

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

AUGUST 17, 2007

RES. NO. 2007-08-A-053
PROJECT: S-189-A-800 / 189SC000H528201R
HIGHWAY: NOGALES PRIMARY CONNECTION
SECTION: Nogales Port of Entry (F.S. # 2-52)
ROUTE NO.: State Route 189
ENG. DIST.: Tucson
COUNTY: Santa Cruz
PARCEL: 12-0504-A

RESOLUTION OF ESTABLISHMENT

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on August 17, 2007, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the establishment and acquisition of additional right of way for the improvement of a portion of the Nogales Port of Entry Facility Site #2-52 as set forth in the above referenced project.

The additional right of way to be established and acquired for this improvement 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 PRIMARY CONNECTION Highway, Project S-189-A-800 / 189SC000H528201R."

WHEREAS establishment and acquisition of the additional right of way is necessary for this improvement; and

WHEREAS because of these premises, this Board finds public safety, necessity and convenience require the recommended establishment and acquisition of the additional land needed for this improvement; therefore, be it

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

RESOLVED that the portion of right of way as depicted in Appendix "A" is hereby designated a state route and state highway; be it further

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RESOLVED that the Director is hereby authorized to acquire by lawful means, including exchanges, in accordance with Arizona Revised Statutes Section 28-7092, an estate in fee, or such other interest as is required, including material for construction, haul roads, and various easements in any property necessary for or incidental to the improvements as delineated on said maps and plans; be it further

RESOLVED that the Director secure an appraisal of the property to be acquired and that necessary parties be compensated. Upon failure to acquire said lands by other lawful means, the Director is authorized to initiate condemnation proceedings.

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REPORT AND RECOMMENDATION

TO THE HONORABLE ARIZONA TRANSPORTATION BOARD:

The Intermodal Transportation Division has made a thorough investigation concerning the establishment and improvement of a portion of the Nogales Port of Entry Facility Site #2-52 within the above referenced project.

The Nogales Port of Entry Facility Site # 2-52 was previously established by various Arizona Transportation Board Resolutions and improved upon throughout the years.

It is now necessary to establish additional right of way for construction of a new employee parking area. Accordingly, it is necessary to establish and acquire the additional right of way for this project.

The additional right of way to be established and acquired for this improvement 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 PRIMARY CONNECTION Highway, Project S-189-A-800 / 189SC000H528201R."

In the interest of public safety, necessity and convenience, I recommend that the area depicted in Appendix "A" be established and improved as a state route and state highway.

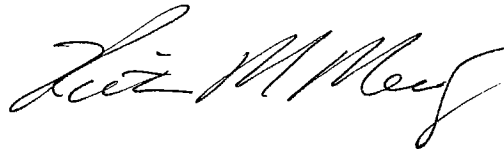
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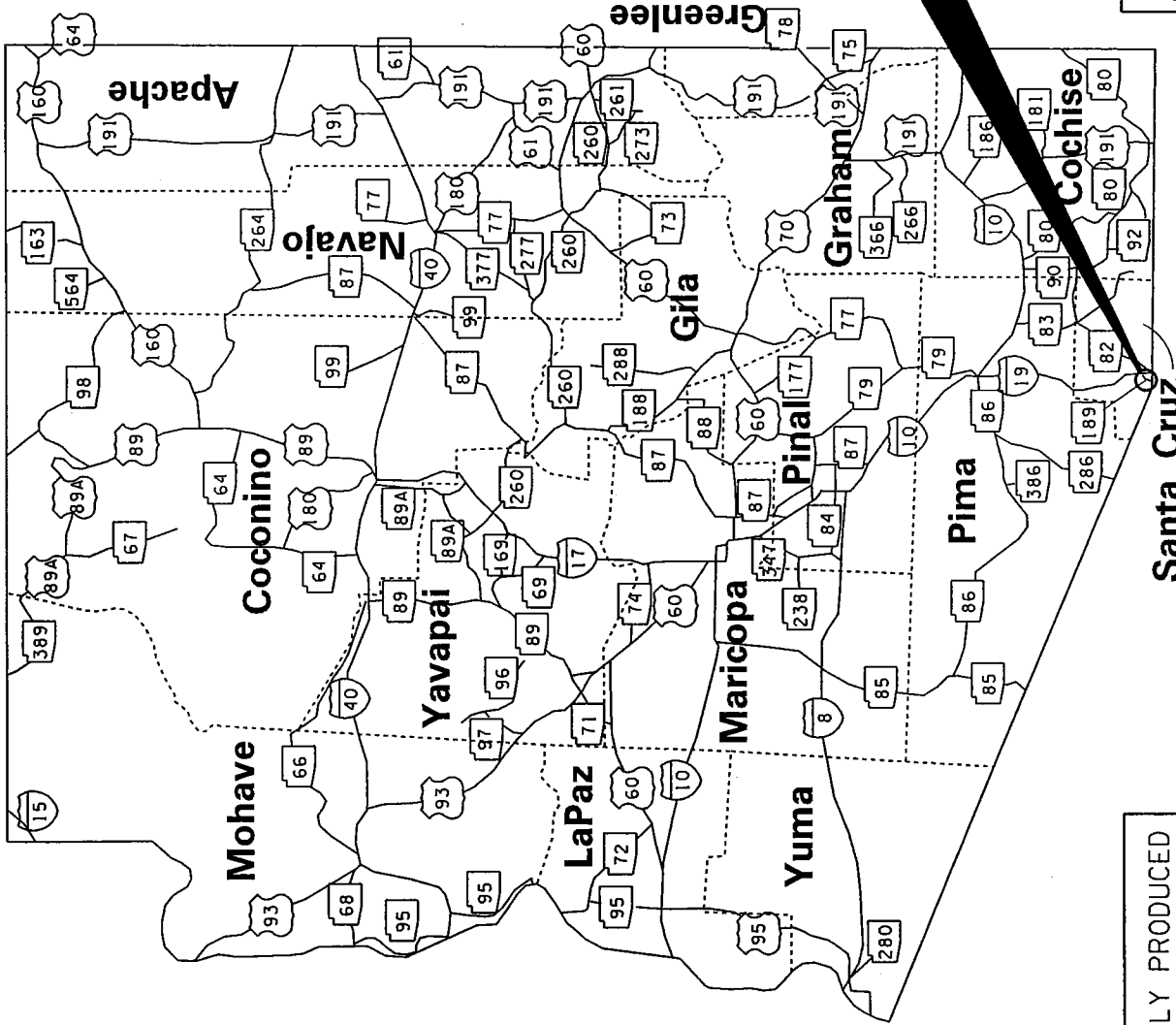
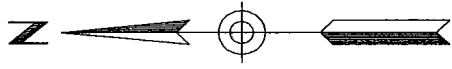
I further recommend the acquisition of the new right of way, material for construction, haul roads and various easements necessary for or incidental to the improvement.

Pursuant to Arizona Revised Statutes Section 28-7046, I recommend the adoption of a resolution making this recommendation effective.

Respectfully submitted,



VICTOR M. MENDEZ, Director
Arizona Department of Transportation



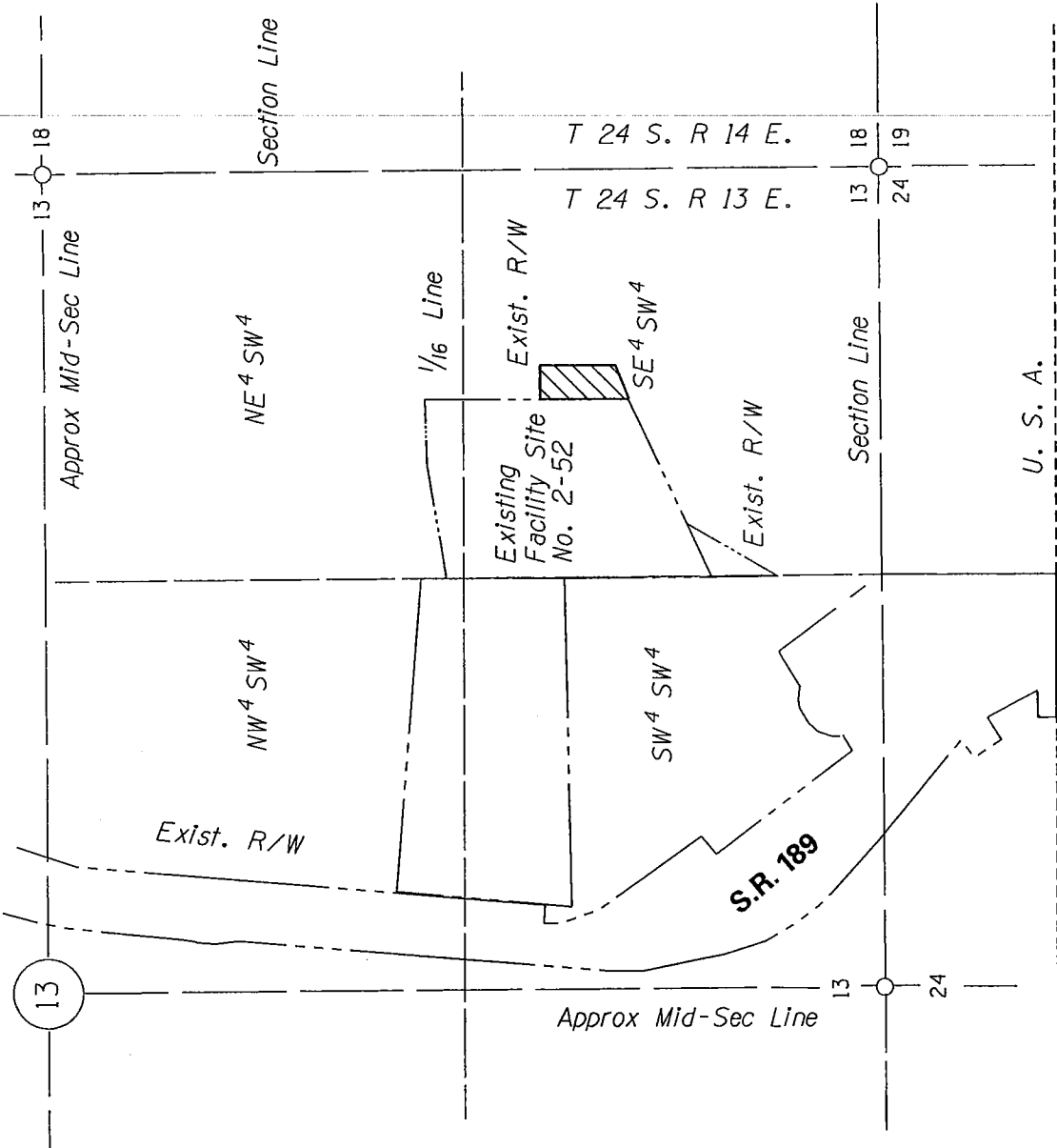
AREA OF ESTABLISHMENT
SEE SHEET 2 OF 2
FOR DETAILS

THIS PLAT WAS DIGITALLY PRODUCED
FROM ARIZONA DEPARTMENT OF
TRANSPORTATION
GENERAL HIGHWAY MAP
REVISED MAY 17, 2000

APPENDIX "A"

189 SC 000 H5282 06R / S-189-A-801
999 SW 000 H0889 01R / N-810-602
Staterwide Facility Sites
NOGALES PRIMARY CONNECTION SR 189
Nogales Port of Entry F.S. #2-52
Santa Cruz County

DATE: AUGUST 17, 2007 SHEET: 1 OF 2

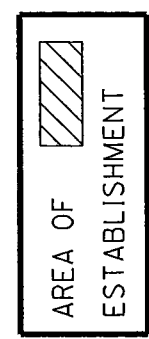


T. 24 S. R. 13 E.

*Santa Cruz County
District "T"*

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

RIGHT OF WAY PLANS SECTION REVISED JULY 17, 2000



APPENDIX "A"

189 SC 000 H5282 06R / S-189-A-801
 999 SW 000 H0889 01R / N-810-602
 NOGALES PRIMARY CONNECTION SR 189
 Nogales Port of Entry F.S. #2-52
 Santa Cruz County

DATE: AUGUST 17, 2007 SHEET: 2 OF 2

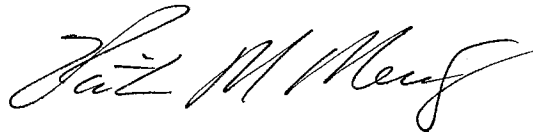
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CERTIFICATION

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 17, 2007.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on August 17, 2007.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation