



Founded 1912 ★ Incorporated 1957

PRESS RELEASE

FOR IMMEDIATE RELEASE

Contact: Gayle Mabery, Town Manager
Address: 39 N. Ninth Street, Clarkdale, AZ
Phone: (928) 639-2400
Fax: (928) 639-2409
Email: Gayle.Mabery@clarkdale.az.gov
URL: www.clarkdale.az.us

Town of Clarkdale Investigating Legal Status of a Portion of Old Jerome Highway

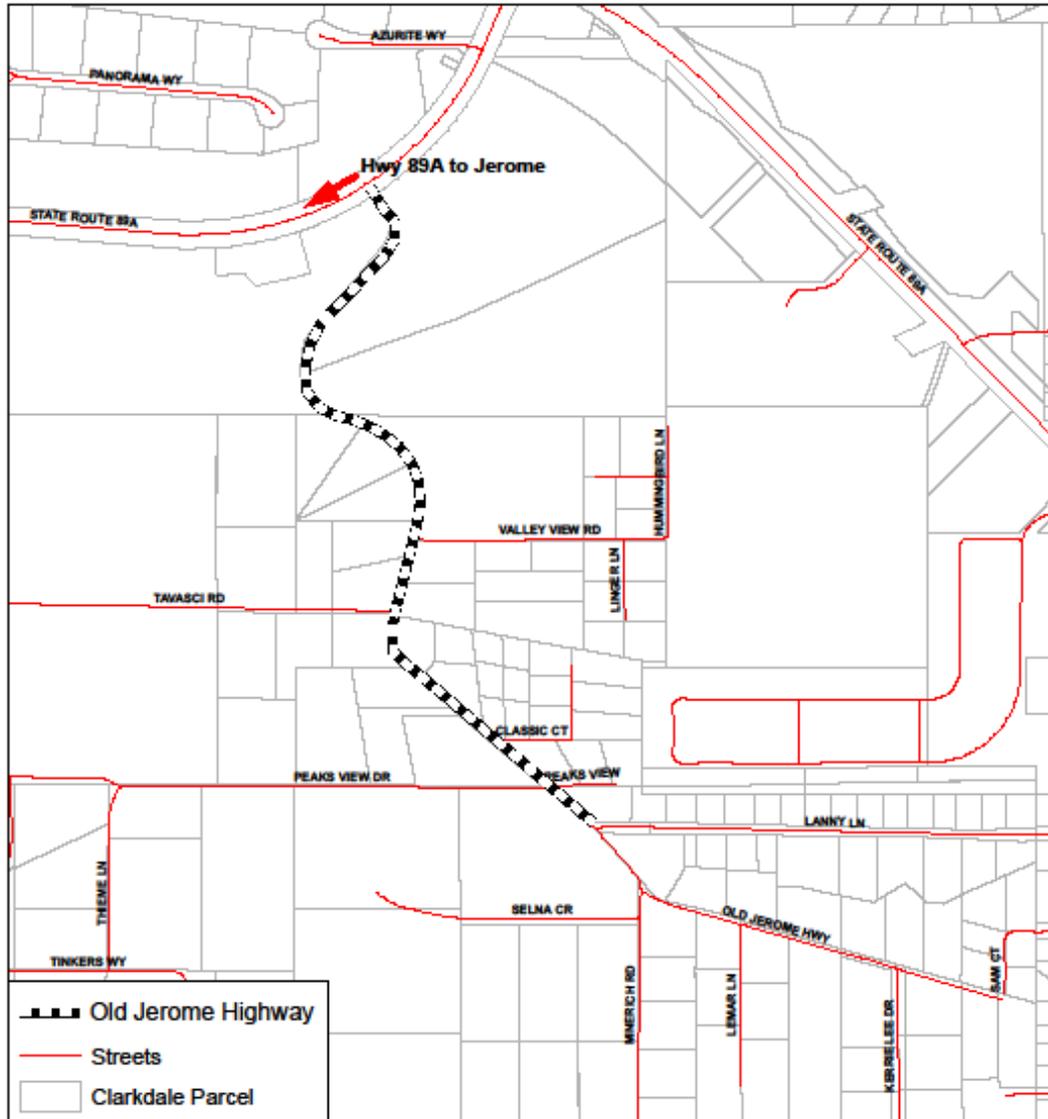
*Clarkdale, Arizona – February 25, 2009 - North End of Old Jerome Highway
Determined to be “Public” Road, but Not Dedicated*

As a result of requests from Clarkdale citizens who reside along the north end of Old Jerome Highway, the Town of Clarkdale recently sought a legal determination as to its rights and responsibilities regarding maintenance and law enforcement activities on the portion of Old Jerome Highway shown on the attached map.

This particular section of Old Jerome Highway has never been legally dedicated to the Town of Clarkdale. Unlike a dedicated road, the Town of Clarkdale does not own the land where the road is located. The property owners in the area actually own all the property that the road lies on. In typical cases, this would result in a private road status, in which case the Town of Clarkdale is prohibited from using public funds for improving the road.

However, after research by Town Attorney Robert S. Pecharich of Boyle, Pecharich, Cline, Whittington and Stallings, the Town has determined that, while Old Jerome Highway has never been dedicated or accepted by the Town, it does meet statutory definitions as a “public” road. This designation allows the Town to legally expend public funds for improvements and maintenance of the road. The fact that Old Jerome Highway has been recognized as a public road since at least 1913, and that it was maintained for at least ten years by Yavapai County prior to 1960, leads to its designation as a public road under Arizona law.

With this new understanding, the Town of Clarkdale has the option to make improvements to Old Jerome Highway using public funds, but does not have the obligation to maintain it to the same standard as a dedicated road. In the immediate future, the road will be maintained to a level that provides for safe travelling conditions. The public road status also gives the Clarkdale Police Department the jurisdiction to enforce posted speed limits and other non-criminal violations on this portion of the road.



Further questions relating to this matter may be directed to Town Manager Gayle Mabery at (928) 639-2400.