

97-356

MARIPOSA COUNTY  
BOARD OF SUPERVISORS

AGENDA  
ACTION FORM

AGENDA DATE: 9/2/97  
AGENDA ITEM NO.: CA 2

DEPARTMENT: Public Works

By: Michael D. Edwards

Phone: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION:

(Policy Item: Yes \_\_\_ No X)

Resolution authorizing a land exchange with Sierra Telephone at the Mariposa Landfill.

The exchange is for an essentially equal amount of land, allowing the existing Sierra Telephone building to be located totally on Sierra Telephone property.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

It was determined, after the fact, that the existing telephone substation is encroaching on County property. The exchange of land allows the building to be located totally on Sierra Telephone property. The telephone company has prepared the transfer documents and is paying the review and recording fees.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

No action. A corner of the building will continue to encroach on County property.

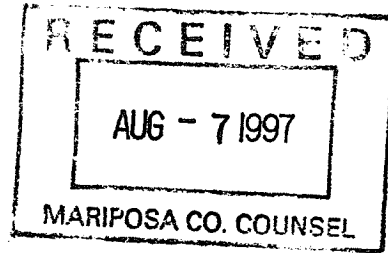
<p>COSTS: ( X ) Not Applicable</p> <p>A. Budgeted current FY&gt; \$ _____</p> <p>B. Total anticipated Costs&gt; \$ _____</p> <p>C. Required additional funding&gt; \$ _____</p> <p>D. Internal transfers&gt; \$ _____</p> <p>COSTS: ( ) 4/5th Vote Required</p> <p>A. Unanticipated revenues&gt; \$ _____</p> <p>B. Reserve for contingencies&gt; \$ _____</p> <p>C. Source description: &gt; _____</p> <p>Balance in Reserve Contingencies, If Approved: \$ _____</p>	<p>SPECIAL INSTRUCTIONS:</p> <p>List the attachments and number the pages consecutively:</p> <p><u>1. Sierra Telephone/J. Green Letter of 8/5/97</u></p> <p><u>2. Sierra Telephone Grant Deed</u></p> <p><u>3. Mariposa County Grant Deed</u></p> <p><u>4. Change of Ownership</u></p> <p><u>5. Map</u></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
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<p><b>CLERK'S USE ONLY</b></p> <p>Res. No.: <u>97-356</u> Ord. No.: _____</p> <p>Vote - Ayes: <u>5</u> Noes: _____</p> <p>Absent: _____ Abstained: _____</p> <p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Minute Order Attached <input type="checkbox"/> No Action Necessary</p> <p>The foregoing instrument is a correct copy of the original on file in this office</p> <p>Date: _____</p> <p>ATTEST: _____</p> <p style="text-align: center;">MARGIE WILLIAMS, Clerk of the Board</p> <p>By: _____</p> <p style="text-align: center;">Deputy</p>	<p><b>ADMINISTRATIVE OFFICER'S RECOMMENDATION:</b></p> <p>This item on agenda as:</p> <p><input checked="" type="checkbox"/> Recommended</p> <p><input type="checkbox"/> Not Recommended</p> <p><input type="checkbox"/> For Policy Determination</p> <p><input type="checkbox"/> Submitted with Comment</p> <p><input type="checkbox"/> Returned for Further Action</p> <p>Comment: _____</p> <p>_____</p> <p>C.A.O. Initials: <u>ME</u></p>
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August 5, 1997

Jeffrey G. Green  
Office of the County Counsel,  
Mariposa County  
P.O. Box 189  
Mariposa, California 95338



RE: Transfer of Property - Mariposa County/Sierra Telephone Company, Inc.

Dear Jeff:

Enclosed are the following documents for the above referenced subject matter:

- A check for \$300 for processing
- Grant Deed - Transfer of Property from County of Mariposa to Sierra Telephone, Inc.
- Grant Deed - Transfer of Property from Sierra Telephone, Inc. to County of Mariposa (signed and notarized; not recorded)
- Preliminary Change of Ownership Report (not yet dated)
- Map of property transfer

Please let me know if you have any questions, or need additional information. I can be reached at the following numbers:

(209) 642-0367  
(209) 966-5825  
(800) 343-8074

Thank you for your cooperation.

Sincerely,

Greta I. Hudak  
Right-Of-Way Agent/Permits

Enclosures

RECORDING REQUESTED

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO:

Name County of Mariposa
Street P.O. Box 784
Address
City & State Mariposa, California
Zip 95338

Title Order No. Escrow No.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

T 355 Legal (2-94)

Grant Deed

THE UNDERSIGNED GRANTOR(s) DECLARE(s)

DOCUMENTARY TRANSFER TAX IS \$ -0-

Mariposa incorporated area City of

Parcel No. 012-120-005

- computed on full value of interest or property conveyed, or
computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
County of Mariposa

hereby GRANT(S) to
Sierra Telephone Company, Inc.

the following described real property in the
county of Mariposa, state of California:

All that portion of projected Section 9, Township 5 south, Range 18 east, Rancho
Las Mariposas, M.D.B.&M., being more particularly described as follows:

Commencing at the northeast corner of Parcel A of that certain Parcel Map for
Fred J. Bardini, recorded in Book 21 of Maps at page 3, M.C.R.; thence along the east
line thereof S. 10°39'28" W., 76.95 feet; thence S. 77°41'50" E., 10.97 feet;
thence N. 13°32'48" E., 28.35 feet; thence S. 34°32'30"W., 30.62 feet to the point
of beginning.

Containing .0036± acres

Dated 9-4-97

Robert C. Stewart

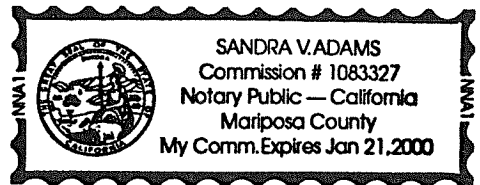
STATE OF CALIFORNIA
COUNTY OF Mariposa } S.S.

Robert C. Stewart, Chairman of the Board

On September 8, 1997 before me,
Sandra V. Adams, Notary Public

a Notary Public in and for said County and State, personally appeared
Robert C. Stewart

personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed
the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf
of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal
Signature Sandra V. Adams

(This area for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

RECORDING REQUESTED

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO:

Name Sierra Telephone  
Street Address P.O. Box 219  
City & State \ Zip Oakhurst, California 93644

Title Order No. \_\_\_\_\_ Escrow No. \_\_\_\_\_

SPACE ABOVE THIS LINE FOR RECORDER'S USE

T 355 Legal (2-94)

# Grant Deed

THE UNDERSIGNED GRANTOR(s) DECLARE(s)

DOCUMENTARY TRANSFER TAX IS \$ -0-

Oakhurst incorporated area  City of \_\_\_\_\_

Parcel No. 012-120-026

computed on full value of interest or property conveyed, or

computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
Sierra Telephone Company, Inc.

hereby GRANT(S) to  
County of Mariposa

the following described real property in the  
county of Mariposa, state of California:

All that portion of projected Section 9, Township 5 south, Range 18 east, Rancho Las Mariposas, M.D.B.&M., being more particularly described as follows:

Commencing at the northeast corner of Parcel A of that certain Parcel Map for Fred J. Bardini, recorded in Book 21 of Maps at Page 3, M.C.R.; thence along the east line thereof S.10°39'28"W., 76.95 feet to the point of beginning; thence continuing S.10°39'28"W. 25.16 feet; thence N. 34°32'30"E. 27.17 feet; thence N. 77°41'50"W. 11.00 feet to the point of beginning.

Containing .0032± acres

Dated August 5, 1997

Harry H. Baker  
Harry H. Baker

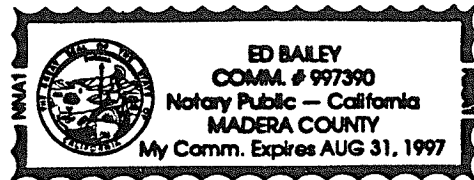
STATE OF CALIFORNIA }  
COUNTY OF MADERA } S.S.

On AUGUST 5, 1997 before me,

ED BAILEY  
a Notary Public in and for said County and State, personally appeared  
HARRY H. BAKER

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal  
Signature ed Bailey



(This area for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

PRELIMINARY CHANGE OF OWNERSHIP REPORT

FOR RECORDER'S USE ONLY

[To be completed by transferee (buyer) prior to transfer of subject property in accordance with Section 480.3 of the Revenue and Taxation Code.] A Preliminary Change of Ownership Report must be filed with each conveyance in the County Recorder's office for the county where the property is located; this particular form may be used in all 58 counties of California

THIS REPORT IS NOT A PUBLIC DOCUMENT

SELLER/TRANSFEROR: Sierra Telephone Co., Inc.
BUYER/TRANSFEE: County of Mariposa
ASSESSOR'S PARCEL NUMBER(S) 012-120-26
PROPERTY ADDRESS OR LOCATION: Northwesterly of the Mariposa County Landfill, adjacent to State Hwy 49 North
MAIL TAX INFORMATION TO: Name Sierra Telephone Co., Inc. Address P.O. Box 219 Oakhurst, CA 93644
PHONE NUMBER (8 a.m.-5 p.m.) (209)683-4611

NOTICE: A lien for property taxes applies to your property on January 1 of each year for the taxes owing in the following fiscal year, July 1 through June 30. One-half of these taxes is due November 1, and one-half is due February 1. The first installment becomes delinquent on December 10 and the second installment becomes delinquent on April 10. One tax bill is mailed before November 1 to the owner of record. IF THIS TRANSFER OCCURS AFTER JANUARY 1 AND ON OR BEFORE DECEMBER 31, YOU MAY BE RESPONSIBLE FOR THE SECOND INSTALLMENT OF TAXES DUE FEBRUARY 1.

The property which you acquired may be subject to a supplemental assessment in an amount to be determined by the MARIPOSA County Assessor. For further information on your supplemental roll obligation, please call the MARIPOSA County Assessor at (209) 966-2332

PART I: TRANSFER INFORMATION

Please answer all questions.

- YES NO
A. Is this transfer solely between husband and wife (Addition of a spouse, death of a spouse, divorce settlement, etc.)?
B. Is this transaction only a correction of the name(s) of the person(s) holding title to the property (For example, a name change upon marriage)?
C. Is this document recorded to create, terminate, or reconvey a lender's interest in the property?
D. Is this transaction recorded only as a requirement for financing purposes or to create, terminate, or reconvey a security interest (e.g. cosigner)?
E. Is this document recorded to substitute a trustee under a deed of trust, mortgage, or other similar document?
F. Did this transfer result in the creation of a joint tenancy in which the seller (transferor) remains as one of the joint tenants?
G. Does this transfer return property to the person who created the joint tenancy (original transferor)?
H. Is this transfer of property:
1. to a trust for the benefit of the grantor, or grantor's spouse?
2. to a trust revocable by the transferor?
3. to a trust from which the property reverts to the grantor within 12 years?
I. If this property is subject to a lease, is the remaining lease term 35 years or more including written options?
J. Is this a transfer from parents to children or from children to parents?
K. Is this transaction to replace a principal residence by a person 55 years of age or older? Within the same county? Yes No
L. Is this transaction to replace a principal residence by a person who is severely disabled as defined by Revenue and Taxation Code Section 69.5? Within the same county? Yes No

\*If you checked yes to J, K or L, you may qualify for a property tax reassessment exclusion, which may result in lower taxes on your property. Failure to file a claim results in the reassessment of the property.

Please provide any other information that would help the Assessor to understand the nature of the transfer.

IF YOU HAVE ANSWERED "YES" TO ANY OF THE ABOVE QUESTIONS EXCEPT J, K OR L, PLEASE SIGN AND DATE, OTHERWISE COMPLETE BALANCE OF THE FORM.

PART II: OTHER TRANSFER INFORMATION

- A. Date of transfer if other than recording date
B. Type of transfer. Please check appropriate box.
Purchase Foreclosure Gift Trade or Exchange Merger, Stock, or Partnership Acquisition
Contract of Sale - Date of Contract
Inheritance - Date of Death Other: Please explain:
Creation of Lease Assignment of a Lease Termination of a Lease Sale/Leaseback
Date lease began
Original term in years (including written options)
Remaining term in years (including written options)
C. Was only a partial interest in the property transferred? Yes No
If yes, indicate the percentage transferred %.

SBE-ASD AH 502-A BACK 5-26-94 (Revised 3-13-96)  
**PRELIMINARY CHANGE OF OWNERSHIP REPORT**

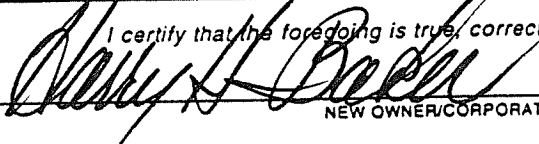
Please answer, to the best of your knowledge, all applicable questions, sign and date. If a question does not apply, indicate with "N/A."

**PART III: PURCHASE PRICE AND TERMS OF SALE** N/A

- A. CASH DOWN PAYMENT OR Value of Trade or Exchange (excluding closing costs) Amount \$ \_\_\_\_\_
- B. FIRST DEED OF TRUST @ \_\_\_\_\_ % interest for \_\_\_\_\_ years. Pymts./Mo. = \$ \_\_\_\_\_ (Prin. & Int. only) Amount \$ \_\_\_\_\_  
 FHA( \_\_\_\_\_ Discount Points)  Fixed Rate  New Loan  
 Conventional  Variable Rate  Assumed Existing Loan Balance  
 VA ( \_\_\_\_\_ Discount Points)  All inclusive D.T. (\$ \_\_\_\_\_ Wrapped)  Bank or Savings & Loan  
 Cal-Vet  Loan Carried by Seller  Finance Company  
 Balloon Payment  Yes  No Due Date \_\_\_\_\_ Amount \$ \_\_\_\_\_
- C. SECOND DEED OF TRUST @ \_\_\_\_\_ % interest for \_\_\_\_\_ years. Pymts./Mo. = \$ \_\_\_\_\_ (Prin. & Int. only) Amount \$ \_\_\_\_\_  
 Bank or Savings & Loan  Fixed Rate  New Loan  
 Loan Carried by Seller  Variable Rate  Assumed Existing Loan Balance  
 Balloon Payment  Yes  No Due Date \_\_\_\_\_ Amount \$ \_\_\_\_\_
- D. OTHER FINANCING: Is other financing involved not covered in (b) or (c) above?  Yes  No Amount \$ \_\_\_\_\_  
 Type \_\_\_\_\_ @ \_\_\_\_\_ % interest for \_\_\_\_\_ years. Pymts./Mo. = \$ \_\_\_\_\_ (Prin. & Int. only)  
 Bank or Savings & Loan  Fixed Rate  New Loan  
 Loan Carried by Seller  Variable Rate  Assumed Existing Loan Balance  
 Balloon Payment  Yes  No Due Date \_\_\_\_\_ Amount \$ \_\_\_\_\_
- E. WAS AN IMPROVEMENT BOND ASSUMED BY THE BUYER?  Yes  No Outstanding Balance: Amount \$ \_\_\_\_\_
- F. TOTAL PURCHASE PRICE (or acquisition price, if traded or exchanged, include real estate commission if paid.)  
 Total Items A through E \$ \_\_\_\_\_
- G. PROPERTY PURCHASED  Through a broker  Direct from seller  From a family member  Other (explain) \_\_\_\_\_  
 If purchased through a broker, provide broker's name and phone number: \_\_\_\_\_  
 Please explain any special terms, seller concessions, or financing and any other information that would help the Assessor understand the purchase price and terms of sale. \_\_\_\_\_

**PART IV: PROPERTY INFORMATION**

- A. TYPE OF PROPERTY TRANSFERRED:  
 Single-family residence  Agricultural  Timeshare  
 Multiple-family residence (no. of units: \_\_\_\_\_)  Co-op/Own-your-own  Manufactured Home  
 Commercial/Industrial  Condominium  Unimproved lot  
 Other (Description: \_\_\_\_\_)
- B. IS THIS PROPERTY INTENDED AS YOUR PRINCIPAL RESIDENCE?  Yes  No  
 If yes, enter date of occupancy \_\_\_\_\_ / \_\_\_\_\_ / 19 \_\_\_\_\_ or intended occupancy \_\_\_\_\_ / \_\_\_\_\_ / 19 \_\_\_\_\_  
MONTH DAY MONTH DAY
- C. IS PERSONAL PROPERTY INCLUDED IN PURCHASE PRICE (i.e., furniture, farm equipment, machinery, etc.)  
 (other than a manufactured home subject to local property tax)?  Yes  No  
 If yes, enter the value of the personal property included in the purchase price \$ \_\_\_\_\_ (Attach itemized list of personal property)
- D. IS A MANUFACTURED HOME INCLUDED IN PURCHASE PRICE?  Yes  No  
 If yes, how much of the purchase price is allocated to the manufactured home? \$ \_\_\_\_\_  
 Is the manufactured home subject to local property tax?  Yes  No What is the Decal Number? \_\_\_\_\_
- E. DOES THE PROPERTY PRODUCE INCOME?  Yes  No If yes, is the income from:  
 Lease/Rent  Contract  Mineral Rights  Other — Explain: \_\_\_\_\_
- F. WHAT WAS THE CONDITION OF THE PROPERTY AT THE TIME OF SALE?  
 Good  Average  Fair  Poor  
 Please explain the physical condition of the property and provide any other information (such as restrictions, etc.) that would assist the Assessor in determining the value of the property.  
Property exchange is to place existing Sierra Telephone building on Sierra Telephone  
property

I certify that the foregoing is true, correct and complete to the best of my knowledge and belief.  
 Signed  Date Aug 5, 1997  
NEW OWNER/CORPORATE OFFICER

Please Print Name of New Owner/Corporate Officer \_\_\_\_\_

(NOTE: The Assessor may contact you for further information)

If a document evidencing a change of ownership is presented to the recorder for recordation without the concurrent filing of a preliminary change of ownership report, the recorder may charge an additional recording fee of twenty dollars (\$20).

