



COUNTY OF HUMBOLDT

AGENDA ITEM NO.  
**D-29**

For the meeting of: July 19, 2016

Date: July 1, 2016  
To: Board of Supervisors  
From: *(Handwritten mark)* Thomas K. Mattson, Public Works Director

**SUBJECT: NOTICE OF INTENT TO TRANSFER PROPERTY TO MCKINLEYVILLE COMMUNITY SERVICES DISTRICT (APN 507-141-021)**

RECOMMENDATION(S): That the Board of Supervisors (4/5 vote required):  
Directs the Clerk of the Board to publish a notice of the County's intent to transfer property pursuant to Government Code Section 25365. (See Attachment 1.)

SOURCE OF FUNDING: N/A

DISCUSSION: McKinleyville Community Services District (MCSD) has approached Humboldt County Department of Public Works (Department) staff with a request to convey an access easement over County's property, which is referred to as Assessor's Parcel Number (APN) 507-141-021 and is situated near the intersection of Azalea Avenue and Highway 200, also known as North Bank Road. Initially, MCSD requested an easement, but after further discussion with the Department it was determined that a quitclaim title transfer to MCSD is the best option for both MCSD and the County.

Department records show that in 1969, the Humboldt County Parks and Recreation

Prepared by Erin D. Damm, Real Property Agent

CAO Approval *(Handwritten signature: Karen Clower)*

REVIEW: Auditor \_\_\_\_\_ County Counsel *(Handwritten initials: JS)* Human Resources *(Handwritten initials: RV)* Other \_\_\_\_\_

TYPE OF ITEM:  
 Consent  
 Departmental  
 Public Hearing  
 Other \_\_\_\_\_

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**  
Upon motion of Supervisor *(Handwritten: Fennell)* Seconded by Supervisor *(Handwritten: Bass)*  
Ayes *(Handwritten: Sundberg, Fennell, Lovelace, Bohn, Bass)*  
Nays \_\_\_\_\_  
Abstain \_\_\_\_\_  
Absent \_\_\_\_\_

PREVIOUS ACTION/REFERRAL:  
Board Order No. \_\_\_\_\_

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Meeting of: 12/30/1969 & 08/29/1972

Dated: *(Handwritten: July 19, 2016)*  
By: *(Handwritten signature: Kathy Hayes)*  
Kathy Hayes, Clerk of the Board

Commission (PRC) requested and the Board of Supervisors (Board) directed Department staff to negotiate with the State of California for the purchase of the State's surplus property in order to gain recreational fishing access on the Mad River. The Board accepted the Director's Deed from the State of California on August 29, 1972. PRC did not build a planned access road that would conform to the State's encroachment permit provisions, nor were any other improvements constructed on the property. PRC was later disbanded and the property was absorbed by the Department, becoming cataloged for use as a park for recreation purposes under the Department's Environmental Services Division.

Government Code Section 25365(a) states that the Board of Supervisors may, by a four-fifths vote, convey property to any special district within the county if the property is not required for county use. Government Code Section 25365(c) goes on to state that unless the agencies are governed by the same County Board of Supervisors, the transferring Board of Supervisors shall publish a notice of its intended action, pursuant to Government Code Section 6061. Based on this code, your Board may convey the property known as APN 507-141-021 to MCSD, which is a special district of the State, per Humboldt County Resolution number 70-36.

The proposed transfer of property to MCSD would be conveyed pursuant to Government Code Section 25581, with the express condition that the property be used only for park purposes. Furthermore, the conveyance would be made pursuant to Public Resources Code Section 5401, with the express condition that at any time in the future if the park land is developed for non-park purposes, payment shall be made to the County for the property at the then fair market value. In lieu of fair market payment, a comparable property may be conveyed to the County, so that the park land may be replaced.

Should your Board decide in favor of the property transfer, notice of your intended action must be published once in the newspaper at least one week prior to the conveyance. The Department supports the conveyance of APN 507-141-021 to MCSD and recommends that your Board reconvenes on the topic during the scheduled meeting in three weeks.

FINANCIAL IMPACT: There is no impact to the General Fund. The requested action conforms to the Board of Supervisors' core goal of creating opportunities for improved safety and health.

OTHER AGENCY INVOLVEMENT: MCSD

ALTERNATIVES TO STAFF RECOMMENDATIONS: The Board may decide not to transfer the property to MCSD. This action would then result in MCSD requesting an easement over the property for access to MCSD's park and recreation property immediately to the south.

ATTACHMENTS:

1. Notice of Intention to Convey Real Property to McKinleyville Community Services District.
2. Assessor map showing the subject property.

NOTICE OF INTENT TO TRANSFER PROPERTY TO  
MCKINLEYVILLE COMMUNITY SERVICES DISTRICT

ATTACHMENT 1

Notice of Intention to Convey Real Property to McKinleyville Community Services District.

**NOTICE OF INTENTION TO CONVEY REAL PROPERTY TO MCKINLEYVILLE  
COMMUNITY SERVICES DISTRICT**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of Humboldt County intends to conditionally convey to the McKinleyville Community Services District the real property described in Exhibit "A".

The terms and conditions of the proposed conveyance are as follows: The conveyance will be made pursuant to Government Code section 25365 and section 25581, as well as Public Resources Code section 5401.

The Board of Supervisors will meet to conclude the proposed transaction on August 9, 2016 at 9:00 AM, or soon thereafter, at Humboldt County Courthouse, Board of Supervisors' Chambers, First Floor, 825 Fifth Street, Eureka, California.

By: \_\_\_\_\_  
Kathy Hayes  
Clerk of the Board of Supervisors

## Exhibit "A"

Those certain parcels of land conveyed to the State of California by deed recorded October 17, 1967 in Book 938 of Official Records page 166, Humboldt County Records.

Excepting therefrom, that portion thereof, lying northerly of and adjacent to the following described line:

Commencing at the west quarter corner of Section 9, Township 6 North, Range 1 East, Humboldt Base and Meridian; thence, S.  $23^{\circ} 12' 32''$  E. (=S.  $24^{\circ} 34' 09''$  E. True Meridian), 1576.62 feet to a point that bears S.  $20^{\circ} 55' 54''$  W., 40.00 feet from Engineer's Station 5+00.00 P.O.T. of the Department of Public Works' Survey between 0.8 mile and 1.0 mile east of Route 101 (State highway 01-Hum-200), said point being the TRUE POINT OF BEGINNING; thence, N.  $86^{\circ} 48' 53''$  W., 131.23 feet; thence, N.  $27^{\circ} 25' 55''$  W., 60.21 feet; thence, N.  $73^{\circ} 16' 40''$  W., 131.40 feet; thence, N.  $57^{\circ} 08' 43''$  W., 179.52 feet; thence, N.  $64^{\circ} 35' 40''$  W., 308.46 feet to the southeasterly terminus of the course described as having a bearing and length of N.  $66^{\circ} 30' 00''$  W., 310.00 feet in the deed to the State of California recorded February 14, 1945 in Book 272 of Deeds, page 41, said County Records; (said terminus being on the southerly line of the existing State highway).

*The bearings and distances used in the above description are on the California Co-ordinate System, Zone 1. Multiply distances shown by 1.0001045 to obtain ground distances.*

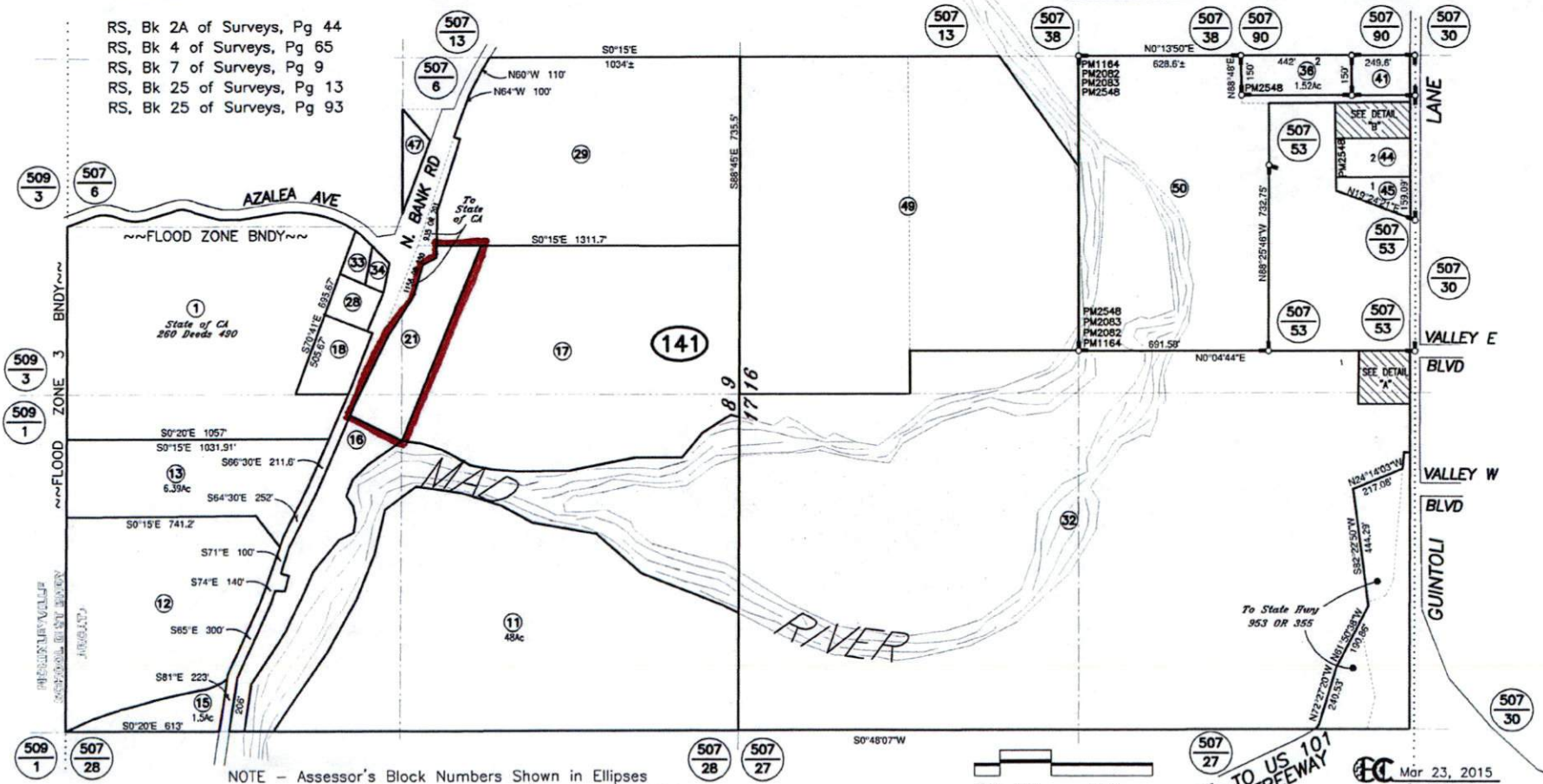
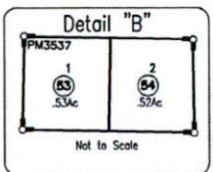
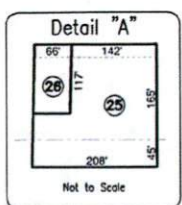
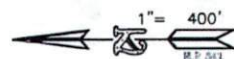
NOTICE OF INTENT TO TRANSFER PROPERTY TO  
MCKINLEYVILLE COMMUNITY SERVICES DISTRICT

ATTACHMENT 2

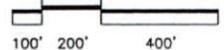
Assessor map showing the subject property.

**ASSESSOR'S PARCEL MAP**  
 1. THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY.  
 2. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN.  
 3. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

- PM1164, Bk 10 of Parcel Maps, Pgs 70-71
- PM2082, Bk 18 of Parcel Maps, Pgs 74-75
- PM2083, Bk 18 of Parcel Maps, Pgs 76-77
- PM2548, Bk 22 of Parcel Maps, Pgs 145-147
- PM3537, Bk 35 of Parcel Maps, Pgs 3-5



NOTE - Assessor's Block Numbers Shown in Ellipses  
 Assessor's Parcel Numbers Shown in Small Circles



TO US 101  
 FREEWAY

Mar 23, 2015