

CITY OF YUBA CITY
STAFF REPORT

Date: March 19, 2019
To: Honorable Mayor & Members of the City Council
From: Public Works Department
Presented by: Benjamin Moody, Interim Assistant Public Works Director

Summary

Subject: Dedication of Right-of-Way to the State of California [Western Parkway North of State Route 20]
Recommendation: Adopt a Resolution authorizing the Mayor to execute a grant deed for fee ownership transferring title to the State of California for a portion of Western Parkway on the north side of State Route 20
Fiscal Impact: None

Purpose:

To comply with the State's requirements for public access to State Route 20 from Western Parkway.

Background:

In 2013, the City constructed a new intersection at State Route 20 and Western Parkway through a Cooperative Agreement with the California Department of Transportation (Caltrans), dated November 17, 2011.

The Cooperative Agreement with Caltrans required the City to deliver to the State of California legal title to the portion of Western Parkway right-of-way necessary to comply with state and federal requirements. The City approved a grant deed to facilitate this land transfer as to content and form on December 20, 2014 and then submitted it to Caltrans for processing (Attachment 2).

Caltrans has since processed and approved the grant deed, and, in February of this year, requested that the City execute the document to finalize the transfer.

Analysis:

The attached grant deed, including legal description and plat map, was developed in coordination with Caltrans to ensure that access control of the intersection conforms to the provisions outlined in the Caltrans Highway Design Manual.

Fiscal Impact:

None

Alternatives:

There are no viable alternatives.

Recommendation:

Adopt a Resolution authorizing the Mayor to execute a grant deed for fee ownership transferring title to the State of California for a portion of Western Parkway on the north side of State Route 20.

Attachments:

1. Resolution
2. Grant Deed

Prepared by:

/s/ Kevin Bradford

Kevin Bradford
Senior Engineer

Submitted by:

/s/ Diana Langley

Diana Langley
Interim City Manager

Reviewed by:

Department Head

[BM](#)

Finance

[RB](#)

City Attorney

[SLC by email](#)

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING THE EXECUTION OF A GRANT DEED FOR FEE OWNERSHIP
TRANSFERRING TITLE TO THE STATE OF CALIFORNIA OF WESTERN PARKWAY
RIGHT-OF-WAY NORTH OF STATE ROUTE 20**

WHEREAS, the City Council of the City of Yuba City has previously adopted Resolution 11-088 authorizing the execution of Cooperative Agreement No. 03-0487 between the City of Yuba City and the State of California Department of Transportation for improvements consisting of a new signalized public road connection at Western Parkway and State Route 20; and,

WHEREAS, said Cooperative Agreement required the City of Yuba City to deliver to the State of California legal title to the portion of Western Parkway right-of-way necessary to comply with state and federal requirements, as formalized in the Grant Deed; and,

WHEREAS, that a copy of said Grant Deed, including a legal description and plat map of the subject portion of right-of-way, is attached hereto for reference;

THEREFORE, BE IT RESOLVED AND ORDERED that the City Council of the City of Yuba City hereby authorizes the Mayor to execute said Grant Deed on behalf of the City.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 19th day of March, 2019.

AYES:

NOES:

ABSENT:

Shon Harris, Mayor

ATTEST:

Patricia Buckland, City Clerk

APPROVED AS TO FORM:

Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

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GRANT DEED

District	County	Route	Postmile	Number
03	SUT	20	13.08	036118-1

THE CITY OF YUBA CITY,
a municipal corporation organized and existing under and by virtue of the laws of the State of the State of California,

hereinafter called GRANTOR, hereby grants to the State of California, Department of Transportation, hereinafter called STATE, all that real property in the City of Yuba City, County of Sutter, State of California, described as follows:

See Exhibit "A", attached.

Number
036118-1

Dated: _____

The City of Yuba City

This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated _____

By _____
Director of Transportation

By _____
Attorney in Fact

Number
036118-1

THE CITY OF YUBA CITY

Date: _____

Sign: _____

Title: _____

Print: _____

Date: _____

Sign: _____

Title: _____

Print: _____

This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated _____

By Laurie Berman
Director of Transportation

By _____
Attorney in Fact

EXHIBIT "A"
LEGAL DESCRIPTION

All that certain real property situate in the Southwest $\frac{1}{4}$ of Section 18, Township 15 North, Range 3 East, M.D.M., County of Sutter, State of California, being a portion of "Western Parkway" as dedicated to the City of Yuba City, as shown and so designated on that certain map entitled "Walnut Park Estates Unit No. 1" filed in the Office of the County Recorder, County of Sutter, State of California, on December 9, 2004 in Book 16 of Surveys at Pages 234 through 240 inclusive, together with that certain real property situate in the North $\frac{1}{2}$ of Section 19 of said Township and Range, being a portion of a Highway Right of Way as relinquished to the County of Sutter by the State of California in that certain document filed in said Office on September 12, 1965 in Volume 679 at Page 487, as shown on that certain map filed in said Office on April 14, 1965 in State Highway Map Book No. 1 on Pages 162 through 170 inclusive, said real property being more particularly described as follows:

Beginning at a point on the northerly right of way line of State Highway 20, from which the westerly terminus of the course described as "North $89^{\circ}21'31''$ East 2893.62 feet" in Parcel Number 19054-XA, Segment Number 4, as shown on said State Highway Map bears South $89^{\circ}21'31''$ West 347.22 feet;

- 1) THENCE departing said northerly line Northeasterly, along the arc of a non-tangential curve to the left, concave to the northwest, the center of which bears North $58^{\circ}49'07''$ West, having a radius of 32.75 feet, through a central angle of $31^{\circ}30'00''$, an arc distance of 18.01 feet (long chord bears North $15^{\circ}25'53''$ East 17.78 feet);
- 2) THENCE tangentially, North $00^{\circ}19'07''$ West 4.74 feet to a point on the South section line of said Section 18, said point lying on the westerly right of way line of said "Western Parkway", said point also being the southeast corner of Lot 166 as shown on said map entitled "Walnut Park Estates Unit No. 1";
- 3) THENCE departing said south Section line and along the westerly right of way line of said "Western Parkway" and the easterly line of said Lot 166, North $00^{\circ}19'07''$ West 89.72 feet;

- 4) THENCE leaving said westerly right of way line, North 89°40'53" East 115.00 feet to a point on the North-South centerline of said Section 18, said point also lying on the easterly right of way line of said "Western Parkway" and the westerly line of that certain parcel described and shown on Exhibit "B" in the Grant deed recorded September 11, 2007 as Instrument No. 2007-0018041, Official Records of Sutter County;
- 5) THENCE along said North-South centerline, South 00°19'07" East 88.76 feet to the South ¼ Corner of said Section 18, said point also being the southerly terminus of said easterly line of said "Western Parkway" and the southwest corner of said parcel described and shown on said Exhibit "B";
- 6) THENCE departing said South section line and along the prolongation of said North-South centerline South 00°19'07" East 8.30 feet;
- 7) THENCE Southeasterly along the arc of a non-tangential curve to the left, concave to the northeast, the center of which bears North 72°43'27" East, having a radius of 27.25 feet, through a central angle of 35°53'07", an arc distance of 17.07 feet (long chord bears South 35°13'07" East 16.79 feet) to a point on said northerly right of way line of State Highway 20;
- 8) THENCE along said northerly line South 89°21'31" West 129.43 feet to the point of beginning.

TOGETHER WITH abutter's rights including access rights as conveyed and shown in the Grant deeds to the City of Yuba City recorded August 31, 2012 as Instrument Numbers 20120014211 and 20120014212, Official Records of Sutter County.

END OF DESCRIPTION

Prepared by:



R.E.Y. Engineers, Inc.

A handwritten signature in blue ink, appearing to be "James Brainard", written over a horizontal line.

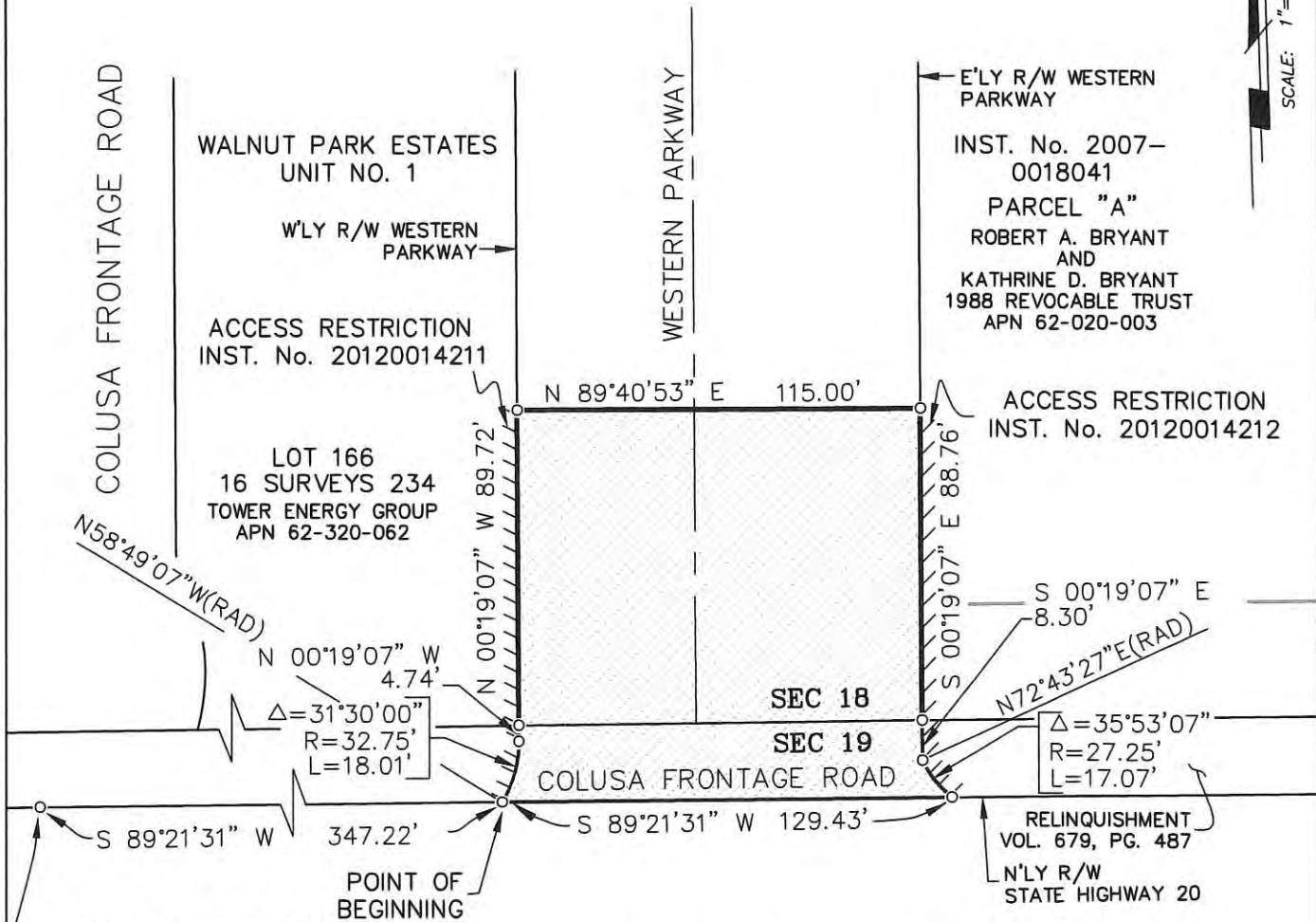
5/22/2015

James Brainard
P.L.S. 7051

Date

EXHIBIT "B"

SCALE: 1"=50'



REVISION 12.27.2011-SG 5.16.2014-BMC	JOB NO. <u>8010.005</u>	TITLE: <u>GRANT TO STATE OF CALIFORNIA</u>	9205 Sutter Street, Suite 200, Folsom, CA 95630 (916) 366-3340 Fax (916) 366-3303 R. E. Y. ENGINEERS, Inc. Civil Engineers / Land Surveyors
	DATE: <u>5.16.2014</u>	<u>WESTERN PARKWAY</u>	
	F.B. PAGE:	<u>YUBA CITY, CALIFORNIA</u>	
	SCALE: <u>1"=50'</u>		
	DRAWN BY: <u>BMC</u>	CLIENT: <u>CITY OF YUBA CITY</u>	
	CHECKED BY: <u>BMC</u>		
SCALE IN INCHES			

ATTACHMENT 2

Space above this line for Recorder's Use

GRANT DEED

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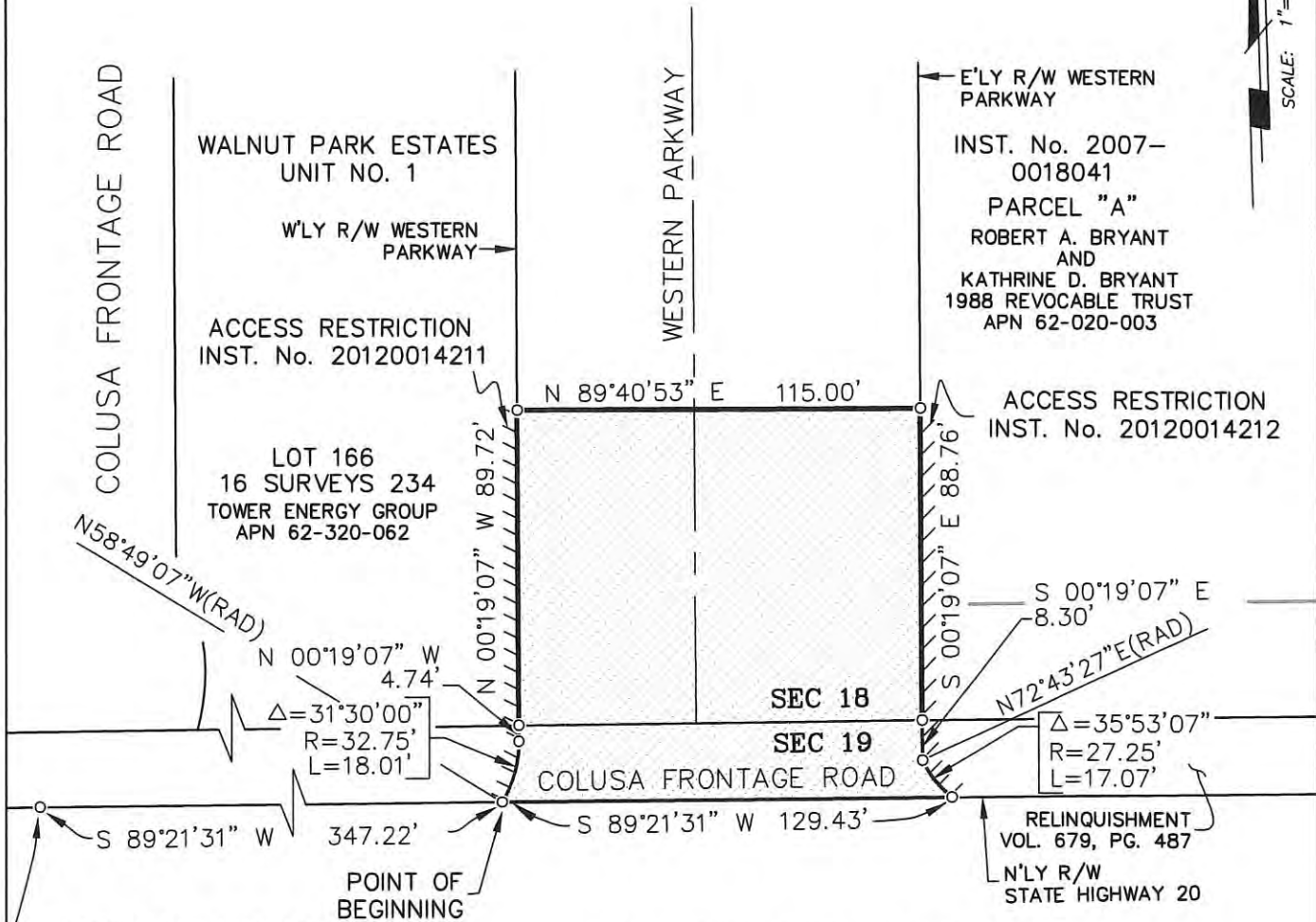
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