



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

February 4, 2022

James E. and Elizabeth Ann Teter, Trustees
5220 Holly Drive
Shingle Springs, CA 95682

via Certified, First Class Mail and
email lowfat1@hotmail.com

Re: Notice of Hearing to Adopt Resolution of Necessity
Diamond Springs Parkway 1B, Project #36105011,
Assessor's Parcel No's.: 327-270-043 -046 & -050

Owner: James E. Teter and Elizabeth Ann Teter, Trustees under the Teter 1991
Revocable Living Trust dated July 22, 1991

Mr. and Mrs. Teter,

The El Dorado County Department of Transportation is in the process of acquiring right of way for the Diamond Springs Parkway 1B Project, CIP #72334. 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 August 19, 2020 at the address that was listed on the last equalized county assessment roll.

You are hereby notified that the County of El Dorado Board of Supervisors, at its meeting to be held on March 22, 2022 at 2:00 p.m., at 330 Fair Lane, Building A, Placerville, California, will be asked to decide if the above conditions have been met concerning your properties and, if so, to adopt a Resolution of Necessity ("Resolution") to acquire a portion of your properties by eminent domain. 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 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. Descriptions of the required properties are attached to this notice.

The law provides you an opportunity to appear before the Board of Supervisors and raise questions concerning the three conditions referred to in CCP 1240.030 as cited above. You are entitled to appear in person or by video conference and object to the adoption of the Resolution. If you intend to appear, please provide a written request to appear before the Board no later than 15 days from the mailing of this notice and include a statement indicating which of the three conditions listed in the first paragraph above you contend has not been met. By designating which of the conditions forms the basis of your challenge and explaining why you believe it has 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 request to appear should be sent to: Clerk of the Board of Supervisors, County of El Dorado, 330 Fair Lane, Placerville, CA 95667.

Your written request to appear must be on file with the Clerk of the Board of Supervisors within the 15-day period set forth above. Failure to timely file a written request to appear will result in a waiver of your right to appear and be heard by the Board of Supervisors.

For your convenience, if you are unable to personally appear or video conference and choose to submit written objections in place of a personal appearance, the Board of Supervisors will consider any written objections so long as they are received by the Clerk of the Board of Supervisors prior to the meeting date. All written objections 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.

If you have any questions, please call me at (530) 621-5313.

Cordially,



Tanna Reynoso
Associate ROW Agent



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March 7, 2022

James E. and Elizabeth Ann Teter, Trustees
5220 Holly Drive
Shingle Springs, CA 95682

via Certified, First Class Mail and
email lowfat1@hotmail.com

Re: Notice of Hearing to Adopt Resolution of Necessity
Diamond Springs Parkway 1B, Project #36105011,
Assessor's Parcel No's.: 327-270-043 -046 & -050
Owner: James E. Teter and Elizabeth Ann Teter, Trustees under the Teter 1991
Revocable Living Trust dated July 22, 1991

Mr. and Mrs. Teter,

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 **April 5, 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 Diamond Springs Parkway 1B Project, CIP #72334/36105011. 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 August 19, 2020 at the address that was listed on the last equalized county assessment roll.

The County of El Dorado Board of Supervisors will be asked to decide if the above conditions have been met concerning your properties and, if so, to adopt a Resolution of Necessity ("Resolution") to acquire a portion of your properties by eminent domain. 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 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. Descriptions of the required properties are attached to this notice.

The law provides you an opportunity to appear before the Board of Supervisors and raise questions concerning the three conditions referred to in CCP 1240.030 as cited above. You are entitled to appear in person or by video conference and object to the adoption of the Resolution. If you intend to appear, please provide a written request to appear before the Board no later than 15 days from the mailing of this notice and include a statement indicating which of the three conditions listed in the first paragraph above you contend has not been met. By designating which of the conditions forms the basis of your challenge and explaining why you believe it has 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 County has received your notice regarding objection to the Resolution on the basis that the project is not planned or located in a manner that will be most compatible with the greatest public good and the least private injury and has been sent to the Clerk of the Board of Supervisors. The request to appear should also be sent to: Clerk of the Board of Supervisors, County of El Dorado, 330 Fair Lane, Placerville, CA 95667.

Your written request to appear must be on file with the Clerk of the Board of Supervisors within the 15-day period set forth above. Failure to timely file a written request to appear will result in a waiver of your right to appear and be heard by the Board of Supervisors.

For your convenience, if you are unable to personally appear or video conference and choose to submit written objections in place of a personal appearance, the Board of Supervisors will consider any written objections so long as they are received by the Clerk of the Board of Supervisors prior to the meeting date. All written objections 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.

If you have any questions, please call me at (530) 621-5912.

Sincerely,



Matthew Smeltzer
Deputy Director, Engineering
Department of Transportation