

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 16-17, 2004

Reference No.: 2.4b.
Action Item

From: ROBERT L. GARCIA
Chief Financial Officer

Prepared by: Brice D. Paris
Division Chief
Right of Way

Ref: RESOLUTIONS OF NECESSITY

ISSUE:

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.

RECOMMENDATION:

The Department of Transportation (Department) recommends the California Transportation Commission adopt Resolutions of Necessity C-18920 through C-18923. Discussions have taken place with 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 owners 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-18920 - Mark Vellis, et al.

01-Hum-36-PM 37.28 - Parcel 10825 - EA: 419009 - Certification Date: 3/1/2000 - (Conventional Highway - remove slide). Authorizes condemnation of land in fee for a State highway. Located near the unincorporated area of Dinsmore in Humboldt County at 1.9 to 2.0 miles east of South Fork, Van Duzen River, Bridge #4-119.

C-18921 - Tom Galvin, et al.

01-Hum-36-PM 37.33 - Parcel 10824-1, 2 - EA: 419009 - Certification Date: 3/1/2000 - (Conventional Highway - remove slide). Authorizes condemnation of land in fee for a State highway, a temporary easement for highway construction. Located near the unincorporated area of Dinsmore at 1.9 to 2.0 miles east of South Fork, Van Duzen River, Bridge #4-119.

C-18922 - Big West Corporation dba Big West Realty

06-Ker-14-KP R38.92 - Parcel 85135-1,2 - EA: 408409 - Certification Date: 07/01/05 - RTL Date: 07/01/05 - (Expressway - convert to four lane expressway). Authorizes condemnation of land in fee for a State highway and extinguishment of abutter's rights of access. Located in the unincorporated area of Kern County near California City.

C-18923 - City of San Diego

11-SD-125-KP 5.0 - Parcel 32089 - EA: 232309 - Certification Date: 06/20/03 - RTL Date: 01/01/04 - (Freeway - construct freeway in San Diego County in the Chula Vista area, from Route 905 to San Miguel Road). Authorizes condemnation of land in fee for a State highway and extinguishment of abutter's rights of access. Located in the city of Chula Vista at north of the Otay River Valley, west of Lower Otay Reservoir.