

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: October 19-20, 2016

Reference No: 2.4e.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Jennifer S. Lowden, Chief
Division of Right of Way and
Land Surveys

Subject: **RESCINDING RESOLUTIONS OF NECESSITY**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolutions of Necessity (Resolution) CR-154 through CR-158, rescinding Resolutions C-21412, C-21413, C-21415, C-21416, and C-21390. In accordance with statutory requirements, the owners have been advised that the Department is requesting rescission of Resolutions C-21412, C-21413, C-21415, C-21416, and C-21390, as summarized on the following pages.

ISSUE:

On December 9, 2015 and January 20, 2016 the Commission adopted Resolutions C-21412, C-21413, C-21415, C-21416, and C-21390. These Resolutions are now being rescinded because the condemnation lawsuits that were filed under the authority of the adopted Resolutions have been dismissed.

BACKGROUND:

Resolutions C-21412, C-21413, C-21415, C-21416, and C-21390 were adopted on December 9, 2015 and January 20, 2016 for Segment 13 of the State Route (SR) 138 widening project in Los Angeles County. These Resolutions authorized condemnation of land in fee for a State highway and underlying fee. The condemnation lawsuits that were filed under the authority of these adopted Resolutions have been dismissed. Therefore, it is requested that these Resolutions be rescinded at the October 19-20, 2016 Commission meeting.

CR-154 - Elizabeth Frances Loucks, et al.

07-LA-138-PM 67.6 - Parcel 76651-1 - EA 286309.

Right of Way Certification (RWC) Date: 07/14/17; Ready to List (RTL) Date: 07/28/17.

Conventional highway - widen conventional highway. Rescinds Resolution of Necessity C-21412, adopted January 20, 2016, which Resolution authorized condemnation of land in fee for a State highway and underlying fee. Resolution C-21412 is rescinded because the condemnation lawsuit that was filed under the authority of the adopted Resolution has been dismissed. Located in the town of Llano on the north side of SR 138, east of 198th Street East and west of Largo Vista Road. Assessor Parcel Numbers (APNs) 3083-008-001, -002.

CR-155 - Gabriel Tejero and Josefina M. Tejero

07-LA-138-PM 67.6 - Parcel 76655-1 - EA 286309.

RWC Date: 07/14/17; RTL Date: 07/28/17. Conventional highway - widen conventional highway. Rescinds Resolution of Necessity C-21413, adopted January 20, 2016, which Resolution authorized condemnation of land in fee for a State highway and underlying fee. Resolution C-21413 is rescinded because the condemnation lawsuit that was filed under the authority of the adopted Resolution has been dismissed. Located in the town of Llano on the north side of SR 138, east of 198th Street East and west of Largo Vista Road. APN 3083-008-017.

CR-156 - James C. Hurst and Laila A. Hurst

07-LA-138-PM 67.1 - Parcel 76662-1 - EA 286309.

RWC Date: 07/14/17; RTL Date: 07/28/17. Conventional highway - widen conventional highway. Rescinds Resolution of Necessity C-21415, adopted January 20, 2016, which Resolution authorized condemnation of land in fee for a State highway and underlying fee. Resolution C-21415 is rescinded because the condemnation lawsuit that was filed under the authority of the adopted Resolution has been dismissed. Located in the town of Llano on the south side of SR 138, east of 195th Street East and west of 198th Street East. APN 3083-010-003.

CR-157 - Maria E. Godecka

07-LA-138-PM 67.6 - Parcel 76672-1; 76673-1; 76674-1 - EA 286309.

RWC Date: 07/14/17; RTL Date: 07/28/17. Conventional highway - widen conventional highway. Rescinds Resolution of Necessity C-21416, adopted January 20, 2016, which Resolution authorized condemnation of land in fee for a State highway and underlying fee. Resolution C-21416 is rescinded because the condemnation lawsuit that was filed under the authority of the adopted Resolution has been dismissed. Located in the town of Llano on the south side of SR 138, east of 198th Street East and west of Largo Vista Road. APNs 3083-010-022, -023, -024.

CR-158 - Nick Nikodinov, et al.

07-LA-138-PM 66.6 - Parcel 76680-1 - EA 286309.

RWC Date: 07/14/17; RTL Date: 07/28/17. Conventional highway - widen conventional highway. Rescinds Resolution of Necessity C-21390, adopted December 9, 2015, which Resolution authorized condemnation of land in fee for a State highway and underlying fee. Resolution C-21390 is rescinded because the condemnation lawsuit that was filed under the authority of the adopted Resolution has been dismissed. Located in the town of Llano on the south side of SR 138, east of 190th Street East, and west of 195th Street East.
APN 3083-011-008.

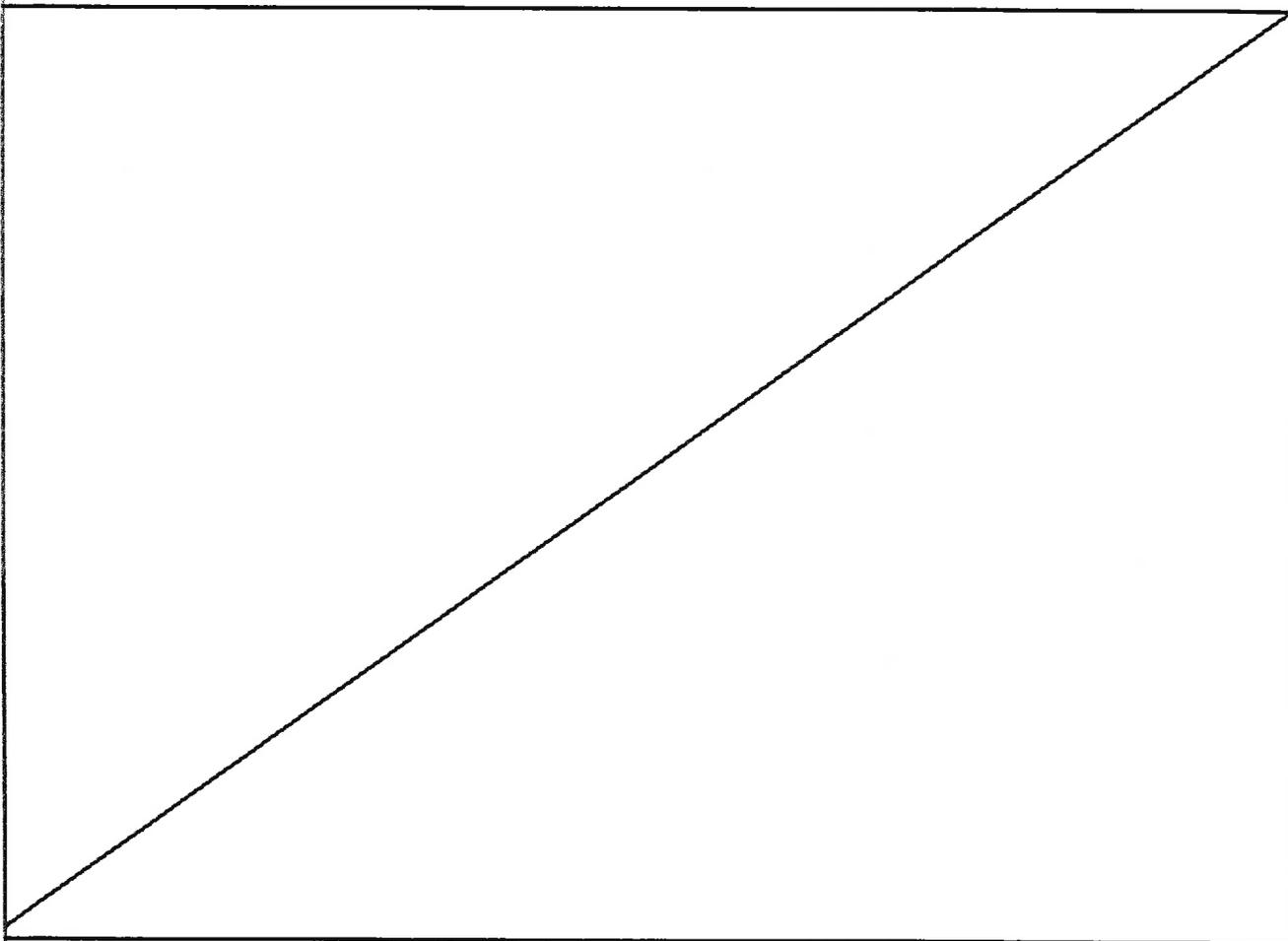
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TRANSPORTATION COMMISSION
RESOLUTION NO.

CR-154

CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION RESCINDING RESOLUTION OF NECESSITY NO. C-21412
ADOPTED January 20, 2016, PROJECT 07-LA-138

RESOLVED, that the action of the California Transportation
Commission taken on January 20, 2016, in adopting Resolution of
Necessity No. C-21412 as to parcel 76651-1 therein, which
resolution authorized condemnation of land in fee for a State
Highway and underlying fee, located in the County of Los Angeles,
07-LA-138, is hereby rescinded.



APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED

Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

TRANSPORTATION COMMISSION
RESOLUTION NO.

C-21412

JAN 20 2016

CALIFORNIA
TRANSPORTATION COMMISSION

CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION OF NECESSITY
TO ACQUIRE CERTAIN REAL PROPERTY
OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
HIGHWAY 07-LA-138-PM 67.6 PARCEL 76651-1
OWNER: Elizabeth Frances Loucks, et al.

Resolved by the California Transportation Commission after notice (and hearing) pursuant to Code of Civil Procedure Section 1245.235 that it finds and determines and hereby declares that:

The hereinafter described real property is necessary for State Highway purposes and is to be acquired by eminent domain pursuant to Streets and Highways Code Section 102; Code of Civil Procedure Section 1240.510 in that the property being acquired is for a compatible use; and Code of Civil Procedure Section 1240.610 in that the property is required for a more necessary public use;

The public interest and necessity require the proposed public project, namely a State highway;

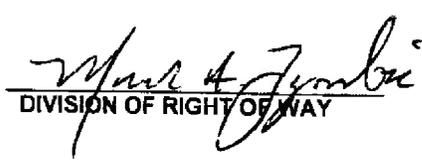
The proposed project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;

The property sought to be acquired and described by this resolution is necessary for the public project;

APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED


Attorney, Department of Transportation

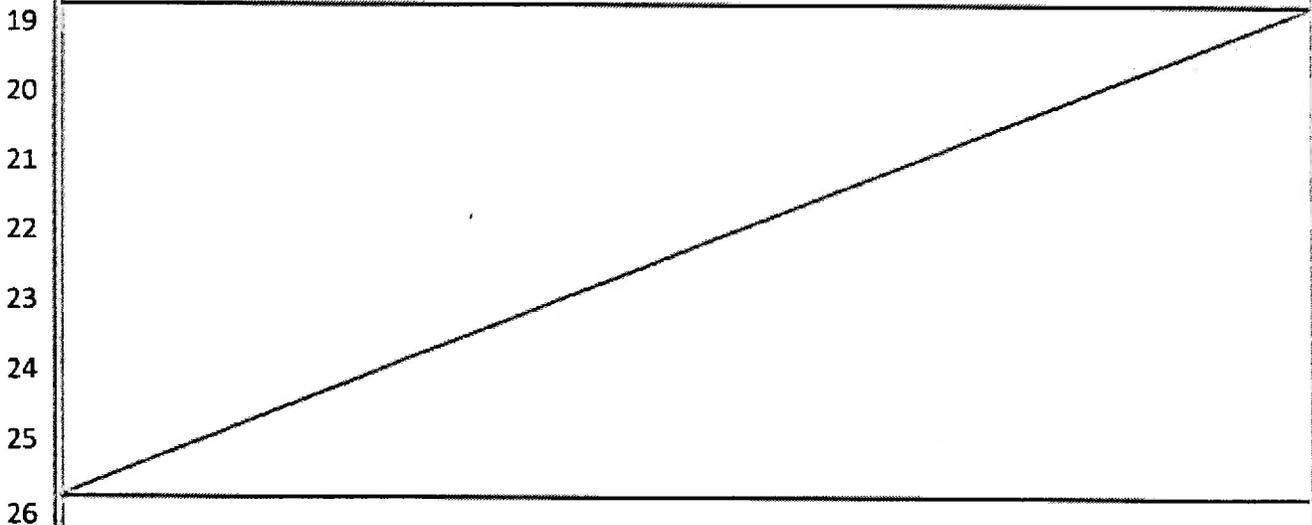

DIVISION OF RIGHT OF WAY

1 The offer required by Section 7267.2 of the Government Code
2 has been made to some but not all the owners of record because one
3 owner of record is deceased and his heirs cannot be located with
4 reasonable diligence; and be it further

5 RESOLVED by this Commission that the Department of
6 Transportation be and said Department is hereby authorized and
7 empowered;

8 To acquire, in the name of the People of the State of
9 California, in fee simple absolute, unless a lesser estate is
10 hereinafter expressly described, the said hereinafter described
11 real property, or interests in real property, by condemnation
12 proceeding or proceedings in accordance with the provisions of the
13 Streets and Highways Code, Code of Civil Procedure and of the
14 Constitution of California relating to eminent domain;

15 The real property or interests in real property, which the
16 Department of Transportation is by this resolution authorized to
17 acquire, is situated in the County of Los Angeles, State of
18 California, Highway 07-LA-138 and described as follows:



TITLE SHEET
(Resolution of Necessity Description)

District	County	Route	Post Mile
07	LA	138	67.6

Project ID 0713000216

Legal descriptions for the parcels listed below are attached.

This document consists of a total of 2 pages.

Parcels in Legal Description: (Insert parcel numbers)
76651-1

The attached real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature James W. White
Professional Land Surveyor

Date 11/19/2015



RESOLUTION OF NECESSITY DESCRIPTION

PARCEL 76651-1:

For State Highway purposes, the Southerly 165.00 feet of the West half of the Southwest quarter of the Southeast quarter of Section 24, Township 5 North, Range 9 West, San Bernardino Meridian, in the County of Los Angeles, State of California, according to the Official Plat of said land.

TOGETHER with underlying fee interest, if any, contiguous to the above described property, in and to the adjoining public way.

END OF DESCRIPTION

THIS IS TO CERTIFY that the foregoing resolution was duly passed by the California Transportation Commission at its meeting regularly called and held on the 20th day of January 2016, in the city of Sacramento and that the foregoing is a full and correct copy of the original resolution. Dated this the 20th day of January 2016.



WILL KEMPTON, Executive Director
CALIFORNIA TRANSPORTATION COMMISSION

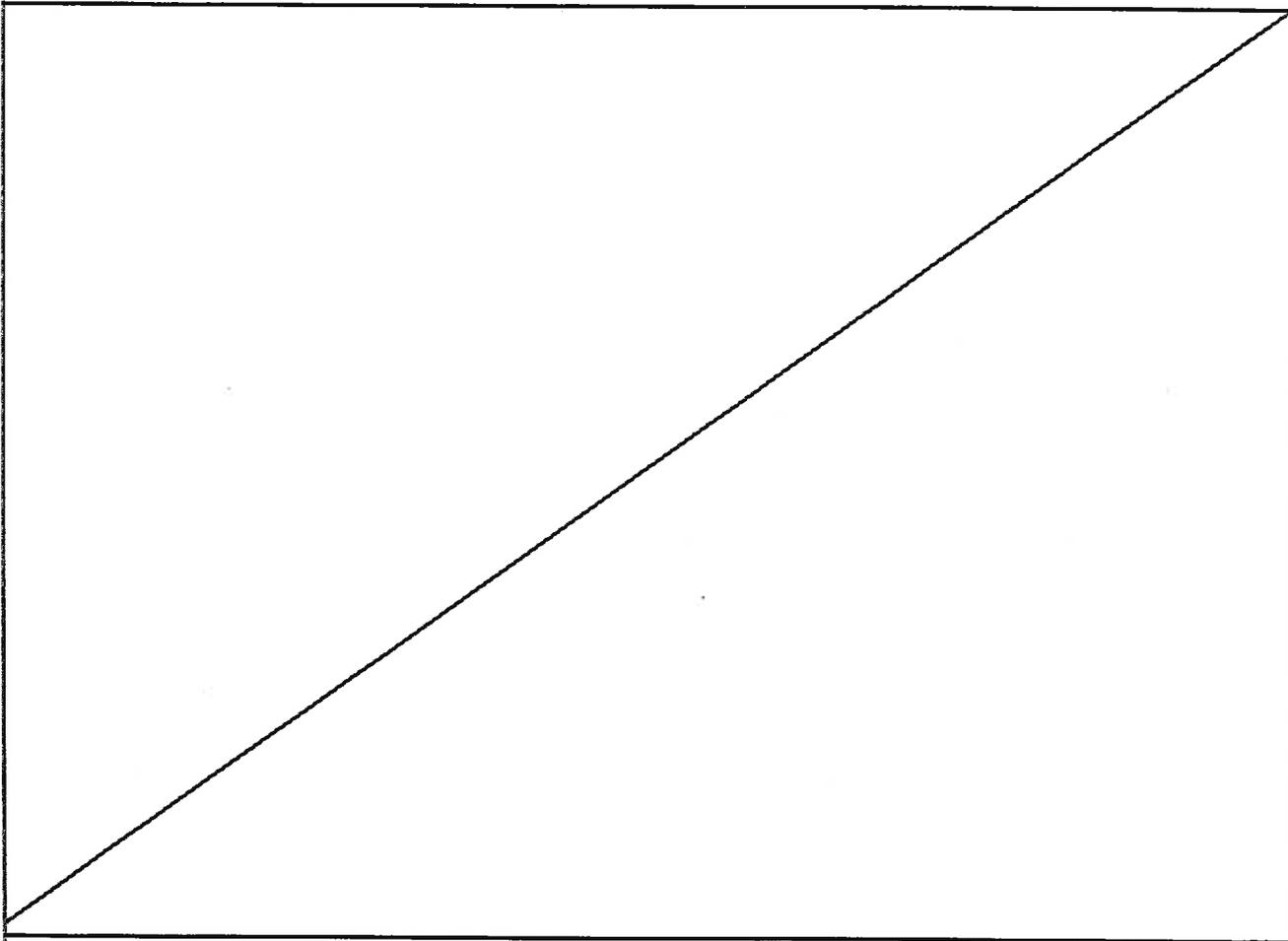
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**TRANSPORTATION COMMISSION
RESOLUTION NO.**

CR-155

CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION RESCINDING RESOLUTION OF NECESSITY NO. C-21413
ADOPTED January 20, 2016, PROJECT 07-LA-138

RESOLVED, that the action of the California Transportation Commission taken on January 20, 2016, in adopting Resolution of Necessity No. C-21413 as to parcel 76655-1 therein, which resolution authorized condemnation of land in fee for a State Highway and underlying fee, located in the County of Los Angeles, 07-LA-138, is hereby rescinded.



APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED

Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

1 TRANSPORTATION COMMISSION
2 RESOLUTION NO.

3 **C-21413**

PASSED BY

CTC

4 CALIFORNIA TRANSPORTATION COMMISSION **JAN 20 2016**
5 RESOLUTION OF NECESSITY CALIFORNIA
6 TO ACQUIRE CERTAIN REAL PROPERTY TRANSPORTATION COMMISSION
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 07-LA-138-PM 67.6 PARCEL 76655-1
9 OWNER: Gabriel Tejero and Josefina M. Tejero

10 Resolved by the California Transportation Commission after
11 notice (and hearing) pursuant to Code of Civil Procedure Section
12 1245.235 that it finds and determines and hereby declares that:

13 The hereinafter described real property is necessary for State
14 Highway purposes and is to be acquired by eminent domain pursuant
15 to Streets and Highways Code Section 102; Code of Civil Procedure
16 Section 1240.510 in that the property being acquired is for a
17 compatible use; and Code of Civil Procedure Section 1240.610 in
18 that the property is required for a more necessary public use;

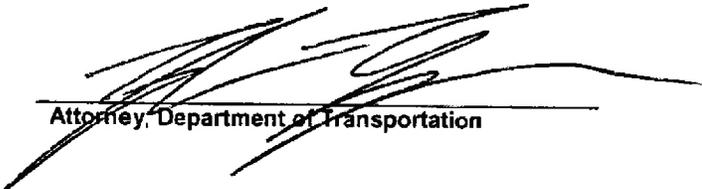
19 The public interest and necessity require the proposed public
20 project, namely a State highway;

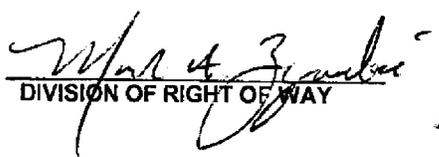
21 The proposed project is planned and located in the manner that
22 will be most compatible with the greatest public good and the least
23 private injury;

24 The property sought to be acquired and described by this
resolution is necessary for the public project;

APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED


Attorney, Department of Transportation

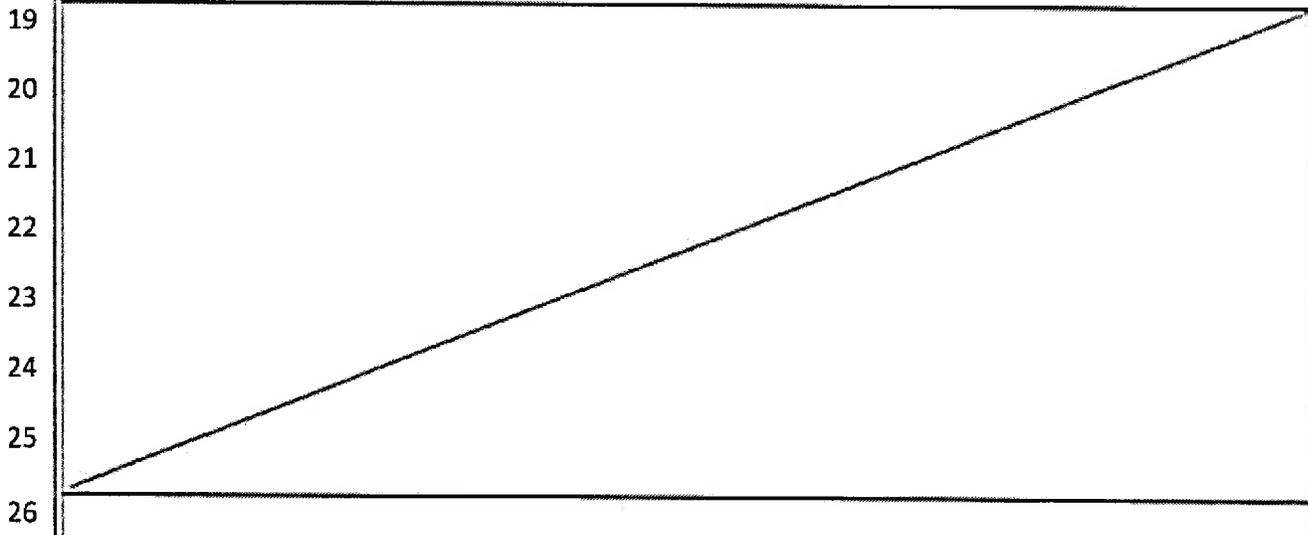

DIVISION OF RIGHT OF WAY

1 The offer required by Section 7267.2 of the Government Code
2 has not been made to the owners of record because they are deceased
3 and the authorized representatives of the estate cannot be located
4 with reasonable diligence; and be it further

5 RESOLVED by this Commission that the Department of
6 Transportation be and said Department is hereby authorized and
7 empowered;

8 To acquire, in the name of the People of the State of
9 California, in fee simple absolute, unless a lesser estate is
10 hereinafter expressly described, the said hereinafter described
11 real property, or interests in real property, by condemnation
12 proceeding or proceedings in accordance with the provisions of the
13 Streets and Highways Code, Code of Civil Procedure and of the
14 Constitution of California relating to eminent domain;

15 The real property or interests in real property, which the
16 Department of Transportation is by this resolution authorized to
17 acquire, is situated in the County of Los Angeles, State of
18 California, Highway 07-LA-138 and described as follows:



RESOLUTION OF NECESSITY DESCRIPTION

PARCEL 76655-1:

For State Highway purposes, that portion of the land conveyed by deed recorded January 16, 1978 as Instrument No. 78-59621, Official Records, in the Office of the Registrar-Recorder/County Clerk of Los Angeles county, State of California, lying Southerly of the North line of the Southerly 165.00 feet of the Southeast quarter of Section 24, Township 5 North, Range 9 West, San Bernardino Meridian, according to the Official plat of said land.

TOGETHER with underlying fee interest, if any, contiguous to the above described property, in and to the adjoining public way.

END OF DESCRIPTION

THIS IS TO CERTIFY that the foregoing resolution was duly passed by the California Transportation Commission at its meeting regularly called and held on the 20th day of January 2016, in the city of Sacramento and that the foregoing is a full and correct copy of the original resolution. Dated this the 20th day of January 2016.



WILL KEMPTON, Executive Director
CALIFORNIA TRANSPORTATION COMMISSION

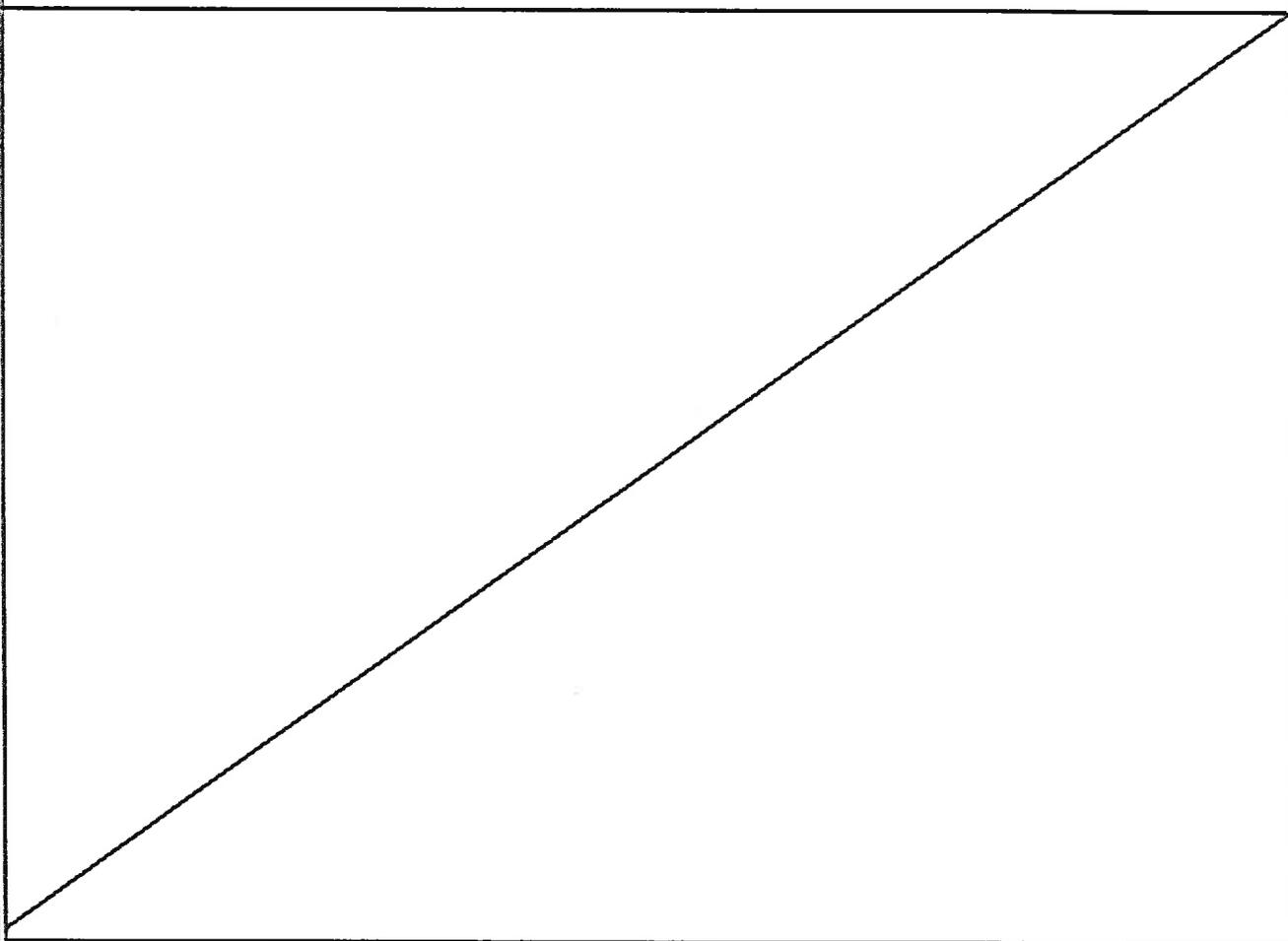
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TRANSPORTATION COMMISSION
RESOLUTION NO.

CR-156

CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION RESCINDING RESOLUTION OF NECESSITY NO. C-21415
ADOPTED January 20, 2016, PROJECT 07-LA-138

RESOLVED, that the action of the California Transportation
Commission taken on January 20, 2016, in adopting Resolution of
Necessity No. C-21415 as to parcel 76662-1 therein, which
resolution authorized condemnation of land in fee for a State
Highway and underlying fee, located in the County of Los Angeles,
07-LA-138, is hereby rescinded.



APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED

Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

TRANSPORTATION COMMISSION
RESOLUTION NO.

C-21415

PASSED BY

CTC

CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION OF NECESSITY

JAN 20 2016
CALIFORNIA
TRANSPORTATION COMMISSION

TO ACQUIRE CERTAIN REAL PROPERTY
OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
HIGHWAY 07-LA-138-PM 67.1 PARCEL 76662-1
OWNER: James C. Hurst and Laila A. Hurst

Resolved by the California Transportation Commission after notice (and hearing) pursuant to Code of Civil Procedure Section 1245.235 that it finds and determines and hereby declares that:

The hereinafter described real property is necessary for State Highway purposes and is to be acquired by eminent domain pursuant to Streets and Highways Code Section 102; Code of Civil Procedure Section 1240.510 in that the property being acquired is for a compatible use; and Code of Civil Procedure Section 1240.610 in that the property is required for a more necessary public use;

The public interest and necessity require the proposed public project, namely a State highway;

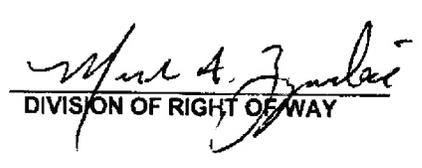
The proposed project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;

The property sought to be acquired and described by this resolution is necessary for the public project;

APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED


Attorney, Department of Transportation


DIVISION OF RIGHT OF WAY

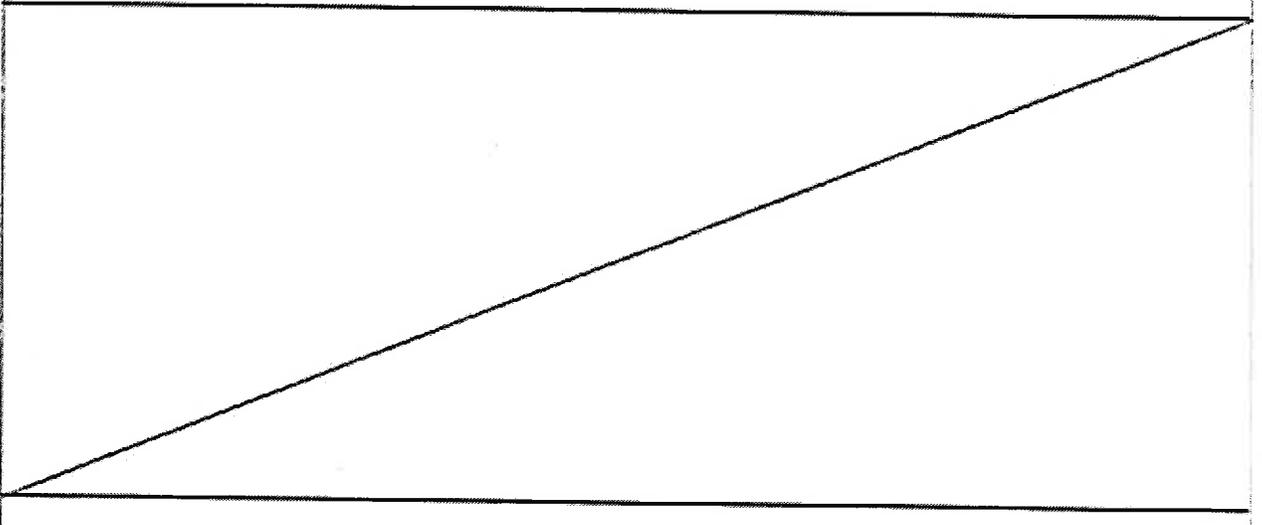
1 The offer required by Section 7267.2 of the Government Code
2 has not been made to the owners of record because they are deceased
3 and the authorized representatives of the estate cannot be located
4 with reasonable diligence; and be it further

5 RESOLVED by this Commission that the Department of
6 Transportation be and said Department is hereby authorized and
7 empowered;

8 To acquire, in the name of the People of the State of
9 California, in fee simple absolute, unless a lesser estate is
10 hereinafter expressly described, the said hereinafter described
11 real property, or interests in real property, by condemnation
12 proceeding or proceedings in accordance with the provisions of the
13 Streets and Highways Code, Code of Civil Procedure and of the
14 Constitution of California relating to eminent domain;

15 The real property or interests in real property, which the
16 Department of Transportation is by this resolution authorized to
17 acquire, is situated in the County of Los Angeles, State of
18 California, Highway 07-LA-138 and described as follows:

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TITLE SHEET
(Resolution of Necessity Description)

District	County	Route	Post Mile
07	LA	138	67.1

Project ID 0713000216

Legal descriptions for the parcels listed below are attached.

This document consists of a total of 2 pages.

Parcels in Legal Description: <Insert parcel numbers>			
76662-1			

The attached real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature Kilyong Yi
Professional Land Surveyor

Date 7/13/15



RESOLUTION OF NECESSITY DESCRIPTION

PARCEL 76662-1:

For State Highway purposes, that portion of the land conveyed by deed recorded January 24, 1968 as Instrument No. 420, Official Records, in the Office of the Registrar-Recorder/County Clerk of Los Angeles county, State of California, lying Northerly of the South line of the Northerly 165.00 feet of the Northwest quarter of Section 25, Township 5 North, Range 9 West, San Bernardino Meridian, according to the Official plat of said land.

Together with underlying fee interest, if any, contiguous to the above-described property in and to the adjoining public way.

END OF DESCRIPTION

THIS IS TO CERTIFY that the foregoing resolution was duly passed by the California Transportation Commission at its meeting regularly called and held on the 20th day of January 2016, in the city of Sacramento and that the foregoing is a full and correct copy of the original resolution. Dated this the 20th day of January 2016.



WILL KEMPTON, Executive Director
CALIFORNIA TRANSPORTATION COMMISSION

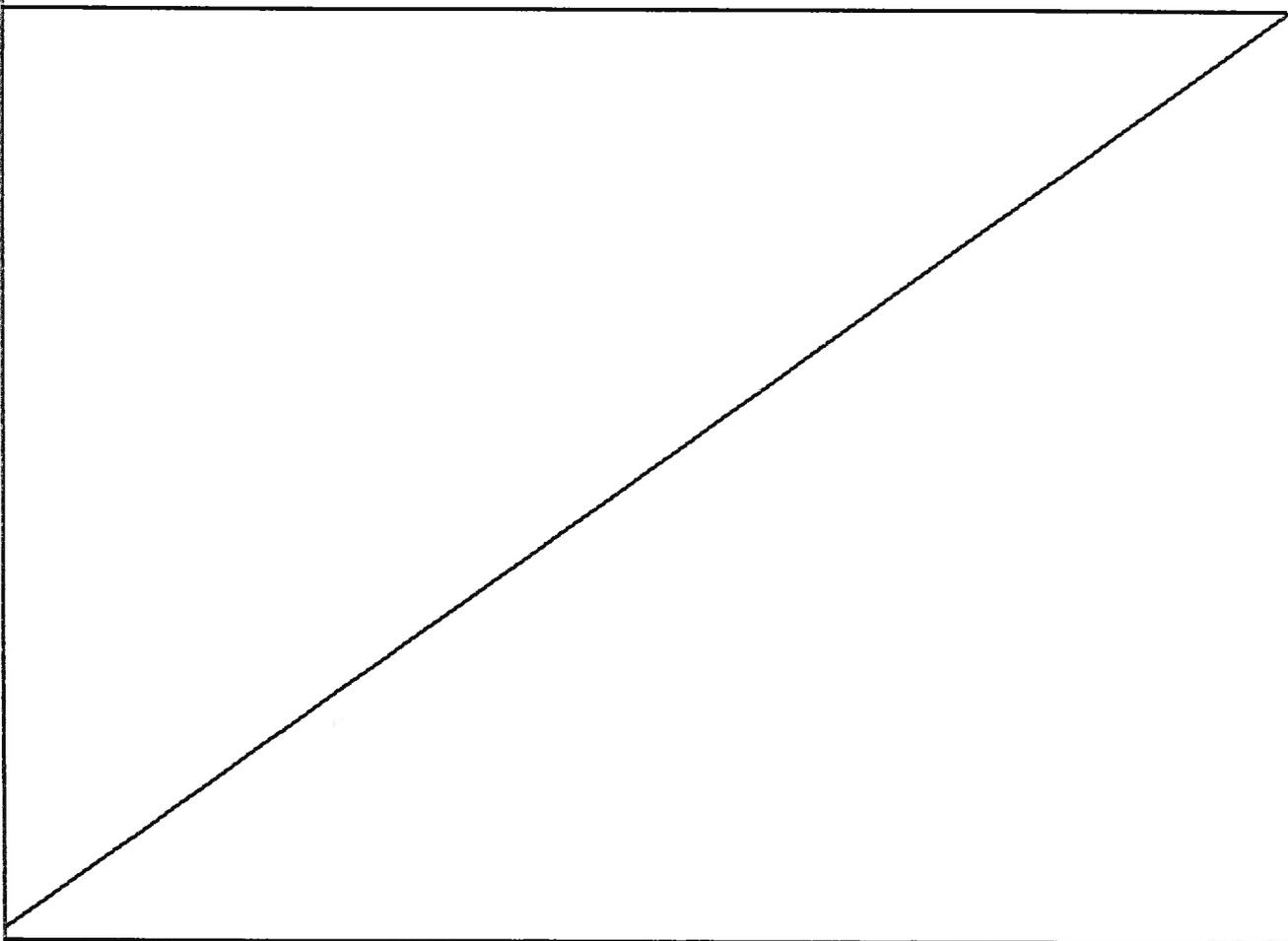
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TRANSPORTATION COMMISSION
RESOLUTION NO.

CR-157

CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION RESCINDING RESOLUTION OF NECESSITY NO. C-21416
ADOPTED January 20, 2016, PROJECT 07-LA-138

RESOLVED, that the action of the California Transportation
Commission taken on January 20, 2016, in adopting Resolution of
Necessity No. C-21416 as to parcel 76672-1; 76673-1; 76674-1
therein, which resolution authorized condemnation of land in fee
for a State Highway and underlying fee, located in the County of
Los Angeles, 07-LA-138, is hereby rescinded.



APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED

Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

1 TRANSPORTATION COMMISSION
2 RESOLUTION NO.

3 **C-21416**

PASSED BY

CTC

4 CALIFORNIA TRANSPORTATION COMMISSION **JAN 20 2016**
5 RESOLUTION OF NECESSITY CALIFORNIA
6 TO ACQUIRE CERTAIN REAL PROPERTY TRANSPORTATION COMMISSION
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 07-LA-138-PM 67.6 PARCEL 76672-1; 76673-1; 76674-1
9 OWNER: Maria E. Godecka

10 Resolved by the California Transportation Commission after
11 notice (and hearing) pursuant to Code of Civil Procedure Section
12 1245.235 that it finds and determines and hereby declares that:

13 The hereinafter described real property is necessary for State
14 Highway purposes and is to be acquired by eminent domain pursuant
15 to Streets and Highways Code Section 102; Code of Civil Procedure
16 Section 1240.510 in that the property being acquired is for a
17 compatible use; and Code of Civil Procedure Section 1240.610 in
18 that the property is required for a more necessary public use;

19 The public interest and necessity require the proposed public
20 project, namely a State highway;

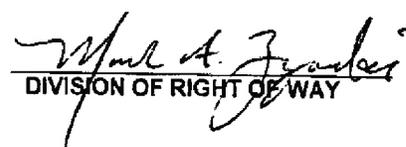
21 The proposed project is planned and located in the manner that
22 will be most compatible with the greatest public good and the least
23 private injury;

24 The property sought to be acquired and described by this
25 resolution is necessary for the public project;

APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED


Attorney, Department of Transportation

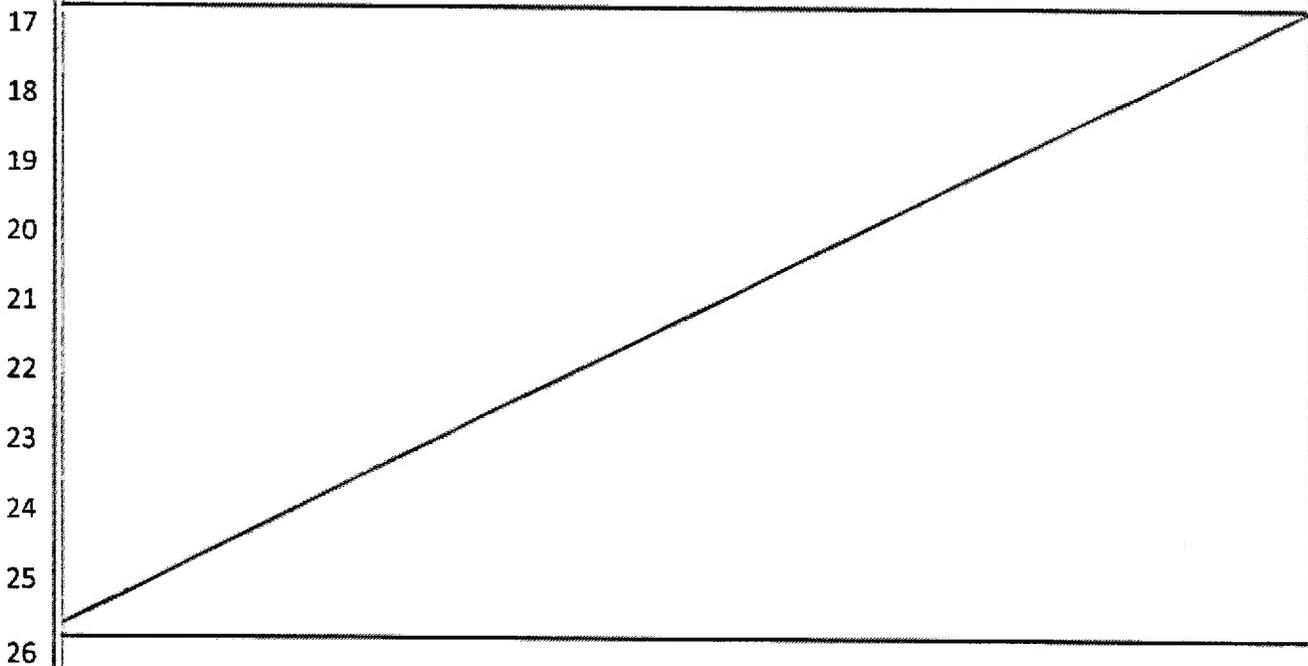

DIVISION OF RIGHT OF WAY

1 The offer required by Section 7267.2 of the Government Code
2 has been made to the owner or owners of record; and be it further

3 RESOLVED by this Commission that the Department of
4 Transportation be and said Department is hereby authorized and
5 empowered;

6 To acquire, in the name of the People of the State of
7 California, in fee simple absolute, unless a lesser estate is
8 hereinafter expressly described, the said hereinafter described
9 real property, or interests in real property, by condemnation
10 proceeding or proceedings in accordance with the provisions of the
11 Streets and Highways Code, Code of Civil Procedure and of the
12 Constitution of California relating to eminent domain;

13 The real property or interests in real property, which the
14 Department of Transportation is by this resolution authorized to
15 acquire, is situated in the County of Los Angeles, State of
16 California, Highway 07-LA-138 and described as follows:



TITLE SHEET
(Resolution of Necessity Description)

District	County	Route	Post Mile
07	LA	138	67.6

Project ID 0713000216

Legal descriptions for the parcels listed below are attached.

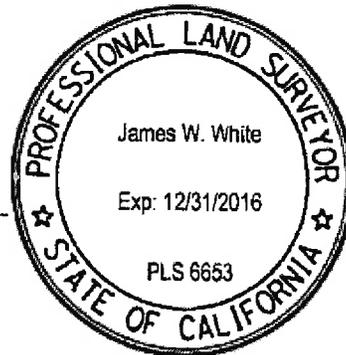
This document consists of a total of 3 pages.

Parcels in Legal Description: <i>(Insert parcel numbers)</i>					
76672-1					
76673-1					
76674-1					

The attached real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature *James W. White*
Professional Land Surveyor

Date 11/19/2015



RESOLUTION OF NECESSITY DESCRIPTION

PARCEL 76672-1:

For State Highway purposes, that portion of the land conveyed by deed recorded July 14, 1999 as Instrument No. 99-1299779, Official Records, in the Office of the Registrar-Recorder/County Clerk of Los Angeles county, State of California, lying Northerly of the South line of the Northerly 50.00 feet of the Northeast quarter of Section 25, Township 5 North, Range 9 West, San Bernardino Meridian, according to the Official plat of said land.

Together with underlying fee interest, if any, contiguous to the above-described property in and to the adjoining public way.

PARCEL 76673-1:

For State Highway purposes, that portion of the land in the County of Los Angeles, State of California, conveyed in a deed recorded September 19, 2002 as Instrument No. 02-2201403, Official Records, in the Office of the Registrar-Recorder/County Clerk of said county, described as follows:

All that land lying Northerly of the South line of the Northerly 50.00 feet of the Northeast quarter of Section 25, Township 5 North, Range 9 West, San Bernardino Meridian, according to the Official plat of said land.

Together with underlying fee interest, if any, contiguous to the above-described property in and to the adjoining public way.

PARCEL 76674-1:

For State Highway purposes, that portion of land in the County of Los Angeles, State of California as conveyed in a deed recorded on April 13, 2000 as Instrument No. 00-0558753, Official Records, in the Office of the Registrar-Recorder/County Clerk of said county, described as follows:

All of that land lying Northerly of the South line of the Northerly 60.00 feet of the Northeast quarter of Section 25, Township 5 North, Range 9 West, San Bernardino Meridian, according to the Official plat of said land.

Together with underlying fee interest, if any, contiguous to the above-described property in and to the adjoining public way.

END OF DESCRIPTION

THIS IS TO CERTIFY that the foregoing resolution was duly passed by the California Transportation Commission at its meeting regularly called and held on the 20th day of January 2016, in the city of Sacramento and that the foregoing is a full and correct copy of the original resolution. Dated this the 20th day of January 2016.



WILL KEMPTON, Executive Director
CALIFORNIA TRANSPORTATION COMMISSION

TRANSPORTATION COMMISSION
RESOLUTION NO.

CR-158

CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION RESCINDING RESOLUTION OF NECESSITY NO. C-21390
ADOPTED December 9, 2015, PROJECT 07-LA-138

RESOLVED, that the action of the California Transportation
Commission taken on December 9, 2015, in adopting Resolution of
Necessity No. C-21390 as to parcel 76680-1 therein, which
resolution authorized condemnation of land in fee for a State
Highway and underlying fee, located in the County of Los Angeles,
07-LA-138, is hereby rescinded.

APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED

Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

TRANSPORTATION COMMISSION
RESOLUTION NO.

C-21390

PASSED BY

CTC

DEC 09 2015

CALIFORNIA
TRANSPORTATION COMMISSION

CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION OF NECESSITY
TO ACQUIRE CERTAIN REAL PROPERTY
OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
HIGHWAY 07-LA-138-PM 66.6 PARCEL 76680-1
OWNER: Nick Nikodinov, et al.

Resolved by the California Transportation Commission after notice (and hearing) pursuant to Code of Civil Procedure Section 1245.235 that it finds and determines and hereby declares that:

The hereinafter described real property is necessary for State Highway purposes and is to be acquired by eminent domain pursuant to Streets and Highways Code Section 102; Code of Civil Procedure Section 1240.510 in that the property being acquired is for a compatible use; and Code of Civil Procedure Section 1240.610 in that the property is required for a more necessary public use;

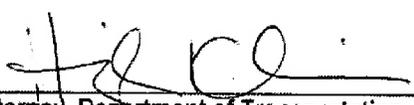
The public interest and necessity require the proposed public project, namely a State highway;

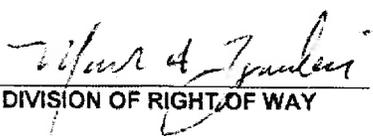
The proposed project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;

The property sought to be acquired and described by this resolution is necessary for the public project;

APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED


Attorney, Department of Transportation

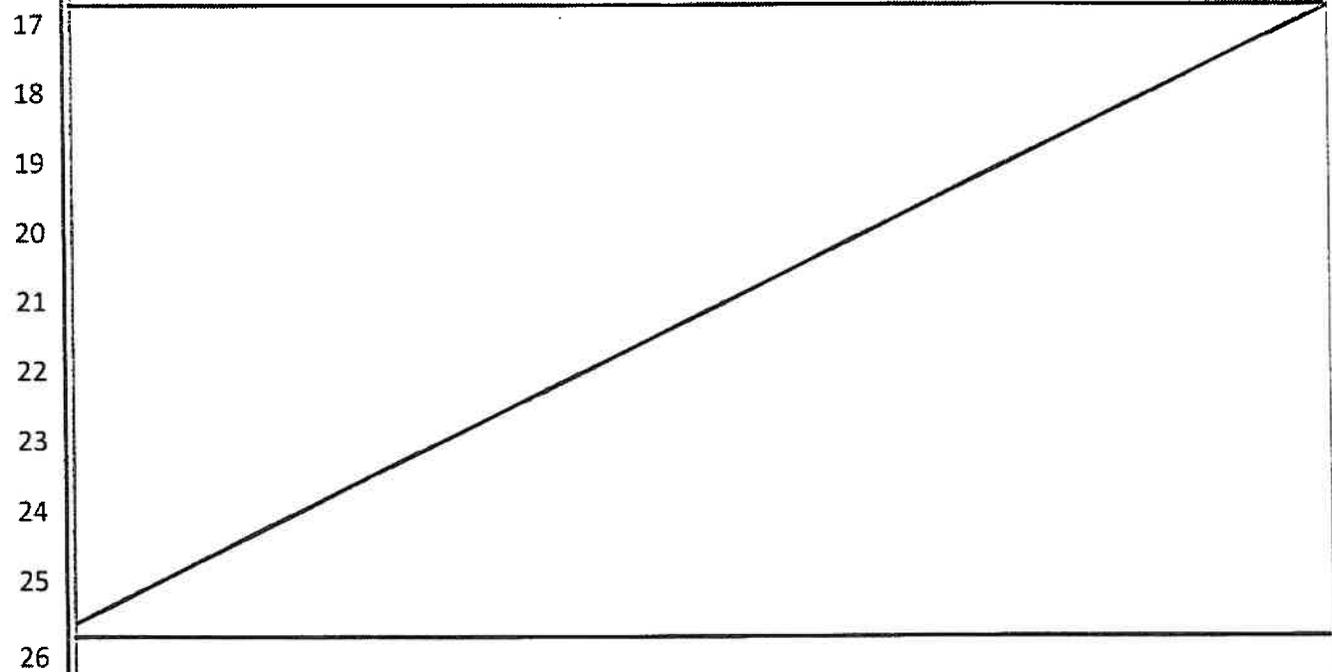

DIVISION OF RIGHT OF WAY

1 The offer required by Section 7267.2 of the Government Code
2 has been made to the owner or owners of record; and be it further

3 RESOLVED by this Commission that the Department of
4 Transportation be and said Department is hereby authorized and
5 empowered;

6 To acquire, in the name of the People of the State of
7 California, in fee simple absolute, unless a lesser estate is
8 hereinafter expressly described, the said hereinafter described
9 real property, or interests in real property, by condemnation
10 proceeding or proceedings in accordance with the provisions of the
11 Streets and Highways Code, Code of Civil Procedure and of the
12 Constitution of California relating to eminent domain;

13 The real property or interests in real property, which the
14 Department of Transportation is by this resolution authorized to
15 acquire, is situated in the County of Los Angeles, State of
16 California, Highway 07-LA-138 and described as follows:



TITLE SHEET
(Resolution of Necessity Description)

District	County	Route	Postmile
07	LA	138	PM 66.6

Project ID 0713000216

Legal descriptions for the parcels listed below are attached.

This document consists of a total of 2 pages. (including this title sheet)

Parcels in Legal Description: <Insert parcel numbers>					
76680-1					

The attached real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature *James W. White*
Professional Land Surveyor

Date 10/15/2015



RESOLUTION OF NECESSITY DESCRIPTION

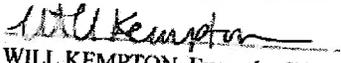
Parcel 76680-1

For State Highway purposes, that portion of the land in the unincorporated territory of the County of Los Angeles, State of California, conveyed by deed recorded April 7, 2004, as Instrument No. 04-0832039 of Official Records, in the Office of the Registrar-Recorder/County Clerk of said county, described as follows:

The Northerly 165.00 feet of the Northeast quarter of Section 26, Township 5 North, Range 9 West, San Bernardino Meridian, according to the Official plat of said land.

TOGETHER with underlying fee interest, if any, contiguous to the above described property, in and to the adjoining public way.

1 THIS IS TO CERTIFY that the foregoing resolution was duly passed by the California Transportation Commission at its meeting regularly called and held on the 9th day of December 2015, in the city of Riverside and that the foregoing is a full and correct copy of the original resolution. Dated this the 9th day of December 2015.


WILL KEMPTON, Executive Director
CALIFORNIA TRANSPORTATION COMMISSION