



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: December 8, 2015

Subject: APPROVE the conveyance of real property to the State of California

RECOMMENDATION(S):

APPROVE the conveyance of real property described in the grant deed, to the State of California (State) for use as a state highway, in accordance with Agreement No. 208 between Contra Costa County (County), and pursuant to Streets & Highway Code § 960. (Project No.: 4660-6X4168 [SCH No. 2004092135])

DETERMINE that the real property is no longer required by the County for highway purposes.

AUTHORIZE the Chair, Board of Supervisors, to execute a grant deed on behalf of the County.

DIRECT the Real Estate Division of the Public Works Department to cause said Grant Deed to be delivered to the State for acceptance and recording in the office of the County Clerk-Recorder.

ACKNOWLEDGE that between the date of this approval and the date the grant deed is delivered to the State for acceptance, the Public Works Department will continue efforts to

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **12/08/2015** ☒ 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: December 8, 2015

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

Contact: Jessica Dillingham,
925-313-2224

By: Stacey M. Boyd, Deputy

cc:

clear the title to the property, including processing of documents from other entities to release liens and encumbrances on the property.

FISCAL IMPACT:

100% Contra Costa Transportation Authority Funds

BACKGROUND:

Pursuant to the terms of the executed Cooperative Agreement No. 4-2133-C dated October 30, 2007, between the State and the Contra Costa Transportation Authority (CCTA), CCTA agreed to deliver to the State legal title to the right of way for the State Route 4 (E) Widening – Somersville Road to State Route 160 Project Segment 1 (Project), a state highway, and the State would accept said title, subject to review of a Policy of Title Insurance.

On January 18, 2008, CCTA and the County entered into Agreement No. 208 (Agreement) for the County to provide right of way services for the Project. The terms of the Agreement required the County to initially take title to the right of way for the Project. Subsequently, upon direction from CCTA staff, County would transfer the right of way to the State. The Agreement is on file at the Public Works Department.

The County acquired the Property for highway purposes associated with the Project, in accordance with the Agreement. CCTA has requested that the Property be conveyed to the State, in accordance with the Agreement and the Cooperative Agreement. The Property is no longer required by the County for highway purposes, but is required by the State.

It is anticipated that the State of California will not be able to accept title to the property until mid-2016. In the interim, the Public Works Department will continue efforts to clear the title to the property. These efforts may include the acceptance and recordation of documents from other entities necessary to release liens and encumbrances on the property, subject to approval by the Board of Supervisors. After title is transferred to the State of California, the State will assume this responsibility.

CONSEQUENCE OF NEGATIVE ACTION:

The County would continue to own property within the State Route 4 right of way and would not be in compliance with the Agreement.

ATTACHMENTS

Grant Deed