



# County of Monterey

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

## Legislation Details (With Board Report)

**File #:** 22-075      **Name:** CHISPA Parcel Transfer to East Garrison Phase 2 Developers  
**Type:** General Agenda Item      **Status:** Passed  
**File created:** 1/12/2022      **In control:** Board of Supervisors  
**On agenda:** 1/25/2022      **Final action:** 1/25/2022  
**Title:** a. Approve the Quitclaim Deed between the County and UCP East Garrison LLC, for the conveyance of an approximately 7,197 square foot vacant lot located on a portion of Assessor's Parcel Number 031-161-032, further identified as being off of Watkins Gate Road within the County of Monterey jurisdictional limits, pursuant to the Disposition and Development Agreement dated October 4, 2005; b. Authorize the Public Works, Facilities, and Parks Director to execute the Quitclaim Deed, and any related documents needed to complete the transaction, subject to the review and approval of the Office of the County Counsel; and c. Find that the subject parcel transfer is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15312.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A - Location Map, 3. Attachment B - Draft Quitclaim Deed, 4. Attachment C – Disposition and Development Agreement dated October 4, 2005, 5. Completed Board Order Item No. 41

Date	Ver.	Action By	Action	Result
1/25/2022	2	Board of Supervisors	approved	Pass

a. Approve the Quitclaim Deed between the County and UCP East Garrison LLC, for the conveyance of an approximately 7,197 square foot vacant lot located on a portion of Assessor's Parcel Number 031-161-032, further identified as being off of Watkins Gate Road within the County of Monterey jurisdictional limits, pursuant to the Disposition and Development Agreement dated October 4, 2005;  
b. Authorize the Director of Public Works, Facilities and Parks to execute the Quitclaim Deed, and any related documents needed to complete the transaction, subject to the review and approval of the Office of the County Counsel; and  
c. Find that the subject parcel transfer is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15312.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

a. Approve the Quitclaim Deed between the County and UCP East Garrison LLC, for the conveyance of an approximately 7,197 square foot vacant lot located on a portion of Assessor's Parcel Number 031-161-032, further identified as being off of Watkins Gate Road within the County of Monterey jurisdictional limits, pursuant to the Disposition and Development Agreement dated October 4, 2005;  
b. Authorize the Director of Public Works, Facilities and Parks to execute the Quitclaim Deed, and any related documents needed to complete the transaction, subject to the review and approval of the Office of the County Counsel; and  
c. Find that the subject parcel transfer is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15312.

SUMMARY:

The County of Monterey currently owns an approximately 57-acre undeveloped parcel of land adjacent to the East Garrison Development Project, identified as Assessor's Parcel Number (APN) 031-161-032. The recommended action will formalize the transfer of a small approximately 7,197 square foot portion (the Property) of APN 031-161-032 from the County to UCP East Garrison LLC, in accordance with the requirements of the East Garrison Disposition and Development Agreement dated October 4, 2005.

DISCUSSION:

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

On May 16, 2006, the Board of Directors of the Redevelopment Agency of the County of Monterey recorded a Memorandum of Disposition and Development Agreement confirming that the Agency and the Developer had entered into a Disposition and Development Agreement (DDA) dated October 4, 2005. Paragraph III.B of the DDA provides that "The Agency and the County shall diligently cooperate with the Developer to provide such easements, licenses, dedications and rights-of-way or other rights of entry to, and use of, property outside of the Site, to facilitate development of the Site."

In accordance with the 2002 Implementation Agreement between the County and the Fort Ord Reuse Authority, and Resolution No. 06-243, on May 25, 2010, the Board of Directors of the Redevelopment Agency accepted ownership of APN 031-161-032 (East Garrison II, formerly COE Parcel No. L23.3.3.1) for future potential development.

California Assembly Bill 1X 26, enacted on June 28, 2011 and upheld by the California Supreme Court on December 29, 2011, dissolved all California redevelopment agencies effective February 1, 2011 through amendments to the California Health and Safety Code (the Amended Code). Pursuant to Sections 34173, 34175, and 34176 of the Amended Code, and by operation of law, the County of Monterey as Successor Agency to the Redevelopment Agency of the County of Monterey, assumed the rights, duties, and obligations pertaining to all functions of the Original Agency, and as such assumed the rights, duties, and obligations to Agency owned property.

On May 9, 2016, a quitclaim deed was recorded formalizing the transfer of ownership of APN 031-161-032 from the Successor Agency to the Redevelopment Agency of the County of Monterey, to the County of Monterey.

Included in the road improvements required by the East Garrison Specific Plan and Tentative Subdivision Map is the partial realignment of Watkins Gate Road West Camp Street and Barloy Canyon Road. A portion of the realigned County street over-laps onto the adjacent property, leaving the 7,197-square foot vacant lot portion of APN 031-161-032 isolated on the East Garrison side of Watkins Gate Road. The recommended action will formally transfer ownership of the Property from the County to UCP East Garrison LLC to combine to the future housing development site located on APN 031-169-058, consistent with the obligations of the successor to the Successor Agency's requirements within the DDA.

The Director of Public Works, Facilities and Parks, as authorized by the Board, will execute all quitclaim deeds and any other necessary transfer documents to complete the Parcel conveyance. The Public Works, Facilities, and Parks Department Real Property section will oversee and coordinate the transfer process.

This real property transfer is exempt from the California Environmental Quality Act (CEQA) pursuant to

CEQA Guidelines section 15312 pertaining to government property sales.

Approval and execution of the Quitclaim Deed will officially place the Property under the ownership of UCP East Garrison LLC, and the title will properly reflect that the County no longer owns any rights to the subject parcel.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Manager has approved the Quitclaim Deed as to form. The Public Works, Facilities, and Parks Department coordinated with the County of Monterey's Housing and Community Development Department to prepare the Board Report and Quitclaim Deed.

FINANCING:

There is no anticipated fiscal impact to the General Fund resulting from approval of the recommended items.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action correlates to the Infrastructure initiative adopted by the Board of Supervisors by supporting consistent development and property ownership.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Reviewed by: George K. Salcido, Real Property Specialist

Approved by: Lindsay Lerable, Chief of Facilities

Approved by: Randell Ishii, MS, PE, TE, PTOE  
Director of Public Works, Facilities, and Parks

Attachments:

Attachment A - Location Map

Attachment B - Draft Quitclaim Deed

Attachment C - Disposition and Development Agreement dated October 4, 2005.