



**GOVERNING BOARD AGENDA ITEM
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

DATE OF MEETING: **September 10, 2019**

TITLE: **Approval of Temporary Easement to Pulte Home Company for Drainage, Grading/Slope, Trail and Water System Improvements on District-Owned Real Property**

BACKGROUND: The District owns an approximately 40.72-acre parcel of real property located in Rancho Vistoso Neighborhood 5. The Pulte Home Company is constructing a residential development adjacent to that location and has requested a temporary construction easement to enable it to construct improvements on the District-owned real property for the benefit of its development, the Town of Oro Valley, and the District. The proposed construction satisfies zoning conditions previously approved by the Town of Oro Valley and enables the District's property to remain consistent with the Town's master community plan. The company's planned improvements include water system, drainage, transitional grading and slope, a driveway for wellsite access, and a multi-use trail along Arrowsmith Road.

Upon completion of the improvements, Pulte is agrees to restore the property to a "good, clean and graded condition, with any graded areas to be re-seeded with a desert wild seed mix" as set forth in the easement.

The proposed easement does restrict the District's immediate or future use of the property.

If approved, the easement will expire automatically expire without any action by either party upon the earlier of the improvements' completion or December 31, 2020.

The proposed easement together with its supporting documents are attached to this item for review. The Governing Board has authority to grant this easement to Pulte by virtue of the powers granted to it by the State of Arizona to manage land owned by Amphitheater Public Schools in accordance with ARS §§ 15-341 and 15-342.

RECOMMENDATION:

The Administration recommends the easement described in the attachments to this item be approved and that General Counsel be authorized to execute those documents and any others reasonably required to give effect to the easement required.

INITIATED BY:

Michelle H. Tong, J.D.,
Associate to the Superintendent and General Counsel

Date: August 30, 2019

Todd A. Jaeger, J.D., Superintendent