

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: October 3-4, 2001

Agenda Item: 2.4b.

Original Signed By
MARK LEJA
Acting Chief Financial Officer
October 1, 2001

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-18349 through C-18353 and C-18359 through C-18360 and C-18362 through C-18366. 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-18349 - Richard L. Hewitson, et al.

06-Kin-41-KP 7.1/8.6- Parcel 84179-1,2,3 – EA 393802 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Kings County at the west side of Highway 41, south of Highway 33.

C-18350 - Avenal Land and Oil Company

06-Kin-41-KP 8.50/9.60- Parcel 84181-1,2 – EA 393802 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Kings County at the west side of State Route 41, south of State Route 33.

C-18351 - Avenal Land and Oil Company

06-Kin-41-KP 8.50/9.60- Parcel 84182 – EA 393802 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Kings County at the east side of State Route 41, south of State Route 33.

C-18352 - Patricia Marie Jackson, et al.

06-Kin-41-KP 17.80/18.04- Parcel 84198-1A, 1B – EA 321512 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Kings County at State highway 41, south of Utica Avenue.

C-18353 - William J. Mouren Farming, Inc..

06-Kin-41-KP 18.04/18.70- Parcel 84199 – EA 321512 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Kings County at State highway 41, south of Utica Avenue.

C-18359 - June W. Atkinson

07-LA-405-PM 22.0-26.6- Parcel 76983 – EA 1198U9 (Freeway) Authorizes condemnation of a temporary easement for construction purposes, located in the city of Los Angeles at 7752 Midfield Avenue.

C-18360 - La Tijera United Methodist Church, et al.

07-LA-405-PM 22.0-26.6- Parcel 77007 – EA 1198U9 (Freeway) Authorizes condemnation of a temporary easement for construction purposes, located in the city of Los Angeles at 7400 Osage Avenue.

C-18362 - Daniel L. Plies

08-SBd-15-KP 111.0 - Parcels 18196-1, 2, 3, 4 - EA 355529 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, temporary easements for construction purposes, a permanent easement for pipeline, located in the city of Barstow at Commerce Parkway.

C-18363 - Daniel L. Plies

08-SBd-15-KP 111.0- Parcels 18197-1,2,3,4 – EA 355529 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, temporary easements for construction purposes, a permanent easement for pipeline facilities, located in the city of Barstow at Commerce Parkway.

C-18364 - Kihong Kwon, et ux

08-SBd-15-PM 68.17- Parcel 18208-1 – EA 355529 (Freeway) Authorizes condemnation of a temporary easement for construction purposes, located in the city of Victorville at 15410 La Paz Drive.

C-18365 - Euna A.Runion, Trustee

11-SD-52-KP 25.2- Parcel 27021 – EA 010619 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Santee at 8747 Phillar Way.

C-18366 - J&M International, A California Limited Partnership

11-SD-905-KP 18.7- Parcel 31413 (32230, 32231) – EA 091809 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, located in the city of San Diego at East end of Nicola Tesla Court.