



**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 George Brothers Partnership for the Road 80 Widening Project in the amount of \$34,000.
 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 \$34,800 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

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

DATE: December 9, 2008

temporary construction easements (TCE) and permanent RW within the project area and Universal Field Services is supplying RW agents to negotiate the RW purchases. The Agreement is for a permanent RW acquisition and TCE along the frontage of a parcel on the east side of Road 80 1,320 feet south of Avenue 400, Assessor's Parcel No. 030-100-012. The permanent RW is 60 feet wide and runs the entire width of the parcel. The adjacent TCE is 10 feet in width and runs the entire length of the frontage. The property is zoned AE-20 and is improved with stone fruit trees.

The permanent RW consisting of 1.8184 acres has been valued at \$15,000 per acre. The TCE totals 0.3083 acres and will be encumbered for a period of 5 years. In addition to the RW and TCE, it will be necessary to remove 72 trees to allow adequate turn areas at the end of each row. The appraiser has attributed a value of \$5,796 to the trees and the cost to remove and dispose of the trees.

Escrow and Title costs have been estimated at \$800. It is recommended the warrant to Chicago Title Company be drawn in the amount of \$34,800. Any overage at the close of escrow will be refunded and redeposited.

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

RW 1.8184 acre at \$15,000 / acre	TCE 0.3083 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
\$27,276	\$154.15	\$770.75	\$5,796	\$33,842	\$34,000

Exhibits A and B are the legal description and map of the fee acquisition. Exhibits C and D are the legal description and map of the TCE.

FISCAL IMPACT/FINANCING:

There are no net County costs 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.

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.

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

DATE: December 9, 2008

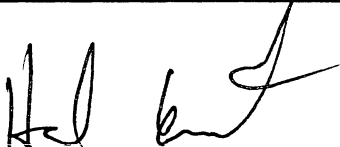
ALTERNATIVES:

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

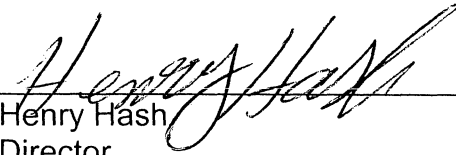
INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

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 \$34,800.

ADMINISTRATIVE SIGN-OFF:



Hal Cypert
Assistant Director – Support Services



Henry Hash
Director

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

Attachments: Exhibit A Legal Description of RW
Exhibit B Map of RW
Exhibit C Legal Description of TCE
Exhibit D Map of TCE

rn

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

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

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

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Approved Agreement for Purchase of Real Property/Right of Way and Temporary Construction Easement from George Brothers Partnership for the Road 80 Widening Project in the amount of \$34,000.
2. Authorized Chairman to sign the Agreement.
3. Authorized County Counsel to sign the Grant Deed and Temporary Construction Easement acceptances upon presentation.
4. Authorized the Resource Management Agency Director or his designee to open an escrow and sign all documents to facilitate the escrow for this acquisition.
5. Directed the Auditor to draw a warrant in the amount of \$34,800 in favor of Chicago Title Company.