



**BOARD OF SUPERVISORS AGENDA ITEM REPORT**

**Requested Board Meeting Date:** September 5, 2017

**Title:** Resolution No. 2017-\_\_\_\_ providing for the vacation and abandonment of a portion of Boswell Lane.  
File # A-0022

**Introduction/Background:**

The abandonment applicant, 4122 LLC, an Arizona limited liability company, has requested an abandonment of a portion of Boswell Lane, a public right-of-way lying within Section 3, Township 13, Range 11 G&SRM, Pima County, Arizona, as shown on attached Location Map.

**Discussion:**

The subject roadway was dedicated to Pima County per deed recorded in 1974 in Book 4762 of Maps and Plats at Page 308. This right-of-way is an unpaved lane and the applicant is requesting the abandonment to allow for the reorientation of alignment and access into their property to the north as required by the Department of Transportation.

**Conclusion:**

This abandonment request has been reviewed by appropriate County staff and applicable utility companies and no properties will be left without public or private legal access and existing utility easements will be reserved.

**Recommendation:**

Staff recommends that the Pima County Board of Directors approve Resolution No. 2017-\_\_\_\_. Upon approval, staff will record a quit claim deed.

**Fiscal Impact:**

Pima County will be removed from liability and have no maintenance responsibilities toward the subject roadway.

**Board of Supervisor District:**

1       2       3       4       5       All

Department: Public Works-Real Property Services Telephone: 724-6379

Department Director Signature/Date: [Signature] 8/14/17

Deputy County Administrator Signature/Date: [Signature] 8/16/17

County Administrator Signature/Date: C. D. [Signature] 8/16/17

RESOLUTION NO. 2017 - \_\_\_\_\_

**RESOLUTION OF THE PIMA COUNTY BOARD OF SUPERVISORS  
FOR THE VACATION OF A PORTION OF BOSWELL LANE AS PIMA  
COUNTY ROAD ABANDONMENT NO. A-0022 LYING WITHIN  
SECTION 3, TOWNSHIP 13 SOUTH, RANGE 11 EAST, G&SRM, PIMA  
COUNTY, ARIZONA**

**The Board of Supervisors of Pima County, Arizona finds:**

1. An application has been received by Pima County for the vacation of a portion of public right-of-way known as Boswell Lane, said roadway being more particularly described and depicted in attached **Exhibit "A"** (the "Roadway").
2. The County has determined that the portion of public right-of-way is not needed for public use pursuant to A.R.S. §§ 28-7202 and 28-7215(A).
3. The Roadway may be disposed of by vacation to 4122 LLC, an Arizona limited liability company ("Grantee") pursuant to A.R.S. § 28-7205 and A.R.S. § 28-7215(B).

**NOW, THEREFORE, BE IT RESOLVED,**

The public roadway described and depicted in **Exhibit "A"** will be disposed of by vacation by Quit Claim Deed to Grantee, without compensation, in accordance with A.R.S. § 28-7205 and A.R.S. § 28-7215(B), reserving any and all rights-of-way or easements for water, electric, telephone, sewer and similar lines, which shall continue as they existed prior to this conveyance.

Upon recordation of the Quit Claim Deed, the subject roadway shall be deemed to be vacated and title shall vest in the Grantee.

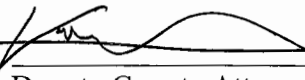
Passed and adopted, this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chair, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM

\_\_\_\_\_  
Clerk of the Board

  
Deputy County Attorney

**TOBIN ROSEN**

|                          |               |             |           |
|--------------------------|---------------|-------------|-----------|
| BOS Approval: 09/05/2017 | S03/T13S/R11E | File A-0022 | Agent: TM |
|--------------------------|---------------|-------------|-----------|

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**RIGHT OF WAY ABANDONMENT**

ALL THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 11 EAST, GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE WEST QUARTER CORNER OF SAID SECTION 3, BEING A BRASS CAP SURVEY MONUMENT IN CONCRETE STAMPED "4|3", FROM WHICH THE SOUTHWEST CORNER OF SECTION 3, BEING A BRASS CAP SURVEY MONUMENT STAMPED "4|3/9|10" BEARS S 00° 05' 52" W, AT A DISTANCE OF 2629.80 FEET;

THENCE S 00° 05' 52" W, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 110.47 FEET TO A POINT;

THENCE S 89° 54' 08" E, A DISTANCE OF 75.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SANDARIO ROAD, BEING A 1/2" REBAR TAGGED "LS 4399";

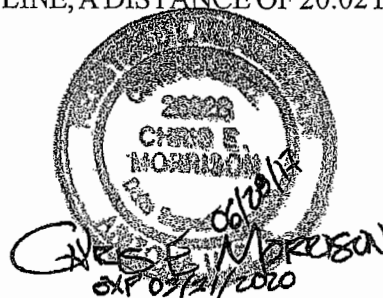
THENCE S 00° 06' 26" W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 526.80 FEET TO A 1/2" REBAR TAGGED "LS 4399", SAID POINT BEING ON A LINE 20 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID RIGHT-OF-WAY LINE, N 89° 58' 08" E, A DISTANCE OF 553.13 FEET TO A 5/8" REBAR TAGGED "RLS 26928";

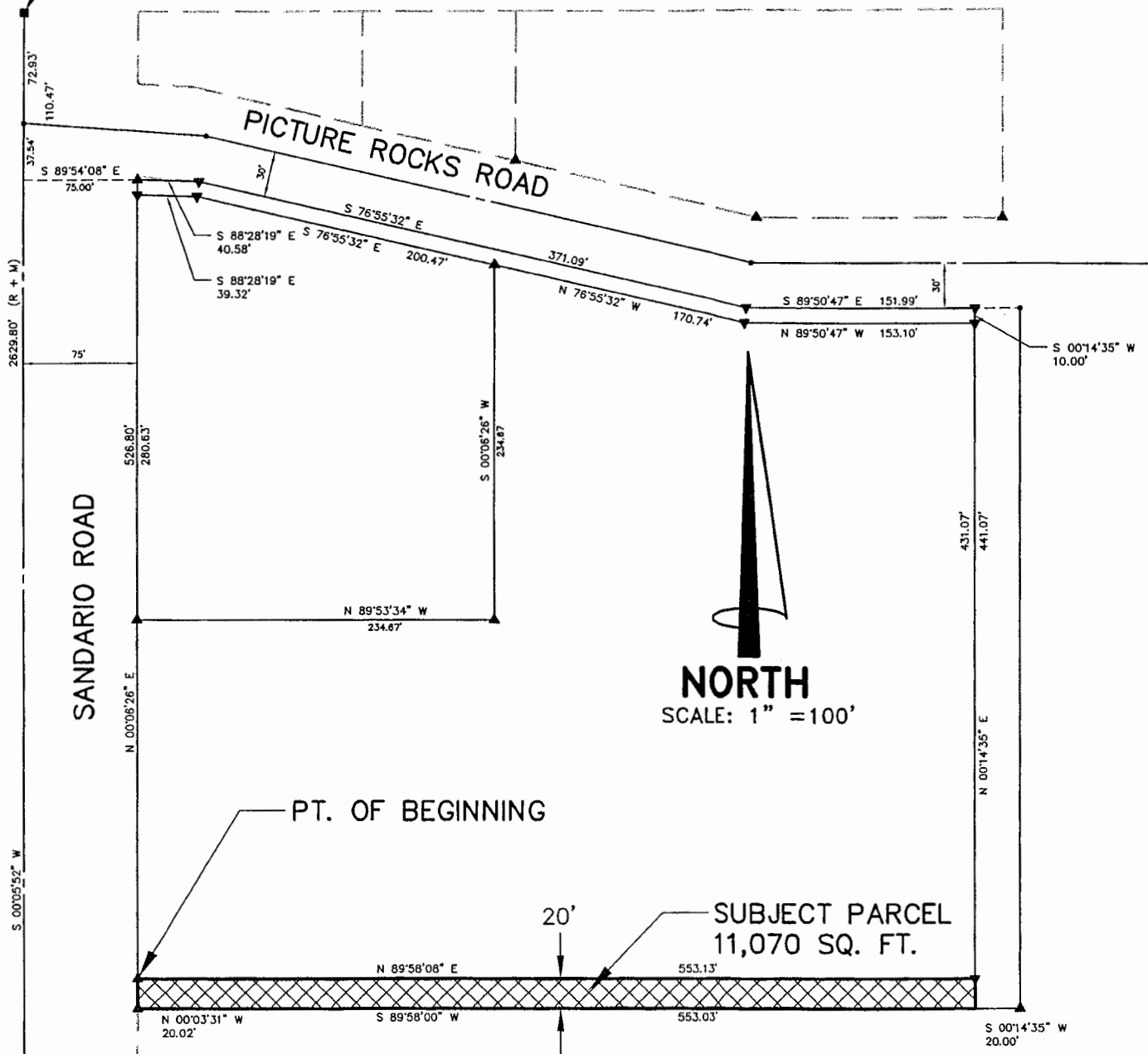
THENCE S 00° 14' 35" W, A DISTANCE OF 20.00 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, FROM WHICH A 1/2" REBAR TAGGED "RLS 23942" BEARS N 89° 58' 00" E, AT A DISTANCE OF 30.00 FEET;

THENCE ALONG SAID SOUTH LINE, S 89° 58' 00" W, A DISTANCE OF 553.03 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SANDARIO ROAD, BEING AN UNTAGGED 1/2" REBAR;

THENCE N 00° 03' 31" W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 20.02 FEET TO THE **POINT OF BEGINNING**.



WEST 1/4 CORNER SEC. 3  
PT. OF COMMENCEMENT



**NORTH**  
SCALE: 1" = 100'

PT. OF BEGINNING

SUBJECT PARCEL  
11,070 SQ. FT.

SOUTHWEST CORNER  
SEC. 3

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OPW SURVEYING, L.L.C.

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DEPICTION OF EXHIBIT "A"  
RIGHT OF WAY ABANDONMENT

