

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

April 16, 2010

RES. NO. 2010-04-A-032
PROJECT: 101LMA000H726701R
HIGHWAY: AGUA FRIA FREEWAY
SECTION: S.R. 101L AT 99TH AVE., I-10 to M.C. 85
ROUTE NO.: State Route 101 Loop
ENG. DIST.: Phoenix
COUNTY: Maricopa

AMENDED RESOLUTION OF ESTABLISHMENT

JOHN S. HALIKOWSKI, Director, Arizona Department of Transportation, on April 16, 2010, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the amendment of 2009-07-A-041, to show a design change.

The amended right of way 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 the design change requires a modification of the area to be acquired; and

WHEREAS public safety, necessity and convenience require the recommended amendment of Resolution 2009-07-A-041, dated July 17, 2009, recorded July 21, 2009 in Document No. 2009-0669116, Maricopa County Recorders Office, to show said design change; therefore, be it

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

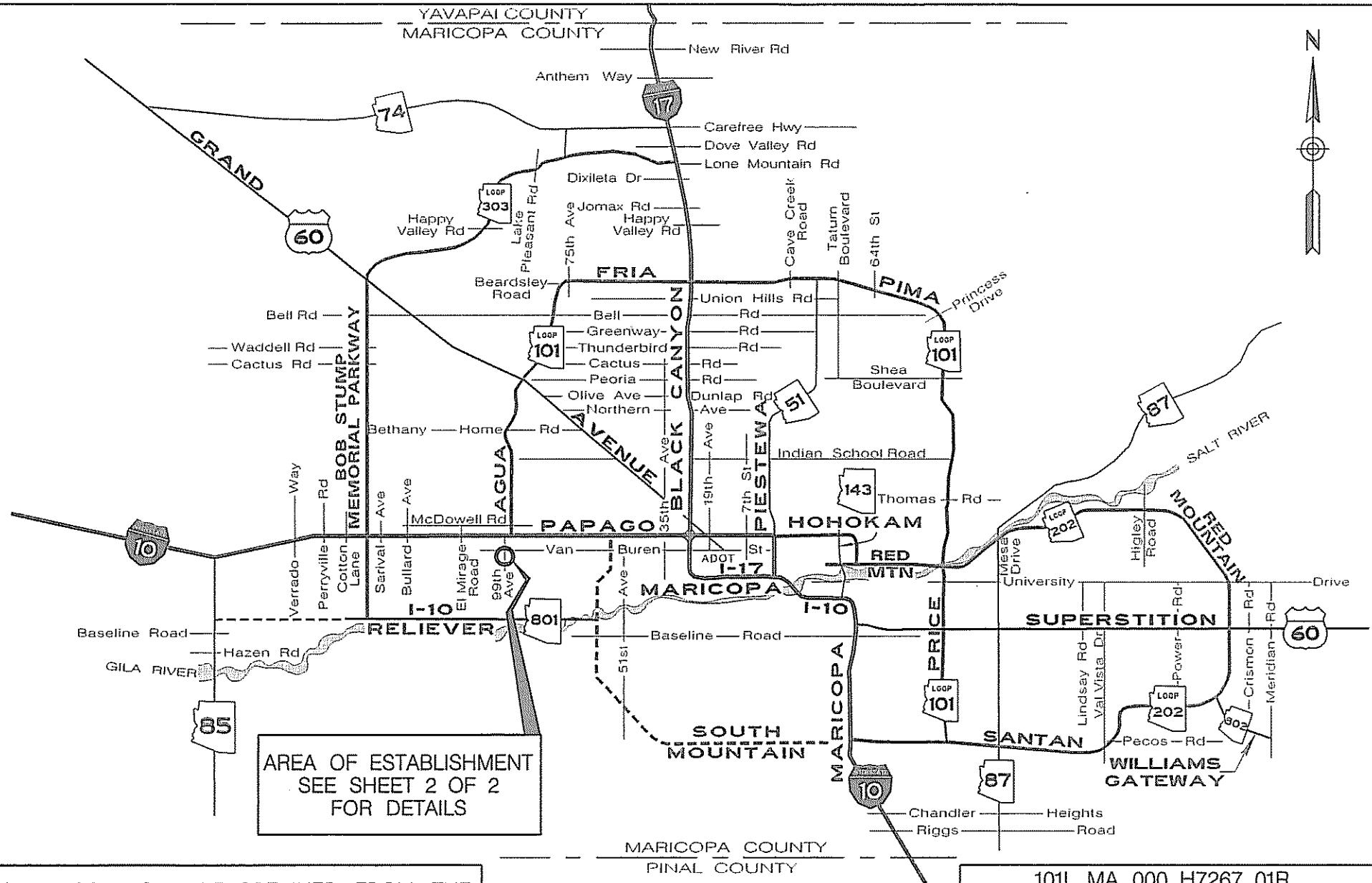
RESOLVED that Resolution 2009-07-A-041 is hereby amended, and that the modified area of right of way is designated an access controlled state route and state highway; therefore, be it further

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RESOLVED that the Director is 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 the lands by other lawful means, the Director is authorized to initiate condemnation proceedings.

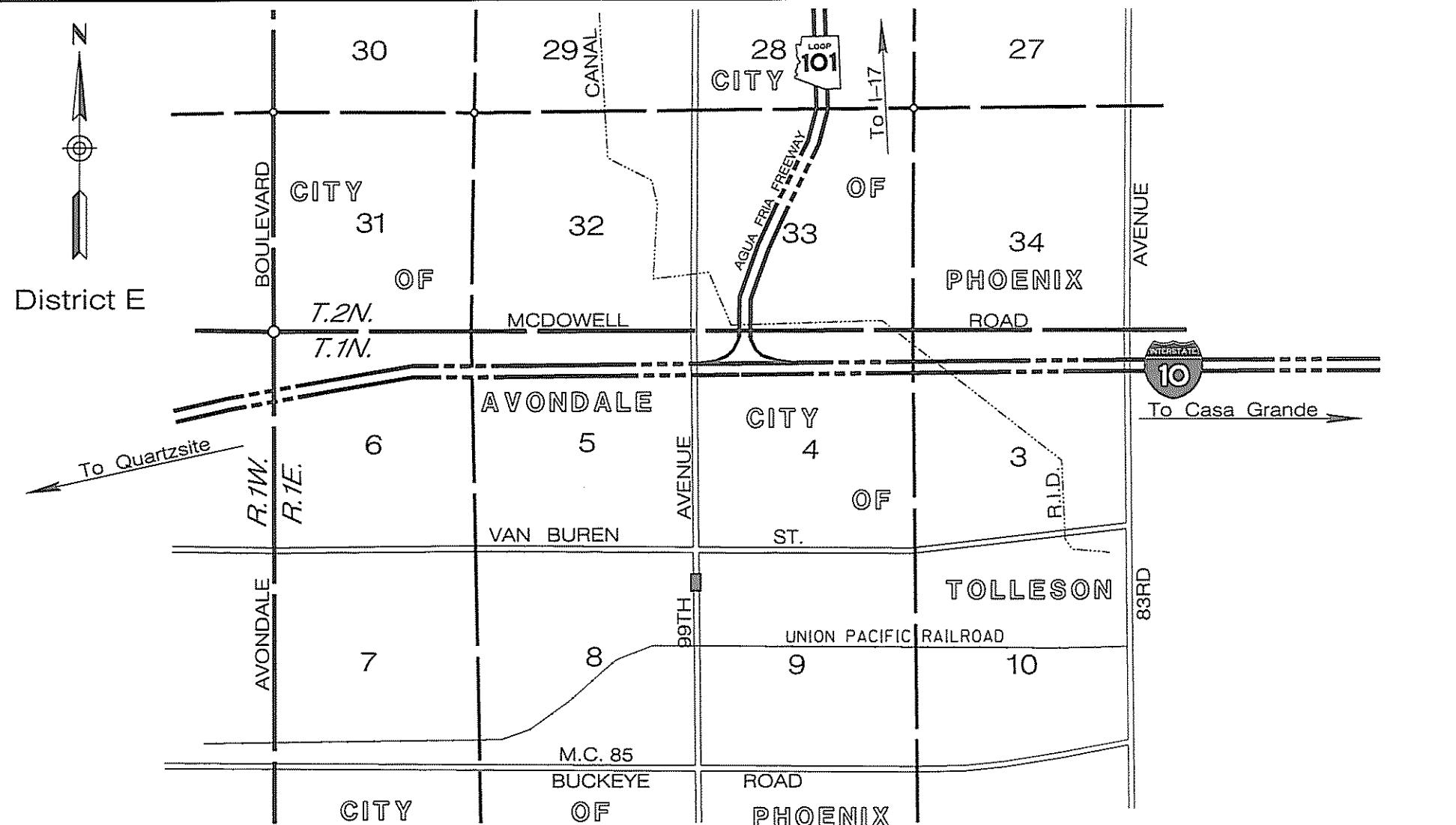


A LEGIBLE COPY CAN BE OBTAINED FROM THE
ARIZONA DEPARTMENT OF TRANSPORTATION
STATE ENGINEER'S OFFICE
RIGHT OF WAY GROUP
205 SOUTH 17TH AVENUE
PHOENIX, ARIZONA 85007
MAIL DROP 612E

APPENDIX "A"

101L MA 000 H7267 01R
AGUA FRIA FREEWAY
S.R. 101L at 99th Ave., I-10 to M.C. 85
Maricopa County

APRIL 16, 2010 SHEET: 1 OF 2



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

AREA OF
AMENDED
ESTABLISHMENT

APPENDIX "A"

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REPORT AND RECOMMENDATION

TO THE HONORABLE ARIZONA TRANSPORTATION BOARD:

The Intermodal Transportation Division has made a thorough investigation concerning the amended establishment and improvement of State Route 101 Loop within the above referenced project.

This portion was previously established as an access controlled State Route and State Highway by Arizona Transportation Board Resolution 2009-07-A-041.

Due to a design change, the area to be acquired has been modified. It is now necessary to amend the previous resolution to show the design change.

The amended right of way 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."

In the interest of public safety, necessity, and convenience, I recommend the amendment of Resolution 2009-07-A-041, dated July 17, 2009, recorded July 21, 2009 in Document No. 2009-0669116, Maricopa County Recorders Office and that the modified area of right of way depicted in Appendix "A" be established and improved as an access controlled state route and state highway.

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I further recommend the acquisition of the modified 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

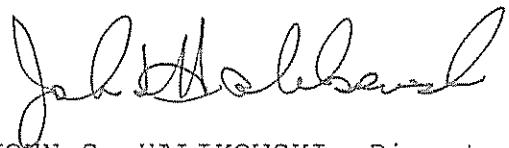
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CERTIFICATION

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 April 16, 2010.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on April 16, 2010.



JOHN S. HALIKOWSKI, Director
Arizona Department of Transportation

