



Legislation Text

File #: 2021-0884, **Version:** 1

To: Sonoma County Board of Supervisors

Department or Agency Name(s): General Services

Staff Name and Phone Number: Caroline Judy, General Services: 707-565-8058

Vote Requirement: Majority

Supervisory District(s): Countywide

Title:

Acceptance of Grant of Easement to County, Meredith Pier Property, Bodega Bay

Recommended Action:

Adopt a resolution consenting to and authorizing acceptance of a permanent, non-exclusive, free Grant of Easement to the County, as Grantee, by Denise Harris, as Grantor, across certain property at 915 Highway 1, Bodega Bay, CA 94923 (APN 100-100-025), for County and public pedestrian and vehicle access from the street to the County's Meredith Pier property.

Executive Summary:

The Director of General Services requests Board authority to accept and consent to recordation of a permanent and non-exclusive Grant of Easement to the County, as Grantee, by Denise Harris, as Grantor, across property at 915 Highway 1, Bodega Bay, CA 94923 (APN 100-100-025), to formalize existing County and public pedestrian and vehicle access rights to the County's Meredith Pier property.

The subject Grant of Easement is being conveyed free of charge by the grantor, and stems from the Meredith Pier demolition project. The Grant formalizes existing County and public rights to access the County's waterfront Meredith Pier property, confirming those rights in perpetuity over and across the grantor's upland property between (the former) Meredith Pier and the Highway 1/Bodega Highway right of way.

Discussion:

During the course of the demolition project at Meredith Pier, property surveys were conducted to ensure appropriate rights of access were in place and maintained. While due to long-standing use and practice the County had rights to access the pier property over and across the upland property, however those rights were not reflected in any recorded or written legal instrument. This permanent, non-exclusive, free Grant of Easement will confirm, memorialize, and make clear the County and public pedestrian and vehicle street access rights to the County's Meredith Pier property from Highway 1 through a 20 foot wide easement running across private property owned by the Grantor.

The County's Meredith Pier property does not have direct street access. Access from the Meredith Pier property to the street, Highway 1, is across adjacent private property owned by the Grantor.

In February 2021, the General Services Department initiated discussions with the Grantor for the subject Grant of Easement. The Grantor was willing to convey the Grant of Easement as part of repair, demolition,

and improvement work the County was undertaking as part of the Meredith Pier demolition project.

The access rights contained in the Grant of Easement reflect long-standing rights and usage related to County's ownership of the Meredith Pier property. As such, the Grant of Easement is merely a formalization of those rights, in part to reflect current conditions and to provide clarity for the future.

Grant of Easement Agreement. The Grant of Easement Agreement between Denise Harris, as Grantor, and the County of Sonoma, as Grantee, contains the following key provisions:

1. Non-exclusive, permanent public access to the County's Meredith Pier property through an easement across 915 Highway 1, Bodega Bay, CA 94923 (APN 100-100-025)
2. Twenty foot wide easement running from Highway 1 to County's Meredith Pier property
3. No charge by Grantor to County
4. County shall not responsible for hazardous materials, hazardous substances, or hazardous waste present in Grantor's land at time of Grant of Easement or which are deposited by others

County staff have determined that the Grant of Easement negotiated and signed by Grantor will confirm existing legal, permanent, non-exclusive, free public access to County's Meredith Pier property from Highway 1.

Acceptance of the Grant of Easement is not intended to constitute any acceptance of any road into the county maintained system under the Streets and Highways Code.

Project Costs and Construction Schedule. None. All project costs related to the Meredith Pier demolition have been previously funded and expended.

Procedural Authority. In order for such an easement to be officially recorded, Government Code section 27281 requires that consent to the easement and recordation be evidenced by formal certificate of acceptance by the accepting public agency.

Prior Board Actions:

None

FISCAL SUMMARY

Expenditures	FY 21-22 Adopted	FY22-23 Projected	FY 23-24 Projected
Budgeted Expenses	\$0	\$0	\$0
Additional Appropriation Requested			
Total Expenditures	\$0	\$0	\$0
Funding Sources			
General Fund/WA GF			
State/Federal	\$0	\$0	\$0
Fees/Other			

Use of Fund Balance			
Contingencies			
Total Sources	\$0	\$0	\$0

Narrative Explanation of Fiscal Impacts:

There are no fiscal impacts related to this item.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None

Attachments:

Attachment 1: Grant of Easement Agreement between Denise Harris as Grantor and the County of Sonoma as Grantee

Attachment 2: Resolution

Related Items "On File" with the Clerk of the Board:

None