

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-034
PROJECT: F.I. 86 / 089SC020H088801R
HIGHWAY: TUCSON - NOGALES
SECTION: Otero - Carmen (Tumacacori Mission Land Development)
ROUTE NO.: U.S. Route 89
ENG. DIST.: Tucson
COUNTY: Santa Cruz
Parcel NO.: 12-0515

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 establishment and acquisition of donated right of way for the improvement of U.S. Route 89 as set forth in the above referenced project.

The donated 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, TUCSON - NOGALES Highway, Project F.I. 86 / 089SC020H088801R."

WHEREAS establishment and acquisition of the donated 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 donated land needed for this improvement; therefore, be it

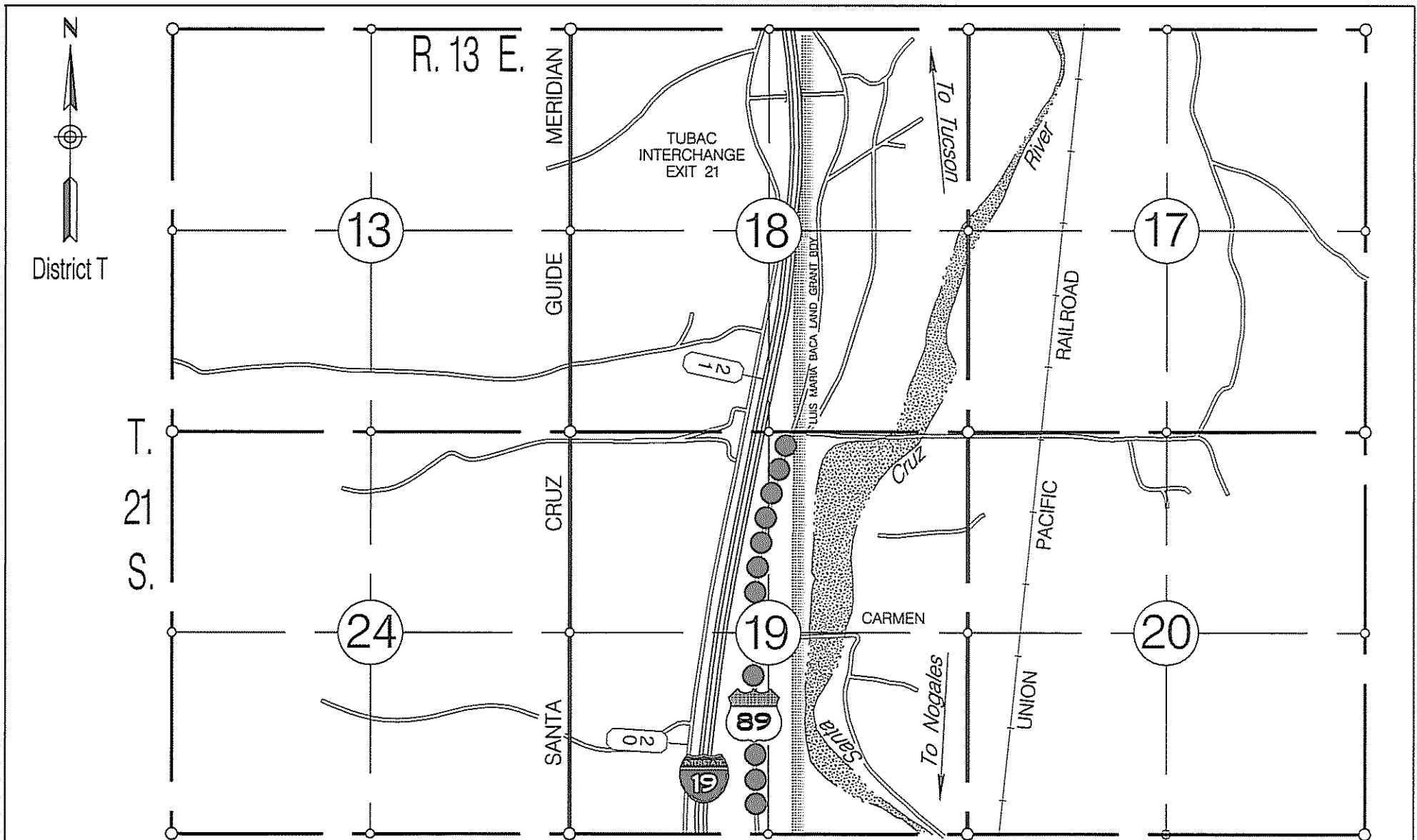
RESOLVED that the recommendation of the Director is adopted and made part of this resolution; be it further

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

RESOLVED that the Director is hereby authorized to acquire by lawful means, including donations, in accordance with Arizona Revised Statutes Section 28-7092, an estate in fee, or such other interest as is required.



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

AREA OF
 ESTABLISHMENT

APPENDIX "A"

089 SC 020 H0888 01R
 F.I. 86
 TUCSON - NOGALES HIGHWAY
 Otero - Carmen
 (Tumacacori Mission Land Development)
 Santa Cruz 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 establishment and improvement of U.S. Route 89 within the above referenced project.

This portion of U.S. Route 89 was previously established by the Arizona Highway Commission September 9, 1927, of the Official Minutes, page 26, as a State Route and State Highway; Resolution dated April 10, 1947, of the Official Minutes, page 105, established additional right of way for relocation improvements; Thereafter, various Resolutions established additional right of way for improvements thereof.

New right of way is being donated by the property owner to establish a fence easement with pertinent access rights into the State Highway System in order to improve safety for the traveling public. Accordingly, it is necessary to establish and acquire the donated right of way for this project.

The donated 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, TUCSON - NOGALES Highway, Project F.I. 86 / 089SC020H088801R."

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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,

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

JOHN S. HALIKOWSKI, Director
Arizona Department of Transportation

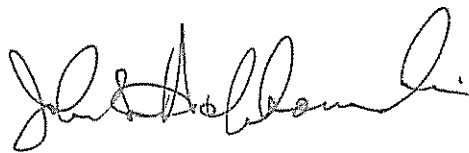
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CERTIFICATION

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 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

