



Infrastructure Delivery and Operations

Our True North: *Safely Home*

Douglas A. Ducey, Governor

John S. Halikowski, Director

Dallas Hammit, Deputy Director for Transportation

Steve Boschen, Division Director

July 12, 2021

Federal Highway Administration, Arizona Division

4000 North Central Avenue, Suite 1500, Mail Drop 005–R, Phoenix, Arizona 85012–3500

Attn.: Karla Petty, Division Administrator

RE: Approval for Relinquishment and Reassignment of Rights of Way
PROJECTS: 060 PN 212 H4662 01R / U 060–C–800; and 060 PN 222 H7900 / 060–D(208)T
HIGHWAY: PHOENIX – GLOBE
SECTIONS: Florence Jct. – Superior; and Silver King Section & Superior Streets
ROUTE NO.: U. S. Route 60
ENG. DIST.: Southeast
COUNTY: Pinal
DISPOSAL: D – SE – 011-C

Dear Ms. Petty,

The Arizona Department of Transportation seeks your approval and assistance with the relinquishment of right of way acquired from the Tonto National Forest that is no longer needed for the State Transportation System. The areas of relinquishment lie south of and adjacent to the newly constructed alignment of U. S. Route 60 in the vicinity of the Boyce Thompson Arboretum in Pinal County. Additionally, the realignment of this segment of the highway has created the need for a portion of the area now to be relinquished to be repurposed for the construction of a new entrance to the Arboretum. It is desired that this portion of the relinquishment area be reassigned to Pinal County for a continued public transportation purpose. Please refer to the attached Exhibit “A”, depicting the right of way areas to be relinquished, shaded either in yellow or green. See also Exhibit “B”, which provides an aerial view and depicts the location of the portion of new right of way used for the reconfiguration of the entrance of the Boyce Thompson Arboretum, which is shaded in yellow – also being the area shaded green on said Exhibit “A”. It is requested that the County of Pinal be granted this right of way through a Highway Easement Deed; and that Amended Highway Easement Deeds be issued to ADOT for the portions remaining in the State Transportation System.

To be in compliance with the FHWA General Requirements for relinquishment of right of way under the provisions of Title 23, United States Code (U.S.C.); and the current Four-Agency Memorandum of Understanding, I submit the following facts:

- 1.) With reference to Exhibits “A” and “B”, the portion of right of way lying within Section 1, Township 2 South, Range 11 East was established as a state highway by Resolution 2005–12–A–064, dated December 16, 2005. The portion lying within Section 5, Township 2 South, Range 12 East was established as a controlled access state route and state highway by Resolution 2014–11–A–044, dated November 14, 2014; and Resolution 2015–02–A–013, dated February 20, 2015.
- 2.) Two Highway Easement Deeds were executed for the State’s acquisition of these rights of way. The portion of ADOT Parcel 11–0597 lying within Section 1, Township 2 South, Range 11 East was acquired in the HED dated December 17, 2013, recorded February 25, 2014, in Document No. 2014-010735, records of Pinal County, Arizona. The portion of ADOT Parcel 11–0915, lying within Section 5, Township 2 South, Range 12 East was acquired in the HED, dated December 19, 2014, recorded January 28, 2015, in Document No. 2015-005304, records of Pinal County, Arizona.



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- 3.) Participating Federal-Aid Funds were utilized for both acquisition and construction in both Project 060 PN 212 H4662 01R / U 060–C–800; and Project 060 PN 222 H7900 / 060–D(208)S.
- 4.) Reversionary rights do not apply in this instance, since the right of way can only be relinquished to the Tonto National Forest. This matter is addressed throughout the standardized language contained in the State Transportation Board Resolution of Relinquishment, which also includes references to Codes of Federal Regulations 23CFR § 620, Subpart B; and 23CFR § 710, Subpart D.
- 5.) The right of way depicted on the attached Exhibits “A” and “B” will be removed from the State Highway System and placed under the jurisdiction of the U. S. D. A. National Forest Service; subject to the retention of existing adjacent access control and any other currently existing facilities and structures of the State Transportation System, if any. The Resolution of Relinquishment will include the reservation of a perpetual easement for ingress, egress and maintenance of said facilities and structures, if any.
- 6.) This right of way is not needed for the State Transportation System. It can be more efficiently managed and maintained by the Forest Service, and the County of Pinal.
- 7.) This relinquishment does not involve any change to existing access control lines.
- 8.) The lands to be relinquished are suitable for retention in order to restore, preserve, or improve the scenic beauty adjacent to the highway. They have been, or will be, reclaimed to their natural state.
- 9.) The State will not be reimbursed for the relinquishment of this right of way. Therefore, no credit is due to any Federal Funds.
- 10.) In accordance with Instructional Memorandum 80-2-68, it is herewith noted that the subject lands will not be suitable for use as public parks, recreational lands, wildlife or waterfowl refuges, and/or historical sites.

Please feel free to contact me if you have any questions or concerns. We thank you for your consideration of this matter.

Sincerely,

J. Byron Hopkins, Right of Way Group Titles Liaison, Resolution / Disposal Unit Email: bhopkins@azdot.gov
/ Phone: 602.712.6946 / Fax: 602.712.8756

Enclosures (6)

Cc: Alan R. Hansen, FHWA PEARC Team Leader
William Harmon, ADOT Southeast District Engineer
Kurtis Harris, ADOT Assistant Southeast District Engineer, West Sector
Jeffrey Minefee, ADOT Southeast District Permits Supervisor, West Sector
Debra Carter, ADOT Right of Way Group Project Coordinator
Paula Gibson, ADOT Right of Way Group Senior Administrator

FHWA Concurrence by: _____, Realty Officer, dated 7/13/2021

Alan R. Hansen, FHWA PEARC Team Leader