



Contract Number: CTN-TR-CMS142438-04
Effective Date : 6-17-14
Term Date : 11-10-2034
Cost : _____
Revenue : \$16,590.00
Total : _____ NTE: _____
Action
Renewal By : 8-1-2034
Term : 11-10-2034
Reviewed by: SR

BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: June 17, 2014

ITEM SUMMARY, JUSTIFICATION & OF SPECIAL CONSIDERATIONS:

City of Tucson has applied to amend their license for the purpose of drilling, installing, operating, maintaining and accessing two new areas in the rights-of-way of Frances Avenue and Comstock Road with monitor wells.

STAFF RECOMMENDATION(S):

The Department of Transportation recommends that the Pima County Board of Supervisors approve and the Chair execute the License.

PIMA COUNTY COST: \$ -0- and/or REVENUE TO PIMA COUNTY: \$ 16,590.00

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

IMPACT:

IF APPROVED:

City of Tucson will be authorized to put monitor wells in the rights-of-way of Frances Avenue and Comstock Road.

IF DENIED:

City of Tucson will not be authorized to put monitor wells in the rights-of-way of Frances Avenue and Comstock Road.

DEPARTMENT NAME: Public Works Real Property
CONTACT PERSON: Debbie Knutson TELEPHONE NO.: 724-6854

For Recorder's Use Only

CONTRACT
NO. CTN-TR-CMS142438
AMENDMENT NO. 04
This number must appear on all invoices, correspondence and documents pertaining to this contract.

**PIMA COUNTY
LICENSE
MONITOR WELLS
AMENDMENT**

THIS AMENDMENT is entered into between Pima County, a political subdivision of the State of Arizona, ("Licensor"), and City of Tucson, a municipal corporation, ("Licensee") and shall be effective on the date executed by the Pima County Board Supervisors.

WHEREAS, Licensor and Licensee have agreed that the License dated November 10, 2009 and recorded on November 20, 2009 in Docket 13689 at Page 724, the License Amendment dated September 7, 2010 and recorded September 17, 2010 in Docket 13896 at Page 12, and the License Amendment dated May 1, 2012 and recorded May 21, 2012 in Sequence Number 20121420089 in the Office of the Pima County, Arizona, Recorder, be amended to reflect additional sites and increased annual fee;

NOW, THEREFORE, it is agreed as follows:

Amended Condition #1 reads: Grant Permission. For good and valuable consideration, in furtherance of the identification and cleanup of soil and groundwater contamination in the vicinity of the properties described herein, and the promises contained herein, Licensor hereby gives permission, revocable and terminable as provided herein, to Licensee to enter on Licensor's property

described on Exhibits "A," "B," "C," "D," "E" & "F" and depicted on Exhibits "A-1," "B-1," "C-1," "D-1" & "E-1" (the "Property").

Modify Amended Condition #1 to read: Grant Permission. For good and valuable consideration, in furtherance of the identification and cleanup of soil and groundwater contamination in the vicinity of the properties described herein, and the promises contained herein, Licensor hereby gives permission, revocable and terminable as provided herein, to Licensee to enter on Licensor's property described on Exhibits "A," "B," "C," "D," "E," "F," "G" & "H" and depicted on Exhibits "A-1," "B-1," "C-1," "D-1," "E-1," "G-1," & "H-1" (the "Property").

Amended Condition #2 reads: Annual Fee. In furtherance of the identification and cleanup of soil and groundwater contamination, Licensee shall pay an annual fee of \$660.00, due beginning November 10, 2012 and each anniversary thereafter.

Modify Amended Condition #2 to read: Annual Fee. In furtherance of the identification and cleanup of soil and groundwater contamination, Licensee shall pay an annual fee of \$790.00, due beginning November 10, 2014 and each anniversary thereafter.

All other provisions of the License, not specifically changed by this amendment, shall remain in effect and be binding upon the parties.

IN WITNESS WHEREOF, the parties have executed this License

PIMA COUNTY, ARIZONA

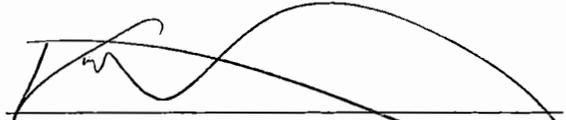
Chair, Pima County Board of Supervisors

Date: _____

ATTEST:

Clerk, Pima County Board of Supervisors

APPROVED AS TO FORM:



Tobin Rosen, Deputy County Attorney



EXHIBIT G

December 6, 2013
EEC No. 11039-004

GLAS-TEK Holdings, Inc.
Set 75

DESCRIPTION OF EASEMENT

That portion of Lots 25 and 26, LOS REALES INDUSTRIAL SUBDIVISION as recorded in Book 40 of Maps and Plats at Page 79, Pima County Recorder's Office, Pima County, Arizona, described as follows:

COMMENCING at a Brass Cap Survey Monument "RLS 13573" at the intersection of the centerline of FRANCES AVENUE with the South Line of the Southwest One-Quarter (SW ¼) of Section 14, Township 15 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona, from said point a Brass Cap Survey Monument "RLS 13573" in the centerline of said FRANCES AVENUE bears N00°29'57" E a distance of 956.29 feet;

THENCE N 00°29'57" E, along said centerline of FRANCES AVENUE, a distance of 750.50 feet;

THENCE N 89°30'03" W 25.00 feet to the **POINT OF BEGINNING** on the East Line of said Lot 25;

THENCE continue N 89°30'03" W 18.09 feet to an existing fence;

THENCE N 00°56'01" E, along said fence, a distance of 80.00 feet;

THENCE S 89°30'03" E 17.49 feet to the East Line of said Lot 26;

THENCE S 00°29'57" W, along the East Line of said Lots 25 and 26, a distance of 80.00 feet to the **POINT OF BEGINNING**.

Prepared by:
ENGINEERING AND ENVIRONMENTAL CONSULTANTS, INC.

James L. Dean, RLS

JLD:\bh

J:\Survey\jdean\LEGAL\11039-004\Set 75 - Easement.docx



△ = FOUND MONUMENT

EXHIBIT G-1

GLAS-TEC HOLDINGS INC
APN 140-40-0610



1"=30'

LOT 26

S89°30'03"E
17.49'

BCSM

GLAS-TEC HOLDINGS INC

LOT 25

N0°56'01"E 80.00'

S0°29'57"W 80.00'

N0°29'57"E 956.29'

FRANCES AVE

POB

TOTAL AREA
1,423.2 SF ±

N89°30'03"W
18.09'

N89°30'03"W
25.00'

750.50'

BCSM

LOS

REALES



DEPICTION OF
EXHIBIT G
EASEMENT

LOTS 25 & 26 - LOS REALES INDUSTRIAL
SUBDIVISION (BK 40 M&P PG 79)
SEC. 14, T-15-S, R-14-E, G&SRM
PIMA COUNTY, ARIZONA

Engineering and Environmental Consultants, Inc.



4625 E. FT. LOWELL RD.
TUCSON, ARIZONA 85712 520-321-4625
SET 75 12/06/13

11039
SHT 1 OF 1



EXHIBIT H

December 6, 2013
EEC No. 11039-004
APN No. 140-40-0690
Jules Tritschler
Set 76

DESCRIPTION OF EASEMENT

That portion of Lot 28, LOS REALES INDUSTRIAL SUBDIVISION as recorded in Book 40 of Maps and Plats at Page 79, Pima County Recorder's Office, Pima County, Arizona, described as follows:

COMMENCING at a Brass Cap Survey Monument "RLS 13573" at the intersection of the centerline of COMSTOCK ROAD with the South Line of the Southwest One-Quarter (SW ¼) of Section 14, Township 15 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona, from said point a Brass Cap Survey Monument "RLS 13573" in the centerline of said COMSTOCK ROAD bears N 00°30'10" E 960.05 feet;

THENCE N 00°30'10" E, along said West Line, a distance of 721.24 feet;

THENCE S 89°29'50" E 25.00 feet to the **POINT OF BEGINNING** on the West Line of said Lot 28;

THENCE N 00°30'10" E, along said West Line of Lot 28, a distance of 80.00 feet;

THENCE S 89°29'50" E 16.88 feet to an existing fence;

THENCE S 00°24'16" W, along said fence, a distance of 80.00 feet;

THENCE N 89°29'50" W 17.02 feet to the **POINT OF BEGINNING**.

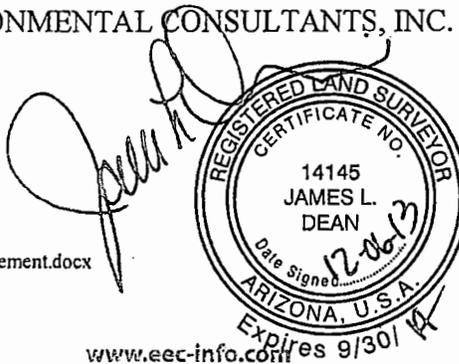
Prepared by:

ENGINEERING AND ENVIRONMENTAL CONSULTANTS, INC.

James L. Dean, RLS

JLD:\bh

J:\Survey\jld\LEGAL\11039-004\Set 76 - Easement.docx

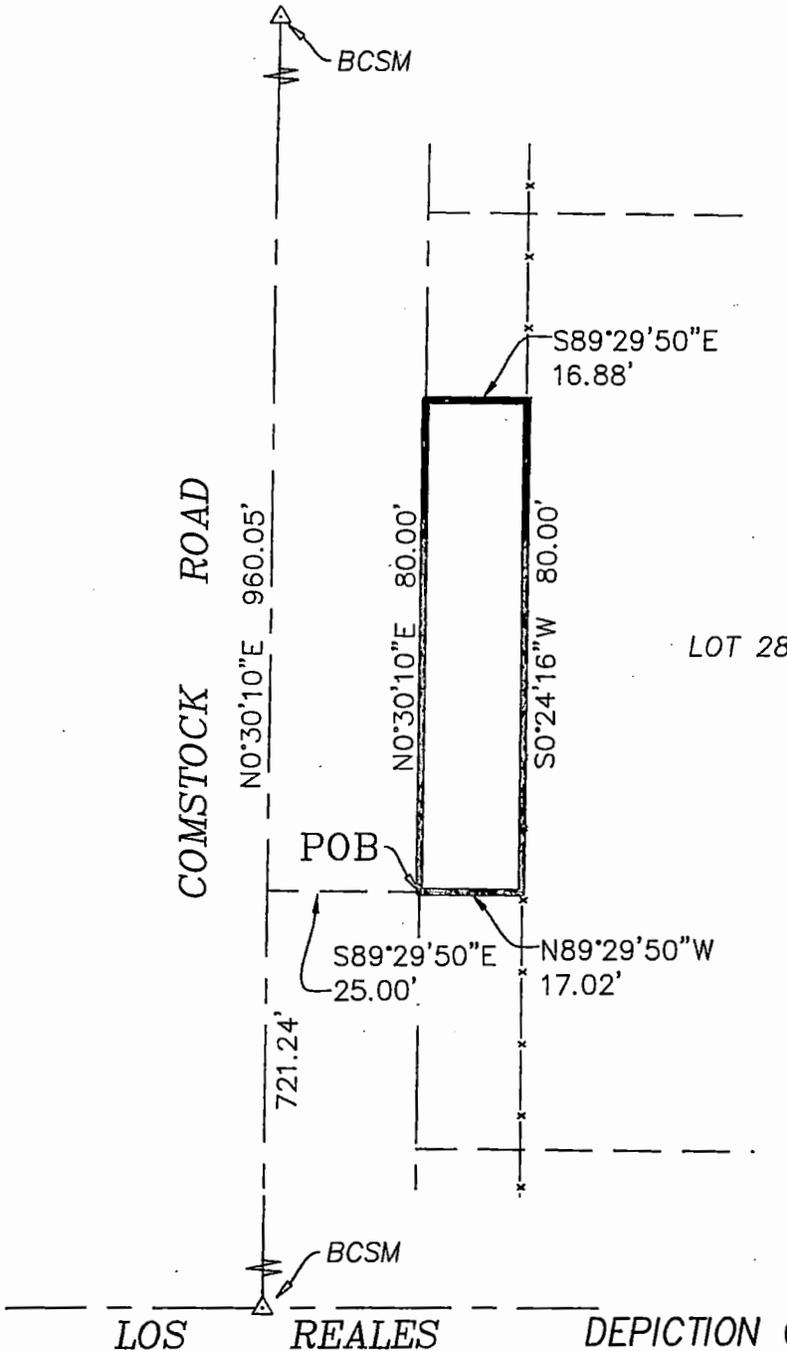


www.eec-info.com

△ = FOUND MONUMENT



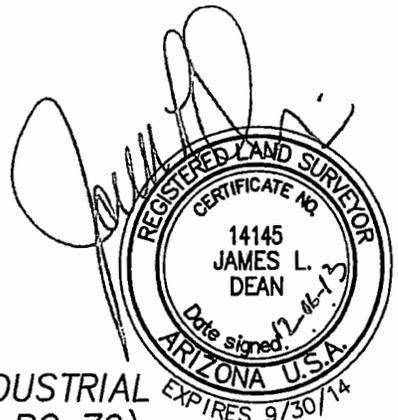
EXHIBIT H-1



JULES E TRITSCHLER
APN 140-40-0640

LOT 28

TOTAL AREA
1,356.3 SF ±



DEPICTION OF
EXHIBIT H
EASEMENT

LOT 28 - LOS REALES INDUSTRIAL
SUBDIVISION (BK 40 M&P PG 79)
SEC. 14, T-15-S, R-14-E, G&SRM
PIMA COUNTY, ARIZONA

Engineering and Environmental Consultants, Inc.

4625 E. FT. LOWELL RD.
TUCSON, ARIZONA 85712 520-321-4625

SET 76

12/06/13

11039
SHT 1 OF 1

