



MARICOPA COUNTY RIGHT OF WAY DEDICATIONS REFERENCE GUIDE

A dedication of right of way is a donation of land within County jurisdiction from the property owner to Maricopa County (**County**). The Maricopa County Department of Transportation (**MCDOT**) is authorized to approve and process a right of way dedication in two instances:

1. When the Maricopa County Planning and Development Department (**P&D**) requires the property owner to dedicate the right of way as a condition of zoning approval. (Maricopa County Zoning Ordinance Section 1104).
2. When a property owner voluntarily and unsolicited by the County, makes a request to dedicate right of way that supports the Maricopa County Transportation System Plan (**TSP**).

If an owner makes a dedication request not related the circumstances listed above, the owner will be encouraged to work with their own real estate professional to determine an alternate solution.



The Maricopa County Real Estate Department (**MCRED**) processes right of way dedications on behalf of MCDOT and P&D. The dedication process may take up to six (6) months to complete. The County's acceptance of the dedicated property in no way obligates the County to construct or maintain a roadway within the granted right of way. The County will not be able to assume maintenance responsibilities on the dedicated right of way until such time a roadway is built, to minimum County standards, and the roadway is accepted into the County's Maintenance System.

Dedication Process:

- 1.) The property owner/applicant completes the dedication application.
- 2.) The property owner/applicant completes and notarizes the Checklist of Environmental Considerations form which documents the physical characteristics of the land within the proposed dedication.

Forms can be downloaded at www.maricopa.gov/744/Right-of-Way-Dedications

Submit completed application and checklist of Environmental Considerations to:

Maricopa County Real Estate Department
Pat Mertz, Dedication Coordinator
2801 W. Durango Street, Phoenix, Arizona 85009
Phone: 602-506-4639 Fax 602-506-4161
PatMertz@mail.maricopa.gov

The MCRED Dedication Coordinator assigns the dedication application to a MCRED Right of Way Agent (**Agent**) for processing.

- 3.) The property owner/applicant provides a legal description labeled Exhibit "A" with an exhibit (map) of the right of way being dedicated, sealed by a Registered Land Surveyor and acceptable to County standards.

- 4.) The property owner/applicant provides a Commitment for Title Insurance. The Commitment for Title Insurance verifies property ownership and determines the feasibility of satisfying all closing requirements in order to convey clear title to the dedicated land to the County. The property owner/applicant is responsible for all title fees, closing costs and escrow fees associated with the dedication. The Commitment for Title Insurance must name **Maricopa County, a Political Subdivision of the State of Arizona**, as the proposed insured. (See Title Company Requirements)
- 5.) The MCRED Agent will prepare and provide the dedication conveyance package, which at a minimum usually consists of a Purchase Agreement, Escrow Instructions and Warranty Deed, to the owner/applicant with specific instructions on how to complete the documents.
- 6.) When the conveyance documents are signed, notarized and returned to the MCRED Agent, they will be reviewed. Once approved by MCRED Agent, the documents are forwarded to the Maricopa County Board of Supervisors (**BOS**) for approval and acceptance.
- 7.) After approval and acceptance by the BOS, the conveyance documents will be returned to the MCRED Agent for submittal to the title company along with compensation of \$10.00. The title company shall ensure satisfaction of the requirements to clear title, and then will close escrow and record the document(s). The title company will mail closing packages to the property owner/applicant. The closing package will include a copy of all documents signed by the parties.

***The property owner/applicant is responsible for all title and escrow cancellation fees if the closing/recording process is not completed.**