

**AMENDMENT TO
COUNTY OF TEHAMA
RIGHT-OF-WAY CONTRACT**

PROJECT: Evergreen Road @ South Fork Cottonwood Creek Bridge Replacement Project

COUNTY PROJECT NO.: 316581

APNS: 004-360-056 & 004-360-057

GRANTORS: Samuel R. Williams and Roxy J. Williams, Trustee of the Williams Family Trust

DATE: February 16, 2024

WHEREAS, Grantors, Samuel R. Williams and Roxy J. Williams, Trustee of the Williams Family Trust, ("Williams" or "Grantors"), and the County of Tehama, ("County"), have heretofore entered into that certain right of way contract dated November 17, 2020; and

WHEREAS, said contract inures to the benefit of, and is binding on, the Williams and their respective heirs, personal representatives, successors, and or assignees and sets forth the terms and conditions under which the County acquired certain rights for County transportation purposes as well as for undertaking and facilitating work as described in that agreement and construction of the Evergreen Road @ South Fork Cottonwood Creek Bridge Replacement Project NO. 316581; and

WHEREAS, subsequent to entering said right of way contract, the construction schedule for the project has changed resulting in the need for use of the Temporary Construction Easements as outlined in Paragraph 9 of the original right of way contract for an additional Twelve months; and

WHEREAS, by reason of the foregoing it is now the desire of the parties hereto to amend the right of way contract dated November 17, 2020 for one (1) additional year; and

WHEREAS, the parties to this contract shall, pursuant to Section 21.7 (a) of Title 49, Code of Federal Regulations, comply with all elements of Title VI of the Civil Rights Act of 1964. This requirement under Title VI and the Code of Federal Regulations is to complete the USDOT-Non-Discrimination Assurance requiring compliance with Title VI of the Civil Rights Act of 1964, 49 C.F.R. Section 50.3; and

WHEREAS, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that is the subject of this contract; and

NOW, THEREFORE, it is agreed by and between the parties hereto as follows: The above recitals are an essential part of this agreement and incorporated herein in full. The Temporary Construction Easements (TCEs) outlined in paragraph 9 and identified with Assessor's Parcel Nos. 004-360-056 and 004-360-057 are needed for construction access to complete roadway construction as outlined in said right of way contract dated November 17, 2020. Said easements shall be renewed for an additional period of Twelve (12) months. The termination date for use of the Temporary Construction Easements is herein amended from April 5, 2024 to April 5, 2025. The County shall pay Grantors the additional sum of Four Thousand Five Hundred Dollars (\$4,500.00). It is understood and agreed that the amount paid per Clause 3. A. of the Right of Way Contract included compensation in full for the actual possession and use of the Temporary Construction Easements. If in the event, should construction be completed in less than 12-months, Grantors are being compensated for the full term of the easements. The TCEs may be terminated prior to the above date by Grantee upon written notice to Grantors.

All other terms and conditions of the contract remain unchanged.

NO OBLIGATIONS OTHER THAN THOSE SET FORTH HEREIN WILL BE RECOGNIZED

In Witness Whereof, the Parties hereto have executed this amendment to the County of Tehama Right of Way Contract this day and year first above written.

GRANTORS:

Samuel R. Williams and Roxy J. Williams, Trustees
of the Williams Family Trust

Date: 3-8-24

By: Samuel R. Williams Trustee
Samuel R. Williams, Trustee

Date: 3-8-24

By: Roxy J. Williams Trustee
Roxy J. Williams, Trustee

COUNTY OF TEHAMA

Date: MAR 26 2023

By: John Seaver
Chairman of the Board of Supervisors

Recommended for Approval:

By: Jessica Pecha
Project Manager

Date: 3/8/24

By: James M. Martin
Director of Public Works

Date: 3-8-24

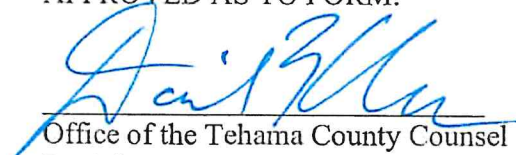
E-Contract Review
Approval as to Form

Department Name: Tehama County Public Works-Road

Vendor Name: Samuel R. Williams and Roxy J. Williams

Document Description: Amendment to the Right of Way Agreement

APPROVED AS TO FORM:


Office of the Tehama County Counsel

Daniel B. Klausner, Senior Deputy County Counsel

Date: 2/27/24



Tehama County

Minutes Certification

727 Oak Street, Red
Bluff, CA 96080
(530) 527-4655
<http://www.co.tehama.ca.us>

File Number: 24-267

Enactment Number: ROAD AGR 2024-002

19. PUBLIC WORKS - Director Jim Simon

24-267

- a) Approval and authorization for the Chairman to sign the Amendment to the Right of Way Contract with Samuel R. Williams and Roxy J. Williams, Trustees of the Williams Family Trust (Road Agreement #2021-3), for two (2) Temporary Construction Easements relative to the Evergreen Road at South Fork Cottonwood Creek Bridge Replacement Project, in the amount of \$4,500.

RESULT: APPROVE

MOVER: Pati Nolen

SECONDER: Matt Hansen

AYES: Supervisor Moule, Supervisor Carlson, Supervisor Nolen, Vice Chair Hansen, and Chairperson Leach
Enactment No: ROAD AGR 2024-002

I, JENNIFER VISE, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California, hereby certify the above and foregoing to be a full, true and correct copy of an order adopted by said Board of Supervisors on 3/26/2024.

Attest:

Jennifer Vise

April 02, 2024

Date Certified