

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

DEPT: Public Works

BOARD AGENDA:7.C.1  
AGENDA DATE: January 11, 2022

**SUBJECT:**

Approval to Summarily Vacate a Portion of Cloutier Drive as a Public Highway in the Community of Salida and the Conveyance of this County Owned Property to the Adjacent Landowners

**BOARD ACTION AS FOLLOWS:**

**RESOLUTION NO. 2022-0015**

On motion of Supervisor Grewal Seconded by Supervisor C. Condit  
and approved by the following vote,

Ayes: Supervisors: B. Condit, Chiesa, Grewal, C. Condit, and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

**MOTION:**

ATTEST:

  
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

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

DEPT: Public Works

BOARD AGENDA:7.C.1  
AGENDA DATE: January 11, 2022

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

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**SUBJECT:**

Approval to Summarily Vacate a Portion of Cloutier Drive as a Public Highway in the Community of Salida and the Conveyance of this County Owned Property to the Adjacent Landowners

**STAFF RECOMMENDATION:**

1. Adopt the attached Resolution (Attachment 1) summarily vacating that portion of Cloutier Drive, as described in Exhibits A and B.
2. Find, based on the reasons stated in this report, that the portion of Cloutier Drive, in the community of Salida, described herein is not required for street or highway purposes.
3. Find that easements for the existing in-place public utilities will be retained.
4. Find that the underlying real property or interest therein belonging to the County is no longer necessary for County purposes.
5. Authorize the Public Works Director to sign the Quitclaim Deeds as submitted, conveying the fee title portion to the adjoining landowners. (See Attachment 2) Said conveyance shall be provided on the condition that the adjacent landowner/grantee concurrently file a document of merger.
6. Authorize the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations.

**DISCUSSION:**

In accordance with Section 8334(a) of the Streets and Highways Code, the legislative body of the local agency may summarily vacate an excess right-of-way of a street or highway not required for street or highway purposes.

This vacation is being pursued by Stanislaus County's Public Works Department and the Salida Municipal Advisory Council as part of the effort to improve the Community of Salida.

As part of the Salida Boulevard Corridor Development Plan, this portion of Cloutier Drive, lying southwesterly of and adjacent to the existing 135 foot-wide Salida Boulevard right-of-way, is not needed for public use and is considered excess right-of-way. Approved access onto Salida Boulevard will be provided to the adjacent parcels by the Department of Public Works. Easements will be retained for all in-place utilities as requested from each utility company.

Pursuant to County Code Section 4.24.030 and Government Code Section 25526.5, whenever the Board of Supervisors determines that the estimated value of surplus real property does not exceed twenty-five thousand dollars, the County may sell, exchange, quitclaim, or convey that real property in the manner and upon the terms and conditions approved by the Board of Supervisors in a resolution of intention to sell the property, without further complying with any other sections of the ordinance codified in this section.

This area of right-of-way was relinquished by the State of California to the County in 1971 at no cost to the County. The majority of public right-of-way in Stanislaus County is consistent with the government code definition of right-of-way in which the underlying fee title ownership is held by the adjacent landowners. However, the State of California acquires their roadways in fee simple. As a result, and in contrast with standard County policy, the County of Stanislaus acquired the underlying fee title ownership to these remnant parcels. In compliance with County Code, this complication can be overcome through the quitclaim process.

Based upon the Appraisal and Valuation Analysis performed by Cogdill and Associates, Inc., it has been determined that the appraised fair market value of these subject properties do not exceed twenty-five thousand dollars. (See Attachment 3 – Appraisal – Cogdill & Associates, Inc.)

There is no value to the County to retain these remnant parcels as there is no legitimate road use for them, only the County's liability will remain if the remnant parcels are to be retained. Easements will be retained for all in-place utilities as requested from each utility company.

The cost to process and quitclaim documents and convey the property is estimated to be less than \$5,000. In contrast, selling said remnant parcels could take years. Furthermore, the staff time and fiscal impact may quickly exceed the nominal value of said remnant parcels. Therefore, it is the recommendation of Public Works that these remnant parcels be quitclaimed to the adjacent landowners and returned to the assessment tax rolls. (See Attachment 2 – Quitclaim Deeds)

It is further recommended that there shall be a condition associated with this quitclaim transfer. To prevent the creation of multiple parcels, the adjacent landowner/grantee shall be required to legally merge the remnant parcel with their adjacent property. Said merger shall record concurrently with the transfer of title.

The proposed action would authorize the Public Works Director to execute documents relating to the sale of the real property in the manner set forth in the resolution of intention to sell the property, provided that the resolution of intention shall be posted in a public place for five working days prior to effecting the transfer. A written public posting has been prepared for this purpose. (See Attachment 4 – Newspaper Notice)

#### **POLICY ISSUE:**

Street and Highway Codes 8334(a) and 8355(a) provides the Board the authority to summarily vacate excess right-of-way not required for street or highway purposes upon adopting a resolution pursuant to Government Code Section 8335(a).

Pursuant to County Code Section 4.24.030 and Government Code Section 25526.5, the County may sell, exchange, quitclaim, or convey that real property in the manner and upon the terms and conditions approved by the Board.

**FISCAL IMPACT:**

Sufficient funds have been budgeted in the Fiscal Year 2021-2022 Road and Bridge Final Budget.

**BOARD OF SUPERVISORS' PRIORITY:**

The recommended actions are consistent with the Board's priority of *Delivering Efficient Public Services and Community Infrastructure* by removing any excess right-of-way that are not needed for road purposes.

**STAFFING IMPACT:**

Public Works staff will be responsible for completing tasks associated with this item.

**CONTACT PERSON:**

David A. Leamon, Public Works Director

Telephone: (209) 525-4151

**ATTACHMENT(S):**

1. Resolution - Cloutier
2. Quitclaim Deeds
3. Appraisal - Cogdill & Associates
4. Newpaper Notice

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
STATE OF CALIFORNIA

Date: January 11, 2022

2022-0015

On motion of Supervisor Grewal Seconded by Supervisor C. Condit  
and approved by the following vote,

Ayes: Supervisors: B. Condit, Chiesa, Grewal, C. Condit and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

THE FOLLOWING RESOLUTION WAS ADOPTED:

Item # 7.C.1

**APPROVAL TO SUMMARILY VACATE A PORTION OF CLOUTIER DRIVE  
LOCATED IN THE COMMUNITY OF SALIDA**

BE IT RESOLVED, that the Board of Supervisors, of the County of Stanislaus, State of California, hereby finds and determines as follows:

1. FINDS, the vacation of the excess road right-of-way described herein below is made under Chapter 4, part 3, of Division 9 of the California Street and Highway Code (Sections 8330 through 8336).
2. FINDS, the excess road right-of-way to be vacated is a portion of Cloutier Drive in the Community of Salida, and is more particularly described in Exhibit A attached hereto and shown on the precise map attached hereto as Exhibit B.
3. FINDS, the excess street right-of-way to be vacated hereby is not required for street or highway purposes. The County has provided alternate traffic flow routes creating this excess roadway. Furthermore this will facilitate the County's on-going corridor development plan for this community. The in-place public utilities within the vacation area will be provided with access easements.
4. NOW, THEREFORE, BE IT RESOLVED that from and after the date this resolution is recorded by the County, the vacated excess road right-of-way herein described in Exhibit A attached hereto and shown on the precise map attached hereto as Exhibit B no longer constitutes a street or highway.

A certified copy of this Resolution shall be provided to the Department of Public Works for recordation.

ATTEST: **ELIZABETH A. KING, Clerk**  
**Stanislaus County Board of Supervisors,**  
**State of California**

Elizabeth A. King

File No.

# EXHIBIT A

## Legal Description

### Abandonment of Right-of-Way - Cloutier Drive

A strip of land, varying in width, being a portion of Cloutier Drive and also being a portion of Parcel 1 relinquished by the State of California to the County of Stanislaus in the document filed for record on July 6, 1971 in Volume 2404 of Official Records of Stanislaus County at Page 417, said strip of land being situate in the northwest quarter of Section 3, Township 3 South, Range 8 East, Mount Diablo Meridian, County of Stanislaus, State of California, and being more particularly described as follows:

**Beginning** at the intersection of the southeast right-of-way line of Broadway Avenue and the southwest right-of-way line of Cloutier Drive as shown on the Parcel Map filed for record on Oct. 13, 1981 in Book 32 of Parcel Maps at Page 37, Stanislaus County Records; thence North 46°30'00" East along the northeasterly projection of the southeast right-of-way line of said Broadway Avenue, a distance of 15.00 feet; thence South 88°30'00" East 45.25 feet; thence South 43°30'00" East 14.00 feet; thence North 46°30'00" East 3.00 feet; Thence southeasterly along a line that is 135.00 feet southwesterly of and parallel with the northeast right-of-way line of existing Salida Boulevard as shown on the map filed for record on July 30, 2010 in Book 32 of Surveys at Page 47, Stanislaus County Records the following three courses:

- 1.) South 43°30'00" East 439.18 feet, to a point of curvature, concave southwesterly, having a radius of 2915.00 feet, from which a radial line to the center bears South 46°30'00" West;
- 2.) thence southeasterly along the arc of said curve, through a central angle of 08°59'00", an arc distance of 457.04 feet;
- 3.) thence South 34°31'00" East 112.03 feet to the northeasterly projection of the southeast line of the property granted to David by deed recorded as Doc. 2021-0036715, Stanislaus County Records;

thence South 46°30'00" West, along said northeasterly projection, 43.44 feet to the most easterly corner of said David property and being a point on the southwest right-of-way line of said Cloutier Drive; thence northwesterly along said southwest right-of-way line the following three (3) courses:

- 1.) North 32°52'00" West 69.69 feet to a point of curvature, non-tangent to the preceding course, concave southwesterly, having a radius of 1970.00 feet, from which a radial line to the center bears South 57°08'07" West;

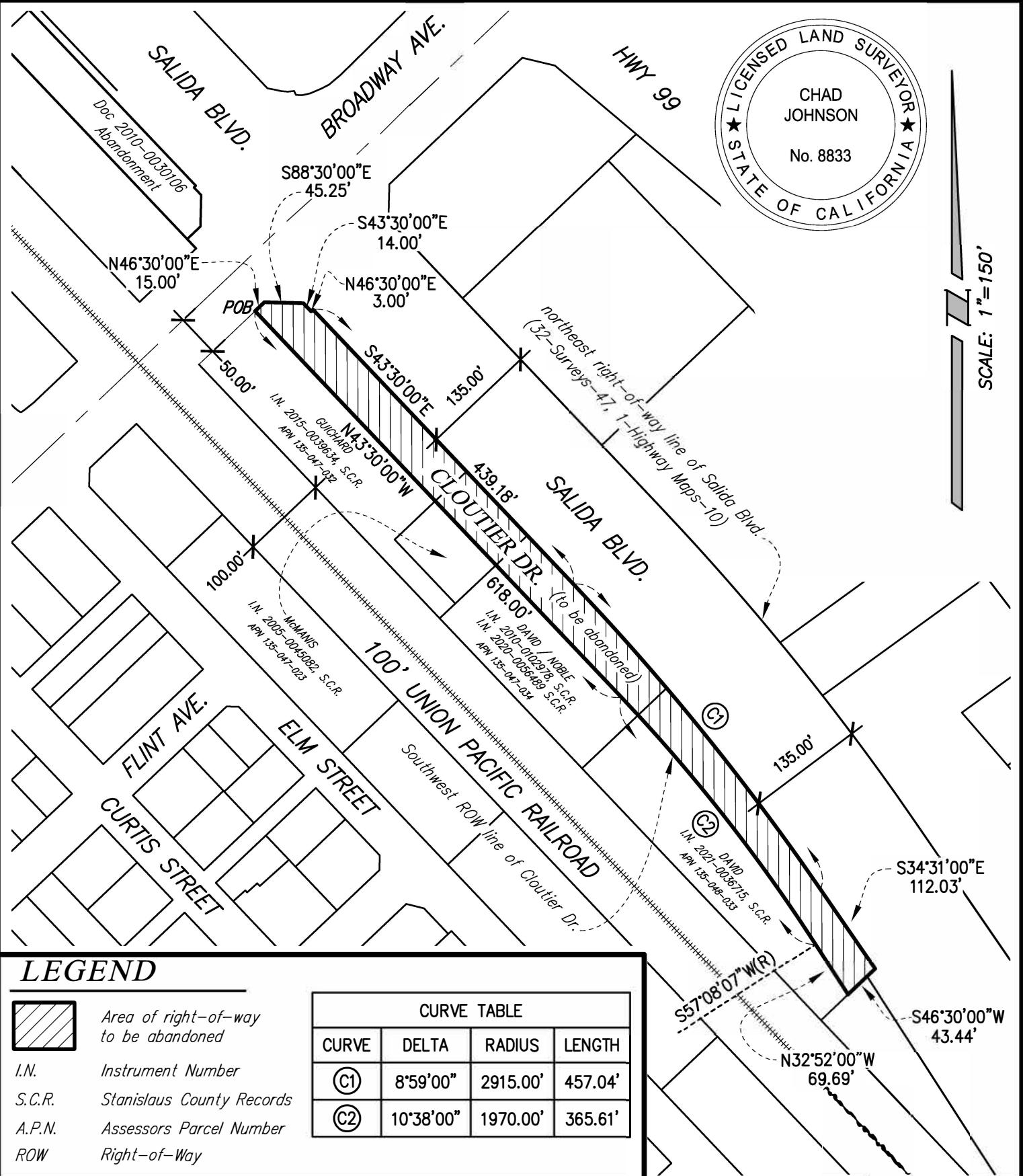
- 2.) thence northwesterly along the arc of said curve, through a central angle of  $10^{\circ}38'00''$ , an arc distance of 365.61 feet to the beginning of a line, non-tangent to the preceding course, from which a radial line to the center of the preceding curve bears South  $46^{\circ}30'05''$  West;
- 3.) thence North  $43^{\circ}30'00''$  West 618.00 feet to the southeast right-of-way line of said Broadway Avenue and the Point of Beginning and containing 1.1 acres more or less.

Reserving therefrom for the benefit of the existing utilities, a Public Utility Easement, and any rights necessary to maintain, operate, replace, remove or renew the public utility facilities, including any necessary rights of access over and across the above described vacation.

End Description



SCALE: 1" = 150'



DR. BY:	C. JOHNSON
PROJECT:	006767
DATE:	11-01-21
SHEET NO:	1 OF 1

NO FEE (GC 6103)  
RECORDING REQUESTED BY:  
STANISLAUS COUNTY  
DEPARTMENT OF PUBLIC WORKS

When Recorded Mail To:

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

Road Name: Cloutier Drive

APN: 135-047-032

## QUITCLAIM DEED

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 0.00

Exemption: R&T Code 11922 & GC 27383(D)

( ) computed on full value of property conveyed, or

( ) computed on full value less value of liens and encumbrances remaining at the time of sale

(X) Unincorporated area: ( ) City of \_\_\_\_\_

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

*The County of Stanislaus a political subdivision of the State of California*

*does hereby, remise, release and quitclaim to Joseph A. Guichard and Patricia J. Guichard, Trustees of the Guichard Trust dated October 26, 2000, forever, all the right, title, interest, and claim in the real property in the County of Stanislaus, State of California described as:*

SEE EXHIBITS "A" and "B"

(sign) \_\_\_\_\_

(sign) \_\_\_\_\_

(Print) \_\_\_\_\_

(Print) \_\_\_\_\_

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

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

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

**Exhibit "A"**  
Legal Description  
Portion of Abandoned of Right-of-Way - Cloutier Drive

A strip of land, varying in width, being a portion of Cloutier Drive and also being a portion of Parcel 1 relinquished by the State of California to the County of Stanislaus in the document filed for record on July 6, 1971 in Volume 2404 of Official Records of Stanislaus County at Page 417, said strip of land being situate in the northwest quarter of Section 3, Township 3 South, Range 8 East, Mount Diablo Meridian, County of Stanislaus, State of California, and being more particularly described as follows:

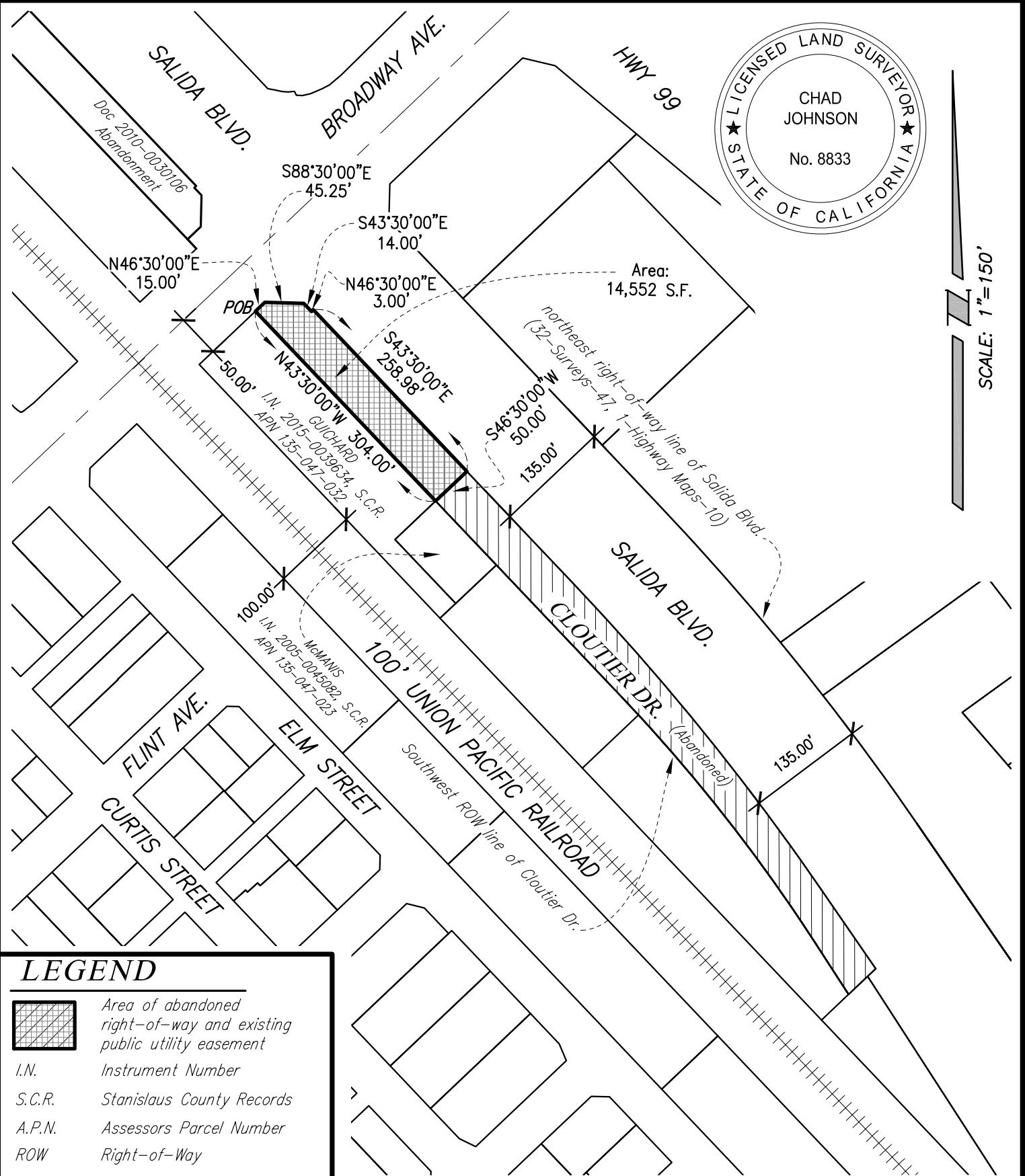
**Beginning** at the intersection of the southeast right-of-way line of Broadway Avenue and the southwest right-of-way line of Cloutier Drive as shown on the Parcel Map filed for record on Oct. 13, 1981 in Book 32 of Parcel Maps at Page 37, Stanislaus County Records; thence North 46°30'00" East along the easterly projection of the southeast right-of-way line of said Broadway Avenue, a distance of 15.00 feet; thence South 88°30'00" East 45.25 feet; thence South 43°30'00" East 14.00 feet; thence North 46°30'00" East 3.00 feet; thence South 43°30'00" East, distant 135.00 feet southwesterly of and parallel with the northeast right-of-way line of existing Salida Boulevard as shown in Book 32 of Recorded Surveys at Page 47, a distance of 258.98 feet, to the intersection with the northeasterly projection of the northwest line of the property granted to McMannis on March 17, 2005 by instrument number 2005-0045082, S.C.R.; thence South 46°30'00" West, along said northeasterly projection 50.00 feet to the most northerly corner of said McMannis property; thence North 43°30'00" West, along the northeast line of the property granted to Guichard on May 27, 2015 by instrument number 2015-0039634, S.C.R.; a distance of 304.00 feet to the Point of Beginning.

Reserving therefrom for the benefit of the existing utilities, a Public Utility Easement, and any rights necessary to maintain, operate, replace, remove or renew the public utility facilities, including any necessary rights of access over and across the above described vacation.

End Description



SCALE: 1" = 150'



## EXHIBIT "B"

Area of Abandoned Right-of-Way  
and Existing Public Utility Easement

DR. BY:	C. JOHNSON
PROJECT:	006767
DATE:	10-08-21
SHEET NO:	1 OF 1

**NO FEE (GC 6103)**  
**RECORDING REQUESTED BY:**  
STANISLAUS COUNTY  
DEPARTMENT OF PUBLIC WORKS

**When Recorded Mail To:**

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

Road Name: Cloutier Drive

APN: 135-047-023

## **QUITCLAIM DEED**

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 0.00

Exemption: R&T Code 11922 & GC 27383(D)

( ) computed on full value of property conveyed, or

( ) computed on full value less value of liens and encumbrances remaining at the time of sale

(X) Unincorporated area: ( ) City of \_\_\_\_\_

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

*The County of Stanislaus a political subdivision of the State of California*

*does hereby, remise, release and quitclaim to Robert D. McManis and Carol A. McManis, husband and wife, as Co-Trustees of The Robert D. McManis and Carol A. McManis Revocable Trust, Under Declaration of Trust, Dated March 8, 2005, and their successor trustees, forever, all the right, title, interest, and claim in the real property in the County of Stanislaus, State of California described as:*

SEE EXHIBITS "A" and "B"

(sign) \_\_\_\_\_

(sign) \_\_\_\_\_

(Print) \_\_\_\_\_

(Print) \_\_\_\_\_

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

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

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

## Exhibit "A"

### Legal Description

#### Portion of Abandoned Cloutier Drive - McManis

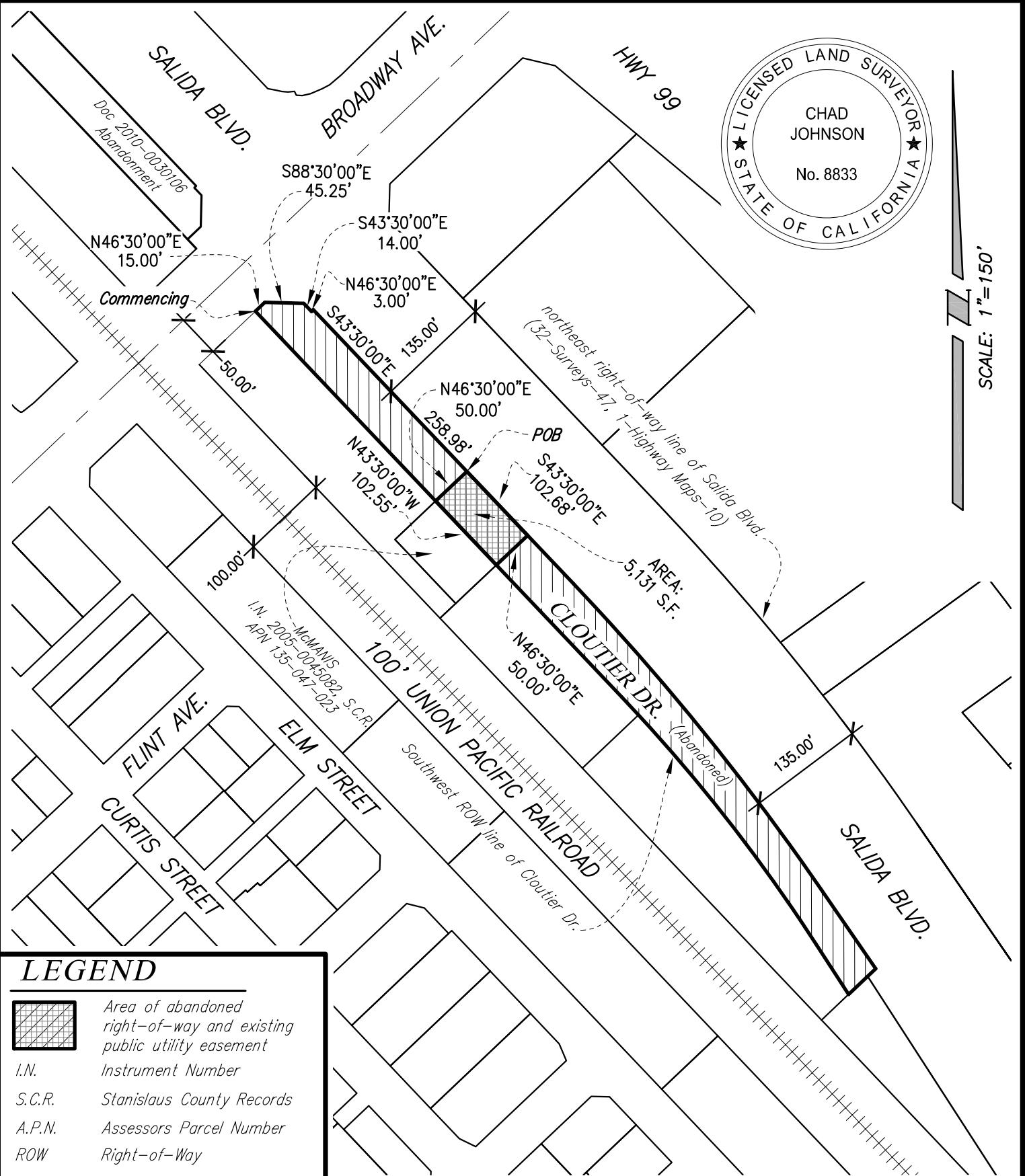
A strip of land, 50 feet wide, being a portion of Cloutier Drive and also being a portion of Parcel 1 relinquished by the State of California to the County of Stanislaus in the document filed for record on July 6, 1971 in Volume 2404 of Official Records of Stanislaus County at Page 417, said strip of land being situate in the northwest quarter of Section 3, Township 3 South, Range 8 East, Mount Diablo Meridian, County of Stanislaus, State of California, and being more particularly described as follows:

Commencing at the intersection of the southeast right-of-way line of Broadway Avenue and the southwest right-of-way line of Cloutier Drive as shown on the Parcel Map filed for record on Oct. 13, 1981 in Book 32 of Parcel Maps at Page 37, Stanislaus County Records; thence North 46°30'00" East along the easterly projection of the southeast right-of-way line of said Broadway Avenue, a distance of 15.00 feet; thence South 88°30'00" East 45.25 feet; thence South 43°30'00" East 14.00 feet; thence North 46°30'00" East 3.00 feet; thence South 43°30'00" East, distant 135.00 feet southwesterly of and parallel with the northeast right-of-way line of existing Salida Boulevard as shown on the map filed for record on July 30, 2010 in Book 32 of Surveys at Page 47, Stanislaus County Records, a distance of 258.98 feet, to the intersection with the northeasterly projection of the northwest line of the property granted to McManis on March 17, 2005 by instrument number 2005-0045082, also being the **Point of Beginning**; thence South 43°30'00" East, distant 135.00 feet southwesterly of and parallel with said northeast right-of-way line, a distance of 102.68 feet to a point on the northeasterly projection of the southeast line of said McManis property; thence South 46°30'00" West 50.00 feet to the most easterly corner of the McManis property; thence North 43°30'00" West, along the northeast line of said McManis Property, a distance of 102.55 feet to the most northerly corner of said McManis property; thence North 46°30'00" East 50.00 feet along the northeasterly projection of the northwest line of said McManis property to the Point of Beginning.

Reserving therefrom for the benefit of the existing utilities, a Public Utility Easement, and any rights necessary to maintain, operate, replace, remove or renew the public utility facilities, including and necessary rights of access over and across the above described vacation.



SCALE: 1" = 150'



## EXHIBIT "B"

Area of Abandoned Right-of-Way  
and Existing Public Utility Easement

DR. BY:	C. JOHNSON
PROJECT:	006767
DATE:	10-08-21
SHEET NO:	1 OF 1

**NO FEE (GC 6103)**  
**RECORDING REQUESTED BY:**  
**STANISLAUS COUNTY**  
**DEPARTMENT OF PUBLIC WORKS**

**When Recorded Mail To:**

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

Road Name: Cloutier Drive

APN: 135-047-034

## **QUITCLAIM DEED**

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 0.00

Exemption: R&T Code 11922 & GC 27383(D)

( ) computed on full value of property conveyed, or

( ) computed on full value less value of liens and encumbrances remaining at the time of sale

(X) Unincorporated area: ( ) City of \_\_\_\_\_

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

*The County of Stanislaus a political subdivision of the State of California*

*does hereby, remise, release and quitclaim to Michael E. David, an unmarried man (as to an undivided 50% interest) and  
Noble Properties (as to an undivided one-half (1/2) interest) forever, all the right, title, interest, and claim in the real property in  
the County of Stanislaus, State of California described as:*

SEE EXHIBITS "A" and "B"

(sign) \_\_\_\_\_

(sign) \_\_\_\_\_

(Print) \_\_\_\_\_

(Print) \_\_\_\_\_

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

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

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

**Exhibit "A"**  
Legal Description  
Portion of Abandoned Right-of-Way - Cloutier Drive

A strip of land, varying in width, being a portion of Cloutier Drive and also being a portion of Parcel 1 relinquished by the State of California to the County of Stanislaus in the document filed for record on July 6, 1971 in Volume 2404 of Official Records of Stanislaus County at Page 417, said strip of land being situate in the northwest quarter of Section 3, Township 3 South, Range 8 East, Mount Diablo Meridian, County of Stanislaus, State of California, and being more particularly described as follows:

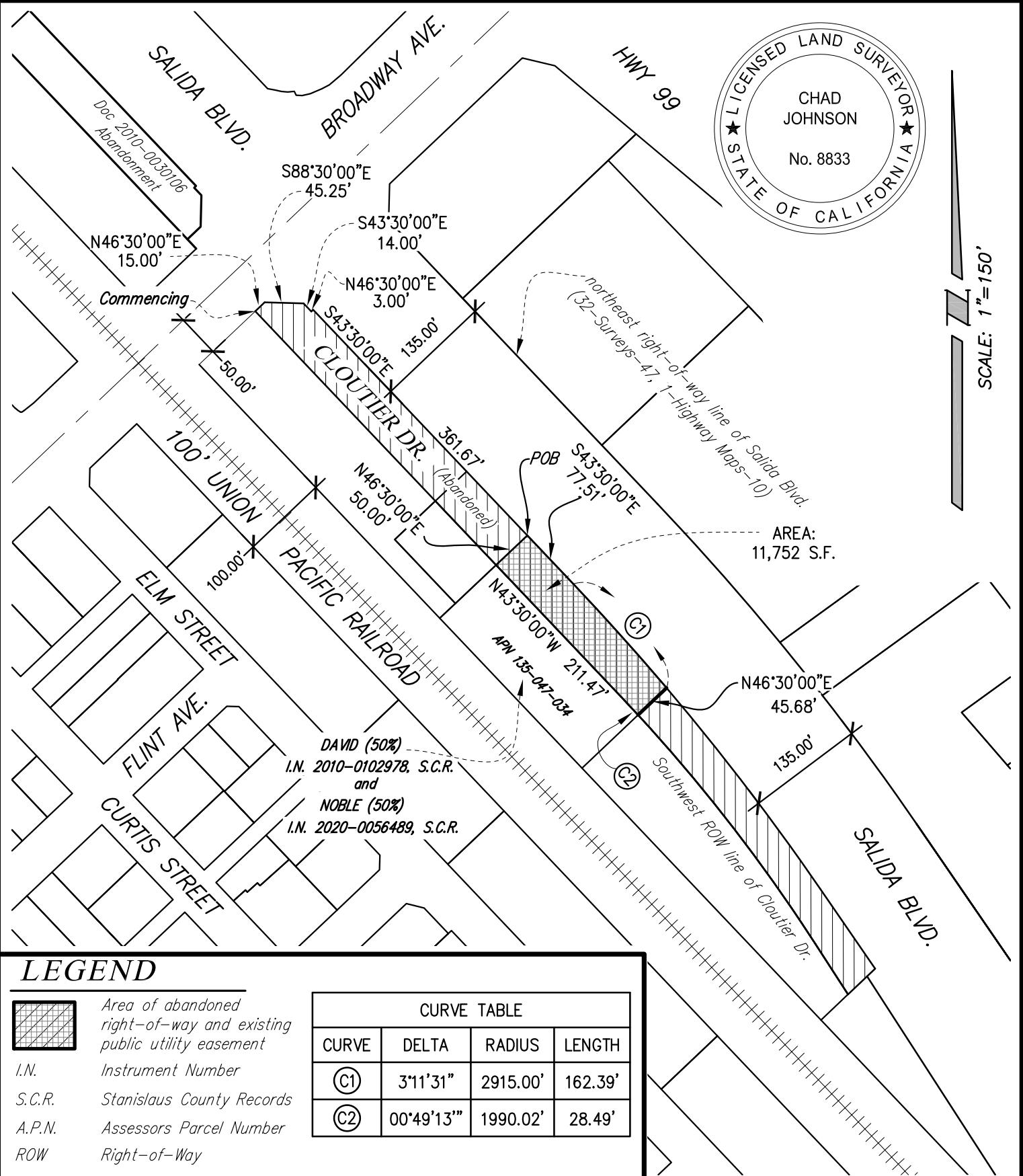
Commencing at the intersection of the southeast right-of-way line of Broadway Avenue and the southwest right-of-way line of Cloutier Drive as shown on the Parcel Map filed for record on Oct. 13, 1981 in Book 32 of Parcel Maps at Page 37, Stanislaus County Records; thence North 46°30'00" East along the easterly projection of the southeast right-of-way line of said Broadway Avenue, a distance of 15.00 feet; thence South 88°30'00" East 45.25 feet; thence South 43°30'00" East 14.00 feet; thence North 46°30'00" East 3.00 feet; thence South 43°30'00" East, distant 135.00 feet southwesterly of and parallel with the northeast right-of-way line of existing Salida Boulevard, a distance of 361.67 feet to the intersection with the northeasterly projection of the northwest line of the property granted to David (50%) on November 17, 2010 by instrument number 2010-0102978-00, S.C.R. and Noble Properties (50%) on July 31, 2020 by instrument number 2020-0056489-00, S.C.R. and being the **Point of Beginning**; thence continuing South 43°30'00" East 77.51 feet to a point of curvature, concave southwesterly, having a radius of 2915.00 feet, from which a radial line to the center bears South 46°30'00" West; thence southeasterly along the arc of said curve, distant 135 feet southwesterly of and concentric with the northeast right-of-way line of said existing Salida Boulevard, through a central angle of 3°11'31", an arc distance of 162.39 feet to the intersection with the northeasterly projection of the southeast line of said David and Noble Property; thence South 46°30'00" West along said northeast projection, a distance of 45.68 feet, to the most easterly corner of said David and Noble property, and being a point on a non-tangent curve, concave southwesterly, having a radius of 1990.02 feet, from which a radial line to the center bears South 46°30'00" West; thence along the northeast line of said David and Noble property, northwesterly along the arc of said curve, through a central angle of 00°49'13", an arc distance of 28.49 feet to a point of tangency; thence continuing along said northeast line, North 43°30'00" West, a distance of 211.47 feet to the most northerly corner of said David and Noble property; thence North 46°30'00" East, a distance of 50.00 feet along the northeasterly projection of the northwest line of said David and Noble property to the Point of Beginning.

Reserving therefrom for the benefit of the existing utilities, a Public Utility Easement, and any rights necessary to maintain, operate, replace, remove or renew the

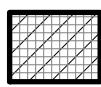
public utility facilities, including and necessary rights of access over and across the above described vacation.



SCALE: 1" = 150'



### LEGEND



Area of abandoned right-of-way and existing public utility easement

I.N. Instrument Number

S.C.R. Stanislaus County Records

A.P.N. Assessors Parcel Number

ROW Right-of-Way

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
(C1)	3°11'31"	2915.00'	162.39'
(C2)	00°49'13"	1990.02'	28.49'



### EXHIBIT "B"

Area of Abandoned Right-of-Way  
and Existing Public Utility Easement

DR. BY:	C. JOHNSON
PROJECT:	006767
DATE:	10-08-21
SHEET NO:	1 OF 1

**NO FEE (GC 6103)**  
**RECORDING REQUESTED BY:**  
STANISLAUS COUNTY  
DEPARTMENT OF PUBLIC WORKS

**When Recorded Mail To:**

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

Road Name: Cloutier Drive

APN: 135-047-033

## **QUITCLAIM DEED**

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 0.00

Exemption: R&T Code 11922 & GC 27383(D)

( ) computed on full value of property conveyed, or

( ) computed on full value less value of liens and encumbrances remaining at the time of sale

(X) Unincorporated area: ( ) City of \_\_\_\_\_

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

*The County of Stanislaus a political subdivision of the State of California*

*does hereby, remise, release and quitclaim to Michael David, a single man, forever, all the right, title, interest, and claim in the real property in the County of Stanislaus, State of California described as:*

SEE EXHIBITS "A" and "B"

(sign) \_\_\_\_\_

(sign) \_\_\_\_\_

(Print) \_\_\_\_\_

(Print) \_\_\_\_\_

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

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

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

**Exhibit "A"**  
Legal Description  
Portion of Abandoned Right-of-Way - Cloutier Drive

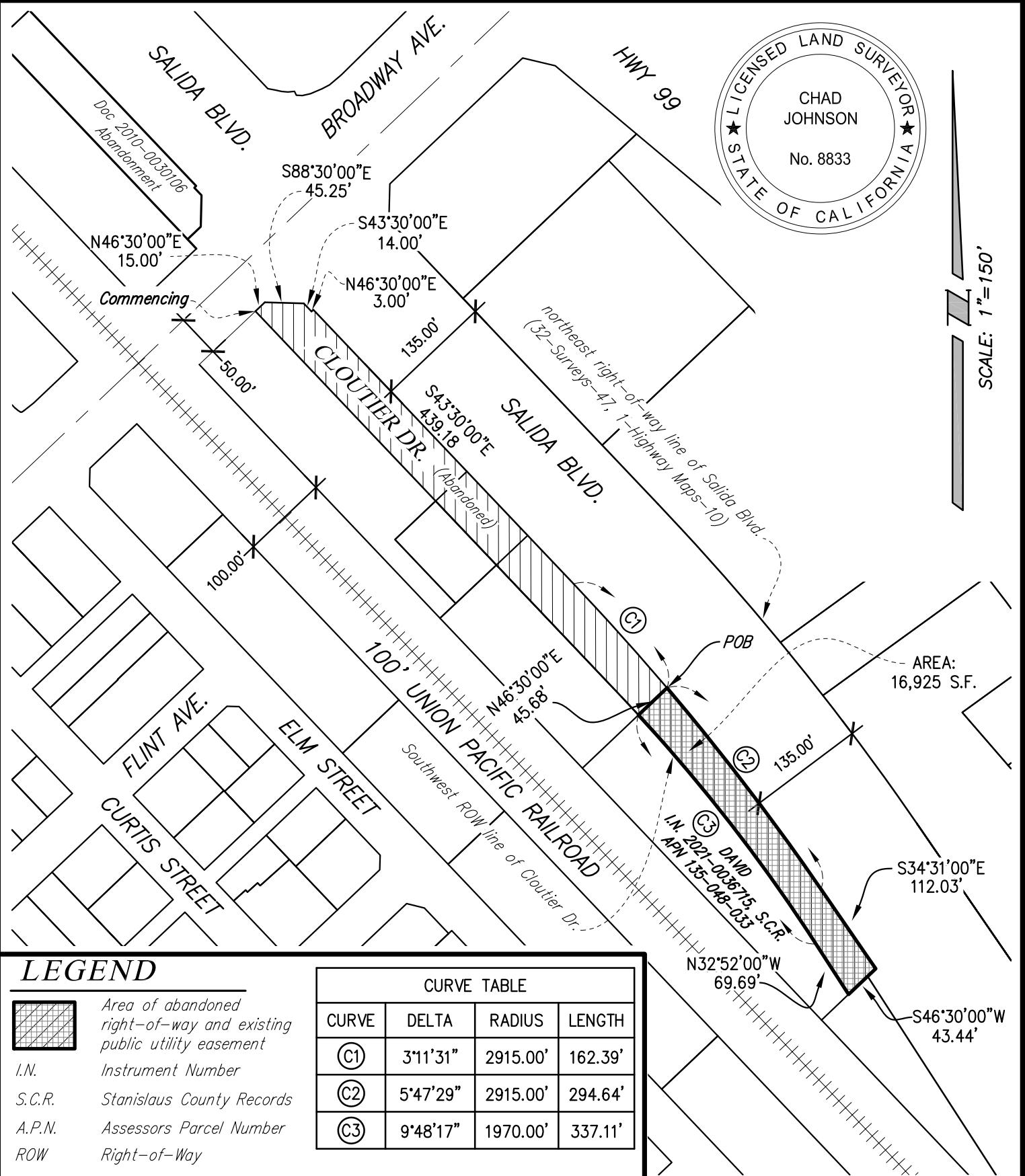
A strip of land, varying in width, being a portion of Cloutier Drive and also being a portion of Parcel 1 relinquished by the State of California to the County of Stanislaus in the document filed for record on July 6, 1971 in Volume 2404 of Official Records of Stanislaus County at Page 417, said strip of land being situate in the northwest quarter of Section 3, Township 3 South, Range 8 East, Mount Diablo Meridian, County of Stanislaus, State of California, and being more particularly described as follows:

Commencing at the intersection of the southeast right-of-way line of Broadway Avenue and the southwest right-of-way line of Cloutier Drive as shown on the Parcel Map filed for record on Oct. 13, 1981 in Book 32 of Parcel Maps at Page 37, Stanislaus County Records; thence North 46°30'00" East along the easterly projection of the southeast right-of-way line of said Broadway Avenue, a distance of 15.00 feet; thence South 88°30'00" East 45.25 feet; thence South 43°30'00" East 14.00 feet; thence North 46°30'00" East 3.00 feet; thence South 43°30'00" East, distant 135.00 feet southwesterly of and parallel with the northeast right-of-way line of existing Salida Boulevard, a distance of 439.18 feet to a point of curvature, concave southwesterly, having a radius of 2915.00 feet, from which a radial line to the center bears South 46°30'00" West; thence southeasterly along the arc of said curve, distant 135 feet southwesterly of and concentric with the northeast right-of-way line of said existing Salida Boulevard, through a central angle of 3°11'31", an arc distance of 162.39 feet to the intersection with the northeasterly projection of the northwest line of property granted to David on April 16, 2021 by instrument number 2021-0036715-00, S.C.R. and being the **Point of Beginning**; thence continuing southeasterly along the arc of said 2915.00 foot radius curve, through a central angle of 5°47'29" a distance of 294.64 feet to a point of tangency; thence South 34°31'00" East 112.03 feet to a point on the northeasterly projection of the southeast line of said David property; thence South 46°30'00" West along said northeasterly projection, a distance of 43.44 feet to the most easterly corner of said David property; thence along the northeast line of said David property North 32°52'00" West, a distance of 69.69 feet to a point of curvature, concave southwesterly, having a radius of 1970.00 feet, from which a radial line bears South 57°08'07" West; thence northwesterly along the arc of said curve, through a central angle of 9°48'17", an arc distance of 337.11 feet to the most northerly corner of said David property; thence North 46°30'00" East along the northeasterly projection of the northwest line of said David property, a distance of 45.68 feet to the Point of Beginning.

Reserving therefrom for the benefit of the existing utilities, a Public Utility Easement, and any rights necessary to maintain, operate, replace, remove or renew the public utility facilities, including and necessary rights of access over and across the above described vacation.



SCALE: 1" = 150'



## EXHIBIT "B"

Area of Abandoned Right-of-Way  
and Existing Public Utility Easement

DR. BY:	C. JOHNSON
PROJECT:	006767
DATE:	10-08-21
SHEET NO:	1 OF 1



P.O. Box 3575  
Modesto CA 95352  
phone 209-523-9365  
fax 209-523-6344

September 23, 2021

Mr. Chad Johnson, LS  
Deputy County Surveyor  
Department of Public Works  
Stanislaus County

RE: Appraisal of Excess Right-of-Way on Cloutier Drive,  
Salida, Stanislaus County, CA

Dear Mr. Johnson:

Pursuant to your request and authorization, I have proceeded with the necessary inspections, investigations and analysis in order to provide you with an opinion of Fair Market Value for the excess right-of-way along Cloutier Drive, lying southwesterly of and adjacent to the existing 135' wide Salida Boulevard in Salida, Stanislaus County, CA. This section of excess right-of-way contains a total area of 1.1102-acres or 48,360 s.f.

The purpose of this appraisal was to develop an opinion of Fair Market Value for this excess right-of-way in order to determine if it could be quitclaimed to four adjacent property owners. Pursuant to county code, the County of Stanislaus may quitclaim surplus county owned property, but only if its value is below a certain amount. The function and intended use of the appraisal is to assist our client, Stanislaus County Department of Public Works, in determining if the value allows for the excess right-of-way to be quitclaimed to the adjacent landowners. The conclusions of value can be found within the Executive Summary section of this report. A complete description of the actions taken by the appraiser is set out in the Scope of Work section.

The global outbreak of a "novel coronavirus" known as COVID-19 was officially declared a pandemic by the World Health Organization (WHO). The reader is cautioned and reminded that the conclusions presented in this appraisal report apply only as of the effective date(s) indicated. The appraiser makes no representation as to the effect on the subject property of any unforeseen event, subsequent to the effective date of the appraisal.

On the following pages, you will find my Appraisal Report as defined by USPAP, which includes the factual and opinion data used in arriving at my conclusions. The subject property was last physically inspected on September 21, 2021, and this is the date of value utilized in this appraisal. The reader is advised to pay special attention to the Assumptions and Limiting Conditions listed herein.

Thank you for this opportunity to be of service.

Respectfully,  
COGDILL & ASSOCIATES, INC.

  
David E. Cogdill, Jr.  
State of California No. AG025634  
Expiration Date: April 17, 2022

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P.O. Box 3575, Modesto, CA 95352

## TABLE OF CONTENTS

Transmittal Letter .....	i
Copyright .....	ii
Table of Contents .....	iii
Certification of Appraisal .....	1
Assumptions and Limiting Conditions .....	3
Covid 19 Comments .....	6
The Assignment .....	7
Client and Intended Users .....	9
Extraordinary Assumptions .....	9
Hypothetical Conditions .....	9
Scope of Work .....	10
Executive Summary .....	11
The Project .....	13
Project Detail Summary .....	14
Statement of Ownership .....	15
Property History .....	15
Legal Description of the Excess Right-of-Way .....	15
Zoning .....	16
Easements/Encroachments .....	16
Right-of-Way Description .....	16
Aerial Photo .....	18
Subject Photographs .....	19
Engineering Maps .....	20
Highest and Best Use Conclusion .....	22
Highest and Best Use as Improved .....	24
Valuation Analysis .....	24
Estimated Value of the Property .....	27
Addenda	

## **CERTIFICATION OF APPRAISAL**

The undersigned certify as follows:

1. David E. Cogdill, Jr., has inspected the subject property and comparable sales data used in this report.
2. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.
3. The statements of fact contained in this report are true and correct.
4. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and is my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
5. I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
6. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
7. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
8. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
9. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of professional Appraisal Practice.
10. No one provided significant professional assistance to the person signing this report.
11. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

12. My employment was not conditioned upon the appraisal producing a specific value or a value within a given range or prospects of future employment or a loan application being approved.
13. I have not performed services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.



---

DAVID E. COGDILL, JR.  
CERTIFIED GENERAL REAL ESTATE APPRAISER  
STATE OF CALIFORNIA (NO. AG025634)  
EXPIRATION DATE: APRIL 17, 2022

## ASSUMPTIONS AND LIMITING CONDITIONS

For purposes of these Assumptions and Limiting Conditions the following words shall have the following meanings:

**“Appraisal”** means the appraisal report and opinion of value (or rent) stated therein; or the letter opinion of value, to which these Assumptions and Limiting Conditions relate.

**“Property”** means the subject(s) of the Appraisal.

**“C&A”** means Cogdill & Associates, Inc., Real Estate Appraisers and Consultants.

**“Appraiser”** means the employees of C&A who prepared and signed the Appraisal.

This appraisal is made subject to the following assumptions and limiting conditions:

1. No responsibility is assumed for the legal description or for any matters which are legal in nature. Title to the Property is assumed to be good and marketable and the Property is assumed to be free and clear of all liens unless otherwise stated.
2. The information contained in the Appraisal or upon which the Appraisal is based has been gathered from sources the Appraiser assumes to be reliable and accurate. Some of such information may have been provided by the owner of the Property. Neither the Appraiser nor C&A shall be responsible for the accuracy or completeness of such information, including the correctness of estimates, opinions, dimensions, sketches, exhibits and other factual matters. The Appraisal and the opinion of value stated therein are as of the date stated in the Appraisal. Changes since that date in external and market factors can significantly affect property value.
3. This report and all matters contained herein were prepared for the sole and exclusive benefit of the client(s) specified herein and is intended for their use only. Neither all, nor any part of the contents of this report, or copy thereof, shall be used for any purpose by anyone but the client(s) specified herein, nor shall it be conveyed or disseminated by anyone to the public through advertising, public relations, news, sales, or other media, without the express written consent and approval of the Appraiser. No one, except for the client(s) specified herein, may rely on this report for any purpose. Any person or entity who obtains or reads this report, or a copy thereof, other than the client(s) specified herein expressly assumes all risk of damages to himself or third persons arising out of reliance thereon or use thereof and waives the right to bring any action based on the Appraisal, directly or indirectly, and the Appraiser shall have no liability to any such person or entity.

4. No part of the Appraisal or the identity of the Appraiser shall be conveyed to the public through advertising, public relations, news, sales, or other media or used in any material without C&A's prior written consent. Reference to the Appraisal Institute, or SRA designation is prohibited.
5. The Appraiser shall not be required to give testimony in any court or administrative proceedings relating to the Property or the Appraisal.
6. The Appraisal assumes (a) responsible ownership and competent management of the Property; (b) there are no hidden or unapparent conditions of the Property, subsoil or structures that render the Property more or less valuable (no responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them); (c) full compliance with all applicable federal, state and local zoning and environmental regulations and laws, unless noncompliance is stated, defined and considered in the Appraisal; and (d) all required licenses, certificates of occupancy and other governmental consents have been or can be obtained and renewed for any use on which the value estimate contained in the Appraisal is based.
7. This report is intended to serve our exclusive client(s), and no third parties are authorized to rely upon it for any purpose whatsoever.
8. The appraiser is not a building or environmental inspector. The appraiser provides an opinion of value. The appraisal does not guarantee that the property is free of defects or environmental problems. The appraiser performed an inspection of visible and accessible areas only. Mold or other problems may be present in areas that the appraiser could not see. A professional inspection is recommended.
9. The physical condition of the improvements considered in the Appraisal is based on visual inspection by the Appraiser or other person identified in the Appraisal. C&A assumes no responsibility for the soundness neither of structural members nor for the condition of mechanical equipment, plumbing or electrical components.
10. Report users are cautioned that any forecasts shown herein are intended to illustrate the apparent attitudes and projections of those persons and entities comprising the market at the date of this report. Such attitudes and projections change from time to time consistent with changes in the real estate market caused by supply and demand, interest rate fluctuation, inflation, investors' attitudes, tax benefits and general economic conditions. The projections shown are thought to approximate investor attitudes and current trends and conditions at the date of valuation. Inasmuch, however, as the projections are based upon assumptions and estimates of future events, no opinion is offered or expressed on the achievability of the projections and estimates. Inevitably some assumptions will not materialize, and unanticipated events and circumstances will occur; therefore, the actual results

achieved during the forecast period will vary from the forecast, and the variation may be material.

11. Unless otherwise stated in the Appraisal, the existence of potentially hazardous or toxic materials which may have been used in the construction or maintenance of the improvements or may be located at or about the Property was not considered in arriving at the opinion of value stated in the Appraisal. These materials (such as formaldehyde foam insulation, asbestos insulation, and other potentially hazardous materials) may affect the value of the Property. The Appraiser is not qualified to detect such substances and C&A urges that an expert in this field be employed to determine the economic impact of these matters on the opinion of value stated in the Appraisal.
12. This report in no way should be considered or used as a feasibility analysis of the development.
13. Appraiser disclaims responsibility for the ability or inability of the present owner or any future purchaser or lessee to obtain the permits, licenses, environmental impact studies, or other approvals necessary for the successful development of the Property to its highest and best use or to the use contemplated by any owner, purchaser or lessee. The Appraiser disclaims responsibility for and renders no opinion on conformity to specific governmental requirements, such as fire, building and safety, earthquake, or occupancy codes, which conformity cannot be assumed without provision of specific professional or governmental inspection.
14. Unless otherwise stated in the Appraisal, compliance with the requirements of the American with Disabilities Act of 1990 (ADA) has not been considered at arriving at the opinion of value stated in the Appraisal. Failure to comply with the requirements of the ADA may negatively affect the value of the Property. C&A recommends that an expert in this field be employed.
15. The information provided in this report leading to a conclusion of value and/ or other conclusions is provided as a matter of opinion. Appraiser does not warrant or guarantee the accuracy of the opinion, or the underlying data and no person shall rely upon the same as a guarantee or warranty of value.

### **Covid -19 Comments**

In addition, and of particular relevance to any current valuation, the World Health Organization (WHO) declared the outbreak of the Novel Coronavirus (COVID-19) on January 30, 2020, which was reclassified as a worldwide pandemic on March 11, 2020. Response to the pandemic has included international travel restrictions, business closures, prohibition of public gatherings, and stay-at-home mandates across much of the world. In the US and beyond, these measures have resulted in rapidly escalating, unemployment, business failures, extreme stock market volatility, and massive government monetary stimulus in an effort to sustain economic activity and avert catastrophic financial consequences for the populace.

As of the effective valuation date and this report writing, certain real estate market segments such as lodging and tourism related products are experiencing negative value effects and while there is general expectation that the crisis will affect most all real property types, there is a wide variance in opinion as to the depth and duration of any potential downturn and the ultimate impact on valuations.

Lacking direct evidence, the appraiser has conducted a number of interviews with market participants including brokers, agents, buyers, and sellers. For the most part the COVID-19 situation has caused more confusion than anything else. Most of the participants contacted said that new sales / listing activity appears stifled, but only a few pending deals have actually collapsed. This was reiterated by a local title officer who said that most of her escrows are still active, yet some have been placed on hold as buyers and / or sellers wait to see how the pandemic unfolds. As of this writing California is beginning to re-open certain businesses and public spaces. Although still restricted, these signs of easing are creating some optimism.

Given the ongoing pandemic, and degree of overall uncertainty that remains regarding public health and economic conditions, the appraiser has based his analyses and conclusions on the best information available as of this report date, however, it is important to note that any forecasts, projections, or conclusions cited may change significantly over the near to mid – term as market conditions evolve.

In other words, the appraiser has done his best to consider all factors influencing the market as of the valuation date, yet offer no guarantees, or assurances as to the impacts from current or future events.

## THE ASSIGNMENT

The firm of Cogdill and Associates, Inc. was contacted by Mr. Chad Johnson, LS, Deputy County Surveyor with the Stanislaus County Public Works Department who requested an appraisal of a 50' wide strip of excess right-of-way on Cloutier Drive in Salida, Stanislaus County, CA. As part of the Salida Boulevard Corridor Development Plan, this portion of Cloutier Drive is not needed for public use and is considered excess right-of-way. Pursuant to county code, whenever the Board of Supervisors determines that the estimated value of surplus real property does not exceed \$25,000, the county may sell, exchange, quitclaim, or convey that real property in the manner approved by the Board.

The purpose and function of this assignment is to determine the Fair Market Value of this surplus area in order to determine if it can be quitclaimed to the adjacent four property owners. The term "Market Value" as referred to in this report is defined as follows:

### ***"Market Value"***

*Means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:*

- 1) *buyer and seller are typically motivated;*
- 2) *both parties are well informed or well advised, and acting in what they consider their own best interests;*
- 3) *a reasonable time is allowed for exposure in the open market;*
- 4) *payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and*
- 5) *the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

Source: Office of the Comptroller of the Currency under 12 CFR, Part 34, Subpart C-Appraisals, 34.42 Definitions (g.).

Other definitions used in conjunction with this report include the following:

***“Highest and Best Use”***

1. “The reasonably probable and legal use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.”
2. *The use of an asset that maximizes its potential and that is possible, legally permissible, and financially feasible. The highest and best use may be for continuation of an asset's existing use or for some alternative use. This is determined by the use that a market participant would have in mind for the asset when formulating the price that is willing to bid. (IVS)*
3. *[The] highest and most profitable use for which the property is adaptable and needed or likely to be needed in the reasonable future. (Uniform Appraisal Standards for Federal Land Acquisitions).*”

Source: *Dictionary of Real Estate Appraisal*, 6th Edition

***“Fee Simple Estate”***

*Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.”*

Source: *Dictionary of Real Estate Appraisal*, 6<sup>th</sup> Edition

***“Surplus Land”***

*Land that is not currently needed to support the existing use but cannot be separated from the property and sold off for another use. Surplus land does not have an independent highest and best use and may or may not contribute value to the improved parcel.”*

Source: *Dictionary of Real Estate Appraisal*, 6th Edition

## **CLIENT AND INTENDED USERS**

The client for this assignment is the Stanislaus County Department of Public Works. The intended users are the client and the County of Stanislaus in determining value in order to facilitate the County's desire to possibly quitclaim four portions of this excess right-of-way to four adjacent property owners.

## **EXTRAORDINARY ASSUMPTIONS**

**Extraordinary Assumptions:** an assumption, directly related to a specific assignment, which, if found to be false, could alter the appraiser's opinions or conclusions.

Extraordinary Assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis.

This assignment did not call for any Extraordinary Assumptions. Please refer to the General Assumptions and Limiting Conditions on the preceding pages.

## **HYPOTHETICAL CONDITIONS**

**Hypothetical Conditions:** that which is contrary to what exists but is supposed for the purpose of analysis.

Hypothetical Conditions assume conditions contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis.

This assignment did not call for any Hypothetical Conditions.

## SCOPE OF WORK

In developing this appraisal report the following steps were performed:

- The excess right-of-way was last physically inspected on September 21, 2021.
- Review of the project description, engineering maps, and legal descriptions provided by the client.
- Description and analysis of the physical features of the right-of-way.
- Tests and determination of the right-of-way's Highest and Best Use.
- Collection and verification of the market data pertinent to the assignment.
- Application of the appropriate valuation technique(s). For this assignment, the Sales Comparison Approach was considered the most relevant approach to value. The market relies upon this approach exclusively when buying and selling properties of this nature. The Cost Approach and Income Approach were not considered applicable given the use of the subject property (Excess right-of-way).
- Correlation of the findings in order to determine the appropriate value for four portions of excess right-of-way.

Sources of information include the Stanislaus County Assessor's office, Tax Collector's office, County Planning Departments, Public Works Departments, Engineers, as well as research through Metrolist, Loopnet, CoStar Comps, our own database, local developers, property managers, and interviews with knowledgeable real estate professionals.

## EXECUTIVE SUMMARY

<b>Property Address:</b>	N/A
<b>Assessor's Parcel No.:</b>	N/A
<b>Property Identification:</b>	Excess right-of-way along Cloutier Drive.
<b>Property Location:</b>	The subject property is located along the southwesterly side of Salida Blvd. at Broadway Ave. in Salida, Stanislaus County, CA.
<b>Client and Intended Users:</b>	The client for this assignment is Stanislaus County Department of Public Works. The intended users are the client/Stanislaus County to assist with possibly facilitating quitclaiming four portions of the excess right-of-way to adjacent landowners.
<b>Ownership:</b>	Stanislaus County
<b>Current Use:</b>	Excess right-of-way
<b>Right-of-Way Description:</b>	The subject consists of a long narrow strip of excess right-of-way containing roughly 1.1102-acres or 48,360 s.f. The measurements are approximately 50' X 450'. The entire area is encumbered with public utility easements. The right-of-way is not zoned or currently assessed by the Stanislaus County Assessor's Office. Development of the area is not possible. The right-of-way lays adjacent to four property owners and Salida Blvd. The area has level topography.
<b>Improvements:</b>	Old pavement
<b>Zoning:</b>	The subject is not zoned. Adjacent parcels are zoned C-2, General Commercial.

**Highest and Best Use:** Abandoned right-of-way to be quitclaimed and merged with adjacent property owners.

**Valuation Date:** September 21, 2021

**Report Date:** September 23, 2021

**Property Rights Appraised:** Fee Simple (Encumbered by public utility easements)

**Appraisal Premise:** Excess right-of-way-surplus real property.

**Purpose of the Appraisal:** To develop an opinion of the fair market value of four portions of excess right-of-way.

**Function of the Appraisal:** To facilitate a possible quitclaim of abandoned excess right-of-way to four adjacent property owners.

**Fair Market Value-Excess Right-of-Way**

	<u>Size</u>	<u>Adjacent Owner</u>	<u>Market Value</u>
Portion 1	14,552 S.F.	Guichard	\$11,642
Portion 2	5,131 S.F.	McManis	\$4,105
Portion 3	11,752 S.F.	Noble	\$9,402
Portion 4	16,925 S.F.	David	\$13,540

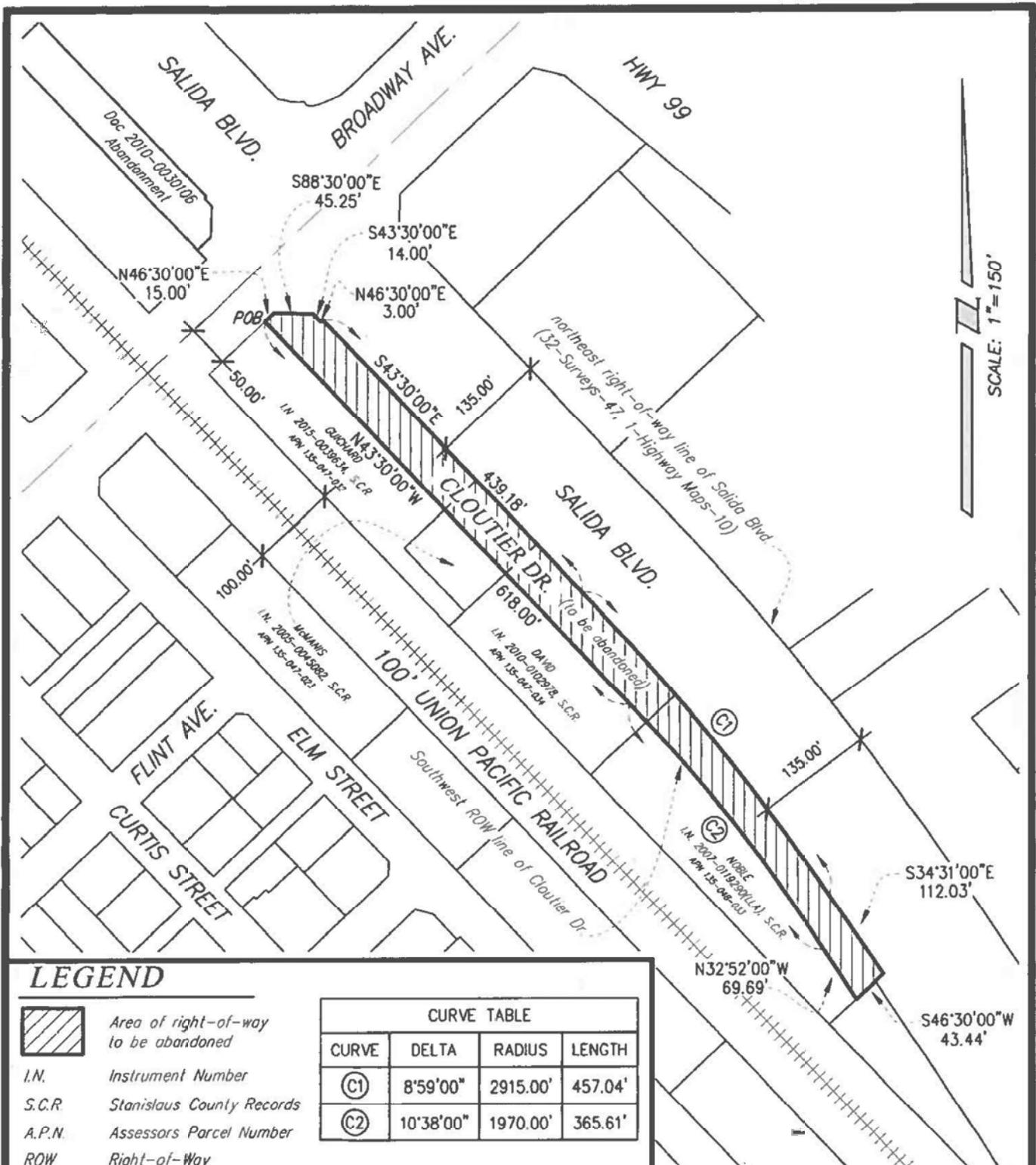
## THE PROJECT

As part of the Salida Boulevard Corridor Development Plan, Stanislaus County is in the process of abandoning excess right-of-way on Cloutier Drive lying southwesterly of and adjacent to the existing 135' wide Salida Blvd. at Broadway Avenue in Salida, Stanislaus County, CA. It has been determined that this excess right-of-way is not needed for public use and is surplus real property. Approved access onto Salida Blvd. will be provided to the adjacent parcels by the Department of Public Works. Easements will be retained for all in place utilities as requested from each utility company.

Pursuant to County code Section 4.24.030 and Government Code Section 25539, whenever the Board of Supervisors determines that the estimated value of surplus real property does not exceed \$25,000, the County may sell, exchange, quitclaim, or convey that real property in the manner and upon the terms and conditions approved by the Board of Supervisors.

It is the recommendation of the Department of Public Works that these remnant parcels be quitclaimed to the adjacent landowners and returned to the assessment tax rolls. The cost to process and quitclaim documents and convey the property is estimated to be nominal. In contrast, selling said remnant parcels could take years and the staff time and fiscal impact may quickly exceed the nominal value of said remnant parcels. It has been determined that these remnant parcels have no value to the County, and only the County's liability will remain if said parcels are to be retained.

A condition will be in place with the quitclaim transfers that requires the adjacent landowner/grantee to legally merge the remnant parcels with their adjacent property. This will prevent the creation of multiple parcels.



**EXHIBIT "B"**  
Abandonment of Right-of-Way



DR. BY:	C. JOHNSON
PROJECT:	006767
DATE:	10-18-18
SHEET NO.:	3 OF 3

## STATEMENT OF OWNERSHIP

### STANISLAUS COUNTY

## PROPERTY HISTORY

The area of right-of-way was relinquished by the State of California to the County in 1971 at no cost to the County. The majority of public right-of-way in Stanislaus County is consistent with government code definition of right-of-way in which the underlying fee title ownership is held by the adjacent landowners. However, the State of California acquires their roadways in fee simple. As a result, and in contrast with Standard County policy, the County of Stanislaus acquired the underlying fee title ownership to these remnant parcels. Fortunately, and in compliance with County Code, this complication be overcome through quitclaim process.

## LEGAL DESCRIPTION OF THE EXCESS RIGHT-OF-WAY

The legal description for the excess right-of-way reflects the subject in its entirety. The right-of-way is legally described as follows:

### Exhibit "A"

#### Legal Description

#### Abandonment of Right-of-Way - Cloutier Drive

A strip of land, varying in width, being a portion of Cloutier Drive and also being a portion of Parcel 1 relinquished by the State of California to the County of Stanislaus in the document filed for record on July 6, 1971 in Volume 2404 of Official Records of Stanislaus County at Page 417, said strip of land being situate in the northwest quarter of Section 3, Township 3 South, Range 8 East, Mount Diablo Meridian, County of Stanislaus, State of California, and being more particularly described as follows:

**Beginning** at the intersection of the southeast right-of-way line of Broadway Avenue and the southwest right-of-way line of Cloutier Drive as shown on the Parcel Map filed for record on Oct. 13, 1981 in Book 32 of Parcel Maps at Page 37, Stanislaus County Records; thence North  $46^{\circ}30'00''$  East along the northeasterly projection of the southeast right-of-way line of said Broadway Avenue, a distance of 15.00 feet; thence South  $88^{\circ}30'00''$  East 45.25 feet; thence South  $43^{\circ}30'00''$  East 14.00 feet; thence North  $46^{\circ}30'00''$  East 3.00 feet; thence South  $43^{\circ}30'00''$  East, distant 135.00 feet southwesterly of and parallel with the northeast right-of-way line of existing Salida Boulevard as shown on the map filed for record on July 30, 2010 in Book 32 of Surveys at Page 47, Stanislaus County Records, a distance of 439.18 feet to a point of curvature, concave southwesterly, having a radius of 2915.00 feet, from which a radial line to the center bears South  $46^{\circ}30'00''$  West;

thence southeasterly along the arc of said curve, distant 135.00 feet southwesterly of and concentric with the northeast right-of-way line of said existing Salida Boulevard, through a central angle of  $08^{\circ}59'00''$ , an arc distance of 457.04 feet; thence South  $34^{\circ}31'00''$  East 112.03 feet to the northeasterly projection of the southeast line of Parcel A as described in the Certificate of Lot Line Adjustment for Charles Noble recorded as Doc. 2007-0119290, Stanislaus County Records; thence South  $46^{\circ}30'00''$  West, along said northeasterly projection, 43.44 feet to the most easterly corner of said Parcel A and being a point on the southwest right-of-way line of said Cloutier Drive; thence along said southwest right-of-way line the following three (3) courses:

- 1.) North  $32^{\circ}52'00''$  West 69.69 feet to a point of curvature, non-tangent to the preceding course, concave southwesterly, having a radius of 1970.00 feet, from which a radial line to the center bears South  $57^{\circ}08'07''$  West;
- 2.) thence northwesterly along the arc of said curve, through a central angle of  $10^{\circ}38'00''$ , an arc distance of 365.61 feet to the beginning of a line, non-tangent to the preceding course, from which a radial line to the center of the preceding curve bears South  $46^{\circ}30'05''$  West;
- 3.) thence North  $43^{\circ}30'00''$  West 618.00 feet to the southeast right-of-way line of said Broadway Avenue and the Point of Beginning and containing 1.1 acres more or less.

Reserving therefrom for the benefit of the existing utilities, a Public Utility Easement, and any rights necessary to maintain, operate, replace, remove or renew the public utility facilities, including any necessary rights of access over and across the above described vacation.

## **ZONING**

The subject is not zoned. Adjacent land is zoned C-2, General Commercial.

## **EASEMENTS/ENCROACHMENTS**

A Preliminary Title Report was not provided. According to County documents, the area is encumbered with public utility easements that will be retained.

## **RIGHT-OF-WAY DESCRIPTION**

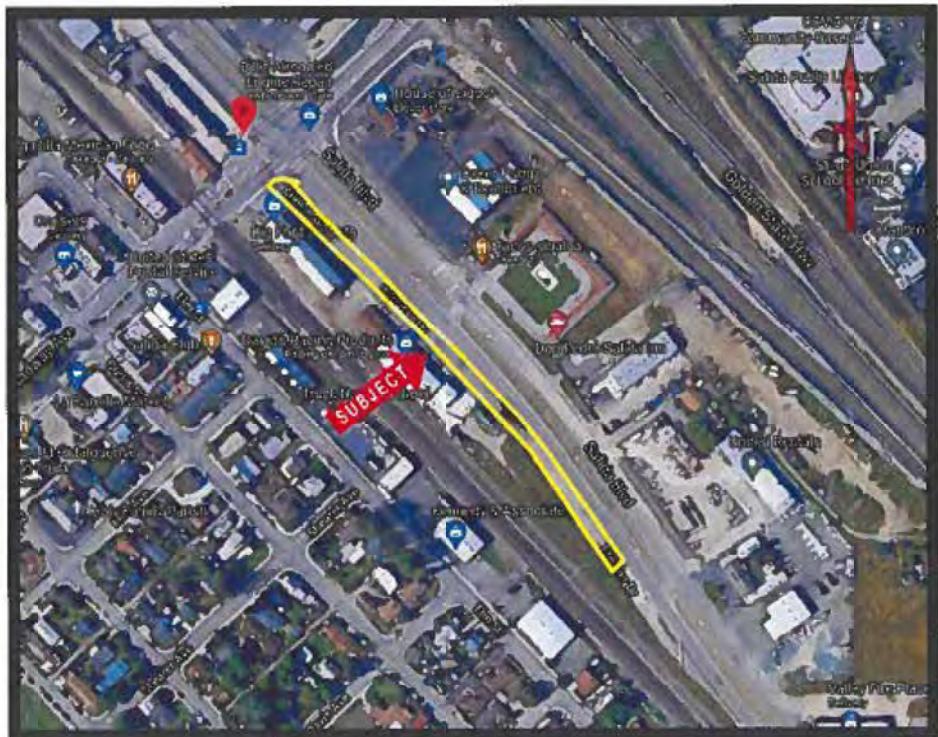
The subject consists of a long narrow strip of excess right-of-way containing roughly 1.102-acres or 48,360 s.f. The measurements are approximately 50' X 450'. The entire area is encumbered with public utility easements. The right-of-way is not zoned or currently assessed by the Stanislaus County Assessor's Office. Development of the area

is not possible. The right-of-way lays adjacent to four property owners and Salida Blvd. and are described as follows:

	<u>Size</u>	<u>Adjacent Owner</u>
Portion 1	14,552 S.F.	Guichard
Portion 2	5,131 S.F.	McManis
Portion 3	11,752 S.F.	Noble
Portion 4	16,925 S.F.	David

On the following pages is an aerial photograph taken from Google Maps, photographs of the right-of-way taken on the date of my inspection, and four engineering maps showing the specific areas for each portion.

## AERIAL PHOTOGRAPH



## SUBJECT PHOTOS



**View North Along Cloutier Drive**



**View South Along Cloutier Drive**

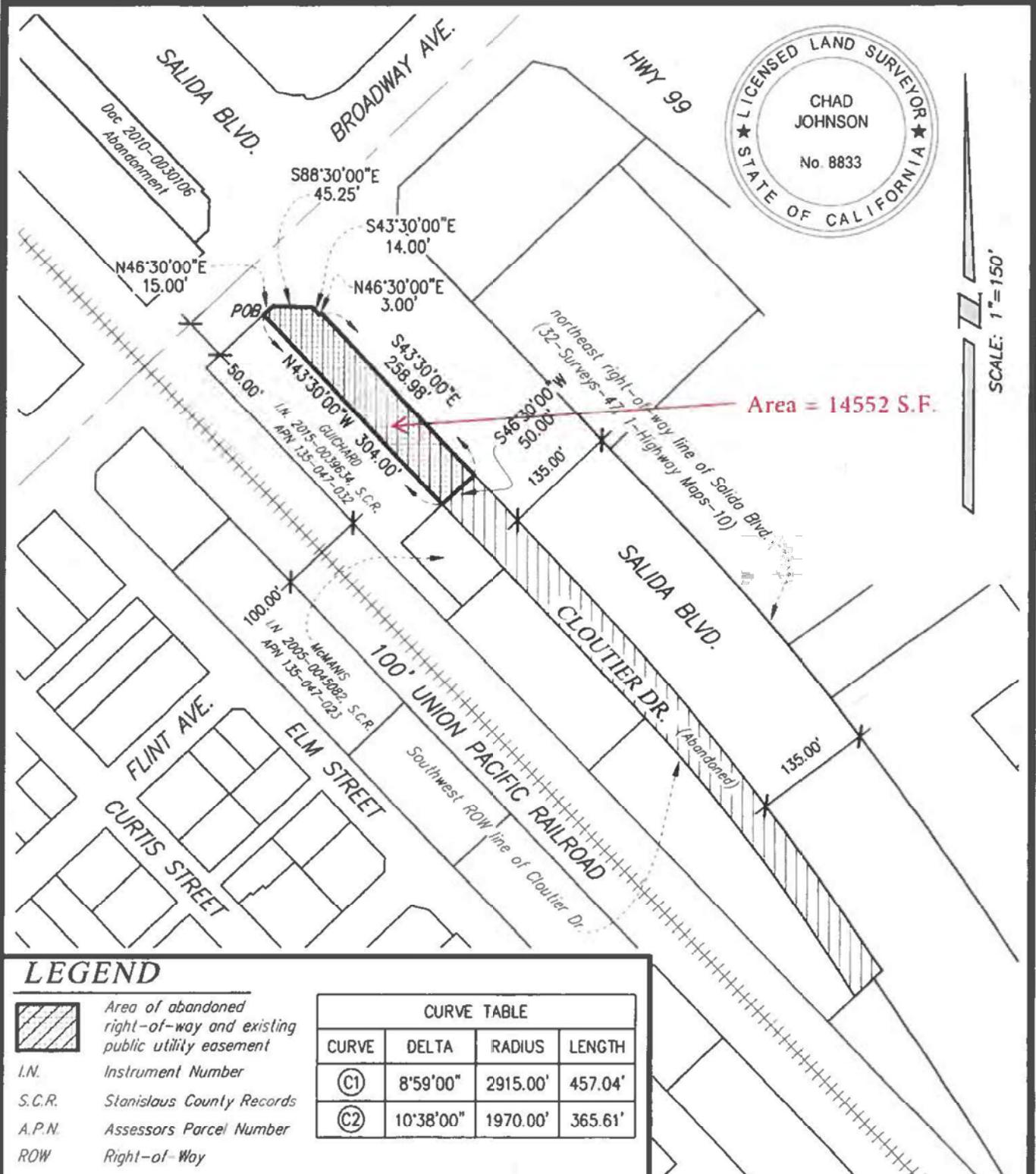


CHAD  
JOHNSON

No. B833

SCALE: 1" = 150'

Area = 14552 S.F.



---

**LEGEND**



*Area of abandoned  
right-of-way and existing  
public utility easement*

1N

*Instrument Number*

660

*Stanislaus County Records*

484

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
(C1)	8'59"00"	2915.00'	457.04'
(C2)	10'38"00"	1970.00'	365.61'

The logo for Stanislaus County, featuring the word "Stanislaus" in a script font above a stylized "S" and "County" in a serif font.

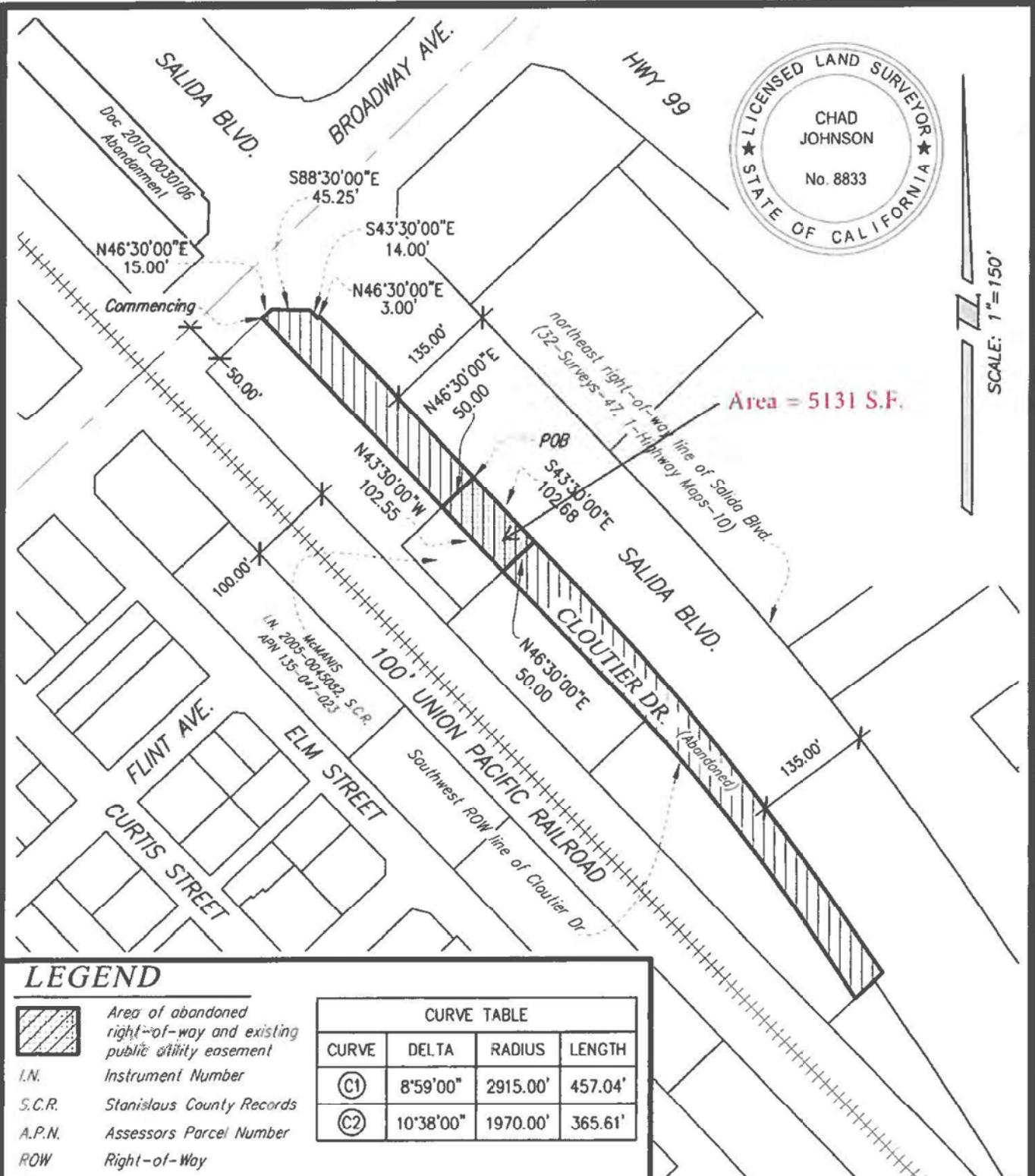
**EXHIBIT "B"**

Area of Abandoned Right-of-Way  
and Existing Public Utility Easement

DR. BY: C. JOHNSON  
PROJECT: 006767  
DATE: 01-28-21  
SHEET NO: 3 OF 3



SCALE: 1" = 150'



### LEGEND



Area of abandoned right-of-way and existing public utility easement

I.N.

Instrument Number

S.C.R.

Stanislaus County Records

A.P.N.

Assessors Parcel Number

ROW

Right-of-Way

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	8°59'00"	2915.00'	457.04'
C2	10°38'00"	1970.00'	365.61'



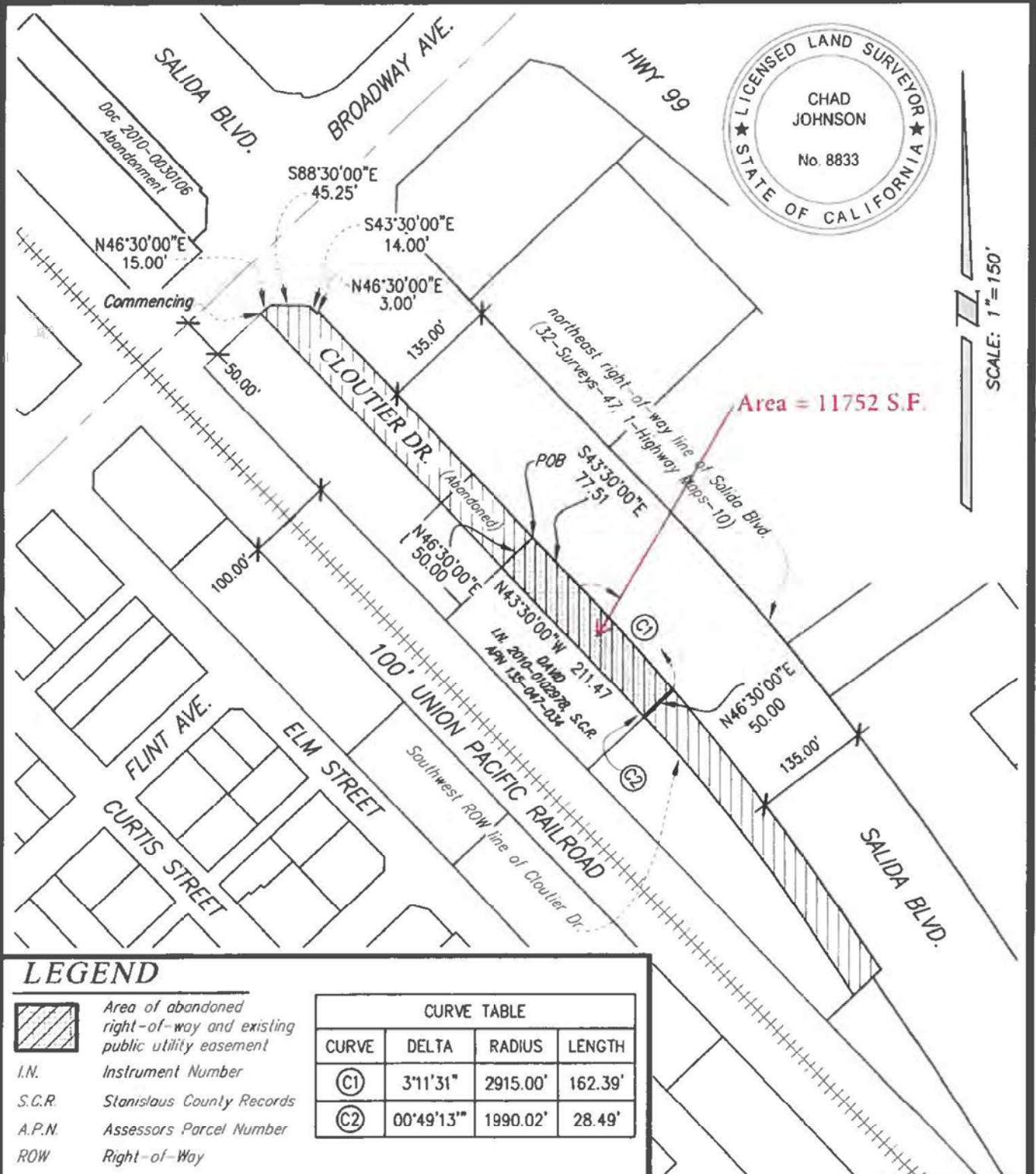
### EXHIBIT "B"

Area of Abandoned Right-of-Way  
and Existing Public Utility Easement

DR. BY:	C. JOHNSON
PROJECT:	006767
DATE:	01-28-21
SHEET NO:	3 OF 3



SCALE: 1" = 150'



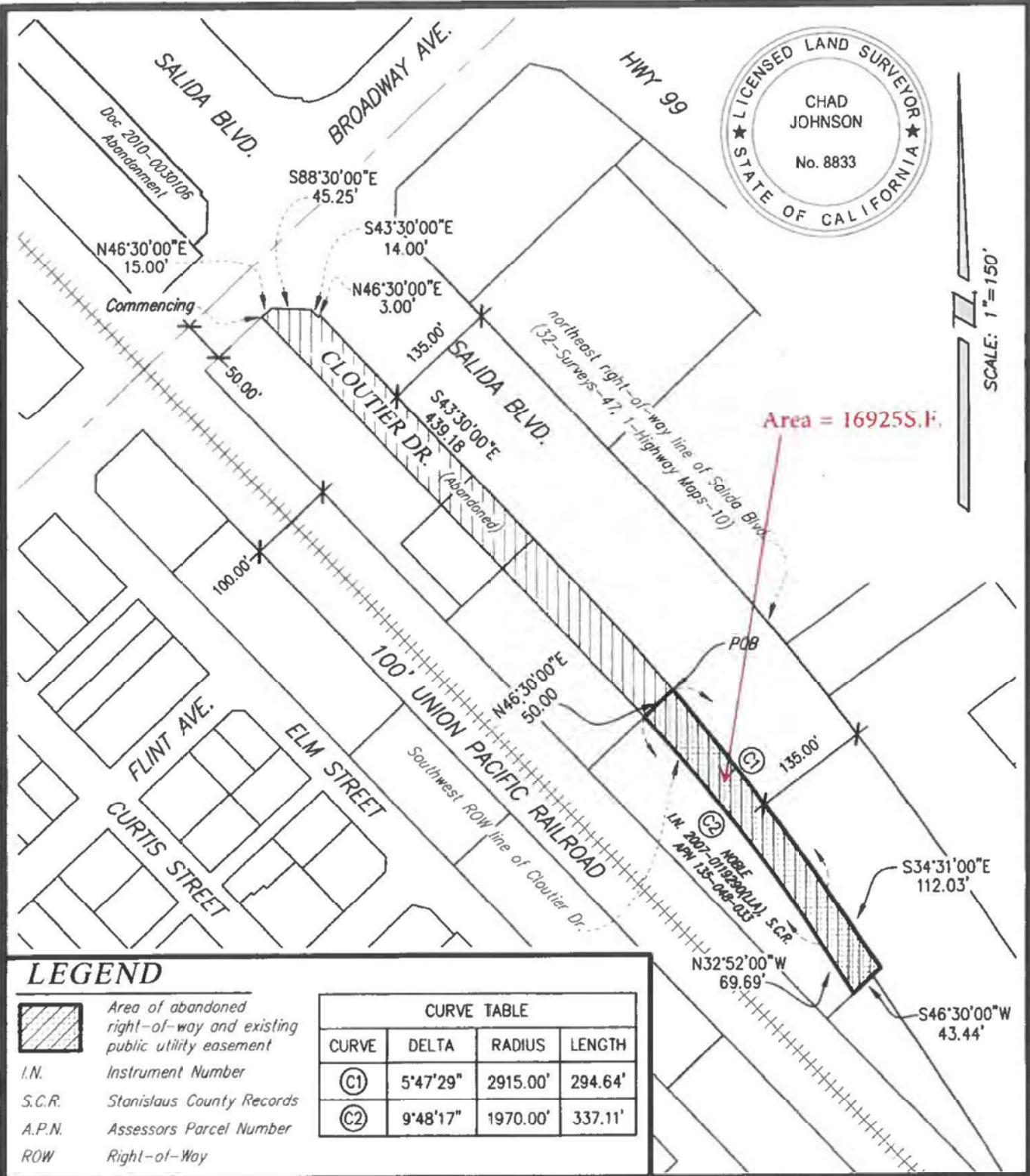
## EXHIBIT "B"

Area of Abandoned Right-of-Way  
and Existing Public Utility Easement

DR. BY:	C. JOHNSON
PROJECT:	006767
DATE:	01-28-21
SHEET NO:	3 OF 3



SCALE: 1° = 150'



**EXHIBIT "B"**  
Area of Abandoned Right-of-Way  
and Existing Public Utility Easement

DR. BY:	C. JOHNSON
PROJECT:	006767
DATE:	01-28-21
SHEET NO:	3 OF 3

## **HIGHEST AND BEST USE CONCLUSION**

The definition of highest and best use as been stated in the assignment section of this report. Four tests were considered in determining the property's highest and best use, and they include:

1. Legally permissible;
2. Physically possible;
3. Economically feasible; and
4. Maximum productivity.

After considering these four tests, it is my opinion that the highest and best use of the subject property would be for the right-of-way to be abandoned and quitclaimed to adjacent property owners.

## **VALUATION ANALYSIS**

The valuation of this excess right-of-way was determined by use of a Direct Sales Comparison Approach. The subject property represents a strip of excess right-of-way that the County has deemed surplus real property and not needed for public use. The property is not zoned or assessed, and it has been determined that the highest and best use would be for the right-of-way to be abandoned and quitclaimed to the adjacent property owners. An attempt was mad to find sales of abandoned right-of-way, however, those are incredibly rare, and I was unable to find any like transaction throughout Stanislaus County within the past ten years. I was able to find one transaction that took place on the opposite northwesterly corner of Salida Blvd. and Cloutier Drive that took place in 2010. It appears that Stanislaus County sold a 15,552 s.f. strip of abandoned right-of-way to the adjacent property owner, JL Bray and Sons for \$6,998.71, or roughly \$0.45 per s.f. Land values at that time were between \$4.00 to \$5.00 per s.f. This sale indicates a significant discount of approximately 90% for excess right-of-way. Lacking any more definitive data I searched the surrounding neighborhood for commercial land that can be developed consistent with the C-2, General Commercial zoning ordinance. The adjacent four parcels to the subject right-of-way are all zoned C-2, General Commercial.

The subject excess right-of-way can not be developed on its own, given the fact that it would create four land locked parcels adjacent on the southwest, also this portion of right-of-way is heavily encumbered with public utility easements. As a result, the rights of this portion of surplus land are extremely impacted. In order to determine what land values would be for C-2, General Commercial land in this neighborhood I conducted sales research and charted five sales and one listing that have been provided within the addenda of this report. These comparables indicated a value of roughly \$6.50 to \$11.00 per s.f. The most comparable property, Sale # 1, is a recent transaction of a piece of property adjacent to a portion of the subject property right-of-way that recently sold for

roughly \$8.10 per s.f. After analyzing these comparables, it is my opinion that land in this area with the C-2, General Commercial zoning that does not have heavily impacted property rights would have a value of approximately \$8.00 per s.f.

As previously mentioned, the subject property is heavily encumbered by public utility easements and is not developable. The only use would be for access and storage, and this can only be provided to the neighboring property owners due to the fact that selling off these portions of right-of-way would create landlocked parcels. Therefore, the only buyers of these portions of excess right-of-way would be the adjacent property owners. The adjacent owners may not have a desire to purchase the right-of-way due to financial position, increased property taxes, and/or increased liability.

Given the limitations associated with this excess right-of-way it is my professional opinion that a significant discount factor would be warranted. It is my opinion that a 90% discount is warranted. After applying this discount to an estimated market value of \$8.00 per s.f. the following values are indicated for these four portions of excess right-of-way.

Portion 1 (Adjacent Owner: Guichard) 14,552 S.F. X \$8.00/S.F. = \$116,416 - 90% (\$104,774) = **\$11,642**

Portion 2 (Adjacent Owner: McManis) 5,131 S.F. X \$8.00/S.F. = \$41,048 - 90% (\$36,943) = **\$4,105**

Portion 3 (Adjacent Owner: Noble) 11,752 S.F. X \$8.00/S.F. = \$94,016 - 90% (\$84,614) = **\$9,402**

Portion 4 (Adjacent Owner: David) 16,925 S.F. X \$8.00/S.F. = \$135,400 - 90% (\$121,860) = **\$13,540**

## **ADDENDA**

- **ENGAGEMENT LETTER**
- **LEGAL DESCRIPTIONS**
- **LAND SALES SUMMARY**
- **STATEMENT OF QUALIFICATIONS**  
**DAVID E. COGDILL, JR.**

## **ENGAGEMENT LETTER**



**COGDILL**  
+ ASSOCIATES, INC.

REAL ESTATE APPRAISERS / CONSULTANTS

P.O. Box 3575  
Modesto CA 95352  
phone 209-523-9365  
fax 209-523-6344

May 17, 2021

Chad Johnson, LS  
Deputy County Surveyor  
Department of Public Works  
Stanislaus County

RE: Appraisal of Excess Right-of-Way on Cloutier Dr.  
Salida, Stanislaus County, CA

Dear Mr. Johnson:

Please be advised that the firm of Cogdill and Associates, Inc. can provide you with current market value appraisals of four strips of excess right-of-way, along Cloutier Dr. (adjacent to Broadway Ave.) in Salida, CA. for a total fee of \$6,500 with a delivery time of approximately 60 days from the date of authorization to proceed.

It is our understanding that the purpose of the appraisals is to provide the County with current market values of these strips of excess right-of-way, considered surplus, and that the function and intended use of the appraisals will be to assist with possibly quitclaiming these areas to adjacent property owners. The adjacent parcels are identified as A.P.N.'s 135-047-032, 135-047-023, 135-047-034, and 135-047-033.

If the terms stated are agreeable, please sign and return this engagement letter that will act as our contract. Once we have received this signed engagement letter, we will open a file and proceed.

Respectfully,  
Cogdill and Associates, Inc.

David E. Cogdill, Jr  
President/CFO

Chad Johnson, LS

Date

## **LEGAL DESCRIPTIONS**

**Exhibit "A"**  
**Legal Description**  
**Portion of Abandoned Right-of-Way - Cloutier Drive**

A strip of land, varying in width, being a portion of Cloutier Drive and also being a portion of Parcel 1 relinquished by the State of California to the County of Stanislaus in the document filed for record on July 6, 1971 in Volume 2404 of Official Records of Stanislaus County at Page 417, said strip of land being situate in the northwest quarter of Section 3, Township 3 South, Range 8 East, Mount Diablo Meridian, County of Stanislaus, State of California, and being more particularly described as follows:

Commencing at the intersection of the southeast right-of-way line of Broadway Avenue and the southwest right-of-way line of Cloutier Drive as shown on the Parcel Map filed for record on Oct. 13, 1981 in Book 32 of Parcel Maps at Page 37, Stanislaus County Records; thence North 46°30'00" East along the easterly projection of the southeast right-of-way line of said Broadway Avenue, a distance of 15.00 feet; thence South 88°30'00" East 45.25 feet; thence South 43°30'00" East 14.00 feet; thence North 46°30'00" East 3.00 feet; thence South 43°30'00" East, distant 135.00 feet southwesterly of and parallel with the northeast right-of-way line of existing Salida Boulevard, a distance of 361.67 feet, to the intersection with the northeasterly projection of the northwest line of the property granted to David on November 17, 2010 by instrument number 2010-0102978-00, S.C.R. and being the **Point of Beginning**; thence South 43°30'00" East 77.51 to a point of curvature, concave southwesterly, having a radius of 2915.00 feet, from which a radial line to the center bears South 46°30'00" West; thence southeasterly along the arc of said curve, distant 135 feet southwesterly of and concentric with the northeast right-of-way line of said existing Salida Boulevard, through a central angle of 3°11'31", an arc distance of 162.39 feet to the intersection with the northeasterly projection of the southeast line of said David Property; thence South 46°38'00" West along said northeast projection, a distance of 45.68 feet, to the most easterly corner of said David property and being a point on the southwest right-of-way of Cloutier Drive, also being a point on a non-tangent curve, concave southwesterly, having a radius of 1990.02 feet, from which a radial line to the center bears South 46°30'00" West; thence northwesterly along the arc of said curve, through a central angle of 00°49'13", an arc distance of 28.49 feet to a point of tangency along the northeasterly said David property; thence North 43°30'00" West, a distance of 211.47 feet; thence North 46°30'00" East, a distance of 50.00 feet along the northeasterly projection of the northwest line of said David property to the Point of Beginning.

Reserving therefrom for the benefit of the existing utilities, a Public Utility Easement, and any rights necessary to maintain, operate, replace, remove or renew the public utility facilities, including and necessary rights of access over and across the above described vacation.

**Exhibit "A"**  
**Legal Description**  
**Portion of Abandoned of Right-of-Way - Cloutier Drive**

A strip of land, varying in width, being a portion of Cloutier Drive and also being a portion of Parcel 1 relinquished by the State of California to the County of Stanislaus in the document filed for record on July 6, 1971 in Volume 2404 of Official Records of Stanislaus County at Page 417, said strip of land being situate in the northwest quarter of Section 3, Township 3 South, Range 8 East, Mount Diablo Meridian, County of Stanislaus, State of California, and being more particularly described as follows:

**Beginning** at the intersection of the southeast right-of-way line of Broadway Avenue and the southwest right-of-way line of Cloutier Drive as shown on the Parcel Map filed for record on Oct. 13, 1981 in Book 32 of Parcel Maps at Page 37, Stanislaus County Records; thence North 46°30'00" East along the easterly projection of the southeast right-of-way line of said Broadway Avenue, a distance of 15.00 feet; thence South 88°30'00" East 45.25 feet; thence South 43°30'00" East 14.00 feet; thence North 46°30'00" East 3.00 feet; thence South 43°30'00" East, distant 135.00 feet southwesterly of and parallel with the northeast right-of-way line of existing Salida Boulevard as shown in Book 32 of Recorded Surveys at Page 47, a distance of 258.98 feet, to the intersection with the northeasterly projection of the northwest line of the property granted to McMannis on March 17, 2005 by instrument number 2005-0045082, S.C.R.; thence South 46°30'00" West, along said northeast projection 50.00 feet to the most northerly corner of said McMannis property and being a point on the southwest right-of-way line of Cloutier Drive; thence North 43°30'00" West, along said right-of-way line, a distance of 304.00 feet to the Point of Beginning.

Reserving therefrom for the benefit of the existing utilities, a Public Utility Easement, and any rights necessary to maintain, operate, replace, remove or renew the public utility facilities, including any necessary rights of access over and across the above described vacation.

End Description

## Exhibit "A"

### Legal Description

#### Abandonment of Right-of-Way – Cloutier Drive

A strip of land, varying in width, being a portion of Cloutier Drive and also being a portion of Parcel 1 relinquished by the State of California to the County of Stanislaus in the document filed for record on July 6, 1971 in Volume 2404 of Official Records of Stanislaus County at Page 417, said strip of land being situate in the northwest quarter of Section 3, Township 3 South, Range 8 East, Mount Diablo Meridian, County of Stanislaus, State of California, and being more particularly described as follows:

Commencing at the intersection of the southeast right-of-way line of Broadway Avenue and the southwest right-of-way line of Cloutier Drive as shown on the Parcel Map filed for record on Oct. 13, 1981 in Book 32 of Parcel Maps at Page 37, Stanislaus County Records; thence North 46°30'00" East along the easterly projection of the southeast right-of-way line of said Broadway Avenue, a distance of 15.00 feet; thence South 88°30'00" East 45.25 feet; thence South 43°30'00" East 14.00 feet; thence North 46°30'00" East 3.00 feet; thence South 43°30'00" East, distant 135.00 feet southwesterly of and parallel with the northeast right-of-way line of existing Salida Boulevard as shown on the map filed for record on July 30, 2010 in Book 32 of Surveys at Page 47, Stanislaus County Records, a distance of 258.98 feet, to the intersection with the northeasterly projection of the northwest line of the property granted to McManis on March 17, 2005 by instrument number 2005-0045082, also being the **Point of Beginning**. thence South 43°30'00" East 102.68 feet along said right-of-way line of Salida Boulevard to the intersection with the northeasterly projection of the southeast line of said McManis property; thence South 46°30'00" West 50.00 feet to the southeast corner of the McManis property along the southwest right-of-way line of Cloutier Drive; thence North 43°30'00" West 102.55 feet to the northeast corner of said McManis property; thence North 46°30'00" East 50.00 feet along the northeasterly projection of the northwest line of said McManis property to the Point of Beginning.

Reserving therefrom for the benefit of the existing utilities, a Public Utility Easement, and any rights necessary to maintain, operate, replace, remove or renew the public utility facilities, including and necessary rights of access over and across the above described vacation.

## **Exhibit "A"**

### **Legal Description**

#### **Portion of Abandoned Right-of-Way - Cloutier Drive**

A strip of land, varying in width, being a portion of Cloutier Drive and also being a portion of Parcel 1 relinquished by the State of California to the County of Stanislaus in the document filed for record on July 6, 1971 in Volume 2404 of Official Records of Stanislaus County at Page 417, said strip of land being situate in the northwest quarter of Section 3, Township 3 South, Range 8 East, Mount Diablo Meridian, County of Stanislaus, State of California, and being more particularly described as follows:

Commencing at the intersection of the southeast right-of-way line of Broadway Avenue and the southwest right-of-way line of Cloutier Drive as shown on the Parcel Map filed for record on Oct. 13, 1981 in Book 32 of Parcel Maps at Page 37, Stanislaus County Records; thence North 46°30'00" East along the easterly projection of the southeast right-of-way line of said Broadway Avenue, a distance of 15.00 feet; thence South 88°30'00" East 45.25 feet; thence South 43°30'00" East 14.00 feet; thence North 46°30'00" East 3.00 feet; thence South 43°30'00" East, distant 135.00 feet southwesterly of and parallel with the northeast right-of-way line of existing Salida Boulevard, a distance of 439.18 feet to a point of curvature, concave southwesterly, having a radius of 2915.00 feet, from which a radial line to the center bears South 46°30'00" West; thence southeasterly along the arc of said curve, distant 135 feet southwesterly of and concentric with the northeast right-of-way line of said existing Salida Boulevard, through a central angle of 3°11'31", an arc distance of 162.39 feet to the intersection with the northeasterly projection of the northwest line of property granted to Noble on September 21, 2007 by instrument number 2007-0119290-00(LLA) S.C.R. and being the **Point of Beginning**; thence southeasterly along the arc of said curve, with a central angle of 5°47'29" a distance of 294.64 feet to a point of tangency; thence South 46°31'00" East 112.03 feet to the intersection of northeasterly projection of the southwest line of said Noble property. thence South 46°30'00" West along said northeasterly projection, a distance of 43.44 feet to the most easterly corner of said Noble property and being a point on the southwest right-of-way of Cloutier Drive; thence North 32°52'00" West, a distance of 69.69 feet to a point of curvature, concave southwesterly, having a radius of 1970.00 feet, from which a radial line bears South 57°08'07" West; thence northwesterly along the arc of said curve, through a central angle of 9°48'17", an arc distance of 337.11 feet to the northeast corner of said Noble property; thence northeasterly along the northwest projection a distance of 45.68 feet to the **Point of Beginning**.

Reserving therefrom for the benefit of the existing utilities, a Public Utility Easement, and any rights necessary to maintain, operate, replace, remove or renew the public utility facilities, including and necessary rights of access over and across the above described vacation.

## **LAND SALES SUMMARY**

## LAND SALES SUMMARY

Sale No.	Location / APN	Grantor Grantee Doc. No.	Sale Date	Sale Price	Site Size Acres S.F.	Price Per S.F. Acre	Zoning Probable Use	On Site Off Sites	Utilities	Corner Shape
1	4707 Cloutier Dr. Salida, CA / 135-048-033	David Noble # 36715	Apr-21	\$240,000	0.68 29,621	\$8.10 \$352,941	C-2 Commercial	None None	Available	No Irregular
2	4847 Kiernan Cl. Salida, CA / 136-019-002	1031 EP1 Modified Ent. # 41150	Jun-18	\$382,500	1.01 43,996	\$8.99 \$378,713	PD Commercial	None None	Available	No Irregular
3	1021 8th St. Modesto, CA / 104-007-011	Ray Unidos # 29073	Apr-17	\$45,000	0.16 6,903	\$8.52 \$281,250	CM Comm./Ind.	None Partial	Available	No Rectangle
4	4000 Salida Blvd. Modesto, CA / 135-029-043	MCM Con. Gill # 40124	Jun-17	\$292,000	0.51 26,572	\$10.99 \$478,689	PD Commercial	Pavement In Place	Available	No Triangular
5	5049 Kiernan Ave., Salida, Stan. Co., CA / 136-017-017	Vig-Golden State Beeler tr. #079359	Dec-19	\$1,327,000	3.30 143,748	\$9.23 \$402,121	C2 Office/W-Hse	None None	Available	No Rectangle
L-6	5100 Elm St. Salida, CA / 135-046-063	Listing	Listing	\$370,000	0.89 38,769	\$9.54 \$415,730	C2 Commercial	Storage Lot Partial	Available	No Rectangle

**STATEMENT OF QUALIFICATIONS  
DAVID E. COGDILL, JR.**



P.O. Box 3575  
Modesto CA 95352  
Phone 209-523-9365  
Fax 209-523-6344

## APPRAISAL QUALIFICATIONS

### David E. Cogdill, Jr.

#### EDUCATION

California State University, Stanislaus - Bachelor of Arts Degree  
Modesto Junior College - Associate in Arts Degree

#### PROFESSIONAL COURSES

Courses Completed and Passed, 1989 to Present:

##### American Institute of Real Estate Appraisers:

- Course 8-1: Real Estate Appraisal Principles
- Course 120: Appraisal Procedures, March
- Course 310: Basic Income Capitalization
- Course 320: General Applications
- Course 410: Standards of Professional Practice (USPAP)
- Course 420: Standards of Professional Practice (Part B)
- Course 430: Standards of Professional Practice (Part C)
- Course 510: Advanced Income Capitalization
- Course 520: Highest and Best Use and Market Analysis
- Course 530: Advanced Sales Comparison and Cost Approach
- Course 540: Report Writing and Valuation Analysis
- Course 550: Advanced Applications (Case Studies)
- USPAP: Update Seminar, March 2020
- Course 710: Condemnation Appraising: Principles and Applications
- UASFLA: Uniform Appraisal Standards for Federal Land Acquisitions

##### American Society of Farm Managers and Rural Appraisers:

Fractional Interest Valuation

##### Modesto Junior College:

Real Estate Residential Appraisal, Modesto Junior College

#### EXPERIENCE

October 1, 2013 to Present: President of Cogdill & Associates, Inc., Real Estate Appraisers/Consultants

January 1, 2007 to September 31, 2013: President of Cogdill & Giomi, Inc., Real Estate Appraisers

June 1995 to December 2006: Associate Appraiser, Cogdill & Giomi, Real Estate Appraisers

May 1989 to May 1995: Researcher, Cogdill & Giomi, Real Estate Appraisers

I have completed appraisals for Caltrans, City of Modesto, City of Oakdale, City of Turlock, City of Manteca, City of Ripon, Stanislaus County, San Joaquin County, Modesto Irrigation District, Wells Fargo Bank, Bank of the West, West America Bank, Bank of Stockton, Tri Counties Bank, U.S. Bank, Bank of Agriculture and Commerce, Oak Valley Community Bank, Farmers & Merchants Bank, Central Valley Community Bank, and various other real estate developers, individuals, accountants and attorneys.

Appraisals have covered the area of residential, commercial, industrial, agricultural, recreational and special use properties.

In addition to my 25 years of real estate appraisal experience, I served two years on the City of Modesto Planning Commission, Board of Zoning Adjustment, and Modesto City Council 2011-2015.

Qualified as expert witness in various hearings, Municipal Court and Superior Court, State of California

#### CERTIFICATION

Certified General Real Estate Appraiser by the State of California, AG025634, dated September 30, 1998  
Real Estate Broker License issued by Department of Real Estate, State of California, dated July 16, 1999

#### PROFESSIONAL AFFILIATION & MEMBERSHIPS

- Central Valley Association of Realtors
- Modesto Chamber of Commerce
- City of Modesto Planning Commissioner 2004 - 2006
- City of Modesto Charter Review Committee 2006 - 2008
- Elected to the Modesto City Council 2011-2015
- Modesto Rotary Club

STANISLAUS COUNTY  
NOTICE OF INTENTION  
TO VACATE A PORTION OF PUBLIC RIGHT-OF-WAY

NOTICE IS HEREBY GIVEN PURSUANT TO Streets and Highways Code Section 8334(a), Government Code Section 25539 and County Ordinance Section 4.24.030 that it is the intention of the Board of Supervisors of Stanislaus County to vacate excess right-of-way of a street hereafter described and not required for street or highway purposes and quitclaim any underlying interest therein; that said abandonment of excess right-of-way will be considered by the Board of Supervisors in the Chambers – Basement Level 1010 10th Street Modesto, California, on January 11, 2022 at 9:00 a.m. at which time any person interested may appear and be heard in regard to such vacation or on any matter pertinent hereto. The excess right-of-way is situated in the State of California, County of Stanislaus, Community of Salida and is described as: A strip of land, varying in width, being a portion of Cloutier Drive south of Broadway Avenue and west of the existing 135 foot wide Salida Boulevard, said strip of land also being a portion of Parcel 1 relinquished by the State of California to the County of Stanislaus in the document filed for record on July 6, 1971 in Volume 2404 of Official Records of Stanislaus County at Page 417. Once approved, the County will vacate and quitclaim said strip of excess right-of-way and a public utility easement encumbering the entirety of said strip of land will remain. If you should have any questions, please contact: Stanislaus County Department of Public Works at (209) 525-4130 between the hours of 8:00 a.m. and 5:00 p.m. or visit the office at 1716 Morgan Road, Modesto, CA