

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

November 14, 2008

RES. NO. 2008-11-A-057
PROJECT: S-078-A-701 / 078GE170H666901R
HIGHWAY: MULE CREEK (S.R. 78)
SECTION: Clifton Ranger Station
ROUTE NO.: State Route 78
ENG. DIST.: Safford
COUNTY: Greenlee

RESOLUTION OF ESTABLISHMENT

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on November 14, 2008, 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 State Route 78 as set forth in the above referenced project.

The new 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 August 2008, MULE CREEK (S.R.78) Highway, Project S-078-A-701 / 078GE170H666901R."

WHEREAS establishment and acquisition of the new 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

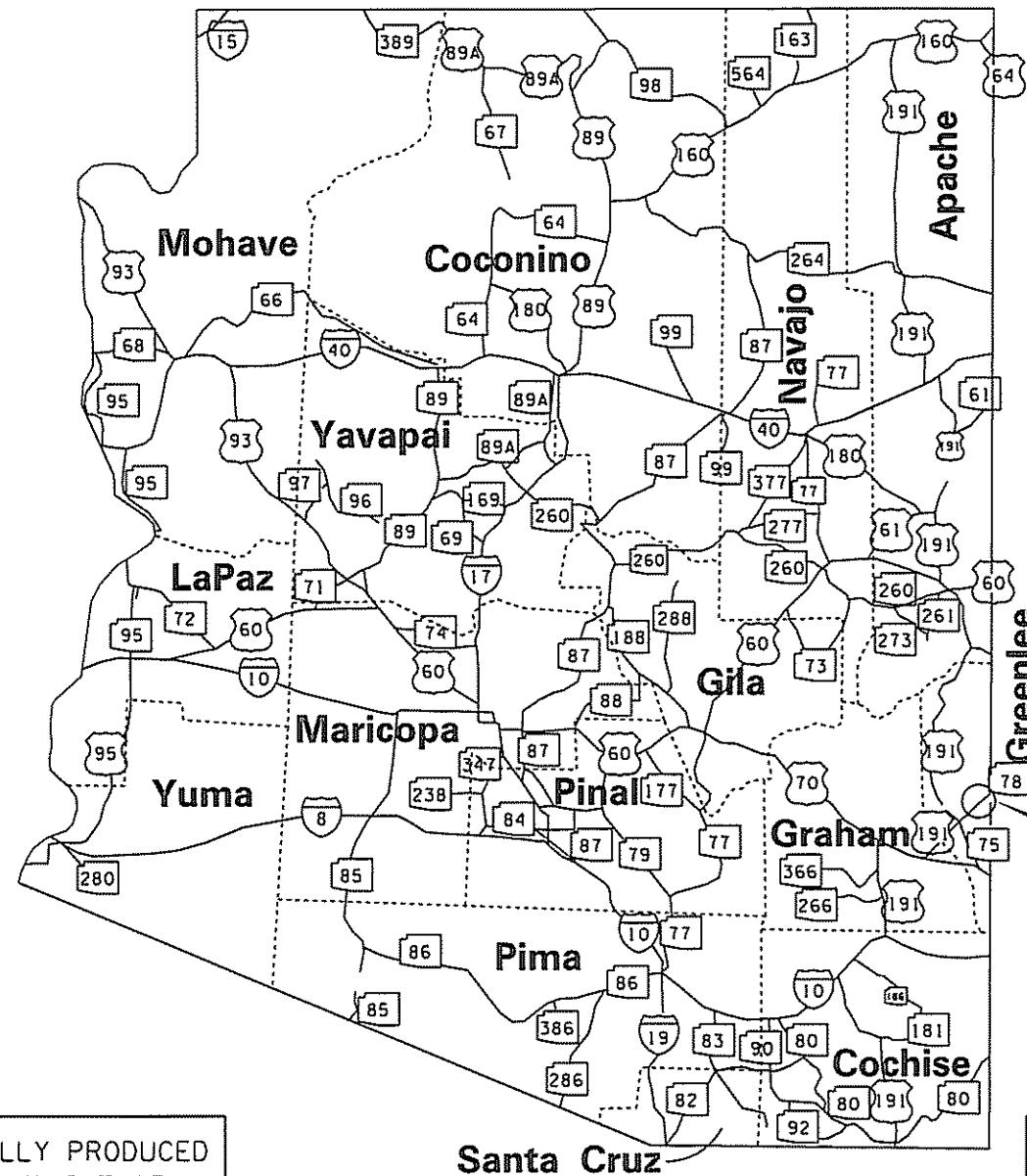
RESOLVED that the portion of right of way as depicted in Appendix "A" is hereby designated a state route and state highway; be it further

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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.



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

RIGHT OF WAY PLANS SECTION
REVISED MAY 17, 2000

APPENDIX "A"

078 GE 170 H6669 01R
S 078-A-701
MULE CREEK RANGER STATION
Clifton Ranger Station
Greenlee County

DATE: NOV 14, 2008 SHEET 2 OF 2

T. 04 S.  R 32 E.

1

District H

78

Existing
Right of Way

White

New TCE

**New
Right of Way**

Existing
Right of Way

DETAIL "A"

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

RIGHT OF WAY PLANS SECTION
REVISED JULY 17, 2000

AREA OF
ESTABLISHMENT

AREA OF TEMPORARY
CONSTRUCTION EASEMENT

APPENDIX "A"

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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 78 within the above referenced project.

This portion was previously established as a state route by Arizona Highway Commission Resolution 59-79, dated February 17, 1959; Resolution 60-4, dated July 7, 1959, established said route as a state highway; Resolution 62-87, dated April 10, 1962, relocated a portion of said route; thereafter Arizona Transportation Board Resolution 74-07-A-17, dated September 27, 1974, designated State Route 78 as the A.M. "Curley" Traynor Memorial Highway; Resolution 91-11-A-87, dated November 15, 1991 and Resolution 05-03-A-019, dated March 18, 2005, established additional right of way for improvements thereof.

New right of way is now needed for improvements to enhance safety for the traveling public. 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 "95% Design Plans, dated August 2008, MULE CREEK (S.R.78) Highway, Project S-078-A-701 / 078GE170H666901R."

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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.

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,

A handwritten signature in black ink, appearing to read "Richard L. Menendez" or a similar variation, is written over the typed name below it.

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 November 14, 2008.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on November 14, 2008.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation

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