



Legislation Details (With Text)

File #: 08-1233 **Version:** 2

Type: Agenda Item **Status:** Approved

File created: 7/28/2008 **In control:** Board Of Supervisors

On agenda: 10/21/2008 **Final action:** 10/21/2008

Title: Clerk of the Board of Supervisors recommending a correction be made to the wording on Item 21 of Board of Supervisors Minutes dated September 16, 2008 to read, "and temporary construction easement."
RECOMMENDED ACTION: Approve.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Vicinity Map.pdf, 2. Contract Routing Sheet.pdf, 3. Acquisition Agreement & Exhibits.pdf, 4. Drainage Easment.pdf, 5. Certificate of Acceptance.pdf

Date	Ver.	Action By	Action	Result
2/4/2014	1	Board Of Supervisors	Approved	Pass
10/21/2008	2	Board Of Supervisors	Approved	Pass

..Title

Clerk of the Board of Supervisors recommending a correction be made to the wording on Item 21 of Board of Supervisors Minutes dated September 16, 2008 to read, "and temporary construction easement."
RECOMMENDED ACTION: Approve.

..Body

The Board of Supervisors approved this item with no wording struck out in the original submittal to the Board on September 16, 2008. However, when the Minutes were processed, the wording, "and temporary construction easement" was put in strike out text. The strike out text was entered in error and should not have taken place.

BUDGET SUMMARY:

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Total Estimated Cost \$47,300

Funding

Budgeted \$	
New Funding \$	
Savings \$	
Other* \$47,300	
Total Funding Available	\$47,300

Change To Net County Cost \$0

* to be included in FY08/09 Budget at Addenda

Fiscal Impact/Change to Net County Cost:

Sufficient funds will be included in the FY 2008-09 addenda request to provide for the proposed acquisition, including compensation to the owners in the amount of \$40,400 plus title and escrow fees of approximately \$2,000, and interest due in the approximate amount of \$4,900 for a total of \$47,300. The acquisition costs will be funded through TIM fees.

There is no net cost to the County General Fund associated with this item.

Background:

The White Rock Road Widening Project (#72360) requires a drainage easement and a temporary construction easement in order to construct the roadway improvements.

On May 9, 2006, your Board approved a Right of Entry - Long Form with Russell Promontory, LLC in order to proceed with the road improvements on White Rock Road. On June 20, 2006 your Board authorized DOT's Right of Way Unit to proceed with final settlement to acquire land rights affecting portions of the subject parcel. After lengthy negotiations with Russell Promontory a settlement was reached that is representative of the appraised value of the necessary land rights, including the payment of interest on the value of the land rights, pursuant to the terms and conditions of the Right of Entry - Long Form.

Reason for Recommendation:

The land rights being conveyed are necessary for the improvements to White Rock Road.

Action to be taken following Board approval:

1. Chairman of the Board to execute the Easement Acquisition Agreement For Public Purposes and Certificate of Acceptance.
2. Board Clerk to return all original executed documents to DOT R/W Unit for final processing.
3. Director of Transportation or designee to sign any escrow instructions and any related escrow documents pertaining to the transaction, including authorization for and payment to the title company for their services.

District/Supervisor: II / Helen Baumann

Contact: Richard W. Shepard, P.E.
Director of Transportation

Concurrences: County Counsel