



**COUNTY ADMINISTRATIVE OFFICE
GENERAL SERVICES
PROPERTY MANAGEMENT
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: March 23, 2010

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: Robert Newby PHONE: 624-7000

SUBJECT: Agreement for Purchase of Real Property/Right of Way from Mervin L. Souza DBA M.S. Products, Mervin L. Souza and Mervin Souza for the Road 108 Widening Project.

REQUEST(S):

That the Board of Supervisors:

1. Approve Agreement for Purchase of Real Property/Right of Way from Mervin L. Souza DBA M.S. Products, Mervin L. Souza and Mervin Souza for the Road 108 Widening Project in the amount of \$76,700;
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 County Administrative Officer 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 \$78,200 in favor of Stewart Title Company.

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

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Temporary Construction Easement (TCE) and permanent RW within the project 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 Numbers 149-060-008, 009 and 149-230-003. This parcel is located at the southeast and southwest corners of Avenue 252 and Road 108.

Escrow and Title costs have been estimated at \$1,500. It is recommended the warrant to Stewart Title Company be drawn in the amount of \$78,200. Any overage at the close of escrow will be refunded and re-deposited.

The purchase price is itemized in the table below.

RW	\$63,460.00
TCE	\$ 785.00
Severance Damages	\$12,455.00
TOTAL	\$76,700.00

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 108 Widening Project help 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:

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.

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ADMINISTRATIVE SIGN-OFF:



Hal Cypert
General Services Manager

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

Attachment(s)

Agreement

APN 149-060-008

Attachment A - Legal Description of the RW

Attachment B - Map of the RW

Attachment A-1 - Legal Description of the TCE

Attachment B-1 - Map of the TCE

APN 149-060-009

Attachment A - Legal Description of the RW

Attachment B - Map of the RW

Attachment A-1 - Legal Description of the TCE

Attachment B-1 - Map of the TCE

APN 149-230-003

Attachment A - Legal Description of the RW

Attachment B - Map of the RW

Attachment A-1 - Legal Description of the TCE

Attachment B-1 - Map of the TCE

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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 County Administrative Officer 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 \$78,200 in favor of Stewart Title Company.