



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

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One
PETE VANDER POEL
District Two
PHILIP A. COX
District Three
J. STEVEN WORTHLEY
District Four
MIKE ENNIS
District Five

AGENDA DATE: September 1, 2009

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: 624-7000

SUBJECT: Agreement for Purchase of Real Property/Right of Way and Temporary Construction Easement from Ravi Homes, LLC for the Road 108 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 Ravi Homes, LLC. for the Road 108 Widening Project in the amount of \$2,600;
2. Authorize the 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 designee to open an escrow, sign all documents to facilitate the escrow for this acquisition; and
5. Direct the Auditor to draw a warrant in the amount of \$2,600 in favor of Ravi Homes, LLC.

SUMMARY:

The County of Tulare contracted with Omni Means Engineering to design the Road 108 Widening Project and provide Right of Way (RW) acquisition services between Visalia and Tulare. The Hopper Company and Bender Rosenthal, Inc. are sub-consultants under Omni Means. The Hopper Company has appraised the required Temporary Construction Easement (TCE) and permanent RW within the project

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area and Bender Rosenthal, Inc. are supplying RW Agents to negotiate the RW purchases. The Agreement is for a permanent RW acquisition and a TCE acquisition over a portion of Assessor's Parcel Number 126-011-020. This parcel is located at the southeast corner of Road 108 and 1,273 feet of exposure on the south side of Visalia Parkway. The property is zoned 'A' as part of the agricultural zone.

The purchase price is itemized in the table below.

RW	\$1,079
TCE / 3 yr duration	\$1,505
TOTAL	\$2,584
ROUNDED TO	\$2,600

Attached is a copy of Exhibit A (Legal Description of the RW), Exhibit B (Map of the RW), Exhibit C (Legal Description of the TCE), and Exhibit D (Map of the TCE).

FISCAL IMPACT/FINANCING:

There is no net County cost to the General Fund. Funds for this RW and TCE purchases 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 and the TCE.

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 108 Widening Project help fulfill this initiative by improving and maintaining adequate transportation infrastructure.

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DATE: September 1, 2009

ALTERNATIVES:

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

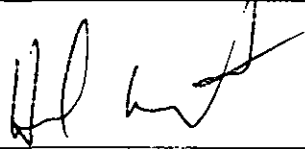
INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

County Counsel has reviewed and approved the Agreement as to form.

The California Department of Transportation is providing oversight for the expenditure of funds for this project.

The Tulare County Auditor is being directed to draw the necessary warrants.

ADMINISTRATIVE SIGN-OFF:



Hal Cypert
Assistant Director – Support Services

cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Agreement
Attachment A – Legal Descriptions of the RW
Attachment B – Map of the RW
Attachment C – Legal Descriptions of the TCE
Attachment D – Map of the TCE

ap

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

IN THE MATTER OF APPROVAL OF)	
AGREEMENT FOR PURCHASE OF)	
PROPERTY/RIGHT OF WAY)	RESOLUTION NO. _____
AND TEMPORARY CONSTRUCTION)	AGREEMENT NO. _____
EASEMENT FROM RAVI HOMES, LLC.)	
FOR THE ROAD 108 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 Ravi Homes, LLC. for the Road 108 Widening Project in the amount of \$2,600;
- 2) Authorized the 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 designee to open an escrow, sign all documents to facilitate the escrow for this acquisition; and
- 5) Directed the Auditor to draw a warrant in the amount of \$2,600 in favor of Ravi Homes, LLC.

EXHIBIT "A"

That portion of the real property described in the Grant Deed to Ravi Homes, LLC., recorded on September 14, 2005, as Document No. 2005-0100557, Tulare County Official Records, lying within the Northwest quarter of the Southwest quarter of Section 12, Township 19 South, Range 24 East, M.D.B.&M., in the City of Visalia, County of Tulare, State of California, described as follows:

PARCEL A

COMMENCING at the West quarter corner of said Section 12, thence North 89°29'41" East 42.00 feet along the North line of said Northwest quarter of the Southwest quarter of Section 12, to a point on the East line of the real property described in the Grant Deed to the County of Tulare, recorded on October 24, 1973, in Volume 3137 at Page 452, Tulare County Official Records, said point being the **POINT OF BEGINNING**; thence continuing along said North line, North 89°29'41" East 24.88 feet; thence leaving said North line, South 44°41'34" West 34.86 feet to a point on said East line of said real property to the County of Tulare, said point hereon designated as Point 'A'; thence along said East line, North 00°50'40" West 24.57 feet to the **POINT OF BEGINNING**.

Said description contains 306 square feet (0.0070 acres) more or less.

PARCEL B

COMMENCING at said Point 'A', thence along the East line of said real property to the County of Tulare, South 00°50'40" East 440.70 feet to the **POINT OF BEGINNING**; thence leaving said East line, South 02°03'43" East 198.64 feet to a point on the South line of said real property to Ravi Homes, LLC; thence along said South line, South 89°27'37" West 4.22 feet to a point on the East line of said real property to the County of Tulare; thence leaving said South line, North 00°50'40" West 198.57 feet along said East line to the **POINT OF BEGINNING**.

Said description contains 419 square feet (0.0096 acres) more or less.

Robert C Bangert 1-28-09

Robert C. Bangert LS 5250 Date
License Expiration Date: December 31, 2009

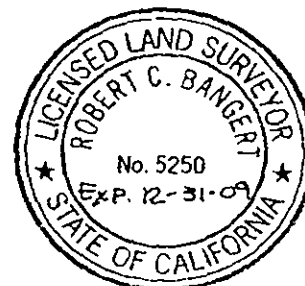
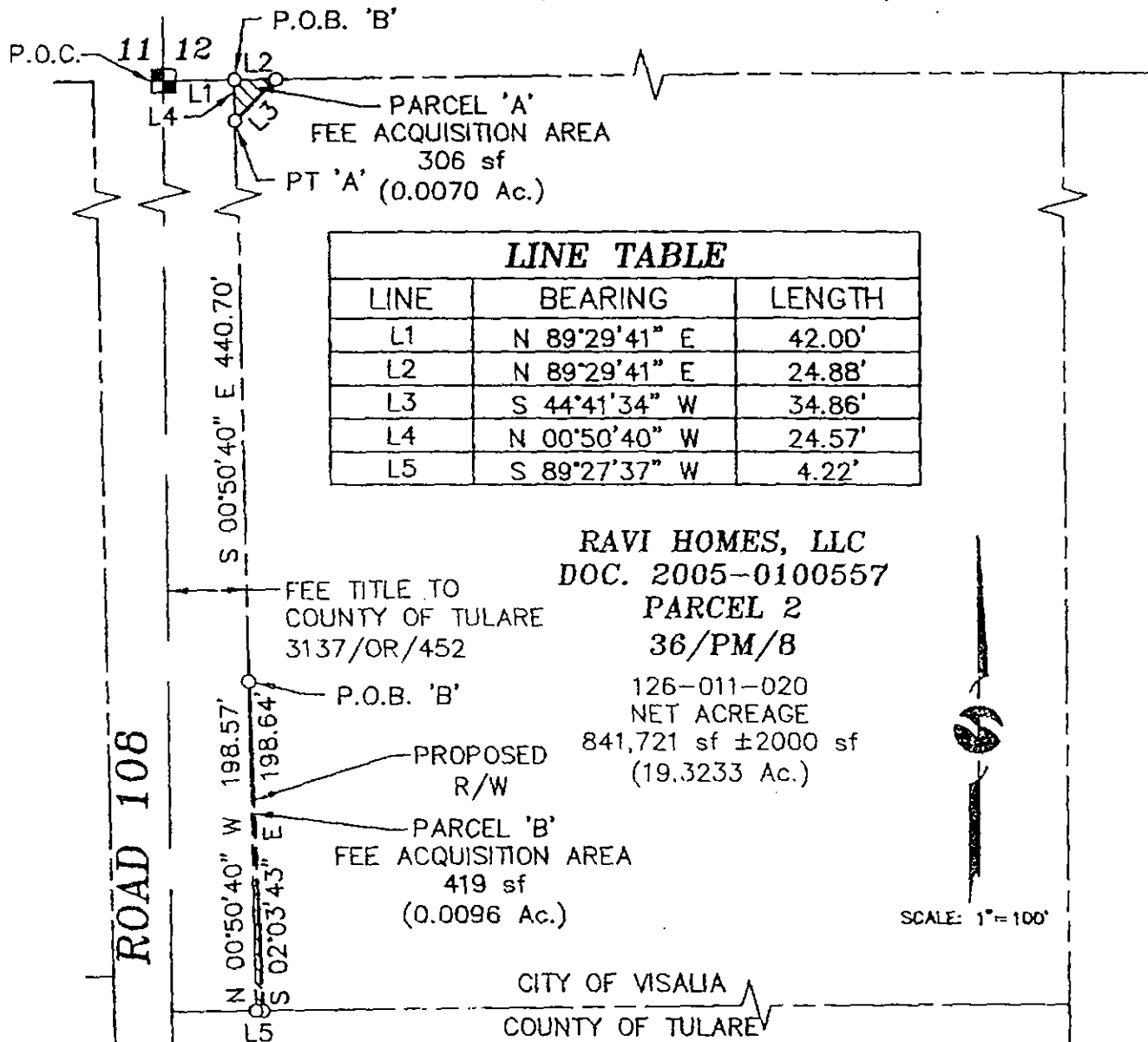


EXHIBIT 'B'

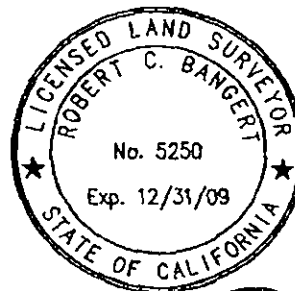
PORTION OF SECTION 12, T. 19 S., R. 24 E., M.D.B.&M.



LEGEND

- P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
□ ¼ SECTION CORNER

Robert C. Bangert 1-28-09
ROBERT C. BANGERT LS 5250 DATE
LICENSE EXPIRATION DATE: DECEMBER 31, 2009



ROAD 108 PS&E
FEE ACQUISITION

C
EXHIBIT "A"

That portion of the real property described in the Grant Deed to Ravi Homes, LLC., recorded on September 14, 2005, as Document No. 2005-0100557, Tulare County Official Records, lying within the Northwest quarter of the Southwest quarter of Section 12, Township 19 South, Range 24 East, M.D.B.&M., in the City of Visalia, County of Tulare, State of California, described as follows:

COMMENCING at the West quarter corner of said Section 12, thence North 89°29'41" East 66.88 feet along the North line of said Northwest quarter of the Southwest quarter of Section 12, to the **POINT OF BEGINNING**; thence continuing along said North line, North 89°29'41" East 7.05 feet; thence leaving said North line, South 00°30'19" East 7.10 feet; thence South 44°41'34" West 30.67 feet; thence South 00°50'40" East 436.40 feet; thence South 02°03'43" East 198.80 feet to a point on the South line of said real property to Ravi Homes, LLC.; thence along said South line, South 89°27'37" West 10.00 feet; thence leaving said South line, North 02°03'43" West 198.64 feet to a point on the East line of the real property described in the Grant Deed to the County of Tulare, recorded October 24, 1973, in Volume 3137, at Page 452, Tulare County Official Records; thence along said East line, North 00°50'40" West 440.70 feet; thence leaving said East line, North 44°41'34" East 34.86 feet to the **POINT OF BEGINNING**.

Said description contains 6,725 square feet (0.1544 acres) more or less.

Robert C. Bangert 11-13-08
Robert C. Bangert LS 5250 Date
License Expiration Date: December 31, 2009

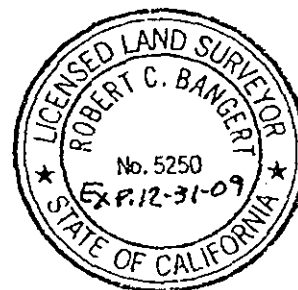
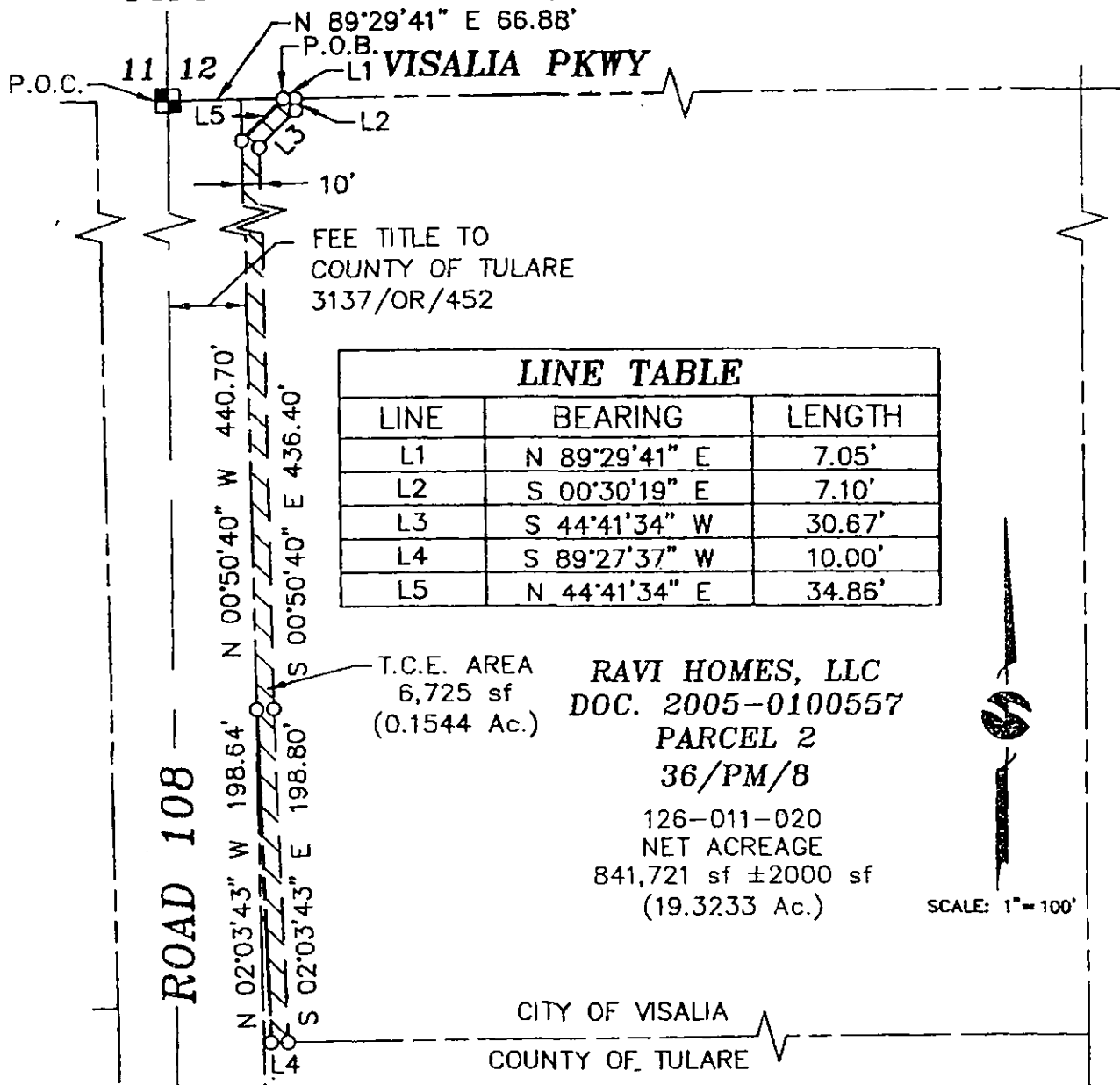


EXHIBIT 'B'

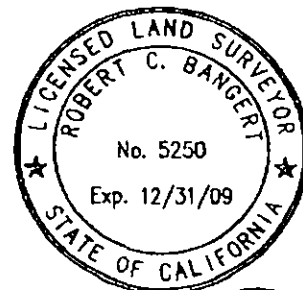
PORTION OF SECTION 12, T. 19 S., R. 24 E., M.D.B.&M.



LEGEND

P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
■ ¼ SECTION CORNER

Robert C. Bangert 11-13-08
ROBERT C. BANGERT LS 5250 DATE
LICENSE EXPIRATION DATE: DECEMBER 31, 2009



ROAD 108 PS&E
TEMPORARY CONSTRUCTION EASEMENT