

JULY 19, 2002

RES. NO. 2002-07-A-029
PROJECT: F-037-2(1) / 089CN466H088801R
HIGHWAY: FLAGSTAFF - CAMERON
SECTION: Gray Mountain - Cameron
ROUTE NO.: U.S. Route 89
ENG. DIST.: F
COUNTY: Coconino

RESOLUTION OF DISPOSAL

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on July 19, 2002, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the removal of a portion of easement right of way from the State Transportation System.

The portion of easement right of way to be removed from the State Transportation System is depicted in Appendix "A" and delineated on maps and plans on file in the office of the State Engineer, Intermodal Transportation Division, Phoenix, Arizona, entitled "Right of Way Plans, FLAGSTAFF - CAMERON Highway, Project F-037-2(1) / 089CN466H088801R."

WHEREAS said portion of easement right of way is no longer needed for State transportation purposes, nor will it be used for public highway purposes; and

WHEREAS a remaining portion of easement right of way is still needed for State transportation purposes and is to be used for public highway purposes; and

WHEREAS access to U.S. Route 89 will be limited to the existing curbcut and turnout located at approximate Engineer's Station 2416+50, and future access requests will require approval by Arizona Department of Transportation's local District Office; and

WHEREAS because of these premises, this Board finds public convenience requires that said portion of easement right of way be removed from the State Transportation System, extinguished and relinquished to Bureau of Indian Affairs, Navajo Indian Agency; therefore be it

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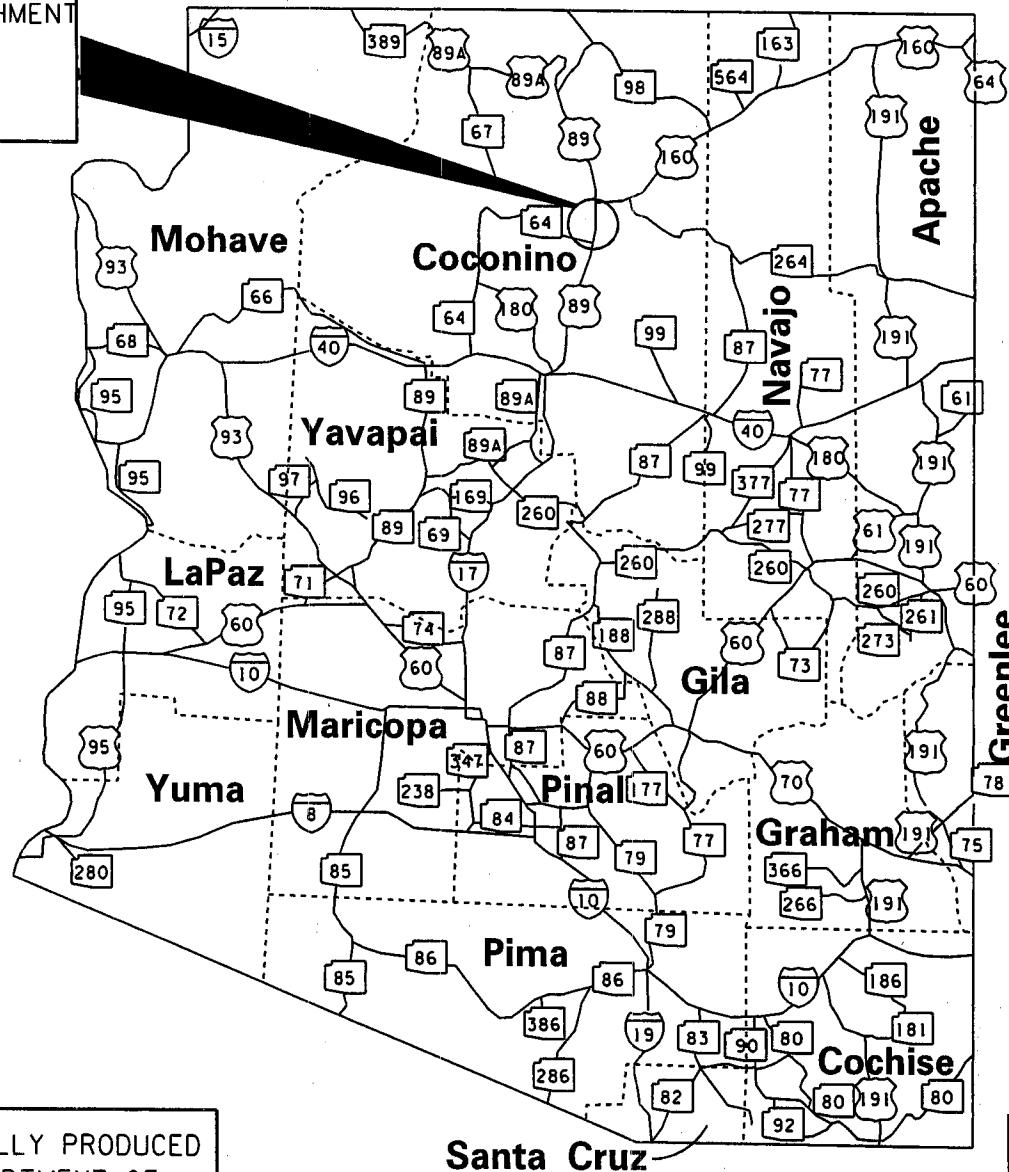
RESOLVED that the recommendation of the Director is adopted and made a part of this resolution; be it further

RESOLVED that the portion of easement right of way is hereby removed from the State Transportation System by extinguishment and relinquishment to the Bureau of Indian Affairs, Navajo Indian Agency.

RESOLVED that the remaining portion of the easement right of way not being disposed herein, shall remain in the State Transportation System for use as such.

RESOLVED that access to U.S. Route 89 be limited to the existing curbcut and turnout located at approximate Engineer's Station 2416+50, and that future access requests be submitted to the Arizona Department of Transportation's local District Office for consideration; be it further

AREA OF EXTINGUISHMENT
& RELINQUISHMENT
SEE SHEETS 2 - 3
FOR DETAILS



THIS PLAT WAS DIGITALLY PRODUCED
FROM ARIZONA DEPARTMENT OF
TRANSPORTATION
GENERAL HIGHWAY MAP

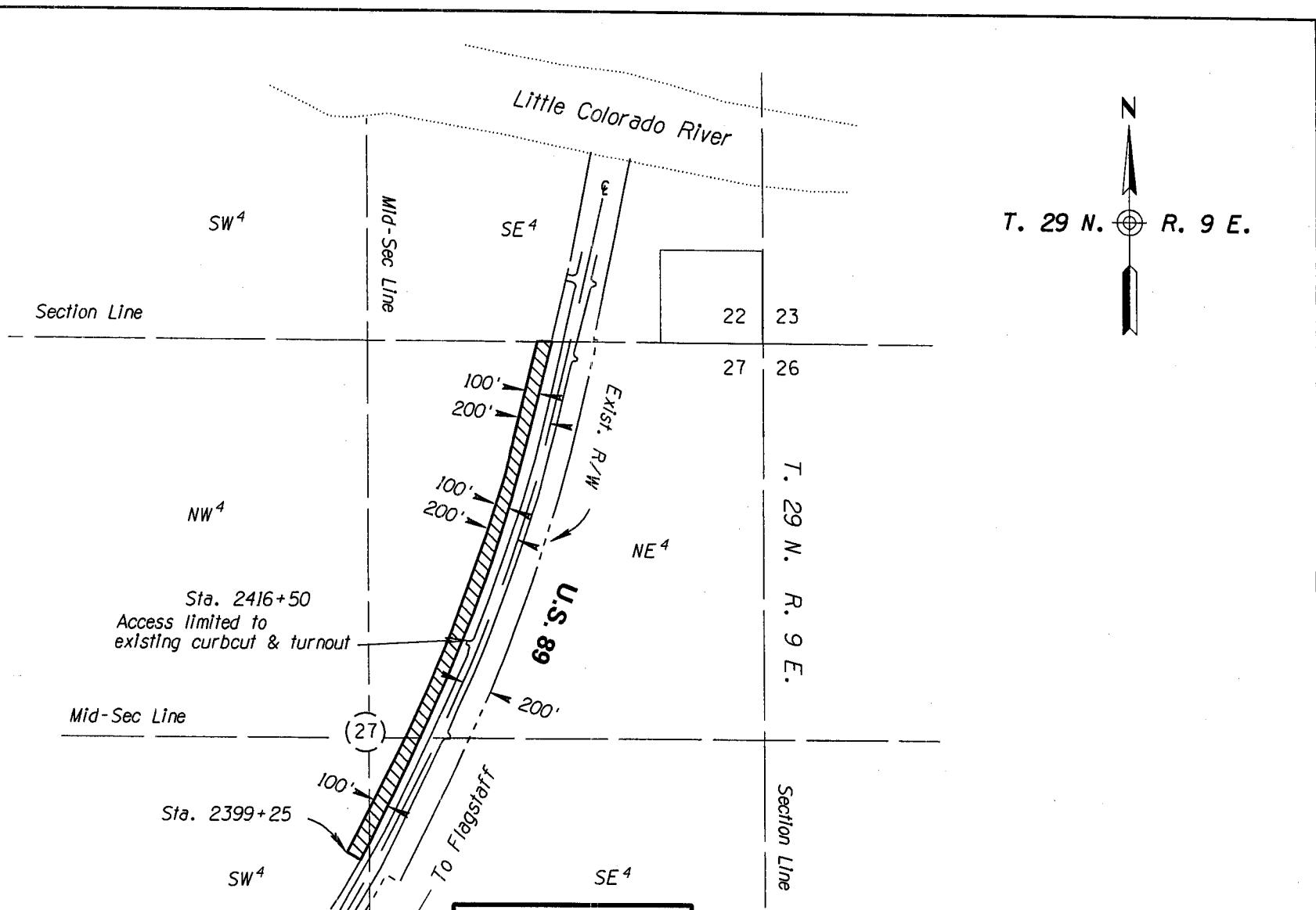
RIGHT OF WAY PLANS SECTION
REVISED MAY 17, 2000

APPENDIX "A"



089 CN 466 H0888 01R / F-037-2(I)
FLAGSTAFF - CAMERON US89
D-F-015
Gray Mountain - Cameron
Coconino County

DATE: JULY 19, 2002 SHEET: 1 OF 3



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GENERAL HIGHWAY MAP

RIGHT OF WAY PLANS SECTION
REVISED JULY 17, 2000

AREA OF
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APPENDIX "A"

Sheet 3 of 3

The northwesterly 100.00 feet of US 89 (FLAGSTAFF – CAMERON HIGHWAY), the southeasterly side being parallel with and 100.00 feet northwesterly of the centerline of said US 89, in the North half of Section 27, Township 29 North, Range 9 East, Gila and Salt River Meridian, Coconino County, Arizona lying North of Highway Engineer's Station 2399+25.

374,933 square feet, more or less.

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REPORT AND RECOMMENDATION

TO THE HONORABLE ARIZONA TRANSPORTATION BOARD:

The Intermodal Transportation Division has made a thorough investigation concerning the disposal of a portion of easement right of way originally acquired for use within the above referenced project.

This portion of U.S. Route 89 was previously established as a state route by Arizona Highway Commission Resolution dated September 9, 1927, page 26 of the Official Minutes; Resolution dated July 26, 1935, page 322 of the Official Minutes, established said route as a state highway; thereafter, Resolution dated January 7, 1957, page 7 of the Official Minutes, established additional right of way for widening improvements.

This portion of easement for right of way is no longer required in the State Transportation System, nor will it be used for public highway purposes.

Accordingly, I recommend that said portion of easement right of way be removed from the State Transportation System by extinguishment and relinquishment to the Bureau of Indian Affairs, Navajo Indian Agency, according to law.

I further recommend that access to U.S. Route 89 be limited to the existing curbcut and turnout located at approximate Engineer's Station 2416+50, and that future access requests be submitted to the Arizona Department of Transportation's local District Office for consideration.

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The portion of easement right of way to be removed from the State Transportation System was acquired from the Bureau of Indian Affairs, Navajo Indian Agency, dated February 6, 1953, and is depicted in Appendix "A" and delineated on maps and plans on file in the office of the State Engineer, Intermodal Transportation Division, Phoenix, Arizona, entitled "Right of Way Plans, FLAGSTAFF - CAMERON Highway, Project F-037-2(1) / 089CN466H088801R."

All other rights of way, easements and appurtenances thereto, subject to the provisions of Arizona Revised Statutes Section 28-7210, shall continue as they existed prior to the disposal by extinguishment and relinquishment of the easement right of way depicted in Appendix "A".

Pursuant to Arizona Revised Statutes Section 28-7046, I recommend the adoption of a resolution making this recommendation effective.

Respectfully submitted,



VICTOR M. MENDEZ, Director
Arizona Department of Transportation

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CERTIFICATION

I, VICTOR M. MENDEZ, Director of the Arizona Department of Transportation, do hereby certify that the foregoing is a true and correct copy from the minutes of the Transportation Board made in official session on July 19, 2002.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on July 19, 2002.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation