



RESOLUTION NO. 069-2018

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, as part of the Silver Springs Parkway to Bass Lake Road (south segment) Project (Project) is located in the community of Rescue approximately two miles north of US Highway 50 on Bass Lake Road. 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 U.S. 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 Transportation Division 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 115-030-03, located at 2880 Bass Lake Road, Rescue, within El Dorado County, as more particularly described and depicted in Exhibits "A" and "B" consisting of 19,818 square feet (SF) in fee, 21,634 SF in slope and drainage easement and 49,365 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 herein described portion of Assessor Parcel Number 115-030-03, 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, based on the staff report and other evidence presented at the hearing, 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 and State'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 and State'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 April 24, 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 24th day of April 2018, by the following vote of said Board:

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

Attest:
 James S. Mitrishin
 Clerk of the Board of Supervisors

By: 
 Deputy Clerk


 Chair, Board of Supervisors, Michael Ranalli

Exhibit A
APN 115-030-03 Fee Right of Way

AREA 1

All that portion of Parcel 3 of that certain Parcel Map filed in Book 6 of Parcel Maps, at Page 127, records of El Dorado County, California as said Parcel 3 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 southeast corner of said Parcel 3;

Thence from said Point of Beginning along the southerly boundary of Parcel 3 as shown on said Record of Survey filed in Book 35 of Record of Surveys, at Page 138, records of El Dorado County, California South 89°31'54" West 327.80 feet;

Thence leaving said southerly boundary North 68°33'48" East 256.02 feet;

Thence along the arc of a tangent curve to the left having a radius of 1958.00 feet; through a central angle of 02°03'27", for an arc length of 70.31 feet (Chord: North 67°32'05" East 70.31 feet) to the easterly boundary of said Parcel 3;

Thence along the easterly boundary of said Parcel 3 South 11°45'25" East 120.28 feet to the Point of Beginning containing 19,156 square feet more or less.

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.

AREA 2

All that portion of Parcel 3 of that certain Parcel Map filed in Book 6 of Parcel Maps, at Page 127, records of El Dorado County, California as said Parcel 3 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 the northwest corner of said Parcel 3;

Thence from said Point of Beginning along the northerly boundary of said Parcel 3 North 89°26'18" East 1.58 feet;

Thence leaving said northerly boundary along the arc of a curve to the left having a radius of 1350.00 feet, from a radial bearing South 89°53'55" West, through a central angle of 09°47'24", for an arc length of 230.67 feet (Chord: South 04°59'47" East 230.39 feet) to a point in the westerly boundary of said Parcel 3;

Thence along the westerly boundary of said Parcel 3 the following two (2) courses:

- (1) North 23°22'59" West 34.75 feet, and
- (2) North 02°16'32" West 197.76 feet to the Point of Beginning containing 662 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-



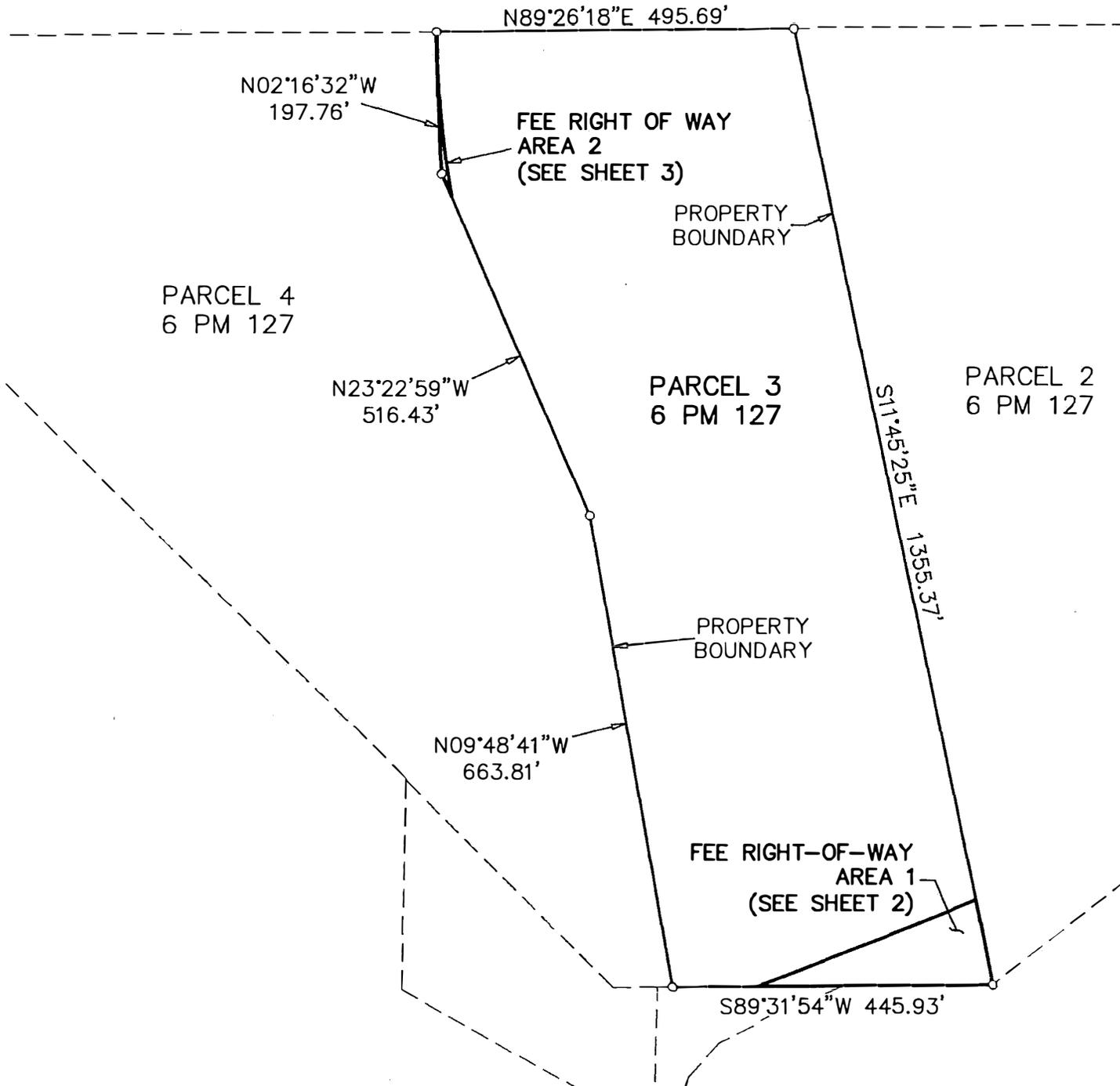
Michael R. Dequine L.S. 5614
License expires: 9/30/2018

Sept. 13, 2017
Date

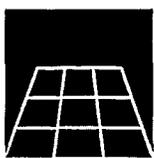




0 200'
1"=200'



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**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 115-030-03 FEE RIGHT OF WAY A PORTION OF PARCEL 3, 6 P.M. 127 COUNTY OF EL DORADO, CALIFORNIA		
Checked by: MRD	Drawn By: KS	Job# 16-1429
Scale: 1"=200'	Date: 8/21/2017	Sheet 1 of 3



PROPERTY
BOUNDARY

PROPERTY
BOUNDARY

PARCEL 3
6 PM 127

PARCEL 2
6 PM 127

PARCEL 4
6 PM 127

R=1958.00'
 Δ =2°03'27"
 L=70.31'
 CH=N67°32'05"E
 CHL=70.31'

FEE RIGHT OF WAY AREA 1
19,156± S.F.

N68°33'48"E

256.02'

BASS LAKE ROAD

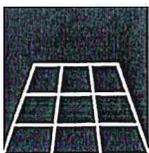
S11°45'25"E
120.28'

S89°31'54"W 327.80'

POB - SOUTHEAST
CORNER PARCEL 3
6 PM 127 AS SHOWN
PER 35 RS 138

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

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**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 115-030-03
FEE RIGHT OF WAY AREA 1
 A PORTION OF PARCEL 3, 6 P.M. 127
 COUNTY OF EL DORADO, CALIFORNIA

Checked by: MRD

Drawn By: KS

Job# 16-1429

Scale: 1"=40'

Date: 8/21/2017

Sheet 2 of 3



NORTHWEST CORNER OF
PARCEL 3, 6 PM 127
POB

N89°26'18"E

1.58'

SEE DETAIL

S89°53'55"W (RADIAL)

PROPERTY
BOUNDARY

PARCEL 4
6 PM 127

R=1350.00'
Δ=9°47'24"
L=230.67'
CH=S04°59'47"E
CHL=230.39'

PARCEL 3
6 PM 127

PROPERTY BOUNDARY

RIGHT OF WAY AREA 2
662± SQUARE FEET

NORTHWEST
CORNER OF
PARCEL 3
6 PM 127

N89°26'18"E

1.58'

R=1350.00'

Δ=9°47'24"

L=230.67'

CH=S04°59'47"E

CHL=230.39'

N02°16'32"W
197.76'

DETAIL

NOT TO SCALE

N23°27'59"E
34.75'
M

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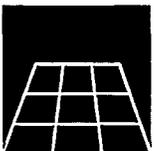
EXHIBIT B

APN 115-030-03

FEE RIGHT OF WAY AREA 2

A PORTION OF PARCEL 3, 6 P.M. 127

COUNTY OF EL DORADO, CALIFORNIA



**Michael Dequine
and Associates, Inc.**

2295 Gateway Oaks Drive, Suite 140
Sacramento, Ca 95833
Phone: (916) 923-5820
Fax: (916) 923-1626

Checked by: MRD

Drawn By: KS

Job# 16-1429

Scale: 1"=40'

Date: 8/21/2017

Sheet 3 of 3

18-0606 C 5 of 10

Exhibit A
APN 115-030-03 Slope and Drainage Easement

All that portion of Parcel 3 of that certain Parcel Map filed in Book 6 of Parcel Maps, at Page 127, records of El Dorado County, California as said Parcel 3 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 southerly boundary of said Parcel 3, from which the southeast corner thereof bears North 89°31'54" East 327.80 feet;

Thence from said Point of Beginning, along the southerly boundary of said Parcel 3 South 89°31'54" West 118.13 feet to the southwest corner of said Parcel 3;

Thence along the westerly boundary of said Parcel 3 North 09°48'41" West 240.05';

Thence leaving the westerly boundary of said Parcel 3 South 37°22'14" East 95.80 feet;

Thence South 62°53'57" East 46.69 feet;

Thence South 46°59'35" East 32.27 feet;

Thence South 43°32'16" East 47.70 feet;

Thence South 25°30'56" East 55.01 feet;

Thence North 81°04'02" East 102.08 feet;

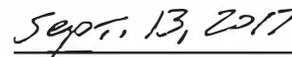
Thence South 68°33'48" West 130.73 feet to the Point of Beginning containing 21,634 square feet more or less. See Exhibit 'B', attached hereto and made a part hereof.

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



Date



PROPERTY
BOUNDARY



LINE	BEARING	DISTANCE
L1	S37°22'14"E	95.80'
L2	S62°53'57"E	46.69'
L3	S46°59'35"E	32.27'
L4	S43°32'16"E	47.70'
L5	S25°30'56"E	55.01'
L6	N81°04'02"E	102.08'
L7	S68°33'48"W	130.73'

PARCEL 3
6 PM 127

PARCEL 2
6 PM 127

PARCEL 4
6 PM 127

SLOPE AND DRAINAGE EASEMENT
21,634± S.F.

BASS LAKE ROAD

N09°48'41"W 240.05'

S89°31'54"W
118.13'

N89°31'54"E 327.80'

SOUTHEAST CORNER OF
PARCEL 3, (6 P.M. 127)
PER 35 RS 138

POB

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

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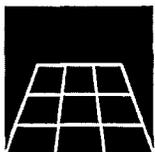
EXHIBIT B

APN 115-030-03

SLOPE AND DRAINAGE EASEMENT

A PORTION OF PARCEL 3, 6 P.M. 127

COUNTY OF EL DORADO, CALIFORNIA



**Michael Dequine
and Associates, Inc.**

2295 Gateway Oaks Drive, Suite 140
Sacramento, Ca 95833
Phone: (916) 923-5820
Fax: (916) 923-1626

Checked by: MRD

Drawn By: KS

Job# 16-1429

Scale: 1"=100'

Date: 8/17/2017

Sheet 1 of 1

18-0606 C 7 of 10

Exhibit A
APN 115-030-03 Temporary Construction Easement

AREA 1

All that portion of Parcel 3 of that certain Parcel Map filed in Book 6 of Parcel Maps, at Page 127, records of El Dorado County, California as said Parcel 3 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 easterly boundary of said Parcel 3 from which the southeast corner thereof bears South 11°45'25" East 120.28 feet;

Thence from said Point of Beginning along the arc of a non-tangent curve to the right having a radius of 1958.00 feet, from a radial bearing South 23°29'40" East, through a central angle of 02°03'28", for an arc length of 70.32 feet (Chord: South 67°32'04" West 70.32 feet;

Thence South 68°33'48" West 125.29 feet;

Thence South 81°04'02" West 102.08 feet;

Thence North 25°30'56" West 31.30 feet;

Thence North 81°03'56" East 107.73 feet;

Thence North 68°33'48" East 122.01 feet;

Thence along the arc of a tangent curve to the left having a radius of 1928.00 feet, through a central angle of 02°14'34", for an arc length of 75.47 feet (Chord: North 67°26'31" East 75.47 feet) to the easterly boundary of said Parcel 3;

Thence along said easterly boundary South 11°45'25" East 30.65 feet to the Point of Beginning containing 9,044 square feet more or less.

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.

AREA 2

All that portion of Parcel 3 of that certain Parcel Map filed in Book 6 of Parcel Maps, at Page 127, records of El Dorado County, California as said Parcel 3 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 3 from which the northwest corner thereof bears South 89°26'18" West 1.58 feet;

Thence from said Point of Beginning along said northerly boundary North 89°26'18" East 28.43 feet;

Thence leaving said northerly boundary South 02°16'32" East 191.27 feet;

Thence South 23°22'59" East 514.41 feet;

Thence South 09°48'41" East 355.10 feet;

Thence along the arc of a tangent curve to the left having a radius of 20.00 feet, through a central angle of 123°14'22", for an arc length of 43.02 feet (Chord South 71°25'52" East 35.19 feet);

Thence North 46°56'57" East 34.35 feet;

Thence South 43°03'03" East 60.00 feet;

Thence South 46°56'57" West 35.00 feet;

Thence along the arc of a tangent curve to the right having a radius of 80.00 feet, through a central angle of 36°28'19", for an arc length of 50.92 feet (Chord: South 65°11'06" West 50.07 feet);

Thence South 09°48'41" East 77.40 feet;

Thence North 62°53'57" West 0.78 feet

Thence North 37°22'14" West 95.80 feet to the westerly boundary of said Parcel 3;

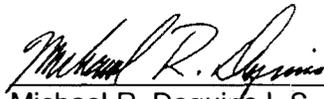
Thence along said westerly boundary the following two (2) courses:

- (1) North 09°48'41" West 423.76 feet, and
- (2) North 23°22'59" West 481.68 feet;

Thence leaving said westerly boundary, along the arc of a non-tangent curve to the right having a radius of 1350.00 feet, from a radial bearing South 80°06'31" West, through a central angle of 09°47'24", for an arc length of 230.67 feet (Chord: North 04°59'47" West 230.39 feet) to the Point of Beginning containing 40,321 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-

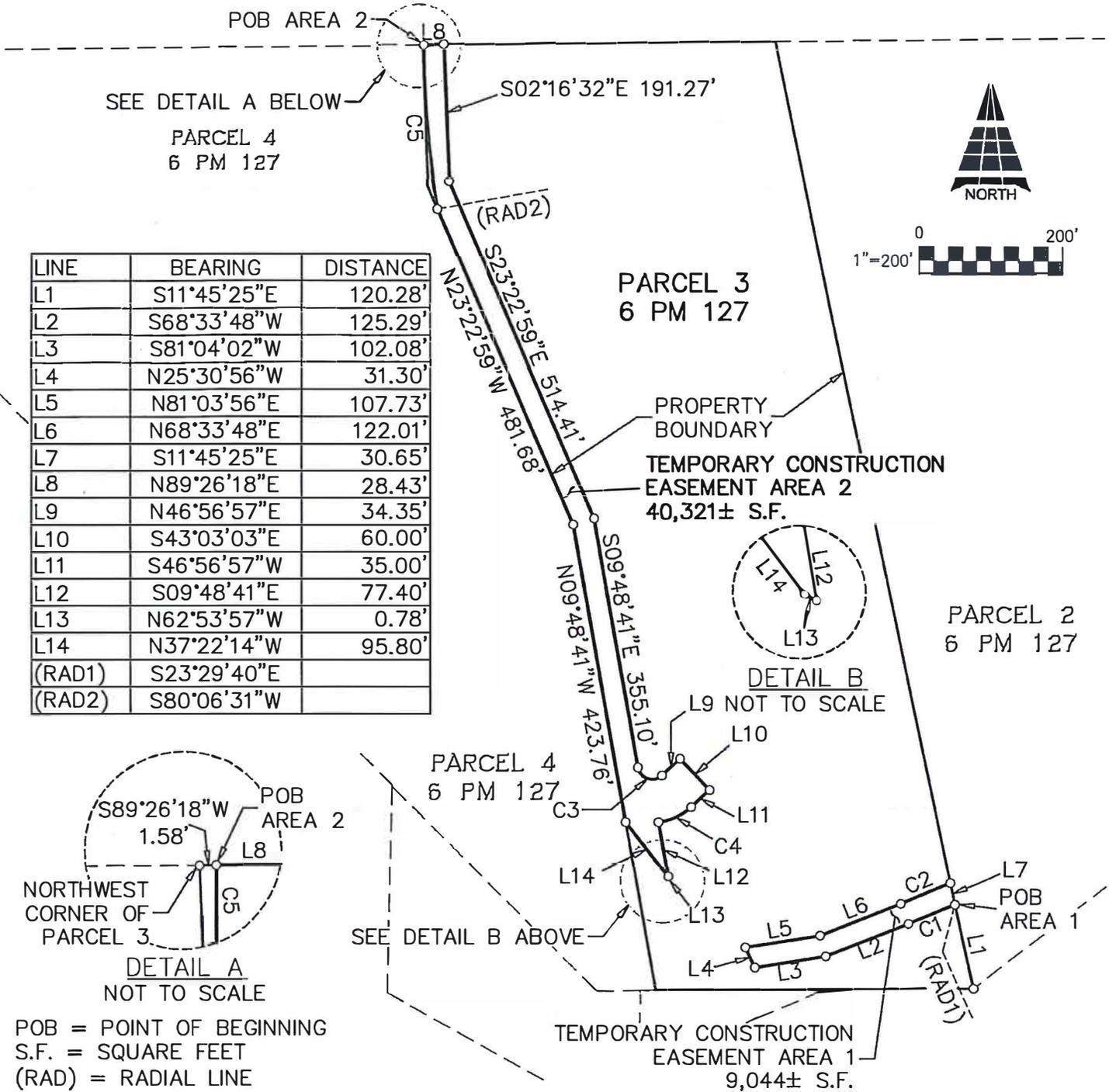


Michael R. Dequire L.S. 5614
License expires: 9/30/2018

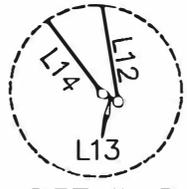
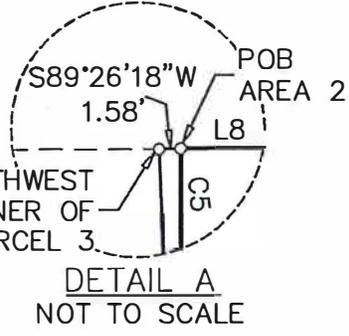
Sept. 13, 2017
Date



CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1958.00'	2°03'28"	70.32'	S67°32'04"W	70.32'
C2	1928.00'	2°14'34"	75.47'	N67°26'31"E	75.47'
C3	20.00'	123°14'22"	43.02'	S71°25'52"E	35.19'
C4	80.00'	36°28'19"	50.92'	S65°11'06"W	50.07'
C5	1350.00'	9°47'24"	230.67'	N04°59'47"W	230.39'



LINE	BEARING	DISTANCE
L1	S11°45'25"E	120.28'
L2	S68°33'48"W	125.29'
L3	S81°04'02"W	102.08'
L4	N25°30'56"W	31.30'
L5	N81°03'56"E	107.73'
L6	N68°33'48"E	122.01'
L7	S11°45'25"E	30.65'
L8	N89°26'18"E	28.43'
L9	N46°56'57"E	34.35'
L10	S43°03'03"E	60.00'
L11	S46°56'57"W	35.00'
L12	S09°48'41"E	77.40'
L13	N62°53'57"W	0.78'
L14	N37°22'14"W	95.80'
(RAD1)	S23°29'40"E	
(RAD2)	S80°06'31"W	



POB = POINT OF BEGINNING
S.F. = SQUARE FEET
(RAD) = RADIAL LINE

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**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 115-030-03
TEMPORARY CONSTRUCTION EASEMENT
A PORTION OF PARCEL 3, 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