

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

July 18, 2008

RES. NO. 2008-07-A-031
PROJECT: S-483-701 / 989PM000H075703R
HIGHWAY: TANGERINE ROAD
SECTION: First Ave. - S.R. 77 (formerly U.S. 89)
ROUTE NO.: State Route 989
ENG. DIST.: Tucson
COUNTY: Pima
PARCEL: 10-859

RESOLUTION OF DISPOSAL

VICTOR M. MENDEZ, Director, Arizona Department of Transportation, on July 18, 2008, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Sections 28-7046 and 28-7214, recommending disposal of a portion of a utility easement from the State Transportation System by vacating and extinguishing thereof.

The portion of utility easement to be disposed 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, TANGERINE ROAD Highway, Project S-483-701 / 989PM000H075703R."

WHEREAS said portion of utility easement is no longer needed for State transportation purposes, nor will it be used for public highway purposes; and

WHEREAS a remaining portion of the utility easement is still needed for State transportation purposes and is to be used for public highway purposes; and

WHEREAS because of these premises, this Board finds public convenience requires that said portion of utility easement be removed from the State Transportation System by vacation and extinguishment; therefore be it

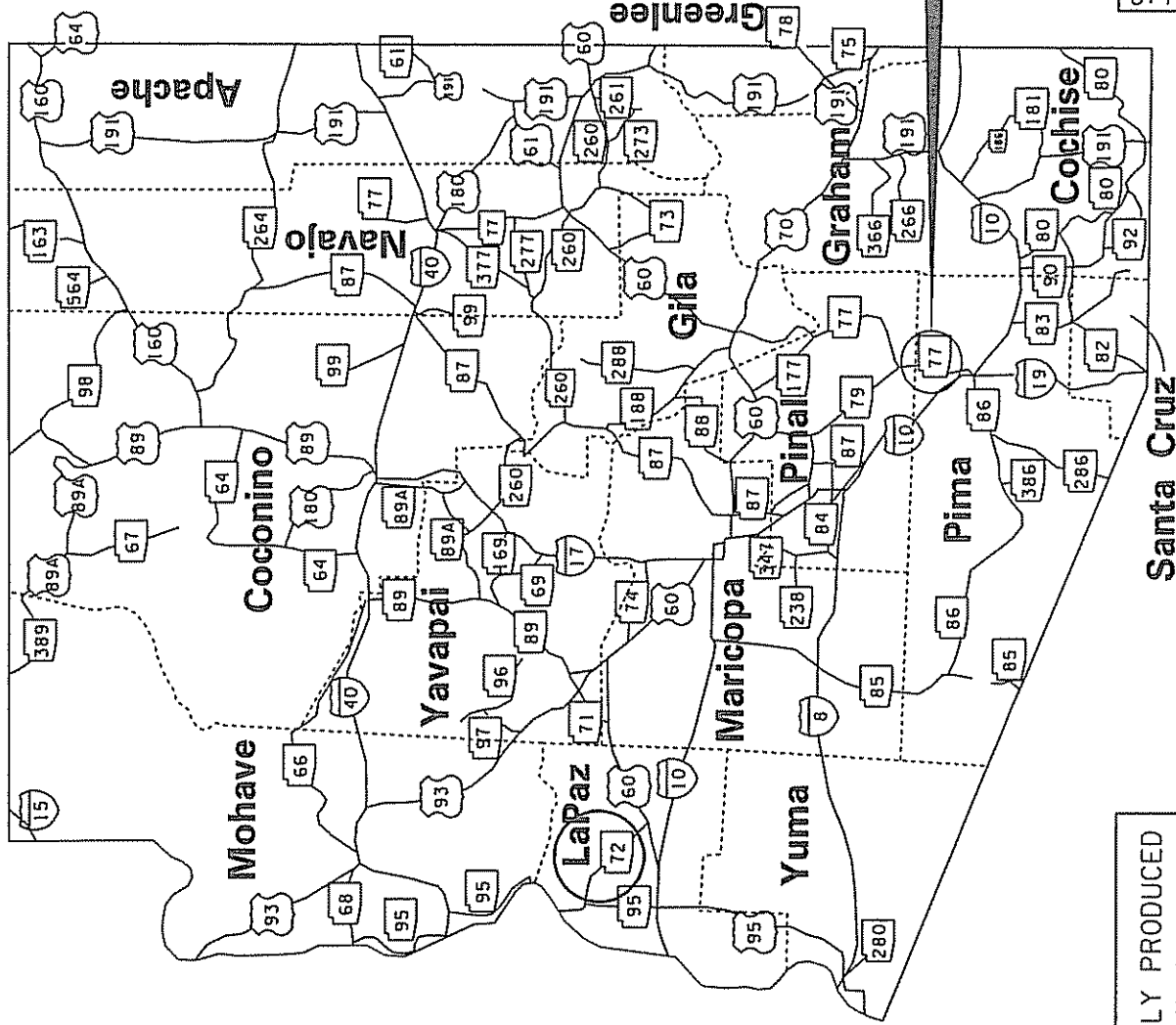
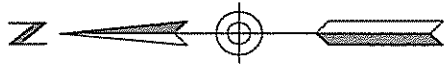
RESOLVED that the recommendation of the Director is adopted and made a part of this resolution; be it further

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RESOLVED that the portion of utility easement no longer needed for State transportation purposes, is removed by vacation and extinguishment from the State Transportation System; be it further

RESOLVED that the remaining portion of the utility easement not being disposed herein shall remain in the State Transportation System for use as such.



AREA OF DISPOSAL
SEE SHEETS 2 & 3
FOR DETAILS

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

989 PM 000 H0757 03R S-483-701
TANGERINE ROAD
First Avenue-S.R. 77 (formerly U.S. 89)
Pima County

RIGHT OF WAY PLANS SECTION
REVISED MAY 17, 2000

APPENDIX "A"

DATE: JULY 18, 2008 SHEET 1 OF 3



Revised May 15, 2008

April 09, 2008

WLB No.185050-VE01-1003

W:\LEGALS\185050\NH04\OVMILOT 17 RELEASE EASEMENT.DOC

**LEGAL DESCRIPTION
ORO VALLEY MARKETPLACE
BOOK 62 M&P, PAGE 19
RELEASE OF A PORTION OF THE UTILITY EASEMENT
(RECORDED IN DOCKET 9240 PAGE 336)**

The Southwesterly 10.00 feet of the Northeasterly 40.00 feet, of that certain Utility Easement recorded in the Office of the Pima County Recorder in Docket 9240, Page 336, being parallel and perpendicular to Oracle Road and lying within portions of Lot 17 and Common Area A, as shown on the plat of Oro Valley Marketplace, Lots 1 thru 29, and Common Areas A (Open Space), B (Private Streets), and D (Public Open Space/Park), recorded in Book 62 Maps and Plats, Page 19, within Section 32, Township 11 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona described as follows:

COMMENCING at the angle point on the South right-of-way line of Tangerine Road/Oracle Road at Station 809+88.08 as shown on Sheet 5 of ADOT S.R. 989 Tangerine Road Right-of-Way Plan No. S-483-701, said point being a found ADOT ROW Disk;

THENCE S 51°31'14" E (plat bearing), along the Southwesterly right-of-way line of said Tangerine Road/Oracle Road a distance of 318.75 feet;

THENCE S 38°28'46" W, 30.00 feet to a point on a line being 10 foot Northeasterly of and parallel with the Southwesterly line of said 40.00 feet wide easement, being the **POINT OF BEGINNING**;

THENCE S 51°31'14" E, along said parallel line a distance of 49.00 feet;

THENCE S 00°00'15" W, 12.77 feet to a point on the Southwesterly line of said 40.00 feet easement;

THENCE N 51°31'14" W, along said easement line a distance of 56.95 feet;

THENCE N 38°28'46" E, 10.00 feet to the **POINT OF BEGINNING**.

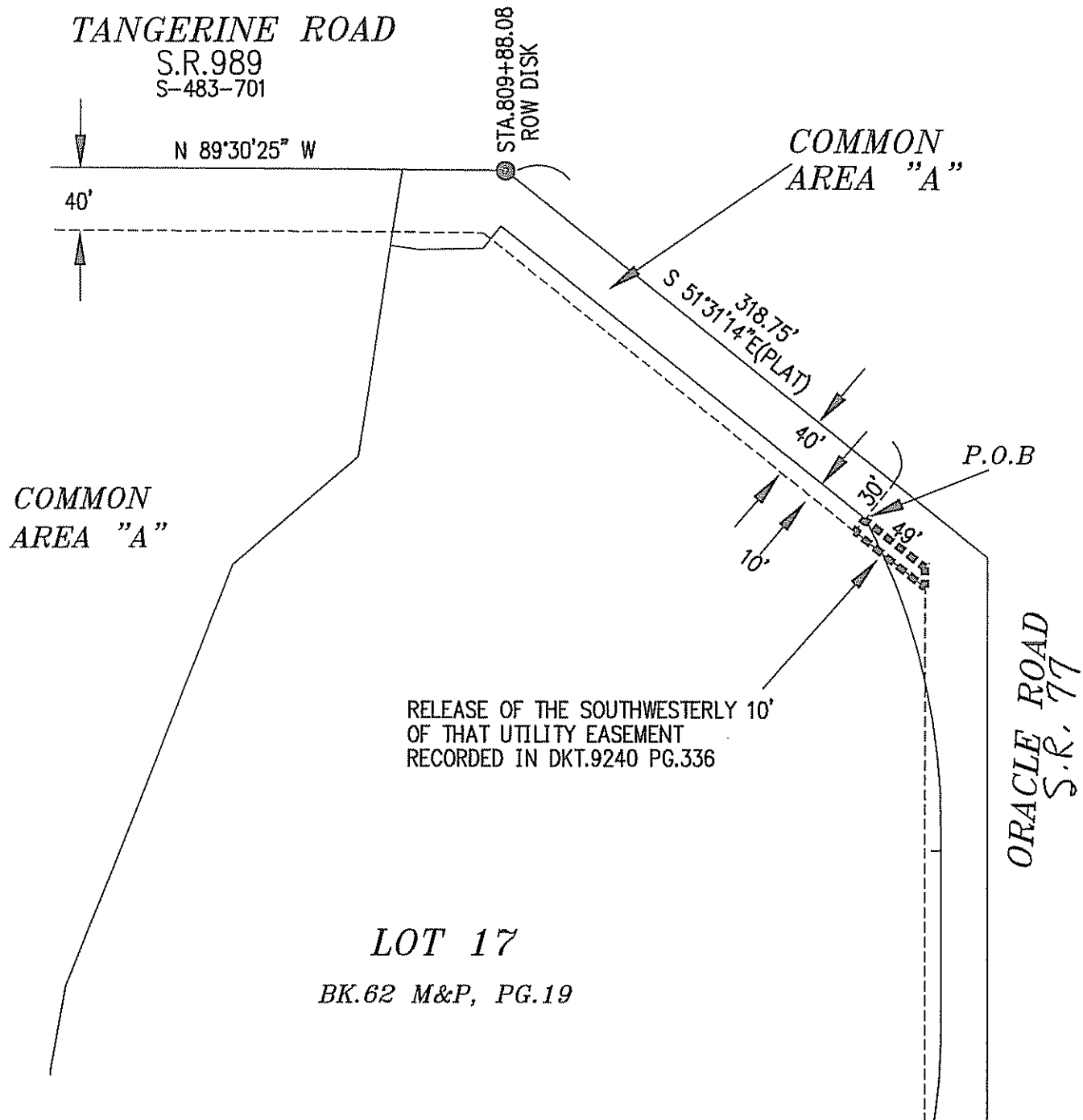
As shown in Exhibit "A".

Prepared by:
THE WLB GROUP, INC.

Jack A. Buchanan
JAB: mo



EXPIRES 3/31/2011
(INDICATES RENEWAL DATE)



RELEASE OF THE SOUTHWESTERLY 10'
OF THAT UTILITY EASEMENT
RECORDED IN DKT.9240 PG.336

LOT 17
BK.62 M&P, PG.19

Sheet 3 of 3
Exhibit "A"

**RELEASE OF THE SOUTHWESTERLY 10 FEET
OF THE UTILITY EASEMENT RECORDED IN DKT.9240, PG.336**

ORO VALLEY MARKETPLACE
SECTION 32, T. 11 S., R. 14 E., G.&S.R.M.,
PIMA COUNTY, ARIZONA

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REPORT AND RECOMMENDATION

TO THE HONORABLE ARIZONA TRANSPORTATION BOARD:

The Intermodal Transportation Division has made a thorough investigation concerning the disposal of a portion of a utility easement originally acquired for use within the above referenced project.

This portion of State Route 989, Tangerine Road, was previously established as a Preliminary Transportation Corridor by Arizona Transportation Board Resolution 86-01-A-10 dated January 20, 1986. Various Resolutions established additional right of way for improvements thereof. Thereafter, Resolution 91-09-A-73 dated September 20, 1991 established this portion of the State Route Corridor of Tangerine Road as a state highway.

Said portion of utility easement is no longer required in the State Transportation System, nor will it be used for public highway purposes. Accordingly, I recommend that said portion of utility easement be removed from the State Transportation System by vacation and extinguishment thereof.

The portion of utility easement to be vacated and extinguished was acquired by instrument recorded March 5, 1992 in Docket 9240, page 336, Pima County Records, and 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, TANGERINE ROAD Highway, Project S-483-701 / 989PM000H075703R."

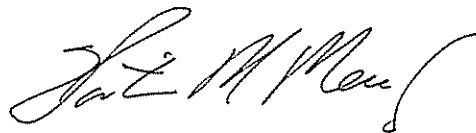
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All other rights of way, easements and appurtenances thereto, subject to the provisions of Arizona Revised Statutes Section 28-7210, shall continue as they existed prior to the disposal of the portion of utility easement depicted in Appendix "A".

Pursuant to Arizona Revised Statutes Sections 28-7046 and 28-7214, I recommend the adoption of a resolution making this recommendation effective.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Victor M. Mendez", written in a cursive style.

VICTOR M. MENDEZ, Director
Arizona Department of Transportation

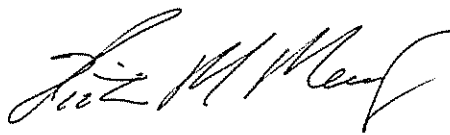
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CERTIFICATION

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 July 18, 2008.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on July 18, 2008.



VICTOR M. MENDEZ, Director
Arizona Department of Transportation

APPROVED

Attorney General
of Arizona
Department of Transportation