

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

APRIL 15, 2005

RES. NO. 2005-04-A-028
PROJECT: S-085-B-701 / 085MA138H567502R
HIGHWAY: GILA BEND - BUCKEYE
SECTION: Lewis Prison - Gila River
ROUTE NO.: State Route 85
ENG. DIST.: Yuma
COUNTY: Maricopa

RESOLUTION OF ESTABLISHMENT

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on April 15, 2005, presented and filed with this Transportation Board his 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 "Right of Way Plans, GILA BEND - BUCKEYE, Highway, Project S-085-B-701 / 085MA138H567502R."

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

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

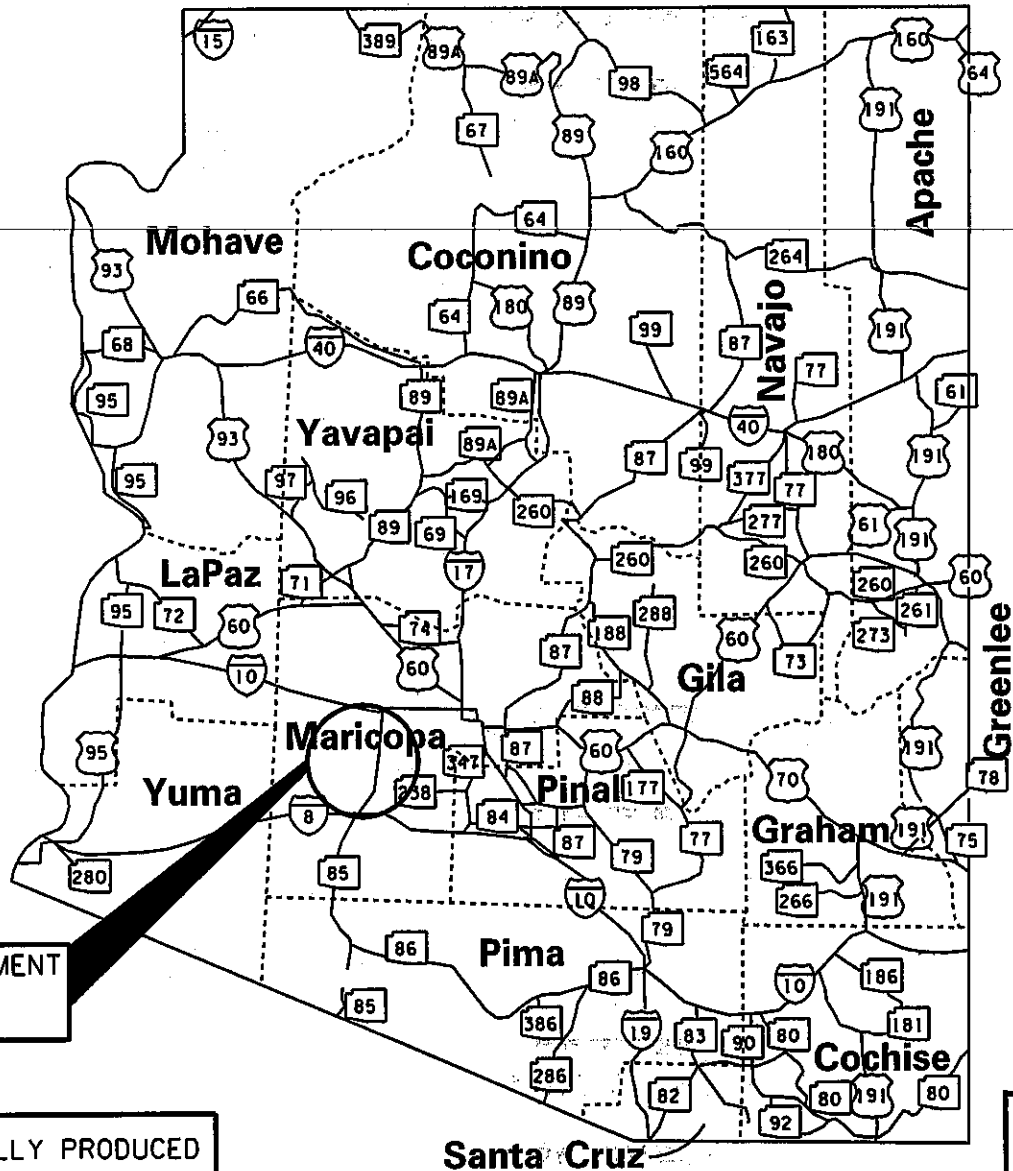
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RESOLVED that the additional areas of right of way as set forth in Appendix "A" are designated a controlled access state route and state highway, and ingress and egress to and from the highway and to and from abutting, adjacent, or other lands be denied,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



AREA OF ESTABLISHMENT
SEE SHEET 2 OF 2
FOR DETAILS

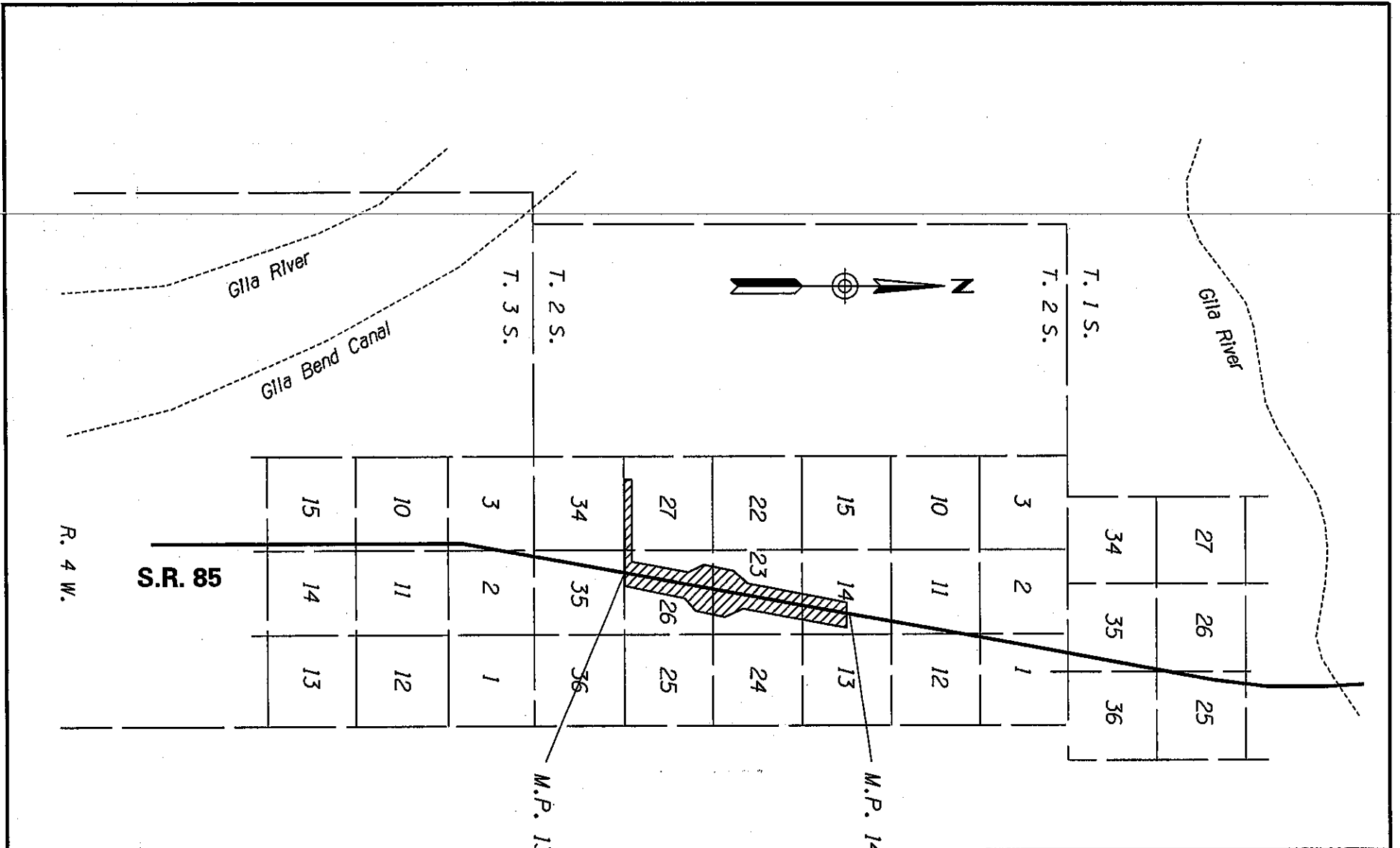
THIS PLAT WAS DIGITALLY PRODUCED
FROM ARIZONA DEPARTMENT OF
TRANSPORTATION
GENERAL HIGHWAY MAP

RIGHT OF WAY PLANS SECTION
REVISED MAY 17, 2000

APPENDIX "A"

085 MA 138 H5675 02R / S 085-B-701
GILA BEND - BUCKEYE HIGHWAY
Lewis Prison - Gila River
Maricopa County

DATE: APRIL 15, 2005 SHEET: 1 OF 2



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 GENERAL HIGHWAY MAP

RIGHT OF WAY PLANS SECTION
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AREA OF 
 ESTABLISHMENT

APPENDIX "A"

085 MA 138 H5675 02R / S 085-B-701
 GILA BEND - BUCKEYE HIGHWAY
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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 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; Resolution 94-11-A-63, dated November 18, 1994, redesignated State Route 85 Spur to State Route 85; Resolution 01-07-A-048, dated July 13, 2001, established additional right of way as an access controlled state route and state highway; and Resolution 04-03-A-012, dated March 19, 2004, established additional right of way due to design changes thereof.

Due to design changes, additional right of way is now needed. Accordingly, it is necessary to establish and acquire the additional right of way for this improvement.

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, GILA BEND - BUCKEYE Highway, Project S-085-B-701 / 085MA138H567502R."

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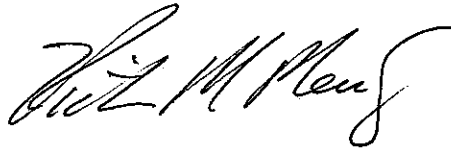
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In the interest of public safety, necessity and convenience, I recommend that the area depicted in Appendix "A" be established and improved as a state route and state highway, and that access be controlled.

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,



VICTOR M. MENDEZ, Director
Arizona Department of Transportation

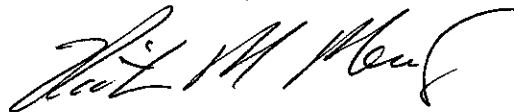
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CERTIFICATION

I, VICTOR M. MENDEZ, 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 April 15, 2005.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on April 15, 2005.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation