



MEMORANDUM

Date: February 15, 2013

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator 

Re: **February 19, 2013 Consent Agenda Item 7 – Tortolita Mountain Park Expansion Property**

As the Board is aware, Pima County was the successful bidder at a public auction held by the Arizona State Land Department (ASLD) on December 20, 2012 for the acquisition of 1,416 acres of Arizona Preserve Initiative (API) State Trust land (map attached) at the appraised value of \$3.78 million. One half of the purchase cost was covered by a matching grant.

Due to the API designation of State Trust lands, these lands were eligible for a matching grant under the Arizona State Parks Growing Smarter State Trust Land Acquisition Grant Program. Taking advantage of remaining Arizona State Parks' Growing Smarter funds, and in keeping with Board Resolution 2008-267, Pima County applied for and was awarded \$1.89 million in matching funds toward this purchase. It is my understanding that after the last State Parks cycle of grant awards, there is a remaining fund balance of \$16 million.

Several funding sources were used for this purchase, including 2004 Conservation Bond funds earmarked for the Town of Oro Valley. The Oro Valley Town Council approved a resolution in 2011 requesting the Board of Supervisors allocate the Town's remaining bond funds towards this acquisition. A breakdown of the funding sources for this acquisition is shown below.

Pima County	Amount
1997 Open Space Bond Funds	\$ 136,000
2004 Conservation Bond Funds	1,557,000
Special Revenue – In-lieu Mitigation Fees	200,000
General Fund	200,000
Subtotal	
Arizona State Parks	Amount
Growing Smarter Matching Grant	\$1,890,000
Total State Land Auction Acquisition Costs	\$3,983,000

The Honorable Chairman and Members, Pima County Board of Supervisors
Re: **February 19, 2013 Consent Agenda Item 7 – Tortolita Mountain Park Expansion
Property**

February 15, 2013

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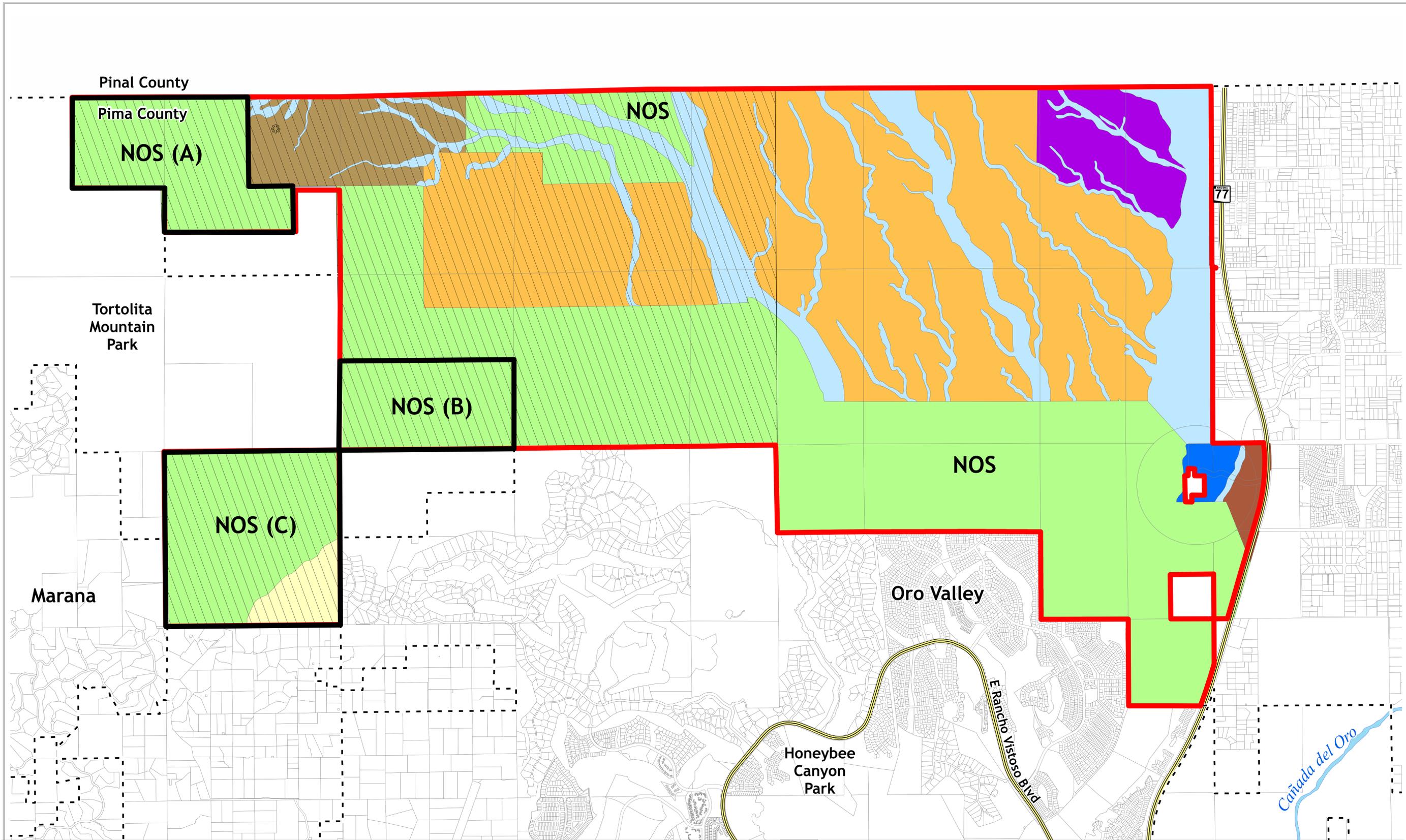
The purchase of this acreage will essentially expand the County's 4,200-acre Tortolita Mountain Park, which is the principal natural resource park in the northwest region of the Tucson Basin, including the Town of Oro Valley and Catalina. The Park's expansion would provide additional, appropriate, low-impact recreational and educational activities. Investments in and expansions of our natural parks system is important in continuing to attract visitors and employers to our region.

The ASLD is preparing to execute and issue to the County a State Land Patent formalizing the conveyance of fee title of the State Trust lands purchased. Item 7 on the Board's February 19, 2013 Consent Calendar is a request for the Board to approve expenditures for closing costs and required title insurance in an amount not to exceed \$8,500. This will allow the County to close on this acquisition and record the patent on the Tortolita Mountain Park expansion property.

CHH/mjk

Attachment

c: Diana Durazo, Special Staff Assistant to the County Administrator



ARROYO GRANDE PLAN AREA

Planning Areas

- RLD
- MPC
- C/OP
- C/RC
- VC
- NOS
- RIPARIAN
- MPC & COP

Other Layers

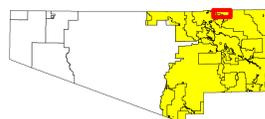
- PROPOSED ACQUISITION AREA - 1415 AC.
- PLAN AREA BOUNDARY - 9,000 AC.
- RECLASSIFIED API - 4,591 AC.
- ADMINISTRATIVE BOUNDARY
- POTENTIAL RESORT SITE

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Pima County Index Map



Index Map Scale 1:2,500,000

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Scale 1:11,000



SEPT 13, 2011



BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: February 19, 2013

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

On December 20, 2012, Pima County ("County") was the successful bidder at a public auction held by the Arizona State Land Department ("ASLD") whereby the County purchased approximately 1,416 fee acres of real property in the Tortolita Mountains (the "Property"). The purchase price for the Property was \$3,780,000.00. Half of the purchase price will be paid from the Growing Smarter Fund which is administered by the Arizona State Parks Department ("State Parks"). In consideration for State Parks' contribution to the purchase price, the County has executed a Conservation Easement upon the Property in favor of State Parks. ASLD will soon execute and deliver to the County a State Land Patent (the "Patent") formally evidencing the conveyance of fee title to the Property from the ASLD to the County. The Patent will then be recorded in the Office of the Pima County Recorder, along with the aforementioned Conservation Easement. The County desires to purchase a Standard Owner's Policy of Title Insurance from Stewart Title Guaranty Company ("Stewart Title") insuring the Property in the amount of the purchase price (\$3,780,000.00). The cost of said title insurance premium and related closing costs payable to Stewart Title is not expected to exceed \$8,500.00. Board authorization is hereby requested to expend a sum not to exceed \$8,500.00 for title insurance and related closing costs in connection with the Patent.

STAFF RECOMMENDATION(S):

Staff recommends that the Board approve the expenditure of an amount not to exceed \$8,500.00, payable to Stewart Title, to pay the premium for a Standard Owner's Policy of title insurance and other related closing costs for the Property as set forth above.

PIMA COUNTY COST: \$ Not to Exceed \$8,500.00 and/or REVENUE TO PIMA COUNTY: \$-0-

FUNDING SOURCE(S): General Fund, Bond Funds. CPR.OSOROV; Code 1; Task Order 1100016247

(i.e. General Fund, State Grant Fund, Federal Fund, Stadium D. Fund, etc.)

Advertised Public Hearing:

YES NO

Board of Supervisors District:

1 2 3 4 5 All

IMPACT:

IF APPROVED:

Pima County will have authority to expend an amount not to exceed \$8,500.00 to pay for all closing costs, including title insurance premium, in connection with the acceptance and recordation of the State Land Patent for the subject Property.

IF DENIED:

Pima County will not have authority to, and will not expend an amount not to exceed \$8,500.00 to pay for all closing costs, including title insurance premium, in connection with the acceptance and recordation of the State Land Patent for the subject Property. Consequently, no policy of title insurance would be procured for the Property, contrary to County policy.

DEPARTMENT NAME: Real Property Services 

CONTACT PERSON: Michael D. Stofko TELEPHONE NO.: 520-740-6667

RESOLUTION AND ORDER NO. 2013 - _____

**RESOLUTION OF THE PIMA COUNTY BOARD OF
SUPERVISORS APPROVING AND AUTHORIZING THE
EXPENDITURE OF NOT TO EXCEED \$8,500.00 TO PAY
FOR CLOSING COSTS AND TITLE INSURANCE PREMIUM
IN CONNECTION WITH THE RECORDATION OF THE
ASLD LAND PATENT FOR THE RECENTLY ACQUIRED
TORTOLITA MOUNTAIN PARK EXPANSION PROPERTY**

WHEREAS, Pima County ("County"), was the successful bidder at a public auction held by the Arizona State Land Department ("ASLD") on December 20, 2012, whereby the County purchased approximately 1,416 fee acres of real property in the Tortolita Mountains (the "Property"); and

WHEREAS, the ASLD will execute and deliver to the County a State Land Patent (the "Patent") formally evidencing the conveyance of fee title to the Property from the ASLD to the County; and

WHEREAS, the Patent will then be recorded in the Office of the Pima County Recorder; and

Whereas, the County desires to purchase a Standard Owner's Policy of Title Insurance from Stewart Title Guaranty Company ("Stewart Title") insuring the Property in the amount of the purchase price of \$3,780,000.00; and

WHEREAS, the cost of said title insurance premium and related closing costs payable to Stewart Title is not expected to exceed \$8,500.00; and

WHEREAS, the Pima County Board of Supervisors has the authority under A.R.S. Section 11-932 to acquire lands and dedicate the same as Parks; and

WHEREAS, the Property is being acquired for open space and conservation values and will be administered by the Pima County Department of Natural Resources, Parks and Recreation;

NOW, THEREFORE, UPON MOTION DULY MADE, SECONDED AND CARRIED, IT IS HEREBY RESOLVED THAT:

1. The Pima County Board of Supervisors hereby designates the Property, as and when the Patent is recorded by the County, and all its associated parcels, as part of the Pima County Parks System.

2. The Board further authorizes the expenditure of a sum not to exceed eight-thousand five-hundred dollars (\$8,500.00), to be paid to Stewart Title in connection with recordation of the Patent to pay for closing costs and the premium for a Standard Owner's Policy of Title Insurance.

3. The various officers and employees of Pima County are hereby authorized and directed to perform all acts necessary and desirable to give effect to this Resolution.

PASSED, ADOPTED AND APPROVED this _____ day of February, 2013.

PIMA COUNTY BOARD OF SUPERVISORS:

Chairman

ATTEST:

Robin Brigode
Clerk Board of Supervisors

APPROVED AS TO FORM:



Tobin Rosen
Deputy County Attorney