



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: April 25, 2017

Subject: Vacation of a Grant Deed of Development Rights Covering Four Parcels Located on Golf Course Road, Antioch

RECOMMENDATION(S):

The Board of Supervisors, as the governing body of the Contra Costa County Flood Control and Water Conservation District, ADOPT Resolution No. 2017/131 approving the vacation of a Grant Deed of Development Rights covering four parcels of property located on Golf Course Road in Antioch, as recommended by the Chief Engineer. (WL72RP Project – FS1500149).

FISCAL IMPACT:

No Fiscal Impact.

BACKGROUND:

A Grant Deed of Development Rights, recorded September 3, 1998, as Instrument No. 98-0212648-00 – a negative easement – encumbers Assessor's Parcel Nos. 072-510-001, -002, -003 and -004 (Parcels 1, 2, 3, and 4, respectively), as well as Assessor's Parcel Numbers 072-510-005, -006, -007, and -008 (Parcels 5, 6, 7, and 8, respectively), which are

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **04/25/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, 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: April 25, 2017

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

Contact: Olivia D.
Reynolds-Freeman, (925) 313-2306

By: Stacey M. Boyd, Deputy

cc:

BACKGROUND: (CONT'D)

located on Golf Course Road, in Antioch. The Grant Deed of Development Rights was recorded to secure the future payment of Drainage Area 55 fees, which are paid when property is developed.

On February 4, 2010, the Drainage Area 55 fee obligation in the amount of \$64,608.00 was paid for Parcels 1 & 2, and on August 12, 2015, the Drainage Area fee obligation of \$32,402.00 was paid for Parcels 3 & 4. Therefore, the condition required to vacate the Grant Deed of Development Rights as to Parcels 1, 2, 3, and 4 has been satisfied, and the encumbrance, as it pertains to these parcels, is no longer required for public use. For this reason, District staff recommend that the Board approve the vacation of the Grant Deed of Development Rights only as to Parcels 1, 2, 3, and 4. The Grant Deed of Development Rights will continue to encumber each of Parcels 5, 6, 7, and 8 until the Drainage Area 55 fee obligation is satisfied for each parcel.

CONSEQUENCE OF NEGATIVE ACTION:

Parcels 1, 2, 3 and 4 as shown on Parcel Map MS 357-301-09 (Book 205 Parcel Map page 4 & 5) would retain the encumbrance of the Grant Deed of Development Rights even though the condition for vacating that encumbrance has been satisfied.

ATTACHMENTS

Resolution No. 2017/131

Golf Course Rd., Antioch Attach to Resolution