



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Legislation Details (With Board Report)

**File #:** 15-0092      **Name:** Approve Real Property Purchase Agreement - Barker Living Trust

**Type:** General Agenda Item      **Status:** Passed

**File created:** 1/28/2015      **In control:** Board of Supervisors

**On agenda:** 2/10/2015      **Final action:** 2/10/2015

**Title:** a. Approve Real Property Purchase Agreement with Raymond C. Barker and Carol S. Barker, Co-Trustees of the BARKER LIVING TRUST dated 12/20/93 as to the fee estate, in the amount of \$1,000 for APN 421-221-003 for the purchase of 0.030 acres (1,307 sq. ft.) for a slope and utility easement and purchase of 0.073 acres (3,180 sq. ft.) for a temporary construction easement necessary for the construction of the Peach Tree Road at Pancho Rico Bridge Replacement Project County Bridge No. 412, Project No. 220165, State Project No. EA 05-142284L, Federal Aid Project No. STPLZ-5944 (041);  
b. Authorize the Director of Public Works to execute the Real Property Purchase Agreement and the Certificate of Acceptance and Consent to Recordation of the deed on behalf of the County; and  
c. Authorize the Director of Public Works to record the Public Utilities and Slope Easement and Deed.

**Sponsors:** Public Works / RMA

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Project Budget, 3. Real Property Purchase Agreement, 4. Public Utilities and Slope Easement Deed and Certificate of Acceptance, 5. Certification of Trust, 6. Location Map, 7. Completed Board Order, 8. Fully Executed Agreement between the County of Monterey and Raymond C. Barker & Carol S. Barker of the Barker Living Trust

Date	Ver.	Action By	Action	Result
2/10/2015	1	Board of Supervisors	approved	

a. Approve Real Property Purchase Agreement with Raymond C. Barker and Carol S. Barker, Co-Trustees of the BARKER LIVING TRUST dated 12/20/93 as to the fee estate, in the amount of \$1,000 for APN 421-221-003 for the purchase of 0.030 acres (1,307 sq. ft.) for a slope and utility easement and purchase of 0.073 acres (3,180 sq. ft.) for a temporary construction easement necessary for the construction of the Peach Tree Road at Pancho Rico Bridge Replacement Project County Bridge No. 412, Project No. 220165, State Project No. EA 05-142284L, Federal Aid Project No. STPLZ-5944 (041);  
b. Authorize the Director of Public Works to execute the Real Property Purchase Agreement and the Certificate of Acceptance and Consent to Recordation of the deed on behalf of the County; and  
c. Authorize the Director of Public Works to record the Public Utilities and Slope Easement and Deed.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve Real Property Purchase Agreement with Raymond C. Barker and Carol S. Barker, Co-Trustees of the BARKER LIVING TRUST dated 12/20/93 as to the fee estate, in the amount of \$1,000 for APN 421-221-003 for the purchase of 0.030 acres (1,307 sq. ft.) for a slope and utility easement and purchase of 0.073 acres (3,180 sq. ft.) for a temporary construction easement necessary for the construction of the Peach Tree Road at Pancho Rico Bridge Replacement Project County Bridge No. 412, Project No. 220165, State Project No. EA 05-142284L, Federal Aid Project No. STPLZ-5944 (041);
- b. Authorize the Director of Public Works to execute the Real Property Purchase Agreement and the

Certificate of Acceptance and Consent to Recordation of the deed on behalf of the County; and

c. Authorize the Director of Public Works to record the Public Utilities and Slope Easement and Deed.

SUMMARY:

Approval of the Real Property Purchase Agreement and a Right of Entry and Temporary Construction Easement and recording of the related deeds will provide for the right-of-way and Temporary Construction Easement required for the reconstruction of Peach Tree Road Bridge Replacement Project, County Bridge No. 412, State Bridge No. 44C-0151, Federal Aid Project No. STPLZ-5944(041), Project No. 220165.

DISCUSSION:

On July 8, 2014, the Board of Supervisors adopted the Mitigated Negative Declaration for the Peach Tree Road at Pancho Rico Bridge Replacement Project County Bridge No. 412. Given the constraints of the existing road right-of-way, additional easements are needed to successfully complete the project. Approval of a Real Property Purchase in the amount of \$1000 for APN 421-221-003 for the purchase of 0.030 acres (1,307 sq. ft.) for a slope and utility easement and purchase of 0.073 acres (3,180 sq. ft.) for a temporary construction easement is necessary to construct the project.

The proposed project is the replacement of the existing seismically deficient bridge on Peach Tree Road over Pancho Rico Creek, which is located east of San Ardo in southern Monterey County. The proposed project involves the installation of a new single clear span bridge over Pancho Rico Creek with structure that will meet current California Department of Transportation (Caltrans) seismic codes. The existing bridge was constructed in 1955, and is approximately 17 feet wide and 59 feet long and does not meet current design or seismic safety standards. The new bridge will be approximately 28 feet wide and 80 feet long and will clear-span Pancho Rico Creek. The new bridge will be supported by two abutments, one on each side of the creek, outside of the creek channel.

The value of the subject easements were determined by appraisal performed by David B. Wraa, MAI. The right-of-way acquisition negotiations were conducted by Bill Silver of Bender Rosenthal, Inc. The appraisal indicates that the compensation due as of the valuation date of February 17, 2014 was \$100 for the Raymond C. Barker and Carol S. Barker, Co-Trustees of the Barker Living Trust dated 12/20/93. After right-of-way negotiations, the real property purchase agreements were signed by the property owner for \$1,000 for the easements. Per Caltrans requirements, the amount agreed for compensation for the easement is also the minimum amount that would allow the County to pursue a Resolution of Necessity, should the negotiations not be successful. They are the sole property owners of the property to be acquired.

Following completion of all right-of-way transactions from the Raymond C. Barker and Carol S. Barker, Co-Trustees of the Barker Living Trust dated 12/20/93, and acquisition of a temporary easement from a neighboring property, the project will be submitted to Caltrans for right-of-way certification. The completed purchase of the right-of-way and Caltrans right-of-way certification will be required for authorization of the project for construction in the summer of 2015.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approved the Agreement as to form. The negotiated amount of \$1,000 for the easement was authorized by Caltrans as eligible cost for reimbursement.

FINANCING:

There is no financial impact to the General Fund for the preliminary engineering and environmental documentation phase of the project. Total estimated project cost, including project management, engineering, utility relocation and construction, is \$2,789,000. The preliminary engineering and environmental

documentation phase of the project is budgeted for \$750,000 which will be funded by Federal Highway Administration (FHWA) funds, State Seismic Fund, and Road Fund (Fund 002, Unit 8195). The FY 2014-2015 adopted work plan for Fund 002, Unit 8195 included appropriations of \$200,000 which are sufficient to finance this Real Property Purchase Agreement and acquire the public utility and slope easement.

Prepared by: Enrique Saavedra, P.E., Senior Civil Engineer (831) 755-8970

Approved by:

---

Robert K. Murdoch, P.E. Director of Public Works

---

Carl P. Holm, RMA Acting Director

Dated: January 8, 2015

Attachments: Project Budget; Real Property Purchase Agreement; Public Utilities and Slope Easement; Certification of Trust Pursuant to California Probate Code Section 18100.5; Location Map