

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

February 20, 2009

RES. NO. 2009-02-A-009
PROJECT: S-238-805 / 179YV304H341402R
HIGHWAY: RIM ROCK - SEDONA
SECTION: Village of Oak Creek - Jct. 89A
ROUTE NO.: State Route 179
ENG. DIST.: Flagstaff
COUNTY: Coconino

RESOLUTION OF ESTABLISHMENT

JOHN S. HALIKOWSKI, Interim Director, Arizona Department of Transportation, on February 20, 2009, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the establishment and acquisition of new right of way for the improvement of a portion of State Route 179 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 "Right of Way Plans, RIM ROCK - SEDONA Highway, Project S-238-805 / 179YV304H341402R."

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 new land needed for this improvement; therefore, be it

RESOLVED that the recommendation of the Interim 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 highway; be it further

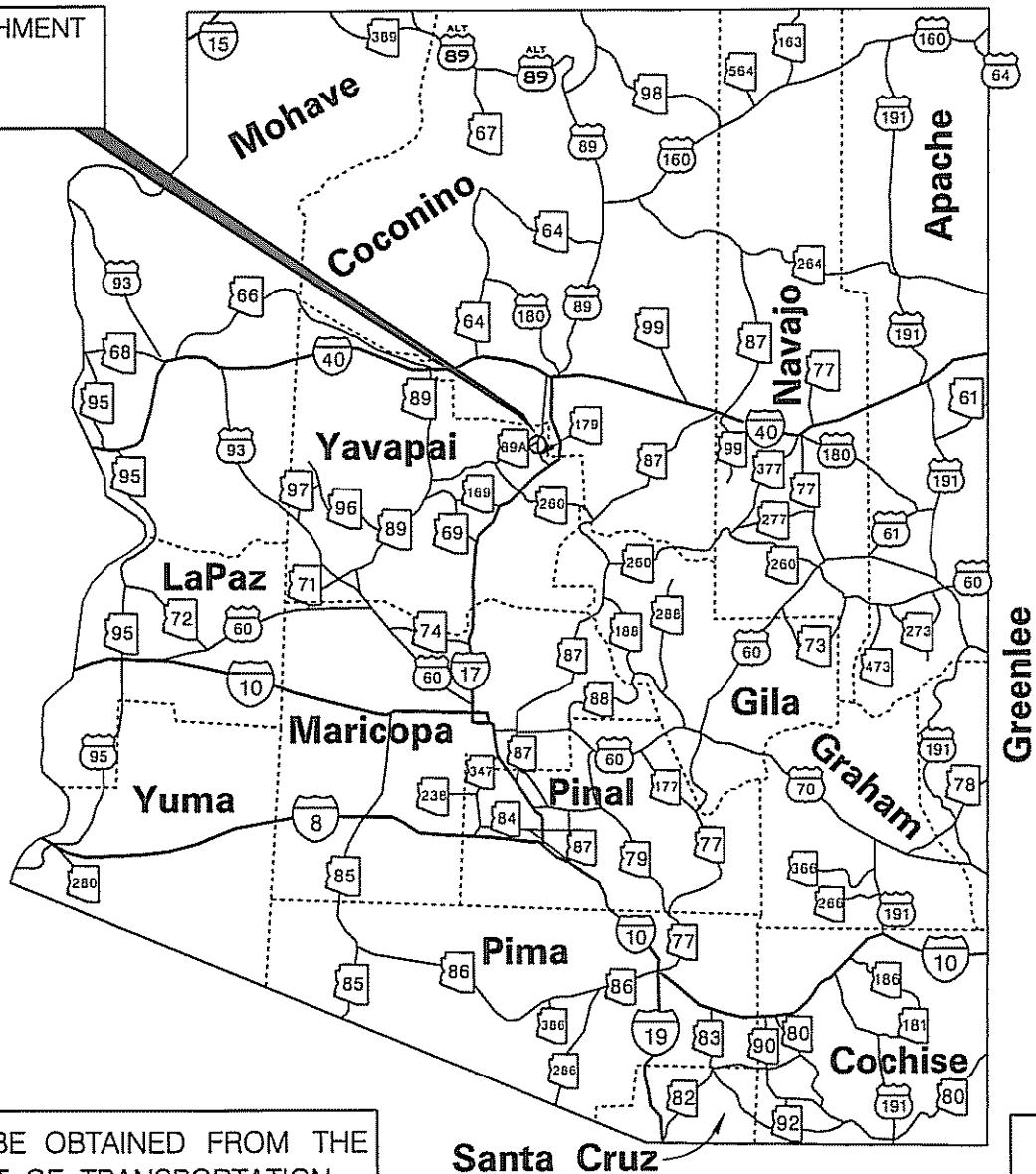
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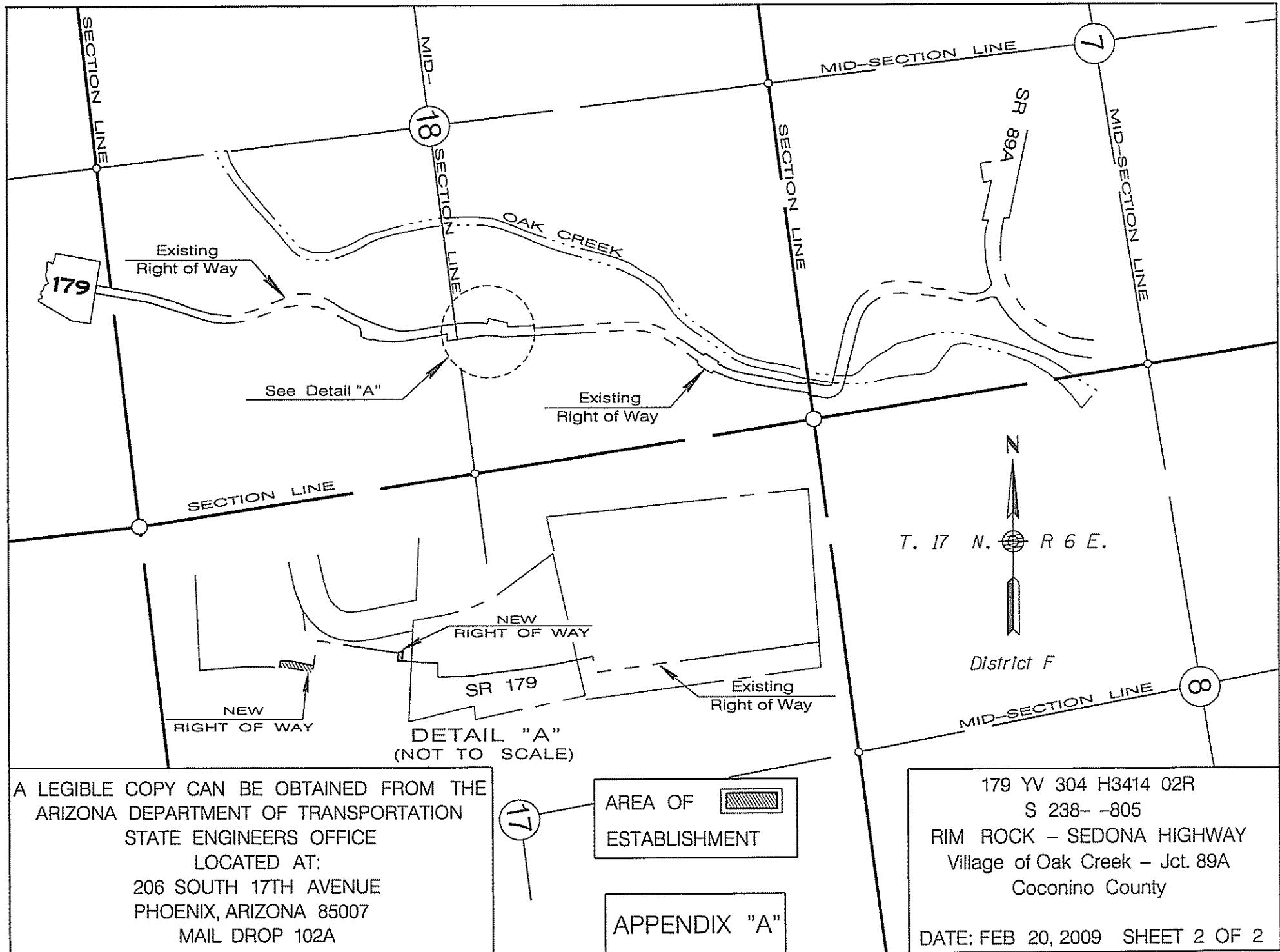
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RESOLVED that the Interim Director is hereby authorized to acquire by lawful means, including exchanges, in accordance with Arizona Revised Statutes Section 28-7092, an estate in fee, or such other interest as is required, including material for construction, 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 Interim 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.

AREA OF ESTABLISHMENT
SEE SHEET 2 OF 2
FOR DETAILS





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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 179 within the above referenced project.

This portion was previously established as a state route, designated State Route 179, by Arizona Highway Commission Resolution 60-76, dated February 1, 1960; Resolution 61-74, dated November 15, 1960, established State Route 179 as a state highway; Resolution 67-85, dated November 20, 1967, and Resolution 68-21, dated April 5, 1968, established additional right of way for improvements thereof; thereafter Arizona Transportation Board Resolution 76-14-A-44 dated August 20, 1976, established additional right of way for improvements; Resolution 87-02-C-008, dated February 23, 1987 designated that portion of State Route 179 as the Redrock Scenic Road; Resolution 05-10-A-055, dated October 21, 2005, and Resolution 07-02-A-018, dated February 16, 2007 established additional right of way for improvements thereof; Resolution 07-03-A-023, dated March 16, 2007 amended Resolution 07-02-A-018 due to a design change.

New right of way is needed due to correct survey issues that have been found in order to construct highway improvements. Accordingly, it is necessary to establish and acquire the additional right of way for this project.

February 20, 2009

RES. NO. 2009-02-A-009
PROJECT: S-238-805 / 197YV304H341402R
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ROUTE NO.: State Route 179
ENG. DIST.: Flagstaff
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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 "Right of Way Plans, RIM ROCK - SEDONA Highway, Project S-238-805 / 197YV304H341402R."

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.

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,



JOHN S. HALIKOWSKI, Interim Director
Arizona Department of Transportation

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CERTIFICATION

I, JOHN S. HALIKOWSKI, Interim 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 February 20, 2009.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on February 20, 2009.



JOHN S. HALIKOWSKI, Interim Director
Arizona Department of Transportation