

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

February 17, 2012

RES. NO. 2012-02-A-008  
PROJECT: BPM-600-0-702 / 101LMA007H080703R  
HIGHWAY: AGUA FRIA FREEWAY  
SECTION: Glendale Ave. - Jct. U.S. 60 (Olive Avenue)  
ROUTE NO.: State Route 101L  
ENG. DIST.: Phoenix  
COUNTY: Maricopa  
DISPOSAL: D-M-429

RESOLUTION OF ABANDONMENT

JOHN S. HALIKOWSKI, Director, Arizona Department of Transportation, on February 17, 2012, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-7046, recommending the abandonment of a portion of Olive Avenue to the City of Peoria within the above referenced project.

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, AGUA FRIA FREEWAY Highway, Project 101LMA007H080703R / BPM-600-0-702" between the engineering stations 7+48.82 and 15+96.20, and 23+94.18 and 27+25.94 shown in Appendix "A" attached hereto.

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

WHEREAS the City of Peoria has agreed to accept jurisdiction, ownership and maintenance of the right of way in accordance with Joint Project Agreement 09-179, dated January 13, 2010 and Amendment One, dated October 13, 2010; 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; be it further

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

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



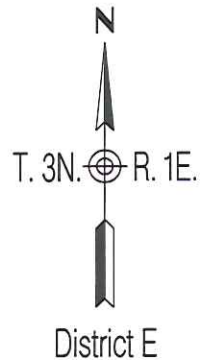
1"=36960'

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"

101L MA 007 H0807 03R  
BPM-600-0-702  
AGUA FRIA FREEWAY  
Glendale Avenue - Jct. U.S. 60  
Maricopa County  
February 17, 2012 SHEET 1 OF 3

2012-02-A-008



CITY

OLIVE

28

MISSION LN

94TH AV

W. SANNAS ST

CARON DR

Sta. 13 + 26.90

93RD AVE

CARON CIR

Sta. 15 + 96.20

To Interstate 17

92ND

Sta. 23 + 94.18

Sta. 26 + 54.27

AVE

AVE

27

Sta. 7 + 48.82

Sta. 27 + 25.94

OF

To Interstate 10



91ST

34

PEORIA

33

ALICE AVE  
95TH DR  
BAXTER WAY  
RENO VIEW DR  
RUTH AVE

AVE

95TH

AVE

94TH

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PHOENIX, ARIZONA 85007  
MAIL DROP 612E

AREA OF  
ABANDONMENT

APPENDIX "A"

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AGUA FRIA FREEWAY  
Glendale Avenue - Jct. U.S. 60  
Maricopa County  
February 17, 2012 SHEET 2 OF 3

## **APPENDIX "A"**

All that portion of Olive Avenue under ADOT control lying within the Northwest quarter of the Northwest quarter (NW¼NW¼) of Section 34, the Northeast quarter of the Northeast quarter (NE¼NE¼) of Section 33, and the Southeast quarter of the Southeast quarter (SE¼SE¼) of Section 28, Township 3 North, Range 1 East, Gila and Salt River Meridian, Maricopa County, Arizona, lying West of Olive Avenue Station 15+96.20 and East of Olive Avenue Station 23+94.18 as shown in the records of the Arizona Department of Transportation plan sheet labeled NORTHWEST OUTER LOOP (S.R. 417), now known as AGUA FRIA FREEWAY (S.R. 101L), Olive Avenue T.I., Drawing No. D-7-T-803, Sheet 13 of 28, sealed January 1986.

90,940 square feet, more or less.

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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 101L, recommending a portion of Olive Avenue be abandoned to the City of Peoria within the above referenced project.

The right of way to be abandoned was previously established and designated as State Route 417 by Arizona Department of Transportation Board Resolution 84-08-A-046, dated August 24, 1984; Resolution 86-04-A-26, dated April 18, 1986, designated right of way as a state highway; Resolution 87-11-A-105, dated December 18, 1987, re-designated State Route 417 as State Route 101 Loop; Resolution 2011-02-A-011, dated February 18, 2011, established additional right of way as a state route and state highway for improvements thereof.

A portion of Olive Avenue is no longer needed for state transportation purposes. The City of Peoria has agreed to accept jurisdiction, ownership and maintenance of the right of way in accordance with Joint Project Agreement 09-179, dated January 13, 2010 and Amendment One, dated October 13, 2010. Accordingly, I recommend that the State's interest in the right of way be abandoned.

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I further recommend that the right of way depicted in Appendix "A" be removed from the State Highway System and abandoned to the City of Peoria 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,

A handwritten signature in black ink, appearing to read "John S. Halikowski". The signature is fluid and cursive, with the first name "John" and last name "Halikowski" clearly distinguishable.

JOHN S. HALIKOWSKI, Director  
Arizona Department of Transportation

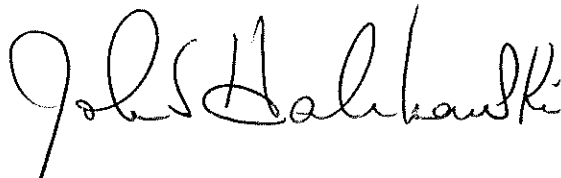
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CERTIFICATION

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 17, 2012.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on February 17, 2012.



JOHN S. HALIKOWSKI, Director  
Arizona Department of Transportation







APPROVED

Ron J. Aschenbach

Assistant Attorney General  
Attorney for Department  
of Transportation

Date 2/1/12