



County Executive Office
Memorandum

RECEIVED

2011 SEP 30 AM 8:43

CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

September 29, 2011

To: Darlene Bloom, Clerk of the Board
From: Thomas G. Mauk, County Executive Officer
Subject: Exception to the Rule 21

#S38A

The County Executive Office is requesting a supplemental for the October 4, 2011 Board Hearing Meeting.

Agency: County Executive Office
Subject: Quitclaim Deed – Sunset Beach Annexation by City of Huntington Beach
District 2nd

Reason for supplemental: Expedite requested Annexation Items.

Concur: 
Bill Campbell, Chairman, Board of Supervisors

cc: Rob Richardson, Assistant County Executive Officer



**SUPPLEMENTAL AGENDA ITEM
AGENDA STAFF REPORT**

S38A

ASR Control

CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

2011 SEP 30 AM 8:45

RECEIVED

MEETING DATE: October 4, 2011
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): 2
SUBMITTING AGENCY/DEPARTMENT: County Executive Office
DEPARTMENT CONTACT PERSON(S): Jay Wong 714-834-2009
Rich Adler 949-923-3752

SUBJECT: Quitclaim Deed - Sunset Beach Annexation by City of Huntington Beach

CEO CONCLER

COUNTY COUNSEL REVIEW

CLERK OF THE BOARD
Discussion
3 Votes Board Majority

Budgeted: N/A **Current Year Cost:** N/A **Annual Cost:** N/A
Staffing Impact: N/A **# of Positions:** N/A **Sole Source:** N/A
Current Fiscal Year Revenue: N/A
Funding Source: N/A

Prior Board Action: November 23, 2010

RECOMMENDED ACTION(S)

Approve revised Quitclaim Deed transferring County-owned property in Sunset Beach to the City of Huntington Beach and authorize the Chair to execute.

SUMMARY:

Approval of the revised Quitclaim Deed is necessary to clarify the permitted uses on existing street right-of-ways in the County-owned property.

BACKGROUND INFORMATION:

On November 23, 2010, the Board approved the Pre-Annexation Agreement between the County of Orange and the City of Huntington Beach for the annexation of Sunset Beach, and authorized the Chair to sign the associated Quitclaim Deed to transfer the County-owned property to the City.

The Quitclaim Deed presented to the Board at that meeting included the following language:

“Parcels GA 1041-1, GA 1041-3(a) and GA 1041-3(b) shall be used for park purposes in perpetuity.”

Parcel GA 1041-1 is the County beach property; Parcels GA 1041-3(a) and GA 1041-3(b) are the parkway and parking areas located between North and South Pacific Avenues. Recent review of the parcels' legal descriptions by City and County staff revealed that Parcels GA 1041-3(a) and GA 1041-3(b)

also include some widened portions of North and South Pacific Avenues, as well as short existing street segments that cross the parkway. To eliminate any confusion regarding the uses permitted on existing street rights-of-way, the following replacement language has been included in the attached revised Quitclaim Deed (Attachment A):

“Parcel GA 1041-1 shall be used for park purposes in perpetuity. Parcels GA 1041-3(a) and GA 1041-3(b) shall be used for park purposes in perpetuity, with the exception of those portions used for existing roads.”

FINANCIAL IMPACT:

N/A

STAFFING IMPACT:

N/A

REVIEWING AGENCIES:

OC Community Resources/OC Parks; OC Public Works

EXHIBIT(S):

N/A

ATTACHMENT(S):

Attachment A: Quitclaim Deed

Recording requested by and
when recorded return to:
City of Huntington Beach
2000 Main St.
P.O. Box 190
Huntington Beach, CA 92648
Attn: City Clerk

Recording Fee Exempt
Per Government Code 27383

Facility: Various
A.P. No.: Various

QUITCLAIM DEED

For valuable consideration, receipt of which is hereby acknowledged,

COUNTY OF ORANGE,
hereinafter referred to as "COUNTY"

does hereby remise, release and forever Quitclaim to the

CITY OF HUNTINGTON BEACH,
a municipal corporation,
hereinafter referred to as "CITY,"

all right, title and interest in and to the real property in the Unincorporated Territory of the County of Orange, State of California, described as:

See EXHIBIT "A"
attached and by reference made a part.

Parcel GA 1041-1 shall be used for park purposes in perpetuity. Parcels GA 1041-3(a) and GA 1041-3(b) shall be used for park purposes in perpetuity, with the exception of those portions used for existing roads.

COUNTY makes no warranty, express or implied, as to the quality of the title conveyed hereby. CITY, by acceptance of this deed, agrees that this conveyance is subject to all licenses, leases, liens, easements, restriction, conditions, covenants, encumbrances and claims of title which may affect said property whether recorded or not.

COUNTY OF ORANGE

Dated: _____

By: _____
Chair of the Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY OF
THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIR OF THE BOARD.

Approved as to form
County of Orange
County Counsel

By: Thomas A. Milh
Deputy

Darlene J. Bloom
Clerk of the Board of Supervisors
of Orange County, California

Date: 9-29-11

State of California) ss.
County of Orange)

On _____ before me, _____
(here insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

EXHIBIT A

Those certain interests dedicated to the COUNTY OF ORANGE for street and highway, public parking and public use in the Unincorporated Territory of the County of Orange, State of California per the following documents recorded in Miscellaneous Maps (M.M.), Parcel Map Book (P.M.B.) or Official Records (O.R.) in the office of the County Recorder of said county as shown on Exhibit "B" attached hereto and by reference made a part hereof:

FACILITY/ PARCEL NO.	TR./PM. NO.	M.M./P.M.B. O.R NO.	RECORDING DATE	LOT(S)	PURPOSE
GA 1014-3 (a)		O.R. 9556/676	2/26/1971		Street, Highway & Public Parking
GA 1014-3 (b)		O.R. 9556/676	2/26/1971		Street, Highway & Public Parking
GA 1014-3 (c)	Tr. 21	M.M. 9/22		Block 216	Public Use

Those certain interests dedicated to THE ORANGE COUNTY HARBOR DISTRICT (currently held by the County of Orange, its successor in interest) for public thoroughfare and public use in the Unincorporated Territory of the County of Orange, State of California per the following documents recorded in Miscellaneous Maps (M.M.), Parcel Map Book (P.M.B.) or Official Records (O.R.) in the office of the County Recorder of said county as shown on Exhibit "B" attached hereto and by reference made a part hereof:

FACILITY/ PARCEL NO.	TR./PM. NO.	M.M./P.M.B. O.R NO.	RECORDING DATE	LOT(S)	PURPOSE
GA 1014-1		O.R. 7618/767	8/4/1965		Public Thoroughfare
GA 1014-2		O.R. 7618/767	8/4/1965		Public Use

APPROVED

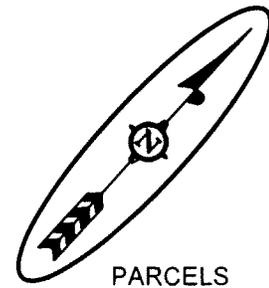
John D. Pavlik
 John D. Pavlik L.S. 5168
 Expiration Date: June 30, 2011

Date: 11/5/10

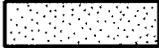
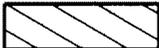
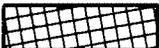


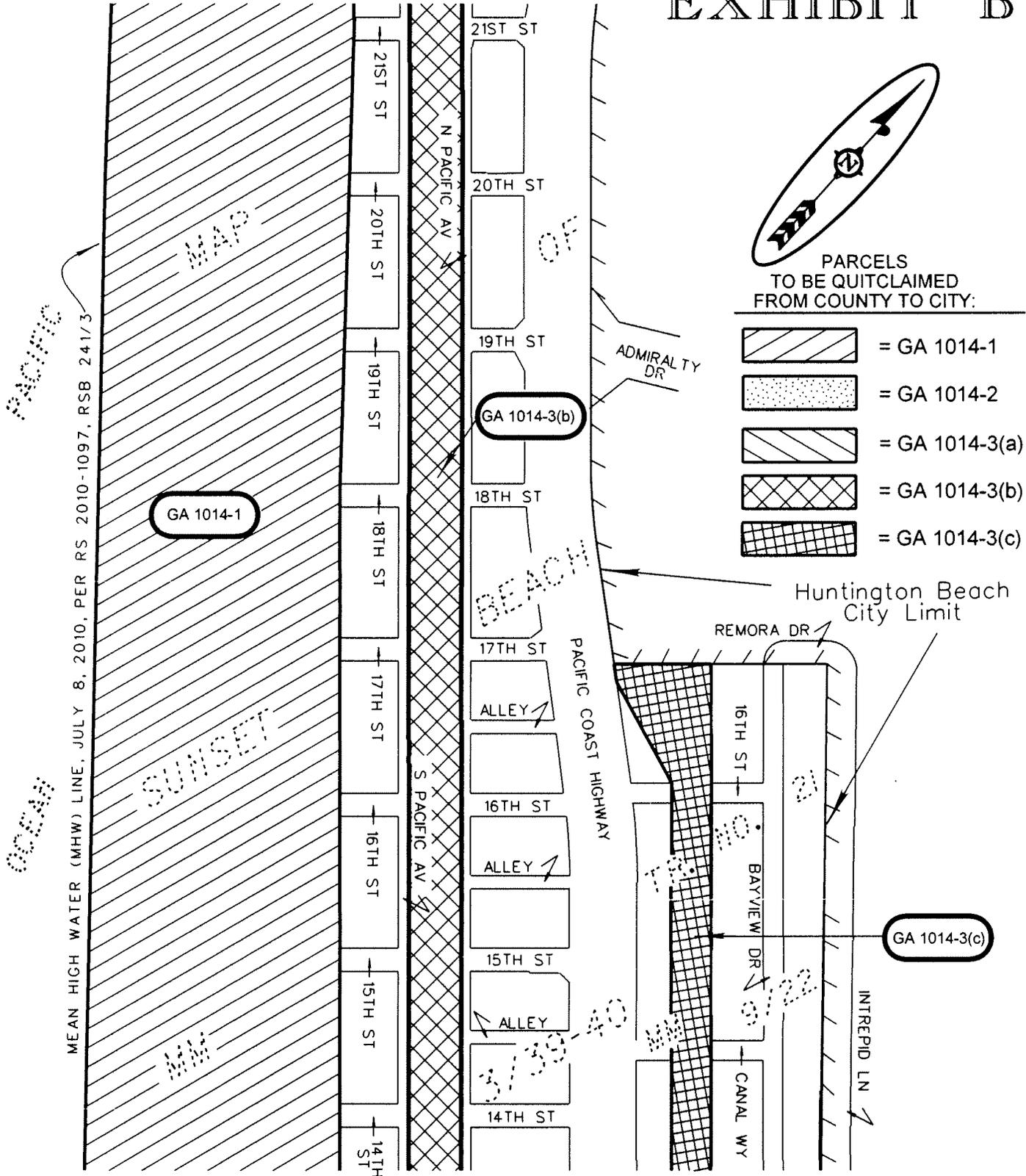
SEE PAGE 1

EXHIBIT B



PARCELS TO BE QUITCLAIMED FROM COUNTY TO CITY:

-  = GA 1014-1
-  = GA 1014-2
-  = GA 1014-3(a)
-  = GA 1014-3(b)
-  = GA 1014-3(c)



SEE PAGE 3

ORANGE COUNTY OC PUBLIC WORKS - RIGHT OF WAY ENGINEERING RIGHT OF WAY MAP - COMPILED FROM PUBLIC RECORDS

QUITCLAIM OF RIGHTS FROM COUNTY OF ORANGE TO THE CITY OF HUNTINGTON BEACH

PREP. BY: ARA

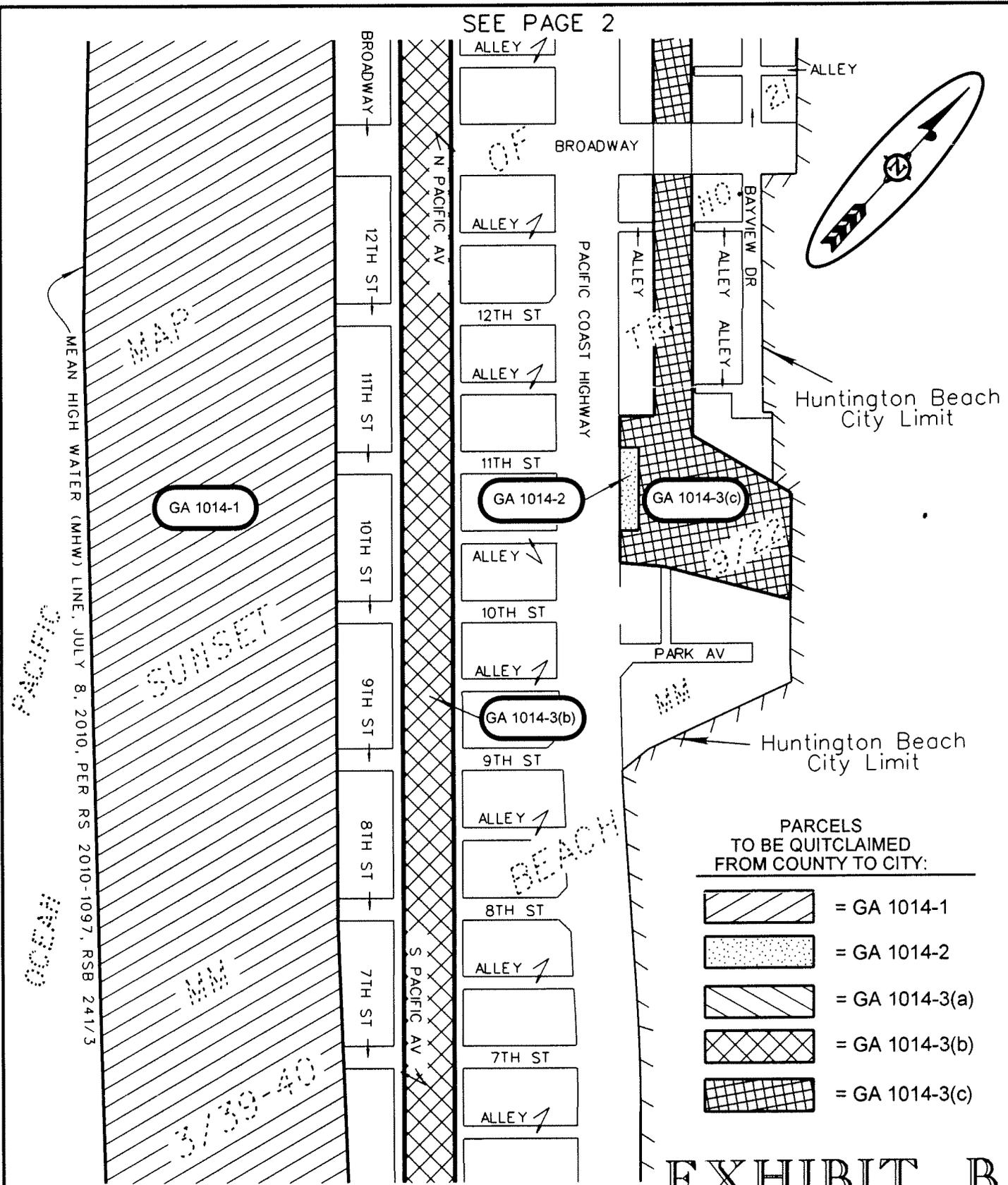
CHKD. BY: JDP

DATE: 11/09/10

SCALE : 1" = 200'

PAGE 2 OF 4

SEE PAGE 2



PARCELS TO BE QUITCLAIMED FROM COUNTY TO CITY:

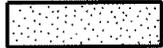
-  = GA 1014-1
-  = GA 1014-2
-  = GA 1014-3(a)
-  = GA 1014-3(b)
-  = GA 1014-3(c)

EXHIBIT B

SEE PAGE 4

ORANGE COUNTY OC PUBLIC WORKS - RIGHT OF WAY ENGINEERING
RIGHT OF WAY MAP - COMPILED FROM PUBLIC RECORDS

QUITCLAIM OF RIGHTS FROM COUNTY OF ORANGE TO THE CITY OF HUNTINGTON BEACH

PREP. BY: ARA

CHKD. BY: JDP

DATE: 11/09/10

SCALE : 1" = 200'

PAGE 3 OF 4

MEAN HIGH WATER (MHW) LINE, JULY 8, 2010, PER RS 2010-1097, RSB 241/3

MAP

SUNSET

GA 1014-1

GA 1014-2

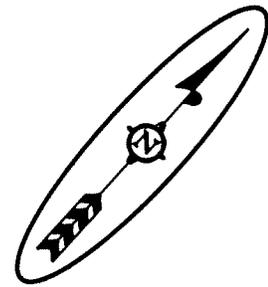
GA 1014-3(c)

GA 1014-3(b)

3/39-40

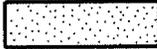
SEE PAGE 3

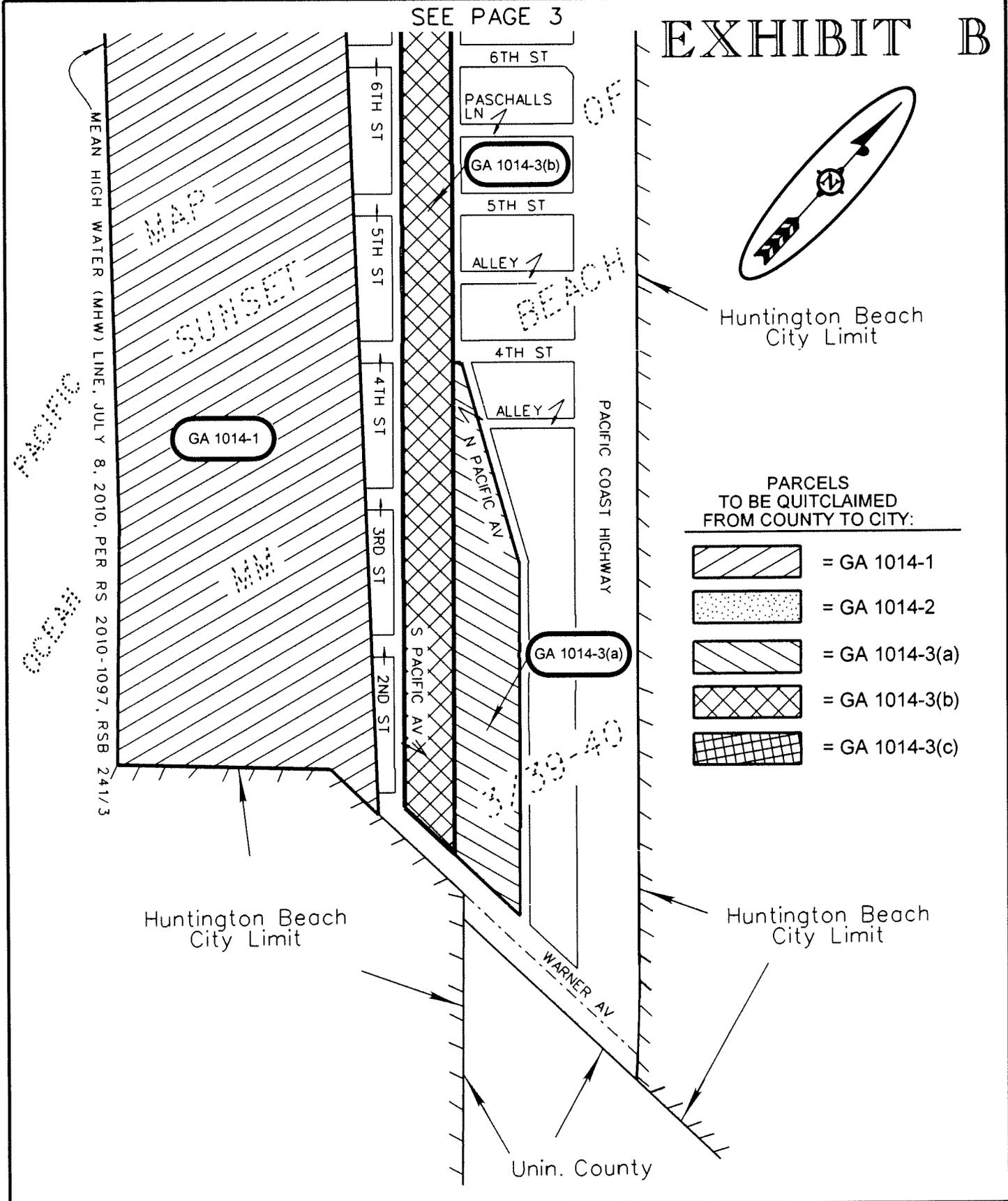
EXHIBIT B



Huntington Beach City Limit

PARCELS TO BE QUITCLAIMED FROM COUNTY TO CITY:

-  = GA 1014-1
-  = GA 1014-2
-  = GA 1014-3(a)
-  = GA 1014-3(b)
-  = GA 1014-3(c)



ORANGE COUNTY OC PUBLIC WORKS - RIGHT OF WAY ENGINEERING
RIGHT OF WAY MAP - COMPILED FROM PUBLIC RECORDS

QUITCLAIM OF RIGHTS FROM COUNTY OF ORANGE TO THE CITY OF HUNTINGTON BEACH

PREP. BY: ARA

CHKD. BY: JDP

DATE: 11/09/10

SCALE : 1" = 200'

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