



# Board Agenda Item 40

---

DATE: December 6, 2016

TO: Board of Supervisors

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

SUBJECT: Right-of-Way Acquisition for the American Avenue from SR99 to Temperance Avenue  
Road Improvement Project - Federal Project No. HPLUL 5942(171) and (172)

RECOMMENDED ACTION(S):

**Accept the easement deed and authorize the Chairman to execute the right-of-way contract required for the American Avenue from SR99 to Temperance Avenue Road Improvement Project for a total monetary consideration of \$48,900.**

Approval of the recommended action will authorize the purchase of additional right-of-way on American Avenue at a cost of \$48,900 (shown on Exhibit A, attached). This acquisition will facilitate the American Avenue from SR99 to Temperance Avenue Road Improvement Project.

ALTERNATIVE ACTION(S):

The Board may reject the purchase of this right-of-way. This would prevent the County from obtaining the necessary right-of-way to proceed with the project. If the necessary right-of-way is not acquired, the project will be cancelled and funds received for the project would have to be returned to the Federal Highway Administration.

FISCAL IMPACT:

There will be no Net County Cost associated with the recommended action. A warrant or check will be drawn on the Road Fund 0010, made payable to Fidelity National Title Company, 7574 N. Palm Avenue, Suite 101, Fresno CA 93711, for payment to the individual grantor listed below. This project is eligible for 80% reimbursement under the Federal High Priority Project Demonstration program. The remaining 20% will be paid out of the Road Fund. Sufficient appropriations for this project are included in the FY 2016-17 Public Works and Planning - Roads Org 4510 Adopted Budget.

Listed below are the owners, mailing address, escrow number and amount for this parcel:

Parcel 6 - Robert J. Topoozian, Trustee of the Robert Topoozian Residual Trust, created under the Topoozian Family Revocable Trust, dated August 13, 1999 and Robert J. Topoozian, Trustee of the Camelia Topoozian Survivor's Trust, created under the Topoozian Family Revocable Trust, dated August 13, 1999, 4586 E. American Avenue, Fresno, CA 93725, escrow # 91138330 - \$48,900.

Of the total compensation provided pursuant to this agenda Item, all \$48,900 is for a permanent roadway easement.

DISCUSSION:

The proposed project involves the reconstruction of approximately 1.4 miles of American Avenue, from the eastern right-of-way of SR99 to Clovis Avenue, and the placement of an asphalt concrete overlay over 2 miles from Clovis Avenue to 100 feet east of Temperance Avenue.

The scope of work also includes the realignment and signalization of the currently-substandard intersection of American Avenue and Golden State Boulevard. New railroad crossing guards and lights will also be installed.

It is anticipated that construction may commence in the spring of 2018.

Listed below are the owners and items purchased for this parcel:

Parcel 6 - Robert Topoozian Residual Trust and Camelia Topoozian Survivor's Trust property - This payment is for a 0.354 acre road easement, flood irrigation line, 4 pots/risers, 2 orange trees, reconfigure 25 end posts and wires, cut and cap irrigation line, asphalt driveway, removal and replacement of chain link fence, compact and grade new turn row, loss of 227 vines, removal and disposal of vines, fence around well and severance damages to the remainder, if any.

REFERENCE MATERIAL:

BAI #61, December 10, 2013

BAI #55, June 21, 2016

BAI #28, October 18, 2016

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A

Location Map

On file with Clerk - Grant of Easement

On file with Clerk - Right-of-Way Contract

CAO ANALYST:

John Hays