

RESOLUTION NO. 117-23
OF THE GOVERNING BODY OF THE
YAVAPAI-APACHE NATION

A Resolution Requesting the Secretary of the United States Department of Interior to Acquire Lands in Trust Status for the Yavapai-Apache Nation and to Add Said Lands to the Nation's Camp Verde Indian Reservation pursuant to Section 5 and Section 7 of the Indian Reorganization Act of 1934, 48 Stat. 984 *et seq.* and 25 C.F.R. Part 151.10

- WHEREAS:** The Yavapai-Apache Nation is a federally recognized Indian Tribe organized under Section 16 of the Indian Reorganization Act of 1934, 48 Stat. 984 *et seq.* ("IRA"); and
- WHEREAS:** The Yavapai-Apache Tribal Council ("Council") is authorized to represent the Yavapai-Apache Nation ("Nation") and act on all matters that concern the health and welfare of the Nation, and to make decisions not inconsistent with or contrary to the Constitution of the Yavapai-Apache Nation ("Constitution") as provided by Article V (a) of the Constitution; and
- WHEREAS:** The Council as the legislative body of the Nation, is empowered to enact laws, ordinances, and resolutions incidental to the exercise of its legislative powers as provided by Article V(v) of the Constitution; and
- WHEREAS:** The Council is authorized to request the Secretary of the United States Department of Interior ("Secretary") "to confer trust or reservation status on lands reserved for, granted to, or purchased by the Tribe" as provided under Article (V)(g) of the Constitution; and
- WHEREAS:** The Nation's Camp Verde Indian Reservation consists of five (5) non-contiguous tracts of land located throughout the Verde Valley of central Arizona, totaling approximately 1,810 acres, more or less ("Reservation"); and
- WHEREAS:** The small size of the Nation's current Reservation is inadequate to provide a permanent home and abiding place for the Nation's members within the Nation's ancestral homelands, which once spanned more than 16,000 square miles across central Arizona; and
- WHEREAS:** The Nation's existing Reservation cannot accommodate the rapidly growing population of the Nation's members, where more than 38% of members are under the age of 18 and the current housing wait-list is over 150 families; and
- WHEREAS:** The Nation's ability to support Tribal and economic self-determination, while remaining a cohesive Tribal community, is threatened by the lack of a land base sufficient to meet the Nation's governmental and social needs; and
- WHEREAS:** The United States Department of Agriculture, Forest Service ("Forest Service") is presently engaged in a federal land exchange with the Nation pursuant to an Agreement to Initiate ("ATI"), a copy of which is attached to this Resolution as

Exhibit A, as authorized under the laws of the United States, including, among others, the Federal Land Policy and Management Act of 1976, 43 U.S.C. Secs. 1716 and 1717 (the “Land Exchange”); and

WHEREAS: The Land Exchange and ATI contemplate the transfer of certain parcels of land that the Nation currently owns in fee (denoted “Non-Federal Land To Be Exchanged” in the ATI) as legally described under Exhibit A of the ATI, to the Forest Service, in exchange for the Forest Service transferring certain parcels of Forest Service land to the Nation in fee (denoted “Federal Lands to be Exchanged” in the ATI) as legally described under Exhibit B of the ATI; and

WHEREAS: The Federal Lands included in the Land Exchange, which the Nation hereby requests by this Resolution be placed into trust status upon completion of the Land Exchange, are all contiguous to the Nation’s existing Reservation lands and are therefore subject to acquisition by the Secretary under 25 C.F.R. §151.10, which provides for on-reservation trust acquisitions; and

WHEREAS: Once acquired into trust by the Secretary, the Federal Lands transferred to the Nation under the Land Exchange will be used to meet the Nation’s most basic needs for housing, economic development, essential governmental services, open space, recreation, employment, cultural preservation, and all the other uses that are associated with lands serving as a permanent Tribal homeland for the Nation.

NOW THEREFORE BE IT RESOLVED that the Yavapai-Apache Tribal Council, in Council assembled, at which a quorum is present, hereby requests the Secretary of the United States Department of Interior, acting in accordance with federal law and regulations, to acquire in trust status those Federal Lands legally described in Exhibit B to the Agreement to Initiate (ATI) (except for those lands described as the Cedar Ridge Parcel NF10), a copy of which ATI is attached hereto as **Exhibit A** and incorporated herein by reference, and to add those lands to the existing Camp Verde Indian Reservation promptly upon the closing of the Land Exchange, at which time the Nation will hold title to those parcels and will promptly convey title to the United States in trust status for the exclusive use and benefit of the Yavapai-Apache Nation.

BE IT FURTHER RESOLVED that in the event the various legal descriptions of the Federal Lands set forth in Exhibit B to the ATI (except for those lands described as the Cedar Ridge Parcel NF10) are modified or amended for any reason prior to closing the Land Exchange, the modified or amended legal descriptions of the Federal Lands to be conveyed to the Nation shall, without further action of the Tribal Council as provided hereinbelow, be substituted as the final written legal descriptions of the lands the Nation is requesting by this Resolution be acquired in trust status and added to the Nation’s existing Reservation.

BE IT FURTHER RESOLVED that the Nation’s Attorney General shall be authorized to provide the Secretary the final written legal descriptions of the lands that are requested for acquisition in trust status and to be added to the Reservation in conformity with this Resolution without any additional action required by the Tribal Council.

BE IT FURTHER RESOLVED that the Nation’s Chairwoman, Vice-Chairman, or either of them, are hereby authorized and directed to prepare and file an application with the Secretary of

the United States Department of Interior, acting through the Bureau of Indian Affairs, pursuant to Section 5 and Section 7 of the IRA and 25 C.F.R. §151.10, requesting that the lands identified in this Resolution be promptly acquired into trust status and added to the Nation's existing Reservation upon the closing of the Land Exchange.


BE IT FURTHER RESOLVED that the Chairwoman, Vice-Chairman, or either of them, are hereby authorized and directed to provide the Secretary with all information and execute all documents, as may be necessary to accomplish the intent and purposes of this Resolution to prepare and file the above-referenced trust application, and upon closing of the Land Exchange, to transfer the lands described by the ATI and encompassed by this Resolution to the United States in trust for the exclusive benefit of the Nation and adding such lands to the Nation's existing Reservation.

CERTIFICATION

I hereby certify that the foregoing resolution was adopted by an affirmative vote of the Tribal Council, presented for approval on June 29, 2023, by a vote of ___ in favor, ___ opposed and ___ abstaining, pursuant to the authority contained under the Constitution of the Yavapai-Apache Nation.


Tanya Lewis, Chairwoman

ATTEST:


Karla Reimer, Council Secretary

Approved as to Form:


Attorney General

EXHIBIT A

Yavapai-Apache Nation

Land Exchange

Agreement To Initiate (ATI)

Approved February 10, 2023

AGREEMENT TO INITIATE
U.S. DEPARTMENT OF AGRICULTURE
Forest Service

5430 Exchanges

Yavapai-Apache Nation Land Exchange

Federal Party - ~~5430~~ Prescott National Forest

Coconino National Forest

Apache-Sitgreaves National Forests

Kaibab National Forest

Non-Federal Party— Yavapai-Apache Nation

General Exchange Act of March 20, 1922 (42 Stat. 465, 16 U.S.C. Secs. 485, 486, as amended);

Federal Land Policy and Management Act of October 21, 1976 (43 U.S.C. Secs. 1716, 1717);

Federal Land Exchange Facilitation Act of August 20, 1988 (102 Stat. 1086; 43 U.S.C. Sec. 1716).

(I) We, the **Yavapai-Apache Nation**, a Federally Recognized Indian Tribal Government, 2400 West Datsi Street, Camp Verde, Arizona, 86322, hereinafter called the non-Federal party, and the **Forest Service, U.S. Department of Agriculture**, hereinafter called the United States or the Forest Service, acting through their authorized representatives, intend to exchange the real property described in the Exhibits A and B (attached) and under the terms and conditions described in the exhibits. It is understood that the basis for value of the exchange properties shall be appraisals which have been approved by the Forest Service. This Agreement to Initiate authorizes each party to enter on lands of the other for such purposes as preparing land value appraisals, land line surveys, wildlife and wetland inventories, and other evaluations deemed necessary by the United States to fully evaluate the effects and merits of the exchange proposal.

It is understood that upon approval of the exchange values, terms, and conditions by the appropriate United States official, the parties may enter into an Exchange Agreement that shall be binding to both parties. It is understood that prior to the Exchange Agreement, or issuance of a patent or deed by the United States, if no exchange agreement is executed, no action taken shall create or establish any contractual or other obligations against the non-Federal party or the United States. Either the non-Federal party or the United States may withdraw from the exchange at any time prior to execution of the Exchange Agreement, or conveyance from the United States.

This is an assembled land exchange— see Exhibit E.

Pursuant to Section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. Sec. 1716), a payment may be required by either party to equalize exchange values. The non-Federal party may reserve such rights as are acceptable to the Forest Service. Any reservations shall be subject to the

rules and regulations of the Secretary of Agriculture, where applicable, and such other conditions as may be agreed upon. The reservations and exceptions of the non-Federal party are listed in Exhibit A attached.

If the United States approves this offer and accepts title, the non-Federal party agrees to accept, in exchange, that National Forest System land described in Exhibit B, subject to the reservations and exceptions shown in Exhibit B attached. The United States will convey title by patent issued by the USDI-Bureau of Land Management.

It will be the non-Federal party's responsibility to furnish a good and sufficient title to the property free from objectionable encumbrances. The non-Federal party will convey title by general warranty deed when notified to do so. Policies of title insurance satisfactory to the Office of the General Counsel of the Department of Agriculture will be prepared at the expense of the non-Federal party.

The United States does not furnish title insurance for the property it conveys.

No authorization for compensation for costs assumed pursuant to the provision of 36 CFR 254.7 is provided.

The timeline for processing this proposal and the agreement on responsibility for costs on specific items (36 CFR 254.4(c)(6)) is provided for in Exhibit C (Implementation Schedule) and Exhibit D (Projected Costs and Allocation).

If the non-Federal party is assigned the responsibility of providing appraisals for the Federal and/or non-Federal properties in the Implementation Schedule, execution of this agreement requires the non-Federal party to instruct the Forest Service-approved fee appraiser to simultaneously submit all appraisals to the Forest Service and the non-Federal party. A copy of this Agreement to Initiate may be provided to the appraiser of record and serve as written authorization by the appraiser's client to provide a copy of all appraisals to the Forest Service.

Qualified tenants occupying the non-Federal lands affected by this proposal may be entitled to relocation benefits under 49 CFR 24.2. The non-Federal party agrees to formally notify the Forest Service of any tenants occupying the non-Federal land and provide the Forest Service documentation that the tenant has been notified of the proposed land exchange.

Unless otherwise provided by law or regulation (49 CFR 24.101(a)(1)), relocation benefits are not applicable to owner-occupants involved in exchanges with the United States provided the owner-occupants are notified in writing that the non-Federal lands are being acquired by the United States on a voluntary basis.

Therefore, this Agreement to Initiate serves as that notice and by signing the same, the owner-occupants agree that they are not entitled to relocation benefits.

Each party to this agreement is responsible to provide the other documentation of the existence or non-existence of hazardous substances stored on their respective lands for 1 year or more or disposed of or

released on said lands. If evidence of hazardous substances are found, either party may refuse, without liability, to complete the exchange.

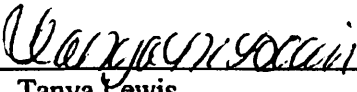
No member of Congress, or Resident Commissioner, shall be admitted to any share or part of this proposal or to any benefit that may arise therefrom unless it is made with a corporation for its general benefit (18 U.S.C. Secs. 431, 433).

The undersigned is a citizen of the United States or a corporation or other legal entity subject to the laws of the United States or a State thereof. The undersigned is also 21 years old or over and is the owner of the above-described offered land or has a firm contract to acquire it.


Notification Statement: Public Availability of Property-Related Information. Any party who has signed below acknowledges receipt of this notification: All documents pertaining to both Federal and non-Federal lands necessary for the evaluation, processing, and consummation of a land adjustment transaction, including but not limited to appraisals, timber cruises, specialist reports, geology/mineral reports, title, and other property information, are subject to public availability pursuant to the Freedom of Information Act (5 U.S.C. Sec. 552) and the Privacy Act (5 U.S.C. Sec. 552a).

However, it is the general intent of all parties that land adjustment transaction documents will be considered "pre-decisional working papers" not subject to premature availability prior to the point which concludes evaluation of the proposal through the agency's established, required processes and policy.

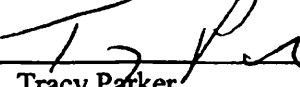
02.10.23
Date

By: 
Tanya Lewis
Chairperson
Yavapai-Apache Nation

10 Feb. 2023
Date

By: 
Dale Deiter
Forest Supervisor
Prescott National Forest
USDA Forest Service

2/10/2023
Date

By: 
Tracy Parker
Director of Lands & Minerals
Southwestern Region
USDA Forest Service

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0105. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

EXHIBIT A
NON-FEDERAL LAND TO BE EXCHANGED

Property that the non-Federal party will consider exchanging:

Apache-Sitgreaves National Forests
Black Mesa Ranger District

Heber Parcel (YAN5)

Gila and Salt River Meridian
Township 11 North, Range 18 East, Navajo County, Arizona
Those portions of Sections 26 and 35
Described as follows:

Parcel No. 1:

The West half of the Southeast quarter of Section 26, Township 11 North, Range 18 East of the Gila and Salt River Base and Meridian, Navajo County, Arizona.

Parcel No. 2:

The West half of the Northeast quarter of Section 35, Township 11 North, Range 18 East, of the Gila and Salt River Base and Meridian, Navajo County, Arizona.

Except the South half of the Southwest quarter of the Northeast quarter thereof.

Parcel No. 3:

The South half of the Southwest quarter of the Northeast quarter of Section 35, Township 11 North, Range 18 East of the Gila and Salt River Base and Meridian, Navajo County, Arizona.

Containing 159.16, acres more or less.

TOGETHER WITH any and all minerals rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE NON-FEDERAL PARTY: None.

OUTSTANDING RIGHTS ON NON-FEDERAL PROPERTY that will be recognized in the Warranty Deed to the United States:

1. Reservations or exceptions in Patent recorded in Book 2 of Patents, page 389, Official Records of Navajo County, Arizona or in Acts authorizing the issuance thereof.
2. MATTERS shown on survey recorded in Book 44 of Land Surveys, page 91, Official Records of Navajo County, Arizona.
3. RECITALS contained in instrument recorded in:
Document No. 2022-12609, Official Records of Navajo County, Arizona.

Lakeside Ranger District

Pinedale Parcel (YAN3)

Gila and Salt River Meridian

Township 11 North, Range 20 East, Navajo County, Arizona

That portion of Section 29 described as follows:

The East one-half of Section 29, Township 11 North, Range 20 East of the Gila and Salt River Base and Meridian, Navajo County, Arizona;

EXCEPT the Northwest quarter of the Northeast quarter of said Section 29;

ALSO EXCEPT the South 1377.97 feet thereof as recorded in Docket 797, page 296;

ALSO EXCEPT that portion as conveyed in Quit Claim Deed recorded in Document No. 2014-12082, being more particularly described as follows:

COMMENCING at the South quarter corner of Section 29 monumented by a 3.25" aluminum cap marked "T11N R20E ¼ S29 S32 2012 RLS 15573";

Thence North 01° 00' 17" West along the mid-section line of said Section, a distance of 1417.98 feet, to the Southwest corner of this parcel monumented by a 2" aluminum cap stamped 40' WC LS 47854 and the POINT OF BEGINNING;

Thence North 01° 00' 17" West along the mid-section line of said Section, a distance of 1222.71 feet, to the center of Section 29 monumented by a 3.25" BLM Brass Cap marked: "USDOI T11N R20E C1/4 S29 1978 BLM";

Thence North 00° 58' 59" West along the mid-section line of said Section, a distance of 514.78 feet, to a ½" rebar with plastic cap stamped LS 47854;

Thence South 88° 13' 59" East, a distance of 50.02 feet, to a ½" rebar with plastic cap stamped LS 47854;

Thence South 00° 00' 28" West, a distance of 1735.34 feet, to a ½" rebar with plastic cap stamped LS 47854;

Thence South 88° 59' 44" West, a distance of 19.50 feet to the POINT OF BEGINNING.

Containing 197.61 acres, more or less.

TOGETHER WITH any and all mineral rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE NON-FEDERAL PARTY: None.

OUTSTANDING RIGHTS ON NON-FEDERAL PROPERTY that will be recognized in the Warranty Deed to the United States:

1. Reservations or exceptions in Patent recorded in Book 1 of Deeds, page 162, Official Records of Navajo County, Arizona or in Acts authorizing the issuance thereof.
2. MATTERS shown on survey recorded in Document No. 2013-17851, Official Records of Navajo County, Arizona.
3. MATTERS shown on amended survey recorded in Document No. 2014-12830, Official Records of Navajo County, Arizona. And in resolution Re-Recorded in Document No. 2014-12831, Official Records of Navajo County, Arizona.
4. ALL MATTERS set forth in Resolution No. 105-14 according to the terms and conditions contained therein:

Recorded in Document No. 2014-12080, Official Records of Navajo County, Arizona.
And Re-Recorded in Document No. 2014-12831, Official Records of Navajo County, Arizona.

Coconino National Forest
Red Rock Ranger District

Johnston Ranch Parcel (YAN2)

The Northeast Quarter of the Southeast Quarter of the Southeast Quarter;
and the South Half of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter, Section 7;

And the Southwest Quarter of Section 8, less the following described portion:

The South Half of the Southwest Quarter of the Southwest Quarter;

and the Southwest Quarter of the Southeast Quarter of the Southwest Quarter;

and the Westerly 108.2 feet of the Northwest Quarter of the Northwest Quarter of the Southwest Quarter;

and the Westerly 108.2 feet of the Northwest Quarter of the Southwest Quarter of the Northwest Quarter of the Southwest Quarter.

All in Township 17 North, Range 4 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona.

Containing 143.96 acres, more or less.

TOGETHER WITH any and all mineral rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE NON-FEDERAL PARTY: None

OUTSTANDING RIGHTS ON NON-FEDERAL PROPERTY that will be recognized in the Warranty Deed to the United States:

1. Reservations or exceptions in Patents in Book 176 of Deeds, Page 293, records of Yavapai County, Arizona or in Acts authorizing the issuance thereof.
2. EASEMENT and rights incident thereto, as set forth in instrument:
Recorded in Docket: 1213, Page 852, of Official Records of Yavapai County, Arizona.
Purpose: ingress, egress, utilities and well access and maintenance
3. RESTRICTIONS, CONDITIONS, COVENANTS, EASEMENTS, RESERVATIONS, LIABILITIES AND OBLIGATIONS, including but not limited to any recitals creating easements or party walls contained in instrument recorded in Docket 1213 at page 852, Official Records of Yavapai County, Arizona, omitting, if any, from the above, any restrictions based on race, color, religion, sex, sexual orientation, handicap, familial

status, marital status, disability, ancestry, source of income or national origin as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law; Together with all matters pertaining the imposition of any transfer or conveyance fee contained within the document(s). The provisions for such fee require it to be paid upon transfer or conveyance of the land.

4. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Docket: 1328, Page: 290, Official Records of Yavapai County, Arizona.
Purpose: ingress, egress, utilities and well access and maintenance

5. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Docket: 1351, Page: 247, Official Records of Yavapai County, Arizona.
Purpose: electric lines

Note: The non-Federal party and the easement holder are working to put a defined easement in place and then abandoning this blanket easement. It is the intent of the parties for the parcel to be taken "Subject to" the new, more specific easement that covers the existing service line.

6. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Docket: 1467, Page: 858, Official Records of Yavapai County, Arizona.
Purpose: ingress and egress

**Kaibab National Forest
Williams Ranger District**

Williams Parcel (YAN6)

Gila and Salt River Meridian
Township 21 North, Range 3 East, Coconino County, Arizona
That portion of Section 18
Described as follows:

PARCEL NO 1:

The West half of the Southeast quarter;
The Southwest quarter of the Northeast quarter;
And the Northeast quarter of the Southwest quarter;
All in Section 18, Township 21 North, Range 3 East of the Gila and Salt River Base and Meridian, Coconino County, Arizona;

EXCEPTING FROM Parcel 1 that portion conveyed to the City of Williams by deed recorded in Instrument No. 3184717, records of Coconino County, Arizona, more particularly described as follows:

A parcel of land located in the Southwest quarter of the Northeast quarter of Section 18, Township 21 North, Range 3 East of the Gila and Salt River Base and Meridian, Coconino County, Arizona; The parcel of land is a portion of the parcel known as the Pouquette Homestead as shown on the survey drawing prepared by Charles Doak for the U. S. Department of Agriculture/Forest Service title "Survey of the Pouquette Homestead, Homestead Certificate No. 723 and Forest Homestead Patent No. 737544, the Kaibab National Forest Property Line" dated February 8, 1971, and recorded in Case 2, Maps 288-288B, inclusive, records of Coconino County, Arizona, and is more particularly described as follows:

COMMENCING at the Northeast 1/16 corner of Section 18, a 3 inch USDA/FS brass cap marked LS 4476 and dated 1969;

THENCE South 00° 18' 41" West, along the East line of the Southwest quarter of the Northeast quarter of Section 18, a distance of 838.35 feet to the Northerly line of the 66 foot wide right-of-way for Forest Road 140, as shown on a survey title "Plat of the Right-of-Way Survey Through the Pouquette Homestead Property" for the U. S. Department of Agriculture/Forest Service dated February 2, 1971, and recorded in Case 2, Map 289, from which point the Center-East 1/16 corner of Section 18, a 3 inch USDA/FS brass cap marked LS 4476 and dated 1969 bears South 00° 18' 34" West, a distance of 448.40 feet;

THENCE North 81° 15' 51" West, along the Northerly line of the 66 foot wide right-of-way, a distance of 787.23 feet, monumented with a set 5/8 inch rebar with aluminum cap marked ARENCO LS 13010, being the TRUE POINT OF BEGINNING;

THENCE North 81° 15' 15" West, along the Northerly line of the 66 foot wide right-of-way a distance of 210.73 feet, monumented with a 5/8 inch rebar with aluminum cap marked ARENCO LS 13010;

THENCE North 00° 44' 54" East, a distance of 192.48 feet, monumented with a 5/8 inch rebar with aluminum cap marked ARENCO LS 13010;

THENCE North 89° 52' 41" East, a distance of 208.71 feet, monumented 5/8 inch rebar with aluminum cap marked ARENCO LS 13010;

THENCE South 00° 44' 54" West, a distance of 224.96 feet to the Northerly line of the 66 foot wide right-of-way and the TRUE POINT OF BEGINNING;

The Basis of Bearings for this description is the line from the Northeast 1/16 corner of Section 18, a 3 inch USDA/FS brass cap marked LS 4476 and dated 1969, to the Center-East 1/16 corner of Section 18, a 3 inch USDA/FS brass cap marked LS 4476 and dated 1969 bears South 00° 18' 34" West.

PARCEL NO. 2:

The West half of the Northeast quarter of the Northwest quarter;

The Southeast quarter of the Northwest quarter;

And Lots 1, 2 and 5 (Note that Lot 5 was formerly known as the North half of Lot 3);

All in Section 18, Township 21 North, Range 3 East of the Gila and Salt River Base and Meridian, Coconino County, Arizona;

EXCEPTING THEREFROM that portion of Government Lot 1, Section 18, Township 21 North, Range 3 East of the Gila and Salt River Base and Meridian, Coconino County, Arizona, more particularly described as follows:

COMMENCING at the Northwest corner of Government Lot 1;

Thence North 89° 56' 06" East, along the North line of Government Lot 1, a distance of 298.61 feet to the TRUE POINT OF BEGINNING;

Thence North 89° 56' 06" East, along the North line of Government Lot 1, a distance of 208.71 feet;

Thence South 00° 03' 54" East, perpendicular to the North line of Government Lot 1, a distance of 208.71 feet;

Thence South 89° 56' 06" West, parallel with the North line of Government Lot 1, a distance of 208.71 feet;

Thence North 00° 03' 54" West, perpendicular to the North line of Government Lot 1, a distance of 208.71 feet to the TRUE POINT OF BEGINNING;

The basis of bearings for this description is the North line of Government Lot 1 of Section 18 which bears North 89° 56' 06" East.

As conveyed to the City of Williams, Coconino County, Arizona, on October 4, 2000, by that certain Warranty Deed recorded in the Official Records of Coconino County, Arizona on 11/01/2000, Document No. 3069895.

PARCEL NO. 3:

That portion of Government Lot 1, Section 18, Township 21 North, Range 3 East of the Gila and Salt River Base and Meridian, Coconino County, Arizona, more particularly described as follows:

COMMENCING at the Northwest corner of Government Lot 1;

THENCE North 89° 56' 06" East, along the North line of Government Lot 1, a distance of 298.61 feet to the TRUE POINT OF BEGINNING;

THENCE continuing North 89° 56' 06" East, along the North line of Government Lot 1, a distance of 208.71 feet;

THENCE South 00° 03' 54" East, perpendicular to the North line of Government Lot 1, a distance of 208.71 feet;

THENCE South 89° 56' 06" West, parallel with the North line of Government Lot 1, a distance of 208.71 feet;

THENCE North 00° 03' 54" West, perpendicular with the North line of Government Lot 1, a distance of 208.71 feet back to the TRUE POINT OF BEGINNING;

The Basis of Bearings for this description is the North line of Government Lot 1 of Section 18 which bears North 89° 56' 06" East.

As conveyed by the City of Williams, Coconino County, Arizona, on September 18, 2009, by that certain Quit Claim Deed recorded in the Official Records of Coconino County, Arizona, on 9/29/2009, Document No. 3539973.

Containing 318.80 acres, more or less.

TOGETHER WITH any and all mineral rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE NON-FEDERAL PARTY: None.

OUTSTANDING RIGHTS ON NON-FEDERAL PROPERTY that will be recognized in the Warranty Deed to the United States:

1. Reservations or exceptions in Patent as disclosed in Patent Number 737544, signed on March 1, 1920, and in Patent recorded in Book 32 of Deeds, page 321, Official Records of Coconino County, Arizona or in Acts authorizing the issuance thereof.

2. EASEMENT AND RIGHT OF WAY for Forest Road No. 7140 and rights incident thereto, as set forth in instrument:

Recorded in Document : 191
Page : 137, Official Records of Coconino County, Arizona.

3. MATTERS shown on survey:

Recorded in Case : 2
Pages : 288-288B, Official Records of Coconino County, Arizona.

4. MATTERS shown on survey:

Recorded in Case : 22 of Surveys
Page : 32, Official Records of Coconino County, Arizona.

5. AGREEMENT according to the terms and conditions contained therein:

Purpose : Utilities easement and agreement
Dated : August 29, 2009
Recorded : September 29, 2009
Document No. : 3539974, Official Records of Coconino County, Arizona.

6. MATTERS shown on survey:

Recorded in Instrument No. : 3729686, Official Records of Coconino County, Arizona.

7. USE RESTRICTIONS as contained in Quit Claim Deed:

Recorded in Document No. : 09-3539973

Prescott National Forest
Verde Ranger District

Laurel Leaf Parcel (YAN4)

The Walker, Willow, Upper Sight and Hillside Patented Mining Claims, Mineral Survey No. 1916 situated in the Verde Mining District, patent whereof is recorded in Book 71 of Deeds, Page 199, Yavapai County, Arizona.

Containing 66.11 acres, more or less.

TOGETHER WITH any and all mineral rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE NON-FEDERAL PARTY: None.

OUTSTANDING RIGHTS ON NON-FEDERAL PROPERTY that will be recognized in the Warranty Deed to the United States:

1. Reservations or exceptions in Patent recorded in Book 71 of Deeds, Page 199, records of Yavapai County, Arizona, or in Acts authorizing the issuance thereof.

Chino Valley Ranger District

Red Mountain at Yavapai Ranch Six Sections Parcel (YAN1)

Sections 23, 25 and 27, Township 19 North, Range 6 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona;

Section 19, Township 19 North, Range 5 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona;

Section 3, Township 18 North, Range 6 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona; and

Section 35, Township 19 North, Range 6 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona.

Containing 3,896.32 acres, more or less.

TOGETHER WITH any and all mineral rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE NON-FEDERAL PARTY: None.

OUTSTANDING RIGHTS ON NON-FEDERAL PROPERTY that will be recognized in the Warranty Deed to the United States:

1. Reservations or exceptions in Patents recorded in Book 129 of Deeds, Page 7 and in Book 137 of Deed, Page 256, records of Yavapai County, Arizona or in Acts authorizing the issuance thereof.
2. Reservation of right of way for railroad, station grounds, pipelines and ditches in the Deed from Atlantic and Pacific Railroad Company, recorded in Book 41 of Deeds, page 2, records of Yavapai County, Arizona.
3. Reservation of right of way for railroad, railroad purposes, grounds, public road and highways and exceptions and provisions in the Deed from Santa Fe Pacific Railroad Company recorded in Book 125 of Deeds, page 364, records of Yavapai County, Arizona.

EXHIBIT B
FEDERAL LANDS TO BE EXCHANGED

Property that the United States will consider exchanging:

Coconino National Forest
Red Rock Ranger District

Montezuma A Parcel (NF1)

Gila and Salt River Meridian

Township 14 North, Range 5 East, Yavapai County, Arizona

sec. 18, lot 8, that portion lying southerly and easterly of the southeasterly Right-Of-Way line of Interstate Route 17 (I-17), lot 9, that portion lying northerly and westerly of the northwesterly Right-Of-Way line of the Montezuma Castle-Camp Verde Highway, lot 17, and lot 18, that portion lying northerly and westerly of the following described line, COMMENCING at the northeast corner of lot 18, thence S. 21°25'15" E. along line 4-5 of the Camp Verde Military Reservation (abandoned), a distance of 116.23 feet to a point on the irregular top of the right bank of Wet Beaver Creek, and the TRUE POINT OF BEGINNING of this description; thence along the top of said right bank of Wet Beaver Creek S. 50°59'36" W., a distance of 224.04 feet to the beginning of a circular curve to the left; thence along said circular curve, having a radius of 705 feet, through a central angle of 39°07'50", an arc length of 481.48 feet to a point on the south line of said lot 18, being the end point of this description. From this end point, the southwest corner of lot 18, identical with Angle Point 4 of Tract 37, bears N. 89°49'48" W., a distance of 105.19 feet.

Containing 65.28 acres, more or less.

TOGETHER WITH any and all minerals rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE UNITED STATES:

1. EXCEPTING AND RESERVING TO THE UNITED STATES, a right-of-way for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. Sec. 945).
2. EXCEPTING AND RESERVING TO THE UNITED STATES, a right-of-way for non-motorized public access, the easement being 45 feet wide, lying northwest of and

adjacent to the southeast line of the above-described property in lot 18 of section 18, T. 14 N., R. 5 E., Gila and Salt River Meridian, Yavapai County, Arizona.

OUTSTANDING RIGHTS ON FEDERAL LAND:

1. Public Road Easement for rights-of-way for Montezuma Castle Road Entrance to Montezuma Castle National Monument. The easement is dated May 21, 1993, and was recorded on June 22, 1993, in Book 2651 of Official Records, Page 413, Yavapai County, Arizona. The right of-way is 66 feet in width.

SPECIAL USE PERMITS and/or rights of prior use which will be recognized by an authorization executed by the non-Federal party in favor of the outstanding rights holders on the Federal land:

1. An overhead electricity transmission line is authorized under special use permit (ID PEA401918), issued by the Coconino National Forest. The transmission line right-of-way is 20-feet wide, 10 feet on each side of the centerline. The transmission line crosses this Federal parcel from the southwest corner toward the middle of the eastern boundary, a distance of approximately 1,500 feet, encumbering approximately 0.69 acres. The special use permit expired on December 31, 2016, but the use continues. It is anticipated that the use will be formally re-authorized by the Coconino National Forest for a 30-year term before this parcel is conveyed to the Yavapai-Apache Nation. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.
2. A right-of-way for communication lines and associated improvements is authorized under a special use permit (ID COC0362), issued by the Coconino National Forest. The communication line right-of-way is 20-feet wide, 10 feet on each side of the centerline. It is buried on the north side of, and within the right-of-way for, Montezuma Castle Highway. The special use permit expires on December 31, 2023. The Coconino National Forest is in the process of re-authorizing this use for a 30-year term. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.

SPECIAL USE PERMITS and/or rights of prior use which will need to be modified: None.

SPECIAL USE PERMITS and/or rights of prior use which will be terminated: None.

Other Encumbrances: None.

Montezuma B Parcel (NF2)

Gila and Salt River Meridian

Township 14 North, Range 5 East, Yavapai County, Arizona

sec. 18, lots 20, 21, and that portion of lot 22 lying westerly of the westerly Right-Of-Way line of Middle Verde Road;

sec. 19, N1/2NE1/4NE1/4, that portion lying westerly of the westerly Right-Of-Way line of Middle Verde Road, N1/2NW1/4NE1/4;

tract 38, that portion lying westerly of the westerly Right-Of-Way line of Middle Verde Road.

Containing 107.29 acres, more or less.

TOGETHER WITH any and all mineral rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE UNITED STATES:

1. EXCEPTING AND RESERVING TO THE UNITED STATES, a right-of-way for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. Sec. 945).

OUTSTANDING RIGHTS ON FEDERAL LAND: None.

SPECIAL USE PERMITS and/or rights of prior use which will be recognized by an authorization executed by the non-Federal party in favor of the outstanding rights holders on the Federal land:

1. An overhead electricity transmission line is authorized under special use permit (ID PEA401918), issued by the Coconino National Forest. The transmission line right-of-way is 20-feet wide, 10 feet on each side of the centerline. The transmission line crosses the southern boundary of this Federal parcel, near the southeast corner, then heads north to the eastern boundary, a distance of approximately 500 feet, encumbering approximately 0.18 acres. The special use permit expired on December 31, 2016, but the use continues. It is anticipated that the use will be formally re-authorized by the Coconino National Forest for a 30-year term before this parcel is conveyed to the Yavapai-Apache Nation. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.

SPECIAL USE PERMITS and/or rights of prior use which will need to be modified: None.

SPECIAL USE PERMITS and/or rights of prior use which will be terminated: None.

Other Encumbrances: None.

Montezuma C Parcel (NF3)

Gila and Salt River Meridian

Township 14 North, Range 5 East, Yavapai County, Arizona

sec. 17, lots 2, 3 and 4, those portions lying northerly and westerly of the northwesterly Right-Of-Way line of the Montezuma Castle-Camp Verde Highway.

Containing 46.51 acres, more or less.

TOGETHER WITH any and all mineral rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE UNITED STATES:

1. EXCEPTING AND RESERVING TO THE UNITED STATES, a right-of-way for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. Sec. 945).

OUTSTANDING RIGHTS ON FEDERAL LAND: None.

SPECIAL USE PERMITS and/or rights of prior use which will be recognized by an authorization executed by the non-Federal party in favor of the outstanding rights holders on the Federal land:

1. An overhead electricity transmission line is authorized under special use permit (ID PEA401918), issued by the Coconino National Forest. The transmission line right-of-way is 20-feet wide, 10 feet on each side of the centerline. The transmission line crosses this Federal parcel from the middle of the western boundary toward the middle of the northern boundary, a distance of approximately 1,800 feet, encumbering approximately 0.83 acres. The special use permit expired on December 31, 2016, but the use continues. It is anticipated that the use will be formally re-authorized by the Coconino National Forest for a 30-year term before this parcel is conveyed to the Yavapai-Apache Nation. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.

SPECIAL USE PERMITS and/or rights of prior use which will need to be modified: None.

SPECIAL USE PERMITS and/or rights of prior use which will be terminated: None.

Other Encumbrances: None.

Montezuma D Parcels (NF4)

Gila and Salt River Meridian

Township 14 North, Range 5 East, Yavapai County, Arizona

sec. 7, lot 9, that portion lying southerly and easterly of the southeasterly Right-Of-Way line of Interstate Route 17 (I-17);

sec. 8, SW1/4SW1/4, that portion lying southerly and easterly of the southeasterly Right-Of-Way line of Interstate Route 17 (I-17) and lying northerly and westerly of the northwesterly Right-Of-Way line of Montezuma Castle-Camp Verde Highway.

Containing 19.69 acres, more or less.

TOGETHER WITH any and all mineral rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE UNITED STATES:

1. EXCEPTING AND RESERVING TO THE UNITED STATES, a right-of-way for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. Sec. 945).

OUTSTANDING RIGHTS ON FEDERAL LAND: None.

SPECIAL USE PERMITS and/or rights of prior use which will be recognized by an authorization executed by the non-Federal party in favor of the outstanding rights holders on the Federal land:

1. An overhead electricity transmission line is authorized under special use permit (ID PEA401918), issued by the Coconino National Forest. The transmission line right-of-way is 20-feet wide, 10 feet on each side of the centerline. The transmission line crosses this Federal parcel from the middle of the southern boundary toward the northern corner of the parcel, a distance of approximately 1,400 feet. Near the eastern boundary, the powerline is connected with another powerline that crosses the northern boundary, a distance of approximately 150 feet, cumulatively encumbering 0.71 acres. The special use permit expired on December 31, 2016, but the use continues. It is anticipated that the use will be formally re-authorized by the Coconino National Forest for a 30-year term before this parcel is conveyed to the Yavapai-Apache Nation. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and

conditions. At closing, the Forest Service will revoke the special use permit on this parcel.

SPECIAL USE PERMITS and/or rights of prior use which will need to be modified: None.

SPECIAL USE PERMITS and/or rights of prior use which will be terminated: None.

Other Encumbrances: None.

Middle Verde A Parcel (NF7)

Gila and Salt River Meridian

Township 14 North, Range 4 East, Yavapai County, Arizona

- sec. 1, lot 15 and that portion of the SE1/4SW1/4 described as follows; beginning at the 1/4 sec. corner of secs. 1 and 12, thence S. 89°06'00" W., along the south line of sec. 1, a distance of 1278.75 feet to the W1/16 cor. of secs. 1 and 12; thence N. 01°17'07" W., a distance of 1429.20 feet to the SW1/16 sec. cor. of sec. 1; thence S. 42°56'02" E., a distance of 1924.16 feet, to the point of beginning;
- sec. 12, lots 6 thru 12, SW1/4NE1/4, NE1/4SW1/4, NW1/4, those portions lying southerly and westerly of the southwesterly Right-Of-Way line of Middle Verde Road;
- sec. 13, lots 12 and 13, NE1/4NE1/4, N1/2SE1/4NE1/4, NW1/4 those portions lying northerly and easterly of the 1972 meander line of the left bank of the Verde River.

Township 14 North, Range 5 East, Yavapai County, Arizona

- sec. 7, lot 6, that portion lying southerly and westerly of the southwesterly Right-Of-Way line of Middle Verde Road, lots 7 and 8;
- sec. 18, lots 1, 11, 15 and 16.

Containing 543.22 acres, more or less.

TOGETHER WITH any and all mineral rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE UNITED STATES:

1. EXCEPTING AND RESERVING TO THE UNITED STATES, a right-of-way for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. Sec. 945).
2. EXCEPTING AND RESERVING TO THE UNITED STATES, and its assigns, rights-of-way for the existing Forest Development Road No. 119A, the easement being 66 feet wide, 33 feet each side of centerline, as it crosses portions of section 1, T. 14 N., R. 4 E., and section 7, T. 14 N., R. 5 E., Gila and Salt River Meridian, Yavapai County, Arizona.
3. EXCEPTING AND RESERVING TO THE UNITED STATES, and its assigns, rights-of-way for the existing Forest Development Road No. 119J, the easement being 66 feet wide, 33 feet each side of centerline, as it crosses portions of section 1, T. 14 N., R. 4 E., Gila and Salt River Meridian, Yavapai County, Arizona.
4. EXCEPTING AND RESERVING TO THE UNITED STATES, and its assigns, rights-of-way for the existing Forest Development Road No. 9235F, the easement being 66 feet

wide, 33 feet each side of centerline, as it crosses portions of section 7, T. 14 N., R. 5 E., Gila and Salt River Meridian, Yavapai County, Arizona.

OUTSTANDING RIGHTS ON FEDERAL LAND:

1. Easement for right-of-way for Middle Verde Road to Yavapai County Board of Supervisors. The easement is dated September 13, 1972, and was recorded on September 28, 1972, in Book 782 of Official Records, Page 309, Yavapai County, Arizona. The right-of-way is 100 feet in width, 50 feet on each side of the centerline.
2. Easement for right-of-way for Verde River Drive to Yavapai County Board of Supervisors. The easement is dated March 31, 1975, and was recorded on April 9, 1975, in Book 960 of Official Records, Page 246, Yavapai County, Arizona. The right-of-way is 66 feet in width, 33 feet on each side of the centerline.
3. Easement for right-of-way for Verde River Drive to Yavapai County Board of Supervisors. The easement is dated November 5, 1975, and was recorded on November 17, 1975, in Book 990 of Official Records, Page 886, Yavapai County, Arizona. The right-of-way is 66 feet in width, 33 feet on each side of the centerline.
4. Public Road Easement for rights-of-way for Reservation Loop Road and Arena Del Loma Road to Town of Camp Verde. The easement is dated May 21, 1993, and was recorded on June 22, 1993, in Book 2651 of Official Records, Page 413, Yavapai County, Arizona. The rights-of-way are 66 feet in width.
5. Agriculture Irrigation and Livestock Watering System Easement for water conveyance system facilities to Eureka Ditch Company, Inc. The easement is dated March 11, 1999, and was recorded on July 9, 1999, in Book 3678 of Official Records, Page 293, Yavapai County, Arizona.

SPECIAL USE PERMITS and/or rights of prior use which will be recognized by an authorization executed by the non-Federal party in favor of the outstanding rights holders on the Federal land:

1. A right-of-way for communication lines and associated improvements is authorized under a special use permit (ID COC0362), issued by the Coconino National Forest. The communication line right-of-way is 20-feet wide, 10 feet on each side of the centerline. The right-of-way crosses the northern end of the Middle Verde A parcel, on the eastern side of, and parallel to, Middle Verde Road, a distance of approximately 1,200 feet. It also crosses through the middle of the Middle Verde A parcel, a distance of approximately 2,770 feet, cumulatively encumbering 1.8 acres. The special use permit expires on December 31, 2023. The Coconino National Forest is in the process of re-authorizing this use for a 30-year term. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of

the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.

SPECIAL USE PERMITS and/or rights of prior use which will need to be modified:

1. A right-of-way for a sewage transmission line is authorized under a special use permit (ID RED0705), issued by the Coconino National Forest. The 20-foot wide sewage transmission line right-of-way is located section 12, T. 14 N., R. 4 E., Gila and Salt River Meridian, within the rights-of-way for Middle Verde Road and Reservation Loop Road. This authorization is held by the Yavapai-Apache Nation and expires on January 31, 2034. Upon issuance of patent, the Yavapai-Apache Nation will consent to revocation of the portion of the special use permit that authorizes the section of the right-of-way located on the parcel.
2. If Middle Verde B is not included in the land exchange, the following Special Use Permit will be modified. Two water storage tanks, a right-of-way for a water transmission pipeline, and an access road are authorized under a special use permit (ID RED1162), issued by the Coconino National Forest. The 200,000-gallon water tanks and associated facilities occupy approximately 0.5 acres. The access road is approximately 200 feet long, extending from Forest Road 119K to the fenced water tank area. The water tanks and the access road are located near the northwestern corner of the non-Federal parcel, in lot 15 of section 1, T. 14 N., R. 4 E., Gila and Salt River Meridian. The 20-foot wide water transmission line right-of-way is approximately 2,166 feet and located within the rights-of-way for Middle Verde Road and Reservation Loop Road. The authorization is held by the Yavapai-Apache Nation and expires on December 31, 2039. Upon issuance of patent, the Yavapai-Apache Nation will consent to revocation of the portion of the special use permit that authorizes the uses located on the Middle Verde A parcel.

SPECIAL USE PERMITS and/or rights of prior use which will be terminated:

1. A cemetery is authorized under a special use permit (ID RED1157), issued by the Coconino National Forest. The cemetery occupies approximately 3.5 acres and is located near the northwestern corner of the non-Federal parcel, in lot 15 of section 1, T. 14 N., R. 4 E., Gila and Salt River Meridian. The authorization is held by the Yavapai-Apache Nation and expires on December 31, 2039. Upon issuance of patent, the Yavapai-Apache Nation will consent to the revocation of the Special Use Permit.
2. If Middle Verde B is included in the land exchange, upon issuance of patent, the Yavapai-Apache Nation will consent to revocation of Special Use Permit RED1162 (discussed above).

Other Encumbrances:

1. An encroaching road, known as Lost River Drive, extends south from Verde River Drive in the NE1/4 SW1/4 of section 12, T. 14 N., R. 4 E., Gila and Salt River Meridian, to private land south of the non-Federal parcel. The Coconino National Forest is taking

steps to address this trespass use of the Forest. The parcel will be conveyed free of this trespass.

2. An encroaching tree-lined graded drive approximately 240 feet in length extends from Lost River Drive in the NE1/4 SW1/4 of section 12, T. 14 N., R. 4 E., Gila and Salt River Meridian, to private land south of the non-Federal parcel. The Coconino National Forest is taking steps to address this trespass use of the Forest. The parcel will be conveyed free of this trespass.
3. An encroachment extends from neighboring private land at 1531 West Copper Circle, Camp Verde, Arizona. The encroachment occupies approximately 0.5 acres in lot 7 of section 12, T. 14 N., R. 4 E., Gila and Salt River Meridian, and includes two sheds, a pole barn, an asphalt parking area, a gravel driveway, a fenced garden, a metal storage rack, vehicles, a flatbed trailer, a propane tank, and storage firewood, gravel, tires, and other miscellaneous movable items. The Coconino National Forest is working with the encroacher to remove the items on the National Forest. The parcel will be conveyed free of this encroachment.

Middle Verde B Parcel (NF8)

Gila and Salt River Meridian

Township 14 North, Range 4 East, Yavapai County, Arizona

sec. 12, NE1/4, NW1/4, those portions lying northerly and easterly of the southwesterly Right-Of-Way line of Middle Verde Road, and lying southerly and westerly of the following described line, BEGINNING at the 1/4 sec. corner of secs. 1 and 12, thence S. 42°52'55" E., a distance of 3757.87 feet to the 1/4 sec. corner of sec. 12 only on the east boundary of the township, being the END POINT of this description.

Containing 131.97 acres, more or less.

TOGETHER WITH any and all mineral rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE UNITED STATES:

1. EXCEPTING AND RESERVING TO THE UNITED STATES, a right-of-way for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. Sec. 945).
2. EXCEPTING AND RESERVING TO THE UNITED STATES, and its assigns, rights-of-way for the existing Forest Development Road No. 119A, the easement being 66 feet wide, 33 feet each side of centerline, as it crosses a portion of section 12, T. 14 N., R. 4 E., Gila and Salt River Meridian, Yavapai County, Arizona.

OUTSTANDING RIGHTS ON FEDERAL LAND:

1. Easement for right-of-way for Middle Verde Road to Yavapai County Board of Supervisors. The easement is dated September 13, 1972, and was recorded on September 28, 1972, in Book 782 of Official Records, Page 309, Yavapai County, Arizona. The right-of-way is 100 feet in width, 50 feet on each side of the centerline.

SPECIAL USE PERMITS and/or rights of prior use which will be recognized by an authorization executed by the non-Federal party in favor of the outstanding rights holders on the Federal land:

1. A right-of-way for communication lines and associated improvements is authorized under a special use permit (ID COC0362), issued by the Coconino National Forest. The communication line right-of-way is 20-foot wide, 10 feet on each side of the centerline. The right-of-way crosses the western side of the Middle Verde B parcel, on the eastern side of Middle Verde Road, a distance of approximately 3,800 feet, encumbering

approximately 1.7 acres. The special use permit expires on December 31, 2023. The Coconino National Forest is in the process of re-authorizing this use for a 30-year term. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.

SPECIAL USE PERMITS and/or rights of prior use which will need to be modified:

1. A right-of-way for a sewage transmission line is authorized under a special use permit (ID RED0705), issued by the Coconino National Forest. The 20-foot wide sewage transmission line right-of-way is located section 12, T. 14 N., R. 4 E., Gila and Salt River Meridian, within the rights-of-way for Middle Verde Road and Reservation Loop Road. Upon issuance of patent, the Yavapai-Apache Nation will consent to revocation of the portion of the special use permit that authorizes the section of the right-of-way located on the parcel.

SPECIAL USE PERMITS and/or rights of prior use which will be terminated:

1. A right-of-way for a water transmission pipeline, and other uses located on the Middle Verde A parcel, is authorized under a special use permit (ID RED1162), issued by the Coconino National Forest. A portion of the 20-foot wide water transmission line right-of-way is located in the NW1/4 NW1/4 of section 12, T. 14 N., R. 4 E., Gila and Salt River Meridian, within the right-of-way for Middle Verde Road. The special use permit expires on December 31, 2039. If the Middle Verde A parcel is also included in the land exchange, upon issuance of patent, the Yavapai-Apache Nation will consent to revocation of the portion of the Special Use Permit that authorizes the section of the right-of-way located on the parcel.

Other Encumbrances:

1. The northernmost bluff on this parcel can be accessed by a crude trail. At the end of the trail and the bluff, a monument in the shape of a cross has been erected. This unauthorized monument will be removed by the Coconino National Forest prior to conveyance to the Yavapai-Apache Nation.

Middle Verde C Parcel (NF9)

Gila and Salt River Meridian

Township 14 North, Range 4 East, Yavapai County, Arizona

sec. 12, lots 6, 8 and 11, those portions lying northerly and easterly of the southwesterly Right-Of-Way line of Middle Verde Road.

Containing 50.39 acres, more or less.

TOGETHER WITH any and all mineral rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE UNITED STATES:

1. EXCEPTING AND RESERVING TO THE UNITED STATES, a right-of-way for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. Sec. 945).
2. EXCEPTING AND RESERVING TO THE UNITED STATES, and its assigns, rights-of-way for the existing Forest Development Road No. 119A, the easement being 66 feet wide, 33 feet each side of centerline, as it crosses portions of section 12, T. 14 N., R. 4 E., and section 7, T. 14 N., R. 5 E., Gila and Salt River Meridian, Yavapai County, Arizona.

OUTSTANDING RIGHTS ON FEDERAL LAND:

1. Easement for right-of-way for Middle Verde Road to Yavapai County Board of Supervisors. The easement is dated September 13, 1972, and was recorded on September 28, 1972, in Book 782 of Official Records, Page 309, Yavapai County, Arizona. The right-of-way is 100 feet in width, 50 feet on each side of the centerline.

SPECIAL USE PERMITS and/or rights of prior use which will be recognized by an authorization executed by the non-Federal party in favor of the outstanding rights holders on the Federal land:

1. A right-of-way for communication lines and associated improvements located on the Middle Verde C parcel, is authorized under a special use permit (ID COC0362), issued by the Coconino National Forest. The communication line right-of-way is 20-foot wide, 10 feet on each side of the centerline. The right-of-way crosses the western side of the Middle Verde C parcel, on the eastern side of Middle Verde Road, a distance of approximately 1,800 feet, encumbering approximately 0.83 acres. The special use permit expires on December 31, 2023. The Coconino National Forest is in the process of re-authorizing this use for a 30-year term. The Yavapai-Apache Nation will either secure

relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.

SPECIAL USE PERMITS and/or rights of prior use which will need to be modified:

1. A right-of-way for a sewage transmission line is authorized under a special use permit (ID RED0705), issued by the Coconino National Forest. The 20-foot wide sewage transmission line right-of-way is located section 12 T. 14 N., R. 4 E., Gila and Salt River Meridian, within the rights-of-way for Middle Verde Road and Reservation Loop Road. Upon issuance of patent, the Yavapai-Apache Nation will consent to revocation of the portion of the special use permit that authorizes the section of the right-of-way located on the parcel.

SPECIAL USE PERMITS and/or rights of prior use which will be terminated: None.

Other Encumbrances: None.

Cedar Ridge Parcel (NF10)

Gila and Salt River Meridian

Township 14 North, Range 5 East, Yavapai County, Arizona

sec. 4, S1/2SE1/4;

sec. 10, NW1/4NE1/4.

Containing 118.92 acres, more or less.

TOGETHER WITH any and all mineral rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE UNITED STATES:

1. EXCEPTING AND RESERVING TO THE UNITED STATES, a right-of-way for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. Sec. 945).

OUTSTANDING RIGHTS ON FEDERAL LAND:

1. Public Road Easement for rights-of-way for Reay Road and Cross 2 Ranch Road (Culpepper Road) to Yavapai County Board of Supervisors. The easement is dated December 22, 1986, and was recorded on December 24, 1991, in Book 2412 of Official Records, Page 143, Yavapai County, Arizona. The rights-of-way are 50 feet in width, 25 feet on each side of the centerline.

SPECIAL USE PERMITS and/or rights of prior use which will be recognized by an authorization executed by the non-Federal party in favor of the outstanding rights holders on the Federal land:

1. An overhead electricity transmission line is authorized under special use permit (ID PEA401918), issued by the Coconino National Forest. The transmission line right-of-way is 20-feet wide, 10 feet on each side of the centerline. The transmission line crosses the northern boundary of this Federal parcel on the north side of Culpepper Ranch Road and extends toward the middle of the western boundary, a distance of approximately 1,800 feet, encumbering approximately 0.83 acres. The special use permit expired on December 31, 2016, but the use continues. It is anticipated that the use will be formally re-authorized by the Coconino National Forest for a 30-year term before this parcel is conveyed to the Yavapai-Apache Nation. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of

the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.

2. A right-of-way for communication lines and associated improvements is authorized under a special use permit (ID COC0362), issued by the Coconino National Forest. The communication line right-of-way is 20-feet wide, 10 feet on each side of the centerline. The communication lines are co-located on the overhead electricity transmission lines described above, traveling a distance of approximately 1,800 feet, encumbering approximately 0.83 acres. The special use permit expires on December 31, 2023. The Coconino National Forest is in the process of re-authorizing this use for a 30-year term. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.
3. A private road permit is authorized under a special use permit (ID RED0520), issued by the Coconino National Forest. The road is 20 feet in width and approximately 206 feet in length, encumbering 0.1 acres. The road extends south from Reay Road near the western boundary of the larger tract of the Federal parcel. The special use permit expires on April 22, 2034. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.

SPECIAL USE PERMITS and/or rights of prior use which will need to be modified: None.

SPECIAL USE PERMITS and/or rights of prior use which will be terminated: None.

Other Encumbrances:

1. An encroaching road extending from the intersection of Culpepper Ranch Road and Cross 2 Ranch Road to the southern boundary of the larger tract, approximately 240 feet long. The road is blocked by a gate on the southern boundary of the larger tract and then travels south across the neighboring private property and connects with Dragonshead Road. The Yavapai-Apache Nation acknowledges that this parcel will be conveyed with this encroaching road.
2. An encroaching road extending from the intersection of Culpepper Ranch Road and Cross 2 Ranch Road to the southern boundary of the larger tract, approximately 210 feet long. No trespassing signs are posted along the road as it crosses the southern boundary of the larger tract. The road then travels south across the neighboring private property. The Yavapai-Apache Nation acknowledges that this parcel will be conveyed with this encroaching road.

3. An encroaching road, approximately 500 feet long, crosses the northeastern corner of the larger tract of this Federal parcel. The road is blocked by a gate on the eastern boundary of the larger tract and then travels northwest to the northern boundary of the larger tract. The Coconino National Forest will close the road with signs and physical barriers prior to conveyance to the Yavapai-Apache Nation.

**Prescott National Forest
Verde Ranger District**

Lower 260 Parcel (NF5)

Gila and Salt River Meridian

Township 14 North, Range 4 East, Yavapai County, Arizona

- sec. 14, lots 7 and 8, SE1/4NW1/4;
- sec. 15, lots 1, and 6 thru 13;
- sec. 23, lots 1 thru 8, W1/2NE1/4, E1/2NW1/4, W1/2SE1/4, and SE1/4SE1/4;
- sec. 26, lots 1, 2, 3 (that portion lying north and west of the northerly line of Interstate Route 17), 4 (that portion lying north and west of the northerly line of Interstate Route 17), 5 thru 14, 15 (that portion lying north and west of the northerly line of Interstate Route 17), and 16 (that portion lying north and west of the northerly line of Interstate Route 17);
- sec. 35, lot 3 (that portion lying north and west of the northerly line of Interstate Route 17), lot 4 (that portion lying north and west of the northerly line of Interstate Route 17), NW1/4NE1/4 (that portion lying north and west of the northerly line of Interstate Route 17), and W1/2NW1/4 (that portion lying north and west of the northerly line of Interstate Route 17).

Containing 1,726.19 acres, more or less.

TOGETHER WITH any and all mineral rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE UNITED STATES:

1. EXCEPTING AND RESERVING TO THE UNITED STATES, a right-of-way for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. Sec. 945).
2. EXCEPTING AND RESERVING TO THE UNITED STATES, and its assigns, rights-of-way for the existing Forest Development Road No. 9603S, the easement being 66 feet wide, 33 feet each side of centerline, as it crosses portions of sections 14 and 15, T. 14 N., R. 4 E., Gila and Salt River Meridian, Coconino County, Arizona. The road is approximately 4,030 feet long and encumbers approximately 6.1 acres.

OUTSTANDING RIGHTS ON FEDERAL LAND:

1. Highway Easement Deed for right-of-way for Project ST-326-715 / 260 YV 215 H7491 01R / Cherry Road TI - Horseshoe Bend TI to the State of Arizona, Department of

Transportation. The easement is dated September 17, 2008, and was recorded on September 25, 2008, in Book 4623 of Official Records, Page 629, Yavapai County, Arizona.

2. Highway Easement Deed for right-of-way for Project S-326-703 / Highway 79 – Hayfield Draw to the State of Arizona, Highway Department. The easement is dated June 24, 1974, and was recorded on August 16, 1974, in Book 927 of Official Records, Page 33, Yavapai County, Arizona.
3. Easement for rights-of-way for Newton Lane, Newton Lane Highway Connection, Verde West Drive, and Horseshoe Bend Road to Yavapai County Board of Supervisors. The easement is dated March 24, 1974, and was recorded on August 7, 1975, in Book 976 of Official Records, Page 84, Yavapai County, Arizona. The right-of-way for the portion of Horseshoe Bend Road that is located in section 14 of T.14 N., R. 4 E., Gila and Salt River Meridian, is 30 feet in width, 5 feet on the left, 25 feet on the right, and runs parallel to the centerline. The rights-of-way on the remainder of Horseshoe Bend Road and the other roads is 80 feet in width, 40 feet on each side of the centerline.
4. Grant of Easement for Right-of-Way for Cottonwood-Camp Verde-Mogollon Rim Highway to State of Arizona, by and through its Department of Transportation. The easement was signed on July 21, 2016, and recorded on March 19, 2018, in Document 2018-0013658 E. The easement includes a copy of an Intergovernmental Agreement Between the State of Arizona, by and through its Department of Transportation and the Yavapai-Apache Nation dated September 3, 2015 that details the realignment of Newton Lane.
5. Revised Rights-of-Way Agreement for the Recognition of Historical Rights-of-Way Between the U.S. Forest Service and Yavapai County regarding Cherry Creek Road. The agreement was signed on September 10, 1991, and was recorded in Book 2447 of Official Records, Page 566, Yavapai County, Arizona. The right-of-way are 66 feet in width, 33 feet on each side of the centerline.

SPECIAL USE PERMITS and/or rights of prior use which will be recognized by an authorization executed by the non-Federal party in favor of the outstanding rights holders on the Federal land:

1. A buried natural gas transmission pipeline and appurtenant features are authorized under a special use permit (ID PNF39), issued by the Prescott National Forest. The pipeline right-of-way is 20-feet wide. The authorized pipeline and appurtenant features are located in sections 14, 15, and 23 of T. 14. N., R. 4 E., Gila and Salt River Meridian. The special use permit expires on December 31, 2034. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.

2. A buried water transmission pipeline is authorized under special use permit (ID VER105102), issued by the Prescott National Forest. The authorized pipeline is located in sections 14, 15, and 23 of T. 14 N., R. 4 E., Gila and Salt River Meridian, along the north side of State Route 260. The permitted area is 15 feet wide and 1.0 mile long, encumbering approximately 1.8 acres. The special use permit expired on December 31, 2018, but the use continues. It is anticipated that the use will be formally re-authorized by the Prescott National Forest for a 30-year term before this parcel is conveyed to the Yavapai-Apache Nation. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.
3. Fiber optic facilities are authorized under a special use permit (ID VER250), issued by the Prescott National Forest. The right-of-way is 10-feet wide. The authorized facilities are located in sections 15 and 23, T. 14 N., R. 4 E., Gila and Salt River Meridian, co-located with telephone facilities authorized by special use permit ID VER401605. The special use permit expires on December 31, 2033. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.
4. Telephone facilities are authorized under a special use permit (ID VER401605), issued by the Prescott National Forest. The right-of-way is 20-feet wide, 10 feet on each side of the centerline. The authorized facilities are located in sections 15 and 23, T. 14 N., R. 4 E., Gila and Salt River Meridian, and co-located with fiber optic facilities authorized by special use permit ID VER250. The special use permit expired in 2016, but the use continues. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.
5. Electric distribution lines are authorized under a special use permit (ID PNF142), issued by the Prescott National Forest. The right-of-way is 20-feet wide and the various reaches combine to be approximately 5,000 feet long, encumbering approximately 2.3 acres. The electric distribution lines are located in sections 14 and 23, T. 14 N., R. 4 E., Gila and Salt River Meridian. The special use permit expires on December 31, 2036. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.

6. A 69 kV electric transmission line is authorized under a special use permit (ID VER175), issued by the Prescott National Forest. The right-of-way is 40-feet wide, 20 feet on each side of the centerline, and approximately 2,900 feet long, encumbering approximately 2.7 acres. The transmission line crosses sections 26 and 35 of T. 14 N., R. 4 E., Gila and Salt River Meridian. The special use permit expires on December 31, 2061. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.

SPECIAL USE PERMITS and/or rights of prior use which will need to be modified:

1. The portion of this parcel on the southwesterly side of State Highway 260 (approximately 1,526 acres) is located within the Verde Grazing Allotment. The grazing permittee will be provided with a formal 2-year notification of modification to their permit. Grazing will continue to be authorized for a 2-year period or the permittee agrees to waive the permit on this parcel, whichever is sooner. At which time, the acres in this parcel will be removed from the Verde Grazing Allotment. The corral located near the section line between sections 23 and 24 will be removed by the Prescott National Forest at the conclusion of the grazing permit on this parcel.

SPECIAL USE PERMITS and/or rights of prior use which will be terminated: None.

Other Encumbrances:

1. Gray Hat (aka Cha Li Pah) is an unauthorized road on the west side of Highway 260 in section 14, T. 14 N., R. 4 E., Gila and Salt River Meridian. It extends from a housing development to the right-of-way for Newton Lane. The portion of Newton Lane west of its intersection with Gray Hat appears to have been decommissioned. The Yavapai-Apache Nation acknowledges that this parcel will be conveyed with this unauthorized road.
2. Water diversion structure for Central Verde Ditch on southwest side of Verde River near the northeast corner of the parcel. The Central Verde Ditch was constructed in 1875, before the creation of the Prescott National Forest and may have automatically been granted an undefined right-of-way under the Act of July 26, 1866. The Prescott National Forest has no permit files related to this structure. A road from Newton Lane appears to provide access to the diversion structure and a pipeline appears to transport water from this diversion structure to a pond on APN 403-20-008T. The Yavapai-Apache Nation acknowledges that this parcel will be conveyed with this encumbrance.
3. An encroachment extends from neighboring non-Federal land on APN 403-20-007L and 403-20-007D, Camp Verde, Arizona. A chain link fence has been constructed 10 to 15 feet on to the Federal parcel, parallel with the western boundaries of these non-Federal

parcels. There is also a portion of concrete structure extending on to this Federal parcel. The Prescott National Forest will work with the encroacher to remove this encroachment on the National Forest. The parcel will be conveyed free of this encroachment.

Upper 260 Parcel (NF6)

Gila and Salt River Meridian

Township 14 North, Range 4 East, Yavapai County, Arizona

sec. 4, lot 4, SE1/4SW1/4, W1/2SW1/4, SW1/4NW1/4, those portions lying northerly and easterly of the northeasterly right-of-way line of State Route 260;

sec. 5, lots 1, 2 and 3, S1/2NE1/4, NE1/4SE1/4, those portions lying northerly and easterly of the northeasterly right-of-way line of State Route 260.

Township 15 North, Range 4 East, Yavapai County, Arizona

sec. 33, W1/2SW1/4, W1/2NW1/4, those portions lying southerly and westerly of the right bank, an ambulatory line, of the Verde River.

Containing 391.64 acres, more or less.

TOGETHER WITH any and all minerals' rights, oil, gas, geothermal resources, et al., that are appurtenant to the Real Property.

TOGETHER WITH any and all water rights that are appurtenant to the Real Property.

TOGETHER WITH any and all right, title, and interest of the Grantors in and to any alleys, streets, ways, strips, gores abutting or adjoining the land.

SUBJECT TO the following reservations and outstanding rights:

RESERVATIONS BY THE UNITED STATES:

1. EXCEPTING AND RESERVING TO THE UNITED STATES, a right-of-way for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. Sec. 945).

OUTSTANDING RIGHTS ON FEDERAL LAND:

1. Easement for drainage related to Project S-326-703, Highway 79 – Hayfield Draw to State of Arizona, Highway Department. The easement is dated June 24, 1974, and was recorded August 16, 1974, in Book 927 of Official Records, Page 33, Yavapai County, Arizona. The easement area is 200 feet by 150 feet and encumbers approximately 0.69 acres.
2. Rights-of-Way Agreement for the Recognition of Historical Rights-of-Way Between the U.S. Forest Service and Yavapai County regarding Forest Road 9603U (aka Old Highway 279). The agreement was signed on April 23, 1996, and was recorded in Book 3194 of Official Records, Page 506, Yavapai County, Arizona. The right-of-way is 66 feet in width, 33 feet on each side of the centerline. It is approximately 3,300 feet long and encumbers approximately 5.0 acres.

SPECIAL USE PERMITS and/or rights of prior use which will be recognized by an authorization executed by the non-Federal party in favor of the outstanding rights holders on the Federal land:

1. A buried water transmission pipeline is authorized under special use permit (ID VER105102), issued by the Prescott National Forest. The authorized pipeline is located along the north side of State Route 260. The permitted area is 15 feet wide and 1.4 miles long, encumbering approximately 2.5 acres. The special use permit expired on December 31, 2018, but the use continues. It is anticipated that the use will be formally re-authorized by the Prescott National Forest for a 30-year term before this parcel is conveyed to the Yavapai-Apache Nation. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.
2. Electric distribution lines are authorized under a special use permit (ID PNF142), issued by the Prescott National Forest. The electric distribution line is located in the southern portion of the parcel on the north side of Old Highway 279 and in the northeastern corner of the parcel in section 4 of T. 14 N., R. 4 E., Gila and Salt River Meridian. The special use permit expires on December 31, 2036. The permitted area is 15 feet wide and approximately 800 feet long, encumbering approximately 0.28 acres. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.
3. A 69kV electric transmission line is authorized under a special use permit (ID VER175), issued by the Prescott National Forest. The transmission line crosses the western boundary of the parcel north of Old Highway 279 in section 5, T.14 N., R. 4 E., Gila and Salt River Meridian, and extends east and north to the northeast corner of lot 4, section 5, T. 14 N., R. 4 E., Gila and Salt River Meridian. The special use permit expires on December 31, 2061. The permitted area is 40 feet wide, 20 feet on each side of the centerline, and 3,756 feet long, encumbering approximately 3.45 acres. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.
4. A buried natural gas transmission pipeline and appurtenant features are authorized under a special use permit (ID PNF39), issued by the Prescott National Forest. The pipeline right-of-way is 20-feet wide. The authorized pipeline and appurtenant features are located in the right-of-way for Old Highway 279 and along the north side of State Route 260. The special use permit expires on December 31, 2034. The Yavapai-Apache Nation will either secure relinquishment of the special use permit on this parcel from the permittee prior to the close of escrow, or authorize by separate agreement with the permittee a

continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the special use permit on this parcel.

5. Telephone facilities are authorized under a special use permit (ID VER401605), issued by the Prescott National Forest. The right-of-way is 20-feet wide, 10 feet on each side of the centerline. The authorized facilities are located in section 5, T. 14 N., R. 4 E., Gila and Salt River Meridian, and co-located with fiber optic facilities authorized by special use permit ID VER250. The special use permit expired in 2016, but the use continues. It is anticipated that the use will be formally re-authorized by the Prescott National Forest before this parcel is conveyed to the Yavapai-Apache Nation. The Yavapai-Apache Nation will either secure relinquishment of the Permit on this parcel from the Permittee prior to the close of escrow, or authorize by separate agreement with the Permittee a continuation of the permitted use under equivalent or better terms and conditions. At closing, the Forest Service will revoke the Permit on this parcel.

SPECIAL USE PERMITS and/or rights of prior use which will need to be modified:

1. The portion of this parcel on the northwesterly side of an unnamed wash crossing the W1/2 SW1/4 of T. 14 N., R. 4 E., Gila and Salt River Meridian, (approximately 345 acres) is located within the Verde Grazing Allotment. The grazing permittee will be provided with a formal 2-year notification of modification to their permit. Grazing will continue to be authorized for a 2-year period or the permittee agrees to waive the permit on this parcel, whichever is sooner. At which time the acres in this parcel will be removed from the Verde Grazing Allotment. The corral located Hayfield Draw Drive, just north of Old Highway 279, will be removed by the Prescott National Forest at the conclusion of the grazing permit on this parcel.

SPECIAL USE PERMITS and/or rights of prior use which will be terminated: None.

Other Encumbrances:

1. An unauthorized road, known as North Hayfield Draw Drive, is on the north side of Old Highway 279 (aka Mahoney Road) in NW1/4SW1/4 and SW1/4NW1/4 of section 4, T. 14 N., R. 4 E., Gila and Salt River Meridian. The road surface on this asphalt access road is approximately 36 feet wide. The road extends north from Old Highway 279 (aka Mahoney Road) to the non-Federal parcel boundary, approximately 560 feet, occupying approximately 0.46 acres. The Yavapai-Apache Nation acknowledges that this parcel will be conveyed with this unauthorized road.
2. An encroachment extends from neighboring private land at 4740 Old State Highway 279, Camp Verde, Arizona. The encroachment occupies approximately 0.12-acres and includes a dirt driveway, boats, automobiles, and other miscellaneous movable items. The Prescott National Forest is working with the encroacher to remove the items on the Nation Forest. The parcel will be conveyed free of this encroachment.

3. There is an old cabin in the northeast corner of lot 4 of section 5, T. 14 N., R. 4 E., Gila and Salt River Meridian. This unauthorized structure will be removed by the Prescott National Forest prior to conveyance to the Yavapai-Apache Nation.

EXHIBIT C
IMPLEMENTATION SCHEDULE
Land-for-Land Exchange

Yavapai-Apache Nation Land Exchange

FS – Forest Service, U.S. Department of Agriculture
Non-Fed – Non-Federal party

Action Item	Responsible for Preparation	Responsible for Costs	Target Date	Date Completed
1. Exchange Proposal - Define the Estates	Non-Fed/FS	Non-Fed		11/19/2021
2. Forest Plan Compliance Review/Public Benefits Summary	FS	FS	11/23/2023	1/5/2023
3. Request/Obtain Title Insurance Commitment	FS	Non-Fed	11/23/2023	12/15/2022
4. Boundary Management Review	FS	Non-Fed	11/23/2023	1/30/2023
5. Federal Land Status Report	FS	Non-Fed	11/23/2023	1/31/2023
6. Water Rights Analysis	FS	Non-Fed	11/23/2023	
7. Valuation Consultation	FS	FS		8/18/2022
8. Identify Party Responsible for Costs	Non-Fed/FS	Non-Fed		1/29/2021
9. Draft ATI & Exhibits	FS	Non-Fed	11/23/2022	1/6/2023
10. **Oversight (FA and Draft ATI) -Feasibility Analysis not required for legislated land exchange. -Draft Agreement to Initiate for review and approval.	FS	Non-Fed	11/30/2022	1/27/2023
11. Execute Agreement To Initiate (ATI)	Non-Fed	Non-Fed	2/10/2023	
12. *Request BLM Serialization/Segregation	FS	Non-Fed	2/17/2023	
13. Prepare Notice of Exchange Proposal (NOEP) for Publication/Posting. NOPRA	FS	Non-Fed	3/15/2023	

Action Item	Responsible for Preparation	Responsible for Costs	Target Date	Date Completed
14. Notify County Commissioners, State Clearinghouse, Congressional Delegations, Tribal Governments, and other Agencies	FS	Non-Fed	3/22/2023	
15. **Submit Notice of Publication for 30-day Appropriation Committee Review	FS	FS	3/22/2023	
16. *Notify Permittees	FS	Non-Fed	4/26/23	
17. NOEP 4-Week Publication Period, including Wetlands and Floodplains Information	FS	Non-Fed	5/5/2023	
18. Initiate Public Scoping	Non-Fed	Non-Fed	5/5/2023	
19. *Request Land Survey (BLM/Forest Service).	Non-Fed	Non-Fed	6/9/2023	
20. *Request Withdrawal Revocation(s) - with close out to BLM	FS	Non-Fed	6/9/2023	
21. *Prepare Mineral Potential Report (MPR). Prepare MPR and Mineral Risk Assessment for Non-Federal parcel (all minerals outstanding). Prepare report of status of unpatented mining claims and leases on Federal parcel.	Non-Fed	Non-Fed	4/1/2023	
22. Complete Certificate of Possession	FS	Non-Fed	Addressed in Federal Land Status Reports	1/6/2023
23. Prepare report on Heritage Resources/Consult with SHPO/Tribes/others, Obtain SHPO Concurrence	Non-Fed	Non-Fed	8/15/2023	
24. Prepare TES Reports [Reports to be based on existing, available information, field surveys not needed.]	Non-Fed	Non-Fed	8/15/2023	

Action Item	Responsible for Preparation	Responsible for Costs	Target Date	Date Completed
25. Prepare Wetlands/Floodplains Report - [Reports to be based on existing, available information, field surveys not needed.]	Non-Fed	Non-Fed	7/15/2023	
26. Environmental Site Assessment – Meet federal standards concerning real property acquisition/disposal for due diligence examination.	FS	Non-Fed	7/2/2024	
27. Analyze Effects on Cost Share Agreements	n/a	n/a	n/a	n/a
28. Request Appraisals	FS	Non-Fed	6/9/2023	
29. Conduct and Finalize Appraisals [contract costs or staff costs]	FS	Non-Fed	10/15/2023	
30. Prepare Appropriate NEPA Documentation	Non-Fed	Non-Fed	9/1/2023	
31. *Request BLM Concurrence on Minerals	FS	FS	4/15/2023	
32. *NEPA Comment Period	Non-Fed	Non-Fed	5/5/2023	
33. Appraisal Reviews and Approvals	FS	Non-Fed	11/15/2023	
34. Certificate of Use and Consent	FS	Non-Fed	3/1/2023	
35. Agreement on Values	Non-Fed/FS	n/a	12/1/2023	
36. Finalize NEPA Document	Non-Fed	Non-Fed	9/15/2023	
37. Draft Decision Document	Non-Fed	Non-Fed	9/15/2023	
38. Draft Exchange Agreement (optional)	FS	Non-Fed	10/1/2023	
39. **Oversight (NEPA document and supporting documents, draft decision, appraisals and reviews, draft exchange agreement, and initial file material)	FS	Non-Fed	10/15/2023	
40. Publish Draft Decision	FS	FS	11/15/2023	

Action Item	Responsible for Preparation	Responsible for Costs	Target Date	Date Completed
41. Objection Filing Period Ends	FS	FS	12/30/2023	
42. Objection Period Ends	FS	FS	2/13/2024	
43.*** Certify Estate Consistency	OGC	Non-Fed	3/1/2024	
44. Request Preliminary Title Opinion	FS	Non-Fed	3/1/2024	
45. Provide Preliminary Title Opinion	FS/OGC	Non-Fed	7/2/2024	
46. Execute Exchange Agreement (optional)	Non-Fed/FS	Non-Fed	7/15/2024	
47. Prepare Form FS-5400-10 (Digest)	FS	Non-Fed	n/a update LADS	n/a
48. *Submit to WO for Congressional Oversight	n/a	n/a	n/a	n/a
49. Record Exchange Agreement and Update Title Commitments (optional)	Non-Fed/FS	Non-Fed	7/22/2024	
50. *Prepare/Obtain Easements, Relinquishments for Special Use	Non-Fed/FS	Non-Fed	5/2/2024	
51. Prepare Deed to Non-Federal Land; Patent Request/Exchange Deed to Federal Land	Non-Fed/FS	Non-Fed	5/15/2024	
52. Supplemental Certificate of Possession	FS	Non-Fed	8/15/2024	
53. *Execute Easements/Relinquishments	Non-Fed/FS	Non-Fed	8/15/2024	
54. Execute Deeds to Non-Federal Land	Non-Fed	Non-Fed	8/15/2024	
55. Deliver Deeds and/or Patent	FS	Non-Fed	8/15/2024	
56. Record Patent and All Deeds and/or Patent	Non-Fed/FS	Non-Fed	9/1/2024	
57. File Water Rights Transfer/Use Documents	Non-Fed/FS	Non-Fed	9/1/2024	
58. Return Deeds to Non-Federal Land with Title Insurance Policy	Non-Fed	Non-Fed	9/15/2024	
59. Final Certificate of Use and Consent	FS	Non-Fed	10/15/2024	

Action Item	Responsible for Preparation	Responsible for Costs	Target Date	Date Completed
60. Return Copies of Recorded Patent or Deeds to RO	FS	Non-Fed	9/15/2024	
61. Submit Final Form FS-5400-10 (Digest) to WO	FS	Non-Fed	n/a update LADS	n/a
62. Request Final Title Opinion	FS	Non-Fed	11/1/2024	
63. Provide Final Title Opinion	OGC	Non-Fed	2/1/2025	
64. Post Status and Close Case (update LADS, notify BLM and Forest.	FS	Non-Fed	11/1/2024	
* If applicable/if needed.				
** Regional oversight applies to ALL cases. WO review required commensurate with WO designated value threshold.				
***Certify that the estate appraised is identical to the physical estate; estate noted in Decision Document, Exchange Agreement, and Deeds.				

EXHIBIT D PROJECTED COSTS AND ALLOCATION

Yavapai-Apache Nation Land Exchange

See Excel Spreadsheet: Exhibit D – for Projected Costs and Allocation

<u>Activity</u>	<u>Forest Service</u>	<u>Non-Federal</u>	<u>Total</u>
1. Appraisals	\$ 13,510	\$ 300,000 ^a	\$ 313,510
2. Survey(s)	\$ 0	\$ 10,000 ^b	\$ 10,000
3. Legal Description Verification	\$ 5,625	\$ 4,612 ^a	\$ 10,237
4. Case Processing (FLSR, RFAS, PTO)	\$ 1,440	\$ 42,239 ^a	\$ 43,679
5. Minerals Report	\$ 6,083	^b	\$ 6,083
6. Wetlands/Floodplains Report	\$ 0	\$ 2,463 ^{a, c}	\$ 2,463
7. Publication/Notice	\$ 0	\$ 20,000 ^a	\$ 20,000
8. Environmental Analysis (NEPA)	\$ 0	\$ 17,944 ^{a, c}	\$ 17,944
9. Archeological/Cultural/Historic/TCP	\$ 26,951	^c	\$ 26,951
10. Environmental Site Assessment	\$ 29,501	\$ 0	\$ 29,501
11. Closing (Escrow, Recording, Title Policies)	\$ 0	\$ 150,000 ^b	\$ 150,000
Totals	\$ 83,110	\$ 547,258	\$ 630,368

^a Non-Federal party will pay Forest Service to perform these activities

^b Non-Federal party will pay 3rd parties directly to perform these activities

^c Non-Federal party will also pay 3rd parties directly to perform some of these activities. Those additional costs have not been identified at this time.

EXHIBIT E

ASSEMBLED EXCHANGE

This is an assembled land exchange developed pursuant to 36 CFR 254.5. As such, both the Federal and non-Federal lands are to be appraised in a similar manner.

An assembled exchange is a configuration where the non-Federal party assembles two or more non-Federal ownerships (acquired from separate ownerships at different times) into a single entity for conveyance to the United States in exchange for equal value Federal lands.

By signing this agreement, all parties acknowledge that the non-Federal party acquired ownership of or an option to the non-Federal lands in order to be in a position to convey the non-Federal lands at the time of closing. All parties acknowledge that acquiring such lands is done at the non-Federal party's risk and the Forest Service assumes no responsibility if the land exchange is not completed.

The various ownerships on the non-Federal side must be appraised as though each is in an individual transaction, and the sum of the individual values of those ownerships will be the non-Federal value of this transaction. The appraiser must clearly prepare an individual appraisal of each ownership assembled into the non-Federal side for the exchange. The sum of the individual non-Federal ownership values shall be the value of the non-Federal property. The value of the Federal lands is the sum of the value of the various parcels of Federal lands involved in the exchange, each individual parcel valued as though in a separate transaction.

Differences between the physical characteristics of the non-Federal lands and Federal lands may require additional acreage to be added to the transaction by either party to achieve value equalization. If this becomes necessary, the added lands may also be appraised on an individual basis, as described above.