



Legislation Details (With Text)

File #: 17-0570 **Name:** Right-of-Way Acquisition for the American Avenue from SR 99 to Temperance Avenue

On agenda: 7/11/2017 **In control:** Public Works & Planning
Final action: 7/11/2017

Enactment date: **Enactment #:**

Title: Accept the Grants of Easement and authorize the Chairman to execute the Right of Way Contracts required for the American Avenue - SR 99 to Temperance Avenue Road Improvement Project for a total monetary consideration of \$65,500

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Exhibit A, 3. Location Map, 4. Right of Way Contracts, 5. Grants of Easement

Date	Ver.	Action By	Action	Result
7/11/2017	1	Board of Supervisors	Conducted Hearings	Pass

DATE: July 11, 2017

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 - SR 99 to Temperance Avenue Road Improvement Project - Federal Project No. HPLUL 5942(171) and (172)

RECOMMENDED ACTION(S):

Accept the Grants of Easement and authorize the Chairman to execute the Right of Way Contracts required for the American Avenue - SR 99 to Temperance Avenue Road Improvement Project for a total monetary consideration of \$65,500.

Approval of the recommended action will authorize the purchase of additional right-of-way on American Avenue at a cost of \$65,500 (shown on Exhibit A, attached). This acquisition will facilitate the American Avenue - SR 99 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. If the project is cancelled, the Federal Highway Administration will require the County to return all reimbursements for prior work on the project.

FISCAL IMPACT:

There will be no Net County Cost associated with the recommended action. Warrants or checks in the aggregate amount of \$65,500 will be issued from the Public Works and Planning - Roads Org 4510, made

payable to Fidelity National Title Company, 7574 N. Palm Avenue, Suite 101, Fresno CA 93711, for payment to the grantors 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 2017-18 Public Works and Planning - Roads Org 4510 Recommended Budget.

The owners, mailing addresses, escrow numbers and acquisition costs for the subject parcels are listed below:

Parcel 7 - Denken Farms, a California limited partnership, P.O. Box 157, Fowler, CA 93626, escrow # 91138335 - \$37,600.

Parcel 8 - Margaret E. Enochs, Trustee, 5721 S. Peach Avenue, Fresno, CA 93725, escrow # 15001073 - \$27,900.

Of the total compensation provided pursuant to this agenda item, all \$65,500 is for permanent roadway easements.

DISCUSSION:

The proposed project involves the improvement of approximately 1.4 miles of American Avenue, from the eastern right-of-way of SR 99 to Clovis Avenue, and the placement of an asphalt concrete overlay over 2 miles of American Avenue from Clovis Avenue to 100 feet east of Temperance Avenue. The work includes realignment and signalization of American Avenue and Golden State Boulevard. In addition, new railroad crossing guard gates and lights will be installed to improve public safety.

Construction of the project is anticipated to commence in the spring of 2018; however, the project will be delayed until possession of three partial acquisitions for roadway easements and two temporary construction permits which remain to be acquired has been secured.

The owners and items purchased for the subject parcels are listed below:

Parcel 7 - Denken Farms property - This payment is for a 0.245 acre road easement, 640 LF of fencing, 4 end posts, wire and trellis system repair, drip irrigation reconfiguration, grading of a new turn row, removal and disposal of vines for new turn row, loss of 155 vines, and severance damages to the remainder, if any.

Parcel 8 - Margaret E. Enochs, Trustee property - This payment is for a 0.092 acre road easement, relocation of gate, 600 SF of lost asphalt, 120 LF of fencing, 1,080 SF of parking loss, 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
BAI #40, December 6, 2016
BAI #42, December 6, 2016
BAI #56, May 16, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A
Location Map

On file with Clerk - Right of Way Contracts
On file with Clerk - Grants of Easement

CAO ANALYST:

John Hays