

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

Thursday, February 8, 2024

**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, February 8, 2024, 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. Members of the public, attending in person, may enter the meeting room at 8:45 a.m., on the day of the meeting.

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 January 11, 2024 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, January 29, 2024 or at least twenty-four (24) hours prior to the scheduled meeting.

V. BOARD APPEALS

A.B. 1246–Maricopa Flood Control District of Pinal County
Right of Way Application 18-108053
Valuation of Appraisal
Stipulation to Continue Hearing received

A.B. 1248-Town of Marana
Right of Way Application 16-118105
Valuation of Appraisal
Motion to Withdraw received and signed by the Chairperson

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, April 11, 2024

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 continued to be heard on Thursday, March 14, 2024

VI. OTHER BUSINESS

A. Arrangements for Future Meetings:

<u>Date</u>	<u>Location</u>
March 14, 2024	Phoenix
April 11, 2024	Phoenix
May 9, 2024	Pending

B. Discussion regarding Agenda packet materials

C. LITIGATION

Update, discussion, and potential action regarding Farmers Investment Co.; Save the Scenic Santa Ritas Assoc. v. Arizona State Land Department; Arizona State Land Department Board of Appeals, CV2024-001259, including consideration, discussion, and potential action regarding plaintiff's counsel's "Expedited request for Waiver Conflict."

Upon a vote of the majority of a quorum, the Board may go into Executive Session, which will not be open to the public, for discussion or consultation for legal advice with the Board's attorney(s) pursuant to A.R.S. § 38-431.03(A)(3) or for discussion or consultation with the Board's attorney(s) to consider its position and instruct its attorney(s) regarding pending or contemplated litigation pursuant to A.R.S. § 38-431.03(A)(4).

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, February 8, 2024

A. CONSENT AGENDA

RIGHTS OF WAY – REAL ESTATE DIVISION

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
1.	16-052106 Myles Stevens	Town of Prescott Valley (Yavapai County)	Underground 18” sewer transmission line
2.	16-102134 Amber Troidl	Yavapai County (Yavapai County)	Public road
3.	16-118105 Patrick Carroll	Town of Marana (Pima County)	Public roadways and underground utilities with related appurtenances, Purpose change: Adding underground utilities within existing public road

B. RIGHTS OF WAY & COMMERCIAL LEASES – REAL ESTATE DIVISION

(for periods longer than 10 years)

Rights of Way

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

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>
	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>
	NONE		

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

RESULTS / ARCHIVE PAGE
JANUARY 2024

04-MINERAL
21-WATER
53-LAND

APP. NO.	AUCTION DATE	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY	TOTAL SELLING PRICE	SUCCESSFUL BIDDER & # OF BIDS	TERMS
53-123913	01/03 & 11:00 AM	T4N, R2E, SEC. 15 & 79.85	\$15,700,000.00	PERMANENT COMMON SCHOOLS	\$32,300,000.00	LENNAR ARIZONA, LLC & 164	

PUBLIC AUCTIONS BEING ADVERTISED

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

**AUCTION CALENDAR
APRIL 2024**

04-MINERAL
21-WATER
53-LAND

APP. NO.	AUCTION DATE & TIME	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY
53-123261 LEGACY COMMERCIAL REAL ESTATE LLC	4/24 & 11:00 AM	T21N, R21W, G&SRM MOHAVE 105.35	\$1,650,000.00	MINERS HOSPITAL FOR DISABLED MINERS, PERMANENT COMMON SCHOOLS (INDEMNITY SELECTION), UNIVERSITY, UNIVERSITY OF ARIZONA