SUBJECT: ACCEPTANCE OF APPRAISED VALUE OF RIGHT OF WAY FOR PROPERTY LOCATED AT APN NO. 261-080-007 – BRYAN C. AND MARY C. TENBERGE – DATE AVENUE RECONSTRUCTION PROJECT

SOURCE: PUBLIC WORKS DEPARTMENT

COMMENT: Bryan C. and Mary C. Tenberge, owners of property located at APN No. 261-080-007, have accepted the appraised value of $9,300.00 for the 1,559 square feet of right-of-way needed for the Date Avenue Reconstruction project. Included in the appraisal is the value for wood fencing, asphalt paving, and concrete curbing improvements, which are in the area of the take.

The City recently had the property appraised by Michael C. Burger, MAI, a Certified General Real Estate Appraiser. The appraisal came in at $9,300.00 for the 1,559 square feet of property needed for the project and improvements. This appraisal is available in the Community Development Department for your review.

RECOMMENDATION: That City Council:

1. Authorize staff to begin escrow, with the City paying escrow fees;
2. Authorize staff to make payment to Bryan C. and Mary C. Tenberge, owners of property in the amount of $9,300.00, after completion of escrow;
3. Authorize the Mayor to sign all necessary documents; and
4. Authorize staff to record all documents with the County Recorder.

ATTACHMENTS:

1.1 Right-Of-Way Take Map
1.2 Resolution
RESOLUTION NO. __________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ACCEPTING A GRANT DEED IN FEE FOR PUBLIC STREET AND UNDERGROUND UTILITIES PURPOSES FROM BRYAN C. AND MARY C. TENBERGE

BE IT RESOLVED by the City Council of the City of Porterville that the City of Porterville hereby accepts a Grant Deed in fee from Bryan C. Tenberge and Mary C. Tenberge, husband and wife, as joint tenants, for public street and underground utility purposes, in the City of Porterville, County of Tulare, State of California, to-wit:

See Exhibits "A" and "B" attached hereto and made a part thereof.

BE IT FURTHER RESOLVED that the purchase price of $9,300 is hereby approved with the City to open escrow account, pay the normal and customary escrow fees, authorize Mayor to sign all necessary documents, and said deed to be recorded in the office of the Tulare County Recorder. The foregoing has been accepted by the City Council for the City of Porterville.

ATTEST:

Pedro R. Martinez, Mayor

John Longley, City Clerk

By: Georgia Hawley, Chief Deputy City Clerk
Exhibit "A"

That portion of the Northwest quarter of the Southwest quarter of Section 36, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the City of Porterville, County of Tulare, State of California, according to the official plat of the survey of said land on file in the Bureau of Land Management at the date of the issuance of the patent thereof, described as follows:

**BEGINNING AT** a point on the north line of the Southwest quarter of said Section 36, distance 28 rods East of the northwest corner of said Southwest quarter;

**THENCE**, East, along said north line of said Southwest quarter, 100 feet;

**THENCE**, South, 40 rods;

**THENCE**, West, 100 feet;

**THENCE**, North 40 rods to the **POINT OF BEGINNING.**

**EXCEPTING THEREFROM** that portion lying Southerly of a line being 15.26 feet South of the northwest corner and 15.92 feet South of the northeast corner of the parcel described herein.

**CONTAINING** 1,559 square feet more or less.

**END OF DESCRIPTION**

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

Signature: [Signature]
Licensed Land Surveyor

Date: 9/27/04