



Staff Report

RESOLUTION TO ACCEPT AND AUTHORIZE THE INTERIM CITY MANAGER TO EXECUTE A QUITCLAIM DEED FROM THE COUNTY OF SAN MATEO FOR LOT 11, BLOCK 66 OF THE BELMONT COUNTRY CLUB PROPERTIES NO. 4 BEING A PARCEL WITHIN THE RALSTON AVENUE RIGHT-OF-WAY

Honorable Mayor and Council Members:

Summary

The County of San Mateo adopted a resolution on December 7, 2004 authorizing the President of the County Board Supervisors to execute a Quitclaim Deed granting any interest the County may have in Lot 11, Block 66 of the Belmont Country Club Properties No. 4 to the City of Belmont. The subject property is within the Ralston Avenue right-of-way that lies adjacent to the three lot development at 2200, 2230 and 2260 Ralston Avenue. The execution of the quitclaim deed will clear the title of the property.

Background

In August 2001, the City Council approved the three lots for development at 2200 Ralston Avenue. Since then, the developers worked with the staff to resolve many easement and right-of-way issues. One of the actions needed to develop the property at 2200 Ralston Avenue requires the owner to purchase all or a portion of Lot 11 adjacent to their property. This purchase is needed to provide sufficient land and setback for the building at this address.

In Spring 2004, the owner/developer did a title search for Lot 11 and found that the title of the property still remained vested in the name of the San Mateo County. The title records showed that the County acquired various parcels of land along Ralston Avenue in the early 1940s to assist the City improve the alignment of the roadway. Ralston Avenue was subsequently realigned in the 1970s and other improvements have been made over time. Although the Ralston Avenue right-of-way has been transferred to the City, the title search indicated that the subject Lot 11 remained vested in the County's name.

On December 7, 2004, the County approved a resolution authorizing the President of the County Board Supervisors to execute a Quitclaim Deed granting any interest the County may have in Lot 11, Block 66 of the Belmont Country Club Properties No. 4, to the City of Belmont. A quitclaim deed has been prepared for the City's acceptance and execution.

Discussion

The subject property is a part of the Ralston Avenue right-of-way now within the City limit. The right-of-way on Ralston Avenue was transferred from the County to the City, but the title for Lot 11 remains vested in the name of the County. This results in a cloud on the property title. Execution of the quitclaim deed will release any County interest to the City and clear the title of the property.

The owner/developer of 2200 Ralston Avenue has approached the City and presented his interest to purchase a portion of Lot 11 for his development. The purchase is needed because of the lack of setback for the building. An appraisal will be required if the Council is going to consider the sale of the property.

The proposed action is categorically exempt from the provisions of the California Environmental Quality Act by provision of Section 15312 and Section 15319 (a):

Section 15312 – *“Class 12 consists of sales of surplus government property.....”*.

Section 15319 (a) – *“Annexations to a City or special district areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities.”*

The property is already within the Ralston Avenue right-of-way. The quitclaim of interest from the County to the City meets the above requirements for CEQA exemption.

Fiscal Impact

Execution of the quitclaim deed has no fiscal impact to the City. The current title report does not show any lien on the property. It is not clear whether the City or the County paid to acquire the land in 1940s. The owner of 2200 Ralston Avenue is proposing to purchase a portion of the subject property. This may generate revenue to the City if the property is sold.

Public Contact

Public contact includes posting of City Council agenda.

Recommendation

Adopt a resolution to accept and authorize the Interim City Manager to execute a quitclaim deed and a Certificate of Acceptance from the County of San Mateo for Lot 11, Block 66 of the Belmont Country Club Properties No. 4 being a parcel within the Ralston Avenue right of way.

Alternatives

1. Refer back to staff for further information.
2. Deny the requests.

Attachments

- A. Resolution
- B. Exhibit A- Site Map
- C. Quitclaim Deed and Certificate of Acceptance

Respectfully submitted,

Gilbert Yau, PE
Senior Civil Engineer

Raymond E. Davis III
Public Works Director

Daniel Rich
Interim City Manager

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT
TO ACCEPT AND AUTHORIZE THE INTERIM CITY MANAGER TO EXECUTE A
QUITCLAIM DEED FROM THE COUNTY OF SAN MATEO FOR LOT 11, BLOCK 66
OF THE BELMONT COUNTRY CLUB PROPERTIES NO. 4 BEING A PARCEL
WITHIN THE RALSTON AVENUE RIGHT OF WAY**

WHEREAS, in the early 1940s, the County of San Mateo acquired various parcels to assist the City to improve the alignment of Ralston Avenue; and,

WHEREAS, the Ralston Avenue right of way has been transferred from the County to the City after the street re-alignment; and

WHEREAS, Lot 11, Block 66 of the Belmont Country Club Properties No. 4, being an unimproved parcel within the Ralston Avenue right of way, still remains vested in the name of the County according to a recent title search; and

WHEREAS, on December 9, 2004, the County approved a resolution authorizing the President of the County Board Supervisors to execute a Quitclaim Deed granting any interest the County may have in said Lot 11 to the City of Belmont.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belmont adopt this resolution to accept and authorize the Interim City Manager to execute a quitclaim deed and a Certificate of Acceptance from the County of San Mateo for Lot 11, Block 66 of the Belmont Country Club Properties No. 4 being a parcel within the Ralston Avenue right of way.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on January 25, 2005 by the following vote:

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

CLERK of the City of Belmont

APPROVED:

MAYOR of the City of Belmont

Exhibit 'A'

