



County of Santa Cruz 0123

DEPARTMENT OF PUBLIC WORKS - REAL PROPERTY DIVISION

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THOMAS L. BOLICH
DIRECTOR OF PUBLIC WORKS

SCOTT C. LOICHINGER
CHIEF REAL PROPERTY AGENT

AGENDA: NOVEMBER 14, 2000

November 6, 2000

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

SUBJECT: RESOLUTION AUTHORIZING EMINENT DOMAIN PROCEEDINGS ON
BROWNS VALLEY BRIDGE REPLACEMENT PROJECT
CARDONA - APN: 107-221-10
CITY OF WATSONVILLE - APN: 107-211-10

Members of the Board:

Included in the **2000/2001** Public Works Road budget are funds for the construction of a new bridge over Corralitos Creek at Browns Valley Road and for the acquisition of the required right-of-way.

In order to proceed with the subject project in a timely manner, it is necessary to file a condemnation action against the owners of the above mentioned parcels. This action will provide for the acquisition of the necessary easements along the front of the subject parcels required for the construction of the above mentioned road project. All of the required right-of-way is located along the Browns Valley Road frontage and will allow for the construction of the bridge, its approaches and to install stream bank protection. The property owners of each parcel are stated above. The rights being acquired are for easement only and were appraised by the Real Property Division. Each property owner has been offered the fair market value for the property rights being acquired.

We will continue with our negotiations in anticipation that they can be settled without going to trial. The owners of record have been apprised of the intention of condemnation proceedings and, by law, are required to file a written request to appear and be heard if they so desire. You will be informed at the Board meeting if any such requests have been received.

As a minimum, the adoption of the attached resolution of necessity requires a **4/5** vote by your Board.

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

1. Conduct a hearing on the proposed eminent domain action;
2. Adopt the accompanying Resolution authorizing County Counsel to institute eminent domain proceedings to obtain immediate possession of the required property interests;
3. Direct the Clerk of the Board to return a certified copy of the Resolution to the Real Property Division.

Yours truly,



Thomas L. Bolich
Director of Public Works

pap

Attachments

RECOMMENDED FOR APPROVAL:/


County Administrative Officer

copy to: Public Works, Real Property Division
County Counsel
Auditor-Controller

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA
RESOLUTION NO. _____

0125

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

RESOLUTION AUTHORIZING COUNTY COUNSEL TO INSTITUTE EMINENT DOMAIN
PROCEEDINGS BROWNS VALLEY BRIDGE REPLACEMENT PROJECT
CARDONA - APN: 107-221-10
CITY OF WATSONVILLE - APN: 107-211-10

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

WHEREAS, in conjunction with the above proposed project, the real property interests hereinafter described are required and the County of Santa Cruz is authorized by the Eminent Domain Law of California (commencing with Code of Civil Procedure Section 1230.010 and following) to acquire the said property interests by eminent domain;

WHEREAS, the acquisition of said property interests would be beneficial and in the best public interest;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors of the County of Santa Cruz hereby finds, determines, and declares that the public interest and necessity require the acquisition, construction, and completion by the County of the proposed public improvement project.

BE IT FURTHER RESOLVED AND ORDERED that said Board hereby finds, determines, and declares that the proposed public improvement project is planned and located in the manner that will be most compatible with the greatest public good and least private injury.

BE IT FURTHER RESOLVED AND ORDERED that said Board hereby finds, determines, and declares that the real property interests hereinafter described in Exhibit "A" and shown on Exhibit "B", said Exhibits being attached hereto and incorporated herein by this reference, are necessary for the proposed public improvement project.

BE IT FURTHER RESOLVED AND ORDERED that said Board hereby finds, determines, and declares that an amount which it believes to be just compensation therefore has been offered to owners of record by the County to purchase said property interests described in Exhibits "A" and "B" in accordance with Section 7267.2 of the Government Code.

BE IT FURTHER RESOLVED AND ORDERED that County Counsel be and is hereby authorized to prepare, file, and prosecute to completion eminent domain proceedings to acquire for the County of Santa Cruz, the property interests described in Exhibits "A" and "B".

* requires a 4/5 vote

BE IT FURTHER RESOLVED AND ORDERED that County Counsel be and is authorized to obtain an order for immediate possession, and the Auditor-Controller of the County of Santa Cruz is hereby authorized to transfer to the Court deposit trust fund such funds as are required by the County as security for such immediate possession.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this _____ day of _____, 2000, by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

Chairperson of said Board

ATTEST: _____
Clerk of said Board

Approved as to form:

D. McRae 11-2-00
Chief Assistant County Counsel

Distribution: County Counsel
Auditor-Controller
Public Works
Real Property Div.

EXHIBIT "A"

Cardona to County of Santa Cruz
APN 107-221-I 0

0127

PARCEL ONE

SITUATE in Rancho Corralitos, County of Santa Cruz, State of California, and BEING a portion of the lands conveyed to Henry F. Cardona et ux. by deed recorded May 9, 1972 in Book 2198 at Page 418, Official Records of Santa Cruz County, and more particularly described as follows:

BEGINNING at a station on the western boundary of the said lands of Cardona, from which station a drill hole and tag in the centerline of Browns Valley Road, a county road 50 feet in width, and in the deck of the existing bridge over Corralitos Creek, as said drill hole is shown on the Record of Survey filed in Volume 56 of Maps, Page 25, Santa Cruz County Records, bear North 2° 08' East 66.99 feet distant; thence from said point of beginning and leaving the said western boundary of the lands of Cardona

- 1) North 84° 45' East 79.26 feet; thence
- 2) North 45° 00' East 64.80 feet to a 1 inch pipe on the southern line of Browns Valley Road; thence along the southern line thereof
- 3) South 84° 45' West 123.71 feet to the northwest corner of the said lands of Cardona; thence along the western line thereof
- 4) South 2° 08' West 41.78 feet to the point of beginning.

Containing 4205 square feet, a little more or less.

PARCEL TWO

BEING a portion of the above described lands of Cardona, more particularly described as follows:

BEGINNING at a station, designated "Station A" for further reference, on the said southern line of Browns Valley Road, from which the above described drill hole and tag bear North 74° 00' 24" West 195.96 feet, South 84° 45' West 123.71 feet, and North 2° 08' East 25.21 feet distant; thence from said point of beginning and leaving the said southern line of Brown Valley Road

- 1) South 48° 46' 21 " East 48.16 feet; thence
- 2) South 79° 50' 49" East 55.22 feet; thence

EXHIBIT "A"

- 3) North $62^{\circ} 08' 25''$ East 21.52 feet to a station on the said southern line of Browns Valley Road; thence along the southern line thereof
- 4) North $74^{\circ} 00' 24''$ West 14.02 feet to the point of beginning.

0128

Containing 1536 square feet, a little more or less.

TOGETHER WITH a temporary construction easement, described as follows:

BEGINNING at "Station A", as described above; thence leaving the said south line of Browns Valley Road

- 1) South $48^{\circ} 46' 21''$ East 48.16 feet; thence
- 2) South $79^{\circ} 50' 49''$ East 55.22 feet; thence
- 3) North $62^{\circ} 08' 25''$ East 21.52 feet to a station on the said southern line of Browns Valley Road; thence along the southern line thereof
- 4) South $74^{\circ} 00' 24''$ East 14.43 feet; thence leaving the said southern line
- 5) South $62^{\circ} 08' 25''$ West 35.38 feet; thence
- 6) North $79^{\circ} 50' 49''$ West 61.44 feet; thence
- 7) North $48^{\circ} 46' 21''$ West 72.16 feet to a station on the said southern line of Browns Valley Road; thence along the southern line thereof
- 8) South $74^{\circ} 00' 24''$ East 23.46 feet to the point of beginning.

Containing 1470 square feet, a little more or less.

Compiled and described by Mid Coast Engineers, May 2000, Job No. 97156.


Lee D. Vaage L. S. 5029



EXHIBIT "A"

City of Watsonville to County of Santa Cruz
APN 107-21 I-10

0129

SITUATE in Rancho Corralitos, County of Santa Cruz, State of California, and BEING a portion of the lands of the City of Watsonville; said portion more particularly described as follows:

PARCEL ONE:

BEGINNING at a station, designated "Station A" for further reference, on the northeastern boundary of the lands of the City of Watsonville, from which station a drill hole and tag in the centerline of Browns Valley Road, a county road 50 feet in width, and in the deck of the existing bridge over Corralitos Creek, as said drill hole is shown on the Record of Survey filed in Volume 56 of Maps, Page 25, Santa Cruz County Records, bear South $27^{\circ} 00'$ East 90.52 feet distant; thence from said point of beginning and leaving the northeastern boundary of the lands of the City of Watsonville

- 1) South $75^{\circ} 52' 01''$ West 173.65 feet; thence
- 2) South $50^{\circ} 06' 54''$ West 41.08 feet; thence
- 3) South $84^{\circ} 52' 29''$ West 103.48 feet to a station on the northern line of the said Browns Valley Road; thence along the northern line thereof
- 4) South $71^{\circ} 46'$ East 22.93 feet; thence
- 5) North $84^{\circ} 45'$ East 31 1.38 feet to the most eastern corner of the said lands of the City of Watsonville; thence leaving the northern line of Browns Valley Road, and along the said northeastern boundary of the lands of the City of Watsonville
- 6) North $27^{\circ} 00'$ West 63.60 feet to the point of beginning.

Containing 10,064 square feet, a little more or less.

TOGETHER WITH a temporary construction easement, described as follows:

BEGINNING at "Station A", as described above; thence from said point of beginning and leaving the said northeastern boundary of the lands of the City of Watsonville

- 1) South $75^{\circ} 52' 01''$ West 173.65 feet; thence
- 2) South $50^{\circ} 06' 54''$ West 41.08 feet; thence
- 3) South $84^{\circ} 52' 29''$ West 103.48 feet to a station on the said northern line of Browns Valley Road; thence along the northern line thereof
- 4) North $71^{\circ} 46'$ West 25.22 feet; thence leaving the said northern line
- 5) North $84^{\circ} 52' 29''$ East 123.50 feet; thence

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EXHIBIT "A"

0130

- 6) North $50^{\circ} 06' 54''$ East 40.24 feet; thence
- 7) North $75^{\circ} 52' 01''$ East 173.65 feet to a station on the said northeastern boundary of the lands of the City of Watsonville; thence along the northeastern boundary thereof
- 8) South $27^{\circ} 00'$ East 10.26 feet to the point of beginning.

Containing 3278 square feet, a little more or less.

Compiled and described by Mid Coast Engineers, May 2000, Job No. 97156.


Lee D. Vaage L. S. 5029

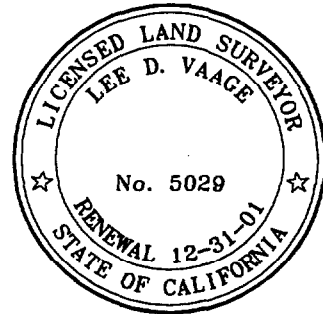
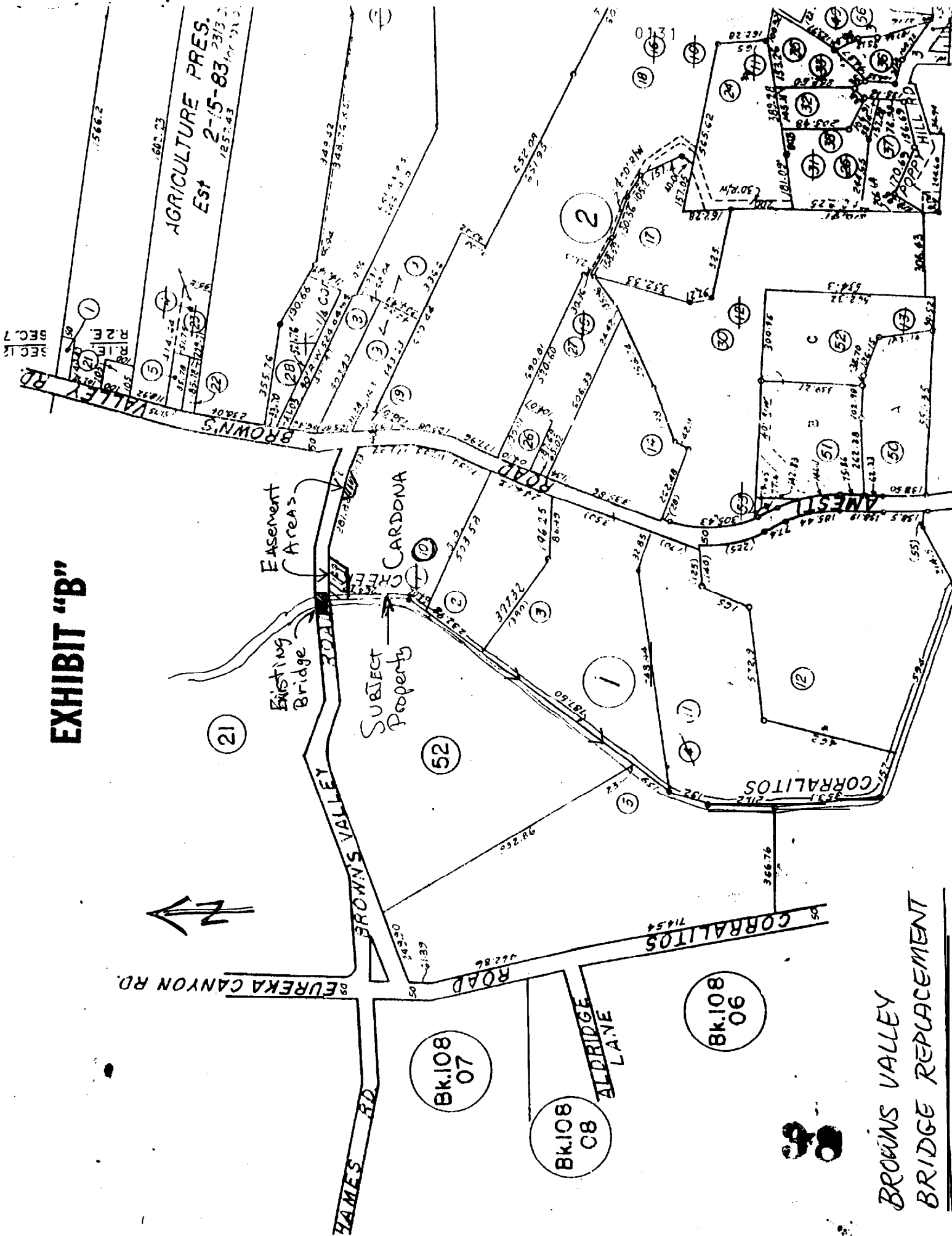


EXHIBIT "B"



BROWNS VALLEY
BRIDGE REPLACEMENT

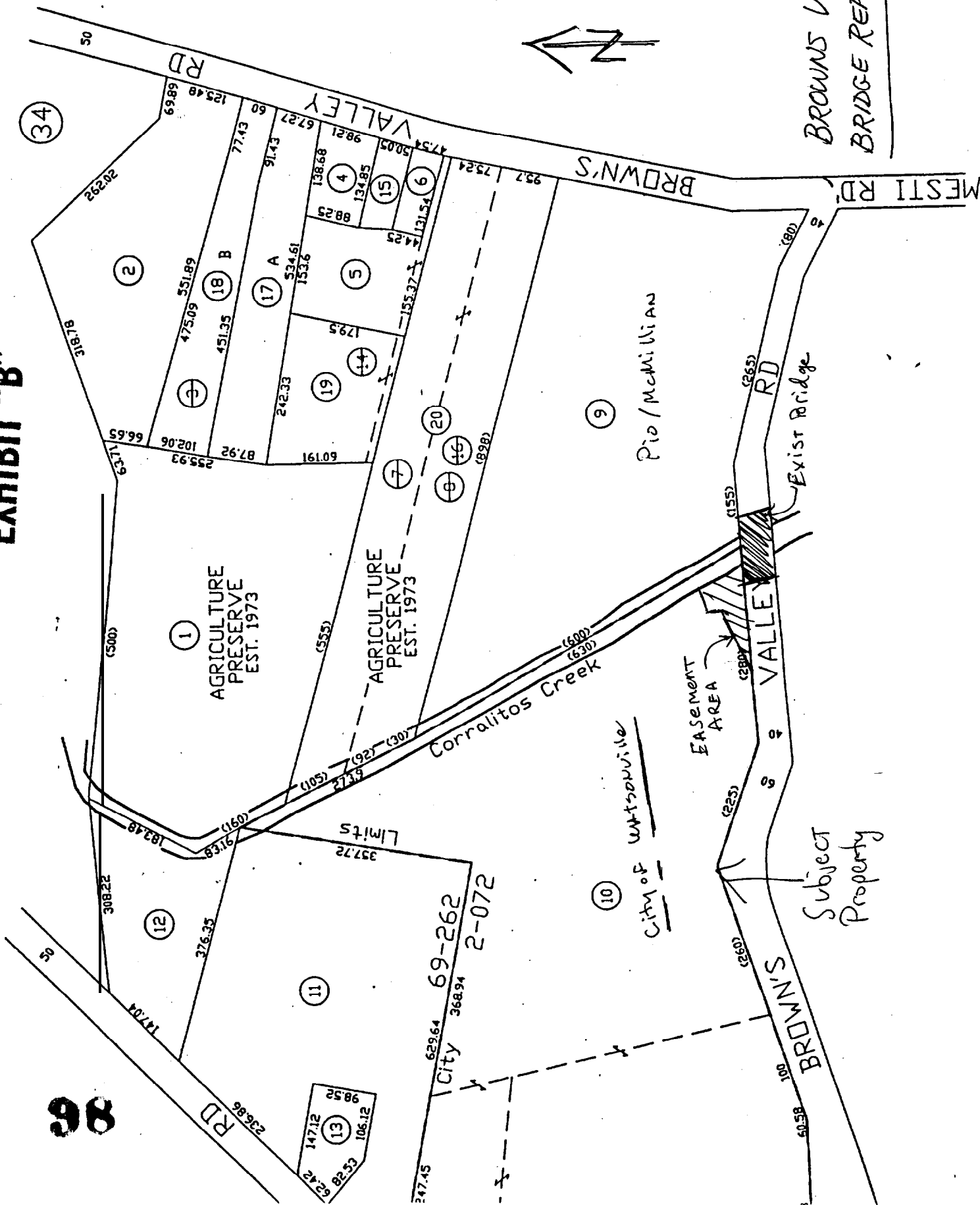
EXHIBIT "B"

R. 1 E. Sec. 16
R. 2 E. Sec. 7

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BROWNS VALLEY
BRIDGE REPLACEMENT



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