

State of California  
Business, Transportation and Housing Agency  
Department of Transportation

HIGHWAY RIGHT OF WAY MATTERS  
Resolutions of Necessity  
Action Item

Prepared By:  
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CTC Meeting: June 14-15, 2000

Agenda Item: 2.4b.

*Original Signed By Jim Nicholas for*  
W.J. EVANS, Deputy Director  
Finance  
June 1, 2000

### RESOLUTIONS OF NECESSITY

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

The Department of Transportation recommends the California Transportation Commission adopt Resolutions of Necessity C-18117 through C-18121. Discussions have taken place with all the owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

#### C-18117 – Glenna LeFlore, et al.

01-Lak-20-KP50.64/P.M.31.47 – Parcel 10725-1,2,3 – E.A. 376209 (conventional highway) Authorizes condemnation of land in fee for a State highway, two temporary easements for highway construction purposes, located in the city of Clearlake Oaks at 15685 E. Highway 20 in Lake County.

#### C-18118 - MacDonald and Sommer Partnership

04-A1a-238-KP 14.9/15.0 - Parcel 55841-1A,1B,1C,1D,1E - E.A. 233639 (conventional highway) Authorizes condemnation of land in fee for a State highway, two temporary easements for construction purposes, a permanent easement for slope purposes, all of those certain improvements which straddle the right of way line with an easement to enter the remaining ownership to remove such improvements, located in the city of Hayward at 29851-29861 Mission Boulevard.

C-18119 – Daniel Uster, et ux

08-SBd-30-R6.98 – Parcel 17314-1 – E.A. 443259 (freeway) Authorizes condemnation of a temporary easement for construction purposes, the right and easement to enter the remaining ownership to sever and shore certain improvements at the right of way line, located in the city of Rancho Cucamonga at 8499 Hunter Drive.

C-18120 – Amato Real Estate Holdings, L.P.

11-SD-5-K.P. 52.2 – Parcel 31226-1,2 – E.A. 0301U9 (freeway) Authorizes condemnation of a temporary easement for construction purposes, an aerial easement to construct, replace, inspect, maintain, repair, operate or remove an overhead freeway bridge and highway, supporting columns and footings, including any and all appurtenances, extinguishment of abutters' rights of access, the right and easement to enter upon the remaining ownership to sever, shore and remove certain improvements along the right of way line, located in the city of San Diego at 3848 Sorrento Valley Road.

C-18121– Seal Beach Development Ltd.

12-Ora-1-51.1 KP – Parcel 101997-3,4 – E.A. 078009 (conventional highway) Authorizes condemnation of two temporary easements for State highway construction purposes, located in the city of Seal Beach at the Pacific Coast Highway and the Anaheim Bay Bridge.