

Resolution 20-01

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE KELSEY CEMETERY DISTRICT REQUESTING THAT THE KELSEY CEMETERY, APN 088-310-029-000, BE PROPERLY DEEDED FROM EL DORADO COUNTY TO THE KELSEY CEMETERY DISTRICT

WHEREAS, the Board of Trustees of the Kelsey Cemetery District wishes to submit to The Board of Supervisors of El Dorado County, State of California, a request to transfer ownership of the property commonly known as the Kelsey Cemetery, located at 6553 Kelsey Road, Kelsey CA, APN 088-310-029-000, to the Kelsey Cemetery District (District); and

WHEREAS, The Legislature authorized the creation of public cemetery districts in 1909 to assume responsibility for the ownership, improvement, expansion, and operation of cemeteries and the provision of interment services from fraternal, pioneer, religious, social, and other organizations that were unable to provide for those cemeteries, said authorization updated in 2003 and outlined in § 9010 et seq of the CA H&S Code; and

WHEREAS, the Kelsey Cemetery District was duly formed by El Dorado County Board of Supervisors on July 28, 1938, recorded in County Records Book 167, page 126; and

WHEREAS, CA H&S Code § 9014 (b) gives the District the power to acquire by purchase, eminent domain, grant, gift, lease, or other lawful means, any real property within the district or any personal property that may be necessary or proper to carry out its purposes and intent; and

WHEREAS, The Kelsey Cemetery property was deeded to El Dorado County by the then owners circa 1892, and ownership never passed on to the District when it was formed in 1938; and

WHEREAS, The Kelsey Cemetery District believes that placing title to the cemetery with the district would be more efficient and result in greater local control to the benefit of the district.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Kelsey Cemetery District as follows:

1. The Kelsey Cemetery District Board of Trustees shall submit to the El Dorado County Board of Supervisors a request to transfer title and ownership of the Kelsey Cemetery property located at 6553 Kelsey Road, Kelsey CA, Assessor's Parcel Number 088-310-029-000, to The Kelsey Cemetery District.

2. Once adopted, a certified copy of this Resolution shall be delivered to the Clerk of the Board for the El Dorado County Board of Supervisors together with a request to place the matter on the next available Agenda.

The foregoing Resolution was duly passed and adopted by a greater than two-thirds vote of the Board of Trustees at a regular meeting of the Kelsey Cemetery District held on March 24, 2020, by the following vote:

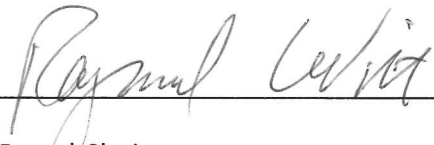
AYES: 4

NOES: 0

ABSTAIN: 0

ABSENT: 1

Signed:



KCD Board Chairman

Attest:



KCD Secretary

Date: March 24, 2020



Roger Runkle <roger.runkle@edcgov.us>

Certificate of Acceptance

1 message

David Livingston <david.livingston@edcgov.us>
To: Roger Runkle <roger.runkle@edcgov.us>

Fri, May 1, 2020

Roger,

Here is the section on certificates of acceptance that I mentioned:

West's Ann.Cal.Gov.Code § 27281

§ 27281. Deeds for public purposes; certificate or resolution of acceptance; form of certificate

Currentness

Deeds or grants conveying any interest in or easement upon real estate to a political corporation or governmental agency for public purpose shall not be accepted for recordation without the consent of the grantee evidenced by its certificate or resolution of acceptance attached to or part of the deed or grant. If a **certificate of acceptance** is used, it shall be in substantially the following form:

This is to certify that the interest in real property conveyed by the deed or grant dated _ from _____ to _____, a political corporation and/or governmental agency is hereby accepted by order of the _____ (legislative body) on _____ (date), (or by the undersigned officer or agent on behalf of the _____ (legislative body) pursuant to authority conferred by resolution of the _____ (legislative body) adopted on _____ (date), and the grantee consents to recordation thereof by its duly authorized officer.

Dated _____ By _____

A political corporation or governmental agency, by a general resolution, may authorize one or more officers or agents to accept and consent to such deeds or grants.

In cases where the county tax collector files purchaser's deeds with respect to a sale for defaulted taxes, the information contained in those documents shall be deemed to constitute compliance with this section.

The requirements of this section shall not apply to a deed of trust or other security or regulatory document recorded by or on behalf of a governmental agency pursuant to a program or activity of the agency authorized by statute or regulation.

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