

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

(1) DEPARTMENT Public Works	(2) MEETING DATE 4/17/2012	(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5252	
(4) SUBJECT Submittal of right of way documents accepting conveyances Jill Heilmann, from Thomas Mora, from Gary and Carol Duff, and from John Seward, for the Templeton Road Widening Project, Atascadero (WBS 300386).			
(5) RECOMMENDED ACTION It is our recommendation that your Honorable Board: <ol style="list-style-type: none"> <li>1. Approve and execute the Heilmann; Mora; Duff; and Seward Right of Way Agreements; and accept the accompanying Heilmann; Mora; and Duff Public Road and Slope Easement Deeds; and Seward Drainage Easement Deed by execution of each attached Certificate of Acceptance, and direct the Clerk to return the Agreements and Deeds to the Department of Public Works for processing; and</li> <li>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> </li> </ol>			
(6) FUNDING SOURCE(S) FHWA HR3, Prop 1B	(7) CURRENT YEAR FINANCIAL IMPACT \$11,500.00	(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 type="checkbox"/> N/A Date 1/24/12, Item 6	
(18) ADMINISTRATIVE OFFICE REVIEW  <i>Nikki J. Schmidt</i>			
(19) SUPERVISOR DISTRICT(S) District 5 -			

## 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: 4/17/2012

SUBJECT: Submittal of right of way documents accepting conveyances from Jill Heilmann, from Thomas Mora, from Gary and Carol Duff, and from John Seward, for the Templeton Road Widening Project, Atascadero (WBS 300386).

### **RECOMMENDATION**

It is our recommendation that your Honorable Board:

1. Approve and execute the Heilmann; Mora; Duff; and Seward Right of Way Agreements; and accept the accompanying Heilmann; Mora; Duff; and Seward Public Road and Slope Easement Deeds by execution of each attached Certificate of Acceptance, and direct the Clerk to return the Agreements and Deeds 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 excavating along the existing roadway, creating new slopes, placing fill material in low areas, realigning an existing roadside ditch, and replacing several culverts.

The attached Right of Way Agreements and Public Road and Slope Easement Deeds are being processed as separate property acquisitions; a) from Jill Heilmann, b) from Thomas Mora, c) from Gary and Carol Duff, and d) from John Seward. The acquisitions will provide the County and its contractors with the necessary permanent and temporary real property rights to construct the proposed widening project and related slope and drainage features.

These acquisitions are based upon fair market value determined by staff appraisals. The approval and execution of each Right of Way Agreement and the acceptance of the related Public Road and Slope Easement Deeds, by execution of the attached Certificates of Acceptance, will allow the Department to proceed with processing and payment pursuant to the respective Agreements.

Hamner Jewell and Associates processed the offers with the property owners on behalf of the County.

**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 on January 24, 2012 (Item 6).

Caltrans is providing FHWA oversight due to Federal funding.

**FINANCIAL CONSIDERATIONS**

The Right of Way Agreements provide for the following compensation:

Jill Heilmann	\$ 2,000
Thomas Mora	\$ 4,000
Gary and Carol Duff	\$ 4,500
John Steward	<u>\$ 1,000</u>
Total	\$11,500

This project is a multi-year project budgeted in Roads Fund for FY 2011-12 - WBS 300386. The project will be funded by 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: 12APR17-C-2

L:\DESIGN\APR12\BOS\Templeton Rd RW Attachments\Templeton Rd RW bd ltr.doc.PA:mac

## **ATTACHMENTS**

1. Vicinity Map
2. Right of Way Agreement - Heilmann
3. Exhibit A to Right of Way Agreement - Heilmann
4. Public Road and Slope Easement Deed - Heilmann
5. Exhibit A to Public Road and Slope Easement Deed - Heilmann
6. Exhibit B to Public Road and Slope Easement Deed - Heilmann
7. Right of Way Agreement - Mora
8. Exhibit A to Right of Way Agreement - Mora
9. Exhibit B to Right of Way Agreement - Mora
10. Public Road and Slope Easement Deed - Mora
11. Exhibit A to Public Road and Slope Easement Deed - Mora
12. Exhibit B to Public Road and Slope Easement Deed - Mora
13. Right of Way Agreement - Duff
14. Public Road and Slope Easement Deed - Duff
15. Exhibit A to Public Road and Slope Easement Deed - Duff
16. Right of Way Agreement - Seward
17. Drainage Easement Deed - Seward
18. Exhibit A to Drainage Easement Deed - Seward