

# **APPLICATION FOR TEMPORARY REVOCABLE EASEMENT (TRE)**

TO: City of Tucson Real Estate Division  
Real Estate Director  
Post Office Box 27210  
Tucson, AZ. 85726-7210

As [ owner(s) / tenant(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:

- Standard Temporary Revocable Easement for use of City land and/or right of way  
(Non-refundable Application Fee of \$1,500 applies, minimum annual fee \$500)
- Aerial Temporary Revocable Easement for commercial signage  
(Non-refundable Application Fee of \$1,000 applies, minimum annual fee \$500)
- Non-permanent items or aerial Temporary Revocable Easement with no commercial signage  
(Non-refundable Application Fee of \$500 applies, minimum annual fee \$100)
- Historic Landmark Aerial Temporary Revocable Easement  
(Non-refundable Application Fee of \$500 applies, no minimum annual fee applies)

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

\_\_\_\_\_

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

\_\_\_\_\_

This application for Temporary Revocable Easement (TRE) 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 owner or the tenant may apply for a TRE, but both entities shall be fully informed of this action and both entities may be required to sign the final TRE document.
- Prior to issuing the TRE, the City will require full payment for the first year rent, including applicable tax; and an insurance certificate naming the City as an additional insured in accordance with the City's current liability limits.
- 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.
- No real estate commission will be paid by the City to 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.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.  
Applicant Date

\_\_\_\_\_  
(print name and title)

\_\_\_\_\_  
E-mail Address Cel Phone Work Phone

**APPLICANT INFORMATION:**

Applicant Name: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

**OWNER INFORMATION: (IF DIFFERENT FROM APPLICANT)**

Property Owner's Name: \_\_\_\_\_

Owner's Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Owner's Phone: (Cel) \_\_\_\_\_ (Work): \_\_\_\_\_

**TENANT INFORMATION (IF DIFFERENT FROM APPLICANT):**

Tenant's Name: \_\_\_\_\_

Tenant's Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Tenant's Phone: (Cel): \_\_\_\_\_ (Work): \_\_\_\_\_

**CONTACT PERSON FOR MAILING INVOICES (REQUIRED)**

NAME (COMPANY): \_\_\_\_\_

NAME (PERSON): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE/ZIP +4: \_\_\_\_\_

PHONE (WORK): \_\_\_\_\_ FAX: \_\_\_\_\_

ADDITIONAL PHONE (CEL, HOME...): \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

## Temporary Revocable Easement Information

Applications for all Real Estate Services including Temporary Revocable Easements (TRE's) must be filed at the Real Estate Division, County-City Public Works Building, 6<sup>th</sup> Floor, 201 N. Stone Avenue, or mailed to the City of Tucson, Real Estate Division, P. O. Box 27210, Tucson, Arizona 85726-7210. Attention: Real Estate Director.

### APPLICANT INFORMATION

The applicant should discuss the request with personnel in the Real Estate Program who are familiar with the process prior to submitting an application. Preliminary research may be performed; issues discussed and staff queried as to the feasibility of the request.

### APPLICATION FEE:

The **non-refundable** application fee as stated in the application and Ordinance 10928 are 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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### INFORMATION REQUIRED WITH THE TRE APPLICATION:

1. A site/development plan, drawing and/or survey plan showing the proposed TRE area, the abutting property, abutting property improvements, driveways and the nearest intersecting street. The drawing must show all dimensions from the TRE to adjoining property lines, curbs, street centerlines and driveways. The drawing should also indicate the location of the "sight visibility triangle" in relation to the proposed TRE area.
2. A **sealed legal description** for the proposed TRE area.
3. An engineer's, architect's or licensed contractor's estimate of the total cost of all improvements associated with the applicant's plans to improve the TRE area.
4. If the proposal includes ground disturbing activity, and prior to commencement of construction activities, applicant shall provide evidence to the City of Cultural Resource Clearance and compliance with the Native Plant Ordinance. A copy of both forms must be provided upon completion of the applicant's improvements.

### **INFORMATION REQUIRED UPON ISSUING THE TRE:**

1. A corporate resolution must be furnished stating who is authorized to sign on behalf of the applicant and/or property owner/tenant;
2. The first annual rental fee payment including the applicable taxes;
3. Two (2) signed original TRE forms; and
4. Liability Insurance Certificate naming the City as an additional insured with limits stated as follows:
  - \$500,000/\$1,000,000 personal liability
  - \$100,000 property damage
  - (or \$1,000,000 combined single limit)

### **PROCEDURE FOR PROCESSING TRE APPLICATIONS**

1. Upon payment of the application fee, the City will circulate the request for comment by the appropriate City and County departments and the utility companies.
2. Upon review and approval of all affected agencies, staff will establish the annual rental fee, draft the TRE document and provide two (2) original documents to the applicant for signature.
3. The two (2) original partially signed TRE documents are submitted to the Real Estate Program with all applicable documentation and fees.
4. The two (2) original documents are signed by the City Manager or his assignee and one is sent back to the applicant.
5. Real Estate Program staff will request Accounting to set up and automatically bill the appropriate party at the Contact location following years rental fee and prepare to follow up annually to assure the required up to date Certificate of Insurance has been submitted and is on file.
6. The estimated time for completion of the procedure is from 60 to 90 days.

### **FACTORS THAT MAY BE CONSIDERED:**

1. Location of proposed improvements in relationship to the actively used right of way.
2. Location of utilities and any impact the TRE may have on them.
3. Liability potential such as pedestrian hazard, sign obstructions, etc.
4. Any impact that this use may have on adjacent properties.
5. Consideration of pending City improvements.

### **BASIC TERMS OF A TRE:**

1. The TRE may include special conditions or requirements various agencies deem necessary.
2. All improvements must meet City code and zoning requirements. If this is a sign, a sign permit from Development Services and a right of way excavation permit from the Department of Transportation will be required.
3. Temporary Revocable Easements are revocable at the will of the Real Estate Director of the City of Tucson or upon the determination that the City needs the Easement area for any municipal purpose.
4. The applicant will be required to remove, at the applicant's expense, any improvements installed within the Easement area at such time as the Easement is revoked.

If additional information is desired, please call the Real Estate Division at **791-4181**.