

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-074  
PROJECT: U-191-D-700 / 191AP367H436001R  
HIGHWAY: ST. JOHNS - SANDERS  
SECTION: Naha 'Ta' Dziil Road - Sanders T.I.  
ROUTE: U.S. Route 191  
ENG. DIST.: Holbrook  
COUNTY: Apache

RESOLUTION OF ESTABLISHMENT

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 establishment and acquisition of additional right of way for the improvement of a portion of U.S. Route 191 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, ST. JOHNS - SANDERS, Highway, Project U-191-D-700 / 191AP367H436001R"

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

November 20, 2009

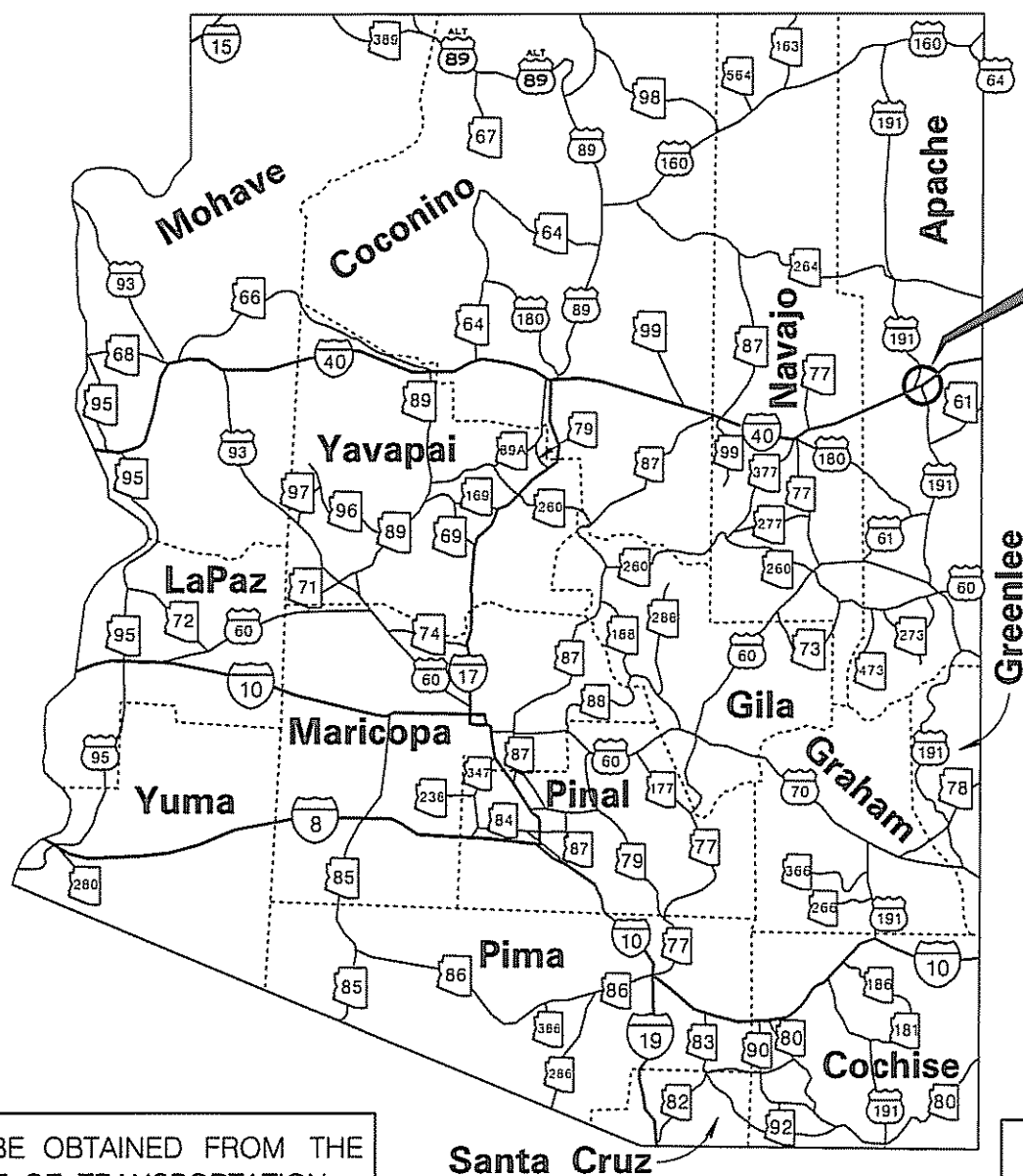
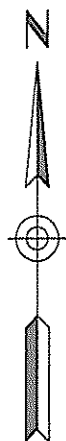
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RESOLVED that the additional areas of right of way as set forth in Appendix "A" are designated a controlled access state route and ingress and egress to and from the highway and to and from abutting, adjacent, or other lands be denied, controlled, 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 prior to construction, the acquired right of way be established as an access controlled state highway; 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.



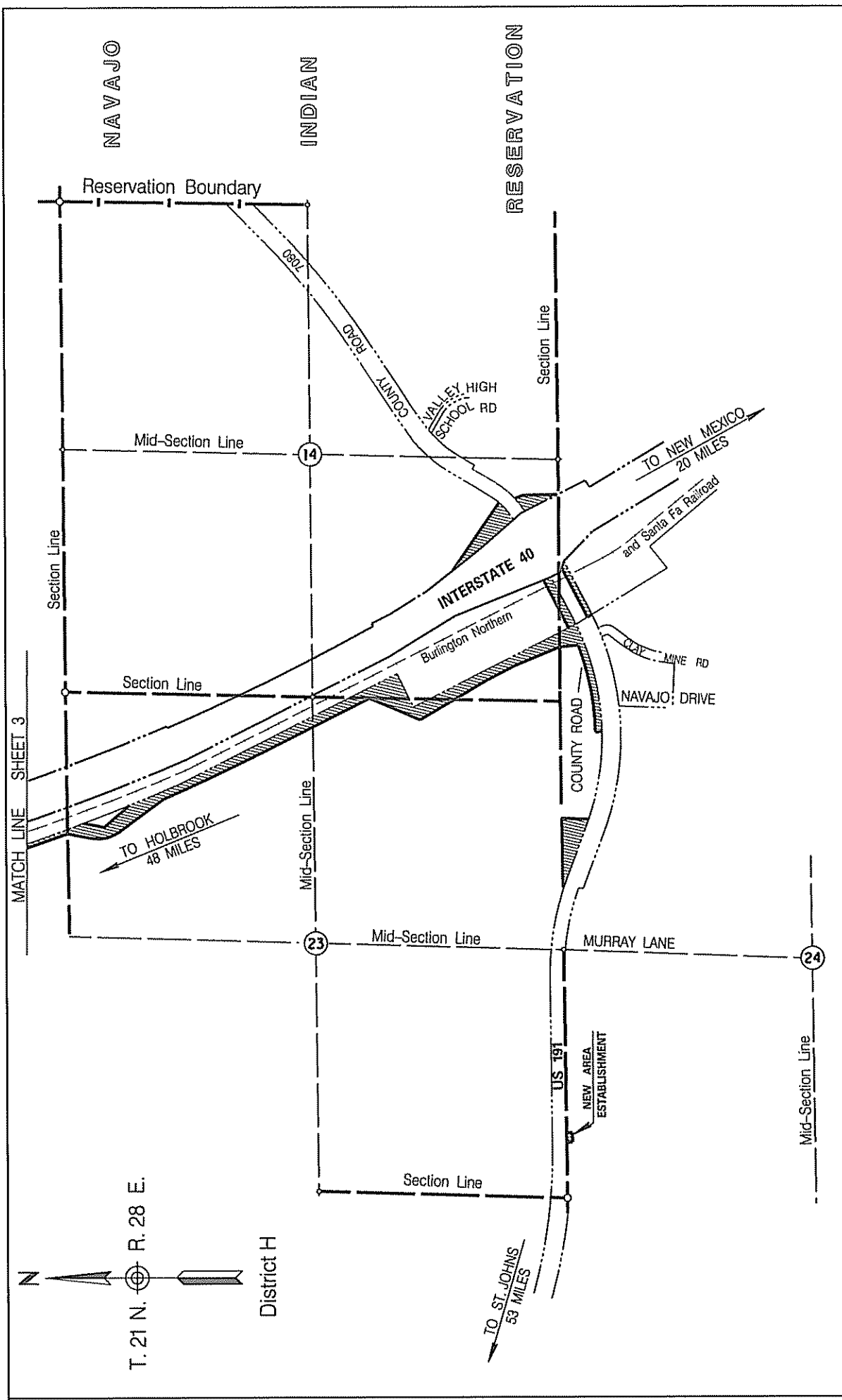
AREA OF ESTABLISHMENT  
SEE SHEETS 2 AND 3  
FOR DETAILS

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"

191 AP 367 H4360 01R  
U 191-D-700  
ST JOHNS - SANDERS HWY  
Naha 'Ta" Dził Road - Sanders T.I.  
Apache County

NOV. 20, 2009 SHEET 1 OF 3

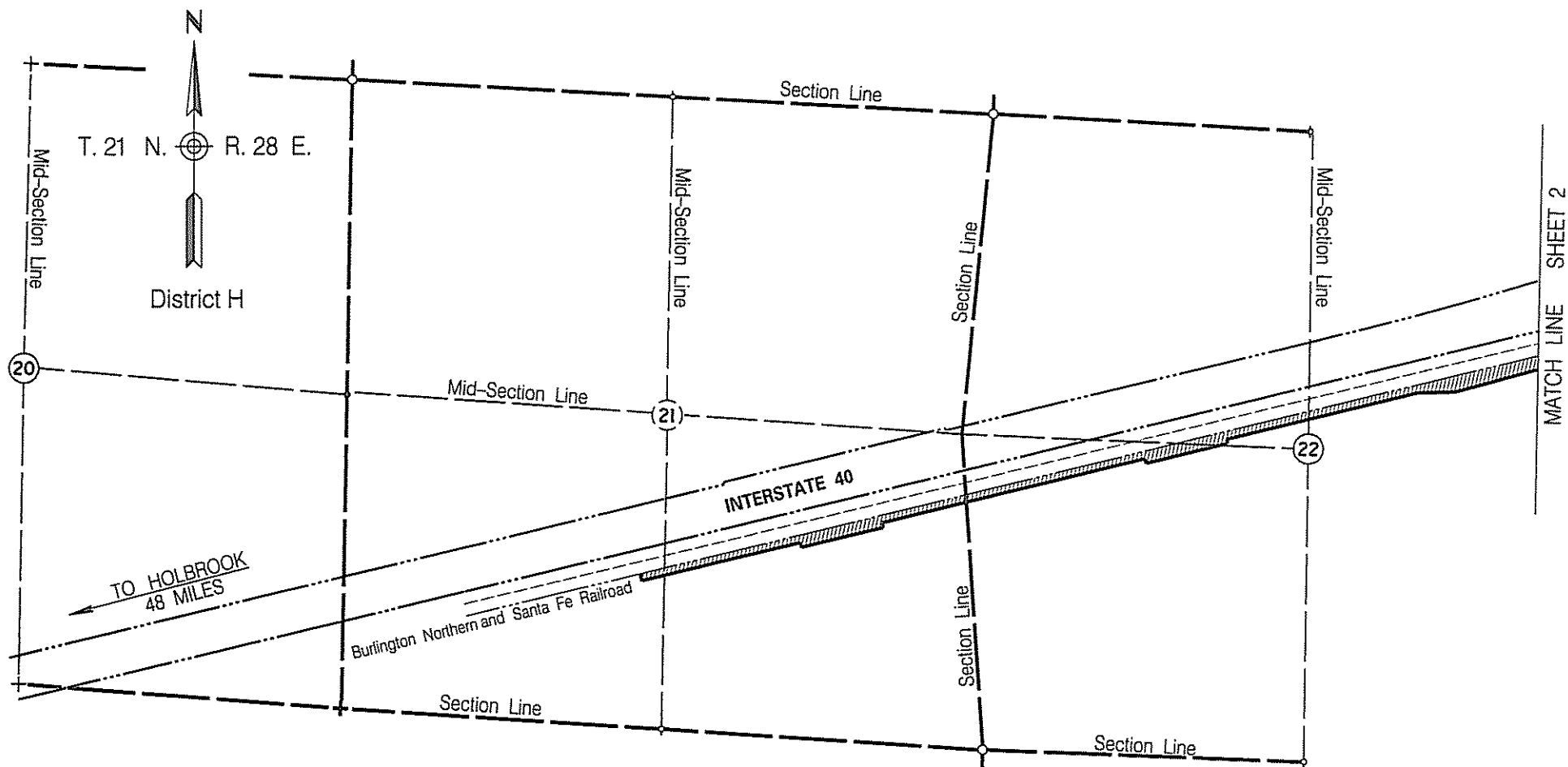


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NOV. 20, 2009 SHEET 3 OF 3

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REPORT AND RECOMMENDATION

TO THE HONORABLE ARIZONA TRANSPORTATION BOARD:

The Intermodal Transportation Division has made a thorough investigation concerning the establishment and improvement of a portion of U.S. Route 191 within the above referenced project.

This portion was previously established as a state route and state highway designated State Route 61 by Arizona Highway Commission Resolution dated June 28, 1935, page 306 of the Official Minutes; Resolution dated March 29, 1938, page 516 of the Official Minutes renumbered and redesignated State Route 61 to U.S. Route 666; Resolution dated January 30, 1948, page 291 of the Official Minutes established additional right of way for widening improvements; thereafter Arizona Transportation Board Resolution 92-09-A-064 dated September 18, 1992 renumbered and redesignated U.S. Route 666 to U.S. Route 191; Resolution 2002-11-A-055 dated November 15, 2002 established additional right of way for improvements thereof.

Additional right of way is now needed due to several design right of way requirement changes. 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, ST. JOHNS -SANDERS, Highway, Project U-191-D-700 / 191AP367H436001R."

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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 that access be controlled, and that the area be established as an access controlled state highway prior to construction.

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,

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

JOHN S. HALIKOWSKI, Director  
Arizona Department of Transportation

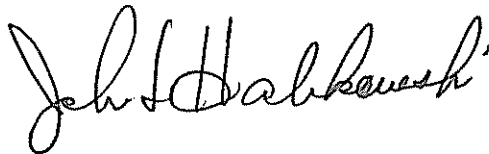
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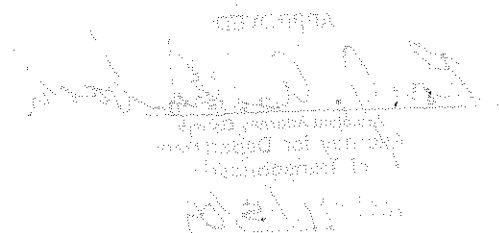
CERTIFICATION

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



AT/CD/097A  
John S. Halikowski  
Director  
Arizona Department of Transportation