

JULY 13, 2001

RES. NO. 2001-07-A-048
PROJECT: S-085-B-700/085MA120H567501R
S-085-B-701/085MA138H567502R
S-085-B-702/085MA149H567503R
HIGHWAY: GILA BEND - BUCKEYE
SECTION: Gila Bend - Lewis Prison
Lewis Prison - Gila River
Gila River - Jct. I-10
ROUTE NO.: State Route 85
ENG. DIST.: M & Y
COUNTY: Maricopa

RESOLUTION OF ESTABLISHMENT

MARY E. PETERS, Director, Arizona Department of Transportation, on July 13, 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 the improvement of a portion of State Route 85 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 "Initial Design Concept Report, GILA BEND - BUCKEYE, Highway, Project S-085-B-700/085MA120H567501R S-085-B-701/085MA138H567502R S-085-B-702/085MA149H567503R, dated June 2000."

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 and that access to the highway shall be controlled as delineated on the maps and plans; therefore, be it

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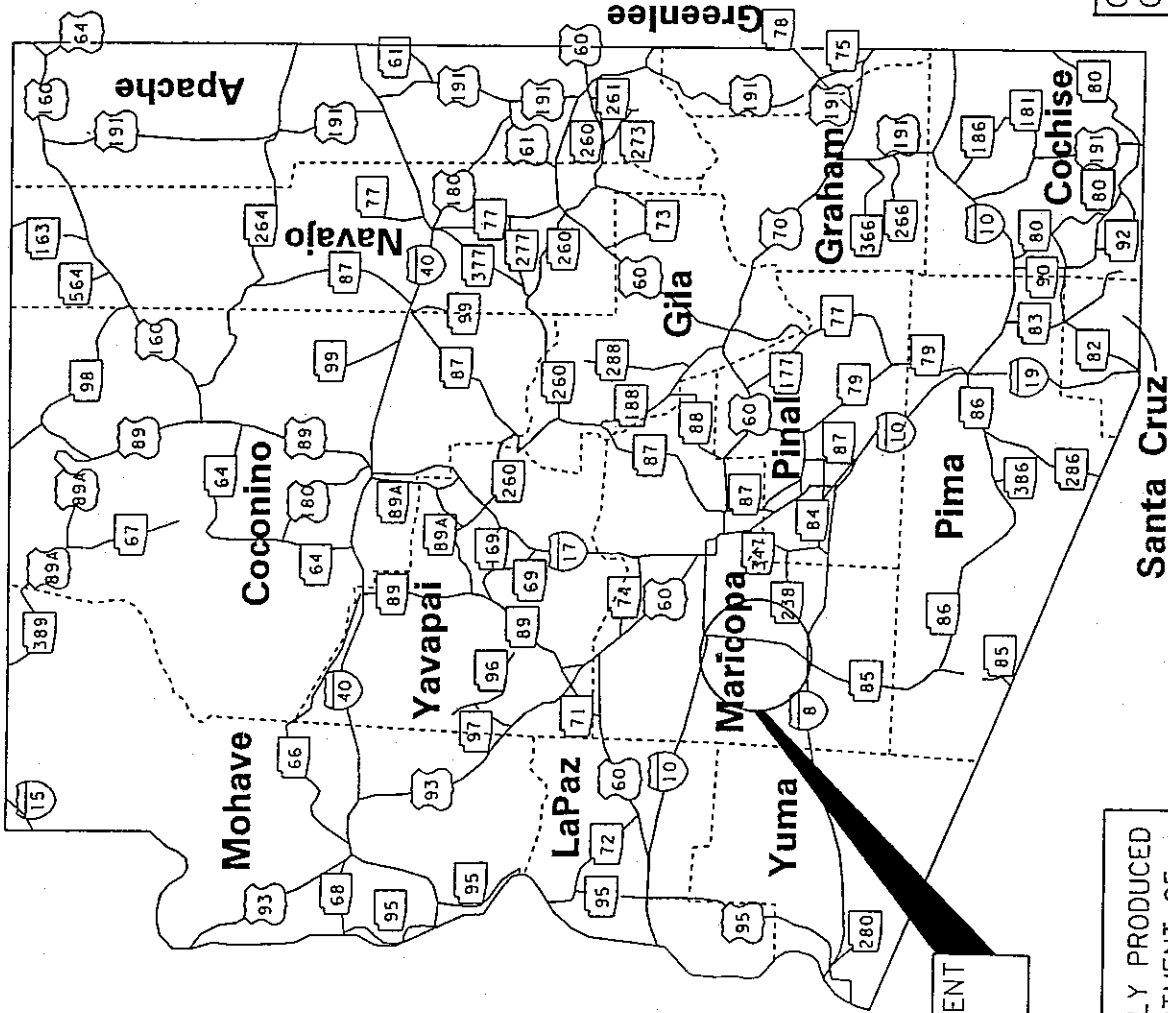
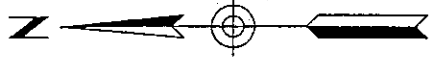
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RESOLVED that the recommendation of the Director is adopted and made part of this resolution; be it further

RESOLVED that the additional areas of right of way as set forth in Appendix "A" are designated a controlled access state route and state highway, and ingress and egress to and from the highway and to and from abutting, adjacent, or other lands be denied, controlled, or regulated as indicated by the 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, 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.



085 MA 120 H5675 01R/S-085-B-700
 085 MA 138 H5675 02R/S-085-B-701
 085 MA 149 H5675 03R/S-085-B-702
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DATE: JULY 13, 2001 SHEET: 1 OF 2

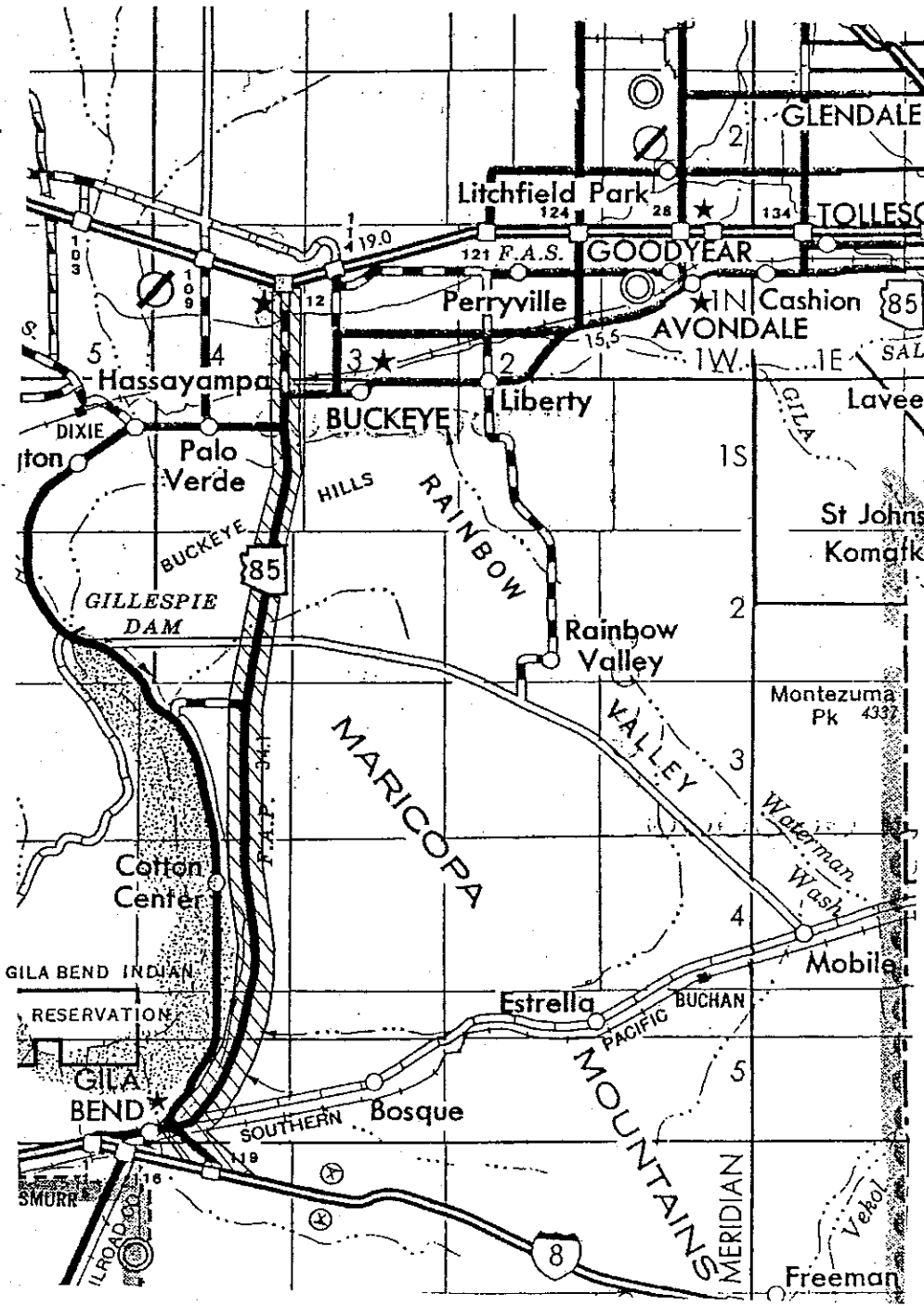
APPENDIX "A"

AREA OF ESTABLISHMENT
 SEE SHEET 2 OF 2
 FOR DETAILS

THIS PLAT WAS DIGITALLY PRODUCED
 FROM ARIZONA DEPARTMENT OF
 TRANSPORTATION
 GENERAL HIGHWAY MAP
 RIGHT OF WAY PLANS SECTION
 REVISED MAY 17, 2000

R. 5 W. R. 4 W. R. 3 W. R. 2 W. R. 1 W.

T. 2 N.
T. 1 N.
T. 1 S.
T. 2 S.
T. 3 S.
T. 4 S.
T. 5 S.
T. 6 S.



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AREA OF
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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 and improvement of a portion of State Route 85 within the above referenced project.

This portion was previously established as a state route and a state highway designated U.S. Route 80 by Arizona Highway Commission Resolution dated September 9, 1927, page 26 of the Official Minutes; various Resolutions established additional right of way for improvements thereof; thereafter Arizona Transportation Board Resolution 77-16-A-48, dated September 16, 1977, redesignated and renumbered U.S. Route 80 to State Route 85, Resolution 78-17-A-58, dated October 20, 1978, redesignated a portion of State Route 85 to State Route 85 Spur; and Resolution 94-11-A-63, dated November 18, 1994 redesignated State Route 85 Spur to State Route 85.

Additional right of way is now needed to construct a four lane divided highway to increase the safety of the traveling public. Accordingly, it is necessary to establish and acquire the additional right of way for this improvement.

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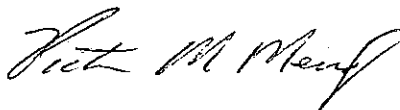
The additional right of way to be established and acquired for this improvement is depicted in Appendix "A" and delineated on maps and plans on file in the office of the State Engineer, Intermodal Transportation Division, Phoenix, Arizona, entitled "Initial Design Concept Report, GILA BEND - BUCKEYE Highway, Project S-085-B-700/085MA120H567501R S-085-B-701/085MA138H567502R S-085-B-702/085MA149H567503R, dated June 2000."

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

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.

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

Respectfully submitted,



for MARY E. PETERS, Director
Arizona Department of Transportation

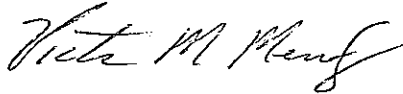
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CERTIFICATION

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 July 13, 2001.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on July 13, 2001.



for MARY E. PETERS, Director
Arizona Department of Transportation