



## 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