



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

DATE OF MEETING: **January 29, 2019**

TITLE: **Review and Approve Resolution Authorizing the District to Sign Documents to Dedicate and Transfer District-Owned Real Estate Currently Operated as a Private Road Named “Glover Road”, and More Formally Identified Below, to the Town of Oro Valley for Use as a Public Road; to Abandon Two Slope and Drainage Easements Associated with the Conditional Plan Approved by the Town for the Same; and to Enter into a Donation Agreement under Policy KJLA with Property Owners and/or Developers Adjacent the South Side of Glover Road.**

BACKGROUND:

I. Explanation of Glover Road

The District currently owns a private right-of-way named “Glover Road” that runs the approximately ¼ mile between La Cholla Blvd. and the Wilson K-8 Elementary School. This private road was dedicated to the District when the District acquired land to build Wilson K-8. Glover Road is used by the District for ingress and egress to the school. Wilson K-8 is solely accessible by entering Glover Road from La Cholla. Glover Road will require repaving in a few years at an estimated cost to the District of approximately \$350,000.

The District also owns several contiguous parcels of real estate where the Wilson K-8 school is located. Glover Road ends when it connects to the Wilson K-8 bus loop located on parcel no. 224-11-0330. The bus loop is located entirely upon real estate that the District purchased to build Wilson K-8. Without the benefit of a survey, it is impossible for someone driving along Glover Road to see where Glover Road officially ends and parcel no. 224-11-0330 begins since the entire ¼ mile of Glover Road and bus loop appear identical.

II. Proposed Development to the South of Glover Road

The owners of the undeveloped real estate directly south of Glover Road have been working with the Town of Oro Valley for authority to develop their parcels into subdivisions identified as “Saguaro Viejos Phase I” and “Saguaro Viejos Phase II” (collectively hereinafter, the “SV Parcels”) The Town of Oro Valley has conditionally approved a plan that will permit developers Meritage Homes and Pulte Homes to build approximately 218 homes between the two phases on the SV Parcels beginning this year. However, the Town’s approval is contingent upon the District’s private Glover Road and the 45’ strip on the south end of the Wilson K-8 parcel no. 224-11-0330 where the bus loop is located (this joint area shall collectively hereinafter be identified as the “Proposed Public Glover Road”) becoming a public road to permit ingress and egress into to Saguaro Viejos Phase I and II.

The development plan conditionally approved by the Town calls for the primary exit of Saguaro Viejos Phase II to be onto La Cholla and the primary exit of Saguaro Viejos Phase I to be onto W. Naraja Drive. However, the Town has also required that each subdivision include at least one other exit. The second exit from Phase II will be onto W. Naraja Dr. The second exit from Phase I and a third exit from Phase II is currently planned to exit onto the Proposed Public Glover Road which, therefore, requires that Glover Road become a public road for the plan to work.

III. Potential Benefit to the District by Dedicating Glover Road as Requested

The Town has agreed to accept responsibility to maintain the area designated as the Proposed Public Glover Road, which includes the District’s currently private Glover Road and the 45’ strip on the south end of the Wilson K-8 parcel

no. 224-11-0330 where the bus loop sits, if the road is re-graded and widened to meet the requirements of the Town's masterplan. The developers are also designating approximately 50' from the SV Parcels to widen the Proposed Public Glover Road which will also become public right-of-way as part of the plan conditionally approved by the Town. The developers have agreed to meet the Town's requirements if Amphitheater Unified School District dedicates its real estate interests in the Proposed Public Glover Road to the Town of Oro Valley so that Glover Road can become a public road. The plan conditionally approved by the Town requires the developers, at their sole expense, to widen Glover Road to include a center turn lane, as well as to add sidewalks and bike paths on each side of the road, and to add two designated underground drainage culverts. To benefit the District, the developers have said they will complete the necessary upgrades to the road entirely during the summer of 2020 or 2021 to be least disruptive to the school. These upgrades are estimated to cost the developers approximately \$1,000,000. If this plan were completed, it would alleviate the District from further responsibility to maintain Glover Road and save the District over \$350,000 in future re-paving costs.

In addition, the SV Parcels owners and/or developers have agreed to provide a monetary contribution of \$800 per house to the District from funds received at the closing of each house sold by the developers in Saguaro Viejos Phase I and Phase II. As explained in Policy KJLA, these funds are being contributed to the District from the initial sale of each new house in these subdivisions to assist the District to address potential needs that may arise from the increased growth in the area and potential new students at Wilson K-8 and/or Ironwood Ridge High School. The District has typically requested rooftop donations of \$1,500 from developers, but given the expense associated with the re-grading of Glover Road, and the potential savings to the District in avoiding these costs directly, the District proposes to accept a rooftop donation of \$800 from these owners and/or developers for the SV Parcels only. Notwithstanding this, Meritage Homes has also agreed to donate an additional \$10,000 as a lump sum amount to Wilson K-8 to be used by the school as needed once the parties sign a Donation Agreement.

IV. Plan for Transition of Glover Road

Jim Burns, Executive Manager of Operational Support, and the Associate to the Superintendent (undersigned) have reviewed the necessary documents and met with the Town of Oro Valley as well as representatives of the SV Parcels owners, Meritage Homes and Pulte Homes to discuss the proposed transition plan for Glover Road. The attached email from Paul Keesler, Oro Valley Town Planner, confirms that the Town will accept a dedication from Amphitheater Unified School District through a Quit Claim Deed of the designated area. The Quit Claim Deed will dedicate the following area currently owned by Amphitheater Unified School District to the Town of Oro Valley:

The South 45.00 feet of the East Half of the Southwest Quarter (SW 1\4) of the Northeast Quarter (NE 1\4) of Section 4, Township 12 South, Range 13 East, Gila and Salt River Meridian, Pima County, Arizona.

Together with the South 45.00 feet of the South half of the Southeast Quarter (SE 1\4) of the Northeast Quarter (NE 1\4) said Section 4;

Except the East 30.00 feet thereof;

Also together with the following described parcel;

The North 35.00 feet of the West 60.00 feet of the East 214.73 feet and the North 30.00 feet of the East 154.73 feet of the Northeast Quarter (NE 1\4) of the Southeast Quarter (SE 1\4) of said Section 4;

Except the East 30.00 feet thereof.

V. Easements to be Abandoned as Part of the Transition

The District also owns two easements (Pima County Recorder’s Office at Docket 10146, Pgs. 885 and 897) across the SV Parcels that the District is being requested to abandon as part of this Glover Road transition. The proposed Abandonment of Easements are attached. These easements are for slope and water drainage onto the SV Parcels. Once the Town accepts the Proposed Public Glover Road, the easements will no longer be necessary because the plans approved for the Saguaro Viejos Phase I and Phase II and the Proposed Public Glover Road will re-route the water appropriately through the new water culverts. Therefore, these two easements can be abandoned without potential future consequence. New easements to handle the proposed drainage design will be granted on the south side by the developers consistent with the plan conditionally approved by the Town.

The developers initially requested the District to abandon a third easement for a water line across the SV Parcels. However, the developers notified the District that they have since reached an agreement with Town that this easement, which was for a water line with Tucson Water, does not need to be abandoned by the District.

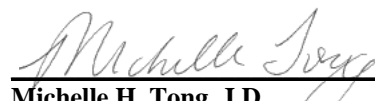
VI. Authorizations Needed for District Personnel to Complete the Transaction

Because this is a real estate transaction, it is recommended that the Board approve a Resolution authorizing the Associate to the Superintendent to execute the Quit Claim Deed, necessary papers to abandon the two slope and drainage easements identified above, and other documents as needed to dedicate the District’s interests in the Proposed Public Glover Road to the Town of Oro Valley. The Resolution should also authorize the Associate to the Superintendent to execute a Donation Agreement under Policy KJLA, similar in form to the attached agreement, with the SV Parcels owners and/or developers to finalize the \$800 rooftop contribution and \$10,000 lump sum donation to the Wilson K-8 school as part of the Glover Road transition.

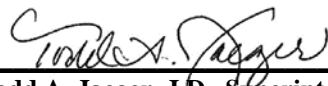
RECOMMENDATION:

Administration recommends that the Board approve a Resolution authorizing: (1) the “Quit Claim Deed” to the Town of Oro Valley; (2) abandonment of the above-identified slope and drainage easements; (3) execution of a Donation Agreement similar in terms to that set forth above with the SV Parcels owners and/or developers; and (4) permitting the Associate to the Superintendent to execute all necessary documents to effect the transition of Glover Road to the Town of Oro Valley under the conditions set forth above.

INITIATED BY:


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

Date: January 27, 2019


Todd A. Jaeger, J.D., Superintendent