

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works		(2) MEETING DATE 5/8/2012		(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5290	
(4) SUBJECT Submittal of Right of Way documents accepting conveyance to the County of San Luis Obispo from Connie and Jeff Baxter for the Templeton Road Widening Project, Atascadero (WBS 300386).					
(5) RECOMMENDED ACTION It is our recommendation that your Honorable Board: 1. Approve and execute the Right of Way Agreement; and accept the accompanying Public Road and Slope Easement Deed by execution of each attached Certificate of Acceptance, and direct the Clerk to return the Agreement and Deed to the Department of Public Works for processing; and 2. Authorize the Public Works Director, or his designee, to perform the following remaining duties associated with the acceptance of the real property interests: <ul style="list-style-type: none"> <li>• Execute any remaining escrow related documents necessary to close the transactions associated with these real property interests</li> <li>• Deliver original Easement Deed upon final processing to the County Clerk's office for final recordation</li> </ul>					
(6) FUNDING SOURCE(S) FHWA HR3, Prop 1B		(7) CURRENT YEAR FINANCIAL IMPACT \$5,400.00		(8) ANNUAL FINANCIAL IMPACT N/A	
(9) BUDGETED? Yes					
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)					
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			(12) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		
(13) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A			(14) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
(15) LOCATION MAP Attached		(16) BUSINESS IMPACT STATEMENT? No		(17) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A    Date	
(18) ADMINISTRATIVE OFFICE REVIEW  <i>Nikki J. Schmidt</i>					
(19) SUPERVISOR DISTRICT(S) District 5 -					

Reference: 12MAY08-C-4

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works  
Phil Acosta, Right of Way Agent

VIA: Dave Flynn, Deputy Director of Public Works

DATE: 5/8/2012

SUBJECT: Submittal of right of way documents accepting conveyance to the County of San Luis Obispo from Connie and Jeff Baxter for the Templeton Road Widening Project, Atascadero (WBS 300386).

## **RECOMMENDATION**

It is our recommendation that your Honorable Board:

1. Approve and execute the Right of Way Agreement; and accept the accompanying Public Road and Slope Easement Deed by execution of each attached Certificate of Acceptance, and direct the Clerk to return the Agreement and Deed to the Department of Public Works for processing; and
2. Authorize the Public Works Director, or his designee, to perform the following remaining duties associated with the acceptance of the real property interests:
  - Execute any remaining escrow related documents necessary to close the transactions associated with these real property interests
  - Deliver original Easement Deed upon final processing to the County Clerk's office for final recordation

## **DISCUSSION**

The Templeton Road Widening Project proposes to widen an approximately 0.63 mile portion of Templeton Road between South El Pomar Road and Bluebird Hill Lane. The project will provide two 12-foot wide travel lanes with a 4-foot minimum paved shoulder. The project's goal is to improve safety by allowing for more recovery room for vehicles along Templeton Road as well as improve travel for cyclists.

The scope of project construction will include cutting back existing roadway cut slopes, placing fill in low areas, constructing two retaining walls or modified slopes, realigning an existing roadside ditch, and replacing several culverts.

The attached Right of Way Agreement and Public Road and Slope Easement Deed from Connie and Jeff Baxter will provide the County and its contractors with a portion of the necessary permanent and temporary real property rights required to construct the proposed widening project and related slope and drainage features.

This acquisition is based upon a fair market value staff appraisal. The approval and execution of the Right of Way Agreement and the acceptance of the related Public Road and Slope Easement Deed by execution of the attached Certificate of Acceptance will allow the Department to proceed with processing and payment pursuant to the Agreement.

Hamner Jewell Associates have been the County's agent for property negotiations.

### **OTHER AGENCY INVOLVEMENT/IMPACT**

County Counsel has reviewed and approved the attached documents as to legal form and effect. San Luis Obispo County Environmental Coordinator has provided necessary clearance for this project by Mitigated Negative Declaration approved by your Board at the January 24, 2012 meeting.

Caltrans is providing FHWA oversight due to Federal funding.

### **FINANCIAL CONSIDERATIONS**

The Right of Way Agreement provides for the following compensation:

Connie and Jeff Baxter     \$5,400

This project is a multi-year project budgeted in Roads Fund for FY 2011-12 - WBS 300386. The project will be funded under a grant from the Federal Highway Administration's High Risk Rural Roads Program (HR3), supplemented by Proposition 1B.

### **RESULTS**

Approval of the recommended actions will result in the appropriation of property rights required for this budgeted project. Completion of the project will improve safety by allowing more recovery room for vehicles and cyclists along Templeton Road.

File: WBS 300386.05 (Templeton Road Widening Project)

Reference: 12MAY08-C-4

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### **ATTACHMENTS**

1. Vicinity Map
2. Right of Way Agreement
3. Deed with Certificate of Acceptance