



## **RESOLUTION No. \_\_\_\_\_**

### **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

**RESOLUTION ACCEPTING OFFER OF DEDICATION FOR  
RIGHT OF WAY ON STATE HIGHWAY 174 (COLFAX  
HIGHWAY) AND AUTHORIZING THE RELEASE AND  
QUITCLAIM OF SAID OFFER OF DEDICATION TO THE  
STATE OF CALIFORNIA, DEPARTMENT OF  
TRANSPORTATION, APN'S 012-250-024, 012-250-025, 012-250-026  
AND 012-250-027 (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 offers of dedication where projects were conditioned to dedicate right of way to the County; and

WHEREAS, Caltrans requests that the County accept the offers of dedication and quitclaim the offers of dedication 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 012-250-024, 012-250-025, 012-250-026 and 012-250-027, "Parcel Map 78-24" dated May 1978 and recorded August 3, 1978 in Book 12 of Parcel Maps, Page 208, included an offer of dedication for right of way on and adjacent to State Highway 174 identified as Area "A", see attached Exhibit A; and

WHEREAS, per Document No. 21953, the County of Nevada deferred acceptance of the offer of dedication; and

WHEREAS, Caltrans has identified the "parcel" necessary for their project as 36961-1 and proposes to continue to use all of Area "A"; and

WHEREAS, Section 771.010 of the California Code of Civil Procedure does not apply to this offer of dedication since the offer was made by separate certificate and the real property has been used for the purpose of which the dedication was made.

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. Accepts offer of dedication to the County of Nevada for any and all public uses, those certain strips of land shown and designated on the above-referenced Parcel Map as Area "A" Colfax Highway No. 174.

3. Authorizes the County of Nevada Director of Public Works to file a Certificate Accepting Offer of Dedication for Area "A" identified in Item 3 of Document No. 21953, attached as Exhibit B.
4. 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.