

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

DEPT: Parks and Recreation

BOARD AGENDA:4.B.2
AGENDA DATE: May 12, 2020

SUBJECT:

Approval to Execute a Grant Deed and Lot Line Adjustment for a Fifteen Foot Strip of Land on Mary Street in Grayson, CA to the City of Modesto for Improvements

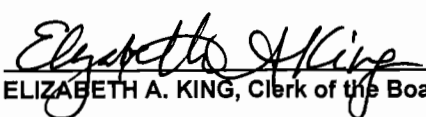
BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2020-0203

On motion of Supervisor Withrow , Seconded by Supervisor Chiesa
and approved by the following vote,
Ayes: Supervisors: Chiesa, Withrow, Berryhill, DeMartini and Chairwoman Olsen
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: 
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No. C-6-O-8

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

DEPT: Parks and Recreation

BOARD AGENDA:4.B.2
AGENDA DATE: May 12, 2020

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: Yes

SUBJECT:

Approval to Execute a Grant Deed and Lot Line Adjustment for a Fifteen Foot Strip of Land on Mary Street in Grayson, CA to the City of Modesto for Improvements

STAFF RECOMMENDATION:

1. Find that the properties owned by Stanislaus County included in the Lot Line Adjustment are not required for use by the County.
2. Find that the properties currently owned by the County, are required for the City of Modesto use in order to make above and below ground improvements.
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 Director of Parks and Recreation, or designee, to file the Notice of Exemption.
4. Find that the property is exempt surplus land pursuant to Government Code 54221.
5. Authorize the Chairwoman of the Board to execute the attached Grant Deed conveying all interest in the Lot Line Adjustment.
6. Authorize the Director of Parks and Recreation, or designee, to administer and execute any other documents necessary to complete the transfer of real property.

DISCUSSION:

The Grayson water system is owned and operated by the City of Modesto (City). Several improvements were recommended to mitigate deficiencies with this water system with regard to insufficient fire flow capacity, inadequate supply and pumping capacity, and inadequate system reliability.

It is the City's desire and objective to reliably deliver safe drinking water to the severely disadvantaged community (SDAC) of Grayson, and an evaluation and prioritization found the following projects to be the highest priority along with replacing Well 274:

- A new treatment system capable of treating flow from the existing Well 295 and Well 69 (Replacing Well 274).

- Replace Tank 9 and increase the booster pumping capacity of the existing pump station by 900 gallons per minute and provide a new backup generator.
- Replace and upsize existing, older, undersized, leaking water mains.

The design for the water mains will be done by City Staff in parallel with the treatment system, tank and booster design.

Most recently, the City has completed the below ground improvements for Well 69 (Replacing Well 274) and Monitoring well GRA-MWA-1, which included the well drilling and casing installation, partial grading to level the work site, removal of trees and capping of irrigation lines within the project site. The above ground improvements for this Well 69 (Replacing Well 274) project will include the installation of the following improvements: pump head, pump and electrical building and stub outs for the first two bulleted priority projects listed above, new perimeter fencing, frontage street improvements (extending Mary Street, curb gutter, sidewalk and pavement), providing lighting to the project site and also a dedicated light facing the park side (the light will be maintained by the City of Modesto and the light electrical bill will be paid by the City of Modesto), providing a drivable access for the parks lawnmower to enter the lawn area, relocation of park irrigation onto park property and connecting endpoints in the irrigation system to provide water to trees remaining adjacent and south east of Mary Street.

Tentative Schedule for Design and Construction of the above ground improvements for Well 69 (Replacing Well 274):

Complete Improvement Plans	May 2020
Bid Project, Selection, and Begin Construction	July 2020
Complete Construction	April 2021

The City of Modesto is requesting a Lot Line Adjustment to accommodate the installation of a new tank, treatment system, booster pumps, new well 69 and monitoring well, to meet building setbacks, and to provide enough access to get vehicles and equipment in and out of the site.

POLICY ISSUE:

Board of Supervisors’ approval is necessary for a Lot Line Adjustment from County property to the City of Modesto.

FISCAL IMPACT:

The properties to be transferred are exempt from taxation. No exchange of funds is proposed, and no fiscal impact is anticipated as a result of this action. The City agreed to reimburse the County for the cost of publication and for the cost of filing the Notice of Exemption.

BOARD OF SUPERVISORS' PRIORITY:

The recommended actions are consistent with the Board's priority of *Delivering Efficient Public Services and Infrastructure* by enabling the City to manage the Grayson water service area.

STAFFING IMPACT:

The property will be managed, operated, and maintained by the City of Modesto at its sole expense.

CONTACT PERSON:

Jackie Dwyer, Director of Parks & Recreation

Phone: (209) 525-6834

ATTACHMENT(S):

1. Exhibit A - Legal Description
2. Exhibit B - Map
3. Grant Deed
4. Notice of Intention to Transfer



Stanislaus, County Recorder
 Donna Linder Co Recorder Office
DOC- 2020-0072525-00
 Tuesday, SEP 22, 2020 14:59:57
 Ttl Pd \$0.00 Rcpt # 0004483152
 OJC/R2/1-10

Recording requested by:
 Board of Supervisors
 County of Stanislaus

When recorded, mail to:
 County of Stanislaus
 Department of Public Works
 1716 Morgan Road
 Modesto, CA 95358

APN: a part of APN 016 034 012

THE UNDERSIGNED DECLARES
 No fee pursuant to Government Code § 6103
 No Documentary Transfer Tax per R&T Code § 11922
 No Recording Fee per Government Code § 27383

GRANT DEED

For a valuable consideration, receipt of which is hereby acknowledged,


THE COUNTY OF STANISLAUS, a political subdivision of the State of California
 (hereinafter referred to as "Grantor"),

does hereby grant to the CITY OF MODESTO, a municipal corporation of the State of
 California, all of Grantor's right, title and interest in the real property situated in the County of
 Stanislaus, described and depicted in Exhibits "A" and "B" attached hereto and made a part
 hereof.

Date: May 27, 2020

GRANTOR:

COUNTY OF STANISLAUS,
 a political subdivision of the State of California


 By: Kristin Olsen,
 Chair of the Board of Supervisors

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CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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 }

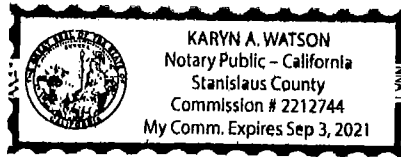
On May 27, 2020 before me, Karyn A. Watson, Notary Public,
(Here insert name and title of the officer)

personally appeared Kristin Olson,
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]
Notary Public Signature



(Notary Public Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Grant Deed
(Title or description of attached document)

APN 016 034 012
(Title or description of attached document continued)

Number of Pages 6 Document Date 5/27/2020

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer

(Title)

- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other Chair of Board of Supervisors

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

EXHIBIT “A”

Legal Description

[attached behind this page]

EXHIBIT "A"
LEGAL DESCRIPTION

ALL that certain real property, being a portion of Parcel B, as shown on that certain map filed for record in Book 4 of Parcel Maps, at Page 103, Stanislaus County Records, and situate in a portion of Rancho El Pescadero, Sections 26 & 27, Township 4 South, Range 7 East, Mount Diablo Meridian, being more particular described as follows:

A strip of land 15.00 feet wide, the Northeasterly, Northerly and Northwesterly line of which is described as follows:

BEGINNING at the Northwest corner of Parcel B, as shown on that certain map filed for record in Book 3 of Parcel Maps, at Page 14, Stanislaus County Records, said Point of Beginning being also a point on the Southerly right-of-way line of Mary Street (66 feet wide); thence along the Southwesterly line of last said Parcel B and the Southwesterly line of that certain property described in Grant Deed to the City of Modesto, filed for record December 14, 2015 as Document No. 2015-0096392, Stanislaus County Records, South 20°04'40" East 170.00 feet; thence along the Southerly and Southeasterly line of said City of Modesto property the following two (2) courses:

1. North 69°55'20" East 28.37 feet;
2. North 44°41'40" East 62.60 feet to the most Easterly corner of said City of Modesto property and the terminus point of this description.

The sidelines of said strip to be extended or shortened to terminate at said Southerly right-of-way line and at a line which bears South 20°04'40" East from said terminus point.

Containing 4,137 square feet (0.09 acres), more or less.

SUBJECT TO all easements and/or rights-of-way of record.

BASIS OF BEARINGS:

A course of North 69°55'20" East for the centerline of Mary Street as shown on that certain map filed in Book 35 of Surveys, at Page 18, Stanislaus County Records.

This legal description as described is delineated on the accompanying "Plat to Accompany Legal Description" and made a part hereof for reference purposes.


Rien Groenewoud, P.L.S. 6946

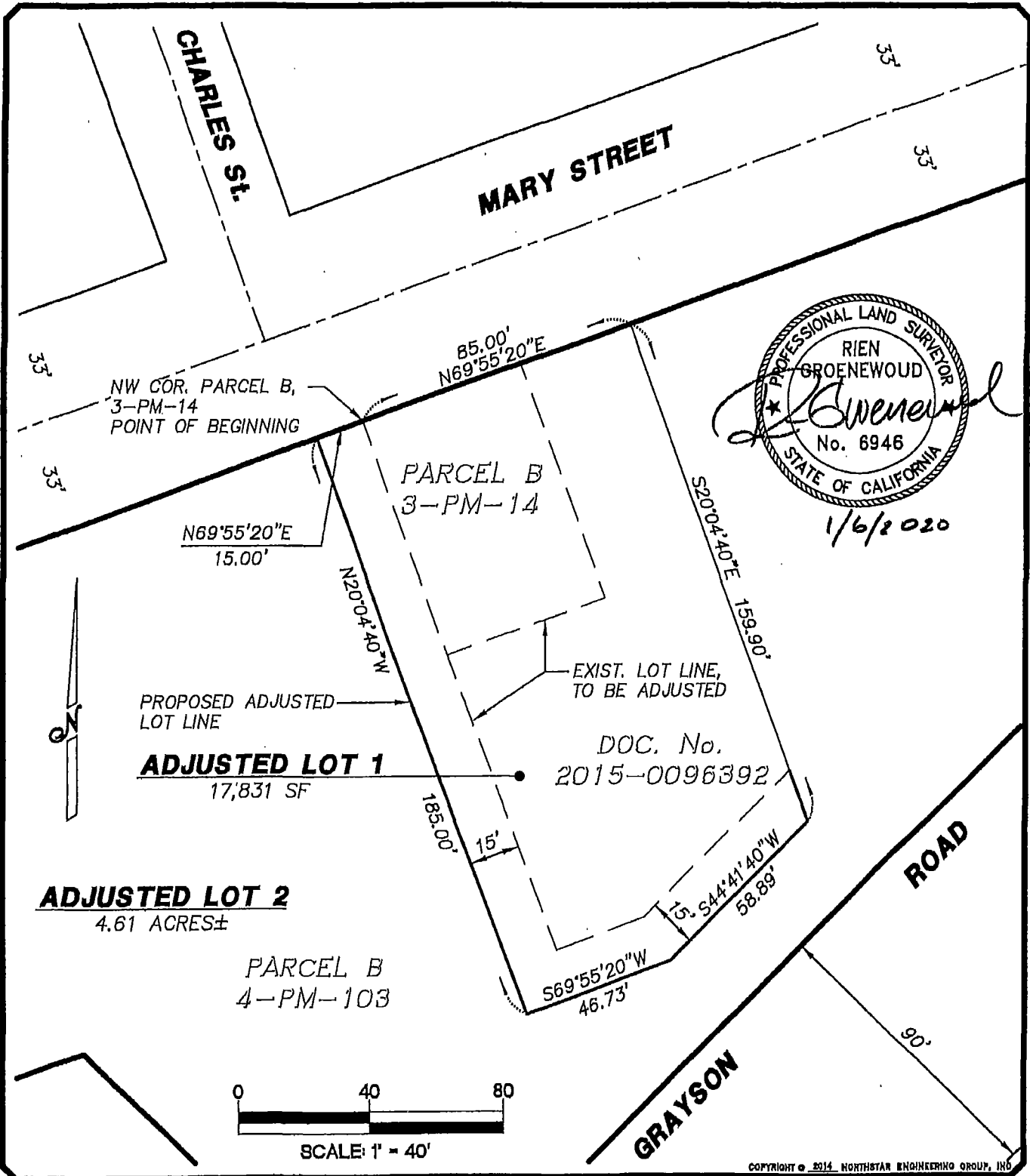


5/20/2020

EXHIBIT “B”

MAP

[attached behind this page]



DRAWN: 07/19/19
 CHECKED: 07/19/19
 DATE: 07/19/19
 PROJECT: 17-1916

North Star
Engineering Group, Inc.
 • CIVIL ENGINEERING • SURVEYING • PLANNING •
 620 12th Street Modesto, CA 95354
 (209) 524-3525 Phone (209) 524-3526 Fax

PLAT TO ACCOMPANY
LEGAL DESCRIPTION
EXHIBIT 'B'
 BEING A PORTION OF RANCHO EL PESCADERA, SITUATE IN
 PROJECTED SECTIONS 26 & 27, T4S, R7E, M.D.M.
STANISLAUS COUNTY CALIFORNIA

JOB:	J17-1916
DATE:	10/07/19
SCALE:	1" = 40'
DRAWN:	RG
DESIGN:	RG
CHECK:	RG
SHEET:	01
	OF 01

COPYRIGHT © 2014 NORTHSTAR ENGINEERING GROUP, INC

CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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 May 27, 2020 before me, Karyn A. Watson, Notary Public,
(Here insert name and title of the officer)

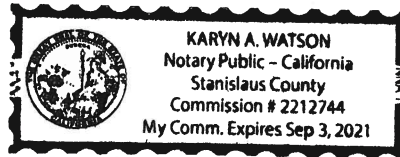
personally appeared Kristin Olson,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) 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]
Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Grant Deed
(Title or description of attached document)
APN 016 034 012
(Title or description of attached document continued)
Number of Pages 6 Document Date 5/27/2020

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer
- _____ (Title)
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other Chair of Board of Supervisors

INSTRUCTIONS FOR COMPLETING THIS FORM


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 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Grant Deed of Real Property from **STANISLAUS COUNTY** to the City of Modesto, a charter city and municipal corporation, being Fee Title to that certain portion of real property contained within a portion of Assessor's Parcel Number 016-034-012 located in the community of Grayson, CA at the intersection of Mary Street and Charles Street within said community (no known street address), for purposes of replacing the municipal well 274 within the community of Grayson, CA is hereby accepted on behalf of the City of Modesto by its City Manager pursuant to authority conferred by Resolution No. 2020-312, adopted by order of the Modesto City Council on July 14, 2020, and the Grantee consents to recordation thereof by its duly authorized officer.

Dated: September 10, 2020

By: 
JOSEPH P. LOPEZ
City Manager

ATTEST:
By 
STEPHANIE LOPEZ, City Clerk

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

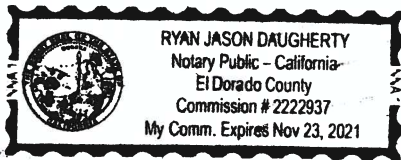
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of STANISLAUS }

On SEPTEMBER 10, 2020 before me, RYAN JASON DAUGHERTY, NOTARY PUBLIC,
Date Here Insert Name and Title of the Officer

personally appeared JOSEPH P. LOPEZ
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 Ryan Jason Daugherty
Signature of Notary Public

Place Notary Seal and/or Stamp Above

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: CERTIFICATE OF ACCEPTANCE

Document Date: SEPTEMBER 10, 2020 Number of Pages: 3

Signer(s) Other Than Named Above: NONE

Capacity(ies) Claimed by Signer(s)

Signer's Name: JOSEPH P. LOPEZ

Corporate Officer - Title(s): CITY MANAGER

Partner - Limited General

Individual Attorney in Fact

Trustee Guardian of Conservator

Other:

Signer is Representing: CITY OF MODESTO

Signer's Name:

Corporate Officer - Title(s):

Partner - Limited General

Individual Attorney in Fact

Trustee Guardian of Conservator

Other:

Signer is Representing:

**MODESTO CITY COUNCIL
RESOLUTION NO. 2020-312**

RESOLUTION ACCEPTING THE GRANT DEED OF REAL PROPERTY FROM STANISLAUS COUNTY IDENTIFIED AS A PORTION OF APN 016-034-012, IN THE COMMUNITY OF GRAYSON, LOCATED AT MARY AND CHARLES STREET, CONSENTING TO THE RECORDATION THEREOF FOR THE GRAYSON WELL 69 (REPLACING WELL 274) SURFACE IMPROVEMENT PROJECT, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE CERTIFICATE OF ACCEPTANCE NECESSARY TO RECORD THE NEW GRANT DEED

WHEREAS, the Grayson Well 69 (Replacing Well 274) Project plans and specifications require drilling a new municipal well to address an over-concentration of nitrates within the existing 1967 well, and

WHEREAS, Stanislaus County owns the real property surrounding the existing municipal well site, and

WHEREAS, Stanislaus County has granted parcel ownership of certain portions of real property formerly located within APN 016-034-012, and

WHEREAS, additional real property is necessary to complete the Grayson Well 69 (Replacing Well 274) Project and the Chair of the Stanislaus County Board of Supervisors has executed a grant deed conveying the additional real property necessary to complete the project contained within APN 016-034-012 ("Grant Deed"), and

WHEREAS, upon recordation of the Grant Deed and certificate of acceptance, City staff will fulfill the necessary real property requirements to install a new municipal well within the community of Grayson.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby accept ownership of that portion of Assessor's Parcel Number 016-

034-012 transferred by grant deed executed by Stanislaus County, a political subdivision within the State of California, to the City of Modesto, dated May 12, 2020.

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to execute the Certificate of Acceptance and other documents necessary to receive and record ownership of the parcel.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 2020, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Ridenour, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST:


STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY: 
JOSE M. SANCHEZ, City Attorney



Step 5 of 5: Order Complete

[Compose New Ad >>](#)

Compose Pricing Schedule Payment Complete

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Your credit card will be billed **\$130.59**

Your confirmation number is **L105197.1**

Your Ad is scheduled to run on these date(s):
Modesto Bee: 05/05/2020

Classification: 301 - Legals & Public Notices

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 City of Modesto; that said transfer will be considered by the Board of Supervisors in the Chambers - Basement Level 1010 10th Street Modesto, California, on Tuesday, May 12, 2020 9:00 a.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:

Mary Street in Grayson, CA, consisting of a Lot Line Adjustment of APN # 016 034 007 and a portion of APN # 016 034 013 ("Property")

Once approved, the County will grant deed the Property to the City of Modesto. If you should have any questions, please contact:

Jackie Dwyer
Director of Parks and Recreation
Stanislaus County
3800 Cornucopia Way, Ste. D
Modesto, CA 95358
(209)525-6834
Pub Dates 05/05/2020

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