



Contract Number: CTN. PW. 14 X 032
Effective Date: 9-3-13
Term Date: 11-3-13
Cost: \$155,000.-
Revenue:
Total: NTE:
Action: 9-3-13
Renewal By:
Term: 11-3-13
Reviewed by: [Signature]

BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date 9/3/13

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

- 1) Sales Agreement to: Business Development LLC, an Arizona limited liability company
- 2) Affidavit of Disclosure: (Executed by both Pima County and Business Development LLC)
- 3) Warranty Deed to: Business Development LLC, an Arizona limited liability company

This is a sale of surplus County property, located at 3179 E. River Rd, Pima County Assessor parcel numbers 108-26-017D and 108-26-293B. The property consists of a single family residence on 1.75 acres which was acquired in 1987 by Pima County as part of the River Road: Campbell Ave. to Alvernon Way Road Improvement Project (4TRRCA). The Project has since been completed and the remaining surplus property is now being sold in accordance with A.R.S. 11-251.9.

Business Development L.L.C., an Arizona limited liability company was the successful bidder at auction on July 25, 2013, for the sale price of \$155,000.00, which includes a \$500.00 administration fee. The property is being sold as is and all known issues with the property have been set forth in the Affidavit of Disclosure. The warranty deed to the purchaser, Business Development LLC, shall reserve easements back to Pima County for slope, drainage and utilities that were required for the road improvement project.

This surplus property sale has been reviewed and approved by appropriate County departments.

Revenue: \$155,000.00

STAFF RECOMMENDATION(S): It is recommended that the Board of Supervisors approve, and authorize the Chairman to execute the Sales Agreement for sale of surplus property, along with the Affidavit of Disclosure and Warranty Deed conveying the property to Business Development LLC, an Arizona limited liability company.

To: COB. 8-21-13
Agenda. 9-3-13
(2)

PIMA COUNTY COST: \$ _____ and/or REVENUE TO PIMA COUNTY: \$155,000.00

FUNDING SOURCE(S): _____
(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 ☐

IMPACT:

IF APPROVED: Pima County will no longer have liability and maintenance responsibility for the property. The County will receive \$155,000.00 in revenue.

IF DENIED: Pima County will continue to be responsible for the costs associated with the management and maintenance of the property for rental purposes. The County will not receive any revenue for the sale of the property.

DEPARTMENT NAME: Public Works Real Property

CONTACT PERSON: Rita Leon TELEPHONE NO.: 724-6462

<p>PIMA COUNTY DEPARTMENT OF: REAL PROPERTY SERVICES</p> <p>PROJECT: Sale of Surplus Real Property</p> <p>BUYER: Business Development LLC</p> <p>AMOUNT: \$155,000.00</p> <p>REVENUE CONTRACT</p>	<table border="1"> <tr> <td data-bbox="961 415 1455 457" style="text-align: center;">CONTRACT</td> </tr> <tr> <td data-bbox="961 457 1455 510">NO. <i>CTN. PW. 14</i> 00000 00000 000000 <i>32</i></td> </tr> <tr> <td data-bbox="961 510 1455 552">AMENDMENT NO. _____</td> </tr> <tr> <td data-bbox="961 552 1455 678">This number must appear on all invoices, correspondence and documents pertaining to this contract.</td> </tr> </table>	CONTRACT	NO. <i>CTN. PW. 14</i> 00000 00000 000000 <i>32</i>	AMENDMENT NO. _____	This number must appear on all invoices, correspondence and documents pertaining to this contract.
CONTRACT					
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AMENDMENT NO. _____					
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SALES AGREEMENT

This Agreement is made by and between Pima County, a political subdivision of the State of Arizona, (the "County"), and **Business Development L.L.C.** (the "Buyer").

1. **Property and Acquisition Amount.** County owns the property described on Exhibit A and depicted on Exhibit A-1 attached hereto (the "Property"). Buyer agrees to acquire from County, and County agrees to convey to Buyer, subject to the terms and conditions set forth herein, fee title to the Property, for the sum of One Hundred Fifty Four Thousand, Five Hundred Dollars (\$154,500.00), plus an administrative fee of Five Hundred Dollars (\$500.00), for a total purchase price of One Hundred Fifty Five Thousand Dollars (\$155,000.00) (the "Acquisition Amount"), payable as follows:

Fifteen Thousand Dollars (\$15,000.00) in cashier's check made out to the Escrow Agent, as an earnest money deposit which Buyer will deposit in escrow on the day this Agreement is executed by the County (the "Opening Date"). Escrow Agent is hereby instructed to deposit all such payments in a federally-insured money market or other similar account, subject to immediate withdrawal, at a bank or savings and loan institution located in Tucson, Arizona. If the escrow closes, all earnest money deposits in escrow shall be credited against the Acquisition Amount, and any interest earned on the earnest money deposits shall be paid to Buyer. If the escrow fails to close because of a default by County, then the earnest money and all interest earned thereon shall be returned to Buyer. If the escrow fails to close because of a default by Buyer, then the earnest money and all interest earned thereon shall be paid to County. Balance of One hundred and Forty Thousand (\$140,000.00) will be due and payable at closing.

2. **Warranty Deed, Slope Easement, and Drainage Easement.** The County shall deposit into escrow easement documents and a special warranty deed, conveying to Buyer title to the Property, free and clear of all monetary liens and encumbrances (except property taxes

not yet due and payable) but subject to all matters of record and matters that an inspection of the property would reveal. Buyer acknowledges receipt of a copy of the preliminary title report for the Property and accepts condition of title to the Property.

3. **"As-Is" Sale.** Buyer accepts the Property, and the improvements thereon in an "as-is" condition, with no warranty from County of any kind whatsoever, express or implied, as to the condition thereof. Buyer acknowledges and agrees that Buyer has had the opportunity to inspect the Property and the improvements and Buyer accepts the condition of the Property and the improvements as they exist as of close of escrow. County shall not be responsible for any damage to the improvements prior to or following close of escrow.

Buyer acknowledges that the residences located on the Property have not been occupied for an extended period of time and are in need of significant repair or replacement and that Buyer will not be able to obtain a certificate of occupancy for the Property or the improvements thereon until significant repairs or replacement of the improvements are made. Buyer acknowledges that no occupancy of the Property may occur until either a new septic system is installed and certified or the Property is lawfully connected to the Pima County Wastewater system. County is not responsible for any cost or expense incurred by Buyer to return the Property to habitable condition.

4. **County Disclosures and Disclaimers:**

A) Well #55-596700 was drilled in 2003, and had a new motor installed in 2004: County makes no warranty or representation with regard to condition or operability of the well and Buyer accepts the well as is. Condition of the well was taken into consideration in reaching the appraised price for the Property.

B) Septic: Existing septic system on the Property needs to be abandoned and either a completely new, certified septic system installed to include new tank with leach field, or Property must be lawfully connected to Pima County sewer system. County makes no warranty with regard to the condition of the septic system, which Buyer specifically acknowledges is inoperable and must be replaced. Condition of the septic system was taken into consideration in reaching the appraised price for the Property.

C) Termites: There is evidence of termites and existing termite infestation at the Property. County makes no warranty with regard to termite damage or infestation on the Property and Buyer accepts the Property and improvements with the existing termite infestation and damage. Termite infestation and damage were taken into consideration in reaching the appraised price for the Property.

D) Electrical: The wiring on the meters to be rewired for the residence and well.

5. **Escrow Agent.** Fidelity National Title, located at 6245 East Broadway, Suite 200, Judy Kaiser, is hereby appointed as the "Escrow Agent" for this transaction. A copy of this Agreement will constitute instructions to the Escrow Agent.

6. **Possession and Closing.** Possession of the Property shall be given to the Buyer on the date of closing. Closing shall be on before the date that is thirty (30) days after the date this Agreement is approved by the Pima County Board of Supervisors, unless extended by agreement of the parties.
7. **No Leases.** County warrants that there are no written leases on all or any portion of the Property.
8. **Broker's Commission.** No broker's commission will be paid.
9. **Closing Costs, Title Insurance, and Prorations.** Expenses incidental to transfer of title, recording fees, escrow fees and releases shall be paid 50% by Buyer and 50% by County. If Buyer wishes to obtain an owner's policy of title insurance, Buyer may do so at its own expense. The date of closing shall be used for proration of property taxes and similar costs.
10. **No Sale.** County shall not sell or encumber the Property before closing.
11. **Conflict of Interest.** This Agreement is subject to A.R.S. 38-511 which provides for cancellation of contracts by Pima County for certain conflicts of interest.
12. **Entire Agreement.** This signed document shall constitute the entire Agreement between the parties and no modification or amendment to this Agreement shall be binding unless in writing and signed by both parties.

Buyer: Business Development LLC

By: 

Ellie Senior, Manager

Date: 7/31/2013

Recommended to the Board of Supervisors
for Approval:

By: 

Rita Leon, Acquisition Agent

By: 

Neil J. Konigsberg, Manager Real Property Services

By Ana M. Alvarez
Priscilla Cornelio, Director, Department of Transportation

By John Bernal
John Bernal,
Deputy County Administrator-Public Works

Approved as to form:

Tobin Rosen
Tobin Rosen,
Deputy County Attorney

Approved and accepted by County.

Chairman, Pima County Board of Supervisors

Attest:

Clerk of the Board of Supervisors

Tax Code: 108-26-010B, 017D

StateofArizonaSalesAgreementlg

EXHIBIT A
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF PIMA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

Parcel No. 1:

All that certain real property being a portion of Lot 272, CATALINA FOOTHILLS ESTATES NO. 10, according to Book 56 of Maps and Plats, Page 79 records of Pima County, Arizona and located in Section 21, Township 13 South, Range 14 East of the Gila and Salt River Base and Meridian, Pima County, Arizona, being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 272, common with the Southeast corner of said parcel described in Docket 12520, Page 9127, records of Pima County, Arizona, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence from said Point of Beginning, Westerly along the South line of said Lot 272, common with the South line of said recorded parcel, South 89 degrees 44 minutes 38 seconds West, 51.07 feet to the Southeast corner of an Exception Parcel described in Docket 8176, Page 579, records of Pima County, Arizona, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said Southeast corner, Northwesterly along the East line of said Exception Parcel, North 03 degrees 55 minutes 10 seconds West, 10.02 feet to the Northeast corner, thereof, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said Northeast corner, Westerly along the North line of said Exception Parcel, parallel with the South line of said Lot 272, South 89 degrees 44 minutes 38 seconds West, 50.00 feet (calculated) to a point thereon, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said North line, Northerly and perpendicular, North 00 degrees 15 minutes 22 seconds West, 10.00 feet (calculated) to a point establishing the Northwest corner of said Quit Claim Parcel, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said perpendicular line, Easterly along a line being parallel with the South line of said Lot 272, North 89 degrees 44 minutes 38 seconds East, 8.00 feet (calculated) to an angle point, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said angle point, Southeasterly, South 78 degrees 12 minutes 32 seconds East, 95.82 feet (calculated) to the POINT OF BEGINNING of the Quit Claim Parcel herein described.

Parcel No. 2:

A portion of that parcel described in Docket 8176, Page 879, records of Pima County, Arizona, and located in Southwest quarter of Section 21, Township 13 South, Range 14 East of the Gila and Salt River Base and Meridian, Pima County, Arizona, being more particularly described as follows:

COMMENCING at the South quarter corner of said Section 21;

Thence upon the South line of the Southeast quarter of said Southwest quarter, South 89 degrees 18 minutes 21 seconds West, a distance of 1332.07 feet to the Southwest corner thereof;

EXHIBIT A
(Continued)

Thence upon the West line of the Southwest quarter of the Southeast quarter of said Southwest quarter, North 01 degrees 01 minutes 16 seconds West, a distance of 756.27 feet;

Thence North 74 degrees 15 minutes 51 seconds West, a distance of 451.47 feet;

Thence North 04 degrees 22 minutes 37 seconds West, a distance of 20.22 feet;

Thence North 04 degrees 35 minutes 01 seconds West, a distance of 31.96 feet to the Southeast corner and Northeasterly right-of-way of River Road, and the TRUE POINT OF BEGINNING;

Thence North 72 degrees 04 minutes 30 seconds West, Northwesterly along said right-of-way line, a distance of 55.98 feet to a point of tangent-curve;

Thence along said right-of-way line on a curve to the right having a radius of 925.00 feet and a central angle of 14 degrees 11 minutes 36 seconds, a distance of 229.14 feet to a point on a curve, which intersects the Northwest property line;

Thence North 77 degrees 37 minutes 28 seconds East, a distance of 92.34 feet;

Thence North 13 degrees 11 minutes 32 seconds West, a distance of 279.74 feet to a representing the Northwest corner of said parcel;

Thence North 89 degrees 08 minutes 58 seconds East, a distance of 201.25 feet;

Thence South 04 degrees 35 minutes 01 seconds East, a distance of 10.02 feet;

Thence North 89 degrees 08 minutes 58 seconds East, a distance of 60.01 feet to a found survey pin tagged L.S.8024;

Thence South 04 degrees 32 minutes 46 seconds East, a distance of 107.07 feet to a found survey pin tagged L.S.8024;

Thence South 89 degrees 04 minutes 29 seconds West, a distance of 59.94 feet to a found survey pin tagged L.S.8024;

Thence South 04 degrees 35 minutes 01 seconds East, a distance of 293.17 feet to a point on the Northeasterly right-of-way line of River Road and the TRUE POINT OF BEGINNING.

Parcel No. 3:

An easement for ingress and egress over, across and upon the following described property:

A portion of that parcel as described in Docket 8176 at page 580 therein, Records of Pima County, Arizona, said parcel being a part of the southwest one-quarter of Section 21, Township 13 South, Range 14 East, Gila & Salt River Meridian, Pima County, Arizona, said portion more particularly described as follows:

COMMENCING at the southeast corner of said southwest one-quarter;

THENCE upon the south line of said southwest one-quarter, S 89°18'21" W, a distance of 1332.07 feet to the southwest corner of the southeast one-quarter of said southwest one-quarter;

THENCE upon the west line of said southeast one-quarter, N 01°01'16" W, a distance of 756.28 feet to a point on the northerly right-of-way line of River Road as recorded in Book 5 of Road maps at page 31 therein, Records of Pima County, Arizona;

EXHIBIT A
(Continued)

THENCE upon said right-of-way line, N 74°15'51" W, a distance of 419.41 feet to an angle point in said right-of-way line;

THENCE continue upon said right-of-way line, N 04°35'01" W, a distance of 20.58 feet to an angle point in said right-of-way line;

THENCE continue upon said right-of-way line, N 74°49'29" W, a distance of 31.87 feet to an angle point in said right-of-way line, said point being THE POINT OF BEGINNING;

THENCE continue upon said right-of-way line, S 04°22'37" E, a distance of 20.22 feet to an angle point in said right-of-way line;

THENCE continue upon said right-of-way line, N 74°15'46" W, a distance of 59.80 feet;

THENCE, N 15°45'04" E, a distance of 63.08 feet;

THENCE, N 85°24'59" E, a distance of 34.23 feet to a point on the east line of the aforementioned parcel as described in Docket 8176 at page 580 therein;

THENCE upon said east line, S 04°35'10" E, a distance of 59.69 feet to THE POINT OF BEGINNING.

EXCEPT any portion lying within Parcel 2 described above.

MAP EXHIBIT "A-1"

SECTION 21
TOWNSHIP 13 SOUTH
RANGE 14 EAST

3179 E. River



N

Pima County Public Works Administration
Real Property Services

DRAWING NOT TO SCALE

DATE: July 31, 2013

When recorded mail to:

Pima County Real Property Services
201 N. Stone Ave., 6th Floor
Tucson, AZ 85701

**AFFIDAVIT OF DISCLOSURE REGARDING SEPTIC, TERMITES, WELL #55 596700,
AND ELECTRICAL WIRING
PURSUANT TO A.R.S. §33-422**

I, Ramon Valadez, Chair of the Pima County Board of Supervisors, ("County") being duly sworn, hereby make this Affidavit of Disclosure relating to conveyance of the following described real property:

Legal description attached hereto as Exhibit "A". ("Property").

A) Well #55-596700 was drilled in 2003, and had a new motor installed in 2004: County makes no warranty or representation with regard to condition or operability of the well.

B) Septic: Existing septic system on the Property needs to be abandoned and either a completely new, certified septic system installed to include new tank with leach field, or Property must be lawfully connected to Pima County sewer system. County makes no warranty with regard to the condition of the septic system.

C) Termites: There is evidence of termites and existing termite infestation at the Property. County makes no warranty with regard to termite damage or infestation on the Property.

D) Electrical: The wiring on the meters to be re-wired for the residence and well.

The property is sold in "as is" condition and the County will not be responsible for any cost or expense to replace the well, septic system, termite damage, or and electrical wiring at the main meter.

Dated this ____ day of _____, 2013.

Ramon Valadez, Chairman, Pima County Board of Supervisors

SUBSCRIBED AND SWORN before me this _____ day of _____,
(DATE) (YEAR)

Notary Public

7/31/2013 day of _____
(DATE) (YEAR)

Real Property Services: Ellie Seaton Signature: [Signature]
 SS (Print Name)

EXHIBIT A
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF PIMA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

Parcel No. 1:

All that certain real property being a portion of Lot 272, CATALINA FOOTHILLS ESTATES NO. 10, according to Book 56 of Maps and Plats, Page 79 records of Pima County, Arizona and located in Section 21, Township 13 South, Range 14 East of the Gila and Salt River Base and Meridian, Pima County, Arizona, being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 272, common with the Southeast corner of said parcel described in Docket 12520, Page 9127, records of Pima County, Arizona, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence from said Point of Beginning, Westerly along the South line of said Lot 272, common with the South line of said recorded parcel, South 89 degrees 44 minutes 38 seconds West, 51.07 feet to the Southeast corner of an Exception Parcel described in Docket 8176, Page 579, records of Pima County, Arizona, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said Southeast corner, Northwesterly along the East line of said Exception Parcel, North 03 degrees 55 minutes 10 seconds West, 10.02 feet to the Northeast corner, thereof, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said Northeast corner, Westerly along the North line of said Exception Parcel, parallel with the South line of said Lot 272, South 89 degrees 44 minutes 38 seconds West, 50.00 feet (calculated) to a point thereon, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said North line, Northerly and perpendicular, North 00 degrees 15 minutes 22 seconds West, 10.00 feet (calculated) to a point establishing the Northwest corner of said Quit Claim Parcel, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said perpendicular line, Easterly along a line being parallel with the South line of said Lot 272, North 89 degrees 44 minutes 38 seconds East, 8.00 feet (calculated) to an angle point, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said angle point, Southeasterly, South 78 degrees 12 minutes 32 seconds East, 95.82 feet (calculated) to the **POINT OF BEGINNING** of the Quit Claim Parcel herein described.

Parcel No. 2:

A portion of that parcel described in Docket 8176, Page 879, records of Pima County, Arizona, and located in Southwest quarter of Section 21, Township 13 South, Range 14 East of the Gila and Salt River Base and Meridian, Pima County, Arizona, being more particularly described as follows:

COMMENCING at the South quarter corner of said Section 21;

Thence upon the South line of the Southeast quarter of said Southwest quarter, South 89 degrees 18 minutes 21 seconds West, a distance of 1332.07 feet to the Southwest corner thereof;

EXHIBIT A
(Continued)

Thence upon the West line of the Southwest quarter of the Southeast quarter of said Southwest quarter, North 01 degrees 01 minutes 16 seconds West, a distance of 756.27 feet;

Thence North 74 degrees 15 minutes 51 seconds West, a distance of 451.47 feet;

Thence North 04 degrees 22 minutes 37 seconds West, a distance of 20.22 feet;

Thence North 04 degrees 35 minutes 01 seconds West, a distance of 31.96 feet to the Southeast corner and Northeasterly right-of-way of River Road, and the TRUE POINT OF BEGINNING;

Thence North 72 degrees 04 minutes 30 seconds West, Northwesternly along said right-of-way line, a distance of 55.98 feet to a point of tangent-curve;

Thence along said right-of-way line on a curve to the right having a radius of 925.00 feet and a central angle of 14 degrees 11 minutes 36 seconds, a distance of 229.14 feet to a point on a curve, which intersects the Northwest property line;

Thence North 77 degrees 37 minutes 28 seconds East, a distance of 92.34 feet;

Thence North 13 degrees 11 minutes 32 seconds West, a distance of 279.74 feet to a representing the Northwest corner of said parcel;

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Parcel No. 3:

An easement for ingress and egress over, across and upon the following described property:

A portion of that parcel as described in Docket 8176 at page 580 therein, Records of Pima County, Arizona, said parcel being a part of the southwest one-quarter of Section 21, Township 13 South, Range 14 East, Gila & Salt River Meridian, Pima County, Arizona, said portion more particularly described as follows:

COMMENCING at the southeast corner of said southwest one-quarter;

THENCE upon the south line of said southwest one-quarter, S 89°18'21" W, a distance of 1332.07 feet to the southwest corner of the southeast one-quarter of said southwest one-quarter;

THENCE upon the west line of said southeast one-quarter, N 01°01'16" W, a distance of 756.28 feet to a point on the northerly right-of-way line of River Road as recorded in Book 5 of Road maps at page 31 therein, Records of Pima County, Arizona;

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THENCE continue upon said right-of-way line, N 04°35'01" W, a distance of 20.58 feet to an angle point in said right-of-way line;

THENCE continue upon said right-of-way line, N 74°49'29" W, a distance of 31.87 feet to an angle point in said right-of-way line, said point being **THE POINT OF BEGINNING**;

THENCE continue upon said right-of-way line, S 04°22'37" E, a distance of 20.22 feet to an angle point in said right-of-way line;

THENCE continue upon said right-of-way line, N 74°15'46" W, a distance of 59.80 feet;

THENCE, N 15°45'04" E, a distance of 63.08 feet;

THENCE, N 85°24'59" E, a distance of 34.23 feet to a point on the east line of the aforementioned parcel as described in Docket 8176 at page 580 therein;

THENCE upon said east line, S 04°35'10" E, a distance of 59.69 feet to **THE POINT OF BEGINNING**.

EXCEPT any portion lying within Parcel 2 described above.

WARRANTY DEED

For valuable consideration, Pima County, a political subdivision of the State of Arizona ("Grantors"), does hereby convey to, Business Development L.L.C., an Arizona Limited Liability Company the following described property situate in Pima County, Arizona:

SEE ATTACHED **EXHIBIT "A"** FOR LEGAL DESCRIPTION

Reserving on to the Grantor a Slope Easement (Exhibit B), Access and Utility Easement (Exhibit C), and Drainage Easement (Exhibit D)

SUBJECT TO all matters of record.

And I or we do warrant the title against all persons whomsoever, subject only to matters above set forth.

Dated this _____ day of _____, 2013

ATTEST

Grantor: Pima County, a political Subdivision

Clerk of the Board

Chairman, Pima County Board of Supervisors

State of Arizona)

)ss

County of Pima)

This instrument was acknowledged before me this ____ day of _____, 2013, by the Chairman of the Pima County Board of Supervisors.

Notary Public

My Commission Expires:

EXEMPTION: A.R.S. §11-1134.A.3.		Board of Supervisors:	Right of Way [] Parcel []
Agent: RL	File #:10,086-126	Activity #: 4TRRCA	P [] De [] Do [] E []

EXHIBIT A
LEGAL DESCRIPTION

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Parcel No. 1:

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Thence from said Point of Beginning, Westerly along the South line of said Lot 272, common with the South line of said recorded parcel, South 89 degrees 44 minutes 38 seconds West, 51.07 feet to the Southeast corner of an Exception Parcel described in Docket 8176, Page 579, records of Pima County, Arizona, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said Southeast corner, Northwesterly along the East line of said Exception Parcel, North 03 degrees 55 minutes 10 seconds West, 10.02 feet to the Northeast corner, thereof, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said Northeast corner, Westerly along the North line of said Exception Parcel, parallel with the South line of said Lot 272, South 89 degrees 44 minutes 38 seconds West, 50.00 feet (calculated) to a point thereon, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said North line, Northerly and perpendicular, North 00 degrees 15 minutes 22 seconds West, 10.00 feet (calculated) to a point establishing the Northwest corner of said Quit Claim Parcel, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said perpendicular line, Easterly along a line being parallel with the South line of said Lot 272, North 89 degrees 44 minutes 38 seconds East, 8.00 feet (calculated) to an angle point, marked by a half-inch rebar with a plastic cap and registration tag RLS 26932;

Thence leaving said angle point, Southeasterly, South 78 degrees 12 minutes 32 seconds East, 95.82 feet (calculated) to the **POINT OF BEGINNING** of the Quit Claim Parcel herein described.

Parcel No. 2:

A portion of that parcel described in Docket 8176, Page 879, records of Pima County, Arizona, and located in Southwest quarter of Section 21, Township 13 South, Range 14 East of the Gila and Salt River Base and Meridian, Pima County, Arizona, being more particularly described as follows:

COMMENCING at the South quarter corner of said Section 21;

Thence upon the South line of the Southeast quarter of said Southwest quarter, South 89 degrees 18 minutes 21 seconds West, a distance of 1332.07 feet to the Southwest corner thereof;

EXHIBIT A
(Continued)

Thence upon the West line of the Southwest quarter of the Southeast quarter of said Southwest quarter, North 01 degrees 01 minutes 16 seconds West, a distance of 756.27 feet;

Thence North 74 degrees 15 minutes 51 seconds West, a distance of 451.47 feet;

Thence North 04 degrees 22 minutes 37 seconds West, a distance of 20.22 feet;

Thence North 04 degrees 35 minutes 01 seconds West, a distance of 31.96 feet to the Southeast corner and Northeasterly right-of-way of River Road, and the TRUE POINT OF BEGINNING;

Thence North 72 degrees 04 minutes 30 seconds West, Northwesterly along said right-of-way line, a distance of 55.98 feet to a point of tangent-curve;

Thence along said right-of-way line on a curve to the right having a radius of 925.00 feet and a central angle of 14 degrees 11 minutes 36 seconds, a distance of 229.14 feet to a point on a curve, which intersects the Northwest property line;

Thence North 77 degrees 37 minutes 28 seconds East, a distance of 92.34 feet;

Thence North 13 degrees 11 minutes 32 seconds West, a distance of 279.74 feet to a representing the Northwest corner of said parcel;

Thence North 89 degrees 08 minutes 58 seconds East, a distance of 201.25 feet;

Thence South 04 degrees 35 minutes 01 seconds East, a distance of 10.02 feet;

Thence North 89 degrees 08 minutes 58 seconds East, a distance of 60.01 feet to a found survey pin tagged L.S.8024;

Thence South 04 degrees 32 minutes 46 seconds East, a distance of 107.07 feet to a found survey pin tagged L.S.8024;

Thence South 89 degrees 04 minutes 29 seconds West, a distance of 59.94 feet to a found survey pin tagged L.S.8024;

Thence South 04 degrees 35 minutes 01 seconds East, a distance of 293.17 feet to a point on the Northeasterly right-of-way line of River Road and the TRUE POINT OF BEGINNING.

Parcel No. 3:

An easement for ingress and egress over, across and upon the following described property:

A portion of that parcel as described in Docket 8176 at page 580 therein, Records of Pima County, Arizona, said parcel being a part of the southwest one-quarter of Section 21, Township 13 South, Range 14 East, Gila & Salt River Meridian, Pima County, Arizona, said portion more particularly described as follows:

COMMENCING at the southeast corner of said southwest one-quarter;

THENCE upon the south line of said southwest one-quarter, S 89°18'21" W, a distance of 1332.07 feet to the southwest corner of the southeast one-quarter of said southwest one-quarter;

THENCE upon the west line of said southeast one-quarter, N 01°01'16" W, a distance of 756.28 feet to a point on the northerly right-of-way line of River Road as recorded in Book 5 of Road maps at page 31 therein, Records of Pima County, Arizona;

EXHIBIT A
(Continued)

THENCE upon said right-of-way line, N 74°15'51" W, a distance of 419.41 feet to an angle point in said right-of-way line;

THENCE continue upon said right-of-way line, N 04°35'01" W, a distance of 20.58 feet to an angle point in said right-of-way line;

THENCE continue upon said right-of-way line, N 74°49'29" W, a distance of 31.87 feet to an angle point in said right-of-way line, said point being THE POINT OF BEGINNING;

THENCE continue upon said right-of-way line, S 04°22'37" E, a distance of 20.22 feet to an angle point in said right-of-way line;

THENCE continue upon said right-of-way line, N 74°15'46" W, a distance of 59.80 feet;

THENCE, N 15°45'04" E, a distance of 63.08 feet;

THENCE, N 85°24'59" E, a distance of 34.23 feet to a point on the east line of the aforementioned parcel as described in Docket 8176 at page 580 therein;

THENCE upon said east line, S 04°35'10" E, a distance of 59.69 feet to THE POINT OF BEGINNING.

EXCEPT any portion lying within Parcel 2 described above.

April 25, 2006
CASTRO ENGINEERING #PCDT059

Exhibit "B"

**LEGAL DESCRIPTION
SLOPE EASEMENT
9-A
W.O. 4TRRCA**

A portion of that parcel as described in Docket 8176 at page 580 therein, records of Pima County, Arizona and on file at the Pima County Recorder's Office, Tucson, Arizona, said parcel being a part of the southwest one-quarter of Section 21, Township 13 South, Range 14 East, Gila and Salt River Meridian, said portion more particularly described as follows:

COMMENCING at the southeast corner of said southwest one-quarter;

THENCE upon the south line of the southeast one-quarter of said southwest one-quarter, S 89°18'21" W a distance of 1332.07 feet to the southwest corner thereof;

THENCE upon the west line of the southwest one-quarter of the southeast one-quarter of said southwest one-quarter, N 01°01'16" W a distance of 668.37 feet to the northwest corner thereof;

THENCE upon the west line of the northwest one-quarter of the southeast one-quarter of said southwest one-quarter, N 01°01'16" W a distance of 87.90 feet to a point on the northerly right of way line of River Road as recorded in Book 5 of Road maps at page 31 therein, records of Pima County, Arizona;

THENCE upon said right of way line, N 74°15'51" W a distance of 509.41 feet to a point on the arc of a non-tangent curve, the radius point of said arc bears N 15°44'34" E;

THENCE continue upon said right of way line, northwesterly upon the arc of said curve, to the right, having a radius of 1399.96 feet, a central angle of 13°42'10", for an arc length of 334.82 feet to a point on a non-tangent line and the westernmost corner of the aforesaid described parcel;

THENCE leaving said right of way line, upon the westerly line of said described parcel, N 77°37'28" E a distance of 102.05 feet to the **POINT OF BEGINNING**;

THENCE continue upon said westerly line, N 77°37'28" E a distance of 92.34 feet;

THENCE continue upon said westerly line, N 13°11'32" W a distance of 16.24 feet;

THENCE leaving said westerly line, S 34°40'33" E a distance of 30.44 feet;

THENCE S 29°36'25" E a distance of 54.16 feet;

THENCE S 19°29'15" E a distance of 39.29 feet to a point on the arc of a non-tangent curve, the radius point of said arc bears N 22°06'28" E;

THENCE northwesterly upon the arc of said curve, to the right, having a radius of 925.00 feet, a central angle of $10^{\circ}00'37''$, for an arc length of 161.61 feet to the **POINT OF BEGINNING**.



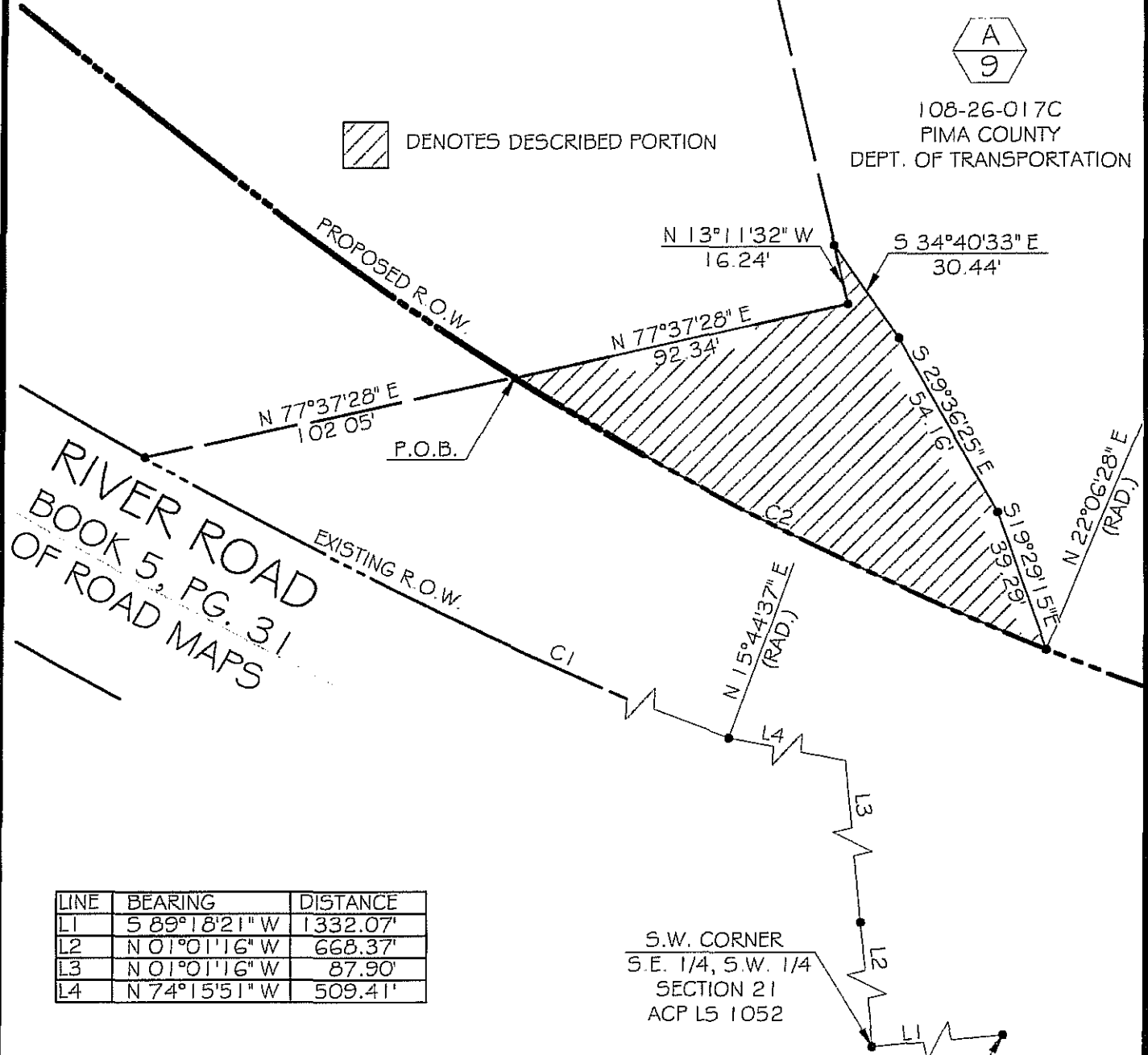
GRAPHIC DEPICTION OF LEGAL DESCRIPTION



DENOTES DESCRIBED PORTION



108-26-017C
PIMA COUNTY
DEPT. OF TRANSPORTATION

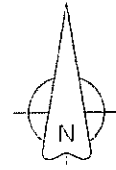


LINE	BEARING	DISTANCE
L1	S 89°18'21" W	1332.07'
L2	N 01°01'16" W	668.37'
L3	N 01°01'16" W	87.90'
L4	N 74°15'51" W	509.41'

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE
C1	1399.96'	334.82'	13°42'10"
C2	925.00'	161.61'	10°00'37"

Castro Engineering
consulting engineers and surveyors
3580 WEST INA ROAD #200
TUCSON, ARIZONA 85741
(520)293-2550

W.O. 4TRCA
SLOPE EASEMENT
A PORTION OF THE S.W. 1/4
SECTION 21, T13S R14E G.#5 S.R.M
PIMA COUNTY, ARIZONA
AREA=5,785 SQ. FT (0.1328 AC.)



1"=40'

EXHIBIT C

LEGAL DESCRIPTION ACCESS AND UTILITY EASEMENT 9-A W.O. 4TRRCA

A portion of that parcel as described in Docket 8176 at page 580 therein, records of Pima County, Arizona and on file at the Pima County Recorder's Office, Tucson, Arizona, said parcel being a part of the southwest one-quarter of Section 21, Township 13 South, Range 14 East, Gila and Salt River Meridian, said portion more particularly described as follows:

COMMENCING at the southeast corner of said southwest one-quarter;

THENCE upon the south line of the southeast one-quarter of said southwest one-quarter, S 89°18'21" W a distance of 1332.07 feet to the southwest corner thereof;

THENCE upon the west line of the southwest one-quarter of the southeast one-quarter of said southwest one-quarter, N 01°01'16" W a distance of 668.37 feet to the northwest corner thereof;

THENCE upon the west line of the northwest one-quarter of the southeast one-quarter of said southwest one-quarter, N 01°01'16" W a distance of 87.90 feet to a point on the northerly right of way line of River Road as recorded in Book 5 of Road maps at page 31 therein, records of Pima County, Arizona;

THENCE upon said right of way line, N 74°15'51" W a distance of 451.47 feet to the southeast corner of the aforesaid described parcel;

THENCE upon the east line of said described parcel, N 04°22'37" W a distance of 20.22 feet to the southwest corner of that parcel as recorded in Docket 10860 at page 2785 therein, records of Pima County, Arizona;

THENCE continue upon said east line, said east line coincident with the west line of said recorded parcel, N 04°35'01" W a distance of 31.96 feet and the **POINT OF BEGINNING**;

THENCE leaving said east line, N 72°04'30" W a distance of 19.72 feet to a point on the arc of a non-tangent curve, the radius point of said arc bears S 72°14'22" W;

THENCE northwesterly upon the arc of said curve, to the left, having a radius of 24.00 feet, a central angle of 54°18'53", for an arc length of 22.75 feet to a point on a non-tangent line;

THENCE N 17°55'30" E a distance of 14.00 feet;

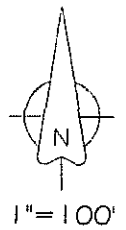
THENCE S 72°04'30" E a distance of 29.27 feet to a point on the east line of the aforesaid described parcel;

THENCE upon said east line, said east line coincident with the west line of the aforesaid recorded parcel, S 04°35'01" E a distance of 25.98 feet to the **POINT OF BEGINNING**.



Stephen W. McLain R.L.S.

DEPICTION OF EXHIBIT A



A
108-26-017C
PIMA COUNTY
D.O.T.

B
108-26-035D
MC GILL, LAUREL A.

C
108-26-0340
STARCHER,
RONALD R. & KATHRYN I.

L28 L29
L30 L11
L27
L10
S 72°14'22" W
(RAD.)

RIVER ROAD
BOOK 5, PG. 31 OF ROAD MAPS

L1	S 89°18'21" W	1332.07'
L2	N 01°01'16" W	668.37'
L3	N 01°01'16" W	87.90'
L4	N 74°15'51" W	451.47'
L10	N 04°22'37" W	20.22'
L11	N 04°35'01" W	31.96'
L27	N 72°04'30" W	19.72'
L28	N 17°55'30" E	14.00'
L29	S 72°04'30" E	29.27'
L30	S 04°35'01" E	25.98'

C6	24.00'	22.75'	54°18'53"
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S.W. CORNER
S.E. 1/4, S.W. 1/4
SECTION 21
ACP LS 1052

P.O.C.
S.E. CORNER
S.W. 1/4 SEC. 21
40d NAIL



DENOTES DESCRIBED PORTION

Castro Engineering
consulting engineers and surveyors
3580 WEST INA ROAD #200
TUCSON, ARIZONA 85741
(520)293-2550

W.O. 4TRCA
ACCESS & UTILITY EASEMENT
A PTN. OF THE S.W. 1/4 SECTION 21
T. 13 S., R. 14 E., PIMA COUNTY, ARIZONA
685 SQ. FT. (0.0157 ACRES)

EXHIBIT D

**LEGAL DESCRIPTION
DRAINAGE EASEMENT
9-A
W.O. 4TRRCA**

A portion of that parcel as described in Docket 8176 at page 580 therein, records of Pima County, Arizona and on file at the Pima County Recorder's Office, Tucson, Arizona, said parcel being a part of the southwest one-quarter of Section 21, Township 13 South, Range 14 East, Gila and Salt River Meridian, said portion more particularly described as follows:

COMMENCING at the southeast corner of said southwest one-quarter;

THENCE upon the south line of the southeast one-quarter of said southwest one-quarter, S 89°18'21" W a distance of 1332.07 feet to the southwest corner thereof;

THENCE upon the west line of the southwest one-quarter of the southeast one-quarter of said southwest one-quarter, N 01°01'16" W a distance of 668.37 feet to the northwest corner thereof;

THENCE upon the west line of the northwest one-quarter of the southeast one-quarter of said southwest one-quarter, N 01°01'16" W a distance of 87.90 feet to a point on the northerly right of way line of River Road as recorded in Book 5 of Road maps at page 31 therein, records of Pima County, Arizona;

THENCE upon said right of way line, N 74°15'51" W a distance of 451.47 feet to the southeast corner of the aforesaid described parcel;

THENCE upon the east line of said described parcel, N 04°22'37" W a distance of 20.22 feet to the southwest corner of that parcel as recorded in Docket 10860 at page 2785 therein, records of Pima County, Arizona;

THENCE continue upon said east line, said east line coincident with the west line of said recorded parcel, N 04°35'01" W a distance of 57.94 feet and the **POINT OF BEGINNING**;

THENCE continue upon said east line, N 04°35'01" W a distance of 83.47 feet;

THENCE leaving said east line, N 89°45'23" W a distance of 72.73 feet;

THENCE S 00°14'37" W a distance of 25.51 feet to a point on the arc of a curve;

THENCE southeasterly upon the arc of said curve, to the left, having a radius of 44.11 feet, a central angle of 72°19'10", for an arc length of 55.68 feet;

THENCE S 72°04'33" E a distance of 51.47 feet to the POINT OF BEGINNING.



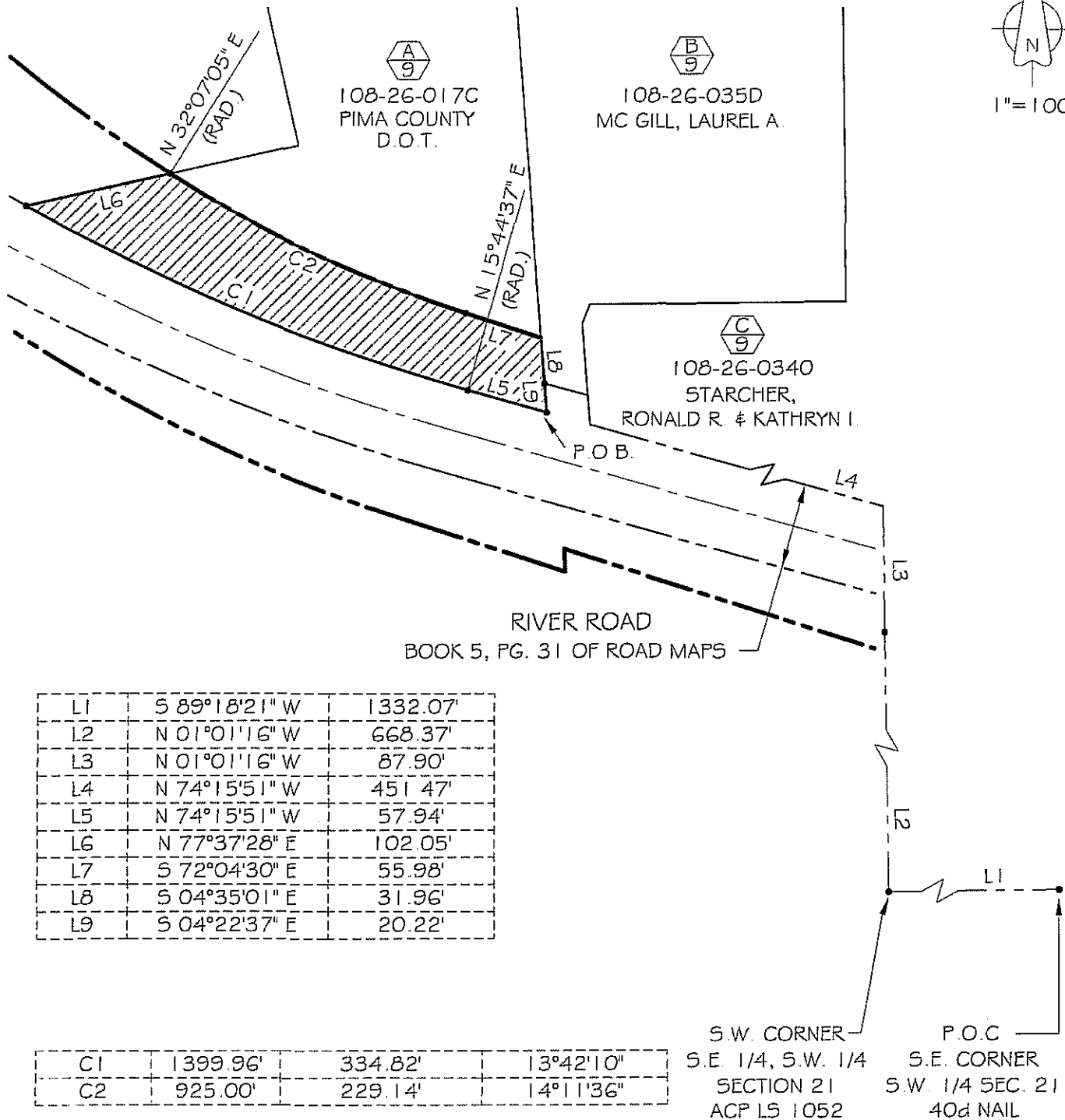
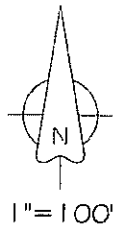
Stephen W. McLain R.L.S.

THENCE southerly upon said east line, said east line coincident with the west line of that parcel as recorded in Docket 10860 at page 2785 therein, records of Pima County, Arizona, S 04°35'01" E a distance of 31.96 feet to the southwest corner thereof;

THENCE continue upon the east line of said described parcel, S 04°22'37" E a distance of 20.22 feet to the **POINT OF BEGINNING**.



DEPICTION OF EXHIBIT A



DENOTES DESCRIBED PORTION

Castro Engineering
consulting engineers and surveyors
3580 WEST INA ROAD #200
TUCSON, ARIZONA 85741
(520)293-2550

W.O. 4TRRCA
R.O.W. TAKE
A PTN. OF THE S.W. 1/4 SECTION 21
T. 13 S., R. 14 E., PIMA COUNTY, ARIZONA
19,215 SQ. FT. (0.4411 ACRES)

Continued Exhibit D

LEGAL DESCRIPTION

Drainage Easement
9-A

W.O. 4TRRCA

A portion of that parcel as described in Docket 8176 at page 580 therein, records of Pima County, Arizona and on file at the Pima County Recorder's Office, Tucson, Arizona, said parcel being a part of the southwest one-quarter of Section 21, Township 13 South, Range 14 East, Gila and Salt River Meridian, said portion more particularly described as follows:

COMMENCING at the southeast corner of said southwest one-quarter;

THENCE upon the south line of the southeast one-quarter of said southwest one-quarter, S 89°18'21" W a distance of 1332.07 feet to the southwest corner thereof;

THENCE upon the west line of the southwest one-quarter of the southeast one-quarter of said southwest one-quarter, N 01°01'16" W a distance of 668.37 feet to the northwest corner thereof;

THENCE upon the west line of the northwest one-quarter of the southeast one-quarter of said southwest one-quarter, N 01°01'16" W a distance of 87.90 feet to a point on the northerly right of way line of River Road as recorded in Book 5 of Road maps at page 31 therein, records of Pima County, Arizona;

THENCE upon said right of way line, N 74°15'51" W a distance of 451.47 feet to the southeast corner of the aforesaid described parcel and the **POINT OF BEGINNING**;

THENCE continue upon said right of way line, N 74°15'51" W a distance of 57.94 feet to a point on the arc of a non-tangent curve, the radius point of said arc bears N 15°44'37" E;

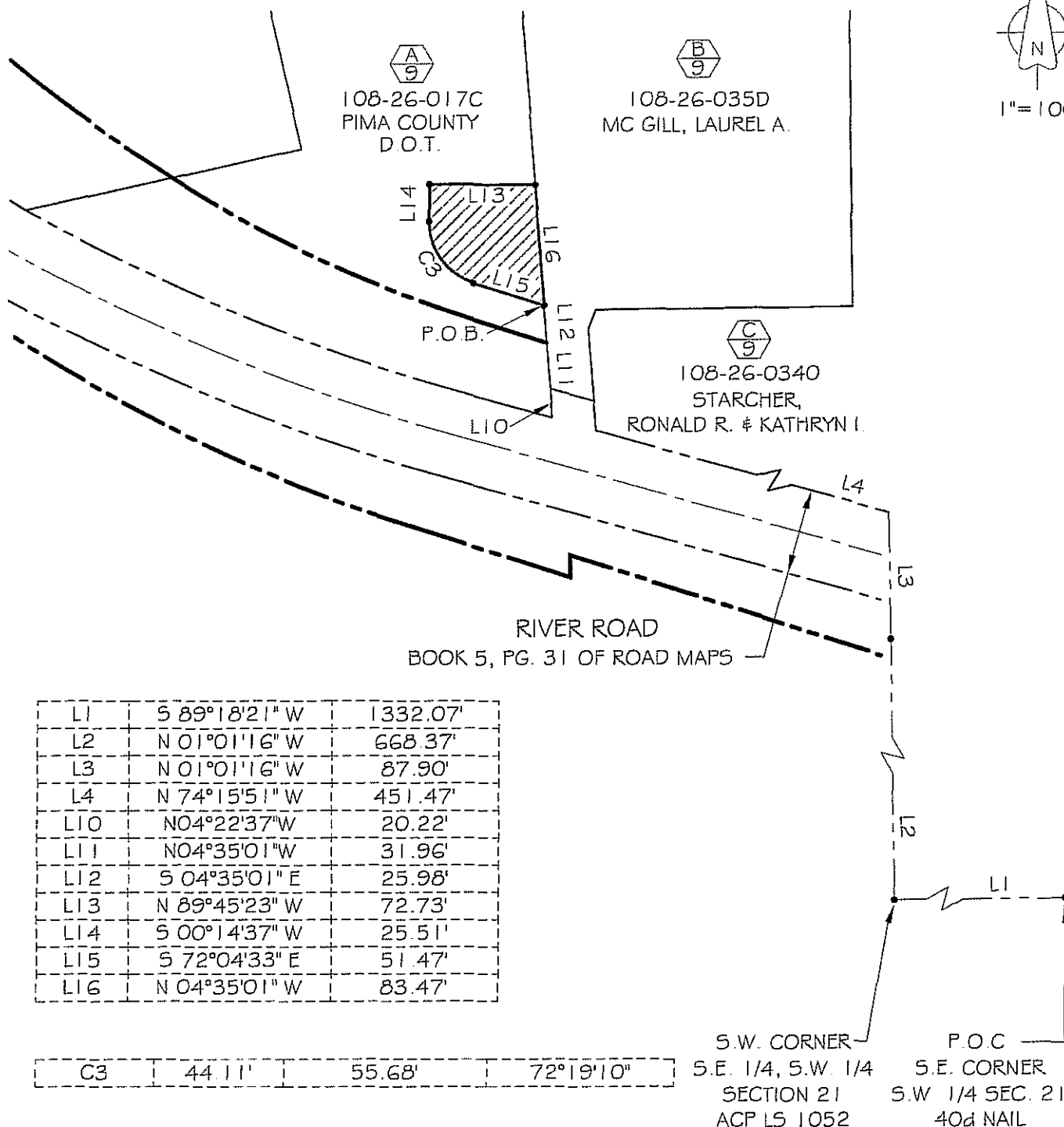
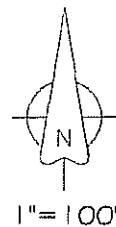
THENCE continue upon said right of way line, northwesterly upon the arc of said curve, to the right, having a radius of 1399.96 feet, a central angle of 13°42'10", for an arc length of 334.82 feet to a point on a non-tangent line and the westernmost corner of the aforesaid described parcel;

THENCE leaving said right of way line, upon a northern line of said parcel, N 77°37'28" E a distance of 102.05 feet to a point on the arc of a non-tangent curve, the radius point of said arc bears N 32°07'05" E;

THENCE leaving said north line, southeasterly upon the arc of said curve, to the left, having a radius of 925.00 feet, a central angle of 14°11'36", for an arc length of 229.14 feet;

THENCE S 72°04'30" E a distance of 55.98 feet to a point on the east line of the aforesaid described parcel;

DEPICTION OF EXHIBIT A



DENOTES DESCRIBED PORTION



3580 WEST INA ROAD #200
TUCSON, ARIZONA 85741
(520)293-2550

W.O. 4TRRCA
DRAINAGE EASEMENT
A PTN. OF THE S.W. 1/4 SECTION 21
T. 13 S., R. 14 E., PIMA COUNTY, ARIZONA
5,133 SQ. FT. (0.1178 ACRES)