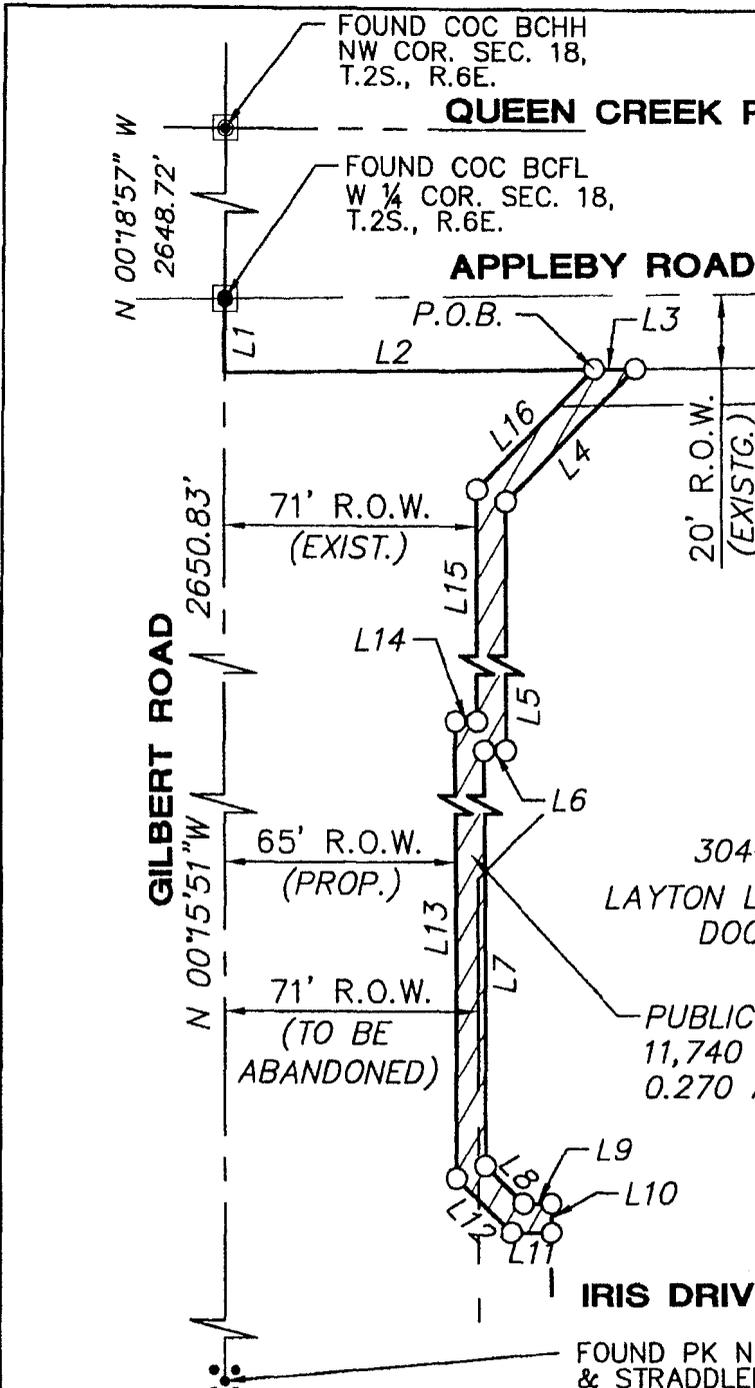


Note: The legal description above is based on recorded documents such as the subject parcel's deed, adjacent parcel deeds and/or plats. It is not based on a boundary survey of the subject parcel.

EXHIBIT "B"

PUBLIC UTILITY EASEMENT
304-73-001-D NORTH
CITY OF CHANDLER

LINE	BEARING	DISTANCE
L1	S 00°15'51" E	20.00'
L2	N 88°55'02" E	103.55'
L3	N 88°55'02" E	11.40'
L4	S 44°19'36" W	51.19'
L5	S 00°15'51" E	341.91'
L6	S 89°44'09" W	6.00'
L7	S 00°15'51" E	1040.24'
L8	S 45°15'48" E	14.54'
L9	N 89°44'09" E	7.72'
L10	S 00°15'51" E	8.02'
L11	S 89°50'22" W	11.03'
L12	N 45°15'48" W	21.17'
L13	N 00°15'51" W	1051.56'
L14	N 89°44'09" E	6.00'
L15	N 00°15'51" W	337.19'
L16	N 44°19'36" E	46.36'

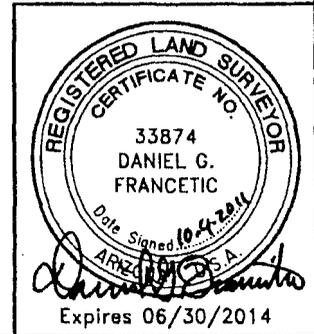


APN#
304-73-001-D NORTH
LAYTON LAKES PHASE TWO - PCL. NO. 1,
DOC. #2008-1059878, MCR

PUBLIC UTILITIES EASEMENT
11,740 S.F.
0.270 AC±



SCALE: N.T.S.



NOTE: THIS EXHIBIT IS BASED ON RECORDED DOCUMENTS SUCH AS THE SUBJECT PARCEL'S DEED, AND ADJOINING DEEDS AND/OR PLATS. IT IS NOT BASED ON A BOUNDARY SURVEY OF THE SUBJECT PARCEL.

LEGEND

PROPOSED PUBLIC UTILITY EASEMENT

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 18 BEARING N 00°18'57" W



Entellus

2255 N. 44th Street Suite 125
Phoenix, AZ 85008.3279
Tel 602.244.2566
Fax 602.244.8947
Website: www.Entellus.com

CITY OF CHANDLER

GILBERT ROAD
SECTION 18, T.2S., R.6E.

PROPOSED PUBLIC UTILITY EASEMENT

DATE: 7/2/09 REV'D: 9/22/11
DRAWN BY: CHK'D: DGF PG: 3 OF 3
FILE: 304-73-001-D NORTH.DWG

615055A GILBERT ROAD
 304-73-001D PUE "NORTH"
 Polyline Report

Thu Sep 22 09:23:45 20

Northing	Easting	Bearing	Distance
820653.131	739088.111		
		N 88°55'02" E	11.395
820653.346	739099.504		
		S 44°19'36" W	51.191
820616.726	739063.735		
		S 00°15'51" E	341.907
820274.822	739065.312		
		S 89°44'09" W	6.000
820274.795	739059.312		
		S 00°15'51" E	1040.242
819234.563	739064.110		
		S 45°15'48" E	14.542
819224.328	739074.440		
		N 89°44'09" E	7.716
819224.364	739082.156		
		S 00°15'51" E	8.020
819216.344	739082.193		
		S 89°50'22" W	11.030
819216.313	739071.163		
		N 45°15'48" W	21.169
819231.213	739056.126		
		N 00°15'51" W	1051.556
820282.758	739051.275		
		N 89°44'09" E	6.000
820282.785	739057.275		
		N 00°15'51" W	337.187
820619.969	739055.720		
		N 44°19'36" E	46.356
820653.131	739088.111		

Closure Error Distance > 0.00000
 Total Distance > 2954.312
 Polyline Area: 11739.7 sq ft, 0.2695 acres



LENDER RATIFICATION AND CONSENT

The undersigned lender which is the beneficiary under that certain Construction Deed of Trust, Assignment of Leases and Rents and Security Agreement (Including Fixture Filing), dated as of October 16, 2006, and recorded on October 17, 2006, as Instrument No. 2006-1369045 in the office of the County Recorder of Maricopa County, Arizona, as a first lien on the property described therein, as amended (and as further amended or otherwise modified from time to time, the "**Deed of Trust**"), for and on behalf of itself and its successors and assigns, hereby ratifies, confirms, consents to, and approves the foregoing Public Utilities Easement (PUE North) (the "**Easement**") and agrees that in the event the beneficiary under the Deed of Trust, its successors or assigns, exercises the power of sale under the Deed of Trust or otherwise forecloses the lien evidenced by the Deed of Trust the Easement shall continue in full force and effect.

Dated as of: 12-20, 2011.

ARMED FORCES BANK, a national banking association, as successor by merger to Bank Midwest, N.A.

By: 
Its: S. J. P.

STATE OF MISSOURI)
) ss:
 County of Jackson)

On Dec 20, 2011, before me, Tracy R. Dyer,
 the undersigned Notary Public, personally appeared John B. Price
 _____, personally known to me (or proved to me on the basis of
 satisfactory evidence) 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 upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

Tracy R. Dyer

TRACY R. DYER
 Notary Public-Notary Seal
 STATE OF MISSOURI
 Platte County
 My Commission Expires Aug 2, 2015
 Commission # 11846540

A.R.S. § 41-313(C) DISCLOSURES

Description of document this notarial certificate is being attached to:	
Type/Title	PUBLIC UTILITIES EASEMENT (PUE NORTH)
Date of Document	
Number of Pages	Eight Pages including a Two-Page Lender Ratification and Consent Form
Add'l Signers (other than those named in the notarial certificate.)	LENNAR LAYTON, LLC , a Delaware limited liability company