



# Report to the Board of Supervisors

Prepared by the Maricopa County Department of Transportation

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**Case #/Title:** PAB-0038 Federal Patent Easement Abandonment

**Meeting Date:** **October 5, 2016** to set the hearing date.

**Supervisor District Effected:** 3

**Applicant:** Department of Transportation

**Request:** Approve the abandonment of that portion of the patent easement as proposed by the owner of the property located at an unassigned address at West Parsons Road and North 16<sup>th</sup> Avenue (north of 1625 West Parsons Road) and being identified as Assessor Parcel No. 210-10-021L.

**Support/Opposition:** Request for comment has been circulated to all affected parties pursuant to County Ordinance P-34, Section 2d.

No comments in opposition have been received.

**Discussion:** Laws 2013, Chapter 46 amended Arizona Revised Statutes, Section 11-251.16 to allow a county, at the request of a property owner, to abandon a federal patent easement established by the Small Tract Act of 1938. On May 7, 2014 the Maricopa County Board of Supervisors (BOS) approved Ordinance No. P-34, adopting procedures for the abandonment of federal patent easements. The Maricopa County Department of Transportation (MCDOT) has considered and processed this request for abandonment in strict accordance with A.R.S. Section 11-251.16 and Ordinance No. P-34.

## Department Recommendation:

Having no known opposition and having not received any written comments in opposition from other County departments, other agencies, any utility or the public, the Department of Transportation (MCDOT), in accordance with Ordinance P-34, is recommending that the BOS approve the abandonment as requested.

Presented by: Jennifer Toth, P.E.,  
Director of Transportation/County Engineer

**Attachments:** Application / Proof of ownership / Application response checklist  
Aerial Exhibit / Patent Easement  
Initial Determination request / letter to requestor / Initial response checklist

**APPLICATION  
PROOF OF OWNERSHIP  
APPLICATION RESPONSE CHECKLIST**



# Maricopa County Department of Transportation Engineering Division

2901 West Durango Street • Phoenix, AZ 85009  
Phone: (602) 506-8609 • Fax: (602) 506-4009

### PATENT EASEMENT ABANDONMENT APPLICATION

Applicant Name: Tiffany Pozo Tracking NO: PAB- 0038  
Mailing Address: 2010 W. Parkside Ln. #152  
City Phoenix STATE: AZ ZIP: 85027  
Telephone: 623-521-4379  
Email: tpoz@onewayelectric.com Fax No: 623-582-0976

### PARCEL DETAIL

Assessor's Parcel Number: 210-10-021J

1. **Location of Request:** (ex: 3200 W. Dove Valley Road, Phoenix)

Property North of 1625 W. Parsons Rd, Phoenix, AZ 85085

2. **Description of Request:** (ex: Abandon Easement bordering the south side of parcel 123-45-067A)

Abandon Easement bordering the north side of parcel 210-10-021J

3. Applicant is **REQUIRED** to be the current owner of the described property. A copy of your property deed must be attached to the application.
4. If you have a mortgage, deed of trust, upon your property you are **REQUIRED** to provide a letter from the lender approving your request to abandon a patent easement. Applications submitted without lender approval will not be processed.
5. If you don't have a mortgage or deed of trust on the subject property, you will need to sign, before a notary, the affidavit below attesting to that status.

I, Tiffany Pozo attest that I own the subject property and that it is not encumbered by mortgage or deed of trust.

SUBSCRIBED AND SWORN to before me this

9 day of August, 2014

[Signature]  
NOTARY PUBLIC



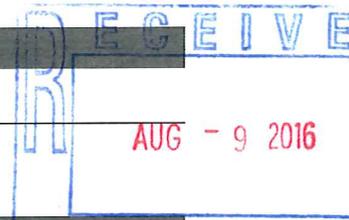
My Commission Expires: 03/16/2019

### SIGNATURE

Tiffany Pozo  
Signature of Applicant

8-9-16  
Date

**NOTE: The application fee is NOT refundable.**



### THIS PORTION TO BE COMPLETED BY MCDOT

MCDOT, DEVELOPMENT SERVICES

Application Fee: \$1,600.00*	Total Received: <u>1350.00</u>	Received By:
Make check payable to: MCDOT 2901 West Durango Street Phoenix, AZ 85009	Check #: <u>0629505378</u>	Date: <u>8-9-16</u> <u>JKW</u>

\* Application Fee will be \$1,350 (\$1,600 less \$250) if Initial Determination letter is provided; demonstrating an initial review of the parcel was conducted by the County within the last six months.

RECORDING REQUESTED BY  
Lawyers Title of Arizona, Inc.  
AND WHEN RECORDED MAIL TO:  
TIFFANY POZO AND KEVIN POZO  
1625 W. PARSONS ROAD  
PHOENIX, AZ 85085

1839313-6-3-1--  
hensleye

ESCROW NO.: 01839313 - 827 - JEB

ORIGINAL

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, I or we,

**Abraham Daghlán and Abeer Nasr, husband and wife**

do/does hereby convey to

**Tiffany Pozo, Trustee, or her successors in trust, under the Kevin Pozo Qualified Personal Residence Trust-30, dated March 04, 2013 as to an undivided 25% interest and Tiffany Pozo, Trustee, or her successors in trust, under the Kevin Pozo Qualified Personal Residence Trust-40, dated March 04, 2013 as to an undivided 25% interest and Kevin Pozo, Trustee, or his successors in trust, under the Tiffany Pozo Qualified Personal Residence Trust-35, dated March 04, 2013 as to an undivided 25% interest and Kevin Pozo, Trustee, or his successors in trust, under the Tiffany Pozo Qualified Personal Residence Trust-45, dated March 04, 2013 as to an undivided 25% interest as tenants in common**

the following real property situated in Maricopa County, ARIZONA:

**The South half of the Northwest quarter of the Northeast quarter of the Southwest quarter of Section 6, Township 4 North, Range 3, East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;**

**EXCEPT the West 265.00 feet thereof.**

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above.

Dated: October 26, 2015

Escrow No.: 01839313 - 827 - JEB  
Name of Document: Warranty Deed  
Page 2

Grantor(s):

Abraham Daghlán

Abeer Nasr

State of Arizona } ss:  
County of Maricopa

On NOV. 13<sup>th</sup>, 2015 before me personally appeared Abraham Daghlán and Abeer Nasr, whose identity was proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this document and who acknowledged that he/she signed the above/attached document in his or her authorized capacity (ies)

(Seal)

  
Notary Public  
Commission Expires: 5.14.2017

DATE: November 11, 2015

ESCROW NO.: 01839313-827-JEB

**TRUST DECLARATION**

**Disclosure of Beneficiaries**

Pursuant to ARS 33-404, the Beneficiary(ies) of The Kevin Pozo Qualified Personal Residence Trust-30, dated March 04, 2013

are as follows:

Name: Bryce Lewis Pozo

Address: 11625 W. Parsons Rd Phoenix, Az 85085

Name: Maja Jordan Pozo

Address: 11625 W. Parsons Rd Phoenix Az 85085

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Unofficial Document

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

(This document will be attached to the Deed or Conveyance Instrument and placed of public record at close of escrow)

DATE: November 11, 2015

ESCROW NO.: 01839313-827-JEB

**TRUST DECLARATION**

**Disclosure of Beneficiaries**

Pursuant to ARS 33-404, the Beneficiary(ies) of **The Kevin Pozo Qualified Personal Residence Trust-40, dated March 04, 2013**

are as follows:

Name: Bryce Lewis Pozo

Address: 11025 W. Parsons Rd Phoenix, Az 85085

Name: Maja Jordan Pozo

Address: 11025 W. Parsons Rd Phoenix Az 85085

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Unofficial Document

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

(This document will be attached to the Deed or Conveyance Instrument and placed of public record at close of escrow)

DATE: November 11, 2015

ESCROW NO.: 01839313-827-JEB

**TRUST DECLARATION**

**Disclosure of Beneficiaries**

Pursuant to ARS 33-404, the Beneficiary(ies) of The Tiffany Pozo Qualified Personal Residence Trust-35, dated March 04, 2013 is/are as follows:

Name: Bryce Lewis Pozo

Address: 11025 W. Parsons Rd Phoenix Az 85085

Name: Maja Jordan Pozo

Address: 11025 W. Parsons Rd Phoenix Az 85085

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Unofficial Document

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

(This document will be attached to the Deed or Conveyance Instrument and placed of public record at close of escrow)

DATE: November 11, 2015

ESCROW NO.: 01839313-827-JEB

**TRUST DECLARATION**

**Disclosure of Beneficiaries**

Pursuant to ARS 33-404, the Beneficiary(ies) of The Tiffany Pozo Qualified Personal Residence Trust-45, dated March 04, 2013 is/are as follows:

Name: Bryce Lewis Pozo

Address: 1625 W. Parsons Rd Phoenix, Az 85085

Name: Maja Jordan ~~Pozo~~ Pozo

Address: 1625 W. Parsons Rd Phoenix Az 85085

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Unofficial Document

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

(This document will be attached to the Deed or Conveyance Instrument and placed of public record at close of escrow)

**PATENT EASEMENT ABANDONMENT  
APPLICATION  
CHECKLIST**

Application ID: PAB-0038

A "YES" checked on any item on this list shall result in the letter of Initial Determination stating that pursuant to Section 5 of County ordinance (P-34) certain criteria do not meet abandonment requirements.

Disqualification Criteria	YES	NO
Road alignment has been Declared (Sect 5a) Road alignment is maintained by MCDOT Road alignment is needed for future r/w		x
Prop abandon shares border and is parallel to row dedicated to County or public (Sect 5b)		x
Objection from any affected utility, Arizona State land, BLM or BOR (Sect 5d)		x
Objection from any Municipality or Tribe, (Sect 5e)		x

Statement of fact and Documentation for Items identified as not meeting abandonment requirements:

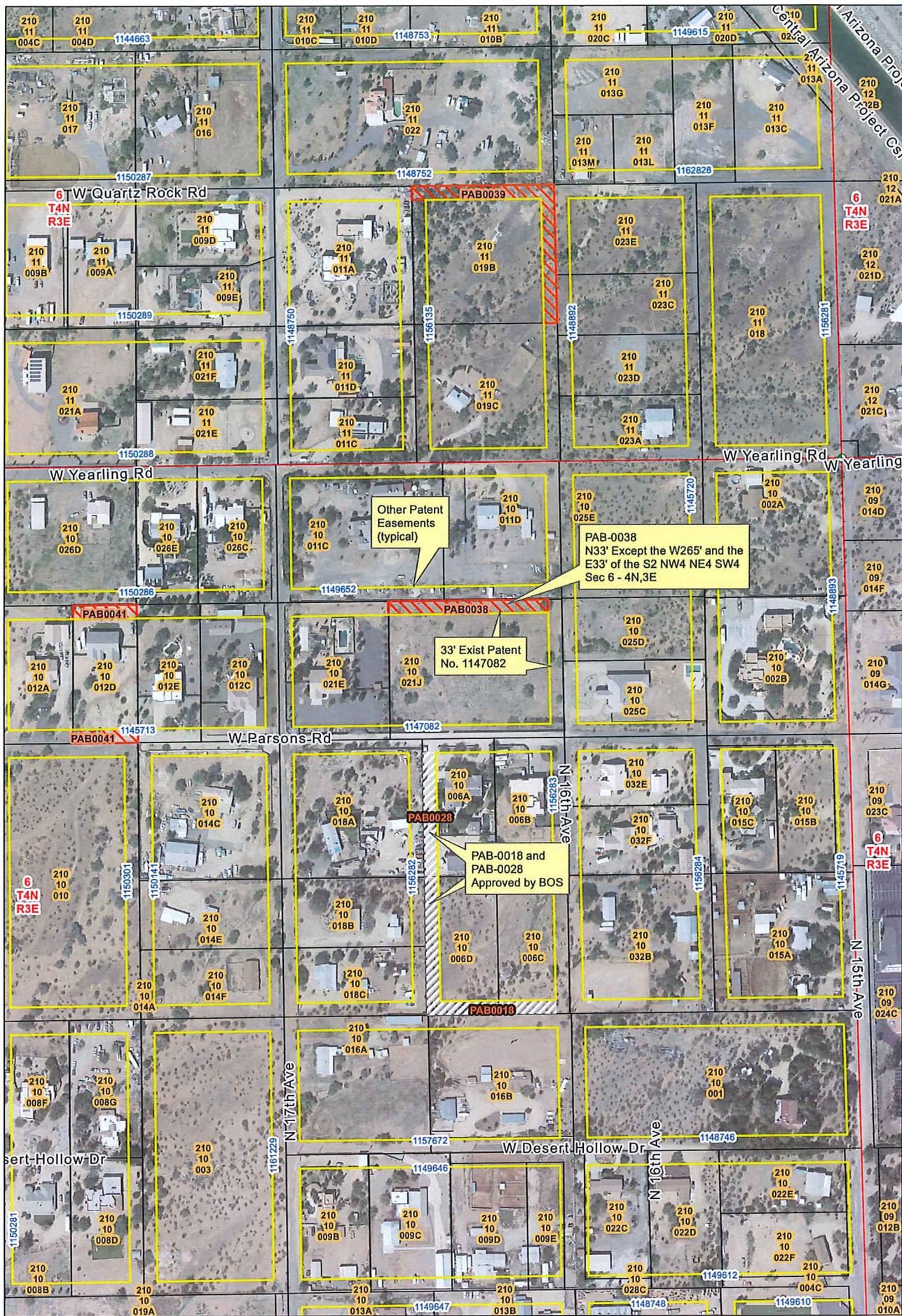
		REVIEWER	COMMENT	DISQUALIFYING CRITERIA
a	MCDOT	Bob Woodring	No Response	
		Alfred Erives	No Response	
		Denise Lacey	No Response	
		David Fritz	No Objection	
		Kevin Kottmer	No Objection	
		Angela Horn	No Objection	
b	COUNTY	Michael Norris - P&D	No Response	
		Darren Gerard – P&D	No Objection	
		Dennis Lindsey -Real Estate	No Objection	
		Don Rerick - FCD	No Objection	
		RJ Cardin & Kenneth Vonderscher - Parks	No Objection	
		Bill Wiley - FCD	No Response	
c	UTILITIES	APS	No Objection	
		Century Link	No Objection	
		Cox	N/A	
		SRP	N/A	
		SWG	N/A	
		Scottsdale Water Town of Cave Creek water	N/A	
d	GOV AGENCIES	N/A		
e	MUNICIPALITIES / TRIBES	N/A		

DATE: 09/12/16

INIT: MM

**AERIAL EXHIBIT**  
**PATENT EASEMENT**  
**REPLACEMENT EASEMENT**

# PAB-0038 APN: 210-10-021J



Arizona 0981

# The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Phoenix, Arizona, is now deposited in the Bureau of Land Management, whereby it appears that full payment has been made by the claimant **Bernice E. Rackers,**

pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land:

**Gila and Salt River Meridian, Arizona.**

**T. 4 N., R. 3 E.,**

**Sec. 6, S~~1~~W~~1~~N~~4~~E~~4~~.**

The area described contains **5** acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States, all coal, oil, gas, and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding **33** feet in width, for roadway and public utilities purposes, to be located **across said land or as near as practicable to the exterior boundaries.**

~~Excepting and reserving also to the United States pursuant to the provisions of the Act of August 1, 1946 (60 Stat. 755) all uranium, thorium, or any other minerals which is or may be determined to be nonfuel essential to the production of fissile materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same.~~

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the **THIRTIETH**

[SEAL]

day of **SEPTEMBER** in the year of our Lord one thousand nine hundred and **FIFTY-FOUR** and of the Independence of the United States the one hundred and **SEVENTY-NINTH.**

For the Director, Bureau of Land Management.

Patent No. 1117042

By S. C. Nichols  
Chief, Patents Unit

**INITIAL DETERMINATION REQUEST**

**LETTER TO REQUESTOR**

**INITIAL RESPONSE CHECKLIST**



# Maricopa County Department of Transportation

## Engineering Division

2901 West Durango Street • Phoenix, AZ 85009  
Phone: (602) 506-8609 • Fax: (602) 506-4009

### PATENT EASEMENT ABANDONMENT INITIAL DETERMINATION REQUEST

Applicant Name: Tiffany Pozo Tracking NO: \_\_\_\_\_  
Mailing Address: 1625 W. Parsons Rd.  
City: Phoenix STATE: AZ ZIP: 85085  
Telephone: 623-521-4379  
Email: tpozo@onewayelectric.com Fax No: 623-582-0976

### PARCEL DETAIL

Assessor's Parcel Number: 210-10-021J

1. **Location of Request:** (ex: 3200 W. Dove Valley Road, Phoenix)

16th Ave & Parsons Rd. - 210-10-021J - no address yet

2. **Description of Request:** (ex: Abandon Easement bordering the south side of parcel 123-45-067A)

Abandon Easement bordering the North and East side of parcel 210-10-021J

### SIGNATURE

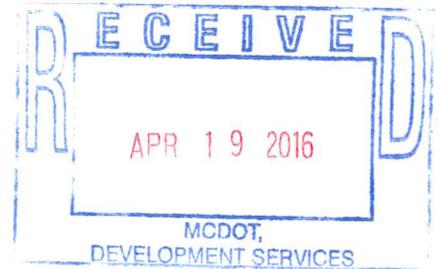
Tiffany Pozo  
Signature of Applicant\*

4-18-16

Date

\* Applicant is NOT required to be the current owner of the described property.

**NOTE: The fee for this review is NOT refundable.**



### THIS PORTION TO BE COMPLETED BY MCDOT

<b>Initial Determination Fee:</b> <b>\$250.00</b>  Make check payable to: MCDOT 2901 West Durango Street Phoenix, AZ 85009	Total Received: <u>250.00</u>	Received By:  <u>KM</u>
	Check #: <u>1012</u>	



**Maricopa County**  
Department of Transportation

August 8, 2016

Transportation Systems  
Management Division  
2901 W. Durango Street  
Phoenix, AZ 85009  
Phone: 602-506-8676  
Fax: 602-506-8758  
www.mcdot.maricopa.gov

Tiffany Pozo  
1625 West Parsons Road  
Phoenix, AZ 85085

Attn: Ms. Pozo

Maricopa County Department of Transportation (MCDOT) has completed the Initial Determination for possible abandonment of the Federal patent easement on your property identified as Assessor Parcel 210-10-021J, tracking No. PAB-0038.

MCDOT has received the following responses from reviewing agencies:

MCDOT has no objection to the proposed abandonment.

No objections have been received from other County Departments.

No objections have been received from any affected utility, or governmental agency.

If your decision is to proceed, go to the MCDOT website at:

<http://www.mcdot.maricopa.gov/easements/home.htm> and open up the Patent Easement Link at the left side of the page. Print the Abandonment Application and submit it as instructed in the application along with all documentation required in the application.

**NOTE:**

Be advised, that although no objections have been received, all reviewing entities reserve the right to change their original review position, which may affect the final recommendation to the Board of Supervisors to approve or deny the application.

Upon receipt of the application and payment of the fee, a notice by letter will be sent to all abutting property owners. The proposed abandonment area will have a notice posted. The abutting owners and other public users of the road have the right to object in writing or appear before the Board of Supervisors.

Sincerely,

Denise Lacey  
Systems Planning Branch Manager  
Phone: 602-506-6172

Enclosure:

cc: PAB-0032 - file

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**PATENT EASEMENT ABANDONMENT  
INITIAL DETERMINATION  
CHECKLIST**

Application ID: PAB-0038

A "YES" checked on any item on this list shall result in the letter of Initial Determination stating that pursuant to Section 5 of County ordinance (P-34) certain criteria do not meet abandonment requirements.

Disqualification Criteria	YES	NO
Road alignment has been Declared (Sect 5a) Road alignment is maintained by MCDOT Road alignment is needed for future r/w		X
Prop abandon shares border and is parallel to row dedicated to County or public (Sect 5b)		X
Objection from any affected utility, Arizona State land, BLM or BOR (Sect 5d)		X
Objection from any Municipality or Tribe, (Sect 5e)		X

Statement of fact and Documentation for Items identified as not meeting abandonment requirements:

		REVIEWER	COMMENT	DISQUALIFYING CRITERIA
	MCDOT	Bob Woodring	No Response	
		Alfred Erives	No Response	
		Angela Horn	No Objection	
		David Fritz	No Objection	
		Ken Green / Mike King	No Response	
		Kevin Kottmer	No Objection	
		Denise Lacey	No Response	
b	COUNTY	P&D	No Objection	
		Real Estate	No Objection	
		Parks	No Objection	
		FCD	No Objection	
c	UTILITIES	APS	No Objection	
		Century Link	Objection Resolved see letter dated 8/2/16	
		Cox	N/A	
		SRP	N/A	
		SWG	N/A	
		Scottsdale Water Town of Cave Creek water	N/A	
d	GOV AGENCIES	N/A		
e	MUNICIPALITIES / TRIBES	N/A		

DATE: 08/10/2016

INIT: MM

## Michelle Markson - MCDOTX

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**From:** Jason.Ramsey@aps.com  
**Sent:** Wednesday, April 27, 2016 11:23 AM  
**To:** Michelle Markson - MCDOTX  
**Subject:** RE: PAB-0038 Initial Determination Request

Michelle,

APS has no objection to the abandonments.

Regards,

Jason Ramsey



Jason Ramsey  
Land Agent II, Land Services  
PO Box 53933, MS 3286  
Phoenix, AZ 85072  
(602) 371-5207 (Office)  
(602) 334-8148 (Cell)

---

**From:** Michelle Markson - MCDOTX [<mailto:MichelleMarkson@mail.maricopa.gov>]  
**Sent:** Tuesday, April 26, 2016 10:12 AM  
**To:** Ramsey, Jason; [mary.hutton1@centurylink.com](mailto:mary.hutton1@centurylink.com)  
**Subject:** PAB-0038 Initial Determination Request

Please review the attached and respond on or before May 11<sup>th</sup>.

Thank you.

**Michelle Markson**  
Administrative Assistant  
Engineering  
O: 602.506.2904 ▪ F: 602.506.5969  
[Maricopa County Department of Transportation](http://www.maricopa.gov)  
2901 W. Durango Street ▪ Phoenix, AZ 85009  
[MichelleMarkson@mail.maricopa.gov](mailto:MichelleMarkson@mail.maricopa.gov)



**Maricopa County**  
Department of Transportation

--- NOTICE ---

This message is for the designated recipient only and may contain confidential, privileged or proprietary information. If you have received it in error, please notify the sender immediately and delete the original and

CenturyLink  
Network Real Estate  
5025 N. Black Canyon Hwy  
Phoenix, AZ 85015



8/30/2016

Approved

Maricopa County DOT  
2901 West Durango St.  
Phoenix, AZ 85009

**SUBJECT: PAB-0038 PUE Abandonment**  
**Project Name: 1625 W Parsons Rd.**  
**APN: 210-10-021-J**

**Re: Request for vacation of the utility easement on the north property line of APN 210-10-021-J at 16<sup>th</sup> Ave and Parsons Rd, Phoenix, Maricopa County, as described in more detail in the application, lying within the Southwest Quarter of Section 6 Township 4 North, Range 3 East, Gila and Salt River Meridian.**

To Whom It May Concern:

QWEST CORPORATION d/b/a CENTURYLINK QC has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

CenturyLink agrees to the abandonment of the north 33 foot patent easement and will retain the rights to the south 33 foot per the patent easement.

This vacation response is submitted with the stipulation that if CenturyLink facilities are found within the vacated area as described, the Applicant will relocate the facilities at Applicant's expense and within guidelines set by CenturyLink and all regulating entities. All relocations will be done under the supervision of a CenturyLink Inspector.

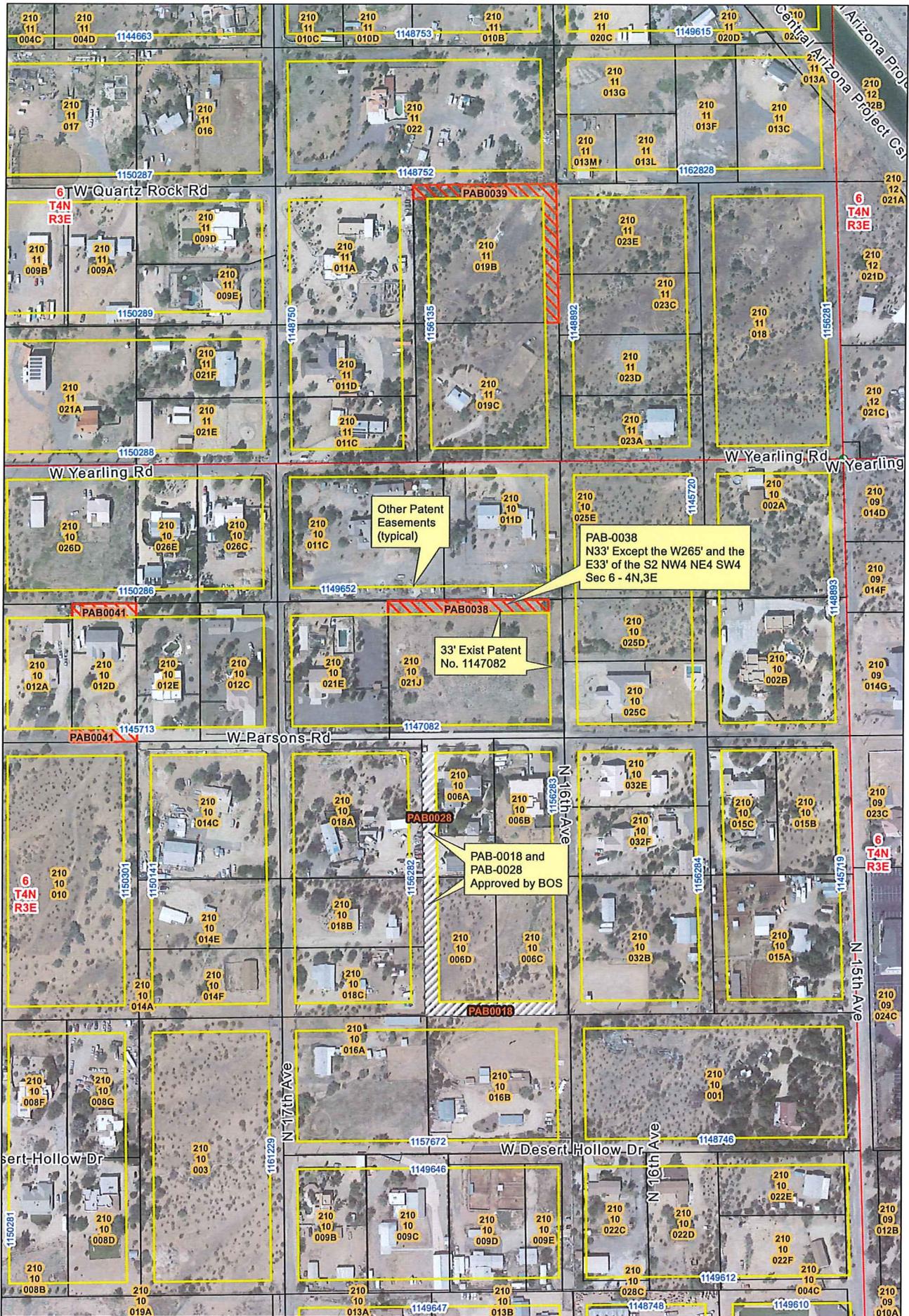
If you have questions or concerns, please call Gladys Zeilstra at 480-560-0404.

Sincerely yours,

**Karen Caime**  
Right of Way Agent  
Qwest Corporation d/b/a CENTURYLINK QC

APN: 210-10-021-J Leaset #: P779530  
Deer Valley North WCE: Dustin Engelke

# PAB-0038 APN: 210-10-021J



Arizona 0981

# The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Phoenix, Arizona, is now deposited in the Bureau of Land Management, whereby it appears that full payment has been made by the claimant **Bernice E. Rackers,**

pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land:

**Gila and Salt River Meridian, Arizona.**

**T. 4 N., R. 3 E.,**

**Sec. 6, S<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>.**

The area described contains **5** acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States, all coal, oil, gas, and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding **33** feet in width, for roadway and public utilities purposes, to be located **across said land or as near as practicable to the exterior boundaries.**

~~Excepting and reserving also to the United States, pursuant to the provisions of the Act of August 1, 1940 (56 Stat. 755) and any other act which is or may be determined to be necessary or essential to the production of fissile materials, whether or not of commercial value, to be used with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same.~~

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the **THIRTIETH**

[SEAL]

day of **SEPTEMBER** in the year of our Lord one thousand nine hundred and **FIFTY-FOUR** and of the Independence of the United States the one hundred and **SEVENTY-NINTH.**

For the Director, Bureau of Land Management.

Patent No. 1117052

By S. C. Nichols  
Chief, Patents Unit



# Maricopa County

Department of Transportation

August 8, 2016

Transportation Systems  
Management Division  
2901 W. Durango Street  
Phoenix, AZ 85009  
Phone: 602-506-8676  
Fax: 602-506-8758  
www.mcdot.maricopa.gov

Tiffany Pozo  
1625 West Parsons Road  
Phoenix, AZ 85085

Attn: Ms. Pozo

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<http://www.mcdot.maricopa.gov/easements/home.htm> and open up the Patent Easement Link at the left side of the page. Print the Abandonment Application and submit it as instructed in the application along with all documentation required in the application.

**NOTE:**

Be advised, that although no objections have been received, all reviewing entities reserve the right to change their original review position, which may affect the final recommendation to the Board of Supervisors to approve or deny the application.

Upon receipt of the application and payment of the fee, a notice by letter will be sent to all abutting property owners. The proposed abandonment area will have a notice posted. The abutting owners and other public users of the road have the right to object in writing or appear before the Board of Supervisors.

Sincerely,

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Denise Lacey  
Systems Planning Branch Manager  
Phone: 602-506-6172

Enclosure:

cc: PAB-0032 - file

**PATENT EASEMENT ABANDONMENT  
INITIAL DETERMINATION  
CHECKLIST**

Application ID: PAB-0038

A "YES" checked on any item on this list shall result in the letter of Initial Determination stating that pursuant to Section 5 of County ordinance (P-34) certain criteria do not meet abandonment requirements.

Disqualification Criteria	YES	NO
Road alignment has been Declared (Sect 5a) Road alignment is maintained by MCDOT Road alignment is needed for future r/w		X
Prop abandon shares border and is parallel to row dedicated to County or public (Sect 5b)		X
Objection from any affected utility, Arizona State land, BLM or BOR (Sect 5d)		X
Objection from any Municipality or Tribe, (Sect 5e)		X

Statement of fact and Documentation for Items identified as not meeting abandonment requirements:

		REVIEWER	COMMENT	DISQUALIFYING CRITERIA
	MCDOT	Bob Woodring	No Response	
		Alfred Erives	No Response	
		Angela Horn	No Objection	
		David Fritz	No Objection	
		Ken Green / Mike King	No Response	
		Kevin Kottmer	No Objection	
		Denise Lacey	No Response	
b	COUNTY	P&D	No Objection	
		Real Estate	No Objection	
		Parks	No Objection	
		FCD	No Objection	
c	UTILITIES	APS	No Objection	
		Century Link	Objection Resolved see letter dated 8/2/16	
		Cox	N/A	
		SRP	N/A	
		SWG	N/A	
		Scottsdale Water	N/A	
		Town of Cave Creek water	N/A	
d	GOV AGENCIES	N/A		
e	MUNICIPALITIES / TRIBES	N/A		

DATE: 08/10/2016

INIT: MM