RECOMMENDED ACTION AND JUSTIFICATION:

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.

<table>
<thead>
<tr>
<th>COSTS:</th>
<th>(XX) Not Applicable</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Budgeted current FY&gt;</td>
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<td></td>
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<tr>
<td>B. Total anticipated Costs&gt;</td>
<td>$</td>
<td></td>
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<tr>
<td>C. Required additional funding&gt;</td>
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<tr>
<td>D. Internal transfers&gt;</td>
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<table>
<thead>
<tr>
<th>COSTS:</th>
<th>(XX) 4/5th Vote Required</th>
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<tbody>
<tr>
<td>A. Unanticipated revenues&gt;</td>
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<td></td>
</tr>
<tr>
<td>B. Reserve for contingencies&gt;</td>
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<td></td>
</tr>
<tr>
<td>C. Source description:</td>
<td>&gt;</td>
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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.: 97-481 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: _________________________

Action Form Revised 8/20/94