



Napa County

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Legislation Text

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TO: Board of Supervisors
FROM: Steven Lederer - Director of Public Works
REPORT BY: Danielle Goshert - County Surveyor
SUBJECT: Correction Grant Deed for Abandoned Right of Way; White Sulphur Springs Avenue

RECOMMENDATION

Director of Public Works requests approval of and authorization for the Chair to sign a Correction Grant Deed to remedy an incorrect reference within a Grant Deed to Richard J. and Monene P. Bradley originally executed by the County in 1994 as part of the realignment of White Sulphur Springs Avenue.

EXECUTIVE SUMMARY

In 1994 a realignment of White Sulphur Springs Avenue was performed which necessitated the acquisition of new right of way from adjacent parcels and also the abandonment of portions no longer in use as right of way and the subsequent conveyance of those abandoned portions to the adjacent properties. One such conveyance was executed by that certain Grant Deed recorded on July 15, 1994 in Document Number 1994-0022752. Staff was made aware of an erroneous document number reference and assessor's parcel number reference contained within the purpose statement of this Grant Deed. These erroneous references bring confusion to the intent of this Grant Deed and recording the Correction Grant Deed will remedy this matter.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No
County Strategic Plan pillar addressed: Effective and Open Government

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)]. The proposed

action involves abandonment of an easement that has no potential to result in a change to the environment, and therefore is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable. Further, it has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 (“Existing Facilities”) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

BACKGROUND AND DISCUSSION

In 1994, the County performed a realignment of White Sulphur Springs Avenue whereby new right of way was obtained and excess right of way was abandoned and then subsequently conveyed to adjacent properties. On July 15, 1994, the County granted to Richard J. and Monene P. Bradley one such excess portion by that certain Grant Deed recorded in Document Number 1994-0022752.

A local land surveyor notified staff that Document Number 1994-0022752 contained an incorrect document number reference and assessor’s parcel number reference within the purpose statement that follows the legal description of the lands to be conveyed within the Grant Deed. The purpose statement specifies that the land conveyed by the County is to be merged “with that adjacent parcel of land described in Document No. 1992-012108 recorded April 16, 1992 (APN: 020-420-009)”. However, that reference document and assessor’s parcel number belong to a parcel of land lying adjacent to Petrified Forest Road; these erroneous references bring confusion to the intent of this Grant Deed.

The attached Correction Grant Deed clearly identifies the reason a correction is needed and revises the purpose statement to correctly reference the document number (1994-0001587) and assessor’s parcel number (027-020-061) of the Lands of Bradley lying adjacent to White Sulphur Springs Avenue. The Director of Public Works recommends that the Board of Supervisors sign the Correction Grant Deed to eliminate this error and correct the public record.