

# Memorandum

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: March 5, 2013

Reference No: 2.4b.  
Action Item

From: NORMA ORTEGA  
Chief Financial Officer

Prepared by: Brent L. Green  
Chief  
Division of Right of Way and  
Land Surveys

Subject: **RESOLUTIONS OF NECESSITY**

## **RECOMMENDATION:**

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolutions of Necessity (Resolution) C-21019, C-21020, C-21023, C-21026, C-21028 through C-21037, summarized on the following pages.

## **ISSUE:**

Prior to initiating Eminent Domain proceedings to acquire needed Right of Way for a programmed project, the Commission must first adopt a Resolution stipulating specific findings identified under Section 1245.230 of the Code of Civil Procedure.

Moreover, 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 proposed project.
2. The proposed project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury.
3. This property is necessary 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.

## **BACKGROUND:**

Discussions have taken place with 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 owners 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 that 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-21019 - Debra Martinovich & Jolena Danielle Powell

04-Son-101-PM 1.5 - Parcel 61794 -1, 2, 3 - EA 264099.

Right of Way Certification (RWC) Date: 11/01/13; Ready to List (RTL) Date: 11/01/13.

Freeway - Reconstruction and realignment of U.S. Route 101 at the San Antonio Curve.

Authorizes condemnation of a temporary easement for construction, a permanent easement to be conveyed to the North Marin Water District, and an easement for utility purposes to be conveyed to Pacific Gas and Electric (PG & E). Located near the city of Petaluma at 4747 Redwood Highway. Assessor's Parcel Number (APN) 019-330-012.

C-21020 - Walter Yee and Ramona Yee, Trustees of the Yee Trust

04-Son-101-PM 0.8-1.2 - Parcel 61799-1, 2, 3, 4, 5, 6, 7 - EA 264099.

RWC Date: 11/01/13; RTL Date: 11/01/13. Freeway - Reconstruction and realignment of U.S. Route 101 at the San Antonio Curve. Authorizes condemnation of a temporary easement for construction, and easements for utility purposes to be conveyed to PG & E. Located near the city of Petaluma at 4871 Redwood Highway. APN 019-340-001.

C-21023 - CBS Outdoor Advertising Company

06-Mad-41-PM 11.7 - Parcel 86685-1 - EA 0G9009.

RWC Date: 07/01/13; RTL Date: 09/01/13. Conventional highway - Construct passing lanes.

Authorizes condemnation of leasehold interest - outdoor advertising company. Located in the city of Coarsegold on the west side of SR 41 approximately 2.5 miles north of SR 145. APN 051-032-015.

C-21026 - City of Downey

07-LA-5-PM 6.5 - Parcel 80018 -1, 2, 3, 4, 01-01 - EA 215959.

RWC Date: 03/15/13; RTL Date: 03/29/13. Freeway - widen Interstate 5 to add high occupancy vehicle and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, a temporary easement for construction purposes, permanent easements for footing and maintenance purposes, and land in fee which is a remnant and would be of little market value. Located in the city of Downey at 11190 Florence Avenue. APN 8019-033-900.

C-21028 - Deland Inc., a California Corporation

08-SBd-15-PM R14.16 - Parcel 22540-1, 2, 3, 4 - EA 0K7109.

RWC Date: 07/31/14; RTL: Design-Build. Freeway - add additional through lane in each direction on Interstate-15 (I-15) from Glen Helen Parkway to the I-15/Interstate-215 (I-215) interchange and reconfigure connectors to the I-215 truck bypass lanes and auxiliary lanes. Authorizes condemnation of land in fee for a State highway and temporary easements for construction purposes. Located in the unincorporated area of San Bernardino County at 17816 Nedlee Avenue. APN 0349-141-31.

C-21029 - Tracie A. Greenwood

08-SBd-215-PM 16.29 - Parcel 22474-1, 2 - EA 0K7109.

RWC Date: 07/31/14; RTL: Design-Build. Freeway - add additional through lane in each direction on I-15 from Glen Helen Parkway to the I-15/I-215 interchange and reconfigure connectors to the I-215 truck bypass lanes and auxiliary lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for construction purposes. Located in the city of San Bernardino at 18960 Cajon Boulevard. APN 0348-141-13.

C-21030 - Tom Gwin and Laura Gwin

08-SBd-215-PM 16.42 - Parcel 22481-1, 2 - EA 0K7109.

RWC Date: 07/31/14; RTL: Design-Build. Freeway - add additional through lane in each direction on I-15 from Glen Helen Parkway to the I-15/I-215 interchange and reconfigure connectors to the I-215 truck bypass lanes and auxiliary lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for construction purposes. Located in the unincorporated area of San Bernardino County at 18900 Cajon Boulevard. APN 0348-141-06.

C-21031 - Lawrence Hunter and Bonnie J. Hunter

08-SBd-215-PM 16.63 - Parcel 22488-1, 2 - EA 0K7109.

RWC Date: 07/31/14; RTL: Design-Build. Freeway - add additional through lane in each direction on I-15 from Glen Helen Parkway to the I-15/I-215 interchange and reconfigure connectors to the I-215 truck bypass lanes and auxiliary lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for construction purposes. Located in the city of San Bernardino at 18764 Cajon Boulevard. APN 0348-132-20.

C-21032 - David D. Bakeman, Trustee of the Bakeman Family Trust dated 7/17/98

08-SBd-215-PM 16.97 - Parcel 22505-1, 2 - EA 0K7109.

RWC Date: 07/31/14; RTL: Design-Build. Freeway - add additional through lane in each direction on I-15 from Glen Helen Parkway to the I-15/I-215 interchange and reconfigure connectors to the I-215 truck bypass lanes and auxiliary lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for construction purposes. Located in the unincorporated area of San Bernardino County at 18572 Cajon Boulevard. APN 0348-132-02.

C-21033 - Eagle Land Company, a California Corporation

08-SBd-215-PM 17.09 - Parcel 22509-1, 2 - EA 0K7109.

RWC Date: 07/31/14; RTL: Design-Build. Freeway - add additional through lane in each direction on I-15 from Glen Helen Parkway to the I-15/I-215 interchange and reconfigure connectors to the I-215 truck bypass lanes and auxiliary lanes. Authorizes condemnation of land in fee for a State highway and a permanent easement for utility purposes to be conveyed to Southern California Edison Company, Sprint, and Verizon. Located in the city of San Bernardino, northeast of Dement Street, east of Devore Road. APNs 0348-091-08, -09.

C-21034 - Victor James Kardos

08-SBd-215-PM 17.54/17.53 - Parcel 22523-1; 22526-1 - EA 0K7109.

RWC Date: 07/31/14; RTL: Design-Build. Freeway - add additional through lane in each direction on I-15 from Glen Helen Parkway to the I-15/I-215 interchange and reconfigure connectors to the I-215 truck bypass lanes and auxiliary lanes. Authorizes condemnation of land in fee for a State highway and the extinguishment of abutter's rights of access. Located in the unincorporated area of San Bernardino County at 18329 Cajon Boulevard. APNs 0349-171-01, -02, -03; 0349-173-07, -08, -19, -20.

C-21035 - Carlos Benedicto and Jesusa Benedicto

08-SBd-215-PM 17.17 - Parcel 22528-1 - EA 0K7109.

RWC Date: 07/31/14; RTL: Design-Build. Freeway - add additional through lane in each direction on I-15 from Glen Helen Parkway to the I-15/I-215 interchange and reconfigure connectors to the I-215 truck bypass lanes and auxiliary lanes. Authorizes condemnation of land in fee for a State highway. Located in the unincorporated area of San Bernardino County at 18548 Parker Street. APN 0349-166-12.

C-21036 - Bert Barber

08-SBd-247-PM 3.75 - Parcel 21828-1 - EA 0F6609.

RWC Date: 09/06/13; RTL Date: 09/20/13. Conventional highway - widen to construct shoulders. Authorizes condemnation of land in fee for a State highway. Located near the town of Yucca Valley at 4320 Old Woman Springs Road. APN 0597-071-32.

C-21037 - Edith X. Turcios De Salgado, et al.

12-Ora-91-PM 9.2 - Parcel 102775-1 - EA 0C5609.

RWC Date: 04/30/13; RTL Date: 04/30/13. Freeway - provide an auxiliary lane from northbound SR 55 to Tustin Avenue off-ramp. Authorizes condemnation of land in fee for a State highway and extinguishment of abutter's rights of access. Located in the city of Anaheim at 4240 East Summer Creek Lane. APN 359-211-26.