



County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS - REAL PROPERTY DIVISION

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 950604070
(831) 454-2331 FAX (831) 454-2385 TDD (831) 454-2123

SCOTT C. LOICHTINGER
CHIEF REAL PROPERTY AGENT

THOMAS L. BOLICH
DIRECTOR OF PUBLIC WORKS

AGENDA: OCTOBER 16,2001

October 3,2001

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

SUBJECT: KINGS CREEK ROAD SLIPOUT REPAIR PROJECT - PM 2.66
HEIDMANN - APN: 087-231-13

Members of the Board:

The construction of the Kings Creek Road Slipout Repair Project at milepost 2.66 in the Boulder Creek area has been completed and it is now necessary to complete the acquisition of the required right-of-way. Funds are included in the 2001/02 Public Works budget for this acquisition.

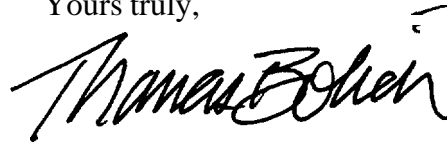
The attached contract provides for the acquisition of the necessary easement on the subject parcel required for the above mentioned road project. All of the required right-of-way is located along Kings Creek Road at the stream crossing of Logan Creek and allowed for the construction of a new road slope and new rock rip-rap along the creek to protect the stream bank from further erosion (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 for such property 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 contract.

Yours truly,

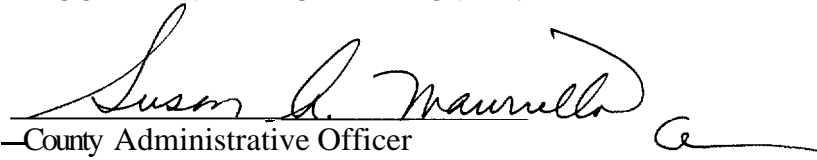


THOMAS L. BOLICH
Director of Public Works

pap

Attachments

RECOMMENDED FOR APPROVAL:


—County Administrative Officer

Copy to: Public Works Department

KING.WPD

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
KINGS CREEK ROAD SLIPOUT REPAIR PROJECT - PM 2.66
HEIDMANN - APN: 087-231-13

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 Contract attached hereto and hereinafter referred to; and

WHEREAS, the owner of said real property interests has or will execute and deliver an Easement Deed conveying said real property interests to the County, upon condition that 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 interests.

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

<u>A.P.N.</u>	<u>NAME</u>	<u>PAYMENT</u>
087-231-13	David Heidmann	\$600.00

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 grantors, in the amount indicated above, out of Public Works Road Fund, Sub-object 3590, charged against CAMS Index No. 40270, 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 grantors.

Resolution No. _____

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this ____ day of _____, 2001, by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

Chairman of said Board

ATTEST: _____
Clerk of said Board

Approved as to form:

 10.2.01

Chief Assistant County Counsel

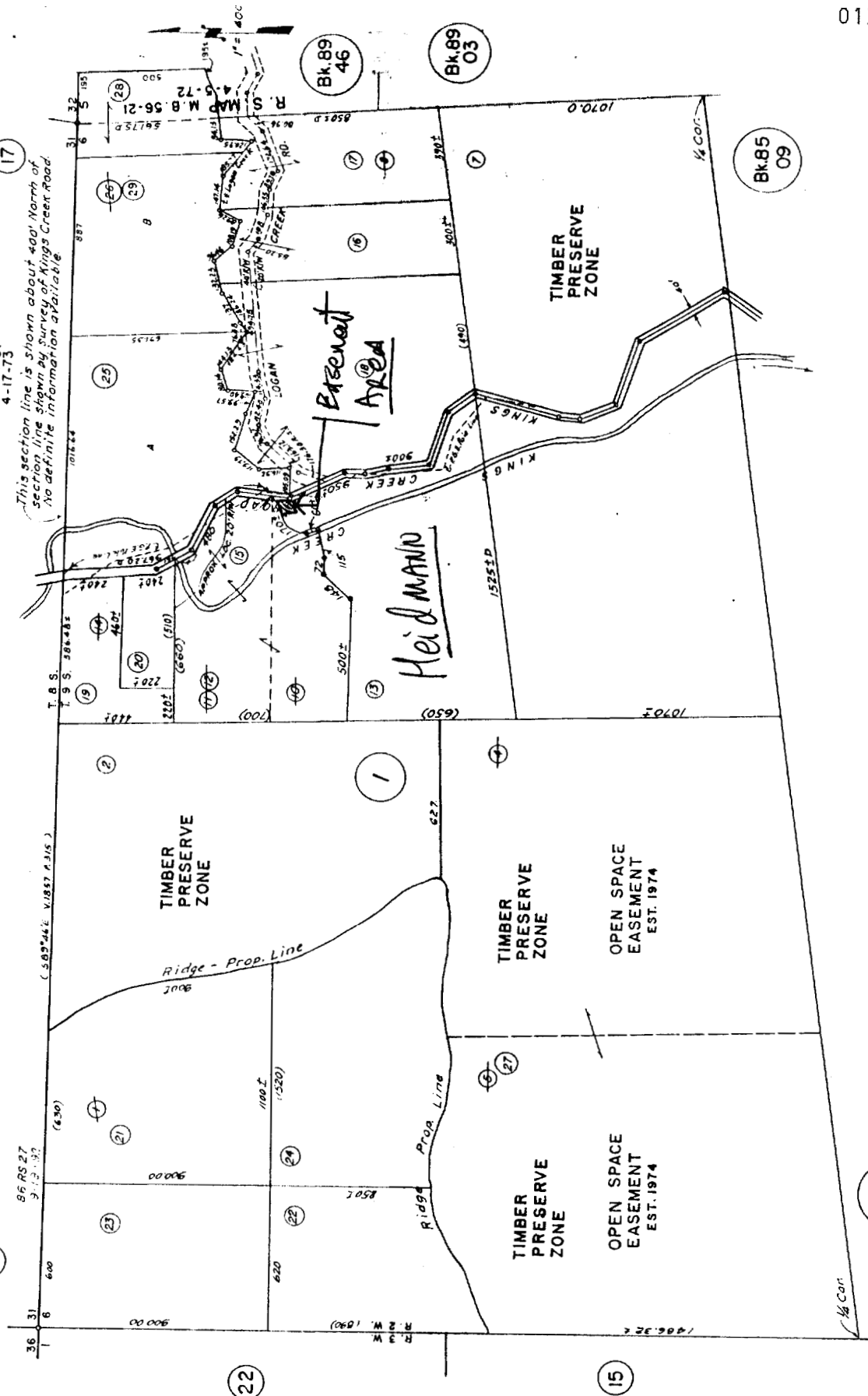
Distribution: Real Property Division
County Counsel
Auditor-Controller
Public Works

KING.wpd

Tax Area Code 87-23
90-018

10 PM 51
4-17-73

This section line is shown about 400' North of section line shown by Survey of Kings Creek Road. No definite information available.



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

Assessor's Map No. 87-23
County of Santa Cruz, Calif.
Aug. 1953

0137

27

David Heidmann
(SELLERS)

Property No.: 1
APN: 087-231-13
Project: KINGS' CREEK ROAD
SLIPOUT REPAIR PROJECT
PM 2.66

CONTRACT
COUNTY OF SANTA CRUZ

This contract is entered into this 4th day of May, 2000, by and between the COUNTY OF SANTA CRUZ, hereinafter called COUNTY, and DAVID HEIDMANN, 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 an Easement Deed covering the property located on Kings Creek Road in the County of Santa Cruz (APN 087-231-13), 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 document 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 \$600.00 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, and if Title Insurance is required by the COUNTY, the premium charge therefor. 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.

IN WITNESS WHEREOF, the COUNTY has caused this contract to be duly executed as of the _____ day of _____, 2000; and the SELLERS have executed this agreement as of the 4th day of May, 2000.

RECOMMENDED FOR APPROVAL

By: Scott Loichinger
 SCOTT LOICHINGER
 Chief, Real Property Division

David Heidmann
 David Heidmann

APPROVED AS TO FORM:

By: Dana McRae 10-2-01
 DANA McRAE
 Chief Assistant County Counsel

COUNTY

By: _____
 THOMAS L. BOLICH
 Director of Public Works

(SELLERS)

EXHIBIT "A"

0140

LEGAL DESCRIPTION FOR KINGS CREEK ROAD STORM DAMAGE REPAIR, PM 2.66, A PERMANENT DRAINAGE EASEMENT FOR THE PURPOSE OF ROAD CONSTRUCTION AND MAINTENANCE.

BEING A PORTION OF NORTH HALF OF SECTION 6, TOWNSHIP 9 SOUTH, RANGE 2 WEST, MDB&M, IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA; AND BEING ALSO A PART ~~OF~~ THE LANDS CONVEYED BY DEED TO DAVID HEIDMANN, FILED FOR RECORD ON JANUARY 13, 1983, IN VOLUME 3523 AT PAGE 84, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, STATE OF CALIFORNIA: AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

BEGINNING AT AN 8 INCH SPIKE ON THE CENTERLINE OF KINGS CREEK ROAD AS SHOWN ON THAT RECORD OF SURVEY FILED ON APRIL 17, 1973, IN VOLUME 10 OF PARCEL MAPS, AT PAGE 51, IN THE OFFICE OF THE COUNTY SURVEYOR OF SANTA CRUZ COUNTY, STATE OF CALIFORNIA; FROM WHICH THE INTERSECTION OF CENTERLINE OF KINGS CREEK ROAD AND CENTERLINE OF LOGAN CREEK BEARS SOUTH 4°00'00" EAST, 154.02 FEET, AS SHOWN ON ABOVE SAID MAP: THENCE, FROM SAID POINT OF BEGINNING, SOUTH 86°00'00" WEST, 20.00 FEET, TO THE WESTERLY RIGHT OF WAY OF KINGS CREEK ROAD; THENCE, ALONG SAID RIGHT OF WAY, SOUTH 4°00'00" EAST, 136.75 FEET, MORE OR LESS, TO THE INTERSECTION OF THE WESTERLY RIGHT OF WAY OF KING'S CREEK ROAD AND CENTERLINE OF LOGAN CREEK, THIS BEING THE TRUE POINT ~~OF~~ BEGINNING.

THENCE, FROM SAID TRUE POINT ~~OF~~ BEGINNING, ALONG THE WESTERLY RIGHT OF WAY OF KINGS CREEK ROAD, SOUTH 4°00'00" EAST, 21.92 FEET; THENCE, SOUTH 44°58'00" WEST, 14.90 FEET; THENCE, NORTH 45°02'00" WEST, 19.72 FEET; THENCE, NORTH 44°58'00" EAST, 26.84 FEET, MORE OR LESS, TO THE CENTERLINE OF LOGAN CREEK; THENCE, ALONG SAID CENTERLINE, SOUTH 81°58'17" EAST, 4.00 FEET, MORE OR LESS, BACK TO THE TRUE POINT ~~OF~~ BEGINNING.

CONTAINING AN AREA OF 454 SQUARE FEET, MORE OR LESS.

APN 087-231-13