



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: April 2, 2019

Title: Resolution No. 2019-_____ providing for the vacation and abandonment of Coyote Crossing Trail.
File A-0025

Introduction/Background:

The abandonment applicant, Coyote Estates, LLC, an Arizona Limited Liability Company, has requested an abandonment of Coyote Crossing Trail. The roadway is a public roadway lying within Section 33, Township 11, Range 13 G&SRM, Pima County, Arizona, as shown on attached Location Map.

Discussion:

The subject roadway was dedicated to Pima County by Deed recorded on January 26, 1953 in Book 1434 of Maps and Plats at Page 22. This roadway has been improved and maintained by the LLC and is not needed for public use. The applicant is requesting the abandonment to provide private access to the residences currently utilizing and maintaining the road. The Board of Supervisors previously directed staff to proceed with the abandonment by sale on January 8, 2019.

Conclusion:

This abandonment 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. County has determined that the subject roadway is not needed for public use and shall be vacated upon conveyance to the applicant. Notice was provided under ARS 28-6701 and 28-7204, and no offer to purchase was submitted by any party other than Coyote Estates, LLC for \$6000, which takes into consideration the total expenses paid by the applicant for paving and maintenance since 2000.

Recommendation:

Staff recommends that the Pima County Board of Supervisors approve Resolution No. 2019-_____. Upon approval, staff will record the necessary deed of conveyance.

Fiscal Impact:

Pima County will be removed from liability and have no maintenance responsibilities toward the subject roadway. Pima County will receive revenue in the amount of \$6,000.

ATTACHMENT: Location Map

Board of Supervisor District:

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Real Property Services

Telephone: 724-6309

Contact: Tim Murphy

Telephone: 724-6379

Department Director Signature/Date: _____

3/15/2019

Deputy County Administrator Signature/Date: _____

3/18/19

County Administrator Signature/Date: _____

C. D. Murphy 3/18/19

RESOLUTION NO. 2019 - _____

**RESOLUTION OF THE PIMA COUNTY BOARD OF SUPERVISORS FOR
THE ABANDONMENT BY SALE OF COYOTE CROSSING TRAIL AS
PIMA COUNTY ROAD ABANDONMENT NO. A-0025**

The Board of Supervisors of Pima County, Arizona finds:

1. An application has been received by Pima County for the vacation of Coyote Crossing Trail, a public roadway recorded in Book 1434, at Page 22, of Maps and Plats, 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 pursuant to A.R.S. §§ 28-6701 and 28-7202.
3. Notice was provided under A.R.S. §§ 28-6701 and 28-7204, and no offer to purchase was submitted by a party other than Coyote Estates, LLC.
4. The Roadway may be disposed of by sale to Coyote Estates, LLC, an Arizona limited liability company ("Grantee") pursuant to A.R.S. §§ 28-6701, 28-7204, and 28-7215(A).
5. Grantee shall be responsible for all maintenance and repair of the Roadway and liability for the roadway in perpetuity.
6. An offer of \$6000 by the applicant is an advisable amount of consideration under A.R.S. §§ 28-7204(E).

NOW, THEREFORE, BE IT RESOLVED,

The public roadway described and depicted in **Exhibit "A"** will be conveyed by Quit Claim Deed to Grantee, in accordance with A.R.S. §§ 28-6701, 28-7204 and 28-7215(A) subject to (1) a reserved ingress/egress and utility easement appurtenant to each parcel of real property abutting the Roadways, for the benefit of the owners, guests and invitees of the owners, public or emergency vehicles, and any other persons lawfully accessing the parcels; (2) reserved easements for any utilities that have facilities within the Roadway; and (3) agreement by the grantee, as the owner of the servient estate subject to the reserved easements, to maintain and repair the Roadways in perpetuity for the benefit of the dominant estates.

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

Passed and adopted, this _____ day of _____, 2019.

Chairman, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM

 **KELL OLSON**

Clerk of the Board

Deputy County Attorney

BOS Approval: 04/02/2019

S/T/R: 33/11/13

File A-0025

Agent: TM

(a²) land surveys

205 S. Vozack Lane
Tucson, Arizona 85748
(520) 296-9083

1/3/19
LEGAL DESCRIPTION

A PORTION OF THE NORTHWEST ¼ OF SECTION 33, TOWNSHIP 11 SOUTH, RANGE 13 EAST, GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA, AND BEING A PORTION OF THE COYOTE CROSSING TRAIL ROAD DESCRIBED BY DOCKET 1434 AT PAGE 22 AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 33,

THENCE SOUTHERLY, ALONG THE WEST LINE OF SAID SECTION 33, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF MOORE ROAD AND BEING THE POINT OF BEGINNING,

THENCE, EASTERLY, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF DOCKET 12901 AT PAGE 265, SEQUENCE # 20061900055, PARCEL # 219-39-003E,

THENCE, SOUTHERLY, ALONG THE WEST LINE OF DOCKET 12901 AT PAGE 265, SEQUENCE # 20061900055, PARCEL # 219-39-003E AND DOCKET 12791 AT PAGE 1691, SEQUENCE # 20060800316, PARCEL # 219-39-003D AND DOCKET 12374 AT PAGE 5526, SEQUENCE # 20041661117, PARCEL # 213-39-0090 AND SEQUENCE # 20152450532, PARCEL # 219-39-0100, PARALLEL WITH AND 30 FEET EAST OF THE WEST SECTION LINE OF SAID SECTION 33, A DISTANCE OF 1,191.46 FEET (RECORD) TO THE NORTHWEST CORNER OF DOCKET 11251 AT PAGE 2230, SEQUENCE # 20000470811, PARCEL # 219-39-0110,

THENCE, CONTINUE SOUTHERLY ALONG THE WEST LINE OF SAID DOCKET 11251 AT PAGE 2230, SEQUENCE # 20000470811, PARCEL 219-39-0110, A DISTANCE OF 98.59 FEET (RECORD) TO AN ANGLE POINT IN SAID DOCKET ,

THENCE, WESTERLY, ALONG THE BOUNDARY LINE OF SAID DOCKET 11251 AT PAGE 2230, A DISTANCE OF 30 FEET TO A POINT ON THE WEST SECTION LINE OF SAID SECTION 33,

THENCE NORTHERLY, ALONG SAID SECTION LINE, A DISTANCE OF 1290.05 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 38,701 SQUARE FEET OR 0.888 ACRES, MORE OR LESS.






(Continued)



LOCATION MAP

SECTION 33
TOWNSHIP 11 SOUTH
RANGE 13 EAST

FILE A-0025

-  30' ROW TO BE ABANDONED
-  PORTION OF 1953 DEDICATION
ABANDONED BY PIMA COUNTY
-  EXISTING I/E EASEMENTS



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

18078

DRAWING NOT TO SCALE

DRAWN BY: JLITTLE

DATE: NOV 2018