

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

(1) DEPARTMENT General Services	(2) MEETING DATE 11/20/2012	(3) CONTACT/PHONE Janette D. Pell, General Services Agency Director 805-781-5200	
(4) SUBJECT Request to approve Resolution and Quitclaim Deed to relinquish the County's interest in a driveway easement on Buckley Road (APN 0765-063-033) to correct a prior property donation to the County in San Luis Obispo. District 3.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1) Adopt a Resolution to quitclaim a driveway easement in order to correct a donation of land. 2) Execute a Quitclaim Deed to relinquish the County's interest in the driveway easement. 3) Instruct the Clerk to deliver the Quitclaim Deed to the County Real Property Manager to be delivered to the title company for recordation.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(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>January 10, 2012</u>	
(17) ADMINISTRATIVE OFFICE REVIEW			
(18) SUPERVISOR DISTRICT(S) District 3 -			

# County of San Luis Obispo



TO: Board of Supervisors

FROM: General Services  
Janette D. Pell, General Services Agency Director  
805-781-5200

DATE: 11/20/2012

SUBJECT: Request to approve Resolution and Quitclaim Deed to relinquish the County's interest in a driveway easement on Buckley Road (APN 0765-063-033) to correct a prior property donation to the County in San Luis Obispo. District 3.

## **RECOMMENDATION**

It is recommended that the Board:

- 1) Adopt a Resolution to quitclaim a driveway easement in order to correct a donation of land.
- 2) Execute a Quitclaim Deed to relinquish the County's interest in the driveway easement.
- 3) Instruct the Clerk to deliver the Quitclaim Deed to the County Real Property Manager to be delivered to the title company for recordation.

## **DISCUSSION**

The County of San Luis Obispo acquired a 3.49 acre parcel of land on Buckley Road (APN 0765-063-033) from Bradford C. Stahl on January 13, 2012. A driveway easement on the adjacent property owner's land owned by Central Coast Engineering, Inc. (APN 076-063-003) had been recorded on March 7, 2008 as Document #2008011412. Mr. Stahl had donated a portion of the acquisition price to the County when the County acquired the property, but Mr. Stahl had not intended to donate the driveway easement that affected his neighbor's property. The location of the driveway easement is shown in green on the attached drawing prepared by First American Title Company.

Mr. Stahl requests that the driveway easement be quitclaimed back to the neighbor. The driveway easement had been intended to accommodate Mr. Stahl's specific project design, but the County's parcel can be accessed directly from Buckley Road without the easement when it is developed in the future. Since the property was acquired by the County through partial donation, the County wishes to accommodate Mr. Stahl's request to relinquish the County's interest in the driveway easement.

## **OTHER AGENCY INVOLVEMENT/IMPACT**

County Counsel has reviewed the Resolution and the Quitclaim Deed as to form and legal effect. The County Environmental Coordinator has determined that this transaction is exempt under the California Environmental Quality Act (CEA) under provisions of the Public Resources Code Section 21080 (b)(1) and State CEQA Guidelines Section 15061 (b)(3). Approval of the Federal Aviation Administration (FAA) is not required for this transaction because the County's parcel is not included in the property inventory that secures FAA Grant Assurances.

## **FINANCIAL CONSIDERATIONS**

Aside from staff time to make the correction to the donation transaction, there are no other financial considerations associated with this action.

## **RESULTS**

Approval of the Resolution and execution of the Quitclaim Deed will relinquish the County's interest in a driveway easement on property adjacent to County owned land on Buckley Road in San Luis Obispo and will correct an error when the property was acquired, in part through donation. This action contributes to the Communitywide result of a Well Governed Community.

## **ATTACHMENTS**

1. Location Map
2. Driveway Easement Location
3. Resolution
4. Quitclaim Deed