



## BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: September 3, 2019

**Title:** Consent to Sale of Communications Easement.

### Introduction/Background:

Pima County has previously entered into four Right of Way Use licenses with New Cingular Wireless PCS, LLC (the "Licenses") for wireless communications facilities located at 4100 N. Harrison Rd., 3220 W. Ina Rd., 2902 W. Paseo de las Aves, and the SE Corner of West Valencia Rd. and Wade Rd. (the "Cell Sites"). The Licenses will expire on 9/23/2020. The combined annual revenue for the Licenses is \$32,281. Landmark Infrastructure Holding Company LLC has submitted an offer to purchase a communications easement with a 50 year term over the Cell Sites (the "Communications Easement") for the appraised value of the Cell Sites.  
RPS File No. E-0105.

### Discussion:

Staff requests consent to auction the Communications Easement to the highest bidder pursuant to ARS Section 11-251(9). Upon the sale of the Communications Easement, the Licenses will be assigned to the purchaser of the Communications Easement.

### Conclusion:

The sale of a Communications Easement over the Cell Sites will provide revenue to the County, which will be placed in a special revenue fund with Natural Resources, Parks and Recreation to be used to purchase and maintain right of way for access to County owned property which currently has no legal access, and to maintain roads in County parks.

### Recommendation:

It is recommended that the Board of Supervisors approve the sale of the Communications Easement by auction to the highest bidder.

### Fiscal Impact:

The appraised value of the Communications Easement is \$485,500.00, which is the minimum bid price.

### Board of Supervisor District:

☒ 1      ☐ 2      ☒ 3      ☒ 4      ☒ 5      ☐ All

Department: Real Property Services

Telephone: 520-724-6313

Contact: Aaron Mergenthal

Telephone: 520-724-6854

Department Director Signature/Date: [Signature] 8/20/2019

Deputy County Administrator Signature/Date: [Signature] 8/23/19

County Administrator Signature/Date: C. R. [Signature] 8/23/19

**RESOLUTION NO. 2019-\_\_\_\_\_**

**RESOLUTION OF THE PIMA COUNTY BOARD OF SUPERVISORS  
AUTHORIZING SALE OF COMMUNICATIONS EASEMENT**

**The Board of Supervisors of Pima County, Arizona, finds:**

1. County has previously entered into four right of way use licenses with New Cingular Wireless PCS, LLC (the "Licenses") for wireless communications facilities located at 4100 N. Harrison Rd., 3220 W. Ina Rd., 2902 W. Paseo de las Aves, and the SE Corner of West Valencia Rd. and Wade Rd. (the "Cell Sites"). The Licenses for the Cell Sites will expire on 9/23/2020. The combined annual revenue for the Licenses \$32,281.
2. Landmark Infrastructure Holding Company LLC has submitted an offer to purchase a communications easement with a 50-year term over the Cell Sites (the "Communications Easement") for the appraised value of the Cell Sites.
3. The Communications Easement will be sold by public auction to the highest bidder in accordance with A.R.S. § 11-251(9), and the sale proceeds will be placed in a Special Revenue Fund to be administered by the Natural Resources Parks and Recreation Department ("NRPR") to be used to purchase and maintain right of way for access to County-owned property that currently has no legal access, and to maintain roads in County parks.

**NOW, THEREFORE, BE IT RESOLVED:** the Board consents to (i) the sale of the Communications Easement by public auction to the highest bidder for a minimum price of \$485,500 and (ii) the deposit of the sale proceeds in a Special Revenue Fund to be administered by NRPR to purchase and maintain right of way for access to County-owned property that currently has no legal access, and to maintain roads in County parks.

Passed and adopted, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

ATTEST:

APPROVED AS TO FORM

\_\_\_\_\_  
Julie Castañeda, Clerk of the Board

  
\_\_\_\_\_  
Kell Olson, Deputy County Attorney