

DEPARTMENT OF
PUBLIC WORKS



COUNTY OF SANTA CRUZ

GOVERNMENTAL CENTER

701 OCEAN STREET, SANTA CRUZ, CALIFORNIA 950604070

JOHN A. FANTHAM
DIRECTOR OF PUBLIC WORKS

FAX (831) 454-2385

SCOTT C. LOICHINGER (831) 454-2331
CHIEF REAL PROPERTY AGENT

October 29, 1998

SANTA CRUZ COUNTY BOARD OF SUPERVISORS
701 Ocean Street
Santa Cruz, California 95060

SUBJECT: VALENCIA ROAD SLOPE REPLACEMENT PROJECT-M.P. 2.38
APN 105-171-09, 300 FEET NORTHERLY OF INTERSECTION
WITH VALENCIA SCHOOL ROAD

Members of the Board:

Included in the 1998/99 Public Works Budget are funds for the reconstruction of a portion of Valencia Road that was washed out and for the acquisition of a temporary construction easement of 6,317 square feet required to repair the slipout.

The attached contract provides for the acquisition of the necessary rights to construct the necessary improvements as designed(see attached map). The settlement amount for the property interest acquired is shown in the attached Resolution and is based on a departmental appraisal. This amount is considered fair and reasonable for the real property interest being acquired and represents the fair market value of said interest.

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

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

Yours truly,


JOHN A. FANTHAM
Director of Public Works

scl
Attachments

RECOMMENDED FOR APPROVAL:


County Administrative Officer
copy to: Public Works Department

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-WAY ACQUISITION
VALENCIA ROAD SLOPE REPLACEMENT PROJECT

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 contract
attached hereto and hereinafter referred to, and

WHEREAS, the owner of said real property interest have or
will execute and deliver an Easement Deed conveying said real
property interest to County, upon condition that County acknowledge
and approve Articles set forth in the contract binding County to
the performance of said Articles, and

WHEREAS, the Board of Supervisors of said County hereby
finds the Articles of said contract-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 contracts
listed below:

<u>A.P.N.</u>	<u>NAME</u>	<u>PAYMENT</u>
105-171-09	Arthur Lane Montgomery	\$ 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 contract payable to the above listed
Grantor in the amount indicated above, out of Public Works Internal
Service Fund, Subobject 3590, charged against Index No. 933732,
User Code P00304, for the purchase of said property interest 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 Grantor.

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:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

Chair of said Board

ATTEST: _____
Clerk of said Board

Approved as to form:

D. McRae 10-30-98
Chief Assistant County Counsel

Distribution: County Counsel
Auditor-Controller
Public Works
Real Property Division

Arthur Lane Montgomery
(Seller)

Property No.: Area D

0 43%

APN: 105-171-09

PROJECT: VALENCIA ROAD SLOPE
REPLACEMENT PROJECT- M.P. 2.38
DAF CSC-SCR-009-d

CONTRACT
COUNTY OF SANTA CRUZ

This contract is entered into this _____ day of _____ 199__, by and between the COUNTY OF SANTA CRUZ, hereinafter called COUNTY, and ARTHUR LANE MONTGOMERY, hereinafter called **SELLER**. The parties mutually agree as follows:

1. The parties herein set forth the whole of their agreement. The performance of this agreement constitutes the entire consideration for this transaction.

2. SELLER agrees to execute and deliver a document in the form of an **Temporary Construction Easement** covering the property located at M.P. 2.38 Valencia Road, Aptos (APN 105-171-09), more particularly described in Exhibit "A", attached hereto and made a part hereof, and a (W-9) Request for Taxpayer Identification Number and Certification. Said document shall be delivered to Scott Loichinger, Chief, Real Property Division of the COUNTY OF SANTA CRUZ, State of California.

3. The COUNTY shall:

(A) Pay the undersigned SELLER the sum of \$500.00 for the property interest therein (including all improvements existing thereon unless removal is specifically authorized hereinafter in this Contract) as conveyed by Easement Deed after date title to said property interest vests in the COUNTY, free and clear of all liens, encumbrances, assessments, and taxes, except:.

1. Covenants, conditions, restrictions and reservations of record, if any,
2. Easements or rights of way over said land for utility or street purposes, if any.

(B) Pay all escrow and recording fees incurred in this transaction. This transaction will be handled through an internal escrow by the County of Santa Cruz, Department of Public Works, Real Property Division, 701 Ocean Street, Rm 410, Santa Cruz CA 95060.

6. The provisions of this agreement shall inure to the benefit of and bind the respective successors, heirs, and assigns of the parties hereto.

IN WITNESS WHEREOF, the COUNTY has caused this contract to be duly executed as of the _____ day of _____ 199__, and the SELLERS have executed this agreement as of the 13th day of October, 1998.

RECOMMENDED FOR APPROVAL

By: Scott Loichinger
SCOTT LOICHINGER
Chief, Real Property Division

Arthur Lane Montgomery
Arthur Lane Montgomery

By: D. Moore FOR SAMUEL TORRES
103094
SAMUEL TORRES, JR.
Chief Assistant County Counsel

COUNTY

By: _____
JOHN A. FANTHAM
Director of Public Works

EXHIBIT "A"

C 434

Δ = 77'40"08"
R = 95.00'
T = 76.48'
L = 128.78'

Δ = 45'18"00"
R = 95.00'
T = 39.64'
L = 75.11'

1"=20'

ASSEESSEE NAME MONTGOMERY ARTHUR LANE
MAILING STREET 590 COUNTRY CLUB DR.
SAN LUIS OBISPO CA. 93401

108.94'

N00°00'00"E

APN 105 171 09

28.97'

N90°00'00"W

AREA=0.145 ACRE (631 7.23 SF)

N90°00'00"E

68.76'

VALENCIA RD.

N06°00'01"W

44.97'

40' RW

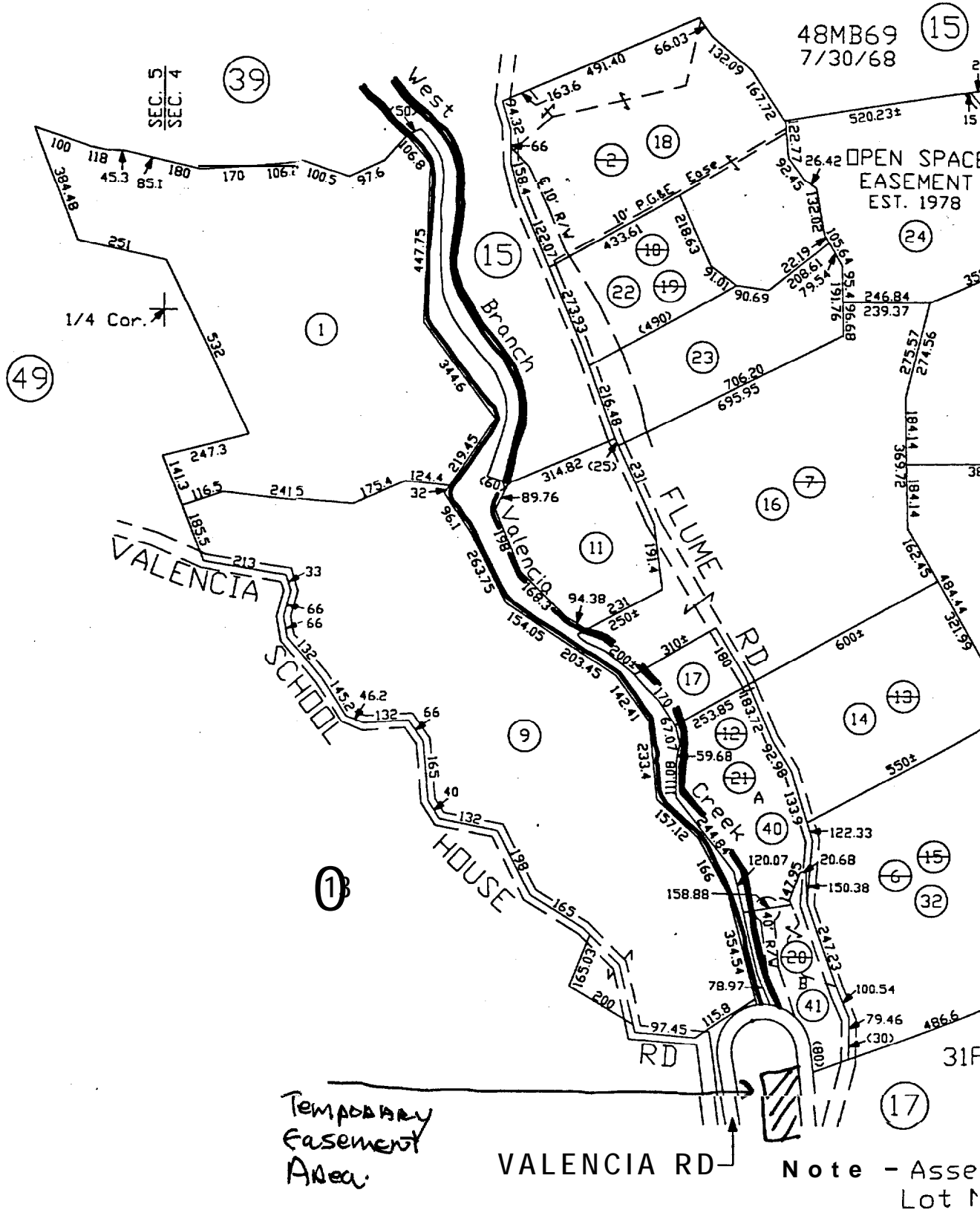
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FOR TAX PURPOSES ONLY

ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.

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SOQUEL AUGMENTATION POR. SEC. 4 & 5, T.11S., R.1



48MB69
7/30/68

OPEN SPACE
EASEMENT
EST. 1978

Temporary
Easement
Area

VALENCIA RD Note - Asses
Lot M