

SEPTEMBER 19, 2003

RES. NO. 2003-09-A-052  
PROJECT: S-A89-B-701 / 089ACN382H552301R  
HIGHWAY: PRESCOTT - FLAGSTAFF  
SECTION: Banjo Bill Rockfall  
ROUTE NO.: State Route 89A  
ENG. DIST.: F  
COUNTY: Coconino  
PARCEL: 3-1340

RESOLUTION OF ESTABLISHMENT

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on September 19, 2003, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the establishment and acquisition of additional right of way for the improvement of a portion of State Route 89A as set forth in the above referenced project.

The additional right of way to be established and acquired for this improvement 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, PRESCOTT - FLAGSTAFF Highway, Project S-A89-B-701 / 089ACN382H552301R."

WHEREAS establishment and acquisition of the additional right of way is necessary for this improvement; and

WHEREAS because of these premises, this Board finds public safety, necessity and convenience require the recommended establishment and acquisition of the additional land needed for this improvement; therefore, be it

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

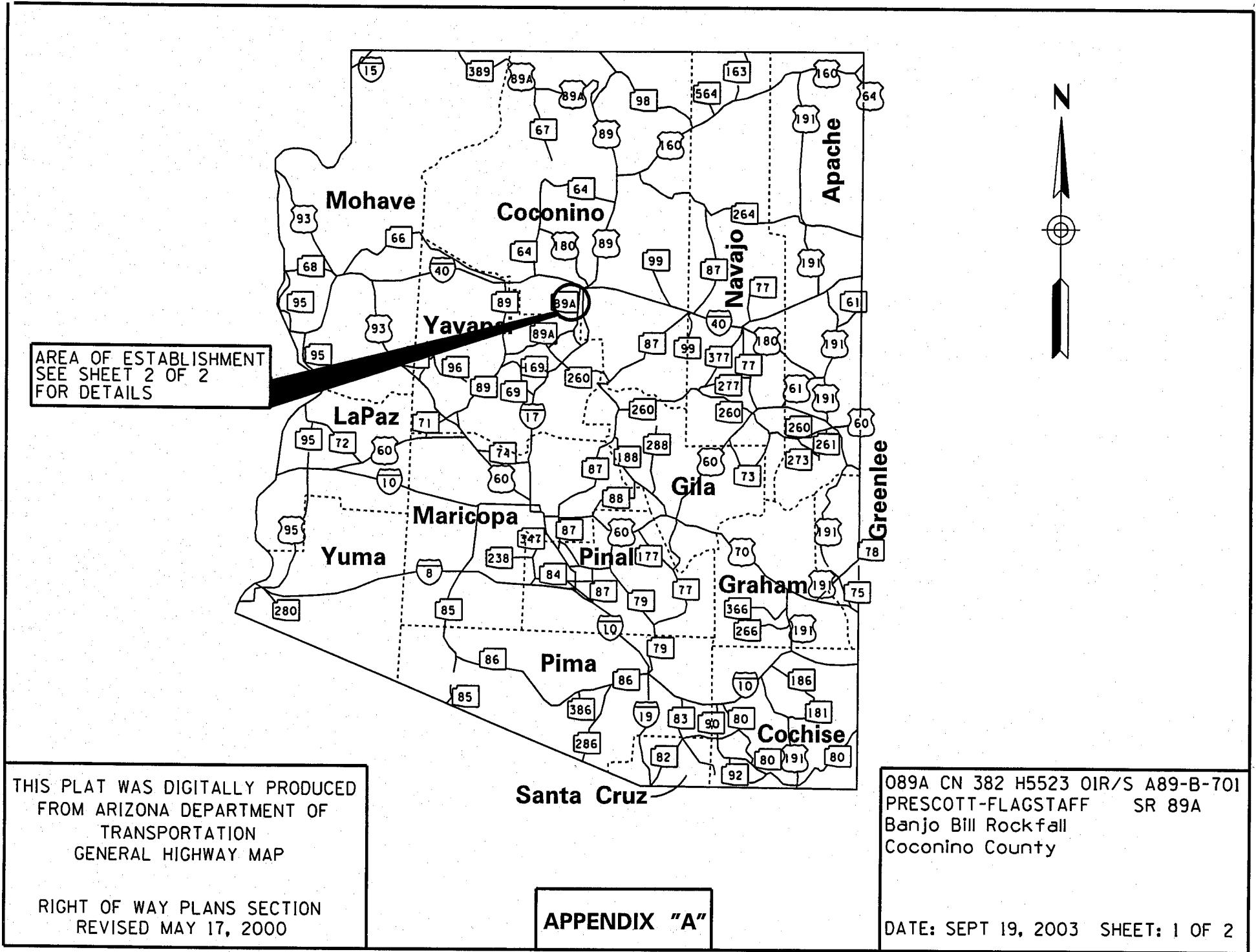
RESOLVED that the portion of right of way as depicted in Appendix "A" is hereby designated a state route and that prior to construction, the acquired right of way be established as a state highway; be it further

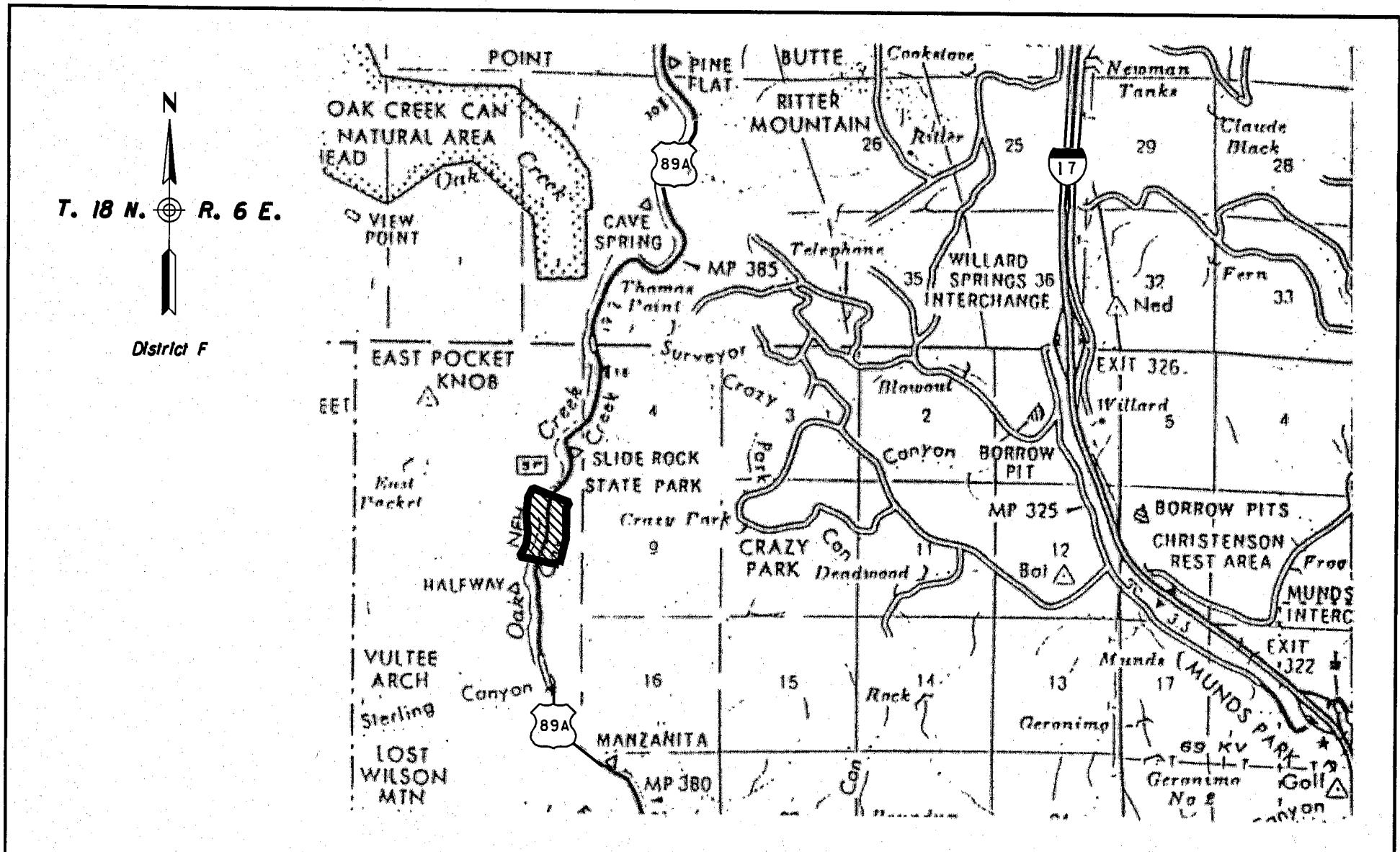
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RESOLVED that the Director is hereby authorized to acquire by lawful means, including exchanges, in accordance with Arizona Revised Statutes Section 28-7092, an estate in fee, or such other interest as is required, including material for construction, haul roads, and various easements in any property necessary for or incidental to the improvements as delineated on said maps and plans; be it further

RESOLVED that the Director secure an appraisal of the property to be acquired and that necessary parties be compensated. Upon failure to acquire said lands by other lawful means, the Director is authorized to initiate condemnation proceedings.





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REPORT AND RECOMMENDATION

TO THE HONORABLE ARIZONA TRANSPORTATION BOARD:

The Intermodal Transportation Division has made a thorough investigation concerning the establishment and improvement of a portion of State Route 89A within the above referenced project.

This portion was previously established as State Route 79, by Arizona Highway Commission Resolution dated September 9, 1927, page 26 of the Official Minutes; Resolution dated June 18, 1934, page 692 of the Official Minutes, established this route as a state highway; subsequently, this route came to be known as U.S. Route 89A; thereafter Arizona Transportation Board Resolution 80-10-A-039, dated August 22, 1980, authorized acquisition of the undocumented existing right of way through the Coconino National Forest; Resolution 93-02-A-008, dated March 19, 1993, redesignated U.S. Route 89A to State Route 89A, and Resolution 97-08-A-038, dated August 15, 1997, established additional right of way for outslope improvements.

Additional right of way is now needed to mitigate hazardous conditions, and improve operational characteristics and safety for the traveling public. Accordingly, it is necessary to establish and acquire the additional right of way for this project.

The additional right of way to be established and acquired for this improvement 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, PRESCOTT - FLAGSTAFF Highway, Project S-A89-B-701 / 089ACN382H552301R."

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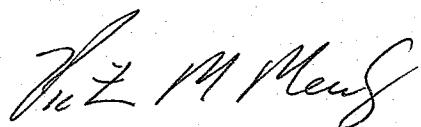
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In the interest of public safety, necessity and convenience, I recommend that the area depicted in Appendix "A" be established and improved as a state route and that the area be established as a state highway prior to construction.

I further recommend the acquisition of the new right of way, material for construction, haul roads and various easements necessary for or incidental to the improvement.

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

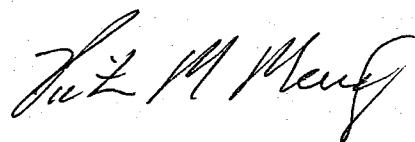
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CERTIFICATION

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 September 19, 2003.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on September 19, 2003.



VICTOR M. MENDEZ, Director  
Arizona Department of Transportation