RECOMMENDED ACTION AND JUSTIFICATION:
Staff recommends the Board:
(1) Adopt attached Resolution of Summary Abandonment for relinquished portion of 4th Street. See attached map for area to be abandoned.
(2) Approve property trade between the County and the Millburn and Matlock families at 4th Street, northwest of Highway 140.
(3) Authorize the Chairman to execute all documents required for this trade, including those accepting property or rights-of-way for the County, and those giving property to the private parties.

The property trade will allow improvement of the access to the Creek Project, place improvements belonging to Matlock on their property, and allow correction of the existing drainage from the highway. See Attachment 2 for a map of the area.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board adopted the Mariposa Creek Project as a County project in February of 1988 with Res. 86-60, and adopted a Negative Declaration of environmental impacts on January 17, 1989.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
If the trade is not completed, construction of the access and drainage to the Creek will be more difficult, and encroaching improvements on County property would have to be moved.

COSTS: ( ) Not Applicable
A. Budgeted current FY $83,000*
B. Total anticipated costs $ 0
C. Required Add'l funding $ 0

SOURCE: ( ) 4/5ths Vote Required
A. Internal Transfers $
B. Unanticipated revenues $
C. Reserve for contingency $
D. Description:
Balance in Reserve for Contingencies, if approved

SPECIAL INSTRUCTIONS:
1. Resolution for Summary Abandonment of Portion of 4th Street.
2. * $69,000 = Park Bond Act. Construction funds also include donations, previous DWR grant, and funds raised by Mariposa Co. Arts Council

CLERK’S USE ONLY:
Res. No.: 90 - 503
Ord. No.: ________
Vote - Ayes: 5 Noes: ________
Absent: ________ Abstained: ________
Approved ( ) Denied ( ) Minute Order Attached

The foregoing instrument is a correct copy of the original on file in this office.
Date: 
ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of CA
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 12/89
ATTACHMENT 1

MARIPOSA COUNTY
RESOLUTION 90-503

A RESOLUTION FOR SUMMARY ABANDONMENT FOR A PORTION OF COUNTY OWNED PROPERTY AT 4TH STREET SOUTH OF HIGHWAY 140

WHEREAS, a portion of 4th Street is not necessary or required for road purposes; and

WHEREAS, pursuant to the Streets and Highways Code Section 8330, the Board finds that a portion of 4th Street right of way should be summarily vacated, for the reason that the street has been superceded by relocation,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Mariposa, as follows:

The following described portion of 4th Street right of way is hereby summarily vacated and abandoned pursuant to Streets and Highways Code Section 8330: EXHIBIT A, RESOLUTION NO. 90 - 503.

PASSED AND ADOPTED by the Mariposa County Transportation Commission this 23th day of October, 1990, by the following vote:

AYES: BAGGERT, PUNTE, ERICKSON, RADANOVICH, TABER
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE

ARTHUR C. BAGGERT JR., Chairman
Mariposa County Board of Supervisors

ATTEST:

MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEFFREY G. GREEN, County Counsel
All of that portion of Fourth Street as shown on the Map of the Town of Mariposa, recorded as Map Number 313, Mariposa County Records, situated in the Rancho Las Mariposas, T.5 S., R.18 E., N.D.B.& M., County of Mariposa, State of California, as described as follows:

Beginning at the intersection of the westerly right-of-way line of State Highway 140 with the southerly line of Fourth Street; thence along said southerly line of Fourth Street, south 53° 50' 23" west, 79.78 feet; thence leaving said southerly line, north 60° 48' 49" west, 39.61 feet; thence along a line parallel to and 36 feet distant from said southerly line of Fourth Street, north 53° 50' 23" east, 96.30 feet to the above said westerly right-of-way line of State Highway 140; thence along said westerly right-of-way line, south 36° 09' 22" east, 36.00 feet to the Point of Beginning.

description prepared by:

Charles M. Pratt LS4891
ATTACHMENT 2

Map showing property trade @ 4th Street

NOTE: O = 3/16" I.P.