



County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS - REAL PROPERTY DIVISION

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 850604070
 (831) 464-2331 FAX (831) 4641386 TW (831) 454-2123

THOMAS L. BOLICH
 DIRECTOR OF PUBLIC WORKS

SCOTT C. LOICHINGER
 CHIEF REAL PROPERTY AGENT

AGENDA: APRIL 17, 2001
 April 5, 2001

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

SUBJECT: VALENCIA CREEK BRIDGE ON VALENCIA ROAD #36C-0116
 SEISMIC RETROFIT PROJECT - APN 105-211-14

Members of the Board:

Included in the 2000/01 Public Works Budget are funds for acquisition of a temporary construction easement required for the seismic retrofit project for the Valencia Creek Bridge on Valencia Road.

The attached contract provides for the acquisition of the necessary temporary construction easement adjacent to the bridge to complete the bridge upgrades (see attached map). The settlement amount for the property interest being 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 for such property interest.

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

1. Adopt the attached 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.

Yours truly,

THOMAS L. BOLICH
 Director of Public Works

scl
 attachments

RECOMMENDED FOR APPROVAL:

County Administrative Officer

CC: Public Works, Real Property, County Counsel, 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-WAY ACQUISITION
VALENCIA CREEK BRIDGE ON VALENCIA ROAD SEISMIC RETROFIT
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 owners of said real property interest have or will execute and deliver a Temporary Construction Easement conveying said real property interest to County, upon condition that the County acknowledge and approve Articles set forth in said 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 does hereby accept the terms of said Contract listed below:

<u>A.P.N.</u>	<u>NAME</u>	<u>PAYMENT</u>
105-211-14	Bruce R. Silver	\$ 500.00
	Junell S. Silver	

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 Grantors in the amount indicated above, out of Public Works Internal Service Fund, Subobject 3415, charged against CAMS, Index No. 40206 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 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 _____ - I 2001, by the following vote:

AYES: SUPERVISORS

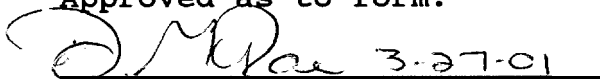
NOES: SUPERVISORS

ABSENT: SUPERVISORS

Chairperson of said Board

ATTEST: _____
Clerk of said Board

Approved as to form:



Chief Assistant County Counsel

Distribution: County Counsel
Auditor-Controller
Public Works

Bruce R. Silver
 Junell S. Silver
 (S E L L E R S)

Property No.: 1
APN: 105-211-14
Project: VALENCIA ROAD BRIDGE @
 VALENCIA CREEK #36C-0 116
 SEISMIC RETROFIT PROJECT

CONTRACT
COUNTY OF SANTA CRUZ

This contract is entered into this ____ day of _____, 200 **1**, by and between the COUNTY OF SANTA CRUZ, hereinafter called **COUNTY**, and BRUCE R. SILVER and JUNELL S. SILVER hereinafter called **SELLERS**. 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. SELLERS agree to execute and deliver a document in the form of a Easement Deed covering a portion of the property located at the intersection of Valencia Road and Cox Road, Aptos (APN 105-211-14), more particularly described in Exhibit "A", attached hereto and made a part hereof and a W-9 Form, Request for Taxpayer Identification Number and Certification. Said documents shall be delivered to Scott Loichinger, Chief, Real Property Division of the COUNTY, State of California.

3. The COUNTY shall:

(A) Pay the undersigned SELLERS 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 said Deed within thirty (30) days after date title to said property interest vests in the COUNTY, free and clear of all liens, encumbrances, assessments, easements and leases (recorded and/or unrecorded), 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 agreed and confirmed by the parties hereto that notwithstanding other provisions in this contract, the right of possession and use of the subject property by the COUNTY including the right to remove and dispose of improvements, shall commence on the date the COUNTY delivers said total amount shown in clause 3(A) to the SELLERS or deposits said amount in escrow with Santa Cruz Title Company, and that the amount shown in Clause 3(A) herein includes, but is not limited to, full payment for such possession and use and interest from said date.

5. COUNTY hereby agrees that the right to use the property described in EXHIBIT "A", shall terminate December 31, 2001, or the completion of construction of the seismic retrofit project, whichever occurs first.

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 _____, 2001; and the SELLERS have executed this agreement as of the 15th day of, 20th March

RECOMMENDED FOR APPROVAL

By: Scott Loichinger
SCOTT LOICHINGER
Chief, Real Property Division

APPROVED AS TO FORM:

By: D. McRae 3-27-01
DANA McRAE
Chief Assistant County Counsel

COUNTY

By: _____
THOMAS L. BOLICH
Director of Public Works

Bruce R. Silver
Bruce R. Silver
Junell S. Silver
Junell S. Silver

(SELLERS)

EXHIBIT "A"**LEGAL DESCRIPTION FOR A TEMPORARY RIGHT-OF-ENTRY AT VALENCIA RD. BRIDGE, #36C- 0116, ON VALENCIA CREEK FOR THE PURPOSES OF CONSTRUCTION OF THE SEISMIC RETROFIT PROJECT.**

Being a portion of Section 4, Township 11 south , Range 1 east, MDB&M, in the County of Santa Cruz, State of California; and being also part of the lands conveyed by deed to Bruce R. and Junell S. Silver, husband and wife, filed for record on July 30, 1997, in document # 1997-0034143 of Official Records of Santa Cruz County, State of California; and more particularly described as follows:

PARCEL 1

Beginning at a point located at the southeast corner of said lands of Silver, also being the point of intersection of the centerlines of Valencia Road and Cox Road rights-of-way, as shown on that particular recorded subdivision map titled, "Parcel map L876, a minor land division of the lands of John Newell in Soquel Augmentation Rancho, Santa Cruz Co., Aug. 1974", filed for record January 21, 1975, at page 42 of parcel maps, Volume 17 of official County records; thence from said point of beginning, proceeding along the centerline of Cox Road right-of-way N13°45'E, 20 ft. to the TRUE POINT OF BEGINNING, also being a point on the northerly right-of-way of Valencia Road.

Thence proceeding along the northerly right-of-way of Valencia Road N87°45'W, approximately 185.5 ft. more or less to the centerline of Valencia Creek, thence along the centerline of Valencia Creek, approximately N13°45'E, 10 ft., more or less, thence leaving centerline of Valencia Creek, S87°45'E, approximately 185.5 ft. more or less, to a point on the centerline of Cox Road right-of-way, thence S13°45'W, approximately 10 ft., more or less to TRUE POINT OF BEGINNING.

Containing an area of 1855 sqft. more or less.

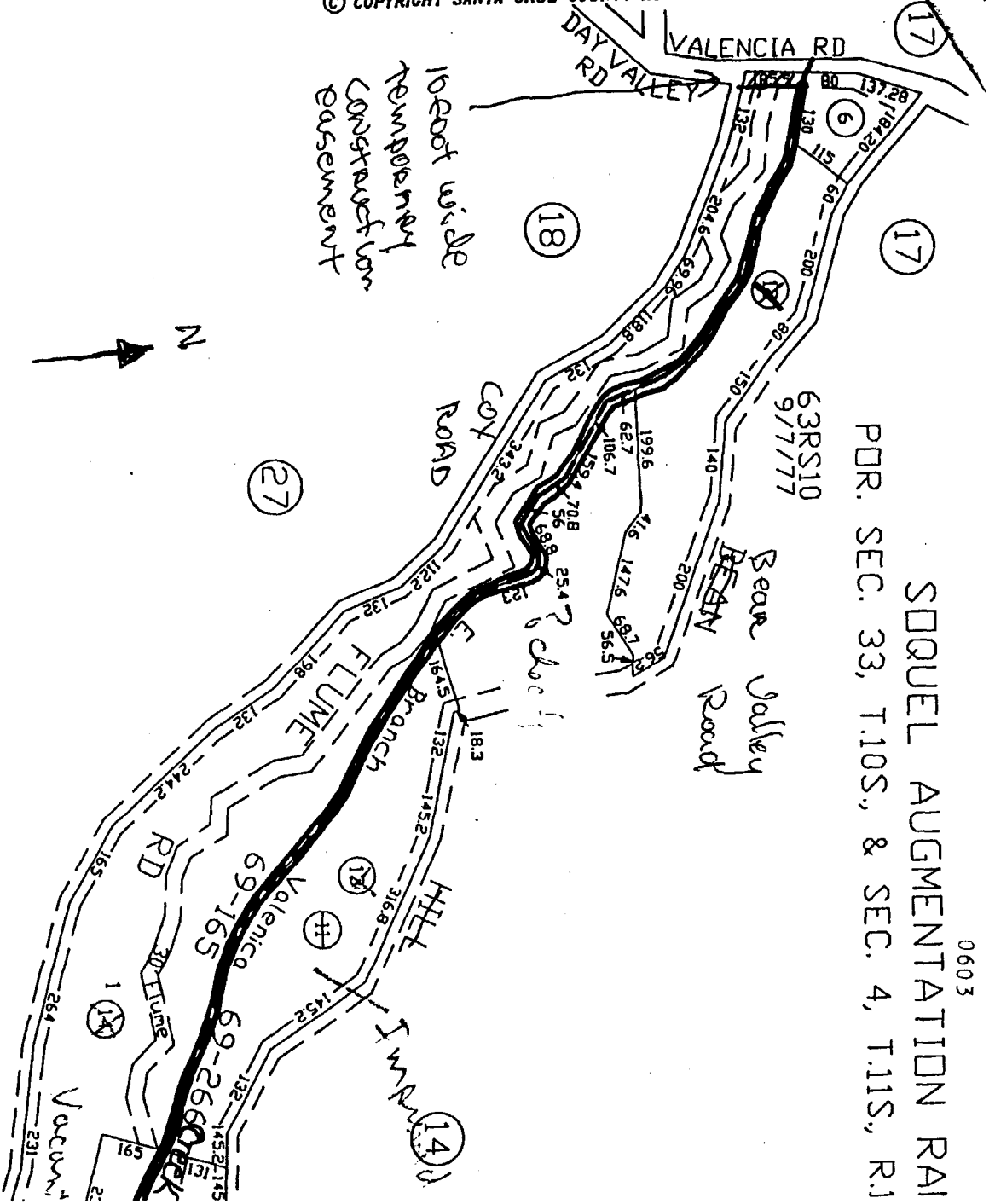
APN 105-211-14

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FOR TAX PURPOSES ONLY

THE 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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SQQUEL AUGMENTATION RAI
PDR. SEC. 33, T.10S., & SEC. 4, T.11S., R.1

SEC. 4 T.11S.,
SEC. 33 T.10S.

Note - Assessor's Parcel Block & Lot Numbers Shown in Circles
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