

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

November 20, 2009

RES. NO. 2009-11-A-070
PROJECT: F-029-1-709 / 089YV312H395701R
HIGHWAY: PRESCOTT - ASH FORK
SECTION: Intersection S.R. 89 & S.R. 69
ROUTE NO.: State Route 89
ENG. DIST.: Prescott
COUNTY: Yavapai
DISPOSAL: D-P-037

RESOLUTION OF ABANDONMENT

JOHN S. HALIKOWSKI, Director, Arizona Department of Transportation, on November 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 State Route 89 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, PRESCOTT - ASH FORK highway, Project F-029-1-709 / 089YV312H395701R."

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 Director's report; therefore, be it

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

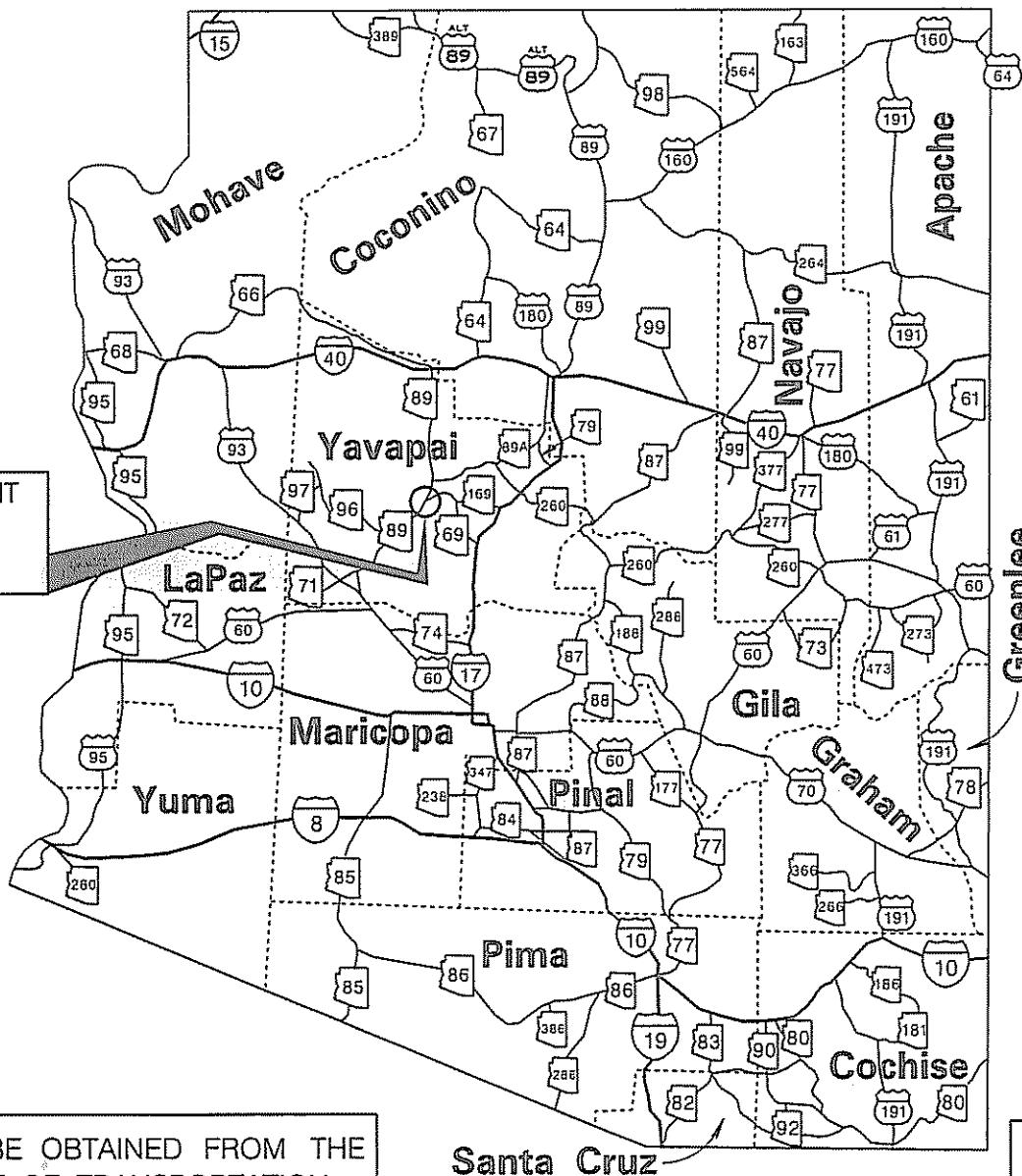
RESOLVED that the portion of right of way depicted in Appendix "A" is hereby removed from the State Highway System and abandoned to the City of Prescott for a continued public transportation use as provided in Arizona Revised Statute Section 28-7207 and 28-7209, and Code of Federal Regulations 23CFR 620 Subpart B; be it further

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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 Director provide written notice to the City of Prescott evidencing the abandonment of the State's interest.

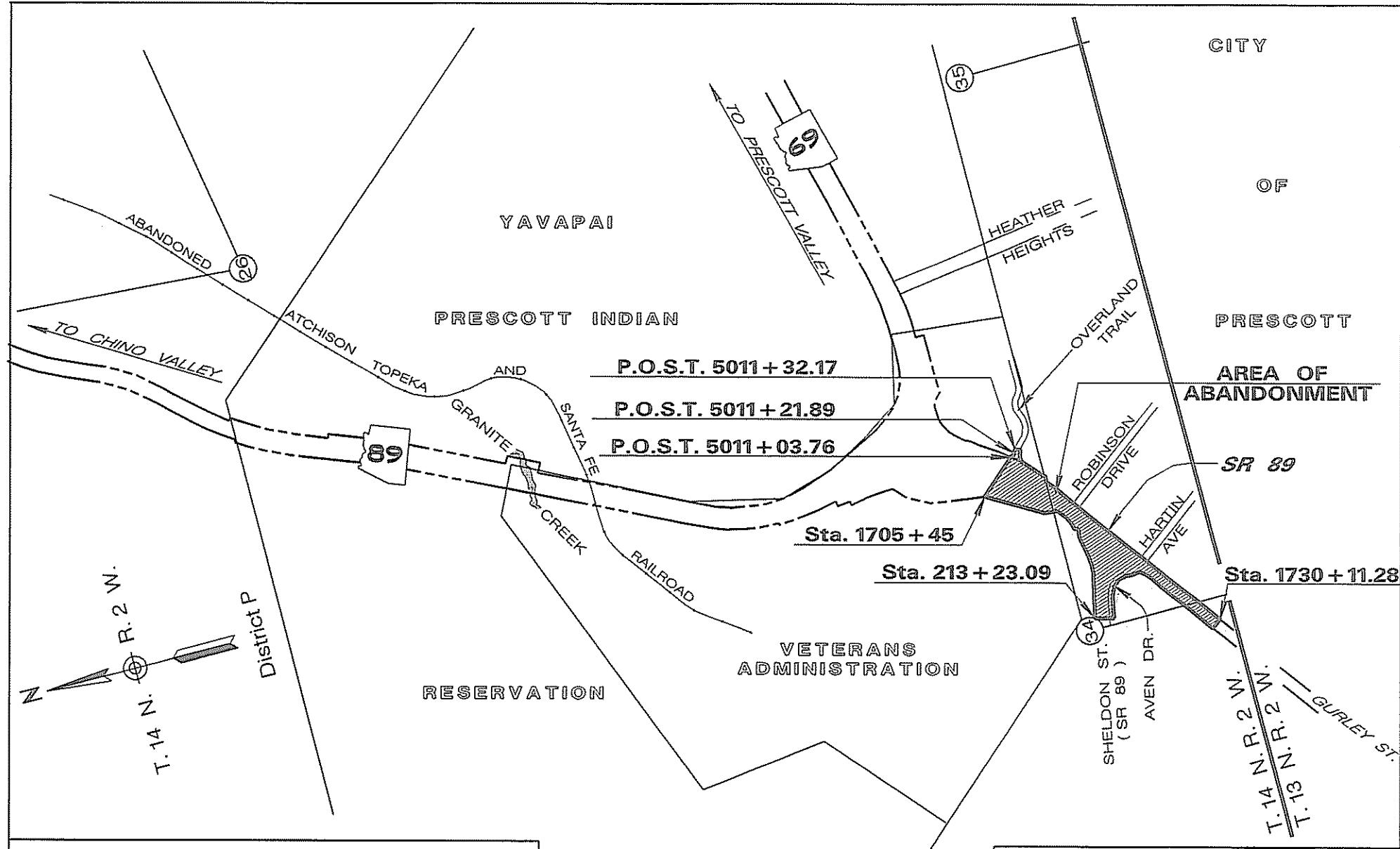


A LEGIBLE COPY CAN BE OBTAINED FROM THE
ARIZONA DEPARTMENT OF TRANSPORTATION
STATE ENGINEERS OFFICE
RIGHT OF WAY GROUP
205 SOUTH 17TH AVENUE
PHOENIX, ARIZONA 85007
MAIL DROP 612E

APPENDIX "A"

089 YV 312 H3957 01R
F 029-1-709
PRESCOTT - ASH FORK HWY
Intersection S.R. 89 & S.R. 69
Yavapai County

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AREA OF
ABANDONMENT

089 YV 312 H3957 01R
F 029-1-709
PREScott - ASH FORK HWY
Intersection S.R. 89 & S.R. 69
Yavapai County

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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 State Route 89 within the above referenced project.

This portion was previously established as a state route and state highway designated U.S. Route 89 by Arizona Highway Commission Resolution dated September 9, 1927, page 26 of the Official Minutes; thereafter various Resolutions established additional right of way for improvements thereof; subsequently, Arizona Transportation Board Resolution 92-08-A-056 dated August 21, 1992, redesignated and renumbered U.S. Route 89 to State Route 89; Resolution 2003-01-A-002 dated January 17, 2003, and Resolution 2004-08-A-038 dated August 20, 2004, established additional right of way for improvements thereof; thereafter Arizona Transportation Board Resolution 2005-02-A-016 dated February 18, 2005 amended Resolution 2004-08-A-038 to show a design change.

A portion of the previously acquired right of way is no longer needed for state transportation purposes. The City of Prescott has agreed to accept jurisdiction of the right of way for a continued public transportation use per Intergovernmental Agreement No. 99-130-A dated December 18 2000, which was amended February 7, 2001, April 24, 2001 and September 20, 2004, and filed with the Secretary of States Office. Accordingly, I recommend that the State's interest in the portion of right of way be abandoned.

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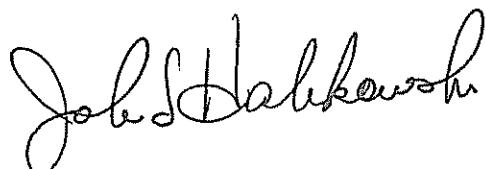
The portion of right of way to be abandoned is depicted in Appendix "A" and delineated on the maps and plans on file in the office of the State Engineer, Intermodal Transportation Division, Phoenix, Arizona, entitled "Right of Way Plans, PRESCOTT - ASH FORK Highway, Project F-029-1-709 / 089YV312H395701R."

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 Prescott for a continued public transportation use.

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,



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 November 20, 2009.

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



JOHN S. HALIKOWSKI, Director
Arizona Department of Transportation

