

From: Dabney, Carolyn S@DOT <carolyn.dabney@dot.ca.gov>
Sent: Tuesday, June 23, 2026 8:09 AM
To: Jon Ingraham <ingrahamjon@gmail.com>
Cc: Sobelman, Timothy B@DOT <timothy.sobelman@catc.ca.gov>
Subject: RE: FW: Request to Halt Sale of Former Prunedale Bypass Parcels and Provide Former-Owner Right of First Refusal

Hello Mr. Ingraham,

The Department has completed its review of the issues you have raised regarding Director's Deed 2299-01-01, including the statutory, procedural, and historical matters referenced in your recent emails. The Department's position remains unchanged. This correspondence constitutes Caltrans' final response on this matter. Accordingly, no further discussion or additional correspondence regarding the Prunedale Bypass disposal will be considered. To further clarify the legal basis for this position, the Department offers the following explanation:

With respect to California Code of Civil Procedure § 1245.245, our analysis of the legislative history makes it clear that the statute was intended to apply only to properties acquired after its enactment. The legislative counsel's digest for SB 1650 explicitly states its prospective application, and the absence of retroactive language further reinforces this intent. Since this property was acquired prior to the passage of § 1245.245, it is not subject to the requirements outlined in statute. Further, eligibility under this code section is determined by the acquisition date, which would be the date of the original Resolution of Necessity, if one existed, and not by the date the project was abandoned.

Additionally, assuming a property was acquired after 2007, we found no case law supporting that a property acquired for a project, with or without the threat of eminent domain, imposes upon a subsequent governmental entity, such as Caltrans, the same obligations that would have applied to the original acquiring agency.

Regarding the "Doctrine of Equivalents," our research highlights its foundation in patent law, with no precedent for application in property law. Courts do sometimes recognize that agency actions can be considered a substantial equivalent of eminent domain, but this argument is not relevant here. The property was acquired in 1983, and there was no legal requirement at that time providing right of first refusal to the original owner. Without contractual language obligating Monterey County or Caltrans to offer the property back, there is no legal basis for such a claim.

To summarize, our legal review establishes:

- There is no authority supporting retroactive application of § 1245.245.
- The Roberti Act does not apply here.
- In the absence of explicit terms in the original contract, Caltrans is not obligated to offer the property to the prior owner.
- The "Doctrine of Equivalents" is not relevant in this property context.
- Federal Highway Administration approval is not required for this particular transaction.

To conclude, the Department will proceed with presenting Director's Deed 2299-01-01 for approval as our review did not identify any legal basis that would warrant removing the item or

deferring Commission consideration. The Department is obligated under the executed Purchase and Sale Agreement and applicable statutes to move the item forward for Commission action.

Thank you for taking the time to share your concerns.

Carolyn Dabney
Office Chief, Excess Land
Caltrans HQ

From: Jon Ingraham <ingrahamjon@gmail.com>
Sent: Monday, June 22, 2026 2:52 PM
To: Dabney, Carolyn S@DOT <carolyn.dabney@dot.ca.gov>
Cc: Sobelman, Timothy B@DOT <timothy.sobelman@catc.ca.gov>; Taylor, Tanisha@CATC <Tanisha.Taylor@catc.ca.gov>; Hunter, Gwynne@CATC <Gwynne.Hunter@catc.ca.gov>; Golaszewski, Paul@CATC <Paul.Golaszewski@catc.ca.gov>; California Transportation Commission@CATC <ctc@catc.ca.gov>; Andreu, Joseph@DOT <Joseph.Andreu@dot.ca.gov>; Garcia, Raymond@DOT <Raymond.Garcia@dot.ca.gov>; Columbus, Mary Jo@DOT <MaryJo.Columbus@dot.ca.gov>; assemblymember.rrivas@assembly.ca.gov; Donna Ingraham ; [Charles Cryder](mailto:Charles.Cryder); [Jennifer Tully](mailto:Jennifer.Tully)

Subject: Re: FW: Request to Halt Sale of Former Prunedale Bypass Parcels and Provide Former-Owner Right of First Refusal

This Message Is From an External Sender

This message came from outside your organization. Please be careful when viewing message

[Report Suspicious](#) 

Subject: RE: Prunedale Bypass Disposal – DD 2299-01-01 – Response to Ms. Dabney's June 24, 2026 Letter

Dear Ms. Dabney,

Thank you for your letter of June 24, 2026, and for taking the time to provide clarification on the Roberti Act. I have reviewed your analysis carefully and write to respond.

I appreciate the clarification regarding Government Code §§ 54236(d), 54237, and 54238.3. I understand Caltrans' position that the Roberti Act's former-owner priority provisions do not apply to this disposal because the Prunedale Bypass was rescinded after January 1, 1984, and because the subject parcels are not developed residential

property. I do not concede that position in full, but I recognize it is Caltrans' stated legal conclusion and I will address it with counsel.

However, I must respectfully but firmly point out that the Roberti Act is not the only legal framework at issue here, and your letter does not address several independent grounds for concern that remain very much alive. I address each below.

I. CODE OF CIVIL PROCEDURE § 1245.245 — NOT ADDRESSED BY YOUR LETTER

Your letter focuses entirely on the Roberti Act. It does not address Code of Civil Procedure § 1245.245, which provides a former-owner repurchase right when property acquired for a public use is later abandoned or the public project is rescinded. This statute is entirely separate from the Roberti Act and has its own independent legal framework.

Caltrans addressed § 1245.245 in its June 19, 2026 letter by arguing retroactivity — claiming the statute was enacted in 2007 and cannot apply to a 1983 acquisition. That retroactivity argument is contested. The relevant triggering event under § 1245.245 is not solely the date of acquisition — it is also the date of abandonment of the public use. The Prunedale Bypass was not rescinded until 2021. Whether § 1245.245 applies to an acquisition that predates the statute but where the abandonment occurred after its enactment is a legitimate, unresolved legal question that your letter does not engage with.

I respectfully request that Caltrans provide its complete legal analysis of § 1245.245 — not just the Roberti Act — before the Commission votes.

II. THE "SUBSTANTIAL EQUIVALENT" DOCTRINE — NOT ADDRESSED BY YOUR LETTER

Your letter, like Caltrans' June 19 letter, proceeds on the assumption that the 1983 conveyance was a voluntary transfer. The 1983 deed from Holly Hill Partnership to Monterey County states on its face:

"Grantor has been informed by an authorized governmental official that a decision has been made to acquire real property described herein for a public use; grantor has

reasonable grounds to believe that condemnation proceedings will be instituted if a voluntary conveyance is not made; and this conveyance is therefore made under the threat of imminent taking for public use."

This is not a voluntary transfer. It is a threat-of-condemnation conveyance. California courts and agencies have long recognized that such transfers are treated as the substantial equivalent of eminent domain for a range of statutory purposes. Whether that substantial equivalent doctrine extends to former-owner repurchase rights — under § 1245.245, under general equitable principles, or under other provisions — is a real and open legal question that neither your letter nor Caltrans' June 19 letter addresses.

Caltrans cannot simultaneously rely on the absence of a formal Resolution of Necessity to deny former-owner rights while ignoring the express threat-of-condemnation language that the grantor was required to include in the very deed that conveyed the property.

III. YOUR CHARACTERIZATION OF SURPLUS LAND IS OVERLY NARROW

You cite § 54236(d) for the proposition that "surplus residential property" means only land already developed as single-family or multifamily housing. That is the Roberti Act definition, and I understand that definition for purposes of that statute.

However, the broader concept of "surplus land" under California law is not limited to developed residential property. Government Code § 54221 et seq. — the Surplus Land Act — defines surplus land more broadly as land owned by a local agency that is determined to be no longer necessary for the agency's use. While that Act applies primarily to local agencies, the underlying principle that the State has obligations when disposing of land it no longer needs for its intended public purpose applies more broadly through other statutory and common law frameworks.

Moreover, the fact that our parcel was raw land at the time of the threat-of-condemnation conveyance does not mean it lacked value or that the former owner has no cognizable interest in its disposition. The parcel was taken for a specific public purpose — the Prunedale Bypass. That purpose has been abandoned. The land is now being sold. The question of what obligations attach to that disposal is not fully answered by the Roberti Act definition alone.

IV. YOUR FHWA ANALYSIS IS INCOMPLETE

You state that FHWA review is required only when property is disposed of below fair market value or when access control is affected. With respect, this is an oversimplification of the federal regulatory framework under 23 CFR Part 710.

23 CFR § 710.409 addresses the disposal of real property acquired with Title 23 federal-aid highway funds and requires FHWA involvement in the excess land program more broadly than you have described. The threshold question — which neither your letter nor Caltrans' June 19 letter answers — is whether federal funds participated in the original acquisition of any of the five parcels comprising DD 2299-01-01.

US Highway 101 is a federal-aid highway. The Prunedale Bypass was a proposed improvement to US 101. Federal participation in right-of-way acquisition costs for federal-aid highway projects in the 1980s was standard practice. If federal funds participated in this acquisition, the full scope of 23 CFR Part 710 — not just the below-market-value provision — applies to this disposal.

I again respectfully request that Caltrans confirm in writing, before the Commission votes, whether federal funds participated in the acquisition of any parcel within DD 2299-01-01, and if so, what FHWA review has been conducted.

V. THE RE-PARCELING AND BUNDLING OF PARCELS — NOT ADDRESSED

Neither your letter nor any prior Caltrans communication has addressed a fundamental issue: our original parcel was not sold as it was acquired. Caltrans took our parcel, combined it with four other adjoining parcels, re-parceled and consolidated them into a single disposal unit — DD 2299-01-01 — and auctioned the entire bundled package as one.

This consolidation:

1. Made it factually impossible for the former owner to repurchase the specific parcel that was taken, even if proper notice had been given;

2. Significantly increased the sale price and scale of the transaction, placing it beyond the reach of the original property owner as a practical matter;
3. Was undertaken without any notice to or consultation with the former owner or successor entities;
4. Appears designed — whether intentionally or not — to circumvent any former-owner rights that might otherwise attach to the individual parcel.

I request that Caltrans provide the legal authority under which it is permitted to consolidate formerly separately-owned parcels into a single disposal unit and auction them together without any notice to or consent from the former owners of the individual parcels.

VI. THE NOTICE ISSUE REMAINS UNRESOLVED

Your letter does not address the notice issue at all. As stated in my prior correspondence, Caltrans provided auction notice to Donna Ingraham — a private individual and adjacent property owner who is not an owner of Reavis & Williams Builders, Inc. and has no legal authority to act on behalf of that entity or Holly Hill Partnership. She does not recall receiving any such notice. I, as an owner of Reavis & Williams Builders, Inc. — the named successor partner of the dissolved Holly Hill Partnership — received no notice of the auction prior to April 2026.

Regardless of which statutory framework ultimately applies, the question of whether proper notice was given to the correct legal entity is a procedural issue that must be addressed before the Director's Deed is approved.

VII. CONCLUSION

Ms. Dabney, I appreciate your responsiveness and your clarification on the Roberti Act. I accept that the Roberti Act's specific provisions may face challenges in this context. However, the Roberti Act is not the entirety of my claim, and your letter does not address the independent legal bases that remain unresolved — including § 1245.245, the substantial equivalent doctrine, the federal funding question, the re-parceling issue, and

the notice defect.

I intend to raise all of these issues at CTC meeting and to continue pursuing them with legal counsel. I remain willing to meet and confer with Caltrans at any time to discuss a resolution that respects both the State's disposition obligations and my rights as a former owner.

I respectfully renew my request that DD 2299-01-01 be removed from tomorrow's consent agenda pending a complete legal review of all of these issues — not just the Roberti Act.

Sincerely,

Jonathan Ingraham
Reavis & Williams Builders, Inc.
831-869-2283
ingrahamjon@gmail.com

CC: Joseph Andreu, Caltrans District 5 – Joseph.Andreu@dot.ca.gov
CC: Timothy Sobelman, Chief Engineer, CTC – timothy.sobelman@catc.ca.gov
CC: Tanisha Taylor, Executive Director, CTC – Tanisha.Taylor@catc.ca.gov
CC: Paul Golaszewski, Chief Deputy Director, CTC – Paul.Golaszewski@catc.ca.gov
CC: Chair Clarissa Reyes Falcon, CTC
CC: Vice Chair Joseph Cruz, CTC
CC: ctc@catc.ca.gov
CC: Raymond Garcia, Caltrans – Raymond.Garcia@dot.ca.gov
CC: Mary Jo Columbus, Caltrans – MaryJo.Columbus@dot.ca.gov
CC: Bob Tiffany, Commissioner –
CC: Assemblymember Rivas's Office – assemblymember.rivas@assembly.ca.gov CC:
Norm Matteoni –
CC: Donna Ingraham
CC: Charles Cryder
CC: Jennifer Tully

On Mon, Jun 22, 2026 at 2:17 PM Dabney, Carolyn S@DOT
<carolyn.dabney@dot.ca.gov> wrote:

Hello Mr. Ingraham,

Joseph Andreu from the Caltrans District 5 Office forwarded me the correspondence you

shared regarding the Prunedale Bypass disposal. As the Office Chief for Excess Land and the Program Manager for the State Route 710 Sales Program, governed by the Roberti Act (Government Code sections 54235–54239.6), I wanted to provide clarification regarding the applicability of the Roberti Act to the Prunedale disposal.

The Roberti Act was enacted to expand access to affordable housing for low- to moderate-income households, and it applies only in cases where at least 20 residential dwelling units were acquired for a project. It also does not apply to freeway routes rescinded after January 1, 1984. Because the Prunedale Bypass was rescinded in 2021 and no residential dwelling exists on the property, the Act does not apply in this instance.

Government Code section 54238.3, referenced below, outlines these limitations, and section 54236(d) defines “surplus residential property.” Given these criteria, neither the Roberti Act nor the priority sale process in section 54237(a)(1) applies here, and no former-owner rights are created under these provisions.

Regarding federal involvement, FHWA review is required when a property is disposed of at less than fair market value or when access control is affected—neither of which is the case for the Prunedale disposal.

As stated in the Department’s June 19 response, we intend to seek approval for Director’s Deed No. 2299-01-01 at the upcoming Commission meeting. The Department is under no legal obligation to offer the property back to the 1983 ownership. If you have any questions or would like additional clarification, please feel free to reach out.

Thank you.

Carolyn Dabney
Office Chief, Excess Land
Caltrans HQ

Roberti Act:

54238.3.

(a) This article shall apply only to **surplus residential properties** which were acquired for a state project, for which at least 20 dwelling units were acquired and owned by the state on January 1, 1980, or on the date the properties were declared to be surplus, whichever date occurs later. For the purpose of this section, a freeway route and its interchanges shall be considered one state project. Except for State Highway Route 7 in Los Angeles County, this article shall not apply to freeway routes rescinded on or after January 1, 1984.

54236 (d)

(d) As used in this article, the term “**surplus residential property**” means land and structures owned by any agency of the state that is determined to be no longer necessary for

the agency's use, **and that is developed as single-family or multifamily housing**, except property being held by the agency for the purpose of exchange.

54237.

(a) Notwithstanding Section 11011.1, an agency of the state disposing of **surplus residential property** shall do so in accordance with the following priorities and procedures:

(1) First, all single-family residences **presently occupied by their former owners shall** be offered to those former owners at the appraised fair market value. Surplus residential properties shall only include land and structures that, at the time of purchase by the state, the state had intended to remove the residences thereon and to use the land for state purposes.

From: Jon Ingraham <ingrahamjon@gmail.com>

Sent: Friday, June 19, 2026 1:50 PM

To: Sobelman, Timothy B@DOT <timothy.sobelman@catc.ca.gov>

Cc: Taylor, Tanisha@CATC <Tanisha.Taylor@catc.ca.gov>; Hunter, Gwynne@CATC <Gwynne.Hunter@catc.ca.gov>; Golaszewski, Paul@CATC <Paul.Golaszewski@catc.ca.gov>; California Transportation Commission@CATC <ctc@catc.ca.gov>; Andreu, Joseph@DOT <Joseph.Andreu@dot.ca.gov>; Garcia, Raymond@DOT <Raymond.Garcia@dot.ca.gov>; Columbus, Mary Jo@DOT <MaryJo.Columbus@dot.ca.gov>; assemblymember.rivas@assembly.ca.gov; Donna Ingraham Charles Cryder Jennifer Tully ; Joe Masuen _____

Subject: Re: Request to Halt Sale of Former Prunedale Bypass Parcels and Provide Former-Owner Right of First Refusal

[Report Suspicious](#) 

Subject: URGENT OBJECTION – Please Remove DD 2299-01-01 from June 25–26, 2026 CTC Consent Agenda – Former Owner Rights Unresolved / Acquisition Record Incomplete

Dear Chair Falcon, Vice Chair Cruz, and Members of the California Transportation Commission,

Dear Mr. Sobelman, Mr. Andreu, Ms. Taylor, Mr. Golaszewski, and Caltrans Right-of-Way Staff,

I am writing with urgent concern regarding Disposal Directive DD 2299-01-01, which I

have been informed Caltrans intends to present for CTC approval at the June 25–26, 2026 meeting in Folsom, California — now less than one week away.

I respectfully and urgently request that the Commission remove this item from the consent agenda, or alternatively, pull it from consent for separate discussion and public comment, so that the unresolved legal and factual issues described below can be addressed before any action is taken.

I. SUMMARY OF UNRESOLVED ISSUES

As set forth in my prior correspondence dated April 7, May 21, and June 10, 2026, this disposal involves parcels that were conveyed to Monterey County in 1983 expressly under the threat of condemnation for the Prunedale Bypass public project, and subsequently transferred to the State of California in 1986 specifically for State Highway 101 right-of-way purposes, with the County credited \$501,600 in right-of-way contract value.

Despite multiple written submissions of documentary evidence — including the 1983 deed reciting threat-of-condemnation language, the 1986 Board of Supervisors resolution naming the Prunedale Bypass as the acquisition purpose, the Holly Hill Partnership dissolution notice confirming Reavis & Williams Builders, Inc. as a successor partner, and a full chain of title — neither Caltrans nor the CTC has provided a written legal determination addressing whether Government Code § 54237 former-owner resale rights apply to this disposal.

II. NEW INFORMATION FROM TELEPHONE CONVERSATIONS

I have had telephone conversations with both Mr. Timothy Sobelman (CTC Chief Engineer) and Mr. Joseph Andreu (Caltrans District 5, Sr. Right of Way Agent) since my June 10, 2026 letter. Those conversations revealed the following critical facts:

1. Mr. Sobelman confirmed that Caltrans is the lead responding agency on this matter, not the CTC.
2. Mr. Andreu confirmed that Caltrans has reached out to the County of Monterey to

obtain historical acquisition documentation but has NOT yet received all responsive records back from the County.

3. Mr. Andreu confirmed that a public auction notice has already been issued for the subject parcels.

4. Mr. Andreu acknowledged that Caltrans does not currently have the full historical record of the transfer between Holly Hill Partnership/Reavis & Williams Builders, Inc. and Monterey County.

These admissions are significant. Caltrans is asking the Commission to approve a Director's Deed for parcels whose full acquisition history it acknowledges is not yet in hand. Proceeding to a consent agenda vote under these circumstances — without a complete acquisition record, without a legal determination on former-owner rights, and without a response to my outstanding Public Records Act request — would be premature and potentially expose the State to legal challenge.

III. SPECIFIC OBJECTIONS TO CONSENT AGENDA APPROVAL

1. **Incomplete Acquisition Record.** By Caltrans' own admission, the County of Monterey has not yet returned all requested historical documentation. A Director's Deed approval should not proceed until the complete acquisition history is in hand and reviewed.

2. **No Legal Determination on Former-Owner Rights.** The 1983 deed contains express threat-of-condemnation language. Neither Caltrans nor the CTC has provided a written legal analysis addressing whether this language triggers former-owner resale rights under Government Code § 54237. This determination must be made before a public sale proceeds.

3. **Public Auction Noticed Without Former-Owner Offer.** Mr. Andreu confirmed that a public auction has been noticed. Under Government Code § 54237, if the property is subject to former-owner resale rights, the former owner must be offered the property at appraised fair market value before any public sale. No such offer has been made to me or to Reavis & Williams Builders, Inc.

4. **Outstanding Public Records Act Request.** My formal PRA request dated June 10,

2026 to both Caltrans and the CTC has not been fulfilled. The Commission should not vote to approve a Director's Deed while a PRA request for the underlying acquisition records is pending and unanswered.

5. Holly Hill Partnership Dissolution and Successor Rights. The Public Notice of Dissolution of Holly Hill Partnership (published December 31, 1986 and January 7, 1987, pursuant to Corporations Code § 15035.5) confirms that Reavis & Williams Builders, Inc. is a named successor partner with standing to assert former-owner rights. This entity was never notified of or offered the statutory right of first refusal.

IV. SPECIFIC REQUESTS TO THE COMMISSION AND CALTRANS

I respectfully request the following:

1. That the Commission remove Disposal Directive DD 2299-01-01 from the June 25–26, 2026 consent agenda, or pull it from consent for separate public discussion;
2. That Caltrans provide, in writing and prior to any CTC vote, its legal position on whether Government Code § 54237 former-owner resale rights apply to this disposal, and the basis for that position;
3. That Caltrans suspend the public auction process for DD 2299-01-01 pending resolution of the former-owner rights question;
4. That Caltrans fulfill the outstanding Public Records Act request submitted on June 10, 2026, including all acquisition files, transfer documents, appraisal records, and right-of-way correspondence relating to Parcels 2299, 2640, 2645, 2650, and 3055;
5. That, if it is determined that former-owner resale rights apply, Caltrans provide a formal written offer to purchase the parcels at appraised fair market value to Jonathan Ingraham and Reavis & Williams Builders, Inc. before any further sale proceedings.

I am available to speak with Commission staff or Caltrans counsel at any time this week and can be reached at 831-869-2283 or ingrahamjon@gmail.com. I am also prepared to appear and provide public comment at the June 25–26 meeting in Folsom if needed.

The documentary record in this matter is substantial and the legal questions are serious. I respectfully ask that the Commission not allow this item to pass on consent without first ensuring that Caltrans has completed its due diligence and that my rights as a former owner have been properly evaluated and addressed.

Thank you for your urgent attention.

Sincerely,

Jonathan Ingraham
Reavis & Williams Builders, Inc.
831-869-2283
ingrahamjon@gmail.com

CC: Tanisha Taylor, Executive Director, CTC – Tanisha.Taylor@catc.ca.gov
CC: Paul Golaszewski, Chief Deputy Director, CTC – Paul.Golaszewski@catc.ca.gov
CC: Timothy Sobelman, Chief Engineer, CTC – timothy.sobelman@catc.ca.gov
CC: Joseph Andreu, Sr. Right of Way Agent, Caltrans District 5 –
Joseph.Andreu@dot.ca.gov
CC: Raymond Garcia, Caltrans – Raymond.Garcia@dot.ca.gov
CC: Mary Jo Columbus, Caltrans – MaryJo.Columbus@dot.ca.gov
CC: Douglas Remedios, Public Records Officer, CTC –
Douglas.Remedios@catc.ca.gov
CC: ctc@catc.ca.gov
CC: Assemblymember Rivas's Office – assemblymember.rivas@assembly.ca.gov
CC: Bob Tiffany, Commissioner –
CC: Donna Ingraham
CC: Charles Cryder
CC: Jennifer Tully

On Wed, Jun 10, 2026 at 9:00 AM Jon Ingraham <ingrahamjon@gmail.com> wrote:

Subject: RE: Request to Halt Sale of Former Prunedale Bypass Parcels – Evidence Submission and Formal Objection to Disposal of DD 2299-01-01

Dear Mr. Andreu, Mr. Sobelman, and Members of the California Transportation Commission,

Thank you for your response dated May 21, 2026. We are writing to submit documentary evidence gathered to date, formally dispute certain findings in

Caltrans' review, and reiterate our request that the California Transportation Commission defer any action on Disposal Directive DD 2299-01-01 at the June 24-25, 2026 meeting pending a full review of this evidence.

I. DOCUMENTS NOW SUBMITTED AS EVIDENCE

We are submitting the following documents, which were gathered from Monterey County official records:

1. Record of Survey, Vol. 1, Page 74 – Partition map of the Rollin J. Vierra estate, establishing the historic parcel boundaries underlying the Holly Hill subdivision property.
2. Tract Map 13-74 (Holly Hill No. 1, Tract 826, Unit 1) – The recorded subdivision map for Holly Hill Subdivision Unit No. 1, showing the layout of the 27 residential lots, road dedications, and public utility easements, with the Owner's Certificate executed by Holly Hill Partnership.
3. Deed, Vol. 1341, Page 414 (Phillips to Williamson, 1951) – An early chain-of-title deed containing a right of first refusal covenant running with the land, which we contend is relevant to the disposition rights at issue.
4. Grant Deed, Reel 1174, Page 1044 (1977 Deed to Holly Hill Partnership) – The deed conveying the subject property to Holly Hill Partnership, establishing Holly Hill Partnership as the grantor in the subsequent 1983 deed to Monterey County.
5. Road Maintenance Agreement (1980) – Agreement between Holly Hill Partnership and Holly Hill Homeowners Association governing Reavis Way, the common road serving both Unit 1 and Unit 2, confirming the operational and physical integration of the parcels.
6. Grant Deed, Reel 1667, Page 780 (September 15, 1983 – Holly Hill Partnership to County of Monterey) – This is the central document. The deed states on its face: "Grantor has been informed by an authorized governmental official that a decision has been made to acquire real property described herein for a public use; grantor has reasonable grounds to believe that condemnation proceedings will be instituted if a voluntary conveyance is not made; and this conveyance is therefore made under

the threat of imminent taking for public use." This language is the functional and legal equivalent of a conveyance under threat of eminent domain. The absence of a formal Resolution of Necessity does not negate the coercive public-purpose acquisition that this deed expressly documents.

7. Title Insurance Policy (September 15, 1983 – Insured: County of Monterey, APN 125-102-35) – Confirms County of Monterey's insured acquisition of the parcel on the same date as the deed above.

8. Grant Deed, Reel 1954, Page 378 (1986 – County of Monterey to State of California, re-recorded May 7, 1986) – The County-to-State transfer deed, accompanied by the Board of Supervisors resolution specifically identifying Parcel 2650-1 (APN 125-102-35) as acquired for the "Prunedale Bypass State Highway 101" and crediting the County \$501,600 in right-of-way contract value. This resolution expressly names the Prunedale Bypass as the public purpose.

9. Assessor's Map, Book 125, Page 10 – Confirms the parcel configuration and "STATE" designation visible on the assessor's map corresponding to these parcels.

II. DISPUTE OF CALTRANS' FINDING THAT NO RESOLUTION OF NECESSITY EXISTS

Caltrans has stated that none of the five parcels forming DD 2299-01-01 were acquired under a resolution of necessity. We do not dispute that a formal Resolution of Necessity under Code of Civil Procedure § 1245.220 may not have been adopted. However, we respectfully submit that this is not the controlling question.

The 1983 deed from Holly Hill Partnership to Monterey County expressly recites that the conveyance was made under the threat of condemnation for a public use. California courts and statutes treat such threat-of-condemnation conveyances as the legal equivalent of eminent domain acquisitions for purposes of former-owner rights, particularly under Government Code § 54237 et seq. The statutory right of first refusal for former owners applies to property acquired "by eminent domain or negotiated purchase under threat of eminent domain" — precisely the circumstances described in the 1983 deed.

Furthermore, the 1986 Board of Supervisors resolution and accompanying right-of-

way contract confirm that the State of California itself treated this parcel as a Prunedale Bypass right-of-way acquisition, crediting the County over \$500,000 in exchange. The State cannot now disclaim the public-purpose nature of that acquisition in order to avoid its statutory obligations to former owners.

III. RENEWED REQUEST FOR POSTPONEMENT OF CTC ACTION

Given the documentary record now submitted, we respectfully but firmly request that:

1. Caltrans and the CTC defer any request for CTC approval of the Director's Deed for DD 2299-01-01 at the June 24–25, 2026 meeting, or at any subsequent meeting, until this evidence has been fully reviewed by Caltrans Right of Way, the CTC, and legal counsel;
2. Caltrans confirm in writing whether it contends the 1983 threat-of-condemnation language in the Holly Hill Partnership deed is insufficient to trigger former-owner resale rights under Government Code § 54237, and if so, provide the legal basis for that position;
3. Caltrans provide all documents requested in our May 21, 2026 letter, including all right-of-way acquisition files, appraisal records, interagency transfer documents, and any correspondence between Monterey County and Caltrans regarding the 1983 and 1986 transfers;
4. Caltrans identify the legal authority under which it contends it may proceed with a public sale of these parcels without first offering them to the former owner at appraised fair market value.

We remain willing to meet and confer with Caltrans and CTC staff at the earliest opportunity and can provide certified copies of all documents referenced above.

Thank you for your continued attention to this matter.

Sincerely,

Jonathan Ingraham

Reavis & Williams Builders, Inc.

831-869-2283

ingrahamjon@gmail.com

On Thu, May 21, 2026 at 4:16 PM Jon Ingraham <ingrahamjon@gmail.com> wrote:

Dear Mr. Andreu,

Thank you for your response and for the information regarding Parcel 2650 and Disposal Directive DD 2299-01-01, including the adjoining parcels identified as 2299, 2640, 2645, 2650, and 3055.

My family and I are actively gathering historical records concerning the acquisition history of the Holly Hills subdivision property and related adjoining parcels, including subdivision approval conditions, right-of-way dedication requirements, and related County and State records from the early 1980s.

At this stage, the primary issue does not appear limited to whether the State acquired the parcel directly from Holly Hill Partnership or through a formal Resolution of Necessity. Rather, the evidence demonstrates that one or more of these parcels were acquired by Monterey County specifically for the Prunedale Bypass corridor and subsequently transferred to the State for that public project purpose.

We are therefore requesting that Caltrans preserve all records relating to:

- Disposal Directive DD 2299-01-01;
- Parcels 2299, 2640, 2645, 2650, and 3055;
- Holly Hill Partnership;
- Reavis & Williams Builders, Inc.;
- Prunedale Bypass right-of-way acquisition activities between approximately 1980–1990;
- any subdivision conditions, dedications, reimbursement agreements, interagency transfer documents, or acquisition files relating to the subject properties.

We also respectfully request that Caltrans postpone any request for CTC approval or disposition action until these records can be fully reviewed.

In addition, please provide copies of:

- all County-to-State transfer documents relating to Parcels 2299, 2640, 2645, 2650, and 3055;

- any right-of-way maps, appraisal maps, or acquisition maps identifying these parcels;
- any documents identifying the intended public use for the parcels at the time of acquisition;
- any records reflecting reimbursement, coordination, or acquisition planning between Monterey County and Caltrans regarding the Prunedale Bypass project;
- and any documents reflecting how these parcels were assembled into Disposal Directive DD 2299-01-01.

Thank you again for your attention to this matter. We intend to provide additional documentation as soon as it is located and reviewed.

Sincerely,

Jonathan Ingraham
Reavis & Williams Builders, Inc.

Email below received from Joseph Andreu 5/21/26

Dear Mr. Ingraham,

Thank you for reaching out to the Department of Transportation (Caltrans) regarding the State-owned excess land between Pesante and Vierra Canyon Roads. After a thorough review, we have determined that this area has been declared an excess disposal unit, DD 2299-01-01, which encompasses five adjoining parcels: 2299, 2640, 2645, 2650, and 3055.

Particularly, parcel 2650 was transferred to the State of California from the County of Monterey, recorded on May 7, 1986. Before this, in 1983, Holly Hill Partnership—connected with Reavis and Williams Builders, Inc.—transferred the parcel to the County of Monterey. Our records indicate that none of the five parcels forming Disposal Unit DD 2299-01-01 were acquired by the State under a resolution of necessity or directly from you or Reavis and Williams Builders, Inc. Furthermore, we also contacted the County of Monterey for a cursory review of their acquisition from Holly Hill Partnership. They reported that no documentation was found regarding a resolution of necessity during their review.

Caltrans has managed these parcels in Prunedale for over 40 years, which has involved considerable expense to the State. Following the California Transportation Commission's (CTC) approval of the route rescission for the Prunedale Bypass Project (PBP) in June 2021, Caltrans District 5's Excess Land Branch is now required to dispose of the parcels efficiently. After evaluating our options, we concluded that combining the parcels would facilitate a quicker sale and yield the best possible return for taxpayers.

It is important to note that Caltrans is mandated to sell excess land parcels in a manner that maximizes return on investment for both taxpayers and the State. However, as per the route recession of the PBP, proceeds from the sale of PBP excess lands will be allocated to Monterey County's local alternative transportation improvement program, in accordance with the State of California Government Code 14528.8.

If you possess any additional information that demonstrates that Caltrans Parcel 2650 was acquired under a resolution of necessity, please share those details with us at your earliest convenience, and no later than June 5, 2026. This will allow our staff adequate time to review any further documentation. Should we not receive further information by June 5, we will move forward with requesting California Transportation Commission action at their tentatively scheduled June 24-25, 2026, meeting to approve the Director's Deed for parcel DD 2299-01-01.

Thank you again for your inquiry and attention to this matter. Please let me know if you have any questions or require further clarification.

Joseph Andreu

Sr. Right of Way Agent
District 5 – San Luis Obispo
(805) 779-0519

----- Forwarded message -----

From: **Sobelman, Timothy B@DOT** <timothy.sobelman@catc.ca.gov>

Date: Wed, Apr 22, 2026 at 10:32 AM

Subject: RE: Request to Halt Sale of Former Prunedale Bypass Parcels and Provide Former-Owner Right of First Refusal

To: Taylor, Tanisha@CATC <Tanisha.Taylor@catc.ca.gov>, Jon Ingraham

<ingrahamjon@gmail.com>, Hunter, Gwynne@CATC

<Gwynne.Hunter@catc.ca.gov>, Golaszewski, Paul@CATC

<Paul.Golaszewski@catc.ca.gov>, California Transportation Commission@CATC

<ctc@catc.ca.gov>, Andreu,

Joseph@DOT <Joseph.Andreu@dot.ca.gov>, Garcia, Raymond@DOT <Raymond.Garcia@dot.ca.gov>, Columbus, Mary Jo@DOT <MaryJo.Columbus@dot.ca.gov>, assemblymember.rivas@assembly.ca.gov <assemblymember.rivas@assembly.ca.gov>

Cc: Donna Ingraham, [Charles Cryder](mailto:Charles.Cryder) , [Jennifer Tully](mailto:Jennifer.Tully) , [Joe Masuen](mailto:Joe.Masuen)

Mr. Ingraham,

I wanted to provide an update to your email.

The parcel in question will not be included on the May 2026 CTC Meeting Agenda; therefore, there are no actions to place “on hold” at this time. Commission staff is currently coordinating with Caltrans and will provide a response once a complete evaluation has been conducted.

Thank you.

Timothy Sobelman, P.E.

Chief Engineer
California Transportation Commission
(916) 825-6674



From: Taylor, Tanisha@CATC <Tanisha.Taylor@catc.ca.gov>

Sent: Tuesday, April 7, 2026 4:52 PM

To: Jon Ingraham <ingrahamjon@gmail.com>; Hunter, Gwynne@CATC <Gwynne.Hunter@catc.ca.gov>; Golaszewski, Paul@CATC <Paul.Golaszewski@catc.ca.gov>; California Transportation Commission@CATC <ctc@catc.ca.gov>; Andreu, Joseph@DOT <Joseph.Andreu@dot.ca.gov>; Garcia, Raymond@DOT <Raymond.Garcia@dot.ca.gov>; Sobelman, Timothy B@DOT <timothy.sobelman@catc.ca.gov>; Columbus, Mary Jo@DOT <MaryJo.Columbus@dot.ca.gov>; assemblymember.rivas@assembly.ca.gov

Cc: Donna Ingraham [Charles Cryder](#) ; Jennifer Tully, Joe Masuen _____
Subject: RE: [Request to Halt Sale of Former Prunedale Bypass Parcels and Provide Former-Owner Right of First Refusal](#)

Jon,

Thank you for your message and request for action. Our engineering team is looking into the matter. Timothy Sobelman, our Chief Engineer will respond as soon as our work is complete.

Tanisha Taylor
Executive Director
California Transportation Commission

From: Jon Ingraham <ingrahamjon@gmail.com>

Sent: Tuesday, April 7, 2026 4:34 PM

To: Taylor, Tanisha@CATC <Tanisha.Taylor@catc.ca.gov>; Hunter, Gwynne@CATC <Gwynne.Hunter@catc.ca.gov>; Golaszewski, Paul@CATC <Paul.Golaszewski@catc.ca.gov>; California Transportation Commission@CATC <ctc@catc.ca.gov>; bob.tiffany@catc.ca.gov; Andreu, Joseph@DOT <Joseph.Andreu@dot.ca.gov>; Garcia, Raymond@DOT <Raymond.Garcia@dot.ca.gov>; Columbus, Mary Jo@DOT <MaryJo.Columbus@dot.ca.gov>; assemblymember.rivas@assembly.ca.gov

Cc: Donna Ingraham; [Charles Cryder](#); Jennifer Tully; Joe Masuen _____

Subject: [Request to Halt Sale of Former Prunedale Bypass Parcels and Provide Former-Owner Right of First Refusal](#)

[Report Suspicious](#) 

Dear Commissioners and Caltrans Right-of-Way staff,
I am Jonathan Ingraham, former owner of parcels acquired by eminent domain for the Prunedale (Prunedale) Highway 101 bypass between Vierra Canyon Road and Pesante Canyon. I understand the Commission approved rescission of the bypass route and that Caltrans has begun disposing of excess lands. Several parcels originally taken from my family/companies are listed for sale. California law gives priority to former owners when state agencies dispose of

surplus residential property—former owners must be offered those properties at appraised fair market value before other sales are completed. See Government Code § 54237 (priorities and resale to former owners). leginfo.legislature.ca.gov

The Legislature has also set public-policy goals for the disposition of surplus residential property and tied certain priorities and procedures to those goals. See Government Code § 54235 (purpose and policies regarding surplus residential property). law.justia.com

In addition, property acquired under a resolution of necessity (i.e., condemned for a specific public use) generally must be used for the public use stated in the resolution unless the acquiring public entity follows the statutory procedure to authorize a different use. See Code of Civil Procedure § 1245.245. This supports the proposition that, where a project is abandoned, special statutory steps and notifications govern how the land may be repurposed or disposed. law.justia.com

Finally, Caltrans' Excess Lands procedures and the California Transportation Commission's rules require prior CTC authorization or compliance with delegated procedures before completing and recording conveyances of excess state transportation property; Caltrans' Right-of-Way manual and CTC Resolution G-98-22 describe those procedures (including submission of the Director's Deed/resumé to the CTC and CTC approval/delegation rules). If recordation or final transfer is imminent, the CTC approval/recordation step is the place to intervene.

dot.ca.gov

Accordingly, I respectfully request that the Commission and Caltrans immediately:

1. Place a hold on any recordation or final sale/transfer of the affected parcels until the prior-owner resale question is resolved. dot.ca.gov
2. Confirm whether the required former-owner resale offer (or other statutory notice) was made for the parcels that were previously owned by my family/companies, and provide documentation showing how and when any such notice was provided. leginfo.legislature.ca.gov
3. If no offer was made, commence the statutory resale/offer process so I may purchase the parcels at fair market value (or otherwise explain the legal basis for not doing so). leginfo.legislature.ca.gov
4. Provide the name and contact information for the staff member(s) responsible for resolving former-owner resale claims and a timeline for a written response. dot.ca.gov

I can provide deeds, parcel maps, and the original final judgment of condemnation (or settlement documents) to support this claim. Please contact me at 831-869-2283 or ingrahamjon@gmail.com and copy Assemblymember Rivas's office.

Thank you for your prompt attention.

Sincerely,

Jonathan (Jon) Ingraham
Reavis & Williams Builders, Inc.

831-869-2283

ingrahamjon@gmail.com

California Department of Transportation

CALTRANS DISTRICT 5
50 HIGUERA STREET | SAN LUIS OBISPO, CA 93401-5415
(805) 779-0519
www.dot.ca.gov



June 19, 2026

Dear Mr. Ingraham,

Thank you for your correspondence sent on 6/10/2026 and for providing the documents you identified in support of your position regarding Disposal Directive DD 2299-01-01.

Our District 5 Caltrans, Headquarters staff, and legal counsel have reviewed the materials submitted and continue to conclude that there is no legal basis to postpone the pending sale or to provide a former affiliate right of first refusal with respect to the subject property.

Response to Submitted Documents

We acknowledge receipt of the nine documents referenced in your letter. However, after review, the documents do not establish that the property was acquired through eminent domain proceedings or pursuant to a Resolution of Necessity.

Specifically:

- The Record of Survey reflects parcel boundaries and survey information only.
- The Holly Hill No. 1 Tract Map is a subdivision map and does not establish a condemnation action.
- The 1951 deed containing a private right of first refusal covenant concerns private property rights and does not create any obligation applicable to Caltrans' disposition of excess property.
- The 1977 deed to Holly Hill Partnership is a private conveyance.
- The 1980 Road Maintenance Agreement is a private contractual agreement.
- The 1983 deed from Holly Hill Partnership to Monterey County was executed as a grant deed and reflects a voluntary transfer.
- The 1983 title insurance policy confirms the County's acquisition but does not establish condemnation proceedings.

- The 1986 deed transferring the property from Monterey County to the State was also a grant deed and not the result of a condemnation action.
- The assessor's map merely reflects ownership and parcel configuration.

Neither the documents submitted nor the County's records identify a Resolution of Necessity, court order, judgment in eminent domain, condemnation filing, or any other evidence establishing that the property was acquired through formal eminent domain proceedings. Monterey County's research similarly found no documentation demonstrating that eminent domain was used in the acquisition process.

Response to Section II – Resolution of Necessity and Former Owner Rights

Your letter argues that the 1983 deed language referencing a potential threat of condemnation should be treated as equivalent to an eminent domain acquisition for purposes of former affiliate rights. Even assuming, solely for the sake of discussion, that the deed language could be interpreted as evidence of a negotiated acquisition under threat of condemnation, that conclusion would not alter the outcome here.

The primary legal issue is that Code of Civil Procedure Section 1245.245 was enacted through Senate Bill 1650 in 2006 and became effective on January 1, 2007. The statute contains no language providing for retroactive application. The subject property was acquired by Monterey County in 1983 and subsequently transferred to the State in 1986. As a result, the provisions of CCP Section 1245.245 do not apply to these acquisitions.

Accordingly, the former owner right of first refusal provisions contained in that statute are not applicable to the subject property.

Additionally, while the 1986 transfer documents confirm that the property was associated with the Prunedale Bypass Project, the existence of a public purpose does not, by itself, establish that the property was acquired through eminent domain or create former-owner rights under statutes enacted decades later.

Your correspondence also references Government Code Section 54237 and related provisions. However, those provisions do not alter Caltrans' conclusion. Additionally, Government Code Section 54238.3 limits application of that article to specific surplus residential properties and excludes freeway routes rescinded on or after January 1, 1984. The Prunedale Bypass route was rescinded by the California Transportation Commission in 2021. Therefore, those provisions do not apply to Prunedale Bypass properties.

Response to Section III – Requests for Postponement and Additional Action

- Request No. 1 – Postponement of CTC Action

Caltrans does not believe postponement of California Transportation Commission action is warranted. The materials submitted do not establish a legal basis requiring suspension of the disposition process. Additionally, during the marketing of the public auction, Caltrans provided notice to adjacent property owners, particularly including Donna Ingraham, advising that the property would be offered for sale through a future public auction. Caltrans did not receive any response or concerns from Donna Ingraham regarding the property prior to the auction. District staff, Headquarters staff, and legal counsel have reviewed the matter and continue to support moving forward with the sale.

- Request No. 2 – Confirmation Regarding Former-Owner Rights

Caltrans' position remains that the subject property is not subject to former-owner resale requirements under CCP Section 1245.245 because that statute became effective on January 1, 2007, and does not apply retroactively to acquisitions occurring in 1983 or 1986. Additionally, no evidence has been identified establishing that the State acquired the property through eminent domain proceedings.

- Request No. 3 – Production of Additional Documents

Caltrans has reviewed available records and has already provided information concerning the acquisition history of the property. Requests for additional public records may be submitted and processed through the appropriate channels in accordance with applicable public records procedures.

- Request No. 4 – Legal Authority for Proceeding with the Sale

Caltrans is authorized to dispose of excess property in accordance with applicable state law governing excess land dispositions. Following the California Transportation Commission's approval of the Prunedale Bypass Route Rescission in 2021, Caltrans was directed to dispose of excess properties associated with the project. Consistent with those obligations, the Department marketed the property extensively through multiple public channels and conducted a public auction to maximize value for the State and taxpayers.

It should also be noted that notice of the pending sale was provided to adjacent property owners, including a notification letter sent prior to the auction. Auction materials clearly indicated that the property would be sold through a public auction process rather than through a direct sale. Despite this notice, no interest or claim regarding former-owner rights was raised until after the auction had concluded and a Purchase and Sale Agreement was executed with the successful bidder.

Conclusion

After reviewing the documents submitted, Caltrans has not identified any new evidence demonstrating that the subject property was acquired through eminent domain proceedings or that any statute requires the Department to offer the property to a former owner before proceeding with the approved disposition process. Furthermore, the legal authorities cited in your correspondence do not apply to the subject property or otherwise provide a basis to invalidate or postpone the pending sale.

For these reasons, Caltrans' position remains unchanged, and the Department intends to proceed with seeking California Transportation Commission approval of the Director's Deed for DD 2299-01-01.

Sincerely,

Joseph Andreu
Sr. Right of Way Agent
District 5 – San Luis Obispo