



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

DATE: November 21, 2017

TO: Board of Supervisors

THRU: Karen Riggs, Director

FROM: Teresa Murphy, Right-of-Way Agent

SUBJECT: Abandonment of certain easements in Palominas Ranches

Recommendation: This department recommends adoption of the accompanying resolution to abandon any interest the County may have in certain public easements, as depicted in the survey entitled Palominas Ranches Unit I, and described in Exhibit "A".

Background (Brief): The applicant, Bryan and Nataliya Veal, have requested the public easements on the west and south boundary of their parcel, 104-74-004, be abandoned in order to fence the parcel for cattle. The Veal's own the parcel to the west and had previously abandoned easements created under the same survey in order to run cattle. Perimeter easements for access and utilities were dedicated to the public in the survey entitled Palominas Ranches Unit I and recorded in Book 2, of Surveys, page 31. The applicant was directed to contact the surrounding parcel owners for comments. They received one response in favor and 3 in opposition to the abandonment. The opposed parcel owners have concerns about access to their parcels being cutoff rendering their land worthless. This abandonment request doesn't follow the normal procedure of abandoning the entire length and width of a designated right-of-way, only of the North 30 feet of the 60-foot-wide easement would be abandoned, leaving a 30-foot-wide easement along the north side of their parcels. The easement has not been developed into a road and doing so would require crossing a large wash to access parcels that have alternate legal access from the South.

The applicant was also instructed to contact local utilities and affected agencies. There was no opposition.

The County Transportation Planner has no opposition to the abandonment.

Staff has given notice of this public hearing for fifteen (15) days prior to the date of said hearing in the designated newspaper.

Fiscal Impact & Funding Sources: Not applicable.

Next Steps/Action Items/Follow-up: If the abandonment is approved, no further Board action is required. Upon recording of the resolution, staff will forward copies to the applicant.

Impact of Not Approving: Public easements created by the plat of that Report of Survey, known as Palominas Ranches Unit I will not be abandoned.