

DEPARTMENT OF  
PUBLIC WORKS

GOVERNMENTAL CENTER

JOHN A. FANTHAM  
DIRECTOR OF PUBLIC WORKS



AGENDA : September 14, 1998 **00421**

COUNTY OF SANTA CRUZ

701 OCEAN STREET, SANTA CRUZ, CALIFORNIA 95060-4070

(408) 454-2160

FAX (408) 454-2385

**207**

August 20, 1998

SANTA CRUZ COUNTY BOARD OF SUPERVISORS  
701 Ocean Street  
Santa Cruz, California 95060

SUBJECT: ACCEPTANCE OF MADELINE DRIVE I-N APTOS  
INTO THE COUNTY MAINTAINED ROAD SYSTEM

Members of the Board:

APPROVED AND FILED  
BOARD OF SUPERVISORS  
DATE: *September 1, 1998*  
COUNTY OF SANTA CRUZ  
SUSAN A. MAUNIELLO  
EX-OFFICIO CLERK OF THE BOARD

BY *[Signature]* -DEPUTY

Property owners along Madeline Drive, extending between Soquel Drive and Mar Vista Drive, have requested that the County take the road into the County Maintained Road System. Madeline Drive has been improved sufficiently to County street standards throughout its length to justify acceptance of the roadway for County maintenance, as shown in Exhibit "A." Although over the years various subdivisions along Madeline Drive have made offers of dedication of lands to augment the original right of way, heretofore there was no outstanding offer of dedication of the original 40-foot Madeline Drive right of way.

The first appearance of the 40-foot Madeline Drive right of way is on a circa 1921 unrecorded map, on file with the County Surveyor as a so-called "unfiled map." The map carries no owner's statement and, therefore, no explicit offer of dedication. No explicit conveyance of the 40-foot right of way to subsequent owners of the parcels created adjacent to it has been discovered. Essentially, at this point in time, the ownership of the 40-foot right of way is indeterminate. On the advice of County Counsel, however, recordable quitclaims of the original 40-foot right of way by the owners of the parcels fronting the portion of Madeline Drive to be accepted have been obtained. Your Board may declare the County's intention to acquire the right of way by adopting the attached Resolution of Intention and setting a public hearing to consider final approval of the Resolution accepting Madeline Drive into the County Maintained Road System.

It is therefore recommended that the Board of Supervisors take the following action:

1. Adopt the Resolution of Intention To Accept Madeline Drive into the County Maintained Road System.
2. Set a public hearing for September 22, 1998, at 9: 15 a.m.
3. Direct the Clerk of the Board of Supervisors to publish a notice of the hearing in a newspaper of general circulation at least fourteen days prior to the date of the public hearing.

4. At the conclusion of the public hearing consider final adoption of the Resolution Accepting Madeline Drive Into the County Maintained Road System and the Resolution Accepting Offers of Dedication Along Madeline Drive Into the County Maintained Road System.

Yours truly,

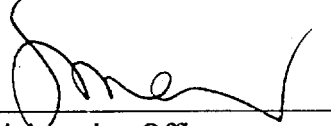


JOHN A. FANTHAM  
Director of Public Works

GG:rw

Attachments

RECOMMENDED FOR APPROVAL,:



\_\_\_\_\_  
County Administrative Officer

copy to: Public Works

00423  
211

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. \_\_\_\_\_

On the motion of Supervisor  
Duly seconded by Supervisor  
The following resolution is adopted:

**RESOLUTION ACCEPTING OFFERS OF DEDICATION ALONG  
MADELINE DRIVE INTO THE COUNTY MAINTAINED ROAD SYSTEM**

WHEREAS, the following parcels of land were recorded and offered for dedication in Santa Cruz County Records:

Parcel X , as shown on Parcel Map of the Lands of Richard Seadler et ux, recorded December, 10, 1986, in Volume 47 of Parcel Maps, at Page 39, a five foot and varying strip for street purposes;

Parcel X , as shown on Parcel Map of the Lands of Kathryn L. Dyer, recorded December, 10, 1986, in Volume 47 of Parcel Maps, at Page 40, a five foot strip for street purposes;

WHEREAS, said portions of Madeline Drive have been constructed and improved to a suitable design standard; and

WHEREAS, the Director of Public Works recommends that said portions of Madeline Drive be accepted into the County Maintained Road System; and

WHEREAS, the Board of Supervisors finds, determines and declares that the public convenience and necessity will be served if said street hereinafter described is maintained as a part of the County Maintained Road System;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that those portions of street as described in Exhibit "C" are hereby accepted into the County Maintained Road System in accordance with Section 13.08.413 of the County Code.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this \_\_\_\_ day of \_\_\_\_\_ 1998, by the following vote:

AYES: SUPERVISORS  
NOES: SUPERVISORS  
ABSENT: SUPERVISORS

\_\_\_\_\_  
Chairperson of said Board

ATTEST: \_\_\_\_\_

Clerk of said Board

Approved as to form:

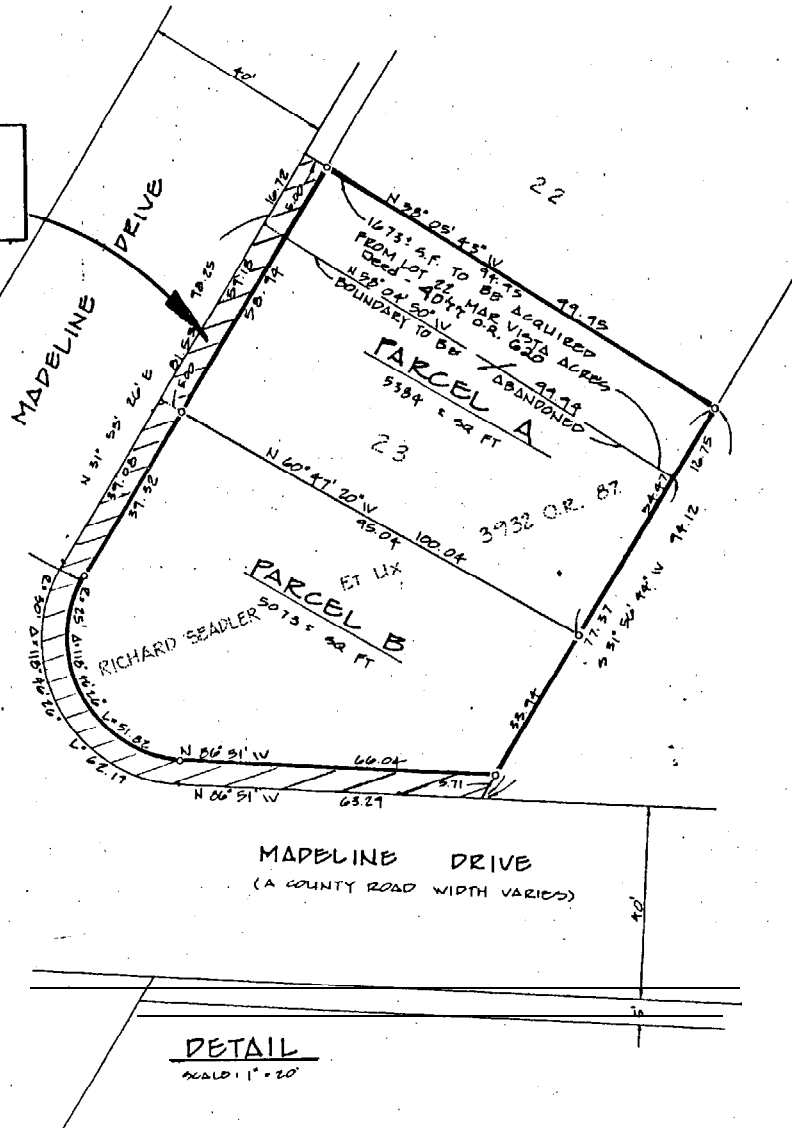
  
\_\_\_\_\_  
Chief Assistant County Counsel

Distribution: Public Works

AMA 58

58

PARCEL  
X



THE MAP OF MAR VISTA ACRES (UNFILED), SURVEYED BY HUGH B. WILLIAMS, CIVIL ENGINEER, IN NOVEMBER 1931 AND MAY 1933, IS ON FILE IN THE COUNTY SURVEYORS OFFICE, FILE NO. A-56-17.

PRIOR TO OBTAINING A BUILDING PERMIT LOTS SHALL BE CONNECTED TO SOQUEL CREEK WATER DISTRICT AND SANTA CRUZ COUNTY SANITATION DISTRICT.

LOCATION OF PIPELINE RIGHT OF WAY RECORDED VOLUME 132, PAGE 209, OFFICIAL RECORDS SANTA CRUZ COUNTY CANNOT BE DETERMINED.

86-99-MLD  
A.P.N. 037-182-03, PORTION 039-182-07

PARCEL MAP OF LANDS OF  
RICHARD SEADLER ET UX  
APTOS RANCHO  
SANTA CRUZ COUNTY CALIFORNIA

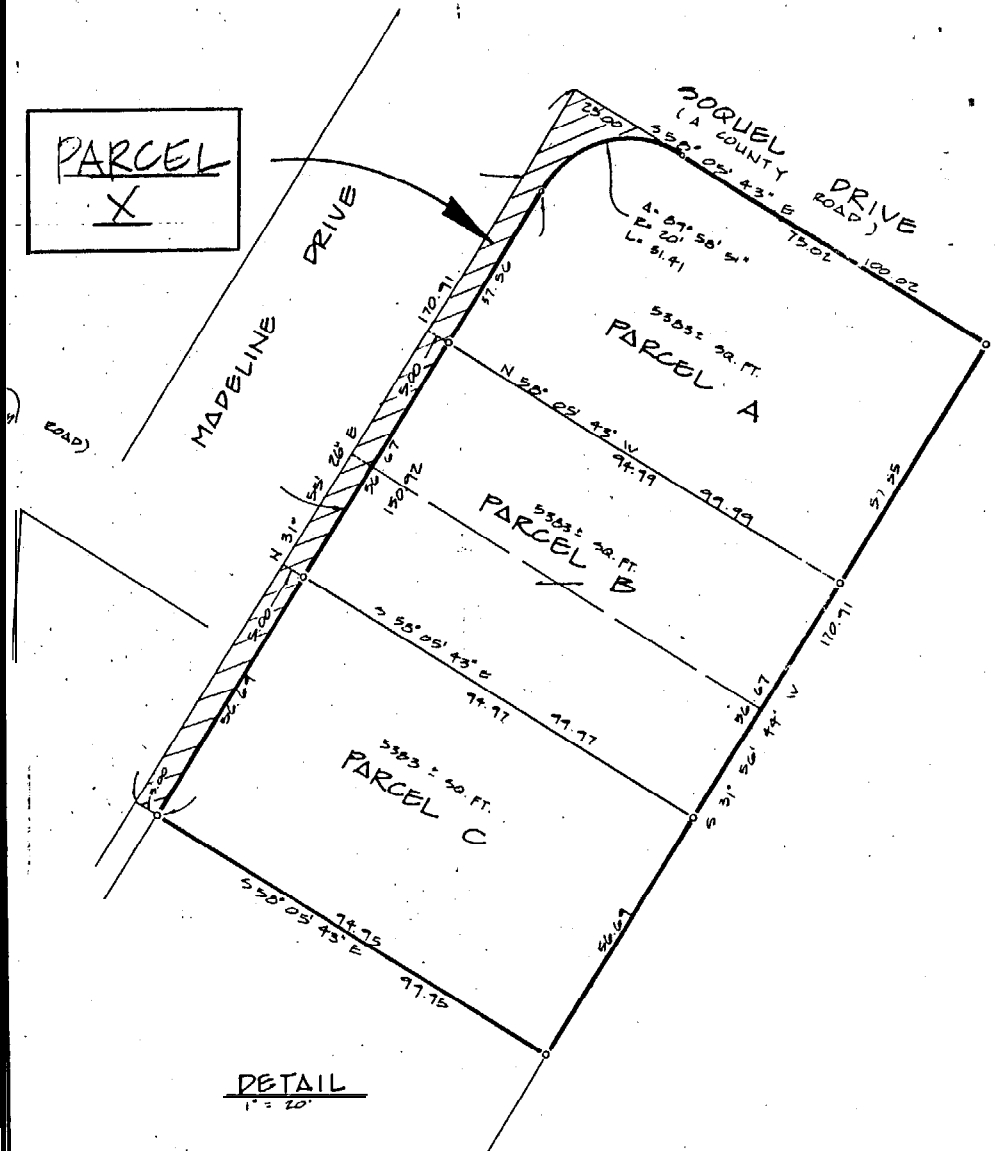
MID COAST ENGINEERS  
CIVIL ENGINEERS & LAND SURVEYORS  
354 E. LAKE AVE. WATSONVILLE CALIFORNIA

BY:  
*Stanley O. Nielsen*  
STANLEY O. NIELSEN L.S. 3233

SCALE: 1" = 50'  
SHEET 2 OF 2

JULY, 1986  
JOB NO. 86114

PARCEL  
X



NOTES:

1. MAP OF MAR VISTA ACRES (UNFILED), SURVEYED BY HUGH B. WILLIAMS, CIVIL ENGINEER, IN NOVEMBER 1931 AND MAY 1933, IS ON FILE IN COUNTY SURVEYORS OFFICE, FILE NO. A-56-17.
2. LOCATION OF PIPELINE RIGHT OF WAY RECORDED IN VOLUME 132, PAGE 209, OFFICIAL RECORDS SANTA CRUZ COUNTY, CANNOT BE DETERMINED.
3. PRIOR TO OBTAINING A BUILDING PERMIT, LOTS SHALL BE CONNECTED TO SOQUEL CREEK WATER DISTRICT AND SANTA CRUZ COUNTY SANITATION DISTRICT.

A.P.N. PORTION 039-182-07, 86-98 M.L.D.

PARCEL MAP OF LANDS OF  
KATHRYN L. DYER  
APTOS RANCHO  
SANTA CRUZ COUNTY CALIFORNIA

MID COAST ENGINEERS  
CIVIL ENGINEERS & LAND SURVEYORS  
354 E. LAKE AVE. WATSONVILLE CALIFORNIA

BY:  
*Stanley O. Nielsen*  
STANLEY O. NIELSEN L.S. 3233

SCALE: 1" = 50'  
SHEET 2 OF 2

JULY 1986  
JOB NO. 85188

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

212  
00425

RESOLUTION NO. \_\_\_\_\_

On the motion of Supervisor  
Duly seconded by Supervisor  
The following resolution is adopted:

**RESOLUTION ACCEPTING MADELINE DRIVE INTO THE COUNTY MAINTAINED  
ROAD SYSTEM**

WHEREAS, a certain portion of Madeline Drive has been constructed and improved to a suitable design standard; and

WHEREAS, the Director of Public Works recommends that said portion of Madeline Drive be accepted into the County Maintained Road System; and

WHEREAS, this Board, by its Resolution No. \_\_\_\_\_, initiated proceedings to acquire and accept the street described in Exhibit "A", attached hereto and thereby made a part hereof, and with proper notice set September 22, 1998, at 9 : 15 o'clock a.m., as the time for hearing on said matter to identify and establish any ownership interests previously unknown; and

WHEREAS, said hearing was held and no ownership interests previously unknown were identified; and

WHEREAS, the Board of Supervisors finds, determines and declares that the public convenience and necessity will be served if said street hereinafter described is maintained as a part of the County Maintained Road System;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that portion of street as described in Exhibit "A" is hereby accepted into the County Maintained Road System in accordance with Section 941 for the Streets and Highways Code.

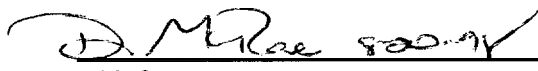
PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_, by the following vote:

AYES: SUPERVISORS  
NOES: SUPERVISORS  
ABSENT: SUPERVISORS

\_\_\_\_\_  
Chairperson of said Board

ATTEST: \_\_\_\_\_  
Clerk of said Board

Approved as to form:

  
Chief Assistant County Counsel

Distribution: Public Works

AMAR  
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**"EXHIBIT A"**

Madeline Drive Right of Way

Being a portion of the Aptos Rancho in the County of Santa Cruz, State of California, and the South 1/2 of Section 12, Township 11 South, Range 2 West, Mount Diablo Base and Meridian projected; and

Being a portion of a 40-foot right of way as shown on the unfiled map of Mar Vista Acres, surveyed by Hugh B. Williams, Civil Engineer, in November 1931 and May 1933, and archived in the Office of the County Surveyor of Santa Cruz County in Volume A56 of Unfiled Maps at Page 17, and more particularly described as follows:

Beginning at a point marked by 1/2 inch iron pipe with no tag, as shown on Parcel Map of the lands of Richard Seadler et ux, recorded December 10, 1986, in Volume 47 of Parcel Maps at Page 39, Santa Cruz County Records, which point bears South  $58^{\circ}05'43''$  East, 225.47 feet and South  $31^{\circ}55'26''$  West, 12.0 feet from the most easterly corner of Lot 20, as shown on the aforementioned unfiled map of Mar Vista Acres; proceeding thence from said point of beginning North  $58^{\circ}05'43''$  West, 225.47 feet and North  $31^{\circ}55'26''$  East, 12.0 feet to the aforementioned most easterly corner of Lot 20, the true point of beginning; proceeding thence from said true point of beginning around the boundary of said 40-foot right of way along the following courses:

1. South  $31^{\circ}55'26''$  West, 399.76 feet along the northwesterly sideline of the 40-foot right of way to its intersection with the southerly sideline of said 40-foot right of way; thence
2. South  $86^{\circ}51'$  East, 158.13 feet along said southerly sideline of the 40-foot right of way; thence
3. Departing the southerly sideline of said 40-foot right of way North  $33^{\circ}32'00''$  East, 46.67 feet to a point on the northerly sideline of the 40-foot right of way, which point is also the intersection of the southerly and easterly boundaries of Lot 23, as shown on the aforementioned unfiled map of Mar Vista Acres; thence
4. Along the northerly sideline of the 40-foot right of way North  $86^{\circ}51'$  West, 63.29 feet; thence
5. Along the northerly and southeasterly sideline of the 40-foot right of way on a curve to the right with radius of 30 feet through an angle of  $118^{\circ}46'26''$ , 62.18 feet; thence
6. North  $31^{\circ}55'26''$  East, 281.17 feet along the southeasterly sideline of the 40-foot right of way; thence
7. Departing the southeasterly sideline of the 40-foot right of way and proceeding along Soquel Drive North  $58^{\circ}05'43''$  West, 40.0 feet, back to the true point of beginning.

Containing an area of approximately 0.46 acres.

W000427

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