



County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS - REAL PROPERTY DIVISION

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060-4070
(831) 454-2331 FAX (831) 454-2385 TDD (831) 454-2123

JOHN A. FANTHAM
DIRECTOR OF PUBLIC WORKS

SCOTT C. LOICHINGER
CHIEF REAL PROPERTY AGENT

Agenda: June 8, 1999
May 26, 1999

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

SUBJECT: VALENCIA ROAD STORM DAMAGE REPAIR PROJECT - 1051 VALENCIA
ROAD, APTOS (APN 041-121-57) - 980 VALENCIA ROAD, APTOS
(APN 041-201-59) - M.P. 0.93

Members of the Board:

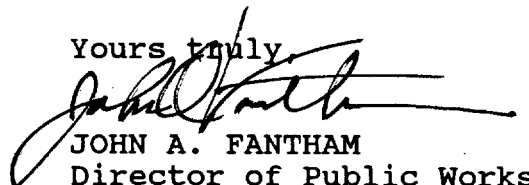
Included in the 1998/99 Public Works Budget are funds for the acquisition of easements required for the repair of Valencia Road at the above location.

The attached contracts provide for the acquisition of the necessary easements along the front of the subject parcels required for the construction and maintenance of the project (see attached map). The settlement amounts for the property interests acquired are shown in the attached resolution and are based on departmental appraisal. These amounts are considered fair and reasonable for the real property interests being acquired and represent the fair market value of said interests.

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

1. Adopt resolution approving and accepting the terms and conditions of the contracts and authorize the Director of Public Works to sign said documents on behalf of the County;
2. Approve payment of claims.

Yours truly,


JOHN A. FANTHAM
Director of Public Works

scl
Attachments

RECOMMENDED FOR APPROVAL:


County Administrative Officer

copy to: Public Works Department, County Counsel & Auditor Controller

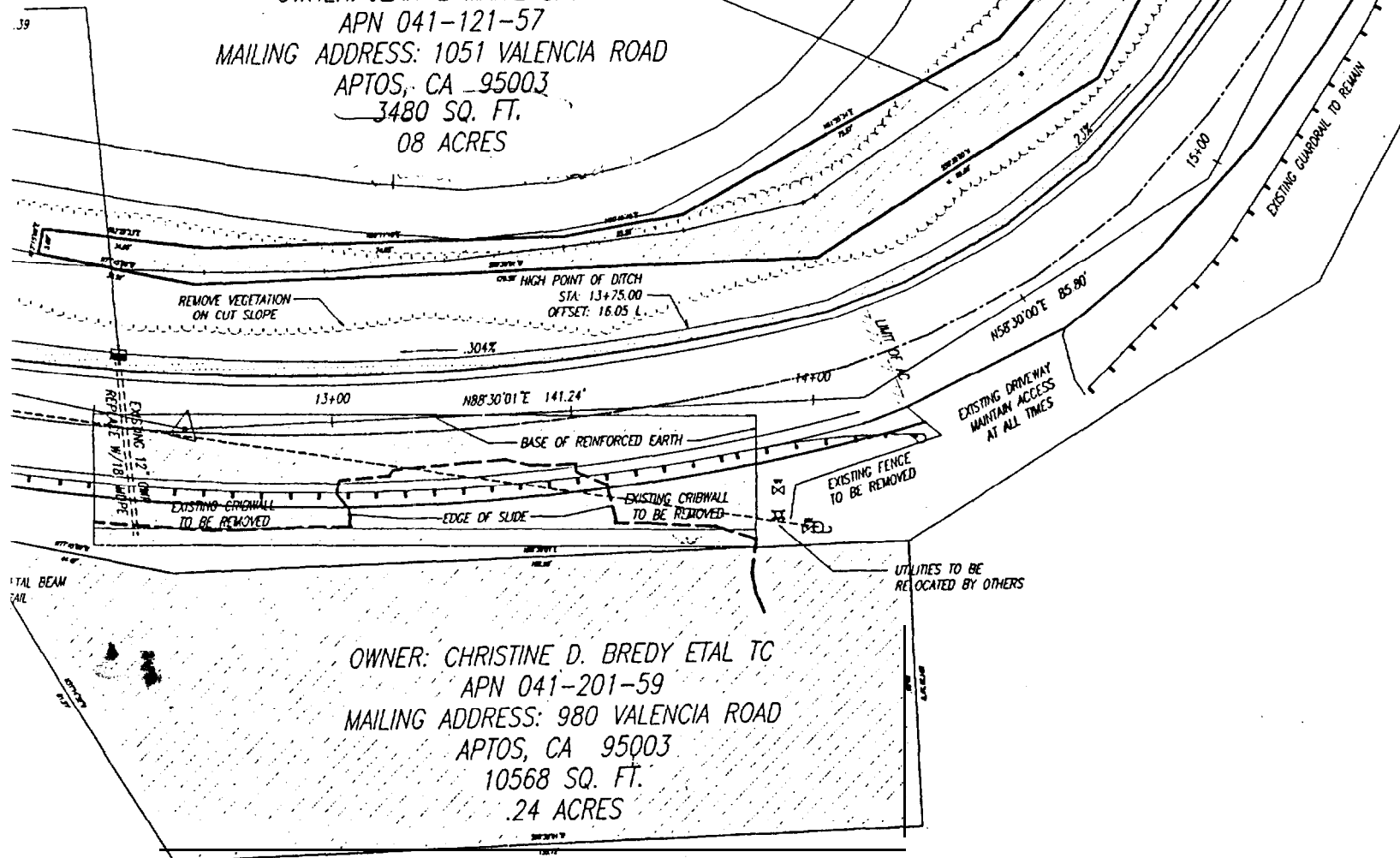
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SIDE OF CULVERT

422

OWNER: JEANNE MARIE SMITH
APN 041-121-57
MAILING ADDRESS: 1051 VALENCIA ROAD
APTOS, CA 95003
3480 SQ. FT.
08 ACRES

2.84
2.64 L

.39



OWNER: CHRISTINE D. BREDY ETAL TC
APN 041-201-59
MAILING ADDRESS: 980 VALENCIA ROAD
APTOS, CA 95003
10568 SQ. FT.
.24 ACRES

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 STORM DAMAGE REPAIR PROJECT - M.P. 0.93

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 interests described in the contracts attached hereto and hereinafter referred to, and

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

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

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>
041-121-57	Jeanne Marie Smith	\$7,482.00
041-201-59	Michael Steven Bredy	\$ 334.00
	Michael Raymond Bredy	\$ 333.00
	Jeffrey Raymond Bredy	\$ 333.00

BE IT FURTHER ORDERED that the Auditor-Controller of the County of Santa Cruz is hereby authorized to approve payment of claims for the above listed contracts payable to the above listed Grantors in the amounts indicated above, out of Public Works Internal Service Fund, Subobject 3590, charged against CAMS Index No. 70731, 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 warrants 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
_____, 1999, by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

Chair of said Board

ATTEST: _____
Clerk of said Board

Approved as to form:

 5-19-99

Chief- Assistant County Counsel

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

Michael Raymond Bredy
Michael Steven Bredy
Jeffrey Raymond Bredy

(SELLERS)

Property No.: N/A

APN: 041-201-59

PROJECT: VALENCIA ROAD SLOPE
REPLACEMENT PROJECT-M.P. 0.93
DAF CSC-SCR-007-0

425

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 MICHAEL RAYMOND BREDY, MICHAEL STEVEN BREDY, AND JEFFREY RAYMOND BREDY, 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 980 Valencia Road, Aptos (APN 041-201-59), 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 documents 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 \$1,000.00 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.

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

5. The amount shown in clause 3(A) shall be distributed as follows: \$334.00 to Michael Steven Bredy and \$333.00 each to Michael Raymond Bredy and Jeffrey Raymond Bredy.

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IN WITNESS WHEREOF, the COUNTY has caused this contract to be duly executed as of the _____ day of _____, 1999, and the SELLERS have executed this agreement as of the 12th day of MAY, 1999.

RECOMMENDED FOR APPROVAL

By: Scott Loichinger
SCOTT LOICHINGER
Chief, Real Property Division

By: S. Torres
5-19-99
SAMUEL TORRES, JR.
Chief Assistant County Counsel

Michael Raymond Bredy

Michael Steven Bredy

Jeffrey Raymond Bredy

COUNTY

By: _____

JOHN A. FANTHAM
Director of Public Works

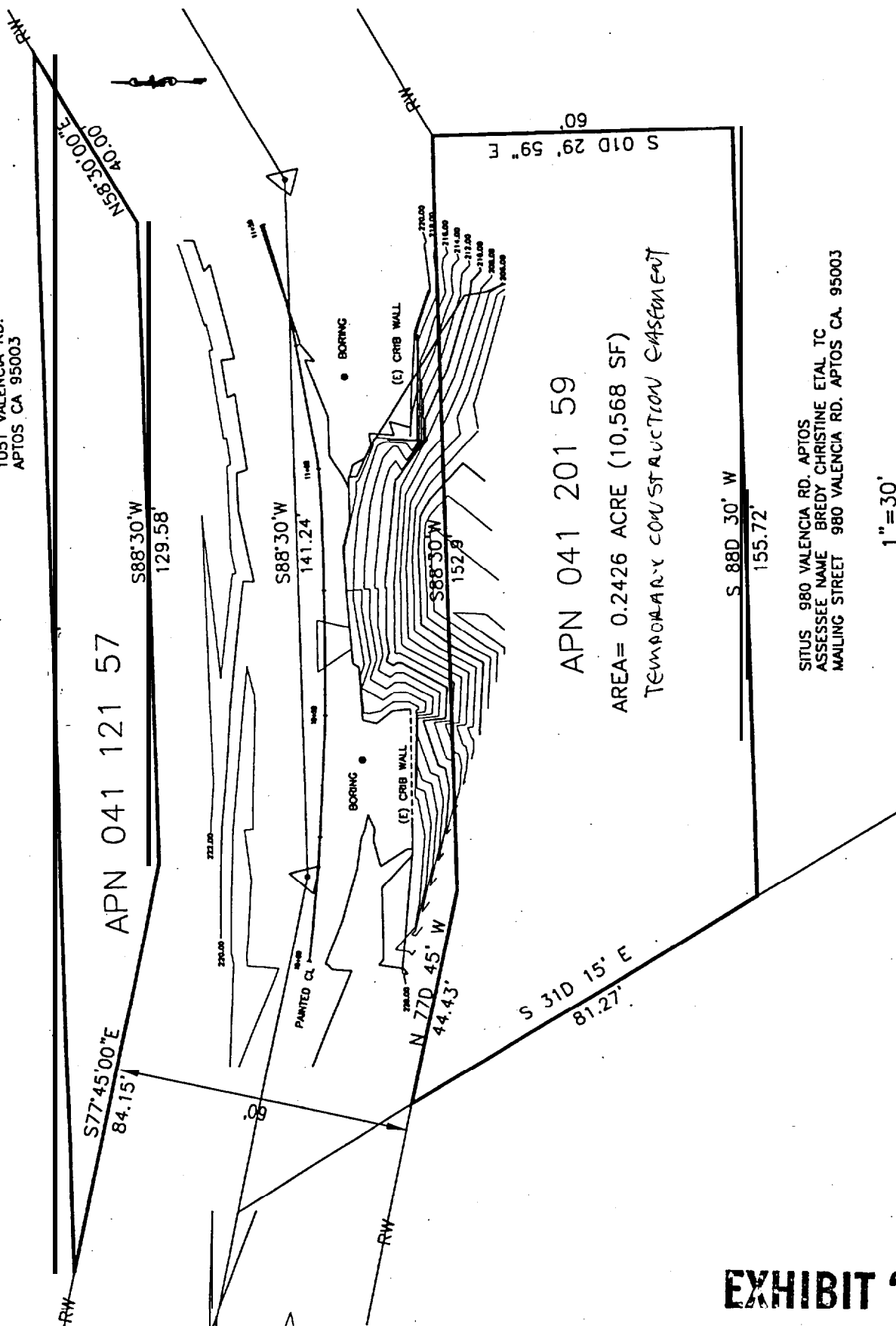


EXHIBIT "A"

Jeane Marie Smith

Property No. **041-121-57**

4 2 8

APN: 041-121-57

(SELLERS)

PROJECT: VALENCIA ROAD SLOPE
REPLACEMENT PROJECT- M.P. 0.93
DAF CSC-SCR-007-0

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 JEANNE MARIE SMITH, 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 **Easement Deed** covering the property located at 1051 Valencia Road, Aptos (APN 041-121-57), 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 **\$7,482.00** 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.

4. It is understood and agreed by the parties hereto that the amount shown in Clause 3(A) herein includes, but is not limited to, full payment for possession and use and interest from August 17, 1999.

5. 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 11th day of April, 1999.

RECOMMENDED FOR APPROVAL

By: & k &
SCOTT LOICHINGER
Chief, Real Property Division

Jeanne Marie Smith
Jeanne Marie Smith

By: S. Torres for
5-19-99
SAMUEL TORRES, JR.
Chief Assistant County Counsel

COUNTY

By: _____
JOHN A. FANTHAM
Director of Public Works

EXHIBIT "A"

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A portion of the property described in the map recorded in Book 70 of Maps at page 21 in the office of the Recorder of Santa **Cruz** County, recorded March 24, 198 1. From the point of beginning of a 1/2" iron pipe marked LS 3293 bears South 73 ° 42' 08" East, 280.25 feet. From said point of beginning leaving the right of way of a county road known as Valencia Road, North 12" 15' 00" East, 5.00 feet; thence South 82" 28' 23" East, 34.06 feet; thence North 89" 11' 18" East, 74.65 feet; thence North 80" 40' 49" East, 25.28 feet; thence North 61° 55' 34" East, 75.57 feet; thence North 43° 53' 26" East, 66.40 feet; thence South 61° 00' 00" East, 5.00 feet to the right of way of Valencia Road; thence South 29" 00' 00" West , 61.45 feet; thence South 58" 30' 00" West, 69.86 feet; thence South 88" 30' 01" West, 129.58 feet; thence North 77" 45' 00" West, 33.36 feet to the point of beginning.

Containing 3480 square feet