



Development Services

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MEMORANDUM

TO: Cochise County Board of Supervisors
FROM: Matthew Taylor, AICP, Planning Manager
FOR: Sharon Gilman, County Administrator
THROUGH: Christine McLachlan, AICP, Development Services Director
SUBJECT: SUB24-03 (Buena Vista Ranchettes Plat Abandonment)
DATE: February 24, 2026

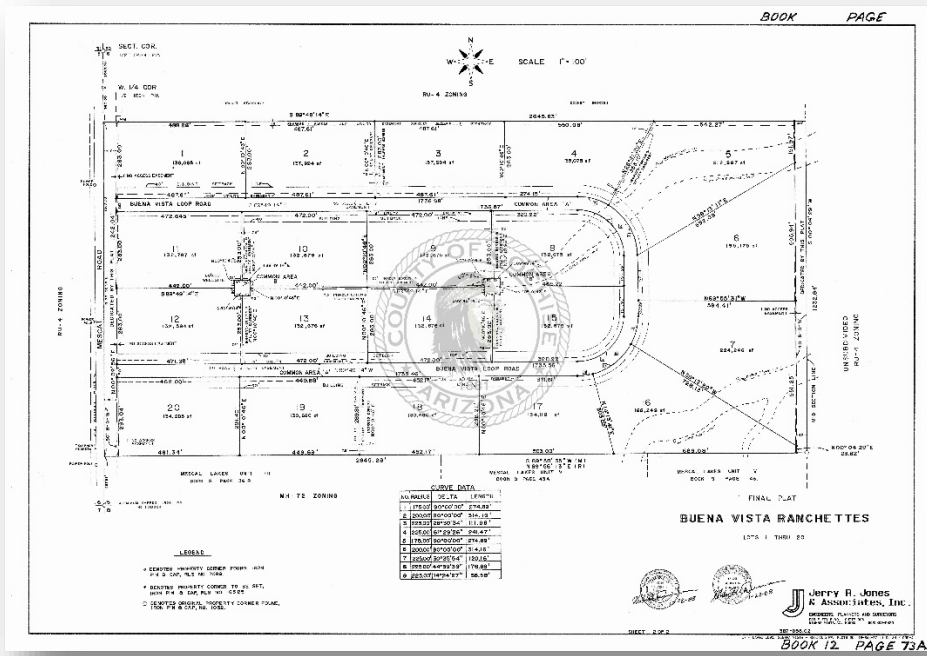
REQUEST FOR ABANDONMENT

The County received a request to abandon Buena Vista Ranchettes subdivision (Book 12, Page 73 and 73A) and vacate the accompanying assurance agreement (Document ID 1988-05293). This undeveloped subdivision consists of 20 lots encompassing approximately 73.8 acres along N. Mescal Road west of Benson. Multiple property owners (see application signature page) request abandonment to revert the property back to its original configuration followed by a series of lot combinations to consolidate ownership.

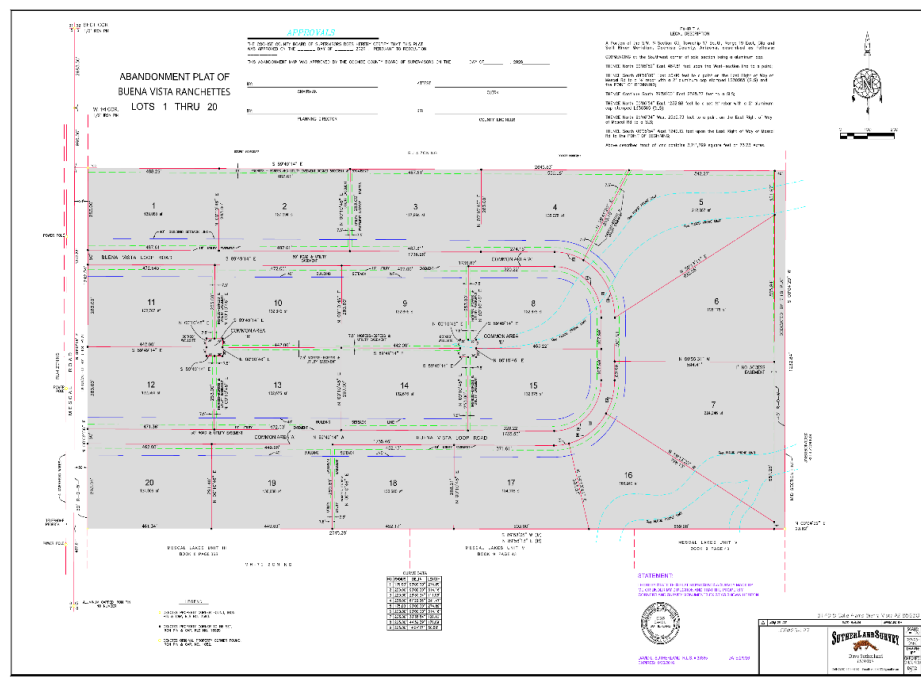
LOCATION



BUENA VISTA RANCHETTES PLAT (1988)



ABANDONMENT PLAT (2025)



ASSURANCE AGREEMENTS

Assurance agreements (third party trust agreements) are the most commonly used method of providing assurances for associated subdivision improvements, ensuring required infrastructure is in place for developed lots (power, water, sewer, etc.).

1. These agreements are included with final plat review and recorded with or subsequent to an approved subdivision plat.
2. Title to the subdivided property is placed in trust with a third-party escrow agency or trust company authorized to do business in the State of Arizona along with an agreement between the trustee and the County that title to any lot or parcel within the subdivision will not be transferred until written approval is given by the County for the release or partial release of property held in trust. The County will not authorize any such release until the necessary improvements have been completed.
3. Agreements must contain an accurate legal description of the subdivision.
4. Improvements unique to the subdivision are typically listed in an attached exhibit.
5. The agreement must be recorded at the time of final plat recordation.

The Agreement, effective March 7, 1988, bound Fidelity National Title Agency, Inc. (Trustee) from conveying individual lots within the subdivision without prior approval of the County. Required improvements were identified in attached Exhibit A of the Agreement and this reference is crossed out. Exhibit A is not included with the recorded Agreement. However, required dedications along Mescal Road (50') and Cherokee Trail (40') along with a 15' pre-existing access and utility easement along the north property lines of lots 1 through 5 were dedicated and are preserved with the abandonment plat.

The Agreement also contains an abandonment and reversion provision, requiring the Trustee to petition the County three (3) years from the Agreement date to "petition the County to abandon remaining portions of the subdivision for which written approval to transfer, lease or convey has not been received, so that the remaining portions of the subdivision shall revert to undeveloped property." The Trustee identifies Cochise County as the "agent" to institute abandonment proceedings for any remaining, undeveloped portions of the property.

The subdivision was later sold at public auction on October 11, 1991 (Document ID 1991-20820), and lots within the subdivision boundary are now owned by multiple owners through a series of warranty and quit claim deeds beginning in 2021. This subdivision has no discernable infrastructure and no individual lots have been developed. In addition to the 20 platted lots, Buena Vista Loop Road and Common Areas A and B were combined into a single tax parcel and sold.

SUMMARY AND CONCLUSION

This is a request to abandon an approved and recorded subdivision plat that encompasses a site area of about 73.8 acres. Buena Vista Subdivision was platted in 1988 and has remained absent infrastructure and residential development.

FACTORS IN FAVOR OF APPROVAL

1. Section 4.21.040 of the Subdivision Regulations identifies the legal requirements plat abandonments. The applicant has filed an official application requesting abandonment and all property owners have signed supplemental application forms.

FACTORS AGAINST APPROVAL

1. Planned subdivision growth ensures that there is adequate utilities and infrastructure in place prior to development. In general, it promotes a more sustainable and orderly form of development.

RECOMMENDATION

Staff recommends approval of abandoning Buena Vista Ranchettes and vacating the subdivision Assurance Agreement as approved and recorded in March 1988, dissolving interior lot boundaries and returning the property to its pre-plat 73.8-acre configuration. The applicants are required to provide two sets of mylars for recording as required by County Subdivision Regulations if the abandonment is approved.
