



**BOARD OF SUPERVISORS AGENDA ITEM REPORT**  
**CONTRACTS / AWARDS / GRANTS**

**Requested Board Meeting Date:** February 2, 2016

**or Procurement Director Award** ☐

**Contractor/Vendor Name (DBA):** The buyer is First and River Storage, LLC ("Buyer")

**Project Title/Description:**

Sale of property consisting of all of tax parcel 108-17-001A and a portion of tax parcel 108-17-002A (collectively the "Property") by auction to First and River Storage, LLC.

**Purpose:**

The Board approved the sale of the Property on May 12, 2015. The Property is located on the east side of 1st Ave., and north of River Rd., contains approximately 10,200 square feet of vacant land, and is located in the City of Tucson. The Property was originally acquired by the Pima County Department of Transportation for the 1st Avenue-River Rd. Project. The Property is now surplus and is being sold pursuant to A.R.S. 11-251(9).

Pima County will need continued access to the Property for drainage and sewer facilities. An access easement will be reserved in the deed. In addition, the Buyer will grant an access easement in favor of Pima County and Pima County Regional Flood Control District across the adjoining property owned by the Buyer.

The Buyer was the high bidder at the public auction held on August 11, 2015. The appraised value of the property is \$10,000.00. The purchase price is \$11,000.00 which includes a \$1,000.00 administration fee.

**Procurement Method:**

Exempt pursuant to Pima County Code 11.04.020

**Program Goals/Predicted Outcomes:**

Pima County will receive revenue and will no longer have liability and maintenance responsibility.

**Public Benefit:**

Receipt of the purchase price for surplus vacant property in the amount of \$11,000.00

**Metrics Available to Measure Performance:**

Sale value based on appraisal

**Retroactive:**

N/A

JAN 27 16 09 03 PCD KDF M

TO: COB 1-27-16 - (1)  
Ver. - 1

Pgs. - 22

Addendum

Procure Dept 01/26/16 PM03:14

**Original Information**

Document Type: CTN Department Code: PW Contract Number (i.e., 15-123): 16\*0108  
Effective Date: 2/2/2016 Termination Date: 5/2/2016 Prior Contract Number (Synergen/CMS): \_\_\_\_\_  
☐ Expense Amount: \$ \_\_\_\_\_ ☒ Revenue Amount: \$ 11,000.00  
Funding Source(s): General Fund-DOT 2000-1489

Cost to Pima County General Fund: \_\_\_\_\_

Contract is fully or partially funded with Federal Funds? ☐ Yes ☒ No ☐ Not Applicable to Grant Awards  
Were insurance or indemnity clauses modified? ☐ Yes ☒ No ☐ Not Applicable to Grant Awards  
Vendor is using a Social Security Number? ☐ Yes ☒ No ☐ Not Applicable to Grant Awards  
If Yes, attach the required form per Administrative Procedure 22-73.

**Amendment Information**

Document Type: \_\_\_\_\_ Department Code: \_\_\_\_\_ Contract Number (i.e., 15-123): \_\_\_\_\_  
Amendment No.: \_\_\_\_\_ AMS Version No.: \_\_\_\_\_  
Effective Date: \_\_\_\_\_ New Termination Date: \_\_\_\_\_  
☐ Expense ☐ Revenue ☐ Increase ☐ Decrease Amount This Amendment: \$ \_\_\_\_\_  
Funding Source(s): \_\_\_\_\_

Cost to Pima County General Fund: \_\_\_\_\_

Contact: Rita Leon

Department: Real Property Services Telephone: 724-6462

Department Director Signature/Date: [Signature] 1-21-2016

Deputy County Administrator Signature/Date: [Signature] 1/26/16

County Administrator Signature/Date: [Signature] 1/26/16  
(Required for Board Agenda/Addendum Items)

<p>PIMA COUNTY DEPARTMENT OF: REAL PROPERTY SERVICES</p> <p>PROJECT: Sale of Surplus Real Property</p> <p>BUYER: First &amp; River Storage, LLC, an Arizona Limited Liability Company</p> <p>AMOUNT: \$11,000.00</p> <p>REVENUE CONTRACT</p>	<table border="1"> <tr> <td data-bbox="948 384 1434 429">CONTRACT</td> </tr> <tr> <td data-bbox="948 429 1434 486">NO. <u>CTN-PW-16 * 108</u></td> </tr> <tr> <td data-bbox="948 486 1434 531">AMENDMENT NO. _____</td> </tr> <tr> <td data-bbox="948 531 1434 649"> This number must appear on all  invoices, correspondence and  documents pertaining to this  contract. </td> </tr> </table>	CONTRACT	NO. <u>CTN-PW-16 * 108</u>	AMENDMENT NO. _____	This number must appear on all invoices, correspondence and documents pertaining to this contract.
CONTRACT					
NO. <u>CTN-PW-16 * 108</u>					
AMENDMENT NO. _____					
This number must appear on all invoices, correspondence and documents pertaining to this contract.					

## SALES AGREEMENT

This Agreement is made by and between Pima County, a political subdivision of the State of Arizona, ("County"), and **First & River Storage, L.L.C.** ("Buyer").

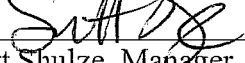
1. **Property and Acquisition Amount.** County owns the property described on Exhibit A and depicted on Exhibit A-1 attached hereto (the "Property"). Buyer is the high bidder at an auction for the sale of the Property duly advertised pursuant to A.R.S. section 11-251(9). Buyer agrees to acquire from County, and County agrees to convey to Buyer, subject to the terms and conditions set forth herein and subject to the reservation of an easement in favor of County in the form of Exhibit B, fee title to the Property, for the appraised amount of Ten Thousand Dollars (\$10,000.00), plus an administrative fee of One Thousand Dollars (\$1,000.00), for a total purchase price of Eleven Thousand Dollars (\$11,000.00) (the "Acquisition Amount"), payable as follows:

One Thousand Dollars (\$1,000.00) in cashier's check made out to the Escrow Agent, as an earnest money deposit which Buyer will deposit in escrow on the day this Agreement is executed by the County (the "Opening Date"). Escrow Agent is hereby instructed to deposit all such payments in a federally-insured money market or other similar account, subject to immediate withdrawal, at a bank or savings and loan institution located in Tucson, Arizona. If the escrow closes, all earnest money deposits in escrow shall be credited against the Acquisition Amount, and any interest earned on the earnest money deposits shall be paid to Buyer. If the escrow fails to close because of a default by County, then the earnest money and all interest earned thereon shall be returned to Buyer. If the escrow fails to close because of a default by Buyer, then the earnest money and all interest earned thereon shall be paid to County. Balance of Ten Thousand Dollars (\$10,000.00) will be due and payable at closing.

In addition to the payment of the purchase price, Buyer agrees to execute an access easement in favor of County and the Pima County Flood Control District ("District") across Buyer's adjoining property in substantial form as Exhibit E (the "Access Easement").

2. **Warranty Deed.** County shall deposit into escrow a warranty deed, conveying to Buyer title to the Property, free and clear of all monetary liens and encumbrances (except property taxes not yet due and payable) but subject to all matters of record and matters that an inspection of the Property would reveal. Buyer acknowledges receipt of a copy of the preliminary title report for the Property and accepts condition of title to the Property.
3. **"As-Is" Sale.** Buyer accepts the Property in an "as-is" condition, with no warranty from County of any kind whatsoever, express or implied, as to the condition thereof. Buyer acknowledges and agrees that Buyer has had the opportunity to inspect the Property and Buyer accepts the condition of the Property as it exists as of close of escrow. County shall not be responsible for any damage to the Property prior to or following close of escrow.
4. **Escrow Agent.** Cyd Bradford of Stewart Title, Located at 3939 E. Broadway, Tucson, Arizona, is hereby appointed as the "Escrow Agent" for this transaction. A copy of this Agreement will constitute instructions to the Escrow Agent.
5. **Possession and Closing.** Possession of the Property shall be given to Buyer and recordation of the Access Easement shall be made in favor of County and District on the date of closing. Closing shall be on before the date that is thirty (30) days after the date this Agreement is approved by the Pima County Board of Supervisors, unless extended by agreement of the parties.
6. **No Leases.** County warrants that there are no written leases on all or any portion of the Property.
7. **Broker's Commission.** No broker's commission will be paid.
8. **Closing Costs, Title Insurance, and Prorations.** Expenses incidental to transfer of title, recording fees, escrow fees and releases shall be paid 50% by Buyer and 50% by County. If Buyer wishes to obtain an owner's policy of title insurance, Buyer may do so at its own expense. The date of closing shall be used for proration of property taxes and similar costs.
10. **No Sale.** County shall not sell or encumber the Property before closing.
11. **Conflict of Interest.** This Agreement is subject to A.R.S. 38-511 which provides for cancellation of contracts by Pima County for certain conflicts of interest.
12. **Entire Agreement.** This signed document shall constitute the entire Agreement between the parties and no modification or amendment to this Agreement shall be binding unless in writing and signed by both parties.

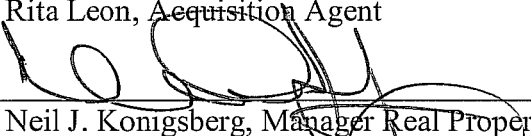
Buyer: First & River Storage, LLC


By:   
Scott Shulze, Manager

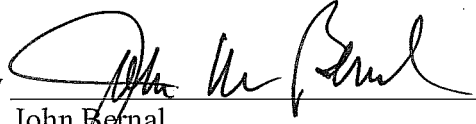
Date: 10 / 1 / 15

Recommended to the Board of Supervisors  
for Approval:


By   
Rita Leon, Acquisition Agent

By   
Neil J. Konigsberg, Manager Real Property Services

By   
Priscilla Cornelio, Director, Department of Transportation

By   
John Bernal,  
Deputy County Administrator-Public Works

Approved as to form:

  
Tobin Rosen,  
Deputy County Attorney

Approved and accepted by County.

\_\_\_\_\_  
Chair, Pima County Board of Supervisors

Attest:

\_\_\_\_\_  
Clerk of the Board of Supervisors

Tax Code: 108-17-001A, &002A

## **Exhibit "A"**

### **Parcel 1**

Lot 1 of Northridge Estates as recorded in Book 14 of Maps and Plats at page 14, records of Pima County, Arizona more particularly described as follows:

Beginning at the southwest corner of said Lot 1;

**THENCE** North 89 degrees 04 minutes 39 seconds East along the south line of said Lot 1 a distance of 2.22 feet;

**THENCE** North 06 degrees 12 minutes 27 seconds East, 60.36 feet

**THENCE** North 39 degrees 12 seconds 28 minutes East, 158.37 feet to a point on the north line of said lot 1;

**THENCE** South 85 degrees 34 seconds 35 minutes West along said north line, 115.00 feet to a point of non-tangency from which a radial line bears South 85 degrees 34 minutes 35 seconds West, said point also being the northwest corner of said Lot 1;

**THENCE** southerly along the west line of said lot 1, along a curve concave to the west, having a radius of 1984.86 feet, through a central angle of 05 degrees 01 minutes 26 seconds, an arc distance of 174 .04 feet to the Point of Beginning.

**EXCEPT** that portion lying within a portion of Lot 1, Northridge Estates, recorded in Book 14 of maps and Plats at page 14, Records of Pima County, Arizona and being more particularly described as follows:

Commencing at the easterly most common corner of Lot 1 and 2 and as shown on said Plat Map, thence south 85 degrees 33 minutes 40 seconds West measured ( South 86 degrees 16 minutes 35 seconds West record) along the common line between said Lots 1 and 2 a distance of 164.93 feet to the point of beginning;

**THENCE** continuing along said common line, South 85 degrees 33 minutes 40 seconds West 26.63 feet to a point on the existing easterly right of way curve of First Avenue as it now exists and from which point the radius point of said curve bears North 86 degrees 00 minutes 09 seconds West;

**THENCE** southerly along said curve concave to the west, having a central angle of 00 degrees 20 minutes 05 seconds, a radius of 2353 .71 feet and an arc length of 13.75 feet;

**THENCE** leaving said right -of- way curve, South 85 degrees 39 minutes 46 seconds East, 17.61 feet;

**THENCE** North 30 degrees 16 seconds 08 minutes East, 19.80 feet to the point of beginning.

Basis of Bearing: the West line of the Southwest Quarter of Section 18 as shown of Pima County Department of Transportation “as built “ drawings 4BFROG dated April 9, 2002, Bearing being : North 00 degrees 47 minutes 33 seconds West.

**FURTHER EXCEPTING,** any portion lying within the new existing First Ave right of way:

All that portion of Lots 1 and 2 of Northridge Estates, a subdivision plat recorded in Book 14 of Maps and Plats at Page 14, and of record in Docket 10613 at Page 2548, also being a part of the excepted portions of Parcels 2 and 3 as described in Docket 13306 at Page 1390, all in the office of the Pima County Recorder, Arizona, being located in the Southwest Quarter of Section 18, Township 13 South, Range 14 East, Gila & Salt River **Meridian**, Pima County, Arizona, more particularly described as follows:

**BEGINNING** at the southwest corner of said Lot 1;

**THENCE** along the south line of said Lot 1 North  $89^{\circ}04'39''$  East a distance of 2.22 feet to the southeast corner of said excepted portion of Parcel 2;

**THENCE** along the east line of said expected portion of Parcel 2, North  $06^{\circ}12'27''$  East a distance of 108.24 feet to the beginning of a tangent curve concave to the west having a radius of 1507.00 feet and a central angle of  $08^{\circ}29'10''$ ;

**THENCE** along the arc of said curve to the left a distance of 223.18 feet to the north line of said Lot 2 and said excepted portion of Parcel 3;

**THENCE** along the north line of said Lot 2 and said expected portion of Parcel 3 South  $79^{\circ}23'23''$  West a distance of 45.24 feet to the north west corner of said Lot 2 and the beginning of a non-tangent curve concave to the west having a radius of 1984.86 feet and a central angle of  $09^{\circ}20'00''$  and to which a radial line bears North  $81^{\circ}16'02''$  East;

**THENCE** along the arc of said curve to the right and west line of said Lots 1 and 2 a distance of 323.33 feet to the **POINT OF BEGINNING**.

#### **Parcel 2:**

Lying within a portion of Lot 2, Northridge Estates, recorded in Book 14 of Maps and Plats at page 14, Records of Pima County, Arizona and being more particularly described as follows:

Commencing at the easterly most common corner of Lots 1 and 2 and as shown on said Plat Map, thence South 85 degrees 33 minutes 40 seconds West measured (South 86 degrees 16 minutes 35 seconds West record) along the common line between said Lots 1 and 2 a distance of 102.17 feet to the point of beginning;

**THENCE** continuing along said common line, South 85 degrees 33 minutes 40 seconds West 62.76 feet;

**THENCE** leaving said common line, North 30 degrees 16 minutes 08 seconds East 121.40 feet;

**THENCE** South 00 degrees 47 minutes 33 seconds East, 100.00 feet to the point of beginning.

Basis of Bearing: The West line of the Southwest Quarter of Section 18 as shown of Pima County Department of Transportation “as built” drawings 4BFROG dated April 9, 2002. Bearing being: North 00 degrees 47 minutes 33 seconds West.

**Parcel 3:**

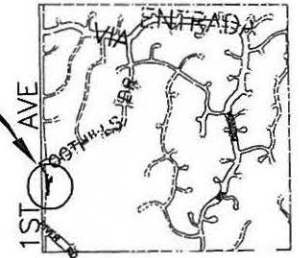
Reserving onto the Grantor an Easement for Ingress and Egress:

An easement 20 feet wide for access purposes for the use by Pima County, “See Exhibit B”

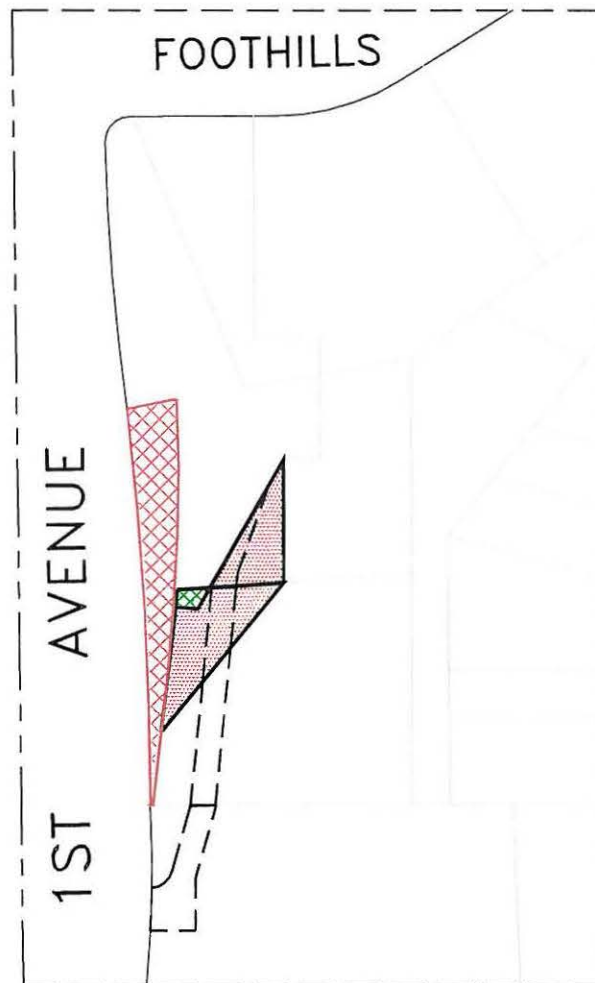
SECTION 18  
TOWNSHIP 13 SOUTH  
RANGE 14 EAST

EXHIBIT A-1

SUBJECT AREA



SECTION 18  
G&SRM  
PIMA COUNTY, ARIZONA



RIGHT OF WAY



PC PROPERTY TO BE PURCHASED



EXHIBIT "E"



ACCESS EASEMENT



PC PROPERTY EXCLUDED FROM SALE



PIMA COUNTY DEPARTMENT OF TRANSPORTATION  
ENGINEERING INFORMATION MANAGEMENT

DRAWING NOT TO SCALE

DRAWN BY: CPEREZ

DATE: 01/08/2016



EXHIBIT "B"

Legal Description

Access Easement

An easement 20 feet wide for access purposes within a portion of Lots 1 and 2 of Northridge Estates recorded in Book 14 of Maps and Plats at page 14, Records of Pima County Records Office and being more particularly described as follows:

Commencing at the Southwest corner of said Lot 1 as shown on said Plat Map, thence North  $89^{\circ} 05' 59''$  East measured ( North  $89^{\circ} 46' 33''$  East record ), along the south line of said Lot 1 a distance of 32.62 feet;

Thence North  $05^{\circ} 32' 58''$  East, 101.13 feet to the point of beginning;

Thence continuing North  $05^{\circ} 32' 58''$  East, 77.26 feet to a point on the common line between said Lots 1 and 2;

Thence continuing North  $05^{\circ} 32' 58''$  East, 7.05 feet;

Thence North  $30^{\circ} 16' 08''$  East, 87.50 feet;

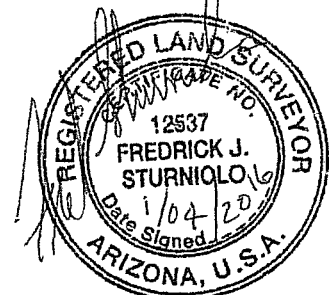
Thence South  $18^{\circ} 14' 42''$  West, 75.49 feet;

Thence South  $05^{\circ} 32' 58''$  West, 9.36 feet to a point on the common line between said Lots 1 and 2;

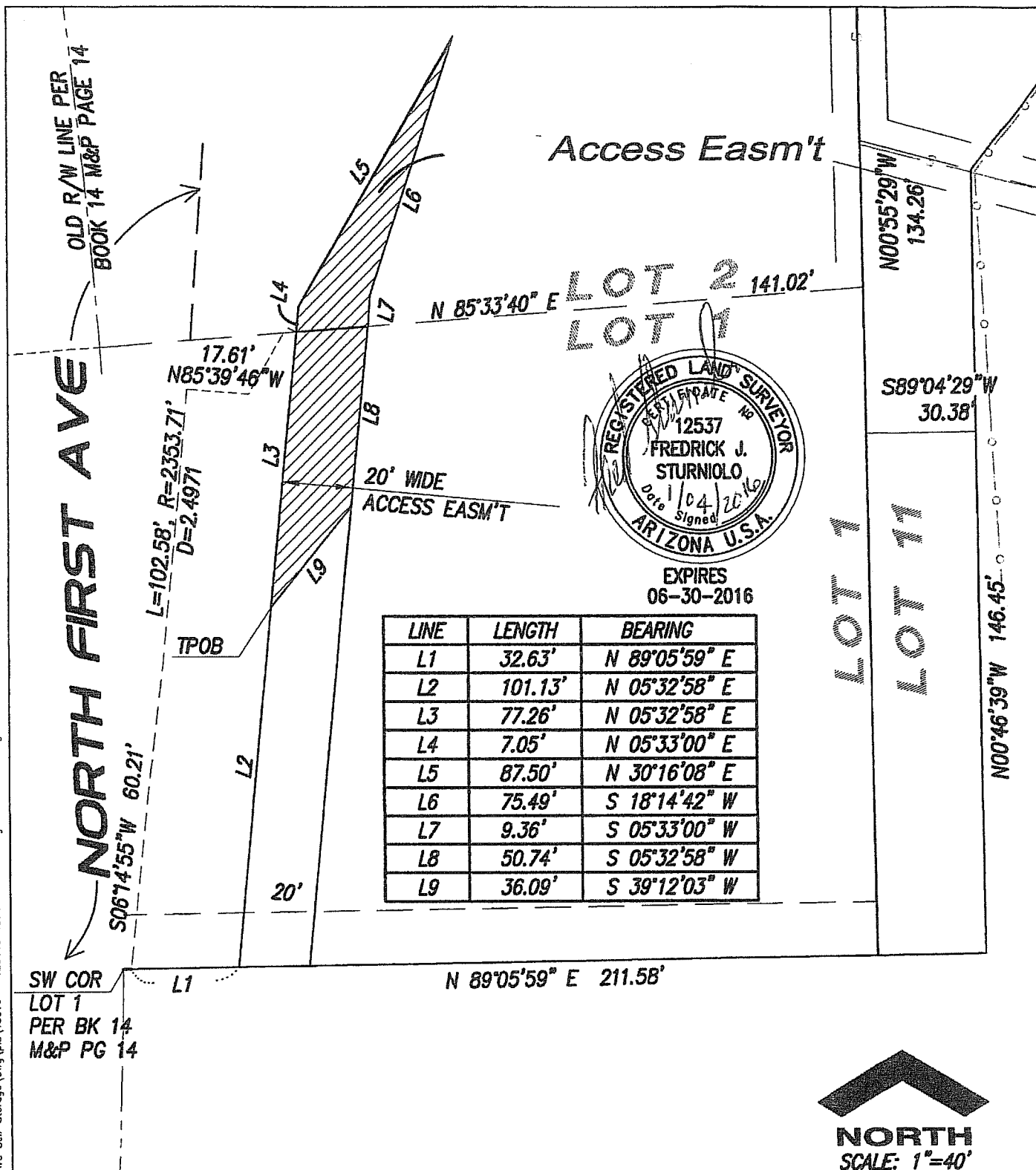
Thence continuing South  $05^{\circ} 32' 58''$  West, 50.74 feet;

Thence South  $39^{\circ} 12' 03''$  West, 36.09 feet to the point of beginning.

The side lines of said easement are to be lengthened or shortened as needed to fit easement conditions.



EXPIRES 6/30/2016



DEPICTION OF EXHIBIT "B"

An easement for access purposes lying within a portion of Lot 2 of  
NORTHRIDGE ESTATES recorded in Book 14 of Maps and Plats at  
Page 14, Records of Pima County Recorders Office

# EXHIBIT E

## ACCESS EASEMENT

For valuable consideration, First & River Storage, LLC, an Arizona Limited Liability Company ("Grantor"), does hereby grant to Pima County, a political subdivision of the State of Arizona, and to Pima County Flood Control District, a political taxing subdivision of the State of Arizona, ("County"), a permanent Access Easement across the property which is legally described on Exhibit A. County has the right to enter upon Grantor's property for purposes of access to existing sewer lines, and drainage area of the adjacent County property.

\_\_\_\_\_  
Grantor: Scott Shulze, Manager

State of Arizona        )  
                              )       ss  
County of Pima        )

This instrument was acknowledged before me the undersigned authority on this \_\_\_\_ day of \_\_\_\_\_, 2015, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

Board of Supervisors Approval:		S____/T____/R	
Agent: RL	File #: 10,086-164 &165	Activity #:	P [ ] De [ ] Do [ ] E [ ]



EXHIBIT "A"

Legal Description

Access Easement

An easement for access purposes lying within a portion of Lot 2 of Colonia Taxco recorded in Book 27 of Maps and Plats at page 94, Records of Pima County Records Office and being more particularly described as follows:

Commencing at the Northwest corner of said Lot 2 as shown on said Plat Map, thence North 89° 05' 59" East measured ( North 89° 46' 33" East record ), along the north line of said Lot 2 a distance of 32.61 feet to the point of beginning of said access easement;

Thence South 15° 55' 03" West, 55.23 feet to a point of curvature from which the radius point of said curve bears North 74° 51' 23" West;

Thence southwesterly along a non-tangent curve having a central angle of 79° 16' 51", a radius of 18.47 feet and an arc length of 25.56 feet;

Thence leaving said curve, South 03° 00' 20" West, 34.76 feet;

Thence North 89° 53' 41" East, 40.46 feet;

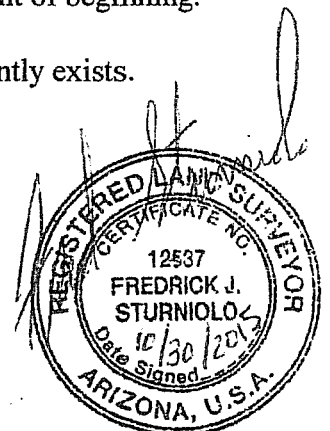
Thence North 00° 06' 19" West, 43.00 feet;

Thence North 15° 55' 03" East, 61.01 feet to a point on the north line of said Lot 2;

Thence South 89° 05' 59" West along said northerly line, 20.89 feet to the point of beginning.

EXCEPTING any portion there of lying within North First Avenue as it currently exists.

Basis of Bearing: The West line of the Southwest Quarter of Section 18 as shown on Pima County Department of Transportation " as built "drawings 4BFROG dated April 9, 2002.Bearing being : North 00° 47' 33" West



EXPIRES 6/30/2016



EXHIBIT "A" *cont.*

Legal Description

Access Easement

An easement 20 feet wide for access purposes within a portion of Lot 1 of Northridge Estates recorded in Book 14 of Maps and Plats at page 14, Records of Pima County Records Office and being more particularly described as follows:

Commencing at the Southwest corner of said Lot 1 as shown on said Plat Map, thence North 89° 05' 59" East measured ( North 89° 46' 33" East record ), along the south line of said Lot 1 a distance of 32.62 feet to the point of beginning of said access easement;

Thence North 05° 32' 58" East along the westerly line of said easement, 101.13 feet;

Thence leaving said westerly line, North 39° 12' 03" East, 36.09 feet to a point on the easterly line of said easement;

Thence South 05° 32' 58" West along said easterly line, 128.91 feet to the south line of said Lot 1;

Thence South 89° 05' 59" West along said south line, 20.13 feet to the point of beginning.

The side lines of said easement are to be lengthened or shortened as needed to fit easement conditions.



EXPIRES 6/30/2016

NORTH FIRST AVE

OLD R/W LINE PER  
BK 14 M&P PG 14

L=102.58', R=2353.71'  
D=2.4971

17.61'  
N85°39'46"W

S89°04'29"W  
30.38'

NORTHRIDGE  
ESTATES  
BOOK 14 M&P  
PAGE 14

LOT 1

LOT 11

N0°46'39"W 146.45'

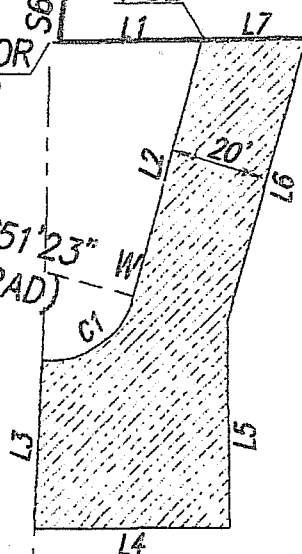
NW COR  
LOT 2

POB

N 89°05'59" E 211.58'

LOT 2  
COLONIA TAXCO  
BK 27 M&P PG 94

N 74°51'23"  
(RAD)



LINE	LENGTH	BEARING
L1	32.61'	N 89°05'59" E
L2	55.23'	S 15°55'03" W
L3	34.76'	S 03°00'20" W
L4	40.46'	N 89°53'41" E
L5	43.00'	N 00°06'19" W
L6	61.01'	N 15°55'03" E
L7	20.89'	S 89°05'59" W

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	18.47'	25.56'	79°16'51"

(NON TANGENT CURVE)



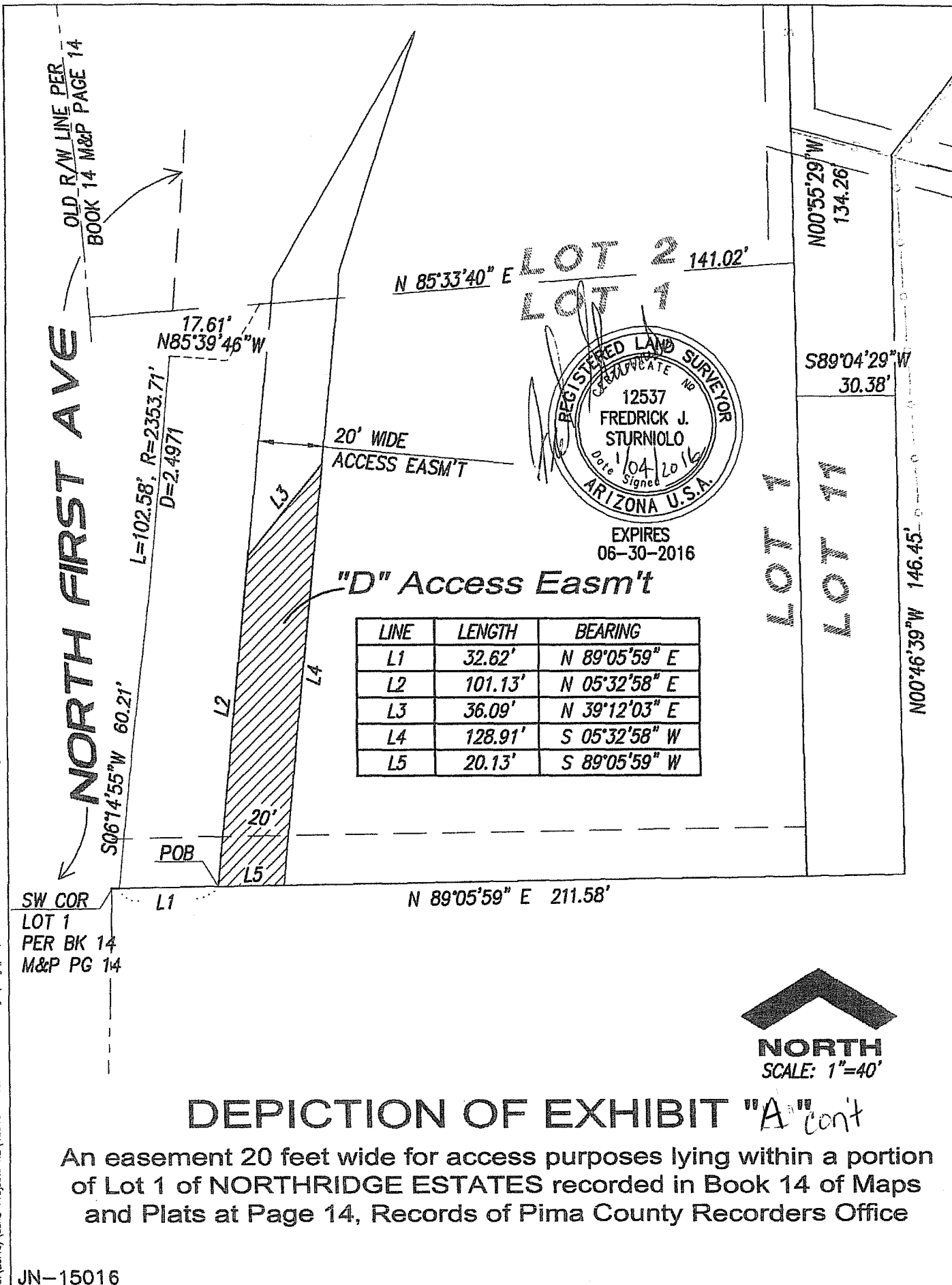
EXPIRES  
06-30-2016



NORTH  
SCALE: 1"=40'

EXHIBIT "A"

An easement for access purposes lying within a portion of Lot 2 of  
Colonia Taxco recorded in Book 27 of Maps and Plats at Page 94,  
Records of Pima County County Records Office



## WARRANTY DEED

For valuable consideration, Pima County, a political subdivision of the State of Arizona ("Grantors"), does hereby convey to, First and River Storage, LLC, an Arizona Limited Liability Company the following described property situate in Pima County, Arizona:

SEE ATTACHED **EXHIBIT "A"** FOR LEGAL DESCRIPTION

**Reserving on to the Grantor a Access Easement See Attached Exhibit "B"**

SUBJECT TO all matters of record.

And I or we do warrant the title against all persons whomsoever, subject only to matters above set forth.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016

ATTEST

Grantor: Pima County, a political Subdivision

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Chairman, Pima County Board of Supervisors

State of Arizona)

)ss

County of Pima )

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016, by the Chairman of the Pima County Board of Supervisors.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

<b>EXEMPTION: A.R.S. §11-1134.A.3.</b>		Board of Supervisors:	Right of Way <input type="checkbox"/> Parcel <input type="checkbox"/>
Agent: RL	File #:10,086-164 &165	Activity #:	P <input checked="" type="checkbox"/> De <input type="checkbox"/> Do <input type="checkbox"/> E <input type="checkbox"/>

## **Exhibit "A"**

### **Parcel 1**

Lot 1 of Northridge Estates as recorded in Book 14 of Maps and Plats at page 14, records of Pima County, Arizona more particularly described as follows:

Beginning at the southwest corner of said Lot 1;

**THENCE** North 89 degrees 04 minutes 39 seconds East along the south line of said Lot 1 a distance of 2.22 feet;

**THENCE** North 06 degrees 12 minutes 27 seconds East, 60.36 feet

**THENCE** North 39 degrees 12 seconds 28 minutes East, 158.37 feet to a point on the north line of said lot 1;

**THENCE** South 85 degrees 34 seconds 35 minutes West along said north line, 115.00 feet to a point of non-tangency from which a radial line bears South 85 degrees 34 minutes 35 seconds West, said point also being the northwest corner of said Lot 1;

**THENCE** southerly along the west line of said lot 1, along a curve concave to the west, having a radius of 1984.86 feet, through a central angle of 05 degrees 01 minutes 26 seconds, an arc distance of 174 .04 feet to the Point of Beginning.

**EXCEPT** that portion lying within a portion of Lot 1, Northridge Estates, recorded in Book 14 of maps and Plats at page 14, Records of Pima County, Arizona and being more particularly described as follows:

Commencing at the easterly most common corner of Lot 1 and 2 and as shown on said Plat Map, thence south 85 degrees 33 minutes 40 seconds West measured ( South 86 degrees 16 minutes 35 seconds West record) along the common line between said Lots 1 and 2 a distance of 164.93 feet to the point of beginning;

**THENCE** continuing along said common line, South 85 degrees 33 minutes 40 seconds West 26.63 feet to a point on the existing easterly right of way curve of First Avenue as it now exists and from which point the radius point of said curve bears North 86 degrees 00 minutes 09 seconds West;

**THENCE** southerly along said curve concave to the west, having a central angle of 00 degrees 20 minutes 05 seconds, a radius of 2353 .71 feet and an arc length of 13.75 feet;

**THENCE** leaving said right –of- way curve, South 85 degrees 39 minutes 46 seconds East, 17.61 feet;

**THENCE** North 30 degrees 16 seconds 08 minutes East, 19.80 feet to the point of beginning.

Basis of Bearing: the West line of the Southwest Quarter of Section 18 as shown of Pima County Department of Transportation “as built “ drawings 4BFROG dated April 9, 2002, Bearing being : North 00 degrees 47 minutes 33 seconds West.

**FURTHER EXCEPTING,** any portion lying within the new existing First Ave right of way:

All that portion of Lots 1 and 2 of Northridge Estates, a subdivision plat recorded in Book 14 of Maps and Plats at Page 14, and of record in Docket 10613 at Page 2548, also being a part of the excepted portions of Parcels 2 and 3 as described in Docket 13306 at Page 1390, all in the office of the Pima County Recorder, Arizona, being located in the Southwest Quarter of Section 18, Township 13 South, Range 14 East, Gila & Salt River **Meridian**, Pima County, Arizona, more particularly described as follows:

**BEGINNING** at the southwest corner of said Lot 1;

**THENCE** along the south line of said Lot 1 North 89°04'39" East a distance of 2.22 feet to the southeast corner of said excepted portion of Parcel 2;

**THENCE** along the east line of said expected portion of Parcel 2, North 06 12'27" East a distance of 108.24 feet to the beginning of a tangent curve concave to the west having a radius of 1507.00 feet and a central angle of 08°29'10";

**THENCE** along the arc of said curve to the left a distance of 223.18 feet to the north line of said Lot 2 and said excepted portion of Parcel 3;

**THENCE** along the north line of said Lot 2 and said expected portion of Parcel 3 South 79°23'23" West a distance of 45.24 feet to the north west corner of said Lot 2 and the beginning of a non-tangent curve concave to the west having a radius of 1984.86 feet and a central angle of 09°20'00" and to which a radial line bears North 81°16'02" East;

**THENCE** along the arc of said curve to the right and west line of said Lots 1 and 2 a distance of 323.33 feet to the **POINT OF BEGINNING**.

#### **Parcel 2:**

Lying within a portion of Lot 2, Northridge Estates, recorded in Book 14 of Maps and Plats at page 14, Records of Pima County, Arizona and being more particularly described as follows:

Commencing at the easterly most common corner of Lots 1 and 2 and as shown on said Plat Map, thence South 85 degrees 33 minutes 40 seconds West measured (South 86 degrees 16 minutes 35 seconds West record) along the common line between said Lots 1 and 2 a distance of 102.17 feet to the point of beginning;

**THENCE** continuing along said common line, South 85 degrees 33 minutes 40 seconds West 62.76 feet;

**THENCE** leaving said common line, North 30 degrees 16 minutes 08 seconds East 121.40 feet;

**THENCE** South 00 degrees 47 minutes 33 seconds East, 100.00 feet to the point of beginning.

Basis of Bearing: The West line of the Southwest Quarter of Section 18 as shown of Pima County Department of Transportation "as built" drawings 4BFROG dated April 9, 2002. Bearing being: North 00 degrees 47 minutes 33 seconds West.

**Parcel 3:**

Reserving onto the Grantor an Easement for Ingress and Egress:

An easement 20 feet wide for access purposes for the use by Pima County, "See Exhibit B"



EXHIBIT "B"

Legal Description

Access Easement

An easement 20 feet wide for access purposes within a portion of Lots 1 and 2 of Northridge Estates recorded in Book 14 of Maps and Plats at page 14, Records of Pima County Records Office and being more particularly described as follows:

Commencing at the Southwest corner of said Lot 1 as shown on said Plat Map, thence North 89° 05' 59" East measured ( North 89° 46' 33" East record ), along the south line of said Lot 1 a distance of 32.62 feet;

Thence North 05° 32' 58" East, 101.13 feet to the point of beginning;

Thence continuing North 05° 32' 58" East, 77.26 feet to a point on the common line between said Lots 1 and 2;

Thence continuing North 05° 32' 58" East, 7.05 feet;

Thence North 30° 16' 08" East, 87.50 feet;

Thence South 18° 14' 42" West, 75.49 feet;

Thence South 05° 32' 58" West, 9.36 feet to a point on the common line between said Lots 1 and 2;

Thence continuing South 05° 32' 58" West, 50.74 feet;

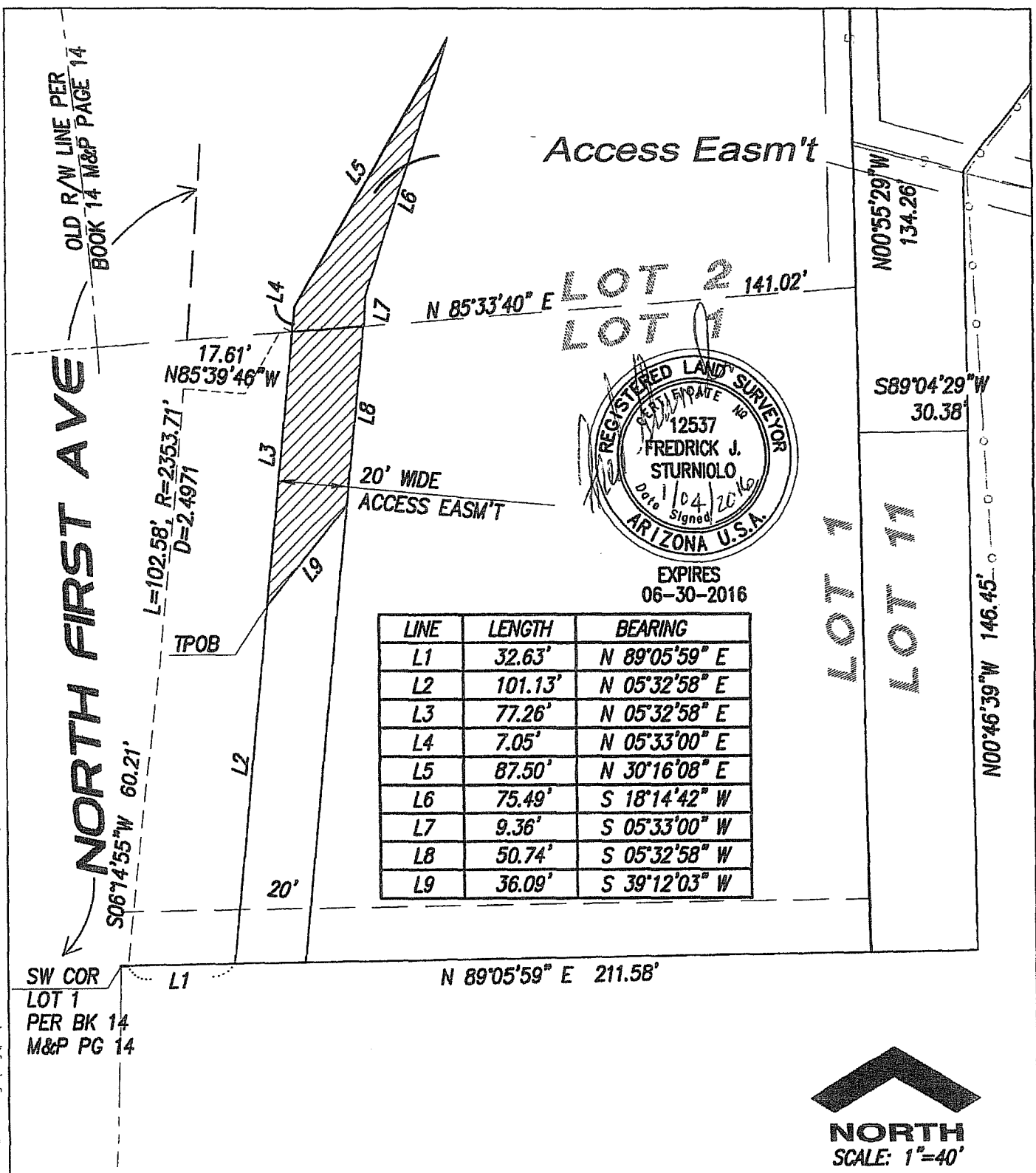
Thence South 39° 12' 03" West, 36.09 feet to the point of beginning.

The side lines of said easement are to be lengthened or shortened as needed to fit easement conditions.



EXPIRES 6/30/2016

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# DEPICTION OF EXHIBIT "B"

An easement for access purposes lying within a portion of Lot 2 of NORTHRIDGE ESTATES recorded in Book 14 of Maps and Plats at Page 14, Records of Pima County Recorders Office