
BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board, by Resolution 95-384, authorized the relocation of this particular easement. Previously, the Board approved one other easement relocation.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve easement relocation.

COSTS: (X) Not Applicable
A. Budgeted CURRENT FY $________
B. Total anticipated costs $________
C. Required add’l funding $________
D. Internal transfers $________

SOURCE: ( ) 4/5's vote required
A. Unanticipated revenues $________
B. Reserve for Contingencies $________
C. Source description: 

Balance in Reserve for Contingencies, if approved: $________

CLERK'S USE ONLY:
Resolution No.: 96-458
Ordinance No.: 

Vote: Ayes: 5 Noes: 
Absent: ______ Abstain: ______

Approved ( ) Denied ( ) Minute Order
( ) 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,
County of Mariposa,
State of California

BY: ____________________________

Deputy

SPECIAL INSTRUCTIONS
List the attachments and number pages accordingly:
3 page resolution
1 page staff memo

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on Agenda as: 
Recommended 
Not recommended 
Policy determination Submitted w/ comment Returned for further action
Comment: 

A.O. Initials: [Signature]
November 1, 1996

TO: Board of Supervisors

FROM: James F. Evans, Director

SUBJECT: RELOCATION OF LAKE DON PEDRO PEDESTRIAN AND EQUESTRIAN TRAIL

As authorized by Resolution 95-384, the Board of Supervisors directed me to proceed with the relocation of a P&E Trail easement from one lot to an adjacent lot. This direction included four conditions:

(1) Relocation improves public access and use of the trail.

(2) Relocation is supported by the Foothill Saddle and Trail Club.

(3) The property-owner is responsible for all expenses except County staff review.

(4) The purchase of the adjacent lot is completed.

A site visit confirmed that the relocation would benefit users of the P&E Trail. I received a letter from the Saddle and Trail Club supporting the relocation. The property owner has provided all appropriate legal documents and has completed purchase of the adjacent lot.

County Counsel has indicated that the County may proceed with formal approval of this matter. The legal descriptions of the easements have been prepared by a Civil Engineer which meets the requirements of the County Associate Surveyor.

Therefore, I request your approval to formally approve the relocation of the Lake Don Pedro P&E Trail as described in the attached Resolution.
RESOLUTION ACCEPTING AN EQUESTRIAN AND PEDESTRIAN EASEMENT
ON LOT NUMBER 536 OF THE LAKE DON PEDRO SUBDIVISION
AND VACATING AN EQUESTRIAN AND PEDESTRIAN EASEMENT
ON LOT 535 OF THE LAKE DON PEDRO SUBDIVISION

WHEREAS, Section 8333 of the Streets and Highways Code authorizes the Board of
Supervisors to summarily vacate a public service easement provided that the easement has
been superseded by a relocation and there are no public facilities located within the easement;

WHEREAS, Section 8335 of the Streets and Highways Code authorizes the Board of
Supervisors to vacate a public service easement by adopting a resolution of vacation; and,

WHEREAS, by Resolution 95-384, the Board of Supervisors accepted an exchange of public
service easement from Lot 535 to Lot 536 of the Lake Don Pedro Subdivision and more
precisely described in Exhibit A and Exhibit B attached hereto and made a part of this
Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, County of Mariposa,
as follows:

1) The County of Mariposa hereby accepts an easement for equestrian and pedestrian
   purposes on Lot 536 of the Lake Don Pedro Subdivision and more precisely described
   in Exhibit B.

2) The County of Mariposa summarily vacates an easement for equestrian and pedestrian
   purposes on Lot 535 of the Lake Don Pedro Subdivision and more precisely described
   in Exhibit A. The easement shall be vacated immediately upon adopted of this
   Resolution.

PASSED AND ADOPTED THIS 12th DAY OF NOVEMBER, 1996 BY THE FOLLOWING
VOTE:

AYES: Reilly, Balmain, Stewart, Parker, and Pickard
NOES: None
ABSTAIN: None
ABSENT: None

DOUG BALMAIN, CHAIRMAN

MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEFFREY G. GREEN, County Counsel
EXHIBIT "A"

ABANDONMENT
EQUESTRIAN AND PEDESTRIAN EASEMENT

An abandonment of that easement for equestrian and pedestrian purposes over a portion of Lot 535, as shown on a map of Lake Don Pedro Subdivision, Unit 2-M, which map was filed on September 8, 1969 in Book of Maps at Page 1676/35, Mariposa County Records. Said Lot 535 also being a portion of Section 34, Township 3 South, Range 15 East, Mount Diablo Base & Meridian.

Easement to be abandoned is more particularly described as follows: Being 30 feet in width, parallel with, and lying adjacent to and Northwesterly of the Southeasterly line of Lot 535. Said line having a designated bearing and distance of North 50°05'59" East, 393.76 feet.

Prepared By:

Gabriel V. Pesce
R.C.E. 22849
G.V. Pesce & Associates, Inc.
EXHIBIT "B"

DESCRIPTION
EQUESTRIAN AND PEDESTRIAN EASEMENT

An easement for equestrian and pedestrian purposes over a portion of Lot 536, as shown on a map of Lake Don Pedro Subdivision, Unit 2-M, which map was filed on September 8, 1969 in Book of Maps at Page 1676/35, Mariposa County Records. Said Lot 536 also being a portion of Section 34, Township 3 South, Range 15 East, Mount Diablo Base & Meridian.

Said easement is more particularly described as follows: Being 30 feet in width, parallel with, lying adjacent too and Northwesterly of the Southeasterly line of Lot 536. Said line having a designated bearing and distance of North 50°05'59" East, 386.65 feet.

Prepared By:

Gabriel V. Pesce
R.C.E. 22849
G.V. Pesce & Associates, Inc.
ESCONDIANT INSTRUCTIONS
TO: MARIPOSA COUNTY TITLE COMPANY
P.O. BOX 218 / 5082 BULLION STREET / MARIPOSA, CALIFORNIA 95338
TELEPHONE (209) 966-2021 / FAX (209) 742-6799

Escrow No: 95435     Escrow Officer: Neil A. Stonum     Date: March 25, 1996

You are hereinafter the originals of the deeds attached hereto and identified as 95435 and 95435a. You may record both deeds concurrently without the issuance of title insurance. This is a compliance order only. Mariposa County Title Company has drawn the attached deed at the request of and as a service to the County of Mariposa and Wendy Weidenman. You are hereby relieved of any liability other the drawing and recording of the attached documents.

County of Mariposa

By: ____________________________  
Doug Bailey
Chairman of the Board of Supervisors

Attest: ____________________________  
Margie Williams
Clerk of the Board

Approved as to form and legal sufficiency:

______________________________  
Jeffrey G. Green
County Counsel

______________________________  
Wendy Weidenman
Recording Requested by
MARIPOSA COUNTY TITLE COMPANY

When recorded, mail this deed
and tax statements to:

County of Mariposa
P. O. Box 189
Mariposa, CA 95338

Title Order No. 95435
Escrow No. 95435

GRANT DEED

The undersigned declares that the documentary transfer tax is $0.00
and is /x/ computed on the full value of the interest or property conveyed
or is // computed on the full value less the value of liens or
encumbrances remaining thereon at the time of sale.
The land, tenements or realty is located in unincorporated area.

Date of deed: August 9, 1996                Assessor's Parcel Number 020-230-020

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

Wendy Weidenman, an unmarried woman

hereby GRANT(S) to

County of Mariposa, a political subdivision

the following described property in the County of Mariposa, State of California:

SEE EXHIBIT "B"

WyndiWiedenman

State of California}
County of [MERCE]

On 10/09/1996, before me,

[Signature]
Notary Public in and for
said County and State, personally appeared Wendy Weidenman, 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
(Continued on Next Page)
authorized capacity(ies), and that by his/her/their signature(s) on
the instrument the person(s), or entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

(Seal)

This is to certify that the interest in real property conveyed by the
deed or grant dated August 90, 1996 from Wendy Weidenman to the County
of Mariposa, a political corporation is hereby accepted pursuant to
authority conferred by resolution 95-384 of the Board of Supervisors
adopted on August 22, 1995, and the grantee consents to
recording thereof by its duly authorized officer.

Dated: November 19, 1996

County of Mariposa

By: ____________________________
    Doug Balmain
    Chairman of the Board of Supervisors

Attest: _________________________
    Margie Williams
    Clerk of the Board

Approved as to form and legal sufficiency:

______________________________
Jeffrey G. Green
County Counsel
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of CA

County of MERCEDES

On 10-9-96 before me, DONNA A. MILLER

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared WENDY WEIDENMAN

Name(s) of Signer(s)

☐ 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 of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: GRANT DEED

Document Date: 10-9-96 Number of Pages: (3)

Signer(s) Other Than Named Above: DOUG BALMAIN, MARGIE WILLIAMS, JEFFREY G. GREEN

Capacity(ies) Claimed by Signer(s)

Signer's Name: WENDY WEIDENMAN

☐ Individual

☐ Corporate Officer,

Title(s): __________________________

☐ Partner — ☐ Limited ☐ General

☐ Attorney-in-Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: __________________________

Signer Is Representing: __________________________

RIGHT THUMBPRINT
Top of thumb here

Signer's Name: __________________________

☐ Individual

☐ Corporate Officer

Title(s): __________________________

☐ Partner — ☐ Limited ☐ General

☐ Attorney-in-Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: __________________________

Signer Is Representing: __________________________

RIGHT THUMBPRINT
Top of thumb here
EXHIBIT "B"

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Prepared By:

[Signature]

Gabriel V. Pesce
R.C.E. 22849
G. V. Pesce & Associates, Inc.
QUITCLAIM DEED

The undersigned declares that the documentary transfer tax is $0.00 and is /x/ computed on the full value of the interest or property conveyed or is // computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale. The land, tenements or realty is located in unincorporated area.

Date of deed: August 9, 1996 Assessor's Parcel Number 020-230-020

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

County of Mariposa, a political subdivision

hereby REMISES, RELEASES AND QUITCLAIMS to

Wendy Weidenman, an unmarried woman

the following described property in the County of Mariposa, State of California:

SEE EXHIBIT "A"

THIS EASEMENT IS BEING GRANTED AND ACCEPTED PURSUANT TO BOARD OF SUPERVISORS RESOLUTION 95-384.

County of Mariposa

(Continued on Next Page)
QUITCLAIM DEED CONTINUATION PAGE

By: _____________________________
    Doug Balmain
    Chairman of the Board of Supervisors

Attest: __________________________
        Margie Williams
        Clerk of the Board

Approved as to form and legal sufficiency:

_______________________________
Jeffrey G. Green
County Counsel

State of California
County of ________________

On ________________, before me,
Sandra V. Adams
Notary Public in

and for said County and State, personally appeared
Doug Balmain

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 entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

________________________________
Sandra V. Adams
Notary Public

(Continued on Next Page)
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