

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

December 17, 2010

RES. NO. 2010-12-A-091
PROJECT: S-238-805 / 179YV304H341402R
HIGHWAY: RIM ROCK - SEDONA
SECTION: Village of Oak Creek - Jct. 89A
ROUTE NO.: State Route 179
ENG. DIST.: Flagstaff
COUNTY: Coconino
PARCEL NO.: 3-1549-A

RESOLUTION OF ESTABLISHMENT

JOHN S. HALIKOWSKI, Director, Arizona Department of Transportation, on December 17, 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 179 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 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, RIM ROCK - SEDONA Highway, Project S-238-805 / 179YV304H341402R."

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, including exchanges and 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

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

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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

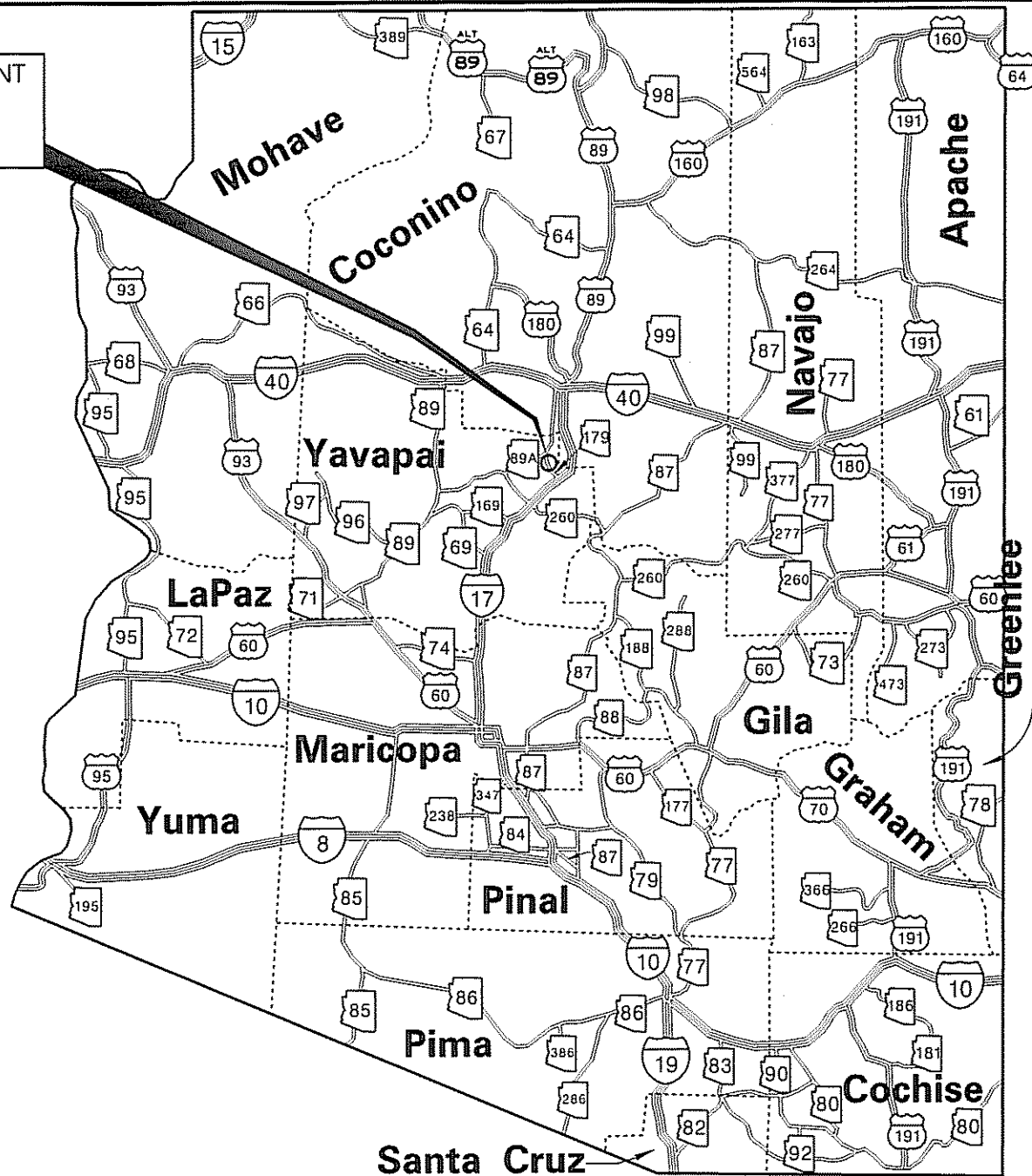
RESOLVED that the right of way depicted in Appendix "A" is hereby designated a state route and state highway, to include any existing county, town or city roadways necessary for or incidental to the improvements as delineated on said maps and plans; be it further

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, including exchanges and 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; be it further

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 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.

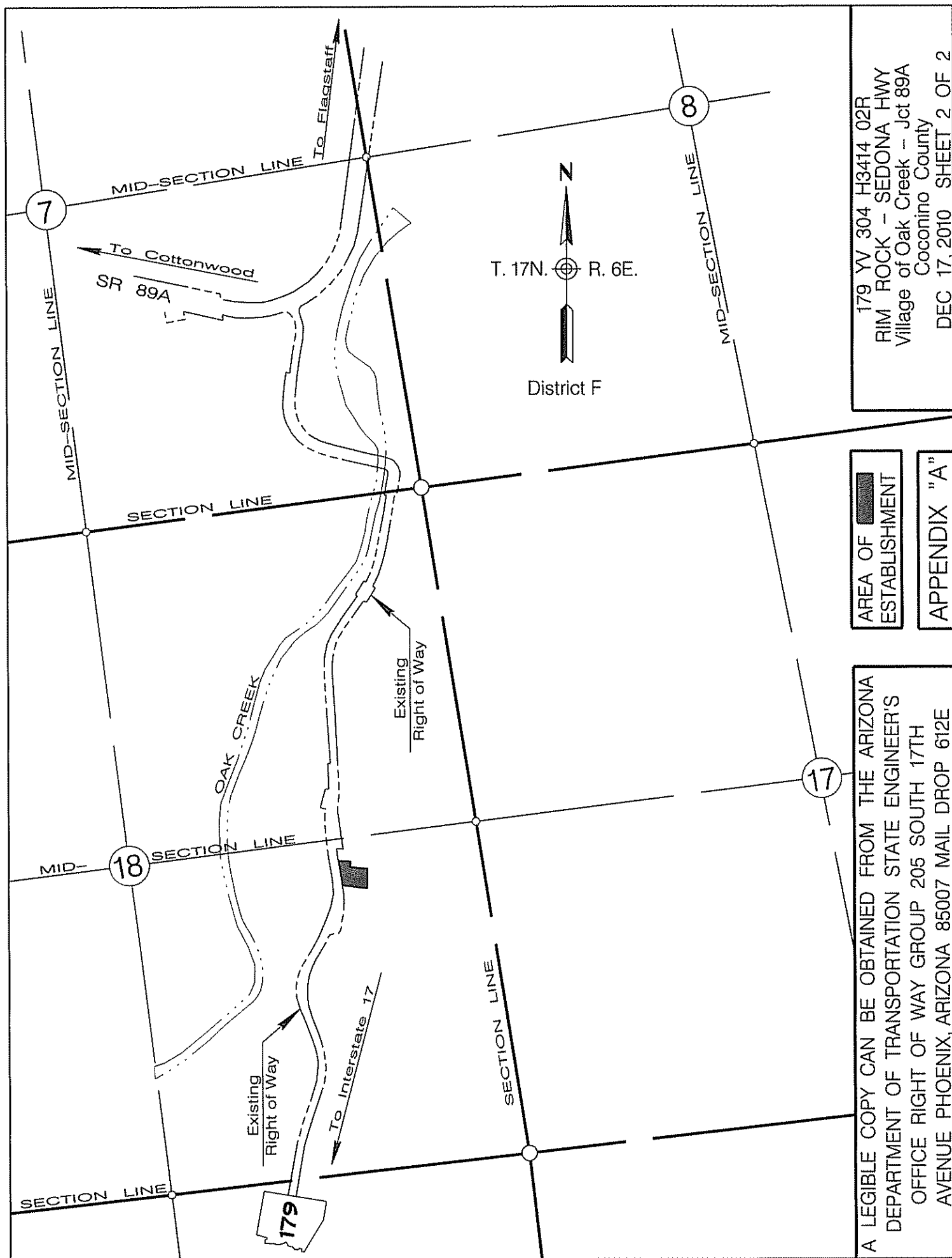
AREA OF ESTABLISHMENT
SEE SHEET 2 OF 2
FOR DETAILS



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

APPENDIX "A"

179 YV 304 H3414 02R
RIM ROCK - SEDONA HWY
Village of Oak Creek - Jct 89A
Coconino County
DEC 17, 2010 SHEET 1 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 179 within the above referenced project.

The existing alignment was previously established as a state route, designated State Route 179, by Arizona Highway Commission Resolution 60-76, dated February 1, 1960; Resolution 61-74, dated November 15, 1960, established State Route 179 as a state highway; Resolution 67-85, dated November 20, 1967, and Resolution 68-21, dated April 5, 1968, established additional right of way for improvements thereof; thereafter Arizona Transportation Board Resolution 76-14-A-44 dated August 20, 1976, established additional right of way for improvements; Resolution 87-02-C-008, dated February 23, 1987 designated that portion of State Route 179 as the Redrock Scenic Road; Resolution 05-10-A-055, dated October 21, 2005, and Resolution 07-02-A-018, dated February 16, 2007 established additional right of way for improvements thereof; Resolution 07-03-A-023, dated March 16, 2007 amended Resolution 07-02-A-018 due to a design change; and Resolution 2009-02-A-009, dated February 20, 2009 established additional right of way as a state highway for improvements.

New right of way is required to mitigate damages for a previous partial acquisition, thereby requiring the Department to acquire the remainder of Parcel No.3-1549-A in whole. Accordingly, it is necessary to establish and acquire the new right of way as a state route and state highway for this improvement project.

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The new right of way to be established and acquired as a state route and state highway for necessary improvements 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 dated November, 2010, RIM ROCK - SEDONA Highway, Project S-238-805 / 179YV304H341402R."

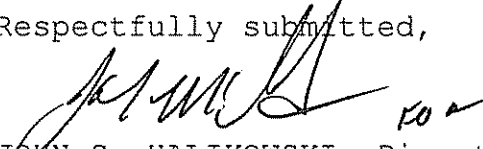
In the interest of public safety, necessity and convenience, I recommend that the new right of way depicted in Appendix "A" be established as a state route and state highway.

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, to include advance, future and early acquisition, including exchanges and donations and material for construction, haul roads and various easements necessary for or incidental to the improvement.

I further recommend the immediate establishment of existing county, town and city roadways into the state highway system as a 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.

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

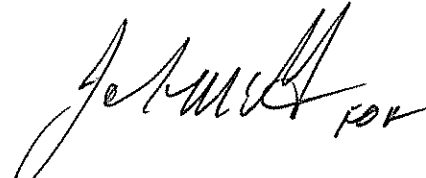
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CERTIFICATION

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 December 17, 2010.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on December 17, 2010.

A handwritten signature in black ink, appearing to read "John S. Halikowski", with a stylized flourish at the end.

JOHN S. HALIKOWSKI, Director
Arizona Department of Transportation

APPROVED

Arizona Department of Transportation
Attorney for Department of Transportation