

**Sierra County  
Board of Supervisors'  
Agenda Transmittal &  
Record of Proceedings**

<b>MEETING DATE:</b> August 16, 2016	<b>TYPE OF AGENDA ITEM:</b> <input type="checkbox"/> Regular <input type="checkbox"/> Timed <input checked="" type="checkbox"/> Consent
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**DEPARTMENT:** Department of Public Works and Transportation  
**APPROVING PARTY:** Tim H. Beals  
**PHONE NUMBER:** (530) 289-3201

**AGENDA ITEM:** Authorization to execute quitclaim deed to Jerome L. McCaffrey on ownership interest in an unnamed alley previously abandoned by the by the Board of Supervisors on April 5, 2 016.

**SUPPORTIVE DOCUMENTS ATTACHED:**  Memo  Resolution  Agreement  Other

**BACKGROUND INFORMATION:** Resolution 2016-036 abandoning the easement was adopted on April 5, 2016 and recorded on April 11, 2016. There was not provision for conveyance of the property, even though the purpose of the abandonment was intended to accommodate a parcel merger needed to accommodate a septic system permit. Execution of the attached quitclaim will resolve the conveyance.

**FUNDING SOURCE:**  
**GENERAL FUND IMPACT:** No General Fund Impact  
**OTHER FUND:**  
**AMOUNT:** \$ N/A

**ARE ADDITIONAL PERSONNEL REQUIRED?**  
  
 Yes, -- --  
 No

**IS THIS ITEM ALLOCATED IN THE BUDGET?**  Yes  No  
  
**IS A BUDGET TRANSFER REQUIRED?**  Yes  No

**SPACE BELOW FOR CLERK'S USE**

<p><b>BOARD ACTION:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken</p>	<p><input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____</p>	<p>Resolution 2016- _____ Agreement 2016- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus</p>
		<p><b>COMMENTS:</b> _____ _____ _____ _____ _____</p>

CLERK TO THE BOARD \_\_\_\_\_ DATE \_\_\_\_\_

**From:** Paula Erle [mailto:[paula@hemig-erle.com](mailto:paula@hemig-erle.com)]  
**Sent:** Monday, August 08, 2016 11:43 AM  
**To:** Tim Beals; Brandon Pangman; Kathy Whitlow  
**Cc:** Margie Forster; Chief McCaffrey; Paul Roen  
**Subject:** Quitclaim Request for Abandoned Alley

Dear Director Tim, Brandon & Kathy:

I am writing on behalf of Jerry McCaffrey to request that the Board of Supervisors Quitclaim the Abandoned Alley that was the subject of Resolution #2016-036 to Jerome L. McCaffrey.

This action will allow Mr. McCaffrey to proceed with a merger that will combine the alley with his currently owned parcels (015-052-003 & 015-052-004) into one parcel.

I am attaching a recordable Quitclaim Deed.

Thank you for your help in this matter.

Sincerely,

*Paula Erle - Broker / Realtor®*



11836 Donner Pass Rd. Truckee CA. 96161

(530) 550-5025 Truckee Office

(530) 994-3600 Sierra Valley Office

(530) 414-4301 Cell

[paula@hemig-erle.com](mailto:paula@hemig-erle.com)

[www.hemig-erle.com](http://www.hemig-erle.com)

**WHEN RECORDED MAIL DOCUMENT TO:**

**Tim H. Beals  
Sierra County  
Director of Transportation  
Post Office Box 98  
Downieville, CA 95936**

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**STATE OF CALIFORNIA, COUNTY OF SIERRA, BOARD OF SUPERVISORS**

**IN THE MATTER OF VACATION OF A  
STREET, HIGHWAY OR PUBLIC EASEMENT  
AFFECTING A PUBLIC ACCESS EASEMENT IN  
THE COMMUNITY OF SIERRAVILLE**

**RESOLUTION NO. 2016- 036**

**WHEREAS**, On February 16, 2016 the Sierra County Board of Supervisors adopted Resolution 2016-014 setting a date for a public hearing and declaring intent to vacate a portion of a public street, highway or public service easement, identified as a portion of an existing public access strip of land under jurisdiction of Sierra County as shown on Sierra County Assessor's Parcel Map Boo 15, Page 5, situated between Sierra County Assessor Parcels 015-052-003-0 and 015-052-004-0; and,

**WHEREAS**, Notice of Public Hearing for April 5, 2016 was duly published and posted as required by law.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of the County of Sierra find as follows:

- A) The notice of intent to vacate was duly published, posted, and mailed as required by law and a public hearing was conducted on the question of vacation of the public right of way or public easement and this Board has reviewed public testimony and staff reports as part of the record of proceedings; and,
- B) Based upon the record, the vacation of the referenced portion of the public easement is not necessary to present or prospective public use; and,
- C) Based upon the record, the proposed vacation shall be exempt from the California Environmental Quality Act, and the Planning Director is directed to file the appropriate exemption form with the County Recorder upon recordation of this resolution; and,

D) The vacation of the public interest in the right of way/public service easement area represented on Exhibit "A" is hereby approved and the Clerk of the Board is directed to record this resolution consistent with the law.

Adopted by the Board of Supervisors of the County of Sierra, State of California on the 5th day of April, 2016 by the following vote:

AYES: Supervisors Huebner, Roen, Beard, Schlefstein, Adams

NOES: None

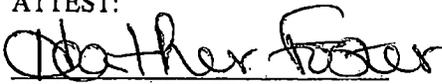
ABSTAIN: None

ABSENT: None

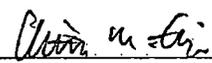
COUNTY OF SIERRA

  
\_\_\_\_\_  
LEE ADAMS  
CHAIRMAN, BOARD OF SUPERVISORS

ATTEST:

  
\_\_\_\_\_  
HEATHER FOSTER  
CLERK OF THE BOARD

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CHRISTIAN CURTIS  
DEPUTY COUNTY COUNSEL

## EXHIBIT "A"

## ABANDONMENT DESCRIPTION

All that certain real property being a portion of an unnamed alley situate in the Northeast 1/4 of Section 13, Township 20 North, Range 14 East, M.D.M., in the unincorporated Town of Sierraville, County of Sierra, State of California and being more particularly described as follows:

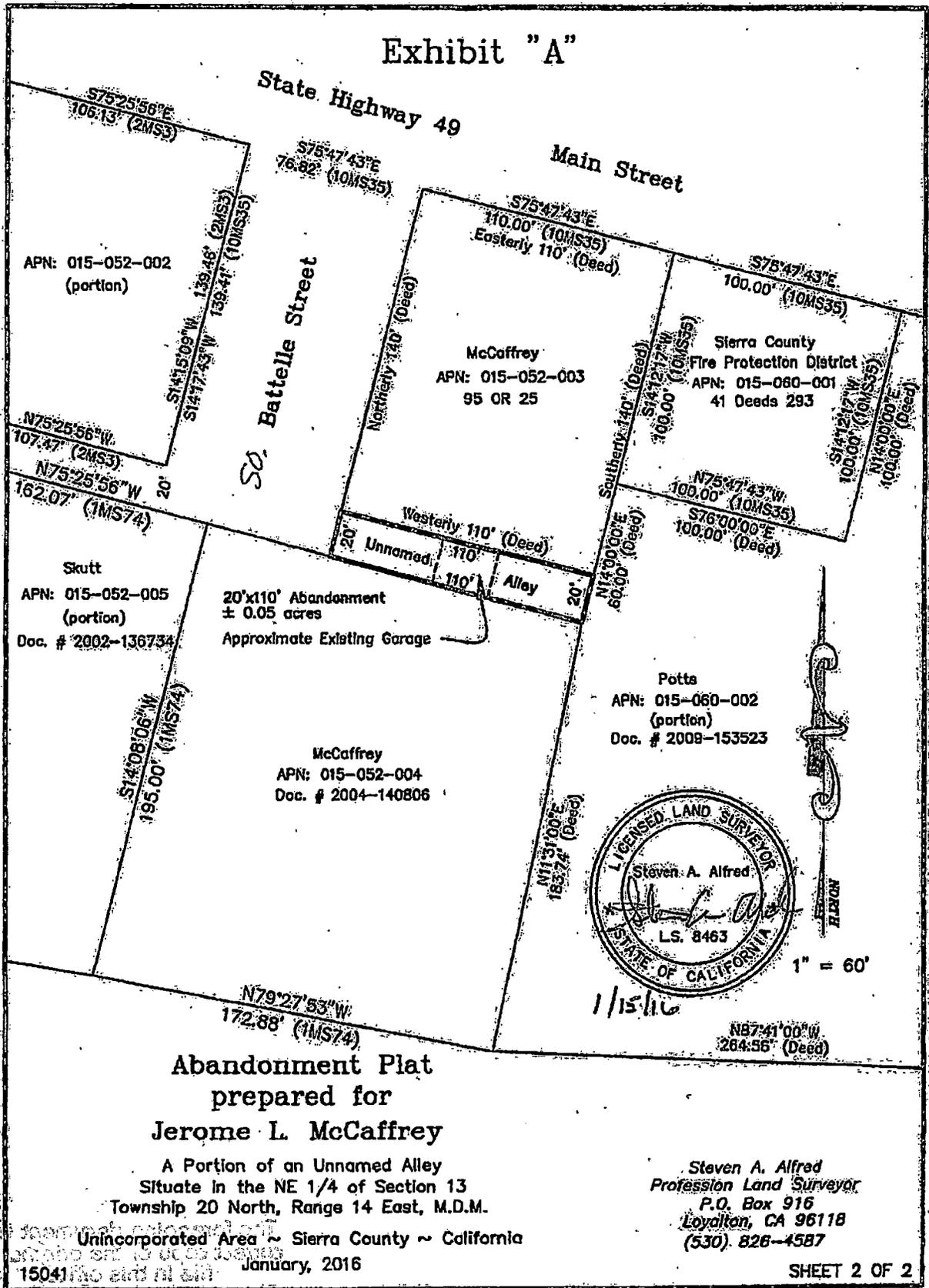
Beginning at the Southwest corner of that certain piece, part or parcel of land described in the Quitclaim Deed to Jerome L. McCaffery, Jr., recorded January 11, 1982 in Volume 95 at Page 25, Sierra County Official Records, said point being the intersection of the easterly sideline of Battelle Street and the northerly sideline of said unnamed alley; thence from said Point of Beginning, along said northerly sideline of the unnamed alley, easterly 110 feet, more or less, to the westerly line of that certain parcel of land described in the Grant Deed to Lynne S Potts, recorded November 19, 2009 as Document # 2009153523, Sierra County Official Records; thence along said westerly line, southerly 20 feet, more or less, to the Southeast corner of said unnamed alley as described in the immediately aforementioned grant deed; thence along the southerly sideline of said unnamed alley, westerly 110 feet, more or less, to the southerly extension of said easterly sideline of Battelle Street; thence along said southerly extension of the easterly sideline of Battelle Street, northerly 20 feet, more or less, to the Point of Beginning.

Said abandonment parcel containing 2,200 square feet, more or less.



1/15/16

# Exhibit "A"



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The foregoing document is a correct copy of the original on file in this office.

Attest: 4/11/16

County Clerk and Ex-Officio Clerk  
of the Board of Supervisors  
In and for Sierra County, California  
By: [Signature] Deputy

Recording requested by (name):

Jerome L. McCaffrey

When recorded, mail to (name and address):

Jerome L. McCaffrey

3502 Farm District Road

Fernley, NV 89408

Recorder's Use Only

## QUITCLAIM DEED

Assessor's Parcel No.: Unnamed Alley

DOCUMENTARY TRANSFER TAX \$ \_\_\_\_\_  
EXEMPTION (R&T CODE) \_\_\_\_\_  
EXPLANATION \_\_\_\_\_

\_\_\_\_\_  
Signature of Declarant or Agent determining tax

For a valuable consideration, receipt of which is hereby acknowledged,

Sierra County, State of California

(Disclaiming Party(ies)) hereby quitclaim(s) to

Jerome L. McCaffrey

(Property Owner(s)) the following real property in the City of Sierraville,

County of Sierra, California (insert legal description):

All that certain real property being a portion of an unnamed alley situate in the Northeast 1/4 of Section 13, Township 20 North, Range 14 East, M.D.M., in the unincorporated Town of Sierraville, County of Sierra, State of California and being more particularly described as follows:

Beginning at the Southwest corner of that certain piece, part or parcel of land described in the Quitclaim Deed to Jerome L. McCaffrey, Jr., recorded January 11, 1982 in Volume 95 at Page 25, Sierra County Official Records, said point being the intersection of the easterly sideline of Battelle Street and the northerly sideline of said unnamed alley; thence from said Point of Beginning, along said northerly sideline of the unnamed alley, easterly 110 feet, more or less, to the westerly line of that certain parcel of land described in the Grant Deed to Lynne S Potts, recorded November 19, 2009 as Document # 2009153523, Sierra County Official Records; thence along said westerly line, southerly 20 feet, more or less, to the Southeast corner of said unnamed alley as described in the immediately aforementioned grant deed; thence along the southerly sideline of said unnamed alley, westerly 110 feet, more or less, to the southerly extension of said easterly sideline of Battelle Street; thence along said southerly extension of the easterly sideline of Battelle Street, northerly 20 feet, more or less, to the Point of Beginning.

Said abandonment parcel containing 2,200 square feet, more or less.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of declarant)

\_\_\_\_\_  
(Print name)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of declarant)

\_\_\_\_\_  
(Print name)

## ACKNOWLEDGMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_  
(insert name and title of the officer)

personally appeared \_\_\_\_\_  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

**(Seal)**

Signature \_\_\_\_\_