

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works *MS*

BOARD AGENDA # *C-1

Urgent Routine

AGENDA DATE November 15, 2011

CEO Concur with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of the Sale and Reconveyance of Storm Drain Basin Properties in the Community of Keyes

STAFF RECOMMENDATIONS:

1. Determine, pursuant to Government Code 66477.5, that the purpose for the storm drain basins in the Keyes North Subdivision, La Jolla Subdivision and the Raymond Tract, all in the community of Keyes, no longer exists and that no portion thereof is needed for public utilities, and are therefore, surplus properties.
2. Authorize the sale of lots 31 and 32 in the Keyes North Subdivision and the sale of lot 35 in the Raymond Tract.

Continued on Page 2

FISCAL IMPACT:

Stanislaus County General Services Agency will sell the lots as-is. The proceeds will go to the County Service Area No. 26 - Keyes (Fund 1833). The reconveyance is at no fee to the original subdividers.

BOARD ACTION AS FOLLOWS:

No. 2011-705

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, De Martini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval of the Sale and Reconveyance of Storm Drain Basin Properties in the Community of Keyes

STAFF RECOMMENDATIONS CONTINUED:

3. Direct the Auditor-Controller to deposit all receipts from the sale of these properties into County Service Area No. 26 - Keyes Fund (#1833).
4. Authorize the reconveyance of lot 6 in the La Jolla Subdivision pursuant to Government Code 66477.5.

DISCUSSION:

The Notice of Completion and Acceptance of the Keyes Stormwater Improvement Project was filed on January 14, 2011. The project provided curb, gutter, handicap curb returns, new street sections, and a storm drain collection system that included the expansion of an existing basin with a pump station and auxiliary power. The project was sponsored and funded by the Stanislaus County Redevelopment Agency and is generally bounded by State Route 99 to the west, Anna Street to the north, the Bonita Ranch Subdivision to the east, and Nunes Road to the south.

The new storm drain collection system serves the older Keyes residential area and also the Keyes downtown area, as well as the commercial areas. As a result of the new system, County Service Areas (CSA) No. 6 - Raymond Tract, No. 13 - La Jolla Subdivision and No. 17 - Sunray Estates were dissolved and a new CSA No. 26 - Keyes was formed to consolidate all services to the new system. The new system meets the California Environmental Protection Agency, State Water Resources Control Board regulations for water quality.

The basins originally built to handle storm water in the Keyes North Subdivision, the La Jolla Subdivision and the Raymond Tract are no longer necessary for this public purpose. There are no utility easements in any of the basins. The basins in the Keyes North and the Raymond Tract were conveyed to the County through grant deeds before January 1, 1990, and as such are not subject to Government Code 66477.5. Those lots can be sold.

The La Jolla basin is subject to Government Code 66477.5 and must be reconveyed to the subdividers as named on the final map signature sheet. Lonni L. Ashlock, Dennis G. Wren and Betty L. Wren were notified by registered mail of this action on September 12, 2011 and August 2, 2011, respectively (at least 60 days prior to this determination).

Approval of the Sale and Reconveyance of Storm Drain Basin Properties in the Community of Keyes

POLICY ISSUES:

The sale and reconveyance of the storm basins in the Keyes North Subdivision, the La Jolla Subdivision and the Raymond Tract is consistent with Board's priority of Efficient Delivery of Public Services by limiting maintenance of an infrastructure to its original intent and purpose.

STAFFING IMPACT:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Matt Machado, Public Works Director. Telephone: (209) 525-4130.

OWNER'S STATEMENT

WE, THE MAAS REVOCABLE TRUST, HEREBY CERTIFY THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE OR INTEREST OF RECORD IN THE LAND SHOWN IN THIS MAP, AND WE CONSENT TO THE MAKING AND FILING OF THIS MAP IN THE OFFICE OF THE COUNTY RECORDER OF STANISLAUS COUNTY, CALIFORNIA. WE ALSO OFFER FOR DEDICATION TO THE PUBLIC FOR PUBLIC USE ALL THE STREETS, AVENUES, ROADS, EASEMENTS, AND OTHER PUBLIC PLACES AND DEDICATIONS AS SHOWN WITHIN THE EXTERIOR BOUNDARY OF THE LAND BEING DIVIDED.

OWNER: "THE MAAS REVOCABLE TRUST"

C. A. Maas Trustee Nov 23, 1989
E. A. MAAS (TRUSTEE) DATE

NOTE: PURSUANT TO SECTION 66436 OF THE SUBDIVISION MAP ACT THE SIGNATURE OF THE FOLLOWING EASEMENT HOLDER OF RECORD IS OMITTED: PACIFIC TELEPHONE & TELEGRAPH COMPANY, BY DEED RECORDED FEBRUARY 28, 1982 AS INST. NO. 4961.

NOTARY - INDIVIDUAL

STATE OF CALIFORNIA COUNTY OF Santa Clara
ON THIS 3 DAY OF November, 1989, IN THE YEAR 1989, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED E. A. MAAS, Trustee

PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED IT.

Jane P. Walsh
NOTARY PUBLIC IN AND FOR SAID COUNTY & STATE
MY COMMISSION EXPIRES 2-26-1991 Santa Clara County

BOARD OF SUPERVISORS CERTIFICATE

THIS IS TO CERTIFY THAT THIS MAP IS DULY ACKNOWLEDGED, CERTIFIED AS REQUIRED BY LAW, HAVING BEEN PRESENTED TO THE BOARD OF SUPERVISORS, STANISLAUS COUNTY, STATE OF CALIFORNIA, WHICH BOARD IS THE GOVERNING BODY HAVING CONTROL OF THE ROADS, HIGHWAYS, STREETS, AVENUES, ALLEYS, LANES, WAYS, EASEMENTS, PLACES, ETC., IN THE TERRITORY SHOWN ON THIS MAP, AND IT IS ORDERED THAT ALL ROADS, HIGHWAYS, STREETS, AVENUES, ALLEYS, LANES, WAYS, EASEMENTS, PLACES, ETC., NOT BE ACCEPTED AT THIS TIME, BUT RESERVING THE RIGHT TO ACCEPT AT ANY FUTURE TIME ON BEHALF OF THE PUBLIC, OTHERWISE THIS MAP IS APPROVED.

DATED THIS 14th DAY OF December, 1989
William H. Callahan
CHAIRMAN OF THE BOARD OF SUPERVISORS

ATTEST: Claudia Leting
CLERK/MANAGER OF THE BOARD OF SUPERVISORS

BY: Patricia Burton
DEPUTY

RAYMOND TRACT

BEING A SUBDIVISION OF BLOCKS 56, 57 AND 58, AND A PORTION OF BLOCKS 59 AND 60, AS SHOWN ON THE MAP OF 'SUBDIVISION NO. 1, TOWN OF KEYES' FILED IN BOOK 16 OF MAPS AT PAGE 45, AND INCLUDING THE ABANDONED STREETS AND ALLEYS ADJACENT TO & LYING WITHIN SAID BLOCKS, ALL AS SHOWN IN BOOK 17 OF SURVEYS AT PAGE 95, AND LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 10 EAST, MOUNT DIABLO MERIDIAN, TOWN OF KEYES, STANISLAUS COUNTY

R.B. WELTY & ASSOCIATES, INC.
521 13TH STREET - P.O. BOX 1724
MODESTO, CALIFORNIA 95353-1724
(209) 526-1515
STANISLAUS COUNTY FILE NO. 88-11

CLERK/MANAGER OF THE BOARD OF SUPERVISORS CERTIFICATE

THIS IS TO CERTIFY THAT THE OWNERS OF THE PROPERTY SHOWN ON THE ACCOMPANYING MAP HAVE FILED WITH THE CLERK/MANAGER OF THE BOARD OF SUPERVISORS: (CHECK ONE)
A. A BOND OR DEPOSIT APPROVED BY SAID BOARD TO SECURE THE PAYMENT OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES, WHICH ARE AT THE TIME OF FILING THIS MAP, A LIEN AGAINST SAID PROPERTY OR ANY PART THEREOF.
B. RECEIPTED TAX BILL OR BILLS OR SUCH OTHER EVIDENCE AS MAY BE REQUIRED BY SAID BOARD SHOWING FULL PAYMENT OF ALL APPLICABLE TAXES.

DATED THIS 14th DAY OF November, 1989

CLAUDIA LETING, CLERK/MANAGER OF THE BOARD OF SUPERVISORS

BY: Patricia Burton, DEPUTY

TAX COLLECTOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THERE ARE NO LIENS FOR ANY UNPAID STATE, COUNTY, SCHOOL, MUNICIPAL, OR IRRIGATION TAXES, OR SPECIAL ASSESSMENTS, EXCEPT SPECIFIC ASSESSMENTS OR TAXES NOT YET PAYABLE AGAINST THE LAND SHOWN ON THIS MAP.

AS TO STATE, COUNTY, SCHOOL OR MUNICIPAL TAXES:

DATED THIS 14th DAY OF November, 1989

DON FAIRCHILD, COUNTY TAX COLLECTOR
APR 045 2401 070 045 2405 070
045 2406 070 045 2406 070
045 2405 070 045 2407 070
BY: Patricia Burton, 045 2407 070 045 2407 070 DEPUTY

AS TO IRRIGATION TAXES:

DATED THIS 20 DAY OF November, 1989

BY: Robert Hammond, Deputy
TAX COLLECTOR, TURLOCK IRRIGATION DISTRICT

DEPARTMENT OF ENVIRONMENTAL RESOURCES CERTIFICATE

APPROVED BY THE STANISLAUS COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES.

DATED THIS 20th DAY OF November, 1989

Robert Hammond
COUNTY HEALTH OFFICER

RECORDER'S STATEMENT

FILED THIS 20 DAY OF December, 1989, AT 2:00 P.M. IN BOOK 34 OF MAPS AT PAGE 65 AT THE REQUEST OF The Maas Revocable Trust
INST. NO. 102244 DAVID A. WURM
FEES \$ 12.00 COUNTY RECORDER
Pat Swiddell
CHIEF DEPUTY RECORDER

SURVEYOR'S STATEMENT

I, RICHARD L. SKIDMORE, HEREBY STATE THAT I AM A LICENSED LAND SURVEYOR OF THE STATE OF CALIFORNIA, THAT THIS MAP CONSISTING OF FOUR (4) SHEETS, CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY SUPERVISION IN STANISLAUS COUNTY, CALIFORNIA, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT ALL MONUMENTS OF THE KIND SHOWN HEREON SHALL BE SET BEFORE July 1990.
IN THE POSITIONS INDICATED AND THAT SAID MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.



Richard L. Skidmore
RICHARD L. SKIDMORE L.S.3580
(LICENSE EXPIRES 6/30/92)

COUNTY SURVEYOR'S STATEMENT

THIS IS TO CERTIFY THAT THE ACCOMPANYING MAP HAS BEEN EXAMINED, THAT IT SUBSTANTIALLY CONFORMS TO THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, THAT ALL PROVISIONS OF THE STATE SUBDIVISION MAP ACT AND TITLE 20 OF THE STANISLAUS COUNTY SUBDIVISION CODE HAVE BEEN COMPLIED WITH, AND THAT IT IS TECHNICALLY CORRECT.

DATED THIS 14 DAY OF December, 1989

H.R. CALLAHAN
COUNTY SURVEYOR

J. Ray Edwards
DEPUTY R.C.E.18573

COUNTY ROAD COMMISSIONER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS MAP COMPLIES WITH TITLE 20 OF THE STANISLAUS COUNTY SUBDIVISION CODE.

DATED THIS 5th DAY OF December, 1989

H.R. Callahan
H.R. CALLAHAN R.C.E.14977

PLANNING COMMISSION'S CERTIFICATE

THIS IS TO CERTIFY THAT THIS MAP SUBSTANTIALLY CONFORMS TO THE TENTATIVE MAP AND ACTION TAKEN THEREON BY THE STANISLAUS COUNTY PLANNING COMMISSION AT A REGULAR MEETING HELD ON July 7, 1988

DATED THIS 20th DAY OF November, 1989

Carl J. Heath
SECRETARY TO THE PLANNING COMMISSION

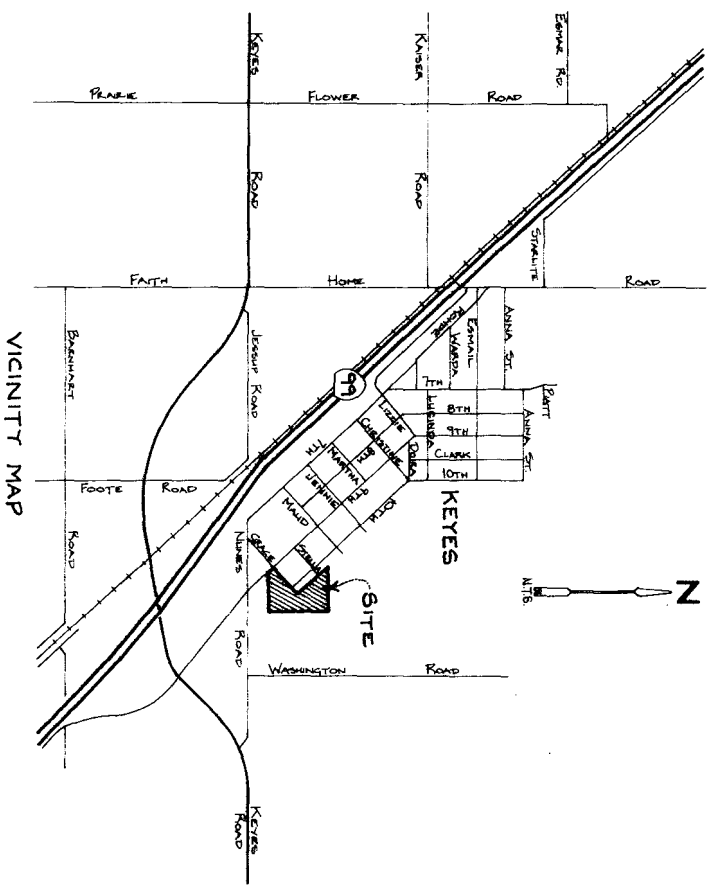
JOB NO. 57313

SHEET 1 OF 4

RAYMOND TRACT

BEING A SUBDIVISION OF BLOCKS 56, 57 AND 58, AND A PORTION OF BLOCKS 59 AND 60, AS SHOWN ON THE MAP OF "SUBDIVISION NO. 1, TOWN OF KEYES" FILED IN BOOK 16 OF MAPS AT PAGE 45, AND INCLUDING THE ABANDONED STREETS AND ALLEYS ADJACENT TO LYING WITHIN SAID BLOCKS, ALL AS SHOWN IN BOOK 17 OF SURVEYS AT PAGE 95, AND LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 10 EAST, MOUNT Diablo MERIDIAN, TOWN OF KEYES, STANISLAUS COUNTY

R. B. WELTY & ASSOCIATES, INC.
 521 13TH STREET
 P.O. BOX 1724
 MODESTO, CALIFORNIA 95353-1724
 (209) 526-1515



VICINITY MAP

NO.	DELTA	RADIUS	ARC	CHORD	TANGENT
1	90°00'00"	15.00	23.3%	21.21'	10.00'
2	87°51'35"	15.00	23.3%	21.21'	9.50'
3	87°14'44"	15.00	23.3%	21.21'	9.00'
4	87°16'00"	15.00	23.3%	21.21'	8.50'
5	87°16'00"	15.00	23.3%	21.21'	8.00'
6	87°14'44"	15.00	23.3%	21.21'	7.50'
7	87°51'35"	15.00	23.3%	21.21'	7.00'
8	90°00'00"	15.00	23.3%	21.21'	6.50'
9	16°32'30"	15.00	23.3%	21.21'	6.00'
10	16°32'30"	15.00	23.3%	21.21'	5.50'
11	16°32'30"	15.00	23.3%	21.21'	5.00'
12	16°32'30"	15.00	23.3%	21.21'	4.50'
13	16°32'30"	15.00	23.3%	21.21'	4.00'
14	16°32'30"	15.00	23.3%	21.21'	3.50'
15	16°32'30"	15.00	23.3%	21.21'	3.00'
16	16°32'30"	15.00	23.3%	21.21'	2.50'
17	16°32'30"	15.00	23.3%	21.21'	2.00'
18	16°32'30"	15.00	23.3%	21.21'	1.50'
19	16°32'30"	15.00	23.3%	21.21'	1.00'
20	16°32'30"	15.00	23.3%	21.21'	0.50'
21	16°32'30"	15.00	23.3%	21.21'	0.00'
22	16°32'30"	15.00	23.3%	21.21'	0.00'
23	16°32'30"	15.00	23.3%	21.21'	0.00'
24	16°32'30"	15.00	23.3%	21.21'	0.00'
25	16°32'30"	15.00	23.3%	21.21'	0.00'
26	16°32'30"	15.00	23.3%	21.21'	0.00'
27	16°32'30"	15.00	23.3%	21.21'	0.00'
28	16°32'30"	15.00	23.3%	21.21'	0.00'
29	16°32'30"	15.00	23.3%	21.21'	0.00'
30	16°32'30"	15.00	23.3%	21.21'	0.00'
31	16°32'30"	15.00	23.3%	21.21'	0.00'
32	16°32'30"	15.00	23.3%	21.21'	0.00'
33	16°32'30"	15.00	23.3%	21.21'	0.00'
34	16°32'30"	15.00	23.3%	21.21'	0.00'
35	16°32'30"	15.00	23.3%	21.21'	0.00'
36	16°32'30"	15.00	23.3%	21.21'	0.00'
37	16°32'30"	15.00	23.3%	21.21'	0.00'
38	16°32'30"	15.00	23.3%	21.21'	0.00'
39	16°32'30"	15.00	23.3%	21.21'	0.00'
40	16°32'30"	15.00	23.3%	21.21'	0.00'
41	16°32'30"	15.00	23.3%	21.21'	0.00'
42	16°32'30"	15.00	23.3%	21.21'	0.00'
43	16°32'30"	15.00	23.3%	21.21'	0.00'
44	16°32'30"	15.00	23.3%	21.21'	0.00'
45	16°32'30"	15.00	23.3%	21.21'	0.00'
46	16°32'30"	15.00	23.3%	21.21'	0.00'

NO.	SQUARE FOOTAGE
1	6000
2	6000
3	6000
4	6000
5	6000
6	6000
7	6000
8	6000
9	6000
10	6000
11	6000
12	6000
13	6000
14	6000
15	6000
16	6000
17	6000
18	6000
19	6000
20	6000
21	6000
22	6000
23	6000
24	6000
25	6000
26	6000
27	6000
28	6000
29	6000
30	6000
31	6000
32	6000
33	6000
34	6000
35	6000
36	6000
37	6000
38	6000
39	6000
40	6000
41	6000
42	6000
43	6000
44	6000

Recorder's Statement
 Filed this 12th day of December, 1965, at 2:00 P.M.,
 in Book 16 of Maps at Page 45, in the Recorder's
 Office, Stanislaus County, California.
 I, the undersigned, Recorder of said County, do hereby certify that the above is a true and correct copy of the original as the same appears in the Recorder's Office.
 My Comm. Expires 12/31/68
 David A. Wulm, County Recorder
 Chief Deputy Recorder

BASIS OF BEARINGS: A COURSE OF NORTH 47°47' EAST AS SHOWN FOR THE CENTERLINE OF GRACE AVENUE IN BOOK 17 OF SURVEYS AT PAGE 95, STANISLAUS COUNTY RECORDS.

LEGEND:

- INDICATES SET 3/4" x 30' LONG IRON PIPE W/TAG L.S. 3580
 - FOUND 3/4" IRON PIPE W/TAG L.S. 3580 AS PER (R), UNLESS NOTED OTHERWISE
 - SET 3/4" IRON PIPE W/TAG L.S. 3580 IN MON. WELL
 - (M) MEASURED THIS SURVEY
 - (R) BOOK 17 OF SURVEYS AT PAGE 95
 - (P) RADIAL BEARING
 - (C) CURVE DATA (SEE CHART ON SHEET #2)
- TOTAL AREA 10.15 AC. 44 LOTS

RECORDER'S STATEMENT

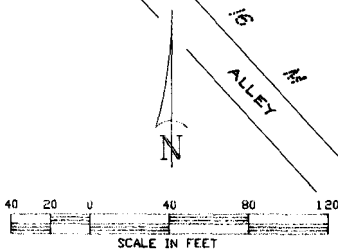
FILED THIS 20 DAY OF December 1989, AT 2:00 P.M., IN BOOK 34 OF MAPS AT PAGE 65 AT THE REQUEST OF The Maas Revocable Trust

INVEST NO. 102244

FEES \$ 12.00

DAVID A. WURM
COUNTY RECORDER

Pat Seidel
CHIEF DEPUTY RECORDER



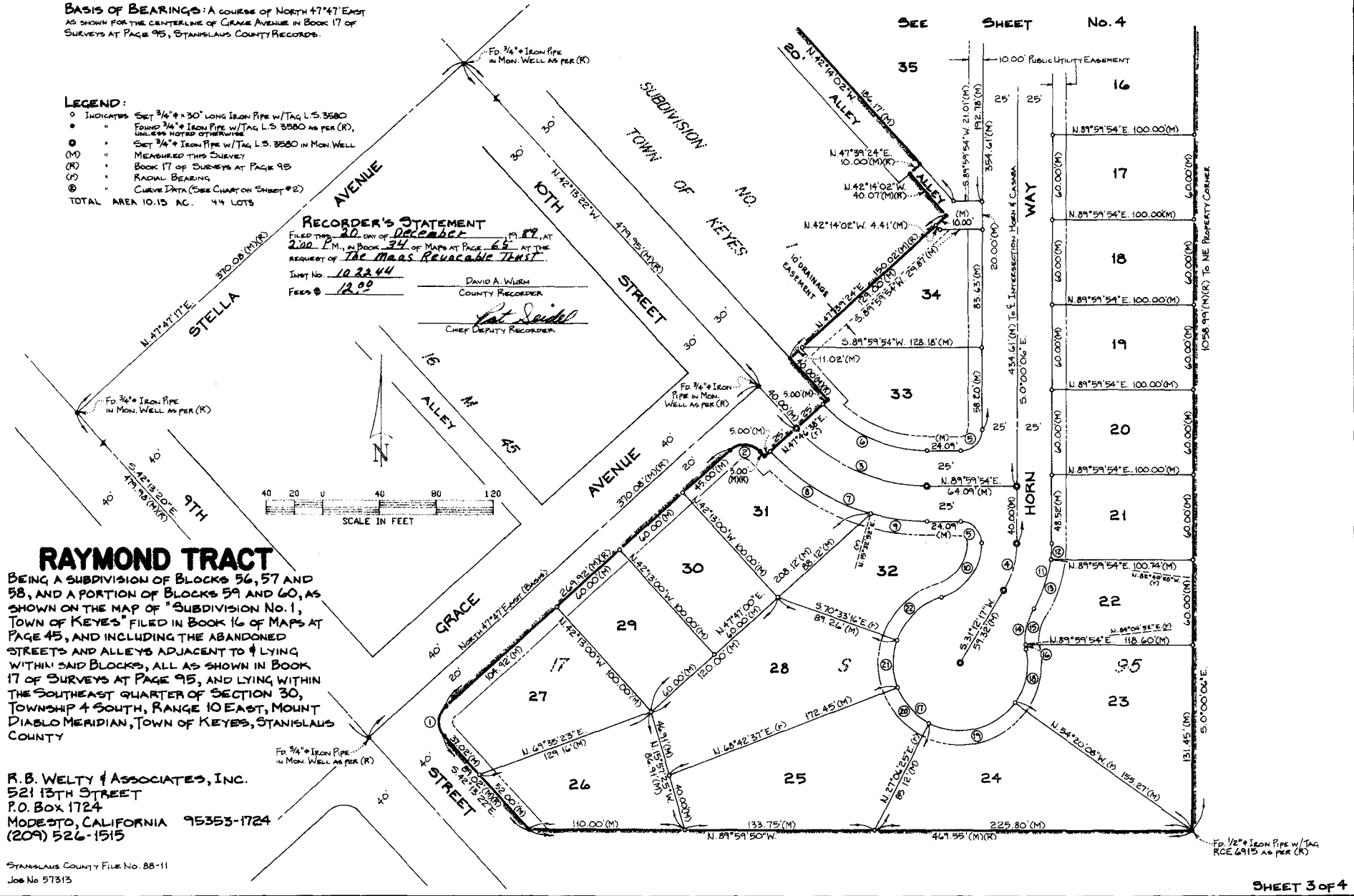
RAYMOND TRACT

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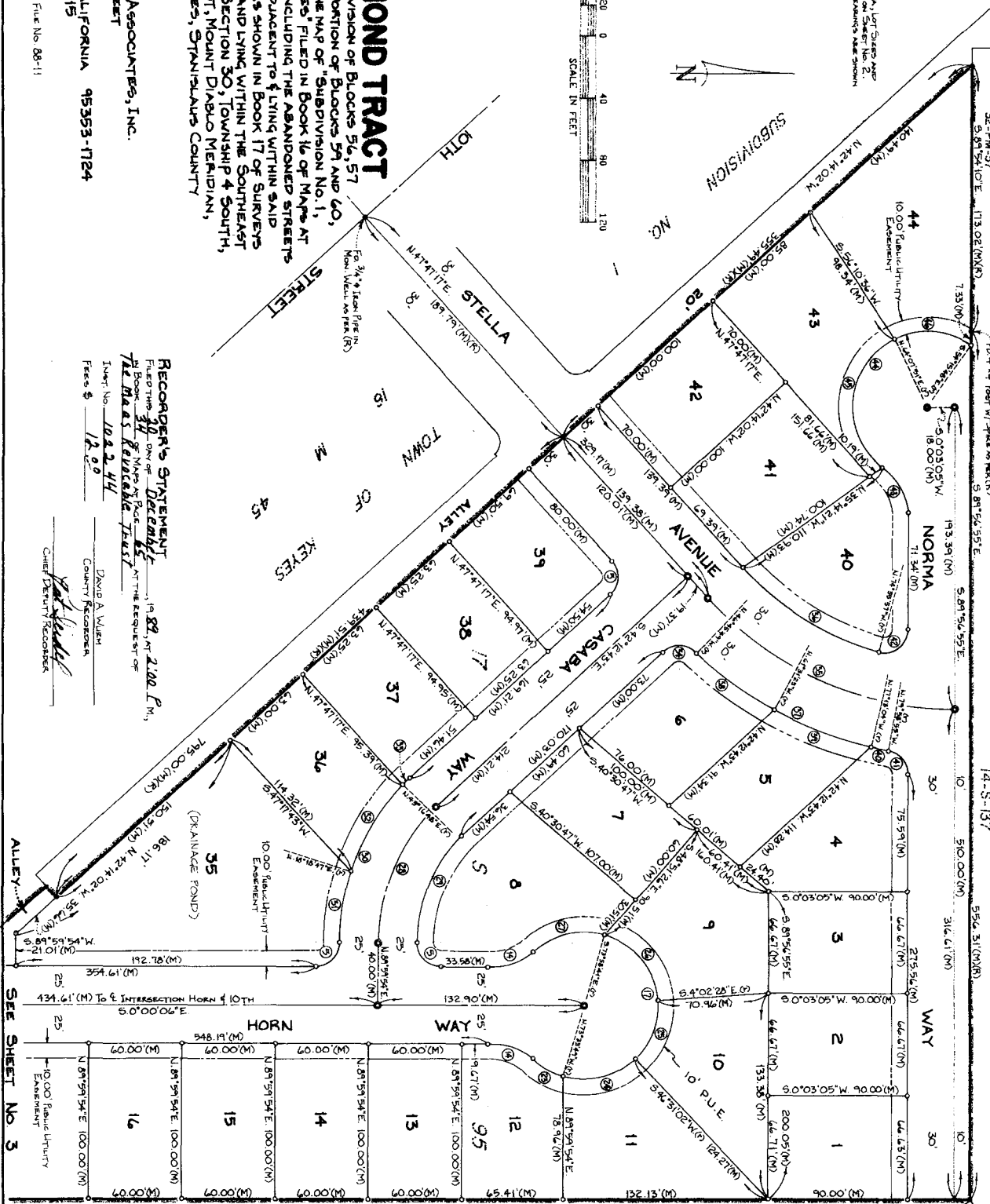
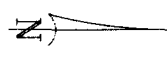
Stanislaus County File No. 88-11
Job No 57313

SEE SHEET No. 4



SHEET 3 OF 4

NOTES: Curved Drive, Lot Shaded and Located and Shown on Sheet No. 2. Location and Dates of Previous Maps Shown of Sheet No. 3.



RAYMOND TRACT

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R.B. WELTY & ASSOCIATES, INC.
 521 13TH STREET
 PO. BOX 1724
 MODOesto, CALIFORNIA 95353-1724
 (809) 526-1515

Stanislaus County File No. 88-11
 Job No. 57313

RECORDER'S STATEMENT
 FILED THIS 10th DAY OF December 1982 AT 2:00 P.M.
 IN BOOK 34 OF MAPS AT PAGE 65
 THE MAPS REVOLVING TEST
 Instrument No. 102244
 Fees \$ 12.00
 DAVID A. WILSON
 County Recorder
 Stanislaus County
 Chief Deputy Recorder

34-M-65

SHEET 4 of 4

34-M-65

Recording Requested By:
Stanislaus County
Board of Supervisors

When Recorded Mail To:
Department of Public Works
1716 Morgan Road
Modesto, Ca. 95358

GRANT DEED

=====
This document is being recorded to satisfy the conditions of Board Agenda Item # C -1 approved
by the Stanislaus County Board of Supervisors on November 15, 2011
=====

NO FEE
RECORDING REQUESTED BY:
BOARD OF SUPERVISORS

RETURN TO:
STANISLAUS COUNTY
DEPARTMENT OF PUBLIC WORKS
1716 MORGAN ROAD
MODESTO, CA 95358

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

THE COUNTY OF STANISLAUS, a political subdivision of the State of California,
hereby GRANT(S) to:

Lonni Ashlock, as his sole and separate property as to an undivided one-half interest and
Dennis G. Wren and Betty L. Wren, husband and wife as to an undivided one-half interest

All of it's right, title, and interest in the real property situated in an unincorporated area of
Stanislaus County, California, described as follows:

Lot 6 of LA JOLLA SUBDIVISION as per the Map thereof recorded October 17, 1991 in Book
35, of Maps, Stanislaus County Records.

Executed on 11/16/12, at Modesto, California

(Sign) 
Stanislaus County Director of Public Works

(Print) MATTHEW MACHADO

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF Stanislaus)

On November 16, 2012 before me, Keimi Espinoza, Notary Public
DATE INSERT NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC

personally appeared, Matthew Machado

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Keimi Espinoza (SEAL)
NOTARY PUBLIC SIGNATURE



OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAY BE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT.

TITLE OR TYPE OF DOCUMENT Grant Deed (Lonni Ashlock, and Dennis & Betty Wren: Lot 6 La Jolla Subdivision)

DATE OF DOCUMENT _____ NUMBER OF PAGES Two

SIGNERS(S) OTHER THAN NAMED ABOVE _____

SIGNER'S NAME _____ SIGNER'S NAME _____

RIGHT THUMBPRINT

RIGHT THUMBPRINT