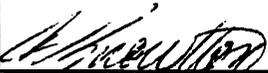


**EL DORADO COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL  
Meeting of December 5, 2006**

**AGENDA TITLE:** Irrevocable Offer of Dedication #2006-28; PM #39/95, Parcel 1; Eric Leafstone & Susan D. Wickersham

<b>DEPARTMENT:</b> Transportation	<b>DEPT SIGNOFF:</b> 	<b>CAO USE ONLY:</b> C
<b>CONTACT:</b> Deborah Gruber 		
<b>DATE:</b> 10/30/06	<b>PHONE:</b> XT 6519-5982	 11/21/06

**DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION:**

The Department of Transportation recommends the Board of Supervisors:

1. Approve the attached Irrevocable Offer of Dedication for a recreational trail easement which is offered by Eric Leafstone & Susan D. Wickersham and adopt the Resolution acknowledging but rejecting said offer at this time. The subject property is identified as Assessor's Parcel Number 109-311-01, and is located on Char Mar Circle, in Shingle Springs. Said offer is necessary to satisfy a condition of approval for Parcel Map Correction #P86-0157C.
2. Authorize the Chairman to sign said Resolution.

**CAO RECOMMENDATIONS:** *Recommend approval. Laurie J. Hill 11/27/06*

Financial impact? ( ) Yes (X) No      Funding Source: ( ) Gen Fund ( ) Other

**BUDGET SUMMARY:**

Total Est. Cost	_____
<b>Funding</b>	
Budgeted	_____
New Funding	_____
Savings	_____
Other	_____
Total Funding	_____
<b>Change in Net County Cost</b>	

Other: \_\_\_\_\_

**CAO Office Use Only:**

4/5's Vote Required	( ) Yes (X) No
Change in Policy	( ) Yes (X) No
New Personnel	( ) Yes (X) No

**CONCURRENCES:**

Risk Management	_____
County Counsel	_____
Other	_____

**\*Explain**

**BOARD ACTIONS:**

Vote: Unanimous \_\_\_\_\_ Or

Ayes:

Noes:

Abstentions:

Absent:

**I hereby certify that this is a true and correct copy of an action taken and entered into the minutes of the Board of Supervisors**

Date: \_\_\_\_\_

Attest: Cindy Keck, Board of Supervisors Clerk

By: \_\_\_\_\_



**MAINTENANCE DIVISION:**  
 2441 Headington Road  
 Placerville CA 95667  
 Phone: (530) 642-4909  
 Fax: (530) 642-9238

**RICHARD W. SHEPARD, P.E.**  
 Director of Transportation  
  
 Internet Web Site:  
<http://co.el-dorado.ca.us/dot>

**MAIN OFFICE:**  
 2850 Fairlane Court  
 Placerville CA 95667  
 Phone: (530) 621-5900  
 Fax: (530) 626-0387



October 30, 2006

Board of Supervisors  
 330 Fair Lane  
 Placerville, California 95667

**Title: Irrevocable Offer of Dedication #2006-28;  
 PM #39/95, Parcel 1;  
 Eric Leafstone & Susan D. Wickersham**

**Meeting Date: December 5, 2006 \ District II \ Supervisor: Helen Baumann**

Dear Members of the Board:

**Recommendations:**

The Department of Transportation recommends the Board of Supervisors:

1. Approve the attached Irrevocable Offer of Dedication for a recreational trail easement, and adopt the Resolution acknowledging but rejecting said offer, at this time; and
2. Authorize the Chairman to sign said Resolution.

**Reasons for Recommendations:**

The Department of Transportation has received an Irrevocable Offer of Dedication for a recreational trail easement situated along the northwesterly boundary line, for the subject property identified as Assessor's Parcel Number 109-311-01, being more particularly described in Exhibit A and depicted in Exhibit B of the attached Resolution. Said dedication is being made by Eric Leafstone & Susan D. Wickersham, and is necessary to meet the condition requirements of Parcel Map Correction #P86-0157C. The subject property location is on Char Mar Circle, in Shingle Springs.

The Department of Transportation's staff has reviewed said offer and recommends that the Board adopt and authorize the Chairman to sign the Resolution acknowledging but rejecting said offer at this time. Authorization for recording of said offer is pursuant to Government Code Section 7050.

**Fiscal Impact:**

None.

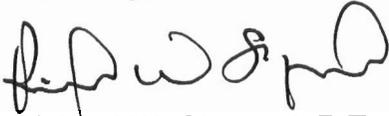
**Net County Cost:**

There is no net County cost.

**Action to be Taken Following Approval:**

1. Said Resolution will be recorded.
2. A copy of the recorded Resolution will be sent to the property owners.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard W. Shepard".

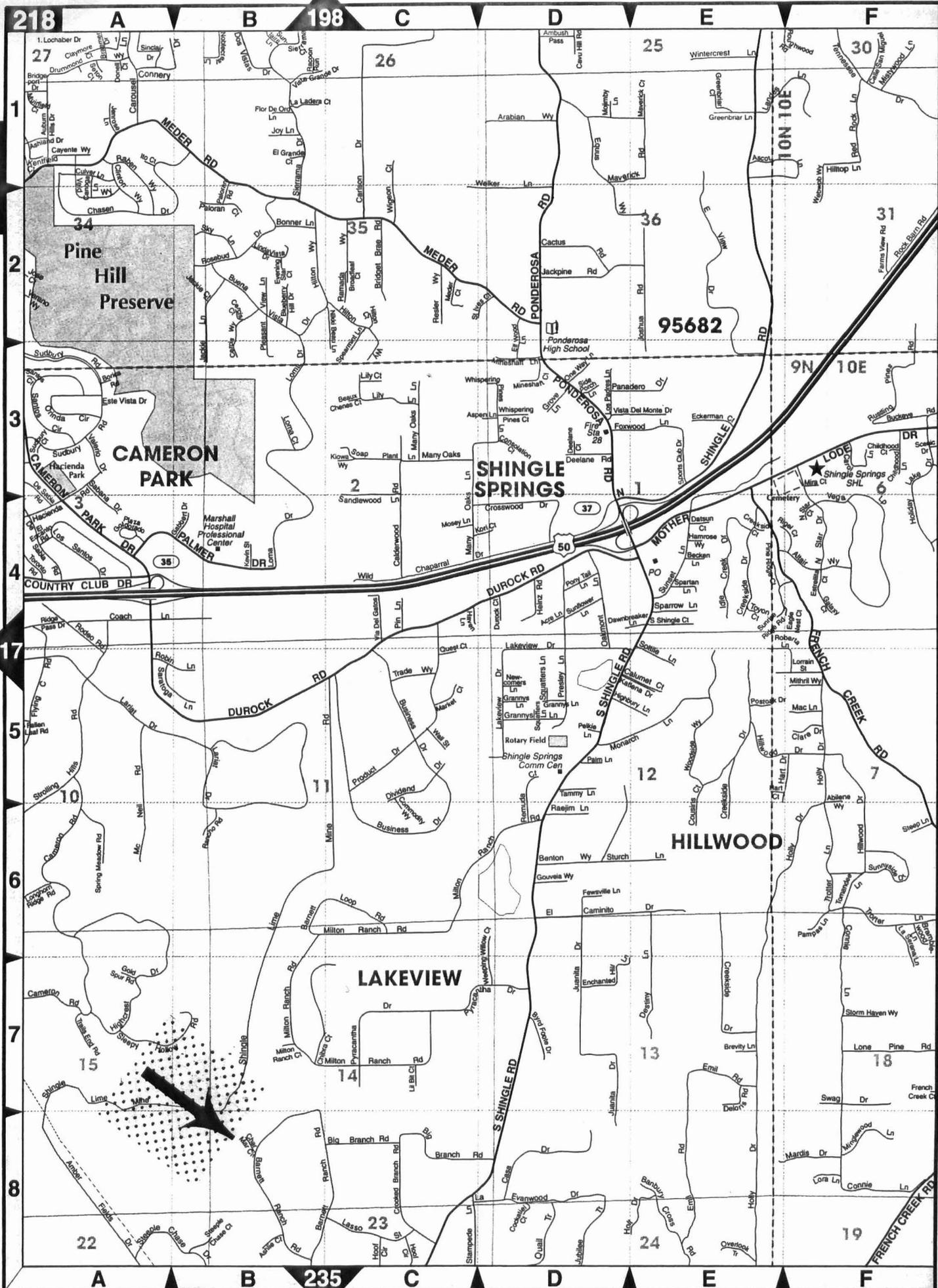
Richard W. Shepard, P.E.  
Director of Transportation

RWS: PF/ dg

Attachment(s): Vicinity Map  
Resolution  
Irrevocable Offer of Dedication  
Exhibits

EL DORADO COUNTY

See Page





**RESOLUTION NO. \_\_\_\_\_**  
**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO**  
**Irrevocable Offer of Dedication #2006-28**  
**PM #39/95, Parcel 1**  
**Assessor's Parcel Number 109-311-01**  
**Eric Leafstone & Susan D. Wickersham**

**WHEREAS**, the authority to invoke the process of dedicating an easement over, under and/or across property by the County is established under Section 7050 of the California Government Code and Section 66475 of the Subdivision Map Act; and

**WHEREAS**, the authority to accept right of way, road, slope, drainage and public utilities easements by the County, at its discretion, is established under Section 7050 of the California Government Code and Section 66477.1 of the Subdivision Map Act; and

**WHEREAS**, Eric Leafstone & Susan D. Wickersham, are the legal owners of the property identified as Assessor's Parcel Number 109-311-01, and are offering for dedication a recreational trail easement, situated along the northwesterly boundary line of said parcel, to the County of El Dorado; and

**WHEREAS**, said easement is described in Exhibit A, and depicted in Exhibit B, attached to the Irrevocable Offer of Dedication; and

**WHEREAS**, said offer shall remain in effect and run with the land until such time the County of El Dorado Board of Supervisors accepts said offer; and

**WHEREAS**, the County of El Dorado Board of Supervisors has determined that it is in the public's best interest to acknowledge but reject said offer, at this time.

**NOW, THEREFORE BE IT RESOLVED**, that from and after the date this Resolution is recorded, said offer is hereby acknowledged, but rejected, at this time, by the County of El Dorado Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2006, by the following vote of said Board:

ATTEST  
CINDY KECK  
Clerk of the Board of Supervisors

Ayes:  
Noes:  
Absent:

By \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
James R. Sweeney, Chairman, Board of Supervisors

I CERTIFY THAT:

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE \_\_\_\_\_

ATTEST: CINDY KECK, Clerk of the Board of Supervisors of the County of El Dorado, State of California

By \_\_\_\_\_  
Deputy Clerk

5  
When recorded mail to:  
County of El Dorado  
Board of Supervisors  
330 Fair Lane  
Placerville CA 95667  
APN: 109-311-01

ORIGINAL

Mail Tax Statements to above.  
Exempt from Documentary Tax Transfer  
Per Revenue and Taxation Code 11922

Above section for Recorder's use

**IRREVOCABLE OFFER OF DEDICATION  
RECREATIONAL TRAIL EASEMENT**

ERIC LEAFSTONE and SUSAN D. WICKERSHAM, hereinafter called GRANTORS, owners of the real property herein described, do hereby irrevocably offer for dedication to the **COUNTY OF EL DORADO**, a political subdivision of the State of California, a recreational trail easement, for all public recreational trail purposes, over, upon, and across that certain real property situate in the unincorporated area of the County of El Dorado, State of California, described as:

**See Exhibits A & B, attached hereto and made a part hereof.**

It is understood that this offer of dedication shall remain in effect and run with the land until such time as the County of El Dorado Board of Supervisors makes a finding of necessity for public purposes and accepts said offer by resolution.

IN WITNESS WHEREOF, GRANTORS have hereunto subscribed their names this 16<sup>th</sup> day of June, 2006.

GRANTORS

Eric Leafstone  
Signature

Susan D. Wickersham  
Signature

ERIC LEAFSTONE  
Printed name and title

SUSAN D. WICKERSHAM  
Printed name and title

**TRUSTEE/BENEFICIARY**

The undersigned, See attached Consent Trustee/Beneficiary under that Certain Deed of Trust dated of lienholder, Recorded in Book \_\_\_\_\_ at Page \_\_\_\_\_, or as Document No. \_\_\_\_\_, of the Official Records of El Dorado County, hereby consent to the recording of this document.

\_\_\_\_\_  
Signature and Date

\_\_\_\_\_  
Printed name and title

**(A Notary Public must acknowledge ALL signatures)**

Loan # 0184638948

## Consent of Lienholder

Mortgage Electronic Registration Systems, Inc., as Nominee for Wells Fargo Bank, National Association, successor by merger to Wells Fargo Home Mortgage, Inc., ("Lienholder"), hereby consents to the grant of the foregoing "RECREATIONAL TRAIL EASEMENT" by Eric Leafstone and Susan D. Wickersham to the County of El Dorado, a political subdivision of the State of California, and, joins in the execution hereof solely as Lienholder and hereby does agree that in the event of the foreclosure of said mortgage, or other sale of said property described in said mortgage under judicial or non-judicial proceedings, the same shall be sold subject to said "RECREATIONAL TRAIL EASEMENT".

SIGNED AND EXECUTED this 12<sup>th</sup> day of OCTOBER, 2006.

Mortgage Electronic Registration Systems, Inc.

By: Lorna L. Slaughter  
Lorna L. Slaughter - Vice President

STATE of MARYLAND

COUNTY of FREDERICK

BEFORE ME, the undersigned authority, on this day personally appeared Lorna L. Slaughter, Vice President of Mortgage Electronic Registration Systems, Inc. as Nominee for Wells Fargo Bank, National Association, successor by merger to Wells Fargo Home Mortgage, Inc., known to me to be the person and Officer whose name is subscribed to the foregoing instrument and who acknowledged to me that she executed the same for the purposes and consideration therein expressed, in the capacity therein stated, as the act and deed of the said Bank.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 12<sup>th</sup> day of OCTOBER, 2006.

NANETTE S. FRANCELLA  
NOTARY PUBLIC STATE OF MARYLAND  
County of Frederick  
My Commission Expires March 1, 2007

Nanette S. Francella  
Notary Public

My commission expires: 3-01-2007

**EXHIBIT "A"**

**AN IRREVOCABLE OFFER OF DEDICATION**

An irrevocable offer of dedication for trail easement, the Easterly line of which lies 100 feet Easterly of the centerline of Southern Pacific Railroad right of way and is more particularly described as follows:

A portion of the Southwest  $\frac{1}{4}$  of Section 14, Township 9 North, Range 9 East, M.D.M. as follows:

All that portion of Parcel 1 as said parcel is shown on that certain parcel map on file in the office of the Recorder of the County of El Dorado, California in Book 39 of parcel maps at Page 95 as follows:

BEGINNING at the Southwesterly corner of said Parcel 1, being a point on the Easterly right of way line of the Southern Pacific Railroad; thence from said POINT OF BEGINNING along the Westerly boundary of said Parcel 1 and the Easterly right of way line of said railroad North  $29^{\circ} 26' 50''$  East 560.68 feet; thence leaving said right of way line along the Northeasterly boundary of said Parcel 1 South  $50^{\circ} 14' 57''$  East 50.82 feet; thence leaving said Northeasterly boundary South  $29^{\circ} 26' 50''$  West 555.51 feet to a point on the Southwesterly boundary of said Parcel 1; thence along said boundary North  $56^{\circ} 04' 26''$  West 50.15 feet to the POINT OF BEGINNING, containing 0.64 Acres.



EXP 6-30-06



# California Notary Acknowledgment

State of California

County of El Dorado

---

On June 16, 2006  
before me,

---

Scott Walton, Notary Public

---

(insert name and title of the officer here)

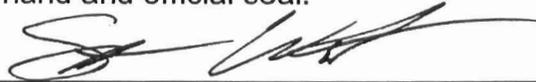
personally appeared Eric Leafstone and Susan D. Wickersham

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personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature



(Seal)

