



# County of Sonoma

## State of California

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Date: August 2, 2022

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

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☒ 4/5 Vote Required

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**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Consenting as Landowner To The Proposed Annexation Of A Portion Of Kelly Road And  
Delegating Authority To Effect Transfer Of The Subject Roadway**

**Whereas**, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code sections 56000, et. seq.) the County has received notification from the Sonoma County Local Agency Formation Commission (LAFCO) requesting County's consent, as an affected landowner, to the proposed annexation of a portion of Kelly Road, shown on the attached map, to the City of Cloverdale;

**Whereas**, the County owns the subject portion of Kelly Road in fee interest and subject to public right of way. Notwithstanding, the County has never accepted the subject roadway into its maintained road system, and has not and will not perform maintenance activities on this road;

**Whereas**, County has no present or foreseeable use or need for the subject section of Kelly Road;

**Whereas**, the requested consent is made solely as to the County's interests in the roadway in its proprietary capacity as landowner of the roadway. Notwithstanding any such consent, the County would reserve and retain all rights and abilities with regard to any and all other interests and considerations it may have in its capacities as a governmental jurisdiction and regulatory entity with regard to the annexation and remaining LAFCO processes;

**Whereas,** the City of Cloverdale has tentatively agreed in principle to accept the subject roadway, including all rights and responsibilities thereto and subject to all existing conditions, liens, and uses, and to accept formal conveyance of the fee interest in the roadway;

**Whereas,** the County is willing to consent, in its sole capacity as an affected landowner, to the annexation on condition that the subject section of Kelly Road be taken by and completely transferred to the City of Cloverdale, with no further liability or obligation to the County as to the subject roadway;

**Now, Therefore, Be It Resolved,** that the County of Sonoma consents, as an affected landowner and in no other capacity, to the proposed annexation of the section of Kelly Road shown in Exhibit A attached hereto, to the City of Cloverdale, on condition that the subject roadway be conveyed and completely transferred and with no further County liability or obligation as to the roadway and underlying fee.

**Be It Further Resolved,** that the Director of the Transportation and Public Works Department is delegated authority to take all measures and execute all instruments necessary to effect this consent of the County and to transfer and convey all County interests in the subject portion of roadway to the City, all in form approved by County Counsel and on condition and terms consistent herewith.

**Supervisors:**

Gorin:

Rabbitt:

Coursey:

Hopkins:

Gore:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**