

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.

2012-02-A-008

YAVAPAI COUNTY
MARICOPA COUNTYO = AREA OF ABANDONMENT
SEE SHEET 2 OF 2 FOR DETAILS

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

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

28

MISSION LN

94TH AVE

W. SANNAS ST

CARON DR

Sta. 13 + 26.90

AVE

94TH

OF

To Interstate 17

92ND

Sta. 15 + 96.20

To Interstate 10



Sta. 23 + 94.18

Sta. 26 + 54.27

AVE

Sta. 27 + 25.94

91ST

PEORIA

27

34

AREA OF
ABANDONMENT

APPENDIX "A"

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101L MA 007 H0807 03R
BPM-600-0-702
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 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 34, the Northeast quarter of the Northeast quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 33, and the Southeast quarter of the Southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) 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.

February 17, 2012

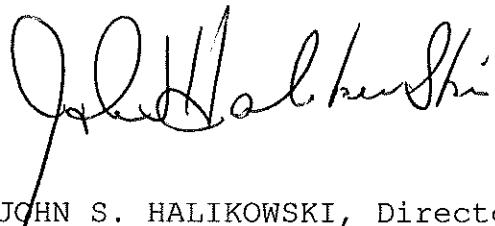
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I further recommend that the right of way depicted in Appendix "A" be removed from the State Highway System and abandoned to the City of Peoria as provided in Arizona Revised Statutes Sections 28-7207 and 28-7209;

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

Respectfully submitted,



JOHN S. HALIKOWSKI, Director
Arizona Department of Transportation

February 17, 2012

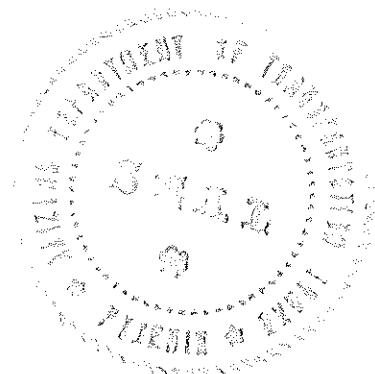
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CERTIFICATION

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. Achenbach
Assistant Attorney General
Attorney for Department
of Transportation
Date 2/1/12