



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION DECLARING EXEMPT SURPLUS PROPERTY AND APPROVING THE SALE OF A PORTION OF COUNTY LANDS (THREE PARCELS) TO THE STATE OF CALIFORNIA FOR STATE HIGHWAY 49 IMPROVEMENTS, APPROVING THE ASSOCIATED RIGHT-OF-WAY CONTRACTS, AND GRANTING A TEMPORARY CONSTRUCTION EASEMENT, ALL ASSOCIATED WITH ASSESSOR'S PARCEL NUMBERS 022-160-038, 022-331-039, & 022-331-040 – DISTRICT III

WHEREAS, the County of Nevada has received a request from the State of California Department of Transportation to purchase strips of land for Highway right-of-way purposes and a Temporary Construction Easement over three (3) parcels of County of Nevada owned lands known as APNs 022-160-038, 022-331-039, & 022-331-040; and

WHEREAS, the right-of-way area over APN 022-160-038 consists of approximately 54,826 sf (1.26 acres) as described in attached Grant Deed Document No. 38913-1 and shown in attached Right-of-Way Contract -State Highway Document No. 38913-1 and Exhibit Map; and

WHEREAS, the Fair Market Value of the right-of-way area over APN 022-160-038 is determined to be \$138,000 as shown in attached Appraisal for Parcel No. 38913-1 and the total purchase price of this strip of land is \$151,800 includes a \$13,800 Incentive Payment as described in the attached Right-of-Way Contract -State Highway Document No. 38913-1; and

WHEREAS, the right-of-way area over APN 022-331-039 consists of approximately 69,863 sf (1.60 acres) as described in attached Grant Deed Document No. 38913-1 and shown in attached Right-of-Way Contract -State Highway Document No. 38912-1 and Exhibit Map; and

WHEREAS, the Fair Market Value of the right-of-way area over APN 022-331-039 is determined to be \$179,000 as shown in attached Appraisal for Parcel No. 38912-1 and the total purchase price of this strip of land is \$196,900, which includes a \$17,900 Incentive Payment as described in the attached Right-of-Way Contract-State Highway Document No. 38912-1; and

WHEREAS, the right-of-way area over APN 022-331-040 consists of approximately 19,275 sf (0.44 acres) as described in attached Grant Deed Document No. 37666-1 and shown in attached Right-of-Way Contract -State Highway Document No. 37666-1 and Exhibit Map; and

WHEREAS, the Fair Market Value of the right-of-way area over APN 022-331-040 is determined to be \$51,100 as shown in attached Appraisal for Parcel No. 37666-1 and the total purchase price of this strip of land is \$56,200, which includes a \$5,100 Incentive Payment as described in the attached Right-of-Way Contract-State Highway Document No. 37666-1; and

WHEREAS, the Temporary Construction Easement over APN 022-331-039 consists of an easement area of approximately 33,377 sf (0.77 acres) located in the southwest portion of said parcel for construction purposes for a period of 57 months terminating in December 2029 as described and shown in attached Right-of-Way Contract -State Highway Document No. 38782-1 and Exhibit Map; and

WHEREAS, the Fair Market Value of the Temporary Construction Easement area over APN 022-331-039 is determined to be \$45,000 as shown in attached Appraisal for Parcel No. 38782-1 and the total purchase price of this Easement is \$49,500, which includes a \$4,500 Incentive Payment as described in the attached Right-of-Way Contract-State Highway Document No. 38782-1; and

WHEREAS, the total Fair Market Value of all three (3) strips of land and a Temporary Construction Easement is \$413,100 plus a total of Incentive Payments of \$41,300 for a total payment of \$454,400.00; and

WHEREAS, the Nevada County Surveyor has reviewed the proposed Grant Deeds and Temporary Construction Easement and finds that these documents are technically correct and ready for the Chairman's signature prior to recordation; and

WHEREAS, the right-of-way and easement shall be deeded to the State of California for the total sum of \$454,400; and

WHEREAS, the request has been circulated to the Nevada County Public Works Department and the Facilities Department and both have consented to the request; and

WHEREAS, the aforementioned properties have been determined to be exempt surplus County properties pursuant to Government Code 54221 (f)(1)(D).

NOW, THEREFORE, BE IT RESOLVED that the Nevada County Board of Supervisors has reviewed and considered this land sale and Easement for State Highway purposes and hereby finds and determines as follows:

1. The above recitals are true and correct.
2. The subject properties at Assessor's Parcels 022-160-038, 022-331-039, and 022-331-040 are declared exempt surplus properties.
3. Approves the sale of County of Nevada lands for State Highway purposes as described and shown in the attached Grant Deeds and Right-of-Way Contracts.
4. Approves the granting of a Temporary Construction Easement over a portion of County of Nevada lands for State Highway construction purposes as described and shown in the attached Temporary Construction Easement Deeds and Right-of-Way

Contracts.

5. The strip of lands and Temporary Construction Easement shall be deeded to the State of California for the total sum of \$454,400.

BE IT FURTHER RESOLVED that the Nevada County Board of Supervisors hereby:

1. Sells a portion of the existing County of Nevada Lands for State Highway purposes as described and shown in the attached Grant Deeds and Right-of-Way Contracts.
2. Grants a Temporary Construction Easement over a portion of County of Nevada lands for State Highway construction purposes as described and shown in the attached Temporary Construction Easement Deeds and Right-of-Way Contracts.
3. Authorizes the Chairman of the Board to sign the Contracts, Grant Deeds, Payee Data Records for APNs 022-160-038, 022-331-039, & 022-331-040 and a Temporary Construction Easement Contract and Payee Data Record for APN 022-331-039 on behalf of the County for the sale of the above-described strips of lands and easement.