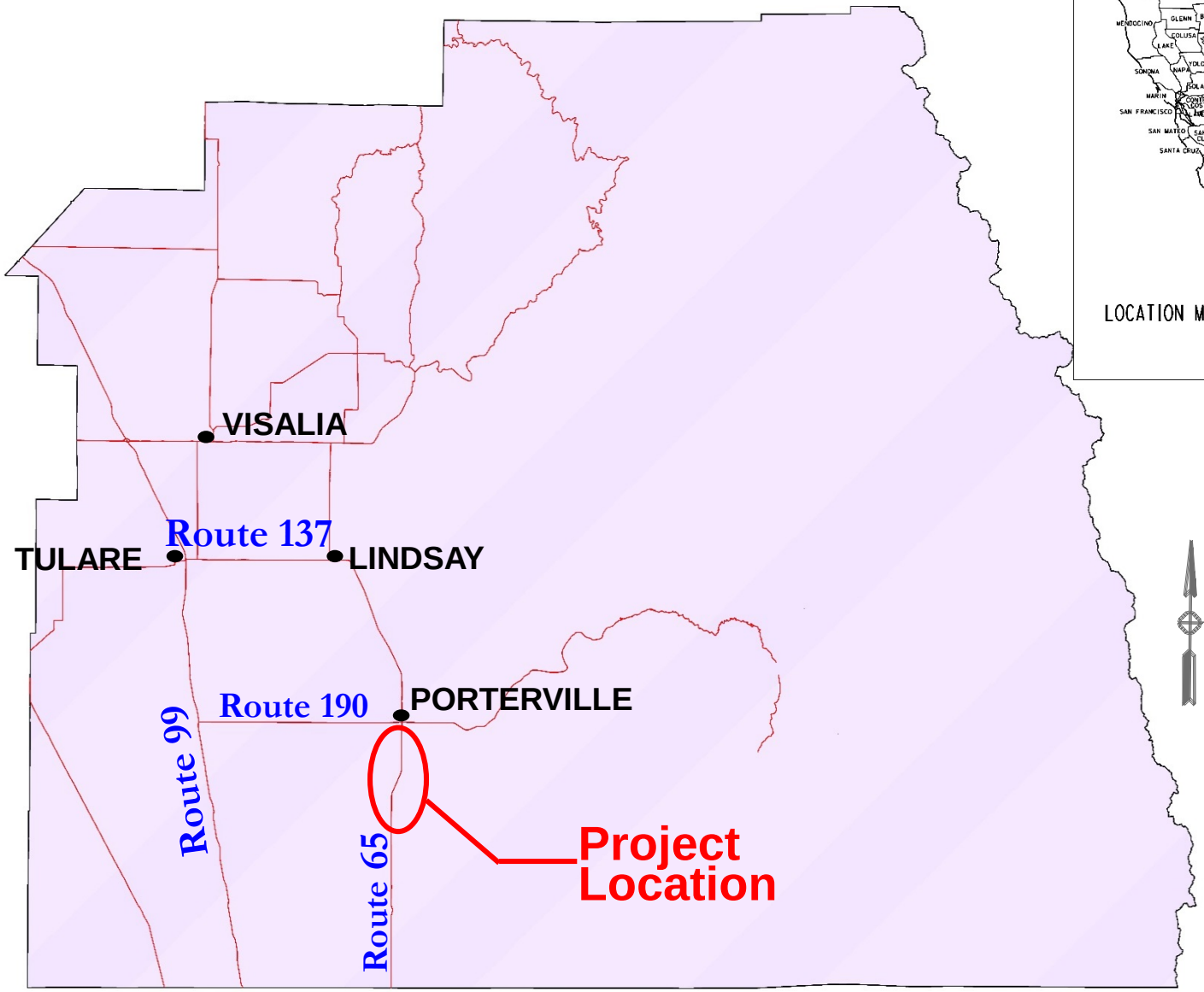
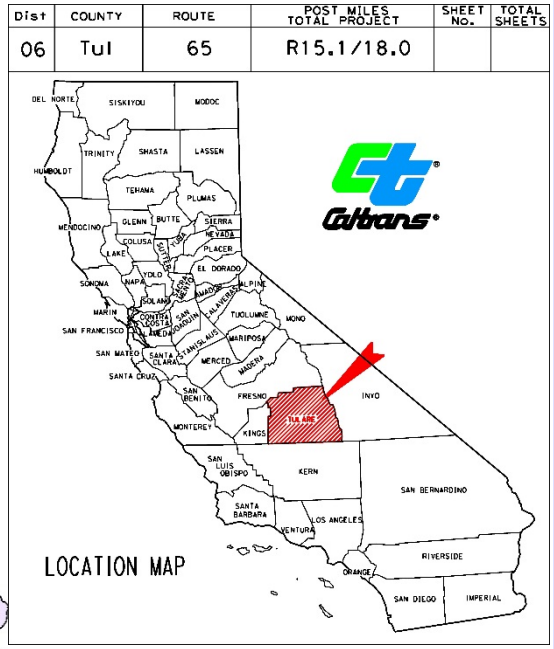
Prescott Living Trust
District 6, SR-65
Tulare County

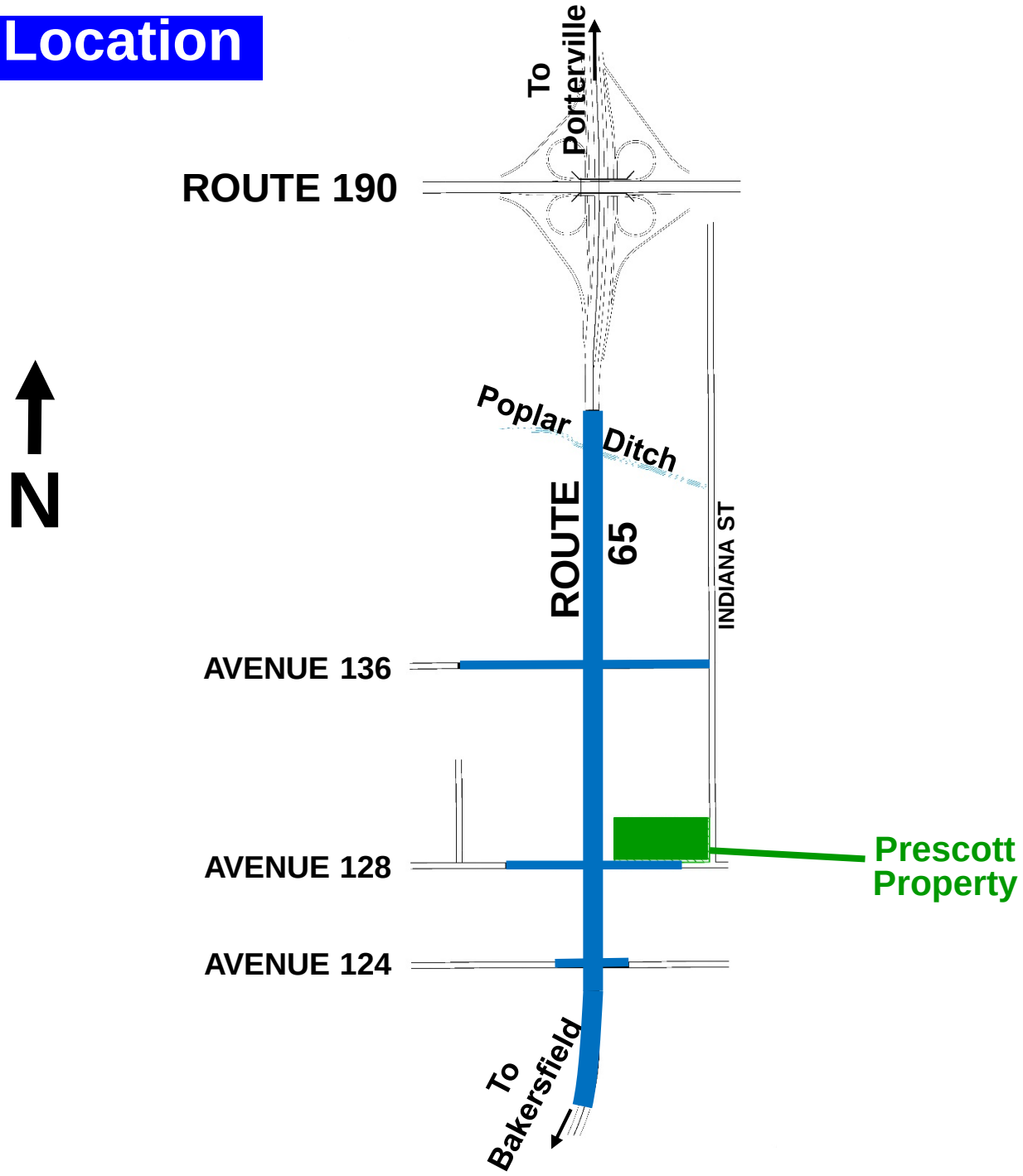
Mike Whiteside
Assistant Chief Engineer
Caltrans

Project Location



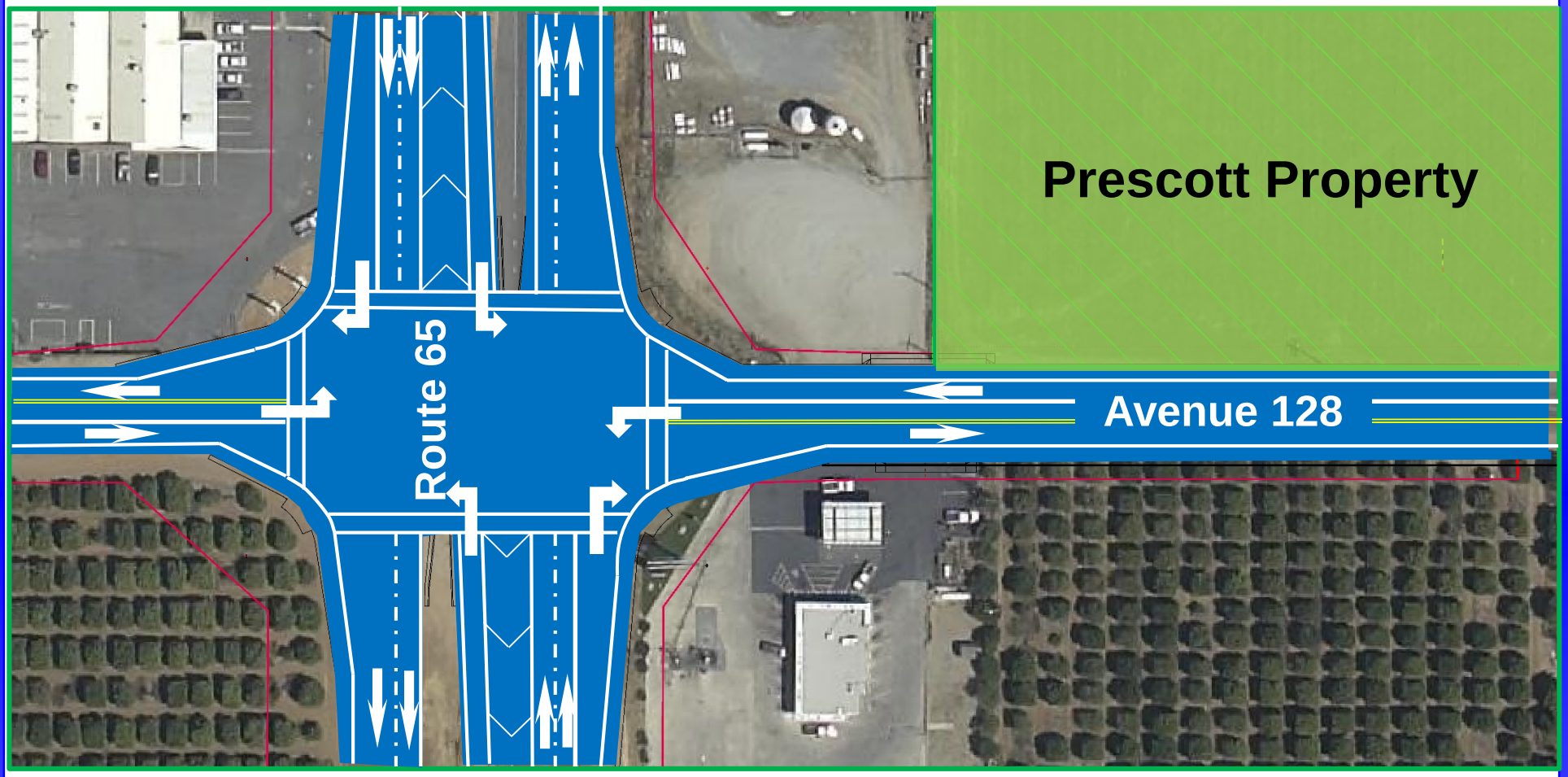


Project Location



Project Impact

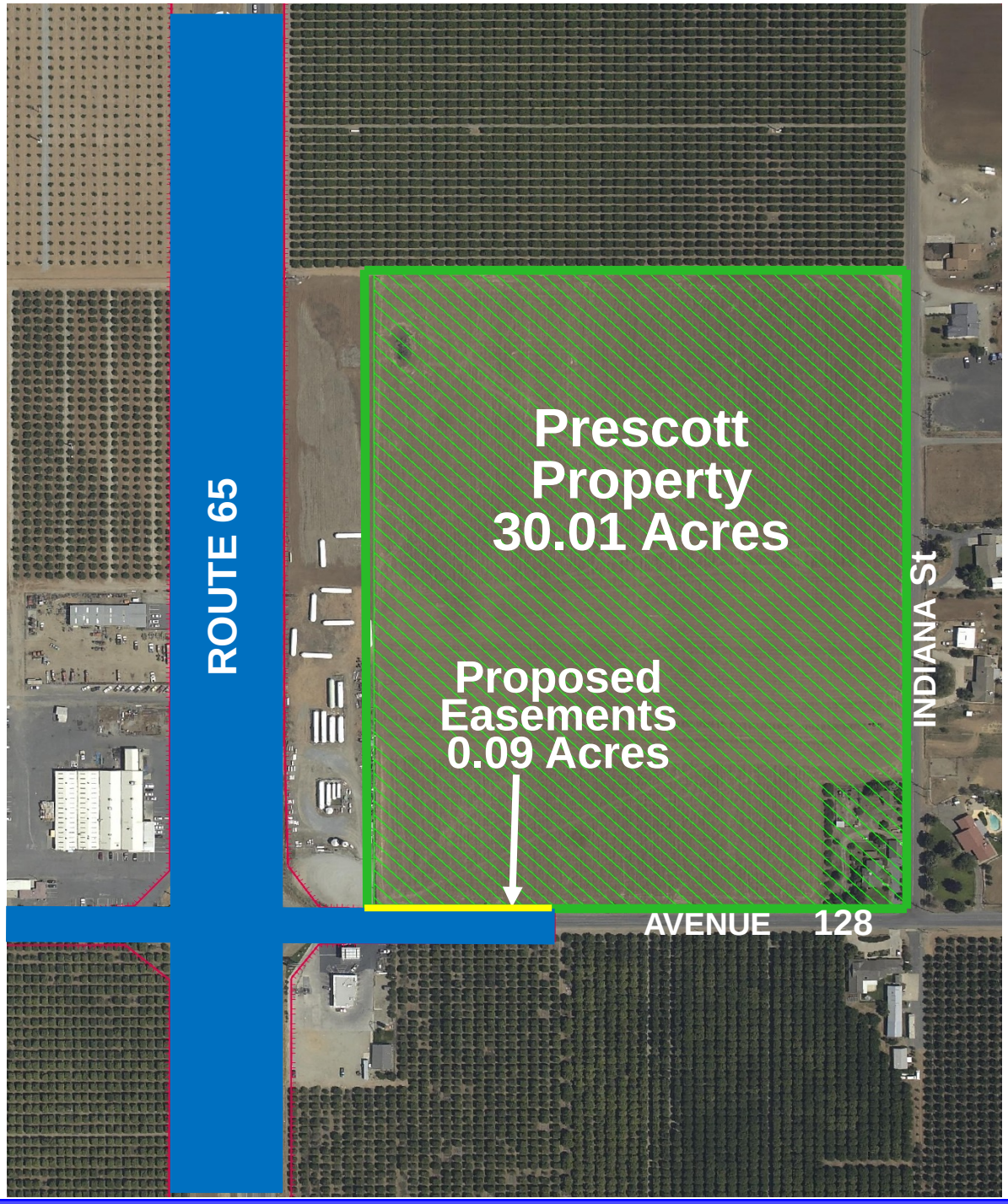
Project Impact



LEGEND

———	Proposed Right of Way
▬	Proposed Improvements

Project Impact



N

LEGEND

- Prescott Property
- Proposed Improvements
- Proposed Highway Right of Way
- Proposed Easements

Project Impact

Chronology

Initial Department proposal:

- 7.6’ roadway ***fee***
- 20’ perm SCE utility easement

Meetings 2013 – 2015

- Owners request minimize easements

Current Department design:

- 1.63’ roadway ***easement***
- 10’ perm SCE utility easement / TCE
- Curb, gutter, and driveway

Chronology

Current Department design complete:

- Department
- SCE

County General Plan compliant

Agreements & approvals:

- County
- SCE

Minimum for project purpose/need

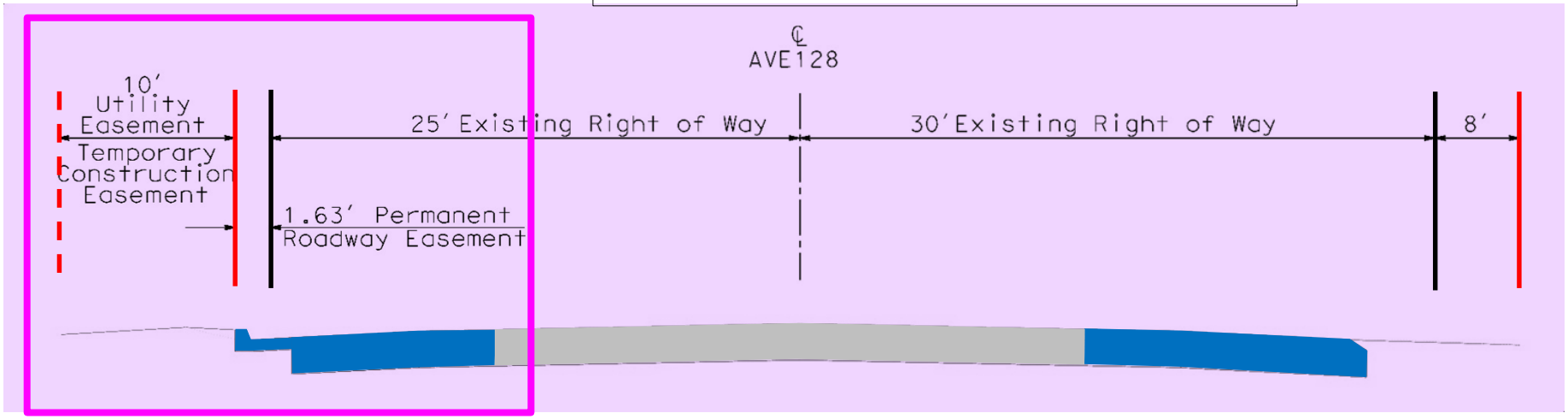
Project Impact

Department Design

LEGEND

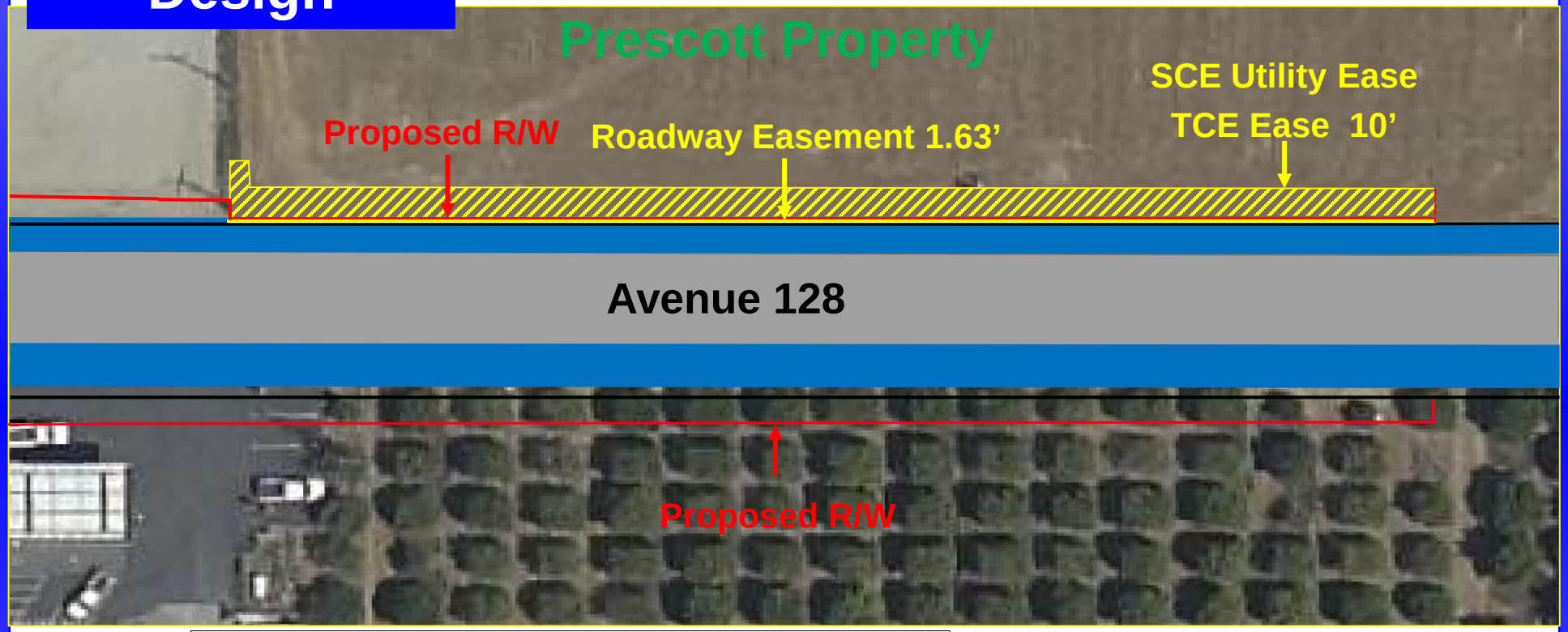
- Existing Avenue 128 Pavement
- Proposed Improvements
- Existing Right of Way
- Perm Roadway Easement
- Perm SCE Utility Ease / TCE

Prescott Property



Project Impact

Department Design

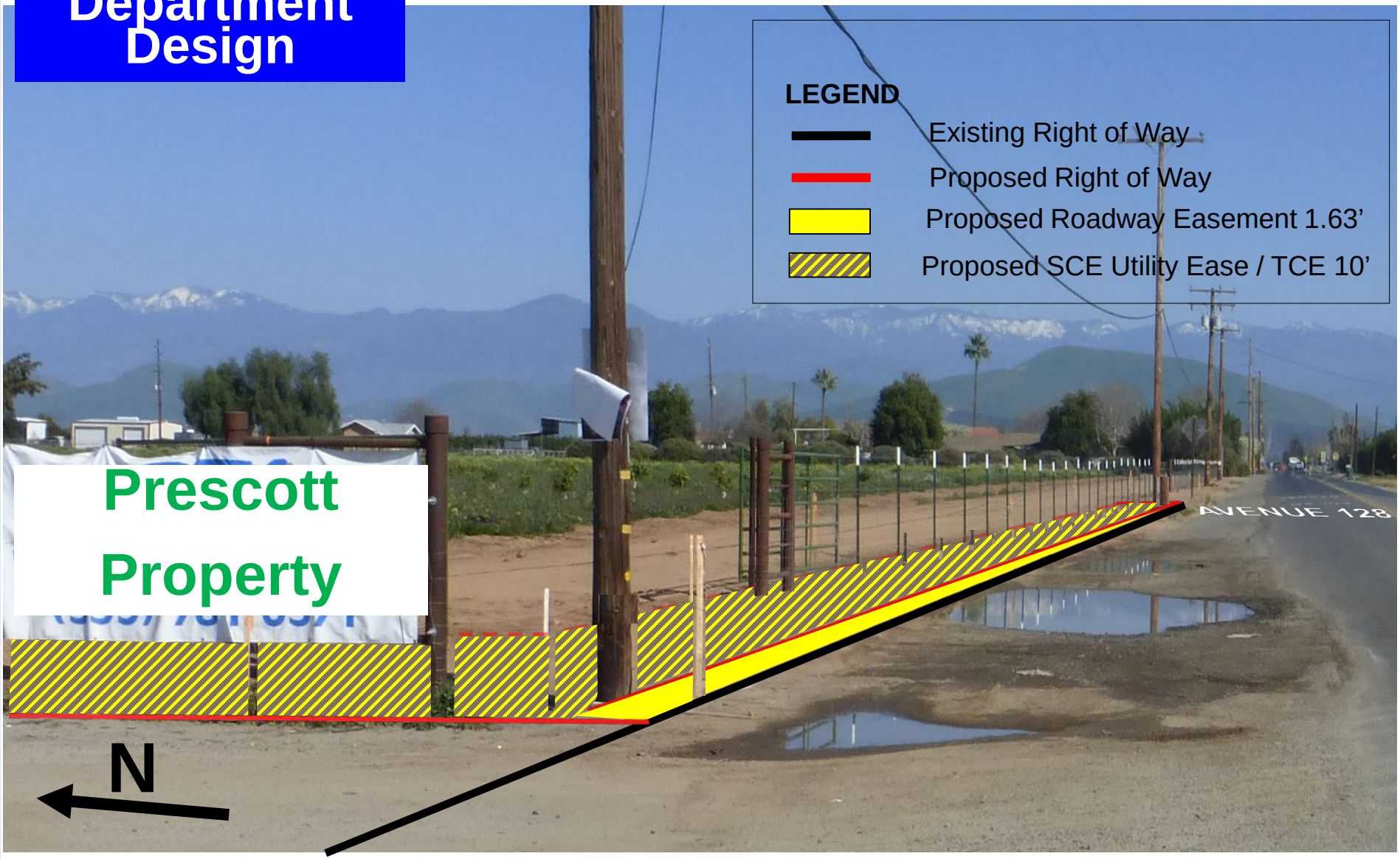


LEGEND

- Existing Ave 128
- Existing Right of Way
- Proposed Improvements
- Proposed R/W
- Proposed Roadway Easement
- Proposed SEC Utility Ease / TCE 10'

Project Impact

Department Design



Prescott Request

February 26, 2016

30’ centerline to curb (5.63’ road ease)

10’ perm SCE utility easement

Construct own curb, gutter, driveways

State to pave to curb and gutter

Donate roadway easement

Department Response

Accept donation to county

Department design complete:

- Department
- SCE

Would require another SCE redesign ($)

Improving private property / speculative future development

Delay project

Offered two accommodations

- No Resolution of Necessity
- No delay

Accommodation 1

March 2016

Possession and Use Agreement (P&U)

Project proceed as-is

Owners to:

- **Obtain permits/approvals**
- **Redesign SCE ($)**
- **Design & construct curb/gutter**
- **Drainage compatible & design consistent**

Department to:

- **Redesign during construction**
- **Issue contract change order**
- **Pave to meet curb & gutter**

Owners get exactly what they ask (30’ curb setback)

Accommodation 1

March 2016

Possession and Use Agreement (P&U)

Owners rejected:

- **Department to pay for SCE redesign**

Department cannot accept:

- **Paying for speculative private development**

Accommodation 2

April 2016

Right-of-Way Contract

Owners to:

- **Construct curb, gutter, driveways**

Department to:

- **Redesign**
- **Facilitate joint utility/road easements**
- **Pave to meet curb & gutter**

Avoid SCE redesign ($)

Provides 29.63’ curb setback (not 30’)

Owner rejected:

- **Want 30’ setback (4.4”)**
- **Department to construct curb, gutter, driveways**

Department agreed to construct curb, gutter, driveways

Accommodation 2

April 2016

Right-of-Way Contract

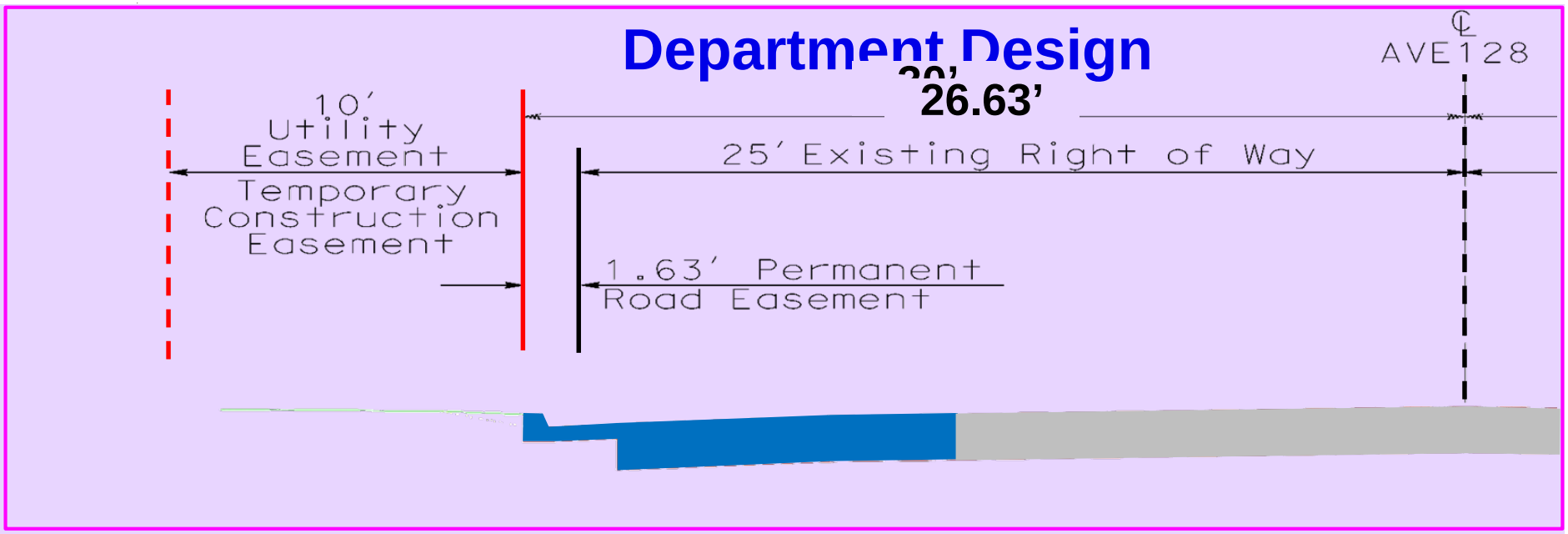
Owners rejected

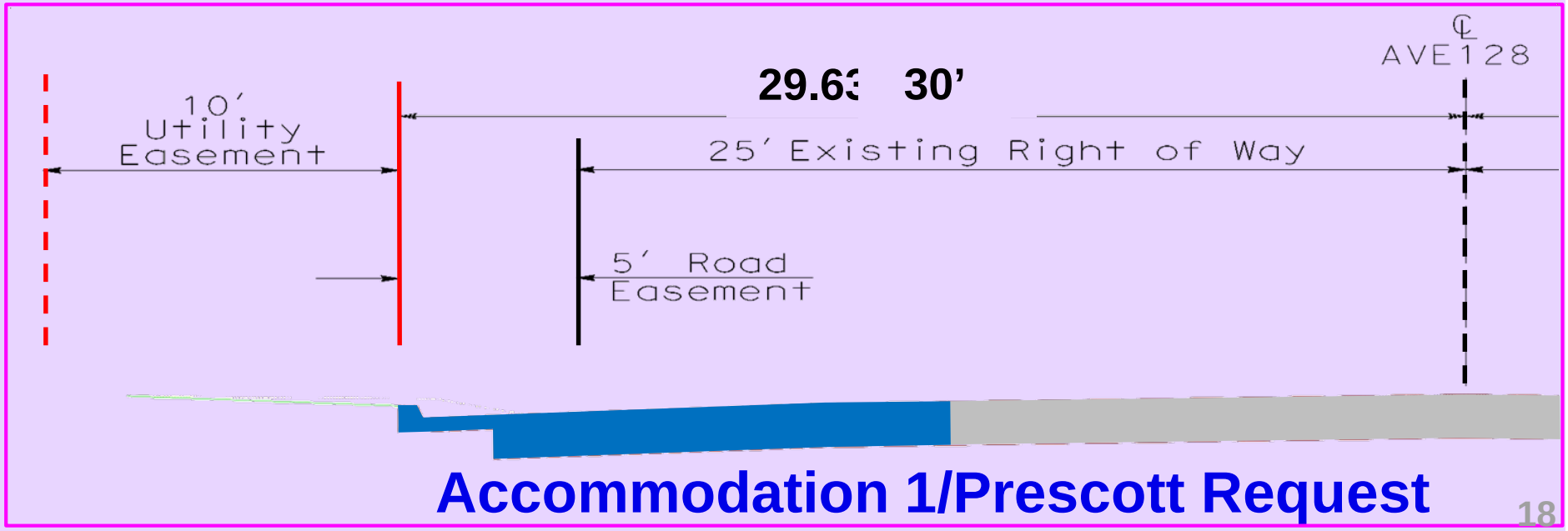
- **30’ setback**
- **Dept pay SEC redesign**
- **Dept pay relocation ALL poles across parcel**
- **Limit SCE easement rights**

Department can not:

- **Work outside construction limits**
- **Exceeds project scope**
- **Outside environmental clearance**
- **Paying for speculative private development**
- **SCE will not agree**

Project Impact





Summary

	Setback from Centerline Ave 128
Department Design (current)	26.63’
Prescott Request February 26, 2016	30’
~~Accommodation 1~~	~~30’~~
~~Accommodation 2~~	~~29.63’~~

Related to the findings of the Commission:

Contacts w/ Owner:

- Mail 8
- Email 16
- Phone 10
- Meetings 7

Issues addressed

Multiple redesigns

- SCE
- Department

One non-compensation related issue:

- Design of project

Related to the findings of the Commission:
The project is planned and located in a manner most compatible with the greatest public good and least private injury

The property owner contends:

The Department must:

- Place curb/gutter/driveway 30’ offset
- Pay SCE redesign/relocation - whole property

Department response:

SCE & Dept designs complete

Paying for speculative private future development

Work outside construction limits

Exceeds project scope

Outside environmental clearance

Related to the findings of the Commission:
An offer of just compensation has been made

First offer Nov 2013

Updated January 2016

Updated offer for Accommodations April 2016

Negotiations ongoing

Summary

1. The public interest and necessity require the proposed project.

2. This project is planned and located in a manner that will be most compatible with the greatest public good and least private injury.

3. The property sought to be condemned is necessary for the proposed project.

4. An offer of compensation has been made.