

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

DECEMBER 21, 2007

RES. NO. 2007-12-A-081
PROJECT: S-366 / 089ACN000H088801R
HIGHWAY: PRESCOTT - FLAGSTAFF
SECTION: Fort Tuthill M.S. Haul Road
ROUTE NO.: State Route 89A
ENG. DIST.: Flagstaff
COUNTY: Coconino

RESOLUTION OF DISPOSAL

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on December 21, 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 prescriptive easement right of way from the State Transportation System by vacating and extinguishing thereof.

The portion of the prescriptive easement right of way for Fort Tuthill Material Site Haul Road to be disposed is depicted in Appendix "A".

WHEREAS said portion of the prescriptive 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 prescriptive easement right of way be removed from the State Transportation System by vacation and extinguishment; therefore be it

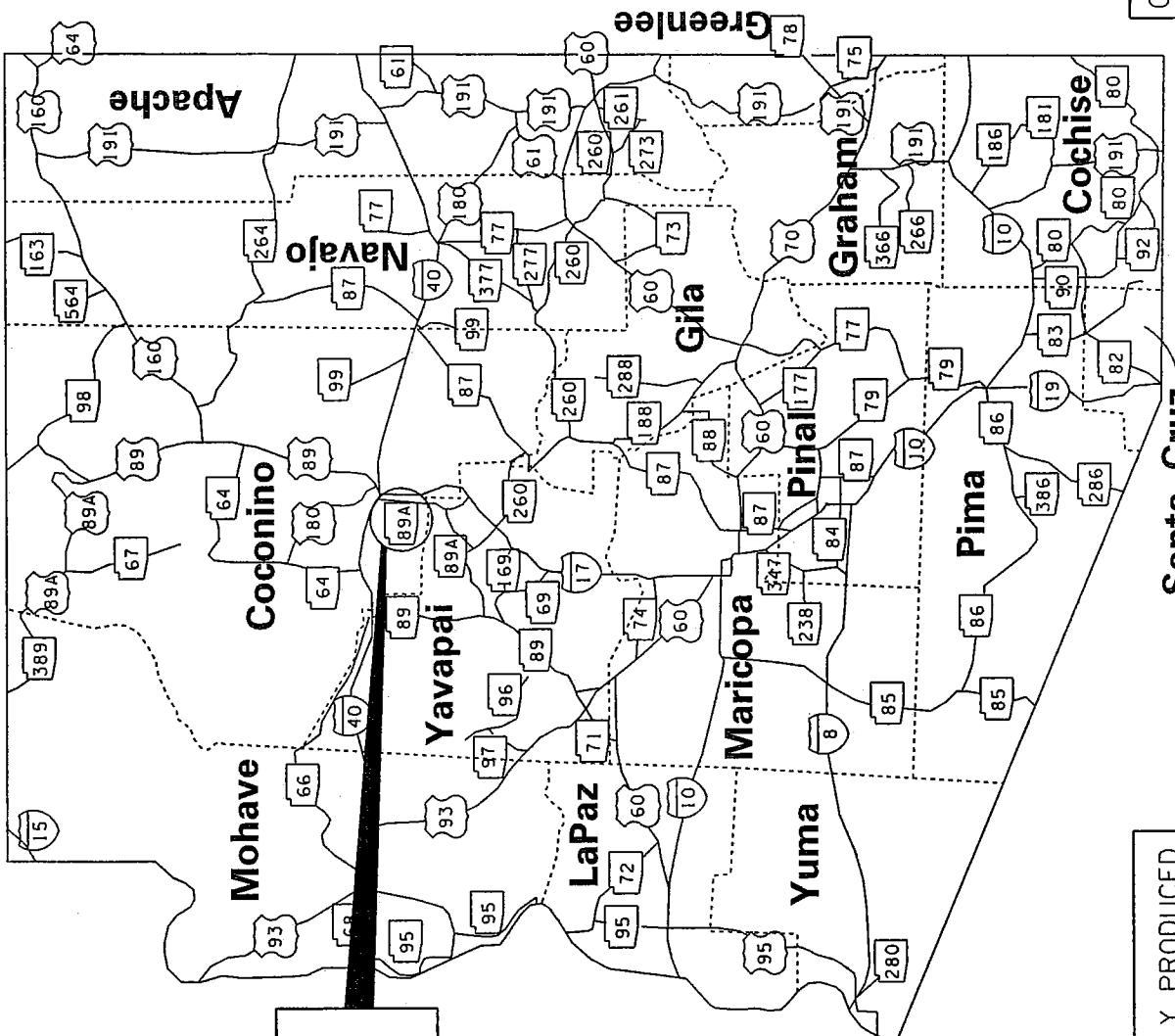
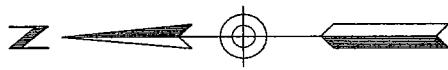
RESOLVED that the recommendation of the Director is adopted and made a part of this resolution; be it further

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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 this Resolution is contingent upon the property owner transferring by deed a new access across the property as set forth in Resolution 2007-12-A-082. This contingency shall be deemed fulfilled when the deed is recorded with the Coconino County Recorder's Office.



AREA OF EASEMENT
EXTINGUISHMENT
SEE SHEET 1 OF 2
FOR DETAILS

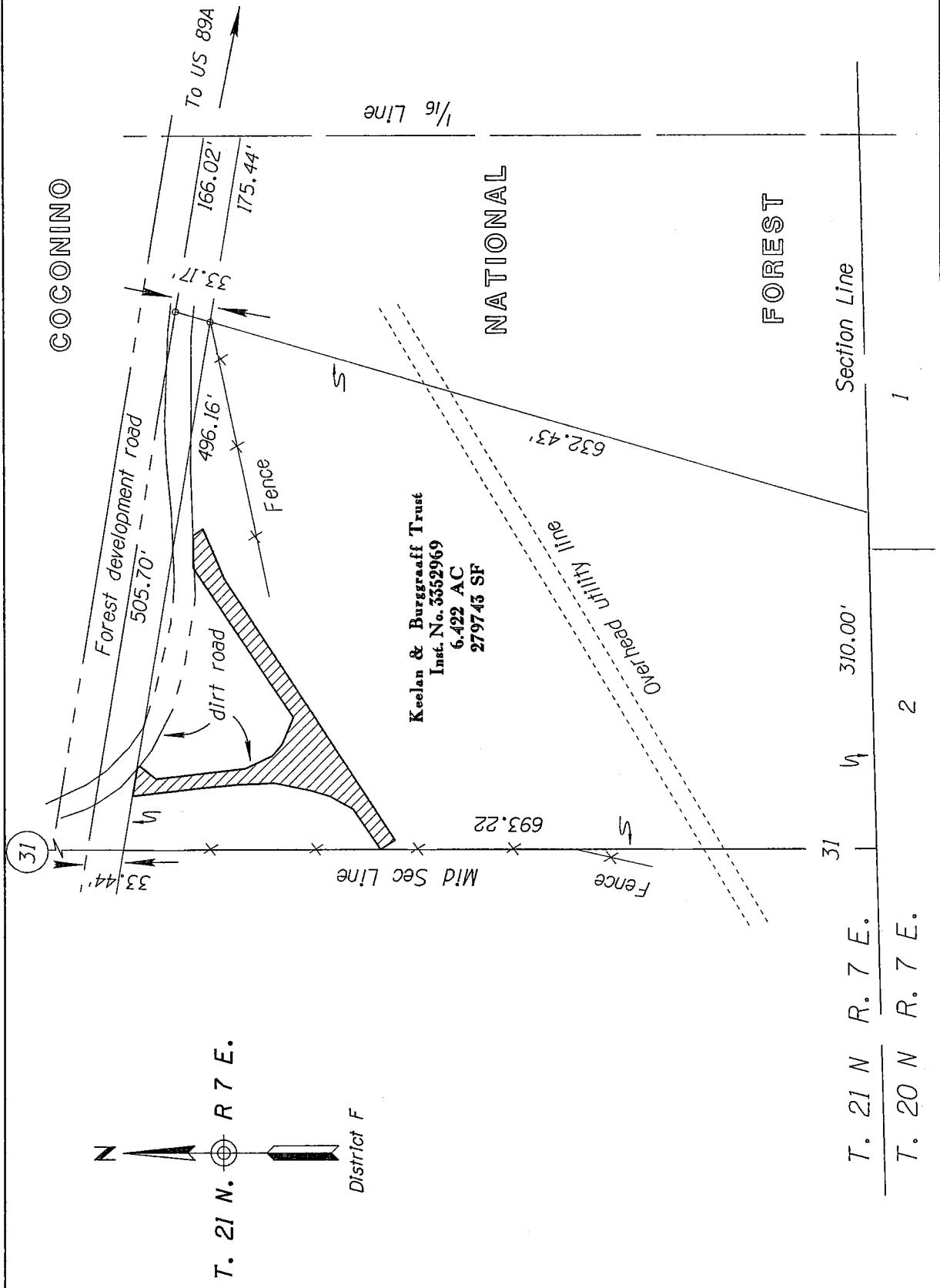
THIS PLAT WAS DIGITALLY PRODUCED
FROM ARIZONA DEPARTMENT OF
TRANSPORTATION
GENERAL HIGHWAY MAP

089A CN 000 H0888 0IR / S-366
PRESCOTT - FLAGSTAFF
Fort Tuthill M.S. Haul Road
Coconino County

DATE: DEC 21, 2007 SHEET 1 OF

APPENDIX "A"

COCOONINO



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

RIGHT OF WAY PLANS SECTION
REVISED JULY 17, 2000

AREA OF
EASEMENT
EXTINGUISHMENT

089A CN 000 H0888 OIR / S-366
PREScott - FLAGSTAFF
For Tuthill M.S. Haul Road
Coconino County

APPENDIX "A"

DATE: DEC 21, 2007

SHEET 2 OF

DECEMBER 21, 2007

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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 prescriptive easement for right of way originally acquired for use within the above referenced project.

This portion of Fort Tuthill Material Site Haul Road was previously established as a state route and state highway by Arizona Highway Commission Resolution dated September 9, 1927, page 26 of the Official Minutes; various Resolutions established additional right of way for improvements thereof. In addition, ADOT acquired additional easement rights to access the Fort Tuthill Material Site through prescriptive use.

Said prescriptive 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 easement right of way be removed from the State Transportation System by vacation and extinguishment thereof. Said Resolution shall be contingent upon the property owner transferring by deed a new access across the property as set forth in Resolution 2007-12-A-082. This contingency shall be deemed fulfilled when the deed is recorded in the Coconino County Recorder's Office.

The portion of easement right of way to be vacated and extinguished is depicted in Appendix "A".

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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 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 December 21, 2007.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on December 21, 2007.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation