

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

THURSDAY December 8, 2011

**Location: Arizona State Land Department
1616 W. Adams, Room 321
Phoenix, AZ 85007
Time: 9:00 a.m.**

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 general public that the Board will hold a meeting open to the public on December 8, 2011, at 9:00 a.m. at the Arizona State Land Department, 1616 W. Adams, Room 321, Phoenix, Arizona 85007.

The agenda for this meeting follows. Any amendments or additions to the agenda will be made available at least 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 Sandy Robinson, ADA Coordinator at (602) 364-0875 to make their needs known. Requests should be made as early as possible to allow time to arrange the accommodation.

I Approval of November 3, 2011, Minutes

II **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. Update on market conditions effecting Land Department sales and leasing strategies (May include questions from the Board)
- C. Land Department Budget Update (May include questions from the Board)
- D. Introduction of new staff members
- E. Issues affecting Board Members and terms

III **REAL ESTATE DIVISION**

Review, discussion, & possible legal action regarding the following:

- A. Rights of Way on Consent Agenda (see attached)*
- B. Commercial Leases on Consent Agenda-Short Term-for periods 10 years or less (See attached)*
- C. Commercial Leases-Long Term-for periods longer than 10 years (See attached)*
- D. 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's office after November 22, 2011, or at least 24 hours prior to the scheduled meeting.

IV **BOARD APPEALS**

The Board will conduct a formal hearing under A.R.S. § 37-215. The Board will receive testimony and evidence, and hear oral argument from the parties. The Board may affirm, reverse or modify the decision on appeal. The Board may continue the hearing upon request of the parties or upon its own motion.

A.B. 1225 Marley Cattle Company
Grazing Lease No. 05-1938
Application to Purchase No. 53-113781
Appeal of Reclassification Order No. 026-2011/2012

Continuation of Formal Hearing commenced on November 3, 2011. The Board will deliberate and reach a decision on the case.

WITHDRAWAL

A.B. 1224 City of Sierra Vista
Application to Purchase No. 53-113957
Appeal of Appraisal

On November 17, 2011, the Department received a Request to Withdraw Current Appeal of Valuation from the appellant D. Michael Clawson, on behalf of the City of Sierra Vista.

On November 18, 2011, Board Chair signed the Decision & Order, dismissing A.B. Docket No. 1224.

V OTHER BUSINESS

A. Arrangements for Future Meetings:

<u>Date</u>	<u>Location</u>
*January 12, 2012	Phoenix
February 9, 2012	Pending
April 12, 2012	Pending

The June meeting date needs to be set. The second Thursday in June is the 14th.

B. Schedule of Pending Appeals:


None

VI 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


Michael P. Nesselrode, Clerk to the Board
1616 West Adams Street, Room 153
Phoenix, AZ 85007
Telephone: 602-542-2505 - FAX: 602-542-2508

**BOARD
REAL ESTATE DIVISION AGENDA
THURSDAY, December 8, 2011**

A. RIGHTS OF WAY ON CONSENT AGENDA

1.	14-53960 NG	City of Prescott (Yavapai County)	An underground 8" to 16" water line and pump station
2.	14-113564 JG	Pinnacle Cemeteries, LLC (Maricopa County)	Drainage easement for two box culverts
3.	14-114455 CV	Arizona Public Service (Coconino County)	69kV overhead electric sub-transmission line; North of I-40 on east side of Flagstaff city limits
4.	14-115115 SR	US Army Corps of Engineers (Cochise County)	Operate & maintain antenna, equipment box & solar panel (helicopter access only)
5.	14-115560 NG	Mohave Electric Cooperative, Inc. (Mohave County)	69kV to 24.9kV electric substation
6.	16-83087 GN	Pinal County (Pinal County)	Public road
7.	16-110965 GN	City of Mesa (Pinal County)	Reduced acreage for an underground water transmission line
8.	16-113691 JR	City of Tucson (Pima County)	Public road and underground utilities
9.	16-114955 CV	Navajo Tribe of Indians (Coconino County)	Public roadway
10.	16-115501 NG	City of Prescott (Yavapai County)	Water tank; one underground 16" water line and one underground 10" water line, service road
11.	16-115795 CV	Navajo Nation Tribal Utility Authority (Coconino County)	Underground sewer, water and electricity lines

B. COMMERCIAL LEASES ON CONSENT AGENDA – 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>
12.	03-49 GN	Yavapai County (Yavapai County)	Waste transfer and compactor site
13.	03-99442 DB	Arizona Telephone Co./dba/TDS Telecom (Coconino County)	A microwave tower for telephone communication for the Supai Indian Reservation
14.	89-98103 DB	University of Arizona, Board of Regents (Pima County)	Long-term research into desert plant and wildlife ecology

Amendments

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

C. COMMERCIAL LEASES – 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>
15.	03-113632 RM	Arlington Valley Solar Energy, LLC (Maricopa County)	Solar energy electricity generation

D. LAND SALES

Urban Planning Projects

	<u>Application #</u>	<u>Applicant and County</u>	
16.	53-113635 DB	Town of Marana (Pima County)	

Other

	<u>Application #</u>	<u>Applicant and County</u>	
	None		

PUBLIC AUCTIONS BEING ADVERTISED

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

AUCTION CALENDAR
 NOVEMBER 2011

04-MINERAL
 21-WATER
 53-LAND

APP. NO.	AUCTION DATE & TIME	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE & 1ST YEAR'S RENT OR ROYALTY (03, 04, 21 ONLY)	BENEFICIARY
16-115118	11/29 10:00 A.M.	T4N, R4E, SECS. 27 & 28 MARICOPA 8.46	\$1,642,572.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
16-112195	11/30 10:00 A.M.	T10S & T11S, R13E & R14E, VARIOUS SECTIONS PINAL 29.43	\$60,101.00	PERMANENT COMMON SCHOOLS PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS) COUNTY BOND
16-115483	11/30 10:30 AM	T6S, R6E, SEC. 22 PINAL 3.51	\$34,749.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
16-115484	11/30 11:00 AM	T6S, R6E, SEC. 22 PINAL 2.41	\$23,859.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-115487	11/30 10:00 A.M.	T5N, R3E, SECS. 21 & 22 MARICOPA 343.16	\$6,100,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-115494	11/30 11:00 A.M.	T5N, R3E, SEC. 23 MARICOPA 282.99	\$4,300,000.00	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
 DECEMBER 2011

04-MINERAL
 21-WATER
 53-LAND

APP. NO.	AUCTION DATE & TIME	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE & 1ST YEAR'S RENT OR ROYALTY (03, 04, 21 ONLY)	BENEFICIARY
53-115505	12/07 10:00 A.M.	T4N, R5E, SECS. 1, 2 & 12; T5N, R5E, SECS. 24, 25 & 35 MARICOPA 1,937.19	\$41,000,000.00	MINERS HOSPITAL FOR DISABLED MINERS PERMANENT COMMON SCHOOLS PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-115506	12/14 10:00 A.M.	T5N, R5E, SECS. 13, 14, 15, 17, 18, 19, 20, 23, 24 & 30 MARICOPA 2,482.24	\$45,000,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-114460	12/22 11:00 A.M.	T18S, R12E, SECS. 28, 29, 30, 32, 33 & 34; T19S, R12E, SECS. 2, 3, 4 & 5 PIMA 4,425.25	\$12,600,000.00	PERMANENT COMMON SCHOOLS PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)

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

RESULTS / ARCHIVE PAGE
 SEPTEMBER 2011

04-MINERAL
 21-WATER
 53-LAND

APP. NO.	AUCTION DATE	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE & 1 ST YEAR'S RENT OR ROYALTY (03, 04, 21 ONLY)	BENEFICIARY	TOTAL SELLING PRICE	SUCCESSFUL BIDDER & # OF BIDS	TERMS
16-111093	09/07 10:00 A.M.	T16S, R16E, SEC. 5 PIMA 1.79	\$14,889.00	STATE CHARITABLE, PENAL & REFORM INSTITUTE	\$14,889.00	CITY OF TUCSON & 1	
16-113601	09/07 10:30 A.M.	T11S, R11E, SEC. 14 PIMA 13.08	\$33,668.00	COUNTY BOND	\$33,668.00	SOUTHWEST TRANSMISSION COOPERATIVE, INC. & 1	
16-114369	09/07 11:00 A.M.	T15S, R11E, SECS. 16 & 21 PIMA 3.18	\$17,808.00	PERMANENT COMMON SCHOOLS PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)	\$17,808.00	CITY OF TUCSON & 1	

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

RESULTS / ARCHIVE PAGE
 OCTOBER 2011

04-MINERAL
 21-WATER
 53-LAND

APP. NO.	AUCTION DATE	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE & 1 ST YEAR'S RENT OR ROYALTY (03, 04, 21 ONLY)	BENEFICIARY	TOTAL SELLING PRICE	SUCCESSFUL BIDDER & # OF BIDS	TERMS
NO AUCTIONS							