



MEMORANDUM

PUBLIC WORKS-REAL PROPERTY SERVICES

Date: February 19, 2015

To: Chuck Huckelberry

From: Neil J. Konigsberg

RE: BOS Agenda Item: Road Abandonment by Vacation of a portion of W. Sierra Vista Ranch Road (A-14-06)

Action Requested: Pima County will execute the Resolution for Vacation and Quit Claim for a portion of W. Sierra Vista Ranch Road to N. Troy McDaniel and Melissa Owen at no cost.

Background Information (include statutory references, if any): This portion of unimproved right-of-way runs from the applicant's property line and dead ends at their house, acting as their driveway. No other properties in the area are using this portion of right-of-way for access. The abandonment area has been gated for over 20 years. Pima County has not maintained the area for the past 6 years. The applicant's desire to legally obtain the right-of-way so they may continue to secure and maintain it. §28-7215(B).

Costs Involved: N/A

Expected Public Benefit: Pima County will no longer be responsible for the cost of maintaining this portion of unimproved right of way or be liable for what is essentially private land access.

Principals of Seller/Purchaser if Trust/Corporation/LLC: N. Troy McDaniel and Melissa Owen, husband and wife.



BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: April 7, 2015

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

RESOLUTION AND ORDER NO. 2015-_____

Providing for the vacation and abandonment of a portion of public road right-of-way known as Sierra Vista Ranch Road, lying within Section 1, Township 22 South, Range 7 East, G&SRM, Pima County, Arizona.

QUIT CLAIM DEED TO N. Troy McDaniel and Melissa Owen, husband and wife.

The abandonment applicants are the owners of the property adjacent to that portion of Sierra Vista Ranch Road. The abandonment applicants desire to obtain ownership to this public road right-of-way.

This abandonment request has been reviewed and approved by appropriate County staff and no properties will be left without public or private legal access. County staff has determined that this segment of right-of-way shall be vacated at no cost due to its unimproved condition and current use as the applicant's private driveway.

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. 2015-_____ and Quit Claim Deed.

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
--	--	-----	---	----

Board of Supervisors District:

1		2		3	X	4		5		All	
---	--	---	--	---	---	---	--	---	--	-----	--

IMPACT:

IF APPROVED:

The applicants will obtain ownership and Pima County will be removed from liability and have no maintenance responsibilities toward this unimproved portion of Sierra Vista Ranch Road.

IF DENIED:

The applicants will not obtain ownership and Pima County will remain liable and responsible for the maintenance of this unimproved portion of Sierra Vista Ranch Road.

DEPARTMENT NAME: Public Works Real Property Services

CONTACT PERSON: Dana Hausman

TELEPHONE NO.: 724-6713

RESOLUTION NO. 2015 - _____

**PIMA COUNTY RESOLUTION FOR THE VACATION OF A PORTION OF
SIERRA VISTA RANCH ROAD, AS PIMA COUNTY ROAD ABANDONMENT
NO. A-14-06, LYING WITHIN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 7
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 vacation and conveyance of a portion of public road right-of-way known as Sierra Vista Ranch Road lying within Section 1, Township 22 South, Range 7 East, G&SRM, Pima County, Arizona, more particularly described and depicted in the attached Exhibit "A".
2. The County has determined that the subject public roadway was created by Resolution and Order Proceedings No. 1134, recorded in Docket 1624 at Page 57, in the office of the Pima County Recorder, Pima County, Arizona.
3. No land adjoining said public roadway would be left without public or private legal access pursuant to A.R.S. §28-7215(A).
4. The public roadway has no public use and shall be vacated without compensation pursuant to A.R.S. §28-7215(B).
5. The public roadway shall be disposed of by vacation and conveyance to the owner of the abutting land ("Grantee") pursuant to A.R.S. §28-7205.

NOW, THEREFORE, BE IT RESOLVED,

The public roadway described and depicted in Exhibit "A" shall be disposed of by vacation and conveyance to the Grantee, in accordance with A.R.S. §28-7215(B), reserving any and all rights-of-way or easements for water, electric, telephone, sewer and similar lines which shall continue as they existed prior to the conveyance.

That the Chair of the Board of Supervisors is hereby authorized to execute the quit claim deed to the Grantee for said vacation and conveyance of the roadway as described and depicted in Exhibit "A".

That the quit claim deed shall be recorded and that upon recordation of the quit claim deed, subject to the above reservations, the described roadway shall be deemed to be vacated and title shall vest in the Grantee.

Passed and adopted, this _____ day of _____, 2015.

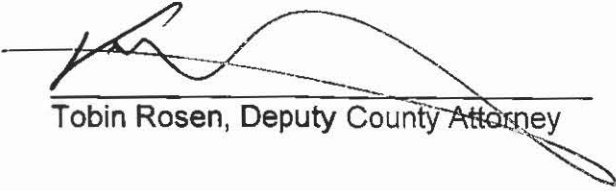
BOS Approval: 4/7/15	S1/T22S/R7E	File A-14-06	Agent: DH
----------------------	-------------	--------------	-----------

Sharon Bronson, Chair, Pima County Board
of Supervisors

ATTEST:

APPROVED AS TO FORM

Robin Brigode, Clerk of the Board



Tobin Rosen, Deputy County Attorney

EXHIBIT “A”

Road Abandonment, No. A-14-06 (Sierra Vista Ranch Road)

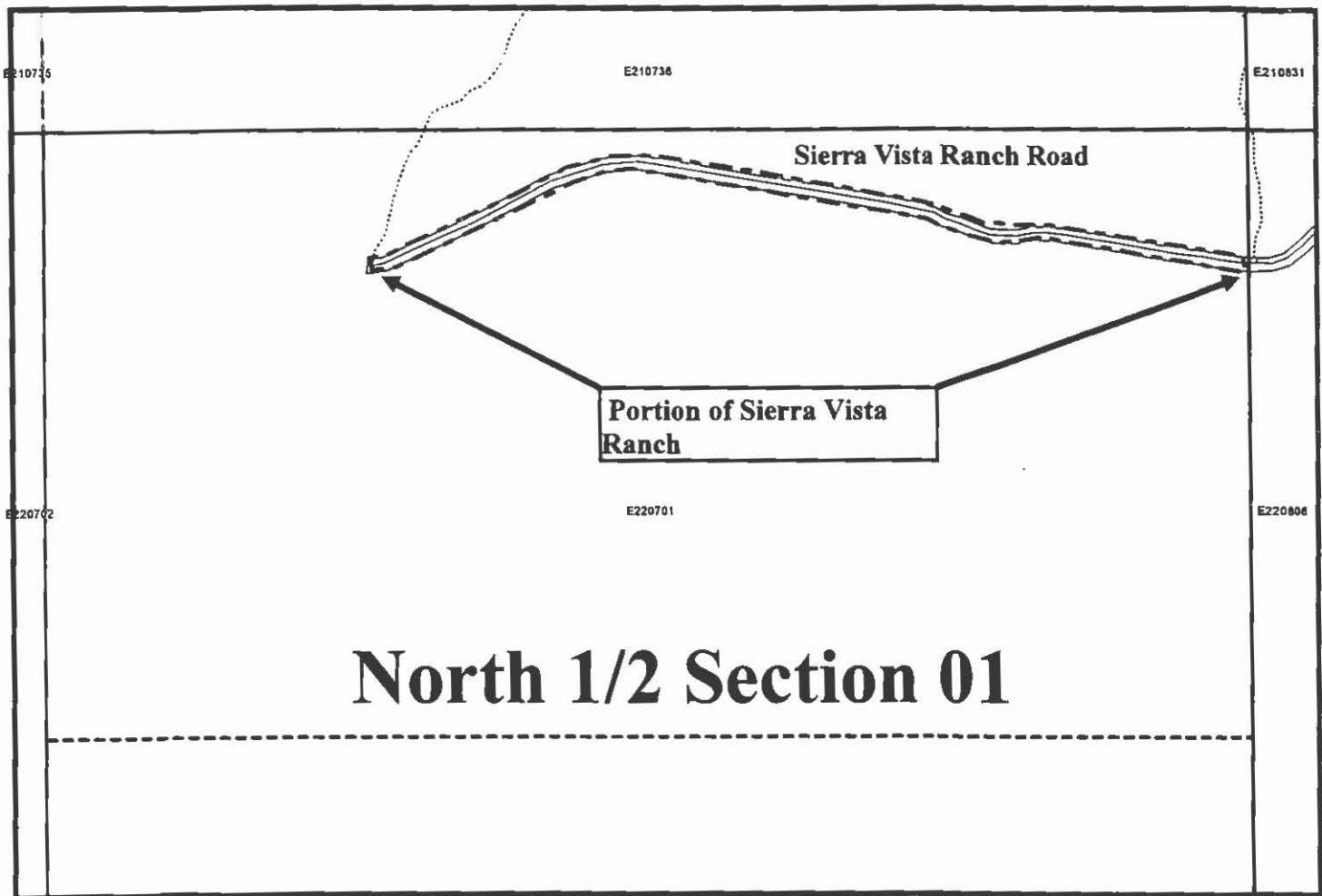
All that portion of Sierra Vista Ranch Road as established by Resolution and Order Proceedings No. 1134, recorded in Docket 1624 at Page 57, situated within the North half ($\frac{1}{2}$) of the North half ($\frac{1}{2}$) of Section 01, Township 22 South, Range 07 East, Gila and Salt River Meridian, Pima County, Arizona.

EXHIBIT A

(Depicted)

SECTION 01
TOWNSHIP 22 SOUTH
RANGE 07 EAST

SIERRA VISTA RANCH ROAD ABANDONMENT DEPICTION.



North 1/2 Section 01



Pima County Public Works Administration
Real Property Services

DRAWING NOT TO SCALE

DATE: December 17, 2014

QUIT CLAIM DEED

For valuable consideration, Pima County, a political subdivision of the State of Arizona, ("Grantor"), hereby quit claims to N. Troy McDaniel and Melissa Owen, husband and wife, ("Grantees"), all right, title and interest of Grantor in the following described property situated in Pima County, Arizona, together with all rights and privileges appurtenant thereto.

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION AND DEPICTION.

RESERVING the roadway rights of ingress and egress for governmental or emergency vehicles, all adjoining landowners, their guests, invitees and persons lawfully conducting business on the land, and

FURTHER RESERVING a perpetual non-exclusive easement for the maintenance, repair and replacement as necessary of existing electric and communications lines and facilities, including the right of ingress/egress thereto, in favor of Trico Electric Cooperative and CenturyLink (aka Qwest Communications) respectively in, on, under, over, across and through the above described roadway. Said easement or portions thereof may be fully extinguished and abandoned upon relocation of the existing facilities, or portions thereof, and recordation of Affidavit(s) signed by each entity with an interest in the particular parcel.

Dated this _____ day of _____, 2015.

ATTEST

Grantor: PIMA COUNTY

Robin Brigode, Clerk of the Board of Supervisors

Sharon Bronson, Chair, Pima County Board of Supervisors

State of Arizona)
) ss
County of Pima)

This instrument was acknowledged before me this ____ day of _____, 2015, by the Chair of the Pima County Board of Supervisors.

My Commission Expires:

Notary Public

EXEMPTION: A.R.S. §11-1134.A.3.	BOS Approval: 4/7/15	File #: A-14-06	Agent: DH
---------------------------------	----------------------	-----------------	-----------

EXHIBIT "A"

Road Abandonment, No. A-14-06 (Sierra Vista Ranch Road)

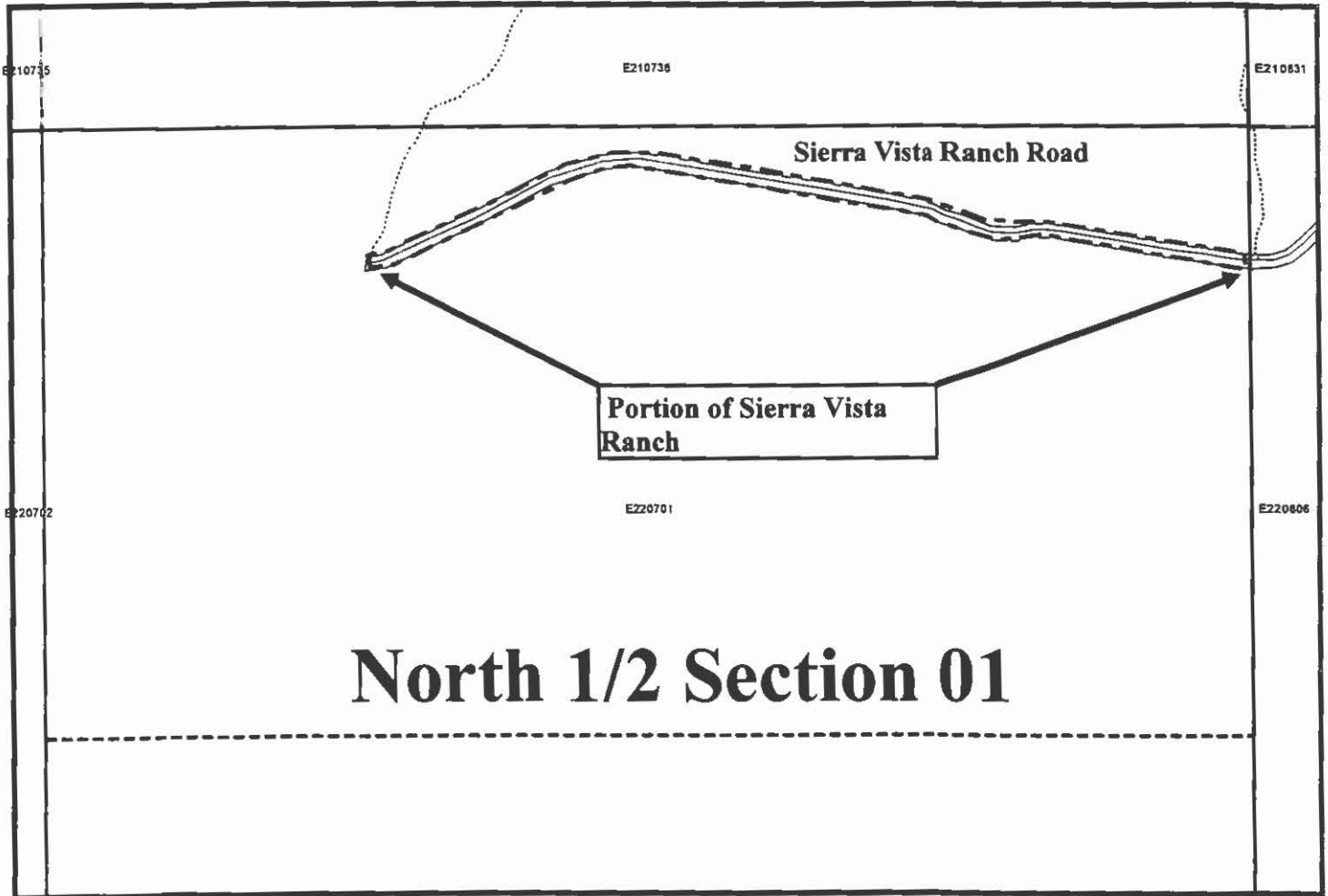
All that portion of Sierra Vista Ranch Road as established by Resolution and Order Proceedings No. 1134, recorded in Docket 1624 at Page 57, situated within the North half ($\frac{1}{2}$) of the North half ($\frac{1}{2}$) of Section 01, Township 22 South, Range 07 East, Gila and Salt River Meridian, Pima County, Arizona.

EXHIBIT A

(Depicted)

SECTION 01
TOWNSHIP 22 SOUTH
RANGE 07 EAST

SIERRA VISTA RANCH ROAD ABANDONMENT DEPICTION.



Pima County Public Works Administration
Real Property Services

DRAWING NOT TO SCALE

DATE: December 17, 2014