



Legislation Details (With Text)

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Type: Agenda Item **Status:** Approved

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On agenda: 10/26/2010 **Final action:** 10/26/2010

Title: Department of Transportation recommending the Board consider the following regarding the Durock Road/Business Drive Intersection Project No. 73354:
 1) Authorize the Chair to sign the Certificate of Acceptance for the Grant of Slope and Drainage Easement from Thomas R. Van Noord, As Trustee of the Thomas R. Van Noord 1999 Trust, Dated July 15, 1999 for APN 109-240-08; and
 2) Authorize the Director of Transportation, or his designee, to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees for the Durock Road/Business Drive Intersection Project No. 73354.

FUNDING: 2004 General Plan Traffic Mitigation Fee Program.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A-VicinityMap, 2. B-BlueRoute, 3. C-GrantofSlopeandDrainageEasement, 4. D-Certificate of AcceptanceSlopeandDrainage, 5. E-OfferLetterandAcceptance

Date	Ver.	Action By	Action	Result
10/26/2010	1	Board of Supervisors	Approved	Pass

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FUNDING: 2004 General Plan Traffic Mitigation Fee Program.

BUDGET SUMMARY:		
Total Estimated Cost		\$2,500
Funding		
Budgeted	\$2,500	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$2,500	
Change To Net County Cost		\$0

Fiscal Impact/Change to Net County Cost:

Sufficient funds are appropriated to provide for the proposed acquisition, including compensation to the owner in the amount of \$1,000 plus title and escrow fees of approximately \$1,500, for a total of \$2,500. The acquisition costs will be funded through 2004 General Plan Traffic Mitigation Fee Program funds. There is no net cost to the County General Fund associated with this item.

Background:

On April 22, 2008, your Board authorized Department of Transportation Right of Way Unit to proceed with negotiations to acquire land rights affecting portions of the subject parcels (APN 109-240-08 and APN 109-030-33) both owned by Thomas Van Noord, As Trustee of the Thomas R. Van Noord 1999 Trust, Dated July 15, 1999. Subsequently, on September 16, 2008, your Board approved the purchase of a utility easement and temporary construction easement from said property owner.

Since that time, there have been a number of design changes necessitated by further plan reviews and the need to construct the project in the most economical manner possible. Further, it was determined that a Slope and Drainage Easement was needed from said property owner. More specifically, this is a 959.3 square foot area that is currently "armored" with rip-rap rock, and includes a small diameter culvert that carries overside drainage to the inlet of an 84" culvert that crosses underneath Business Drive. The work to be performed will consist of the removal or abandonment of the small diameter culvert, with a new culvert being installed whereby the outlet of that culvert will discharge above the 84" culvert that crosses underneath Business Drive.

Reason for Recommendation:

The land rights being acquired are necessary for the construction of the Durock Road/Business Drive Signalization Project #73354.

Action to be taken following Board approval:

1. Board Chair to execute the Certificate of Acceptance for the Grant of Slope and Drainage Easement.
2. Board Clerk to return all original executed documents to DOT R/W Unit for final processing.
3. Director of Transportation or designees to sign escrow instructions and any related documents pertaining to the transaction, including authorization for and payment to the title company for their services.

Contact: James W. Ware, P.E.
Director of Transportation

Concurrences: County Counsel