



ARIZONA DEPARTMENT OF PUBLIC SAFETY

2102 WEST ENCANTO BLVD. P.O. BOX 6638 PHOENIX, ARIZONA 85005-6638 (602) 223-2000

"Courteous Vigilance"

DOUGLAS A. DUCEY FRANK L. MILSTEAD
Governor Director

May 6, 2019

Cochise County
Attn: Joe Casey
Facilities Management
1415 Melody Lane, Bldg C
Bisbee, AZ 85603

RE: Partial Assignment of old Mule Mountain Communication Site

Dear Joe,

Enclosed please find the partial transfer applications for the old Mule Mountain Comm Site signed by our Assistant Director. There are (3) copies, one each for DPS, Cochise County and State Land.

Once Cochise County has signed them you can either mail all (3) back to me or send them directly to State Land. If you chose to send them to State Land, I would appreciate a scanned copy emailed to me – just in case they get lost in the mail! This transfer was a project started 7 years ago and for some unknown reason was not completed.

Brad Le Vasseur with State Land said a \$1,000 application fee is required to process the transfer. We are requesting that Cochise County pay this fee. Please include a check made out to **Arizona State Land Department** when returning the signed Application for (Partial) Assignment Forms.

If you have any questions please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Sue Shurtz".

Sue Shurtz
Administrative Services Officer
Facilities Section, MD1220
2102 W Encanto Blvd
Phoenix, AZ 85009
Direct Phone (602) 223-2470
sshurtz@azdps.gov

Susanne Shurtz

From: Casey, Joe <JCasey@cochise.az.gov>
Sent: Monday, May 06, 2019 4:55 PM
To: Susanne Shurtz
Cc: Jeremy Knoll; Adam Follrath; Duarte, Pablo
Subject: RE: Partial Assignment to Cochise County - Mule Mountain Communication Site

Thank you. I will get them signed and returned when I receive them.

Joe

Joe E. Casey
Chief Information Officer (CIO)
Facilities Director
Cochise County
Office # 520-432-8302
Cell # 520-234-7038

From: Susanne Shurtz <SSHURTZ@AZDPS.GOV>
Sent: Monday, May 6, 2019 4:33 PM
To: Casey, Joe <JCasey@cochise.az.gov>
Cc: Jeremy Knoll <Jknoll@AZDPS.GOV>; Adam Follrath <AFOLLRATH@AZDPS.GOV>
Subject: RE: Partial Assignment to Cochise County - Mule Mountain Communication Site

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Joe,

I received the partial transfer applications for the old Mule Mountain Comm Site signed by our Assistant Director. I will mail them to you for signature of Cochise County. There are (3) copies, one each for DPS, Cochise County and State Land.

Once Cochise County has signed them you can either mail them back to me or send them directly to State Land. If you chose to send them to State Land, I would appreciate a scanned copy emailed to me – just in case they get lost in the mail! This transfer was a project 7 years ago and I want to make sure that the transfer paperwork is completed this time around. 😊

Thank you.

Sue Shurtz #7405
Administrative Services Officer
Arizona Department of Public Safety
Logistics Bureau, Facilities Section
(602) 223-2470



From: Casey, Joe [<mailto:JCasey@cochise.az.gov>]
Sent: Friday, April 19, 2019 11:02 AM
To: Susanne Shurtz <SSHURTZ@AZDPS.GOV>
Subject: RE: Partial Assignment to Cochise County - Mule Mountain Communication Site

Susanne,

This will have to be signed by the Board of Supervisors for the County, but I can remain as the contact person. The electrical service has now been transferred to Cochise County.

Thank you,

Joe

Joe E. Casey
Chief Information Officer (CIO)
Facilities Director
Cochise County
Office # 520-432-8302
Cell # 520-234-7038

From: Susanne Shurtz <SSHURTZ@AZDPS.GOV>
Sent: Thursday, April 18, 2019 4:44 PM
To: Casey, Joe <JCasey@cochise.az.gov>
Subject: Partial Assignment to Cochise County - Mule Mountain Communication Site
Importance: High

Joe,

Attached is the State Land (Partial) Assignment form that for some unknown reason was not completed in 2012. A Memorandum of Agreement was completed and signed (see attached). Now we need to process the State Land form for our "old" Mule Mountain Communication Site be changed over to Cochise County.

If the name, address, email and phone on page 1 and on page 7 are not correct, please let know as soon as possible.

Once DPS signs this form, I will send it to Cochise County, who will sign on page 5 and notarize on page 6.

Thank you.

Sue Shurtz #7405
Administrative Services Officer
Arizona Department of Public Safety
Logistics Bureau, Facilities Section
(602) 223-2470



Susanne Shurtz

From: Bradley Le Vasseur <blevasseur@azland.gov>
Sent: Wednesday, January 23, 2019 8:40 AM
To: Susanne Shurtz
Subject: Re: Mule Mountain Site (old) Transferred to Cochise County 003-00194000
Attachments: image002.png; Assignment.pdf

Good morning Sue,

Thanks for the information, I think I see what happened.

It looks like the right application was started, but it was either never submitted or was returned for revisions. I see pages 10 and 11 are blank, so that could've been a reason for it to be returned. Given how this application is about 6 years old, and on an old template, it'll need to be redone before being submitted. Since the Land Department has moved our applications online, the old paper applications need to be on the most current template for us to be able to enter it into our online system.

Attached is a new assignment application. It'll need to be re-filled out and signed/notarized by both parties. Make sure pages 10 and 11 are filled out as well, which is typically done by the Assignee.

Once the application is ready, you can mail it in with all of the other attachments you provided, and the \$1,000 application fee.

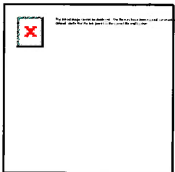
If you have any questions, please let me know.

Thank you,

Bradley Le Vasseur

Contracts Management Specialist III

(602) 542-2646 || BLEVasseur@AZLand.gov



Arizona State Land Department

1616 W. Adams St., Phoenix AZ 85007

www.AzLand.gov

On Tue, Jan 22, 2019 at 2:04 PM Susanne Shurtz <SSHURTZ@azdps.gov> wrote:

Brad,

Attached are the documents that I have for the “old” communication site at Mule Mountain that AZDPS assigned (gave) to Cochise County. AZDPS has built a new Mule Mountain communication site on the leased land we retained.

- 1) Signed Memorandum of Agreement between AZDPS & Cochise County
- 2) Assignment of Lease – “old” communicate site portion of the leased land
- 3) Meets & Bounds – Exhibit A & B
- 4) Pictures of the assigned site

Please let me know if you need anything else.

Sue Shurtz

Administrative Services Officer

Arizona Department of Public Safety

Logistics Bureau, Facilities Section

(602) 223-2470

RETURN TO:
 ARIZONA STATE LAND DEPARTMENT
 PUBLIC COUNTER
 1616 WEST ADAMS
 PHOENIX, ARIZONA 85007
 SUBMIT NON-REFUNDABLE
 FILING FEES

DEPARTMENTAL USE ONLY		A. ROLODEX # _____	B. ROLODEX# _____
ACCOUNTING	T & C	RECOMMENDATION/ INITIAL	DATE
Filing Fees:	Examiner:	Approve _____	_____
Name Change: <u>\$500</u>	_____	Deny _____	_____
Partial Assignment of Long Term Commercial Lease: <u>\$2,500</u>	Re-assign Examiner:	Reject _____	_____
All Other Assignments: <u>\$1,000</u>	_____	Withdraw _____	_____
C (24) P (25)	_____		

**APPLICATION FOR
 ASSIGNMENT OF LEASE, PERMIT OR RIGHT OF WAY
 AND ASSUMPTION OF INTEREST**

Type or print in ink.

DPS Contract No. 2012-224

Partial Assignment

LEASE, PERMIT, OR RIGHT OF WAY NUMBER 003 - 000194000

Complete Assignment

Name Change

TO AVOID REJECTION, COMPLETE ALL QUESTIONS, SIGN, NOTARIZE AND SUBMIT APPLICATION WITH REQUIRED DOCUMENTS AND NON-REFUNDABLE FILING FEE OF \$500 NAME CHANGE; \$2,500 PARTIAL ASSIGNMENT OF LONG TERM COMMERCIAL LEASE; \$1,000 ALL OTHER ASSIGNMENTS.

NOTICE: Any assignment of interest is not binding to either party or the State Land Department until this application has received the written consent of the STATE LAND COMMISSIONER.

1. APPLICANT(S):

A. ASSIGNOR NAME(S)
 (Also known as the Seller and State Lessee)

B. ASSIGNEE NAME(S)
 (Also known as the Buyer)

Arizona Department of Public Safety

Cochise County

Logistics Bureau, Facilities Section

c/o Facilities Management

PO Box 6638, Mail Drop 1220

1415 Melody Lane, Bldg C

Mailing Address
 Phoenix AZ 85005-6638
 City State Zip

Mailing Address
 Bisbee AZ 85603
 City State Zip

Sue Shurtz

Joe Casey

Contact Person Phone No
 sshurtz@azdps.gov (602) 223-2470
 Email Address (optional)

Contact Person Phone No
 jcasey@cochise.az.gov (520) 432-8902
 Email Address (optional)

2. REQUEST TO ASSIGN INTEREST IN LEASE, PERMIT OR RIGHT OF WAY AND REQUEST TO ASSUME INTEREST OF LEASE, PERMIT OR RIGHT OF WAY:

Assignor(s) not being in default of the rental and/or the conditions of the state lease, permit or right of way does **HEREBY MAKE APPLICATION AND REQUEST** that the State Land Department authorize and consent to in writing, the assignment of all rights, title, interest and claim in and to the State lease, permit, or right of way no. 003 - 000194000

AND

Assignee(s) in consideration of the sum of zero dollars and no cents (\$ 0.00) paid to the assignor, does **HEREBY MAKE APPLICATION AND REQUEST** that the State Land Department authorize the transfer and assumption of all rights, title, interest and claim of the lease, permit or right-of-way described in this application. The assignee hereby assumes and agrees to perform all obligations of the lessee, permittee or grantee under the lease, permit, or right of way and accepts the lease, permit or right of way subject to all existing terms and conditions.

3. **PARTIAL ASSIGNMENT ONLY:**

If you are requesting assignment of only a portion of the land described in your lease, permit or right of way, complete below or attach a list to this application:

<u>TWN.</u>	<u>RNG.</u>	<u>SEC.</u>	<u>LEGAL DESCRIPTION</u>	<u>ACRES</u>	<u>COUNTY</u>	<u>SLD USE ONLY</u>		
						<u>CTY</u>	<u>GRT</u>	<u>PARCEL</u>
225	23E	36	Please see Exhibit A for land description	.06	Cochise			
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____

4. **ENCUMBRANCES:** (This portion is to be completed by assignor.)

A. **Mortgage or lien:**

Are there any mortgages or liens on file with the Department? Yes ___ No X

If YES, you must enclose a copy of the satisfaction or release of lien signed by the lien holder. If the lien is not paid, a written letter from all parties involved consenting to this assignment must be attached to this application.

NOTICE: Pursuant to A.R.S. § 37-255(A), your application cannot be processed without a release of all liens or a written consent from each party involved. Your application will be rejected if submitted without the required documents. For information regarding liens on file, contact: Administration Division, (602) 542-2514.

B. **Sublease of Record:**

Are there any subleases on file with the Department? Yes ___ No X If YES, the current sublease will automatically terminate upon approval of this assignment. If it's the assignees intent to continue subleasing, a new application will need to be submitted.

C. **Overriding Royalty:** (Oil & Gas Leases only)

Does the assignment of this lease reserve to the Assignor an overriding royalty? Yes ___ No ___

If YES, indicate royalty percent: _____

5. **Escrow:** (For assignment of long term leases only, if applicable) Please provide escrow number _____

Please provide name and address of escrow agent: _____

6. **Other Files:** Are there other leases, permits or rights of way associated with this assignment? Yes ___ No X

If YES, please provide a list and circle which ones will be assigned:

7. Do you have legal access to the proposed leased land? X Yes ___ No

If yes, state your legal access route: North Juniper Flats Road

8. **ASSIGNOR(S) COMPLETE AND SIGN PAGE 3 AND HAVE ALL SIGNATURES NOTARIZED ON PAGE 4.**

NOTE: Arizona is a community property state. If the assignor(s) of this application is/are married, the assignor(s) and his/her spouse must both sign and have this application notarized, unless the original lease, permit or right of way was issued with the statement "Sole and Separate Property".

9. **ASSIGNEE(S) COMPLETE AND SIGN PAGE 5 AND HAVE ALL SIGNATURES NOTARIZED ON PAGE 6.**

NOTE: If you wish to hold title as "sole and separate property" or "joint tenants with right of survivorship", please indicate in Question No. 1 (Page 1).

TO BE COMPLETED BY ASSIGNOR(S) A.K.A. SELLER(S)

CERTIFICATION: Pursuant to A.R.S. Title 37 and the Rules of the Arizona State Land Department, A.A.C. Title 12, Chapter 5, you must complete the following information pertinent to you and sign the certification. **NOTE:** Applicant must complete item #1.

1. Is this application made in the name of: (Applicant must check one) Individual(s) Husband & Wife
 Corporation Ltd. Liability Co. Partnership Ltd. Partnership Estate Trust
 Joint Venture Municipality Political Subdivision Other (specify) State Government

2. INDIVIDUAL(S) OR HUSBAND & WIFE: Complete the following for each applicant:

NAME	AGE	MARITAL STATUS
_____	_____	_____
_____	_____	_____

3. CORPORATION: Complete the following:

- (A) Do you have authority from the Arizona Corporation Commission to transact business in the State of Arizona? Yes ___ No ___
 (B) Is the corporation presently in good standing with the Arizona Corporation Commission? Yes ___ No ___
 (C) In what state are you incorporated? _____
 (D) Is the legal corporate name and Arizona business address the same as stated in this application? Yes ___ No ___
 If no, state the Legal Corporate Name: _____

Address: _____
 (Street or Box Number) (City) (State) (Zip)

4. LIMITED LIABILITY COMPANY: Complete the following:

- (A) If an out-of-state limited liability company: Have you filed for a Certificate of Registration with the Arizona Corporation Commission? Yes ___ No ___
 (B) If an Arizona limited liability company: Have you filed Articles of Organization with the Arizona Corporation Commission? Yes ___ No ___
 (C) Are you authorized by the Arizona Corporation Commission to transact business in Arizona? Yes ___ No ___

5. PARTNERSHIP OR JOINT VENTURE: Complete the following for each authorized partner or principal:

NAME	ADDRESS	AGE	MARITAL STATUS
_____	_____	_____	_____
_____	_____	_____	_____

6. LIMITED PARTNERSHIP: Is this limited partnership on file with the Arizona Secretary of State? Yes ___ No ___

Complete the following for the authorized general partner(s) only:

GENERAL PARTNER(S) NAME	BUSINESS ADDRESS
_____	_____
_____	_____

7. ESTATE: Complete the following and attach a copy of the court or estate document(s):

Name of the court appointed administrator or personal representative: _____

List the type and date of issuance of the court or Estate document: _____
 (Type of Document) (Date issued)

8. TRUST: (A) Complete the following pursuant to A.R.S. § 33-404, for each beneficiary of the Trust:

NAME	ADDRESS	AGE	MARITAL STATUS
_____	_____	_____	_____
_____	_____	_____	_____

or (B) Identify the Trust document by title, document number, and county where document is recorded: _____

9. I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT THE INFORMATION AND STATEMENTS CONTAINED HEREIN, TOGETHER WITH ALL EXHIBITS AND ATTACHMENTS ARE TRUE, CORRECT AND COMPLETE AND THAT I/WE HAVE AUTHORITY TO SIGN THIS DOCUMENT.

SIGNATURE(S)

Arizona Department of Public Safety
 (Name of Corporation, Partnership, etc.)

[Handwritten Signature]
 Signature

[Handwritten Signature]
 Title

 Signature of Assignor (Individual, Trustee, Personal Representative, etc)

 Signature of Assignor (Individual, Trustee, Personal Representative, etc)

(Signatures must be notarized on page 4)

ASSIGNOR(S) A.K.A. SELLER(S)
NOTARY ACKNOWLEDGMENT

STATE OF ARIZONA)
) ss.
County of Maricopa)

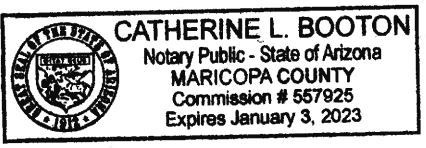
On this 29th day of April, 2019 before me, a Notary Public within and for said
County, personally appeared Heston Silbert

and known to me to be the person(s) described in and who executed the same as his free act and deed.
(his/her/their)

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

My Commission Expires: 1/03/2023

Catherine L. Booton
Notary Public



STATE OF ARIZONA)
) ss.
County of _____)

On this _____ day of _____, 20____ before me, a Notary Public within and for said
County, personally appeared _____

and known to me to be the person(s) described in and who executed the same as _____ free act and deed.
(his/her/their)

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

My Commission Expires: _____

Notary Public

REQUIRED INFORMATION:

The following information must be provided to assist the Department in processing your application and returning all documents to the correct individual or firm.

APPLICATION SUBMITTED BY:

**RETURN COMPLETED ASSIGNMENT
TRANSACTION TO:**

Cochise County
 (Name of individual and/or firm)
 c/o Facilities Management

1415 Melody Lane, Bldg C
 Mailing Address
 Bisbee AZ 85603
 City State Zip
 Joe Casey (520) 432-8302
 Contact Person Phone
 jcasey@cochise.az.gov
 Email Address (optional)

Cochise County
 (Name of individual and/or firm)
 c/o Facilities Management

1415 Melody Lane, Bldg C
 Mailing Address
 Bisbee AZ 85603
 City State Zip
 Joe Casey (520) 432-8302
 Contact Person Phone
 jcasey@cochise.az.gov
 Email Address (optional)

IMPORTANT NOTICE: Your application will be rejected and the non-refundable filing fee will be forfeited if this application is submitted without the required documents, notarized signatures and all pertinent questions answered.

**ASSIGNEE (BUYER)
READ CAREFULLY:**

Pages 8 through 14 are specific questions that are required to be answered by the Assignee (Buyer) and returned with the application. Complete only the appropriate pages which pertain to the specific type of lease or permit being assigned.

Grazing Complete Pages 8, 9 & 14

Commercial. Complete Pages 10 & 11

Homesite.Complete Page 12

Agriculture.Complete Pages 13 & 14

Right-of-Way. You may discard pages 8-14

Minerals/Oil & Gas. You may discard pages 8-14

All applicants must complete the Environmental Disclosure Questionnaire.

Assignee (*Buyer*) will need to complete these questions and the Environmental Disclosure Questionnaire if you are applying to assume a Grazing lease/permit. (Pages 10 thru 13 may now be discarded.)

No credit shall be given to the applicant for any claimed grazing use of private or federal lands within the ranch unit, unless disclosed at this time, or subsequently disclosed by an amended statement of your ranch holdings.

1. Do you control a federal grazing allotment that will be used in association with this grazing lease? Yes ___ No ___
If yes, indicate the following:
 - a. Total acres/Name of federal allotment: _____
 - b. Administering agency/Office location: _____
2. Do you own contiguous land which will be used in connection with this State grazing lease? Yes ___ No ___
If yes, indicate the total acres _____, and attach supporting documentation to show proof of ownership.
3. Do you control any contiguous private land by written agreement that will be used in connection with this State grazing lease? Yes ___ No ___ . If yes, indicate the total acres _____. A copy of each written agreement for private lands you control but do not own must be attached or your application may be returned.
4. Have you attached a current copy of your certificate indicating proof of an Arizona Registered Brand? Yes ___ No ___ If not, your application will be returned.
NOTE: Brand Certificate must be in the same name as assignee.
5. Do you intend to use the leased land for livestock grazing? Yes ___ No ___
6. Indicate the type of livestock operation you intend to manage on the subject land:
___ cattle ___ horses ___ sheep ___ goats
___ cow/calf ___ cow/calf/stocker ___ cow/calf/yearling ___ stocker other _____
7. Indicate the time of year livestock will be grazed upon the subject land: (check one)
___ year long ___ seasonal: Date of use, from _____ to _____
8. Do you claim superior right to lease this tract by virtue of private land holdings, private land leases, water rights, or federal permits, improvements or other equities in the vicinity of same? Yes ___ No ___ . If yes, explain in detail:

9. COMPLETE MAP ON PAGE 9.
10. COMPLETE IMPROVEMENT QUESTIONNAIRE ON PAGE 14.

COMPLETE THIS MAP, COLOR CODE THE VARIOUS CATEGORIES OF LAND OWNERSHIP OR CONTROL AS FOLLOWS:

- | | |
|--|--|
| <p><input type="checkbox"/> 1. Location of perimeter fencing (---x---x---x)</p> <p><input type="checkbox"/> 2. Location of major cross fencing (---/---/---)</p> <p><input type="checkbox"/> 3. Location of State leased land within your ranch boundaries = blue</p> <p><input type="checkbox"/> 4. Location of any federal land you control within your ranch boundaries = yellow</p> <p><input type="checkbox"/> 5. Location of any private land you own within your ranch boundaries = red</p> | <p><input type="checkbox"/> 6. Location of any private land you control by written agreement within your ranch boundaries = green</p> <p><input type="checkbox"/> 7. Location of any uncontrolled land within your ranch boundaries = orange</p> <p><input type="checkbox"/> 8. Indicate the appropriate township and range in the blanks provided along the margins of the plat</p> <p><input type="checkbox"/> 9. Provide smaller subdivisions, if needed.</p> |
|--|--|

You may submit the map information on the plat below, or on a county highway map, BLM, or Forest Service allotment map.

INDICATE SCALE OF MAP:

Assignee (Buyer) will need to complete these questions and the Environmental Disclosure Questionnaire if you are applying to assume a Commercial lease. (Pages 8, 9 and 12 thru 14 may now be discarded.)

- 1. Give full description of the nature of the business, or businesses that you propose to operate on the land being applied for:
We are assuming a site with a communication tower built on it. There will be no improvements to the site.

NOTE: THE LEASE ONLY PERMITS THE USE OF THE LAND FOR THE PURPOSES EXPRESSLY STATED IN THE CONTRACT AND CANNOT BE CHANGED WITHOUT PRIOR WRITTEN APPROVAL FROM THE DEPARTMENT.

- 2. What is your plan of operation? (If you plan to develop this parcel, you must include a conceptual plan to complete this application). A complete site plan will be required before you begin any grading or construction. The State Land Department development guidelines may apply. Indicate dates you intend to start. Complete page 11, PART I. (To request assistance completing this questionnaire, contact (602)542-3000.)
- 3. Pursuant to A.R.S. §37-322.01 the succeeding Lessee is required to reimburse the previous Lessee for improvements. Are there any improvements on the parcel of land you are applying to lease? Yes ___ No X. If yes, list each improvement and if requested by the Department, provide proof of ownership of the improvements by submitting a copy of a notarized Bill of Sale from the owner, or a notarized letter from the owner stating that he/she has relinquished any claim to ownership and reimbursement for the improvement(s) on page 11, PART II.

NOTE: Above does not apply to Long Term Commercial Leases.

- 4. Are any improvements or changes in existing improvements, to be constructed or installed on the leased land? Yes ___ No X. If yes, complete page 11, PART III.
- 5. What is the estimated date of completion of the proposed improvement(s)? Does not apply

NOTE: Approval of this assignment application does not constitute approval of any improvements nor confers ownership. Upon approval of the lease assignment, if the Lessee intends to construct improvement(s), the Lessee must submit to the Department an Application to Place Improvements. Improvement(s) cannot be constructed without the Department's approval.

Pursuant to A.R.S. § 37-321, Lessee is not entitled to reimbursement for improvements that have not been authorized by prior written approval from the Department.

- 6. What is, or will be, the source of water for the use of the land being applied for?

Does not apply

- 7. What is, or will be, the source of utilities for the use of the land being applied for?

APS and back up propane generator

PART I. Plan of Operation(s): (Include starting date.)

The Cochise County Sheriff's Office has been using this communication site since Cochise County signed a Memorandum of Agreement with AZDPS in 2012. The DPS Contract No. is 2012-157. A copy is attached to this partial assignment of lease. For an unknown reason the original partial assignment of lease was not submitted to and/or completed by Arizona State Land. So we are processing it now after-the-fact.

PART II. Existing Improvements:

TYPE OF IMPROVEMENT

This site contains a 15'x23' block building, with a 12'x13' generator room, a 60 foot Sabre S3TL tower and a Generac - Propane Generator.

LEGAL DESCRIPTION / LOCATION

The legal description of this land/site is contained in the attached Exhibits A and B.

PART III. Proposed Improvements:

DESCRIPTION

There will be no improvements to this site.

ANTICIPATED VALUE

Does not apply, no improvements will be made to this site.

OWNERSHIP

Cochise County

HOMESITE ASSIGNMENT APPLICANT ONLY:

Lease No. 003 000194000

Assignee (*Buyer*) will need to complete these questions **and** the Environmental Disclosure Questionnaire if you are applying to assume a Homesite lease. (Pages 8 thru 11, 13 and 14 may now be discarded.)

1. What is, or will be, the source of water for the use of the land being applied for?

2. What is, or will be, the source of utilities for the use of the land being applied for?

3. Pursuant to A.R.S. §37-322.01 the succeeding Lessee is required to reimburse the previous Lessee for improvements. Are there any improvements on the lands applied for at this time? Yes _____ No _____ If yes, list each improvement and if requested by the Department, provide proof of ownership of the improvements by submitting a copy of a notarized Bill of Sale from the owner, or a notarized letter from the owner stating that he/she has relinquished any claim to ownership and reimbursement for the improvement(s) under PART I below.

4. Are any improvements or changes in existing improvements to be constructed or installed on the leased land? Yes _____ No _____. If yes, complete PART II below.

5. What is the estimated date of completion of the proposed improvement(s)? _____

NOTE: Approval of this assignment application does not constitute approval of any improvements nor confers ownership. Upon approval of the lease assignment, if the Lessee intends to construct improvement(s), the Lessee must submit to the Department an Application to Place Improvements. Improvement(s) cannot be constructed without the Department's approval.

Pursuant to A.R.S. § 37-321, Lessee is not entitled to reimbursement for improvements that have not been authorized by prior written approval from the Department.

PART I. Existing Improvements:

TYPE OF IMPROVEMENT

LEGAL DESCRIPTION / LOCATION

PART II. Proposed Improvements:

DESCRIPTION

ANTICIPATED VALUE

OWNERSHIP

AGRICULTURE ASSIGNMENT APPLICANT ONLY:

Lease or Permit No. 003 000194000

Assignee (*Buyer*) will need to complete these questions and the Environmental Disclosure Questionnaire if you are applying to assume an Agriculture lease/permit. (Pages 8 thru 12 may now be discarded.)

1. If your application to assign is approved, do you intend to farm the subject lands? Yes No .

a. If yes, how many acres will be farmed? (Please attach proposed farm plan.) _____

b. If no, indicate reason: _____

2. Is this application for an agriculture lease located within an irrigation district? Yes No . If yes, a copy of the paid irrigation tax receipt must be submitted with this application.

NOTE: *If the acreage under this application is located within a Central Arizona Project irrigation district, the assignment will not be approved unless the assignee has filed the proper acreage certification form with the irrigation district. Please contact the irrigation district for forms and information.*

3. If the lands under the lease are located within an Active Management Area or Irrigation Non-Expansion Area, have you reviewed the annual allotment of water, regulated by the Arizona Department of Water Resources (ADWR), with which to irrigate eligible acres? Yes No.

Have you reviewed the status of the flexibility account for the Irrigation Grandfathered Right (IGR)? Yes No.

NOTE: *The annual allotment of water may be reduced pursuant to management plan requirements developed and enforced by ADWR. If the flexibility account has a debit balance that exceeds 50% of the allotment during a calendar year, a transfer of credits to the IGR would be required to avoid enforcement by ADWR and the Department. Please contact either ADWR or the Department's Water Rights Section (602) 542-3500 for assistance.*

4. COMPLETE IMPROVEMENT QUESTIONNAIRE ON PAGE 14.

IMPROVEMENT QUESTIONNAIRE

GRAZING & AGRICULTURE ASSIGNMENT APPLICANTS ONLY:

Lease or Permit No. 003 _000194000

IMPROVEMENT INFORMATION:

Pursuant to A.R.S. § 37-322.01 the succeeding Lessee is required to reimburse the previous Lessee for improvements. Are there improvements on the parcel of land you are applying to lease? Yes No. If yes, list each improvement below and if requested by the Department, provide proof of ownership of the improvements by submitting a copy of a notarized Bill of Sale from the owner, or a notarized letter from the owner stating that he/she has relinquished any claim to ownership and reimbursement for the improvement(s).

(If needed, additional sheet can be attached) Note: Do not attach Departmental computer print-out list of improvement records.

TYPE OF IMPROVEMENT

LEGAL DESCRIPTION / LOCATION

Approval of this assignment application does not constitute approval of any improvements nor confers ownership. Upon approval of the lease assignment, if the Lessee intends to construct improvement(s), the Lessee must submit to the Department an Application to Place Improvements. Improvement(s) cannot be constructed without the Department's approval.

Pursuant to A.R.S. § 37-321, Lessee is not entitled to reimbursement for improvements that have not been authorized by prior written approval from the Department.

**ASSIGNMENT APPLICATION
FILING INFORMATION**

(READ CAREFULLY)

Please check our website at www.azland.gov or call our Public Records Counter at (602) 542-4631 to ensure you have the most current assignment application.

Filing Fee:

Name Change \$500
Partial Assignment of Long Term Commercial Lease \$2,500
All other Assignments \$1,000

Submit Application and **NON-REFUNDABLE** filing fee to:

ARIZONA STATE LAND DEPARTMENT
PUBLIC COUNTER
1616 WEST ADAMS
PHOENIX, ARIZONA 85007

For assistance contact: (602) 542-2665
For Minerals or Oil & Gas assistance contact: (602) 542-2687

LIENS:

1. **Current Liens on File:** All liens filed with the Department require a satisfaction or written consent of all parties involved. This must be submitted with your application or it will be rejected. (A.R.S. § 37-255 and A.R.S. § 37-289)

2. **Filing a new lien:** To file a new lien on the leasehold interest, the lien document must include the lease number and/or legal description(s) of the lease. You must submit a \$50.00 filing fee with each new mortgage or lien filed.

FORECLOSURE, BANKRUPTCY OR DEED OF TRUST SALE:

Submit a copy of the sheriff's deed, trustee's deed or appropriate court order with the completed assignment application. The document must include the lease number and/or legal description(s) of the lease. *A deed of conveyance or warranty deed cannot be accepted as evidence of a lease assignment. All assignments of lease, permit or right of way must be submitted on an application provided by the State Land Department and accompanied by the appropriate legal document. (A.R.S. Title 37)*

RENT OR DEFAULTS:

A lessee of State lands **not in default in rent** and who has kept and performed all conditions of the lease, may, with the written consent of the Department, assign the lease. **DO NOT** submit your application if your rent is not paid. (A.R.S. § 37-286(B))

An application for assignment of lease or permit **will not be accepted** for filing and processing during the last 30 days of the lease year, unless the next year's advanced rents have been paid. (Departmental Rule 12-5-512.B)

NAMES:

The assignor (current state lessee) name(s) **must** be stated on this application **EXACTLY** as the name(s) are on the original lease, permit or right of way document. (Additional certification and acknowledgment pages may be copied and attached, if required.)

MULTI-LEASES OR LEASE CODES:

A separate application and fee **must** be submitted for **each lease** or **code of a lease**.
(Example of a code: 01-27445-01 or 01-27445-02)

BRANDS - GRAZING ASSIGNEE ONLY:

ASLD policy states applicants for a Grazing lease/permit must have an Arizona registered brand. A copy of your certificate **must** accompany your application or your application will be rejected. NOTE: Brand Certificate must be in the same name as assignee.

POWER OF ATTORNEY:

If you are acting as an Attorney in Fact for the applicant, **you must submit** a copy of your notarized Power of Attorney and a \$50.00 additional fee.

ESTATE, DEATH OR INCOMPETENCE OF A LESSEE:

When a **personal representative** or **administrator** is executing the assignment application, you are required to **submit** a **CERTIFIED** copy of the appropriate legal document or court order or your application will be rejected.

HOLDING TITLE:

ASSIGNOR(S): Arizona is a community property state. If the assignor(s) of this application is/are married, the assignor(s) and his/her spouse **must** both sign and have this application notarized, unless the original lease, permit or right of way was issued with the statement "Sole and Separate Property".

ASSIGNEE(S): If you wish to hold title as "sole and separate property" or "joint tenants with right of survivorship", please indicate in Question No. 1 (Page 1).

DISSOLUTION OF MARRIAGE:

Send a copy of the dissolution court document to the Department for review prior to submitting an assignment application or call (602) 542-2665 for information.

Note: If the dissolution includes the lease number and/or legal description(s) of the lease, and states which spouse retained the lease, an assignment may not be necessary.

ASSIGNMENT OF OVERRIDING ROYALTY INTEREST:

If an overriding royalty interest is to be conveyed, please submit a copy of the Assignment of Overriding Royalty Interest. This document must be filed in the county where the property is located.

SUBLEASE OF RECORD:

If there is a sublease of record, assignor must notify the sublessee of proposed assignment. If it is the assignees intent to continue subleasing, a new application will need to be submitted after the approval of the assignment.

CHECK LIST

To avoid rejection of your application, be sure to include the following:

- Your non-refundable filing fee and any additional fees required.
- Rental payment, if rent is not currently paid. (If you are uncertain, please contact the Department.)
- Original signature(s) and acknowledgment(s) of assignor(s) and assignee(s).
- All legal documents or documentation required to complete this assignment transaction.
- Release or written consent of any mortgages or liens of record. (If you are uncertain as to what liens are of record, please contact the Department.)
- All pertinent questions answered or addressed. (Pages 1 thru 7 and applicable Pages 8-14)
- Environmental Disclosure Questionnaire.
- Original lease or permit must be submitted with the application for Mineral or Oil & Gas Assignments ONLY.

Your application will be rejected and the non-refundable filing fee will be forfeited if this application is submitted without the required documents, notarized signatures and all pertinent questions answered.

**EXHIBIT A
LAND DESCRIPTION**

THAT PORTION OF SECTION 36, TOWNSHIP 22 SOUTH, RANGE 23 EAST, OF THE GILA AND SALT RIVER MERIDIAN, COCHISE COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND G.L.O. BRASS CAP MONUMENTING THE QUARTER CORNER COMMON TO SECTION 36, TOWNSHIP 22 SOUTH, RANGE 23 EAST AND SECTION 31, TOWNSHIP 22 SOUTH, RANGE 24 EAST;

THENCE S 38°38'12"W, A DISTANCE OF 715.56 FEET TO THE **POINT OF BEGINNING;**

THENCE S 16°41'26"W, A DISTANCE OF 50.00 FEET TO A POINT FROM WHICH A G.L.O. BRASS CAP MONUMENTING THE SOUTHEAST CORNER OF SAID SECTION 36 BEARS S 12°40'06"E, A DISTANCE OF 2072.32 FEET;

THENCE N 73°18'34"W, A DISTANCE OF 51.00 FEET;

THENCE N 16°41'26"E, A DISTANCE OF 50.00 FEET TO A POINT FROM WHICH A G.L.O. BRASS CAP MONUMENTING THE QUARTER CORNER COMMON TO SECTION 25 AND SAID SECTION 36 BEARS N 33°45'51"W, A DISTANCE OF 3829.61 FEET;

THENCE S 73°18'34"E, A DISTANCE OF 51.00 FEET TO THE **POINT OF BEGINNING.**

ENCOMPASSING AN AREA OF 2550 SQUARE FEET MORE OR LESS.

SUBJECT TO ANY AND ALL PRIOR EASEMENTS, RIGHTS OF WAY, COVENANTS, RESTRICTIONS, AND ENCUMBRANCES, OF RECORD OR NOT OF RECORD, WHICH MAY OTHERWISE LEGALLY EXIST.

ANY MODIFICATION TO THE FOREGOING DESCRIPTION TERMINATES THE LIABILITY OF THE SURVEYOR.

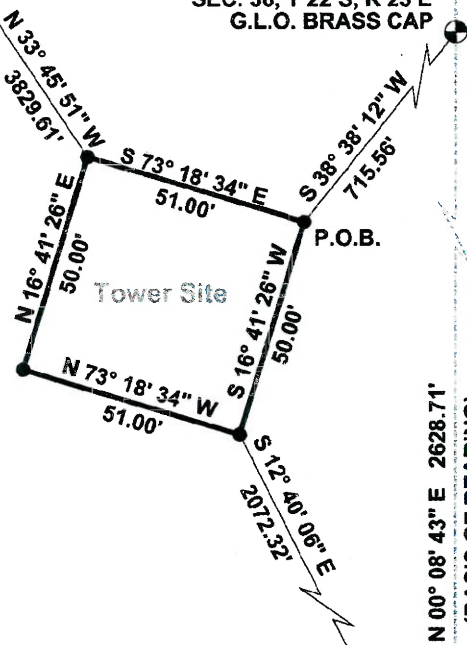




N 1/4 CORNER
SEC. 36, T 22 S, R 23 E
G.L.O. BRASS CAP

E 1/4 COR
SEC. 36, T 22 S, R 23 E
G.L.O. BRASS CAP

Section 36
T 22 S, R 23 E



SE COR
SEC. 36, T 22 S, R 23 E
G.L.O. BRASS CAP

N 00° 08' 43\" E 2628.71'
(BASIS OF BEARING)



Dale Albert Jones
EXPIRES 12/31/2013



EXHIBIT B
Mule Mountain
Tower Lease Site Map
Por. of Sec 36, T 22 S, R 23 E
Gila and Salt River Meridian

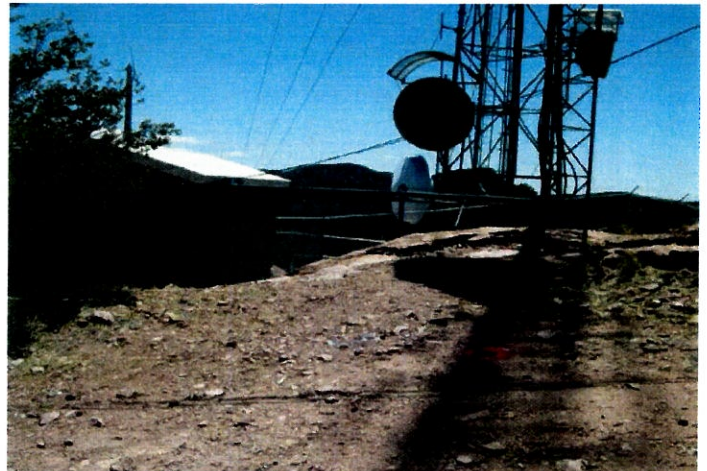
This map is a product of the
Cochise County GIS

Not to Scale

Photos of AZDPS "Old" Mule Mountain Communication Site Assigned to Cochise County



Corner 1_1



Corner 1_2



Corner 1_3



Corner 2_1



Corner 2_2

Photos of AZDPS "Old" Mule Mountain Communication Site Assigned to Cochise County



Corner 3_1



Corner 3_2



Corner 4_1



Corner 4_2