



Agenda Date: 6/28/2005
Agenda Placement: 6DD

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Kim Henderson for Robert Peterson - Director
Public Works
REPORT BY: Larry Bogner, Civil Engineer, 253-4351
SUBJECT: Summary abandonment of an offer of dedication of Certain Rights-of-Way and Roadway Easements

RECOMMENDATION

Director of Public Works requests adoption of a resolution summarily vacating an Offer of Dedication of certain road and utility easements across the lands of P.D. Properties LLC. (Assessor's Parcel Nos. 020-320-003 and 020-320-008)

EXECUTIVE SUMMARY

This abandonment will remove an offer of right-of-way from a private property, which has never been accepted by the County for public purposes.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

This resolution will abandon an irrevocable offer of right-of-way offered by Patrick Flynn. The offer was a condition

of a Use Permit approved by the County in 1976. The offer was acknowledged by the County but the right-of-way has never been accepted by the County. The offer and the County's acknowledgement were recorded on April 23, 1993 as serial no. 93-012758.

The properties encumbered by this offer are located between Maple Lane and a private road commonly called Drew Drive, adjacent to State Highway 29 just south of Calistoga.

Mr. Flynn made an additional offer of two pieces of right-of-way in other parts of his property at the same time as the subject offer. The County acknowledged the offer, and subsequently in 1996 abandoned the offer.

From 1974 to 1979, County policy was, as a condition of every land division, building permit, Use Permit, and lot line adjustment, to require irrevocable dedications of rights-of-way but not to accept the dedicated right-of-way into the County road system. The policy was implemented to enable the County to guarantee standard width access to properties within the subject land as well as to adjacent properties if the County chose to do so in the future. Since cessation of the policy, practice has been to abandon these offers of dedication when the affected property owner requests such abandonment if the County has not accepted the right-of-way and if the County sees no future public necessity for the right-of-way. Abandonment of this subject irrevocable offer would not affect access to any parcels and would have no affect on any private easements across the property.

SUPPORTING DOCUMENTS

A . Resolution

CEO Recommendation: Approve

Reviewed By: Andrew Carey