

MARIPOSA COUNTY

Public Works · 209 966 5356



RESOLUTION - ACTION REQUESTED 2019-606

MEETING: October 15, 2019
TO: The Board of Supervisors
FROM: Mike Healy, Public Works Director
RE: Fournier Road Offer of Dedication

RECOMMENDATION AND JUSTIFICATION:

Authorize the Board of Supervisors Chair to Sign the "Certificate of Acceptance by the County of Mariposa", for the Non-Exclusive, Non-Revocable and Perpetual Offer of Dedication of Public Road and Public Utility Easement Right-of-Way to the County of Mariposa. The offer of dedication is for a portion of Fournier Road within APN's 013-050-063 (Half Dome Holdings LLC, Town of Mariposa).

This recommended action is based on conditions set by the approval of Parcel Merger Application No. 2019-037. The Parcel Merger Application was approved by the Planning Director on May 20, 2019. To complete the Application, an Offer of Dedication along the frontage of Fournier Road is required.

Once the Offer of Dedication is accepted and recorded, the Certificates of Compliance will be recorded for the merged parcels, completing the Parcel Merger process. The offer of dedication will be recorded last.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On May 20, 2019 the Planning Director approved Parcel Merger Application No. 2019-037, with conditions.

An Offer of Dedication has been submitted to the County Surveyor, approved for content and signed by the owners of the property.

This portion of Fournier Road is a County maintained road, however without a formal easement.

Past practice has been for the County to require and accept Offers of Dedication along roads which are a part of the County Road maintenance system and have not been formally created.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Not authorizing the signing of the offer of acceptance would prevent the completion of

Resolution - Action Requested 2019-606

this Parcel Merger Application. The completion of the Parcel Merger is a key step in a current planned development for the resultant parcel.

ATTACHMENTS:

HalfDomeOfferDedication (PDF)

HalfDomeOfferDedicationVicMap (PDF)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Merlin Jones, Marshall Long, Kevin Cann, Miles Menetrey

EXCUSED: Rosemarie Smallcombe

– Recorder
Mariposa Co Official Records

ER
10/16/2019
10:22 AM

RECORDING REQUESTED BY:
Clerk of the Board

Recorded at the request of
Mariposa County

DOC#: **20193523**

Titles: 1 Pages: 7



00020193523

Fees	0.00
Taxes	0.00
Others	0.00
PAID	\$0.00

WHEN RECORDED MAIL TO:
Tracy Gauthier
Deputy Clerk of the Board II

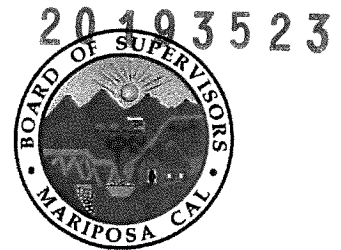
Space Above This Line Reserved for Recorder's Use

Mariposa County Resolution No. 19-606
Non-Exclusive, Non-Revocable and Perpetual offer of Dedication of Public Road
and Public Utility Easement Right-of-Way to the County of Mariposa



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MOVER: Merlin Jones, District II Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Merlin Jones, Marshall Long, Kevin Cann, Miles Menetrey

EXCUSED: Rosemarie Smallcombe

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

Department of Public Works
County of Mariposa
4639 Ben Hur Road
Mariposa, California 95338

A.P.N. 013-050-063

**NON-EXCLUSIVE, NON-REVOCABLE AND PERPETUAL OFFER OF
DEDICATION OF PUBLIC ROAD AND PUBLIC
UTILITY EASEMENT RIGHT-OF-WAY
TO THE COUNTY OF MARIPOSA**

This Declaration is made this 12th day of JULY 2019, _____ by HALF DOME HOLDINGS, LLC, hereinafter referred to as "Offerors" and affects that certain real property described in Certificate of Compliance, Grantee Fortyniner Investment Group, Inc. recorded February 19, 1993 as Document Number 930823 in the Official Records of Mariposa County.

WITNESSETH;

WHEREAS, said Offerors desire to make a non-revocable offer of dedication to the public of a non-exclusive easement for public road and public utility easement purposes and incidental uses, together with the right to trim necessary trees and vegetation, which offer may be accepted at any time by any governmental entity which has the power to establish, construct and maintain roads.

NOW, THEREFORE, said Offerors covenant, promise and grant as follows:

1. That said Offerors are the fee owners of that certain real property described in Certificate of Compliance, Grantee Fortyniner Investment Group, Inc. recorded February 19, 1993 as Document Number 930823 in the Official Records of Mariposa County.

2. That said Offerors do hereby non-revocably and in perpetuity offer to such governmental entity a dedication of a non-exclusive public right-of-way easement for road and Public Utility purposes and incidental uses upon the following described property:

All that portion of a strip of land having a uniform width of 60.00 feet, being 30.00 feet on each side of the centerline of that certain Mariposa County Road known as Fournier

Road, lying within the bounds of that certain real property described in Certificate of Compliance, Grantee Fortyniner Investment Group, Inc. recorded February 19, 1993 as Document Number 930823 in the Official Records of Mariposa County.

3. That until such time as the above offer of dedication is accepted by such government entity, all owners of property contiguous to the above described road parcel shall have the right to use said road parcel as a public road.

4. That the Offerors agree that the above offer of dedication shall be non-revocable and non-exclusive and such government entity may, at any time in the future accept said offer of dedication of the public road right-of-way easement and public utility easement.

5. That the Offerors agree that this non-revocable and perpetual offer of dedication is and shall be binding on his heirs, assigns, and successors in interest.

IN WITNESS WHEREOF, this offer of dedication is executed and made by the Offerors on the day and year first above written.

OFFERORS

Ashish Sanan
Half Dome Holdings, LLC
by Ashish Sanan

Date: 7/12/2019

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

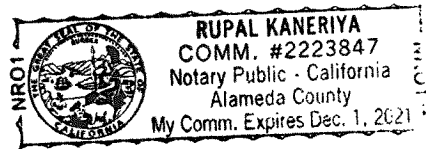
State of California
County of ALAMEDA

On 07-12-2019 before me, RUPAL KANERIYA, a Notary Public, personally appeared ASHISH SANAN, who 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 entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature R. A. Kaneriya



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Certificate of Acceptance by the County of Mariposa

This is to certify that the interest in real property conveyed by this Offer of Dedication dated 7-12-19 from Half Dome Holdings, LLC, to the County of Mariposa, a political subdivision of the State of California, is hereby accepted by Miles Menetrey, Chairman of the Board on behalf of the Board of Supervisors of Mariposa County, pursuant to authority conferred by Resolution # 19-606 adopted on 10-15-19, and the grantee hereby consents to the recordation thereof by its duly authorized officer.

Date OCT 15, 2019

Miles Menetrey
Miles Menetrey, Chair
Mariposa County Board of Supervisors

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Mariposa

On October 15, 2019 before me, Tracy Gauthier, Notary Public a Notary Public, personally appeared Miles Menetrey, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tracy Gauthier

