

JUNE 15, 2001

RES. NO. 2001-06-A-046
PROJECT: N-810-602 / 999SW000H088901R
S-189-A-800 / 189SC000H528201R
HIGHWAY: STATEWIDE FACILITY SITES (NOGALES PRIMARY CONNECTION)
SECTION: (Nogales Port of Entry F.S. #2-52) S.R. 189 State Port
of Entry
ROUTE NO.: State Route 189
ENG. DIST.: T
COUNTY: Santa Cruz
PARCEL: 12-0402

RESOLUTION OF ESTABLISHMENT

MARY E. PETERS, Director, Arizona Department of Transportation, on June 15, 2001, presented and filed with this Transportation Board her written report under Arizona Revised Statutes Section 28-7046, recommending the establishment and acquisition of additional right of way for facility and access improvements to the existing Nogales Port of Entry Facility Site #2-52 as set forth in the above referenced project.

The additional right of way to be established and acquired for this improvement 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, N-810-602 / 999SW000H088901R, S-189-A-800 / 189SC000H528201R Highway, Project STATEWIDE FACILITY SITES (NOGALES PRIMARY CONNECTION)."

WHEREAS establishment and acquisition of the additional right of way is necessary for this improvement; and

WHEREAS because of these premises, this Board finds public safety, necessity and convenience require the recommended establishment and acquisition of the additional land needed for this improvement; therefore, be it

RESOLVED that the recommendation of the Director is adopted and made part of this resolution; be it further

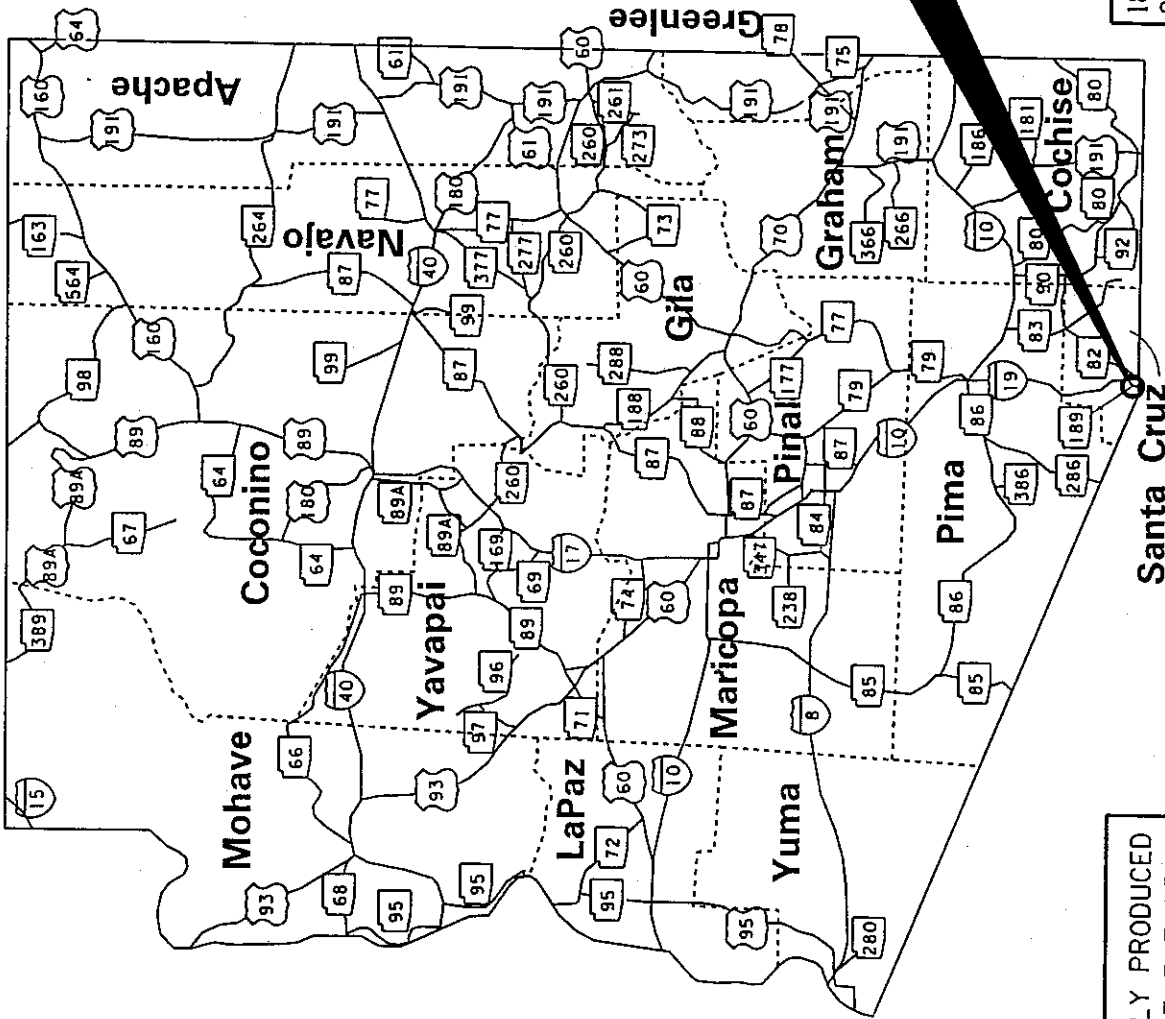
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RESOLVED that area depicted in Appendix "A" is hereby designated as part of the Nogales Port of Entry Facility Site #2-52; be it further

RESOLVED that the Director is hereby authorized to acquire by lawful means, including exchanges, in accordance with Arizona Revised Statutes Section 28-7092, an estate in fee, 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

RESOLVED that the Director secure an appraisal of the property to be acquired and that necessary parties be compensated. 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

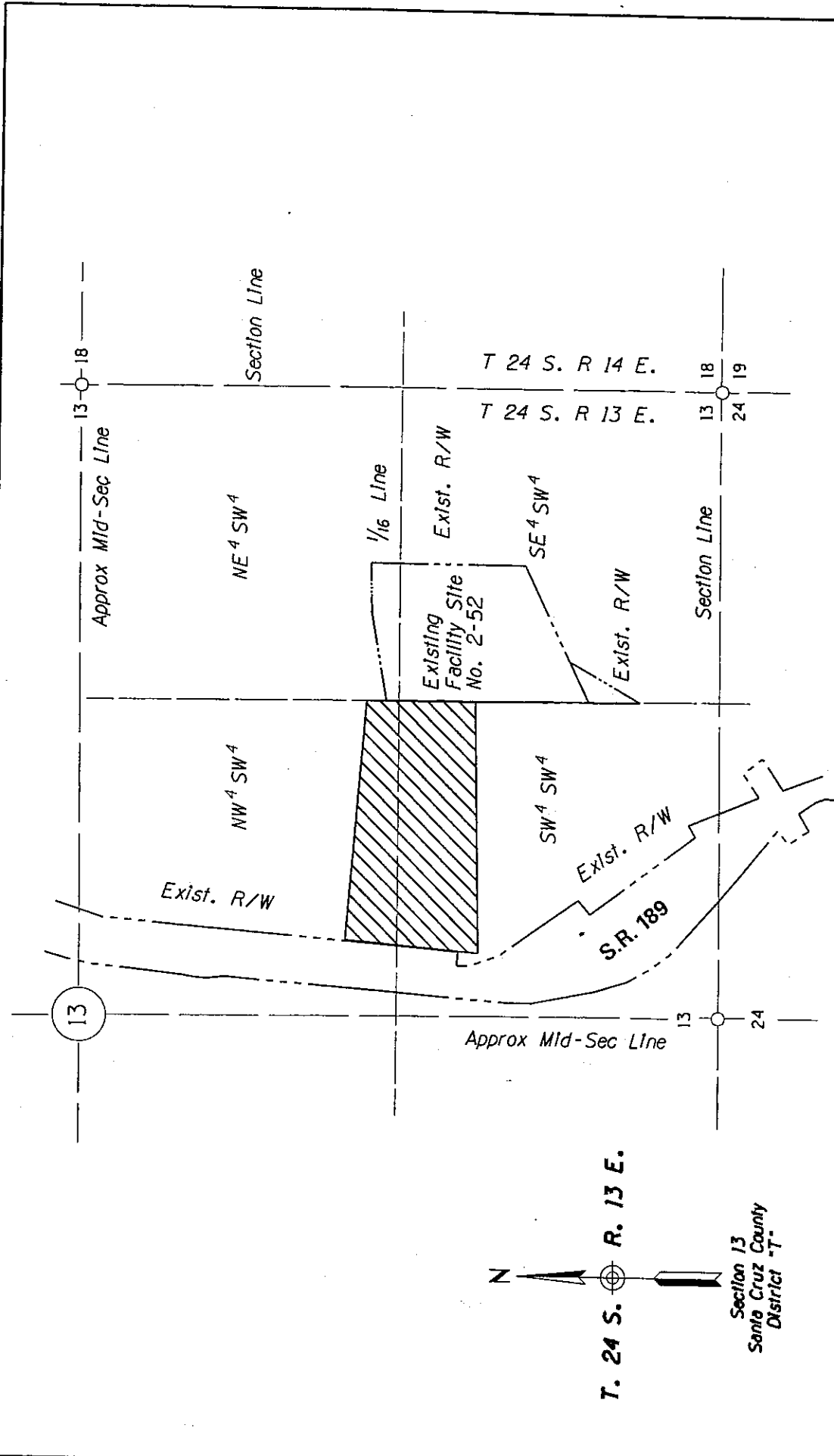
189 SC 000 H5282 OIR / S-189-A-800
999 SW 000 H0889 OIR / N-810-602
Statewide Facility Sites
NOGALES PRIMARY CONNECTION SR 189
Nogales Port of Entry F.S. #2-52
Santa Cruz County

APPENDIX "A"

THIS PLAT WAS DIGITALLY PRODUCED
FROM ARIZONA DEPARTMENT OF
TRANSPORTATION
GENERAL HIGHWAY MAP


RIGHT OF WAY PLANS SECTION
REVISED MAY 17, 2000

DATE: JUNE 15, 2001 SHEET: 1 OF 2



189 SC 000 H5282 OIR / S-189-A-800
 999 SW 000 H0889 OIR / N-810-602
 SATEWIDE FACILITY SITES
 NOGALES PRIMARY CONNECTION SR 189
 Nogales Port of Entry F.S. #2-52
 Santa Cruz County

DATE: JUNE 15, 2001 SHEET: 2 OF 2

AREA OF

 ESTABLISHMENT

APPENDIX "A"

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RIGHT OF WAY PLANS SECTION
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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 and the acquisition of additional right of way for the existing Nogales Port of Entry Facility Site #2-52 within the above referenced project.

It is now necessary to establish and acquire additional area for said facility site for improvements thereof, including a new access road between the inspection facility and S.R. 189. Accordingly, it is necessary to establish and acquire the additional right of way for this project.

The additional right of way to be established and acquired for this improvement 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, N-810-602 / 999SW000H088901R, S-189-A-800 / 189SC000H528201R Highway, Project STATEWIDE FACILITY SITES (NOGALES PRIMARY CONNECTION)."

In the interest of public safety, necessity and convenience, I recommend that the area depicted in Appendix "A" be established and improved as an addition to the existing Nogales Port of Entry Facility Site #2-52.

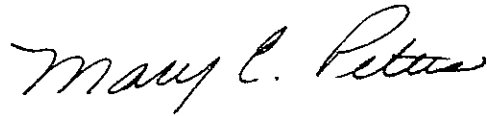
I further recommend the acquisition of the new right of way, material for construction, haul roads and various easements necessary for or incidental to the improvement.

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Pursuant to Arizona Revised Statutes Section 28-7046, I recommend the adoption of a resolution making this recommendation effective.

Respectfully submitted,



MARY E. PETERS, Director
Arizona Department of Transportation

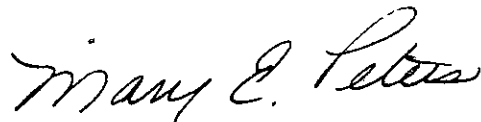
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CERTIFICATION

I, MARY E. PETERS, 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 June 15, 2001.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on June 15, 2001.



MARY E. PETERS, Director
Arizona Department of Transportation