

ARIZONA DEPARTMENT OF TRANSPORTATION
205 SOUTH 17TH AVENUE
R/W Operations, MD 612E
PHOENIX, AZ 85007-3213

FEBRUARY 20, 2004

RES. NO. 2004-02-A-005
PROJECT: 089ACN400H088801R / M-951-5-702
HIGHWAY: PRESCOTT - FLAGSTAFF
SECTION: (Mountain Dell Road-McConnell Circle)
ROUTE NO.: S.R. 89A
ENG. DIST.: F
COUNTY: Coconino

RESOLUTION OF ABANDONMENT

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on February 20, 2004, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the abandonment of State Route 89A within the above referenced project.

The 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, PRESCOTT - FLAGSTAFF Highway, Project 089ACN400H088801R / M-951-5-702."

WHEREAS said right of way is no longer needed for state transportation purposes and will be abandoned to The City of Flagstaff for a continued public transportation use in accordance with Intergovernmental Agreement No. 99-19, dated July 16, 1999, filed with the Secretary of State under No. 23394; and Intergovernmental Agreement No. 91-65, dated December 8, 1992, filed with the Secretary of State under No. 17257; and

WHEREAS the State reserves the right to enter and maintain the bridge structures and appurtenances for Interstate Route 40 within the S.R. 89A right of way being abandoned herein; 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

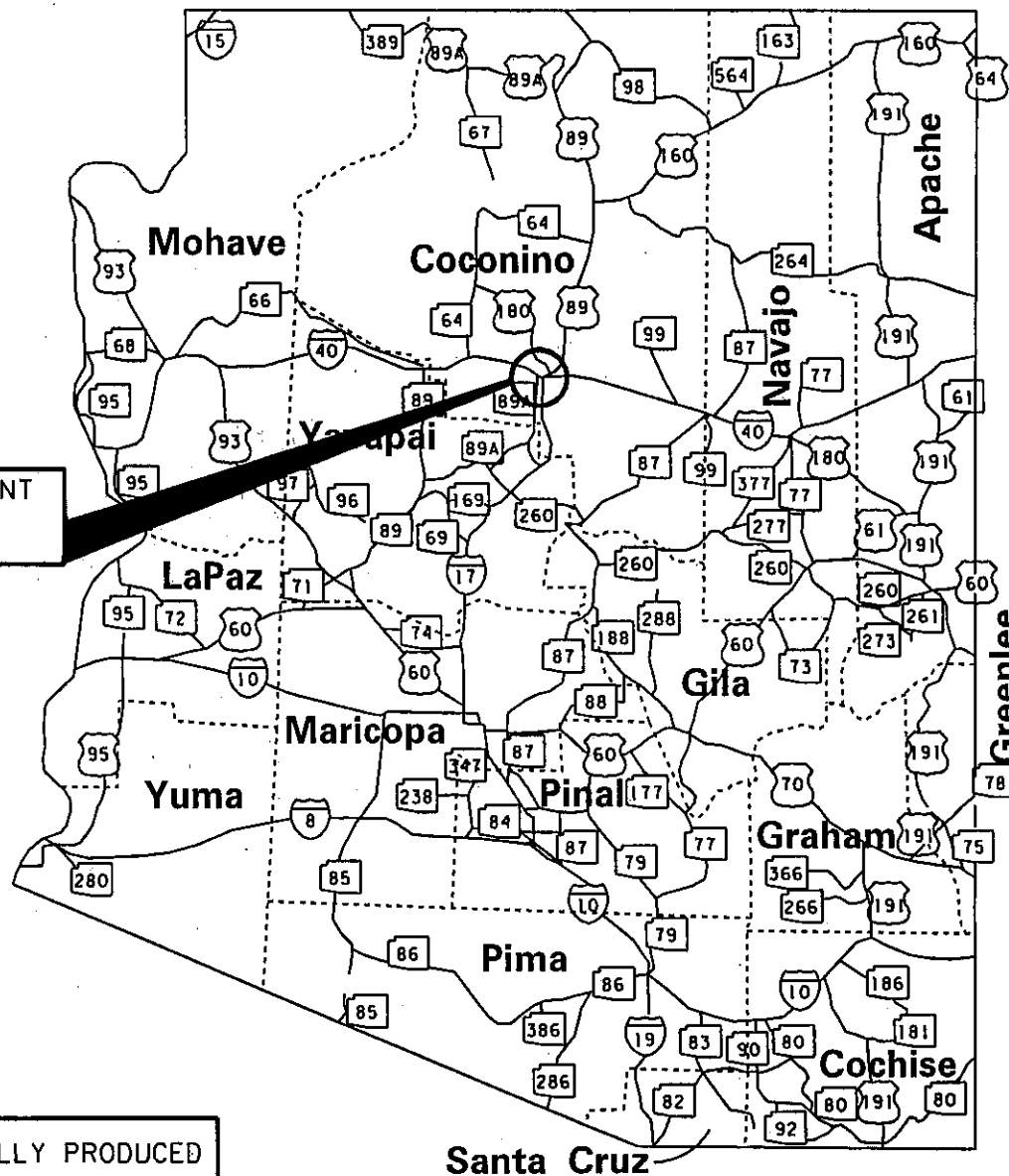
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RESOLVED that the right of way depicted in Appendix "A" is hereby removed from the State Highway System and abandoned to The City of Flagstaff as provided in Arizona Revised Statute Sections 28-7207 and 28-7209, and effective upon recordation in the 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 enter and maintain the bridge structures and appurtenances for Interstate Route 40 within the S.R. 89A right of way being abandoned herein; be it further

RESOLVED that the Director provide written notice to The City of Flagstaff evidencing the abandonment of the State's interest, and the action approved herein.



AREA OF ABANDONMENT
SEE SHEET 2 OF 2
FOR DETAILS

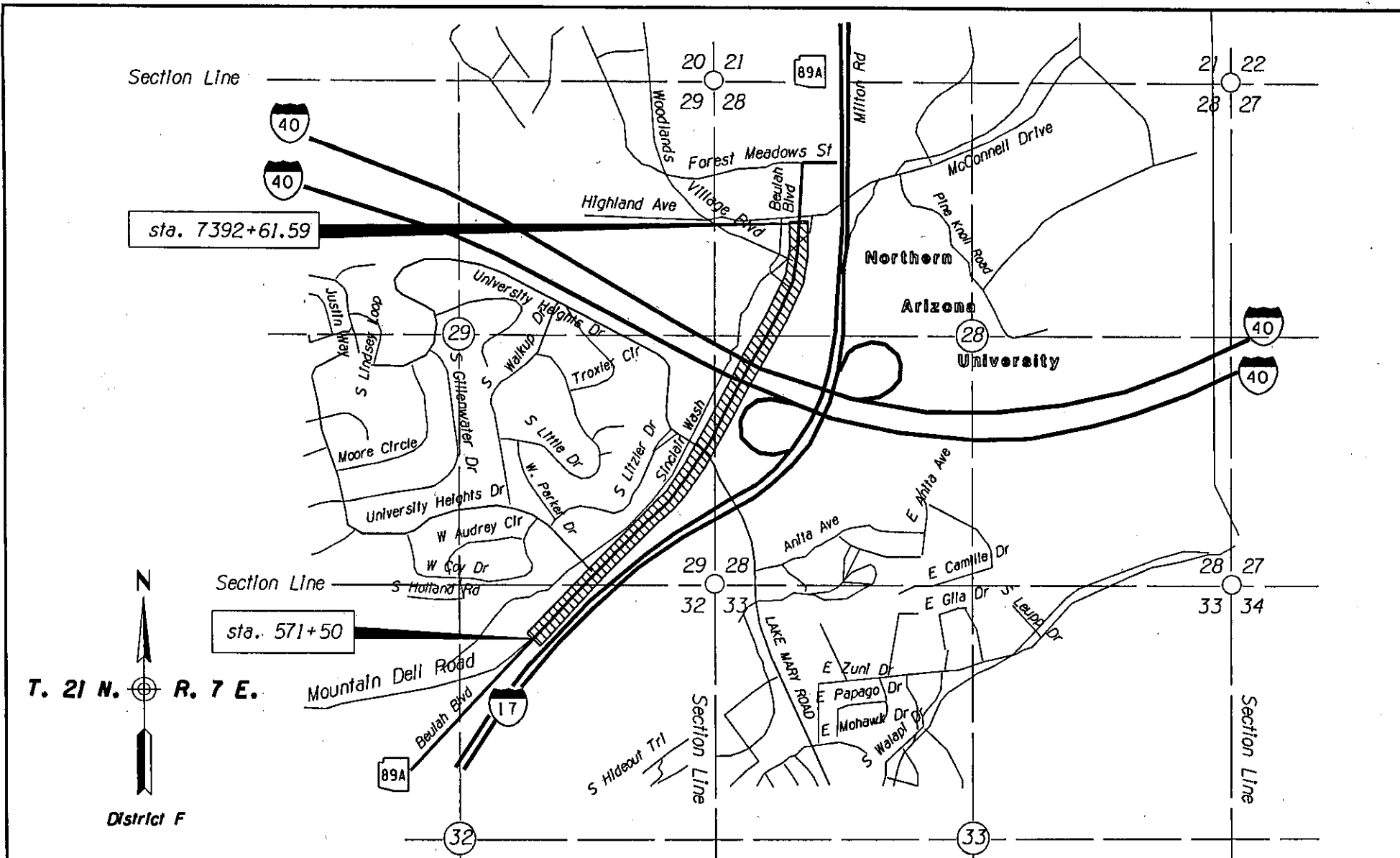
THIS PLAT WAS DIGITALLY PRODUCED
FROM ARIZONA DEPARTMENT OF
TRANSPORTATION
GENERAL HIGHWAY MAP

RIGHT OF WAY PLANS SECTION
REVISED MAY 17, 2000

APPENDIX "A"

089A CN 400 H0888 OIR /
M-951- 5-702
PRESCOTT-FLAGSTAFF SR 89A
(Mountain Dell Road - McConnell Circle)
Coconino County

DATE: FEB 20, 2004 SHEET: 1 OF 2



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GENERAL HIGHWAY MAP

RIGHT OF WAY PLANS SECTION
REVISED JULY 17, 2000

AREA OF
ABANDONMENT

APPENDIX "A"

089A CN 400 H0888 OIR /
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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 right of way acquired for State Route 89A within the above referenced project.

This portion of State Route 89A was previously established as a state route and state highway by various Resolutions of record.

A portion of the previously acquired right of way is no longer needed for state transportation purposes. The City of Flagstaff has agreed to accept jurisdiction of the right of way in accordance with Intergovernmental Agreement No. 99-19, dated July 16, 1999, filed with the Secretary of State under No. 23394, and Intergovernmental Agreement No. 91-65, dated December 8, 1992, filed with the Secretary of State under No. 17257.

Accordingly, I recommend that the State's interest in the right of way be abandoned to the City for a continued public transportation use. The State reserves the right to enter and maintain the bridge structures and appurtenances for Interstate Route 40 within the S.R. 89A right of way being abandoned herein.

The 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, PRESCOTT - FLAGSTAFF Highway, Project 089ACN400H088801R / M-951-5-702."

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I further recommend that the right of way depicted in Appendix "A" be removed from the State Highway System and abandoned to The City of Flagstaff, and that the State reserves the right to enter and maintain the bridge structures and appurtenances for Interstate Route 40 within the S.R. 89A right of way being abandoned herein;

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,

A handwritten signature in dark ink, appearing to read "Victor M. Menendez", written in a cursive style.

VICTOR M. MENDEZ, Director
Arizona Department of Transportation

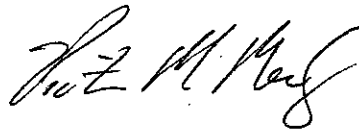
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CERTIFICATION

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 February 20, 2004.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on February 20, 2004.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation

APPROVED

Ron J. Aschenbach

Assistant Attorney General
Attorney for Department
of Transportation

Date 2/2/04