

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

JULY 20, 2007

RES. NO. 2007-07-A-050
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 July 20, 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 / 179YV304H341402R."

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 sidewalk easement is to be reserved by the Department over the entire easement being extinguished; 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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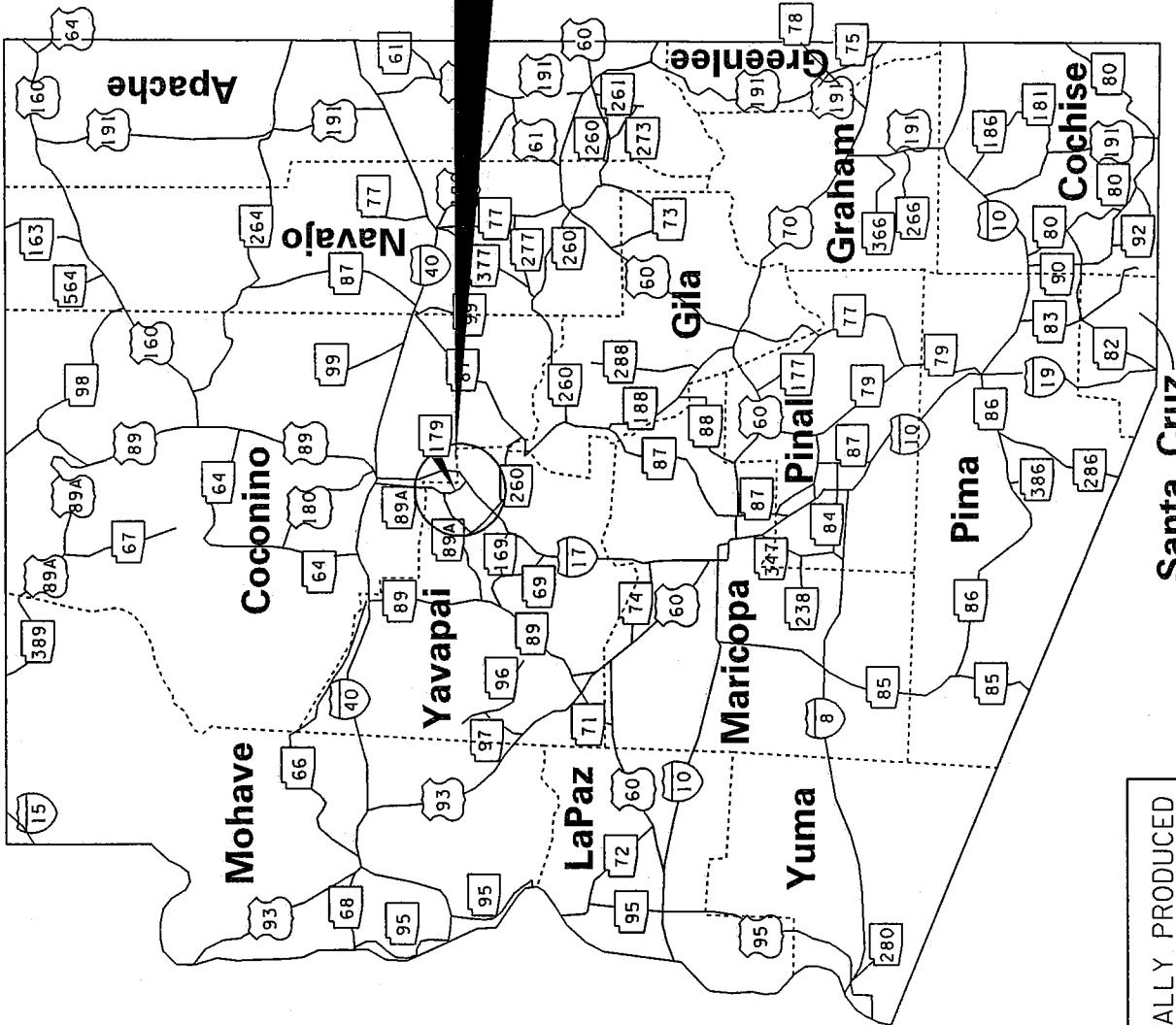
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RESOLVED that the recommendation of the Director is adopted and made a part of this resolution; be it further

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 sidewalk easement be reserved by the Department over the entire easement being extinguished; 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.



APPENDIX "A"

That portion of the existing right of way of State Route 179 (RIM ROCK – SEDONA HIGHWAY) in the Northeast quarter of the Northeast quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 18, 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 Northeast corner of said Section 18, being North 89°46'01" East 2633.01 feet from a B.L.M. brass cap marking the North quarter corner of said Section 18;

thence along the North line of said Section 18, South 89°46'01" West 227.23 feet to the existing right of way centerline of said State Route 179;

thence along said existing right of way centerline of State Route 179 South 17°49'18" West 465.59 feet;

thence continuing along said existing right of way centerline of State Route 179 along a curve to the Right having a radius of 954.94 feet, a length of 400.68 feet;

thence South 48°08'12" East 38.64 feet to the POINT OF BEGINNING on the existing easterly right of way line of State Route 179;

thence along said existing easterly right of way line continuing South 48°08'12" East 11.35 feet;

thence continuing along said existing easterly right of way line from a Local Tangent Bearing of North 41°51'48" East along a curve to the Left having a radius of 1004.94 feet, a length of 14.30 feet;

thence North 47°48'48" West 7.29 feet;

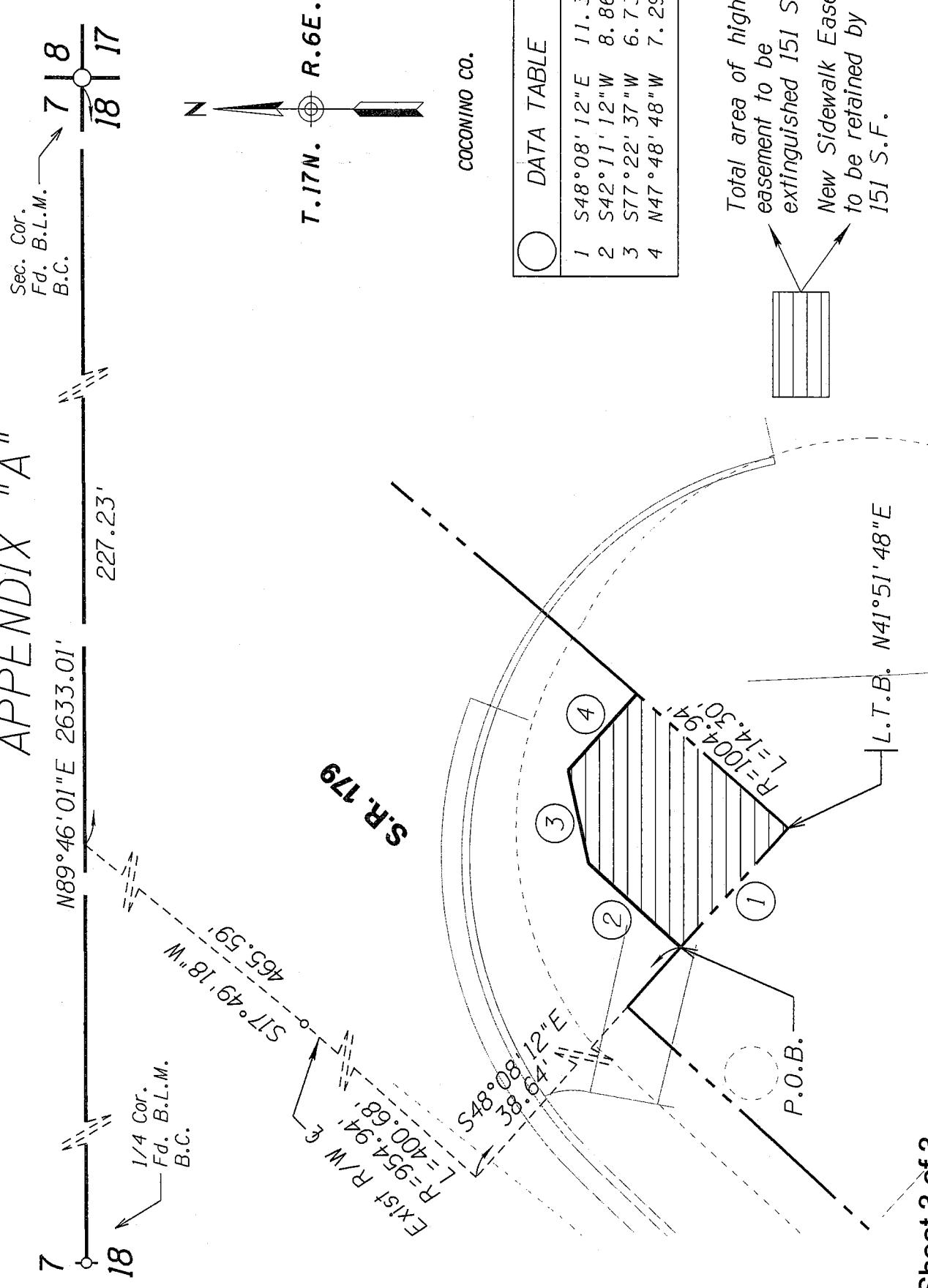
thence South 77°22'37" West 6.73 feet;

thence South 42°11'12" West 8.86 feet to the POINT OF BEGINNING.

RESERVING unto the **STATE OF ARIZONA**, acting by and through its **Department of Transportation**, an exclusive perpetual easement to construct, reconstruct, operate and maintain sidewalk facilities, together with all of the necessary and appurtenant facilities thereto, over, beneath, and across the above described real property.

151 square feet, more or less.

APPENDIX "A"



Sheet 3 of 3

This Exhibit does not represent a Boundary Survey.

HUBBARD
ENGINEERING

625 N. Gilbert Rd., Suite 106
Gilbert, AZ 85234 (480) 892-3313
12:13:03 PM
6/22/2007

R/W Project 179 Yr 304 H34/4 02R, S 238-805

Northwest of 3-1519 [Model]
C:\Project\Files\ADOT\Projects\V8\26016-Sedona SRF 179\Misc\ParcelPTID.dgn

Parcel 3-1519

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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.

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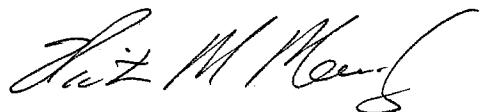
Said portion of easement right of way is no longer required in the State Transportation System, nor will it be used for public highway purposes. A new sidewalk easement is to be reserved over the entire easement being extinguished thereof. Accordingly, I recommend that said portion of easement right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

The portion of easement right of way to be vacated and extinguished was acquired by instrument recorded August 23, 1947 in Book 11 Promiscuous Records, page 378, Coconino 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, RIM ROCK - SEDONA Highway, Project S-238-805 / 179YV304H341402R."

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 July 20, 2007.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on July 20, 2007.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation

APPROVED

Arizona Department of Transportation
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