



RESOLUTION No. 21-020

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO REQUEST RELINQUISHMENT OF STATE RIGHT-OF-WAY, SPECIFICALLY PORTIONS OF SOUTH PONDEROSA WAY AND DEADMANS FLAT ROAD, TO THE COUNTY OF NEVADA AND TO ACCEPT THE RELINQUISHED RIGHT-OF-WAY ON BEHALF OF THE COUNTY OF NEVADA (DISTRICT IV)

WHEREAS, as part of the construction of Highway 20 between Grass Valley and Penn Valley, the State acquired right-of-way (ROW) on adjoining local roads including South Ponderosa Way and Deadmans Flat Road; and

WHEREAS, Caltrans has requested to relinquish these roads to the County of Nevada by condition of approval on a Caltrans Encroachment Permit to install bollards in the vicinity of South Ponderosa Way and State Route 20; and

WHEREAS, on October 27, 2020, the Board of Supervisors approved an associated Maintenance Agreement with Caltrans per Resolution 20-458; and

WHEREAS, on November 3, 2020, Caltrans issued an encroachment permit to install bollards for emergency egress/ingress with a condition of approval for the County to accept the relinquished roads; and

WHEREAS, if the California Transportation Commission (CTC) approves the requested relinquishment, the roads would be accepted by the County but not accepted into the County's Maintained Mileage System at this time; and

WHEREAS, if the CTC authorizes the relinquishment, the County will be asked to accept the relinquished ROW by resolution.

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

1. Authorizes the Director of Public Works to request relinquishment of State right-of-way as described and depicted in the attached Exhibit A.
2. Authorizes the Director of Public Works to accept the relinquished right-of-way on behalf of the County of Nevada.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 26th day of January, 2021, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

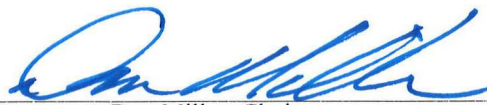
ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: _____



Dan Miller, Chair



1/26/2021 cc: DPW*
AC*



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
DEPARTMENT OF PUBLIC WORKS
950 MAIDU AVENUE, NEVADA CITY, CA 95959-8617
(530) 265-1411 FAX (530) 265-9849 www.mynevadacounty.com

Sean Powers
Community Development Agency Director

Trisha Tillotson
Director of Public Works

February 1, 2021

Amarjeet S. Benipal, District Director
Caltrans, District 3
PO Box 911
Marysville, CA 95901

Dear Mr. Benipal,

The County of Nevada has received Caltrans Encroachment Permit #20-0961 to construct bollards at S. Ponderosa Way and Mushroom Trail for emergency egress/ingress purposes. Per condition of approval for the permit, the County of Nevada is requesting relinquishment of a portion of S. Ponderosa Way and Deadmans Flat Road.

The County understands that the property to be relinquished will be transferred with no compensation by either party. The attached exhibit identifies the property to be relinquished from the State to the County. The Board of Supervisors has reviewed the proposed relinquishment and has approved a resolution for the transfer. A copy of the resolution has been attached to this letter for your files.

We appreciate the support and help your staff has provided to expedite this process. Please let us know if you have any questions.

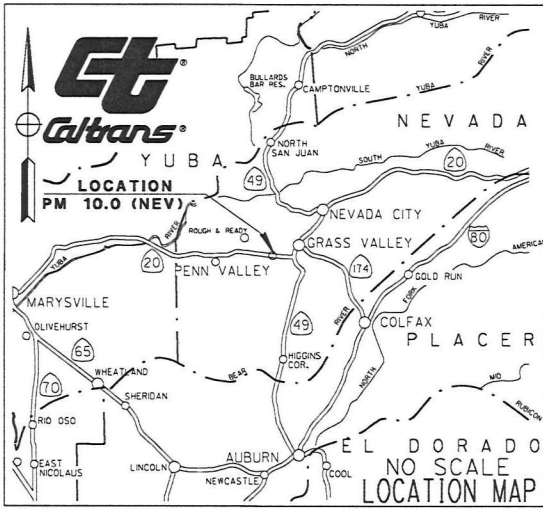
Sincerely,

Trisha Tillotson
Director of Public Works

EXHIBIT A

T16N R8E MDM
SECTION 32

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.



SECTION 31

053-092-079-000

053-400-001-000

053-400-002-000

053-400-010-000

← TO PENN VALLEY

RIGHT OF WAY

20

TO GRASS VALLEY →

RIGHT OF WAY

053-400-011-000

053-400-009-000

053-092-028-000

053-400-007-000

053-400-008-000




053-400-004-000

DEADMAN'S FLAT RD

S PONDEROSA WAY

053-400-005-000

LEGEND

-  EXISTING STATE R/W TO BE RELINQUISHED
-  CONVENTIONAL RIGHT OF WAY
-  ACCESS CONTROL RIGHT OF WAY

STATE OF CALIFORNIA
CALIFORNIA STATE TRANSPORTATION AGENCY
DEPARTMENT OF TRANSPORTATION

**COOPERATIVE AGREEMENT
EXHIBIT MAP**

NOT TO SCALE

EA(s): 4E620 PROJECT ID: 03 1400 0039

| DISTRICT | COUNTY | ROUTE | SHEET PM | SHEET NO. | TOTAL SHEETS |
|----------|--------|-------|----------|-----------|--------------|
| 03 | NEV | 20 | 10.0 | 1 | 1 |

California Department of Transportation

RECEIVED



DIVISION OF RIGHT OF WAY AND LAND SURVEYS
OFFICE OF LAND SURVEYS
1727 30th Street, MS-35 | SACRAMENTO, CA 95816-8041
(916) 227-7669 | FAX (916) 227-7670 TTY 711
www.dot.ca.gov

JUL 09 2021

NEVADA COUNTY
BOARD OF SUPERVISORS

ec: All BOS
DPW
CEO

July 6, 2021

County of Nevada
Board of Supervisors
950 Maidu Avenue
Nevada City, CA 95959

Right of Way Engineering
Relinquishment
01-Men-101-PM 48.09-48.38
Superseded State Highway
CTC Resolution: R-4067
CTC Date: June 23-24, 2021
Federal Aid No: 6201002-1

RELINQUISHMENT OF HIGHWAY RIGHT OF WAY

Enclosed for informational purposes only is a certified copy of the above-referenced California Transportation Commission Resolution of Relinquishment. This action was taken in accordance with Section 73 of the Streets and Highways Code.

Your attention is directed to Section 100.9 of the Streets and Highways Code regarding relocated State highways, which bypass cities or business districts. The directional signs erected by the State on such highways shall be left in place and maintained by the local agency.

The relinquishment will become effective upon recordation with the County Recorder. Our District Office will handle the recording and will advise you immediately thereafter.

Sincerely,

Handwritten signature of Scott P. Martin

SCOTT P. MARTIN, PLS
Assistant Division Chief
Office of Land Surveys

Enclosures

- 1. Certified copy of CTC Resolution(s)
- 2. Copy of Relinquishment Map(s)

**RESOLUTION TO RELINQUISH HIGHWAY RIGHT OF WAY IN THE
COUNTY OF NEVADA, ROAD 03-NEV-20-PM R9.9/R10.1
Request No. 038088-X**

WHEREAS, by Resolution No. 21-020, dated January 26, 2021, the County of Nevada agreed to accept title to highway right of way, consisting of relocated and reconstructed local roads, upon relinquishment thereof to said County by the State of California; and

WHEREAS, by letter signed April 21, 2021, the County waived the 90-day notice requirement and agreed to accept title to said collateral facilities, consisting of relocated and reconstructed local roads, upon relinquishment thereof to said County by the State of California; and

WHEREAS, the State of California has acquired right of way for and has constructed the above-mentioned collateral facilities in the County of Nevada along

**TRANSPORTATION COMMISSION
RESOLUTION No. R-4068**

PASSED BY

CTC

**CALIFORNIA
TRANSPORTATION COMMISSION**

Route 20 on Deadman's Flat Road and South Ponderosa Way, in accordance with said agreement; and


WHEREAS, this Commission has found and determined, and does hereby find and determine, that it is desirable and in the public interest that said collateral facilities be relinquished to the County of Nevada for use as county roads.

NOW, THEREFORE, IT IS VOTED by the California Transportation Commission that it relinquish, and it does hereby relinquish, to the County of Nevada, effective upon the recordation of a certified copy hereof with the Recorder of Nevada County, all of the State of California's right, title and interest in and to said collateral facilities in said County, together with the right of way and appurtenances thereof, described as follows:

Segments 1 and 2 as shown on RELINQUISHMENT MAP NO. 038088-X filed for record on April 23, 2021 in State Highway Map Book 6 at page 1, Records of Nevada County.

EXCEPTING AND RESERVING to the State of California any and all rights of ingress to and egress from the highway hereby relinquished in and to the adjacent and adjoining freeway, except at such points as now are or may be established by resolution of this Commission.

THIS IS TO CERTIFY that the foregoing resolution was duly passed by the California Transportation Commission at its meeting regularly called and held on the 23rd day of June 2021, via teleconference and that the foregoing is a full and correct copy of the original resolution.
Dated this the 23rd day of June 2021.



MITCH WEISS, Executive Director
CALIFORNIA TRANSPORTATION COMMISSION

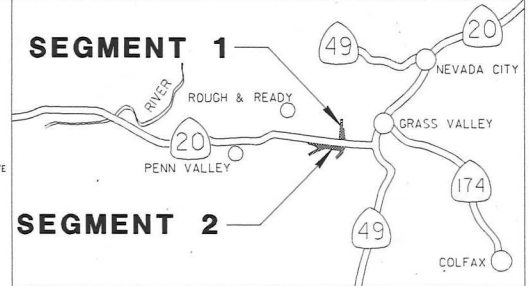
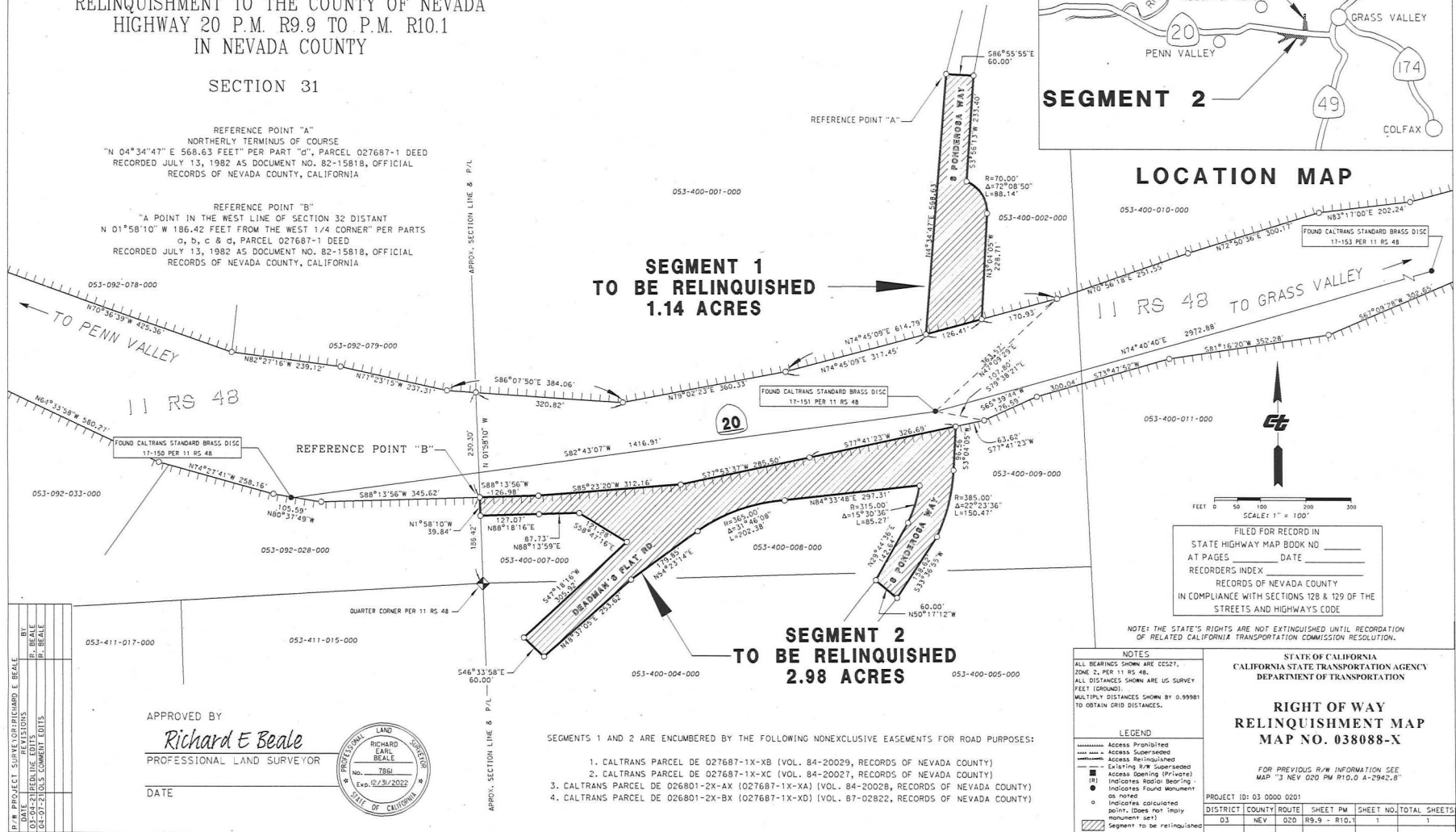
STATE OF CALIFORNIA
 DEPARTMENT OF TRANSPORTATION
 RELINQUISHMENT TO THE COUNTY OF NEVADA
 HIGHWAY 20 P.M. R9.9 TO P.M. R10.1
 IN NEVADA COUNTY

COUNTY OF NEVADA
 T16N R8E MDM
 SECTION 32

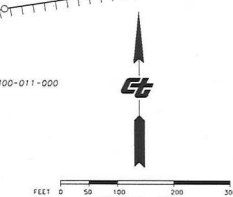
SECTION 31

REFERENCE POINT "A"
 NORTHERLY TERMINUS OF COURSE
 "N 04°34'47" E 568.63 FEET PER PART "d", PARCEL 027687-1 DEED
 RECORDED JULY 13, 1982 AS DOCUMENT NO. 82-15818, OFFICIAL
 RECORDS OF NEVADA COUNTY, CALIFORNIA

REFERENCE POINT "B"
 "A POINT IN THE WEST LINE OF SECTION 32 DISTANT
 N 01°58'10" W 186.42 FEET FROM THE WEST 1/4 CORNER PER PARTS
 c, b, c & d, PARCEL 027687-1 DEED
 RECORDED JULY 13, 1982 AS DOCUMENT NO. 82-15818, OFFICIAL
 RECORDS OF NEVADA COUNTY, CALIFORNIA



LOCATION MAP



FILED FOR RECORD IN
 STATE HIGHWAY MAP BOOK NO. _____
 AT PAGES _____ DATE _____
 RECORDERS INDEX _____
 RECORDS OF NEVADA COUNTY
 IN COMPLIANCE WITH SECTIONS 128 & 129 OF THE
 STREETS AND HIGHWAYS CODE

NOTE: THE STATE'S RIGHTS ARE NOT EXTINGUISHED UNTIL RECORDED
 OF RELATED CALIFORNIA TRANSPORTATION COMMISSION RESOLUTION.

| | | |
|----------------------------|------------------|--------------------------------------|
| BY R. BEALE R. BEALE | DATE 01-04-21 | PROJECT SURVEYOR RICHARD E. BEALE |
| BY R. BEALE R. BEALE | DATE 01-07-21 | REVISIONS LOUIS COMERT EDITS |

APPROVED BY
Richard E Beale
 PROFESSIONAL LAND SURVEYOR
 DATE _____



- SEGMENTS 1 AND 2 ARE ENCLUMBERED BY THE FOLLOWING NONEXCLUSIVE EASEMENTS FOR ROAD PURPOSES:
1. CALTRANS PARCEL DE 027687-1X-XB (VOL. 84-20029, RECORDS OF NEVADA COUNTY)
 2. CALTRANS PARCEL DE 027687-1X-XC (VOL. 84-20027, RECORDS OF NEVADA COUNTY)
 3. CALTRANS PARCEL DE 026801-2X-AX (027687-1X-XA) (VOL. 84-20028, RECORDS OF NEVADA COUNTY)
 4. CALTRANS PARCEL DE 026801-2X-BX (027687-1X-XD) (VOL. 87-02822, RECORDS OF NEVADA COUNTY)

NOTES
 ALL BEARINGS SHOWN ARE CC527,
 ZONE 2, PER 11 RS 48.
 ALL DISTANCES SHOWN ARE US SURVEY
 FEET (GROUND).
 MULTIPLY DISTANCES SHOWN BY 0.99981
 TO OBTAIN GRID DISTANCES.

LEGEND
 Access Prohibited
 Access Superseeded
 Access Relinquished
 Existing R/W Superseeded
 Access Opening (Private)
 Indicates Radial Bearing
 Indicates Found Monument
 or noted
 Indicates calculated
 point, does not imply
 monument set
 Segment to be relinquished

STATE OF CALIFORNIA
 CALIFORNIA STATE TRANSPORTATION AGENCY
 DEPARTMENT OF TRANSPORTATION

**RIGHT OF WAY
 RELINQUISHMENT MAP
 MAP NO. 038088-X**

FOR PREVIOUS R/W INFORMATION SEE
 MAP "3 NEV 020 PM R10.0 A-2942.8"

PROJECT ID: 03 0000 0201

| DISTRICT | COUNTY | ROUTE | SHEET PW | SHEET NO. | TOTAL SHEETS |
|----------|--------|-------|--------------|-----------|--------------|
| 03 | NEV | 020 | R9.9 - R10.1 | 1 | 1 |