

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

DECEMBER 15, 2006

RES. NO. 2006-12-A-054
PROJECT: N-810-601 / 101LMA020H088801R
HIGHWAY: AGUA FRIA FREEWAY/PIMA FREEWAY
SECTION: 51st Ave. - Jct. I-17
Jct. I-17 - Cave Creek Rd. (Jct. 101L & I-17)
ROUTE NO.: State Route 101 Loop
ENG. DIST.: Phoenix
COUNTY: Maricopa
DISPOSAL: D-M-278

RESOLUTION OF ABANDONMENT

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on December 15, 2006, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the abandonment of certain streets used during the construction of State Route 101 Loop back to the City of Phoenix 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, AQUA FRIA FREEWAY/PIMA FREEWAY Highway, Project N-810-601 / 101LMA020H088801R."

WHEREAS said portion of right of way is no longer needed for state transportation purposes; and

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

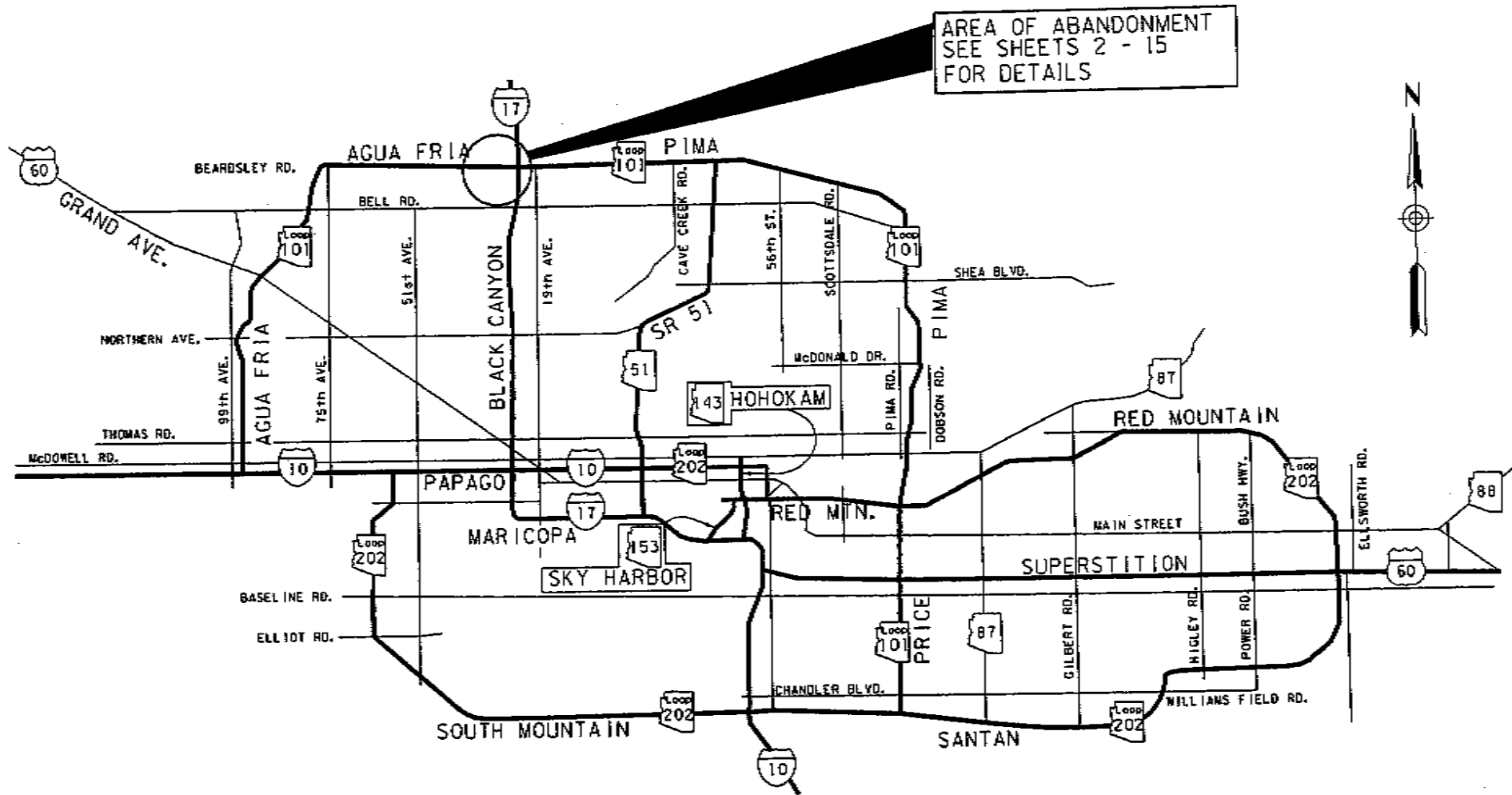
RESOLVED that the recommendation of the Director is adopted and made part of this resolution; be it further

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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 Phoenix 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 Phoenix evidencing the abandonment of the State's interest.



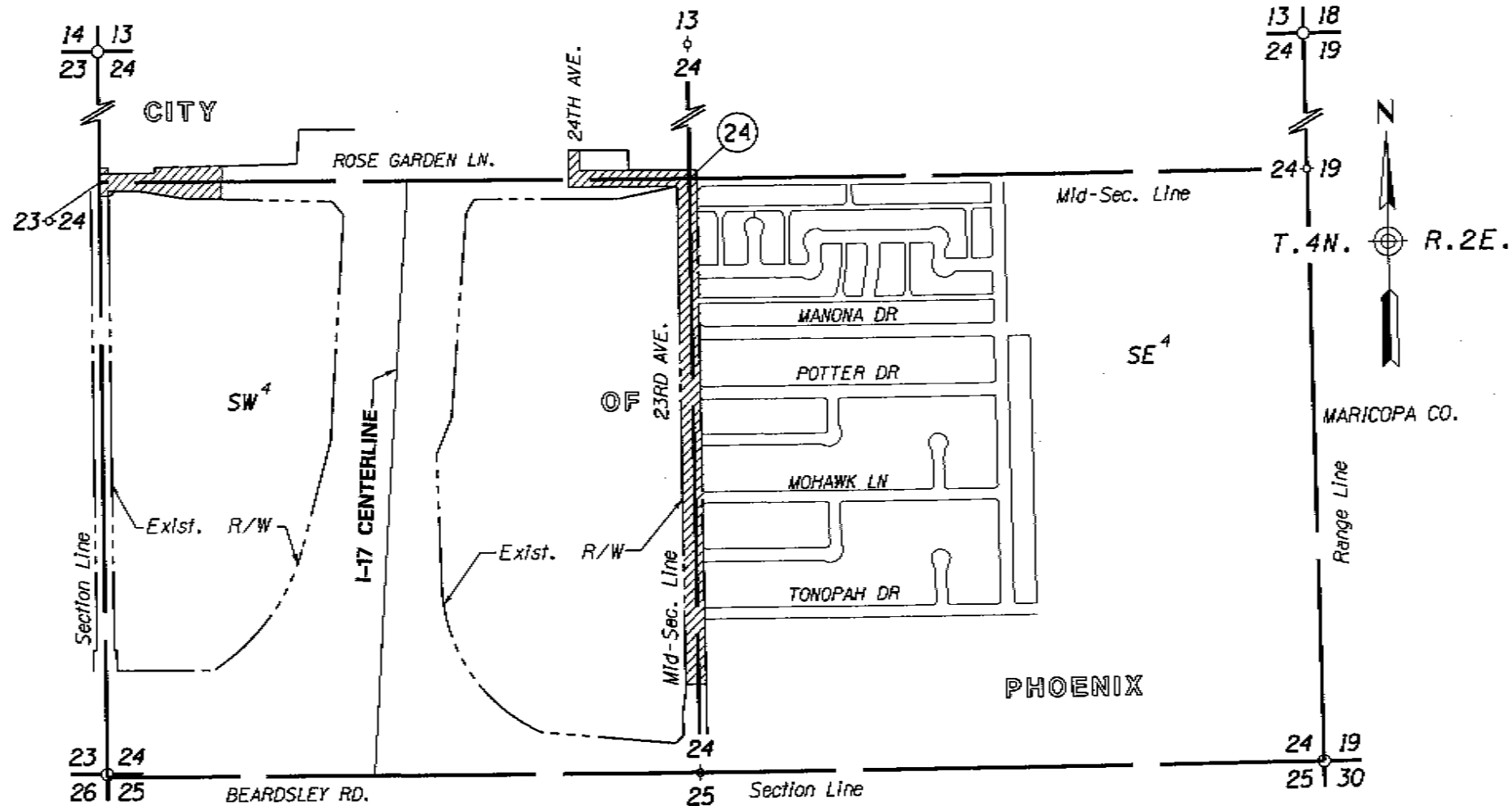
THIS PLAT WAS DIGITALLY PRODUCED
FROM ARIZONA DEPARTMENT OF
TRANSPORTATION
GENERAL HIGHWAY MAP

RIGHT OF WAY PLANS SECTION
REVISED MAY 17, 2000

APPENDIX "A"

101L MA 020 HOH0888 01R /N-810-601
AGUA FRIA FREEWAY / PIMA FREEWAY
51st Ave. - Jct. I-17 / Jct. I-17 -
Cave Creek Rd (Jct. 101L & I-17)
Maricopa County

DATE: DEC. 15, 2006 SHEET: 1 OF 15



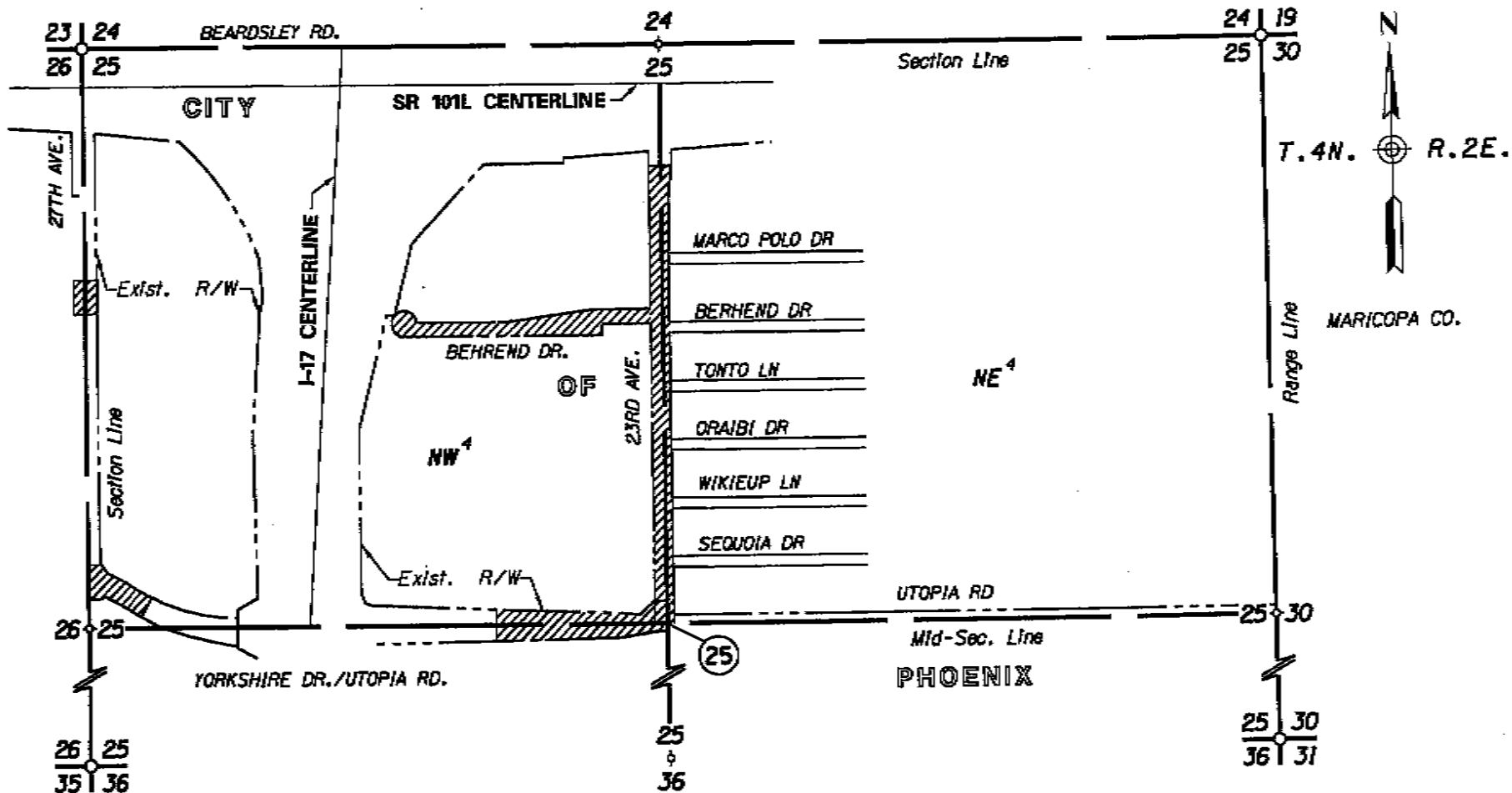
Information on this plat
was obtained from R/W
Map * D-7-T-786 &
D-7-T-796

AREA OF
ABANDONMENT



APPENDIX "A"

101L MA 020 H0888 01R
N 810-601
AGUA FRIA FREEWAY-
PIMA FREEWAY
51st Ave - Jct I-17 & Jct I-17 -
Cave Creek Rd (Jct. 101L & I-17)
Maricopa County
Date Dec. 15, 2006 SHEET 2 OF 15



Information on this plat
was obtained from R/W
Map # D-7-T-786 &
D-7-T-796

AREA OF
ABANDONMENT

APPENDIX "A"

101L MA 020 H0888 OIR
N 810-601
AGUA FRIA FREEWAY-
PIMA FREEWAY
51st Ave - Jct I-17 & Jct I-17 -
Cave Creek Rd (Jct. 101L & I-17)
Maricopa County
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AREA OF ABANDONMENT
24th Avenue

The South 100.00 feet of 24th Avenue as platted in Black Canyon Heights in Book 56, Page 14, recorded in Maricopa County Records office.

APPENDIX "A"
SHEET 4 OF 15

OMTS Right of Way Services
8828 N. Central Avenue, Ste 202, Phoenix, AZ 85020
602-371-8309, Fax 602-371-8223



AREA OF ABANDONMENT
27th Avenue

That portion of the Northwest quarter (NW1/4) of the Northwest quarter (NW1/4) of Section 25 and the Northeast quarter (NE1/4) of the Northeast quarter (NE1/4) of Section 26, Township 4 North, Range 2 East, of the Gila and Salt River Meridian, County of Maricopa, State of Arizona, being more particularly described as follows:

Commencing at a Brass cap marking the Northwest corner of said Section 25 which bears North 00°19'00" West, 2647.73 feet from a City of Phoenix brass cap marking the West quarter corner of said Section 25;

thence South 00°19'00" East, 693.55 feet along the West line of said Section 25 to the Point of Beginning;

thence North 89°41'00" East, 65.00 feet to the easterly right of way line of 27th Avenue;

thence along said easterly right of way line and parallel with said West line, South 00°19'00" East, 6.45 feet;

thence continuing along said easterly right of way line, South 03°29'51" West, 150.33 feet;

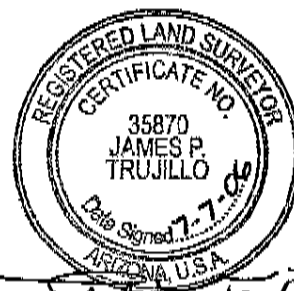
thence departing said easterly right of way line, South 89°41'00" West, 110.00 feet to point that is 55.00 feet West of the East line of said Section 26;

thence along a line 55.00 feet West and parallel with said East line, North 00°19'00" West, 156.45 feet;

thence departing said line, North 89°41'00" East, 55.00 feet to the Point of Beginning.

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OMTS Right of Way Services
8828 N. Central Avenue, Ste 202, Phoenix, AZ 85020
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AREA OF ABANDONMENT
Behrend Drive

That portion of the Northwest quarter (NW1/4) of Section 25, Township 4 North, Range 2 East, of the Gila and Salt River Meridian, County of Maricopa, State of Arizona, being more particularly described as follows:

Commencing at a brass cap survey monument, marking the Center of Section corner of said Section 25 which bears South 00°13'48" East, 2645.20 feet from a Arizona Highway Department Aluminum cap marking the North quarter corner of said Section 25.

thence North 00°13'48" West, 1371.41 feet, along the North-South mid-Section line of said Section 25;

thence departing said North-South mid-Section line, South 89°46'12" West, 55.50 feet to the westerly right of way line of 23rd Avenue and the Point of Beginning;

thence continuing South 89°46'12" West, 222.42 feet, along the South line of ADOT parcel 7-3811 (Tract No. 2) described in Document No. 86-679958, recorded in Maricopa County Records office, to a point on the northerly prolongation of the easterly right of way line of 23rd Drive;

thence departing said South line, South 00°13'48" East, 47.93 feet, to the intersection of the easterly right of way line of 23rd Drive and the easterly prolongation of the south right of way line of Behrend Drive as shown on Valley North Business Park in Book 418, Page 23, recorded in Maricopa County Records office;

thence departing said easterly right of way line, North 89°58'38" West, 924.41 feet, along said prolongation and South right of way line, to the East line of ADOT parcel 7-4273 as described in Document No. 87-668734, recorded in Maricopa County Records office;

thence along said East line, North 00°13'48" West, 2.44 feet, to the beginning of a non-tangent curve;

thence northwesterly from a Local Tangent Bearing of North 72°05'08" West, along a curve to the Right, having a radius of 58.00 feet, a length of 244.41 feet;

(continued)

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GMTB Right of Way Services
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thence southeasterly along a reverse curve to the Left, having a radius of 7.00 feet, a length of 9.70 feet;

thence North 89°59'37" East, 363.82 feet, to the beginning of a non-tangent curve;

thence northeasterly from a Local Tangent Bearing of North 89°54'54" East, along a curve to the Left, having a radius of 570.00 feet, a length of 75.28 feet;

thence North 82°20'51" East, 365.64 feet;

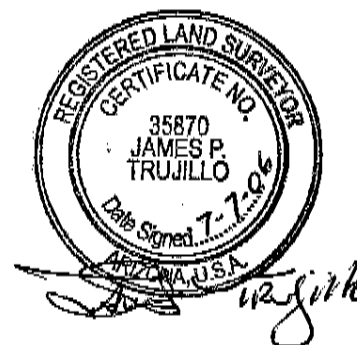
thence North 89°40'02" East, 263.39 feet, to said westerly right of way line of 23rd Avenue;

thence along said westerly right of way line, South 00° 13' 48" East, 69.51 feet to the Point of Beginning.

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APPENDIX "A"
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DMTS Right of Way Services
8828 N. Central Avenue, Ste 202, Phoenix, AZ 85020
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AREA OF ABANDONMENT
Rose Garden Lane East of Interstate 17

The East 545.00 feet of the North 33.00 feet of the Northeast quarter (NE1/4) of the Southwest quarter (SW1/4) of Section 24, Township 4 North, Range 2 East, of the Gila and Salt River Meridian, County of Maricopa, State of Arizona;

Together with;

The East 545.00 feet of the South 40.00 feet of the Southeast quarter (SE1/4) of the Northwest quarter (NW1/4) of Section 24, Township 4 North, Range 2 East, of the Gila and Salt River Meridian, County of Maricopa, State of Arizona;

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OMTS Right of Way Services
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AREA OF ABANDONMENT
23rd Avenue North of the 101 Loop

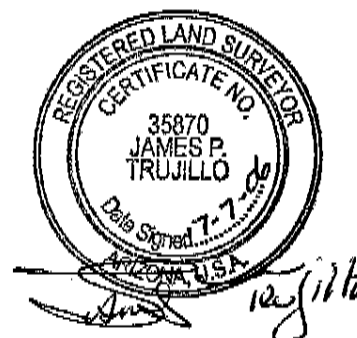
The East 55.50 feet of the North 2300.00 feet of the Southwest quarter (SW1/4) of Section 24, Township 4 North, Range 2 East, of the Gila and Salt River Meridian, County of Maricopa, State of Arizona;

Together with;

The West 33.00 feet of the South 2300.00 feet of the Southeast quarter (SE1/4) of Section 24, Township 4 North, Range 2 East, of the Gila and Salt River Meridian, County of Maricopa, State of Arizona;

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DMTB Right of Way Services
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AREA OF ABANDONMENT
Rose Garden Lane West of Interstate 17

That portion of the Northwest quarter (NW1/4) and the Southwest quarter (SW1/4) of Section 24, Township 4 North, Range 2 East, of the Gila and Salt River Meridian, County of Maricopa, State of Arizona, being more particularly described as follows:

Beginning at a Brass cap marking the West quarter corner of said Section 24 which bears North 89°49'22" West, 2653.05 feet from a City of Phoenix brass cap marking the Center of Section corner of said Section 24;

thence South 00°17'50" East, 61.44 feet along the West line of said Section 24;

thence departing said West line, North 89°42'10" East, 53.00 feet to the easterly right of way line of 27th Avenue;

thence along said easterly right of way line, North 44°56'24" East, 29.58 feet to the southerly right of way line of Rose Garden Lane;

thence along said southerly right of way line, South 89°49'22" East, 111.94 feet;

thence continuing along said southerly right of way line, South 80°27'06" East, 202.70 feet;

thence continuing along said southerly right of way line, South 88°15'24" East, 170.08 feet;

thence departing said southerly right of way line, North 00°10'38" East, 148.30 feet to the northerly right of way line of said Rose Garden Lane;

thence along said northerly right of way line, South 89°05'42" West, 300.07 feet;

thence continuing along said northerly right of way, South 00°10'38" West, 25.00 feet to a point that is 40.00 feet north of the East-West mid section line of said Section 24;

(continued)

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DMTS Right of Way Services
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thence continuing along said northerly right of way, North 89°49'22" West, 216.59 feet to a point that is 40.00 feet East of the West line of said Section 24, also being the easterly right of way line of 27th Avenue;

thence continuing along said easterly right of way line, North 00°16'30" West, 25.00 feet;

thence departing said easterly right of way line, South 89°43'30" West, 40.00 feet to the West line of said Section 24;

thence along said West line, South 00°16'30" East, 64.69 feet to the Point of Beginning.

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OMTS Right of Way Services
8828 N. Central Avenue, Ste 202, Phoenix, AZ 85020
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AREA OF ABANDONMENT
23rd Avenue South of the 101 Loop

Parcel One:

The East 55.50 feet of the South 2090.00 feet of the Northwest quarter (NW1/4) of Section 25, Township 4 North, Range 2 East, of the Gila and Salt River Meridian, County of Maricopa, State of Arizona;

Parcel Two:

That portion of the Northeast quarter (NE1/4) of Section 25, Township 4 North, Range 2 East, of the Gila and Salt River Meridian, County of Maricopa, State of Arizona, being more particularly described as follows;

Beginning at a brass cap survey monument, marking the Center of said Section 25 which bears South 00°13'48" East, 2645.20 feet from a Arizona Department of Highway Aluminum cap marking the North quarter corner of said Section 25.

thence North 00°13'48" West, 2090.02 feet, along the North-South mid-Section line of said Section 25;

thence departing said North-South mid-Section line, North 89°46'12" East, 48.28 feet to the easterly right of way line of 23rd Avenue;

thence along said easterly right of way line, South 05°43'18" West, 147.31 feet, to a point that is 33.00 feet East of the North-South mid section line;

thence continuing along said easterly right of way line, South 00°13'48" East, 109.25 feet to the North line of Rose Garden Place as recorded in Book 201, Page 30 of the Maricopa County Records office;

thence along said North line, South 89°46'12" West, 3.00 feet to a point that is 30.00 feet East of the North-South mid section line and also being the easterly right of way line of 23rd Avenue as shown on said Rose Garden Place subdivision;

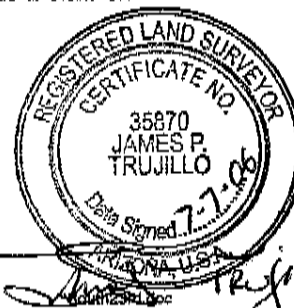
thence along said easterly right of way line, South 00°13'48" East, 1834.36 feet to the East-West mid section line of said Section 25;

thence along said East-West mid section line, South 89°59'49" West, 30.00 feet to the Point of Beginning.

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DMTS Right of Way Services
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602-371-8309, Fax 602-371-8223

ADOT D-M-278



AREA OF ABANDONMENT***Utopia Road***

That portion of the Northwest quarter (NW1/4) and the Southwest quarter (SW1/4) of Section 25, Township 4 North, Range 2 East, of the Gila and Salt River Meridian, County of Maricopa, State of Arizona, being more particularly described as follows:

Beginning at a Brass cap marking the Center of Section corner of said Section 25 which bears North 89°59'49" East, 2645.45 feet from a City of Phoenix brass cap marking the West quarter corner of said Section 25;

thence South 00°13'48" East, 33.00 feet along the North-South mid-section line of said Section 25;

thence departing said North-South mid-section line, South 89°59'49" West, 40.63 feet to the southerly right of way line of Utopia Road;

thence along said southerly right of way line, South 80°49'53" West, 169.50 feet;

thence continuing along said southerly right of way line, South 88°49'40" West, 490.10 feet;

thence continuing along said southerly right of way line, South 89°10'42" West, 88.50 feet;

thence departing said southerly right of way line, North 00°00'11" West, 142.87 feet to the northerly right of way line of said Utopia Road;

thence along said northerly right of way line, South 87°36'33" East, 38.52 feet;

thence continuing along said northerly right of way line, South 87°52'55" East, 540.37 feet;

thence continuing along said northerly right of way, South 84°15'02" East, 83.01 feet;

thence continuing along said northerly right of way, North 47°54'13" East, 93.43 feet to a point that is 55.50 feet West of the North-South mid-section line of said Section 25, also being the westerly right of way line of 23rd Avenue;

(Continued)

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8828 N. Central Avenue, Ste 202, Phoenix, AZ 85020
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thence departing said westerly right of way line, North 89°46'12" East, 55.50 feet to the North-South mid-section line of said Section 25;

thence along said North-South mid-section line, South 00°13'48" East, 104.53 feet to the Point of Beginning.

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OMTS Right of Way Services
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ADOT D-M-278



Utopia.doc

AREA OF ABANDONMENT
Yorkshire Drive

That portion of the Northwest quarter (NW1/4) of Section 25, Township 4. North, Range 2. East, of the Gila and Salt River Meridian, County of Maricopa, State of Arizona, being a part of Yorkshire Drive lying within the platted right of way in Yorkshire Crossing Lot One in Book 539, Page 31 and Plat for Koll 27th Avenue in Book 418, Page 23, as filed in the Maricopa County Recorder office, of the following described centerline.

Beginning at a Brass cap marking the intersection of Yorkshire Drive and 27th Avenue which bears North 00°19'00" West, 244.18 feet from a Brass Cap marking the West quarter corner of said Section 25;

thence from a Local Tangent Bearing South 69°22'07" East, along a curve to the Right, having a radius of 820.00 feet, having a length of 114.89 feet;

thence South 61°20'27" East, 199.94 feet and terminating therein.

Together with:

That portion of the Northwest quarter (NW1/4) of Section 25, Township 4. North, Range 2. East, of the Gila and Salt River Meridian, County of Maricopa, State of Arizona, being a part of 27th Avenue lying East of the West section line and between two lines perpendicular to said West line. The North line being 70 feet and the South line being 100 feet measured along said West line, from the Brass cap marking the intersection of Yorkshire Drive and 27th Avenue as shown on the platted right of way of Yorkshire Crossing Lot One in Book 539, Page 31 and the Plat for Koll 27th Avenue in Book 418, Page 23, as filed in the Maricopa County Recorder office.

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GMTS Right of Way Services
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Jct. I-17 - Cave Creek Rd. (Jct. 101L & I-17)
ROUTE NO.: State Route 101 Loop
ENG. DIST.: Phoenix
COUNTY: Maricopa
DISPOSAL: D-M-278

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 utilized during the construction of State Route 101 Loop within the above referenced project.

This portion was previously established as a state route and state highway by Arizona Transportation Board Resolution 88-05-A-040 dated May 20, 1988 for the establishment of existing City of Phoenix Streets as temporary State Route 101 Loop; thereafter various Resolutions 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. The City of Phoenix received 120-Day Notice of the Abandonment. 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/PIMA FREEWAY Highway, Project N-810-601 / 101LMA020H088801R."

DECEMBER 15, 2006

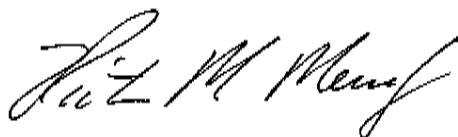
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I further recommend that the portion of right of way depicted in Appendix "A" be removed from the State Highway System and abandoned to The City of Phoenix for a continued public transportation use.

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

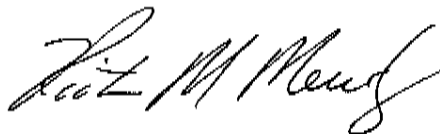
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COUNTY: Maricopa
DISPOSAL: D-M-278

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 15, 2006.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on December 15, 2006.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation