



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: July 7, 2015

Title: Resolution No. 2015-____ and Quit Claim Deed providing for the vacation and abandonment of a portion of Houghton Road

Introduction/Background:

The abandonment applicant, PRD Investments, L.L.C., an Arizona limited liability company, has requested an abandonment of a portion of Houghton Road lying within Section 14, Township 13 South, Range 13 East, G&SRM, Pima County Arizona. The applicant owns tax parcel 114-07-0520 located at the end of this portion of Houghton Road and as a condition of rezoning this parcel, must use the area as a private driveway.

Discussion:

This portion of Houghton Road to be abandoned was created by Deed to the public, recorded December 20, 1974, in Docket 4918 at Page 77, in the office of the Pima County Recorder, Pima County, Arizona. The Deed was not accepted by Pima County. By processing this vacation and abandonment, County will release any perceived interest to this segment of right-of-way.

Conclusion:

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 has determined that this segment of right-of-way shall be vacated at no cost due to its poor condition and use as a private driveway.

Recommendation:

Staff recommends that the Pima County Board of Supervisors approve and the Chair execute Resolution No. 2015-____ and Quit Claim Deed.

Fiscal Impact:

Pima County will be removed from liability and have no maintenance responsibilities toward this portion of Houghton Road.

Board of Supervisor District:

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Public Works - Real Property Services Telephone: 724-6713

Department Director Signature/Date: [Signature] 6/12/15

Deputy County Administrator Signature/Date: [Signature] 6/12/15

County Administrator Signature/Date: [Signature] 6/12/15

RESOLUTION NO. 2015 - _____

**PIMA COUNTY RESOLUTION FOR THE VACATION OF A PORTION OF
HOUGHTON ROAD, AS PIMA COUNTY ROAD ABANDONMENT NO. A-15-02,
LYING WITHIN SECTION 14, TOWNSHIP 13 SOUTH, RANGE 13 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 of a portion of road right-of-way known as Houghton Road lying within Section 14, Township 13 South, Range 13 East, G&SRM, Pima County, Arizona, more particularly described and depicted in the attached Exhibit "A".
2. The County has determined that the subject roadway was created by Deed to the public, recorded on December 20, 1974, in Docket 4918 at Page 77, in the office of the Pima County Recorder, Pima County, Arizona.
3. Pima County did not accept the portion of roadway conveyed by Deed recorded in Docket 4918 at Page 77, in the office of the Pima County Recorder, Pima County, Arizona.
4. No land adjoining said public roadway would be left without public or private legal access pursuant to A.R.S. §28-7215(A).
5. The roadway has no public use and shall be vacated without compensation pursuant to A.R.S. §28-7215(B).
6. The roadway shall be disposed of by vacation to the owner of the abutting land ("Grantee") pursuant to A.R.S. §28-7205.

NOW, THEREFORE, BE IT RESOLVED,

The portion of roadway described and depicted in Exhibit "A" shall be disposed of by vacation 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, gas and similar lines which shall continue as they existed prior to the vacation and for ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees and persons lawfully conducting business on the land.

That the Chair of the Board of Supervisors is hereby authorized to execute the quit claim deed to the Grantee for said vacation 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, Pima County hereby disclaims any right, title, interest or obligation in the described roadway.

BOS Approval: 7/7/15	S14/T13S/R13E	File A-15-02	Agent: DH
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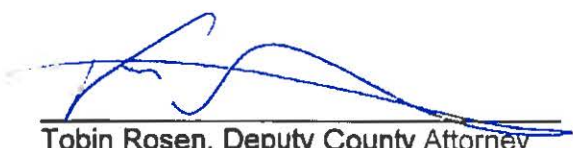
Passed and adopted this _____ day of _____, 2015.

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"

January 23, 2015
WLB No.112038-A001-1003
W:\LEGALS\114005\Houghton Road Abandonment.doc

LEGAL DESCRIPTION TO BE ABANDONED

All of that portion of HOUGHTON ROAD per the deed recorded in Docket 4918, Page 77, lying within Lot 1 and Lot 8 of Section 14, Township 13 South, Range 15 East, Gila and Salt River Meridian, Pima County Arizona, to be abandoned and released. Said portion being more particularly described as follows

BEGINNING at the East quarter corner of said Section 14 as shown on the Final Plat of SABINO SPRINGS as recorded in Book 44, Maps and Plats, Page 78, Pima County Records.

THENCE N 01°34'27" W (Basis of Bearings) along the East line of the Northeast quarter of said Section 14, a distance of 1202.52 to the South Line of said Lot 9;

THENCE S 89°54'53" W a distance of 30.00 feet;

THENCE S 01°34'27" E, along a line 30.00 feet West of and parallel with the East line of the Northeast quarter of said Section 14, a distance of 1203.17 feet;

THENCE N 88°40'58" E a distance of 30.00 feet to the POINT OF BEGINNING.

Prepared by:
THE WLB GROUP, INC.

Peter D Cole, RLS 44121



EXPIRES 3-31-2016

Exhibit "A"

(Continued)

PRD INVESMETS LLC
114-07-0520

BARNES
114-06-055A

SABINO SPRINGS
BK. 44 M&P, PG 78

ROMPSON 12 N 111841
114-07-1118

30' HOUGHTON ROAD
DKT 4918, PC. 77
TO BE ABANDONED

FEDESCO
114-06-0540

ESTRELLA VISTA
ESTATES
BK. 35, M&P, PG 56

AML
114-06-0530

W 1/2 CORNER
SEC 14
T13S, R16E
POINT OF
BEGINNING

14 13 114-06-0120

LINE TABLE		
LINE	LENGTH	BEARING
L1	1202.52'	N01°34'27"W
L2	30.00'	S89°34'53"E
L3	1203.17'	S01°34'27"E
L4	30.00'	N88°40'58"E

EXHIBIT TO ACCOMPANY DESCRIPTION OF
HOUGHTON ROAD
TO BE ABANDONED
SECTION 14, T-13S, R-15E, G.S.R.M.,
PIHA COUNTY, ARIZONA

WLB No. 114005-A-001

No. 114005 Houghton, abandoned, exhibit exp



1"=200'



SHEET 2 OF 2

QUIT CLAIM DEED

For valuable consideration, Pima County, a political subdivision of the State of Arizona, ("Grantor"), hereby quit claims to PRD Investments, L.L.C., an Arizona limited liability company ("Grantee"), 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 (the "Property").

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

FURTHER RESERVING perpetual non-exclusive easements for the maintenance, repair and replacement as necessary of existing sewer, gas, electric, water, communications and cable telecom lines and facilities, including the right of ingress/egress thereto, in favor of Pima County, Southwest Gas Corporation, Tucson Electric Power, Tucson Water Department, CenturyLink (aka Qwest Communications) and Comcast Cable respectively in, on, under, over, across and through the above described Property. Said easement or portions thereof may be fully extinguished and abandoned upon relocation of the existing facilities, or portions thereof; and

FURTHER SUBJECT TO the following:

1. Enhancing the Property by means of any ground disturbing activity will require a cultural resources field survey in order to identify any cultural or historic resources within the Property prior to any ground disturbance.

Note: The field survey, and any subsequent investigations or documentation that the Grantor determines are needed to mitigate the effects of ground disturbing activities on archaeological and historical resources, shall be conducted by an archaeologist permitted by the ASM, or by a registered architect, as appropriate. Survey and subsequent investigations are subject to review by Grantor and the State Historic Preservation Office (SHPO). A list of ASM permitted consultants is available at the ASM website, www.statemuseum.arizona.edu/crservices/permits/permittees.shtml.

2. If the field survey finds significant cultural resources or historic properties, then the Grantee is responsible for the development and implementation of an appropriate mitigation treatment plan (see Note above). The mitigation treatment can range from documented avoidance of the resources to mitigation of impacts on the resources by archaeological data recovery (excavation) if avoidance is not possible.

EXEMPTION: A.R.S. §11-1134.A.3.	BOS Approval: 7/7/15	File #: A-15-02	Agent: DH
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3. The Property is partially within a known and significant prehistoric archaeological site. Intact archaeological deposits and human burials are likely within the area. Grantor advises any current or future owner of the Property that A.R.S. §41-865 protects human burials on private property, and compliance with this statutes is required. All applicable federal, state, and local legal cultural resources compliance requirements must be followed with regards to the known archaeological site.

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 Sharon Bronson, as Chair of the Pima County Board of Supervisors.

My Commission Expires:

Notary Public

Exhibit "A"

January 23, 2015
WLB No.112038-A001-1003
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Prepared by:
THE WLB GROUP, INC.

Peter D Cote, RLS 44121



EXPIRES 3-31-2015

Exhibit "A"

(Continued)

PRD INVESTMENTS LLC
114-07-0520

BARNES
114-06-055A

SABINO SPRINGS
BK. 44 M&P, PG 70

ROBINSON AZ NATIONAL
114-06-1104

30' HOUGHTON ROAD
DRT 4915, PC. 71
TO BE ABANDONED

FEDERSC
114-06-0340

LINE TABLE		
LINE	LENGTH	BEARING
11	1202.52'	N01°34'27"W
12	30.00'	S89°54'53"W
13	1203.17'	S01°34'27"E
14	30.00'	N89°40'56"E

ANGELA VISTA
ESTATES
BL. 33 M&P, PG 50

AML
114-06-0350

W 1/4 CORNER
SEC 14
T13S, R16E
POINT OF
BEGINNING

114-06-0120

EXHIBIT TO ACCOMPANY DESCRIPTION OF
HOUGHTON ROAD
TO BE ABANDONED
SECTION 14, T-13S, R-15E, G.S.R.M.,
PIMA COUNTY, ARIZONA

WLB No. 114005-A-001

114-06-0120, Houghton, abandon, exhibit, etc.



SHEET 2 OF 2