



Re: Fw: La Panza Road Widening Project

Phil Acosta to: Kendra Santos

03/22/2013 01:01 PM

Cc: Genaro Diaz, Paavo Ogren, Debbie.Arnold@asm.ca.gov, Annette Ramirez

Hello Kendra,

Attached is another copy of the Notice that was previously sent to you regarding the Resolution of Necessity hearing Tuesday March 26, 2013. You had also noted in your email of February 22, 2013 (highlighted in blue below) that you had, in fact, received the February 8 letter. In any event, you are welcome to present written (email) comments that you may have for the Board to consider at the hearing.

Please reply to this email with your comments or you may send your comments directly to the Clerk of the Board, Annette Ramirez. Her email address is in the CC: section above.

Also, I am still planning to meet and follow up with you next week as we have previously discussed. I will contact you early next week.

Regards,

PHIL ACOSTA, SRWA
Right of Way Agent
Public Works-County of San Luis Obispo
(805) 781-5290
pacosta@co.slo.ca.us



Santos RON Notice 02-08-2013.pdf

Engr Public Works ----- Forwarded by Shirley M Jones/PubWorks/C... 03/22/2013 12:17:36 PM

From: Engr Public Works/PubWorks/COSLO
To: Phil Acosta/PubWorks/COSLO@Wings, Genaro Diaz/PubWorks/COSLO@Wings
Cc: Paavo Ogren/PubWorks/COSLO@Wings
Date: 03/22/2013 12:17 PM
Subject: Fw: La Panza Road Widening Project
Sent by: Shirley M Jones

----- Forwarded by Shirley M Jones/PubWorks/COSLO on 03/22/2013 11:54 AM -----

From: Kendra Santos <kendrasantos3@gmail.com>
To: Kendra Santos <kendrasantos3@gmail.com>, pwd@co.slo.ca.us
Cc: darnold@co.slo.ca.us
Date: 03/21/2013 05:01 PM
Subject: Re: La Panza Road Widening Project

Trying to get this to Debbie and Paavo.
I did not receive the email information or the information regarding what's happening with my property next Tuesday, which Paavo was going to send today.
I needed that info today, as I'm headed out of town for the weekend (which I explained at last night's meeting).

Item # 22 Meeting Date: 3/26/2013
Presented by: Phil Acosta
RECEIVED Prior to meeting At the Board meeting
 Posted to web: 3/25/2013
 Day of or after meeting not posted

Thanks,
Kendra

On Feb 22, 2013, at 1:55 PM, Kendra Santos wrote:

Sending this again to Debbie's new email address, as the first one kicked back to me.
Kenrda

Begin forwarded message:

From: Kendra Santos <kendrasantos3@gmail.com>

Date: February 22, 2013 1:47:13 PM PST

To: pwd@co.slo.ca.us, "Debbie.Arnold@asm.ca.gov" <debbie.arnold@asm.ca.gov>

Subject: La Panza Road Widening Project

To: Phil Acosta, Genaro Diaz, Paavo Ogren

CC: Debbie Arnold

Re: La Panza Road Widening Project

I just received a letter from Phil Acosta regarding the project.

It's dated February 8 and says it's certified, but it just showed up in my P.O. Box and I didn't sign for it, just fyi.

It states that you have tried to contact me on multiple occasions, and that I have declined such a meeting.

In fairness, I have one message from you on my machine, and received it when I was out of state on one of many recent business trips.

Thus, I really have not declined such a meeting, and in fact have many questions I'd like answered.

They include, but are not limited to, the following:

1. I found out at the January 8 meeting that my property is the northernmost property on this project. As I have been clear from the start, I would prefer you keep your money and I keep my farming and grazing land intact. Is there anything I can do at this point to stop this project from affecting my property, and have it start at the southern boundary of my land? If so, please advise.
2. If the project will proceed with or without my consent, as has previously been expressed to me, is there anything I can do about the \$7,000 offer price? Do I have any rights there? If so, please advise.
3. If the project goes on as you have planned, will my front entrance fence and gate, which is green pipe, be affected in any way (as in moved or removed)?
4. If so, what are your plans for rebuilding that entrance, fence and gate? (And how far will it be moved?)
5. Will my driveway culvert be re-used, or will you be putting in a new one? If so, will it be a new culvert the same size as the existing one? (I spent extra money when installing that culvert to have it be more than up to code to prevent the recurrence of previous problems during heavy rains.)
6. If my entrance will be affected, will you be replacing the paved area I put in when we built the driveway? I want to be sure that will at minimum be replaced at the same depth.
7. Will you be tearing down any/all of my barbed-wire fence along La Panza

Road? And if so, will you be replacing it with new wire and T-posts, or trying to reuse those torn down (which will likely be bent in the process)?

8. If the fence must be moved, will that be done before the actual road construction begins, so I never lose use of my pasture?

9. Will I have access to my property throughout this process (that seems obvious, but at this point I don't want to take anything for granted).

These are the sorts of questions I have, and I would welcome a meeting at my property, which we could schedule next week when I do not have to travel for work.

Please understand that I am a single mom with two sons and two full-time jobs, so I will need to schedule around my jobs.

Thank you,

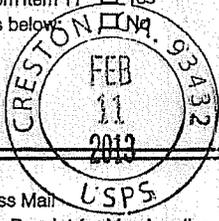
Kendra Santos

Confidentiality Notice - This e-mail and any documents, files or previous e-mail messages attached to it, may contain information that is confidential or privileged. If you are not the intended recipient, you are hereby notified that you must not read or play this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is prohibited. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission.

Confidentiality Notice - This e-mail and any documents, files or previous e-mail messages attached to it, may contain information that is confidential or privileged. If you are not the intended recipient, you are hereby notified that you must not read or play this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is prohibited. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission.

Confidentiality Notice - This e-mail and any documents, files or previous e-mail messages attached to it, may contain information that is confidential or privileged. If you are not the intended recipient, you are hereby notified that you must not read or play this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is prohibited. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature <input checked="" type="checkbox"/> <i>Joyce Sato-Kwon</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: PA/MAC 2-8-13 Kendra Santos 4445 La Panza Rd Creston CA 93432		B. Received by (Printed Name) Taylor Santos	
		C. Date of Delivery <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)		7011 2970 0004 3265 3378	



PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

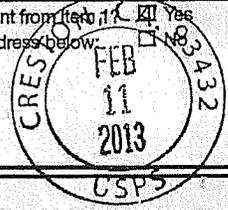
U.S. Postal Service TM	
CERTIFIED MAILTM RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage \$	PA/MAC 2-8-13 Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Sent To <i>Kendra Santos</i> Street, Apt. No., or PO Box No. <i>4445 La Panza Rd</i> City, State, ZIP+4 [®] <i>Creston CA 93432</i>	
PS Form 3800, August 2006 See Reverse for Instructions	

7011 2970 0004 3265 3378

U.S. Postal Service TM	
CERTIFIED MAILTM RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage \$	PA/MAC 2-8-13 Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Sent To <i>Kendra Santos</i> Street, Apt. No., or PO Box No. <i>P O Box 69</i> City, State, ZIP+4 [®] <i>Creston CA 93432-0069</i>	
PS Form 3800, August 2006 See Reverse for Instructions	

7011 2970 0004 3265 3378

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature <input checked="" type="checkbox"/> <i>Joyce Sato-Kwon</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: PA/MAC 2-8-13 Kendra Santos P O Box 69 Creston CA 93432-0069		B. Received by (Printed Name) Taylor Santos	
		C. Date of Delivery <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)		7011 2970 0004 3265 3385	



PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

Paavo Ogren, Director

County Government Center, Room 207 • San Luis Obispo, CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: pwd@co.slo.ca.us

February 8, 2013

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Kendra Santos, et con
P. O. Box 69
Creston, CA 93432-0069

Subject: LA Panza Road Widening Project
Project #300397, County Parcel #12-12
Portion of APN 043-091-052 (Santos, et con)

NOTICE OF INTENT TO ADOPT RESOLUTION OF NECESSITY

Hearing Date: March 26, 2013

Location: Board Chambers of the Board of Supervisors of San Luis Obispo County
County Government Center, 1055 Monterey Street
San Luis Obispo, California 93408

Time: 9 am (or as soon thereafter as the matter may be called before the Board)

Dear Ms. Santos:

As you know from the County's offer made on December 4, 2012, the County seeks to acquire an easement over a portion of your property (APN 043-091-052) for the La Panza Road Widening Project. A description of the required easement is attached to this notice and is marked Exhibit 1.

You acknowledged receipt of the above noted offer letter when we met at the La Panza Road Project Information Meeting on January 8, 2013. I have attempted to contact you on multiple occasions to arrange a meeting to further discuss the County's offer to purchase the necessary easement. You have declined such a meeting.

The eminent domain laws provide procedures for public agencies to acquire private property for public use. It requires that every agency which intends to acquire property by eminent domain notify the owners of such intention. California Law provides that the power of eminent domain may be exercised to acquire property for a proposed project if the following four conditions are established:

- (A) That public interest and necessity require the project.
- (B) The project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.
- (C) The property sought to be acquired is necessary for the project.
- (D) The offer required by Section 7267.2 of the Government Code has been made to the owner of record (This offer was made to you dated December 4, 2012 as noted above).

You are hereby notified that the County of San Luis Obispo Board of Supervisors (the Board), at its meeting to be held on the date, time and location noted above, will be asked to decide if the above conditions have been met concerning your property and, if so, to adopt a Resolution of Necessity ("Resolution") for the acquisition of the subject property by eminent domain for the project noted at the top of this notice. Questions regarding the amount of compensation to be paid or the value of the property to be acquired are not part of this proceeding and the Board will not consider such in determining whether a Resolution should be adopted.

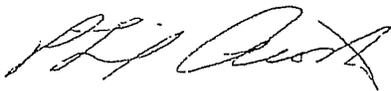
The Board's adoption of the Resolution of Necessity would authorize the County of San Luis Obispo to commence eminent domain proceedings in Superior Court to acquire the subject property. All issues related to the compensation to be awarded for the acquisition of your property will be addressed in this subsequent court proceeding.

Pursuant to the California Code of Civil Procedure, each person whose property is to be acquired by eminent domain is to be provided a reasonable opportunity to appear and be heard by the governing body regarding the four conditions referenced above. If you file a written request to appear (within 15 days from the date of this Notice), you are entitled to appear and be heard. All requests to appear must be sent for filing to Paavo Ogren, Director of Public Works, County Government Center, Room 207, San Luis Obispo, CA 93408.

For your convenience, if you are unable to personally appear or choose to submit a written statement in place of a personal appearance, the Board will consider any written statement so long as they are filed within the 15-day period set forth above. All written statements filed with the County within the 15-day period will become part of the official record of the meeting at which the Board hears the Resolution. We recommend that if you intend to appear, or if you intend to submit a written statement in place of an appearance, you mail your correspondence Certified Mail, Return Receipt Requested for confirmation that your response was received within the 15-day period.

If you have any questions, please call the undersigned at telephone number (805) 781-5290.

Sincerely,



PHIL ACOSTA
Right of Way Agent

Attachments

c: Debbie Arnold, County Supervisor, District 5
Paavo Ogren, Director – Public Works
Genaro Diaz, Project Manager

File: CF 300180; APN 043-091-052 (Santos)

L:\DESIGN\FEB13\Santos RON Notice.doc.PA:mac

EXHIBIT 1

A Permanent Exclusive Easement in perpetuity for Public Road and Slope purposes including, but not limited to, the right to lay, construct, repair, maintain, operate, renew and replace roadway improvements, roadway related water collection and drainage systems, public utility facilities and appurtenances incidental thereto, in, over, on, along, through, within, under, and across that certain real property situate in the County of San Luis Obispo, State of California, described and depicted in Exhibit "A" attached hereto and incorporated herein by reference. Said Permanent Exclusive Easement includes the right to maintain slopes and ditches; plant and maintain grass, plants, or shrubs within the easement area for soil erosion purposes.

LEGAL DESCRIPTION

SANTOS-KARNEY EASEMENT PARCEL

A portion of Parcel 1 of Parcel Map CO-74-296, in the County of San Luis Obispo, State of California, according to the map recorded February 13, 1975 in Book 16 at Page 92 of Parcel Maps in the Office of the County Recorder of said County, said portion lying northeasterly of the following described line:

Beginning at the corner common to Lot 44 and Lot 45 of said Ramona Acres Units No. 1 and 2, and on the southwesterly right of way line of La Panza Road, said corner being marked by a 1 ½ inch iron pipe tagged LS 3976 according to the Record of Survey map recorded June 29, 1983 in Book 45 at Page 31 of Licensed Surveys in the Office of the County Recorder of said County, said point bearing South 61°43'30" East 576.07 feet (S 61°57'00" E per said 45/LS/31) from a 1 ½ inch iron pipe tagged LS 3976 marking the intersection of the said southwesterly right of way line with the easterly side line of a 40 foot wide road as shown on said Record of Survey map;

Thence North 61°43'30" West 185.14 feet;

Thence South 28°08'53" West 23.33 feet;

Thence North 61°51'07" West 69.08 feet;

Thence North 61°19'43" West 157.69 feet to the beginning of a curve concave to the northeast having a radius of 645.00 feet;

Thence northwesterly 381.96 feet along said curve through a central angle of 33°55'47";

Thence North 27°23'56" West 625.76 feet;

Thence North 27°45'07" West 415.17 feet;

Thence North 27°15'19" West 527.55 feet to the beginning of a curve concave to the northeast having a radius of 59,918.00 feet;

Thence northwesterly 1,283.10 feet along said curve through a central angle of 1°13'37";

Thence North 26°01'42" West 1,797.72 feet to the beginning of a curve concave to the southwest having a radius of 3,955.00 feet;

EXHIBIT A

(page 2 of 5)

Thence northwesterly 247.02 feet along said curve through a central angle of 3°34'43";

Thence North 29°36'25" West 480.96 feet;

Thence North 30°08'02" West 265.75 feet to the beginning of a curve concave to the southwest having a radius of 505.00 feet;

Thence northwesterly 235.81 feet along said curve through a central angle of 26°45'17";

Thence North 56°53'19" West 166.24 feet;

Thence North 33°00'00" East 15.27 feet;

Thence North 57°21'21" West 739.37 feet to a ½ inch rebar capped LS 3877 marking the most northerly corner of Parcel 1 of CO-74-296 and on the said southwesterly right of way line, according to the Record of Survey map recorded June 6, 1978 in Book 31 at Page 53 of Licensed Surveys in the Office of the County Recorder of said County, said point bearing North 33°54'08" West 7,394.10 feet from the Point of Beginning.

Containing 15,231 square feet more or less.

The above described Parcel is graphically shown on the Overall and Santos-Karney Easement Exhibits, consisting of three pages, attached hereto and made a part hereof.

END DESCRIPTION

Joseph T. Morris

Joseph T. Morris, PLS 6192 10/10/2012



EXHIBIT A
(page 3 of 5)

LEGEND

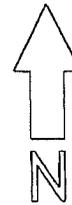
● = 1-1/2" IRON PIPE TAGGED
LS 3976 PER R UNLESS
NOTED OTHERWISE

R = 45/LS/31

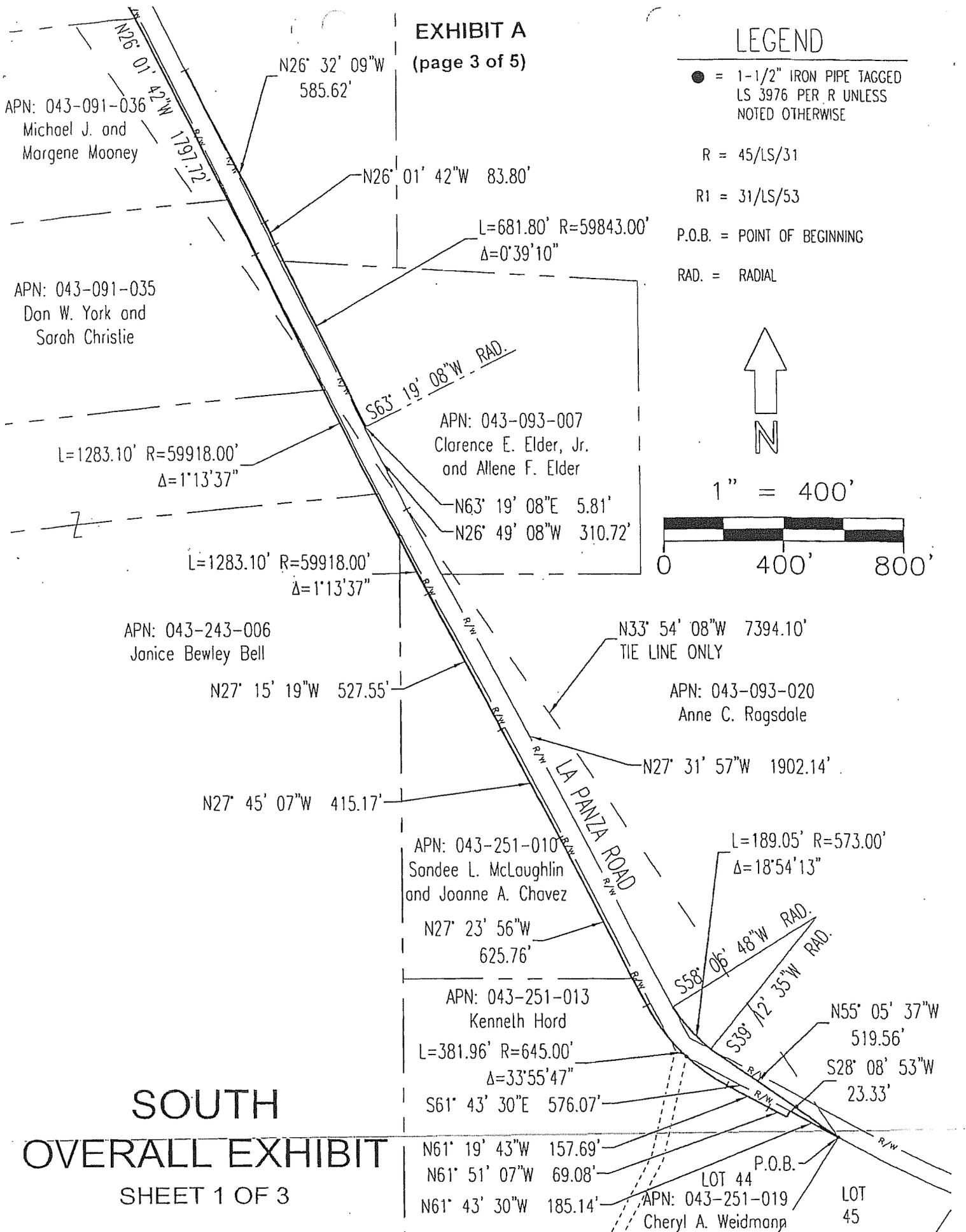
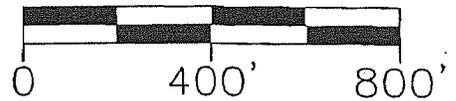
R1 = 31/LS/53

P.O.B. = POINT OF BEGINNING

RAD. = RADIAL



1" = 400'



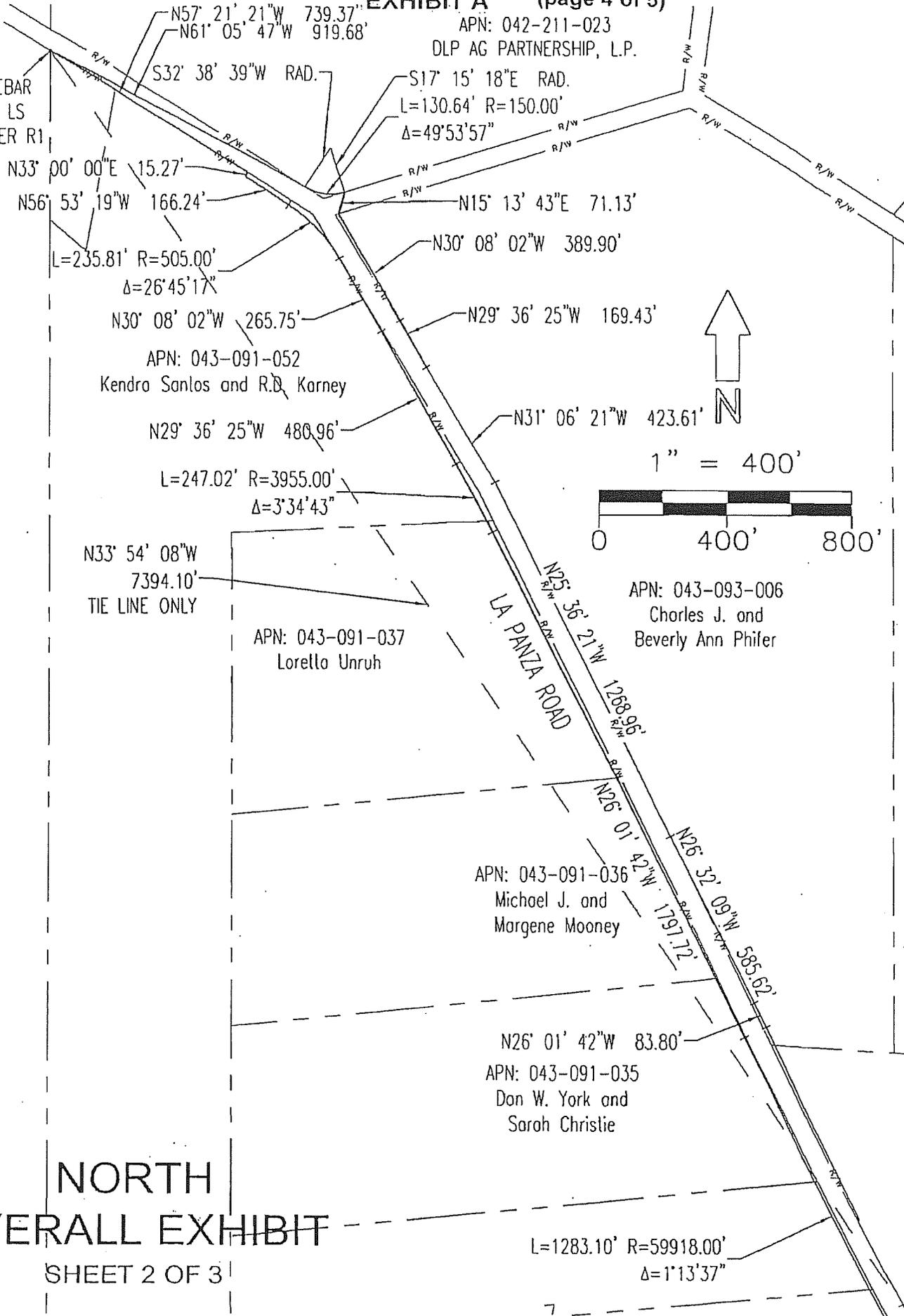
SOUTH
OVERALL EXHIBIT
SHEET 1 OF 3

P.O.B.
LOT 44
APN: 043-251-019
Cheryl A. Weidman
LOT 45

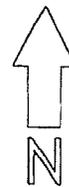
EXHIBIT A (page 4 of 5)

APN: 042-211-023
DLP AG PARTNERSHIP, L.P.

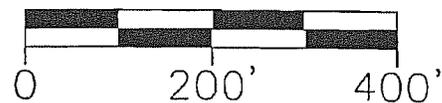
1/2" REBAR
CAPPED LS
3877 PER R1



NORTH
OVERALL EXHIBIT
SHEET 2 OF 3



1" = 200'



1/2" REBAR
CAPPED LS
3877 PER R1

N57° 21' 21"W 739.37'

N33° 00' 00"E 15.27'

N56° 53' 19"W 166.24'

L=235.81' R=505.00'
Δ=26°45'17"

RYAN ROAD

N30° 08' 02"W 265.75'

LA PANZA ROAD

N29° 36' 25"W 480.96'

N33° 54' 08"W 7394.10'
TIE LINE ONLY

L=247.02' R=3955.00'
Δ=3°34'43"

**SANTOS-KARNEY
EASEMENT PARCEL**

15231 Sq. Ft.+/-

SHEET 3 OF 3

PARCEL 1
16/PM/92
APN: 043-091-052
Kendra Santos and
R.D. Karney