



# BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 10/17/2023

\*= Mandatory, information must be provided

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

**\*Title:**

FINAL PLAT (P23FP00007) SAGUARO HAVEN LOTS 1-143 AND COMMON AREA "A" AND "B"

**\*Introduction/Background:**

FINAL PLAT PROCESS TO CREATE LEGALLY SUBDIVIDED PROPERTY

**\*Discussion:**

N/A

**\*Conclusion:**

N/A

**\*Recommendation:**

STAFF RECOMMENDS APPROVAL

**\*Fiscal Impact:**

N/A

**\*Board of Supervisor District:**

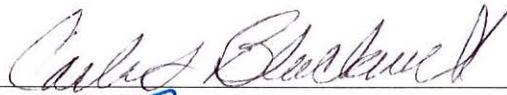
1    2    3    4    5    All


Department: DEVELOPMENT SERVICES


Telephone: 724-6490

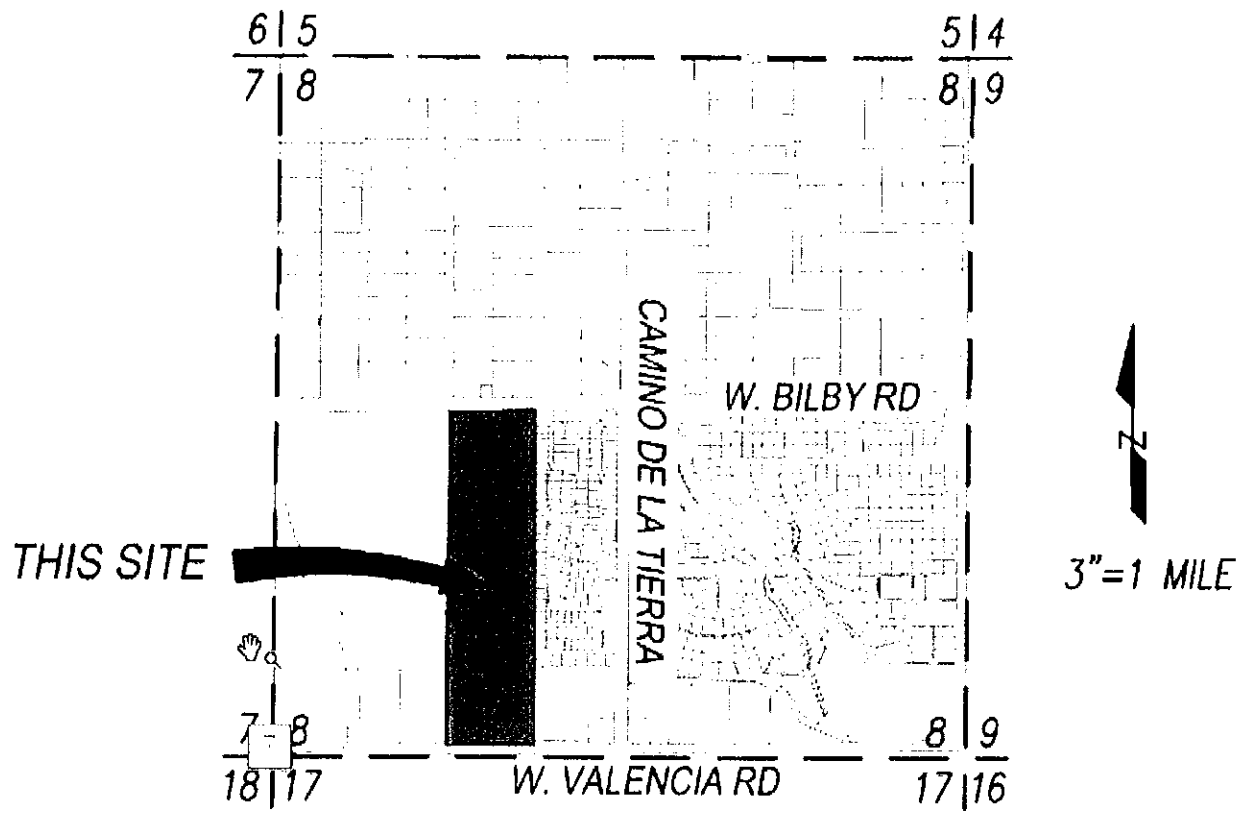
Contact: THOMAS DRZAZGOWSKI

Telephone: 724-6490

Department Director Signature:  Date: 9/19/23

Deputy County Administrator Signature:  Date: 9/28/2023

County Administrator Signature:  Date: 9/28/23



**VICINITY MAP**

LOCATED IN A PORTION OF SECTION 8,  
 TOWNSHIP 15 SOUTH, RANGE 13 EAST OF  
 THE GILA AND SALT RIVER BASE AND MERIDIAN,  
 PIMA COUNTY, ARIZONA

P23FP00007

SAGUARO HAVEN

LOTS 1-143 AND COMMON AREA "A" AND "B"

DEDICATION

I, THE UNDERSIGNED, HEREBY WARRANT THAT I AM THE ONLY PARTY HAVING ANY TITLE INTEREST IN THE LAND SHOWN ON THE PLAT, AND I CONSENT TO THE SUBDIVISION OF SAID LAND IN THE MANNER SHOWN HEREON.

I, THE UNDERSIGNED DO HEREBY HOLD MARBLE'S PIMA COUNTY AND PIMA COUNTY FLOOD CONTROL DISTRICT, THEIR SUCCESSORS, ASSIGNS, EMPHOE'S, OFFICERS, AND AGENTS FROM ANY AND ALL CLAIMS OF DAMAGES RELATED TO THE USE OF THE PROPERTY SPECIFIED ON THIS PLAT NOW AND IN THE FUTURE BY REASON OF FLOODING, EROSION, OR DAMAGE CAUSED BY WATER, WIND OR SOILS, LIQUID OR GASEOUS.

I HEREBY WARRANT AND CONVEY TO PIMA COUNTY ALL RIGHTS OF WAY AS SHOWN HEREON, INCLUDING ALL PUBLIC STREETS AND ROADS.

I HEREBY WARRANT AND CONVEY TO PIMA COUNTY ALL PUBLIC EASEMENTS AS SHOWN HEREON.

I HEREBY DONATE TO PIMA COUNTY AND ALL UTILITY COMPANIES ALL PUBLIC EASEMENTS AS SHOWN HEREON FOR THE PURPOSE OF ACCESS FOR INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND UTILITIES AND OTHER USES AS DESIGNATED BY THIS PLAT.

COMMON AREAS (AND PRIVATE EASEMENTS), AS SHOWN HEREON ARE RESERVED FOR THE PRIVATE USE AND CONVENIENCE OF ALL OWNERS OF PROPERTY WITHIN THIS SUBDIVISION. COMMON AREA "A" IS GRANTED AS AN EASEMENT TO PIMA COUNTY AND ALL UTILITY COMPANIES FOR ACCESS, INSTALLATION, CONSTRUCTION, MAINTENANCE AND REPAIRS OF OR ADDING AND UNDERGROUND UTILITIES AND PUBLIC UTILITIES.

THIS TO ALL COMMON AREAS SHALL BE VESTED IN AN ASSOCIATION OF INDIVIDUAL LOT OWNERS AS ESTABLISHED BY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND EASEMENTS FOR SAGUARO HAVEN RECORDED UNDER NUMBER [ ] IN THE OFFICE OF THE PIMA COUNTY RECORDER. THIS ASSOCIATION SHALL ACCEPT THE RESPONSIBILITY FOR CONSTRUCTION, MAINTENANCE, AND REPAIRS TAXES AND LIABILITY FOR THE COMMON AREAS TO INCLUDE PRIVATE UNDERGROUNDS AND PRIVATE EASEMENTS WITHIN THE SUBDIVISION.

THIS SECURITY AGENCY, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TRUST NO. 201665-1, AS TRUSTEE, DOES NOT HAVE THE NECESSARY CAPACITY.

BY: [Signature] DATE: [ ]

ACKNOWLEDGEMENTS

STATE OF ARIZONA, PIMA COUNTY

ON THIS [ ] DAY OF [ ] 20[ ] BEFORE ME PERSONALLY APPEARED [ ] WHO ADMITS TO BE THE TRUST OFFICER OF THE SECURITY AGENCY, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND BEING AUTHORIZED TO DO SO, I PREPARED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN.

NOTARY PUBLIC: [Signature] MY COMMISSION EXPIRES [ ]

BENEFICIARY

THE BENEFICIARY OF THIS SECURITY AGENCY, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TRUST NO. 201665-1, IS AND HEREON TRUSTEE, INC., AN ARIZONA CORPORATION.

SEE HOW TO OBTAIN AN ARIZONA CORPORATION TRUST NO. 201665-1, SUITE 101 TUCSON, AZ 85716

RECORDING

STATE OF ARIZONA, PIMA COUNTY

THIS INSTRUMENT WAS FILED FOR RECORD AT THE RECORDS OFFICE OF PIMA COUNTY ON [ ] DAY OF [ ] 20[ ] IN SEQUENCE NO. [ ]

COUNTY RECORDS: [Signature] DATE: [ ]

ASSURANCES

ASSURANCE IN THE FORM OF A THIRD PARTY TRUST AGREEMENT, TRUST NO. 201665-1 FROM THE SECURITY AGENCY, LLC, A DELAWARE LIMITED LIABILITY COMPANY AS RECORDED IN [ ] COUNTY AND IMPROVEMENTS AS REQUIRED BY THE PIMA COUNTY ZONING CODE, CHAPTER 18-06 (SUBDIVISION STANDARDS) IN THIS SUBDIVISION.

BY: [Signature] DATE: [ ]

ATTEST

I, MELISSA HANCOCK, CLERK OF THE BOARD OF SUPERVISORS, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, ON THE [ ] DAY OF [ ] 20[ ].

CLERK, BOARD OF SUPERVISORS: [Signature] DATE: [ ]

BY: [Signature] DATE: [ ]

NATHAN GARDNER, HUMAN CONSULTING, R/S #16296

[Signature] DATE: 8/8/23

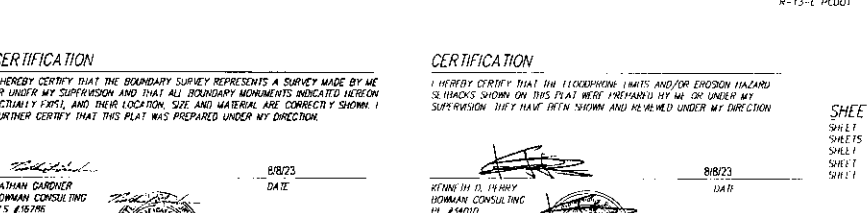
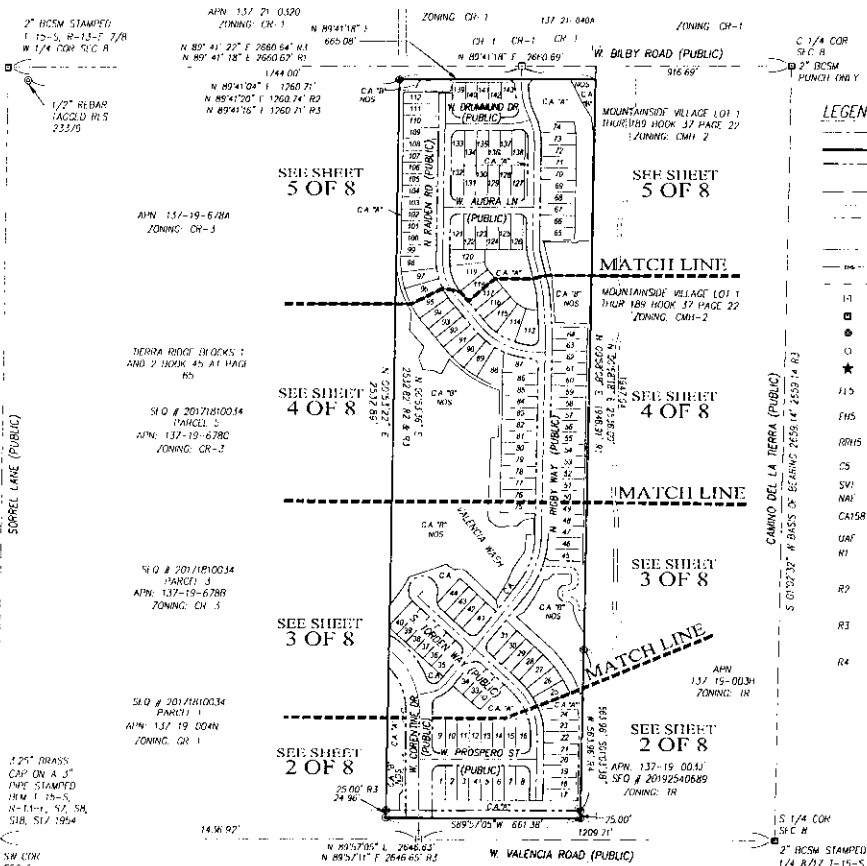
[Signature] DATE: 8/8/23

[Signature] DATE: 8/8/23

[Signature] DATE: 8/8/23

SAGUARO HAVEN FINAL PLAT LOTS 1 THRU 143 AND COMMON AREAS "A" & "B"

("A" OPEN SPACE, PRIVATE DRAINAGE, LANDSCAPE, PUBLIC UTILITIES, & BUFFERYARD "B" NATURAL OPEN SPACE/NOS)



GENERAL NOTES

- 1. CONDITIONAL ZONING IS OR-5 PER ZONING CASE NO. P22P00004 APPROVED BY THE BOARD OF SUPERVISORS ON 08-08-2022. (LAW ENFORCEMENT SHALL ENFORCE THE ISSUANCE OF PERMITS LOTS 45-74 AND RESTRICTED TO SINGLE-SINGLE PER THE ZONING CONDITIONS.)
2. THE GROSS AREA OF THIS SUBDIVISION IS 7,898,596 SF OR 180.96 AC.
3. THE TOTAL NUMBER OF LOTS IS 143.
4. TOTAL MILES OF NEW PUBLIC STREETS ARE 1.69 MILES.
5. TOTAL MILES OF NEW PRIVATE STREETS ARE 0.00.
6. THERE WILL BE NO FURTHER DIVISION OF LOTS WITHOUT THE EXPRESS APPROVAL OF PIMA COUNTY.
7. ANY RELOCATION, MODIFICATION, ETC. OF EXISTING UTILITIES AND/OR PUBLIC IMPROVEMENTS NECESSARY BY THE PROPOSAL OF DEVELOPMENT WILL BE AT NO EXPENSE TO THE PUBLIC.
8. COMMON AREAS RELOCATION: (A) 172,293 SF, 3.95 AC OPEN SPACE, PRIVATE DRAINAGE, LANDSCAPE, PUBLIC UTILITIES & BUFFERYARD; (B) 3,813,349 SF, 87.0 AC NATURAL OPEN SPACE/NOS.
9. THE WATER COMPANY THAT WILL SERVICE THIS DEVELOPMENT IS PIMA COUNTY WATER.
10. ALL LOTS (1 THRU 143) WITHIN THIS SUBDIVISION WILL BE SERVED BY PUBLIC SANITARY SEWER.
11. APPROVAL OF THIS PLAT DOES NOT IMPLY CERTIFICATION OR APPROVAL OF ANY LAND DIVISION THAT MAY BE CONTINGENT UPON STATE LAW, NOR DOES IT CLARIFY THE EXISTENCE OR COMPLIANCE WITH ANY DEED RESTRICTIONS OR EASEMENTS.
12. ALL LANDSCAPING WITHIN THE PUBLIC STREET EASEMENTS SHOWN HEREON SHALL BE IN ACCORDANCE WITH THE PLANNING CODES AND STANDARDS WITHIN THE CURRENT ADOPTED REGIONAL WASTE/WATER RECLAMATION DEPARTMENT DESIGN STANDARDS.
13. TOTAL AMOUNT OF REGULATED RIPARIAN HABITAT ONSITE: 292,020 SF (6.67 AC).
14. AMOUNT OF REGULATED RIPARIAN HABITAT DISTURBED ONSITE: 20,220 SF (0.46 AC).
15. THIS PLAT IS SUBJECT TO AN APPROVED RIPARIAN HABITAT MITIGATION PLAN.
16. NATURAL RESOURCES, PANICS AND RECREATION IN LOTS 1-143 OF 1,326,275 SF SHALL BE PAID AT THE TIME THE SUBDIVISION ASSURANCES ARE RELEASED FOR THE 10TH LOT. THE IN-LIEN FEE AMOUNT IS BASED ON 80% OF THE REQUIRED RECREATION AND LAND PROMOTED WITH THE DEVELOPMENT. CURRENTLY THE FEE IS ASSESSED AT \$1,648 PER LOT. RECREATION AREA IS PLAN NO. P22P00009.
17. THIS SUBDIVISION LIES WITHIN AN AREA DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.

GENERAL PERMITTING NOTES

- 1. THIS PROJECT IS REQUIRED TO PROVIDE STORMWATER RETENTION AND/OR PREVENTION. THE TOTAL VOLUME OF DETENTION PROVIDED IS 122,441 CUBIC FEET. THE TOTAL VOLUME OF RETENTION PROVIDED IS 24,358 CUBIC FEET.
2. THIS PROJECT INCLUDES THE INSPECTION AND MAINTENANCE PROTOCOL HAS BEEN PROVIDED TO THE OWNER/HOMEOWNERS ASSOCIATION. THE INSPECTION AND MAINTENANCE REQUIREMENTS ARE INCLUDED IN THE CONDITIONS, COVENANTS, AND RESTRICTIONS WHICH HAVE BEEN RECORDED IN THE PUBLIC RECORDS OF PIMA COUNTY.
3. PRIOR TO ISSUANCE OF ANY BUILDING PERMITS AN AS-BUILT CERTIFICATE (HUMAN) OF THE DRAINAGE AND GRADING IMPROVEMENTS THAT ARE REQUIRED TO MITIGATE ON-SITE ADVERSE IMPACTS TO THE PROJECT SHALL BE PREPARED AND SUBMITTED TO THE FLOODPLAIN ADMINISTRATOR UPON APPROVAL OF THE AS-BUILT PLAN BY THE FLOODPLAIN ADMINISTRATOR. THE FEE FOR ISSUANCE OF BUILDING PERMITS CAN BE REMOVED.
4. PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY/FINAL RELEASE OF ASSURANCES AN AS-BUILT CERTIFICATE (HUMAN) OF THE DRAINAGE AND GRADING IMPROVEMENTS THAT ARE REQUIRED TO MITIGATE ON-SITE ADVERSE IMPACTS TO ADJACENT PROPERTIES SHALL BE PREPARED AND SUBMITTED TO THE FLOODPLAIN ADMINISTRATOR UPON APPROVAL OF THE AS-BUILT PLAN BY THE FLOODPLAIN ADMINISTRATOR. THE FEE FOR ISSUANCE OF CERTIFICATE OF OCCUPANCY/FINAL RELEASE OF ASSURANCES CAN BE REMOVED.
5. NO BUILDING PERMITS FOR HABITABLE STRUCTURES SHALL BE ISSUED UNTIL ALL STRUCTURAL PLANS FOR CULMETS, DRAFT AND DRAFT STRUCTURES LOCATED IN THE REGULATORY FLOODPLAIN ARE REVIEWED AND APPROVED BY THE REGIONAL FLOOD CONTROL DISTRICT.

SHEET INDEX

- SHEET 1: DEDICATION AND SIGNATURE SHEET
SHEET 2-3: FINAL PLAT
SHEET 4: FLOODPLAIN AND EROSION HAZARD SETBACK
SHEET 5: COMMON AREA "A" & "B"
SHEET 6: LINE, CURVE TABLES AND SWI THE DETAILS

SAGUARO HAVEN FINAL PLAT

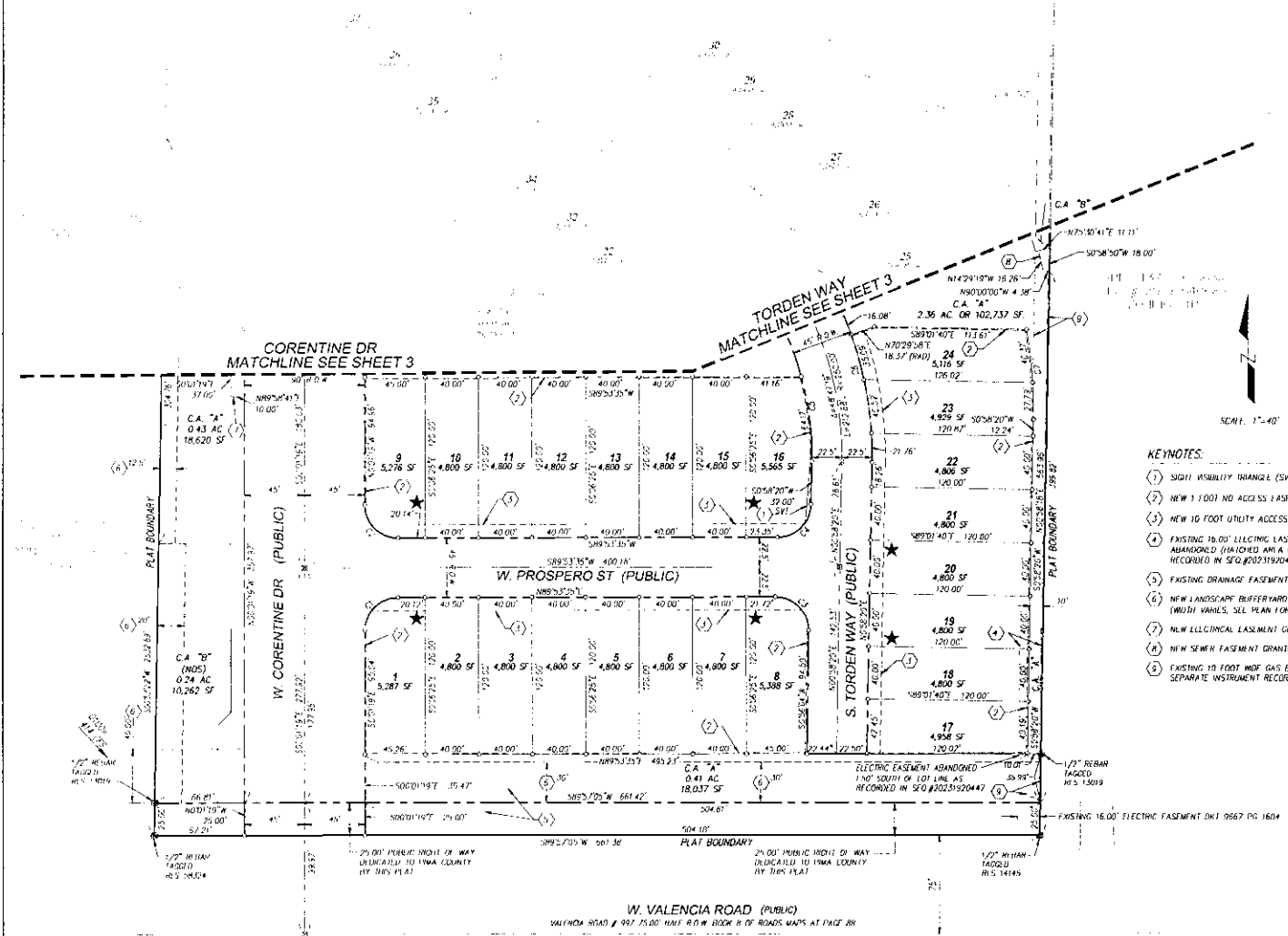
LOTS 1-143, AND COMMON AREA "A" (OPEN SPACE, PRIVATE DRAINAGE, LANDSCAPE, PUBLIC UTILITIES & BUFFERYARD) COMMON AREA "B" (NATURAL OPEN SPACE/NOS) LOCATED IN AN UNINCORPORATED PORTION OF THE LAST HALF OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 15 SOUTH, RANGE 13 WEST, GARDEN, PIMA COUNTY, ARIZONA.

ADMINISTRATIVE ADDRESS 3450 W. VALENCIA ROAD

AUGUST 8, 2023

SHEET 1 OF 8

SEC. #



**KEYNOTES:**

- (1) SIGHT VISIBILITY TRIANGLE (SVI) SEE SHEET 4 OR 5 FOR TR. OR T.M.
- (2) NEW 1 FOOT NO. ACCESS EASEMENT (NAE) GRANTED BY THIS FINAL PLAT
- (3) NEW 10 FOOT UTILITY ACCESS EASEMENT (UAE) GRANTED BY THIS FINAL PLAT
- (4) EXISTING 16.00' ELECTRIC EASEMENT DKT 9867 PG 1604 TO BE PARTIALLY ABANDONED (HATCHED AREA ONLY 16.00'X100.00') BY SEPARATE INSTRUMENT RECORDED IN SEQ.#20231900447
- (5) EXISTING DRAINAGE EASEMENT DKT 12290 PG 970
- (6) NEW LANDSCAPE BUFFERYARD DEDICATED BY THIS FINAL PLAT (MULTI VARI. SEE PLAN FOR NOTED)
- (7) NEW ELLIPTICAL EASEMENT GRANTED BY THIS FINAL PLAT
- (8) NEW SEWER EASEMENT GRANTED BY THIS FINAL PLAT
- (9) EXISTING 10 FOOT W/D GAS EASEMENT DKT 9720, PG. 506 TO BE ABANDONED BY SEPARATE INSTRUMENT RECORDED IN SEQ.#20231910047



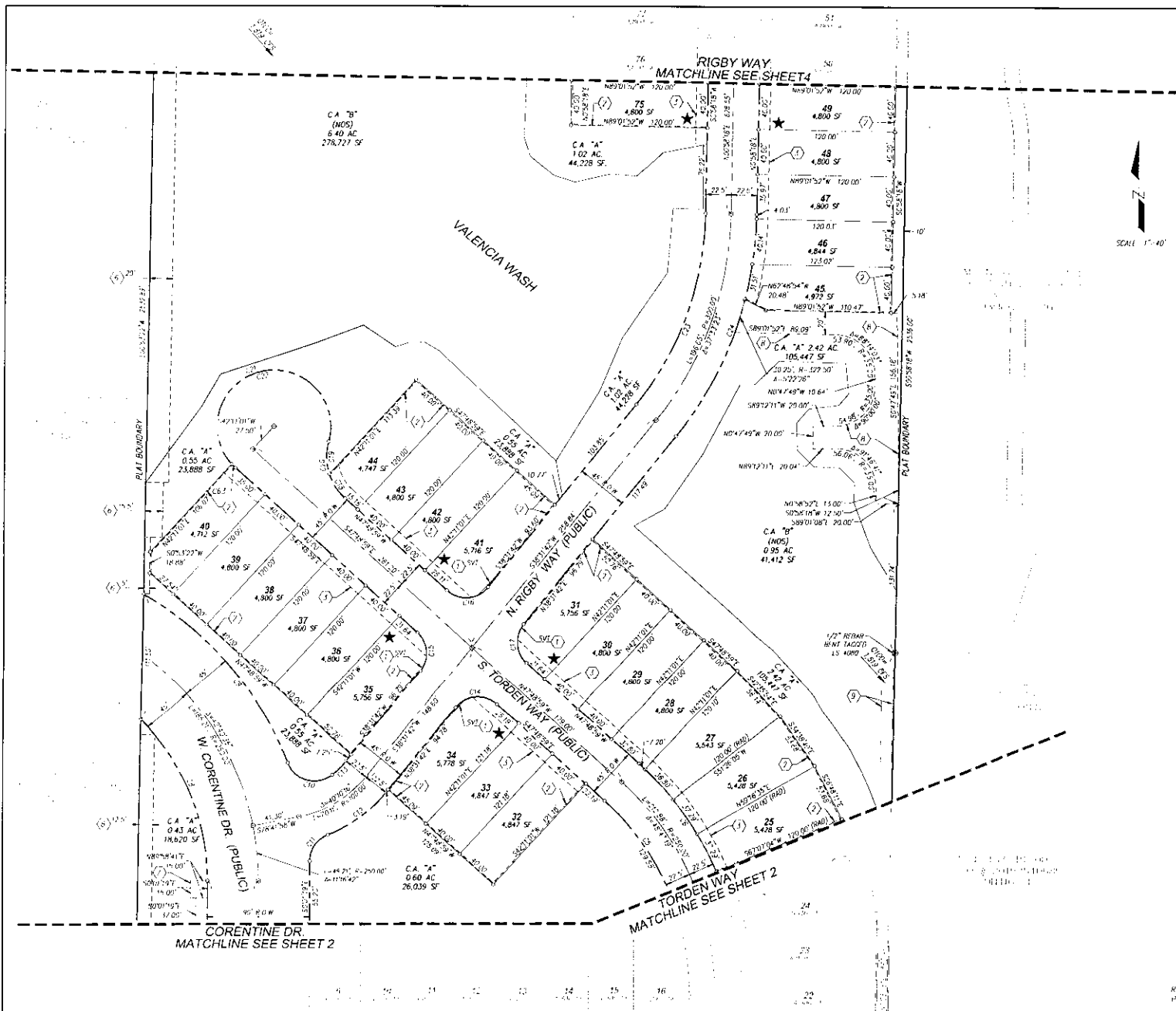
IN COMPLIANCE WITH CERTIFICATION STATEMENT SHOWN ON SHEET 1 OF 8

**SAGUARO HAVEN  
FINAL PLAT**

LOTS 1-14, AND COMMON AREA "A"  
(OPEN SPACE, PRIVATE DRAINAGE, LANDSCAPE, PUBLIC UTILITIES & BUFFERYARD)  
COMMON AREA "B"  
COMMON AREA "C" (NATURAL OPEN SPACE/NOIS)  
LOCATED IN AN UNRESERVED PORTION OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 15 SOUTH, RANGE 13 EAST, COCHISE COUNTY, ARIZONA

REF: P223100007 AUGUST 8, 2023 P223100007 **SHEET 2 OF 8**

SEQ. #



**KEYNOTES:**

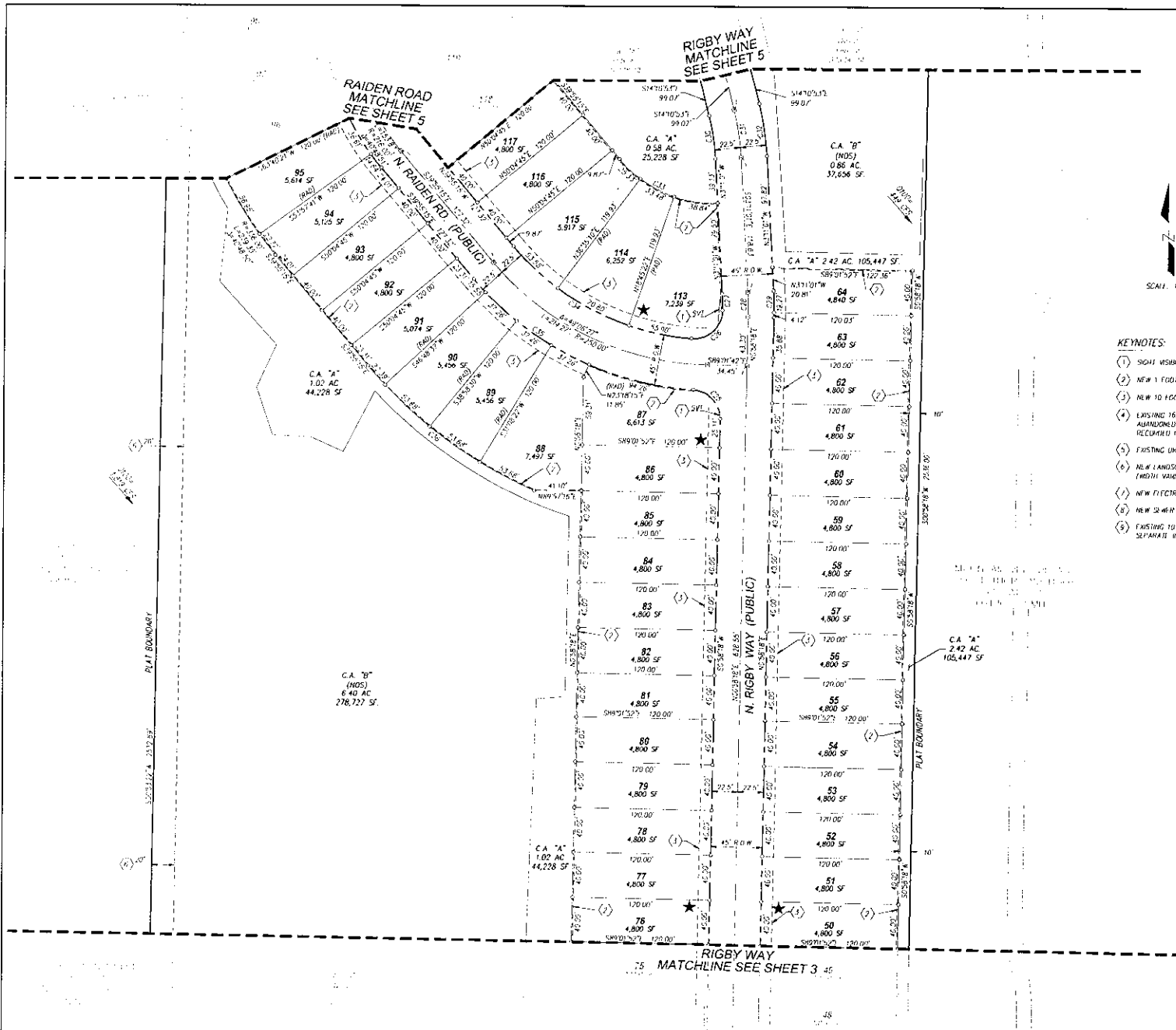
- 1) SIGHT TRIANGLE (S/T) SEE SHEET 1 B OR H FOR DETAIL
- 2) NEW 1 FOOT NO ACCESS EASEMENT (NAE) GRANTED BY THIS FINAL PLAT
- 3) NEW 10 FOOT UTILITY ACCESS EASEMENT (UAE) GRANTED BY THIS FINAL PLAT
- 4) EXISTING 18'00\"/>



IN COMPLIANCE WITH CERTIFICATION STATEMENT SHOW ON SHEET 1 OF 8

**SAGUARDO HAVEN  
FINAL PLAT**

LOTS 1-14, 1, AND COMMON AREA "A"  
(OPEN SPACE, PRIVATE IRRIGATION, LANDSCAPE, PUBLIC UTILITIES & BUTTERFLYARD)  
COMMON AREA "B" (NATURAL OPEN SPACE/ANOS)  
OFF. #221400007  
LOCATED IN AN UNINCORPORATED PORTION OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 20 SOUTH, RANGE 13 EAST, GILBERT, PIMA COUNTY, ARIZONA



**KEYNOTES:**

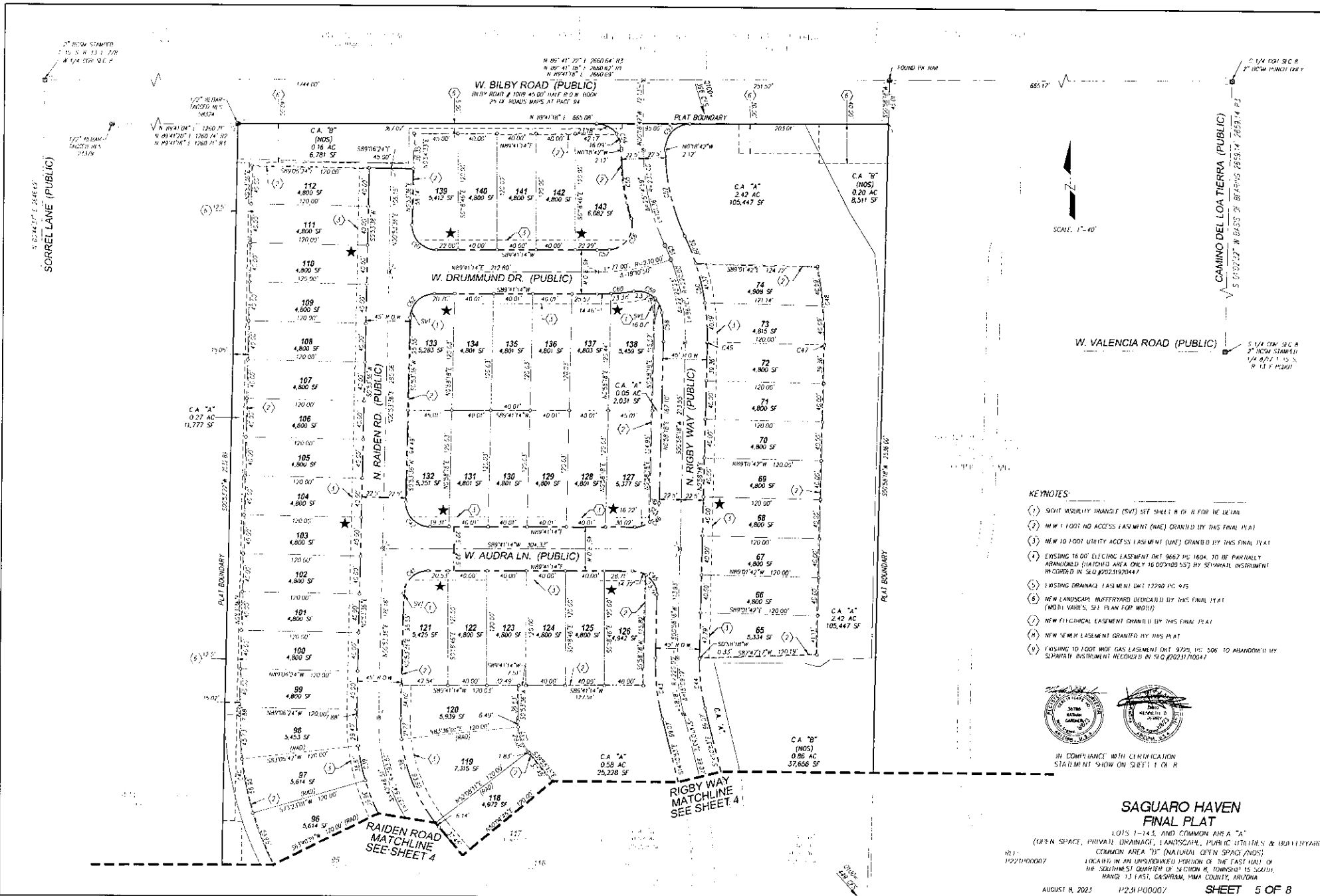
- (1) SIGHT TRIANGLE (SVI) SEE SHEET 8 OF 8 FOR DETAIL
- (2) NEW 1 FOOT NO ACCESS EASEMENT (NAE) GRANTED BY THIS FINAL PLAT
- (3) NEW 10 FOOT UTILITY ACCESS EASEMENT (UAE) GRANTED BY THIS FINAL PLAT
- (4) EXISTING 16.00' ELECTRIC EASEMENT (EET) 0667 PG 1004, TO BE PARTIALLY ABANDONED (MATCHED AREA ONLY 16.00'X100.00') BY SEPARATE INSTRUMENT RECORDED IN SLD #20231100447
- (5) EXISTING DRAINAGE EASEMENT (DE) 12290 PG 979
- (6) NEW LANDSCAPE BUFFERYARD DEDICATED BY THIS FINAL PLAT (WIDTH VARIES, SEE PLAN FOR WIDTH)
- (7) NEW ELECTRICAL EASEMENT GRANTED BY THIS FINAL PLAT
- (8) NEW 32" HPI EASEMENT GRANTED BY THIS FINAL PLAT
- (9) EXISTING 10 FOOT MED. GAS EASEMENT (MGE) 9720, PG. 506, TO BE ABANDONED BY SEPARATE INSTRUMENT RECORDED IN SLD #20231100447



IN COMPLIANCE WITH CERTIFICATION STATEMENT SHOWN ON SHEET 1 OF 8

**SAGUARO HAVEN FINAL PLAT**

LOTS 1-143, AND COMMON AREA "A"  
 (OPEN SPACE, PRIVATE UNBARRIAD, LANDSCAPE, PUBLIC UTILITIES & BUFFERYARD)  
 COMMON AREA "B" (NATURAL OPEN SPACES)  
 N/A  
 1223P00007  
 LOCATED IN AN UNDIVIDED PORTION OF THE EAST HALF OF THE SOUTHWEST QUARTER IN SECTION 8, TOWNSHIP 15 SOUTH, RANGE 13 EAST, GOSHEN, PIMA COUNTY, ARIZONA



- KEYNOTES:**
- (1) SOFT TRIANGLE (SVT) SET SHEET 4 OF 4 FOR THE WAY
  - (2) NEW 1 FOOT NO ACCESS EASEMENT (NAE) GRANTED BY THIS FINAL PLAT
  - (3) NEW 10 FOOT UTILITY ACCESS EASEMENT (UAE) GRANTED BY THIS FINAL PLAT
  - (4) EXISTING 16 FOOT ELEC. EASEMENT DKT 9667 PG 1604 TO BE PARTIALLY ABANDONED (ABANDONED AREA ONLY TO BE 10 FOOT 55) BY SEPARATE INSTRUMENT RECORDED IN S.O. 2023100044
  - (5) EXISTING DRAINAGE EASEMENT DKT 12290 PG 475
  - (6) NEW LANDSCAPE BUFFERYARD DEDICATED BY THIS FINAL PLAT (MOVI VARI'S SET PLAN FOR MOVI)
  - (7) NEW FENCIBLE EASEMENT GRANTED BY THIS FINAL PLAT
  - (8) NEW SEWER EASEMENT GRANTED BY THIS PLAT
  - (9) EXISTING 10 FOOT WIDE GAS EASEMENT DKT 9720 PG 506 TO ABANDONED BY SEPARATE INSTRUMENT RECORDED IN S.O. 2023100044



IN COMPLIANCE WITH CERTIFICATION STATEMENT SHOWN ON SHEET 1 OF 4

**SAGUARO HAVEN  
FINAL PLAT**

LOTS 1-143, AND COMMON AREA "A"  
(OPEN SPACE, PRIVATE DRAINAGE, LANDSCAPE, PUBLIC UTILITIES & BUFFERYARD)  
COMMON AREA "B" (NATURAL OPEN SPACE) (NOS)  
LOCATED IN AN UNDESERVED PORTION OF THE EAST HALF OF  
THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 12 SOUTH,  
RANGE 13 EAST, GAVARRA, PIMA COUNTY, ARIZONA

1221400007 AUGUST 8, 2023 1221400007 **SHEET 5 OF 8**

SEQ. #

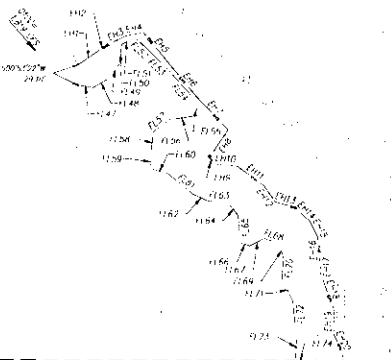
1/2" IRBM  
TAGGED  
R/S 18104

W. BILBY ROAD (PUBLIC)

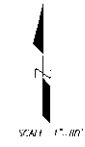
30941787 4450'

W. WILSON ROAD (PUBLIC)

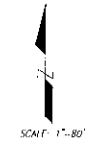
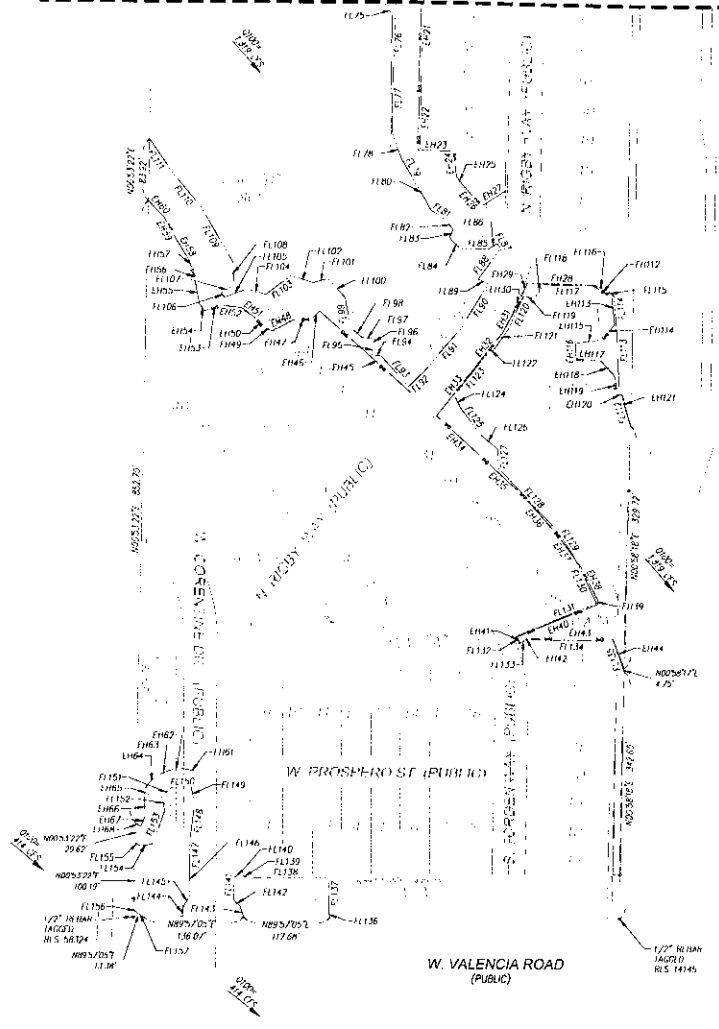
W. WILSON ROAD (PUBLIC)



MATCH LINE SEE ABOVE RIGHT



MATCH LINE SEE BELOW LEFT



IN COMPLIANCE WITH CERTIFICATION STATEMENT SHOW ON SHEET 1 OF 8

### SAGUARO HAVEN FINAL PLAT

LOTS 1, 14, 3, AND COMMON AREA "A"  
 (OPEN SPACE, PRIVATE DRAINAGE, LANDSCAPE, PUBLIC UTILITIES & BUFFERBAND)  
 COMMON AREA "B" (NATURAL OPEN SPACE/AVS)  
 REF. P221P0000/1  
 LOCATED IN AN UNINCORPORATED PORTION OF THE EAST 1/4 OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 15 SOUTH, RANGE 13 EAST, GADSDEN, PIMA COUNTY, ARIZONA

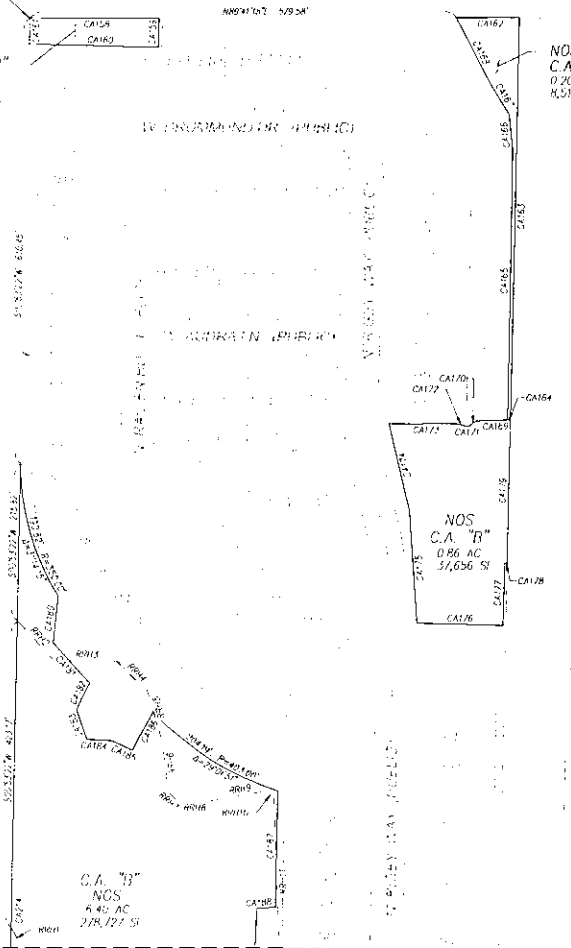
AUGUST 8, 2023 P23FP0000/1 SHEET 6 OF 8

SEC. #



W. BILBY ROAD (PUBLIC)  
N89°10'2" S 59'34"

C.A. "B"  
NOS  
5.16 AC  
278,177.51



SCALE: 1"=80'

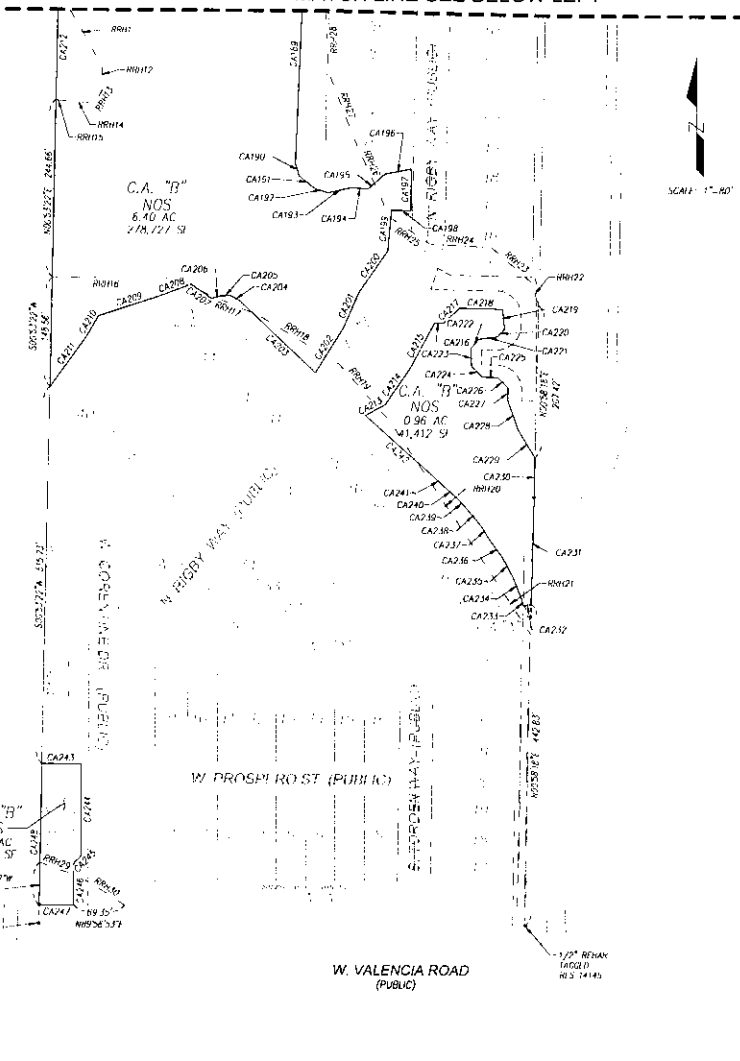
Line #	Length	Direction
CA150	175.12'	S89°43'28"W
CA151	41.25'	N87°43'11"E
CA152	175.87'	S88°40'04"E
CA153	36.21'	S02°22'00"W
CA154	80.30'	S89°41'14"W
CA155	335.74'	N0°58'18"E
CA156	4.00'	N27°47'27"E
CA157	56.80'	S07°18'26"W
CA158	49.05'	S60°27'40"E
CA159	48.08'	S41°55'38"E
CA160	102.41'	S26°50'14"E
CA161	46.19'	S87°21'02"W
CA162	11.70'	S51°14'02"W
CA163	7.45'	S89°14'00"W
CA164	11.26'	N22°57'51"W
CA165	92.61'	S89°42'56"W
CA166	122.29'	S12°00'10"E
CA167	154.20'	S40°10'05"E
CA168	117.00'	S88°48'19"E
CA169	85.00'	N7°40'26"E
CA170	2.96'	S89°01'42"E
CA171	197.21'	N88°18'00"E
CA172	84.04'	N57°03'07"E
CA173	74.59'	N47°54'36"W
CA174	41.77'	N04°21'29"E
CA175	41.80'	N18°25'51"W
CA176	23.87'	N88°14'29"W
CA177	30.94'	N85°51'28"W
CA178	38.26'	S12°27'16"W
CA179	180.06'	N05°58'19"E
CA180	25.43'	N85°37'44"E
CA181	286.54'	N27°39'29"E
CA182	17.48'	N17°55'16"W
CA183	77.77'	N00°17'24"W

NOS  
C.A. "B"  
0.20 AC  
8,511.51

NOS  
C.A. "B"  
0.86 AC  
37,636.51

C.A. "B"  
NOS  
0.24 AC  
10,282.51

MATCH LINE SEE BELOW LEFT



SCALE: 1"=80'

Line #	Length	Direction
CA192	19.13'	N47°54'47"W
CA193	37.41'	S48°28'47"E
CA194	22.76'	N85°57'02"W
CA195	31.26'	S48°05'18"W
CA196	35.27'	S76°32'07"W
CA197	51.40'	N07°16'31"E
CA198	26.17'	S88°54'48"E
CA199	35.54'	N47°45'29"E
CA200	68.87'	N34°39'03"E
CA201	51.11'	N02°30'36"E
CA202	73.20'	N31°01'17"E
CA203	243.30'	N46°47'48"E
CA204	14.22'	S60°00'32"E
CA205	14.68'	N47°17'21"E
CA206	11.60'	N72°48'17"E
CA207	34.05'	S56°09'41"E
CA208	43.34'	N89°29'29"E
CA209	87.80'	N71°25'17"E
CA210	32.17'	N30°00'21"E
CA211	44.67'	N32°30'38"E
CA212	1184.98'	S03°57'22"W
CA213	40.52'	N60°51'36"E
CA214	58.02'	N34°29'17"E
CA215	40.45'	N27°42'09"E
CA216	12.46'	N89°00'00"E
CA217	39.74'	N46°10'38"E
CA218	58.77'	S88°37'17"E
CA219	77.17'	S50°28'25"E
CA220	11.99'	N41°34'19"E
CA221	26.20'	S02°27'21"W
CA222	18.57'	N61°17'13"W
CA223	24.12'	S11°28'09"E
CA224	20.61'	N47°13'46"E
CA225	22.50'	S87°13'14"E
CA226	19.12'	S44°46'04"E
CA227	17.66'	N24°14'44"W
CA228	42.11'	S20°09'10"E
CA229	44.56'	S31°11'40"E
CA230	34.45'	S03°50'29"W
CA231	346.13'	S03°50'17"W
CA232	11.11'	S01°30'41"W
CA233	10.82'	N05°23'38"W
CA234	37.20'	N22°27'08"W
CA235	27.80'	N27°55'18"W
CA236	38.29'	N35°43'58"W
CA237	38.03'	N11°10'46"W
CA238	50.85'	N40°27'46"W
CA239	21.09'	N41°59'27"E
CA240	19.52'	N07°47'29"W
CA241	23.42'	N46°40'27"E
CA242	129.17'	N48°14'00"W
CA243	32.74'	N89°20'40"E
CA244	128.80'	S05°02'30"E
CA245	11.98'	N41°00'00"W
CA246	58.02'	S03°00'00"E
CA247	47.00'	S88°36'33"W
CA248	196.70'	N05°12'25"E

MATCH LINE SEE ABOVE RIGHT



IN COMPLIANCE WITH CERTIFICATION STATEMENT SHOWING SHEET 1 OF 8

REF: 12231-00007

SAGUARO HAVEN FINAL PLAT

LOTS 1-143, AND COMMON AREA "A" (OPEN SPACE, PRIVATE DRAINAGE, LANDSCAPE, PUBLIC UTILITIES & BULKHEAD) COMMON AREA "B" (DUAL USE OPEN SPACE/NOS) LOCATED IN AN UNINCORPORATED PORTION OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 15 SOUTH, RANGE 15 EAST, GOSHOPAN, PIMA COUNTY, ARIZONA

AUGUST 8, 2023

P231P00007

SHEET 7 OF 8

SEQ. #



**ASSURANCE AGREEMENT FOR CONSTRUCTION OF  
SUBDIVISION IMPROVEMENTS (Third Party Trust)**  
P23FP00007

THIS AGREEMENT is made and entered into by and between KB Home Tucson Inc., an Arizona corporation or successors in interest ("Subdivider"), Title Security Agency, LLC, a Delaware limited liability company ("Trustee"), as trustee under Trust No. 201665-T; and Pima County, Arizona ("County").

**1. RECITALS**

1.1. Subdivider is the beneficiary and Trustee is the trustee of a trust which owns land ("the Land") located in Pima County, Arizona and described in paragraph 2.1 of this agreement.

1.2. County, Subdivider and Trustee wish to establish specific terms, conditions, and guidelines relating to the subdivision of the Land and construction of related improvements to comply with A.R.S. § 11-821.

**2. AGREEMENT**

Based on the foregoing recitals, which are incorporated here as the intent of the parties, and in consideration of County's approval of a final plat for the Land, County, Subdivider and Trustee agree as follows:

2.1. *Property Description.* The Land is all of the real property which is the subject of the subdivision plat ("the Subdivision Plat") identified as SAGUARO HAVEN LOTS 1-143 AND COMMON AREA "A" (OPEN SPACE, PRIVATE DRAINAGE, LANDSCAPE, PUBLIC UTILITIES, AND BUFFERYARD) COMMON AREA "B" (NATURAL OPEN SPACE/ NOS) recorded in Sequence number \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in the Office of the Pima County Recorder.

2.2. *Construction of Subdivision Improvements.* As a condition of subdivision approval, Subdivider hereby agrees to construct all subdivision improvements ("the Subdivision Improvements") contemplated by the Subdivision Plat, rezoning conditions, and any associated site construction permits, including but not limited to onsite and offsite streets, sanitary sewers (if necessary), water and electric utilities, drainage and flood control improvements, parks, trails or other recreational facilities, other required infrastructure, and riparian habitat mitigation or payment of the riparian habitat mitigation in-lieu fee.

2.3. *Existing Utilities.* Any relocation or modification of existing utilities or public improvements required in order to construct the Subdivision Improvements shall be done at no expense to the public. Subdividers performance of this requirement shall be considered in determining whether to release assurances under paragraphs 2.5 and 2.6.

2.4. *Assurance of Construction.* This agreement is submitted as an assurance that Subdivider will construct the Subdivision Improvements, as required by A.R.S. § 11-821 and Pima County Zoning Code Chapter 18.69.

2.5. *Limitation on Transfer of Title.* Trustee shall not convey title to any of the Land without obtaining prior written approval from County in the form of a Release of Assurance. A Release of Assurance shall not be provided by County until the Subdivision Improvements are completed in accordance with paragraph 2.12.

2.6. *Partial Release of Assurances.* County shall issue a Release of Assurance for some of the lots depicted on the Subdivision Plat if all of the following have occurred:

A. All of the Subdivision Improvements required in connection with the released lots have been completed in accordance with paragraph 2.12, and

B. County finds that the released lots and the Subdivision Improvements required in connection with them can be used and maintained separately from the Subdivision Improvements not yet completed in accordance with paragraph 2.12, and

C. Recreation area in-lieu fee, if applicable, has been paid to the county for the entire subdivision, prior to a release of greater than 75% of total subdivision lots.

2.7. *Deposit Receipt Agreements.* Notwithstanding paragraph 2.5, Trustee may enter into a deposit receipt agreement for the sale of the Land or any portion of it if the agreement clearly states that no portion of the Land shall be conveyed until Subdivider performs its obligations under this agreement.

2.8. *Bulk Sales.* Notwithstanding paragraph 2.5, Trustee may sell and convey all of the Land in one transaction to a single purchaser who has entered into a satisfactory assurance agreement with County, assuring completion of the Subdivision Improvements.

2.9. *Conveyance Out of Trust for the Purpose of Encumbrance.* Notwithstanding paragraph 2.5, Trustee may convey all or part of the Land to the Subdivider for the sole purpose of encumbering the Land by the recording of mortgages or deeds of trust, provided that the Land is thereafter immediately reconveyed into the trust.

2.10. *Real Property Taxes.* All real property taxes on the Land shall be paid before the taxes are delinquent as defined by A.R.S. 42-18052(B). If the real property taxes on the Land, including any lot or portion of common area, become delinquent, this agreement will be in default.

2.11. *Substitution of Assurances.* Subdivider may submit substitute assurances in a form and amount acceptable to County at any time during which this agreement is not in default.

2.12. *Completion of the Subdivision Improvements.* The Subdivision Improvements shall be completed by Subdivider not more than four years after the date of this agreement. The Subdivision Improvements shall not be considered completed until after they have been constructed in accordance with the Subdivision Plat, rezoning conditions, associated site construction permits, and after County has inspected them and finds them to be in compliance with the plans.

2.13. *Acceptance of the Subdivision Improvements.* County shall not accept maintenance responsibility for any of the Subdivision Improvements unless and until all of the following have occurred:

A. They have been completed in accordance with paragraph 2.12.

B. They have been dedicated to County by the Subdivision Plat or by some other instrument of record.

C. The dedication has been accepted by the Pima County Board of Supervisors as evidenced by approval of the dedication on the Subdivision Plat or by some other formal action.

2.14. *Default, Non-Compliance; County's Options.* This agreement is in default if either the Subdivider or Trustee fails to comply with obligations under this agreement. If this agreement is in default, the County may exercise any or all options below at its sole discretion:

A. The County may re-plat all or a portion of the Land for the purpose of returning the portions of Land which are the subject of the re-plat to approximately the same boundary configurations of record which existed before the recording of the Subdivision Plat. The Subdivider authorizes the County to execute, on behalf of Subdivider, the re-plat described in this section. The re-plat may exclude any dedications to the public which were made on the Subdivision Plat which are necessary to serve either portions of the Land which are not re-platted, or to serve the public. Subdivider shall pay the reasonable costs incurred in re-platting. Notice of default and intent to re-plat will be sent to the last known address of Subdivider and Trustee by certified mail not less than thirty days before County exercises its option to re-plat under this paragraph.

B. If site conditions change after the Subdivider fails to comply with this agreement, the County may require that Subdivider submit evidence that the Tentative and Final Plat comply with current regulations, under current site conditions. If the County determines that the Tentative Plat or Final Plat does not comply, Subdivider shall submit revisions to the plat, to the County with applicable fees. If the revisions are approved by the Board of Supervisors, the date specified in Section 2.12 of this agreement may be extended by up to four years from the approval date. This subsection is not applicable to Block Plats for master planned communities.

C. The County may withhold the issuance of permits for building regulated by Title 15 of the Pima County Code or work regulated by Title 18 of the Pima County Code.

2.15. *Incorporation and Annexation.* If the Land is incorporated as or annexed by a city or town, the city or town shall automatically succeed to all benefits and duties of County under this agreement.

2.16. *Termination.* This agreement shall remain in full force and effect until one of the following has occurred:

A. The Subdivision Improvements have been completed and approved by County in accordance with paragraph 2.11 and a Release of Assurances with respect to all the Land has been recorded in the Office of the Pima County Recorder in accordance with paragraph 2.5; or

B. A new subdivision plat has been recorded for the Land in compliance with any and all applicable laws and regulations; or

C. A substitute assurance agreement has been executed by and between Subdivider and County in accordance with paragraph 2.11.

2.17. *Effective Date.* This Agreement is effective on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, which is the date of approval of this agreement by the Pima County Board of Supervisors.

PIMA COUNTY, ARIZONA

SUBDIVIDER: KB HOME Tucson, Inc., an Arizona corporation

\_\_\_\_\_  
Chair, Board of Supervisors

By: *Amy McReynolds*  
Amy McReynolds  
Its: Division President *Amy McReynolds*

ATTEST:

TRUSTEE: Title Security Agency, LLC, a Delaware limited liability company, as Trustee under Trust No. 201665-T, and not in its corporate capacity

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

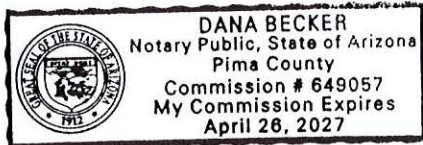
By: *Ronda Tatro*  
Its: Trust Officer *Ronda Tatro*

STATE OF ARIZONA            )  
County of Pima                )

The foregoing instrument was acknowledged before me this 29 day of August, 2023, by Amy McReynolds, as Division President of KB HOME Tucson, Inc. ("Subdivider"), an Arizona corporation, on behalf of the corporation

*Dana Becker*  
Notary Public

My Commission Expires:  
April 26, 2027



STATE OF ARIZONA            )  
County of Pima                )

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of September, 2023, by Ronda Tatro, as Trust Officer of Title Security Agency, LLC ("Trustee"), a Delaware limited liability company as trustee under trust number 201665-T.

*Leas Harlos*  
Notary Public

My Commission Expires:  
8/1/25

