

DO NOT DETACH CERTIFICATE FROM DOCUMENT

PIMA COUNTY RECORDER  
RICHARD KENNEDY, RECORDER  
PIMA COUNTY, ARIZONA  
CERTIFICATE OF RECORDING

10/30/87  
11:53:00

NO. OF PAGES: 091  
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RECORDING TYPE: COVENANT  
GRANTOR: LAWYERS TITLE 7243T  
GRANTEE: S B T 12S R 14E +

SOROV  
ORO VALLEY TOWN OF

10900 N STALLARD PL STE 100  
ORO VALLEY AZ 85737

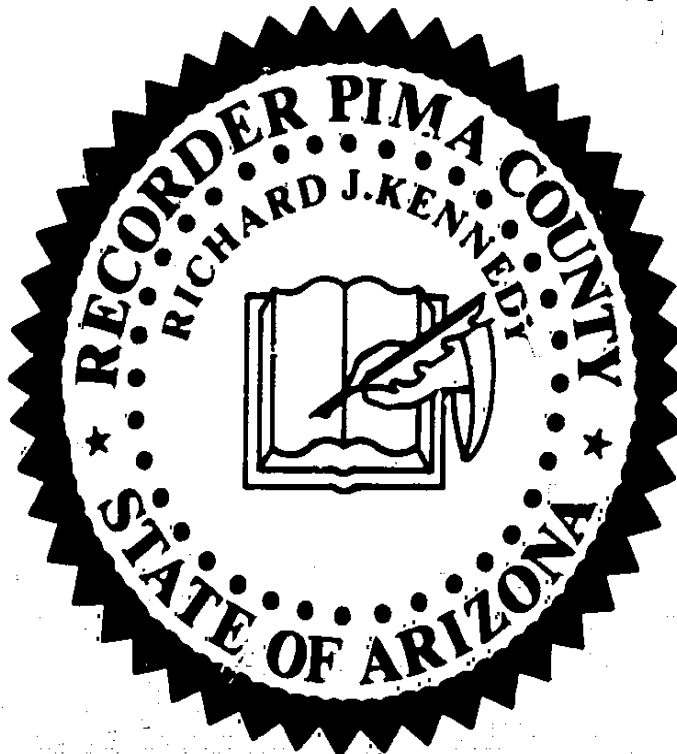
91 PAGES	AT		\$ 45.50
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TOTAL 46.50

RBJ  
DEPUTY RECORDER

AMOUNT PAID \$ 46.50  
2234 REC3 AMOUNT DUE \$ .00

THE ABOVE SPACE FOR RECORDERS USE ONLY  
TO BE RECORDED AS PART OF DOCUMENT



8152 1700

FAIRFIELD NATURAL  
AREA CC&R's

8152-1700-A 93

RECEIVED

JUN 18 1987

TOWN of ORO VALLEY

DECLARATION OF COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

A. LAWYERS TITLE OF ARIZONA, an Arizona corporation, as Trustee under Trust No. 7243-T (the "Trust", which term shall include the successors and assigns of Lawyers Title of Arizona Trust No. 7243-T unless the context otherwise requires) is the owner of the real property described in Exhibits "A" and "B" attached hereto and incorporated herein by reference (the "Real Property");

B. The Real Property is a portion of a larger tract of land that the Trust and its beneficiary desire to cause to be developed into a planned community of commercial and residential uses under the name of "Fairfield's Pusch Ridge at La Reserve" (hereinafter "La Reserve"); a legal description of such larger tract of land is attached hereto and incorporated herein by reference as Exhibit "C" and is hereinafter referred to as "La Reserve";

C. In connection with the development of La Reserve, the Trust, subject to the provisions hereinafter set forth, hereby covenants for itself and its successors and assigns that the Real Property be maintained as "natural area" and that no buildings or other structures be placed or located thereon; except however:

(1) nature trails and paths may be created on portions of the Real Property designated as Area B on the map attached hereto as Exhibit "D" for use and enjoyment by persons owning property or residing within La Reserve, their guests, licensees and invitees;

(2) utility easements up to twenty feet in width may be granted over, across, upon and beneath portions of the Real Property designated as Area B on the map attached hereto as Exhibit "D"; and

(3) the existing road located on the Real Property may continue to be used and improved.

Notwithstanding the foregoing, in recognition of the fact that the development of La Reserve may require that the description of the Real Property be changed by adding property thereto or subtracting property therefrom, the Trust reserves the right to modify the legal description of Area B of the Real Property as described in Exhibit "B" attached hereto (but not of Area A, Wilderness Area) and Area B as shown on the map attached hereto as Exhibit "D" (but not of Area A, Wilderness

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Area) at any time and from time to time by the execution and recordation of an amendment to this document setting forth such new legal description in replacement of the legal description attached hereto as Exhibit "B" and/or a new map in replacement of the map attached hereto as Exhibit "D"; provided, however, that:

(a) any such new legal description or map shall pertain only to property within La Reserve owned by the Trust unless the owner of the property not owned by the Trust joins in executing such amendment; and

(b) without the prior written consent of the Town of Oro Valley, Arizona (through its Mayor and Council ("Council") or through the Zoning Administrator of the Town of Oro Valley (the "Administrator") or such other person as the Council or the Administrator or either of them may designate) the Trust shall not have the right to amend this document to set forth a new legal description or map pursuant to the foregoing. However, the Town of Oro Valley, by executing this document on the signature page hereof agrees that it shall forthwith give its written consent to any such amendment unless: (i) such amendment would reduce the number of acres of property within La Reserve that is "natural area" (as determined in paragraph D below) to less than approximately 103.56 acres; or (ii) the effect of such amendment is to increase the "average cross slope" of La Reserve from less than 15% to in excess of 15% as determined pursuant to Chapter 18.61 (Hillside Development Overlay Zone), Section 18.61.303(A)(2) of the Zoning Code of Pima County, Arizona (the "Code") as in effect on the date hereof after excluding pursuant to Section 18.61.060 of the Code, the then area of property within La Reserve that has been designated as "natural area" (as determined in paragraph D below).

D. For purposes of determining, pursuant to paragraph C above the area within La Reserve that, at any given time, has been designated as "natural area", the area of all of the following property within La Reserve shall be included: (1) all property within La Reserve that is depicted on any subdivision plat recorded in the Office of the County Recorder, Pima County, Arizona as "natural area", "open space", "non-building area" or similar designation such that such property is thereafter required to remain unimproved and not occupied by any buildings or other structures (except those enumerated in subparagraphs 1, 2, 3 and 4 of paragraph C of this document), (2) all property within La Reserve that, at the time in question, is, by virtue of recorded covenants or

restrictions required to thereafter remain unimproved and not occupied by any buildings or other structures (except those referred to in subparagraphs 1, 2, 3 and 4 of paragraph C of this document); and (3) all property within La Reserve that is described in Exhibits "A" and "B" to this document (after giving effect to the last amendment, if any, hereof).

E. This document is being recorded solely for the purposes set forth above and shall not confer any rights or benefits on any person or on any property within La Reserve and no person shall be deemed to be a third party beneficiary hereof, except the Town of Oro Valley, to the extent provided in subparagraph (b) of paragraph C of this document.

F. No provision of this document shall in any way preclude or limit the right of any owner of the Real Property from using it either in whole or in part as required or optional open space, natural area, or undeveloped common areas of one or more subdivisions of the land at La Reserve, and the Trust specifically reserves such right.

This document completely revokes, supercedes and replaces in its entirety that document recorded in the Office of the County Recorder, Pima County, Arizona entitled "Conservation Easement" in Docket 7721 at page 1476, et seq.

Dated as of September 25, 1987.

LAWYERS TITLE OF ARIZONA, an Arizona corporation, as Trustee under Trust No. 7243-T, in its capacity as such trustee only and not in its individual or corporate capacity

By [Signature]  
Trust Officer

ATTEST:

TOWN OF ORO VALLEY

[Signature]

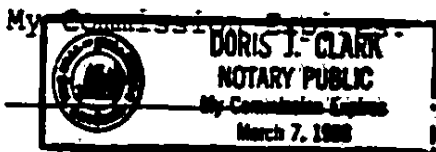
By  
Its

[Signature]  
[Signature]

STATE OF ARIZONA )  
 ) ss.  
COUNTY OF PIMA )

The foregoing was acknowledged before me this 25<sup>th</sup>  
day of September, 1987, by Leone M. Rottia,  
as Trust Officer of Lawyers Title of Arizona, an Arizona  
corporation, as Trustee under Trust No. 7243-T, in its  
capacity as such Trustee only and not in its individual or  
corporate capacity.

Doris J. Clark  
Notary Public



STATE OF ARIZONA )  
 ) ss.  
COUNTY OF PIMA )

The foregoing was acknowledged before me this \_\_\_\_\_  
day of \_\_\_\_\_, 1987, by \_\_\_\_\_,  
as \_\_\_\_\_ of the Town of Oro Valley.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

8152 1705

EXHIBIT A

June 23, 1986  
MMA 86001-11-75

DESCRIPTION OF WILDERNESS AREA LYING WITHIN  
"TAKEDOWN PARCEL" AT FAIRFIELD'S PUSCH RIDGE

That portion of Section 8, Township 12 South, Range 14 East,  
Gila and Salt River Meridian, Pima County, Arizona,  
described as follows;

COMMENCING at the southeast corner of said Section 8;

THENCE N 89° 47' 48" W along the south line of said Section 8  
a distance of 1,894.07 feet;

THENCE N 06° 01' 35" E 207.74 feet;

THENCE N 89° 57' 30" E 225.80 feet;

THENCE N 07° 16' 45" E 11.39 feet to the POINT OF BEGINNING;

THENCE continue N 07° 16' 45" E 69.21 feet;

THENCE N 83° 12' 06" E 80.89 feet to Point "A";

THENCE S 48° 42' 55" W 118.56 feet to the POINT OF BEGINNING;

TOGETHER WITH the following described parcel;

COMMENCING at said Point "A";

THENCE N 83° 12' 06" E 7.65 feet;

THENCE N 49° 06' 26" E 1,160.73 feet;

THENCE N 20° 33' 36" E 26.00 feet to the POINT OF BEGINNING;

THENCE continue N 20° 33' 36" E 200.15 feet;

THENCE N 00° 25' 25" W 595.82 feet;

THENCE N 28° 02' 43" W 293.70 feet;

THENCE N 43° 59' 54" W 84.41 feet;

THENCE N 25° 47' 51" E 145.68 feet to Point "B";

THENCE S 31° 14' 33" E 987.12 feet;

THENCE S 48° 42' 55" W 591.59 feet to the POINT OF BEGINNING;



June 23, 1986  
WILDERNESS AREA LYING  
WITHIN "TAKEDOWN PARCEL"  
MMA 86001-11-75  
Page Two

TOGETHER WITH the following described parcel;  
COMMENCING at said Point "B";  
THENCE N 25° 47' 51" E 10.96;  
THENCE N 29° 21' 21" W 1372.96 feet;  
THENCE N 39° 02' 39" W 400.73 feet to the POINT OF BEGINNING;  
THENCE continue N 39° 02' 39" W 44.24 feet;  
THENCE N 55° 22' 46" W 684.37 feet;  
THENCE N 52° 37' 16" E 287.50 feet;  
THENCE S 31° 14' 33" E 699.10 feet to the POINT OF BEGINNING;  
All three parcels together containing 7.279 acres, more or less.

PREPARED BY:  
McGOVERN, MacVITTIE & ASSOCIATES, INC.



James L. Dean, R.L.S.

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EXHIBIT B.

That portion of Section 8, Township 12 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows;

COMMENCING at the southwest corner of said Section 8;

THENCE N 00° 04' 09" E along a straight line between the southwest corner of said Section 8 and the northwest corner of said Section 8 a distance of 1,942.30 feet to Point "A";

THENCE S 63° 50' 37" E 14.68 feet to the POINT OF BEGINNING;

THENCE N 63° 30' 00" E 422.96 feet;

THENCE N 09° 00' 00" E 281.72 feet;

THENCE N 44° 45' 17" E 211.34 feet;

THENCE S 72° 00' 00" E 362.10 feet;

THENCE S 38° 00' 00" E 218.36 feet;

THENCE S 31° 00' 00" E 181.75 feet;

THENCE S 40° 00' 00" E 155.99 feet;

THENCE S 47° 00' 00" E 187.15 feet;

THENCE S 31° 48' 52" E 107.77 feet;

THENCE S 43° 16' 27" E 102.63 feet;

THENCE S 00° 00' 00" E 153.77 feet;

THENCE S 11° 00' 00" E 243.43 feet;

THENCE S 40° 00' 00" 298.90 feet to Point "B";

THENCE N 63° 50' 37" W 215.75 feet;

THENCE N 42° 50' 53" W 1,046.28 feet;

THENCE S 78° 16' 48" W 610.58 feet;

THENCE N 63° 50' 37" W 271.46 feet to the POINT OF BEGINNING;  
TOGETHER WITH the following described parcel;  
COMMENCING at said Point "A";  
THENCE N 63° 50' 37" W 68.34 feet;  
THENCE N 44° 45' 17" E 1,102.87 feet;  
THENCE S 35° 33' 39" E 140.00 feet;  
THENCE N 54° 26' 21" E 127.29 feet to the POINT OF BEGINNING;  
THENCE continue N 54° 26' 21" E 546.22 feet;  
THENCE N 47° 11' 26" E 2,342.07 feet;  
THENCE S 31° 14' 33" E 240.42 feet;  
THENCE S 52° 37' 16" W 287.50 feet;  
THENCE S 55° 22' 46" E 499.46 feet;  
THENCE S 34° 37' 14" W 32.47 feet;  
THENCE S 82° 51' 19" W 149.20 feet;  
THENCE S 53° 08' 54" W 90.25 feet;  
THENCE S 29° 05' 02" W 98.13 feet;  
THENCE S 18° 47' 15" E 111.15 feet;  
THENCE S 50° 50' 55" E 350.47 feet;  
THENCE S 65° 00' 00" E 180.00 feet;  
THENCE S 12° 00' 00" E 256.00 feet;  
THENCE S 28° 00' 00" E 615.72 feet;  
THENCE S 44° 00' 00" W 219.91 feet;

THENCE N 40° 00' 00" W 351.37 feet;  
THENCE N 37° 37' 18" W 574.33 feet;  
THENCE S 58° 24' 32" W 299.55 feet;  
THENCE S 21° 55' 41" E 290.21 feet;  
THENCE S 40° 53' 51" E 875.19 feet;  
THENCE S 40° 00' 00" W 260.00 feet;  
THENCE N 50° 00' 00" W 237.28 feet;  
THENCE N 39° 12' 55" W 487.58 feet;  
THENCE N 51° 28' 06" W 240.35 feet;  
THENCE N 35° 58' 50" W 731.80 feet;  
THENCE N 48° 50' 57" W 431.11 feet;  
THENCE S 47° 22' 28" W 160.09 feet;  
THENCE S 31° 48' 46" E 590.65 feet;  
THENCE S 39° 21' 29" E 442.28 feet;  
THENCE S 31° 53' 39" E 308.49 feet;  
THENCE S 44° 01' 06" E 400.00 feet;  
THENCE S 40° 00' 00" E 303.35 feet;  
THENCE S 53° 00' 00" W 299.90 feet;  
THENCE N 61° 43' 10" W 315.16 feet;  
THENCE N 27° 00' 00" W 129.53 feet;  
THENCE N 48° 00' 00" W 100.25 feet;  
THENCE N 36° 08' 49" W 530.00 feet;  
THENCE N 51° 06' 03" W 85.00 feet;  
THENCE S 65° 00' 00" W 441.12 feet;  
THENCE S 31° 00' 00" E 239.15 feet;

THENCE S 50° 00' 00" E 310.00 feet;  
THENCE S 57° 46' 25" E 257.37 feet;  
THENCE S 52° 28' 56" E 386.50 feet;  
THENCE S 48° 45' 34" E 240.29 feet;  
THENCE S 50° 00' 00" W 125.06 feet;  
THENCE N 40° 00' 00" W 235.14 feet;  
THENCE N 60° 00' 00" W 285.00 feet;  
THENCE N 71° 00' 00" W 260.00 feet;  
THENCE N 55° 00' 00" W 210.00 feet;  
THENCE N 38° 00' 00" W 447.87 feet;  
THENCE N 47° 00' 00" W 205.75 feet;  
THENCE N 40° 00' 00" W 128.01 feet;  
THENCE N 31° 00' 00" W 178.25 feet;  
THENCE N 38° 00' 00" W 161.12 feet;  
THENCE N 48° 00' 00" W 308.42 feet to the POINT OF BEGINNING;  
TOGETHER WITH the following described parcel;  
COMMENCING at said Point "B";  
THENCE S 63° 50' 37" E 1,116.26 feet to the POINT OF BEGINNING;  
THENCE S 77° 47' 29" E 350.16 feet;  
THENCE S 67° 27' 24" E 313.45 feet;  
THENCE S 75° 09' 28" E 295.95 feet;  
THENCE S 83° 24' 13" W 120.29 feet;

<sup>43</sup>  
THENCE N 87° 45' 52" W 239.88 feet;

THENCE N 63° 50' 37" W 622.36 feet to the POINT OF BEGINNING;

All 3 parcels together containing 103.56 acres, more or less.

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EXHIBIT C.



That portion of Section 7 and 8, Township 12 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows;

COMMENCING at the southwest corner of said Section 8;

THENCE N 00° 04' 09" E along a straight line between the southwest corner of said Section 8 and the northwest corner of said Section 8 a distance of 1,942.31 feet to the POINT OF BEGINNING;

THENCE N 63° 50' 37" W 68.34 feet;

THENCE N 44° 45' 17" E 1,102.87 feet;

THENCE S 35° 33' 39" E 140.00 feet;

THENCE N 54° 26' 21" E 673.51 feet;

THENCE N 47° 11' 26" E 2,342.07 feet;

THENCE S 31° 14' 33" E 3,701.84 feet;

THENCE S 48° 42' 55" W 1,909.67 feet;

THENCE N 63° 50' 37" W 3,952.41 feet to the POINT OF BEGINNING;

Containing 250.683 acres, more or less.

That portion of Sections 7 and 8, Township 12 South Range, 14 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows;

COMMENCING at the southwest corner of said Section 8;

THENCE N 00° 04' 09" E along a straight line between the southwest corner of said Section 8 and the northwest corner of said Section 8 a distance of 2,221.19 feet;

THENCE S 89° 55' 51" E 184.74 feet to the POINT OF BEGINNING;

THENCE N 47° 23' 58" W 199.14 feet;

THENCE N 13° 26' 22" W 218.23 feet;

THENCE N 60° 32' 42" E 169.28 feet;

THENCE N 72° 25' 51" E 136.59 feet;

THENCE S 81° 42' 06" E 85.12 feet;

THENCE N 81° 52' 56" E 208.93 feet;

THENCE S 78° 13' 14" E 95.83 feet;

THENCE S 44° 45' 17" W 660.72 feet to the POINT OF BEGINNING;

Containing 3.833 acres, more or less.

That portion of the southwest quarter of Section 8, Township 12 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona described as follows;

COMMENCING at the southwest corner of said Section 8;

THENCE N 00° 04' 09" E along a straight line between the southwest corner of said Section 8 and the northwest corner of said Section 8 a distance of 1,972.36 feet;

THENCE N 89° 55' 51" W 61.38 feet;

THENCE N 44° 45' 17" E 1102.87 feet to the POINT OF BEGINNING;

THENCE S 73° 52' 24" W 165.20 feet;

THENCE S 78° 13' 14" E 95.83 feet;

THENCE N 44° 45' 17" E 92.16 feet to the POINT OF BEGINNING;

Containing 0.085 acres, more or less

That portion of Section 7 and 8, Township 12 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows;

COMMENCING at the southeast corner of said Section 7;

THENCE N 00° 04' 09" E along a straight line between the southeast corner of said Section 7 and the northeast corner of said Section 7 a distance of 1,972.35 feet;

THENCE N 89° 55' 51" W 61.38 feet to the POINT OF BEGINNING;

THENCE N 80° 47' 00" W 142.31 feet;

THENCE N 79° 01' 00" E 205.70 feet to said straight line between the southeast corner of said Section 7 and the northeast corner of said Section 7;

THENCE S 44° 45' 17" W 87.28 feet to the POINT OF BEGINNING;

TOGETHER WITH the following described parcel;

COMMENCING at the southeast corner of said Section 7;

THENCE N 00° 04' 09" E along a straight line between the southeast corner of said Section 7 and the northeast corner of said Section 7 a distance of 1,972.36 feet;

THENCE N 89° 55' 51" W 61.38 feet;

THENCE S 63° 50' 37" E 26.13 feet to the POINT OF BEGINNING;

THENCE continue S 63° 50' 37" E 91.23 feet;

THENCE S 79° 01' 00" W 74.74 feet;

THENCE N 80° 47' 00" W 17.13 feet;

THENCE N 09° 13' 00" E 52.39 feet to the POINT OF BEGINNING;

Both parcels together containing 0.174 acres, more or less.

That portion of Section 8, Township 12 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows;

COMMENCING at the southwest corner of said Section 8;

THENCE N 00° 04' 09" E along a straight line between the southwest corner of said Section 8 and the northwest corner of said Section 8 a distance of 1,972.36 feet;

THENCE N 89° 55' 51" W 61.38 feet;

THENCE N 44° 45' 17" E 1,102.87 feet to the POINT OF BEGINNING;

THENCE S 35° 33' 39" E 140.00 feet;

THENCE N 54° 26' 21" E 195.83 feet;

THENCE West 240.73 feet to the POINT OF BEGINNING;

Containing 0.315 acres, more or less.

BUT EXCLUDING THE FOLLOWING:

LEGAL DESCRIPTION

PARCEL "T" TRIANGLE

That portion of Section 8, Township 12 South, Range 14 East, Gila and Salt River Base and Meridian, Pima County, Arizona, more particularly described as follows:

Commencing at the Southwest corner of said Section 8; THENCE North  $00^{\circ} 04' 09''$  East along a straight line between the Southwest corner of said Section 8 and the Northwest corner of Section 8, a distance of 1916.38 feet; THENCE South  $89^{\circ} 55' 51''$  East, 256.98 feet to the POINT OF BEGINNING;

THENCE North  $79^{\circ} 16' 46''$  East, 610.58 feet;

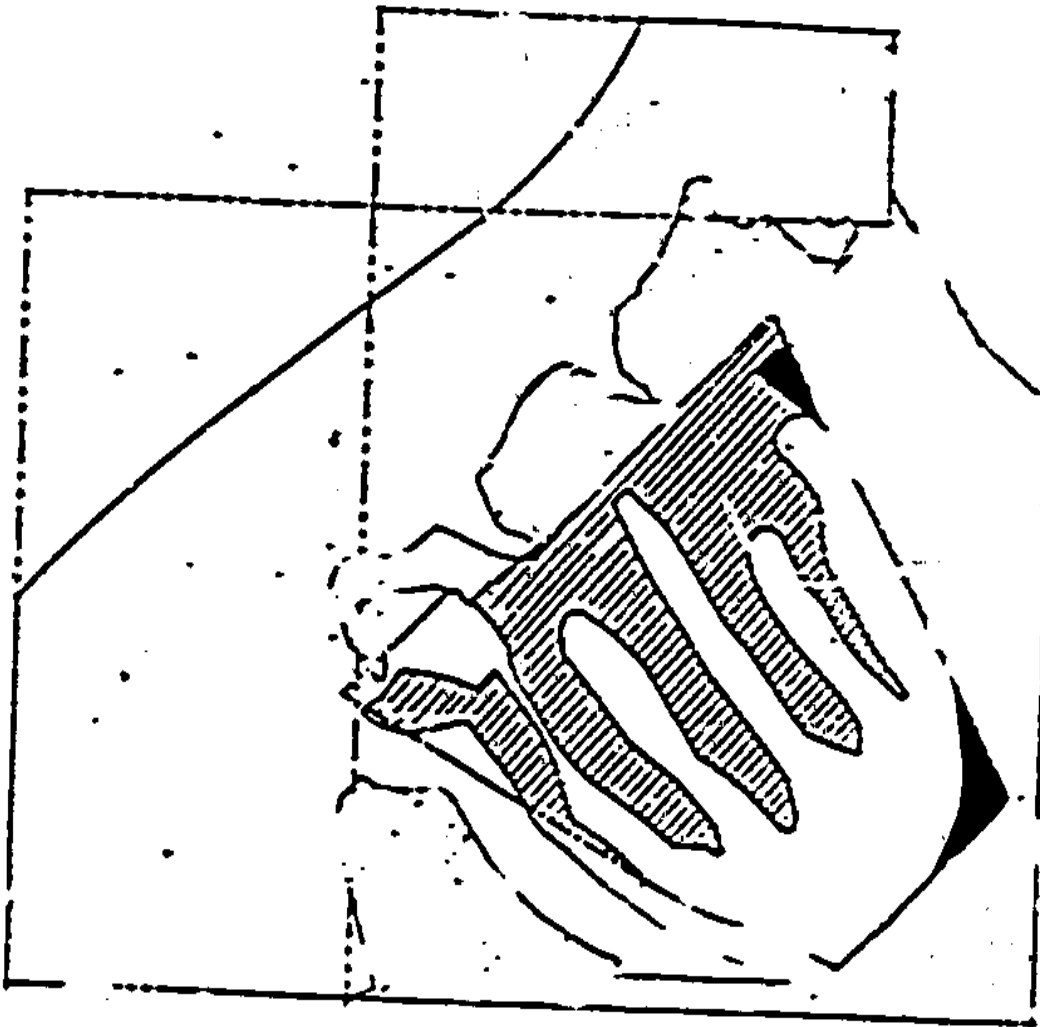
THENCE South  $42^{\circ} 50' 53''$  East, 1046.28 feet;

THENCE North  $63^{\circ} 50' 37''$  West, 1458.77 feet to the POINT OF BEGINNING.

Said parcel contains 6.28 acres, more or less.

8152 1721

· EXHIBIT D ·



SCALE 1" = 1 MILE



- AREA 'A'  7.94 ACRES
- AREA 'B'  115.04 ACRES

004

7721 1504