



# Board of Supervisors Memorandum

December 9, 2014

Star Valley Development

## Introduction

On November 25, 2014, I updated the Board on negotiations to resolve outstanding issues related to the Star Valley development and assurance agreement defaults. I indicated that if resolution was not achieved by December 8, 2014, that I would recommend the Board proceed with the abandonment of subdivided properties within the Star Valley development pursuant to our assurance agreements with the owners and developers. (Abandonment Plats – Attachment 1) The County has been communicating with the Star Valley developers (USH/SVA Star Valley, LLC) regarding this matter since 2012, and despite the County's recent good faith efforts initiated in October 2014 to negotiate settlement of Star Valley infrastructure obligations and litigation, a December 1, 2014 deadline for the USH/SVA Star Valley, LLC to respond to the County's most recent proposal has passed without a response. (Recent Correspondences – Attachment 2)

Additionally, Joseph Cesare and S.V.A. Corporation, which is a member of USH/SVA Star Valley, LLC, have filed a separate lawsuit that not only alleges defamation and political retribution, but also disputes the same Star Valley development obligations that relate to previously filed USH/SVA Star Valley, LLC litigation. Due to the failure of USH/SVA Star Valley, LLC to respond to the County's most recent proposal and the new lawsuit filed by Mr. Cesare, it appears that Mr. Cesare is not willing to settle the issues related to the Star Valley development obligations. And, because the issue of the development obligations has been included in Mr. Cesare's new lawsuit, continued negotiations will not resolve all issues related to the USH/SVA Star Valley, LLC litigation.

Further, given the failure by USH/SVA Star Valley LLC to cure the defaults outlined in the County's July 10, 2014 Notice of Default and Intent to Re-Plat: Star Valley Block 4, Book 62 of Maps and Plats, Page 5; Star Valley Block 7, Book 62 of Maps and Plats, Page 47; Star Valley Block 8, Book 62 of Maps and Plats, Page 46, and contained in Resolution 2014-82, adopted August 18, 2014, the concerns associated with adding residences to the area persist and it is appropriate that the Board execute the County's option to re-plat all or portions of the subdivision plats for Star Valley Blocks 4, 7 and 8 in accordance with the provisions of the assurance agreements.

The Honorable Chair and Members, Pima County Board of Supervisors  
Re: **Star Valley Development**  
December 9, 2014  
Page 2

Recommendation

It is recommended that the Board approve the attached abandonment plats to re-plat all or portions of Star Valley Blocks 4, 7 and 8, returning the land to generally the same boundary configuration which existed before recording of the subdivision plats.

Respectfully submitted,

  
C.H. Huckelberry  
County Administrator

CHH/dr – December 5, 2014

Attachments

c: John Bernal, Deputy County Administrator for Public Works  
Lesley Lukach, Deputy County Attorney  
Carmine DeBonis, Jr., Director, Development Services

# ATTACHMENT 1

AUTHORITY AND ASSURANCE WAIVER:  
THE PIMA COUNTY BOARD OF SUPERVISORS IN RESOLUTION 2014-82 AUTHORIZED THE ABANDONMENT AND  
RE-PLAT OF STAR VALLEY BLOCKS 4, 7 & 8.

ON THIS DATE, THE PIMA COUNTY BOARD OF SUPERVISORS APPROVED THIS PLAT ABANDONMENT. NO  
ASSURANCES ARE REQUIRED FOR THIS PLAT ABANDONMENT UNDER A.R.S. §11-822A AND PIMA COUNTY CODE  
§18.69.070 D.2.

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

ATTEST:  
I, CLERK OF THE BOARD OF SUPERVISORS, HEREBY CERTIFY THAT THIS  
ABANDONMENT PLAT WAS APPROVED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, ON THIS THE  
DAY OF 2014.

CLERK, BOARD OF SUPERVISORS DATE

RECORDING:

STATE OF ARIZONA ) NO.  
) ss  
COUNTY OF PIMA ) FEE

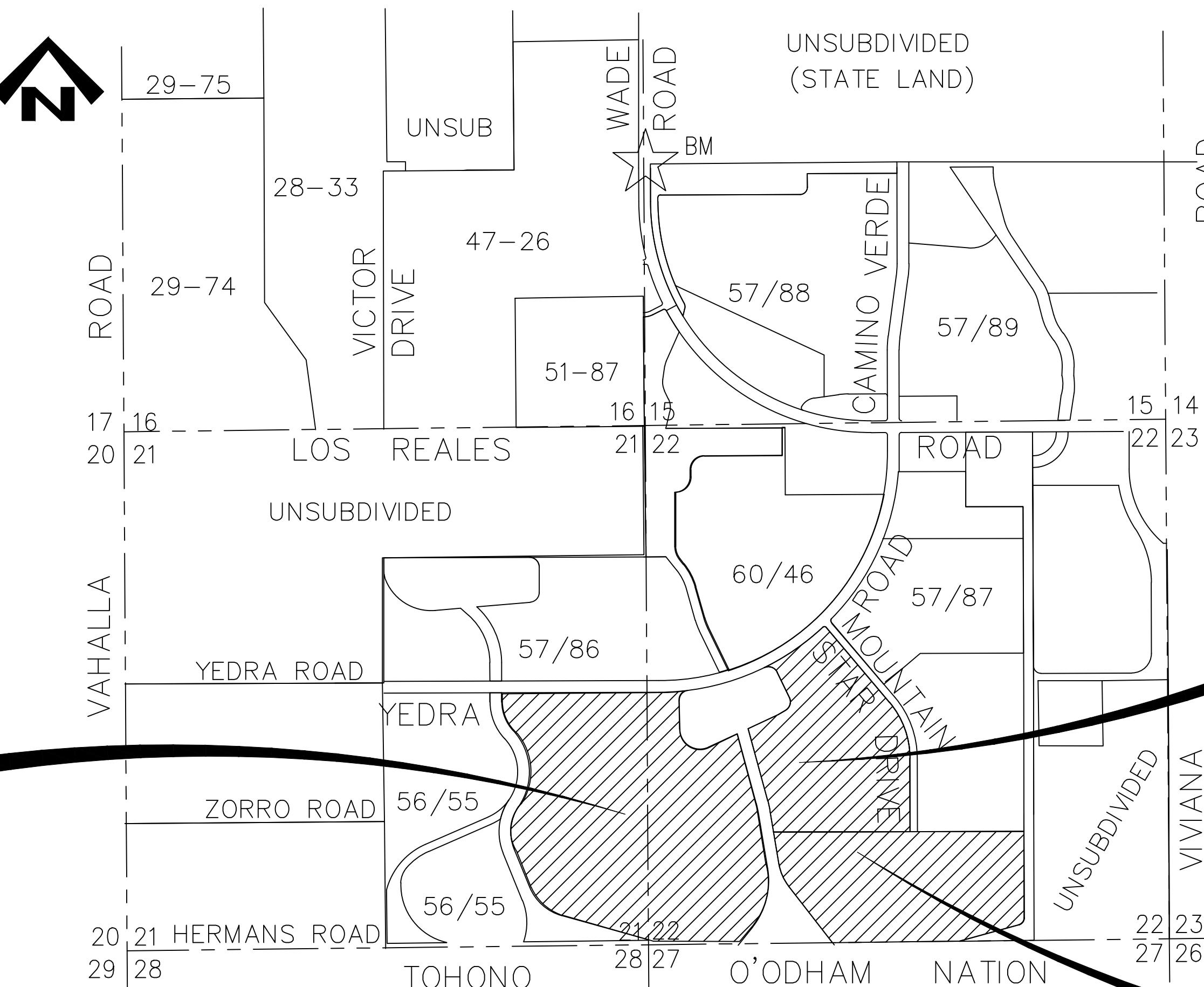
THIS INSTRUMENT WAS FILED FOR THE RECORD AT THE  
REQUEST OF THE PIMA COUNTY BOARD OF SUPERVISORS ON  
THIS DAY OF 2014 AT IN SEQ. NO.

F. ANN RODRIGUEZ  
COUNTY RECORDER  
DATE

#### SHEET INDEX

1	COVER
2	BLOCK 4 ABANDONMENT
3	BLOCK 4 ABANDONMENT DETAIL SHEET
4	BLOCK 7 ABANDONMENT
5	BLOCK 8 ABANDONMENT

#### BLOCK 4 ABANDONMENT



#### NOTES FOR ABANDONMENT OF BLOCK 4:

1. THIS PLAT ABANDONS THE SUBDIVISION FINAL PLAT "STAR VALLEY BLOCK 4" AS ORIGINALLY RECORDED IN BOOK 62 PAGE 5 SHEETS 1-16 AS FILED IN THE OFFICE OF THE PIMA COUNTY RECORDER, AND EXTINGUISHES ALL LOT LINES (EXCLUDING "BLOCK" 2 DEDICATED TO THE CITY OF TUCSON AND ASSOCIATED INGRESS/EGRESS AND UTILITY EASEMENTS), COMMON AREA BOUNDARIES, PUBLIC STREETS, PUBLIC RIGHTS-OF-WAY AND EASEMENTS WITHIN THE THE SUBDIVISION.

2. ALL SURVEY INFORMATION PROVIDED IN THIS ABANDONMENT IS DERIVED FROM THE SUBDIVISION FINAL PLAT FOR "STAR VALLEY BLOCK 4" AND HAS NOT BEEN VERIFIED SEPARATELY.

3. THIS ABANDONMENT DOES NOT ALTER OR WAIVE ANY REQUIREMENT OR CONDITION OF THE MASTER BLOCK PLAT "STAR VALLEY" RECORDED IN BOOK 56 PAGE 55 SHEETS 1-8, ASSOCIATED SPECIFIC PLAN OR REZONING CONDITIONS.

#### NOTES FOR ABANDONMENT OF BLOCK 7:

1. THIS PLAT ABANDONS THE SUBDIVISION FINAL PLAT "STAR VALLEY BLOCK 7" AS ORIGINALLY RECORDED IN BOOK 62 PAGE 47 SHEETS 1-10 AS FILED IN THE OFFICE OF THE PIMA COUNTY RECORDER, AND EXTINGUISHES ALL LOT LINES, COMMON AREA BOUNDARIES, PUBLIC STREETS, PUBLIC RIGHTS-OF-WAY AND EASEMENTS WITHIN THE THE SUBDIVISION.

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#### NOTES FOR ABANDONMENT OF BLOCK 8:

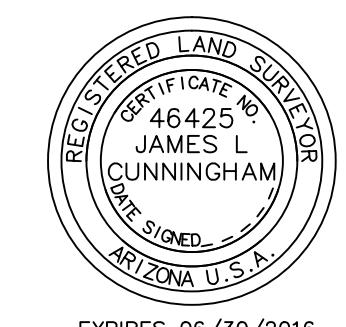
1. THIS PLAT ABANDONS THE SUBDIVISION FINAL PLAT "STAR VALLEY BLOCK 8" AS ORIGINALLY RECORDED IN BOOK 62 PAGE 46 SHEETS 1-10 AS FILED IN THE OFFICE OF THE PIMA COUNTY RECORDER, AND EXTINGUISHES ALL LOT LINES, COMMON AREA BOUNDARIES, PUBLIC STREETS, PUBLIC RIGHTS-OF-WAY AND EASEMENTS WITHIN THE THE SUBDIVISION.

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#### LOCATION MAP

SE 1/4 OF SECTION 21 & IN SECTION 22,  
T-15-S, R-12-E, G&SRM, PIMA COUNTY, ARIZONA  
SCALE: 5" = 1 MILE



P14FP00001

#### ABANDONMENT PLAT FOR STAR VALLEY BLOCK 4,7 & 8

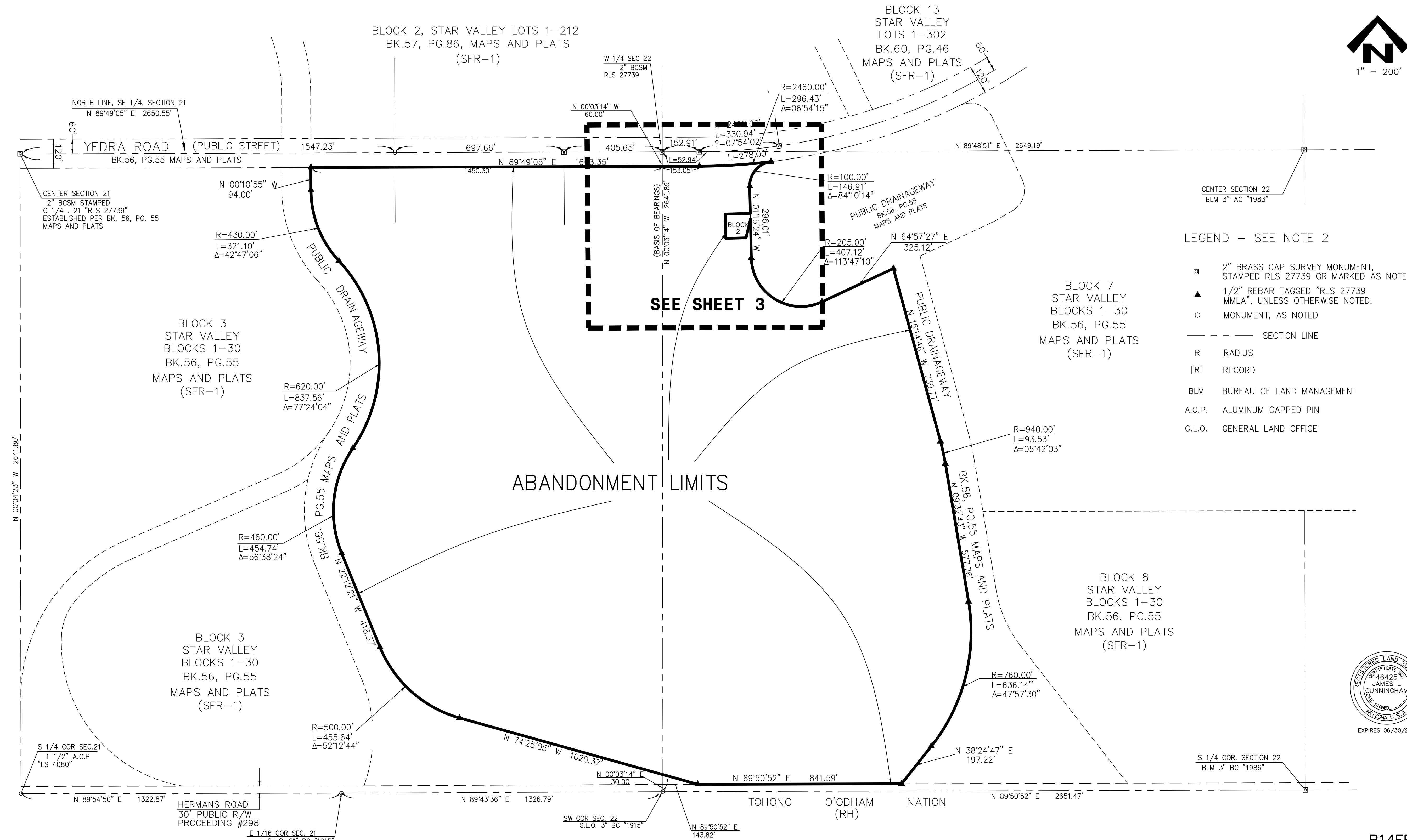
ABANDONMENT PLAT OF BLOCK 4 OF THE STAR VALLEY BLOCK 4 PLAT  
AS RECORDED IN BOOK 62 AT PAGE 5 OF MAP AND PLATS  
ABANDONMENT PLAT OF BLOCK 7 OF THE STAR VALLEY MASTER BLOCK PLAT  
AS RECORDED IN BOOK 62 AT PAGE 47 OF MAP AND PLATS  
ABANDONMENT PLAT OF BLOCK 8 OF THE STAR VALLEY BLOCK 8 PLAT,  
AS RECORDED IN BOOK 62, AT PAGE 46, OF MAPS AND PLATS

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 21 AND IN SECTION 22  
TOWNSHIP 15 SOUTH, RANGE 12 EAST,  
G&SRM, PIMA COUNTY, ARIZONA

CROSS REF. C013-76-1  
C012-88-13  
C023-87-1  
P1200-184  
P1205-093  
P1206-075  
P1205-103

DATE: NOVEMBER 2014

SEQUENCE 1 OF 5



G.L.O. 2- BC 1915

NOTES:

1. THIS PLAT ABANDONS THE SUBDIVISION FINAL PLAT "STAR VALLEY BLOCK 4" AS ORIGINALLY RECORDED IN BOOK 62 PAGE 5 SHEETS 1-16 AS FILED IN THE OFFICE OF THE PIMA COUNTY RECORDER, AND EXTINGUISHES ALL LOT LINES (EXCLUDING "BLOCK" 2 DEDICATED TO THE CITY OF TUCSON AND ASSOCIATED INGRESS/EGRESS AND UTILITY EASEMENTS), COMMON AREA BOUNDARIES, PUBLIC STREETS, PUBLIC RIGHTS-OF-WAY AND EASEMENTS WITHIN THE THE SUBDIVISION.

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ABANDONMENT PLAT  
FOR  
STAR VALLEY BLOCK 4

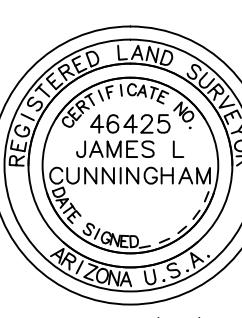
ABANDONMENT PLAT OF BLOCK 4 OF THE STAR VALLEY BLOCK 4 PLAT  
AS RECORDED IN BOOK 62 AT PAGE 5 OF MAP AND PLATS  
SITUATED IN THE SOUTHEAST 1/4 OF SECTION 21 AND  
THE SOUTHWEST 1/4 OF SECTION 22  
TOWNSHIP 15 SOUTH, RANGE 12 EAST,  
G&SRM, PIMA COUNTY, ARIZONA

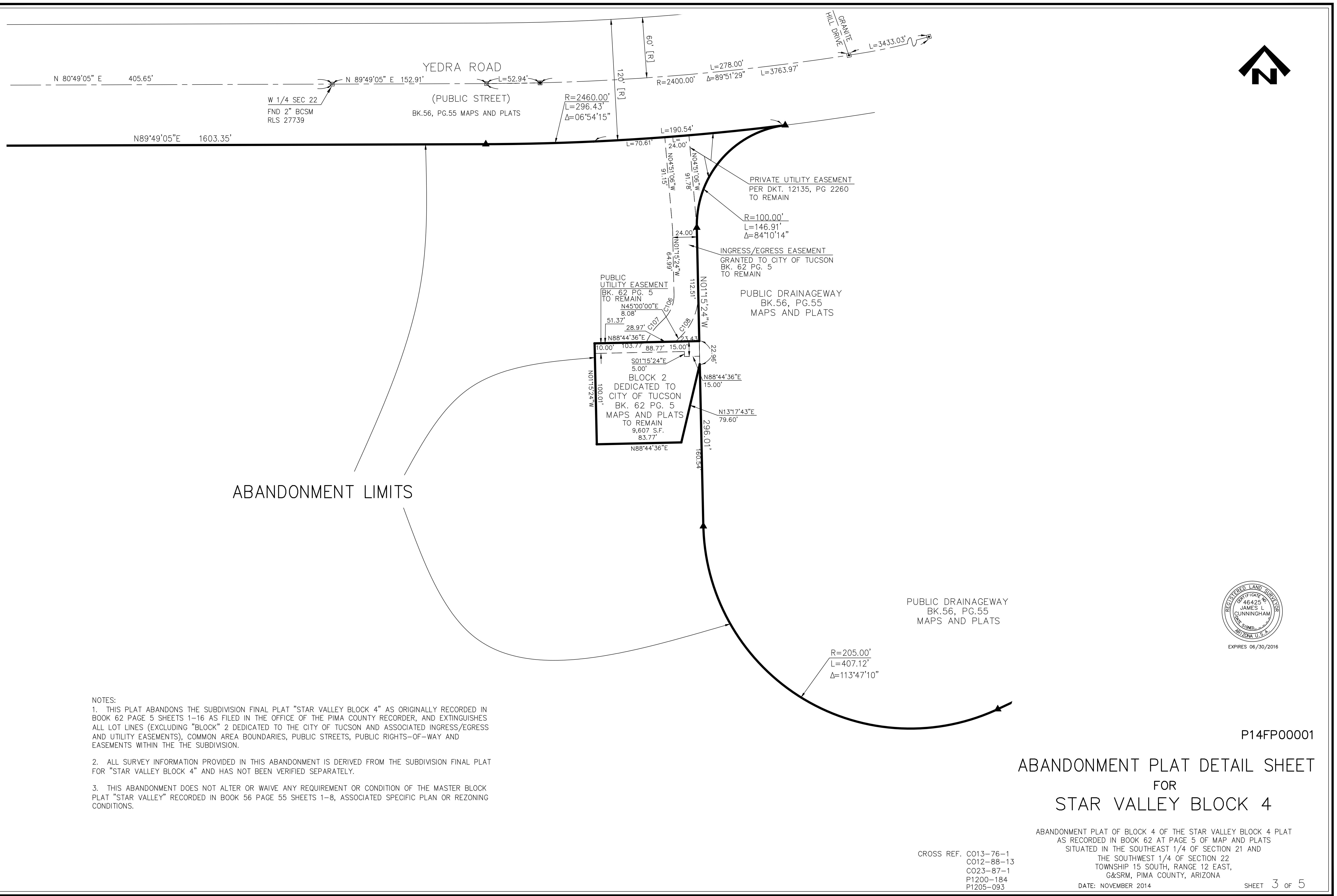
CROSS REF. C013-76-1  
C012-88-13  
C023-87-1  
P1200-184  
P1205-093

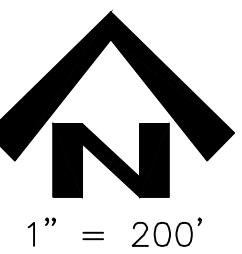
DATE: NOVEMBER 2014

SHEET 2 OF 5

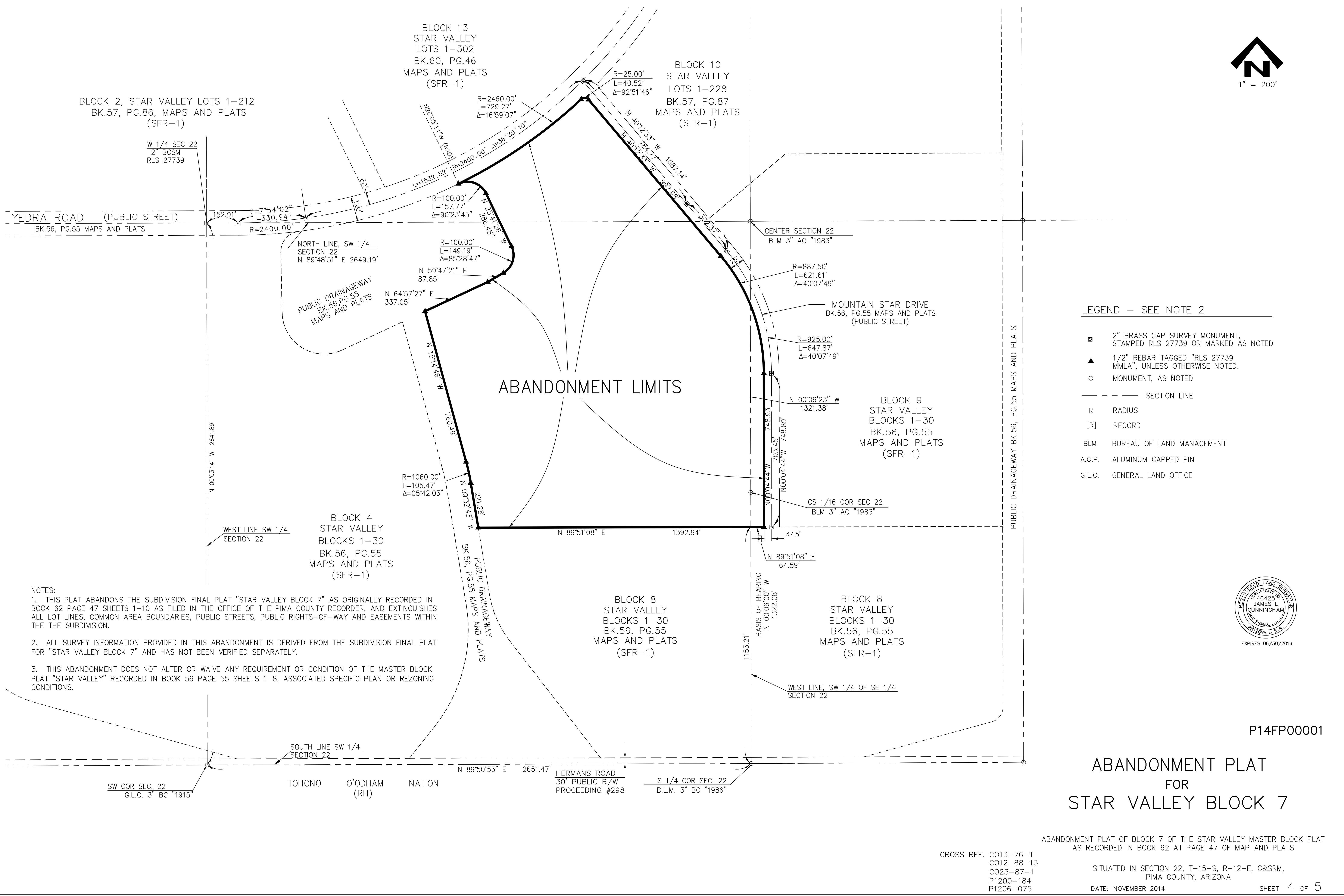
## SEQUENCE







SEQUENCE



BLOCK 2  
STAR VALLEY  
BK.57, PG.86  
MAPS AND PLATS  
(SFR-1)

BLOCK 13  
STAR VALLEY  
BK.60, PG.46  
MAPS AND PLATS  
(SFR-1) (SFR-2)

BLOCK 10  
STAR VALLEY  
BK.57, PG.87  
MAPS AND PLATS  
(SFR-1)

BLOCK 25  
STAR VALLEY  
BLOCK 1-30  
BK.56, PG.55  
MAPS AND PLATS  
(SFR-1)

PUBLIC DRAINAGEWAY  
BK.56, PG.55  
MAPS AND PLATS

BLOCK 7  
STAR VALLEY  
BLOCKS 1-30  
BK.56, PG.55  
MAPS AND PLATS  
(SFR-1)

BLOCK 9  
STAR VALLEY  
BLOCKS 1-30  
BK.56, PG.55  
MAPS AND PLATS  
(SFR-1)

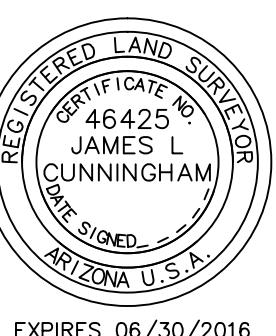
UNSUBDIVIDED  
PASCUA YAQUI PUEBLO  
INDIAN RESERVATION  
(RH)

BLOCK 4  
STAR VALLEY  
BLOCKS 1-30  
BK.56, PG.55  
MAPS AND PLATS  
(SFR-1)

### ABANDONMENT LIMITS

LEGEND - SEE NOTE 2

- 2" BRASS CAP SURVEY MONUMENT, STAMPED RLS 27739 OR MARKED AS NOTED
- 1/2" REBAR TAGGED "RLS 27739 MMLA", UNLESS OTHERWISE NOTED.
- MONUMENT, AS NOTED
- SECTION LINE
- R RADIUS
- [R] RECORD
- BLM BUREAU OF LAND MANAGEMENT
- A.C.P. ALUMINUM CAPPED PIN
- G.L.O. GENERAL LAND OFFICE



UNSUBDIVIDED  
PASCUA YAQUI PUEBLO  
INDIAN RESERVATION  
(RH)

SW COR SEC 22  
GLO BC 1915  
HERMANS ROAD  
30' PUBLIC R/W  
PROCEEDING #298

UNSUBDIVIDED  
TOHONO O'ODHAM NATION  
(RH)

### ABANDONMENT PLAT FOR STAR VALLEY BLOCK 8

ABANDONMENT PLAT OF BLOCK 8 OF THE STAR VALLEY BLOCK 8 PLAT,  
AS RECORDED IN BOOK 62, AT PAGE 46, OF MAPS AND PLATS

CROSS REF.  
Co13-76-1  
Co12-88-13  
Co23-87-1  
P1200-184  
P1205-103

SITUATED IN THE SOUTH 1/2 OF SECTION 22, TOWNSHIP 15 SOUTH,  
RANGE 12 EAST, GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

DATE: NOVEMBER, 2014

SEQUENCE

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P14FP00001

5 OF 5