

**ARIZONA STATE LAND DEPARTMENT  
BOARD OF APPEALS AGENDA  
FINAL AGENDA**

**Thursday, November 9, 2023**

**Location: Arizona State Land Department  
1110 W. Washington, 5<sup>th</sup> Floor  
Room 321  
Phoenix, AZ 85007**

Pursuant to Arizona Revised Statutes (A.R.S.) § 38-431.02, notice is hereby given to the members of the Arizona State Land Department Board of Appeals and to the public that the Board will hold a meeting open to the public on Thursday, November 9, 2023, at 9:00 a.m. at the Arizona State Land Department, 1110 West Washington Street, 5<sup>th</sup> Floor, Room 321, Phoenix, AZ 85007.

The meeting will also be held in virtual and telephonic formats. Members of the public may participate virtually and telephonically. Board Members and members of the public can access the meeting telephonically by dialing 1-443-671-4708 followed by the meeting pin- 938 734 741# or virtually, by video conferencing by typing in the following link: [meet.google.com/jrg-evxe-yrw](https://meet.google.com/jrg-evxe-yrw). After the start of the meeting, the Board Chairperson and/or staff will request that members of the public place their phones/devices on mute.

The agenda for this meeting follows. Any amendments or additions to the agenda will be made available at least twenty-four (24) hours prior to the meeting. The Board may discuss, deliberate, or vote on any item listed on the agenda. Pursuant to A.R.S. § 38-431.03(A)(3), the Board may vote to hold an executive session for consultation with its attorney for legal advice concerning any item on the agenda. Executive sessions are not open to the public. Except for matters listed for a specific time, the Board may take any item on the agenda out of order. Members of the Board may appear by telephone.

Pursuant to Title II of the Americans with Disabilities Act (ADA), the Board will not discriminate on the basis of disability in admission to and observation of its public meetings. Persons with a disability may request reasonable accommodation such as a sign language interpreter, by contacting the ADA Coordinator at (602) 542-2629 to make their needs known. Requests should be made as early as possible to allow time to arrange the accommodation.

**I. CALL TO ORDER**

Roll call

**II. MINUTES**

Approval of September 14, 2023 Minutes

Approval of October 12, 2023 Minutes

**III. REPORT BY LAND DEPARTMENT STAFF**

A. Report by Land Department staff and discussion by the Board regarding recent and future land auctions (See attached list) \*

B. Future Board Agenda Items

**IV. REAL ESTATE AND RIGHTS OF WAY**

Review, discussion, & possible legal action regarding the following:

- A. Rights of Ways on Consent Agenda (See attached) \*
- B. Commercial Leases-Long Term-for periods longer than 10 years (See attached) \*
- C. Land Sales (See attached) \*

\* Please note: The attachment with a detailed listing of agenda items I, II, and III will be available in the Board Clerk’s office after Monday, October 30, 2023 or at least twenty-four (24) hours prior to the scheduled meeting.

**V. BOARD APPEALS**

None

**VI. OTHER BUSINESS**

A. Arrangements for Future Meetings:

| <u>Date</u>       | <u>Location</u> |
|-------------------|-----------------|
| December 14, 2023 | Phoenix         |
| January 11, 2024  | Phoenix         |
| February 8, 2024  | Phoenix         |

B. Schedule of Pending Appeals:

A.B. 1244-VJP Investments II LLC  
Sales Application 53-121841 Havasu Investments Partners LLC  
Valuation of Appraisal and Valuation of Improvements  
***Hearing has been continued to be heard on Thursday, December 14, 2023***

A.B. 1246 –Maricopa Flood Control District of Pinal County  
Right of Way Application 18-108053  
Valuation of Appraisal  
***Hearing has been continued to be heard on Thursday, February 8, 2024***

A.B. 1248 – Town of Marana  
Right of Way Application 16-118105  
Valuation of Appraisal  
***Hearing has been scheduled to be heard on Thursday, December 14, 2023***

A.B. 1249 – Fondomonte Arizona LLC  
Agriculture Leases 01-94820, 01-95645, 01-97431, 01-98258  
Reclassification Order No. 029-2023/2024  
***Date and location of hearing is pending***

**VII. EXECUTIVE SESSION**

The Board may vote to go into Executive Session on any of the above agenda items for legal advice from its attorney, pursuant to A.R.S. § 38-431.03(A)(3)

**VII. BOARD ADJOURNS**

STATE LAND DEPARTMENT  
BOARD OF APPEALS



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*for* Trinity Perlberg, Clerk to the Board  
1110 West Washington Street, Suite #160  
Phoenix, AZ 85007  
Telephone: 602-542-2505

**BOARD OF APPEALS IV.  
AGENDA  
Thursday, November 9, 2023**

**A. CONSENT AGENDA**

**RIGHTS OF WAY – REAL ESTATE DIVISION**

|  | <u>Application #</u> | <u>Applicant and County</u> | <u>Purpose</u> |
|--|----------------------|-----------------------------|----------------|
|  | NONE                 |                             |                |

**B. COMMERCIAL LEASES – REAL ESTATE DIVISION – Long Term (for periods longer than 10 years)**

*Urban Planning Projects*

|    | <u>Application #</u>   | <u>Applicant and County</u>  | <u>Purpose</u>                                     |
|----|------------------------|--|--|
| 1. | 03-122284<br>Ray Moore | Hanwha Energy Holdings Corporation dba<br>174 Power Global<br>(Yavapai County) | Lease – Interstate 10, 32 miles E of<br>Quartzsite |

*Other*

|  | <u>Application #</u> | <u>Applicant and County</u> | <u>Purpose</u> |
|--|----------------------|-----------------------------|----------------|
|  | NONE                 |                             |                |

**C. LAND SALES – REAL ESTATE DIVISION**

*Urban Planning Projects*

|  | <u>Application #</u> | <u>Applicant and County</u> | <u>Purpose</u> |
|--|----------------------|-----------------------------|----------------|
|  | NONE                 |                             |                |

*Other*

|    | <u>Application #</u>      | <u>Applicant and County</u>                 | <u>Purpose</u>   |
|----|---------------------------|---|--|
| 2. | 53-121380<br>Joe Charles  | Barney Properties I LLC<br>(Cochise County) | Sale – N of Interstate 10, E of<br>Pomerene Rd           |
| 3. | 53-123948<br>Bryan Sparks | MTM Developers, LLC<br>(Maricopa County)    | Sale – SW Corner of Happy Valley Rd<br>and Interstate 17 |
| 4. | 53-123981<br>Bryan Sparks | D.R. Horton, Inc.<br>(Pinal County)         | Sale – Just E of Hunt Hwy in San Tan<br>Valley           |

03-COMMERCIAL-LONG TERM LEASE  
 14-RIGHT-OF-WAY (LONG TERM)  
 16-RIGHT-OF-WAY (PERPETUAL)

**RESULTS / ARCHIVE PAGE  
 OCTOBER 2023**

04-MINERAL  
 21-WATER  
 53-LAND

| APP. NO.  | AUCTION DATE | LOCATION, COUNTY & ACREAGE +/-  | APPRAISED VALUE | BENEFICIARY   | TOTAL SELLING PRICE | SUCCESSFUL BIDDER & # OF BIDS  | TERMS         |
|-----------|--------------|---|-----------------|---|---------------------|--------------------------------|---------------|
| 03-121564 | 10/3/2023    | T3S, R9E, SECS. 13,24<br>T3S, R10E, SECS. 7,8,18,19<br>T3S, R9E, SEC. 24<br>T3S, R10E, SECS. 18,19<br>T3S, R9E, SECS. 24,25<br>T3S, R10, SECS. 19,30<br><br>PINAL<br><br>2,087.15 | \$24,400,000.00 | COUNTY BOND, UNIVERSITY, PENITENTIARY LAND FUND, ARIZONA STATE HOSPITAL | \$24,400,000.00     | BOCA BN, LLC<br><br>&<br><br>1 | 30-YEAR LEASE |
|           |              |   |                 |   |                     |                                |               |

PUBLIC AUCTIONS BEING ADVERTISED

03-COMMERCIAL-LONG TERM LEASE  
 14-RIGHT-OF-WAY (LONG TERM)  
 16-RIGHT-OF-WAY (PERPETUAL)

**AUCTION CALENDAR  
 NOVEMBER 2023**

04-MINERAL  
 21-WATER  
 53-LAND

| <b>APP. NO.</b>                                       | <b>AUCTION DATE<br/>&amp;<br/>TIME</b> | <b>LOCATION, COUNTY<br/>&amp;<br/>ACREAGE +/-</b>  | <b>APPRAISED VALUE</b> | <b>BENEFICIARY</b>   |
|---|--|--|------------------------|--|
| <b>16-122814</b><br>WEST WING<br>BUSINESS PARK        | 11/1<br>&<br>1:00PM                    | T4N, R1W, SEC 11<br>3.319  | \$343,512.00           | PERMANENT<br>COMMON SCHOOLS<br>(INDEMNITY<br>SELECTIONS)   |
| <b>16-120105</b><br>WEST WING<br>BUSINESS PARK        | 11/1<br>&<br>1:00PM                    | T4N, R1W, SEC 11<br>5.005  | \$518,010.00           | PERMANENT<br>COMMON SCHOOLS<br>(INDEMNITY<br>SELECTIONS)   |
| <b>53-123245</b><br>CITY OF<br>PRESCOTT               | 11/21<br>&<br>10:00 AM                 | T14N, R1W, SECS. 8,16,17,18,19,20<br>T14N, R2W, SECS. 13,24<br><br>YAVAPAI<br><br>2,284.00   | \$6,255,000.00         | NORMAL SCHOOL,<br>PERMANENT<br>COMMON SCHOOLS,<br>PERMANENT<br>COMMON SCHOOLS<br>(INDEMNITY<br>SELECTIONS)                 |
| <b>53-121994</b><br>PER<br>COMMISSIONER<br>INITIATIVE | 11/21<br>&<br>11:00 AM                 | T15N, R1W, SECS. 16,20,28,32<br><br>YAVAPAI<br><br>2,404.614   | \$16,910,500.00        | NORMAL SCHOOL,<br>PERMANENT<br>COMMON SCHOOLS  |
| <b>03-120951</b><br>AGUA FRIA<br>SOLAR, LLC           | 11/21<br>&<br>12:00 PM                 | T11N, R2E, SEC. 1<br>T11, R3E, SEC. 6<br>T12N, R2E, SECS. 24,25,26,35<br>T12N, R3E, SECS. 19,30,31<br><br>YAVAPAI<br><br>4,215.503 | \$27,740,000.00        | NORMAL SCHOOL,<br>PERMANENT<br>COMMON SCHOOLS,<br>PERMANENT<br>COMMON SCHOOLS<br>(INDEMNITY<br>SELECTIONS),<br>COUNTY BOND |

PUBLIC AUCTIONS BEING ADVERTISED

03-COMMERCIAL-LONG TERM LEASE  
14-RIGHT-OF-WAY (LONG TERM)  
16-RIGHT-OF-WAY (PERPETUAL)

**AUCTION CALENDAR  
DECEMBER 2023**

04-MINERAL  
21-WATER  
53-LAND

| <b>APP. NO.</b>                       | <b>AUCTION DATE<br/>&amp;<br/>TIME</b> | <b>LOCATION, COUNTY<br/>&amp;<br/>ACREAGE +/-</b> | <b>APPRAISED VALUE</b> | <b>BENEFICIARY</b>                                       |
|---------------------------------------|--|---|------------------------|--|
| <b>53-120779</b><br>WYATT<br>MCMURRAY | 12/6/23<br><br>11:00 AM                | T10 N, R19 W, SEC. 1<br>&<br>2.50                 | <b>\$830,000.00</b>    | PERMANENT<br>COMMON SCHOOLS<br>(INDEMNITY<br>SELECTIONS) |
|                                       |  |   |                        |  |

PUBLIC AUCTIONS BEING ADVERTISED

03-COMMERCIAL-LONG TERM LEASE  
14-RIGHT-OF-WAY (LONG TERM)  
16-RIGHT-OF-WAY (PERPETUAL)

**AUCTION CALENDAR  
JANUARY 2024**

04-MINERAL  
21-WATER  
53-LAND

| <b>APP. NO.</b>                            | <b>AUCTION DATE<br/>&amp;<br/>TIME</b> | <b>LOCATION, COUNTY<br/>&amp;<br/>ACREAGE +/-</b> | <b>APPRAISED VALUE</b> | <b>BENEFICIARY</b>          |
|--|--|---|------------------------|-----------------------------|
| <b>53-123913</b><br>LENNAR<br>ARIZONA, LLC | 01/03/2024<br><br>11:00 A.M.           | T4N, R2E, SEC. 15<br>&<br>79.85                   | <b>\$15,700,000.00</b> | PERMANENT<br>COMMON SCHOOLS |
|  |  |   |                        |                             |