

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

Thursday, April 11, 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, April 11, 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 March 14, 2024 Regular Session Minutes
Approval of the March 14, 2024 Executive Session 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 at least twenty-four (24) hours prior to the scheduled meeting.

V. BOARD APPEALS

- A. Today’s Appeals

None

- B. Scheduled 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, June 13, 2024

- 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, May 9, 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, June 13, 2024

VI. OTHER BUSINESS

- A. Arrangements for Future Meetings:

<u>Date</u>	<u>Location</u>
May 9, 2024	Phoenix
June 13, 2024	Phoenix
July 11, 2024	Pending

- B. Election of Officers

VII. EXECUTIVE SESSION

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).

VIII. 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, April 11, 2024**

A. CONSENT AGENDA

RIGHTS OF WAY – REAL ESTATE DIVISION

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
1.	14-081340 Myles Stevens	Arizona Public Service Company (Yavapai County)	Service Road
2.	14-119182 Myles Stevens	Yuma Solar Energy LLC (Yuma County)	Overhead 69kV electric sub-transmission line and 144 count fiber-optic communication line – non 3 rd party, underground 24 count fiber-optic communication line – non 3 rd party.
3.	14-124189 Michael Romero	Boulevard Associates, LLC (Pima County)	Overhead 138kV single circuit electric transmission lines
4.	16-000237 Patrick Mertz	El Paso Natural Gas Company, LLC (Cochise County)	Underground gas transmission line

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>
	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>
5.	53-122449 16-123503	Shea Homes Limited Partnership (Maricopa County)	Sale – Between Jomax and Happy Valley Rds, east of 83 rd Ave in Peoria

BOARD

Thursday, April 11, 2024

Page 2 of 2

	16-124620 30-124621 Van Robinson		ROWs – Public road slope and drainage easement appurtenance, advanced construction and temporary construction easement
6.	53-122450 Frank Fletez	Shea Homes Limited Partnership (Maricopa County)	Sale – NEC of Dixileta Rd and Litchfield Rd
7.	53-122834 16-123042 Ray Moore	ZT 56 th Street At 101 NW Owner, LLC (Maricopa County)	Sale – NWC of 56 th St and SR101 ROW – Public roadways and underground utilities
8.	53-123047 Ray Moore	D.R. Horton, Inc. (Maricopa County)	Sale – 56 th St, north of Dear Valley Rd in Desert Ridge

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
53-122665 TURQUOISE VALLEY, LLC	4/25/24 & 11:30 AM	T1N, R8E, SEC. 3 PINAL 373.63	\$16,000,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTION)
53-123269 KAY MINE USA CORP.	4/30/24 & 11:00 AM	T9N, R2E, SEC. 33 YAVAPAI 39.790	\$366,100.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTION)

PUBLIC AUCTIONS BEING ADVERTISED

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

**AUCTION CALENDAR
MAY 2024**

04-MINERAL
21-WATER
53-LAND

APP. NO.	AUCTION DATE & TIME	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY
03-123811 AGUA FRIA HIGH SCHOOL	5/2/2024 & 11:00 AM	T1N, R2W, SEC. 2 MARICOPA 57.71	\$24,500,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-122456 SQUARE PEG DEVELOPMENT, LLC	5/22/2024 & 11:00 AM	T21N, R7E, SECS. 19 AND 30 COCONINO 521.60	\$11,378,000.00	PERMANENT COMMON SCHOOLS
53-123709 BUSCUIT FLATS DEV, LLC	5/29/2024 & 11:00 AM	T5N, R2E, SECS. 7, 8, 9, 10, 15 AND 18 MARICOPA 2,340.534	\$56,280,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)

PUBLIC AUCTIONS BEING ADVERTISED

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

AUCTION CALENDAR
JUNE 2024

04-MINERAL
21-WATER
53-LAND

APP. NO.	AUCTION DATE & TIME	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY
53-123789; 16-124056; 30-124601 101 & SCOTTSDALE, LLC	6/4/24 & 11:00 AM	T4N, R4E, SEC. 27; T4N, R4E, SECS. 15 & 22 MARICOPA 99.527	\$24,500,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-123031 GOLD BOND BUILDING PRODUCTS, LLC	6/6/24 & 11:00 AM	T6S, R16E, SEC. 33 and 34; T7S, R16E, SEC. 3 PINAL 408.22	\$551,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-123981 D. R. HORTON, INC.	6/6/24 & 12:00 PM	T3S, R8E, SEC. 28	\$18,395,000.00	MINERS HOSPITAL FOR DISABLED MINERS

53-124170 CITY OF SAN LUIS	6/11/2024 & 11:00 AM	T11S, R25W, SEC. 1 YUMA 19.80	\$1,070,000.00	MINERS HOSPITAL FOR DISABLED MINERS; PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS); UNIVERSITY; UNIVERSITY OF ARIZONA
53-123948 MTM DEVELOPERS, LLC	6/13/2024 & 11:00 AM	T4N, R2E, SEC. 11 MARICOPA 8.09	\$2,940,000.00	PENITENTIARY LAND FUND
53-124365, 16-124659, 16-124660, 16-124661, 16-124662, 16-124056, 16-124841, 30-124601 MIRACLE DEVELOPMENT LLC	6/27/2024 & 11:00 AM	T4N, R4E, SECS. 15, 21, 22, 27 and 28 MARICOPA 110.060 (LAND) 120.058 (ROWS)	\$68,500,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)