



RESOLUTION No. 26-046

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION FOR THE SUMMARY VACATION (ABANDONMENT) OF A PORTION OF THE COMBIE ROAD RIGHT-OF-WAY, SAID PORTION OF RIGHT-OF-WAY DECLARED EXEMPT SURPLUS LAND, AND SAID PORTION OF RIGHT-OF-WAY (1.09 ACRES) TO BE GRANTED TO THE NEVADA IRRIGATION DISTRICT (NID) FOR PUBLIC ACCESS AND UTILITY PURPOSES, ASSESSOR'S PARCEL NUMBER: NONE - DISTRICT II

WHEREAS, the California Streets and Highway Code Section 8331 allows the County to summarily vacate a street or highway if it is determined that the street or highway has been impassable to vehicular traffic for a period of at least five (5) consecutive years and that no public money was expended for maintenance of that street or highway during such period; and

WHEREAS, the California Streets and Highway Code Section 8334 allows the County to summarily vacate a street or highway if it is determined to be excess right-of-way and not required for street or highway purposes; and

WHEREAS, the California Streets and Highway Code Section 8355 allows the County to summarily vacate a street or highway by way of resolution; and

WHEREAS, the California Streets and Highway Code Section 960 allows the County to sell or exchange any real property whenever the Board of Supervisors determines that any real property, or interest therein, acquired by the county for highway or road purposes is no longer necessary for those purposes, the County may sell or exchange the real property, or interest therein, in the manner and upon the terms and conditions approved by the Board of Supervisors. Any conveyance under this section shall be executed on behalf of the county by the Chairperson of the Board of Supervisors; and

WHEREAS, land is considered Exempt Surplus Land under the Surplus Land Act if it is sold or transferred to another government agency pursuant to Government Code Section 54220(f)(1)(D); and

WHEREAS, the County of Nevada obtained the right-of-way from Albertus O. Robles by Grant Deed recorded November 3, 1975, in Volume 764 at Page 49 and shown on that certain map recorded November 3, 1975, in Book 9 of Parcel Maps at Page 231 and from Franklin and Bernice Schoellerman as dedicated to the County of Nevada and accepted by the Board of Supervisors on that certain Final Map No. 76-2 for the Lake Combie Estates recorded November 4, 1976, in Book 5 of Subdivisions at Page 42; and

WHEREAS, the County of Nevada has received a request from the Nevada Irrigation District (NID) to abandon a portion of the Combie Road right-of-way for public road purposes, as described in the attached Exhibit A and shown on attached Exhibit B Map, and grant said portion to the NID for public access and utility purposes. The purpose of this abandonment is to allow for public access to Lake Combie; and

WHEREAS, the Nevada County Surveyor has reviewed the proposed vacation (abandonment) and finds that this right-of-way is no longer needed for the road purposes that it was originally intended; and

WHEREAS, the right-of-way to be abandoned shall be deeded to the Nevada Irrigation District; and

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

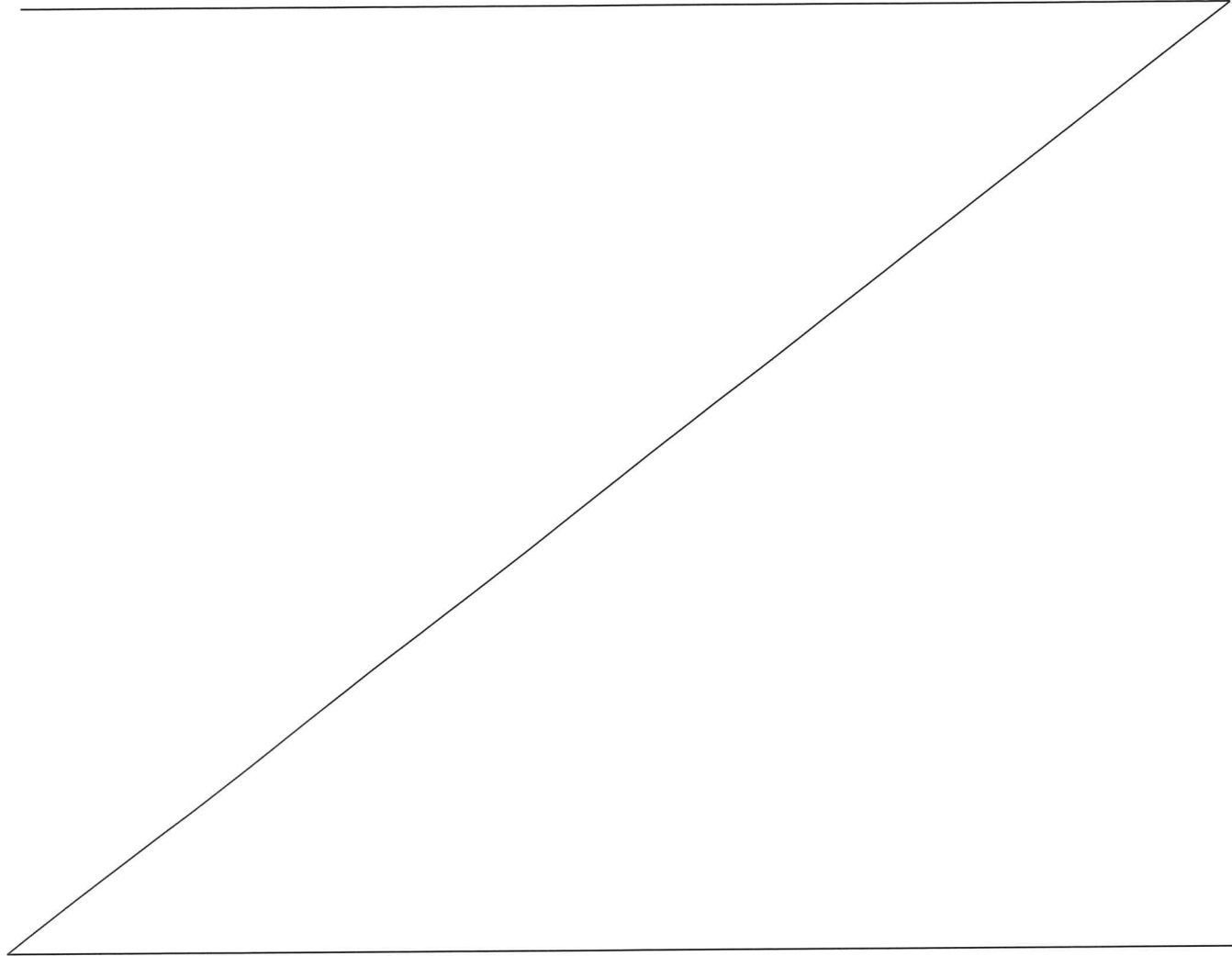
WHEREAS, the Nevada County Zoning Administrator has reviewed the request and found that the sale of land is not in conflict with the Nevada County General Plan.

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

1. The above recitals are true and correct.
2. A portion of the existing public road right-of-way for Combie Road as obtained from Albertus O. Robles by Grant Deed recorded November 3, 1975, in Volume 764 at Page 49 and shown on that certain map recorded November 3, 1975, in Book 9 of Parcel Maps at Page 231 and from Franklin and Bernice Schoellerman as dedicated to the County of Nevada and accepted by the Board of Supervisors on that certain Final Map No. 76-2 for the Lake Combie Estates recorded November 4, 1976, in Book 5 of Subdivisions at Page 42, Official Records, and as shown in the attached Exhibits A and B is hereby determined to be an excess right-of-way and is not required for street or highway purposes.
3. The right-of-way as described herein has been impassable to vehicular traffic for a period of at least five (5) consecutive years and that no public money was expended for maintenance of that street or highway during such period.
4. The right-of-way as described herein is summarily vacated pursuant to Streets and Highways Code Section 8335.
5. The right-of-way as described herein is declared exempt surplus land pursuant to Government Code 54220(f)(1)(D).
6. The right-of-way as described herein shall be deeded to the Nevada Irrigation District.

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

1. Summarily vacates, abandons, and exchanges a portion of the existing public road Right-of-Way for Combie Road as obtained from Albertus O. Robles by Grant Deed recorded November 3, 1975, in Volume 764 at Page 49 and shown on that certain map recorded November 3, 1975, in Book 9 of Parcel Maps at Page 231 and from Franklin and Bernice Schoellerman as dedicated to the County of Nevada and accepted by the Board of Supervisors on that certain Final Map No. 76-2 for the Lake Combie Estates recorded November 4, 1976, in Book 5 of Subdivisions at Page 42, Official Records, and as shown in the attached Exhibits A and B, incorporated herein by reference.
2. Declares that from and after the date that this Resolution is recorded, the County relinquishes all the real property as shown in the attached Exhibits A and B, and that the right-of-way as described herein shall no longer constitute a street, highway, or public service easement.
3. Directs the Clerk of the Board of Supervisors to record the Resolution of Summary Vacation and Grant Deed to the Nevada Irrigation District.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 17th day of February 2026, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Robb Tucker, Lisa Swarthout, Susan Hoek, and Hardy Bullock.
- Noes: None.
- Absent: None.
- Abstain: None.
- Recuse: None.

ATTEST:

TINE MATHIASSEN
Chief Deputy Clerk of the Board of Supervisors

By: 


Lisa Swarthout, Chair

RECORDING REQUEST BY

AND WHEN RECORDED MAIL TO:

Name: Nevada County Board of Supervisors
Street Address: 950 Maidu Avenue
City, State & Zip: Nevada City, CA 95959

SPACE ABOVE THIS LINE FOR RECORDER'S USE

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.

Grant Deed

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

The COUNTY OF NEVADA, a political subdivision of the State of California,

hereby GRANT(S) TO the NEVADA IRRIGATION DISTRICT, a California Special District,

the following described real property in the unincorporated territory of the County of Nevada, State of California:

As described in attached Exhibit "A" and shown on attached Exhibit "B" and made a part of hereon.

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 } SS.

COUNTY OF Nevada

On Feb. 24, 2026 before me, Julie A. Miller, Notary Public, personally appeared Lisa Ann Swarthout

Dated 2/24/26
Signature(s):

Handwritten signature of Heidi Hall

HEIDI HALL, Chairman of the Board
Lisa Swarthout

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to 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

Handwritten signature of Julie A. Miller

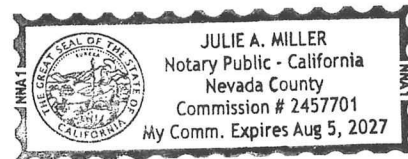


EXHIBIT "A"

The described land herein being a portion of Area "K" as shown on that certain map recorded November 3, 1975 in Book 9 of Parcel Maps at Page 231 and granted to the County of Nevada in that certain Grant Deed recorded November 3, 1975 in Volume 764 at Page 49 and being a portion of the Combie Road right-of-way as dedicated to the County of Nevada in that certain Final Map No. 76-2 for the Lake Combie Estates recorded November 4, 1976 in Book 5 of Subdivisions at Page 42, all of Nevada County Records and being situated within the Southeast Quarter of Section 35, Township 14 South, Range 8 East, M.D.B. & M. of the unincorporated territory of the County of Nevada, State of California and being particularly described as follows:

Beginning at the southwest corner of Lot 1 of the said Lake Combie Estates Subdivision; thence from said Point of Beginning and along the south line of said Lake Combie Estates Subdivision, South 25° 41' 32" West, 50.00 feet to the most southerly point of the said Lake Combie Estates Subdivision; thence along the westerly line of said Lake Combie Estates Subdivision, North 11° 10' 40" West, 411.26 feet to the northeast corner of the said Area "K"; thence along the southerly line of said Area "K", South 32° 29' 30" West, 43.45 feet to the southwest corner of said Area "K"; thence along the westerly line of said Area "K", North 11° 10' 40" West, 616.39 feet; thence leaving the westerly line of said Area "K", North 78° 49' 20" East, 60.00 feet to the easterly line of said Area "K"; thence along the easterly line of said Area "K", South 11° 10' 40" East, 956.23 feet to the Point of Beginning.

The herein described property contains an area of 1.09 Acres, more or less.

The herein described property is shown on Exhibit "B" Map attached hereto and made a part hereof.

The Basis of Bearings for this legal description is that certain map recorded November 3, 1975 in Book 9 of Parcel Maps at Page 231, Nevada County Records.

This description has been prepared by me, or under my direct supervision, in conformance with the Professional Land Surveyors Act, on January 23, 2026.

Kevin J. Nelson

Kevin J. Nelson, P.L.S. 8423
Expires 12-31-26



BASIS OF BEARINGS:

THE LEGAL DESCRIPTION SHOWN HEREON
IS BASED ON THAT CERTAIN MAP
MAP RECORDED NOVEMBER 3, 1975 IN
BOOK 9 OF PARCEL MAPS AT PAGE 231,
NEVADA COUNTY OFFICIAL RECORDS.

Exhibit "B" Map

SOUTHEAST QUARTER OF SECTION 35, T. 14 N., R. 8 E.

Scale: 1" = 200'

