

AFFIDAVIT OF MAILING

I declare that on April 9, 2019 at the request of the Fresno County Board of Supervisors, I mailed a Notice with Exhibits "A" and "B", like the ones hereto attached, to the owners of real property located within the limits of the Bridge Preventative Maintenance Program Scour Mitigation Project, in the County of Fresno, State of California with reference to a public hearing to condemn real property, set for May 7, 2019 at 9:00 A.M. in the Board of Supervisors' Chambers, by depositing in the United States Post Office at Fresno, California, a copy of said Notice enclosed in an envelope with postage prepaid, addressed to the owner at their address, as shown on the property list compiled from said rolls and in the file of the case.

This declaration is made under penalty of perjury.

Executed at Fresno, California, on April 9, 2019.



Jomar Rushdan, Real Property Agent

NOTICE

OF BOARD OF SUPERVISORS' MEETING TO DETERMINE NECESSITY TO ACQUIRE LAND BY
EMINENT DOMAIN FOR THE BRIDGE PREVENTATIVE MAINTENANCE PROJECT IN THE COUNTY
OF FRESNO, STATE OF CALIFORNIA.(Code of Civil Procedure §1245.235)

TO: Virgil G. Freitas, Trustee of the Virgil G. Freitas Living Trust
10888 19 1/2 Avenue
Lemoore CA 93245

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Fresno, Room 301, Hall of Records, Fresno, California, intends to consider whether a resolution of necessity should be adopted to acquire by eminent domain certain property for the Bridge Preventative Maintenance Project in the County of Fresno, State of California, which property is more particularly depicted upon those plans on file with the Fresno County Department of Public Works and Planning.

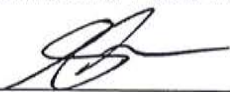
This letter is an invitation to you to appear and be heard, if you wish, on the 7th day of May 2019, at the hour of 9:00am or as soon thereafter as practicable, in the meeting room of the Board of Supervisors of the County of Fresno, Room 301, Hall of Records, 2281 Tulare Street, Fresno, California, as to whether the public interest and necessity require the project, whether such project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury, whether the property sought to be acquired is necessary for the project, and whether the offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record. (Code of Civil Procedure §1245.230) The amount of compensation to be paid will not be discussed by the Board at this proceeding.

In this respect, the last equalized County assessment roll shows you to be the owner of the real property or portion thereof which is intended to be acquired by eminent domain proceedings in the event said resolution of necessity is adopted. See attached legal description and map, Exhibits A and B.

Failure to file a written request to appear and be heard within fifteen (15) days after this notice is mailed will result in your waiver of the right to appear and be heard. You may satisfy this requirement by returning the bottom portion of this letter within fifteen (15) days to the Design Division of the Department of Public Works and Planning, County of Fresno, telephone (559) 488-3803, which has been designated by the Board of Supervisors to answer inquiries regarding the forthcoming hearing.

DATED: April 9, 2019

Steven E. White, Director
Department of Public Works and Planning

By 
Jomar Rushdan, Real Property Agent

PROJECT: BPMP SCOUR MITGATION PROJECT, Parcel No. 1 and 4

I wish to appear and be heard at the Board of Supervisors' meeting. I understand this is my personal notice as to the date and time of this meeting.

DATED: _____, 2019

Signature

Please return to:
FRESNO COUNTY DEPARTMENT
OF PUBLIC WORKS AND PLANNING
Attn: Real Property
2220 Tulare Street, 6th Floor
Fresno, CA 93721

Phone #
Address:

BPMP Scour Mitigation – Fresno
Slough Bridge at Excelsior Avenue

Parcel 1
Portion of APN 053-100-49S

Exhibit A

That portion of the Southeast Quarter of Section 32, Township 17 South, Range 19 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

COMMENCING at the Southwest corner of said Section 32; thence, along the South line of said Section 32, North $88^{\circ}44'57''$ East, a distance of 4,741.04 feet; thence, North $01^{\circ}15'03''$ West, a distance of 30.00 feet to the North line of the South 30 feet of said Section 32 said point being the TRUE POINT OF BEGINNING, thence,

- 1) Parallel with and 30 feet North of the South line of said Section 32, North $88^{\circ}44'57''$ East, a distance of 96.00 feet to the Westerly Right of Way line of Zalda Reclamation District Levee; thence,
- 2) Along said Westerly Right of Way line, North $08^{\circ}15'00''$ West, a distance of 126.54 feet; thence,
- 3) Leaving said Westerly Right of Way line, South $88^{\circ}44'57''$ West, a distance of 5.10 feet; thence,
- 4) South $01^{\circ}15'03''$ East, a distance of 81.10 feet; thence,
- 5) South $88^{\circ}44'57''$ West, a distance of 75.48 feet; thence,
- 6) South $01^{\circ}15'03''$ East, a distance of 44.50 feet to the TRUE POINT OF BEGINNING

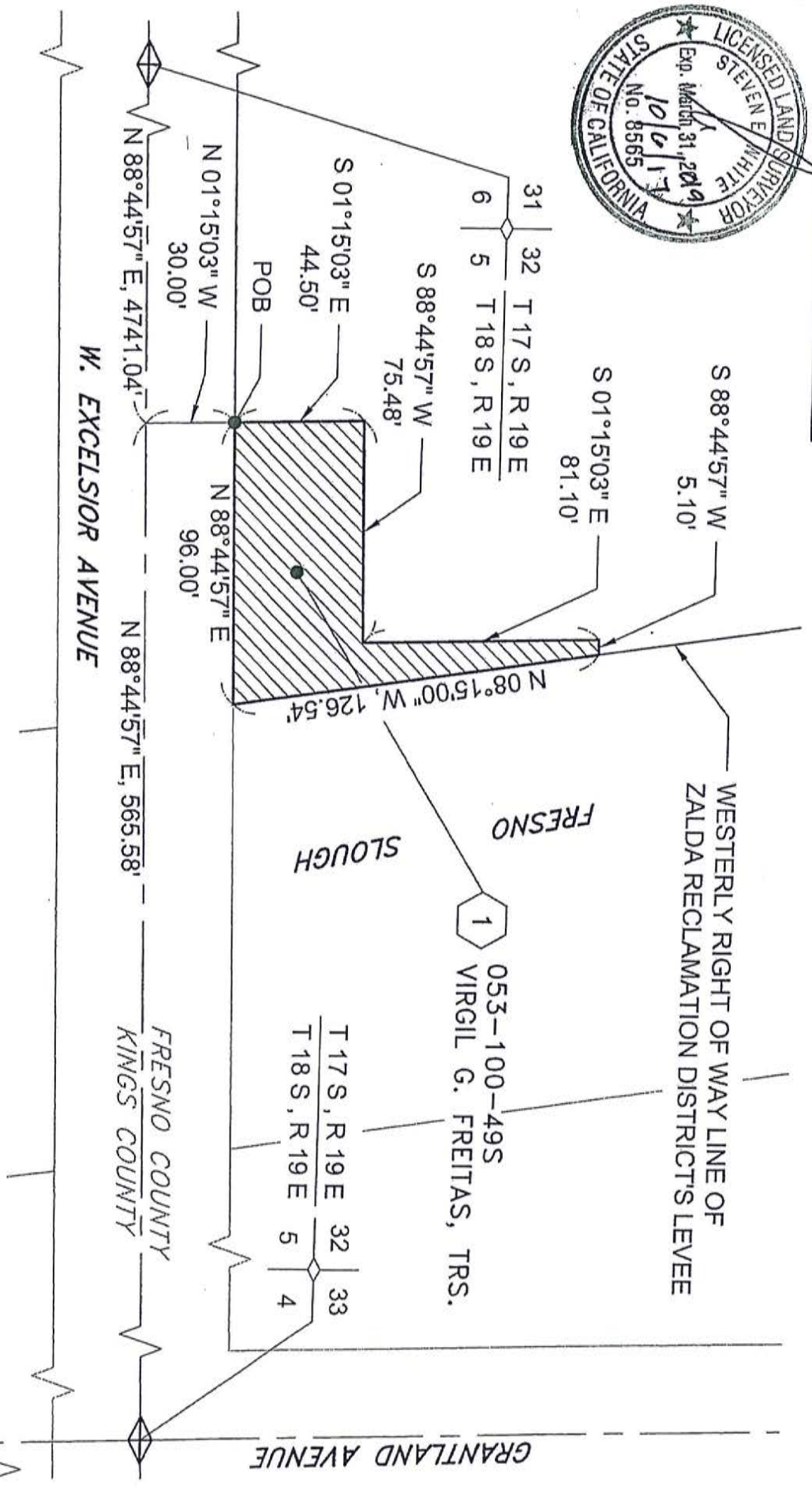
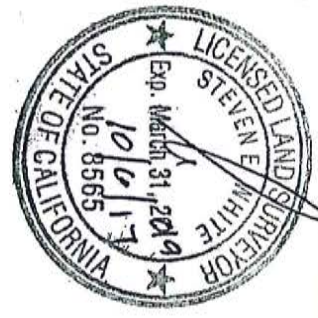
Containing 0.114 acres of land, more or less



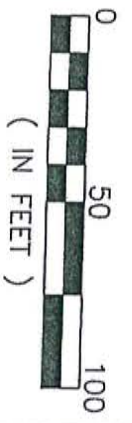
LEGEND
 [Hatched Box] RIGHT OF WAY ACQUISITION TO COUNTY OF FRESNO

T. 17 S., R. 19 E., M.D.B. & M.

EXHIBIT B
 PARCEL 1



NAME:	DATE:
DRAWN: J DONNMYER	09/28/17
CHECKED: G MEDINA	09/29/17
REVISION: XX	00/00/00



DEPARTMENT OF PUBLIC WORKS AND PLANNING
 BPMP SCOUR MITIGATION
 FRESNO SLOUGH BRIDGE AT EXCELSIOR AVENUE
 BRIDGE #NO.

BPMP Scour Mitigation – Fresno
Slough Bridge at Excelsior Avenue

Parcel 4
Portion of APN 053-100-49S

Exhibit A

That portion of the Southeast Quarter of Section 32, Township 17 South, Range 19 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

COMMENCING at the Southwest corner of said Section 32; thence, along the South line of said Section 32, North 88°44'57" East, a distance of 4,290.52 feet; thence, North 01°15'03" West, a distance of 30.00 feet to the North line of the South 30 feet of said Section 32 said point being the TRUE POINT OF BEGINNING, thence,

- 1) Parallel with and 30 feet North of the South line of said Section 32, North 88°44'57" East, a distance of 259.70 feet; thence,
- 2) North 01°15'03" West, a distance of 30.00 feet; thence,
- 3) South 88°44'57" West, a distance of 259.70 feet; thence,
- 4) South 01°15'03' East, a distance of 30.00 feet to the TRUE POINT OF BEGINNING

Containing 0.1789 acres of land, more or less



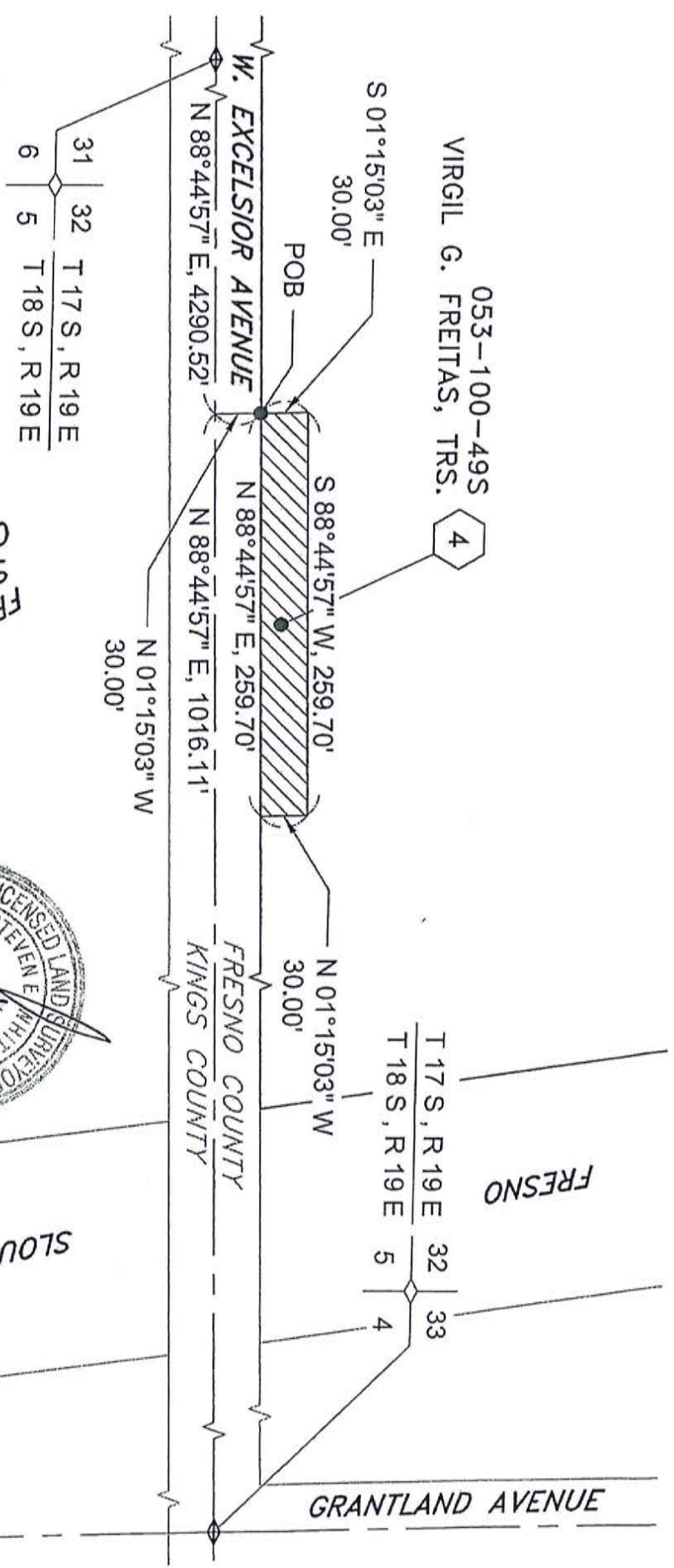
LEGEND



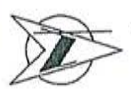
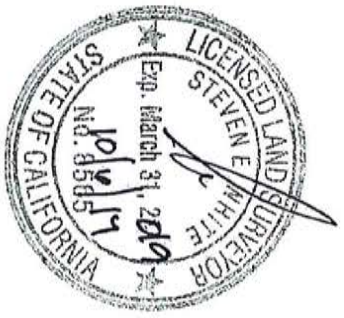
RIGHT OF WAY
ACQUISITION TO
COUNTY OF FRESNO

T. 17 S., R. 19 E., M.D.B.& M.

EXHIBIT B
PARCEL 4



FRESNO
SLOUGH
OVERFLOW



NAME:	DATE:
DRAWN: J DONMYER	09/28/17
CHECKED: G MEDINA	09/29/17
REVISION: XX	00/00/00



DEPARTMENT OF PUBLIC WORKS AND PLANNING
 BPPM SCOUR MITIGATION
 FRESNO SLOUGH OVERFLOW
 BRIDGE AT EXCELSIOR AVENUE

BRIDGE #NO.

SHEET NO. 1

NOTICE

OF BOARD OF SUPERVISORS' MEETING TO DETERMINE NECESSITY TO ACQUIRE LAND BY EMINENT DOMAIN FOR THE BRIDGE PREVENTATIVE MAINTENANCE PROJECT IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.(Code of Civil Procedure §1245.235)

TO: David E. Wood, Trustee of the David E. Wood Living Trust
652 Cromwell Avenue, Suite 103
Fresno, CA 93711

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Fresno, Room 301, Hall of Records, Fresno, California, intends to consider whether a resolution of necessity should be adopted to acquire by eminent domain certain property for the Bridge Preventative Maintenance Project in the County of Fresno, State of California, which property is more particularly depicted upon those plans on file with the Fresno County Department of Public Works and Planning.

This letter is an invitation to you to appear and be heard, if you wish, on the 7th day of May 2019, at the hour of 9:00am or as soon thereafter as practicable, in the meeting room of the Board of Supervisors of the County of Fresno, Room 301, Hall of Records, 2281 Tulare Street, Fresno, California, as to whether the public interest and necessity require the project, whether such project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury, whether the property sought to be acquired is necessary for the project, and whether the offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record. (Code of Civil Procedure §1245.230) The amount of compensation to be paid will not be discussed by the Board at this proceeding.

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Failure to file a written request to appear and be heard within fifteen (15) days after this notice is mailed will result in your waiver of the right to appear and be heard. You may satisfy this requirement by returning the bottom portion of this letter within fifteen (15) days to the Design Division of the Department of Public Works and Planning, County of Fresno, telephone (559) 488-3803, which has been designated by the Board of Supervisors to answer inquiries regarding the forthcoming hearing.

DATED: April 9, 2019

Steven E. White, Director
Department of Public Works and Planning

By 

Jomar Rushdan, Real Property Agent

PROJECT: BPMP SCOUR MITGATION PROJECT, Parcel No. 12

I wish to appear and be heard at the Board of Supervisors' meeting. I understand this is my personal notice as to the date and time of this meeting.

DATED: _____, 2019

Signature

Please return to:
FRESNO COUNTY DEPARTMENT
OF PUBLIC WORKS AND PLANNING
Attn: Real Property
2220 Tulare Street, 6th Floor
Fresno, CA 93721

Phone #
Address:

**BPMP Scour Mitigation – Los Gatos
Creek Bridge at Los Gatos Creek
Road**

**Parcel 12
Portion of APN 063-140-16S**

Exhibit A

Those portions of Section 05, Township 20 South, Range 14 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

COMMENCING at the most Westerly corner of the bridge headwall; thence, South 46°19'53" East, a distance of 73.13 feet to a Fresno County brass cap monument on top of bridge headwall; thence, North 28°03'22" East, a distance of 46.86 feet to the TRUE POINT OF BEGINNING, thence,

- 1) Along the existing County of Fresno Right of Way line, per Grant of Easement Recorded December 12, 1973, Document No.107476, in Book 6255, Page 813 of Official Fresno County Records, North 48°26'37" West, a distance of 70.87 feet; thence,
- 2) Northwesterly along a tangent curve concave to the Northeast, having a radius of 320.00' feet, a central angle of 33°38'23", a distance of 187.88 feet; thence,
- 3) Leaving said existing Right of Way line, South 84°00'56" East, a distance of 121.57 feet; thence,
- 4) South 46°58'56" East, a distance of 59.16 feet; thence,
- 5) South 05°17'05" West, a distance of 152.31 feet to the TRUE POINT OF BEGINNING

Together with:

COMMENCING at the most Westerly corner of the bridge headwall; thence, South 46°19'53" East, a distance of 73.13 feet to a Fresno County brass cap monument on top of bridge headwall; thence, South 44°44'40" West, a distance of 14.46 feet to the TRUE POINT OF BEGINNING, thence,

- 1) Along the existing County of Fresno Right of Way line, per Grant of Easement Recorded December 12, 1973, Document No.107476, in Book 6255, Page 813 of Official Fresno County Records, North 48°26'37" West, a distance of 81.00 feet; thence,
- 2) Northwesterly along a tangent curve concave to the Northeast, having a radius of 380.00' feet, a central angle of 17°28'20", a distance of 115.88 feet; thence,
- 3) South 41°53'44" West, a distance of 63.31 feet; thence,
- 4) South 31°25'35" East, a distance of 119.35 feet; thence,
- 5) South 56°42'43" East, a distance of 126.65 feet; thence,
- 6) North 33°53'11" East, a distance of 64.72 feet; thence,

- 7) Northwesterly along a non-tangent curve concave to the Northeast, having a radius of 380.00 feet, to which point a radial line bears South 36°13'05" West, a central angle of 05°20'21", a distance of 35.41 feet to the TRUE POINT OF BEGINNING

Containing 0.808 acres of land, more or less



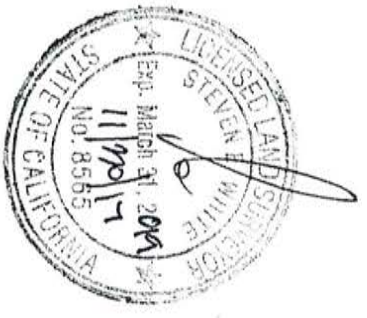
LEGEND
 MAINTENANCE
 EASEMENT TO THE
 COUNTY OF FRESNO

12 DAVID E. WOOD
 APN 063-140-16S

T. 20 S., R. 14 E., M.D.B.& M.

EXHIBIT B
PARCEL 12

DAVID E. WOOD
 APN 063-140-16S **12**



CURVE TABLE			
CURVE	DELTA	LENGTH	RADIUS
C1	33°38'23"	187.88'	320.00'
C2	17°28'20"	115.88'	380.00'
C3	05°20'21"	35.41'	380.00'

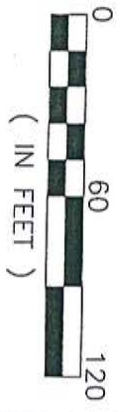


LINE TABLE		
LINE	LENGTH	BEARING
L1	70.87'	N48°26'37"W
L2	81.00'	N48°26'37"W
L3	64.72'	S33°53'11"W
L4	46.86'	N28°03'22"E
L5	14.46'	S44°44'40"W

KEY NOTE:

- (A) FRESNO COUNTY BRASS MONUMENT ON BRIDGE HEADWALL
- (B) MOST WESTERLY CORNER OF BRIDGE HEADWALL
- DISTANCE, POINT A TO POINT B
 S46°19'53"E, 73.13'

NAME: DATE:
 DRAWN: J DONMYER 10/23/17
 CHECKED: G MEDINA 11/02/17
 REVISION: XX 00/00/00



DEPARTMENT OF PUBLIC WORKS AND PLANNING
 BPMP SCOUR MITIGATION
 LOS GATOS CREEK BRIDGE AT
 LOS GATOS CREEK ROAD
 BRIDGE #NO. SHEET NO. 1

