

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

DEPT: Chief Executive Office

BOARD AGENDA # *B-2

Urgent

Routine

AGENDA DATE September 15, 2015

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Transfer County Owned Property at 690 West Canal Drive in Turlock, California to the Turlock Rural Fire Protection District

STAFF RECOMMENDATIONS:

1. Find that the property owned by Stanislaus County and currently occupied by the Turlock Rural Fire Protection District ("Fire District") at 690 West Canal Drive in Turlock, California, consisting of a portion of APN # 061-007-053 ("Property") is not required for use by the County.
2. Find that the Property, currently owned by the County, is required for Fire District Use because the fire station is located on the Property.
3. Find that the recommended actions are exempt from the provisions of the California Environmental Quality Act (CEQA) according to Section 15312 and Class 12 of the CEQA Guidelines (sales of government property), and authorize the County's Chief Operations Officer/Assistant Executive Officer to file the Notice of Determination.
(Continued on Page 2)

FISCAL IMPACT:

The Turlock Rural Fire Protection District ("District") has requested that Stanislaus County quitclaim to the District a portion of property located at 690 West Canal Drive in Turlock. The property (a portion of Assessor's Parcel Number 061-007-053) is the current site of the District's fire station. The property to be quitclaimed is not required for County use.

The property to be transferred is exempt from taxation. No exchange of funds is proposed, and no fiscal impact is anticipated as a result of this conveyance, except the Fire District will reimburse the County for the cost of publication and for the cost of filing the Notice of Determination.

BOARD ACTION AS FOLLOWS:

No. 2015-423

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa
and approved by the following vote,

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

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:

ATTEST: 
CHRISTINE FERRARO TALLMAN, Clerk

STAFF RECOMMENDATIONS: (Continued)

4. Authorize the County's Chief Operations Officer/Assistant Executive Officer to execute the attached Quitclaim Deed to transfer any interest the County may have in property currently occupied by the Turlock Rural Fire Protection District at 690 West Canal Drive in Turlock, California, consisting of a portion of APN # 061-007-053.
5. Authorize the County's Chief Operations Officer/Assistant Executive Officer to administer and execute any other documents necessary to complete the transfer of real property.

DISCUSSION:

APN #061-007-053 consists of three tracts of land, and is described on Exhibit A attached.

Tract One is owned by the County. This tract was acquired by the County by quitclaim deed recorded on August 26, 1958 from the 38th District Agricultural Association.

Tract Two is owned by the County. This tract was acquired by Board of Supervisors Resolution Accepting a Grant Deed on November 10, 1958. The property is currently used by the District as a fire station.

Tract Three is owned by the Fire District.

The District seeks to consolidate ownership of APN #061-007-053 by taking title to the two tracts held by Stanislaus County. The third tract will continue to be owned by the Fire District.

The Government Code authorizes the Board of Supervisors, by a four-fifths vote, to quitclaim real property to a special district if the property is not required for County use. Government Code Section 25365 provides:

(a) The board of supervisors may, by a four-fifths vote, grant, convey, quitclaim, assign, or otherwise transfer to...any... special District... or any other public agency within the County... any real or personal property, or interest therein belonging to the county upon the terms and conditions as are agreed upon and without complying with any other provisions of this code, if the property or interest therein to be granted and conveyed or quitclaimed is not required for county use...

(c) Unless the public agency to which the property is transferred pursuant to this section and the public agency transferring the property are governed by the same county board of supervisors, the transferring board of supervisors shall publish a notice of its intended action pursuant to Section 6061 at least one week prior thereto in a newspaper of general circulation published in the county.

Approval to Transfer County Owned Property at 690 West Canal Drive in Turlock, California to the Turlock Rural Fire Protection District
Page 3

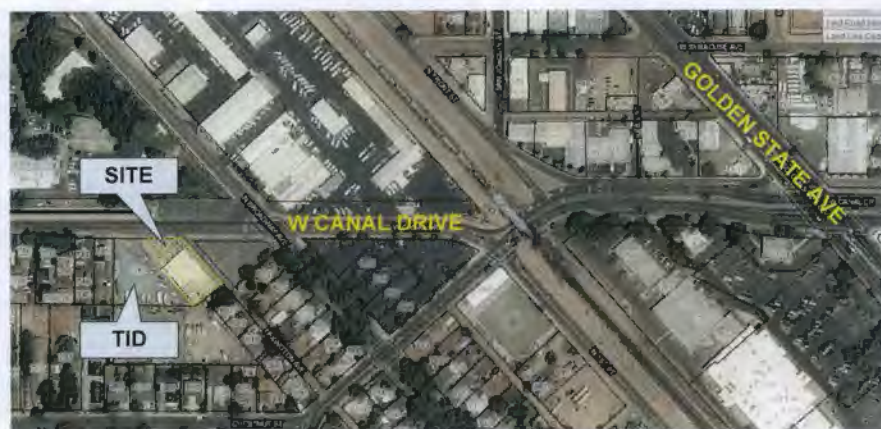
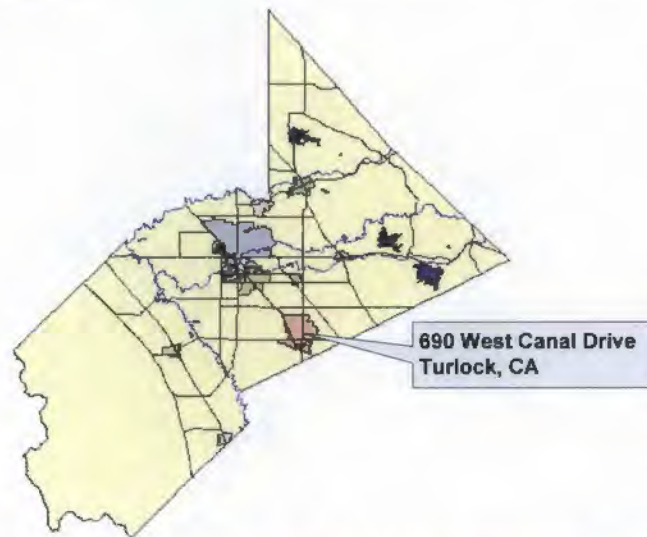
Government Code Section 6061 states that publication of notice pursuant to this section shall be for one time.

The Property is currently used as the location for the Fire District's fire station. The Property is not being used by the County and is not required for County use.

This action would authorize the County's Chief Operations Officer/Assistant Executive Officer to sign the attached Quitclaim Deed which relinquishing any interest it has in the Property to the District. If this action is approved, the attached Quitclaim Deed attached would be recorded in the official records of the County of Stanislaus.

The conveyance of the property is exempt from the provisions of the California Environmental Quality Act (CEQA) according to Section 15312 and Class 12 of the CEQA Guidelines (sales of government property). The recommended action involves only transfer of real property to another public agency.

Upon transfer of this property, any expansion or further development of the District's property would be subject to the requirements of the Turlock Rural Fire Protection District and the City of Turlock.





POLICY ISSUES:

This action to convey ownership of 690 West Canal Drive in Turlock to the Turlock Rural Fire Protection District per the District's request would enable the District to manage its property resource directly, and is consistent with the Board of Supervisors' priority of providing *efficient delivery of public services*.

STAFFING IMPACTS:

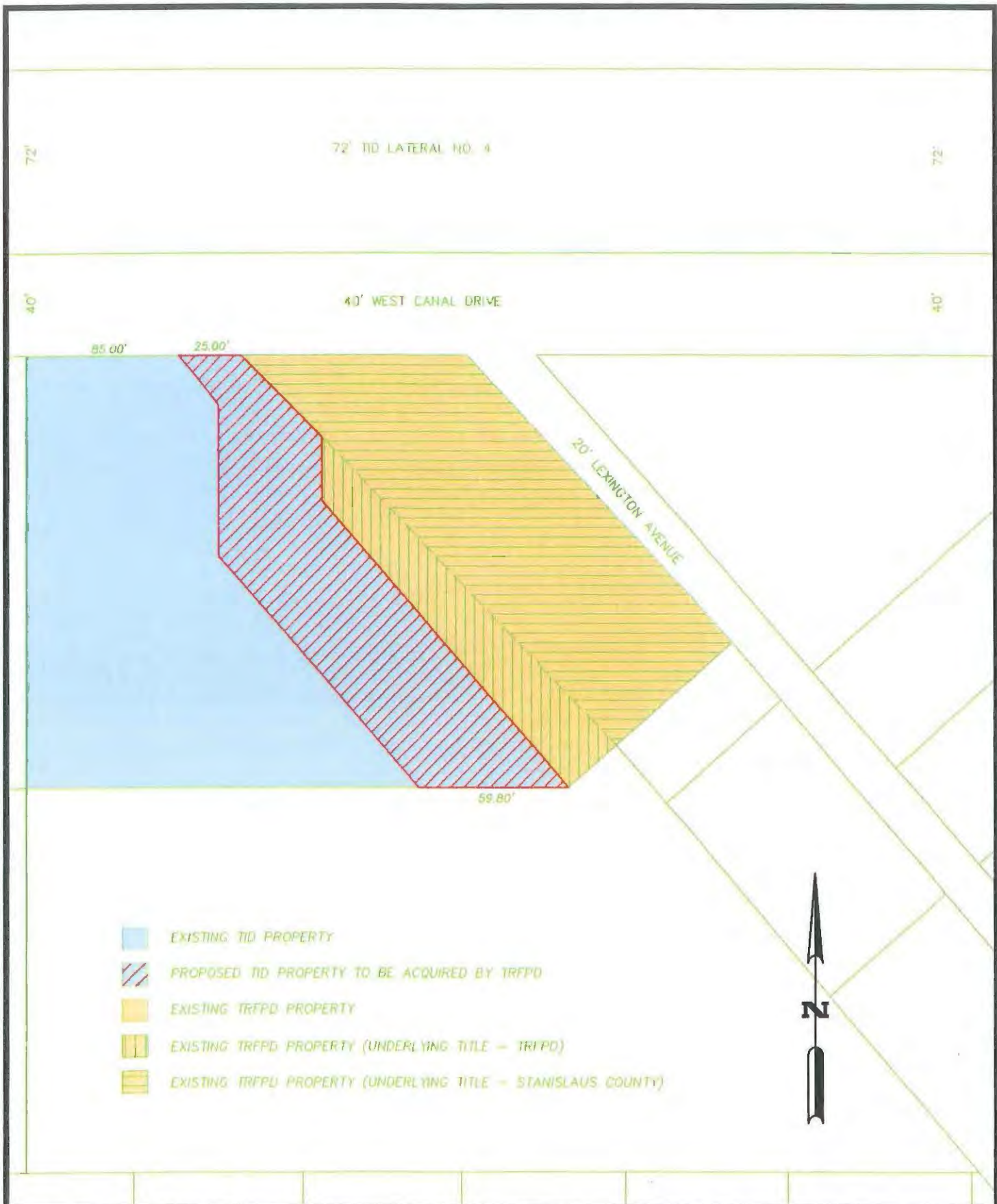
There are no staffing impacts associated with the transfer of title to the Turlock Rural Fire Protection District station. The property has been, and will continue to be managed, operated and maintained by the Turlock Rural Fire Protection District at its sole expense.






CONTACT PERSON:

Patricia Hill Thomas, Chief Operations Officer. Telephone: (209) 525-6333

ATTACHMENTS:

- Exhibit A -- Legal Description of : APN #061-007-053
- Notice Published on Tuesday, September 8, 2015 in the Modesto Bee newspaper.
- Proposed Quit Claim Deed
- Correspondence from Allen Peterson, President, Turlock Rural Fire Protection District Board of Directors



-  EXISTING TID PROPERTY
-  PROPOSED TID PROPERTY TO BE ACQUIRED BY TRFPD
-  EXISTING TRFPD PROPERTY
-  EXISTING TRFPD PROPERTY (UNDERLYING TITLE - TRFPD)
-  EXISTING TRFPD PROPERTY (UNDERLYING TITLE - STANISLAUS COUNTY)



DATE: JUNE 11 2015
 DRAWN:
 DESIGN:
 CHECKED:
 APPROVED:

PROPERTY EXHIBIT

EXHIBIT A
 LOT LINE ADJUSTMENT
 SEC. 15: T.5S., R10E., M.D.B.&M.

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of THE MODESTO BEE, printed in the City of MODESTO, County of STANISLAUS, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of STANISLAUS, State of California, Under the date of February 25, 1951, Action No. 46453; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Sep 08, 2015

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

September 8th, 2015

(By Electronic Facsimile Signature)

Cynthia A. Williams

STANISLAUS COUNTY NOTICE OF INTENTION TO TRANSFER REAL PROPERTY

NOTICE IS HEREBY GIVEN pursuant to Government Code Section 25365, that it is the intention of the Board of Supervisors of Stanislaus County to convey the property hereafter described to the Turlock Rural Fire Protection District; that said transfer will be considered by the Board of Supervisors in the Chambers - Basement Level 1010 10th Street Modesto, California, on September 15, 2015 at 6:30 p.m., at which time any person interested may appear and be heard in regard to such transfer or on any matter pertinent hereto. The land is situated in the State of California, County of Stanislaus, and is described as:

690 West Canal Drive in Turlock, CA, consisting of a portion of APN

061-007-053 ("Property")

Once approved, the County will quitclaim the Property to the Turlock Rural Fire Protection District. If you should have any questions, please contact:

Patricia Hill Thomas, Chief Operations Officer/Assistant Executive Officer, Stanislaus County, 1010 10th Street, Suite 6800, Modesto, CA 95354, (209)525-6333. Pub Dates Sep 8, 2015

**Recording Requested By and
When Recorded, Return To:**

Turlock Rural Fire Protection District
690 W. Canal Drive
Turlock, CA 95380

**County of Stanislaus Official Business
Exempt from Recording Fees Pursuant to Government
Code §27383
Exempt from Transfer Tax Pursuant to Revenue
And Taxation Code §11922**

))))))))) SPACE ABOVE THIS LINE FOR RECORDER'S USE))

Mail Tax Statements To:

Turlock Rural Fire Protection District
690 W. Canal Drive
Turlock, CA 95380

)))))))))
APN: 061-007-053

QUITCLAIM DEED

THE COUNTY OF STANISLAUS, a political subdivision of the State of California, hereby
quitclaims to TURLOCK RURAL FIRE PROTECTION DISTRICT, the following real property
located in the City of Turlock, County of Stanislaus, State of California and more particularly
described as follows:

SEE EXHIBIT 'A' ATTACHED HERETO
AND INCORPORATED HEREIN

Dated: _____, 2015

THE COUNTY OF STANISLAUS, a
Political Subdivision of the State of
California

By: _____
Patricia Hill Thomas

Title: _____
Chief Operations Officer/Asst.
Executive Officer

LEGAL DESCRIPTION Real property in the City of Turlock, County of Stanislaus, State of California, described as follows:

TRACT TWO:

PARCEL ONE: LOTS 12 AND 13 IN BLOCK 360 OF BROADWAY TERRACE, ACCORDING TO THE OFFICIAL MAP THEREOF, FILED IN THE OFFICE OF THE RECORDER OF STANISLAUS COUNTY, CALIFORNIA, ON JUNE 8, 1922, IN VOLUME 9 OF MAPS, PAGE 66. EXCEPTING THEREFROM THAT PORTION CONVEYED TO DAVID E. CEDERLAND AND LILLIAN L. CEDERLIND, HUSBAND AND WIFE, RECORDED NOVEMBER 19, 1958 IN BOOK 1513, PAGE 591 OF OFFICIAL RECORDS AND DESCRIBED AS FOLLOWS: THE SOUTHEASTERLY 30 FEET OF LOTS 12 AND 13 IN BLOCK 360 OF THE CITY OF TURLOCK, AS PER MAP RECORDED IN VOLUME 9 OF MAPS, PAGE 25, RECORDS OF STANISLAUS COUNTY, CALIFORNIA.

PARCEL TWO: A STRIP OF LAND FIVE (5) FEET IN WIDTH, SITUATED, LYING AND BEING IN BLOCK 361 IN THE CITY OF TURLOCK, AS PER MAP RECORDED IN VOLUME 9 AT PAGE 25 OF MAPS, RECORDS OF STANISLAUS OF STANISLAUS COUNTY; AND LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHWEST CORNER OF BLOCK 360, AS PER MAP RECORDED IN VOLUME 9, AT PAGE 25 OF MAPS STANISLAUS COUNTY RECORDS, WHICH IS ALSO THE NORTHWEST CORNER OF LOT 13 OF THE SAME BLOCK; AND THENCE SOUTHEASTERLY 209.1 FEET ALONG THE WESTERLY LINE OF LOT 13 OF SAID BLOCK 360.

PARCEL THREE: ALL THAT PORTION OF BLOCK 361 OF THE CITY OF TURLOCK, AS PER MAP FILED FEBRUARY 6, 1920 IN VOLUME 9 OF MAPS, PAGE 25, LYING IN SECTION 15, TOWNSHIP 5 SOUTH, RANGE 10 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 361; THENCE SOUTHEASTERLY, ALONG THE NORTHEAST LINE OF BLOCK 361 TO A POINT ON THE SOUTH LINE OF CANAL DRIVE, SAID SOUTH LINE BEING 40 FEET SOUTH OF THE NORTH LINE OF BLOCK 361; THENCE WESTERLY, ALONG THE SOUTH LINE OF CANAL DRIVE, TO A POINT ON A LINE WHICH LIES 5.00 FEET SOUTHWEST OF AND PARALLEL TO THE NORTHEAST LINE OF BLOCK 361; THENCE SOUTHEASTERLY, ALONG THE LAST MENTIONED LINE, A DISTANCE OF 45.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTHEASTERLY, CONTINUING ALONG THE SAME LINE, 5.00 SOUTHWEST OF AND PARALLEL TO THE NORTHEAST LINE OF BLOCK 361, TO A POINT ON THE SOUTHWESTERLY EXTENSION OF THE SOUTHEAST LINE OF THE PROPERTY CONVEYED TO STANISLAUS COUNTY BY DEED DATED SEPTEMBER 4, 1958 AND RECORDED NOVEMBER 19, 1958 IN VOLUME 1513 OF OFFICIAL RECORDS, AT PAGE 596, AS INSTRUMENT NO. 29407; THENCE SOUTHWESTERLY, ALONG SAID SOUTHWESTERLY EXTENSION, TO A POINT ON THE SOUTH LINE OF THE PROPERTY CONVEYED TO DAVID E. CEDERLIND, ET UX, BY DEED DATED MARCH

9, 1946 AND RECORDED APRIL 23, 1946 IN VOLUME 845 OF OFFICIAL RECORDS AT PAGE 44 AS INSTRUMENT NO. 9993; THENCE WESTERLY, ALONG A LINE PARALLEL TO AND 300 NORTH OF THE SOUTH LINE OF BLOCK 361, TO A POINT ON A LINE PARALLEL TO AND 25.00 FEET SOUTHWEST OF THE NORTHEAST LINE OF BLOCK 361; THENCE NORTHWESTERLY, ALONG SAID LINE, PARALLEL TO AND 25.00 FEET SOUTHWEST OF THE NORTHEAST LINE OF BLOCK 361, TO A POINT ON A LINE WHICH IS PARALLEL TO THE WEST LINE OF BLOCK 361 AND RUNNING THROUGH THE POINT OF BEGINNING; THENCE NORTHERLY, ALONG A LINE WHICH IS PARALLEL TO THE WEST LINE OF BLOCK 361, TO THE TRUE POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NUMBER 88-09-ENG, RECORDED JANUARY 20, 1989, AS INSTRUMENT NO. 1989-4126 OF OFFICIAL RECORDS.

APN: 061-007-053

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Stanislaus

On _____ before me, _____, Notary Public, personally appeared _____, 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.

Signature _____

CERTIFICATE OF ACCEPTANCE OF REAL PROPERTY

TURLOCK RURAL FIRE PROTECTION DISTRICT

This is to certify that the interest in real property, described in the Quitclaim Deed dated _____ from The County of Stanislaus, a Political Subdivision, to Turlock Rural Fire Protection District is hereby accepted by the undersigned agent on behalf of the Turlock Rural Fire Protection District pursuant to authority conferred in Resolution No. _____ of said Board dated _____, and the grantee consents to recordation thereof by its duly authorized agent.

Name and Title



Turlock Rural Fire Department

690 West Canal Drive

Turlock, California 95380

Telephone 632-3953

Dear Mr. Chiesa:

Due to an existing parking area encroachment and a future desire to expand the fire department, the Turlock Rural Fire Protection District (TRFPD) has negotiated a property purchase, and is in escrow, with the property owner adjacent to the Fire Department on 700 West Canal Drive in Turlock. Turlock Irrigation District (TID) is this adjacent property owner and has subsequently taken a purchase and sale agreement to their board, which was approved on April 21, 2015. After meeting with the title company, it appears that there are two underlying parcels that make up the current TRFPD property. One of these underlying parcels is in TRFPD's name and one is in Stanislaus County's name. An exhibit is attached to show the property to be transferred as well as the two underlying parcels as discussed above. Because this property transfer will be perfected with a lot line adjustment, the City of Turlock must approve it first. As you can see in the exhibit, the existing underlying parcel that will be adjusted is owned by TRFPD and only has a 25' parcel frontage which doesn't meet the City of Turlock's minimum frontage width. In discussing this dilemma with the City of Turlock, First American Title, and Tim Fedorchak with Stanislaus County, it seems that the cleanest and simplest way to handle this is for Stanislaus County to Quit-Claim their underlying ownership to TRFPD. This would allow TRFPD to merge the parcels at the same time as the incorporation of the additional property purchased from TID through the lot line adjustment process. Mr. Fedorchak said that this process has been done before and will need Board of Supervisor approval, but is relatively simple. Mr. Fedorchak also requested this letter as a starting point to the process.

I know this is a lot of information, so if there are any questions, please do not hesitate to call

Sincerely,

Allen Peterson

Board President

Turlock Rural Fire Protection District

209-678-1027

2015 JUN 15 A 10:41

CHIEF EXECUTIVE OFFICE



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2015-0076699-00

Acct 402-Counter Customers
Friday, SEP 25, 2015 13:36:18
Ttl Pd \$0.00 Rcpt # 0003721074
JMS/R2/1-6

**Recording Requested By and
When Recorded, Return To:**

Turlock Rural Fire Protection District
690 W. Canal Drive
Turlock, CA 95380

County of Stanislaus Official Business
Exempt from Recording Fees Pursuant to Government
Code §27383
Exempt from Transfer Tax Pursuant to Revenue
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))))))))) SPACE ABOVE THIS LINE FOR RECORDER'S USE))

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SEE EXHIBIT 'A' ATTACHED HERETO
AND INCORPORATED HEREIN

Dated: Sept. 17, 2015

THE COUNTY OF STANISLAUS, a
Political Subdivision of the State of
California

By: Patricia Hill Thomas
Patricia Hill Thomas

Title: Chief Operations Officer
Chief Operations Officer/Asst.
Executive Officer

WJH

EXHIBIT "A"

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THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NUMBER 88-09-ENG, RECORDED JANUARY 20, 1989, AS INSTRUMENT NO. 1989-4126 OF OFFICIAL RECORDS.

APN: 061-007-053

CERTIFICATE OF ACCEPTANCE

This is to certify that the interests in real property conveyed by the deed or grant dated September 17, 2015 to the Turlock Rural Fire Protection District, a governmental agency, is hereby accepted by the undersigned authorized representative on behalf of the Turlock Rural Fire Protection District pursuant to Turlock Rural Fire Protection District Resolution Number 15-002, and the District consents to recordation thereof by its duly authorized representative.

Turlock Rural Fire Protection District

Dated: 9-25-15

By 

Allen Peterson
Chairman

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

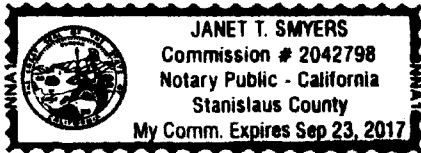
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Stanislaus)
On September 17, 2015 before me, Janet T Smyers, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Patricia Hill Thomas
Name(s) of Signer(s)

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.



Signature Janet T Smyers
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

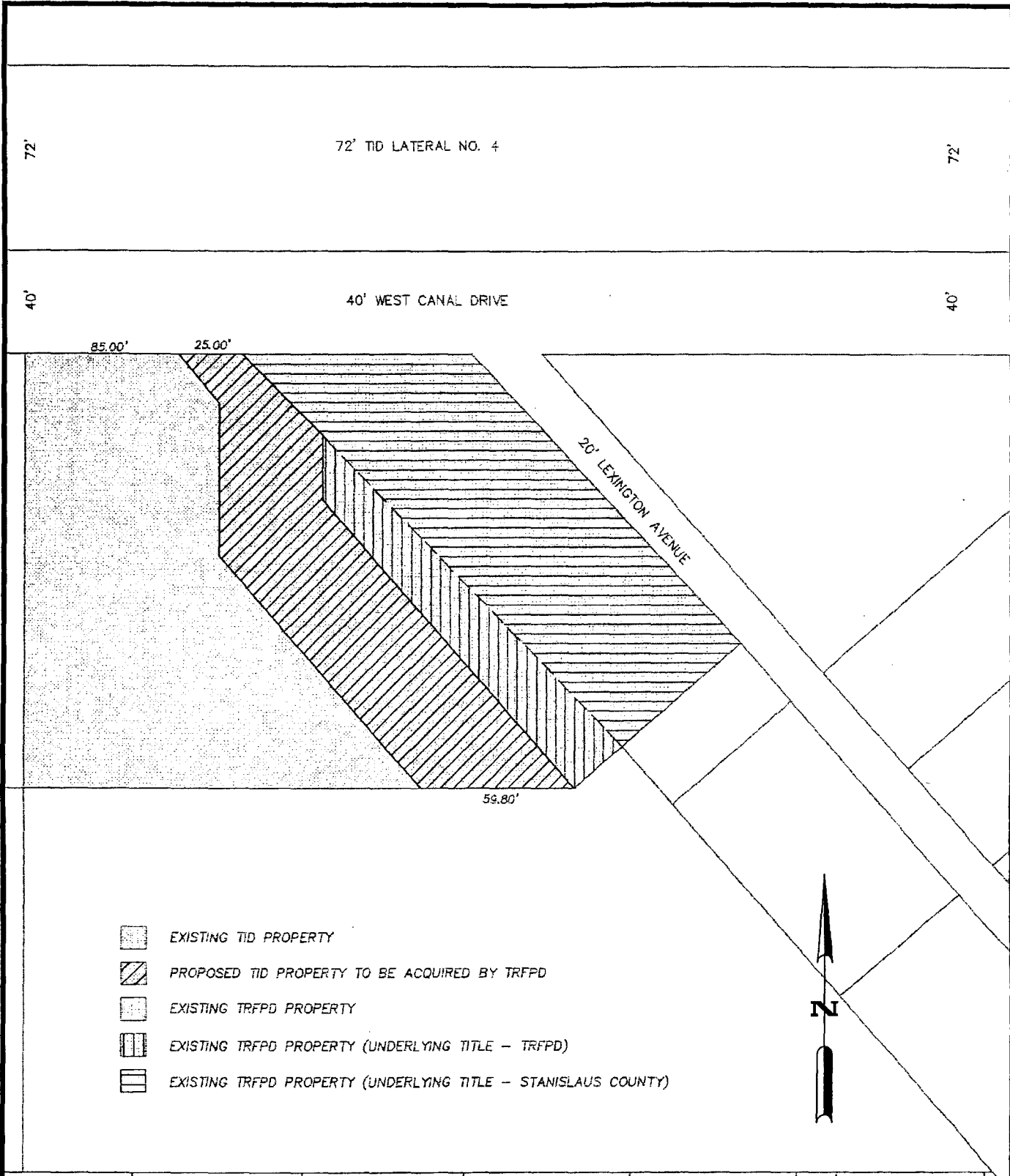
Description of Attached Document






Title or Type of Document: Quitclaim Deed, Turlock Fire Document Date: 9/17/15
Number of Pages: 5 Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: Patricia Hill Thomas
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: COO/ASST. CEO
Signer Is Representing: Stanislaus County

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____



-  EXISTING TID PROPERTY
-  PROPOSED TID PROPERTY TO BE ACQUIRED BY TRFPD
-  EXISTING TRFPD PROPERTY
-  EXISTING TRFPD PROPERTY (UNDERLYING TITLE - TRFPD)
-  EXISTING TRFPD PROPERTY (UNDERLYING TITLE - STANISLAUS COUNTY)

DATE: JUNE 11 2015	PROPERTY EXHIBIT EXHIBIT A LOT LINE ADJUSTMENT SEC. 15: T.5S., R10E., M.D.B.&M.
DRAWN:	
DESIGN:	
CHECKED:	
APPROVED:	