



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

Requested Board Meeting Date: November 18, 2014

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

**REVOCATION OF RESTRICTION AND COVENANTS RUNNING WITH THE LAND between Pima County and TM Building Damage Restoration, Inc., an Arizona corporation, formerly known as TM Building & Development, Inc., an Arizona corporation ("TM Building")**

TM Building has applied for a release of the Declaration of Restrictions and Covenants Running with the Land as previously approved by the Board of Supervisors on July 6, 1976 and recorded July 16, 1976, in Docket 5313 at Page 149. The restrictions in this Declaration currently encumber TM Building's property located at 7474 East Speedway, tax parcel 133-23-099L, lying within Township 14 South, Range 15 East, Section 8, G&SRM, Pima County, Arizona. At the time the restrictions were put in place, the property was prone to flooding and located within the 100-year Flood Zone. In 1978, the Pantano Wash Bank Protection was completed which resulted in the property being removed from the 100-year Flood Zone, making these restrictions no longer applicable.

This release request has been reviewed and approved by appropriate County staff.

Revenue: \$100

CONTRACT NUMBER (If applicable): N/A

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

Staff recommends that the Pima County Board of Supervisors approve and the Chair execute the Revocation of Restrictions and Covenants Running with the Land.

CORPORATE HEADQUARTERS: \_\_\_\_\_

CLERK OF BOARD USE ONLY: BOS MTG. \_\_\_\_\_

ITEM NO. \_\_\_\_\_

PIMA COUNTY COST: -0- and/or REVENUE TO PIMA COUNTY: \$100

FUNDING SOURCE(S): N/A

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

**Advertised Public Hearing:**

		YES	X	NO
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**Board of Supervisors District:**

1		2		3		4	X	5		All	
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**IMPACT:**

**IF APPROVED:**

*The Declaration of Restrictions and Covenants Running with the Land recorded in Docket 5313, at Page 149, shall be released and will no longer restrict the development of the property.*

**IF DENIED:**

*The Declaration of Restrictions and Covenants Running with the Land recorded in Docket 5313, at Page 149, shall not be released and will continue to encumber the property and restrict the development.*

DEPARTMENT NAME: Public Works Real Property Services



CONTACT PERSON: Dana Hausman

TELEPHONE NO.: 724-6713

**REVOCATION OF RESTRICTIONS AND COVENANTS  
RUNNING WITH THE LAND**

PIMA COUNTY, a political subdivision of the State of Arizona, and TM Building Damage Restoration, Inc., an Arizona corporation, formerly known as TM Building & Development, Inc., an Arizona corporation, the Owner, hereby revoke those certain restrictions and covenants recorded on July 16, 1976, in Docket 5313, Page 149, in the Office of the Pima County, Arizona, Recorder.

DATED \_\_\_\_\_.

ATTEST:

PIMA COUNTY

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

By: \_\_\_\_\_  
Sharon Bronson, Chair, Pima Board of  
Supervisors

State of Arizona     )  
                              ) ss  
County of Pima     )

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

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

My Commission Expires:

Board of Supervisors Approval: 11/18/14	S8/T14S/R15E
Agent: DH	File #: RUE-14-14

RUE-14-14TMBuildingCCR

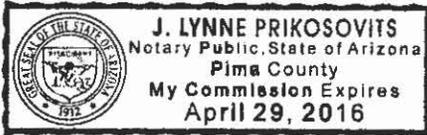
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COVENANTS RUNNING WITH THE LAND  
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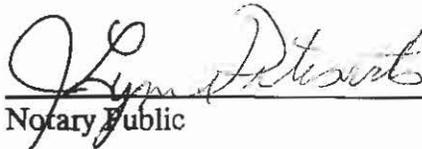
TM BUILDING DAMAGE RESTORATION,  
INC., an Arizona corporation

By:   
As: 

State of Arizona     )  
                                  ) ss  
County of Pima     )

This instrument was acknowledged before me on the 3<sup>rd</sup> day of November,  
2014, by John W. Paul as Vice President of TM  
Building Damage Restoration, Inc., an Arizona corporation.



  
Notary Public

My Commission Expires: 4/29/16

Board of Supervisors Approval: 11/18/14	S8/T14S/R15E
Agent: DH	File #: RUE-14-14

RUE-14-14TMBuildingCCR