



Board of Supervisors Memorandum

March 5, 2013

Exclusion of Pima County-owned Property from the Town of Vail Proposed Boundary

Background

The Clerk of the Board of Supervisors and Elections Department received the attached legal description, which appears to include the County-owned Southeast Regional Park and the Pima County Fairgrounds, in the proposed incorporation of the Town of Vail (Attachment 1).

The Southwestern Fair Commission has requested exclusion of their facilities in the Town of Vail pursuant to the attached February 2, 2013 letter (Attachment 2). In addition, Arizona Revised Statute (ARS) Incorporation Statute 9-101(G) states:

"Territory shall not be incorporated, if, as a result of such incorporation, unincorporated territory is completely surrounded by incorporated areas nor shall an area to be incorporated exclude interior county streets and roads, unless the board of supervisors approves the exclusion of such territory, streets and roads." Emphasis added.

Recommendation

I recommend the Board of Supervisors approve a request that the territory for the proposed Town of Vail exclude the Pima County Fairgrounds and surrounding County-owned property known as the Southeast Regional Park. The property to be excluded from the Town of Vail incorporation pursuant to ARS Incorporation Statute 9-101(G) is shown on the attached map and legal description (Attachment 3).

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "C. Huckelberry".

C.H. Huckelberry
County Administrator

CHH/mjk – February 27, 2013

Attachments

c: Robin Brigode, Clerk, Pima County Board of Supervisors
Christopher Straub, Chief Civil Deputy County Attorney
Brad Nelson, Elections Director

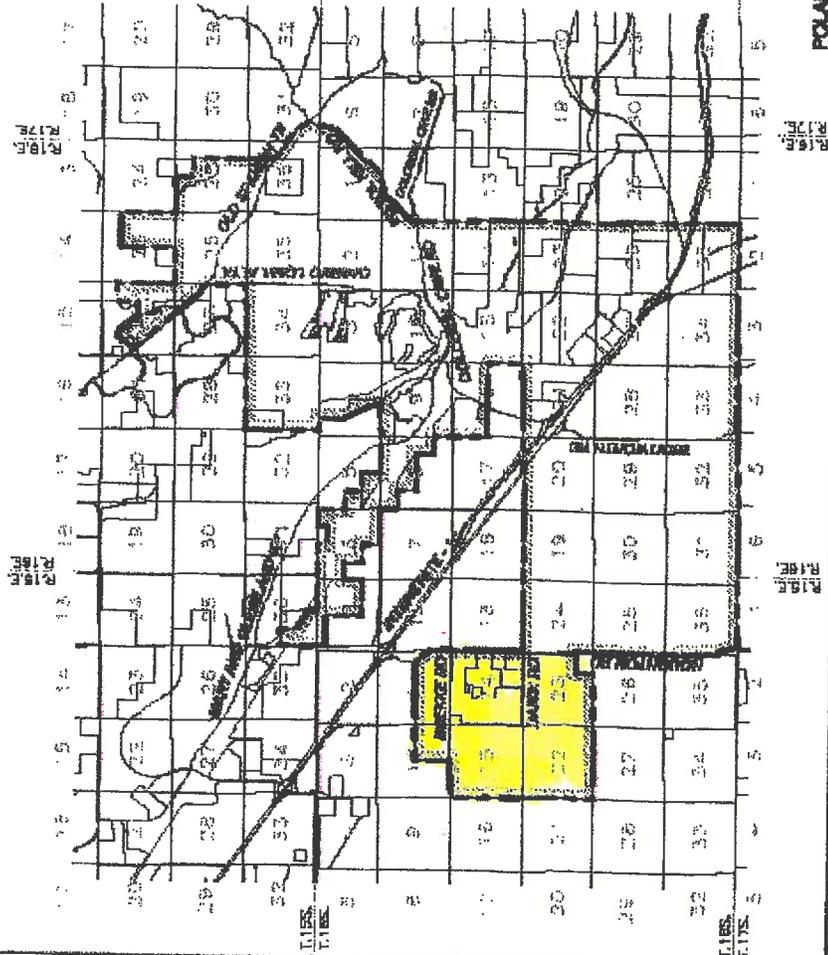
ATTACHMENT 1

TOWN of VAIL, AZ



**POLARIS
LAND
SURVEYING, LLC**

3028 N. FLOWING
WELLS ROAD
TUCSON, AZ 85708
TEL: (520) 322-4400
FAX: (520) 322-9401



All or portions of Section 36,
Township 15 South, Range 15
East; Sections 22-27 and
Sections 33-36, Township 15
South, Range 16 East; Section
31, Township 15 South, Range
17 East; Section 1, Sections
10-15, Sections 23-25 and
Section 36, Township 16
South, Range 15 East;
Sections 1-4, Sections 8-12,
Sections 14-16, Sections 19-23
and Sections 25-26, Township
16 South, Range 16 East;
Section 9, Township 18 South,
Range 17 East, Gila and Salt
River Meridians,
Pima County, Arizona

LEGEND
NEW UNITS PER ORDINANCE
NUMBER

POLARIS PROJECT No. 19016 FEB. 05, 2019

ATTACHMENT 2



(A Non-Profit Corporation)

Presents the Pima County Fair

February 2, 2013

C.H. Huckelberry
Pima County Administrator
10th Floor, 130 West Congress Street
Tucson, Arizona 85701-1317

Dear Mr. Huckelberry:

I am writing on behalf of the Southwestern Fair Commission (SWFC) in regards to the proposed Vail Incorporation near the Pima County Fairgrounds and Southeast Regional Park (SERP).

We have met with George Mower and Rob Samuelson from The Citizens for Vail Committee in an effort to identify the best course of action for SWFC to pursue regarding this matter. In our opinion, it is best for the fairgrounds to not be included in the incorporation effort. This decision was based on evaluating the potential for sales and amusement taxes being imposed on SWFC and Facility Users which could be significant and detrimental to both. We believe the possible benefits of new services by being included in the incorporation are minimal.

I have attached a copy of the email which I received from George Mower regarding his proposed method of excluding the fairgrounds and, as he states, would include all of SERP. At the January 31, 2013 SWFC Board Meeting the board voted unanimously to request that the Pima County Board of Supervisors take the action necessary to keep the fairgrounds (located within SERP) out of the proposed Vail Incorporation Boundary.

As we continue to work with the County towards improving the fairgrounds for the benefit of residents and visitors to Pima County, we will diligently evaluate and convey to you efforts that we believe will best benefit SWFC and Pima County. Thank you for your consideration regarding this matter. I may be contacted at 762-9100 (work), 940-3159 (cell) or via email at jon@pimacountyfair.com if you have any questions or concerns regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Baker", with a long horizontal flourish extending to the right.

Jon Baker
Executive Director

Jon

From: George Mower [mower@cox.net]
Sent: Wednesday, January 16, 2013 9:37 AM
To: 'Jon'
Cc: district4@pima.gov; 'Jennifer Wong'; rob@sccapitalpartners.com; 'Nicole Fyffe'; CHH@pima.gov
Subject: Pima County Fairgrounds

Mr. Baker, The Citizens for Vail Committee has carefully considered the topic of including the Pima County Southeast Regional Park within the proposed boundary of the Town of Vail.

It is our conclusion that with approval from the Pima County Board of Supervisors to leave the Southeast Regional Park as an 'island' per the ARS (referenced below), we will remove the Southwest Regional Park from the proposed boundary.

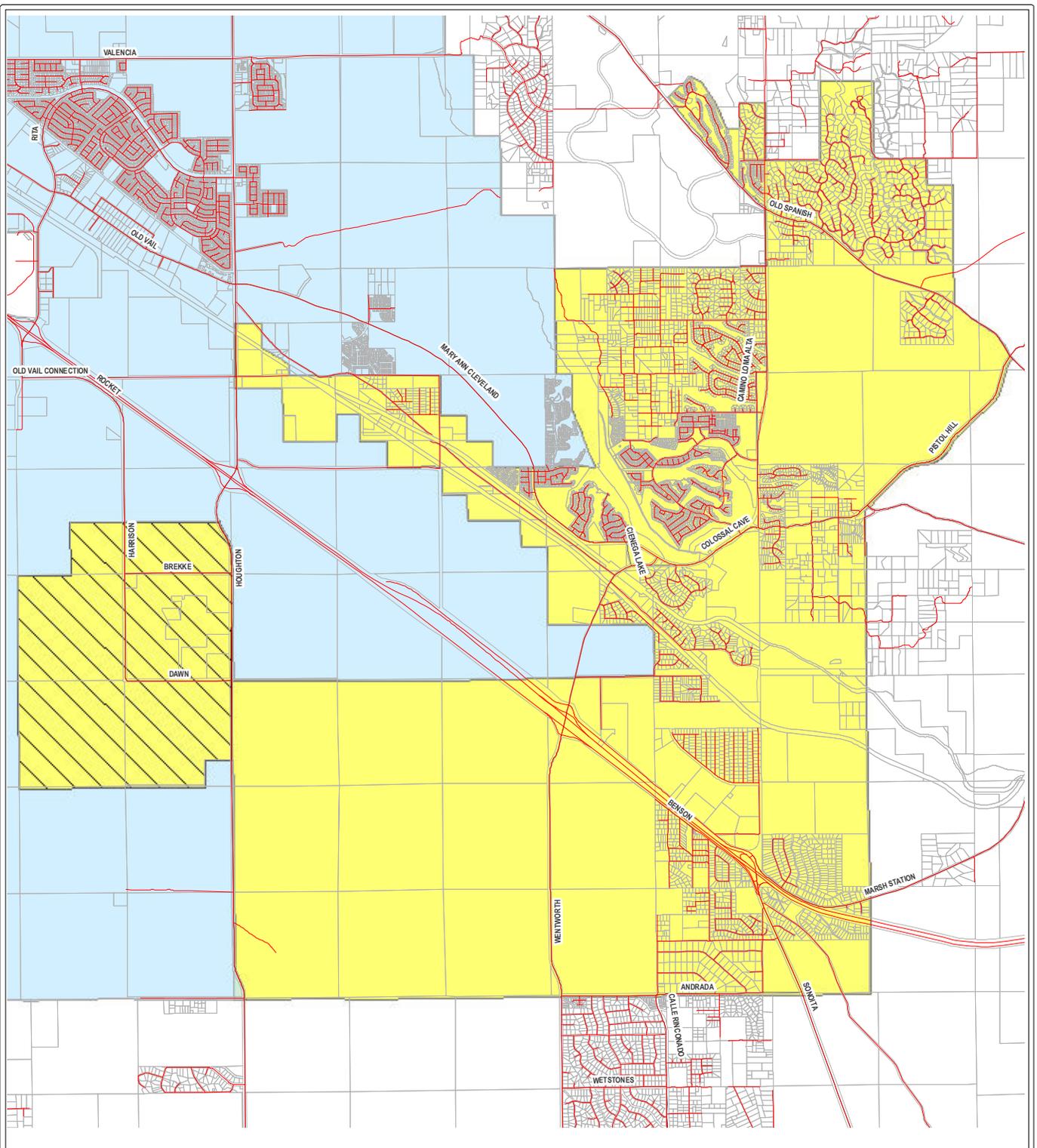
9-101. Incorporation; definition

G. Territory shall not be incorporated if, as a result of such incorporation, unincorporated territory is completely surrounded by incorporated areas nor shall an area to be incorporated exclude interior county streets and roads, **unless the board of supervisors approves the exclusion of such territory**, streets and roads.

Sincerely,

George Mower
Citizens for Vail Committee

ATTACHMENT 3



Town of Vail Proposed Boundary

- Proposed Town of Vail
- Southeast Regional Park, including Pima County Fairgrounds
- City of Tucson
- Parcel Boundary
- Streets



0 1 miles

**PIMA COUNTY-OWNED SOUTHEAST REGIONAL PARK,
INCLUDING THE PIMA COUNTY FAIRGROUNDS**

LEGAL DESCRIPTION

In Township 16 South, Range 15 East, G&SRB&M, Pima County, Arizona.

Section 10: The Southeast Quarter (SE4); containing 160.00 acres, more or less.

Section 11: The South Half (S2), except that part lying easterly of the east line of Houghton Road as established under Proceedings No. 1233 and of record at the Pima County Recorder's Office in Book 9 of Road Maps at Page 92 thereof; containing 311.5 acres, more or less.

Section 14: All; containing 640.00 acres, more or less.

Section 15: All; containing 640.00 acres, more or less.

Section 22: All; containing 640.00 acres, more or less.

Section 23: All, except the Southeast Quarter of the Southeast Quarter (SE4SE4) thereof; containing 600.00 acres, more or less.

Containing 2,991.5 acres, more or less.