



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

TERMINATION AND RELEASE OF AN OLD 1980 AGREEMENT, RIGHT OF ENTRY AND RIGHT-OF-WAY FOR DONATED RIGHTS-OF-WAY AS RECORDED ON JUNE 3, 1980 AS DOCUMENT NO. 80-15103, ASSESSOR'S PARCEL NUMBER 005-290-026. - DISTRICT 1

WHEREAS, the County of Nevada has an Agreement, Right of Entry and Right-of-Way for donated Rights-of-Way with the Erickson Lumber Company dated May 27, 1980 and recorded June 3, 1980 as Document No. 80-15103; and

WHEREAS, the County of Nevada Board of Supervisors passed and adopted said Agreement by Resolution No. 80173 on May 27, 1980; and

WHEREAS, the County of Nevada has received a request from the property owner, The Harrington Family Trust, owners of Assessor's Parcel Number (APN) 005-290-026 and successors to the Erickson Lumber Company, to terminate and release any County rights or interest in the said Agreement; and

WHEREAS, the Nevada County Public Works Director, County Surveyor, and County Housing Director have reviewed the proposed termination and release of said Agreement and finds that the rights of entry or option for donated rights-of-way are no longer needed for the purpose that it was originally provided; and

WHEREAS, the Owner and the County mutually desire to terminate the Right of Entry and the Option to Accept Rights-of-Way as described in said Agreement; and

NOW, THEREFORE, BE IT RESOLVED that the Nevada County Board of Supervisors has reviewed and considered this Termination and Release of Agreement and hereby finds and determines as follows:

1. The above recitals are true and correct.
2. The Agreement, Right of Entry and Right-of-Way for donated Rights-of-Way with the Erickson Lumber Company dated May 27, 1980 and recorded June 3, 1980 as Document No. 80-15103 is hereby determined to be no longer a valid Agreement and there is no need for the Rights of Entry or donated Rights-of-Way over the previously owned Erickson Lumber Company lands.

3. The Deed Document for the Termination and Release of Agreement, Right of Entry and Right-of-Way for donated Rights-of-Way as shown herein can be signed by the Board Chairman and recorded by the Clerk of the Board.

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

1. Terminates and Releases the County from the Agreement, Right of Entry and Right-of-Way for donated Rights-of-Way with the Erickson Lumber Company dated May 27, 1980 and recorded June 3, 1980 as Document No. 80-15103 as described in the attached Deed Document for the Termination and Release of Agreement.
2. Declares that from and after the date that this Resolution is recorded, the subject Agreement no longer constitutes a legal encumbrance.
3. Directs the Clerk of the Board of Supervisors to record the Resolution of Summary Vacation.
4. Directs the Clerk of the Board of Supervisors to record the Termination and Release of Agreement Deed document.