

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

May 15, 2009

RES. NO. 2009-05-A-030
PROJECT: 101LMA016H707601R
HIGHWAY: AGUA FRIA FREEWAY - S.R. 101L
SECTION: Union Hills Drive - 75th Avenue
ROUTE NO.: State Route 101 Loop
ENG. DIST.: Phoenix
COUNTY: Maricopa

RESOLUTION OF ESTABLISHMENT

JOHN S. HALIKOWSKI, Interim Director, Arizona Department of Transportation, on May 15, 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 101 Loop 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, AGUA FRIA FREEWAY, Project 101LMA016H707601R."

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 Interim Director is adopted and made part of this resolution; be it further

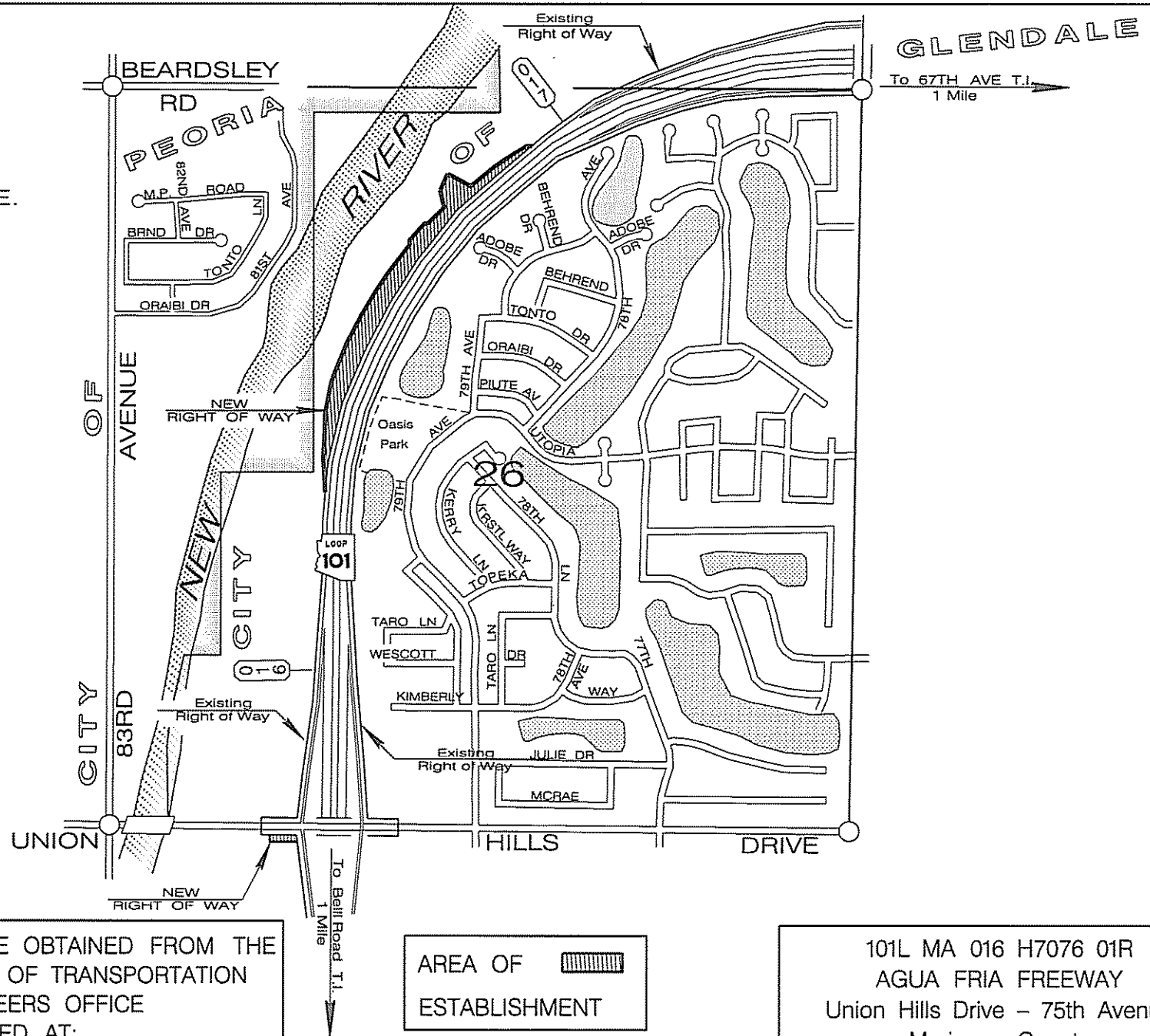
RESOLVED that the portion of right of way as depicted in Appendix "A" is hereby designated a state route and state highway; be it further

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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 Interim Director is authorized to initiate condemnation proceedings.



AREA OF 
ESTABLISHMENT

APPENDIX "A"

101L MA 016 H7076 01R
AGUA FRIA FREEWAY
Union Hills Drive – 75th Avenue
Maricopa County
SR 101L

DATE: MAY 15, 2009 SHEET: 2 OF 2

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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 101 Loop within the above referenced project.

This portion was previously established by Arizona Transportation Board Resolution 83-03-A-10 dated February 18, 1983, as a State Route Plan designating this portion as State Route 417; Resolution 84-12-A-78 dated December 17, 1984, established advance acquisition for State Route 417; Resolution 86-13-A-79 dated December 19, 1986, designated State Route 417 as a state highway; Resolution 87-11-A-105 dated December 18, 1987, renumbered State Route 417 to State Route 101 Loop; and Resolution 88-10-A-93 dated October 21, 1988 established State Route 101 Loop as an access controlled state highway.

New right of way and slope easements are now needed for construction of a u-turn structure and frontage road. Accordingly, it is necessary to establish and acquire the new right of way for this 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, AGUA FRIA FREEWAY, Project 101LMA016H707601R."

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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,



For 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 May 15, 2009.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on May 15, 2009.



KoL JOHN S. HALIKOWSKI, Interim Director
Arizona Department of Transportation

