

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

Thursday, December 14, 2023

**Location: Arizona State Land Department
1110 W. Washington, 5th 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, December 14, 2023, at 9:00 a.m. at the Arizona State Land Department, 1110 West Washington Street, 5th 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. 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 the November 9, 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, December 4, 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>
January 11, 2024	Phoenix
February 8, 2024	Phoenix
March 14, 2024	Pending

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, February 8, 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, 2023

A.B. 1248-Town of Marana
Right of Way Application 16-118105
Valuation of Appraisal
Hearing has been continued to be heard on Thursday, February 8, 2023

A.B. 1249 – Fondomonte Arizona LLC
Agriculture Leases 01-94820, 01-95645, 01-97431, 01-98258
Reclassification Order No. 029-2023/2024
Hearing has been scheduled to be heard on Thursday, January 11, 2023

C. A.B. 1249 - Fondomonte Arizona LLC. Review, discussion, possible Executive Session, and legal action regarding pre-hearing issues including, but not limited to the following:

1. Issues raised in Notice of Appeal
2. Proposed Findings of Fact and Conclusions of Law by Parties
3. Filing Schedule

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



Nina Monahan, Clerk to the Board
1110 West Washington Street, Suite #160
Phoenix, AZ 85007
Telephone: 602-542-2674

BOARD OF APPEALS
IV. AGENDA
Thursday, December 14th, 2023

A. CONSENT AGENDA

RIGHTS OF WAY – REAL ESTATE DIVISION

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
1.	16-122955 Michael Romero	City of Tucson (Pima County)	Underground utilities
2.	16-123934 Michael Romero	City of Tucson (Pima County)	Public road
3.	16-124199 Michael Romero	Somerton School District #11 (Yuma County)	Public road with underground utilities

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>
	NONE		

Other

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
4.	03-122707-99 Ray Moore	Sun Pond, LLC (Maricopa County)	Lease – Baseline Rd and 356 th Ave in Arlington, AZ

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>
5.	53-123709 16-124095 16-124096 16-124097 16-124098 16-124099	Sale – Biscuit Flats Dev LLC ROWs – Wood, Patel & Associates, Inc. (Maricopa County)	Sale – NE corner of I-17 and SR-74 and SE corner of I-17 and SR-303, wrapping TSMC Campus west to the midpoint of Deadman Wash.

BOARD

Thursday, December 14th, 2023

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	16-124100 16-124460 16-124461 16-124462 Ray Moore		ROWs – public roadways with underground utilities, water, sewer and drainage facilities
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03-COMMERCIAL-LONG TERM LEASE
 14-RIGHT-OF-WAY (LONG TERM)
 16-RIGHT-OF-WAY (PERPETUAL)

**RESULTS / ARCHIVE PAGE
 NOVEMBER 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
53-123245 CITY OF PRESCOTT	11/21/2023	T14N, R1W, SECS. 8,16,17,18,19,20 T14N, R2W, SECS. 13,24 YAVAPAI 2,284.00	\$6,255,000.00	NORMAL SCHOOL, PERMANENT COMMON SCHOOLS, PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)	\$6,255,000.00	CITY OF PRESCOTT & 1	25% DOWN, BALANCE DUE IN 30 DAYS
53-121994 PER COMMISSIONER INITIATIVE	11/21/2023	T15N, R1W, SECS. 16,20,28,32 YAVAPAI 2,404.614	\$16,910,500.00	NORMAL SCHOOL, PERMANENT COMMON SCHOOLS	\$16,910,500.00	AUCTION POSTPONED TO 12/7/2023	
03-120951 AGUA FRIA SOLAR, LLC	11/21/2023	T11N, R2E, SEC. 1 T11, R3E, SEC. 6 T12N, R2E, SECS. 24,25,26,35 T12N, R3E, SECS. 19,30,31 YAVAPAI 4,215.503	\$27,740,000.00	NORMAL SCHOOL, PERMANENT COMMON SCHOOLS, PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS), COUNTY BOND	\$30,140,000.00	AGUA FRIA SOLAR, LLC & 25	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
DECEMBER 2023**

04-MINERAL
21-WATER
53-LAND

APP. NO.	AUCTION DATE & TIME	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY
53-120779 WYATT MCMURRAY	12/6/23 11:00 AM	T10 N, R19 W, SEC. 1 & 2.50	\$830,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-121994 PER COMMISSIONER INITIATIVE	12/7/23 & 11:00 AM	T15N, R1W, SECS. 16,20,28,32 YAVAPAI 2,404.614	\$16,910,500.00	NORMAL SCHOOL, PERMANENT COMMON SCHOOLS

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

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