

Study Em-458

July 18, 2000

First Supplement to Memorandum 2000-56**Early Disclosure of Valuation Data and
Resolution of Issues in Eminent Domain**

Attached is a letter from Dick Williams of the Department of Transportation. Mr. Williams reiterates his general support for early disclosure and early resolution procedures, but emphasizes that limitations on use of the written statement and summary and appraisal must be included, as proposed by the staff in Memorandum 2000-56.

Respectfully submitted,

Nathaniel Sterling
Executive Secretary

DEPARTMENT OF TRANSPORTATION

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July 17, 2000

VIA FACSIMILE AND FIRST-CLASS MAIL

Nathaniel Sterling, Esq.
Executive Secretary
California Law Revision Commission
4000 Middlefield Road, Room D-1
Palo Alto, CA 94303-4739

Dear Mr. Sterling:

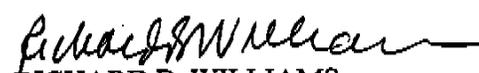
In re: Study Em-458, Memorandum 2000-56: Early Disclosure of Valuation Data and Resolution of Issues in Eminent Domain

I am submitting this letter in response to Commission Staff Memorandum 2000-56 regarding early disclosure of valuation data and resolution of legal issues in eminent domain.

As I stated in my February 8, 2000, letter to you regarding Memorandum 2000-12, in my presentations to the Commission at the meetings held February 11 and April 13, 2000, and in my letter dated June 13, 2000, regarding Memorandum 2000-39, I strongly support the concept of the early exchange of valuation data and the early resolution of legal issues in eminent domain proceedings.

In Memorandum 2000-56, the staff discusses whether to retain the requirement of a written statement of, and summary of the basis for, the amount established as just compensation by the public entity for the property being acquired while adding the requirement that the public entity also provide a copy of the appraisal. Whether the written statement and summary requirement is kept or discontinued, the limitations suggested by the staff on the use of the written statement and summary and appraisal must be included.

Very truly yours,


RICHARD B. WILLIAMS
Attorney

cc: Michael R. Nave