

AUGUST 16, 2002

RES. NO. 2002-08-A-035
PROJECT: 600-1-729 / 101LMA058H083302R
HIGHWAY: PRICE FREEWAY
SECTION: Western Canal - Ray Road
ROUTE NO.: State Route 101 Loop
ENG. DIST.: M
COUNTY: Maricopa

RESOLUTION OF ABANDONMENT

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on August 16, 2002, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the abandonment of portions of State Route 101 Loop within the above referenced project.

The portions of right of way to be abandoned are 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, PRICE FREEWAY, Project 600-1-729 / 101LMA058H083302R."

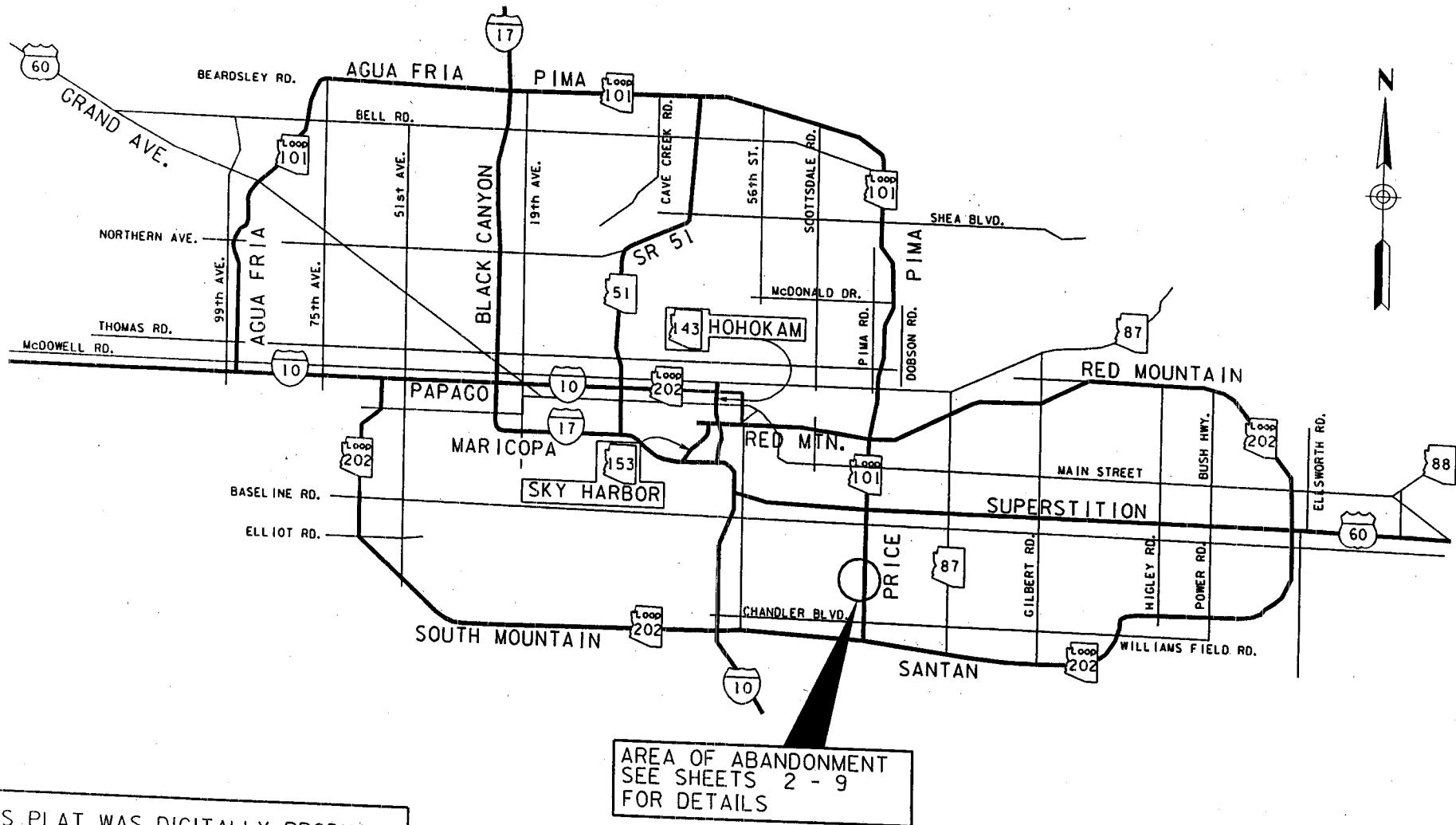
WHEREAS said portions of right of way are no longer needed for State highway purposes; and

WHEREAS this Board finds that public safety, necessity and convenience will be served by accepting the Director's report; therefore, be it

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

RESOLVED that the portions of right of way depicted in Appendix "A" are hereby removed from the State Highway System and abandoned to Maricopa County as provided in Arizona Revised Statutes Sections 28-7207 and 28-7209, and effective upon recordation in the Office of the County Recorder in accordance with Arizona Revised Statutes Section 28-7213; be it further

RESOLVED that the Director provide written notice to Maricopa County evidencing the abandonment of the State's interest.



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

RIGHT OF WAY PLANS SECTION
REVISED MAY 17, 2000

APPENDIX "A"

101 MA 058 H0833 02R / RAM 600-1-729
PRICE FREEWAY S.R. 101 Loop
Western Canal - Ray Road
Maricopa County

DATE: AUG 16, 2002 SHEET: 1 OF 9

SR 101L (PRICE FREEWAY)

13-18
 $\frac{1}{4}$ Corner
 Fd Brass Cap In Handhole

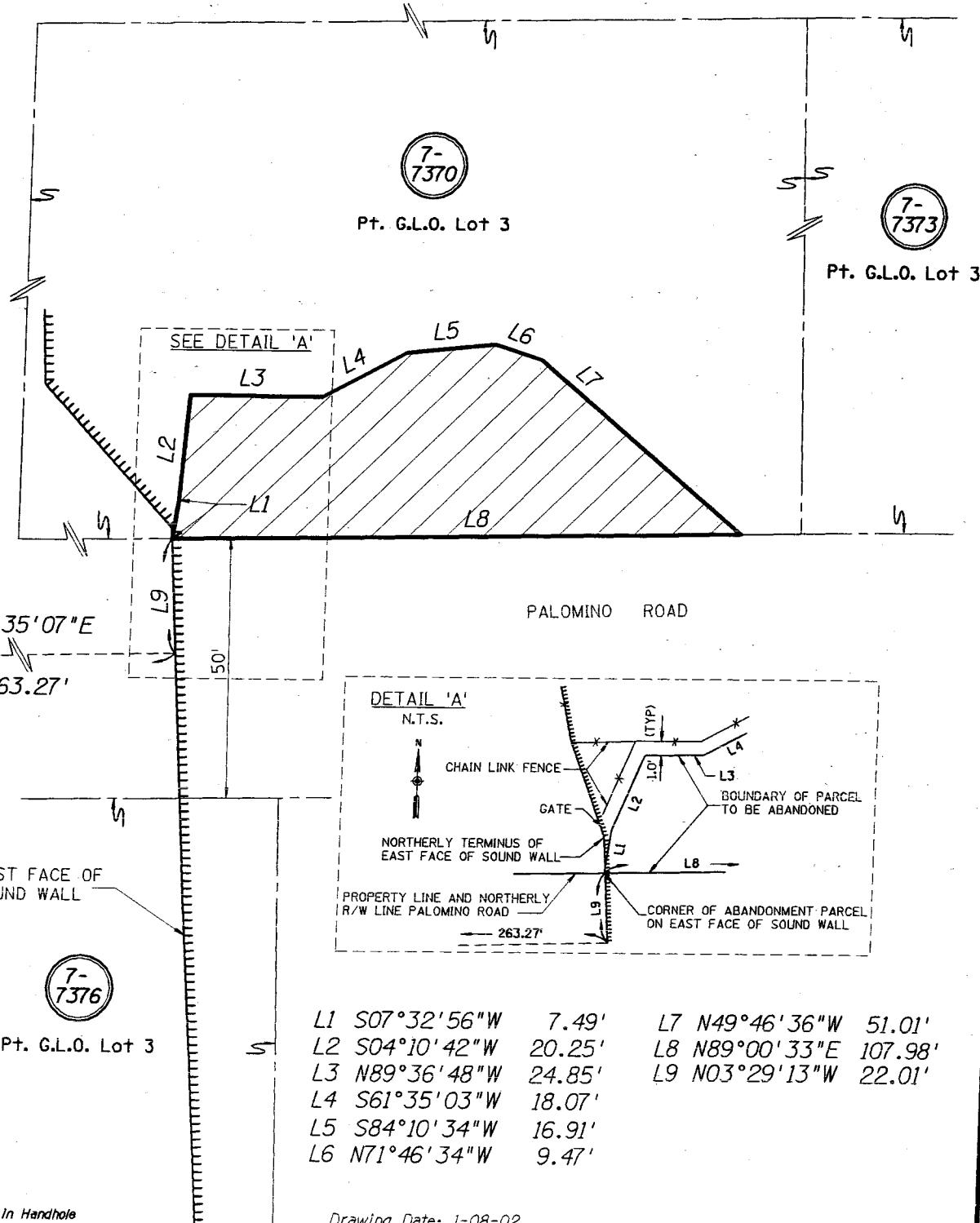
Range Line
 T.1S. R.4E.
 T.1S. R.5E.

358.90'
 $N01^{\circ}24'53''W$ 2651.36'

2292.46'
 $N88^{\circ}35'07''E$

13 18 ROAD
 24 19 Section Corner
 Fd Brass Cap In Handhole

NOTE: SOUND WALL LOCATION PER
 AS-BUILT SURVEY BY ADOT CONSTRUCTION
 DISTRICT PROJECT H387601C DATED
 JANUARY, 2001.

APPENDIX "A"Sheet 2 of 9
 Palomino Road Abandonment

Area to be Abandoned
 $2,779 \pm \square$

APPENDIX "A"

Sheet 3 of 9

That portion of the following described property in Lot 3 of Section 18, Township 1 South, Range 5 East of the Gila and Salt River Meridian, Maricopa County, Arizona, lying within the following described tract:

Property Description: (Document 97-0557361)

That portion of the North half (N $\frac{1}{2}$) of Lot 3 of Section 18, Township 1 South, Range 5 East of the Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

COMMENCING at a tie at the West quarter corner of Section 18;

thence South 0°21'30" East along the West line of Section 18, a distance of 57.00 feet to the TRUE POINT OF BEGINNING of the parcel of land herein described;

thence North 89°48'30" East, parallel to the North line of Lot 3, a distance of 383.53 feet;

thence southerly to the center line of the 50.00 foot wide easement described in Docket 4018, page 237, records of Maricopa County, Arizona;

thence westerly along said center line 381.70 feet to the West line of said Section 18;

thence North 0°21'30" West, along said West line, a distance of 302.67 feet to the POINT OF BEGINNING, according to Survey by Williams and Ellis, Consulting Engineers and Surveyors, Job #1736D;

EXCEPT from afore-described parcel of land the following parcels of land:

The strip of land conveyed by ALFRED J. PETERS AND GRACE JORDAN PETERS, his wife to JAMES E. REDDEN, et al by Deed dated December 17, 1894 and recorded in Book 37 of Deeds page 592, records of Maricopa County, Arizona, described as follows:

A strip of land 16 $\frac{1}{2}$ feet wide through the West side of the South half (S $\frac{1}{2}$) of Section 18, Township 1 South, Range 5 East of the Gila and Salt River Median, described as follows:

BEGINNING at a point on the Southern line of said Section 18, a distance of 30.00 feet East in a direct line from the East line of the ditch known as Goodwin Ditch, and where the West line of the ditch of Grantees crosses said Southern Section line;

thence northerly parallel with said Goodwin Ditch to a point on the North line of said South half (S $\frac{1}{2}$) of Section 18, a distance of 30.00 feet East in a direct line from the East line of said Goodwin Ditch;

(continued)

Appendix "A"

Sheet 4 of 9

thence East 16½ feet;

thence southerly parallel with the West line of the land hereby conveyed about one half mile to the said Southern line of Section 18;

thence West 16½ feet to the place of beginning; and

EXCEPT a strip of land conveyed by ELLING OLSEN AND CHRISTINE OLSEN, his wife to VALENTINE GANT, by Deed recorded August 19, 1897, in Book 42 of Deeds, page 320, records of Maricopa County, Arizona, described therein as follows:

BEGINNING at the Southwest corner of Section 18, Township 1 South, Range 5 East of the Gila and Salt River Meridian;

thence North along the West boundary line of said Section 18 to the Northwest corner of said Section;

thence East along the North boundary line of said Section 18, about 15.00 feet, more or less, to the West boundary line of the Great Eastern Ditch;

thence South following the course of the West boundary line of said Great Easterly Ditch to the South boundary line of said Section 18;

thence West along said South boundary line of said Section 18 to the Southwest corner thereof, being the place of beginning.

AND EXCEPT the South 25.00 feet and the West 80 feet (E R/W #22)

Tract Description:

That portion of Government Land Office Lot 3, Section 18, Township 1 South, Range 5 East, Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

Commencing at a brass cap in a handhole marking the Southwest corner of said Section 18, being South 01°24'53" East 2651.36 feet from a brass cap marking the West quarter corner of said Section 18;

thence along the West line of said Section 18, North 01°24'53" West 2292.46 feet;

thence North 88°35'07" East 263.27 feet to the East face of the existing sound wall on the East side of State Route 101L (PRICE FREEWAY);

(continued)

Appendix "A"

Sheet 5 of 9

thence along said existing East face of said sound wall, North 03°29'13" West 22.01 feet to the POINT OF BEGINNING on the South line of the above described property;

thence along said South property line, North 89°00'33" East 107.98 feet;

thence North 49°46'36" West 51.01 feet;

thence North 71°46'34" West 9.47 feet;

thence South 84°10'34" West 16.91 feet;

thence South 61°35'03" West 18.07 feet;

thence North 89°36'48" West 24.85 feet;

thence South 04°10'42" West 20.25 feet;

thence South 07°32'56" West 7.49 feet to the POINT OF BEGINNING.

2,779 square feet, more or less.

APPENDIX "A"

Sheet 6 of 9
El Alba Way Abandonment

13-18

1/4 Corner
Fd Brass Cap In Handhole

Range Line
T.1S. R.4E.
982.34' T.1S. R.5E.

SR 101L (PRICE FREEWAY)

N01°24'53"W 2651.36'
143.70'

1525.32'

WARNER 13 18 ROAD

24 19 Section Corner
Fd Brass Cap In Handhole

LOT 2
CABALLOS RANCHITOS
Bk. 118 (Maps) Pg. 31

7-
7378

N88°35'07"E

302.58'

50'

EL ALBA WAY

N88°35'07"E

313.47'

LOT 31
CABALLOS RANCHITOS
Bk. 118 (Maps) Pg. 31

7-
7379

EAST FACE OF
SOUND WALL

L1 N05°54'35"W 48.08'
L2 N05°41'36"W 47.95'
L3 N05°38'19"W 48.08'

Drawing Date: 1-08-02

NOTE: SOUND WALL LOCATION PER
AS-BUILT SURVEY BY ADOT CONSTRUCTION
DISTRICT PROJECT H387601C DATED
JANUARY, 2001.



Area to be Abandoned
9,149± \square



Appendix "A"

Sheet 7 of 9

That portion of the following described parcels in the Southwest quarter (SW $\frac{1}{4}$) of Section 18, Township 1 South, Range 5 East, Gila and Salt River Meridian, Maricopa County, Arizona, lying East of the following described line:

Parcel 1:

The South 27.0 feet of Lot 2 of CABALLOS RANCHITOS, according to Book 118 of Maps, page 31, records of Maricopa County, Arizona.

Parcel 2

The North 27.50 feet of Lot 31 of CABALLOS RANCHITOS, according to Book 118 of Maps, page 31, records of Maricopa County, Arizona.

Parcel 3

That portion of El Alba Way lying West of the southerly prolongation line of the East line of Lot 2, CABALLOS RANCHITOS, according to Book 118 of Maps, page 31, records of Maricopa County, Arizona, said southerly prolongation line being the northerly prolongation line of the East line of Lot 31, CABALLOS RANCHITOS, according to Book 118 of Maps, page 31, records of Maricopa County, Arizona.

Line Description:

Commencing at a brass cap in a handhole marking the Southwest corner of Section 18, Township 1 South, Range 5 East, Gila and Salt River Meridian, Maricopa County, Arizona, being South 01°24'53" East 2651.36 feet from a brass cap marking the West quarter corner of said Section 18;

thence along the West line of said Section 18, North 01°24'53" West 1525.32 feet;

thence North 88°35'07" East 313.47 feet to the POINT OF BEGINNING on the East face of the existing sound wall on the East side of State Route 101L (PRICE FREEWAY);

thence along said East face of a sound wall, North 05°38'19" West 48.08 feet;

thence continuing along said East face of a sound wall, North 05°41'36" West 47.95 feet;

thence North 05°54'35" West 48.08 feet to the POINT OF ENDING;

said POINT OF ENDING being North 88°35'07" East 302.58 feet from a point on the West line of said Section 18;

said point on the West Section line being South 01°24'53" East 982.34 feet from said West quarter corner.

9,149 square feet, more or less.

G:9340/Legals/Excess/D-M-246 (El Alba Way)

APPENDIX "A"

Sheet 8 of 9
Colt Road Abandonment

13-18

1/4 Corner
Fd Brass Cap In Handhole

L1 NO1°55'48"W 48.12'
L2 NO1°49'12"W 47.83'
L3 NO1°18'22"W 48.07'

SR 101L (PRICE FREEWAY)

NO1°24'53"W 2651.36'
144.02'

Range Line
T.1S. R.4E.
1797.36' T.1S. R.5E.

LOT 34
CABALLOS RANCHITOS
Bk. 118 (Maps) Pg. 31

7-
7382

N88°35'07"E

341.61'

COLT ROAD

27.0'

L1
27
L3

27.5'

N88°35'07"E

342.29'

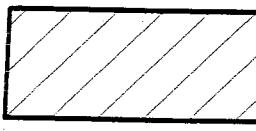
LOT 43
CABALLOS RANCHITOS
Bk. 118 (Maps) Pg. 31

7-
7383

EAST FACE OF
SOUND WALL

NOTE: SOUND WALL LOCATION PER
AS-BUILT SURVEY BY ADOT CONSTRUCTION
DISTRICT PROJECT H387601C DATED
JANUARY, 2001.

Drawing Date: 1-08-02



Area to be Abandoned
5,665 ±

WARNER 13 18 ROAD

24 19 Section Corner
Fd Brass Cap In Handhole



Appendix "A"

Sheet 9 of 9

That portion of the following described parcels in the Southwest quarter (SW $\frac{1}{4}$) of Section 18, Township 1 South, Range 5 East, Gila and Salt River, Maricopa County, Arizona lying East of the following described line:

Parcel 1:

The South 27.0 feet of Lot 34 of CABALLOS RANCHITOS, according to Book 118 of Maps, page 31, records of Maricopa County, Arizona.

Parcel 2

The North 27.50 feet of Lot 43 of CABALLOS RANCHITOS, according to Book 118 of Maps, page 31, records of Maricopa County, Arizona.

Parcel 3

That portion of Colt Road lying West of the southerly prolongation line of the East line of Lot 34, CABALLOS RANCHITOS, according to Book 118 of Maps, page 31, records of Maricopa County, Arizona, said southerly prolongation line being the northerly prolongation line of the East line of Lot 43, CABALLOS RANCHITOS, according to Book 118 of Maps, page 31, records of Maricopa County, Arizona.

Line Description:

Commencing at a brass cap in a handhole marking the Southwest corner of Section 18, Township 1 South, Range 5 East, Gila and Salt River Meridian, Maricopa County, Arizona, being South 01°24'53" East 2651.36 feet from a brass cap marking the West quarter corner of said Section 18;

thence along the West line of said Section 18, North 01°24'53" West 709.96 feet;

thence North 88°35'07" East 342.29 feet to the POINT OF BEGINNING on the East face of the existing sound wall on the East side of State Route 101L (PRICE FREEWAY);

thence along the East face of said sound wall, North 01°18'22" West 48.07 feet;

thence continuing along said East face of a sound wall, North 01°49'12" West 47.83 feet;

thence North 01°55'48" West 48.12 feet to the POINT OF ENDING;

said POINT OF ENDING being North 88°35'07" East 341.61 feet from a point on the West line of said Section 18;

said point on the West Section line being South 01°24'53" East 1797.38 feet from said West quarter corner.

5,665 square feet, more or less.

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ENG. DIST.: M
COUNTY: Maricopa

REPORT AND RECOMMENDATION

TO THE HONORABLE ARIZONA TRANSPORTATION BOARD:

The Intermodal Transportation Division has made a thorough investigation concerning the abandonment of portions of right of way acquired for State Route 101 Loop within the above referenced project.

This portion was previously established as a State Route, designated State Route 117, by Arizona Transportation Board Resolution 85-04-A-35, dated April 26, 1985; Resolution 87-08-A-77, dated August 21, 1987, refined this State Route Plan; Resolution 87-11-A-105, dated December 18, 1987, redesignated State Route 117 to State Route 101 Loop; and Resolution 98-05-A-013, dated May 15, 1998, established this portion of said route as a State Highway.

Portions of the previously acquired right of way are no longer needed for state transportation purposes. Maricopa County has agreed to accept jurisdiction of the right of way. Accordingly, I recommend that the State's interest in these portions of right of way be abandoned.

The portions of right of way to be abandoned are depicted in Appendix "A" and delineated on the maps and plans on file in the office of the State Engineer, Intermodal Transportation Division, Phoenix, Arizona, entitled "Right of Way Plans, PRICE FREEWAY, Project 600-1-729 / 101LMA058H083302R."

I further recommend that the portions of right of way depicted in Appendix "A" be removed from the State Highway System and abandoned to Maricopa County.

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

Pursuant to Arizona Revised Statutes Section 28-7046, I recommend that the Transportation Board adopt a resolution making this recommendation effective.

Respectfully submitted,



VICTOR M. MENDEZ, Director
Arizona Department of Transportation

APPROVED
Ron J. Aschenbach
Assistant Attorney General
Attorney for Department
of Transportation
Date 7/29/02

AUGUST 16, 2002

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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 August 16, 2002.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on August 16, 2002.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation