

RESOLUTION NO. 16-

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION (DOT) AGREEMENT NO. 160003 (IN THE AMOUNT OF \$3,300.00) WITH AND ACCEPTING THE EASEMENT DEED CONVEYING REAL PROPERTY FROM ROGER C. WEAR AND ARLENE F. WEAR, TRUSTEES, FOR THE ACQUISITION OF RIGHTS OF WAY NEEDED FOR CONSTRUCTION OF THE BAECHTEL CREEK BRIDGE REPLACEMENT PROJECT ON MUIR MILL ROAD, CR 301C, M.P. 2.07 (WILLITS AREA)

WHEREAS, the County of Mendocino seeks to acquire certain real property owned by Roger C. Wear and Arlene F. Wear, trustees, hereinafter referred to as OWNER, said real property being necessary to provide adequate rights of way for the removal and replacement of the existing bridge over Baechtel Creek on Muir Mill Road, CR 301C, designated DOT Project No. B-1003; hereinafter referred to as "PROJECT"; and

WHEREAS, the following property OWNER has signed the following right of way DOT Agreement No. 160003 and related Easement Deed, which DOT Agreement and Easement Deed are attached to a letter accompanying this resolution, in which the County of Mendocino agrees to acquire from the OWNER and the OWNER agrees to convey to the County, for the dollar amount stated above, the rights of way needed for the PROJECT, subject to the performance of certain conditions on the part of the County of Mendocino, said conditions being set forth in full in DOT Agreement listed above submitted to this Board for acceptance and approval; and

WHEREAS, the Director of Transportation has reviewed the DOT Agreement listed above and recommends it for approval; and

WHEREAS, County Counsel has reviewed the DOT Agreement listed above and has approved it as to form; and

WHEREAS, an Easement Deed, by reference made a part hereof, conveys real property from OWNER to the County of Mendocino, in accordance with the terms of the DOT Agreement listed above; and

WHEREAS, said Easement Deed conveys to the County of Mendocino real property that the County requires for DOT Project No. B-1003 to remove and replace the Baechtel Creek Bridge on Muir Mill Road, CR 301C, at M.P. 2.07.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors hereby:

1. Authorizes and directs the Chair of the Mendocino County Board of Supervisors to execute the DOT Agreement to acquire real property from the OWNER; and
2. Accepts the Easement Deed from the OWNER conveying real property to the County of Mendocino, subject to the performance of certain conditions on the part of the County of Mendocino, said conditions being set forth in full in the DOT Agreement; and
3. Authorizes and directs the Chair of the Mendocino County Board of Supervisors to execute the Statutory Certificate of Acceptance in connection with said Easement Deed; and

4. Directs the Clerk of the Mendocino County Board of Supervisors, upon execution of the Statutory Certificate of Acceptance, to submit the Easement Deed to the County Department of Transportation office for further processing and recording; and
5. Authorizes and directs the County Auditor and the County Assessor to prorate and transfer taxes as of the date of recording of said Easement Deed conveying certain real property of OWNER, trustees to the County of Mendocino, pursuant to Section 4986 of the Revenue and Taxation Code of the State of California.

The foregoing Resolution introduced by Supervisor _____, seconded by Supervisor _____, and carried this _____ day of _____, 2016, by the following vote:

AYES:
 NOES:
 ABSENT:

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED

ATTEST: CARMEL J. ANGELO
 Clerk of the Board

 DAN GJERDE, Chair
 Mendocino County Board of Supervisors

 Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
 KATHARINE L. ELLIOTT, Acting County Counsel

BY: CARMEL J. ANGELO
 Clerk of the Board

 Deputy

 Deputy