

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: October 14-15, 2009

Reference No.: 2.3c.  
Action Item

From: NORMA ORTEGA  
Chief Financial Officer (Interim)

Prepared by: Terry L. Abbott  
Chief  
Division of Design

Subject: **RELINQUISHMENT RESOLUTIONS**

## **RECOMMENDATION:**

The California Department of Transportation recommends the California Transportation Commission (Commission) approve the relinquishment resolutions, summarized below, that will transfer highway facilities no longer needed for the State Highway System to the local agency identified in the summary.

## **ISSUE:**

It has been determined that each facility in the specific relinquishment resolutions summarized below is not essential to the proper functioning of the State Highway System and may be disposed of by relinquishment. Upon the recording of the approved relinquishment resolution in the county where the facility is located, all rights, title and interest of the State in and to the facility to be relinquished will be transferred to the local agency identified in the summary. The facility is safe and drivable. The local authorities have been advised of the pending relinquishments a minimum of 90 days prior to the Commission meeting pursuant to Section 73 of the Streets and Highways Code. Any exceptions or unusual circumstances are described in the individual summaries.

## **RESOLUTIONS:**

Resolution R-3743 – 03-Sac-5-PM 23.7  
(Request No. 035801-X) – 1 Segment

Relinquishes right of way in the city of Sacramento along Route 5 at I Street, consisting of a collateral facility (landscaping). The City, by resolution dated January 13, 2009, and by letter dated March 20, 2009, waived the 90-day notice requirement and agreed to accept title upon relinquishment by the State.

Resolution R-3744 – 06-Fre-180-PM 54.22/55.45  
(Request No. 85386) – 3 Segments

Relinquishes right of way in the city of Fresno along Route 180 from the west city limits, near South Valentine Avenue, to Hughes West Diagonal, consisting of superseded highway right of way and collateral facilities. The facility is in a state of good repair. The City of Fresno, by cooperative agreement dated February 12, 2005, and by Amendment No. 1 to agreement dated July 14, 2009, waived the 90-day notice requirement and agreed to accept title upon relinquishment by the State.

Resolution R-3745 – 10-Mer-99-PM 26.47/28.47  
(Request No. 16127) – 3 Segments

Relinquishes right of way in the county of Merced along Route 99 from 0.3 mile east of Arena Way to the Livingston city limits, consisting of reconstructed county roads and frontage roads. The County of Merced, by freeway agreement dated December 17, 2002, agreed to accept title upon relinquishment by the State. The 90-day notice period expired August 6, 2009, without exception.

Resolution R-3746 – 10-Mer-99-PM 28.47/R28.86  
(Request No. 16337) – 1 Segment

Relinquishes right of way in the city of Livingston along Route 99 from the east Livingston city limits to 0.05 miles east of Hammett Avenue, consisting of a frontage road. The City of Livingston, by freeway agreement dated July 7, 1987, agreed to accept title upon relinquishment by the State. The County of Merced, by freeway agreement dated December 17, 2002, agreed to accept title upon relinquishment by the State for the portion of the road at that date lying within an unincorporated area of the county and has since been annexed by the city. The 90-day notice period expired August 25, 2009, without exception.