



BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: December 17, 2013

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

3. RESOLUTION AND ORDER NO. 2013-____

Providing for the vacation and abandonment by exchange of a portion of Sunrise Avenue lying within Section 16, Township 13 South, Range 13 East, G&SRM, Pima County, Arizona.

4. Quit Claim Deed to QuikTrip Corporation, an Oklahoma corporation.

The abandonment applicant has requested this abandonment in order to facilitate the development the property as a QuikTrip convenience store and fueling station. The applicant has agreed to dedicate and convey in fee, other public right-of-way in exchange for this abandonment. The exchange property is located along the north side of the applicant's property.

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

Revenue: \$-0- (Exchange)

STAFF RECOMMENDATION(S):

It is recommended that the Board of Supervisors approve this abandonment request and authorize the Chairman to execute the Resolution and Order No. 2013-____ and Quit Claim Deed to QuikTrip Corporation, an Oklahoma corporation.

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:

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YES

☒

NO

Board of Supervisors District:

1

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3

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4

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5

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All

☐

IMPACT:

IF APPROVED:

QuikTrip Corporation will be able to proceed with the development plan for their property allowing them to build a new convenience store and fueling station.

IF DENIED:

QuikTrip Corporation will not be able to proceed with their development plan and will need to find a new location for their convenience store and fueling station.

DEPARTMENT NAME: Public Works Real Property Services

CONTACT PERSON: Dana Hausman

TELEPHONE NO.: 724-6713

RESOLUTION AND ORDER NO. 2013 - ____
OF THE PIMA COUNTY BOARD OF SUPERVISORS
PROVIDING FOR THE VACATION BY EXCHANGE OF A
PORTION OF SUNRISE AVENUE FOR THE FEE
DEDICATION OF OTHER PUBLIC RIGHT OF WAY AS
PIMA COUNTY ROAD ABANDONMENT NO. A-13-12
SITUATED WITHIN SECTION 16, TOWNSHIP 13 SOUTH,
RANGE 13 EAST, G&SRM, PIMA COUNTY, ARIZONA

RECITALS

An application has been received by Pima County for the vacation to QuikTrip Corporation, an Oklahoma corporation, ("QuikTrip") of a portion of public road right-of-way known as Sunrise Avenue lying within Section 16, Township 13 South, Range 13 East, G&SRM, Pima County, Arizona, more particularly described in the attached **Exhibit "A"** and depicted in **Exhibit "A-1"** (the "Abandoned Property");

In exchange for the Abandoned Property, QuikTrip has conveyed to Pima County the property described in the attached **Exhibit "B"** and depicted in **Exhibit "B-1"** (the "Exchange Property").

The County has determined that the Abandoned Property is not needed for public use pursuant to Arizona Revised Statutes (A.R.S.) Section 28-7202; and

No land adjoining the Abandoned Property would be left without public or private legal access.

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

Section 1. That the Abandoned Property be vacated pursuant to A.R.S. § 28-7203.

Section 2. That this Resolution will become effective only in the event the Board of Supervisors approves the development plan for QuikTrip under File No. P13DC00007 for the property surrounding and including this vacation.

Section 3. The Chairman of the Board of Supervisors is hereby authorized to execute a Quit Claim Deed to QuikTrip for the Abandoned Property upon this Resolution becoming effective.

File #: A-13-12	BOS Approval: 12/17/13	S16/T13S/R13E	Agent: DH
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A-13-12QT-Reso

Section 4. That the Deed from QuikTrip to Pima County for the Exchange Property be recorded simultaneously with the Quit Claim Deed for the Abandoned Property referred to in Section 3 above.

Section 5. That upon recordation of the Quit Claim Deed the Abandoned Property will be considered vacated.


PASSED, ADOPTED AND APPROVED BY THE BOARD OF SUPERVISORS
THIS ____ DAY OF _____, 2013.

Ramón Valadez, Chairman, Pima County Board
of Supervisors

ATTEST:

Robin Brigode, Clerk of the Board

APPROVED AS TO FORM:



Tobin Rosen
Deputy County Attorney

RE: A-13-12

EXHIBIT "A"
LEGAL DESCRIPTION
RIGHT OF WAY ABANDONMENT

That portion of Sunrise Avenue, as recorded in the Final Plat of "Sunrise Add. No. 3", according to Book 13 of Maps & Plats, Page 63, Pima County Recorder's Office, also being a portion of land situated in the Southwest Quarter of Section 16, Township 13 South, Range 13 East of the Gila and Salt River Meridian, Pima County, Arizona, being more particularly described as follows:

Commencing at a Found Brass Cap Flush Marked LS 19817 at the South Quarter Corner of said Section 16, from which a Found 1/2" Rebar at the Center Quarter Corner of said Section 16 bears North 00 degrees 17 minutes 31 seconds East, a distance of 2619.21 feet;

Thence South 89 degrees 31 minutes 00 seconds West, along the South line of the Southwest Quarter of said Section 16, a distance of 1066.81 feet, to the Centerline of said Sunrise Avenue;

Thence North 00 degrees 19 minutes 24 seconds East, along said Centerline, a distance of 75.01 feet, to a point on the prolongation of the Northerly Right-of-Way of Ruthrauff Road, said point being the **POINT OF BEGINNING**.

Thence South 89 degrees 31 minutes 00 seconds West, parallel with and 75.00 feet North of the South line of the Southwest Quarter of said Section 16, and along said prolongation, a distance of 49.65 feet, to point of cusp for a curve having a radius of 25.00 feet and to which a radial line bears South 00 degrees 29 minutes 00 Seconds East;

Thence along the West Right-of-Way line of Sunrise Avenue, Northeasterly along said curve to the left, through an Arc Length of 38.92 feet, and a Central Angle of 89 degrees 11 minutes 36 seconds, to a point of tangency;

Thence continuing along said West Right-of-Way line, North 00 degrees 19 minutes 24 seconds East, a distance of 265.32 feet, to a point on the East line of Lot 27 of said "Sunrise Add. No. 3", which is 45.00 feet South of the Northeast corner of said Lot 27;

Thence North 89 degrees 51 minutes 21 seconds East, a distance of 50.00 feet, to a point on the West line of Lot 34 of said "Sunrise Add. No. 3", which is 45.00 feet South of the Northwest corner of said Lot 34;

Thence along the East Right-of-Way line of Sunrise Avenue, South 00 degrees 19 minutes 24

Any modification to or omission from this description completely
absolves the surveyor from any liability for this description.

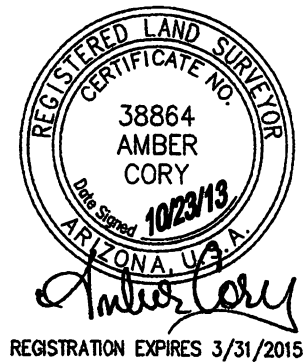
EXHIBIT "A" (con't)

seconds West, a distance of 264.32 feet, to the beginning of a tangent curve, having a Radius of 25.00 feet;

Thence continuing along said East Right-of-Way line, and along said curve to the left, through an Arc Length of 39.62 feet, and a central angle of 90 degrees 48 minutes 24 seconds, to a point of tangency on the North Right-of-Way line of Ruthrauff Road;

Thence South 89 degrees 31 minutes 00 seconds West, parallel with and 75.00 feet North of the South line of the Southwest Quarter of said Section 16, and along the prolongation of said Northerly Right-of-Way line, a distance of 50.36 feet, to the **POINT OF BEGINNING**.

See the Depiction of Exhibit "A" attached hereto and made a part hereof.



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EXHIBIT "A-1"

DEPICTION OF EXHIBIT 'A' RIGHT OF WAY ABANDONMENT

FOUND 1/2" REBAR
CENTER 1/4 CORNER,
SEC. 16, T.13S., R.13E.

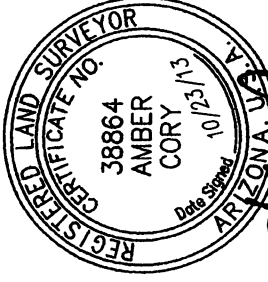
FOUND & ACCEPTED
1/2" REBAR NO I.D.

FOUND & ACCEPTED
1/2" REBAR NO I.D.
NORTHWEST CORNER,
SE 1/4, SW 1/4,
SEC. 16, T.13S., R.13E.

MARYVALE AVENUE

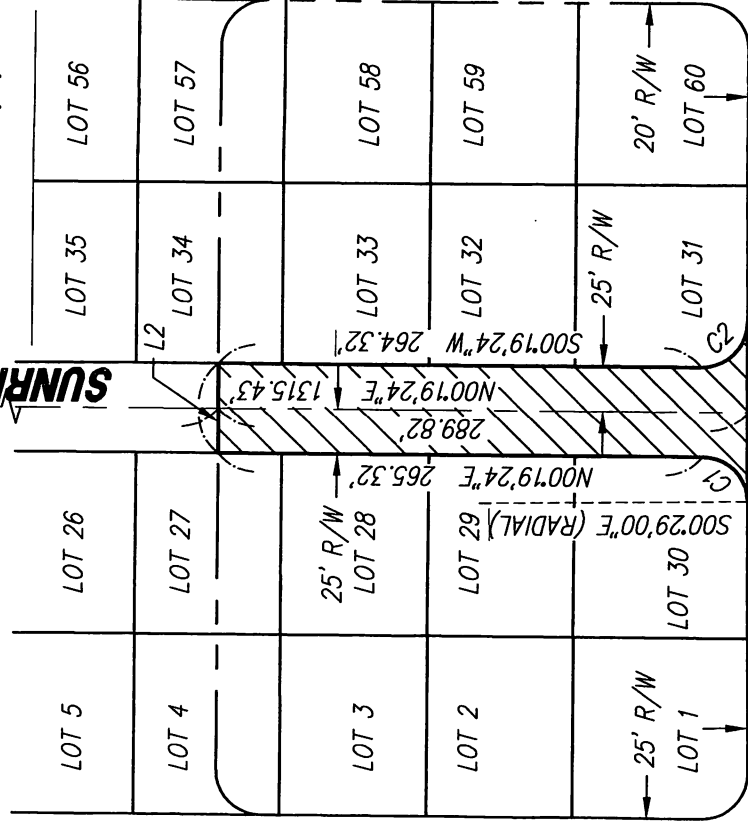
SUNRISE AVENUE

PLANE AVENUE



REGISTRATION EXPIRES 3/31/2015

SCALE: 1"=100'

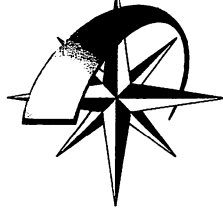


RUTHRAUFF ROAD

ROAD

SOUTHWEST CORNER,
SEC. 16, T.13S., R.13E.
(FOUND UNMONUMENTED DIVOT)

FOUND BRASS CAP FLUSH
MARKED LS 19817
SOUTH 1/4 CORNER,
SEC. 16, T.13S., R.13E.



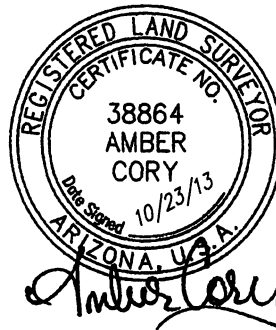
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LAND SURVEY CONSULTING C
21640 N. 19th Avenue, Suite C-103 | Phoenix, Arizona 85027
P: 480-303-0833 | F: 480-303-0834
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DEPICTION OF EXHIBIT 'A' RIGHT OF WAY ABANDONMENT

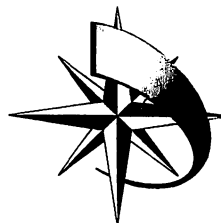
LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°31'00"W	49.65'
L2	N89°51'21"E	50.00'
L3	S89°31'00"W	50.36'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	25.00'	38.92'	89°11'36"
C2	25.00'	39.62'	90°48'24"

ABANDONMENT AREA = 14,759 SQUARE FEET OR 0.339 ACRES, MORE OR LESS.



REGISTRATION EXPIRES 3/31/2015



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EXHIBIT "B"
LEGAL DESCRIPTION
RIGHT OF WAY ACQUISITION

"Parcel I"

A portion of Lots 4 & 27 of "Sunrise Add. No. 3", according to Book 13 of Maps & Plats, Page 63, Pima County Recorder's Office, also being a portion of land situated in the Southwest Quarter of Section 16, Township 13 South, Range 13 East of the Gila and Salt River Meridian, Pima County, Arizona, being more particularly described as follows:

Commencing at a Found Brass Cap Flush Marked LS 19817 at the South Quarter Corner of said Section 16, from which a Found 1/2" Rebar at the Center Quarter Corner of said Section 16 bears North 00 degrees 17 minutes 31 seconds East, a distance of 2619.21 feet;

Thence South 89 degrees 31 minutes 00 seconds West, along the South line of the Southwest Quarter of said Section 16, a distance of 1066.81 feet, to the Centerline of Sunrise Avenue;

Thence North 00 degrees 19 minutes 24 seconds East, along said Centerline, a distance of 364.83 feet, to a point hereinafter referred to as Point 'A';

Thence South 89 degrees 51 minutes 21 seconds West, a distance of 25.00 feet, to a point on the Westerly Right-of-Way line of Sunrise Avenue, said point also being a point on the East line of said Lot 27, which is 45.00 feet South of the Northeast corner of said Lot 27, said point also being the **POINT OF BEGINNING**;

Thence South 89 degrees 50 minutes 22 seconds West, parallel with and 45.00 feet South of the North line of said Lots 4 & 27, a distance of 175.12 feet, to a curve to the left, having a Radius of 25.00 feet;

Thence Southwesterly, along said curve, through an Arc Length of 39.04 feet, and a Central Angle of 89 degrees 29 minutes 00 seconds, to a point of cusp on the Easterly Right-of-Way line of Maryvale Avenue;

Thence North 00 degrees 21 minutes 22 seconds East, along said Easterly Right-of-Way line, a distance of 69.78 feet, to the Northwest corner of said Lot 4;

Thence North 89 degrees 50 minutes 22 seconds East, along the North line of said Lots 4 & 27, a distance of 199.87 feet, to a point on the Westerly Right-of-Way line of Sunrise Avenue, said point also being the Northeast Corner of said Lot 27;

Any modification to or omission from this description completely
absolves the surveyor from any liability for this description.

EXHIBIT "B" (con't)

Thence South 00 degrees 19 minutes 24 seconds West, along said Westerly Right-of-Way line, a distance of 45.00 feet, to the **POINT OF BEGINNING**.

"Parcel II"

A portion of Lots 34 & 57 of "Sunrise Add. No. 3", according to Book 13 of Maps & Plats, Page 63, Pima County Recorder's Office, also being a portion of land situated in the Southwest Quarter of Section 16, Township 13 South, Range 13 East of the Gila and Salt River Meridian, Pima County, Arizona, being more particularly described as follows:

Commencing at Point 'A' as described above;

Thence North 89 degrees 51 minutes 21 seconds East, a distance of 25.00 feet, to a point on the Easterly Right-of-Way line of Sunrise Avenue, said point also being a point on the West line of said Lot 34, which is 45.00 feet South of the Northwest corner of said Lot 34, said point also being the **POINT OF BEGINNING**;

Thence North 00 degrees 19 minutes 24 seconds East, along said Easterly Right-of-Way line, a distance of 45.00 feet, to the Northwest corner of said Lot 34;

Thence North 89 degrees 52 minutes 28 seconds East, along the North line of said Lots 34 & 57, a distance of 199.86 feet, to a point on the Westerly Right-of-Way line of Plane Avenue, said point also being the Northeast Corner of said Lot 57;

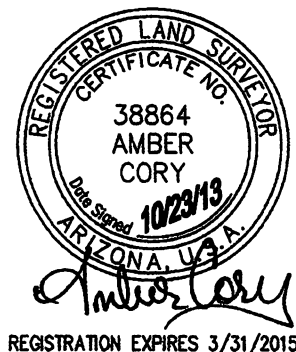
Thence South 00 degrees 17 minutes 29 seconds West, along said Westerly Right-of-Way line, a distance of 70.18 feet, to a point of cusp for a curve having a radius of 25.00 feet and to which a radial line bears South 89 degrees 42 minutes 31 seconds East;

Thence Northwesterly, along said curve, through an Arc Length of 39.45 feet, and a Central Angle of 90 degrees 25 minutes 02 seconds;

Thence South 89 degrees 52 minutes 28 seconds West, parallel with and 45.00 feet South of the North line of said Lots 34 & 57, a distance of 174.71 feet, to a point on the Easterly Right-of-Way line of Sunrise Avenue, said point also being the **POINT OF BEGINNING**.

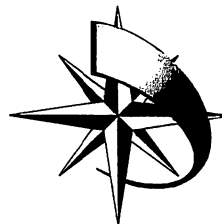
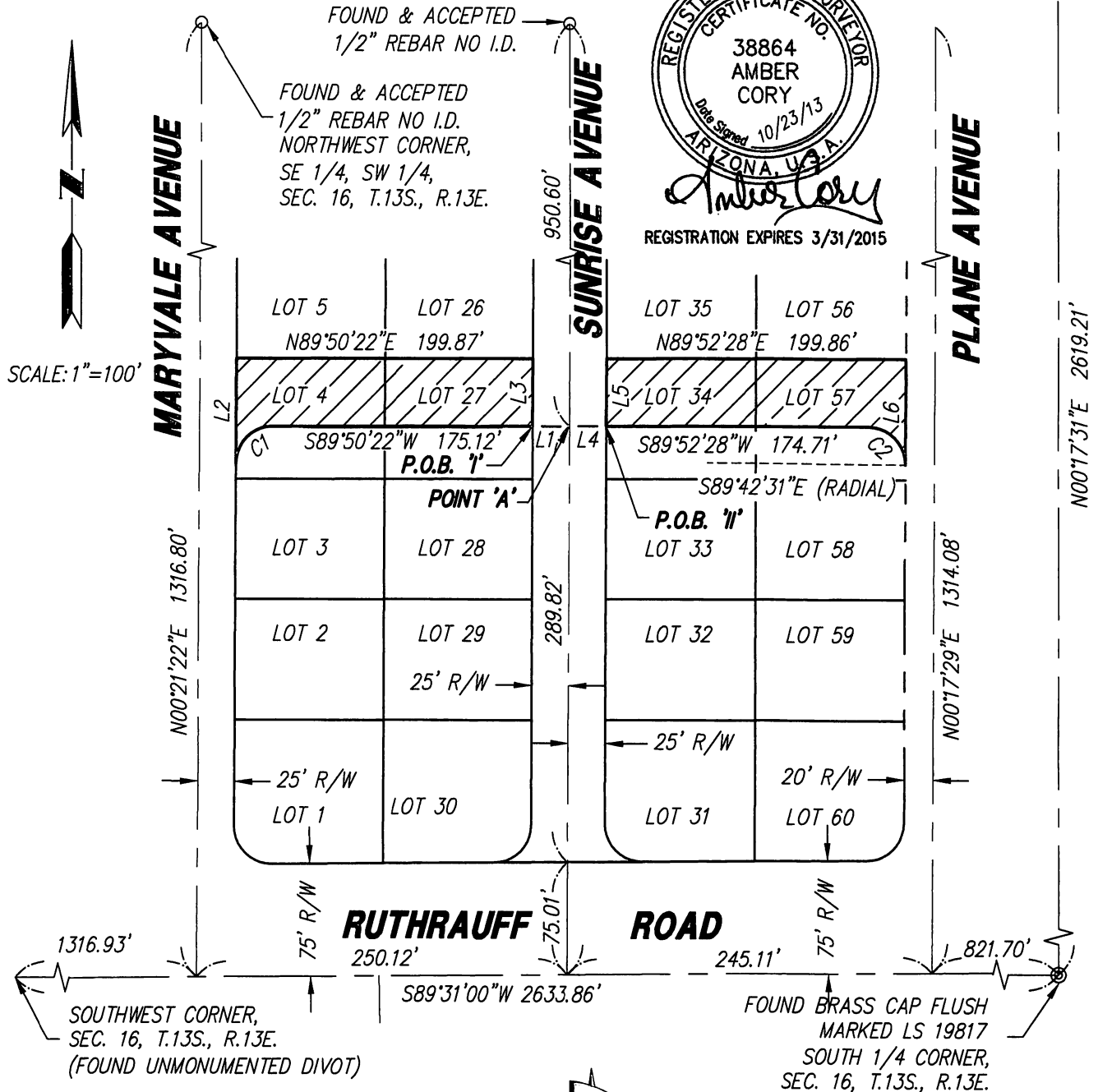
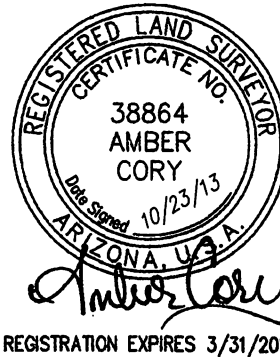
See Depiction of Exhibit "A" attached hereto and made a part hereof.

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DEPICTION OF EXHIBIT B RIGHT OF WAY ACQUISITION

FOUND 1/2" REBAR
CENTER 1/4 CORNER,
SEC. 16, T.13S., R.13E.



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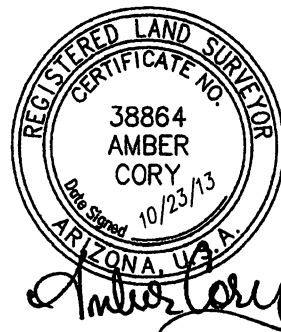
DEPICTION OF EXHIBIT B **RIGHT OF WAY ACQUISITION**

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°51'21"W	25.00'
L2	N00°21'22"E	69.78'
L3	S00°19'24"W	45.00'
L4	N89°51'21"E	25.00'
L5	N00°19'24"E	45.00'
L6	S00°17'29"W	70.18'

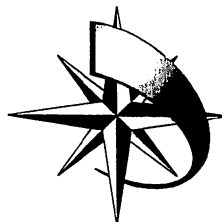
CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	25.00'	39.04'	89°29'00"
C2	25.00'	39.45'	90°25'02"

"PARCEL I" AREA = 9,126 SQUARE FEET OR 0.210 ACRES, MORE OR LESS.

"PARCEL II" AREA = 9,131 SQUARE FEET OR 0.210 ACRES, MORE OR LESS.



REGISTRATION EXPIRES 3/31/2015



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QUIT CLAIM DEED

For valuable consideration, Pima County, a political subdivision of the State of Arizona, Grantor, hereby quit claims to **QuikTrip Corporation, an Oklahoma corporation**, Grantee, all right, title and interest of Grantor in the following described property situated in Pima County, Arizona, together with all rights and privileges appurtenant thereto.

SEE ATTACHED **EXHIBITS “A” AND “A-1”** FOR LEGAL DESCRIPTION AND
DEPICTION.

Dated this ____ day of _____, 2013.

ATTEST

Pima County

Robin Brigode, Clerk of the Board

**Ramón Valadez, Chairman, Pima County Board
of Supervisors**

State of Arizona)
) ss
County of Pima)

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

Notary Public

My Commission Expires:

EXEMPTION: A.R.S. §11-1134.A.3.	Board of Supervisors: 12/17/13	Right of Way [X] Parcel []
Agent: DH	File #: A-13-12	P [] De [] Do [] E [X]

EXHIBIT "A"
LEGAL DESCRIPTION
RIGHT OF WAY ABANDONMENT

That portion of Sunrise Avenue, as recorded in the Final Plat of "Sunrise Add. No. 3", according to Book 13 of Maps & Plats, Page 63, Pima County Recorder's Office, also being a portion of land situated in the Southwest Quarter of Section 16, Township 13 South, Range 13 East of the Gila and Salt River Meridian, Pima County, Arizona, being more particularly described as follows:

Commencing at a Found Brass Cap Flush Marked LS 19817 at the South Quarter Corner of said Section 16, from which a Found 1/2" Rebar at the Center Quarter Corner of said Section 16 bears North 00 degrees 17 minutes 31 seconds East, a distance of 2619.21 feet;

Thence South 89 degrees 31 minutes 00 seconds West, along the South line of the Southwest Quarter of said Section 16, a distance of 1066.81 feet, to the Centerline of said Sunrise Avenue;

Thence North 00 degrees 19 minutes 24 seconds East, along said Centerline, a distance of 75.01 feet, to a point on the prolongation of the Northerly Right-of-Way of Ruthrauff Road, said point being the **POINT OF BEGINNING**.

Thence South 89 degrees 31 minutes 00 seconds West, parallel with and 75.00 feet North of the South line of the Southwest Quarter of said Section 16, and along said prolongation, a distance of 49.65 feet, to point of cusp for a curve having a radius of 25.00 feet and to which a radial line bears South 00 degrees 29 minutes 00 Seconds East;

Thence along the West Right-of-Way line of Sunrise Avenue, Northeasterly along said curve to the left, through an Arc Length of 38.92 feet, and a Central Angle of 89 degrees 11 minutes 36 seconds, to a point of tangency;

Thence continuing along said West Right-of-Way line, North 00 degrees 19 minutes 24 seconds East, a distance of 265.32 feet, to a point on the East line of Lot 27 of said "Sunrise Add. No. 3", which is 45.00 feet South of the Northeast corner of said Lot 27;

Thence North 89 degrees 51 minutes 21 seconds East, a distance of 50.00 feet, to a point on the West line of Lot 34 of said "Sunrise Add. No. 3", which is 45.00 feet South of the Northwest corner of said Lot 34;

Thence along the East Right-of-Way line of Sunrise Avenue, South 00 degrees 19 minutes 24

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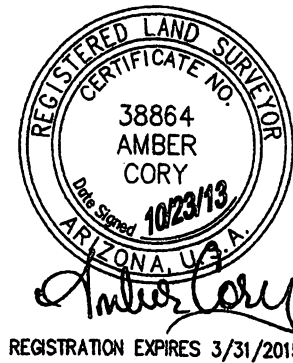
EXHIBIT "A" (con't)

seconds West, a distance of 264.32 feet, to the beginning of a tangent curve, having a Radius of 25.00 feet;

Thence continuing along said East Right-of-Way line, and along said curve to the left, through an Arc Length of 39.62 feet, and a central angle of 90 degrees 48 minutes 24 seconds, to a point of tangency on the North Right-of-Way line of Ruthrauff Road;

Thence South 89 degrees 31 minutes 00 seconds West, parallel with and 75.00 feet North of the South line of the Southwest Quarter of said Section 16, and along the prolongation of said Northerly Right-of-Way line, a distance of 50.36 feet, to the **POINT OF BEGINNING**.

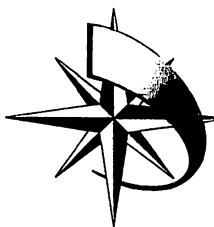
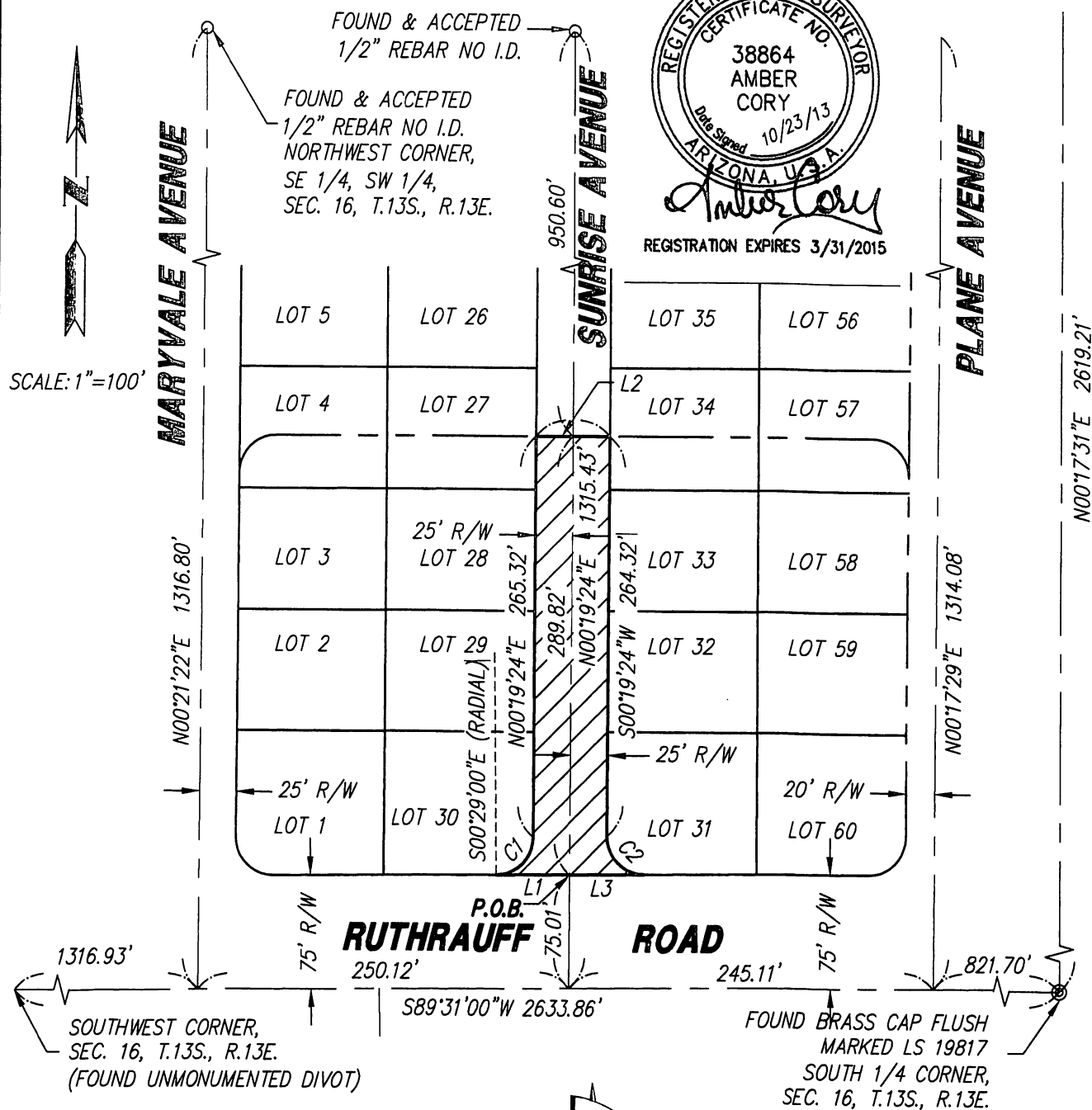
See the Depiction of Exhibit "A" attached hereto and made a part hereof.



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absolves the surveyor from any liability for this description.

**DEPICTION OF EXHIBIT 'A'
RIGHT OF WAY ABANDONMENT**

REGISTERED LAND SURVEYOR
 CERTIFICATE NO.
 38864
 AMBER
 CORY
 Date Signed 10/23/13
 ARIZONA, U.S.A.
 Amber Cory
 REGISTRATION EXPIRES 3/31/20



NORTHSIGHT

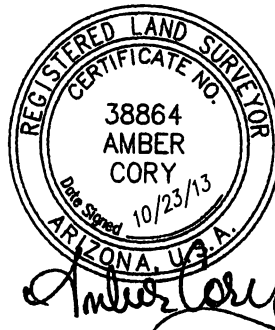
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**DEPICTION OF EXHIBIT 'A'
RIGHT OF WAY ABANDONMENT**

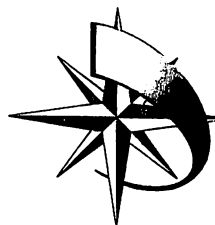
LINE TABLE		
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L3	S89°31'00"W	50.36'

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C2	25.00'	39.62'	90°48'24"

ABANDONMENT AREA = 14,759 SQUARE FEET OR 0.339 ACRES, MORE OR LESS.



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