

# MEMORANDUM

DEPARTMENT OF PUBLIC WORKS  
County of Placer

TO: BOARD OF SUPERVISORS                      DATE: July 7, 2009  
FROM: <sup>JKD</sup> KEN GREHM / KEVIN ORDWAY  
SUBJECT: **ABANDONMENT OF A PORTION OF DONNER SUMMIT ROAD –  
NORDEN**

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## **ACTION REQUESTED / RECOMMENDATION**

Adopt a Resolution to abandon an unused portion of Donner Summit Road right of way on one parcel in Norden, and authorize the Chairman to execute two Quitclaim Deeds for unused portions of Donner Summit Road right-of-way on two adjacent parcels.

## **BACKGROUND / SUMMARY**

Valen and Linda Brost, the owners of Assessor's Parcels 069-080-003, 004, and 015 (58501 Donner Summit Road) in Norden, have requested the County abandon 30' of the 80' wide right-of-way on the north side of Donner Summit Road. The applicants are proposing a development on their three parcels, and have requested the abandonment to facilitate their development plan. Donner Summit Road at this location is 150' wide, and was acquired by the State of California in 1936 for the construction of Highway 40. It was relinquished to the County upon completion of Interstate 80. Donner Summit Road is identified by DPW as only requiring 60' of width; therefore, there is excess right-of-way adjacent to the Brost parcels. The State acquired a Highway Easement on APN 069-080-004, and acquired fee title on APN 096-080-003 and 015. The easement is to be vacated by a Resolution of Abandonment, and the fee title right-of-way conveyed to the Brosts by Quitclaim Deed.

All processing fees have been paid, the proposed abandonment has been distributed for comment and no objections have been received. The proposed abandonment qualifies for Summary Vacation, and therefore, does not require posting or scheduling of a separate public hearing. Government Code Section 25526.5 allows the County to convey this property interest to the applicant without auction as long as its estimated value does not exceed \$25,000.

## **ENVIRONMENTAL CLEARANCE**

This action is categorically exempt from the provisions of CEQA Section 15061(b)(3), no potential to cause significant environmental impact.

## **FISCAL IMPACT**

Fair market value for the right-of-way proposed for abandonment and quitclaim has been appraised at \$7,500 for the Highway Easement and \$16,700 for the two fee title strips, which, upon approval, will be deposited in the DPW account for future right-of-way purchases.

Attachments: Resolution  
Location Map  
Description  
Exhibit Map  
2 Quitclaim Deeds    T:\DPWRoadwaysandBridges\Abandonments\Donner Summit Road.bm.doc

**Before the Board of Supervisors  
County of Placer, State of California**

In the matter of: A RESOLUTION ABANDONING  
A PORTION OF DONNER SUMMIT ROAD, AND  
APPROVING AND AUTHORIZING THE  
CHAIRMAN TO EXECUTE TWO QUITCLAIM  
DEEDS TO VALEN AND LINDA BROST.

Resol. No:.....

Ord. No:.....

First Reading:.....

The following RESOLUTION was duly passed by the Board of Supervisors  
of the County of Placer at a regular meeting held \_\_\_\_\_,  
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:  
Clerk of said Board

\_\_\_\_\_  
Chairman, Board of Supervisors

WHEREAS, a Highway Easement was acquired by the State of California and recorded in Book 362, page 244 and 246, of Official Records of Placer County and subsequently relinquished to the County of Placer; and

WHEREAS, it has been determined that the Highway Easement, as described on Exhibit "A" and as shown on Exhibit "B", is no longer necessary for present or prospective public use; and

WHEREAS, summary vacation of the easement is permissible pursuant to Chapter 4 of Part 3, Division 9 of the Streets and Highways Code, commencing with Section 8330.

Resolution No. \_\_\_\_\_

A Resolution Abandoning a Portion of Donner Summit Road – Norden.

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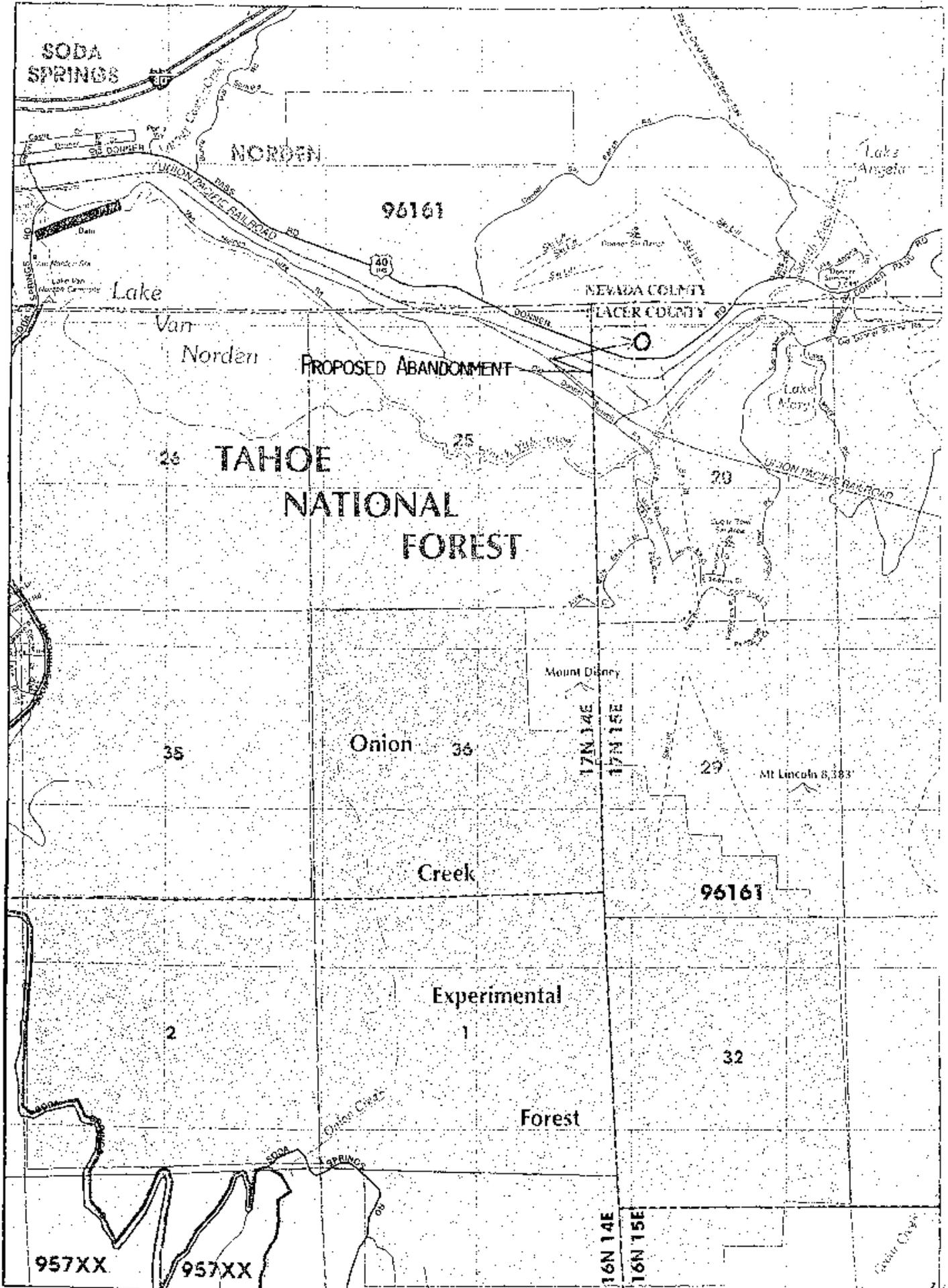
**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Placer County that from and after the date this Resolution is recorded, the portion of the Donner Summit Road Highway Easement, as described and shown on the attached exhibits, shall be vacated and abandoned, and shall thereafter not constitute an easement for its intended purpose; and

**BE IT RESOLVED** that the Board of Supervisors of Placer County hereby approves and authorizes the Chairman to execute two Quitclaim Deeds to Valen and Linda Brost.

**BE IT FURTHER RESOLVED** by the Board of Supervisors of Placer County that the above described right-of-way, as described and shown on the attached exhibits, is not useful as a nonmotorized transportation facility.

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LOCATION MAP



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EXHIBIT 'A'

*All the real property situated in the unincorporated area of Placer County, State of California, being a portion of the northwest quarter of Section 20, Township 17 North, Range 15 East, Mount Diablo Meridian more particularly described as follows:*

*A portion of the existing Placer County Right of Way, formerly State Highway US 40, Road III-Pla-37-G, State Highway Mapbook 2, Page 118 Placer County Official Records more particularly described as follows:*

*A strip of land 30 feet wide, parallel and lying immediately south of and adjacent to the northerly State Highway Right of Way line; and lying between the southerly prolongation of the east and the west sidelines of the Brost Parcel described in Document # 2004-153949 Placer County Official Records.*

*Said Parcel contains 0.23 acres more or less.*

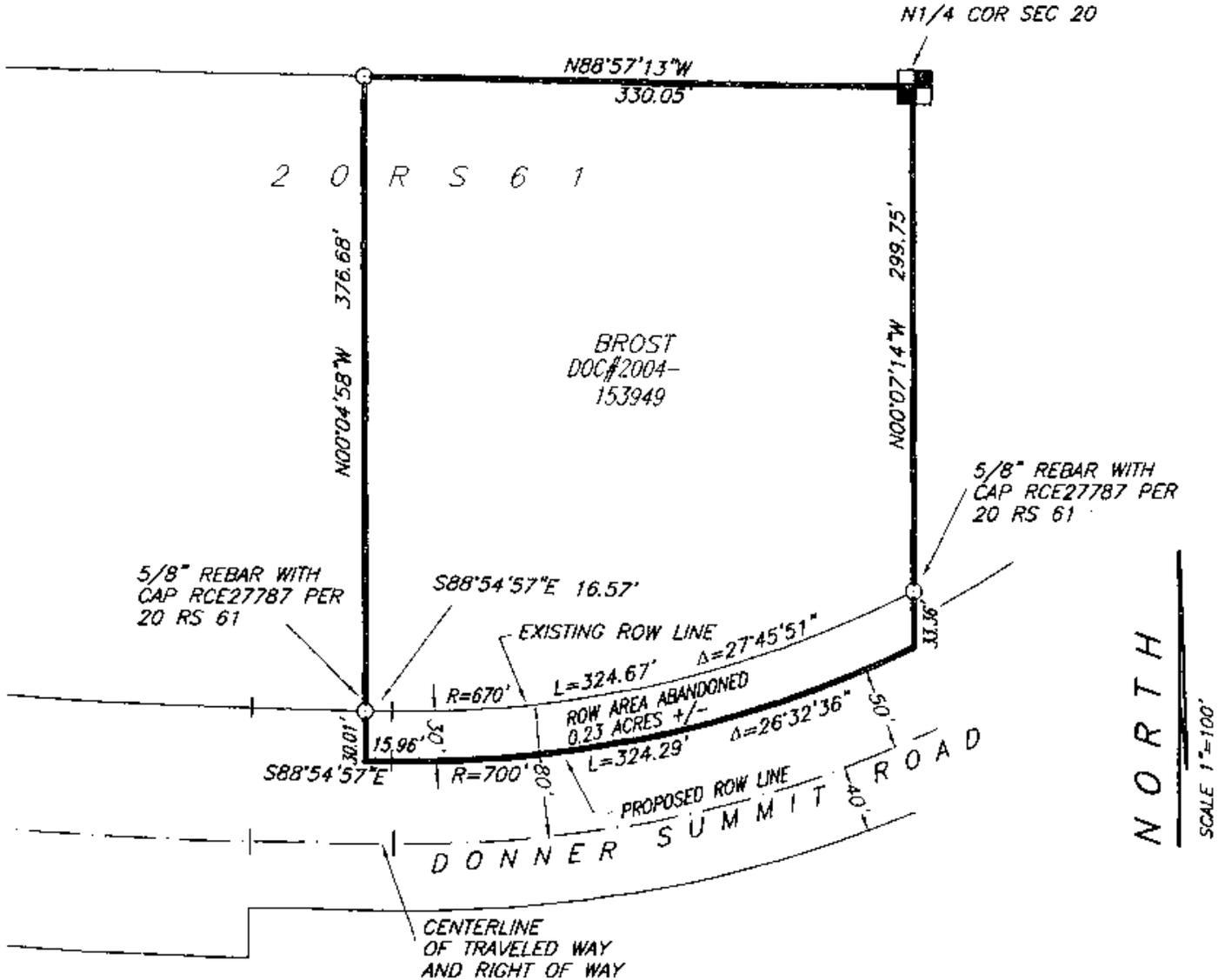
*The abandoned property is not a separate parcel and is merged with the adjoining property.*

APN 069-080-004



**EXHIBIT 'B'**  
**PLAT TO ACCOMPANY EASEMENT ABONDONMENT**

BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 17 NORTH, RANGE 15 EAST,  
 MOUNT DIABLO MERIDIAN, COUNTY OF PLACER, CALIFORNIA      OCTOBER 2008



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Project Name

**Donner Summit Road**

**APN 069-080-015**

When recorded return to  
Placer County Department  
of Public Works

**COUNTY OF PLACER**

**Department of Public Works**

## **QUITCLAIM DEED**

THE COUNTY OF PLACER does hereby REMISE, RELEASE AND FOREVER  
QUITCLAIM TO

**Valen R. Brost and Linda M. Brost, husband and wife, as Joint Tenants,**

all that real property situate in the County of Placer, State of California described as  
follows:

**See attached Exhibit 'A' for Legal Description**

**See attached Exhibit 'B' for Exhibit Map**

Dated: \_\_\_\_\_

\_\_\_\_\_

Chairman, Board of Supervisors

Project Name

**Donner Summit Road**

**APN 069-080-003**

When recorded return to  
Placer County Department  
of Public Works

**COUNTY OF PLACER**

**Department of Public Works**

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**See attached Exhibit 'A' for Legal Description**

**See attached Exhibit 'B' for Exhibit Map**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Chairman, Board of Supervisors