

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

August 18, 2011

RES. NO. 2011-08-A-058  
PROJECT: S89-A (200) A / 089AYV326H8160  
HIGHWAY: PRESCOTT - FLAGSTAFF  
SECTION: Fain Road MP. 326.24 to State Route 69  
ROUTE NO.: State Route 89A Spur  
ENG. DIST.: Prescott  
COUNTY: Yavapai

RESOLUTION OF ESTABLISHMENT

JOHN S. HALIKOWSKI, Director, Arizona Department of Transportation, on August 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 the existing county right of way as an access controlled state route and state highway for the improvement of State Route 89A Spur as set forth in the above referenced project.

The existing county right of way to be established as a state route and state highway 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, PRESCOTT - FLAGSTAFF Highway, Project S89-A (200) A / 089AYV326H8160."

WHEREAS establishment and acquisition of the existing county 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 existing county 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

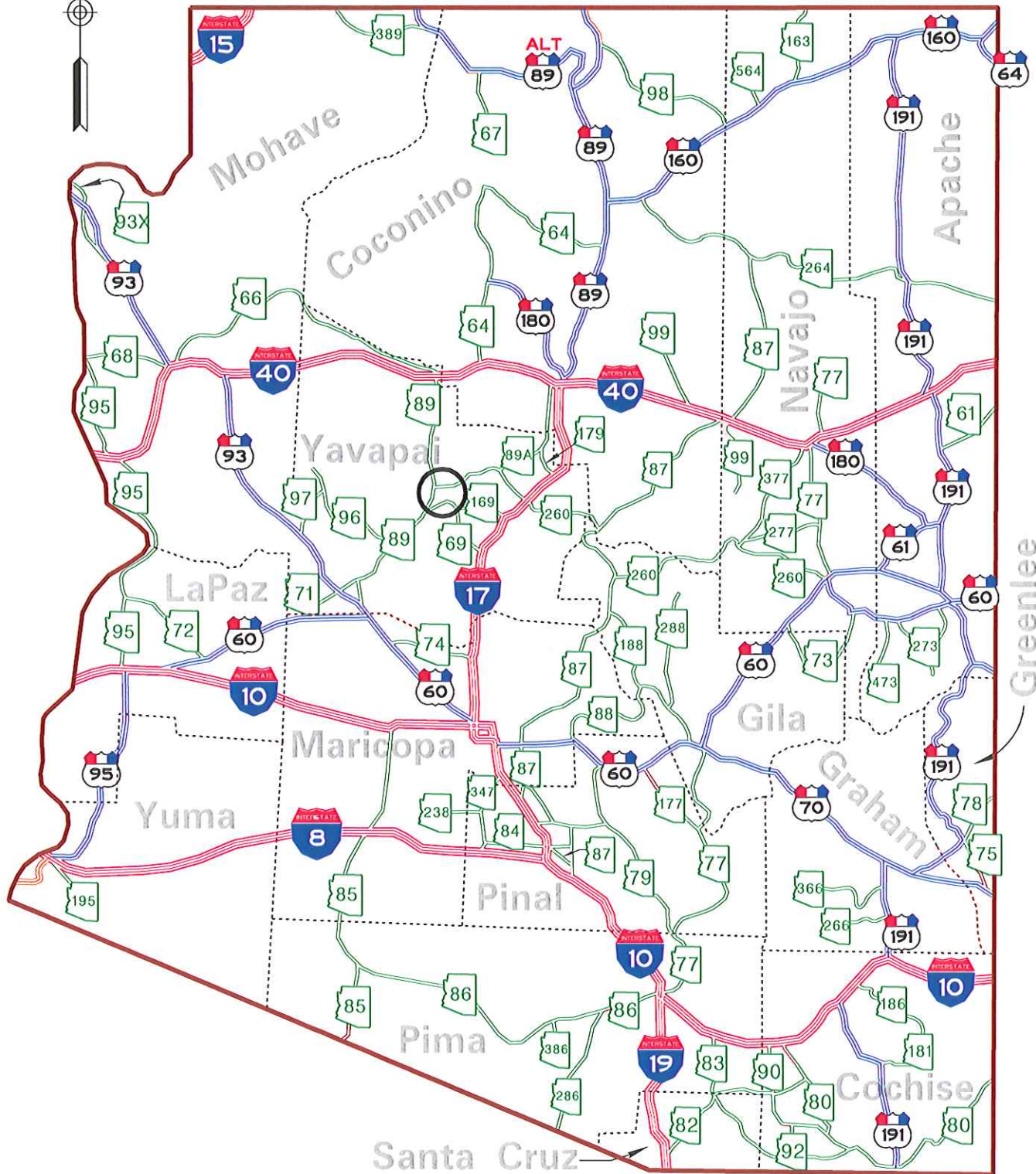
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RESOLVED that written notice be provided to the County Board of Supervisors in accordance with Arizona Revised Statute 28-7043, and to the affected governmental jurisdictions for whose local existing roadways are being immediately established as a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

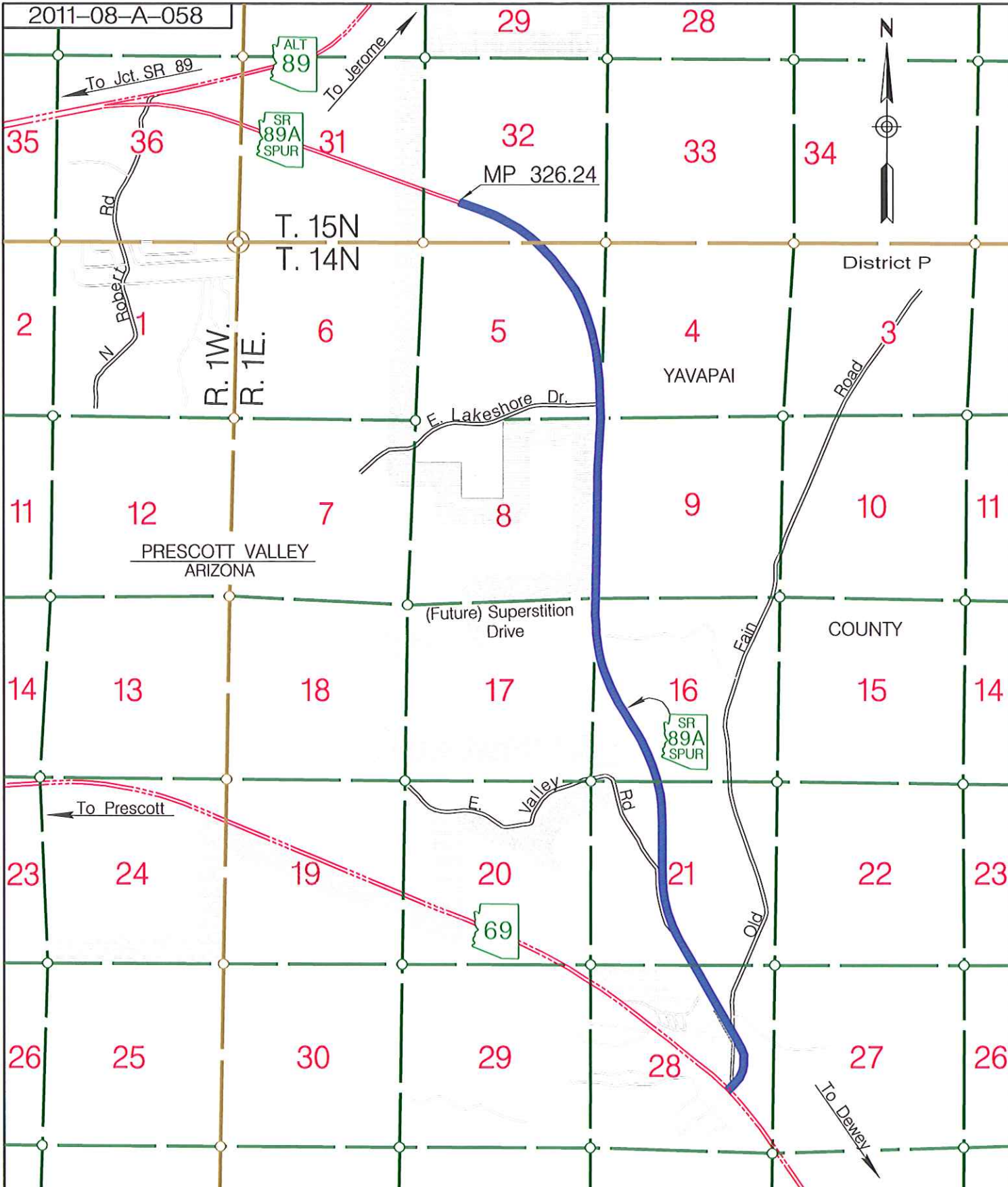
○ = AREA OF ESTABLISHMENT  
SEE SHEET 2 OF 2 FOR DETAILS



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

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AREA OF ESTABLISHMENT

APPENDIX "A"

089A YV 326 H8160  
 S89-A (200) A  
 PRESCOTT-FLAGSTAFF HWY  
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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 existing county right of way as an access controlled state route and state highway for the improvement of State Route 89A Spur within the above referenced project.

The existing county right of way is now needed for widening and improvements. Accordingly, it is necessary to establish and acquire the right of way as a state route and state highway, and that access be controlled as necessary for this improvement project.

The existing county 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, PRESCOTT - FLAGSTAFF Highway, Project S89-A (200) A / 089AYV326H8160."

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

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I recommend the acquisition of the existing county 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 August 18, 2011

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



JOHN S. HALIKOWSKI, Director  
Arizona Department of Transportation



APPROVED

Ron J. Achenbach

Assistant Attorney General  
Attorney for Department  
of Transportation

Date 8/5/11