



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

---

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

**TITLE:**        **Approval of Perpetual Easement to Oro Valley Water Utility for Driveway and Water System Maintenance on District-Owned Real Property**

---

**BACKGROUND:** Oro Valley Water Utility seeks a perpetual easement on District-owned real property located in Rancho Vistoso Neighborhood No. 5 to permit it to access a water system located on property adjacent to the District's property. Oro Valley Water Utility's well and water system in Rancho Vistoso Neighborhood No. 5 are not accessible from the proposed N. Moore Road Loop that is being constructed. Oro Valley Water Utility currently holds an easement on the District's property that permits it to access to the well through the District's property. With zoning changes made recently to permit Pulte Homes to construct homes in the area, Oro Valley Water Utility now seeks to widen the current easement at its connection with the new N. Moore Road Loop to align the existing easement with the new N. Moore Road Loop.

This easement permits Oro Valley Water Utility to make improvements on the District's property such as a driveway for wellsite access and to make water system improvements, including, but not limited to, the addition of a pressure release valve to benefit the Oro Valley Water Utility and its customers. Per the zoning conditions, the construction on the District's property will be completed by Pulte Homes who is building on property adjacent to the District's property and who agreed as part of the zoning conditions to complete this construction for Oro Valley Water Utility. Concurrent with this Board Agenda Item, the Board has been presented with a proposed temporary construction easement to Pulte Homes for this purpose.

This proposed easement satisfies zoning conditions previously approved by the Town of Oro Valley. If approved by the Board, the proposed easement will restrict the District's immediate or future use of the property. However, the restriction does not appear to impede the District's future use of the property as a school site significantly since it merely adds to an existing well access easement that is already in place in order to connect that easement to the road.

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.

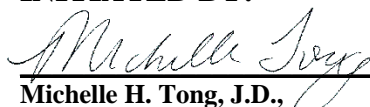
---

**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.

---

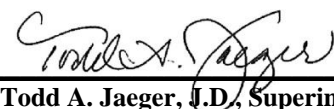
**INITIATED BY:**



---

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

**Date: September 3, 2019**

  
**Todd A. Jaeger, J.D., Superintendent**