

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

March 18, 2011

RES. NO. 2011-03-A-018  
PROJECT: S-238(GEN); S-366(GEN)  
HIGHWAY: PRESCOTT - FLAGSTAFF; RIMROCK - SEDONA  
SECTION: (Sedona)  
ROUTE NO.: S.R. 89A / S.R. 179  
ENG. DIST.: Flagstaff  
COUNTY: Coconino / Yavapai

RESOLUTION OF ABANDONMENT

JOHN S. HALIKOWSKI, Director, Arizona Department of Transportation, on March 18, 2011, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the abandonment of State Route 89A and State Route 179 as depicted in Appendix "A" to the City of Sedona within the above referenced projects.

The right of way to be abandoned is delineated on maps and plans on file in the office of the State Engineer, Intermodal Transportation Division, Phoenix, Arizona, entitled "Right of Way Plans, Prescott - Flagstaff Highway, Rimrock - Sedona Highway Highway, Projects S-238(GEN) and S-366(GEN)" between the mileposts limits and engineering stations shown in Appendix "A" attached hereto.

WHEREAS said right of way is no longer needed for state transportation purposes; and

WHEREAS by Transfer Agreement dated March 7<sup>th</sup>, 2011, the City of Sedona has (1)agreed to accept jurisdiction, ownership and control of the right of way, and (2)waived the four year notice requirement and the pavement condition requirement of Arizona Revised Statutes Section 28-7209; and

WHEREAS the Transfer Agreement is conditioned upon the Department paying the City of Sedona an agreed amount on or before June 30, 2011. If the Department does not make the payment on or before June 30, 2011, this resolution is void and of no effect; and

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WHEREAS the Transfer Agreement provides that this abandonment becomes effective on the calendar day after the Department makes the payment, except the abandonment of the segment between engineering stations 985+00 and 994+00 (mileposts 371.46 and 371.64) which becomes effective on the date of final acceptance of the Andante Traffic Signal Project by the Department and the City of Sedona; and

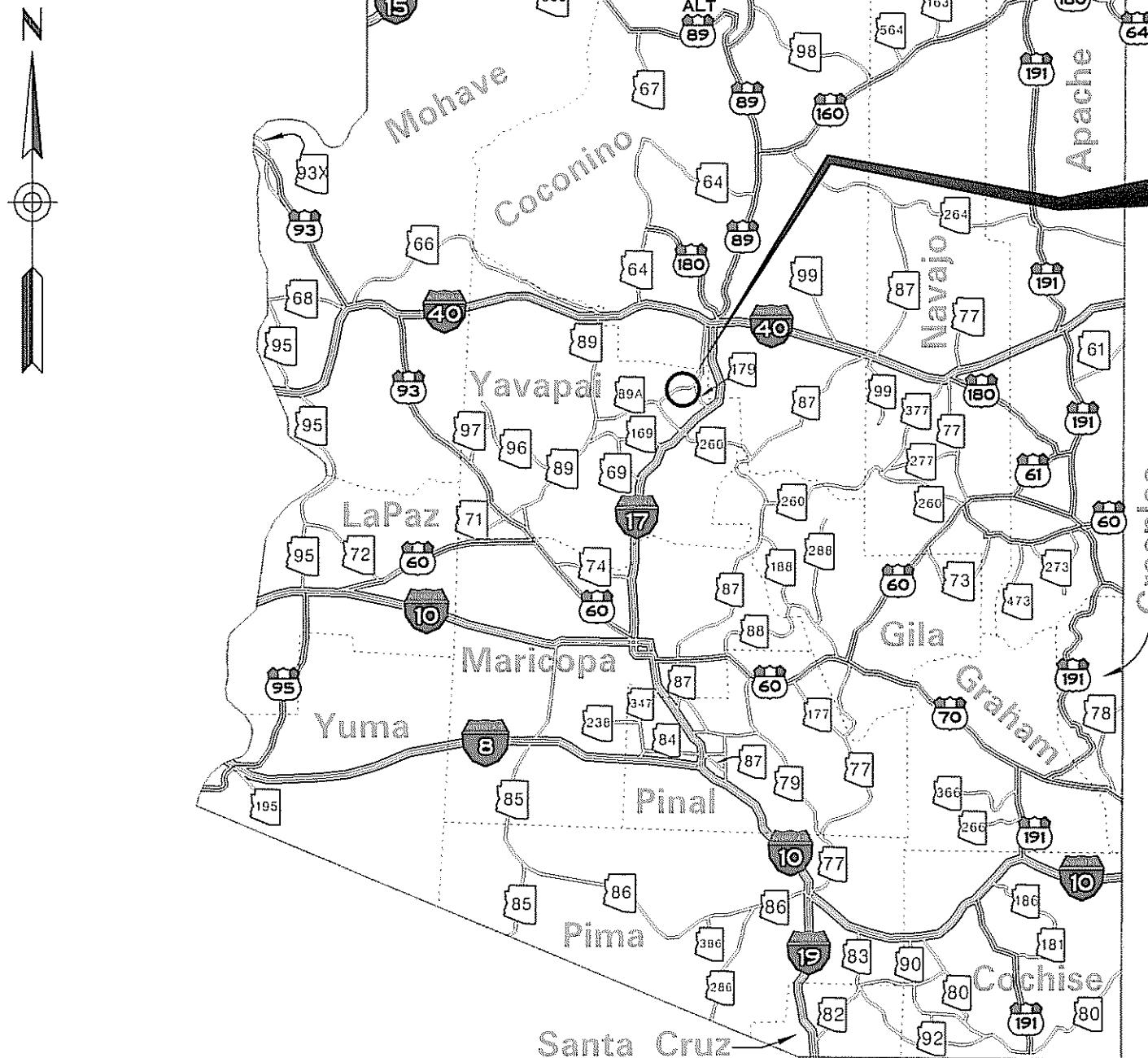
WHEREAS this Board finds that public safety, necessity and convenience will be served by accepting the Director's report; therefore, be it

RESOLVED that the recommendation of the Director is adopted and made part of this resolution and that the waiver of the requirements of A.R.S. 28-7209 by the City of Sedona is hereby accepted; be it further

RESOLVED that the right of way depicted in Appendix "A" is hereby removed from the State Highway System and abandoned to the City of Sedona as provided in Arizona Revised Statutes Sections 28-7207 and 28-7209; be it further

RESOLVED that the abandonment becomes effective on the calendar day after the Department makes the payment as provided in the Transfer Agreement, except the segment between engineering stations 985+00 and 994+00 (mileposts 371.46 and 371.64) which becomes effective on the date of final acceptance of the Andante Traffic Signal Project by the Department and the City of Sedona. If the Department does not make the payment on or before June 30, 2011, this resolution is void and of no effect; be it further

RESOLVED that the Director provide written notice to the City of Sedona evidencing the abandonment of the State's interest.



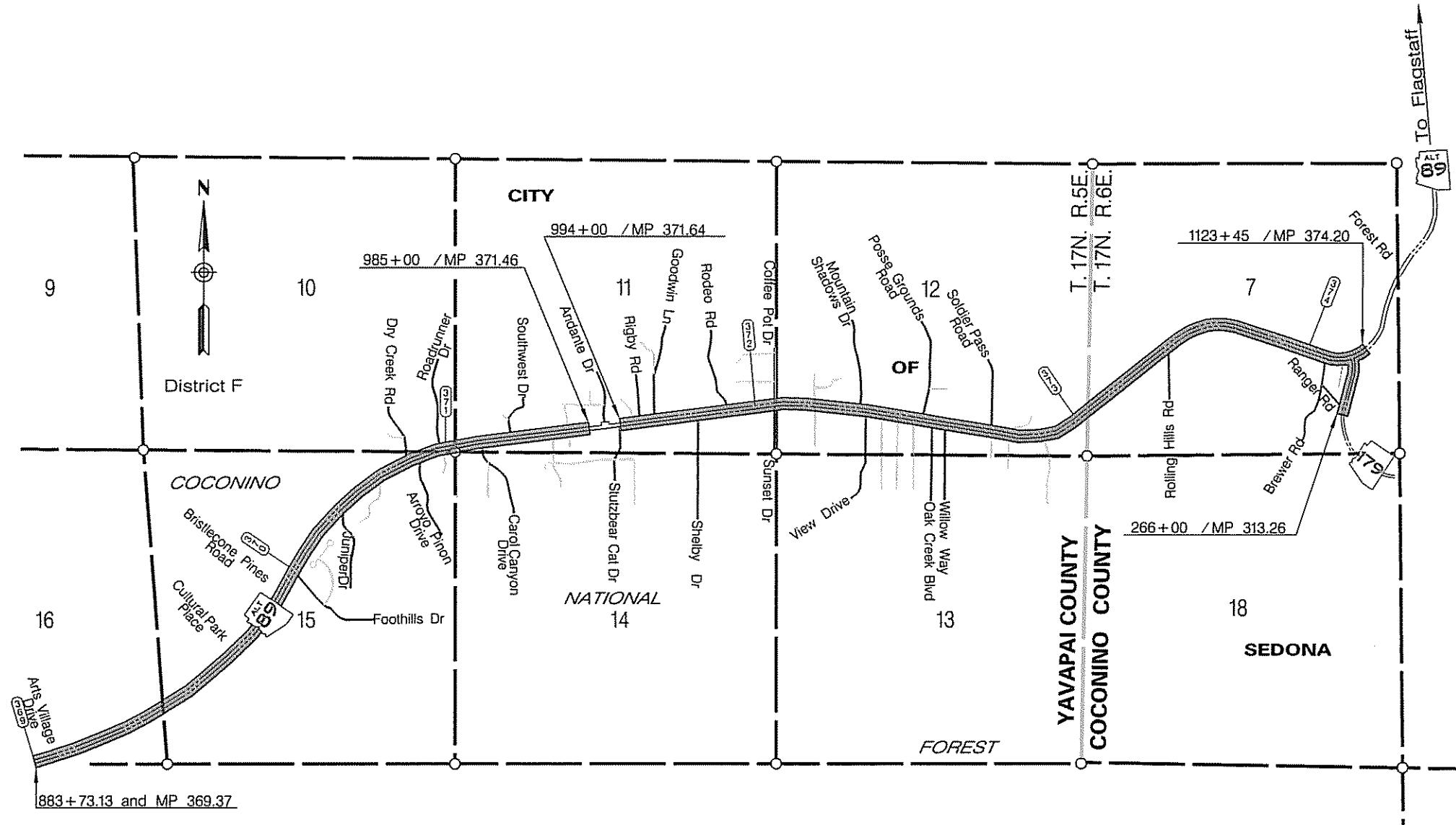
AREA OF ABANDONMENT  
SEE SHEET 2 OF 2  
FOR DETAILS

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

## Yavapai & Coconino County

## APPENDIX "A"

MARCH 18, 2011 SHEET 1 OF 2



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AREA OF  
ABANDONMENT  
APPENDIX "A"

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MARCH 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 abandonment of right of way acquired for State Route 89A and State Route 179 within the above referenced projects.

The right of way is no longer needed for state transportation purposes. By Transfer Agreement dated March 7<sup>th</sup>, 2011, the City of Sedona has (1) agreed to accept jurisdiction, ownership and control of the right of way, and (2) waived the four year notice requirement and the pavement condition requirement of Arizona Revised Statutes Section 28-7209;

The Transfer Agreement is conditioned upon the Department paying the City of Sedona an agreed amount on or before June 30, 2011, and the Agreement further provides that this abandonment becomes effective on the calendar day after the Department makes the payment. Except the abandonment of the segment between engineering stations 985+00 and 994+00 (mileposts 371.46 and 371.64) which becomes effective on the date of final acceptance of the Andante Traffic Signal Project by the Department and the City of Sedona. This resolution is void and of no effect if the Department does not make the payment, on or before June 30, 2011.

March 18, 2011

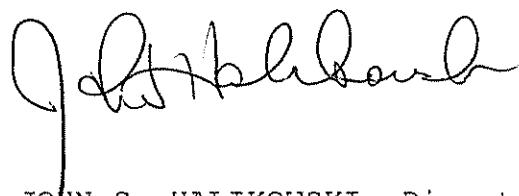
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I further recommend that the right of way depicted in Appendix "A" be removed from the State Highway System and that the State's interest in the right of way be abandoned to the City of Sedona as provided in Arizona Revised Statutes Sections 28-7207 and 28-7209;

Pursuant to Arizona Revised Statutes Section 28-7046, I recommend that the Transportation Board adopt a resolution making this recommendation effective.

Respectfully submitted,



JOHN S. HALIKOWSKI, Director  
Arizona Department of Transportation

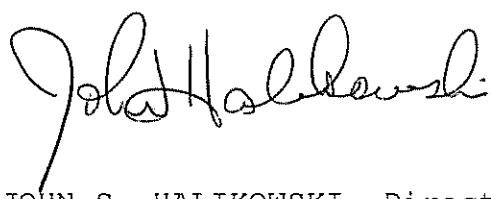
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CERTIFICATION

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 March 18, 2011.

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



JOHN S. HALIKOWSKI, Director  
Arizona Department of Transportation