



Legislation Details (With Board Report)

File #: 12-720 **Name:** Grant Private Fence Easment to UCP E Garrison LLC
Type: General Agenda Item **Status:** Passed
File created: 8/2/2012 **In control:** Board of Supervisors
On agenda: 8/28/2012 **Final action:** 8/28/2012

Title: a. Approve and authorize the Chair to execute a Grant of Easement for Private Fence over a portion of APN 031-161-013 to UCP East Garrison, LLC, a Delaware limited liability company for purpose of constructing and maintaining this private fence in conjunction with the East Garrison Development Project on the former Fort Ord; and
b. Authorize the Director of Public Works to submit the executed Grant of Easement for Private Fence to the County Recorder for recordation.

Sponsors: Public Works / RMA

Indexes:

Code sections:

Attachments: 1. Grant of Easement for Private Fence, 2. Vicinity Map, 3. Completed Board Order & Executed Grant, 4. Recorded Page

Date	Ver.	Action By	Action	Result
8/28/2012	1	Board of Supervisors	approved	

a. Approve and authorize the Chair to execute a Grant of Easement for Private Fence over a portion of APN 031-161-013 to UCP East Garrison, LLC, a Delaware limited liability company for purpose of constructing and maintaining this private fence in conjunction with the East Garrison Development Project on the former Fort Ord; and
b. Authorize the Director of Public Works to submit the executed Grant of Easement for Private Fence to the County Recorder for recordation.

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

a. Approve and authorize the Chair to execute a Grant of Easement for Private Fence over a portion of APN 031-161-013 to UCP East Garrison, LLC, a Delaware limited liability company for purpose of constructing and maintaining this private fence in conjunction with the East Garrison Development Project on the former Fort Ord; and
b. Authorize the Director of Public Works to submit the executed Grant of Easement for Private Fence to the County Recorder for recordation.

SUMMARY:

The County of Monterey owns a 7.4-acre parcel of land adjacent to the East Garrison Development Project (APN 031-161-013, formerly COE Parcel No. E11a.1). The recommended action will formalize the creation of a private 10' fence easement over a portion of the County-owned parcel to allow UCP East Garrison, LLC, a Delaware limited liability company to construct and maintain this private fence between the County-owned property and the adjacent private homes in accordance with the requirements of the East Garrison Development Project.

DISCUSSION:

On October 5, 2005, the Board of Supervisors approved the Conditional Use Permit and Tentative Subdivision Map for the East Garrison Development Project (Project). On June 22, 2007, the Board approved the Final Subdivision Map for Phase 1 of the development.

The Conditions of Approval contained in the Board's approvals provide for the developer of the Project, UCP East Garrison, LLC, a Delaware limited liability, to construct a fence on the property line between the private homes and the adjacent County-owned property, which will be used for a storm drainage disposal basin. The recommended Grant of Easement for Private Fence (Easement) will allow the developer to enter the County property to construct and maintain this private fence.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed and approved the Easement as to form. The developer has executed the Acceptance and Consent to Recordation.

FINANCING:

There is no impact to the General Fund. The cost for processing the Easement will be funded by developer fees. Costs associated with constructing and maintaining the private fence will be funded by the developer.

Prepared by: G.H. 'Nick' Nichols, P.E., Civil Engineer, (831) 755-5386

Approved by:

Paul H. Greenway, P.E., Acting Director of Public Works

Benny J. Young, RMA Director

Attachments: Grant of Easement for Private Fence; Vicinity Map