



# BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 9/17/2024

\*= Mandatory, information must be provided

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

**\*Title:**

FINAL PLAT (P23FP00015) ROCKING K SOUTH NEIGHBORHOOD 5 PARCEL H LOTS 1-21 COMMON AREA 'A' & 'B'

**\*Introduction/Background:**

FINAL PLAT PROCESS TO CREATE LEGALLY SUBDIVIDED PROPERTY

**\*Discussion:**

NA

**\*Conclusion:**

NA

**\*Recommendation:**

STAFF RECOMMENDS APPROVAL

**\*Fiscal Impact:**

NA

**\*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: \_\_\_\_\_

8/27/24

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

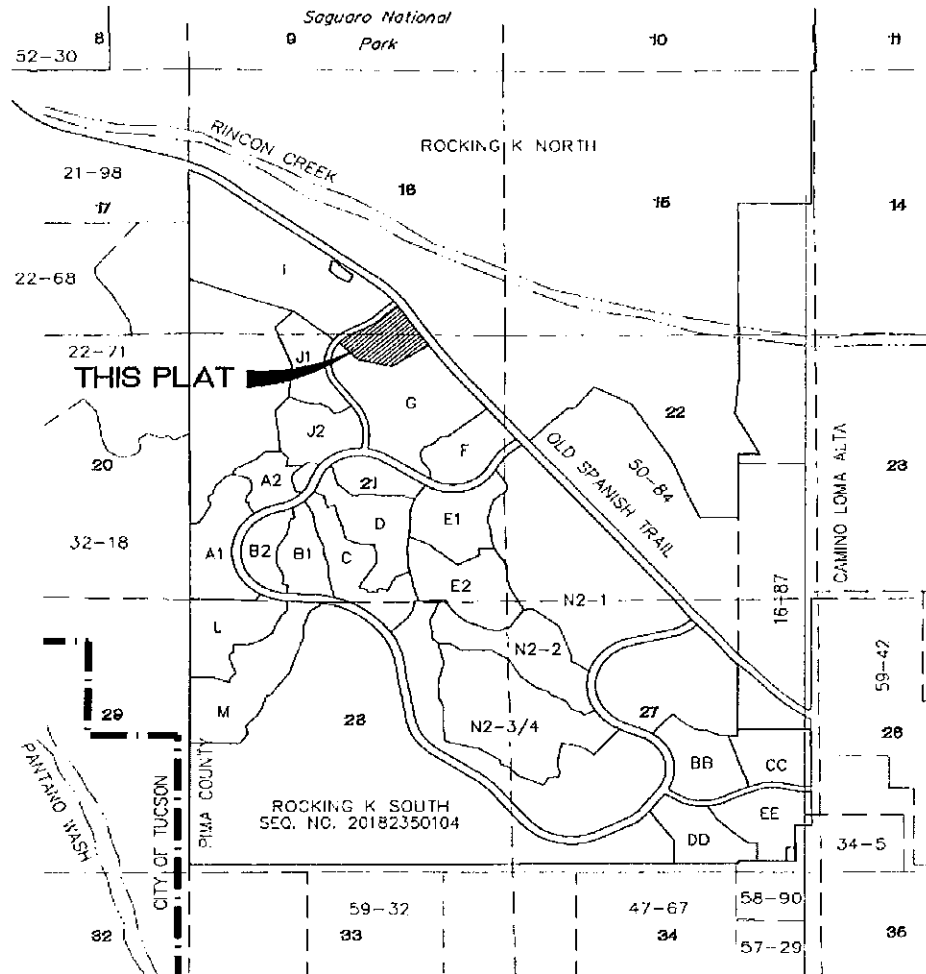
Date: \_\_\_\_\_

9/3/2024

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

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

9/3/2024



**LOCATION MAP**

LOCATED IN PORTIONS OF SECTIONS 16 AND 21  
 TOWNSHIP 15 SOUTH, RANGE 16 EAST, G&SRM  
 PIMA COUNTY, ARIZONA  
 SCALE: 3" = 1 MILE



P23FP00015

ROCKING K SOUTH NEIGHBORHOOD 5

PARCEL H

LOTS 1-21

COMMON AREA "A & B"

ASSURANCE

ASSURANCES IN THE FORM OF A THIRD PARTY TRUST AGREEMENT, TRUST NO. 60380 FROM FIDELITY NATIONAL TITLE AGENCY AS RECORDED IN SEQUENCE NO. ... HAS BEEN PROVIDED TO GUARANTEE IMPROVEMENTS AS REQUIRED BY THE PIMA COUNTY ZONING CODE, CHAPTER 18.69 (SUBDIVISION STANDARDS) BY THIS SUBDIVISION.

BY: CHAIR, BOARD OF SUPERVISORS PIMA COUNTY, ARIZONA DATE

ATTEST: CLERK OF THE BOARD OF SUPERVISORS, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, ON THIS ... DAY OF ... 2023.

CLERK, BOARD OF SUPERVISORS DATE

CERTIFICATION OF SURVEY

I HEREBY CERTIFY THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY SUPERVISION AND THAT ALL BOUNDARY MONUMENTS INDICATED HEREON ACTUALLY EXIST, AND THEIR LOCATION, SIZE AND MATERIAL ARE CORRECTLY SHOWN.

GENNY WALLACE MARTIN ARIZONA REGISTRATION NO. 37933

CERTIFICATION OF ENGINEERING

I HEREBY CERTIFY THAT THE FLOODPLAIN LIMITS AND EROSION HAZARD SETBACKS SHOWN ON THIS PLAT WERE PREPARED BY ME OR UNDER MY SUPERVISION.

RLONA LYN BEEM, P.E. ARIZONA REGISTRATION NO. 40206

RECORDING

STATE OF ARIZONA } S.S. PIMA COUNTY

THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF PSOMAS ON THIS DAY OF ... 2023, IN SEQUENCE NO. ... PIMA COUNTY RECORDS

GABRIELLA CAZARES-KELLY DATE

DEDICATION

WE, THE UNDERSIGNED, HEREBY WARRANT THAT WE ARE ALL AND THE ONLY PARTIES HAVING ANY TITLE INTEREST IN THE LAND SHOWN ON THE PLAT, AND WE CONSENT TO THE SUBDIVISION OF SAID LAND IN THE MANNER SHOWN HEREON.

WE, THE UNDERSIGNED DO HEREBY HOLD HARMLESS PIMA COUNTY AND PIMA COUNTY FLOOD CONTROL DISTRICT, THEIR SUCCESSORS, AGENTS, EMPLOYEES, OFFICERS AND AGENCIES FROM ANY AND ALL CLAIMS FOR DAMAGES RELATED TO THE USE OF THE PROPERTY DEPICTED ON THIS PLAT NOW AND IN THE FUTURE BY REASON OF FLOODING, FLOWAGE, EROSION, OR DAMAGE CAUSED BY WATER, WHETHER SURFACE FLOOD OR RAINFALL.

WE HEREBY DEDICATE AND CONVEY TO PIMA COUNTY ALL RIGHTS-OF-WAY AS SHOWN HEREON, INCLUDING ALL PUBLIC STREETS AND ROADS.

WE HEREBY GRANT TO PIMA COUNTY AND ALL UTILITY COMPANIES ALL PUBLIC EASEMENTS AS SHOWN HEREON FOR THE PURPOSES OF ACCESS FOR INSTALLATION AND MAINTENANCE OF PUBLIC SEWERS 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 ENJOYMENT OF ALL OWNERS OF PROPERTY WITHIN THIS SUBDIVISION AND ARE GRANTED AS EASEMENTS TO PIMA COUNTY AND ALL UTILITY COMPANIES FOR THE INSTALLATION AND MAINTENANCE OF ABOVEGROUND AND UNDERGROUND UTILITIES AND PUBLIC SEWERS.

TITLE TO THE LAND OF ALL COMMON AREAS SHALL BE VESTED IN AN ASSOCIATION OF INDIVIDUAL LOT OWNERS AS ESTABLISHED BY COVENANTS, CONDITIONS, AND RESTRICTIONS RECORDED UNDER SEQUENCE NO. 201912270776, AND THE TRACT DECLARATION RECORDED WITH THIS PLAT AT SEQUENCE NO. 20241360250, IN THE OFFICE OF THE PIMA COUNTY RECORDER. THIS ASSOCIATION SHALL ACCEPT THE RESPONSIBILITY FOR CONTROL, MAINTENANCE, AD VALOREM TAXES AND LIABILITY FOR THE COMMON AREAS, TO INCLUDE PRIVATE DRIVEWAYS, AND PRIVATE EASEMENTS, WITHIN THIS SUBDIVISION.

BENEFICIARY

PURSUANT TO THE PROVISIONS OF A.R.S. 33-404, NAME AND ADDRESS OF THE BENEFICIARY OF SAID TRUST IS: FIDELITY NATIONAL TITLE AGENCY, INC., AN ARIZONA CORPORATION UNDER TRUST NO. 10,871, 10,773, 10,730 AND 30,096. CHICAGO TITLE INSURANCE COMPANY, A MISSOURI CORPORATION UNDER TRUST NO. 12,099. AURIGA PROPERTIES INC., AN ARIZONA CORPORATION. TUCSON MOUNTAIN INVESTORS, L.L.C., AN ARIZONA LIMITED LIABILITY. ROCKING K HOLDINGS LIMITED PARTNERSHIP, AN ARIZONA LIMITED PARTNERSHIP. RINCON VALLEY HOLDINGS LIMITED PARTNERSHIP, AN ARIZONA PARTNERSHIP. ROCKING K DEVELOPMENT CO., AN ARIZONA CORPORATION AGENCY: PIMA COUNTY.

OWNER-TRUSTEE OF ASSESSORS PARCELS

FIDELITY NATIONAL TITLE AGENCY, INC., AN ARIZONA CORPORATION AS TRUSTEE UNDER TRUST NO. 60380, AND NOT IN ITS CORPORATE CAPACITY

BY: RACHEL TURNSEED RACHEL TURNSEED

ITS: TRUST OFFICER DATE: 9-21-23

FOR: ROCKING K DEVELOPMENT COMPANY

ACKNOWLEDGMENT

STATE OF ARIZONA } S.S. PIMA COUNTY

ON THIS 21st DAY OF August, 2023, BEFORE ME PERSONALLY APPEARED RACHEL TURNSEED, WHO ACKNOWLEDGED TO BE THE TRUST OFFICIAL OF FIDELITY NATIONAL TITLE AGENCY, INC., AND BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN.

MY COMMISSION EXPIRES: 10/03/23

GENERAL NOTES

- 1. THE GROSS AREA OF "PARCEL H" IS 22.43 ACRES.
2. THE BASIS OF BEARING FOR THIS SUBDIVISION: THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 16, BETWEEN MONUMENTS SHOWN HEREON AND REFERENCED FROM BK 64 MSP, PG. 83, AND PLAT SEQUENCE NO. 2012350004 SAID BEARING BEING: N 89°40'58" W AT A DISTANCE OF 2637.92'.
3. TOTAL MILES OF NEW PUBLIC STREETS FOR "PARCEL H" = 0.17 MILES.
4. "PARCEL H" LIES WITHIN AN AREA DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
5. BLANKET EASEMENT - PORTIONS OF SECTIONS 16 AND 21 ARE SUBJECT TO AN EXISTING ELECTRIC EASEMENT RECORDED IN DOCKET 1023 AT PAGE 70, RECORDS OF PIMA COUNTY.

PERMITTING NOTES

- 1. ZONING: THIS PLAT CONTAINS APPROXIMATELY 22.43 ACRES OF LAND REGULATED BY THE ROCKING K AMENDED SPECIFIC PLAN (LDR AND OS).
2. THE 1193 ACRES OF THE ROCKING K SPECIFIC PLAN SOUTH OF OLD SPANISH TRAIL IS SUBJECT TO A MAXIMUM DENSITY CAP OF 2.22 DWELLING UNITS. THE ADJACENT 852 ACRES IS SUBJECT TO THE MAXIMUM DENSITY ALLOWED UNDER CURRENT ZONING OF 1.001 DWELLING UNITS. THIS PLAT CONTAINS AREAS DESIGNATED AS SENDING AREAS AND RECEIVING AREAS SUBJECT TO THE TRANSFER OF DEVELOPMENT RIGHTS (TDR) ORDINANCE (CHAPTER 18.62 OF THE PIMA COUNTY ZONING CODE) WHICH PROVIDES FOR MODIFICATION OF THESE DENSITY CAPS AS DETAILLED IN THE JUNE 5, 2018 MEMO ACKNOWLEDGED AND AGREED TO BY PIMA COUNTY PLANNING OFFICIAL ON JUNE 15, 2018. THIS PLAT INCLUDES A TDR TRACKING TABLE, NEIGHBORHOOD 5 USES 0 TOR LOTS.
3. CROSS DENSITY IS "PARCEL H" = 0.94 (21 LOTS/22.43 AC).
4. AVERAGE LOT AREA PER DWELLING FOR "PARCEL H" IS 12,524 SQ. FT.
5. THE USE OF THIS PLAT IS SINGLE FAMILY DETACHED RESIDENTIAL AS PERMITTED IN ACCORDANCE WITH THE APPROVED SPECIFIC PLAN FOR ROCKING K (APPROVED ON DECEMBER 18, 1996 AND AMENDED ON SEPTEMBER 16, 1997).
6. THIS PLAT WILL USE TRANSFER OF DENSITY RIGHTS (TDR) PER PIMA COUNTY CODE 18.92. AREAS WITHIN THE SPECIFIC PLAN WILL USE UDR DEVELOPMENT STANDARDS AND AREAS OUTSIDE OF THE SPECIFIC PLAN WILL USE TR DEVELOPMENT STANDARDS (RESIDENTIAL USE ONLY).
7. NATURAL OPEN SPACE AS SHOWN ON THE ROCKING K SOUTH, AMENDED BLOCKS 1-7, MASTER BLOCK PLAT ENCOMPASSES 548 ACRES (11,550 OF COMMONITY NATURAL OPEN SPACE, AN ADDITIONAL 50 ACRES OF ON LOT NATURAL OPEN SPACE WILL BE DESIGNATED AT THE TIME OF INDIVIDUAL SUBDIVISION PLATS. THIS NEIGHBORHOOD 5 - PARCEL H SUBDIVISION PLAT MODIFIES THE PLATED NATURAL OPEN SPACE AS SHOWN HEREON TO INCLUDE 1161 TOTAL ACRES OF NATURAL OPEN SPACE WHICH INCLUDES AN ADDITIONAL 0.07 ACRES OF ON LOT NATURAL OPEN SPACE (SEE NATIVE PLANT INVENTORY AND NATURAL OPEN SPACE MITIGATION PLANS FOR NATURAL OPEN SPACE CALCULATION). THIS NATURAL OPEN SPACE FULFILLS THE "REQUIRED NATURAL OPEN SPACE" REQUIREMENT FOR THE LANDUSE DESIGNATIONS FOR NEIGHBORHOOD 5 - PARCEL H, AS SPECIFIED IN CHAPTER 18-E OF THE ROCKING K AMENDED SPECIFIC PLAN.

PERMITTING NOTES (CONT.)

- B. DEVELOPMENT STANDARDS
TR - TRANSITIONAL ZONING (RESIDENTIAL ONLY) (LOTS 1-21)
1. MINIMUM LOT AREA: 4,500 SQ. FT.
2. MINIMUM AREA PER DWELLING UNIT: 1,000 SQ. FT.
3. MINIMUM LOT WIDTH: 40 FT.
4. MAXIMUM BUILDING HEIGHT: 34 FT.
5. MINIMUM SITE SETBACK REQUIREMENTS:
a. FRONT: 20 FT.
b. SIDE: 0 FT. EACH
c. REAR: 10 FT.
6. WITH THE EXCEPTION OF PERIMETER SITE SETBACKS, ZERO LOT-LIKE SETTING OF DWELLING UNITS ON INDIVIDUAL LOTS IS PERMISSIBLE, SUBJECT TO PIMA COUNTY BUILDING CODES (TITLE 15).
SETBACKS FOR CORNER LOTS ARE EQUAL TO THE SITE VISIBILITY TRIANGLES OF THE ZONING DESIGNATION SETBACKS, WHICHEVER ARE GREATER.
THE ACCESSORY STRUCTURE SETBACK REQUIREMENTS ARE THE FOLLOWING MINIMUM DISTANCES:
MSE:
TO MAIN BUILDING: 7 FT.
TO PROPERTY LINES, IN ACCORDANCE WITH APPLICABLE PIMA COUNTY BUILDING CODES.

- TR
TO MAIN BUILDING: NA
TO FRONT LOT LINE: 60 FT.
TO SIDE LOT LINES: 4 FT.
TO REAR LOT LINE: 4 FT.

FLOODPLAINS SHOWN ON THIS PLAT CONFORM TO TITLE 16 OF THE PIMA COUNTY CODE, FLOODPLAIN AND EROSION HAZARD MANAGEMENT ORDINANCE

THIS PLAT IS SUBJECT TO THE SECOND AMENDED AND RESTATED ROCKING K DEVELOPMENT AGREEMENT RESOLUTION NO. 2018-29, RECORDED AT SEQ. NO. 220181410439 WITH THE PIMA COUNTY RECORDER'S OFFICE.

THE CHIEF ZONING INSPECTOR HAS CONCLUDED THE SIDE ENTRY GARAGES ARE PERMITTED TO ENCRUCH INTO THE 20' FRONT SETBACK PROVIDED THAT THE REST OF THE STRUCTURAL MASS OF THE HOME COMPLIES WITH THE 20' FRONT SETBACK REQUIREMENTS.

RIPARIAN HABITAT WITHIN THIS PLAT AREA CONFORMS TO THE RIPARIAN HABITAT MAPS IN PIMA COUNTY ORDINANCE 2005-122 AND THE APPROVED RIPARIAN MITIGATION PLAN PREPARED BY NOVAK ENVIRONMENTAL, DATED 07/16/22. ALL RIPARIAN AREAS INCLUDING THE MITIGATION AREAS LIE WITHIN OPEN SPACE AS DEDICATED ON THIS PLAT.

EXISTING ONSITE RIPARIAN HABITAT AREA = 1.01 ACRE

DISTURBED ONSITE RIPARIAN HABITAT AREA = 0.01 ACRES

RIPARIAN MITIGATION AREA = 0.01 ACRES

THIS PLAT IS SUBJECT TO AN APPROVED RIPARIAN MITIGATION PLAN. PRIVATELY OWNED RECREATION AREAS, RECREATION FEATURES AND PARKING IMPROVEMENTS WITHIN PARCEL H SHALL BE COMPLETED IN ACCORDANCE WITH THE RECREATION AREA PLAN (RAP) AND BE FULLY FUNCTIONAL BY THE TIME 75% OF THE BUILDING PERMITS (16 LOTS) HAVE BEEN ISSUED.

LEGEND

- 1 LOT NUMBER
2 KEYNOTE
III SURVEY MONUMENT TO BE SET BY A REGISTERED LAND SURVEYOR AT COMPLETION OF PAVING
• 1/2" REBAR TO BE SET BY A REGISTERED LAND SURVEYOR AT COMPLETION OF GRADING.
o FOUND SURVEY MONUMENT, AS NOTED
\* SET 1/2" REBAR TAGGED "RLS 37933"
L1 LINE NUMBER - SEE LINE DATA TABLE
C1 CURVE NUMBER - SEE CURVE DATA TABLE
BL1 BOUNDARY LINE - SEE BOUNDARY LINE TABLE
BC1 BOUNDARY CURVE - SEE BOUNDARY CURVE TABLE
(R) RADIAL BEARING
\* GENERAL ACCESS LOCATION

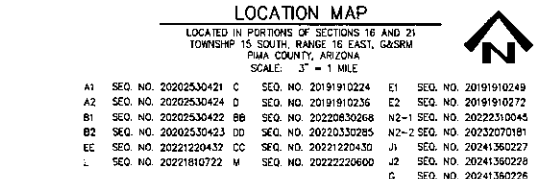
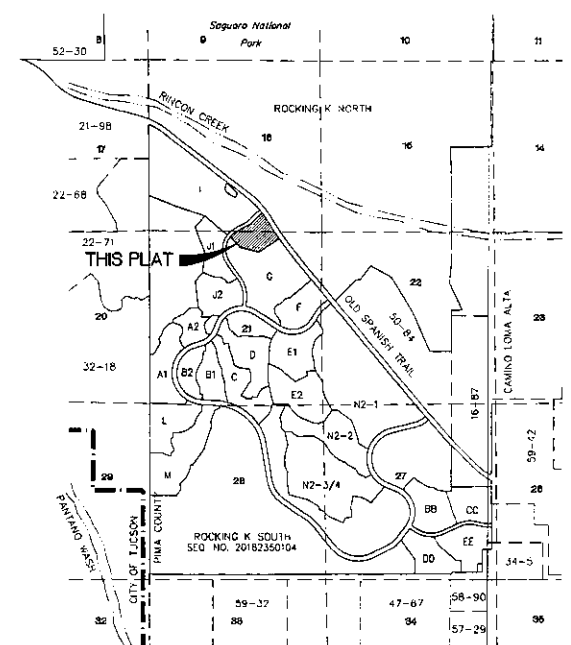
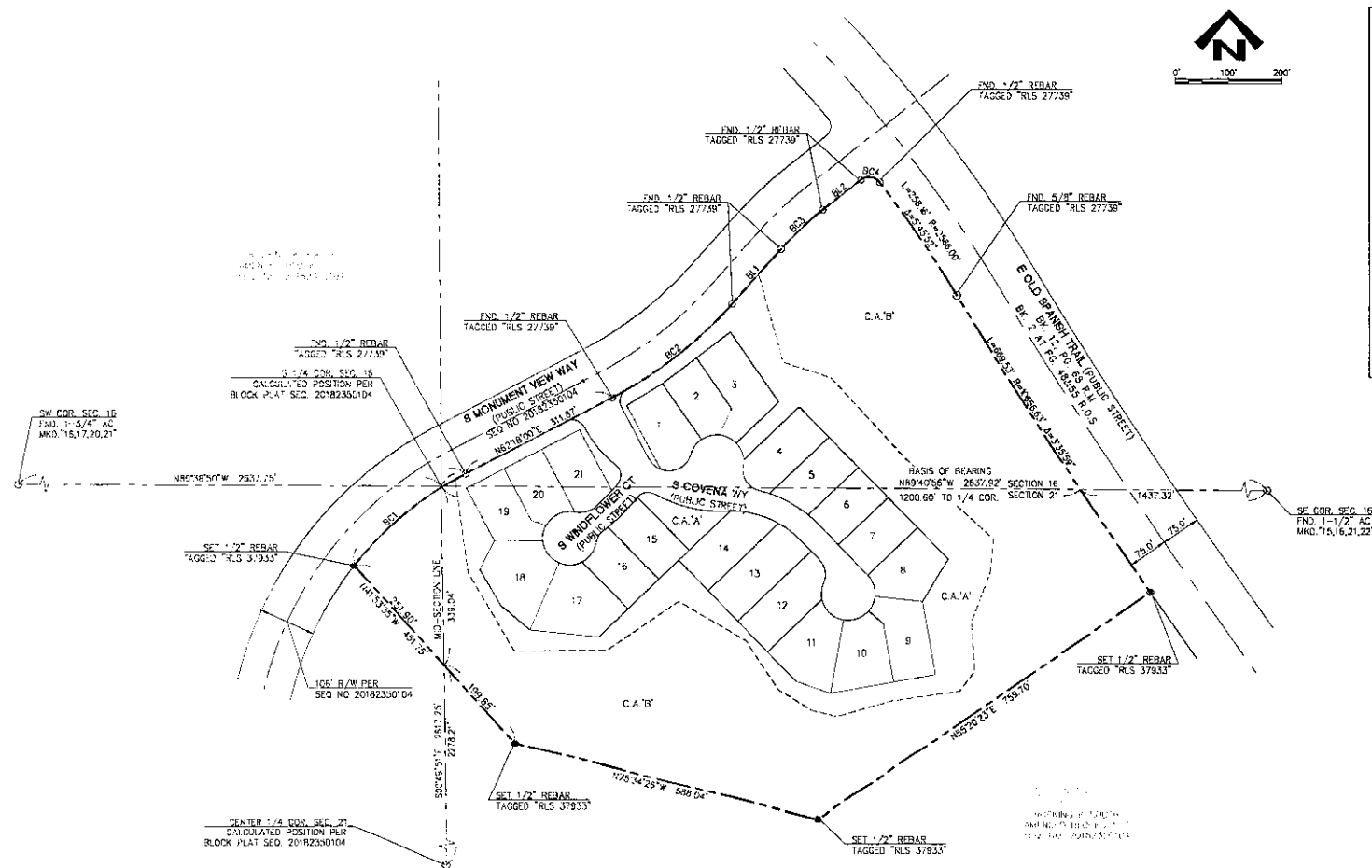
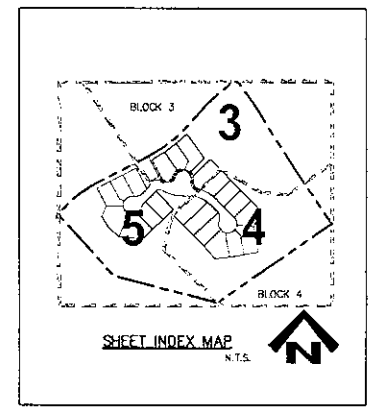
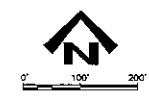


Table with columns: SHEET, DESCRIPTION, DEVELOPER, OWNER. Includes details for cover sheet, parcel boundary map, and plan sheets.

PSOMAS logo and contact information: 333 E. Wetmore Road, Suite 450, Tucson, AZ 85705. Phone: (520) 292-2300. Website: www.psomas.com.



**BOUNDARY LINE TABLE**

| LINE # | LENGTH  | BEARING      |
|--------|---------|--------------|
| BL1    | 137.87' | N41°46'03\"E |
| BL2    | 91.01'  | N51°24'58\"E |

**BOUNDARY CURVE TABLE**

| CURVE # | LENGTH  | RADIUS  | DELTA      |
|---------|---------|---------|------------|
| BC1     | 274.75' | 847.00' | 24°19'51\" |
| BC2     | 267.76' | 803.00' | 20°31'57\" |
| BC3     | 108.93' | 847.00' | 9°38'05\"  |
| BC4     | 40.84'  | 25.00'  | 91°43'33\" |

**TDR Overall Lot Summary**

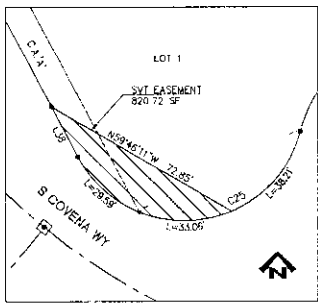
| Block         | Maximum Permitted Lots Per Existing Zoning | Admitted Range Per Comprehensive Plan | Neighborhoods  |                |                |                |                |                |                |                |                |                 | TDR Transfer Lots (Receiving) |                 | Lot Tracking Summary |              |                       |
|---------------|--|---------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-----------------|-------------------------------|-----------------|----------------------|--------------|-----------------------|
|               |  |                                       | Neighborhood 1 | Neighborhood 2 | Neighborhood 3 | Neighborhood 4 | Neighborhood 5 | Neighborhood 6 | Neighborhood 7 | Neighborhood 8 | Neighborhood 9 | Neighborhood 10 | Neighborhood 11               | Neighborhood 12 | Block                | Platted Lots |                       |
| 1             | 132  | 71, 186                               | 133            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...             | ...                           | ...             | ...                  | 1            | 133                   |
| 2             | 69   | 413, 336                              | 698            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...             | ...                           | ...             | ...                  | 2            | 698                   |
| 3             | 912  | 296, 590                              | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...             | ...                           | ...             | ...                  | 3            | 365                   |
| 4             | 458  | 229, 466                              | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...             | ...                           | ...             | ...                  | 4            | 390                   |
| 5             | 1020                                       | 3171, 6991                            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...             | ...                           | ...             | ...                  | 5            | 602                   |
| 6             | 1761                                       | 1094, 2116                            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...             | ...                           | ...             | ...                  | 6            | 342                   |
| 7             | 653  | 285, 514                              | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...            | ...             | ...                           | ...             | ...                  | 7            | 344                   |
| <b>Totals</b> |  |                                       | 811            | 342            | 310            | 336            | 226            | 521            | 97             | 0              | 0              | 0               | 0                             | 0               | 0                    | <b>Total</b> | <b>2244</b>           |
|               |  |                                       |                |                |                |                |                |                |                |                |                |                 |                               |                 |                      |              | <b>Loss Remaining</b> |
|               |  |                                       |                |                |                |                |                |                |                |                |                |                 |                               |                 |                      |              | <b>290</b>            |

\*\* THIS NEIGHBORHOOD IS PART OF BLOCK 5 AND A FURTHER MODIFICATION TO THE MAXIMUM AMOUNT OF LOTS ALLOWED WITHIN THOSE BLOCKS \*\*  
 \*\* NEIGHBORHOODS 1-10 TO BE WHITCAP AS AGREED TO BY PIMA COUNTY PLANNING OFFICIAL ON APRIL 14, 2016 (SEE PERMITTING NOTE 2) \*\*

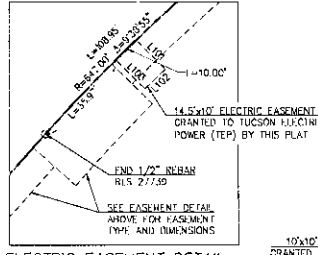


**PSOMAS**  
 333 E. Wetmore Road, Suite 450  
 Tucson, AZ 85705  
 (520) 292-2300 (520) 292-1290 fax  
 www.psomas.com

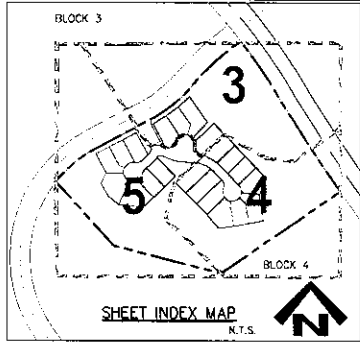
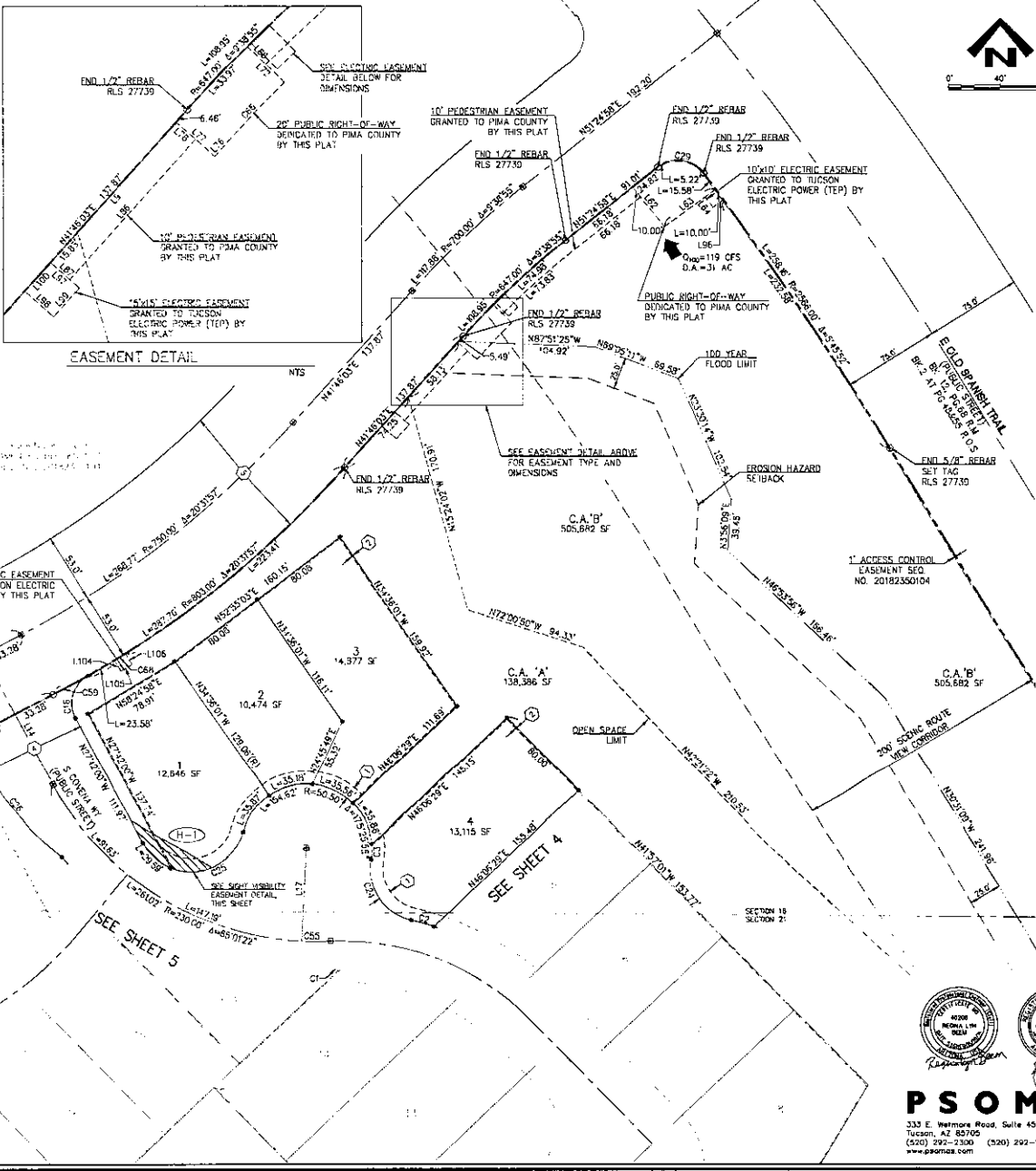
REF: P22TP00066 FINAL PLAT 1 FOR ROCKING K SOUTH NEIGHBORHOOD 5 PARCEL H  
 PARCEL H: LOTS 1-21, COMMON AREA 'A' (PRIVATE DRAINAGE AND OPEN SPACE), & COMMON AREA 'B' (NATURAL OPEN SPACE AND RECREATION MITIGATION) BEING A RESUBDIVISION OF A PORTION OF BLOCK 4 ROCKING K SOUTH, SEAM SUBDIVISION - LOCATED IN PORTIONS OF SECTIONS 18 AND 21, TOWNSHIP 15 SOUTH, RANGE 16 EAST, CRESPIEN, CITY OF TUCSON, PIMA COUNTY, ARIZONA  
 PROJ NO: TR02010301 SCALE: HORIZ = 1" = 100' DATE: AUGUST 2024 VERT = N/A



(H-1) SITE VISIBILITY EASEMENT DETAIL NTS



ELECTRIC EASEMENT DETAIL NTS



| LINE # | LENGTH  | BEARING     |
|--------|---------|-------------|
| L9     | 42.16'  | N41°46'03"E |
| L14    | 116.48' | N27°42'00"W |
| L17    | 73.00'  | N2°48'26"E  |
| L38    | 19.87'  | N27°42'00"W |
| L62    | 36.43'  | S38°35'02"E |
| L63    | 48.32'  | N53°38'05"E |
| L64    | 10.00'  | S36°21'55"E |
| L72    | 20.00'  | S45°13'27"E |
| L76    | 6.46'   | N41°46'03"E |
| L77    | 20.00'  | S48°13'57"E |
| L78    | 10.00'  | S48°13'57"E |
| L86    | 72.99'  | N41°46'03"E |
| L87    | 10.00'  | S48°13'57"E |
| L88    | 10.00'  | S45°13'27"E |
| L96    | 10.00'  | N53°38'05"E |
| L97    | 15.00'  | S48°13'57"E |
| L98    | 15.00'  | S48°13'57"E |
| L99    | 15.00'  | N41°46'03"E |
| L100   | 15.00'  | N41°46'03"E |
| L101   | 14.50'  | S44°36'14"E |
| L102   | 10.00'  | N45°23'46"E |
| L103   | 14.50'  | S44°36'14"E |
| L104   | 10.02'  | S31°56'05"E |
| L105   | 10.00'  | N58°03'58"E |
| L106   | 10.02'  | N31°56'05"W |

| CURVE # | LENGTH  | RADIUS  | DELTA     |
|---------|---------|---------|-----------|
| C2      | 18.39'  | 232.50' | 4°44'07"  |
| C3      | 12.15'  | 50.50'  | 13°47'26" |
| C15     | 39.27'  | 25.00'  | 90°00'00" |
| C16     | 38.31'  | 25.00'  | 87°49'17" |
| C24     | 62.62'  | 41.50'  | 86°27'22" |
| C25     | 71.27'  | 42.00'  | 97°13'32" |
| C26     | 94.77'  | 230.00' | 23°36'32" |
| C29     | 40.04'  | 25.00'  | 91°45'33" |
| C55     | 22.20'  | 230.00' | 53°1'48"  |
| C59     | 130.77' | 803.00' | 2°11'43"  |
| C66     | 32.92'  | 627.00' | 3°00'30"  |
| C68     | 10.00'  | 803.00' | 0°42'49"  |

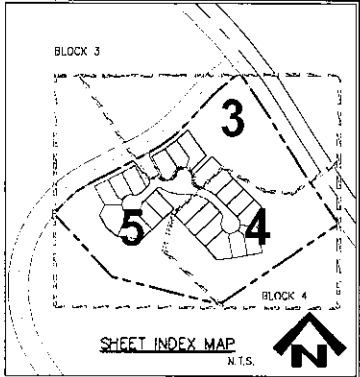
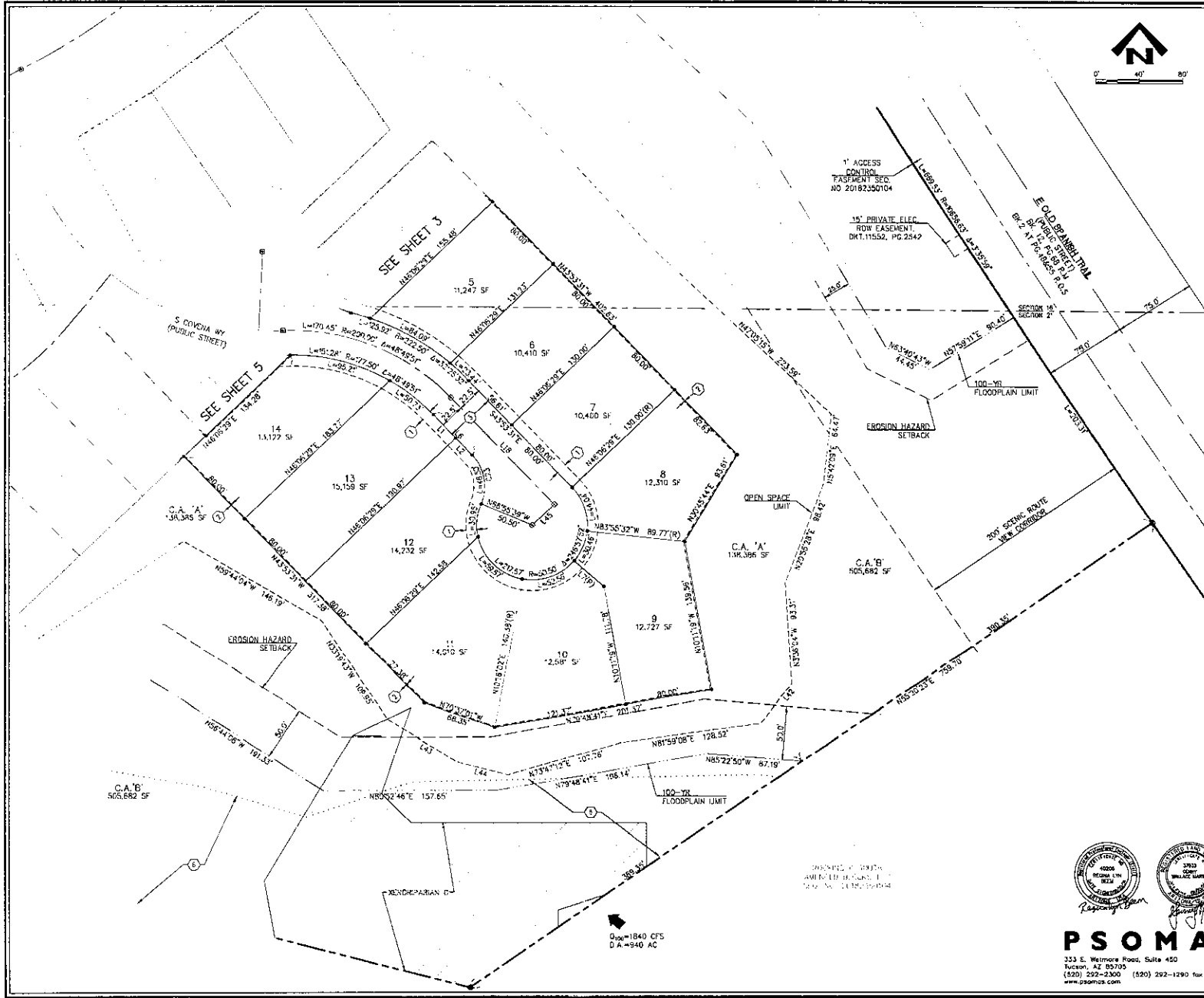
- KEYNOTES**
- 10' PUBLIC UTILITY EASEMENT GRANTED TO PMA COUNTY BY THIS PLAT.
  - 1" PUBLIC NO ACCESS EASEMENT GRANTED TO PMA COUNTY BY THIS PLAT.
  - PUBLIC RIGHT OF WAY DEDICATED TO PMA COUNTY BY THIS PLAT.
  - 105' PUBLIC RIGHT OF WAY DEDICATED TO PMA COUNTY SEC. NO. 20182350104.



**PSOMAS**

333 E. Wetmore Road, Suite 450  
Tucson, AZ 85705  
(520) 292-2300 (520) 292-1290 fax  
www.psomaz.com

REF: P221P0005 P23FP00015  
FINAL PLAT FOR  
**ROCKING K SOUTH NEIGHBORHOOD 5**  
**PARCEL H**  
PARCEL H: LOTS 1-21, COMMON AREA A (PRIVATE DRAINAGE AND OPEN SPACE), & COMMON AREA B (NATURAL OPEN SPACE AND RECREATION MIXTURE) BEING A RESUBDIVISION OF A PORTION OF BLOCK 4 ROCKING K SOUTH, SEC. NO. 20182350104 - LOCATED IN PORTIONS OF SECTIONS 16 AND 21, TOWNSHIP 15 SOUTH, RANGE 16 EAST, GILSON, CITY OF TUCSON, PIMA COUNTY, ARIZONA.  
DRAWN BY: P. SOMAS  
DATE: AUGUST 2024 SCALE: HORIZ 1" = 40' VERT = 1/4" 3 OF 5



- KEYNOTES**
- ① 10' PUBLIC UTILITY EASEMENT GRANTED TO PIMA COUNTY BY THIS PLAN.
  - ② 1' PUBLIC NO ACCESS EASEMENT GRANTED TO PIMA COUNTY BY THIS PLAN.
  - ③ 45' PUBLIC RIGHT OF WAY DEDICATED TO PIMA COUNTY BY THIS PLAN.
  - ④ SECTION 404 PERMIT RESTRICTIVE COVENANT SEC. NO. 20170050610.

| LINE TABLE |         |             |
|------------|---------|-------------|
| LINE #     | LENGTH  | BEARING     |
| L1         | 29.95'  | N43°53'31"W |
| L2         | 21.99'  | N43°53'31"W |
| L6         | 51.94'  | S43°53'31"E |
| L7         | 36.02'  | N49°22'01"W |
| L18        | 136.61' | N43°53'31"W |
| L42        | 47.28'  | N37°06'56"E |
| L43        | 74.76'  | N57°53'33"W |
| L44        | 48.48'  | N75°58'00"W |
| L45        | 28.00'  | S46°06'28"W |

| CURVE TABLE |        |        |           |
|-------------|--------|--------|-----------|
| CURVE #     | LENGTH | RADIUS | DELTA     |
| C23         | 48.50' | 41.50' | 66°57'52" |

DESIGNED BY: [Signature]  
 DRAWN BY: [Signature]  
 DATE: 10/15/2024

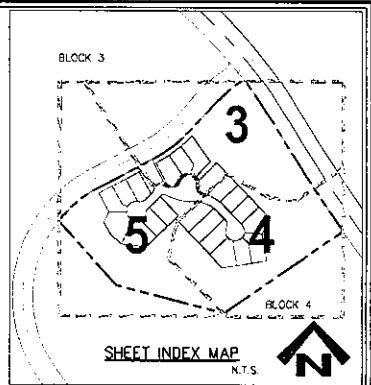
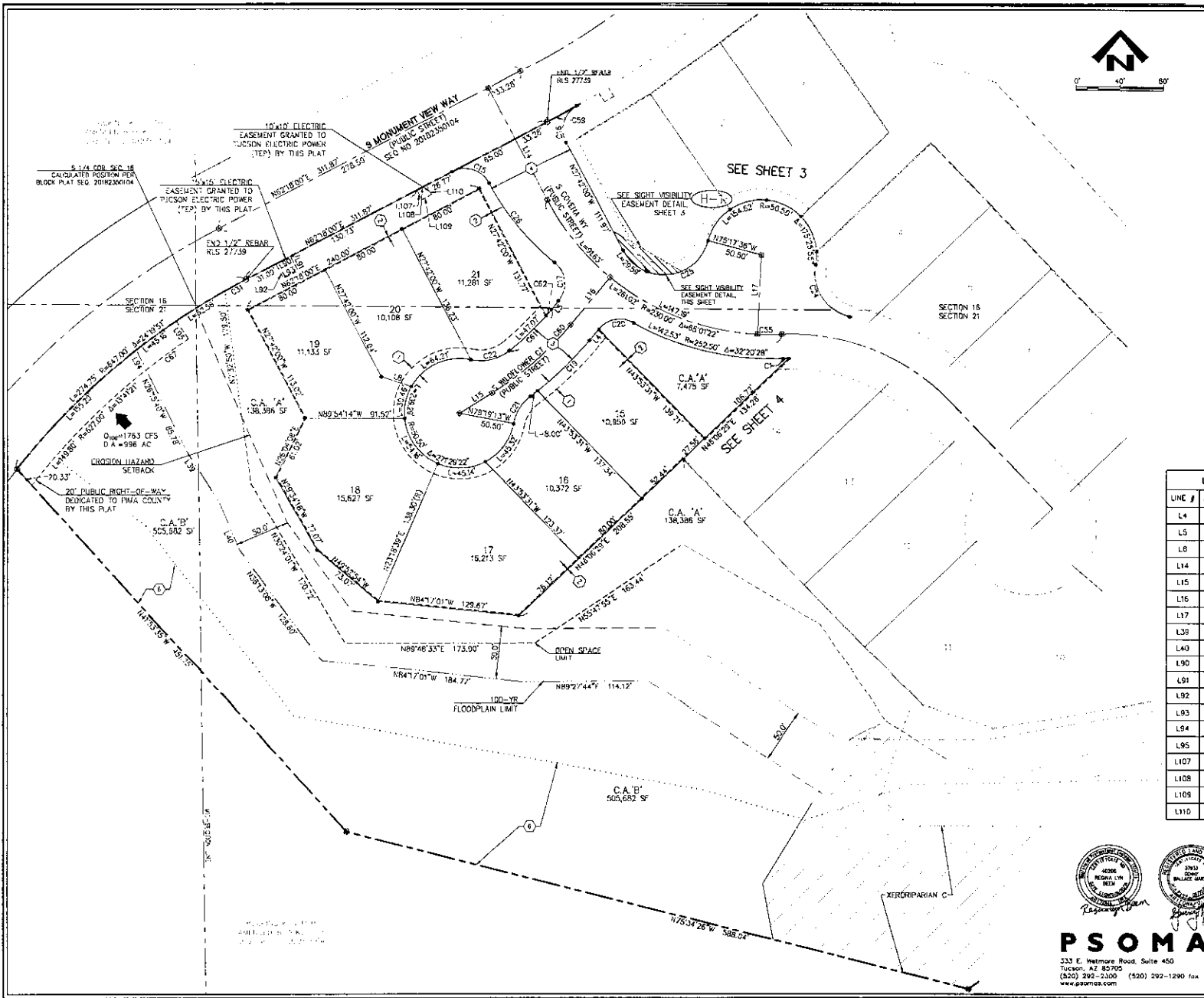


**PSOMAS**

333 E. Wetmore Road, Suite 450  
 Tucson, AZ 85710  
 (520) 292-2300 (520) 292-1290 fax  
 www.psomas.com

REF: P221P00005 FINAL PLAT FOR  
 P23FP00015  
**ROCKING K SOUTH NEIGHBORHOOD 5**  
**PARCEL H**  
 PARCEL H: LOTS 1-21, COMMON AREA 'A' (PRIVATE ORANGE AND OPEN SPACES), & COMMON AREA 'B' (PARKWAY, OPEN SPACE, AND RIPARIAN MITIGATION)  
 BEING A RESUBDIVISION OF A PORTION OF BLOCK 4 ROCKING K SOUTH NEIGHBORHOOD 5, BEING A RESUBDIVISION OF PORTIONS OF SECTIONS 16 AND 21, TOWNSHIP 15 SOUTH, RANGE 16 EAST, GADSDEN COUNTY, PIMA COUNTY, ARIZONA.  
 PROJ. NO: P20210301 SCALE: HORIZ 1" = 40'  
 DATE: AUGUST 2024 VERT: N/A 4 OF 5

D<sub>100</sub>=1840 CFS  
 D A=340 AC



- KEYNOTES**
- ① 10' PUBLIC UTILITY EASEMENT GRANTED TO PIMA COUNTY BY THIS PLAT.
  - ② 1' PUBLIC NO ACCESS EASEMENT GRANTED TO PIMA COUNTY BY THIS PLAT.
  - ③ 45' PUBLIC RIGHT OF WAY DEDICATED TO PIMA COUNTY BY THIS PLAT.
  - ④ PUBLIC RIGHT OF WAY DEDICATED TO PIMA COUNTY BY THIS PLAT.
  - ⑤ 100' PUBLIC RIGHT OF WAY DEDICATED TO PIMA COUNTY SEQ. NO. 20182150104.
  - ⑥ SECTION 404 PERMIT RESTRICTIVE COVENANT SEQ. NO. 20170050619.

| LINE TABLE |         |             |
|------------|---------|-------------|
| LINE #     | LENGTH  | BEARING     |
| L4         | 13.43'  | N39°28'27"E |
| L5         | 9.92'   | N39°28'27"E |
| L8         | 28.80'  | N72°04'08"W |
| L14        | 116.48' | N27°42'00"W |
| L15        | 35.35'  | N57°49'00"E |
| L16        | 56.84'  | N39°28'27"E |
| L17        | 73.00'  | N2°48'26"E  |
| L38        | 53.29'  | N32°17'20"W |
| L40        | 48.01'  | N22°55'27"W |
| L90        | 15.00'  | N62°18'00"E |
| L91        | 15.00'  | N27°42'00"W |
| L92        | 15.00'  | S27°42'00"E |
| L93        | 15.00'  | N62°18'00"E |
| L94        | 20.46'  | S26°15'40"E |
| L95        | 20.00'  | N34°16'48"W |
| L107       | 10.00'  | S27°42'00"E |
| L108       | 10.00'  | N62°18'00"E |
| L109       | 10.00'  | N62°18'00"E |
| L110       | 10.00'  | N27°42'00"W |

| CURVE TABLE |        |         |           |
|-------------|--------|---------|-----------|
| CURVE #     | LENGTH | RADIUS  | DELTA     |
| C1          | 5.33'  | 177.50' | 1°43'19"  |
| C15         | 39.27' | 25.00'  | 90°00'00" |
| C16         | 38.31' | 25.00'  | 87°48'17" |
| C17         | 39.61' | 25.00'  | 30°45'59" |
| C19         | 66.78' | 322.50' | 11°51'51" |
| C20         | 34.97' | 25.00'  | 80°08'39" |
| C21         | 30.48' | 41.50'  | 42°04'46" |
| C22         | 37.23' | 41.50'  | 51°24'12" |
| C24         | 62.62' | 41.50'  | 86°27'22" |
| C25         | 71.27' | 42.00'  | 97°13'32" |
| C31         | 21.75' | 647.00' | 1°55'33"  |
| C59         | 30.72' | 603.00' | 2°11'43"  |
| C60         | 96.04' | 300.00' | 18°20'33" |
| C62         | 7.62'  | 277.50' | 1°34'26"  |
| C87         | 48.02' | 627.00' | 4°23'19"  |



**PSOMAS**

333 E. Wetmore Road, Suite 450  
Tucson, AZ 85705  
(520) 292-2300 (520) 292-1290 fax  
www.psomas.com

REF: P22TP00005 P23FP00015  
FINAL PLAT  
FOR  
**ROCKING K SOUTH NEIGHBORHOOD 5**  
**PARCEL H**  
PARCEL H: LOTS 1-21, COMMON AREA "A" (PRIVATE DRAINAGE AND OPEN SPACE), & COMMON AREA "B" (NATURAL OPEN SPACE AND RIPARIAN INTEGRATION) BEING A REVISION OF A PORTION OF A 600' X 800' X 800' X 800' BEING A REVISION OF A PORTION OF SECTION 15 AND 21, TOWNSHIP 15 SOUTH RANGE 18 EAST, GERMANY, CITY OF TUCSON, PIMA COUNTY, ARIZONA  
PLAT NO: 7906210301 SCALE: HORZ 1" = 40' VERT 1" = 10'  
DATE: 08/20/2024 5 OF 5

**ASSURANCE AGREEMENT FOR CONSTRUCTION OF  
SUBDIVISION IMPROVEMENTS (Third Party Trust)  
P23FP00015**

THIS AGREEMENT is made and entered into by and between SEE ATTACHED LIST OF SUBDIVIDERS or successors in interest ("Subdivider"), FIDELITY NATIONAL TITLE AGENCY, INC., an Arizona corporation ("Trustee"), as trustee under Trust No. 60,380; 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 ROCKING K SOUTH NEIGHBORHOOD 5 PARCEL H: LOTS 1 THROUGH 21, COMMON AREA "A" (PRIVATE DRAINAGE AND OPEN SPACE), & COMMON AREA "B" (NATURAL OPEN SPACE AND RIPARIAN MITIGATION) 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:  
SEE ATTACHED SIGNATURE PAGES

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

By: \_\_\_\_\_  
Its: \_\_\_\_\_

TRUSTEE: FIDELITY NATIONAL TITLE AGENCY, INC., an Arizona corporation, as Trustee under Trust No. 60,380, and not in its corporate capacity

ATTEST:

By: *Rachel Turnipseed*  
Rachel Turnipseed  
Its: Trust Officer \_\_\_\_\_

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

STATE OF ARIZONA            )  
County of Pima                )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by SEE ATTACHED NOTARY PAGES of SEE ATTACHED NOTARY PAGES ("**Subdivider**"), an Arizona corporation, on behalf of the corporation.

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

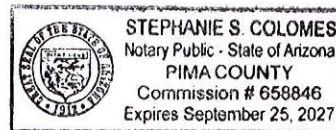
My Commission Expires:  
\_\_\_\_\_

STATE OF ARIZONA            )  
County of Pima                )

The foregoing instrument was acknowledged before me this 14 day of August, 2024, by Rachel Turnipseed of Fidelity National Title Agency, Inc., ("**Trustee**"), an Arizona corporation, on behalf of the corporation, as trustee under trust number 60,380.


*Stephanie S. Colomes*  
Notary Public

My Commission Expires:  
September 25, 2027




SIGNATURE PAGES FOR ASSURANCE AGREEMENT


FIDELITY NATIONAL TITLE AGENCY, INC.,  
an Arizona corporation, as Trustee under  
Trust No. 10,730, and not in its corporate capacity

By:   
Rachel Turnipseed  
Its: Trust Officer


FIDELITY NATIONAL TITLE AGENCY, INC.,  
an Arizona corporation, as Trustee under  
Trust No. 10,773, and not in its corporate capacity

By:   
Rachel Turnipseed  
Its: Trust Officer

FIDELITY NATIONAL TITLE AGENCY, INC.,  
an Arizona corporation as Trustee under  
Trust No. 10,871, and not in its corporate capacity


By:   
Rachel Turnipseed  
Its: Trust Officer

FIDELITY NATIONAL TITLE AGENCY, INC.,  
an Arizona corporation, as Trustee under  
Trust No. 30,096, and not in its corporate capacity


By:   
Rachel Turnipseed  
Its: Trust Officer

CONTINUED SIGNATURE PAGES FOR ASSURANCE AGREEMENT

FIDELITY NATIONAL TITLE AGENCY, INC.,  
SUCCESSOR TO TICOR TITLE AGENCY OF  
ARIZONA, INC., CHICAGO TITLE INSURANCE  
COMPANY, a Missouri corporation as Trustee  
under Trust No. 12099, and not in its corporate capacity  
SUCCESSOR BY MERGER BY TICOR TITLE AGENCY OF  
ARIZONA, INC., an Arizona corporation


By:   
Rachel Turnipseed  
Its: Trust Officer

AURIGA PROPERTIES, INC., an Arizona corporation

By:   
Chad Kolodisner  
Its: Vice President


TUCSON MOUNTAIN INVESTORS L.L.C., an Arizona  
limited liability company

By: Diamond Ventures, Inc., an Arizona corporation as Manager

  
By: \_\_\_\_\_  
Chad Kolodisner  
Its: Vice President

ROCKING K HOLDINGS LIMITED PARTNERSHIP, an  
Arizona Limited Partnership

By: Diamond Ventures, Inc., an Arizona corporate as General Partner

  
By: \_\_\_\_\_  
Chad Kolodisner  
Its: Vice President

CONTINUED SIGNATURE PAGES FOR ASSURANCE AGREEMENT

RINCON VALLEY HOLDINGS LIMITED PARTNERSHIP,  
an Arizona limited partnership

By: Rincon Valley Properties, Inc., an Arizona corporation as General Partner

By: [Signature]  
Chad Kolodisner  
Its: Vice President

ROCKING K DEVELOPMENT COMPANY, INC.,  
an Arizona corporation

By: [Signature]  
Chad Kolodisner  
Its: Vice President

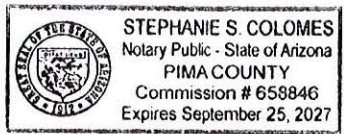
STATE OF ARIZONA     )  
  ) ss.  
County of Pima         )

The foregoing instrument was acknowledged before me this 14 day of August, 2024, by Rachel Turnipseed, Trust Officer of FIDELITY NATIONAL TITLE AGENCY, INC. ("Trustee"), an Arizona corporation, on behalf of the corporation, as trustee under trust numbers 10,730, 10,773, 10,871, 30,096 and 12,099.

[Signature: Stephanie S. Colomes]  
Notary Public

September 25, 2027  
My Commission Expires:

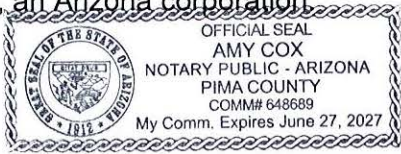
\_\_\_\_\_



CONTINUED SIGNATURE PAGE FOR ASSURANCE AGREEMENT

STATE OF ARIZONA )  
 ) ss.  
County of Pima )

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of August, 2024, by Chad Kolodisner, Vice President of AURIGA PROPERTIES, INC., an Arizona corporation; Diamond Ventures, Inc., Manager of TUCSON MOUNTAIN INVESTORS L.L.C., an Arizona limited liability company; Diamond Ventures, Inc., an Arizona corporation, as General Partner of ROCKING K HOLDINGS LIMITED PARTNERSHIP, an Arizona Limited Partnership; Rincon Valley Properties, Inc., an Arizona corporation, General Partner of RINCON VALLEY HOLDINGS LIMITED PARTNERSHIP, an Arizona limited partnership; and ROCKING K DEVELOPMENT COMPANY, INC., an Arizona corporation



Amy Cox  
Notary Public

My Commission Expires:  
June 27, 2027