

EXHIBIT 13-B RIGHT OF WAY CERTIFICATION **LOCAL ASSISTANCE PROJECT (Off State Highway System)**

Local Agency: County of Lake

Right of Way Certification No.: 1
 (Insert 1, 2, or 3 for the type of Certification being made)

Project ID: BRLO-5914(106)

Project Location: In Lake County west of Big Canyon Road near Harbin Springs at Harbin Creek Bridge

General Project Description: Replace Bridge

1. STATUS OF REQUIRED RIGHT OF WAY:

Right of way (has been) (will be) acquired in accordance with applicable policy and procedure covering the acquisition of real property. Local Agency (has) (will have) legal and physical possession and right to enter on all lands as follows:

A. Total number of parcels required¹: 1

For items A 1-8 below and B on page 2, if total at time of completing certification is 0, enter 0 on the number line (or B line) and eliminate corresponding table/s.

1. Parcels acquired (escrow closed or Final Order of Condemnation recorded): 1

(To add table rows below, set cursor to right of last column in empty table set, then press enter, additional table rows will populate.)

Parcel Number	Owner	Project R/W Required	Excess (Yes or No)	Close of Escrow/Final Order of Condemnation Date
013-009-241	Heart Consciousness Church Inc.	TCE	No	March 14, 2017

2. Parcels covered by Order for Possession: _____

Parcel Number	Owner	Project R/W Required ²	Effective Date of OP

3. Parcels covered by executed Right of Way Contract with Possession Clause: _____

Parcel Number	Owner	Project R/W Required ²	Effective Date	Date Funds Made Available to Owner/Deposited into Escrow ³

¹ Parcels listed in items A1-A7 on pages 1 and 2 should total the number shown on line 1A above.

² Items A1-A7: List as full acquisition, partial acquisition, fee, permanent easement (including type), temporary construction easement, etc. Detail should be added showing expiration dates of documents with fixed termination dates, i.e., temporary easements.

³ Funds must be deposited into an escrow account and be made available (able to withdraw), as legally permissible, to the grantor/s, as a condition of use of a possession clause in a right of way contact.

4. Parcels covered by Possession and Use Agreement only: _____

Parcel Number	Owner	Project R/W Required ²	Effective Date	Date Funds Deposited Into Escrow ⁴

5. Parcels covered by Right of Entry only (Requires HQs R/W and FHWA pre-approval)⁵: _____

Parcel Number	Owner	Project R/W Required ²	Effective Date	Date Funds Deposited into Escrow

6. Parcels Covered by Resolution of Necessity only⁶: _____

Parcel Number	Owner	Project R/W Required ²	Local Agency Resolution Date	Anticipated OP Service Date (all parties)	Anticipated OP Effective Date

7. Parcels covered by other acquisition documents as follows⁷: _____

Parcel Number or Location/ (P.M.)	Owner	Project R/W Required ²	Type of Document	Effective Date	Expiration Date	Date Funds Deposited into Escrow ⁴

8. Number of Parcels with a value in excess of \$500,000 _____

0

Dual Appraisal for each parcel (recommended but not required)? ____Yes____No

B. Construction Permits, other required permits⁸: _____

0

Location/ (P.M.)	Owner	Type of Document	Effective Date	Expiration Date

2. STATUS OF ACCESS CONTROL:

Conventional Highway, a highway with no control of access. Abutting property owners have access rights.

3. STATUS OF AFFECTED RAILROAD OPERATING FACILITIES:

None affected.

⁴ Funds must be deposited into an escrow account and be made available (able to withdraw), as legally permissible, to the grantor/s, as a condition of use.⁵ Rights of Entry must only be used in emergencies, or extremely unusual/extraordinary circumstances. All Rights of Entry must be pre-approved by the Division of HQs RW&LS and approved by FHWA. Funds must be deposited into an escrow account and be made available (able to withdraw), as legally permissible, to the grantor/s, as a condition of using a right of entry.⁶ To be used only rarely in a Certification No. 3; Resolution of Necessity must be adopted and the Order for Possession served, but is not yet effective.⁷ This section covers acquisitions where the document is a license, permit etc., not otherwise covered by A1-A6 above. Examples include Licenses from State Lands Commission, Flood Control Districts, and Letters of Consent from US Forest Service.⁸ These permits are not counted as parcels, are not appraised, recorded, or require payment (e.g. Permits to Enter).

4. MATERIAL SITE(S):

Commercial

5. DISPOSAL SITE(S):

Commercial

6. STATUS OF REQUIRED UTILITY RELOCATIONS:

All utility work has been or will be completed in accordance with applicable policy and procedure covering the adjustment of utility facilities. All utility notices have been issued and arrangements have been made with the owners of all conflicting utility encroachments remaining within the right of way, so that adequate control of the project right of way will be achieved. If applicable, federal participation has been determined.

(AND)

- All necessary arrangements have been made for remaining utility work to be completed as required for proper coordination with project construction. The special provisions in the contract provide for the coordination (see schedule below).

- ☐ Project specific utility agreement(s) is(are) fully executed and include(s) the Buy America language.
- ☒ Buy America compliance is not applicable for utility relocations as Utility Agreements are not required.

(AND when applicable)

The following utilities are in conflict with the project and require relocation as follows: (If applicable)

R/W and Notice Date	Company	Type of Facility	Liability % (Owner=O) (Local Agency=C)	Utility Agreement Date	Federal Participation (yes/no)⁹	Relocation Date & End Concurrent with construction (or) Bid Item/s listed below¹⁰
3/7/17	PG&E	Electric	100% O	N/A	No	Prior to construction 6/1/17
3/7/17	AT&T	Telecom	100% O	N/A	No	Prior to construction 6/1/17 or prior to construction 5 days following PG&E relocation
3/7/17	Heart Consciousness Church	Water	100% O	N/A	No	Prior to construction 6/1/17
3/7/17	Heart Consciousness Church	Sewer	100% O	N/A	No	Temporary relocation prior to construction 6/1/17, and permanent relocation concurrent with construction. Owner to perform relocation.

⁹ A copy of Specific Authorization to Relocate Utility Facilities memorandum must be attached for each facility relocation item.

¹⁰ Additional information is required for each bid item if highway contractor will complete work as part of the highway contract.

7. RIGHT OF WAY CLEARANCE:

There were no improvements or obstructions located within the limits of this project.

8. AIRSPACE AGREEMENTS:

There are no airspace lease properties within the limits of this project.

9. COMPLIANCE WITH RELOCATION ASSISTANCE PROGRAM REQUIREMENTS

Compliance was not required as there were no displacements for this project.

10. COOPERATIVE AGREEMENTS

None required.

11. ENVIRONMENTAL MITIGATION

No environmental mitigation parcels are required for this project.

12. INDEMNIFICATION BY LOCAL AGENCY

The Local Agency agrees to indemnify, defend, and hold harmless the Department of Transportation (Caltrans) from any and all liabilities which may result in the event the right of way for this project is not clear as certified. The Local Agency shall pay from its own non-matching funds, any costs which arise out of delays to the construction of the project because utility facilities have not been removed or relocated, or because rights of way have not been made available to Local Agency for the orderly performance of the project work.

13. CERTIFICATION (USE THE APPROPRIATE STATEMENT)

I hereby certify the right of way on this project as conforming to 23 CFR 635.309(b) **and** (c)(1) or (c)(2).
The project may be advertised with contract award being made at any time.

Local Agency: County of LakeProject ID: BRLO-5914(106) As Authorized by Resolution No.: _____By: _____
Scott De Leon, Public Works Director Date

The undersigned Caltrans Official has reviewed this Right of Way Certification as to form and content. Based on the review of the documents submitted, the Certificate is accepted on behalf of the local public agency. It remains the sole responsibility of the local public agency to ensure compliance with the Federal Uniform Act and this Certificate is accepted on their behalf.

Accepted as to form and content:

By: _____
KAREN E. HAWKINS Date
Assistant Chief, North Region Right of Way
Eureka/Redding

Distribution: 1) Local Agency completes and sends to DLAE for approval.
2) DLAE approves and returns to Local Agency.
3) Local Agency retains approved original in project file