



## BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: November 5, 2019

**Title:** Final Adoption - Establishment of Valencia Road under Road Proceeding No. 3032

### Introduction/Background:

Seeking approval by the Board of Supervisors (BOS) to accept the Establishment of Valencia Road under Road Proceeding No. 3032. Valencia Road between Houghton Road and Old Spanish Trail is a new roadway.

### Discussion:

The purpose of Road Proceeding No. 3032 is to accurately establish the new alignment of Valencia Road. This alignment for Valencia Road between Houghton Road and Old Spanish Trail was a result of the City of Tucson's adoption of Ordinance No. 11281. This Ordinance declared the deannexation of said right-of-way. Under Resolution and Order No. 2015-89, the Pima County BOS accepted the return of the right-of-way to Pima County. This Establishment will accept the right-of-way for this road into the Pima County Highway Maintenance System. Permission was granted by the BOS to advertise the Establishment of this road at the October 15, 2019 Board Hearing.

### Conclusion:

If Approved: The Department will accept the Establishment of the new right-of-way for Valencia Road into the Pima County Highway Maintenance System.

If Denied: The Department will not pursue the Establishment of Valencia Road and there will not be a clear delineation of the right-of-way for this road.

### Recommendation:

The Department of Transportation recommends that the BOS approve the Establishment of this County Road under Road Proceeding No. 3032.

### Fiscal Impact:

Funding for future maintenance on this new roadway would come from Operating Funds.

### Board of Supervisor District:

☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ All

Department: Transportation Telephone: 724-6410

Contact: Claire R. Logue Telephone: 724-6737

Department Director Signature/Date: *Robert A. Oliver* 10/8/19

Deputy County Administrator Signature/Date: *[Signature]* 10/9/19

County Administrator Signature/Date: *Chris D. McElroy* 10/9/19

NOV 11 10 17 PM '19 PCD/KCF/ED



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

**A RESOLUTION AND ORDER OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, PROVIDING FOR THE ESTABLISHMENT OF VALENCIA ROAD, A COUNTY HIGHWAY SITUATED WITHIN PORTIONS OF SECTIONS 13 AND 24, TOWNSHIP 15 SOUTH, RANGE 15 EAST, AND SECTIONS 17, 18, AND 19, TOWNSHIP 15 SOUTH, RANGE 16 EAST, GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA.**

**UNDER PROCEEDING NO. 3032**

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

1. The County Engineer has requested that the Pima County Board of Supervisors establish a county highway to be known as Valencia Road, located within portions of a Sections 13 and 24, Township 15 South, Range 15 East, and Sections 17, 18 and 19, Township 15 South, Range 16 East, Gila and Salt River Meridian, Pima County, Arizona, pursuant to Arizona Revised Statutes (A.R.S.) Section 28-6701(B), said road being more fully described in attached Exhibits.
2. The County Engineer filed a report and map of the proposed highway with the Board in accordance with A.R.S. § 28-6702(A)(1).
3. Said petition for establishment was set for a hearing before the Board on November 5, 2019, in accordance with A.R.S. § 28-6703.
4. Notice of the hearing was published once a week for two consecutive weeks in a newspaper of general circulation prior to the hearing,

5. At the hearing on the 5th day of November 2019, the Board considered the feasibility, advantages and necessity of the highway sought to be established and determined the proposed highway to be a public necessity.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board hereby establishes the public roadway described in the attached Exhibits and commonly referred to as Valencia Road as a county highway.
2. The Clerk of the Board is hereby directed to record this Resolution and Order, together with a map of said highway, as Establishment Proceeding No. 3032 in the Office of the Pima County Recorder, Pima County, Arizona.
3. The appropriate County officers and employees are hereby authorized and directed to perform all acts necessary and desirable to give effect to this Resolution.

PASSED AND ADOPTED this 5th day of November 2019.

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Richard Elías, Chairman  
Pima County Board of Supervisors

**ATTEST:**

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Julie Castañeda, Clerk of the Board

**APPROVED AS TO FORM:**

  
Kell Olson, Deputy County Attorney

**PETITION FOR ESTABLISHMENT OF PUBLIC HIGHWAY**

**ROAD PROCEEDING No. 3032**

Honorable Board of Supervisors  
Pima County, Arizona

Honorable Members of the Board of Supervisors:

The Pima County Engineer respectfully petitions that, pursuant to A.R.S. § 28-6701(B), the Board of Supervisors establish and declare Valencia Road as a County Highway this road being more fully described in the attached Exhibit.

Dated this 18<sup>th</sup> day of September, 2019

\_\_\_\_\_

Ana M. Olivares, P.E., Pima County Engineer

**NOTICE OF PUBLIC HEARING**  
**PIMA COUNTY BOARD OF SUPERVISORS**

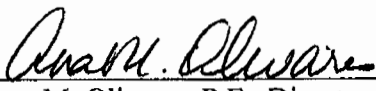
Notice is hereby given that the Pima County Board of Supervisors will hold a public hearing for the proposed Establishment of Valencia Road. This county road is situated within portions of Sections 13 and 24, Township 15 South, Range 15 East, and Sections 17, 18 and 19, Township 15 South, Range 16 East, Gila and Salt River Meridian, Pima County, Arizona. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**SEE EXHIBITS**

The public hearing for the Establishment of this road will be held on **Tuesday, November 5, 2019 at 9:00 A.M.**, or thereafter, located at the Pima County Administration Building, Board of Supervisors Hearing Room, 130 West Congress, 1<sup>st</sup> Floor, Tucson, Arizona.

A copy of the proposed Establishment for the aforementioned road can be obtained at the Pima County Department of Transportation, Mapping and Records, 201 North Stone Avenue, 5<sup>th</sup> Floor or by calling (520) 724-6410.

Dated this 18<sup>th</sup> day of September, 2019

  
\_\_\_\_\_  
Ana M. Olivares, P.E., Director  
Pima County Department of Transportation

Published: The Daily Territorial  
October 18, and October 25, 2019



F. ANN RODRIGUEZ, RECORDER  
Recorded By: JAL  
DEPUTY RECORDER  
4916

PCREA  
PIMA CO REAL PROPERTY SERVICES  
PICKUP



SEQUENCE : 20160820128  
NO. PAGES: 1  
AS 03/22/2016 11:12:21  
PICK UP  
AMOUNT PAID: \$0.00

## ASSIGNMENT OF RIGHT-OF-WAY

The State Land Commissioner hereby consents to the Assignment of Right-of-Way Number  
16-110139 which runs for a perpetual term

(Date of expiration)

and hereby orders that the right of way and all rights therein are hereby assigned and transferred to:

### PIMA COUNTY

201 N. Stone Avenue 6<sup>th</sup> Floor  
Tucson, Arizona 85701-1215

This assignment is made pursuant to application to assign the right-of-way made by  
ASSIGNOR(S):

### CITY OF TUCSON

and pursuant to application for the assumption of said right-of-way made by ASSIGNEE(S):

### PIMA COUNTY

and in accordance with the laws of the State of Arizona and the rules of the State Land Department.

*This assignment is made without waiver or relinquishment of any rights of the State of Arizona which may exist under the Right of Way assigned and does not initiate any new rights to the assignee of this Right of Way other than the rights as are set forth in the existing Right of Way. The assignee(s) hereby assumes and agrees to perform all obligations of the grantee under the Right of Way and accepts the Right of Way subject to all existing terms and conditions.*

Dated this 10<sup>th</sup> day of March, 2016.

State of Arizona  
State Land Commissioner

By: \_\_\_\_\_

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F. ANN RODRIGUEZ, RECORDER  
Recorded By: GMS  
DEPUTY RECORDER  
4933

P0230  
PIMA CO CLERK OF THE BOARD  
PICKUP



SEQUENCE: 20153380724  
NO. PAGES: 6  
RES 12/04/2015  
18:00:00  
PICK UP  
AMOUNT PAID: \$0.00

RESOLUTION AND ORDER 2015- 89

**A RESOLUTION AND ORDER OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, ORDERING THAT PUBLIC RIGHT-OF-WAY DE-ANNEXED FROM THE CITY OF TUCSON, ARIZONA BE RETURNED TO PIMA COUNTY**

**THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA FINDS THAT:**

1. Pursuant to A.R.S. § 9-471.03(C), the City of Tucson passed and adopted Ordinance No. 11281 declaring the deannexation of existing City of Tucson right-of-way known as Valencia Road between Old Spanish Trail and Houghton Road (hereafter "Right-of-Way"), which is described as follows:

See Exhibit "A" to this Resolution, Legal Description  
See Exhibit "B" to this Resolution, Map

2. On October 6, 2015, the Pima County Board of Supervisors held a public hearing and adopted Ordinance 2015-43, determining that the proposed return of the Right-of-Way to Pima County would serve the public interest.
3. On December 1, 2015, the Pima County Board of Supervisors held a second public hearing, as required by A.R.S. § 9-471.03(F), and at least 20 days before that hearing provided notice by certified mail to each owner of real property subject to taxation adjacent to the Right-of-Way.

**BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA,** that the public right-of-way described in attached Exhibits A and B is hereby ordered returned to Pima County, as specified in City of Tucson Ordinance No. 11281.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this 1st day of December, 2015.

A handwritten signature in black ink, appearing to read "Shawn Benson", is written over a horizontal line.

Chair, Pima County Board of Supervisors

ATTEST:

A handwritten signature in black ink, appearing to read "Rohita Bhatnagar", is written over a horizontal line.

Clerk, Board of Supervisors

Approved As To Form:

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Deputy County Attorney



EXHIBIT 'A' to Ordinance 11281  
RIGHT-OF-WAY

All those portions of Sections 13 & 24, Township 15 South, Range 15 East, and Sections 18 & 19, Township 15 South, Range 16 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

**Parcel 1:**

COMMENCING at the south quarter corner of said Section 18;

Thence North  $89^{\circ}53'02''$  West, along the south line of said Section 18 (the basis of bearings for this legal description per Pima County Highway Department Road Map Book 11, Page 50), a distance of 678.82 feet to the POINT OF BEGINNING;

Thence North  $00^{\circ}06'58''$  East, a distance of 75.00 feet to the point of curvature of a non-tangent curve on the north right-of-way line of Valencia Road (formerly Los Reales Road, as recorded in said Road Map Book 11, Page 50), concave northeasterly, a radial line of said curve through said point having a bearing of South  $06^{\circ}08'37''$  West;

Thence northwesterly upon said curve, to the right, having a radius of 470.00 feet and a central angle of  $35^{\circ}07'41''$  for an arc length of 288.16 feet to a point of compound curvature concave easterly;

Thence northerly upon said curve, to the right, having a radius of 75.00 feet and a central angle of  $98^{\circ}17'27''$  for an arc length of 128.66 feet to a point of reverse curvature concave northwesterly;

Thence northeasterly upon said curve, to the left, having a radius of 1575.00 feet and a central angle of  $21^{\circ}06'31''$  for an arc length of 580.26 feet to a point of tangency;

Thence North  $28^{\circ}27'14''$  East, a distance of 53.53 feet;

Thence South  $61^{\circ}32'46''$  East, a distance of 35.00 feet;

Thence North  $28^{\circ}27'14''$  East, a distance of 500.00 feet;

Thence North  $61^{\circ}32'46''$  West, a distance of 35.00 feet;

Thence North  $28^{\circ}27'14''$  East, a distance of 770.71 feet to a point of curvature of a tangent curve concave southeasterly;

Thence northeasterly upon said curve, to the right, having a radius of 1425.00 feet and a central angle of  $17^{\circ}58'18''$  for an arc length of 446.97 feet to a non-tangent line;

Thence South  $43^{\circ}34'28''$  East, a distance of 30.00 feet to a point of curvature of a non-tangent curve concave southeasterly, a radial line of said curve through said point having a bearing of North  $43^{\circ}34'28''$  West:

Thence northeasterly upon said curve, to the right, having a radius of 1395.00 feet and a central angle of  $14^{\circ}59'56''$  for an arc length of 365.18 feet to a non-tangent line;

Thence North  $28^{\circ}34'32''$  West, a distance of 30.00 feet to a point of curvature of a non-tangent curve concave southeasterly, a radial line of said curve through said point having a bearing of North  $28^{\circ}34'32''$  West;

Thence northeasterly upon said curve, to the right, having a radius of 1425.00 feet and a central angle of  $03^{\circ}56'14''$  for an arc length of 97.92 feet to a point of tangency;

Thence North  $65^{\circ}21'42''$  East, a distance of 751.60 feet to the east line of the south half of the southwest quarter of the northeast quarter of said Section 18;

Thence North  $02^{\circ}30'27''$  West, upon said east line, a distance of 161.93 feet;

Thence South  $65^{\circ}21'42''$  West, a distance of 517.60 feet;

Thence North  $24^{\circ}38'18''$  West, a distance of 20.00 feet;

Thence South  $65^{\circ}21'42''$  West, a distance of 250.00 feet;

Thence North  $24^{\circ}38'18''$  West, a distance of 40.00 feet;

Thence South  $65^{\circ}21'42''$  West, a distance of 45.00 feet to a point of curvature of a tangent curve concave southeasterly;

Thence southwesterly upon said curve, to the left, having a radius of 1635.00 feet and a central angle of  $15^{\circ}11'10''$  for an arc length of 433.35 feet to a non-tangent line;

Thence South 39°49'29" East, a distance of 25.00 feet to a point of curvature of a non-tangent curve concave southeasterly, a radial line of said curve through said point having a bearing of North 39°49'29" West;

Thence southwesterly upon said curve, to the left, having a radius of 1610.00 feet and a central angle of 21°43'17" for an arc length of 610.37 feet to a point of tangency;

Thence South 28°27'14" West, a distance 770.72 feet;

Thence North 61°32'46" West, a distance of 40.00 feet;

Thence South 28°27'14" West, a distance of 500.00 feet;

Thence South 61°32'46" East, a distance of 40.00 feet;

Thence South 28°27'14" West, a distance of 53.52 feet to a point of curvature of a tangent curve concave northwesterly;

Thence southwesterly upon said curve, to the right, having a radius of 1390.00 feet and a central angle of 25°09'53" for an arc length of 610.50 feet to a non-tangent line;

Thence South 36°21'02" East, a distance of 15.00 feet to a point of curvature of a non-tangent curve concave northwesterly, a radial line of said curve through said point having a bearing of South 36°22'52" East;

Thence southwesterly upon said curve, to the right, having a radius of 1405.00 feet and a central angle of 23°21'45" for an arc length of 572.89 feet to a non-tangent line;

Thence South 12°59'45" East, a distance of 20.00 feet to a point of curvature of a non-tangent curve concave northwesterly, a radial line of said curve through said point having a bearing of South 13°01'06" East;

Thence southwesterly upon said curve, to the right, having a radius of 1425.00 feet and a central angle of 10°39'03" for an arc length of 264.90 feet to a non-tangent point on the north right-of-way line of said Valencia Road (formerly Los Reales Road);

Thence North 89°53'02" West, upon said north right-of-way line, a distance of 743.77 feet to a point on the west line of said Section 18;

Thence South 00°19'12" West, a distance of 75.00 feet to the southwest corner of said Section 18;

Thence South 89°53'02" East, upon the south line of said Section 18, a distance of 1965.65 to the POINT OF BEGINNING..

**Parcel 2:**

The north 75.00 feet of the northwest quarter of said Section 19.

EXCEPT the east 678.82 feet.

**Parcel 3:**

The north 75.00 feet of said Section 24.

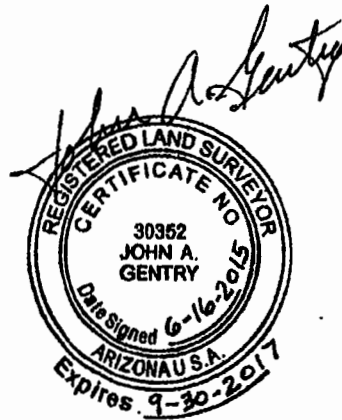
EXCEPT the west 100.00 feet.

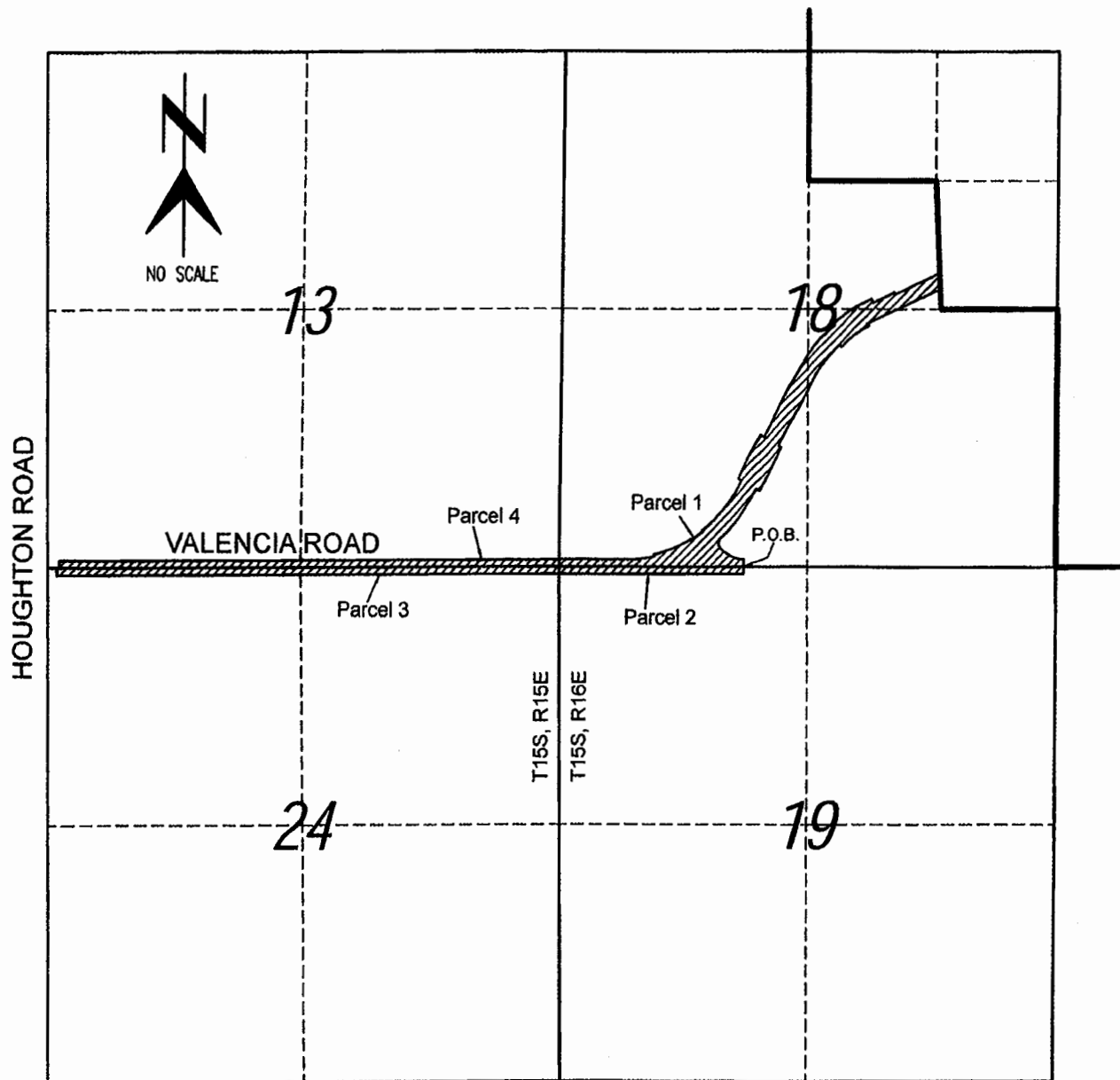
**Parcel 4:**

The south 75.00 feet of said Section 13.

EXCEPT the west 125.00 feet.

Said parcels contain a total of 44.6 Acres, more or less.





# LEGEND

- Existing City Limits per Ordinance Numbers 7034 & 7676
- Proposed De-annexation

Total Proposed De-annexation Area: 44.6 Acres  $\pm$

Sections 13 & 24, T15S, R15E  
Sections 18 & 19, T15S, R16E

Drawn: JAG JUN 2015  
Scale: NO SCALE  
Approved: \_\_\_\_\_  
City Engineer

PROPOSED DE-ANNEXATION  
OF VALENCIA ROAD,  
EAST OF HOUGHTON ROAD

City of Tucson, Arizona  
ENGINEERING DIVISION 55

PLAN # S-2015-005



SEQUENCE: 20192280032

No. Pages: 11

8/16/2019 8:56 AM

F. ANN RODRIGUEZ, RECORDER  
Recorded By: RLL (e-recording)

When Recorded, Please Return to:

Pima County Real Property Services  
201 North Stone Avenue, 6<sup>th</sup> Floor  
Tucson, AZ 85701-1215

Exempt from Affidavit of Value per A.R.S. § 11-1134(A)(3).

**Special Warranty Deed**

For the consideration of Ten Dollars (\$10.00), and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned, Black Angus Mine, LLC, an Arizona limited liability company, the "Grantor" herein, does hereby convey to PIMA COUNTY, a political subdivision of the State of Arizona, the "Grantee" herein, the following real property (the "Property") situated in Pima County, Arizona, together with all wells, water rights and mineral rights in which Grantor has an interest and appurtenant thereto:

As described and depicted in **Exhibit A and Exhibits B-1, B-2, B-3 & B-4** attached hereto.

Subject to all matters of record.

Grantor hereby binds itself and its successors to warrant and defend the title as against all acts of Grantor herein and no other, subject to the matters set forth above.

Dated this 12<sup>th</sup> day of August, 2019.

Black Angus Mine, LLC, an Arizona limited liability company

By Diamond Ventures, Inc, Manager

By:

As: VICE PRESIDENT

Page 1 of 2

EXEMPTION: A.R.S. §11-1134.A.3.		Board of Supervisors: 5/18/18	Right of Way [X]
Agent: TM	File #: PR-0191	S/T/R: 18 T15S R16E	P [ ] De [X] Do [ ] E [ ]

When Recorded, Please Return to:

Pima County Real Property Services  
201 North Stone Avenue, 6<sup>th</sup> Floor  
Tucson, AZ 85701-1215

Exempt from Affidavit of Value per A.R.S. § 11-1134(A)(3).

### Special Warranty Deed

For the consideration of Ten Dollars (\$10.00), and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned, Black Angus Mine, LLC, an Arizona limited liability company, the "Grantor" herein, does hereby convey to PIMA COUNTY, a political subdivision of the State of Arizona, the "Grantee" herein, the following real property (the "Property") situated in Pima County, Arizona, together with all wells, water rights and mineral rights in which Grantor has an interest and appurtenant thereto:

As described and depicted in **Exhibit A and Exhibits B-1, B-2, B-3 & B-4** attached hereto.


Subject to all matters of record.

Grantor hereby binds itself and its successors to warrant and defend the title as against all acts of Grantor herein and no other, subject to the matters set forth above.

Dated this 12<sup>th</sup> day of August, 2019.

Black Angus Mine, LLC, an Arizona limited liability company

By Diamond Ventures, Inc., Manager

By: 

As: VICE PRESIDENT

Page 1 of 2

EXEMPTION: A.R.S. §11-1134.A.3.		Board of Supervisors: 5/18/18	Right of Way [X]
Agent: TM	File #: PR-0191	S/T/R: 18 T15S R16E	P [ ] De [X] Do [ ] E [ ]

STATE OF ARIZONA )

) ss

COUNTY OF PIMA )

This instrument was acknowledged before me this 10th day of August, 2019, by  
Chad Kolodisner as Vice President



Tina L. Raymond  
Notary Public

My Commission Expires: July 25, 2022

Page 2 of 2

EXEMPTION: A.R.S. §11-1134.A.3.		Board of Supervisors: 5/18/18	Right of Way [X]
Agent: TM	File #: PR-0191	S/T/R: 18 T15S R16E	P [ ] De [X] Do [ ] E [ ]



**EXHIBIT A**

**LEGAL DESCRIPTION**

Portions of the parcel recorded in Docket 12024, Page 5811 and Page 5815, shown in Book 26 of Surveys at Page 63, Records of Pima County, Arizona, located in the northwest one-quarter of the northwest one-quarter of Section 17 and the southwest one-quarter of the southwest one-quarter of Section 8, Township 15 South, Range 16 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

**PARCEL 1 – VALENCIA ROAD RIGHT-OF-WAY**

**COMMENCING** at the North one-sixteenth corner of said Section 17, monumented by a 1-1/2" iron pipe, from which the Northwest corner of said section, monumented by a 1/2" rebar, tagged "MMLS, RLS 18557", bears North 05°01'28" West (basis of bearing for this legal description) a distance of 1331.85 feet as shown in said Book 26 of Surveys at Page 63;

**THENCE** upon the south line of the northwest one-quarter of the northwest one-quarter of said Section 17, South 88°21'19" East a distance of 169.01 feet to a 1/2" rebar in concrete;

**THENCE** continue upon said south line, South 88°22'07" East a distance of 77.91 feet to the **POINT OF BEGINNING**;

**THENCE** North 39°08'45" East a distance of 597.81 feet to a point of curvature of a tangent curve, concave to the southeast;

**THENCE** northeasterly upon the arc of said curve, to the right, having a radius of 1075.00 feet and a central angle of 32°54'51" for an arc length of 617.55 feet to the westerly right-of-way of Old Spanish Trail as recorded in Book 3 of Road Maps at Page 141-142;

**THENCE** upon said westerly right-of-way, South 00°30'37" West a distance of 159.58 feet, to a point on the arc of a non-tangent curve, concave to the southeast, a radial line of said curve through said point bears North 21°04'12" West;

**THENCE** southwesterly upon the arc of said curve, to the left, having a radius of 925.00 feet and a central angel of 29°47'04" for an arc length of 480.85 feet;

**THENCE** South 39°08'45" West a distance of 482.65 feet to said south line of the northwest one-quarter of the northwest one-quarter of Section 17;

**THENCE** upon said south line, North 88°22'07" West a distance of 189.11 feet to the **POINT OF BEGINNING**.

Containing an area of 163,427.6 square feet or 3.75 acres, more or less.

See Exhibit B-1, attached hereto and made a part hereof.

**TOGETHER WITH:**

**PARCEL 2 - RIGHT-OF-WAY**

**COMMENCING** at the North one-sixteenth corner of said Section 17, monumented by a 1-1/2" iron pipe, from which the Northwest corner of said section, monumented by a 1/2" rebar, tagged "MMLA, RLS 18557", bears North 05°01'28" West (basis of bearing for this legal description) a distance of 1331.85 feet as shown in said Book 26 of Surveys at Page 63;

**THENCE** upon the south line of the northwest one-quarter of the northwest one-quarter of said Section 17, South 88°21'19" East a distance of 169.01 feet;

**THENCE** continue upon said south line, South 88°22'07" East a distance of 551.25 feet to a 1/2" rebar;

**THENCE** continue upon said south line, South 88°21'59" East a distance of 533.19 feet to the northwest one-sixteenth corner of said section, monumented by a 1/2" rebar, tagged "RLS 29273";

**THENCE** upon the east line of said northwest one-quarter of the northwest one-quarter, North 02°51'24" West a distance of 327.76 feet to a 1/2" rebar tagged "RLS 25405";

**THENCE** continue upon said east line, North 02°46'02" West a distance of 220.22 feet to the **POINT OF BEGINNING**;

**THENCE** continue upon said east line, North 02°46'02" West a distance of 382.79 feet to the easterly right-of-way of Old Spanish Trail as recorded in Book 3 of Road Maps at Page 141-142 and shown in said Book 26 of surveys at Page 63, monumented by a 1/2" rebar, tagged "RLS 29273";

**THENCE** upon said easterly right-of-way, South 00°30'37" West a distance of 395.68 feet to the southeast corner of said right-of-way, monumented by a 1/2" rebar, tagged "RLS 29273";

**THENCE** upon the northeasterly prolongation of said right-of-way, North 58°47'31" East a distance of 25.73 feet to the **POINT OF BEGINNING**.

Containing an area of 4,329.7 square feet or 0.10 acres more or less.

See Exhibit B-2, attached hereto and made a part hereof.

**TOGETHER WITH:**

**PARCEL 3 - SLOPE EASEMENT**

**COMMENCING** at the North one-sixteenth corner of said Section 17, monumented by a 1-1/2" iron pipe, from which the Northwest corner of said section, monumented by a 1/2" rebar, tagged "MMLA, RLS 18557", bears North 05°01'28" West (basis of bearing for this legal description) a distance of 1331.85 feet as shown in said Book 26 of Surveys at Page 63;

**THENCE** upon the south line of the northwest one-quarter of the northwest one-quarter of said Section 17, South 88°21'19" East a distance of 169.01 feet to a 1/2" rebar in concrete;

**THENCE** continue upon said south line, South 88°22'07" East a distance of 77.91 feet to the northwesterly right-of-way of the aforementioned Parcel 1;

**THENCE** upon said northwesterly right-of-way, North 39°08'45" East a distance of 597.81 feet to the **POINT OF BEGINNING**;

**THENCE** North 50°51'15" West a distance of 15.00 feet to a point on the arc of a non-tangent curve, concave to the southeast, a radial line of said curve through said point bears North 50°51'15" West;

**THENCE** northeasterly upon the arc of said curve, to the right, having a radius of 1090.00 feet and a central angle of 30°39'16" for an arc length of 583.17 feet,

**THENCE** South 01°57'00" West a distance of 16.21 feet to said northwesterly right-of-way of the aforementioned Parcel 1, being a point on the arc of a non-tangent curve, concave to the southeast, a radial line of said curve through said point bears North 20°31'32" West;

**THENCE** southwesterly upon the arc of said curve, to the left, having a radius of 1075.00 feet and a central angle of 30°19'43" for an arc distance of 569.04 feet to the **POINT OF BEGINNING**.

Containing an area of 8,641.6 square feet or 0.20 acres, more or less.

See Exhibit B-3, attached hereto and made a part hereof.

**TOGETHER WITH:**

**Parcel 4 - DRAINAGE EASMENT**

**COMMENCING** at the North one-sixteenth corner of said Section 17, monumented by a 1-1/2" iron pipe, from which the Northwest corner of said section, monumented by a 1/2" rebar, tagged "MMLA, RLS 18557", bears North 05°01'28" West (basis of bearing for this legal description) a distance of 1331.85 feet as shown in said Book 26 of Surveys at Page 63;

**THENCE** upon the south line of the northwest one-quarter of the northwest one-quarter of said Section 17, South 88°21'19" East a distance of 169.01 feet to a 1/2" rebar in concrete;

**THENCE** continue upon said south line, South 88°22'07" East a distance of 77.91 feet to the northwesterly right-of-way of aforementioned Parcel 1;

**THENCE** upon said northwesterly right-of-way, North 39°08'45" East a distance of 597.81 feet to a point of curvature of a tangent curve, concave to the southeast;

**THENCE** northeasterly upon the arc of said curve, to the right, having a radius of 1075.00 feet and a central angle of 30°19'43" for an arc distance of 569.04 feet to the **POINT OF BEGINNING**;

**THENCE** North 01°57'00" East a distance of 23.76 feet to a point of curvature of a tangent curve, concave southwesterly;

**THENCE** northwesterly upon the arc of said curve, to the left, having a radius of 267.20 feet and a central angle of 49°04'48" for an arc length of 228.89 feet;

**THENCE** North 55°55'42" West a distance of 422.22 feet;

**THENCE** North 42°42'34" East a distance of 57.45 feet to the north line of the northwest one-quarter of the northwest one-quarter of said Section 17;

**THENCE** continue North 42°42'34" East a distance of 134.81 feet;

**THENCE** South 38°22'39" East a distance of 136.04 feet to said north line of the northwest one-quarter of the northwest one-quarter of said Section 17;

**THENCE** continue South 38°22'39" East a distance of 286.53 feet to a point on the arc of a non-tangent curve, concave to the southwest, a radial line of said curve through said point bears North 42°50'44" East;

**THENCE** southeasterly upon the arc of said curve, to the right, having a radius of 330.58 feet and a central angle of 28°27'21" for an arc length of 164.18 feet to the

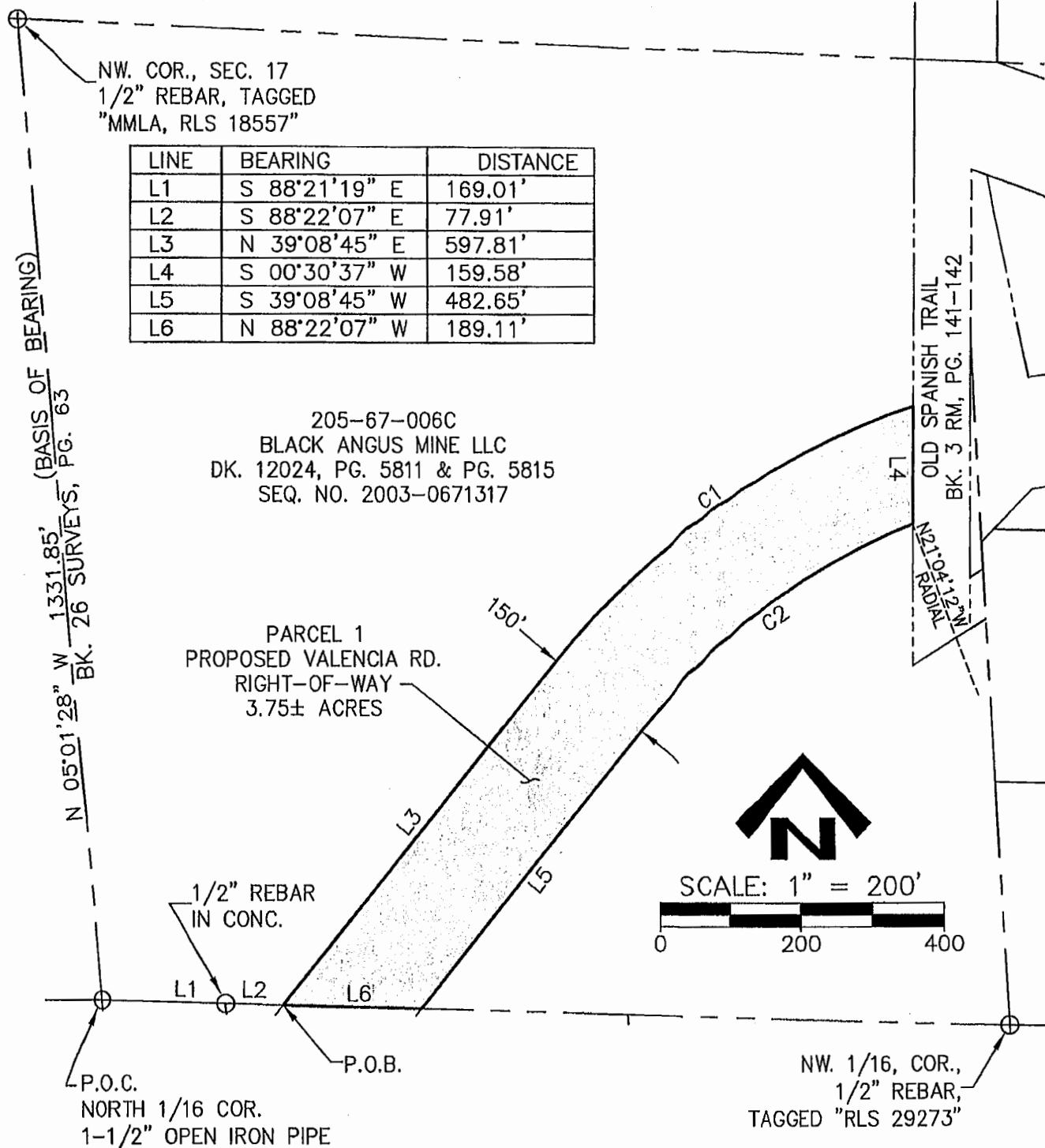
westerly right-of-way of Old Spanish Trail as recorded in Book 3 of Road of Maps at Page 141-142;

**THENCE** upon said westerly right-of-way, South  $00^{\circ}30'37''$  West a distance of 122.84 feet to the to the northwesterly right-of-way of aforementioned Parcel 1, lying on the arc of a non-tangent curve, concave to the southeast, a radial line of said curve through said point bears North  $17^{\circ}56'24''$  West;

**THENCE** westerly upon the arc of said curve, to the left, having a radius of 1075.00 feet and a central angle of  $02^{\circ}35'08''$  for an arc length of 48.51 feet to the **POINT OF BEGINNING**.

Containing an area of 68,769.2 square feet or 1.58 acres, more or less.

T:\7ROC130401\SURVEY\LEGALS\RW-1.dwg 8.5x11 Portrait Last Saved: 9/14/2017 By: Egozmez Plotted: 9/14/2017 1:59:38 PM



### EXHIBIT B-1

#### PARCEL 1 - RIGHT-OF-WAY

A PORTION OF THE PARCEL RECORDED IN DK. 12024, PG. 5811 & PG. 5815  
AND SHOWN IN BK. 26 OF SURVEYS AT PG. 63, RECORDS OF PIMA COUNTY, AZ  
LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 17, T-15-S, R-16-E,  
GILA & SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

# PSOMAS

333 E. Wetmore Road, Suite 450  
Tucson, AZ 85705  
(520) 282-2300 (520) 282-1290 fax  
www.psomas.com

7ROC130401

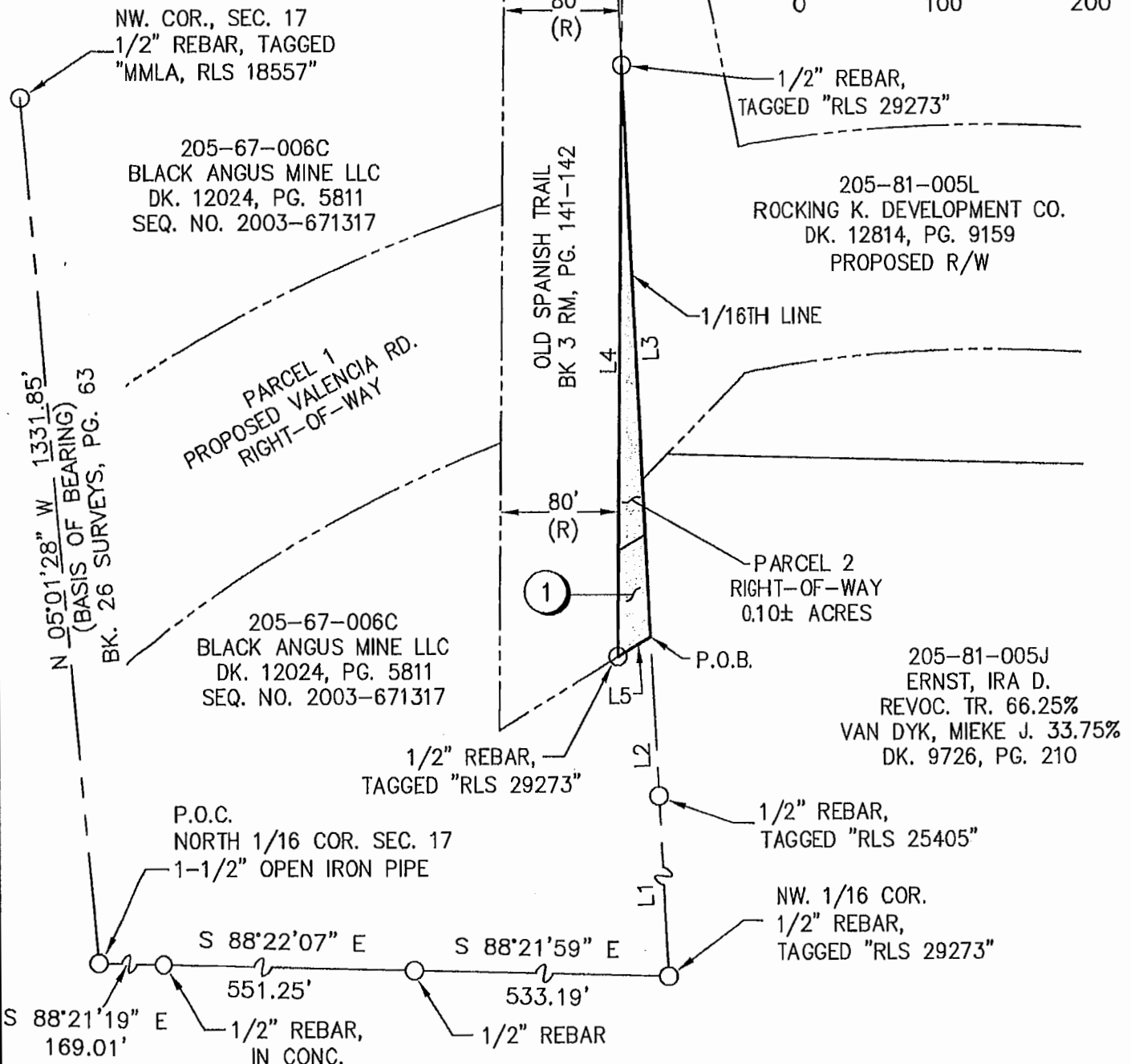
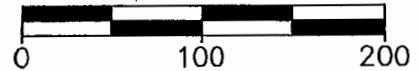
DATE: SEPTEMBER, 2017

DRAWN BY: SM

LINE	BEARING	DISTANCE
L1	N 02°51'24" W	327.76'
L2	N 02°46'02" W	220.22'
L3	N 02°46'02" W	382.79'
L4	S 00°30'37" W	395.68'
L5	N 58°47'31" E	25.73'



SCALE: 1" = 100'



① = POSSIBLE UNABANDONED PORTION OF MCDONALD RD.  
PER BK. 5 RM, PG. 30 & BK. 21 RM, PG. 35

**EXHIBIT B-2**

PARCEL 2 - RIGHT-OF-WAY

**PSOMAS**

333 E. Wetmore Road, Suite 460  
Tucson, AZ 85705  
(520) 282-2300 (520) 282-1280 fax  
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A PORTION OF THE PARCEL RECORDED IN DK. 12024, PG. 5811 & PG. 5815  
AND SHOWN IN BK. 26 OF SURVEYS AT PG. 63, RECORDS OF PIMA COUNTY, AZ  
LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 17, T-15-S, R-16-E,  
GILA & SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

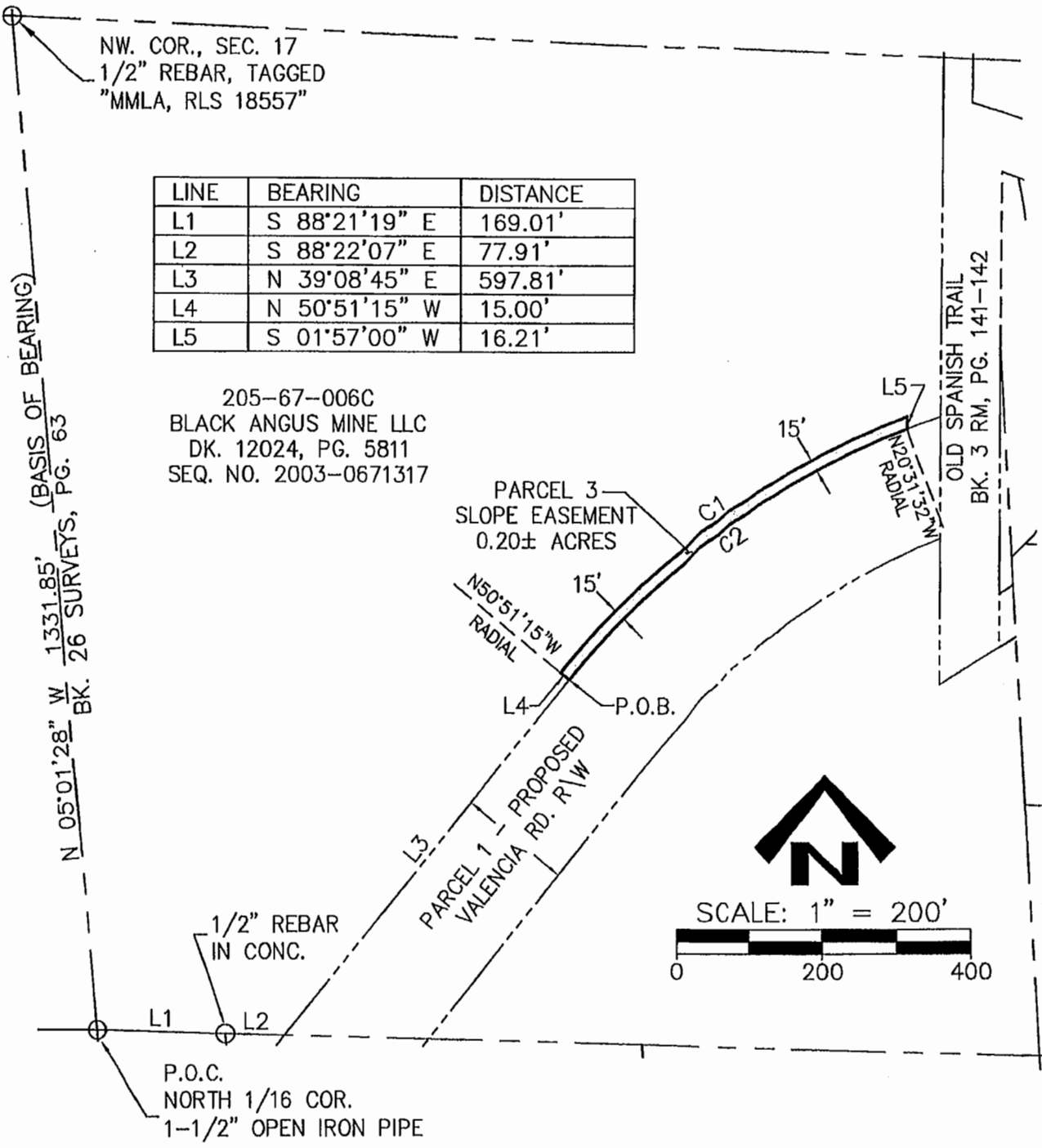
7ROC130401

DATE: SEPTEMBER, 2017

DRAWN BY: SM

N 05°01'28" W 1331.85' (BASIS OF BEARING)  
26 SURVEYS, PG. 63  
BK.

205-67-006C  
BLACK ANGUS MINE LLC  
DK. 12024, PG. 5811  
SEQ. NO. 2003-0671317



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	583.17'	1090.00'	30°39'16"	576.24'	N 54°28'23" E
C2	569.04'	1075.00'	30°19'43"	562.42'	S 54°18'36" W

PARCEL 3 - SLOPE EASEMENT

A PORTION OF THE PARCEL RECORDED IN DK. 12024, PG. 5811 & PG. 5815  
AND SHOWN IN BK. 26 OF SURVEYS AT PG. 63, RECORDS OF PIMA COUNTY, AZ  
LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 17, T-15-S, R-16-E,  
GILA & SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

333 E. Wetmore Road, Suite 450  
Tucson, AZ 85705  
(520) 292-2300 (520) 292-1290 fax  
www.pasomas.com

7ROC130401

DATE: SEPTEMBER, 2017

DRAWN BY: SM



NW. COR., SEC. 17  
1/2" REBAR, TAGGED  
"MMLA, RLS 18557"

205-67-006C  
BLACK ANGUS MINE LLC  
DK. 12024, PG. 5811 & 5815

SEC. 08  
SEC. 17

LINE	BEARING	DISTANCE
L1	S 88°21'19" E	169.01'
L2	S 88°22'07" E	77.91'
L3	N 39°08'45" E	597.81'
L4	N 01°57'00" E	23.76'
L5	N 55°55'42" W	422.22'
L6	N 42°42'34" E	57.45'
L7	N 42°42'34" E	134.81'
L8	S 38°22'39" E	136.04'
L9	S 38°22'39" E	286.53'
L10	S 00°30'37" W	122.84'

PARCEL 4  
DRAINAGE EASEMENT  
1.58± ACRES

(BASIS OF BEARING)  
N 05°01'28" W 1331.85'  
BK. 26 SURVEYS, PG. 63

205-67-006C  
BLACK ANGUS MINE LLC  
DK. 12024, PG. 5811 & 5815  
SEQ. NO. 2003-0671317

P.O.C.  
NORTH 1/16 COR.  
1-1/2" OPEN  
IRON PIPE

1/2" REBAR  
IN CONC.

PARCEL 1 - PROPOSED  
VALENCIA RD. RIGHT-OF-WAY



SCALE: 1" = 200'  
0 200 400

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	569.04'	1075.00'	30°19'43"	562.42'	N 54°18'36" E
C2	228.89'	267.20'	49°04'48"	221.96'	N 22°35'24" W
C3	164.18'	330.58'	28°27'21"	162.50'	S 32°55'35" E
C4	48.51'	1075.00'	2°35'08"	48.51'	S 70°46'02" W

#### EXHIBIT B-4

##### PARCEL 4 - DRAINAGE EASEMENT

A PORTION OF THE PARCEL RECORDED IN DK. 12024, PG. 5811 & PG. 5815  
AND SHOWN IN BK. 26 OF SURVEYS AT PG. 63, RECORDS OF PIMA COUNTY, AZ,  
LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 17 AND  
THE SW 1/4 OF THE SW 1/4 SECTION 8, T-15-S, R-16-E,  
GILA & SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

**PSOMAS**

333 E. Wetmore Road, Suite 450  
Tucson, AZ 85705  
(520) 292-2300 (520) 292-1280 fax  
www.psomas.com

7ROC130401

DATE: SEPTEMBER, 2017

DRAWN BY: SM



SEQUENCE: 20192280033  
 No. Pages: 8  
 8/16/2019 8:56 AM

F. ANN RODRIGUEZ, RECORDER  
 Recorded By: RLL (e-recording)



When Recorded, Please Return to:

Pima County Real Property Services  
 201 North Stone Avenue, 6<sup>th</sup> Floor  
 Tucson, AZ 85701-1215

Exempt from Affidavit of Value per A.R.S. § 11-1134(A)(3).

### Special Warranty Deed

For the consideration of Ten Dollars (\$10.00), and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned, Rocking K Development Co., an Arizona corporation, the "Grantor" herein, does hereby convey to PIMA COUNTY, a political subdivision of the State of Arizona, the "Grantee" herein, the following real property (the "Property") situated in Pima County, Arizona, together with all wells, water rights and mineral rights in which Grantor has an interest and appurtenant thereto:

As described and depicted in Exhibit A and Exhibit B attached hereto.

Subject to all matters of record.

Grantor hereby binds itself and its successors to warrant and defend the title as against all acts of Grantor herein and no other, subject to the matters set forth above.

Dated this 12<sup>th</sup> day of August, 2019.

Rocking K Development Co., an Arizona corporation

By: [Signature]

As: Vice President

STATE OF ARIZONA )  
 ) ss  
 COUNTY OF PIMA )

Page 1 of 2

EXEMPTION: A.R.S. §11-1134.A.3.		Board of Supervisors: 5/18/18	Right of Way [X]
Agent: TM	File #: PR-0191	S/T/R: 18 T15S R16E	P [ ] De [X] Do [ ] E [ ]

When Recorded, Please Return to:

Pima County Real Property Services  
201 North Stone Avenue, 6<sup>th</sup> Floor  
Tucson, AZ 85701-1215

Exempt from Affidavit of Value per A.R.S. § 11-1134(A)(3).

### Special Warranty Deed

For the consideration of Ten Dollars (\$10.00), and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned, Rocking K Development Co., an Arizona corporation, the "Grantor" herein, does hereby convey to PIMA COUNTY, a political subdivision of the State of Arizona, the "Grantee" herein, the following real property (the "Property") situated in Pima County, Arizona, together with all wells, water rights and mineral rights in which Grantor has an interest and appurtenant thereto:

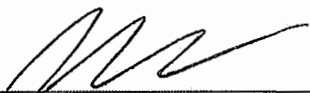
As described and depicted in **Exhibit A and Exhibit B** attached hereto.

Subject to all matters of record.

Grantor hereby binds itself and its successors to warrant and defend the title as against all acts of Grantor herein and no other, subject to the matters set forth above.

Dated this 12<sup>th</sup> day of August, 2019.

Rocking K Development Co., an Arizona corporation

By: 

As: VILE PRESIDENT

STATE OF ARIZONA                    )  
  ) ss  
COUNTY OF PIMA                    )

Page 1 of 2

EXEMPTION: A.R.S. §11-1134.A.3.		Board of Supervisors:5/18/18	Right of Way [X ]
Agent: TM	File #: PR-0191	S/T/R: 18 T15S R16E	P [ ] De [X ] Do [ ] E [ ]

This instrument was acknowledged before me this 12th day of August, 2019, by  
Chad Kolodisner as Vice President



Tina L. Raymond  
Notary Public

My Commission Expires: July 25, 2022

Page 2 of 2

<b>EXEMPTION: A.R.S. §11-1134.A.3.</b>		Board of Supervisors: 5/18/18	Right of Way [X]
Agent: TM	File #: PR-0191	S/T/R: 18 T15S R16E	P [ ] De [X] Do [ ] E [ ]

March 24, 2018  
Psomas# 7ROC130401

## EXHIBIT A

### LEGAL DESCRIPTION RIGHT-OF-WAY

A portion of those parcels recorded in Docket 11997, Page 1896 and Docket 12296, Page 6236 and located within Parcels: D-2, E-2, F-2, G-2, C-3, D-3 & E-3 as recorded in Book 26 of Surveys at Page 63, records of Pima County, Arizona, located in the southeast one-quarter of the northeast one-quarter of Section 18 and the southwest one-quarter of the northwest one-quarter of Section 17, Township 15 South, Range 16 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

**COMMENCING** at the East one-quarter corner of said Section 18, monumented by a 3-inch GLO brass cap marked "1/4, S18|S17, 1980", as recorded in said Book 26 of Surveys at Page 63;

**THENCE** upon the east line of the south one-half of the southeast one-quarter of the northeast one-quarter of said Section 18, N 05°01'26" W (basis of bearing for this legal description) a distance of 666.14 feet to the north line of said south one-half, monumented by a 1-1/2-inch aluminum cap marked "S/S RLS 7599";

**THENCE** upon said north line, N 89°57'51" W a distance of 357.06 feet;

**THENCE** continue upon said north line, N 89°57'57" W a distance of 37.85 feet to the **POINT OF BEGINNING**;

**THENCE** S 65°07'48" W a distance of 1072.74 feet to the west line of said south one-half of the southeast one-quarter of the northeast one-quarter;

**THENCE** upon said west line, N 02°44'21" W a distance of 161.93 feet;

**THENCE** N 65°07'48" E a distance of 1100.65 feet to a point of curvature of a tangent curve, concave northwesterly;

**THENCE** northeasterly upon the arc of said curve, to the left having a radius of 1325.00 feet and a central angle of 25°59'03" for an arc length of 600.90 feet;

**THENCE** N 39°08'45" E a distance of 151.18 feet to the north line of the southwest one-quarter of the northwest one-quarter of said Section 17;

**THENCE** upon said north line, S 88°22'07" E a distance of 189.11 feet;

**THENCE** S 39°08'45" W a distance of 266.33 feet to a point of curvature of a tangent curve, concave northwesterly;

**THENCE** southwesterly upon the arc of said curve, to the right, having a radius of 1475.00 feet and a central angle of 25°59'03" for an arc length of 668.93 feet;

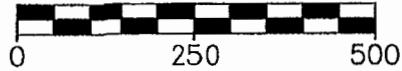
**THENCE** S 65°07'48" W a distance of 88.91 feet to the **POINT OF BEGINNING**.

Containing an area of 6.80 acres, more or less.

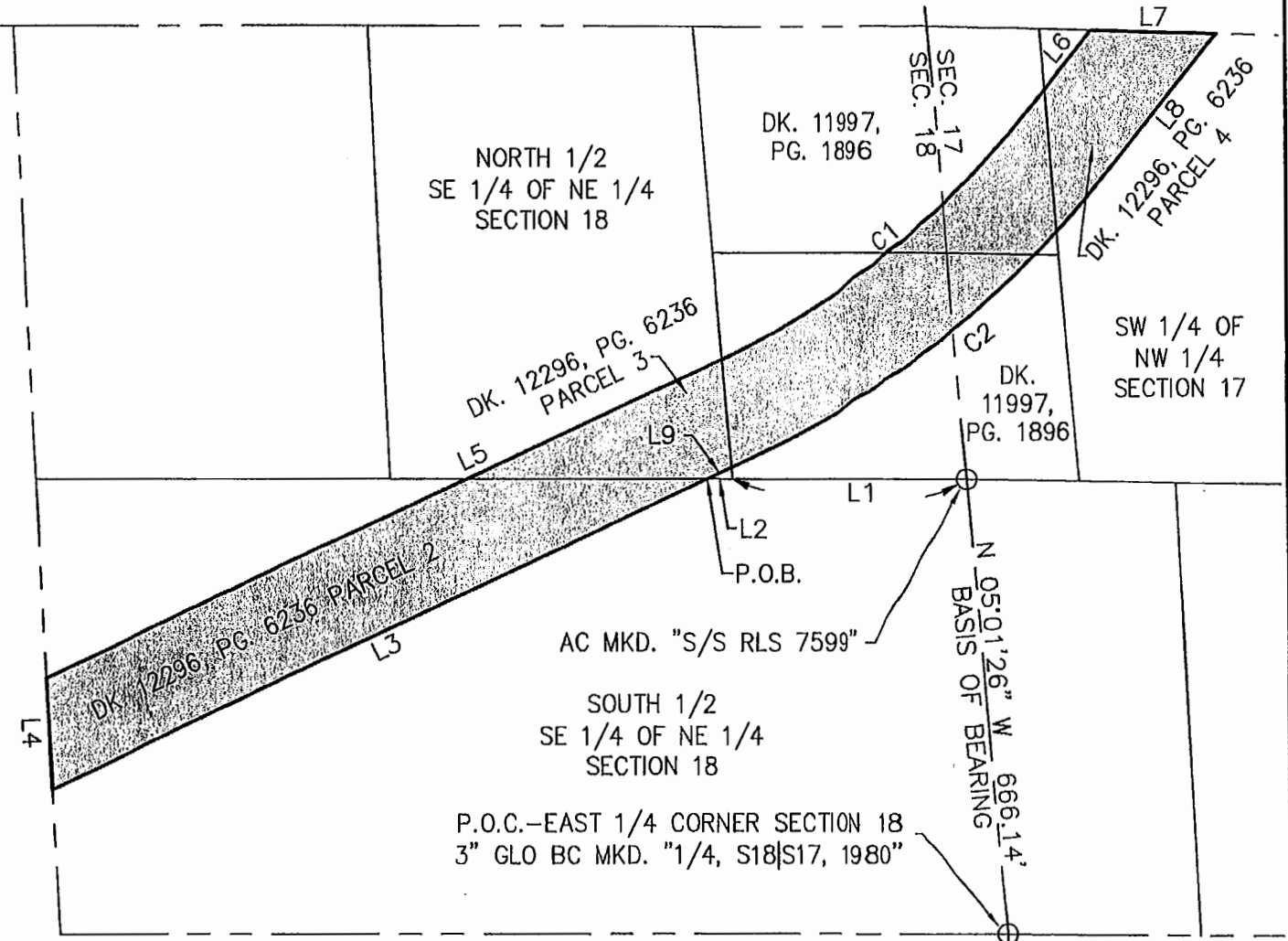
LINE	BEARING	DISTANCE
L1	N 89°57'51" W	357.06'
L2	N 89°57'57" W	37.85'
L3	S 65°07'48" W	1072.74'
L4	N 02°44'21" W	161.93'
L5	N 65°07'48" E	1100.65'
L6	N 39°08'45" E	151.18'
L7	S 88°22'07" E	189.11'
L8	S 39°08'45" W	266.33'
L9	S 65°07'48" W	88.91'



SCALE: 1" = 250'



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE
C2	668.93'	1475.00'	25°59'03"
C1	600.90'	1325.00'	25°59'03"



### EXHIBIT B

#### RIGHT-OF-WAY

A PORTION OF THOSE PARCELS RECORDED IN  
DOCKET 11997, PAGE 1896 AND DOCKET 12296, PAGE 6236,  
RECORDS OF PIMA COUNTY, ARIZONA,  
LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 18 AND  
THE SW 1/4 OF THE NW 1/4 OF SECTION 17,  
TOWNSHIP 15 SOUTH, RANGE 16 EAST,  
GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

# PSOMAS

333 E. Welmore Road, Suite 450  
Tucson, AZ 85705  
(520) 292-2300 (520) 292-1290 fax  
www.psomas.com

7ROC130401

DATE: MARCH, 2018

DRAWN BY: SM

**EXHIBIT "B"**  
**LEGAL DESCRIPTION**  
**VALENCIA ROAD RIGHT-OF-WAY**

A portion of the west one-half of the northeast one-quarter of the northwest one-quarter of Section 17, Township 15 South, Range 16 East, Gila and Salt River Meridian, Pima County, Arizona. Described as follows:

**COMMENCING** at the northwest corner of said west one-half of the northeast one-quarter of the northwest one-quarter of Section 17;

**THENCE** upon the west line of said west one-half, S 02°47'40" E a distance of 144.14 feet;

**THENCE** continuing upon said west line, S 02°46'02" E a distance of 232.78 feet to the **POINT OF BEGINNING**;

**THENCE** continuing upon said west line, S 02°46'02" E a distance of 277.85 feet;

**THENCE** N 44°05'33" E a distance of 99.03 feet to a point on the arc of a non-tangent curve concave southerly, a radial line of said curve through said point having a bearing of N 10°28'17" W;

**THENCE** easterly upon the arc of said curve, to the right, having a radius of 925.00 feet and a central angle of 36°15'06" for an arc distance of 585.26 feet to the east line of said northeast one-quarter of the northwest one-quarter;

**THENCE** upon said east line, N 01°33'58" W a distance of 5.02 feet;

**THENCE** continuing upon said east line, N 01°38'10" W a distance of 123.81 feet to the southerly right-of-way of Old Spanish Trail, recorded in Book 12 of Road Maps at Page 68, records of Pima County, Arizona, lying on the arc of a non-tangent curve concave southwesterly a radial line of said curve through said point having a bearing of N 42°23'29" E;

**THENCE** northwesterly upon the arc of said right-of-way curve, to the left, having a radius of 1835.81 feet and a central angle of 2°58'51" for an arc distance of 95.51 feet to a point on the arc of a non-tangent curve concave southerly, a radial line of said curve through said point having a bearing of N 17°40'43" E;

**THENCE** westerly upon the arc of said curve, to the left, having a radius of 1075.00 feet and a central angle of 26°52'43" for an arc distance of 504.30 feet to a non-tangent line;

**THENCE** N 11°32'05" W a distance of 230.17 feet to a point of curvature of a tangent curve concave easterly;



November 4, 2004  
MMLA # 90072-143F

**THENCE** northerly upon the arc of said curve, to the right, having a radius of 895.00 feet and a central angle of  $3^{\circ}14'14''$  for an arc distance of 50.57 feet to said southerly right-of-way of Old Spanish Trail, lying on the arc of a non-tangent curve concave southerly, a radial line of said curve through said point having a bearing of  $N 19^{\circ}29'18'' E$ ;

**THENCE** northwesterly upon the arc of said right-of-way curve, to the left, having a radius of 1835.81 feet and a central angle of  $0^{\circ}43'12''$  for an arc distance of 23.07 feet to the easterly right-of-way of Old Spanish Trail, recorded in Book 3 of Road Maps at Page 142, records of Pima County, Arizona;

**THENCE** upon said easterly right-of-way,  $S 00^{\circ}30'37'' W$  a distance of 228.06 feet to the **POINT OF BEGINNING**.

Containing 2.61 acres, more or less.

P.O.C.  
NW COR. W 1/2, NE 1/4, NW 1/4, SEC 17

NORTH LINE SEC 17



SCALE: 1" = 100'

OLD SPANISH TRAIL  
BK. 2 RS, PG. 48&55  
BK. 12 RM, PG. 68

S 02°47'40" E 144.14'  
S 02°46'02" E 232.78'  
N 11°32'05" W 230.17'

L=504.30' R=1075.00' D=26°52'43"

113574.2 SQ. FT.  
2.61 ACRES

L=585.26' R=925.00' D=36°15'06"

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE
C1	1835.81'	95.51'	02°58'51"
C2	895.00'	50.57'	03°14'14"
C3	1835.81'	23.07'	00°43'12"

LINE	BEARING	DISTANCE
L1	N 01°33'58" W	5.02'
L2	N 44°05'33" E	99.03'

SEE R.O.S.  
BK. 26, PG. 63

### EXHIBIT "B"

A PORTION OF THE WEST HALF OF THE NORTHEAST  
ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF  
SECTION 17, TOWNSHIP 15 SOUTH, RANGE 16 EAST, GILA  
AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA.



90072-143F

DATE: Nov. 04 • DRAWN BY: mrf

OLD SPANISH TRAIL  
BK. 3, RM PG. 142

R/W LINE

WEST LINE  
W 1/2 OF NE 1/4, NW 1/4

EAST LINE  
W 1/2 OF NE 1/4, NW 1/4