

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

June 15, 2007

RES. NO. 2007-06-A-046
PROJECT: S-238-805 / 179YV304H341402R
HIGHWAY: RIM ROCK - SEDONA
SECTION: Village of Oak Creek - Jct. 89A
ROUTE NO.: State Route 179
ENG. DIST.: Flagstaff
COUNTY: Coconino

RESOLUTION OF DISPOSAL

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on June 15, 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 easement right of way from the State Transportation System by vacating and extinguishing thereof.

The portion of 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, RIM ROCK - SEDONA Highway, Project S-238-805 / 179CN304H341402R."

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

WHEREAS a new drainage easement is to be reserved by the Department which contains 913 square feet; and

WHEREAS a remaining portion of easement right of way is still needed for State transportation purposes and is to be used for public highway purposes; and

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

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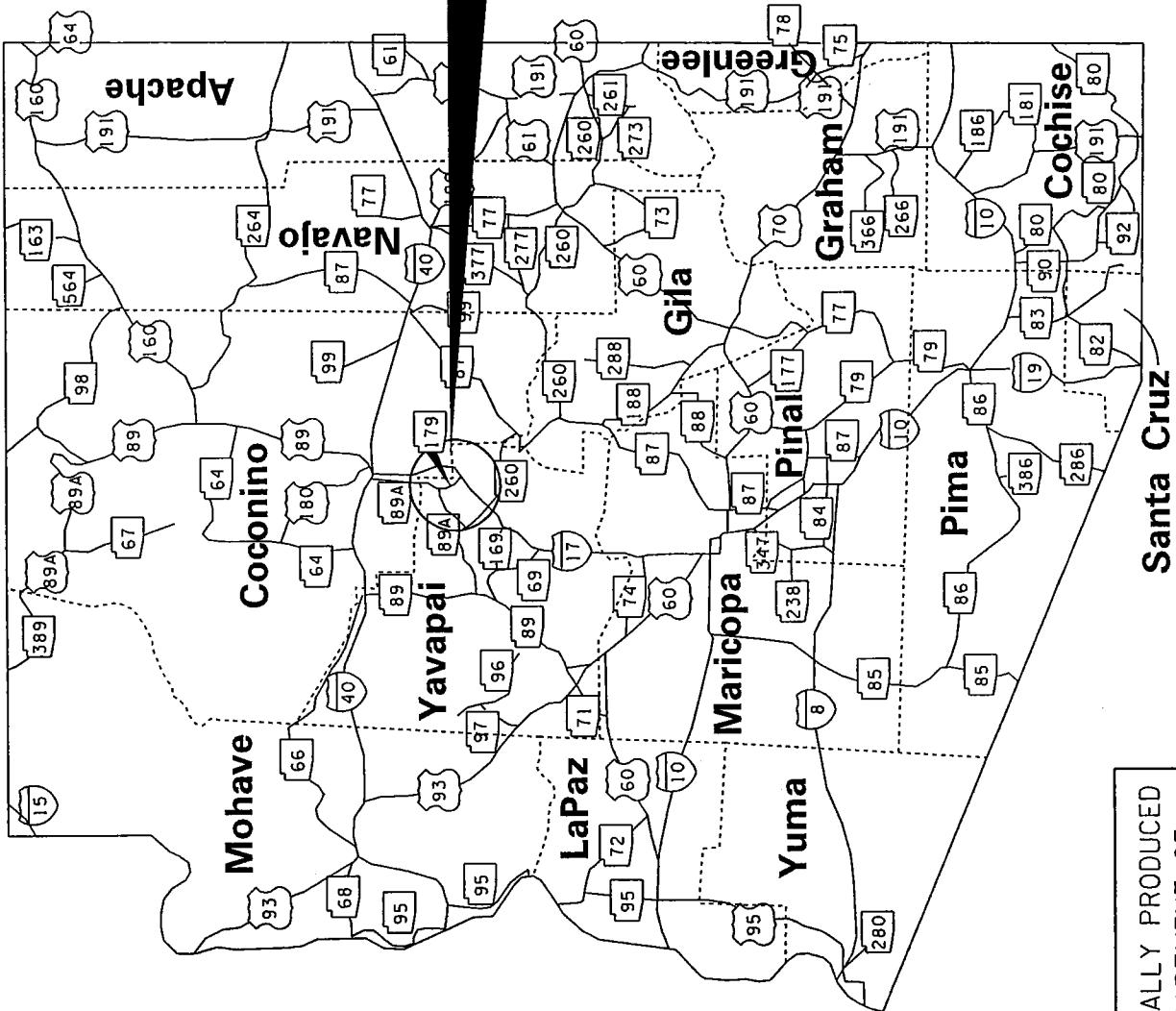
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RESOLVED that the recommendation of the Director is adopted and made a part of this resolution; be it further

RESOLVED that the portion of easement right of way no longer needed for State transportation purposes, is removed by vacation and extinguishment from the State Transportation System; be it further

RESOLVED that the new drainage easement be reserved by the Department containing 913 square feet; be it further

RESOLVED that the remaining portion of the easement right of way not being disposed herein shall remain in the State Transportation System for use as such.



AREA OF EASEMENT
EXTINGUISHMENT
SEE SHEET 2 - 4
FOR DETAILS

179 YV 304 H3414 02R / S 238-805
RIMROCK - SEDONA HWY SR 179
Village of Oak Creek - Jct 89A
Coconino County

DATE: JUNE 15, 2007 SHEET 1 OF 4

APPENDIX "A"

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

RIGHT OF WAY PLANS SECTION
REVISED MAY 17, 2000

APPENDIX "A"

That portion of State Route 179 (RIM ROCK – SEDONA HIGHWAY) located in the Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 19, Township 17 North, Range 6 East, Gila and Salt River Meridian, Coconino County, Arizona, described as follows:

Commencing at a Bureau of Land Management (B.L.M.) brass cap marking the Northwest corner of said Section 19, being North 02°31'59" East 2680.93 feet from a B.L.M. brass cap marking the West quarter corner of said Section 19;

thence South 45°40'44" East 1923.88 feet to the POINT OF BEGINNING on the existing northwesterly right of way line of said State Route 179 at its juncture with the North line of said Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 19;

thence along said existing northwesterly right of way line of State Route 179 common with said North line of the Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 19 South 89°47'59" East 111.27 feet;

thence South 59°33'29" West 113.86 feet;

thence North 81°53'40" West 22.84 feet;

thence North 40°50'18" West 39.67 feet to said existing northwesterly right of way line of State Route 179;

thence along said existing northwesterly right of way line of State Route 179 North 54°58'53" East 43.30 feet to the POINT OF BEGINNING.

4,719 square feet, more or less.

RESERVING UNTO THE GRANTOR a perpetual easement for the construction and maintenance of drainage features for the protection of State Route 179, together with the right of ingress and egress for said purposes, over that certain real property described as follows:

COMMENCING at said Northwest corner of Section 19;

thence South 45°40'44" East 1923.88 feet to the POINT OF BEGINNING on the existing northwesterly right of way line of said State Route 179 at its juncture with the North line of said Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 19;

(continued)

SHEET 3 OF 4

thence along said existing northwesterly right of way line of State Route 179 common with said North line of the Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 19 South 89°47'59" East 1.59 feet;

thence South 40°45'45" East 56.82 feet;

thence South 59°33'29" West 16.26 feet;

thence North 40°45'45" West 56.44 feet to said existing northwesterly right of way line of State Route 179:

thence along said existing northwesterly right of way line of State Route 179 North 54°58'53" East 14.87 feet to the POINT OF BEGINNING.

The drainage easement contains 913 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 disposal of a portion of an easement for right of way originally acquired for use within the above referenced project.

This portion of State Route 179 was previously established as a state route designated State Route 179, by Arizona Highway Commission Resolution 60-76, dated February 1, 1960; Resolution 61-74, dated November 15, 1960, established State Route 179 as a state highway; Resolution 67-85, dated November 20, 1967, established additional right of way for improvements; Resolution 68-21, dated April 5, 1968, established additional right of way for improvements thereof; thereafter, Arizona Transportation Board Resolution 76-14-A-44, dated August 20, 1976, established additional right of way for improvements; Resolution 87-02-C-008, dated February 23, 1987, designated that portion of State Route 179 as the Redrock Scenic Road; Resolution 05-10-A-055, dated October 21, 2005, and Resolution 07-02-A-018, dated February 16, 2007 established additional right of way for improvements, and Resolution 07-03-A-023, dated March 16, 2007 amended Resolution 07-02-A-018, due to a design change.

Said portion of easement right of way is no longer required in the State Transportation System, nor will it be used for public highway purposes. A new drainage easement is to be reserved over a portion thereof. Accordingly, I recommend that said portion of easement right of way be removed from the State Transportation System by vacation and extinguishment thereof and that the new drainage easement is reserved.

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The portion of easement right of way to be vacated and extinguished was acquired by instrument recorded August 26, 1971, in Docket No. 398, pages 742 - 744 Coconino County records and the new drainage easement to be reserved 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, RIM ROCK - SEDONA Highway, Project S-238-805 / 179CN304H341402R."

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 portion of 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 June 15, 2007.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on June 15, 2007.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation

6/15/07

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información de la Agencia
nominada a la

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