



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 012-250-041 AND 012-250-042, (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 012-250-041 and 012-250-042, "Parcel Map 98-06 Nevada Lands Holding, Inc." dated June 1998 and recorded July 31, 1998 in Book 18 of Parcel Maps, Page 375, included an offer of dedication for right of way on and adjacent to State Highway 174 identified as Area "B" and described as "TO THE COUNTY FOR FUTURE TRANSFER TO THE CALIF. DEPT. OF TRANSPORTATION FOR ALL ROAD AND PUBLIC UTILITY PURPOSES PER DOC. NO. 98024662"; and

WHEREAS, per Document No. 98024662, the County of Nevada rejected the offer of dedication retaining the right to accept it at a later date; and

WHEREAS, Caltrans has identified the "parcel" necessary for their project as 36959-1 and proposes to continue to use most of Area "B" where the highway currently exists and vacate the remaining portion per attached Exhibit 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, it has been less than 25 years after the parcel map was recorded, 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 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, that certain strip of land shown and designated on Parcel Map 98-06 recorded in Book 18 of Parcel Maps, page 375 as Area "B".
3. Authorizes the County of Nevada Director of Public Works to file a Certificate Accepting Offer of Dedication for Area "B" identified in Item 1 of Document No. 98084662, 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.