

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-010
PROJECT: F-063-1-807 / 095YU004H441501R
HIGHWAY: SAN LUIS - YUMA - QUARTZSITE
SECTION: Gadsden - 32nd Street
ROUTE NO.: U.S. Route 95
ENG. DIST.: Yuma
COUNTY: Yuma
DISPOSAL: D-Y-040

RESOLUTION OF ABANDONMENT

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 abandonment of a portion of U.S. 95 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, SAN LUIS - YUMA - QUARTZSITE Highway, Project F-063-1-807 / 095YU004H441501R."

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 Interim Director's report; therefore, be it

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

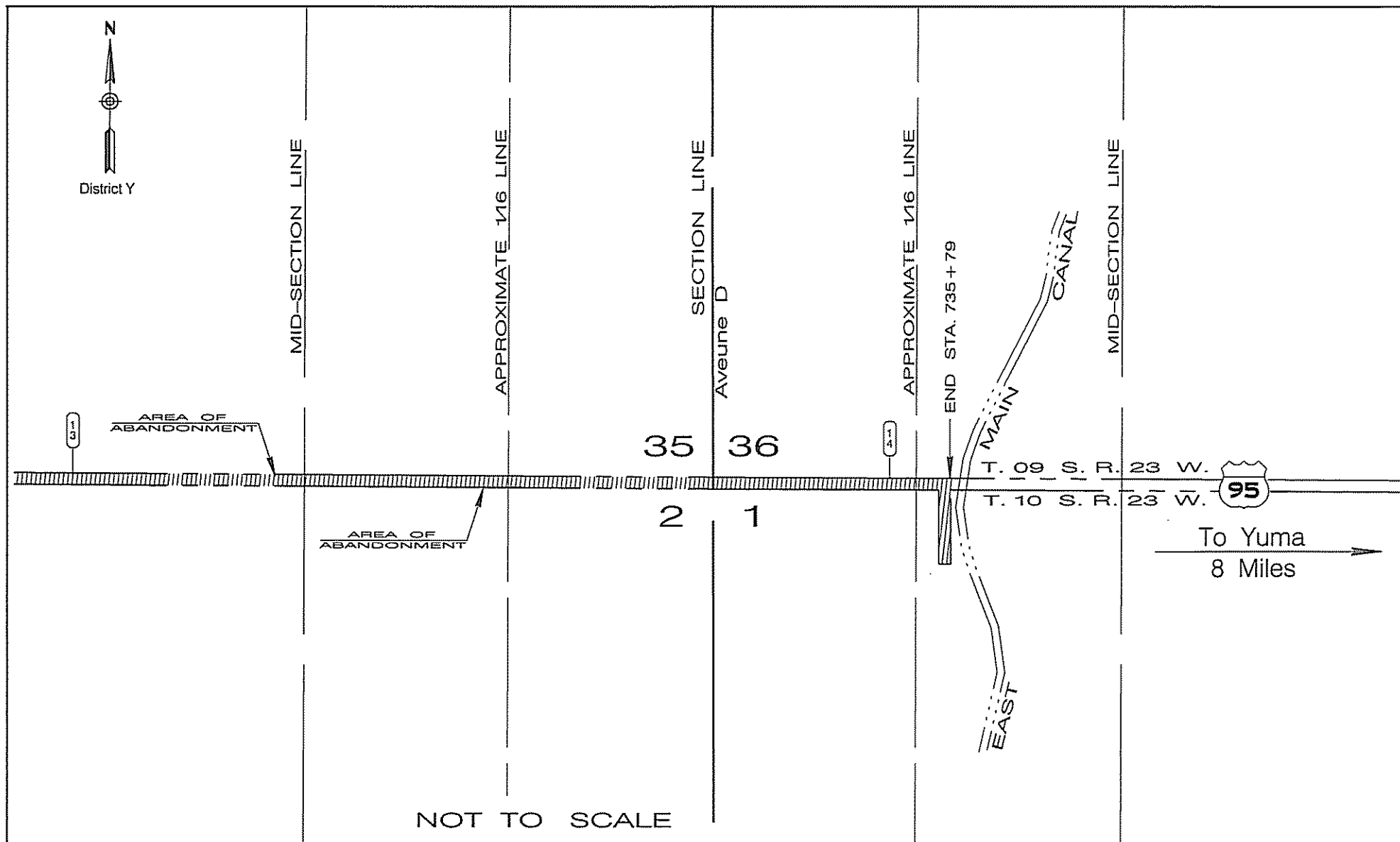
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RESOLVED that the portion of right of way depicted in Appendix "A" is hereby removed from the State Highway System and abandoned to the City of Somerton for a continued public transportation use per Intergovernmental Agreement No. 05-094, dated May 9, 2006 and amended on October 4, 2007, (not recorded) as provided in Arizona Revised Statute Section 28-7207 and 28-7209, and Code of Federal Regulations (CFR) 620 Subpart B and CFR 710 Subpart D; be it further

RESOLVED that the abandonment becomes 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 Interim Director provide written notice to the City of Somerton evidencing the abandonment of the State's interest.



A LEGIBLE COPY CAN BE OBTAINED FROM THE
ARIZONA DEPARTMENT OF TRANSPORTATION
STATE ENGINEERS OFFICE
LOCATED AT:
206 SOUTH 17TH AVENUE
PHOENIX, ARIZONA 85007
MAIL DROP 102A

AREA OF 
ABANDONMENT

APPENDIX "A"

095 YU 004 H4415 01R
F-063-1-807
SAN LUIS-YUMA-QUARTZSITE
Gadsden - 32nd Street
Yuma County
DATE: FEB 20, 2009 SHEET 3 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 abandonment of a portion of right of way acquired for U.S. Route 95 within the above referenced project.

This portion was previously established as a state route by Arizona Highway Commission Resolution dated May 19 and 20, 1936, pages 586 and 624 of the Official Minutes; Resolution dated May 26, 1936, page 634 of the Official Minutes established the state route as a state highway; subsequently, various Resolutions established additional right of way for improvements thereof. Thereafter Arizona Transportation Board Resolution 2000-01-A-008 dated January 21, 2000, established additional right of way for improvements thereof.

A portion of the previously acquired right of way is no longer needed for state transportation purposes. The City of Somerton has agreed to accept jurisdiction of the right of way for a continued public transportation use per Intergovernmental Agreement No. 05-094 dated May 9, 2006 and amended on October 4, 2007, (not recorded). 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, SAN LUIS -YUMA - QUARTZSITE Highway, Project F-063-1-807 / 095YU004H441501R."

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

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,

A handwritten signature in black ink, appearing to read "John S. Halikowski". The signature is fluid and cursive, with the first name "John" and last name "Halikowski" clearly distinguishable.

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.

A handwritten signature in black ink, reading "John S. Halikowski". The signature is written in a cursive style with a large, stylized "J" and "H".

JOHN S. HALIKOWSKI, Interim Director
Arizona Department of Transportation