ATTACHMENT A

PROJECT INFORMATION

PROJECT DATA	03-Yub-70-PM 15.5/16.5 Project ID #0312000068 (EA 1E0609)
Location:	In the unincorporated area of Yuba County and in the city of Marysville on State Route (SR) 70 at Simmerly Slough Bridge
Limits:	From 0.1 mile north of Binney Junction up to 0.3 miles north of Laurellen Road.
Cost:	Construction capital cost estimate: $62,519,000 Current right of way capital cost estimate: $3,811,000
Funding Source:	2019 State Highway Operation of Protection Plan (SHOPP) under the Scour Mitigation Program.
Number of Lanes:	Existing: Two lanes with 2-foot paved shoulders on each side and a 5-foot walkway on the east side. Proposed: Two lanes with an additional two way turn lane, 8-foot shoulders on each side and 6-foot sidewalk on the west side
Proposed Major Features:	Provide standard width lanes for all vehicles, standard shoulders, bike lanes and sidewalk and the necessary curb ramps for bicyclists and pedestrians.
Traffic:	Existing (year 2016): 13,100 Average Daily Traffic (ADT) Proposed (year 2020): 13,800 ADT

NEED FOR THE PROJECT

The project is needed because the existing bridge has exceeded its expected service life, is scour critical, and does not meet current operational needs and safety standards.

The Simmerly Slough Bridge (No. 16-0019) was constructed in 1957 and is at the end of its service life. This replaces the Simmerly Slough Bridge by constructing a parallel structure to the west of the existing bridge on State Route (SR) 70 in Yuba County just north of Marysville. The existing Bridge will be used to maintain traffic until half of the new bridge is built and opened to traffic. The existing bridge will then be demolished and the remainder of the new bridge will be constructed.

The new bridge will provide 8-foot wide paved shoulders to accommodate a bicycle route in both directions, a 6-foot sidewalk on the west side of the bridge, and a concrete barrier separating the shoulder from the sidewalk and bridge railing.

The work will be accomplished by the following:

- Construct the new 1,070 foot-long Simmerly Slough Bridge.
- Realign the north and south bridge approaches.
- Upgrade the vertical and horizontal curves to standard.
- Widen the roadway and the new bridge to provide two 8-foot shoulders and one 6-foot sidewalk.
- The project will be striped for 2 traffic lanes and a two way turn lane.
- Construct concrete barriers on the west side of the bridge.
- Construct retaining walls along the levees on both sides of the highway and on the east side of the eastern levee from PM 15.5 to PM 15.7.
- Construct a new access road to Laurellen Road.
- Construct a new Levee access road.
- Conform to the existing highway alignment north and south of the new bridge approaches.
- Repair/replace/extend existing cross drainage culverts and construct new culverts.
- Upgrade dikes as needed.
- Upgrade the Metal Beam Guardrail to a Midwest Guardrail System (MGS).
- Place erosion control as needed.

PROJECT PLANNING AND LOCATION

The project proposes to preserve the integrity of the SR 70 transportation corridor by replacing the existing bridge. SR 70 was designated as the Focus Route in the 1998 Interregional Transportation Strategic Plan (ITSP). The current 2015 ITSP states that SR 70 receives priority for Interregional Transportation Improvement Program funding and it will become the primary connection between Yuba City/Marysville and Oroville/Chico.

The proposed project will construct the new Simmerly Slough Bridge and associated highway west of the existing highway in Yuba County, near Marysville, from 0.1-mile North of Binney Junction up to 0.3 miles north of Laurellen Road, at Simmerly Slough Bridge north end. Highway traffic would remain on the existing bridge during bridge and road construction. The current alignment was developed because of the constraints from historic cemeteries on both sides of the existing alignment and tying into the existing levee at the south end. With no realistic detour alternatives available and the necessity of maintaining traffic along the existing route, the proposed design is located in the manner with the least impact.

On January 10, 2017, Caltrans conducted an open house at the Caltrans District 3 Office in

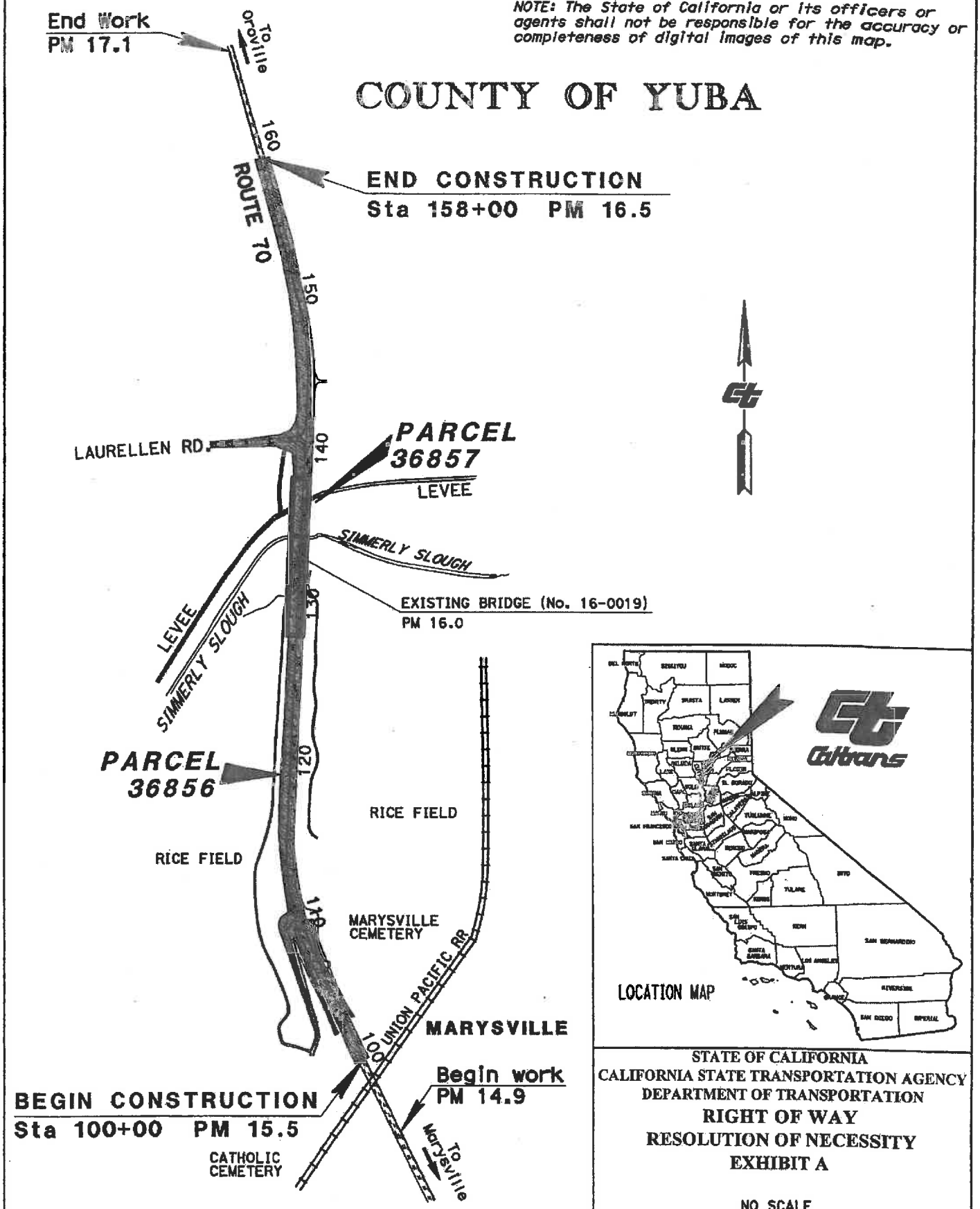
Marysville. Three people attended. The primary goal of the open house was to inform the public about the proposed project and to gather community input.

The Initial Study with Proposed Mitigated Negative Declaration was made available for public and agency review and comment from December 26, 2016 to January 24, 2017. Caltrans has ensured that the document was made available to all appropriate parties and agencies, including the following: 1) Responsible agencies; 2) Trustee agencies that have resources affected by the project; 3) other state, federal and local agencies which have regulatory jurisdiction, or that exercise authority over resources which may be affected by the project; and 4) the general public.

EXHIBIT A

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.

COUNTY OF YUBA



STATE OF CALIFORNIA
CALIFORNIA STATE TRANSPORTATION AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
RESOLUTION OF NECESSITY
EXHIBIT A

NO SCALE

DRAFTED BY	DATE	DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
R. GUENTHER	06/15/2018	03	YUB	70	15.9	1	4

ATTACHMENT B

PARCEL PANEL REPORT

PARCEL DATA

Property Owner:	Floyd V. Burton and Vicki J. Burton, Trustees of the Burton Family Trust
Parcel Location:	East & West of State Route (SR) 70 at P.M. 15.9, Yuba County, Marysville. Assessor Parcel Numbers: 008-010-025, -002, 018-040-013
Present Use:	Agricultural (young walnut trees on the east side and no crop currently planted on the west side).
Zoning:	Agricultural (AG)
Area of Property:	86.92 Acres
Area Required:	36856-1: 9.00 Acres Fee and 2.82 Acres Underlying Fee ("C" St. per official map of the City of Marysville) 36856-2: 3.60 Acres Temporary Construction Easement (TCE) 36857-1: 0.48 Acre TCE

PARCEL DESCRIPTION

The subject property consists of three Assessor's Parcel Numbers (APNs): 008-010-002 (7.43 Acres), 008-010-025 (30.00 Acres), and 018-040-013 (49.49 Acres). The three APNs total 86.92 acres.

Caltrans parcels 36856-1 and 36856-2 are made up of APN's 008-010-025 and 018-040-013. Caltrans parcel 36857-1 is made up of APN 018-040-013 (this APN straddles both sides SR 70).

Caltrans parcel 36856-1 requires 9.00 acres in Fee, 2.82 acres Underlying Fee and 36856-2 requires 3.60 acres of TCE. Caltrans parcel 36857-1 requires 0.48 acre of TCE.

Parcels 36856-1 & 36856-2 have been used to plant rice in years past, but they were not planted with rice the past two seasons (2017 & 2018). The topography is fairly level, except for the land encumbered by the levee. These parcels are on the west side of SR 70, and are accessed via a levee road from the highway.

Parcel 36857-1 is a 0.48 acre TCE. This area is situated on the east side of SR 70, still under APN 018-040-013, which straddles both sides of SR 70. This area has been used to plant rice in previous years, but is currently planted with young walnut trees. The fee portion of APN 018-040-013 is situated on the west side of SR 70 and the TCE area needed is located on the east side of SR 70. The topography is fairly level.

All parcels of the project are situated in a FEMA designated Flood zone.

There are a total of 10 parcels required for project. The following provides the status of the acquisitions to date.
Number of parcels acquired: 8
Number of parcels outstanding: 2
Number of parcels with adopted RON: 1
Number of parcels under order of possession: 0
Number of parcels expected to request an appearance before the CTC: 1 (this parcel)

NEED FOR SUBJECT PROPERTY

Because the Burtons own on both sides of the existing State right of way there is no way to avoid impacts to the property. The proposed acquisition of fee and TCE's are already set at the narrowest width possible to construct the proposed project. Any changes will directly affect the biddability and buildability of the project. Since the affected parcel is situated at the point where SR 70 leaves Marysville and crosses the Marysville Ring Levee, the only way to avoid the Burton's parcel is to realign SR 70 around Marysville.

Parcel 36856-1 consists of a 9.00-acre (392,052 SF) fee acquisition that runs the length of the easterly property boundary and extends from approximately 75' wide on the south end to approximately 140' wide on the north end. The acquisition will be used to realign the highway to the west and to construct the replacement of the existing bridge. Parcel 36856-1 also contains underlying fee of 2.82 acres (122,701 SF). The underlying fee area is encumbered with a permanent public road easement and has no utility to the owner.

Parcel 36856-2 is a 3.60 acre (156,718 SF) temporary construction easement (TCE) located along the west side of the fee acquisition. This area is needed to provide the contractor room to work while constructing the highway and bridge to the west of the existing highway.

Parcel 36857-1, located on the east side of SR 70, consists of a TCE totaling 0.48 acre (20,807 SF) and is required for construction access on the eastern side of SR 70. This area is encumbered by a levee easement and Mr. Burton owns the underlying fee. This area will be used to build up the roadway elevation to transition and match the new highway profile.

RESOLUTION OF NECESSITY REVIEW PANEL REPORT

The Condemnation Review Panel (Panel) met in Marysville on September 14, 2018. The Panel members included Jeffrey Purdie, Panel Chair, Department Headquarters (HQs) Division of Right of Way and Land Surveys; Joann Georgallis, Panel member, Department's Sacramento Legal Division; Linda Fong, Panel member, Department HQ's Division of Design; Carmen Shantz, Panel member, Department HQ's Division of Design. Also in attendance were Michael Whiteside, Department HQ's Assistant Chief Engineer; Eric Blankenburg, Secretary to the Panel, Department HQ's Division of Right of Way and Land Surveys; John Ballantyne, Chief of Right of Way, North Region; Karl Dreher, Chief of Project Development, North Region; Mitch

Andrus, Project Engineer; and Doug Hadley, attorney, representing the property owner Floyd V. Burton.

This report summarizes the findings of the Panel with regard to the four criteria required for a Resolution of Necessity and makes a recommendation to the Department's Chief Engineer. The four criteria are as follows: the public interest and necessity require the project, the project is planned or located in the manner that will be most compatible with the greatest public good and least private injury, the property is required for the proposed project, and an offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record. The primary concern and objection expressed by the property owner is that the acquisition of his alleged implied easement is not required for the project.

The following is a description of the primary concerns/contentions expressed by the property owner, followed by the Department's response:

Owner Contends:

The owner contends he has an implied easement through State's access control under the existing bridge. The owner's claim of an implied easement is based on the 1958 Director's deed calling out access for the western portion of his property. The owner contends recording of a permanent easement for both access and irrigation under the proposed bridge is necessary to replace the implied easement and prevent the property to the east of the proposed bridge from being landlocked.

Department Response:

No easement, implied or otherwise exists. Access was called out to the western parcel in the 1958 Director's deed to prevent it from being landlocked when sold. It was not necessary to include access language in the Director's deed for the eastern parcel since legal access existed along Marysville Cemetery Road and Old State Highway 87. Old State Highway 87 was relinquished in part to the City of Marysville and in part to the County of Yuba in 1957. Although mostly unused, Old Marysville Road/Old State Highway 87 continues as a public road today. The Department believes this legal access negates the owner's argument that he has an implied easement.

The Department was unaware the owner was traversing between the eastern and western portion of his property via unauthorized access under the state-owned bridge. The Department will be more than willing to enter into an encroachment permit for access based on compatible use after construction is complete. The owner will accept nothing less than a permanent easement. This dispute over language in the 1958 deed is a property rights issue that affects compensation rather than the necessity of the project and should be brought before the courts to determine the appropriate remedy.

Owner Contends:

The owner contends construction of this project will interfere with his ability to access the eastern portion of his property from the western portion of his property under the bridge.

Department Response:

During construction of the new bridge, the unauthorized access will be restricted. The Department will be more than willing to enter into an encroachment permit for access based on compatible use after construction is complete.

Owner Contends:

The Department should move his farm road outside the right-of-way along the west parcel.

Department Response:

The Department's offer includes compensation to relocate the farm road onto the remainder.

Owner Contends:

The Department should establish a new access road for farm equipment along and down the easterly SR embankment. The owner has stated that his reason for requesting this was for temporary access during construction to avoid delays in farming operations.

Department Response:

A new access road on Caltrans right of way adjacent to the historic Marysville Cemetery is not feasible. The owner already has access along Marysville Cemetery Road and the old State Highway which was improved and relinquished as part of the 1950's relinquishment agreement.

Owner Contends:

The owner should be able to use the construction road on the west parcel that the Department's contractor will put in rather than building an additional field road for his own purposes.

Department Response:

The contractor will be building a temporary construction road to access the work area. Upon completion of construction, the contractor is responsible to remove the temporary construction road and any associated debris. However, at the owner's request, a contract specification will be included in the contract for bid that will require the contractor to work with the owner for joint use of the construction road for farming during construction.

Owner Contends:

The property is worth $18,000 an acre rather than $8,000 as appraised.

Department Response:

The Department has made an offer for the full amount of the appraised value in compliance with Government Code Section 7267.2. Disputes related to compensation are not within the purview of the CTC.

DEPARTMENT'S CONTACTS

The following is a summary of contacts made with the property owner or his representative:

Type of Contact	Number of Contacts
Mailing of information	6
E-Mail of information	25
Telephone contacts	18
Personal / meeting contacts	3

STATUTORY OFFER TO PURCHASE

The Department has appraised the subject property and offered the full amount of the appraisal to the owners of record as required by Government Code Section 7267.2. The property owner has been notified that issues related to compensation are outside the purview of the Commission.

PANEL RECOMMENDATION

The Panel concludes that the Department's project complies with Section 1245.230 of the Code of Civil Procedure in that:

- The public interest and necessity require the proposed project.
- The proposed project is planned or located in the manner that will be most compatible with the greatest public good and least private injury.
- The property rights to be condemned are necessary for the proposed project.
- An offer to purchase in compliance with Government Code Section 7267.2 has been made to the owners of record.

The Panel recommends submitting this Resolution of Necessity to the Commission.

JEFFREY PURDIE
Chief
Office of Project Delivery
Division of Right of Way and Land Surveys
Panel Chair

I concur with the Panel's recommendation:

KARLA SUTLIFF
Chief Engineer

PERSONS ATTENDING CONDEMNATION PANEL REVIEW MEETING HEARING ON SEPTEMBER 14, 2018

Jeffrey Purdie, HQ's Division of Right of Way and Land Surveys, Panel Chair
Joann Georgallis, Sacramento Legal Office Attorney, Panel Member
Linda Fong, HQ's Division of Design, Panel Member
Carmen Shantz, HQ's Division of Design, Panel Member
Eric Blankenburg, HQ's Division of Right of Way and Land Surveys, Panel Secretary
Michael Whiteside, HQ's Assistant Chief Engineer
Doug Hadley, attorney for the property owner
Karl Dreher, Chief of Project Development, North Region
Mitch Andrus, Design Project Engineer, District 3
John Ballantyne, Deputy District Director, District 3 Right of Way

EXHIBIT B

COUNTY OF YUBA

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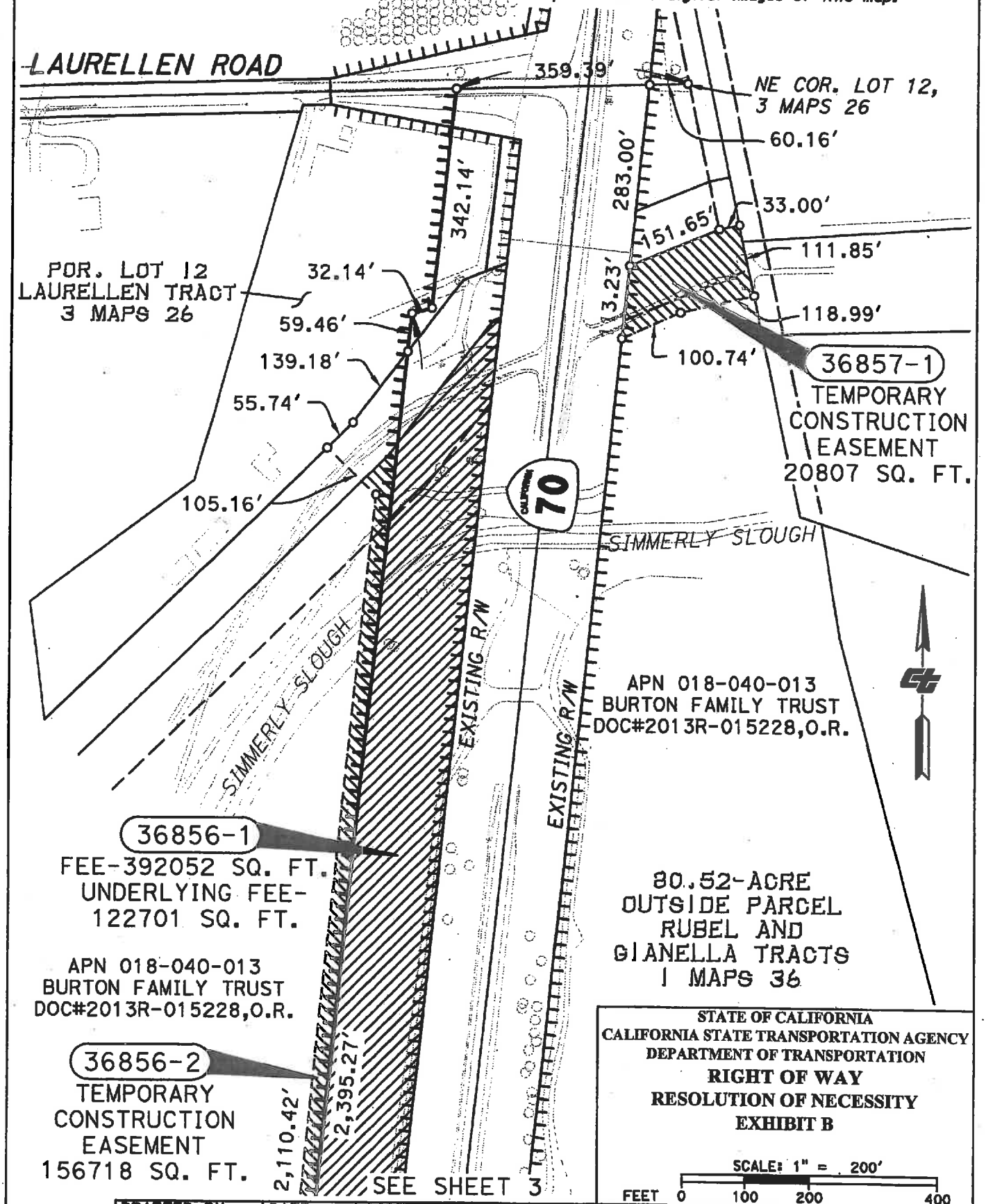

STATE OF CALIFORNIA
CALIFORNIA STATE TRANSPORTATION AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
RESOLUTION OF NECESSITY
EXHIBIT B

SCALE: 1" = 200'
FEET 0 100 200 400

DRAFTED BY	DATE	DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
R. GUENTHER	06/15/2018	03	YUB	70	15.9	2	4

COUNTY OF YUBA

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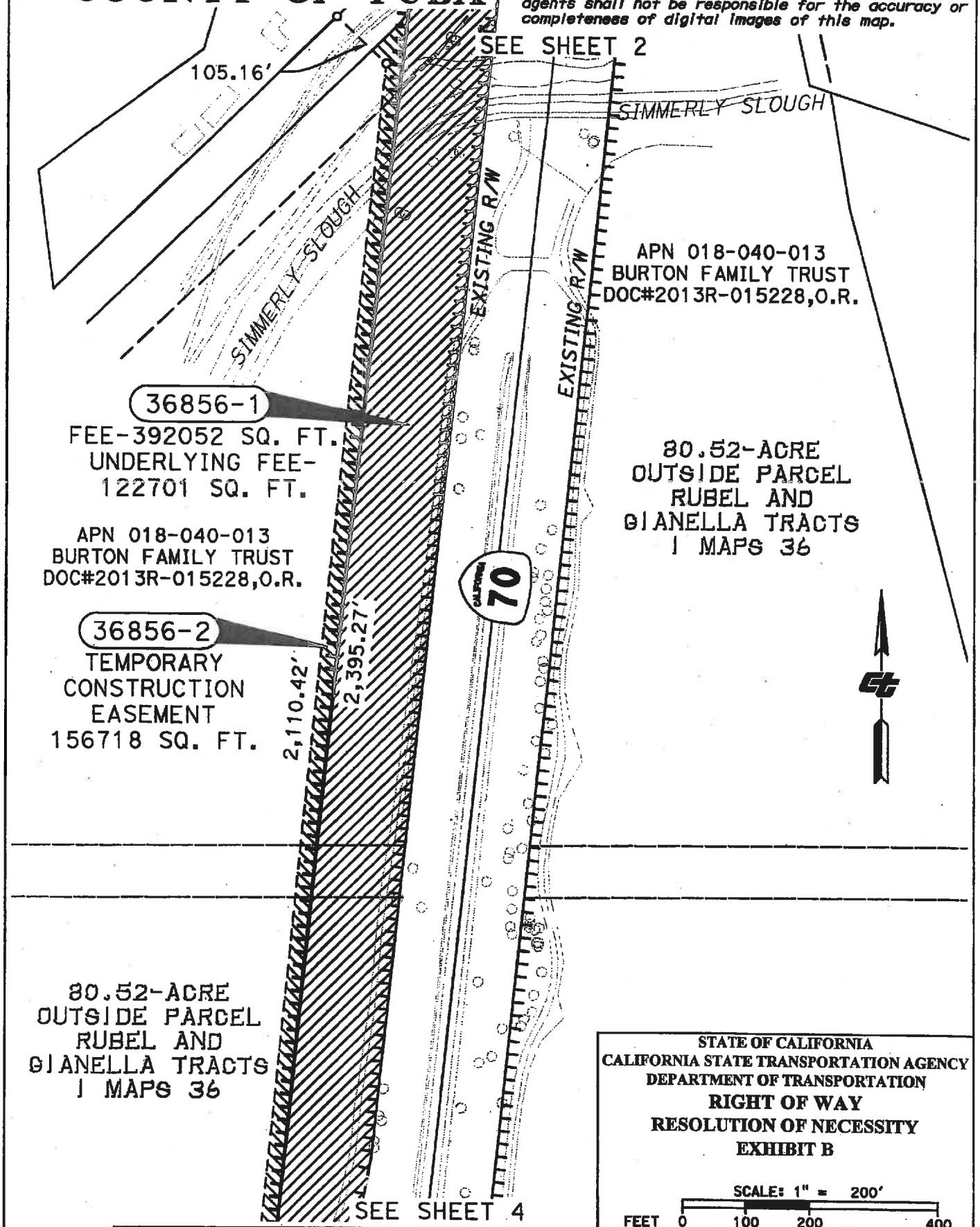

STATE OF CALIFORNIA
CALIFORNIA STATE TRANSPORTATION AGENCY
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
RESOLUTION OF NECESSITY
EXHIBIT B

SCALE: 1" = 200'
FEET 0 100 200 400

DRAFTED BY	DATE	DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
R. GUENTHER	06/15/2018	03	YUB	70	15.9	3	4

COUNTY OF YUBA

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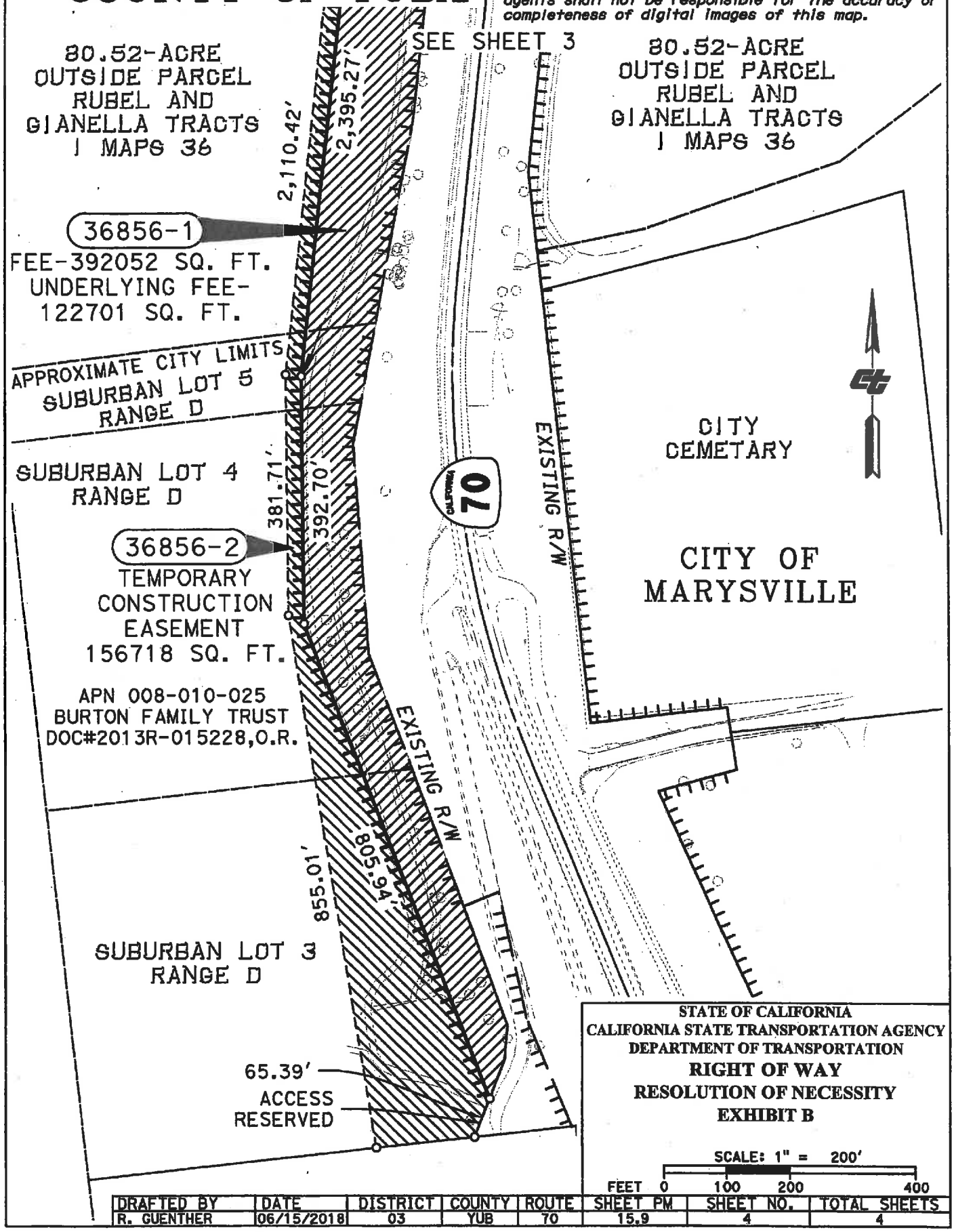

STATE OF CALIFORNIA
CALIFORNIA STATE TRANSPORTATION AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
RESOLUTION OF NECESSITY
EXHIBIT B

SCALE: 1" = 200'

FEET 0 100 200 400

DRAFTED BY	DATE	DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
R. GUENTHER	06/15/2018	03	YUB	70	15.9	4	4

EXHIBIT C

TRANSPORTATION COMMISSION
RESOLUTION NO.

C-21653

CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION OF NECESSITY
TO ACQUIRE CERTAIN REAL PROPERTY
OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
HIGHWAY 03-Yub-70 PM 15.9 PARCEL 36856-1, 2, 36857-1
OWNER: Floyd V. Burton & Vicki J. Burton, Trustees of the Burton Family Trust, etc.

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; and Code of Civil Procedure Section 1240.510 in that the property being acquired is for a compatible use; and Code of Civil Procedure Section 1240.610 in that the property is required for a more necessary public use;

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;

APPROVED AS TO FORM AND PROCEDURE

Attorney, Department of Transportation

APPROVAL RECOMMENDED

DIVISION OF RIGHT OF WAY

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;

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

The real property or interests in real property, which the Department of Transportation is by this resolution authorized to acquire, is situated in the County of Yuba, State of California, Highway 03-Yub-70 and described as follows:

PARCEL 36856-1: For freeway purposes, that real property situated in the City of Marysville, County of Yuba, and the unincorporated area of the County of Yuba, State of California, being a portion of Parcels One, Two and Three as described in that certain Grant Deed recorded on December 6, 2013, as Document No. 2013R-015228, Official Records, Yuba County Records, said real property being all that portion lying westerly of the easterly right of way line of State Route 70, as said right of way line is described by the portion being excepted therefrom the Director's Deed recorded March 24, 1958, in Book 255 of Official Records, at Page 118, Yuba County Records, and easterly of the following described line:

COMMENCING at a 1 inch iron pipe monument, in lieu of an iron pin, marking the northeast corner of Lot 12, as shown on that certain plat entitled "Map of Laurellen Tract", filed in Book 3 of Maps, at Page 26, Yuba County Records; THENCE from said monument, along the northerly line of said Lot 12 and centerline of Laurellen Road, in a direct line with a Topper in a monument well, in lieu of an iron pin, marking the northwest corner of Lot 10 of said plat entitled "Map of Laurellen Tract", as shown on that certain Record of Survey, filed in Book 90 of Maps, at Page 46, Yuba County Records, South 88°18'53" West 359.39 feet to a point thereon, said point being the **POINT OF BEGINNING**; THENCE from said point of beginning leaving said northerly line and centerline, South 05°53'53" West 342.14 feet; THENCE South 74°51'32" West 32.14 feet; THENCE South 05°53'53" West 2395.27 feet; THENCE South 00°42'56" East 392.70 feet; THENCE South 21°00'48" East 805.94 feet to a point on the westerly line as described in that certain Relinquishment of State Highway, recorded September 4, 1957, in Book 245 of Official Records, at Page 243, Yuba County Records, last said line being the westerly line of the shaded area along the westerly right of way line as shown on that certain highway layout sheet filed in State Highway Map Book 2, at Page 142, Yuba County Records; thence along said westerly line South 21°02'30" West 65.39 feet to a point on the southerly line of Suburban Lot 3, Range D, as shown on that certain plat entitled "Official Map of the City of Marysville", approved on March 22, 1856, in the office of the county recorder of Yuba County.

TOGETHER WITH any and all remaining real interest, if any, lying easterly of the above described line within Suburban Lots 3 through 5 of Range D, as shown on that certain plat entitled "Official Map of the City of Marysville", approved on March 22, 1856, and within that certain parcel labeled "District

No. 10 Levee R.W. 150'", as shown on that certain plat entitled "Rubel and Gianella Tracts", filed in Book 1 of Maps, at Page 36, both of Yuba County Records.

Lands abutting the freeway shall have no right or easement of access thereto except over and across the herein described course having a bearing and distance of "South 21°02'30" West 65.39 feet".

PARCEL 36856-2: A temporary easement for construction purposes and incidents thereto in and to that real property situated in the City of Marysville, County of Yuba, and the unincorporated area of the County of Yuba, State of California, being a portion of Parcels One, Two and Three as described in that certain Grant Deed recorded on December 6, 2013, as Document No. 2013R-015228, Official Records, Yuba County Records, said real property being all that portion lying westerly of the easterly right of way line of State Route 70, as said right of way line is described by the portion being excepted therefrom the Director's Deed recorded March 24, 1958, in Book 255 of Official Records, at Page 118, Yuba County Records, and easterly of the following described line:

COMMENCING at a 1 inch iron pipe monument, in lieu of an iron pin, marking the northeast corner of Lot 12, as shown on that certain plat entitled "Map of Laurellen Tract", filed in Book 3 of Maps, at Page 26, Yuba County Records; THENCE from said monument, along the northerly line of said Lot 12 and centerline of Laurellen Road, in a direct line with a Topper in a monument well, in lieu of an iron pin, marking the northwest corner of Lot 10 of said plat entitled "Map of Laurellen Tract", as shown on that certain Record of Survey, filed in Book 90 of Maps, at Page 46, Yuba County Records, South 88°18'53" West 359.39 feet to a point thereon; THENCE leaving said northerly line and centerline, South 05°53'53" West 342.14 feet; THENCE South 74°51'32" West 32.14 feet; THENCE South 05°53'53" West 59.46 feet to a point on the southeasterly line of said Lot 12, said point being the **POINT OF BEGINNING**; THENCE from said point of beginning along said southeasterly line the following two (2) courses: 1) South 37°28'44" West 139.18 feet; and 2) South 45°35'59" West 55.74 feet to a point thereon; THENCE leaving said southeasterly line South 46°39'28" East 105.16 feet; THENCE South 05°53'53" West 2110.42 feet; THENCE South 00°41'24" East 381.71 feet; THENCE South 09°12'47" East 855.01 feet to a point on the southerly line of Suburban Lot 3, Range D, as shown

on that certain plat entitled "Official Map of the City of Marysville", approved on March 22, 1856, in the office of the county recorder of Yuba County.

EXCEPTING THEREFROM all that portion lying within the herein described Parcel 36856-1.

The rights to the above-described temporary easement shall cease and terminate no later than September 25, 2021. Said rights may also be terminated prior to the above date by STATE upon notice to OWNER.

PARCEL 36857-1: A temporary easement for construction purposes and incidents thereto in and to that real property situated in the unincorporated area of the County of Yuba, State of California, being a portion of Parcel Three as described in that certain Grant Deed recorded on December 6, 2013, as Document No. 2013R-015228, Official Records, Yuba County Records, more particularly described as follows:

COMMENCING at a 1 inch iron pipe monument, in lieu of an iron pin, marking the northeast corner of Lot 12, as shown on that certain plat entitled "Map of Laurellen Tract", filed in Book 3 of Maps, at Page 26, Yuba County Records; THENCE from said monument, along the northerly line of said Lot 12, also being the centerline of Laurellen Road, in a direct line with a Topper in a monument well, in lieu of an iron pin, marking the northwest corner of Lot 10 of said plat entitled "Map of Laurellen Tract", as shown on that certain Record of Survey, filed in Book 90 of Maps, at Page 46, Yuba County Records, South 88°18'53" West 60.16 feet to the point of intersection thereof with the easterly right of way line of State Route 70, also being the westerly line of Parcel No. 1 and 2 as said parcels are described in that certain Director's Deed recorded on September 13, 1963 in Book 378, at Page 281, of Official Records, Yuba County Records; THENCE along said easterly right of way line South 05°58'50" West 283.00 feet to the point of intersection thereof with the centerline of the 150-foot wide easement labeled "District No. 10 Levee R.W. 150'" as shown on that certain plat entitled "Rubel and Gianella Tracts" filed in Book 1 of Maps, at Page 36, Yuba County Records, said point being the **POINT OF BEGINNING**; THENCE from said point of beginning leaving said easterly right of way line along said centerline North 67°45'44" East 151.65 feet to the point of intersection thereof with the westerly line of the superseded

highway known locally as "Marysville-Oroville Road", 66 feet wide as described in Road Register Page 34, on file at the County of Yuba, and vacated and abandoned by that certain document entitled "Abandonment of Superseded State Highway in the County of Yuba, Road III-YUB-87-A" recorded on August 13, 1957 in Book 244, at Page 443, of Official Records, Yuba County Record; THENCE leaving said centerline and westerly line North 77°49'35" East 33.00 feet to a point on the centerline of said superseded highway; THENCE along last said centerline South 12°10'25" East 111.85 feet to a point thereon; THENCE leaving said centerline South 77°00'51" West 118.99 feet; THENCE South 66°02'50" West 100.74 feet to a point on said easterly right of way line of State Route 70; THENCE along said easterly right of way line North 05°58'50" East 113.23 feet to the point of beginning.

The rights to the above-described temporary easement shall cease and terminate no later than September 25, 2021. 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 based on the California Coordinate System of 1983, Zone 2, as determined by ties to the California High Precision Geodetic Network, Epoch 2004.69. Distances are in feet unless otherwise noted. Divide distances by 0.999917 to obtain ground level distances.

ATTACHMENT C

cc: Teri

6/20/18 - Sent to Right of Way
CC - Stephen Maller
Teri Anderson

9 June 2018

Executive Director

California Transportation Commission

P O Box 942873

Mail Station 52

Sacramento, CA 94273-0001

RECD BY CTC
JUN 19 2018

Dear Sir:

The accompanying letter was received on 8 June 2018, and I understand that the California Dept of Transportation (Caltrans) will begin the process of eminent domain for my property if approved by your commission.

As represented by Caltrans, I will suffer irreparable harm if the current plan is enacted. My site of diversion from Simmerly Slough (Jack Slough) will be eliminated, and Caltrans will not grant me an easement to move water by pipe beneath the bridge from my well on the east to the land on the west side of the proposed bridge.

I appear to be the major property owner at this site, but knew of no public hearings or discussion regarding alternate routes or methods of construction. I have not been contacted by Caltrans until an offer to purchase was received within the past few months.

Alternatives have been considered by Caltrans I believe, and I wish to appear before the commission at its August 15 2018 meeting. Requests are being made for records concerning options considered by Caltrans.

Thank you.

Floyd V Burton

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