

## ROADWAY DISPOSITION – PROCEDURAL STEPS

1. Disposition Process Initiated by Petition. The process for disposition by exchange with abutting property owners or by vacation of public roadways located outside a planned development, where the County owns title, or by extinguishment, where the County holds right-of-way easements, may be initiated by the filing of a Petition requesting said action, in a format provided by County, 100% by area and number of the property owners of land abutting the roadways proposed for exchange. Each subject roadway shall require a separate petition and process fee, unless waived by Board action:
  - a) Required Documentation. Petition shall be accompanied by the following **(without cost to the County)**:
    - (1) Written Statement. A written statement stating good and sufficient reasons why the requested action would be in the best interests of the public.
    - (2) Mailing List for Owners of Abutting Properties. List of names, mailing addresses and tax parcel numbers of each property owner abutting the subject public roadway and those who may be deprived of reasonable access to their properties by the disposition.
    - (3) Process Fee. A \$300.00 per road **Non refundable** process fee as set forth in the Roadway Disposition Process Fee Schedule.
      - (a) An additional fee for advertising cost will be needed prior to the Public Hearing; this cost will be determined by the Newspapers at a later date.
    - (4) Legal Description. Legal description of all public roadways, which are the subject of the requested action.
    - (5) Additional Documentation. Without cost to the County, additional documentation may be required by County, including, but not limited to, the following:
      - (a) Recordable legal description and exhibit. **\*SEE ATTACHED SAMPLE\***
        - (i) A map drawn on 8.5" x 11" with a one inch margins on left, right, top and bottom . The title must state “ABANDONMENT EXHIBIT” with the Section, Township and Range stated below the title. Must include legible seal and live signature of Registered Land Surveyor.
        - (ii) Legal Description (font of 10 point) of that portion or area being abandoned as separate attachment on letterhead, legible seal and live signature of Registered Land Surveyor.

- (6) Title Policy. County may require, **without cost to the County**, a title report to guarantee County's property interest and/or providing ownership of abutting properties.
  - (7) Filing of Petition. Petition and all required documentation shall be filed with the Pinal County Public Works Real Property Coordinator.
  - (8) Incomplete Documentation. Upon failure to file a complete petition or any of the required documentation, the petition together with the process fee, if filed, will be returned to the circulating petitioner.
  - (9) Requests for Recommendations. Upon determination that the petition is complete and accompanied by the required documentation, requests may be made to the applicable county departments for recommendations on the requested action.
2. All required documentation shall be submitted to the Real Property Coordinator for review.
    - a. If documentation does not meet requirements it will be returned to petitioner.
    - b. If documentation meets requirements it will be submitted to the abandonment board for a recommendation.
    - c. After receiving the recommendation the Real Property Coordinator will set the date for the public hearing, advertise the hearing in the appropriate newspapers and mail (first class) notice of hearing to affected landowners.
  3. Public Hearing:

EASEMENT may be extinguished pursuant to A.R.S. 28-7205 [effected by Board Resolution – no consideration involved]

ALL DISPOSITION METHODS ARE SUBJECT TO RESERVATION OF EASEMENTS AS LISTED IN A.R.S. 28-7210.
  4. Joint action required where roadway constitutes boundary line with another county or incorporated city or town or is located within an incorporated city or town.
  5. Record Board Resolution - **\*\*Resolution not effective until recorded.**

**Besides county highways this procedure also applies to streets, alleys and avenues in the unincorporated area of the county shown upon recorded plats as dedicated to the public or where the public or county has received title by deed. A.R.S. 28-6709.**