



## **BOARD OF SUPERVISORS AGENDA ITEM SUMMARY**

*Requested Board Meeting Date: May 6, 2014*

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### **ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:**

1. RESOLUTION AND ORDER NO. 2014-\_\_\_\_

Providing for the release of any interest of Pima County in the purported public highway known as Felix Road No. 148 situated within Section 19, Township 16 South, Range 14 East, G&SRM, Pima County, Arizona.

2. Quit Claim Deed to Asarco, L.L.C., a Delaware limited liability company.

Felix Road No. 148 was never constructed and is not been used for public purposes. The applicant owns all adjacent property and has requested this release to accommodate a long term ground lease they wish to enter into with Avalon Solar Partners, L.L.C. The release will allow Avalon to develop and operate a solar facility on the property to sell renewable energy to Tucson Electric Power Company. Pima County has approved Conditional Use Permit Application No. P21-13-023 for the solar facility.

This release request has been reviewed and approved by appropriate County staff and no properties will be left without public or private legal access.

Revenue: \$-0-

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### **STAFF RECOMMENDATION(S):**

It is recommended that the Board of Supervisors approve this release request and authorize the Chair to execute the Resolution and Order No. 2014-\_\_\_\_ and Quit Claim Deed to Asarco, L.L.C., a Delaware limited liability company.

PIMA COUNTY COST: \$ -0-\_\_\_\_\_ and/or REVENUE TO PIMA COUNTY: \$-0-

FUNDING SOURCE(S): N/A

(i.e. General Fund, State Grant Fund, Federal Fund, Stadium D. Fund, etc.)

**Advertised Public Hearing:**

☐

YES

☒

NO

**Board of Supervisors District:**

1 ☐

2 ☒

3 ☐

4 ☐

5 ☐

All ☐

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**IMPACT:**

**IF APPROVED:**

Asarco, L.L.C., will be able to proceed with leasing their property for the purpose of installing a solar facility. Pima County will not be responsible for Felix Road No. 148.

**IF DENIED:**

Asarco, L.L.C., will not be able to proceed with leasing their property for the purpose of installing a solar facility. Pima County may be responsible for Felix Road No. 148.

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*Approved for John Bernal*

DEPARTMENT NAME: Public Works Real Property Services

CONTACT PERSON: Dana Hausman

TELEPHONE NO.: 724-6713

**RESOLUTION AND ORDER NO. 2014 - \_\_\_\_**

**OF THE PIMA COUNTY BOARD OF SUPERVISORS  
PROVIDING FOR THE RELEASE OF ANY INTEREST OF  
PIMA COUNTY IN THE PURPORTED PUBLIC HIGHWAY  
KNOWN AS FELIX ROAD NO. 148 SITUATED WITHIN  
SECTION 19, TOWNSHIP 16 SOUTH, RANGE 14 EAST,  
G&SRM, PIMA COUNTY, ARIZONA**

**RECITALS**

An application has been received by Pima County for the release to Asarco, L.L.C., a Delaware limited liability company, ("Grantee") of any interest of Pima County in the purported public highway known as Felix Road No. 148 recorded in Book 2 of Road Maps at Page 78, lying within Section 19, Township 16 South, Range 14 East, G&SRM, Pima County, Arizona, more particularly described in the attached **Exhibit "A"** and depicted in **Exhibit "A-1"** (the "Property").

Pima County has determined that the Property is not in use as a roadway and is not needed for public use; and

No land adjoining the Property would be left without public or private legal access pursuant to Arizona Revised Statutes (A.R.S.) Sections § 28-7202.

**NOW THEREFORE**, the Board of Supervisors of Pima County resolve as follows:

**Section 1.** The Property was never properly established as a public highway or right-of-way.

**Section 2.** The Chair of the Board of Supervisors is hereby authorized to execute a Quit Claim Deed to Grantee for the Property upon this Resolution becoming effective.

**Section 3.** That upon recordation of the Quit Claim Deed, Pima County will release all its interest in the Property and title shall vest in the Grantee.

Board of Supervisors Approval:		S19/T16S/R14E	
Agent: DH	File #: RUE-14-01	P [ ] De [ ] Do [ ] E [ ]	

PASSED, ADOPTED AND APPROVED BY THE BOARD OF SUPERVISORS THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

PIMA COUNTY

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

ATTEST:

\_\_\_\_\_  
Robin Brigode, Clerk of the Board

APPROVED AS TO FORM:

 **TOBIN ROSEN**

\_\_\_\_\_  
Deputy County Attorney

Board of Supervisors Approval:		S19/T16S/R14E	
Agent: DH	File #: RUE-14-01	P <input type="checkbox"/> De <input type="checkbox"/> Do <input type="checkbox"/> E <input type="checkbox"/>	

RUE-14-01Reso

**EXHIBIT** **A**

A property lease located in a portion of the south half of the south half and the north half of the north half of Section 19, Township 16 South, Range 14 East, of the Gila and Salt River Meridian, Pima County, Arizona, which is described as follows:

Commencing at the southwest corner of Section 19, Township 16 South, Range 14 East, of the Gila and Salt River Meridian, Pima County, thence North 00 degrees 25 minutes 07 seconds West for a distance of 2620.60 feet to a point on the west line of section 19 and the TRUE POINT OF BEGINNING (POB). Said point beginning South 00 degrees 25 minutes 07 seconds East from the west quarter corner of the aforementioned section 19.

THENCE North 89 degrees 15 minutes 21 seconds East for a distance of 3681.28 to a point on the western right-of-way line of Nogales Highway (SR19B).

THENCE North 04 degrees 20 minutes 33 seconds East along the western right-of-way line of Nogales Highway (SR19B) for a distance of 561.09 feet to a point.

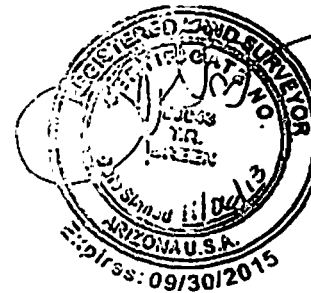
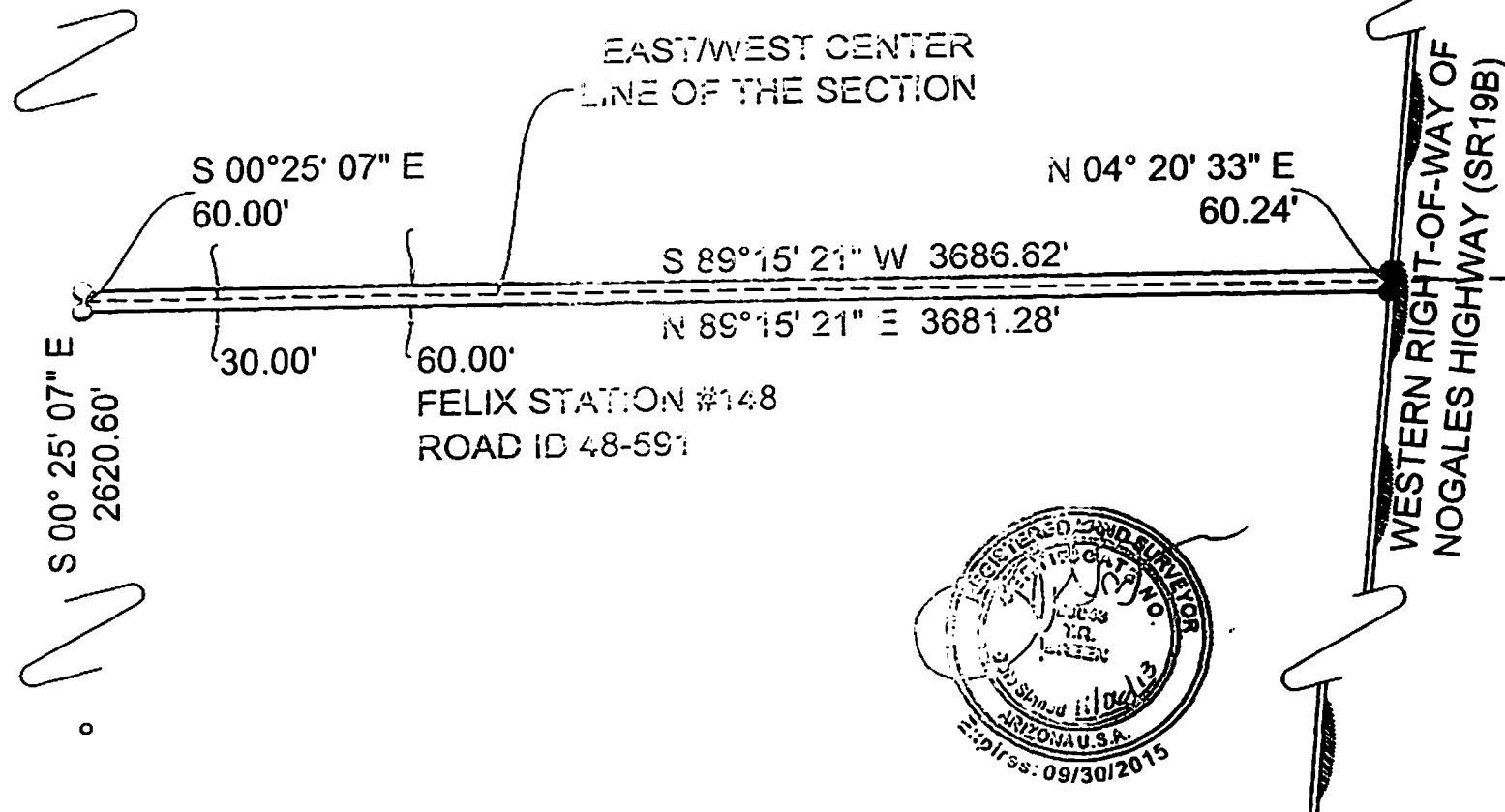
THENCE South 89 degrees 15 minutes 21 seconds West for a distance of 3681.28 to a point on the west line of the aforementioned section 19.

THENCE South 00 degrees 25 minutes 07 seconds East along the west line of the aforementioned section 19 for a distance of 60.00 feet to the true point of beginning.

Said property to contain 5.07 acres more or less

# EXHIBIT A-1

THAT ROAD LOCATED IN THE SOUTH 1/2 OF  
SOUTH 1/2 AND THE NORTH 1/2 OF THE NORTH  
1/2 OF SECTION 19, TOWNSHIP 16 SOUTH,  
RANGE 14 EAST, OF THE GILA AND SALT RIVER  
MERIDIAN, PIMA COUNTY, ARIZONA, AND  
CONTAINING 5.07 ACRES MORE OR LESS



COMMENCING AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 16 SOUTH, RANGE 14 EAST, OF THE GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, THENCE NORTH 00 DEGREES 25 MINUTES 07 SECONDS WEST FOR A DISTANCE OF 2620.60 FEET TO A POINT ON THE WEST LINE OF SECTION 19 AND THE TRUE POINT OF BEGINNING (POB). SAID POINT BEGINNING SOUTH 00 DEGREES 25 MINUTES 07 SECONDS EAST FROM THE WEST QUARTER CORNER OF THE AFOREMENTIONED SECTION 19. THENCE NORTH 89 DEGREES 15 MINUTES 21 SECONDS EAST FOR A DISTANCE OF 3681.28 TO A POINT ON THE WESTERN RIGHT-OF-WAY LINE OF NOGALES HIGHWAY (SR19B). THENCE NORTH 04 DEGREES 20 MINUTES 33 SECONDS EAST ALONG THE WESTERN RIGHT-OF-WAY LINE OF NOGALES HIGHWAY (SR19B) FOR A DISTANCE OF 561.09 FEET TO A POINT. THENCE SOUTH 89 DEGREES 15 MINUTES 21 SECONDS WEST FOR A DISTANCE OF 3681.28 TO A POINT ON THE WEST LINE OF THE AFOREMENTIONED SECTION 19. THENCE SOUTH 00 DEGREES 25 MINUTES 07 SECONDS EAST ALONG THE WEST LINE OF THE AFOREMENTIONED SECTION 19 FOR A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING. SAID PROPERTY TO CONTAIN 5.07 ACRES MORE OR LESS

PREPARED FOR:  
**Equator Capital Group**  
1250 24th, Street, N.W. Suite 300  
Washington, DC 20037

TITLE: **EXHIBIT**  
T16S R14E SECTIONS 19  
FELIX ROAD EASEMENT

PREPARED BY:  
**Environmental Field Services LLC**  
Survey-Environmental-Drafting/GIS-Project QA/QC  
P.O. 731 Oracle Arizona 85823  
Office-520-896-2784 \* Fax-520-896-2792

DRAWING NAME:  
**PIMA MINE SOLAR**

DATE:  
December 03, 2013  
SCALE:  
1"=300'

## QUIT CLAIM DEED

For valuable consideration, Pima County, a political subdivision of the State of Arizona, hereby quit claims to Asarco, L.L.C., a Delaware limited liability company, all its rights, title and interest in the following described property situate in Pima County, Arizona, together with all rights and privileges appurtenant thereto. See attached **Exhibit "A"** for legal description and attached **Exhibit "A-1"** for depiction (the "Property").

The Property is partially within a known and significant prehistoric archaeological site. Intact archaeological deposits and human burials are likely within the eastern portion of the Property. Pima County advises any current or future owner of the Property that A.R.S. §41-865 protects human burials on private property, and compliance with this statute is required. All applicable federal, state, and local legal cultural resources compliance requirements must be followed with regards to the known archaeological site.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST

Pima County

\_\_\_\_\_  
Robin Brigode, Clerk of the Board

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

State of Arizona                                 )  
  )ss  
County of Pima                                 )

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2014, by  
the Chair of the Pima County Board of Supervisors.

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

My Commission Expires:

\_\_\_\_\_

<b>EXEMPTION: A.R.S. §11-1134.A.3.</b>	Board of Supervisors:	Right of Way <input checked="" type="checkbox"/> Parcel <input type="checkbox"/>
Agent: DH	File #: RUE-14-01	P <input type="checkbox"/> De <input type="checkbox"/> Do <input type="checkbox"/> E <input type="checkbox"/>

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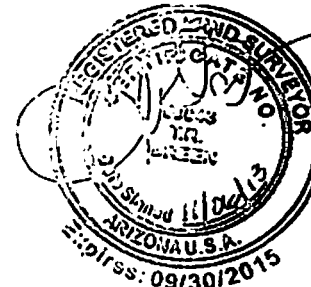
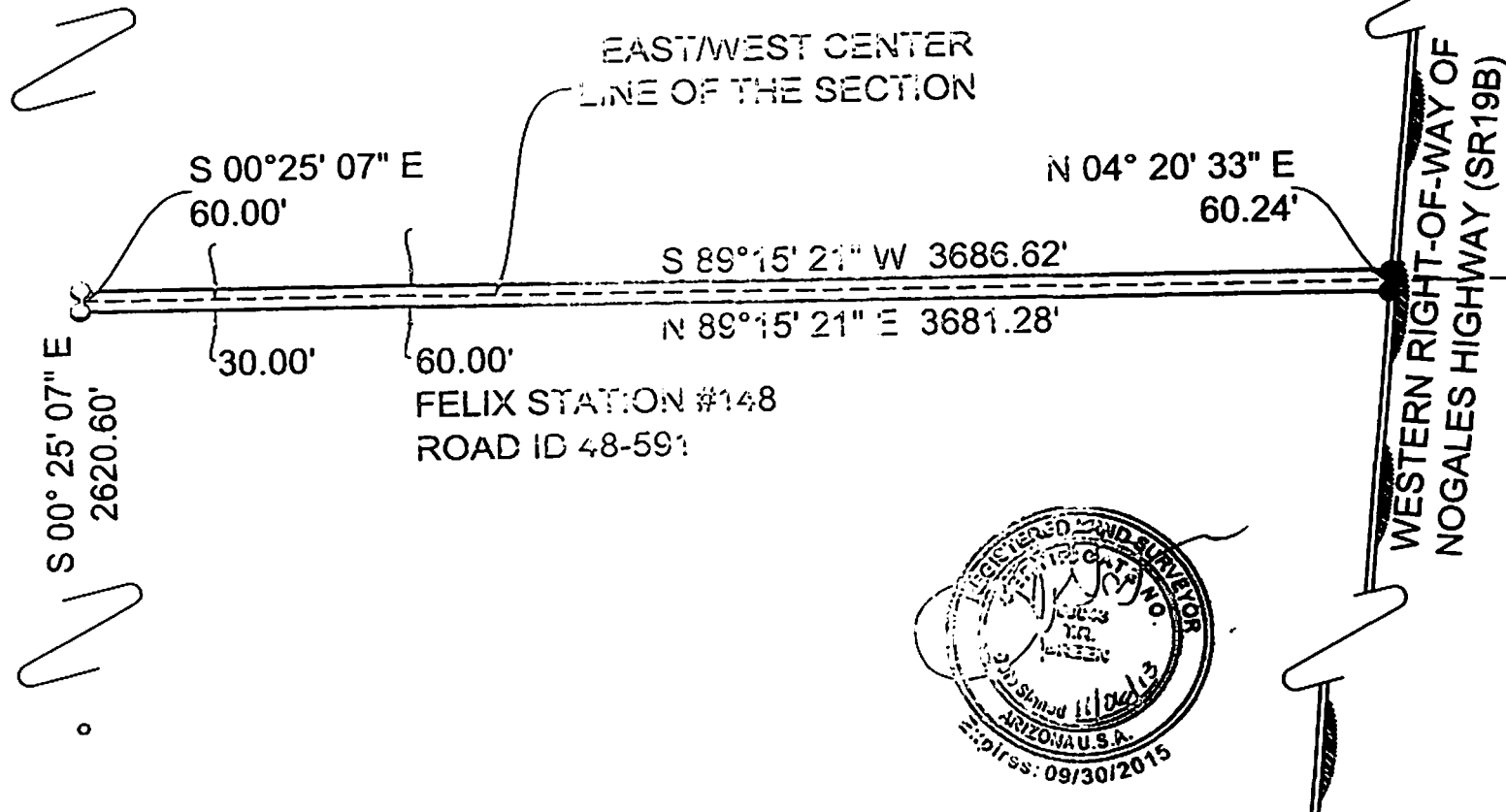
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