



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: June 9, 2015

Subject: CONVEY Flood Control Real Property Rights to the State of California, Department of Transportation, for Roadway Purposes

RECOMMENDATION(S):

APPROVE and AUTHORIZE the conveyance of Contra Costa County Flood Control and Water Conservation District property (Fee Parcel), and four easements (Easements) over other District property, as described in the Grant Deed and Easement Deed attached hereto, to the State of California, Department of Transportation (State), for payment of \$15,290.

DETERMINE that the Fee Parcel is no longer required for District purposes and that its estimated value does not exceed \$25,000.

DETERMINE that the conveyance of the Easements is in the public interest and that the Easements will not substantially conflict or interfere with the use of the District's property.

AUTHORIZE the Chief Engineer, or designee, to approve and execute, on behalf of the District, the Right of Way Contract for the conveyance of the Fee Parcel and the Easements to the State of \$15,290.

AUTHORIZE the Chair, Board of Supervisors, to execute the Grant Deed and Easement Deed on behalf of the District.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **06/09/2015** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor

ABSENT: Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: June 9, 2015

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Jessica Dillingham,
925-313-2224

cc:

DIRECT the Real Estate Division of the Public Works Department to cause said Grant Deed and Easement Deed to be delivered to the State for acceptance and recording

RECOMMENDATION(S): (CONT'D)

in the Office of the County Clerk-Recorder.

FISCAL IMPACT:

The District will be paid \$15,290 for the property and easements being conveyed to the State.

BACKGROUND:

The District acquired real property located on Grayson Creek, Martinez area, in the 1960's and 1970's for flood control purposes. The State of California, Department of Transportation's (State) widening of Interstate 680 to construct a High Occupancy Vehicle (HOV) lane in the Martinez area required use of portions of that District property under a District permit. The State is now requesting that the District sell one portion (Fee Parcel), and convey four easements in other portions (Easements), of that District property, to be used by the State for highway purposes. The Fee Parcel is approximately 8,594 square feet. The Easements include an approximately 1,130-square-foot drainage easement, an approximately 13,796-square-foot maintenance easement, an approximately 3,355-square-foot batter pile easement, and an approximately 2,965-square-foot drainage easement.

The Fee Parcel is no longer required for District purposes. The County's Real Estate Division has estimated that the value of the Fee Parcel is under \$25,000. District staff has determined that the conveyance of the Easements will not substantially conflict or interfere with the use of the District's property for flood control purposes. The conveyance of the Fee Parcel and Easements is authorized by Section 31 of the Contra Costa County Flood Control and Water Conservation District Act, and Government Code sections 25526.5 and 25526.6.

It is recommended that the Board of Supervisors, in its capacity as the governing body for the District, approve the conveyance of the Fee Parcel and Easements to the State for \$15,290. The sale would be made under the Right of Way Contract attached hereto.

CONSEQUENCE OF NEGATIVE ACTION:

The District will be liable for property being used by the State for roadway purposes.

ATTACHMENTS

Easement Deed

Grant Deed

Right of Way Contract