



Legislation Details

File #: 15-0851 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 6/25/2015 **In control:** Board of Supervisors

On agenda: 8/11/2015 **Final action:** 8/11/2015

Title: HEARING - Community Development Agency, Transportation Division, recommending the Board adopt and authorize the Chair to sign Resolution of Necessity 136-2015 related to the Sly Park Road at Clear Creek Bridge Replacement Project CIP No. 77115 authorizing the commencement of eminent domain proceedings to acquire Assessor Parcel Number 079-030-13, owned by: James Henry Eva and Crocker First National Bank of San Francisco, as trustees in trust, as set forth in the Estate of Samuel J. Eva, Deceased, by Decree recorded in Book 349 at Page 97, as to an undivided 1/3 interest; Susan A. Stanford, as to an undivided 1/6 interest; Art Friesen, as trustee of the trust created under the will of Sylvia Irene Schwartz, deceased, by an Order under Case No. PP93-3082, as to an undivided 1/6 interest; Evalyn M. Chamberlain, Dorothy E. Morey, and Dorothy Burnett, as to an undivided 1/3 interest; and finding that:

- 1) The Public interest and necessity require the proposed Project;
- 2) The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- 3) The Property sought to be acquired is necessary for the Project;
- 4) The Offer required by Section 7267.2 of the Government Code has been made to the owner(s) of record, unless the owner(s) could not be located with reasonable diligence; and
- 5) Authorizing outside Counsel; Meyers-Nave, with cooperation as needed from County Counsel, to proceed with the necessary steps to acquire the required property.

Note: A 4/5 vote is required for a Resolution of Necessity. This Resolution of Necessity and the following eminent domain action is required on this parcel because the owners of record are not able to be located (see below). (Est. Time: 15 Min.)

FUNDING: Federal Highway Administration Highway Bridge Program (83%), Traffic Impact Mitigation Fee (15%), and Regional Surface Transportation Program funds (2%). (Federal Funds)

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Approved CRS 8-11-15, 2. B - Resolution of Necessity 8-11-15, 3. C - Plat and Legal 8-11-15, 4. D - Resolution Presentation 8-11-15, 5. E - Vicinity Map 8-11-15, 6. Executed Resolution 15-0851

Date	Ver.	Action By	Action	Result
8/11/2015	1	Board of Supervisors	Approved	Pass