

**Extension of Assurance Agreement and
Substitution of Trustee under ASSURANCE AGREEMENT
FOR COMPLETION OF Rolling Hills Final Plat
SUBDIVISION IMPROVEMENTS**

WHEREAS, an Assurance Agreement between Title Security Agency of Arizona, as Trustee under Trust No. 897, hereinafter referred to as "Original Trustee", Charles F. Trayers, as Trustee of the Trayers Family Trust under Agreement dated 12/13/99, and The Gragg Company, LLC, an Arizona limited liability company; and Todd A. Otis, an unmarried man, as the Beneficiary under Trust No. 897, hereinafter referred to as "Beneficiary", and Cochise County, Arizona hereinafter referred to as "County". Said Agreement was recorded on November 30, 2006, as Document No. 0611-44318, with the Office of the County Recorder;

SUBSTITUTION OF TRUSTEE

WHEREAS, the Original Trustee is no longer able to continue acting as Trustee under said Agreement;

WHEREAS, Pioneer Title Agency, Inc., an Arizona corporation, as Trustee under Trust No. 70902658, has agreed to act as Trustee under said Agreement;

WHEREAS, the Beneficiary has requested that Pioneer Title Agency, Inc., an Arizona corporation, as Trustee under Trust No. 70902658, be named as the Trustee under said Agreement;

WHEREAS, the County does hereby consent to Title Security Agency of Arizona, as Trustee under Trust No. 897 transferring title of the real property described in attached Exhibit A, to Pioneer Title Agency, Inc., an Arizona corporation, as Trustee under Trust No. 70902658.

WHEREAS, The Gragg Company, LLC, an Arizona limited liability company, is assigning its interest as Beneficiary to Alain Hartmann and Nicola Hartmann, husband and wife.

ASSURANCE AGREEMENT

NOW, THEREFORE, be it resolved that:

Pioneer Title Agency, Inc., an Arizona corporation, as Trustee under Trust No. 70902658, shall be named as the Trustee under said Agreement.

And additional, let it be resolved that :

The Beneficiaries of Pioneer Title Agency, Inc., an Arizona corporation, as Trustee under Trust No. 70902658, shall be Charles F. Trayers, as Trustee of the Trayers Family Trust under Agreement dated 12/13/99, and Alain Hartmann and Nicola Hartmann, husband and wife; and Todd A. Otis, an unmarried man

EXTENSION OF ASSURANCE AGREEMENT:

WHEREAS, the current economy has impacted further progress on this project; and

WHEREAS, the Beneficiary has requested an extension of time for completion of improvements to April 30, 2022; and

WHEREAS, the County believes that such extension is justified;

NOW, THEREFORE, be it resolved that:

The Assurance Agreement for completion of subdivision improvements for Rolling Hills Final Plat, according to Book 14 of Maps, page 88, records of Cochise County, Arizona is hereby extended with a new expiration date of April 30, 2022.

PASSED AND ADOPTED this _____ day of March, 2019

COCHISE COUNTY:

Chairman, Cochise County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

Deputy County Attorney

TRUSTEE:

Pioneer Title Agency, Inc., an Arizona corporation, as Trustee under Trust No. 70902658 only and not in its corporate capacity and not otherwise

R. Keith Newlon, Trust Officer

State of Arizona)
) ss:
County of Cochise)

On this the ____ day of March, 2019, before me, the undersigned notary public, personally appeared Robert K. Newlon, who acknowledge himself to be the Trust officer of Pioneer Title Agency, Inc., an Arizona corporation, and that he as such officer being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as such officer.

In witness whereof, I have hereunto set my hand and official seal.

Notary Public
My commission expires:

ASSURANCE AGREEMENT

OWNER/BENEFICIARY:

Charles F. Trayers

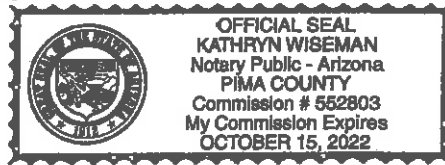
Charles F. Trayers, as Trustee of the Trayers Family Trust, dated December 13, 1999

State of Arizona)

) ss:
PIMA
County of ~~Cochise~~)

The foregoing instrument was acknowledged before me this 22 day of March, 2019
by Charles F. Trayers, as Trustee of the Trayers Family Trust, dated December 13, 1999

Kathryn Wiseman
Notary Public



My commission expires: OCT 15, 2022

Alain Hartmann
Alain Hartmann

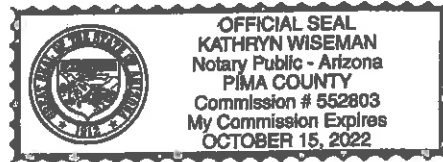
Nicola Hartmann
Nicola Hartmann

State of Arizona)

) ss:
Pima
County of ~~Cochise~~)

The foregoing instrument was acknowledged before me this 22 day of March, 2019
by Alain Hartmann and Nicola Hartmann.

Kathryn Wiseman
Notary Public



My commission expires: OCT 15, 2022

Todd A. Otis

State of Arizona)
) ss:

County of Cochise)

The foregoing instrument was acknowledged before me this _____ day of March, 2019
by Todd A. Otis.

Notary Public

My commission expires:

Exhibit "A"

PARCEL I:

Lots 8 through 15, inclusive, Lots 25 through 28, inclusive, Lots 35 through 40, inclusive, and Lots 47 through 57, inclusive, ROLLING HILLS FINAL PLAT, according to Book 14 of Maps, page 88, records of Cochise County, Arizona;

EXCEPT all oil, gas, coal and other minerals as reserved in Deed recorded in Book 109 of Deeds of Real Estate, page 197, records of Cochise County, Arizona.

PARCEL II:

Tract M, Also being the "El Paso Natural Gas Pipeline Easement (0001-222)", ROLLING HILLS FINAL PLAT, according to Book 14 of Maps, page 88, records of Cochise County, Arizona;

EXCEPT all oil, gas, coal and other minerals as reserved in Deed recorded in Book 109 of Deeds of Real Estate, page 197, records of Cochise County, Arizona.

COCHISE COUNTY ASSURANCE AGREEMENT

Exhibit B

1. Internal roads to be a DBST surface.
2. Covenant Lane in its entire length to be completed before the Assurances are released for phase E.
3. Compliance with El Paso Natural Gas pipeline road crossing requirements.
4. Phasing to conform to phasing approved with Exhibit C of this Assurance Agreement.

EXHIBIT "C"

Rolling Hills

All Phases of Development shall be complete no later than

