



County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS - REAL PROPERTY DIVISION

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(831) 454-2331 FAX (831) 454-2385 TDD (831) 454-2123

THOMAS L. BOLICH
DIRECTOR OF PUBLIC WORKS

SCOTT C. LOICHINGER
CHIEF REAL PROPERTY AGENT

June 6, 2002

AGENDA: JUNE 18, 2002

SANTA CRUZ COUNTY BOARD OF SUPERVISORS

701 Ocean Street
Santa Cruz, California 95060

SUBJECT: SOQUEL DRIVE BRIDGE AT APTOS CREEK #36C-0075
SEISMIC RETROFIT PROJECT - APN 041-561-04

Members of the Board:

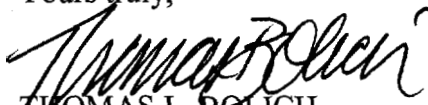
Included in the 2001/02 Public Works Budget are funds for acquisition of a temporary construction easement required for an additional eight months for the seismic retrofit project for Soquel Drive Bridge at Aptos Creek.

The attached contract provides for the acquisition of the necessary temporary construction easement adjacent to the bridge for an additional eight months 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:

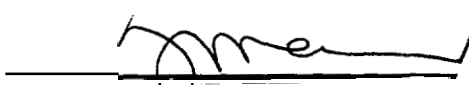
1. Adopt the attached resolution approving and accepting the terms and conditions of the contract and authorize the Director of Public Works to sign said document on behalf of the County;
2. Approve payment of claim.

Yours truly,


THOMAS L. BOLICH
Director of Public Works

scl
attachments

RECOMMENDED FOR APPROVAL:

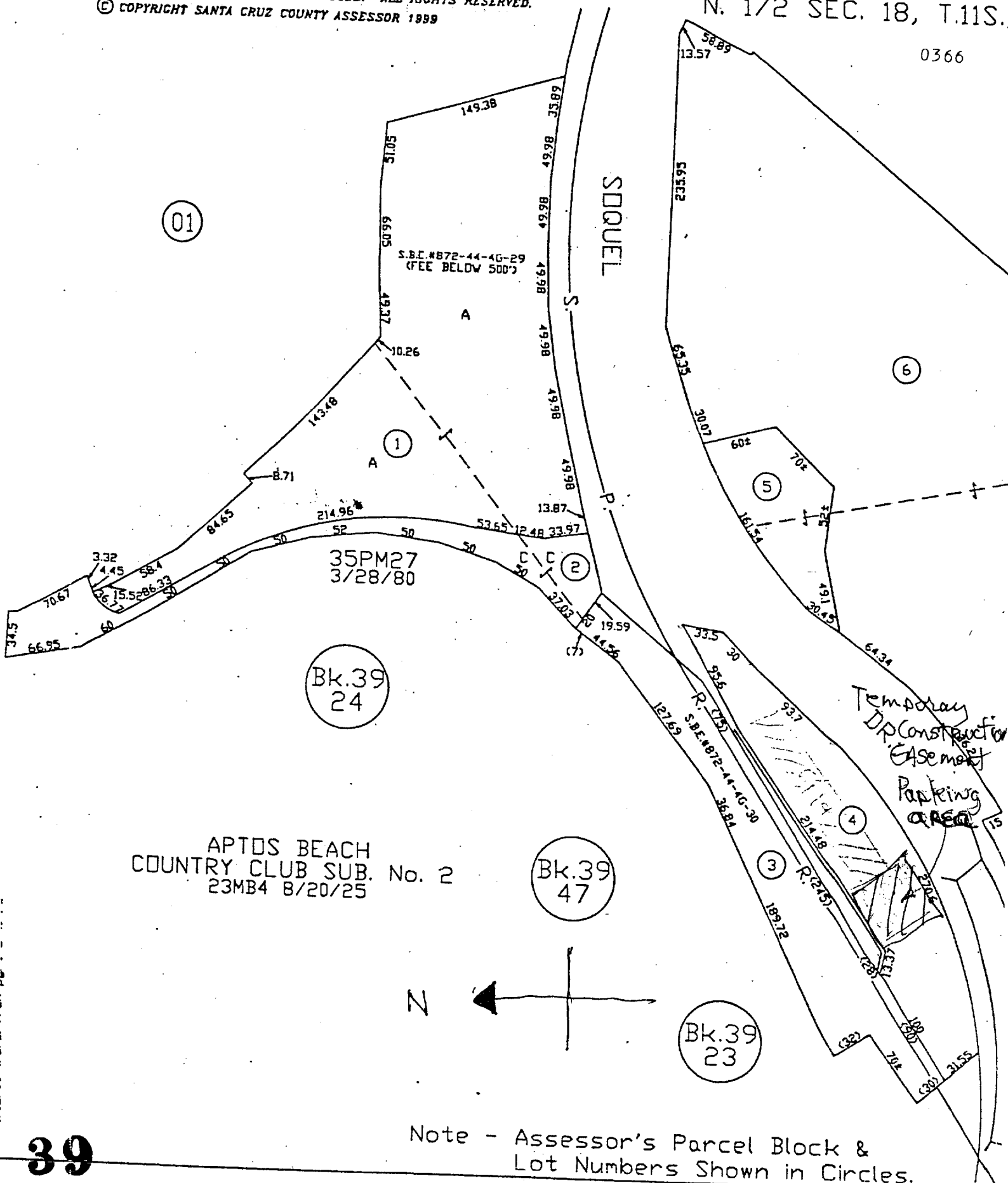


County Administrative Officer
CC: Public Works, Real Property, County Counsel, Auditor-Controller

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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N. 1/2 SEC. 18, T.11S.,

0366



BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

0367

RESOLUTION NO. _____

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

RESOLUTION FOR RIGHT-OF-WAY ACQUISITION FOR
SOQUEL DRIVE BRIDGE AT APTOS CREEK
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>
041-561-04	Britannia Arms LLC	\$1,600.00

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 listed Grantors in the amount indicated above, out of Public Works Internal Service Fund, charged against Index No. **95**1042, Work Authorization 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.

0368

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this ____ day of _____, 2002, by the following vote:

AYES: SUPERVISORS

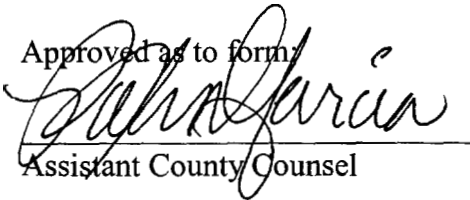
NOES: SUPERVISORS

ABSENT: SUPERVISORS

Chairperson of said Board

ATTEST: _____
Clerk of said Board

Approved as to form:


Assistant County Counsel

Distribution: County Counsel
Auditor-Controller
Public Works

Property No.: 1

0369

APN: 041-561-04

Britannia Arms LLC
(SELLERS)

Project: SOQUEL DRIVE BRIDGE @
APTOS CREEK #36C-0075
SEISMIC RETROFIT PROJECT

CONTRACT
COUNTY OF SANTA CRUZ

This supplemental contract is entered into this _____ day of _____, 2002, by and between the COUNTY OF SANTA CRUZ, hereinafter called COUNTY, and BRITANNIA ARMS LLC, hereinafter called OWNERS. The parties mutually agree as follows:

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

WHEREAS, due to the construction lasting longer than originally anticipated, additional payment is necessary in the amount of \$1,600.00 to compensate OWNERS for an additional eight month usage of a portion of their property located at 8017 Soquel Drive, Aptos (APN 041-561-04), more particularly described in Exhibit "A", attached hereto and made a part hereof. OWNERS agree to execute and deliver a document in the form of a Temporary Construction Easement that shall expire August 31, 2002, and a W-9 Form Request for Taxpayer Identification Number and Certification. The Department of Public Works finds that this amount is reasonable compensation for said additional time. All other terms and conditions of that certain contract entered into April 24, 2001, between the parties hereto shall remain in full force and effect.

IN WITNESS WHEREOF, the COUNTY has caused this contract to be dully executed as of the _____ day of _____, 2002; and the OWNERS have executed this agreement as of the 9th day of May, 2002.

RECOMMENDED FOR APPROVAL

Britannia Arms LLC, a California
Limited Liability Company

By: Scott Loichinger
SCOTT LOICHINGER
Chief, Real Property Division

By: CEO Britannia Arms LLC
CEO Britannia Arms LLC
(OWNERS)

APPROVED AS TO FORM:

By: Pamela Fife
PAMELA FIFE
Assistant County Counsel

COUNTY

By: _____
THOMAS L. BOLICH
Director of Public Works

EXHIBIT "A"
~~EXHIBIT "B"~~

LEGAL DESCRIPTION FOR A TEMPORARY RIGHT-OF-ENTRY AT SOQUEL DRIVE BRIDGE, #36C-0075, AT APTOS CREEK FOR THE PURPOSES OF CONSTRUCTION OF THE SEISMIC RETROFIT PROJECT.

Being a portion of Section 18, 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 Britannia Arms, LLC, filed for record on Nov. 16, 1999, in document # 1999-0073029 of the Official Records of Santa Cruz County, State of California; and more particularly described as follows:

PARCEL I

Beginning at a point located at the southerly boundary of said lands of Britannia Arms, also being identified by point # 76, marked by a 1/2" I.P. tagged LS 2362, as shown on that record of survey map filed October 5, 1992 by Larry Palm at Vol 86, page 14 of Official County records, and which said point also bears N31°48'07"E, 128.26 ft. more or less from Pt #1, marked by a brass cap monument stamped LS 4234, as shown on above said record map filed by Palm; and said point of beginning also being identified by a "pipe" on that unrecorded map filed in the official records of Santa Cruz County under E200-4.3; thence from said point of beginning proceeding west along the southerly boundary of said lands of Britannia Arms, through a curve; R = 369.71 ft., delta = 8°48'19", L = 56.82 ft. to the True Point of Beginning at the southeasterly corner of the westerly paved parking area of Britannia Arms;

Thence from said True Point of Beginning continuing west along the southerly boundary of the lands of Britannia Arms along a curve; R = 369.71 ft., delta = 12°15'02", L = 79.04 ft.; thence leaving the southerly boundary of the lands of Britannia Arms and continuing along the boundary of the westerly paved parking area of Britannia Arms the following courses; N72°58'40"W, 52.66 ft.; thence N58°18'28", 30.96 ft.; thence N14°58'30"E, 11.41 ft.; thence S78°11'41"W, 20.54 ft.; thence N55°26'07"E, 38.45 ft.; thence S72°13'38"E, 51.00 ft.; thence N86°12'02"E, 35.65 ft.; thence S36°22'07"W, 7.67 ft. to the True Point of Beginning.

Containing an area of 4626 sqft. more or less.

APN 041-561-04

civ