



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: September 15, 2020

Subject: APPROVE the conveyance of a slope easement to San Marco Properties, LLC, Pittsburg area.  
(SCH90030377)

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chair, Board of Supervisors, to execute a quitclaim deed to quitclaim, to San Marco Properties, LLC, as successor to Seecon Financial and Construction Co. Inc., the County's interests in portions of a permanent slope easement in accordance with the Final Order of Condemnation entered in Contra Costa County v. Seecon Financial and Construction Co. Inc., Contra Costa County Superior Court Case No. C92-01464, State Route 4 Willow Pass Grade Widening and Lowering Project (Project 4660-6X4287).

DETERMINE that these portions of the slope easement were acquired for highway purposes and are no longer necessary for highway purposes.

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

**FISCAL IMPACT:**

100% Contra Costa Transportation Authority Funds.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **09/15/2020** ☒ 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: September 15, 2020

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

Contact: Jessica Dillingham,  
(925) 957-2453

By: Stacey M. Boyd, Deputy

cc:



### BACKGROUND:

The County filed Contra Costa County v. Seecon Financial and Construction Co. Inc. (SEECON), 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 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.

San Marco Properties, LLC (SMP) is the successor in interest to SEECON. Pursuant to SMP's request and the requirements of the FOC, the County will quitclaim to SMP portions of the slope easement (Parcel 50856-3 in the FOC). The conveyance also is authorized under Streets and Highways Code section 960. The County acquired these portions of the slope easement for County highway purposes, but the County no longer requires them for County highway purposes. Following the conveyance, SMP will be responsible for maintaining the slope easement areas at its cost and expense.

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

Quitclaim Deed