



**EL DORADO COUNTY**  
**DEPARTMENT OF TRANSPORTATION**  
<http://www.edcgov.us/DOT/>

**PLACERVILLE OFFICES:**

**MAIN OFFICE:**

2850 Fairlane Court, Placerville, CA 95667  
(530) 621-5900 / (530) 626-0387 Fax

**CONSTRUCTION & MAINTENANCE:**

2441 Headington Road, Placerville, CA 95667  
(530) 642-4909 / (530) 642-0508 Fax

**LAKE TAHOE OFFICES:**

**ENGINEERING:**

924 B Emerald Bay Road, South Lake Tahoe, CA 96150  
(530) 573-7900 / (530) 541-7049 Fax

**MAINTENANCE:**

1121 Shakori Drive, South Lake Tahoe, CA 96150  
(530) 573-3180 / (530) 577-8402 Fax

August 1, 2022

Wanda Nagel  
4820 Newtown Rd.  
Placerville, CA 95667

via Certified, First Class Mail and email  
fyrfax@flyisa.net

Re: Notice of Hearing to Adopt Resolution of Necessity  
Newtown Road at Weber Creek Bridge Replacement Project CIP#77122/#36105030,  
Assessor's Parcel No: 077-43-062  
Owner: Wanda H. Nagel, Trustees of the Wanda H. Nagel 1999 Revocable Trust under  
instrument dated January 14, 1999

Dear Ms. Nagel,

This letter is to notify you that the County of El Dorado has postponed the hearing regarding whether the conditions in the California Code of Civil Procedure (CCP) Section 1240.030 have been met concerning your subject property, and, if so, to adopt a Resolution of Necessity (Resolution) to acquire a portion of your property in eminent domain to **August 30, 2022 at 2:00 p.m., at 330 Fair Lane, Building A, Placerville, California.**

As a reminder, the El Dorado County Department of Transportation is in the process of acquiring right of way for the Newtown Road at Weber Creek Bridge Replacement Project, CIP 77122/36105030. The law provides procedures for public agencies to acquire private property for public use. It requires every agency which intends to condemn property to notify the owners of its intention to condemn. California Code of Civil Procedure (CCP) Section 1240.030 provides that the power of eminent domain may be exercised to acquire property for a proposed project if the following three conditions are established:

- (A) The public interest and necessity require the project.
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- (C) The property sought to be acquired is necessary for the project.

Also, CCP Section 1245.230 requires that the offer required by Section 7267.2 of the Government Code has been made to the owner of record, unless the owner cannot be located with reasonable diligence. A written offer required by Section 7267.2 of the Government Code was sent to you on January 24, 2022 at the address that was listed on the last equalized county assessment roll.

Questions regarding the amount of compensation to be paid or the value of the property to be acquired are not part of this proceeding and the Board of Supervisors will not consider

such in determining whether a Resolution should be adopted.

If you intend to appear at the August 30, 2022 meeting, or wish to file additional written objections, please include a statement in that request to appear or written objection indicating which of the three conditions listed in the first paragraph above you contend have not been met. By designating which of the conditions form the basis of your challenge and explaining why you believe they have not been met, you will enable the County Board of Supervisors to conduct a full and expeditious review of the project's effect on your property

The Board of Supervisors' adoption of the Resolution authorizes the County of El Dorado (the "County") to acquire the properties by eminent domain. Within six months of the adoption of the Resolution, the County will prepare and file a complaint in Superior Court commencing the eminent domain proceeding. All issues related to the compensation to be awarded for the acquisition of your properties will be resolved in this court proceeding.

If you have any questions, please call me at (530) 642-4974.

Sincerely,



John Kahling  
Deputy Director, Engineering  
Department of Transportation

CC: Cristopher Washington, Eminent Domain Law Group

August 3, 2022

Wanda Nagel  
4820 Newtown Rd.  
Placerville, CA 95667

via Certified, First Class Mail and email  
fyrfax@flyisa.net

Re: Notice of Hearing to Adopt Resolution of Necessity  
Newtown Road at Weber Creek Bridge Replacement Project,  
CIP#77122/#36105030  
Assessor's Parcel No: 077-43-062 ("Subject Property")  
Owner: Wanda H. Nagel, Trustees of the Wanda H. Nagel 1999 Revocable  
Trust under instrument dated January 14,1999

Ms. Nagel,

Reference is made to my letter to you dated August 1, 2022. The August 1 letter is rescinded and replaced with this letter, dated August 3, 2022. My apologies for any inconvenience.

This letter is to notify you that the County of El Dorado (County) has postponed the August 16, 2022 Resolution of Necessity hearing related to your subject property. **This hearing will now take place on August 30, 2022 at 2:00 p.m. in the Board of Supervisors Meeting Room at 330 Fair Lane, Building A, Placerville, California.** At this hearing, the El Dorado County Board of Supervisors will determine whether the conditions in the California Code of Civil Procedure (CCP) Section 1240.030 have been met concerning your subject property, and, if so, to adopt a Resolution of Necessity (Resolution) to acquire a portion of your subject property in eminent domain. We previously sent you a Notice of Intent to Adopt a Resolution of Necessity on June 9, 2022.

The County is in receipt of the letter from your counsel, Mr. Christopher Washington, dated June 23, 2022, stating your objections to the proposed Resolution of Necessity for the property interests sought to be acquired from your subject property and your request to be heard at the hearing. Your objections and request were noted in the record and you are not required to raise them again. However, if you or counsel would like to appear before the Board of Supervisors in person or via video conference at the August 30, 2022, hearing please submit a request to the Clerk of the Board of Supervisors at the following address: Clerk of the Board of Supervisors, County of El Dorado, 330 Fair

Lane, Placerville, CA 95667. For your convenience, you may also send this request via email to [edc.cob@edcgov.us](mailto:edc.cob@edcgov.us). Please submit this request no later than 5:00 p.m. on **August 16, 2022**. All written objections or communications regarding this matter filed with the Board of Supervisors will become part of the official record of the meeting at which the Board of Supervisors hears the Resolution. In addition, if you intend to rely on any presentation materials, such as PowerPoint, please send those materials to the Clerk of the Board of Supervisors via email at [edccob@edcgov.us](mailto:edccob@edcgov.us) no later than 5:00 p.m. on **August 26, 2022**.

Please refer to our letter to you dated June 9, 2022 for information regarding the purpose of the hearing as it relates to California Code of Civil Procedure (CCP) 1240.030 and also how the County has complied with CCP 1240.230 and California Government Code 7267.2.

Questions regarding the amount of compensation to be paid or the value of the property to be acquired are not part of this proceeding and the Board of Supervisors will not consider such in determining whether a Resolution should be adopted.

The Board of Supervisors' adoption of the Resolution authorizes the County to acquire the properties by eminent domain. Within six months of the adoption of the Resolution, the County will prepare and file a complaint in Superior Court commencing the eminent domain proceeding. All issues related to the compensation to be awarded for the acquisition of your properties will be resolved in this court proceeding.

We have been notified that you are represented by Mr. Christopher Washington from the Eminent Domain Law Group on this matter. If you have any questions, please have Mr. Washington direct those questions to Daniel Vandekoolwyk, Deputy County Counsel, at (530) 621-5779.

Sincerely,

**John Kahling**

Digitally signed by John Kahling  
DN: cn=John Kahling, o=El Dorado County  
Department of Transportation, ou=Headington  
Engineering Unit,  
email=john.kahling@edcgov.us, c=US  
Date: 2022.08.03 14:28:40 -07'00'

John Kahling  
Deputy Director of Engineering  
El Dorado County Department of Transportation

c: Christopher Washington, Eminent Domain Law Group