

AGENDA: JUNE 16, 1998

DEPARTMENT OF
PUBLIC WORKS

COUNTY OF SANTA CRUZ

GOVERNMENTAL CENTER

701 OCEAN STREET, SANTA CRUZ, CALIFORNIA 95060-4070

JOHN A. FANTHAM
DIRECTOR OF PUBLIC WORKS

FAX (408) 454-2385

SCOTT C. LOICHINGER (408) 454-2331
CHIEF REAL PROPERTY AGENT

June 4, 1998

SANTA CRUZ COUNTY BOARD OF SUPERVISORS
701 Ocean Street
Santa Cruz, California 95060SUBJECT: SOIL STORAGE AREA FOR BUENA VISTA LANDFILL
APN 046-121-03 - ROCHA

Members of the Board:

Included in the 1997/98 Public Works budget are funds for acquisition of a soil storage area in the vicinity of the Buena Vista Landfill. Prior to negotiations with prospective property owners it is advisable to conduct geotechnical investigations for soil stability, conduct a visual site inspection for a Phase 1 Environmental Site Assessment and 'place temporary monitoring equipment near the boundary of the proposed property. It has been necessary to acquire a right of entry from the owners of the property in order to achieve these goals.

The attached right of entry provides for the acquisition of the necessary property rights from the subject parcel required for the completion of the above assessments. The settlement amount for the property interest acquired is shown on the attached resolution. This amount is considered fair and reasonable for the property interest being acquired.

It is therefore recommended that the Board of Supervisors take the following action:

1. Adopt the following Resolution approving and accepting the terms and conditions of the agreement and authorize the Director of Public Works to sign said document on the behalf of the County;
2. Approve payment of claim for the agreement.

jsk
Attachments

Yours truly,

JOHN A. FANTHAM
Director of Public Works

RECOMMENDED FOR APPROVAL:

County Administrative Officer

cc: County Counsel, Real Property, Public Works, Auditor-Controller

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Supervisor
duly seconded by Supervisor
the following resolution is adopted:

RESOLUTION FOR RIGHT-OF-ENTRY ACQUISITION
SOIL STORAGE AREA FOR BUENA VISTA LANDFILL

RESOLVED by the Board of Supervisors of the County of Santa Cruz,
State of California:

WHEREAS, the County of Santa Cruz is desirous of acquiring the
real property interest described in the agreement attached hereto and
hereinafter referred to, and

WHEREAS, the owners of said real property interest have or
will execute and deliver document conveying said real property interest
to County, upon condition that County acknowledge and approve Articles
set forth in said agreement binding County to the performance of said
Articles, and

WHEREAS, the Board of Supervisors of said County hereby finds
the Articles of said agreement to be fair and reasonable consideration
for the acquisition of said real property interest;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the County of
Santa Cruz does hereby accept the terms of said agreement listed below:

<u>A.P.N.</u>	<u>NAME</u>	<u>PAYMENT</u>
046-121-03	John Rocha, Jr. Trustee Violet Rocha, Trustee	\$500.00

BE IT FURTHER ORDERED that the Auditor-Controller of the
County of Santa Cruz is hereby authorized to approve payment of claim
for the above listed agreement payable to the above listed Grantors in
the amount indicated above out of the Public Works Internal Service
Fund, Subobject 6610, charged against Index No. 951287, User Code
P00304, for the purchase of said property interests AND TO DELIVER THE
SAME TO THE CHIEF, REAL PROPERTY DIVISION OF THE COUNTY OF SANTA CRUZ,
and

BE IT FURTHER ORDERED that said Chief, Real Property
Division, deliver said warrant to the above listed Grantors.

PASSED AND ADOPTED by the Board of Supervisors of the
County of Santa Cruz, State of California, this _____ day of
_____ 1998, by the following vote:

155

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

CHAIR OF SAID BOARD

ATTEST: _____
Clerk of said Board

Approved as to form:

D. McRae 6-1-98
Assistant County Counsel

Distribution: County Counsel
Auditor-Controller
Public Works
Real Property

RSLUTN55.WPW

RIGHT OF ENTRY

156

Property No. 1
AF'N: 046-121-03

Date: 5/26/98
Project: Soil Storage Area for
Buena Vista Landfill

County of Santa Cruz
Public Works Department
701 Ocean Street
Santa Cruz, California 95060

Dear Mr. & Mrs. Rocha:

Permission is hereby granted to the County of Santa Cruz, its contractors and/or authorized agents, to enter and bring the necessary workmen, tools and equipment onto the property of the undersigned, where necessary, for the purpose of:

1. Geotechnical investigations including, but not limited to, 5 shallow borings to check for soil stability within the proposed Project Area.
2. Visual site inspection for Phase 1 site assessment.
3. Temporary placement of monitoring equipment on the **property**, as needed to complete assessments.

The County of Santa Cruz shall pay the undersigned grantor the sum of \$500.00 for the right of entry herein granted. It is understood and agreed that the County shall have the right to trim any vegetation as necessary to drill the borings, but that the premises will be left in a clean and orderly condition and that any existing improvements located on the Grantor's property that may have been disturbed or removed during the course of the work will be restored or replaced in kind.

It is further understood and agreed that permission to perform the acts stated herein shall remain in force and effect only until the completion of necessary work or monitoring and that all rights hereunder shall cease when said work and/or monitoring has been completed.

RECOMMENDED FOR APPROVAL:

John Rocha, Jr
John Rocha, Jr Trustee

John Keersin
Real Property Agent

for John Rocha, Jr
Violet Rocha, Trustee

Grantor(s)

ACCEPTED:
County of Santa Cruz

Property Address:

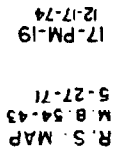
1232 Buena Vista Drive
Freedom, CA

Director of Public Works

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SEC. 35 836, T11S, R1E. 8 SEC. 18 2, T12S, R1E. M.D.B. & M. PROJECTED

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