



## PIMA COUNTY, ARIZONA BOARD OF SUPERVISORS POLICY

<b><u>Subject:</u></b> <b>Small Tracts Easements by Patent Reservation (Veteran Tracts Roads)</b>	<b>Policy Number</b>	<b>Page</b>
	F 54.7	1 of 1

### **Purpose:**

To establish a policy for road easements created by United States Government Patents under the Federal Small Tract Act of June 1, 1938, and amended June 8, 1954.

### **Background:**

Under Federal laws approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the Act of June 17, 1948 (62 Stat., 476), lots were sold by Patent of the United States of America, subject to a reservation for road and utility easements. In Pima County, the reservation of easements was by the Government Land Office (ie., GLO Lot Number 25), the predecessor agency to the U.S. Department of Interior, Bureau of Land Management, and the Bureau of Land Management which became the administering agency for the sale of the federal lands under the small tract patenting procedure.

The easements reserved in the patents are 33', 60', 66' or 75' in width for road and utilities purposes.

Pursuant to United States Department of the Interior, Bureau of Land Management Instruction Memorandum No. 91-196 and common law applications, it shall be the policy of Pima County to recognize all reservations for road and utility easements contained in U.S. Patents to be public rights of way. As public rights of way, Pima County may establish county roadways within the easements as provided for in A.R.S. § 28-6701, vacate and abandon the easements as public rights of way under A.R.S. § 28-7201, and license, regulate and administer as public rights of way pursuant to A.R.S. § 11-251 and its authority as a political subdivision of the State of Arizona.

**Responsible Department**  
Department of Transportation

Effective Date: April 3, 2001