

RESOLUTION NO. 2724-10

**A RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF WINDSOR
APPROVING THE TRANSFER OF A PORTION OF REDWOOD COURT RIGHT-OF-
WAY TO THE STATE OF CALIFORNIA AS PART OF THE G&C AUTO BODY
PROJECT AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THE RIGHT-
OF-WAY GRANT DEED ON BEHALF OF THE TOWN.**

WHEREAS, on August 26, 2008, the Town adopted Resolution 552-08 approving a Use Permit for the G&C Auto Body project, file UP 06-57, located at 10661 Old Redwood Highway at the intersection of Old Redwood Highway and the Arata southbound ramps; and

WHEREAS, as a condition of approval, the project was required to: (a) widen Old Redwood Highway, (b) improve Redwood Court to Town standards, and (c) dedicate to the Town and the State of California sufficient right-of-way to contain the proposed public improvements; and

WHEREAS, a portion of the proposed public improvements are located at the intersection of Old Redwood Highway and the southbound Arata ramps within existing State right-of-way; and

WHEREAS, on August 5, 2009, the Town Council adopted Resolution 2518-09 approving a Deferred Improvement Agreement for G&C Auto Body to allow for construction of the onsite improvements prior to obtaining a Caltrans Encroachment Permit; and

WHEREAS, as a condition of the Caltrans Encroachment Permit, and consistent with Section 83 of the State and Highways Code, Caltrans is requiring the project proponent to dedicate sufficient right-of-way to the State of California so that the proposed Old Redwood Highway improvements are contained within State right-of-way; and

WHEREAS, Section 83 of the State and Highways Code allows the State to have jurisdiction and maintenance responsibilities over any public street, or portion thereof, which is within the boundaries of a state highway; and

WHEREAS, a portion of the land to be dedicated to the State of California is currently owned in fee by the Town of Windsor.

NOW, THEREFORE BE IT RESOLVED that for valuable consideration the Town Council of the Town of Windsor hereby approves and authorizes the Town Manager to execute the Grant Deed documents to transfer a 1.5 foot strip of Town owned right-of-way along Redwood Court to the State of California.

PASSED, APPROVED AND ADOPTED this 18th day of August 2010, by the following vote:

AYES: COUNCILMEMBERS ALLEN, FUDGE, GOBLE, SCHOLAR AND
MAYOR SALMON

NOES: NONE


ABSTAIN: NONE

ABSENT: NONE



SAM SALMON, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK