

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

(1) DEPARTMENT Public Works	(2) MEETING DATE 11/25/2014	(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5290	
(4) SUBJECT Submittal of right of way documents accepting conveyance from Buttonwood Properties, LLC for the Buckley Road Widening Project, San Luis Obispo. District 3.			
(5) RECOMMENDED ACTION It is recommended that the Board: A. Approve and execute the Right of Way Agreement and accept the accompanying Public Road and Slope Easement Deed from Buttonwood Properties, LLC (No. 14-01) by execution of the attached Certificate of Acceptance, and direct the Clerk to record the Deed and return copies of the executed Agreement and recorded Deed to the Department of Public Works for completion of the transaction; and B. Authorize the Public Works Director, or his designee, to execute any remaining escrow and payment related documents or instructions necessary to close the transaction associated with this real property interest.			
(6) FUNDING SOURCE(S) HSIP, Road fund	(7) CURRENT YEAR FINANCIAL IMPACT \$27,500.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(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) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A    Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) District 3			

Reference: 14NOV25-C-3

# 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: 11/25/2014

SUBJECT: Submittal of right of way documents accepting conveyance from Buttonwood Properties, LLC for the Buckley Road Widening Project, San Luis Obispo. District 3.

## **RECOMMENDATION**

It is recommended that the Board:

- A. Approve and execute the Right of Way Agreement and accept the accompanying Public Road and Slope Easement Deed from Buttonwood Properties, LLC (No. 14-01) by execution of the attached Certificate of Acceptance, and direct the Clerk to record the Deed and return copies of the executed Agreement and recorded Deed to the Department of Public Works for completion of the transaction; and
- B. Authorize the Public Works Director, or his designee, to execute any remaining escrow and payment related documents or instructions necessary to close the transaction associated with this real property interest.

## **DISCUSSION**

Buckley Road is an urban arterial located south of the City of San Luis Obispo, along the southerly boundary of the San Luis Obispo County Regional Airport, between Vachell Lane and Highway 227. Due to a traffic collision history, the County was awarded a \$900,000 Federal Highway Safety Improvement Program (HSIP) grant to improve an existing curve and access along Buckley Road. The project will widen the road between Thread Lane and Buttonwood Way to increase recovery zones and add a center turn lane through a commercially zoned area.

The attached Right of Way Agreement and Public Road and Slope Easement Deed from Buttonwood Properties, LLC, will provide the County and its contractors with the third of a total of four real property interests required to construct the proposed widening project.

This acquisition represents a negotiated settlement initiated upon a fair market value staff appraisal

and supported by the owners' statutory appraisal funded by the County pursuant to Code of Civil Procedure Section 1263.025.

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 Certificates of Acceptance, will allow the Department to proceed with processing and payment pursuant to the Agreement.

Pending the action of acquire one final real property interest, the project construction is expected to be done in the 2015/16 fiscal year.

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

County Counsel has reviewed and approved the attached documents as to legal form and effect. The San Luis Obispo County Environmental Coordinator determined the project to be exempt from Section 21000 et seq., of the California Public Resources Code (CEQA).

Staff has conducted Public Outreach meetings and sent Project Updates to the affected and adjacent properties.

Caltrans is providing FHWA oversight due to Federal funding.

### **FINANCIAL CONSIDERATIONS**

The Right of Way Agreement provides for the following compensation:

Buttonwood Properties, LLC	\$27,500
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This project is a multi-year project budgeted in Road Fund for FY 2014-15 WBS 300490 in the amount of \$838,487. The project will receive funds from Federal Highway Safety Improvement Program (HSIP) and the Road Fund.

### **RESULTS**

Approval of the recommended actions will result in the appropriation of property rights required for this budgeted project. Completion of the project will provide for a safer and healthier community.

File: WBS 300490.05 (Buckley Road Widening Project)

Reference: 14NOV25-C-3

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### **ATTACHMENTS**

1. Vicinity Map
2. Right of Way Agreement, Parcel 14-01
3. Public Road and Slope Easement Deed and Certificate of Acceptance, Parcel 14-01