



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: May 19, 2020

Title: Resolution No. 2020-____ providing for the vacation and exchange of portions of Gila Avenue and Bisbee Avenue in Summerhaven. File # A-0043

Introduction/Background:

The abandonment applicant, Zimmerman Enterprises, Inc. has requested an abandonment and exchange of a portion of Gila Avenue and Bisbee Avenue lying within Section 30, Township 11, Range 16 G&SRM, Pima County, Arizona, as shown on attached Location Map.

Discussion:

The subject roadways were dedicated to Pima County per plat recorded in 1990 in Book 22 of Maps and Plats at Page 60. These roadways have been built and the applicant and Department of Transportation support the abandonment and exchange to remove an existing roadway encroachment on private property and provide for the vacation of a portion of unused Gila Avenue by an equal area exchange of properties.

Conclusion:

This abandonment request has been reviewed and approved by appropriate County staff and applicable utility companies. No property will be left without public or private legal access and any existing utility easements will be reserved. Staff recommends that the Board find that the portion of Gila Avenue to be abandoned is not needed for public use and has no market value. County DOT requests waiver of the \$5,000.00 application fee due to the benefit to the County of the exchange and removal of existing encroachments by County on private property.

Recommendation:

Staff recommends that the Pima County Board of Supervisors approve Resolution No. 2020-____. Upon approval, staff will record the necessary deeds of conveyance.

Fiscal Impact:

Pima County will be removed from liability and have no maintenance responsibilities toward the subject roadway being abandoned. Applicant has reimbursed Pima County \$1,000.00 towards the cost of the survey.

Attachment: Location Map

Board of Supervisor District:

1 2 3 4 5 All

Department: Real Property Services Telephone: 724-6633

Contact: Tim Murphy Telephone: 724-6379

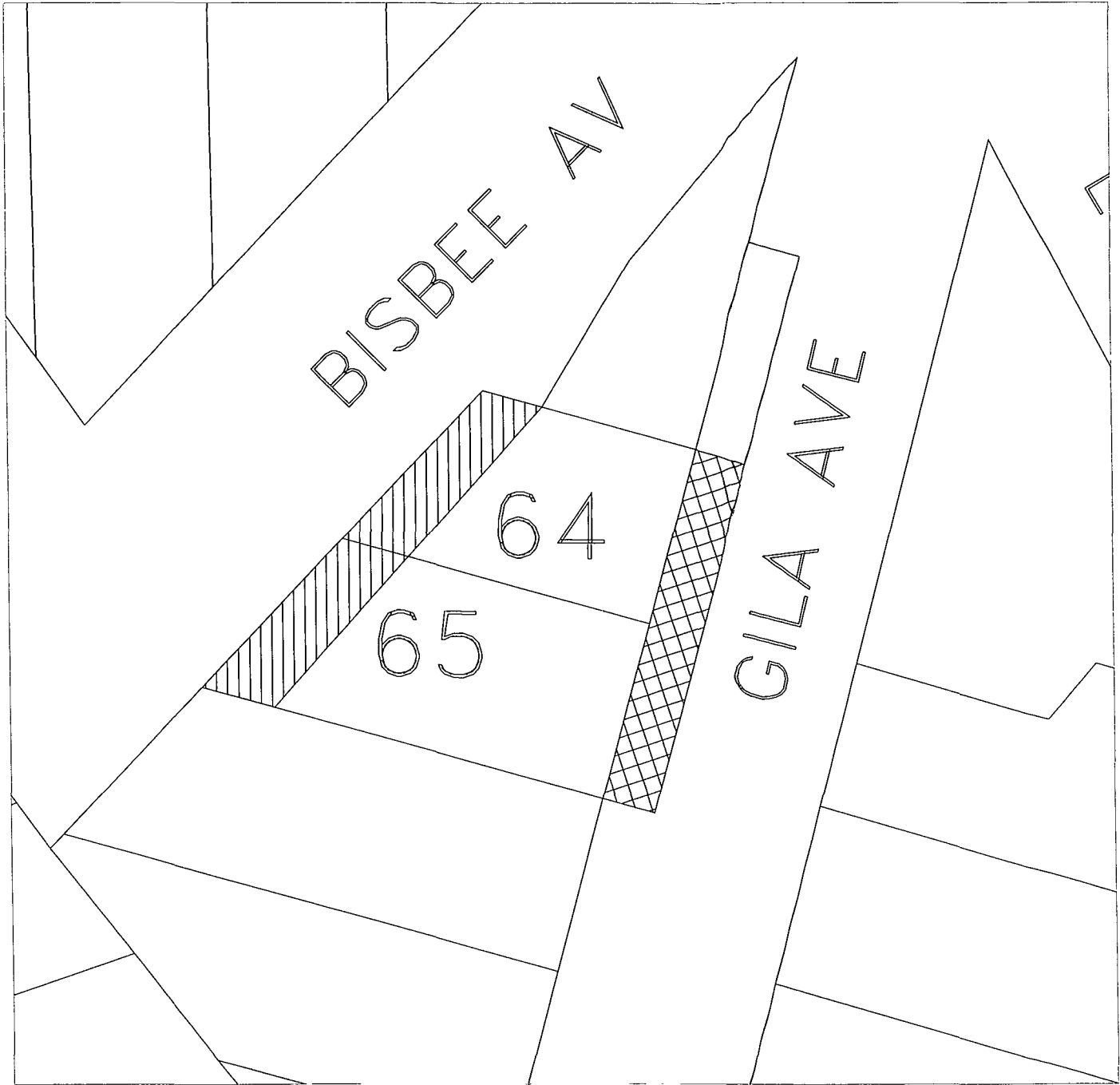
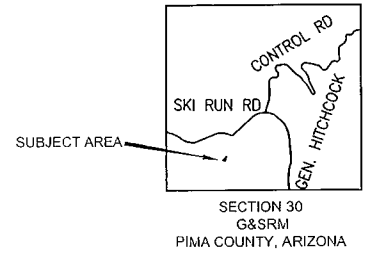
Department Director Signature/Date: [Signature] 4/21/2020



Deputy County Administrator Signature/Date: [Signature] 4/27/2020

County Administrator Signature/Date: [Signature] 4/28/20

SECTION 30
TOWNSHIP 11 SOUTH
RANGE 16 EAST

LOCATION MAP



-  SUBJECT AREA - Abandoned to Zimmerman (applicant)
-  SUBJECT AREA - Exchanged to PC



PIMA COUNTY DEPARTMENT OF TRANSPORTATION
ENGINEERING INFORMATION MANAGEMENT

RESOLUTION NO. 2020 - _____

**RESOLUTION OF THE PIMA COUNTY BOARD OF SUPERVISORS
FOR THE VACATION BY EXCHANGE OF A PORTION OF GILA
AVENUE FOR THE FEE DEDICATION OF OTHER PUBLIC RIGHT
OF WAY AND PROPERTY AS PIMA COUNTY ROAD
ABANDONMENT NO. A-0043, SITUATED WITHIN SECTION 30,
TOWNSHIP 11 SOUTH, RANGE 16 EAST, G&SRM, PIMA COUNTY,
ARIZONA**

The Board of Supervisors of Pima County, Arizona finds:

1. An application has been received by the applicant for the vacation by exchange of public road rights of way lying in Section 30, Township 11 South, Range 16 East, G & SRM, Pima County, Arizona, more particularly described in Exhibit A (the "Roadway").
2. The Roadway is not needed for public use pursuant to A.R.S. § 28-7202.
3. The Roadway may be disposed of by vacation and exchange to Zimmerman Enterprises, Inc. an Arizona corporation (Grantee) pursuant to A.R.S. § 28-7203 and A.R.S. § 28-7215(B).
4. In exchange for the Roadway, Grantee will convey to Pima County, the property described in Exhibit B.
5. The Deed from Grantee to Pima County for the Exchange Property shall be recorded simultaneously with the Quit Claim Deed for the Roadway.

NOW, THEREFORE, BE IT RESOLVED,

The public roadways described and depicted in Exhibit "A" will be disposed of by vacation and exchange by Quit Claim Deed to Grantee, in accordance with A.R.S. § 28-7203 and A.R.S. § 28-7215(B), reserving any and all existing easements for water, electric, telephone, sewer and similar lines, which shall continue as they existed prior to this conveyance.

Upon execution and recordation of the Quit Claim Deed, the Roadway shall be deemed to be vacated, and title to the Roadway shall vest in the Grantee.


Passed and adopted, this _____ day of _____, 2020.

Chairman, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM

Clerk of the Board



Deputy County Attorney

KELL OLSON

BOS Approval: 05/19/2020	S30/T11S/R16E	File A-0043	Agent: TM
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EXHIBIT "A"
LEGAL DESCRIPTION

A portion of the Southwest quarter of Section 30, Township 11 South, Range 16 East, Gila & Salt River Meridian, Pima County, Arizona, being a portion of Gila Avenue as shown on the plat of Summerhaven Subdivision as recorded in Book 4 of Maps and Plats at Page 99, in the office of the Pima County Recorder, Arizona, more particularly described as follows:

BEGINNING at the northeast corner of said Lot 2, a 1-1/2" aluminum cap on a 1/2" rebar, stamped "RLS 13019", to which the northwest corner of said Lot 2, a 1-1/2" aluminum cap on a 1/2" rebar, stamped "ASHBY RLS 19316", bears North 74°49'33" West a distance of 64.45 feet;

THENCE along the easterly prolongation of the north line of said Lot 2, South 74°49'33" East a distance of 21.01 feet;

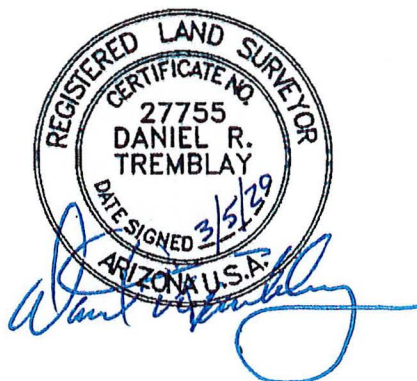
THENCE South 13°49'38" West a distance of 49.87 feet;

THENCE South 16°44'46" West a distance of 50.11 feet to the easterly prolongation of the south line of said Lot 3;

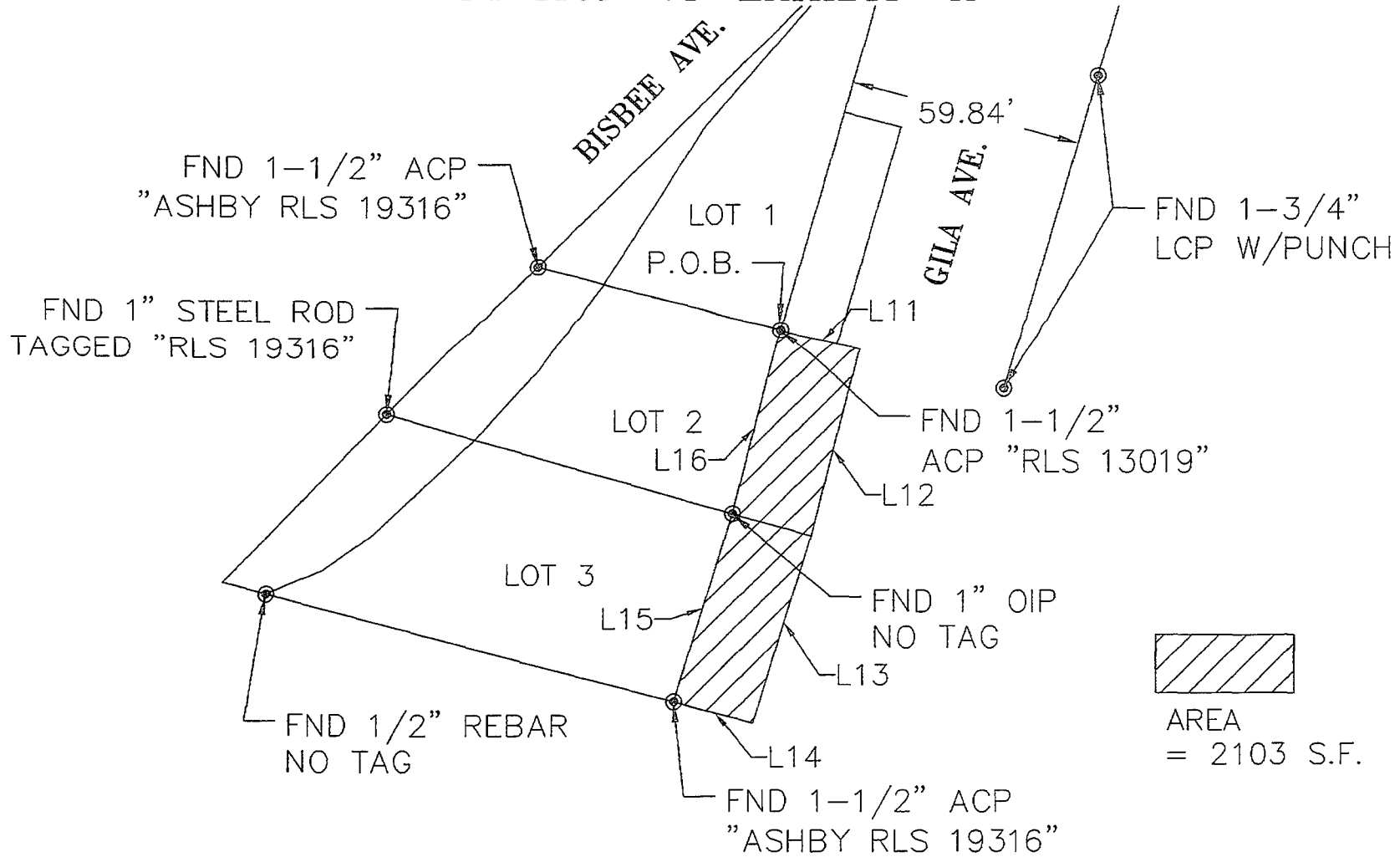
THENCE along said easterly prolongation, North 75°27'46" West a distance of 21.02 feet to the southeast corner of said Lot 3, a 1-1/2" aluminum cap on a 1/2" rebar, stamped "ASHBY RLS 19316";

THENCE along the east line of said Lot 3, North 16°44'46" East a distance of 50.53 feet to the common corner of said Lots 2 & 3, a 1" open iron pipe, no tag;

THENCE along the east line of said Lot 2, North 13°58'38" East a distance of 49.69 feet to the northeast corner of said Lot 2, and the **POINT OF BEGINNING**.



DEPICTION OF EXHIBIT "A"



N



PIMA COUNTY SURVEY

A PORTION OF LOTS 2 AND 3 OF BLOCK 5, PER BK 4, PG 99
 OF MAPS AND PLATS, LOCATED IN SECTION 30,
 TOWNSHIP 11 SOUTH, RANGE 16 EAST,
 GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

Scale: 1" = 40'

Date: 05 March 2020

Drawn By: AJI

Sheet 2 of 3

DEPICTION OF EXHIBIT "A"

Line Table		
Line #	Length	Direction
L11	21.01'	S74° 49' 33"E
L12	49.87'	S13° 49' 38"W
L13	50.11'	S16° 44' 46"W
L14	21.02'	N75° 27' 46"W
L15	50.53'	N16° 44' 46"E
L16	49.69'	N13° 49' 38"E



PIMA COUNTY SURVEY

A PORTION OF LOTS 2 AND 3 OF BLOCK 5, PER BK 4, PG 99
OF MAPS AND PLATS, LOCATED IN SECTION 30,
TOWNSHIP 11 SOUTH, RANGE 16 EAST,
GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

Scale: 1" = 40'

Date: 05 March 2020

Drawn By: AJI

Sheet 3 of 3

EXHIBIT "B"
LEGAL DESCRIPTION

A portion of the Southwest quarter of Section 30, Township 11 South, Range 16 East, Gila & Salt River Meridian, Pima County, Arizona, being a portion of Lots 2 and 3 of Block 5, per Summerhaven Subdivision as recorded in Book 4 of Maps and Plats at Page 99, in the office of the Pima County Recorder, Arizona, more particularly described as follows:

COMMENCING at the northeast corner of said Lot 2, a 1-1/2" aluminum cap on a 1/2" rebar, stamped "RLS 13019", to which the northwest corner of said Lot 2, a 1-1/2" aluminum cap on a 1/2" rebar, stamped "ASHBY RLS 19316", bears North 74°49'33" West a distance of 64.45 feet;

THENCE along the north line of said Lot 2, North 74°49'33" West a distance of 46.88 feet to the **POINT OF BEGINNING**;

THENCE South 34°46'15" West a distance of 29.06 feet;

THENCE South 41°55'22" West a distance of 24.31 feet to the north line of said Lot 3;

THENCE South 46°49'52" West a distance of 35.59 feet;

THENCE South 54°31'29" West a distance of 15.70 feet;

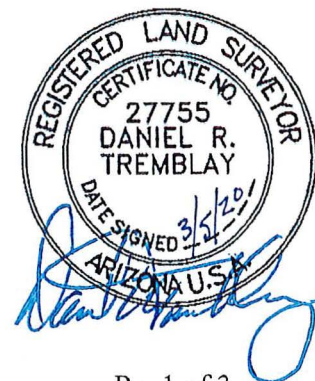
THENCE South 66°50'25" West a distance of 15.93 feet to a found 1/2" rebar, untagged, on the south line of said Lot 3, to which the southeast corner of said Lot 3, a 1-1/2" aluminum cap on a 1/2" rebar, stamped "ASHBY RLS 19316", bears South 75°27'46" East a distance of 108.48 feet;

THENCE along the south line of said Lot 3, North 74°27'46" West a distance of 11.57 feet to the southwest corner of said Lot 3;

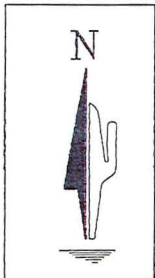
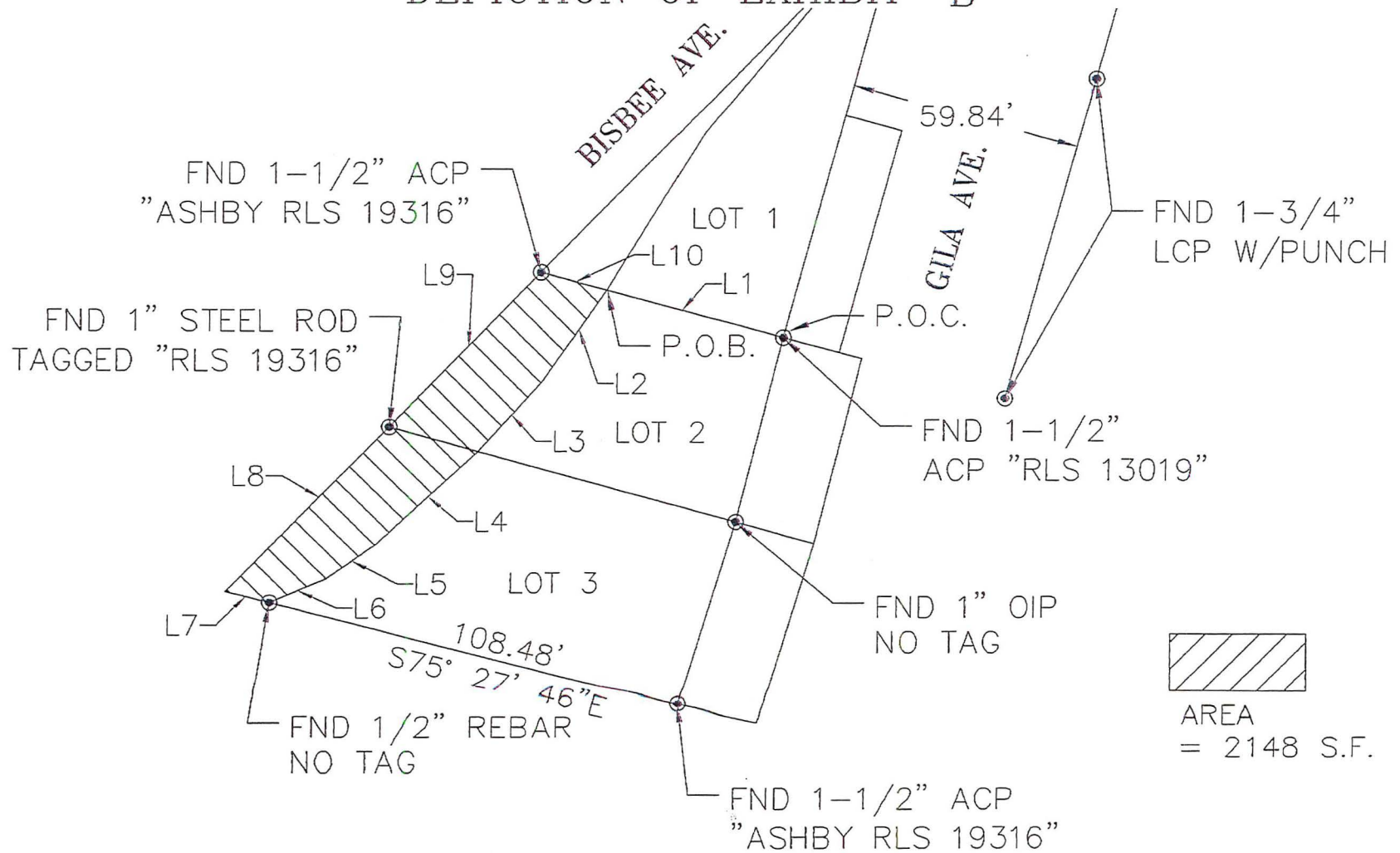
THENCE along the west line of said Lot 3, North 43°58'38" East a distance of 60.08 feet to the common corner of said Lots 2 & 3, a 1" steel rod tagged "ASHBY RLS 19316";

THENCE along the west line of said Lot 2, North 43°58'38" East a distance of 55.77 feet to the northwest corner of said Lot 2, a 1-1/2" aluminum cap on a 1/2" rebar, stamped "ASHBY RLS 19316";

THENCE along the north line of said Lot 2, South 74°49'33" East a distance of 17.57 feet to the **POINT OF BEGINNING**.



DEPICTION OF EXHIBIT "B"



PIMA COUNTY SURVEY

A PORTION OF LOTS 2 AND 3 OF BLOCK 5, PER BK 4, PG 99
 OF MAPS AND PLATS, LOCATED IN SECTION 30,
 TOWNSHIP 11 SOUTH, RANGE 16 EAST,
 GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

Scale: 1" = 40'

Date: 05 March 2020

Drawn By: AJI

Sheet 2 of 3

DEPICTION OF EXHIBIT "B"

Line Table		
Line #	Length	Direction
L1	46.88'	N74° 49' 33"W
L2	29.06'	S34° 46' 15"W
L3	24.31'	S41° 55' 22"W
L4	35.59'	S46° 49' 52"W
L5	15.70'	S54° 31' 29"W
L6	15.93'	S66° 50' 25"W
L7	11.57'	N75° 27' 46"W
L8	60.08'	N43° 58' 38"E
L9	55.77'	N43° 58' 38"E
L10	17.57'	S74° 49' 33"E

N



PIMA COUNTY SURVEY

A PORTION OF LOTS 2 AND 3 OF BLOCK 5, PER BK 4, PG 99
 OF MAPS AND PLATS, LOCATED IN SECTION 30,
 TOWNSHIP 11 SOUTH, RANGE 16 EAST,
 GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

Scale: 1" = 40'

Date: 05 March 2020

Drawn By: AJI

Sheet 3 of 3