

# **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--ss.

11578

I do hereby certify that the within instrument was filed and recorded at the request of \_\_\_\_\_  
on March 14 A.D., 1972 at 1:05 o'clock P.M. Book 730 Official Records

Page 198-202 REC. Records of Yavapai County, Arizona.

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

NORMA R. MARQUART, County Recorder

By Patsey J. Jensen

Deputy

200

RESTRICTIVE COVENANTS  
PRESCOTT VALLEY UNIT TWENTY

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 1, One through 942, Nine Hundred Forty Two, inclusive; 944, Nine Hundred Forty Four, through 1551, One Thousand Five Hundred Fifty One, inclusive, Tracts A,B,C & D, Prescott Valley Unit Twenty, according to the plat of record in the office of the County Recorder of Yavapai County, State of Arizona, in Book 15 of Maps, pages 63-66.

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:

RESIDENTIAL AREA COVENANTS:

1. Lots 24 through 53 inclusive; 239 through 256 inclusive; 288 through 325 inclusive; 344 through 375 inclusive; 377, 383 through 391 inclusive; 398 through 529 inclusive; 532 through 549 inclusive; 575 through 586 inclusive; 599 through 942 inclusive; 944 through 1021 inclusive; 1063 through 1232 inclusive; 1252 through 1368 inclusive; 1375 through 1406 inclusive; 1413 through 1428 inclusive; 1443 through 1463 inclusive; 1477 through 1550 inclusive; Tracts A,B,C & D, shall be designated an R-1-L District (Residential, single family limited) 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.

2. RESTRICTIONS AGAINST BUSINESS USE: That the Grantee or Grantees, under any conveyance, shall not at any time conduct, or permit to be conducted on said premises any trade or business of any description, nor shall said premises be used for any other purpose whatsoever except for the purpose of establishing a Water Development Company to serve the Prescott Valley subdivision or for a single family dwelling unit. No real estate business or office or signs or other forms of advertising of a real estate business or office or signs advertising the sale of other properties, other than those described herein shall be placed or permitted on any of the lots.

3. APPROVAL OF DESIGN AND LOCATION OF BUILDINGS: No house, trailer, tent, shack, garage, barn or other outbuildings, shall at any time be used as a residence, temporarily or permanently. 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 have first been submitted to and approved by Prescott Valley, Incorporated, or upon relinquishing of all lots by said corporation, then by a committee elected by the owners of record of a majority of lots in said subdivision. In the event that such a committee is not in existence, the design shall be in harmony with other dwellings in the tract. No galvanized metal roofing or siding shall be permitted on dwellings or outside buildings. No asphalt, composition, or plaster board siding shall be permitted on a surface of exterior walls. Exterior surface walls shall be of approved stone, masonry, frame, asbestos siding or building blocks, Interior walls with studs must be sealed. Chimney must have spark arrester vent cap.

4. NOT MORE THAN ONE SINGLE FAMILY DWELLING: With garage or carport, and one guest house shall be built upon any one lot. A guest house used in this protective restriction is defined as any small structure used exclusively for extending the lodging accommodations for the owner's family or guests, but not including a kitchen or cooking facilities.

5. BUILDING LINE AND SIDE LINE RESTRICTION: No buildings or improvements of any kind shall be erected on any lot nearer than 25 feet to the front line, nor nearer than 5 feet on the carport side lot line, nor nearer than 8 feet on the structure side lot line. (EXCEPTION) Surface terrain not suitable for construction within the given area, subject to written approval by Prescott Valley, Incorporated.

5a. Corner lots shall maintain a minimum setback of fifteen percent (15%) of the length of the front lot line from the side street line.

6. RESUBDIVIDING: No lots shall be resubdivided into building plots.

7. SEWAGE DISPOSAL: Pending availability of public sewers, sewage disposal shall be affected by means of individual septic tanks, the type of tank, its construction, locations on lot and tile disposal field shall be approved in writing by the said corporation, in addition all septic tanks and disposal fields must be approved by Yavapai County Department of Health. No cesspools or outside toilets shall be permitted.

8. GARBAGE DISPOSAL: No garbage shall be allowed to accumulate for any length of time on any lot. Owners must haul off lots or employ the services of a privately operated pickup service available in the area.

9. LIVESTOCK AND POULTRY: No livestock and poultry permitted in said subdivision. (EXCEPTION) Poultry that may be raised as a personal pet providing such would not constitute a public nuisance, when written permission is first had and obtained from Prescott Valley, Incorporated.

10. 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, nor shall the premises be used in any way or for any purpose which may endanger the health or unreasonably disturb the holder of any lot.

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, unless written permission is first had and obtained from Prescott Valley, Incorporated.

MOBILE HOME AREA COVENANTS:

1. Lots 1 through 21 inclusive; 56 through 228 inclusive; shall be designated an R-1 district in accordance with the planning and zoning ordinance of Yavapai County, Arizona, of record February 5, 1968, and use shall be restricted to mobile homes only. Also, the following restrictions shall apply to this district.

2. RESTRICTIONS AGAINST BUSINESS USE: That the Grantee or Grantees under any conveyance shall not at any time conduct, or permit to be conducted on said premises any trade or business of any description, nor shall said premises be used for any other purpose whatsoever except for the purpose of establishing a Water Development Company to serve the Prescott Valley subdivision or for a single family dwelling unit. No real estate business or office or signs or other forms of advertising of a real estate business or office or signs advertising the sale of other properties, other than those described herein shall be placed or permitted on any of the lots.

3. APPROVAL OF DESIGN AND LOCATION OF BUILDINGS AND HOUSE TRAILERS: No tent, shack, garage, barn or other outbuildings shall at any time be used as a residence, temporarily or permanently. No building, house trailer, or improvement of any kind shall be erected, moved into, or maintained on the premises herein described until the design and location thereof have first been submitted to and approved by Prescott Valley, Incorporated or upon relinquishment of all lots by said corporation, then by a committee elected by the owners of record of a majority of lots in said subdivision. In the event that such a committee is not in existence, the design shall be in harmony with the other dwellings in the tract.

4. NOT MORE THAN ONE SINGLE FAMILY DWELLING: with garage or carport shall be built or placed on any one lot.

5. BUILDING LINE AND SIDE LINE RESTRICTION: No building, house trailer, or improvement of any kind shall be erected on any lot nearer than 25 feet to the front line, nor nearer, than 5 feet on the carport side lot line, nor nearer than 8 feet on the structure side lot line. (EXCEPTION) Surface terrain not suitable for construction within the given area, subject to approval by said corporation.

5.a. Corner lots shall maintain a minimum setback of fifteen percent (15%) of the length of the front lot line from the side street line.

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

7. SEWAGE DISPOSAL: Pending availability of public sewers, sewage disposal shall be affected by means of individual septic tanks, the type of tank, its construction, location on lot and tile disposal field shall be approved in writing by the said corporation, in addition all septic tanks and disposal fields must be approved by Yavapai County Department of Health. No cesspools or outside toilets shall be permitted.

8. GARBAGE DISPOSAL: No garbage shall be allowed to accumulate for any length of time on any lot. Owners must haul off lots or employ the services of a privately operated pickup service available in the area.

9. LIVESTOCK AND POULTRY: No livestock and poultry permitted in said subdivision. (EXCEPTION) Poultry that may be raised as a personal pet, providing such would not constitute a public nuisance when written permission is first had and obtained from Prescott Valley, Incorporated.

10. ADVERTISING SIGNS: No advertising signs, for sale or rent signs, billboards, unsightly objects or nuisance shall be erected, placed or permitted to remain on any of the lots, nor shall the premises be used in any way for any purpose which may endanger the health or unreasonably disturb the holding of any lot.

11. MOBILE HOME IMPROVEMENTS: All mobile homes placed upon the premises herein described must be anchored and the exterior walls thereof must be skirted completely to ground level within Ninety Days (90) of the placement of said mobile home upon the premises herein described. All skirting shall be done in such a manner as to blend with the mobile home, and shall be subject to approval by Prescott Valley, Incorporated. No unsightly objects of any kind shall be allowed upon the roof of any mobile home, nor upon any appurtenance thereto.

12. 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, unless written permission is first had and obtained from Prescott Valley, Incorporated.

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

1. Lots 22 through 23 inclusive; 54 through 55 inclusive; 229 through 238 inclusive; 257 through 287 inclusive; 326 through 343 inclusive; 376; 378 through 382 inclusive; 392 through 397 inclusive; 530 through 531 inclusive; 550 through 574 inclusive; 587 through 598 inclusive; 1022 through 1062 inclusive; 1233 through 1251 inclusive; 1369 through 1374 inclusive; 1407 through 1412 inclusive; 1429 through 1442 inclusive; 1464 through 1476 inclusive; 1551; 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.

2. 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 accommodations.

3. Main building 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.

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

5. RESTRICTIONS AGAINST BUSINESS USE: That the Grantee or Grantees, under any conveyance, shall not at any time conduct, or permit to be conducted on said premises any trade or business of any description, nor shall said premises be used for any other purpose whatsoever except for the purpose of establishing a Water Development Company to serve the Prescott Valley subdivision or for a single family dwelling unit. No real estate business or office or signs or other forms of advertising of a real estate business or office or signs advertising the sale of other properties, other than those described herein shall be placed or permitted on any of the lots.

6. APPROVAL OF DESIGN AND LOCATION OF BUILDINGS: No house trailer, tent, shack, garage, barn or other outbuildings, shall at any time be used as a residence, temporarily or permanently. 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 have first been submitted to and approved by Prescott Valley, Incorporated, or upon relinquishing of all lots by said corporation, then by a committee elected by the owners of record

of a majority of lots in said subdivision. In the event that such a committee is not in existence, the design shall be in harmony with other dwellings in the tract. No galvanized metal roofing or siding shall be permitted on dwelling or outside buildings. No asphalt, composition, or plaster board siding shall be permitted on a surface of exterior walls. Exterior surface walls shall be of approved stone, masonry, frame, asbestos siding or building blocks. Interior walls with studs must be sealed. Chimney must have spark arrester vent cap.

7. BUILDING LINE AND SIDE LINE RESTRICTION: No buildings or improvements of any kind shall be erected on any lot nearer than 25 feet to the front line, nor nearer than 5 feet on the carport side lot line, nor nearer than 8 feet on the structure side lot line, (EXCEPTION) Surface terrain not suitable for construction within the given area, subject to written approval by Prescott Valley, Incorporated.

7a. Corner lots shall maintain a minimum setback of fifteen percent (15%) of the length of the front lot line from the side street line.

8. RESUBDIVIDING: No lots shall be resubdivided into building plots.

9. SEWAGE DISPOSAL: Pending availability of public sewers, sewage disposal shall be affected by means of individual septic tanks, the type of tank, its construction, locations on lot and tile disposal field shall be approved in writing by the said corporation, in addition all septic tanks and disposal fields must be approved by Yavapai County Department of Health. No cesspools or outside toilets shall be permitted.

10. GARBAGE DISPOSAL: No garbage shall be allowed to accumulate for any length of time on any lot. Owners must haul off lots or employ the services of a privately operated pick-up service available in the area.

11. LIVESTOCK AND POULTRY: No livestock and poultry permitted in said subdivision. (EXCEPTION) Poultry that may be raised as a personal pet providing such would not constitute a public nuisance, when written permission is first had and obtained from Prescott Valley, Incorporated.

12. 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, nor shall the premises be used in any way or for any purpose which may endanger the health or unreasonably disturb the holder of any lot.

13. 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, unless written permission is first had and obtained from Prescott Valley, Incorporated.

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 10, 1972, 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 by judgment or court order shall in no way affect any other provisions, which shall remain in full force and effect.

17-18863  
DATED this the 10th day of March, 1972.

PRESCOTT VALLEY, INCORPORATED

By Leonard Hoffman, President

STATE OF ARIZONA )  
County of Maricopa ) SS.

On this the 10th day of March, 1972, before me personally appeared Leonard Hoffman 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.

My Commission Expires:  
September 27, 1974

Notary Public-John E. Burke, Jr.