



THE CITY OF SAN DIEGO
REPORT TO THE CITY COUNCIL

DATE ISSUED: June 28, 2010

REPORT NO: 10-098

ATTENTION: Land Use and Housing Committee Chairman and Committee Members
Agenda of July 14, 2010

SUBJECT: Carroll Canyon Road Extension – Eminent Domain

REQUESTED ACTION:

1. Authorizing a Resolution of Necessity pursuant to Code of Civil Procedure §1245.230 for the acquisition of two road easements over portions of Assessor Parcels (APN) 341-321-37 & 343-010-19 for the construction of the Carroll Canyon Road Extension Project (“Project”);
2. Authorizing the City Attorney’s Office to institute an eminent domain proceeding pursuant to Code of Civil Procedure §1250.110 to acquire the property rights necessary for the Project and to request an Order for Pre-Condemnation possession of the property rights.

STAFF RECOMMENDATION:

Authorize the requested actions.

BACKGROUND:

The City and Caltrans have entered into a Cooperative agreement with Caltrans for the Carroll Canyon Road Project. This project connects Carroll Canyon Road under Route 805 to Sorrento Valley Road.

Council has reviewed this project several times previously:

- R-304866, adopted May 14, 2009, accepting a delegation of Powers and Jurisdiction from the State of California for acquisition of real property pertaining to the Carroll Canyon Road Project.

- R- 304921, adopted May 28, 2009, authorizing a Cooperative agreement with Caltrans for the Carroll Canyon Road Project. By and through the Cooperative Agreement, the City agreed to acquire all property within the City's jurisdiction found necessary for the Project.
- R-305039, Resolution of Necessity for Eminent Domain, adopted July 8, 2009, to acquire property required for the Carroll Canyon Road Project. The City Attorney was authorized to commence proceedings in Eminent Domain to acquire the Property Rights.

Caltrans has now determined two Additional Easements on APN 341-321-37 & 343-010-19 are required to complete the extension of Carroll Canyon Road from Scranton Road west under Route 805 to Sorrento Valley Road.

The current requested action is to obtain the authority to undertake further eminent domain proceedings to acquire additional easements in advance of an award of the construction contract for the project.

FISCAL CONSIDERATIONS:

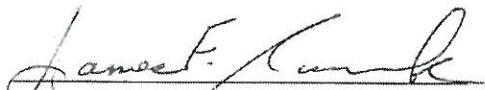
All funding necessary for the acquisition of the Additional Easements will be paid by Caltrans as per the Cooperative Agreement.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Both the Torrey Pines Community Planning Board [2/10/2005] and the Mira Mesa Planning Group [8/15/2007] voted to approve the Project.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Traffic congestion will be greatly relieved by both the business and community elements, with greater connectivity to the Interstate 805 system.



James F. Barwick, Director
Real Estate Assets Department



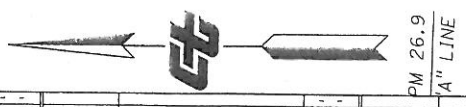
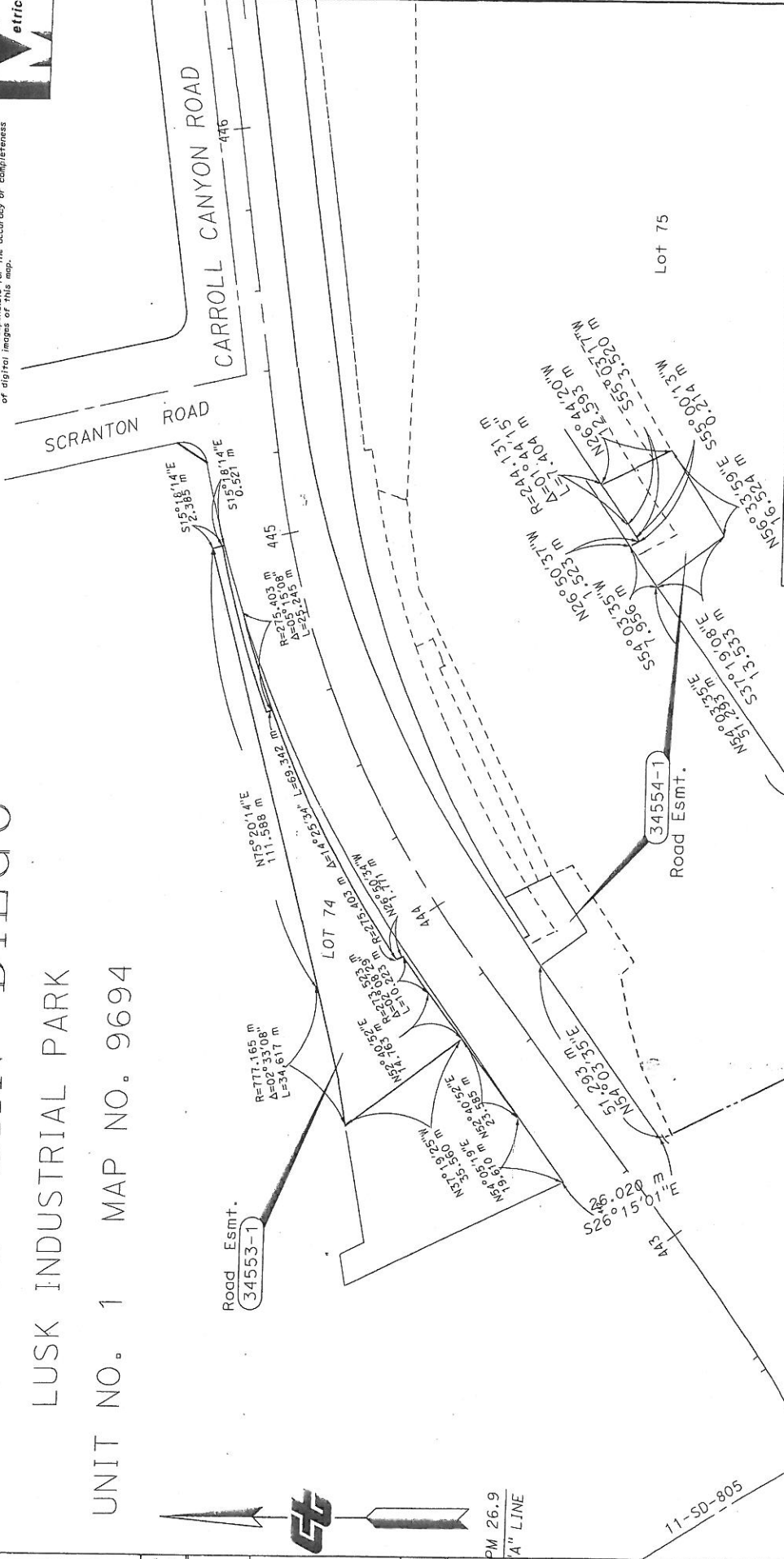
David Jarrell
Deputy Chief, Public Works

CITY OF SAN DIEGO

LUSK INDUSTRIAL PARK

UNIT NO. 1 MAP NO. 9694

NOTES: The State of California, its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



PARCEL#	TITLE	GRANTOR	AREAS (square meters or as noted)	REMARKS
34553-1	CARSON PROPERTIES LLC	CARSON PROPERTIES LLC	TOTAL 3724.0 REQUIRED 1914.0 EXCESS 1810.0	ROAD EASEMENT
34554-1	CARSON PROPERTIES LLC	CARSON PROPERTIES LLC	TOTAL 3420.0 REQUIRED 747.5 EXCESS 2672.5	ROAD EASEMENT

GRANTOR NOTES	NOTES
(1) This map includes underlying information from previous surveys, including all easements, rights of way, and other interests. All distances are in meters unless otherwise noted. To convert meters to U.S. survey feet, multiply by 3.28084. To convert U.S. survey feet to meters, divide by 3.28084.	Coordinates and bearings are on CCS datum. Distances are in meters unless otherwise noted. To obtain distances in feet, multiply by 3.28084. To convert meters to U.S. survey feet, multiply by 3.28084. To convert U.S. survey feet to meters, divide by 3.28084.

LEGEND
Access Prohibited Easement Access Opening (Partial) Access Opening (Full) Indicated Found Boundary No notes including point (bars not in)

TO DESIGN	SCALE	DATE	TOTAL SHEETS
11	50	805	43.3/26.9