

# Memorandum

**Tab 44**

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

**CTC Meeting:** August 20, 2014

**Reference No:** 2.4e.(2)  
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-150, RESCINDING RESOLUTION C-21067

## RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolution CR-150, rescinding Resolution of Necessity (Resolution) C-21067. In accordance with statutory requirements, the owner has been advised that the Department is requesting rescission of Resolution C-21067.

## ISSUE:

On June 11, 2013, the Commission adopted Resolution C-21067. Resolution C-21067 is now being rescinded because additional Right of Way requirements have been identified.

## BACKGROUND:

Resolution C-21067 was adopted June 11, 2013, authorizing condemnation of temporary easements for construction purposes, permanent aerial easements, and leasehold interests of outdoor advertising company. Resolution C-21067 is rescinded because legal description for the Right of Way requirements was expanded to call out the structure's footings and provide better description of the easement's purpose since the adoption of the Resolution. Based on above, it is requested that Resolution C-21067 be rescinded at the August 20, 2014 Commission meeting.

CR-150 - The Burlington Northern and Santa Fe Railway Company, a Delaware corporation  
07-LA-710-PM 22.3 - Parcel 78404 -1, 2; 78405 -1, 2; 78406 -1, 2 - EA 202129.

Right of Way Certification Date: 12/11/14; Ready to List Date: 12/11/14. Freeway - rehabilitate Interstate 710. Rescinds Resolution of Necessity C-21067, adopted June 11, 2013, which authorized condemnation of temporary easements for construction purposes, permanent aerial easements, and leasehold interests of outdoor advertising company. Resolution C-21067 is rescinded because legal description for the right of way requirements was expanded to call out the structure's footings and provide better description of the easement's purpose since the adoption of the Resolution. Located in the city of Commerce at 4940 Sheila Street.

Assessor Parcel Number 5243-014-803, 5244-035-803 & 6332-001-801.