

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-077
PROJECT: 085MA119H640701R
HIGHWAY: GILA BEND - BUCKEYE
SECTION: SR 85 - I-8 T.I. (Phase I)
ROUTE NO.: State Route 85
ENG. DIST.: Yuma
COUNTY: Maricopa

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 new right of way for the improvement of a portion of State Route 85 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 "15% Design Plans dated September 9, 2009, GILA BEND - BUCKEYE Highway, Project 085MA119H640701R."

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

November 20, 2009

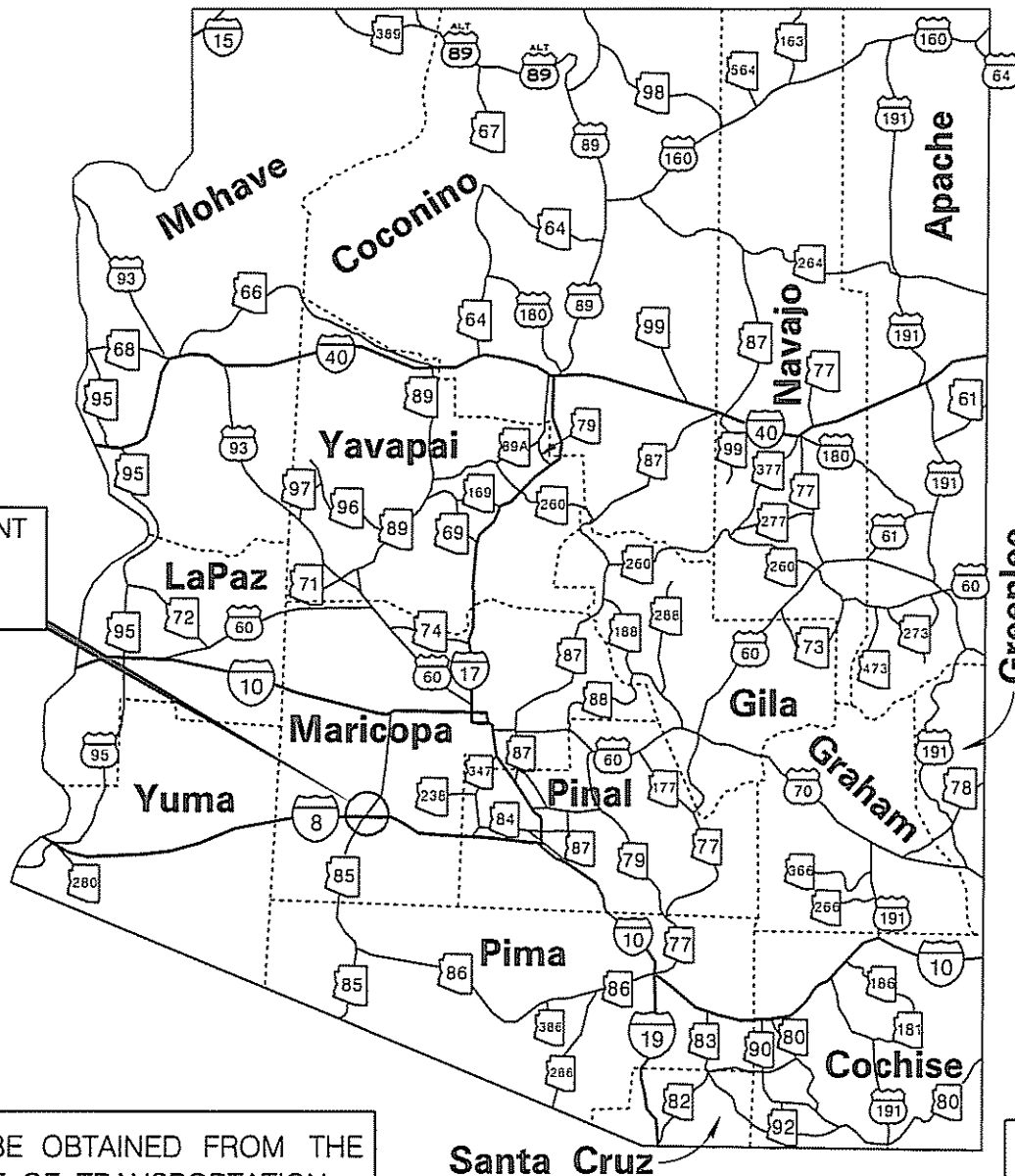
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RESOLVED that the new area of right of way as set forth in Appendix "A" is designated a controlled access state route and ingress and egress to and from the highway and to and from abutting, adjacent, or other lands be denied, controlled, or regulated 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 new 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.

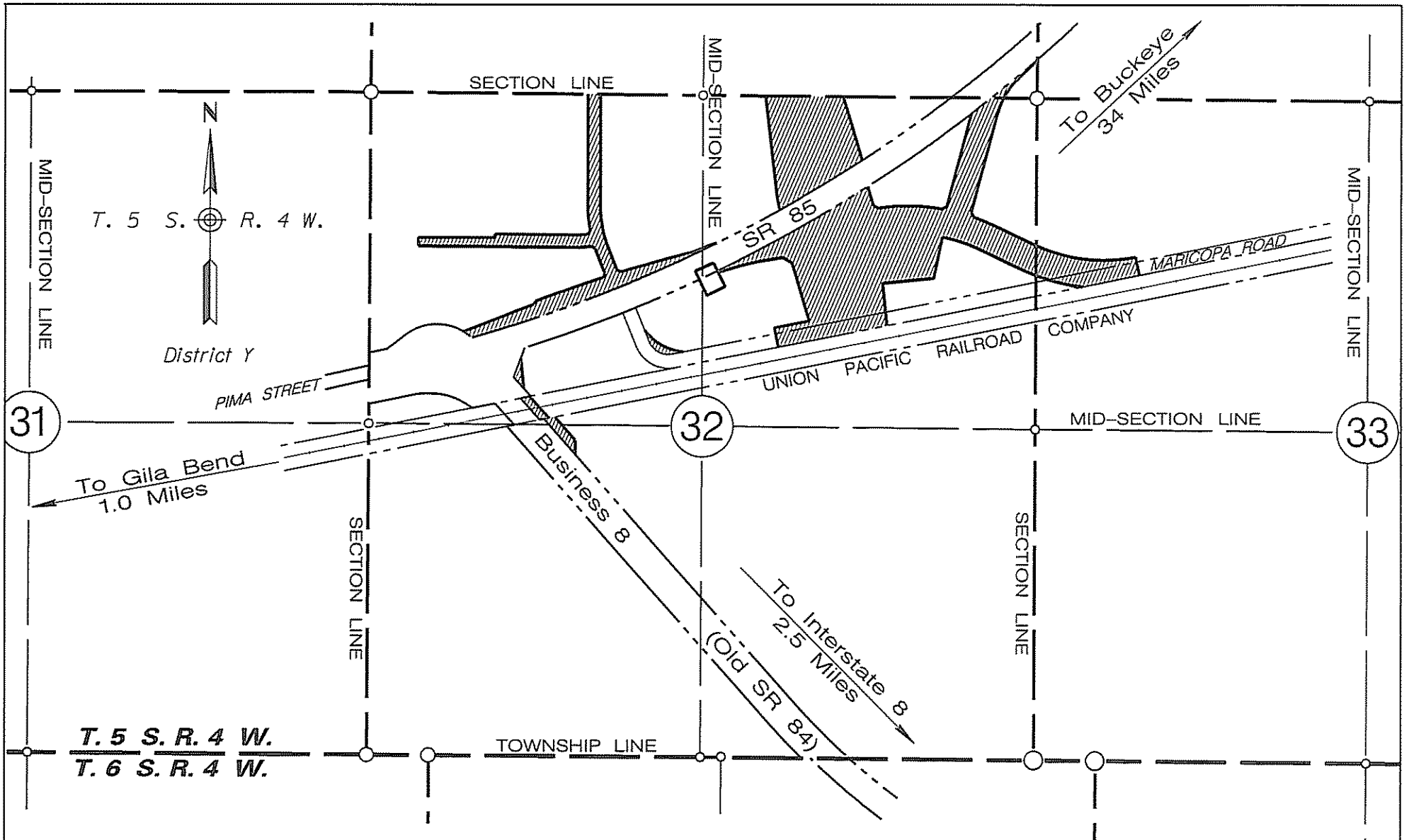


AREA OF ESTABLISHMENT
SEE SHEET 2 OF 2
FOR DETAILS

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"

085 MA 119 H6407 01R
GILA BEND \ BUCKEYE HWY
SR 85 - Interstate 8 T.I.
Maricopa County
NOV. 20, 2009 SHEET 1 OF 2



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AREA OF 
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APPENDIX "A"

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 SR 85 - Interstate 8 T.I.
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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 85 within the above referenced project.

This portion was previously established as a State Route and State Highway designated State Route 80, by Arizona Highway Commission Resolution dated September 2, 1947, page 218 of the Official Minutes; Resolution dated August 6, 1953, page 211 of the Official Minutes established additional right of way for improvements thereof; subsequently State Route 80 was changed to State Route 85, thereafter various Resolutions established additional right of way for improvements thereof.

New right of way is now needed for the development and construction of a new traffic interchange to enhance safety for the traveling public. Accordingly, it is necessary to establish and acquire the additional 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 "15% Design Plans dated September 9, 2009, GILA BEND - BUCKEYE Highway, Project 085MA119H640701R."

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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 a 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,



JOHN S. HALIKOWSKI, Director
Arizona Department of Transportation

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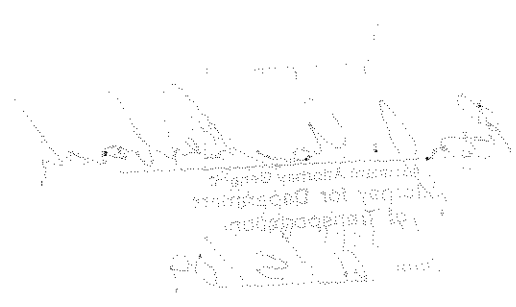
CERTIFICATION

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



Arizona Department of Transportation
John S. Halikowski, Director