

# REAL ESTATE SERVICES INFORMATION AND APPLICATION FORM

TO: City of Tucson Real Estate Division  
Real Estate Director  
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:

- Vacation and sale of right-of-way and/or a sale of City owned real property  
(Non-refundable Application Fee of \$1,500 applies)
- Abandonment of City's interest in easement (Non-refundable Application Fee of \$1,000 applies)
- City's grant of easement (Non-refundable Application Fee of \$1,000 applies)
- (other) (Non-refundable Application Fee applies, call for quote)

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 circulate this request to the applicable staff for comments.
- The comments received from the circular process may become conditions/requirements placed on the 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 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 unless this request requires a public bid process; in which case the bid package will address this issue.
- 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 Program, County-City Public Works Building, 201 N. Stone Avenue, 6th Floor, or mailed to City of Tucson, Real Estate Program, P.O. Box 27210, Tucson, Arizona 85726-7210, Attention: Real Estate Director.

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 affected property owner(s). 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 conditions require 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, Qwest Communications, Southwest Gas, Pima County Wastewater or Tucson Cablevision, have an interest in the subject easement, the applicant must pursue abandonment from 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 and completes the relocation or abandonment of the occupying 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 estimated by staff under the City's Administrative Sale Process or established by appraisal. The value may be in the form of a land for land exchange or paid in cash.

## APPLICATION FEE

A non-refundable application fee is charged for processing all Real Estate Service (RES) requests or Real Property (RP) requests as follows:

### RES/RP – Purchase/Sale:

Right of Way and/or Real Property	\$1,500
(a \$500 credit toward purchase applies if closed within one year)	

### RES – Easements:

Abandonment of the City's interest in an Easement	\$1,000
Grant of an Easement across City RP	\$1,000

### RES – Temporary Revocable Easement (TRE)

Land/right of way or Aerial with signage	\$1,500
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Note: a \$500 credit toward annual rent applies if the TRE is established within one year

Historic Landmark Aerial Sign	\$500
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Non-permanent structures or aerial with no signage	\$500
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## 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.

A sketch of the requested action and narrative explanation of the request will be circulated to appropriate City and County departments and utility companies for comment. If any of the utility companies have facilities or installations within in the requested property, arrangements must be made for either: 1) relocation of the facilities or 2) reservation/establishment of easement(s) 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. In these instances 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 the applicant may negotiate directly with the any review agency for a change in the conditions/requirements. A change of conditions/requirements must be confirmed in writing by the applicable review agency and provided to the Real Estate Program staff for its file.

City staff will determine the applicable means of valuation. The in-house determination of value under the City's Administrative Sales Procedure may be sufficient to establish the value of the property interest that the applicant is seeking to acquire. Certain cases may require a full appraisal.

The Administrative Sales Procedure is typically used when the transaction amount is less than \$50,000. General sales data is used to determine a minimum sale price. An appraisal is required on sales with a value over \$50,000 or when a transaction is particularly complex. On sales up to \$10,000 the City Clerk records the signed Quitclaim Deed, as the City provides no title insurance for these sales. Sales above \$10,000 may be closed 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 Program will coordinate and obtain an appraisal and an appraisal review. The applicant shall be responsible to pay all appraisal costs up front.

If the application is for the vacation and sale of right of way, the applicant shall be responsible to obtain and record a survey of the new right of way alignment. All costs associated with the survey are to be paid by the applicant.

The City may credit the cost of the appraisal and/or the survey toward the purchase price if the proposed transaction closes escrow within one year. If the sale does not proceed to closing, the costs are non-refundable. If appraisal and/or survey costs exceed the value of the right-of-way, the difference is non-refundable.

**NOTE:** Where a request for the vacation and sale of right-of-way is due to an encroachment into the right-of-way, the appraisal and survey 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 the real property interests being considered.

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 to the Real Estate Division, staff will schedule any request with a net value above \$50,000 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.**