

AGENDA ITEM NO.

COUNCIL MEETING      6-5-07

APPROVED BY \_\_\_\_\_

DEPARTMENT DIRECTOR \_\_\_\_\_

CITY MANAGER \_\_\_\_\_

June 5, 2007

FROM:      JON R. RUIZ, Interim Director  
                 Public Works Department

BY:           SCOTT MOZIER, PE, Assistant Director  
                 Public Works Department, Engineering Services

SUBJECT: APPROVE THE ACQUISITION OF A STREET EASEMENT AND THE USE OF A TEMPORARY CONSTRUCTION EASEMENT NEAR THE INTERSECTION OF KINGS CANYON AND CHESTNUT AVENUE FROM PROPERTY OWNED BY RALPH'S GROCERY COMPANY, AN OHIO CORPORATION (COUNCIL DISTRICT 5)

**KEY RESULT AREA**

Customer Satisfaction

**RECOMMENDATIONS**

1. Staff recommends that the City Council approve the acquisition of a 690 square foot street easement and use of a 1,061 square foot construction easement from property owned by Ralph's Grocery Company, an Ohio Corporation.
2. Authorize the Public Works Director to accept the deed of easement and construction easement from Ralph's Grocery Company, an Ohio Corporation and to execute the Agreement for Purchase and Sale of Real Property and complete the acquisition through escrow.

**EXECUTIVE SUMMARY**

Easements are required from nine parcels for the Kings Canyon and Chestnut intersection improvement project. The easements will provide the additional street right of way needed to develop dual protected left turn lanes in all directions. It is expected that 88.53 percent of the cost of the project will come from the Congestion Mitigation and Air Quality Improvement program. The value of the street easements and the construction easements were established by an independent, professional real estate appraiser and negotiations to acquire the easements were initiated in March 2006.

Ralph's Grocery Company, an Ohio Corporation has signed the appropriate documents to provide a street easement of 690 square feet depicted on Assessor's Parcel No. 472-030-72 on

the attached Exhibit "A" and the construction easement is depicted on Exhibit "B". The value of the land within the easement is \$10,350.00; the value of improvements is \$2,318.00, value of cost to cure and severance damages is \$500.00 and the construction easement value is \$895.00 for a total valuation of \$14,100.00 (rounded). On April 12, 2007 the owner agreed to the amount of compensation offered by the City and signed the Agreement for Purchase and Sale and the Deed of Easement. With City Council approval of the acquisition, the transaction will be processed through escrow.

### **KEY OBJECTIVE BALANCE**

The Key Objective of Customer Satisfaction will be accomplished with the additional street right of way to develop dedicated left turn lanes needed to improve circulation at this intersection. Financial Management will be realized by the acquisition of the property at a funding level that is based on the appraised value of the property.

### **BACKGROUND**

Beginning in 2004, the Public Works Department began the process to plan improvements to the Kings Canyon and Chestnut intersection to improve traffic movement and reduce delays at the intersection. Several of the property and business owners were consulted and plans were amended to meet the needs of not only the property/business owners, but the Public Works Department to improve the intersection.

The easement area was surveyed and marked so that the impact of the easement acquisitions could be established. The value of the land within the easement is \$10,350.00; the value of improvements is \$2,318.00, value of cost to cure and severance damages is \$500.00 and the construction easement value is \$895.00 for a total valuation of \$14,100.00 (rounded).

The documents signed by the property owner have been approved as to form by the City Attorney's office.

### **FISCAL IMPACT**

Funds for this acquisition and the remaining acquisitions for the Kings Canyon and Chestnut intersection project are partially funded by Federal Project No. CML 5060 (080) and City of Fresno Project No. PW00206, Fund 20102, ORG 189904 and KRA 0101001000.

JRR/SLM/PC/eam  
Apprv Acq Str Esmnt KC-Chestnut Intersec Imprv Ralphs 6-5-07

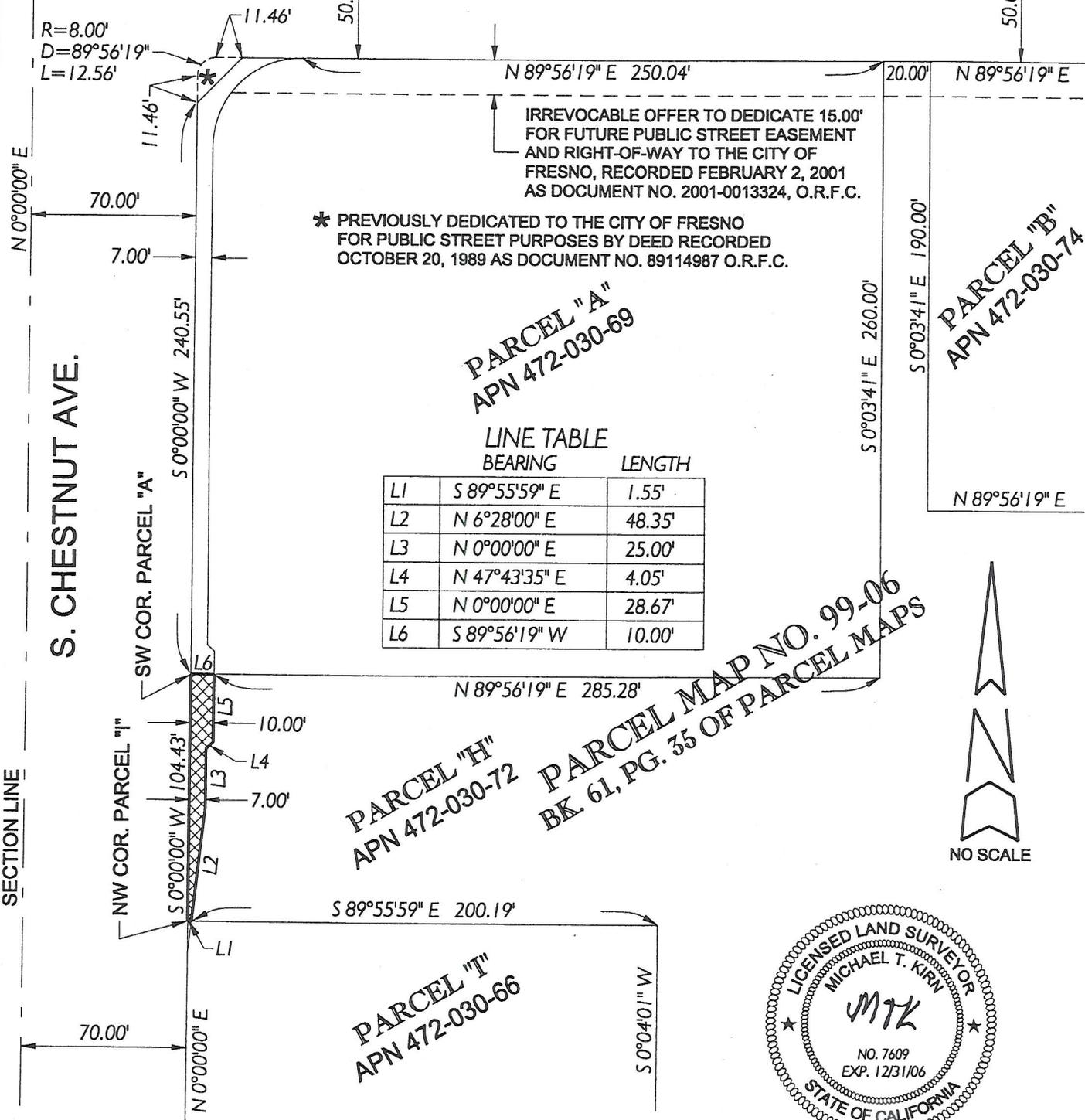
Attachments: Exhibits "A" and "B"

# EXHIBIT "A"

NORTHWEST CORNER OF SECTION 7, 14/21

SECTION LINE

E. KINGS CANYON ROAD



\* PREVIOUSLY DEDICATED TO THE CITY OF FRESNO FOR PUBLIC STREET PURPOSES BY DEED RECORDED OCTOBER 20, 1989 AS DOCUMENT NO. 89114987 O.R.F.C.

IRREVOCABLE OFFER TO DEDICATE 15.00' FOR FUTURE PUBLIC STREET EASEMENT AND RIGHT-OF-WAY TO THE CITY OF FRESNO, RECORDED FEBRUARY 2, 2001 AS DOCUMENT NO. 2001-0013324, O.R.F.C.

PARCEL "A"  
APN 472-030-69

PARCEL "B"  
APN 472-030-74

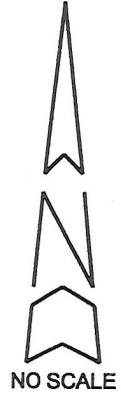
LINE TABLE

	BEARING	LENGTH
L1	S 89°55'59" E	1.55'
L2	N 6°28'00" E	48.35'
L3	N 0°00'00" E	25.00'
L4	N 47°43'35" E	4.05'
L5	N 0°00'00" E	28.67'
L6	S 89°56'19" W	10.00'

PARCEL "H"  
APN 472-030-72

PARCEL MAP NO. 99-06  
BK. 61, PG. 35 OF PARCEL MAPS

PARCEL "T"  
APN 472-030-66



 INDICATES AREA TO BE DEDICATED  
690 S.F. ±



D:\DATA\KingsCanyonandChestnut\APN 472-030-72.dcd

REF. & REV. 2004-199A PWF 10420 PLAT 2762 REVISED 12/06/05 A.J.	<b>CITY OF FRESNO</b> DEPARTMENT OF PUBLIC WORKS	PROJ. ID. PWO0206 FUND NO. 20102 ORG. NO. 189904	SHEET NO. 1 OF 1 SHEETS
	PARCEL TO BE DEDICATED TO THE CITY OF FRESNO AS AN EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES	DR. BY AJ CH. BY DHC DATE NOV. 29, 2004 SCALE NO SCALE	<b>15-A-7998</b>

# EXHIBIT "B"

NORTHWEST CORNER OF SECTION 7, 14/21

SECTION LINE

E. KINGS CANYON ROAD

R=8.00'  
D=89°56'19"  
L=12.56'

N 89°56'19" E 240.04'

IRREVOCABLE OFFER TO DEDICATE 15.00' FOR FUTURE PUBLIC STREET EASEMENT AND RIGHT-OF-WAY TO THE CITY OF FRESNO, RECORDED FEBRUARY 2, 2001 AS DOCUMENT NO. 2001-0013324, O.R.F.C.

PARCEL "A"  
APN 472-030-69

PARCEL "B"  
APN 472-030-74

### LINE TABLE

	BEARING	LENGTH		BEARING	LENGTH
L1	N 89°56'19" E	10.00'	L7	N 89°55'59" W	10.06'
L2	N 89°56'19" E	10.00'	L8	N 6°28'00" E	48.35'
L3	S 0°00'00" E	33.11'	L9	N 0°00'00" E	25.00'
L4	S 47°43'35" W	4.05'	L10	N 47°43'35" E	4.05'
L5	S 0°00'00" E	21.14'	L11	N 0°00'00" E	28.67'
L6	S 6°28'00" W	47.79'	L12	S 89°55'59" E	1.55'

S. CHESTNUT AVE.

PARCEL MAP NO. 99-06  
BK. 61, PG. 35 OF PARCEL MAPS



PARCEL "H"  
APN 472-030-72

PARCEL "I"  
APN 472-030-66



\* PREVIOUSLY DEDICATED TO THE CITY OF FRESNO FOR PUBLIC STREET PURPOSES BY DEED RECORDED OCTOBER 20, 1989 AS DOCUMENT NO. 89114987 O.R.F.C.

INDICATES AREA TO BE DEDICATED  
1,061 S.F. ±

D:\DATA\KingsCanyonandChestnut\APN 472-030-72 CE.dcd

REF. & REV. 2004-199B PWF 10420 PLAT 2762 REVISED 12/06/05 A.J.	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. PWO0206 FUND NO. 20102 ORG. NO. 189904	SHEET NO. 1 OF 1 SHEETS
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