

When recorded return to:  
Clerk of the Board  
P.O. Box 827  
Florence AZ 85132

**RESOLUTION NO:** \_\_\_\_\_

A RESOLUTION OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS VACATING A PORTION OF RIGHT-OF-WAY, KNOWN AS KINGS RANCH ROAD, 50 FEET WIDE, LYING BETWEEN LOTS 111 AND 112, LOCATED WITHIN SUPERVISORY DISTRICT #5, SECTION 9, TOWNSHIP 1 SOUTH, RANGE 9 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA

WHEREAS, pursuant to Pinal County Development Services Code, Chapter 7.10, a Petition has been presented to the Pinal County Board of Supervisors (the "Board") requesting that it vacate a portion of Kings Ranch Road, 50 feet wide, lying between Lots 111 and 112, located within Supervisory District #5, Section 9, Township 1 South, Range 9 East, of the Gila and Salt River Base and Meridian, Pinal County, Arizona (the "Roadway"); and

WHEREAS the Board having found the Petition to be in proper form; proper notice having been given for the public hearing; the public hearing having been held for public input; no land adjoining the Roadway being left without access to public highway; and the Board having considered the feasibility, advantages and necessity of said action and finding the public's best interest to be served by vacating the Roadway; and

WHEREAS, consideration for the vacating of the Roadway includes tax revenues gained by adding the land to the County's tax rolls; cessation of County Maintenance responsibility for the Roadway; and relief from potential liability for property damages, injury or death, which may occur in the Roadway.

NOW, THEREFORE, BE IT RESOLVED by the Pinal County Board of Supervisors that the right-of-way comprising a portion of Kings Ranch Road, 50 feet wide, lying between Lots 111 and 112, located within Supervisory District #5, Section 9, Township 1 South, Range 9 East, of the Gila and Salt River Base and Meridian, Pinal County, Arizona, and legally described below, is hereby vacated and all rights and interests held by Pinal County in the right-of-way is relinquished and hereby revert to the current record owner(s) of fee simple title to the land abutting the vacated portion of the Roadway:

A 50 feet wide strip of land being a portion of Kings Ranch Road according to Map Book 11, Page 52, Pinal County Records, the northerly side of said 50 feet wide strip being adjacent to Lots 111 and 112, inclusive, of Golden Springs, according to Map Book 11, Page 52, Records of Pinal County, Arizona, as shown on Exhibit A made a part hereof.

EXCEPT rights-of-way or easements of existing sewer, gas, water or similar pipelines and appurtenances and for canals, laterals or ditches and appurtenances, and for electric, telephone, and similar lines and appurtenances, which shall continue, as they existed prior to this abandonment in accordance with A.R.S. § 28-7210.

BE IT FURTHER RESOLVED that the Chairman of the Pinal County Board of Supervisors, on behalf of the Board, is authorized to execute this Resolution and all other documentation which may be necessary to release all rights held by Pinal County in the Roadway to the owner(s) of record of the fee simple title to the land abutting the vacated portion of the Roadway.

BE IT FURTHER RESOLVED that this Resolution shall become effective when recorded in the Office of the County Recorder of Pinal County, Arizona.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2016, by the PINAL COUNTY BOARD OF SUPERVISORS.

\_\_\_\_\_  
Chair of the Board

ATTEST:

\_\_\_\_\_  
Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy County Attorney

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN by the Board of Supervisors of Pinal County, Arizona, that a public hearing will be held at 9:30, a.m., on the 30<sup>th</sup> day of November, 2016, in the Board of Supervisors Hearing Room, Pinal County Administrative Complex, 31 North Pinal Street, Florence, Arizona, to consider a petition filed pursuant to the Pinal County Development Services Code, Chapter 7.10, requesting the vacation of the following road, right of way.

A 50 feet wide strip of land being a portion of Kings Ranch Road according to Map Book 11, Page 52, Pinal County Records, the northerly side of said 50 feet wide strip being adjacent to Lots 111 and 112, inclusive, of Golden Springs, according to Map Book 11, Page 52, Records of Pinal County, Arizona.

Reserving therefrom an easement for Public Utilities and Drainage.

All persons interested may attend and will be given an opportunity to be heard.

DATED this 14<sup>th</sup> day of November, 2016.

PINAL COUNTY BOARD OF SUPERVISORS

By



Sheri Cluff, Clerk of the Board

Publication Date: Apache Junction News: Monday – November 21<sup>st</sup>, 2016.



## Preliminary Abandonment Review and Feasibility Recommendation

Location: Kings Ranch Road – East of Alameda Intersection  
Contact: Rod Luker, President  
OMR Builders, LLC  
75 West Baseline Rd, STE 10  
Gilbert, AZ 85233

### Background Information:

Rod Luker, representing the owner (David Debysingh) of parcels 104-13-111 and 104-13-112 is requesting abandonment of a 50' public roadway easement for roadway and utility purposes along Kings Ranch Road approximately 290' East of the Alameda Road intersection Gold Canyon area.

### Engineering Assessment:

In 2002 50' of the existing 150' of right-of-way along Kings Ranch Road to the East of these properties had already undergone abandonment. The property owner and Mr. Luker plan to develop the parcel into what will be known as the Gold Canyon Pharmacy currently working through Planning and Development's Site plan process. The abandonment of this portion of Kings Ranch Road would not affect either the legal or the physical access to any of the surrounding properties. This would leave 50' of right-of-way on this West side of Kings Ranch Road and 50' to the East which provides for any future arterial street widening (5-lanes). All surrounding parcels of this portion of Kings Ranch Road currently and will continue to have access off the current alignment.

The surrounding utility companies have been notified of the proposed abandonment along Kings Ranch Road. Media Communications, Salt River Project, Arizona Water Company, Southwest Gas, Gold Canyon Sewer and Superstition Fire and Medical District either have no existing facilities in the area or no objection to the proposed abandonment.

Centurylink does have facilities within the abandonment area and is requiring a separate PUE dedication which documents are included within this packet, the new easement will go before the BOS at the same time as the abandonment is processed.

### Reasons For Abandonment

- Legal access to all surrounding parcels will not be compromised by this abandonment.
- Physical access to all surrounding parcels will not be affected by this abandonment.
- 100' of right-of-way would provide for any future widening improvements to the Kings Ranch Road alignment.

### Reasons Against Abandonment

- None applicable.

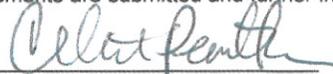
### Recommendation:

It appears feasible to abandon this 50' of the Kings Ranch Road alignment approximately 290' East of the Alameda Road intersection across parcels 104-13-111 and 104-13-112.

Petitioners have obtained signatures of 100% of adjoining property owners.

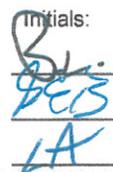
Notification of Abandonment proceedings shall be sent to all property owners within 300 feet of the proposed abandonment. Petitioners for abandonment shall be informed in writing that if the abandonment of this portion of roadway is protested, the abandonment process shall be terminated till further investigation is completed.

The County reserves the right to make a final assessment and recommendation after the required paperwork, including additional requirements are submitted and further information is available.

By:   
Project Manager

Reviewed by:

- Brian Laniewski, Apache Junction Maintenance Foreman
- Scott Bender, County Engineer
- Louis Andersen, Director

Initials:  


Date:  
11/2/2016  
11/7/2016  
11/7/16

PUBLIC WORKS DEPARTMENT

31 North Pinal Street, Building F, PO Box 727 Florence, AZ 85132

T 520-509-3555 Hours M-F 8:00 am – 5:00 pm F 520-866-6511 www.pinalcountyyaz.gov

# Kings Ranch Road (50') – 290 East of the Alameda Intersection

- Gold Canyon Area - Section 9 T1S R9E
- Rod Luker (Debysingh) – Parcel Nos. 104-13-111/112
  - Future development of Gold Canyon Pharmacy
- Staff reasons FOR abandonment:
  - Legal access to all surrounding parcels will not be compromised by this abandonment.
  - Physical access to all surrounding parcels will not be affected by this abandonment.
  - 100' of right-of-way would provide for any future widening improvements to the Kings Ranch Road alignment.
  - Petitioners have obtained signatures of 100% of adjoining property owners
  - CenturyLink has facilities within the abandonment area - requiring separate 20' PUE dedication
  - All other surrounding utilities do not object to abandonment



# At Parcel 104-13-111/112



Looking North



Looking South

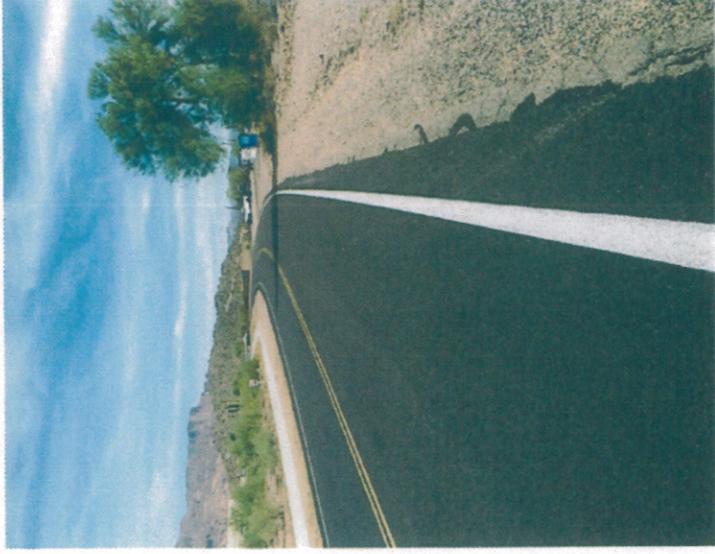


# Kings Ranch Road

Looking Southwest



Looking Northeast





# QUESTIONS?

Celeste Pemberton  
Public Works Department  
Area 2 Project Manager

[Celeste.Pemberton@pinalcountyaz.gov](mailto:Celeste.Pemberton@pinalcountyaz.gov)

520-866-6402

520-705-3539 (c)

Written Statement

This written statement is in reference to Parcel's 104-13-111 and 104-13-112 which have now been combined. The Owner of this lot is requesting that the North fifty feet (50') of the North Right-Of-Way be abandoned to allow for on-site retention and adequate turn around space for Emergency Vehicles for the best interests of the public. These parcels are near the intersection of Kings Ranch Road and Alameda and several lots along Kings Ranch Road have already been granted this 50' abandonment. Per the County Area Engineer's initial review dated December 21, 2015 there is no future plan to widen Kings Ranch Road in this area and the remaining Right-Of-Way accounts for future 5-lanes if ever planned. This abandonment would remove 50' of public municipal liability and incorporate it into the owners' responsibility and tax liability.

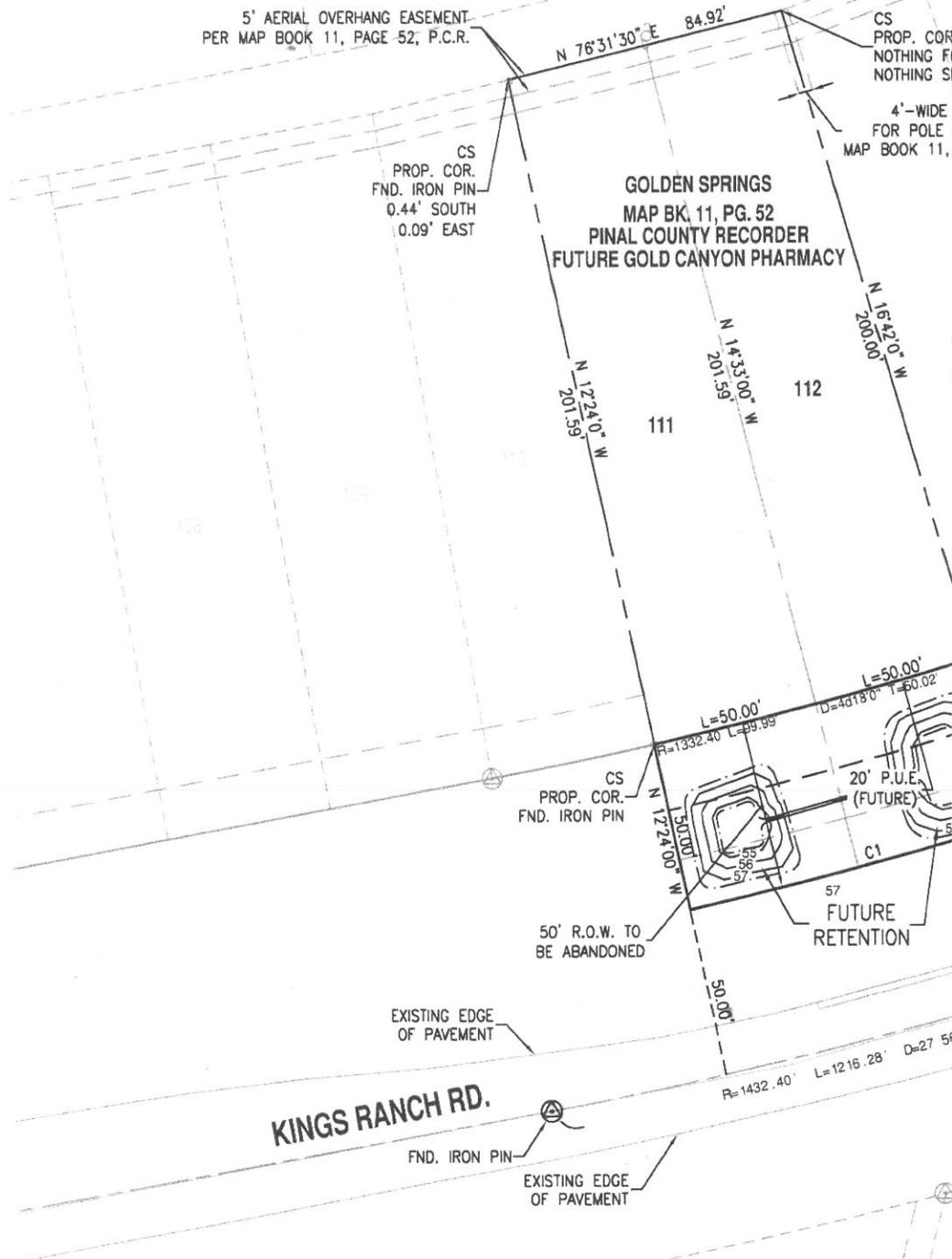
# ABANDONMENT EXHIBIT A PORTION OF KINGS RANCH ROAD

LOCATED IN SECTION 9, T1S, R9E  
OF THE GILA AND SALT RIVER BASE AND MERIDIAN  
PINAL COUNTY, ARIZONA

DELTA					
CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD
C1	1382.40	103.75'	4 18'00"	51.90'	103.72'

## AREA

TO BE ABANDONED: 0.117 ACRES



## **Legal Description**

A 50 feet wide strip of land being a portion of Kings Ranch Road according to Map Book 11, Page 52, Pinal County records, the northerly side of said 50 feet wide strip being adjacent to Lots 111 and 112 inclusive, of Golden Springs, according to Map Book 11, Page 52, records of Pinal County, Arizona.

Reserving therefrom an easement for public utilities.

