



Monterey County

Board of Supervisors
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

Legistar File Number: WRAG 19-050

May 07, 2019

Introduced: 4/18/2019

Version: 1

Current Status: Consent Agenda

Matter Type: WR General Agenda

Authorize the Interim General Manager to grant a roadway easement resulting in legal access to a parcel near Nacimiento Reservoir owned by James E. and Betty C. Eyraud Family Living Trust and the Hendricks Revocable Living Trust.

RECOMMENDATION:

It is recommended that the Monterey County Water Resources Agency Board of Supervisors:

Authorize the Interim General Manager to grant a roadway easement resulting in legal access to a parcel near Nacimiento Reservoir owned by James E. and Betty C. Eyraud Family Living Trust and the Hendricks Revocable Living Trust.

SUMMARY/DISCUSSION:

The James E. and Betty C. Eyraud Family Living Trust and the Hendricks Revocable Living Trust (Grantee) are owners of a 279 acre parcel near the south shore of Nacimiento Reservoir. The Agency desires to grant a roadway easement (Easement) as a necessity to resolve a long-standing legal assess issue for the Grantee. The Grantee will reimburse the Agency a total of \$500 for the administrative expense of processing the Easement. The Agency's construction of Nacimiento Reservoir in 1957 eliminated legal access the Grantee possessed to Grantee's property. At the time of reservoir construction, the Grantee declined to accept an Easement from the Agency because of a restriction intended to limit the number of parcels having the benefit of such a right-of-way. Over the years, the Grantee has requested the assistance of the Agency and the Agency in its due diligence has a desire to perfect an Easement for the Grantee and grant legal access to the Grantee's property.

Staff is asking for authorization to grant the Easement solely based on the fact the Grantee's original access was eliminated at the time of the reservoir's construction. The attached Easement contains a modified version of the original language of the easements offered at the time and grants the Grantee access across Agency lands and that portion of Gage Irving Road in connection with the main county road, known as Chimney Rock Road.

At its April 5, 2019 meeting, the Personnel and Administrative Committee received an update on the request and stated its support for the granting of the roadway easement to Grantee.

OTHER AGENCY INVOLVEMENT:

County Counsel reviewed the grant agreement as to form.

FINANCING:

There is no financial impact.

Prepared by: Jennifer Bodensteiner, Associate Hydrologist, (831) 755-4860

Approved by: Shauna Lorance, Interim General Manager, (831) 755-4860

Attachments:

1. Draft Grant of Easement Deed for Private Roadway
2. Executed MCWRA Board Order