

MEMORANDUM

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: October 16-17, 2025

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.4b., Action Item

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

Subject: **RESOLUTIONS OF NECESSITY**

ISSUE:

Should the California Transportation Commission (Commission) adopt Resolutions of Necessity (Resolutions) for these parcels, whose Owners are not contesting the declared findings of the California Department of Transportation (Department) under Section 1245.230 of the Code of Civil Procedure?

RECOMMENDATION:

The Department recommends that the Commission adopt Resolutions C-22580 through C-22591 as summarized on the following pages.

BACKGROUND:

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 of California (CCP). Moreover, for each of the proposed Resolutions, the property Owners are not contesting the following findings contained in Section 1245.230 of the CCP:

1. The public interest and necessity require the proposed project.
2. The proposed project is planned and located in a 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 purchase the property in compliance with Government Code Section 7267.2 has been made to the Owner of record.

The only remaining issues with the property Owners are related to compensation.

Discussions have taken place with the Owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the Owners may subsequently be entitled. Adoption of the Resolutions will not interrupt the Department's efforts to secure equitable settlements. In accordance with statutory requirements, each Owner has been advised that the Department is requesting a Resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-22580 - BURGE PROPERTIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

03-Ed-50 - Postmile (PM) 79.93 - Parcel 38875-1 - EA 0J4809.

Right of Way Certification (RWC) Date: 04/16/26. Ready to List (RTL) Date: 05/01/26.

Conventional highway – Rehabilitate pavement and drainage systems, upgrade facilities to Americans with Disabilities Act (ADA) standards, and replace Transportation Management System (TMS) elements in South Lake Tahoe, from east of Blue Lake Ave to the Nevada State line. Authorizes condemnation of a temporary construction easement (TCE) needed to conform the driveway. Located in the city of South Lake Tahoe at 3924 Lake Tahoe Boulevard. Assessor’s Parcel Number (APN) 029-170-003.

The public interest and necessity require the proposed project.

The existing pavement within the project area from Trout Creek Bridge to Stateline exhibits signs of distress. The pavement conditions range from fair to poor and are expected to further deteriorate in the absence of proper action. Multiple culverts are in fair or poor condition, jeopardizing the stability of the existing roadbed. Existing TMS elements and signs need to be upgraded to current standards. Various curb ramps, sidewalks and driveway aprons need repair or replacement to meet current standards.

This project preserves and extends the pavement service life and extends the life of drainage systems by rehabilitating or replacing culvert systems. This project also improves safety by addressing TMS elements, signs, ADA curb ramps and sidewalks that are not to current standards.

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

The environmental document for this South Tahoe Capital Preventative Maintenance (CAPM) project was completed on March 22, 2024. The negative declaration included in this environmental document indicates there will be no significant adverse impact on the environment. Due to the topography of the land, the drainage flows through private parcels where the flows meet Trout Creek. Attempting to divert the water to another location would be more difficult and expensive due to laying more pipe, acquiring easements and repaving. There is an existing drainage easement on the adjacent downstream land to preserve the natural flow patterns to the creek. Only one build alternative was considered due to the limited scope of the proposed construction and the narrow space within the existing right of way. The no build alternative would not meet the purpose and need of the project and may cause localized flooding of the highway.

To minimize private injury, the project team prioritized designs that utilized existing public right of way, limiting acquisitions to only necessary temporary and permanent easements for sidewalks and driveway aprons. The design team recommended strategies to reduce construction impacts, including optimizing construction hours and maintaining pedestrian and vehicular access to properties during construction. These approaches preserved adjacent private properties and minimized disruption while still achieving safety and accessibility goals.

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

The Owner's parcel is located along the southeast side of State Route (SR) 50, approximately 430 feet southwest of the intersection of SR 50 and Pioneer Trail. The total area of the subject parcel is 19,166 square feet. Parcel 38875-1 is a 386 square foot TCE. The installation of the ADA compliant sidewalk and driveway apron at this location requires the acquisition of the TCE.

The sub-parcels at this location will allow the construction of the sidewalk and driveway apron conforming to current standards. This will improve the safety for pedestrians, bicyclists and motor vehicle drivers at this driveway intersection. The project improvements at this location cannot be constructed without acquiring the proposed property.

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

A staff appraisal that established just compensation was approved by District 3 Right of Way management on February 12, 2025. On March 12, 2025, the First Written Offer (FWO) of just compensation was sent via email and certified mail to the property Owner and confirmed as received on March 18, 2025. On March 20, 2025 to August 13, 2025, the Agent initiated communication with the Owner to address the Owner's concerns. During that communication, the Owner stated they would provide a counteroffer in approximately two weeks. As of September 3, 2025, the Agent has not received the Owner's counteroffer.

Negotiations are ongoing and efforts to secure an equitable settlement will continue.

Condemnation has been initiated to maintain the orderly sequence of events required to meet construction schedules.

C-22581 - U.S. BANK OF CALIFORNIA, A CALIFORNIA-CHARTERED BANKING CORPORATION

03-Ed-50 PM 77.45 - Parcel 38833-1, 2 - EA 0J4809.

RWC Date: 04/16/26; RTL Date: 05/01/26. Conventional highway – Rehabilitate pavement and drainage systems, upgrade facilities to ADA standards, and replace TMS elements in South Lake Tahoe, from east of Blue Lake Ave to the Nevada State line. Authorizes condemnation of an easement for drainage purposes and a TCE needed to provide access to the culvert. Located in the city of South Lake Tahoe at 2850 Lake Tahoe Boulevard. APN 025-010-045.

The public interest and necessity require the proposed project.

The existing pavement within the project area from Trout Creek Bridge to Stateline exhibits signs of distress. The pavement conditions range from fair to poor and are expected to further deteriorate in the absence of proper action. Multiple culverts are in fair or poor condition, jeopardizing the stability of the existing roadbed. Existing TMS elements and signs need to be upgraded to current standards. Various curb ramps, sidewalks and driveway aprons need repair or replacement to meet current standards.

This project preserves and extends the pavement service life and extends the life of drainage systems by rehabilitating or replacing culvert systems. This project also improves safety by addressing TMS elements, signs, ADA curb ramps and sidewalks that are not to current standards.

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

The environmental document for this South Tahoe CAPM project was completed on March 22, 2024. The negative declaration included in this environmental document indicates there will be no significant adverse impact on the environment.

Due to the topography of the land, the drainage flows through private parcels where the flows meet Trout Creek. Attempting to divert the water to another location would be more difficult and expensive due to laying more pipe, acquiring easements and repaving. There is an existing drainage easement on the adjacent downstream land to preserve the natural flow patterns to the creek. Only one build alternative was considered due to the limited scope of the proposed construction and the narrow space within the existing right of way. The no build alternative would not meet the purpose and need of the project and may cause localized flooding of the highway.

To minimize private injury, the project team prioritized designs that utilized existing public right of way, limiting acquisitions to only necessary temporary and permanent easements for sidewalks and driveway aprons. The design team recommended strategies to reduce construction impacts, including optimizing construction hours and maintaining pedestrian and vehicular access to properties during construction. These approaches preserve adjacent private properties and minimize disruption while still achieving safety and accessibility goals.

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

The Owner's parcel is located along the east side of SR 50, approximately 370 feet south of the intersection of Lake Tahoe Blvd and SR 50. The total size of the subject property is 20,473 square feet. Parcel 38833-1 is a 536 square foot drainage easement where water naturally flows to the corner of the subject. Parcel 38833-2 is a 126 square foot TCE. Replacement of the existing storm drain system requires the acquisition of the permanent drainage easement and TCE to build the improvements. The location of the proposed drainage easement and TCE lie within an existing utility easement granted to the city of South Lake Tahoe.

The sub-parcels at this location will allow the cleaning, inspection and lining of the existing culvert and construction of an outfall structure. Being that the existing drainage system and surface flows both collect at this low point, the project improvements at this location cannot be constructed without acquiring the proposed property.

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

A staff appraisal that established just compensation was approved by District 3 Right of Way management on January 13, 2025. On February 18, 2025, the FWO of just compensation was sent via email to the property Owner and confirmed as received the same day. On July 21, 2025, property Owner stated they hired an attorney to review the FWO. On February 27, 2025 to August 6, 2025, the Agent attempted to call the Owner and left many voicemails requesting the status of the Owner and outside council's review, but was not successful.

Negotiations are ongoing and efforts to secure an equitable settlement will continue. However, the parties are currently at an impasse due to lack of communication from the Owner.

Condemnation has been initiated to maintain the orderly sequence of events required to meet construction schedules.

C-22582 – OWNER: UNION PACIFIC RAILROAD (LESSEE: OUTFRONT Media LLC)
03-Yub-70-PM 15.0 - Parcel 37862-A - EA 0H1609.

RWC Date: 12/02/25; RTL Date: 12/03/25. Conventional highway - Roadway rehabilitation. Authorizes condemnation for removal of one ODA sign. Located in the city of Marysville near PM 15.0 next to the railroad tracks. APN 009-081-002.

The public interest and necessity require the proposed project.

In the city of Marysville, SR 70 from south of 14th Street to north of 24th Street has two Union Pacific Railroad (UPRR) overpasses which have deficient vertical clearances. The Marysville Underpass and the Binney Junction Underpass bridges have been struck multiple times by vehicles, significantly impacting traffic and railroad operations. Large volumes of freight and goods movement occur along SR 70, resulting in deteriorating pavement conditions and requiring exhaustive maintenance. In addition, there are inadequate pedestrian and bicycle facilities to facilitate mobility options for the students at the local high school which is within the project limits.

The project proposes to widen SR 70 to current standards and reconstruct the Marysville and Binney Junction underpasses to the required vertical clearances, ensuring safe and efficient travel of various modes of transportation.

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

The Project Development Team (PDT), in compliance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) prepared an Environmental Impact Report (EIR) / Environmental Assessment (EA), analyzing the potential environmental impacts of the project and required mitigations. The document was approved in February of 2025.

The PDT developed and analyzed two alternatives with considerations for environmental implications, constructability challenges, impacts to the traveling public, and overall safety, mobility, and connectivity of various modes of travel.

Alternative 1 evaluated widening SR 70 to the east, constructing the new Marysville Underpass and associated tracks to the north of the existing structure, and constructing the new Binney Junction Underpass and associated tracks to the south of the existing structures. Alternative 2 evaluated widening SR 70 to the east and constructing both underpasses and associated tracks south of the existing structures. The no build alternative was not a viable option since existing conditions do not satisfy the project's purpose and need to improve safety, mobility, and connectivity.

After extensive analysis of the alternatives, the PDT concluded that a hybrid of Alternative 1 and Alternative 2 best met the project goals, provided the greatest benefit, and least impact to property owners, residents, and the community. This hybrid alternative avoided the acquisition of numerous commercial and residential properties including a Veterans' Care Center and a historic residence eligible for listing in the National and California Register of Historic Places.

"Improving lives and communities through transportation."

The rejected alternative would have also landlocked multiple properties, requiring additional acquisition of private lands to construct public roads to perpetuate access.

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

The property rights consist of an ODA sign that is located on property owned by UPRR. The ODA sign is located along the east side of SR 70, just south of the Marysville Underpass. The Underpass needs to be relocated to accommodate the project and to ensure that proper vertical clearance is met at this location. This location frequently experiences freight traffic hitting the structure which results in closure of SR 70 and the rail line.

The relocation of the Underpasses is causing the realignment of UPRR Tracks 683, 685, Valley Subdivision, and the Sacramento Subdivision tracks. The ODA sign is on property that will be needed to accomplish this work. Additional work at this location includes construction of retaining walls to support the track realignment. The ODA sign will need to be relocated to accommodate the work within the TCE area of UPRR's property.

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

A staff appraisal that established just compensation was approved by District 3 Right of Way management on June 4, 2025. The FWO was sent via certified mail on July 1, 2025. The Owner's attorney has requested that the acquisition be handled through the eminent domain process due to a significant difference in opinion pertaining to value. The Agent continues to work with the Owner towards a settlement.

Condemnation has been initiated to maintain the orderly sequence of events required to meet construction schedules.

C-22583 – OWNER: UNION PACIFIC RAILROAD (LESSEE: OUTFRONT Media LLC)

03-Yub-70-PM 15.1 - Parcel 37864-A - EA 0H1609.

RWC Date: 12/02/25; RTL Date: 12/03/25. Conventional highway - Roadway rehabilitation. Authorizes condemnation for removal of two ODA signs. Located in the city of Marysville near PM 15.1, next to the railroad tracks. APN 009-015-004.

The public interest and necessity require the proposed project.

In the city of Marysville, SR 70 from south of 14th Street to north of 24th Street has two UPRR overpasses which have deficient vertical clearances. The Marysville Underpass and the Binney Junction Underpass bridges have been struck multiple times by vehicles, significantly impacting traffic and railroad operations. Large volumes of freight and goods movement occur along SR 70, resulting in deteriorating pavement conditions and requiring exhaustive maintenance. In addition, there are inadequate pedestrian and bicycle facilities to facilitate mobility options for the students at the local high school which is within the project limits.

The project proposes to widen SR 70 to current standards and reconstruct the Marysville and Binney Junction underpasses to the required vertical clearances, ensuring safe and efficient travel of various modes of transportation.

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

The PDT, in compliance with the CEQA and the NEPA prepared an EIR/EA, analyzing the potential environmental impacts of the project and required mitigations. The document was approved in February of 2025.

The PDT developed and analyzed two alternatives with considerations for environmental implications, constructability challenges, impacts to the traveling public, and overall safety, mobility, and connectivity of various modes of travel.

Alternative 1 evaluated widening SR 70 to the east, constructing the new Marysville Underpass and associated tracks to the north of the existing structure, and constructing the new Binney Junction Underpass and associated tracks to the south of the existing structures. Alternative 2 evaluated widening SR 70 to the east and constructing both underpasses and associated tracks south of the existing structures. The no build alternative was not a viable option since existing conditions do not satisfy the project's purpose and need to improve safety, mobility, and connectivity.

After extensive analysis of the alternatives, the PDT concluded that a hybrid of Alternative 1 and Alternative 2 best met the project goals, provided the greatest benefit, and least impact to property owners, residents, and the community. This hybrid alternative avoided the acquisition of numerous commercial and residential properties including a Veterans' Care Center and a historic residence eligible for listing in the National and California Register of Historic Places. The rejected alternative would have also landlocked multiple properties, requiring additional acquisition of private lands to construct public roads to perpetuate access.

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

The property rights consist of two ODA signs that are located on property owned by UPRR. The ODA signs are located along the west side of SR 70, just north of the Marysville Underpass. The Underpass needs to be relocated to accommodate the project and to ensure that proper vertical clearance is met at this location. This location frequently experiences freight traffic hitting the structure which results in closure of SR 70 and the rail line. The relocation of the Underpasses is causing the realignment of UPRR Tracks 683, 685, Valley Subdivision, and the Sacramento Subdivision tracks. The ODA signs are on property that will be needed to accomplish this work. Additional work at this location includes construction of retaining walls to support the track realignment. The ODA signs will need to be relocated to accommodate the work within the TCE area of UPRR's property.

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

A staff appraisal that established just compensation was approved by District 3 Right of Way management on June 4, 2025. The FWO was sent via certified mail on July 1, 2025. The Owner's attorney has requested that the acquisition be handled through the eminent domain process due to a significant difference in opinion pertaining to value. The Agent continues to work with the Owner towards a settlement.

Condemnation has been initiated to maintain the orderly sequence of events required to meet construction schedules.

C-22584 - MPZ Capital LLC, a California Limited Liability Company
06-Tul-99-PM 28.27 - Parcel 89766-1 - EA 06-489509.

RWC Date: 07/01/26; RTL Date: 07/14/26. Freeway - Widen the existing 4-lane freeway to a 6-lane freeway in Tulare County from 0.4 miles south of Avenue 200 Overcrossing to 0.3 miles north of Prosperity Overcrossing. Authorizes condemnation of land in fee for a State highway. Located in the city of Tulare at SR 99 in Tulare County, in and near the city of Tulare, property north of S. Dayton Street and E. Walnut Avenue. APN's 182-040-032 and 182-030-025.

The public interest and necessity require the proposed project.

The Department proposes to widen the existing 4-lane freeway to a 6-lane freeway by constructing one lane in each direction in the existing median of SR 99 just south of the Avenue 200 Overcrossing to the Prosperity Avenue Overcrossing. The existing interchange at Paige Avenue will be reconfigured with four roundabouts.

The purpose of the project is to relieve traffic congestion along SR 99 from Avenue 200 to Prosperity Avenue and improve traffic operational deficiencies at the Paige Avenue Interchange.

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

The Department has prepared a Final Environmental Impact Report/Environmental Survey (FEIR/ES). Department is the lead agency under the NEPA and CEQA. A FEIR/ES was prepared and signed on December 28, 2023.

The build alternative proposes to add a flexible pavement lane and shoulder in the median in each direction and rehabilitate the existing lanes between Avenue 200 Crossing to Paige Avenue interchange. The project will replace the existing Thrie Beam barriers with concrete barrier. Existing drainage inlets will be relocated near the new proposed concrete barrier. To accommodate for the additional water runoff of the new pavement, nine drainage basins are being proposed. SB lanes on SR 99 from PM 25.62 to 26.35 will be realigned parallel to the existing NB lanes. There are several segments of proposed security fences near Tulare Avenue and Cross Avenue. Ramp widening and metering will be proposed on Bardsley Avenue and Tulare Avenue ramps.

Two alternatives were considered for this project to complete the improvements: build, or no-build, with the intention of causing the least private injury. The build alternative for the SR 99 mainline would satisfy the purpose of the project because it would improve traffic flow, address current and future traffic operational needs and alleviate congestion. SR 99 would remain as-is per the no build scenario. There will be increased congestion on the freeway that will adversely impact traffic safety. There would be no improvements to the roadway, and it would not meet the purpose need.

To minimize private injury, the project team prioritized designs that enhance traveling public safety, maximizes the utilization of existing public right of way, and limits acquisition to only necessary parcels such as mitigation for additional storm drain runoff, proposes retaining walls, promotes complete streets elements such as bicycle/pedestrian shared-used paths, closing sidewalk gaps, and high-visibility crosswalks. The project team recommended staging strategies to reduce construction impact such as optimizing construction hours, providing detours, and using flexible pavement in lieu of rigid pavement to reduce working days, project cost, and time-related overhead. Nonstandard design features are also proposed where full standard compliance would have required significant property acquisitions or structural modifications. These approaches preserve adjacent private properties and minimize disruptions while still achieving safety and accessibility goals.

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

The property is located north of the corner of S. Dayton Street and E. Walnut Avenue within the city of Tulare. The subject property is at the northeast corner of SR 99 and Walnut Avenue and consists of 2.38 acres according to the Department appraisal map. The acquisition consists of the purchase of 1.87 acres in fee. The parcel cannot be eliminated as it is needed to construct a new basin to collect the increased volume of stormwater runoff due to the new impervious surface.

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

A staff appraisal that established just compensation was approved by District 6 Right of Way management on February 12, 2025, as well as a full acquisition appraisal. The proposed acquisition area necessary to complete the project is 1.87 acres and the total property area is 2.38 acres, which would leave the Owner with a 21 percent remainder. The property Owner was unavailable for contact as he was out of the country. Therefore, the Agent was unable to make the FWO within 30 days. Once available, the FWO of the original appraisal and a full acquisition appraisal was emailed to the Owner (per his request) on March 28, 2025.

On April 14, 2025, the Agent contacted the Owner regarding the status of his review of the FWO. On April 20, 2025, the Owner contacted the Agent and stated that he would obtain an independent appraisal as he was not satisfied with the State's offer of just compensation. On May 19, 2025, the Agent contacted the Owner requesting a meeting and the status of the independent appraisal. From May 20, 2025 to July 7, 2025, the Agent left follow up voice messages but has not received a response to date.

Negotiations are ongoing and efforts to secure an equitable settlement will continue. However, the parties are currently at an impasse due to the lack of response from the Owner. Condemnation has been initiated to maintain the orderly sequence of events required to meet construction schedules.

C-22585 - Lino A. Pimentel and Betty T. Pimentel, Trustees under the Pimentel Living Trust dated, May 20, 2004

06-Tul-99-PM 28.80 - Parcel 89529-1, 2 - EA 489509.

RWC Date: 07/01/26; RTL Date: 07/14/26. Freeway - Widen the existing 4-lane freeway to a 6-lane freeway in Tulare County from 0.4 miles south of Avenue 200 Overcrossing to 0.3 miles north of Prosperity Overcrossing. Authorizes condemnation of land in fee for a State highway, and underlying fee. Located in the city of Tulare at SR 99 in Tulare County, in and near the city of Tulare at the end of Stockham Avenue, west of Spruce Avenue on the southeast corner. APN 177-060-002.

The public interest and necessity require the proposed project.

The Department proposes to widen the existing 4-lane freeway to a 6-lane freeway by constructing one lane in each direction in the existing median of SR 99 just south of the Avenue 200 Overcrossing to the Prosperity Avenue Overcrossing. The existing interchange at Paige Avenue will be reconfigured with four roundabouts.

The purpose of the project is to relieve traffic congestion along SR 99 from Avenue 200 to Prosperity Avenue and improve traffic operational deficiencies at the Paige Avenue Interchange.

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

The Department has prepared a FEIR/ES. Department is the lead agency under the NEPA and CEQA. A FEIR/ES was prepared and signed on December 28, 2023.

The build alternative proposes to add a flexible pavement lane and shoulder in the median in each direction and rehabilitate the existing lanes between Avenue 200 Crossing to Paige Avenue interchange. The project will replace the existing Thrie Beam barriers with concrete barrier. Existing drainage inlets will be relocated near the new proposed concrete barrier. To accommodate for the additional water runoff of the new pavement, nine drainage basins are being proposed. SB lanes on SR 99 from PM 25.62 to 26.35 will be realigned parallel to the existing NB lanes. There are several segments of proposed security fences near Tulare Avenue and Cross Avenue. Ramp widening and metering will be proposed on Bardsley Avenue and Tulare Avenue ramps.

Two alternatives were considered for this project to complete the improvements: build, or no-build, with the intention of causing the least private injury. The build alternative for the SR 99 mainline would satisfy the purpose of the project because it would improve traffic flow, address current and future traffic operational needs and alleviate congestion. SR 99 would remain as-is per the no build scenario. There will be increased congestion on the freeway that will adversely impact traffic safety. There would be no improvements to the roadway, and it would not meet the purpose need.

To minimize private injury, the project team prioritized designs that enhance traveling public safety, maximizes the utilization of existing public right of way, limits acquisition to only necessary parcels such as mitigation for additional storm drain runoff, proposes retaining walls, promotes complete streets elements such as bicycle/pedestrian shared-used paths, closing sidewalk gaps, and high-visibility crosswalks. The project team recommended staging strategies to reduce construction impact such as optimizing construction hours, providing detours, and using flexible pavement in lieu of rigid pavement to reduce working days, project cost, and time-related overhead. Nonstandard design features are also proposed where full standard compliance would have required significant property acquisitions or structural modifications. These approaches preserve adjacent private properties and minimize disruptions while still achieving safety and accessibility goals.

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

The property is located at 800 South Dayton Street within the city of Tulare, at the northwest corner of SR 99/Dayton Street and Stockholm Avenue and consists of 25,069 square feet (0.58 acres) according to the Department appraisal map. The acquisition consists of the purchase of 25,069 square feet in fee and 8,734 square feet in underlying fee. The parcel cannot be eliminated as it is needed to construct a new basin to collect the increased volume of stormwater runoff due to the new impervious surface.

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

District Right of Way Management approved the Appraisal Report on May 9, 2025. At the property Owner's request, the FWO was emailed to the Owner on June 25, 2025. Due to the property Owner's schedule, the FWO was not done within 30 days of the approved appraisal date.

On June 26, 2025, the Agent spoke to the Owner regarding the FWO and scheduled an in-person meeting. On July 2, 2025, the Agent met with the Owner in person. The property Owner told the Agent he was upset about the acquisition and was not willing to sell. Also, he expressed disagreement with the Department's need to build a basin. He said he was not interested in a dollar amount but wanted the Department to find another location for said basin. The Owner requested a map of the project design in the after condition and that was provided. Negotiations are ongoing and efforts to secure an equitable settlement will continue. However, the parties are currently at an impasse due to the resistance from the property Owner.

Condemnation has been initiated to maintain the orderly sequence of events required to meet construction schedules.

C-22586 - Charles Decasas and Marsi Roberson-Decasas, Co-Trustees of the Decasas and Roberson-Decasas Family Trust, dated July 10, 2002, as community property for the benefit of Charles Decasas and Marsi Roberson-Decasas

12-Ora-74-PM 1.4 - Parcel 104307-1 - EA 086929.

RWC Date: 04/21/26; RTL Date: 04/30/26. Conventional highway - Widen from two lanes to four lanes. Authorizes condemnation of a temporary easement for construction purposes. Located in the city of San Juan Capistrano at 30982 Via Cristal. APN 664-034-01.

The public interest and necessity require the proposed project.

The Department developed a project report dated November 30, 2009 and a supplemental project report dated May 8, 2020 which is proposing improvements to a segment of SR 74 (Ortega Highway) in the city of San Juan Capistrano (City) to relieve traffic congestion, improve safety, and support long-term regional mobility. This portion of Ortega Highway currently narrows from four lanes to two, creating a traffic bottleneck that causes delays and affects emergency response and commuter reliability.

To address these issues, the project will widen the highway, upgrade intersections, and improve pedestrian and bicycle access. The reconstruction of infrastructure such as retaining walls, sidewalks, and sound walls is also included to meet current design and safety standards.

These improvements are necessary to ensure the safe and efficient movement of people and vehicles and are consistent with adopted transportation and land use plans. The project benefits the traveling public and the broader community by addressing current deficiencies and preparing for future growth. The project will incorporate Complete Streets features for pedestrians and bicyclists and reduce congestion within the project limits.

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

A Project Study Report (PSR) was approved in 1997, and initial public engagement began in 2000. Due to public feedback, the Department prepared an EIR, which assessed no build, and two build alternatives. After a 45-day public review the EIR was approved in 2009 and was addended in 2010. Build alternative 2 includes widening the north side of the highway while replacing the meandering sidewalk, and has been selected as the preferred alternative. Following the CEQA Certification, both the City and the Hunt Club Community Association (Hunt Club) filed a joint lawsuit in Orange County Superior Court challenging the EIR. On July 14, 2011, the City, the Hunt Club, and the Department reached a settlement. The lawsuit shall not prevent or restrain the Department from implementing the project as described in the certified EIR, as long as: (a) the Department's implementation of the project is in all respects consistent with the 2009 certified EIR and the 2010 Addendum, (b) the project implements all of the mitigation measures described in the certified EIR, and (c) the Department complies with and implements the terms, conditions, requirements, and restrictions of the settlement. Pursuant to the settlement, an EA with Finding of No Significant Impact (FONSI) in compliance with NEPA was prepared in May 2020 which was circulated to the public for 45 days prior to being signed, confirming the project would not result in significant environmental impacts.

The proposed project has been carefully planned to serve the greatest public good by addressing long-standing traffic congestion on SR 74, improving roadway safety, reducing delays, and enhancing multimodal access for pedestrians and cyclists. These improvements directly benefit local residents, regional commuters, emergency services, and the traveling public by creating a more reliable and efficient transportation corridor. To minimize project impacts on surrounding properties, the design retains the existing road alignment where feasible, incorporates retaining walls to reduce grading, while at the same time including features such as sidewalks, bike lanes, and upgraded traffic signals to enhance community connectivity and safety.

By focusing improvements within the existing corridor and selecting design solutions that reduce property impacts, the project reflects a clear intent to promote the public good while imposing the least possible burden on adjacent landowners.

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

The subject property is located in the city of San Juan Capistrano at 30982 Via Cristal, adjacent to SR 74. The property consists of 10,254 square feet and is improved with a single story, single-family residence. The project requires a 587 square foot TCE adjacent to the State right of way which is necessary to allow the contractor a sufficient work area and access to construct a soundwall. The proposed soundwall along the south side of SR 74 is located within the State right of way and is a critical component of the project, as well as a required condition of the Settlement Agreement between the Department, the Hunt Club, and the City. The TCE will facilitate the removal and reconstruction of the existing soundwall to current design and safety standards, in the same location within the State right of way. The proposed project improvements cannot be constructed without acquiring a portion of the Owner's property.

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

A staff appraisal that established just compensation was approved by District 12 Right of Way management on January 16, 2025 and on February 19, 2025 the FWO was presented to the Owner in person. A Memorandum of Adjustment was approved on May 5, 2025, which revised the approved appraisal to include additional miscellaneous site improvements within the TCE area. On May 13, 2025, a revised offer of just compensation was emailed to the Owner and was confirmed as received May 14, 2025.

Negotiations are ongoing and efforts to secure an equitable settlement will continue. However, the parties are currently at an impasse due to compensatory issues with a significant difference between the State's revised offer and the Owner's proposed counteroffer.

Condemnation has been initiated to maintain the orderly sequence of events required to meet construction schedules.

C-22587 - Frank L. Jaksch, Jr. and Tricia A. Jaksch, Trustees of the 2008 Jaksch Family Trust dated June 25, 2008

12-Ora-74-PM 1.4 - Parcel 104325-1, 2 - EA 086929.

RWC Date: 04/21/26; RTL Date: 04/30/26. Conventional highway - Widen from two lanes to four lanes. Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located in the city of San Juan Capistrano at 28181 Ortega Highway. APN 650-171-17.

The public interest and necessity require the proposed project.

The Department developed a project report dated November 30, 2009 and a supplemental project report dated May 8, 2020 which is proposing improvements to a segment of SR 74 (Ortega Highway) in the city of San Juan Capistrano (City) to relieve traffic congestion, improve safety, and support long-term regional mobility. This portion of Ortega Highway currently narrows from four lanes to two, creating a traffic bottleneck that causes delays and affects emergency response and commuter reliability.

To address these issues, the project will widen the highway, upgrade intersections, and improve pedestrian and bicycle access. The reconstruction of infrastructure such as retaining walls, sidewalks, and sound walls is also included to meet current design and safety standards.

These improvements are necessary to ensure the safe and efficient movement of people and vehicles and are consistent with adopted transportation and land use plans. The project benefits the traveling public and the broader community by addressing current deficiencies and preparing for future growth. The project will incorporate Complete Streets features for pedestrians and bicyclists and reduce congestion within the project limits.

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

A PSR was approved in 1997, and initial public engagement began in 2000. Due to public feedback, the Department prepared an EIR, which assessed no build, and two build alternatives. After a 45-day public review the EIR was approved in 2009 and was addended in 2010 Build alternative 2 includes widening the north side of the highway while replacing the meandering sidewalk, and has been selected as the preferred alternative. Following the CEQA Certification, both the City and the Hunt Club filed a joint lawsuit in Orange County Superior Court challenging the EIR. On July 14, 2011, the City, the Hunt Club, and the Department reached a settlement. The lawsuit shall not prevent or restrain the Department from implementing the project as described in the certified EIR, as long as: (a) the Department's implementation of the project is in all respects consistent with the 2009 certified EIR and the 2010 Addendum, (b) the project implements all of the mitigation measures described in the certified EIR, and (c) the Department complies with and implements the terms, conditions, requirements, and restrictions of the settlement. Pursuant to the settlement, an EA/FONSI in compliance with NEPA was prepared in May 2020 which was circulated to the public for 45 days prior to being signed, confirming the project would not result in significant environmental impacts.

The proposed project has been carefully planned to serve the greatest public good by addressing long-standing traffic congestion on SR 74, improving roadway safety, reducing delays, and enhancing multimodal access for pedestrians and cyclists. These improvements directly benefit local residents, regional commuters, emergency services, and the traveling public by creating a more reliable and efficient transportation corridor. To minimize project impacts on surrounding properties, the design retains the existing road alignment where feasible, incorporates retaining walls to reduce grading, while at the same time including features such as sidewalks, bike lanes, and upgraded traffic signals to enhance community connectivity and safety.

By focusing improvements within the existing corridor and selecting design solutions that reduce property impacts, the project reflects a clear intent to promote the public good while imposing the least possible burden on adjacent landowners.

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

The subject property is located in the city of San Juan Capistrano at 28181 Ortega Highway, adjacent to SR 74. The property consists of 54,019 square feet and is improved with a single story, single-family residence. The project requires 10,989 square feet in fee from the Owners' property to widen the roadway, construct a retaining wall, drainage improvement (concrete gutter), and bioswale. The project also requires a 4,078 square foot TCE adjacent to the State right of way which is necessary to allow the contractor a sufficient work area and access to widen the roadway, construct a retaining wall, drainage improvement (concrete gutter), and bioswale. The proposed project improvements cannot be constructed without acquiring a portion of the Owners' property.

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

A staff appraisal that established just compensation was approved by District 12 Right of Way management on July 30, 2025. At the request of the property Owners' attorney, on August 18, 2025 the FWO of just compensation was emailed and mailed to the Owners' attorney, and confirmed as received on the same day. In a letter dated August 13, 2025, the Owners' attorney requested that Department adopt a Resolution and file a complaint in eminent domain promptly to avoid claims for additional pre-condemnation damages. Therefore, as requested, the Department will proceed with a request to adopt a Resolution at the October 2025 Commission meeting. Efforts to secure an equitable settlement with the Owners and their attorney will continue.

Condemnation has been initiated to maintain the orderly sequence of events required to meet construction schedules.

C-22588 - SUSAN E. MERCHANT, TRUSTEE OF THE SUSAN E. MERCHANT TRUST
DATED 9/23/98

12-Ora-74-PM 1.7 - Parcel 104332-1 - EA 086929.

RWC Date: 04/21/26; RTL Date: 04/30/26. Conventional highway - Widen from two lanes to four lanes. Authorizes condemnation of a temporary easement for construction purposes. Located in the city of San Juan Capistrano at 30621 Shadetree Lane. APN's 650-181-21, -25.

The public interest and necessity require the proposed project.

The Department developed a project report dated November 30, 2009 and a supplemental project report dated May 8, 2020 which is proposing improvements to a segment of SR 74 (Ortega Highway) in the city of San Juan Capistrano (City) to relieve traffic congestion, improve safety, and support long-term regional mobility. This portion of Ortega Highway currently narrows from four lanes to two, creating a traffic bottleneck that causes delays and affects emergency response and commuter reliability.

To address these issues, the project will widen the highway, upgrade intersections, and improve pedestrian and bicycle access. The reconstruction of infrastructure such as retaining walls, sidewalks, and sound walls is also included to meet current design and safety standards.

These improvements are necessary to ensure the safe and efficient movement of people and vehicles and are consistent with adopted transportation and land use plans. The project benefits the traveling public and the broader community by addressing current deficiencies and preparing for future growth. The project will incorporate Complete Streets features for pedestrians and bicyclists and reduce congestion within the project limits.

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

A PSR was approved in 1997, and initial public engagement began in 2000. Due to public feedback, the Department prepared an EIR, which assessed no build, and two build alternatives. After a 45-day public review the EIR was approved in 2009 and was addended in 2010. Build alternative 2 includes widening the north side of the highway while replacing the meandering sidewalk and has been selected as the preferred alternative. Following the CEQA Certification, both the City and the Hunt Club filed a joint lawsuit in Orange County Superior Court challenging the EIR. On July 14, 2011, the City, the Hunt Club, and the Department reached a settlement. The lawsuit shall not prevent or restrain the Department from implementing the project as described in the certified EIR, as long as: (a) the Department's implementation of the project is in all respects consistent with the 2009 certified EIR and the 2010 Addendum, (b) the project implements all of the mitigation measures described in the certified EIR, and (c) the Department complies with and implements the terms, conditions, requirements, and restrictions of the settlement. Pursuant to the settlement, an EA/FONSI in compliance with NEPA was prepared in May 2020 which was circulated to the public for 45 days prior to being signed, confirming the project would not result in significant environmental impacts.

The proposed project has been carefully planned to serve the greatest public good by addressing long-standing traffic congestion on SR 74, improving roadway safety, reducing delays, and enhancing multimodal access for pedestrians and cyclists. These improvements directly benefit local residents, regional commuters, emergency services, and the traveling public by creating a more reliable and efficient transportation corridor. To minimize project impacts on surrounding properties, the design retains the existing road alignment where feasible, incorporates retaining walls to reduce grading, while at the same time including features such as sidewalks, bike lanes, and upgraded traffic signals to enhance community connectivity and safety.

By focusing improvements within the existing corridor and selecting design solutions that reduce property impacts, the project reflects a clear intent to promote the public good while imposing the least possible burden on adjacent landowners.

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

The subject property is located in the city of San Juan Capistrano at 30621 Shadetree Lane, adjacent to SR 74. The property consists of 128,973 square feet and is improved with a 2-story single-family residence and a horse stable. The project requires a 565 square foot TCE adjacent to the State right of way which is necessary to allow the contractor sufficient work area and access to reconstruct the pavement impacted by the widening of SR 74 along Shadetree Lane. The proposed project improvements cannot be constructed without acquiring a portion of the Owner's property.

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

A staff appraisal that established just compensation was approved by District 12 Right of Way management on January 16, 2025. On February 12, 2025, at the request of the property Owner, the FWO of just compensation was sent via certified mail and email and confirmed as received. Negotiations are ongoing and efforts to secure an equitable settlement will continue. The Agent has made numerous attempts by phone, email, and mail to contact the property Owner, but the Owner has failed to provide timely responses. However, on August 12, 2025, the Department received a counteroffer that is significantly higher than the Department's offer. Attempts to secure a settlement will continue, however the parties are currently at an impasse due to compensatory issues.

Condemnation has been initiated to maintain the orderly sequence of events required to meet construction schedules.

C-22589 - Fernando A. Kellenberger, A Single Man and Diego Kellenberger, A Single Man and Fernando Kellenberger and Annette Changala, Husband and Wife, All as Joint Tenants 12-Ora-74-PM 1.8 - Parcel 104334-1, 2 - EA 086929.

RWC Date: 04/21/26; RTL Date: 04/30/26. Conventional highway - Widen from two lanes to four lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for construction purposes. Located in the city of San Juan Capistrano at 30752 Shadetree Lane. APN 650-181-20.

The public interest and necessity require the proposed project.

The Department developed a project report dated November 11, 2009, and a supplemental project report dated May 8, 2020, which is proposing improvements to a segment of SR 74 (Ortega Highway) in the city of San Juan Capistrano (City) to relieve traffic congestion, improve safety, and support long-term regional mobility. This portion of Ortega Highway currently narrows from four lanes to two, creating a traffic bottleneck that causes delays and affects emergency response and commuter reliability.

To address these issues, the project will widen the highway, upgrade intersections, and improve pedestrian and bicycle access. The reconstruction of infrastructure such as retaining walls, sidewalks, and sound walls is also included to meet current design and safety standards.

These improvements are necessary to ensure the safe and efficient movement of people and vehicles and are consistent with adopted transportation and land use plans. The project benefits the traveling public and the broader community by addressing current deficiencies and preparing for future growth. The project will incorporate Complete Streets features for pedestrians and bicyclists and reduce congestion within the project limits.

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

A PSR was approved in 1997, and initial public engagement began in 2000. Due to public feedback, the Department prepared an EIR, which assessed no build, and two build alternatives. After a 45-day public review the EIR was approved in 2009 and was addended in 2010. Build alternative 2 includes widening the north side of the highway while replacing the meandering sidewalk and has been selected as the preferred alternative. Following the CEQA Certification, both the City and the Hunt Club filed a joint lawsuit in Orange County Superior Court challenging the EIR. On July 14, 2011, the City, the Hunt Club, and the Department reached a settlement. The lawsuit shall not prevent or restrain the Department from implementing the project as described in the certified EIR, as long as: (a) the Department's implementation of the project is in all respects consistent with the 2009 certified EIR and the 2010 Addendum, (b) the project implements all of the mitigation measures described in the certified EIR, and (c) the Department complies with and implements the terms, conditions, requirements, and restrictions of the settlement. Pursuant to the settlement, an EA/FONSI in compliance with NEPA was prepared in May 2020 which was circulated to the public for 45 days prior to being signed, confirming the project would not result in significant environmental impacts.

The proposed project has been carefully planned to serve the greatest public good by addressing long-standing traffic congestion on SR 74, improving roadway safety, reducing delays, and enhancing multimodal access for pedestrians and cyclists. These improvements directly benefit local residents, regional commuters, emergency services, and the traveling public by creating a more reliable and efficient transportation corridor. To minimize project impacts on surrounding properties, the design retains the existing road alignment where feasible, incorporates retaining walls to reduce grading, while at the same time including features such as sidewalks, bike lanes, and upgraded traffic signals to enhance community connectivity and safety.

By focusing improvements within the existing corridor and selecting design solutions that reduce property impacts, the project reflects a clear intent to promote the public good while imposing the least possible burden on adjacent landowners.

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

The subject property is located in the city of San Juan Capistrano at 30752 Shadetree Lane, adjacent to SR 74. The property consists of 92,819 square feet and is improved with a 2-story single-family residence. The project requires 2,507 square feet in fee from the Owners' property including abutter's rights of access to and from the adjacent highway. The fee acquisition area is needed to construct the roadway widening, construct a retaining wall, install a bioswale, and provide a bike lane. The project also requires a 5,687 square foot TCE adjacent to the State right of way which is necessary to allow the contractor a sufficient work area and access to construct the roadway widening, retaining wall, bioswale, and bike lane. The proposed project improvements cannot be constructed without acquiring a portion of the Owners' property.

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

A staff appraisal that established just compensation was approved by District 12 Right of Way management on June 18, 2025. On July 3, 2025, the Agent met with the property Owners and their attorney and presented the FWO of just compensation. Since the FWO meeting, the Agent has made attempts by phone and email to contact the property Owner's attorney, but the Owner's attorney has not been responsive. To date, the Owner's attorney has not proposed any edits to the right of way contract, nor submitted a counteroffer, and has not expressed any concerns regarding the project.

The Agent will continue to negotiate to reach an equitable settlement. However, due to the lack of a substantive response from the Owner's attorney, the parties are at an impasse.

Condemnation has been initiated to maintain the orderly sequence of events required to meet construction schedules.

C-22590 - Fernando Kellenberger and Annette Changala, as Trustees, or any successor Trustee, under that certain Declaration of Trust named Fernando Kellenberger and Annette Changala Living Trust, created by Fernando Kellenberger and Annette Changala, as Trustors, dated June 16, 2016

12-Ora-74-PM 1.9 - Parcel 104335-1, 2 - EA 086929.

RWC Date: 04/21/26; RTL Date: 04/30/26. Conventional highway - Widen from two lanes to four lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for construction purposes. Located in the city of San Juan Capistrano at 30702 Shadetree Lane. APN 650-181-19.

The public interest and necessity require the proposed project.

The Department developed a project report dated November 11, 2009, and a supplemental project report dated May 8, 2020 which is proposing improvements to a segment of SR 74 (Ortega Highway) in the city of San Juan Capistrano (City) to relieve traffic congestion, improve safety, and support long-term regional mobility. This portion of Ortega Highway currently narrows from four lanes to two, creating a traffic bottleneck that causes delays and affects emergency response and commuter reliability.

To address these issues, the project will widen the highway, upgrade intersections, and improve pedestrian and bicycle access. The reconstruction of infrastructure such as retaining walls, sidewalks, and sound walls is also included to meet current design and safety standards.

These improvements are necessary to ensure the safe and efficient movement of people and vehicles and are consistent with adopted transportation and land use plans. The project benefits the traveling public and the broader community by addressing current deficiencies and preparing for future growth. The project will incorporate Complete Streets features for pedestrians and bicyclists and reduce congestion within the project limits.

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

A PSR was approved in 1997, and initial public engagement began in 2000. Due to public feedback, the Department prepared an EIR, which assessed no build, and two build alternatives. After a 45-day public review the EIR was approved in 2009 and was addended in 2010. Build alternative 2 includes widening the north side of the highway while replacing the meandering sidewalk and has been selected as the preferred alternative. Following the CEQA Certification, both the City and the Hunt Club filed a joint lawsuit in Orange County Superior Court challenging the EIR. On July 14, 2011, the City, the Hunt Club, and the Department reached a settlement. The lawsuit shall not prevent or restrain the Department from implementing the project as described in the certified EIR, as long as: (a) the Department's implementation of the project is in all respects consistent with the 2009 certified EIR and the 2010 Addendum, (b) the project implements all of the mitigation measures described in the certified EIR, and (c) the Department complies with and implements the terms, conditions, requirements, and restrictions of the settlement. Pursuant to the settlement, an EA/FONSI in compliance with NEPA was prepared in May 2020 which was circulated to the public for

45 days prior to being signed, confirming the project would not result in significant environmental impacts.

The proposed project has been carefully planned to serve the greatest public good by addressing long-standing traffic congestion on SR 74, improving roadway safety, reducing delays, and enhancing multimodal access for pedestrians and cyclists. These improvements directly benefit local residents, regional commuters, emergency services, and the traveling public by creating a more reliable and efficient transportation corridor. To minimize project impacts on surrounding properties, the design retains the existing road alignment where feasible, incorporates retaining walls to reduce grading, while at the same time including features such as sidewalks, bike lanes, and upgraded traffic signals to enhance community connectivity and safety.

By focusing improvements within the existing corridor and selecting design solutions that reduce property impacts, the project reflects a clear intent to promote the public good while imposing the least possible burden on adjacent landowners.

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

The subject property is located in the city of San Juan Capistrano at 30752 Shadetree Lane, adjacent to SR 74. The property consists of 99,687 square feet and is improved with a 2-story single-family residence. The project requires 1,712 square feet in fee from the Owners' property including abutter's rights of access to and from the adjacent highway. The fee acquisition area is needed to construct the roadway widening, construct a retaining wall, install a bioswale, and provide a bike lane. The project also requires a 3,888 square foot TCE adjacent to the State right of way which is necessary to allow the contractor a sufficient work area and access to construct the roadway widening, retaining wall, bioswale, and bike lane. The proposed project improvements cannot be constructed without acquiring a portion of the Owners' property.

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

A staff appraisal that established just compensation was approved by District 12 Right of Way management on May 30, 2025. On July 3, 2025, the Agent met with the property Owners and their attorney and presented the FWO of just compensation. Since the FWO meeting, the Agent has made attempts by phone and email to contact the property Owner's attorney, but the Owner's attorney has not been responsive. To date, the Owner's attorney has not proposed any edits to the right of way contract, nor submitted a counteroffer, and has not expressed any concerns regarding the project.

The Agent will continue to negotiate to reach an equitable settlement. However, due to the lack of a substantive response from the Owner's attorney, the parties are at an impasse.

Condemnation has been initiated to maintain the orderly sequence of events required to meet construction schedules.

C-22591 - Margaret Bratton Brutocao and Roberto Giovanni Brutocao, husband and wife as joint tenants

12-Ora-74-PM 1.3 - Parcel 104337-1, 2, 3 - EA 086929.

RWC Date: 04/21/26; RTL Date: 04/30/26. Conventional highway - Widen from two lanes to four lanes. Authorizes condemnation of land in fee for a State highway and temporary easements for construction purposes. Located in the city of San Juan Capistrano at 28122 Ascot Lane. APN's 650-331-15, -16.

The public interest and necessity require the proposed project.

The Department developed a project report dated November 11, 2009, and a supplemental project report dated May 8, 2020 for the project which is proposing improvements to a segment of SR 74 (Ortega Highway) in the city of San Juan Capistrano (City) to relieve traffic congestion, improve safety, and support long-term regional mobility. This portion of Ortega Highway currently narrows from four lanes to two, creating a traffic bottleneck that causes delays and affects emergency response and commuter reliability.

To address these issues, the project will widen the highway, upgrade intersections, and improve pedestrian and bicycle access. The reconstruction of infrastructure such as retaining walls, sidewalks, and sound walls is also included to meet current design and safety standards.

These improvements are necessary to ensure the safe and efficient movement of people and vehicles and are consistent with adopted transportation and land use plans. The project benefits the traveling public and the broader community by addressing current deficiencies and preparing for future growth. The project will incorporate Complete Streets features for pedestrians and bicyclists and reduce congestion within the project limits.

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

A PSR was approved in 1997, and initial public engagement began in 2000. Due to public feedback, the Department prepared an EIR, which assessed no build, and two build alternatives. After a 45-day public review the EIR was approved in 2009 and was addended in 2010. Build alternative 2 includes widening the north side of the highway while replacing the meandering sidewalk and has been selected as the preferred alternative. Following the CEQA Certification, both the City and the Hunt Club filed a joint lawsuit in Orange County Superior Court challenging the EIR. On July 14, 2011, the City, the Hunt Club, and the Department reached a settlement. The lawsuit shall not prevent or restrain the Department from implementing the project as described in the certified EIR, as long as: (a) the Department's implementation of the project is in all respects consistent with the 2009 certified EIR and the 2010 Addendum, (b) the project implements all of the mitigation measures described in the certified EIR, and (c) the Department complies with and implements the terms, conditions, requirements, and restrictions of the settlement. Pursuant to the settlement, an EA/FONSI in compliance with NEPA was prepared in May 2020 which was circulated to the public for 45 days prior to being signed, confirming the project would not result in significant environmental impacts.

The proposed project has been carefully planned to serve the greatest public good by addressing long-standing traffic congestion on SR 74, improving roadway safety, reducing delays, and enhancing multimodal access for pedestrians and cyclists. These improvements directly benefit local residents, regional commuters, emergency services, and the traveling public by creating a more reliable and efficient transportation corridor. To minimize project impacts on surrounding properties, the design retains the existing road alignment where feasible, incorporates retaining walls to reduce grading, while at the same time including features such as sidewalks, bike lanes, and upgraded traffic signals to enhance community connectivity and safety.

By focusing improvements within the existing corridor and selecting design solutions that reduce property impacts, the project reflects a clear intent to promote the public good while imposing the least possible burden on adjacent landowners.

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

The subject property is located in the city of San Juan Capistrano at 28122 Ascot Lane, at the northeast corner of SR 74 and Hunt Club Drive. The property consists of 48,631 square feet and is improved with a 2-story single-family residence. The partial acquisition areas are within the Hunt Club Community Association's areas designated as "Community Facilities," more specifically the irrigated landscaping (lawns, shrubs/bushes, ground cover/plants, irrigation system), brick pavers, outdoor flood lights, and portions of the sidewalk and curb ramps. The project requires 260 square feet in fee from the Owner's property for the footprint and installation of a traffic signal pole at the intersection of SR 74 and Hunt Club Drive. The project requires a 687 square foot TCE to reconstruct the driveway entrance to match and align the proposed curb and gutter roadway improvement along the SR 74 frontage. The project also requires a 50 square foot TCE which will be used as an additional work area to facilitate the installation of the proposed traffic signal and reconstruction of the curb and gutter, curb ramp, and sidewalk area. The proposed project improvements cannot be constructed without acquiring a portion of the Owner's property.

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

A staff appraisal that established just compensation was approved by District 12 Right of Way management on February 26, 2025. At the request of the property Owners, the FWO of just compensation was sent via email on March 27, 2025 and courtesy hardcopy via certified mail. The FWO was confirmed as received on March 31, 2025.

Negotiations are ongoing and efforts to secure an equitable settlement will continue. However, the parties are currently at an impasse as the property Owners have concerns regarding reflective noise from the proposed soundwall on the adjacent side of SR 74.

Condemnation has been initiated to maintain the orderly sequence of events required to meet construction schedules.

Attachments

"Improving lives and communities through transportation."

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-22580**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 03-Ed-50-PM 79.93 PARCEL 38875-1
9 OWNER: BURGE PROPERTIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

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

13 The hereinafter described real property is necessary for State Highway purposes
14 and is to be acquired by eminent domain pursuant to Streets and Highways Code Section
15 102;

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

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

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

22 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

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

APPROVED AS TO FORM AND PROCEDURE

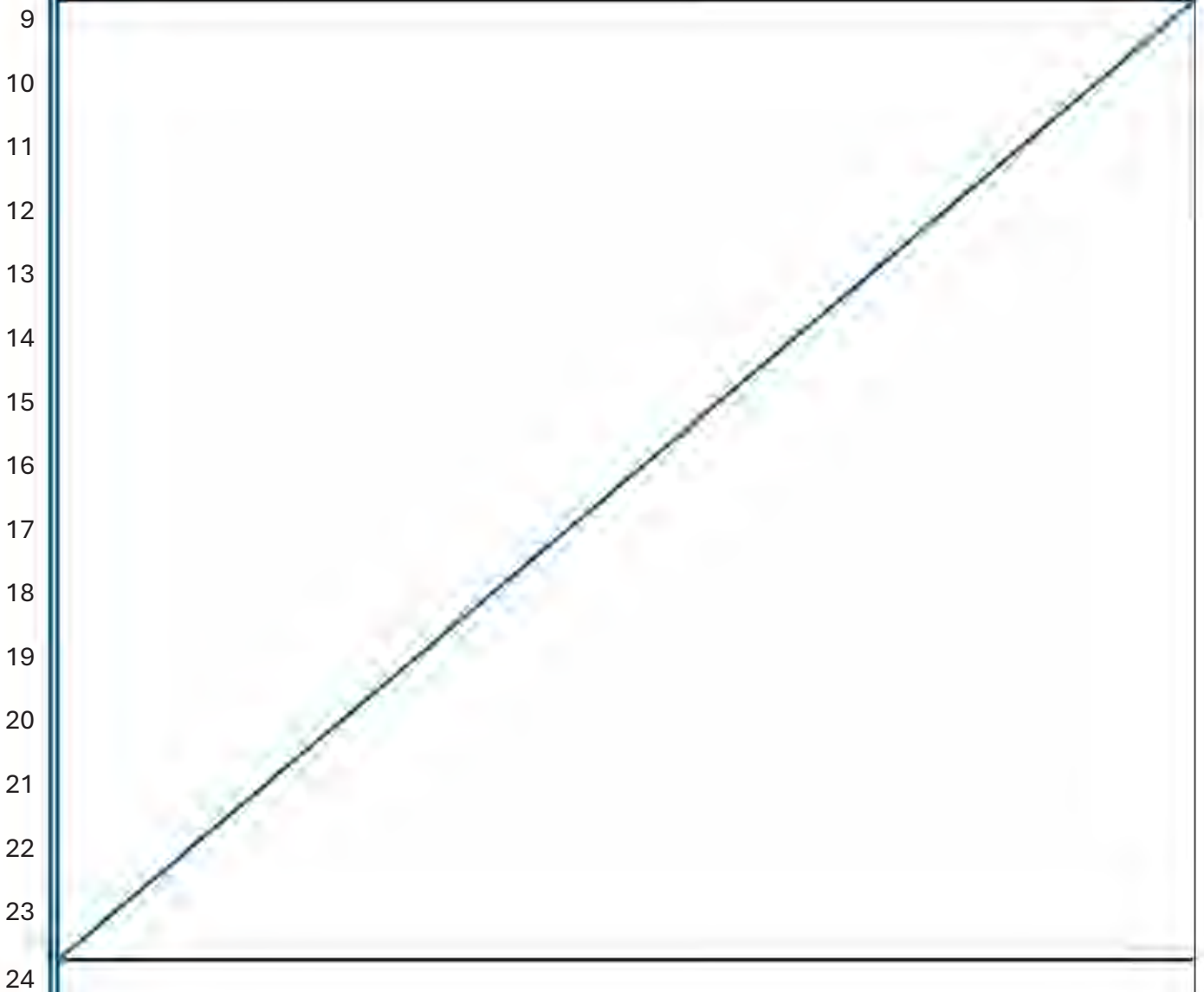
APPROVAL RECOMMENDED

Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

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

6 The real property or interests in real property, which the Department of
7 Transportation is by this resolution authorized to acquire, is situated in the County of El
8 Dorado, State of California, Highway 03-Ed-50 and described as follows:



PARCEL 38875-1: A temporary easement for construction purposes and incidents thereto in and to that real property situated in the City of South Lake Tahoe, County of El Dorado, State of California, being a portion of the lands described in that certain Grant Deed recorded on January 30, 2018, in Document No. 2018-0003320-00, Official Records, El Dorado County Records, said portion being all that part thereof described as follows:

COMMENCING at a 6 inch by 6 inch concrete monument with broken top marking the northeasterly terminus of that certain course having a bearing and distance of "North 60°08'00" East 1279.78 feet" as shown on that certain Record of Survey filed in Book 22 of Record of Surveys, at Page 74, El Dorado County Records, said point lying North 58°54'03" East 1279.19 feet from a 2 inch iron pipe with cap stamped "N.W. COWAN LS 1820 1948" marking the southwesterly terminus of said certain course as shown on said Record of Survey; THENCE North 57°30'42" East 116.77 feet to a point on the southeasterly right of way line of State Highway 50, being the POINT OF BEGINNING; THENCE from said point of beginning leaving said southeasterly right of way line South 34°06'51" East 10.00 feet; THENCE South 56°20'55" West 38.91 feet; THENCE North 33°09'17" West 10.00 feet to a point on said southeasterly right of way line, said point being the beginning of a non-tangent curve to the left, having a radius of 2239.38 feet, to which point a radial line bears South 33°09'17" East; THENCE along said southeasterly right of way line northeasterly along said curve through a central angle of 0°59'28" an arc distance of 38.74 feet to the point of beginning.

The bearings and distances used in the above description are based on the California Coordinate System of 1983(2011), Zone 2, as determined by ties to the California High Precision Geodetic Network, Epoch 2017.50. Distances are in feet unless otherwise noted. Divide distances by 0.999623 to obtain ground level distances.

The rights to the above described temporary easement shall cease and terminate no later than December 1, 2028. Said rights may also be terminated prior to the above date by STATE upon notice to OWNER.

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-22581**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 03-Ed-50-PM 77.45 PARCEL 38833-1, 2
9 OWNER: U.S. BANK OF CALIFORNIA, A CALIFORNIA-CHARTERED BANKING
10 CORPORATION

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

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

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

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

22 The property sought to be acquired and described by this resolution is necessary for
23 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

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

APPROVED AS TO FORM AND PROCEDURE

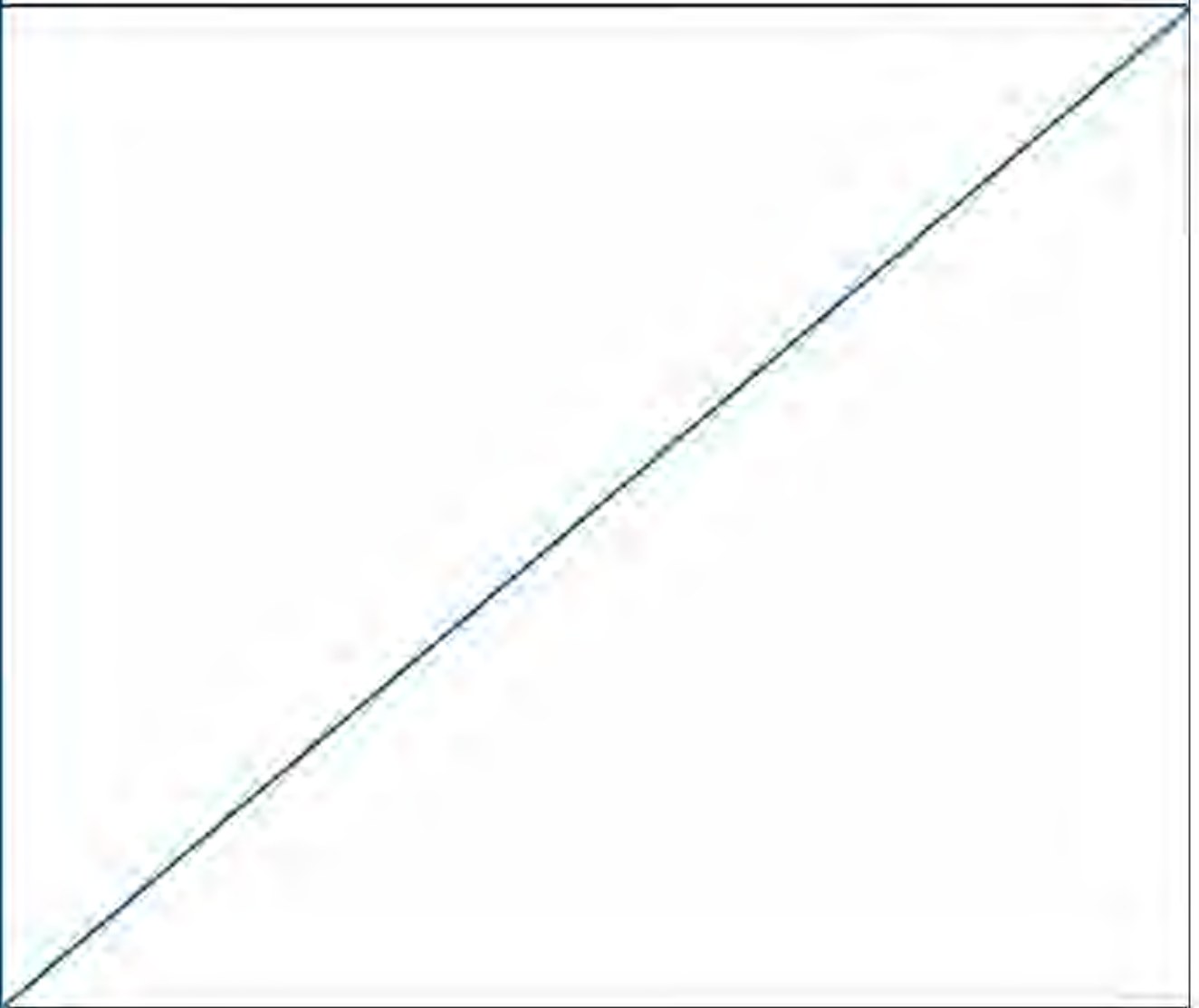
APPROVAL RECOMMENDED

Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

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

6 The real property or interests in real property, which the Department of
7 Transportation is by this resolution authorized to acquire, is situated in the County of El
8 Dorado, State of California, Highway 03-Ed-50 and described as follows:



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PARCEL 38833-1: An easement for drainage purposes in and to that real property situated in the City of South Lake Tahoe, County of El Dorado, State of California, being a portion of Parcel 1B as said parcel is shown on that certain Parcel Map filed in Book 1 of Parcel Maps, at Page 8, El Dorado County Records, said portion being all that part thereof lying within the lands described as follows:

COMMENCING at a point on the southerly line of Segment 3 said point being the westerly terminus of that certain course having a bearing and distance of "South 71°00'12" East 5.80 feet" as said segment, southerly line and course are shown on that certain Relinquishment Map No. 036347-X filed in State Highway Map Book No. 3, at Pages 102 to 119, El Dorado County Records; THENCE along said southerly line and course South 71°00'11" East 5.80 feet to the easterly terminus thereof being the beginning of a non-tangent curve to the left, having a radius of 5050.08 feet, to which point a radial line bears South 72°41'07" East, said point being the POINT OF BEGINNING; THENCE from said point of beginning along the easterly line of said Segment 3 northerly along said curve through a central angle of 3°10'59" an arc distance of 280.57 feet to a point thereon; THENCE leaving said easterly line South 80°15'40" East 4.90 feet; THENCE South 15°21'59" West 259.88 feet; THENCE South 7°24'51" West 10.42 feet; THENCE South 82°35'09" East 5.00 feet; THENCE South 7°24'51" West 12.55 feet to a point on the southerly line of said Parcel 1B; THENCE along last said southerly line North 71°00'11" West 14.78 feet to the point of beginning.

PARCEL 38833-2: A temporary easement for construction purposes and incidents thereto in and to that real property situated in the City of South Lake Tahoe, County of El Dorado, State of California, being a portion of Parcel 1B as said parcel is shown on that certain Parcel Map filed in Book 1 of Parcel Maps, at Page 8, El Dorado County Records, said portion being all that part thereof lying within the lands described as follows:

BEGINNING at a point on the easterly line of Parcel 38833-1, said point being the southerly terminus of that certain course having a bearing and distance of "South 7°24'51" West 12.55 feet" as said parcel and course are described herein; THENCE from said point of beginning along said easterly line the following three (3) courses: 1) North 7°24'51" East 12.55 feet; 2) North 82°35'09" West 5.00 feet; and 3) North 7°24'51" East 6.01 feet to a point thereon; THENCE leaving said easterly line South 82°26'19" East 10.04 feet; THENCE South 7°24'42" West 19.56 feet to a point on the southerly line of said Parcel 1B; THENCE along last said southerly line North 71°00'11" West 5.14 feet to the point of beginning.

The rights to the above described temporary easement shall cease and terminate no later than December 1, 2028. Said rights may also be terminated prior to the above date by STATE upon notice to OWNER.

The bearings and distances used in the above descriptions are based on the California Coordinate System of 1983(2011), Zone 2, as determined by ties to the California High Precision Geodetic Network, Epoch 2017.50. Distances are in feet unless otherwise noted. Divide distances by 0.999623 to obtain ground level distances.

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-22582**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 03-Yub-70-PM 15.0 PARCEL 37862-A
9 OWNER: UNION PACIFIC RAILROAD
10 LESSEE: OUTFRONT Media LLC

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

14 The hereinafter described real property is necessary for State Highway purposes
15 and is to be acquired by eminent domain pursuant to Streets and Highways Code Section
16 102;

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

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

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

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

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

APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED

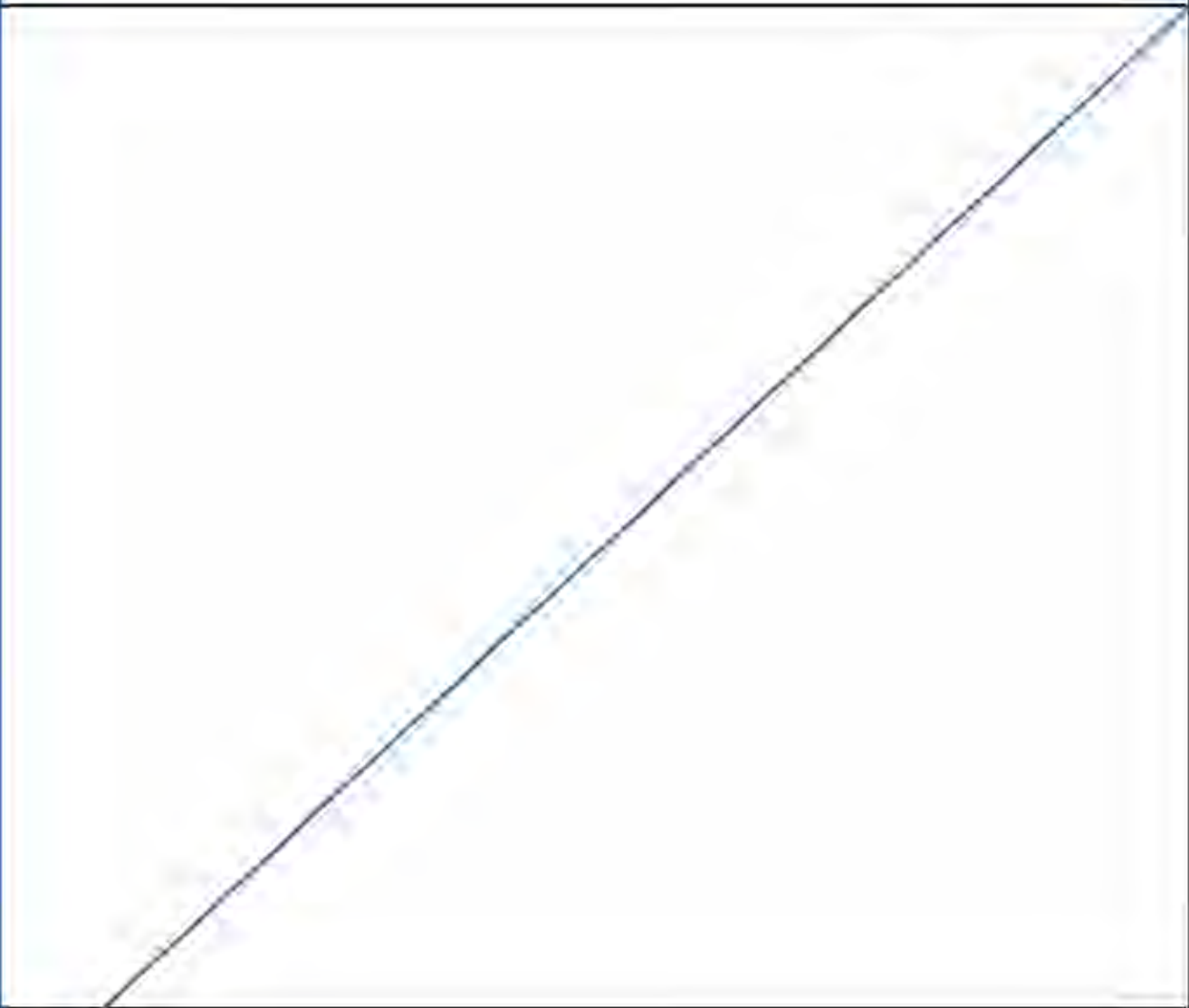
Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

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

The real property or interests in real property, which the Department of Transportation is by this resolution authorized to acquire, is situated in the County of Yuba, State of California, Highway 03-Yub-70 and described as follows:



PARCEL 37862-A: For the purpose of extinguishing all outdoor advertising sign easements, leases, and license agreements, together with extinguishing access rights to said advertising signs, over the land described herein as that real property situated in the City of Marysville, County of Yuba, State of California, being a portion of the lands described in that certain deed recorded November 9, 1893, in Book 42 of Deeds, at Page 249, Yuba County Records, being a portion of Lots 2, 3 and 4, in Block 17, Range B, as shown on the Official Map of the City of Marysville, approved on March 22, 1856, filed in Book 22 of Maps, at Page 38, Yuba County Records, said portions being all those parts of said lots lying westerly of the following described line:

COMMENCING at a brass cap set in concrete in a monument well marking the point of intersection of the centerlines of 14th Street, 80 feet wide, and C Street, 80 feet wide, as shown on that certain Record of Survey filed in Book 35 of Maps, at Page 3, Yuba County Records; THENCE along said centerline of 14th Street, North 83°40'09" East 426.65 feet to a brass cap set in concrete in a monument well marking the point of intersection of the centerlines of said 14th Street and B Street (State Route 70), 80 feet wide, as shown on said Record of Survey; THENCE leaving last said point of intersection, South 12°03'01" East 408.97 feet to a point on the easterly right of way line of said B Street (State Route 70), said point being the POINT OF BEGINNING;

THENCE (1) from said point of beginning leaving said easterly right of way line North 83°33'43" East 1.27 feet;

THENCE (2) North 4°03'55" West 273.08 feet;

THENCE (3) North 5°58'28" West 87.33 feet;

THENCE (4) North 39°01'32" East 9.40 feet to a point on the southerly right of way line of 14th Street, 80 feet wide, as shown on the Official Map of the City of Marysville, approved on March 22, 1856, filed in Book 22 of Maps, at Page 38, Yuba County Records;

THENCE (5) along said southerly right of way line North 83°48'14" East 27.73 feet to a point thereon;

THENCE (6) leaving said southerly right of way line North 5°58'28" West 79.99 feet to a point on the northerly right of way line of said 14th Street;

THENCE (7) along said northerly right of way line South 83°48'14" West 20.60 feet to a point thereon;

THENCE (8) leaving said northerly right of way line North 5°58'28" West 7.46 feet;

THENCE (9) North 5°58'28" West 310.16 feet;

THENCE (10) North 39°00'25" East 16.08 feet to a point on the southerly right of way line of 15th Street, 80 feet wide, as shown on said Official Map of the City of Marysville;

THENCE (11) along last said southerly right of way line North 83°48'34" East 14.51 feet to a point thereon;

THENCE (12) leaving last said southerly right of way line North 5°58'28" West 79.99 feet to a point on the northerly right of way line of said 15th Street;

THENCE (13) along last said northerly right of way line South 83°48'34" West 14.37 feet to a point thereon;

THENCE (14) leaving last said northerly right of way line North 50°58'28" West 16.26 feet;

THENCE (15) North 5°58'28" West 47.96 feet;

THENCE (16) North 7°53'01" West 90.05 feet;

THENCE (17) North 5°58'28" West 175.39 feet;

THENCE (18) North 39°01'32" East 5.48 feet;

THENCE (19) North 5°58'28" West 9.08 feet;

THENCE (20) North 84°01'32" East 17.62 feet;

THENCE (21) North 5°58'28" West 125.21 feet to a point on the northerly line of Parcel 1 as said parcel is described in that certain Grant Deed recorded August 14, 2012, in Document No. 2012R-010177, Official Records, Yuba County Records;

THENCE (22) along last said northerly line South 83°34'18" West 21.50 feet to a point thereon;

THENCE (23) leaving last said northerly line North 5°58'28" West 270.62 feet to a point on the southerly right of way line of 17th Street, 80 feet wide, as shown on said Official Map of the City of Marysville;

THENCE (24) along last said southerly right of way line North 83°48'40" East 57.84 feet to a point thereon;

THENCE (25) leaving last said southerly right of way line North 6°21'28" West 403.09 feet;

THENCE (26) North 51°12'30" West 9.89 feet;

THENCE (27) South 83°56'29" West 31.30 feet;

THENCE (28) North 5°58'28" West 80.99 feet;

THENCE (29) North 51°19'14" West 11.63 feet;

THENCE (30) North 6°07'00" West 108.15 feet to the beginning of a non-tangent curve to the left, said curve having a radius of 3,259.61 feet, to which point a radial line bears North 83°22'30" East;

THENCE (31) northerly along said curve through a central angle of 1°10'12" an arc distance of 66.56 feet;

THENCE (32) continuing northerly along last said curve through a central angle of 0°26'38" an arc distance of 25.25 feet;

THENCE (33) continuing northerly along last said curve through a central angle of 0°15'21" an arc distance of 14.56 feet;

THENCE (34) North 81°30'20" East 13.17 feet to the beginning of a non-tangent curve to the left, said curve having a radius of 3,274.62 feet, to which point a radial line bears North 80°51'42" East;

THENCE (35) northerly along said curve through a central angle of 14°57'11" an arc distance of 854.62 feet;

THENCE (36) North 36°49'12" East 53.95 feet;

THENCE (37) North 36°49'12" East 63.24 feet to the beginning of a non-tangent curve to the left, said curve having a radius of 233.62 feet, to which point a radial line bears South 52°59'03" East;

THENCE (38) northeasterly along said curve through a central angle of 26°36'37" an arc distance of 108.50 feet;

THENCE (39) North 78°35'27" West 102.82 feet;

THENCE (40) South 26°15'43" West 3.06 feet;

THENCE (41) South 29°07'17" West 44.89 feet;

THENCE (42) South 55°47'46" West 59.22 feet;

THENCE (43) North 37°28'37" West 13.46 feet;

THENCE (44) North 34°31'20" West 56.79 feet to a point on the southeasterly right of way line of Southern Pacific Railroad;

THENCE (45) along said southeasterly right of way line South 35°29'51" West 29.33 feet to a point thereon;

THENCE (46) leaving said southeasterly right of way line North 25°15'19" West 19.19 feet to a point on the easterly right of way line of State Route 70 as described in that certain Grant Deed recorded March 30, 1955 in Book 205 of Official Records, at Page 84, Yuba County

Records, said point being the POINT OF TERMINUS, from whence a brass cap set in concrete in a monument well, in lieu of a monument tagged "R.E. 1250", marking the intersection of the centerlines of 18th Street, 80 feet wide, and Ramirez Street, 80 feet wide, as shown on that certain plat entitled "College View Park" filed in Book 3 of Maps, at Page 43, Yuba County Records, bears South 54°06'15" East 1,949.29 feet.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 2, as determined by ties to the California High Precision Geodetic Network, Epoch 2004.69. Distances are in feet unless otherwise noted. Divide distances by 0.999917 to obtain ground level distances.

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-22583**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 03-Yub-70-PM 15.1 PARCEL 37864-A
9 OWNER: UNION PACIFIC RAILROAD
10 LESSEE: OUTFRONT Media LLC

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

14 The hereinafter described real property is necessary for State Highway purposes
15 and is to be acquired by eminent domain pursuant to Streets and Highways Code Section
16 102;

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

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

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

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

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

APPROVED AS TO FORM AND PROCEDURE

APPROVAL RECOMMENDED

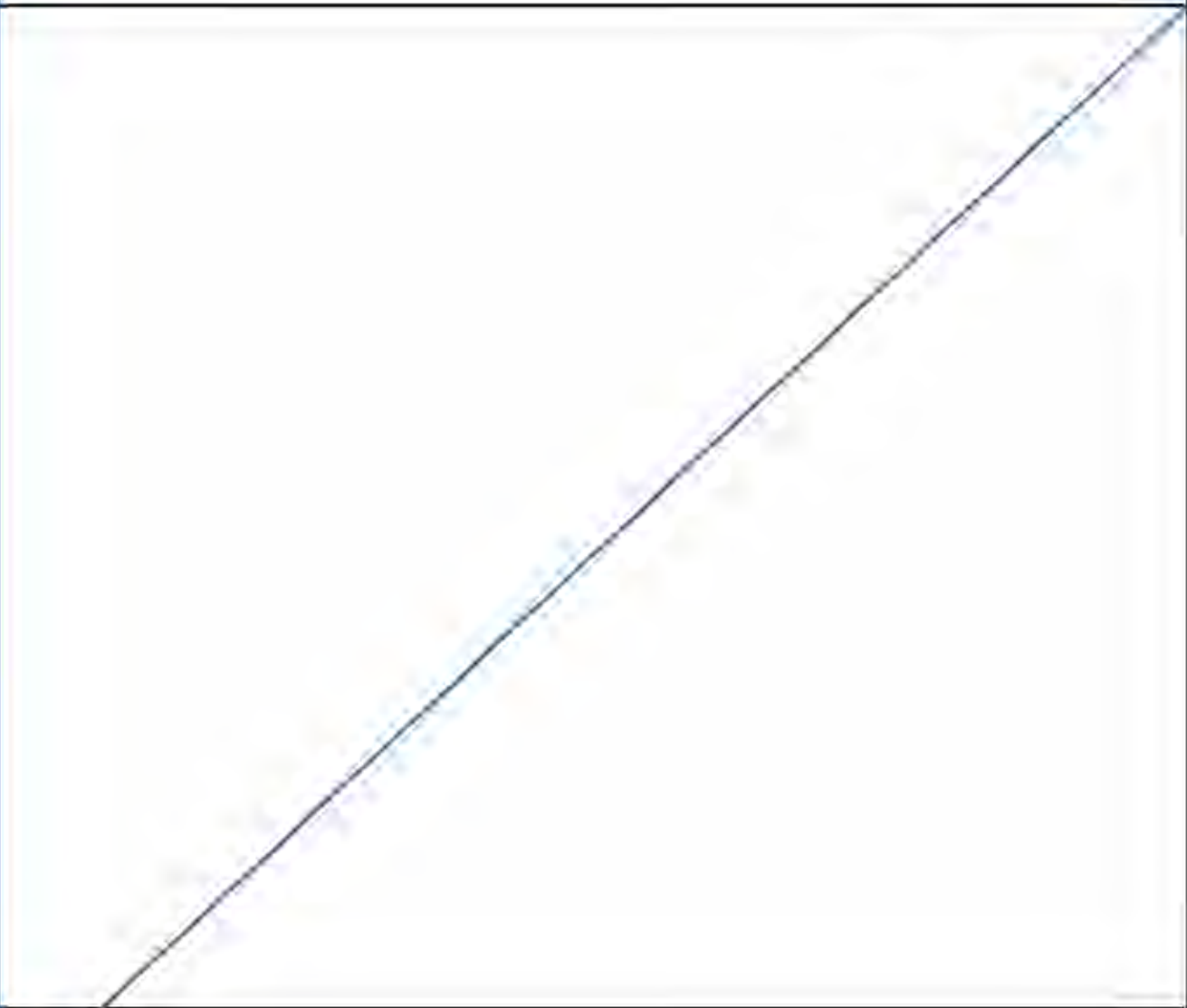
Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

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

The real property or interests in real property, which the Department of Transportation is by this resolution authorized to acquire, is situated in the County of Yuba, State of California, Highway 03-Yub-70 and described as follows:



PARCEL 37864-A: For the purpose of extinguishing all outdoor advertising sign easements, leases, and license agreements, together with extinguishing access rights to said advertising signs, over the land described herein as that real property situated in the City of Marysville, County of Yuba, State of California, being a portion of the lands described in that certain deed recorded November 9, 1893, in Book 42 of Deeds, at Page 249, Yuba County Records, described as follows, to wit:

Portions of Lots five (5), six (6), seven (7) and eight (8) Block number sixteen (16) Range C, and more particularly described as follows, to wit: commencing at a point on the westerly line of B Street in said City of Marysville which is fifty (50) feet distant measured at right angles southwesterly from said centerline; thence northerly along said westerly line of B Street two hundred and fifty eight (258) feet more or less to a point fifty (50) feet distant measured at right angles northeasterly from said centerline; thence northwesterly following the curvature of said centerline and at a uniform distance of fifty (50) feet measured at right angles northeasterly therefrom sixty (60) feet more or less to the south line of 18th Street in said City of Marysville; thence westerly along said south line of 18th Street one hundred and ten (110) feet more or less to a point fifty (50) feet distant measured at right angles southwesterly from said centerline; thence southeasterly following the curvature of said centerline and at a uniform distance of fifty (50) feet measured at right angles southwesterly therefrom three hundred and forty (340) feet more or less to a place of beginning.

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-22584**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 06-Tul-99-PM 28.27 PARCEL 89766-1
9 OWNER: MPZ Capital LLC, a California Limited Liability Company

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

13 The hereinafter described real property is necessary for State Highway purposes
14 and is to be acquired by eminent domain pursuant to Streets and Highways Code Section
15 102;

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

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

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

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

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

APPROVED AS TO FORM AND PROCEDURE

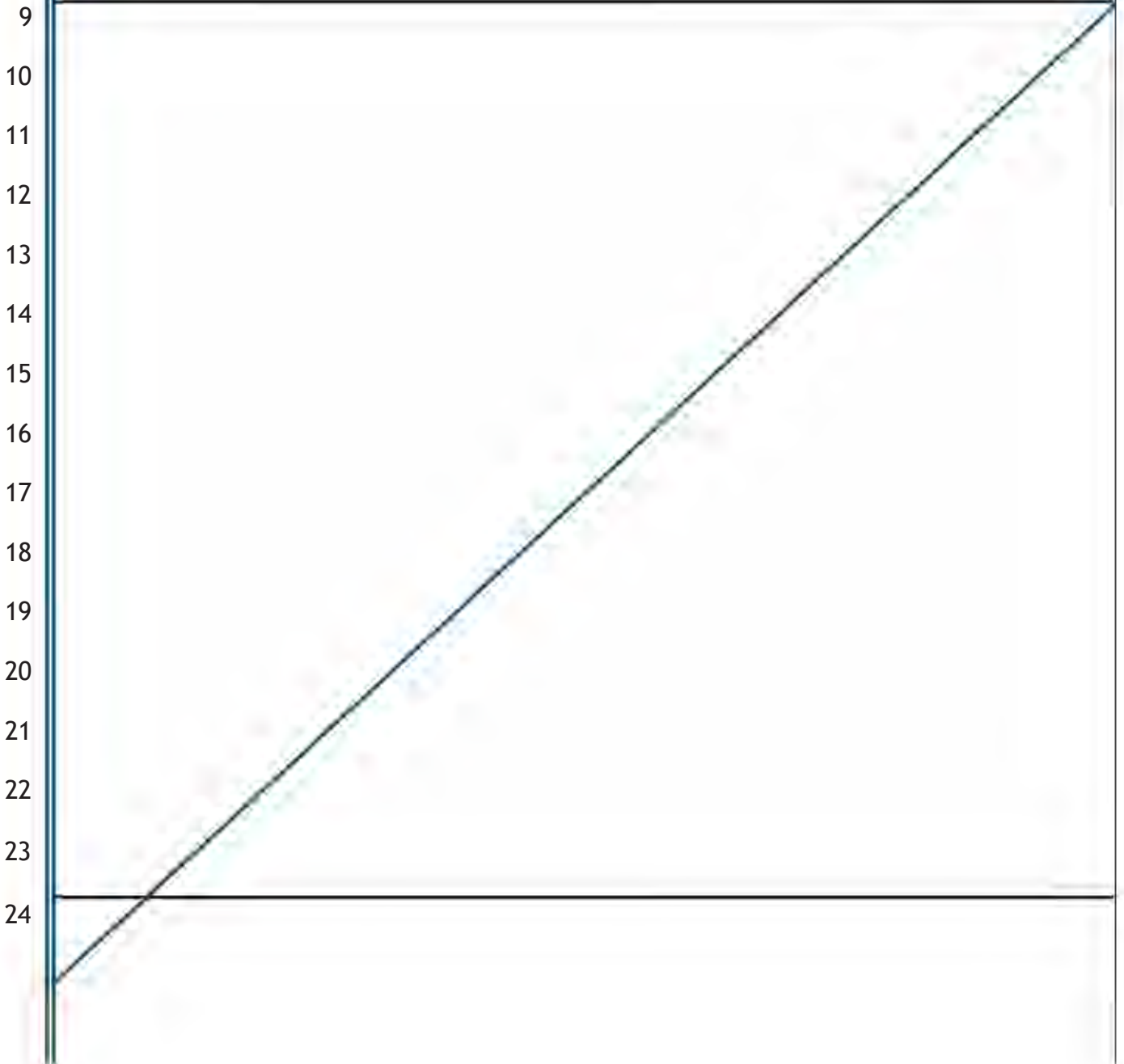
APPROVAL RECOMMENDED

Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

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

6 The real property or interests in real property, which the Department of
7 Transportation is by this resolution authorized to acquire, is situated in the County of Tulare,
8 State of California, Highway 06-Tul-99 and described as follows:



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Parcel 89766-1

For Freeway purposes, that portion of land described in the Grant Deed to MPZ Capital LLC, a California Limited Liability Company, recorded March 21, 2023 as document number 2023-0012941, Tulare County Official Records, more particularly described as follows:

COMMENCING at the North Quarter Corner of Section 13, Township 20 South, Range 24 East, Mount Diablo Meridian; THENCE (1) along the north line of the Northwest Quarter of said Section 13, South 89°57'26" West, 1,634.15 feet to the northerly prolongation of the west line of Parcel Map No. 2709, per map recorded March 10, 1981 in Book 28 of Parcel Maps, at Page 10, Tulare County Records; THENCE (2) along said northerly prolongation and said west line, South 0°22'45" West, 55.00 feet to a point on the existing easterly right of way line of State Route 99, said point being the POINT OF BEGINNING; THENCE (3) continuing along the west line of said Parcel Map No. 2709 and the west line of Tract No. 324, per map recorded September 21, 1960 in Volume 22 of Maps at Page 90, Tulare County Records, South 0°22'45" West, 1,036.23 feet; THENCE (4) leaving said west line, North 90°00'00" West, 125.71 feet to the existing easterly right of way line of State Route 99; THENCE along said easterly right of way line the following Courses (5) through (8): (5) North 5°08'43" East, 628.19 feet to the beginning of a tangent curve concave easterly, said curve has a radius of 2,949.89 feet; (6) northerly along said tangent curve through a central angle of 5°07'48" an arc distance of 264.12 feet; (7) North 10°16'31" East, 98.79 feet; (8) North 24°09'15" East, 56.66 feet to the POINT OF BEGINNING.

Lands abutting said freeway shall have no right or easement of access thereto.

The bearing and distances used in this description are on the California Coordinate System of 1983, Zone 4. Divide distances by 0.99996425 to convert to ground distances.

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-22585**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 06-Tul-99-PM 28.80 PARCEL 89529-1, 2
9 OWNER: Lino A. Pimentel and Betty T. Pimentel, Trustees under the Pimentel Living Trust
10 dated, May 20, 2004

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

14 The hereinafter described real property is necessary for State Highway purposes
15 and is to be acquired by eminent domain pursuant to Streets and Highways Code Section
16 102;

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

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

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

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

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

APPROVED AS TO FORM AND PROCEDURE

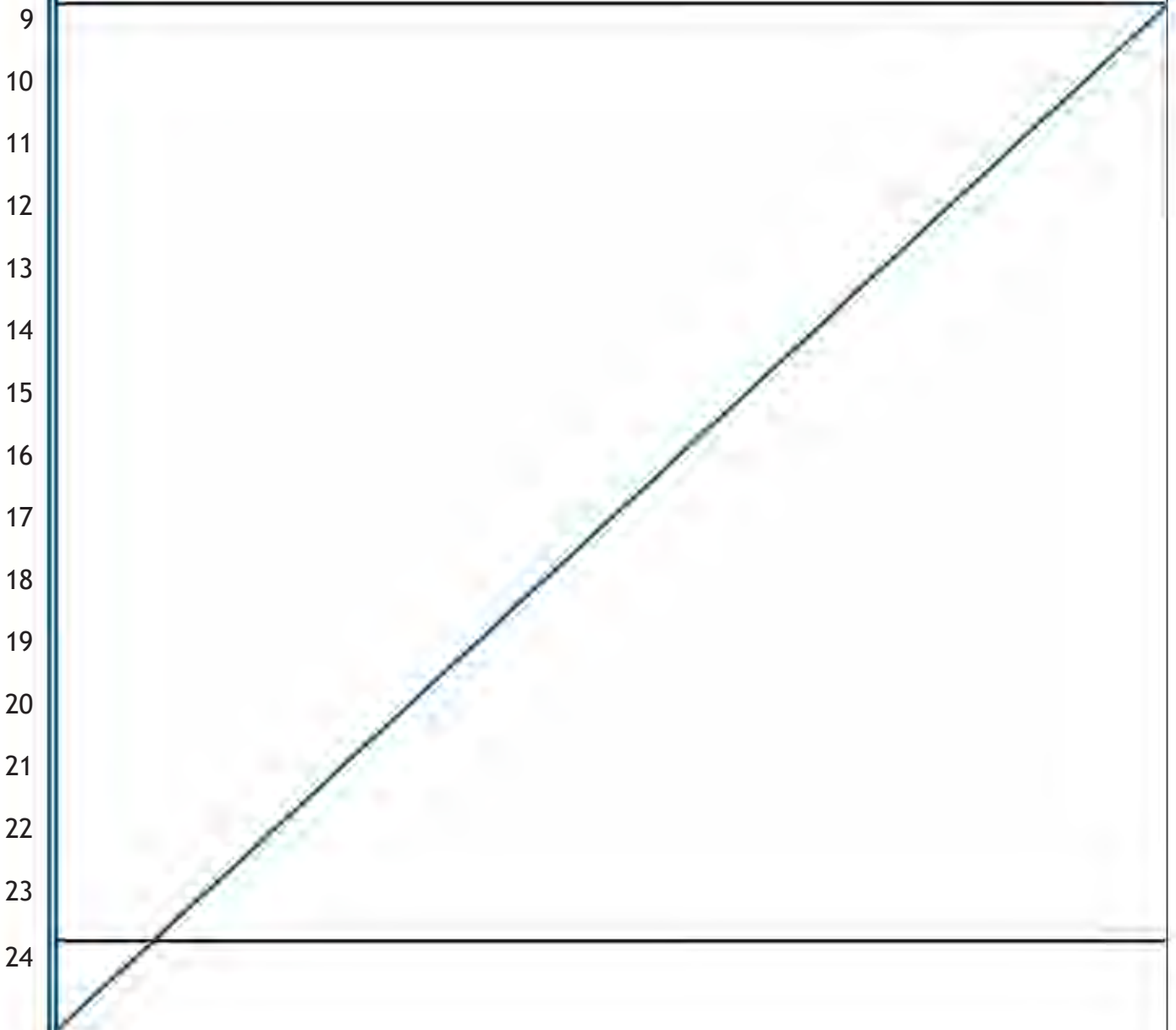
APPROVAL RECOMMENDED

Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

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

6 The real property or interests in real property, which the Department of
7 Transportation is by this resolution authorized to acquire, is situated in the County of Tulare,
8 State of California, Highway 06-Tul-99 and described as follows:



24

Parcel 89529-1

For State highway purposes, Lot 1 in Tract 171, in the City of Tulare, County of Tulare, State of California, according to the map thereof recorded in Book 20, Page 63 of Maps, Tulare County Records.

Together with that portion of Stockham Avenue lying adjacent to said Lot 1 as abandoned by the City of Tulare in the Order recorded May 6, 1994 as Document No. 94-034938, that would pass by operation of law.

The bearings and distances used in this description are on the California Coordinate System of 1983, Zone 4. Divide distances by 0.99996425 to convert to ground distances.

Parcel 89529-2

For State highway purposes, that portion of the underlying fee of Dayton Street and Stockham Avenue appurtenant to Lot 1 in Tract 171, in the southwest quarter of Section 12, Township 20 South, Range 24 East, Mount Diablo Meridian, per map recorded May 17, 1950 in Volume 20 of Maps at page 63, Tulare County Records, more particularly described as follows:

BEGINNING at the southwest corner of said Lot 1; THENCE (1) along the westerly prolongation of the south line of said Lot 1, South $89^{\circ}57'26''$ West, 49.04 feet to the existing easterly right of way line of State Route 99; THENCE (2) along said existing easterly right of way line of State Route 99, North $0^{\circ}16'30''$ East, 135.54 feet to the westerly prolongation of the centerline of Stockham Avenue; THENCE (3) along said westerly prolongation and the centerline of said Stockham Avenue, North $89^{\circ}52'34''$ East, 249.07 feet to the northerly prolongation of the east line of said Lot 1; THENCE (4) along said northerly prolongation of the east line, South $0^{\circ}16'30''$ West, 10.00 feet to the north line of the land abandoned by the City of Tulare in the Order recorded May 6, 1994 as Document No. 94-034938, Tulare County Official Records; THENCE (5) along said north line, South $89^{\circ}52'34''$ West, 180.17 feet to the beginning of a tangent curve concave southeasterly, said curve has a radius of 20.00 feet; THENCE (6) southwesterly along said curve through a central angle of $89^{\circ}36'05''$ an arc distance of 31.28 feet to the east right of way line of Dayton Street; THENCE (7) along said east right of way line of Dayton Street, South $0^{\circ}16'30''$ West, 105.74 feet to the POINT OF BEGINNING.

The bearings and distances used in this description are on the California Coordinate System of 1983, Zone 4. Divide distances by 0.99996425 to convert to ground distances.

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-22586**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 12-Ora-74-PM 1.4 PARCEL 104307-1
9 OWNER: Charles Decasas and Marsi Roberson-Decasas, Co-Trustees of the Decasas and
10 Roberson-Decasas Family Trust, dated July 10, 2002, as community property for the
11 benefit of Charles Decasas and Marsi Roberson-Decasas

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

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

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

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

23 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
10 Orange, State of California, Highway 12-Ora-74 and described as follows:

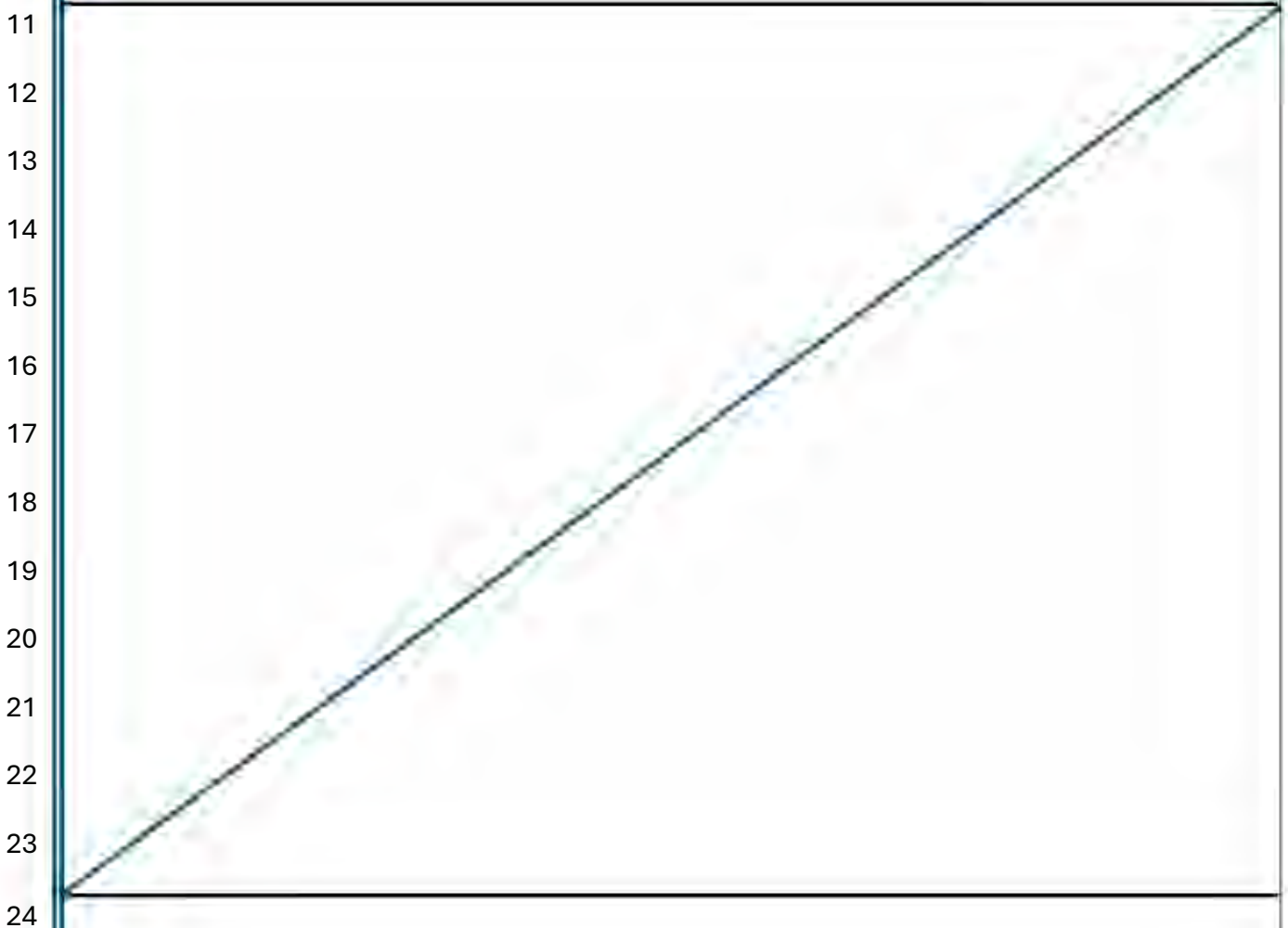


Exhibit "A"
Legal Description

PARCEL 104307-1: Temporary Construction Easement

An easement for temporary construction purposes in, on, over, and across that portion of Lot 85 of Tract No. 5126, in the City of San Juan Capistrano, County of Orange, State of California as shown on a map recorded in Book 360, Pages 25 through 29, inclusive of Miscellaneous Maps, in the office of the County Recorder of said County described as follows:

Beginning at the northeast corner of Lot 85; thence along the easterly line of said Lot 85, South 1°23'20" West 5.82 feet; thence leaving said easterly line, South 66°45'12" West 34.48 feet; thence South 68°38'44" West 72.02 feet to the northwesterly line of said Lot 85; thence along the northwesterly and northerly line of said Lot 85 through the following two courses;

1. North 34°53'42" East 10.96 feet to the beginning of a non-tangent curve concave Northerly and having a radius of 2,041.91 feet, a radial line to said point bears South 20°11'50" East;
2. Thence northeasterly 99.63 feet along said curve and northerly line through a central angle of 2 °47'44" to the northeast corner of said Lot 85 and the **Point of Beginning**.

Rights to the above described temporary easement shall cease and terminate on March 6, 2030. The rights may also be terminated prior to the above date by STATE upon notice to OWNER.

Unless otherwise noted, all bearing and distances are in terms of the California Coordinate System of 1983, Zone 6, based on the North American Datum of 1983 Epoch 1991.35. All distances are grid distances, divide distances by 0.99995716 to obtain ground distances.

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-22587**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 12-Ora-74-PM 1.4 PARCEL 104325-1, 2
9 OWNER: Frank L. Jaksch, Jr. and Tricia A. Jaksch, Trustees of the 2008 Jaksch Family
10 Trust dated June 25, 2008

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

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

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

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

23 The property sought to be acquired and described by this resolution is necessary for
24 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
10 Orange, State of California, Highway 12-Ora-74 and described as follows:

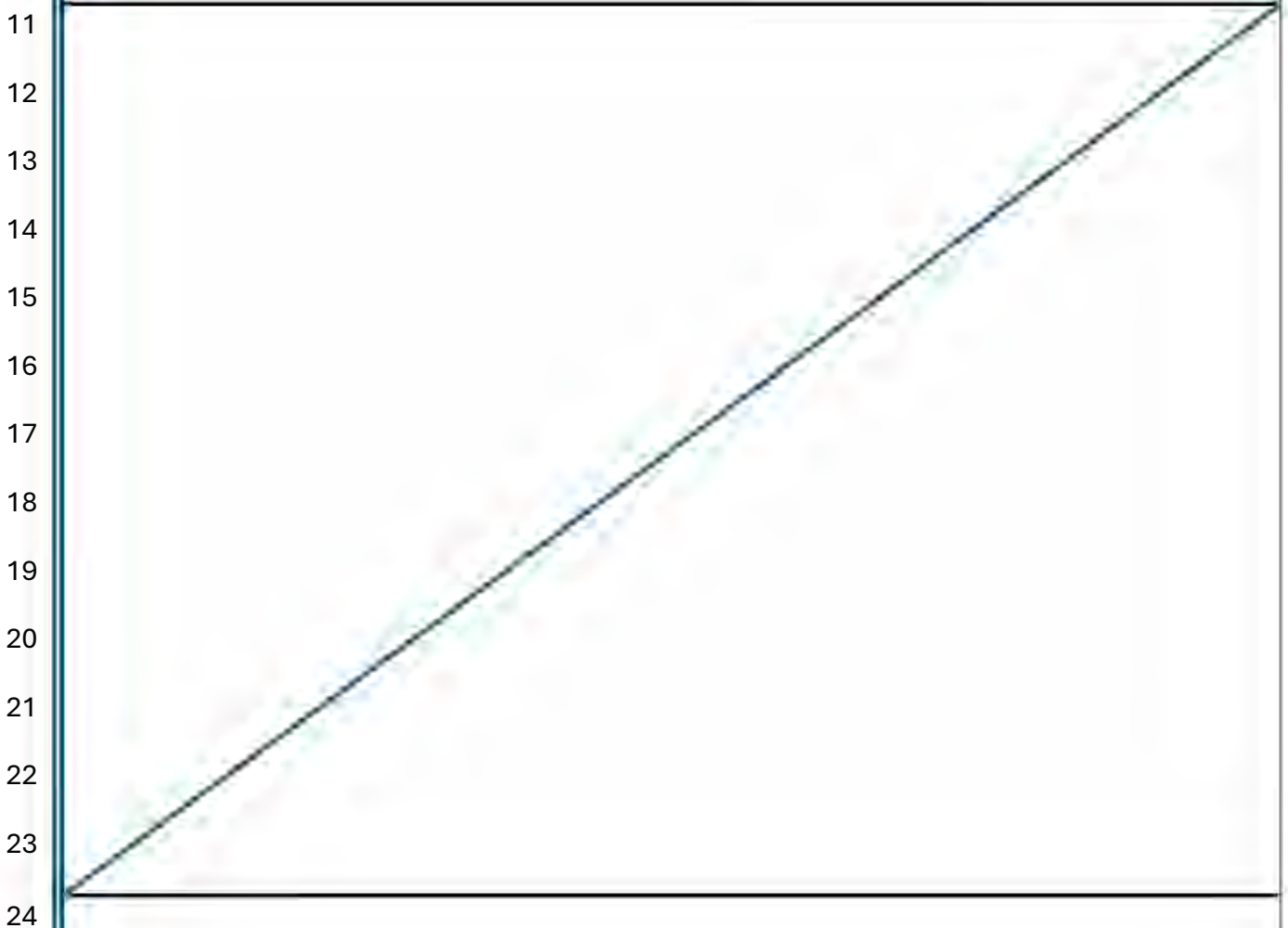


EXHIBIT 'A'
LEGAL DESCRIPTION

Parcel 104325-1: FEE

For State Highway purposes, a portion of that certain land In the City of San Juan Capistrano, County of Orange, State of California, being a portion of the fractional Southwest Quarter of Section 32, Township 7,South, Range 7 West, San Bernardino Meridian as shown on the official plat of said land filed in the District Land Office April 12, 1875, more particularly described in a Grant Deed recorded June 21, 2012 as Inst. No. 2012000352921 of Official Records, in the office of the County Recorder of said County and shown on a Record of Survey filed in Book 38, Page 33 of Record of Surveys, records of said County described as follows:

Commencing at the Northwesterly terminus of that certain course described in said grant deed and shown on said Record of Survey as having a bearing of “North 12°30’12” West and a length of 127.52 feet, the bearing of said course being North 11°39’49” West for the purpose of this description; thence along the westerly line of said Grant Deed, South 11°39’49” East 105.57 feet to the **Point of Beginning**; said Point of Beginning being the easterly terminus of the northerly line of that certain perpetual easement and right of way granted to the City of San Juan Capistrano per document recorded March 23, 1976 in Book 11681, Page 1530 of Official Records, in the office of the County Recorder of said County, said line also being the northerly right-of-way of Ortega Highway as shown on Sheet 9 of Record of Survey 2006-1029, filed in Book 216, pages 8 through 33, inclusive, of Records of Surveys, in the office of the County Recorder of said County as having a bearing and distance of “North 76°45’29” East 185.18 feet”; Thence continuing along the westerly line of said Grant Deed, South 11°31’11” East 12.00 feet to the northerly line of an easement to the County of Orange for Road Purposes as shown on a deed recorded September 28, 1932 in Book 576, page 237 of Official Records, in the office of the Country Recorder of said County, said northerly line also being the northerly right-of-way of Ortega Highway as shown on Sheet 9 of said Record of Survey 2006-1029, thence along the northerly line of said easement and the northerly right of way of Ortega Highway through the following three (3) courses;

1. North 76°45’29” East 39.58 feet to the beginning of a curve concave northerly and having a radius of 469.98 feet;
2. Easterly 80.50 feet along said curve through a central angle of 09°48’48”;
3. North 66°56’41” East 138.93 feet to the easterly line of said Grant Deed;

Thence along said easterly line, North 1°45’13” East 45.44 feet;
thence leaving said easterly line, South 69°24’24” West 14.09 feet; thence South 62°43’10” West 87.47 feet; thence South 74°15’01” West 168.42 feet to the westerly line of said Grant Deed; said point being distant North 11°39’49” West 32.07 feet from the

Point of beginning, thence along said westerly line, South 11°39'49" East 32.07 feet to the **Point of Beginning**.

Unless otherwise noted, all bearings and distances are in terms of the California Coordinate System of 1983, Zone 6, based on the North American Datum of 1983 Epoch 1991.35 (O.C.S. GPS Adjustment). All distances are grid distances, divide grid distances by 0.99995716 to obtain ground distances.

Parcel 104325-2: Temporary Construction Easement

An easement for temporary construction purposes in, on, over, and across a portion of that certain land In the City of San Juan Capistrano, County of Orange, State of California, being a portion of the fractional Southwest Quarter of Section 32, Township 7, South, Range 7 West, San Bernardino Meridian as shown on the official plat of said land filed in the District Land Office April 12, 1875, more particularly described in a Grant Deed recorded June 21, 2012 as Inst. No. 2012000352921 of Official Records, in the office of the County Recorder of said County and shown on a Record of Survey filed in Book 38, Page 33 of Record of Surveys, records of said County described as follows:

Commencing at the Northwesterly terminus of that certain course described in said grant deed and shown on said Record of Survey as having a bearing of "North 12°30'12" West and a length of 127.52 feet, the bearing of said course being North 11°39'49" West for the purpose of this description; thence along the westerly line of said Grant Deed, South 11°39'49" East 73.50 feet to the **Point of Beginning**; thence leaving said westerly line, North 74°15'01" East 168.42 feet; thence North 62°43'10" East 87.47 feet; thence North 69°24'24" East 14.09 feet to the easterly line of said Grant Deed, thence along said easterly line, North 1°45'13" East 16.22 feet; thence leaving said easterly line, South 69°24'24" West 21.13 feet; thence South 62°43'10" West 86.84 feet; thence South 74°15'01" West 165.83 feet to the westerly line of said Grant Deed; said point being distant North 11°39'49" West 15.04 feet from the Point of beginning, thence along said westerly line, South 11°39'49" East 15.04 feet to the **Point of Beginning**.

Rights to the above described temporary easement shall cease and terminate on March 6, 2030. The rights may also be terminated prior to the above date by STATE upon notice to OWNER.

Unless otherwise noted, all bearing and distances are in terms of the California Coordinate System of 1983, Zone 6, based on the North American Datum of 1983 Epoch 1991.35 (O.C.S. GPS Adjustment). All distances are grid distances, divide distances by 0.99995716 to obtain ground distances.

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-22588**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 12-Ora-74-PM 1.7 PARCEL 104332-1
9 OWNER: SUSAN E. MERCHANT, TRUSTEE OF THE SUSAN E. MERCHANT TRUST
10 DATED 9/23/98

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

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

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

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

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

24 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
10 Orange, State of California, Highway 12-Ora-74 and described as follows:

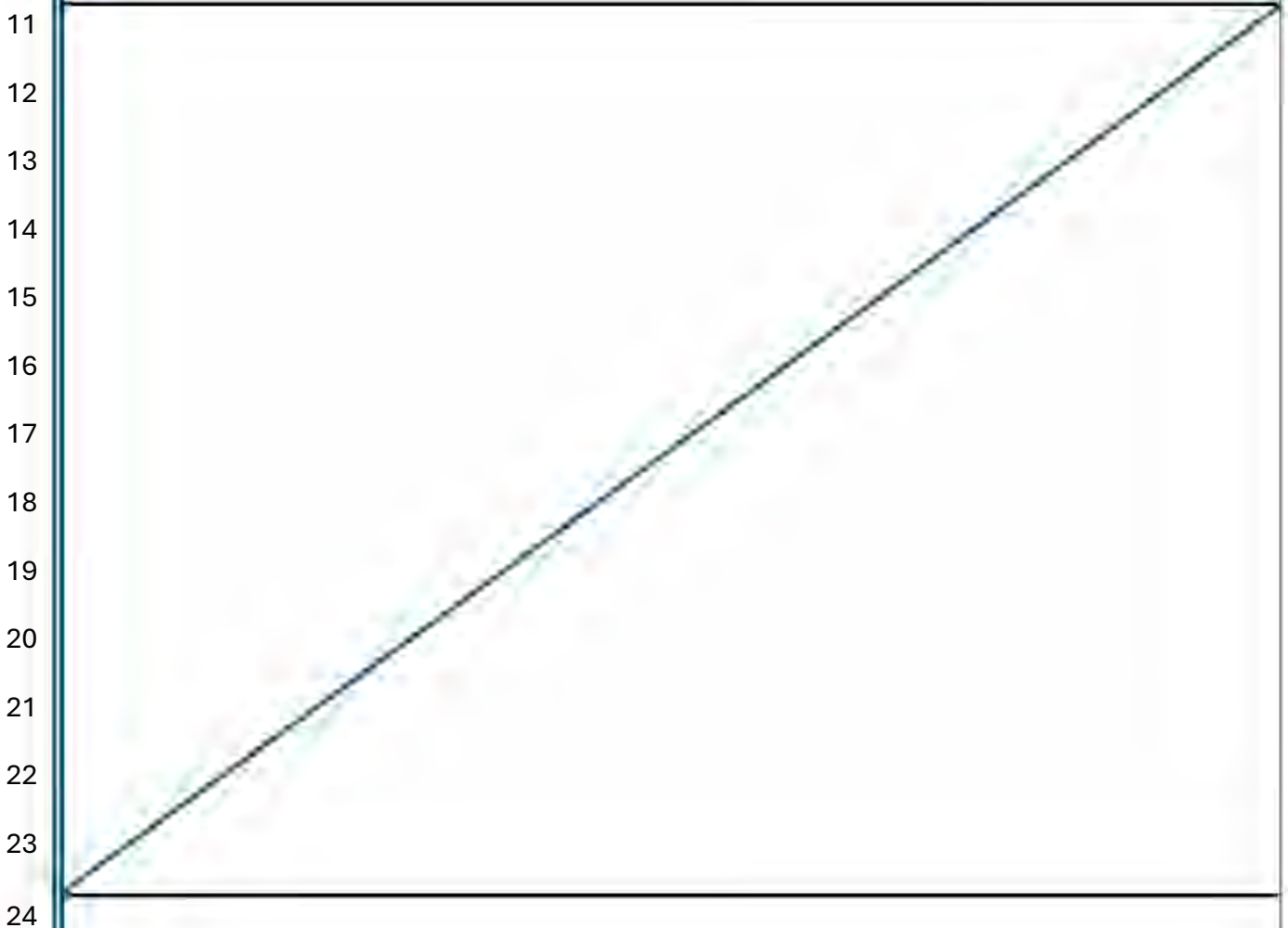


Exhibit "A"
Legal Description

PARCEL 104332-1: Temporary Construction Easement

An easement for temporary construction purposes in, on, over, and across that portion of Parcel 2 of Lot Line Adjustment 89-PM 88-260-115, in the City of San Juan Capistrano, County of Orange, State of California, recorded December 13, 1991 as Instrument No. 91-686830, of Official Records, in the office of the County Recorder of said County described as follows:

Beginning at the southeasterly corner of said Parcel 2; thence along the southeasterly line of said Parcel 2 and the northwesterly line of Ortega Highway, South 70°25'30" West 9.55 feet; thence leaving said southeasterly line, North 1°42'56" East 66.58 feet; thence North 72°23'16" East 8.61 feet to the easterly line of said Parcel 2; thence along the easterly of said Parcel 2, South 1°02'36" West 65.97 feet to the **Point of Beginning**.

Rights to the above described temporary easement shall cease and terminate on March 6, 2030. The rights may also be terminated prior to the above date by STATE upon notice to OWNER.

Unless otherwise noted, all bearing and distances are in terms of the California Coordinate System of 1983, Zone 6, based on the North American Datum of 1983 Epoch 1991.35 (O.C.S. GPS Adjustment). All distances are grid distances, divide distances by 0.99995716 to obtain ground distances.

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-22589**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 12-Ora-74-PM 1.8 PARCEL 104334-1, 2

9 OWNER: Fernando A. Kellenberger, A Single Man and Diego Kellenberger, A Single Man
10 and Fernando Kellenberger and Annette Changala, Husband and Wife, All as Joint Tenants

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

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

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

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

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

24 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
10 Orange, State of California, Highway 12-Ora-74 and described as follows:

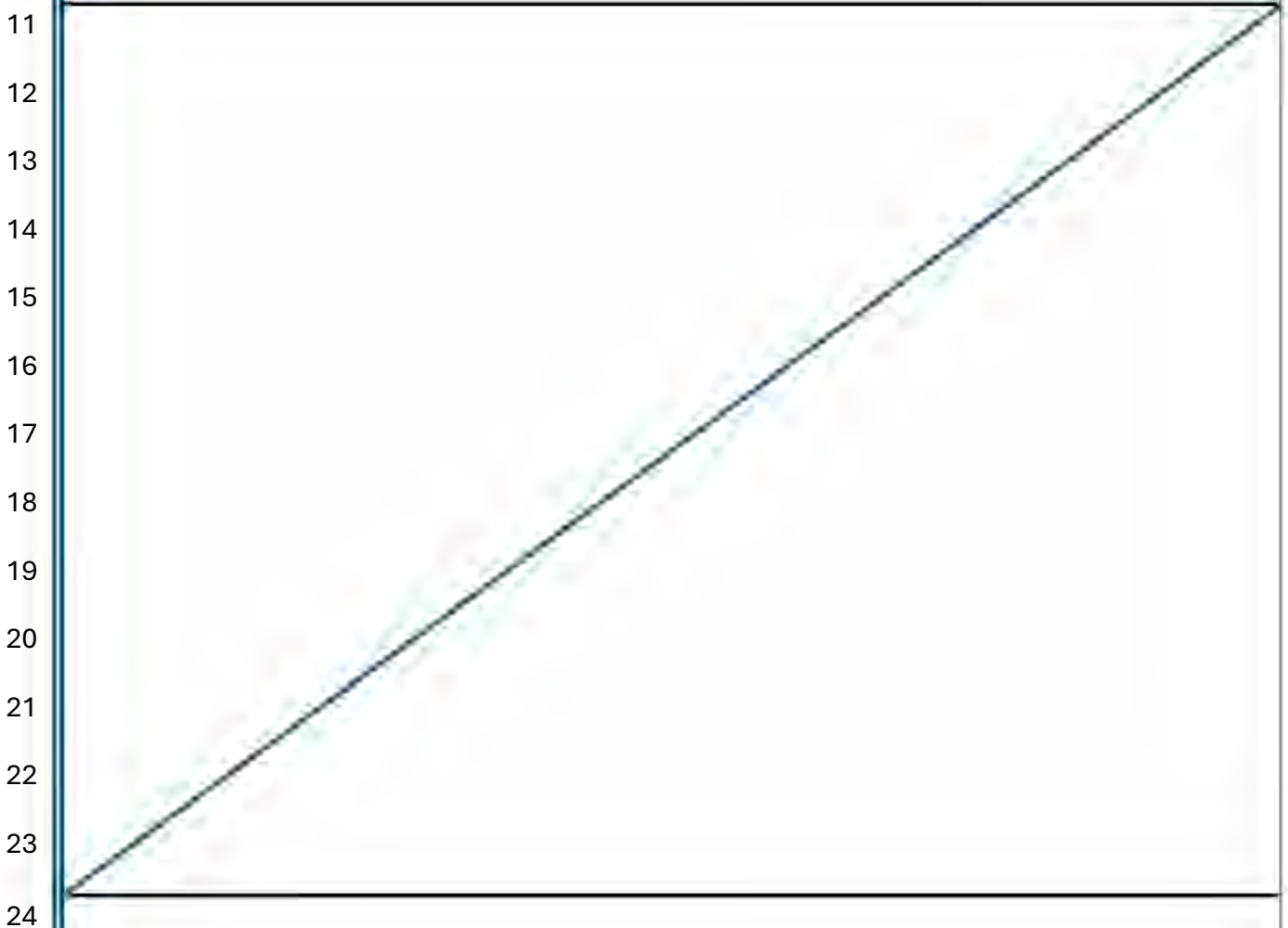


Exhibit "A"
Legal Description

PARCEL 104334-1: FEE

For State highway purposes, that portion of Parcel 3 of a Parcel Map, in the City of San Juan Capistrano, County of Orange, State of California as shown on a map filed in Book 137, Pages 40 through 42, inclusive of Parcel Maps, in the office of the County Recorder of said County described as follows:

Commencing at the Northwesterly corner of Parcel 3 shown on said parcel map as having a bearing of "North 00°42'08" East and a length of 518.02 feet", the bearing of said course being North 00°41'58" East for the purpose of this description, thence along the westerly line of said Parcel 3, South 00°41'58" West 462.49 feet to the southwest corner of said Parcel 3 and the **Point of Beginning**; said Point of Beginning also being on the northwesterly right-of-way of Ortega Highway shown on Sheet 12 of Record of Survey No. 2006-1029, recorded in Book 216, pages 8-33, inclusive of Record of Surveys, records of said Orange County, said Point of Beginning also being the beginning of a non-tangent curve concave northwesterly and having a radius of 1,947.92 feet, a radial line to said curve bears South 31°16'27" East; thence northeasterly 192.69 feet along the southeasterly line of said Parcel, the northwesterly right-of-way of said Ortega Highway and said curve through a central angle of 05°40'04"; thence North 53°03'30 East 195.14 feet to the to the southeast corner of said Parcel 3; thence leaving said southeasterly line and along the northeasterly line of said Parcel 3, North 31°08'28' West 6.53 feet; thence leaving said northeasterly line, South 53°03'30" West 195.83 feet to the beginning of a curve concave northwesterly and having a radius of 1,941.41 feet; thence southwesterly 187.96 feet through a central angle of 05°32'50" to the westerly line of said Parcel 3, said point being distant North 0°41'58" East 7.66 feet along said westerly line from the southwest corner of said Parcel 3; thence along said westerly line, South 00°41'58 West 7.66 feet to the Point of Beginning.

Lands abutting the highway shall have no right or easement of access thereto.

Unless otherwise noted, all bearings and distances are in terms of the California Coordinate System of 1983, Zone 6, based on the North American Datum of 1983 Epoch 1991.35 (O.C.S. GPS Adjustment). All distances are grid distances, divide grid distances by 0.99995716 to obtain ground distances.

PARCEL 104334-2: Temporary Construction Easement

An easement for temporary construction purposes in, on, over, and across that portion of Parcel 3 of a Parcel Map, in the City of San Juan Capistrano, County of Orange, State of California as shown on a map filed in Book 137, Pages 40 through 42, inclusive of Parcel Maps, in the office of the County Recorder of said County described as follows:

Commencing at the southwest corner of said Parcel 3; thence along the westerly of said Parcel 3, North 00°41'58" East 7.66 feet to the **Point of Beginning**: said point of beginning also being the beginning of a non-tangent curve concave northwesterly and having a radius of 1,941.41 feet, a radial line to said curve bears South 31°23'40" East; thence northeasterly 187.96 feet along said curve through a central angle of 05°32'50"; thence North 53°03'30 East 195.83 feet to the to the northeasterly line of said Parcel 3; thence along said northeasterly line, North 31°08'28' West 15.08 feet; thence leaving said northeasterly line, South 53°03"30" West 197.35 feet to the beginning of a curve concave northwesterly and having a radius of 1,926.41 feet; thence southwesterly 177.09 feet along said curve through a central angle of 05°16'01" to the westerly line of said Parcel 3, said point being distant North 00°41'58" East 25.39 feet along said westerly line from the southwest corner of said Parcel 3; thence along said westerly line, South 00°41'58 West 17.73 feet to the **Point of Beginning**.

Rights to the above described temporary easement shall cease and terminate on March 6, 2030. The rights may also be terminated prior to the above date by STATE upon notice to OWNER.

Unless otherwise noted, all bearing and distances are in terms of the California Coordinate System of 1983, Zone 6, based on the North American Datum of 1983 Epoch 1991.35 (O.C.S. GPS Adjustment). All distances are grid distances, divide distances by 0.99995716 to obtain ground distances.

1 **TRANSPORTATION COMMISSION**
2 **RESOLUTION NO.**

3 **C-22590**

4 CALIFORNIA TRANSPORTATION COMMISSION
5 RESOLUTION OF NECESSITY
6 TO ACQUIRE CERTAIN REAL PROPERTY
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
8 HIGHWAY 12-Ora-74-PM 1.9 PARCEL 104335-1, 2

9 OWNER: Fernando Kellenberger and Annette Changala, as Trustees, or any successor
10 Trustee, under that certain Declaration of Trust named Fernando Kellenberger and Annette
11 Changala Living Trust, created by Fernando Kellenberger and Annette Changala, as
12 Trustructors, dated June 16, 2016

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

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

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

22 The proposed project is planned and located in the manner that will be most
23 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
10 Orange, State of California, Highway 12-Ora-74 and described as follows:

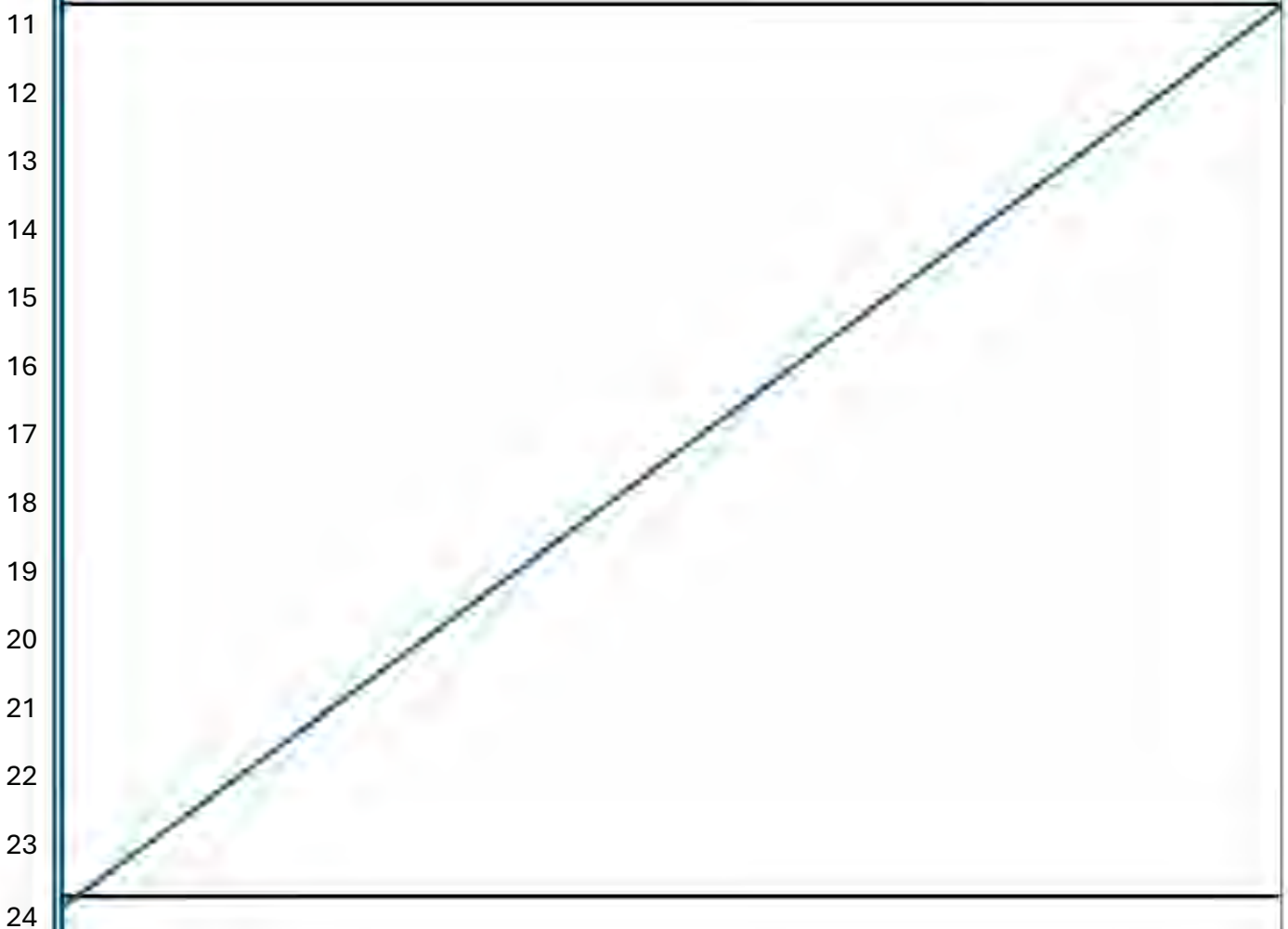


Exhibit "A"
Legal Description

PARCEL 104335-1: FEE

For State highway purposes, that portion Parcel 2 of a Parcel Map, in the City of San Juan Capistrano, County of Orange, State of California as shown on a map filed in Book 137, Pages 40 through 42, inclusive, of Parcel Maps, in the office of the County Recorder of said County described as follows:

Commencing at the Northwesterly terminus of that certain course on the southwesterly line of said Parcel 2, shown on said parcel map as having a bearing of "North 31°09'07" West and a length of 270.54 feet", the bearing of said course being North 31°08'28" West for the purpose of this description, thence along the southwesterly line of said Parcel 2, South 31°08'28" West 270.61 feet to the southwest corner of said Parcel 2 and the **Point of Beginning**, said Point of Beginning being on and the northwesterly right-of-way of Ortega Highway shown on Sheet 12 of Record of Survey No. 2006-1029, recorded in Book 216, pages 8 through 33, inclusive, of Record of Surveys, records of said Orange County, thence along the southeasterly line of said Parcel 2 and the northwesterly right-of-way of Ortega Highway, North 53°03'30 East 181.44 feet to the beginning of a curve concave northwesterly and having a radius of 4,947.79 feet; thence northeasterly 83.17 feet along said curve through a central angle of 00°57'47" to the southeast corner of said Parcel 2; thence leaving said southeasterly line and along the northeasterly line of said Parcel 2, North 52°57'24' West 6.73 feet to the beginning of a non-tangent curve concave northwesterly and having a radius of 4,941.29 feet; a radial line to said curve bears South 37°53'05" East; thence southwesterly 81.34 feet along said curve through a central angle of 00°56'35"; thence South 53°03'30" West 180.75 feet to the southwesterly line of said Parcel 2, said point being distant North 31°08'28: West 6.53 feet from the southwest corner of said Parcel 2; thence along said southwesterly line, South 31°08'28" East 6.53 feet to the **Point of Beginning**.

Lands abutting the highway shall have no right or easement of access thereto.

Unless otherwise noted, all bearing and distances are in terms of the California Coordinate System of 1983, Zone 6, based on the North American Datum of 1983 Epoch 1991.35 (O.C.S. GPS Adjustment). All distances are grid distances, divide distances by 0.99995716 to obtain ground distances.

PARCEL 104335-2: Temporary Construction Easement

An easement for temporary construction purposes in, on, over, and across that portion Parcel 2 of a Parcel Map, in the City of San Juan Capistrano, County of Orange, State of California as shown on a map filed in Book 137, Pages 40 through 42, inclusive, of Parcel Maps, in the office of the County Recorder of said County described as follows:

Commencing the southwest corner of said Parcel 2; thence along the southwesterly line of said Parcel 2, North 31°08'28" West 6.53 feet to the **Point of Beginning**; thence leaving said southwesterly line, North 53°03'30" East 180.75 feet to the beginning of a curve concave northwesterly and having a radius of 4,941.29 feet; thence northeasterly 81.34 feet along said curve through a central angle of 00°56'35" to the northeasterly line of said Parcel 2, thence along said northeasterly line, North 52°57'24" West 15.53 feet to the beginning of a non-tangent curve concave northwesterly and having a radius of 4,926.29 feet; a radial line to said curve bears South 37°50'16" East; thence southwesterly 77.05 feet along said curve through a central angle of 00°53'46"; thence South 53°03'30" West 179.23 feet to the southwesterly line of said Parcel 2, said point being distant North 31°08'28" West 21.61 feet from the southwest corner of said Parcel 2; thence along said southwesterly line, South 31°08'28" East 15.08 feet to the **Point of Beginning**.

Rights to the above described temporary easement shall cease and terminate on March 6, 2030. The rights may also be terminated prior to the above date by STATE upon notice to OWNER.

Unless otherwise noted, all bearing and distances are in terms of the California Coordinate System of 1983, Zone 6, based on the North American Datum of 1983 Epoch 1991.35 (O.C.S. GPS Adjustment). All distances are grid distances, divide distances by 0.99995716 to obtain ground distances.

**TRANSPORTATION COMMISSION
RESOLUTION NO.**

C-22591

**CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION OF NECESSITY
TO ACQUIRE CERTAIN REAL PROPERTY
OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
HIGHWAY 12-Ora-74-PM 1.3 PARCEL 104337-1, 2, 3**

**OWNER: Margaret Bratton Brutocao and Roberto Giovanni Brutocao, husband and wife as
joint tenants**

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; and Code of Civil Procedure Section 1240.510 in that the property being acquired is for a compatible 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;

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
10 Orange, State of California, Highway 12-Ora-74 and described as follows:

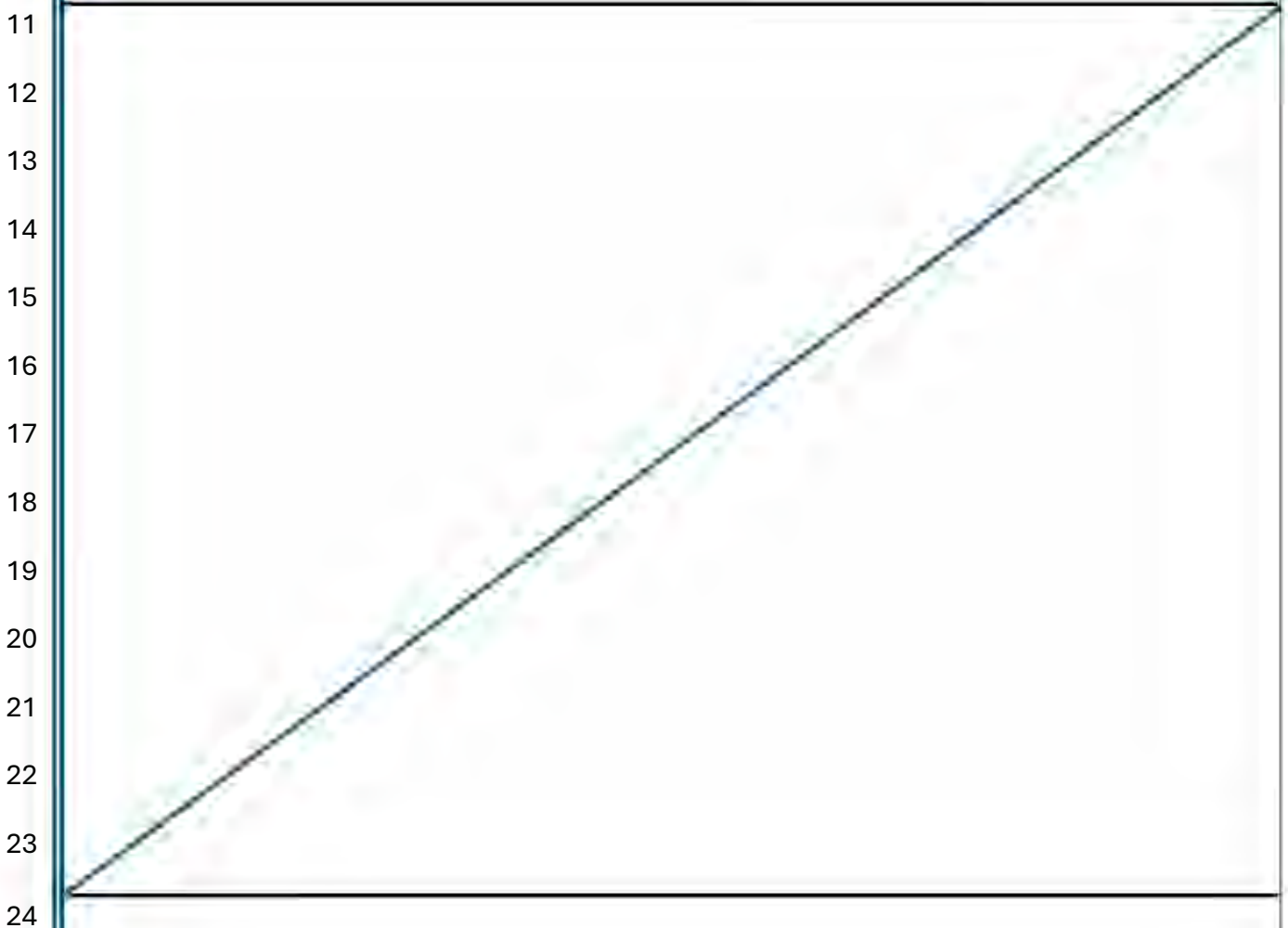


Exhibit "A"
Legal Description

PARCEL 104337-1: FEE

For State highway purposes, that portion of Lot 11 of Tract No. 6305, in the City of San Juan Capistrano, County of Orange, State of California as shown on a map recorded in Book 457, Pages 1 through 15, inclusive of Miscellaneous Maps, in the office of the County Recorder of said County described as follows:

Commencing at Southwest corner of said Lot 11 shown on said map as being the southeasterly terminus of a line having a bearing of North 20°13'18" West and a length of 23.00 feet, the bearing of said course being North 19°22'35" West for the purpose of this description, said Southwest corner being on the northerly right-of-way of Ortega Highway and the southerly line of said Lot 11 as shown on Sheet 9 of Record of Survey 2006-1029, filed in Book 216, pages 8 through 33 inclusive of Records of Surveys, in the office of the County Recorder of said County, said point also being a non-tangent curve concave southerly and having a radius of 3,551.85 feet; a radial line to said curve bears North 19°22'35" West; thence easterly 34.14 feet along the northerly right-of-way of Ortega Highway and southerly line of said Lot 11 through a central angle of 0°33'03" to the **Point of Beginning**: a radial line to said Point of Beginning bears North 18°49'32" West; thence continuing easterly 22.37 feet along said curve and northerly line of said Ortega Highway through a central angle of 0°21'39"; thence leaving said northerly line; North 18°27'52" West 7.36 feet; thence North 80° 08'13" West 11.61 feet; thence South 71°10'28" West 12.23 feet; thence South 18°49'32" East 12.86 feet to the **Point of Beginning**.

Unless otherwise noted, all bearings and distances are in terms of the California Coordinate System of 1983, Zone 6, based on the North American Datum of 1983 Epoch 1991.35 (O.C.S. GPS Adjustment). All distances are grid distances, divide grid distances by 0.99995716 to obtain ground distances.

PARCEL 104337-2: Temporary Construction Easement

An easement for temporary construction purposes in, on, over, and across that portion of Lot 11 of Tract No. 6305, in the City of San Juan Capistrano, County of Orange, State of California as shown on a map recorded in Book 457, Pages 1 through 15, inclusive of Miscellaneous Maps, in the office of the County Recorder of said County described as follows:

Beginning at Southwest corner of said Lot 11 shown on said map as being the southeasterly terminus of a line having a bearing of North 20°13'18" West and a length of 23.00 feet, the bearing of said course being North 19°22'35" West for the purpose of this description, said Southwest corner being on the northerly right-of-way of Ortega Highway and the southerly line of said Lot 11 as shown on Sheet 9 of Record of Survey 2006-1029, filed in Book 216, pages 8 through 33 inclusive of Records of Surveys, in the office of the County Recorder of said County, said point also being a non-tangent curve concave southerly and having a radius of 3,551.85 feet; a radial line to said curve bears North 19°22'35" West; thence easterly 34.14 feet along the northerly right-of-way of Ortega Highway and southerly line of said Lot 11 through a central angle of 0°33'03"; thence leaving said southerly line, North 18°49'32" West 12.86 feet; thence North 71°10'28" East 12.23 feet; thence North 80°08'13" West 13.05 feet; thence South 70°14'41" West 35.11 feet; thence South 19°22'35" East 18.72 feet to the **Point of Beginning**.

Rights to the above described temporary easement shall cease and terminate on March 6, 2030. The rights may also be terminated prior to the above date by STATE upon notice to OWNER.

Unless otherwise noted, all bearing and distances are in terms of the California Coordinate System of 1983, Zone 6, based on the North American Datum of 1983 Epoch 1991.35 (O.C.S. GPS Adjustment). All distances are grid distances, divide distances by 0.99995716 to obtain ground distances.

PARCEL 104337-3: Temporary Construction Easement

An easement for temporary construction purposes in, on, over, and across that portion of Lot 11 of Tract No. 6305, in the City of San Juan Capistrano, County of Orange, State of California as shown on a map recorded in Book 457, Pages 1 through 15, inclusive of Miscellaneous Maps, in the office of the County Recorder of said County described as follows

Commencing at Southwest corner of said Lot 11 shown on said map as being the southeasterly terminus of a line having a bearing of North 20°13'18" West and a length of 23.00 feet, the bearing of said course being North 19°22'35" West for the purpose of this description, said Southwest corner being on the northerly right-of-way of Ortega Highway and the southerly line of said Lot 11 as shown on Sheet 9 of Record of Survey 2006-1029, filed in Book 216, pages 8 through 33 inclusive of Records of Surveys, in the office of the County Recorder of said County, said point also being a

non-tangent curve concave southerly and having a radius of 3,551.85 feet; a radial line to said curve bears North 19°22'35 West; thence easterly 56.51 feet along the northerly right-of-way of Ortega Highway and southerly line of said Lot 11 through a central angle of 0°54'42" to the **Point of Beginning**: a radial line to said curve and Point of Beginning bears North 18°27'53" West; thence leaving said southerly line, North 18°27'52" West 7.36 feet; thence South 80°08'13" East 15.56 feet to the northerly right-of-way of Ortega Highway and the southerly line of said Lot 11, said point being on a non-tangent curve concave southerly and having a radius of 3,551.85 feet; a radial line to said curve bears North 18°14'37" West; thence westerly 13.70 feet along the northerly right-of-way of Ortega Highway and southerly line of said Lot 11 through a central angle of 0°13'16" to the **Point of Beginning**.

Rights to the above described temporary easement shall cease and terminate on March 6, 2030. The rights may also be terminated prior to the above date by STATE upon notice to OWNER.

Unless otherwise noted, all bearing and distances are in terms of the California Coordinate System of 1983, Zone 6, based on the North American Datum of 1983 Epoch 1991.35 (O.C.S. GPS Adjustment). All distances are grid distances, divide distances by 0.99995716 to obtain ground distances.