

**ARIZONA STATE LAND DEPARTMENT
BOARD OF APPEALS AGENDA
Final (Revised 12-7-21)**

Thursday, December 9, 2021

**Location: Arizona State Land Department
1616 West Adams Street, 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 9, 2021 at 9:00 a.m. at the Arizona State Land Department, 1616 West Adams Street, Room 321, Phoenix, AZ 85007.

PURSUANT TO RECOMMENDATIONS FOR CURRENT COVID-19 RESTRICTIONS, IT IS ENCOURAGED THAT ANY PERSON WHO WISHES TO ATTEND THE MEETING DO SO BY PARTICIPATING VIA TELECONFERENCE CALL. A PERSON WISHING TO PARTICIPATE VIA TELECONFERENCE CALL MAY DO SO BY CALLING 1-470-705-4149 AND ENTERING PIN: 833 276 336#

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 a 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 November 9, 2021 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 Way & Commercial Leases-Short Term (for periods 10 years or less) 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 November 29, 2021 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 13, 2022	Pending
February 10, 2022	Pending
March 10, 2022	Pending

B. Schedule of Pending Appeals:


A.B. 1239
Larry and Cindi Pearson – Lease No. 01-428
Hearing has been scheduled for Thursday, January 13, 2022 in Phoenix

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).

VIII. BOARD ADJOURNS

STATE LAND DEPARTMENT
BOARD OF APPEALS

for 

Trinity Perlberg, Clerk to the Board
1616 West Adams Street, Room 152
Phoenix, AZ 85007
Telephone: 602-542-2505

BOARD OF APPEALS
IV. AGENDA
Thursday, December 9, 2021

A. CONSENT AGENDA

RIGHTS OF WAY - REAL ESTATE DIVISION

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
1.	14-119182 Scott Sherwood	Invenergy Solar Development LLC (Yuma County)	Overhead 69kV electric sub-transmission line and 48-count fiber ground wire for internal use only
2.	14-120195 Myles Stevens	Chevelon Butte RE LLC (Coconino & Navajo County)	Amendment for utility scale wind energy project and related facilities
3.	14-122057 Amber Troidl	Salt River Project, AIPD (Maricopa County)	Overhead double circuit 230kV electric transmission line w/two 69kV electric sub-transmission underbuilt lines and OPGW for internal communication purposes only; No. 2: Two overhead 69kV electric sub-transmission lines with OPGW for internal communication purposes only
4.	16-121434 Scott Sherwood	Prema Design-Build LLC (Maricopa County)	Public road
5.	16-121651 Amber Troidl	City of Flagstaff (Coconino County)	Underground 30" water transmission line and booster stations

COMMERCIAL LEASES - REAL ESTATE DIVISION – Short Term (for periods 10 years or less)

New

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

Renewals

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
6.	03-080490 Diana Faude	Palo Verde Meadows Property Owners Association	Picnic and boat launching area
7.	03-120657 Diana Faude	New Cingular Wireless PCS, LLC (Cochise County)	A wireless telecommunications facility
8.	89-079687 Diana Faude	Arizona Department of Corrections (Pima County)	Medium security State Correctional Institution, which may include such support functions as agriculture and industrial facilities

BOARD

Thursday, December 9, 2021

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Amendments

<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>
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>	
NONE		

Other

	<u>Application #</u>	<u>Applicant and County</u>	
9.	53-121226 16-122631 & 16-122632 Van Robinson	De Rito Partners Development Inc (Maricopa County)	SWC of Hayden Rd & Loop 101. ROWS: Public road & underground utilities (Mayo Blvd) & drainage (Scottsdale)
10.	53-121851 Van Robinson	BDCAZ I, LLC (Maricopa County)	NEC Loop 202 Freeway and Warner Road (Mesa)
11.	53-121932 Joe Charles	Page Giacini (Graham County)	Taylor Pass Road, Graham County
12.	53-122108 Van Robinson	Arizona Department of Emergency & Military Affairs (Pinal County)	Southwest of Sasso Dr and Interstate 10, Silverbell Army Heliport
13.	53-122109 Van Robinson	Arizona Department of Emergency & Military Affairs (Pinal County)	Picacho Hwy, Harmon Rd

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14.	53-122513 16-121920 16-121921 16-121922 16-122581 16-122776 Joe Charles	Per Commissioners Initiative (Pinal County)	NEC of Ironwood & Germann Road
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03-COMMERCIAL-LONG TERM LEASE
 14-RIGHT-OF-WAY (LONG TERM)
 16-RIGHT-OF-WAY (PERPETUAL)

**RESULTS / ARCHIVE PAGE
 OCTOBER 2021**

04-MINERAL
 21-WATER
 53-LAND

APP. NO.	AUCTION DATE	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY	TOTAL SELLING PRICE	SUCCESSFUL BIDDER & # OF BIDS	TERMS
53-121917	10/20	T2N, R2W, SECS. 27 & 34 MARICOPA 1,099.06	\$127,708,000.00	PENITENTIARY LAND FUND; PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)	AUCTION POSTPONED TO 12/01/2021		
53-121916; 16-121920; 16-121921; 16-121922	10/20	T1S, R8E, SEC. 31; T2S, R8E, SEC. 6; PINAL 914.78; 12.14; 13.35; 6.60	\$86,130,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)	AUCTION POSTPONED TO 12/01/2021		
16-122114	10/21	T5S, R9E, SEC. 1 PINAL 4.23	\$35,955.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS); STATE CHARITABLE, PENAL, AND REFORMATORY INSTITUTIONS	\$35,955.00	SAN CARLOS IRRIGATION AND DRAINAGE DISTRICT & 1	

16-103534-00-100	10/27	T4N, R5E, SEC. 31 MARICOPA 0.581	\$80,447.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)	\$80,447.00	CITY OF SCOTTSDALE & 1	
16-121790-00-100	10/27	T4N, R5E, SEC. 31 MARICOPA 0.467	\$271,878.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)	\$271,878.00	CITY OF SCOTTSDALE & 1	

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

**RESULTS / ARCHIVE PAGE
 NOVEMBER 2021**

04-MINERAL
 21-WATER
 53-LAND

APP. NO.	AUCTION DATE	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY	TOTAL SELLING PRICE	SUCCESSFUL BIDDER & # OF BIDS	TERMS
53-122069; 16-122216	11/03	T5N, R2E, SECS. 9, 16 & 17; T5N, R2E, SECS. 8 & 9 MARICOPA 70.927; 39.362	\$2,410,000.00	PERMANENT COMMON SCHOOLS; PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)	\$2,410,000.00	TSMC ARIZONA CORPORATION & 1	25% DOWN, BALANCE DUE IN 30 DAYS
16-121875	11/04	T1N, R2E, SEC. 29 MARICOPA 0.673	\$14,537.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)	\$14,537.00	SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT & 1	

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

**RESULTS / ARCHIVE PAGE
 DECEMBER 2021**

04-MINERAL
 21-WATER
 53-LAND

APP. NO.	AUCTION DATE	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY	TOTAL SELLING PRICE	SUCCESSFUL BIDDER & # OF BIDS	TERMS
53-121917	12/01	T2N, R2W, SECS. 27 & 34 MARICOPA 1,099.06	\$127,708,000.00	PENITENTIARY LAND FUND; PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)	AUCTION CANCELLED		
53-121306	12/01	T4N, R3E, SEC. 11 MARICOPA 3.40	\$2,400.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)	\$2,400.00	D. R. HORTON, INC. & 1	CASH SALE
53-120252	12/01	T4N, R3E, SECS. 1, 2 & 11 MARICOPA 416.32	\$83,500,000.00	PERMANENT COMMON SCHOOLS; PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)	\$83,500,000.00	D. R. HORTON, INC. & 1	15% DOWN, SIMPLE INTEREST AT A FIXED RATE OF 6.00%, 4-YEAR TERM
14-111275- 00-100	12/01	T5N, R2E, SEC. 15 MARICOPA 57.905	\$3,038,278.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)	AUCTION POSTPONED TO 12/15/2021		

16-112562-00-100	12/01	T5N, R2E, SECS. 7, 8, 9 & 10 MARICOPA 68.391	\$5,285,984.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)	AUCTION POSTPONED TO 12/15/2021		
53-121916; 16-121920; 16-121921; 16-121922	12/01	T1S, R8E, SEC. 31; T2S, R8E, SEC. 6; PINAL 914.78; 12.14; 13.35; 6.60	\$86,130,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)	AUCTION CANCELLED		
53-122049; 16-121599	12/15	T4N, R4E, SECS. 28 & 33; T4N, R4E, SECS. 15, 22 & 27 MARICOPA 228.39; 129.910	\$139,750,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)			
14-111275-00-100	12/15	T5N, R2E, SEC. 15 MARICOPA 57.905	\$3,038,278.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)			

16-112562-00-100	12/15	T5N, R2E, SECS. 7, 8, 9 & 10 MARICOPA 68.391	\$5,285,984.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)			
53-121093	12/15	T4N, R1E, SEC. 2 MARICOPA 26.11	\$5,745,000.00	PERMANENT COMMON SCHOOLS			
16-115501-00-100	12/16	T14N, R2W, SEC. 36 YAVAPAI 1.583	\$31,343.00	PERMANENT COMMON SCHOOLS			

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

PUBLIC AUCTIONS BEING ADVERTISED

**AUCTION CALENDAR
 DECEMBER 2021**

04-MINERAL
 21-WATER
 53-LAND

APP. NO.	AUCTION DATE & TIME	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY
53-121917 PER COMMISSIONER'S INITIATIVE	12/01 9:00 A.M.	T2N, R2W, SECS. 27 & 34 MARICOPA 1,099.06	\$127,708,000.00	PENITENTIARY LAND FUND; PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-121306 D. R. HORTON, INC.	12/01 11:00 A.M.	T4N, R3E, SEC. 11 MARICOPA 3.40	\$2,400.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-120252 D. R. HORTON, INC.	12/01 11:30 A.M.	T4N, R3E, SECS. 1, 2 & 11 MARICOPA 416.32	\$83,500,000.00	PERMANENT COMMON SCHOOLS; PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
14-111275-00-100 ARIZONA PUBLIC SERVICE COMPANY	12/01 1:00 P.M. Δ 12/15	T5N, R2E, SEC. 15 MARICOPA 57.905	\$3,038,278.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)

16-112562-00-100 ARIZONA PUBLIC SERVICE COMPANY	12/01 1:00 P.M. Δ 12/15	T5N, R2E, SECS. 7, 8, 9 & 10 MARICOPA 68.391	\$5,285,984.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-121916; 16-121920; 16-121921; 16-121922 PER COMMISSIONER'S INITIATIVE	12/01 3:30 P.M.	T1S, R8E, SEC. 31; T2S, R8E, SEC. 6; PINAL 914.78; 12.14; 13.35; 6.60	\$86,130,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-122049; 16-121599 PER COMMISSIONER'S INITIATIVE	12/15 11:00 A.M.	T4N, R4E, SECS. 28 & 33; T4N, R4E, SECS. 15, 22 & 27 MARICOPA 228.39; 129.910	\$139,750,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
14-111275-00-100 ARIZONA PUBLIC SERVICE COMPANY	12/15 1:00 P.M.	T5N, R2E, SEC. 15 MARICOPA 57.905	\$3,038,278.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
16-112562-00-100 ARIZONA PUBLIC SERVICE COMPANY	12/15 1:00 P.M.	T5N, R2E, SECS. 7, 8, 9 & 10 MARICOPA 68.391	\$5,285,984.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)

53-121093 PEDERSON GROUP, INC.	12/15 1:00 P.M.	T4N, R1E, SEC. 2 MARICOPA 26.11	\$5,745,000.00	PERMANENT COMMON SCHOOLS
16-115501-00-100 CITY OF PRESCOTT	12/16 11:00 A.M.	T14N, R2W, SEC. 36 YAVAPAI 1.583	\$31,343.00	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 2022**

04-MINERAL
21-WATER
53-LAND

APP. NO.	AUCTION DATE & TIME	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY
53-121917 PER COMMISSIONER'S INITIATIVE	01/10 10:00 A.M.	T2N, R2W, SECS. 27 & 34 MARICOPA 1,097.26	\$127,708,000.00 AUCTION CANCELLED	PENITENTIARY LAND FUND; PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
16-122066 TOWN OF MARANA	01/20 11:00 A.M.	T12S, R11E, SEC. 24 PIMA 2.944	\$66,176.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
16-122418 TOWN OF FLORENCE	01/27 11:00 A.M.	T4S, R9E, SEC. 25 PINAL 0.77	\$2,400.00	STATE CHARITABLE, PENAL, AND REFORMATORY INSTITUTIONS

PUBLIC AUCTIONS BEING ADVERTISED

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

**AUCTION CALENDAR
 FEBRUARY 2022**

04-MINERAL
 21-WATER
 53-LAND

APP. NO.	AUCTION DATE & TIME	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY
03-120611-99 SUN STREAMS EXPANSION, LLC	02/02 1:00 P.M.	T1N, R5W, SECS. 32, 33 & 34; T1S, R5W, SECS. 4, 9 & 18 MARICOPA 2,597.205	\$20,000,000.00	AGRICULTURE AND MECHANICAL COLLEGE; MINERS HOSPITAL FOR DISABLED MINERS; PERMANENT COMMON SCHOOLS; PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-119692; 16-121599; 16-121600; 16-122649; 16-122652 PER COMMISSIONER'S INITIATIVE	02/03 11:00 A.M.	T4N, R4E, SEC. 27; T4N, R4E, SECS. 15, 22 & 27; T4N, R4E, SECS. 27 & 28; T4N, R4E, SEC. 27; T4N, R4E, SEC. 27 MARICOPA 50.241; 129.912; 12.516; 0.893; 0.696	\$33,100,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)

16-100776 MOHAVE COUNTY	02/10 11:30 A.M.	T19N, R22W, SEC. 24 MOHAVE 3.18	\$80,358.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
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