

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

May 18, 2007

RES. NO. 2007-05-A-036
PROJECT: I-19-1(15)47 / 019PM000H088801R
HIGHWAY: NOGALES - TUCSON
SECTION: Sahuarita Road - Pima Mine Road
ROUTE NO.: Interstate Route 19
ENG. DIST.: Tucson
COUNTY: Pima
DISPOSAL: D-T-069

RESOLUTION OF DISPOSAL

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on May 18, 2007, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Sections 28-7046 and 28-7214, recommending disposal of a portion of a drainage easement right of way from the State Transportation System by vacating and extinguishing thereof.

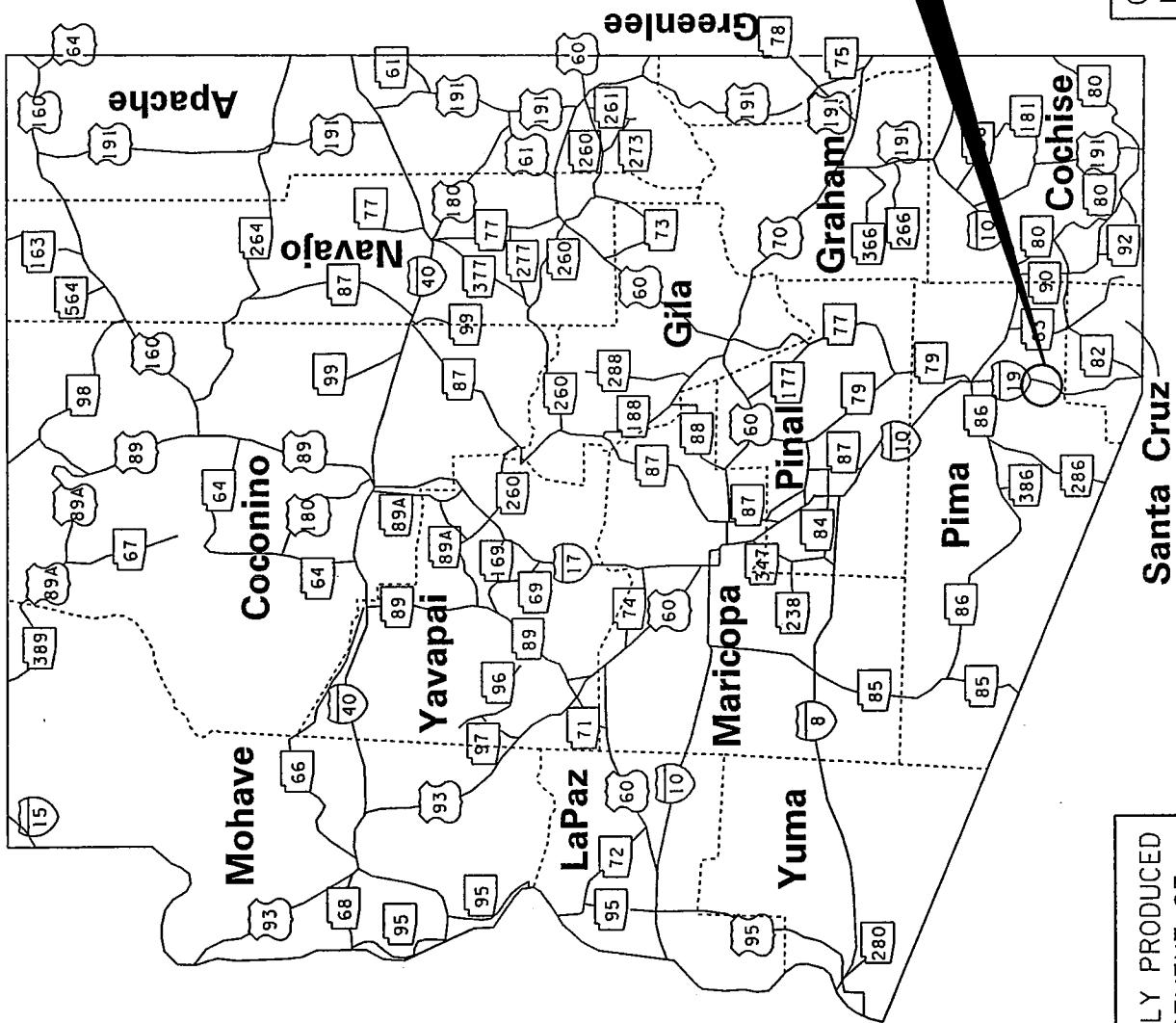
The portion of drainage easement right of way to be disposed is depicted in Appendix "A" and delineated on maps and plans on file in the office of the State Engineer, Intermodal Transportation Division, Phoenix, Arizona, entitled "Right of Way Plans, NOGALES - TUCSON Highway, Project I-19-1(15)47 / 019PM000H088801R."

WHEREAS said portion of drainage easement right of way is no longer needed for State transportation purposes, nor will it be used for public highway purposes; and

WHEREAS because of these premises, this Board finds public convenience requires that said portion of drainage easement right of way be removed from the State Transportation System by vacation and extinguishment; therefore be it

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

RESOLVED that the portion of drainage easement right of way is removed by vacation and extinguishment from the State Transportation System.





Stantec

DESCRIPTION OF DRAINAGE EASEMENT TO BE EXTINGUISHED



Description of a portion of easement for drainage to be extinguished from Area No. 8 of Docket 3868, Page 481 which lays over, under and across a parcel of land, said parcel being a portion of Lot 88 in the Final Plat of Rancho Resort as recorded in Book 56 of Maps and Plats, Page 78, located in Section 11, Township 17 South, Range 13 East, Gila & Salt River Meridian, Pima County, Arizona. Said portion of easement for drainage of said Area No. 8 to be extinguished being more fully described as follows:

COMMENCING AT the Southeasterly corner of said Final Plat of Rancho Resort, thence South 89°07'54" West along the Southerly line of said Final Plat of Rancho Resort a distance of 194.90 feet to the **TRUE POINT OF BEGINNING** said point being the Easterly line of said portion of easement for drainage to be vacated and the intersection with the Northerly line of said Area No. 8;

Thence South 59°15'35" East along the Northerly line of said Area No. 8 a distance of 1.91 feet to the Easterly corner of said portion of easement for drainage being one foot South of Southerly line of said Lot 88;

Thence South 89°07'54" West parallel with and one foot South of the Southerly line of said Lot 88 a distance of 23.44 feet to the Westerly line of said Area No. 8;

Thence North 30°44'25" East alone the Westerly line of said Area No. 8 a distance of 12.28 feet to the Northerly corner of said portion of easement for drainage and the Northerly corner of said Area No. 8;

Thence South 59°15'35" East along Northerly line of said Area No. 8 a distance of 18.05 feet to the **TRUE POINT OF BEGINNING**.

Said parcel containing an approximate area of 100 square feet or .002 acres of land, more or less.

Disclaimer: Stantec Consulting accepts no liability for this description if it has been modified or reformatted in any way from its original format and content, or used for any purpose other than that for which it was originally intended.

Prepared on 03/30/06

REVISED: on 10/30/06

Prepared for and on behalf of Stantec Consulting Inc.

Prepared by Nathan Gardner, RLS

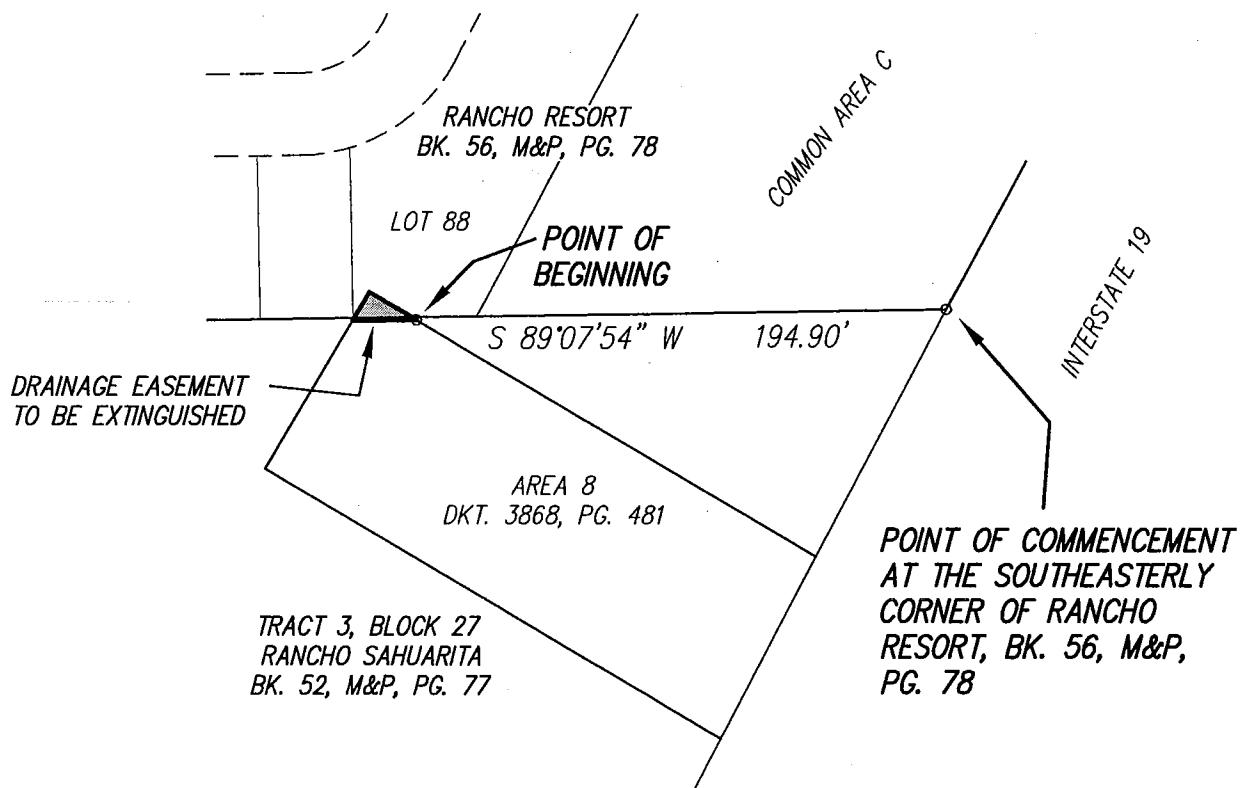
Stantec Project 185620400-190

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NOT TO SCALE



THIS SKETCH IS FOR EXHIBIT PURPOSES ONLY AND DOES NOT
CONSTITUTE A PROPERTY BOUNDARY SURVEY.

October, 2006
85601993



Stantec

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SHEET 3 OF 3

Client/Project

Lot 88

Bk. 56, M.&P., Pg. 78

Section 11, T17S, R13E, G&SRM

Figure No.

1.0

Title

Description Exhibit
Extinguished Drainage Easement

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REPORT AND RECOMMENDATION

TO THE HONORABLE ARIZONA TRANSPORTATION BOARD:

The Intermodal Transportation Division has made a thorough investigation concerning the disposal of a portion of a drainage easement for right of way originally acquired for use within the above referenced project.

This portion of Interstate Route 19 was previously established as an access controlled state highway by Arizona Highway Commission Resolution 67-37 dated May 12, 1967.

Said portion of drainage easement right of way is no longer required in the State Transportation System, nor will it be used for public highway purposes. Accordingly, I recommend that said portion of drainage easement right of way be removed from the State Transportation System by vacation and extinguishment thereof in accordance with Arizona Revised Statute 28-7214.

The portion of drainage easement right of way to be vacated and extinguished was acquired by Final Order of Condemnation Instrument No. 107921, recorded November 9, 1970 in Book 3868, pages 481-491 Pima County Records, and 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, NOGALES - TUCSON Highway, Project I-19-1(15)47 / 019PM000H088801R."

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All other rights of way, 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 the drainage easement right of way depicted in Appendix "A".

Pursuant to Arizona Revised Statutes Sections 28-7046 and 28-7214, 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 May 18, 2007.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on May 18, 2007.

Richard Lewis Jr.

VICTOR M. MENDEZ, Director
Arizona Department of Transportation

ESTATE PLANNING

Yelloway for Designers