

# MONTEREY COUNTY BOARD OF SUPERVISORS

<b>MEETING:</b>	December 11, 2001 - Consent	<b>AGENDA NO:</b>
<b>SUBJECT:</b>	Approve and Authorize the Contracts/Purchasing Manager to Sign Amendment 2 to Agreement A-06719 with the City of Salinas Which Will Provide an Access Easement That Will Allow the City to Construct a Portion of the Gabilan/Natividad Creek Bike Trail Along the Frontage of the County Corporation Yard on East Laurel Drive, Salinas.	
<b>DEPARTMENT:</b>	County General Services	

## RECOMMENDATION:

It is recommended that the Board of Supervisors approve and authorize the Contracts/Purchasing Manager to sign Amendment 2 to Agreement A-06719 with the City of Salinas which will provide an access easement that will allow the City of Salinas to construct a portion of the Gabilan/Natividad Creek Bike Trail along the frontage of the County Corporation Yard on East Laurel Drive, Salinas.

## SUMMARY:

Approval of this Amendment will provide an access easement that will allow the City of Salinas to construct a portion of the Gabilan/Natividad Creek Bike Trail along the frontage of the County Corporation Yard on East Laurel Drive, Salinas.

## DISCUSSION:

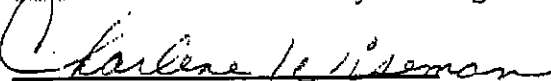
In April 1998, the City of Salinas adopted the most recent version of the Salinas Bikeway Plan, which called for an 85-mile network of bicycle facilities uniting all areas of the City. A major component of the plan is a 1.4 mile Class I bike path called the Gabilan Creek-Natividad Creek Bike Trail. It will be connecting the northeast and east residential development areas of the city to the Salinas Sports Field Complex located on the corner of East Laurel Drive and Constitution Boulevard, and the Natividad Medical Center and other county affiliated services on Constitution Boulevard and Natividad Road. Because this project includes the construction of a bridge structure across Natividad Creek, permits with state and federal agencies will be needed (Fish and Game, Corp of Engineers, and a Storm Water Pollution Prevention Plan). An agreement and easement for access purposes from the county will also be needed which will allow the construction of a portion of the bike path along the frontage of the County Corporation Yard on East Laurel Drive. An easement description for the section of trail that will run across county property has already been developed by the city's project architect, and review has been completed by county staff.

## OTHER AGENCY INVOLVEMENT:

The General Services Department concurs with the Amendment 2 and County Counsel has approved to form.

## FINANCING:

There is no cost to the county resulting from this easement.

  
 Charlene Wiseman  
 General Services Director  
 December 4, 2001

Attachment: Amendment 2 is on file with the Clerk of the Board

CW:gs

File

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

Agreement NO. A-06719

Approves and Authorizes the Contracts/Purchasing )  
Manager to Sign Amendment 2 to Agreement A-06719 )  
with the City of Salinas Which Will Provide an Access )  
Easement That Will Allow the City to Construct a Portion )  
of the Gabilan/Natividad Creek Bike Trail Along the )  
Frontage of the County Corporation Yard on East Laurel )  
Drive, Salinas..... )

RECEIVED

DEC 11 2001

MONTEREY COUNTY  
GENERAL SERVICES

Upon motion of Supervisor Calcagno, seconded by Supervisor Potter,  
and carried by those members present, effective December 11, 2001 the Board hereby;

1. Approves and authorizes the Contracts/Purchasing Manager to sign Amendment 2 to Agreement A-06719 with the City of Salinas which will provide an access easement that will allow the city to construct a portion of the Gabilan/Natividad Creek Bike Trail along the frontage of the County Corporation Yard on East Laurel Drive, Salinas.

PASSED AND ADOPTED this 11th day of December, 2001 by the  
following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Johnsen, Potter

NOES: None

ABSENT: Pennycook

I, Sally R. Reed, 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 order of said Board of Supervisors duly made and entered in the minutes thereof at page 22 of Minute Book 70 on 12/11/01.

Dated: December 11, 2001

Sally R. Reed, Clerk of the Board of Supervisors, County of Monterey,  
State of California.

By: Carrie Wilkinson

Deputy Carrie Wilkinson

cc: Charlene; Barbara

RESOLUTION NO. 17804 (N.C.S.)

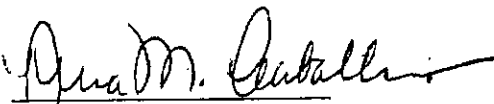
BE IT RESOLVED BY THE SALINAS CITY COUNCIL that the Mayor of Salinas is hereby authorized and directed for and on behalf of the City of Salinas to execute the attached Amendment Number 2 to the City County Agreement for Use of County Property for Recreational Activities, Parking and Vietnam Veteran Memorial and Veterans Park Dated November 1, 1994, providing for an Easement For the Gabilan Creek/ Natividad Creek Bike Trail across County Property.

PASSED AND ADOPTED this 11th day of December 2001 by the following vote:

AYES: Councilmembers Barnes, Collins, De La Rosa, Gonzalez, Lutes, and  
Mayor Caballero

NOES: None

ABSENT: Councilmember Ocampo

  
Mayor

ATTEST:

  
Ann Camel, City Clerk

**AMENDMENT 2 TO AGREEMENT FOR USE OF COUNTY PROPERTY FOR RECREATIONAL ACTIVITIES, PARKING AND A VIETNAM VETERANS MEMORIAL AND VETERANS PARK DATED NOVEMBER 1, 1994**

THIS AMENDMENT 2 to the Agreement for use of County Property for Recreational Activities, Parking, and A Vietnam Veterans Memorial Site and Veterans Park dated November 1, 1994 ("Agreement") is made as of this 11th day of December, 2001 by and between the County of Monterey ("County") a general law county in the state of California and the City of Salinas ("City") a charter city in the state of California and the Monterey County Vietnam Veterans Memorial Committee ("Committee"), a 501(C)(3) non-profit corporation.

THE PARTIES HEREBY MUTUALLY AGREE AS FOLLOWS:

1. Amendment 2 Recitals

- 1.1 In April 1998, The City adopted the most recent version of the Salinas Bikeway Plan, which called for an 85-mile network of bicycle facilities uniting all areas of the City. A major component of the plan is a 1.4 mile Class I bike path called the Gabilan Creek-Natividad Creek Bike Trail. It will be connecting the Northeast and East Residential Development Areas of the City to the Salinas Sports Field Complex located on the corner of East Laurel Drive and Constitution Boulevard, and the Natividad Medical Center and other County affiliated services on Constitution Boulevard and Natividad Road. Because this project includes the construction of a bridge structure across Natividad Creek, permits with State and Federal agencies will be needed (Fish and Game, Corp of Engineers, and a Storm Water Pollution Prevention Plan). An agreement and easement for access purposes from the County will also be needed which will allow the construction of a portion of the bike path along the frontage of the County Corporation Yard on East Laurel Drive. An easement description for the section of trail that will run across County property has already been developed by the City's project architect, and review has been completed by County staff.
- 1.2 To accomplish immediate development of the bike path, the City wishes to amend the Agreement to include an easement for access purposes over and across County property.

2. Terms and Conditions

- 2.1 County agrees to provide an easement for access purposes over and across County property to City as described in Exhibit "C" attached hereto and made a part of this Agreement and the premises as described in this Agreement for the purpose of constructing, maintaining and utilizing a bike path.
- 2.2 City shall assume responsibility for all costs associated with the development and maintenance of said bike path.
- 2.3 Except as modified herein all terms and conditions set forth in the Agreement shall remain in full force and effect.
- 2.4 City shall record said access easement within 30 days of the execution of this agreement.

IN WITNESS THEREOF, the parties hereto have made and executed this Amendment to Agreement on the 11th day of December, 2001.

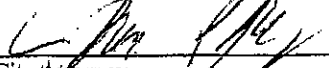
City of Salinas ( a Municipal Corporation)

County of Monterey

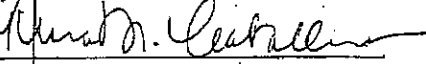
RECOMMENDED FOR APPROVAL

  
Director of Recreation-Park

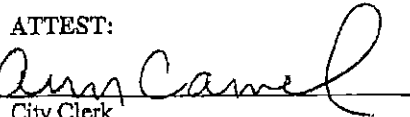
APPROVED AS TO FORM

  
City Attorney

APPROVED

  
City Mayor

ATTEST:

  
City Clerk

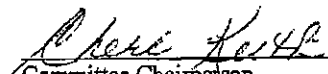
APPROVED AS TO FORM

  
Deputy County Counsel Jan. 23, 2002

APPROVED

  
Contracts/Purchasing Manager

Vietnam Veterans Memorial Committee

  
Committee Chairperson

*Exhibit C'*

Natividad Gabilan Bike Path  
Access Easement  
City of Salinas, CA

An easement for access purposes over and across that certain tract of land being more particularly described as follows:

Situate within a portion of the lands of the County of Monterey as shown on that certain map entitled "Map showing Monterey County Property in Vicinity of County Hospital & Prison Farm" dated April, 1954 and on file in the County Surveyors Office as Serial Number 7158, within the City of Salinas, County of Monterey, State of California, being more particularly described as follows:

BEGINNING for reference at County Monument No. 223 at Engineer's Station 53 + 52.83 in the monument line of East Laurel Drive as it is shown on that certain map entitled "Control Monumentation Net" recorded in Book A of County Surveyor's Maps on September 7, 1977 thence along said monument line South  $43^{\circ} 05' 53''$  East, 499.51 feet to County Monument No. 222 at Engineer's Station 58+52.34 (B.C.); thence leaving said monument line South  $88^{\circ} 16' 14''$  East, 300.09 to the True Point of Beginning being a point on the centerline of the bike path alignment, thence along said centerline the following courses:

1. Along a curve to the right, the center of which bears North  $42^{\circ} 57' 17''$  West, 150.00 feet, through a central angle of  $94^{\circ} 37' 18''$ , with a radius of 150.00 feet, for an arc length of 247.72 feet, thence tangent to said curve
2. North  $38^{\circ} 19' 59''$  West, 138.57 feet, thence
3. Along a curve to the left, tangent to the preceding course, through a central angle of  $9^{\circ} 53' 27''$ , with a radius of 500.00 feet, for an arc length of 86.31 feet, thence tangent to said curve
4. Along a curve to the right, tangent to the preceding course, through a central angle of  $5^{\circ} 43' 14''$ , with a radius of 750.00 feet, for an arc length of 74.88 feet, thence tangent to said curve
5. North  $42^{\circ} 30' 12''$  West, 115.49 feet, thence
6. Along a curve to the right, tangent to the preceding course, through a central angle of  $68^{\circ} 00' 52''$ , with a radius of 60.00 feet, for an arc length of 71.22 feet, thence tangent to said curve
7. North  $25^{\circ} 30' 40''$  East, 36.34 feet, thence
8. Along a curve to the left, tangent to the preceding course, through a central angle of  $75^{\circ} 22' 44''$ , with a radius of 30.00 feet, for an arc length of 39.47 feet, thence tangent to said curve

Natividad Gabilan Bike Path  
Access Easement  
City of Salinas, CA

9. North 49°52'04" West, 111.08 feet; thence
10. Along a curve to the right, tangent to the preceding course, through a central angle of 81°36'56", with a radius of 70.00 feet, for an arc length of 99.71 feet; thence tangent to said curve
11. North 31°44'52" East, 272.48 feet; thence
12. Along a curve to the left, tangent to the preceding course, through a central angle of 62°05'41", with a radius of 75.00 feet, for an arc length of 81.28 feet; thence tangent to said curve
13. North 30°20'49" West, 89.03 feet; thence
14. Along a curve to the right, tangent to the preceding course, through a central angle of 75°46'53", with a radius of 100.00 feet, for an arc length of 132.26 feet; thence tangent to said curve
15. North 45°26'04" East, 197.87 feet; thence
16. Along a curve to the right, tangent to the preceding course, through a central angle of 18°56'37", with a radius of 1500.00 feet, for an arc length of 495.94 feet; thence tangent to said curve
17. Along a curve to the left, tangent to the preceding course, through a central angle of 37°07'47", with a radius of 80.00 feet, for an arc length of 51.84 feet; thence tangent to said curve
18. North 27°14'54" East, 101.84 feet; thence
19. Along a curve to the right, tangent to the preceding course, through a central angle of 15°25'53", with a radius of 300.00 feet, for an arc length of 80.80 feet; thence tangent to said curve
20. North 42°40'47" East, 217.05 feet; thence
21. Along a curve to the right, tangent to the preceding course, through a central angle of 65°25'33", with a radius of 450.00 feet, for an arc length of 513.85 feet; thence tangent to said curve

Natividad Gabilan Bike Path  
Access Easement  
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22. Along a curve to the left, tangent to the preceding course, through a central angle of  $15^{\circ}47'34''$ , with a radius of 330.00 feet, for an arc length of 90.96 feet; thence tangent to said curve
23. Along a curve to the left, tangent to the preceding course, through a central angle of  $28^{\circ}05'51''$ , with a radius of 400.00 feet, for an arc length of 196.16 feet; thence tangent to said curve
24. Along a curve to the left, tangent to the preceding course, through a central angle of  $32^{\circ}59'33''$ , with a radius of 250.00 feet, for an arc length of 143.96 feet; thence tangent to said curve
25. North  $31^{\circ}13'22''$  East, 304.53 feet; thence
26. Along a curve to the left, tangent to the preceding course, through a central angle of  $13^{\circ}37'38''$ , with a radius of 250.00 feet, for an arc length of 59.46 feet; thence tangent to said curve
27. North  $17^{\circ}35'44''$  East, 361.36 feet to the westerly line of said lands of County of Monterey being also the easterly boundary line of lands of Creekbridge I as shown on that certain map recorded in Volume 18 of Cities & Towns at Page 47; thence northerly along said common boundary line
28. North  $23^{\circ}02'43''$  East, 95.45 feet to the most northwesterly corner of said lands of County of Monterey being also the southeasterly boundary of Parcel 4 as it is shown on that certain map recorded in Volume 17 Cities & Towns at Page 7; thence
29. North  $71^{\circ}05'44''$  East, 4.37 feet; thence
30. Along a curve to the right, the center of which bears North  $77^{\circ}57'51''$  West, 515.00 feet, through a central angle of  $05^{\circ}33'35''$ , with a radius of 515.00 feet, for an arc length of 49.97 feet; thence tangent to said curve
31. South  $17^{\circ}35'44''$  West, 470.45 feet; thence
32. South  $31^{\circ}13'22''$  West, 123.35 feet; thence
33. South  $34^{\circ}42'32''$  West, 227.01 feet; thence
34. South  $36^{\circ}42'09''$  West, 52.91 feet; thence
35. South  $53^{\circ}53'22''$  West, 55.66 feet; thence

Natividad Gabilan Bike Path  
Access Easement  
City of Salinas, CA

36. South  $75^{\circ}48'42''$  West, 79.16 feet; thence
37. Along a curve to the right, concentric with the curve described in course number 23 above, the center of which bears North  $15^{\circ}27'34''$  West, 415.00 feet, through a central angle of  $17^{\circ}46'20''$ , with a radius of 415.00 feet, for an arc length of 128.73 feet; thence tangent to said curve
38. Along a curve to the right, concentric with the curve described in course number 22 above, tangent to the preceding course, through a central angle of  $15^{\circ}47'34''$ , with a radius of 345.00 feet, for an arc length of 95.09 feet; thence tangent to said curve
39. Along a curve to the left, concentric with the curve described in course number 21 above, tangent to the preceding course, through a central angle of  $65^{\circ}25'33''$ , with a radius of 435.00 feet, for an arc length of 496.72 feet; thence
40. South  $41^{\circ}20'27''$  West, 171.16 feet; thence
41. South  $42^{\circ}40'47''$  West, 45.94 feet; thence
42. Along a curve to the left, concentric with the curve described in course number 19 above, tangent to the preceding course, through a central angle of  $15^{\circ}25'53''$ , with a radius of 281.00 feet, for an arc length of 75.68 feet; thence tangent to said curve
43. South  $27^{\circ}14'54''$  West, 101.84 feet; thence
44. Along a curve to the right, concentric with the curve described in course number 17 above, tangent to the preceding course, through a central angle of  $37^{\circ}10'08''$ , with a radius of 99.00 feet, for an arc length of 64.22 feet; thence tangent to said curve
45. Along a curve to the left, tangent to the preceding course, through a central angle of  $06^{\circ}28'33''$ , with a radius of 1481.00 feet, for an arc length of 167.39 feet; thence
46. South  $58^{\circ}15'49''$  West, 100.91 feet; thence
47. Along a curve to the left, concentric with the curve described in course number 16 above, the center of which bears South  $35^{\circ}57'18''$  East, 1485.00 feet, through a central angle of  $07^{\circ}22'19''$ , with a radius of 1485.00 feet, for an arc length of 191.07 feet; thence tangent to said curve
48. South  $46^{\circ}40'23''$  West, 231.23 feet; thence



Natividad Gabilan Bike Path  
Access Easement  
City of Salinas, CA

49. Along a curve to the left, concentric with the curve described in course number 14 above, tangent to the preceding course, through a central angle of  $80^{\circ}23'18''$ , with a radius of 85.00 feet, for an arc length of 119.26 feet, thence tangent to said curve
50. South  $33^{\circ}42'55''$  East, 82.76 feet, thence
51. Along a curve to the right, concentric with the curve described in course number 12 above, tangent to the preceding course, through a central angle of  $65^{\circ}27'47''$ , with a radius of 90.00 feet, for an arc length of 102.83 feet, thence tangent to said curve
52. South  $31^{\circ}44'52''$  West, 272.48 feet, thence
53. Along a curve to the left, concentric with the curve described in course number 10 above, tangent to the preceding course, through a central angle of  $81^{\circ}36'56''$ , with a radius of 55.00 feet, for an arc length of 78.35 feet, thence tangent to said curve
54. South  $49^{\circ}52'04''$  East, 38.00 feet, thence
55. South  $45^{\circ}24'21''$  East, 55.16 feet, thence
56. South  $71^{\circ}57'38''$  East, 32.57 feet, thence
57. South  $02^{\circ}00'48''$  East, 43.16 feet, thence
58. South  $25^{\circ}30'40''$  West, 46.26 feet, thence
59. Along a curve to the left, concentric with the curve described in course number 5 above, tangent to the preceding course, through a central angle of  $68^{\circ}00'52''$ , with a radius of 45.00 feet, for an arc length of 53.42 feet, thence tangent to said curve
60. South  $42^{\circ}30'12''$  East, 115.49 feet, thence
61. Along a curve to the left, concentric with the curve described in course number 4 above, tangent to the preceding course, through a central angle of  $05^{\circ}43'14''$ , with a radius of 735.00 feet, for an arc length of 73.38 feet, thence tangent to said curve
62. Along a curve to the right, concentric with the curve described in course number 3 above, tangent to the preceding course, through a central angle of  $09^{\circ}53'27''$ , with a radius of 515.00 feet, for an arc length of 88.90 feet, thence tangent to said curve
63. South  $38^{\circ}19'59''$  East, 138.57 feet, thence

Natividad Gabilan Bike Path  
Access Easement  
City of Salinas, CA

64. Along a curve to the left, concentric with the curve described in course number 1 above, tangent to the preceding course, through a central angle of  $94^{\circ}37'18''$ , with a radius of 135.00 feet, for an arc length of 222.95 feet, thence radial to said curve

65. South  $42^{\circ}57'17''$  East, 15.00 feet to the Point of Beginning.

Containing an area of 1.59 acres, more or less.

And also, a strip of land 15 feet in width parallel with, adjacent to, contiguous with and lying along the southwesterly side of the centerline of the bike path alignment described above in courses numbered 1 through 14.

EXCEPTING therefrom all that portion lying outside of said lands of the County of Monterey and also any portion lying within the right of way of Laurel Drive.

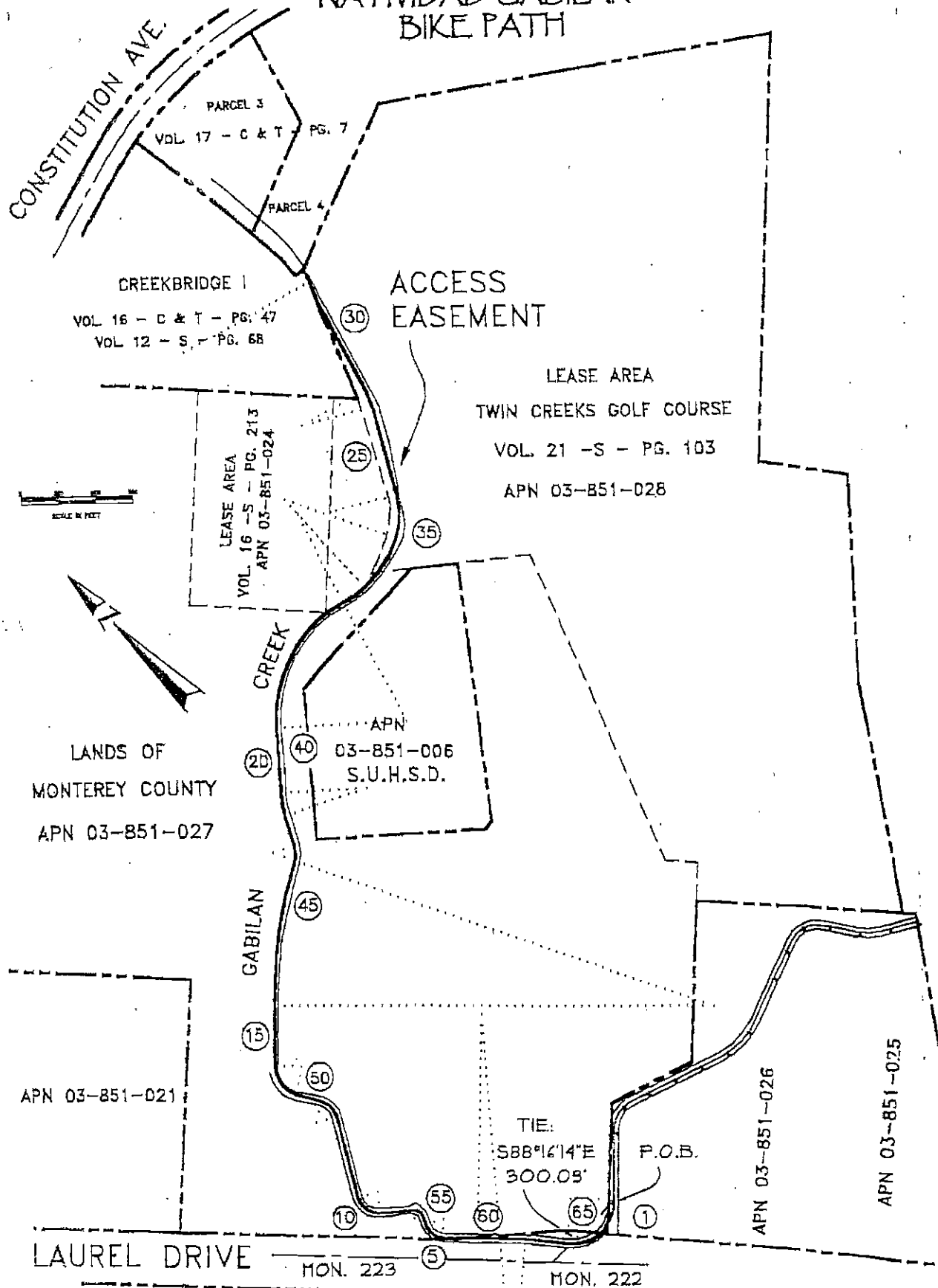
This legal description was prepared by

---

Lynn A. Kovach L. S. 5321  
My license expires December 31, 2003

# EXHIBIT 'C'

## NATIVIDAD GABILAN BIKE PATH



Requested by and when  
recorded return to:

City of Salinas  
Public Works Department  
200 Lincoln Avenue  
Salinas, CA 93901

City Parcel No.: 162A  
City Clerk Deed No.: 2572  
A.P. No.: 003-851-27  
Escrow No.: \_\_\_\_\_

Space above this line for Recorder's use \_\_\_\_\_

## GRANT of EASEMENT

COUNTY OF MONTEREY, a body politic and corporate, hereby GRANT(s) to SALINAS, a municipal corporation, a California corporation, in the County of Monterey, State of California, all that real property in the City of Salinas, County of Monterey, State of California, described as follows, to wit:

See legal description attached hereto and made a part hereof by this reference.

DATE: May 7, 2002

Dave Potter

Dave Potter

Chair

Cynthia Juarez

Cynthia Juarez

Clerk of Board

\*\*\*\*\*  
**GENERAL ACKNOWLEDGEMENT**

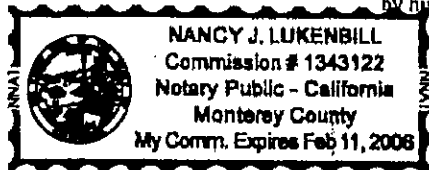
State of California )  
                          )SS.  
County of Monterey )

On MAY 7, 2002, before me, NANCY J. LUKEBILL, Notary Public,  
(Name, Title of Officer, e.g. Jane Doe, Notary Public)

personally appeared DAVE POTTER

Name(s) of Signer(s)

☒ 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 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),



WITNESS my hand and official seal.

Nancy J. Lukebill  
Signature of Notary

\*\*\*\*\*  
**CERTIFICATE OF ACCEPTANCE**

THIS IS TO CERTIFY THAT the interest in real property conveyed by this instrument from grantor to SALINAS, a municipal corporation of the State of California, is hereby accepted by the undersigned pursuant to the authority conferred by Resolution No. 5849 (N.C.S.) of the City Council of Salinas adopted on November 22, 1965, and consent is hereby given for the recordation of said instrument.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Mayor



## City of Salinas

PUBLIC WORKS DEPARTMENT • 200 Lincoln Avenue • Salinas, California 93901 • (831) 758-7241

RECEIVED

MAY 10, 2002

MONTEREY COUNTY  
ACTIVITIES

**DATE:** May 8, 2002

**TO:** George Salcido  
Real Property Specialist  
Monterey County, General Services Department  
855 E. Laurel Drive, Building "C"  
Salinas, CA 93905

**RE:** 2001 Veterans Memorial Park & Natividad and Gabilan Creek Bike Paths

Dear George,

As requested, this is an update for the above project.

### BACKGROUND:

At its meeting of August 28, 2001 Council awarded the subject project to JHM Management of Salinas. The project included the development of picnic areas, passive recreational space, lawn areas, security lighting, irrigation, landscaping, sanitary sewer, storm sewer, pre-fabricated restrooms, and the construction of a portion of the Gabilan Creek- Natividad Creek Bike Path from the bridge crossing at Gabilan Creek near the Constitution Soccer Fields to about 600 feet across the roadway entrance to the Monterey County Maintenance yard (to the east) fronting East Laurel Drive.

### COMPLETED PORTIONS OF WORK:

Work began on October 10, 2001 with clearing and grubbing, and grading. Drainage and Sanitary sewer lines were installed as well as the completion of the restroom. Irrigation installation began during the first week of February. Grading of the bike path along the county frontage (along Laurel Drive) was completed the first week of February. Winter rains slowed down the progress of the project, but the work has been completed with the exception of the plant establishment period. It is expected that this project to be completed and placed for acceptance by Council in late June or early July of 2002.

I apologize for the delay in sending you this update information. Please call me at 758-7427 if you have further questions.

CITY OF SALINAS

  
FRANK A. AGUAYO, P. E.  
Senior Civil Engineer

\\SalSvr08\Dept\Pvt\PW\Trn\FrankA\MiscellaneousLtrs\MoCo vets Park.ltr.doc