

# Memorandum

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: September 22-23, 2010

Reference No.: 2.4b.  
Action Item

From: NORMA ORTEGA  
Chief Financial Officer

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Chief (Interim)  
Division of Right of Way and  
Land Surveys

Subject: **RESOLUTIONS OF NECESSITY**

## **RECOMMENDATION:**

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolutions of Necessity (Resolution) C-20387 through Resolution C-20415 summarized on the following pages.

## **ISSUE:**

Prior to initiating Eminent Domain proceedings to acquire needed right of way for a programmed project, the Commission must first adopt a resolution stipulating specific findings identified under Section 1245.230 of the Code of Civil Procedure.

Moreover, 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 proposed project.
2. The proposed project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury.
3. This property is necessary 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.

## **BACKGROUND:**

Discussions have taken place with the owners, each of whom have 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 that 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-20387 - Reid Alexander

05-SB-246-PM 12.2 - Parcel 11334-1 - EA 0R7509.

Right of Way Certification (RWC) Date: 02/18/11; Ready to List (RTL) Date: 04/15/11.

Conventional highway - Purisma and Highway 246 Roundabout. Authorizes condemnation of land in fee for a State highway and extinguishment of abutter's rights of access. Located near the city of Lompoc at Purisma Road and Highway 246. Assessor Parcel Numbers (APN) 099-131-024.

C-20388 - Martin G. Morel, et ux.

07-LA-138-PM 63.94 - Parcel 76544-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee.

Located in the unincorporated area of Llano at 16617 Pearblossom Highway. APN 3036-011-006.

C-20389 - Chuck Hwang, et al.

07-LA-138-PM 64.44 - Parcel 76548-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee.

Located in the unincorporated area of Llano at 17326 Pearblossom Highway. APN 3036-023-011.

C-20390 - Roger L. Frasca, Trustee, etc., et al.

07-LA-138-PM 64.44 - Parcel 76551-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee.

Located in the unincorporated area of Llano, west of 175<sup>th</sup> Street East, south of Pearblossom Highway. APN 3036-023-053.

C-20391 - Balkishan Lahoti, Trustee, etc., et al.

07-LA-138-PM 64.44 - Parcel 76554-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee.

Located in the unincorporated area of Llano, west of 175<sup>th</sup> Street East, south of Pearblossom Highway. APN 3036-023-056.

C-20392 - Wan Eeng Law, et ux.

07-LA-138-PM 63.94 - Parcel 76556-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee.

Located in the unincorporated area of Llano, east of 165<sup>th</sup> Street East, south of Pearblossom Highway. APN 3036-023-067.

C-20393 - Eric Steinmann

07-LA-138-PM 64.44 - Parcel 76557-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee.

Located in the unincorporated area of Llano at 17234 Pearblossom Highway. APN 3036-023-070.

C-20394 - Eric Steinmann

07-LA-138-PM 64.44 - Parcel 76558-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano, west of 175<sup>th</sup> Street East, south of Pearblossom Highway. APN 3036-023-078.

C-20395 - Leo Cantayre, et ux.

07-LA-138-PM 63.94 - Parcel 76559-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano, east of 165<sup>th</sup> Street East, south of Pearblossom Highway. APN 3036-023-080.

C-20396 - Shoreh Nabavi

07-LA-138-PM 63.94 - Parcel 76561-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano at the southeast corner of 165<sup>th</sup> Street East and Pearblossom Highway. APN 3036-023-088.

C-20397 - County of Los Angeles

07-LA-138-PM 64.44 - Parcel 76565-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano, west of 175<sup>th</sup> Street East, north of Pearblossom Highway. APN 3036-024-902.

C-20398 - The Heirs and Devisees of C.E. Poor, etc., et al.

07-LA-138-PM 64.44 - Parcel 76567-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano, west of Middle Avenue, north of Pearblossom Highway.  
APN 3036-026-126.

C-20399 - County of Los Angeles

07-LA-138-PM 64.44 - Parcel 76568-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee a State highway and underlying fee. Located in the unincorporated area of Llano, west of 175<sup>th</sup> Street East, north of Pearblossom Highway.  
APN 3036-026-900.

C-20400 - Daniel L. Plies, et ux.

07-LA-138-PM 64.87 - Parcel 76617-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano at the southeast corner of 175<sup>th</sup> Street East and Pearblossom Highway. APN 3083-002-001.

C-20401 - Chuck Hwang, et al.

07-LA-138-PM 64.87 - Parcel 76618-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano near the southeast corner of 175<sup>th</sup> Street East and Pearblossom Highway. APN 3083-002-002.

C-20402 - Chuck Hwang, et al.

07-LA-138-PM 64.87 - Parcel 76619-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano near the corner of Avenue V-8 and Pearblossom Highway. APN 3083-002-002.

C-20403 - Chuck Hwang

07-LA-138-PM 65.62 - Parcel 76625-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano at the northeast corner of 180<sup>th</sup> Street East and Pearblossom Highway. APN 3083-002-024.

C-20404 - Chuck Hwang

07-LA-138-PM 65.62 - Parcel 76626-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano at the southeast corner of 180<sup>th</sup> Street East and Pearblossom Highway. APN 3083-002-024.

C-20405 - Ashkan Karimi

07-LA-138-PM 65.62 - Parcel 76627-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano, east of 180<sup>th</sup> Street East, north of Pearblossom Highway.  
APN 3083-002-025.

C-20406 - Eric E. Torricelli, et ux.

07-LA-138-PM 65.62 - Parcel 76629-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano, east of 180<sup>th</sup> Street East, north of Pearblossom Highway.

APN 3083-002-034.

C-20407 - John P. Mahaney, Trustee, etc., et al.

07-LA-138-PM 65.62 - Parcel 76630-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano, east of 180<sup>th</sup> Street East, north of Pearblossom Highway.

APN 3083-002-036.

C-20408 - George Laham, et ux.

07-LA-138-PM 66.18 - Parcel 76683-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano, east of 185<sup>th</sup> Street East, south of Pearblossom Highway. APN 3083-013-005.

C-20409 - Richard L. Faulk, et al.

07-LA-138-PM 65.62 - Parcel 76697-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the unincorporated area of Llano, east of 180<sup>th</sup> Street East, south of Pearblossom Highway. APN 3083-016-012.

C-20410 - County of Los Angeles

07-LA-138-PM 64.44 - Parcel 77806-1 - EA 127279.

RWC Date: 12/01/10; RTL Date: 12/14/10. Conventional highway - widen conventional highway. Authorizes condemnation of land in fee a State highway and underlying fee. Located in the unincorporated area of Llano, west of 175<sup>th</sup> Street East, north of Pearblossom Highway.

APN 3036-024-902.

C-20411 - Ashraf S. Hodhod, et ux.

08-SBd-15-PM 44.5 - Parcel 20945-1, 2 - EA 355569.

RWC Date: 04/02/12; RTL Date: 07/02/12. Freeway - add northbound mixed flow lane with auxiliary lane; reconstruct D and E Streets and the Stoddard Wells interchange. Authorizes condemnation of temporary easements for State highway purposes. Located in the city of Victorville at 16828 Stoddard Wells Road. APNs 0473-171-05, -06.

C-20412 - Merced Property, LLC

10-Mer-99-PM 3.4 - Parcel 15148-1A, 1B - EA 415809.

RWC Date: 09/01/10; RTL Date: 09/01/10. Freeway - four-lane expressway to six-lane freeway on eight-lane freeway alignment. Authorizes condemnation of land in fee for a State highway and underlying fee. Located near the unincorporated area of Merced near the northwest corner of State Route 99 and Sandy Mush Road. APNs 067-180-004; 067-170-003.

C-20413 - Bert Wilgenburg, et ux.

10-Mer-99-PM 3.4 - Parcel 15979-1A, 1B - EA 415809.

RWC Date: 09/01/10; RTL Date: 09/01/10. Freeway - four-lane expressway to six-lane freeway on eight-lane freeway alignment. Authorizes condemnation of land in fee for a State highway and underlying fee. Located near the unincorporated area of Merced near 8501 Sandy Mush Road. APNs 075-100-003, -004,-026.

C-20414 - Heritage Land Co., Inc., a California Corporation

10-SJ-12-PM 5.3 - Parcel 16123-1 - EA 0A8409.

RWC Date: 11/01/10; RTL Date: 11/15/10. Conventional highway - Operational Improvements Project. Authorizes condemnation of land in fee for a State highway. Located in the city of Lodi at 13751 West Highway 12. APN 025-030-01.

C-20415 - Rollins Leasing Corp., a Delaware Corp.

10-SJ-99-PM 16.9 - Parcel 16279-1 - EA 3A1009.

RWC Date: 01/15/10; RTL Date: 02/01/12. Freeway - four-lane to six-lane and improve and/or reconstruct various interchanges. Authorizes condemnation of land in fee for a State highway and extinguishment of abutter's rights of access. Located in the city of Stockton at 3663 Peterson Road. APN 173-070-32.