

State of California  
Business, Transportation and Housing Agency  
Department of Transportation

HIGHWAY RIGHT OF WAY MATTERS  
Director's Deeds  
Items 1 through 12

Prepared By:  
Brice D. Paris  
Chief  
Division of Right of Way  
(916) 654-5075

CTC Meeting: August 22, 2002

Reference No.: 2.4d.(1)

*Original Signed By*  
\_\_\_\_\_  
ROBERT L. GARCIA  
Chief Financial Officer  
August 1, 2002

### **DIRECTOR'S DEEDS**

The Department of Transportation recommends the California Transportation Commission authorize the execution of the attached Director's Deeds, Items 1 through 12. The conveyances of excess State-owned real property, including exchanges, are pursuant to Section 118 of the Streets and Highways Code. The items included on this agenda involve an estimated current value of \$2,217,700. The State will receive a return of \$1,928,700 from the sale of these properties. A recapitulation of the items presented follows (maps attached):

Deeds by which fee title is to be conveyed:

12

01 04-SM-35-PM-30.8

Daly City

Disposal Unit DD 000010-05-01

6.982 ac

Convey to City of Daly City

\$0 (Appraisal \$498,000)

Direct sale to the City of Daly City. While the indicated price received is \$0, the State is in fact receiving approximately \$2.1 million in the form of net obligation relief. The parcel was significantly damaged by slide movement during heavy storms in the 1980's. The Department currently has the responsibility of slope repair and stabilization estimated to cost \$3 million. The market value of \$498,000 is reflective of value after slope stabilization. In the purchase agreement Daly City has agreed to accept the obligation for the slope repair upon conveyance of this property and a cash payment of \$393,000. This results in the net gain (savings) to the state of \$2.1 million. A small portion of this parcel is required by Daly City for street circulation. The City will ultimately transfer the main parcel to State Parks for a point of vehicle access to Thornton Beach State Park. A direct transfer to the State Parks was considered. State Parks has refused to accept title to the parcel until the slope is repaired and stabilized at a cost to the Department of \$3 million.

02 07-LA-101-27.6 Los Angeles  
Disposal Unit DD001490-01-01 106,909 sf  
DD001509-01-02 (Appraisal \$770,000)

Convey to John E. Boething, et al \$500,000 (PSE \$382,000)  
Direct Sale. Selling price represents the highest price obtainable from the adjoining owner after 2 (two) years of protracted negotiations. Property is undevelopeable as an independent parcel due to shape, topography and restrictive surface easements including a conservation easement which encumbers approximately ½ of property preventing any use of that area whatsoever. Department estimates a value at public sale of \$382,000, whereas fair market value as plottage to adjoining owner is \$770,000. The fair market plottage appraisal is based on the State receiving all (not just the State's prorata share) of the enhanced value of plottage including that attributed to grantor's property. Although not a condition of this sale, the buyers have indicated in writing that they will donate an easement across their property to the city of Los Angeles for the city of Hidden Hills and Los Angeles trail systems.

The sales price is substantially higher then the Public Sale Estimate for this property.

03 07-LA-110-17.3 Los Angeles  
Disposal Unit DD073333-01-01 4553 sf  
Convey to City of Cudahy \$38,000.00 (Appraisal \$38,000)  
Selling price represents the appraised value received from a public agency.

04 07-LA-110-15.8 Los Angeles  
Disposal Unit DD073432-01-01 6284 sf  
Convey to City of Cudahy \$54,000.00 (Appraisal \$54,000)  
Selling price represents the appraised value received from a public agency.

05 07-LA-110-15.6 Los Angeles  
Disposal Unit DD073452-01-01 4,458 sf  
Convey to City Cudahy \$31,000.00 (Appraisal \$31,000)  
Selling price represents the appraised value received from a public agency.

06 07-LA-05-39.5 Los Angeles  
Disposal Unit DD980461-01-01 31,071 sf  
Convey to City of Cudahy \$120,000 (Appraisal \$120,000)  
Selling price represents the appraised value received from a public agency.

07 07-LA-105-00 Los Angeles  
Disposal Unit DD980463-01-01 4566 sf  
Convey to City of Cudahy \$32,000.00 (Appraisal \$32,000)  
Selling price represents the appraised value received from a public agency.

08 07-LA-105-7.4 Los Angeles  
Disposal Unit DD980522-01-01 35,406 sf  
Convey to City Cudahy \$407,000.00 (Appraisal \$407,000)  
Selling price represents the appraised value received from a public agency.

09 08-Riv-111-18.3 Mecca  
Disposal Unit DDB26836-01-01 65,951 sf  
Convey to: Torres Martinez Desert Cahuilla Indians \$36,700 (Appraisal \$36,700)  
Sales price represents a direct sale to the Torres Martinez Indians per Memorandum of Understanding dated May 12, 1998.

10 11-SD-52-14.7 Santee  
Disposal Unit DD026315-X1-XX 83,859 sf  
Convey to The Priest Development Corporation \$287,500 (Appraisal \$287,500)  
Credit received represents appraised value of parcels being exchanged pursuant to Right of Way Contract dated 7/12/02.

11 11-SD-52-14.7 Santee  
Disposal Unit DD031389-X1-XX 4,316 sf  
Convey to The Priest Development Corporation \$22,500 (Appraisal \$22,500)  
Credit received represents appraised value of parcels being exchanged pursuant to Right of Way Contract dated 7/12/02

12 12-ORA-91-3.6 Anaheim  
Disposal Unit # DD000447-01-02 49,342 sf  
Convey to Anaheim Redevelopment Center \$400,000 (PSE \$309,000)  
Direct Sale. Selling price represents the highest price obtainable from a public agency. The Department has appraised the property at \$745,000 as joinder to the adjacent property, but in spite of protracted negotiations-spanning over two years-the adjoining owner has refused offers to purchase at the appraised value, counteroffering at \$186,000. The purchase agreement with the city includes a provision that in the event the city sells the property for a price that exceeds this sales price, any amount between this sales price and a subsequent sales price (up to our appraised value of \$745,000) would be paid to the State.

The Public Sale Estimate is more indicative of the value of the property on the open market, and includes consideration of the risk inherent in purchasing and attempting to develop a property that is odd shaped and lacks physical access.