

C. Ratification of Resolution No. 2023-034 Correcting the Legal Description Contained in the Tortolita Mountain Estates Annexation, Approved by the Board on August 22, 2023; the Property is Located as Described in Pima County Sequence Number 20230400067 and is North of Tangerine Road and East of Dove Mountain Boulevard in Marana, Pima County, Arizona



**Northwest Fire District
Governing Board**
13535 North Marana Main Street
Marana, Arizona

SCHEDULED

MEMORANDUM NO. 24-0714

Date: February 27, 2024
To: Governing Board
From: Samantha Beal, Administrative Assistant
Division: Administration Services
Type of Action: Formal Action/Motion
Strategic Plan Goals: Create greater financial efficiencies and ensure financial sustainability and responsibility
Agenda Item: Ratification of Resolution No. 2023-034 Correcting the Legal Description Contained in the Tortolita Mountain Estates Annexation, Approved by the Board on August 22, 2023; the Property is Located as Described in Pima County Sequence Number 20230400067 and is North of Tangerine Road and East of Dove Mountain Boulevard in Marana, Pima County, Arizona

RECOMMENDATION:

Ratify Resolution No. 2023-034 correcting the scrivener's error to the legal description.

MOTION:

Move to ratify Resolution No. 2023-034 correcting the legal description contained in the Tortolita Mountain Estates Annexation, approved by the Board on August 22, 2023.

DISCUSSION:

A scrivener's error was made to the legal description contained in Resolution No. 2023-034 which was approved by the Board on August 22, 2023. This action will allow for correction of the error and completion of the annexation process.

ALTERNATIVES:

Do not ratify; not recommended.

Fiscal Impact

FISCAL YEAR: 23/24

BUDGETED Y/N: No

AMOUNT REQUESTED: N/A

FISCAL IMPACT:

The property is undergoing a parcel reconfiguration by the Pima County Assessor's Office which makes estimated valuation difficult at this time. Based upon past annexations of new home developments in this area, the annexation is expected to contribute considerable revenue once developed and will not require any additional resources.

Attachments

Res. No. 2023-034
Exhibit A
Revised Legal Description
Annexation Letter

When recorded, mail to:
Northwest Fire District
13535 N Marana Main St.
Marana, Az 85653

RESOLUTION NO. 2023-034
THE TITLE SECURITY TORTOLITA MOUNTAIN ESTATES LOTS 1-81 AND
COMMON AREA A AND B ANNEXATION

A RESOLUTION AUTHORIZING THE AMENDMENT OF THE NORTHWEST FIRE DISTRICT'S BOUNDARIES TO INCLUDE LAND WITHIN PIMA COUNTY AND CONTIGUOUS TO THE BOUNDARIES OF THE NORTHWEST FIRE DISTRICT AFTER WRITTEN REQUEST BY THE PROPERTY OWNER IN ACCORDANCE WITH A.R.S. § 48-262 (I)

WHEREAS, on August 9, 2023, Title Security Agency LLC, a Delaware Limited Liability Company, FKA Title Security Agency of Arizona, LLC as Trustee under Trust No. 201527R, and not otherwise, owner of the real property located in Pima County, Arizona, requested in writing that the Northwest Fire District Governing Board amend the District's boundaries to include the properties, more particularly described on Exhibit A, attached hereto and incorporated herein by this reference [the "Property"]; and

WHEREAS, the Properties are located within Pima County and is contiguous to the boundaries of Northwest Fire District, as shown on the map and legal description, also attached hereto as Exhibit A; and

WHEREAS, the Properties are included within the corporate boundaries of the Town of Marana, and the Town has approved inclusion of the Property within the boundaries of the Northwest Fire District, pursuant to Town of Marana Resolution No. 2004-133; and

WHEREAS, the Northwest Fire District has determined that inclusion of the Properties within the boundaries of the Northwest Fire District will benefit the Northwest Fire District, the Property Owner, and the District's residents.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Northwest Fire District hereby orders the following:

The boundaries of Northwest Fire District are hereby amended to include the Properties described as set forth on the attached Exhibit A.

PASSED and ADOPTED by the Governing Board of the Northwest Fire District at a duly noticed meeting held on April 25, 2023, by a majority of a quorum of the Governing Board Members.

George Carter
Board Chair

ATTEST:

APPROVED AS TO FORM:

Peg Green
Clerk of the Board

Thomas Benavidez
District Attorney

EXHIBIT "A"
[Maps & Legal Descriptions]

EXHIBIT A

Depiction of the Property

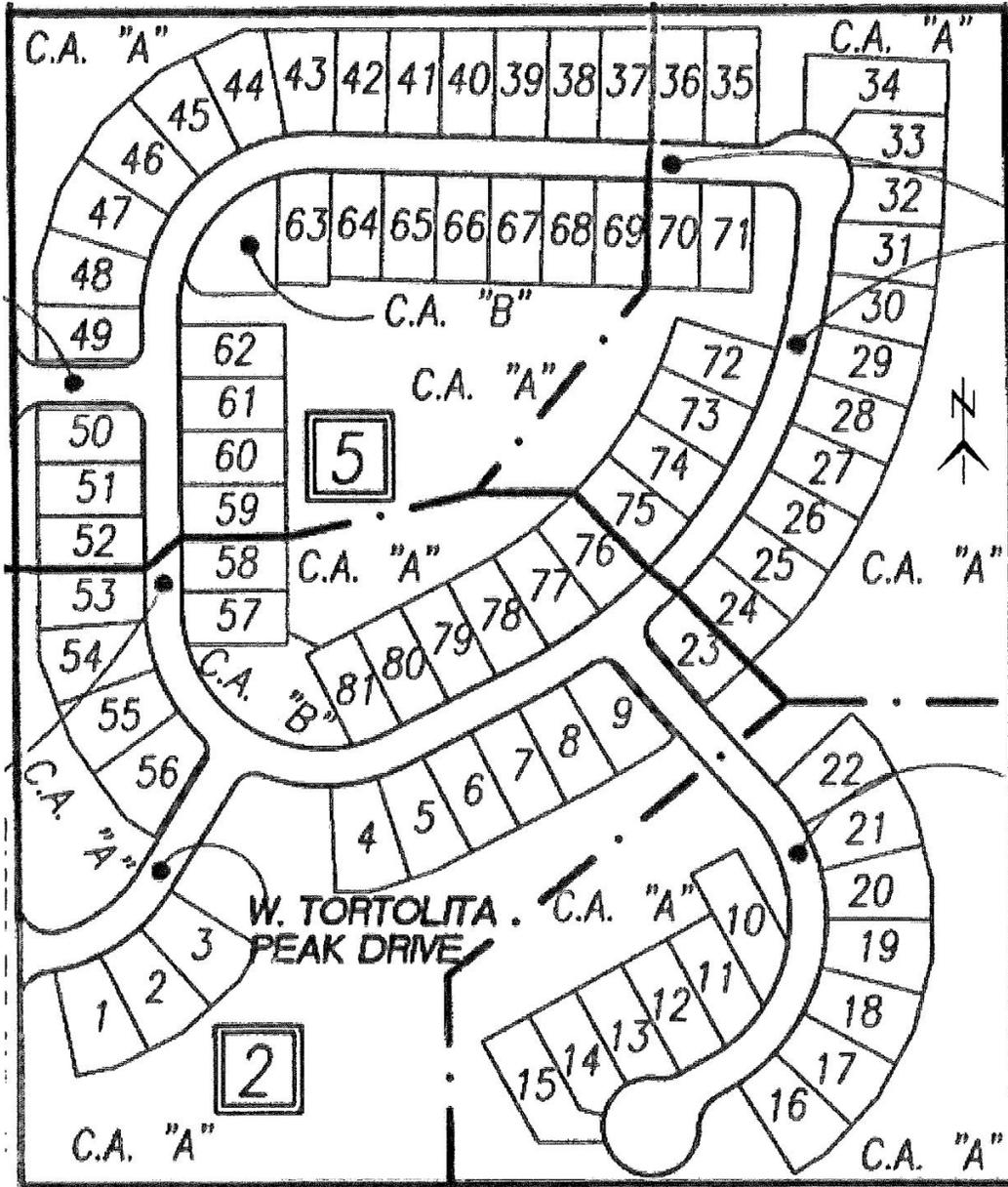


EXHIBIT "A"

[PROPERTY DESCRIPTION]

LEGAL: Lots 1-81, Common Areas "A" and "B" and Right of ways, of the Final Plat for Tortolita Mountain Estates, a subdivision of Pima County, Arizona, According to the map or plat thereof of record in Sequence No. 20230400067

August 9th, 2023

Mr. George Carter, Chairman
Northwest Fire District Board
13535 N. Marana Main Street
Marana, AZ 85653

RE: The Title Security Tortolita Mountain Estates Annexation

Dear Chairman Carter:

Title Security Agency, LLC, a Delaware limited liability company, fka Title Security Agency of Arizona, LLC, as Trustee under Trust No. 201527R, and not otherwise (the "Trust"), is the owner of the property legally described as Lots 1-81, inclusive, and Common Areas "A" and "B", of the Final Plat for Tortolita Mountain Estates, a subdivision of Pima County, Arizona, according to the map or plat thereof of record in Sequence No. 20230400067 in the Office of the County Recorder, Pima County, Arizona, and as generally depicted on Exhibit A, attached hereto and incorporated herein by this reference (the "Property"). By this letter, with my signature affixed below, and pursuant to A.R.S. section 48-262(1), I, Scott Goddard, the trust officer of the Trust, expressly request that the Northwest Fire District forthwith amend its boundaries to include the Property.

Sincerely,

Title Security Agency, LLC, a Delaware limited liability company, FKA Title Security Agency of Arizona, LLC, as Trustee under Trust No. 201527R, and not otherwise

By: [Signature]
Signature

Its: Trust Officer

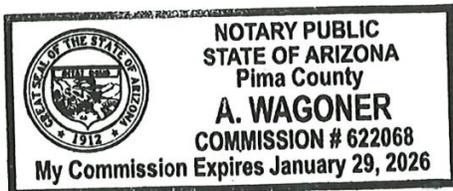
Printed Name: Scott Goddard

State of Arizona

ss.

County of Pima

On this, the 7 day of August, 2023, before me, the undersigned Notary Public personally appeared Scott Goddard, who acknowledged himself/herself to be the Trust Officer of Title Security Agency, LLC, a Delaware limited liability company, FKA Title Security Agency of Arizona, LLC, as Trustee under Trust No. 201527R, and not otherwise, as authorized signatory, that as such officer being authorized so to do, executed the foregoing instrument for the purposes therein contained.



[Signature]
Notary Public
My Commission Expires: 1/29/26