

**ARIZONA STATE LAND DEPARTMENT
BOARD OF APPEALS AGENDA
FINAL**

Thursday, February 11, 2021

**Location: Arizona State Land Department
1616 West Adams Street, Room 321
Phoenix, AZ 85007**

Pursuant to Arizona Revised Statutes (A.R.S.) § 38-431.02, notice is hereby given to the members of the Arizona State Land Department Board of Appeals and to the public that the Board will hold a meeting open to the public on Thursday, February 11, 2021 at 9:00 a.m. at the Arizona State Land Department, 1616 West Adams Street, Room 321, Phoenix, AZ 85007.

DUE TO THE CURRENT COVID-19 CRISIS AND, PURSUANT TO CURRENT RECOMMENDATIONS, IT IS ENCOURAGED THAT ANY PERSON WHO WISHES TO ATTEND THE MEETING DO SO BY PARTICIPATING VIA TELECONFERENCE CALL. A PERSON WISHING TO PARTICIPATE VIA TELECONFERENCE CALL MAY DO SO BY CALLING 1-559-556-0569 AND ENTERING PIN: 437 393 660#

The agenda for this meeting follows. Any amendments or additions to the agenda will be made available at least twenty-four (24) hours prior to the meeting. The Board may discuss, deliberate, or vote on any item listed on the agenda. Pursuant to A.R.S. § 38-431.03(A)(3), the Board may vote to hold an executive session for consultation with its attorney for legal advice concerning any item on the agenda. Executive sessions are not open to the public. Except for matters listed for a specific time, the Board may take any item on the agenda out of order. Members of the Board may appear by telephone.

Pursuant to Title II of the Americans with Disabilities Act (ADA), the Board will not discriminate on the basis of disability in admission to and observation of its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the ADA Coordinator at (602) 542-2629 to make their needs known. Requests should be made as early as possible to allow time to arrange the accommodation.

I. CALL TO ORDER

Roll call

II. MINUTES

Approval of January 21, 2021 Minutes

III. REPORT BY LAND DEPARTMENT STAFF

A. Report by Land Department staff and discussion by the Board regarding recent and future land auctions (See attached list) *

B. Future Board Agenda Items

IV. REAL ESTATE AND RIGHTS OF WAY/MINERAL DIVISIONS

Review, discussion, & possible legal action regarding the following:

- A. Rights of Way & Commercial Leases-Short Term (for periods 10 years or less) on Consent Agenda (See attached) *
- B. Commercial Leases-Long Term-for periods longer than 10 years (See attached) *
- C. Land Sales (See attached) *

* Please note: The attachment with a detailed listing of agenda items I, II, and III will be available in the Board Clerk's office after February 1, 2021 or at least twenty-four (24) hours prior to the scheduled meeting.

V. BOARD APPEALS

None

VI. OTHER BUSINESS

A. Arrangements for Future Meetings:

<u>Date</u>	<u>Location</u>
March 11, 2021	Pending
April 8, 2021	Pending
May 13, 2021	Pending

B. Schedule of Pending Appeals:

None

C. Discussion and possible action regarding Board of Appeals Member Per Diem Compensation and Travel Reimbursement policy

VII. EXECUTIVE SESSION

The Board may vote to go into Executive Session on any of the above agenda items for legal advice from its attorney, pursuant to A.R.S. § 38-431.03(A)(3).

VIII. BOARD ADJOURNS

STATE LAND DEPARTMENT
BOARD OF APPEALS

Trinity Perlberg

Trinity Perlberg, Clerk to the Board
1616 West Adams Street, Room 152
Phoenix, AZ 85007
Telephone: 602-542-2505

ARIZONA STATE LAND DEPARTMENT
BOARD OF APPEALS
MINUTES – January 21, 2021

The regular meeting of the Arizona State Land Department Board of Appeals (the “Board”) was held on Thursday, January 21, 2021, at the Arizona State Land Department (the “Department”), 1616 W. Adams Street, Conference Room 321, Phoenix, Arizona. The meeting convened at 9:00 a.m.

I. CALL TO ORDER

The following Board Member(s) were present:

Norman Chappell – Chairperson (appeared telephonically)
Richard Cole- Vice-Chairperson (appeared telephonically)
Keri Silvyn – Member (appeared telephonically)
Travis Bard – Member (appeared telephonically)
Bruce Francis- Member (appeared telephonically)

Deanie Reh, Assistant Attorney General, Public Law Section of the Office of the Attorney General, advised the Board telephonically.

David Jacobs, Assistant Attorney General, Section Chief of the Natural Resources Section of the Office of the Attorney General, advised the State Land Department telephonically.

II. APPROVAL OF MINUTES

Mr. Bard made a Motion to approve the December 10, 2020 Minutes. Vice-Chairman Cole seconded the Motion. Chairman Chappell, Vice-Chairman Cole, and Board Members, Mr. Bard, Ms. Silvyn, and Mr. Francis voted to approve the Motion. The Motion passed unanimously.

III. REPORT BY LAND DEPARTMENT STAFF

Jim Perry, Deputy Commissioner, provided the report for the Department to the Board. His began his report stating that the Department has held 6 auctions within the last month with sales totaling approximately \$127,000,000.00. He discussed the three upcoming auctions scheduled in March. Those sales include the following:

1) Sales Application No. 53-121775 Per Commissioner’s Initiative. Appraised value of \$53,930,000.00 for 219.05 acres located in Maricopa County.

2) Sales Application No. 53-119692 and Right of Ways Nos. 16-121599 and 16-121600 Per Commissioner’s Initiative. Appraised value of \$18,800,000.00 for a total acreage of 166.587 acres located in Maricopa County.

3) Sales Application No. 53-121019 Tucson Trap and Skeet Club. Appraised value of \$222,000.00 for 67.870 (net) acres located in Pima County.

He concluded his report by thanking the Board for allowing late submissions of item information and that there will be two items presented that were presented previously. They did not make the 180-day auction deadline. Those items are Sales Application Nos. 53-121916 Per Commissioner's Initiative and 53-121917 Per Commissioner's Initiative. They were presented at today's meeting by Joe Charles, Sales and Commercial Leasing Administrator.

IV. REAL ESTATE DIVISION AGENDA

The Board approved the following, except where noted otherwise:

Right of Ways – 4
Commercial Leases – New- None
Commercial Leases – Renewals- 3
Commercial Leases – Amendments- None
Commercial Leases – Urban - None
Commercial Leases – Others- 2
Land Sales – Urban – None
Land Sales – Other – 2

A. CONSENT AGENDA

Vice-Chairman Cole made a Motion to approve Consent Agenda Item Nos. 1 thru 7. Ms. Silvyn seconded the Motion. Chairman Chappell, Vice-Chairman Cole, and Board Members, Mr. Bard, Ms. Silvyn, and Mr. Francis voted to approve the Motion. The Motion passed unanimously.

RIGHTS OF WAY

- | | | |
|----|-----------------------------|--|
| 1. | <u>14-096399</u> | <u>Sulphur Springs Valley Electric Cooperative, Inc.</u> |
| | Purpose: | Overhead 14.4kV electric distribution line |
| | Legal Description: | M&B thru SESESENW, Section 21, Township 22 South, Range 21 East, Cochise County, Arizona |
| | Value per Acre: | \$81,975.00 |
| | Total Acreage: | 0.035 |
| | Intensity of Use: | 50% |
| | Term Factor: | 0.83649 (19 years) |
| | Term: | Remainder of term- thru 4/23/2039 |
| | Cost of Right of Way: | \$1,200.00 |
| | Total Cost of Right of Way: | \$1,200.00 (min.) |
| 2. | <u>14-120894</u> | <u>D.R. Horton Inc.</u> |
| | Purpose: | Drainage channel |

Legal Description: M&B thru Tract 1 Block 1 of State Plat 24 AMD
Value per Acre: \$375,000.00
Total Acreage: 0.867
Intensity of Use: 85%
Term Factor: 0.94269
Term: 30 years (single pay)
Cost of Right of Way: \$260,518.27

Total Cost of Right of Way: \$260,518.00 (r)

3. 14-121335 El Paso Natural Gas Co. LLC
Purpose No. 1: Underground 20" natural gas transmission pipeline
Legal Description: M&B thru E2SW (3.198 acres); M&B thru Lot 5 (1.594 acres); M&B thru SENW (1.244 acres); and M&B thru Lot 7 (0.361 acres), Section 3, Township 16 North, Range 21 West, Mohave County, Arizona
Value per Acre: \$1,336.00
Total Acreage: 6.397
Intensity of Use: 80%
Term Factor: 0.61446
Term: 50 years with 10 year pays
Cost of Right of Way- Purpose No. 1: \$4,201.13

Purpose No. 2: Underground 20" natural gas transmission pipeline
Legal Description: M&B thru Lot 7, Section 10, Township 16 North, Range 21 West, Mohave County, Arizona
Value per Acre: \$1,430.00
Total Acreage: 0.643
Intensity of Use: 80%
Term Factor: 0.61446
Term: 50 years with 10 year pays
Cost of Right of Way- Purpose No. 2: \$451.99

Purpose No. 3: Underground 20" natural gas transmission pipeline
Legal Description: M&B thru E2NE, Section 21, Township 17 North, Range 21 West, Mohave County, Arizona
Value per Acre: \$1,375.00
Total Acreage: 4.587
Intensity of Use: 80%
Term Factor: 0.61446
Term: 50 years with 10 year pays
Cost of Right of Way- Purpose No. 3: \$3,100.38

Purpose No. 4: Underground 20" natural gas transmission pipeline
Legal Description: M&B thru N2NW (1.574 acres); M&B thru Lot 8 (1.565 acres); M&B thru SENW (1.574 acres); and M&B thru

NESW (1.564 acres), Section 27, Township 17 North,
Range 21 West, Mohave County, Arizona

Value per Acre: \$1,257.00
Total Acreage: 6.277
Intensity of Use: 80%
Term Factor: 0.61446
Term: 50 years with 10 year pays
Cost of Right of Way- Purpose No. 4: \$3,878.56

Purpose No. 5: Underground 20" natural gas transmission pipeline
Legal Description: M&B thru W2NE (3.098 acres); M&B thru W2SE (3.097 acres), Section 34, Township 17 North, Range 21 West, Mohave County, Arizona

Value per Acre: \$1,100.00
Total Acreage: 6.195
Intensity of Use: 80%
Term Factor: 0.61446
Term: 50 years with 10 year pays
Cost of Right of Way: \$3,349.79

Total Cost of Right of Way: \$14,982.00 (r)

4. 16-121401 City of Mesa
Purpose: Public road
Legal Description: M&B thru Lot 1 E2E2SENE E2E2SE, Section 2, Township 2 South, Range 7 East, Maricopa County, Arizona
- Value per Acre: \$109,688.00
Total Acreage: 2.722
Intensity of Use: 99%
Term Factor: 1.000
Term: Perpetual
Cost of Right of Way: \$295,585.03
- Total Cost of Right of Way: \$295,585.00 (r)

COMMERCIAL LEASING SECTION- SHORT TERM

COMMERCIAL LEASES - SHORT TERM- NEW

None

COMMERCIAL LEASES - SHORT TERM- RENEWAL

5. 03-088530 K Storage Inc.
Legal Description: Section 1, Township 10 North, Range 19 West, La Paz County, Arizona

- Purpose: Boat storage rental facility
Acres: .85
Appraised Rent: Years 1-5: \$4,976.00; Years 6-10 (beginning 11/30/22) \$5,500.00
Term: 10 Year(s), Commencing November 30, 2017 and Terminating November 29, 2027
Comments: Site accessed via public roadway. Lease should be appraised at next renewal. Removing CPI from lease.
6. 03-095250 K Storage Inc.
Legal Description: Section 1, Township 10 North, Range 19 West, La Paz County, Arizona
Purpose: Commercial storage
Acres: 1.64
Appraised Rent: Year 1: \$28,823.39, Year 2: \$29,651.07, Year 3: \$30,139.86, Year 4: \$30,139.86, Year 5: \$30,139.86, Year(s) 6-8: \$31,000.00, Year(s) 9-10: \$31,500.00
Term: 10 Year(s), Commencing December 16, 2017 and Terminating December 15, 2027
Comments: Site accessed via public roadway. Lease should be appraised at next renewal. Removing CPI from lease.
7. 03-105002 City of Coolidge
Legal Description: M&B in N2SWSE, Section 4, Township 6 South, Range 9 East, Pinal County, Arizona
Purpose: Skydiving facility
Acres: 5
Appraised Rent: Year(s) 1-10: \$2,400.00
Term: 10 Year(s), Commencing March 7, 2014 and Terminating March 6, 2024
Comments: Department minimum

COMMERCIAL LEASES-SHORT TERM – AMENDMENTS

None

B. COMMERCIAL LEASES - LONG TERM

COMMERCIAL LEASES - LONG TERM-URBAN PLANNING PROJECTS

None

COMMERCIAL LEASES - LONG TERM – OTHER

8. 03-120041-99 First Solar Development, LLC
Legal Description: Sections 18, 19, 20, 29, 30, and 31, Township 1 South, Range 5 West, Maricopa County, Arizona
Purpose: 150 MW Photovoltaic solar development
Acres: 1,687.51
Appraised Rent: Lease Years 1 through 5: 4% of appraised land value of the greater of \$14,300,000.00 or highest bid at auction with rent escalating at 5% in lease year 6 and every 5 years thereafter. Rent at appraised value is \$572,000.00 annually. Lessee will additionally pay a capacity fee of \$715.80 escalating at 20% per year to \$3,579.00 per megawatt annually beginning with the commercial production of electricity.
Term: 30 Years, Commencing Date of Auction and Terminating 30 years thereafter. Lessee will have four 10-year options to renew.
Comments: Jay Hulet, CCRA, State of Arizona Certified General Real Estate Appraiser, valued the property at \$14,300,000.00. The improvements are valued at \$62,300.00. The appraisal has been reviewed and meets Department standards.
9. 03-120685-99 Chirreon Energy, LLC
Legal Description: Section 36, Township 10 South, Range 13 East, Pinal County, Arizona
Purpose: 10-megawatt photovoltaic solar power plant
Acres: 99.09
Appraised Rent: Lease year(s) 1 through 30: 4% of ALV of the greater of \$700,000.00 or highest bid at auction, with rent escalating 5% in Lease Year 6 and every 5 years thereafter. Auction at appraised value is \$28,000.00 annual base rent. Lessee will pay a capacity fee of \$3,003.00 per megawatt annually beginning with the commercial production of electricity.
Term: 30 Years, Commencing Date of Auction and Terminating 30 years thereafter. Lessee will have four 10-year options to renew.
Comments: Michael J. Naifeh, MAI, CRE, State of Arizona Certified General Real Estate Appraiser, valued the property at \$700,000.00. The appraisal has been reviewed and meets Department standards.

C. LAND SALES

LAND SALES – URBAN PLANNING PROJECTS

10. 53-121916 Per Commissioner’s Initiative (PCI)
Legal Description: Township 1 South, Range 8 East, Section 31; and Township 2 South, Range 8 East, Section 6, Pinal County, Arizona
Size: 914.78 acres (859.70 net)
Value per Acre: \$100,188.00 psf (net)/\$94,089.60 psf (gross)
Total Appraised Value: \$86,130,000.00
Minimum Bid: \$86,130,000.00
Comments: Karl Baltutat, MAI, State of Arizona Certified General Real Estate Appraiser, valued the property at \$2.30 per square foot (net), for a total of \$86,130,000.00. The appraisal has been reviewed and it meets Department standards. Rights of Way applications 16-121920, 16-121921, and 16-121922 for public roadways Ironwood Road, Germann Road, and Pecos Road to be included with the sale parcel.

Joe Charles, Sales and Commercial Leasing Administrator, presented Sales Application No. 53-121916-00 Per Commissioner’s Initiative (PCI) to the Board for approval.

Mr. Bard made a Motion to approve Sales Application No. 53-121916-00 Per Commissioner’s Initiative (PCI). Mr. Francis seconded the Motion. Chairman Chappell, Vice-Chairman Cole, and Board Members, Mr. Bard, Ms. Silvyn, and Mr. Francis voted to approve the Motion. The Motion passed unanimously.

11. 53-121917 Per Commissioner’s Initiative (PCI)
Legal Description: Sections 27 and 34, Township 2 North, Range 2 West, Maricopa County, Arizona
Size: 1099.06 gross/ 1047.06 net
Value per Acre: \$121,968.00 (net)/ \$116,305.20 (gross)
Total Appraised Value: \$127,708,000.00
Minimum Bid: \$127,708,000.00
Comments: Karl Baltutat, MAI, State of Arizona Certified General Real Estate Appraiser, valued the property at \$2.80 per square foot (net), for a total of \$127,708,000.00. The appraisal has been reviewed and it meets Department standards. Land appraised unencumbered.

Joe Charles, Sales and Commercial Leasing Administrator, presented Sales Application No. 53-121917-00 Per Commissioner’s Initiative (PCI) to the Board for approval.

Vice-Chairman Cole made a Motion to approve Sales Application No. 53-121917-00 Per Commissioner’s Initiative (PCI). Ms. Silvyn seconded the Motion. Chairman Chappell,

Vice-Chairman Cole, and Board Members, Mr. Bard, Ms. Silvyn, and Mr. Francis voted to approve the Motion. The Motion passed unanimously.

LAND SALES SECTION – OTHER

None

V. BOARD APPEALS

None

VI. OTHER BUSINESS

A. Arrangements for Future Meetings:

Department staff proposed the following future meeting dates and location to which no Board members objected.

<u>Date</u>	<u>Location</u>
February 11, 2021	Pending
March 11, 2021	Pending
April 8, 2021	Pending

B. Schedule of Pending Appeals:

None

VII. EXECUTIVE SESSION

None

VIII. BOARD ADJOURNS

Meeting was adjourned at 9:19 a.m.

Respectfully submitted,

COPY

Trinity Perlberg, Clerk
Land Board of Appeals

Approved on this _____ day of _____, 2021

ARIZONA STATE LAND DEPARTMENT
BOARD OF APPEALS

COPY

NORMAN CHAPPELL, CHAIRPERSON

ADDENDA

Includes the following:

1. Signature page(s) of Rights of Way(s) approved
2. Signature page(s) of Commercial Lease(s) approved
3. Signature page(s) of Sales Application(s) approved

**ARIZONA STATE LAND DEPARTMENT
RIGHT OF WAY SECTION RECOMMENDATION**

APPLICATION NO.: 14-096399-00-100 **APPLICANT:** Sulphur Springs Valley Electric Cooperative, Inc.

NEW: _____ **RENEWAL:** _____ **AMEND:** X

COUNTY: Cochise **TWP:** 22S **RNG:** 21E **SEC:** 21

LOCATION: East of Sierra Vista, Near Hereford, northwest of the western terminus of Valley Drive

APPRAISER: Staff Market Analsys **DATE:** November 17, 2020

Purpose No. 1: Overhead 14.4kV electric distribution line

Legal Description: M&B THRU SESESENW

Value Per Acre: \$ 81,975.00

Total Acreage: x 0.035

Intensity of Use Factor (including damages, if any): x 50%

Term: Remainder of term - thru 4/23/2039 Term Factor: x 0.83649 (19 yrs.)

Cost of Right of Way – Purpose No. 1: = \$ 1,200.00

Purpose No. 2: N/A

Legal Description: _____

Value Per Acre: \$

Total Acreage: x

Intensity of Use Factor (including damages, if any): x %

Term: _____ Term Factor: x

Cost of Right of Way – Purpose No. 2: = \$

Total Cost of Right of Way = **\$ 1,200.00 (min)**

Beneficiaries: (024) Penitentiary Land Fund, (031) Permanent Common Schools (Indemnity Selections)

Additional Comments: This amendment is to add an overhead 14.4kV electric distribution line (0.035ac) for new residential service. Right of Way area: 4.680 ac (existing) + 0.035 ac (new) = 4.715 acres (total). Land values would need to exceed \$81,975.00/acre to equal the Department minimum.

Recommendation: Approval of this Right of Way of the subject property under the terms and conditions herein/or attached.

Michael D Romero 12.03.2020

Michael Romero, Administrator Date

Rubén Ojeda 12/10/20

Rubén Ojeda, Manager – ROW Section Date

Aaron Magezi, Director – ROW-Ag & Minerals

Aaron Magezi 12/10/20
for State Land Commissioner Date

BOARD OF APPEALS APPROVAL:

By: [Signature]
Chairperson, Board of Appeals

Date: 1/28/21

**ARIZONA STATE LAND DEPARTMENT
RIGHT OF WAY SECTION RECOMMENDATION**

APPLICATION NO.: 14-120894-00-100 **APPLICANT:** D R Horton Inc.

NEW: X **RENEWAL:** _____ **AMEND:** _____

COUNTY: Maricopa **TWP:** 4N **RNG:** 4E **SEC:** 16

LOCATION: Northeast of the northeast corner of Deer Valley Dr. & 56th St.

APPRAISER: Karl Baltutat, MAI **DATE:** September 1, 2019

Purpose No. 1: Drainage channel

Legal Description: M&B thru Tract 1 Block 1 of State Plat 24 AMD

Value Per Acre: \$ 375,000

Total Acreage: x 0.867

Intensity of Use Factor (including damages, if any): x 85%

Term: 30 years (Single pay) Term Factor: x 0.94269

Cost of Right of Way – Purpose No. 1: = \$ 260,518.27

Purpose No. 2: N/A

Legal Description: _____

Value Per Acre: \$ _____

Total Acreage: x _____

Intensity of Use Factor (including damages, if any): x _____ %

Term: _____ Term Factor: x _____

Cost of Right of Way – Purpose No. 2: = \$ _____

Total Cost of Right of Way = \$ **260,518.00** (r)

Beneficiaries: (030) Permanent Common Schools

Additional Comments: The subject ROW collects storm water flows and directs the water through the DR Horton residential subdivision immediately to the south (Certificate of Purchase #53-117493). This ROW was previously approved in May 2020 with a smaller footprint, but before being finalized the applicant requested that it be revised to include additional ROW area to serve Phase 2 of their development. The Native Plant survey is currently being updated to reflect the newly added acreage and will be billed upon completion.

Recommendation: Approval of this Right of Way of the subject property under the terms and conditions herein/or attached.

Scott Sherwood 12/17/2020
Scott Sherwood, Administrator Date

Ruben Ojeda 12/22/2020
Ruben Ojeda, Manager - ROW Section Date

Aaron Magezi, Director – ROW-Ag & Minerals
Aaron Magezi 12/24/2020
for State Land Commissioner Date

BOARD OF APPEALS APPROVAL:
 By: [Signature]
Chairperson, Board of Appeals

Date: 1/20/21

**ARIZONA STATE LAND DEPARTMENT
RIGHT OF WAY SECTION RECOMMENDATION**

APPLICATION NO.: 14-121335-00-100 **APPLICANT:** El Paso Natural Gas Co. LLC

NEW: X **RENEWAL:** _____ **AMEND:** _____

COUNTY: Mohave **TWP:** 16N; 17N **RNG:** 21W **SEC:** 3, 10; 21, 27, 34

LOCATION: E. of County Road 1. South end of line is 1/2 mile W. of the community of Golden Shores.

APPRAISER: Lucas P. Still, MAI **DATE:** October 20, 2020

Purpose No. 1: Underground 20" natural gas transmission pipeline

Legal Description: T16N R21W S03: M&B THRU E2SW (3.198 acres); M&B THRU LOT 5 (1.594 acres); M&B THRU SENW (1.244 acres); M&B THRU LOT 7 (0.361 acres)

Value Per Acre:	\$ 1,336.00
Total Acreage:	x 6.397
Intensity of Use Factor (including damages, if any):	x 80%
Term: <u>50 years w/10-year pays</u> Term Factor:	x 0.61446
Value of Right of Way – Purpose No. 1:	= \$ 4,201.13

Purpose No. 2: Underground 20" natural gas transmission pipeline

Legal Description: T16N R21W S10: M&B THRU LOT 7

Value Per Acre:	\$ 1,430.00
Total Acreage:	x 0.643
Intensity of Use Factor (including damages, if any):	x 80%
Term: <u>50 years w/10-year pays</u> Term Factor:	x 0.61446
Cost of Right of Way – Purpose No. 2:	= \$ 451.99

Purpose No. 3: Underground 20" natural gas transmission pipeline

Legal Description: T17N R21W S21: M&B THRU E2NE

Value Per Acre:	\$ 1,375.00
Total Acreage:	x 4.587
Intensity of Use Factor (including damages, if any):	x 80%
Term: <u>50 years w/10-year pays</u> Term Factor:	x 0.61446
Costs of Right of Way – Purpose No. 3:	= \$ 3,100.38

Purpose No. 4: Underground 20" natural gas transmission pipeline

Legal Description: T17N R21W S27: M&B THRU N2NW (1.574 acres); M&B THRU LOT 8 (1.565 acres); M&B THRU SENW (1.574 acres); M&B THRU NESW (1.564 acres)

Value Per Acre:	\$ 1,257.00
Total Acreage:	x 6.277
Intensity of Use Factor (including damages, if any):	x 80%
Term: <u>50 years w/10-year pays</u> Term Factor:	x 0.61446
Costs of Right of Way – Purpose No. 4:	= \$ 3,878.56

Purpose No. 5: Underground 20" natural gas transmission pipeline

Legal Description: T17N R21W S34: M&B THRU W2NE (3.098 acres); M&B THRU W2SE (3.097 acres)

Value Per Acre:	\$ 1,100.00
Total Acreage:	x 6.195
Intensity of Use Factor (including damages, if any):	x 80%
Term: <u>50 years w/10-year pays</u> Term Factor:	x 0.61446
Costs of Right of Way – Purpose No. 5:	= \$ 3,349.79

Total Cost of Right of Way

	= \$ 14,982.00 (t)
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R.O.W. RECOMMENDATION CONTINUED

Beneficiaries: (006) Arizona State Hospital, (015) Hospital- Disabled Miners 2/20/1929, (018) Miner's Hospital Disabled Miners, (024) Penitentiary Land Fund, (053) County Bond

Additional Comments: Total acreage is 24.099. Replaces ROW #72-024576.

Recommendation: Approval of this Right of Way of the subject property under the terms and conditions herein/or attached.

Laura Gilbreath 11/25/2020
Laura Gilbreath, Administrator Date

Rubén Ojeda 12/3/2020
Ruben Ojeda, Manager - ROW Section Date

Aaron Magezi, Director - ROW-Ag & Minerals

Aaron Magezi 12/3/2020
for State Land Commissioner Date

BOARD OF APPEALS APPROVAL:

By: [Signature]
Chairperson, Board of Appeals

Date: 1/23/21

**ARIZONA STATE LAND DEPARTMENT
RIGHT OF WAY SECTION RECOMMENDATION**

APPLICATION NO.: 16-121401-00-100 **APPLICANT:** City of Mesa

NEW: X **RENEWAL:** _____ **AMEND:** _____

COUNTY: Maricopa **TWP:** 2 South **RNG:** 7 East **SEC:** 02

LOCATION: Signal Butte Road between Pecos Road and Germann Road

APPRAISER: Richard Rothwell, Jr. CGREA #31466 **DATE:** June 17, 2020

Purpose No. 1: Public Road

Legal Description: M&B thru Lot 1 E2E2SENE E2E2SE

Value Per Acre: \$ 109,688.00

Total Acreage: x 2.722

Intensity of Use Factor (including damages, if any): x 99%

Term: Perpetual Term Factor: x 1.000

Cost of Right of Way – Purpose No. 1: = \$ 295,585.03

Purpose No. 2: n/a

Legal Description: _____

Value Per Acre: \$ _____

Total Acreage: x _____

Intensity of Use Factor (including damages, if any): x _____ %

Term: _____ Term Factor: x _____

Cost of Right of Way – Purpose No. 2: = \$ _____

Total Cost of Right of Way = \$ **295,585.00** (r)

Beneficiaries: (030) Permanent Common Schools

Additional Comments: This public road ROW adds portions of the E2 of Signal Butte Road between Pecos Road and Germann Road. A Temporary Construction Easement (2.642 acres) in the amount of \$26,082.00 will also be billed to the City of Mesa.

Recommendation: Approval of this Right of Way of the subject property under the terms and conditions herein/or attached.

Myles Stevens 12/28/2020
Myles Stevens, Administrator Date

Ruben Ojeda 12/31/2020
Ruben Ojeda, Manager ROW Section Date

Aaron Magezi, Director – ROW-Ag & Minerals

Aaron Magezi 12/31/2020
for State Land Commissioner Date

BOARD OF APPEALS APPROVAL:
By: [Signature]
Chairperson, Board of Appeals

Date: 1/23/21

**REAL ESTATE DIVISION
SALES AND COMMERCIAL LEASING SECTION
LONG-TERM LEASE RECOMMENDATION**

APPLICATION NO.: - 03-120041-99-100

APPLICANT: First Solar Development, LLC

ACRES: 1,687.51

COUNTY: Maricopa **TWP:** 1 South **RNG:** 5 West **SEC:** 18, 19, 20, 29, 30, 31

SUB:

LOCATION: SEC Elliott Road and 355th Ave., Arlington

PURPOSE: 150 MW Photovoltaic Solar Development

PURPOSE CODE: 1330

VALUE PER ACRE: \$8,474.02

VALUE OF IMPROVEMENTS: \$62,300.00

TOTAL APPRAISED VALUE: \$14,300,000.00

MINIMUM BID: \$14,300,000.00


BENEFICIARIES: (003) Agriculture & Mechanical College; (030) Common Schools; (031) Permanent Common Schools Indemnity Selection.

APPRAISED RENT: Lease Years 1 through 5: 4% of appraised land value of the greater of \$14,300,000.00 or highest bid at auction with rent escalating at 5% in lease year 6 and every 5 years thereafter. Rent at appraised value is \$572,000.00 annually. Lessee will additionally pay a capacity fee of \$715.80 escalating at 20% per year to \$3,579.00 per megawatt annually beginning with the commercial production of electricity.

TERM: 30 Years, Commencing Date of Auction and Terminating 30 years thereafter. Lessee will have four 10 year options to renew.


COMMENTS: Jay Hulet, CCRA, State of Arizona Certified General Real Estate Appraiser, valued the property at \$14,300,000.00. The improvements are valued at \$62,300.00 The appraisal has been reviewed and meets Department standards.

RECOMMENDATION: Approval of this lease of the subject property under the terms and conditions included herein/or attached, including rental structure.



Raymond Moore, Administrator

1/14/2021
Date

BOARD OF APPEALS APPROVAL



Ronald C. Moore, Section Manager
Sales & Commercial Leasing

1-14-21
Date

By: 
Chairperson, Board of Appeals
for the Land Board of Appeals

1/23/21
Date

COMMISSIONER'S APPROVAL:


James W. Perry
Deputy State Land Commissioner
For State Land Commissioner

1/15/2021
Date

ATTACHMENTS:

**REAL ESTATE DIVISION
SALES AND COMMERCIAL LEASING SECTION
LONG-TERM LEASE RECOMMENDATION**

APPLICATION NO.: 03-120685-99-100

APPLICANT: Chirreon Energy, LLC

ACRES: 99.09

COUNTY: Pinal **TWP:** 10S **RNG:** 13E **SEC:** 36 **SUB:**

LOCATION: E. Edwin Rd., 2 miles west of SR 77 and Saddlebrook Village

PURPOSE: 10 Megawatt Photovoltaic Solar Power Plant **PURPOSE CODE:** 1330

VALUE PER ACRE: \$7,064.00

VALUE OF IMPROVEMENTS: N/A

TOTAL APPRAISED VALUE: \$700,000.00

MINIMUM BID: \$700,000.00

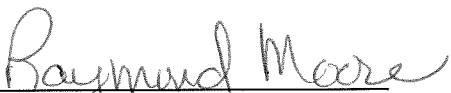
BENEFICIARIES: (030) Common Schools

APPRAISED RENT: Lease Years 1 through 30: 4% of ALV of the Greater of \$700,000.00 or highest bid at auction, with rent escalating 5% in Lease Year 6 and every 5 years thereafter. Auction at appraised value is \$28,000.00 annual base rent. Lessee will pay a capacity fee of \$3,003 per megawatt annually beginning with the commercial production of electricity.

TERM: 30 Years, Commencing Date of Auction and Terminating 30 years thereafter. Lessee will have four 10 year options to renew


COMMENTS: Michael J. Naifeh, MAI, CRE, State of Arizona Certified General Real Estate Appraiser, valued the property at \$700,000.00. The appraisal has been reviewed and meets Department standards.

RECOMMENDATION: Approval of this lease of the subject property under the terms and conditions included herein/or attached, including rental structure.



Raymond Moore, Administrator

1/11/21
Date

BOARD OF APPEALS APPROVAL



Ronald C. Moore, Section Manager
Sales & Commercial Leasing

1-12-21
Date

By: 
Chairperson, Board of Appeals
for the Land Board of Appeals

1/23/21
Date

COMMISSIONER'S APPROVAL:


James W. Perry
Deputy State Land Commissioner
for State Land Commissioner

1/15/2021
Date

**REAL ESTATE DIVISION
SALES AND COMMERCIAL LEASING SECTION
PURCHASE RECOMMENDATION**

APPLICATION NO: 53-121916-00-100

APPLICANT: PCI

SIZE: 914.78 acres (859.70 net)

COUNTY: Pinal **TWP:** 1S **RNG:** 8E **SEC:** 31
 TWP: 2S **RNG:** 8E **SEC:** 6

LOCATION: San Tan, Ironwood Rd & Germann Road

VALUE PER ACRE: \$100,188 psf (net)/\$94,089.60 psf (gross)

VALUE OF IMPROVEMENTS: N/A

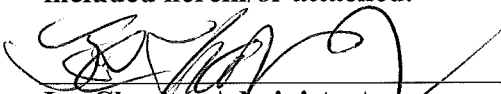
TOTAL APPRAISED VALUE: \$86,130,000.00

MINIMUM BID: \$86,130,000.00

BENEFICIARIES: Permanent Common Schools

COMMENTS: Karl Baltutat, MAI, State of Arizona Certified General Real Estate Appraiser, valued the property at \$2.30 per square foot (net), for a total of \$86,130,000. The appraisal has been reviewed and it meets Department standards. Rights-of-Way applications 16-121920, 16-121921, and 16-121922 for public roadways Ironwood Road, Germann Road, and Pecos Road to be included with the sale parcel.

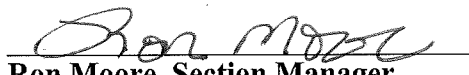
RECOMMENDATION: Approval of this sale of the subject property under the terms and conditions included herein/or attached.



Joe Charles, Administrator

1/19/21
Date

BOARD OF APPEALS APPROVAL:



Ron Moore, Section Manager
Sales & Commercial Leasing


1-19-21
Date

By: 

Chairman, Board of Appeals
for the Land Board of Appeals

1/23/21
Date

COMMISSIONER'S APPROVAL:



James W. Perry
Director, Real Estate Division
For State Land Commissioner

1/19/2021
Date

**REAL ESTATE DIVISION
SALES AND COMMERCIAL LEASING SECTION
PURCHASE RECOMMENDATION**

APPLICATION NO: 53-121917-00-100

APPLICANT: PCI

SIZE: 1099.06 gross / 1047.06 net

COUNTY: Maricopa

TWP: 2N

RNG: 2W

SEC: 27 & 34

LOCATION: Indian School Rd & N Citrus Rd

VALUE PER ACRE: \$121,968 (net)/\$116305.20 (gross)

VALUE OF IMPROVEMENTS: N/A

TOTAL APPRAISED VALUE: \$127,708,000.00

MINIMUM BID: \$127,708,000.00

BENEFICIARIES: Permanent Common Schools

COMMENTS: Karl Baltutat, MAI, State of Arizona Certified General Real Estate Appraiser, valued the property at \$2.80 per square foot (net), for a total of \$127,708,000.00. The appraisal has been reviewed and it meets Department standards. Land appraised unencumbered.

RECOMMENDATION: Approval of this sale of the subject property under the terms and conditions included herein/or attached.



Joe Charles, Administrator

1/19/21

Date

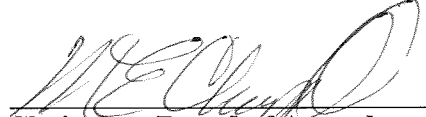
BOARD OF APPEALS APPROVAL:



Ron Moore, Section Manager
Sales & Commercial Leasing

1-19-21

Date

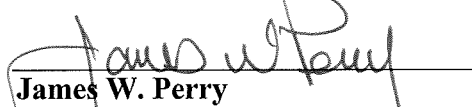
By: 

Chairman, Board of Appeals
for the Land Board of Appeals

1/23/21

Date

COMMISSIONER'S APPROVAL:



James W. Perry
Director, Real Estate Division
For State Land Commissioner

1/19/2021

Date

**BOARD OF APPEALS
IV. AGENDA
Thursday, February 11, 2021**

A. CONSENT AGENDA

RIGHTS OF WAY - ROW-AG-MIN DIVISION

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
1.	14-097393 Myles Stevens	Qwest Corporation (Maricopa County)	Underground 72-count fiber optic communication line
2.	14-112099 Myles Stevens	Qwest Corporation (Maricopa County)	Underground fiber & copper communication lines – no 3 rd party
3.	14-113542 Jim Claeyes	Citizens Utilities Rural Co., Inc. (Mohave County)	One underground and overhead 48-count fiber optic communication line
4.	16-120751 Michael Romero	City of San Luis (Yuma County)	Public roadway with underground utilities

COMMERCIAL LEASES - REAL ESTATE DIVISION – Short Term (for periods 10 years or less)

New

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
	NONE		

Renewals

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
	NONE		

Amendments

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
	NONE		

B. COMMERCIAL LEASES – REAL ESTATE DIVISION – Long Term (for periods longer than 10 years)

Urban Planning Projects

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
	NONE		

BOARD

Thursday, February 11, 2021

Page 2 of 2

Other

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
	NONE		

C. LAND SALES – REAL ESTATE DIVISION

Urban Planning Projects

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
	NONE		

Other

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
5.	53-121244 Ray Moore	Electrical District No. 3 of Pinal County (Pinal County)	Sale – Maricopa Casa Grande Hwy at W. Farrell Road, Maricopa, A.Z.
6.	53-121947 Van Robinson	Per Commissioner Initiative (Maricopa County)	Sale – NWC 56 th St. and Loop 101 Freeway, Phoenix, A.Z.

03-COMMERCIAL-LONG TERM LEASE
 14-RIGHT-OF-WAY (LONG TERM)
 16-RIGHT-OF-WAY (PERPETUAL)

**RESULTS / ARCHIVE PAGE
 JANUARY 2021**

04-MINERAL
 21-WATER
 53-LAND

APP. NO.	AUCTION DATE	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY	TOTAL SELLING PRICE	SUCCESSFUL BIDDER & # OF BIDS	TERMS
53-121194	01/06	T4N, R1E, SEC. 2 MARICOPA 327.850	\$46,925,000.00	PERMANENT COMMON SCHOOLS	\$72,600,000.00	ASHTON WOODS ARIZONA L.L.C. & 257	10% DOWN, SIMPLE INTEREST AT A FIXED RATE OF 6.00%, 3-YEAR TERM
53-119825	01/13	T3S, R8E, SEC. 18 PINAL 26.216	\$2,350,000.00	ARIZONA STATE HOSPITAL	AUCTION POSTPONED TO 02/04/2021		

PUBLIC AUCTIONS BEING ADVERTISED

03-COMMERCIAL-LONG TERM LEASE
14-RIGHT-OF-WAY (LONG TERM)
16-RIGHT-OF-WAY (PERPETUAL)

**AUCTION CALENDAR
FEBRUARY 2021**

04-MINERAL
21-WATER
53-LAND

APP. NO.	AUCTION DATE & TIME	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY
53-119825 ACCELERATED DEVELOPMENT SERVICES, LLC	02/04 11:00 A.M.	T3S, R8E, SEC. 18 PINAL 26.216	\$2,350,000.00	ARIZONA STATE HOSPITAL

PUBLIC AUCTIONS BEING ADVERTISED

03-COMMERCIAL-LONG TERM LEASE
14-RIGHT-OF-WAY (LONG TERM)
16-RIGHT-OF-WAY (PERPETUAL)

**AUCTION CALENDAR
MARCH 2021**

04-MINERAL
21-WATER
53-LAND

APP. NO.	AUCTION DATE & TIME	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY
53-121775 PER COMMISSIONER'S INITIATIVE	03/10 11:00 A.M. Δ 03/30	T4N, R3E, SECS. 7 & 17 MARICOPA 219.05	\$53,930,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-119692 16-121599 16-121600 PER COMMISSIONER'S INITIATIVE	03/24 11:00 A.M.	T4N, R4E, SEC. 27; T4N, R4E, SECS. 15, 22 & 27; T4N, R4E, SECS. 27 & 28 MARICOPA 24.047; 129.910; 12.630	\$18,800,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
53-121775 PER COMMISSIONER'S INITIATIVE	03/30 11:00 A.M.	T4N, R3E, SECS. 7 & 17 MARICOPA 223.79	\$55,080,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)

53-121019 TUCSON TRAP & SKEET CLUB	03/31 11:00 A.M.	T15S, R12E, SEC. 5 PIMA 80.59	\$222,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
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PUBLIC AUCTIONS BEING ADVERTISED

03-COMMERCIAL-LONG TERM LEASE
14-RIGHT-OF-WAY (LONG TERM)
16-RIGHT-OF-WAY (PERPETUAL)

**AUCTION CALENDAR
APRIL 2021**

04-MINERAL
21-WATER
53-LAND

APP. NO.	AUCTION DATE & TIME	LOCATION, COUNTY & ACREAGE +/-	APPRAISED VALUE	BENEFICIARY
53-121101 ARIZONA PUBLIC SERVICE COMPANY	04/07 11:00 A.M.	T5N, R1E, SEC. 36 MARICOPA 4.401	\$927,088.25	PERMANENT COMMON SCHOOLS
16-121563 SUNBELT INVESTMENT HOLDINGS INC.	04/09 11:00 A.M.	T1N, R3E, SEC. 1; T1N, R4E, SEC. 6 MARICOPA 1.166	\$49,357.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS); LANDS HELD IN TRUST FOR OTHER STATE AGENCIES
53-121917 PER COMMISSIONER'S INITIATIVE	04/21 9:00 A.M.	T2N, R2W, SECS. 27& 34 MARICOPA 1,099.06	\$127,708,000.00	PENITENTIARY LAND FUND; PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)

<p>53-121916; 16-121920; 16-121921; 16-121922 PER COMMISSIONER'S INITIATIVE</p>	<p>04/21 1:30 P.M.</p>	<p>T1S, R8E, SEC. 31; T2S, R8E, SEC. 6; PINAL 914.78 12.14 13.35 6.60</p>	<p>\$86,130,000.00</p>	<p>PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)</p>
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