

State of California  
Business, Transportation and Housing Agency  
Department of Transportation

HIGHWAY RIGHT OF WAY MATTERS  
Resolutions of Necessity  
Action Item

Prepared By:  
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Chief  
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CTC Meeting: August 22, 2002

Reference No.: 2.4b.(1)

Original Signed By  
ROBERT L. GARCIA  
Chief Financial Officer  
August 1, 2002

### RESOLUTIONS OF NECESSITY

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

The Department of Transportation recommends the California Transportation Commission adopt Resolutions of Necessity C-18600 through **C-18602 and C-18604 through C-18615 and C-18617 through C-18630.** Discussions have taken place with all the owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

#### C-18600 - Sterling Baugh

01-Lak-20-KP 20.85-Parcel 11045 - EA: 296202 - Certification Date: 11/01/02 (Conventional Highway)  
Authorizes condemnation of land in fee for a State highway, located in the city of Nice at 2814 E Highway 20.

#### C-18601 - Henry J. Wilczewski

01-Lak-20-KP 21.03-Parcel 10735 - EA: 296209 - Certification Date: 10/01/02 (Conventional Highway)  
Authorizes condemnation of land in fee for a State highway, located near the city of Nice at 6702 Floyd Way. APN 031-074-02.

C-18602 - McCosker Land & Cattle, Inc.

03-But-99-PM 42.10-42.79-Parcel 031824-1,2,3 - 031825-1,2 - EA: 338709 - Certification Date: 8/1/02 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, an easement for utility purposes, located in the city of Chico at Cana Highway and Highway 99. APN 47-100-148; 47-100-149.

C-18604 - Warren Properties, a Partnership

06-Tul-63-KP 1.61/PM 1.0-Parcel 83987-1A,1B - EA: 339409 - Certification Date: 03/01/03 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the city of Tulare, California at the southwest corner of State Route 63 and Prosperity Avenue..

C-18605 - Cary Stanley, et ux

06-Tul-63-KP 1.61/PM 1.0-Parcel 83989-1A,1B - EA: 339409 - Certification Date: 03/01/03 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, together with all of those certain improvements which straddle the right of way line with an easement to enter the remaining ownership to remove such improvements, located in the city of Tulare, California at the southeast corner of State Route 63 and Prosperity.

C-18606 - Nan Parry, et al.

06-Tul-63-KP4.83/PM3.0-Parcel 83997-1A,1B - EA: 339409 - Certification Date: 03/01/03 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, together with all those certain improvements which straddle the right of way line with an easement to enter the remaining ownership to remove such improvements, located in the city of Tulare, California at the southwest corner of State Route 63 and Avenue 256.

C-18607 - Gilbert Shue, et ux

08-SBd-210-KP R27.49-Parcel 18244-1, 2, 3 - EA: 443829 - Certification Date: 11/01/01 (Freeway) Amends Resolution No. C-18412, adopted December 12, 2001, which authorized condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, located in the city of Rialto at the southeast corner of Linden Avenue and Casmalia Street. This Amendment includes the subparcel 2, which was inadvertently omitted in the original Resolution Request.

C-18608 - Ahmed Radwan

08-SBd-210-KP 34.65-Parcel 18367-1 - EA: 444069 - Certification Date: 10/02 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of San Bernardino at 1981 N. State Street.

C-18609 - Michael B. Street, Trustee of The Washington Avenue Trust Dated September 1, 2001

08-SBd-210-KP 34.85-Parcel 18365-1 - EA: 444069 - Certification Dates: 10/02 (Freeway) Authorizes condemnation of land in fee for a State highway, and land in fee which is a remnant and would have little market value, located in the city of San Bernardino at 1995 W. Washington Avenue.

C-18610 - Thomas Mendoza

08-SBd-210-KP 34.95-Parcel 14255-1-EA: 444019 - Certification Date: 01/03 (Freeway) Authorizes condemnation of land in fee for a State Highway, and land in fee which is a remnant and would have little market value, located in the city of San Bernardino at 1944 W. Washington Avenue.

C-18611 - Sutter Station Shopping Center, et al.

10-Ama-49-KP 7.150-Parcel 14779 - EA: 049939 - Certification Date: 12/01/02 (Expressway) Authorizes condemnation of land in fee for a State highway, located in the city of Sutter Creek near to and Northwest of the intersection of Ridge Road and Highway 49.

C-18612 - Sutter Hill Development Company, a Co-Partnership, et al.

10-Ama-49-KP 7.150-Parcel 14780-1, 2; 14869 - EA: 049939 - Certification Date: 12/01/02 (Expressway) Authorizes condemnation of land in fee for a State highway, located in the city of Sutter Creek northwest of Ridge Road and Highway 49.

C-18613 - Robello Trust, Michael S. Nedderman as Trustee, et al.

10-Ama-49-KP 7.450-Parcel 14782 - EA: 049939 - Certification Date: 12/01/02 (Expressway) Authorizes condemnation of land in fee for a State highway, land in fee which is a remnant and would have little market value, located in the city of Sutter Creek at 341 State Highway 49.

C-18614 - Robert and Patsy Calandri, et ux

10-Ama-49-KP R9.335-Parcel 14783-1, 2 - EA: 049939 - Certification Date: 12/01/02 (Expressway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutters' right of access, located in the city of Sutter Creek at 311 Allen Ranch Road .

C-18615 - The City of Sutter Creek

10-Ama-49-KP R9.335-Parcel 14787 - EA: 049939 - Certification Date: 12/01/02 (Expressway) Authorizes condemnation of a highway easement, located in the city of Sutter Creek at about one-half mile west of Sutter Creek City Hall.

C-18617 - Al Kaplan et ux; Nehemiah Development Company

10-Ama-49-KP R9.335-Parcel 14794 - EA: 049939 - Certification Date: 12/01/02 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of SUTTER CREEK at 30 Bryson Drive, Sutter Creeek, CA 95685.

C-18618 - Patrick D. Fitzgerald

10-Ama-49-KP R9.650-Parcel 14790 - EA: 049939 - Certification Date: 12/01/02 (Expressway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, located near the city of Sutter Creek, CA near Sutter-Ione Road.

C-18619 - Gary R. Wooten, et al.

10-Ama-49-KP R11.75-Parcel 14795 - EA: 049939 - Certification Date: 12/01/02 (Expressway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, located near the city of Sutter Creek, CA near Tonzi Road.

C-18620 - USECC Gold, LLC

10-Ama-49-KP R10.25-Parcel 14792; 15025 - EA: 049939 - Certification Date: 12/01/02 (Expressway)  
Authorizes condemnation of land in fee for a State highway, and for project mitigation purposes, located near the city of Sutter Creek at the intersection of Tonzi Road, and Sutter-Ione Road.

C-18621 - Corinne A. Moore

10-Ama-49-KP R12.550-Parcel 14796 - EA: 049939 - Certification Date: 12/01/02 (Expressway)  
Authorizes condemnation of land in fee for a State highway, extinguishment of abutters' right of access, located near the city of Sutter Creek, CA, NW of Sutter Creek and West of Amador City.

C-18622 - Jason Hern and Jason Hangaard

10-SJ-120-KP 15.8-Parcel 14297 - EA: 0A7409 - Certification Date: 12/01/02 (Conventional Highway)  
Authorizes condemnation of land in fee for a State highway, located near the city of Ripon at 15040 E. State Highway 120, Ripon, CA 95366.

C-18623 - San Joaquin County

10-SJ-120-KP 19.0-Parcel 14322 - EA: 0A7409 - Certification Date: 12/01/02 (Conventional Highway)  
Authorizes condemnation of land in fee for a State highway, located in the city of Escalon at 17620 E. State Highway 120, Escalon, CA.

C-18624 - JR Farms, LLC

10-SJ-120-KP 19.1/PM 11.9-Parcel 14325-1,2 - EA: 0A7409 - Certification Date: 12/01/02  
(Conventional Highway) Authorizes condemnation of land in fee for a State highway, located near the city of Ripon at 17888 Wagner Road.

C-18625 - Kenneth E. Snell, et al.

10-SJ-120-KP 23.5-Parcel 14346 - EA: 0A7409 - Certification Date: 12/01/02 (Conventional Highway)  
Authorizes condemnation of land in fee for a State highway, together with all of those certain improvements which straddle the right of way line with an easement to enter the remaining ownership to remove such improvements, located in the city of Escalon, CA at 22255 E. State Highway 120.

C-18626 - Van de Pol Farms, a California General Partnership

10-SJ-120-KP 24.08- Parcel 14350 - EA 0A7409 - Certification Date: 12/01/02 (Conventional Highway)  
Authorizes condemnation of land in fee for a State highway, located near the city of Escalon at 16996 S. Sexton Rd.

C-18627 - Roxanna Gonzalez

10-SJ-120-KP 25.7- Parcel 14356 - EA: 0A7409 - Certification Date: 12/01/02 (Conventional Highway)  
Authorizes condemnation of land in fee for a State highway, located in the city of Escalon at 17964 S. Brennan Rd.

C-18628 - Clem A. Muller, Jr.

11-Imp-7-KP 10.3-Parcel 31326-1,2,3,4,5,6,7 - EA: 068009 - Certification Date: 04/17/03 (Expressway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, three temporary easements for construction, an easement for utilities construction, an easement for access and maintenance of utilities, the right and easement to enter the remaining ownership to sever and shore certain improvement(s) at the right of way line, located in the unincorporated area of Imperial County in the community of Holtville at the southwest corner of Orchard Road and I-8. APN 055-490-08.

C-18629 - Ben Abatti and Margaret L. Abatti, Trustee, et al.

11-Imp-7-KP 10.3- Parcel 31327-1,2,3,4,5,6 - EA 068009 - Certification Date: 4/17/03 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, an easement for utilities construction, a temporary easement for construction, three easements for access and maintenance, the right and easement to enter the remaining ownership to sever and shore certain improvement(s) at the right of way line, located in the unincorporated area of Imperial County in the community of Holtville at the southeast corner of Orchard Road and I-8 intersection. APN 055-320-11.

C-18630 - Ben Abatti and Margaret L. Abatti, Trustee

11-Imp-7-KP 10.7- Parcel 31328-1,2,3,4,5 - EA: 068009 - Certification Date: 04/17/03 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, an easement for utility purposes, an easement for access and maintenance of a water delivery system, two temporary easements for construction purposes, the right and easement to enter the remaining ownership to sever and shore certain improvement(s) at the right of way line, located in the unincorporated area of Imperial County in the community of Holtville at the northeast corner of Orchard Road and I-8 intersection. APN-055-320-13.