

DEPARTMENT: Public Works

By: Michael D. Edwards

Phone: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION:

(Policy Item: Yes No)

Pursuant to Government Code section 25526.5, the Mariposa County Public Works Department has determined that the real property is no longer necessary for the County or other public purposes. Therefore, Public Works recommends that the Board of Supervisors adopt this resolution:

- (1) Authorizing the sale of approximately 200 square feet of the Seventh Street right-of-way to the owners of the adjacent property whose buildings encroach into Seventh Street. The sale would be for fair market value as established by the Assessor's Office (\$1,100.00) and contingent on the Planning Director's approval of a lot line adjustment prepared by the property owners for this transfer.
- (2) Determine that the value of eliminating the County's liability associated with the encroachments is equal to the value of the sale (\$1,100.00)
- (3) Authorizing Public Works to issue an encroachment permit for the existing walkway/porch on the front of the Sierra Stationers building with the provisions that the property owners accept all liability associated with the walkway/porch and that the County may remove the walkway/porch should it become necessary in the future for the purpose of making improvements to Seventh Street.
- (4) Authorizing County Counsel to prepare all deeds, contracts and other documents necessary to proceed with the transfer of this property.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The building that now houses Sierra Stationers was built in its present location, encroaching into Seventh Street, many years ago. Record of Survey Map No. 1365, attached, made this encroachment a matter of public record in 1965. A recent re-survey of this property, made pursuant to a proposed sale, brought this encroachment to the attention of prospective buyers of the property. The prospective buyers have requested the County's help in resolving this encroachment.

Staff evaluated the site and determined that the walkway and porch do not meet current codes. Although they do not warrant reconstruction, they represent a possible liability to the County should someone be injured at that location.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If the Board does not adopt this resolution, the existing building will continue to encroach onto the County right-of-way for Seventh Street. The County liability will continue.

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

AGENDA DATE: 06/09/98
AGENDA ITEM NO.: 8-C

COSTS: (X) Not Applicable

A. Budgeted current FY > \$ -0-
B. Total anticipated Costs > \$ -0-
C. Required additional funding > \$ _____
D. Internal transfers > \$ _____

COSTS: () 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:

1. Record of Survey Map No. 1365 showing site
(1 page)
2. Exhibit map prepared by property owner's
surveyor (1 page)

CLERK'S USE ONLY

Res. No.: 98-211 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 for Comment

Returned for Further Action

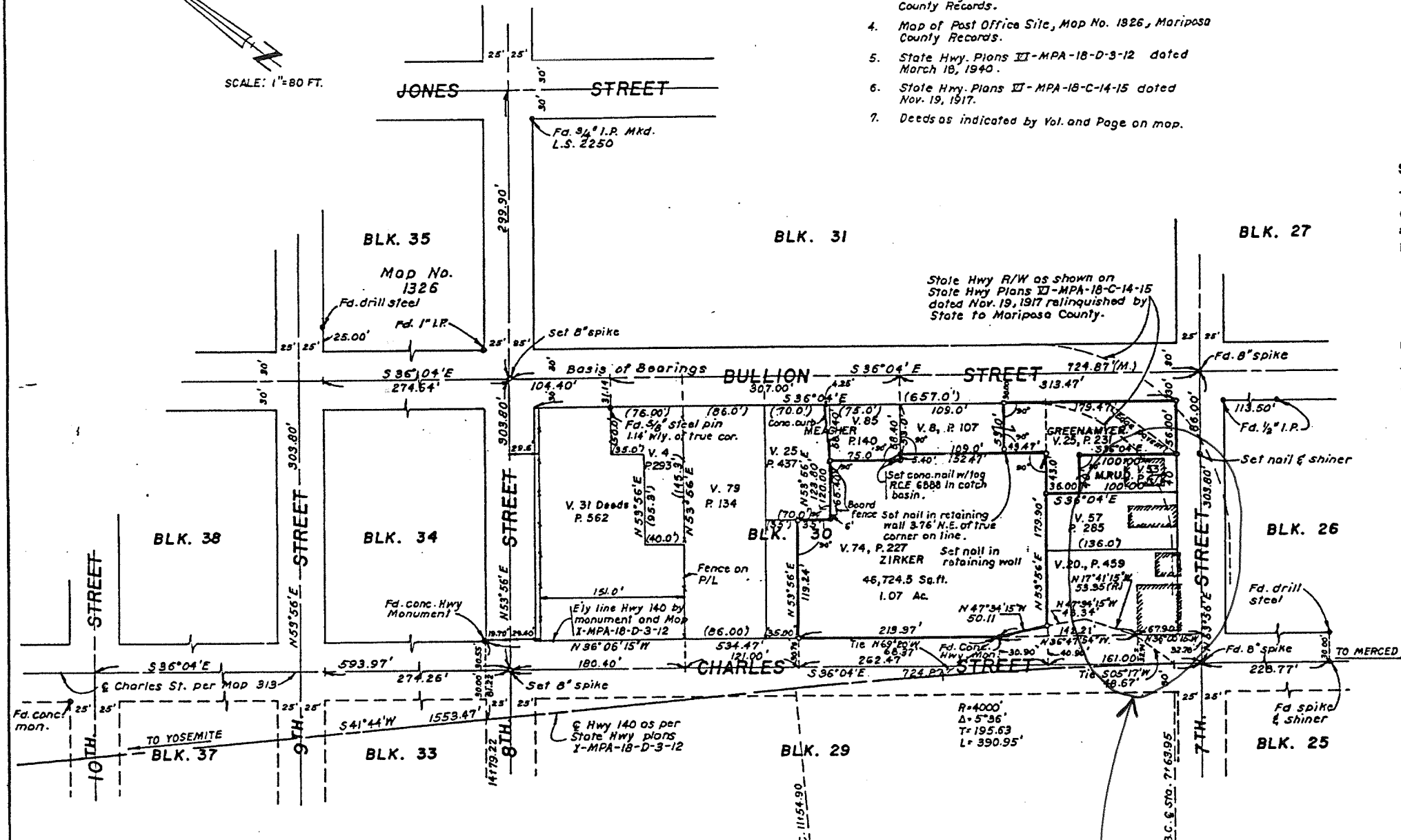
Comment: _____

C.A.O. Initials: JK

REFERENCES

1. Amended Survey of the Town of Mariposa Map 313, Mariposa County Records.
2. Map of Ellingham Subdivision No 1. Map 982, Mariposa County Records.
3. Map of Roy Rodanovich Lot, Map 1144, Mariposa County Records.
4. Map of Post Office Site, Map No. 1826, Mariposa County Records.
5. State Hwy. Plans II-MPA-18-D-3-12 dated March 18, 1940.
6. State Hwy. Plans II-MPA-18-C-14-15 dated Nov. 19, 1917.
7. Deeds as indicated by Vol. and Page on map.

SCALE: 1"=80 FT.



SURVEYOR'S CERTIFICATE:

This map correctly represents a survey made by me or under my direction in conformance with the requirements of Chapter 15 of Division 3 of the Business and Professions Code at the request of AARON MECHAM & AGNES ZIRKER in OCT- JAN, 1965.

Clyde Jones
 Registered Civil Engineer No. 6888

COUNTY SURVEYOR'S CERTIFICATE:

This map has been examined for conformance with the requirements of Chapter 15, Division 3 of the Business and Professions Code this 30th day of 18th January, 1965.

Clyde Jones
 County Surveyor

RECORDER'S CERTIFICATE:

Filed for record this 20th day of January, 1965 at 4:00 P.M. in Book of MARS at page 1365, at the request of A Zirker & Aaron Mecham. Fee: \$5.00

HAROLD J. ROWNEY
 County Recorder
 By *Clyde Jones*
 Deputy

RECORD OF SURVEY MAP FOR
MECHAM and ZIRKER

BEING A SURVEY OF A PORTION OF
 BLOCK 30 OF THE TOWN OF MARIPOSA,
 SITUATED IN SECTION 23, T. 5 S.,
 R. 18 E., M.D.B.&M.

RANCHO LAS MARIPOSAS
 MARIPOSA COUNTY, CALIFORNIA

OCTOBER, 1964 SCALE: 1"=80 FT.

- LEGEND
- o Set 3/4" I.P. w/ log R.C.E. 6888 or as indicated on map.
 - o Monument found as described

Record distances as per reference maps and deeds are shown in parenthesis. All other distances are measured.

The Basis of Bearings for this Survey is the centerline of Bullion Street as shown on Map No. 982, Mariposa County Records. (S36°04'E)

Note: The north line of State Hwy. 140 between 7th and 8th Streets was retraced during this survey by use of existing monuments and in accordance with description in deed, recorded in Vol. 20 of Page 459, Mariposa County Records. The centerline and ties to centerline of Hwy 140 as shown on this map are according to State Hwy. Plans I-MPA-18-D-3-12, dated March 18, 1940.

SITE

