

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

AUGUST 18, 2006

RES. NO. 2006-08-A-042
PROJECT: 600-8-802 / 202LMA013H492101R
HIGHWAY: RED MOUNTAIN FREEWAY
SECTION: Country Club - Gilbert Road
ROUTE NO.: State Route 202L
ENG. DIST.: Phoenix
COUNTY: Maricopa
DISPOSAL: D-M-385

RESOLUTION OF ABANDONMENT

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on August 18, 2006, 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 202 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, RED MOUNTAIN FREEWAY Project 600-8-802 / 202LMA013H492101R."

WHEREAS said portion of right of way is no longer needed for state transportation purposes and will be abandoned to The City of Mesa for a continued public transportation use; and

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

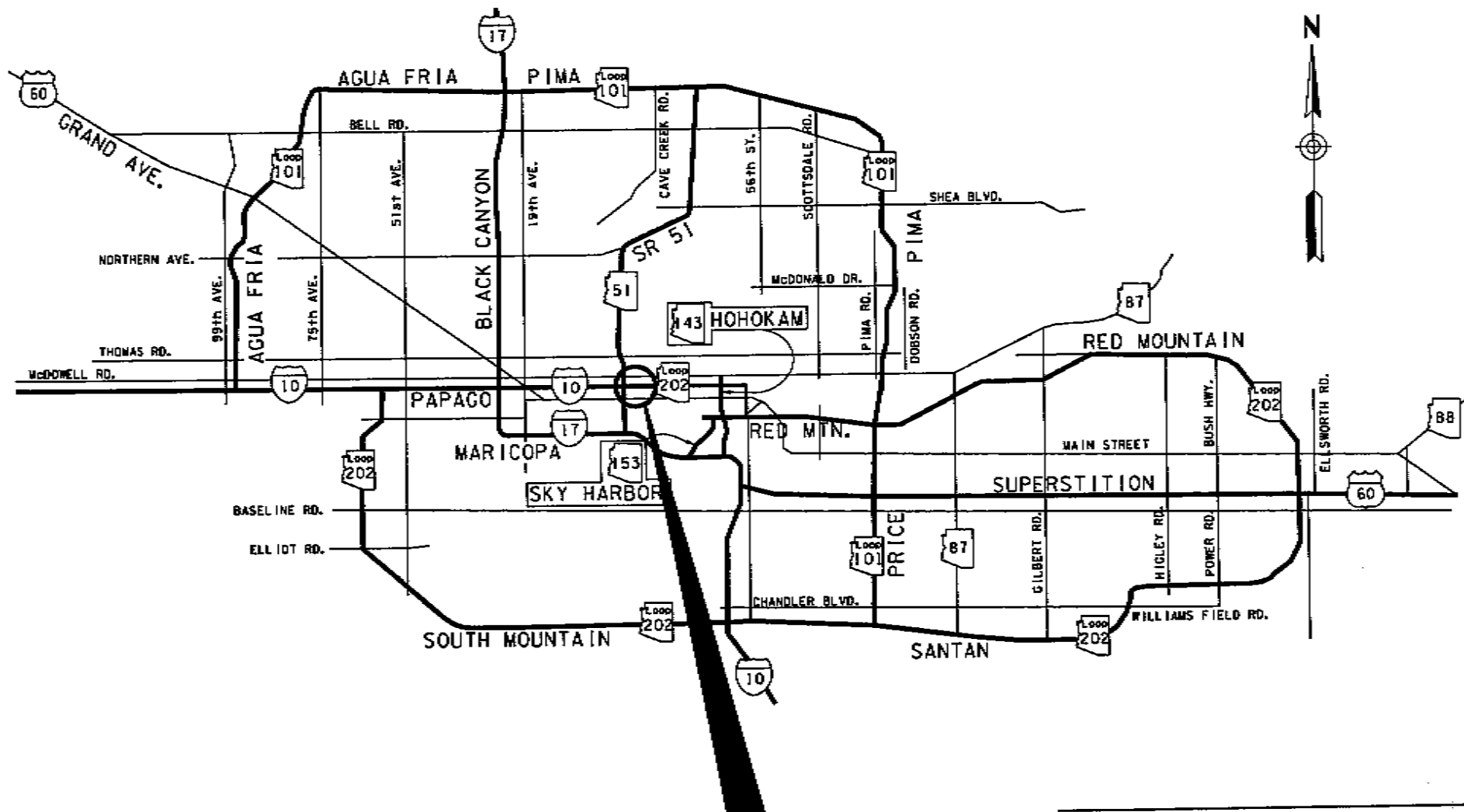
RESOLVED that the recommendation of the Director is adopted and made part of this resolution; be it further

AUGUST 18, 2006

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RESOLVED that the portion of right of way depicted in Appendix "A" is hereby removed from the State Highway System and abandoned to The City of Mesa for a continued public transportation use 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 Director provide written notice to The City of Mesa evidencing the abandonment of the State's interest.



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

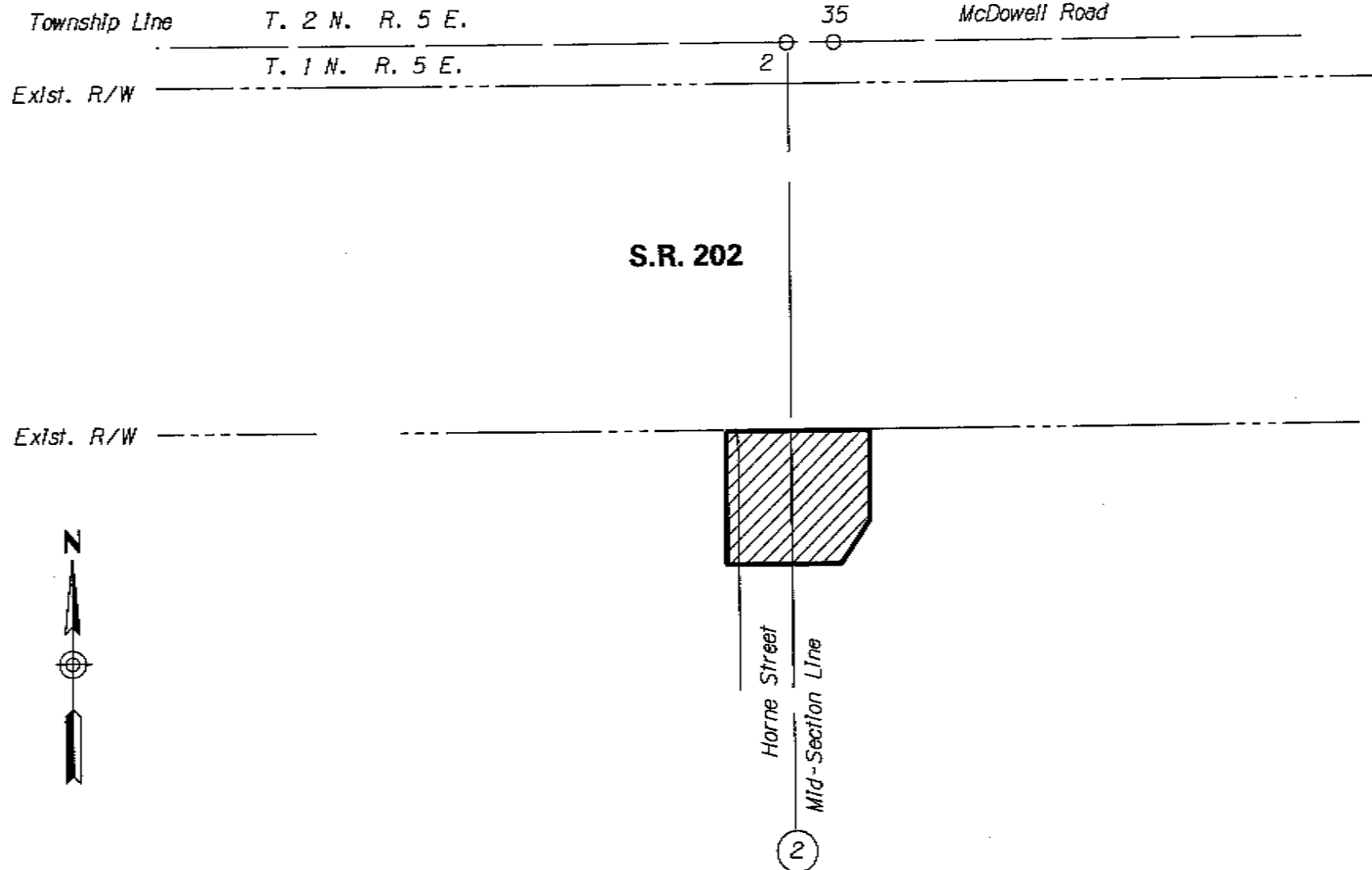
RIGHT OF WAY PLANS SECTION
REVISED MAY 17, 2000

AREA OF
ABANDONMENT

APPENDIX "A"


202L MA 013 H4921 01R / 600-8-802
RED MOUNTAIN FREEWAY
Country Club Rd. - Gilbert Rd.
Maricopa County

DATE: AUGUST 18, 2006 SHEET: 1 OF 3



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

APPENDIX "A"

202L MA 013 H4921 01R / 600-8-802
RED MOUNTAIN FREEWAY
Country Club Rd. - Gilbert Rd.
Maricopa County

DATE: AUGUST 18, 2006 SHEET: 2 OF 3

APPENDIX "A"

That portion of the Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) and the Northwest quarter of the Northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 2, Township 1 North, Range 5 East, Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

Commencing at a $\frac{3}{4}$ inch rebar in pothole marking the North quarter corner of said Section 2, being North 0°11'12" East 2824.30 feet from a 4 inch Maricopa County aluminum cap marking the Center of said Section 2;

thence along the North – South mid section line of said Section 2, South 0°11'12" West 428.05 feet to the POINT OF BEGINNING on the existing South right of way line of State Route 202 (RED MOUNTAIN FREEWAY);

thence along said existing South right of way line, South 89°43'00" East 80.30 feet to a point on the westerly line of that certain parcel according to Instrument No. 2004-1295777, records of Maricopa County, Arizona;

thence along said westerly line, South 0°11'12" West 79.78 feet;

thence continuing along said westerly line, South 45°22'37" West 66.67 feet;

thence North 89°48'48" West 78.00 feet;

thence North 0°11'12" East 126.98 feet to said existing South right of way line of State Route 202;

thence along said existing South right of way line, South 89°43'00" East 45.00 feet to the POINT OF BEGINNING.

14,786 square feet, more or less.

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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 202 Loop within the above referenced project.

This portion was previously established as a state route designated State Route 216 by Arizona Department of Transportation Board Resolution 85-04-A-32, dated April 26, 1985; Resolution 87-11-A-105, dated December 18, 1987 redesignated State Route 216 to State Route 202 Loop; Resolution 88-12-A-115, dated December 16, 1988 authorized advance acquisition and refined a portion of the State Route Plan; Resolution 2000-02-A-011, dated February 18, 2000 established State Route 202 Loop as a state highway; Resolution 2000-06-A-055, dated June 9, 2000 amended Resolution 2000-02-A-011 due to a design change.

A portion of the previously acquired right of way is no longer needed for state transportation purposes. The City of Mesa has agreed to accept jurisdiction of the right of way and has waived the Advance Four-Year Notice of Abandonment and Pavement Quality Report in accordance with the Arizona revised Statutes Section 28-7209, which will allow Arizona Department of Transportation to abandon right of way for a continued public use. Accordingly, I recommend that the State's interest in the portion of right of way be abandoned.

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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, RED MOUNTAIN FREEWAY, Project 600-8-802 / 202LMA013H492101R."

I further recommend that the portion of right of way depicted in Appendix "A" be removed from the State Highway System and abandoned to The City of Mesa for a public transportation use.

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

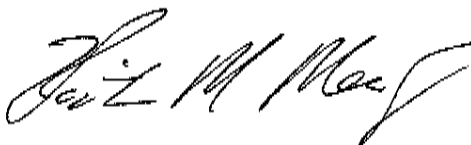
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CERTIFICATION

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 August 18, 2006.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on August 18, 2006.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation

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