



**COUNTY OF NEVADA**  
**COMMUNITY DEVELOPMENT AGENCY**  
**DEPARTMENT OF PUBLIC WORKS**  
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Trisha Tillotson  
 Community Development Agency Director

David Garcia  
 Director of Public Works

**NEVADA COUNTY BOARD OF SUPERVISORS**  
**Board Agenda Memo**

**MEETING DATE:** November 12, 2024  
**TO:** Board of Supervisors  
**FROM:** David Garcia, Director of Public Works  
**SUBJECT:** Resolution declaring exempt surplus property and approving the sale of a portion of County lands (three parcels) to the State of California for State Highway 49 improvements, approving the associated right-of-way contracts, and granting a temporary construction easement, all associated with Assessor’s Parcel Numbers 022-160-038, 022-331-039, & 022-331-040 – District III

**RECOMMENDATION:** Approve Resolution to sell a portion of existing County lands over three parcels to the State of California for State Highway 49 right-of-way along with a Temporary Construction Easement over one parcel to the State of California during the construction period. The proposed strips of land to be sold are adjacent to the existing right-of-way for State Highway 49 and being unused lands over the westerly portion of said County parcels for the County Maintenance Facilities.

**FUNDING:** The project does not require funding. Receipts shall be deposited to the General Fund.

**BACKGROUND:** The State of California has requested the purchase of strips of land for Highway right-of-way purposes and a Temporary Construction Easement over three (3) parcels of County of Nevada owned lands known as APNs 022-160-038, 022-331-039, & 022-331-040. The strips of lands for right-of-way vary in width from approximately 52’ to 78’ as described in attached Grant Deeds and shown on attached Exhibit Maps in the Right-of-Way Contracts, Attachments A, B, C, and D. The portions of real property and Temporary Construction Easement over all three (3) parcels shall be sold to the State of California for the total fair market value of \$413,100 plus a total of Incentive Payments of \$41,300 (for timely completion of the agreements prior to 11/16/2024), for a total payment of \$454,400.00. as shown below:

<u>APN/Caltrans Parcel No.</u>	<u>Description</u>	<u>Assessed Value/Incentive</u>
APN 022-160-038 / 38913-1	Right-of-Way	\$138,000 / \$13,800
APN 022-331-039 / 38912-1	Right-of-Way	\$179,000 / \$17,900
APN 022-331-039 / 38782-1	Temp Easement	\$45,000 / \$4,500
APN 022-331-040 / 37666-1	Right-of-Way	\$51,100 / \$5,100

The State of California has made the request for this additional right-of-way for the proposed improvement and widening of State Highway 49 from just south of West McKnight Way to near La Barr Meadows Road. The proposed strips of land for right-of-way are over unused portions of the County lands and could be considered excess lands. Attached are Full Appraisals for all three parcels as prepared and submitted by the State of California Department of Transportation. The Nevada County Surveyor and Public Works Department have reviewed the Grant Deeds, Contracts and Appraisals and recommend the sale and easement request as strips of land is not currently used, nor is planned to be used and have no significant impact to our existing facilities.

**Attachments:**

1. Resolution to approve the sale of a portion of County Lands (three parcels) to the State of California for State Highway 49 right-of-way, approve the Right-of-Way Contract for State Highway, and the granting of a Temporary Construction Easement. Assessor's Parcel Numbers 022-160-038, 022-331-039, & 022-331-040
2. Attachment A - R/W Contract, Payee Data Record, Grant Deed APN 022-160-038/38913-1
3. Attachment B - R/W Contract, Payee Data Record, Grant Deed APN 022-331-039/38912-1
4. Attachment C - TCE Contract, Payee Record Data APN 022-331-039 /38782-1
5. Attachment D - R/W Contract, Payee Data Record, Grant Deed APN 022-331-040/37666-1

**Item Initiated by:** Patrick Perkins, Principal Engineer & Kevin J. Nelson, County Surveyor  
**Approved by:** David Garcia, Director of Public Works