

# Memorandum

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: May 18-19, 2016

Reference No.: 2.4a.(3)  
Action Item

From: NORMA ORTEGA  
Chief Financial Officer

Prepared by: Jennifer S. Lowden, Chief  
Division of Right of Way  
and Land Surveys

Subject: **RESOLUTION OF NECESSITY - APPEARANCE**

## **RECOMMENDATION:**

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolution of Necessity (Resolution) C-21452 summarized on the following page. This Resolution is for a transportation project on Highway 76 in District 11 in San Diego County.

## **ISSUE:**

Prior to initiating Eminent Domain proceedings to acquire needed right of way for a programmed project, the Commission must first adopt a resolution, stipulating specific findings identified under Section 1245.230 of the Code of Civil Procedure, which are:

1. The public interest and necessity require the project.
2. The project is planned and located in a manner that will be most compatible with the greatest public good with the least private injury.
3. This property is necessary for the proposed project.
4. An offer to acquire the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

In this case, the property owner submitted a Request to Appear Letter to the Commission dated December 16, 2015. The property owner then indicated that she did not plan on attending the May 18-19, 2016 Commission Meeting in person and sent a March 1, 2016 e-mail to the Department confirming this point. As such, this Appearance Package was prepared assuming all objections raised by the property owner would be conveyed to the Commission as a "written appearance" in lieu of a "personal appearance". Based on the above circumstances, a Department Response Letter (included herein as Attachment B) was prepared and transmitted to the owner on April 12, 2016, with the intent that this correspondence would be included as part of the written record of proceedings at the May 18-19 Commission Meeting.

After receipt of the April 12, 2016 Department Response Letter, the property owner changed her mind and sent a second letter to the Commission dated April 21, 2016 indicating that she would in fact personally attend the May Commission Meeting in order to convey her objections about the project directly to the Commissioners in attendance. The property owner's planned attendance at the May 18-19 Commission Meeting was confirmed via phone conversation on April 29, 2016.

**BACKGROUND:**

Discussions have taken place with the owner, who has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolution will not interrupt the Department's efforts to secure an equitable settlement. In accordance with statutory requirements, the owner has been advised that the Department is requesting the Resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-21452 – Lynne V. Villalobos, a married woman

11-SD-76-PM 32.6 - Parcel 35396-1 - EA 405709.

Right of Way Certification Date: 05/19/16; Ready to List Date: 05/20/16. Conventional highway-construct roundabout and realign curve. Authorizes condemnation of land in fee and underlying fee for a State highway. Located in the unincorporated area of San Diego County at State Route 76 near Valley Center Road. APN 133-050-23-00.

Attachments:

Attachment A - Owner's Correspondence dated December 16, 2015, March 1, 2016,  
& April 21, 2016

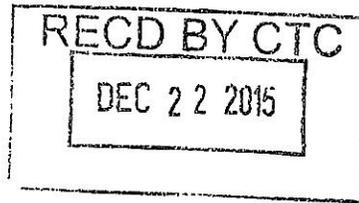
Attachment B - Department Response Letter dated April 12, 2016

Attachment C - Project Information

Exhibits C1 & C2 - Maps

Attachment D - Resolution of Necessity and Legal Description

# **ATTACHMENT A**



Dec. 16, 2015

Notice of Intent to Adopt Resolution of Necessity to Acquire  
Certain Real Property or interest in Real Property by Eminent  
Domain

Lynne V. Villalobos  
P. O. Box 333  
Valley Center, CA 92082  
760-855-5294 (cell)

California Transportation Commission  
4050 Taylor St.  
San Diego, CA 92110-2737  
619-688-2570

Dear Commission:

The Dept. of Transportation has informed me that they wish to "buy" my retirement property. Because I am opposed to what they are doing, and I feel you also will feel this way, I am requesting that I be heard on Jan. 20/21, 2016 at your convenience.

As a well-informed voter, I feel that this entire project has been blown way out of proportion. There is no need to disrupt all the people who live and work in the area to provide a very dangerous and useless round-about. What is needed is a good light. That is all.

DOTS is planning on building a \$2 million project. As a taxpayer, this project is not a good choice. It is on a major arterial highway, with a speed limit of 55. And the road to be intersected, Highway 6 or Valley Center Rd., has a speed limit of 50. DOTS claims it will lower the limit. No one out here will pay attention. For 50 years, Highway 76 has been a major highway, and it is stupid to suppose that the residents who have lived here all that time are going to suddenly reduce their speed to 35, or less. This road provides transportation from Oceanside to Lake Henshaw. It is used to get to major malls, work, hospitals, etc. for the locals.

The flavor of the month at DOTS is the roundabout. They say it is much safer. Perhaps it would be in a neighborhood, or a hospital area, but here it is just ridiculous. The large water trucks that come down 40 or 50 times daily from Mt. Palomar need better accommodation. Yes, there is a problem here. I have seen almost every major fatality on this road. But a roundabout for the big trucks that use this road is not it.

The project includes sidewalks, curbs, and much else useless to the locals. We spend most days walking around our 20 acre lands; we don't need sidewalks, etc. Yuima Water District is 97% agriculture.

DOTS told me that a light would cost about \$1 million. Normally they cost about \$400,000. So why so much? They want to realign the road to the tune of about \$600,000. That, to me, is a lot of money for very little benefit to the taxpayer.

What the valley would like is a nice light, with a little readjustment of the project if necessary. We don't need to spend \$2 million of the taxpayers' money. And they certainly don't need my piece of property. They could move the whole property a little to the west if they wish, and then they do practically no harm to anyone. Our citizens came to a "meeting" where DOTS used the divide and conquer technique. They didn't allow us to talk to anyone. Just to them. All the objections were hushed up. I suppose they think we are stupid. But every one (but one person who has only lived in the Valley for a short periods of time) thought the idea was awful. But because we were not allowed to hear others' objections,

12/22/15  
Forwarded to:  
Right of Way  
Copied to:  
Stephen Mallet

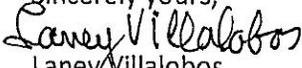
nothing came of the "meeting". All the objections were very cogent. But DOTS was not listening. They still aren't.

My piece of property is horrid. You would think I would be glad to get rid of it. But all the plans I have had for it have been squashed by the DOTS plan. They want to pay me about \$5,000/year for the last 3 years I have owned it. (I pay that in taxes.) I used my IRA to buy this land; every cent I have earned for the past 30 years is in that property. It is the perfect spot in Pauma Valley to place a nice store. But if you take it now, without any of the improvements I might have made, you get it at rock bottom. I stopped the development when I heard you were going to "improve" it. I did not want to stick the taxpayer. But the price they have offered me is an insult.

I understand that you don't discuss these prices. So I will stick to the point.

- (A) The public interest and necessity don't require this project. DOTS does. For the 36 years I have lived here, no one seemed the least bit interested in all the fatalities.
- (B) The plan is not planned or located in the manner that will be the most compatible with the greatest good and the least private injury. I think that it is suicidal for those coming down the Grade. DOTS claims the island they will build will prevent further injury. I think the first truck down will go right through the island. And the cost is negligible, said DOTS. After all, what's a million or two?
- (C) The property sought to be acquired is NOT NECESSARY for the project UNLESS you agree with all of DOTS assumptions. Which no one in Pauma does. The Tribes oppose it, the water district opposes it, the people who live there oppose it.

Please don't affirm this project as it is. A simple light (\$400,000) would do just fine.

Sincerely yours,  
  
Laney Villalobos

P.S. This would save the taxpayers about \$1,600,000.

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From: Lynne Villalobos [laney3727@gmail.com]  
Sent: Tuesday, March 01, 2016 1:40 PM  
To: Aragon, Steve M@DOT  
Subject: Re: Today's 2nd Level Review Meeting

Dear Mr. Aragon, I will NOT be appearing at your mtg in Stockton. Thank you. Laney Villalobos

On Mon, Feb 29, 2016 at 4:32 PM, Aragon, Steve M@DOT  
<steve.aragon@dot.ca.gov<mailto:steve.aragon@dot.ca.gov>> wrote:  
Hello Mrs. Villalobos,

Thanks to you and your sons for appearing and sharing your thoughts at today's second level review hearing. At the conclusion of the meeting you indicated that while you were not happy with the State's acquisition, you were willing to waive your request to appear at the California Transportation Commission (CTC) hearing in Stockton. Please confirm to me and/or Alma before the end of this week that you do not wish to appear at the CTC hearing. Please understand that regardless of whether you choose to appear at the CTC hearing, the State will continue to consider your thoughts and suggestions, relating to signs, etc., in making its project one that is safer for the travelling public.

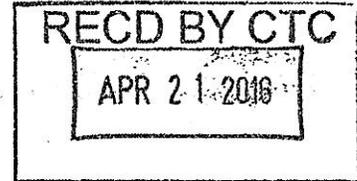
Thank you and please let me know if you have any questions or concerns as it relates to the ongoing process and next steps.

Best regards,

Steve Aragon, Chief  
Acquisition Branch/Condemnation  
Right of Way Division  
District 11 - San Diego  
619.688.6971<tel:619.688.6971>

April 14, 2016

Executive Director  
California Transportation Commission  
P. O. Box 942873, Mail Station 52  
Sacramento, CA 94273-0001



*J. Villalobos*  
P.O. Box 333  
Valley Center, CA 92082

Dear Sir:

Recently I became aware of your intent to condemn my property to place a roundabout on it. I live in Pauma Valley, San Diego, CA. I had decided not to contact you until I discovered that the local DOTS (#11) was planning to charge \$8.2 MILLION dollars to construct that roundabout. I was so incensed that the government would play so loosely with the taxpayers' money that I decided to request permission to speak to you today.

I never was contacted by you back in January when this was supposed to happen. At that time, I felt that there was no way to get DOTS Section 11 of San Diego County to listen to anything I said. They always have a "good" reason" why I should not protest this roundabout proposal. Mainly, eminent domain!

But from a monetary viewpoint, this project is outrageous. Therefore I am requesting to speak to you today on behalf of all the San Diego taxpayers that will be forced to accommodate this ridiculous project. I thank you for the privilege in advance. Please also read the enclosed letter.

Sincerely yours,

*Laney Villalobos*  
Laney Villalobos  
Taxpayer, 48 years

760-742-1471

To DOTS REGIONAL MEETING

May 18-19-20, 2016

Dear Sir:

I originally decided to simply let your local DOTS "WIN". But I can't swallow your decision. I have read the adulterated letter sent in my name to your committee. There is one HUGE correction to my complaints. This intersection modification is now going to cost the taxpayers of California some 8.2 MILLION dollars (according to your own engineers)! The people of Pauma Valley think you are being sold a bill of goods. All we really need here is a simple stoplight. According to them, that is about \$600,000-800,000. Why would Californians be interested in this "flavor of the month" (a roundabout) solution? Maybe DOTS wants more WORK.

We don't want this project. We tried to tell you this at the "meeting" you held, but you did not want to listen. If San Diego DOTS has an answer to all of our questions, why did they not present them at our "meeting" in Pauma Valley? It was not a meeting; it was a chance for us to talk AT the people who are playing god with our district. But the gods were not listening.

If you reduced the speed limit on this road to 35 mph as you are proposing for the roundabout, STRAIGHTEN up S-6 (Valley Center Road) a bit so that the t-boning of this road is more visible, put in a warning light, your own stats show you that you would improve the safety on this road. Furthermore, I work with handicap children because my grandson is so afflicted. He does not require curbs, sidewalks, etc. This is another inflationary addition by DOTS because I see that the handicapped are routinely denied all kinds of things they actually need, but NOONE likes to oppose them out loud. Also if you did not have to buy out all the property owners whose property you are going to seize by eminent domain, you would save some million dollars more. DOTS is proposing a total regrade of this intersection. Why? I think it would make the intersection MORE dangerous. Less for people to slow down for. Also, another million dollar saving.

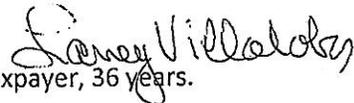
Perhaps because you deal with huge amounts of money on every project, you have forgotten HOW MUCH money this is. This whole project has been blown into a gigantic gobble for DOTS. I resent it. They are going to take my life earnings, my future retirement, and so much more. The government (ie., YOU) are acting as if we have unlimited funds to do this. The reason that the States' roads are in such bad shape is that we keep spending enormous amounts of money to fix a simple problem.

PAUMA Valley is a totally rural setting; this is a v~~er~~y small intersection. I don't think my solution will be any less safe. The problem in Pauma is not just THIS corner. There are 20 more problem curves right up the hill that are equally as bad, as someone pointed out to you at the meeting. During the 36 years I have lived here, no one seems too interested in fixing any of them. This problem is ongoing.

PUT IN A STOPLIGHT. If in ten years it hasn't worked, you can always come back to your "SOLUTION". And think of the money you will save on this relatively small project, and the common sense you would bring back to DOTS, if you just put in a stoplight.

Laney Villalobos

Pauma Valley Taxpayer, 36 years.



# **ATTACHMENT B**

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 11  
4050 TAYLOR STREET, M.S. 310  
SAN DIEGO, CA 92110  
PHONE (619) 688-6915  
FAX (619) 688-2570  
TTY – 711  
www.dot.ca.gov



*Serious Drought!  
Help save water!*

**CERTIFIED MAIL AND FIRST CLASS MAIL**

April 12, 2016

Lynne V. Villalobos  
P.O. Box 333  
Valley Center, CA 92082

Dear Lynne V. Villalobos:

This letter is in response to your letter dated December 16, 2015, addressed to the California Transportation Commission (the Commission) for property located at 34955 Valley Center Road, in Pauma Valley, CA.

Your letter addressed specific concerns and objections to the Commission's proposed action on several grounds regarding the above referenced parcel. As a result of your decision to not make a personal appearance at the upcoming CTC meeting, your letter will be submitted to the Commission in lieu of a personal appearance and will be part of the official record presented to the Commission at its May 18-19, 2016 meeting to be held in Stockton, California.

The following are the Department's responses to the concerns and objections set forth in your letter to the Commission:

**1. A roundabout is dangerous, useless, and wastes taxpayer money.**

A safety project was initiated for this intersection to reduce the frequency and severity of accidents occurring at this location. During the project programming phase, both a signal and a roundabout alternative were evaluated. The District staff determined that constructing a roundabout at this location would better meet the purpose and need of this project. Roundabouts reduce the frequency and severity of collisions, especially when compared to the performance of signalized intersections in high speed environments

**2. A signalized intersection is better than the roundabout as it would save taxpayers \$1,600,000.00 since a light only costs \$400,000 to build.**

The District staff studied the possibility of installing a signal at the intersection during the Planning and Project Report phases of this project. The Signal alternative also required a full acquisition of the subject property. The estimated cost for a signal at the time of the Project Report was \$6,883,300 and the estimated cost for the Roundabout was \$8,278,200.

**3. No one driving this highway will suddenly reduce their speed of 55mph to 35mph or less.**

Roundabout geometry forces vehicle slowing by requiring the navigation of curves to approach and enter the roundabout. Additionally the elimination of the shoulder and the introduction of curbs within the roundabout approach provides a funneling affect that encourages vehicle slowing. Further, the realignment of the curve to the east and relocation of the intersection provide greater sight distance to the intersection for vehicles approaching from the east, alerting drivers to the need for a reduction in speed. A signal installed at the existing intersection would require that vehicles not only slow, but come to a complete stop at a red light, but would provide fewer visual cues to alert the driver to the new intersection control.

**4. The large water trucks that use the road 40-50 times daily need better accommodation.**

The roundabout has been designed to accommodate a California Legal Load with a King-pin-to-rear-axel length of 38 feet. Roundabouts accommodate large trucks by providing a raised truck apron around the central island that can be used by the trailer of the truck for over-tracking.

**5. The sidewalks are not necessary.**

Sidewalks are required at this intersection to accommodate the North County Transit District and Valley Center-Pauma Unified School District bus stops and to meet American Disabilities Act (ADA) requirements.

**6. Realigning the road increases the project cost by \$600,000 and adds very little benefit to the taxpayer.**

Realigning the roadway is essential to reducing the frequency and severity of accidents at this intersection. The sight distance at the intersection to and from the east is approximately 400 feet, which does not meet the current design standards. Valley Center Road currently intersects SR-76 at a non-standard angle of 68 degrees. By realigning Valley Center Road, an angle of intersection greater than 75 degrees can be provided to increase sight distance from the intersection. Eliminating and increasing the non-standard curves on SR-76 to the east of the intersection provides both a more navigable roadway approach to the intersection and increases the non-standard sight distance to and from the intersection. The increase to over 800 feet of sight distance achieved by these realignments exceeds the minimum standard.

**7. Subject property is not necessary for this project. The District can move the project to the west with practically no harm to anyone.**

It remains the Department's responsibility to plan and locate our project in a manner that will be most compatible with the greatest public good and the least private injury while adhering to regulatory guidelines and restrictions. The Department cannot move the project any further west due to Yuima Creek, the Yuima Creek Bridge, and the Environmentally Sensitive Area just to the west of the intersection.

Mrs. Lynne V. Villalobos  
April 12, 2016  
Page 3

8. **During a public meeting the District used the “divide and conquer” technique where all objections were hushed up. The State did not allow anyone to talk to one another or hear each other’s objections at the meeting.**

The public meeting held on June 26, 2014 followed the standard Caltrans format for public meetings. Exhibits giving an overview of the project and highlighting key features were displayed and Caltrans staff involved with the project were available to discuss (individually or in groups), the public’s questions and concerns about the project. A formal presentation, and a formal question and answer period, are not part of this public meeting format.

9. **An IRA and every cent earned for the past 30 years was used to purchase the subject property. Plans for the property have been squashed by the District, and the amount of compensation offered is an insult.**

An offer for a full-acquisition of the subject property has been made to the owner of record in compliance with Government Code Section 7267.2. A copy of the Department’s approved appraisal has been provided to you. Issues as to the amount of compensation will not be considered by the Commission in the process of adopting a Resolution of Necessity. Once, and if, the Commission has decided that project requirements on the subject property are necessary, issues of compensation will be handled either through continuing negotiations or in the courts. We will continue to make every effort to reach an amicable, negotiated settlement with you.

**Subsequent to your December 16, 2015 Written Objection Letter sent to the Commission, you raised several other concerns. The following is a list of those concerns with the Department’s respective responses:**

**A request for Environmental documentation as it relates to environmental constraints of the project in the manner proposed.**

On February 25, 2016 you were e-mailed Pages 60-62 of the Final International Safety Equipment Association for this project. You were also sent links, as identified below, to the Standard Environmental Reference (SER) and the Final Environmental Document (FED) for the SR-76 Intersection Improvement and Curve Realignment Project, as requested.

<http://www.dot.ca.gov/ser/>

[http://www.dot.ca.gov/dist11/Env\\_docs/SR76VCRFinal\\_ISEA.pdf](http://www.dot.ca.gov/dist11/Env_docs/SR76VCRFinal_ISEA.pdf)

<http://www.dot.ca.gov/dist11/envir.htm>

Mrs. Lynne V. Villalobos  
April 12, 2016  
Page 4

**The roundabout symbol on the advanced warning signs is not familiar to most people.**

An optional sign W16-17p was provided to you from the California MUTCD 2014 Edition. It will be installed on the first roundabout advanced warning sign which includes flashing beacons on both the east leg and west leg approaches.

**Signing directing traffic to the casinos in the area should be included in the roundabout signing to eliminate confusion and keep traffic moving.**

Signing to casinos or tribal businesses is prohibited by the Comprehensive Highway Signing Plan developed by the Reservation Transportation Authority and Caltrans in 2003. However, signing to reservations is permitted. Currently there are signs located on both eastbound and westbound SR-76 directing traffic to Rincon and San Pasqual Indian Reservations and on northbound Valley Center Road directing traffic toward Pauma, Pala, and La Jolla Indian Reservations. These sign panels will be upgraded for enhanced visibility to help with the traffic flow of vehicles wishing to make the corresponding casinos their destination.

**Signing should be placed at I-15 and SR-76 as well as SR-78 and SR-79 to warn traffic of the construction/closures at SR-76 and Valley Center Road.**

A Traffic Handling Plan was provided to you which shows the proposed signing during construction closures for the project. Signing is included at all connecting junctions of I-15, SR-78, SR-76, and SR-79.

**The roundabout could be relocated to a location on Valley Center Road directly in front of Yuima Municipal Water District to avoid the subject parcel.**

Constructing the roundabout in this location would still require a partial-acquisition of approximately 65% of the subject parcel to provide appropriate approach angles needed to maintain access to the Yuima Municipal Water District site. Additionally, this alternative impacts one additional parcel to the south, and substantially increases right of way impacts on two other nearby parcels, resulting in a net increase to project right of way requirements of approximately 3 acres.

As stated previously, your written response objecting to the Resolution of Necessity will be submitted to the Commission at its May 18-19, 2016 meeting to be held in Stockton, California.

Sincerely,



*for* AMY LAMOTT VARGAS  
Deputy District Director  
Right of Way Division

# **ATTACHMENT C**

## PROJECT INFORMATION

**PROJECT DATA** 11-SD-76 PM 32.6/33.2  
Expenditure Authorization: 405709

Location: State Route 76 (SR-76) in Pauma Valley of San Diego County

Limits: In San Diego County from Rincon Springs Road to 0.3 mile east of Valley Center Road

Cost: Programmed construction cost: \$8,848,000  
Current right of way cost estimate: \$3,562,200

Funding Source: 2014 State Highway Operations Protection Program

Number of Lanes: Existing: Two  
Proposed: Two

Proposed Major Features: Construct roundabout and realign curve

Traffic: Existing SR-76 (West of Valley Center Road): 7,858 Annual Daily Traffic (ADT)  
Existing SR-76 (East of Valley Center Road): 5,635 ADT  
  
Proposed SR-76 (West of Valley Center Road): 13,207 ADT (year 2040)  
Proposed SR-76 (East of Valley Center Road): 12,896 ADT (year 2040)

## PARCEL DATA

Property Owner: Lynne V. Villalobos, a married woman

Parcel Location: 34955 Valley Center Road, Pauma Valley  
Assessor Parcel Number 133-050-23-00

Present Use: Commercial—Fruit Stand & Curio Shop

Area of Property: 31,977 Square Feet (SF)

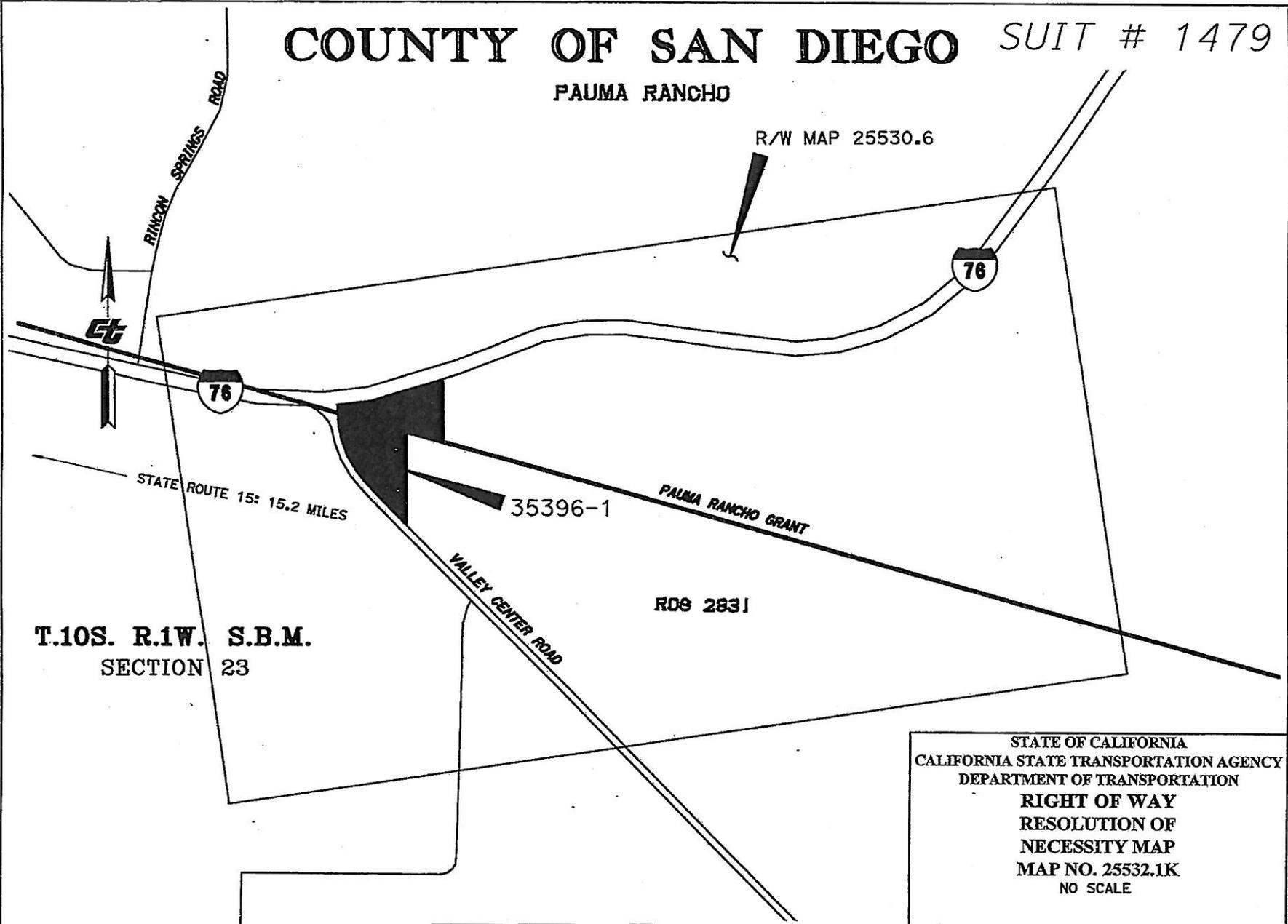
Area Required: Parcel 35396-1; 31,977 SF (Full-Acquisition)

# **EXHIBIT C1, C2 and C3**

# COUNTY OF SAN DIEGO

SUIT # 1479

PAUMA RANCHO



T.10S. R.1W. S.B.M.  
SECTION 23

STATE OF CALIFORNIA  
CALIFORNIA STATE TRANSPORTATION AGENCY  
DEPARTMENT OF TRANSPORTATION  
**RIGHT OF WAY  
RESOLUTION OF  
NECESSITY MAP**  
MAP NO. 25532.1K  
NO SCALE

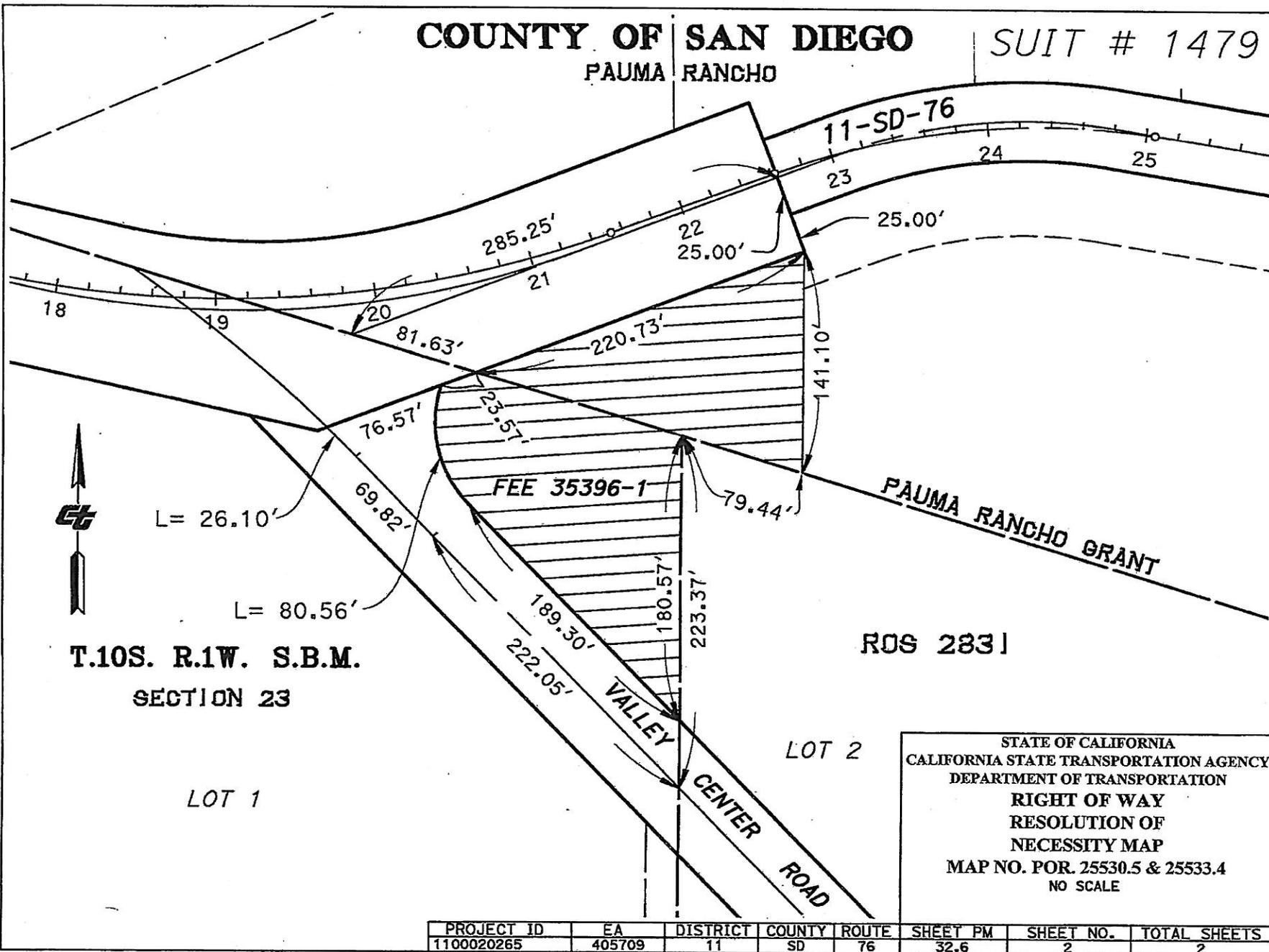
PROJECT ID	EA	DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
1100020265	405709	11	SD	76	32.6	1	2

Exhibit C1

**COUNTY OF SAN DIEGO**

PAUMA RANCHO

SUIT # 1479



T.10S. R.1W. S.B.M.  
SECTION 23

LOT 1

ROS 2831

LOT 2

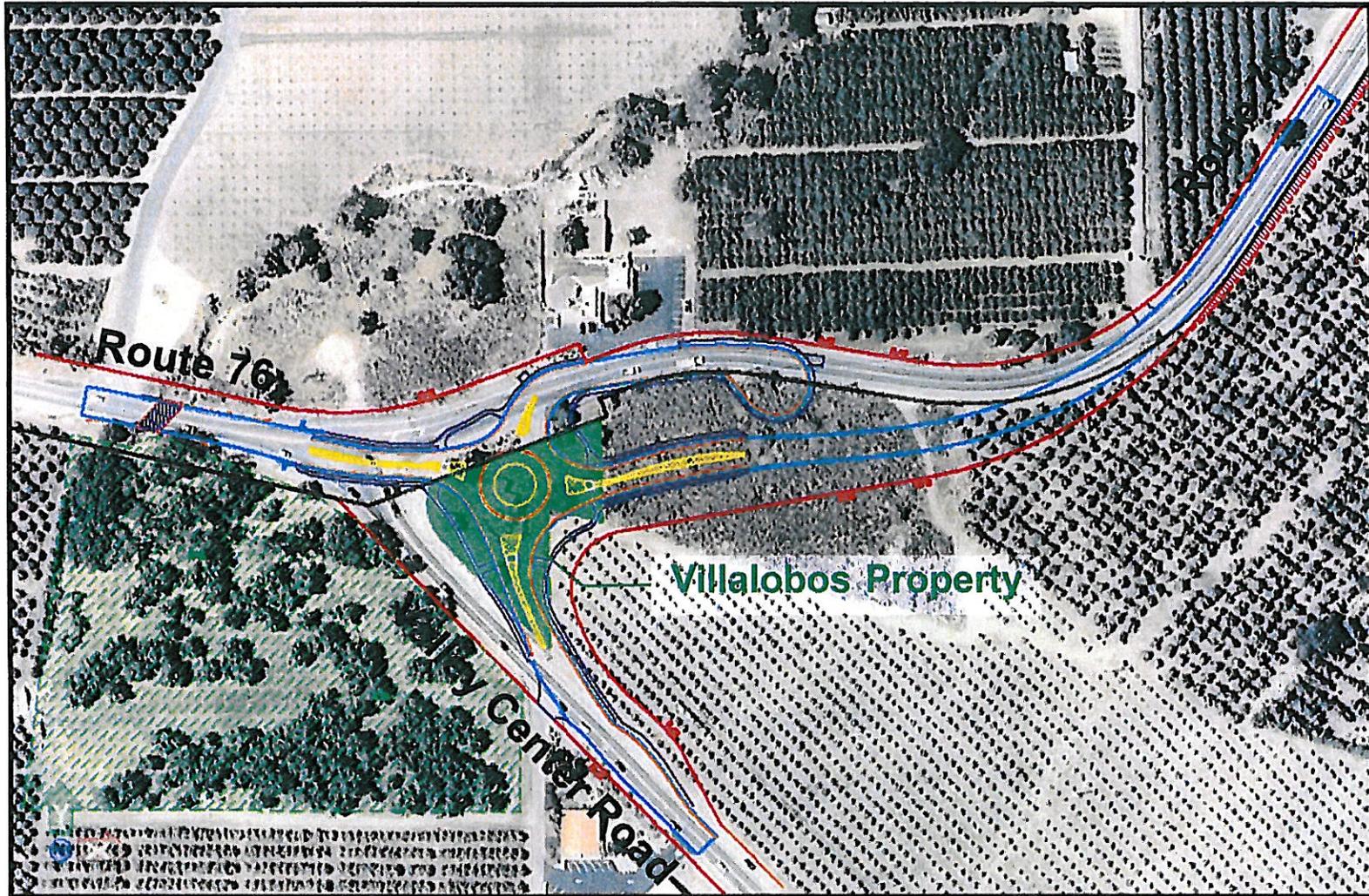
STATE OF CALIFORNIA  
CALIFORNIA STATE TRANSPORTATION AGENCY  
DEPARTMENT OF TRANSPORTATION  
**RIGHT OF WAY  
RESOLUTION OF  
NECESSITY MAP**  
MAP NO. POR. 25530.5 & 25533.4  
NO SCALE

PROJECT ID	EA	DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
1100020265	405709	11	SD	76	32.6	2	2

Exhibit C2

# Project Impact

Roundabout -



## LEGEND

- |   |                       |   |                     |
|---|-----------------------|---|---------------------|
|  | Proposed Right of Way |  | Proposed Works      |
|  | Existing Right of Way |  | Direction of Travel |

# **ATTACHMENT D**

1 TRANSPORTATION COMMISSION  
2 RESOLUTION NO.

3 **C-21452**

4 CALIFORNIA TRANSPORTATION COMMISSION  
5 RESOLUTION OF NECESSITY  
6 TO ACQUIRE CERTAIN REAL PROPERTY  
7 OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN  
8 HIGHWAY 11-SD-76-PM 32.6 PARCEL 35396-1  
9 OWNER: Lynne V. Villalobos, a married woman

10 Resolved by the California Transportation Commission after  
11 notice (and hearing) pursuant to Code of Civil Procedure Section  
12 1245.235 that it finds and determines and hereby declares that:

13 The hereinafter described real property is necessary for State  
14 Highway purposes and is to be acquired by eminent domain pursuant  
15 to Streets and Highways Code Section 102 and Code of Civil  
16 Procedure Section 1240.510 in that the property being acquired is  
17 for a compatible use;

18 The public interest and necessity require the proposed public  
19 project, namely a State highway;

20 The proposed project is planned and located in the manner that  
21 will be most compatible with the greatest public good and the least  
22 private injury;

23 The property sought to be acquired and described by this  
24 resolution is necessary for the public project;

25 The offer required by Section 7267.2 of the Government Code  
26 has been made to the owner or owners of record; and be it further

27 **APPROVED AS TO FORM AND PROCEDURE**

**APPROVAL RECOMMENDED**

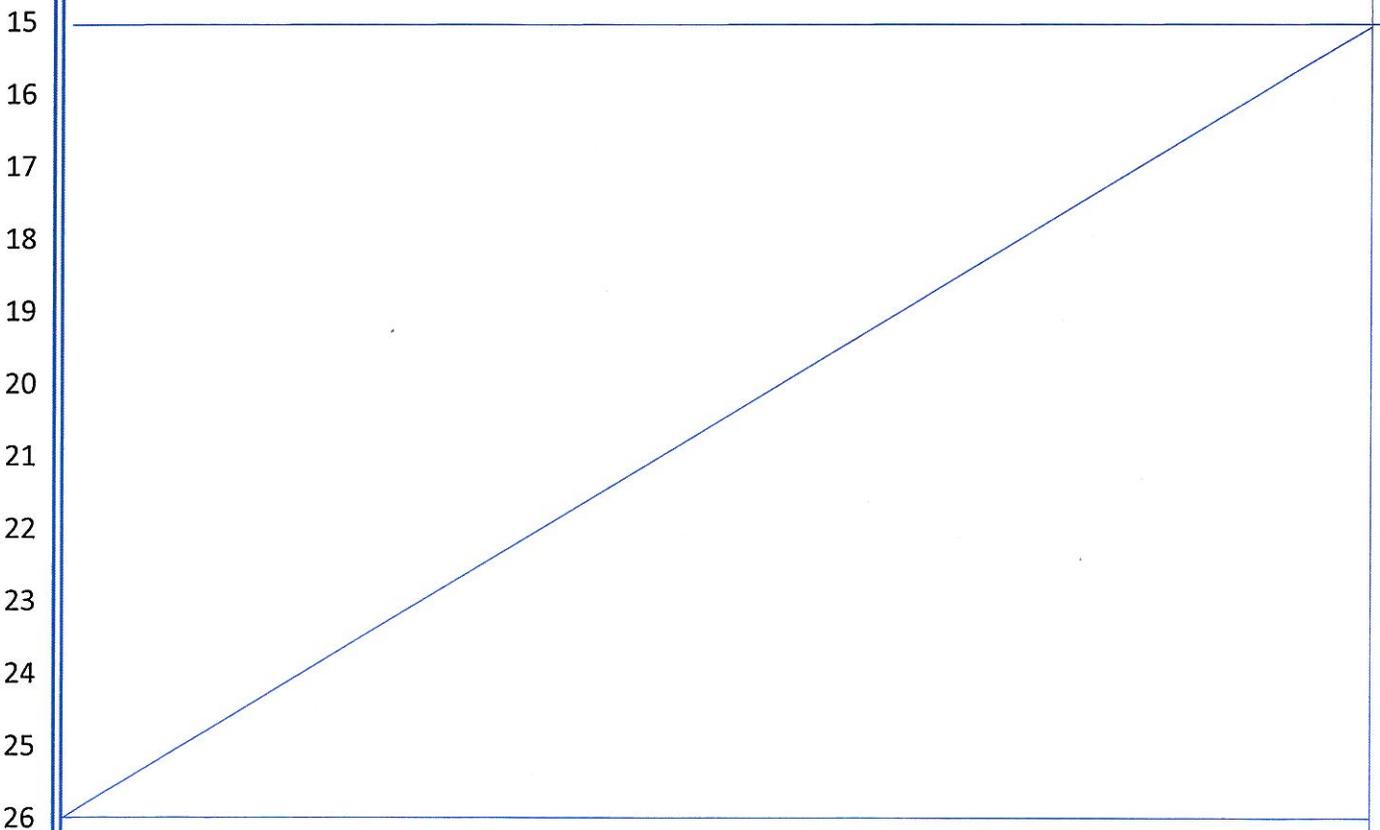
28 \_\_\_\_\_  
Attorney, Department of Transportation

\_\_\_\_\_  
DIVISION OF RIGHT OF WAY

1           RESOLVED by this Commission that the Department of  
2 Transportation be and said Department is hereby authorized and  
3 empowered;

4           To acquire, in the name of the People of the State of  
5 California, in fee simple absolute, unless a lesser estate is  
6 hereinafter expressly described, the said hereinafter described  
7 real property, or interests in real property, by condemnation  
8 proceeding or proceedings in accordance with the provisions of the  
9 Streets and Highways Code, Code of Civil Procedure and of the  
10 Constitution of California relating to eminent domain;

11           The real property or interests in real property, which the  
12 Department of Transportation is by this resolution authorized to  
13 acquire, is situated in the County of San Diego, State of  
14 California, Highway 11-SD-76 and described as follows:



**RESOLUTION of NECESSITY**  
*Title Sheet*

District	County	Route	Postmile
11	SD	76	32.6

Project E.A. 405709

This document consists of this Title Sheet and the attached Legal Description of the parcel(s) listed below, consisting of 2 pages.

Parcels in Legal Description: <Insert parcel numbers>					
35396-1					

The attached real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature *James Remele*  
*Professional Land Surveyor*

Date 10-22-15



ASSESSOR'S PARCEL NO. 133-050-23

SUIT NO. 1479

PARCEL 35396-1

FOR STATE HIGHWAY PURPOSES, THOSE PORTIONS OF GOVERNMENT LOT 1 IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER- OF FRACTIONAL SECTION 23, TOWNSHIP 10 SOUTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, AND OF PAUMA RANCHO, ACCORDING TO MAP THEREOF ATTACHED TO THE RECORDS OF PATENT BOOK 1, PAGE 67 OF PATENTS, RECORDS OF SAID SAN DIEGO COUNTY, STATE OF CALIFORNIA, CONVEYED TO LYNNE V. VILLALOBOS IN DOC # 2011-0508087 OF OFFICIAL RECORDS IN THE COUNTY OF SAN DIEGO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**"BEGINNING** AT A GRANITE STONE SET FOR THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 0° 01' EAST ALONG THE EASTERLY LINE OF SAID LOT TO AN INTERSECTION WITH THE CENTER LINE OF THAT COUNTY ROAD DESCRIBED IN DEED TO THE COUNTY OF SAN DIEGO, RECORDED AUGUST 12, 1937, IN BOOK 684, PAGE 113 OF OFFICIAL RECORDS AND SHOWN ON MAP OF ROAD SURVEY NO. 604 ON FILE IN THE OFFICE OF COUNTY SURVEYOR OF SAN DIEGO COUNTY; THENCE NORTH 44° 37' 30" WEST ALONG SAID CENTER LINE TO AN INTERSECTION WITH THE SOUTHEASTERLY LINE OF THOSE PARCELS OF LAND DESCRIBED IN EASEMENT DEEDS TO THE STATE OF CALIFORNIA, RECORDED FEBRUARY 13, 1948, IN BOOK 2670, PAGE 41 OF OFFICIAL RECORDS AND RECORDED JANUARY 29, 1948, IN BOOK 2652, PAGE 147 OF OFFICIAL RECORDS, KNOWN AS STATE HIGHWAY XI-SD-195-C; THENCE NORTH 68° 50' 55" EAST ALONG SAID SOUTHEASTERLY LINE, 327.28 FEET TO THE SOUTHEASTERLY CORNER OF THAT PARCEL OF LAND DESCRIBED IN SAID OFFICIAL RECORDS; THENCE SOUTH TO THE NORTHERLY LINE OF LOT 2 IN SAID SECTION 23, BEING ALSO THE SOUTHERLY LINE OF SAID PAUMA RANCHO; THENCE NORTH 73° 15' WEST ALONG SAID BOUNDARY LINE TO THE POINT **OF BEGINNING.**

EXCEPTING THEREFROM THAT PORTION LYING WITHIN ROAD SURVEY NO. 604."

**TOGETHER WITH UNDERLYING FEE INTEREST, IF ANY, APPURTENANT TO THE ABOVE DESCRIBED PROPERTY IN AND TO THE ADJOINING PUBLIC WAYS.**