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5/1/12

RESOLUTION NO. 046-2012

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**A RESOLUTION AGREEING TO HEAR RESOLUTIONS OF NECESSITY
IN CONJUNCTION WITH THE
U.S. 50 EL DORADO HILLS INTERCHANGE – PHASE 2B.1 PROJECT**

WHEREAS, California Streets and Highways Code sections 114 and 130 authorize the State of California, Department of Transportation (“Caltrans”), and the County of El Dorado, to enter into a Cooperative Agreement for the acquisition of right-of-way, and construction of improvements to the State Highway System;

WHEREAS, Government Code section 25350.5 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;

WHEREAS, Streets and Highways Code section 943 authorizes the County Board of Supervisors to acquire any property necessary for the use and purposes of county highways;

WHEREAS, Streets and Highways Code section 116 authorizes Caltrans to delegate to a county any part of the powers and jurisdiction vested by law in the Department inclusive of the power of eminent domain with respect to any portion of the State Highway System within that county;

WHEREAS, the U.S. 50 El Dorado Hills Interchange – Phase 2B.1 Project is on the State Highway System located within the County of El Dorado and will necessitate acquisition of property, or portions thereof, from the following parcels located within the unincorporated County of El Dorado: APN 121-180-16, APN 121-180-08, and APN 120-690-08;

WHEREAS, in accordance with Caltrans requirements for projects on the State Highway System where County will conduct right-of-way acquisitions inclusive of acquisition through condemnation proceedings, County is required to furnish Caltrans with a resolution passed by a 4/5ths vote agreeing to hear all Resolutions of Necessity for the project;

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO hereby agrees to conduct right-of-way acquisitions for the U.S. 50 El Dorado Hills Interchange – Phase 2B.1 Project, including hearing Resolutions of

Necessity to condemn rights-of-way should negotiations for the purchase and sale of the real property interests at issue prove unsuccessful.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 1st day of May, 2012, by the following vote of said Board:

Attest: Terri Daly, Acting
Clerk of the Board of Supervisors

Ayes: Sweeney, Knight, Nutting, Briggs, Santiago

Noes: None

Absent: None

By: Marcie MacFarland
Deputy Clerk

John R. Knight
Chair, Board of Supervisors
John R. Knight

I CERTIFY THAT:

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE: _____

ATTEST: Clerk of the Board of Supervisors
of the County of El Dorado, State of California

By: _____
Deputy Clerk