



SUPPLEMENTAL

COUNCIL AGENDA: 06-29-04
ITEM: 7.1

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Katy Allen

SUBJECT: PUBLIC USE AND NECESSITY
HEARING – LEGACY PARTNERS
SUPPLEMENTAL MEMO

DATE: 06-29-04

Approved

Date

6/29/04

Council District: 8

REASON FOR SUPPLEMENTAL MEMO

The City surveyor found several minor discrepancies in the legal description prepared by the consultant for the acquisition of the Legacy Partners property. Although the maps attached to the original Council Memo correctly identified the locations of the various property interests necessary for the project, the areas of temporary construction easement parcels D and G were incorrectly calculated as overlapping permanent easement parcels B and C. In addition, several of the metes and bounds property descriptions contained typographical errors.

Attached to this Supplemental Memo is a complete set of replacement exhibits containing corrected metes and bounds descriptions and correct areas for temporary construction easement parcels D and G. The correct area for parcel D is 4.074 acres instead of 4.248 acres. The correct area for parcel G is 0.493 acres instead of 0.551 acres. As a result, the total take area listed in the summary table in the original Council Memo should be 16.928 acres rather than 17.160 acres. Although the real property appraisal obtained by the City was based on the incorrect total areas for temporary easement parcels D and G, the difference in value is not significant.

One further point of clarification should be made regarding the temporary construction easements--parcels D, F, and G. Because of the nature of the construction work, the City will need exclusive use and control of the temporary construction easement areas for the duration of construction. The temporary construction easements will therefore be equivalent to temporary total takings of those areas, and the appraiser has taken this fact into consideration in valuing the temporary construction easements.

KATY ALLEN

Director, Public Works Department