

## REAL ESTATE SERVICES INFORMATION AND APPLICATION FORM

TO: City of Tucson Real Estate Division

Real Estate Administrator

Post Office Box 27210

Tucson, AZ. 85726-7210

As owner(s) of the real property located at \_\_\_\_\_  
\_\_\_\_\_ which has a tax parcel number of \_\_\_\_\_ and which is legally described as:

\_\_\_\_\_  
\_\_\_\_\_ the  
undersigned does hereby make application for:

- the vacation and sale of right-of-way
- the abandonment of the City's interest in easement(s)
- the City's grant of easement(s)
- (other)

The specific action requested is detailed as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (legal  
descriptions, drawings, copies of vesting deeds and a title insurance policy are attached).

The proposed use of the subject property is: \_\_\_\_\_

This application is made subject to the following terms and conditions:

- The City will circularize this request to City, County and utility company staff for comments.
- The comments received in the circularization process may become conditions/requirements placed on this request, any such conditions/requirements shall be addressed by the undersigned.
- The City will prepare and provide the undersigned the appropriate Release and Consent forms.
- The undersigned must provide signed Release and Consents from all affected property owners.

- The enclosed check/money order made payable to the City of Tucson in the amount of \$200.00 is submitted as a non-refundable application fee, regardless of the final outcome of this request.
- The City is not responsible for real estate commissions due any broker or agent for this request.
- The undersigned has received and read the attached Application Information and understands the timelines and potential conditions/requirements associated with a request of this nature.

DATE: \_\_\_\_\_

Property Owner

Address

Phone

## APPLICATION INFORMATION

Applications for Real Estate Services should be filed at the Real Estate Division, County-City Public Works Building, 201 N. Stone Avenue, 6th Floor, or mailed to City of Tucson, Real Estate Division, P.O. Box 27210, Tucson, Arizona 85726-7210, Attention: Real Estate Administrator.

The applicant should discuss its request with staff in the Real Estate Services Section prior to submitting an application. Preliminary ownership verification and feasibility of the request may be discussed as well as possible conditions/requirements that may be generated by the circularization of the request for comment by the appropriate agencies.

In requests for vacation of right-of-way, the applicant is required to obtain signed Release and Consents from any other property owners affected by the request. Evidence of title may be required for all parcels involved in the request and a site/development plan may be requested of the applicant. Occasionally, a condition/requirement of the vacation of right-of-way is the dedication by the applicant of other right-of-way needed by the City. In such cases, the applicant must obtain all signatures needed for required dedications.

In requests for abandonment of easement, only the City's interest can be abandoned through this process. If any other agency, including but not limited to Tucson Electric Power, US West Communications, Southwest Gas, Pima County Wastewater or Tucson Cablevision, have an interest in the subject easement, the applicant must pursue abandonment of each individual agency as a separate matter. Similar to the vacation of right-of-way, conditions/requirements may be made. If facilities currently exist in the easement area, abandonment is usually impossible unless applicant pays for relocation of those facilities.

In all requests for the conveyance of an interest in real property, value must be paid to the City for the property being conveyed. This value may be calculated by the City's remnant land sale process,

estimated by staff or appraised. The value is either paid in cash, takes the form of a land for land exchange, or occasionally on parcels valued over \$7,500, can be paid to the City in three annual payments.

### APPLICATION FEE

A non-refundable application fee of \$200.00 is charged for processing all real estate service requests.

### PROCEDURE

These procedures may vary slightly, depending upon the specific request. Generally, upon payment of application fee, the required Release and Consents will be prepared by City staff and given to the applicant. Signatures on Release and Consents are to be obtained by the applicant.

Staff may develop a sketch illustrating the requested action. The sketch and narrative explanation of the request will be circularized to appropriate City and County departments and utility companies for comment. If any of the utility companies have facilities or installations in the requested right-of-way, arrangements must be made for 1) relocation of the facilities or 2) reservation of easement(s) by the City to allow the facilities to remain in place. Note that in requests for the abandonment of the City's interest in utility easements, the City does not contact the utility companies or Pima County, the applicant must contact those agencies directly.

The applicant will be notified of conditions/requirements placed on the proposal by the reviewing agencies. The applicant must agree to meet said conditions/requirements or, if said conditions/requirements are not acceptable, the applicant may negotiate directly with the any review agency making conditions/requirements. A change of conditions/requirements must be confirmed in writing by the applicable review agency.

City staff will determine the applicable means of valuation. The in-house determination of value under the City's remnant sales procedure may be sufficient to establish the value of the property the applicant is seeking to acquire but certain cases require a full appraisal. Approval of the Real Estate and Appraisal Review Committee is also typically required.

The remnant sales procedure is available for use in cases where sales price is less than \$12,500. The procedure uses 120% of the assessed land value already established by the Pima County Assessor on a square foot basis to determine a minimum sale price. Approval of the Real Estate Administrator and Director of Transportation is required. Approval of the Appraisal Review Committee is additionally required for sales between \$2,501 and \$12,500. On sales up to \$7,500 the City Clerk records the signed Quitclaim Deed, as the City provides no title insurance for these sales. Sales between \$7,500 and \$12,500 require separate Mayor and Council approval and closing is usually through escrow at a title company. Title insurance plus one-half of the escrow fees, may be paid by the City in certain circumstances.

If staff determines a full appraisal is required, the Real Estate Division will coordinate and obtain an appraisal and a separate appraisal review by appraisers under contract with the City. The applicant shall be responsible to pay all appraisal costs up front. The appraisal costs paid by the applicant may be credited toward the purchase price if the sale of the real estate interest closes escrow within one year. If the sale does not proceed to closing, the appraisal costs are non-refundable. If appraisal costs exceed the

value of the right-of-way, the difference is non-refundable. Staff will schedule final approval of the purchase price by the Real Estate and Appraisal Review Committee.

**NOTE:** Where a request for the vacation and sale of right-of-way is due to encroachment into the right-of-way, the appraisal costs will not be deducted from the purchase price. The applicant may also be required to reimburse the City for staff time spent on investigation, inspection, survey of encroachment or preparation of an “estimate of value” for right-of-way to be vacated in cases of minor encroachments where a full appraisal may not be required.

A formal agreement and the conveyance documents will be prepared by City staff and provided to the applicant. Signatures on any required documents are to be obtained by the applicant. Any right-of-way dedication must be free and clear of monetary encumbrances. Once the signed documents are returned, staff will schedule any request with a net value above \$7,500 for Mayor and Council consideration.

The estimated time for completion of the above-described procedure ranges from 30 to 180 days. As previously mentioned, procedures may vary slightly depending upon the type of request and specific action required. Use this information as a guide and be prepared to provide staff with information on a timely basis to avoid additional steps and or delays.

If additional information is desired, please call the Real Estate Service Section at (520) 791-4181.