



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

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One
PETE VANDER POLI
District Two
PHILLIP A. COX
District Three
J. STEVEN WORTHLEY
District Four
MIKE FENNIS
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 \$750;
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 \$750 in favor of Jay te Velde, Jr. and Darlene te Velde.

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 048-130-002 and 048-010-006. The property is zoned AE-40 for exclusive agricultural uses.

The subject property is located along the west side of Road 80, north of the St. John's River and south of Avenue 360.

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

TCE	<u>\$731.84</u>
Total	<u>\$731.84</u>
Rounded To	\$750

Attached is a copy of Exhibit A (Legal Description of the TCE) and Exhibit B (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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ALTERNATIVES:

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

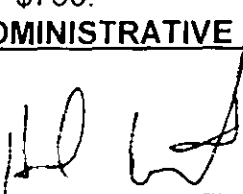
INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

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 \$750.

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 TCE
Attachment B - 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 JAY TE VELDE AND)	
DARLENE TE VELDE 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 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 \$750;
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 \$750 in favor of Jay te Velde and Darlene te Velde.

EXHIBIT "A"

Road 80
TCE

Property: A.P.N. 048-130-002

Description:

A parcel of land lying in the west one-half of Section 29, 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. 4, 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 north line of the west one-half of said Section 29 which bears N89°34'09"W 40.00' from the north one-quarter corner of said Section 29 and being the intersection of said north line with 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°09'59"W 3221.38' along said westerly line to a point on the south line of said PARCEL NO. 4;

Thence departing from said westerly line N89°45'53"W 10.00' along the south line of said PARCEL NO. 4;

Thence departing from the south line of said PARCEL NO. 4, N00°09'59"E 3221.41 to a point on the north line of the west one-half of said Section 29;

Thence S89°34'09"E 10.00' along said north line to the point of beginning.

Containing 32,214 square feet or 0.7395 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

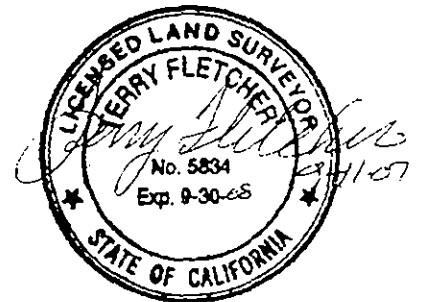
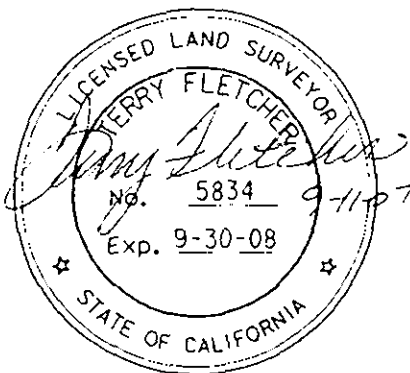


EXHIBIT "B"

NORTH 1/4 CORNER SECTION 29
T17S, R24E, M.D.B. & M.
P.G.B.



N89°34'09"W
40.00'
S89°34'09"E
10.00'

LEGEND:

TEMPORARY CONSTRUCTION EASEMENT
32,214 sf (0.7395ac)

N00°09'59"E
3221.41'

S00°09'59"W
3221.38'

NORTH 1/4 CORNER SECTION 29
T17S, R24E, M.D.B. & M.

SEE DETAIL A
ON THIS SHEET

ROAD 80

APN: 048-130-002
PORTION PARCEL 4
9-LICENSED SURVEY 48
PARCEL AREA:
157± ac

40' EXISTING ROAD
BK 861, PG 452

N69°46'53"W
10.00'

SCALE 1"=1000'

BASIS OF BEARINGS: CALIFORNIA STATE PLANE COORDINATE
SYSTEM, NAD83, ZONE IV. ALL DISTANCES ARE GRID DISTANCES. TO
VERT TO GROUND DISTANCES MULTIPLY BY 1.0000633.

DETAIL A

SCALE 1"=400'

PLAT MAP

JAY & DARLENE Te VELDE
6656 AVE 328
VISALIA, CA 93291
APN: 048-130-002

COUNTY OF TULARE
STATE OF CALIFORNIA

DOKKEN
ENGINEERS

2385 RAY POINT ROAD, SUITE 200, VISALIA, CA 93291
FOLSON, CA 95630

TEMPORARY CONSTRUCTION
EASEMENT

ROAD 80 / PLAZA DRIVE
ROAD WIDENING