

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2003-0983846 07/24/03 15:11

1 OF 2

GUILLEN

When recorded return to:
ADOT - R/W Acctg. - 612E
205 S. 17th Avenue
Phoenix, AZ 85007

JULY 18, 2003

RES. NO. 2003-07-A-040
PROJECT: 600-0-701/101LMA002H081103R
600-0-702/101LMA007H080703R
HIGHWAY: AGUA FRIA FREEWAY
SECTION: Jct. I-10 - Glendale Avenue
Glendale Avenue - Jct. U.S. 60
ROUTE NO.: STATE ROUTE 101 LOOP
ENG. DIST.: M
COUNTY: Maricopa
PARCEL: D-M-272-B

RESOLUTION OF ABANDONMENT

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on July 18, 2003, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the abandonment of a portion of State Route 101 Loop within the above referenced project.

The portion of right of way to be abandoned 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, AGUA FRIA FREEWAY, Project 600-0-701/101LMA002H081103R 600-0-702/101LMA007H080703R."

WHEREAS said portion of right of way is 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

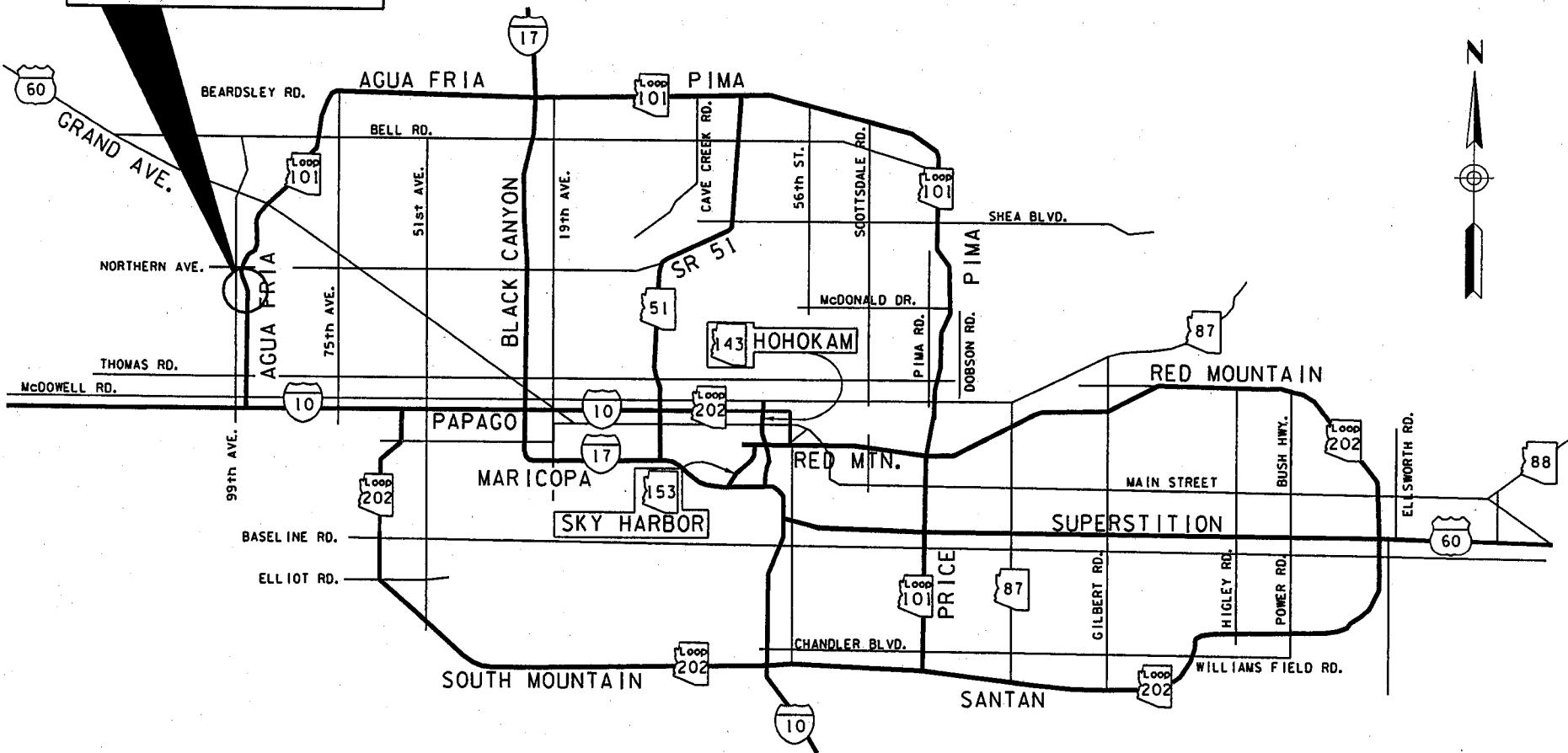
RESOLVED that the portion of right of way depicted in Appendix "A" is hereby removed from the State Highway System and abandoned to Maricopa County as provided in Arizona Revised Statute Section 28-7207 and 28-7209, and effective upon recordation in the Office of the County Recorder in accordance with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

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

AREA OF ABANDONMENT
SEE SHEETS 2 OF 4
FOR DETAILS



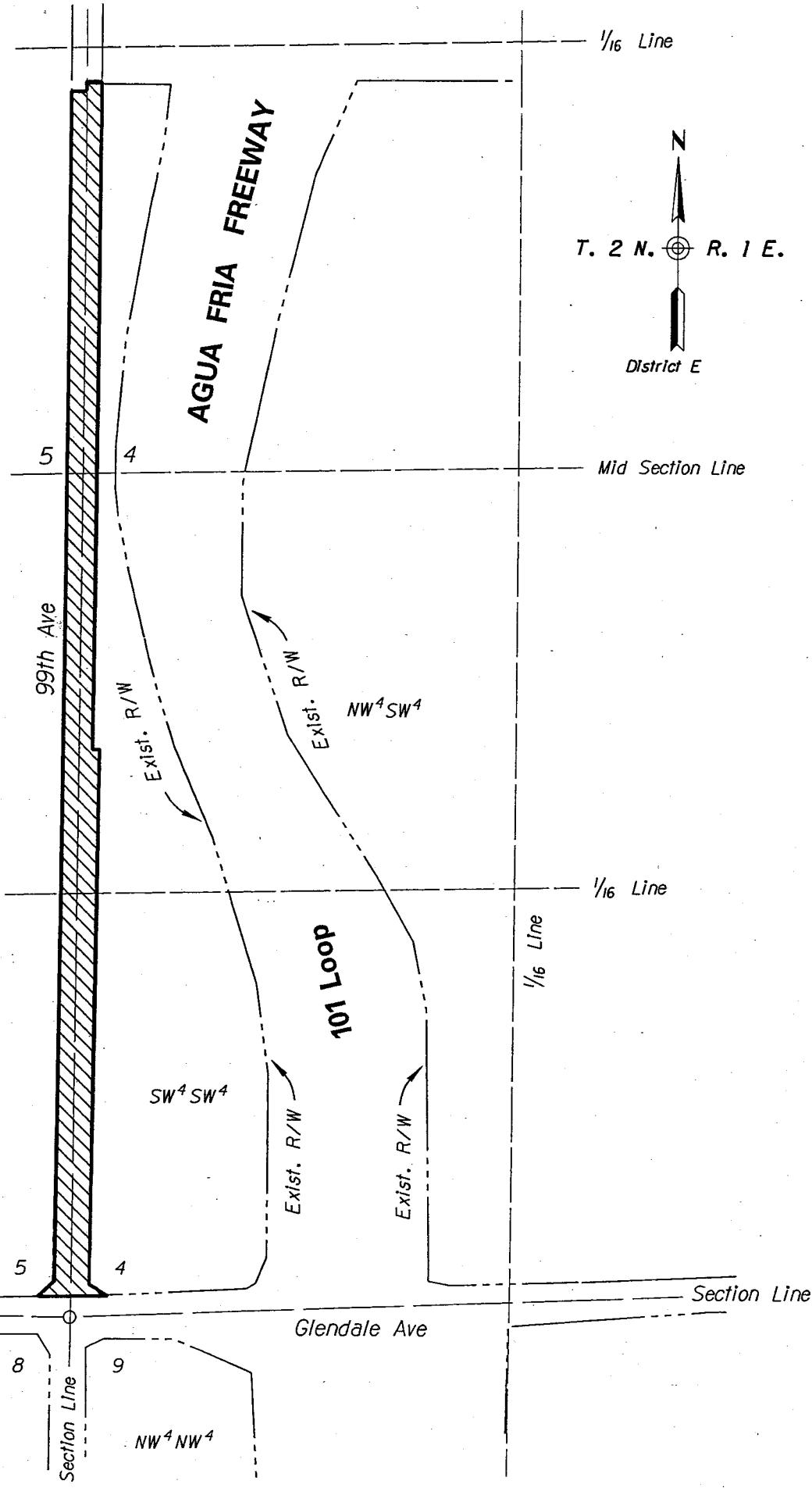
THIS PLAT WAS DIGITALLY PRODUCED
FROM ARIZONA DEPARTMENT OF
TRANSPORTATION
GENERAL HIGHWAY MAP

RIGHT OF WAY PLANS SECTION
REVISED MAY 17, 2000

APPENDIX "A"

101L MA 002 H0811 03R / 600-0-701
101L MA 007 H0870 03R / 600-0-702
AGUA FRIA FREEWAY SR 101L
99th Ave between Glendale/Northern
D-M-272B
Maricopa County

DATE: JULY 18, 2003 SHEET: 1 OF 4



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GENERAL HIGHWAY MAP

RIGHT OF WAY PLANS SECTION
REVISED JULY 17, 2000

AREA OF
ABANDONMENT TO
MCDOT

APPENDIX "A"

101L MA 002 H0811 03R / 600-0-701
101L MA 007 H0870 03R / 600-0-702
AGUA FRIA FREEWAY SR 101L
99th Ave between Glendale/Northern
D-M-272B
Maricopa County

DATE: JULY 18, 2003 SHEET: 2 OF 4

APPENDIX "A"

A parcel of land located in Sections 4 and 5, Township 2 North, Range 1 East, Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

Commencing at a Maricopa County Highway Department brass cap in handhole marking the Southwest corner of said Section 4, which bears South $0^{\circ}03'47''$ West 2608.49 feet from a $\frac{1}{2}$ inch rebar marking the West quarter corner of said Section 4;

thence along the West line of said Section 4, North $0^{\circ}03'47''$ East 64.63 feet to the POINT OF BEGINNING;

thence South $87^{\circ}51'44''$ West 95.05 feet to the West right of way line of 99th Avenue;

thence along said West line, North $43^{\circ}49'58''$ East 57.77 feet;

thence continuing along said West right of way line, North $0^{\circ}03'47''$ East 1198.92 feet to the North line of the Southeast quarter of the Southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section 5;

thence continuing along said West right of way line, North $87^{\circ}17'39''$ East 22.04 feet to a point 33.00 feet West of and at right angle to the East line of said Section 5;

thence continuing along said West right of way line, North $0^{\circ}03'47''$ East 1304.03 feet to the North line of the Southeast quarter (SE $\frac{1}{4}$) of said Section 5;

thence continuing along said West right of way line, South $86^{\circ}59'03''$ West 22.03 feet;

thence continuing along said West right of way line, North $0^{\circ}03'47''$ East 1094.38 feet;

thence continuing along said West right of way line, North $16^{\circ}46'06''$ West 51.56 feet;

thence North $88^{\circ}32'35''$ East 70.02 feet to the East line of said Section 5;

thence along said East line, North $0^{\circ}03'09''$ East 12.79 feet;

thence North $88^{\circ}29'09''$ East 33.02 feet to the East right of way line of 99th Avenue, being 33.00 feet East of and at right angle to the East line of said Section 5;

(continued)

SHEET 3 OF 4

thence along said East right of way line of 99th Avenue, South 0°03'09" West 1154.55 feet;
thence continuing along said East right of way line, South 0°03'47" West 857.34 feet;
thence continuing along said East right of way line, North 88°08'03" East 22.01 feet;
thence continuing along said East right of way line, South 0°03'47" West 1655.96 feet;
thence continuing along said East right of way line, South 45°54'05" East 41.70 feet to the North right of
way line of Glendale Avenue;
thence South 87°51'44" West 85.04 feet to the POINT OF BEGINNING.

It is the intent of the Grantor to abandon all rights, title, or interest in the right of way for 99th Avenue,
North of the North line of Glendale Avenue that lies within the parcel described above.

334,971 square feet, more or less.

SHEET 4 OF 4

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REPORT AND RECOMMENDATION

TO THE HONORABLE ARIZONA TRANSPORTATION BOARD:

The Intermodal Transportation Division has made a thorough investigation concerning the abandonment of a portion 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 417 by Arizona Transportation Board Resolution 84-08-A-046, dated August 24, 1984; Resolution 86-04-A-026, dated April 18, 1986 established said route as an access controlled state highway; Resolution 87-11-A-105, dated December 18, 1987, redesignated State Route 417 to State Route 101 Loop; and Resolution 98-06-A-021, dated June 19, 1998 established additional right of way for improvements thereof.

A portion of the previously acquired right of way is 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 the portion of right of way be abandoned.

The portion of right of way to be abandoned is 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, AGUA FRIA FREEWAY, Project 600-0-701/101LMA002H081103R 600-0-702/101LMA007H080703R."

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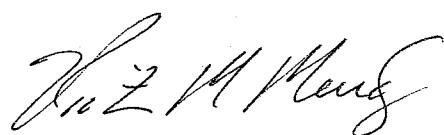
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I further recommend that the portion of right of way depicted in Appendix "A" be removed from the State Highway System and abandoned to Maricopa County for continued transportation purposes.

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".

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

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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 18, 2003.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on July 18, 2003.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation

APPROVED

Ron J. Achenbach
Assistant Attorney General
Attorney for Department
of Transportation

Date 6/30/03