agenda item no. 4 \times .

CITY OF GARDEN GROVE

INTER-DEPARTMENT MEMORANDUM

To:

Matthew J. Fertal

From: William E. Murray

Dept:

City Manager

Dept:

Public Works

Subject:

ACQUISITION AGREEMENT WITH Date: October 23, 2012

HUNG AN NGUYEN AND OLIVIA HUONG LAN NGUYEN FOR AN

EASEMENT OVER PROPERTY LOCATED AT 12345 BEACH BOULEVARD, STANTON, FOR

WATER LINE PURPOSES

OBJECTIVE

It is requested that the City Council consider the acquisition of an easement over real property located at 12345 Beach Boulevard, Stanton, ("subject property") from Hung An Nguyen and Olivia Huong Lan Nguyen, Co-Trustees of the Hung and Olivia Trust dated May 9, 2007 ("Owners").

BACKGROUND/DISCUSSION

On August 28, 2012, the City Council awarded a contract for construction of Project No. 7396 - the West Garden Grove Supplement Transmission Main Project, As part of the project, an easement will be required to install a water main that will traverse the subject property. The easement consisting of 2,500 square feet will be required for permanent installation of the water main and a 5,000 square foot temporary construction easement is needed for construction and staging by the contractor.

Staff has negotiated an agreement with the Owners to acquire the easement and temporary construction easement for \$23,400, which is just compensation per an independent appraisal. Upon completion of the Project, the temporary construction easement will be quitclaimed.

FINANCIAL IMPACT

There is no impact to the General Fund. The Project is included in the 2012-2013 Capital Improvement Budget and will be financed with Water funds.

ACQUISITION OF EASEMENT AT 12345 BEACH BOULEVARD, STANTON FOR WATER LINE PURPOSES October 23, 2012 Page 2

RECOMMENDATION

It is recommended that City Council:

- Approve the acquisition of the easement and temporary construction easement over real property located at 12345 Beach Boulevard, Stanton;
- Authorize the City Manager to execute an Agreement, consistent with the terms set forth in this staff report and in a form approved by the City Attorney, with Hung An Nguyen and Olivia Huong Lan Nguyen to effectuate the acquisitions;
- Authorize the City Clerk to accept an easement deed and a temporary construction easement deed on behalf of the City, in a form approved by the City Attorney, to effectuate the acquisitions;
- Authorize the Finance Director to draw a warrant in the amount of Twenty Three Thousand Four Hundred Dollars (\$23,400) for the acquisitions; and
- Authorize the City Manager to execute a quitclaim deed, in a form approved by the City Attorney, relinquishing the temporary construction easement upon completion of the project.

WILLIAM E. MURRAY Public Works Director

By: Carlos Marquez

Senior Real Property Agent

Recommended for Approval

Matthew Fertal City Manager