

THE CENTRAL VALLEY FLOOD PROTECTION BOARD – January 28, 2011  
Alejandra Lopez  
Agenda Item No. 8 (O)

**SUBJECT:**

The Board is requested to approve the conveyance of permanent and temporary rights and delegate to the Board's president and secretary the authority to execute the "Agreement for Acquisition of Easement and Temporary Construction Easement" and "Grant of Easement Deeds" from Sacramento and San Joaquin Drainage District to the City of Sacramento (City) and Sacramento Municipal Utility District (SMUD), subject to legal counsel's approval for legal form and sufficiency. These conveyances are for the Norwood Avenue Bridge Replacement Project – Arcade Creek.

**LOCATION:**

The Sacramento and San Joaquin Drainage District's (SSJDD) property is situated adjacent to Norwood Avenue crossing Arcade Creek in the City of Sacramento, County of Sacramento, along portions of the Northeast Quarter of Section 2 along the with a portion of the Northwest Quarter of Section 13, Township 9 North, Range 5 East, also known as Sacramento County Assessor Parcel Nos. 263-0010-034-0000; 263-0010-030-0000; and 263-0010-008-0000.

**BACKGROUND:**

The City is proposing the replacement of the existing Norwood Avenue Bridge crossing Arcade Creek with a new structure as part of the Norwood Avenue Bridge Replacement Project. The City proposes to acquire 0.895 acre, more or less, for road easement purposes for the existing and new footprint of the bridge identified as SSJDD Parcel Nos. 1746-A; 1753-C and 1753-D. Also, the City proposes to acquire 1.839 acres of temporary construction easement for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion and maintenance of public right of way, highway, roadway, services, utilities, landscape improvement, and necessary appurtenant structures upon, over and across SSJDD property identified as Parcel Nos. 1753-E and 1746-C. In addition to the City's right-of-way, a utility easement is necessary for the relocation of SMUD's utilities right of way of 0.145 acre, more or less identified as SSJDD Parcel No. 1746-B.

The total consideration offered by the City to SSJDD is the sum of \$4,000. The Department of Water Resources (DWR), Division of Engineer (DOE), Real Estate Branch, Appraisal Section has reviewed such offer and has determined that the sum of \$4,000 meets and/or exceeds the fair market value for the proposed rights to be acquired.

The City has applied for Encroachment Permit (EP) No. 18617 which is awaiting USACE approval letter and list of conditions. The Board staff, David Williams, reviewed the proposal and concluded that the conveyance of easements will not negatively impact the flood control system and has given direction to the DWR's Real Estate Branch, Property Management Section to process the conveyances of the right of way for this project.

The DOE, Geodetic Branch has reviewed the legal descriptions for adherence to DWR's Geodetic Standards.

Jeremy Goldberg, DWR, Office of Chief Counsel is in process of reviewing "Agreement for Acquisition of Easement and Temporary Construction Easement" and "Grant of Easement Deeds" for legal form and sufficiency.

**REQUEST:**

For the Board to approve the conveyance of permanent and temporary rights and delegate to the Board's president and secretary the authority to execute, upon confirmation from legal counsel, that the conveyance documents meet legal form and sufficiency, the "Agreement for Acquisition of Easement and Temporary Construction Easement" and "Grant of Easement Deeds" from Sacramento and San Joaquin Drainage District to the City of Sacramento (City) and Sacramento Municipal Utility District (SMUD) to be conveyed for the Norwood Avenue Bridge Replacement Project – Arcade Creek.

**ATTACHMENTS :**

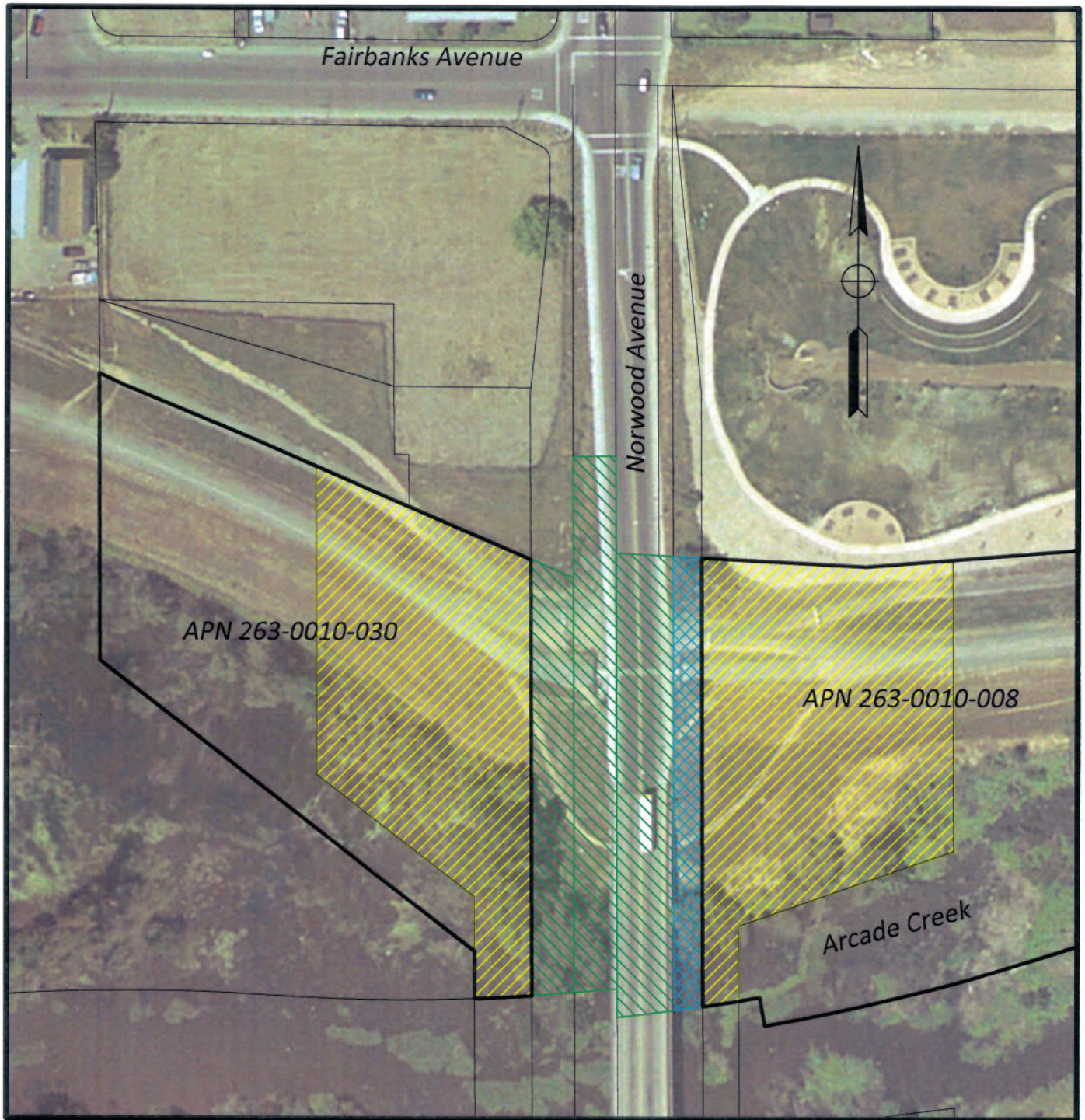
- Exhibit Map

**DOCUMENTS TO BE PROVIDED AT THE BOARD MEETING:**

- Agreement for Acquisition of Easement and Temporary Construction Easement
- Easement Deed, SSJDD Parcel Nos. 1746-A; 1753-C and 1753-D
- Temporary Easement Deed, SSJDD Parcel Nos. 1753-E and 1746-C
- Easement Deed, SSJDD Parcel No. 1746-B

**STAFF RECOMMENDATION:**

- Staff recommends, subject to legal counsel's approval of conveyance documents as to legal form and sufficiency, approval of conveyances and delegating to the Board's president and secretary the authority to execute the Agreement for Acquisition of Easement and Temporary Construction Easement, Easement Deed, SSJDD Parcel Nos. 1746-A, 1753-C and 1753-D; Temporary Easement Deed, SSJDD Parcel Nos. 1753-E and 1746-C; and Easement Deed, SSJDD Parcel No. 1746-B



Area of Temporary  
Construction Easement



Area of Easment  
for Public Road



Area of Easment  
for Utility