

**RESOLUTION NO. .**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA  
ACTING AS THE GOVERNING BOARD OF THE CRYSTAL SPRINGS COUNTY  
SANITATION DISTRICT**

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**RESOLUTION AUTHORIZING: A) THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE AN AGREEMENT FOR PURCHASE OF REAL PROPERTY FOR THE ACQUISITION OF A PERMANENT SLOPE AND SANITARY SEWER EASEMENT OVER 1560 SENECA LANE, IN UNINCORPORATED SAN MATEO, SAN MATEO COUNTY (APN 041-280-140) FROM DANIEL Y. AND FLORA T. WANG FOR \$6,680; AND B) THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE AN AGREEMENT FOR PURCHASE OF REAL PROPERTY FOR THE ACQUISITION OF A PERMANENT SLOPE AND SANITARY SEWER EASEMENT OVER 1550 SENECA LANE, IN UNINCORPORATED SAN MATEO, SAN MATEO COUNTY (APN 041-280-220) FROM THE SING LEUNG AND MELYN NG LEUNG TRUST FOR \$2,440; AND C) THE COUNTY MANAGER, OR DESIGNEE, TO EXECUTE ON BEHALF OF THE BOARD OF SUPERVISORS, AGREEMENTS FOR PURCHASE OF REAL PROPERTY REQUIRED FOR THE SENECA LANE MUDSLIDE SEWER STABILIZATION PROJECT FOR CONSIDERATION THAT REFLECTS THE CURRENT MARKET VALUE OF THE PROPERTY INTERESTS, INCLUDING ALL REIMBURSEMENTS REQUIRED BY CIVIL CODE 1263.025, IN A FORM APPROVED BY COUNTY COUNSEL, FROM ALAN L. SHIFFLER AND MONICA LAM AS TO APN: 041-280-080, HIGHLANDS RECREATION DISTRICT AS TO APN: 041-090-160, REZA MOINI-NEZARI AS TO APN: 041-280-090 AND THE SUCCESSOR OWNERS AS TO APN 041-280-070; AND TO EXECUTE ALL CERTIFICATES OF ACCEPTANCE, NOTICES, EXEMPTIONS, EXTENSIONS, AND ESCROW INSTRUCTIONS, AS REQUIRED TO FACILITATE THE PURPOSES OF THE AGREEMENTS FOR PURCHASE**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, acting as the Governing Board of the Crystal Springs County Sanitation District (District), that:

**WHEREAS**, significant storm-related damage resulting from heavy rains and elevated streamflow throughout 2017 resulted in damage to local infrastructure, including the Crystal Springs County Sanitation District (“District”) sewer system in the vicinity of Seneca Lane in unincorporated San Mateo, San Mateo County; and

**WHEREAS**, on August 7, 2018, this Board, acting as the governing body of the District, adopted Resolution No. 07604 authorizing the Department of Public Works to proceed with preparations of the plans and specifications for the Seneca Lane Mudslide Sewer Stabilization Project (“Project”), advertise for bids, and report on recommendations to award the contract.;

**WHEREAS**, on June 25, 2019, this Board, acting as the governing body of the District, adopted Resolution No. 076730 approving the plans, specifications, and awarding the construction contract to Disney Construction, Inc. for the recommended permanent sewer stabilization repair; and

**WHEREAS**, the Project required the acquisition of six permanent easements required for sewer operations and maintenance and three temporary construction easements required for construction equipment to access, make repairs and stabilize the damaged areas; and

**WHEREAS**, this Board of Supervisors is authorized to acquire real property for public use by eminent domain pursuant to Section 25350.5 of the Government Code and Section 1240.110 of the Code of Civil Procedure; and

**WHEREAS**, offers were made to the impacted owners pursuant to the requirements of Section 7267.2 of the Government Code and Section 1263.025 of the

Code of Civil Procedure, including providing the property owners with a Statement of Valuation, a pamphlet informing the owners of their rights under eminent domain law, and a statement of their right to obtain an independent appraisal for which the County would pay up to \$5,000.00; and

**WHEREAS**, Agreements for Purchase of Real Property have been signed by the owners of two of the six properties impacted by the Project and negotiations are ongoing with Alan L Shiffler and Monica Lam as to APN: 041-280-080, Highlands Recreation District as to APN: 041-090-160, Reza Moini-Nezari as to APN: 041-280-090 and Josiah and Sonia Liao as to APN: 041-280-070; and

**WHEREAS**, there has been presented to this Board of Supervisors for its consideration and execution, Agreements for Purchase and attached Easement Deeds, and Certificates of Acceptance, reference to which is hereby made for further particulars, whereby the District shall purchase the Property from the owners and comply with all terms and conditions contained therein.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of the Board of Supervisors be, and is hereby, authorized and directed to execute an Agreement for Purchase of Real Property for the acquisition of a Permanent Slope and Sanitary Sewer Easement over 1560 Seneca Lane, in unincorporated San Mateo, San Mateo County (APN 041-280-140) from Daniel Y. and Flora T. Wang for \$6,680.00; and an Agreement for Purchase of Real Property for the acquisition of a Permanent Slope and Sanitary Sewer Easement over 1550 Seneca Lane, in

unincorporated San Mateo, San Mateo County (APN 041-280-220) from the Sing Leung and Mely Ng Leung Trust for \$2,440.00.

**IT IS FURTHER ORDERED** that the County Manager, or designee, execute on behalf of the Board of Supervisors, Agreements for Purchase of Real Property required for the Project, for consideration that reflects the current market value of the property interests, including all reimbursements required by Civil Code 1263.025, in a form approved by County Counsel, from Alan L. Shiffler and Monica Lam as to APN: 041-280-080, Highlands Recreation District as to APN: 041-090-160, Reza Moini-Nezari as to APN: 041-280-090; and the successor owners of APN 041-280-070; and to execute all certificates of acceptance, notices, exemptions, extensions, and escrow instructions, as required to facilitate the purposes of the Agreements for Purchase.

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