

# Attachment B

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*Before the Board of Supervisors in and for the  
County of Monterey, State of California*

Resolution No. 20- \_\_\_\_\_

Adopt a resolution to:	)
a. Approve the Quitclaim Deed and Transfer Agreement between the County and the City of Salinas, a California Charter City, for the conveyance of a 2,180 square foot vacant lot off of Garfield Circle within the City of Salinas jurisdictional limits, identified as Assessor’s Parcel Number 253-192-015, pursuant to Government Code Section 25365 (four-fifths vote required);	)
b. Subject to formal approval of this Resolution by the California Department of Housing and Community Development within thirty (30) days of the County’s adoption and full execution of this Resolution, authorize the Public Works, Facilities, and Parks Director to execute the Quitclaim Deed, the Transfer Agreement, and any related documents needed to complete the transaction, including, but not limited to, any future amendments to the Transfer Agreement subject to the review and approval of the Office of the County Counsel;	)
c. Find the subject parcel to be transferred is exempt surplus land pursuant to Government Code sections 54221(f)(1)(B)(i) and 54221(f)(1)(D)(E); and	)
d. Find that the subject parcel transfer is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15312.	)

Having considered all the written and documentary evidence, the administrative record, the staff report, and other evidence presented, the Monterey County Board of Supervisors hereby finds and decides as follows:

RECITALS

WHEREAS, Assessor’s Parcel Number (APN) 253-192-015 (hereafter referred to as “the Parcel”) to be transferred to the City of Salinas (hereinafter referred to as “the City”) via Quitclaim Deed, is a 2,180 square foot vacant parcel located off of Garfield Circle within the City of Salinas’ jurisdictional limits;

WHEREAS, the Parcel was created via residential subdivision known as Tract No. 580 Unit No. 1 Northridge Estates, as evidenced by the final Record of Survey Map recorded on November 13, 1968, Volume 9 Page 66, owned and developed by Kelswan, Inc. within the

County of Monterey (hereinafter referred to as "the County") jurisdictional limits for the purpose of providing future access to a parcel outside the subdivision limits know as APN 253-192-016;

WHEREAS, on November 12, 1968 the Board of Supervisors for the County of Monterey accepted on behalf of the public all parcels of land offered for dedication by Kelswan, Inc., along with the Parcel as evidence by Corporation Grant Deed recorded on November 13, 1968, Reel 580 Page 1107, recorded as Document No. 23539;

WHEREAS, the Parcel and the surrounding associated residential subdivision was annexed into the City of Salinas jurisdictional boundaries via City of Salinas Ordinance 1568, approved by the State of California on July 31, 1974, as required by the Subdivision Map Act;

WHEREAS, it was determined that neither the City nor the County have records reflecting the formal transfer of ownership of the Parcel from the County to the City due to a transactional oversight;

WHEREAS, a formal transfer of title is needed to accommodate the City's desired future use and/or disposal of the Parcel;

WHEREAS, it was the County's understanding that the Parcel was transferred to the City when the formal 1974 annexation of the residential subdivision was completed, however it was discovered that the Parcel is required to be deeded in order to complete a formal transfer of ownership;

WHEREAS, it was also the County's understanding that the City recognized having ownership and control of the Parcel as evidenced by: 1) Monterey County Treasurer-Tax Collector's Office document indicating that the City has historically been paying the annual property tax assessments; 2) 2004 City document indicating that the City, as property owner of the Parcel, authorized an encroachment permit to an adjacent property owner (APN 253-192-003) to use the Parcel under certain conditions; and 3) 2020 City document indicating that the City, as property owner, requested that the adjacent property owner ( APN 253-192-003) remove vehicles and / or unauthorized improvements from the Parcel.

WHEREAS, Government Code 25365 authorizes the Board of Supervisors, by four-fifths vote, to transfer any real property or interest therein to a city within the respective county without complying with other provisions of the Government Code if the property is not required for county use;

WHEREAS, the Public Works, Facilities, and Parks Director, as authorized by the Board, will execute all real property transfer agreements, quitclaim deeds, and other necessary transfer documents to complete the Parcel conveyance to the City;

WHEREAS, the Parcel is considered exempt surplus land, pursuant to Government Code section 54221(f)(1)(B)(i), due to the Parcel's square footage being less than 5,000 square feet, subject to formal approval by the California Department of Housing and Community Development within thirty (30) days of the County's adoption and full execution of this Resolution;

WHEREAS, the Parcel is considered exempt surplus land, pursuant to Government Code section 54221(f)(1)(D)(E) because the proposed transfer is to a local agency for their future use or disposal and the grantee, the City, being an owner of an adjacent property, commonly referred to as the street improvements at Garfield Circle, Salinas California, subject to formal approval by the California Department of Housing and Community Development within thirty (30) days of full execution of this Resolution;

WHEREAS, the sale of surplus land is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15312 pertaining to surplus government property sales;

WHEREAS, the Public Works, Facilities & Parks Department Real Property section will oversee and coordinate the transaction process; and

WHEREAS, this action supports the Board of Supervisors' Strategic Initiatives for Infrastructure by encouraging consistent development and property ownership within the area.

### DECISION

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors does hereby adopt and fully execute a resolution to:

- a. Approve the Quitclaim Deed and Transfer Agreement between the County and the City of Salinas, a California Charter City, for the conveyance of a 2,180 square foot vacant lot off of Garfield Circle within the City of Salinas jurisdictional limits, identified as Assessor's Parcel Number 253-192-015, pursuant to Government Code Section 25365 (four-fifths vote required);
- b. Subject to formal approval of this Resolution by the California Department of Housing and Community Development within thirty (30) days of the County's adoption and full execution of this Resolution, authorize the Public Works, Facilities, and Parks Director to execute the Quitclaim Deed, the Transfer Agreement, and any related documents needed to complete the transaction, including, but not limited to, any future amendments to the Agreement subject to the review and approval of the Office of the County Counsel;
- c. Find the subject Parcel to be transferred is exempt surplus land pursuant to Government Code sections 54221(f)(1)(B)(i) and 54221(f)(1)(D)(E); and
- d. Find that the subject Parcel transfer is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15312.

PASSED AND ADOPTED upon this 22<sup>nd</sup> of June 2021, by roll call vote:

AYES: Supervisors  
NOES:  
ABSENT:  
(Government Code 54943)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original resolution of said Board of Supervisors duly made and entered in the minutes thereof Minute Book \_\_\_ for the meeting on 22<sup>nd</sup> day of June 2021.

Dated: 2021  
File ID: RES 21-  
Agenda Item:

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

By \_\_\_\_\_  
Deputy