

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: February 1-2, 2006

Reference No.: 2.4e.  
Action Item

From: CINDY McKIM  
Chief Financial Officer

Prepared by: Bimla Rhinehart  
Division Chief  
Right of Way and Land Surveys

Ref: **RESCINDING RESOLUTIONS OF NECESSITY**  
**RESCINDING RESOLUTION OF NECESSITY CR-136, RESCINDING RESOLUTION OF**  
**NECESSITY C-19154**

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends Rescinding Resolution of Necessity CR-136 be adopted by the California Transportation Commission (Commission). In accordance with statutory requirements, the owners have been advised that the Department is requesting rescission of the Resolution at this time. Resolution C-19154 is rescinded due to an error in the legal description that conveyed the easement to Fresno Irrigation District instead of Pacific Gas and Electric. The parcel is being resubmitted to the Commission as an action item under 2.4b., Resolution of Necessity C-19244.

CR-136 – Melvin Deaile and Louise Deaile, Co-Trustees of the Deaile Family Trust, etc., et al.  
06-Fre-180-PM 53.9 - Parcel 85334-1, 2, 3, 4 - EA 342339-3000C - Certification Date: 03/01/06 -  
RTL Date: 07/01/06. Freeway - new alignment. Rescinds Resolution of Necessity C-19154, adopted  
September 29, 2005, which authorized condemnation of land in fee for a State highway,  
extinguishment of abutter's rights of access, an easement for pipeline facilities to be conveyed to  
Fresno Irrigation District, and 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 near the  
city of Fresno at 3741 W. Whitesbridge. APN 326-090-28.