

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

February 18, 2011

RES. NO. 2011-02-A-010
PROJECT: 101MA001H555101R
HIGHWAY: AGUA FRIA FREEWAY
SECTION: S.R. 101L HOV Lanes, I-10 to Tatum Blvd.
ROUTE NO.: S.R. 101 Loop
ENG. DIST.: Phoenix
COUNTY: Maricopa

RESOLUTION OF ESTABLISHMENT

JOHN S. HALIKOWSKI, Director, Arizona Department of Transportation, on February 18, 2011, 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 State Route 101 Loop 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 February 2010, AGUA FRIA FREEWAY."

WHEREAS establishment and acquisition of the new right of way 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, 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

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 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

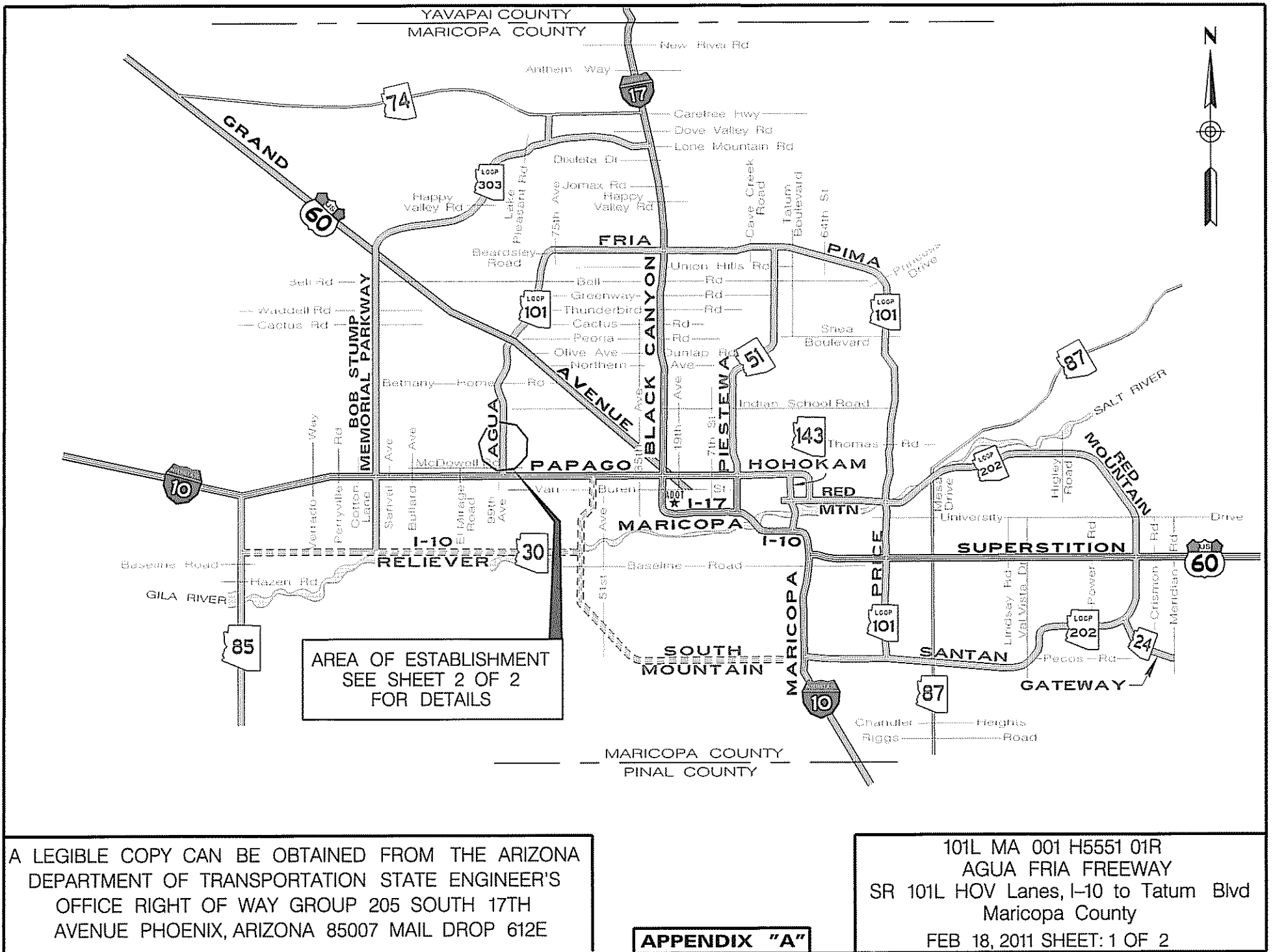
February 18, 2011

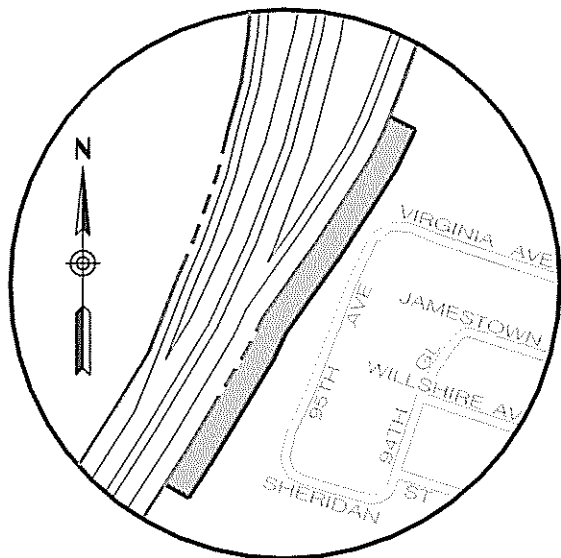
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RESOLVED that the right of way as depicted in Appendix "A" is hereby designated a state route and that prior to construction the new right of way shall be established as a state highway; be it further

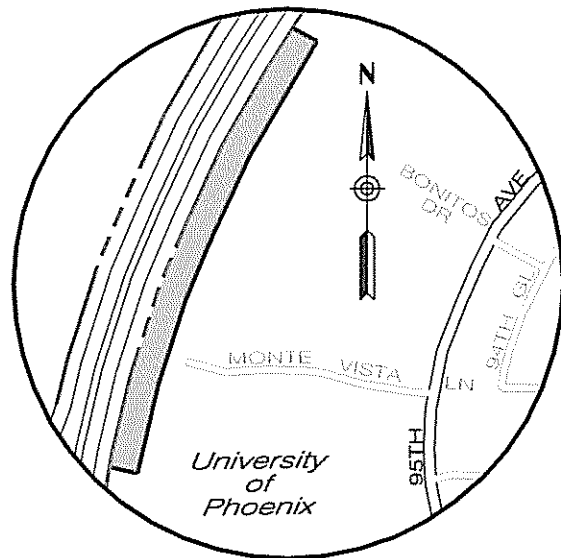
RESOLVED that the Director is hereby authorized to acquire by lawful means pursuant to Arizona Revised Statutes Sections 28-7092 and 28-7094 an estate in fee, or such other interest as required, to include advance, future and early acquisition, exchanges, donations and material for construction, haul roads, and various easements in any property necessary for or incidental to the improvements as delineated on said maps and plans; 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.

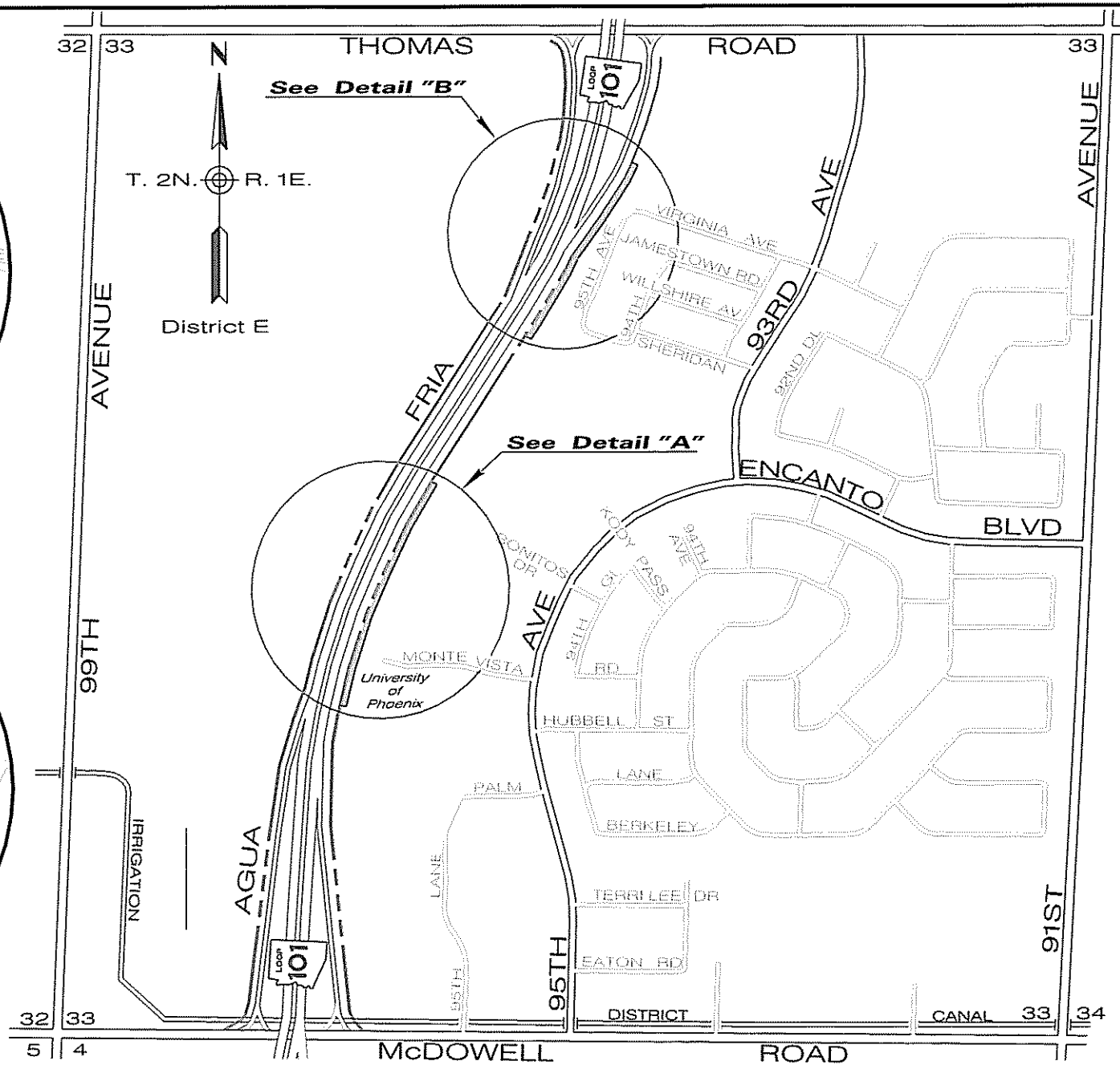




DETAIL "B"
NOT TO SCALE



DETAIL "A"
NOT TO SCALE



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"

101L MA 001 H5551 01R
AGUA FRIA FREEWAY
SR 101L HOV Lanes, I-10 to Tatum Blvd
Maricopa County
FEB 18, 2011 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 and improvement of State Route 101 Loop within the above referenced project.

The existing alignment was previously accepted and taken into the State System by Arizona Transportation Board Resolution dated February 3, 1978, page 80; Resolution 84-08-A-046, dated August 24, 1984, established this portion as a State Route Plan and was included in the Five Year Construction Program; Resolution 87-05-A-40, dated May 22, 1987 established additional right of way as a state route and state highway; and Resolution 87-11-A-105, dated December 18, 1987, redesignated State Route 417 as State Route 101 Loop; thereafter, various Resolutions established additional right of way for improvements thereof.

New right of way is now needed to construct HOV Lanes and noise walls. Accordingly, it is necessary to establish and acquire the new right of way for this improvement project.

The new right of way to be established and acquired for the 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 "15% Design Plans, dated February 2010, AGUA FRIA FREEWAY."

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

I further 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, exchanges, 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.

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', with a stylized flourish at the end. Below the signature, the letters 'JSH' are handwritten.

JOHN S. HALIKOWSKI, Director
Arizona Department of Transportation

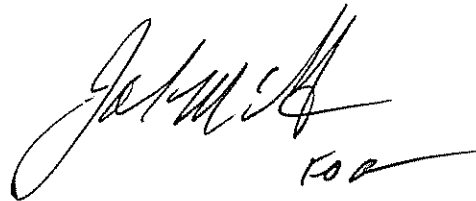
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CERTIFICATION

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 February 18, 2011.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on February 18, 2011.

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

A faint, circular official seal of the Arizona Department of Transportation is visible in the bottom left corner. It contains the text "ARIZONA DEPARTMENT OF TRANSPORTATION" around the perimeter. Overlaid on the seal is a faint handwritten signature.