



Contra  
Costa  
County

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: October 6, 2015

Subject: APPROVE the sale of surplus real property to Richard and Kathryn Wiley, and related actions under CEQA.

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**RECOMMENDATION(S):**

DETERMINE that the real property described in Exhibit A and B attached to the Grant Deed (Property) is no longer necessary for county purposes.

APPROVE the sale of the Property to Richard S. Wiley and Kathryn K. Wiley (also known as Kate K. Wiley), for \$30,000 in accordance with the Purchase and Sale Agreement and pursuant to Streets & Highway Code § 960; and DIRECT the proceeds to be deposited in the Road Fund, to be available for County roadway purposes.

AUTHORIZE the Public Works Director, or designee, to execute the Purchase and Sale Agreement on behalf of Contra Costa County (County), and AUTHORIZE the Chair, Board of Supervisors, to execute the Grant Deed on behalf of the County.

DIRECT the Real Estate Division of the Public Works Department to cause said Grant Deed and a certified copy of this Board Order to be recorded in the Office of the County Clerk-Recorder.

DETERMINE the project is a California Environmental Quality Act (CEQA) Class 12

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

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Action of Board On: **10/06/2015** ☒ 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

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: October 6, 2015

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

Contact: Jessica Dillingham,  
925-313-2224

By: June McHuen, Deputy

cc:

Categorical Exemption pursuant to CEQA Guidelines, Section 15312.

DIRECT the Director of the Department of Conservation and Development (DCD) to file a CEQA Notice

### RECOMMENDATION(S): (CONT'D)

of Exemption with the County Clerk-Recorder.

AUTHORIZE the Public Works Director to arrange for payment of a \$25.00 fee to DCD for processing, and a \$50.00 fee to the County Clerk-Recorder for filing the CEQA Notice of Exemption. (Project No. 0676-6Q1814 [DCD-CP#15-22])

### FISCAL IMPACT:

Funded 100% by Applicant

### BACKGROUND:

This involves the proposed sale of a portion of County-owned real property that is no longer required for County roadway purposes. The Property is approximately 32,266 square feet (.074) acres and is located between Bear Creek Road and 2 Sandhill Road, in the City of Orinda's North Orinda Specific Plan area. The Property has not been assigned an Assessor's Parcel Number.

The County acquired fee title to the Property by a Grant Deed dated April 22, 1969 (Recorded June 9, 1969, Book 5893 OR 296); and by a Final Order of Condemnation dated January 8, 1969 (Book 5794 OR 100) filed in connection to the widening of Bear Creek Road. During the widening of Bear Creek Road construction activities, benches, and drainage ditches were installed into the hillside between Sandhill Road and Bear Creek Road to help deter erosion and direct water flow.

Richard S. Wiley and Kathryn K. Wiley ("Applicants") own the adjacent property located at 2 Sandhill Road. The Applicants expressed an interest in acquiring the Property from the County. Public Works Department staff have conducted a site visit of the Property and determined that a portion is no longer necessary for County road purposes. An appraisal was completed, indicating that the fair market value of the Property is \$30,000. The Applicants have offered to purchase the Property for \$30,000, and to reimburse the County for its costs associated with this transaction.

Pursuant to Government Code section 65402, the County provided the City of Orinda notice of the proposed sale. According to the City of Orinda, the sale conforms to the City's General Plan.

County staff recommends that the Board of Supervisors approve the sale of the Property to the Applicants and take the above-specified recommended actions.

### CONSEQUENCE OF NEGATIVE ACTION:

The County would continue to own and be liable for the maintenance of property that is no longer needed for County purposes.

### ATTACHMENTS

Agreement

