

## **Revised Back-Up Material Agenda Item No. 27**

### **Board of Directors Meeting**

**October 3, 2012**

**10:30 am**

Location:

San Bernardino Associated Government  
*Santa Fe Depot – SANBAG Lobby 1<sup>st</sup> Floor*  
1170 W. 3<sup>rd</sup> Street  
San Bernardino, CA

### **DISCUSSION CALENDAR**

#### **Project Delivery**

#### **27. Acting as the San Bernardino County Transportation Commission:**

1. Conduct public hearings to consider condemnation of real property required for the Laurel Street Grade Separation project (Project) in the City Colton, and
2. By at least a two-thirds majority, adopt Resolutions of Necessity Nos. 13-029, 13-030, 13-031, and 13-034 and authorize and direct general counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring necessary right-of-way and real property interests from the following property owners: Colton Industrial Park, LP (Assessor's Parcel Number (APN) 0160-241-11); R.J. & R. property (APNs 0160-241-56 and 0160-241-59); Thomas Hayward (APNs 0160-241-57 and 0160-241-58); and Ernesto & Ivelisse Alcala (APN 0161-081-10).

*The Drainage Easement Attachment to Legal Description of Resolution No. 13-029, is being updated to include additional information on the purpose of the drainage easement that is needed for the project. The Revised Backup Material replaces page 427, of the SANBAG Board of Directors Meeting Agenda.*

**DRAINAGE EASEMENT  
ATTACHMENT TO LEGAL DESCRIPTION  
APN: 0160-241-11**

This permanent nonexclusive surface and subsurface drainage easement allows the San Bernardino County Transportation Commission, and its employees, agents, representatives and contractors the right to use the property in the attached legal description and map for the purpose of constructing, maintaining, repairing, relocating and adjusting, as applicable, surface and subsurface drainage facilities to convey storm water flows from the property and adjacent properties.

There shall not be constructed any improvements within the easement area that would impede the rights as defined herein. The affected portion of the easement area will be backfilled to grade with dirt or with pavement material. Once the utilities are in place, the surface of the easement area may be used for access or automobile parking purposes.

Reasonable pedestrian and vehicular access to the remainder property will be maintained during construction.

The San Bernardino County Transportation Commission is expressly granted the right to convey, transfer or assign the easement rights described above.