



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: April 9, 2019

Subject: APPROVE two Quitclaim Deeds for a slope easement and drainage easement to West Coast Home Builders, Inc., Pittsburg area. (SCH90030377)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Chair, Board of Supervisors, to execute quitclaim deeds to quitclaim, to West Coast Homebuilder's Inc., as successor to North State Development Co., the County's interests in a temporary drainage easement and a portion of a permanent slope easement in accordance with the Final Order of Condemnation entered in *Contra Costa County v. North State Development Co.*, Contra Costa County Superior Court Case No. C92-01464, State Route 4 Willow Pass Grade Widening and Lowering Project.

DIRECT the Real Estate Division of the Public Works Department to cause the quitclaim deeds to be delivered to the grantee for acceptance and recording in the Official Records of the Contra Costa County Clerk-Recorder.

FISCAL IMPACT:

100% Contra Costa Transportation Authority Funds.

BACKGROUND:

The County filed

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **04/09/2019** ☒ 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 9, 2019

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

Contact: Jessica Dillingham,
925-957-2453

By: Stacey M. Boyd, Deputy

cc:

BACKGROUND: (CONT'D)

Contra Costa County v. North State Development Co., Contra Costa County Superior Court Case No. C92-01464, to acquire property and property interests required for the State Route 4 Willow Pass Grade Widening and Lowering Project, including a temporary drainage easement (Parcel 50857-4) and a permanent slope easement (Parcel 50860-3). The Final Order of Condemnation (FOC) entered in that lawsuit requires the County and the developer to adjust the final boundaries of the slope easement to meet the finished grade of the San Marco development. The final order of condemnation also requires the County to quitclaim its interest in the temporary drainage easement upon request.

West Coast Homebuilder's Inc. (WCHI) is the successor in interest to North State Development Co. Pursuant to WCHI's request and the FOC, the County will quitclaim to WCHI a portion of the slope easement (Parcel 50860-3 in the FOC), and the County will quitclaim to WCHI all of the County's interests in the temporary drainage easement (Parcel 50857-4 in the FOC).

These conveyances are required under the FOC. For these reasons, the Real Estate Division recommends that the Board approve the conveyances.

CONSEQUENCE OF NEGATIVE ACTION:

The County would hold rights to an area no longer needed for public use.

ATTACHMENTS

QC Deed Slope Easement

QC Deed Drainage Easement