



# County of El Dorado

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## Legislation Details (With Text)

**File #:** 12-1383      **Version:** 1

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

**File created:** 10/30/2012      **In control:** Board of Supervisors

**On agenda:** 12/4/2012      **Final action:** 12/4/2012

**Title:** Department of Transportation recommending the Board consider the following:  
1) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the related documents from David Michael Dwelle, As To An Undivided 20% Interest and David Warren Dwelle, A Married Man As To An Undivided 40% Interest and Kerry M. Dwelle, Also Known As Dawntrix Marie Kerry, A Married Woman As To An Undivided 40% Interest As Tenants In Common, for Assessor's Parcel Number 071-500-36; and  
2) Authorize the Interim Director of Transportation or designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees, for the Northside School Class I Bike Path - Phase 1 (SR193) Project, CIP No. 72304.

**FUNDING:** Federal Safe Routes to School Grant Funds and Regional Surface Transportation Program Rural Exchange Funds.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. A - Approved CRS 12-4-12, 2. B - Easement Acquisition Agmt 12-4-12, 3. Recorded TCE 12-4-12 item 22.pdf

Date	Ver.	Action By	Action	Result
12/4/2012	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board consider the following:  
1) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the related documents from David Michael Dwelle, As To An Undivided 20% Interest and David Warren Dwelle, A Married Man As To An Undivided 40% Interest and Kerry M. Dwelle, Also Known As Dawntrix Marie Kerry, A Married Woman As To An Undivided 40% Interest As Tenants In Common, for Assessor's Parcel Number 071-500-36; and  
2) Authorize the Interim Director of Transportation or designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees, for the Northside School Class I Bike Path - Phase 1 (SR193) Project, CIP No. 72304.

**FUNDING:** Federal Safe Routes to School Grant Funds and Regional Surface Transportation Program Rural Exchange Funds.

<b>BUDGET SUMMARY:</b>	
Total Estimated Cost.....	\$2,500
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**

Acquisition costs are \$500 with title and escrow fees estimated at \$2,000 for a total estimated cost of \$2,500. Funding for the acquisition process will be provided by Federal Safe Routes to School Grant funds and Regional Surface Transportation Program Rural Exchange funds.

### **Background**

The Department of Transportation (Department) is working to advance the Northside School Class I Bike Path - Phases 1 and 2 Project (Project). Class I facilities are separated from the road and service both bikers and pedestrians. The Project will construct a separated 8-foot wide Class I Bike Path on the west side of SR-49 from Northside School (Cave Valley Road) to SR-193 and an 8-foot wide Class I Bike Path along the north side of SR-193 from SR-49 to the American River Trail at the entrance of the Auburn Lake Trails subdivision. Other significant features include extending the SR-49 culvert at Knickerbocker Creek, providing cross walks at the intersection of SR-49 and SR-193, and building retaining walls and drainage culverts along portions of the Project.

Project construction is proposed to be carried out in two phases. Phase 1 extends from the entrance to the Auburn Lake Trails subdivision on SR-193 westward to the SR-49/193 intersection. Phase 2 continues southward from the SR-49 intersection to Northside School at Cave Valley Road. The first phase of construction is expected to begin in the spring of 2013.

The Project is subject to the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). The CEQA Mitigated Negative Declaration was approved by the Board on December 16, 2008 and the NEPA Finding of No Significant Impact was approved by the State of California Department of Transportation (Caltrans) on August 24, 2009.

On October 26, 2010, the Board authorized the Department to proceed with the acquisition process for the land rights necessary for the construction and completion of the Project.

### **Reason for Recommendation**

Negotiations have concluded with the property owners, David Michael Dwelle, As To An Undivided 20% Interest and David Warren Dwelle, A Married Man As To An Undivided 40% Interest and Kerry M. Dwelle, Also Known As Dawntrix Marie Kerry, A Married Woman As To An Undivided 40% Interest As Tenants In Common, and a settlement has been reached that is representative of the appraised value of the necessary land rights.

### **Action(s) to be taken following Board approval**

1. The Clerk of the Board will obtain the Chair's signature on the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the Temporary Construction Easement.
2. The Clerk of the Board will return the executed documents to the Department for final processing.

### **Contact**

Kim Kerr, Interim Director  
Department of Transportation

**Concurrences**  
County Counsel