

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-044
PROJECT: 600-8-804 / 202LMA000H540101R
HIGHWAY: RED MOUNTAIN FREEWAY
SECTION: Higley Rd. - U.S. Route 60
ROUTE NO.: State Route 202 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 new right of way for highway signage on a portion of State Route 202 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, RED MOUNTAIN FREEWAY, Project 600-8-804 / 202LMA000H540101R."

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

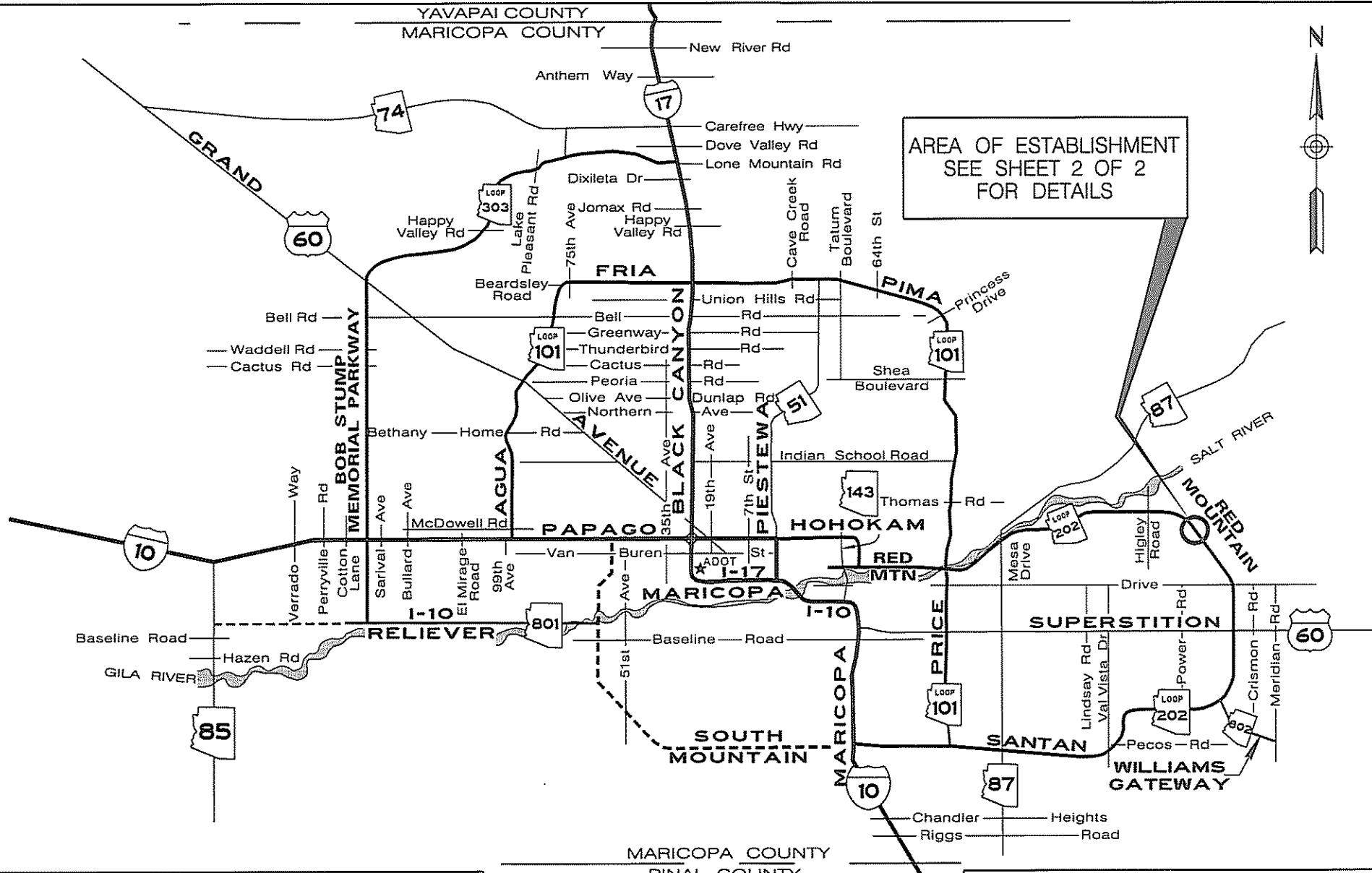
RESOLVED that the portion of right of way as depicted in Appendix "A" is hereby designated a state route and state highway; be it further

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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.

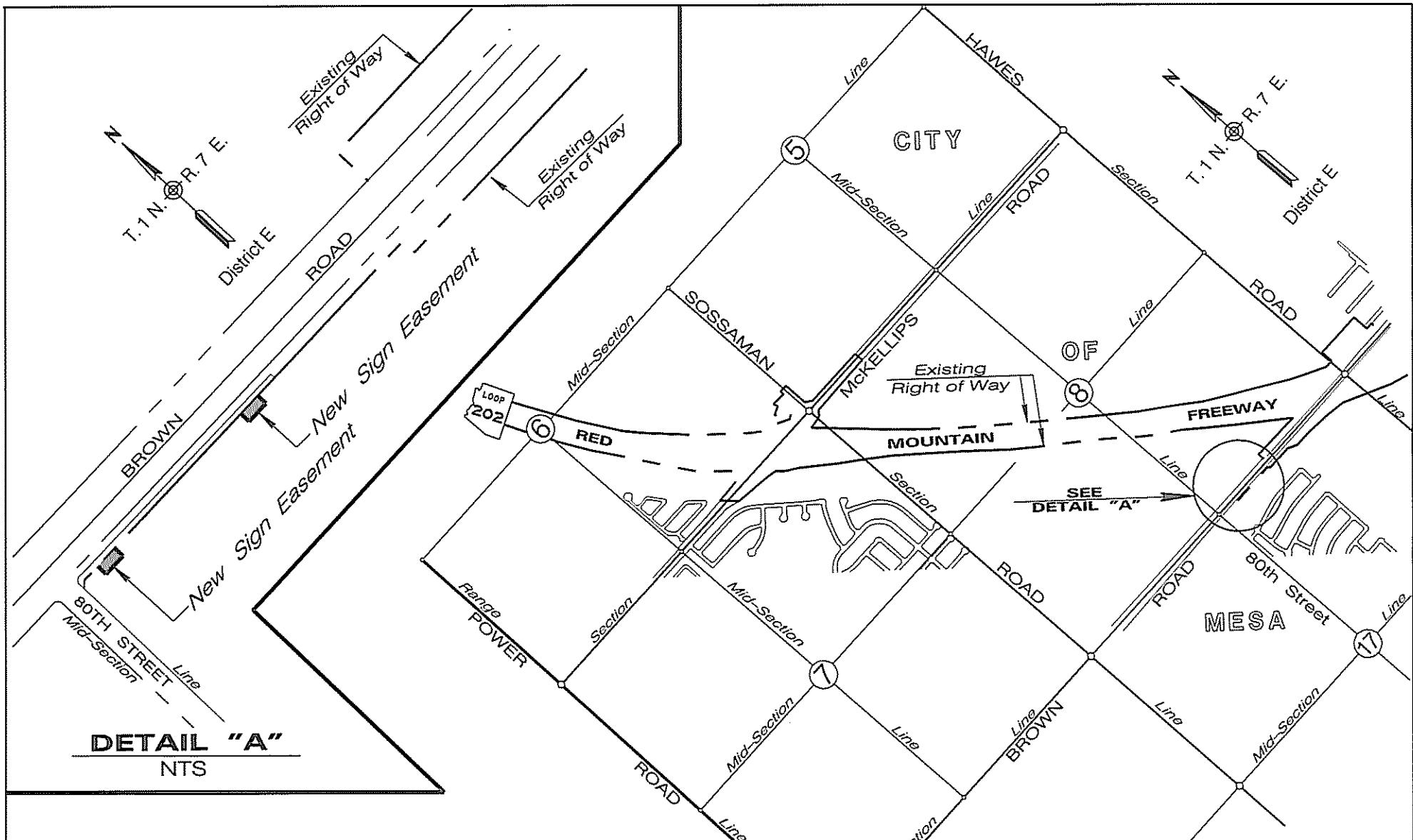


A LEGIBLE COPY CAN BE OBTAINED FROM THE
ARIZONA DEPARTMENT OF TRANSPORTATION
STATE ENGINEERS OFFICE
LOCATED AT
206 SOUTH 17TH AVENUE
PHOENIX, ARIZONA 85007
MAIL DROP 102A

APPENDIX "A"

202L MA 000 H5401 01R
600-8-804
RED MOUNTAIN FREEWAY
Higley Road - US 60
Maricopa County

JULY 17, 2009 SHEET: 1 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 202 Loop within the above referenced project.

This portion was previously established as a Preliminary Transportation Corridor for the Red Mountain Freeway designated State Route 220 by Arizona Transportation Board Resolution 85-04-A-034, dated April 26, 1985; Resolution 87-11-A-105, dated December 18, 1987, redesignated and renumbered State Route 220 to State Route 101 Loop; Resolution 89-01-A-006, dated January 16, 1989, refined the corridor alignment and authorized advance acquisition; thereafter, Resolution 91-07-A-056 redesignated and renumbered State Route 101 Loop to State Route 202 Loop; Resolution 2003-04-A-020, dated April 18, 2003, established additional right of way for utility relocation; Resolution 2004-12-A-075, dated December 17, 2004, amended Resolution 2003-04-A-020, due to design changes; and Resolution 2005-10-2-054, dated October 21, 2005, amended Resolution 2004-12-A-075, due to design changes.

New right of way is now necessary for highway signage. Accordingly, it is necessary to establish and acquire the new right of way for this project.

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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,



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 S. HALIKOWSKI, Director
Arizona Department of Transportation