BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 1/18/2022

**= Mandatory, information must be provided*

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

***Title:**

Rocking K South Neighborhood 3, Parcel DD, Lots 1-121, Common Areas "A and B" (P21FP00021)

***Introduction/Background:**

Final Plat Process to create a legally subdivided property

***Discussion:**

N/A

***Conclusion:**

N/A

***Recommendation:**

Staff recommends approval

***Fiscal Impact:**

N/A

***Board of Supervisor District:**

☐ 1 ☐ 2 ☐ 3 ☑ 4 ☐ 5 ☐ All

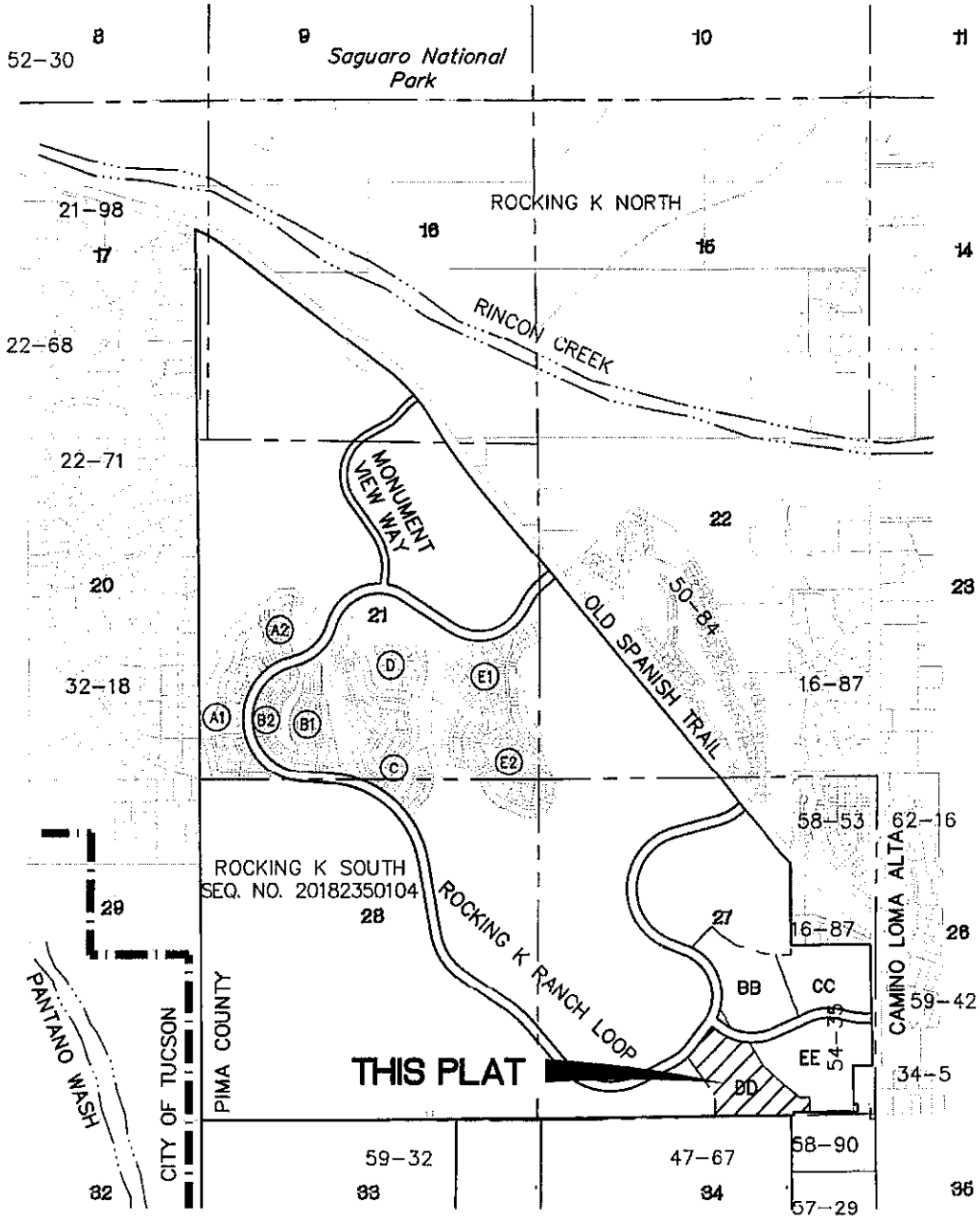
Department: Development Services Telephone: 724-6490

Contact: Thomas Drzazgowski Telephone: 724-9522

Department Director Signature: Joseph Gross Date: 12/22/2021

Deputy County Administrator Signature: Date: 12/22/2021

County Administrator Signature: Date: 12/24/2021



LOCATION MAP

LOCATED IN THE SOUTH 1/2 OF SECTION 27
TOWNSHIP 15 SOUTH, RANGE 16 EAST, G&SRM
PIMA COUNTY, ARIZONA
SCALE: 3" = 1 MILE

P21FP00021

Rocking K South Neighborhood 3, Parcel DD

Lots 1-121, Common Areas "A and B"

ASSURANCE

ASSURANCES IN THE FORM OF A THIRD PARTY TRUST AGREEMENT, TRUST NO. 201827-T FROM TITLE SECURITY AGENCY OF ARIZONA, LLC AS RECORDED IN SEQUENCE NO. _____ HAS BEEN PROVIDED TO GUARANTEE IMPROVEMENTS AS REQUIRED BY THE PIMA COUNTY ZONING CODE, CHAPTER 18.69 (SUBDIVISION STANDARDS) IN THIS SUBDIVISION.

BY: _____ _____
CHAIR, BOARD OF SUPERVISORS DATE
PIMA COUNTY, ARIZONA

ATTEST:

I, _____, CLERK OF THE BOARD OF SUPERVISORS, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, ON THIS THE _____ DAY OF _____, 20____.

_____ _____
CLERK, BOARD OF SUPERVISORS DATE

CERTIFICATION OF SURVEY

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.

_____
GENNY WALLACE MARTIN, R.L.S.
ARIZONA REGISTRATION NO. 37933

CERTIFICATION OF ENGINEERING

I HEREBY CERTIFY THAT THE FLOODPRONE LIMITS AND EROSION HAZARD SETBACKS SHOWN ON THIS PLAT WERE PREPARED BY ME OR UNDER MY SUPERVISION.

_____
REGINA LYN BEEM, P.E.
ARIZONA REGISTRATION NO. 40205

RECORDING

STATE OF ARIZONA }
PIMA COUNTY } S.S.

THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF PSOMAS ON THIS _____ DAY OF _____, 20_____, IN SEQUENCE NO. _____, PIMA COUNTY RECORDS.

_____ _____
GABRIELLA CÁZARES-KELLY DATE
COUNTY RECORDER

DEDICATION

WE THE UNDERSIGNED, 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 SUBDIVISION OF SAID LAND IN THE MANNER SHOWN HEREON.

WE THE UNDERSIGNED DO HEREBY HOLD HARMLESS PIMA COUNTY AND PIMA COUNTY FLOOD CONTROL DISTRICT, THEIR SUCCESSORS, ASSIGNS, EMPLOYEES, OFFICERS AND AGENTS FROM ANY AND ALL CLAIMS FOR DAMAGES RELATED TO THE USE OF THE PROPERTY DEPICTED ON THIS PLAT NOW AND IN THE FUTURE BY REASON OF FLOODING, FLOWAGE, EROSION, OR DAMAGE CAUSED BY WATER, WHETHER SURFACE FLOOD OR RAINFALL.

WE HEREBY DEDICATE AND CONVEY TO PIMA COUNTY ALL RIGHTS-OF-WAY AS SHOWN HEREON, INCLUDING ALL PUBLIC STREETS, ROADS, PARKS, AND ALLEYS.

WE HEREBY GRANT TO PIMA COUNTY AND ALL UTILITY COMPANIES ALL PUBLIC EASEMENTS AS SHOWN HEREON FOR THE PURPOSES OF ACCESS FOR INSTALLATION AND MAINTENANCE OF PUBLIC SEWERS AND UTILITIES AND OTHER USES AS DESIGNATED BY THIS PLAT.

COMMON AREAS (AND PRIVATE EASEMENTS), AS SHOWN HEREON ARE RESERVED FOR THE PRIVATE USE AND CONVENIENCE OF ALL OWNERS OF PROPERTY WITHIN THIS SUBDIVISION AND ARE GRANTED AS EASEMENTS TO PIMA COUNTY AND ALL UTILITY COMPANIES FOR THE INSTALLATION AND MAINTENANCE OF ABOVEGROUND AND UNDERGROUND UTILITIES AND PUBLIC SEWERS.

TITLE TO THE LAND OF ALL COMMON AREAS SHALL BE VESTED IN AN ASSOCIATION OF INDIVIDUAL LOT OWNERS AS ESTABLISHED BY COVENANTS, CONDITIONS, AND RESTRICTIONS RECORDED UNDER SEQUENCE NO. 20192270776, AND THE TRACT DECLARATION RECORDED AT SEQUENCE NO. 20212780798, IN THE OFFICE OF THE PIMA COUNTY RECORDER. THIS ASSOCIATION SHALL ACCEPT THE RESPONSIBILITY FOR CONTROL, MAINTENANCE, AD VALOREM TAXES AND LIABILITY FOR THE COMMON AREAS, TO INCLUDE PRIVATE DRAINAGEWAYS, AND PRIVATE EASEMENTS, WITHIN THIS SUBDIVISION.

BENEFICIARY

PURSUANT TO THE PROVISIONS OF A.R.S 33-404, NAME AND ADDRESS OF THE BENEFICIARY OF SAID TRUST IS: TITLE SECURITY AGENCY OF ARIZONA, LLC A DELAWARE LIMITED LIABILITY COMPANY, AS TRUSTEE UNDER TRUST 201827-T. FORESTAR (USA) REAL ESTATE GROUP INC, A DELAWARE CORPORATION

OWNER-TRUSTEE OF ASSESSORS PARCELS

TITLE SECURITY AGENCY OF ARIZONA, LLC A DELAWARE LIMITED LIABILITY COMPANY, AS TRUSTEE UNDER TRUST 201827-T., AND NOT IN ITS CORPORATE CAPACITY

BY: _____

ITS: TRUST OFFICER DATE: 12/21/21

FOR: FORESTAR (USA) REAL ESTATE GROUP, INC.

ACKNOWLEDGEMENT

STATE OF ARIZONA }
PIMA COUNTY } S.S.

ON THIS 21st DAY OF Dec, 2021, BEFORE ME PERSONALLY APPEARED Diana L. Sloane, WHO ACKNOWLEDGED TO BE THE TRUST OFFICIAL OF TITLE SECURITY AGENCY OF ARIZONA, LLC., AND BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN.

MY COMMISSION EXPIRES: 7/5/2025 _____
NOTARY PUBLIC

NOTARY PUBLIC STATE OF ARIZONA Pima County SABRINA KYLES COMMISSION # 607338 My Commission Expires July 5, 2025

GENERAL NOTES:

1. THE GROSS AREA OF "PARCEL DD" IS 32.80 ACRES.
2. THE BASIS OF BEARING FOR THIS SUBDIVISION:
   THE SOUTH LINE OF THE SW 1/4 OF SECTION 27, BETWEEN MONUMENTS SHOWN HEREIN AND REFERENCED FROM BK 64 M&P, PG. 85, AND PLAT SEQUENCE NO. 20182350104
   SAID BEARING BEING: S89°41'27"W.
3. TOTAL MILES OF NEW PUBLIC STREETS FOR "PARCEL DD" = 0.89 MILES.
4. "PARCEL DD" LIES WITHIN AN AREA DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
5. BLANKET EASEMENTS – PORTIONS OF BLOCKS 5 AND 7 ARE SUBJECT TO AN EXISTING ELECTRIC EASEMENT RECORDED IN DOCKET 1015 AT PAGE 79, PORTIONS OF SECTIONS 16, 21, 22, 27 & 28 ARE SUBJECT TO AN EXISTING ELECTRIC EASEMENT RECORDED IN DOCKET 1023 AT PAGE 70.
6. EASEMENTS NOT APPURTENANT TO THIS PLAT – PORTIONS OF BLOCKS 5 AND 7 ARE SUBJECT TO: AN EXISTING COMMUNICATION EASEMENT RECORDED IN DOCKET 9263 AT PAGE 639, AN EXISTING INGRESS-EGRESS AND UTILITIES EASEMENT RECORDED IN DOCKET 9874 AT PAGE 1288, A PARTIAL RELEASE OF EASEMENT – SOUTHWEST GAS CORP. RECORDED IN SEQUENCE NUMBER 20202690238, AND AN EXISTING WATERLINE EASEMENT RECORDED IN DOCKET 10252 AT PAGE 2433.
7. THE AMENDED PLAT OF ROCKING K SOUTH BLOCKS 1-7 RECORDED IN SEQUENCE NUMBER 20182350104 CAN NOT BE SHOWN IN ITS ENTIRETY, ALL APPURTENANT INFORMATION AND EASEMENTS ON THIS PLAT ARE SHOWN.

PERMITTING NOTES:

1. ZONING: THIS PLAT CONTAINS APPROXIMATELY 30.08 ACRES OF LAND REGULATED BY THE ROCKING K AMENDED SPECIFIC PLAN (LDR AND MDR) AS WELL AS APPROXIMATELY 2.72 ACRES OF LAND REGULATED BY PIMA COUNTY ZONING CODE (CR-1 AND CR-1).
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 ADJACENT 852 ACRES IS SUBJECT TO THE MAXIMUM DENSITY ALLOWED UNDER CURRENT ZONING OF 1,001 DWELLING UNITS. THIS PLAT CONTAINS AREAS DEFINED AS SENDING AREAS AND RECEIVING AREAS SUBJECT TO THE TRANSFER OF DEVELOPMENT RIGHTS (TDR) ORDINANCE (CHAPTER 18.92 OF THE PIMA COUNTY ZONING CODE) WHICH PROVIDES FOR MODIFICATION OF THESE DENSITY CAPS AS DETAILED IN THE JUNE 5, 2018 MEMO ACKNOWLEDGED AND AGREED TO BY PIMA COUNTY PLANNING OFFICIAL ON JUNE 15, 2018. SHEET 2 OF THIS PLAT INCLUDES A TDR TRACKING TABLE. PARCEL DD USES 0 TDR LOTS.
3. GROSS DENSITY IS: "PARCEL DD" = 3.69 (121 LOTS/32.80 AC).
4. AVERAGE LOT AREA PER DWELLING FOR "PARCEL DD" IS 5,602 SQ. FT.
5. THE USE OF THIS PLAT IS SINGLE FAMILY DETACHED RESIDENTIAL AS PERMITTED IN ACCORDANCE WITH THE APPROVED SPECIFIC PLAN FOR ROCKING K (APPROVED ON DECEMBER 18, 1990 AND AMENDED ON SEPTEMBER 16, 1997).
6. THIS PLAT WILL USE TRANSFER OF DENSITY RIGHTS (TDR) PER PIMA COUNTY CODE 18.92. AREAS WITHIN THE SPECIFIC PLAN WILL USE MDR DEVELOPMENT STANDARDS AND AREAS OUTSIDE OF THE SPECIFIC PLAN WILL USE TR DEVELOPMENT STANDARDS (RESIDENTIAL USE ONLY).

PERMITTING NOTES: (CONT.)

7. NATURAL OPEN SPACE AS SHOWN ON THE ROCKING K SOUTH, AMENDED BLOCKS 1-7, MASTER BLOCK PLAT ENCOMPASSES 648 ACRES (31.5%) OF COMMUNITY NATURAL OPEN SPACE. AN ADDITIONAL 50 ACRES OF ON LOT NATURAL OPEN SPACE WILL BE DESIGNATED AT THE TIME OF INDIVIDUAL SUBDIVISION PLATS. THIS NEIGHBORHOOD 3 SUBDIVISION PLAT MODIFIES THE PLATTED NATURAL OPEN SPACE AS SHOWN HEREON TO INCLUDE 17.34 TOTAL ACRES OF NATURAL OPEN SPACE WHICH INCLUDES AN ADDITIONAL 0.36 ACRES OF ON LOT NATURAL OPEN SPACE (SEE NATIVE PLANT INVENTORY AND NATURAL OPEN SPACE MITIGATION PLANS FOR NATURAL OPEN SPACE CALCULATIONS). THIS NATURAL OPEN SPACE FULFILLS THE "REQUIRED NATURAL OPEN SPACE" REQUIREMENT FOR THE LANDUSE DESIGNATIONS FOR NEIGHBORHOOD 3, AS SPECIFIED IN CHAPTER III-E OF THE ROCKING K AMENDED SPECIFIC PLAN.
8. DEVELOPMENT STANDARDS
   MDR – MEDIUM DENSITY RESIDENTIAL (LOTS 1-44, 56-121)
   1. MINIMUM LOT AREA: 5,000 SQ. FT.
   2. MINIMUM AREA PER DWELLING UNIT: 5,000 SQ. FT.
   3. MINIMUM LOT WIDTH: NA
   4. MAXIMUM BUILDING HEIGHT: 34 FT.
   5. MINIMUM YARD SETBACK REQUIREMENTS:
      a. FRONT: 20 FT.
      b. SIDE: 0 FT. EACH
      c. REAR: 10 FT.

   TR – TRANSITIONAL ZONING (RESIDENTIAL ONLY) (LOTS 45-55)
   1. MINIMUM LOT AREA: 4,500 SQ. FT.
   2. MINIMUM AREA PER DWELLING UNIT: 1,000 SQ. FT..
   3. MINIMUM LOT WIDTH: 40 FT.
   4. MAXIMUM BUILDING HEIGHT: 34 FT.
   5. MINIMUM SITE SETBACK REQUIREMENTS:
      a. FRONT: 20 FT.
      b. SIDE: 0 FT. EACH
      c. REAR: 10 FT.
   6. WITH THE EXCEPTION OF PERIMETER SITE SETBACKS, ZERO LOT-LINE SITTING OF DWELLING UNITS ON INDIVIDUAL LOTS IS PERMISSIBLE, SUBJECT TO PIMA COUNTY BUILDING CODES (TITLE 15).

   SETBACKS FOR CORNER LOTS ARE EQUAL TO THE SITE VISIBILITY TRIANGLES OR THE ZONING DESIGNATION SETBACKS, WHICHEVER ARE GREATER.

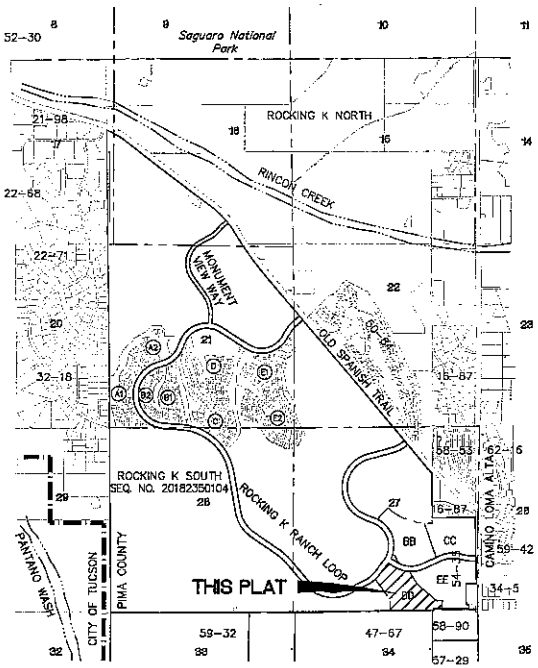
   THE ACCESSORY STRUCTURE SETBACK REQUIREMENTS ARE THE FOLLOWING MINIMUM DISTANCES:

   MDR
   TO MAIN BUILDING: 7 FT.
   TO PROPERTY LINES: IN ACCORDANCE WITH APPLICABLE PIMA COUNTY BUILDING CODES.

   TR
   TO MAIN BUILDING: NA
   TO FRONT LOT LINE: 60 FT.
   TO SIDE LOT LINES: 4 FT.
   TO REAR LOT LINE: 4 FT.
9. FLOODPLAINS SHOWN ON THIS PLAT CONFORM TO TITLE 16 OF THE PIMA COUNTY CODE, FLOODPLAIN AND EROSION HAZARD MANAGEMENT ORDINANCE
10. THIS PLAT IS SUBJECT TO THE SECOND AMENDED AND RESTATED ROCKING K DEVELOPMENT AGREEMENT RESOLUTION NO. 2018-29, RECORDED AT SEQ. NO. 20181410439 WITH THE PIMA COUNTY RECORDER'S OFFICE.
11. THE CHIEF ZONING INSPECTOR HAS CONCLUDED THE SIDE ENTRY GARAGES ARE PERMITTED TO ENCROACH INTO THE 20' FRONT SETBACK PROVIDED THAT THE REST OF THE STRUCTURAL MASS OF THE HOME COMPLIES WITH THE 20' FRONT SETBACK REQUIREMENTS.
12. RIPARIAN HABITAT WITHIN THIS PLAT AREA CONFORMS TO THE RIPARIAN HABITAT MAPS IN PIMA COUNTY ORDINANCE 2005-FC2 AND THE APPROVED RIPARIAN MITIGATION PLAN PREPARED BY NOVAK ENVIRONMENTAL, DATED 07/09/21. ALL RIPARIAN AREAS INCLUDING THE MITIGATION AREAS LIE WITHIN OPEN SPACE AS DEDICATED ON THIS PLAT.
    A. EXISTING ONSITE RIPARIAN HABITAT AREA = 3.95 ACRES
    B. DISTURBED ONSITE RIPARIAN HABITAT AREA = 0.72 ACRES
    C. RIPARIAN MITIGATION AREA = 2.12 ACRES (OVERALL NEIGHBORHOOD 3)
    D. THIS PLAT IS SUBJECT TO AN APPROVED RIPARIAN MITIGATION PLAN.
13. PRIVATELY OWNED RECREATION AREAS, RECREATION FEATURES AND PARKING IMPROVEMENTS SHALL BE COMPLETED IN ACCORDANCE WITH THE RECREATION AREA PLAN (RAP) AND BE FULLY FUNCTIONAL BY THE TIME 75% OF THE BUILDING PERMITS (91 LOTS) HAVE BEEN ISSUED

SHEET INDEX

1 COVER SHEET AND NOTES
2 SHEET INDEX MAP
3-5 PLAN SHEETS



LOCATION MAP
LOCATED IN THE SOUTH 1/2 OF SECTION 27
TOWNSHIP 15 SOUTH, RANGE 15 EAST, G&SRM
PIMA COUNTY, ARIZONA
SCALE: 3" = 1 MILE

A1	SEQ. NO. 20202530421	B2	SEQ. NO. 20202530423	E1	SEQ. NO. 20191910248
A2	SEQ. NO. 20202530424	C	SEQ. NO. 20191910224	E2	SEQ. NO. 20191910272
B1	SEQ. NO. 20202530422	D	SEQ. NO. 20191910236		

LEGEND

1	LOT NUMBER		SIGHT VISIBILITY EASEMENT
(2)	KEYNOTE		EROSION HAZARD SETBACK
⊡	2" BRASS CAP SURVEY MONUMENT IN CONCRETE TO BE STAMPED "RLS 37933" AT COMPLETION OF PAVING.		100 YEAR FLOODPLAIN
			CENTERLINE
			OPEN SPACE EASEMENT
•	1/2" IRON PIN TAGGED "RLS 37933" AT COMPLETION OF GRADING.		RIGHT-OF-WAY LINE
			BLOCK BOUNDARY
○	FOUND SURVEY MONUMENT, AS NOTED		EASEMENT LINE
⊛	SET 1/2" REBAR TAGGED "RLS 37933"		SECTION LINE
L1	LINE NUMBER – SEE LINE DATA TABLE		PARCEL BOUNDARY
			ROCKING K SOUTH BOUNDARY
C1	CURVE NUMBER – SEE CURVE DATA TABLE		404 PERMIT RESTRICTIVE COVENANT
			ZONE BOUNDARY LINE
		★	GENERAL ACCESS LOCATION
			XERORIPARIAN C

OWNER
TITLE SECURITY AGENCY OF ARIZONA, LLC.
TRUST 201827-T.
6390 E. TANQUE VERDE RD
TUCSON, AZ 85715
(520) 885-1600
ATTN: DIANE SLOANE

DEVELOPER
FORESTAR (USA) REAL ESTATE GROUP, INC.
1661 E CAMELBACK RD, SUITE 350
PHOENIX, AZ 85016
(480) 801-2421
ATTN: BRIAN KONDERIK

PSOMAS
333 E. Wetmore Road, Suite 450
Tucson, AZ 85705
(520) 292-2300 (520) 292-1290 fax
www.psomas.com

ADMINISTRATIVE ADDRESS:
14000 E PIEDEMONTE WY

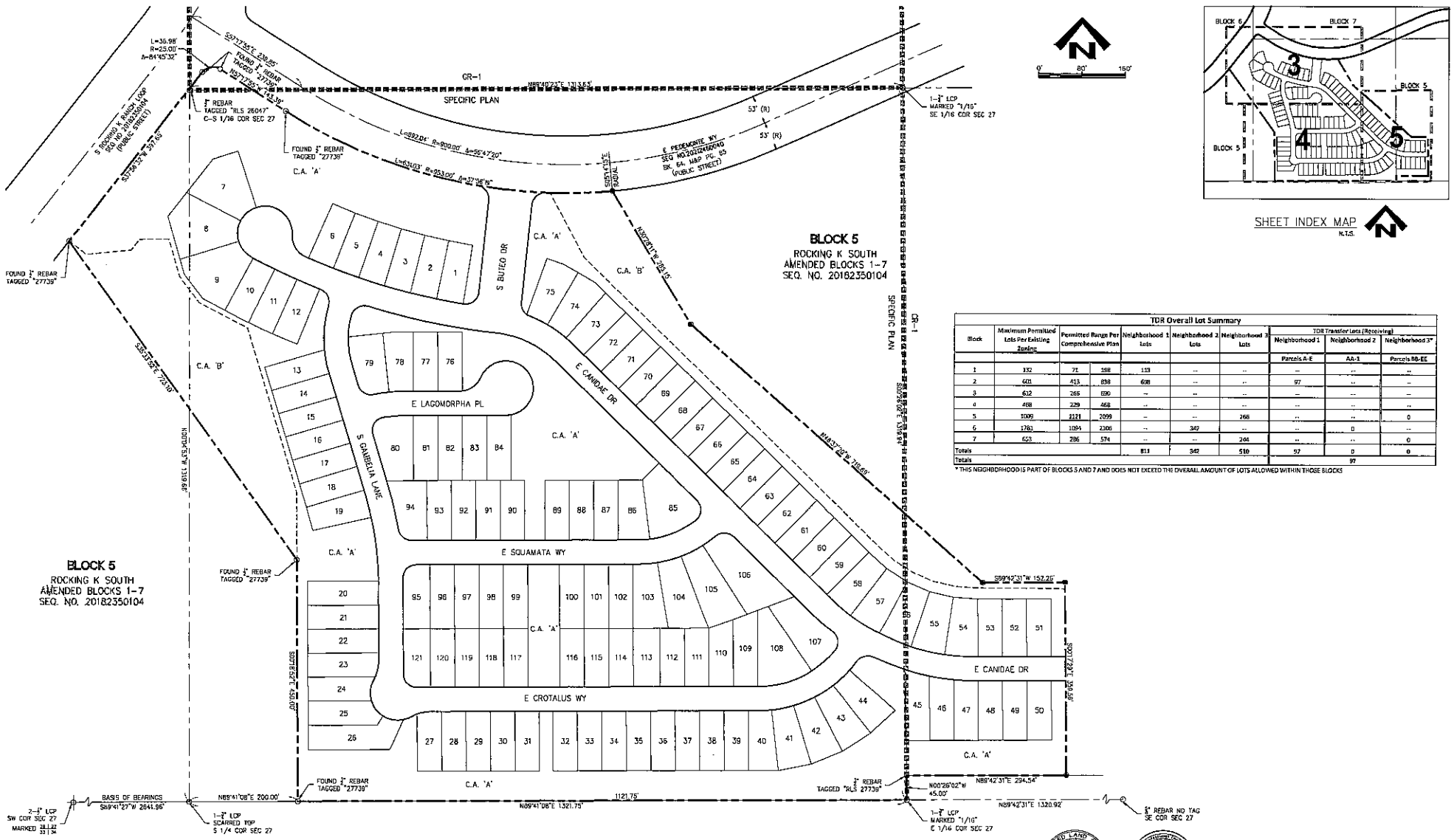
REF: P21FP00016 P21FP00021

FINAL PLAT

ROCKING K SOUTH NEIGHBORHOOD 3 PARCEL DD

LOTS 1-121, COMMON AREA "A" (DRAINAGE AND OPEN SPACE), & COMMON AREA "B" (NATURAL OPEN SPACE & RIPARIAN MITIGATION), BEING A RE-SUBDIVISION OF A PORTION OF BLOCK 5 OF THE AMENDED ROCKING K SOUTH BLOCK PLAT SEQ. NO. 20182350104 – LOCATED IN SECTION 27 TOWNSHIP 15 SOUTH, RANGE 15 EAST, GASRM, PIMA COUNTY, ARIZONA

PROJ. NO.: 3W001.40701 SCALE: HORIZ: N/A
DATE: AUGUST 2021 V.I. = N/A



SHEET INDEX MAP
N.T.S.

TDR Overall Lot Summary

Block	Maximum Permitted Lots Per Existing Zoning	Permitted Range Per Comprehensive Plan		Neighborhood 1 Lots	Neighborhood 2 Lots	Neighborhood 3 Lots	TDR Transfer Lots (Receiving) Neighborhood 1	Neighborhood 2	Neighborhood 3*
							Parcels A-E	AA-1	Parcels BB-EE
1	332	71	198	119	--	--	--	--	--
2	601	413	838	608	--	--	97	--	--
3	612	265	690	--	--	--	--	--	--
4	488	229	468	--	--	--	--	--	--
5	1009	2121	2099	--	--	266	--	--	0
6	1781	1094	2306	--	342	--	--	0	--
7	603	286	574	--	--	244	--	--	0
Totals				811	342	510	97	0	0
Totals							97		

* THIS NEIGHBORHOOD IS PART OF BLOCKS 5 AND 7 AND DOES NOT EXCEED THE OVERALL AMOUNT OF LOTS ALLOWED WITHIN THOSE BLOCKS

PROJECT OVERVIEW

SCALE: 1" = 80'

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333 E. Wetmore Road, Suite 450
Tucson, AZ 85705
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www.psomas.com

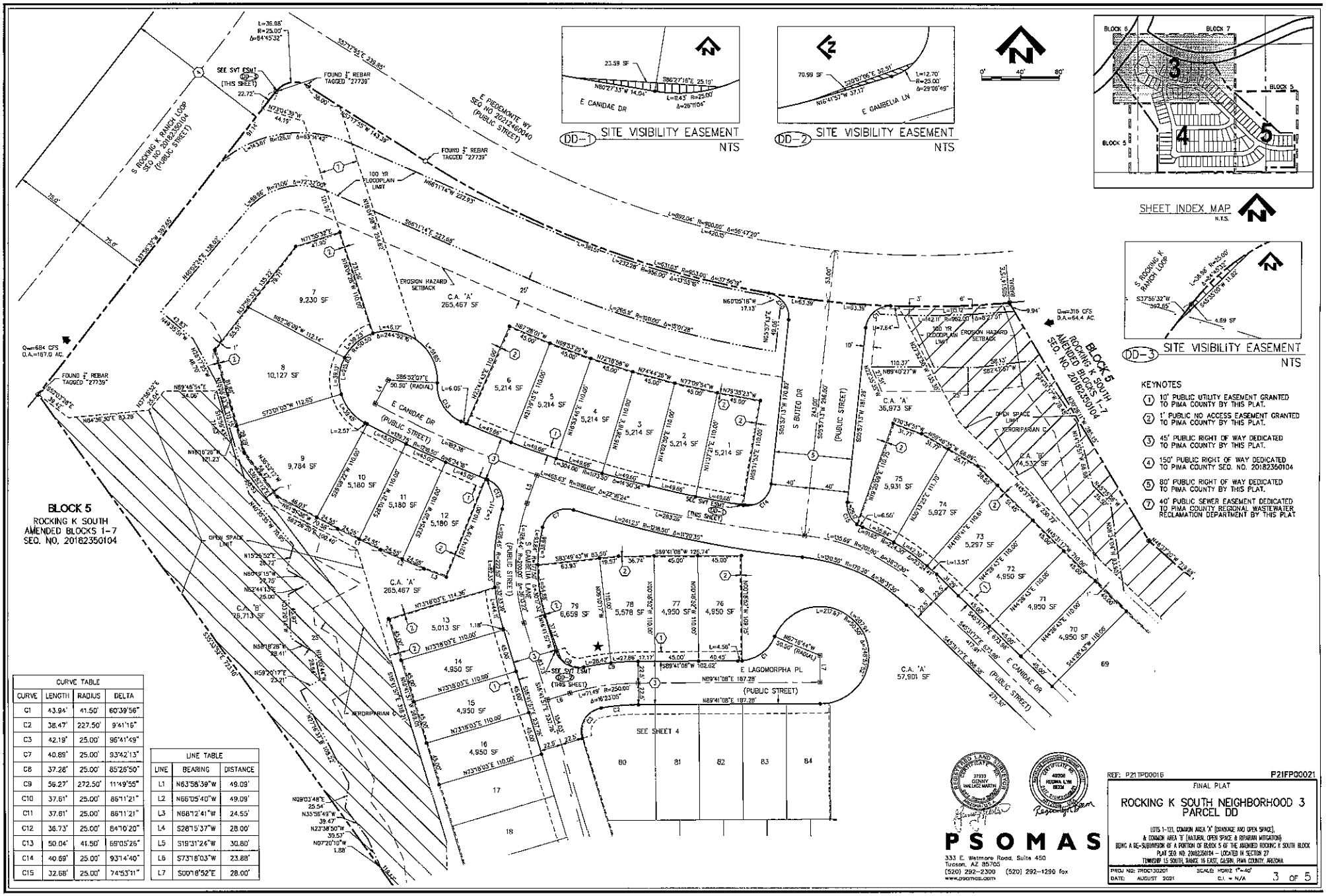
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FINAL PLAT

ROCKING K SOUTH NEIGHBORHOOD 3 PARCEL DD

LOTS 1-20, COMMON AREA 'A' (DRAINAGE AND OPEN SPACE), & COMMON AREA 'Z' (NATURAL OPEN SPACE & BIRDBANK MITIGATION), BEING A RE-SUBDIVISION OF A PORTION OF BLOCK 5 OF THE AMENDED ROCKING K SOUTH BLOCK PLAT SEQ. NO. 20182350104 – LOCATED IN SECTION 27 TOWNSHIP 15 SOUTH, RANGE 16 EAST, GASRV, PIMA COUNTY, ARIZONA

PROJ. No: 7R0C130201 SCALE: HORIZ N/A
DATE: AUGUST 2021 C.I. = N/A



CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	43.94'	41.50'	60°39'56"
C2	38.47'	227.50'	9°41'16"
C3	42.19'	25.00'	96°41'49"
C7	40.89'	25.00'	93°42'13"
C8	37.28'	25.00'	85°26'50"
C9	56.27'	272.50'	11°49'55"
C10	37.61'	25.00'	86°11'21"
C11	37.61'	25.00'	86°11'21"
C12	36.73'	25.00'	84°10'20"
C13	50.04'	41.50'	69°05'25"
C14	40.69'	25.00'	93°14'40"
C15	32.68'	25.00'	74°53'11"

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N63°58'39"W	49.09'
L2	N66°05'40"W	49.09'
L3	N68°12'41"W	24.55'
L4	S28°15'37"W	28.00'
L5	S19°31'26"W	30.80'
L6	S73°18'03"W	23.88'
L7	S00°18'52"E	28.00'

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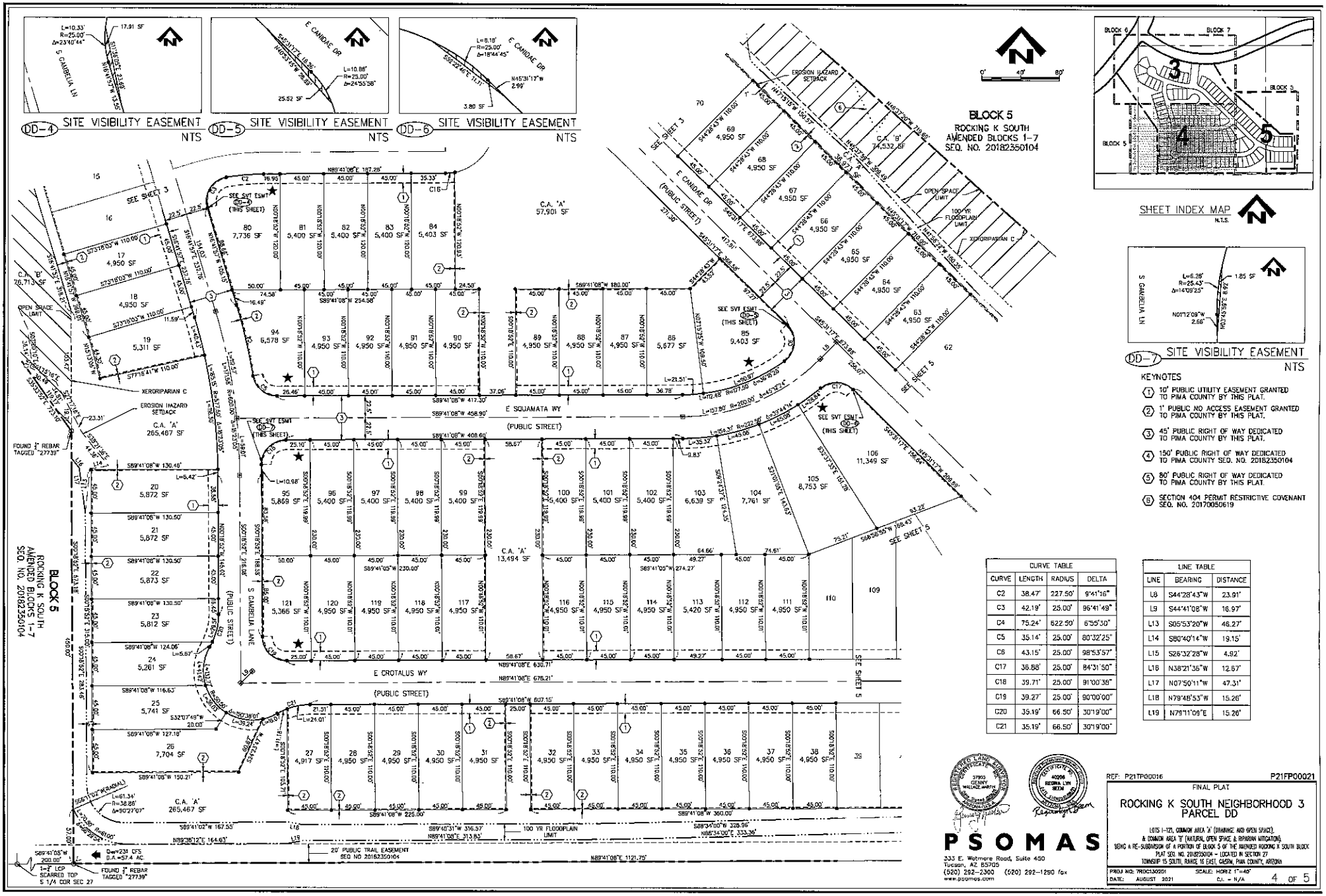
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FINAL PLAT

ROCKING K SOUTH NEIGHBORHOOD 3 PARCEL DD

LOTS 1-123, COMMON AREA 'A' (DRAINAGE AND OPEN SPACE), & COMMON AREA 'B' (NATURAL OPEN SPACE & RIPARIAN MITIGATION)
BEING A RE-SUBDIVISION OF A PORTION OF BLOCK 5 OF THE AMENDED ROCKING K SOUTH BLOCK PLAT SEQ. NO. 20182350104 – LOCATED IN SECTION 27
TOWNSHIP 15 SOUTH, RANGE 16 EAST, GSRM, PIMA COUNTY, ARIZONA

PROJ NO: 21RCK130201 SCALE: HORIZ 1"=40'
DATE: AUGUST 2021 O.I. = N/A



CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C2	38.47'	227.50'	9°41'16"
C3	42.19'	25.00'	96°41'49"
C4	75.24'	522.50'	8°15'30"
C5	35.14'	25.00'	80°32'25"
C6	43.15'	25.00'	98°53'57"
C17	38.88'	25.00'	84°31'30"
C18	39.71'	25.00'	91°00'36"
C19	39.27'	25.00'	90°00'00"
C20	35.19'	66.50'	30°19'00"
C21	35.19'	66.50'	30°19'00"

LINE TABLE		
LINE	BEARING	DISTANCE
L8	S44°28'43"W	23.91'
L9	S44°41'08"W	16.97'
L13	S05°53'20"W	46.27'
L14	S80°40'14"W	19.15'
L15	S26°32'28"W	4.92'
L16	N38°21'36"W	12.67'
L17	N07°50'11"W	47.31'
L18	N79°48'53"W	15.26'
L19	N79°11'06"E	15.26'

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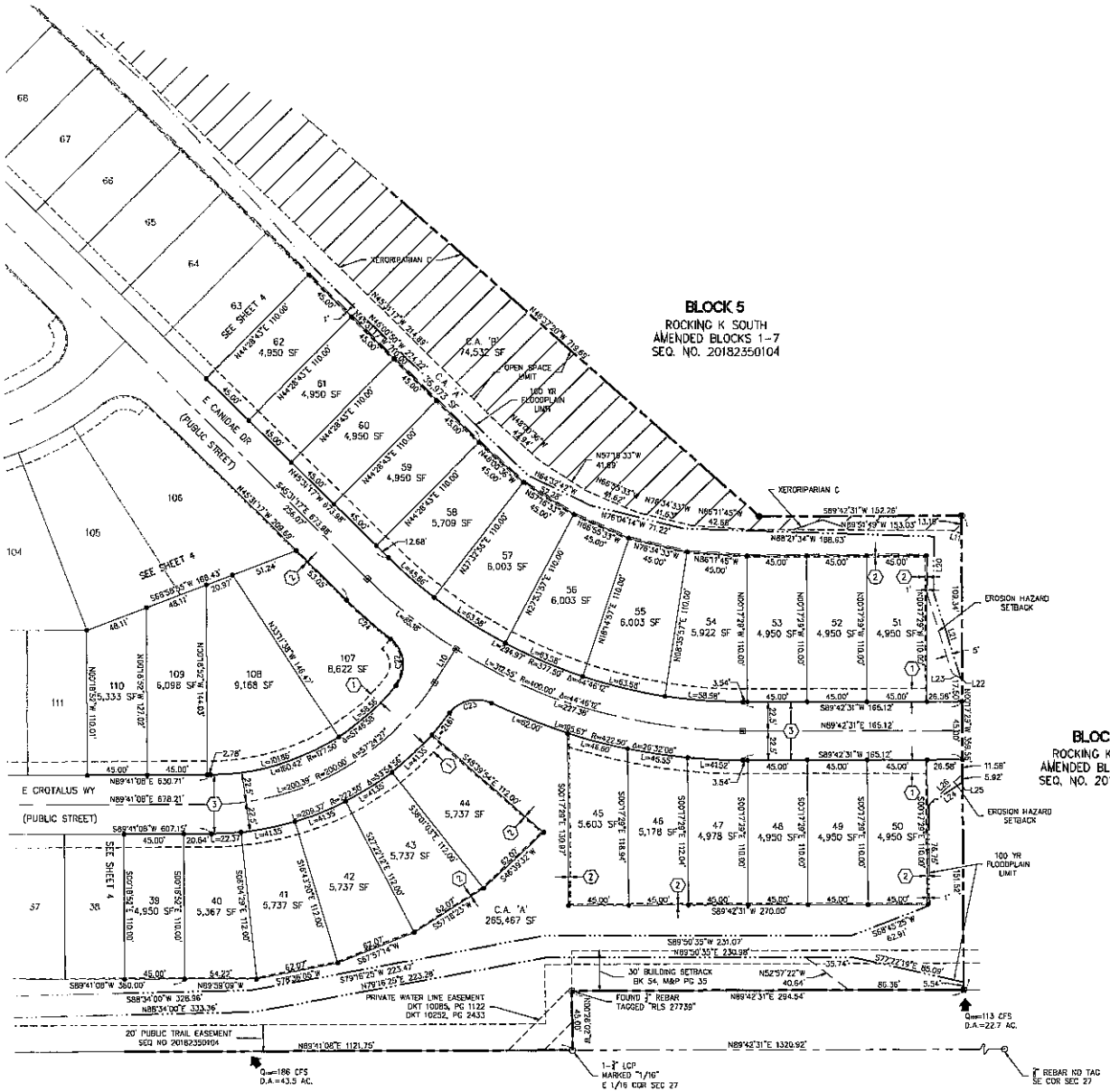
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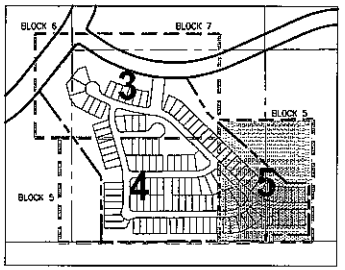
FINAL PLAT

ROCKING K SOUTH NEIGHBORHOOD 3 PARCEL DD

LOTS 1-121, COMMON AREA 'A' (DRAINAGE AND OPEN SPACE), & COMMON AREA 'B' (NATURAL OPEN SPACE & RIPARIAN MITIGATION), BEING A RE-SUBDIVISION OF A PORTION OF BLOCK 5 OF THE AMENDED ROCKING K SOUTH BLOCK PLAT SEQ. NO. 20182350104 - LOCATED IN SECTION 27 TOWNSHIP 15 SOUTH, RANGE 16 EAST, GASRN, PIMA COUNTY, ARIZONA

PROJ NO: 7R0C130201 SCALE: HORIZ 1"=40'
DATE: AUGUST 2021 C.L. = N/A





SHEET INDEX MAP
N.T.S.

KEYNOTES

1. 10' PUBLIC UTILITY EASEMENT GRANTED TO PIMA COUNTY BY THIS PLAT.
2. 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.
4. 150' PUBLIC RIGHT OF WAY DEDICATED TO PIMA COUNTY SEQ. NO. 20182350104
5. 80' PUBLIC RIGHT OF WAY DEDICATED TO PIMA COUNTY BY THIS PLAT.

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C22	39.02'	25.00'	89°26'13"
C23	35.11'	25.00'	80°28'27"
C24	44.34'	422.50'	6°00'46"

LINE TABLE		
LINE	BEARING	DISTANCE
L10	N32°16'41"E	29.95'
L11	N75°44'03"W	8.02'
L20	N00°07'15"E	42.87'
L21	N17°43'33"W	67.17'
L22	S89°42'31"W	1.08'
L23	N56°20'00"W	7.67'
L24	S55°21'04"W	29.68'
L25	S89°42'31"W	1.08'
L26	N46°56'03"E	33.38'

PSOMAS
333 E. Wetmore Road, Suite 450
Tucson, AZ 85705
(520) 292-2300 (520) 292-1290 fax
www.psomas.com

REF: P21TP00016 P21FP00021

FINAL PLAT

ROCKING K SOUTH NEIGHBORHOOD 3 PARCEL DD

LOTS 1-121, COMMON AREA 'A' (DRAINAGE AND OPEN SPACE), & COMMON AREA 'B' (BUFFER, OPEN SPACE & EROSION MITIGATION)
BEING A RE-SUBDIVISION OF A PORTION OF BLOCK 5 OF THE AMENDED ROCKING K SOUTH BLOCK PLAT SEQ. NO. 20182350104 - LOCATED IN SECTION 27
TOWNSHIP 15 SOUTH, RANGE 16 EAST, GASBIN, PIMA COUNTY, ARIZONA

PROJ NO: 7RDC130201 SCALE: HORIZ 1"=40'
DATE: AUGUST 2021 C.I. = N/A

ASSURANCE AGREEMENT FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS (Third Party Trust)
P21FP00021

THIS AGREEMENT is made and entered into by and between FORESTAR (USA) REAL ESTATE GROUP INC, a Delaware corporation or successors in interest ("Subdivider"), Title Security Agency, LLC, a Delaware limited liability company ("Trustee"), as trustee under Trust No. 201827-T; 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:

2.1. *Property Description.* The Land is all of the real property which is the subject of the subdivision plat ("the Subdivision Plat") identified as ROCKING K SOUTH NEIGHBORHOOD 3 PARCEL DD Lots 1-121, Common Area "A" (Drainage and Open Space), & Common Area "B" (Natural Open Space & Riparian Mitigation) recorded in Sequence number _____ on the _____ day of _____, 2021, in the Office of the Pima County Recorder.

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 in-lieu 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 portions 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.

2.17. *Effective Date.* This Agreement is effective on the _____ day of _____, 2021, which is the date of approval of this agreement by the Pima County Board of Supervisors.

PIMA COUNTY, ARIZONA

_____
Chair, Board of Supervisors

SUBDIVIDER: Forestar (USA) Real Estate Group
Inc., a Delaware corporation

By: _____

Its: DIVISION PRESIDENT - AZ

ATTEST:

_____
Clerk of the Board

TRUSTEE: Title Security Agency, LLC, a Delaware limited liability company Trustee under Trust No. 201827-T, and not in its corporate capacity

By: _____

Its: _____Trust Officer_____

STATE OF ARIZONA)
County of Maricopa)

The foregoing instrument was acknowledged before me this 06 day of December, 2021, by Brian Konderik of Forestar (USA) Real Estate Group, Inc. ("**Subdivider**"), an Delaware corporation, on behalf of the corporation.

SILVIA NICO
NOTARY PUBLIC - ARIZONA
MARICOPA COUNTY
COMMISSION # 644243
MY COMMISSION EXPIRES
SEPTEMBER 09, 2022

_____
Notary Public

My Commission Expires:
09/09/22

STATE OF ARIZONA)
County of Pima)

The foregoing instrument was acknowledged before me this 7th day of December, 2021, by Diane L. Sloane the Trust Officer of Title Security Agency, LLC, ("**Trustee**"), a Delaware limited liability company, on behalf of the corporation, as trustee under trust number 2018274-T.

_____
Notary Public

My Commission Expires:
8/1/25

NOTARY PUBLIC
STATE OF ARIZONA
Pima County
LEAS HARLOS
COMMISSION # 605750
My Commission Expires August 1, 2025