

After recording, return to:  
Arizona Game and Fish  
5900 W. Carefree Highway  
Phoenix, AZ 85086  
Attn: \_\_\_\_\_

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Space above this line for Recorder's Use Only

## ASSIGNMENT AGREEMENT

This ASSIGNMENT AGREEMENT is made and entered into this 20th day of February, 2019, by and between **EL DORADO BENSON, LLC**, an Arizona limited liability company ("**El Dorado**"), **COCHISE COUNTY ARIZONA**, a political subdivision of the State of Arizona ("**County**"), and **THE STATE OF ARIZONA**, by and through the **ARIZONA GAME AND FISH COMMISSION** (the "**Commission**").

### RECITALS

A. The County was previously granted by El Dorado, as the owner of certain real property located in Cochise County, Arizona, a perpetual non-exclusive recreational access easement in gross over and across a portion of the that real property for the purpose of providing public access to the Whetstone Mountains. This easement was formalized via written agreement titled Easement Conveyance Agreement for Recreational Access, signed by the County and El Dorado on February 27, 2018, and further by an additional written agreement between the County and El Dorado, signed and recorded as the Recreational Access Easement Agreement in the records of Cochise County, Arizona as Document 2018-03480 (recorded on February 27, 2018). The Easement Conveyance Agreement for Recreational Access and the Recreational Access Easement Agreement are referred to herein collectively as the "**Easement**."

B. The Easement includes a provision allowing the County to assign its rights and obligations under the Easement to another governmental agency, including the State of Arizona acting through the Commission, with the written consent of El Dorado. The parties desire to convey the County's rights and obligations in the Easement to the Commission, and the Commission approved the acceptance of the Easement on May 4, 2018.

**NOW, THEREFORE**, in consideration of the mutual covenants, terms, conditions, restrictions, and requirements contained herein, the parties agree as follows:

1. Assignment. The County hereby assigns all of its rights and obligations under the Easement to the Commission.
2. Consent to Assignment. El Dorado hereby consents to the County's assignment of all of its rights and obligations under the Easement to the Commission.
3. Acceptance of Assignment. The Commission hereby accepts the assignment of all of the rights and obligations of the County under the Easement and agrees to comply with the terms thereof. The County is hereby released from any and all obligations under the terms of the Easement.

IN WITNESS WHEREOF, the parties have executed this Assignment effective the date first above set forth.

[Signature pages to follow]

Cochise County, a political subdivision  
of the State of Arizona

By: \_\_\_\_\_

Peggy Judd, Chairwoman

Attest:

\_\_\_\_\_  
Title: Clerk of the Board

ACKNOWLEDGMENT

STATE OF ARIZONA            )  
  ) ss.  
County of Cochise            )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 201\_ by Peggy Judd as Chairwoman of the Cochise County Board of Supervisors.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_



