



County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS - REAL PROPERTY DIVISION

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060-4070
(831) 454-2331 FAX (831) 454-2385 TDD (831) 4543123

SCOTT C. LOICHTINGER
CHIEF REAL PROPERTY AGENT

JOHN A. FANTHAM
DIRECTOR OF PUBLIC WORKS

AGENDA: March 9, 1999

February 25, 1999

SANTA CRUZ COUNTY BOARD OF SUPERVISORS

701 Ocean Street
Santa Cruz, California 95060

SUBJECT: PROPOSED SALE OF UNDERGROUND UTILITY EASEMENT (APN 5-081-44 & 57)
AND QUITCLAIM OF TERMINATED COUNTY EASEMENT (APN 5-08 1-45) TO
TARIGQ-PAUL

Members of the Board:

As previously directed by your Board on February 9, 1999, the Real Property Division has reached agreement with Tarigo-Paul for the sale of an underground utility easement at the McPherson Center on the County owned property on Front Street in Santa Cruz and the quitclaim of a terminated County easement on the old Cooper House property. The County property is presently being leased by Museum Venture, who approves of the sale of the underground utility easement, as it has no impact on the premises.

Tarigo-Paul has requested that the County grant them a 5 foot wide underground utility easement that is 73 feet in length where the existing wood ramp is located. This area is presently encumbered with a 5 foot wide pedestrian easement and a 20 foot wide no-build easement. As a condition of Tarigo-Paul's building permit, they are required to remove the existing wooden ramp and install brick pavers in this area. As this proposed easement is already encumbered with two easements and can only be used as a handicapped access ramp, the easement has only a nominal value. It is recommended that the County sell the underground easement for **\$1,500.00**.

Tarigo-Paul has also requested that the County quitclaim an easement that it had retained for existing underground utilities over the Cooper House property when it was sold in 1971. This easement terminated when Museum Ventures remodeled the old jail and rerouted the drainage to Front Street. The quitclaim is necessary to clarify title. The Real Property Division has negotiated a \$500.00 fee for the quitclaim and recommends this amount.

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

1. Adopt the attached resolution approving the sale and authorize the Chair of the Board to execute the attached easement and quitclaim deeds.

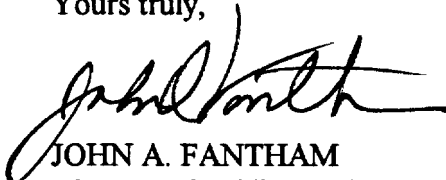
SANTA CRUZ COUNTY BOARD OF SUPERVISORS

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2. Direct the Clerk of the Board to return the executed deeds to the Real Property Division for delivery.

Yours truly,

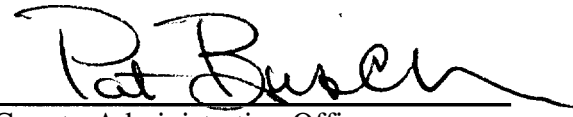


JOHN A. FANTHAM
Director of Public Works

SCI

Attachments

RECOMMENDED FOR APPROVAL:

Acting 
County Administrative Officer

cc: County Counsel, Real Property, Public Works

COUNTY ASSESSOR 1996

MAP ACCURACY NOR ASSUMES ANY
& PRODUCED. ALL RIGHTS RESERVED.
COUNTY ASSESSOR 1996

COOPER ST.
PACIFIC ST.
HURCH ST.
WALNUT AVE.
SOQUEL AVE.

12' Pedestrian R/W
10' Util. Ease.
15' Ing. & E. Ease.
Road & Parking Easement
10' P.G. & E. Ease.

1-026
PALOMAR ARCADE
6' Breezeway
9.86' WIDE
CITY PARKING LOT
1' STRIP

27

Note - Assessor's Parcel Block Lot Numbers Shown in 27

Note - Assessor's Parcel Block
Lot Numbers Shown in C

BEFORE THE BOARD OF SUPERVISORS
OF THE SANTA CRUZ COUNTY, STATE OF CALIFORNIA
RESOLUTION NO. _____

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

RESOLUTION AUTHORIZING SALE OF AN EASEMENT
ON COUNTY OWNED PROPERTY AND THE QUITCLAIM
OF A TERMINATED COUNTY EASEMENT ON ADJACENT PROPERTY

WHEREAS, the County of Santa Cruz acquired that certain real property described in Exhibit "A" and Exhibit "B" attached hereto and hereinafter referred to, and

WHEREAS, an easement for underground utility purposes and a quitclaim to clear title on a terminated County easement is in the public interest will not conflict or interfere with the use of the property by the County; and

WHEREAS, Tarigo-Paul, a California limited partnership has agreed to pay the County \$2,000.00 cash for the easement and quitclaim, which amount has been determined to be reasonable and proper by the County's Real Property Division Chief;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors on behalf of the County of Santa Cruz pursuant to Government Code Section 25526.5 that the utility easement over the real property described in Exhibit "A" attached hereto, and the quitclaim deed described in Exhibit "B", attached hereto is hereby granted to Tarigo-Paul, a California limited partnership for \$2,000.00 cash, and the Chair of the Board of Supervisors is hereby authorized and directed to execute the easement and quitclaim for said property interest to the above designated party.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this _____ day of _____, 1999, by the following vote:

AYES: SUPERVISORS

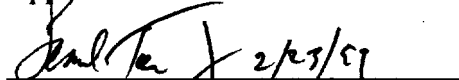
NOES: SUPERVISORS

ABSENT: SUPERVISORS

CHAIR OF SAID BOARD

ATTEST: _____
Clerk of said Board

Approved as to form:

 2/25/99

Chief Assistant County Counsel

Distribution: County Counsel, Public Works, Real Property

Exhibit A
Legal Description
Utility Easement

That certain real property situated in the State of California, County of Santa Cruz, City of Santa Cruz, being a part of lots 2, 3, 4, and 5, in block 9, as the same are shown and delineated on map "A" dated 1866, on file in the County Surveyor's office and more particularly described as follows:

BEGINNING at a point on the southerly right-of-way of Cooper Street, said point also being the most northwesterly comer of Parcel B as shown in Volume 5224 at page 244, as filed in the office of the County Recorder, County of Santa Cruz, thence following said right-of-way line, North 75 degrees 27 minutes 00 seconds East a distance of 5.00' feet;

Thence leaving said right-of-way line, South 13 degrees 41 minutes 00 seconds East a distance of 73.04';

Thence South 76 degrees 19 minutes 00 seconds West a distance of 5.00';

Thence North 13 degrees 41 minutes 00 seconds West a distance of 73.00' to the POINT OF BEGINNING.

Said easement is shown on the attached map labeled as Exhibit B and made a part hereof.

END OF DESCRIPTION



Signed _____

Stephen D. Mincey RCE 33341

RECORDED AT THE REQUEST OF:

EXHIBIT "B"

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WHEN RECORDED RETURN TO:

EXHIBIT "B"

ATTN:
Parcel No.:
PORTION APN: 005-081-45

QUITCLAIM DEED

For value received **COUNTY OF SANTA CRUZ, a political subdivision of the State of California**

hereby **REMISE, RELEASE, and FOREVER QUITCLAIM** to **TARIGO-PAUL, a California limited partnership**

Any and all interest of the Grantor(s) in all that **Real** Property situate in the County of Santa Cruz, State of California, described as follows:

That easement for existing underground utility facilities and a temporary easement for driveway purposes reserved in that deed conveying real property to OLD TOWN, a partnership, recorded in Rook 2078, Official Records of the County of Santa **Cruz**, at Page 466, recorded March 12, 1971.

STATE OF CALIFORNIA

County of _____

On _____, 19____ before me,
_____, Notary Public, personally appeared

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

COUNTY OF SANTA CRUZ, a
political subdivision of the State of
California

Chair, Board of Supervisors

Dated: _____, 19____

RECORDED AT THE REQUEST OF:

WHEN RECORDED RETURN TO:

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Attention:

PORTION APN:005-081-44&57

EASEMENT DEED

For value received **COUNTY OF SANTA CRUZ, a political subdivision of the State of California**

GRANTS to } TARIGO-PAUL, a California limited partnership

all that real property situate in the County of Santa Cruz, State of California, described below:

An easement to construct, reconstruct, and maintain underground utilities. Grantee agrees to return the surface of the ground to a condition equal to, or better than the condition existing prior to any work done hereunder.

For Legal Description see Exhibit "A", attached hereto and made a part hereof

STATE OF CALIFORNIA

COUNTY OF SANTA CRUZ, a
political subdivision of the State of
California

County of _____

On _____, 19____ before me,
_____, Notary Public, personally appeared

Chair, Board of Supervisors

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

Dated: _____ 19, _____

COOPER STREETPOINT
OF BEGINNING

N 75° 27' 00" E 127.00'

N 75° 27' 00" E
5.00'EXISTING 20' NON-BUILDABLE
EASEMENT5' WIDE UTILITY EASEMENT
FOR THE BENEFIT OF PARCEL 1
PER DOCUMENT 1998-0045316**PARCEL 1**S 76° 19' 00" W
5.00'S 76° 19' 00" W
9.12'

78.00'

73.00'

N 13° 41' 00" W

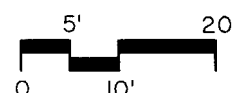
S 13° 41' 00" E

78.30'

S 13° 41' 00" W

PARCEL BV 5224 PG 244 AS
MODIFIED BY LOT LINE
ADJUSTMENT PER DOCUMENT
1998-0045316**(COUNTY OF
SANTA CRUZ)****EXHIBIT B
UTILITY EASEMENT**

SCALE: 1"=20'-0"

**DES**
ARCHITECTS
ENGINEERS399 BRADFORD STREET
REDWOOD CITY, CA 94063
PHONE 415-364-6453
FAX 415-364-2618CLIENT: **JAY PAUL COMPANY**
PROJECT: **COOPER HOUSE**
110 COOPER STREET
SANTA CRUZ, CALIFORNIADATE: **22 DEC 1998**
CONTACT: **S. MINCEY**
REVIEWED By: **S.D.M.**
JOB No.: **7782.01**

SHEET NO.

1

OF SHTS