

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

August 15, 2008

RES. NO. 2008-08-A-037
PROJECT: 600-8-804 / 202LMA000H540101R
HIGHWAY: RED MOUNTAIN FREEWAY
SECTION: Higley Road - U.S. 60 (Alder Avenue and North 90th St)
ROUTE NO.: State Route 202L
ENG. DIST.: Phoenix
COUNTY: Maricopa
DISPOSAL: D-M-413

RESOLUTION OF ABANDONMENT

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on August 15, 2008, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the abandonment of Alder Avenue and North 90th Street where they intersect within the above referenced project.

The portion of right of way to be abandoned 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, RED MOUNTAIN FREEWAY Highway, Project 600-8-804 / 202LMA000H540101R."

WHEREAS said portion of right of way is no longer needed for state transportation purposes; and

WHEREAS this Board finds that public safety, necessity and convenience will be served by accepting the Director's report; therefore, be it

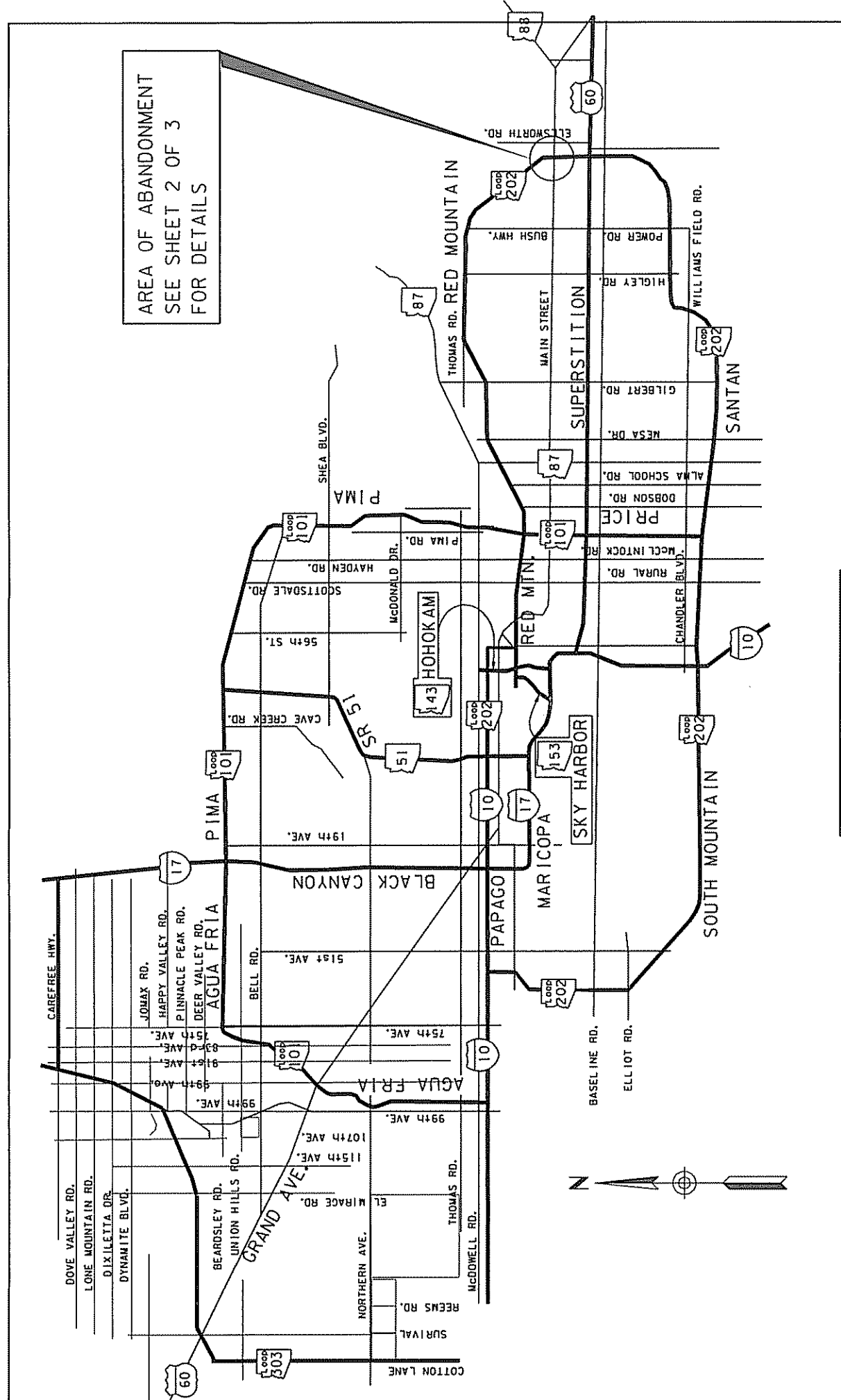
RESOLVED that the recommendation of the Director is adopted and made part of this resolution; be it further

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RESOLVED that the portion of right of way depicted in Appendix "A" is hereby removed from the State Highway System and abandoned to Maricopa County for a continued public transportation use as provided in Arizona Revised Statute Section 28-7207 and 28-7209, and effective upon recordation in the Office of the County Recorder in accordance with Arizona Revised Statute Section 28-7213; be it further

RESOLVED that the Director provide written notice to Maricopa County Department of Transportation evidencing the abandonment of the State's interest.



AREA OF ABANDONMENT
SEE SHEET 2 OF 3
FOR DETAILS

AREA OF ABANDONMENT
SEE SHEETS 3 - 3
FOR DETAILS

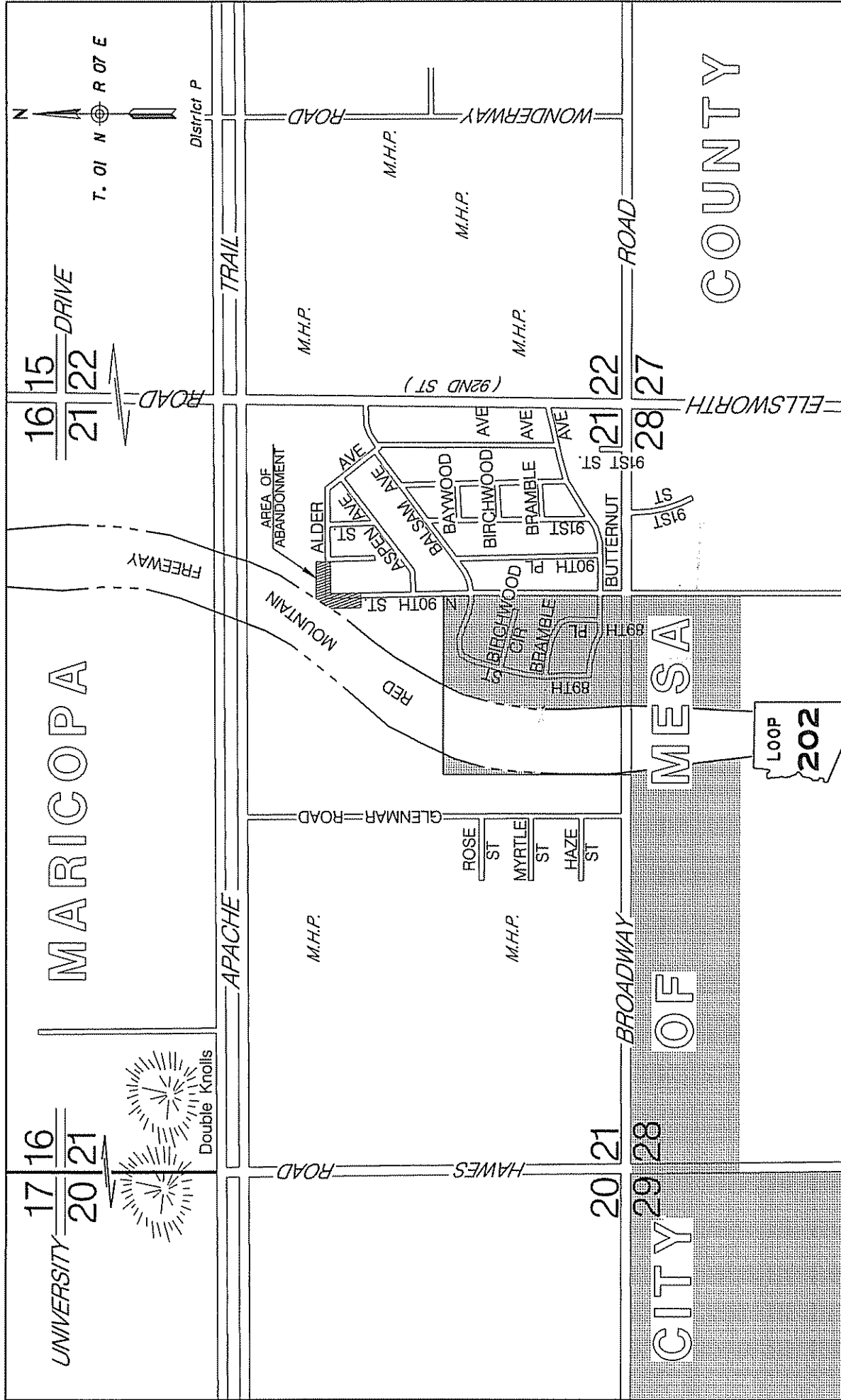
THIS PLAT WAS DIGITALLY PRODUCED
FROM ARIZONA DEPARTMENT OF
TRANSPORTATION
GENERAL HIGHWAY MAP

RIGHT OF WAY PLANS SECTION
REVISED JULY 17, 2000

202L MA 000 H5401 OIR
600-8-804
RED MOUNTAIN FREEWAY
Higley Road - US 60
Maricopa County

DATE: AUG 15, 2008 SHEET: 1 OF 3

APPENDIX "A"



<p>THIS PLAT WAS DIGITALLY PRODUCED FROM ARIZONA DEPARTMENT OF TRANSPORTATION GENERAL HIGHWAY MAP</p> <p>RIGHT OF WAY PLANS SECTION REVISED JULY 17, 2000</p>	<p>AREA OF ABANDONMENT</p> <p>202L MA 000 H5401 OIR 600-8-804 RED MOUNTAIN FREEWAY Higley Road - US 60 Maricopa County</p>	<p>DATE: AUG 15, 2008 SHEET 2 OF 3</p>
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APPENDIX "A"

Appendix “A”

That portion of Alder Avenue lying West of the southerly extension of the East line of Lot 239, CHEROKEE MOBILE ESTATES UNIT 3, according to Book 164 of Maps, page 44, records of Maricopa County, Arizona, located in the North half of the Southeast quarter (N½SE¼) of Section 21, Township 1 North, Range 7 East, Gila and Salt River Meridian, Maricopa County, Arizona, and that portion of North 90th Street, lying between the existing southeasterly right of way line of State Route 202L (RED MOUNTAIN FREEWAY) and North of the westerly extension of the South line of Lot 244, said CHEROKEE MOBILE ESTATES UNIT 3.

17,652 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 abandonment of Alder Avenue and North 90th Street as acquired for State Route 202 Loop within the above referenced project.

This portion was previously established by Arizona Transportation Board Resolution 85-04-A-032 dated April 26, 1985 for the establishment of the Preliminary Transportation Corridor and the Adoption of the State Route Plan of the Red Mountain Freeway, State Route 216; Resolution 87-08-A-078 dated August 21, 1987 established a refined portion of the State Route Plan for the Red Mountain Corridor and authorized advance acquisition; Resolution 87-11-A-105 dated December 18, 1987 redesignated State Route 216 to State Route 202 Loop; Resolution 2000-03-A-028 dated March 17, 2000 established, approved and adopted a refined portion of the State Route Plan and authorized advance acquisition; Resolution 2003-05-A-025 dated May 9, 2003 established a portion as a state highway; Resolution 2003-12-A-076 dated December 19, 2003 amended Resolution 2003-05-A-025 to show a design change; Resolution 2004-12-A-075 dated December 17, 2004 amended Resolution 2003-12-A-076 to show a design change and established a portion of State Route 202 Loop as a state route and state highway, and Resolution 2005-10-A-054 dated October 21, 2005 amended Resolution 2004-12-A-075 to show a design change.

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A portion of the previously acquired right of way is no longer needed for state transportation purposes. Accordingly, I recommend that the State's interest in the portion of right of way be abandoned.

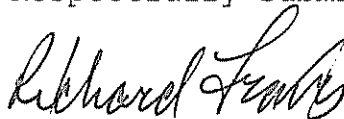
The portion of right of way to be abandoned is depicted in Appendix "A" and delineated on the maps and plans on file in the office of the State Engineer, Intermodal Transportation Division, Phoenix, Arizona, entitled "Right of Way Plans, RED MOUNTAIN FREEWAY Highway, Project 600-8-804 / 202LMA000H540101R."

I further recommend that the portion of right of way depicted in Appendix "A" be removed from the State Highway System and abandoned to Maricopa County.

All other rights of way and 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 right of way depicted in Appendix "A".

Pursuant to Arizona Revised Statutes Section 28-7046, I recommend that the Transportation Board adopt 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 August 15, 2008.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on August 15, 2008.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation

