

RECOMMENDED ACTION AND JUSTIFICATION:

Staff recommends the Board:

- (1) Adopt attached Resolution of Summary Abandonment for relinquished portion of 4th Street. See attached map for area to be abandoned.
- (2) Approve property trade between the County and the Milburn and Matlock families at 4th Street, northwest of Highway 140.
- (3) Authorize the Chairman to execute all documents required for this trade, including those accepting property or rights-of-way for the County, and those giving property to the private parties.

The property trade will allow improvement of the access to the Creek Project, place improvements belonging to Matlock on their property, and allow correction of the existing drainage from the highway. See Attachment 2 for a map of the area.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board adopted the Mariposa Creek Project as a County project in February of 1988 with Res. 88-60, and adopted a Negative Declaration of environmental impacts on January 17, 1989.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If the trade is not completed, construction of the access and drainage to the Creek will be more difficult, and encroaching improvements on County property would have to be moved.

COSTS: () Not Applicable		SPECIAL INSTRUCTIONS:
A. Budgeted current FY	\$83,000*	List the attachments and number the pages consecutively: 1. Resolution for Summary Abandonment of Portion of 4th Street. 2. Map showing property trade * \$ 69,000 = Park Bond Act. Construction funds also include donations, previous DWR grant, and funds raised by Mariposa Co. Arts Council
B. Total anticipated costs	\$ 0	
C. Required Add'l funding	\$ 0	
Source: _____		
SOURCE: () 4/5ths Vote Required		
A. Internal Transfers	\$ _____	
B. Unanticipated revenues	\$ _____	
C. Reserve for contingency	\$ _____	
D. Description: _____		
Balance in Reserve for Contingencies, if approved _____		

CLERK'S USE ONLY:
 Res. No.: 90-503
 Ord. No.: _____
 Vote - Ayes: 5 Noes: _____
 Absent: _____ Abstained: _____
 Approved () Denied
 () Minute Order Attached

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
 This item on agenda as:
 Recommended
 Not Recommended
 For Policy Determination
 Submitted with Comment
 Returned for Further Action

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

Date: _____
 ATTEST: MARGIE WILLIAMS
 Clerk of the Board of Supervisors
 County of Mariposa, State of CA
 By: _____
 Deputy

Comment: _____

 A.O. Initials: al

ATTACHMENT 1

MARIPOSA COUNTY
RESOLUTION 90-503

A RESOLUTION FOR SUMMARY ABANDONMENT FOR A PORTION OF COUNTY OWNED
PROPERTY AT 4TH STREET SOUTH OF HIGHWAY 140

WHEREAS, a portion of 4th Street is not necessary or required for
road purposes; and

WHEREAS, pursuant to the Streets and Highways Code Section 8330,
the Board finds that a portion of 4th Street right of way should be
summarily vacated, for the reason that the street has been superceded
by relocation,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors
of the County of Mariposa, as follows:


The following described portion of 4th Street right of way is
hereby summarily vacated and abandoned pursuant to Streets and
Highways Code Section 8330: EXHIBIT A, RESOLUTION NO. 90 - 503 .

PASSED AND ADOPTED by the Mariposa County Transportation
Commission this 23th day of October, 1990, by the
following vote:


AYES:	BAGGETT, PUNTE, ERICKSON, RADANOVICH, TABER
NOES:	NONE
ABSENT:	NONE
ABSTAINED:	NONE


ARTHUR G. BAGGETT JR., Chairman
Mariposa County Board of Supervisors

ATTEST:


MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


JEFFREY G. GREEN, County Counsel

ATTACHMENT 1

EXHIBIT A
RESOLUTION 90-503

All of that portion of Fourth Street as shown on the Map of the Town of Mariposa, recorded as Map Number 313, Mariposa County Records, situated in the Rancho Las Mariposas, T.5 S., R.18 E., M.D.B. & M., County of Mariposa, State of California, as described as follows:

Beginning at the intersection of the westerly right-of-way line of State Highway 140 with the southerly line of Fourth Street; thence along said southerly line of Fourth Street, south $53^{\circ} 50' 23''$ west, 79.78 feet; thence leaving said southerly line, north $60^{\circ} 48' 49''$ west, 39.61 feet; thence along a line parallel to and 36 feet distant from said southerly line of Fourth Street, north $53^{\circ} 50' 23''$ east, 96.30 feet to the above said westerly right-of-way line of State Highway 140; thence along said westerly right-of-way line, south $36^{\circ} 09' 22''$ east, 36.00 feet to the **Point of Beginning**.

description prepared by:

Charles M. Pratt
Charles M. Pratt LS4891



ATTACHMENT 2

Map showing property trade @ 4th Street

