DEPARTMENT: Public Works  By: Michael Edwards  Phone: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X)  

Public Works recommends adopting a Resolution approving the expenditure of $2,000 from the Road Fund for the Acquisition of right-of-way along Fairgrounds Drive.

The justification for this action is contained in the attached Staff Report.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The background on this matter is contained in the attached Staff Report. There have been no Board actions on this matter.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If this expenditure is not approved, Public Works will not be able to acquire the right-of-way for this portion of Fairgrounds Drive. The County will continue to maintain this portion of the road. We will, however, not have any deeded right-of-way.

COSTS:  ( ) Not Applicable

A. Budgeted current FY $10,000  
B. Total anticipated costs $2,000  
C. Required additional funding $  
D. Internal transfers $  

SOURCE:  ( ) 4/5th Vote Required

A. Unanticipated revenues $  
B. Reserve for contingencies $  
C. Source description: Balance in Reserve Contingencies, if approved: $  

SPECIAL INSTRUCTIONS:  
list the attachments and number the pages consecutively:

Exhibit Map (1 page)
Staff Report (1 page)

CLERK’S USE ONLY

Res. No.:  313  Ord. No.  
Vote - Ayes:  Noes:  
Absent:  Abstained:  
Approved:  Denied  
Minute Order Attached  No Action Necessary  

The foregoing instrument is a correct copy of the original on file in this office.

Date:  
ATTEST: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California  
By:  Deputy  

ADMINISTRATIVE OFFICER’S RECOMMENDATION:
This item on agenda as:  
Recommended  
Not Recommended  
For Policy Determination  
Submitted with Comment  
Returned for Further Action  

Comment:  
A.O. Initials:  

Action Form Revised 5/92
STAFF RECOMMENDATION: Staff recommends that the Board of Supervisors adopt the attached Resolution approving the expenditure of $2,000 for the acquisition of right-of-way along a portion of Fairgrounds Drive.

BACKGROUND: Fairgrounds Drive has been in the County maintained road system since its inception. Right-of-way has been deeded to the County along a portion of Fairgrounds Drive, however, the County presently maintains the road farther than the deeded right-of-way extends. This acquisition is proposed so that the County will have right-of-way for all of Fairgrounds Drive presently being maintained.

HISTORY OF BOARD ACTIONS: There have been no Board Actions on this matter.

STAFF DISCUSSION: There is another issue regarding Fairgrounds Drive that the Board should be aware of that the recommended action will help resolve.

In July of 1980, the Planning Commission approved a land division, L.D.A.927. The approval of this division was based upon erroneous information from the Road Department which stated that the proposed parcels had frontage on a County Road. The Parcel Map was recorded in July of 1981 creating the three subject parcels. These three parcels now belong to Thornton Builders who operate a mini storage on the property.

It has since come to our attention that only one of the three parcels actually has frontage on the County maintained portion of the road. The other two parcels front on the extension of Fairgrounds Drive which is a private road easement.

Since the County has allowed the land along this portion of Fairgrounds Drive to be divided and permitted the commercial use of this property, we anticipate that the County will be responsible to insure access to these parcels. We feel that, at the present time, the best way to insure this access is to extend the County right-of-way and maintenance along frontage of these parcels.