

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

July 17, 2009

RES. NO. 2009-07-A-041
PROJECT: 101LMA000H726701R
HIGHWAY: AGUA FRIA FREEWAY
SECTION: S.R. 101L AT 99th Ave., I-10 to M.C. 85
ROUTE: State Route 101 Loop
ENG. DIST.: Phoenix
COUNTY: Maricopa

RESOLUTION OF ESTABLISHMENT

JOHN S. HALIKOWSKI, Director, Arizona Department of Transportation, on July 17, 2009 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 101 Loop as set forth in the above referenced 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 "Right of Way Plans, AGUA FRIA FREEWAY, Project 101LMA000H726701R."

WHEREAS establishment and acquisition 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 and acquisition of the additional land needed for this improvement 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

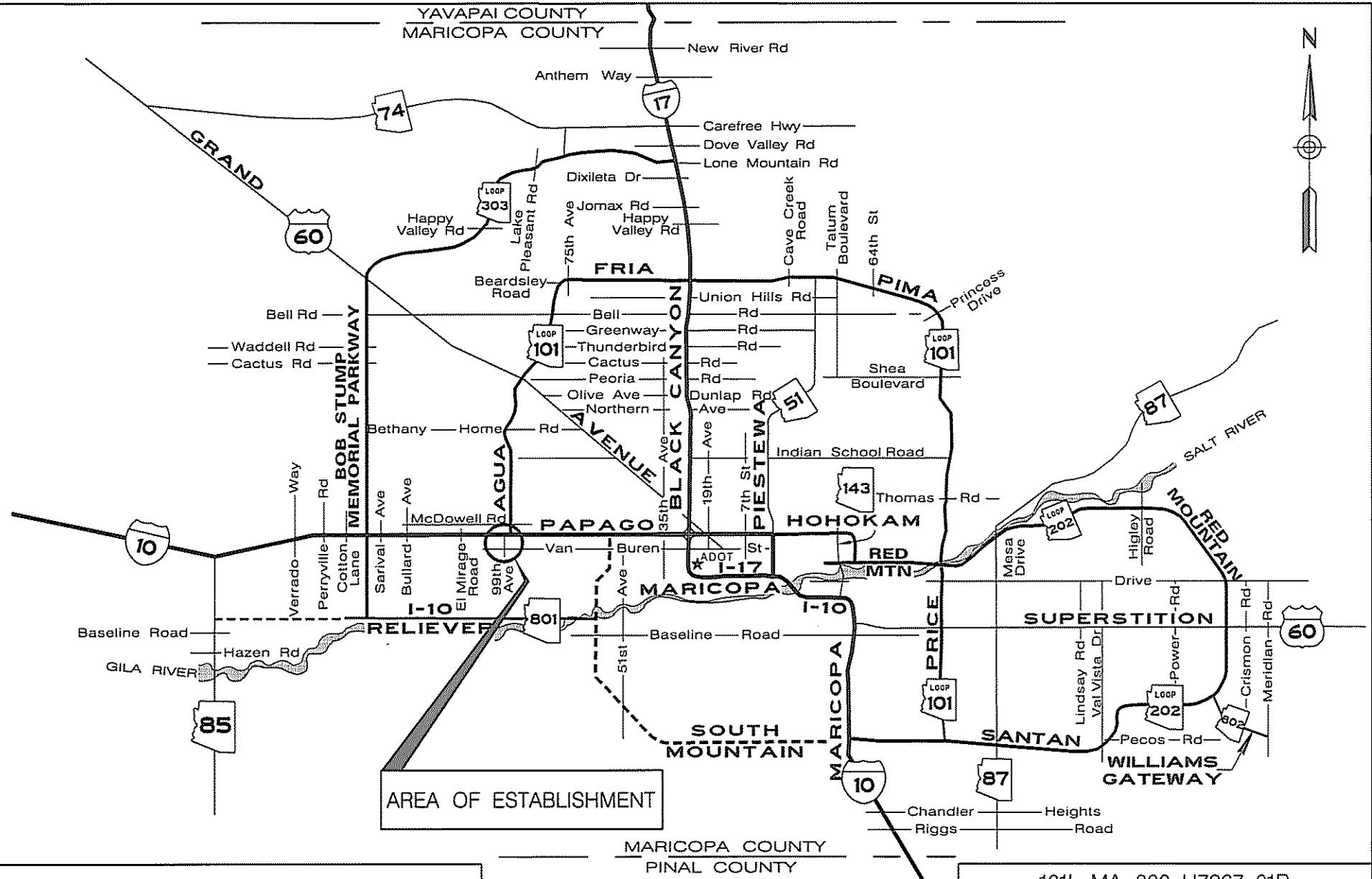
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RESOLVED that the additional areas of right of way as set forth in Appendix "A" are designated a controlled access State Route and State Highway, and ingress and egress to and from the highway and to and from abutting, adjacent, or other lands be denied, 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.



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

APPENDIX "A"

101L MA 000 H7267 01R
AGUA FRIA FREEWAY
S.R. 101L at 99th Ave - I-10 to M.C. 85
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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 101L within the above referenced project.

This portion was previously established as a State Route, designated State Route 417 by Arizona Transportation Board Resolution 84-11-A-73, dated November 16, 1984; Resolution 87-11-A-105, dated December 18, 1987, renumbered State Route 417 to State Route 101 Loop; and Resolution 88-10-A-92, dated October 21, 1988, established a refined portion of the State Route Plan and approved advance acquisition; Thereafter, various Resolutions established additional right of way for improvements thereof.

Additional right of way is now needed for utility relocation improvements. Accordingly, it is necessary to establish and acquire the additional right of way for this improvement.

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 "Right of Way Plans, AGUA FRIA FREEWAY, Project 101LMA000H726701R."

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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, and that access be controlled.

I further recommend the acquisition of the additional 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, Director
Arizona Department of Transportation

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CERTIFICATION

I, JOHN S. HALIKOWSKI, 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 July 17, 2009.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on July 17, 2009.

John H. Hahn

JOHN S. HALIKOWSKI, Director
Arizona Department of Transportation

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