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Attorneys At Law

October 11, 2021

SENT VIA U.S. MAIL & EMAIL

Executive Director
California Transportation Commission
P.O. Box 942873
Mail Station 52
Sacramento, CA 94273-0001
& c/o Lam X. Nguyen
Associate Right of Way Agent
lam.v.nguyen@dot.ca.gov

Re: Withdrawal of Request to Appear and Be Heard at Hearing on Proposed Resolution of Necessity to Acquire Property owned by George Morris and Kimberly Morris, Trustees of The George Morris and Kimberly Morris Living Trust dated 7/23/2008; 04-Son-12-PM 33.3 EA 4H0502; Project #0413000080; Parcel 62677; 45 Cavedale Road, Sonoma, CA 95476

To Executive Director and Commission Members:

Our office represents Kimberly and George Morris (“Morrises”), owners of the above-referenced real property. On behalf of the Morrises, we previously made a formal request, and reservation of right, to appear and be heard at the Resolution of Necessity (“RON”) Hearing.

As outlined in our prior correspondence, the Morrises objected to adoption of the proposed RON on the grounds that the property interests proposed to be taken are not necessary for the Project, and the Project is not planned in the manner that will be most compatible with the greatest public good and the least private injury. (CCP §1240.030.) After addressing the Morrises concerns in the condemnation review meeting process, we remain convinced that avoidable private injury will be caused by the Project. Chief among our concerns is that Caltrans plans to remove permanent

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fencing and replace it with less secure temporary soft fencing for the approximately 2.5 year construction period for the Project, which poses serious safety issues for the Morrises' young children, who play in the yard on the property.

The Morrises nonetheless appreciate the importance of the Project and acknowledge that their concerns have at least been considered, if not fully resolved, by Caltrans' staff. By this letter they ***withdraw their objection to the RON***. However, we do request that the Commission consider conditioning adoption of the RON, whether formally or informally, on Caltrans' agreement to do something more to address the safety and security of the Morrises' property.

Sincerely,

DESMOND, NOLAN, LIVAICH & CUNNINGHAM

Kristen Renfro

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