

RESOLUTION NO. 12-

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NO. 120021 AND ACCEPTING THE GRANT DEED CONVEYING REAL PROPERTY FROM FELIZ CREEK LIMITED PARTNERSHIP FOR THE ACQUISITION OF RIGHTS OF WAY NEEDED FOR CONSTRUCTION OF THE FELIZ CREEK BRIDGE REPLACEMENT PROJECT ON ROAD 110, CR 110, M.P. 0.10 (HOPLAND AREA)

WHEREAS, the County of Mendocino seeks to acquire certain real property owned by Feliz Creek Limited Partnership, 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 Feliz Creek and to realign the approaches on Road 110, CR 110, designated Department of Transportation Project No. B-0401; hereinafter referred to as "PROJECT"; and

WHEREAS, OWNER of the affected property has signed Department of Transportation Agreement No. 120021 whereby OWNER agrees to convey to the County the rights of way needed for the PROJECT, subject however to the performance of certain conditions on the part of the County of Mendocino, said conditions being set forth in full in Department of Transportation Agreement No. 120021 submitted to this Board for acceptance and approval; and

WHEREAS, the Director of Transportation has reviewed Department of Transportation Agreement No. 120021 and recommends it for approval; and

WHEREAS, County Counsel has reviewed Department of Transportation Agreement No. 120021 and has approved it as to form; and

WHEREAS, a Grant Deed, by reference made a part hereof, conveys real property from Feliz Creek Limited Partnership to the County of Mendocino in accordance with the terms of Department of Transportation Agreement No. 120021; and

WHEREAS, said Grant Deed conveys to the County of Mendocino real property that the County requires for Department of Transportation Project No. B-0401 to remove and replace the Feliz Creek Bridge on Road 110, CR 110, at M.P. 0.10.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors be and hereby is authorized and directed to execute Department of Transportation Agreement No. 120021 to convey real property from Feliz Creek Limited Partnership to the County of Mendocino, on behalf of the County of Mendocino, and to accept said Grant Deed according to the terms set forth therein; and

BE IT FURTHER RESOLVED AND SO ORDERED THAT:

- the Chair of the Mendocino County Board of Supervisors be and hereby authorized and directed to execute the Statutory Certificate of Acceptance in connection with said Grant Deed; and
- The Clerk of this Board be and hereby is directed, upon execution of the Statutory Certificate of Acceptance, to submit said Grant Deed to Redwood Empire Title Company (Escrow No. 20110338DN) for further processing and recording; and

- The Director of Transportation be and hereby is authorized and directed to process the necessary documents for payment from The Federal Highway Bridge Program (HBP) and Toll Credits, in the sum of Twenty Four Thousand Dollars (\$24,000), payable to Feliz Creek Limited Partnership, as financial consideration agreed upon in connection with Department of Transportation Agreement No. 120021; and
- Pursuant to Section 4986 of the Revenue and Taxation Code of the State of California, the County Auditor and the County Assessor be and hereby are authorized and directed to prorate and transfer taxes as of the date of recording of said Grant Deed conveying certain real property of Feliz Creek Limited Partnership, to the County of Mendocino, as aforesaid.

The foregoing Resolution introduced by Supervisor _____, seconded by Supervisor _____, and carried this 10th day of _____, 2012, 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

JOHN McCOWEN, 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:
JEANINE B. NADEL, County Counsel

BY: CARMEL J. ANGELO
Clerk of the Board

Deputy