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

DEPT:	Public Works	BOARD AGENDA :	#: <u>*C-1</u>
		AGENDA DATE:	October 25, 2016
SUBJECT:			
Departm	I to Accept the Relinquishment of Portions of ent of Transportation Proposed Relinquishr g Phase II Project	-	•
BOARD	ACTION AS FOLLOWS:	No.	. 2016-535
	on of Supervisor _Withrow , Se	conded by Supervisor	O'Brien_
	roved by the following vote,	Chairman Monteith	
Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith  Noes: Supervisors:  None			
Excused	l or Absent: Supervisors: None		
	ng: Supervisor: None		
1) X Approved as recommended			
2) Denied			
3) Approved as amended 4) Other:			
,			
MOTION	<b>!</b>		

Elizabeth A. KING, Clerk of the Board of Supervisor

ATTEST:

File No.

## THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS AGENDA ITEM

DEPT: Public Works BOARD AGENDA #: \*C-1

Urgent ○ Routine ⊙ AGENDA DATE: October 25, 2016

CEO CONCURRENCE: 4/5 Vote Required: Yes O No O

#### SUBJECT:

Approval to Accept the Relinquishment of Portions of Stanislaus County Roads per California Department of Transportation Proposed Relinquishment No. 16735 for the State Route 219 Widening Phase II Project

#### STAFF RECOMMENDATIONS:

Pursuant to California Street and Highway Code Section 73:

- 1. Accept the relinquishment of portions of Stanislaus County roads per California Department of Transportation (Caltrans) proposed Relinquishment No. 16735, which was included in Caltrans' State Route 219 Widening Phase II Project.
- 2. Waive the requirement for a 90-day notice from the State of the intention to relinquish proposed portions of road.

#### **DISCUSSION:**

The California Department of Transportation (Caltrans) has completed the improvements of the State Route 219. The project scope included the area east of Salida, between State Route 99 to a quarter mile east of McHenry Avenue. Caltrans now desires to relinquish portions of these areas, as delineated on Caltrans Proposed Relinquishment Map No. 16735 (Exhibit A) to the County of Stanislaus (County). Upon relinquishment, the vesting of all right, title, and interest of the State in these portions of roads is confirmed to the County.

In 2011, Caltrans relinquished portions of roads to the County between State Route 99 and Dale Road in Relinquishment No. 16340 as Phase 1 of Caltrans' State Route 219 Widening Phase II Project (Project). Caltrans now desires to relinquish the remaining portions of roads from American Avenue, Morton Road, Carver Road, Tully Road, Tunsen Road, and Claribel Road, as delineated on the relinquishment map on file with the Department of Public Works and contained within this document as Exhibit A. The properties in Exhibit A were purchased to achieve the improvements and to conform to County roadways. The improvements Caltrans made within these areas meet County standards.

The State is required to give a 90-day notice in writing of the intention to relinquish road right-of-way to allow the County time to protest the relinquishment. Protests are usually made if the roads are not in a state of good repair, if the road is not needed for public use, or other such reasons. The Department of Public Works has found the roads to be acceptable and in current

Approval to Accept the Relinquishment of Portions of Stanislaus County Roads per California Department of Transportation Proposed Relinquishment No. 16735 for the State Route 219 Widening Phase II Project

use by the public. Therefore the need for the 90-day notice from the State is not required and the County can comply with the request by Caltrans to waive the requirement.

Stanislaus County has supported the Project from conception, construction, and completion as a means to provide safe and efficient travel and to help alleviate congestion.

#### **POLICY ISSUE:**

The Board of Supervisors' approval of this relinquishment is required per California Street and Highway Code Section 73.

#### **FISCAL IMPACT:**

There is no fiscal impact associated with this relinquishment. Once the relinquishment takes place, the Department of Public Works will be responsible for maintenance of the accepted portions of roadways, which is included in the annual operations budget.

#### **BOARD OF SUPERVISORS' PRIORITY:**

The recommended actions are consistent with the Board's priority of A Well Planned Infrastructure System by removing any excess right-of-way that is not needed for road way purposes, therefore removing any liability.

#### **STAFFING IMPACT:**

Existing Public Works staff will oversee the relinquishment process and record the necessary documents.

#### **CONTACT PERSON:**

Matt Machado, Public Works Director

(209) 525-4153

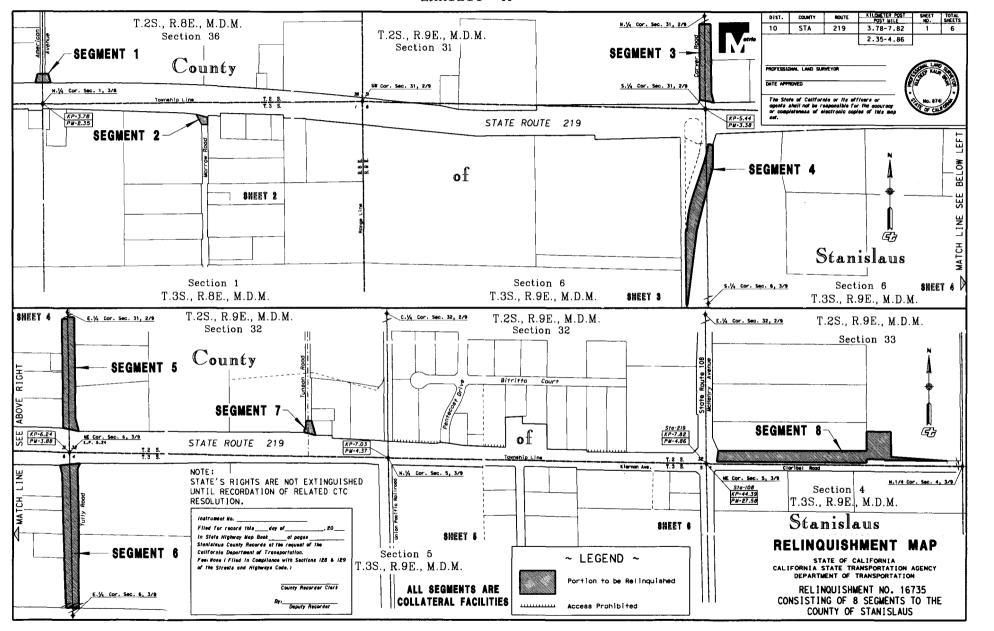
#### ATTACHMENT(S):

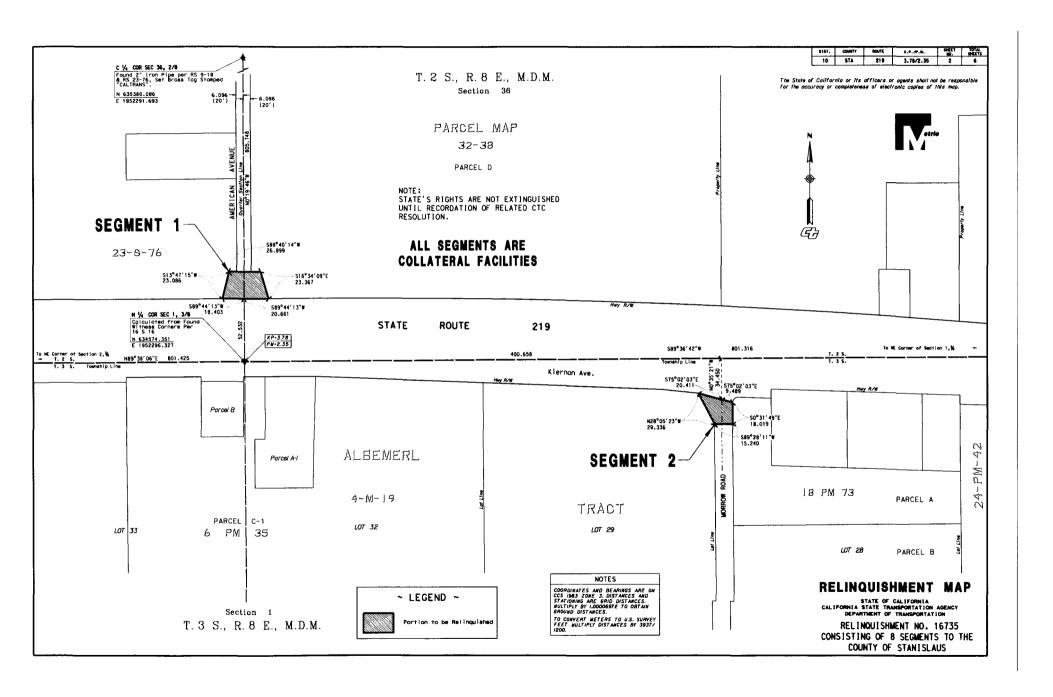
1. Caltrans Proposed Relinquishment Map No. 16735 (Exhibit A)

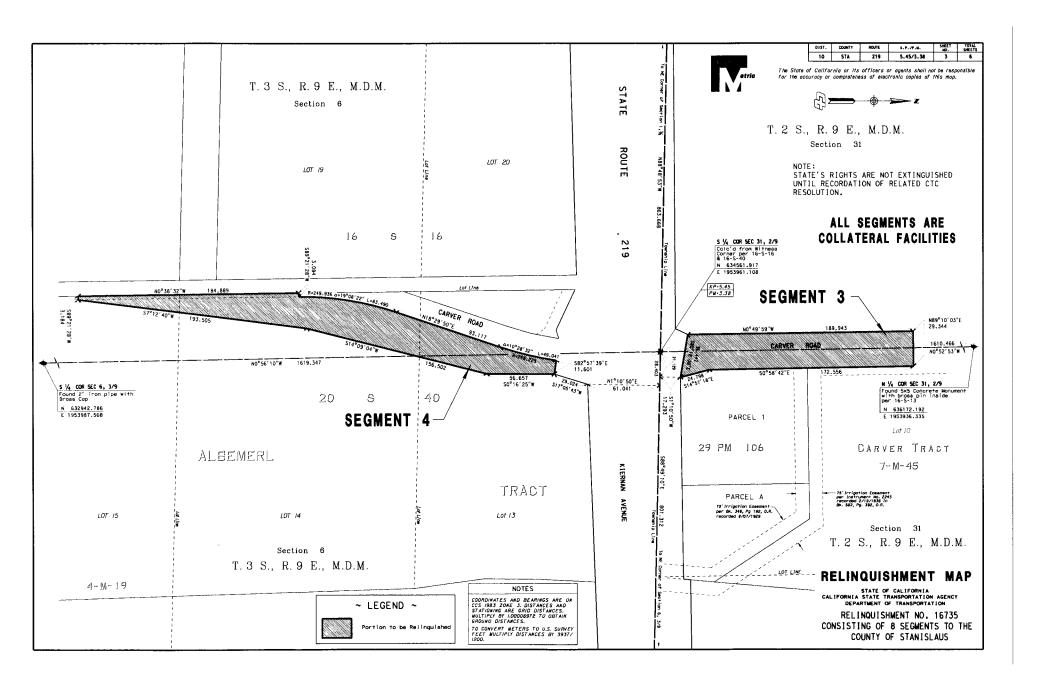
### ATTACHMENT 1

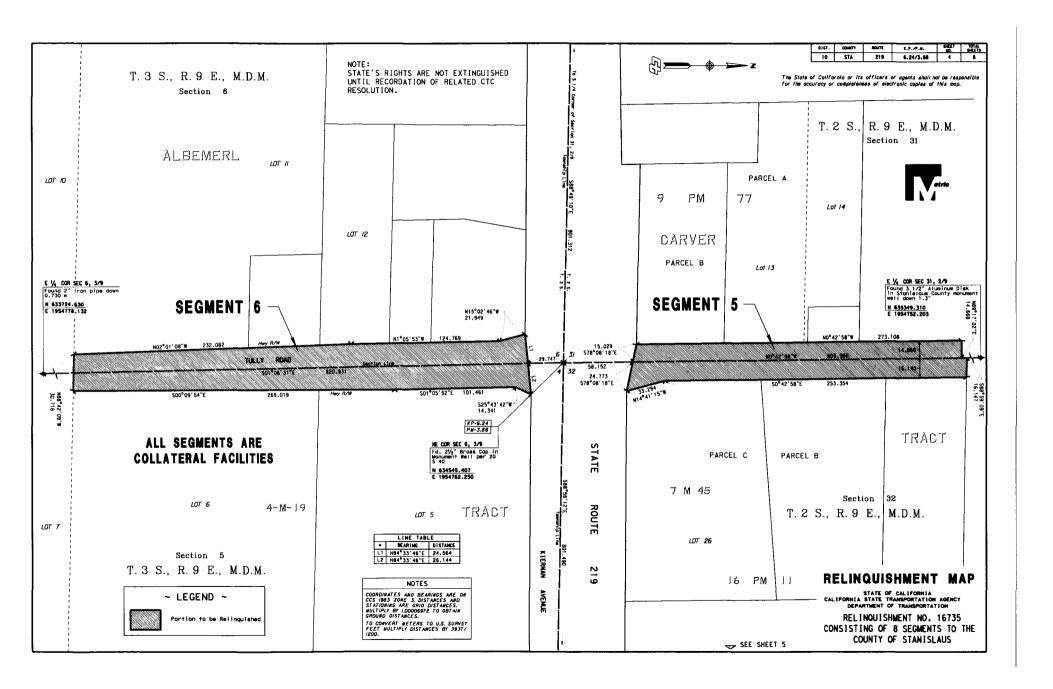
CALTRANS PROPOSED RELINQUISHMENT MAP NO.16735 (EXHIBIT A)

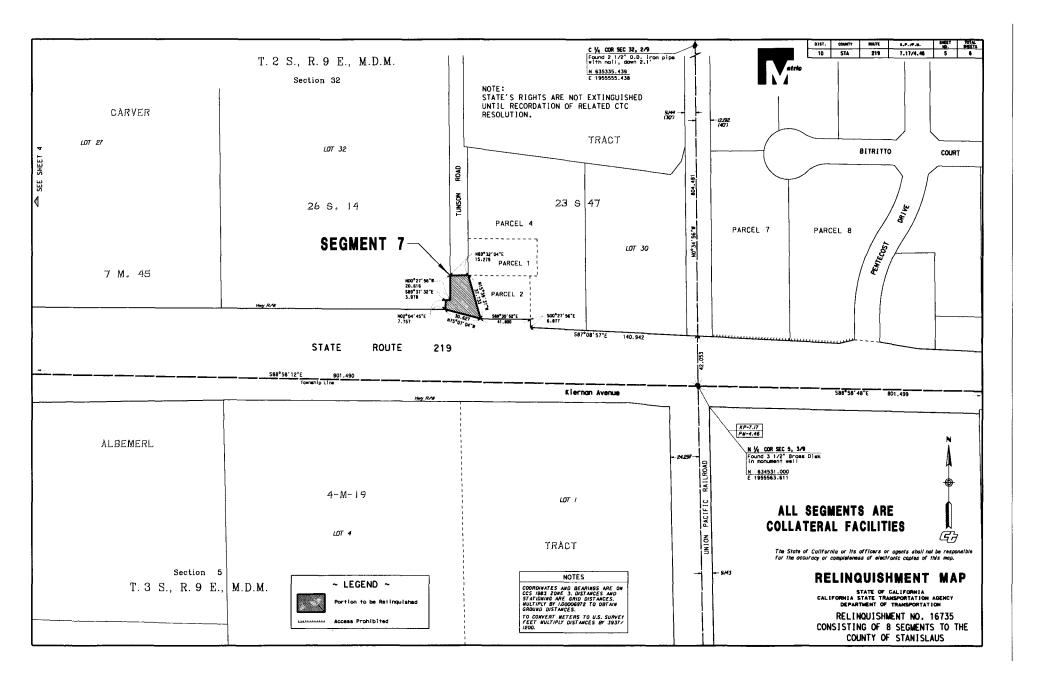
EXHIBIT A

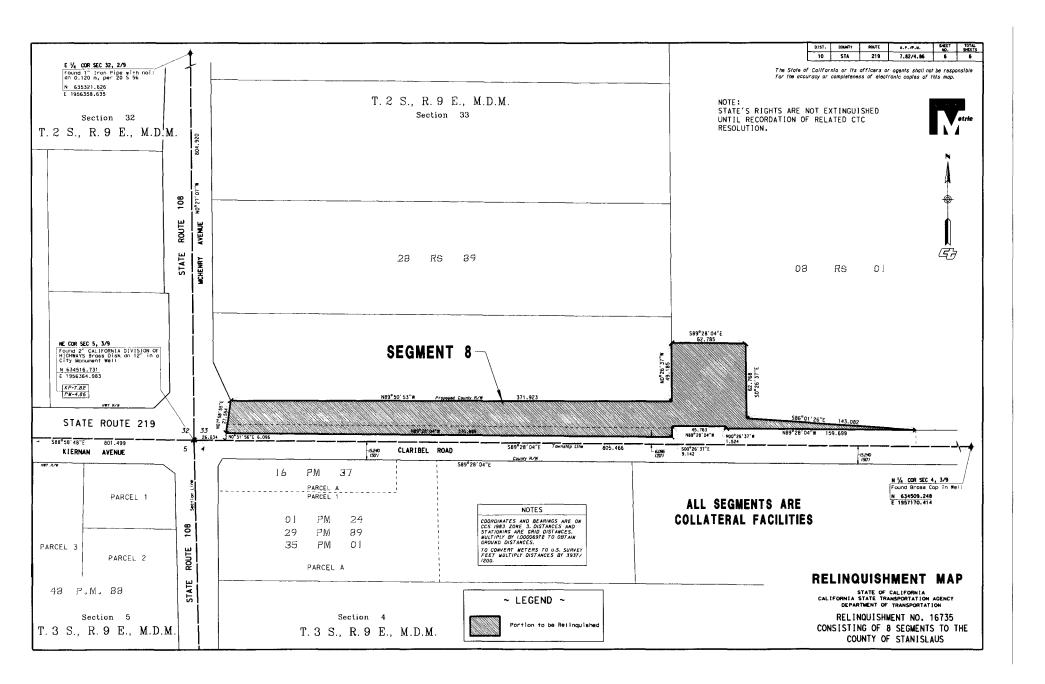














Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2017-0006396-00
Friday, JAN 27, 2017 12:10:34
Ttl Pd \$0.00 Rcpt # 0003924544

# RECORDING REQUESTED BY: STATE OF CALIFORNIA

When Recorded Mail to:
Department of Transportation
District 10
P.O. Box 2048
Stockton, California 95201

RELINQUISHMENT OF HIGHWAY RIGHT OF WAY IN THE COUNTY OF STANISLAUS, ROAD 10-STA-219-PM 2.35/4.86 Request No. 16735

WHEREAS, by Stanislaus County Board of Supervisors

Action No. 2016-535, dated October 25, 2016, the County waived

the 90-day notice requirement and agreed to accept title to

highway right of way, consisting of reconstructed county roads

which were a part of the State Route 219 Widening Phase II

Project, upon relinquishment thereof to said County by the State

of California; and

WHEREAS, the State of California has acquired right of way for and has constructed the above-mentioned collateral facilities, along Route 219, on American Avenue, Morton Road, Carver Road, Tully Road, Tunson Road, and Claribel Road, in accordance with said Board Action; and

WHEREAS, this Commission has found and determined, and does hereby find and determine, that it is desirable and in the

## TRANSPORTATION COMMISSION RESOLUTION No. R-3979





public interest that said collateral facilities be relinquished to the County of Stanislaus for use as county roads.

NOW, THEREFORE, IT IS VOTED by the California

Transportation Commission that it relinquish, and it does hereby relinquish, to the County of Stanislaus, effective upon the recordation of a certified copy hereof with the Recorder of Stanislaus County, all of the State of California's right, title and interest in and to said collateral facilities in said County, together with the right of way and appurtenances thereof, described as follows:

All that portion of highway right of way, shown as SEGMENTS 1 through 8, inclusive, to be relinquished as indicated on that certain map consisting of six sheets, filed for record on December 8, 2016, as Recorder's Index No. 2016-0097209-00, in State Highway Map Book No. 4, page 4, in the Office of the Stanislaus County Recorder.

THIS IS TO CERTIFY that the foregoing resolution was duly passed by the California Transportation Commission at its meeting regularly called and held on the 18 and 19 days of January 2017 in the city of Sacramento and that the foregoing is a full and correct copy of the original resolution. Dated this 25 day of 14,2017.

SUSAN BRANSEN, Executive Director

CALIFORNIA TRANSPORTATION COMMISSION

EXHIBIT A

