

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: March 2-3, 2005

Reference No.: 2.4b.  
Action Item

From: CINDY McKIM  
Chief Financial Officer

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

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 (Commission) adopt Resolutions of Necessity C-18996 through C-19010. 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-18996 - Union Pacific Railroad

06-Mad-99-KP 33.5 - Parcel 85004 - EA: 293309 - Certification Date: 01/01/06 - RTL Date: 02/01/06 - (Freeway - convert four-lane expressway to a six-lane freeway and construct an interchange). Authorizes condemnation of a permanent easement for overhead structure. Located near the city of Madera between Avenue 21 1/2 and 22<sup>nd</sup> Avenue. APN 027-092-001.

C-18997 - Ralph Gonzalez, et al.; Viacom Outdoor Advertising (Lessee)

06-Mad-99-KP 34.7 - Parcel 85007-1,2 - EA 293309 - Certification Date: 01/01/06 - RTL Date: 02/01/06 - (Freeway - convert four-lane expressway to a six-lane freeway and construct an interchange). Authorizes condemnation of land in fee for a State highway, all of those certain improvements which straddle the right of way line with an easement to enter the remaining ownership to remove such improvements, extinguishment of abutter's rights of access, and an outdoor advertising sign. Located in the city of Fairmead at 22421 Rio Grande Lane. APN 027-092-032, 033.

C-18998 - James E. Williams, et ux.

06-Fre-180-KP R88.2 - Parcel 85390-1A, 1B; 85390-01-01 - EA: 342339-3000C - Certification Date: 10/01/06 - RTL Date: 10/01/06 - (Freeway - new alignment). Authorizes condemnation of land in fee for a State highway, land in fee which is a remnant and would have little market value, underlying fee, and extinguishment of abutter's rights of access. Located in the city of Fresno at 190 N. Marks Avenue. APN 458-080-01.

C-18999 - Sun Outdoor Advertising, LLC

06-Ker-14-KP 26.5 - Parcel 85039-A - EA: 408409 - Certification Date: 07/01/05 - RTL Date: 07/01/05 - (Expressway - convert to four-lane expressway). Authorizes condemnation of leasehold interest of outdoor advertising company. Located near the town of Mojave near the north end of the Mojave town limits.

C-19000 - City of Los Angeles

07-LA-138-KP 99.7 - Parcel 76524-1,2 - EA: 127269 - Certification Date: 04/01/05 - RTL Date: 04/01/05 - (Conventional highway - widen State Route 138 from two to four-lanes). Authorizes condemnation of land in fee for a State highway. Located in the unincorporated area of Los Angeles County, commonly known as Pearblossom, at the south side of Pearblossom Highway, east of 146th Street. APN 3036-007-273.

C-19001 - City of Los Angeles

07-LA-138-KP 99.7/100.5 - Parcels 76535-1,2 - EA: 127269 - Certification Date: 04/01/05 - RTL Date: 04/01/05 - (Conventional highway - widen State Route 138 from a two to a four-lanes). Authorizes condemnation of land in fee for a State highway. Located in the unincorporated area of Los Angeles County, commonly known as Pearblossom, at the north side of Pearblossom Highway, east of 146th Street. APN: 3036-008-277.

C-19002 - John Cheng, et al.

08-SBd-66-KP 27.579 - Parcel 19582-1,2 - EA: 492509 - Certification Date: 03/07/05 - RTL Date: 03/07/05 - (Conventional highway - installation of traffic signals). Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located in the city of Fontana at the northwest corner of Foothill Boulevard and Maple Avenue. APN 0243-142-03.

C-19003 - The Lin Family Trust, et al.

08-SBd-66-KP 27.579 - Parcel 19583-1,2 - E A: 492509 - Certification Date: 03/07/05 - RTL Date: 03/07/05 - (Conventional highway - installation of traffic signals). Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located in the city of Rialto at the northeast corner of Foothill Boulevard and Maple Avenue. APN 0243-161-10.

C-19004 - Phanglin Lin

08-SBd-66-KP 27.579 - Parcel 19584-1,2 - EA: 492509 - Certification Date: 03/07/05 - RTL Date: 03/07/05 - (Conventional highway - installation of traffic signals). Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located in the city of Rialto at the southwest corner of Foothill Boulevard and Maple Avenue. APN 0246-091-32.

C-19005 - HNK Associates, LLC

08-SBd-66-KP 27.70 - Parcel 20009-1 - EA: 438609 - Certification Date: 03/07/05 - RTL Date: 03/07/05 - (Conventional highway - intersection improvements at State Route 66 and Spruce Avenue). Authorizes condemnation of land in fee for a State highway. Located in the city of Rialto at the northwest corner of Foothill Boulevard and Spruce Street. APN 0128-051-10, 27, 34.

C-19006 - Tudor Trust, et al.

08-SBd-66-KP 27.70 - Parcel 20010-1 - EA: 438609 - Certification Date: 03/07/05 - RTL Date: 03/07/05 - (Conventional highway - intersection improvements at State Route 66 and Spruce Avenue). Authorizes condemnation of land in fee for a State highway. Located in the city of Rialto at the northeast corner of Foothill Boulevard and Spruce Avenue. APN 0128-361-21, 22, 23.

C-19007 - The Heirs and Devisees of Bertha M. Herrill, deceased, et al.

11-SD-905-KP 12.0 - Parcel 31350 - EA: 093169 - Certification Date: 06/30/05 - RTL Date: 06/30/05 - (Freeway - construct a six-lane freeway). Authorizes condemnation of land in fee for a State highway. Located in the city of San Diego between 0.8 KM east of Route 805 to Otay Mesa Border Crossing. APN 645-090-10.

C-19008 - Melvyn Ingalls

11-SD-905-KP 12.0 - Parcel 31351 - EA: 093169 - Certification Date: 06/30/05 - RTL Date: 06/30/05 - (Freeway - construct a six-lane freeway). Authorizes condemnation of land in fee for a State highway. Located in the city of San Diego between 0.8 KM east of Route 805 to Otay Mesa border crossing. APN 645-090-11.

C-19009 - Salvador Ojeda, et al.

11-SD-905-KP 12.0 - Parcel 31352 - EA: 091822 - Certification Date: 06/30/05 - RTL Date: 06/30/05 - (Freeway - construct a six-lane freeway). Authorizes condemnation of land in fee for a State highway. Located in the city of San Diego at 0.8 KM east of Route 805 to Otay Mesa border crossing. APN 645-090-12.

C-19010 - Martin Bejarano, et al.

11-SD-905-KP 12.0 - Parcel 31459 - EA: 091822 - Certification Date: 06/30/05 - RTL Date: 06/30/05 - (Freeway - construct a six-lane freeway). Authorizes condemnation of land in fee for a State highway and a non-exclusive easement for Ingress and Egress and Public Utility purposes to be used in common with others. Located in the city of San Diego between 0.8 KM east of Route 805 to Otay Mesa Crossing. APN 645-090-13.