

# THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 02/11/2014 by the following vote:

AYES: ☒ 5  
 John Gioia  
 Candace Andersen  
 Mary N. Piepho  
 Karen Mitchoff  
 Federal D. Glover

NOES: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐



## Resolution No. 2014/45

The Board of Supervisors of Contra Costa County, California, by vote of four-fifths or more of its members, **RESOLVES** that:

Pursuant to Government Code Section 25350.5 and Streets & Highways Code 760, Contra Costa County (County) and Contra Costa Transportation Authority (CCTA) in cooperation with the State of California, acting by and through its Department of Transportation (Caltrans) and the City of San Pablo, intend to construct the Interstate 80 San Pablo Dam Road Interchange Project (Project). Phase 1 of the project is a public improvement that consists of adding an auxiliary lane, relocating on and off ramps, frontage improvements, and reconstructing a pedestrian/bridge overcrossing from south of El Portal Drive to north of McByrde Avenue, in the San Pablo area, and, in connection therewith, acquiring interests in certain real property.

The property interests to be acquired consist of two (2) parcels and are generally located in the San Pablo area. The property interests are more particularly described in Appendix "A", attached hereto and incorporated herein by this reference.

On December 27, 2013, notice of the County's intention to adopt a resolution of necessity for acquisition by eminent domain of the real property described in Exhibit "A" was sent to persons whose names appear on the last equalized County Assessment Roll as owners of said property. The notice specified February 11, 2014, at 9:00 a.m., in the Board of Supervisors Chambers in the Administration Building, 651 Pine Street, Martinez, California, as the date, time, and place for the hearing thereon.

The hearing was held on that date and at that time and place, and all interested parties were given an opportunity to be heard. Based upon the evidence presented to it, this Board finds, determines, and hereby declares the following:

1. The public interest and necessity require the proposed project; and
2. The proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; and
3. The properties described herein are necessary for the proposed project; and
4. The offers required by Section 7267.2 of the Government Code were made to the owner or owners of record.
5. Insofar as any of the property described in this resolution has heretofore been dedicated to a public use, the acquisition and use of such property by Contra Costa County for the purposes identified herein is for a more necessary public use than the use to which the property has already been appropriated; or is for a compatible public use. This determination and finding is made and this resolution is adopted pursuant to Code of Civil Procedure Sections 1240.510 and 1240.610.
6. On June 25, 2013, this Board APPROVED the proposed project and ADOPTED the Mitigated Negative Declaration pertaining to this project that was published on June 1, 2010. SCH#2009082009.

The County Counsel of this County is hereby **AUTHORIZED** and **EMPOWERED**:

To acquire in the County's name, by condemnation, the titles, easements, and rights of way hereinafter described in and to said real property or interest(s) therein, in accordance with the provisions for eminent domain in the Code of Civil Procedure and the Constitution of the State of California:

Parcel 1 is to be acquired in fee title.

Parcel 2 is to be acquired as a temporary construction easement for a period of thirty months between July 1, 2014 and December 31, 2016.

To prepare and prosecute in the County's name such proceedings in the proper court as are necessary for such acquisition; and

To deposit the probable amount of compensation based on an appraisal, and to apply to said court for an order permitting the County to take immediate possession and use said real property for said public uses and purposes.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: David Kramer 925-313-2227

ATTESTED: February 11, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

cc:



## APPENDIX "A"

### **HERMAN PECOT, SR. AND GWENDOLYN JOYCE JACKSON (63752)**

LAND DESCRIPTIONS OF TWO (2) PARCELS OF LAND IN THE UNINCORPORATED AREA OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE CORPORATION GRANT DEED TO HERMAN PECOT, SR., AND GWENDOLYN JOYCE JACKSON RECORDED JULY 22, 1991 UNDER RECORDER'S SERIES NUMBER 91-143553, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

#### **PARCEL 1 (63752-1) FEE PARCEL**

**COMMENCING** AT THE MOST SOUTHERLY CORNER OF THAT CERTAIN TRACT OF LAND DESIGNATED ON THE MAP TITLED "WILART PARK, CONTRA COSTA COUNTY, CALIFORNIA," FILED APRIL 6, 1950 IN MAP BOOK 40 AT PAGE 1, OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE SOUTH 49°53'20" WEST 162.69 FEET ALONG THE SOUTHERLY LINE OF SAID LANDS OF PECOT/JACKSON TO THE **TRUE POINT OF BEGINNING**;
2. THENCE CONTINUING SOUTH 49°53'20" WEST 17.14 FEET ALONG LAST SAID LINE TO THE EASTERLY LINE OF THAT CERTAIN TRACT OF LAND DESIGNATED ON THE MAP TITLED "ROLLINGWOOD, CONTRA COSTA COUNTY, CALIFORNIA," FILED APRIL 6, 1943 IN MAP BOOK 26 AT PAGE 916, OFFICIAL RECORDS OF SAID COUNTY;
3. THENCE NORTH 01°14'13" EAST 0.60 FEET;
4. THENCE NORTH 51°25'19" EAST 16.75 FEET TO SAID SOUTHERLY LINE AND THE **TRUE POINT OF BEGINNING**.

CONTAINING 4 SQUARE FEET, MORE OR LESS.

#### **PARCEL 2 (63752-2) TEMPORARY CONSTRUCTION EASEMENT EXPIRES 12/31/16**

A TEMPORARY EASEMENT FOR A THIRTY (30) MONTH PERIOD BETWEEN JULY 1, 2014 AND DECEMBER 31, 2016 FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO, UPON, IN, OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE MOST SOUTHERLY CORNER OF THAT CERTAIN TRACT OF LAND DESIGNATED ON THE MAP TITLED "WILART PARK, CONTRA COSTA COUNTY, CALIFORNIA," FILED APRIL 6, 1950 IN MAP BOOK 40 AT PAGE 1, OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE SOUTH 49°53'20" WEST 162.69 FEET ALONG THE SOUTHERLY LINE OF SAID LANDS OF PECOT/JACKSON;
2. THENCE SOUTH 51°25'19" WEST 16.75 FEET TO THE EASTERLY LINE OF THAT CERTAIN TRACT OF LAND DESIGNATED ON THE MAP TITLED "ROLLINGWOOD, CONTRA COSTA COUNTY, CALIFORNIA," FILED APRIL 6, 1943 IN MAP BOOK 26 AT PAGE 916, OFFICIAL RECORDS OF SAID COUNTY;
3. THENCE NORTH 01°14'13" EAST 12.72 FEET ALONG LAST SAID LINE TO A LINE THAT IS PARALLEL WITH AND 10 FEET NORTHERLY FROM SAID SOUTHERLY LINE OF THE LANDS OF PECOT/JACKSON;
4. THENCE NORTH 49°53'20" EAST 169.75 FEET ALONG SAID PARALLEL LINE TO THE WESTERLY LINE OF SAID WILART PARK TRACT;
5. THENCE SOUTH 47°24'57" EAST 10.08 ALONG LAST SAID LINE TO THE **POINT OF BEGINNING**.

CC80  
EA: 0A0811

CONTAINING 1,744 SQUARE FEET (0.040 ACRES), MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, AND EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.0000677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT:



DAN S. SCOTT III, PLS 7840

JANUARY 22, 2014  
DATE



Exhibit "A"

Herman Pecot, Sr. and  
Gwendolyn Joyce Jackson  
3686 Redwood Rd.  
Oakland, CA 94619

:AMB

G:\realprop\I80 San Pablo Dam Road\Condemnation\NOI 12-20-13\CO.03 Decl of Mail NOI 12-27-13.doc