

DEPARTMENT: Public Works

By: Jerome Freeman

Phone: 966-5356

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

Resolution of Intent to Accept an Irrevocable and Perpetual Offer of Dedication of Public Road and/or Public Utility Easement Right-of-Way to the County of Mariposa on the Re-aligned Portion of Sierra Pines Drive; and Resolution of Intent to Abandon a Portion of Said Sierra Pines Drive

Public Works recommends that the Board of Supervisors adopt a Resolution accepting the re-aligned portion of Sierra Pines Drive, an easement to be offered for dedication near the Lushmeadows subdivision; adopt a Resolution vacating the old portion of Sierra Pines Drive, a dedicated easement near the Lushmeadows subdivision; and direct the Public Works Director to record the approved resolution.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The original easements crossing the subject parcel were originally created by Parcel Map Book 4, Page 49 and later widened from 50' wide to 60' wide and offered for dedication to Mariposa County by Parcel Map Book 15, Page 39. The County Engineer accepted these dedications for public use through Document No. 911744. The current owner of this parcel, Dennis Johnson, wished to relocate a portion of one of the easements crossing his property line so that he can better utilize this parcel. Mr. Johnson had made written requests to the Public Works Director dated August 4, 1998 and June 30, 2000 to bring this acceptance before the Board in order to accomplish this relocation. Public Works will require Mr. Johnson to deliver signed and notarized easement documents to Public Works to be recorded through Mariposa County Title Company.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If the Board does not accept this portion of the relocated easement, the property owner, Mr. Johnson, will not be able to better utilize his existing property.

<p>COSTS: (X) Not Applicable</p> <p>A. Budgeted current FY> \$ _____</p> <p>B. Total anticipated Costs> \$ _____</p> <p>C. Required additional funding> \$ _____</p> <p>D. Internal transfers> \$ _____</p> <p>SOURCE: () 4/5th Vote Required</p> <p>A. Unanticipated revenues> \$ _____</p> <p>B. Reserve for contingencies> \$ _____</p> <p>C. Source description: > _____</p> <p>Balance in Reserve Contingencies, If Approved: \$ _____</p>	<p>SPECIAL INSTRUCTIONS: List the attachments and number the pages consecutively:</p> <p>1. Map showing existing and proposed easements (1 pg)</p> <p>2. Parcel map Bk. 4, Pg. 49 (1 pg)</p> <p>3. Parcel map Bk. 15, Pg. 39 (1 pg)</p> <p>4. Resolution accepting re-aligned portion of easement (Sierra Pines Drive) (2 pgs)</p> <p>5. Resolution abandoning a portion of easement (Sierra Pines Drive) (3 pgs)</p> <p>6. Letter from Public Utility (2 pgs)</p>
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CLERK'S USE ONLY 01-116 ←

Res. No.: 01-112 Ord. No.: _____

Vote - Ayes: 5 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

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: _____

C.A.O. Initials: ASD

MARIPOSA COUNTY RESOLUTION NO. 01-116

**A RESOLUTION OF INTENT OF SUMMARY ABANDONMENT
OF A PORTION OF SIERRA PINES DRIVE
A DEDICATED EASEMENT NEAR THE LUSHMEADOWS SUBDIVISION**

WHEREAS a written request to abandon a portion of Sierra Pines Drive has been made by the owner of the property upon which said easement lies; and

WHEREAS, this easement has been superseded by the construction of a road in a location different than the location of this easement.

NOW, THEREFORE, BE IT RESOLVED by the Mariposa County Board of Supervisors, a political subdivision of the State of California, that the Board hereby determines and orders as follows:

1. The County of Mariposa, by and through its Board of Supervisors, summarily vacates the easement described in this resolution pursuant to Street & Highways Code, Division 9, Chapter 3, § 8330.
2. The easement hereby vacated is described in Exhibit "A: attached hereto, and by reference, made a part hereof.
3. The approval of the easement vacation is conditioned upon the applicant providing acceptable new public service easements to the public service involved. Upon receipt by the Public Works Department of easements, this Resolution will become effective.
4. A certified copy of this Resolution No. 01-116 shall be recorded in the office of the Mariposa County Recorder by the Clerk of the Board, and upon such recordation, the easement hereby vacated shall no longer constitute a street highway or public service easement.

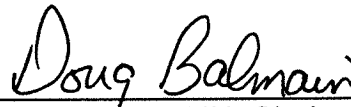
PASSED AND ADOPTED this 24th day of April, 2001, by the Mariposa County Board of Supervisors by the following vote:

AYES: Balmain, Reilly, Parker, Stewart, Pickard

NOES: None

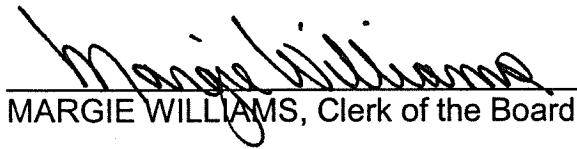
ABSTAINED: None

ABSENT: None



DOUG BALMAIN, Chair
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JEFFREY G. GREEN, County Counsel

MARIPOSA COUNTY RESOLUTION NO. 01-112

**A RESOLUTION OF INTENT OF THE SUMMARY ACCEPTANCE
OF A RE-ALIGNED PORTION OF SIERRA PINES DRIVE NEAR THE
LUSHMEADOWS SUBDIVISION INTO THE MARIPOSA COUNTY ROAD SYSTEM**

WHEREAS; a written request to accept into the Mariposa County Road System of the existing re-aligned portion of Sierra Pines Drive has been made by the owner of the property upon which said easement lies.

NOW THEREFORE BE IT RESOLVED by the Mariposa County Board of Supervisors, a political subdivision of the State of California, that the Board hereby determine and orders as follows:

1. The easement hereby accepted is described in attached Exhibit "N".
2. The Clerk of the Board shall record a certified copy of this resolution, No. 01-112, in the office of the Mariposa County Recorder, and upon such recordation, the easement hereby shall become part of the Mariposa County Road System.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa this 24th day of April, 2001 by the following vote:

AYES: Balmain, Reilly, Parker, Stewart, Pickard

NOES: None

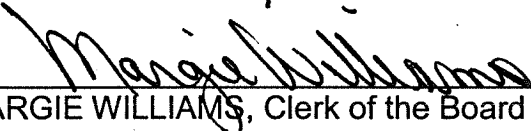
ABSTAINED: None

ABSENT: None



DOUG BALMAIN, CHAIR
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY



JEFFREY G. GREEN, County Counsel