September 21, 2004

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Easement Agreement between Woodacre Improvement Club and County of Marin for the Woodacre Creek Restoration Project.

Dear Supervisors:

RECOMMENDATION:
1. Approve and authorize the President to execute the "Easement Agreement" between Woodacre Improvement Club and County of Marin for the Woodacre Creek Restoration Project.
2. Authorize payment for the easement to Woodacre Improvement Club in the amount of $15,000.00 from Account No. 96V-WCR.

SUMMARY: The County has received Federal and State grant to restore a portion of Woodacre Creek on the Woodacre Improvement Club property. The project will include the replacement of an existing culvert on Woodacre creek near Crescent Road to improve fish passage. The streambed grade and banks will be restored, erosion control measures will be constructed and native plantings will be installed. It is necessary for the County to obtain an easement from the property owner, Woodacre Improvement Club, to construct the project and secure rights for public access. The Woodacre Improvement Club has agreed to convey the easement to the County for the sum of $15,000.00, or approximately ½ the market value of the easement. The Easement Agreement has a term of 30 years with automatic extensions thereafter until such time either party elects to terminate the agreement. County Counsel has approved the Easement Agreement as to form.

FISCAL IMPACT: The cost of the easement is $15,000.00. Funds are available in Account No. 96V-WCR.

REVIEWED BY: [ ] Auditor Controller [ X ] N/A
[ X ] County Counsel [ ] N/A
[ ] Human Resources [ X ] N/A

Respectfully submitted,

Terry Toner
Chief Real Property Agent

Enclosures
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