

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

(1) DEPARTMENT Public Works	(2) MEETING DATE 2/11/2014	(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5290	
(4) SUBJECT Submittal of a resolution authorizing conveyance of County real property interests acquired in conjunction with the Willow Road Interchange Project to the State of California, Nipomo. District 4.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> 1. Adopt the resolution authorizing conveyance of County real property interests acquired in conjunction with the Willow Road Interchange Project to the State of California; and 2. Approve and execute the accompanying Quitclaim Deed (Quitclaim), and direct the Clerk of the Board to return the executed original to the Department of Public Works for further processing; and 3. Authorize the Public Works Director, or his designee, to execute any remaining escrow documents or procedures necessary to close the transaction(s) associated with these real property interests and deliver the original conveyance, upon final processing, to the County Clerk's office for final recordation. 			
(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"/> 4/5 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: 9/22/09; Item #A-32	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) District 4 -			

Reference: 14FEB11-C-1

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: 2/11/2014

SUBJECT: Submittal of a resolution authorizing conveyance of County real property interests acquired in conjunction with the Willow Road Interchange Project to the State of California, Nipomo. District 4.

RECOMMENDATION

It is recommended that the Board:

1. Adopt the resolution authorizing conveyance of County real property interests acquired in conjunction with the Willow Road Interchange Project to the State of California; and
2. Approve and execute the accompanying Quitclaim Deed (Quitclaim), and direct the Clerk of the Board to return the executed original to the Department of Public Works for further processing; and
3. Authorize the Public Works Director, or his designee, to execute any remaining escrow documents or procedures necessary to close the transaction(s) associated with these real property interests and deliver the original conveyance, upon final processing, to the County Clerk's office for final recordation.

DISCUSSION

On September 22, 2009, your Board adopted Resolution Nos. 2009-302 and 2009-303 requesting a new public road connection at Willow Road and State Route 101 (Willow Road Interchange Project) affirming county funding and delivery commitments, and authorizing the acquisition of real property for State Highway purposes. On September 22, 2009 your Board also approved Cooperative Agreement No. 05-0224 and Freeway Agreement No. 05-SLO-101-PM 0.0/7.5, hereinafter collectively Willow Agreements, with the State of California, in further support of the Willow Road Interchange Project.

The County subsequently acquired certain real property interests for the Willow Road Interchange Project as further described in the attached Quitclaim Deed and in accordance with the Willow Agreements.

Construction of the project has been completed and traffic has been utilizing the interchange since the last quarter of 2012.

At this time, Caltrans has completed their review of the right of way documents and agree they are acceptable. The Board may now convey its interest in real property to the State pursuant to Government Code Section 25365(a), upon the terms and conditions as have been agreed upon, without complying with any other provisions of said code, if the property or interest therein to be granted and conveyed or quitclaimed is not required for County use.

The real properties described in the attached Quitclaim Deed are encumbered with State highway improvements, are not required for County use, and they are to be conveyed to the State as a condition of "Completion of Work" as further defined in the Willow Agreements.

OTHER AGENCY INVOLVEMENT/IMPACT

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

Caltrans has reviewed and approved the proposed Quitclaim Deed and related Exhibits; however, the Deed may not be recorded until Caltrans has executed their formal acceptance.

The County Planning Director has previously determined that the County's acquisition of the described real properties does not necessitate the filing of a parcel map (File #PL 09-0062-SUB 2008-00096, SRB dated 10-05-2009) and that the prior acquisition and the proposed transfer are in conformity with the General Plan (File #DTM2009-00001, Planning Commission receive and file 09-24-2009).

The County Environmental Coordinator has previously determined that all requirements of the California Environmental Quality Act and the Public Resources Code have been met pursuant to the Environmental Impact Report filed for the Willow Road Interchange Project (State Clearing House #1995051-065 (WBS 300142.05) approved May, 2006) and the subsequent transfer of title to another public agency does not constitute a new project under CEQA.

FINANCIAL CONSIDERATIONS

The proposed conveyance is a contractual obligation and there is no financial impact resulting from this transaction.

RESULTS

The recommended action will enable the County to complete a transfer of the Willow Road Interchange to the State Department of Transportation (Caltrans) pursuant to the Willow Road Interchange Cooperative Agreement. This action provides for a well-governed community.

File: R/W File Willow Rd (Caltrans)

Reference: 14FEB11-C-1

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ATTACHMENTS

1. Vicinity Map
2. Quitclaim Deed
3. Resolution Authorizing Conveyance of County Real Property Interests in the Willow Road Interchange to the State of California, Nipomo, Supervisorial District No. 4