

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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Right of Way
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CTC Meeting: November 1-2, 2000

Agenda Item: 2.4b.

Original Signed By _____
W. J. EVANS, Deputy Director
Finance
October 20, 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-18146 through C-18166. 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 that 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-18146 - Union Pacific Railroad

04-CC-680-PM 24.5 - Parcel 57765-1,2,3 - E.A. 006032 (freeway) Authorizes condemnation of permanent easements for Permanent Access, Utility and Drainage, located in the city of Martinez at Marina Vista Railroad Crossing.

C-18147 - Union Pacific Railroad, et al.

04-CC-680-PM 25.0 - Parcel 57012-1 - E.A. 006032 (freeway) Authorizes condemnation of a permanent easement for construction and maintenance of the Benicia/Martinez Bridge, located in the city of Martinez at Bridgehead Road.

C-18148 - Barrett Block Partners, L.P., a California Limited Partnership

04-SF-80-PM 5.0 - Parcel 55740 - E.A. 0435V1 (freeway) Authorizes condemnation of a temporary easement for access restriction, located in the city of San Francisco at 120-130 Perry Street, 737-743 and 765 Harrison Street, and 425 4th Street.

C-18149 - Union Pacific Railroad, et al.

04-SOL-680-KP R0-4 - Parcel 57342-1, 2 - E.A. 006032 (freeway) Authorizes condemnation of a temporary easement for bridge related construction purposes, a permanent easement for access to Bayshore Road for construction and maintenance of the new Benicia/Martinez Bridge, located in the city of Benicia east of the Highway 680/780 Interchange.

C-18150 - Union Pacific Railroad, et al.

04-SOL-680-KP R0-9 - Parcel 57522 - E.A. 006032 (freeway) Authorizes condemnation of a permanent access easement, located in the city of Benicia at Park Road at Bayshore.

C-18151 - Keiser Holdings, LLC

06-Fre-180-KP 89.0 - Parcel 83518 - E.A. 342329 (freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, the right and easement to enter the remaining ownership to sever and shore certain improvement(s) at the right of way line, located in the city of Fresno at 411 S. West Avenue.

C-18152 - Bradley K. Sparks, et al., Lessee: Fresno Tractor, Inc.

06-Fre-180-KP 89.0 - Parcel 83520 (83520-01-01) - E.A. 342322 (freeway) Authorizes condemnation of land in fee for a State highway, excess land in fee to which the owner has consented, located in the unincorporated area of Fresno at S. West Avenue between W. Whitesbridge Avenue and Nielsen Avenue.

C-18153 - Norma D. Cunnings, Trustee, Lessee: Blair Cunnings

06-Fre-180-KP 89.8 - Parcel 83521 - E.A. 342329 (freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, located in the city of Fresno at 472 S. Teilman Avenue.

C-18154 - Huntington Partners

06-Fre-180-KP 89.8 - Parcel 83526-1,2 - E.A. 342329 (freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, the right and easement to enter the remaining ownership to sever and shore certain improvement(s) at the right of way line, located near the unincorporated area of Fresno at 831 W. Lyman Avenue.

C-18155 - Richard Ritter Smith

06-Fre-180-KP 89.0 - Parcel 84028-1,2 (84028-01-01) - E.A. 342329 (freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, an easement for electrical utility to be conveyed to Pacific Gas and Electric, excess land in fee to which the owner has consented, located in the city of Fresno at 1644 W. Whitesbridge Road.

C-18156 - Naggi M. Saeed

06-Tul-65-KP 49.15 - Parcel 83766-1,2 - E.A. 368009 (conventional highway) Authorizes condemnation of land in fee for a State highway, located near the city of Lindsay at the northwest corner of Route 65 and Spruce Avenue.

C-18157 - Melvin A. Kausen, et al.

06-Tul-65-KP 49.13 - Parcel 83770 - E.A. 368009 (conventional highway) Authorizes condemnation of land in fee for a State highway, located near the city of Lindsay at the southwest corner of Route 65 and Spruce Avenue.

C-18158 - Melvin A. Kausen, et ux

06-Tul-65-KP 49.17 - Parcel 83771 - E.A. 368009 (conventional highway) Authorizes condemnation of land in fee for a State highway, located near the city of Lindsay at the southwest corner of Route 65 and Spruce Avenue.

C-18159 - James E. Holmes, et al.

06-Tul-65-KP 49.30 - Parcel 83772-1,2 - E.A. 368009 (conventional highway) Authorizes condemnation of land in fee for a State highway, located in the city of Lindsay at the northeast corner of Route 65 and Spruce Avenue.

C-18160 - Independent Bankers Trust Company, etc., aka Lewis Estate, a Partnership, et al.

07-Ven-101-KP 22.6 - Parcel 75828 - E.A. 104959 (freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Camarillo at 2433 Ventura Boulevard.

C-18161 - KL Equities, LLC, et al.

07-Ven-101-KP 22.6 - Parcel 75831-1,2 - E.A. 104959 (freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Camarillo at 2475 Ventura Boulevard.

C-18162 - Tom Petrucci, et al.

07-Ven-101-KP 22.6 - Parcel 75804-1,2 - E.A. 104959 (freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Camarillo at 2501 and 2503 Ventura Boulevard.

C-18163 - Charles L. Richards, et al.

08-SBd-15-PM 72.0 - Parcel 18056-1,2 - E.A. 496309 (freeway) Authorizes condemnation of two temporary easements for construction purposes, located in the city of Barstow near the north side of W. Main Street, east of 2191 W. Main Street.

C-18164 - Alexander N. Jack and Virgene S. Jack, Trustees, et al.

11-IMP-111-KP 21.1/22.0 - Parcel 31246-1,2,3 - E. A. 199439 (expressway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, two temporary easements for construction purposes, located in the county of Imperial near State Route 111, north of Robinson Road.

C-18165 - Myron D. Fortin, et al.

11-IMP-111-KP 22.8 - Parcel 31247-1,2,3 - E. A. 199349 (expressway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, two temporary easements for construction purposes, located in the county of Imperial, near State Route 111, south of Ralph Road.

C-18166 - B. R. and Pauline F. Smith, Trustees, et ux

11-IMP-111-KP 23.5 - Parcel 31248-1,2,3 - E. A. 199439 (expressway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, two temporary easements for construction purposes, located in the county of Imperial near State Route 111, north of Ralph Road.