

	<b>Standard Operating Procedure</b>  <b>Planning and Building Department</b>	<b>SOP #:</b>
		<b>Revision #:</b> 1
		<b>Last Reviewed/Update Date:</b> January 19, 2023
<b>Approval:</b> Sarah S. More, FAICP		<b>Effective Date:</b> March 11, 2020
<b>Subject:</b> Assurance Agreements		<b>Page 1 of 3</b>

## 1.0 Purpose

This document outlines the basic procedure in creating and processing assurance agreements and substitute assurance agreements and the procedure for release of assurances as defined in STC 18.69.070.

## 2.0 Revision History

This document was created on March 11, 2020, and was revised on January 19, 2023.

## 3.0 Persons Affected

Planning and Zoning staff, Public Works staff, and the public at large.

## 4.0 Administrative Policy

Applicants must use assurance agreement templates approved by the Town of Sahuarita Department of Law. Changes to the approved template will not be acceptable unless approved by the Department of Law.

## 5.0 Procedure

### 5.1 Assurance Agreement

An assurance agreement is required with a Final Plat per STC 18.69.060(I). State law supports this requirement. If an existing assurance agreement is in place, the applicant shall coordinate with staff on the required process. A typical process is as follows:

- A property owner submits a Final Plat application to the Planning and Zoning Division. A complete application package for a Final Plat includes a draft Assurance Agreement unless otherwise determined by the Town of Sahuarita, such as in cases in which all improvements have already been completed.
- In the case of an Assurance Agreement secured by a bond or letter of credit, the applicant shall submit a request to the Town to place a bond by providing a request in writing along with the cost estimate for the improvements. The amount of the bond and/or letter of credit is the total estimated cost of the improvements plus at least 15%.

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- Assurance Agreement templates can be found on the Planning and Zoning webpage or can be requested from Planning and Zoning staff. Specific Plan areas may have different versions of an Assurance Agreement.
- Planning and Zoning staff will route the proposed Assurance Agreement to the Public Works Department and the Department of Law for technical and legal review. Any comments or requests for corrections to the assurance agreement will be provided to the applicant with the final plat review comments.
- The Assurance Agreement must be acceptable to the Town before the Final Plat will be scheduled for Town Council approval.
- Once all Town comments have been addressed, the applicant shall submit a signed Assurance Agreement with all required exhibits for execution by the Town.
- Town Council approval of the assurance agreement will occur concurrently with approval of the final plat.
- The Town Clerk will transmit the approved assurance agreement along with the final plat to the Pima County Recorder’s office for recording.
- After recording, the applicant may request the recording sequence number from staff. The Town retains the originals.

## 5.2 Substitute Assurance Agreement

A substitute assurance agreement may be requested for a portion of lots affected by an existing assurance agreement or may completely replace an existing assurance agreement. The most common reason for a request for a substitute assurance agreement is a change in ownership of some or all lots within a subdivision.

Refer to Public Works Procedures for Processing Assurance Agreements for the substitute assurance agreement process.

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### 5.3 Full Release of Assurances

Refer to Public Works Procedures for Processing Assurance Agreements for more information on full release of assurances.

### 5.4 Partial Release of Assurances

Refer to Public Works Procedures for Processing Assurance Agreements for more information on partial release of assurances.

## 6.0 Responsibilities

The Planning and Building Department shall have primary responsibility for routing and processing of Assurance Agreements that are submitted with Final Plats. The Public Works Department shall have primary responsibility for ensuring the routing and processing of Substitute Assurance Agreements not associated with a Final Plat and for full and partial releases of assurances.

## 7.0 References

- Sahuarita Town Code Chapter 18.69  
<https://www.codepublishing.com/AZ/Sahuarita/>
- Final Plat Checklist  
<https://sahuaritaaz.gov/851/Subdivision-Plats>
- Assurance Agreement Forms <https://sahuaritaaz.gov/851/Subdivision-Plats>
- <https://sahuaritaaz.gov/851/Subdivision-Plats>
- Release of Assurances Checklists and Forms  
<https://sahuaritaaz.gov/770/Permits-Applications-and-Guidelines>
- Public Works Procedures for Processing Assurance Agreements