

DEPARTMENT: Public Works

By: Bruce A. Atkinson

Phone: 966-5356

**RECOMMENDED ACTION AND JUSTIFICATION:** (Policy Item: Yes  No

Resolution authorizing a land exchange with Mariposa Masonic Temple Association at the Mariposa Cemetery and authorizing the Chairman to Execute the Grant Deed.

The exchange is in conjunction with a right-of-way acquisition associated with the Joe Howard Street at Highway 49 North reconstruction project. The land (shown in yellow on Attachment #6) was previously believed by the Masons to belong to them, and was fenced by the Masons. The transfer of this land was part of the negotiated right-of-way acquisition as described in Attachments 1-5. A lot line adjustment is necessary to effect this exchange and has been processed through the Planning Department by Public Works (see Attachment #7).

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

Public Works previously negotiated a Right-of-Entry with the Masons to allow Caltrans to construct the improvements as part the the recent State Highway 49 project. This was with the commitment to negotiate right-of-way acquisition in good faith.

**LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

No action. Different terms will have to be negotiated for the right-of.-way necessary on Fournier Road. Additional delays will be incurred. Ultimate contract may result in unforeseen costs. The existing fence line will have to be removed and relocated.

COSTS:		(XX) Not Applicable
A.	Budgeted current FY>	\$ _____
B.	Total anticipated Costs>	\$ _____
C.	Required additional funding>	\$ _____
D.	Internal transfers>	\$ _____

COSTS:		(XX) 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. Masonic Temple Association Grant Deed
2. Mariposa County Grand Deed
3. Change of Ownership
4. Just Compensation Statement
5. Right-of-Way Contract
6. Map
7. Lot Line Adjustment No. 531 Approval Letter  
from Planning Department

CLERK'S USE ONLY

Res. No.: 97-451 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: Ja