



Legislation Details (With Text)

File #: 11-1341 **Version:** 1

Type: Agenda Item **Status:** Adopted

File created: 11/15/2011 **In control:** Board of Supervisors

On agenda: 12/6/2011 **Final action:** 12/6/2011

Title: County Surveyor recommending the Board adopt Resolution 197-2011 acknowledging but rejecting the Irrevocable Offer of Dedication from Charles Malsbury Bertolette, Trustee of the 2002 Charles Malsbury Bertolette Trust, and the D. Sack Family Limited Partnership, a California Limited Partnership for; road right of way, public utilities and slope easements across parcels, 096-050-13 and 096-020-46 which are located on a segment of road formerly known as Jimtown Way. This IOD is being executed in order to satisfy Conditional Certificate of Compliance # 97-205.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 11-1341.1A.SV120611Resolution, 2. 11-1341.1B.SV120611IOD, 3. 11-1341.1C.SV120611Exhibit Map, 4. Fully executed Resolution 197-2011.pdf

Date	Ver.	Action By	Action	Result
12/6/2011	1	Board of Supervisors	Adopted	Pass

County Surveyor recommending the Board adopt **Resolution 197-2011** acknowledging but rejecting the Irrevocable Offer of Dedication from Charles Malsbury Bertolette, Trustee of the 2002 Charles Malsbury Bertolette Trust, and the D. Sack Family Limited Partnership, a California Limited Partnership for; road right of way, public utilities and slope easements across parcels, 096-050-13 and 096-020-46 which are located on a segment of road formerly known as Jimtown Way. This IOD is being executed in order to satisfy Conditional Certificate of Compliance # 97-205.

Fiscal Impact/Change to Net County Cost:

No fiscal impact. There is no net County cost associated with this item.

Background:

Conditional Certificate of Compliance # 97-205 was recorded on January 12, 1999 at Doc # 99-2054. Condition # 4 of said Certificate of Compliance states:

"An irrevocable offer of dedication of 25 feet from the centerline of Jimtown Way for road and public utility easement, including all slope easements, shall be provided to the County."

Reason for Recommendation:

The County Surveyor's Office has received an Irrevocable Offer of Dedication (IOD) for a road right of way, public utilities and slope easements on a segment of road formerly know as Jimtown Way, and being more particularly described in Exhibit A and depicted on Exhibit B of the attached IOD. This dedication is made by Charles Malsbury Bertolette, Trustee of the 2002 Charles Malsbury Bertolette Trust, and the D. Sack Family Limited Partnership, a California Limited Partnership. The easement is located on Assessors Parcel Numbers 096-050-13 and 096-020-46. This IOD is being executed in order to satisfy Conditional Certificate of Compliance # 97-205.

The County Surveyor's staff has reviewed said IOD and recommends that the Board adopt and authorize the Chair to sign the Resolution acknowledging but rejecting said IOD for a road right of way, public utilities and slope easement at this time. Authorization for recording of said IOD is pursuant to Government Code Section 7050.

Action to be taken following Board approval:

- 1) The Board Clerk will obtain the Chair's signature on said Resolutions.
- 2) The Board Clerk will send said Resolutions and IODs to the Recorder/Clerk's Office for recordation.
- 3) The Board Clerk will forward a copy of the recorded Resolutions and IODs to Surveyor's Office for further processing.

Contact:
Karen Hyder
Survey Technician
Surveyor's Office