

BOARD OF SUPERVISORS AGENDA ITEM REPORT

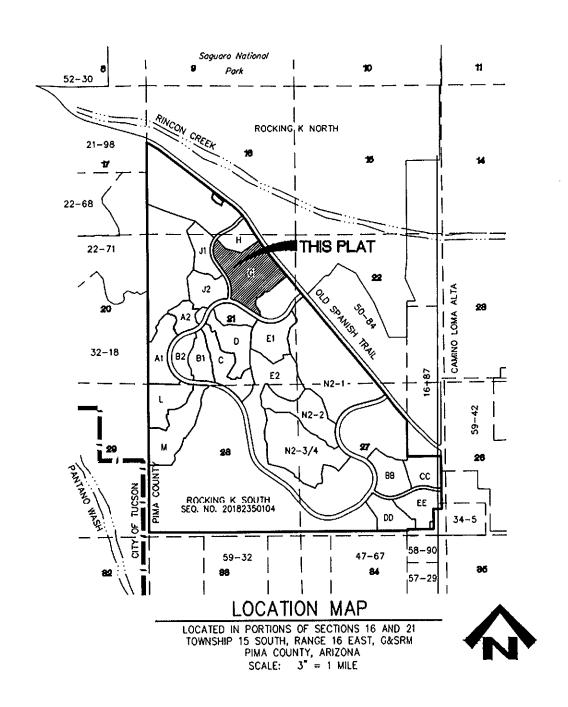
Requested Board Meeting Date: 5/7/2024

*= Mandatory, information must be provided

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

*Title: FINAL PLAT (P24FP00002) ROCKING K SOUTH NEIGHBORHOOD 5 PARCEL G: LOTS 1-135, COMMON AREA 'A1-A4' & 'B1-B2' *Introduction/Background: FINAL PLAT PROCESS TO CREATE LEGALLY SUBDIVIDED PROPERTY *Discussion: N/A *Conclusion: N/A *Recommendation: STAFF RECOMMENDS APPROVAL *Fiscal Impact: N/A *Board of Supervisor District: ☐ All Department: DEVELOPMENT SERVICES Telephone: 724-6490 Contact: THOMAS DRZAZGOWSKI Telephone: 724-6490 Department Director Signature:

Deputy County Administrator Signature: County Administrator Signature:



P24FP00002

ROCKING K SOUTH NEIGHBORHOOD 5 PARCEL G LOTS 1-135, COMMON AREA "A1-A4" & "B1-B2"

ASSURANCE	OWNER-TRUSTEE OF ASSESSORS PARCELS	PERMITTING NOTES (CONT.)
Assurances in the form of a third party trust adecement, trust no, 60380 from Fochity amount. The accept as recorded in scource no	PIDELITY NATIONAL TITLE ACENCY, INC., AN ARIZONA CORPORATION, AS TRUSTEE LANGER TRUST NO. 60,380, AND NOT IN ITS CORPORATE CAPACITY CAPACITY CAPACITY RECEIVED THE RECEIVED TH	8. DEVELOPMENT STANDARDS MOR.—MEDIUM, DENSITY RESIDENTIAL (L. 1. MINIMUM SITE AREA: 5,000 SQ, F 2. MINIMUM AREA PER DIRELLING LINI 3. MINIMUM ALT WIDTH: NA 4. MARIMUM BUILDING HEIGHT: 34 F1
8Y: CHAIR, BOARD OF SUPERWSORS DATE PIMA COUNTY, ARIZONA ATTEST:	FOR: DATE: 3-27-2439/	 b. Minimum yard Setback requires a. Front: 20 Ft. b. Side: 0 Ft. Each c. Rear: 10 Ft.
I. CLERK OF THE BOARD OF SUPERMSORS, MERSEW CRITE'S THAT THIS THAT WAS APPROVED BY THE BOARD OF SUPERMSORS OF PAUA COUNTY, ARIZONA, ON THIS THE. DAY OF SUPERMSORS 20	STATE OF ARIZONA S.S.	THE ACCESSORY STRUCTURE SETBACK F MONIMUM DISTANCES: MOR TO MAIN BUILDING: 7 FT. TO PROPERTY LINES: IN ACCORDANCE V BUILDING COOK
CLERK, BOARD OF SUPERVISORS DATE CERTIFICATION OF SUPERVI	ON THIS 27 ⁻²² DAY OF MARKEY . 2021 SEFORE ME PERSONALLY APPLACE RAPHE - THROUGH SECTION . WHO ACKNOWLEDGED TO BE THE TRUST OFFICIAL OF FOREITY NATIONAL TITLE ACKNOW, MC, AND BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PUMPOSE THEREIN.	FLOODPLAINS SHOWN ON THIS PLAT CONFO COUNTY CODE, FLOODPLAIN AND EROSION IS
I HEREBY CERTIFY THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY SUPERVISION AND THAT ALL BOUNDARY MONUMENTS INDICATED HEREON ACTUALLY EXIST, AND THEIR LOCATION, SIZE AND MATERIAL ARE CORRECTLY SHOWN.	MY COMMISSION EXPIRES: 3-22-2026 Maga Lillo- NOTARY PUBLIC	10. THIS PLAT IS SUBJECT TO THE SECOND AN DEVELOPMENT AGREEMENT RESOLUTION NO. 20181410439 WITH THE PIMA COUNTY RECO
CENTY WALLACE MARTIN ARZONA PEGSTRATION NO. 37933	GENERAL NOTES 1. THE GROSS AREA OF "PARCEL G" IS 81.31 ACRES.	 THE CHIEF ZONING INSPECTOR HAS CONCIL ARE PERMITTED TO ENCROACH INTO THE 2 THE REST OF THE STRUCTURAL MASS OF T FRONT SETBACK REQUIREMENTS.
CERTIFICATION OF ENGINEERING I HEREBY CERTIFY THAT THE FLOODPRONE LIMITS AND EROSION HAZARD SETBACKS	 THE BASS OF BEARING FOR THIS SUBDIVISION: THE EAST LINE OF BE NORTHEAST QUADRANT OF SECTION 21, BETWEEN MONUMENTS SHOWN HEREIN. SAID BEARING BEING: NOO'DE'49'E AT A DISTANCE OF 2502.02' 	12. RIPARIAN HABITAT WITHIN THIS PLAT AREA HABITAT MAPS IN PIMA COUNTY ORDINANCI REPARIAN MITIGATION PLAN PREPARED BY 107/18/22. ALL RIPARIAN AREAS INCLUDING OPEN SPACE AS DEDICATED ON THIS PLAT
SHOWN ON THIS PLAT WERE PREPARED BY ME OR UNDER MY SUPERVISION.	 NOTAL MILES OF NEW PUBLIC STREETS FOR "PARCEL G" = 1.05 MILES. "PARCEL G" LIES WITHIN AN AREA DESIGNATED AS HAVING AN ASSURED WATER SUPPLY. 	EXISTING ONSITE RIPARIAN HABITAT DISTURBED ONSITE RIPARIAN HABITAT
REGINA LYN BEEM, P.E. ARIZONA REGISTRATION NO. 40206	 BLANKET EASEMENT — PORTIONS OF SECTIONS 16 AND 21 ARE SUBJECT TO AN EXISTING ELECTRIC EASEMENT SECONDED IN DOCKET 1023 AT PAGE 70, RECORDS OF PIMA COUNTY. 	 c. RIPARIAN MITIGATION AREA × 0.092 d. This plat is subject to an appri
RECORDING STATE OF ARIZONA S.S.	PERMITTING NOTES:	13. PRIVATELY OWNED RECREATION AREAS, REI IMPROVEMENTS WITHIN PARCEL G SHALL BI THE RECREATION AREA PLAN (RAP) AND B
PIMA COUNTY) THIS INSTRUMENT WAS FRED FOR RECORD AT THE REQUEST OF PSOMAS ON THIS	 ZONING: THIS PLAT CONTAINS APPROXIMATELY BIL31 ACRES OF LAND RECULATED BY THE ROCKING K AMENDED SPECIFIC PLAN (MDR). 	75% OF THE BUILDING PERMITS (101 LOTS)
GABRELLA CAZARES-KELLY GABRELLA CAZARES-KELLY COUNTY RECORDER DEDICATION WE THE UNDERSIONED, HEREBY WARRANT THAT WE ARE ALL AND THE ONLY PARTIES HAVING ANY TITLE INTEREST IN THE LAND SHOWN ON THE PLAT, AND WE CONSENT TO THE SUDDIVISION OF SAD LAND IN THE MANNER SHOWN HEREON.	2. THE 1,193 ACRES OF THE ROCKING K SPECIFIC PLAN SOUTH OF OLD SPANISH TRAIL IS SUBJECT TO A MAXIMUM DENSITY CAP OF 2,222 DWELLING UNITS. THE ADJACCHI 825 ACRES IS SUBJECT TO THE MAXIMUM DENSITY ALLOWED UNDER CURRENT ZONING OF 1,001 DWELLING UNITS. THIS PLAT CORTAINS AREAS DEFINED AS SENDON AREAS AND RECEIVEND AREAS SUBJECT TO THE TRANSER OF DEVELOPMENT RIGHTS (TIDS) ORDINANCE (CHAPTER 18.92 OF THE PHAN COUNTY ZONING CODE) WHICH PROMOUSE FOR MODIFICATION OF THESE DENSITY CAPS AS DETAILED IN THE JAMES, 2018 BEAUD ACMINICACIÓN CODED AND AGREED TO BY PHAN COUNTY PLANNING OFFICIAL ON JUNE 15, 2018. THIS PLAN INCLUDES A TOR TRACKING THIS PLAN INCLUDES A TOR TRACKING THIS.	SHEET INDEX. 1 COVER SHEET 2 PARCEL BOUND 3-10 PLAN SHEETS
WE THE UNDERSIONED DO HEREBY HOLD HARALESS PIMA COUNTY AND PIMA COUNTY FLOOD CONTROL DISTRICT, THEIR SUCCESSORS, ASSIGNS, EMPLOYEES, OFFICERS AND AGENTS FROM ANY AND ALL CLAMS FOR DAMAGES RELATED TO THE USE OF THE PROPERTY DEFICIED ON THIS PLAT NOW AND IN THE FUTURE BY REASON OF FLOODING, FLOWAGE, EROSION, OR DAMAGE CAUSED BY WATER, WHICHER SUPPLIES FLOOD OF RAINAFLE.	 GROSS DENSITY IS: "PARCEL G" = 1.7 (135 LOTS/81.31 AC). AYERAGE LOT AREA PER DWELLING FOR "PARCEL G" IS 2,389 SQ. FT. 	OWNER FIDELITY NATIONAL TRUST NO. 80380
REFINE TO COLOR AND CONNEY TO PHAR COUNTY ALL RICHTS-OF-HAY AS SHOWN HEREON, INCLUDING ALL PUBLIC STREETS. HEREON, INCLUDING ALL PUBLIC STREETS. SHOWN HEREON FOR THE PURPOSES OF ACCESS FOR INSTALLATION AND MAINTENANCE OF PUBLIC SERVER AND UTILITIES AND OTHER USES AS DESCHARED BY THIS PLAT.	 THE USE OF THIS PLAT IS SINGLE FAMILY DETACHED RESIDENTIAL AS PERMITTED IN ACCORDANCE WITH THE APPROVED SPECTIC PLAN FOR ROCKING K (APPROVED ON DECEMBER 18, 1990 AND AMENDED ON SEPTEMBER 16, 1997). 	6245 E. BROADWAT TUCSON, AZ 85711 (520) 751-2911 ATTN: DAN COWOILL DEVELOPER
COMMON AREAS (AND PRIVATE EASEMENTS), AS SHOWN MEREON ARE RESERVED FOR THE PRIVATE USE AND CONVENENCE OF ALL OWNERS OF PROPERTY WITHIN THIS SUBDIVISION AND ARE CRAINED AS EASEMENTS OF PIAL COUNTY AND ALL UTILITY CONFARES FOR THE INSTALLATION AND MAINTENANCE OF ABOVEGROUND AND UNDERGROUND UTILITIES AND PUBLIC SEWERS.	 THIS PLAT WILL USE TRANSFER OF DENSITY RIGHTS (TDR) PER PIMA COUNTY CODE 18.92. AREAS WITHIN THE SPECIFIC PLAN WILL USE MOR DEVELOPMENT STANDARDS AND AREAS OUTSIDE OF THE SPECIFIC PLAN WILL USE TR DEVELOPMENT STANDARDS (RESIDENTIAL USE ORD.) 	UEVELOPER ROCKING K DEVELOP 2200 E RIVER RD, 1UCSON, AZ 85718 (\$20) 577-0200 ATIN: ROBERT ILLO

NATURAL OPEN SPACE AS SHOWN ON THE ROCKING K SOUTH, AMENDED

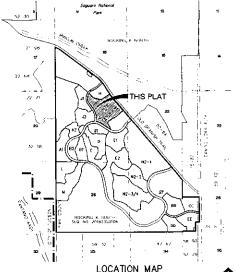
OPEN SPACE" REQUIREMENT FOR THE LANDUSE DESIGNATIONS FOR NEIGHBORHOOD 5 - PARCEL G, AS SPECIFIED IN CHAPTER III-E OF THE ROCKING K AMENDED SPECIFIC PLAN.

NATURAL OPEN SPACE AS SHOWN ON THE ROCKING IS SOUTH, AMENDED BLOOKS 1-7, MASTER BLOOK PART THOMPASSES 66 HA ORES (31.55) OF COMMUNITY NATURAL OPEN SPACE, AM ADDITIONAL SO ADDES OF ON LOT NATURAL OPEN SPACE WILL BE DESCONATED AT THE TIME OF MODIFICIAL SUBDIVISION PLATS. THIS NOIGHBORHOOD S - PARCEL G. SUBDIVISION PLAT SUBDIVISION PLATED NATURAL OPEN SPACE AS SHOWN HORGEN TO NATURAL OPEN SPACE AS SHOWN HORGEN TO NATURAL OPEN SPACE AS SHOWN HORGEN TO NATURAL OPEN SPACE AND S

THE TO THE LAND OF ALL COMMON AREAS SHALL BE VESTED IN AN ASSOCIATION OF INDIVIDUAL LOT OWNERS AS ESTABLISHED BY COVENING COUNTINGS, AND RESTRICTIONS RECORDED UNDER SOLUCIES. IN SUBJECTIONS HE CONTROL UNDER SOLUCIES COUNTINGS, AND THE OFFICE OF THE PAIR COUNTY RECORDED. THE ASSOCIATION SHALL ACCEPT THE RESPONSIBILITY FOR CONTROL MANIELANCE, AD VALORIEM TASSES, AND LIBERLY FOR SHALL FOR COMMON AREAS, TO MILLION THE ASSOCIATION STATE LASSICIATION, WHITE THIS SHAPPINGS COMMON AREAS, TO MILLIONE THE RESPONSIBILITY FOR COMMON AREAS, TO MILLIONE THE RESPONSIBILITY FOR COMMON AREAS, TO MILLIONE THE LASSICIATION RESPONSIBILITY.

BENEFICIARY

- LOTS 1-135)
- AT: 5,000 SQ. FT.
- REQUIREMENTS ARE THE FOLLOWING
- WITH APPLICABLE PIMA COUNTY
- ORM TO TITLE 16 OF THE PIMA HAZARD MANAGEMENT ORDINANCE
- MENDED AND RESTATED ROCKING K D. 2018–29, RECORDED AT SEQ. NO. ROER'S OFFICE
- UDED THE SIDE ENTRY GARAGES 20' FRONT SETBACK PROVIDED THAT THE HOME COMPLIES WITH THE 20"
- CONFORMS TO THE RIPARIAN E 2005—FC2 AND THE APPROVED NOVAK ENVIRONMENTAL, DATED THE MITIGATION AREAS LIE WITHIN
 - AREA = 16.30 ACRES
- T AREA = 0.089 ACRES
- ACRES
- ROVED RIPARIAN MITIGATION PLAN.
- CREATION FEATURES AND PARKING BE COMPLETED IN ACCORDANCE WITH BE FULLY FUNCTIONAL BY THE TIME HAVE BEEN ISSUED



LOCATEO IN PORTIONS OF SECTIONS 16 AND 21 TOWNSHIP 15 SOUTH, RANGE 16 EAST, GÆSRIL PIMA COUNTY, ARZON SCALE: 3° = 1 MILE

A1 SEQ. NO. 20202530421 C SEQ. NO. 20191910224 E1 SEQ. NO. 20191910249 A2 SEQ. NO. 20202530424 D SEQ. NO. 20191910236 E2 SEQ. NO. 20191910272 SEO, NO. 20202530422 BB SEO, NO. 20220830268 N2~1 SEO, NO. 20222310045

- B2 SEO, NO. 20202530423 DD SEQ. NO. 20220330285 N2-2 SEQ. NO. 20232070181 FE SEQ. NO. 20221220432 CC SEQ. NO. 20221220430
- SEQ. NO. 20221810722 M SEO. NO. 20222220600

- AND NOTES
- DARY MAP

TITLE AGENCY, INC. BLVD., SUITE 180

PMENT COMPANY 2200 E. RIVER RD, SUITE 115 TUCSON, AZ 85718 (520) 577-0200 ATTN: ROBERT TUCKER

LEGEND

LOT NUMBER 2 KEYNOTE SURVEY MONUMENT TO BE SET BY A REGISTERED LAND SURVEYOR AT COMPLETION OF PAYING.

- 1/2" REBAR TO BE SET BY A REGISTERED LAND SURVEYOR AT COMPLETION OF GRADING.
- FOUND SURVEY MONUMENT, AS NOTED
- SET 1/2" REBAR TAGGED "RLS 37933"
- 01.1
- BOUNDARY LINE NUMBER -SEE LINE DATA TABLE
- BOUNDARY CURVE NUMBER -BC: SEE LINE DATA TABLE
- LINE NUMBER SEE LINE DATA TABLÉ
- C: CURVE NUMBER - SEE CURVE DATA TABLE
- RADIAL BEARING

SIGHT VISIBILITY EASEMENT FROSION HAZARD SETBACK _ _ _ _ 100 YEAR FLOODPLAIN CENTERLINE OPEN SPACE

RIGHT-OF-WAY LINE BLOCK BOUNDARY EASEMENT LINE

SECTION LINE PARCEL G BOUNDARY ROCKING K SOLITH BOUNDARY

404 PERNIT RESTRICTIVE COVENANT GENERAL ACCESS LOCATION

XERORIPARIAN C

ADMINISTRATIVE ADDRESS: 7740 S ROCKING K RANCH LOOP REF: P22TP00005

EOR

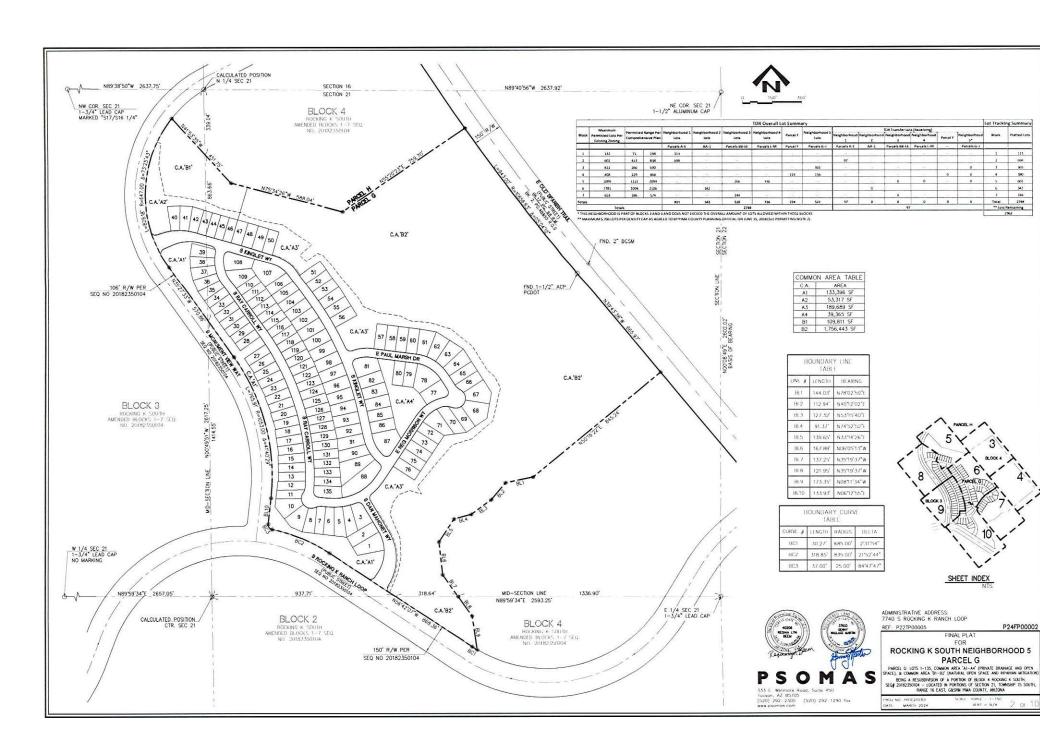
ROCKING K SOUTH NEIGHBORHOOD 5 PARCEL G

PARCEL & LOTS 1-135, COMMON AREA "A1-A4" (PHIVATE DRAMACE AND OPEN SPACE), & COMMON AREA "B1-B2" (NATURAL OPEN SPACE AND MPARMAN MITIGATION) BEING A RESUBBINISION OF A PORTION OF BLOCK 4 ROCKING K SOUTH, SEGY 20182350104 — LOCATED IN PORTIONS OF SECTION 21, TOWNSHIP 15 SOUTH RANGE 16 EAST, GASRIM PINA COUNTY, ANDONA

VER! - N/A

P24FP00002

33.1 F. Welmore Road, Suite 458 Jussin, AZ 85705 (526) 292 7300 (520) 292 1296 Justin Parmers com



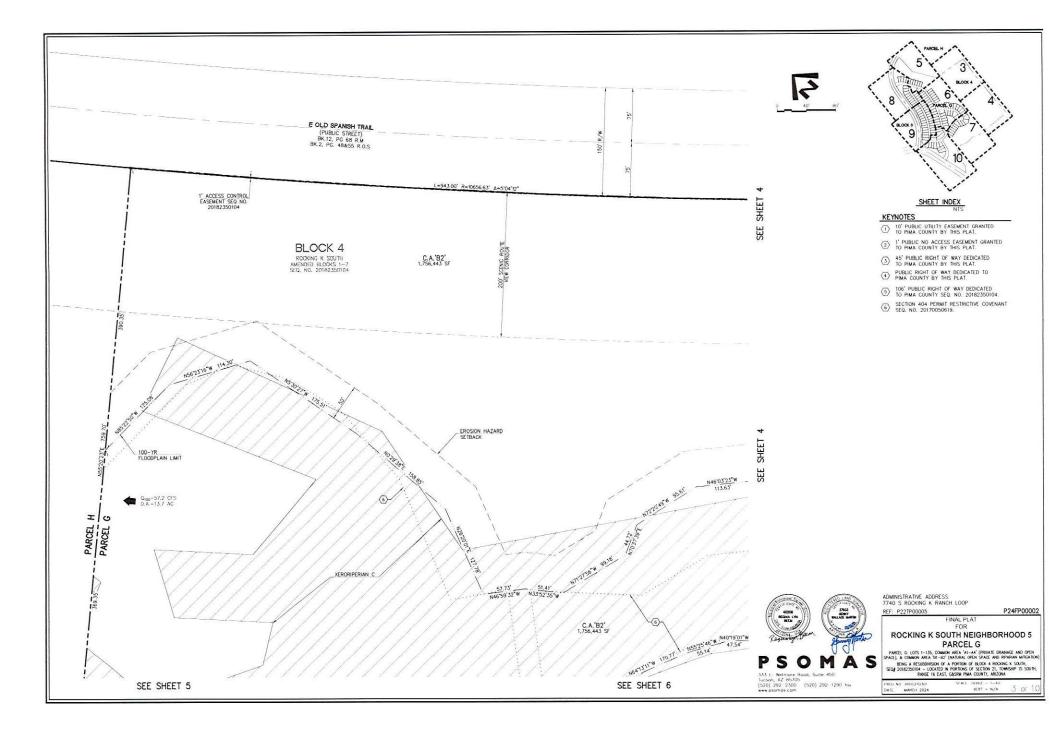
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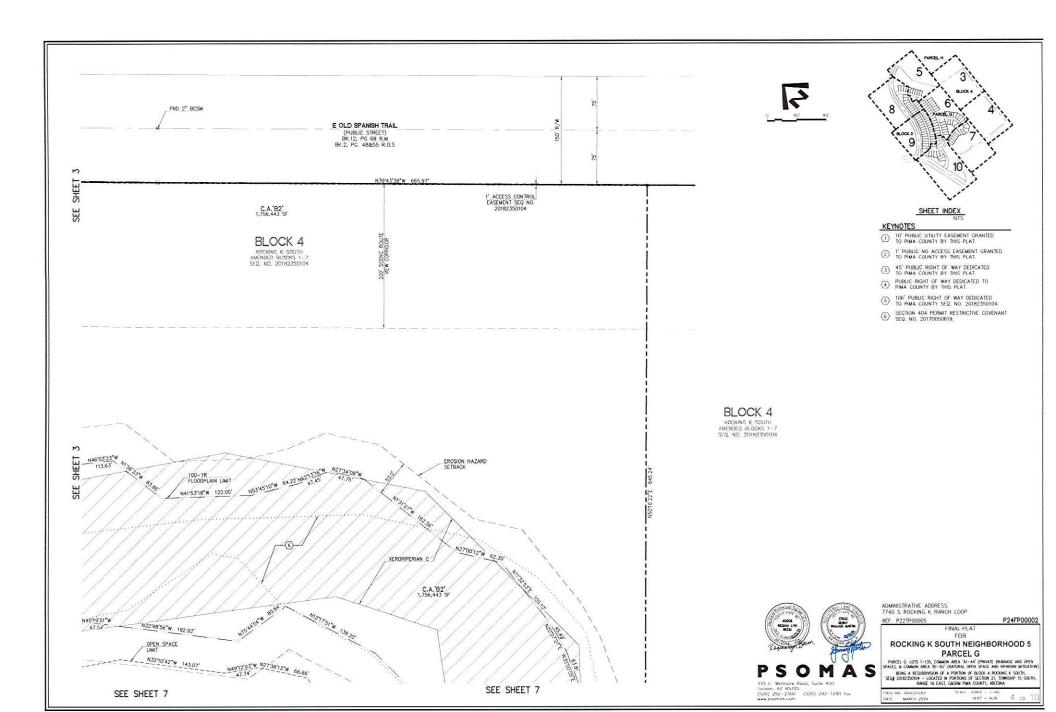
365

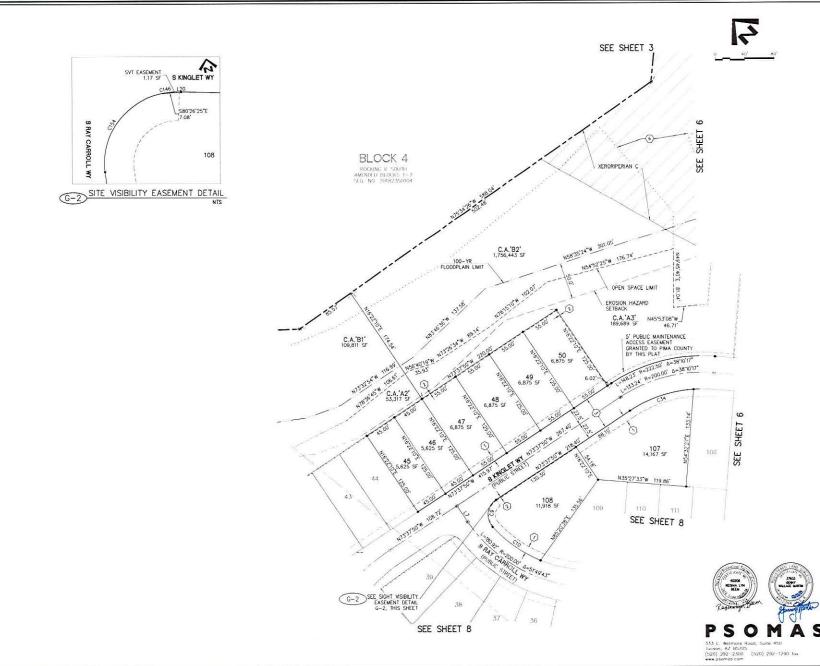
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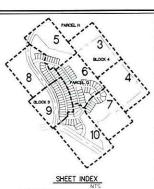
244

P24FP00002









KEYNOTES

- 10' PUBLIC UTILITY EASEMENT GRANTED TO PIMA COUNTY BY THIS PLAT.
- 1' PUBLIC NO ACCESS EASEMENT GRANTED TO PIMA COUNTY BY THIS PLAT.
- (3) 45' PUBLIC RIGHT OF WAY DEDICATED TO PIMA COUNTY BY THIS PLAT.
- PUBLIC RIGHT OF WAY DEDICATED TO PIMA COUNTY BY THIS PLAT.
- (5) 106' PUBLIC RIGHT OF WAY DEDICATED TO PIMA COUNTY SEQ. NO. 20182350104.
- 6 SECTION 404 PERMIT RESTRICTIVE COVENANT SEQ. NO. 20170050619.

	LINE 17	VBLL
LINE #	LENGTH	HE ARING
17	26.17	N16"22"10"t
120	0.61	N73'37'50"W

	CURVI	TABLE	
CURVL #	LENGTH	RADIUS	DE1 1A
C9	.42.78	25.00	98'02'18"
C10	80.29	177.50	25"55"00"
C.34	92.55	1/7.50	29"52"24"
C146	6.50	25.00	14"53"38"
C154	42.78	25.00	98102"18"

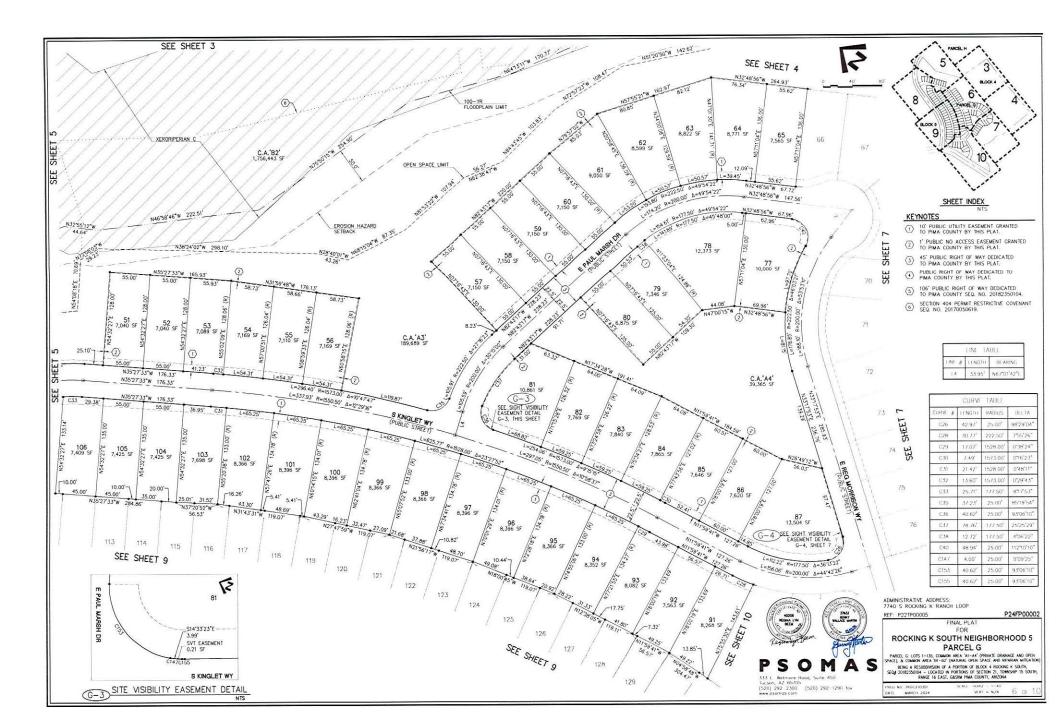
ADMINISTRATIVE ADDRESS: 7740 S ROCKING K RANCH LOOP REF: P22TP00005

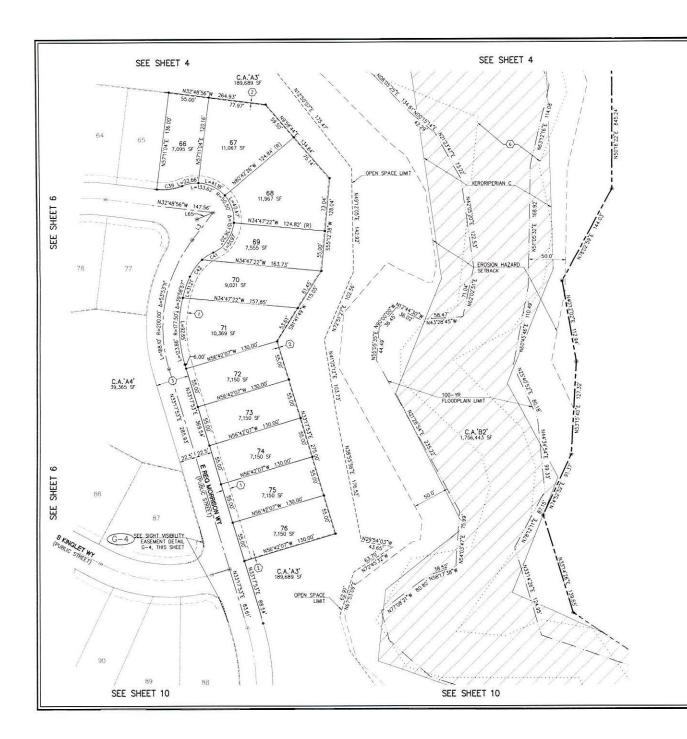
P24FP00002

FOR ROCKING K SOUTH NEIGHBORHOOD 5 PARCEL G

PARCEL G. LOTS 1-125, COMMON MER. A1-A4" (PRIVATE DRAMACE AND OPEN SPACE), a. COMMON MER. A1-B-07 (MATURAL OPIN SPACE), A. COMMON MER A11-B-07 (MATURAL OPIN SPACE), AND RA-FARRA MIDICATION BEING A SEQUENCISMO OF A POPIND OF EDOX A ROCINGA'S SOUTH, SEQUENCISMO OF A POPINDS OF SECTION 21, TOMOSPIE 15 SOUTH, MANUEL 61-831, GENERA PHIAD COUNTY, MARCINA

VERT - N/A









	LINE 17	ABLE
NE #	LENGTH	BEARING
1.3	47.22	NH7'11'04"E
122	18.42	N33"17"53"E
124	23.05	N3317551
166	28.00	NEDONE'SE'W

	CURVE	TABLE	
CURVE #	LENGTH	RADIUS	DELIA
C39	35.19*	66.50	3019'00"
C41	18.67*	66,50"	16'04'59"
C42	28.80	66.50"	24"48"58"
C148	10.91	25.00	25'00'26"
C150	11 68	25.00"	26'46'37"
C151	36.99	25.00"	84'47'03"
C152	42.97	25.00"	98'29'04"

SHEET INDEX

KEYNOTES

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- 3 45' PUBLIC RIGHT OF WAY DEDICATED TO PIMA COUNTY BY THIS PLAT.
- PUBLIC RIGHT OF WAY DEDICATED TO PIMA COUNTY BY THIS PLAT.
- 5 106' PUBLIC RIGHT OF WAY DEDICATED TO PIMA COUNTY SEQ. NO. 20182350104.
- 6 SECTION 404 PERMIT RESTRICTIVE COVENANT SEQ. NO. 20170050619.





OMA

353 E. Wetmore Road, Suite 450 bucken, AZ 85705 (520) 292-2300 (520) 292-1290 fax exx.psomes.com

ADMINISTRATIVE ADDRESS: 7740 S ROCKING K RANCH LOOP REF: P22TP00005

P24FP00002

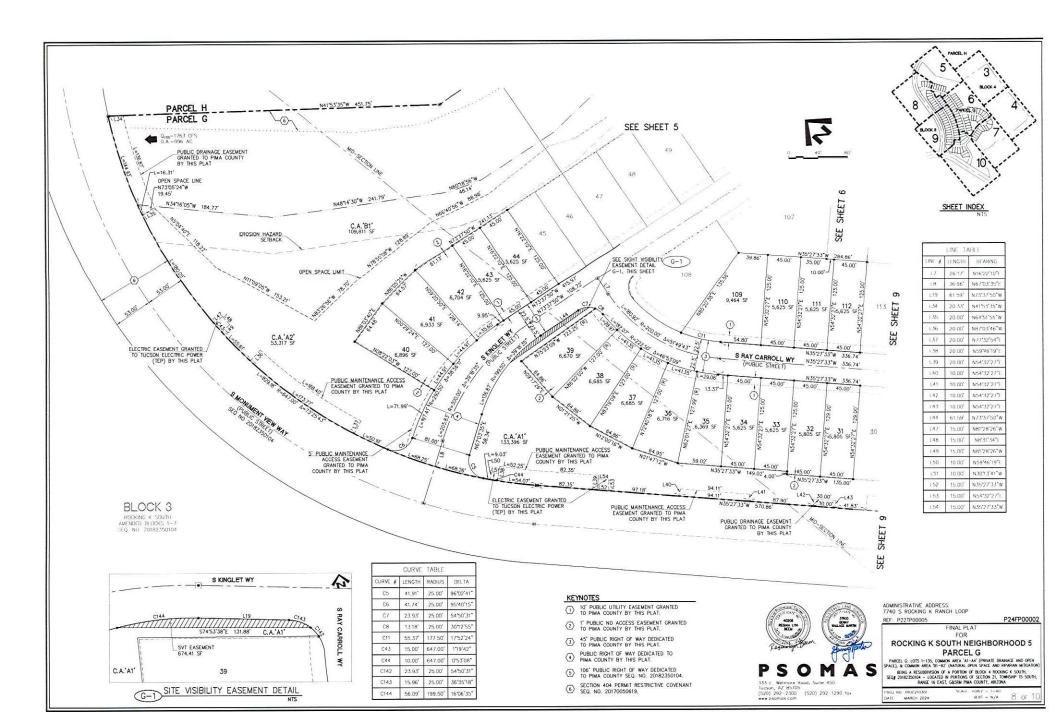
FINAL PLAT

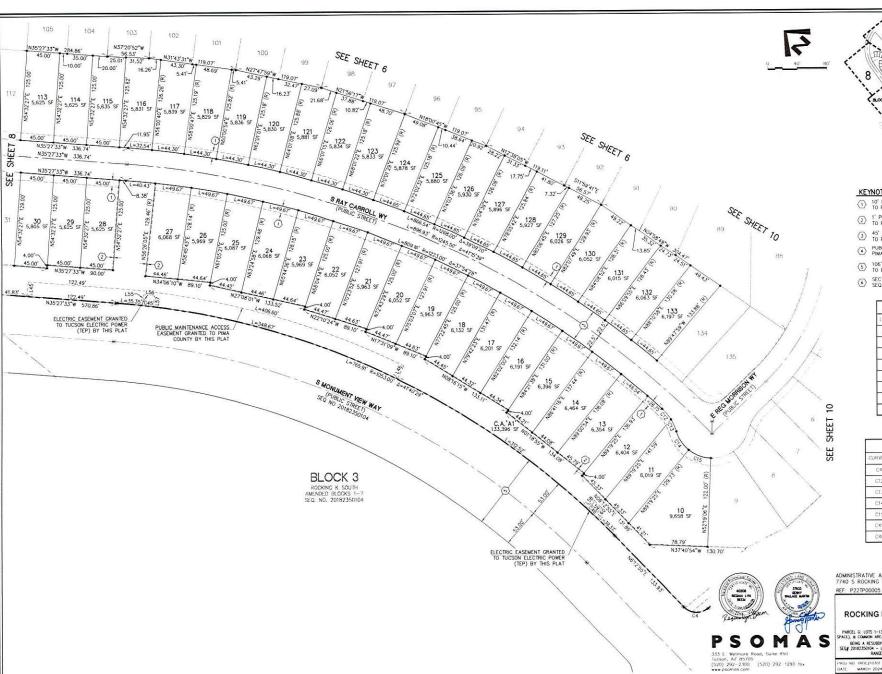
ROCKING K SOUTH NEIGHBORHOOD 5

PARCEL G PARCEL G. LOTS 1-135, COMMON AREA "A1-A4" (PRIVATE DRAMAGE AND OPEN PACE), & COMMON AREA "B1-B2" (NATURAL OPEN SPACE AND RIPARIAN MITIGATION)

BEING A RESUBDIVISION OF A PORTION OF BLOCK 4 ROCKING K SOUTH, SEQJ 20182350104 - LOCATED IN PORTIONS OF SECTION 21, TOWNSHIP 15 SOUTH, RANGE 16 EAST, GASRM PIMA COUNTY, ARIZONA

VEHT - N/A







SHEET INDEX

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- 5) 106" PUBLIC RIGHT OF WAY DEDICATED TO PIMA COUNTY SEQ. NO. 20182350104
- 6 SECTION 404 PERMIT RESTRICTIVE COVENANT SEQ. NO. 20170050619.

LINE #	LENGTH	BEARING
1.45	20.00	N5413212710
1.46	20.00*	N76"15"08"E
155	15.03	N56*52*20*L
156	15 00'	N.3.3'07'40"W
157	15.05	N56'52'20"L
1.58	15.05	N86*20'05"W
L59	15.00"	NJ*39*55"E
160	15.03	N86"20"05"W

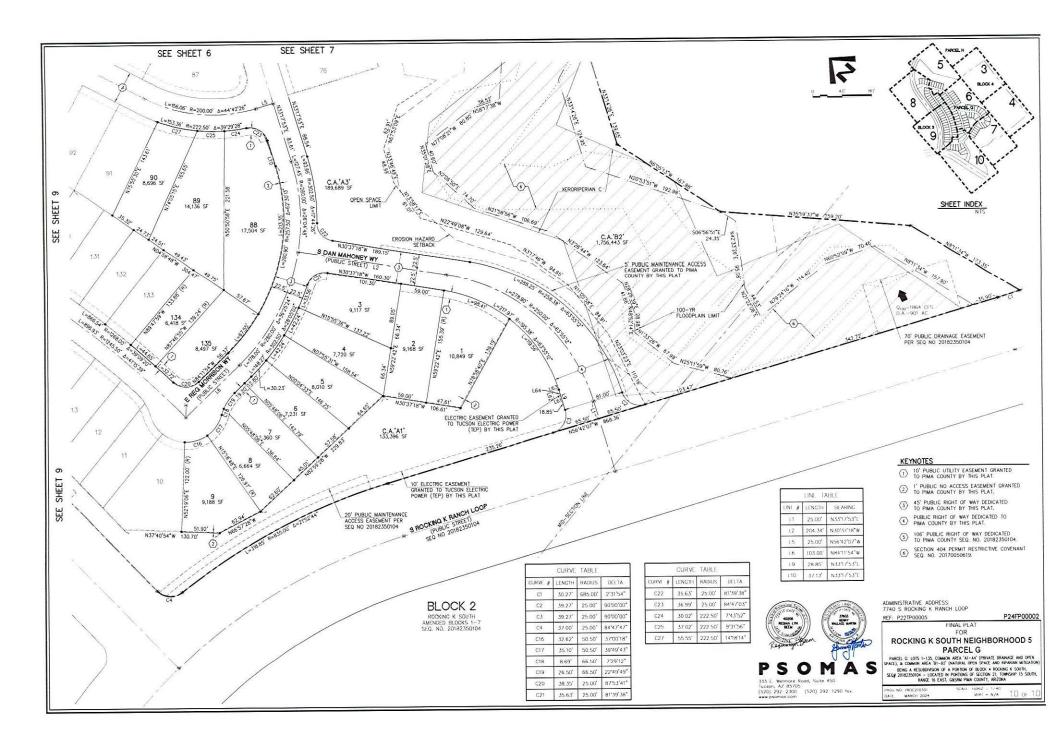
	CURVE	TABLE	
CURVI #	LENGIH	RADIUS	DELTA
C4	57.00°	25.00	84'47'47"
C12	18.69	66.50	16'06'03"
C13	18.16	66.50*	15'38'54"
C14	30.74	50.50°	34"52"28"
C15	32.62	50.50*	37'00'18"
C45	15.00	1053.00	0"48"58"
C46	15.00	1053.00	0'48'58"

ADMINISTRATIVE ADDRESS: 7740 S ROCKING K RANCH LOOP

FINAL PLAT

ROCKING K SOUTH NEIGHBORHOOD 5 PARCEL G

P24FP00002



ASSURANCE AGREEMENT FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS (Third Party Trust) P24FP00002

THIS AGREEMENT is made and entered into by and between <u>SEE ATTACHED LIST OF SUBDIVIDERS</u> or successors in interest ("Subdivider"), <u>FIDELITY NATIONAL TITLE AGENCY</u>, <u>INC.</u>, an Arizona corporation ("Trustee"), as trustee under Trust No. <u>60,380</u>; and Pima County, Arizona ("County").

1. RECITALS

- 1.1. Subdivider is the beneficiary and Trustee is the trustee of a trust which owns land ("the Land") located in Pima County, Arizona and described in paragraph 2.1 of this agreement.
- 1.2. County, Subdivider and Trustee wish to establish specific terms, conditions, and guidelines relating to the subdivision of the Land and construction of related improvements to comply with A.R.S. § 11-821.

2. AGREEMENT

Based on the foregoing recitals, which are incorporated here as the intent of the parties, and in consideration of County's approval of a final plat for the Land, County, Subdivider and Trustee agree as follows:

, 20, in the Office of the Pima County Recorder.	
MITIGATION) recorded in Sequence number on the	day of
OPEN SPACE), & COMMON AREA "B1-B2" (NATURAL OPEN SPACE AN	ND RIPARIAN
PARCEL G: LOTS 1 THROUGH 135, COMMON AREA "A1-A4" (PRIVATE DR	AINAGE AND
subdivision plat ("the Subdivision Plat") identified as ROCKING K SOUTH NEIGH	HBORHOOD 5
2.1. Property Description. The Land is all of the real property which is the	e subject of the

- 2.2. Construction of Subdivision Improvements. As a condition of subdivision approval, Subdivider hereby agrees to construct all subdivision improvements ("the Subdivision Improvements") contemplated by the Subdivision Plat, rezoning conditions, and any associated site construction permits, including but not limited to onsite and offsite streets, sanitary sewers (if necessary), water and electric utilities, drainage and flood control improvements, parks, trails or other recreational facilities, other required infrastructure, and riparian habitat mitigation or payment of the riparian habitat mitigation inlieu fee.
- 2.3. Existing Utilities. Any relocation or modification of existing utilities or public improvements required in order to construct the Subdivision Improvements shall be done at no expense to the public. Subdividers performance of this requirement shall be considered in determining whether to release assurances under paragraphs 2.5 and 2.6.

- 2.4. Assurance of Construction. This agreement is submitted as an assurance that Subdivider will construct the Subdivision Improvements, as required by A.R.S. § 11-821 and Pima County Zoning Code Chapter 18.69.
- 2.5. Limitation on Transfer of Title. Trustee shall not convey title to any of the Land without obtaining prior written approval from County in the form of a Release of Assurance. A Release of Assurance shall not be provided by County until the Subdivision Improvements are completed in accordance with paragraph 2.12.
- 2.6. Partial Release of Assurances. County shall issue a Release of Assurance for some of the lots depicted on the Subdivision Plat if all of the following have occurred:
- A. All of the Subdivision Improvements required in connection with the released lots have been completed in accordance with paragraph 2.12, and
- B. County finds that the released lots and the Subdivision Improvements required in connection with them can be used and maintained separately from the Subdivision Improvements not yet completed in accordance with paragraph 2.12, and
- C. Recreation area in-lieu fee, if applicable, has been paid to the county for the entire subdivision, prior to a release of greater than 75% of total subdivision lots.
- 2.7. Deposit Receipt Agreements. Notwithstanding paragraph 2.5, Trustee may enter into a deposit receipt agreement for the sale of the Land or any portion of it if the agreement clearly states that no portion of the Land shall be conveyed until Subdivider performs its obligations under this agreement.
- 2.8. Bulk Sales. Notwithstanding paragraph 2.5, Trustee may sell and convey all of the Land in one transaction to a single purchaser who has entered into a satisfactory assurance agreement with County, assuring completion of the Subdivision Improvements.
- 2.9. Conveyance Out of Trust for the Purpose of Encumbrance. Notwithstanding paragraph 2.5, Trustee may convey all or part of the Land to the Subdivider for the sole purpose of encumbering the Land by the recording of mortgages or deeds of trust, provided that the Land is thereafter immediately reconveyed into the trust.
- 2.10. Real Property Taxes. All real property taxes on the Land shall be paid before the taxes are delinquent as defined by A.R.S. 42-18052(B). If the real property taxes on the Land, including any lot or portion of common area, become delinquent, this agreement will be in default.
- 2.11. Substitution of Assurances. Subdivider may submit substitute assurances in a form and amount acceptable to County at any time during which this agreement is not in default.
- 2.12. Completion of the Subdivision Improvements. The Subdivision Improvements shall be completed by Subdivider not more than four years after the date of this agreement. The Subdivision Improvements shall not be considered completed until after they have been constructed in accordance with the Subdivision Plat, rezoning conditions, associated site construction permits, and after County has inspected them and finds them to be in compliance with the plans.

- 2.13. Acceptance of the Subdivision Improvements. County shall not accept maintenance responsibility for any of the Subdivision Improvements unless and until all of the following have occurred:
 - A. They have been completed in accordance with paragraph 2.12.
- B. They have been dedicated to County by the Subdivision Plat or by some other instrument of record.
- C. The dedication has been accepted by the Pima County Board of Supervisors as evidenced by approval of the dedication on the Subdivision Plat or by some other formal action.
- 2.14. *Default, Non-Compliance; County's Options*. This agreement is in default if either the Subdivider or Trustee fails to comply with obligations under this agreement. If this agreement is in default, the County may exercise any or all options below at its sole discretion:
- A. The County may re-plat all or a portion of the Land for the purpose of returning the portions of Land which are the subject of the re-plat to approximately the same boundary configurations of record which existed before the recording of the Subdivision Plat. The Subdivider authorizes the County to execute, on behalf of Subdivider, the re-plat described in this section. The re-plat may exclude any dedications to the public which were made on the Subdivision Plat which are necessary to serve either portion of the Land which are not re-platted, or to serve the public. Subdivider shall pay the reasonable costs incurred in re-platting. Notice of default and intent to re-plat will be sent to the last known address of Subdivider and Trustee by certified mail not less than thirty days before County exercises its option to re-plat under this paragraph.
- B. If site conditions change after the Subdivider fails to comply with this agreement, the County may require that Subdivider submit evidence that the Tentative and Final Plat comply with current regulations, under current site conditions. If the County determines that the Tentative Plat or Final Plat does not comply, Subdivider shall submit revisions to the plat, to the County with applicable fees. If the revisions are approved by the Board of Supervisors, the date specified in Section 2.12 of this agreement may be extended by up to four years from the approval date. This subsection is not applicable to Block Plats for master planned communities.
- C. The County may withhold the issuance of permits for building regulated by Title 15 of the Pima County Code or work regulated by Title 18 of the Pima County Code.
- 2.15. Incorporation and Annexation. If the Land is incorporated as or annexed by a city or town, the city or town shall automatically succeed to all benefits and duties of County under this agreement.
- 2.16. *Termination*. This agreement shall remain in full force and effect until one of the following has occurred:
- A. The Subdivision Improvements have been completed and approved by County in accordance with paragraph 2.11 and a Release of Assurances with respect to all the Land has been recorded in the Office of the Pima County Recorder in accordance with paragraph 2.5; or
- B. A new subdivision plat has been recorded for the Land in compliance with any and all applicable laws and regulations; or
- C. A substitute assurance agreement has been executed by and between Subdivider and County in accordance with paragraph 2.11.

		ment by the Pima County Board of Supervisors.
PIMA COUNTY, ARIZONA		SUBDIVIDER: SEE ATTACHED SIGNATURE PAGES
Ohair Daniel (Comanis		By: Its:
Chair, Board of Supervisors		TRUSTEE: FIDELITY NATIONAL TITLE AGENCY, INC., an Arizona corporation, as Trustee under Trust No. 60,380, and not in its corporate capacity
ATTEST:		By: Backel Curmpseed Rachel Turnipseed Its: Trust Officer
Clerk of the Board	***************************************	its. Trust Officer
STATE OF ARIZONA County of Pima)	
The foregoing instrument was , 20 <u>24,</u> by <u>PAGES</u> (" Subdivider "), an A	SEE ATTACHED N	OTARY PAGES of SEE ATTACHED NOTARY
My Commission Expires:		Notary Public
STATE OF ARIZONA County of Pima)	
The foregoing instrument was 20 <u>24,</u> by <u>Rachel Turnipseed</u> o corporation, on behalf of the c	f <u>Fidelity National Tit</u>	ore me this 2/2 day of MARCH, le Agency, Inc., ("Trustee"), an Arizona e under trust number 60,380.
		Notary Public
My Commission Expires: May 18, 2027	Noter	A P SFANAHAN Public - Artzona Pirma County nission # 648310 n. Exp. May 18, 2027

SIGNATURE PAGES FOR ASSURANCE AGREEMENT

FIDELITY NATIONAL TITLE AGENCY, INC., an Arizona corporation, as Trustee under Trust No. 10,730, and not in its corporate capacity
By: Rachel Turnipseed Its: Trust Officer
FIDELITY NATIONAL TITLE AGENCY, INC., an Arizona corporation, as Trustee under Trust No. 10,773, and not in its corporate capacity
By: Rachel Turnipseed Its: Trust Officer
FIDELITY NATIONAL TITLE AGENCY, INC., an Arizona corporation as Trustee under Trust No. 10,871, and not in its corporate capacity
By: Backel Lumpse (Rachel Turnipseed Its: Trust Officer
FIDELITY NATIONAL TITLE AGENCY, INC., an Arizona corporation, as Trustee under Trust No. 30,096, and not in its corporate capacity

Rachel Turnipse

Its: Trust Officer

CONTINUED SIGNATURE PAGES FOR ASSURANCE AGREEMENT

FIDELITY NATIONAL TITLE AGENCY, INC., SUCCESSOR TO TICOR TITLE AGENCY OF ARIZONA, INC., CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation as Trustee under Trust No. 12099, and not in its corporate capacity SUCCESSOR BY MERGER BY TICOR TITLE AGENCY OF ARIZONA, INC., an Arizona corporation

SUCCESSOR BY MERGER BY TICOR TITLE AGENCY OF ARIZONA, INC., an Arizona corporation
By: Bachel furmpseed Rachel Turnipseed Its: Trust Officer
AURIGA PROPERTIES, INC., an Arizona corporation
By: Chad Kolodisner Its: Vice President
TUCSON MOUNTAIN INVESTORS L.L.C., an Arizona limited liability company
By: Diamond Ventures, Inc., an Arizona corporation as Manager
By:
Chad Kolodisner Its: Vice President
ROCKING K HOLDINGS LIMITED PARTNERSHIP, an Arizona Limited Partnership

By:

Chad Kolodisner
Its: Vice President

By: Diamond Ventures, Inc., an Arizona corporate as General Partner

CONTINUED SIGNATURE PAGES FOR ASSURANCE AGREEMENT

RINCON VALLEY HOLDINGS LIMITED PARTNERSHIP, an Arizona limited partnership

By: Rincon Valley Properties, Inc., an Arizona corporation as General Partner

Chad Kolodisner
Its: Vice President

ROCKING K DEVELOPMENT COMPANY, INC.,

an Arizona corporation

By:_

Chad Kolodisner
Its: Vice President

STATE OF ARIZONA)

) ss.

County of Pima)

The foregoing instrument was acknowledged before me this 26 day of MARCH, 2024, by Rachel Turnipseed, Trust Officer of FIDELITY NATIONAL TITLE AGENCY, INC. ("Trustee"), an Arizona corporation, on behalf of the corporation, as trustee under trust numbers 10,730, 10,773, 10,871, 30,096 and 12,099.

My Commission Expires:

Notary Public

ELSA P SHANAHAN Notary Public - Arizona Pirna County Commission # 648310 My Comm. Exp. May 18, 2027

CONTINUED SIGNATURE PAGE FOR ASSURANCE AGREEMENT

STATE OF ARIZONA)
) ss.
County of Pima)
The foregoing instrument was acknowledged before me this
INC., an Arizona corporation.
OFFICIAL SEAL AMY COX NOTARY PUBLIC - ARIZONA PIMA COUNTY COMM# 648689 My Comm. Expires June 27, 2027 Notary Public
My Commission Expires: wre 27, 2027