



Resource Management  
Agency  
COUNTY OF TULARE  
AGENDA ITEM

BOARD OF SUPERVISORS

ALLEN ISHIDA  
District One

CONNIE CONWAY  
District Two

PHILLIP A. COX  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** December 9, 2008

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>						

CONTACT PERSON: Celeste Perez PHONE: 733-6291

**SUBJECT:** Agreement for purchase of Real Property/Right of Way and Temporary Construction Easement for the Road 80 Widening Project

**REQUEST(S):**

That the Board of Supervisors:

1. Approve Agreement for Purchase of Real Property/Right of Way and Temporary Construction Easement from Calvin B. Elrich and Marjorie R. Elrich for the Road 80 Widening Project in the amount of \$41,000.
2. Authorize Chairman to sign the Agreement.
3. Authorize County Counsel to sign the Grant Deed and Temporary Construction Easement acceptances upon presentation.
4. Authorize the Resource Management Agency Director or his designee to open an escrow and sign all documents to facilitate the escrow for this acquisition.
5. Direct the Auditor to draw a warrant in the amount of \$42,600 in favor of Chicago Title Company.

**SUMMARY:**

The County of Tulare contracted with Dokken Engineering to design the Road 80 widening project and provide Right of Way (RW) acquisition services between Visalia and Dinuba. The Hopper Company and Universal Field Services are sub-consultants under Dokken. The Hopper Company has appraised the required

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temporary construction easements (TCE) and permanent RW within the project area and Universal Field Services is supplying RW agents to negotiate the RW purchases. This is for permanent RW acquisitions and TCEs along the frontage of two parcels. One of the parcels is on the west side of Road 80 and the other is on the east side of Road 80. The Assessor's Parcel numbers are 030-110-001 and 030-010-027 and are located approximately 1,300 feet north of Avenue 400. The permanent RW is approximately 25 feet wide and runs the entire width of the parcel along the east side of Road 80 and 15 feet wide along the west side of Road 80. The TCEs are 10 feet in width and run along the entire length of the parcels. All of the property is zoned AE-20. The westerly property is improved with a rural home site and planted to peaches, plums and nectarines. The easterly property is improved with a rural home site and planted to oranges and peaches.

The permanent RW consisting of 0.7938 acres has been valued at \$35,000 per acre. The TCEs total 0.3259 acres and will be encumbered for a period of 5 years. In addition to the RW and TCEs, an irrigation system will need to be relocated at an estimated cost of \$12,034.

Escrow and Title costs have been estimated at \$800 for each parcel. It is recommended the warrant to Chicago Title Company be drawn in the amount of \$42,600. Any overage at the close of escrow will be refunded and redeposit.

The purchase price is consistent with the appraised value by The Hopper Company and is itemized in the table below.

RW 0.7938 acre at \$35,000 / acre	TCE 0.3259 acre at \$500 / acre / yr	TCE Value 5 year duration	Value of Imprvmnts and cost to cure items	Total RW / TCE and damages	Rounded to
\$27,783	\$162.95	\$815	\$12,034	\$40,632	\$41,000

Exhibits A-1 and B-1 are the legal description and map of the fee acquisition along the east side of Road 80. Exhibits C-1 and D-1 are the legal description and map of the TCE along the east side of Road 80. Exhibits A-2 and B-2 are the legal description and map of the fee acquisition along the west side of Road 80. Exhibits C-2 and D-2 are the legal description and map of the TCE along the west side of Road 80.

**FISCAL IMPACT/FINANCING:**

There is no net County cost to the General Fund. Funds for this RW purchase are budgeted in Road Fund Budget Account No. 014-225-2300-3070. Under the State Transportation Improvement Program, the State of California will reimburse for the cost of the RW.

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**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year strategic plan includes the Safety and Security Initiative to provide for the safety and security of the public. This RW acquisition and the Road 80 project helps fulfill this initiative by improving and maintaining adequate transportation infrastructure.

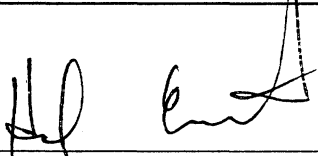
**ALTERNATIVES:**

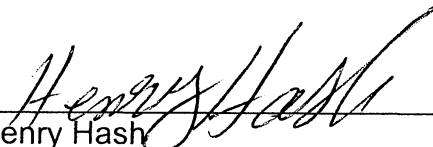
The Board could choose not to approve this agreement, but this acquisition is for a previously approved transportation construction project.

**INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:**

1. County Counsel has reviewed and approved the Agreement.
2. California Department of Transportation is providing oversight for the expenditure of funds for this project.
3. Tulare County Auditor is being directed to draw a warrant in the amount of \$42,600.

**ADMINISTRATIVE SIGN-OFF:**

  
\_\_\_\_\_  
Hal Cypert  
Assistant Director – Support Services

  
\_\_\_\_\_  
Henry Hash  
Director

cc: Auditor/Controller  
County Counsel  
County Administrative Office (3)

Attachments: Exhibit A-1 Legal Description of RW – East side of Road 80  
Exhibit B-1 Map of RW – East side of Road 80  
Exhibit C-1 Legal Descriptions of TCE - East side of Road 80  
Exhibit D-1 Map of TCE - East side of Road 80  
Exhibit A-2 Legal Description of RW – West side of Road 80  
Exhibit B-2 Map of RW – West side of Road 80  
Exhibit C-2 Legal Descriptions of TCE - West side of Road 80  
Exhibit D-2 Map of TCE - West side of Road 80

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IN THE MATTER OF APPROVAL OF )  
 AGREEMENT FOR PURCHASE OF )  
 REAL PROPERTY/RIGHT OF WAY ) RESOLUTION NO. \_\_\_\_\_  
 AND TEMPORARY CONSTRUCTION ) AGREEMENT NO. \_\_\_\_\_  
 EASEMENT FOR THE ROAD 80 WIDENING )  
 PROJECT )

1. Approved Agreement for Purchase of Real Property/Right of Way and Temporary Construction Easement from Calvin B. Elrich and Marjorie R. Elrich for the Road 80 Widening Project in the amount of \$41,000.
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3. Authorized County Counsel to sign the Grant Deed and Temporary Construction Easement acceptances upon presentation.
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