

September 19, 2008

RES. NO. 2008-09-A-043
PROJECT: I-040-4-801 / 040NA253H458401R
HIGHWAY: FLAGSTAFF - HOLBROOK
SECTION: North Park T.I.
ROUTE NO.: Interstate Route 40
ENG. DIST.: Holbrook
COUNTY: Navajo

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 Interstate Route 40 within the above referenced project.

This portion was previously established as a state route and state highway designated U.S. Route 66 by Arizona Highway Commission Resolution dated September 9, 1927, page 26 of the Official Minutes; Resolution 68-73, dated October 11, 1968, established additional right of way as an access controlled state highway; thereafter Arizona Transportation Board Resolution 76-09-A-20, dated May 21, 1976, and Resolution 76-18-A-62, dated October 22, 1976, established additional right of way for improvements thereof; subsequently Arizona Transportation Board Resolution 84-10-A-66, dated October 26, 1984, renumbered U.S. Route 66 to Interstate Route 40 and Resolution 2004-08-A-046, dated August 20, 2004 established additional right of way as a state route.

Additional right of way is required for traffic interchange improvements. Accordingly, it is necessary to establish the additional right of way for this project.

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The additional right of way to be established for improvements 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, FLAGSTAFF - HOLBROOK Highway, Project I-040-4-801 / 040NA253H458401R."

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 highway, and that access be controlled.

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

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

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RESOLUTION OF ESTABLISHMENT

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on September 19, 2008, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the establishment of additional right of way for Interstate Route 40 as set forth in the above referenced project.

The additional right of way to be established 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, FLAGSTAFF - HOLBROOK Highway, Project I-040-4-801 / 040NA253H458401R."

WHEREAS establishment 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 of the additional land needed for improvements and that access to the highway shall be controlled as delineated on the maps and plans; 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 additional areas of right of way as set forth in Appendix "A" are designated a controlled access state highway, and ingress and egress to and from the highway and to and from abutting, adjacent, or other lands be denied, controlled, or regulated as indicated by the maps and plans. Where no access is shown, none will be allowed to exist; 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.

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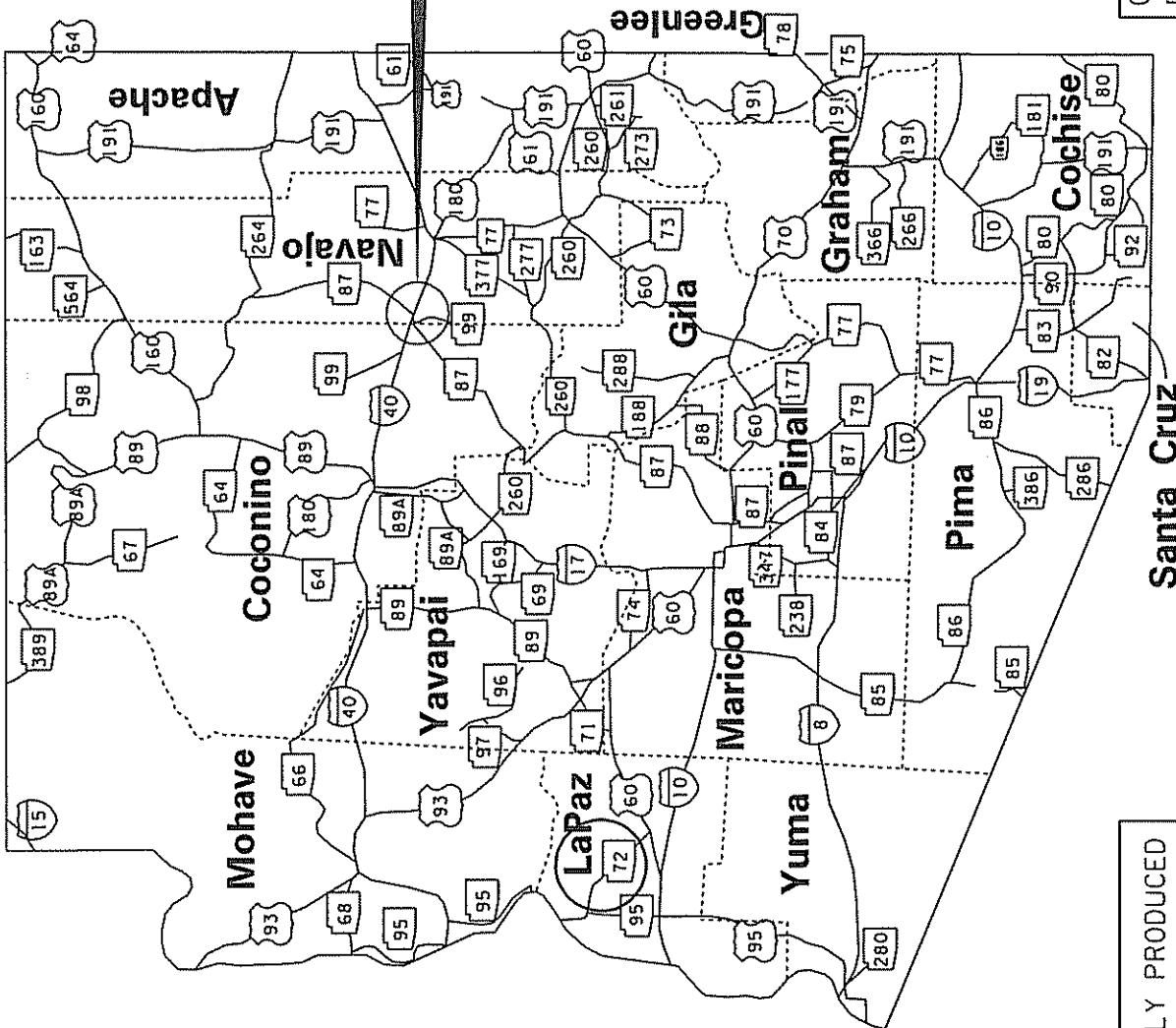
CERTIFICATION

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 September 19, 2008.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on September 19, 2008.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation



AREA OF ESTABLISHMENT
SEE SHEET 2 OF 2
FOR DETAILS

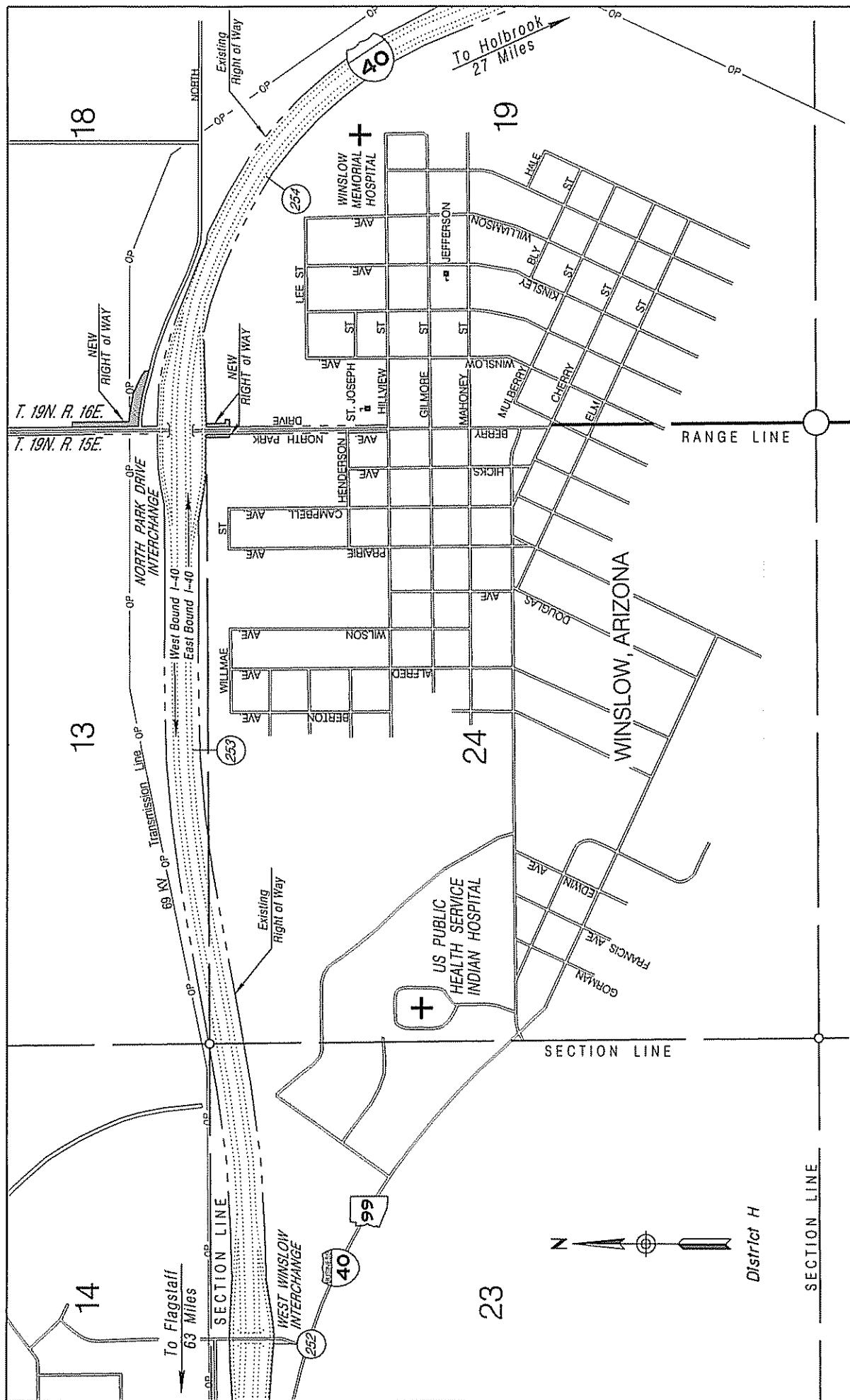
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North Park Ti
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DATE: SEPT. 19, 2008 SHEET 1 OF 2

APPENDIX "A"

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

RIGHT OF WAY PLANS SECTION
REVISED MAY 17, 2000



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

AREA OF
ESTABLIS

RIGHT OF WAY PLANS SECTION
REVISED JULY 17, 2000

APPENDIX "A"

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DATE: SEPT. 19, 2008 SHEET 2 OF 2