



## Legislation Text

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**File #:** 23-0485, **Version:** 1

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Department of Transportation recommending the Board approve and authorize the Chair to sign a Grant Deed transferring fee simple title to the California Department of Transportation for portions of certain parcels acquired for the Silva Valley Parkway Interchange Project, Capital Improvement Project 36104002. (District I)

**FUNDING:** N/A

### **DISCUSSION / BACKGROUND**

On April 10, 2012, Legistar 12-0420, Item 18, as part of the Silva Valley Parkway Interchange Project (Project), Capital Improvement Project (CIP) number 36104002, the Board authorized the Chair to sign Cooperative Agreement No. 03-0459 (Agreement), between the County and the California Department of Transportation (Caltrans). The Agreement, dated June 6, 2012, provided for the County to obtain the necessary right of way (ROW) for the installation of the new interchange ramps and overcrossings and ultimately transfer the ROW from the County to Caltrans. The property to be transferred is described in the Grant Deed Exhibit A (Grant Deed). Project construction was completed in Fiscal Year 2017-18 and the County has verified that the parcels are clear of any encumbrances and can be transferred to Caltrans.

On May 2, 2023, Legistar 23-0663, Item 28, the Board signed Resolution 073-2023 (Resolution) declaring the property described in the Grant Deed as exempt surplus land. Per Government Code Sections 54220-54234, the Surplus Land Act, prior to taking any action to dispose of property, the land must be declared as either surplus or surplus land. The Resolution was sent to the California Department of Housing and Community Development (HCD) for their concurrence. HCD concurred with the Resolution and noted that it “sufficiently demonstrates that the described property qualifies as ‘exempt surplus land’ under Government Code section 54221(f)(1)(D) because the County intends to transfer the described property to the Caltrans for their agency’s use.”

### **ALTERNATIVES**

The County is obligated to transfer the ROW to Caltrans per the Agreement.

### **PRIOR BOARD ACTION**

See Discussion / Background section above.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel has reviewed and approved the Grant Deed.

### **CAO RECOMMENDATION / COMMENTS**

Approve staff recommendation.

### **FINANCIAL IMPACT**

There is no net County cost associated with this agenda item.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on one (1) original Grant Deed with notarization.
- 2) The Clerk of the Board will return the partially executed original Grant Deed to Transportation, Fairlane Engineering, attention Shanann Findley.

### **TRANSPORTATION FOLLOW UP ACTIONS**

- 1) Transportation will send the original Grant Deed to Caltrans for signature and notarization.
- 2) Upon receipt from Caltrans, Transportation will record the Grant Deed at the County Recorder's Office.
- 3) Transportation will provide a copy of the fully executed Grant Deed to the Clerk of the Board for its records.

### **STRATEGIC PLAN COMPONENT**

Infrastructure

### **CONTACT**

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Department of Transportation