

# Memorandum

**To:** CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

**CTC Meeting:** October 26-27, 2011

**Reference No.:** 2.4e.  
Action Item

**From:** NORMA ORTEGA  
Chief Financial Officer

**Prepared by:** Brent L. Green  
Chief  
Division of Right of Way  
and Land Surveys

**Subject:** **RESCINDING RESOLUTION OF NECESSITY**  
**RESOLUTION CR-148, RESCINDING RESOLUTION C-20531**

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolution CR-148, rescinding Resolution of Necessity (Resolution) C-20531. In accordance with statutory requirements, the owner has been advised that the Department is requesting rescission of Resolution C-20531.

## **ISSUE:**

On May 11, 2011, the Commission adopted Resolution C-20531. Resolution C-20531 is now being rescinded because the environmental document was legally challenged.

## **BACKGROUND:**

Resolution C-20531 was adopted May 11, 2011, authorizing condemnation of land in fee for a State highway. However, subsequent to the Commission meeting, there was a successful legal challenge of the project's environmental document. Based on above, it is requested that Resolution C-20531 be rescinded at the October 26-27, 2011 Commission meeting.

### **CR-148 - Carlos De La Fuente**

03-Yol-16-PM 28.5 - Parcel 33700-1 - EA 0C4709.

Right of Way Certification Date: 04/15/12; Ready to List Date: 04/15/12.

Conventional highway - widen shoulders, construct left turn lane and right turn pockets, and construct intersection improvements. Rescinds Resolution of Necessity C-20531 adopted May 11, 2011, which authorized condemnation of land in fee for a State highway.

Resolution C-20531 is being rescinded because of a successful legal challenge of the project's environmental document. Located in the town of Esparto at 27020 Highway 16.

Assessor's Parcel Number 049-160-05