



REAL PROPERTY PROCEDURAL GUIDE

General Information

The Real Property Application is used for the following:

Abandonment: Right-of-way abandonment is the process to transfer Town-owned roadways or excess road right-of-way to adjacent landowners or to a homeowners' association, involves a discretionary action by the Town Council, and is governed by state law, A.R.S. § 28-7201 *et seq.*

Dedication: Real estate, right-of-way, or easement dedications involve the transfer of property rights to the Town, most often as a condition of rezoning, subdivision plat, or development plan approval or to obtain water or sewer service from the Marana Water Department.

Exchange: Involves the transfer of Town-owned land or right-of-way for other land or right-of-way. This is accomplished with a real estate exchange agreement and/or via subdivision plat, and requires discretionary Town Council adoption of an exchange ordinance pursuant to A.R.S. § 9-407.

License: A right-of-way license is an instrument used to show the Town's revocable authorization for a homeowners' association, adjacent property owner, or other entity to use or encroach into Town-owned right-of-way for the purpose of installing landscaping, hardscape, signage, utilities, telecommunications facilities, or similar improvements.

Quit-Claim: Matters requiring the applicant's execution of a quit-claim deed, typically involving a relinquishment of possible property rights. A common use is to show that an applicant makes no claim to public right-of-way created prior to 1994 through a "road establishment" proceeding.

Reclassification: Involves county tax roll classification of Town-owned land as right-of-way (or vice versa). This is most often done as an internal Town staff matter, but is sometimes requested by private parties or utilities to accommodate vehicular or utility access over Town-owned property.

Release of Easement: This is the process to release Town-held easements. Marana Resolution No. 2005-140 establishes an administrative procedure to release easements the Town no longer needs, by authority of state law, A.R.S. § 9-402 (E).

Miscellaneous: Other less common real property matters that sometimes arise, too unusual and uncommon to list here.

Intake Meeting

Applicants may schedule a meeting to discuss the process or review documentation and requirements with staff prior to submittal. There is no fee associated with the meeting. Please call (520) 382-1900 for additional information or to request a meeting.

Approval Process

Procedures vary based on the nature of the application. Most applications follow this general process:

Upon receipt of a complete application, Town staff distributes the request to required departments and agencies for review and comments, which are made available on-line.

The applicant submits information or revised documents to address all review comments.

Upon staff determination of compliance with all Town requirements, and applicant's submission of fully executed instruments (where applicable), most dedication, quit-claim, and release of easement applications can be administratively approved. Other applications require Town Council approval, including abandonment, exchange, license, and reclassification applications.