



## Legislation Details (With Text)

**File #:** 15-1158      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 9/28/2015      **In control:** Board of Supervisors

**On agenda:** 10/27/2015      **Final action:** 10/27/2015

**Title:** Community Development Agency, Transportation Division, recommending the Board consider the following pertaining to the Diamond Springs Parkway Phase1A - SR-49 Realignment Project, CIP 72375:

1) Approve and authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the related documents from Jane A. Hamilton, Surviving Trustee of the L&J Hamilton Family Trust, 5/10/1995, as to an undivided 1/4 interest; Shirley K. Lumsden, Surviving Trustee of the Lumsden Exemption Trust, 1/19/1995, as to an undivided 1/8 interest; Shirley C Richards, Surviving Trustee of the John and Shirley Richards Survivor's Trust, as to an undivided 1/8 interest; and James R. Morton for Philip D. Morton (DEC), as to an undivided 1/2 interest for Assessor's Parcel Number 054-411-46;

2) Authorize the Community Development Agency Director, or designee, to execute the escrow instructions and any other related escrow documents pertaining to this transaction; and

3) Authorize the Community Development Agency Director, or designee, to extend the date of closure of escrow upon mutual agreement of both parties, if necessary.

**FUNDING:** Funding for the project is provided by Traffic Impact Mitigation Fees (43%), Local Tribal Funds (28%), Utility Agencies (21%), Master Circulation & Funding Plan Financing (7%), and Road Fund (<1%). (No Federal Funds)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved Contract Routing Sheet 10-27-15, 2. B - Esmt Acq Agmt - Hamilton et al 10-27-15, 3. C - Vicinity Map 10-27-15, 4. Executed Easement Acquisition Agreement 10-27-15, 5. Recorded Grant of Temporary Construction Easement & Certificate of Acceptance

Date	Ver.	Action By	Action	Result
10/27/2015	1	Board of Supervisors	Approved	Pass

Community Development Agency, Transportation Division, recommending the Board consider the following pertaining to the Diamond Springs Parkway Phase1A - SR-49 Realignment Project, CIP 72375:

1) Approve and authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the related documents from Jane A. Hamilton, Surviving Trustee of the L&J Hamilton Family Trust, 5/10/1995, as to an undivided 1/4 interest; Shirley K. Lumsden, Surviving Trustee of the Lumsden Exemption Trust, 1/19/1995, as to an undivided 1/8 interest; Shirley C Richards, Surviving Trustee of the John and Shirley Richards Survivor's Trust, as to an undivided 1/8 interest; and James R. Morton for Philip D. Morton (DEC), as to an undivided 1/2 interest for Assessor's Parcel Number 054-411-46;

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**DEPARTMENT RECOMMENDATION**

Negotiations concluded with property owners, Jane A. Hamilton, Surviving Trustee of the L&J Hamilton Family Trust, 5/10/1995, as to an undivided 1/4 interest; Shirley K. Lumsden, Surviving Trustee of the Lumsden Exemption Trust, 1/19/1995, as to an undivided 1/8 interest; Shirley C Richards, Surviving Trustee of the John and Shirley Richards Survivor's Trust, as to an undivided 1/8 interest; and James R. Morton for Philip D. Morton (DEC), securing the County's interest in the twentieth of twenty-eight project acquisition parcels, and a settlement has been reached that is representative of the appraised value rounded to a compensatory value for the necessary land rights for project construction.

The Community Development Agency, Transportation Division (Transportation) recommends that the Board Chair sign the Easement Acquisition Agreement for Public Purposes for the Diamond Springs Parkway Phase 1A - SR-49 Realignment Project (Project). The temporary construction easement is necessary for construction of the Project.

**DISCUSSION / BACKGROUND**

The Diamond Springs Parkway - Phase 1A - SR-49 Realignment Project, originally referred to as the "Missouri Flat Pleasant Valley Connector", was initiated to provide improved traffic circulation and safety through and around the historic town of Diamond Springs. Phase 1A is the first of two phases necessary to complete the entire project and includes realigning, widening and improving SR-49 from the new parkway intersection south to Pleasant Valley Road and signalization of multiple intersections. While the full benefit will not be realized until completion of all phases of the project, Phase 1A will add benefit to the County's traffic circulation and independent utility.

The Project is included in the Community Development Agency, Transportation Division's 2015 Capital Improvement Program as adopted by the Board of Supervisors on June 16, 2015 (Item No. 40) and is subject to the California Environmental Quality Act (CEQA). The Environmental Impact Report (EIR) was approved by the Board of Supervisors on May 24, 2011 (Item No. 39). Construction is anticipated to begin in 2016.

**ALTERNATIVES**

N/A

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel

**CAO RECOMMENDATION**

Chief Administrative Office recommends moving staff's recommendations.

**FINANCIAL IMPACT**

The acquisition cost is \$880 with title and escrow estimated at \$2,500, for a total estimated cost of \$3,380. Funding for the acquisition process is budgeted in the 2015 Capital Improvement Program and will be provided by a combination of Traffic Impact Mitigation Fees, Local Tribal Funds, Utility Agencies, Master Circulation & Funding Plan Program, and Road Fund. This project has no Net County Cost.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on two (2) copies of the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the Grant Deed.
- 2) The Clerk of the Board will return one (1) copy of the fully executed Easement Acquisition Agreement to Transportation for final processing.
- 3) The Clerk of the Board will return the signed Certificate of Acceptance and the executed Grant document to Transportation for final processing.

### **STRATEGIC PLAN COMPONENT**

Infrastructure

### **CONTACT**

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Development ROW & Engineering  
Community Development Agency, Transportation Division