

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT General Services	(2) MEETING DATE 10/16/2012	(3) CONTACT/PHONE Katie Perez, Deputy Director (805) 781-5200	
(4) SUBJECT Request to transfer a public lot, comprised of a .92 acre strip of County owned land in the Templeton area, to an adjoining land owner to correct a survey error made in connection with a donation of real property. The request includes adoption of a Resolution and execution of a Quitclaim Deed to complete the transfer. District 1.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1) Adopt a Resolution to convey a County owned strip of real property located near Templeton in order to correct a survey error made in connection with a donation of real property; 2) Execute one Quitclaim Deed for conveyance of said property to the adjacent property owner; and 3) Instruct the Clerk to record the documents and provide copies to General Services.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date <u>12/9/2003.itemB-5</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Reviewed by Vincent Morici			
(18) SUPERVISOR DISTRICT(S) District 1 -			

# County of San Luis Obispo



TO: Board of Supervisors

FROM: General Services / Katie Perez, Deputy Director  
(805) 781-5200

DATE: 10/16/2012

SUBJECT: Request to transfer a public lot, comprised of a .92 acre strip of County owned land in the Templeton area, to an adjoining land owner to correct a survey error made in connection with a donation of real property. The request includes adoption of a Resolution and execution of a Quitclaim Deed to complete the transfer. District 1.

## **RECOMMENDATION**

It is recommended that the Board:

- 1) Adopt a Resolution to convey a County owned strip of real property located near Templeton in order to correct a survey error made in connection with a donation of real property;
- 2) Execute one Quitclaim Deed for conveyance of said property to the adjacent property owner; and
- 3) Instruct the Clerk to record the documents and provide copies to General Services.

## **DISCUSSION**

The Bernard Duveneck family worked with the County for several years to donate a portion of their 100 acre parcel of real property to the County for the purpose of creating a passive recreational area in the North County. An 81.18 acre Public lot was created to facilitate this donation with the remaining 20 acres to be retained by Bernard Duveneck's daughter, Laura Barker. On December 9, 2003, your Board accepted an 81.18 acre donation of real property from Bernard Duveneck located adjacent to the Salinas River off Vaquero Road, east of Templeton. The Resolution also named the passive recreational park as the "Liz Duveneck Memorial Park".

Subsequently, County Public Works Nacimiento Water Project needed an easement at the front of the remainder parcel owned by Laura Barker. At that time, it was discovered that Laura Barker's remainder parcel, was in fact not 20 acres. Due to a road that was accepted by the County in 1913, the parcel belonging to Laura Barker was less than 20 acres. The action before your Board today will correct the error and deed back a .92 acre public lot in order to complete a lot line adjustment. This action will restore Laura Barker's property back to 20 acres which was the intent of the Duveneck family at the time of the donation.

## **OTHER AGENCY INVOLVEMENT/IMPACT**

County Counsel has reviewed the Resolution, and Quitclaim Deed as to form and legal effect. Public Works verified the legal descriptions used in the preparation of documents. County Planning and Building processed the Public Lot and the Subdivision Review Board approved the Public Lot. The approval of the Public Lot by the Subdivision Review Board deems this transaction exempt under the California Environmental Quality Act (CEQA). Specifically, the conveyance is exempt from CEQA under the provisions of Public Resources Code Section 21080(b)(1) and State CEQA Guidelines Section 15061(b)(3).

## **FINANCIAL CONSIDERATIONS**

This is to correct an error made in connection with a donation of real property and as such, no financial consideration is contemplated.

## **RESULTS**

Adoption of the Resolution and execution of the Quitclaim Deed will accomplish transferring the strip parcel of land back to the adjacent property owner to correct an error. This action contributes to the Community-wide result of "A Well Governed Community".

## **ATTACHMENTS**

1. Vicinity Map
2. e-signed Resolution
3. Barker Quitclaim Deed