

RESOLUTION No. 18-473

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 012-261-046 (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 012-261-046, "Subdivision Map Rollins Park-West" recorded August 23, 1974 in Book 5 of Subdivisions, Page 12, included an offer of dedication for right of way on and adjacent to State Highway 174 described as "For any and all public uses, all that portion of those certain strips of land shown and designated as "Greenhorn Picnic ground Access Road and the Colfax Highway" situated within the boundaries of this subdivision"; and

WHEREAS, the County of Nevada accepted the offer of dedication for any and all public uses as indicated on the map, see attached Exhibit A; and

WHEREAS, Caltrans has identified the "parcel" necessary for their project as 36824-1 and proposes to continue to use most of the right of way 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

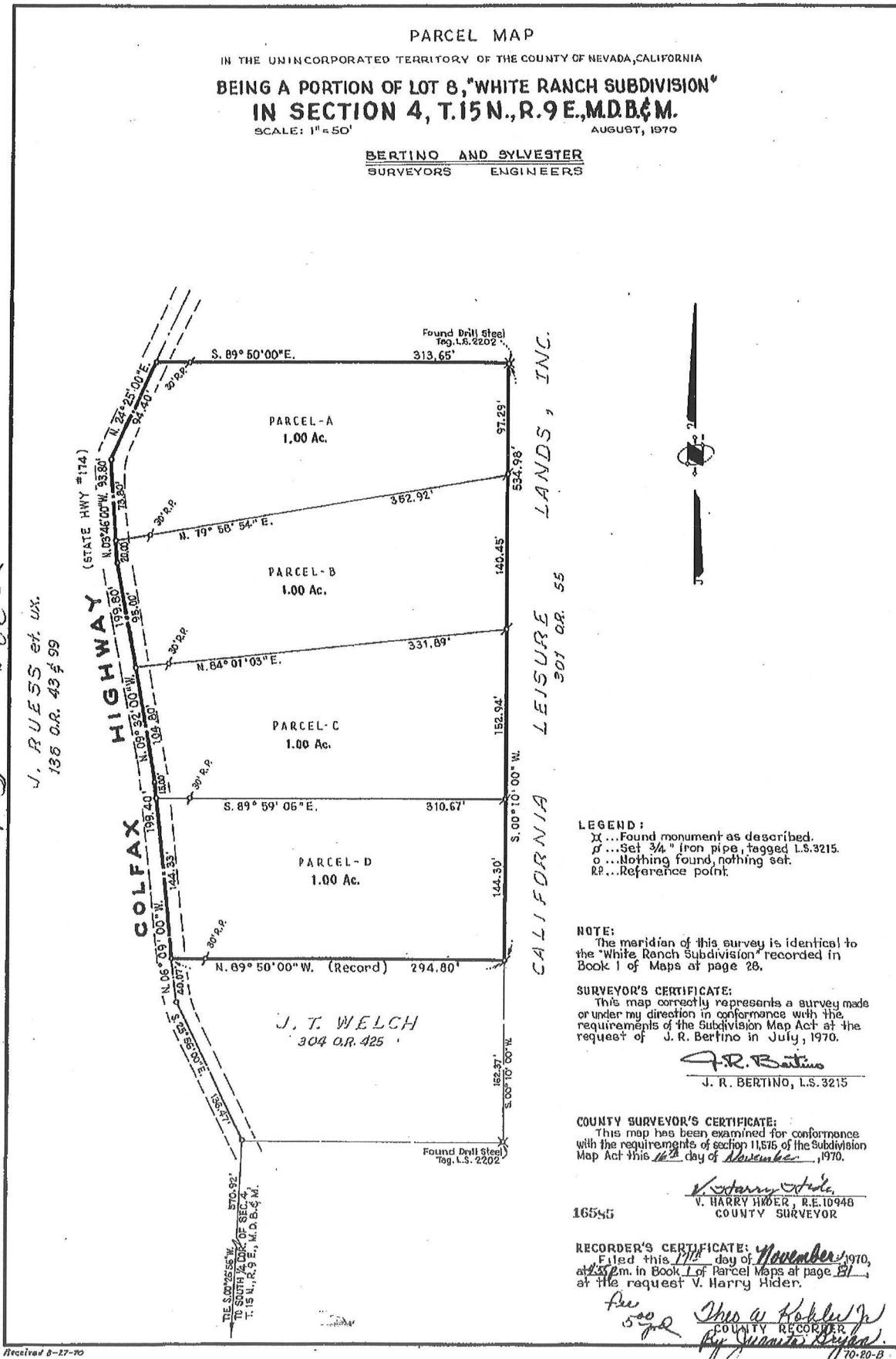
9/25/2018 cc: DPW*
AC* (HOLD)

11/02/2018 cc: DPW*
AC* (Release)

PM

Book 1 of 8

EXHIBIT A



Rollins Park-West

BEING A RESUBDIVISION OF LOT 7 AND PORTIONS OF LOT 6 & 8 OF THE WHITE RANCH SUBDIVISION RECORDED IN BOOK 1 OF SUBD. PAGE 28
 BEING A PORTION OF
SECTION 4, T.15 N., R.9 E., M.D.M.
 IN THE UNINCORPORATED TERRITORY OF
NEVADA COUNTY, CALIFORNIA
 SCALE: 1" = 100'
CRAMER ENGINEERING, INC.
 GRASS VALLEY, CALIFORNIA

SURVEYOR'S CERTIFICATE:
 This final map of "ROLLINS PARK-WEST" represents a survey which is true and correct as shown, made by me or under my direction in compliance with the requirements of the SUBDIVISION MAP ACT and local ordinances in April, 1974, and the monuments are of the character and occupy the positions indicated and as shown are sufficient to enable the survey to be retraced.



COUNTY SUPERVISOR'S CERTIFICATE:

This final map has been examined by me, and the subdivision as shown is substantially the same as it appeared on the tentative map and any approved alterations thereto, and provisions of the SUBDIVISION MAP ACT and any local ordinances applicable at the time of the approval of the tentative map have been complied with, and I am satisfied that this final map is technically correct. This day of April, 1974.

Herbert E. Howell
 County Supervisor

PLANNING COMMISSION CERTIFICATE:

The PLANNING COMMISSION of the County of Nevada, State of California, does hereby recommend approval of this final map of "ROLLINS PARK-WEST" and does consent to the filing thereof. Dated April 11, 1974.

Thomas J. Howell
 Chairman

James E. Howell
 Secretary

STATE OF CALIFORNIA } ss.
 COUNTY OF NEVADA } ss. April 11, 1974

This is to certify that the BOARD OF SUPERVISORS of the County of Nevada, State of California, by a motion adopted at a meeting held on the 22nd day of April, 1974, did approve for filing this map of "ROLLINS PARK-WEST" consisting of 2.00 acres and accepted for public use from 1-3 and 0 lot different acquisition of tracts 1-4 and 5. All provisions of the SUBDIVISION MAP ACT and local ordinances have been complied with regarding deposits this 22nd day of April, 1974.

James E. Howell
 Chairman of the Board

James E. Howell
 Clerk of the Board

SHEET 1 OF 6

BASIS OF BEARING:
 All bearings are based upon monuments found along the exterior of the subject property as recorded in Book 1 of Subdivisions Page 28, and further substantiated by a direct solar observation.

SUBDIVISION ACREAGE:

The gross area of land contained within the boundaries of this subdivision is 111.528 acres, more or less. The area of land contained within the lot numbered 1 to 20 inclusive is 105.552 acres, more or less. The area of land contained within the parcel lettered A, is 1.000 acre, more or less.

NOTE:

The signatures of surveyors of segments recorded in Book 26, Page 35, Book 26, Page 36 and Book 100, Page 202 of Official Records, and Book 100, Page 202, have been omitted under the provisions of Section 11961 (3) of the Subdivision Map Act, since said signatures are such that they cannot ripen into the title, and said signatures are not required by the governing body.

COUNTY TAX COLLECTOR'S CERTIFICATE:

I, MARK CELLA, J. CARSON, the official computing reductions for the County of Nevada, State of California, do hereby certify that according to the records of my office, there are no liens for unpaid taxes or special assessments collected as taxes against the lands subdivided herein, except taxes or assessments not yet due and payable, the amount of taxes and assessments not yet due and payable, but constituting a lien is none. In Witness Whereof, I have hereunto set my hand this 22 day of April, 1974.

Mark Cella
 Nevada Nevada County Tax Collector

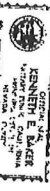
COUNTY RECORDER'S CERTIFICATE:

I, *James E. Howell*, County Recorder, do hereby certify that *James E. Howell*, the official computing reductions for the County of Nevada, State of California, do hereby certify that according to the records of my office, there are no liens for unpaid taxes or special assessments collected as taxes against the lands subdivided herein, except taxes or assessments not yet due and payable, the amount of taxes and assessments not yet due and payable, but constituting a lien is none. In Witness Whereof, I have hereunto set my hand this 22 day of April, 1974.

James E. Howell
 County Recorder, Nevada County, Calif.

Restrictions
 BK 705 PG 384

James E. Baker
 Notary Public in and for said County and State
 My Commission expires: February 28, 1978



By *James E. Baker* By *J. Carson*
 Vaughn Burlington, President J. Carson Dr., Secretary

STATE OF CALIFORNIA } ss.
 COUNTY OF NEVADA } ss.

On this 22 day of April, 1974, before me, *James E. Baker*, a Notary Public in and for said County and State residing therein duly commissioned and sworn personally appeared Vaughn Burlington and J. Carson Dr. known to me to be the President and Secretary respectively of Cramer Engineering, Inc., a corporation, the corporation that executing the within instrument, and also known to me to be the persons who executed it on behalf of the corporation, and they acknowledged to me that said corporation executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

The undersigned being the only person representing any record title interest in the herein subdivided land do hereby consent to the preparation and recording of this final map of "ROLLINS PARK-WEST" and offer for dedication and do hereby dedicate to the County of Nevada the following:
 1. For any and all public use, all that portion of these certain strips of land shown and designated as "Greenhorn Plungeground Access Road" and the "Colfax Highway" situated within the boundaries of this subdivision.
 2. For any and all public use upon acceptance by the County of Nevada, all that portion of these certain strips of land shown and designated as "Rolling Bar Drive" situated within the boundaries of this subdivision, with acceptance of said land by the County of Nevada, the roads will remain private and for the exclusive use of the property owners in this subdivision to be owned and controlled by the property owner's association of said subdivision.
 3. Rights-of-way and easements for water, gas, sewer and drainage pipes, conduits, and ditches, and for poles and overhead and underground wires and conduits for electric and telephone services, together with all appurtenances thereto, on over and across those strips of land lying 8-foot on each side of all side and rear lot lines of each lot and on over and across those strips of land shown and designated as "Public Utility Easements" (P.U.E.) and on over and across those strips of land of a width of 10-foot lying adjacent and parallel to road lines of public and/or private roads, situated within the boundaries of this subdivision, and on over and across those strips of land of a width of 15-foot lying adjacent and parallel to all lot lines which form the exterior boundaries of this subdivision, excepting those exterior lines which are common to road lines of public and/or private roads, together with the right to trim and/or remove any necessary trees, limbs or brush.
 4. Rights-of-way for slope easements together with all appurtenances thereto, on over and across those certain strips of land shown and designated as "Slope Easements" (S.E.)
 5. For drainage pipes, conduits, and ditches, together with all appurtenances thereto, on over and across those certain strips of land shown and designated as "Drainage Easements" (D.E.), together with the right to trim and/or remove any necessary trees, limbs, or brush.
 6. An easement for that certain strip of land shown and designated as "Restricted Access Easement" (R.A.E.) said strip being ten (10) feet in width lying parallel to and adjacent with the northern line of the "Greenhorn Plungeground Access Road" within those lots as it is delineated, so as to vehicular access can be had from the "Greenhorn Plungeground Access Road".

California Leisure Lands, Inc.

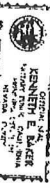
By *James E. Baker* By *J. Carson*
 Vaughn Burlington, President J. Carson Dr., Secretary

STATE OF CALIFORNIA } ss.
 COUNTY OF NEVADA } ss.

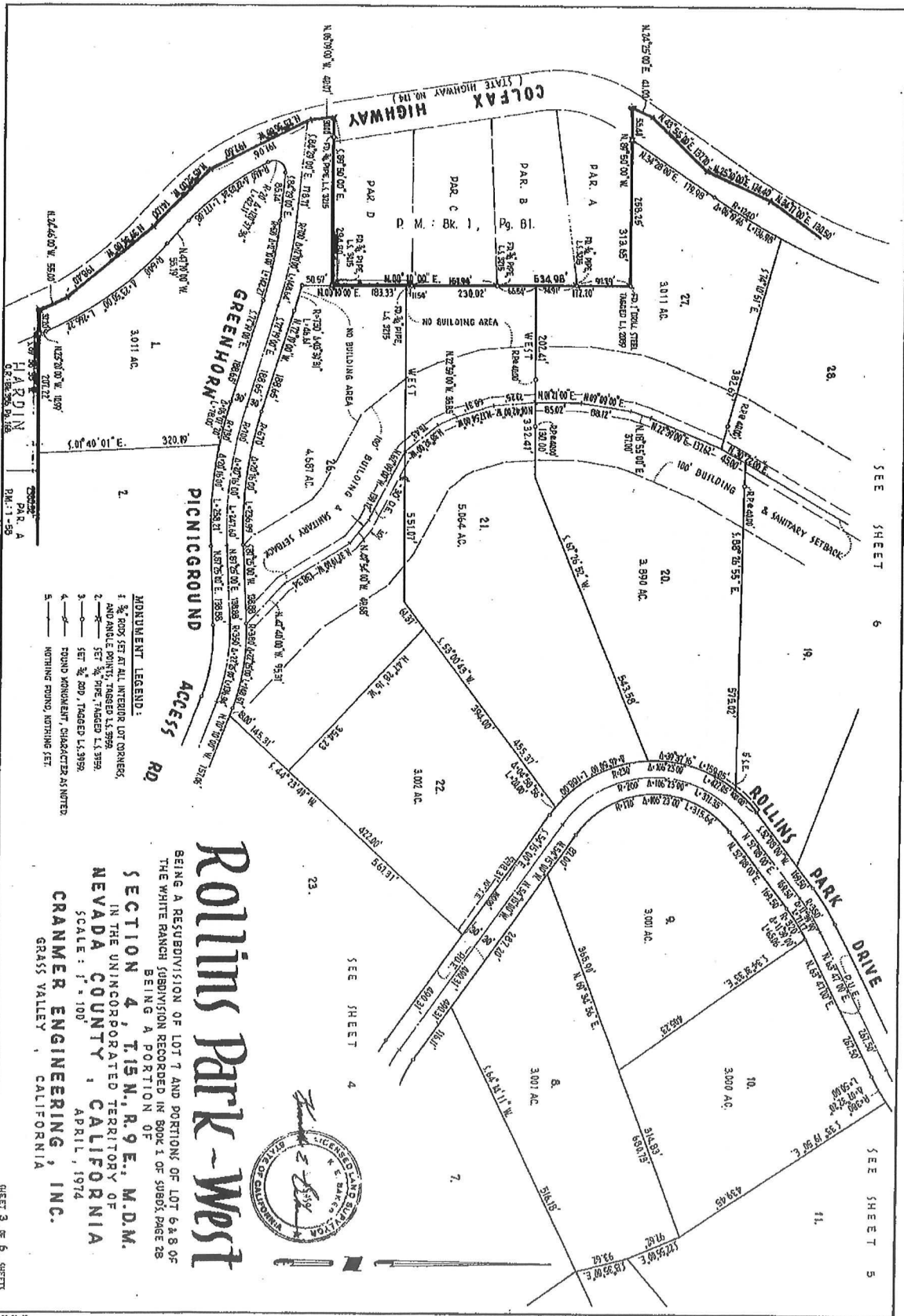
On this 22 day of April, 1974, before me, *James E. Baker*, a Notary Public in and for said County and State residing therein duly commissioned and sworn personally appeared Vaughn Burlington and J. Carson Dr. known to me to be the President and Secretary respectively of Cramer Engineering, Inc., a corporation, the corporation that executing the within instrument, and also known to me to be the persons who executed it on behalf of the corporation, and they acknowledged to me that said corporation executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

James E. Baker
 Notary Public in and for said County and State
 My Commission expires: February 28, 1978



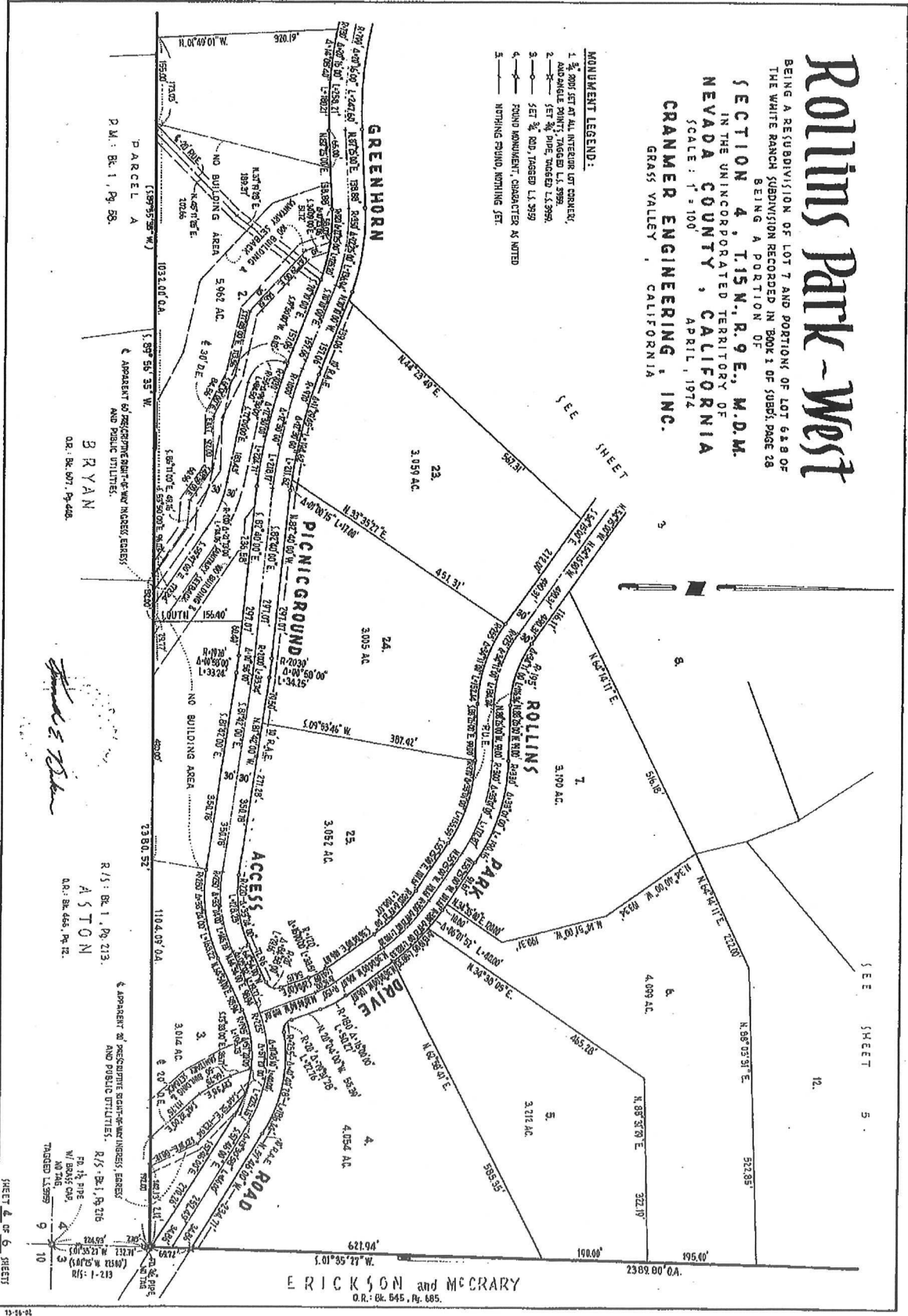




Rollins Park - West

BEING A RESUBDIVISION OF LOT 7 AND PORTION OF LOT 6 & 8 OF THE WHITE RANCH SUBDIVISION RECORDED IN BOOK 1 OF 1985, PAGE 28 BEING A PORTION OF SECTION 4, T.15N., R.9E., M.D.M. IN THE UNINCORPORATED TERRITORY OF NEVADA COUNTY, CALIFORNIA
SCALE: 1" = 100'
APRIL, 1972
CRANMER ENGINEERING, INC.
GRASS VALLEY, CALIFORNIA

- MONUMENT LEGEND:**
- 1. 3/4" ROD SET AT ALL INTERIOR LOT CORNERS, AND BOUNDARY POINTS, TAGGED L.S. 3999.
 - 2. 3/4" SET 3/4" PIPE, TAGGED L.S. 3999.
 - 3. 3/4" SET 3/4" ROD, TAGGED L.S. 3999.
 - 4. 3/4" FOUND MONUMENT, CHARACTER BY MARKED.
 - 5. NOTHING FOUND, NOTHING SET.





NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.

2 PM 197
PARCEL D
 APN: 12-261-47
 JOSHUA D HENSLEE

3 SURVEYS 51
 APN: 12-261-63
 ROBERT & CINDY PERRY

1 PM 81
 APN: 12-261-62
 ROBERT PERRY

WHITE RANCH SUBDIVISION
 LOT 1, LOT 2, LOT 3, LOT 4, LOT 5, LOT 6, LOT 7, LOT 8
 APN: 12-261-46
 MAUREEN RAY

LEGEND
 BUILDING
 FENCE
 CT PARCEL NUMBER
 RECORD MEASUREMENT
 DISTRICT COUNTY ROUTE SHEET PM SHEET NO. TOTAL SHEETS
 03 NEVADA 174 3 4 9

NOTES
 Coordinates and bearings are on CGS 83 (epoch 2004.69) Zone 0402. Distances and stationing are grid distances. Divide by 0.99979 to obtain ground distances. All distances are in feet unless otherwise noted.

PORTION TO BE USED FOR HIGHWAY
 AREA TO BE VACATED AT END OF PROJECT
 COUNTY DEDICATION ACCEPTED AUGUST 2, 1974 MAP 5 OF SUBDIVISIONS PAGE 12.

PORTION TO BE USED FOR HIGHWAY
AREA TO BE VACATED AT END OF PROJECT
COUNTY DEDICATION ACCEPTED AUGUST 2,
1974 MAP 5 OF SUBDIVISIONS PAGE 12.

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

3
1/18

Nevada County Recorder
Gregory J. Diaz
Document#: 20180020232
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	3.4	36824-1

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

Ed Scofield
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

By *Douglas Bortz*

Attorney in Fact

DOUGLAS BORTZ

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

Number
36824-1

EXHIBIT "A"

PARCEL 36824-1

All that real property situated in the unincorporated portion of the County of Nevada, State of California, in Section 4, Township 15 North, Range 9 East, M.D.M., being all that portion of Colfax Highway and Greenhorn Picnicground Access Road offered for dedication and accepted by the Board of Supervisors of the County of Nevada as shown on that certain plat entitled "Rollins Park-West", filed in Book 5 of Subdivisions, at Page 12, Nevada County Records.

EXCEPTING THEREFROM all that portion of Colfax Highway lying northerly of that certain course, and the easterly and westerly projections thereof, said certain course being the southerly line of Parcel D and having a bearing and distance of "North 89°50'00" West 294.80 feet" as said parcel and course are shown on that certain plat filed in Book 1 of Parcel Maps, at Page 81, Nevada County Records.

ALSO EXCEPTING THEREFROM all that portion of said Greenhorn Picnicground Access Road lying easterly of the following described line and the southerly projection thereof:

BEGINNING at a point on the northerly line of Lot 1, being the westerly terminus of that certain course having a bearing and distance of "South 84°29'00" East 85.14 feet" as said lot and course are shown on said plat entitled "Rollins Park-West"; THENCE from said point of beginning leaving said northerly line North 0°10'00" East 84.30 feet to a point on the southerly line of Parcel D as shown on that certain plat filed in Book 1 of Parcel Maps, at Page 81, Nevada County Records, said point being the POINT OF TERMINUS of said line.

The basis of bearings for this description being the same as shown on said plat entitled "Rollins Park-West".

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

8-10-2018



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/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 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 #36824-1 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: _____