

RESOLUTION NO. 2012- 003

A RESOLUTION OF THE GOVERNING BOARD OF THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY APPROVING AND AUTHORIZING THE EXECUTION OF A DEED AND CLOSING DOCUMENTS CONVEYING RIGHT-OF-WAY TO THE CITY OF TUCSON FOR USE AS A PUBLIC BUS PULLOUT AND PEDESTRIAN EASEMENT.

WHEREAS, the Regional Transportation Authority of Pima County ["RTA"] is a political, tax levying public improvement subdivision and municipal corporation of the State of Arizona, formed pursuant to A.R.S. section 48-5302; and

WHEREAS, pursuant to A.R.S. 48-5309 (A), the RTA adopted, and the voters approved, a twenty-year, comprehensive, multi-modal regional transportation plan (the "Plan"); and

WHEREAS, the City of Tucson is an Arizona Charter City and municipal corporation of the State of Arizona; and

WHEREAS, the RTA and the City are cooperating in the establishment of various bus pullouts and pedestrian easements within or adjacent to City controlled rights-of-way, pursuant to RTA Bus Pullout Package No. 10 ("the Project"); and

WHEREAS, the Project is one of the transportation improvement projects included in the Plan or is part of a categorical program included in the Plan; and

WHEREAS, pursuant to A.R.S. section 48-5302, *et seq.*, RTA is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the RTA and the Plan; and

WHEREAS, the Governing Board of the RTA hereby finds and determines that execution of deeds and closing documents is necessary, and in furtherance of the Plan, to transfer certain property to the City of Tucson, described in Exhibit A, attached hereto and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the RTA that the Executive Director, Gary Hayes, and the Transportation Services Director, James DeGrood (both individually "Authorized Representatives"), acting on behalf of the RTA, are hereby severally authorized to execute and deliver any deeds and closing documents required to transfer the property described on Exhibit A.

BE IT FURTHER RESOLVED that each individual Authorized Representative, acting on behalf of the RTA, is hereby authorized to enter into, execute, and deliver such other documents relating to the property transfer as the Authorized Representative deems appropriate, including any escrow, title and bill-of-sale documents necessary and proper to effectuate and implement the transfer.

PASSED AND ADOPTED by the Board of Directors of the Regional Transportation Authority of Pima County this ____ day of _____, 2012.

Satish Hiremath, Board Chair

Certification:

Gary Hayes, the Executive Director of the RTA, hereby certifies and attests that he has access to the official records of the Board of the RTA, that the foregoing Resolution was duly adopted by the Board of the RTA, at a duly noticed and public meeting, and that this Resolution has not been altered or amended and remains in full force and effect on the date stated below.

Gary Hayes, Executive Director

Date: _____

Approved as to form:

Thomas Benavidez, Esq.

EXHIBIT "A"

[Property Description]



November 18, 2010
EEC No. 209014.02
APN No. 113-05-064A
Sierra LLC
Set 77

DESCRIPTION OF RIGHT-OF-WAY ACQUISITION

That portion of Lot 1, Block 5, MAP OF RICHLAND HEIGHTS as recorded in Book 4 of Maps and Plats at Page 100, Pima County Recorder's Office, Pima County, Arizona being a portion of the Southeast One-Quarter (SE ¼) of Section 30, Township 13 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

COMMENCING at a Brass Cap Survey Monument at the East One-Quarter (E ¼) of said Section 30, from said point a Brass Cap Survey Monument at the Southeast corner of said Section 30 bears S 00°34'06" E a distance of 2,681.72 feet;

THENCE S 00°34'06" E, along the East Line of said Southeast One-Quarter (SE ¼), a distance of 200.01 feet to a line 170.00 feet Southerly of and parallel with the North Line of said Lot 1;

THENCE S 89°00'48" W, along said parallel line, a distance of 40.00 feet to a ½ inch Iron Pin "RLS 14145" at the **POINT OF BEGINNING** on a line 40.00 feet Westerly of and parallel with the East Line of said Southeast One-Quarter (SE ¼);

THENCE S 00°34'06" E, along said parallel line, a distance of 64.75 feet to a Concrete Nail/Tag "RLS 14145";

THENCE N 89°12'27" W 4.80 feet to a Concrete Nail/Tag "RLS 14145";

THENCE N 01°01'00" W 13.58 feet to a ½ inch Iron Pin "RLS 14145";

THENCE N 19°24'28" W 9.41 feet to a ½ inch Iron Pin "RLS 14145";

THENCE S 88°56'01" W 9.68 feet to a ½ inch Iron Pin "RLS 14145";

THENCE N 01°11'27" W 42.10 feet to a ½ inch Iron Pin "RLS 14145" on a line 170.00 feet Southerly of and parallel with the North Line of said Lot 1;

THENCE N 89°00'48" E, along said parallel line, a distance of 18.08 feet to the **POINT OF BEGINNING**.

Containing 875.1 square feet, more or less.

www.eec-info.com

Environmental Services | Flood Control & Drainage | Land Development | Land Surveying
Landscape Architecture | Natural Resources | Transportation | Water & Wastewater

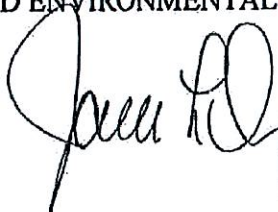
Tucson • Phoenix • Flagstaff • Sierra Vista

November 18, 2010
EEC No. 209014.02
APN No. 113-05-064A
Sierrar LLC
Set 77

Prepared by:

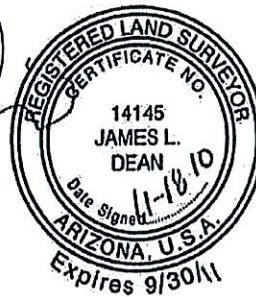
ENGINEERING AND ENVIRONMENTAL CONSULTANTS, INC.

James L. Dean, RLS



JLD:\bh

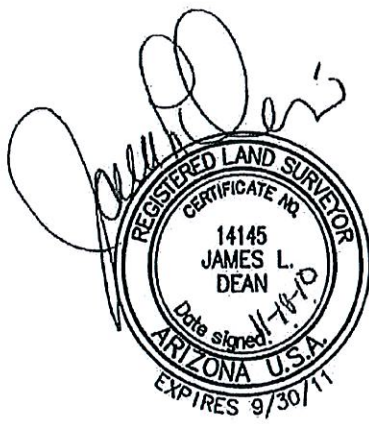
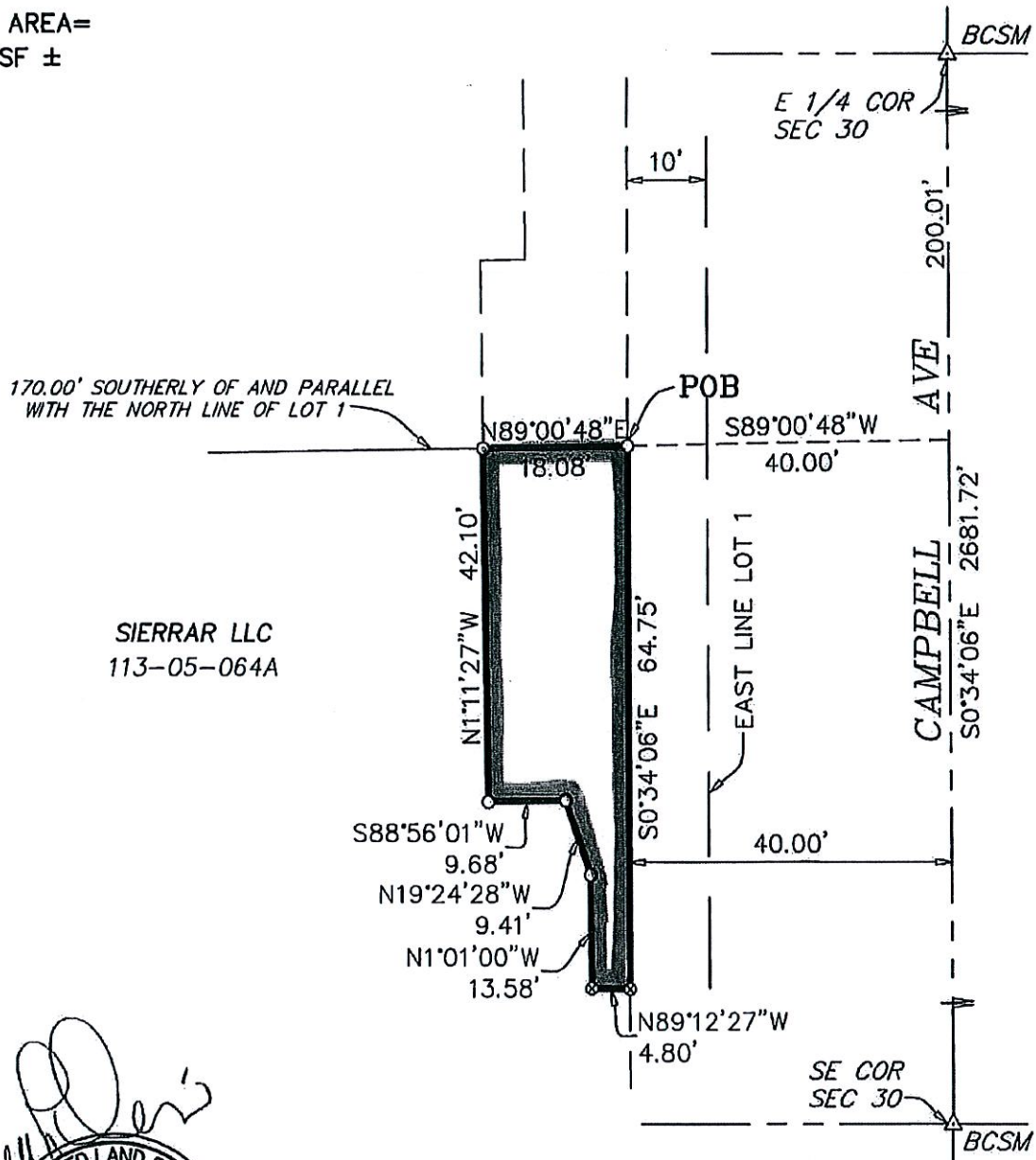
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- △ = FOUND MONUMENT AS NOTED
- = SET 1/2" IP "RLS 14145"
- ⊗ = SET CONCRETE NAIL/TAG "RLS 14145"



TOTAL AREA=
875.1 SF ±



**DEPICTION OF
EXHIBIT A
RIGHT OF WAY ACQUISITION**
RICHLAND HEIGHTS BK 4 M&P PG 100
SEC. 30, T-13-S, R-14-E, G&SRM
PIMA COUNTY, ARIZONA



Engineering and Environmental Consultants, Inc.
4625 E. FT. LOWELL RD.
TUCSON, ARIZONA 85712 520-321-4625
SET 77 11/18/10

209014.02
SHT 1 OF 1