

# Sonoma County Public Infrastructure

**Johannes J. Hoevertsz, Director**

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400 AVIATION BLVD, SUITE 100, SANTA ROSA, CA 95403 ♦ PH: 707.565.2550 ♦ FAX: 707.565.3240

Date: August 7, 2025

The Estate of Richard W. Hawkley  
John Hawkley  
2162 Penny Lane  
Napa, CA 94559

RE: Morelli Lane Storm Damage Repair Project  
Site Address: 61 Morelli Lane, Camp Meeker, CA  
APN: 075-270-001

Dear Mr. Hawkley, et al:

Sonoma County Public Infrastructure (County), is proposing to construct the Morelli Lane Storm Damage Repair Project that includes repair of the existing roadway, installation of surface and subsurface drainage elements, construction of a concrete retaining wall on drill pile foundations to stabilize the slope, and placement of guardrail in front of the wall. Your property is located within the project area.

Overland, Pacific & Cutler, LLC, (OPC), a division of TranSystems has been retained by Sonoma County to assist with the proposed purchase of a permanent easement and a temporary construction easement from the affected owner. This letter and accompanying paperwork contains material related to the County's offer to purchase the easement interests for this public project.

Our preliminary title report shows you to be the owner of the subject property located at 61 Morelli Lane, Camp Meeker, CA, identified on the attached Map.

Attached for your review are the following documents:

- Appraisal Map (1)
- Summary Statement Relating to the Purchase of Real Property or an Interest Therein (1)
- Appraisal Summary Statement (1)
- Right of Way Contract (3)
- Permanent Easement Deed (1)
- Temporary Construction Easement Deed (1)
- Title VI Statement (1)
- Title VI Survey (Voluntary) (1)
- Payee Data Form (1)
- "Your Property, Your Transportation Project" Brochure (1)

Please review the documents closely.

In accordance with requirements of Section 7267.2 of the Government Code, the County proposes to purchase a permanent easement interest and a temporary construction easement interest as identified in the attached documents. The total amount of compensation offered is **\$39,500** and represents the value of the property interests proposed to be acquired including damages to the remaining property in the amount of \$25,835 as determined by an independent state licensed and certified appraiser.

The appraiser determined that, after purchase of the easement rights, the remaining property is considered an "uneconomic remnant" based on its limited development potential. As such, the County is obligated to make an offer to purchase this remainder portion of your property should you choose this option. Please see the attached Appraisal Summary Statement for a breakdown of the appraiser's conclusions as to value.

If there is a lessee in possession of the property and improvements are being acquired, or any other holder of an interest in the subject property, an offset statement or equivalent declaration would be required to confirm respective ownership of those improvements. (Quitclaim Deeds from any lessees or other interest holders as to the area being acquired whether or not improved may also be necessary.)

Per the California Code of Civil Procedure, you are entitled for the County of Sonoma to pay the reasonable cost, not to exceed \$5,000, for an independent appraisal of your property. If you choose to have an independent appraisal done, you must contract for the appraisal. The appraiser must be licensed with the California Office of Real Estate Appraisers. The conditions for reimbursement of these costs are described in the attached Summary Statement Relating to the Purchase of Real Property or an Interest Therein.

**The OPC consultant assigned to assist you is Ramona Gomez. She is prepared to meet and discuss the proposed acquisition with you, and to assist you through the process. Please contact Ramona Gomez at (213) 262-7236.** She will assist in processing all documents, including providing notary public services and escrow coordination. Expenses incidental to transfer of title to the County of Sonoma (identified in the Right of Way Contract) are paid by the County of Sonoma.

Finally, please be aware that nothing in this letter is intended to pre-commit the County of Sonoma to any particular action with respect to the proposed acquisition of this property.

Sincerely,



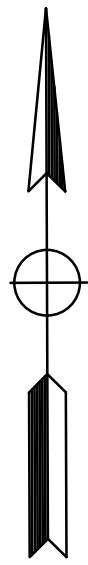
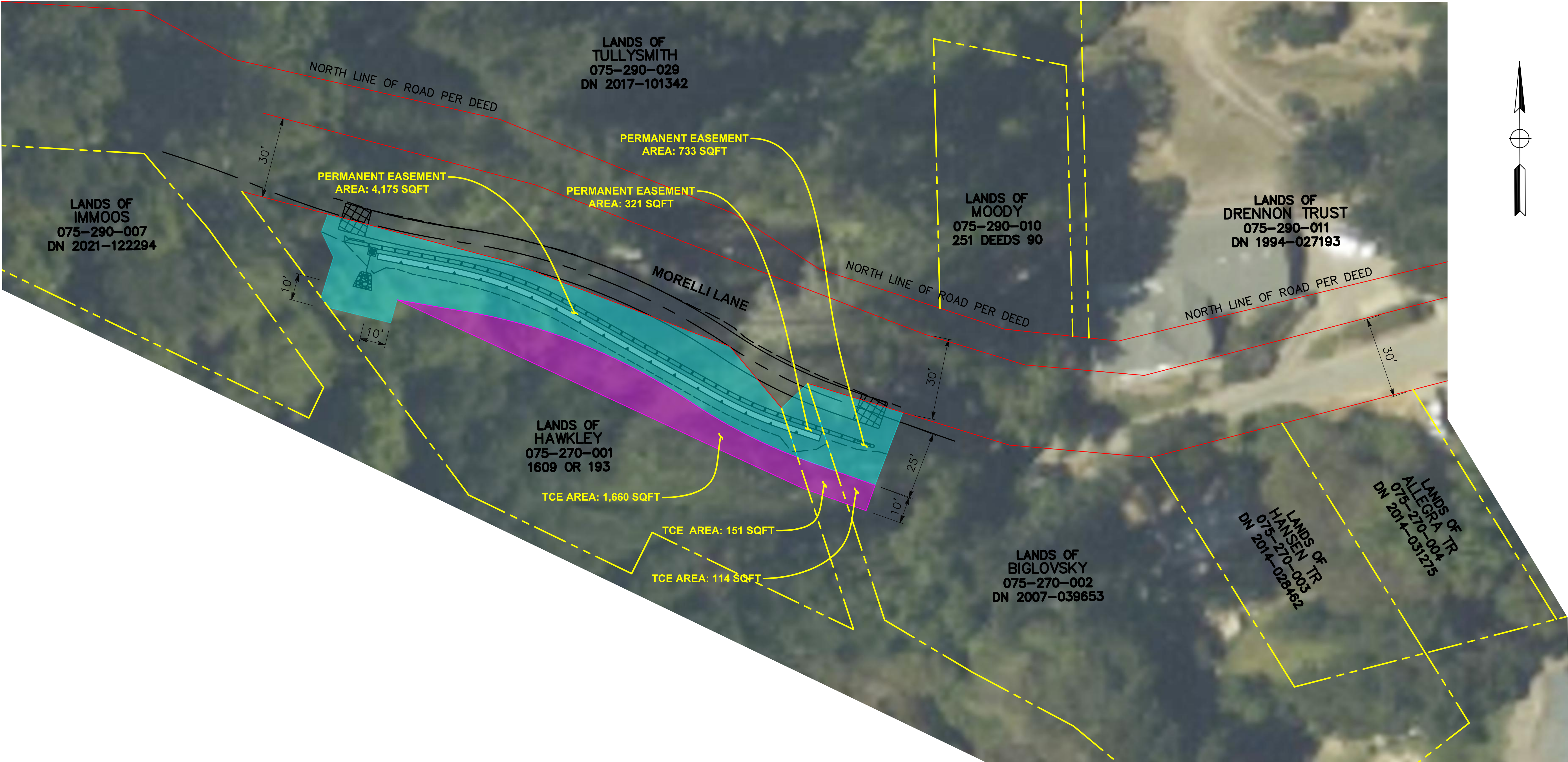
Johannes Hoevertsz'  
Director  
Sonoma County Public Infrastructure

Enclosures (12)



LEGEND

- RIGHT-OF-WAY (R/W)
- PROPERTY LINE
- PERMANENT EASEMENT AREA: 5,229 SQFT
- TEMPORARY CONSTRUCTION EASEMENT (TCE) AREA: 1,925 SQFT



**MORELLI LANE ROADWAY REHABILITATION PROJECT RIGHT-OF-WAY  
EXHIBIT**

SCALE: 1"=20'





**COUNTY OF SONOMA**

**SUMMARY STATEMENT RELATING TO THE PURCHASE OF REAL PROPERTY OR AN INTEREST THEREIN**

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The County of Sonoma ("Agency") is proposing to purchase real property or interests therein, and related improvements and appurtenances in connection with the Morelli Lane Storm Drain Repair Project ("Project").

Your property located at 61 Morelli Lane, Camp Meeker, CA is within the project area and identified by the Sonoma County Assessor as Parcel No. 075-270-001.

Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the California Relocation Assistance and Real Property Acquisition Guidelines require that you, as an owner from whom a public agency proposes to purchase real property or an interest therein or as a tenant owning improvements on the property must be provided with a summary of the appraisal of the real property or interest therein, as well as the following information:

1. You are entitled to receive full payment prior to vacating the real property proposed to be purchased unless you have heretofore waived such entitlement. You are not required to pay recording fees, transfer taxes, or the pro rata portion of real property taxes allocable to any period following the passage of title or possession.
2. The County of Sonoma will offer to purchase any remnant(s) considered by the County of Sonoma to be an uneconomic unit(s) which is/are owned by you or, if applicable, occupied by you as a tenant and which is/are contiguous to the land being conveyed.
3. All buildings, structures and other improvements affixed to the land described in the referenced document(s) covering this transaction and owned by the grantor(s) herein or, if applicable, owned by you as a tenant, of the real property proposed to be acquired are being conveyed unless other disposition of these improvements has been made. The real property interests proposed to be acquired include: a permanent easement of 5,056 square feet and a temporary construction easement of 506 square feet described in the Right of Way Contract and in the Appraisal Summary Statement delivered contemporaneously with this document.
4. The market value of the property proposed to be acquired is based upon a market value appraisal which is summarized on the attached Appraisal Summary Statement and such amount:
  - A. Represents the full amount of the appraisal of just compensation for the property proposed to be purchased;
  - B. Is not less than the approved appraisal of the fair-market value of the property as improved;
  - C. Disregards any decrease or increase in the fair-market value of the real property proposed to be acquired prior to the date of valuation which might be caused by the Project itself or by the likelihood that the property would be acquired for or in connection with the Project, other than that due to physical deterioration within the reasonable control of the owner or occupant; and
  - D. Does not reflect any consideration of or allowance for any relocation assistance and payments or other benefits which the owner is entitled to receive under an agreement with the County of Sonoma.
5. Pursuant to California Code of Civil Procedure Section 1263.025, should you elect to obtain an independent appraisal, The County of Sonoma will pay for the actual reasonable costs up to five thousand dollars (\$5,000) subject to the following conditions:
  - A. You, not the County of Sonoma must order the appraisal. Should you enter into a contract with the selected appraiser, the County of Sonoma will not be a party to the contract.
  - B. The selected appraiser must be licensed with the California Bureau of Real Estate Appraisers (BREA).

**COUNTY OF SONOMA**

**SUMMARY STATEMENT RELATING TO THE PURCHASE OF REAL PROPERTY OR AN INTEREST THEREIN**

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- C. Appraisal cost reimbursement requests must be made in writing, and submitted to the County of Sonoma, attention Stevan Hunter, at 400 Aviation Blvd., Suite 100, Santa Rosa, CA 95403 within ninety (90) days of the earliest of the following dates: (1) the date the selected appraiser requests payment from you for the appraisal; or (2) the date upon which you, or someone on your behalf, remitted full payment to the selected appraiser for the appraisal. Copies of the contract (if a contract was made), appraisal report, and invoice for completed work by the appraiser must be provided to the County of Sonoma concurrent with submission of the appraisal cost reimbursement request. The costs must be reasonable and justifiable.
- 6. The owner of a business conducted on a property proposed to be acquired, or conducted on the remaining property which will be affected by the purchase of the required property, may be entitled to compensation for the loss of goodwill. Entitlement is contingent upon the business owner's ability to prove such loss in accordance with the provisions of Sections 1263.510 and 1263.520 of the California Code of Civil Procedure.
- 7. If you ultimately elect to reject the County of Sonoma's offer for your property, you are entitled to have the amount of compensation determined by a court of law in accordance with the laws of the State of California.
- 8. You are entitled to receive all benefits that are available through donation to the County of Sonoma of all or part of your interest in the real property sought to be acquired by the County of Sonoma as set out in Street and Highways Code Sections 104.2 and 104.12.
- 9. Because the Project schedule anticipates use of the property within twenty-four (24) months of its acquisition the County of Sonoma does not offer to lease this property back to you after acquiring it.

County of Sonoma  
Morelli Lane Storm Damage Repair Project  
**APPRAISAL SUMMARY STATEMENT AND  
SUMMARY OF THE BASIS FOR JUST COMPENSATION**  
(Pursuant to Government Code Section 7267.2)

APN: 075-270-001

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**BASIC PROPERTY DATA**

OWNER: The Estate of Richard William Hawkey

PROPERTY ADDRESS: 61 Morelli Lane, Camp Meeker, CA 95419

DATE PROPERTY ACQUIRED BY OWNER: More than 5 years

ZONING: AR – Agriculture & Residential

PRESENT USE: Vacant Land

HIGHEST AND BEST USE ①: Rural Residential

TOTAL PROPERTY AREA: 0.34± Acres (14,800± SF)

PROPERTY RIGHTS PROPOSED TO BE ACQUIRED: Permanent Right of Way Easement and Temporary Construction Easement

INCLUDING ACCESS RIGHTS? YES \_\_\_\_\_ NO  X

DATE OF VALUATION: April 2, 2025

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**BASIS OF VALUATION**

The just compensation being offered by the County of Sonoma (Agency) is not less than the Agency's approved appraisal of the fair market value of the property. The fair market value of the property proposed for acquisition is based on a fair market value appraisal prepared according to accepted appraisal procedures. Where appropriate, sales of comparable properties and income data are utilized. Principal transactions of comparable properties, where evaluated, are included herein (Page 4). The appraiser has given full and careful consideration to the highest and best use for development of the property and to all features inherent in the property, including, but not limited to, zoning, development potential and the income the property is capable of producing.

California Code of Civil Procedure Section 1263.320 defines Fair Market Value as follows:

- a.) The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.
- b.) The fair market value of property taken for which there is no relevant, comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.

California Code of Civil Procedure Section 1263.321 defines the Value for Nonprofit, Special Use Property as follows:

A just and equitable method of determining the value of nonprofit, special use property for which there is no relevant, comparable market is as set forth in Section 824 of the Evidence Code, but subject to the exceptions set forth in subdivision (c) of Section 824 of the Evidence Code.

The market value for the property proposed to be acquired by Agency is based upon Code of Civil Procedure Section 1263.320 (a) as defined on the previous page.

County of Sonoma  
Morelli Lane Storm Damage Repair Project  
**APPRAISAL SUMMARY STATEMENT AND  
SUMMARY OF THE BASIS FOR JUST COMPENSATION**  
(Pursuant to Government Code Section 7267.2)

APN: 075-270-001

Value of the 0.34 Acre Property (Land Only): \$ 40,000

Value of the Property Rights proposed to be acquired:

A. Permanent Right of Way Easement:	\$13,665
B. Site Improvements:	\$ 0
C. Improvements Pertaining to the Realty <sup>②</sup> :	\$ n/a
D. Damages/Benefits	\$25,835
E. Cost to Cure:	\$ n/a
F. Temporary Construction Easement:	\$ 10

\$39,510  
(Sum of items A – F)

Easement Calculations –

Permanent Right of Way Easement

5,056± SF @ \$2.70270/SF x 100% = \$13,665

Temporary Construction Easement

506± SF @ \$0.05131/SF x 10% = \$3/yr. | \$0/mos. x 48 mos. = \$10

Severance Damages <sup>③</sup>: \$ 25,835

Larger Parcel	\$40,000
Land Acquired	- \$13,665
Remainder Value	- \$ <u>500</u>
Severance Damage	= \$25,835

In addition to determining the market value of the parcel(s) sought to be acquired, severance damages were considered. Severance damages are determined based on whether or not the remainder would be diminished in value by reason of the proposed acquisition and/or by the construction of the improvement in the manner proposed. Some severance damage may be mitigated or entirely eliminated by estimating the cost to cure the damage. Where severance damages are found, offsetting benefits are determined. (See Page 5 – Benefits defined.) Under California law, benefits can only be offset against severance damages. If no severance damages are found, there is no application of offsetting benefits.

The remainder after the acquisition involves a separate highest and best use analysis from the whole property. The value of the remainder after the acquisition takes into consideration the physical, legal, and economic characteristics of the site as though the project was complete as of the date of the appraisal (see hypothetical conditions).

The acquisition is largely located directly adjacent to the existing roadway. Current zoning would remain consistent with the larger parcel in the before situation. The subject will lack functionality for a rural residential lot due to the insufficient size for development. Therefore, the highest and best use of the subject property after acquisition is concluded to be an uneconomic remnant.

Construction Contract Work: N/A

Benefits<sup>④</sup>: \$ ( N/A )

The amount of any other compensation: \$ N/A  
**JUST COMPENSATION FOR ACQUISITION:** \$ **39,510**

County of Sonoma  
Morelli Lane Storm Damage Repair Project  
APPRAISAL SUMMARY STATEMENT AND  
SUMMARY OF THE BASIS FOR JUST COMPENSATION  
(Pursuant to Government Code Section 7267.2)

APN: 075-270-001

Rounded to: \$ 39,500

**(THE FOLLOWING INFORMATION IS BASED ON THE PARTIAL ACQUISITION ONLY)**

1. The Sales Comparison approach is based on the consideration of comparable land and improved sales.

Indicated value by Sales Comparison Approach

\$ 13,665

See Page 4 for principal transactions.

2. The cost approach is based in part on a replacement cost new of improvements less depreciation. Cost information was obtained from cost service publications and/or knowledgeable vendors.

Total Replacement Cost New

\$ N/A

Depreciation from all causes

\$ N/A

Value of Improvements in Place

\$ N/A

Land (estimated by direct sales comparison)

\$ N/A

Indicated value by Cost Approach

\$ N/A

3. The income approach is based on an analysis of income and expenses to the property.

Overall Capitalization Rate

N/A

Net Operating Income

\$ N/A

Indicated value by Income Approach

\$ N/A

4. Other Indicated Value

\$ N/A



**SUMMARY OF THE BASIS FOR JUST COMPENSATION**  
**Narrative summary of the valuation process supporting compensation:**

The comparables used are listed below:

SUMMARY OF COMPARABLE LAND SALES					
No.	Property Location	Sale Date	Zoning	Sale Price	Size (Acres)
1	45 Morelli Ln Camp Meeker, CA 95419	Jun-24	AR (Agriculture Residential)	\$17,500	0.37
2	48 Grandview Ave Camp Meeker, CA 95419	Apr-24	AR (Agricultural Residential)	\$15,000	0.12
3	1260 Camp Meeker Rd Occidental, CA 95465	Dec-23	AR (Agricultural Residential)	\$50,000	0.90
4	63 Morelli Ln Camp Meeker, CA 95419	Nov-21	AR (Agricultural Residential)	\$40,000	0.20
5	20475 Highway 116 Monte Rio, CA 95462	May-21	R1 (Residential)	\$65,000	0.44
Subject	61 Morelli Ln, Camp Meeker, CA 95419	---	AR (Agriculture & Residential)	---	0.34
Compiled by CBRE					

Market Conditions

The comparable land sales transacted from May 2021 to June 2024. Based upon our observations of recent sales, the market analysis, and conversations with local agents, land values in this area have remained stable to slightly decreasing over the past few years due to rising construction costs and high interest rates. However, land values increased throughout 2020 until mid-2021. More recently market participants reported land values to remain steady during 2024, even through rising interest rates.

Sales 1 and 2 closed in 2024 which is generally similar.

Sale 3 closed in 2023, which is generally similar.

Sales 4 and 5 closed in 2021 which is slightly superior.

### Location

Location can have a significant influence on value. The subject is located in Camp Meeker within Sonoma County. The location adjustments were derived based on the appraiser's analysis and discussions with market participants.

Sales 1, 2 and 4 are located in Camp Meeker so no adjustments were made.

Sale 3 is located in Occidental, which is generally similar.

Sale 5 is located in Monte Rio, which is slightly superior.

### Site Influence

The subject is located along Morelli Lane, which has minimal traffic exposure.

Sale 5 is located along Highway 116, which provides more traffic exposure and has less residential appeal. Additionally, the site is approximately 500 feet from the Russian River which is generally offsetting.

### Lot Size

All else being equal, larger residential lots typically sell for more compared to smaller lots. The subject contains 0.34 acres.

Sale 1 is similar in size and does not warrant an adjustment.

Sales 2 and 4 are smaller sites which is inferior.

Sale 3 is a larger lot which is superior.

Sale 5 is a larger lot which is superior.

### Access

The subject property includes access from Morelli Lane and Occidental-Camp Meeker Road. Multiple points of access is beneficial for a residential property.

Sale 1 includes one access point along Morelli Lane which is inferior.

Sale 2 includes one access point along Grandview Avenue which is inferior.

Sale 3 includes one access point along Occidental Camp Meeker Road which is inferior.

Sale 4 includes access from Morelli Lane and Occidental-Camp Meeker Road which is similar.

Sale 5 includes access from C Street and Church Street which is similar.

### Shape / Topography

This refers to the shape and topography of each site. A highly irregular site shape may impact the pricing of land based on inefficiencies. Similarly, the slope of a particular site may impact development potential based on adverse conditions. The subject includes a sloping topography and an irregular shape.

Sale 5 is a generally level, rectangular site and is concluded superior.

The remaining sales include a sloping topography and an irregular site shape. As such, these sales do not warrant an adjustment.

### Zoning / H&BU

The subject and all of the comparable sales have zoning designations that allow for the same highest and best use for rural residential use. No adjustments are required.

### Utilities

The subject and the comparables have similar access to utilities and no adjustments are warranted.

APN: 075-270-001

The following comparison grid summarizes the aforementioned comparisons/adjustments to the subject property.

LAND SALES ADJUSTMENT GRID						
	Subject	Comp No. 1	Comp No. 2	Comp No. 3	Comp No. 4	Comp No. 5
Date of Sale		Jun-24	Apr-24	Dec-23	Nov-21	May-21
Address	61 Morelli Ln	45 Morelli Ln	48 Grandview Ave	1260 Camp Meeker Rd	63 Morelli Ln	20475 Highway 116
City, State	Camp Meeker, CA	Camp Meeker, CA	Camp Meeker, CA	Occidental, CA	Camp Meeker, CA	Monte Rio, CA
Size (Acres)	0.34	0.37	0.12	0.90	0.20	0.44
Size (Square Feet)	14,800	16,117	5,040	39,204	8,760	19,166
Sale Price		\$17,500	\$15,000	\$50,000	\$40,000	\$65,000
Adjusted Sale Price		\$17,500	\$15,000	\$50,000	\$40,000	\$65,000
Unit Price	Per Lot	\$17,500	\$15,000	\$50,000	\$40,000	\$65,000
Property Rights Conveyed		Similar	Similar	Similar	Similar	Similar
Financing		Similar	Similar	Similar	Similar	Similar
Conditions of Sale		Similar	Similar	Similar	Slightly Superior	Similar
Market Conditions (Time)		Similar	Similar	Similar	Slightly Superior	Slightly Superior
Adjusted \$/Lot		\$17,500	\$15,000	\$50,000	\$40,000	\$65,000
Location		Similar	Similar	Similar	Similar	Slightly Superior
Site Influence		Similar	Similar	Similar	Similar	Similar
Lot Size		Similar	Inferior	Superior	Inferior	Superior
Access		Inferior	Inferior	Inferior	Similar	Similar
Shape / Topography		Similar	Similar	Similar	Similar	Superior
Zoning / H&BU		Similar	Similar	Similar	Similar	Similar
Utilities		Similar	Similar	Similar	Similar	Similar
Net Adjustment		Inferior	Inferior	Superior	Similar	Superior
Price Per Lot	\$40,000					
Compiled by CBRE						



## CONCLUSION

The comparables indicate an overall range of \$17,500 per lot to \$65,000 per lot, with a narrowed range between \$17,500 per lot to \$40,000 per lot. Based on the subject's physical and location characteristics, and considering overall utility, the subject's land value is concluded at **\$40,000 per lot**.

## LAND VALUE CONCLUSION

The following table presents the valuation conclusion:

CONCLUDED LAND VALUE					
	Per Lot		Lots		Total
Fee Area	\$40,000	x	1	=	\$40,000
	(Rounded \$PSF)				\$2.70270
Compiled by CBRE					

## DEFINITIONS\*

### ① Highest and Best Use Analysis

*Highest and best use* is defined as the reasonably probable use of land which is legally permissible, physically possible, and financially feasible that results in the highest value. Highest and best use analysis is used in the appraisal process to identify comparable properties and, where applicable, to determine whether the existing improvements should be retained, renovated, or demolished.

### ② Improvements Pertaining to the Realty (if any)

Machinery, Fixtures and Equipment identified here were separately valued as improvements pertaining to the realty. Prior to escrow close, owner and lessee must agree (and confirm in writing) as to ownership of said improvements pertaining to the realty.

### ③ Severance Damages (Applies to Proposed Partial Acquisitions)

The appraisal also determines whether or not the County's proposed acquisition results in damages to the remaining property. The basis for this determination is whether or not the value of the remainder is diminished by reason of the anticipated acquisition of the property interest being acquired and the construction of the improvement in the manner proposed. Severance Damages may be mitigated or entirely eliminated by estimating the cost to cure the damages. (Cost to Cure)

### ④ Benefits (Applies to Proposed Partial Acquisitions)

Benefit to the remainder is the benefit, if any, caused by the construction and use of the project for which the property is acquired in the manner proposed.

County of Sonoma  
Morelli Lane Storm Damage Repair Project  
**APPRAISAL SUMMARY STATEMENT AND  
SUMMARY OF THE BASIS FOR JUST COMPENSATION**  
(Pursuant to Government Code Section 7267.2)

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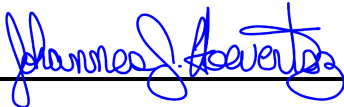
APN: 075-270-001

\* *These definitions are general and provided to assist in the discussion related to the proposed acquisition. They are not intended to be legal definitions.*

An owner-occupant of a residential property containing four (4) units or less has a right to review the appraisal on which the written offer to purchase is based.

**Appraisal Summary and Offer of Just Compensation  
Authorized and Approved for Presentation:**

County of Sonoma

By: 

Title: Director

Date: 8-8-2025



No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that is the subject of this contract.

2. The County of Sonoma shall:

(A) Pay the undersigned Grantor the sum of \$39,500.00 for the property of interest conveyed by above documents when title to said property interests vests in the County of Sonoma, a political subdivision of the State of California, free and clear of all liens, encumbrances, assessments, easements and leases (recorded and/or unrecorded), and taxes, except:

- a. Taxes for the tax year in which this escrow closes shall be cleared and paid in the manner required by Section 5086 of the Revenue and Taxation Code, if unpaid at the close of escrow.
- b. Covenants, conditions, restrictions and reservations of record, or contained in the above referenced document.
- c. Easements or rights of way over said land for public or quasi-public utility or public street purposes, if any.
- d. Such matters as may be waived by the County of Sonoma's Right of Way Manager, or designated representative.

(B) Pay all escrow and recording fees incurred in this transaction and, if title insurance is desired by the County, the premium charged therefor.

(C) Have the authority to deduct and pay from the amount shown in Clause 2(A) above any amount necessary to satisfy any bond demands and delinquent taxes due in any year except the year in which this escrow closes, together with penalties and interest thereon, and/or delinquent and unpaid non-delinquent assessments which have become a lien at the close of escrow.

3. Any or all monies payable under this contract, up to and including the total amount of unpaid principal and interest on note(s) secured by mortgage(s) or deed(s) of trust, if any, and all other amounts due and payable in accordance with terms and conditions of said trust deed(s) or mortgage(s) shall, upon demand(s) be made payable to the mortgage(s) or beneficiary(s) entitled thereunder; said mortgage(s) or beneficiary(s) to furnish Grantor with good and sufficient receipt showing said moneys credited against the indebtedness secured by said mortgage(s) or deed(s) of trust.

4. Grantor hereby authorizes County to prepare and file escrow instructions in accordance with this Contract on behalf of both parties. This transaction will be handled by First American Title Company, 627 College Avenue, Santa Rosa, CA; Escrow No. 5026900-7091593.



5. It is agreed and confirmed by the parties hereto that notwithstanding other provisions in this contract, the right of possession and use of the permanent property rights being purchased by the County of Sonoma, including the right to remove and dispose of improvements, shall commence upon acceptance of this contract by the County of Sonoma and deposit of funds in escrow controlling this transaction, or upon the close of escrow, whichever occurs first, and that the amount of \$39,500.00 includes, but is not limited to, full payment for such possession and use, and damages, if any, from said date.

6. It is agreed and confirmed by the parties hereto that permission is hereby granted the County of Sonoma or its authorized agent(s), to enter upon Grantor's land where necessary within that certain area (TCE Area) described in Exhibit B for the purpose of a temporary construction easement (TCE) to include, but not limited to, work area, storage of materials and equipment, including trucks and tractors, as well as ingress to and egress from the property during construction period as shown in the TCE. The TCE shall commence on October 1, 2025 and terminate on September 30, 2030, or upon the filing of the Notice of Completion. The amount of \$39,500.00 includes, but is not limited to, full payment for such possession and use, and damages, if any, from said date. The Grantor shall have full use of the TCE Area until the County of Sonoma takes physical possession. In case of unpredictable delays in construction, upon written notification to Grantor, the terms of the TCE may be extended by an amendment to this Right of Way Contract. Grantor shall be compensated based on the fair market value at the time of the extension. Payment shall be made to the Grantor for the extension period prior to the expiration of the original period. The County engineer shall notify the Grantor 72 hours prior to the commencement of actual construction or by 10 days written notice, first class mail, delivery deemed completed on date of mailing.

7. Grantor warrants that there are no oral or written leases on all or any portion of the property exceeding a period of one month, and the Grantor further agrees to hold the County of Sonoma harmless and reimburse the County of Sonoma for any and all of their losses and expenses occasioned by reason of any lease of said property held by any tenant of Grantor for a period exceeding one month.

8. The undersigned Grantor hereby agrees and consents to the dismissal of any eminent domain action in the Superior Court wherein the herein described land is included and also waives any and all claims to any money that may now be on deposit in said action.

9. At no expense to the Grantor and at the time of the project construction, County of Sonoma shall construct the following improvements as shown on approved plans on file with Sonoma County Public Infrastructure: None.

10. All work done under this Agreement shall conform to all applicable building, fire, and sanitary laws, ordinances, and regulations relating to such work, and shall be done in a good and workmanlike manner. All structures, improvements or other facilities, when removed, and relocated, or reconstructed by the County of Sonoma, shall be left in as good condition as found.

11. The Grantor hereby represents and warrants that during the period of Grantor's ownership of the property, there have been no disposals, releases or threatened releases of hazardous substances or hazardous wastes on, from, or under the property. Grantor further

represents and warrants that Grantor has no knowledge of any disposal, release, or threatened release of hazardous substances or hazardous wastes on, from, or under the property that may have occurred prior to Grantor taking title to the property.

The acquisition price of the property interests being acquired in this transaction reflects the fair market value of the property without the presence of contamination. If the property being acquired is found to be contaminated by the presence of hazardous waste that requires mitigation under federal or state law, the County may elect to recover its clean-up costs from those who caused or contributed to the contamination.

12. County agrees to indemnify and hold harmless Grantor from any liability arising out of County's operations under this Agreement. County further agrees to assume responsibility for any damages proximately caused by reason of County's operations under this Agreement and County will, at its option, either repair or pay for such damage.

13. This Agreement shall be binding on and inure to the benefit of the respective heirs, successors and assigns of the parties to this Agreement.

14. Grantor understands that this Agreement is subject to the approval of the Sonoma County Board of Supervisors. Further, that this Agreement shall have no force or effect unless and until said approval has been obtained.

15. In the event of a breach of this Agreement by Grantor, County shall be entitled to pursue any and all remedies available to it against Grantor, including without limitation, claims for all damages attributable to Grantor's breach, and specific performance of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

By GRANTOR this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By COUNTY this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**GRANTOR:** The Estate of Richard William Hawkley

The Estate of Richard William Hawkley

By: \_\_\_\_\_  
Name/Title:

**COUNTY OF SONOMA:**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Johannes Hoevertsz  
Director, Sonoma County Public Infrastructure

**Approved as to Form:**

By: \_\_\_\_\_  
County Counsel

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Supervising Right of Way Agent

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Project Engineer

Date: \_\_\_\_\_

**EXHIBIT A**

**PERMANENT EASEMENT DEED**

**RECORDING REQUESTED BY  
COUNTY OF SONOMA**

.....  
**WHEN RECORDED, RETURN TO:  
EXECUTIVE SECRETARY  
DEPARTMENT OF  
PUBLIC INFRASTRUCTURE  
400 Aviation Boulevard, Suite 100  
Santa Rosa, CA 95403**

**No Documentary Transfer Tax per  
R&T Code 11922**

**[SPACE ABOVE THIS LINE IS FOR RECORDER'S USE]**

**APN: 075-270-001**

**Undersigned Declares:**  
Record free per Gov. Code 6103. Required by Sonoma  
County Dept. of Transportation and Public Works for  
public works project.

**GRANT OF EASEMENT**

**THE ESTATE OF RICHARD WILLIAM HAWKLEY, (hereinafter referred to as "Grantor"),**

**GRANTS TO: THE COUNTY OF SONOMA, A POLITICAL SUBDIVISION  
OF THE STATE OF CALIFORNIA,**

**AN EASEMENT FOR ROADWAY AND UTILITY PURPOSES to construct, reconstruct, install, inspect, maintain, replace, remove, and use facilities of the type hereinafter specified, together with a right of way therefor, within a strip or parcel of land or along a route as hereinafter set forth, and also ingress thereto and egress therefrom on, under, over, and across the lands described below.**

The specified facilities shall consist of, but not necessarily be limited to, the following:

Roadway facilities and appurtenances thereto for use by the public, including but not limited to motor vehicle use, pavement, landscaping, and appurtenances; a concrete retaining wall on drill pile foundations, drainage facilities, including underground conduits, drainage channels and ditches, culverts, and appurtenances; sewer, and street lighting facilities and appurtenances; also uses for pedestrian, equestrian, and non-powered vehicle purposes; and the right to construct, maintain and reconstruct any such roadway or facilities mentioned above.

Said easement shall also include the right to excavate or fill the easement for the full width and to a reasonable depth thereof.

The lands within the easement situated in the unincorporated area, County of Sonoma, State of California, are more particularly described and depicted as follows:

**SEE EXHIBIT'S "A" and "B" ATTACHED**

Dated \_\_\_\_\_, 2025

**SIGNATURES ON FOLLOWING PAGE**



**The Estate of Richard William Hawkey**

By: \_\_\_\_\_  
Name:  
Title:

**ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.
--

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_, Notary

Public, personally appeared \_\_\_\_\_

\_\_\_\_\_ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

EXHIBIT 'A'  
LEGAL DESCRIPTION  
PERMANENT RIGHT-OF-WAY ACQUISITION

Lying within the unincorporated area of County of Sonoma, State of California and being a portion of the lands of Richard William Hawkley as described in that Order and Decree of Settlement of Account and Final Distribution recorded in Book 1609 of Official Records, Page 193, Official Records of Sonoma County, said portion is more particularly described as follows:

COMMENCING at a found 1/2-inch iron pipe tagged "LS 2798" marking the northwest corner of the lands of Drennon as shown on Parcel Map No. 2700 filed in Book 164 of Maps at Page 12, Sonoma County Records, from which a found 1/2-inch iron pipe tagged "LS 2798" marking the northeast corner of said lands of Drennon bears South 89°22'59" East 149.63 feet; thence South 26°47'26" West 245.84 feet to a point within the bounds of said lands of Hawkley and the POINT OF BEGINNING; thence North 89°52'19" West 11.28 feet; thence along a non-tangent curve to the right, the radius point of which bears North 21°39'13" East 164.00 feet, through a central angle of 8°11'59", for a length of 23.47 feet; thence North 60°08'48" West 61.08 feet; thence along a curve to the left having a radius of 136.00 feet, through a central angle of 18°16'14", for a length of 43.37 feet; thence North 78°25'02" West 23.16 feet; thence South 13°40'17" West 3.00 feet; thence North 76°17'42" West 24.28 feet to the westerly boundary of said lands of Hawkley; thence leaving said westerly boundary, North 15°17'54" East 27.85 feet to the southerly right-of-way of Morelli Lane; thence along said southerly right-of-way, South 74°41'32" East 67.50 feet; thence South 68°26'32" East 87.00 feet; thence South 64°01'41" East 15.91 feet to the common northerly corner of said lands of Hawkley and the lands of Susan Biglovsky, Trustee of the Susan Biglovsky Trust created August 30, 2004, and Diane Biglovsky, Trustee of the Diane Biglovsky Trust created August 30, 2004, as described by Grant Deed recorded under Document Number 2007-039653, Sonoma County Records; thence leaving said common northerly corner and said southerly right-of-way, along the common boundary of said lands of Hawkley and said lands of Biglovsky, South 39°26'32" East 14.84 feet; thence South 17°26'32" East 23.11 feet to a point which bears South 89°52'19" East 11.28 feet from the POINT OF BEGINNING; thence leaving said common boundary, North 89°52'19" West 11.28 feet to the POINT OF BEGINNING.

Containing 5,056 square feet, more or less.


END OF DESCRIPTION

Being a portion of APN 075-270-001

All distances listed are ground. To obtain grid distances, multiply by a combination scale factor of 0.9999628495.

Basis of Bearings: Being the California Coordinate System, Zone 2, NAD 83, Epoch 2017.50 as determined locally by a line between Continuous Global Positioning Systems (CGPS) station P197 and station P195; being North 32°00'31" West as derived from geodetic values published by the California Spatial Reference Center (CSRC).

Prepared by Cinquini & Passarino, Inc.

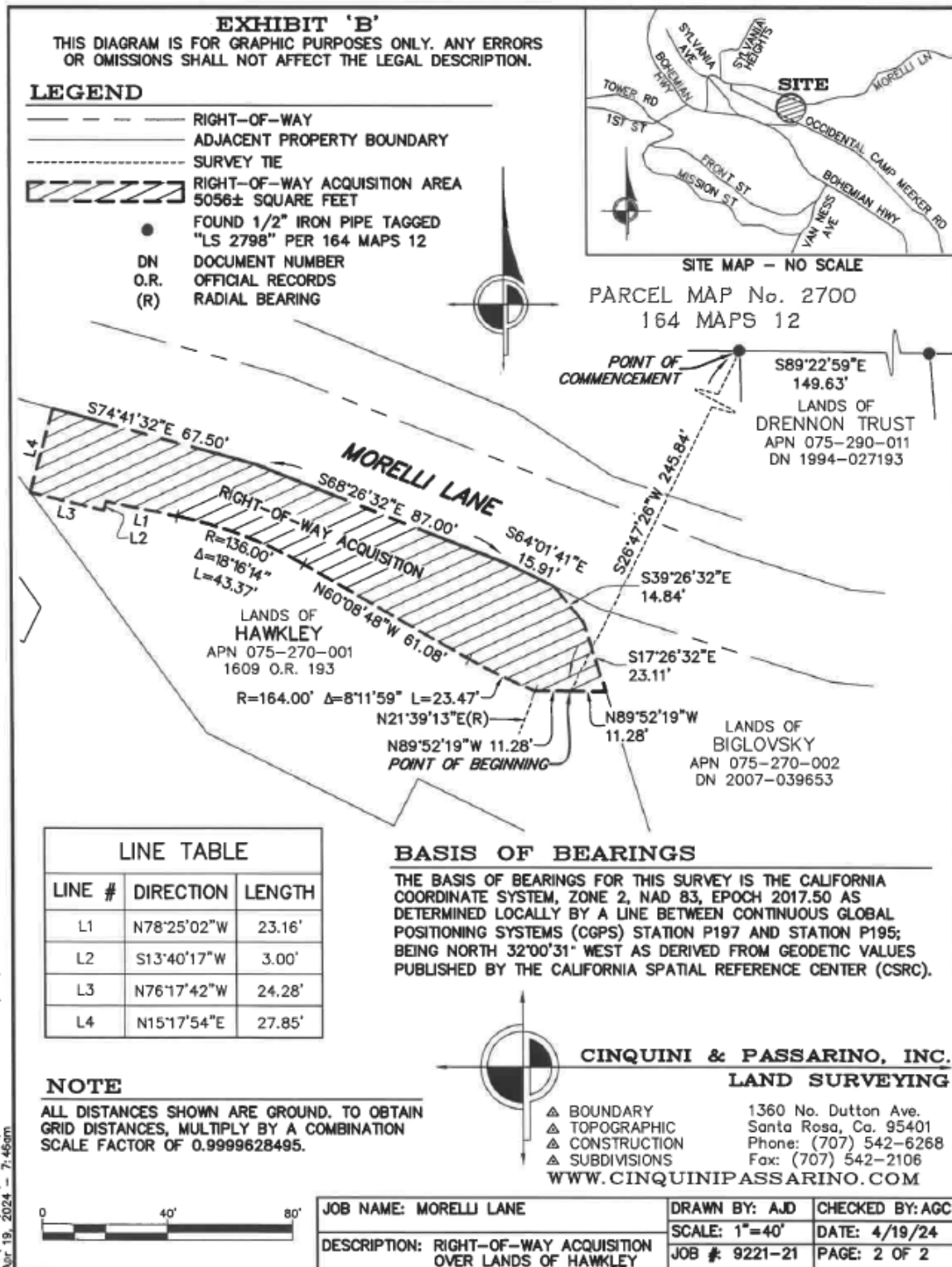
  
Anthony G. Cinquini, PLS 8614

Cinquini & Passarino, Inc.  
1360 North Dutton Avenue, Suite 150  
Santa Rosa, CA 95401



  
Date

CPI No.: 9221-21  
Tel: (707) 542-6268 Fax: (707) 542-2106  
www.cinquinipassarino.com





**CERTIFICATE OF ACCEPTANCE**  
**(Insert)**

## **EXHIBIT B**

### **TEMPORARY CONTRUCTION EASEMENT DEED**

**RECORDING REQUESTED BY  
COUNTY OF SONOMA**

.....  
**WHEN RECORDED, RETURN TO:**  
**EXECUTIVE SECRETARY**  
**DEPARTMENT OF**  
**PUBLIC INFRASTRUCTURE**  
400 Aviation Boulevard, Suite 100  
Santa Rosa, CA 95403

No Documentary Transfer Tax per  
**R&T Code 11922**

**SPACE ABOVE THIS LINE IS FOR RECORDER'S USE**

Project Name: Morelli Lane Storm Damage Repair Project

APN: (portion) 075-270-001

Dated: \_\_\_\_\_

Undersigned Declares:  
Record free per Gov. Code  
6103. Required by Sonoma  
County Dept. of  
Transportation and Public  
Works for public works  
project.

### **GRANT OF TEMPORARY CONSTRUCTION EASEMENT**

**THE ESTATE OF RICHARD WILLIAM HAWKLEY**, (hereinafter referred  
to as "Grantor"),

**GRANTS TO: THE COUNTY OF SONOMA, A POLITICAL SUBDIVISION  
OF THE STATE OF CALIFORNIA,**

An exclusive TEMPORARY CONSTRUCTION EASEMENT for all purposes necessary for the construction of improvements for the Morelli Lane Storm Damage Repair Project. Such purposes, as necessary, to include, but not limited to, work area, storage of materials and equipment, including trucks and tractors, as well as ingress to and egress from the property during the construction period shown below.

**THE TEMPORARY CONSTRUCTION EASEMENT CONSISTS OF THE FOLLOWING  
DESCRIBED PARCEL:**

All that Real property situated in the unincorporated area, County of Sonoma, State of California, described and depicted as follows:

**SEE EXHIBIT'S "A" and "B" ATTACHED**

Said Temporary Construction Easement shall commence on October 1, 2025 and terminate on September 30, 2030, or upon the filing of the Notice of Completion at the Sonoma County Recorder's Office for the project entitled "Morelli Lane Storm Damage Repair Project", whichever shall occur first.

**SIGNATURE(S) ON FOLLOWING PAGE**

**GRANTOR:**  
**THE ESTATE OF RICHARD WILLIAM HAWKLEY**

By: \_\_\_\_\_  
Name:  
Title:

(Attach notary acknowledgement + Certificate of Acceptance)

**ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_, Notary

Public, personally appeared \_\_\_\_\_

\_\_\_\_\_ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

EXHIBIT 'A'  
LEGAL DESCRIPTION  
TEMPORARY CONSTRUCTION EASEMENT

Lying within the unincorporated area of County of Sonoma, State of California and being a portion of the lands of Richard William Hawkey as described in that Order and Decree of Settlement of Account and Final Distribution recorded in Book 1609 of Official Records, Page 193, Official Records of Sonoma County, said portion is more particularly described as follows:

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Containing 506 square feet, more or less.

END OF DESCRIPTION

Being a portion of APN 075-270-001

All distances listed are ground. To obtain grid distances, multiply by a combination scale factor of 0.9999628495.

Basis of Bearings: Being the California Coordinate System, Zone 2, NAD 83, Epoch 2017.50 as determined locally by a line between Continuous Global Positioning Systems (CGPS) station P197 and station P195; being North 32°00'31" West as derived from geodetic values published by the California Spatial Reference Center (CSRC).

Prepared by Cinquini & Passarino, Inc.

  
Anthony G. Cinquini, PLS 8614

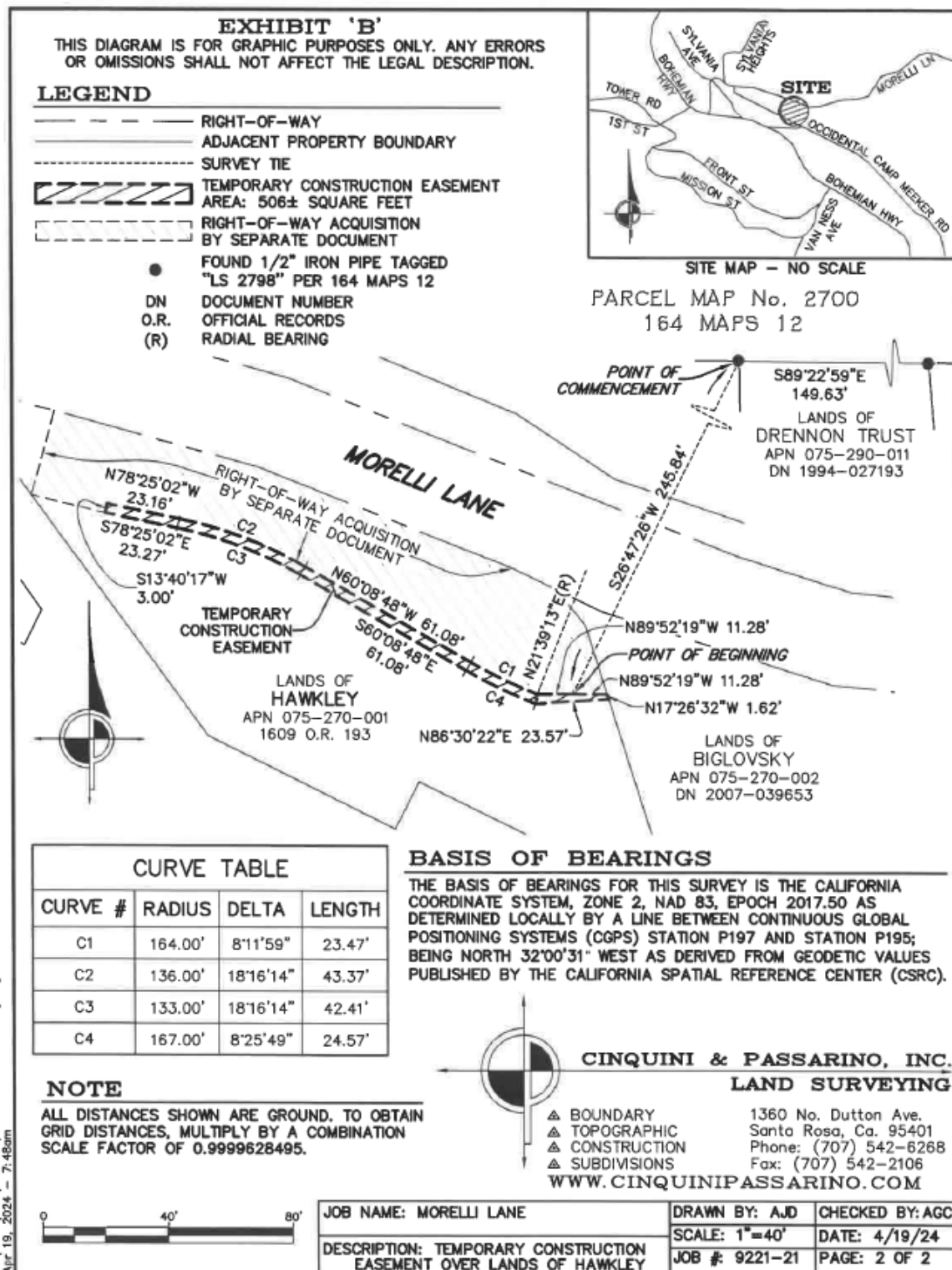


4/19/2024  
Date

Cinquini & Passarino, Inc.  
1360 North Dutton Avenue, Suite 150  
Santa Rosa, CA 95401

Page 1 of 2

CPI No.: 9221-21  
Tel: (707) 542-6268 Fax: (707) 542-2106  
www.cinquinipassarino.com





## **CERTIFICATE OF ACCEPTANCE**

**(Insert)**

RECORDING REQUESTED BY  
COUNTY OF SONOMA

.....  
WHEN RECORDED, RETURN TO:  
EXECUTIVE SECRETARY  
DEPARTMENT OF  
PUBLIC INFRASTRUCTURE  
400 Aviation Boulevard, Suite 100  
Santa Rosa, CA 95403

No Documentary Transfer Tax per  
R&T Code 11922

**SPACE ABOVE THIS LINE IS FOR RECORDER'S USE**

APN: 075-270-001

Undersigned Declares:  
Record free per Gov. Code 6103. Required by Sonoma  
County Dept. of Transportation and Public Works for  
public works project.

## GRANT OF EASEMENT

THE ESTATE OF RICHARD WILLIAM HAWKLEY, (hereinafter referred to as "Grantor"),

**GRANTS TO: THE COUNTY OF SONOMA, A POLITICAL SUBDIVISION  
OF THE STATE OF CALIFORNIA,**

AN EASEMENT FOR ROADWAY AND UTILITY PURPOSES to construct, reconstruct, install, inspect, maintain, replace, remove, and use facilities of the type hereinafter specified, together with a right of way therefor, within a strip or parcel of land or along a route as hereinafter set forth, and also ingress thereto and egress therefrom on, under, over, and across the lands described below.

The specified facilities shall consist of, but not necessarily be limited to, the following:

Roadway facilities and appurtenances thereto for use by the public, including but not limited to motor vehicle use, pavement, landscaping, and appurtenances; a concrete retaining wall on drill pile foundations, drainage facilities, including underground conduits, drainage channels and ditches, culverts, and appurtenances; sewer, and street lighting facilities and appurtenances; also uses for pedestrian, equestrian, and non-powered vehicle purposes; and the right to construct, maintain and reconstruct any such roadway or facilities mentioned above.

Said easement shall also include the right to excavate or fill the easement for the full width and to a reasonable depth thereof.

The lands within the easement situated in the unincorporated area, County of Sonoma, State of California, are more particularly described and depicted as follows:

**SEE EXHIBIT'S "A" and "B" ATTACHED**

Dated \_\_\_\_\_, 2025

SIGNATURES ON FOLLOWING PAGE

**The Estate of Richard William Hawkley**

By: \_\_\_\_\_  
Name:  
Title:

## **ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_, Notary

Public, personally appeared \_\_\_\_\_

\_\_\_\_\_ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

EXHIBIT 'A'  
LEGAL DESCRIPTION  
PERMANENT RIGHT-OF-WAY ACQUISITION

Lying within the unincorporated area of County of Sonoma, State of California and being a portion of the lands of Richard William Hawkley as described in that Order and Decree of Settlement of Account and Final Distribution recorded in Book 1609 of Official Records, Page 193, Official Records of Sonoma County, said portion is more particularly described as follows:

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Containing 5,056 square feet, more or less.

END OF DESCRIPTION

Being a portion of APN 075-270-001

All distances listed are ground. To obtain grid distances, multiply by a combination scale factor of 0.9999628495.

Basis of Bearings: Being the California Coordinate System, Zone 2, NAD 83, Epoch 2017.50 as determined locally by a line between Continuous Global Positioning Systems (CGPS) station P197 and station P195; being North 32°00'31" West as derived from geodetic values published by the California Spatial Reference Center (CSRC).

Prepared by Cinquini & Passarino, Inc.

  
Anthony G. Cinquini, PLS 8614

Cinquini & Passarino, Inc.  
1360 North Dutton Avenue, Suite 150  
Santa Rosa, CA 95401




  
Date

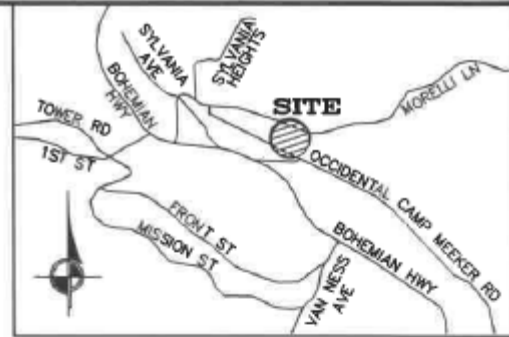
CPI No.: 9221-21  
Tel: (707) 542-6268 Fax: (707) 542-2106  
www.cinquinipassarino.com

# EXHIBIT 'B'

THIS DIAGRAM IS FOR GRAPHIC PURPOSES ONLY. ANY ERRORS OR OMISSIONS SHALL NOT AFFECT THE LEGAL DESCRIPTION.

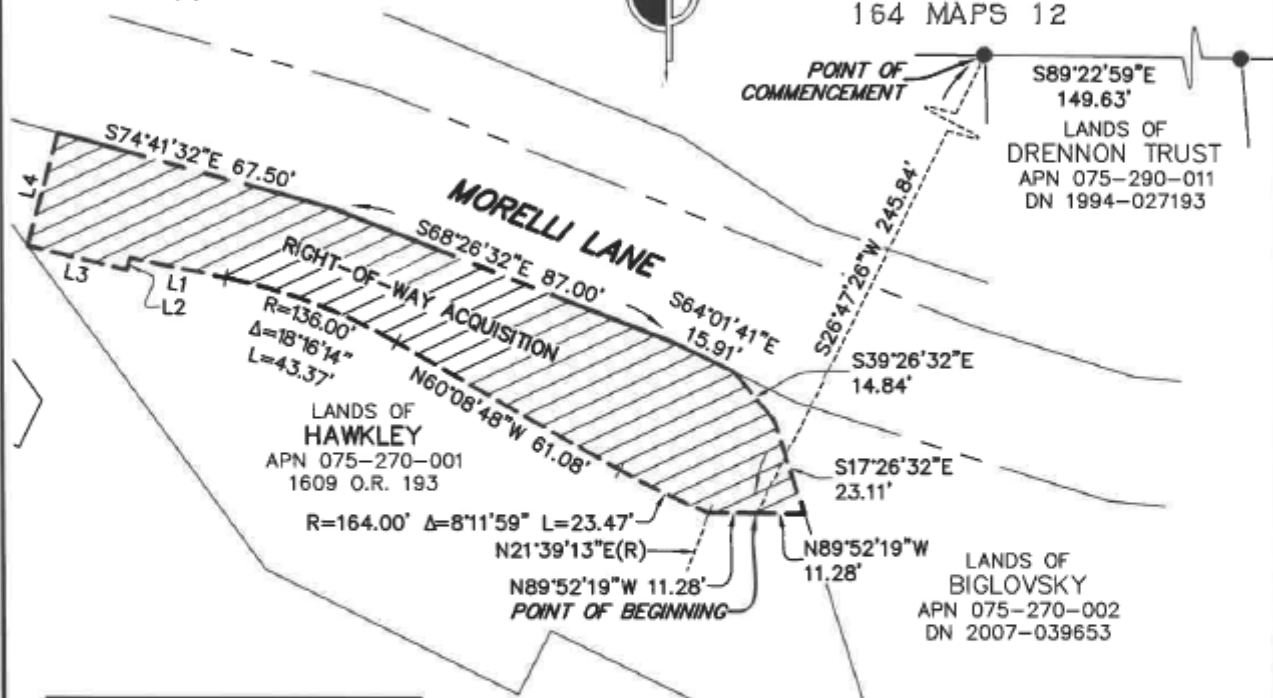
## LEGEND

- RIGHT-OF-WAY
- ADJACENT PROPERTY BOUNDARY
- SURVEY TIE
-  RIGHT-OF-WAY ACQUISITION AREA  
5056± SQUARE FEET
- FOUND 1/2" IRON PIPE TAGGED  
"LS 2798" PER 164 MAPS 12
- DN DOCUMENT NUMBER
- O.R. OFFICIAL RECORDS
- (R) RADIAL BEARING



SITE MAP - NO SCALE

PARCEL MAP No. 2700  
164 MAPS 12



## LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N78°25'02"W	23.16'
L2	S13°40'17"W	3.00'
L3	N76°17'42"W	24.28'
L4	N15°17'54"E	27.85'

## BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM, ZONE 2, NAD 83, EPOCH 2017.50 AS DETERMINED LOCALLY BY A LINE BETWEEN CONTINUOUS GLOBAL POSITIONING SYSTEMS (CGPS) STATION P197 AND STATION P195; BEING NORTH 32°00'31" WEST AS DERIVED FROM GEODETIC VALUES PUBLISHED BY THE CALIFORNIA SPATIAL REFERENCE CENTER (CSRC).

## NOTE

ALL DISTANCES SHOWN ARE GROUND. TO OBTAIN GRID DISTANCES, MULTIPLY BY A COMBINATION SCALE FACTOR OF 0.9999628495.



## CINQUINI & PASSARINO, INC. LAND SURVEYING

△ BOUNDARY 1360 No. Dutton Ave.  
△ TOPOGRAPHIC Santa Rosa, Ca. 95401  
△ CONSTRUCTION Phone: (707) 542-6268  
△ SUBDIVISIONS Fax: (707) 542-2106  
WWW.CINQUINIPASSARINO.COM

JOB NAME: MORELLI LANE	DRAWN BY: AJD	CHECKED BY: AGC
DESCRIPTION: RIGHT-OF-WAY ACQUISITION OVER LANDS OF HAWKLEY	SCALE: 1"=40'	DATE: 4/19/24
	JOB #: 9221-21	PAGE: 2 OF 2



## **CERTIFICATE OF ACCEPTANCE**

**RECORDING REQUESTED BY  
COUNTY OF SONOMA**

.....  
**WHEN RECORDED, RETURN TO:**  
**EXECUTIVE SECRETARY**  
**DEPARTMENT OF**  
**PUBLIC INFRASTRUCTURE**  
**400 Aviation Boulevard, Suite 100**  
**Santa Rosa, CA 95403**

**No Documentary Transfer Tax per  
R&T Code 11922**

**SPACE ABOVE THIS LINE IS FOR RECORDER'S USE**

Project Name: Morelli Lane Storm Damage Repair Project

APN: (portion) 075-270-001

Dated: \_\_\_\_\_

**Undersigned Declares:**  
Record free per Gov. Code  
6103. Required by Sonoma  
County Dept. of  
Transportation and Public  
Works for public works  
project.

**GRANT OF TEMPORARY CONSTRUCTION  
EASEMENT**

**THE ESTATE OF RICHARD WILLIAM HAWKLEY**, (hereinafter referred  
to as "Grantor"),

**GRANTS TO: THE COUNTY OF SONOMA, A POLITICAL SUBDIVISION  
OF THE STATE OF CALIFORNIA,**

An exclusive TEMPORARY CONSTRUCTION EASEMENT for all purposes necessary for the construction of improvements for the Morelli Lane Storm Damage Repair Project. Such purposes, as necessary, to include, but not limited to, work area, storage of materials and equipment, including trucks and tractors, as well as ingress to and egress from the property during the construction period shown below.

**THE TEMPORARY CONSTRUCTION EASEMENT CONSISTS OF THE FOLLOWING  
DESCRIBED PARCEL:**

All that Real property situated in the unincorporated area, County of Sonoma, State of California, described and depicted as follows:

**SEE EXHIBIT'S "A" and "B" ATTACHED**

Said Temporary Construction Easement shall commence on October 1, 2025 and terminate on September 30, 2030, or upon the filing of the Notice of Completion at the Sonoma County Recorder's Office for the project entitled "Morelli Lane Storm Damage Repair Project", whichever shall occur first.

SIGNATURE(S) ON FOLLOWING PAGE

**GRANTOR:**  
**THE ESTATE OF RICHARD WILLIAM HAWKLEY**

By: \_\_\_\_\_

Name:

Title:

(Attach notary acknowledgement + Certificate of Acceptance)

**ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_, Notary

Public, personally appeared \_\_\_\_\_

\_\_\_\_\_ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

EXHIBIT 'A'  
LEGAL DESCRIPTION  
TEMPORARY CONSTRUCTION EASEMENT

Lying within the unincorporated area of County of Sonoma, State of California and being a portion of the lands of Richard William Hawkley as described in that Order and Decree of Settlement of Account and Final Distribution recorded in Book 1609 of Official Records, Page 193, Official Records of Sonoma County, said portion is more particularly described as follows:

COMMENCING at a found 1/2-inch iron pipe tagged "LS 2798" marking the northwest corner of the lands of Drennon as shown on Parcel Map No. 2700 filed in Book 164 of Maps at Page 12, Sonoma County Records, from which a found 1/2-inch iron pipe tagged "LS 2798" marking the northeast corner of said lands of Drennon bears South 89°22'59" East 149.63 feet; thence South 26°47'26" West 245.84 feet to a point within the bounds of said lands of Hawkley and the POINT OF BEGINNING; thence North 89°52'19" West 11.28 feet; thence along a non-tangent curve to the right, the radius point of which bears North 21°39'13" East 164.00 feet, through a central angle of 8°11'59", for a length of 23.47 feet; thence North 60°08'48" West 61.08 feet; thence along a curve to the left having a radius of 136.00 feet, through a central angle of 18°16'14", for a length of 43.37 feet; thence North 78°25'02" West 23.16 feet; thence South 13°40'17" West 3.00 feet; thence South 78°25'02" East 23.27 feet; thence along a curve to the right having a radius of 133.00 feet, through a central angle of 18°16'14", for a length of 42.41 feet; thence South 60°08'48" East 61.08 feet; thence along a curve to the left having a radius of 167.00 feet, through a central angle of 8°25'49", for a length of 24.57 feet; thence North 86°30'22" East 23.57 feet to the common boundary of said lands of Hawkley and the lands of Susan Biglovsky, Trustee of the Susan Biglovsky Trust created August 30, 2004, and Diane Biglovsky, Trustee of the Diane Biglovsky Trust created August 30, 2004, as described by Grant Deed recorded under Document Number 2007-039653, Sonoma County Records; thence along said common boundary, North 17°26'32" West 1.62 feet to a point which bears South 89°52'19" East 11.28 feet from the POINT OF BEGINNING; thence leaving said common boundary, North 89°52'19" West 11.28 feet to the POINT OF BEGINNING.

Containing 506 square feet, more or less.

END OF DESCRIPTION

Being a portion of APN 075-270-001

All distances listed are ground. To obtain grid distances, multiply by a combination scale factor of 0.9999628495.

Basis of Bearings: Being the California Coordinate System, Zone 2, NAD 83, Epoch 2017.50 as determined locally by a line between Continuous Global Positioning Systems (CGPS) station P197 and station P195; being North 32°00'31" West as derived from geodetic values published by the California Spatial Reference Center (CSRC).

Prepared by Cinquini & Passarino, Inc.

  
Anthony G. Cinquini, PLS 8614



4/19/2024  
Date

Cinquini & Passarino, Inc.  
1360 North Dutton Avenue, Suite 150  
Santa Rosa, CA 95401


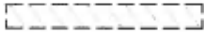
Page 1 of 2

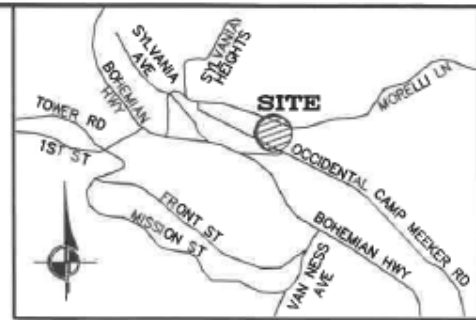
CPI No.: 9221-21  
Tel: (707) 542-6268 Fax: (707) 542-2106  
www.cinquinipassarino.com

# EXHIBIT 'B'

THIS DIAGRAM IS FOR GRAPHIC PURPOSES ONLY. ANY ERRORS OR OMISSIONS SHALL NOT AFFECT THE LEGAL DESCRIPTION.

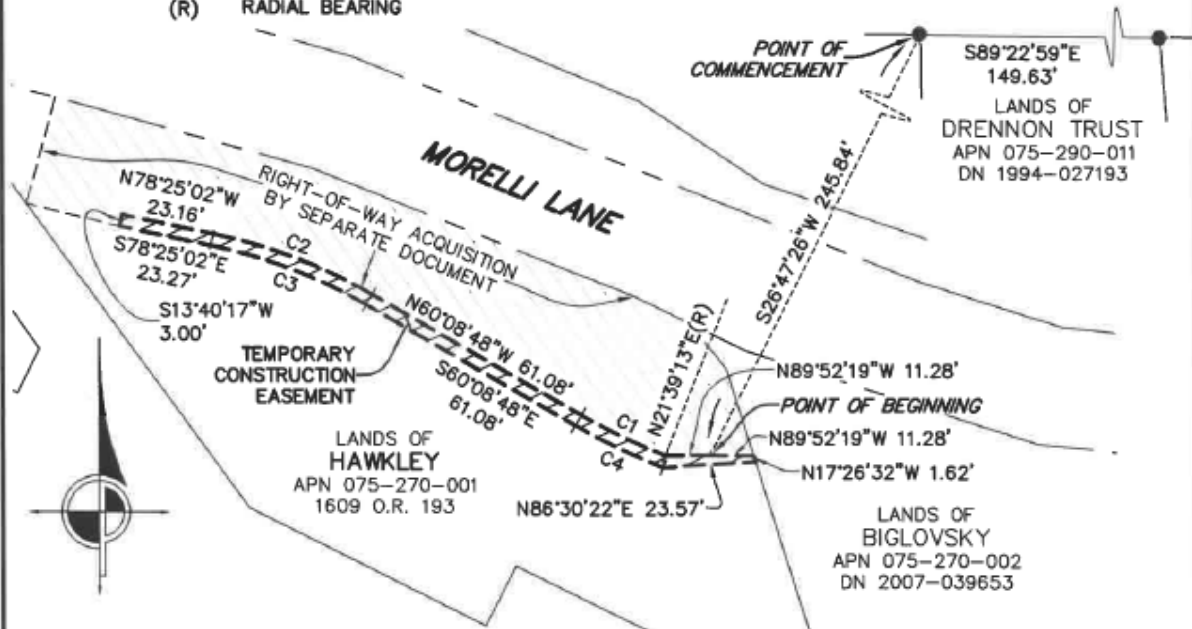
## LEGEND

- RIGHT-OF-WAY
- ADJACENT PROPERTY BOUNDARY
- SURVEY TIE
-  TEMPORARY CONSTRUCTION EASEMENT  
AREA: 506± SQUARE FEET
-  RIGHT-OF-WAY ACQUISITION  
BY SEPARATE DOCUMENT
- FOUND 1/2" IRON PIPE TAGGED  
"LS 2798" PER 164 MAPS 12
- DN DOCUMENT NUMBER
- O.R. OFFICIAL RECORDS
- (R) RADIAL BEARING



SITE MAP - NO SCALE

PARCEL MAP No. 2700  
164 MAPS 12



## CURVE TABLE

CURVE #	RADIUS	DELTA	LENGTH
C1	164.00'	8°11'59"	23.47'
C2	136.00'	18°16'14"	43.37'
C3	133.00'	18°16'14"	42.41'
C4	167.00'	8°25'49"	24.57'

## BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM, ZONE 2, NAD 83, EPOCH 2017.50 AS DETERMINED LOCALLY BY A LINE BETWEEN CONTINUOUS GLOBAL POSITIONING SYSTEMS (CGPS) STATION P197 AND STATION P195; BEING NORTH 32°00'31" WEST AS DERIVED FROM GEODETIC VALUES PUBLISHED BY THE CALIFORNIA SPATIAL REFERENCE CENTER (CSRC).

## NOTE

ALL DISTANCES SHOWN ARE GROUND. TO OBTAIN GRID DISTANCES, MULTIPLY BY A COMBINATION SCALE FACTOR OF 0.9999628495.



## CINQUINI & PASSARINO, INC. LAND SURVEYING

△ BOUNDARY 1360 No. Dutton Ave.  
△ TOPOGRAPHIC Santa Rosa, Ca. 95401  
△ CONSTRUCTION Phone: (707) 542-6268  
△ SUBDIVISIONS Fax: (707) 542-2106  
WWW.CINQUINIPASSARINO.COM

JOB NAME: MORELLI LANE

DESCRIPTION: TEMPORARY CONSTRUCTION  
EASEMENT OVER LANDS OF HAWKLEY

DRAWN BY: AJD

SCALE: 1"=40'

JOB #: 9221-21

CHECKED BY: AGC

DATE: 4/19/24

PAGE: 2 OF 2

## **CERTIFICATE OF ACCEPTANCE**

**(Insert)**



# Caltrans & You

## Your Rights Under Title VI and Related Statutes

This brochure is designed to inform you of the requirements of Title VI of the Civil Rights Act of 1964 and your rights under those requirements.



**This publication  
will be made  
available in  
alternative formats:**

Braille  
Large print  
Computer disc  
Audio version or  
in a different language  
upon request by calling  
the Caltrans Office of  
Business & Economic  
Opportunity  
(916) 324-8379  
711 (TTY)



April 2019

<b>District 1</b> <b>Equal Employment Opportunity (EEO) Office</b> 1656 Union Street Eureka, CA 95501 (707) 441-5814	<b>District 7</b> <b>EEO Office</b> 100 S. Main Street Los Angeles, CA 90012 (213) 897-0797
<b>District 2</b> <b>EEO Office</b> 1657 Riverside Drive Redding, CA 96001 (530) 225-3055	<b>District 8</b> <b>EEO Office</b> 464 West 4th Street San Bernardino, CA 92401 (909) 383-4229
<b>District 3</b> <b>EEO Office</b> 703 B Street Marysville, CA 95901 (530) 741-7130	<b>District 9</b> <b>EEO Office</b> 500 S. Main Street Bishop, CA 93514 (760) 872-0752
<b>District 4</b> <b>EEO Office</b> 111 Grand Avenue Oakland, CA 94612 (510) 286-5871	<b>District 10</b> <b>EEO Office</b> 1976 East Dr. Martin Luther King Jr. Blvd. Stockton, CA 95205 (209) 948-3911
<b>District 5</b> <b>EEO Office</b> 50 Higuera Street San Luis Obispo, CA 93401 (805) 549-3037	<b>District 11</b> <b>EEO Office</b> 4050 Taylor Street San Diego, CA 92110 (619) 688-4249
<b>District 6</b> <b>EEO Office</b> 1352 West Olive Avenue Fresno, CA 93728 (559) 444-2522	<b>District 12</b> <b>EEO Office</b> 1750 East 4th Street, Suite 100 Santa Ana, CA 92705 (657) 328-6596
<b>Headquarters</b> <b>Title VI Coordinator</b> 1823 14th Street Sacramento, CA 95811 (916) 324-8379	

## What is Title VI?

**Title VI is a statute provision of the Civil Rights Act of 1964.**

**Title VI (Sec. 601) of the Civil Rights Act of 1964 provides:**

*"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."*  
(42 U.S.C. Sec. 2000d)

**Additionally, Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations 1994 provides:**

*"Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations."*

Related statutes provide protection against discrimination on the basis of sex, age, or disability by programs receiving federal financial assistance.

## What does this mean?

That Caltrans strives to ensure that access to and use of all programs, services, or benefits derived from any Caltrans activity will be administered without regard to race, color, national origin, sex, age, disability or socioeconomic status.

Caltrans will not tolerate discrimination by a Caltrans employee or recipients of federal funds such as cities, counties, contractors, consultants, suppliers, universities, colleges, planning agencies, and any other recipients of federal-aid highway funds.

Caltrans prohibits all discriminatory practices, which may result in:

- **Denial to any individual of any service, financial aid, or benefit provided under the program to which he or she may be otherwise entitled;**
- **Different standards or requirements for participation;**
- **Segregation or separate treatment in any part of the program;**
- **Distinctions in quality, quantity, or manner in which the benefit is provided;**
- **Discrimination in any activities conducted in a facility built in whole or part with federal funds.**

To ensure compliance with Title VI, related statutes, and the Presidential Executive Order on Environmental Justice, Caltrans will:

- **Avoid or reduce harmful human health and environmental effects on minority and low-income populations;**
- **Ensure the full and fair participation by all communities including low-income and minority populations in the transportation decision-making process;**
- **Prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.**

Additionally, any recipient, including, but not limited to, Metropolitan Planning Organizations and cities and counties, who receive federal financial aid bears a responsibility to administer its program and activities without regard to race, color, national origin, sex, age, disability, or socioeconomic status.

## Benefits and Services

Caltrans' mission is to provide the people of California with a safe, efficient, and effective inter-modal transportation system. All of the work Caltrans performs is intended to assist the transportation needs of all the people of California regardless of race, color, national origin, sex, age, disability, or socioeconomic status.

## Are your rights being violated?

If you believe that you have been discriminated against because of your race, color, national origin, sex, age, or disability, you may file a written complaint with the Caltrans Equal Employment Opportunity (EEO) Office. District EEO offices are located statewide. The addresses and telephone numbers are located on the back of this brochure. Title VI complaints are forwarded to Sacramento for investigation by the Caltrans Office of Business & Economic Opportunity Title VI Program.

## Who bears the responsibility to Title VI?

All of Caltrans employees and its functional programs. The Caltrans Office of Business & Economic Opportunity Title VI Program provides continuous leadership, guidance, and technical assistance to ensure ongoing compliance with Title VI and the Executive Order on Environmental Justice.

## TITLE VI STATEMENT

All of the work the Sonoma County Department of Transportation and Public Works performs is intended to assist the transportation needs of Sonoma County. We do our work with fairness, courtesy and equal consideration for all.

If you believe your rights according to Title VI of the 1964 Civil Rights Act have been violated and you have been subjected to discrimination, please call the Sonoma County Human Resources Department.

### **Title VI (Sec. 601) Civil Rights Act of 1964**

*"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."*

### **Title VI Compliance**

It is the policy of the Sonoma County Department of Transportation and Public Works to provide equal opportunity and full access of its programs, services, and information to all segments of the public without regard to race, color, national origin, ancestry, sex, religion, age, marital status, disability, medical condition, or sexual orientation.

Procedures for the filing of discrimination complaints under Title VI may be obtained through the Sonoma County Human Resources Department.

**TITLE VI SURVEY**

RW 2-1 (10/95)

*Federal Project I.D. No.**Sonoma County**Co**Rte**Post**EA**Parcel***PERSONAL INFORMATION NOTICE**

*Pursuant to the Federal Privacy Act (P.L. 93-579) and the Information Practices Act of 1977 (Civil Code Sections 1798, et seq.), notice is hereby given for the request of personal information by this form. The requested personal information is voluntary. The principal purpose of the voluntary information is to facilitate the processing of this form. The failure to provide all or any part of the requested information may delay processing of this form. No disclosure of personal information will be made unless permissible under Article 6, Section 1798.24 of the IPA of 1977. Each individual has the right upon request and proper identification, to inspect all personal information in any record maintained on the individual by an identifying particular. Direct any inquiries on information maintenance to your IPA Office.*

**NON-DISCRIMINATION**

*All persons affected by State transportation projects are requested to provide information with regard to race, color, sex, religion, national origin, ancestry, age, marital status, disability or medical condition. Please check the items below which best describe you and return this form in the enclosed envelope.*

*The furnishing of this information is voluntary.*

*Head of household:*☐ *Male*☐ *Female**Marital status:*☐ *Single*☐ *Married*☐ *Divorced*☐ *Separated**Race:*☐ *White*☐ *American Indian*☐ *Black**Specify Tribe* \_\_\_\_\_☐ *Hispanic*☐ *Other*☐ *Asian**Specify* \_\_\_\_\_

*Language spoken, if other than English* \_\_\_\_\_

*Are you or any member of your household suffering any physical disability or medical condition?*

☐ *Yes*☐ *No**Enclosure*

STD. 204 (Rev. 6-2003)

1																
<b>INSTRUCTIONS:</b> Complete all information on this form. Sign, date, and return to the State agency (department/office) address shown at the bottom of this page. Prompt return of this <b>fully completed</b> form will prevent delays when processing payments. Information provided in this form will be used by State agencies to prepare Information Returns (1099). See reverse side for more information and Privacy Statement. <b>NOTE:</b> Governmental entities, federal, State, and local (including school districts), are not required to submit this form.																
2		PAYEE'S LEGAL BUSINESS NAME (Type or Print)														
		SOLE PROPRIETOR – ENTER NAME AS SHOWN ON SSN (Last, First, M.I.)		E-MAIL ADDRESS												
		MAILING ADDRESS		BUSINESS ADDRESS												
		CITY, STATE, ZIP CODE		CITY, STATE, ZIP CODE												
3 PAYEE ENTITY TYPE  CHECK ONE BOX ONLY		ENTER FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN): <table border="1"><tr><td></td><td></td><td>-</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>						-								NOTE: Payment will not be processed without an accompanying taxpayer I.D. number
				-												
		<input type="checkbox"/> PARTNERSHIP                  CORPORATION:  <input type="checkbox"/> ESTATE OR TRUST <input type="checkbox"/> MEDICAL (e.g., dentistry, psychotherapy, chiropractic, etc.)  <input type="checkbox"/> <input type="checkbox"/> LEGAL (e.g., attorney services)  <input type="checkbox"/> EXEMPT (nonprofit)  <input type="checkbox"/> ALL OTHERS														
<input type="checkbox"/> INDIVIDUAL OR SOLE PROPRIETOR ENTER SOCIAL SECURITY NUMBER: <table border="1"><tr><td></td><td></td><td></td><td></td><td>-</td><td></td><td></td><td></td><td>-</td><td></td><td></td><td></td><td></td></tr></table> (SSN required by authority of California Revenue and Tax Code Section 18646)								-				-				
				-				-								
4 PAYEE RESIDENCY STATUS		<input type="checkbox"/> California resident - Qualified to do business in California or maintains a permanent place of business in California.														
		<input type="checkbox"/> California nonresident (see reverse side) - Payments to nonresidents for services may be subject to State income tax withholding. <div style="margin-left: 100px;"><input type="checkbox"/> No services performed in California. <input type="checkbox"/> Copy of Franchise Tax Board waiver of State withholding attached.</div>														
5		I hereby certify under penalty of perjury that the information provided on this document is true and correct. Should my residency status change, I will promptly notify the State agency below.														
		AUTHORIZED PAYEE REPRESENTATIVE'S NAME (Type or Print)		TITLE												
		SIGNATURE	DATE	TELEPHONE (     )												
6		Please return completed form to:														
		Department/Office: Sonoma County Department of Transportation and Public Works														
		Unit/Section: Right-of-Way Section														
		Mailing Address: 2300 County Center Dr., Suite B100														
		City/State/Zip: Santa Rosa, CA 95403														
		Telephone: (707) 565-2257 Fax: (707) 565-3870														
		E-mail Address:														

**PAYEE DATA RECORD**

STD. 204 (Rev. 6-2003) (PAGE 2)

<b>1</b>	<p><b><u>Requirement to Complete Payee Data Record, STD. 204</u></b></p> <p>A completed Payee Data Record, STD. 204, is required for payments to all non-governmental entities and will be kept on file at each State agency. Since each State agency with which you do business must have a separate STD. 204 on file, it is possible for a payee to receive this form from various State agencies.</p> <p>Payees who do not wish to complete the STD. 204 may elect to not do business with the State. If the payee does not complete the STD. 204 and the required payee data is not otherwise provided, payment may be reduced for federal backup withholding and nonresident State income tax withholding. Amounts reported on Information Returns (1099) are in accordance with the Internal Revenue Code and the California Revenue and Taxation Code.</p>
<b>2</b>	<p>Enter the payee's legal business name. Sole proprietorships must also include the owner's full name. An individual must list his/her full name. The mailing address should be the address at which the payee chooses to receive correspondence. Do not enter payment address or lock box information here.</p>
<b>3</b>	<p>Check the box that corresponds to the payee business type. Check only one box. Corporations must check the box that identifies the type of corporation. The State of California requires that all parties entering into business transactions that may lead to payment(s) from the State provide their Taxpayer Identification Number (TIN). The TIN is required by the California Revenue and Taxation Code Section 18646 to facilitate tax compliance enforcement activities and the preparation of Form 1099 and other information returns as required by the Internal Revenue Code Section 6109(a).</p> <p>The TIN for individuals and sole proprietorships is the Social Security Number (SSN). Only partnerships, estates, trusts, and corporations will enter their Federal Employer Identification Number (FEIN).</p>
<b>4</b>	<p><b><u>Are you a California resident or nonresident?</u></b></p> <p>A corporation will be defined as a "resident" if it has a permanent place of business in California or is qualified through the Secretary of State to do business in California.</p> <p>A partnership is considered a resident partnership if it has a permanent place of business in California. An estate is a resident if the decedent was a California resident at time of death. A trust is a resident if at least one trustee is a California resident.</p> <p>For individuals and sole proprietors, the term "resident" includes every individual who is in California for other than a temporary or transitory purpose and any individual domiciled in California who is absent for a temporary or transitory purpose. Generally, an individual who comes to California for a purpose that will extend over a long or indefinite period will be considered a resident. However, an individual who comes to perform a particular contract of short duration will be considered a nonresident.</p> <p>Payments to all nonresidents may be subject to withholding. Nonresident payees performing services in California or receiving rent, lease, or royalty payments from property (real or personal) located in California will have 7% of their total payments withheld for State income taxes. However, no withholding is required if total payments to the payee are \$1,500 or less for the calendar year.</p> <p>For information on Nonresident Withholding, contact the Franchise Tax Board at the numbers listed below:</p> <p>Withholding Services and Compliance Section: 1-888-792-4900 E-mail address: wscs.gen@ftb.ca.gov</p> <p>For hearing impaired with TDD, call: 1-800-822-6268 Website: www.ftb.ca.gov</p>
<b>5</b>	<p>Provide the name, title, signature, and telephone number of the individual completing this form. Provide the date the form was completed.</p>
<b>6</b>	<p>This section must be completed by the State agency requesting the STD. 204.</p>
	<p><b><u>Privacy Statement</u></b></p> <p>Section 7(b) of the Privacy Act of 1974 (Public Law 93-579) requires that any federal, State, or local governmental agency, which requests an individual to disclose their social security account number, shall inform that individual whether that disclosure is mandatory or voluntary, by which statutory or other authority such number is solicited, and what uses will be made of it.</p> <p>It is mandatory to furnish the information requested. Federal law requires that payment for which the requested information is not provided is subject to federal backup withholding and State law imposes noncompliance penalties of up to \$20,000.</p> <p>You have the right to access records containing your personal information, such as your SSN. To exercise that right, please contact the business services unit or the accounts payable unit of the State agency(ies) with which you transact that business. All questions should be referred to the requesting State agency listed on the bottom front of this form.</p>

## LANGUAGE IDENTIFICATION FLASHCARD

Hello, I'm from the U.S. Census Bureau. Is someone here now who speaks English and can help us?  
If not, please write your phone number and someone will contact you in English.

01. English

Buenos días (Buenas tardes), soy de la Oficina del Censo de los Estados Unidos. ¿Se encuentra alguien que hable inglés y pueda ayudarnos? Si no, por favor, anote su número de teléfono y alguien se comunicará con usted en español.

02. Español/  
Spanish

Përshëndetje, unë vij nga Zyra e Regjistrimit të Popullsisë së Sh.B.A-së. A ndodhet dikush tani këtu që flet anglisht dhe mund të na ndihmojë? Nëse jo, ju lutemi shkruani numrin e telefonit tuaj dhe dikush do t'ju kontaktojë në gjuhën shqipe.

03. Shqip/  
Albanian

እንደምንት ፡ ከአሜሪካ የሕዝብ ቆጠራ ቢሮ ነኝ ፡፡ አሁን እንግሊዝኛ ቋንቋ የሚናገር እና ሊረዳን የሚችል ሰው አለ? ከሌለ እባክትን የስልክ ቁጥርን ይፃፉልንና በአማርኛ የሚያናግርት ይኖራል፡፡

04. ቋንቋ/አማርኛ/  
Amharic

مرحبًا، أنا من مكتب الإحصاء الأمريكي. هل يوجد هنا الآن شخص يتحدث الإنجليزية ويمكنه مساعدتنا؟ إذا آان لا يوجد، فلارجاء آأابة رقم هاتفكم وسيتصل بكم آأد الأشخاص بالآغة العربية.

05. العربية/  
Arabic

Բարև Ձեզ, Ես ԱՄՆ-ի Մարդահամարի Բյուրոյից եմ: Ներկա՞ է արդյոք մեկը, որը խոսում է Անգլերեն և կարող է մեզ օմնել: Եթե ոչ, մերեք Ձեր հեռախոսի համարը և Ձեզ հետ կկապվեն Հայերենով:

06. Հայերեն/  
Armenian

হ্যালো, আমি ইউ.এস. সেন্সাস বিউরো থেকে এসেছি। এখানে এখন এমন কেউ আছেন কি যিনি ইংরেজি বলতে পারেন এবং আমাদের সাহায্য করতে পারেন যদি তেমন কেউ না থাকে, আপনার ফোন নম্বর লিখে দিন এবং আপনার সঙ্গে একজন বাংলায় যোগাযোগ করবেন।

07. বাংলা/  
Bengali

Разрешете да ви се представя, аз съм служител на Бюрото по преброяване на населението на САЩ. Има ли тук някой, който говори английски и би могъл да ни помогне? Ако няма, моля, напишете своя телефонен номер, за да може някой от нашите служители да ви се обади на български.

08. български/  
Bulgarian



• နှိုင်းယှဉ်မသာ အုန် ၁၀၀ ယန်ညှိကျ ကြမန်ကေး၂၂ ပြာန်သည့်နံ့ နမန် ညသတ တွာ ပရန်ဂျ နညှိဌ ညှိ  
ခညှေ နှစ် ဂျှိ ညသအယ စုန်ဂျန် တမအန ပသကမ စသည့်နံ့ ညကာဘနမ ညှိ ပြာန်သည့်နံ့ တဂ္ဂ  
ခသညှအခေအ ပသက ငည နညှိဌ။

09. မြန်မာ/  
Burmese

សូម្បី ខ្ញុំមកពីការិយាល័យជំរឿនរបស់ហ្វូដអារមិក ១ ឬ ១ ជនសុស ពុរពុត ។ តើមាននរណានៅ ទីនេះដែលចេះនិយាយភាសាអង់គ្លេសហើយអាចជួយយើងបានទេ ? ប្រសិនបើមិនមានទេ សូមសរសេរ លេខទូរស័ព្ទរបស់អ្នកមក ហើយនរណាម្នាក់នឹងទាក់ទងអ្នកជាភាសាខ្មែរ ។

10. ភាសាខ្មែរ/  
Cambodian

您好。我是为美国人口普查局工作的。您这里有没有会说英语的人可以帮助我们？如果没有，请写下您的电话号码，然后将有人用中文与您联系。

11. 中文/  
Chinese  
(Simplified)

您好。我是为美國人口普查局工作的。請問您這里有沒有會說英語的人可以幫助我們？如果沒有，請寫下您的電話號碼，之後將有人使用中文與您聯絡。

12. 中文/  
Chinese  
(Traditional)

Dobar dan, ja sam iz Američkog biroa za cenzus. Ima li ovdje nekoga tko govori engleski i može nam pomoći? Ako nema, molim Vas da napišete svoj broj telefona, pa ćemo stupiti s Vama u kontakt na hrvatskom jeziku.

13. hrvatski/  
Croatian

Dobrý den, jsem z Amerického úřadu pro sčítání lidu (U.S. Census Bureau). Je zde někdo, kdo hovoří anglicky a může nám pomoci? Pokud ne, napište prosím své telefonní číslo a někdo Vás bude kontaktovat v češtině.

14. čeština/  
Czech

سلام، من در دفتر نفوس شماری، در ایالات متحده امریکا ایفای وظیفه مینمایم. آیا همراه شما، همین لحظه کسی است که با لسان انگلیسی آشنایی داشته باشد و ما را کمک کرده بتواند؟ اگر نیست، پس لطفاً نمبر تیلیفونتانرا بدهیتا به لسان هندی با شما در تماس شویم.

15. دری /  
Dari

Kudual, ɣɛn ɣɛ raan de maktam de kuɛn de kɔc de Amerika. Nɔŋ raan ɣɛ jam ɛ thon de Linglith lɛu bɛ wok kony ɛ kɛ looiku? Na liu, ke yĩ gɔ̃r telepundu ku anɔŋ raan bɛ yĩin col ɛ thuɔnjɔŋ.

16. Thuonjän/  
Dinka

Hallo, ik ben van het Amerikaanse Census Bureau. Is er iemand hier die Engels spreekt en ons kan helpen? Als dat niet zo is, wilt u dan uw telefoonnummer opschrijven? Dan zal iemand telefonisch contact met u opnemen in het Nederlands.

17. Nederlands/  
Dutch

سلام. من یک کارمند اداره سرشماری ایالات متحده هستم. آیا کسی حالا اینجا هست که به زبان انگلیسی صحبت میکند و میتواند به ما کمک کند؟ اگر کسی نیست، لطفاً شماره تلفنتان را بنویسید، و یک نفر به زبان فارسی با شما تماس خواهد گرفت.

18. فارسی/  
Farsi

Bonjour, je travaille pour le Bureau de Recensement des États-Unis. Y a-t-il quelqu'un ici qui parle anglais et puisse nous aider ? Sinon, notez votre numéro de téléphone pour que quelqu'un puisse vous contacter en Français.

19. Français/  
French

Guten Tag, ich komme im Auftrag des Bundesbüro zu Durchführung von Volkszählungen. Kann ich mit jemandem sprechen, der Englisch spricht und der uns helfen kann? Wenn nicht, schreiben Sie bitte Ihre Telefonnummer auf und es wird sich jemand in deutscher Sprache mit Ihnen in Verbindung setzen.

20. Deutsch/  
German

Γειά σας,  
Είμαστε από την Υπηρεσία Απογραφής των ΗΠΑ. Είναι κανείς εδώ αυτή τη στιγμή που μιλάει Αγγλικά να μας εξυπηρετήσει; Αν όχι, παρακαλώ σημειώστε το τηλέφωνό σας και θα επικοινωνήσει κάποιος μαζί σας στα ΕΛΛΗΝΙΚΑ.

21. Ελληνικά/  
Greek

Bonjou, mwen se anpwlaye biwo resansman ameriken. Èske m ka pale ak yon moun nan kay la ki konn pale anglè ? Si pa gen moun nan kay la ki pale anglè, tanpri ekri nimewo telefòn ou pou yon moun kki pale kreyòl ayisyen rele w.

22. kreyòl ayisyen/  
Haitian Creole

שלום, אני ממשרד מפקד האוכלוסין של ארצות הברית. האם יש כאן מישהו ברגע זה שמדבר אנגלית ויכול לעזור לנו? במידה ולא, אנא כתבו את מספר הטלפון שלכם ומישהו ייצור קשר אתכם בשפה העברית.

23. עברית/  
Hebrew

हैलो, मैं यू.एस. जनगणना ब्यूरो से हूँ। क्या अभी यहां ऐसा कोई व्यक्ति है जो अंग्रेजी बोलता हो और हमारी मदद कर सकता हो? यदि नहीं, तो कृपया अपना फोन नंबर लिखें और कोई व्यक्ति आपसे हिन्दी में संपर्क करेगा।

24. हिन्दी/  
Hindi

Nyob zoo. Kuv tuaj hauv Teb Chaws Asmeskas Chaw Suav Pej Xeem tuaj. Puas muaj leej twg nyob hauv tsev uas txawj lus Askiv thiab pab tau peb? Yog tsis muaj, thov sau koj tus xov tooj tseg, mam li muaj ib tug neeg hais lus Hmoob hu tuaj rau koj.

25. Hmoob/  
Hmong

Jó napot kívánok, az Egyesült Államok Népszámlálási Hivatalától vagyok. Van a közelben valaki, aki beszél angolul, és segíteni tud nekünk? Ha nem, kérem, írja le a telefonszámát, és kapcsolatba fogunk lépni Önnel magyarul.

26. Magyar/  
Hungarian

Hello, taga Census Bureau ako ng U.S. Adda kadi kadakayo nga makapagsarita ti English ken mabalin nga tumulong kaniami? Nu awan paki surat yo iti numero iti telepono yo ta adda iti tumawag kaniayo nga ag Ilocano.

27. Ilocano/  
Ilocano

Salve, chiamo da parte del Census Bureau degli Stati Uniti. C'è qualcuno che parla inglese ed è in grado di aiutarci? In caso negativo, scriva il numero di telefono e sarà contattato da qualcuno che parla Italiano.

28. Italiano/  
Italian

こんにちは。私は米国勢調査局の係員です。こちらには英語を理解できこの調査にご協力いただける方がいらっしゃいますか？もしない場合は、あなたのお電話番号をお書きいただければ、日本語を話す係員が連絡をいたします。

29. 日本語/  
Japanese

안녕하세요. 저는 미국 인구조사국에서 일하고 있습니다. 영어를 사용하시는 분 중에 저희를 도와 주실 수 있는 분이 여기 계십니까? 없으신 경우, 전화번호를 적어주시면 한국어를 할 수 있는 직원 이 연락을 드릴 것입니다.

30. 한국어/  
Korean

ສະບາຍດີ, ຂ້າພະເຈົ້າ ມາຈາກສຳນັກງານສຳຫຼວດພົນລະເມືອງ ແຫ່ງສະຫະລັດອາເມລິກາ. ມີໃຜຢູ່ທີ່ນີ້ ສາມາດເວົ້າພາສາອັງກິດ ແລະ ຊ່ວຍເຫຼືອພວກເຮົາໄດ້ບໍ່? ຖ້າບໍ່ມີ, ກະລຸນາຂຽນເລກ ໂທລະສັບຂອງທ່ານ ແລະ ພວກເຮົາ ຈະຕິດຕໍ່ຫາທ່ານ ເປັນພາສາລາວ.

31. ພາສາລາວ/  
Laotian

Sveiki, aš esu iš JAV Gyventojų surašymo biuro. Ar čia dabar yra kas nors, kas kalba angliškai ir galėtų mums padėti? Jei ne, prašome užrašyti savo telefono numerį ir su jumis susisieks lietuvių kalba.

32. Lietuvių/  
Lithuanian

ഹലോ, ഞാൻ യു എസ് സെൻസസ് ബ്യൂറോയിൽ നിന്നാണ്. ഇപ്പോൾ സംസാരിക്കുന്ന ആരെങ്കിലും ഇപ്പോൾ ഇവിടെയുണ്ടോ ഞങ്ങളെ സഹായിക്കാൻ? ഇല്ലെങ്കിൽ, നിങ്ങളുടെ ടെലിഫോൺ നമ്പർ എഴുതി നൽകുക. മലയാളത്തിൽ സംസാരിക്കുന്ന ആരെങ്കിലും താങ്കളെ ബന്ധപ്പെടും.

33. മലയാളം/  
Malayalam

Yá'át'ééh, Neeznáá nináháháágo Bíla'ashdla'ii náóltah bíł haz'ą bá naashnish. Háidaaish kóq Bilagáanaa biq zaad yee yáłti'ígíí hóló? 'Ádingo 'éí nibéesh bee hane'é nihá 'ádííłíł dóo t'áá háida t'áá Diné Bizaad yee yáłti'ígíí nich'í' náhodoolnih.

34. Diné Bizaad/  
Navajo

नमस्ते, म अमेरिकाको जनगनना अफिसबाट आएको । यहाँ अंग्रेजी बोल्न जान्ने अन्त हामीलाई मदत गर्नसक्ने कोहि मान्छे छन ? नभ्या, तपाईंको फोन नम्बर लेखिदिनु अनि कसैले तपाईंसित नेपाली भाषामा कुरा गर्नेछन् ।

35. नेपाली/  
Nepali

ਹੈਲੋ, ਮੈਂ ਯੂ ਐੱਸ. ਜਨਗਣਨਾ ਬਿਊਰੋ ਵਲੋਂ ਆਇਆ/ਆਈ ਹਾਂ। ਕੀ ਇਥੇ ਕੋਈ ਅੰਗਰੇਜ਼ੀ ਬੋਲ ਸਕਦਾ ਹੈ ਅਤੇ ਸਾਡੀ ਮਦਦ ਕਰ ਸਕਦਾ ਹੈ? ਜੇ ਨਹੀਂ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਆਪਣਾ ਟੈਲੀਫੋਨ ਨੰਬਰ ਲਿਖ ਦਿਉ ਅਤੇ ਕੋਈ ਤੁਹਾਨੂੰ ਪੰਜਾਬੀ ਵਿੱਚ ਸੰਪਰਕ ਕਰੇਗਾ।

36. ਪੰਜਾਬੀ/  
Panjabi

Dzień dobry. Jestem z Amerykańskiego Biura Spisu Ludności. Czy ktoś tutaj mówi po angielsku i mógłby nam pomóc? Jeżeli nie, proszę napisać swój numer telefonu, a ktoś skontaktuje się z Państwem po polsku.

37. Polski/  
Polish

Olá, sou do Serviço de censo dos Estados Unidos. Alguém aqui fala inglês e pode nos ajudar? Caso contrário, escreva seu telefone e alguém vai entrar em contato com você em português.

38. Português/  
Portuguese

Bună ziua, sunt de la Biroul de Recensământ al S.U.A. Este cineva aici, în acest moment, care vorbeşte engleză şi ne poate ajuta? Dacă nu, vă rog scrieţi-vă numărul de telefon şi cineva vă va contacta telefonic în română.

39. Română/  
Romanian

Здравствуйте! Я представляю Бюро переписи населения Соединенных Штатов. Присутствует здесь кто-нибудь, кто говорит по-английски и мог бы помочь нам? Если нет, то, пожалуйста, напишите свой телефонный номер, чтобы наши сотрудники могли побеседовать с вами по-русски.

40. русский/  
Russian

Добар дан, ја сам из Америчког бироа за попис становништва. Да ли овде има некога ко говори енглески и може да нам помогне? Ако нема, молим Вас да напишете свој број телефона, па ћемо контактирати с Вама на српском језику.

41. српски/  
Serbian

Hallo, Waxaan anigu ka tirsanahay Xafiiska Tirakoobka Mareykanka. Halkan ciddi ma Joogta hadda oo ku hadasha Ingiriisiga oo na caawin karta? Haddi kalese, fadlan qor lambarka talafoonkaaga markaasna qof ayaa kugulasoo xidhiidhi doona adiga Soomaalliga.

42. Soomaali/  
Somali

Halo, nimetoka Shirika la Sensa la Merika Je, kuna mtu hapa sasa anayezungumza Kiingereza na anaweza kutusaidia? Ikiwa hakuna, tafadhali andika nambari yako ya simu na mtu atawasiliana na wewe kwa Kiswahili.

43. Kiswahili/  
Swahili

Hello, Ako'y galing sa U.S. Census Bureau. Mayroon ba ditong marunong magsalita ng Ingles at makakatulong sa amin ngayon? Kung wala, pakisulat ang telepono ninyo at may tatawag sa inyo sa Tagalog.

44. Tagalog/  
Tagalog

สวัสดีครับ/ค่ะ ผม/ดิฉันเป็นเจ้าหน้าที่จากสำนักงานสम्मโนประชากรสหรัฐ มีใครพอจะพูดภาษาอังกฤษเพื่อช่วยแปลได้อ้างหรือเปล่า ครับ/ค่ะ ถ้าไม่มีช่วยแจ้งเบอร์โทรศัพท์เพื่อที่เราจะสามารถติดต่อกลับมาใหม่ได้เป็นภาษาไทย

45. ไทย/  
Thai

ሃሎው፡ ካብ ቤት ጽሕፈት ምዕጣር ሕዝቢ ኢሜሪካ እየ ኣነ። ሕጂ እንግሊዝኛ ምህራብን ክሕግዝ ምእኩልን ሰብ ኣጠቢ ኣሎዶ? እንተዘይኮነ፡ ብክብረትኩም ቁጽሪ ቴሌፎንኩም ጽሓፉሞ ሓደሰብ ብትግርኛ ክሃረበኩም እየ።

46. ትግርኛ/  
Tigrinya

Merhaba, A.B.D. İstatistik Bürosu'ndanım. Orada İngilizce konuşan ve bize yardım edebilecek birisi var mı? Yoksa, lütfen telefon numaranızı yazın, sizinle Türkçe dilinde temasa geçilecek.

47. TÜRKÇE/  
Turkish

Привіт, Ми з США. Сенсес Бюро. Тут є хтось, хто володіє англійською мовою і може допомогти нам? Якщо ні, будь ласка, запишіть ваш телефонний номер і з вами зв'яжуться на українській мові.

48. українська  
мова/  
Ukrainian

ہیلو، میں امریکی مردم شماری بیورو سے ہوں۔ کیا یہاں کوئی ایسا شخص ہے جو انگریزی بولتا ہو اور ہماری مدد کر سکتا ہو؟ اگر نہیں، تو براہ کرم اپنا فون نمبر لکھوائیں اور کوئی شخص آپ سے اردو زبان میں رابطہ کرے گا۔

49. اردو/  
Urdu

Xin chào, tôi là nhân viên của Cục Thống Kê Dân Số Hoa Kỳ. Ở đây hiện có ai biết nói tiếng Anh và có thể giúp chúng tôi không? Nếu không, xin vui lòng ghi lại số điện thoại của quý vị. Chúng tôi sẽ liên lạc lại với quý vị bằng tiếng Việt.

50. Tiếng Việt/  
Vietnamese

האלאו, איך בין פון די יונייטעד סטעיטס צענזוס ביורא. איז פאראן דא איינער וואס רעדט ענגליש און קען אונז העלפן? אויב נישט, ביטע שרייבט אראפ אייער טעלעפאן נומער און איינער וועט זיך פארשטענדליגן מיט אייך אויף אידיש.

51. אידיש/  
Yiddish

Section 2(d) of Article XIII A of the California Constitution and the Revenue and Taxation Code generally provide that property tax relief shall be granted to any real property owner who acquires comparable replacement property after having been displaced by governmental acquisition or eminent domain proceedings.

If the full cash value of the comparable replacement property does not exceed 120 percent of the award or purchase price of the property taken or acquired, then the adjusted base year value of the property taken or acquired shall be transferred to the comparable replacement property.

**Example**

Purchase Price	120%	Replacement Property	Old Tax Basis	Replacement Tax Basis
\$100,000	\$120,000	\$120,000	\$50,000	\$50,000

If the full cash value of the replacement property exceeds 120 percent of the award or purchase price of the property taken or acquired, then the amount of the full cash value over 120 percent of the award or purchase price paid shall be added to the adjusted base year value of the property taken or acquired. The sum of these amounts shall become the replacement property's base year value.

**Example**

Purchase Price	120%	Replacement Property	Old Tax Basis		Replacement Tax Basis
				+	(130,000 - 120,000) = \$60,000

**Worksheet**

Purchase Price	120%	Replacement Property	Old Tax Basis	Replacement Tax Basis

This worksheet is only an approximation. You must see your County Tax Assessor for a final determination. You should see the tax assessor before acquiring a replacement property and as soon as possible after the close of escrow on your property being acquired by the State of California.



## **Required Proofs**

### **§1263.510. Compensation for Loss of Goodwill.**

- a) The owner of a business conducted on the property taken, or on the remainder if the property is part of a larger parcel, shall be compensated for loss of goodwill if the owner proves all of the following:
  - 1. The loss is caused by the taking of the property or the injury to the remainder.
  - 2. The loss cannot reasonably be prevented by a relocation of the business or by taking steps and adopting procedures that a reasonably prudent person would take and adopt in preserving the goodwill.
  - 3. Compensation for the loss will not be included in payments under Section 7262 of the Government Code.
  - 4. Compensation for the loss will not be duplicated in the compensation otherwise awarded to the owner.
- b) Within the meaning of this article, "goodwill" consists of the benefits that accrue to a business as a result of its location, reputation for dependability, skill or quality, and any other circumstances resulting in probable retention of old or acquisition of new patronage.
- c) If the public entity and the owner enter into a leaseback agreement pursuant to Section 1263.615, the following shall apply:
  - 1. No additional goodwill shall accrue during the lease.
  - 2. The entering of a leaseback agreement shall not be a factor in determining goodwill. Any liability for goodwill shall be established and paid at the time of acquisition of the property by eminent domain or subsequent to notice that the property may be taken by eminent domain. Leg.H. 1975 ch. 1275, operative July 1, 1976, 2006 ch. 602 (SB 1650) §2.

**2006 Note:** This act shall apply prospectively and shall apply to property acquired after January 1, 2007. Stats. 2006 ch. 602 (SB 1650) §4.

**Ref.:** Cal. Fms Pl. & Pr., Ch. 247, "Eminent Domain and Inverse Condemnation"; CACI Nos. 3511-3513 (Mathew Bender); W. Cal. Ev., "Burden of Proof and Presumptions" §17; W. Cal. Sum., 8 "Constitutional Law" §§1145, 1206, 1220, 1223, 1244-1246; Miller & Starr, Cal. Real Estate 3<sup>rd</sup> §§19:145; 30:1.

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**Your property  
Your  
transportation  
project**

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## **INTRODUCTION**

This booklet was prepared for you as a person who may be affected by a proposed public transportation project. If it is your property that is involved, you may have wondered what will happen. Who will contact you? How much will you be paid for your property? Who will pay your moving costs? Will the State help you find a new place to live? Important questions like these require specific answers.

We hope this booklet will answer some of your questions and present a better picture of our overall procedures.

## **Why does a public agency have the right to buy my property?**

Our State and federal constitutions recognize the need for public agencies to purchase private property for public use, and provide appropriate safeguards to accomplish this purpose. State and federal constitutions and the Uniform Relocation Assistance and Real Property Acquisition Policies Act authorize the purchase of private property for public use and assure full protection of the rights of each citizen. The responsibility for studying potential sites for a transportation project rests with a team of specially trained individuals selected to do this important job. Many months are spent in preliminary study and investigation to consider possible locations for a project.

Consideration of the environmental elements and social effect are as much a part of location determination as engineering and cost. Participation by private citizens and public agencies is actively sought so that various views can be considered in the study process. The process includes public hearings which give persons an opportunity to express their views on the locations being considered.

The California Department of Transportation is composed of many specialists. Among these are:

### **Statisticians**

Determine how we wish to travel and where we desire to go. This includes studies of existing traffic patterns, “origin-destination” surveys and user benefits.

### **Economists**

Determine whether the proposed project location is economically sound. They research and analyze the effects produced by similar projects upon other communities.

### **Environmentalists**

Evaluate the effect of the proposed project on social and environmental factors.

### **Advance planners**

Predict the transportation needs of the future based upon available statistics.

### **Design engineers**

Recommend the type of transportation project which will be of the most benefit to the public. They prepare design plans and determine which properties will be needed for the project.

## **Relocation specialists**

Make early studies of the needs of the persons who will have to be relocated and the kind of replacement housing which will be required. A detailed replacement housing plan will be completed before the Department requires anyone to move.

As a result of this team effort, the best possible location for a transportation facility is selected. The particular location is selected after thorough social, economic, engineering, and environmental analysis, as well as consideration of expressed public desires. The goal is the greatest public good and the least private injury or inconvenience while rendering the best possible service.

## **Who will contact me?**

Appraisal and purchase of properties needed for this transportation facility is the responsibility of the State Department of Transportation. The Department provides a Relocation Assistance Program for businesses and persons who must move because of a project. A Right of Way Agent from the Department will assist you and give you general information about the project.

One of the first persons you will meet is a staff appraiser collecting valuation data in your neighborhood. The appraiser will analyze your property and examine all of the features which contribute to its value. Information about improvements you have made and any other special features that you believe may affect the value of your property should be given to the appraiser to ensure a fair value is assigned to your property.

It is the duty of the Department to ensure that you receive the same price which you would receive if you sold your property privately in the open market. The Department cannot buy your property for more than it is worth, but it *can* and *will* assure you that you do not have to sell your property for less than its fair market value. If the property is an owner-occupied residential property containing no more than four residential units, California law provides that the owner, upon request, may review a copy of the appraisal upon which the offer is based.

## **What advantage is there in selling your property to the State?**

A real estate purchase by the Department of Transportation is handled in the same way as any private sale of property. However, there can be financial advantages in selling to the Department.

The Department will pay fair market value for your property. The Department also will pay for the preparation of all documents, all title and escrow fees, a policy of title insurance, recording fees and such other fees as may be required for the conveyance of title to the State of California. Since this is a direct conveyance of real property from the property owner to the State, there are no real estate commissions involved, and the Department will not recognize or pay any such real estate commission.

A private sale will usually cost around \$14,000 for sales expenses. There are no seller's expenses in a sale to the State.

Additionally, you may be eligible for relocation payments and benefits when you move. (These benefits are described in supplemental booklets which will be provided to you.)

### **Will I be paid for loss in value to my remaining property?**

When only a part of your property is needed, every reasonable effort is made to ensure that you do not suffer a financial loss. The total payment by the State will be for the property the State purchases and for any loss in value to your remaining property.

The determination of any loss in value is an appraisal problem involving variables in which a brief explanation might not adequately cover all situations. Should this situation be involved, the Department representative will fully explain the effect of a part purchase on your remaining property.

### **May I retain and move my home; business building; machinery; or equipment?**

The representative who has been assigned to buy your property will help you to determine whether you can or should move your house to another location, if this is what you wish. If your house is movable and you wish to make such an arrangement, the State will pay you on the basis of the market value of your present lot including landscaping, plus the reasonable cost of moving the building. There are cases, because of age, size or condition of the house, where the cost of moving it would exceed its present market value less its salvage value. In such a case, payment of moving cost would of course be an unwise expenditure.

If you operate a business, you may wish to keep and move fixed machinery and equipment. Additionally, as an owner of a business conducted on the property to be purchased, you may be entitled to compensation for the loss of goodwill.

If any of these concepts are applicable to your situation, they will be fully explained by the right of way agent assigned to purchase your property.

### **Will I have time to select another home after the State makes its purchase?**

The Department starts to appraise properties early enough so that you will have ample time to move prior to project construction. Like any other real estate transaction, it requires a month or two to close escrow after a right of way contract and deed have been signed. You will not be required to move until reasonable replacement housing is available.

If you don't want to buy another home right away, you may sell to the State and rent back temporarily. It is in your best interest, however, to look for a new place in which to live as soon as possible. Finding a home early, that best suits your needs, before you are required to move will minimize your personal inconvenience and you will avoid having to make a choice of housing under pressure when you are required to move.

If you wish, the State will, at no cost to you, provide you with assistance in finding a new place in which to live. The State will give you at least 90 days notice in writing before asking you to move.

### **What happens to the loan on my property?**

After you and the Department have agreed upon a price, a Department representative will contact all other parties having an interest in the property. Payment to satisfy outstanding loans or liens will be made through a title company escrow as in any other real estate transaction.

### **What will happen to my GI or Cal-Vet loan?**

The Veterans Administration and the California Department of Veterans Affairs allow your veteran loan privileges to be transferred and to become available for coverage on another property.

Your right of way representative will assist you; however, it is to your benefit and it is your responsibility to check with the Veterans Administration or the California Department of Veterans Affairs for procedural instructions.

If the value of my property is higher today than when I purchased it, do I have to pay income tax on this difference when I convey to the State?

According to the Internal Revenue Service, the sale of property to a governmental agency for public purposes comes under the definition of an “involuntary conversion”. In these cases, it is not necessary to pay income tax or capital gains tax if the money you receive is used to buy a similar property within a limited period of time. In every case, however, you should check with your local Internal Revenue Service office.

### **Will I lose the favorable tax base I now have under the provisions of Proposition 13?**

Section 2(d) of Article XIII.A of the California Constitution and Section 68, Rule 462.5 of the Revenue and Taxation Code generally provide that property tax relief shall be granted to any real property owner who acquires comparable replacement property after having been displaced by governmental acquisition or eminent domain proceedings.

You will be given a copy of Rule 462.5 with an attached page showing examples of how to calculate estimates of the tax relief you may be eligible for. These are only approximations. You must see your County Tax Assessor for a final determination.

**Note:** Revenue and Taxation Code Section 68, Rule 462.5, G.1 through G.4, set forth time limits that may affect your eligibility to retain your favorable current real property tax status.

### **The State's right of eminent domain.**

Sometimes, when private property is required for public purposes, the owner and the State cannot agree on the terms of sale. Our earnest hope is to avoid a proceeding in eminent domain with the added time, concern and cost to everyone. In cases where negotiations have reached an impasse and possession of the property is required in order to allow the project to proceed to construction, the State must resort to the use of the eminent domain process. About 20 percent of our transactions statewide require eminent domain proceedings, with the remainder being settled through negotiations.

An owner's rights are ***guaranteed by the federal and State constitutions and applicable State laws***. The principal right is that just compensation must be paid. When there are indications that agreement on the purchase of your property cannot be reached, the State will initiate condemnation proceedings.

The Department will request authority from the California Transportation Commission to file a condemnation action. You will be given an opportunity to appear before the Commission to question whether public interest, necessity, planning and location

require the proposed project and your property. The Commission does not hear arguments regarding valuation.

Condemnation suit documents will be prepared by the State and filed with the court in the county where the property is located. Summons and complaint will then be served on all persons having a property interest in the parcel. The persons served must answer within 30 days.

Counsel for the parties will then prepare for trial, and the court will set dates for preliminary motions and the trial.

### **What happens in a condemnation trial?**

The purpose of the trial is to determine the amount of compensation. Usually the trial is conducted before a judge and jury. Both the property owner and the State will have the opportunity to present evidence of value. The jury will determine the amount of compensation after being instructed as to the law by the judge. In those cases where the parties choose not to have a jury, the judge will decide the amount of compensation.

The judgment is then prepared by counsel and signed by the judge. It will state that, upon deposit of the amount of the verdict with the court for the benefit of the property owner, title will be transferred to public ownership.

When the State makes the deposit as required by the judgment, the final order of condemnation is signed by the judge and recorded. This is the actual transfer of title.

### **Who pays the condemnation trial costs?**

The State pays the costs of its attorney and its engineering and appraisal witnesses. It will also pay the jury fees and certain of your incidental costs which are determined by law to be allowable costs. The fee for filing your answer with the court is an example of such costs.

If the judge feels that the State's offer of settlement was unreasonable and the demand of the property owner was reasonable viewed in light of the verdict, the property owner may receive litigation expenses. The judgment is then prepared by counsel and signed by the judge.

### **If I want a trial, must I have an attorney and expert witnesses?**

Most property owners will be represented by an attorney, although they have the right to represent themselves.

You may wish to consult your family attorney. If you do not have one, in many communities the yellow pages of the telephone directory will refer you to an attorney reference service.

You and your attorney must decide what type of case you will present and what witnesses will be needed.

### **Will I be paid any moving expenses or any other relocation assistance benefit even though I go to court?**

A decision to go to court has no effect on your right to moving expenses. Payment of moving expenses is made separately from the condemnation action. You will be provided details of additional assistance to help displaced persons, businesses, farms or nonprofit organizations in finding, purchasing or renting, and moving to a new location. These are explained in various booklets prepared for homeowners, tenants, business and farm operators and are made available by the Department of Transportation.

### **How long can I keep my property?**

This usually depends on when construction will begin. If the trial is conducted before the property is needed for construction, you may stay on the property and rent from the State.

If construction must begin before the trial, the State will seek a court order for possession.

The court will determine the proper amount of money which the State will be required to deposit with the State Treasurer as security for the purchase price of your property.

The court may then grant to the State an order for possession allowing the State to use the property for construction of the project.

The State will serve all persons having the property interest in your property with the order for possession.



Generally, the law requires the owner be given 90 days notice of the State's intention to take possession before the State may occupy your property.

Subject to the rights of any other persons having a property interest, you may withdraw all or part of the security deposit. If you do not make a withdrawal, the State will pay interest on the eventual court award of compensation from the time it occupied your property until the date of final payment to you. The current legal rate of interest will be paid at the time of final settlement.

The Department's representative assigned to purchase your property will assist you in the transaction and will be happy to answer any additional questions you may have.

## **DEFINITIONS**

The language used in relation to eminent domain proceedings may be new to you. These are some terms you may hear and their general meaning.

### **Acquire**

To purchase.

### **Answer**

The property owner's written reply, in appropriate legal form, filed with the court in response to the complaint and as requested by the summons.

### **Compensation**

The amount of money to which a property owner is entitled under the law for the purchase or damage to the property.

### **Complaint**

The document filed with the court by the State which initiates an eminent domain proceeding.

### **Condemnation**

The legal process by which a proceeding in eminent domain is accomplished.

### **Counsel**

An attorney or attorneys.

### **Eminent Domain**

The right of government to purchase private property for public use.

### **Final order of condemnation**

The instrument which, when recorded, transfers title to public ownership.

### **Judgment**

The court's formal decision based on applicable law and the verdict.

**Loss of goodwill**

A loss in the value of a business caused by the State's acquisition of property that cannot be reasonably prevented by relocation of the business or the owner adopting prudent or reasonable steps that preserve the value of the business goodwill.

**Market value**

The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.

**Parcel**

Usually means the property that is being acquired.

**Plaintiff**

The public agency that desires to purchase the property.

**Possession**

Legal control; to have the right to use.

**Property**

The right or interest which an individual has in land, including the rights to use or possess. Property is ownership; the exclusive right to use, possess or dispose of a thing.

**Right of entry**

An agreement between an owner and the State which allows the State to utilize the property while continuing to negotiate the terms of settlement. Interest, calculated at the current legal rate, is included in the settlement upon conclusion of the transaction.

**State**

The State of California acting through the Department of Transportation.

**Summons**

Notification of filing of a lawsuit in eminent domain and of the necessity to file an answer or other responsive pleading.

**Title**

Legal ownership.

**Trial**

The hearing of the facts from plaintiff and defendant in court, either with or without a jury.

**Verdict**

The amount of compensation to be paid for the property.

**STATE OF CALIFORNIA  
BUSINESS, TRANSPORTATION AND HOUSING AGENCY  
DEPARTMENT OF TRANSPORTATION  
DIVISION OF RIGHT OF WAY**

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**AUGUST 1998**

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**This is an informational pamphlet only. It is not intended to give a complete statement of all state or federal laws and regulations pertaining to the purchase of your property for a public use, the relocation assistance program, technical legal definitions, or any form of legal advice.**

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