

State of Arizona
House of Representatives
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 229

HOUSE BILL 2227

AN ACT

AMENDING SECTIONS 28-7208 AND 28-7215, ARIZONA REVISED STATUTES; RELATING TO DISPOSITION OF PUBLIC ROADWAYS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-7208, Arizona Revised Statutes, is amended to
3 read:

4 28-7208. Consideration required

5 Notwithstanding any other law, EXCEPT AS PROVIDED IN SECTION 28-7215,
6 vesting of title pursuant to sections 28-7205, 28-7206 and 28-7207 is subject
7 to the giving of consideration from the owner of the abutting property to the
8 governing body in an amount deemed by the governing body to be commensurate
9 with the value of the abandoned roadway. The governing body shall give due
10 consideration to its degree of fragmentation and marketability and any other
11 public benefit received by the governing body in return for the abandoned
12 roadway in determining the amount of consideration.

13 Sec. 2. Section 28-7215, Arizona Revised Statutes, is amended to read:

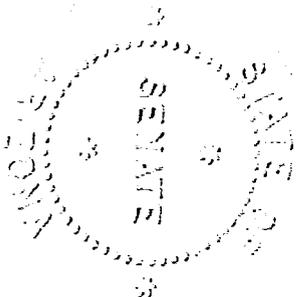
14 28-7215. Public road access; vacating public roadway without
15 compensation

16 A. A roadway shall not be vacated if any land adjoining the roadway
17 is left without an established A public road OR PRIVATE LEGAL ACCESS
18 connecting the land with another AN established public roadway, unless there
19 is expressly reserved in the conveying instrument the roadway rights of
20 ingress and egress for public or emergency vehicles, all property owners,
21 property owner guests and invitees and persons lawfully conducting business
22 on the land.

23 B. IF A GOVERNING BODY DETERMINES THAT A PUBLIC ROADWAY HAS NO PUBLIC
24 USE OR NO MARKET VALUE, THE GOVERNING BODY MAY VACATE THE PUBLIC ROADWAY
25 WITHOUT COMPENSATION TO THE GOVERNING BODY IF THE PERSON TAKING THE PUBLIC
26 ROADWAY AGREES TO ASSUME THE COSTS OF MAINTAINING THE PUBLIC ROADWAY AND THE
27 LIABILITY FOR THE PUBLIC ROADWAY.

THIS BILL HAVING REMAINED WITH THE GOVERNOR FIVE DAYS, SUNDAYS EXCLUDED,
AND THE LEGISLATURE BEING IN SESSION, IT HAS BECOME A LAW THIS 15, DAY
OF MAY 2002.

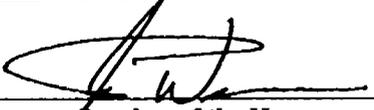
FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 20, 2002.



Passed the House April 2, 2002,

by the following vote: 52 Ayes,

1 Nays, 7 Not Voting

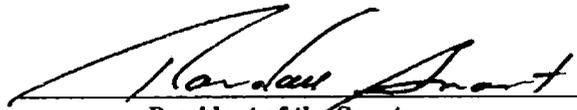

Speaker of the House

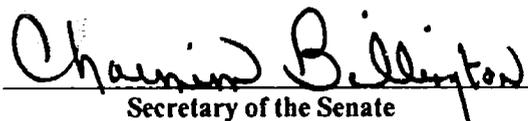

Chief Clerk of the House

Passed the Senate April 25, 2002,

by the following vote: 18 Ayes,

11 Nays, 1 Not Voting


President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

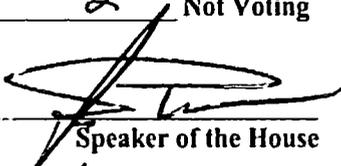
H.B. 2227

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

May 15, 2002,

by the following vote: 57 Ayes,

1 Nays, 2 Not Voting


Speaker of the House

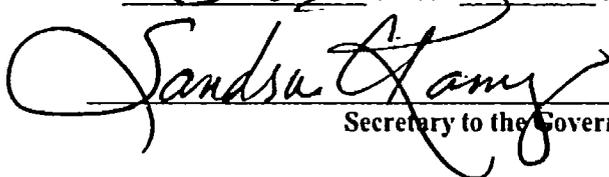

Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

15 day of May, 2002

at 3:00 o'clock P M.


Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

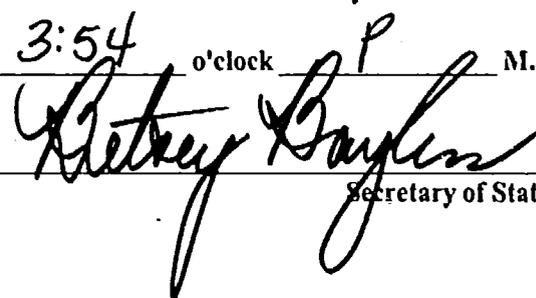
H.B. 2227

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 20 day of May, 2002

at 3:54 o'clock P M.


Secretary of State