



# RESOLUTION No. 18-477

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### RESOLUTION AUTHORIZING THE RELEASE AND QUITCLAIM OF REAL PROPERTY ON STATE HIGHWAY 174 (COLFAX HIGHWAY) TO THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION, APN 012-250-038 (4/5 AFFIRMATIVE VOTE REQUIRED)

WHEREAS, as part of the State of California, Department of Transportation's (Caltrans) State Route 174 Safety Improvement Project, Caltrans has reviewed right of way documentation for State Highway 174 (Colfax Highway) from post mile 2.7 to post mile 4.6 and has identified real property owned by the County on and adjacent to the highway; and

WHEREAS, Caltrans requests that the County quitclaim the real property to Caltrans; and

WHEREAS, Pursuant to California Government Code § 25365, the Board of Supervisors may, by a four-fifths vote, grant, convey, quitclaim, assign, or otherwise transfer to the State, any real property, or interest therein belonging to the County; and notice was published at least a week prior to this action; and

WHEREAS, for this particular request involving Assessor Parcel Number's 012-250-038, "Parcel Map 81-47" recorded April 22, 1993 in Book 16 of Parcel Maps, Page 68, included an offer of dedication for right of way on and adjacent to State Highway 174 identified as Area "A" and described as "AREA "A" OFFER OF DEDICATION TO COUNTY OF NEVADA FOR ROAD IMPROVEMENTS DOC. # 83-09351", see attached Exhibit A; and

WHEREAS, per Document No. 83-09351, the County of Nevada accepted the offer of dedication for any and all public uses; and

WHEREAS, Caltrans has identified the "parcel" necessary for their project as 36963-1 and proposes to continue to use all of Area "A" per attached Exhibit B.

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

1. Declares that the above recitals are true and accurate.
2. Authorizes the Chairman of the Board of Supervisors to execute a quitclaim deed releasing and quitclaiming the above referenced offer of dedication to the State of California, Department of Transportation, attached as Exhibit C.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 25th day of September, 2018, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: \_\_\_\_\_

  
Edward Scofield, Chair

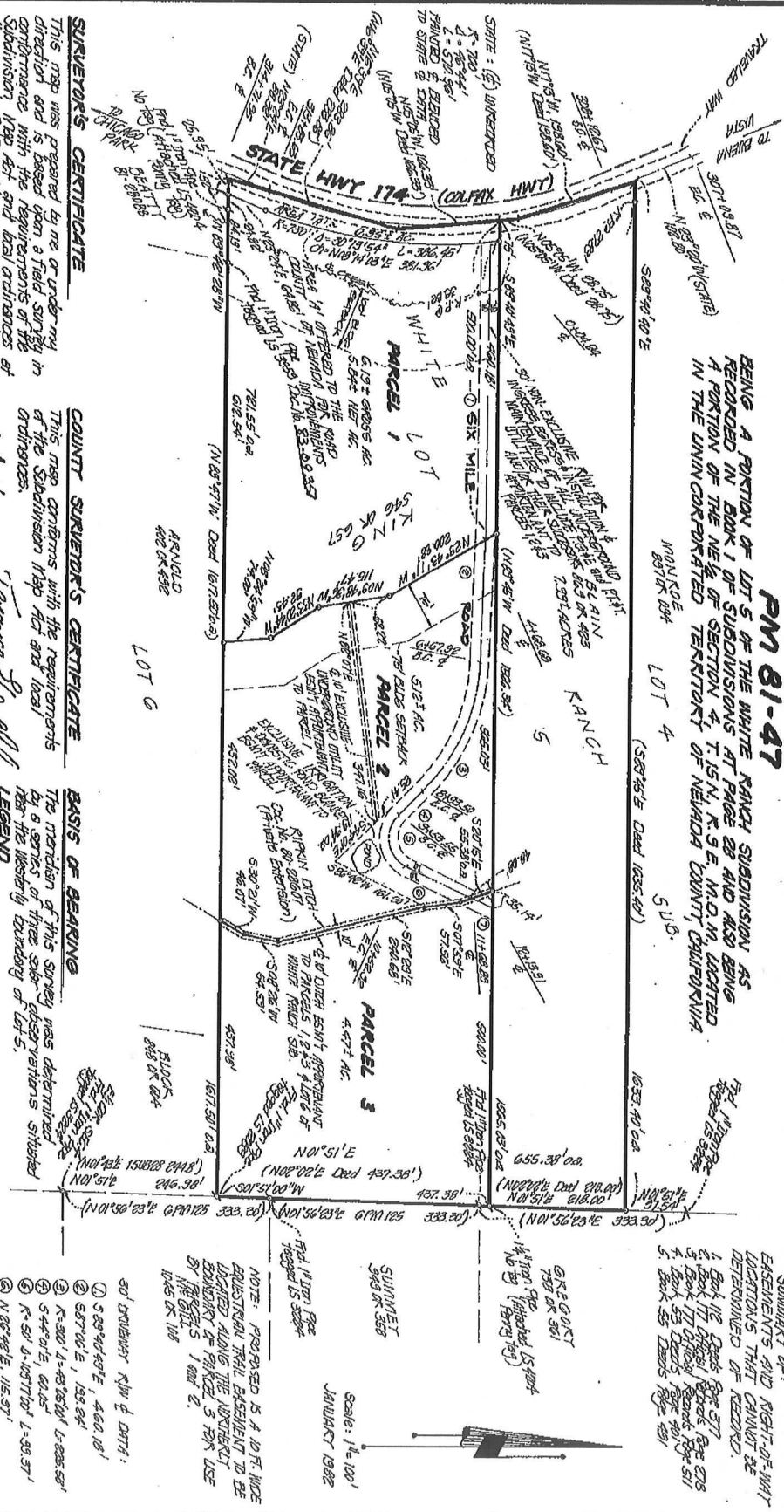
9/25/2018 cc: DPW\*  
AC\* (HOLD)

11/02/2018 cc: DPW\*  
AC\* (Release)

EXHIBIT A

PM 81-47

BEING A PORTION OF LOT 5 OF THE WHITE RANCH SUBDIVISION AS RECORDED IN BOOK 1 OF SUBDIVISIONS AT PAGE 22 AND ALSO BEING A PORTION OF THE NE 1/4 OF SECTION 4, T.15N, R.9E, M.2N, LOCATED IN THE UNINCORPORATED TERRITORY OF NEVADA COUNTY, CALIFORNIA



SUMMARY OF EASEMENTS AND RIGHT-OF-WAY LOCATIONS THAT CANNOT BE DETERMINED OF RECORD:

1. 20' WIDE EASEMENT FOR 577' ALONG THE WEST LINE OF PARCEL 1.
2. 20' WIDE EASEMENT FOR 678' ALONG THE WEST LINE OF PARCEL 2.
3. 20' WIDE EASEMENT FOR 511' ALONG THE WEST LINE OF PARCEL 3.
4. 20' WIDE EASEMENT FOR 400' ALONG THE WEST LINE OF LOT 5.

NOTE: PREPARED AS A 10' WIDE EASEMENT TRAIL EASEMENT TO BE LAYED OUT ALONG THE ADJACENT BOUNDARY OF PARCEL 3 FOR USE BY PARCELS 1 AND 2.

Scale: 1" = 100'

JANUARY 1982

**SURVEYOR'S CERTIFICATE**

This map was prepared by me or under my direction and is based upon a field survey in accordance with the requirements of the Subdivision Map Act and local ordinances of the State of Nevada. I, the Surveyor, certify that I am a duly qualified and licensed Surveyor in the State of Nevada and that this map is a true and correct representation of the survey as shown on the attached plat.

Alan R. Brooks  
 15 0024

**COUNTY SURVEYOR'S CERTIFICATE**

This map conforms with the requirements of the Subdivision Map Act and local ordinances.

Date of filing: 1/15/82  
 I, Lawrence J. Dwyer, County Surveyor

**RECORDER'S CERTIFICATE**

Filed this 22 day of April 1982 at Reno, NV, in Book 1 of Subdivisions at page 22, of the records of Nevada County, Nevada, at the request of Alan R. Brooks, Surveyor.

By: Bruce C. Salinger, County Recorder  
 83 08333

**BASIS OF BEARING**

The meridian of this survey was determined by a series of three star observations situated near the western boundary of Lot 5.

LEGEND

- 1. Set 3/4" Iron Pipe topped 15 0004
- 2. Found monument as noted hereon
- 3. Nothing found, ranging set

**NOTES**

1. The zoning is unclassified
2. There is no guarantee that water is available on any lot or parcel on the recorded map.
3. There is no guarantee that sewage can be disposed of on any lot or parcel on the recorded map.

Map 68

ALAN R. BROOKS, INC.  
 LAND SURVEYORS - ENGINEERS - FORESTERS  
 10563 BRUNSWICK ROAD  
 GRASS VALLEY, CALIFORNIA 95945

Sheet 1 of 1

EXHIBIT A

NEVADA COUNTY

83 09254

OFFICIAL RECORDS  
RECORDED AT REQUEST OF  
DEPT. PUBLIC WORKS

APR 22 1983  
AT 4:30 PM PAST 2:00 CLOCK P.M.  
NEVADA COUNTY, CALIFORNIA

*B. King*  
7/7

OFFER OF DEDICATION  
PM 81-47

We, the undersigned, do hereby offer for dedication to the County of Nevada for public use those certain strips of land shown within the boundaries of the Parcel Map recorded in Book 16 of Parcel Maps at Page 68 and being more particularly described as follows:

1. For ingress, egress, road construction and road maintenance purposes, together with any and all appurtenances thereto, including the right to trim and/or remove trees and vegetation, and the right to extend culverts and slopes, those certain strips of land shown and designated on the above-referenced Parcel Map as \_\_\_\_\_.
2. For any and all public utility uses, including, but not limited to, overhead and/or underground conduits, cables, ditches and pipes, together with the right to trim and/or remove trees and vegetation, those certain strips of land shown and designated on the above-referenced Parcel Map as "Public Utility Easements" (P.U.E.).
3. For any and all public uses, those certain strips of land shown and designated on the above-referenced Parcel Map as AREA "A".
4. For the installation and maintenance of storm drain facilities on, under and across those strips of land shown on the above-referenced Parcel Map as "Drainage Easements" (D.E.).

The offer provided for herein is a divisible offer as to each of the purposes set forth hereinabove, and the County may accept any and/or all of the portions of this offer, in any combination that it deems appropriate.

*Reginald Dale King*  
Reginald Dale King

*Betty Carol King*  
Betty Carol King

NEVADA COUNTY

83 09351

STATE OF CALIFORNIA, County of Nevada

On March 11, 1983, before me, the undersigned, a Notary Public in and for said State, personally appeared Reginald Dale King and Betty Carol King known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Frances Grever  
Notary Public



GOLD COUNTRY BANK, a State Banking Association, as Beneficiary under Deed of Trust recorded November 22, 1978, Book 1000, Page 401, Official Records.

BY: A. R. Froese

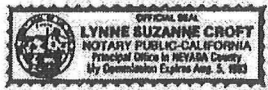
BY: \_\_\_\_\_

STATE OF CALIFORNIA, County of Nevada

On March 9, 1983, before me, the undersigned, a Notary Public, in and for said State, personally appeared A. R. Froese, known to me (or proved to me on the basis of satisfactory evidence) to be the vice President, and \_\_\_\_\_, known to me (or proved to me on the basis of satisfactory evidence) to be the \_\_\_\_\_ Secretary of the Corporation that executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within instrument pursuant to its bylaws or a resolution of its Board of Directors.

WITNESS by my hand and Official Seal.

Lynne Elizabeth Croft  
Notary Public



EHXIBIT A

NEVADA COUNTY

83 09351

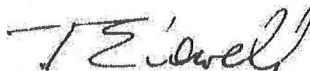
CERTIFICATE PROCESSING OFFER OF DEDICATION

FOR

PARCEL MAP 81-47

The Director of the Department of Public Works, as authorized by Resolution 76-94, heraby consents to the recording of the attached "Offer of Dedication" and, on behalf of the Board of Supervisors of Nevada County, hereby takes the following actions:

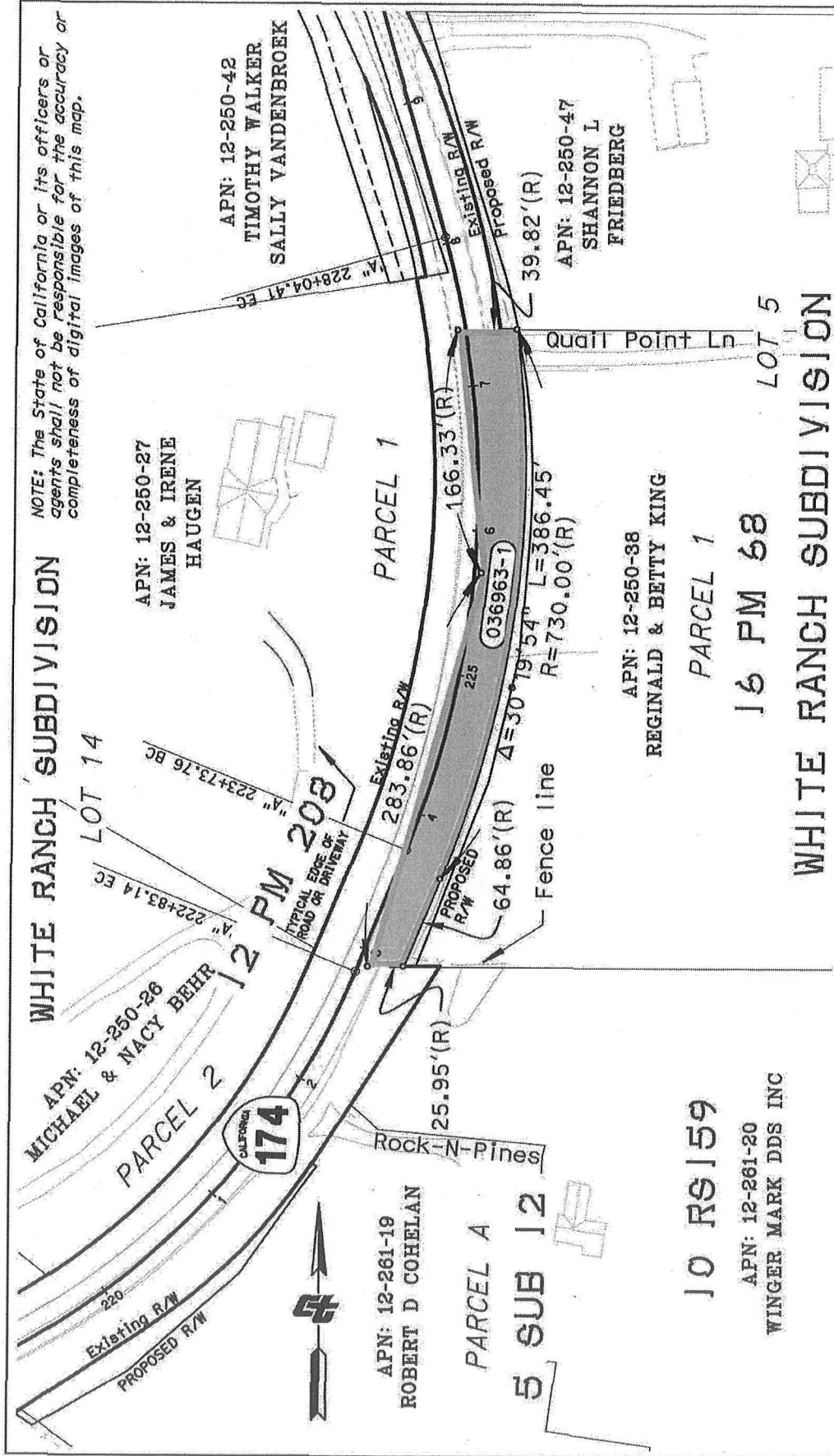
1. Accepts for public use items 3 of the attached Offer of Dedication.
2. Defers acceptance of items - of the attached Offer of Dedication.

  
Terrance E. Lowell, Director

Wesley W. Zechary \_\_\_\_\_ Date  
Deputy County Engineer  
R.C.E. 19284

END OF DOCUMENT

EXHIBIT B



WHITE RANCH SUBDIVISION

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.

APN: 12-250-27  
JAMES & IRENE  
HAUGEN

APN: 12-250-42  
TIMOTHY WALKER  
SALLY VANDENBROEK

APN: 12-250-47  
SHANNON L  
FRIEDBERG

APN: 12-250-38  
REGINALD & BETTY KING

APN: 12-261-19  
ROBERT D COHELAN

10 RS159  
APN: 12-261-20  
WINGER MARK DDS INC

16 PM 68

WHITE RANCH SUBDIVISION

NOTES	LEGEND	STATE OF CALIFORNIA CALIFORNIA STATE TRANSPORTATION AGENCY DEPARTMENT OF TRANSPORTATION RIGHT OF WAY EXHIBIT CT PARCEL 036963-1
Coordinates and bearings are on CCS 83 (epoch 2004.69) Zone 0402. Distances and stationing are grid distances. Divide by 0.99979 to obtain ground distances. All distances are in feet unless otherwise noted.	BUILDING FENCE CT PARCEL NUMBER (R) RECORD MEASUREMENT	SCALE: 1" = 100' FEET 0 50 100 200 SHEET PM 6 SHEET NO. 6 TOTAL SHEETS 8
DRAFTED BY: KWS	DATE: 7/20/18	DISTRICT: 03
	COUNTY: NEVADA	ROUTE: 174

PORTION TO BE USED FOR HIGHWAY  
 COUNTY DEDICATION ACCEPTED AREA "A"  
 PARCEL MAP 81-47 BOOK 16 PM 68  
 RECORDED APRIL 22, 1983, BY DOCUMENT  
 83 09351 O.R. NEVADA COUNTY RECORDED  
 APRIL 22, 1983.

3/16

**RECORDING REQUEST BY  
AND WHEN RECORDED MAIL TO:**

Name: Nevada County  
Department of Public Works  
Street Address: 950 Maidu Ave, Suite 170  
City, State & Zip: Nevada City, CA 95959

Nevada County Recorder  
Gregory J. Diaz  
Document#: 20180020233  
Tuesday October 16 2018, at 11:27:45 AM  
Paid: \$0.00  
Recorded By: KP

Mail tax statements to the same address as above

Space above this line for Recorder's Use

**QUITCLAIM DEED**

District	County	Route	Postmile	Number
03	NEV	174	4.0	36963-1

County of Nevada, a municipal corporation organized and existing under and by virtue of the laws of the State of California, hereinafter called GRANTOR, hereby releases and quitclaims to the State of California, Department of Transportation, hereinafter called STATE, all that real property in the unincorporated portion of the County of Nevada, State of California, described as follows:

See Exhibit "A", attached.

Dated: 9/26/18

County of Nevada

*Ed Scofield*  
Name: Ed Scofield

Title: Chair, Board of Supervisors

Document Fee \$ -0- ; No Apparent Value or Common Area  
" No Fee Required" (Government Code Section 27383)

The undersigned grantor(s) declare(s):  
Documentary transfer tax is \$ -0-  
 computed on full value of property conveyed, or  
 computed on full value less value of liens and  
encumbrances remaining at time of sale

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated 10/2/18

By LAURIE BERMAN  
Director of Transportation

By *Douglas Bortz*  
Attorney in Fact

DOUGLAS BORTZ  
Senior Right of Way Agent  
Project Coordination, Estimating &  
Local Programs Branch, Marysville



Exhibit A

Number
36963-1

**PARCEL 36963-1**

All that real property situated in Section 4, Township 15 North, Range 9 East, M.D.M, in the unincorporated portion of Nevada County, State of California, being all that portion of State Highway 174 (Colfax Hwy) shown as "Area A" on Parcel Map No. 81-47 recorded April 22, 1983 in Book 16 of Parcel Maps, Page 68 and as accepted in Offer of Dedication for Parcel Map 81-47 to the County of Nevada recorded April 22, 1983 as Document No. 83-09351, Official Records of Nevada County.

End of Description

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature

*[Handwritten Signature]*  
Professional Land Surveyor

Date

08-23-2018



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Nevada )

On Oct. 15, 2018 before me, Cindy Hunt, notary public,  
Date Here, insert Name and Title of the Officer

personally appeared Edward C. Scofield  
Name(s) of Signer(s)

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Cindy Hunt  
Signature of Notary Public

Place Notary Seal Above

### OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

### Description of Attached Document

Title or Type of Document: Quitclaim Deed # 36963-1 Document Date: 9/26/18  
Number of Pages: 2 Signer(s) Other Than Named Above: Douglas Bortz

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other \_\_\_\_\_  
Signer is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other \_\_\_\_\_  
Signer is Representing: \_\_\_\_\_