

**RESOLUTION NO. 2954-2006**

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL ACCEPTING A GRANT OF REAL PROPERTY FROM ALLAN B. AND LOIS G. CARLSON, TRUSTEES OF THE ALLAN B. CARLSON AND LOIS G. CARLSON TRUST AND WILLIAM E. PATTON AND MARY R. SWANN**

(FOR ROADWAY AND PUBLIC UTILITY IMPROVEMENTS ON HARBOR AVENUE AS PART OF SUBDIVISION 2-05)

**WHEREAS**, the City of Fort Bragg, a municipal corporation, ("City") desires to acquire an interest in real property, in fee, for street and public utility improvements on Harbor Avenue; and

**WHEREAS**, Allan B. Carlson and Lois G. Carlson, Trustees of the Allan B. Carlson and Lois G. Carlson Trust dated May 4, 1993, and William E. Patton and Mary R. Swann, Husband and Wife as Community Property, own the property to be conveyed (the "Subject Property") and have executed a Grant Deed conveying their interest in the subject property, and

**WHEREAS**, the Subject Property is more particularly described in that certain Easement Grant Deed, attached hereto as Exhibit "A"; and

**WHEREAS**, it is necessary for the City to accept conveyance of said property by action of the City Council in the form of a resolution.

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Fort Bragg does hereby accept conveyance, in fee, of the Subject Property as more particularly described in Exhibit "A".

**BE IT FURTHER RESOLVED** that the Mayor of the City is hereby authorized and directed to execute on behalf of the City of the Certificate of Acceptance and the City Clerk is directed to forward same to the Mendocino County Recorder for incorporation with the Easement Grant Deed for filing purposes.


**The above and foregoing Resolution was introduced by Councilmember Gjerde, seconded by Councilmember Baltierra, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 27<sup>th</sup> day of March, 2006, by the following vote:**

**AYES:** Councilmembers Gjerde, Baltierra, Hammerstrom, Melo, and Mayor Turner.  
**NOES:** None.  
**ABSENT:** None.  
**ABSTAIN:** None.



**DAVE TURNER,**  
Mayor

**ATTEST:**

  
Cynthia M. VanWormer, CMC  
City Clerk

When recorded, please mail  
this instrument to:

CITY OF FORT BRAGG  
416 N. FRANKLIN STREET  
FORT BRAGG, CA. 95437

The undersigned declares that this conveyance is exempt from recording fees per Govt. Code § 27383 and from Documentary Transfer Tax per Rev. & Tax. Code 11922

EASEMENT  
GRANT DEED  
ROADWAY AND PUBLIC UTILITY EASEMENT

This Indenture made the 13<sup>th</sup> day of March two thousand 2006

Between ALLAN B. CARLSON and LOIS G. CARLSON, TRUSTEES OF THE ALLAN B. CARLSON AND LOIS G. CARLSON TRUST dated May 4, 1993 and WILLIAM E. PATTON and MARY R. SWANN, husband and wife as Community Property, the parties of the first part and THE CITY OF FORT BRAGG, A MUNICIPAL CORPORATION, the party of the second part,

Witness: that the parties of the first part, do hereby release and forever grant unto the party of the second part, and to its heirs and assigns, that certain easement, situated in the City of Fort Bragg, County of Mendocino, State of California, and described as follows:

See Exhibit "A" attached

In Witness Whereof the parties of the first part have executed this conveyance the day and year first written above.

Signed and Delivered in the Presence of

Signed Allan B. Carlson, Trustee  
ALLAN B. CARLSON, Trustee

Signed Lois G. Carlson, Trustee  
LOIS G. CARLSON, Trustee

Signed William E. Patton  
WILLIAM E. PATTON

Signed Mary R. Swann  
MARY R. SWANN

EXHIBIT "A"

AN EASEMENT FOR ROADWAY AND PUBLIC UTILITY PURPOSES DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF FORT BRAGG, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, BEING A PORTION OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 18 WEST, MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

THAT PORTION OF THE FOLLOWING LYING WITHIN THE LANDS OF THE GRANTOR AS DESCRIBED AS AP 123-340-33, IN THAT CERTAIN QUIT CLAIM DEED RECORDED DECEMBER 30, 2004 AS INSTRUMENT NUMBER 2004-28964, MENDOCINO COUNTY RECORDS.

COMMENCING AT THE NORTHEAST CORNER OF PARCEL 1 OF THAT CERTAIN MINOR SUBDIVISION SHOWN AND DELINEATED ON THAT CERTAIN PARCEL MAP FILED IN MAP CASE 2, DRAWER 41, PAGE 54, MENDOCINO COUNTY RECORDS; THENCE ALONG THE NORTH BOUNDARY OF SAID REMAINDER PARCEL, EAST 420.00 FEET, TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE FROM SAID TRUE POINT OF BEGINNING, SOUTH 552.08 FEET; THENCE EAST 60.00 FEET; THENCE NORTH 454.50 FEET; THENCE WEST 5.00 FEET; THENCE NORTH 97.58 FEET; THENCE WEST 55.00 FEET TO THE POINT OF BEGINNING.

DESCRIPTION PREPARED BY: I. L. WELTY & ASSOCIATES  
703-A NORTH MAIN STREET  
FORT BRAGG, CA. 95437

  
FORREST N. FRANCIS L. S. 5121  
LICENSE EXPIRES 6/30/07

