

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

November 19, 2010

RES. NO. 2010-11-A-085
PROJECT: 085MA119H640701R
HIGHWAY: GILA BEND - BUCKEYE
SECTION: S.R. 85 / I-8 T.I. (Phase #1)
ROUTE NO.: State Route 85
ENG. DIST.: Yuma
COUNTY: Maricopa

RESOLUTION OF ESTABLISHMENT

JOHN S. HALIKOWSKI, Director, Arizona Department of Transportation, on November 19, 2010, 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 as a state route and state highway for the improvement of State Route 85 as set forth in the above referenced project.

The new right of way to be established as a state route and state highway and acquired for this improvement, to include access control as necessary, 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, GILA BEND - BUCKEYE Highway, Project 085MA119H640701R."

WHEREAS establishment and acquisition of the new right of way as a state route and state highway is necessary for this improvement, and includes authorization pursuant to Arizona Revised Statutes Sections 28-7092 and 28-7094 an estate in fee, or such other interest as required, to include advance, future and early acquisition, access control, exchanges, donations and 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; and

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WHEREAS because of these premises, this Board finds public safety, necessity and convenience require the recommended establishment and acquisition of the new right of way as a state route and state highway needed for this improvement and that access to the highway be controlled as delineated on the maps and plans; and

WHEREAS the existing county, town or city roadways as delineated on said maps and plans are hereby established as a state route and state highway by this Resolution action and that no further conveying document is required; therefore, be it

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

RESOLVED that the right of way depicted in Appendix "A" is hereby designated a state route and state highway, to include any existing county, town or city roadways, and that ingress and egress to and from the highway and to and from abutting, adjacent, or other lands be denied, controlled or regulated as delineated on said maps and plans. Where no access is shown, none will be allowed to exist; be it further

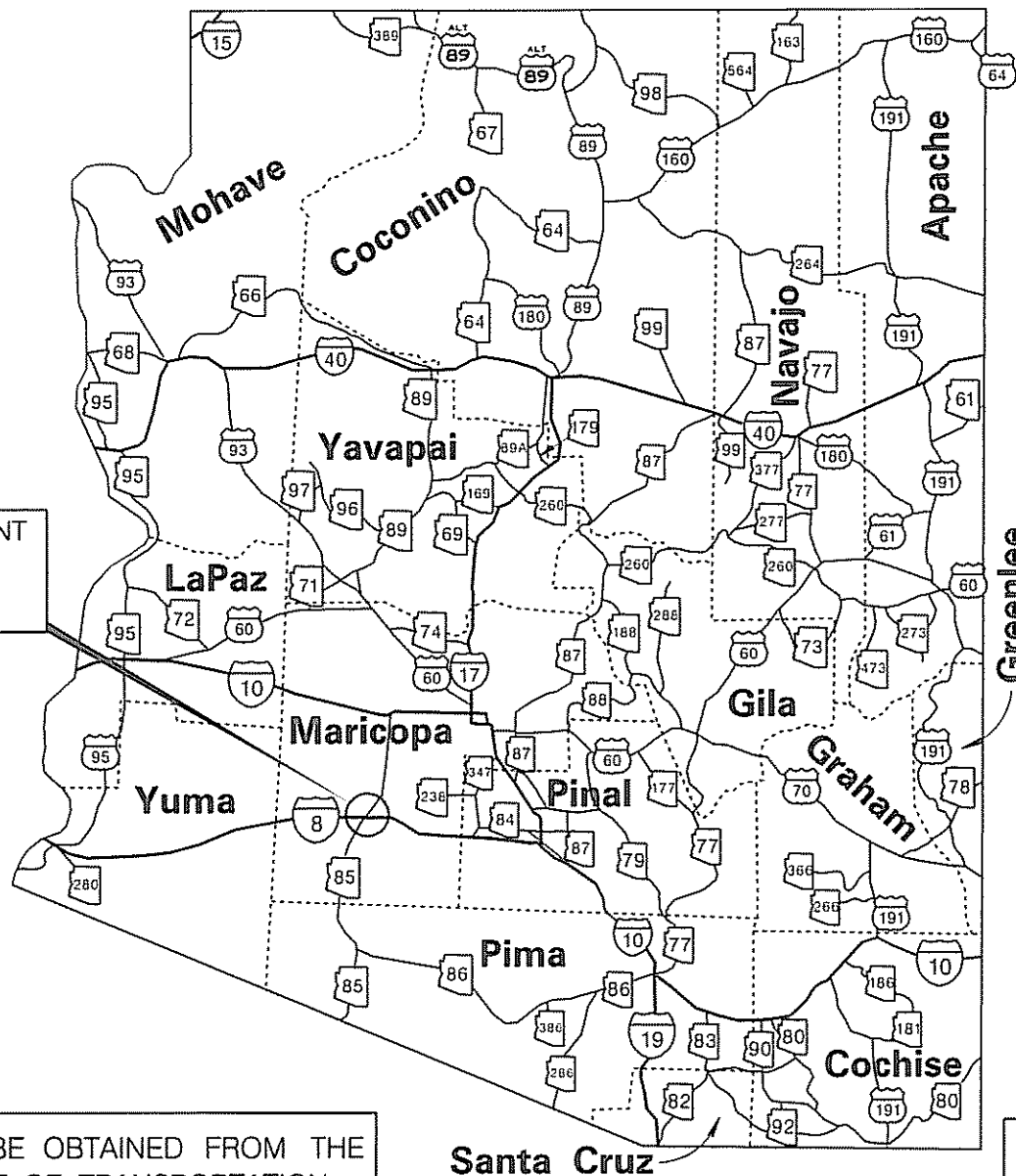
RESOLVED that the Director is hereby authorized to acquire by lawful means pursuant to Arizona Revised Statutes Sections 28-7092 and 28-7094 an estate in fee, or such other interest as required, to include advance, future and early acquisition, access rights, exchanges or donations, or such other interest 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

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RESOLVED that written notice be provided to the County Board of Supervisors in accordance with Arizona Revised Statute 28-7043, and to the affected governmental jurisdictions for whose local existing roadways are being immediately established as a state route and state highway herein; be it further

RESOLVED that the Director secure an appraisal of the property to be acquired, including access rights, and that necessary parties be compensated; With the exception of any existing county, town or city roadways being immediately established herein as a state route and state highway. Upon failure to acquire said lands by other lawful means, the Director is authorized to initiate condemnation proceedings.



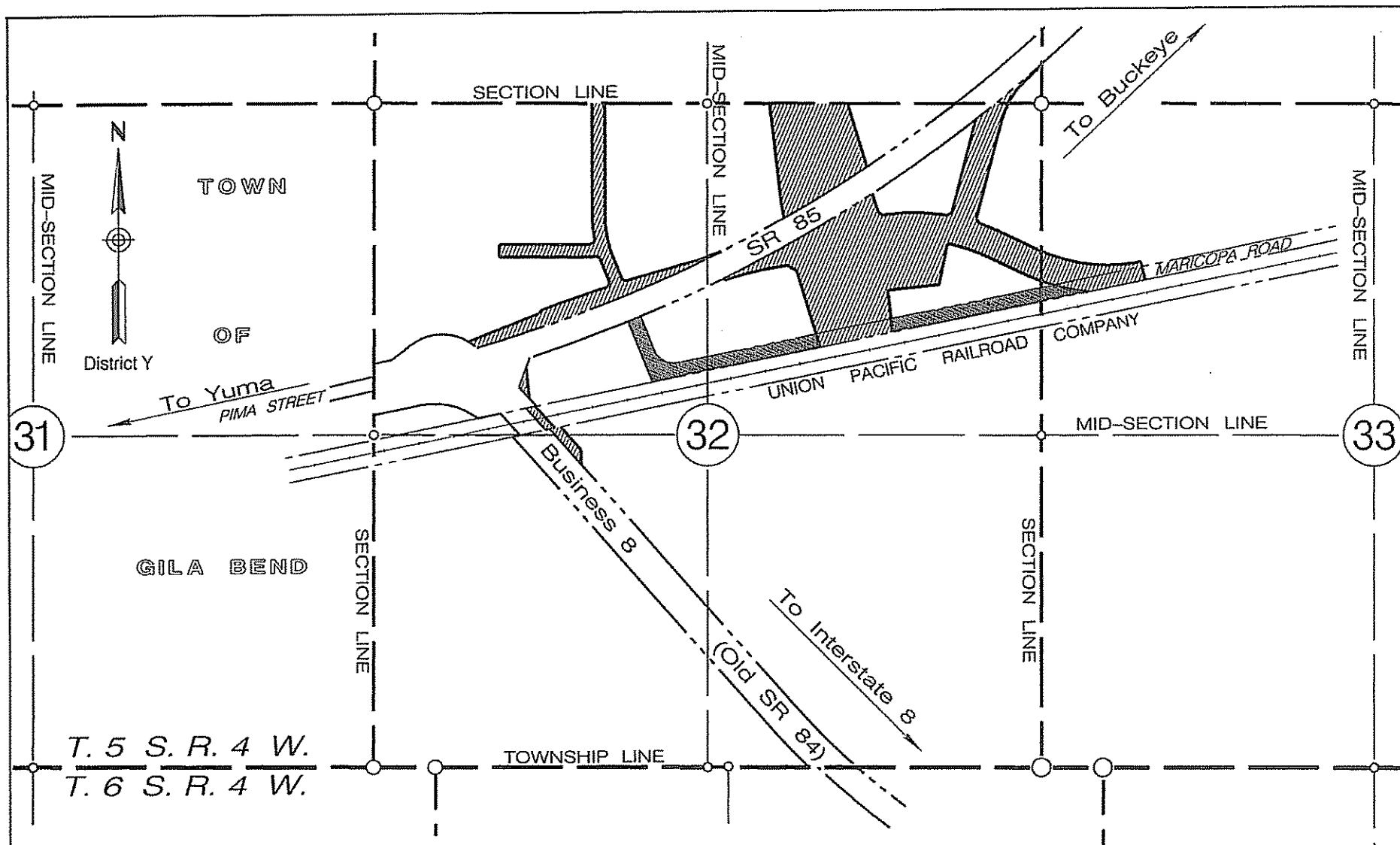
AREA OF ESTABLISHMENT
SEE SHEET 2 OF 2
FOR DETAILS

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. 19, 2010 SHEET 1 OF 2



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AREA OF
ESTABLISHMENT

TEMPORARY
CONSTRUCTION
EASEMENT

APPENDIX "A"

085 MA 119 H6407 01R
GILA BEND - BUCKEYE HWY
SR 85 / Interstate 8 T.I.
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NOV. 19, 2010 SHEET 2 OF 2

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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 of new right of way as a state route and state highway for the improvement of State Route 85 within the above referenced project.

The existing alignment 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 Arizona Transportation Board Resolution 2009-11-A-077 dated November 20, 2009, established additional right of way as a state route for this imminent improvement project.

New right of way is now needed due to design changes. Additionally, the construction phase is imminent and it is necessary to establish and acquire the new right of way as a state route and state highway, and that access be controlled as necessary for this improvement project.

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The new right of way to be established as a state route and state highway and acquired for this improvement, to include access control as necessary, 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, GILA BEND - BUCKEYE Highway, Project 085MA119H640701R."

In the interest of public safety, necessity and convenience, I recommend that the new right of way depicted in Appendix "A" be established as a state route and state highway, and that access is controlled.

I recommend the acquisition of the new right of way pursuant to Arizona Revised Statutes Sections 28-7092 and 28-7094, an estate in fee, or such other interest as required, including advance, future and early acquisition, access rights, exchanges or donations, or such other interest as is required, including material for construction, haul roads and various easements necessary for or incidental to the improvements as delineated on said maps and plans.

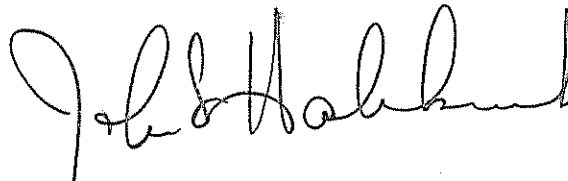
I further recommend the immediate establishment of existing county, town and city roadways into the state highway system as a controlled access state route and state highway which are necessary for or incidental to the improvement as delineated on said maps and plans, to be effective upon signing of this recommendation. This Resolution is considered the conveying document for such existing county, town and city roadways and no further conveyance is legally required.

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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 part.

JOHN S. HALIKOWSKI, Director
Arizona Department of Transportation

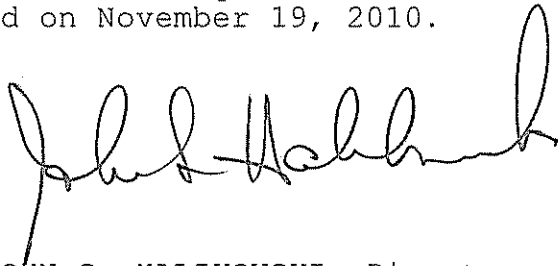
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CERTIFICATION

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 19, 2010.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on November 19, 2010.



JOHN S. HALIKOWSKI, Director
Arizona Department of Transportation

