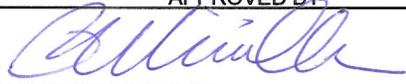


August 28, 2007

AGENDA ITEM NO.
<u>COUNCIL MEETING 08-28-07</u>
<u>APPROVED BY:</u>

<u>DEPARTMENT DIRECTOR</u>
CITY MANAGER

FROM: PATRICK N. WIEMILLER, Director   
Public Works Department

BY: SCOTT L. MOZIER, PE, Assistant Director/Interim City Engineer   
Public Works Department, Engineering Division

SUBJECT: APPROVE THE ACQUISITION OF ONE STREET EASEMENT FOR THE PLACEMENT OF CURB, GUTTER AND SIDEWALK ALONG WHITESBRIDGE BETWEEN WEST AVENUE AND FREEWAY 99 FROM PROPERTY OWNER: RUDY AND REBECA CAPULONG (LOCATED IN COUNCIL DISTRICT 3)

**KEY RESULT AREA**

Customer Satisfaction

**RECOMMENDATIONS**

1. Staff recommends that the City Council approve the acquisition of one (1) street easement from property owned by Rudy and Rebeca Capulong (APN 465-171-11).
2. Authorize the Public Works Director or his designee to accept the street easement deed from the property owned by Rudy and Rebeca Capulong.

**EXECUTIVE SUMMARY**

Street easements are required from seven parcels along Whitesbridge between West Avenue and Freeway 99 for the Whitesbridge Street Repair Project. It is expected that 100 percent of the cost of the project will come from the Public Works Capital Improvement program. The values of the street easements were established by an independent, professional real estate appraiser and negotiations to acquire the easements were initiated on September 22, 2006.

The value of the land within the street easement is \$1,140.00. The owners of the parcel have agreed to the amount of compensation (\$1,140.00) offered by the City and signed the Street Easement Agreements for Purchase and Sale and the Street Easement Deed. With City Council approval, payment will be made to the owners and the street easement will be recorded.

## **KEY OBJECTIVE BALANCE**

The Key Objective of Customer Satisfaction will be accomplished with the additional property to develop curb, gutter and sidewalk along Whitesbridge between West Avenue and Freeway 99. 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**

The design for this project started in the early part of 2005. The project has several sources of funding including Federal Funding (FTIP), RDA funds, State Relinquishment Funds and Public Works Funds. This project will resurface and improve the streets, provide missing curbs, sidewalks and wheelchair ramps in the Roeding Business Park area of southwest Fresno.

The value of the land within the street easement is \$1,140.00. Rudy and Rebeca Capulong have signed the appropriate documents to provide the street easement of 32 square feet on the attached Exhibit "A" as Assessor's Parcel Nos.: 465-171-11

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

## **FISCAL IMPACT**

Funds for this acquisition and the remaining acquisitions for the Whitesbridge Street Repair Project are funded by City of Fresno Project No. PW00347, Fund 20102, ORG 189901 and KRA 0101001000.

PW/SLM/PC/eam  
Apprv Acq Whitesbridge-Fwy 99 Capulong 8-28-07

Attachment: Exhibits "A" and "B"

## EXHIBIT "A"

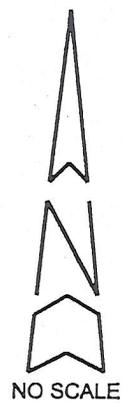
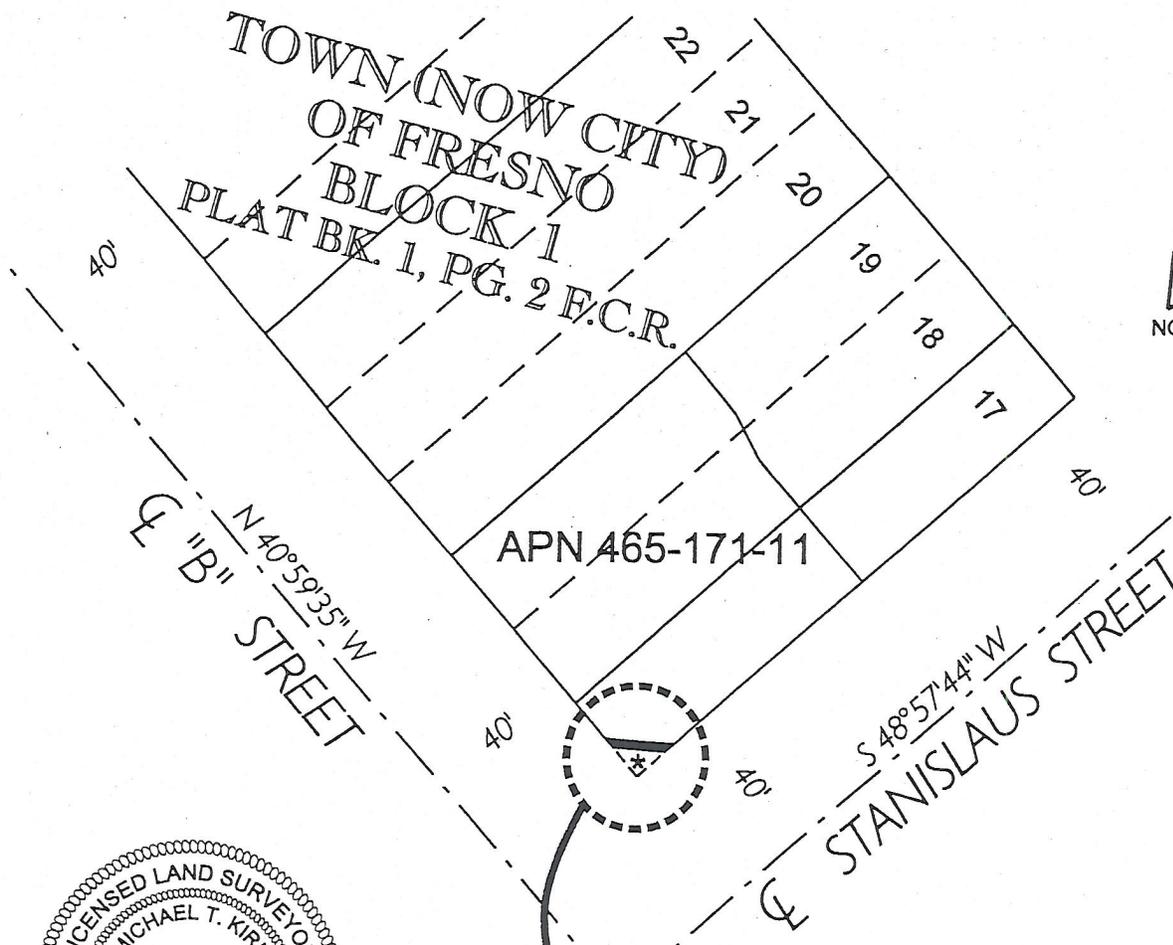
APN 465-171-11 (portion)  
Street easement

COMMENCING from the most southerly corner of Lot 17 in Block 1 of the Town (now City) of Fresno, according to the map thereof recorded in Book 1 of Plats at Page 2, Fresno County Records; thence N 48°57'44" E, along the southeasterly line of said Lot 17, a distance of 10.00 feet to the most easterly corner of that portion of said Lot 17 acquired by the State of California by a deed recorded September 21, 1959 in Book 4217, Page 440, Official Records of Fresno County, said most easterly corner being the TRUE POINT OF BEGINNING of this description; thence continuing N 48°57'44" E, along the southeasterly line of said Lot 17, a distance of 2.82 feet; thence N 86°00'55" W, parallel with and 2.00 feet north of the northerly line of said portion of said Lot 17 acquired by the State of California, a distance of 18.13 feet to the southwesterly line of said Lot 17; thence S 40°59'35" E, along said southwesterly line, a distance of 2.82 feet to the most westerly corner of said portion of said Lot 17 acquired by the State of California; thence S 86°00'55" E, along the northerly line of said portion of said Lot 17 acquired by the State of California, a distance of 14.14 feet to the TRUE POINT OF BEGINNING.

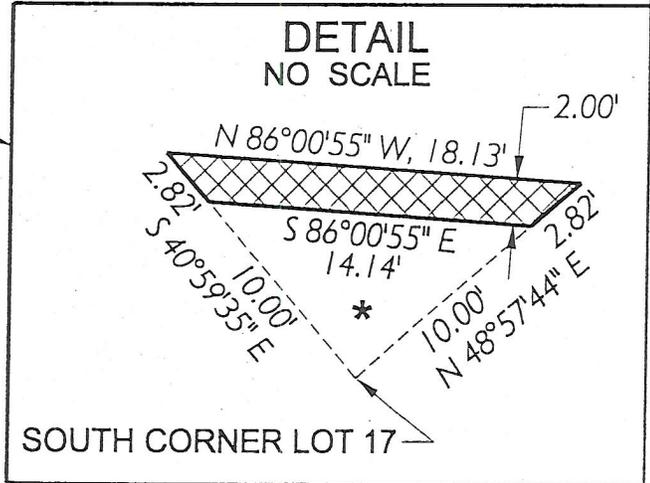
Contains an area of 32 square feet, more or less.



# EXHIBIT "B"



\* ACQUIRED IN FEE BY STATE OF CALIFORNIA  
BY DEED RECORDED SEPT. 21, 1959 IN  
BOOK 4275 AT PAGE 440, O.R.F.C.



 INDICATES AREA TO BE DEDICATED  
32 S.F. ±

D:\DATA\Whitesbridge&Amador\APN 465-171-11.dcd

REF. & REV. 2006-230 PWF 10825 PLAT 2754	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. PW00309 FUND NO. 20102 ORG. NO. 189901	KRA 0101001000 RES TYPE N/A
	PARCEL TO BE DEDICATED TO THE CITY OF FRESNO AS AN EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES	DR. BY DHC CH. BY AJ DATE APRIL 13, 2006 SCALE NO SCALE	SHEET NO. 1 OF 1 SHEETS 15-A-8120