

## 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°44'57" East, a distance of 4,741.04 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 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°15'00" West, a distance of 126.54 feet; thence,
- 3) Leaving said Westerly Right of Way line, South 88°44'57" West, a distance of 5.10 feet; thence,
- 4) South 01°15'03" East, a distance of 81.10 feet; thence,
- 5) South 88°44'57" West, a distance of 75.48 feet; thence,
- 6) South 01°15'03" East, a distance of 44.50 feet to the TRUE POINT OF BEGINNING

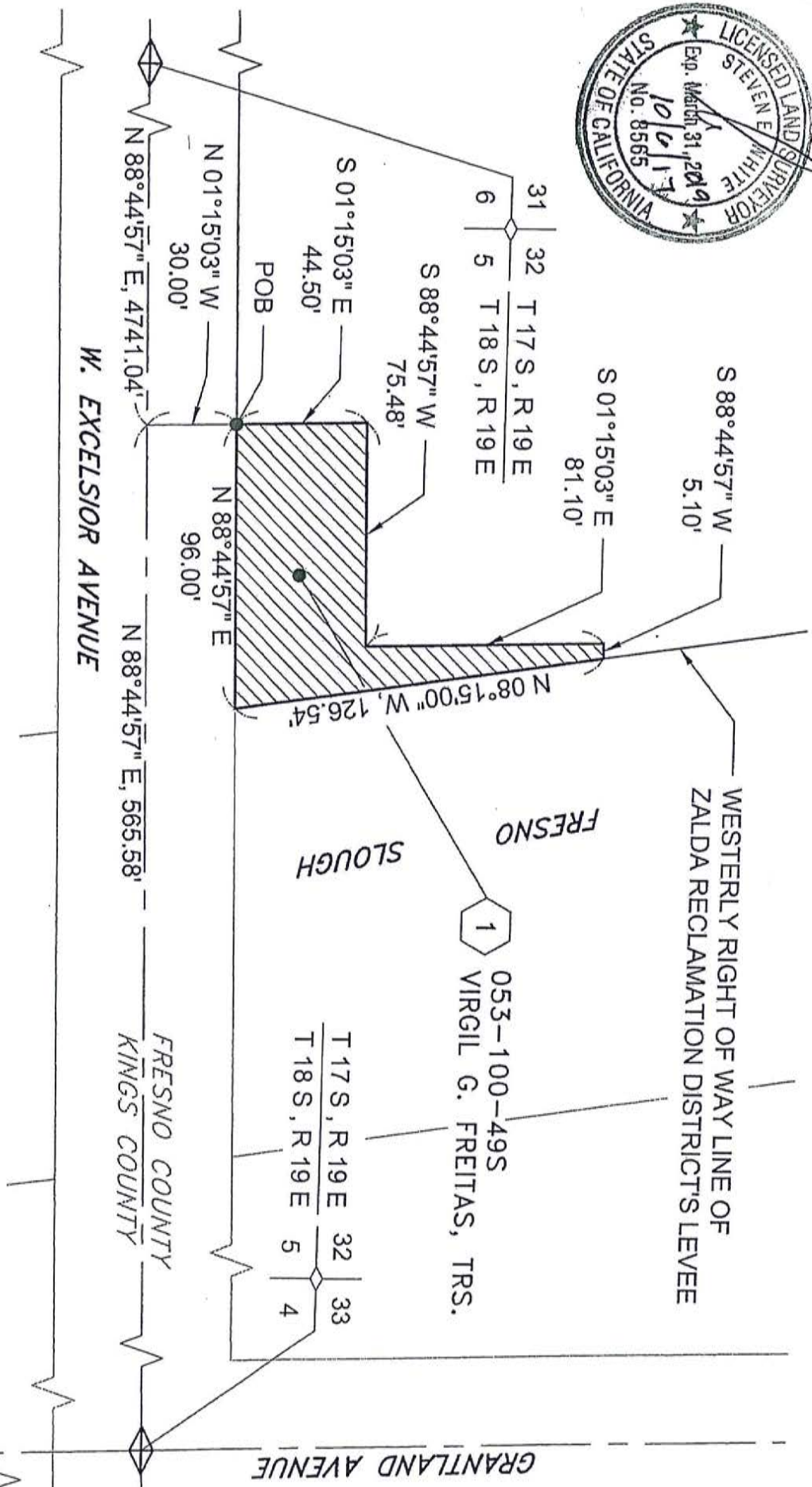
Containing 0.114 acres of land, more or less



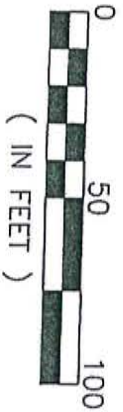
**LEGEND**  
 RIGHT OF WAY  
 ACQUISITION TO  
 COUNTY OF FRESNO

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

EXHIBIT B  
 PARCEL 1



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



DEPARTMENT OF PUBLIC WORKS AND PLANNING  
 BMP SCOUR MITIGATION  
 FRESNO SLOUGH BRIDGE AT EXCELSIOR AVENUE  
 BRIDGE #NO.  
 SHEET NO. 1

**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



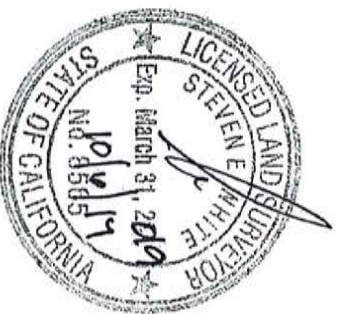
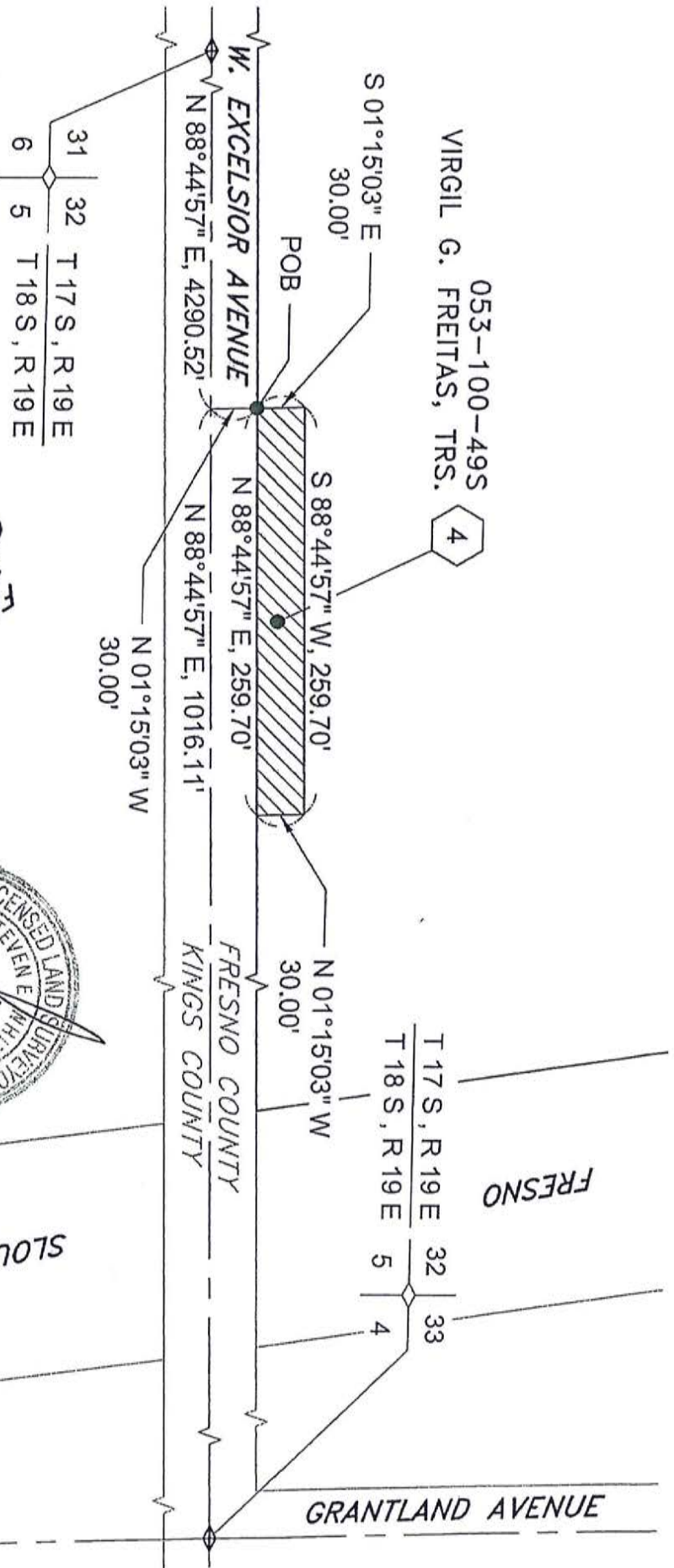


**LEGEND**

 RIGHT OF WAY  
ACQUISITION TO  
COUNTY OF FRESNO

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

EXHIBIT B  
PARCEL 4



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  
BMP SCOUR MITIGATION  
FRESNO SLOUGH OVERFLOW  
BRIDGE AT EXCELSIOR AVENUE

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.

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. 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  $46^{\circ}19'53''$  East, a distance of 73.13 feet to a Fresno County brass cap monument on top of bridge headwall; thence, North  $28^{\circ}03'22''$  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  $48^{\circ}26'37''$  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  $33^{\circ}38'23''$ , a distance of 187.88 feet; thence,
- 3) Leaving said existing Right of Way line, South  $84^{\circ}00'56''$  East, a distance of 121.57 feet; thence,
- 4) South  $46^{\circ}58'56''$  East, a distance of 59.16 feet; thence,
- 5) South  $05^{\circ}17'05''$  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  $46^{\circ}19'53''$  East, a distance of 73.13 feet to a Fresno County brass cap monument on top of bridge headwall; thence, South  $44^{\circ}44'40''$  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  $48^{\circ}26'37''$  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  $17^{\circ}28'20''$ , a distance of 115.88 feet; thence,
- 3) South  $41^{\circ}53'44''$  West, a distance of 63.31 feet; thence,
- 4) South  $31^{\circ}25'35''$  East, a distance of 119.35 feet; thence,
- 5) South  $56^{\circ}42'43''$  East, a distance of 126.65 feet; thence,
- 6) North  $33^{\circ}53'11''$  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  $36^{\circ}13'05''$  West, a central angle of  $05^{\circ}20'21''$ , 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

**EXHIBIT B**  
**PARCEL 12**

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

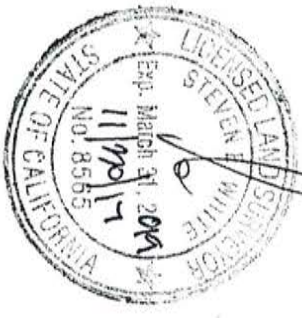
DAVID E. WOOD  
 APN 063-140-16S **12**

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

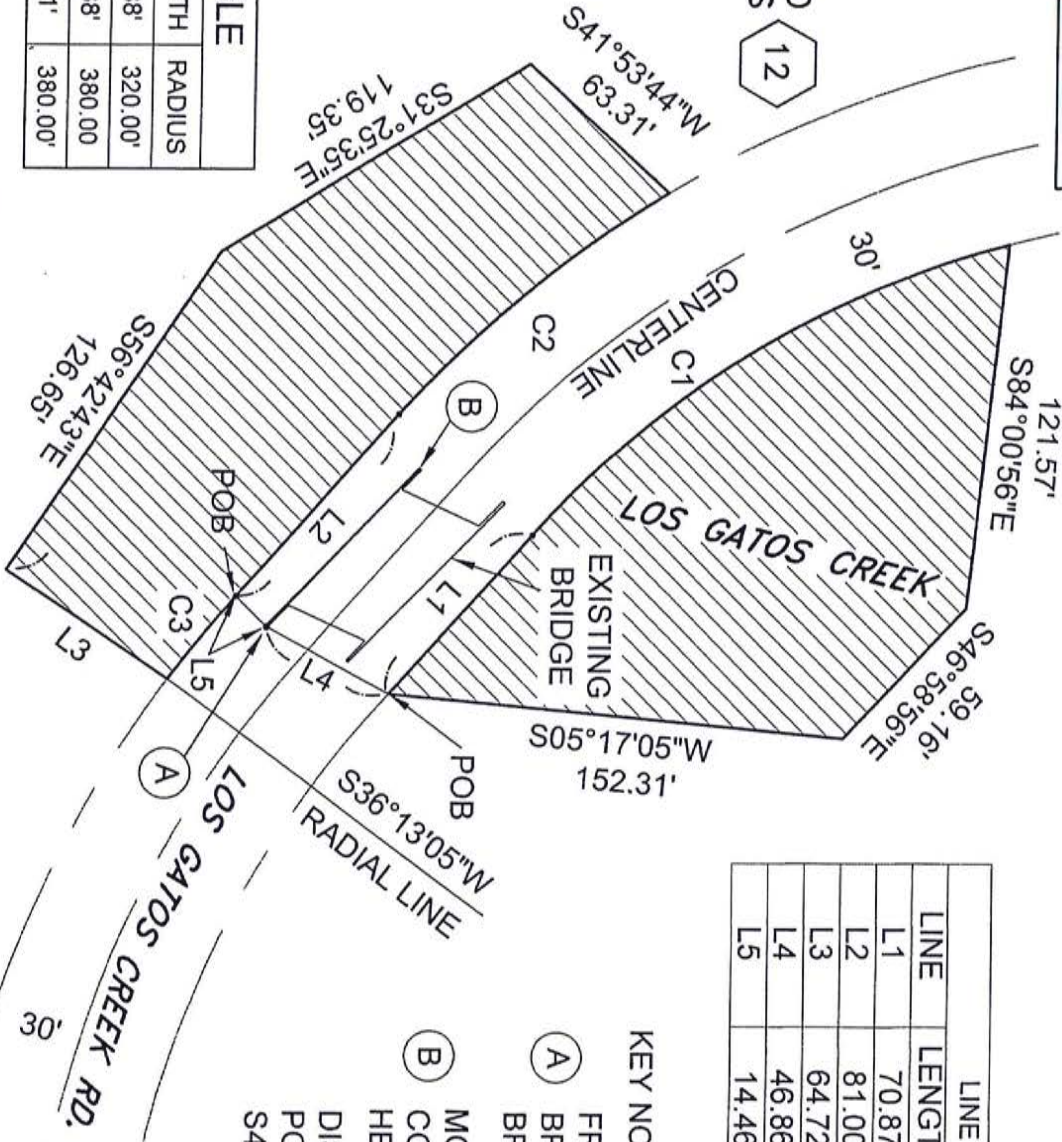
KEY NOTE:

- (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'

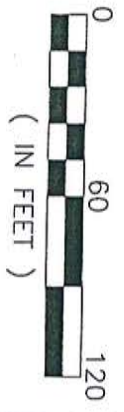


CURVE TABLE			
CURVE	DELTA	LENGTH	RADIUS
C1	33°38'23"	187.88'	320.00'
C2	17°28'20"	115.88'	380.00'
C3	05°20'21"	35.41'	380.00'



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