

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

July 15, 2011

RES. NO. 2011-07-A-055
PROJECT: S-366-720 / 089AYV355H274101R
HIGHWAY: PRESCOTT - FLAGSTAFF
SECTION: Cottonwood - Cornville Rd.
ROUTE NO.: State Route 89A
ENG. DIST.: Flagstaff
COUNTY: Yavapai

RESOLUTION OF ESTABLISHMENT

JOHN S. HALIKOWSKI, Director, Arizona Department of Transportation, on July 15, 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 access control for State Route 89A as set forth in the above referenced project.

The new right of way to be acquired for access control and established as a state route and state highway 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, PRESCOTT - FLAGSTAFF Highway, Project S-366-720 / 089AYV355H274101R."

WHEREAS establishment and acquisition of the new right of way as a state route and state highway is necessary, 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 for access control as a state route and state highway 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 new right of way for access control 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

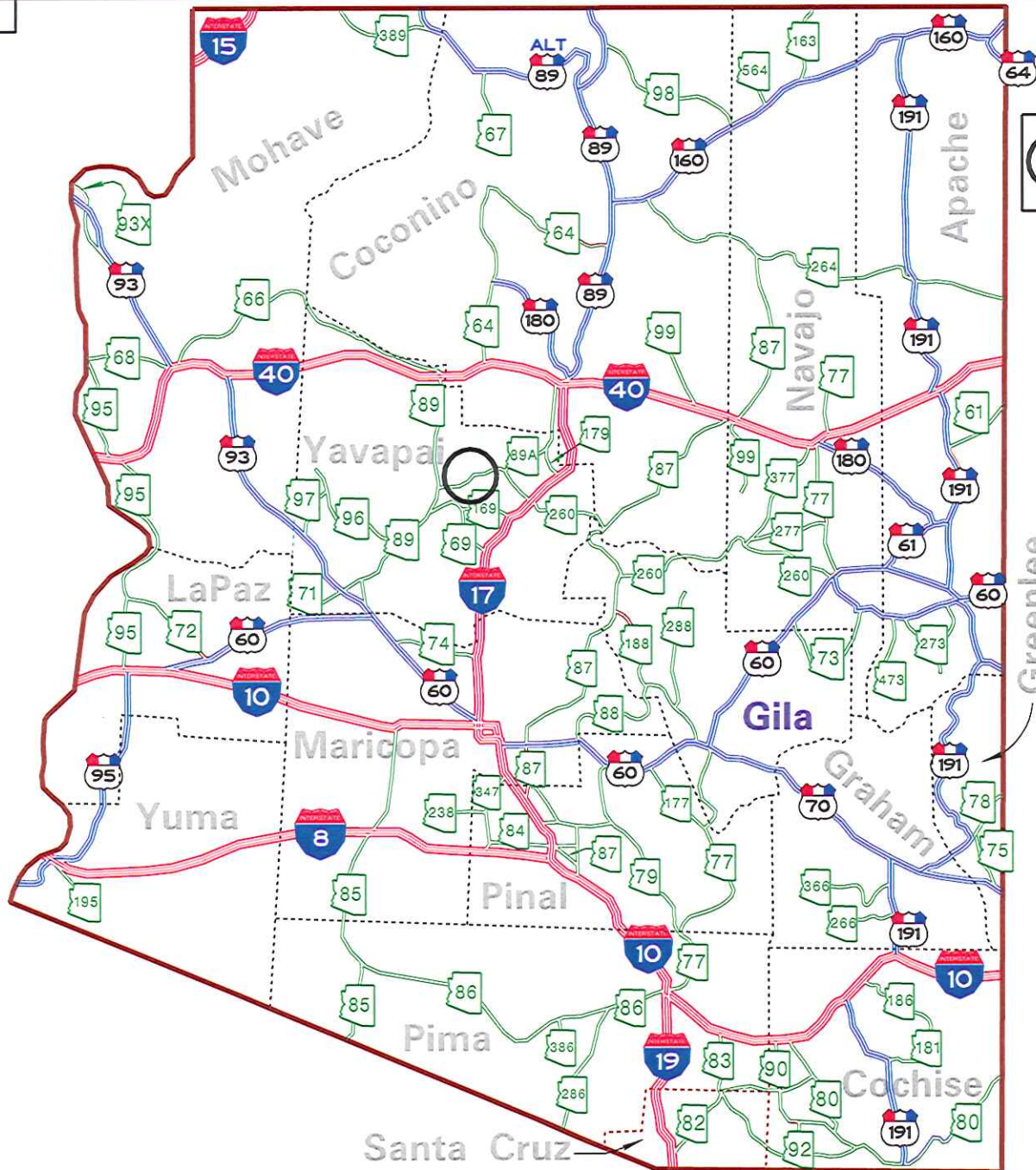
RESOLVED that the Director is hereby authorized to acquire by lawful means pursuant to Arizona Revised Statutes Sections 28-7092 and 28-7094 an estate in fee, or such other interest as required, to include advance, future and early acquisition, access rights, exchanges or donations, or such other interest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



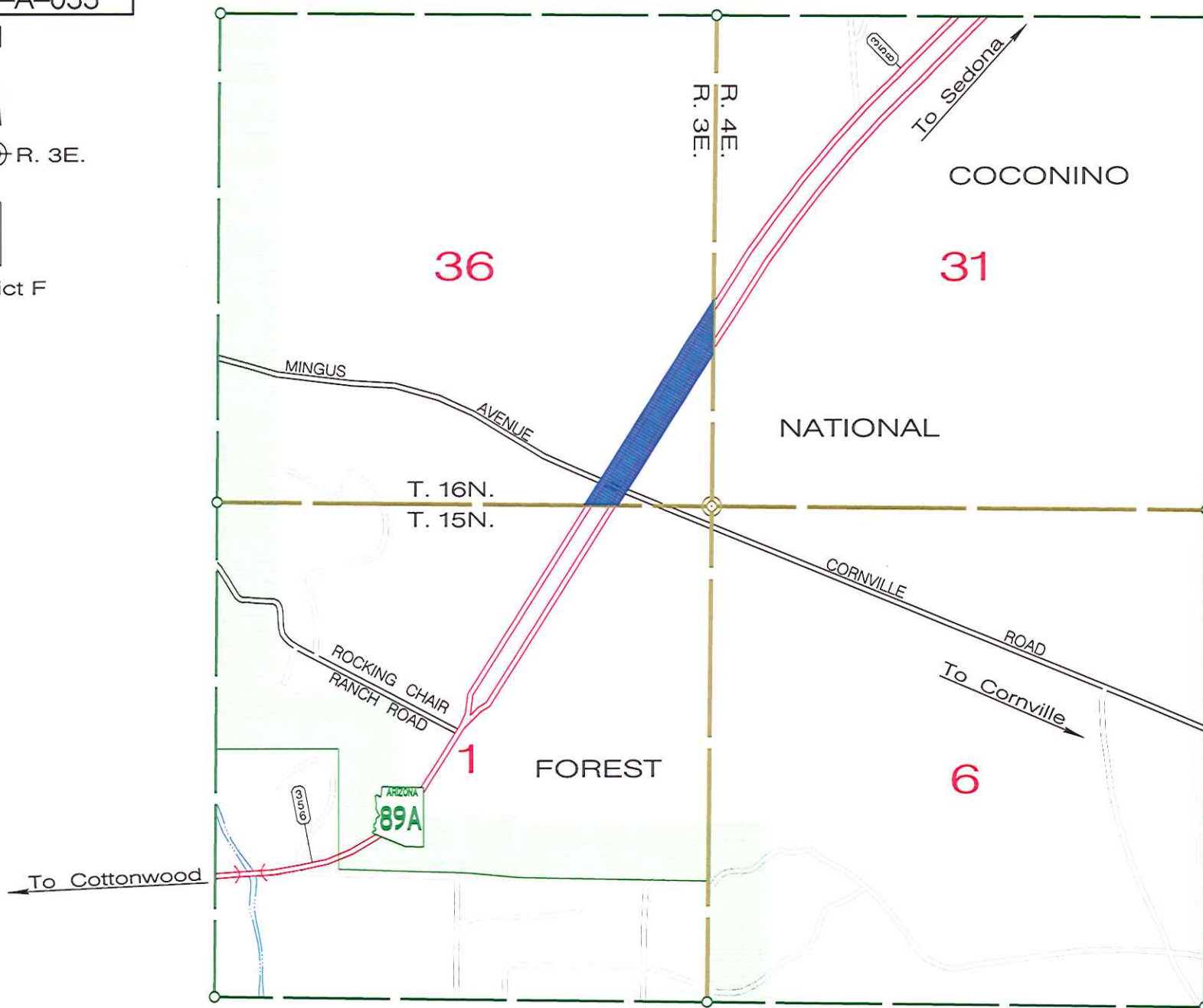
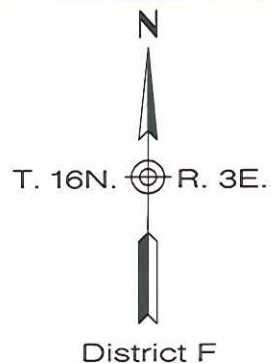
○ AREA OF ESTABLISHMENT
= SEE SHEET 2 OF 2
FOR DETAILS

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

APPENDIX "A"

089A YV 355 H2741 01R
S-366-720
PRESCOTT - FLAGSTAFF HWY
Cottonwood - Cornville Road
Yavapai County
JULY 15, 2011 SHEET 1 OF 2

2011-07-A-055



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AREA OF 
ESTABLISHMENT

APPENDIX "A"

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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 89A within the above referenced project.

The existing alignment was previously established as a state route by Arizona Highway Commission Resolution dated September 9, 1927, page 26 of Official Minutes; thereafter Arizona Transportation Resolution Board Resolution 98-08-A-042, dated August 21, 1998 established new right of way as a state route and state highway for widening purposes to construct a divided highway and was amended by Resolution 99-01-A-006 dated January 15, 1999 due to design change.

New right of way for access control is now needed. Accordingly, 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.

The new right of way to be established as a state route and state highway and acquired for this improvement which includes access control, 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, PRESCOTT - FLAGSTAFF Highway, Project S-366-720 / 089AYV355H274101R."

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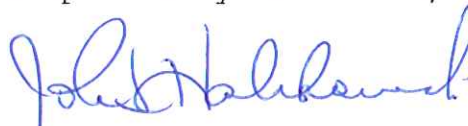
In the interest of public safety, necessity and convenience, I recommend that the new right of way for access control depicted in Appendix "A" be established as a state route and state highway.

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, 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.

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 July 15, 2011

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Transportation Board on July 15, 2011.



JOHN S. HALIKOWSKI, Director
Arizona Department of Transportation