

## RESOLUTION NO. 188-2018

### OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

#### RESOLUTION OF NECESSITY

**WHEREAS**, the Silver Springs Parkway to Bass Lake Road (south segment) Project CIP No. 76108 (Project) is located in western El Dorado County in the community of Rescue approximately two miles north of US Highway 50 on Bass Lake Road;

**WHEREAS**, the proposed Project would construct a 0.25 mile divided two-lane roadway connecting the existing Silver Springs Parkway to Bass Lake Road. The Project would also realign and reconstruct Bass Lake Road approximately 800 feet south and 500 feet east of the proposed Silver Springs Parkway intersection and would include Class II bike lanes, concrete sidewalks on both sides and a landscaped center median;

**WHEREAS**, the Project is necessary to complete a connector road between Bass Lake Road and Green Valley Road, improving traffic circulation consistent with the Circulation Element of the County General Plan. The Project will improve traffic circulation within Western El Dorado County by providing for improved and additional connectivity between Green Valley Road to the north and Bass Lake Road (which connects to US Highway 50) to the south. The Project will improve vehicle and pedestrian safety and provide bike lanes and sidewalks along a north-south connection between the existing Bass Lake Road and Green Valley Road to interconnect community areas and to connect the existing Pleasant Grove Middle School and the future El Dorado Union High School with existing and developing residential communities;

**WHEREAS**, the requirements of the California Environmental Quality Act ("CEQA") have been met. In May 1992, the Board of Supervisors certified the Bass Lake Road Realignment Final Environmental Impact Report. The Board also certified the Silver Springs Subdivision's EIR September 1998. On August 2, 2016, the Board certified the Final Subsequent Environmental Impact Report pursuant to CEQA; adopted the Mitigation Monitoring and Reporting Plan; adopted the Findings of Fact; approved the Project as described in the Final Subsequent Environmental Impact Report; and authorized Department of Transportation staff to proceed with final design, rights-of-way acquisition, permitting, and other activities for Project construction;

**WHEREAS**, as a necessary part of the Project, it has been determined that portions of Assessor's Parcel Number 115-030-04, located at 2800 Hill Road, Rescue, within El Dorado County, as more particularly described and depicted in Exhibits "A" and "B" consisting of 174,465 square feet (SF) in fee, 29,048 SF in slope and drainage easement and 32,343 SF in temporary construction easement over a 24 month period (collectively referred to herein as the "Subject Property"), are best suitable and necessary for the Project, will result in a maximum benefit to the Project, at the most reasonable cost, and with the least interference as possible to private property rights, and that there is no other reasonable, permissible location configured for the Project;

**WHEREAS**, it is necessary and desirable for the County to acquire the Subject Property for the purpose of constructing the Project;

**WHEREAS**, the County of El Dorado is a political subdivision of the State of California and is vested with the power of eminent domain by virtue of Article 1, Section 19 of the Constitution of the State of California, Government Code section 25350.5 which authorizes the County Board of Supervisors to exercise the powers of eminent domain necessary to carry out any of the powers and functions of the County, and by virtue of California Code of Civil Procedure sections 1240.050, 1240.110, 1240.120, 1240.125, 1240.150, 1240.410, and 1240.610 and Streets and Highways Code section 943 which authorize the County Board of Supervisors to acquire any property necessary for the use and purposes of county highways;

**WHEREAS**, Code of Civil Procedure section 1240.410 authorizes the County to acquire any portion of the Subject Property described as an uneconomic remnant by eminent domain in accordance with that article;

**WHEREAS**, the Subject Property is being acquired for a compatible use under Code of Civil Procedure section 1240.510 in that the County's use of the Subject Property will not interfere with or impair any continued public use as it now exists or may reasonably be expected to exist in the future; and alternatively for a more necessary public use under Code of Civil Procedure section 1240.610 in that the County's use of the Subject Property is a more necessary public use than any public use to which the property is appropriated;

**WHEREAS**, pursuant to Government Code section 7267.2, the Subject Property was appraised by an independent real estate appraiser and an amount believed to be just compensation was established by the County;

**WHEREAS**, the amount of just compensation was offered to the owner or owners pursuant to Government Code section 7267.2;

**WHEREAS**, pursuant to the provisions of Code of Civil Procedure section 1245.235, written notice has been duly given to all persons who could be located whose property is to be acquired by eminent domain and whose names and addresses appear on the County of El Dorado's last equalized roll, all of whom have been given a reasonable opportunity to appear and be heard before the Board of Supervisors on the following matters:

- a. Whether the public interest and necessity require the Project;
- b. Whether said Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c. Whether the Subject Property is necessary for the Project; and
- d. Whether the offer required by Government Code section 7267.2 has been made to all owners of record;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of the County of El Dorado hereby finds:

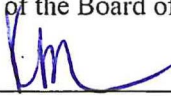
1. The public interest and necessity require the construction of the Silver Springs Parkway to Bass Lake Road (south segment) Project;

2. The Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
3. The Subject Property is necessary for the Project;
4. The offer required by Government Code section 7267.2 has been made to all owners of record;
5. The requirements under the California Environmental Quality Act have been satisfied;
6. The Subject Property is being acquired for a compatible use under Code of Civil Procedure section 1240.510 in that County's use of the Subject Property will not interfere with or impair the continued public use as it now exists or may reasonably be expected to exist in the future, and alternatively, for a more necessary public use under Code of Civil Procedure section 1240.610 in that County's use of the Subject Property is a more necessary public use than the use to which the Subject Property is appropriated;
7. Notice and a reasonable opportunity to appear and be heard on September 11, 2018, on the matters enumerated in Code of Civil Procedure section 1240.030 was given to each of the persons whose name and address appears on the County's last equalized roll; and

**BE IT FURTHER RESOLVED** that outside counsel, Meyers Nave, is hereby authorized, with assistance of County Counsel, to proceed immediately with the commencement of an action for eminent domain pursuant to the Eminent Domain Law set forth in the Code of Civil Procedure, commencing with Section 1230.010 et seq., for the Subject Property described and depicted in Exhibits "A" and "B" attached hereto.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 11<sup>th</sup> day of September 2018, by the following vote of said Board:

Attest:  
 Jim Mitrisin  
 Clerk of the Board of Supervisors

By:  \_\_\_\_\_  
 Deputy Clerk

Ayes: Hidahl, Frentzen, Veerkamp, Ranalli, Novasel  
 Noes: None  
 Absent: None

 \_\_\_\_\_  
 Chair, Board of Supervisors  
 Michael Ranalli

**Exhibit A**  
**APN 115-030-04 Fee Right of Way**

All that portion of Parcel 4 of that certain Parcel Map filed in Book 6 of Parcel Maps, at Page 127, records of El Dorado County, California as said Parcel 4 is shown on that certain Record of Survey filed in Book 35 of Record of Surveys, at Page 138, records of El Dorado County, California more particularly described as follows:

Beginning the northeast corner of said Parcel 4;

Thence from said Point of Beginning along the easterly boundary of said Parcel 4 the following three (3) courses:

- (1) South 02°16'32" East 197.76 feet,
- (2) South 23°22'59" East 516.43 feet, and
- (3) South 09°48'41" East 663.81 feet to the southeast corner of said Parcel 4;

Thence along the southerly boundary of said Parcel 4 the following three (3) courses:

- (1) South 89°31'54" West 20.70 feet,
- (2) South 01°28'23" West 0.06 feet, and
- (3) South 89°32'12" West 61.46 feet to the southwesterly corner of said Parcel 4;

Thence along the southwesterly boundary of said Parcel 4 North 45°00'06" West 51.40 feet;

Thence leaving said southwesterly boundary along the arc of a non-tangent curve to the left, having a radius of 2750.00 feet, from a radial bearing North 79°04'32" East, through a central angle of 05°28'36", for an arc length of 262.86 feet (Chord: North 13°39'46" West 262.76 feet);

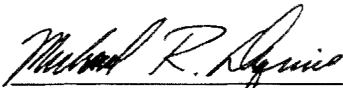
Thence North 16°24'04" West 654.39 feet;

Thence along the arc of a tangent curve to the right, having a radius of 1450 feet, through a central angle of 16°16'05", for an arc length of 411.70 feet (Chord North 08°16'02" West 410.32 feet) to the northerly boundary of said Parcel 4;

Thence along said northerly boundary North 89°26'18" East 98.42 feet to the Point of Beginning containing 174,465 square feet, more or less. See Exhibit 'B', attached hereto and made a part hereof.

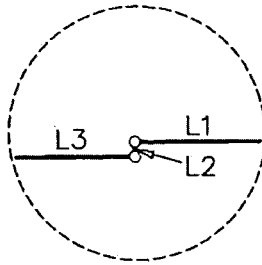
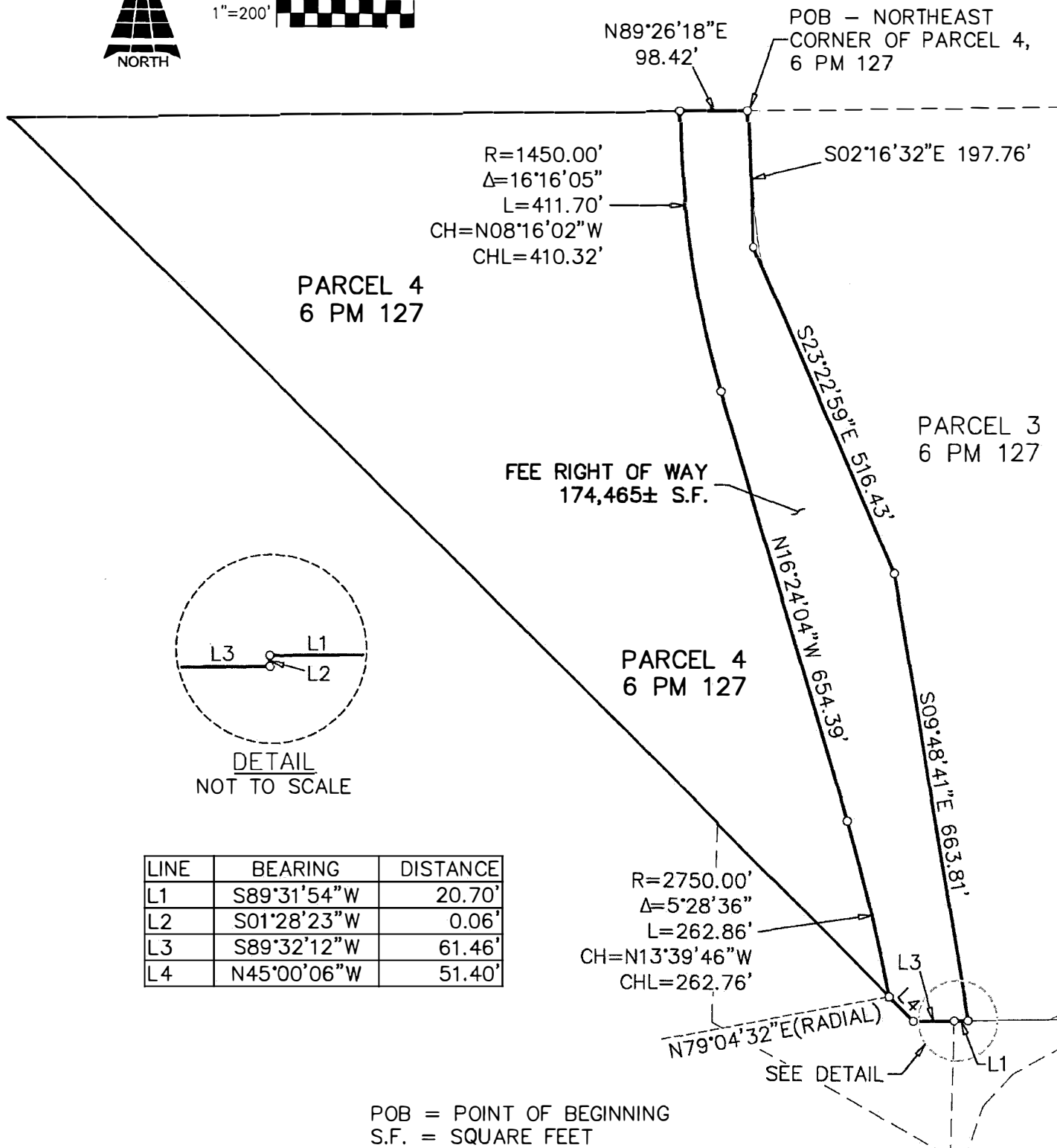
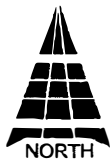
The Basis of Bearings for this legal description is that certain Record of Survey filed in Book 35 of Record of Surveys, at Page 138, records of El Dorado County, California.

- END OF DESCRIPTION-

  
\_\_\_\_\_  
Michael R. Dequino L.S. 5614  
License expires: 9/30/2018

Sept. 13, 2017  
Date





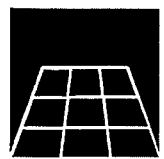
DETAIL  
NOT TO SCALE

LINE	BEARING	DISTANCE
L1	S89°31'54"W	20.70'
L2	S01°28'23"W	0.06'
L3	S89°32'12"W	61.46'
L4	N45°00'06"W	51.40'

R=2750.00'  
 $\Delta=5^{\circ}28'36''$   
 L=262.86'  
 CH=N13°39'46"W  
 CHL=262.76'

POB = POINT OF BEGINNING  
 S.F. = SQUARE FEET

t:\active\16-1429 (la silver springs parkway extension)\survey\drawing\wp\exhibits for legal descriptions\exhibit\_khaashcar right of way 16-1429.dwg



**Michael Dequine  
and Associates, Inc.**  
 2295 Gateway Oaks Drive, Suite 140  
 Sacramento, Ca 95833  
 Phone: (916) 923-5820  
 Fax: (916) 923-1626

EXHIBIT B  
**APN 115-030-04**  
**FEE RIGHT-OF-WAY**  
 A PORTION OF PARCEL 4, 6 P.M. 127  
 COUNTY OF EL DORADO, CALIFORNIA

Checked by: MRD	Drawn By: KS	Job# 16-1429
Scale: 1"=200'	Date: 8/15/2017	Sheet 1 of 1

**Exhibit A**  
**APN 115-030-04 Slope and Drainage Easement**

All that portion of Parcel 4 of that certain Parcel Map filed in Book 6 of Parcel Maps, at Page 127, records of El Dorado County, California as said Parcel 4 is shown on that certain Record of Survey filed in Book 35 of Record of Surveys, at Page 138, records of El Dorado County, California more particularly described as follows:

Beginning at a point on the northerly boundary of said Parcel 4 from which the northeast corner thereof bears North 89°26'18" East 98.42 feet;

Thence from said Point of Beginning along the arc of a curve to the left having a radius of 1450.00 feet, from a radial bearing South 89°52'01" West, through a central angle of 16°16'05", for an arc length of 411.70 feet (Chord: South 08°16'02" East 410.32 feet);

Thence South 16°24'04" East 654.39 feet;

Thence along the arc of a tangent curve to the right having a radius of 2750.00 feet, through a central angle of 05°28'36", for an arc length of 262.86 feet (Chord: South 13°39'46" East 262.76 feet) to the southwesterly boundary of said Parcel 4;

Thence along said southwesterly boundary North 45°00'06" West 55.74 feet;

Thence leaving said southwesterly boundary North 09°16'59" West 148.83 feet;

Thence along the arc of a non-tangent curve to the left having a radius of 2730.00 feet, from a radial bearing North 74°58'51" East, through a central angle of 01°22'55", for an arc length of 65.85 feet (Chord: North 15°42'37" West 65.85 feet);

Thence North 16°24'04" West 200.03 feet;

Thence North 27°28'13" West 17.21 feet;

Thence North 18°12'04" West 100.09 feet;

Thence North 10°37'11" West 64.00 feet;

Thence North 16°24'04" West 273.76 feet;

Thence along the arc of a tangent curve to the right having a radius of 1470.00 feet, through a central angle of 09°03'51", for an arc length of 232.55 feet (Chord: North 11°52'09" West 232.31 feet);


Thence North 09°10'01" West 85.94 feet;

Thence North 06°12'05" West 99.79 feet to the northerly boundary of said Parcel 4;

Thence along said northerly boundary North 89°26'18" East 32.44 feet to the Point of Beginning containing 29,048 square feet, more or less. See Exhibit 'B', attached hereto and made a part hereof.

The Basis of Bearings for this legal description is that certain Record of Survey filed in Book 35 of Record of Surveys, at Page 138, records of El Dorado County, California.

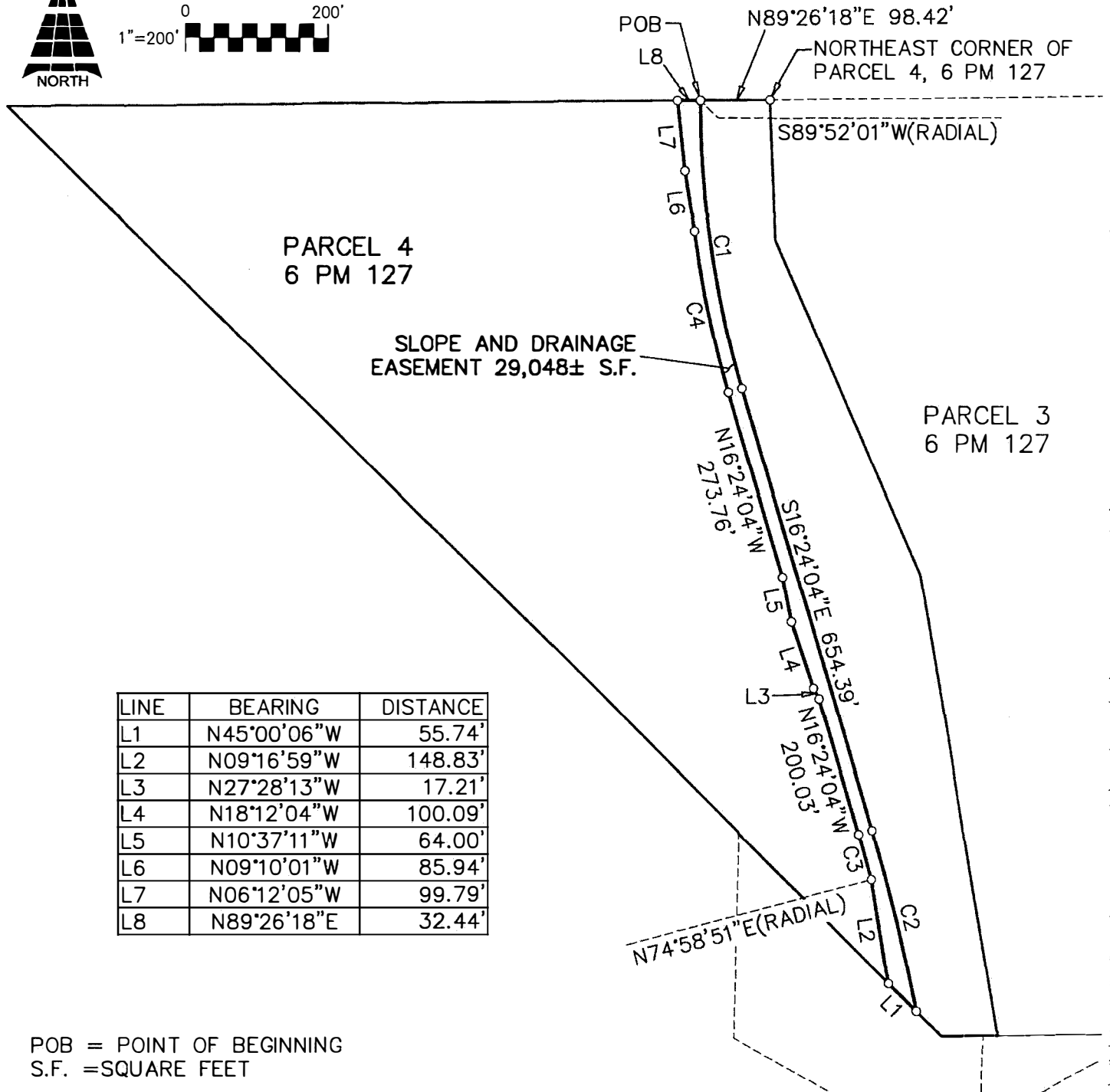
- END OF DESCRIPTION-

  
Michael R. DeQuine L.S. 5614  
License expires: 9/30/2018

Sept. 13, 2017  
Date

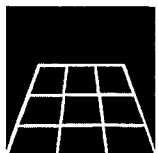


CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1450.00'	16°16'05"	411.70'	S08°16'02"E	410.32'
C2	2750.00'	5°28'36"	262.86'	S13°39'46"E	262.76'
C3	2730.00'	1°22'55"	65.85'	N15°42'37"W	65.85'
C4	1470.00'	9°03'51"	232.55'	N11°52'09"W	232.31'



LINE	BEARING	DISTANCE
L1	N45°00'06"W	55.74'
L2	N09°16'59"W	148.83'
L3	N27°28'13"W	17.21'
L4	N18°12'04"W	100.09'
L5	N10°37'11"W	64.00'
L6	N09°10'01"W	85.94'
L7	N06°12'05"W	99.79'
L8	N89°26'18"E	32.44'

POB = POINT OF BEGINNING  
S.F. = SQUARE FEET



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EXHIBIT B  
**APN 115-030-04**  
**SLOPE AND DRAINAGE EASEMENT**  
A PORTION OF PARCEL 4, 6 P.M. 127  
COUNTY OF EL DORADO, CALIFORNIA

Checked by: MRD	Drawn By: KS	Job# 16-1429
Scale: 1"=200'	Date: 8/17/2017	Sheet 1 of 1

**Exhibit A**  
**APN 115-030-04 Temporary Construction Easement**

All that portion of Parcel 4 of that certain Parcel Map filed in Book 6 of Parcel Maps, at Page 127, records of El Dorado County, California as said Parcel 4 is shown on that certain Record of Survey filed in Book 35 of Record of Surveys, at Page 138, records of El Dorado County, California more particularly described as follows:

Beginning at a point on the northerly boundary of said Parcel 4 from which the northeast corner thereof bears North 89°26'18" East 130.86 feet;

Thence from said Point of Beginning South 06°12'05" East 99.79 feet;

Thence South 09°10'01" East 85.94 feet;

Thence along the arc of a non-tangent curve to the left having a radius of 1470.00 feet, from a radial bearing South 82°39'47" West, through a central angle of 09°03'51", for an arc length of 232.55 feet (Chord: South 11°52'09" East 232.31 feet);

Thence South 16°24'04" East 273.76 feet;

Thence South 10°37'11" East 64.00 feet;

Thence South 18°12'04" East 100.09 feet;

Thence South 27°28'13" East 17.21 feet;

Thence South 16°24'04" East 200.03 feet;

Thence along the arc of a tangent curve to the right having a radius of 2730.00 feet, through a central angle of 01°22'55", for an arc length of 65.85 feet (Chord: South 15°42'37" East 65.85 feet);

Thence South 09°16'59" East 148.83 feet to the southwesterly boundary of said Parcel 4;

Thence along said southwest boundary North 45°00'06" West 26.09 feet;

Thence leaving said southwesterly boundary along the arc of a non-tangent curve to the left having a radius of 2705.00 feet, from a radial bearing North 77°38'23" East, through a central angle of 04°02'27", for an arc length of 190.77 feet (Chord: North 14°22'51" West 190.73 feet);

Thence North 16°24'04" West 654.39 feet;

Thence along the arc of a tangent curve to the right having a radius of 1495.00 feet, through a central angle of 02°27'55", for an arc length of 64.33 feet (Chord: North 15°10'07" West 64.32 feet);

Thence South 76°03'51" West 25.00 feet;

Thence along the arc of a non-tangent curve to the right having a radius of 1520.00 feet, from a radial bearing South 76°03'51" West, through a central angle of 04°26'12", for an arc length of 117.70 feet (Chord: North 11°43'03" West 117.67 feet);

Thence North 80°30'03" East 25.00 feet;



Thence along the arc of a non-tangent curve to the right having a radius of 1495.00 feet, from a radial bearing South 80°30'03" West, through a central angle of 09°21'11", for an arc length of 244.05 feet (Chord: North 04°49'22" West 243.78 feet) to the northerly boundary of said Parcel 4;

Thence along said northerly boundary North 89°26'18" East 12.56 feet to the Point of Beginning containing 32,343 square feet more or less. See Exhibit 'B', attached hereto and made a part hereof.

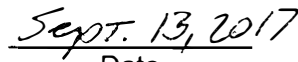
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- END OF DESCRIPTION-



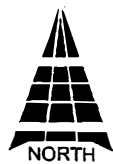
Michael R. Dequine C.S. 5614

License expires: 9/30/2018

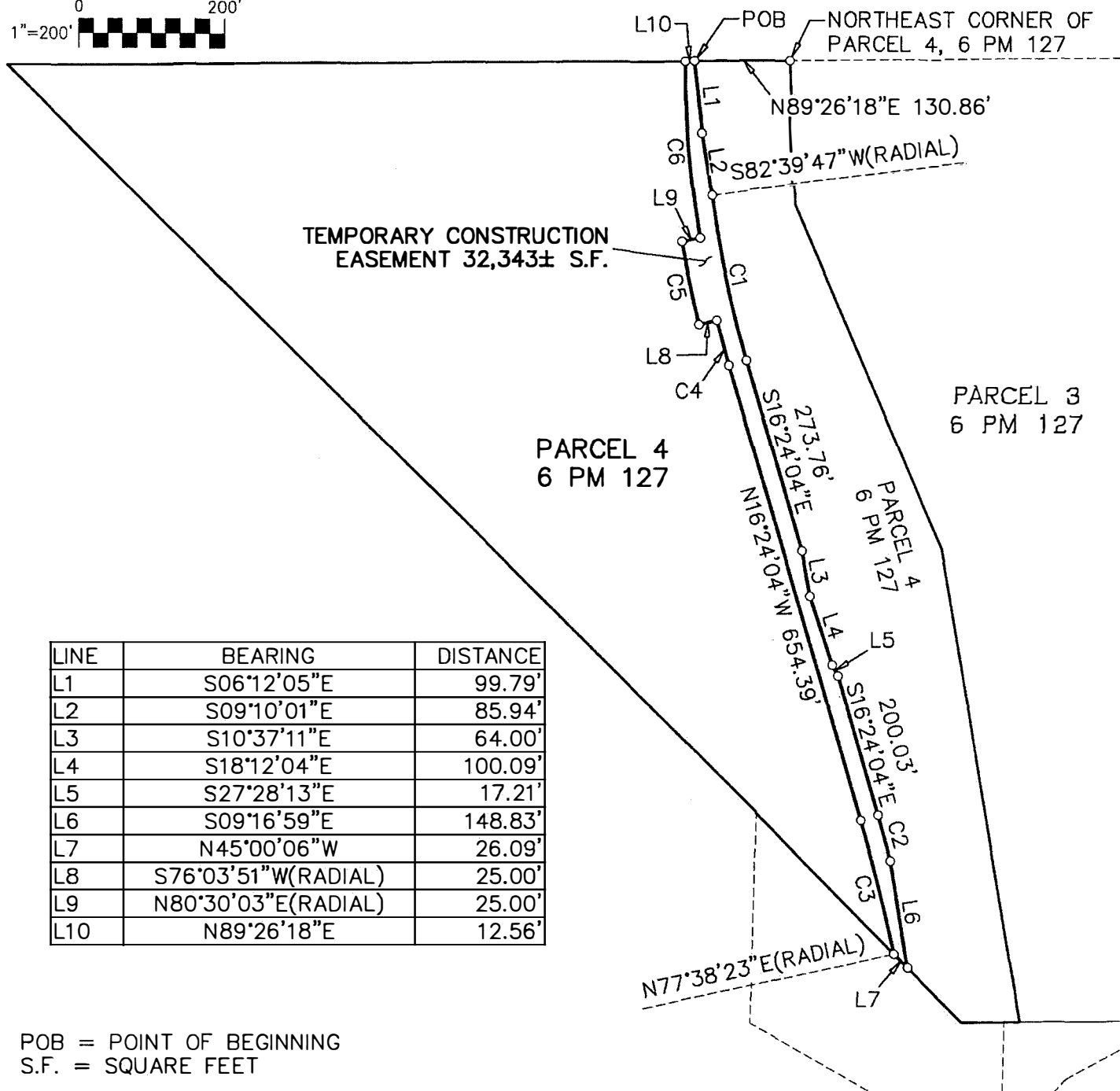


Date





CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1470.00'	9°03'51"	232.55'	S11°52'09"E	232.31'
C2	2730.00'	1°22'55"	65.85'	S15°42'37"E	65.85'
C3	2705.00'	4°02'27"	190.77'	N14°22'51"W	190.73'
C4	1495.00'	2°27'55"	64.33'	N15°10'07"W	64.32'
C5	1520.00'	4°26'12"	117.70'	N11°43'03"W	117.67'
C6	1495.00'	9°21'11"	244.05'	N04°49'22"W	243.78'



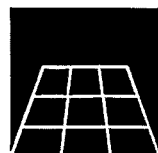
TEMPORARY CONSTRUCTION  
EASEMENT 32,343± S.F.

PARCEL 4  
6 PM 127

PARCEL 3  
6 PM 127

LINE	BEARING	DISTANCE
L1	S06°12'05"E	99.79'
L2	S09°10'01"E	85.94'
L3	S10°37'11"E	64.00'
L4	S18°12'04"E	100.09'
L5	S27°28'13"E	17.21'
L6	S09°16'59"E	148.83'
L7	N45°00'06"W	26.09'
L8	S76°03'51"W(RADIAL)	25.00'
L9	N80°30'03"E(RADIAL)	25.00'
L10	N89°26'18"E	12.56'

POB = POINT OF BEGINNING  
S.F. = SQUARE FEET



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EXHIBIT B  
**APN 115-030-04**  
**TEMPORARY CONSTRUCTION EASEMENT**  
A PORTION OF PARCEL 4, 6 P.M. 127  
COUNTY OF EL DORADO, CALIFORNIA

Checked by: MRD	Drawn By: KS	Job# 16-1429
Scale: 1"=200'	Date: 7/17/2017	Sheet 1 of 1

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