

ATTACHMENT 1: Resolution to Quitclaim Real Property from Humboldt County Flood Control District to City of Fortuna

REQUESTED BY AND RETURN TO:
COUNTY OF HUMBOLDT
DEPARTMENT OF PUBLIC WORKS
LAND USE DIVISION
3033 H STREET, ROOM 17
EUREKA, CA 95501

(Exempt from fess per Gov't C. §27383)

RESOLUTION NO. 18-122

RESOLUTION TO TRANSFER PROPERTY FROM
HUMBOLDT COUNTY FLOOD CONTROL DISTRICT TO
THE CITY OF FORTUNA

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of December 4, 2018

RESOLUTION NO. 18-122

**RESOLUTION TO QUITCLAIM REAL PROPERTY FROM HUMBOLDT COUNTY
FLOOD CONTROL DISTRICT TO CITY OF FORTUNA**

WHEREAS, HUMBOLDT COUNTY FLOOD CONTROL DISTRICT represents that it is the owner in fee of land situated in the Northeast quarter of the northwest quarter of Section 2, Township 2 North, Range 1 West, Humboldt Base and Meridian, and is identified as Assessor's Parcel Number 201-011-006; and

WHEREAS, COUNTY OF HUMBOLDT purchased property known as Assessor's Parcel Number 201-011-006 for the Rohner Creek channel realignment project, said parcel was conveyed per grant deed recorded in the office of the Humboldt County Recorder, in volume 709 of Official Records, page 535 on October 30, 1962; and

WHEREAS, Assessor's Parcel Number 201-011-006 was conveyed from the COUNTY OF HUMBOLDT to the HUMBOLDT COUNTY FLOOD CONTROL DISTRICT per grant deed recorded in the office of the Humboldt County Recorder, in volume 986 of Official Records, page 77 on December 24, 1968 following the completion of the Rohner Creek channel realignment project; and

WHEREAS, HUMBOLDT COUNTY FLOOD CONTROL DISTRICT find that the property known as Assessor's Parcel Number 201-001-006 is not required for the District's use; and

WHEREAS, transfer of the real property is made pursuant to Chapter 5 of Part 2 of Division 2 of Title 3 of Government Code, specifically section 25365; and

WHEREAS, transfer of the real property is made pursuant to Chapter 1 of Division 7 of Title 1 of Government Code, specifically section 6061; and

WHEREAS, COUNTY obtained the real property for the express purpose of the Rohner Creek channel project; and

WHEREAS, the real property owned by the HUMBOLDT COUNTY FLOOD CONTROL DISTRICT is within the incorporated boundary of the City of Fortuna; and

WHEREAS, the City of Fortuna was awarded grant funds under The Disaster Preparedness and Flood Protection Bond Act of 2006 (Proposition 1E), distributed by the Department of Water Resources, with matching funds from the City of Fortuna's Drainage Funds 130 and 354, to conduct the Rohner Creek Flood Control, Seismic and Habitat Improvements Projects; and

WHEREAS, the real property owned by the HUMBOLDT COUNTY FLOOD CONTROL DISTRICT is within the Rohner Creek Flood Control, Seismic and Habitat Improvements Project limits; and

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WHEREAS, the HUMBOLDT COUNTY FLOOD CONTROL DISTRICT shall sign and deliver to the City of Fortuna a Quitclaim Deed, subject to conditions therein, conveying the rights inherent to said real property.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Governing Board finds that all of the recitations made hereinabove are true and correct.
2. Assessor's Parcel Number 201-011-006, as described in Exhibit A, which are attached hereto and made a part hereof by reference, is creek drainage real property purchased for Rohner Creek channelization.
3. Transfer of the real property is made pursuant to Chapter 5 of Part 2 of Division 2 of Title 3 of Government Code, specifically section 25365; and
4. Transfer of the real property is pursuant to Chapter 1 of Division 7 of Title 1 of Government Code, specifically section 6061.
5. Transfer of the real property is for the continued use of drainage in the Rohner Creek corridor.
6. The real property as described in said Exhibit A, is hereby ordered to be quitclaimed to the City of Fortuna.
7. From and after the date scribed to the Certificate of Acceptance signed by the City of Fortuna City Council's designated party for accepting real property, the real property described in said Exhibit A is no longer the Humboldt County Flood Control District's real property.
8. The Clerk of the Board of Supervisors is directed to deliver to Public Works Department, Land Use Division this fully executed Resolution for further processing, retaining a copy of the same in meeting records.

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

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Dated: December 4, 2018



Ryan Sundberg, Chair
Humboldt County Board of Supervisors

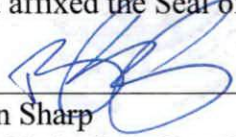
Adopted on motion by Supervisor Fennell, seconded by Supervisor Bass, and the following vote:

AYES: Supervisors Bohn, Fennell, Bass, Sundberg, Wilson
NAYS: Supervisors --
ABSENT: Supervisors --
ABSTAIN: Supervisors --

STATE OF CALIFORNIA)
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



By Ryan Sharp
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California

ASSESSOR'S PARCEL NUMBER 201-011-006

Exhibit A:

All that portion of the northwest quarter of the northwest quarter of Section 2, T.2 N., R.1 W., H.B.&M., described as follows:

Bounded on the north by the parcel of land conveyed to Russell Sutton and Irma A. Sutton by deed dated June 6, 1939, recorded in book 239 of Deeds, page 484, and by the parcel of land conveyed to Celso Pedrotti, a married man, by deed dated May 26, 1934, recorded in book 214 of Deed, page 175, all of record in the Office of the Recorder of Humboldt County;

Bounded on the west by the northeasterly line of the Northwestern Pacific Railroad Company right of way;

Bounded on the west by the northeasterly line of the Northwestern Pacific Railroad Company right of way;

Bounded on the east by the westerly line of the Sandy Prairie Road, No. P-203, and bounded on the south by a line described as follows:

Beginning on the westerly line of Sandy Prairie Road, P-204, at a point that is S 71° 22' 10" W, 1411.74 feet, from the southeast corner of Section 35, T.3 N., R.1 W., H.B.&M., and running thence S 81° 02' 57" W, 170 feet, to the northeasterly line of the Northwestern Pacific Railroad right of way.

Containing 0.29 of an acre.