

State of California
Business, Transportation and Housing Agency
Department of Transportation

HIGHWAY RIGHT OF WAY MATTERS
Resolutions of Necessity
Action Item

Prepared By:
Brice Paris
Chief
Division of Right of Way
(916) 654-5075

CTC Meeting: June 13, 2002

Reference No.: 2.4b.(2)

Original Signed By:
ROBERT L. GARCIA
Chief Financial Officer
June 3, 2002

RESOLUTIONS OF NECESSITY

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

The Department of Transportation recommends the California Transportation Commission adopt Resolutions of Necessity C-18582 through C-18583. Discussions have taken place with all the owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-18582 - Equilon Enterprises LLC

08-Riv-60-KP 19.0- Parcel 19044-1 - EA 334839 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, located in the city of Riverside at 2190 N. Main Street.

C-18583 - Equilon Enterprises LLC, a Delaware Limited Liability Company

11-SD-905-KP 18.4- Parcel 31486 - EA 091809 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, all of those certain improvements which straddle the right of way line with an easement to enter the remaining ownership to remove such improvements, located in the city of San Diego between Airway Road and Otay Mesa Border Crossing. APN 646-144-03-00.