



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Betsy Dirks
District No. 1

Kollin Kosmicki
District No. 2
Vice Chair

Peter Hernandez
District No. 3
Chair

Bob Tiffany
District No. 4

Bea Gonzales
District No. 5

Item Number: 3.21

MEETING DATE: 08/09/2022

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Deems Katada

DEPT HEAD/DIRECTOR: Steve Loupe

SUBJECT:

RESOURCE MANAGEMENT AGENCY - S. LOUPE, ASSISTANT DIRECTOR PUBLIC WORKS

Adopt Resolution to accept and consent to record a Grant Deed from Daniel Emmett Lynch for right-of-way for the purpose of Fairview Road widening improvement, as part of the Award Homes Subdivision (a City of Hollister Subdivision).

SBC FILE NUMBER: 105

RESOLUTION NO.: 2022-93

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

The West of Fairview project is a 125.86 acre housing development that is located in the City of Hollister. The project is bordered by Fairview Road on the east, Calistoga Drive on the west, Robert Ranch development on the south, and St. Benedict Catholic Church on the north. The project was annexed in 1992 to the City of Hollister. However, only a portion of Fairview Road that was fronting the project site was included in the annexation and the remainder of Fairview Road remains within unincorporated San Benito County.

The project is comprised of 677 units, 100 apartment units, 60 motor court homes, and 517 single family detached units. The project is broken down into four (4) Phases; Phase 1A, Phase 1B, Phase 2, and Phase 3. Phase 1A and Phase 1B currently are under construction.

Recently, the Hollister City Council approved Phase 2 of the project, subject to Conditions of Approval in compliance with the West of Fairview Specific Plan and in conjunction with the Mitigation Measures identified to mitigate environmental impacts identified in the Environmental Impact Report.

In December, 2000, the project proponent entered into a Development Agreement with the City, incorporating provisions of the Mitigation Monitoring and Reporting Program (MMRP), including Mitigation Measure 5-34, requiring design and construction of the full Western half of the Fairview Road widening project along the entire Eastern frontage of the West of Fairview property and continuing South approximately 786 feet to the Southern boundary of Planning Area A8 (Roberts Ranch) of the Fairview Road Specific Plan area. The limit of road widening to the North is depicted in the approved subdivision map. The improvements shall include the 32-foot wide pavement of the Southbound half of the roadway, plus conform paving, finished curb, gutter, sidewalk, landscaping, Class II bike path, and soundwall as shown on the Specific Plan.

To implement the Fairview Road improvements, a right-of-way dedication shall be established between the property owners impacted by the widening project and the City of Hollister or San Benito County, depending on which jurisdiction the property is located in, including the Lands of Ashley, the Lands of Lynch, and the Lands of Award Homes. The property owner for Lands of Ashley will convey the required right-of-way to the City of Hollister and the property owners for the Lands of Lynch, and the Lands of Award Homes will convey the required right-of-way to San Benito County.

Daniel Emmett Lynch, the owner of the Lands of Lynch, has delivered a grant deed offering approximately 0.07 acres of land for purposes of right-of-way needed to complete the required improvements for the Fairview Road widening project. A separate Board agenda item will present two (2) grant deeds delivered by Award Homes, Inc., the owner of the Lands of Award Homes, offering the remaining land needed to complete the required improvements.

Government Code section 27281 requires the County to accept grants of property interests by resolution of the Board of Supervisors.

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

Yes

CONTRACT NEEDED FOR THIS ITEM:

N/A

CONTRACT AND RFP HISTORY:

N/A

LAST CONTRACT AMOUNT OR N/A:

N/A

STATE IF THIS IS A NEW CONTRACT/ HOW MANY PAST AMENDED CONTRACTS/ OR N/A:

N/A

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

No

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

Yes

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

Yes

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

BUDGETED:

N/A

BUDGET ADJUSTMENT NEEDED:

N/A

SOURCE OF FUNDING:

N/A

UNFUNDED MANDATE:

N/A

SBC BUDGET LINE ITEM NUMBER:

N/A

CURRENT FY COST:

\$0.00

STAFF RECOMMENDATION:

1. Adopt the resolution to accept a Grant Deed of approximately 0.07 acres of land for Fairview Road right-of-way purposes from Daniel Emmett Lynch, and authorize the Chair of the Board to sign it.

2. Authorize and direct the Chair of the Board to execute the certificate of acceptance and consent to record the grant deed.

3. Authorize and direct the Interim Resource Management Agency Director to execute escrow closing documents to be signed in counterpart and transmit the fully executed grant deed to the assigned Escrow Officer, who will facilitate recording of the deed with the San Benito County Recorder's Office, upon the developer's payment of the costs of title insurance.

ATTACHMENTS:

[Board Resolution with Grant Deed attached](#)