



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 4/19/2022

*= Mandatory, information must be provided

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

***Title:**

Resolution No. 2022-_____ providing for the vacation and abandonment of a portion of Avra Valley Road.

***Introduction/Background:**

An application has been received for the vacation and abandonment by Exchange of a portion of Avra Valley Road. The Roadway is a public road lying within Sections 8 & 9, Township 12, Range 12 G&SRM, Pima County, Arizona, as shown on attached Location Map. File #A-0061.

***Discussion:**

The subject Roadway was established by Pima County Road Proceeding No. 760-A and recorded in Book 6 of Road Maps at Page 43 in the office of the Pima County Recorder. The applicant is requesting the abandonment as part of an Exchange Agreement with Pima County that will be considered by the Board as a separate agenda item.

***Conclusion:**

This abandonment request has been reviewed and approved by appropriate County staff and applicable utility companies and no property will be left without public or private legal access and existing utility easements will be reserved. Public notice was completed per Statute ARS '28-6701 and no objections were received. County has determined that the subject roadway is not needed for public use and shall be vacated upon conveyance to the applicant. County DOT further requests waiver of the \$5000 application fee due to the benefit to County of the exchange.

***Recommendation:**

Staff recommends that the Pima County Board of Supervisors approve Resolution No. 2022-_____.

***Fiscal Impact:**

Pima County will be removed from liability and have no maintenance responsibilities toward the subject roadway.

Attachment: Location Map

***Board of Supervisor District:**

☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ All

Department: Real Property Services

Telephone: 724-6313

Contact: Tim Murphy

Telephone: 724-6379

Department Director Signature: _____

Date: _____

Deputy County Administrator Signature: _____

Date: _____

County Administrator Signature: _____

Date: _____

7/14/2021

RESOLUTION NO. 2022 - _____

**RESOLUTION OF THE PIMA COUNTY BOARD OF SUPERVISORS
FOR THE DISPOSITION OF A PORTION OF AVRA VALLEY ROAD,
A PUBLIC ROADWAY AS PIMA COUNTY ROAD ABANDONMENT
NO. A-0061, WITHIN SECTIONS 8 & 9, TOWNSHIP 12 SOUTH,
RANGE 12 EAST, G&SRM, PIMA COUNTY, ARIZONA**

The Board of Supervisors of Pima County, Arizona finds:

1. An application has been received by Pima County for the disposition of a portion of Avra Valley Road, a public roadway, established by Pima County Roadway Proceeding No. 760-A and recorded in Book 6 of Road Maps at Page 43, in the Office of the Pima County Recorder; said roadway being more particularly described and depicted in attached **Exhibit "A"** (the "Roadway").
2. The County has determined that the portion of public right-of-way is not needed for public use as a roadway pursuant to A.R.S. § 28-7202.
3. The Roadway may be disposed of by exchange to the applicant, I-10 Avra Valley Mining & Development, LLC ("Grantee") pursuant to A.R.S. § 28-7203.
4. In exchange for the Roadway, Grantee will convey to the County the properties described and depicted in attached **Exhibits "B", "C" and "D"** (the "Exchange Property") per the terms and conditions of an Exchange Agreement, subject to the approval of the Board.
5. No land adjoining the Roadway will be left without access to a public highway.
6. The Deeds from Grantee to the County for the Exchange Property shall be recorded simultaneously with the Quit Claim Deed for the Roadway.

NOW, THEREFORE, BE IT RESOLVED,

The Roadway described and depicted in **Exhibit "A"** will be disposed of by exchange by Quit Claim Deed to Grantee, in accordance with A.R.S. § 28-7203, reserving any easements for utilities, which shall continue as they existed prior to this conveyance.

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


Passed and adopted, this _____ day of _____, 2022.

Chair, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM

Clerk of the Board

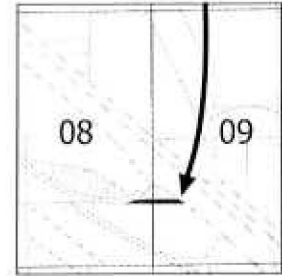

March 29, 2022
Deputy County Attorney

BOS Approval: 04/19/2022	S 8 & 9/T12S/R12E	File A-0061	Agent: TM
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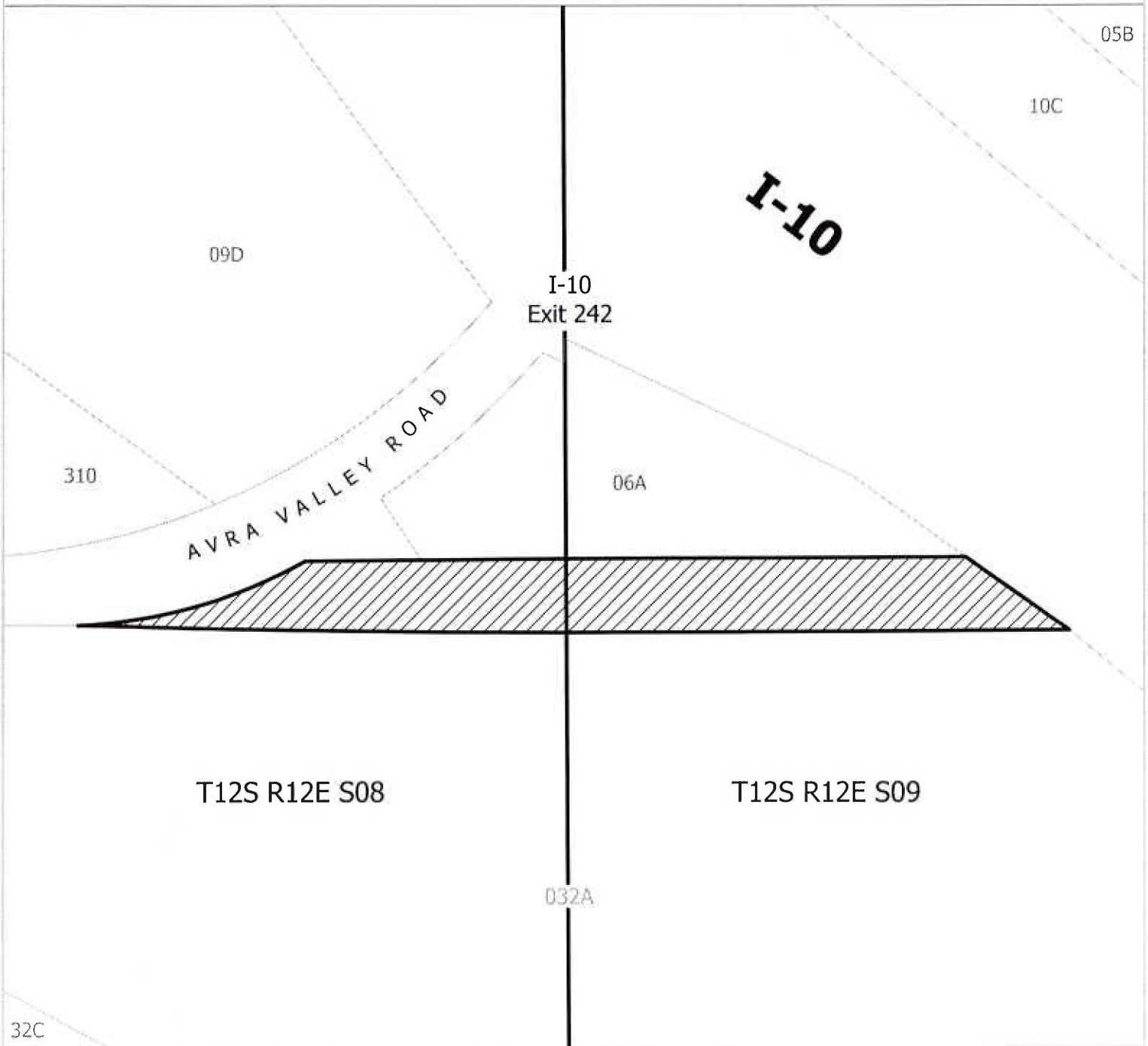
LOCATION MAP

SECTIONS 08, 09
TOWNSHIP 12 SOUTH
RANGE 12 EAST

SUBJECT AREA



SECTIONS 08, 09 G&SRM
PIMA COUNTY, ARIZONA



**PIMA COUNTY DEPARTMENT OF TRANSPORTATION
ENGINEERING INFORMATION MANAGEMENT**

21058

DRAWING NOT TO SCALE

DRAWN BY: J. MATHER

DATE: JAN 2022

LEGEND

 Abandonment Area

15 December 2021

EXHIBIT "A"
LEGAL DESCRIPTION

All that portion of the Avra Valley Road right-of-way as described in the Pima County Roadway Proceeding No. 760-A and recorded in Book 6 of Road Maps at Page 43, in the office of the Pima County Recorder, being a portion of the southeast quarter of Section 8 and the southwest quarter of Section 9, Township 12 South, Range 12 East, Gila & Salt River Meridian, Pima County, Arizona, more particularly described as follows:

All that part of said Avra Valley Road lying west of the west right-of-way line of Interstate 10 as shown on the Results of Survey for ADOT Plan D-10-T-417 and south and east of the following described line:

COMMENCING at the southeast corner of said Section 8, a 3" ACP stamped "RLS21782", to which an untagged ½" rebar, (1/16 corner), bears North 00°34'14" West a distance of 1319.31 feet;

THENCE along the east line of said Section 8, North 00°34'14" West a distance of 1269.31 feet to a point on the south right-of-way line of Avra Valley Road;

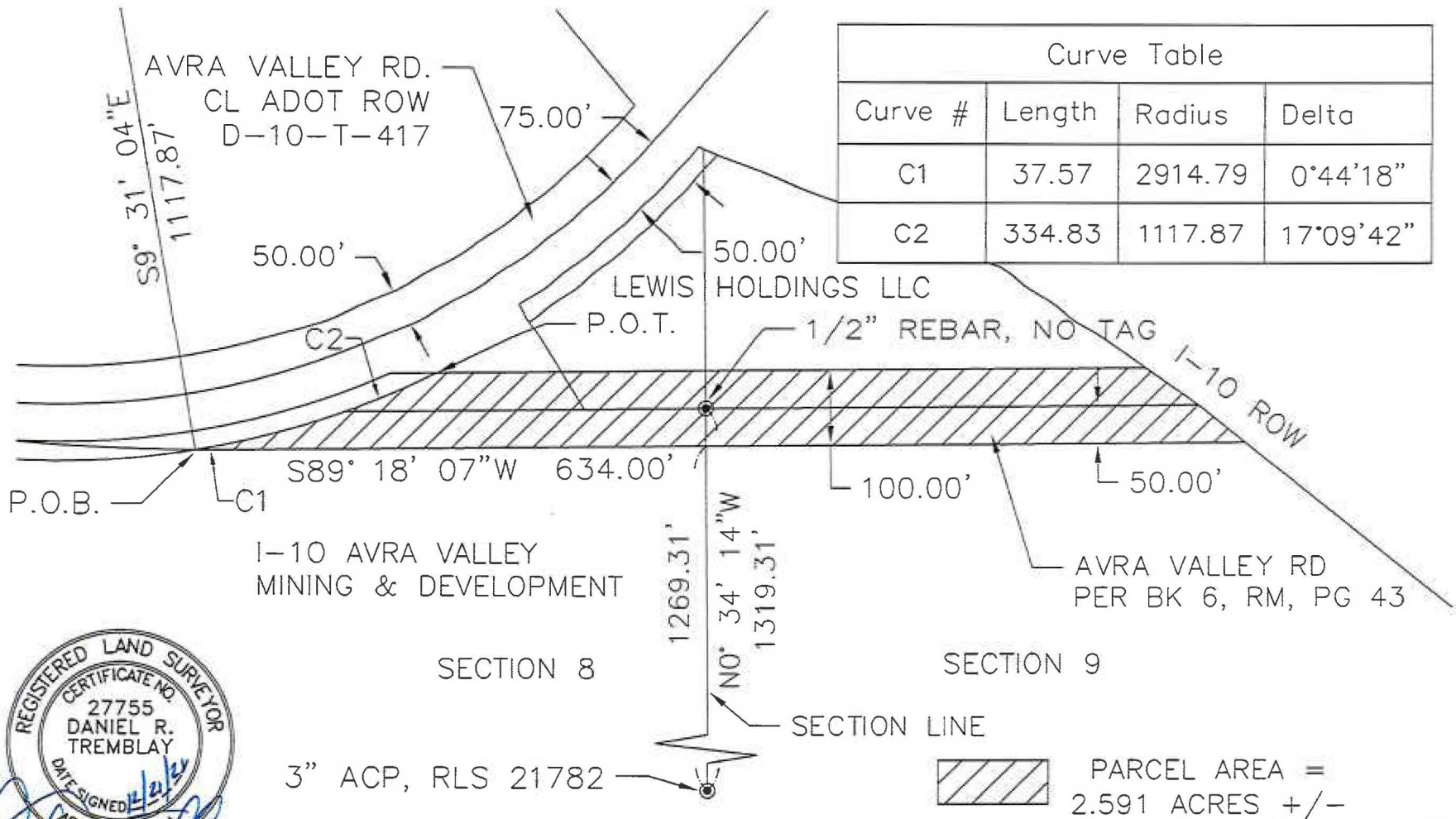
THENCE along said south right-of-way line South 89°18'07" West a distance of 634.00 feet to the beginning of a tangent curve concave to the north, having a radius of 2914.79 feet and a central angle of 00°44'18";

THENCE continuing along said south right-of-way line and arc of said curve to the right a distance of 37.57 feet to the **POINT OF BEGINNING**, being the beginning of a non-tangent curve concave to the northwest, having a radius of 1117.87 feet and to which a radial line bears South 09°31'04" East, said point being on a line 75.00 feet southeast of and parallel with the centerline of Avra Valley Road as shown on said ADOT Plan D-10-T-417;

THENCE northeasterly along said parallel line and arc of said curve to the left, through a central angle of 17°09'42", a distance of 334.83 feet to the north right-of-way line of said Avra Valley Road as shown on Pima County Roadway Proceeding No. 760-A, said point being the **POINT OF TERMINUS**.



DEPICTION OF EXHIBIT "A"



PIMA COUNTY SURVEY

A PORTION OF AVRA VALLEY RD., LOCATED IN SECTIONS 8 & 9,
TOWNSHIP 12 SOUTH, RANGE 12 EAST,
GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

Scale: 1" = 200'

Date: 14 December 2021

Drawn By: AJI

Sheet 2 of 2

OPW ENGINEERING, L.L.C.
Engineering, Surveying & Planning

EXHIBIT B

7000 E. Tanque Verde Road, #37
Tucson, Arizona 85715
Phone: (520) 296-8544
FAX: (520) 296-2356



Legal Description

Parcel A-3

All of that portion of the South Half of the Southwest Quarter of Section 9, Township 12 South, Range 12 East, of the Gila and Salt River Meridian, Pima County, Arizona, lying Southwesterly of the relocated Casa Grande - Tucson Interstate Highway, more particularly described as follows:

COMMENCING at the Southwest corner of said Section 9, being a found 3" ACP marked "MMLA" from which the South Quarter corner of said Section 9, being a found 1-1/2" pipe, bears North 89° 51' 36" East (Basis of Bearing) at 2641.21 feet;

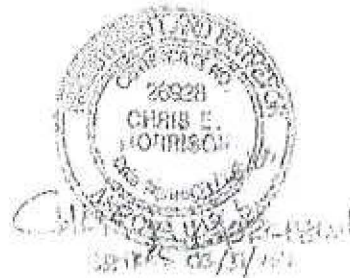
Thence North 89° 51' 36" East along the South line of the Southwest Quarter of said Section 9, a distance of 557.85 feet to a point on the Northeast line of that 100 foot levee described in Docket 10812 at page 502, records of Pima County, Arizona;

Thence North 34° 08' 24" West, along said Northeast line, 162.34 Feet, to the **TRUE POINT OF BEGINNING**;

Thence North 62° 19' 56" East, 1095.67 feet to a point on the Southwest right-of-way of the relocated Casa Grande - Tucson Interstate Highway, as conveyed in warranty deed recorded in Docket 2264 at Page 392;

Thence South 34° 56' 40" West, 618.83 feet;

Thence South 89° 51' 36" West, 615.93 feet the **TRUE POINT OF BEGINNING**.



July 28, 2008

CM:cm

C:\Doc51\21100\300\Parcel A3 S+S.wpd

DEPICTION OF EXHIBIT "A"

226-01-032A
I-10 ANRA VALLEY
MINING & DEVELOPMENT

PARCEL A-3
DKT 13369 PG 172

I-10 ROW

S62° 19' 56"W
1095.67'
615.93'
N89° 51' 36"E
618.83'
N34° 56' 40"E

226-01-032D
PIMA COUNTY
DKT 13495 PG 2932

SECTION 9

SEC.
COR.

SECTION 8

SECTION LINE



PIMA COUNTY SURVEY

A PORTION OF SECTION 9,
TOWNSHIP 12 SOUTH, RANGE 12 EAST,
GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

Scale: 1" = 250'

Date: 25 October 2021

Drawn By: DRT

Sheet 1 of 1

EXHIBIT B-1

EXHIBIT "C"

15 December 2021

LEGAL DESCRIPTION

A portion of that parcel as described in Docket 11738 at Page 5080, Exhibit "A", being within the southeast quarter of Section 8, Township 12 South, Range 12 East, Gila & Salt River Meridian, Pima County, Arizona, more particularly described as follows:

COMMENCING at the southeast corner of said Section 8, a 3" ACP stamped "RLS21782", to which an untagged ½" rebar, (1/16 corner), bears North 00°34'14" West a distance of 1319.31 feet;

THENCE along the east line of said Section 8, North 00°34'14" West a distance of 1269.31 feet to a point on the south right-of-way line of Avra Valley Road as described in the Pima County Roadway Proceeding No. 760-A and recorded in Book 6 of Road Maps at Page 43 in the office of the Pima County Recorder;

THENCE along said south right-of-way line, South 89°18'07" West a distance of 634.00 feet to the beginning of a tangent curve concave to the north, having a radius of 2914.79 feet and a central angle of 00°44'18";

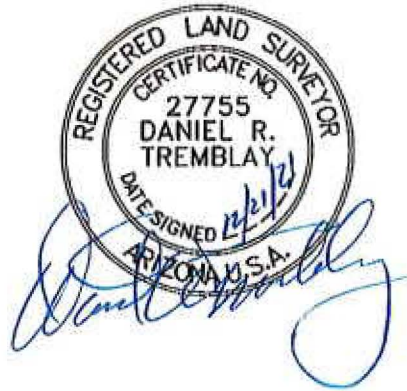
THENCE continuing along said south right-of-way line and arc of said curve to the right a distance of 37.57 feet to the **POINT OF BEGINNING** being the beginning of a non-tangent curve concave to the north having a radius of 1117.87 feet and a central angle of 15°24'22" and to which a radial line bears South 09°31'04" East, said point being on a line 25.00 feet south of and parallel with the south right-of-way line of Avra Valley Road as shown on the Results of Survey for ADOT Plan D-10-T-417;

THENCE westerly along said parallel line and arc of said curve to the right a distance of 300.58 feet to a point of a compound curve having a radius of 2939.79 feet and a central angle of 06°23'01", said point being on a line 25.00 feet south of and parallel with the south right-of-way line of Avra Valley Road as described in the Pima County Roadway Proceeding No. 760-A;

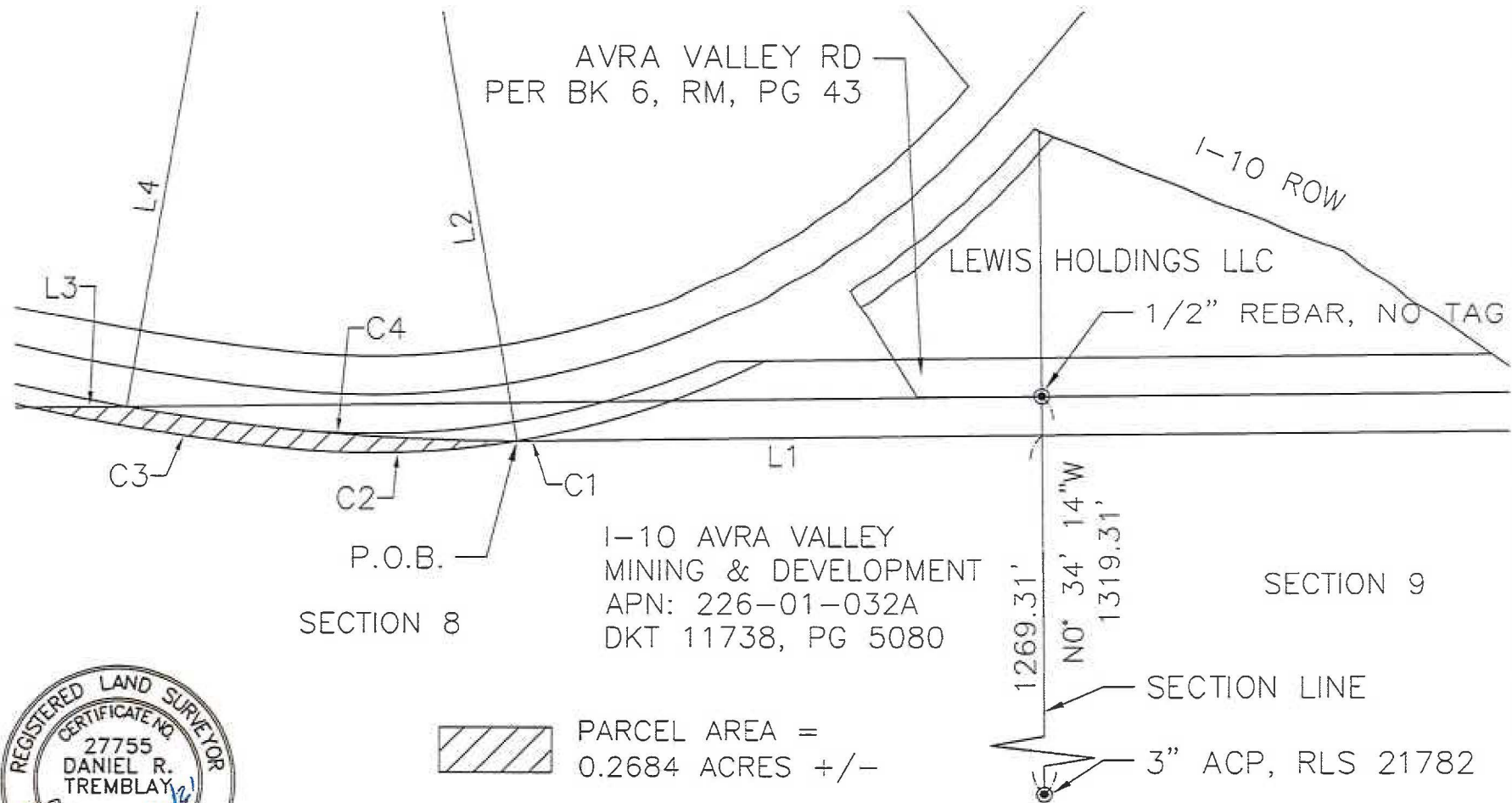
THENCE along said parallel line and arc of said curve to the right a distance of 327.53 feet to a point on the north line of the southeast quarter of the southeast quarter of said Section 8;

THENCE along said north line North 89°18'07" East a distance of 122.24 feet to a point on the south right-of-way line of Avra Valley Road as described in the Pima County Roadway Proceeding No. 760-A, being the beginning of a non-tangent curve concave to the north having a radius of 2914.79 feet and a central angle of 09°53'20" and to which a radial line bears South 09°55'46" West;

THENCE easterly along said south right-of-way line and arc of said curve to the left a distance of 503.08 feet to the **POINT OF BEGINNING**.



DEPICTION OF EXHIBIT



PIMA COUNTY SURVEY

A PORTION OF A PARCEL LOCATED IN SECTION 8,
TOWNSHIP 12 SOUTH, RANGE 12 EAST,
GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

Scale: 1" = 200'

Date: 14 December 2021

Drawn By: AJI

Sheet 3 of 4

DEPICTION OF EXHIBIT

Parcel Line Table		
Line #	Length	Direction
L1	634.00'	S89° 18' 07"W
L2	1117.87'	S9° 31' 04"E
L3	122.24'	N89° 18' 07"E
L4	2914.79'	S9° 55' 46"W

Curve Table			
Curve #	Length	Radius	Delta
C1	37.57	2914.79	0°44'18"
C2	300.58	1117.87	15°24'22"
C3	327.53	2939.79	6°23'01"
C4	503.08	2914.79	9°53'20"



PIMA COUNTY SURVEY

A PORTION OF A PARCEL LOCATED IN SECTION 8,
TOWNSHIP 12 SOUTH, RANGE 12 EAST,
GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

Scale: NA

Date: 14 December 2021

Drawn By: AJI

Sheet 4 of 4

EXHIBIT "D"

15 December 2021

LEGAL DESCRIPTION

A portion of that parcel as described in Docket 11705 at Page 3405, being within the southeast quarter of Section 8 and the southwest quarter of Section 9, Township 12 South, Range 12 East, Gila & Salt River Meridian, Pima County, Arizona, more particularly described as follows:

COMMENCING at the southeast corner of said Section 8, a 3" ACP stamped "RLS21782", to which an untagged ½" rebar, (1/16 corner). bears North 00°34'14" West a distance of 1319.31 feet;

THENCE along the east line of said Section 8, North 00°34'14" West a distance of 1319.31 feet to a point on the centerline of Avra Valley Road as described in the Pima County Roadway Proceeding No. 760-A and recorded in Book 6 of Road Maps at Page 43 in the office of the Pima County Recorder;

THENCE along said centerline of said Avra Valley Road, South 89°18'07" West a distance of 159.06 feet

THENCE North 31°26'54" West a distance of 139.50 feet to the **POINT OF BEGINNING**;

THENCE continuing North 31°26'54" West a distance of 25.02 feet to a point on the southeast right-of-way line of Avra Valley Road as shown on the Results of Survey for ADOT Plan D-10-T-417, being the beginning of a non-tangent, curve concave to the northwest, having a radius of 1092.87 feet and a central angle of 16°05'10" and to which a radial line bears South 33°59'27" East;

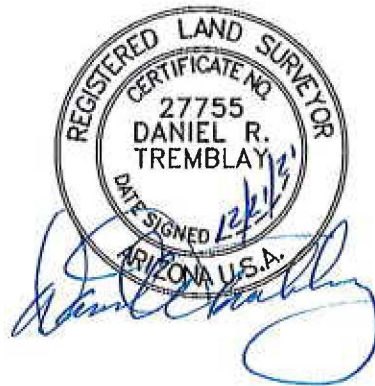
THENCE northeasterly along said right-of-way line and arc of said curve to the left a distance of 306.83 feet;

THENCE continuing along said right-of-way line North 39°55'23" East a distance of 11.61 feet to the southwest right-of-way line of Interstate 10 as shown on said Results of Survey for ADOT Plan D-10-T-417;

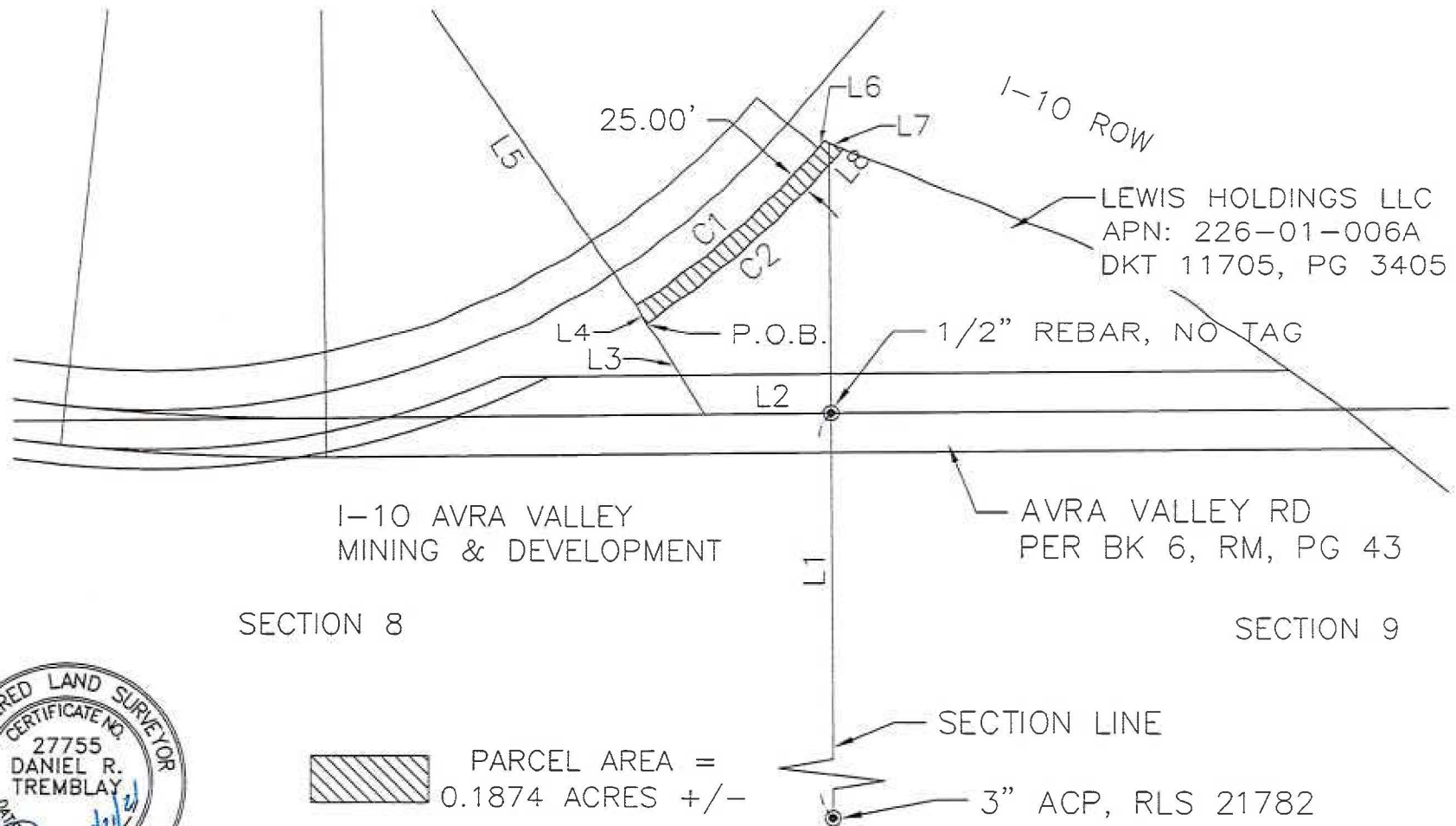
THENCE along said southwest right-of-way line of Interstate 10 South 67°42'59" East a distance of 26.23 feet to a point on a line 25.00 feet south of and parallel with said southeast right-of-way line of Avra Valley Road;

THENCE along said parallel line South 39°55'23" West a distance of 19.56 feet to the beginning of a tangent curve concave to the northwest having a radius of 1117.87 feet and a central angle of 16°08'35";

THENCE continuing along said parallel line and arc of said curve to the right a distance of 314.96 feet to the **POINT OF BEGINNING**.



DEPICTION OF EXHIBIT



PIMA COUNTY SURVEY

A PORTION OF A PARCEL LOCATED IN SECTIONS 8 & 9,
TOWNSHIP 12 SOUTH, RANGE 12 EAST,
GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

Scale: 1" = 200'

Date: 16 December 2021

Drawn By: AJI

Sheet 3 of 4

DEPICTION OF EXHIBIT

Parcel Line Table		
Line #	Length	Direction
L1	1319.31'	N0° 34' 14"W
L2	159.06'	S89° 18' 07"W
L3	139.50'	N31° 26' 54"W
L4	25.02'	N31° 26' 54"W
L5	1092.87'	S33° 59' 27"E
L6	11.61'	N39° 55' 23"E
L7	26.23'	S67° 42' 59"E
L8	19.56'	S39° 55' 23"W

Curve Table			
Curve #	Length	Radius	Delta
C1	306.83	1092.87	16°05'10"
C2	314.96	1117.87	16°08'35"



PIMA COUNTY SURVEY

A PORTION OF A PARCEL LOCATED IN SECTIONS 8 & 9,
TOWNSHIP 12 SOUTH, RANGE 12 EAST,
GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

Scale: NA

Date: 16 December 2021

Drawn By: AJI

Sheet 4 of 4