

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: August 17-18, 2016

Reference No.: 2.4b.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Jennifer S. Lowden, 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-21476 through C-21481 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-21476 - Harry G. Borg and Rosanna E. Borg, husband and wife, as joint tenants

03-Yol-16-PM 21.0 - Parcel 33651-1 - EA 0C4729

Right of Way Certification (RWC) Date: 04/03/17; Ready to List (RTL) Date: 04/07/17.

Conventional highway - safety improvements. Authorizes condemnation of land in fee for a State highway. Located in Yolo County in the unincorporated community of Capay at 20303 County Road 79. Assessor's Parcel Number (APN) 048-070-016.

C-21477 - Jane C. Healy, a married woman as her sole and separate property

04-Mrn-1-PM 45.7 - Parcel 63084-2 - EA 2J1209.

RWC Date: Director's Emergency Order; RTL Date: 01/01/17. Conventional highway - repair buckled sidewalk. Authorizes condemnation of a temporary easement for construction purposes, including the right to remove improvements straddling the right of way line. Located in the town of Tomales at 27045 Highway 1. APN 102-071-14.

C-21478 - James Raymond Darr, Trustee, etc., et al.

06-Ker-46-PM 32.20 - Parcel 87134-1, 2, 3 - EA 442549.

RWC Date: 12/08/16; RTL Date: 12/22/16. Conventional highway - widening two-lane to four-lane conventional highway. Authorizes condemnation of land in fee for a State highway and a temporary easement for highway construction. Located in the city of Lost Hills at 21981 Highway 46. APNs 069-370-31, -32, -33, -34, -35, -36.

C-21479 - The County of San Diego

11-SD-5-PM 38.1 - Parcel 33468-1, 2, 3 - EA 2T1729.

RWC Date: 11/15/16; RTL Date: Not Applicable (N/A) - Construction Manager / General Contractor (CM/GC) Project. Freeway - construct High Occupancy Vehicle (HOV) lanes and replace the San Elijo Lagoon Bridge. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a permanent easement for soil nail purposes, and a temporary easement for construction purposes. Located in the city of Encinitas adjacent to Interstate 5 (I-5) within the San Elijo Lagoon. APN 263-280-40-00.

C-21480 - Stevan Jevremov, a single man

11-SD-5-PM 39.3 - Parcel 35007-1, 2, 3, 4 - EA 2T1729.

RWC Date: 11/15/16; RTL Date: N/A - CM/GC Project. Freeway - construct HOV lanes and replace San Elijo Lagoon Bridge. Authorizes condemnation of permanent easements for access, construction, and maintenance of drainage facilities and permanent easements for access, construction, maintenance, and modification of highway slopes. Located in the city of Encinitas south of Playa Rivera Drive. APN 261-150-39-00.

C-21481 - The County of San Diego

11-SD-5-PM 38.3 - Parcel 35405-1, 2, 3, 4, 5, 6 - EA 2T1729.

RWC Date: 11/15/16; RTL Date: N/A - CM/GC Project. Freeway - construct HOV lanes and replace the San Elijo Lagoon Bridge. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, temporary easements for highway construction, and a permanent easement for highway purposes to be conveyed to the City of San Diego. Located in the city of Encinitas adjacent to I-5 in the San Elijo Lagoon. APN 261-210-17-00.

Attachment

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-21476**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 03-Yol-16-PM 21.0 PARCEL 33651-1
9 OWNER: Harry G. Borg and Rosanna E. Borg, husband and wife, as
10 joint tenants

11 Resolved by the California Transportation Commission after
12 notice (and hearing) pursuant to Code of Civil Procedure Section
13 1245.235 that it finds and determines and hereby declares that:

14 The hereinafter described real property is necessary for State
15 Highway purposes and is to be acquired by eminent domain pursuant
16 to Streets and Highways Code Section 102;

17 The public interest and necessity require the proposed public
18 project, namely a State highway;

19 The proposed project is planned and located in the manner that
20 will be most compatible with the greatest public good and the least
21 private injury;

22 The property sought to be acquired and described by this
23 resolution is necessary for the public project;

24 The offer required by Section 7267.2 of the Government Code
25 has been made to the owner or owners of record; and be it further

26 **RESOLVED** by this Commission that the Department of
Transportation be and said Department is hereby authorized and

APPROVED AS TO FORM AND PROCEDURE

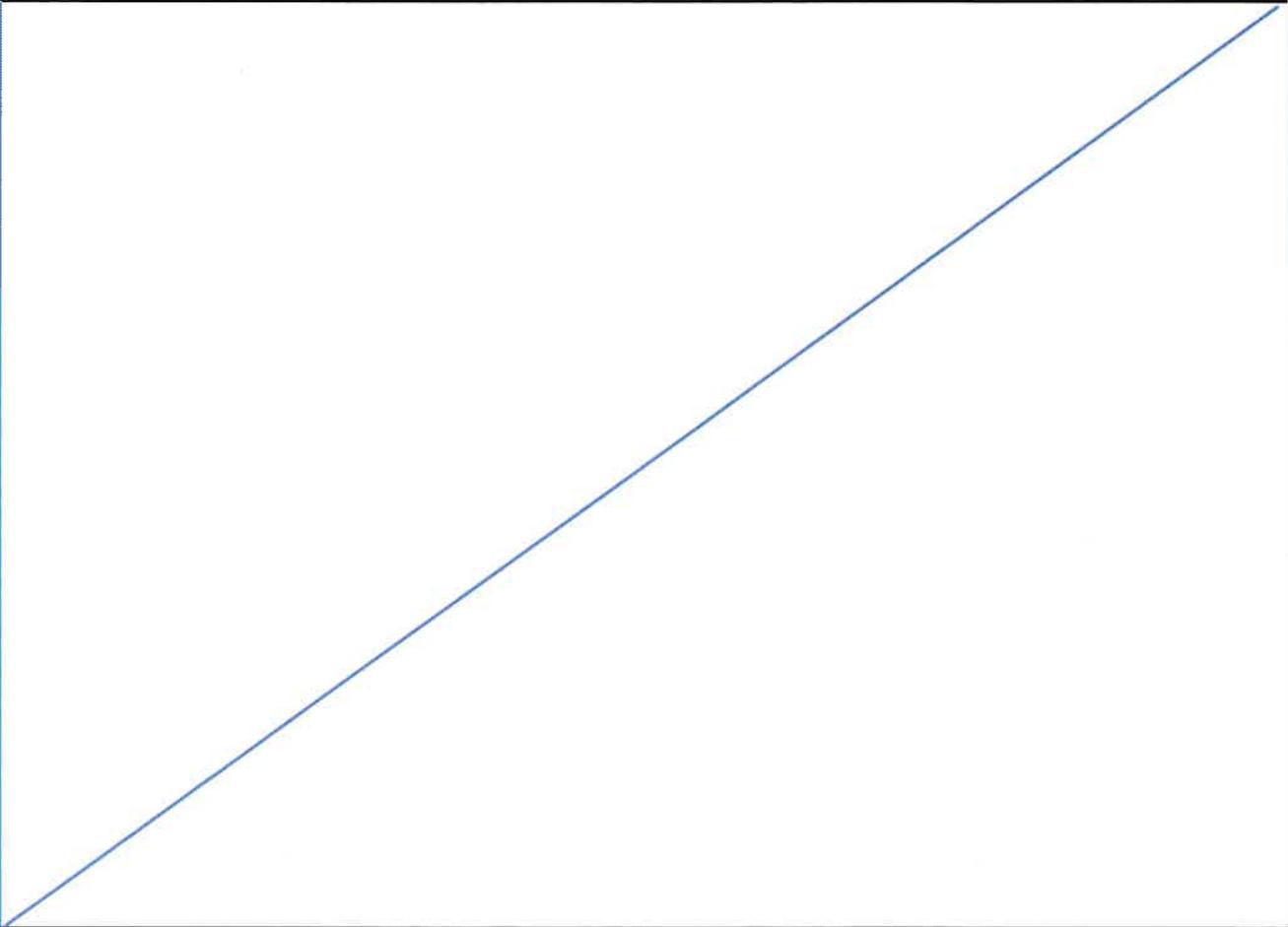
APPROVAL RECOMMENDED

1 empowered;

2 To acquire, in the name of the People of the State of
3 California, in fee simple absolute, unless a lesser estate is
4 hereinafter expressly described, the said hereinafter described
5 real property, or interests in real property, by condemnation
6 proceeding or proceedings in accordance with the provisions of the
7 Streets and Highways Code, Code of Civil Procedure and of the
8 Constitution of California relating to eminent domain;

9 The real property or interests in real property, which the
10 Department of Transportation is by this resolution authorized to
11 acquire, is situated in the County of Yolo, State of California,
12 Highway 03-Yol-16 and described as follows:

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RESOLUTION of NECESSITY
Title Sheet

District	County	Route	Postmile
03	YOL	16	21.0

Project ID 0314000272

Legal Descriptions for the parcels listed below are attached.

This document consists of a total of 4 pages.

Parcels in Legal Description:					
033651-1					

The attached real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature *Leroy E. Coppin, Jr.*
Professional Land Surveyor

Date 6-10-2016



Parcel 033651-1: For State Highway purposes, that portion of land as described in the Grant Deed to Harry G. Borg and Rosanna E. Borg recorded October 26, 1990 in Book 2174, Page 559 Official Records of Yolo County, lying Northeasterly of the following described line:

Beginning at a point on the boundary between Lots K and L of Arnold and Gillig's Subdivision of a part of Rancho Canada de Capay, as shown on the official map thereof, filed in the office of the Yolo County Recorder, from which a 2" iron pipe as shown on the Survey for G. Slavich and K. Hainze filed in Book 12, Maps and Surveys, Page 70, of said Yolo County Recorder, marking a point on the Southeasterly boundary of Parcel 2 as shown on Parcel Map No. 2808, filed September 11, 1978 in Book 4 of Parcel Maps, at Page 37 of said Yolo County Recorder and the Easterly boundary of State Highway 16, bears North 42°48'00" East 79.08 feet, being on a non-tangent curve concave northeasterly and having a radius of 2000.00 feet;

- 1) Thence, along said curve through a central angle of 07°52'19", an arc length of 274.79 feet, said curve being subtended by a chord that bears South 54°03'56" East 274.57 feet;
- 2) Thence, South 58°00'06" East 411.64 feet;
- 3) Thence, South 56°25'03" East 534.01 feet;
- 4) Thence, South 9°18'04" West 16.91 feet;
- 5) Thence, South 50°41'58" East 65.00 feet;
- 6) Thence, North 69°17'58" East 28.72 feet;
- 7) Thence, South 58°12'14" East 177.16 feet;
- 8) Thence, South 57°57'14" East 432.90 feet;
- 9) Thence, South 57°27'35" East 121.24 feet to a point which bears South 54°48'05" East 2027.41 feet from the point of beginning.

The bearings and distances used in the above description are on the California Coordinate System of 1983, Zone 2, as determined by ties to the California High Precision Geodetic Network, Epoch 1991.35. Multiply all distances used in the above description by 1.00006450 to obtain ground distances.

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-21477**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 04-Mrn-1-PM 45.7 PARCEL 63084-2
9 OWNER: Jane C. Healy, a married woman as her sole and separate
10 property

11 Resolved by the California Transportation Commission after
12 notice (and hearing) pursuant to Code of Civil Procedure Section
13 1245.235 that it finds and determines and hereby declares that:

14 The hereinafter described real property is necessary for State
15 Highway purposes and is to be acquired by eminent domain pursuant
16 to Streets and Highways Code Section 102;

17 The public interest and necessity require the proposed public
18 project, namely a State highway;

19 The proposed project is planned and located in the manner that
20 will be most compatible with the greatest public good and the least
21 private injury;

22 The property sought to be acquired and described by this
23 resolution is necessary for the public project;

24 The offer required by Section 7267.2 of the Government Code
25 has been made to the owner or owners of record; and be it further

RESOLVED by this Commission that the Department of
Transportation be and said Department is hereby authorized and
empowered;

APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED

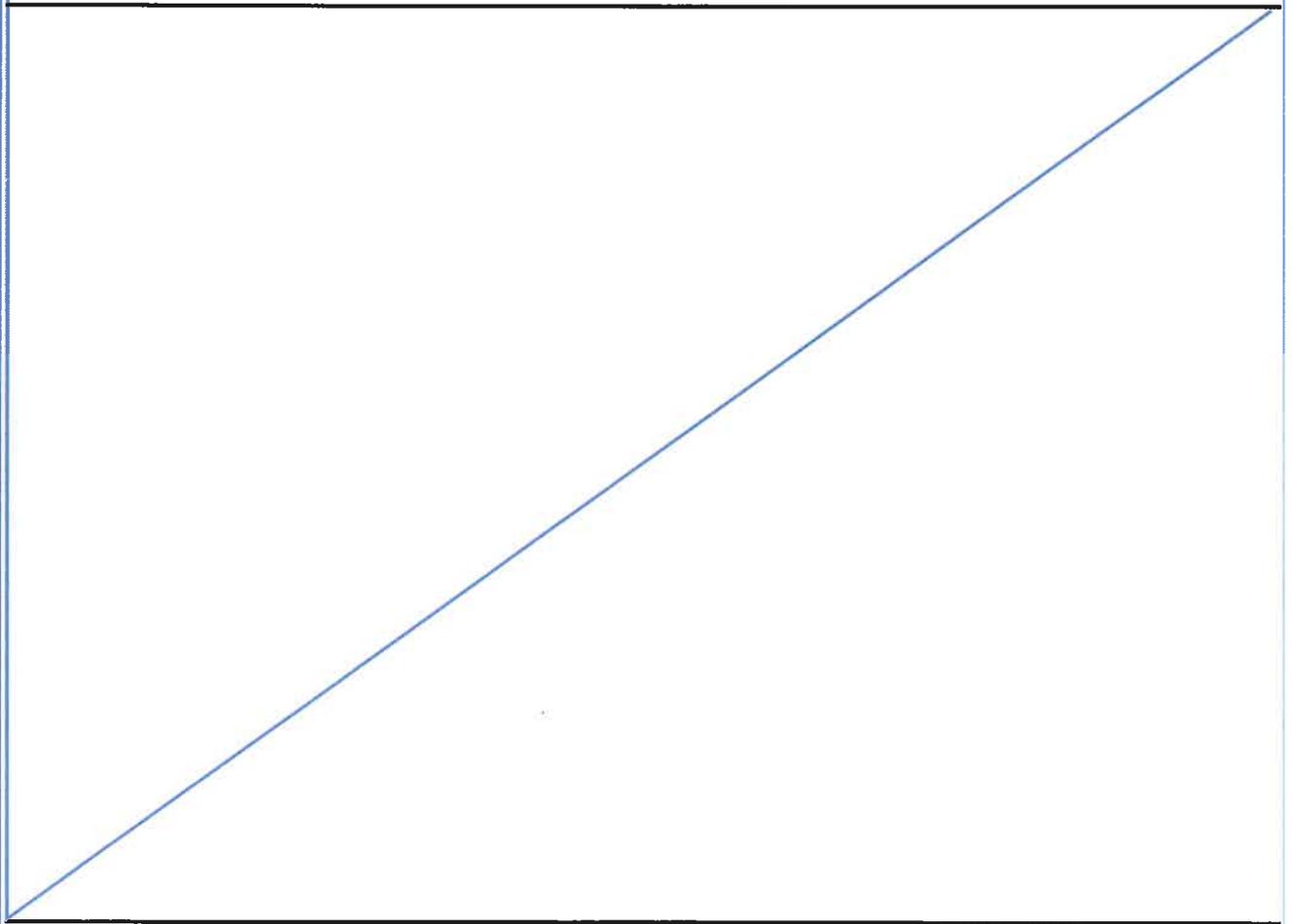
Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

1 To acquire, in the name of the People of the State of
2 California, in fee simple absolute, unless a lesser estate is
3 hereinafter expressly described, the said hereinafter described
4 real property, or interests in real property, by condemnation
5 proceeding or proceedings in accordance with the provisions of the
6 Streets and Highways Code, Code of Civil Procedure and of the
7 Constitution of California relating to eminent domain;

8 The real property or interests in real property, which the
9 Department of Transportation is by this resolution authorized to
10 acquire, is situated in the County of Marin, State of California,
11 Highway 04-Mrn-1 and described as follows:

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Memorandum

District	County	Route	Postmile	Project ID
04	Mrn	1	45.7	0414000443

To: Lam Nguyen
Right of Way Acquisition

From: Jonathon Murphey
R/W Engineering, District 4

Subject: RESOLUTION OF NECESSITY TRANSMITTAL

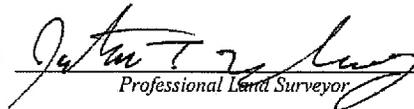
The following information has been provided, as requested by District Right of Way, for use in the preparation of a Resolution of Necessity (RON) and other documents necessary for Condemnation, including:

- RON Mapping (2 pages)
 - Index Map (Exhibit A) – shows parcel(s) in relation to the overall project
 - Detail Map (Exhibit B) – shows parcel(s) in detail
- RON Legal Description for parcel(s): (1 page)
 - 63084-2

The electronic files for the above listed information have been transmitted by electronic mail.

The attached real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature


Professional Land Surveyor

Date 11 July 2016



PARCEL 63084-2:

For State highway purposes, a TEMPORARY EASEMENT for construction purposes and incidents thereto, including, but not limited to, the removal of improvements, upon, over, under and across that parcel of land described as follows:

All that real property situated in the unincorporated area of Marin County, State of California, being a portion of PARCEL 2 as shown on that certain Parcel Map, filed July 25, 1983 in Book 21 of Parcel Maps, at Page 50, in the Office of the County Recorder of Marin County, more particularly described as follows:

BEGINNING at the southeasterly corner of said PARCEL 2; thence along the southerly line of said PARCEL 2, North $84^{\circ}23'56''$ West, 30.00 feet; thence at a right angle to the last said course, North $5^{\circ}36'04''$ East, 15.00 feet; thence at a right angle to the last said course, South $84^{\circ}23'56''$ East, 20.00 feet; thence at a right angle to the last said course, North $5^{\circ}36'04''$ East, 35.00 feet to the northerly line of said PARCEL 2; thence along the last said line, South $84^{\circ}23'56''$ East, 10.00 feet to the northeasterly corner of said PARCEL 2; thence along the easterly line of said PARCEL 2, South $5^{\circ}36'04''$ West, 50.00 feet to the POINT OF BEGINNING.

Rights to the above described temporary easement shall cease and terminate on December 31, 2017. Said rights may also be terminated prior to the above date by STATE upon notice to OWNER.

The bearings and distances used in the above description are on the California Coordinate System of 1927, Zone 3. Multiply the above distances by 1.0000299 to obtain ground level distances.

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-21478**

4 **CALIFORNIA TRANSPORTATION COMMISSION**
5 **RESOLUTION OF NECESSITY**

6 **TO ACQUIRE CERTAIN REAL PROPERTY**

7 **OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN**

8 **HIGHWAY 06-Ker-46-PM 32.20 PARCEL 87134-1, 2, 3**

9 **OWNER: James Raymond Darr, Trustee of the James Raymond Darr**
10 **Living Trust, dated June 22, 2012, as to an undivided ½ interest:**
11 **and Michael K. Pitcairn and Glenda F. Pitcairn, husband and wife,**
12 **as joint tenants, as to an undivided ½ interest**

13 Resolved by the California Transportation Commission after
14 notice (and hearing) pursuant to Code of Civil Procedure Section
15 1245.235 that it finds and determines and hereby declares that:

16 The hereinafter described real property is necessary for State
17 Highway purposes and is to be acquired by eminent domain pursuant
18 to Streets and Highways Code Section 102;

19 The public interest and necessity require the proposed public
20 project, namely a State highway;

21 The proposed project is planned and located in the manner that
22 will be most compatible with the greatest public good and the least
23 private injury;

24 The property sought to be acquired and described by this
resolution is necessary for the public project;

The offer required by Section 7267.2 of the Government Code
has been made to the owner or owners of record; and be it further

APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED

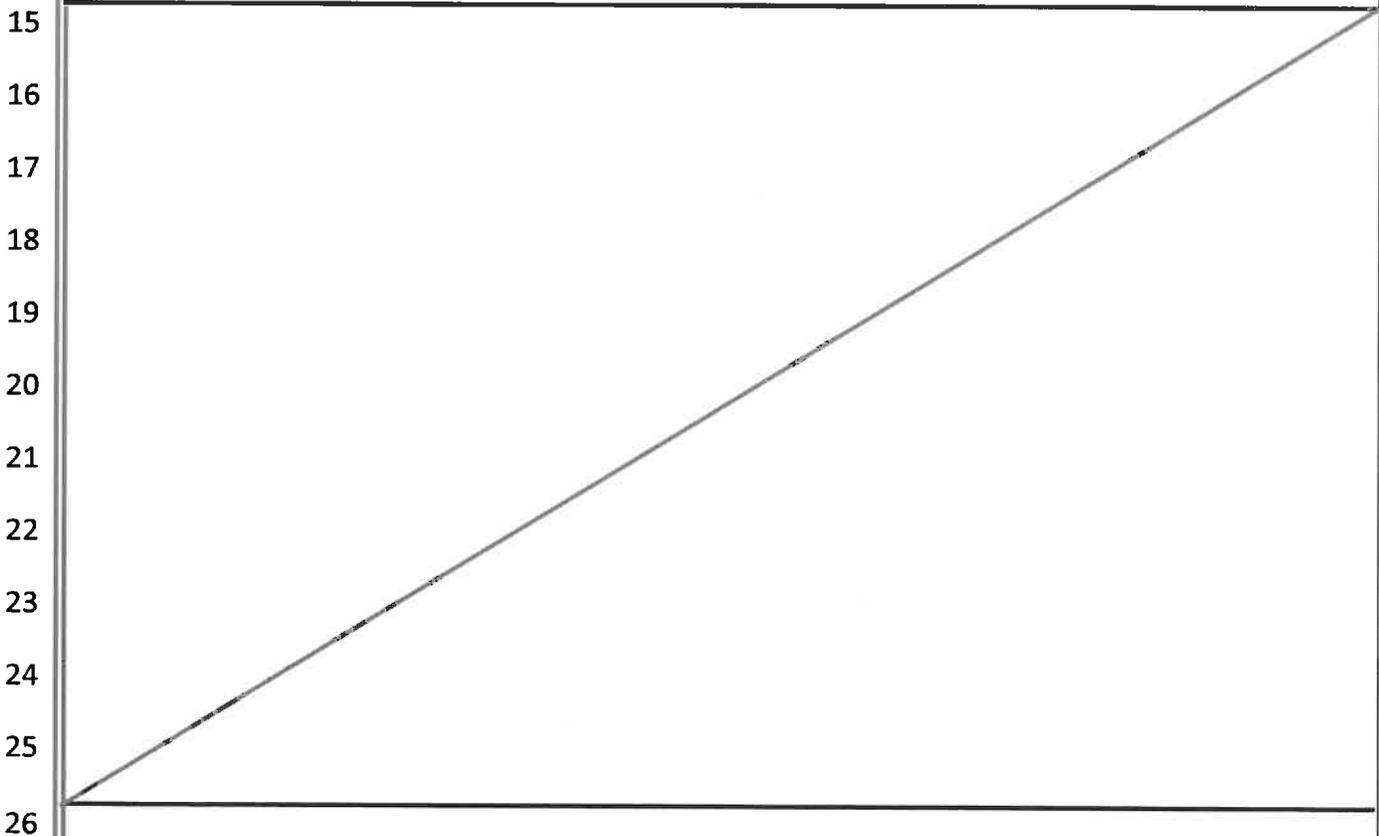
Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

1 RESOLVED by this Commission that the Department of
2 Transportation be and said Department is hereby authorized and
3 empowered;

4 To acquire, in the name of the People of the State of
5 California, in fee simple absolute, unless a lesser estate is
6 hereinafter expressly described, the said hereinafter described
7 real property, or interests in real property, by condemnation
8 proceeding or proceedings in accordance with the provisions of the
9 Streets and Highways Code, Code of Civil Procedure and of the
10 Constitution of California relating to eminent domain;

11 The real property or interests in real property, which the
12 Department of Transportation is by this resolution authorized to
13 acquire, is situated in the County of Kern, State of California,
14 Highway 06-Ker-46 and described as follows:



Memorandum

District	County	Route	Postmile	Project ID
06	KER	46	32.20	0612000175

To: Condemnation Unit

From: Curtis K. Abe
RW Engineering, District 06

Subject: RESOLUTION OF NECESSITY TRANSMITTAL

The following information has been provided, as requested by District Right of Way, for use in the preparation of a Resolution of Necessity (RON) and other documents necessary for Condemnation, including:

- RON Mapping (3 pages)
 - Index Map (Exhibit A) – shows parcel(s) in relation to the overall project
 - Detail Map (Exhibit B & C) -- shows parcel(s) in detail
- RON Legal Description for parcel(s): (3 page(s))
 - 87134-1
 - 87134-2
 - 87134-3

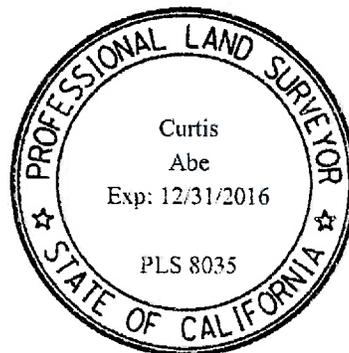
The electronic files for the above listed information have been transmitted by e-mail.

The attached real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature _____

Curtis K. Abe
Professional Land Surveyor

Date 03/22/2016



Parcel 87134-1

A temporary EASEMENT for construction of State Highway facilities and appurtenances thereto, under, upon, over and across that portion of Parcel 1 and Parcel 2 of Parcel Map No. 9790, recorded in Book 46, Page 137 of Parcel Maps, on June 03, 1994, in the Office of the Recorder of said County, more particularly described as follows:

COMMENCING at the North Quarter Corner of Section 1, Township 27 South, Range 21 East, Mount Diablo Meridian: THENCE (1) along the north line of said Section 1, South 89°27'36" East, 1,142.94 feet to the prolongation of the centerline of Warren Street; THENCE (2) along said prolongation and said centerline, South 0°32'24" West, 75.09 feet; THENCE (3) departing said centerline, South 89°34'38" East, 45.00 feet to a point on the easterly right of way of Warren Street, said point also being the POINT OF BEGINNING; THENCE (4) departing said easterly right of way, South 88°19'59" East, 5.13 feet; THENCE (5) North 45°14'08" East, 21.33 feet; THENCE (6) South 89°27'36" East, 293.17 feet; THENCE (7) South 84°36'47" East, 138.56 feet; THENCE (8) South 41°56'01" East, 20.39 feet; THENCE (9) South 0°32'24" West, 12.46 feet; THENCE (10) North 90°00'00" East, 4.89 feet, to a point on the westerly right of way of Aloma Street; THENCE (11) along said westerly right of way, North 0°32'24" East, 12.59 feet to the beginning of a curve concave southwesterly, said curve has a radius of 20.00 feet; THENCE (12) continuing along said westerly right of way, northwesterly along said curve through a central angle of 85°09'11" an arc distance of 29.72 feet to a point of tangency, last said point also being on the southerly right of way line of State Route 46; THENCE (13) along said southerly right of way, North 84°36'47" West, 137.19 feet; THENCE (14) continuing along said southerly right of way, North 89°27'36" West, 295.01 feet to a point, said point is also the beginning of a curve concave southeasterly, last said curve has a radius of 20.00 feet, last said point also being on said easterly right of way line of Warren Street; THENCE (15) along said easterly right of way, southwesterly along last said curve through a central angle of 90°00'00" an arc distance of 31.42 feet to the POINT OF BEGINNING.

Rights to the above described temporary easement shall cease and terminate on July 01, 2020. Said rights may also be terminated prior to the above date by STATE upon notice to OWNER.

The bearings and distances used in this description are on the California Coordinate System of 1983, Zone 5. Multiply distances by 1.00002875 to convert to ground distances.

Parcel 87134-2

For State Highway purposes, that portion of Parcel 5 of Parcel Map No. 9790, recorded in Book 46, Page 137 of Parcel Maps, on June 03, 1994, in the Office of the Recorder of Kern County, described herein:

COMMENCING at the southwest corner of said Parcel 5; THENCE (1) along the southerly boundary of said Parcel 5, South $89^{\circ}27'36''$ East, 15.00 feet, 15.00 feet, to the POINT OF BEGINNING; THENCE (2) continuing along said southerly boundary of Parcel 5, South $89^{\circ}27'36''$ East, 14.75 feet; THENCE (3) departing said southerly boundary, North $44^{\circ}22'56''$ West, 20.89 feet, to the easterly boundary of Warren Street, as described in the document recorded in Book 4733, on Page 578 on November 11, 1972, Kern County Official Records; THENCE (4) along said easterly boundary, South $0^{\circ}32'24''$ West, 14.79 feet to the POINT OF BEGINNING.

The bearings and distances used in this description are on the California Coordinate System of 1983, Zone 5. Multiply distances by 1.00002875 to convert to ground distances.

Parcel 87134-3

For State Highway purposes, that portion of Parcel 6 of Parcel Map No. 9790, filed in Book 46, Page 137 of Parcel Maps, on June 03, 1994, in the Office of the Recorder of Kern County, described herein:

COMMENCING at the southeast corner of said Parcel 6; THENCE (1) along the southerly boundary of said Parcel 6, North $89^{\circ}27'36''$ West, 15.00 feet; THENCE (2) continuing along said southerly boundary, North $89^{\circ}27'36''$ West, 14.48 feet; THENCE (3) departing said southerly boundary, North $45^{\circ}25'45''$ East, 20.52 feet, to the westerly boundary of Aloma Street, as described in the document recorded in Book 4733, on Page 578 on November 11, 1972, Kern County Official Records; THENCE (4) along said westerly boundary, South $0^{\circ}32'24''$ West, 14.54 feet to the POINT OF BEGINNING.

The bearings and distances used in this description are on the California Coordinate System of 1983, Zone 5. Multiply distances by 1.00002875 to convert to ground distances.

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-21479**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 11-SD-5-PM 38.1 PARCEL 33468-1, 2, 3
9 OWNER: The County of San Diego

10 Resolved by the California Transportation Commission after
11 notice (and hearing) pursuant to Code of Civil Procedure Section
12 1245.235 that it finds and determines and hereby declares that:

13 The hereinafter described real property is necessary for State
14 Highway purposes and is to be acquired by eminent domain pursuant
15 to Streets and Highways Code Section 102; and Code of Civil
16 Procedure Section 1240.610 in that a portion of the property is
17 being acquired for a more necessary public use; and Code of Civil
18 Procedure Section 1240.510 in that a portion of the property is
19 being acquired for a compatible use;

20 The public interest and necessity require the proposed public
21 project, namely a State highway;

22 The proposed project is planned and located in the manner that
23 will be most compatible with the greatest public good and the least
24 private injury;

25 The property sought to be acquired and described by this
resolution is necessary for the public project;

APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED

Attorney, Department of Transportation

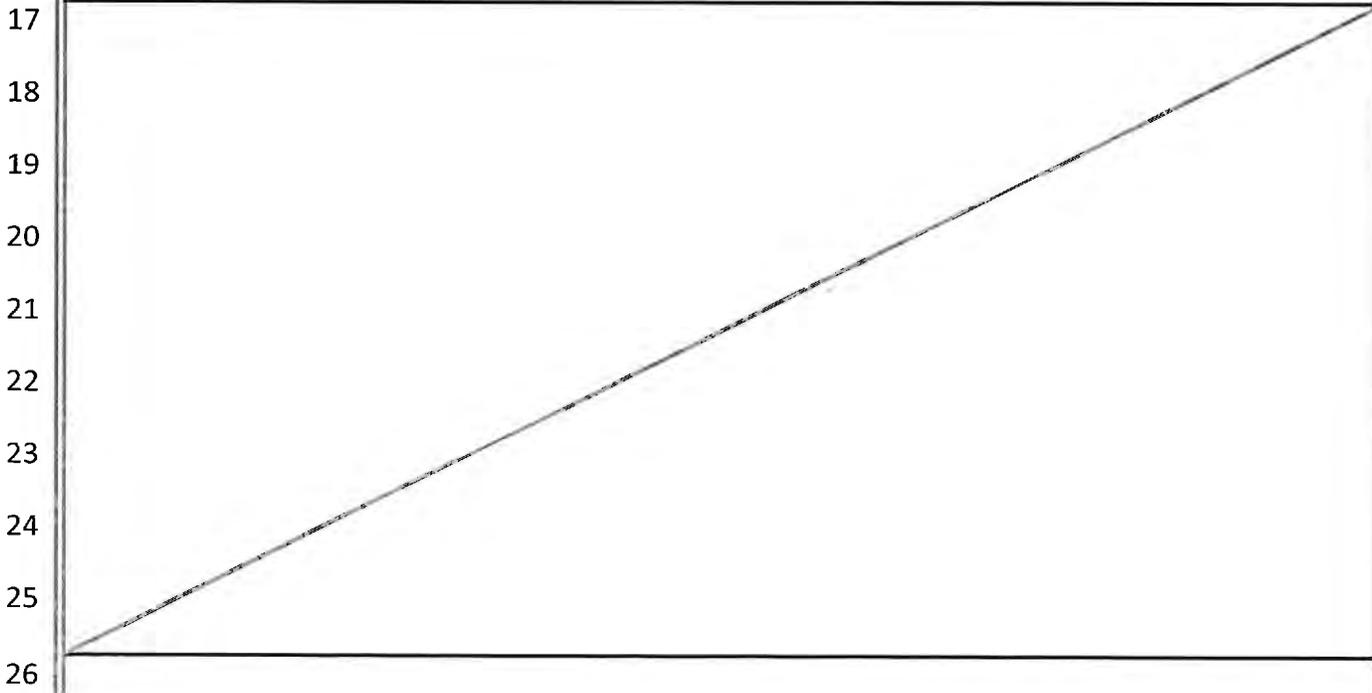
DIVISION OF RIGHT OF WAY

1 The offer required by Section 7267.2 of the Government Code
2 has been made to the owner or owners of record; and be it further

3 RESOLVED by this Commission that the Department of
4 Transportation be and said Department is hereby authorized and
5 empowered;

6 To acquire, in the name of the People of the State of
7 California, in fee simple absolute, unless a lesser estate is
8 hereinafter expressly described, the said hereinafter described
9 real property, or interests in real property, by condemnation
10 proceeding or proceedings in accordance with the provisions of the
11 Streets and Highways Code, Code of Civil Procedure and of the
12 Constitution of California relating to eminent domain;

13 The real property or interests in real property, which the
14 Department of Transportation is by this resolution authorized to
15 acquire, is situated in the County of San Diego, State of
16 California, Highway 11-SD-5 and described as follows:



RESOLUTION of NECESSITY
Title Sheet

District	County	Route	Postmile
11	SD	5	38.1

Project E.A. 2T1729

This document consists of this Title Sheet and the attached Legal Description of the parcel(s) listed below, consisting of 3 pages.

Parcels in Legal Description:					
33468-1					
33468-2					
33468-3					

The attached real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature *Patrick J. Purvis*
Professional Land Surveyor

Date 6/16/16



Parcel 33468-1

For Freeway Purposes, that portion of the East half of the Northeast quarter of Section 35, Township 13 South, Range 4 West, San Bernardino Meridian, in the City of Encinitas, County of San Diego, State of California, according to Official Plat thereof, as described in State of California Director's Deed to Solana Estates, Inc. recorded December 31, 1964 as File/Page No. 236898 of Official Records of San Diego County, described as follows:

BEGINNING at the most Northerly corner of said land described in deed to Solana Estates, Inc. being also a point on that certain course on the Westerly Right-of-Way of Interstate 5 shown as "218.51' N.53°42'39"W." on sheet 18 of Miscellaneous Survey (MS) 611 on file in the Office of the County Surveyor of said San Diego County; thence (1) along the Westerly boundary of said Solana Estates, Inc. land, being also the West line of the East half of the Northeast quarter of said Section 35, S.00°43'40"W., 59.61 feet; thence (2) leaving said West line S.36°42'36"E., 207.15 feet to a point on that certain course shown as "N.18°41'31"W., 245.94'" on sheet 18 of said MS 611, distant thereon 123.36 feet from the Northerly terminus thereof; thence (3) along said Right-of-Way N.18°41'25"W., 123.36 feet; thence continuing along said Westerly Right-of-Way the following two courses; (4) N.35°08'51"W., 120.21 feet; thence (5) N.53°42'35"W., 17.79 feet to the POINT OF BEGINNING.

Lands abutting said freeway shall have no right or easement of access thereto.

Parcel 33468-2

For Freeway Purposes, an EASEMENT FOR SOIL NAIL PURPOSES in and to that portion of the East half of the Northeast quarter of Section 35, Township 13 South, Range 4 West, San Bernardino Meridian, in the City of Encinitas, County of San Diego, State of California, according to Official Plat thereof, as described in State of California Director's Deed to Solana Estates, Inc. recorded December 31, 1964 as File/Page No. 236898 of Official Records of San Diego County, described as follows:

Commencing at the most Northerly corner of said land described in deed to Solana Estates, Inc. being also a point on that certain course on the Westerly Right-of-Way of Interstate 5 shown as "218.51' N.53°42'39"W." on sheet 18 of Miscellaneous Survey (MS) 611 on file in the Office of the County Surveyor of said San Diego County; thence along the Westerly boundary of said Solana Estates, Inc. land, being also the West line of the East half of the Northeast quarter of said Section 35, S.00°43'40"W., 59.61 feet to the POINT OF BEGINNING; thence (6) leaving said West line S.36°42'36"E., 207.15 feet to a point on that certain course shown as "N.18°41'31"W., 245.94'" on sheet 18 of said MS 611, distant thereon 123.36 feet from the Northerly

terminus thereof; thence along said Right-of-Way the following two courses, (7) S.18°41'25"E., 122.57 feet; thence (8) S.58°23'09"W., 10.98 feet; thence (9) leaving said Right-of-Way N.33°52'44"W., 277.14 feet to a point on said West line of the East half of the Northeast quarter of Section 35, distant thereon 57.84 feet from the Point of Beginning; thence (10) along said West line N.00°43'40"E., 57.84 feet to the POINT OF BEGINNING.

Parcel 33468-3

For Freeway Purposes, a TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES in and to Parcel 33468-2 hereinbefore described.

Rights to the above described temporary easement shall cease and terminate on September 30, 2020. Said rights may also be terminated prior to the above date by STATE upon notice to OWNER.

Bearings and distances used in the above descriptions are based on the California Coordinate System of 1983, Zone 6, HPGN Epoch 1991.35. Divide all distances by 0.9999630 to obtain ground level distances.

TRANSPORTATION COMMISSION
RESOLUTION NO.

C-21480

CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION OF NECESSITY
TO ACQUIRE CERTAIN REAL PROPERTY
OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
HIGHWAY 11-SD-5-PM 39.3 PARCEL 35007-1, 2, 3, 4
OWNER: Stevan Jevremov, a single man

Resolved by the California Transportation Commission after notice (and hearing) pursuant to Code of Civil Procedure Section 1245.235 that it finds and determines and hereby declares that:

The hereinafter described real property is necessary for State Highway purposes and is to be acquired by eminent domain pursuant to Streets and Highways Code Section 102;

The public interest and necessity require the proposed public project, namely a State highway;

The proposed project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;

The property sought to be acquired and described by this resolution is necessary for the public project;

The offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record; and be it further

RESOLVED by this Commission that the Department of Transportation be and said Department is hereby authorized and empowered;

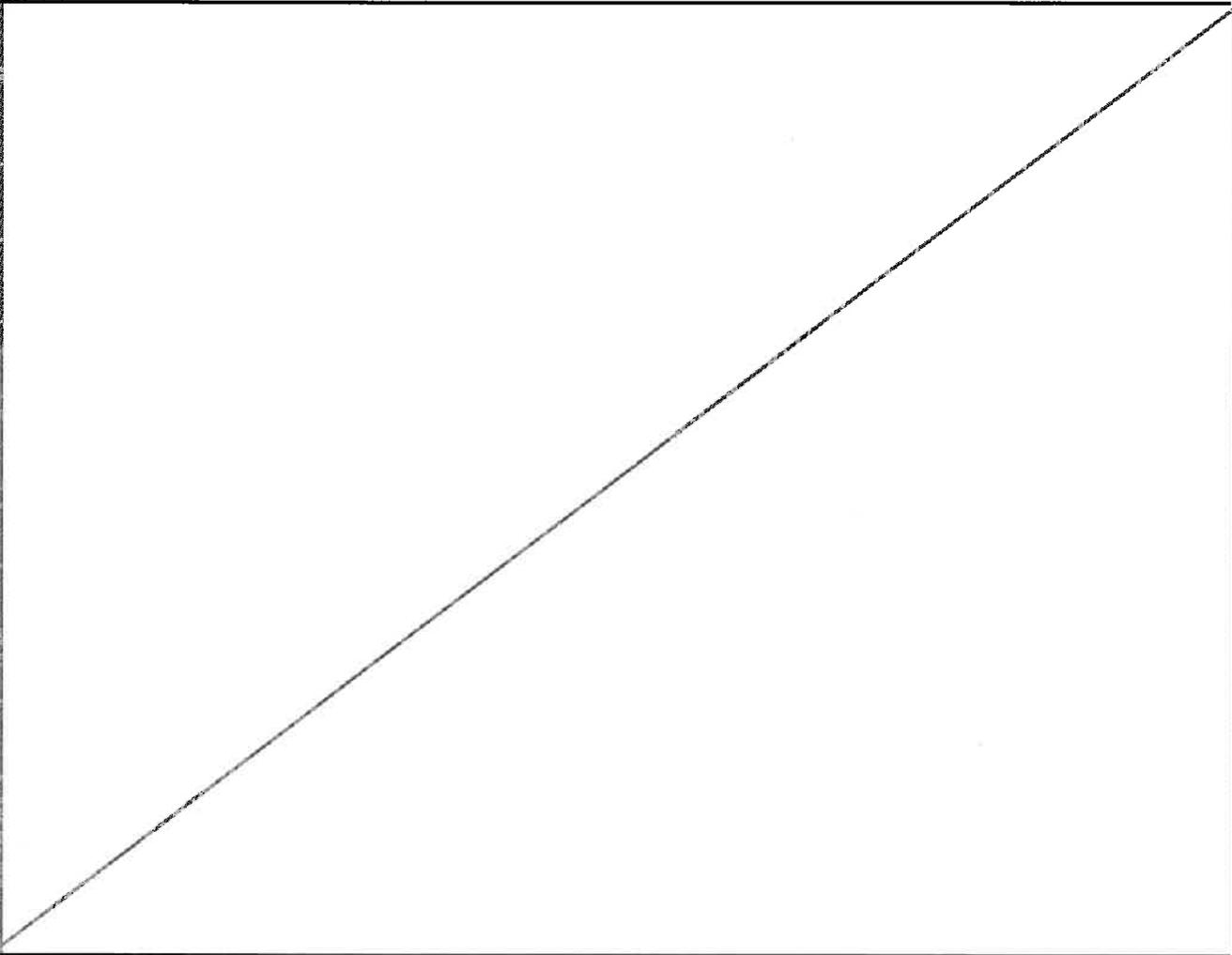
APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED

1 To acquire, in the name of the People of the State of
2 California, in fee simple absolute, unless a lesser estate is
3 hereinafter expressly described, the said hereinafter described
4 real property, or interests in real property, by condemnation
5 proceeding or proceedings in accordance with the provisions of the
6 Streets and Highways Code, Code of Civil Procedure and of the
7 Constitution of California relating to eminent domain;

8 The real property or interests in real property, which the
9 Department of Transportation is by this resolution authorized to
10 acquire, is situated in the County of San Diego, State of
11 California, Highway 11-SD-5 and described as follows:

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RESOLUTION of NECESSITY

Title Sheet

District	County	Route	Postmile
11	SD	5	39.3

Project E.A. 2T1729

This document consists of this Title Sheet and the attached Legal Description of the parcel(s) listed below, consisting of 2 pages.

Parcels in Legal Description:					
35007-1,2,3,4					

The attached real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature

[Handwritten Signature]
 Professional Land Surveyor

Date

June 3, 2016



PARCEL 35007-1

For State highway purposes an EASEMENT FOR ACCESS, CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND INCIDENTS THERETO to the State of California, its successors or assigns, upon, over, under, and across that portion of the Northwest quarter of the Northwest quarter of Section 26, Township 13 South, Range 4 West, San Bernardino Meridian, according to United States Government Survey approved April 19, 1881 as described in grant deed to Stevan Jevremov recorded December 28, 1977 as File No. 77-534587 of Official Records of San Diego County in the State of California, described as follows:

BEGINNING at the Northwesterly corner of said Jevremov land, also being the intersection of the Northerly Line of said Section 26 and the Easterly Right-of-Way of Interstate 5 as shown on Sheet 25 of Miscellaneous Survey 611, on file in the Office of the County Surveyor of said San Diego County; thence (1) along said Right-of-Way, S.09°21'26"E., 447.59 feet; thence (2) leaving said Right-of-Way, N.78°15'10"E., 61.68 feet; thence (3) N.11°45'25"W., 438.16 feet to Northerly boundary of said Jevremov land; thence (4) along said Northerly boundary, N.89°51'25"W., 43.89 feet to the POINT OF BEGINNING.

PARCEL 35007-2

For State highway purposes an EASEMENT FOR ACCESS, CONSTRUCTION, MAINTENANCE AND MODIFICATION OF HIGHWAY SLOPES to the State of California, its successors or assigns, upon, over, under, and across that portion of the Northwest quarter of the Northwest quarter of Section 26, Township 13 South, Range 4 West, San Bernardino Meridian, according to United States Government Survey approved April 19, 1881 as described in grant deed to Stevan Jevremov recorded December 28, 1977 as File/Page No. 77-534587 of Official Records of San Diego County in the State of California, described as follows:

COMMENCING at the Northwesterly Corner of said Jevremov land, also being the intersection of the Northerly Line of said Section 26 and the Easterly Right-of-Way of Interstate 5 as shown on Sheet 25 of Miscellaneous Survey 611, on file in the Office of the County Surveyor of said San Diego County, thence along said Right-of-Way, S.09°21'26"E., 447.59 feet to the POINT OF BEGINNING; thence (5) leaving said Right-of-Way, N.78°15'10"E., 61.68 feet; thence (6) S.11°45'25"E., 150.35 feet; thence (7) S.78°15'10"W., 62.41 feet to said Right-of-Way; thence (8) along said Right-of-Way, N14°03'54"W., 67.88 feet to an angle point therein; thence (9) continuing along said Right-of-Way N09°21'26"W., 82.60 feet to the POINT OF BEGINNING.

PARCEL 35007-3

For State highway purposes an EASEMENT FOR ACCESS, CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND INCIDENTS THERETO to the

State of California, its successors or assigns, upon, over, under, and across that portion of the Northwest quarter of the Northwest quarter of Section 26, Township 13 South, Range 4 West, San Bernardino Meridian, according to United States Government Survey approved April 19, 1881 as described in grant deed to Stevan Jevremov recorded December 28, 1977 as File/Page No. 77-534587 of Official Records of San Diego County in the State of California, described as follows:

COMMENCING at the Northwesterly Corner of said Jevremov land, also being the intersection of the Northerly Line of said Section 26 and the Easterly Right-of-Way of Interstate 5 as shown on Sheet 25 of Miscellaneous Survey 611, on file in the Office of the County Surveyor of said San Diego County, thence along said Right-of-Way, S.09°21'26"E., 530.19 feet to an angle point therein; thence continuing along said Right-of-Way S14°03'54"E., 67.88 feet to the Westerly terminus of above described "course (7)" and the POINT OF BEGINNING; thence (10) leaving said Right-of-Way, and retracing along said "course (7)" N.78°15'10"E., 62.41 feet to the Easterly terminus thereof; thence (11) S.11°45'25"E., 325.75 feet; thence (12) S.78°15'10"W., 49.28 feet to said Right-of-Way; thence (13) along said Right-of-Way, N14°03'54"W., 326.01 feet to the POINT OF BEGINNING.

PARCEL 35007-4

For State highway purposes an EASEMENT FOR ACCESS, CONSTRUCTION, MAINTENANCE AND MODIFICATION OF HIGHWAY SLOPES to the State of California, its successors or assigns, upon, over, under, and across that portion of the Northwest quarter of the Northwest quarter of Section 26, Township 13 South, Range 4 West, San Bernardino Meridian, according to United States Government Survey approved April 19, 1881 as described in grant deed to Stevan Jevremov recorded December 28, 1977 as File/Page No. 77-534587 of Official Records of San Diego County in the State of California, described as follows:

COMMENCING at the Northwesterly Corner of said Jevremov land, also being the intersection of the Northerly Line of said Section 26 and the Easterly Right-of-Way of Interstate 5 as shown on Sheet 25 of Miscellaneous Survey 611, on file in the Office of the County Surveyor of said San Diego County, thence along said Right-of-Way, S.09°21'26"E., 530.19 feet; thence S14°03'54"E., 393.89 feet to the Westerly terminus of above described "course (12)" and the POINT OF BEGINNING; thence (14) leaving said Right-of-Way, and retracing along said "course (12)" N.78°15'10"E., 49.28 feet to the Easterly terminus thereof; thence (15) S.11°45'25"E., 114.53 feet to the Easterly line of said Jevremov land; thence (16) along said Easterly line S.03°58'35"W., 144.09 feet to said Right-of-Way; thence (17) along said Right-of-Way N.14°03'54"W., 253.45 feet to the POINT OF BEGINNING.

Bearings and distances used in the above descriptions are based on the California Coordinate System of 1983, Zone 6, HPGN Epoch 1991.35. Divide all distances by 0.9999630 to obtain ground level distances.

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-21481**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 11-SD-5-PM 38.3 PARCEL 35405-1, 2, 3, 4, 5, 6
9 OWNER: The County of San Diego

10 Resolved by the California Transportation Commission after
11 notice (and hearing) pursuant to Code of Civil Procedure Section
12 1245.235 that it finds and determines and hereby declares that:

13 The hereinafter described real property is necessary for State
14 Highway purposes and is to be acquired by eminent domain pursuant
15 to Streets and Highways Code Section 102; and Code of Civil
16 Procedure Section 1240.610 in that a portion of the property is
17 being acquired for a more necessary public use; and Code of Civil
18 Procedure Section 1240.510 in that a portion of the property is
19 being acquired for a compatible use; and Code of Civil Procedure
20 Section 1240.320 in that a portion of the property is being
21 acquired for conveyance to the City of San Diego for highway
22 purposes;

23 The public interest and necessity require the proposed public
24 project, namely a State highway;

The proposed project is planned and located in the manner that
will be most compatible with the greatest public good and the least
private injury;

APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED

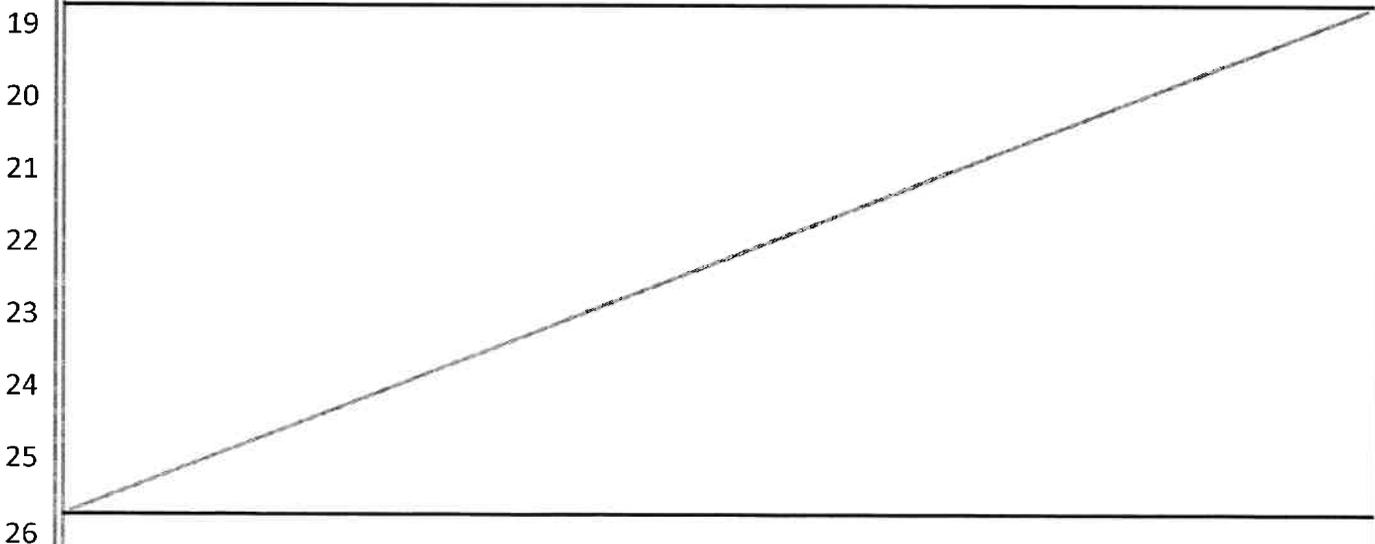
1 The property sought to be acquired and described by this
2 resolution is necessary for the public project;

3 The offer required by Section 7267.2 of the Government Code
4 has been made to the owner or owners of record; and be it further

5 RESOLVED by this Commission that the Department of
6 Transportation be and said Department is hereby authorized and
7 empowered;

8 To acquire, in the name of the People of the State of
9 California, in fee simple absolute, unless a lesser estate is
10 hereinafter expressly described, the said hereinafter described
11 real property, or interests in real property, by condemnation
12 proceeding or proceedings in accordance with the provisions of the
13 Streets and Highways Code, Code of Civil Procedure and of the
14 Constitution of California relating to eminent domain;

15 The real property or interests in real property, which the
16 Department of Transportation is by this resolution authorized to
17 acquire, is situated in the County of San Diego, State of
18 California, Highway 11-SD-5 and described as follows:



RESOLUTION of NECESSITY
Title Sheet

District	County	Route	Postmile
11	SD	5	38.3

Project E.A. 2T1729

This document consists of this Title Sheet and the attached Legal Description of the parcel(s) listed below, consisting of 4 pages.

Parcels in Legal Description:					
35405-1					
35405-2					
35405-3					
35405-4					
35405-5					
35405-6					

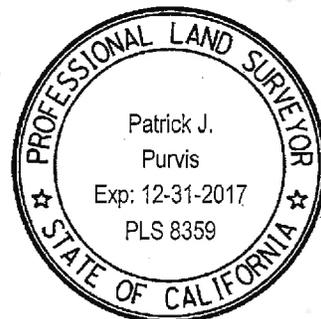
The attached real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature

Patrick J. Purvis
 Professional Land Surveyor

Date

6/16/16



PARCEL 35405-1

For Freeway Purposes, that portion of the Southeast quarter of Section 26, Township 13 South, Range 4 West, San Bernardino Meridian, according to United States Government Survey approved April 19, 1881, in the City of Encinitas, County of San Diego, State of California described as follows:

Commencing at a point on the Easterly Right-of-Way of Interstate 5 at the Northerly terminus of that certain course shown as "S.47°26'34"E., 1293.12' " on sheet 20 of Miscellaneous Survey 611 on file in the Office of the County Surveyor of said San Diego County; thence along said Right-of-Way S.47°26'18"E., 333.26 feet to the TRUE POINT of BEGINNING; thence (1) continuing along said Right-of-Way S.47°26'18"E., 111.56 feet; thence (2) leaving said Right-of-Way N.20°34'49"W., 36.24 feet; thence (3) N.47°26'20"W., 30.29 feet; thence (4) N.65°56'10"W., 51.60 feet to the TRUE POINT of BEGINNING.

Lands abutting said freeway shall have no right or easement of access thereto.

PARCEL 35405-2

For Freeway Purposes, that portion of the Southeast quarter of Section 26, Township 13 South, Range 4 West, San Bernardino Meridian, according to United States Government Survey approved April 19, 1881, in the City of Encinitas, County of San Diego, State of California described as follows:

BEGINNING at a point on the Easterly Right-of-Way of Interstate 5 at the Northerly terminus of that certain course shown as "S.47°26'34"E., 1293.12' " on sheet 20 of Miscellaneous Survey 611 on file in the Office of the County Surveyor of said San Diego County; thence (5) along said Right-of-Way S.47°26'18"E., 12.10 feet; thence (6) leaving said Right-of-Way N.60°58'23"E., 109.55 feet to said Right-of-Way; thence (7) along said Right-of-Way S.66°45'24"W., 113.95 feet to the POINT of BEGINNING.

Lands abutting said freeway shall have no right or easement of access thereto.

PARCEL 35405-3

For Freeway Purposes, a TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES in and to that portion of the Southeast quarter of Section 26, Township 13 South, Range 4 West, San Bernardino Meridian, according to United States Government Survey approved April 19, 1881, in the City of Encinitas, County of San Diego, State of California described as follows:

Commencing at a point on the Easterly Right-of-Way of Interstate 5 at the Northerly terminus of that certain course shown as "S.47°26'34"E., 1293.12' " on sheet 20 of Miscellaneous Survey 611 on file in the Office of the County Surveyor of said San Diego County; thence along said Right-of-Way S.47°26'18"E., 269.74 feet to the TRUE POINT of BEGINNING; thence (8) continuing along said Right-of-Way S.47°26'18"E., 63.52 feet; thence (9) leaving said Right-of-Way S.65°56'10"E., 51.60 feet; thence (10) S.47°26'20"E., 30.29 feet; thence (11) S.20°34'49"E., 36.24 feet to said Right-of-Way; thence (12) along said Right-of-Way S.47°26'18"E., 93.14 feet; thence (13) from a tangent which bears N.05°19'49"W., along a curve to the left, having a radius of 200.00 feet, through a central angle of 84°12'59", an arc distance of 293.97 feet to the TRUE POINT of BEGINNING.

Rights to the above described temporary easement shall cease and terminate on September 15, 2021. Said rights may also be terminated prior to the above date by STATE upon notice to OWNER.

PARCEL 35405-4

For Freeway Purposes, a TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES in and to that portion of the Southeast quarter of Section 26, Township 13 South, Range 4 West, San Bernardino Meridian, according to United States Government Survey approved April 19, 1881, in the City of Encinitas, County of San Diego, State of California described as follows:

Commencing at a point on the Easterly Right-of-Way of Interstate 5 at the Northerly terminus of that certain course shown as "S.47°26'34"E., 1293.12' " on sheet 20 of Miscellaneous Survey 611 on file in the Office of the County Surveyor of said San Diego County; thence along said Right-of-Way S.47°26'18"E., 12.10 feet to the TRUE POINT of BEGINNING; thence (14) leaving said Right-of-Way N.60°58'23"E., 109.55 feet to said Right-of-Way; thence (15) along said Right-of-Way N.66°45'24"E., 10.05 feet; thence (16) leaving said Right-of-Way S.17°27'30"E., 18.01 feet; thence (17) S.50°02'20"W., 83.56 feet; thence (18) S.39°50'00"W., 21.28 feet to said Right-of-Way; thence (19) along said Right-of-Way N.47°26'18"W., 44.46 feet to the TRUE POINT of BEGINNING.

Rights to the above described temporary easement shall cease and terminate on September 15, 2021. Said rights may also be terminated prior to the above date by STATE upon notice to OWNER.

PARCEL 35405-5

For State Highway Purposes, an EASEMENT FOR HIGHWAY PURPOSES, in and to that portion of the Southeast quarter of Section 26, Township 13 South, Range 4 West, San Bernardino Meridian, according to United States Government Survey approved April 19, 1881, in the City of Encinitas, County of San Diego, State of California described as follows:

Commencing at a point on the Southeasterly line of Manchester Avenue relinquished to the County of San Diego per File No. 235308 recorded December 30, 1965 in the Office of the County Recorder of said County, said point being the Westerly terminus of that certain course shown as "N.42°35'16"E., 69.67' " on sheet 4 of 16 of the Maps of said Relinquishment per File No. 152919 recorded August 23, 1965 in the Office of the County Recorder of said County; thence along said course N.42°35'52"E., 69.67 feet to the most Easterly corner of said Relinquishment; thence continuing along said Relinquishment N.47°24'08"W., 30.69 feet to the TRUE POINT of BEGINNING; thence (20) leaving said Relinquishment N.41°14'44"E., 210.09 feet; thence (21) N.46°46'34"W., 36.16 feet to the Southerly boundary of an Easement for City Highway granted to the City of Encinitas per Document No. 1999-0193668 recorded March 25, 1999 in the Office of the County Recorder of said County; thence (22) along said Southerly boundary S.47°09'55"W., 211.10 feet to the Northerly line of said Relinquishment to the County of San Diego; thence (23) Southerly along said Relinquishment to the TRUE POINT of BEGINNING.

PARCEL 35405-6

For State Highway Purposes, a TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES in and to that portion of the Southeast quarter of Section 26, Township 13 South, Range 4 West, San Bernardino Meridian, according to United States Government Survey approved April 19, 1881, in the City of Encinitas, County of San Diego, State of California described as follows:

Commencing at a point on the Southeasterly line of Manchester Avenue relinquished to the County of San Diego per File No. 235308 recorded December 30, 1965 in the Office of the County Recorder of said County, said point being the Westerly terminus of that certain course shown as "N.42°35'16"E., 69.67 feet" on sheet 4 of 16 of the Maps of said Relinquishment per File No. 152919 recorded August 23, 1965 in the Office of the County Recorder of said County; thence along said course N.42°35'52"E., 69.67 feet to the most Easterly corner of said Relinquishment; thence continuing along said Relinquishment N.47°24'08"W., 30.69 feet to the TRUE POINT of BEGINNING; thence (24) leaving said Relinquishment N.41°14'44"E., 210.09 feet; thence (25) S.46°46'34"E., 16.13 feet; thence (26) S.39°45'14"W., 210.11 feet to the Northerly line of said Relinquishment to the County of San Diego; thence (27) Southerly along said Relinquishment to the TRUE POINT of BEGINNING.

Rights to the above described temporary easement shall cease and terminate on September 15, 2021. Said rights may also be terminated prior to the above date by STATE upon notice to OWNER.

Bearings and distances used in the above descriptions are based on the California Coordinate System of 1983, Zone 6, HPGN Epoch 1991.35. Divide all distances by 0.9999746 to obtain ground level distances.