

MEMORANDUM

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: August 20-21, 2026

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 the Commission adopt Resolutions C-22663 and C-22664 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-22663 - Southern California Edison Company, a Corporation

06-Tul-99-Postmile (PM) 25.2/30.6 - Parcel 89770-1, 2 - EA 489509.

Right of Way Certification (RWC) Date: 10/09/26; Ready to List (RTL) Date: 10/23/26.

Conventional highway – widen the existing 4-lane freeway to a 6-lane freeway in Tulare County from 0.4 miles south of Avenue 200 Overcrossing (OC) to 0.3 miles north of Prosperity OC. Authorizes condemnation of land in fee for a State highway, and underlying fee. Located in the city of Tulare at 2425 South Blackstone Street.

Assessor's Parcel Number (APN) 181-100-033.

The public interest and necessity require the proposed project.

To relieve traffic congestion and improve operational deficiencies at the Paige Avenue Interchange, 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 State Route (SR) 99 just south of the Avenue 200 OC to the Prosperity Avenue OC. The existing interchange at Paige Avenue will be reconfigured with four roundabouts.

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

An Environmental Impact Report pursuant to California Environmental Quality Act (CEQA) was approved on December 29, 2023, and an Environmental Assessment (EA) was prepared and approved on December 29, 2023, pursuant to National Environmental Policy Act (NEPA).

The project proposes adding a flexible pavement lane and shoulder in the median in each direction and rehabilitating the existing lanes between the Avenue 200 Crossing and to the 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. Southbound lanes on SR 99 from PM 25.62 to 26.35 will be realigned parallel to the existing northbound 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.

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 what is necessary, such as mitigation for additional storm drain runoff, proposes retaining walls, promotes complete streets elements such as bicycle/pedestrian shared-use path, closing sidewalk gaps, and high-visibility crosswalks. The project team recommended staging strategies to reduce construction impacts such as optimizing construction hours, providing detours, and using flexible pavement in lieu of rigid.

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

The property is west of SR 99 and adjacent to Paige Avenue and consists of 21.87 acres according to the Department appraisal map. The project requires the acquisition of 3,471 square feet (sf) in fee and 9,718 sf in underlying fee. The parcels cannot be eliminated as they are needed to construct a new roundabout at SR 99 and Paige Avenue.

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

District 6 Right of Way management approved the Appraisal Report on December 22, 2025. On December 31, 2025, the First Written Offer (FWO) was sent to the Owner via email, per their request. On March 9, 2026, the Agent met with the Owner to discuss internal process and time frames and was informed it would take a minimum of 9 to 12 months for the Owner to review and approve the Department's proposal, as the California Public Utilities Commission (CPUC) must approve this transaction; under California law, the Owner cannot sell, lease, or encumber property that is necessary or useful for performing its public duties without formal authorization from the CPUC.

The Department received an Owner objection letter on April 29, 2026, and a Condemnation Evaluation Meeting was subsequently held on May 14, 2026. On June 2, 2026, a Panel Review meeting was held.

During the meeting, each of the Owner's concerns were addressed satisfactorily. However, the Owner was not prepared to rescind their objection as the last remaining issue was regarding compensation for the proposed cost to cure items in the State's appraisal. On June 19, 2026, the Owner formally withdrew his objection request.

The District received the Owner's letter to rescind their appearance request on June 19, 2026.

Negotiations are ongoing and efforts to secure an equitable settlement will continue. However, the parties are currently at an impasse due to compensation.

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

C-22664 - TBL Enterprises LLC

07-LA-71-PM 1.3 - Parcel 80733-1, 2, 3 - EA 210619.

RWC Date: 01/15/27; RTL Date: 01/29/27. Expressway - upgrade expressway to freeway with new mixed-flow and High Occupancy Vehicle (HOV) lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a permanent easement for footing purposes, and a temporary easement for construction purposes. Located in the city of Pomona at 2108 Pomona Boulevard. APN 8707-018-805.

The public interest and necessity require the proposed project.

SR 71 is a major regional transportation corridor connecting Interstate 210 (I-210), I-10, SR 60, and SR 91, and serves significant commuter and traffic and goods movement throughout Los Angeles, San Bernardino, Riverside, and Orange counties. Due to continued residential, commercial, and industrial growth in the region, the existing 4-lane expressway experiences increasing traffic congestion and operational deficiencies. The proposed project will convert the remaining expressway segment to freeway standards by adding mixed-flow and HOV lanes to improve traffic operations, regional connectivity, mobility, and safety.

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

An Initial Study with Negative Declaration (IS/ND) pursuant to CEQA and an Environmental Assessment with Finding of No Significant Impact (EA/FONSI) pursuant to NEPA were completed in June 2002 and revalidated in July 2026 for this project. A Hazardous Waste Assessment was also completed in September 2025.

A Supplemental Project Report approved in 2013 documented refinements to the selected project alternative and additional measures to minimize right of way impacts on private properties. During project development, multiple design alternatives were evaluated to balance transportation improvements with minimizing impacts to surrounding properties and the community. The original project proposal included a semi-depressed roadway with both vehicular and pedestrian overcrossings at 9th Street. Following community outreach and coordination with the city of Pomona, the preferred alternative was revised to include only a pedestrian overcrossing at 9th Street, eliminating vehicular access at that location and substantially reducing right of way impacts. The city of Pomona approved of this alternative as the locally preferred alternative in January 2013.

Additional design refinements included shifting the roadway alignment westward between Mission Boulevard and Old Pomona Road to further reduce right of way impacts. The project scope was also modified to eliminate the Mission Boulevard interchange reconfiguration, further minimizing impacts to adjacent properties while still meeting the project's transportation objectives.

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

The larger parcel consists of 73,175 sf of land and is improved with a 24,376 sf industrial warehouse building. The project requires 687 sf in fee, 269 sf for a footing easement, and 550 sf for a Temporary Construction Easement (TCE). The fee acquisition is required for freeway widening associated with the SR 71 expressway-to-freeway conversion project. The footing easement is necessary for the construction of bridge footings and retaining wall improvements associated with widening the overhead structure. The TCE is necessary for construction access, staging, and related construction activities. The proposed project improvements at this location cannot be constructed without acquiring the required property rights.

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 7 Right of Way management on February 27, 2026. On March 3, 2026, the FWO of just compensation was sent to the Owner via certified mail to the address listed on the County Tax Roll. United States Postal Service tracking confirmed that the FWO package was delivered on March 6, 2026.

District Right of Way staff and the Owner's representative have communicated regularly regarding the project and the proposed acquisition, and the Owner has not expressed any concerns or objections. The Owner has indicated a willingness to sign the Right of Way Contract, however, the District has yet to receive the signed contracts.

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

Attachments

**TRANSPORTATION COMMISSION
RESOLUTION NO.**

C-22663

**CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION OF NECESSITY
TO ACQUIRE CERTAIN REAL PROPERTY
OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
HIGHWAY 06-Tul-99-PM 25.2/30.6 PARCEL 89770-1, 2
OWNER: Southern California Edison Company, a Corporation**

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; and Code of Civil Procedure Section 1240.610 in that the property is required for a more necessary public use;

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

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

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

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

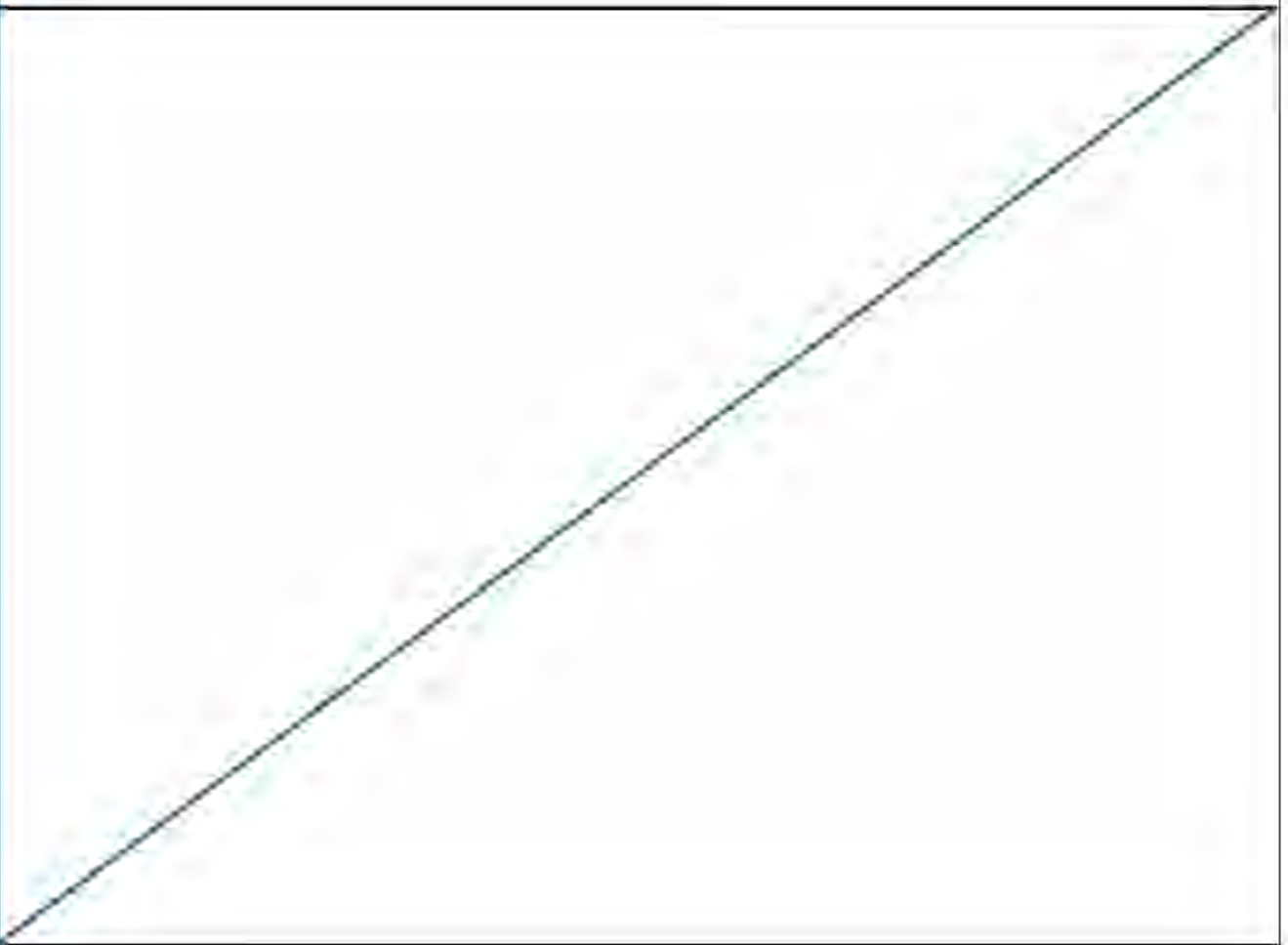
Attorney, Department of Transportation

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 Tulare,
10 State of California, Highway 06-Tul-99 and described as follows:



PARCEL 89770-1

For State highway purposes, a portion of the land described in the Grant Deed to Southern California Edison Company, a corporation, recorded June 29, 1999 as document number 1999-0049438, Tulare County Official Records, included within the following described land:

BEGINNING at the Southeast Corner of Section 14, Township 20 South, Range 24 East, Mount Diablo Meridian; THENCE (1) along the south line of the Southeast Quarter of said Section 14, South 89°49'54" West, 550.07 feet; THENCE (2) North 0°10'39" West, 24.00 feet; THENCE (3) North 89°49'54" East, 377.80 feet; THENCE (4) North 0°10'06" West, 68.00 feet to the north boundary line of the land described in a Grant Deed to the Tulare Irrigation District, recorded May 14, 1979 in Book 3652, Page 747, Tulare County Official Records; THENCE (5) along said north boundary line, North 89°49'54" East, 121.14 feet; THENCE (6) leaving said north boundary line, North 0°22'30" East, 347.14 feet; THENCE (7) South 89°37'30" East, 52.00 feet to the east line of said Southeast Quarter of said Section 14; THENCE (8) along said east line, South 0°22'30" West, 438.65 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.

PARCEL 89770-2

For State highway purposes, the underlying fee title of that portion of the Southeast Quarter of Section 14, Township 20 South, Range 24 East, Mount Diablo Meridian, lying within Blackstone Street, described as follows:

COMMENCING at the Southeast Corner of Section 14, Township 20 South, Range 24 East, Mount Diablo Meridian; THENCE (1) along the south line of the Southeast Quarter of said Section 14, South 89°49'54" West, 550.07 feet; THENCE (2) North 0°10'39" West, 24.00 feet; THENCE (3) North 89°49'54" East, 377.80 feet; THENCE (4) North 0°10'06" West, 68.00 feet to the north boundary line of the land described in a Grant Deed to the Tulare Irrigation District, recorded May 14, 1979 in Book 3652, Page 747, Tulare County Official Records; THENCE (5) along said north boundary line, North 89°49'54" East, 131.14 feet to a point on the west line of the east 42.00 feet of said Southeast Quarter of Section 14, said point being the POINT OF BEGINNING; THENCE (6) along said west line, North 0°22'30" East, 347.04 feet; THENCE (7) leaving said west line, South 89°37'30" East, 42.00 feet to the east line of said Southeast Quarter of Section 14; THENCE (8) along said east line, South 0°22'30" West, 185.14 feet to the north boundary line of the land described in a Grant Deed to the State of California, recorded February 27, 1952 in Book 1573, Page 407, Tulare County Official Records; THENCE (9) along said north line, North 89°37'30" West, 30.00 feet to the west line of the east 30.00 feet of said Southeast Quarter of Section 14; THENCE (10) along last said west line, South 0°22'30" West, 161.79 feet to the north boundary line of said Grant Deed to the Tulare Irrigation District; THENCE (11) along said north boundary line, South 89°49'54" West, 12.00 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.

**TRANSPORTATION COMMISSION
RESOLUTION NO.**

C-22664

**CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION OF NECESSITY
TO ACQUIRE CERTAIN REAL PROPERTY
OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN
HIGHWAY 07-LA-71-PM 1.3 PARCEL 80733-1, 2, 3
OWNER: TBL Enterprises LLC**

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

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

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

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

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

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

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

To acquire, in the name of the People of the State of California, in fee simple

APPROVED AS TO FORM AND PROCEDURE

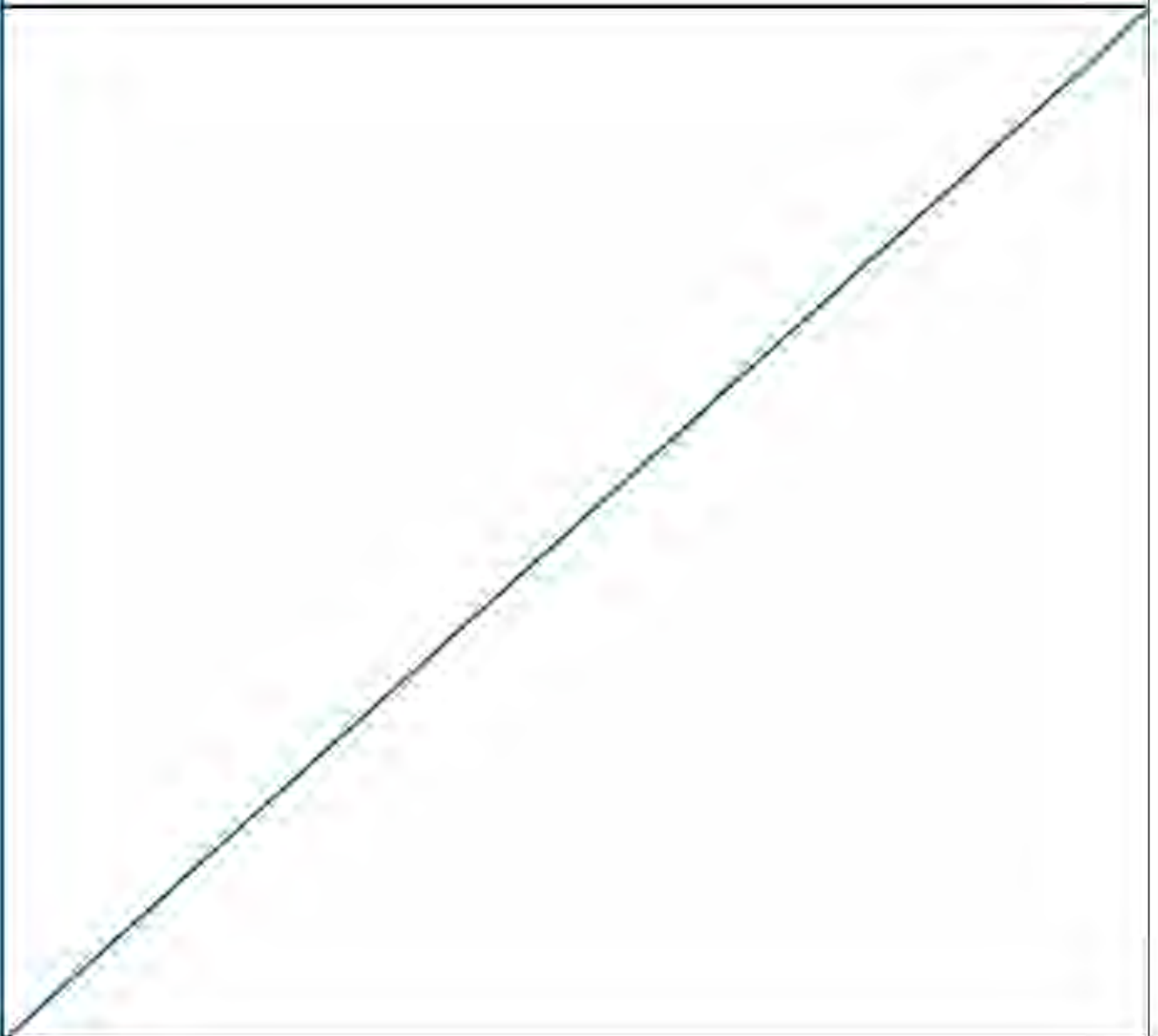
APPROVAL RECOMMENDED

Attorney, Department of Transportation

DIVISION OF RIGHT OF WAY

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

5 The real property or interests in real property, which the Department of
6 Transportation is by this resolution authorized to acquire, is situated in the County of Los
7 Angeles, State of California, Highway 07-LA-71 and described as follows:



RESOLUTION OF NECESSITY DESCRIPTION

Parcel 80733-1: Fee

For freeway purposes, that portion of Parcel 6, of Parcel Map No. 25762, in the City of Pomona, County of Los Angeles, State of California, recorded in Book 302, pages 43 to 46 inclusive, of Parcel Maps, in the Office of the Registrar-Recorder/County Clerk of said county, described as follows:

BEGINNING at the Easterly corner of said Parcel 6;

1. Thence along the Northerly line of said Parcel 6, on a new basis of bearings, North 67°25'48" West, 69.13 feet;
2. Thence South 38°43'35" East, 41.37 feet to the Southerly line of said Parcel 6;
3. Thence along said Southerly line, North 81°23'45" East, 38.38 feet to the POINT OF BEGINNING.

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

Parcel 80733-2: Footing Easement

For freeway purposes, a footing easement, in, to, over and across that portion of Parcel 6, of Parcel Map No. 25762, in the City of Pomona, County of Los Angeles, State of California, recorded in Book 302, Pages 43 to 46 inclusive, of Parcel Maps, in the Office of the Registrar-Recorder/County Clerk of said county, described as follows:

COMMENCING at the Easterly corner of said Parcel 6;

1. Thence along the Northerly line of said Parcel 6, on a new basis of bearings, North 67°25'48" West, 69.13 feet to the POINT OF BEGINNING;
2. Thence South 38°43'35" East, 41.37 feet to the Southerly line of said Parcel 6;
3. Thence along said Southerly line, South 81°23'45" West, 6.90 feet;
4. Thence North 38°43'35" West, 48.81 feet to said Northerly line;

5. Thence along said Northerly line, South 67°25'48" East 12.42 feet to the POINT OF BEGINNING.

Parcel 80733-3: TCE

For Freeway purposes, a temporary construction easement, in, to, over and across that portion of Parcel 6, of Parcel Map No. 25762, in the City of Pomona, County of Los Angeles, State of California, recorded in Book 302, Pages 43 to 46 inclusive, of Parcel Maps, in the Office of the Registrar-Recorder/County Clerk of said county, described as follows:

COMMENCING at the Easterly corner of said Parcel 6;

1. Thence along the Northerly line of said Parcel 6, on a new basis of bearings, North 67°25'48" West, 81.55 feet to the POINT OF BEGINNING;
2. Thence South 38°43'35" East, 48.8 feet to the Southerly line of said Parcel 6;
3. Thence along said Southerly line, South 81°23'45" West, 11.56 feet;
4. Thence North 38°43'35" West, 61.27 feet to said Northerly line;
5. Thence along said Northerly line, South 67°25'48" East 20.82 feet to the POINT OF BEGINNING.

Rights to the above-described temporary easement shall cease and terminate on July 12, 2031. The rights may also be terminated prior to the above date by STATE upon notice to OWNER.

Bearings and distances in the herein above-described lines are based on the California Coordinate System North American Datum (NAD) 1983, Zone 5. Divide grid distances by a combination factor of 0.99996730 to obtain ground distances.