



**Resource Management
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: December 17, 2019 – REVISED

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Celeste Perez PHONE: 559-624-7010

SUBJECT: Grant of Real Property to the State of California in connection with the Avenue 152 over State Route 99 Bridge Replacement Project in Tipton

REQUEST(S):

That the Board of Supervisors:

1. Approve the grant of real property to the State of California, acting through its Department of Transportation, in connection with the Avenue 152 over State Route 99 Bridge Replacement Project in Tipton; and
2. Authorize the Chairman of the Board to sign two copies of the Grant Deeds; and
3. Adopt the Common-Sense Exemption prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines Section 15061(b)(3), for the Transfer of County Right of Way to the State of California; and
4. Authorize the Environmental Assessment Officer, or designee, to sign and file the Notice of Exemption with the County Clerk; and
5. Direct the Clerk of the Board to return executed and notarized Grant Deeds to the Resource Management Agency.

SUMMARY:

The California Department of Transportation (Caltrans) is currently in the acquisition phase of the Avenue 152 over State Route (SR) 99 Bridge Replacement Project in Tipton. The purpose of this project is to replace the existing bridge at Avenue 152 over SR 99 to mitigate the continued deterioration of the existing bridge and low vertical

SUBJECT: Grant of Real Property to the State of California in connection with the Avenue 152 over State Route 99 Bridge Replacement Project in Tipton
DATE: December 17, 2019

clearance, ensuring the safety and reliability of SR 99. The new structure would provide a standard vertical clearance over SR 99 and will accommodate a 40-foot roadbed and a sidewalk on the eastbound direction and a concrete barrier separating the sidewalk and vehicular traffic. In addition, chain link railing will be installed at the outside edge of the bridge. The existing profile grades and other geometric features will be maintained while conforming near the at-grade intersection west and east of the bridge.

To replace the bridge, Caltrans will need to acquire two sections of right-of-way from the County per the Streets and Highway Code Section 83. The first portion of right-of-way is located on the west side of the bridge and is 0.06 acres. The second portion of right-of-way is located on the east side of the bridge and is 0.05 acres. Upon completion of the project, the State will relinquish 0.01 acres, acquired as part of the project, to the County; a separate item will be brought to your board for acceptance for any relinquished property from the State.

In accordance with the California Environmental Quality Act (CEQA), the County has determined that the following Common-Sense Exemption is applicable to the proposed action: State CEQA Guidelines (14 Cal. Code Regs.) Section 15061(b)(3).

FISCAL IMPACT/FINANCING:

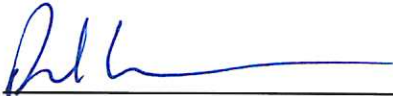
No Net County Cost.

All cost associated with the grant of real property to the State of California will be funded using Road Funds.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's Strategic Business Plan includes the Safety and Security Initiative to provide for the safety and security of the public. This grant of real property for the Avenue 152 over State Route (SR) 99 Bridge Replacement Project will help fulfill this initiative by improving and maintaining adequate transportation infrastructure.

ADMINISTRATIVE SIGN-OFF:



Reed Schenke, P.E.
Director

cc: County Administrative Office

Attachment(s) Attachment A - Grant Deeds
Attachment B - RW Requirements Map
Attachment C - Notice of Exemption

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF GRANT OF REAL)
PROPERTY TO THE STATE OF) Resolution No. _____
CALIFORNIA IN CONNECTION WITH)
THE AVENUE 152 OVER STATE ROUTE)
99 BRIDGE REPLACEMENT PROJECT IN)
TIPTON)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD DECEMBER 17, 2019,
BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Approved the grant of real property to the State of California, acting through its Department of Transportation, in connection with the Avenue 152 over State Route 99 Bridge Replacement Project in Tipton; and
2. Authorized the Chairman of the Board to sign two copies of the Grant Deeds; and
3. Adopted the Common-Sense Exemption prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines Section 15061(b)(3), for the Transfer of County Right of Way to the State of California; and
4. Authorized the Environmental Assessment Officer, or designee, to sign and file the Notice of Exemption with the County Clerk; and
5. Directed the Clerk of the Board to return executed and notarized Grant Deeds to the Resource Management Agency.

Attachment "A"
Grant Deeds

RECORDING REQUESTED BY AND WHEN
RECORDED MAIL TO:

California Department of
Transportation
855 M Street, Suite 200
Fresno, CA 93721

State Business - No Recording Fee
(Gov. Code 27383)
DEPT. OF TRANSPORTATION

BY: Corey Nelson
Right of Way Agent

Space above this line for Recorder's Use

GRANT DEED

District	County	Route	Postmile	Number
06	TUL	99	P.M. 19.46	88054-1

County of Tulare,

hereinafter called GRANTOR, hereby grants to the State of California, Department of Transportation, hereinafter called STATE, all that real property in the unincorporated community of Tipton, County of Tulare, State of California, described as follows:

(DESCRIPTION FOLLOWS ON PAGE 2)

The GRANTOR further understands that the present intention of the STATE is to construct and maintain a public highway on the lands hereby conveyed in fee and the GRANTOR, for itself and its successors and assigns, hereby waives any claims for any and all damages to GRANTOR's remaining property contiguous to the property hereby conveyed by reason of the location, construction, landscaping or maintenance of the highway.

Dated: _____

County of Tulare

Kuyler Crocker
Chairman of the Board

This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated _____

By LAURIE BERMAN
Director of Transportation

By _____
Attorney in Fact

Parcel 88054-1

That portion of the southwest quarter of Section 30, Township 21 South, Range 25 East, Mount Diablo Meridian, according to the Official Government Plat thereof, more particularly described as follows:

Commencing at the North Quarter Corner of Section 31, Township 21 South, Range 25 East, Mount Diablo Meridian, according to the Official U.S. Government Township Plat thereof, being a 2 and 1/2" Brass Cap Flush in 12" Dia. Concrete stamped TCS, said North Quarter Corner bears South 89°39'11" East, 2697.23 feet from the Northwest Corner of said Section 31, said Northwest Corner being marked by a 3" Dia. Iron Cap with no markings, down .8';

THENCE (1) along the north line of said Section 31 North 89°39'11" West, 475.10 feet to the westerly Right of Way boundary of State Hwy 99 as shown on Sheet 49 of Sheets 1-132 per State Hwy 99 Record Maps for Tulare County being on file in the office of Cal-trans District 6 Surveys;

THENCE along said westerly Right of Way boundary the following described courses:

(2) North 18°12'30" West, 49.75 feet to the POINT OF BEGINNING; (3) Continuing along said westerly Right of Way boundary North 18°12'30" West, 15.84 feet; (4) North 83°09'11" West, 26.76 feet; (5) North 20°19'37" West, 53.96 feet; (6) South 83°09'11" East, 27.50 feet; (7) North 14°09'24" West, 13.89 feet;

THENCE (8) leaving said westerly Right of Way boundary North 83°01'55" West, 55.60 feet;

THENCE (9) South 20°29'30" East, 84.80 feet;

THENCE (10) South 83°01'55" East, 52.24 feet to the POINT OF BEGINNING.

Containing 2722 square feet, more or less.

The bearings and distances used in this description are on the California Coordinate system of 1983, Zone 4. Divide distances by 0.99998007 to convert to ground distances.

This 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:

January 24, 2019



RECORDING REQUESTED BY AND WHEN
RECORDED MAIL TO:

California Department of
Transportation
855 M Street, Suite 200
Fresno, CA 93721

State Business - No Recording Fee
(Gov. Code 27383)
DEPT. OF TRANSPORTATION

BY:

Right of Way Agent

Space above this line for Recorder's Use

GRANT DEED

District	County	Route	Postmile	Number
06	TUL	99	P.M. 19.46	88055-1

County of Tulare,

hereinafter called GRANTOR, hereby grants to the State of California, Department of Transportation, hereinafter called STATE, all that real property in the unincorporated community of Tipton, County of Tulare, State of California, described as follows:

(DESCRIPTION FOLLOWS ON PAGE 2)

The GRANTOR further understands that the present intention of the STATE is to construct and maintain a public highway on the lands hereby conveyed in fee and the GRANTOR, for itself and its successors and assigns, hereby waives any claims for any and all damages to GRANTOR's remaining property contiguous to the property hereby conveyed by reason of the location, construction, landscaping or maintenance of the highway.

Dated: _____

County of Tulare

Kuyler Crocker
Chairman of the Board

This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated _____

By _____ LAURIE BERMAN
Director of Transportation

By _____
Attorney in Fact

Parcel 88055-1

That portion of the southwest quarter of Section 30, Township 21 South, Range 25 East, Mount Diablo Meridian, according to the Official Government Plat thereof, more particularly described as follows:

Commencing at the North Quarter Corner of Section 31, Township 21 South, Range 25 East, Mount Diablo Meridian, according to the Official U.S. Government Township Plat thereof, being a 2 and 1/2" Brass Cap Flush in 12" Dia. Concrete stamped TCS, said North Quarter Corner bears South 89°39'11" East, 2697.23 feet from the Northwest Corner of said Section 31, said Northwest Corner being marked by a 3" Dia. Iron Cap with no markings, down .8';

THENCE (1) along the north line of said Section 31 North 89°39'11" West, 287.44 feet to the easterly Right of Way boundary of State Hwy 99 as shown on Sheet 49 of Sheets 1-132 per State Hwy 99 Record Maps for Tulare County being on file in the office of Cal-trans District 6 Surveys;

THENCE along said easterly Right of Way boundary the following described courses:

(2) North 21°42'08" West, 9.81 feet; (3) North 26°34'53" West, 17.74 feet to the POINT OF BEGINNING; (4) Continuing along said easterly Right of Way boundary North 26°34'53" West, 17.68 feet; (5) South 83°09'11" East, 25.60 feet; (6) North 20°19'37" West, 53.96 feet; (7) North 83°09'11" West, 19.37 feet; (8) North 28°24'53" West, 15.39 feet;

THENCE (9) leaving said easterly Right of Way boundary South 83°01'55" East, 41.19 feet;

THENCE (10) South 20°14'12" East, 84.61 feet;

THENCE (11) North 83°01'55" West, 42.67 feet to the POINT OF BEGINNING.

Containing 2071 square feet, more or less.

The bearings and distances used in this description are on the California Coordinate system of 1983, Zone 4. Divide distances by 0.99998007 to convert to ground distances.

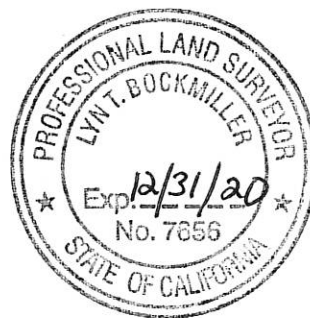
This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature:


Professional Land Surveyor

Date:

January 24, 2019



Attachment "B "
RW Requirements Map

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
St. Gobans
DESIGN

FUNCTIONAL SUPERVISOR
 ABDUL BAKER

CHECKED BY
 ELTAHIR ATAEGEED

DESIGNED BY
 THUY LINH NGUYEN

REVISOR
 DATE

NOTE:

FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

ABBREVIATION:

TCE = TEMPORARY CONSTRUCTION EASEMENT

LEGEND:

TCE LIMIT LINE

LEGEND:

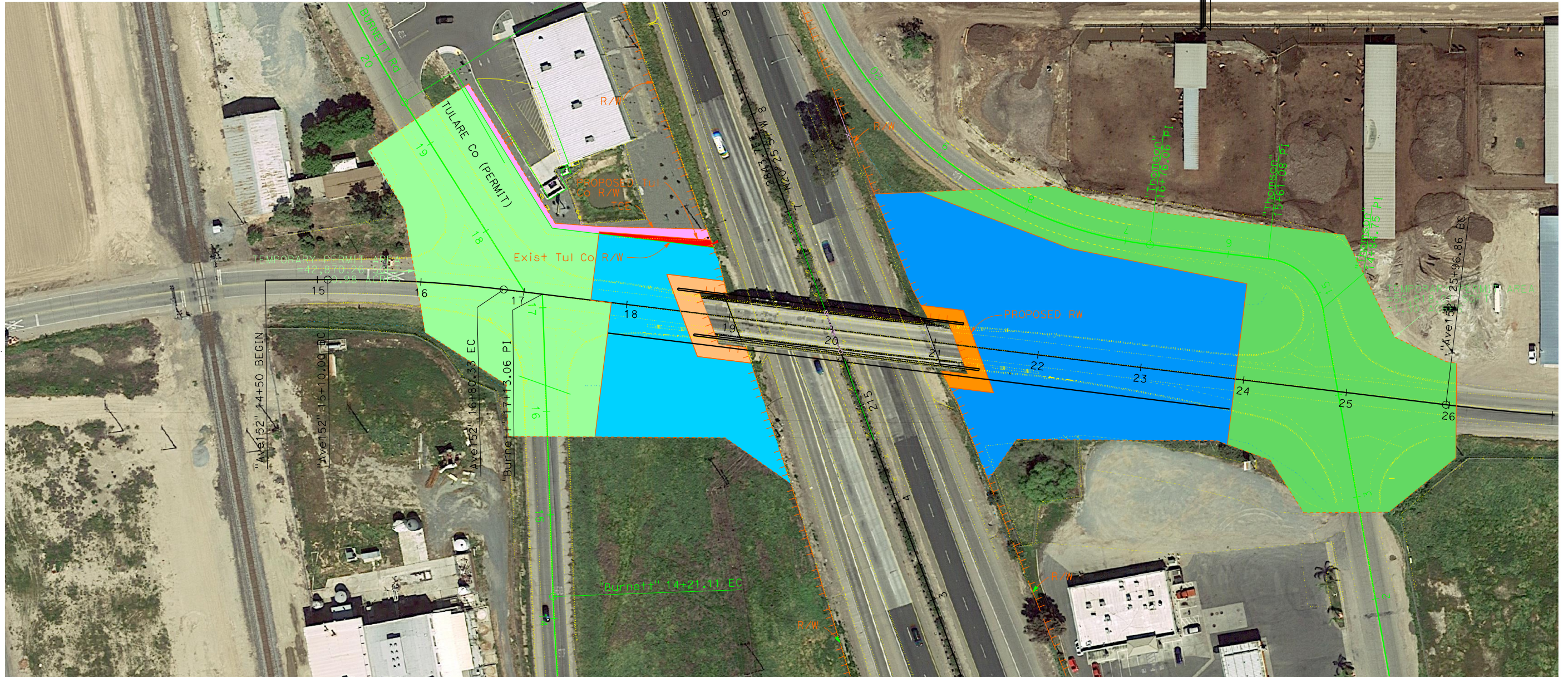
- TEMPORARY CONSTRUCTION EASEMENT (TCE) OR PERMIT
- PROPOSED RW
- TTTTT Exist STATE RW

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
06	Tul	99	19.46		

REGISTERED CIVIL ENGINEER DATE

PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.



RW REQUIREMENTS TABLE

APN SITE ADDRESS	OWNERSHIP	TOTAL (AC)	FEE FOR TULARE COUNTY (AC)	FEE FOR THE STATE (AC)	TCE FOR THE STATE (AC)	COUNTY PERMIT FOR THE STATE PERMANENT (AC)	COUNTY PERMIT FOR THE STATE TEMPORARY (AC)
230-020-031 836 N BURNETT Rd TIPTON, CA 93272	SONOMA DENMARK PROPERTIES LLC 10376 WOLF MEADOW LN SONOMA, CA 95476	1.34	0.01		0.04		
N/A	TULARE COUNTY PARCEL WEST OF ROUTE 99			0.06		0.53	0.98
N/A	TULARE COUNTY PPARCEL EAST OF ROUTE 99			0.05		1.26	1.30

THIS PLAN TO BE USED FOR RIGHT OF WAY REQUIREMENT INFORMATION ONLY

RW REQUIREMENTS MAP R-1

SCALE: 1"=50'

Attachment "C"
Notice of Exemption

Notice of Exemption

Fee Exempt per Government Code Section 6103

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Tulare County Clerk
Room 105, Courthouse
221 South Mooney Boulevard
Visalia, CA 93291

Lead Agency: Tulare County Resource Management Agency
5961 South Mooney Blvd.
Visalia, Ca 93277 Ph: (559) 624-7000
Attn: *hguerra@co.tulare.ca.us*

Applicant(s): Tulare County Public Works
5961 South Mooney Boulevard
Visalia, CA 93277 Ph: (559) 624-7000

Dated filed at Tulare County Clerk's Office

Project Title: Grant of Real Property to the State of California.
Project Location - Specific: 0.06 acres east of State Route 99 and 0.05 acres west of State Route 99 at the Avenue 152 Bridge Overcrossing (Bridge No. 46-0191)
Project Location- Section, Township, Range: A portion of the North quarter corner of Section 31, T21, R25E, M.D.B & M.
Project Location - City: Unincorporated community of Tipton **Location - County:** Tulare County

Description of Nature, Purpose, and Beneficiaries of Project:
Grant of Real Property to the State of California for the purpose of replacing the existing bridge along Avenue 152 over State Route (SR) 99. The State of California will replace the existing bridge to mitigate the continued deterioration of the existing bridge and low vertical clearance, ensuring the safety and reliability of SR 99. The new structure would provide a standard vertical clearance over SR 99 and will accommodate a 40-foot roadbed, a sidewalk on the eastbound detection, and a concrete barrier separating the sidewalk and traffic. Chain link railing will be installed at the outside edge of the sidewalk.

Exempt Status: *(check one)*

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Common Sense Exemption: **CEQA guidelines 15061 (b)(3)**
- Categorical Exemption:
- Statutory Exemptions:

Reasons why project is exempt: The activity is covered by Section 15061 (b)(3) Common Sense exemption on the grounds that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, as such, the activity is not subject to CEQA.

Name of Public Agency Approving Project: County of Tulare, Resource Management Agency

Project Planner/Representative: Reed Schenke, Director **Area Code/Telephone:** 559-624-7142

Signature: _____ Date: _____ Title: Chief Environmental Planner
Hector Guerra

Signature: _____ Date: _____ Title: Environmental Assessment Officer
Reed Schenke, P.E. Director

Signed by Lead Agency Date received for filing at OPR: _____