



**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

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**Item Number: 3.20**

**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 two (2) Grant Deeds from Award Homes, Inc. for right-of-way for the purpose of Fairview Road widening improvements, as part of the Award Homes Subdivision (a City of Hollister Subdivision).

SBC FILE NUMBER:105

RESOLUTION NO.: 2022-92

**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.

Award Homes, Inc., the owner of the Lands of Award Homes, has delivered two (2) grant deeds offering approximately 0.05 acres and 0.06 acres respectively 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 a grant deed delivered by Daniel Emmett Lynch, the owner of the Lands of Lynch, 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 two (2) Grant Deeds of approximately 0.05 acres and 0.06

acres respectively of land for Fairview Road right-of-way purposes, from Award Homes, Inc., and authorize the Chair of the Board to sign it.

2. Authorize and direct the Chair of the Board to execute the certificates of acceptance and consent to record the grant deeds.

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 deeds to the assigned Escrow Officer, who will facilitate recording of the deeds with the San Benito County Recorder's Office, upon the developer's payment of the costs of title insurance.

**ATTACHMENTS:**

[Board Resolution with Grant Deeds attached](#)