



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: April 18, 2017

Title: Resolution No. 2017-____ providing for the vacation and abandonment of portions of Plaza Street sidewalks.
File # A-0009

Introduction/Background:

The abandonment applicant, Ajo Plaza, LLC, an Arizona limited liability company has requested an abandonment of a portion of Plaza Street sidewalks, a roadway lying within Section 23, Township 12S, Range 06W G&SRM, Pima County, Arizona.

Discussion:

The subject roadway was dedicated to Pima County per plat recorded in 1917 in Book 03 of Maps and Plats at Page 60. As part of the development of the Ajo Plaza, portions of the roadway were constructed as sidewalks adjacent to the Plaza. The applicant is requesting the abandonment to remove the sidewalks as public right of way, which will eliminate the need to obtain permits for the annual farmers market.

Conclusion:

This abandonment request has been reviewed and approved by appropriate County staff and applicable utility companies and no properties will be left without public or private legal access and existing utility easements will be reserved. 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 the County of the removal of the sidewalks from public right of way.

Recommendation:

Staff recommends that the Pima County Board of Directors approve Resolution No. 2017-_____.

Fiscal Impact:

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

Board of Supervisor District:

☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ All

Department: Public Works-Real Property Services

Telephone: 724-6379

Department Director Signature/Date: [Signature] 4-5-2017

Deputy County Administrator Signature/Date: [Signature] 4/6/17

County Administrator Signature/Date: [Signature] 4/7/17

RESOLUTION NO. 2017 - _____

**RESOLUTION OF THE PIMA COUNTY BOARD OF SUPERVISORS
FOR THE VACATION OF SIDEWALKS LOCATED ADJACENT TO
PLAZA STREET RIGHT OF WAY AS PIMA COUNTY ROAD
ABANDONMENT NO. A-0009 WITHIN SECTION 23, TOWNSHIP 12
SOUTH, RANGE 06 WEST, 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 sidewalks located adjacent to Plaza Street, a public roadway, in Ajo Townsite, a subdivision recorded in Book 3, at Page 60, of Maps and Plats, said sidewalk right of way being more particularly described and depicted in attached **Exhibit "A"** (the "Public Sidewalks").
2. The Public Sidewalks were created by subdivision plat dedication, and are not needed for public use as right of way pursuant to A.R.S. §§ 28-7202 and 28-7215(B).
3. The Public Sidewalks may be disposed of by vacation to Ajo Plaza LLC, an Arizona limited liability company, ("Grantee") pursuant to A.R.S. § 28-7205 and A.R.S. § 28-7215(B).

NOW, THEREFORE, BE IT RESOLVED,

The Public Sidewalks described and depicted in **Exhibit "A"** will be disposed of by vacation by Quit Claim Deed to Grantee, without compensation, in accordance with A.R.S. § 28-7205 and 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 this conveyance.

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

Passed and adopted, this _____ day of _____, 2017.

Chair, Pima County Board of Supervisors

ATTEST:

Clerk of the Board

APPROVED AS TO FORM


Deputy County Attorney
ANDREW FLAGG

BOS Approval: 04/18/2017	S23/T12S/R06W	File A-0009	Agent: TM
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15 March 2017

EXHIBIT "A"
LEGAL DESCRIPTION
RIGHT OF WAY ABANDONMENT

All that portion of Plaza Street adjacent to Blocks 1 and 3 of Ajo Townsite, a subdivision plat recorded in Book 3 of Maps and Plats at Page 60, recorded in the office of the Pima County Recorder, Arizona, being located in the Northwest Quarter of Section 23, Township 12 South, Range 06 West, Gila & Salt River Meridian, Pima County, Arizona, more particularly described as follows:

Block 1:

BEGINNING at the northwest corner of said Block 1;

THENCE along the northwest line of said Block 1 North $56^{\circ}59'00''$ East a distance of 297.17 feet to the northeast corner of said Block 1;

THENCE North $33^{\circ}01'00''$ West a distance of 20.00 feet to a point on a line 20 feet northwest of and parallel with the northwest line of said Block 1;

THENCE along said parallel line South $56^{\circ}59'00''$ West a distance of 297.17 feet;

THENCE South $33^{\circ}01'00''$ East a distance of 20.00 feet to the **POINT OF BEGINNING**.

Block 3:

BEGINNING at the southwest corner of said Block 3;

THENCE along the southeast line of said Block 3 North $56^{\circ}59'00''$ East a distance of 297.17 feet to the southeast corner of said Block 3;

THENCE South $33^{\circ}01'00''$ East a distance of 20.00 to a point on a line 20 feet southeast of and parallel with the southeast line of said Block 3;

THENCE along said parallel line South $56^{\circ}59'00''$ West a distance of 297.17 feet;

THENCE North $33^{\circ}01'00''$ West a distance of 20.00 feet to the **POINT OF BEGINNING**.

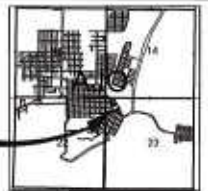


Expires 31 March 2018

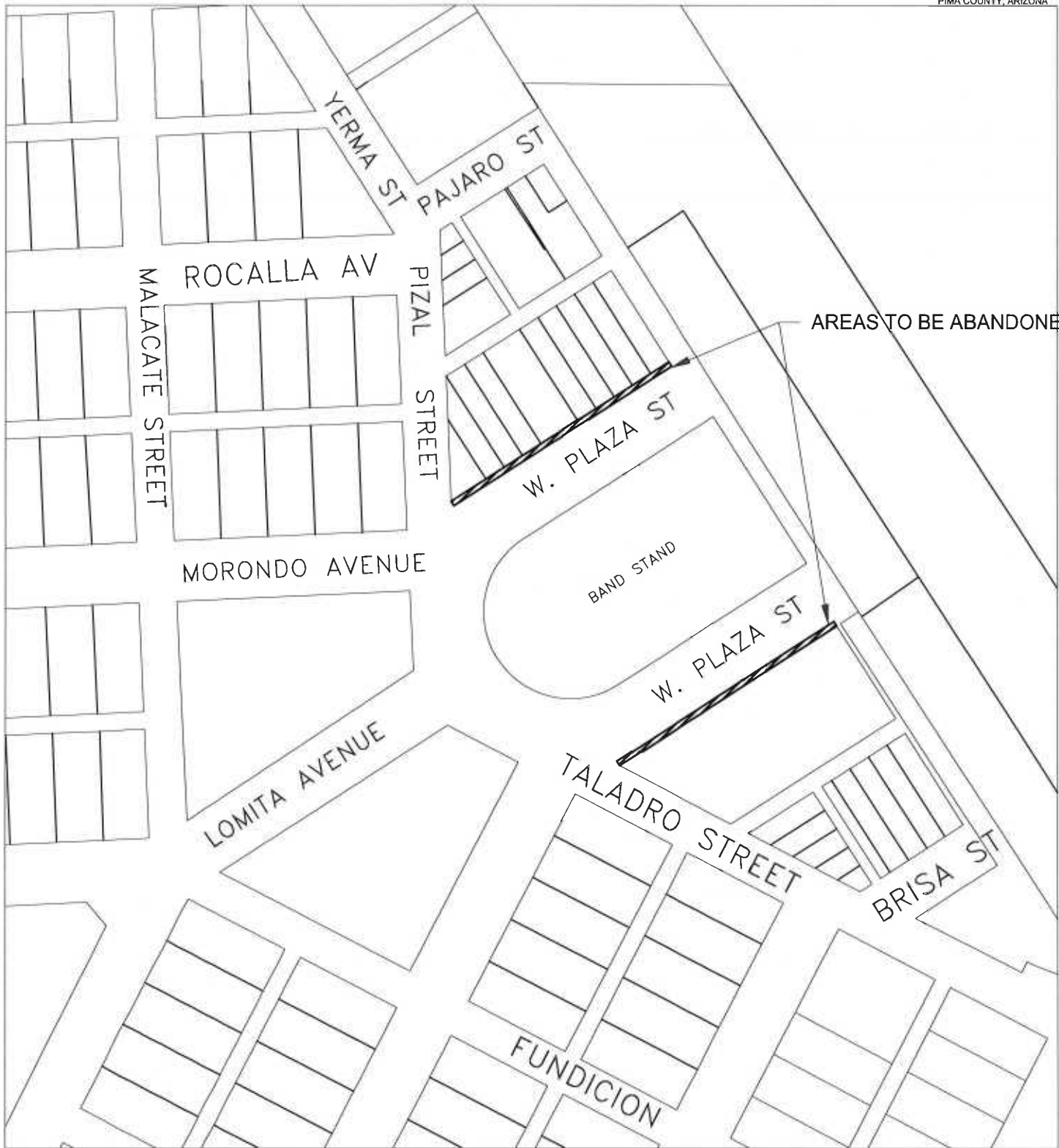
SECTIONS 23
TOWNSHIP 12 SOUTH
RANGE 06 WEST

DEPICTION OF "EXHIBIT A" ABANDONMENT OF PLAZA STREET SIDEWALKS

SUBJECT AREA



SECTION 23 G&SRM
TOWNSHIP 12S, RANGE 06W
PIMA COUNTY, ARIZONA



PIMA COUNTY DEPARTMENT OF TRANSPORTATION
ENGINEERING INFORMATION MANAGEMENT

 ROAD ABANDONMENT-PROC NO. A0009

A0009

DRAWING NOT TO SCALE

DRAWN BY: BSMITH

DATE: MAR 2017