

IMPORTANT NOTICE

These documents are provided as a courtesy for information purposes only, and do not reveal all information that would be discovered by a full title search.

They were obtained from the Public Record and are believed to be correct, however, they are limited to what is readily evident and available from a search of the *current legal description only*. No search of the property, as it may have previously described, has been conducted, and such a search may yield additional liens, interests or restrictions.

A complete title search conducted in an open escrow may yield additional, supplemental or contradictory information.

The recipient is advised that no warranty or guarantee is provided with these documents, and is encouraged to conduct all needed due diligence on their own behalf.

STATE OF ARIZONA, County of Yavapai—11.

I do hereby certify that the within instrument was filed and recorded at the request of
on *April 3* A.D. 1970 at *8:00* o'clock a.m. Book *593* Official Records
Page *633-638 (Vol 4)*. Records of Yavapai County, Arizona.

WITNESS my hand and official seal the day and year first above written.

NORMA R. MARQUET, County Recorder
Dee C. Bluhm, Deputy

7965

PREScott VALLEY INCORPORATED

A. M. Book *593* Official Records

When Recorded Mail To:

Prescott Valley, Incorporated
Suite 1300, United Bank Building
Phoenix, Arizona 85012

RESTRICTIVE COVENANTS

PREScott VALLEY UNIT EIGHTEEN

KNOW ALL MEN BY THESE PRESENTS:

That PREScott VALLEY, INCORPORATED, an Arizona corporation, being the owner of all of the following described premises, situated within the County of Yavapai, State of Arizona, to-wit:

Lots 4822, Four Thousand Eight Hundred Twenty-two, through 4877, Four Thousand Eight Hundred Seventy-seven, inclusive, 4879, Four Thousand Eight Hundred Seventy-nine, through 5100, Five Thousand One Hundred, inclusive, 5102 Five Thousand One Hundred Two, through 5140, Five Thousand One Hundred Forty, inclusive, 5142, Five Thousand One Hundred Forty-two, through 5195, Five Thousand One Hundred Ninety-five, inclusive, 5258, Five Thousand Two Hundred Fifty-eight, through 5269, Five Thousand Two Hundred Sixty-nine, inclusive, 7313, Seven Thousand Three Hundred Thirteen and Tract C, Prescott Valley Unit Eighteen, according to the plat of record in the office of the County Recorder of Yavapai County, State of Arizona, in Book 14 page 55.

WHEREAS, the corporation has subdivided or intends to subdivide said protected area and to sell lots and building sites therein subject to certain protective restrictions, conditions, limitations, reservations, and covenants, herein referred to as "Protective restrictions" in order to insure the most beneficial development in said area, and to prevent any such use thereof:

NOW THEREFORE, said corporation hereby declares that said protective restrictions are hereby imposed on said protected area, and are as follows, to-wit:

R-2 RESIDENTIAL COVENANTS (MULTI-FAMILY RESIDENCE):

1. Lots 4838 through 4877 inclusive, 4879 through 5100 inclusive, 5102 through 5140 inclusive, and 5142 through 5195 inclusive, shall be designated an R-2 District (Residential: multiple dwelling units) in accordance with the planning and zoning ordinance of Yavapai County, Arizona, of record February 5, 1968. Also the following restrictions shall apply to this district.

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2. NUISANCES: No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be or may become an annoyance or detriment to development.

3. TEMPORARY STRUCTURES: No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out-building shall be used on any lot anytime as a residence either temporarily or permanently, unless written approval is first had and obtained from Prescott Valley, Incorporated.

4. LIVESTOCK AND POULTRY: No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or any other household pets may be kept provided they are not kept, bred or maintained for any commercial purposes.

5. GARBAGE AND REFUSE DISPOSAL: No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste, shall not be kept except in sanitary containers. Approved incinerators or other equipment for the storage or disposal of such material shall be kept in a clean, dry and sanitary condition. No outside rubbish burners shall be allowed. Individual owners must haul garbage off lots within a reasonable time or use a privately owned garbage pickup service which is available in the area.

6. JUNK: No lot shall be used or maintained as a junk yard or for storing or merchandising of material classified as junk.

7. RESUBDIVIDING: None of said lots shall be resubdivided into smaller lots nor conveyed or encumbered in less than the full original dimensions of such lots as shown by the recorded plat.

8. APPROVAL OF DESIGN AND LOCATION OF BUILDING: No building or improvement of any kind shall be erected, moved into, or maintained on the premises herein described until the design and location thereof, has first been submitted to, and approved by Prescott Valley, Incorporated, or upon relinquishment of all lots in existence, by said corporation, then a committee elected by the owners of record of a majority of lots in said subdivision. In the event such a committee is not in existence, the design shall be in harmony with other buildings in the tract.

9. ADVERTISING SIGNS: No advertising signs, for sale or for rent signs, billboards, unsightly objects or nuisance shall be erected, placed or permitted to remain on any of the lots unless written approval is first had and obtained from Prescott Valley, Incorporated, nor shall the premises be used in any way for any purpose which may endanger the health or unreasonably disturb the holder of any lots.

10. Main buildings and accessory buildings on a lot shall not occupy more than forty-five (45) percent of the total area of the lot, except where written approval is first obtained from Prescott Valley, Incorporated.

11. Under no circumstances shall any owner of any lot or parcel of land build or cause to built, a fence eliminating access to the easements for utilities.

12. Accessory buildings including sleeping and guest rooms, shall be considered as a living unit and such shall not be offered as motel or tourist court accomodations.

13. No building shall exceed a height of two (2) stories or thrity (30) feet.

RS DISTRICT COVENANTS:

1. Lots 4822 through 4837 inclusive, 5258 through 5269 inclusions, and 7313, shall be designated an RS District in accordance with the planning and zoning ordinance of Yavapai County, Arizona, of record February 5, 1968. The following restrictions shall also apply to this district.

- a. Commercial use restricted to closed buildings.
- b. No business, service, or enterprise of any nature whatso- ever shall be commenced until said venture has first been submitted to and approved by Prescott Valley, Incorporated.
- c. Noise and broadcasting beyond buildings is prohibited.
- d. Outside storage of material or supplies is prohibilted.
- e. Any lighting must be so placed to reflect the light away from lots in residential districts.

2. NUISANCES: No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be or may become any annoyance or detriment to the development.

3. TEMPORARY STRUCTURES: No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out-building shall be used on any lot anytime as a residence either temporally or permanently.

4. LIVESTOCK AND POULTRY: No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or any other household pets may be kept provided they are not kept, bred or maintained for any commercial purposes, when written permission is first had and obtained from Prescott Valley, Incorporated.

5. GARBAGE AND REFUSE DISPOSAL: No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste, shall not be kept except in sanitary containers. Approved incinerators or other equipment for the storage or disposal of such material shall be kept in a clean, dry and sanitary condition. No, outside rubbish burners shall be allowed. Individual owners must haul off garbage off lots within a reasonable time or use a privately owned garbage pickup service which is available in the area.

6. JUNK: No lot shall be used or maintained as a junk yard or for storing or merchandising of material classified as junk.

7. RESUBDIVIDING: None of said lots shall be resubdivided into smaller lots nor conveyed or encumbered in less than full original dimensions of such lots as shown by the recorded plat.

8. APPROVAL OF DESIGN AND LOCATION OF BUILDING: No building or improvement of any kind shall be erected, moved into, or maintained on the premises herein described until the design and location thereof has first been submitted to and approved by Prescott Valley, Incorporated or upon relinquishment of all lots by said corporation, then a committee elected by the owners of record of a majority of lots in said subdivision. In the event such a committee is not in existence, the design shall be in harmony with the other buildings in the tract.

9. ADVERTISING SIGNS: No advertising signs, for sale or for rent signs, billboards, unsightly objects or nuisance shall be erected, placed or permitted to remain on any of the lots unless written approval is first had and obtained from Prescott Valley, Incorporated, nor shall the premises be used in any way for any purpose which may endanger the health or unreasonably disturb the holder of any lots.

10. Main buildings and accessory buildings on a lot shall not occupy more than forty-five (45%) percent of the total area of the lot, except where written approval is first had and obtained from Prescott Valley, Incorporated.

11. Under no circumstances shall any owner of any lot or parcel of land build or cause to be built, a fence eliminating access to the easements of utilities.

C-2 DISTRICT COVENANTS (COMMERCIAL; GENERAL SALES AND SERVICES):

1. Tract C shall be designated a C-2 District (Commercial; General Sales and Services) in accordance with the planning and zoning ordinance of Yavapai County, Arizona, of record February 5, 1968. Also, the following restrictions shall apply to this district.

- a. Commercial use restricted to closed buildings except automobile service stations and parking lots.
- b. Noise broadcasting beyond buildings is prohibited.
- c. Outside storage of materials or supplies prohibited.
- d. Any lighting must be so placed to reflect the light away from lots in residential districts.
- e. No automobile service station pump shall be located closer than 12 feet to a street property line, unless written approval is first had and obtained from Prescott Valley, Incorporated.
- f. No business or any enterprise of any nature whatsoever shall be commenced until said venture has first been submitted to and approved by Prescott Valley, Incorporated.

2. NUISANCES: No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be or may become an annoyance or detriment to commercial development.

3. TEMPORARY STRUCTURES: No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out-building shall be used on any lot anytime as a residence either temporarily or permanently.

4. LIVESTOCK AND POULTRY: No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or any other household pets may be kept provided they are not kept, bred or maintained for any commercial purposes, when written permission is first had and obtained from Prescott Valley, Incorporated.

5. GARBAGE AND REFUSE DISPOSAL: No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste, shall not be kept except in sanitary containers. Approved incinerators or other equipment for the storage or disposal of such material shall be kept in a clean, dry and sanitary condition. No outside rubbish burners shall be allowed. Individual owners must haul garbage off lots within a reasonable time or use a privately owned garbage pickup service which is available in the area.

6. JUNK: No lot shall be used or maintained as a junk yard or for storing or merchandising of material classified as junk.

7. RESUBDIVIDING: None of said lots shall be resubdivided into smaller lots nor conveyed or encumbered in less than the full original dimensions of such lots as shown by the recorded plat.

8. APPROVAL OF DESIGN AND LOCATION OF BUILDING: No building or improvement of any kind shall be erected, moved into, or maintained on the premises herein described until the design and location thereof has first been submitted to, and approved by Prescott Valley, Incorporated, a corporation, or upon relinquishment of all lots by said corporation, then a committee elected by the owners of record of a majority of lots in said subdivision. In the event such committee is not in existence, the design shall be in harmony of other buildings in the tract.

9. ADVERTISING SIGNS: No advertising signs, for sale or for rent signs, bill boards, unsightly objects or nuisance shall be erected, placed or permitted to remain on any of the lots unless written approval is first had and obtained from Prescott Valley, Incorporated, nor shall the premises be used in any way for any purpose which may endanger the health or unreasonably disturb the holder of any lots.

10. Main buildings and accessory buildings on a lot shall not occupy more than forty-five (45) percent of the total area of the lot, except where written approval is first obtained from Prescott Valley, Incorporated.

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11. Under no circumstances shall any owner of any lot or parcel of land build or cause to be built, a fence eliminating access to the easements for utilities.

Under no circumstances shall any owner of any lot or parcel of land be permitted to deliberately alter the topographic conditions of his lot or parcel of land in any way that would permit additional quantities of water from any source, other than what nature originally intended, to flow from his property onto any adjoining property or public right of way. (EXCEPTION) The subdivision may find it necessary from time to time to alter the natural drainage of the roads so that the road system would not be damaged by excessive waters.

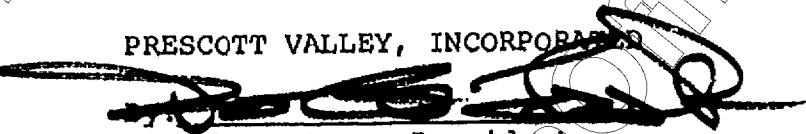
Title subject to restrictions. Nothing contained in this declaration shall impair or defeat the lien of any mortgage or deed of trust made in good faith and for value, but titles to any property subject to the declaration obtained through sales in satisfaction of any mortgage or deed of trust shall thereafter be held subject to all the protective restrictions hereof.

The foregoing protective restrictions shall be binding on all parties and all persons claiming under them for a period of 25 years from March 28, 1970, at which time said protective restrictions shall automatically become renewed for an additional period of 25 years, unless 75% or more of the owners of record, at that time, agree in writing to changes and said changes are made in a lawful manner.

Each and all of the protective restrictions shall be enforceable by injunction or by other forces of action available to the parties aggrieved, or to the corporation or its successors in interest. Invalidation of any one of these protective restrictions in judgement or court order shall in no way affect any other provisions, which shall remain in full force and effect.

DATED this the 28th day of March, 1970.

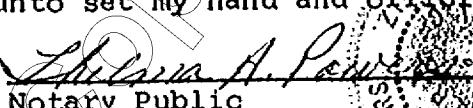
PRESCOTT VALLEY, INCORPORATED


Robert Loos, President

STATE OF ARIZONA) ss
County of Maricopa)

On this the 30 day of March 1970, before me personally appeared Robert Loos who acknowledged himself to be the President of PRESCOTT VALLEY, INCORPORATED, an Arizona corporation, and that he as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as such officer.

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


Helen A. Powers
Notary Public

My Commission expires:

My Commission Expires July 2, 1973

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