

DECEMBER 20, 2002

RES. NO. 2002-12-A-060
PROJECT: F-014-1-805 / 387PN237H088801R
HIGHWAY: CASA GRANDE - I-10 - COOLIDGE
SECTION: Santa Cruz Wash - Jct. I-10
ROUTE NO.: State Route 387
ENG. DIST.: T
COUNTY: Pinal

RESOLUTION OF ABANDONMENT

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on December 20, 2002, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the conditional abandonment of portions of right of way acquired for a drainage channel within the above referenced project.

The portions of right of way, hereinafter referred to as the drainage channel, to be abandoned are depicted in Appendix "A" as "Parcels 1 through 4" 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, CASA GRANDE - I-10 - COOLIDGE Highway, Project F-014-1-805 / 387PN237H088801R."

WHEREAS said portions of the drainage channel are to be abandoned for continued use as such; and

WHEREAS the City of Casa Grande and the Pinal County Flood Control District have agreed to accept jurisdiction of the drainage channel and allow the drainage from Interstate Route 10 and State Route 387 to continue to flow in the drainage channel; and

WHEREAS the State will retain title to State Route 387 and herein grant a perpetual easement to the City of Casa Grande and the Pinal County Flood Control District for use of the drainage channel located within the right of way of State Route 387; and

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

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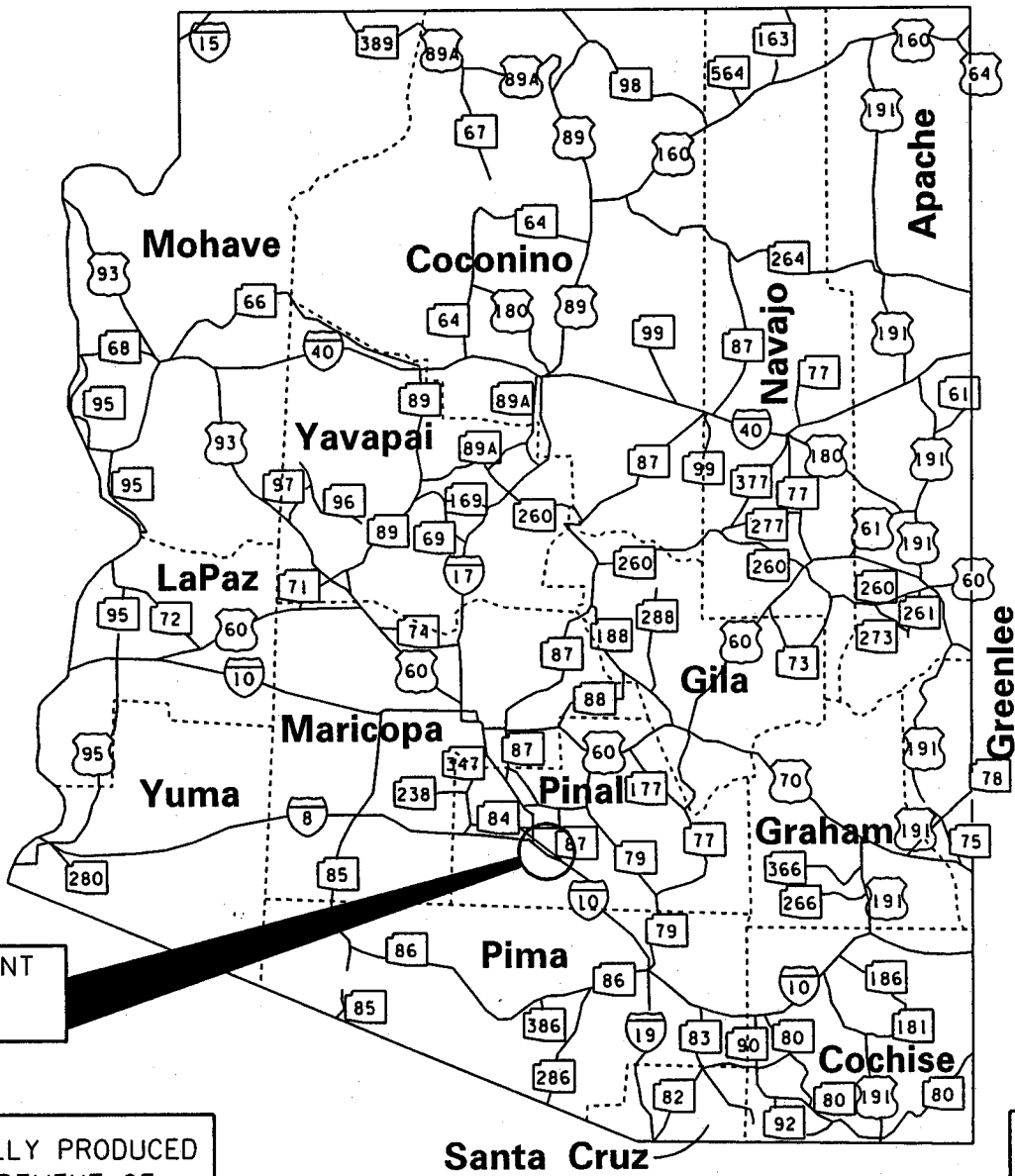
RESOLVED that the recommendation of the Director is adopted and made part of this resolution; be it further

RESOLVED that the portions of the drainage channel depicted in Appendix "A" as "Parcels 1 through 4" are hereby removed from the State Highway System and abandoned to the City of Casa Grande and the Pinal County Flood Control District as provided in Arizona Revised Statute Section 28-7207 and 28-7209, and effective upon recordation in the Office of the County Recorder in accordance with Arizona Revised Statute Section 28-7213; be it further

RESOLVED that the State reserves the right to perpetual use of the entire drainage channel for drainage from Interstate Route 10 and State Route 387 by the City of Casa Grande and the Pinal County Flood Control District; be it further

RESOLVED that the State retains title to State Route 387 and herein grants the City of Casa Grande and the Pinal County Flood Control District a perpetual easement for use of the drainage channel located within the right of way of State Route 387; be it further

RESOLVED that the Director provide written notice to the City of Casa Grande and the Pinal County Flood Control District evidencing the abandonment of the State's interest.



AREA OF ABANDONMENT
SEE SHEET 2 OF 8
FOR DETAILS

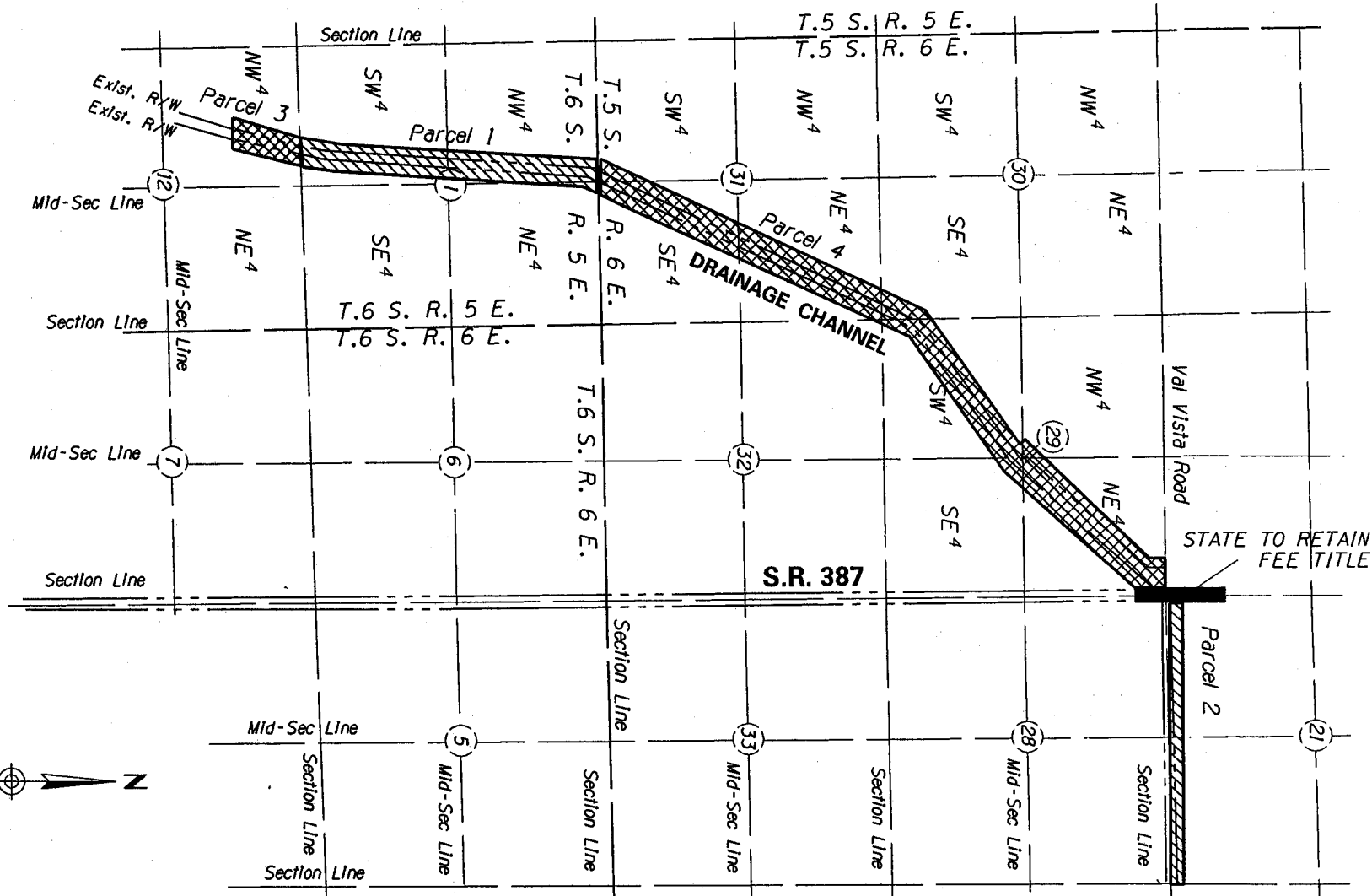
THIS PLAT WAS DIGITALLY PRODUCED
FROM ARIZONA DEPARTMENT OF
TRANSPORTATION
GENERAL HIGHWAY MAP

RIGHT OF WAY PLANS SECTION
REVISED MAY 17, 2000

APPENDIX "A"


387 PN 237 H0888 OIR / F-014-1-805
CASA GRANDE-I-10-COOLIDGE SR 387
Santa Cruz Wash - Jct I-10
Pinal County


DATE: DEC 20, 2002 SHEET: 1 OF 8



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

RIGHT OF WAY PLANS SECTION
 REVISED JULY 17, 2000

AREA OF 
 ABANDONMENT TO
 PINAL COUNTY FLOOD
 CONTROL DISTRICT

AREA OF 
 ABANDONMENT TO
 CITY OF
 CASA GRANDE

APPENDIX "A"

387 PN 237 H0888 01R / F-014-1-805
 CASA GRANDE-1-10-COOLIDGE SR 387
 Santa Cruz Wash - Jct I-10
 Pinal County

DATE: DEC 20, 2002 SHEET: 2 OF 8

APPENDIX "A"
PINAL COUNTY FLOOD CONTROL DISTRICT

PARCEL NO. 1:

That portion of the Drainage Channel located in Lot 3 and the East half of the West half (E½W½) of Section 1, Township 6 South, Range 5 East, Gila and Salt River Meridian, Pinal County, Arizona, described as follows:

BEGINNING at a point on the North line of said Section 1 which is marked by a 1 inch pipe and United States General Land Office (USGLO) 1929 brass cap marking the South quarter corner of Section 31, Township 5 South, Range 6 East, which bears South 89°19'58" West 2644.36 feet from a 3 inch pipe with USGLO 1929 brass cap marking the Southeast corner of said Section 31;

thence along said North line of Section 1, North 89°19'58" East 23.40 feet to the easterly New Drainage Channel right of way of Drainage Channel West;

thence along said easterly right of way line, South 11°07'17" West 126.47 feet;

thence continuing along said easterly right of way line, South 4°43'01" West 2721.45 feet to the East – West mid-section line of said Section 1;

thence continuing along said easterly right of way line, South 4°43'01" West 2217.63 feet;

thence continuing along said easterly right of way line, South 15°43'01" West 496.80 feet to the South line of said Section 1;

thence along said South line, North 89°58'27" West 181.77 feet to the westerly New Drainage Channel right of way of Drainage Channel West;

thence along said westerly right if way line, North 15°43'01" East 445.34 feet;

thence continuing along said westerly right if way line, North 10°13'01" East 166.76 feet;

thence continuing along said westerly right if way line, North 4°43'01" East 2103.75 feet to the East – West mid-section line of said Section 1;

thence continuing along said westerly right if way line, North 4°43'01" East 2842.63 feet to the North line of said Section 1;

thence along said North line, North 89°21'19" East 166.54 feet to the POINT OF BEGINNING.

974,482 square feet, more or less.

PARCEL NO. 2:

That portion of the Drainage Channel located in the South half of the South half of the South half (S½S½S½) of Section 21, Township 5 South, Range 6 East, Gila and Salt River Meridian, Pinal County, Arizona, described as follows:

Commencing at 1½ inch open pipe marking the Southwest corner of said Section 21, which bears North 89°54'09" West 2665.62 from a 1 inch pipe with United States General Land Office (USGLO) 1929 brass cap marking the South quarter corner of said Section 21;

thence along the South line of said Section 21, South 89°54'09" East 106.06 feet to the POINT OF BEGINNING on the existing East right of way line of State Route 387 (JCT. I-10 – CASA GRANDE – PICACHO PEAK HIGHWAY);

thence continuing along said South line of said Section 21, South 89°54'09" East 2559.56 feet to said 1 inch pipe marking the South quarter corner of said Section 21;

thence along the North – South mid-section line of said Section 21, North 0°03'32" West 33.00 feet to the South New Drainage Channel right of way line of Drainage Channel East;

thence along said South New Drainage Channel right of way line, South 89°53'45" East 2630.93 feet to the West line of the right of way recorded in Minute Book 7, Page 386 of County Board of Supervisors and Docket 375 Page 573;

thence along said West right of way line, North 0°02'58" West 127.00 feet to the North New Drainage Channel right of way line of said Drainage Channel East;

thence along said North right of way line, North 89°53'45" West 1636.95 feet;

thence continuing along said North right of way line, North 88°45'08" West 994.34 feet to the North – South mid-section line of said Section 21;

thence continuing along said North right of way line, North 88°45'08" West 505.96 feet;

thence continuing along said North right of way line, North 89°54'09" West 1903.88 feet;

thence continuing along said North right of way line, North 0°05'51" West 20.00 feet;

thence continuing along said North right of way line, North 89°54'09" West 150.00 feet to said existing East right of way line of State Route 387;

thence along said existing East right of way line, South 0°05'06" East 210.00 feet to the POINT OF BEGINNING.

830,779 square feet, more or less.

SHEET 4 OF 8

APPENDIX "A"

CITY OF CASA GRANDE

PARCEL NO. 3:

That portion of the Drainage Channel located in the Northeast quarter of the Northwest quarter (NE¼NW¼) of Section 12, Township 6 South, Range 5 East, Gila and Salt River Meridian, Pinal County, Arizona, described as follows:

Commencing at a point on the North line of Section 1 of said Township 6 South, Range 5 East, which is marked by a 1 inch pipe and United States General Land Office (USGLO) 1929 brass cap marking the South quarter corner of Section 31, Township 5 South, Range 6 East, which bears South 89°19'58" West 2644.36 feet from a 3 inch pipe with USGLO 1929 brass cap marking the Southeast corner of said Section 31;

thence along said North line of Section 1, North 89°19'58" East 23.40 feet to the easterly New Drainage Channel right of way of Drainage Channel West;

thence along said easterly right of way line, South 11°07'17" West 126.47 feet;

thence continuing along said easterly right of way line, South 4°43'01" West 2721.45 feet to the East - West mid-section line of said Section 1;

thence continuing along said easterly right of way line, South 4°43'01" West 2217.63 feet;

thence continuing along said easterly right of way line, South 15°43'01" West 496.80 feet to the POINT OF BEGINNING on the North line of said Section 12;

thence continuing along the easterly right of way line of Drainage Channel West, South 15°43'01" West 1303.16 feet;

thence North 74°18'59" West 175.00 feet to the westerly right of way line of said Drainage Channel West;

thence along said westerly right of way line, North 15°43'01" East 1254.01 feet to the North line of said Section 12;

thence along said North line, South 89°58'27" East 181.77 feet to the POINT OF BEGINNING.

223,744 square feet, more or less.

SHEET 5 OF 8

PARCEL NO. 4:

That portion of the Drainage Channel located in the Southeast quarter of the Southwest quarter (SE¼SW¼) and the East half (E½) of Section 31, the Southeast quarter of the Southeast quarter (SE¼SE¼) of Section 30, the Northeast quarter (NE¼), the Northwest quarter of the Southeast quarter (NW¼SE¼), the Southeast quarter of the Northwest quarter (SE¼NW¼), the West half of the Southwest quarter (W½SW¼), and the Northeast quarter of the Southwest quarter (NE¼SW¼) of Section 29, Township 5 South, Range 6 East, Gila and Salt River Meridian, Pinal County, Arizona, described as follows:

Commencing at a 1½ inch open pipe marking the Northeast corner of said Section 29, also being the Northwest quarter of Section 28, of said Township 5 South, Range 6 East, and bearing North 89°54'09" West 2665.62 from a 1 inch pipe with United States General Land Office (USGLO) 1929 brass cap, marking the North quarter corner of said Section 28;

thence along the North line of said Section 29, South 89°22'14" West 125.00 feet to the existing West right of way line of State Route 387 (JCT. I-10 – CASA GRANDE – PICACHO HIGHWAY);

thence along said West right of way line, South 0°07'20" East 33.00 feet to the POINT OF BEGINNING on the South right of way line of Val Vista Road;

thence along said South right of way line, South 89°22'14" West 401.93 feet to the westerly 1975 New Channel right of way line of Drainage Channel West;

thence along said westerly (1975) right of way line, South 0°37'46" East 294.35 feet;

thence continuing along said westerly (1975) right of way line, South 44°54'54" West 703.65 feet;

thence continuing along said westerly (1975) right of way line, South 43°04'24" West 2360.69 feet;

thence continuing along said westerly (1975) right of way line, South 48°09'24" West 163.37 feet to the East – West mid-section line of said Section 29;

thence continuing along said westerly (1975) right of way line, along said East – West mid-section line, North 89°26'26" East 113.86 feet to the westerly (1971) New Channel right of way line of Drainage Channel West;

thence along said westerly (1971) right of way line, South 48°09'24" West 111.40 feet;

thence continuing along said westerly (1971) right of way line, South 53°14'24" West 3086.42 feet;

thence continuing along said westerly (1971) right of way line, South 25°29'08" West 248.68 feet to the West line of said Section 29, which bears North 0°00'12" East 523.78 feet from a 2½ inch USGLO brass cap marking the Southwest corner of said Section 29;

SHEET 6 OF 8

thence continuing along said westerly (1971) right of way line, South 25°29'08" West 583.27 feet to the South line of said Section 30;

thence continuing along said westerly (1971) right of way line, South 25°29'08" West 2940.11 feet to the East – West mid-section line of said Section 31;

thence continuing along said westerly (1971) right of way line, South 25°29'08" West 2941.26 feet to the South Township line of said Township 5 South, Range 6 East;

thence along said South Township line, North 89°21'19" East 143.69 feet to a 1929 USGLO brass cap marking the South quarter corner of said Section 31;

thence continuing along said South Township line, North 89°19'58" East 23.40 feet to the easterly (1971) New Channel right of way line of Drainage Channel West;

thence along said easterly (1971) right of way line, North 25°29'08" East 2941.22 feet to the East - West mid-section line of said Section 31;

thence continuing along said easterly (1971) right of way line, North 25°29'08" East 2940.06 feet to the North line of said Section 31;

thence along said North line of Section 31, continuing along said easterly (1971) right of way line, North 89°22'32" East 83.91 feet to a 2½ inch USGLO brass cap set on 2 inch iron pipe marking the Northeast corner of said Section 31;

thence along the East line of said Section 30, continuing along said easterly (1971) right of way line, North 0°00'12" East 175.13 feet;

thence continuing along said easterly (1971) right of way line, North 25°29'08" East 407.04 feet;

thence continuing along said easterly (1971) right of way line, North 39°21'46" East 231.67 feet;

thence continuing along said easterly (1971) right of way line, North 53°14'24" East 3039.98 feet;

thence continuing along said easterly (1971) right of way line, North 43°04'24" East 2470.34 feet;

thence continuing along said easterly (1971) right of way line, North 44°54'54" East 1039.47 feet to said existing West right of way line of State Route 387;

thence along said existing West right of way line, North 0°05'06" West 217.24 feet to the POINT OF BEGINNING.

2,341,048 square feet, more or less.

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APPENDIX "A"
CONDITIONS OF ABANDONMENT IN
ACCORDANCE WITH JPA 91-125, DATED MAY 29,
1997

1. The Arizona Department of Transportation shall retain title to State Route 387 and the right to perpetual use of the entire drainage channel being abandoned herein, for water runoff from Interstate Route I-10 and State Route 387.
2. The City of Casa Grande and the Pinal County Flood Control District shall allow the drainage from Interstate Route 10 and State Route 387 to continue to flow into the portions of the abandoned drainage channel.
3. The City of Casa Grande and the Pinal County Flood Control District are hereby granted a perpetual easement from the Arizona Department of Transportation to utilize the drainage channel located within State Route 387 right of way for purposes consistent with the drainage channel.

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REPORT AND RECOMMENDATION

TO THE HONORABLE ARIZONA TRANSPORTATION BOARD:

The Intermodal Transportation Division has made a thorough investigation concerning the conditional abandonment of a portion of right of way acquired for a drainage channel within the above referenced project.

This portion was previously established as a state route and a state highway, designated State Route 93, by Arizona Highway Commission Resolution 70-79, dated September 11, 1970; Resolution 70-94, dated November 20, 1975 established additional right of way; thereafter, Arizona Transportation Board Resolution 75-14-A-52, dated September 5, 1975, established additional right of way; and Resolution 84-12-A-85, dated December 17, 1984 redesignated and renumbered State Route 93 to State Route 387.

Portions of the previously acquired right of way, hereinafter referred to as the drainage channel, are to be abandoned for continued use as such. The City of Casa Grande and the Pinal County Flood Control District have agreed to accept jurisdiction of portions of the drainage channel and allow the drainage from Interstate Route 10 and State Route 387 to continue to flow in the channel.

The State will retain title to State Route 387 and reserve the right to perpetual use of the entire drainage channel being abandoned herein for drainage from Interstate Route 10 and State Route 387.

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The State herein grants a perpetual easement to the City of Casa Grande and the Pinal County Flood Control District to utilize the portion of the drainage channel located within the right of way of State Route 387.

Accordingly, I recommend that the State's interest in the portions of drainage channel be abandoned with the conditions that the State reserves the right to perpetual use of the entire drainage channel for drainage from Interstate Route 10 and State Route 387, and the State grants a perpetual easement to the City of Casa Grande and the Pinal County Flood Control District to utilize the portion of the drainage channel located within the right of way of State Route 387 for purposes consistent with the drainage channel.

The portions of the drainage channel to be abandoned are depicted in Appendix "A" as "Parcels 1 through 4" 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, CASA GRANDE - I-10 - COOLIDGE Highway, Project F-014-1-805 / 387PN237H088801R."

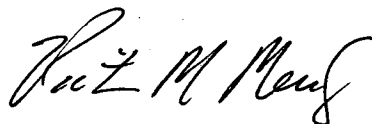
All other rights of way and easements and appurtenances thereto subject to the provisions of Arizona Revised Statutes Section 28-7210 shall continue as they existed prior to the disposal of right of way depicted in Appendix "A".

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Victor M. Mendez". The signature is written in a cursive, flowing style.

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 December 20, 2002.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on December 20, 2002.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation