**Appearance Information Package**

The following documents:  Project Information and Parcel Panel Report, collectively make up part of the Appearance Information Package which is submitted to the Office of the CTC Liaison as Book Item 2.4a (Resolution of Necessity – Appearances).

The information contained within these documents must be complete, factual, and up‑to‑date. Careful consideration must be given in the preparation of the Appearance Information Package as this information is published by the CTC prior to each meeting. As such, this information is “discoverable.”

The following pages contain outlines to be followed, and templates to be used in the preparation of the Project Information and Parcel Panel Report. Each document must be completed in its entirety and follow the format and outline provided.

***Note*:**Standard wording is typed in regular typeface. *Optional wording or guidance is typed in italics.*

 Reference No.: 2.4a

 *(CTC meeting date)*

Attachment A

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**PROJECT INFORMATION**

*Note:  The Design unit usually completes the Project Information section with input from the Right of Way unit.*

**PROJECT DATA** *Dist‑Co‑Rte‑PM*

 Expenditure Authorization:

Location: *What highway in what county or city*

Limits: *Between what major streets or landmarks (project description from PS&E title sheet)*

Contract Limits: *Use if project is broken down into several contracts*

Cost: *R/W and Construction cost of contract or useable unit (current estimated costs)*

Funding Source: *State (includes federal aid), Local, or Other (Specify and spell out acronyms – STIP, SHOPP, Local Measure, etc.)*

Number of Lanes: Existing: *# lanes mixed flow or HOV*

 Proposed: *# lanes mixed flow or HOV*

Proposed Major Features: Interchanges: *List each street having an interchange*

 Other: *Such as HOV interchanges, frontage roads, city street widening or shoulder widening that is affecting parcel*

Traffic: Existing (year): *ADT*

 Proposed (year): *ADT*

# **NEED FOR THE PROJECT**

*Give the reasons why the overall project is necessary -- including, as appropriate, a description of the existing highway, current and design year traffic volumes, up‑to‑date accident data and statewide rates, other warrants, etc. Discuss the project’s priority in relation to other projects.*

 Reference No.: 2.4a

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 Attachment A

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# **PROJECT PLANNING AND LOCATION**

*Describe the proposed project. Include historical background as appropriate. Give date of environmental document approval, current construction cost, STIP programming, source of funding, and target advertising date.*

*Give the reasons for the specific project location and/or design. Discuss location alternatives that were considered and the reasons for their rejection.*

*Describe other alternatives to the proposed acquisition that have been considered by the District (e.g., modified access control, construction obligations to offset concerns, a lesser project, etc.).*

 Reference No.: 2.4a

 *(CTC meeting date)*

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**PARCEL PANEL REPORT**

*Note:  The Right of Way unit usually completes the Parcel Panel Report section with input from the Design unit.*

# **PARCEL DATA**

Property Owner: *Name of owner(s)*

Panel Location: *For example:  at corner of \_\_\_\_\_ and \_\_\_\_\_, west of freeway (include address)*

Present Use: *Residence, what business or industry, how many tenants*

Area of Property: *Total area of larger parcel in acres or square feet*

Area Required: *List each subparcel number, the corresponding area of acquisition, type of acquisition (fee, easement, etc.) in acres or square feet*

# **PARCEL DESCRIPTION**

*Describe any pertinent features of the parcel – location, how used, area in square feet/acres, topography, buildings/improvements, encumbrances, access, etc.*

# **NEED FOR THE SUBJECT PROJECT**

*Discuss in detail the need for acquiring the individual parcel -- could it be avoided? Discuss whether or not the project’s impact on the owner’s property could be lessened by reducing or modifying the planned right‑of‑way acquisition. What would be the effects of avoiding the parcel on costs and on impacts to other properties and facilities?*

*Cover any other pertinent factors.*

 Reference No.: 2.4a

 *(CTC meeting date)*

 Attachment B

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**RESOLUTION OF NECESSITY REVIEW PANEL REPORT**

The Condemnation Review Panel (Panel) met on (*Date*) in (*Office Location*). The Panel members consisted of (*name of Panel Chair*), Panel Chair, Department of Transportation (Department) Headquarters (HQ’s) Right of Way and Land Surveys; (*Attorney’s Name*), Department Legal Division; (*name of HQ’s Division of Design Representative*), Department HQ’s Division of Design; and (*name of panel secretary*), Department HQ’s Right of Way and Land Surveys, Secretary to the Panel. Present at the meeting was (*name of property owner and/or the owner’s representative*).

This report summarizes the findings of the Panel with regard to the four criteria required for a Resolution of Necessity and makes a recommendation to the Department’s Chief Engineer. *Briefly state the basis of property owner’s objections to the Resolution of Necessity, i.e., objections or concerns related to project need, planning and location, design, or the Department’s offer of compensation pursuant to Government Code 7267.2, etc.*

The following is a detailed description of the concerns/objections expressed by (*the property owner, representatives of the property owner, etc.*) followed by the Department’s response.

# **Owners Contend:**

*Provide a listing of the owner’s primary concerns raised during negotiations both verbally and in writing to the Department and/or the California Transportation Commission (Commission):   compensation; design features; timing of the acquisition; lack of replacement housing; etc.*

*Quote or paraphrase the property owner’s objections to the project. Issues of project need, location, and design where challenged by the property owner.*

*Give a description of any design alternatives or right‑of‑way modifications suggested by the owner.*

# **Department Response:**

*Include the Department’s response to each concern or objection and the Department’s opinion on the feasibility of the owner’s suggestions and the basis for the Department’s opinion (why they are or are not feasible).*

*Each of the property owner’s objections/concerns will be listed separately under the heading “Owner Contends” and shall have a corresponding response from the Department under the heading “Department Response,” immediately following each specific objection/concern.*

 Reference No.: 2.4a

 *(CTC meeting date)*

 Attachment B

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**DEPARTMENT CONTACTS**

The following is a summary of contacts made with the property owners:

|  |  |
| --- | --- |
| **Type of Contact** | **Number of Contacts** |
| Mailing of information |  |
| E‑Mail of information |  |
| Telephone contacts |  |
| Personal/meeting contacts |  |

# **STATUTORY OFFER TO PURCHASE**

The Department has appraised the subject property and offered the full amount of the appraisal to the owners of record as required by Government Code Section 7267.2. The property owners have been notified that issues related to compensation are outside the purview of the California Transportation Commission (Commission).

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 *(CTC meeting date)*

 Attachment B

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**PANEL RECOMMENDATION**

The Panel concludes that the Department’s design complies with Section 1245.230 of the Code of Civil Procedure in that:

* The public interest and necessity require the proposed project.
* The proposed project is planned or located in the manner that will be most compatible with the greatest public good and least private injury.
* The property to be condemned is necessary for the proposed project.
* An offer to purchase in compliance with Government Code Section 7267.2 has been made to the owners of record.

The Panel recommends submitting this Resolution of Necessity to the California Transportation Commission.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (*Name*)

 Chief, Office of Project Delivery

 Division of Right of Way and Land Surveys

 Panel Chair

I concur with the Panel’s recommendation:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (*Name*)

 Chief Engineer

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**PERSONS ATTENDING CONDEMNATION PANEL REVIEW**

**MEETING ON (DATE)**

*Provide a list of attendees representing the Department and the property owner. Name, Title, Division (Right of Way, Design, Project Management, etc.)*

*Name, Title, Division*