



# RESOLUTION No. 18-476

## 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 012-241-019 (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

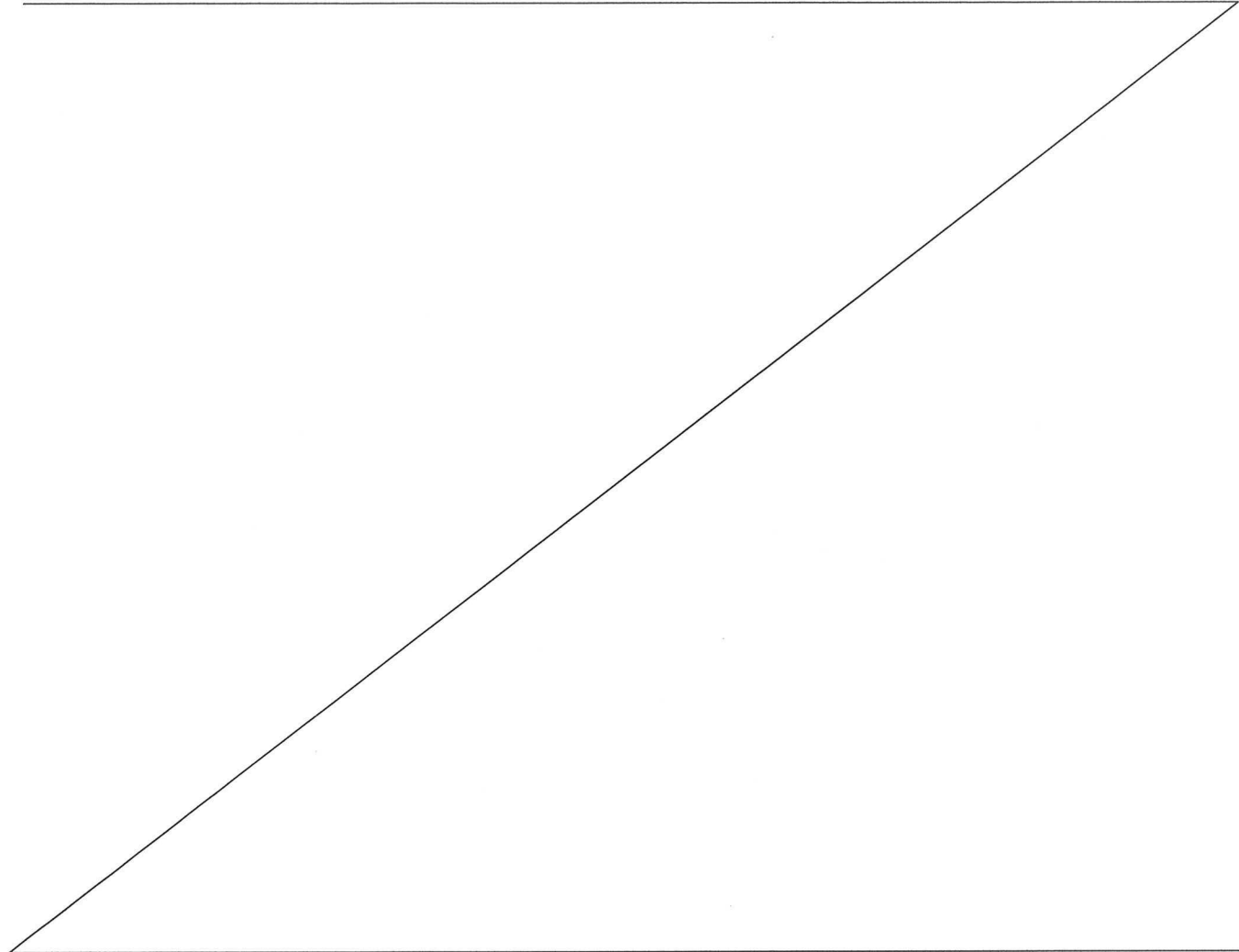
WHEREAS, for this particular request involving Assessor Parcel Number's 012-241-019, "Parcel Map 90-23" recorded December 20, 1990 in Book 18 of Parcel Maps, Page 75, included an offer of dedication for right of way on and adjacent to State Highway 174 identified as Area "A" and described as "AREA "A" OFFER OF DEDICATION TO COUNTY OF NEVADA FOR ROADWAY AND PUBLIC SERVICE PURPOSES DOC. # 90-40863", see attached Exhibit A; and

WHEREAS, per Document No. 90-40863, 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 36960-1 and proposes to continue to use most of Area "A" where the highway currently exists and vacate the remaining portion 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

EXHIBIT A

PARCEL MAP NO. 90-23  
 BEING A PORTION OF LOTS 2 & 3  
 OF THE WHITE RANCH SUBDIVISION  
 IN SECTION 4, T.15N., R.9E., M.D.M.  
 IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF NEVADA, CA.  
 SCALE: 1" = 100'

DUNDAS & DUNDAS  
 NEVADA CITY, CA.

**BASIS OF BEARINGS:**  
 THE MERIDIAN OF THIS SURVEY IS IDENTICAL TO THAT PARCEL MAP NO. 90-23 IN BOOK 16 OF PARCEL MAPS AT PAGE 96 NEVADA COUNTY RECORDS AND IS BASED UPON MONUMENTS SHOWN AS FOLLOWS:

**SURVEYOR'S STATEMENT:**  
 THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF DOUGLAS HANNAH IN CONNECTION WITH THE WHITE RANCH SUBDIVISION MAP NO. 90-23. I HAVE PERSONALLY COMPLETED THE FIELD SURVEY AND THE MONUMENTS INDICATED ARE SUFFICIENT TO ENABLE THE SURVEY TO BE REPRODUCED.

*[Signature]*  
 EDWARD S. DUNDAS  
 L.S. 4415, EXP. 5-30-58

**MONUMENT LEGEND:**  
 1. FOUND BY SURVEYOR, TRAGED, E.C.E. 20042 PER 16 P.M. 96  
 2. FOUND BY ADJUTANT, SHOWN AS SET BY BEARD TRAGED, L.S. 4415  
 3. NOTHING FOUND, NOTHING SET

**RECORD REFERENCES:**  
 R1 - UNRECORDED SURVEY FOR 'H.C. STOCKS' BY G.E. BEESCHER - L.S. 2079 DATED OCT 1950  
 R2 - DEED TO SHARPE, DOC. # 85-20239

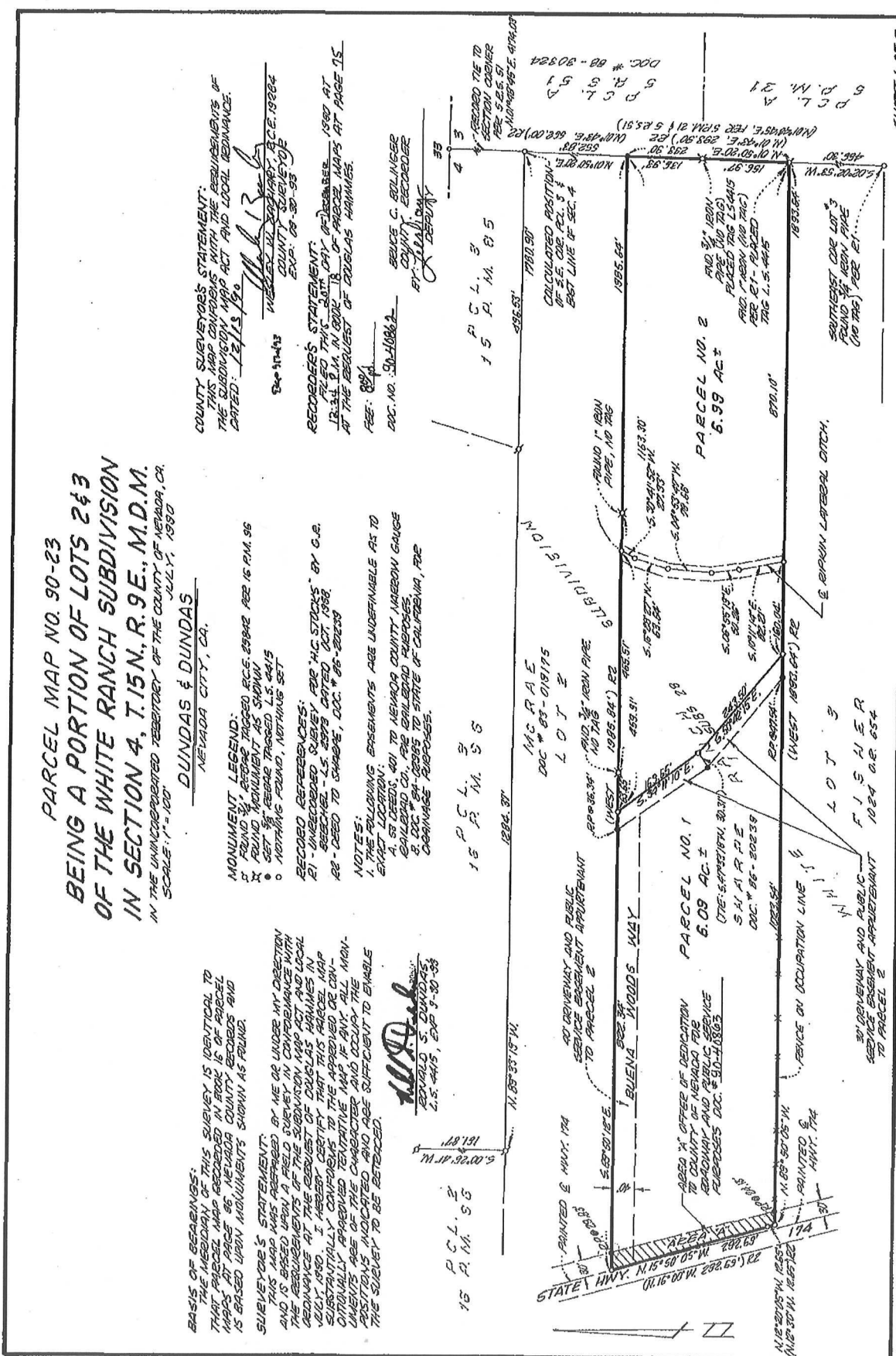
**NOTES:**  
 1. THE FOLLOWING EMBLEMMENTS ARE UNDEFINABLE AS TO EXACT LOCATION, TO NEVADA COUNTY MARESON GAUGE CALLED ON AND ON THE MARESON GAUGE. 2. DOC. # 84-20239 TO STATE OF CALIFORNIA, FOR CORRECTION PURPOSES.

**COUNTY SURVEYOR'S STATEMENT:**  
 THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE. DATED: 7/21/58

*[Signature]*  
 VICTOR COUNTY SURVEYOR  
 EXP. 08-30-55

**RECORDER'S STATEMENT:**  
 FILED THIS 21<sup>ST</sup> DAY OF DECEMBER 1958 AT 12:34 P.M. IN BOOK 18 OF PARCEL MAPS AT PAGE 15 AT THE REQUEST OF DOUGLAS HANNAH.

*[Signature]*  
 RECORDER  
 COUNTY CLERK  
 COUNTY CLERK  
 COUNTY CLERK



Map 75

SHEET 1 OF 2

SUPPLEMENTAL INFORMATION SHEET

PARCEL MAP NO. 90-23

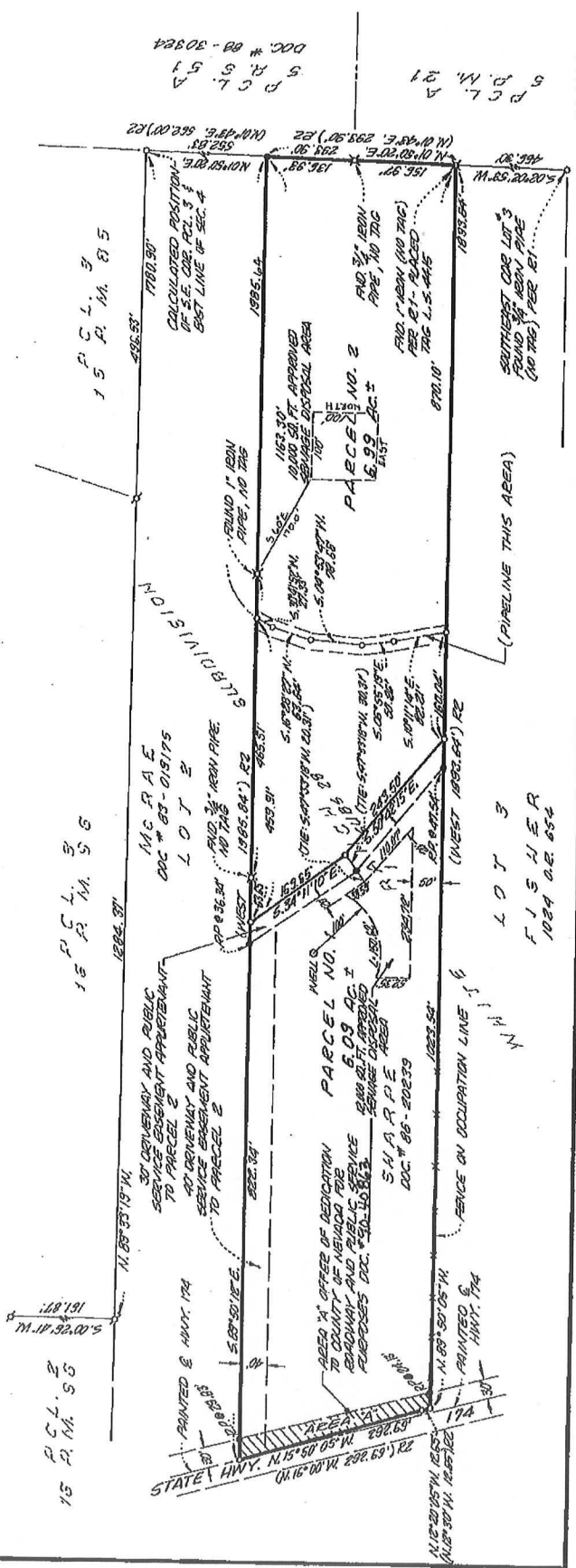
BEING A PORTION OF LOTS 2 & 3  
OF THE WHITE RANCH SUBDIVISION  
IN SECTION 4, T.15N., R.9E., M.D.M.

IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF NEVADA, CO.  
JULY, 1980

DUNDAS & DUNDAS  
NEVADA CITY, CA.

SUPPLEMENTAL NOTES:

1. THERE IS NO GUARANTEE THAT WATER IS AVAILABLE OR THAT SEWAGE CAN BE DISPOSED OF ON ANY LOT OR PARCEL ON THIS MAP



P.C.L. 2  
15 P.M. 55

P.C.L. 3  
15 P.M. 55

P.C.L. 3  
15 P.M. 55

P.C.L. A  
5 P.M. 51  
DOC # 88-30324

P.C.L. A  
5 P.M. 51

SHEET 2 OF 2

EXHIBIT A

REPLYING REQUESTED BY AND RETURN TO:

Director, Department of Transportation

90 40863

DEPT. OF TRANSPORTATION

OFFER OF DEDICATION FOR  
PARCEL MAP NO. 90-23

I (we) Irene A. Sharpe  
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 18 of Parcel Maps, at Page 75 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

NA

2. For any and all public utility purposes, including, but not limited to, overhead and/or underground conduits, cables 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.) or "Public Service Easements" (P.S.E.)

3. (Existing County-Maintained Roads)  
For any and all public uses, those 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 on the above-referenced Parcel Map as "Drainage Easements" (D.E.).

5. All rights of ingress and egress over and across those portions of the above-referenced Parcel Map designated as "No Access Easement".

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.

Irene A. Sharpe 11-7-1990  
Irene A. Sharpe Date

STATE OF CALIFORNIA )  
Nevada ) ss  
County of Nevada )

(Acknowledgement)

On this 7th day of November, in the year 1990, before me, the undersigned, a Notary Public in and for the said County and State, residing therein, duly commissioned and sworn, personally appeared Irene A. Sharpe

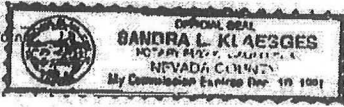
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s)  
 INDIVIDUAL) Whose name is subscribed to this instrument and acknowledged that he (she or they) executed it.

CORPORATION) Who executed the within instrument as \_\_\_\_\_ president and \_\_\_\_\_ secretary, on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its articles and by-laws and a resolution of its Board of Directors.

PARTNERSHIP) That \_\_\_\_\_ executed the within instrument on behalf of the partnership, and acknowledged to me that the partnership executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, in and for said County and State, the day and year first above written.

Notary Public in and for said County and State, California  
My commission expires



Through the courtesy of -  
Fidelity National Title  
SECURITIES COMPANY



EXHIBIT A

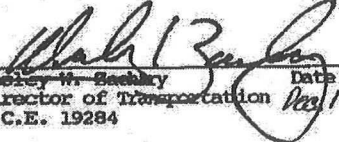
90 40863

CERTIFICATE PROCESSING OFFER OF DEDICATION

FOR  
PARCEL MAP #90-23

The Director of the Nevada County Department of Transportation, as authorized by Resolution No. 76-94, hereby 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 action:

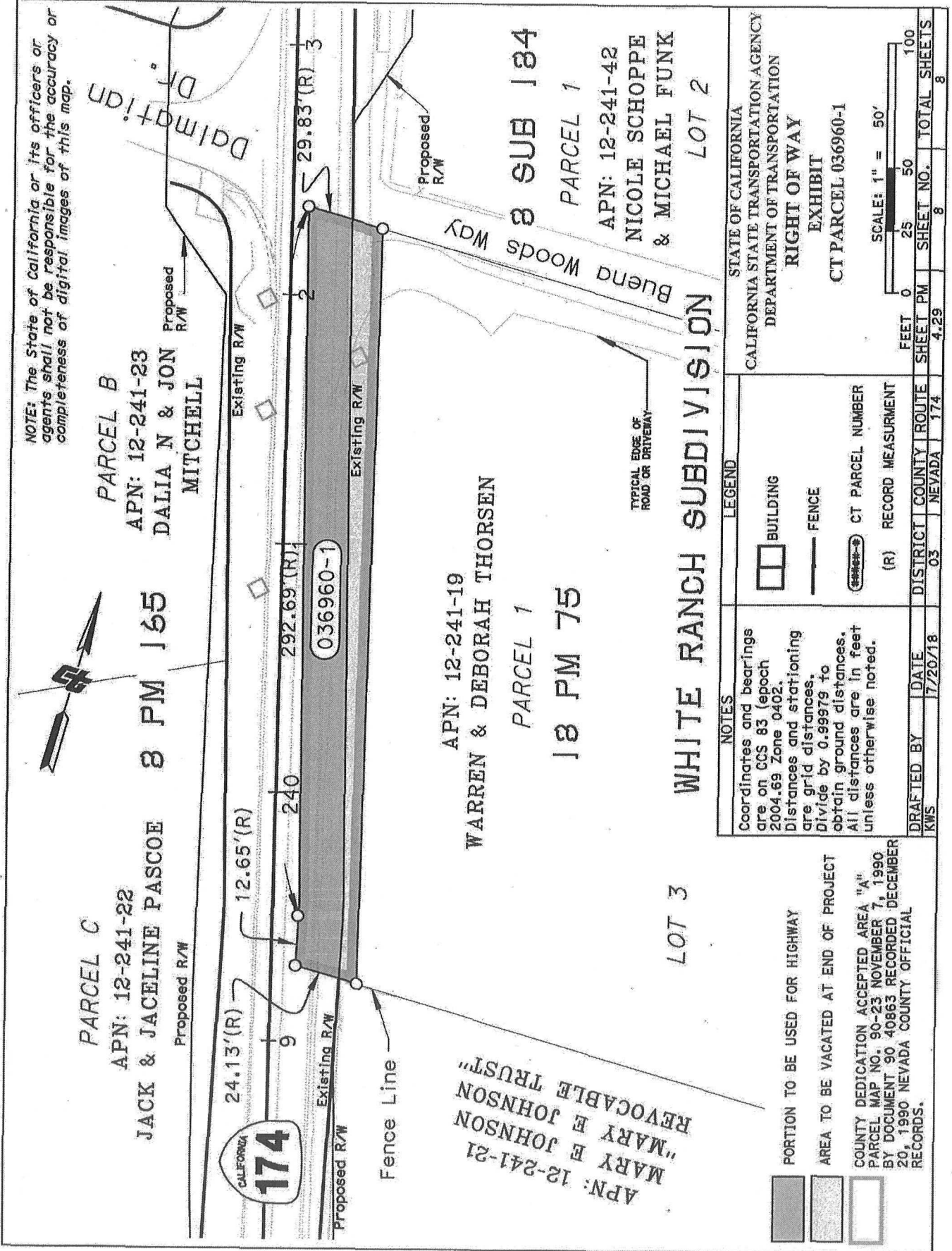
1. Accepts for public use item #2 and #3 of the attached Offer of Dedication.
2. Rejects, subject to Section 771.010 of the Code of Civil Procedure, item \_\_\_\_\_ of the attached Offer of Dedication, and per Section 66477.2(a) of the Subdivision Map Act, retains the right to accept these items at a later date.

  
Wesley W. Beckley      Date  
Director of Transportation      Dec 18, 1990  
R.C.E. 19284

pa91lu8

END OF DOCUMENT

EXHIBIT B



316  
2/18

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#: 20180020230  
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	4.29	36960-1

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:

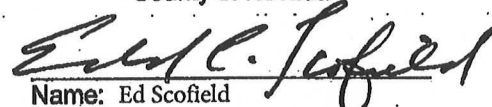
See Exhibit "A", attached.

Dated: 9/26/18

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

County of Nevada



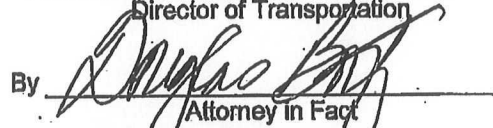
Name: Ed Scofield  
Title: Chair, Board of Supervisors

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



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



Exhibit 'A'

Number
36960-1


**PARCEL 36960-1**

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 Offer of Dedication to County of Nevada for Roadway and Public Service Purposes Doc. 90-40863" on Parcel Map No. 90-23 recorded December 20, 1990 in Book 18 of Parcel Maps, Page 75 and as accepted in Offer of Dedication for Parcel Map 90-23 to the County of Nevada dated November 11, 1990 and recorded as Document No. 90-40863, 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

  
 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/hers/their authorized capacity(ies), and that by his/hers/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 # 36960-1 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: \_\_\_\_\_