



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

MEMORANDUM

Date: June 25, 2013
To: Board of Supervisors
Thru: Karen Riggs, P.E., L.S., Interim Director *KR*
From: Terry Couchenour, Right-of-way Agent II *TC*
Subject: **Resolution 13-__**, authorizing an easement for Robison Road and Gaskill Road in the Kansas Settlement area

Recommendation: This department recommends adopting the accompanying resolution to convey easement rights to a previous owner of a County material site.

Background (Brief):

Cochise County has a substantial number of native and surfaced maintained roads within the Sunsites, Pearce and Kansas Settlement areas. Prior to the 1990's, available material sites diminished and the County would import material from the Willcox, Dragoon and Elfrida areas. In order to provide a more cost effective approach to road maintenance, the Board authorized acquisition of a material site in 1993.

The acquired material site consists of 40 acres of land and approximately 0.25 miles of an access easement. The site is located 0.25 miles north of Parker Ranch Road, 3 miles east of Kansas Settlement Road and is commonly referred to as the "Parker Pit". Parker Pit was part of a larger parcel owned by William and Elvena Gaskill. After the sale to County and other neighbors, the Gaskill's retained a 40 acre residential parcel immediately east of Parker Pit.

Access to the Gaskill property is north on Robison Road and east on Gaskill Road along the perimeter of Parker Pit. 1958 maps indicate that the roads were in existence to serve the Gaskill residence and these routes are still open for their use. Records indicate that easement rights were not retained by the Gaskill's at the time of the sale to the County and the Gaskill estate has requested to formalize use of this access to correct the 1993 oversight.

Based on prior property ownership and current use of the roads, staff recommends conveyance of 30 foot wide easement rights to the Gaskill property. The 30 foot width is consistent with the access easement sold to the County and will allow transfer of the property to the Gaskill heir with secure access. Due to the fact that neither Robison Road nor Gaskill Road are included in the County maintenance system, staff further recommends informing users of the easement, that the County assumes no responsibility for their use. This liability statement is incorporated into the resolution and easement.

Fiscal Impact & Funding Sources: Not applicable

Next Steps/Action Items/Follow-up: If the easement is authorized, the Board Chair will need to execute and record a Grant of Easement conveying rights-of-way to the Gaskill property. Right-of-way staff will send a copy of the recorded Grant of Easement to the representative of the Gaskill estate. After that, no further Board action is required.

Impact of Not Approving: If the easement is not authorized, the current use of these roads will not be formalized for the Gaskill property.