

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

(1) DEPARTMENT Public Works	(2) MEETING DATE 11/5/2013	(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5290	
(4) SUBJECT Submittal of a resolution to correct and supersede Resolution No. 2013-239 and authorizing conveyance to the adjoining property owner and amending the name of said adjoining property owner; and approve the Quitclaim Deed and Maintenance Covenant as corrected, Nipomo. District 4.			
(5) RECOMMENDED ACTION It is our recommendation that your Honorable Board: <ol style="list-style-type: none"> 1. Adopt the resolution declaring surplus portions of the County's real property interests acquired in conjunction with the Willow Road Interchange Project totaling 0.04 acre and authorize the conveyance of said surplus real property to adjoining owner; and 2. Approve and Execute the accompanying Quitclaim Deed and Maintenance Covenant (Deed), and direct the Clerk of the Board to record the Deed and return a certified copy to the Department of Public Works for further processing; and 3. Order that the attached resolution and Deed be deemed to supersede and replace Resolution No. 2013-239 and Deed that were adopted and approved by this Board on October 1, 2013; and 4. Authorize the Public Works Director, or his designee, to execute any remaining escrow documents or procedures necessary to close the transactions associated with these real property interests. 			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(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 checked="" 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: 10/1/13; Item #10	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmdit</i>			
(18) SUPERVISOR DISTRICT(S) District 4 -			

Reference: 13NOV05-C-2

County of San Luis Obispo



TO: Board of Supervisors
FROM: Public Works
Phil Acosta, Right of Way Agent
VIA: Dave Flynn, Deputy Director of Public Works
DATE: 11/5/2013

SUBJECT: Submittal of a resolution to correct and supersede Resolution No. 2013-239 and authorizing conveyance to the adjoining property owner and amending the name of said adjoining property owner; and approve the Quitclaim Deed and Maintenance Covenant as corrected, Nipomo. District 4.

RECOMMENDATION

It is our recommendation that your Honorable Board:

1. Adopt the resolution declaring surplus portions of the County's real property interests acquired in conjunction with the Willow Road Interchange Project totaling 0.04 acre and authorize the conveyance of said surplus real property to adjoining owner; and
2. Approve and Execute the accompanying Quitclaim Deed and Maintenance Covenant (Deed), and direct the Clerk of the Board to record the Deed and return a certified copy to the Department of Public Works for further processing; and
3. Order that the attached resolution and Deed be deemed to supersede and replace Resolution No. 2013-239 and Deed that were adopted and approved by this Board on October 1, 2013; and
4. Authorize the Public Works Director, or his designee, to execute any remaining escrow documents or procedures necessary to close the transactions associated with these real property interests.

DISCUSSION

A resolution and Deed for the conveyance of surplus real property in connection to the Willow Road Interchange Project were brought before your Board on October 1, 2013 as Agenda Item No. 10. It was discovered after adoption of Resolution 2013-239 but before the resolution and Deed were formally executed by the County, that a discrepancy existed in the legal name of the grantee of the Deed and the legal name of the adjoining owner as referenced in recitation number four of the

resolution. The correct legal name of the grantee of the Deed and adjoining owner referenced in the resolution is Michael J. Cavaletto Ranches LLC, a California limited liability company. The corrected Deed and resolution are attached and they are intended to supersede the previously adopted resolution and the previously approved Deed.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed and approved the attached resolution, and accompanying Quitclaim Deed and Maintenance Covenant, as to legal form and effect.

FINANCIAL CONSIDERATIONS

There are no financial impacts as a result of this board action.

RESULTS

Adopting the resolution correcting Resolution No. 2013-239 will rectify the administrative record to reflect the Board's authorization to convey the subject real property to the proper adjoining owner. Approval and recording of the corrected Deed will complete the County's intended conveyance.

File: R/W File Willow Rd 08-15-L (Cavaletto)

Reference: 13NOV05-C-2

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ATTACHMENTS

1. Vicinity Map
2. County Surplus Real Property Exhibit
3. Quitclaim Deed and Maintenance Agreement
4. Resolution Declaring Surplus Certain Interests in Real Property with Legal Descriptions and Maps