

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

APRIL 18, 2008

RES. NO. 2008-04-A-018
PROJECT: S-089-B-702 / 089YV317H670101R
HIGHWAY: PRESCOTT - ASH FORK
SECTION: Chino Valley - Granite Dells
ROUTE NO.: State Route 89
ENG. DIST.: Prescott
COUNTY: Yavapai

(1) AMEND RESOLUTION OF ESTABLISHMENT

(2) RESOLUTION OF ESTABLISHMENT

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on April 18, 2008, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the amendment of Resolution 2008-02-A-004, dated February 15, 2008, recorded February 22, 2008 in Book 4576, page 243 of Yavapai County records, due to design changes as set forth in the above referenced project.

The area of amendment and the area of establishment 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 "95% Design Plans, dated March 7, 2008, PRESCOTT - ASH FORK Highway, Project S-089-B-702 / 089YV317H670101R."

WHEREAS design changes require an amendment of Resolution 2008-02-A-004 for the area to be established and acquired for transportation improvements; and

WHEREAS this Board finds public safety, necessity and convenience require the recommended amendment of Resolution 2008-02-A-004 to show the design changes; and

WHEREAS a portion of the state route is now needed for construction activities, and is being established as a state route and state highway for said improvements; and

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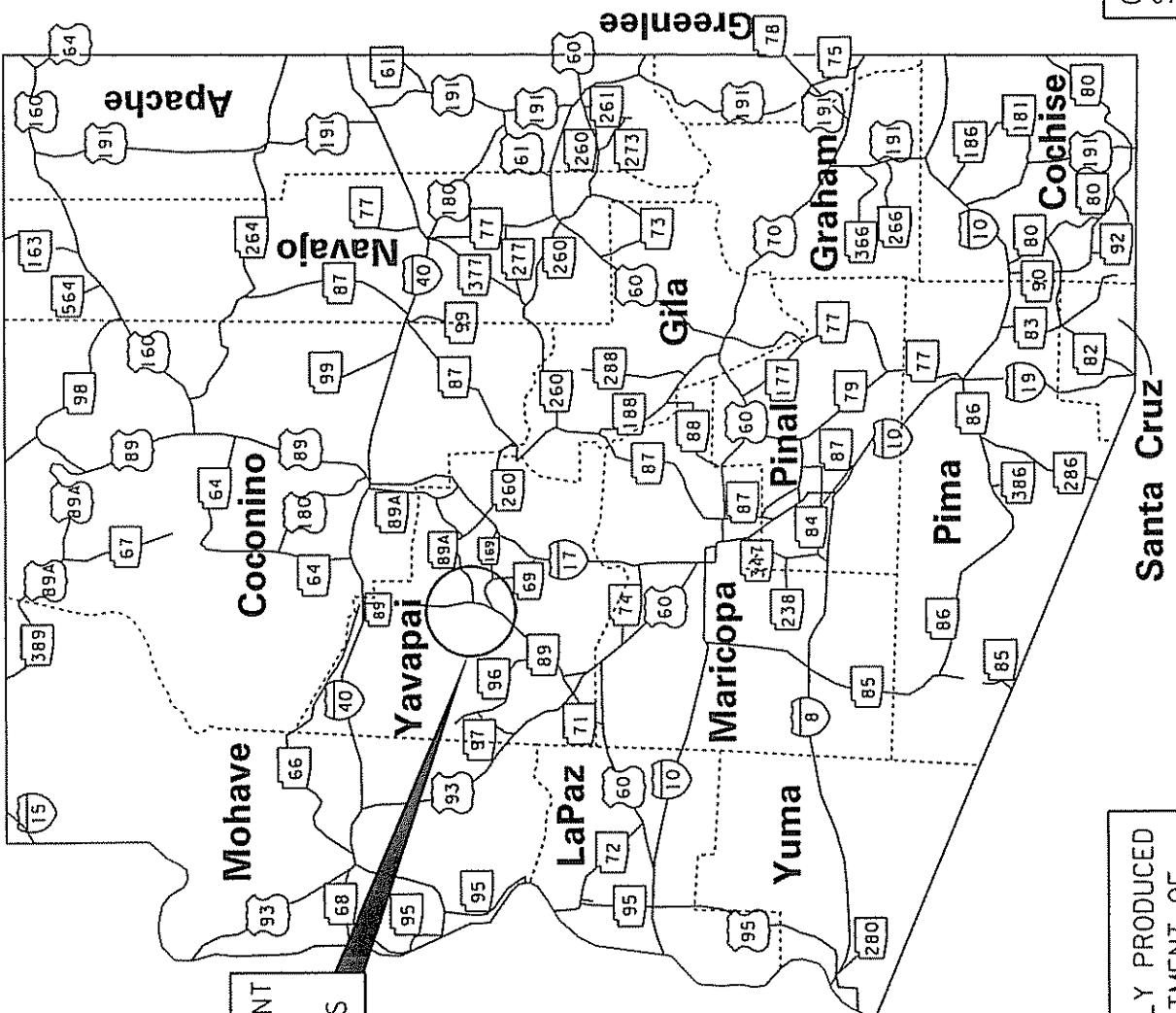
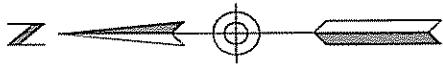
WHEREAS this Board finds public safety, necessity and convenience require the recommended establishment as a state route and state highway due to upcoming construction activities; therefore be it

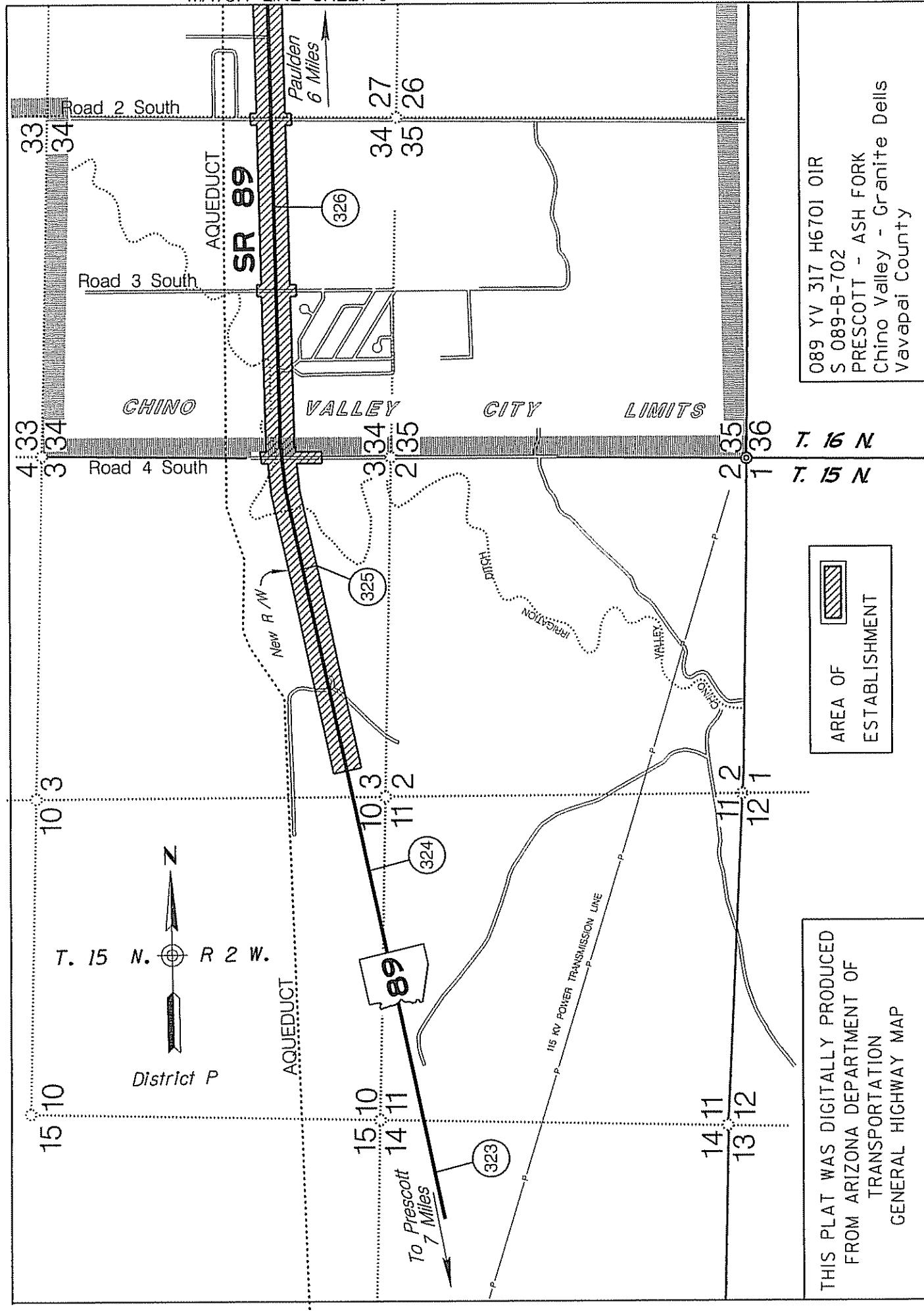
RESOLVED that the recommendation of the Director is adopted and made part of this resolution; be it further

RESOLVED that Resolution 2008-02-A-004 is hereby amended and that the modified portion of right of way as depicted in Appendix "A" is hereby designated a state route and state highway; be it further

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.





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

RIGHT OF WAY PLANS SECTION
REVISED JULY 17, 2000

APPENDIX "A"

089 YV 317 H6701 01R
S 089-B-702
PREScott - ASH FORK
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Yavapai County

DATE: APRIL 18, 2008 SHEET 2 OF 3

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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 State Route 89 due to design changes within the above referenced project.

The area of amended establishment herein was previously established as a state route by Arizona Transportation Board Resolution 2008-02-A-004, dated February 15, 2008, recorded February 22, 2008, Book 4576, page 243 in Yavapai County. The area of establishment herein 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, thereafter Arizona Transportation Board Resolution 2007-01-A-001, dated January 19, 2007, established additional right of way for improvements thereof.

Due to design changes, the area to be acquired has been modified. It is now necessary to amend Resolution 2008-02-A-004, dated February 15, 2008 to show design changes.

Due to upcoming construction activities, it is now necessary to establish a portion of State Route 89 for this project.

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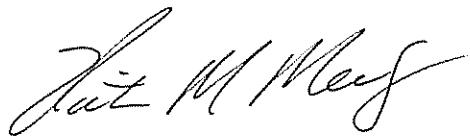
The amended right of way and additional right of way to be established and acquired for this improvement is depicted in Appendix "A" and delineated on maps and plans on file in the office of the State Engineer, Intermodal Transportation Division, Phoenix, Arizona, entitled "95% Design Plans, dated March 7, 2008, PRESCOTT - ASH FORK Highway, Project S-089-B-702 / 089YV317H670101R."

In the interest of public safety, necessity and convenience, I recommend the amendment of Resolution 2008-02-A-004, dated February 15, 2008, recorded February 22, 2008 in Book 4576, page 243, Yavapai County, as depicted in Appendix "A" and that it be established and improved as a state route and state highway.

I further recommend the acquisition of the amended right of way and any new right of way required as depicted on Right of Way Plans noted herein, 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

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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 April 18, 2008.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on April 18, 2008.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation