

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

DEPT: Public Works *CB*

BOARD AGENDA # \*C-4

Urgent  Routine

AGENDA DATE November 17, 2015

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval of a Purchase Agreement to Acquire Right-of-Way for the Crows Landing Road Bridge Project, Parcel Owner: Turlock Sportsman's Club

STAFF RECOMMENDATIONS:

1. Approve the purchase agreement for the acquisition of the parcels identified as Assessor's Parcel Numbers (APN) 057-001-005 (portion) and APN 057-001-006 (portion), parcel owner: Turlock Sportsman's Club.
2. Authorize the Chairman of the Board to execute the agreement to acquire right-of-way for the Crows Landing Road Bridge Project.

FISCAL IMPACT:

The total estimated cost for this project is \$18,500,000, which is funded by the Highway Bridge Program, State Local Seismic Safety Retrofit Program (Proposition 1B) match and County Public Facilities Fee-Regional Transportation Impact Fee. The \$4,952 for the purchase of this Right of Way (ROW) is funded 100% from the Public Facilities Fee-Regional Transportation Impact Fee program and consists of \$2,952 for compensation associated with the purchase of this property, and \$2,000 for estimated title insurance and escrow fees. Funding is available in the Fiscal Year 2015-2016 Public Works Road Projects Budget.

BOARD ACTION AS FOLLOWS:

No. 2015-572

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*  
CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval of a Purchase Agreement to Acquire Right-of-Way for the Crows Landing Road Bridge Project, Parcel Owner: Turlock Sportsman's Club

**DISCUSSION:**

The Crows Landing Road Bridge was built in 1949 and consists of a steel stringer and steel plate girder superstructure on reinforced concrete wall piers and reinforced concrete pile bents with reinforced concrete winged abutments. The entire bridge span is approximately 670 linear feet in length and the Average Daily Traffic volume is approximately 6,700 vehicles per day. Per the latest Caltrans bridge report issued in September 2011 and the Federal Highway Administration's 1995 Coding Guide, this bridge has been determined to be vulnerable to damage if there is a significant flood event on the San Joaquin River. The bridge is also on the Local Seismic Safety Retrofit Program list due to seismic deficiencies and the bridge is listed as functionally obsolete. The proposed replacement bridge will improve safety and capacity within this segment of Crows Landing Road.

The County needs to acquire ROW from Turlock Sportsman's Club to accomplish this project. The property is located at 13949 Carpenter Road, Crows Landing, CA. The property owner has agreed to accept the following terms as outlined in the Agreement for Acquisition of Property in Attachment 1:

Property Owners:	Turlock Sportsman's Club
Amount of Compensation:	\$2,952
Assessor's Parcel Number:	057-001-005 and 057-001-006 (portions)
Right-of-Way Acquisition Area:	0.313± Acres permanent easement (approximate) 2.035± Acres Temporary Construction Easement

The amount of compensation has been determined to be within the range of just compensation by an independent appraiser hired by the Consultant that is contracted with the County for all-inclusive engineering and project delivery services.

Overall, in order to construct the project, ROW acquisitions are required from four parcels. Acquisitions are still being negotiated with the owners and/or tenants of the other two parcels.

**POLICY ISSUES:**

The recommended actions are consistent with the Board's priorities of providing A Safe Community, A Healthy Community, and A Well-Planned Infrastructure System by improving intersection safety and reducing greenhouse gas emissions by improving traffic flow in this area of Stanislaus County.

**STAFFING IMPACT:**

There is no staffing impact associated with this item.

**CONTACT PERSON:**

Matt Machado, Public Works Director. Telephone: (209) 525-4153.

Approval of a Purchase Agreement to Acquire Right-of-Way for the Crows Landing Road Bridge Project, Parcel Owner: Turlock Sportsman's Club

**ATTACHMENTS:**

1. Road Deed
2. Temporary Construction Easement
3. Resolution
4. Agreement for Acquisition of Property

DL:dm

L:\BRIDGES\9589 - Crows Landing Road @ SJ RIVER\ROW\Turlock Sportsmans Club\9589 - Turlock Sportsmens Club Purchase ROW.pdf



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
DOC- 2015-0099216-00

Wednesday, DEC 23, 2015 15:51:28  
Ttl Pd \$0.00 Rcpt # 0003754143  
JMB/R2/1-4

NO FEE  
RECORDING REQUESTED BY:  
BOARD OF SUPERVISORS

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

Road Name: Crows Landing Rd at  
Carpenter Rd Bridge  
APNs: 057-001-005 and 057-001-006

# ROAD DEED

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

**Turlock Sportsman's Club, a Corporation,**

does hereby grant to the COUNTY OF STANISLAUS, a political subdivision of the State of California, an easement for public road and utility purposes in the real property in the County of Stanislaus, State of California, described as:

SEE EXHIBIT "A" AND "B"

**TURLOCK SPORTSMAN'S CLUB,  
a Corporation**

By: Walter Meares Jr  
Name: WALTER MEARES SR  
Title: President

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Dated: \_\_\_\_\_

APPROVED as to description: LSF Dated: 12/16/2015

### CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDATION

This is to certify that the interest in real property conveyed by the deed or grant dated 8/26/2015 From Turlock Sportsman's Club, a Corporation, to County of Stanislaus, a political subdivision of the State of California, is hereby accepted by the undersigned officer or agent on behalf of the Board of Supervisors of the County of Stanislaus, pursuant to authority conferred by resolution of the Board of Supervisors of the County of Stanislaus adopted on MARCH 2, 2011 in accordance with the provisions of Government Code Section 27281, and the grantee consents to recordation thereof by its duly authorized officer.

**Matthew Machado, Director of Public Works  
of Stanislaus County, State of California**

By: Matthew Machado Dated: 12/16/15

*Handwritten initials*

ACKNOWLEDGEMENT

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 August 26 2015 before me, Melissa E Feemster, Notary  
Public, personally appeared Walter Weems Sr

\_\_\_\_\_, 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 Melissa E Feemster  
Notary Public



**Exhibit "A"**  
Legal Description  
Crows Landing Road Right of Way Dedication  
APN 057-001-005 & 057-001-006

Being a portion of the land described in the Trust Deed recorded as Document 1995-50-0063416 Stanislaus County Official Records more particularly described as follows:

All that portion of land lying southeasterly of the following described line:

**Commencing** at a found monument in the centerline of Crows Landing Road as said centerline is shown on Stanislaus County Map #1657, said monument being located at the southeasterly terminus of the centerline course bearing North 40°08'34" East and having a grid distance of 686.22 feet;

Thence along said centerline, North 40°08'34" East, 686.19 feet;

Thence North 40°08'42" East, 424.19 feet to the centerline of said Carpenter Road;


Thence along said centerline line, North 59°52'05" West, 129.95 feet to the **Point of Beginning**;

Thence from said **Point of Beginning** South 43°02'58" East, 336.49 feet;

Thence along the arc of a tangent curve, concave southeasterly, having a radius of 1300.52 feet, through a central angle of 2°53'05", for a distance of 65.47 feet;

Thence South 40°08'34" West, 77.47 feet to a point on the top bank of the San Joaquin River and being the end of the herein described line.

*See Exhibit "B", plat to accompany description, attached hereto and made a part hereof.*

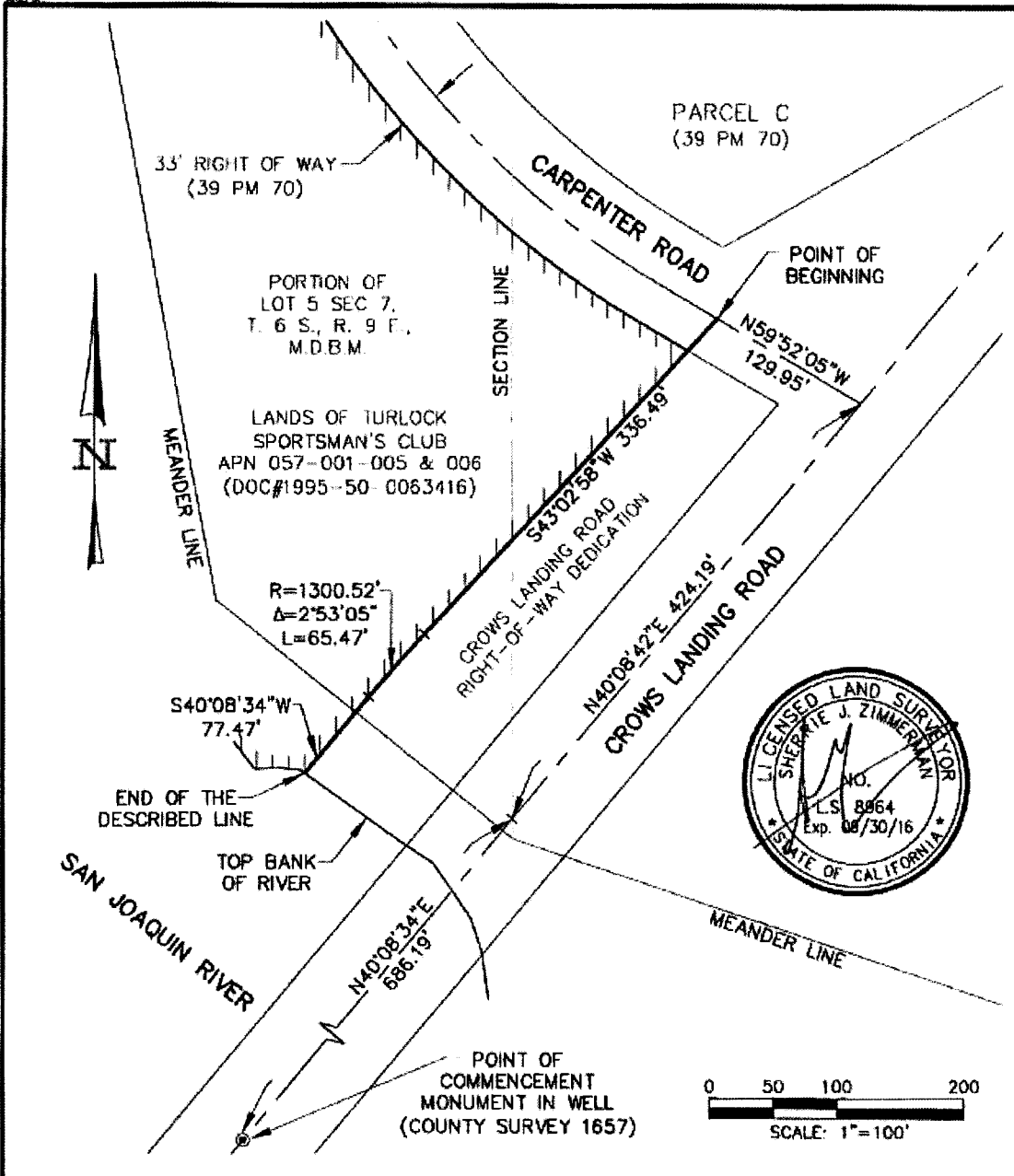
  
\_\_\_\_\_  
Sherrie J. Zimmerman PLS 8964

12/19/2014  
Date



# Exhibit "B"

R.M.E. DATE PATH.  
SERVER SERVICE DRAWING NAME:  
NOTES



<p><b>N V S</b> NOLTE VERTICAL FIVE NOLTE ASSOCIATES, INC. 2020 BALTIMORE PARK DRIVE, SUITE 200A SACRAMENTO, CA 95834 916.441.8000 FAX 916.441.8002 WWW.NV5.COM</p>	<p>EXHIBIT "B"</p> <p><b>RIGHT-OF-WAY DEDICATION CROWS LANDING ROAD</b></p> <p>PREPARED FOR COUNTY OF STANISLAUS DATE SUBMITTED: DEC. 2014</p>	<p>SHEET NUMBER <b>1</b> OF 1 SHEETS JOB NUMBER BAB044100</p>
	<p>PREPARED FOR COUNTY OF STANISLAUS DATE SUBMITTED: DEC. 2014</p>	



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2015-0099217-00**

Wednesday, DEC 23, 2015 15:51:39  
Ttl Pd \$0.00 Rcpt # 0003754145  
JMB/R2/1-5

NO FEE  
RECORDING REQUESTED BY:  
BOARD OF SUPERVISORS

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

Road Name: Crows Landing Road at  
Carpenter Road Bridge  
APNs: 057-001-005 and 057-001-006

### TEMPORARY CONSTRUCTION EASEMENT

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

**Turlock Sportsman's Club, a Corporation,**

does hereby grant to the COUNTY OF STANISLAUS, a political subdivision of the State of California, a **temporary construction easement** for access and construction purposes in the real property in the County of Stanislaus, State of California, described as:

SEE EXHIBIT "A" AND "B"

**TURLOCK SPORTSMAN'S CLUB,  
a Corporation**

By: Walter Wears Sr  
Name: WALTER WEARS SR  
Title: President

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Dated: \_\_\_\_\_

APPROVED as to description: LSE Dated: 12/16/2015

#### CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDATION

This is to certify that the interest in real property conveyed by the deed or grant dated 8/26/2015 From **Turlock Sportsman's Club, a Corporation**, to County of Stanislaus, a political subdivision of the State of California, is hereby accepted by the undersigned officer or agent on behalf of the Board of Supervisors of the County of Stanislaus, pursuant to authority conferred by resolution of the Board of Supervisors of the County of Stanislaus adopted on March 8, 2011 in accordance with the provisions of Government Code Section 27281, and the grantee consents to recordation thereof by its duly authorized officer.

The Temporary Construction Easement shall commence on the date of this agreement and shall automatically terminate and expire upon the date of the improvements are completed and a Notice of Completion is filed for record with the Stanislaus County Recorder. All rights and benefits of the Grantee in, to and under the Temporary Construction Easement shall automatically terminate and shall cease to be enforceable or in effect.

**Matthew Machado, Director of Public Works**  
of Stanislaus County, State of California

By Matthew Machado Dated: 12/16/15

50



ACKNOWLEDGEMENT

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 August 26 2018 before me, Melissa E Feemster, Notary

Public, personally appeared Walter Weems Sr

\_\_\_\_\_, 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 Melissa E Feemster  
Notary Public



**Exhibit "A"**  
Legal Description  
Temporary Construction Easement  
APN 057-001-005 & 057-001-006

Being a portion of the land described in the Trust Deed recorded as Document 1995-50-0063416 Stanislaus County Official Records more particularly described as follows:

**Commencing** at a found monument in the centerline of Crows Landing Road as said centerline is shown on Stanislaus County Map #1657, said monument being located at the southeasterly terminus of the centerline course bearing North 40°08'34" East and having a grid distance of 686.22 feet;

Thence along said centerline, North 40°08'34" East, 686.19 feet;

Thence North 40°08'42" East, 424.19 feet to the centerline of said Carpenter Road;

Thence along said centerline line, North 59°52'05" West, 129.95 feet;

Thence leaving said centerline of Carpenter Road, South 43°02'58" West 33.86 feet to a point on the westerly line of said Carpenter road and the **Point of Beginning**;

Thence leaving said westerly line, from said **Point of Beginning**, South 43°02'58" East, 302.63 feet;

Thence along the arc of a tangent curve, concave southeasterly, having a radius of 1300.52 feet, through a central angle of 2°53'05", for a distance of 65.47 feet;

Thence South 40°08'34" West, 77.47 feet to a point on the top bank of the San Joaquin River;

Thence along said top bank North 54°33'56" West, 4.07 feet;

Thence North 83°49'24" West, 18.75 feet;

Thence South 86°16'14" West, 17.67 feet;

Thence North 37°27'24" West, 69.27 feet;

Thence leaving said top bank North 50°07'53" West, 100.00 feet;

Thence North 40°08'34" East, 86.17 feet;

Thence along the arc of a tangent curve concave southeasterly having a radius of 1500.52 feet, through a central angle of 02°53'10", for a distance of 75.58 feet;


Thence North 43°02'58" East 273.78 feet to a point on said westerly line of said Carpenter Road;

Thence along said westerly line along the arc of a non-tangent curve, concave northeasterly, from a radial which bears South 42°20'39" West, having a radius of 733.00 feet, through a central angle of 12°12'44", for a distance of 156.24 feet;

Thence South 59°52'05" East, 46.33 feet to the **Point of Beginning**.

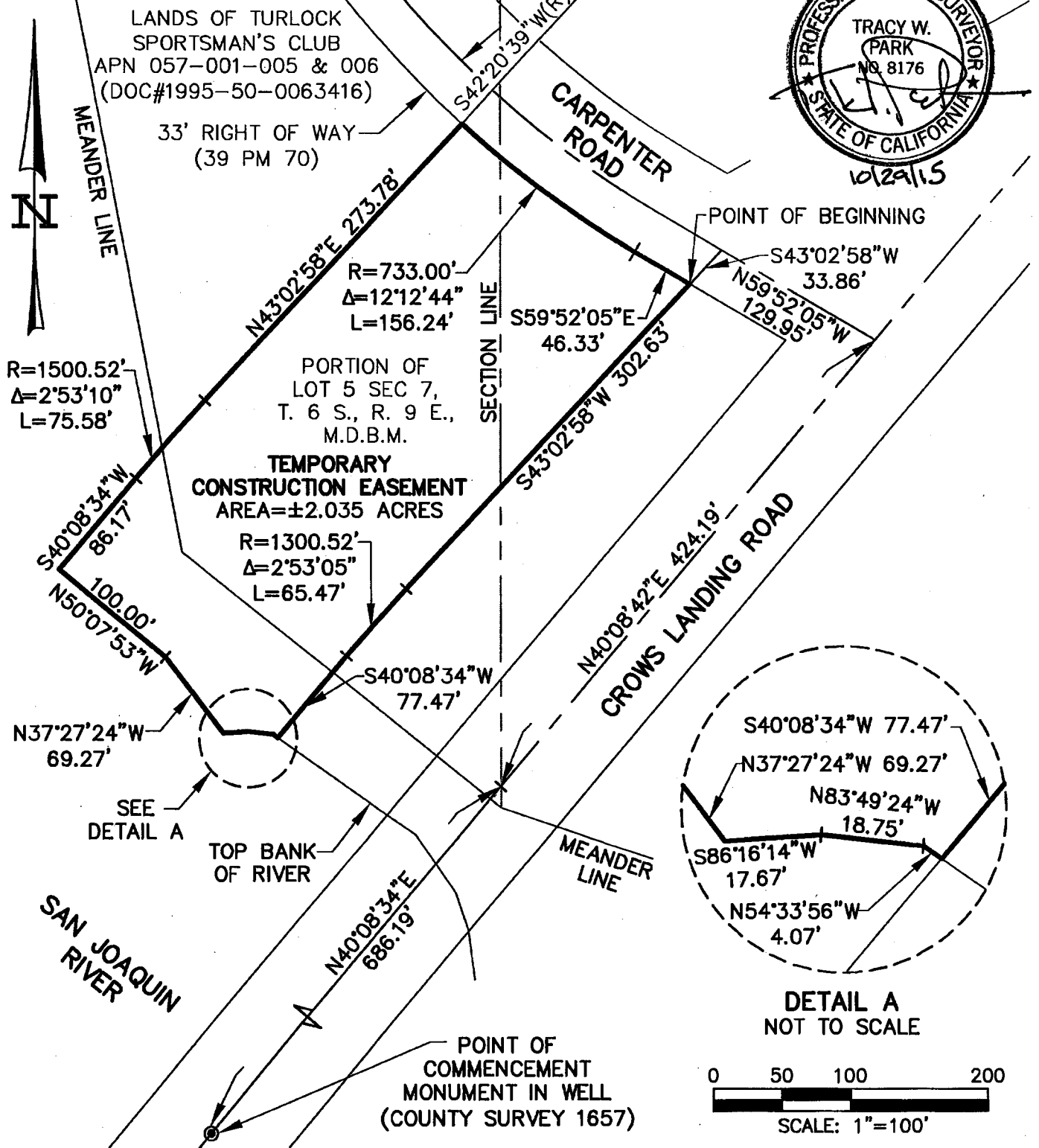
Said parcel contains ±2.035 acres more or less.

*See Exhibit "B", plat to accompany description, attached hereto and made a part hereof.*

  
\_\_\_\_\_  
Tracy W. Park, PLS 8176

10/29/15  
Date





**N|V|5**  
 NOLTE VERTICAL FIVE  
 NOLTE ASSOCIATES, INC.  
 2825 DUTCHMAN PARK DRIVE, SUITE 200, SACRAMENTO, CA 95833  
 916-441-9076, 916-441-9078 FAX, WWW.NV5.COM

EXHIBIT "B"  
**TEMPORARY CONSTRUCTION EASEMENT  
 CROWS LANDING ROAD**  
 PREPARED FOR: COUNTY OF STANISLAUS      DATE SUBMITTED: 10/29/15

SHEET NUMBER  
**1**  
 OF 1 SHEETS  
 JOB NUMBER  
**8AB044100**

COPY

**RESOLUTION OF THE BOARD OF DIRECTORS  
TURLOCK SPORTSMAN'S CLUB, INC.  
DATED: MAY 20, 2015**

WHEREAS, the TURLOCK SPORTSMAN'S CLUB is a California corporation duly authorized and legally conducting business in the state of California.

WHEREAS, the TURLOCK SPORTSMAN'S CLUB is the owner in fee of approximately 14.0517 acres of real property consisting of two parcels located in an unincorporated portion of Stanislaus County and commonly referred to as 13949 Carpenter Road, Crows Landing, California. The assessor's parcel numbers are APN 057-001-005 and 057-001-006.

WHEREAS, the TURLOCK SPORTSMAN'S CLUB received a correspondence from Overland, Pacific & Cutler dated April 23, 2015 indicating that Stanislaus County requires the acquisition of a permanent easement and a temporary construction easement on a portion of the Club's property located at 13949 Carpenter Road, Crows Landing, California, for the sum of \$2,952.00.

WHEREAS, the undersigned members Board of Directors of the TURLOCK SPORTSMAN'S CLUB are informed and believe that Stanislaus County's acquisition, as described in the Overland, Pacific & Cutler correspondence dated April 23, 2015, is for the purpose of replacing the Crows Landing Road Bridge at the Carpenter Road intersection with the San Joaquin River.

WHEREAS, the undersigned members Board of Directors of the TURLOCK SPORTSMAN'S CLUB have reviewed and fully considered the contents of David E. Cogdill's Appraisal dated March 13, 2015, as well as the contents of the following documents relevant to the acquisition by Stanislaus County: (1) the Declaration of Steve Harris dated April 13, 2015; (2) Information Statement (summary of appraisal); (3) proposed Agreement for Purchase; (4) proposed Road Deed with legal description; (5) proposed Temporary Construction Easement with legal description; and, (6) Acquisition Policies and Procedures.

WHEREAS, the undersigned members Board of Directors of the TURLOCK SPORTSMAN'S CLUB have sought and fully considered the advice of counsel relevant to Stanislaus County's acquisition of a portion of the Club's property for the purpose replacing the Crows Landing Road Bridge at the Carpenter Road intersection with the San Joaquin River.

WHEREAS, the current members Board of Directors of the TURLOCK SPORTSMAN'S CLUB are: Jimmy Chamberlin, Mark Bowden, Tom Rose, Tom Morton, Jeff

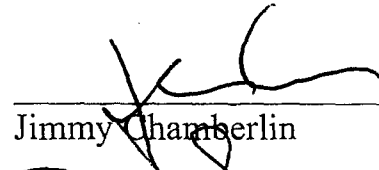
Ashby, Scott Fisher, Stan Bill, Bill Rutherford, Danny Coder, Rick Shaver, Jarred Thomas, Bob Smith, and Debbie Holt.

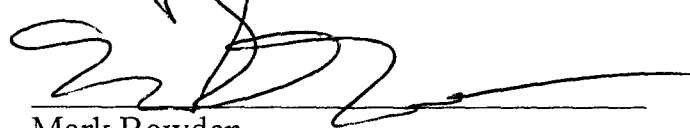
WHEREAS, the current president of the TURLOCK SPORTSMAN'S CLUB is Walt Wears.


WHEREBY, it is resolved:

1. The Board of Directors of the TURLOCK SPORTSMAN'S CLUB agree to sell a portion of the Club's property—as described in the proposed Agreement for Purchase, proposed Road Deed, and proposed Temporary Construction Easement—to the County of Stanislaus for the purpose of replacing the Crows Landing Road Bridge at Carpenter Road intersection with the San Joaquin River.
2. The Board of Directors of the TURLOCK SPORTSMAN'S CLUB agree that the proposed sale price of \$2,952.00 is fair compensation for the property to be conveyed.
3. The Board of Directors of the TURLOCK SPORTSMAN'S CLUB authorize the Club's president, Walt Wears to agree to the terms of the proposed Agreement for Purchase and to execute the agreement on behalf of the Board of Directors conveying the property described in the Road Deed and Temporary Construction Easement in exchange for payment in the amount of \$2,952.00.
4. The Board of Directors of the TURLOCK SPORTSMAN'S CLUB also authorize the Club's president, Walt Wears to execute the Road Deed and Temporary Construction Easement on behalf of the Board of Directors.

NAME AND SIGNATURE OF EACH MEMBER OF THE BOARD OF DIRECTORS:

Dated: 8/20/2015   
Jimmy Chamberlin

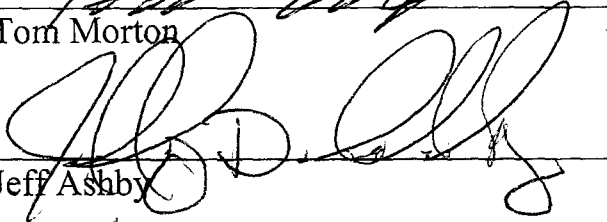
Dated: 8/20/2015   
Mark Bowden

Dated: 8-20-2015   
Tom Rose


Dated: 8/26/15

  
Tom Morton

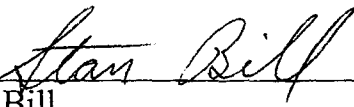
Dated: 8/20/15

  
Jeff Ashby

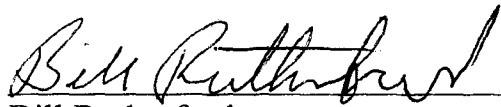
Dated: Aug. 20, 2015

  
Scott Fisher

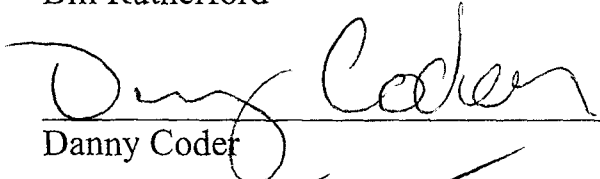
Dated: 8-20-15

  
Stan Bill


Dated: 8-20-15

  
Bill Rutherford

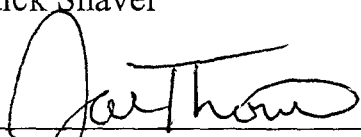
Dated: 8-20-15

  
Danny Coder

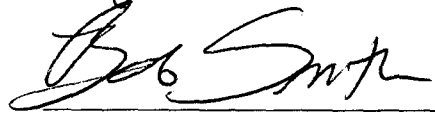
Dated: 8/20/15

  
Rick Shaver

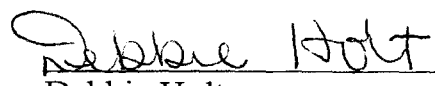
Dated: 8/20/15

  
Jarred Thomas

Dated: 8/21/15

  
Bob Smith

Dated: 8/20/2015

  
Debbie Holt

Project: Crows Landing Road Bridge  
Grantor: **Turlock Sportsman's Club**  
APN(s): 057-001-005 and 057-001-006

### AGREEMENT FOR ACQUISITION OF PROPERTY

This Agreement for Acquisition of Property is between the **County of Stanislaus** (County) and **Turlock Sportsman's Club, a Corporation**, (Grantor). This Agreement is expressly subject to approval by the County Board of Supervisors.

1. **PROPERTY.**

Grantor agrees to sell to County, and County agrees to purchase from Grantor, on the terms and conditions set forth in this Agreement, the real property interest described in the Exhibits attached hereto which are incorporated herein by this reference (the "Property").

2. **DELIVERY OF DOCUMENTS/ESCROW.**

All documents necessary for the transfer of the Property shall be executed and delivered by Grantor to the County's designated Acquisition Agent.

This transaction shall be handled through an escrow with First American Title Company, 1506 H Street, Modesto, CA 95354, phone: (209) 529-5000.

3. **PURCHASE PRICE AND TITLE.**

The consideration to be paid by the County for the Property is as follows:

Road Deed:	
0.331 Acres (Recreational land) x \$4,000/Acre	\$1,324.00
Temporary Construction Easement:	
2.035 Acres (Recreational land) x \$4,000/Acre x 10% (2 yrs)	\$1,628.00
Damages	\$ n/a
Benefits	\$ n/a
Total	\$2,952.00

County shall deliver the Purchase Price no later than 45 days after Board of Supervisors approval and after delivery and execution of all necessary transfer documents. Grantor shall convey good, marketable and insurable title to the Property free and clear of all liens, encumbrances, taxes, assessments and leases recorded and/or unrecorded.

Good, marketable and insurable title to the Property interest shall be evidenced by a CLTA owner's policy of title insurance ("Title Policy"). The Title Policy shall be in the amount of the Purchase Price, showing title to the Property interest vested in County. It shall be a



condition precedent to County's obligations under this Agreement that escrow holder is able to issue the Title Policy to County.

County shall pay all costs of any escrow, title insurance, and recording fees incurred in this transaction.

The Grantor agrees that if claims are submitted by lien-holders, the County is hereby authorized to honor such claims and deduct the amount of said claims from the amount to be paid to the property owner. The County will notify the Grantor of any such claims prior to payment.

Grantor acknowledges that the acquisition of the Property by the County is for a public purpose, and therefore, the Property is otherwise subject to taking by the power of eminent domain. Grantor acknowledges that this transaction is a negotiated settlement in lieu of condemnation and agree that the Purchase Price to be paid herein shall constitute full and fair compensation and consideration for any and all claims that Grantor may have against the County by reason of the acquisition, improvement, possession, use and/or occupancy of the Property, and Grantors waive any and all claims, including, but not limited to, claims for attorney fees, pre-condemnation damages, severance damages, business goodwill, relocation assistance, or any other claim.

If any eminent domain action that includes the Property, or any portion thereof, has been filed by the County, Grantor hereby agrees and consents to dismissal of said action. Grantor waives any and all claims to any money that may have been deposited with the State Treasurer in such action and further waives any and all claims for damages, costs, or litigation expenses, including attorney's fees, arising by virtue of the abandonment of the action pursuant to Section 1268.510 of the California Code of Civil Procedure.

**4. PRORATION OF TAXES.**

- (a) Taxes shall be prorated in accordance with California Revenue and Taxation Code section 5081 et seq., as of the recordation of the Grant Deed conveying title to County, except that where County has taken possession of the Property, taxes shall be prorated as of the date of possession.
- (b) Grantor authorizes County to deduct from the purchase price any amount necessary to satisfy any delinquent taxes, together with penalties and interest thereon, and any delinquent or non-delinquent assessments or bonds, which are to be cleared from the title to the Property.

**5. POSSESSION.**

Grantor agrees that immediately upon approval of this Agreement by County, the County may enter upon and take possession of the Property.

6. **HAZARDOUS WASTE MATERIAL.**

The Grantor hereby represents and warrants that during the period of Grantor's ownership of the Property, there have been no disposals or releases of hazardous substances on, from, or under the Property. Grantor further represents and warrants that Grantor has no knowledge of any disposal or release of hazardous substances, on, from, or under the Property which may have occurred prior to Grantor taking title to the Property.


The Purchase Price of the Property reflects the fair market value of the Property without the presence of contamination. If the Property is found to be contaminated by the presence of hazardous substances which requires mitigation under Federal or State law, the County reserves the right to recover its clean-up costs from those who caused or contributed to the contamination, or who may be otherwise deemed responsible parties.

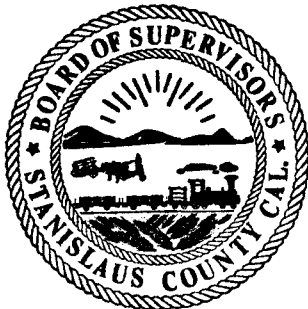
7. **ENTIRE AGREEMENT.**

This Agreement and the attached Exhibits constitute the entire agreement between the parties relating to the sale of the Property. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force and effect. Any amendment to this Agreement shall be of no force and effect unless it is in writing and signed by the County and Grantor.

IN WITNESS WHEREOF, the parties have executed this Agreement on 11/17/2015 as follows:

**COUNTY OF STANISLAUS**

  
Terrance Withrow  
Chairman of the Board of Supervisors



**GRANTOR:  
TURLOCK SPORTSMAN'S CLUB,  
a Corporation**

By: WALTER WEARS SR

Name: Walter Wears Sr

Title: President


By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:


**Christine Ferraro Tallman**  
**Clerk of the Board of Supervisors of the**  
**County of Stanislaus, State of California**

By:   
Deputy Clerk

APPROVED AS TO CONTENT:  
**Department of Public Works**

  
Matthew Machado, Director

APPROVED AS TO FORM:  
**John P. Doering**  
**County Counsel**

By:   
~~Thomas E. Boze~~ Amanda M. Dettart  
Deputy County Counsel

NO FEE

RECORDING REQUESTED BY:  
BOARD OF SUPERVISORS

**EXHIBIT A**

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

Road Name: Crows Landing Rd at  
Carpenter Rd Bridge  
APNs: 057-001-005 and 057-001-006

**ROAD DEED**

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

**Turlock Sportsman's Club, a Corporation,**

does hereby grant to the COUNTY OF STANISLAUS, a political subdivision of the State of California, an easement for public road and utility purposes in the real property in the County of Stanislaus, State of California, described as:

SEE EXHIBIT "A" AND "B"

**TURLOCK SPORTSMAN'S CLUB,  
a Corporation**

By: \_\_\_\_\_  
Name:  
Title:

By: \_\_\_\_\_  
Name:  
Title:

Dated: \_\_\_\_\_

\_\_\_\_\_  
APPROVED as to description: \_\_\_\_\_ Dated: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDATION**

This is to certify that the interest in real property conveyed by the deed or grant dated \_\_\_\_\_  
From **Turlock Sportsman's Club, a Corporation**, to County of Stanislaus, a political subdivision of the State of California, is hereby  
accepted by the undersigned officer or agent on behalf of the Board of Supervisors of the County of Stanislaus, pursuant to authority  
conferred by resolution of the Board of Supervisors of the County of Stanislaus adopted on \_\_\_\_\_ in accordance  
with the provisions of Government Code Section 27281, and the grantee consents to recordation thereof by its duly authorized officer.

**Matthew Machado, Director of Public Works**  
of Stanislaus County, State of California

By \_\_\_\_\_ Dated: \_\_\_\_\_

ACKNOWLEDGEMENT

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 \_\_\_\_\_)

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 \_\_\_\_\_

(Seal)

**Exhibit "A"**  
Legal Description  
Crows Landing Road Right of Way Dedication  
APN 057-001-005 & 057-001-006

Being a portion of the land described in the Trust Deed recorded as Document 1995-50-0063416 Stanislaus County Official Records more particularly described as follows:

All that portion of land lying southeasterly of the following described line:

**Commencing** at a found monument in the centerline of Crows Landing Road as said centerline is shown on Stanislaus County Map #1657, said monument being located at the southeasterly terminus of the centerline course bearing North 40°08'34" East and having a grid distance of 686.22 feet;

Thence along said centerline, North 40°08'34" East, 686.19 feet;

Thence North 40°08'42" East, 424.19 feet to the centerline of said Carpenter Road;

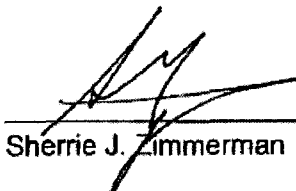
Thence along said centerline line, North 59°52'05" West, 129.95 feet to the **Point of Beginning**;

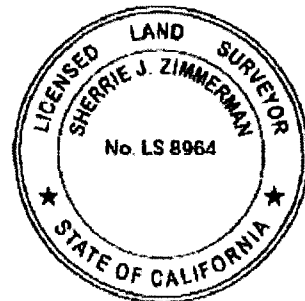
Thence from said **Point of Beginning** South 43°02'58" East, 336.49 feet;

Thence along the arc of a tangent curve, concave southeasterly, having a radius of 1300.52 feet, through a central angle of 2°53'05", for a distance of 65.47 feet;

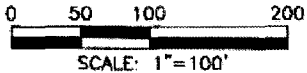
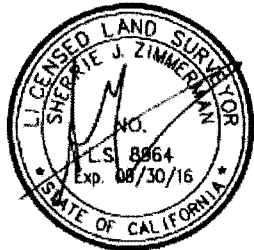
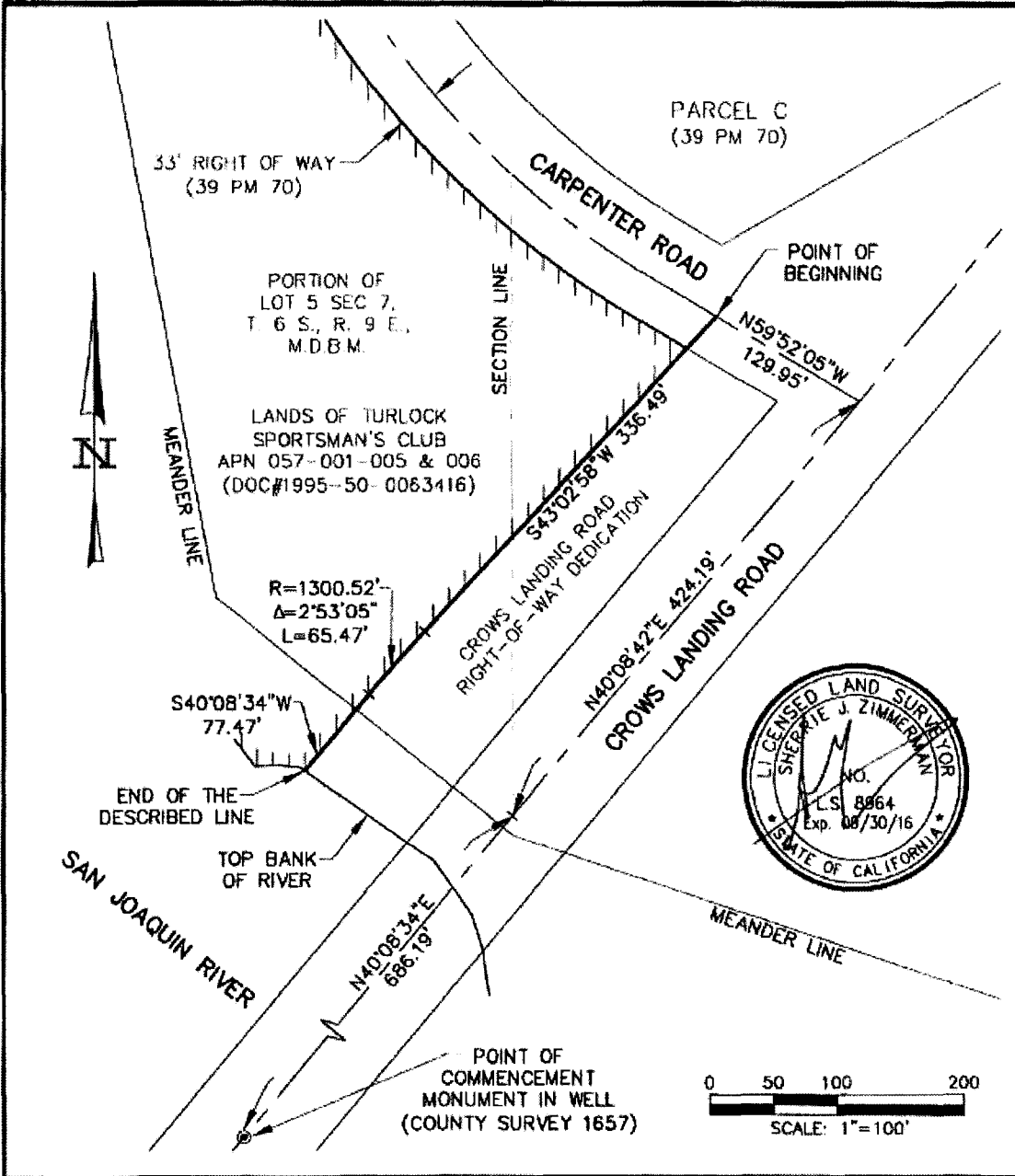
Thence South 40°08'34" West, 77.47 feet to a point on the top bank of the San Joaquin River and being the end of the herein described line.

*See Exhibit "B", plat to accompany description, attached hereto and made a part hereof.*

  
\_\_\_\_\_  
Sherrie J. Zimmerman PLS 8964                      12/19/2014                      Date



P.M.E. SERVER: DATE: SERVICE: PATH: DRAWING NAME:



<p><b>NIV5</b>          NOLTE VERTICAL FIVE          NOLTE ASSOCIATES, INC.  <small>2825 NATIONAL PARK DRIVE, SUITE 200, SACRAMENTO, CA 95833          916.441.8217 TEL. 916.441.8222 FAX 916.441.8200</small></p>	<p>EXHIBIT "B"  <b>RIGHT-OF-WAY DEDICATION          CROWS LANDING ROAD</b></p> <p>PREPARED FOR: COUNTY OF STANISLAUS      DATE SUBMITTED: DEC. 2014</p>	<p>SHEET NUMBER  <b>1</b>          OF 1 SHEETS</p> <p>JOB NUMBER  <b>BAB044100</b></p>
--	---	--

NO FEE

RECORDING REQUESTED BY:  
BOARD OF SUPERVISORS

**EXHIBIT B**

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

Road Name: Crows Landing Road at  
Carpenter Road Bridge  
APNs: 057-001-005 and 057-001-006

**TEMPORARY CONSTRUCTION EASEMENT**

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

**Turlock Sportsman's Club, a Corporation,**

does hereby grant to the COUNTY OF STANISLAUS, a political subdivision of the State of California, a **temporary construction easement** for access and construction purposes in the real property in the County of Stanislaus, State of California, described as:

SEE EXHIBIT "A" AND "B"

**TURLOCK SPORTSMAN'S CLUB,  
a Corporation**

By: \_\_\_\_\_  
Name:  
Title:

By: \_\_\_\_\_  
Name:  
Title:

Dated: \_\_\_\_\_

APPROVED as to description: \_\_\_\_\_ Dated: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDATION**

This is to certify that the interest in real property conveyed by the deed or grant dated \_\_\_\_\_  
From **Turlock Sportsman's Club, a Corporation**, to County of Stanislaus, a political subdivision of the State of California, is hereby  
accepted by the undersigned officer or agent on behalf of the Board of Supervisors of the County of Stanislaus, pursuant to authority  
conferred by resolution of the Board of Supervisors of the County of Stanislaus adopted on March 8, 2011 in accordance with the  
provisions of Government Code Section 27281, and the grantee consents to recordation thereof by its duly authorized officer.

The Temporary Construction Easement shall commence on the date of this agreement and shall automatically  
terminate and expire upon the date of the improvements are completed and a Notice of Completion is filed for record  
with the Stanislaus County Recorder. All rights and benefits of the Grantee in, to and under the Temporary Construction  
Easement shall automatically terminate and shall cease to be enforceable or in effect.

**Matthew Machado, Director of Public Works**  
of Stanislaus County, State of California

By \_\_\_\_\_ Dated: \_\_\_\_\_



ACKNOWLEDGEMENT

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 \_\_\_\_\_)

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 \_\_\_\_\_

(Seal)

**Exhibit "A"**  
Legal Description  
Temporary Construction Easement  
APN 057-001-005 & 057-001-006

Being a portion of the land described in the Trust Deed recorded as Document 1995-50-0063416 Stanislaus County Official Records more particularly described as follows:

**Commencing** at a found monument in the centerline of Crows Landing Road as said centerline is shown on Stanislaus County Map #1657, said monument being located at the southeasterly terminus of the centerline course bearing North 40°08'34" East and having a grid distance of 686.22 feet;

Thence along said centerline, North 40°08'34" East, 686.19 feet;

Thence North 40°08'42" East, 424.19 feet to the centerline of said Carpenter Road;

Thence along said centerline line, North 59°52'05" West, 129.95 feet;

Thence leaving said centerline of Carpenter Road, South 43°02'58" West 33.86 feet to a point on the westerly line of said Carpenter road and the **Point of Beginning**;

Thence leaving said westerly line, from said **Point of Beginning**, South 43°02'58" East, 302.63 feet;

Thence along the arc of a tangent curve, concave southeasterly, having a radius of 1300.52 feet, through a central angle of 2°53'05", for a distance of 65.47 feet;

Thence South 40°08'34" West, 77.47 feet to a point on the top bank of the San Joaquin River;

Thence along said top bank North 54°33'56" West, 4.07 feet;

Thence North 83°49'24" West, 18.75 feet;

Thence South 86°16'14" West, 17.67 feet;

Thence North 37°27'24" West, 69.27 feet;

Thence leaving said top bank North 50°07'53" West, 100.00 feet;

Thence North 40°08'34" East, 86.17 feet;

Thence along the arc of a tangent curve concave southeasterly having a radius of 1500.52 feet, through a central angle of 02°53'10", for a distance of 75.58 feet;


Thence North 43°02'58" East 273.78 feet to a point on said westerly line of said Carpenter Road;

Thence along said westerly line along the arc of a non-tangent curve, concave northeasterly, from a radial which bears South 42°20'39" West, having a radius of 733.00 feet, through a central angle of 12°12'44", for a distance of 156.24 feet;

Thence South 59°52'05" East, 46.33 feet to the **Point of Beginning**.

Said parcel contains ±2.035 acres more or less.

*See Exhibit "B", plat to accompany description, attached hereto and made a part hereof.*

  
\_\_\_\_\_  
Tracy W. Park, PLS 8176

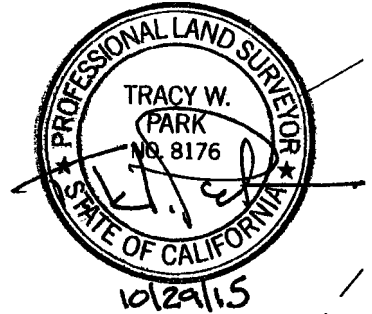
10/29/15  
Date



TIME:  
SERVER:  
XREFS:

DATE:  
SERVICE:

PATH:  
DRAWING NAME:



LANDS OF TURLOCK  
SPORTSMAN'S CLUB  
APN 057-001-005 & 006  
(DOC#1995-50-0063416)

33' RIGHT OF WAY  
(39 PM 70)

MEANDER LINE

S42°20'39"W(R)

CARPENTER  
ROAD

POINT OF BEGINNING

S43°02'58"W  
33.86'  
N59°52'05"W  
129.95'05"W

R=733.00'  
Δ=12°12'44"  
L=156.24'

PORTION OF  
LOT 5 SEC 7,  
T. 6 S., R. 9 E.,  
M.D.B.M.

SECTION LINE

S59°52'05"E  
46.33'  
S43°02'58"W 302.63'

TEMPORARY  
CONSTRUCTION EASEMENT  
AREA=±2.035 ACRES

R=1300.52'  
Δ=2°53'05"  
L=65.47'

N40°08'42"E 424.19'  
CROWS LANDING ROAD

R=1500.52'  
Δ=2°53'10"  
L=75.58'

S40°08'34"W  
86.17'  
100.00'  
N50°07'53"W

S40°08'34"W  
77.47'

N37°27'24"W  
69.27'

SEE  
DETAIL A

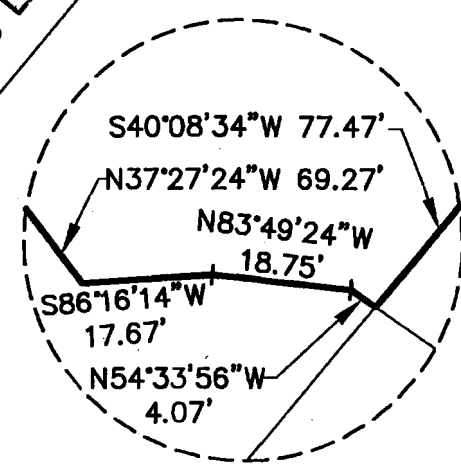
TOP BANK  
OF RIVER

SAN JOAQUIN  
RIVER

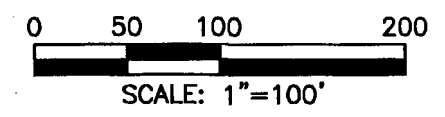
N40°08'34"E  
686.19'

MEANDER  
LINE

POINT OF  
COMMENCEMENT  
MONUMENT IN WELL  
(COUNTY SURVEY 1657)



DETAIL A  
NOT TO SCALE



**N|V|5**

NOLTE VERTICALFIVE  
NOLTE ASSOCIATES, INC.

2800 MONTGOMERY PARK DRIVE, STE. 000 SACRAMENTO, CA. 95800  
916.441.0078 916.441.0078 FAX WWW.NV5.COM

EXHIBIT "B"

**TEMPORARY CONSTRUCTION EASEMENT  
CROWS LANDING ROAD**

PREPARED FOR: COUNTY OF STANISLAUS

DATE SUBMITTED: 10/29/15

SHEET NUMBER

**1**

OF 1 SHEETS

JOB NUMBER  
**8AB044100**