

MEMORANDUM

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: May 15-16, 2025

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.4a.(2), Action Item

Prepared By: René Fletcher, Chief (Acting)
Division of Right of Way and Land Surveys

Subject: **RESOLUTION OF NECESSITY - APPEARANCE**

ISSUE:

Should the California Transportation Commission (Commission) adopt Resolution of Necessity C-22555, for those parcels, whose Owners are contesting the declared findings of the California Department of Transportation (Department) under Section 1245.230 of the Code of Civil Procedure?

Prior to initiating Eminent Domain proceedings to acquire needed right of way for a programmed project, the Commission must first adopt a Resolution, stipulating specific findings identified under Section 1245.230 of the Code of Civil Procedure, which are:

1. The public interest and necessity require the proposed project.
2. The proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The property is necessary for the proposed project.
4. An offer to acquire the property in accordance with Government Code Section 7267.2 has been made to the owner of record.

In this case, the property Owners are contesting the Resolution and have requested an appearance before the Commission. The primary concerns and objections expressed by the property owners are compensation related. The property Owners' objections and the Department's responses are contained in the Parcel Panel Report (Attachment B).

RECOMMENDATION:

The Department recommends that the Commission adopt Resolution C-22555 summarized on the following pages. The Resolution is for a transportation project on State Route 1 in District 4, in Marin County.

BACKGROUND:

Discussions have taken place with the Owners, who have been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which they may subsequently be entitled. Adoption of these Resolution will not interrupt the Department's efforts to secure an equitable settlement. In accordance with statutory requirements, the Owners have been advised that the Department is requesting the Resolution at the Commission's May 15-16, 2025 meeting. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

Discussions have been ongoing between the property Owners and the Department to address and resolve the issues. Progress has been made, but in order to keep the project schedule, the Department is requesting that this appearance proceed to the May 15-16, 2025, Commission meeting. Legal possession will allow the construction activities on these parcels to commence, thereby avoiding and/or mitigating considerable right of way delay costs that will accrue if efforts to initiate the condemnation process are not taken immediately to secure legal possession of the subject properties.

C-22555 - Andrea Meghrouni-Brown, Trustee of the Andrea Meghrouni-Brown Revocable Trust Dated March 24, 2023, as to an Undivided 50% Interest and Dave E. Moser and Barbara W. Moser, Trustees of the David and Barbara Moser 1998 Family Trust Dated September 3, 1998, as amended as to an Undivided 50% Interest
04-Mrn-1-PM 28.56 - Parcel 63817-1, 2, 3, 4 - EA 0G6429.

RWC Date: 06/06/25; RTL Date: 06/13/25. Conventional highway – highway improvement. Authorizes condemnation of land in fee for a State highway and temporary easement for highway construction purposes. Located in the unincorporated area of Point Reyes Station at 11000 State Route 1. Point Reyes Station.
APN 166-161-13.

Attachments and Exhibits:

Attachment A – Project Information

Exhibit A – Project Map

Attachment B – Parcel Panel Report

Exhibit B – Subject Parcel Map

Exhibit C – Resolution of Necessity C-22555

Exhibit D – Request to appear from owner letter dated July 29, 2024

Attachment A

PROJECT INFORMATION

PROJECT DATA

04-Mrn-1-28.56
Project No. 04-13000350 (EA 0G642)

Location: State Route 1 (SR-1) in Marin County near
unincorporated Point Reyes Station

Limits: Postmile 28.56

Cost: R/W Cost: \$6,989,000.00
Construction Cost: \$20,500,000.00

Funding Source: This project is programmed under SHOPP 201.116
Bridge Preservation Program.

Number of Lanes: Existing: 2-lane conventional highway
Proposed: 2-lane conventional highway with
wider shoulders

Proposed Major Features: Conventional highway: The project proposes to
replace the existing Lagunitas Creek bridge with a
seismically safe structure that features wider
shoulders and provides sidewalk and curb ramps that
are ADA compliant.

Traffic: Existing (Year) ADT: 4,000 (2023)
Future (Year) ADT: 4,500 (10 year), 4,800 (20 year)

NEED FOR PROJECT

Caltrans proposes to build the SR-1 Lagunitas Creek Bridge Project, which will replace the current bridge crossing of Lagunitas Creek on SR-1 in Marin County. The bridge is located at post mile (PM) 28.56, which is south of the unincorporated town of Point Reyes Station and north of the “T” intersection of SR-1 with Sir Francis Drake Boulevard. Sir Francis Drake Boulevard extends west from SR-1 toward Point Reyes National Seashore and north toward the unincorporated town of Inverness.

The Project purpose is to provide a safe, seismically stable crossing of Lagunitas Creek on SR-1. The Project is needed to meet current safety, seismic design, and Americans with Disabilities Act (ADA) standards. The Lagunitas Creek Bridge does not meet the American Association of State Highway and Transportation Officials (AASHTO), Caltrans safety and seismic design and ADA standards, such as seismic strength, roadway safety, standard sidewalk, and curb ramps.

Lagunitas Creek Bridge (Bridge No. 27-0023) was built in 1929. This structure consists of a painted steel pony truss main span with reinforced concrete (RC) beam end-spans on RC piers and RC abutments. The piers are founded on piles, and the abutments are founded on spread footings. A Bridge Inspection Report (BIR) by Structure Maintenance and Investigations (SMI) on May 20, 2022 rated the Bridge as “Poor” and deficient.

The following is the remaining Project schedule:

Right of Way Certification:	06/06/2025
Ready to List:	06/13/2025
Award:	11/13/2025
Approved Construction Contract:	12/12/2025

PROJECT PLANNING AND LOCATION

Project Report (PR):	Approved 06/29/2018
Supplemental Project Report (SPR):	Approved 08/28/2023

SR-1 in Marin County runs from the intersection with US 101 at Manzanita Junction, north to the Sonoma County line at post mile 50.5 near Valley Ford. For most of the route, SR-1 is a 2-lane rural road providing the only link to a number of coastal communities. The highway is also a major tourist route, not only connecting a number of parks and scenic areas, but also serving as an attraction for both drivers and bicyclists.

SR-1 is designated as a kingpin-to-rear-most-axle (KPRA) advisory route, which prohibits Surface Transportation Assistance Act trucks and only allows California-legal trucks, provided the KPRA is no more than 30 feet. SR-1, within the project limits, is designated as an "Other Principal Arterial". This portion of the route is not officially a designated scenic highway and is not a part of the National Highway System. A Transportation Concept Report is currently being developed for SR-1. The Metropolitan Transportation Commission (MTC) functions as both the State-designated Regional Transportation Planning Agency and federally-designated Metropolitan Planning Organization. As such, it is responsible for the update of the Regional Transportation Plan (RTP), a financially constrained long range programming report for the region. Under Senate Bill 375, along with an updated RTP, each region in California must develop a Sustainable Communities Strategy (SCS) that promotes walk and bike friendly mixed-use commercial and residential development that is found close to mass transit, jobs, schools, shopping, parks, recreation, and other amenities. MTC's *Plan Bay Area 2040*, adopted in July 2017, serves as the San Francisco Bay Area's RTP and SCS.

The Transportation Authority of Marin (TAM) is the designated Congestion Management Agency (CMA) for Marin County. The TAM is responsible for managing a variety of transportation projects and programs in Marin County, receiving federal, state, regional, and local funds, and working closely with all eleven cities and towns, as well as the county.

As the CMA, TAM prepares a Congestion Management Plan (CMP). The CMP is a short-range document containing elements that further the goals of the RTP. The CMP roadway system is a network that allows performance monitoring in terms of established level of service standards. All State Highways must be included in the CMP roadway network according to CMP legislation. Due to its status as a State highway, SR-1 is a designated CMP roadway facility within Marin County.

The Marin County Unincorporated Area Bicycle and Pedestrian Master Plan was updated in 2009 through the coordinated efforts of TAM, the Marin County Public Works Department, the Marin County Bicycle Advisory Group, and citizens interested in improving the bicycling and pedestrian environment in unincorporated Marin County. The plan indicates a proposed Class III signed bicycle route with shoulders will be constructed within the project limits.

The Coastal Zone Act of 1976 requires that "...Route 1 in the rural areas of the Coastal Zone remain a scenic two lane road." In addition, all development in the Coastal Zone requires either a Coastal Development Permit or an exemption from Coastal Development Permit requirements. For a permit to be issued, the development must comply with the policies of the Local Coastal Program.

Exhibit A





Attachment B

PARCEL PANEL REPORT

Property Owner: ANDREA MEGHROUNI-BROWN, TRUSTEE OF THE ANDREA MEGHROUNI-BROWN REVOCABLE TRUST DATED MARCH 24, 2023, AS TO AN UNDIVIDED 50% INTEREST AND DAVE E. MOSER AND BARBARA W. MOSER, TRUSTEES OF THE DAVID AND BARBARA MOSER 1998 FAMILY TRUST DATED SEPTEMBER 3, 1998, AS AMENDED AS TO AN UNDIVIDED 50% INTEREST

Parcel Location: SR-1 postmile 28.56. The address is:
11000 Highway 1. Point Reyes Station, CA 94956

Present Use: Rural Residential

Area of Property: 36,207 square feet (SF)

Area Required: 11,237 (452 SF Fee; 4,102 SF TCE; 5,911 SF Temporary Overhead Utility Easement (TOUE); 328 SF Temporary Planting Easement (TPE))

PARCEL DESCRIPTION

The subject property is located along SR-1 at P.M. 28.56 in Marin County. The subject property is vested in ANDREA MEGHROUNI-BROWN, TRUSTEE OF THE ANDREA MEGHROUNI-BROWN REVOCABLE TRUST DATED MARCH 24, 2023, AS TO AN UNDIVIDED 50% INTEREST AND DAVE E. MOSER AND BARBARA W. MOSER, TRUSTEES OF THE DAVID AND BARBARA MOSER 1998 FAMILY TRUST DATED SEPTEMBER 3, 1998, AS AMENDED AS TO AN UNDIVIDED 50% INTEREST as the Property Owners. The property's site address assigned to the parcel is 11000 State Route 1, Point Reyes Station, CA 94956. The subject's larger parcel lot size is approximately 36,207 SF, per R/W appraisal maps A-10857.0, .1, &.1a). The Assessors' Parcel Number (APN) from the Marin County Assessor's Office identifies the subject as: 166-161-13. Lagunitas Creek extends along the northern boundary of the subject parcel. Using a mapping service measurement, Lagunitas Creek runs through approximately 8,000 SF of the northern portion of the property. SR-1 abuts the western boundary (frontage) of the subject parcel. The parcel is located within the Tomales Bay and Lagunitas watershed, a County of Marin designated flood zone.

The subject parcel is described as a small rural lot that is currently used as a single-family residence (SFR). The subject's larger parcel is improved with a single-story residence originally constructed in 1963 and totaling 693 SF of total building area (information was obtained by an online assessor's record). The residence is located near the center of the parcel and towards the western portion of the property, south of Lagunitas Creek. The larger parcel includes a setback along SR-1 with a small, landscaped area and fence marking the approximate boundary. The California Department of Transportation (Caltrans) Design has confirmed that these improvements will be impacted by the construction of the soundwall.

Caltrans' temporary requirements will encumber the required area of the subject property for the duration of the project, approximately 34 months (excluding the Fee acquisition area and TPE required for a 5-year plant monitoring period after completion of construction). Upon termination of the temporary rights, the subject property will be returned to a condition similar to its pre-project condition. The residential SFR will not be affected by the project and the grantor will have access and use to the remainder of the property.

Status of other parcels required for the project:

- Total parcels needed = 10
- Number of parcels acquired = 7
- Number of parcels with Resolution of Necessity = 2
- Number of parcels under order for possession = 0
- Number of other owners expected to request an appearance before the Commission = 0

NEED FOR SUBJECT PROPERTY

The property is located on SR-1 at parcel 63817. This project requires 452 SF of Fee; 4,102 SF for a Temporary Construction Easement TCE; 5,911 SF for a Temporary TOUE; and 328 SF for a TPE.

The Temporary Easements are needed during construction for work area to be used to construct the bridge, as well as plant monitoring and maintenance for areas of revegetation at the end of the project. The Fee acquisition area is needed to accommodate the wider footprint of the bridge. The bridge replacement project cannot be constructed without acquiring the proposed property rights.

RESOLUTION OF NECESSITY REVIEW PANEL REPORT

The Condemnation Review Panel (Panel) took place on March 18, 2025, as a hybrid meeting (in-person and virtual). The in-person component of the meeting

was held at the District 4 Office located at 111 Grand Avenue in Oakland. The Panel members included: Harry Cheng, Panel Chair, Department of Transportation (Department) Headquarters (HQ's) Division of Right of Way and Land Surveys; Tina Lucas, Department HQ's Division of Design, Rizwan Tanvir, Department's Assistant Chief Engineer, Shalvin Singh, Secretary to the Panel, Department HQ's Division of Right of Way and Land Surveys; David Ambuehl, District 4 Chief Deputy District Director; Julie McDaniel, District 4 Deputy District Director of Division of Right of Way and Land Surveys; Wajahat Nyaz, District 4 Deputy District Director of Division of Design; Lucille Y. Baca, Assistant Chief Counsel of Bay Area Legal Division; Allison G. Paich, District 4 Office Chief of Right of Way; Celia McCuaig, District 4 Office Acting Division Chief of Project Management North (acting), Naga Adibhatla, District 4 Office Chief of Design (Napa and Marin regions); Ghulam Popal, District 4 Branch Chief of Design; Emarnan Pongpairoj, District 4 Design Senior Transportation Engineer; Ronald Sangalang, District 4 Regional Project Manager; Brandon Zarringhalam, District 4 Associate Right of Way Agent; David Moser, property owner; Barbara Moser, property owner; Andrea Meghrouni-Brown, property owner.

This report summarizes the findings of the Panel with regards to the four criteria required for a Resolution of Necessity and makes a recommendation to the Department's Chief Engineer. The four criteria are as follows:

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

The Department proposes to build the SR 1 Lagunitas Creek Bridge Project, which will replace the current bridge crossing of Lagunitas Creek on SR 1 in Marin County. The bridge is located at PM 28.5, which is south of the unincorporated town of Point Reyes Station and north of the "T" intersection of SR 1 with Sir Francis Drake Boulevard. Sir Francis Drake Boulevard extends west from SR 1 toward Point Reyes National Seashore and north toward the unincorporated town of Inverness. The Project purpose is to provide a safe, seismically stable crossing of Lagunitas Creek on SR 1. The Project is needed to meet current safety and seismic design standards. The Lagunitas Creek Bridge does not meet the AASHTO and the Department's safety and seismic design standards, such as seismic strength and roadway safety. Lagunitas Creek Bridge (Bridge No. 27-0023) was built in 1929. This structure consists of a painted steel pony truss main span with RC beam end-spans on RC piers and RC abutments. The piers are founded on piles, and the abutments are founded on spread footings. A BIR by SMI on May 20, 2022, rated the Bridge as "Poor" and deficient.

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

Roadway standards consider the size of current vehicles using the road and the required safe distances between motorized and non-motorized traffic. The existing bridge has 11-foot-wide lanes, 2-foot-wide shoulders, and a 3-foot-wide sidewalk. The ADA requires 6-foot-wide sidewalks in constrained areas.

To provide continuous safe access over Lagunitas Creek and into Point Reyes Station, the project proposes widening the shoulders to 5-foot wide and approximately 300 feet long, widening the culvert that lies approximately 180 feet north of the existing bridge to create 5-foot-wide shoulders consistent with the roadway prism, widening the sidewalk to 6-foot wide, and adding two ADA curb ramps. The new painted crosswalk would also be added at the intersection of SR 1 and Sir Francis Drake Boulevard. The existing bridge has 11-foot-wide lanes, 2-foot-wide shoulders, 3-foot-wide sidewalk, and non-standard bridge railings. This project will propose 11-foot-wide lanes, 5-foot-wide shoulders, 6-foot-wide sidewalk with two ADA curb ramps and standard bridge railing and crash cushions.

The project proposes two nonstandard mandatory design exceptions within the project limits, which are the 11-foot-wide lanes and the 5-foot-wide shoulders. To achieve the nonstandard design features, a standard travel way and standard shoulder would have to be provided. However, such a roadway widening would cause substantially greater visual, environmental, right-of-way, and cost impacts than the impacts resulting from the nonstandard features. The proposed nonstandard design features would also fit within project scope and SR 1 repair guidelines.

Under the No-Build Alternative, the existing bridge would continue to operate with a substandard capacity for modern truck traffic. The bridge also would continue to deteriorate and could fail during a strong seismic event. There would be no action to improve the safety and seismic design of the existing bridge. The No-Build Alternative does not meet the purpose and need for the project. For this environmental analysis, this No-Build Alternative serves as the baseline condition upon which the impacts of Build Alternatives are compared. The environmental findings, compliant under both California Environmental Quality Act and the National Environmental Policy Act, are listed in the Final Environmental Document dated June 28, 2018.

There were five design Build Alternatives considered for the combination of bridge types and construction methods for the Lagunitas Creek Bridge. The bridge types include a three-span bridge with a short steel truss center span, a three-span concrete bridge, and a full-span steel truss bridge. The two possible construction methods considered are referred to as (1) conventional construction and (2) accelerated bridge construction (ABC). The conventional construction method requires a construction period of up to 3 years, whereas the ABC method could shorten the construction schedule to under

1.5 years but with notable trade-offs, including a full closure of the Lagunitas Bridge for approximately 3 weeks.

3. The property rights to be condemned are necessary for the proposed project.

The property is located at 11000 Highway 1 Point Reyes Station. This project requires 452 SF of Fee (63817-2), 5,911 SF for a TOUE (63817-3), 4,102 SF for a TCE (63817-1), and 328 SF for a TPE (63817-4).

The acquisition of 452 SF in Fee (63817-2) is required to accommodate the widening of the bridge, and consequently the lanes and shoulder to accommodate ADA compliant sidewalks along this portion of SR-1. The TOUE is needed to temporarily relocate overhead electric and telecommunication lines. The TCE is needed temporarily during construction for a work area to construct the bridge, to temporarily relocate a waterline, and to place a temporary noise barrier. The bridge replacement project cannot be constructed without acquiring the proposed property rights.

4. An offer to purchase in accordance with Government Code Section 7267.2 has been made to the owners of record.

A staff appraisal was approved on November 27, 2023, and First Written Offer (FWO) was made on January 4, 2024. A District 4 Acquisition Agent first called owner on December 21, 2023, and left a voicemail and made subsequent attempts to reach the owner. The Agent received a call back on January 4, 2024. The FWO was mailed on January 4, 2024, via certified mail, per owners' request.

A Memorandum of Adjustment was issued on May 15, 2024, to acknowledge the revision of the TPE (63817-4). The revision reduced the subparcel's size requirement from 772 SF to 328 SF. The Acquisition Agent sent a revised Right of Way Contract on May 16, 2024, that modified the offer amount to reflect the reduction in the TPE size requirement. Confirmation of Market Value was provided by District 4 Appraisals on March 19, 2025. The owners have elected to have an independent appraisal performed.

Since the FWO, the Acquisition Agent has been in contact with the property owners by email and met with the property owners on site. The site visit meetings were attended by Divisions of Construction, Environmental, Structure Engineers, and representatives from utility companies to explain the project in detail.

The property owners had issues with the amount of just compensation, the project's design, and the project's impact to their property.

Subsequently, on February 3, 2025, the District held a District Condemnation Evaluation Meeting. On March 18, 2025, a Condemnation Panel Review Meeting was held.

Negotiations for an amicable settlement are ongoing, and District Right of Way will continue to pursue an amicable settlement with the Owners. Condemnation has been initiated to maintain the orderly sequence of events required to meet construction schedules.

The following is a description of the specific concerns raised by the property owners and their representatives, followed by the Department's response:

Owners' Concern #1:

The property Owners want to know specifically which tree(s) will be impacted by the TOUE.

District's Response:

Caltrans provided an anticipated tree impact map that depicts the worst-case scenario for tree trimming and removal. The anticipated tree impact map was created for environmental permitting purposes to ensure Caltrans meets its replanting ratio requirements if the most severe tree impact scenario is necessary. However, based upon on-site discussions that occurred April 9, 2024, with Pacific Gas and Electric (PG&E), their arborist contractor, and the Property Owners, PG&E stated that they may not need to remove/trim as many trees as anticipated. PG&E's arborist contractor will work to minimize the impact.

Owners' Concern #2:

The removal of trees and vegetation to accommodate the overhead utility lines will diminish the privacy and enjoyment of their property.

District's Response:

Caltrans will work with PG&E and their arborist contractor to minimize the loss of trees and vegetation. However, removal of trees and vegetation are necessary for the safety of the overhead utility lines and project construction.

Owners' Concern #3:

The pre-positioning of first responder personnel on both sides of the bridge only during the full 21-day closure is inadequate. First responders should be prepositioned on both sides of the bridge for the one-way traffic control period as well.

District's Response:

Caltrans reached out to the Marin County Fire Department regarding this concern. Per the Fire Chief, placing another unit of EMS/fire truck on the other side during the one-way traffic control period will not be needed as long as we have 10 feet of clearance.

Owners' Concern #4:

The wider footprint of the new bridge will cause more accidents in front of the property due to speeding. Caltrans should extend the 25 Miles Per Hour (MPH) speed limit from the current 35 MPH limit in front of our property about 1,000 ft south to near 10950 Highway 1 (in the southbound lane) and north near 10950 Highway 1 (in the northbound lane) before the completion of the new bridge.

District's Response:

Although not directly related to the statutory necessity of this specific parcel, Caltrans Traffic Safety received the request from Mr. Moser in September 2024 and recommended conducting an Engineering and Traffic Survey after completion of the new bridge to ensure data is true and unbiased. Following discussions at the District Condemnation Evaluation Meeting, Caltrans agreed to conduct a review to extend the 25 MPH zone to Sir Francis Drake Boulevard before completion of the new bridge. The speed reduction study was completed on February 28, 2025. On March 27, 2025, the property owners were informed via email that the speed reduction study determined, although not a safety issue, that the speed can be reduced to 25 MPH and the signs will be installed upon completion of construction of the new bridge.

Owner's Concern #5:

The property owners want to know the specific tree impacts to the vegetation on the creek banks.

District's Response:

After further discussion with the property owners, Caltrans updated the Erosion Control Plans adding slope anchoring and rope restraints.

Owners' Concern #6:

The property owner would like to know the height of the utility pole near their driveway.

District's Response:

PG&E will use a 70-foot pole near the driveway, so the pole will be approximately 55-60 feet above ground.

Owners' Concern #7:

Caltrans cannot move forward with the project or adopting the Resolution of Necessity (RON) until the Executive Director of the California Coastal Commission approves the specifications listed in Special Condition 2A in the Coastal Development Permit (CDP).

District's Response:

Caltrans provided background that the special conditions in the CDP related to the adjacent property owner's redwood tree do not restrict or limit Caltrans' rights to proceed with the RON as long as the footprint of the parcel requirements did not change. The RON process would pause or start over only if Caltrans changes the right of way requirements for this parcel. Through extensive coordination, Caltrans and PG&E will not alter the TOUE footprint nor require removal of the redwood tree at the northeast corner of the bridge within the neighboring animal hospital parking lot. Caltrans is continuing coordination with the California Coastal Commission staff to address the special condition about the redwood tree.

DEPARTMENT CONTACTS:

Type of Contact	Number of Contacts
Mailing of Information	3
Emailing	36+
Telephone call	6
Personal Calls	5

STATUTORY OFFER TO PURCHASE:

The Department has appraised the subject property and offered the full amount of the appraisal to the owners of record as required by Government Code Section 7267.2. The owners have been notified those issues related to compensation fall outside the purview of the commission.

PANEL RECOMMENDATION

The Panel concludes that the Department’s project complied with Section 1245.230 of the Code of Civil Procedure in that:

1. The public interest and necessity require the proposed project.
2. The proposed project is planned or located in the manner that will be most compatible with the greatest public good and least private injury.
3. The property rights to be condemned are necessary for the proposed project.
4. An offer to purchase in accordance with Government Code Section 7267.2 has been made to the owners of record.

The panel recommends submitting this Resolution of Necessity to the Commission.

Jean-Marie Hunter for

HARRY CHENG

Acting Chief, Office of Project Delivery
HQ Division of Right of Way and Land Surveys
Panel Chair

I concur with the Panel's recommendation:

Donna Berry

Donna Berry (Apr 23, 2025 18:39 PDT)

DONNA BERRY

Chief Engineer

**PERSONS ATTENDING CONDEMNATION PANEL REVIEW MEETING ON
MARCH 18, 2025**

Harry Cheng, Panel Chair, Department of Transportation (Department) Headquarters (HQ's) Division of Right of Way and Land Surveys;
Tina Lucas, HQ's Division of Design
Rizwan Tanvir, Department's Assistant Chief Engineer
Shalvin Singh, Secretary to the Panel, HQ's Division of Right of Way and Land Surveys

David Ambuehl, District 4 Chief Deputy District Director
Julie McDaniel, District 4 Deputy District Director of Division of Right of Way and Land Surveys
Wajahat Nyaz, District 4 Deputy District Director of Division of Design
Lucille Y, Baca, Assistant Chief Counsel of Bay Area Legal Division

Allison G. Paich, District 4 Office Chief of Right of Way Acquisitions and Project Management Services;
Celia McCuaig, District 4 Division Chief of Project Management North (acting),
Naga Adibhatla, District 4 Office Chief of Design (Napa and Marin regions)

Ghulam Popal, District 4 Branch Chief of Design
Emarnan Pongpairoj, District 4 Design Senior Transportation Engineer
Ronald Sangalang, District 4 Regional Project Manager

Brandon Zarringhalam, District 4 Associate Right of Way Agent

David Moser, property owner
Barbara Moser, property owner
Andrea Meghrouni-Brown, property owner

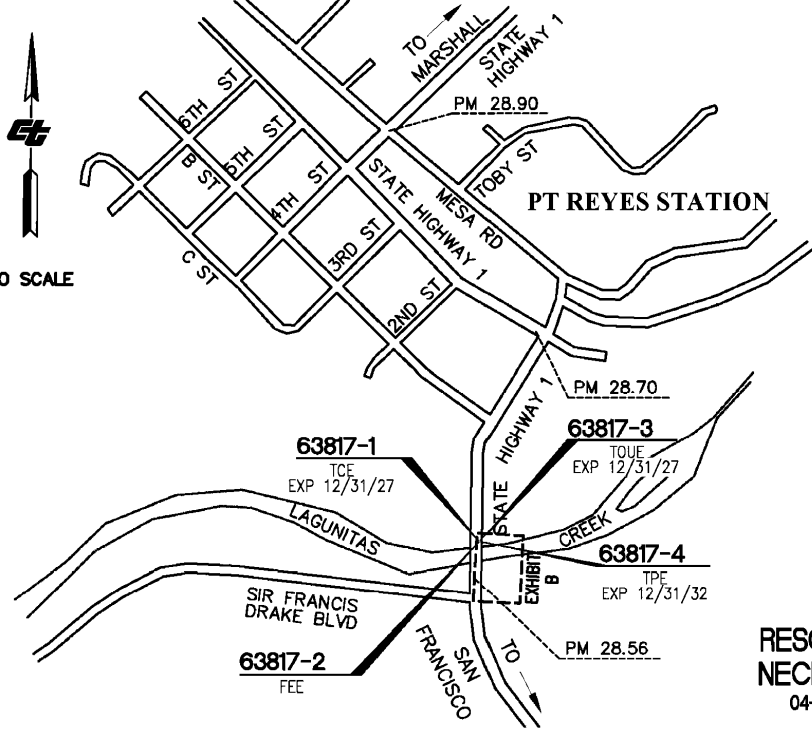
Exhibit B

Subject Parcel



MARIN COUNTY

EXHIBIT A



NO SCALE

PT REYES STATION

63817-1
TCE
EXP 12/31/27

63817-3
TOUE
EXP 12/31/27

63817-2
FEE

63817-4
TPE
EXP 12/31/32

RESOLUTION OF
NECESSITY MAP
04-Mrn-1-PM 28.56

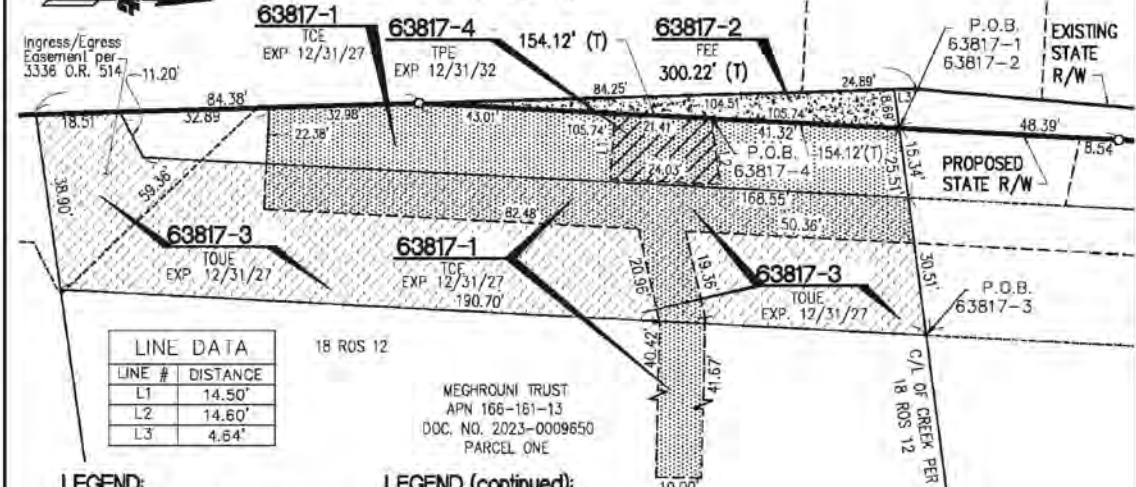
A-10857.0

DISTANCES AND COORDINATES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 3, EPOCH 2010.00. MULTIPLY DISTANCES BY 1.0000517 TO OBTAIN GROUND LEVEL DISTANCES.

MARIN COUNTY

EXHIBIT B

(SHORFLINE HWY)
STATE HIGHWAY 1



LINE DATA	
LINE #	DISTANCE
L1	14.50'
L2	14.60'
L3	4.64'

18 ROS 12

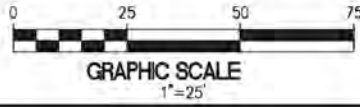
MEGHROUNI TRUST
APN 166-161-13
DOC. NO. 2023-0009650
PARCEL ONE

LEGEND:

- DIMENSION POINT
- APN ASSESSOR'S PARCEL NUMBER
- DOC. NO. DOCUMENT NUMBER
- P.O.B. POINT OF BEGINNING
- R/W RIGHT OF WAY
- O.R. OFFICIAL RECORDS
- ROS RECORD OF SURVEY
- (T) TOTAL
- ☐ TCE TEMPORARY CONSTRUCTION EASEMENT

LEGEND (continued):

- ☐ FEE
- ☐ TOUE TEMPORARY OVERHEAD UTILITY EASEMENT
- ☐ TPE TEMPORARY PLANTING EASEMENT



RESOLUTION OF NECESSITY MAP

04-Mrn-1-PM 28.58

A-10857/1 - 1A

Exhibit C

**TRANSPORTATION COMMISSION
RESOLUTION NO.**

C-22555

**CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION OF NECESSITY
TO ACQUIRE CERTAIN REAL PROPERTY
OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
HIGHWAY 04-Mrn-1-PM 28.56 PARCEL 63817-1, 2, 3, 4**

OWNER: Andrea Meghrouni-Brown, Trustee of the Andrea Meghrouni-Brown Revocable Trust Dated March 24, 2023, as to an Undivided 50% Interest and David E. Moser and Barbara W. Moser, Trustees of the David and Barbara Moser 1998 Family Trust Dated September 3, 1998 as amended as to an Undivided 50% Interest

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;

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;

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

APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED

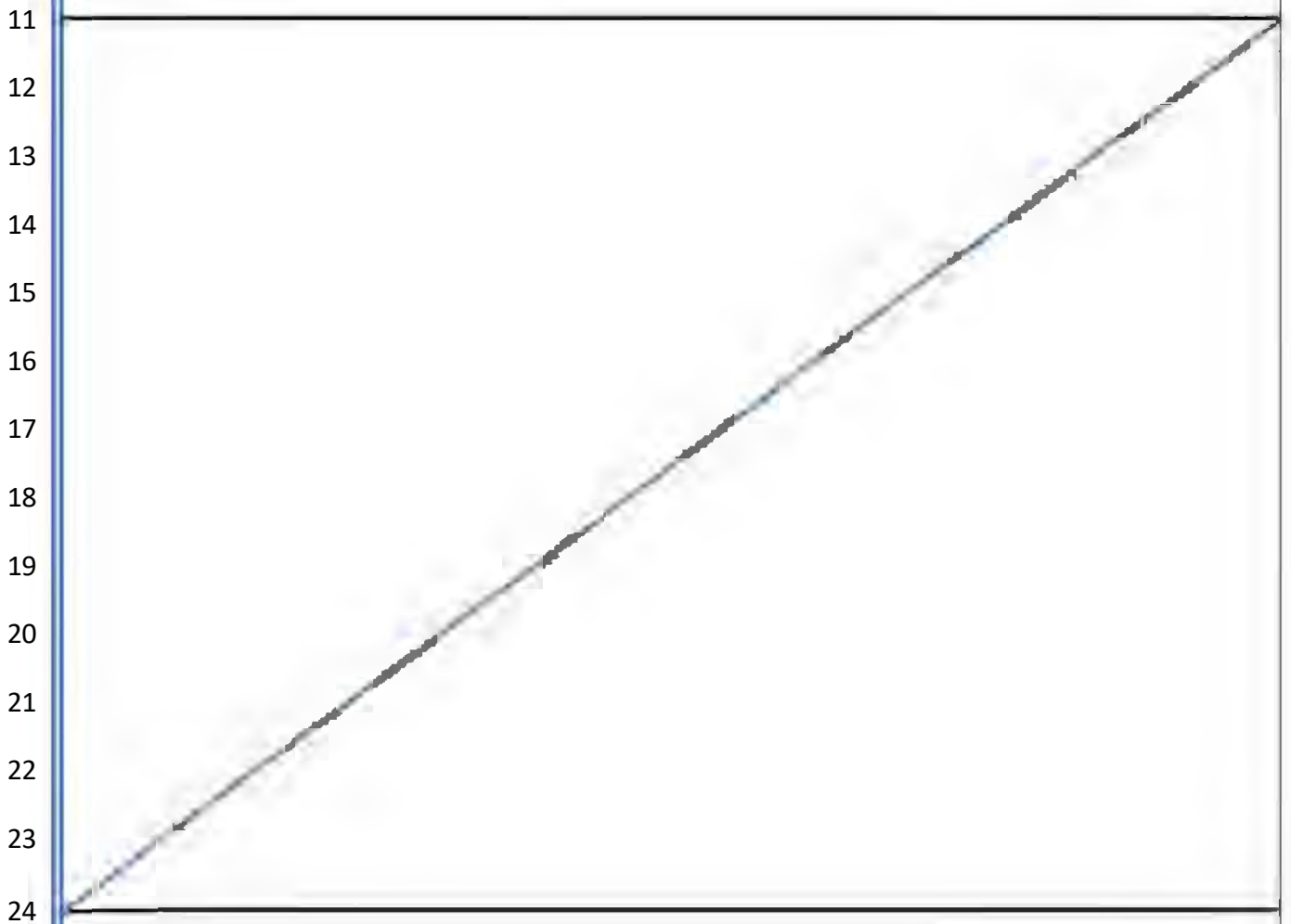
Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

1 RESOLVED by this Commission that the Department of Transportation be and said
2 Department is hereby authorized and empowered;

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

8 The real property or interests in real property, which the Department of
9 Transportation is by this resolution authorized to acquire, is situated in the County of Marin,
10 State of California, Highway 04-Mrn-1 and described as follows:



PARCEL 63817-2:

For State highway purposes, All that real property situated in the unincorporated area of Marin County, State of California, being a portion of PARCEL ONE as described in that certain Document recorded April 18, 2023 as Document Number 2023-0009650, Official Records of Marin County, State of California, more particularly described as follows:

COMMENCING at a T-bar designated as D-26 as shown on the California Department of Transportation right of way record map R.117.9, IV-Mrn-56-C-9 (4-Mrn-1-28.6-9), said T-bar bears North 14°13'04" East, 1295.28 feet from a T-bar designated as D-23 as shown on the California Department of Transportation right of way record map R.117.8, IV-Mrn-56-C-8 (4-Mrn-1-28.4-8); thence South 19°26'36" West, 837.81 feet; thence South 03°01'01" West, 48.39 feet to a point on the Northerly line of said PARCEL ONE, said point being the POINT OF BEGINNING; thence continuing South 03°01'01" West, 105.74 feet to the Easterly right of way line of existing State Highway 1; thence along last said line, North 01°40'31" West, 104.51 feet to said Northerly line of said PARCEL ONE; thence along last said line, North 82°33'44" East, 8.69 feet to the POINT OF BEGINNING.

EXCEPTING any portion lying within PARCEL ONE as described in that certain Document recorded April 14, 2015 as Document Number 2015-0016829, Official Records of Marin County, State of California.

The bearings and distances used in the above description are on the California Coordinate System of 1983, Zone 3 (Epoch 2010.00). Multiply the above distances by 1.0000517 to obtain ground level distances.

PARCEL 63817-3:

For State highway purposes, a TEMPORARY EASEMENT for overhead utilities, together with a right of way therefor and ingress and egress purposes and incident thereto, upon, over, through and across a portion of PARCEL ONE as described in that certain Document recorded April 18, 2023 as Document Number 2023-0009650, Official Records of Marin County, State of California, more particularly described as follows:

COMMENCING at a T-bar designated as D-26 as shown on the California Department of Transportation right of way record map R.117.9, IV-Mrn-56-C-9 (4-Mrn-1-28.6-9), said T-bar bears North 14°13'04" East, 1295.28 feet from a T-bar designated as D-23 as shown on the California Department of Transportation right of way record map R.117.8, IV-Mrn-56-C-8 (4-Mrn-1-28.4-8); thence South 19°26'36" West, 837.81 feet; thence North 01°26'10" East, 115.89 feet to the general Easterly right of way line of existing State Highway 1; thence along last said line, North 03°03'27" East, 65.84 feet; thence North 72°53'03" East, 30.07 feet; thence North 03°01'02" East, 12.88 feet; thence at a right angle, South 86°58'58" East, 10.00 feet; thence at a right angle, South 03°01'02" West, 19.87 feet; thence North 72°53'03" East, 17.84 feet; thence at a right angle, South 17°06'57" East, 10.00 feet; thence at a right angle, South 72°53'03" West, 10.86 feet; thence South 03°01'02" West, 218.14 feet to a point on the Southerly line of PARCEL ONE as shown on that certain Parcel Map filed April 03, 1969 in Book 3 of Parcel Maps, at Page 83, in the Office of the County Recorder of Marin County, State of California, said point being the POINT OF BEGINNING; thence continuing South 03°01'02" West, 190.70 feet to the Southerly line of said PARCEL ONE (Document Number 2023-0009650); thence along last said line, South 81°58'19" West, 38.90 feet to said general Easterly right of way line; thence along last said line, North 01°40'31" West, 18.51 feet; thence North 62°55'55" East, 11.20 feet to a line parallel with, distant 30.00 feet Westerly, measured at right angles from the course hereinabove described as "South 03°01'02" West, 190.70 feet"; thence along said parallel line, North 03°01'02" East, 168.55 feet to the Northerly line of said PARCEL ONE (Document Number 2023-

0009650); thence along last said line, North 82°33'44" East, 30.51 feet to the POINT OF BEGINNING.

Rights to the above-described Temporary Easement shall cease and terminate on December 31, 2027. Said right may also be terminated prior to the above date by STATE upon notice to OWNER.

The bearings and distances used in the above description are on the California Coordinate System of 1983, Zone 3 (Epoch 2010.00). Multiply the above distances by 1.0000517 to obtain ground level distances.

PARCEL 63817-1:

For State highway purposes, a TEMPORARY EASEMENT for construction purposes and incident thereto, upon, over, through and across a portion of PARCEL ONE as described in that certain Document recorded April 18, 2023 as Document Number 2023-0009650, Official Records of Marin County, State of California, more particularly described as follows:

COMMENCING at a T-bar designated as D-26 as shown on the California Department of Transportation right of way record map R.117.9, IV-Mrn-56-C-9 (4-Mrn-1-28.6-9), said T-bar bears North 14°13'04" East, 1295.28 feet from a T-bar designated as D-23 as shown on the California Department of Transportation right of way record map R.117.8, IV-Mrn-56-C-8 (4-Mrn-1-28.4-8); thence South 19°26'36" West, 837.81 feet; thence South 03°01'01" West, 48.39 feet to a point on the Northerly line of said PARCEL ONE, said point being the POINT OF BEGINNING; thence continuing South 03°01'01" West, 105.74 feet to the Easterly right of way line of existing State Highway 1; thence along last said line, South 01°40'31" East, 32.98 feet; thence South 86°58'58" East, 22.38 feet; thence North 03°01'01" East, 82.48 feet; thence North 77°06'41" East, 20.96 feet; thence South 88°39'22" East, 40.42 feet; thence at a right angle, North 01°20'38" East, 10.00 feet; thence at a right angle, North 88°39'22" West, 41.67 feet; thence South 77°06'41" West, 19.36 feet; thence North 03°01'01" East, 50.36 feet to the Northerly line of said PARCEL ONE (Document Number 2023-0009650); thence along last said line, South 82°33'44" West, 25.51 feet to the POINT OF BEGINNING.

Rights to the above-described Temporary Easement shall cease and terminate on December 31, 2027. Said right may also be terminated prior to the above date by STATE upon notice to OWNER.

The bearings and distances used in the above description are on the California Coordinate System of 1983, Zone 3 (Epoch 2010.00). Multiply the above distances by 1.0000517 to obtain ground level distances.

PARCEL 63817-4:

For State highway purposes, a TEMPORARY EASEMENT for PLANTING purposes and incident thereto, upon, over, through and across a portion of PARCEL ONE as described in that certain Document recorded April 18, 2023 as Document Number 2023-0009650, Official Records of Marin County, State of California, more particularly described as follows:

COMMENCING at a T-bar designated as D-26 as shown on the California Department of Transportation right of way record map R.117.9, IV-Mrn-56-C-9 (4-Mrn-1-28.6-9), said T-bar bears North 14°13'04" East, 1295.28 feet from a T-bar designated as D-23 as shown on the California Department of Transportation right of way record map R.117.8, IV-Mrn-56-C-8 (4-Mrn-1-28.4-8); thence South 19°26'36" West, 837.81 feet; thence South 03°01'01" West, 89.71 feet to the POINT OF BEGINNING; thence continuing South 03°01'01" West, 21.41 feet; thence South 86°48'02" East, 14.50 feet; thence North 02°42'32" East, 24.03 feet; thence South 82°52'46" West, 14.60 feet to the POINT OF BEGINNING.

Rights to the above-described Temporary Easement shall cease and terminate on December 31, 2032. Said right may also be terminated prior to the above date by STATE upon notice to OWNER.

The bearings and distances used in the above description are on the California Coordinate System of 1983, Zone 3 (Epoch 2010.00). Multiply the above distances by 1.0000517 to obtain ground level distances.

Exhibit D

David Moser
1069 Church Street
San Francisco, CA. 94114

July 29, 2024


Executive Director
California Transportation Commission
P.O. Box 942873
Mail Station 52
Sacramento, CA. 94273-0001

Re: Request to Appear
04-MRN-1-PM 28.56/EA 0G642
Project #0413000350
Parcel 63817-1,2,3,4

Dear Executive Director:

The owners of the subject parcel (David Moser, Barbara Moser, Andrea Meghrouni-Brown) hereby request to appear at the Commission meeting where the Commission will consider the Notice of Intent to Adopt Resolution of Necessity mailed to them by the Department of Transportation on July 18, 2024.

Sincerely,


David Moser

