

AGENDA ITEM NO.	1 L
COUNCIL MEETING	4/8/2010

APPROVED BY



DEPARTMENT DIRECTOR

CITY MANAGER

April 8, 2010

FROM: PATRICK N. WIEMILLER, Director
Public Works Department

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



SUBJECT: APPROVE THE ACQUISITION OF A STREET EASEMENT FROM SUKHWINDER AND NEENA SINGH ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF WEST SHIELDS AND NORTH BLYTHE AVENUES (COUNCIL DISTRICT 1)

RECOMMENDATION

Staff recommends that the Council approve the acquisition of a public street easement at the northeast corner of West Shields and North Blythe Avenues from Sukhwinder and Neena Singh for the appraised value of \$27,100, and authorize the Public Works Director to sign all the documents necessary to complete the transaction.

EXECUTIVE SUMMARY

On May 6, 2008, the Council approved a UGM Street Right of Way Acquisition Agreement for Tract 5406, as proposed by Lennar Communities. This is a 257 lot residential subdivision at the southwest corner of Cornelia and Shields Avenues. A condition of the Final Map was the improvement of the intersection of West Shields and North Blythe Avenues, including the installation of a traffic signal. Sukhwinder and Neena Singh own a residential parcel at the northeast corner of that intersection, and they have agreed to convey to the City an 8,370 square foot street easement to the City for the appraised value of \$27,100.

BACKGROUND

The approval of Tract 5406 included the development of certain public improvements intended to mitigate the impact of the project upon the urban infrastructure. One of these improvements is the improvement of the intersection of West Shields and North Blythe Avenues, including the installation of a traffic signal. Lennar was unsuccessful in acquiring two necessary easements, and the UGM Street Right of Way Agreement for Tract 5406 entered into by the City and Lennar authorizes the City to negotiate, or exercise its power of eminent domain, to acquire the street easements Lennar was unable to acquire. Lennar made an initial deposit with the City of \$68,900 for the estimated land acquisition costs.

The City was able to negotiate an agreement to purchase one of the required easements from Sukhwinder and Neena Singh on property at the northeast corner of West Shields and North Blythe Avenues. The purchase price includes costs for some landscaping improvements. The

Report to the City Council
Approve Acquisition of Street Easement Located at the Northeast Corner
of West Shields and North Blythe Avenues
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property is actually located in the County, and the County has authorized the City to acquire the necessary street right-of-way in the County's jurisdiction. An environmental assessment was submitted and approved with the Final Map of Tract 5406.

The City Attorney's Office has reviewed, and approved as to form, the Easement Deed and Agreement for Purchase and Sale of Easement. Funding is available through Project ID PW00493, Fund 31642, Org 186010.

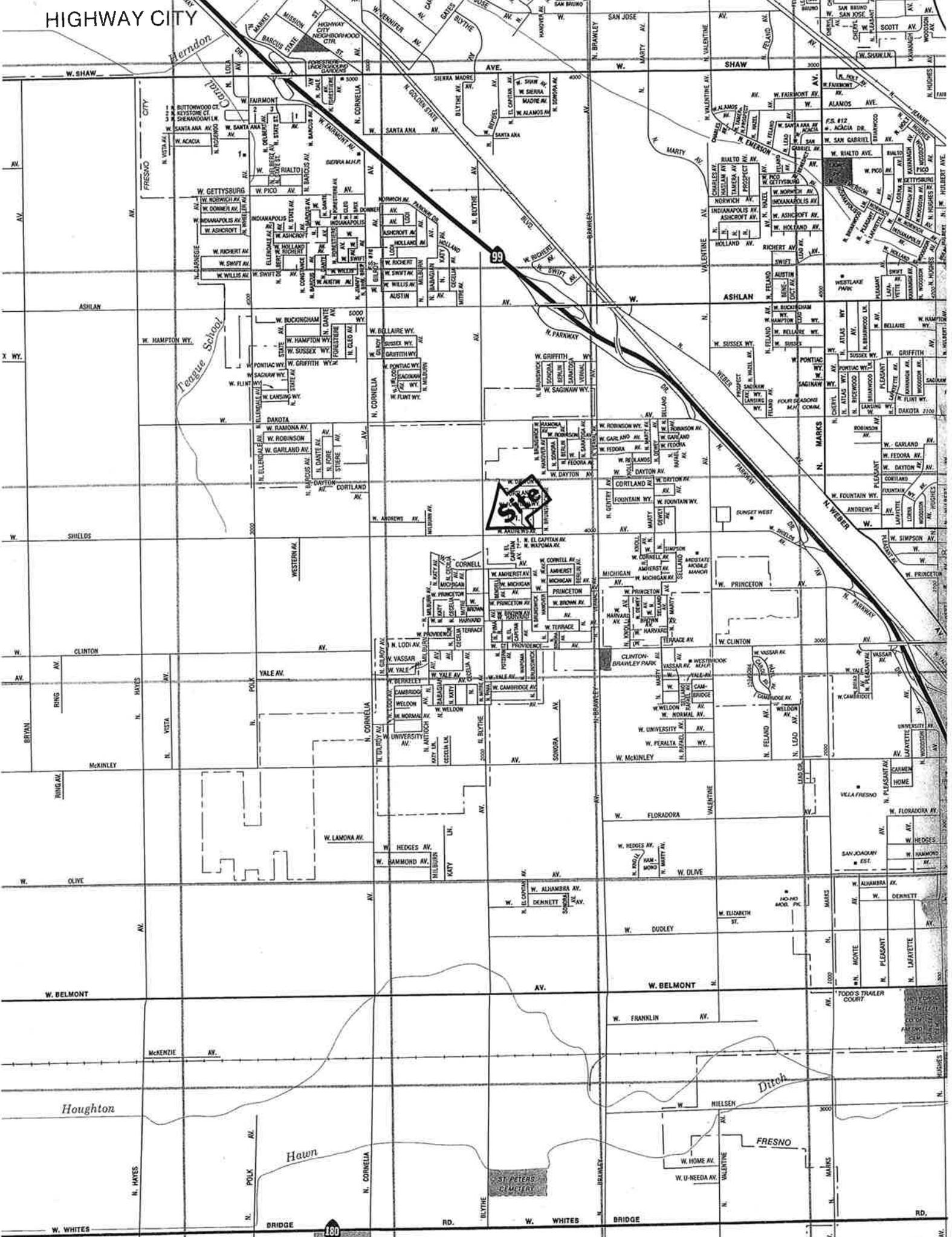
FISCAL IMPACT

The cost to acquire the subject easement, as well as an additional easement at the southwest corner of West Shield and North Blythe Avenues is estimated to be \$68,900, and has been provided by Lennar. The cost to construct the street improvements will be assumed by Lennar.

PNW/SLM/NLH/eam
Apprv Acq Str Esmnt S & N Singh NE Cor Shields-Blythe 4-8-2010

Attachment: Vicinity Map
Drawing of the Subject Easement

HIGHWAY CITY



LEGEND



AREA TO BE DEDICATED TO THE CITY. = 8,370± SQ FT

*

EASEMENT FOR PUBLIC STREET PURPOSES PREVIOUSLY GRANTED BY DEED RECORDED MAR. 16, 1976, AS DOCUMENT No. 21795 IN BOOK 6564 AT PAGE 836, O.R.F.C.

P.O.B. POINT OF BEGINNING

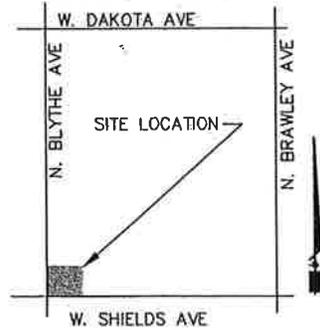
F.C.R. FRESNO COUNTY RECORDS

O.R.F.C. OFFICIAL RECORDS FRESNO COUNTY

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RECORD DATA PER TRACT No. 3150, RECORDED IN BOOK 40 OF PLATS AT PAGE 65, F.C.R.

VICINITY MAP (NOT TO SCALE)



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89°51'52" E	30.00'
L2	S 00°00'03" W	40.00'
L3	N 00°00'03" E	30.00'

BASIS OF BEARINGS:

THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 23 T13S, R19E, M.D.B. & M., AS SHOWN ON THE MAP OF TRACT No. 3150, RECORDED IN BOOK 40 OF PLATS AT PAGE 65, F.C.R., TAKEN TO BE N00°00'03"E.

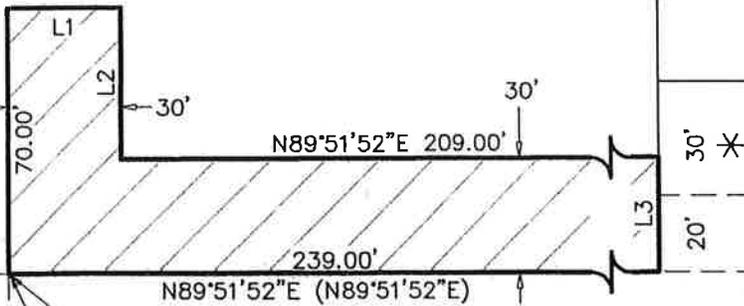
NORTH BLYTHE AVENUE

(N00°00'03"E 2646.04')

BASIS OF BEARINGS N00°00'03"E 2646.06'

APN: 311-091-215

THE EAST LINE OF THE WEST 239.00' OF THE SOUTHEAST QUARTER OF SECTION 23-13/19



N89°51'52"E (N89°51'52"E)

WEST SHIELDS AVENUE

SE COR. SEC. 23-13/19

P.O.B.

S 1/4 COR. SEC. 23-13/19

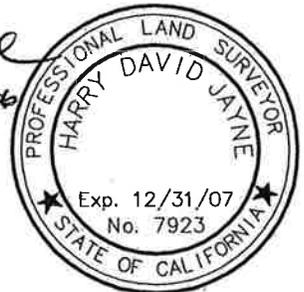
SCALE: 1" = 50'



OWNER:

SUKHWINDER SINGH & NEENA SINGH
4396 W SHIELDS AVE
FRESNO, CA 93722

Handwritten signature and date: H.D. Jayne 12-12-06



REF. & REV. T-5406 PW FILE NO. 10934 PLAT NO. 2047 2006-147 15-C-13189	CITY OF FRESNO DEPT. OF PUBLIC WORKS	PROJ. ID. _____ FUND NO. _____ ORG. NO. _____
	PUBLIC STREET EASEMENT DEDICATION TRACT NO. 5406 SHIELDS AVE & BLYTHE AVE	DR. BY: ER _____ CH. BY: _____ DATE: 9/12/06 SCALE AS NOTED