



BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: August 5, 2014

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

RESOLUTION AND ORDER NO. 2014-_____

Providing for the vacation and abandonment of a portion of public road right-of-way known as Walnut Tree Drive, lying within Section 23, Township 13 South, Range 15 East, G&SRM, Pima County, Arizona.

QUIT CLAIM DEEDS TO J. DeGrazia Company, L.L.C., an Arizona limited liability company and Ralph C. Morrison and Linda A. Hotchkiss, Trustees of the Ralph C. Morrison and Linda A. Hotchkiss Family Trust Agreement, dated September 21, 1999.

The abandonment applicants are the owners of the properties adjacent to that portion of Walnut Tree Drive. The abandonment applicants desire to obtain individual ownership to this public road right-of-way.

The Pima County Department of Transportation has determined that this segment of right-of-way shall be vacated at no cost since it has never been constructed or maintained by Pima County and is not beneficial to the public interest or for the continuation of the transportation system of Pima County.

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-

CONTRACT NUMBER (If applicable): N/A

STAFF RECOMMENDATION(S):

Staff recommends that the Pima County Board of Supervisors approve and the Chair execute the Resolution and Order No. 2014-_____ and Quit Claim Deeds to J. DeGrazia Company, L.L.C., an Arizona limited liability company and Ralph C. Morrison and Linda A. Hotchkiss, Trustees of the Ralph C. Morrison and Linda A. Hotchkiss Family Trust Agreement, dated September 21, 1999.

CORPORATE HEADQUARTERS: _____

CLERK OF BOARD USE ONLY: BOS MTG. _____

ITEM NO. _____

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:

		YES	X	NO
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Board of Supervisors District:

1	X	2		3		4		5		All	
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IMPACT:

IF APPROVED:

The applicants will obtain private ownership, and Pima County will be removed from liability and have no maintenance responsibilities toward this unconstructed portion of Walnut Tree Drive.

IF DENIED:

The applicants will not obtain private ownership, and Pima County will remain liable and responsible for the maintenance for this unconstructed portion of Walnut Tree Drive.

DEPARTMENT NAME: Public Works Real Property Services

CONTACT PERSON: Dana Hausman DMML TELEPHONE NO.: 724-6713

RESOLUTION NO. 2014 - _____

PIMA COUNTY RESOLUTION FOR THE VACATION OF A PORTION OF WALNUT TREE DRIVE, AS PIMA COUNTY ROAD ABANDONMENT NO. A-14-05, LYING WITHIN SECTION 23, TOWNSHIP 13 SOUTH, RANGE 15 EAST, G&SRM, PIMA COUNTY, ARIZONA

The Board of Supervisors of Pima County, Arizona finds:

1. As part of rezoning case Co9-14-01, an application has been received by Pima County for the vacation and conveyance of a portion of public right-of-way known as Walnut Tree Drive, more particularly described in the attached **Exhibits "A" & "B"** and depicted in the attached **Exhibits "A-1" & "B-1"**.
2. The County has determined that the portion of public right-of-way is not needed for public use pursuant to A.R.S. §28-7202.
3. No land adjoining said portion of public right-of-way would be left without public or private legal access pursuant to A.R.S. §28-7215(A).
4. Pursuant to A.R.S. §28-7215(B), Pima County shall dispose of the portion of public right-of-way described in **Exhibits "A" & "B"** and depicted in **Exhibits "A-1" & "B-1"** by vacation and conveyance to the owners of the abutting land ("Grantees").

NOW, THEREFORE, BE IT RESOLVED,

The portion of public right-of-way described in **Exhibits "A" & "B"** and depicted in **Exhibits "A-1" & "B-1"** shall be disposed of by conveyance to the Grantees reserving any and all rights-of-way or easements for gas and similar lines which shall continue as they existed prior to the conveyance and any private rights of ingress and egress for public or emergency vehicles.

The Chair of the Board of Supervisors is hereby authorized to execute the quit claims deed to the Grantees for the vacation and conveyance of that portion of public right-of-way as described in **Exhibits "A" & "B"** and depicted in **Exhibits "A-1" & "B-1"**.

The quit claim deeds shall be recorded, and that upon recordation, that portion of public right-of-way shall be deemed to be vacated and title shall be vested in the Grantees.

BOS Approval: 8/5/14	S23/T13/R15	File A-14-05	Agent: DH
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Passed and adopted, this _____ day of _____, 2014.

Sharon Bronson, Chair, Pima County Board
of Supervisors

ATTEST:

APPROVED AS TO FORM

Robin Brigode, Clerk of the Board



Tobin Rosen, Deputy County Attorney



PIMA COUNTY
Department of Transportation
Survey Section

13 June 2014

EXHIBIT "A"
LEGAL DESCRIPTION
ABANDONMENT PROCEEDINGS NUMBER A-14-05
WALNUT TREE DRIVE

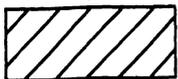
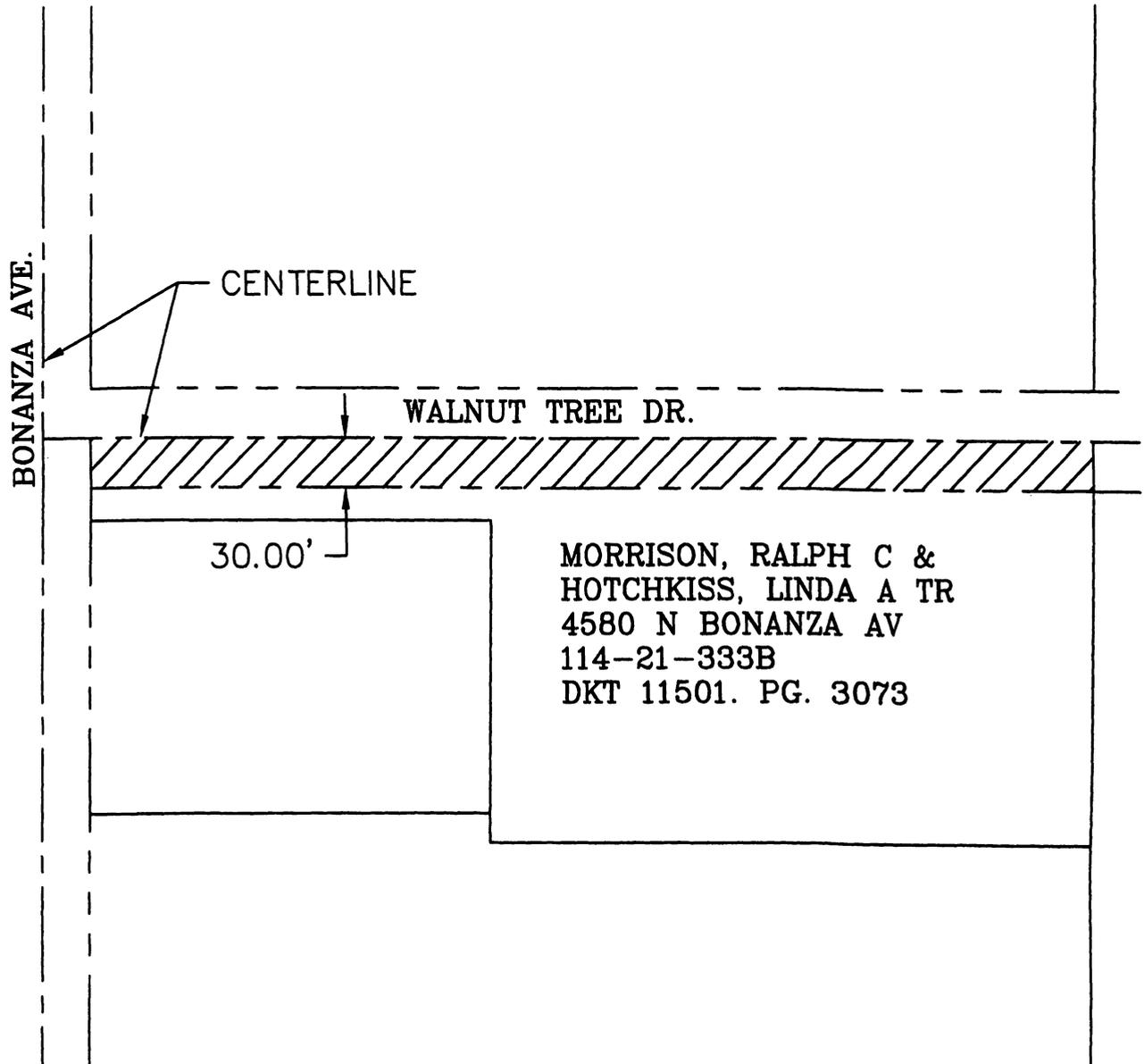
All that portion of the Southwest Quarter of the Northeast Quarter of Section 23, Township 13 South, Range 15 East, Gila & Salt River Meridian, Pima County, Arizona, and as described in Docket 986 at Page 410, recorded in the office of the Pima County Recorder, Arizona, more particularly described as follows:

All that portion of the north 30.00 feet of said Southwest Quarter of the Northeast Quarter of Section 23, lying north of and adjacent to that parcel described in Sequence No. 20010460824, Docket 11501 at Page 3073, being bounded on the east by the prolongation of the east line of said parcel and bounded on the west by the east right of way line of Bonanza Avenue.



Expires 31 March 2015

DEPICTION OF EXHIBIT "A-1"⁰¹



= ABANDONMENT A-14-05



PIMA COUNTY SURVEY

A PORTION OF SW 1/4 OF THE NE 1/4 OF
SECTION 23, TOWNSHIP 13 SOUTH, RANGE 15 EAST,
GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

Scale: 1" = 100'

Date: 28 May 2014

Drawn By: AJI

Sheet 2 of 2



PIMA COUNTY
Department of Transportation
Survey Section

13 June 2014

EXHIBIT "B"
LEGAL DESCRIPTION
ABANDONMENT PROCEEDINGS NUMBER A-14-05
WALNUT TREE DRIVE

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All that portion of the south 30.00 feet of said Northwest Quarter of the Northeast Quarter of Section 23, lying south of and adjacent to that parcel described in Sequence No. 20091380662, Docket 13603 at Page 2448, being bounded on the east by the east line of said Southwest Quarter of the Northwest Quarter of the Northeast Quarter of Section 23, and bounded on the west by the east right of way line of Bonanza Avenue.

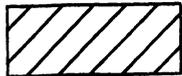
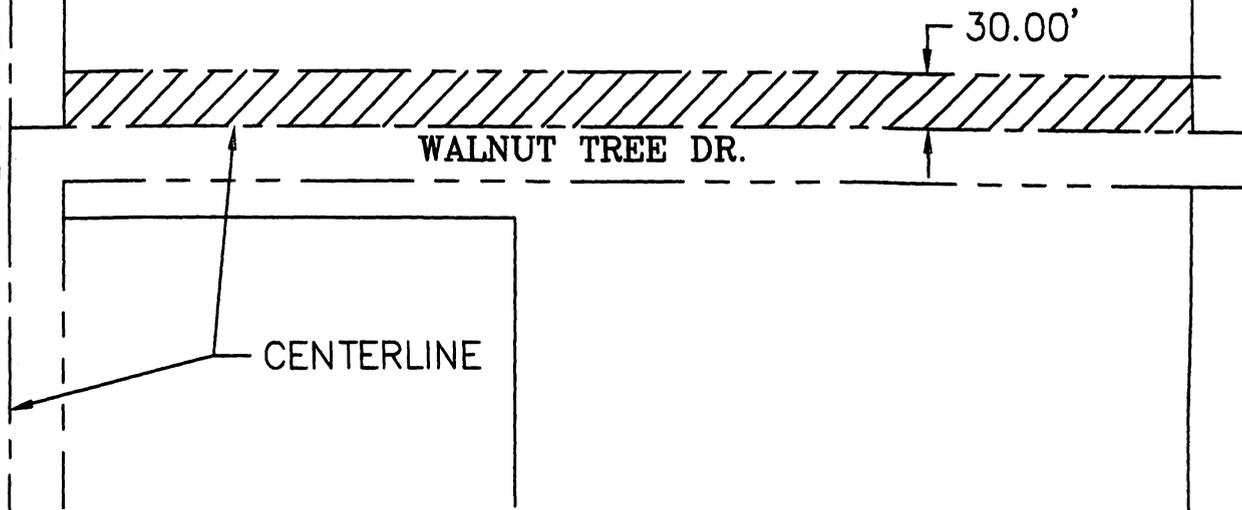


Expires 31 March 2015

DEPICTION OF EXHIBIT "B-1"

J. DEGRAZIA COMPANY LLC
114-21-322A
DKT. 13603 PG. 2448

BONANZA AVE.



= ABANDONMENT A-14-05



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A PORTION OF THE NW 1/4 OF THE NE 1/4 OF
SECTION 23, TOWNSHIP 13 SOUTH, RANGE 15 EAST,
GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

Scale: 1" = 100'

Date: 28 May 2014

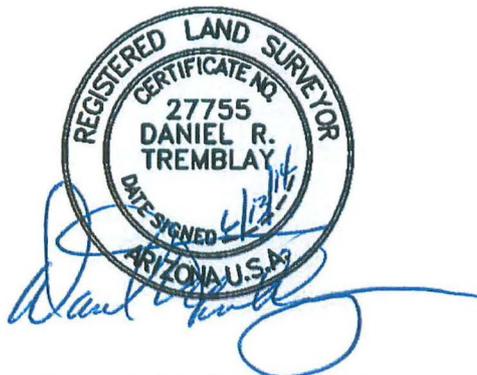
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Sheet 2 of 2

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ABANDONMENT PROCEEDINGS NUMBER A-14-05
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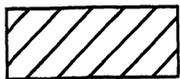
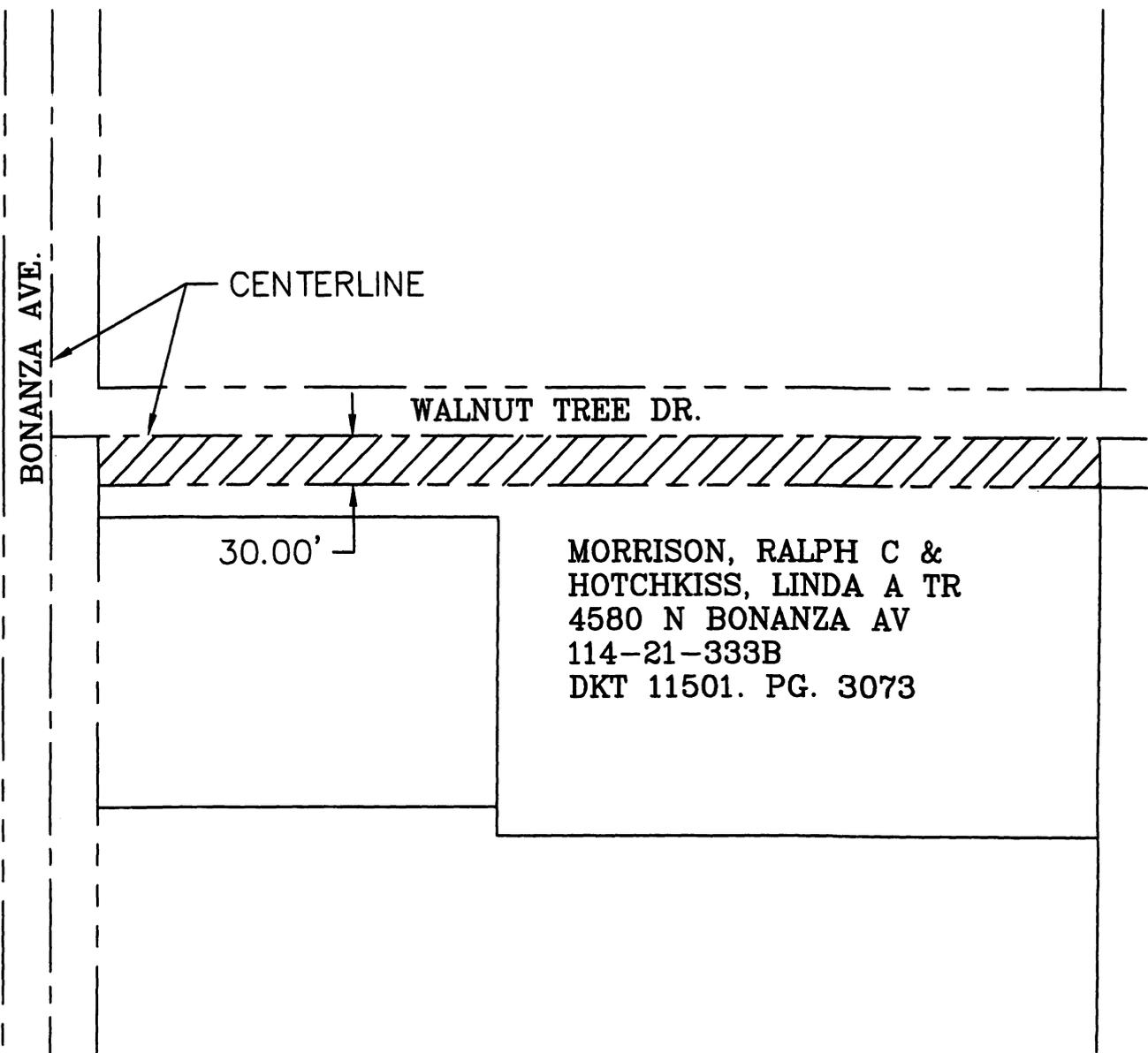
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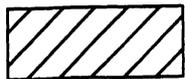
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