

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: December 11-12, 2013

Reference No: 2.4b.
Action Item

From: STEVEN KECK
Acting Chief Financial Officer

Prepared by: Brent L. Green
Chief
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-21136 through C-21163, 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. The 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 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 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-21136 - SCP Woodland LLC, a California limited liability company

05-SB-101-PM 2.7 - Parcel 11443-1 - EA 4482U9.

Right of Way Certification (RWC) Date: 07/15/14; Ready to List (RTL) Date: 08/01/14.

Freeway - Reconstruct interchanges and replace Carpinteria Creek Bridges Linden and Casitas Pass Interchanges. Authorizes condemnation of land in fee for a State highway. Located in the city of Carpinteria at

1212 Casitas Pass Road. Assessor's Parcel Number (APN)s 001-070-012.

C-21137 - Minh The Tran and Nuong Vu

06-Fre-180-PM R119.96 - Parcel 84593-1, 0101 - EA 342539.

RWC Date: 11/01/14; RTL Date: 12/01/14. Expressway - two-lane conventional highway to four-lane expressway. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, land in fee which is a remnant and little market value. Located in the city of Sanger at 17600 East Kings Canyon Road. APN 333-17-026.

C-21138 - Cha La Mirada LLC, a California limited liability company

07-LA-5-PM 1.27 - Parcel 79867-1, 2, 3, 4, 5, 6 - EA 215929.

RWC Date: 03/14/14; RTL Date: 03/28/14. Freeway - widen Interstate 5 to add high occupancy vehicle (HOV) and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, permanent easements for footing and maintenance purposes, easements for water service, landscape and utility purposes to be conveyed to Suburban Water Systems and city of La Mirada, and a temporary easement for construction purposes. Located in the city of La Mirada at 14299 Firestone Boulevard. APN 7001-013-102.

C-21139 - Siamack Karimi and Cyndi Karimi

07-LA-405-PM 33.2 - Parcel 79962-2 - EA 120309.

RWC Date: 08/21/14; RTL Date: Design-Build. Freeway - widen Interstate 405 (I-405) to add HOV lane. Authorizes condemnation of a temporary easement for construction purposes. Located in the city of Los Angeles at 241 South Thurston Avenue. APN 4366-014-021.

C-21140 - The Fine Family Trust, Russell Fine, Trustee and Debra L. Fine, Trustee

07-LA-405-PM 32.57 - Parcel 79979-1, 2 - EA 120309.

RWC Date: 08/21/14; RTL Date: Design-Build. Freeway - widen I-405 to add HOV lane. Authorizes condemnation of a permanent easement for tieback and a temporary easement for construction purposes. Located in the city of Los Angeles at 371 Dalkeith Avenue. APN 4366-015-032.

C-21141 - College of Medical Evangelists, a California Corporation

08-SBd-10-PM 26.22 - Parcel 21751-1, 2, 3, 4 - EA 448129.

RWC Date: 12/11/13; RTL Date: 12/12/13. Freeway - reconstruct the Interstate 10 (I-10) Tippecanoe Avenue/Anderson Street Interchanges. Authorizes condemnation of land in fee for a State highway, a permanent easement for utility purposes to be conveyed to Southern California Edison, and a temporary easement for construction. Located in the city of Loma Linda at the southeast corner of Redlands Boulevard and Anderson Street. APNs 0283-062-21, -22, -23, -24, -25, -26, -27.

C-21142 - College of Medical Evangelists, a California Corporation

08-SBd-10-PM 26.27 - Parcel 21757-1, 2, 3 - EA 448129.

RWC Date: 12/11/13; RTL Date: 12/12/13. Freeway - reconstruct the I-10 Tippecanoe Avenue/Anderson Street interchanges. Authorizes condemnation of land in fee for a State highway, an easement for utility purposes to be conveyed to Southern California Edison, and a temporary easement for construction. Located in the city of Loma Linda at the southeast corner of Redlands Boulevard and Anderson Street. APNs 0283-082-01, -02.

C-21143 - Victorville Holdings, Inc., et al.

08-SBd-15-PM 44.2 - Parcel 20931-1, 2 - EA 355569.

RWC Date: 03/07/14; RTL Date: 04/16/14. Freeway - add northbound mixed-flow lane with auxiliary lane; reconstruct D and E Streets and the Stoddard Wells Interchange. Authorizes condemnation of land in fee for a State highway and a temporary easement for highway construction. Located in the city of Victorville, northwest of the Interstate 15 (I-15) Freeway, south of Stoddard Wells Road. APN 0473-161-01-0-00.

C-21144 - Joyce C. Lee, Successor Trustee, etc., et al.

08-SBd-58-PM R22.65 - Parcel 22810-1 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/14. Expressway - realign and widen State Route (SR) 58 to four-lane expressway. Authorizes condemnation of land in fee for a State highway and extinguishment of abutter's rights of access. Located in the town of Hinkley along SR 58 approximately 1,000 feet west of Wagner Road. APN 0496-123-12.

C-21145 - Estate of Frank Bruno, et al.

08-SBd-58-PM R24.19 - Parcel 22817-1, 2 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/14. Expressway - realign and widen SR 58 to four-lane expressway. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a permanent easement for highway purposes. Located in the town of Hinkley on the south side of SR 58, west of Valley View Road. APN 0494-171-04.

C-21146 - June Chung-Yen Sun and Sai Wan Li

08-SBd-58-PM R25.26 - Parcel 22821-1 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/14. Expressway - widen and realign SR 58 to four-lane expressway. Authorizes condemnation of land in fee for a State highway and extinguishment of abutter's rights of access. Located in the unincorporated area of Hinkley south of Frontier Road, approximately 400 feet east of Redrock Road and approximately 575 feet west of Valley Wells Road. APN 0494-122-09.

C-21147 - Berman & Riedel Client Trust

08-SBd-58-PM R25.75 - Parcel 22824-1 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/14. Expressway - realign and widen SR 58 to four-lane expressway. Authorizes condemnation of abutter's rights of access rights. Located near the town of Hinkley, north of Frontier Road, approximately 1,300 feet east of Valley Wells Road and 660 feet west of Flower Street. APNs 0494-311-31, -32.

C-21148 - Cecilio Ceballos and Catalina Ceballos

08-SBd-58-PM R26.53 - Parcel 22844-1, 01-01 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/14. Expressway - realign and widen SR 58 to four-lane expressway. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and land in fee which is a remnant and would be of little market value. Located in the unincorporated area of Hinkley at 21777 Frontier Road. APN 0494-031-12

C-21149 - Jonathan G. Quass and Lena R. Quass

08-SBd-58-PM R26.54 - Parcel 22846-1, 2 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/14. Expressway - realign and widen SR 58 to four-lane expressway. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a permanent easement for highway purposes. Located in the unincorporated area of Hinkley at 36411 and 36433 Hinkley Road. APNs 0494-031-07, -62.

C-21150 - Lloyd E. Vinson and Barbara A. Vinson

08-SBd-58-PM R26.46 - Parcel 22848-1 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/14. Expressway - realign and widen SR 58 to four-lane expressway. Authorizes condemnation of a permanent easement for State highway purposes. Located in the town of Hinkley at 36327 Hinkley Road. APNs 0494-031-04, -50.

C-21151 - Pacific Gas & Electric Company

08-SBd-58-PM R27.03 - Parcel 22851-1 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/20. Expressway - realign and widen SR 58 to four-lane expressway. Authorizes condemnation of a permanent easement for State highway purposes and extinguishment of abutter's rights of access. Located in the unincorporated area of Hinkley approximately 1,300 feet south of SR 58 on Serra Road. APN 0494-201-36.

C-21152 - Carrol J. Greenwood, Trustee of the Carrol J. Greenwood Living Trust

08-SBd-58-PM R27.34 - Parcel 22853-1, 2, 3, 01-01, 01-02 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/14. Expressway - realign and widen SR 58 to four-lane expressway. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and land in fee which are remnants and would be of little market value. Located in the community of Hinkley at 36682 Mountain View Road. APN 0494-201-22.

C-21153 - Pacific Gas & Electric Company

08-SBd-58-PM R27.84 - Parcel 22855-1, 2, 3 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/14. Expressway - realign and widen SR 58 to four-lane expressway. Authorizes condemnation of permanent easements for State highway purposes and extinguishment of abutter's rights of access. Located in the unincorporated area of Hinkley approximately 0.3 miles south of SR 58 on Fairview Road. APNs 0494-251-15, -43, -46.

C-21154 - Pacific Gas & Electric Company

08-SBd-58-PM R28.09 - Parcel 22856-1, 2, 3 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/14. Expressway - realign and widen SR 58 to four-lane expressway. Authorizes condemnation of permanent easements for State highway purposes and extinguishment of abutter's rights of access. Located in the unincorporated area of Hinkley approximately 0.3 miles south of SR 58 on Fairview Road. APN 0494-251-03.

C-21155 - Lyle A. Waln, et al.

08-SBd-58-PM R30.51 - Parcel 22879-1, 01-01 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/14. Expressway - realign and widen SR 58 to four-lane expressway. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and excess land in fee to which the owner has consented. Located in the town of Hinkley on the east side of Lenwood Road, approximately 200 feet north of interim SR 58. APN 0497-231-04.

C-21156 - Pacific Gas & Electric Company

08-SBd-58-PM R27.30 - Parcel 22924-1 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/14. Expressway - realign and widen SR 58 to four-lane expressway. Authorizes condemnation of a permanent easement for State highway purposes. Located in the unincorporated area of Hinkley at 36488 Dixie Road. APN 0494-201-35.

C-21157 - Estate of Young M. Kim

08-SBd-58-PM R23.44 - Parcel 22933-1 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/14. Expressway - realign and widen SR 58 to four-lane expressway. Authorizes condemnation of a permanent easement for State highway purposes. Located in the unincorporated area of Hinkley at 19654 West Highway 58. APN 0494-171-02.

C-21158 - Adolfo Riebeling and Marina Riebeling

08-SBd-58-PM R26.55 - Parcel 23045-1 - EA 043519.

RWC Date: 04/15/14; RTL Date: 05/15/14. Expressway - realign and widen SR 58 to four-lane expressway. Authorizes condemnation of a permanent easement for State highway purposes. Located in the unincorporated area of Hinkley at 21818 Pioneer Road. APN 0494-031-49.

C-21159 - BNSF Railway Company

08-SBd-138-PM 14.65 - Parcel 21559-1, 2 - EA 3401U.

RWC Date: 12/16/13; RTL Date: 12/17/13. Conventional highway - Widen SR 138 to four lanes with a four-foot median buffer from SR-18 to I-15. Authorizes condemnation of two permanent easements for highway purposes. Located in the unincorporated area of San Bernardino, approximately one mile west of SR-15 on the north side of SR-138. APN 0351-141-09, 19.

C-21160 - BNSF Railway Company

08-SBd-138-PM 14.25 - Parcel 21602-1, 2- EA 3401U.

RWC Date: 12/16/13; RTL Date: 12/17/13. Conventional highway - Widen SR 138 to four lanes with a four-foot median buffer from SR 18 to I-15. Authorizes condemnation of one permanent highway easement and one temporary construction easement. Located in the unincorporated area of San Bernardino, approximately one mile west of SR-15 on the north side of SR 138. APN 0351-161-05.

C-21161 - BNSF Railway Company

08-SBd-138-PM 14.60 - Parcel 21603-1, 2, 3, 4 - EA 3401U.

RWC Date: 12/16/13; RTL Date: 12/17/13. Conventional highway - Widen SR 138 to four lanes with a four-foot median buffer from SR 18 to I-15. Authorizes condemnation of two temporary easements and two permanent highway easements. Located in the unincorporated area of San Bernardino, approximately one mile west of SR 15 on the north side of SR 138. APN 0351-141-09, 19.

C-21162 - Timothy V. Howard

08-SBd-215-PM 16.73 - Parcel 22493-1, 2 - EA 0K7109.

RWC Date: 07/31/14; RTL: Design-Build. Freeway - add additional through lane in each direction on I-15 from Glen Helen Parkway to the I-15/Interstate 215 (I-215) interchange and reconfigure connectors to the I-215 truck bypass lanes and auxiliary lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for construction. Located in the unincorporated area of San Bernardino County at 18710 Cajon Boulevard. APN 0348-132-28.

C-21163 - Lamar Outdoor Advertising

08-SBd-215-PM 17.11- Parcel 22510-A - EA 0K7109.

RWC Date: 07/31/14; RTL: Design-Build. Freeway - add additional through lane in each direction on I-15 from Glen Helen Parkway to the I-15/I-215 interchange and reconfigure connectors to the I-215 truck bypass lanes and auxiliary lanes. Authorizes condemnation of outdoor advertising signboard interest and extinguishment of abutter's rights of access. Located in the unincorporated area of San Bernardino County at 1775 Devore Road. APN 0349-169-03.