



## BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 3/15/2022

\*= Mandatory, information must be provided

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

**\*Title:**

Resolution No. 2022-\_\_\_\_\_ providing for the vacation and abandonment of public right of way in the platted subdivision of Camino Verde III Lots 1-79.

**\*Introduction/Background:**

Subdivision plat for Camino Verde III, Lots 1-79 recorded on April 1, 2014 dedicated 4.174 acres of land for public trail/drainage way uses to Pima County by sequence #20140910269. The property is in Section 3, Township 15 South, Range 12 East, G & SRM, Pima County, Arizona, more particularly depicted in Exhibit A (the "Property"), as shown on attached Location Map. File #E-0258.

**\*Discussion:**

The subdivision has never been constructed and Developer ("Owner") now intends to develop per approved plat. Current uses within the Property include public improvements for trail/drainage purposes and two El Paso Natural Gas ("EPNG") easements recorded in Docket 103 at Page 43 and Docket 154 at Page 394. EPNG requested an Encroachment Agreement ("Agreement") obligating Pima County ("County") and Owner to potential future costs from damages to EPNG improvements. Potential liability/future costs that County could incur caused County to opt out of the Agreement. County will abandon the Property by vacation to Owner pursuant to A.R.S. § 28-7205. Deed restrictions and easement reservations will be imposed for uses consistent with the original plat. The market value of the Property prior to recordation of the easements is estimated at \$19,200. However, due to the use restrictions arising from the existing EPNG easements and the reservation of public trail and drainage way easements by County, staff recommends the Board finds the Property has no market value pursuant to A.R.S. § 28-7215(B).

**\*Conclusion:**

This abandonment request has been reviewed and approved by appropriate County staff. No property will be left without public or private legal access. Due to the restricted uses and easement reservations for the Property, County has determined that the subject right of way may be vacated to the Owner of the adjacent parcels at no cost. Property conveyed shall be utilized entirely as it was intended per the recorded subdivision plat.

**\*Recommendation:**

Staff recommends that the Pima County Board of Supervisors approve Resolution No. 2022-\_\_\_\_\_.

**\*Fiscal Impact:**

Pima County will be removed from ownership liability and will maintain the easements as intended.  
Attachment: Location Map

**\*Board of Supervisor District:**

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ All

Department: Real Property Services

Telephone: 724-6313

Contact: Jeff Teplitsky

Telephone: 724-6582

Department Director Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Deputy County Administrator Signature: \_\_\_\_\_

Date: \_\_\_\_\_

County Administrator Signature: \_\_\_\_\_

Date: \_\_\_\_\_

RESOLUTION NO. 2022 - \_\_\_\_\_

**RESOLUTION OF THE PIMA COUNTY BOARD OF SUPERVISORS FOR  
THE VACATION OF DEDICATED PUBLIC RIGHT OF WAY SITUATED  
WITHIN SECTION 3, TOWNSHIP 15 SOUTH, RANGE 12 EAST, G&SRM,  
PIMA COUNTY, ARIZONA**

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

1. The subdivision plat for Camino Verde III, Lots 1-79, recorded on April 1, 2014, dedicated property to Pima County by sequence #20140910269. The property was dedicated for public trail and drainage way purposes and lies in Section 3, Township 15 South, Range 12 East, G & SRM, Pima County, Arizona, more particularly described in Exhibit A (the "Property").
2. The Property is a public roadway under A.R.S. § 28-7201(4).
3. The area including the Property is encumbered by El Paso Natural Gas ("EPNG") easements recorded in Docket 103 at Page 43 and Docket 154 at Page 394.
4. The Property uses include public right of way improvements for public trail and drainage way purposes that would require Pima County to be a party to an encroachment agreement with EPNG.
5. Pima County does not intend to enter into an encroachment agreement with EPNG.
6. The Property has no remaining fee simple market value due to the restricted use created by the existing EPNG easements, and the reservation of the public trail and drainage way easements by Pima County.
7. Pima County will vacate the Property to the owner of the abutting land, Title Security Agency, LLC, a limited liability company, as Trustee under Trust No. 201665-T ("Grantee") pursuant to A.R.S. §§ 28-7205 and 28-7215(B).
8. Pima County will reserve easements for public trail and drainage way purposes.

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

The right of way described and depicted in **Exhibit "A"** will be conveyed by Quit Claim Deed to Grantee, with restrictions and reservations for public trail and drainage way easements.

Upon execution and recordation of the Quit Claim Deed, the Property shall vest in the Grantee.

Passed and adopted, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Chair, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM

Clerk of the Board

  
Deputy County Attorney

February 28, 2022

BOS Approval: 3/15/2022	S3/T15S/R12E	File E-0258	Agent: TM
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January 25, 2022  
ASI No. 21025 (KB Home)

EXHIBIT "A"

All of that 120.00 foot El Paso Natural Gas right-of-way per Miscellaneous Records 103/43 and Docket 154/394, Records of Pima County, Arizona and all of that dedicated public trail EPCTSMP Trail No. 23, as shown on Camino Verde III Lots 1-79 and Common Areas "A", "B" and "C", recorded in Sequence No. 20140660401, Records of Pima County, Arizona, and located in the southeast quarter of Section 3, Township 15 South, Range 12 East, Gila an Salt River Meridian, Pima County, Arizona, except any portion lying within Montana Peak Way.

CONTAINING 4.174 acres of land, more or less.

Prepared by:  
AMERSON SURVEYING, INC.

  
MICHAEL K. AMERSON,





CAMINO VERDE ESTATES  
LOTS 1 THRU 79  
M&P 49/62

CAMINO VERDE ESTATES  
LOTS 80 THRU 177  
M&P 52/69

COPPER LEAF DRIVE

BULL SPRINGS PLACE

BLUE STAR DRIVE

CAMINO VERDE ESTATES II  
LOTS 1 THRU 204  
M&P 56/25

RED BANK WELL PLACE

CAMINO VERDE ESTATES II  
LOTS 1 THRU 204  
M&P 56/25

BLACK MOUNTAIN WAY

SCALE: 1"=200'

CAMINO VERDE ESTATES II  
LOTS 1 THRU 204  
M&P 56/25

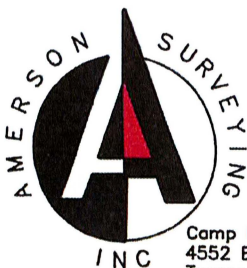
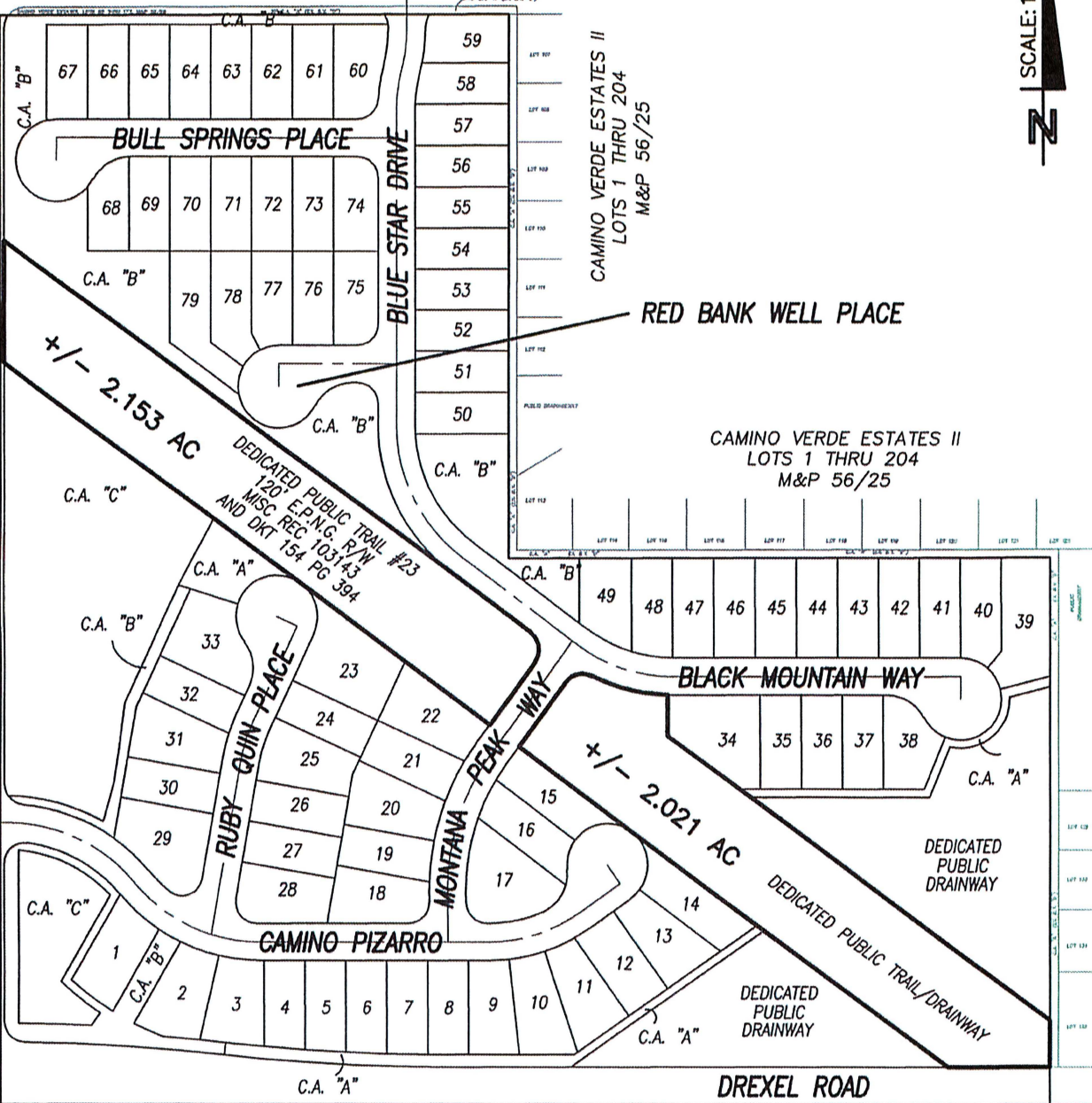
DREXEL ROAD

STATE OF ARIZONA  
LOTS 1 - 8

CAMINO VERDE VILLAGE  
LOTS 1-388, M&P 65/41

ANOS DE ORO AMENDED  
LOTS 1 THRU 39  
M&P 18/26

CAMINO VERDE



Camp Lowell Corporate Center  
4552 East Camp Lowell Drive  
Tucson, Arizona, 85712  
Fax: 325-8703  
520-325-5883

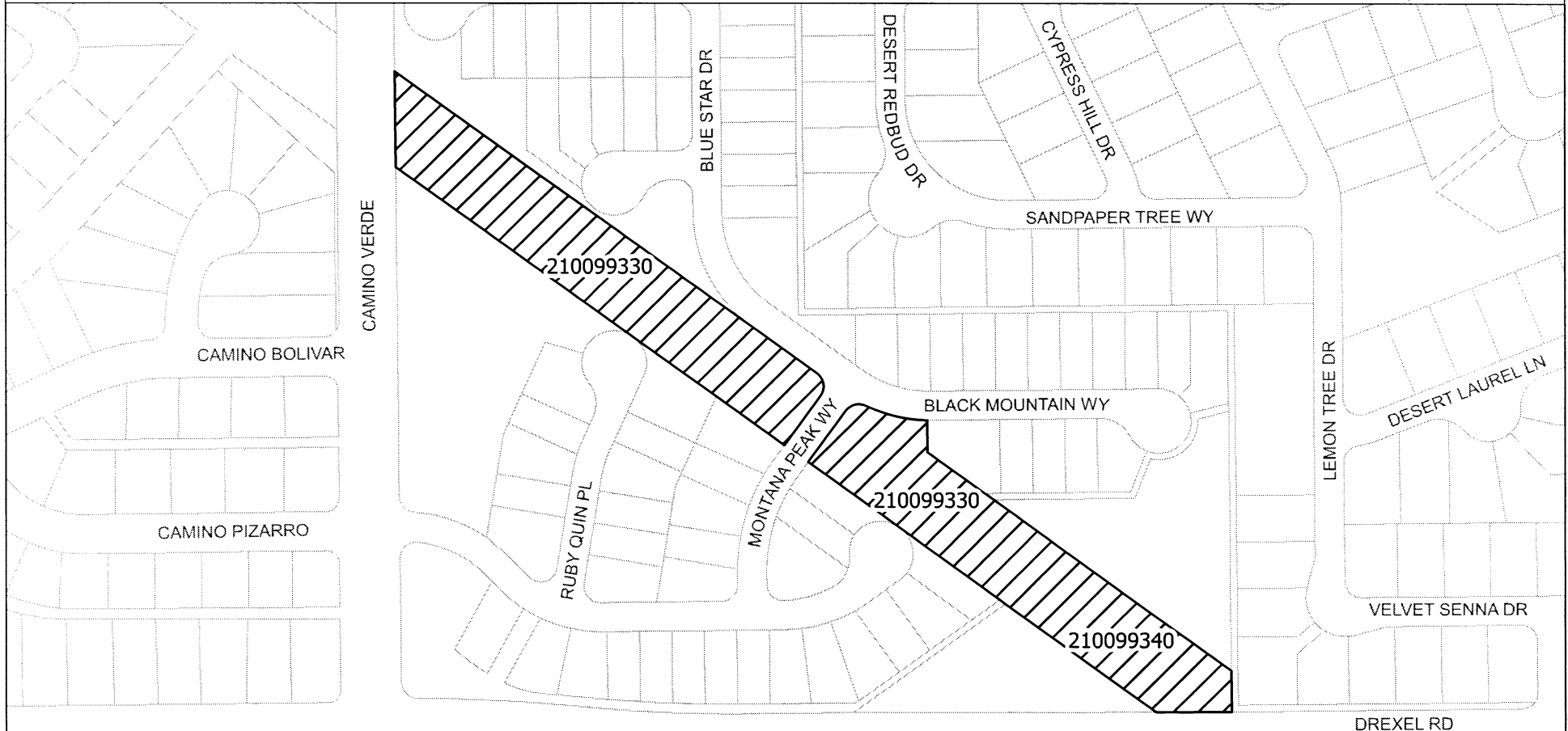
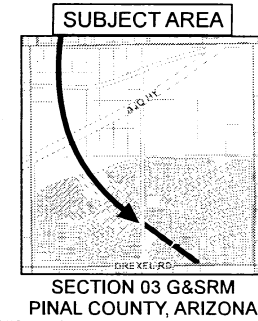


DEPICTION OF EXHIBIT "A" TO ACCOMPANY  
A LEGAL DESCRIPTION FOR  
ALL OF THAT 120' E.P.N.G. R/W  
MISC. RECORDS 103/43 AND DKT 154 PG 394  
AND THAT DEDICATED PUBLIC TRAIL AS SHOWN ON  
CAMINO VERDE III RECORDED IN SEQ# 20140660401  
RECORDS OF PIMA COUNTY, ARIZONA

ASI 21025, 01-27-22, DV, SHEET 2 OF 2

# LOCATION MAP

SECTION 03  
TOWNSHIP 15 SOUTH  
RANGE 12 EAST



22008

**PIMA COUNTY DEPARTMENT OF TRANSPORTATION  
ENGINEERING INFORMATION MANAGEMENT**

DRAWING NOT TO SCALE

DRAWN BY: O CONSTANTINO

DATE: FEB 2022

## LEGEND

 Subject Property