



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

2-1

For the meeting of: 02/02/2016

Date: 01/18/2016

To: Board of Supervisors

From:  Thomas K. Mattson, Director of Public Works

Subject: FORMATION OF ANNEXATION NO. 2 TO PERMANENT ROAD DIVISION (PRD) 1000, ZONE NO. 007 AND IMPOSITION OF PARCEL CHARGES FOR CENTRAL ESTATES PHASE 2C SUBDIVISION, MCKINLEYVILLE

RECOMMENDATION(S): That the Board of Supervisors

1. Opens the public hearing regarding the formation of Annexation No. 2 to Permanent Road Division 1000, Zone No. 007 and imposition of parcel charges for road maintenance for the Central Estates Phase 2C subdivision, receive public testimony, and close the public hearing.
2. Directs the Auditor to tally the ballots received to impose parcel charges for road maintenance in the Central Estates Phase 2C subdivision. The tally shall be conducted in the Board of Supervisors Chambers.
3. Based upon the public testimony and results of the election, adopts the attached Resolution to Establish Annexation No. 2 to Humboldt County Permanent Road Division 1000, Zone No. 007 and to Impose Parcel Charges for Road Maintenance.

(continued)

Prepared by Robert W. Bronkall, Deputy Director 

CAO Approval 

REVIEW:

Auditor  County Counsel  Human Resources _____ Other _____

TYPE OF ITEM:

☐ Consent
☐ Departmental
☒ Public Hearing
☐ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. C-18

Meeting of: 12/15/2015

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
Upon motion of Supervisor _____ Seconded by Supervisor _____

Ayes
Nays
Abstain
Absent

SEE ACTION SUMMARY

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

Dated: _____

By: _____

Kathy Hayes, Clerk of the Board

4. Adopts the Resolution of Acceptance to accept the rights of way for Sagewood Way for public road purposes; Parcel B for storm drain purposes; and Parcel K for pedestrian easement purposes, all as shown dedicated to the County of Humboldt on Tract No. 647, filed in Book 25 of Maps, pages 48 through 51, in the Office of the Humboldt County Recorder.
5. Directs the Auditor to calculate yearly the compounded inflation factor based upon the Consumer Price Index (CPI) to the parcel charges for road maintenance.

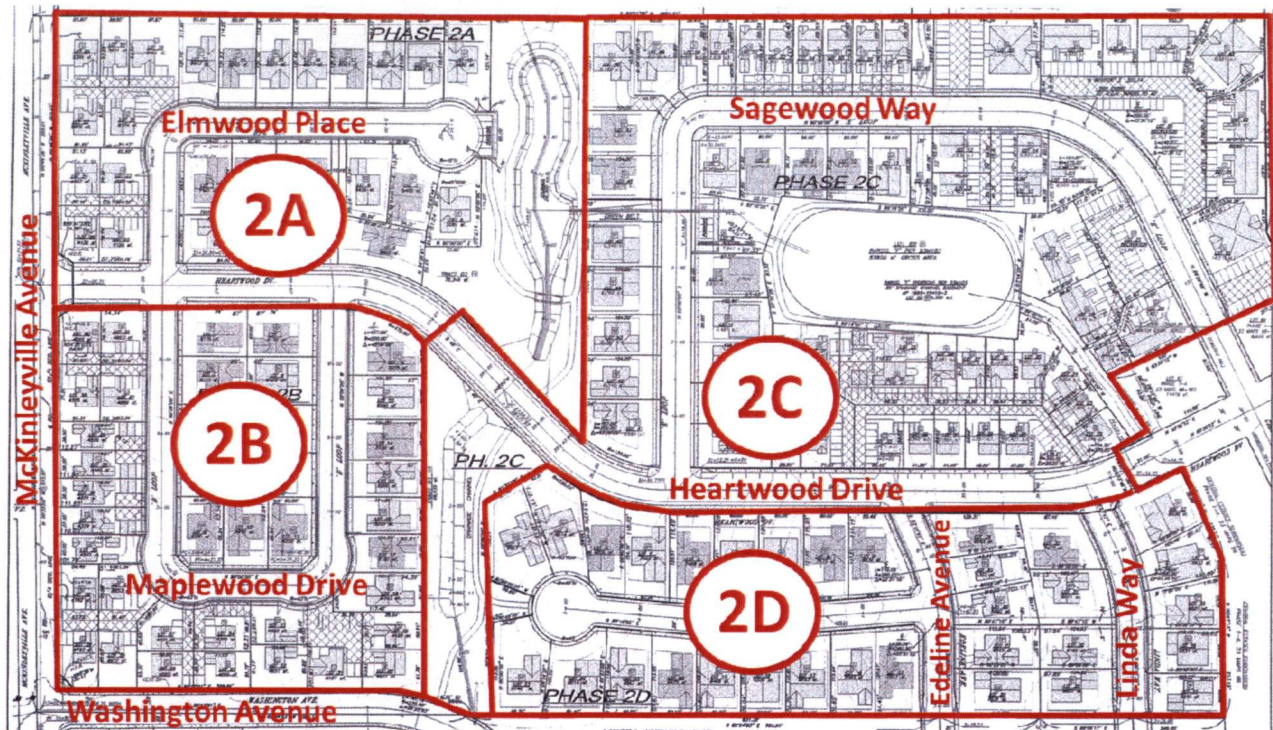
SOURCE OF FUNDING: Public Works Land Use 1100166-3412 and Fund 2307 PRD 1000-Zone 007.

DISCUSSION: On December 17, 2002 the Board of Supervisors adopted Resolution No. 02-111 establishing the Humboldt County-Wide Permanent Road Division 1000. Streets and Highway Code (S&H) § 1162.6 authorizes the Board of Supervisors to create zones within the division for specific permanent road projects.

Mr. James Furtado, Manager of Central Estates Remainder LLC, submitted a petition requesting that the Board of Supervisors hold the necessary hearings and election to establish Annexation No. 2 to PRD 1000, Zone No. 007 for the benefit of the Central Estates Phase 2C subdivision located within McKinleyville at the northwesterly corner of the intersection of Heartwood Drive and Chantrelle Drive. As required by S&H § 1162, the petition includes the name of the proposed annexation area, the signatures of the landowners, the boundaries of the proposed annexation area, the number of acres in the proposed annexation area and the assessed valuation, the value of improvements on the real estate, the number of inhabitants therein, and a description of the roads and associated facilities to be maintained. The petition requests that an assessment be levied to pay the costs for future road maintenance, and storm drain rehabilitation.

On December 3, 2009, the Planning Commission approved the Central Estates Phase 2 subdivision as a multi-phase subdivision with 4 phases: Phase 2A, Phase 2B, Phase 2C, and Phase 2D. Phase 2A was completed in 2012 and PRD 1000, Zone No. 007 was formed to provide maintenance for the road that serves Phase 2A (Elmwood Place) and the storm drain system that is located primarily in Phase 2A but is intended eventually to serve the entire Phase 2 subdivision. Phase 2B was completed in 2013 and Annexation No. 1 to PRD 1000, Zone No. 007 was formed to provide maintenance for the road that serves Phase 2B (Maplewood Drive) and participate in maintaining the storm drain system that is located primarily in Phase 2A but is intended to serve the entire Phase 2 subdivision. Phase 2C has now been completed and it is proposed to be annexed into PRD 1000, Zone No. 007 so that the costs associated with the storm drain system in Phase 2A are spread equally among all the lots in the three completed sub-phases of the Central Estates Phase 2 subdivision (Phases 2A, 2B and 2C). In addition, Phase 2C also includes a storm drain system associated with Sagewood Way.

Phases 2A, 2B and 2C are served by different roads. Elmwood Place, which serves Phase 2A, and Maplewood Drive, which serves Phase 2B, will be maintained by the assessment that has already been imposed. Phase 2A and Phase 2B lots will not be funding maintenance of Sagewood Way and its associated storm drain system. The proposed new assessment for Annexation No. 2 would maintain Sagewood Way and its associated storm drain system (not Elmwood Place or Maplewood Drive), in addition to sharing in the Phase 2A storm drain system rehabilitation costs. Only the 44 lots served by Sagewood Way will participate in the maintenance of Sagewood Way and its associated storm drain system. It is anticipated that the remaining future phase (Phase 2D) will also be annexed into PRD 1000, Zone No. 007. S&H § 1168.8 allows property to be annexed to or detached from a PRD.



Above: Diagram showing the Central Estates Phase 2 tentative map. Each of the four phases are designated as 2A, 2B, 2C and 2D. Phase 2A was completed in 2012. Phase 2B was completed in 2013. Phase 2C was completed in 2015.

An engineer's report and an affidavit of valuations accompanied the petition. The engineer's report provided the basis for the estimation of assessment to cover the cost of the requested maintenance. The affidavit of valuations was required by S&H § 1163 and stated that the affiant had compared the valuations given in the petition and found them to be complete and correct.

In order to form Annexation No. 2 to PRD 1000, Zone No. 007, the Board of Supervisors had to receive and accept the petition and the affidavit of valuations, and must hold a public hearing to hear any protests to the formation of the annexation. They must also conduct a public hearing regarding the proposed parcel charges for maintenance of roads within the subdivision.

On December 15, 2015 the Board of Supervisors received the petition, affidavit of valuations and engineer's report and adopted Resolution No. 15-131. The resolution was entitled "RESOLUTION OF INTENT TO ESTABLISH ANNEXATION NO. 2 TO HUMBOLDT COUNTY PERMANENT ROAD DIVISION 1000, ZONE NO. 007 AND TO IMPOSE PARCEL CHARGES FOR ROAD MAINTENANCE". The Resolution scheduled a public hearing to be held February 2, 2016 at 1:30 p.m. or soon thereafter to consider all protests against the proposed assessment, tabulate the ballots and determine whether to form Annexation No. 2 to PRD 1000, Zone No. 007.

The Resolution directed the Department of Public Works (Department) to mail notice of the hearing to form the proposed annexation area and to impose special parcel charges for road maintenance to each record owner of each parcel within the proposed annexation area as required by Government Code (GC) § 53753 and Article XIII D, Section 4 of the California Constitution. Ballots and notices of the hearing in conformance with GC § 53753 were mailed to each record owner of parcels located within the proposed annexation area on December 17, 2015. The ballots were addressed to be returned to the Auditor's office of the County of Humboldt on or before the close of the hearing for formation of the proposed annexation area on February 2, 2016.

The Resolution directed the Department to post the petition, notice of formation (annexation) and notice of assessment as required by S&H § 1195. The petition, notice of the hearing for formation of the proposed annexation area and notice of the hearing to establish the assessment were posted on the property by the Department in conformance with S&H § 1195 on January 4, 2016.

The Resolution directed the Clerk of the Board to publish the petition and notices of hearing in accordance with S&H § 1164 and § 1196. The petition to form the proposed annexation area, the notice of the hearing to form the proposed annexation area and the notice of the hearing to consider the assessment were published in the Times-Standard on January 3, 2016, January 10, 2016, and January 17, 2016.

It is recommended that the Board of Supervisors open the public hearing to form Annexation No. 2 to PRD 1000, Zone No. 007 and to impose a parcel assessment, take public testimony, and close the public hearing.

At the conclusion of the hearing the Board of Supervisors must decide, based upon the petition and public testimony, whether Annexation No. 2 to PRD 1000, Zone No. 007 should be formed (S&H §1166). The Department supports the creation of Annexation No. 2 to Zone No. 007.

The Board of Supervisors must decide whether to accept the petition and provide the maintenance services requested (S&H §1169). The Department has reviewed the engineer's report submitted with the petition and finds the costs appropriate for maintaining the requested services.

The Board of Supervisors, based upon all objections and protests during the public hearing, if any, must decide whether the assessment for the petitioned maintenance services should be levied (GC § 53753). The assessment is subject to an annual inflation factor based upon the Consumer Price Index (CPI). The assessment can only be imposed upon a majority vote of the landowners.

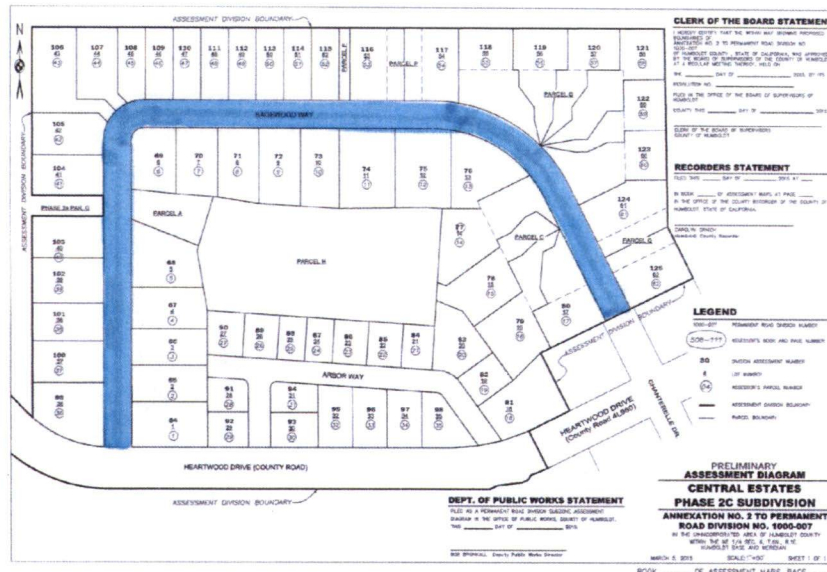
The Department supports the proposed assessment. This assessment is necessary to provide the funds to enable the Department to provide the requested maintenance services. Without approval of the assessment the Department does not support the formation of Annexation No. 2 to PRD 1000, Zone No. 007.

It is recommended that the Board of Supervisors direct the Auditor or his designee to tally the ballots regarding a parcel assessment for road maintenance within the Central Estates Phase 2C subdivision and provide the results to the Board.

Based upon the public testimony and a positive election, it is recommended that the Board of Supervisors adopt the attached resolution to establish Annexation No. 2 to PRD 1000, Zone No. 007 and to impose parcel charges.

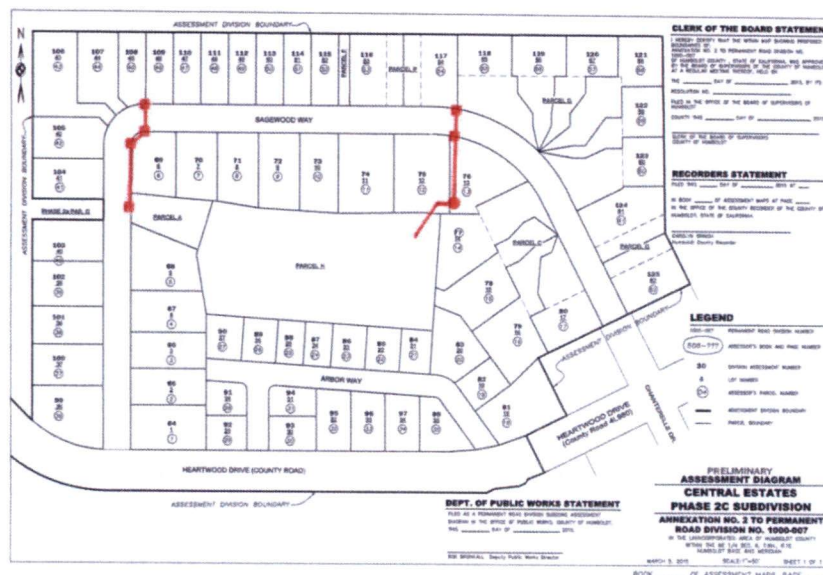
The formation of Annexation No. 2 to PRD 1000, Zone No. 007 and imposition of parcel charges allows the Department to recommend that the Board of Supervisors accept the streets within the Central Estates Phase 2C subdivision into the County Maintained Road System. Policy #2 adopted by the Board of Supervisors on July 15, 2003 allows the Department to recommend acceptance of subdivision roads into the County Maintained Road System should a PRD zone be formed to fund future maintenance. The parcel charges provide additional funding to the County for the future maintenance of the roads within the subdivision. In summary, the proposed maintenance for Phase 2C consists of the following three components:

- Funding of the maintenance of Sagewood Way (Phase 2C) is based upon a repeating 25 year cycle with a slurry seal on year 12 and asphalt overlay on year 25. Sagewood Way serves 44 lots; the remaining 18 lots are accessed from a private road (not county maintained) that connects directly to Heartwood Drive. 44 lots from Phase 2C will participate.



Above: Diagram showing Annexation No. 2 to PRD 1000, Zone No. 007. The road area (shaded in blue) is maintained by the County as part of the PRD.

- Funding of the rehabilitation of the Sagewood Way storm drain system (Phase 2C) is based upon an estimated 50 year life of the storm drain system. The cycle will repeat for subsequent 50 year cycles. This storm drain is associated with Sagewood Way and only benefits the lots accessing Sagewood Way. 44 lots from Phase 2C will participate.



Above: Diagram showing Annexation No. 2 to PRD 1000, Zone No. 007. The storm drain system (shown in red) is maintained by the County as part of the PRD.

- Funding of the rehabilitation of the Phase 2A overall storm drain system is based upon an estimated 50 year life of the storm drain system. The cycle will repeat for subsequent 50 year cycles. This storm drain serves all of the lots in all of the phases of the subdivision. In all, 125 lots from Phases 2A, 2B and 2C will participate. 62 lots from Phase 2C will participate.



Above: Diagram showing the storm drain system to be maintained by the County as part of the proposed division for road maintenance.

Note that Heartwood Drive is not included in the division for road maintenance as it is a collector road. Pursuant to Policy #2 adopted by the Board of Supervisors on July 15, 2003, Heartwood Drive will be brought into the County Maintained System without the need to be included within a permanent road division.

In addition, sidewalks within and fronting the subdivision will not be maintained by the County. Pursuant to Resolution 97-31 adopted by the Board of Supervisors on March 4, 1997, maintenance of sidewalks is the responsibility of the fronting landowner.

Above: Diagram showing the roadway improvements to be maintained by the County and the sidewalk improvements to be maintained by the landowner.

When the Board of Supervisors accepted the Central Estates Phase 2C subdivision map for filing on July 14, 2015, it did not accept the offer of public road easement to the County of Humboldt of Sagewood Way, Parcel B for storm drain purposes, or Parcel K for pedestrian easement purposes. Should the Board of Supervisors decide to form Annexation No. 2 to PRD 1000, Zone No. 007, it is recommended that the Board of Supervisors adopt the attached resolution accepting the right of way for Sagewood Way; Parcel B for storm drain purposes; and Parcel K for pedestrian easement purposes. This allows the County to have the necessary rights to bring the roads into the County Maintained Road System. This recommendation is subject to the Board of Supervisors adopting the resolution for formation of Annexation No. 2 to PRD 1000, Zone No. 007 and the establishment of the parcel assessment for maintenance of the roads within the Central Estates Phase 2C subdivision.

Assessments collected for the area within the proposed annexation will be included within fund number 2307 which was previously established for PRD 1000, Zone No. 007.

FINANCIAL IMPACT: The cost of formation for the annexation into the PRD 1000, Zone No. 007 and parcel assessment election is required to be funded through the General Fund. Once this annexation is formed, a portion of the first year assessment will be used to reimburse the General Fund for expenditures. The assessment will fund the County's cost to perform the maintenance described in the petition. To offset inflation, the assessment includes a provision for an annual compounded increase based upon the CPI. On December 15, 2015 the Board of Supervisors approved a supplemental budget of \$1,900.00 (account No. 1100166-3412) to pay for the formation costs.

If the formation of the annexation is not approved, or the landowners within the proposed area for annexation, or the Board of Supervisors do not approve the assessment, then the General Fund monies used to attempt to create this annexation cannot be recovered.

This item conforms with the Board of Supervisors' Core Role of providing for and maintaining infrastructure.

OTHER AGENCY INVOLVEMENT: The Auditor's Office is designated as the department to receive and tabulate the ballots for the election. Previously, a special trust fund was created for PRD 1000, Zone No. 007. The area proposed for annexation will utilize the existing trust fund. The Auditor's Office is requested to provide yearly inflation figures based upon the CPI for the assessment. The Auditor will be responsible for updating the assessments in the County's property tax database based upon updated assessment rolls provided by the Department of Public Works.

The Tax Collector will be responsible for collecting the assessment as part of the property taxes.

ALTERNATIVES TO STAFF RECOMMENDATIONS: The Board of Supervisors may choose based upon protest testimony to not approve the formation of the annexation into PRD 1000, Zone No. 007 and may choose based upon testimony or the results of the election to not impose the assessment for the maintenance of roads. The existing Covenants, Conditions and Restrictions or Road Maintenance Association for the Central Estates Phase 2C subdivision would maintain and repair the improvements contained within the subdivision. Copies of these documents are on file with the Land Use Division.

ATTACHMENTS:

- Attachment 1: RESOLUTION TO ESTABLISH ANNEXATION NO. 2 TO HUMBOLDT COUNTY PERMANENT ROAD DIVISION 1000, ZONE NO. 007 AND TO IMPOSE PARCEL CHARGES FOR ROAD MAINTENANCE
- Attachment 2: RESOLUTION TO ACCEPT THE RIGHTS OF WAY FOR SAGEWOOD WAY FOR PUBLIC ROAD PURPOSES, PARCEL B FOR STORM DRAIN PURPOSES, AND PARCEL K FOR PEDESTRIAN EASEMENT PURPOSES

ATTACHMENT 1

**RESOLUTION TO ESTABLISH ANNEXATION NO. 2 TO HUMBOLDT COUNTY
PERMANENT ROAD DIVISION 1000, ZONE NO. 007 AND TO IMPOSE PARCEL CHARGES
FOR ROAD MAINTENANCE**

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of February 2, 2016

RESOLUTION NO. 16-17

**RESOLUTION TO ESTABLISH ANNEXATION NO. 2 TO HUMBOLDT COUNTY
PERMANENT ROAD DIVISION 1000, ZONE NO. 007 AND TO IMPOSE PARCEL
CHARGES FOR ROAD MAINTENANCE**

WHEREAS, pursuant to the provisions of Permanent Road Division Law (Streets and Highways Code Sections 1160 et seq.), the Board of Supervisors is authorized to establish a Permanent Road Division as a method of providing road improvement and maintenance services by the County within the unincorporated area; and

WHEREAS, on December 17, 2002 the Board of Supervisors adopted Resolution 02-111 establishing the Humboldt County-Wide Permanent Road Division 1000; and

WHEREAS, Streets and Highways Code Section 1162.6 authorizes the Board of Supervisors to create zones within the division for specific permanent road projects, with differing special taxes or parcel charges; and

WHEREAS, Streets and Highways Code Section 1162.6 provides that parcel charges shall be deemed to be assessments within the meaning of Article XIII D of the California Constitution; and

WHEREAS, on June 12, 2012 the Board of Supervisors adopted Resolution No. 12-49 to establish Humboldt County Permanent Road Division 1000, Zone No. 007 and to impose parcel charges for road maintenance; and

WHEREAS, on August 20, 2013 the Board of Supervisors adopted Resolution No. 13-63 to establish Annexation No. 1 to Humboldt County Permanent Road Division 1000, Zone No. 007 and to impose parcel charges for road maintenance; and

WHEREAS, Streets and Highways Code Section 1168.8 allows property to be annexed to or detached from a permanent road division in the same manner and under the same procedures provided in Sections 1162 to 1168, inclusive, for the formation of a division; and

WHEREAS, the Board of Supervisors has received a petition to form Annexation No. 2 to Permanent Road Division 1000, Zone No. 007; and

WHEREAS, the legal description for the proposed annexation area is described within Exhibit A, and is generally shown on Exhibit B, both exhibits are attached hereto and incorporated herein; and

WHEREAS, the name of the proposed annexation area is Annexation No. 2 to Humboldt County Permanent Road Division 1000, Zone No. 007; and

WHEREAS, the petition has been signed by a majority of the landowners within the proposed annexation area and meets all the other requirements of Streets and Highways Code Sections 1162 and 1163; and

WHEREAS, the proposed services to be provided within the proposed annexation area are road maintenance and storm drain rehabilitation; and

WHEREAS, a copy of a detailed Engineer's Report within the meaning of Article XIII D of the California Constitution has been provided to the Humboldt County Board of Supervisors and the original is on file with the Department of Public Works; and

WHEREAS, the boundaries of the proposed annexation area, number of acres therein, and a description of the roads to be maintained are set forth in the Engineer's Report; and

WHEREAS, Streets and Highways Code Section 1162.6(d) allows proceedings to form a Permanent Road Division zone to be consolidated with an assessment ballot proceeding pursuant to Government Code Section 53753; and

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of February 2, 2016

RESOLUTION NO. 16-17

WHEREAS, on December 15, 2015 the Board of Supervisors adopted Resolution 15-131 intending to establish Annexation No. 2 to Permanent Road Division 1000, Zone No. 007 and to impose parcel charges for road maintenance; and

WHEREAS, the petition, notice of formation and notice of assessment have been published as required by law; and

WHEREAS, the petition, notice of formation and notice of assessment have been posted pursuant to Streets and Highway Code Section 1195; and

WHEREAS, the assessment cannot be imposed within the proposed annexation area without the approval of a majority vote of the property owners who cast ballots, pursuant to the provisions of Article XIII D of the California Constitution and Government Code Section 53753; and

WHEREAS, a notice of assessment and ballot have been sent to all property owners within proposed Annexation No. 2 to Permanent Road Division 1000, Zone No. 007 as required by law; and

WHEREAS, a public hearing was held on February 2, 2016 after which the ballots were counted.

NOW, THEREFORE, BE IT RESOLVED that:

SECTION 1. The Board of Supervisors finds that all of the recitations made herein above are true and correct.

SECTION 2. At the public hearing on February 2, 2016, the Board of Supervisors received evidence and considered all objections and protests, if any, to the proposed annexation and maintenance services to be provided.

SECTION 3. At the public hearing on February 2, 2016, the Board of Supervisors received evidence and considered all objections and protests, if any, to the proposed assessment pursuant to Article XIII D of the California Constitution and Government Code Section 53753. A majority protest against the proposed assessment does not exist.

SECTION 4. The ballots were tabulated at the conclusion of the public hearing. The property owners within proposed Annexation No. 2 to Permanent Road Division 1000, Zone No. 007, by written ballot as required by law, voted in favor of the assessment. The results shall be forwarded to the Humboldt County Tax Collector. The results of the election are a public record and shall be on file with the Humboldt County Auditor-Controller's Office.

Total "Yes" votes 62

Total Weight of "Yes" votes \$8,784.78

Total "No" votes 0

Total Weight of "No" votes \$0

SECTION 5. Proceedings for formation of Annexation No. 2 to Permanent Road Division 1000, Zone No. 007 and for imposing parcel charges within the annexation area are valid and in

conformity with Permanent Road Division Law, Article XIII D of the California Constitution, and Government Code Section 53753. The territory described in Exhibit A is annexed to Zone No. 007 and shall be designated Annexation No. 2 to Humboldt County Permanent Road Division 1000, Zone No. 007. Services to be provided in the annexation area are road maintenance and storm drain rehabilitation as set forth in the Engineer's Report on file with the Department of Public Works.

SECTION 6. The proposed assessment is adopted, establishing rates as set forth below:

Fiscal Year 2016-2017	Not to exceed \$1.00 per benefit unit plus first year formation cost of \$30.06 per parcel.
Fiscal Year 2017-2018 and thereafter	Not to exceed \$1.00 per benefit unit plus an inflation factor compounded based on Consumer Price Index prepared by the United States Department of Labor, Bureau of Labor Statistics using the weighted average of Consumer Price Indexes (All Urban Consumers for the State of California).

SECTION 7. The assessment shall be collected in the same manner and subject to the same penalty as, or with, other charges and taxes fixed and collected by the County of Humboldt.

SECTION 8. If any section, subsection, sentence, phrase or clause of this Resolution is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the resolution. The Board of Supervisors here declares that it would have adopted the resolution and such sections despite the fact that one or more sections, subsections, phrases, or clauses be declared invalid.

SECTION 9. The Board of Supervisors is empowered and authorized to adopt this Resolution upon the majority vote of the voters in the Annexation No. 2 to Permanent Road Division 1000, Zone No. 007.

Dated: February 2, 2016



MARK LOVELACE, Chair
Humboldt County Board of Supervisors

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

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

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of February 2, 2016

RESOLUTION NO. 16-17

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 ANA HARTWELL

Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California

EXHIBIT "A"
LEGAL DESCRIPTION

**ANNEXATION NO. 2 TO ZONE NO. 007 TO PERMANENT ROAD
DIVISION 1000 FOR ROAD MAINTENANCE**

All that real property situated in the County of Humboldt, State of California, described as follows:

That portion of the Northeast Quarter of Section 6, Township 6 North, Range 1 East, Humboldt Meridian, described as follows:

Lots 1 through 62 and all that portion of Sagewood Drive as shown on Tract No. 647 of the Central Estates Phase 2C Subdivision, as filed in Book 25 of Maps, pages 48-51, in the Office of the County Recorder of said County.

Dated: 3/2/2015

By:

Max A. Schillinger
Max Schillinger
LS 7969



EXHIBIT "B"
ASSESSMENT DIAGRAM

ANNEXATION NO. 2 TO ZONE NO. 007 TO PERMANENT ROAD
DIVISION 1000 FOR ROAD MAINTENANCE



ATTACHMENT 2:

RESOLUTION TO ACCEPT THE RIGHTS OF WAY FOR SAGEWOOD WAY FOR PUBLIC ROAD PURPOSES, PARCEL B FOR STORM DRAIN PURPOSES, AND PARCEL K FOR PEDESTRIAN EASEMENT PURPOSES

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of February 2, 2016

RESOLUTION NO. 16-18

RESOLUTION TO ACCEPT THE RIGHTS OF WAY FOR SAGEWOOD WAY FOR PUBLIC ROAD PURPOSES, PARCEL B FOR STORM DRAIN PURPOSES, AND PARCEL K FOR PEDESTRIAN EASEMENT PURPOSES

WHEREAS, Section 66477.2 of the Government Code authorizes the Board of Supervisors by resolution to rescind its action and accept the offer of dedication on a map and open the streets, paths and alleys, and right-of-way easements to the public; and

WHEREAS, an offer of dedication to the County of Humboldt of Sagewood Way for public road purposes, Parcel B for storm drain purposes, and Parcel K for pedestrian easement purposes was made on Tract Map No. 647 by Central Estates Remainder, LLC, a California Limited Liability Company; and

WHEREAS, on July 14, 2015, the Humboldt County Board of Supervisors did not accept the offer of dedication of Sagewood Way, Parcel B, and Parcel K; and

WHEREAS, on July 21, 2015, Tract Map No. 647 was filed in Book 25 of Maps, pages 48 through 51 in the office of the Humboldt County Recorder and is incorporated herein by reference; and

WHEREAS, County now desires to accept the dedication of Sagewood Way and to open the road to the public; and

WHEREAS, County now desires to accept the dedication of Parcel B for storm drain purposes; and

WHEREAS, County now desires to accept the dedication of Parcel K for pedestrian easement purposes;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Humboldt County Board of Supervisors rescinds its July 14, 2015 action of not accepting the dedication and hereby accepts the dedication of Sagewood Way for public road purposes, Parcel B for storm drain purposes, and Parcel K for pedestrian easement purposes all as made by Central Estates Remainder, LLC, a California Limited Liability Company on Tract Map No. 647 which was filed on July 21, 2015 in the office of the Humboldt County Recorder.
2. The Clerk of the Board of Supervisors is directed to return a certified copy of the resolution to the Land Use Division of the Public Works Department for recordation in the office of the Humboldt County Recorder. The acceptance of the dedication shall be effective upon the recordation of the resolution in the office of the County Recorder.

Dated: February 2, 2016



MARK LOVELACE, Chair
Humboldt County Board of Supervisors

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of February 2, 2016

RESOLUTION NO. 16-18

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

AYES:	Supervisors	Sundberg, Fennell, Lovelace, Bohn, Bass
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 ANA HARTWELL
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California