



Cochise County
Community Development
Highway and Floodplain Division

Public Programs...Personal Service
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MEMORANDUM

Date: August 2, 2017
To: Teresa Murphy, Right- of-Way Agent
From: Dennis L. Donovan, P.E.
for Karen L. Lamberton, AICP, County Transportation Planner
Subject: Abandonment of Easements Within Palominas Ranches / Parcel # 104-74-004

The Applicants, Bryan & Nataliya Veal, own vacant Parcel (#104-74-004) upon which the easements exist that are the subject of the abandonment request. The Applicants also own the adjacent Parcel #104-80-004A immediately to the west upon which a residence and out-buildings exist. The stated goal is for the County to vacate the existing easements so that the entire 70 plus or minus acres of their contiguous properties can be fenced for cattle.

The property is located on the south side of E. Clinton Ln and the west side of S. Boulder Monument Rd. within an approximately 1.5 square mile assortment of land which was platted in 1980 and recorded in 1983 in Cochise County as Palominas Ranches Unit 1. Parcel 104-74-004 is Lot 17 of that 40 acre parcel land split. Parcel 104-80-004A is the approximately northerly 2/3rd of Lot 16.

A field visit was conducted during the rainy afternoon of July 26th and photos were taken during the drive which are on file at the County. For said field visit, roadway access to the site initially was along County maintained S. Smith Ave. south from State Highway 92 to Clinton Ln. Beyond the cluster of mail boxes at that location, Clinton Ln. and all of the remaining roadway system in the area is **not** County maintained.

Clinton Ln. jogs west and the south ¼ mile on each leg and then extends westerly for about 1.75 miles. The subject parcels front on Clinton from ½ to 1 mile west of the southerly jog. The road itself is a rough, but passable private roadway, as is S. Border Monument Rd. that extends southerly along the east line of Parcel 104-74-004.

A rather large overhead electric power line extends east to west along the south side of the dirt road that constitutes Clinton Ln. throughout the one-half mile of frontage of the Veal's property. An existing fence extends southerly from Clinton along the common property line

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

between the two parcels owned by the Applicant. The west side of the common parcel line has already had the 50 feet of easement vacated by separate action. The County's GIST aerial and multi-layered informational tool was observed, and there is no apparent access nor utility uses utilizing the westerly 50 feet or the southerly 30 feet of Parcel #104-74-004.

Access to undeveloped Parcel 104-74-008D was considered as a potential issue due to the requested abandonment of the southerly 30 feet of the Applicant's property. The County information shows E. Livvy Rd in that alignment currently providing access to parcels to the east of S. Border Monument Rd. If Livvy Rd. were to be extended to the west as one option for access to the undeveloped parcel, it would soon run into a significant desert wash and floodplain.

It is a much better option for the referenced parcel to obtain access from the south along E. Mojave Greenway Rd. and either across Parcel 104-74-008E or along the 50 foot easement existing on the west side of Lot 21, Palominas Ranches, Unit 1.

The existing zoning on both parcels subject to the easement abandonment is RU4, and if the approximately 70 acres were to develop, alternate interior access and utility corridors would need to be created at that time. Accordingly, the Transportation Planning Division has no objection to Cochise County's granting the Applicant's wish and abandoning the requested easements.