



County of El Dorado

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Legislation Text

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Transportation Department recommending Chairman be authorized to sign Certificate of Acceptance from Maricela Morales for APN 083-243-02; and authorize the Director of said Department or designee to execute escrow instructions and any other related escrow documents, including the payment of title and escrow fees for a temporary construction easement for the Cameron Park Drive and Oxford Road Project.

RECOMMENDED ACTION: Approve.

FUNDING: Traffic Impact Mitigation Fees.

BUDGET SUMMARY:		
Total Estimated Cost		\$1,500.00
Funding		
Budgeted	\$1,500.00	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$1,500.00	
Change To Net County Cost		\$0

Fiscal Impact/Change to Net County Cost:
There is no Net County Cost.

The Cameron Park Drive and Oxford Road Project is funded with the Traffic Impact Mitigation Fee Program (TIM) funds and sufficient funds are in the project budget for the subject acquisition, including compensation to the owner of \$500.00, plus title and escrow fees of approximately \$1,000.00, for a total of \$1,500.00

Background:

The El Dorado County Department of Transportation proposes to improve a portion of the Cameron Park Drive and Oxford Road intersection by installing turn signals and adding turn lanes in the road. The subject property is located on the east side of Cameron Park Drive and south of Oxford Road.

On May 9, 2006, staff asked for and received authorization to proceed with acquisitions for this project, based upon an appraisal performed by Bender Rosenthal, Inc., which determined the value of the easement area. On April 17, 2007 staff asked for and received authorization to open negotiations with the new property owner, Maricela Morales.

In an effort to ensure full disclosure was made to the new buyer, Maricela Morales, the R/W Unit staff

prepared a draft TCE and forwarded it to Alliance Title Company (ATC), the title company handling the transaction from the prior property owner to Ms. Morales. Unknown to the R/W Unit staff, ATC had Ms. Morales sign the TCE, added the legal description for the entire parcel, and recorded the TCE along with the other closing documents. While ATC was trying to be helpful, they have recorded a document that is invalid, in that it has not been approved by your Board, has an incorrect legal description and has no Certificate of Acceptance for the land rights. A new TCE (Correctory) has been prepared with the correct Exhibit A and B attached thereto, and after your Board's approval, will be recorded with the approved Certificate of Acceptance.

Reason for Recommendation:

Negotiations with the property owner for the land rights affecting a portion of the subject parcel have been completed. The acquisition involves a TCE for a portion of APN 083-243-02, owned by Maricela Morales. The terms of the TCE are detailed in the referenced TCE.

Action to be taken following Board approval:

- 1) Chairman of the Board to execute the Certificate of Acceptance for the Temporary Construction Easement (Correctory), affecting a portion of the subject property.
- 2) Board Clerk to return all executed documents to the DOT R/W Unit for final processing.
- 3) Director of Transportation or designee to sign the escrow instructions and any related escrow documents pertaining to the transaction, including authorization for and payment to the subject property owner and title company.

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