MARIPOSA COUNTY RESOLUTION NO. 77-162

The Board of Supervisors of the County of Mariposa, State
of California, do resolve as follows:

WHEREAS, the County of Mariposa has filed eminent domain
proceedings against Russell S. Rolfe and Mavis Yvonne Rolfe in
respect to parcels of real property required for the Coulterville
Wastewater/Sewer Project; and

WHEREAS, the said defendants by and through their attor-
ney, H. James Wulfsberg, have agreed to allow access to the pro-
erty for the purpose of pre-bidding inspection by contractors and
for the purpose of temporary possession of the proposed sewer site
for construction purposes and ingress and egress for construction
purposes; and

WHEREAS, the County of Mariposa has represented to the
defendants through their attorney, H. James Wulfsberg, that they
will be allowed, upon completion of the project, three to four
sewer hookups and further that the property owners shall, during
all phases of the construction process, have access for purposes of
ingress and egress and in the conduct of their ranching operations
and for the purpose of reaching the lower level of their property.

NOW, THEREFORE, BE IT RESOLVED that three to four sewer
hookups in respect to the sewer system traversing the Rolfe pro-
perty will be provided the Rolfes; that during all phases of the
construction process, the Rolfes and their employees shall have
access to the lower level of the Rolfe Ranch and access to the main
Ranch from the highway at all times; that adequate alternative
access roads will be provided for the areas indicated in the event
existing access roads are closed as a result of construction; that
existing roads shall be returned to the current or a better condition after construction; and that the existing access roads disrupted by the construction process will be filled in, releveled, and graveled upon completion of construction.

PASSED AND ADOPTED by the Board of Supervisors, County of Mariposa, this 1st day of November, 1977, by the following vote:

AYES: Clark, Dalton, Long, Owings

NOES: None

NOT VOTING: None

ABSENT: None

FRANK L. LONG, JR., CHAIRMAN
BOARD OF SUPERVISORS

ATTEST:

ELLEN BRONSON, COUNTY CLERK AND EX OFFICIO CLERK OF THE BOARD
Dear Mr. Wulfsberg:

This will firm up our telephone conversation of this date in respect to possession for purposes of construction and right of entry by prospective contractors for bidding purposes.

I have represented to you by telephone that the County of Mariposa confirms that Mr. Rolfe will have three to four sewer hookups in respect to the sewer system traversing his property; I have further represented that during all phases of the construction process Mr. Rolfe and his ranch employees shall, at all times, have access to the lower level of the ranch and to the main ranch area from the highway. It is agreed and understood that in the event existing access roads are closed as a result of construction, adequate alternative access roads will be provided for the areas indicated. We did not discuss during our most recent telephone conversation representations from the County that existing roads shall be returned after construction to the current or a better condition. Please be assured that the access roads involved in the construction process, upon completion of construction, will be filled in, reveled, and graveled.

It is my understanding that upon these representations, you will provide access for contractor viewing of the property on Tuesday, November 1, 1977, and Thursday, November 3, 1977, between the hours of 1 P.M. to 4 P.M. Should there be any problems in respect to this particular schedule, please feel free to discuss the matter directly with Engineer Ed Santarosa of CH2MILL (916/441-3955).
It has further been agreed, in reliance on the above representations, that Mr. Rolfe will cooperate through your office in respect to making the property available for immediate possession for purposes of commencement of construction.

This letter will be further documented with a resolution from the Board of Supervisors which will be issued at its next meeting on Tuesday, November 1, 1977.

Your consideration and cooperation in regard to this matter is appreciated.

Very truly yours,

NEIL B. VAN WINKLE
COUNTY COUNSEL
by Ruby L. Benedict
Secretary

cc: Supervisor Eugene Dalton
    Ed Santarosa, CH2M Hill
    Mariposa County Board of Supervisors

bcc: Orin Bennett
October 27, 1977

Mr. Neil B. Van Winkle
County Counsel
Court House
P.O. Box 1155
Mariposa, California 95338

RE: Rolfe Ranches' Proposed Acquisition of
Real Property By County Of Mariposa

Dear Mr. Van Winkle:

This will confirm our telephone conversation of October 26, 1977 in which we discussed the desire of the County to be provided with access for contractors to bid on the Coulterville Waste Water Treatment Facility as well as for immediate possession of the property to commence construction.

You have confirmed to me on behalf of the County of Mariposa that the County will provide three to four sewer hookups for the ranch property and that the County will provide an access road to the ranch at all times together with an access road to the lower leval of the property at all times in return for immediate access to contractors to review and bid the project and for immediate possession of the property upon deposit in accordance with the Code of Civil Procedure.

You have further advised me that you will confirm the foregoing to me in writing forthwith.

Thank you for your courtesies and cooperation.

Yours very truly,

LEMPRES & WULFSBERG
PROFESSIONAL CORPORATION

By

H. JAMES WULFSBERG

HJW:mek

cc Mr. Russell Rolfe