



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

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One
PETER 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 Property/Right of Way and Temporary Construction Easement from Jay te Velde, Jr. and Darlene te Velde for the Road 80 Widening Project

REQUEST(S):

That the Board of Supervisors:

1. Approve Agreement for Purchase of Property/Right of Way and Temporary Construction Easement from Jay te Velde, Jr. and Darlene te Velde, Trustees of the Jay te Velde and Darlene te Velde Trust for the Road 80 Widening Project in the amount of \$58,000;
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 and sign all documents to facilitate the escrow for this acquisition; and
5. Direct the Auditor to draw a warrant in the amount of \$59,500 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-

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consultants under Dokken Engineering. The Hopper Company has appraised the required Temporary Construction Easement (TCE) and permanent RW within the project area and Universal Field Services 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 048-140-001. The property is zoned AE-40 for exclusive agricultural uses.

The subject property is located along the west side of Road 80, south of the St. John's River.

The Escrow and Title costs have been estimated at \$1,500. It is recommended the warrant to Chicago Title Company be drawn in the amount of \$59,500. Any overage at the close of escrow will be refunded and redeposit.

The following table outlines the compensation for this acquisition of property.

RW	\$12,848
TCE	\$ 1,103.68
Severance Damages	\$43,759
Total	\$57,711
Rounded To	\$58,000

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 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 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.

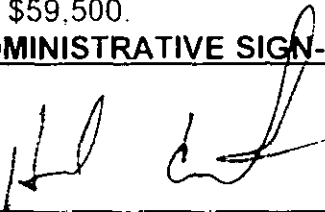
INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

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 a warrant in the amount of \$59,500.

ADMINISTRATIVE SIGN-OFF:



Hal Cypert
Assistant Director, Support Services

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

Agreement
Attachment A - Legal Description of the RW
Attachment B - Map of the RW
Attachment C - Legal Description of the TCE
Attachment D - Map of the TCE

ap

1. Approved Agreement for Purchase of Property/Right of Way and Temporary Construction Easement from Jay te Velde, Jr. and Darlene te Velde, Trustees of the Jay te Velde and Darlene te Velde Trust for the Road 80 Widening Project in the amount of \$58,000;
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 and sign all documents to facilitate the escrow for this acquisition; and
5. Directed the Auditor to draw a warrant in the amount of \$59,500 in favor of Chicago Title Company.

EXHIBIT "A"

Road 80

Right of Way Acquisition

Property: A.P.N. 048-140-001

Description:

A parcel of land lying in the southwest one-quarter of Section 32, Township 17 South, Range 24 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, and being a portion of PARCEL NO. 6, as shown on that certain Record of Survey recorded October 21, 1959 in Book 9, Page 48 of Licensed Surveys, in the office of the Recorder of said County, which was granted to JAY TE VELDE, JR, AND DARLENE TE VELDE, TRUSTEES, OF THE JAY TE VELDE, JR, AND DARLENE TE VELDE TRUST, DATED DECEMBER 19, 2000 by that certain Grant Deed recorded July 28, 2004 as Document No. 2004-0074653, Official Records, County of Tulare, State of California and being more particularly described by metes and bounds as follows:

Beginning at a point on the south line of the southwest one-quarter of said Section 32 which bears N89°31'50"W 40.00' from the south one-quarter corner of said Section 32 and being the intersection of the westerly line of that certain 40 foot strip of land granted to the County of Tulare for road purposes by deed recorded in Book 661, Page 452, Official Records, with the southerly line of the southwest one-quarter of said Section 32;

Thence N89°31'50"W 80.00' along the south line of the southwest one-quarter of said Section 32;

Thence departing from said south line N00°06'40"E 76.31';

Thence S89°53'20"E 20.00' to a point on the arc of a 6565.00' radius non-tangent curve to the right;

Thence along the arc of said non-tangent curve to the right (from a tangent which bears N00°06'40"E) a distance of 444.19' through a central angle of 03°52'36" and being subtended by a chord bearing and distance of N02°02'58"E 444.11';

Thence N03°59'16"E 468.41' to the beginning of a 6435.00' radius tangent curve to the left;

Thence along the arc of said tangent curve to the left a distance of 400.74' through a central angle of 03°34'05" and being subtended by a chord bearing and distance of N02°12'13"E 400.66' to a point on the westerly line of that certain 40 foot strip of land granted to the County of Tulare for road purposes by deed recorded in Book 661, Page 452, Official Records;

Thence S00°09'56"W 1388.41' along said westerly line to the point of beginning.

Containing 46,639 square feet or 1.0707 acres, more or less.

The Basis of Bearings for this description is the California State Plane Coordinate System, NAD83, Zone IV. All distances are Grid distances. To convert to ground distances multiply by 1.0000633

End of Description

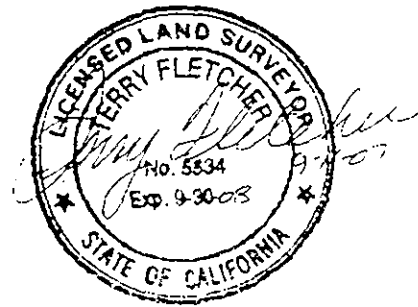
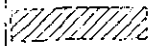


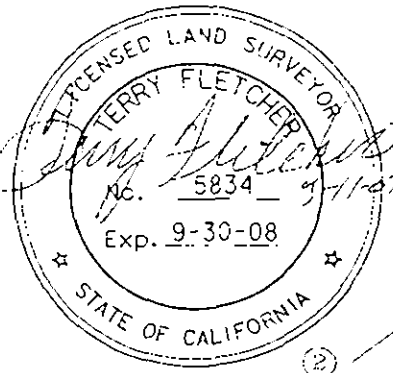
EXHIBIT B

LEGEND:



RIGHT OF WAY ACQUISITION
46,639 sf (1.0707ac)

	E	Δ	S	L
①	6566.00'	3° 52' 36"	222.18'	444.19'
②	6435.00'	3° 34' 06"	200.62'	400.74'



40' EXISTING ROAD -
BK 661, PG 452
APN: 048-140-001
PORTION OF PARCEL 6
9-LICENSED SURVEYS-48
PARCEL AREA:
315± ac

SEE DETAIL A
ON THIS SHEET

SOUTH 1/4 CORNER SECTION 32
T17S, R24E, M.D.B & M.

SCALE 1" = 750'

SOUTH 1/4 CORNER SECTION 32
T17S, R24E, M.D.B & M.

ASIS OF BEARINGS: CALIFORNIA STATE PLANE COORDINATE
SYSTEM, NAD83, ZONE IV. ALL DISTANCES ARE GRID DISTANCES. TO
CONVERT TO GROUND DISTANCES MULTIPLY BY 1.0006633.

DETAIL A
SCALE 1" = 300'

PLAT MAP

RAY JR & DARLENE TE VELDE
656 AVE 328
ISALIA, CA 93291
PN: 048-140-001

COUNTY OF TULARE
STATE OF CALIFORNIA

DE DOKKEN
2365 LUNA RD. #100, SUITE 200, FOLSOM, CA 95630
TEL: 916-985-0542

RIGHT OF WAY

PROJECT

ROAD 80 / PLAZA DRIVE
ROAD WIDENING

09/01/2001

EXHIBIT "C"

Road 80
TCE

Property: A.P.N. 048-140-001

Description:

A parcel of land lying in the west one-half of Section 32, Township 17 South, Range 24 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, and being a portion of PARCEL NO. 6, as shown on that certain Record of Survey recorded October 21, 1959 in Book 9, Page 48 of Licensed Surveys, in the office of the Recorder of said County, which was granted to JAY TE VELDE, JR, AND DARLENE TE VELDE, TRUSTEES, OF THE JAY TE VELDE, JR, AND DARLENE TE VELDE TRUST, DATED DECEMBER 19, 2000 by that certain Grant Deed recorded July 28, 2004 as Document No. 2004-0074653, Official Records, County of Tulare, State of California and being more particularly described by metes and bounds as follows:

Beginning at a point on the south line of the southwest one-quarter of said Section 32 which bears N89°31'50"W 120.00' from the south one-quarter corner of said Section;

Thence N89°31'50"W 110.00' along the south line of the southwest one-quarter of said Section 32;

Thence departing from said south line N00°06'40"E 70.59';

Thence S89°53'20"E 66.15';

Thence N45°06'40"E 76.42' to a point on the arc of a 6575.00' radius non-tangent curve to the right;

Thence along the arc of said non-tangent curve to the right (from a tangent which bears N00°32'17"E) a distance of 395.87 through a central angle of 03°26'59" and being subtended by a chord bearing and distance of N02°15'46"E 395.81';

Thence N03°59'16"E 468.41' to the beginning of a 6425.00' radius tangent curve to the left;

Thence along the arc of said tangent curve to the left a distance of 400.08' through a central angle of 03°34'04" and being subtended by a chord bearing and distance of N02°12'14"E 400.02';

Thence N00°09'56"E 1230.54';

Thence N89°50'04"W 10.00';

Thence N00°10'04"E 161.87';

Thence S89°49'55"E 10.00';

Thence N00°10'05"E 2221.18';

Thence S89°49'55"E 10.00' to a point on the west line of that certain 40 foot strip of land granted to the County of Tulare for road purposes by deed recorded in Book 661, Page 452, Official Records;

Thence S00°10'05"W 2355.40' along said west line to an angle point therein;

Thence S00°09'56"W 1258.21' continuing along said west to a point on the arc of a 6435.00' radius non-tangent curve to the right;

Thence departing from said west line and along the arc of said non-tangent curve to the right (from a tangent which bears S00°25'11"W) a distance of 400.74' through a central angle of 03°34'05" and being subtended by a chord bearing and distance of S02°12'13"W 400.16';

Thence S03°59'16"W 468.41' to the beginning of a 6565.00' radius tangent curve to the left;

Thence along the arc of said tangent curve to the left a distance of 444.19' through a central angle of 03°52'36" and being subtended by a chord bearing and distance of S02°02'58"W 444.11';

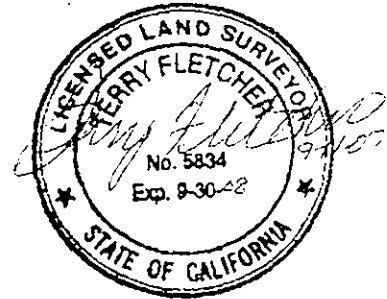
Thence N89°53'20"W 20.00';

Thence S00°06'40"W 76.31' to the point of beginning.

Containing 60,093 square feet or 1.3796 acres, more or less.

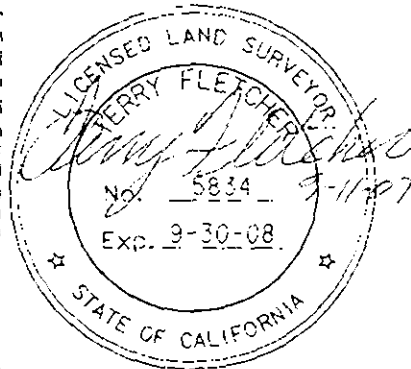
The Basis of Bearings for this description is the California State Plane Coordinate System, NAD83, Zone IV. All distances are Grid distances. To convert to ground distances multiply by 1.0000633

End of Description



EXHIBIT

	B	Δ	T	L
①	6575.00'	3°23'59"	198.00'	395.87'
②	6425.00'	3°34'04"	200.11'	400.05'
	6565.00'	3°52'36"	222.15'	444.19'
④	6435.00'	3°34'05"	200.43'	400.74'



SEE DETAIL A
ON THIS SHEET

LEGEND:

TEMPORARY CONSTRUCTION EASEMENT
80,093 sf (1.3798ac)

40' EXISTING ROAD
BK 661 PG 452
APN: 048-140-001
PORTION OF PARCEL 6
9-LICENSED SURVEY-48
PARCEL AREA:
315± ac

SOUTH 1/4 CORNER SECTION 32
T17S, R24E, M.D.B. & M

SCALE 1"=750'

SIS OF BEARINGS: CALIFORNIA STATE PLANE COORDINATE
STEM, NAD83, ZONE IV. ALL DISTANCES ARE GRID DISTANCES. TO
VERT TO GROUND DISTANCES MULTIPLY BY 1.0000833.

DETAIL A

SCALE 1"=600'

N00°10'05"E
2221.18'
N00°10'04"E
161.87'
N89°50'04"W
10.00'
N00°09'56"E
1290.54'
S00°09'56"W
1258.21'
N00°59'16"E
468.41'
S03°59'16"W
468.41'
N45°06'40"E
76.42'
S89°53'20"E
66.15'
N00°06'40"E
70.59'
N89°01'50"W
110.00'
S00°06'40"W
76.31'
N69°01'50"W
120.00'

PLAT MAP

Y JR & DARLENE TE VELDE
56 AVE 328
SALIA, CA 93291
PN: 048-140-001

COUNTY OF TULARE
STATE OF CALIFORNIA

DOKKEN
2365 IRON POINT ROAD, SUITE 100, IRVINE, CA 92614-2542
TEL: 949.251.0542

TEMPORARY CONSTRUCTION
EASEMENT

PROJECT

ROAD 80 / PLAZA DRIVE
ROAD WIDENING

09/07/2007