

**STATE ROUTE 4
BYPASS AUTHORITY**

SB

TO: Board of Directors
FROM: Dale Dennis, Program Manager

DATE: October 12, 2006

SUBJECT: State Route 4 Bypass Project, Segment 3. Brentwood Area.
Project No.: 4660-6X4493 ACCT: 3540 TASK: ACQ

Recommendation:

A. **APPROVE** the Right of Way Contracts and **ACCEPT** the Grant Deeds and Grant of Easements listed below:

<u>Grantors</u>	<u>Document</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>
Alice J. Bunn	59658 & 59659	9/14/06	Placer Title Company Escrow #615-8014 & 8015 1981 N. Broadway #100 Walnut Creek, CA 94596	\$42,400.00
Francis Mello Debbie Mello	59661	9/19/06	Placer Title Company Escrow #615-7879 1981 N. Broadway #100 Walnut Creek, CA 94596	\$37,000.00
Susan L. Pacini	59666	9/22/06	Placer Title Company Escrow #615-7876 1981 N. Broadway #100 Walnut Creek, CA 94596	\$19,600.00
Leonard P. Mello Virginia Mello Olive Borba Aguiar	59662	9/7/06	Placer Title Company Escrow #615-7880 1981 N. Broadway #100 Walnut Creek, CA 94596	\$20,800.00

ACTION OF BOARD ON _____

APPROVED AS RECOMMENDED ___ **OTHER** ___

VOTE OF DIRECTORS
 _____ UNANIMOUS (ABSENT _____)
 AYES: _____ NOES: _____
 ABSENT: _____ ABSTAIN: _____

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

ATTESTED: _____
Secretary to the Authority

CSP:ld
 G:\RealProp\SR4Bypass\2006sr4\Board Action Items 06\StaffReport-RP-October 12-06.doc
 cc: Carmen Piña-Sandoval, Real Property
 David Kramer, Real Property
 PW Accounting

A.	<u>Grantors</u>	<u>Document</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>
	Anthony L. Silva	59660	9/19/06	Placer Title Company	\$2,600.00
	Carmen A. Silva		9/25/06	Escrow #615-7878	
	George F. Silva			1981 N. Broadway #100	
	Bertha A. Silva			Walnut Creek, CA 94596	
	Olive Borba Silva				
	Leonard P. Mello				
	Virginia M. Mello				
	Francis C. Mello				
	Debbie A. Mello				
	Galen R. Young				
	Mary M. Young				
	Gary Daniel Souza				
	Suzanne M. S. Shishnia				

- B. **AUTHORIZE** the Secretary or Designee to execute said Right of Way Contracts on behalf of the State Route 4 Bypass Authority (Authority).
- C. **APPROVE** payments as listed above for said property rights and **AUTHORIZE** the Auditor-Controller to issue checks in said amounts payable to listed payees, to be forwarded to the Real Property Division for delivery.
- D. **DIRECT** the Real Property Division of Contra Costa County to the above referenced Grant Deeds and Grant of Easements delivered to Placer Title Company for recording in the office of the Contra Costa County Recorder.

Discussion:

These property rights are required for the State Route 4 Bypass –Segment 3 project in accordance with approved plans and specifications. Payment totaling \$119,800.00 for the purchase of these property rights comes from State Route 4 Bypass funds.

If the Authority were not to acquire these property rights, the project will not have sufficient land rights to allow construction in accordance with the approved plans and specifications.

Recording Requested By:
State Route 4 Bypass Authority

COPY

When Recorded Return to:

Contra Costa County
Public Works Department
255 Glacier Dr.
Martinez, CA 94553
Attn: Carmen Piña-Sandoval

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Portions of APN 011-100-013 and 017
Title Company Order No. 615-8014 & 8015

District	County	Route	Parcel No.	Project No.
4	CC	SR4 Bypass	59658 and 59659	4660-6X4493

GRANT DEED

For Value Received, Alice June Bunn, Trustee of the Alice June Bunn Family Trust, Under Trust dated July 28, 1994,

GRANT to STATE ROUTE 4 BYPASS AUTHORITY, a joint powers agency, the following described real property in the City of Byron, unincorporated area of the County of Contra Costa, State of California.

FOR DESCRIPTION SEE EXHIBITS "A" ATTACHED HERETO AND MADE A PART HEREOF.

The grantor further understands that the present intention of the grantee is to construct and maintain a public highway on the lands hereby conveyed in fee and the grantor, for himself, his successors and assigns, hereby waives any claims for any and all damages to grantor's remaining property contiguous to the property hereby conveyed by reason of the location, construction, landscaping or maintenance of said highway.

Dated this 14th day of September, 2006.

By Alice June Bunn, Trustee
Alice June Bunn, Trustee

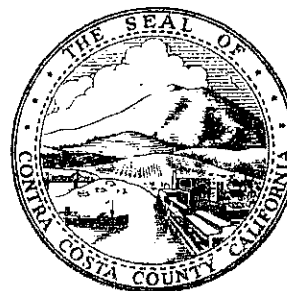
STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA)

On September 14, 2006, before me, Carmen Piña-Sandoval, Deputy Clerk of the Board of Supervisors, Contra Costa County, personally appeared Alice June Bunn, who is personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity(ies), and that by her signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted executed the instrument.

In witness whereof, I have hereunto set my hand the day and year first above written.

Signature *Carmen Piña-Sandoval* (Seal)
Deputy Clerk

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9/15/06





State Route 4 Bypass Segment 3
Bunn
Portion of APN 011-100-013
Parcel Number 59658
Drawing No. RW 8943-2004

EXHIBIT "A"

Real property in an unincorporated area of the County of Contra Costa, State of California, being a portion of the NE 1/4 of Section 33, Township 1 North, Range 3 East, Mount Diablo Meridian, also being a portion of the property described in the deed to Alice June Bunn, Trustee recorded August 19, 1994 in Series Number 94-209964, Contra Costa County records, described as follows:

Parcel 1 (59658-1) – Fee Title

Commencing at the southeast corner of said Bunn property (94-209964), also being the centerline of Byron Highway (State Route 4); thence along the south line of said Bunn property, south 89°19'49" east, 9.144 meters (the bearing of south 89°19'49" east being taken for the purpose of this description) to the westerly right of way line of said Byron Highway, and the Point of Beginning; thence from said Point of Beginning, and along said westerly line, north 1°08'57" east, 78.331 meters, to the northerly line of said Bunn property (94-209964), also being the southerly line of Parcel "A" as shown on Subdivision MS 126-79, filed May 13, 1981 in Book 94 of Parcel Maps at page 43, Contra Costa County records; thence along said northerly line, north 89°19'49" west, 10.059 meters; thence south 1°08'57" west, 78.331 meters to a point on the southerly line of said Bunn property (94-209964); thence along said line south 89°19'49" east, 10.059 meters to the Point of Beginning.

Containing an area of 788 square meters of land, more or less.

Excepting Therefrom:

An undivided 1/2 interest in all oil, gas, casinghead gasoline, and other hydrocarbon and mineral substances below a point 500 feet below the surface of said land, together with the right to take, remove, mine, pass through and dispose of all said oil, gas, casinghead gasoline and other hydrocarbon and mineral substances, but without any right whatsoever to enter upon the surface of said land or upon any part of said land, as reserved in the deed executed by