



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AUTHORIZING THE CONVEYANCE AND RECORDATION OF A NON-EXCLUSIVE EASEMENT WITHIN WESTERN GATEWAY PARK PROPERTY (APN 51-220-16), APPROVING AN EASEMENT AGREEMENT BETWEEN THE COUNTY OF NEVADA AND THE NEVADA CEMETERY DISTRICT AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE AGREEMENT

WHEREAS, County of Nevada (County) owns approximately 80.97 acres (APN 51-220-16) and its appurtenant facilities located at 18560 Penn Valley Drive, Penn Valley, CA, commonly known as the Western Gateway Park (Park Property); and

WHEREAS, County acquired the Park Property from Boise Cascade Recreation Communities, a Division of Boise Cascade Home and Land Corporation, on March 6, 1972, when it was deeded to the County for use as a County park and open space; and

WHEREAS, County intends to transfer Park Property to the Western Gateway Park District; and

WHEREAS, the Nevada Cemetery District owns property adjacent to the Park Property, and more particularly described as APN 51-120-13 and APN 51-120-09, and desires to acquire an easement for ingress and egress and utility purposes across 0.89 acres of Park Property; and

WHEREAS, prior to transferring the Park Property to the Western Gateway Park District, County desires to grant a non-exclusive easement (Park Property Easement) to the Cemetery District for ingress and egress and utility purposes across 0.89 acres of the Park Property as described in the Easement Agreement (Easement Agreement) attached as Exhibit A; and

WHEREAS, County now desires to grant the Park Property Easement and Cemetery District agrees to accept the Park Property Easement subject to conditions set forth in the Easement Agreement attached as Exhibit A; and

WHEREAS, Government Code section 25365 provides that the Board of Supervisors may, by a four-fifths vote, convey or otherwise transfer to a special district any real property or any interest therein belonging to the County if the property interest to be conveyed is not required for county use; and

WHEREAS, pursuant to Government Code section 25365(c), notice of the proposed conveyance of a non-exclusive easement to the Nevada Cemetery District was duly published in a newspaper of general circulation in the County on May 2, 2016.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors, of the County of Nevada, State of California, that:

1. The Board of Supervisors hereby finds and determines that the non-exclusive easement to be conveyed to the Nevada Cemetery District is not required for County use.
2. The Easement Agreement by and between the County of Nevada and the Nevada Cemetery District for a non-exclusive easement for ingress and egress and utility purposes in 0.89 acres of Park Property located at 18560 Penn Valley Drive, Penn Valley, CA, APN 51-220-16, is hereby approved in the form attached hereto as Exhibit A, and the Chair of the Board of Supervisors is hereby authorized to execute the Easement Agreement, on behalf of the County of Nevada.
3. Mr. Stephen T. Monaghan, Chief Information Officer, is hereby authorized to execute and record, on behalf of the County of Nevada, all such instruments and documents as may be required in order to consummate this real property transaction.