

RESOLUTION NO. 23-166

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS OF ABANDONMENT OF PARCEL 107-280-45, MARIPOSA SWIMMING HOLE, PURSUANT TO THE COUNTY PARK ABANDONMENT LAW OF 1959

WHEREAS, for purposes of the County Park Abandonment Law of 1959, the General Services Agency Director requested abandonment of Assessor's Parcel Number ("APN") 107-280-45, also known as the "Mariposa Swimming Hole," at the Board of Supervisors' July 25, 2023, meeting; and

WHEREAS, the Board of Supervisors adopted the Resolution of Intent to Abandon the Mariposa Swimming Hole on July 25, 2023 and the Resolution was published and posted pursuant to Section 25584 of the Government Code; and

WHEREAS, the Board of Supervisors held a public hearing on this matter September 26, 2023 pursuant to Government Code Section 25580, et seq., at which time the Board of Supervisors heard and received all relevant testimony and evidence presented orally or in writing regarding the proposed abandonment of the Mariposa Swimming Hole. All interested persons were given an opportunity to hear and be heard regarding the proposed abandonment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors, based on the evidence in the record before it, makes the following findings:

1. That the Mariposa Swimming Hole is not being used by the public for park purposes.
2. That the Mariposa Swimming Hole is not appropriate, convenient, or necessary for park purposes.
3. That a petition signed by not less than 200 voters of this County objecting to the abandonment has not been filed with the Board of Supervisors.
4. That from and after the date this Resolution is recorded the Mariposa Swimming Hole shall no longer constitute a park.

BE IT FURTHER RESOLVED that this Board hereby abandons the Mariposa Swimming Hole, APN 107-280-45, legally described in Exhibit A and depicted on Exhibit B, which exhibits are attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that this Board directs the Clerk of this Board to cause a certified copy of this Resolution, attest by the Clerk under seal, to be recorded in the office of the Recorder of the County of Mendocino and returned a conformed copy to the General Services Agency.

The foregoing Resolution introduced by Supervisor Williams, seconded by Supervisor Mulheren, and carried this 26th day of September, 2023, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde, and Williams
NOES: None
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE
Clerk of the Board

GLENN MCGOURTY, Chair
Mendocino County Board of Supervisors

Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
CHRISTIAN M. CURTIS
County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy

EXHIBIT A

Legal Description
Facility: Mariposa Swimming Hole
Facility No.: 207
Parcel Number: 107-280-45

All that real property situate in Section 17, Township 17 North, Range 12 West, Mount Diablo Meridian, County of Mendocino, State of California, described as follows:

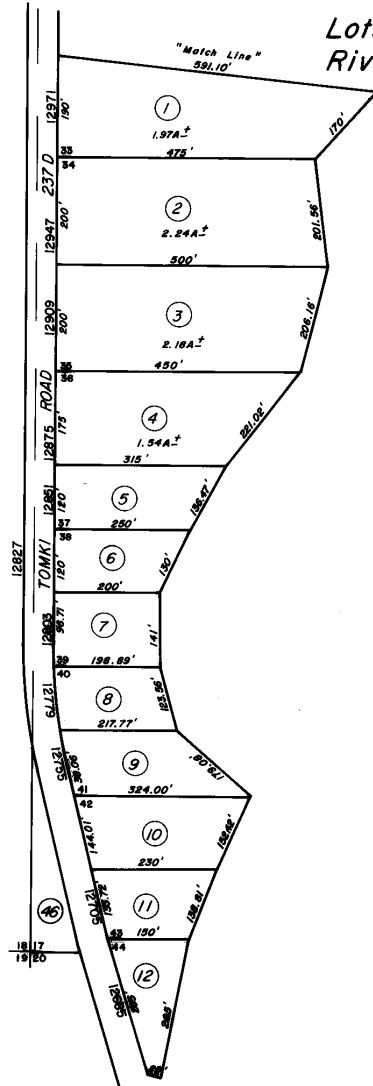
Beginning at the NW corner of lot 33, Mountain River Ranch Subdivision as shown on the map filed in Case 2, Drawer 18, Page 8, Official Records, Mendocino County, California; Thence along the North line of said Lot 33, S. 83° 42' 10" E. 131.93 feet to a ½" iron pin; thence leaving said N. line, N. 8° 40' 57" W., 120.81 feet to a ½" iron pin; thence N. 82° 22' 53" W., 113.47 feet to a point on the East line of Tomki Road; thence along said East line, S. 0° 12' 04" W., 120.00 feet to the point of beginning.

Subject to an easement for power lines and electric transmission facilities as granted to the Pacific Gas and Electric Co.

Upon condition that the said premises are kept open to the public for the purposes of free swimming, free wading, and related free recreational uses, in a clean, safe and sanitary manner and in compliance with all laws and governmental regulations applicable thereto, and that all reasonable precautions are taken to ensure that no firearms or open fires are permitted on said premises.

EXHIBIT B

Lots 1 thru 44 of Mountain River Ranch Subdivision.
(C2 D18 PB)



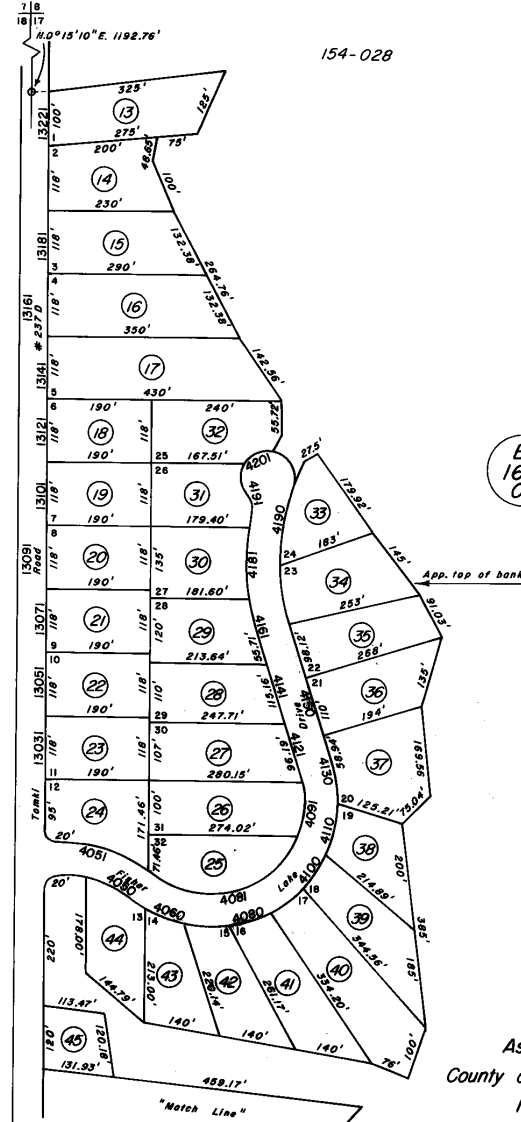
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NOTE: This map was prepared for assessment purposes only. No liability is assumed for the data delineated herein.

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Assessor's Map
County of Mendocino, Calif.
March, 1972

