



**Resource Management
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: June 2, 2009

Public Hearing Required	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>			

CONTACT PERSON: Celeste Perez PHONE: 733-6291

SUBJECT: Relinquish a Clear Zone Avigation Easement

REQUEST(S):

That the Board of Supervisors:

1. Approve relinquishing a Clear Zone Avigation Easement on property belonging to Bill H. Westbrook and Jennifer L. Westbrook, Trustees of the Westbrook Family Living Trust.
2. Authorize the Chairman to sign the Quit-Claim Deed.

SUMMARY:

On June 29, 1976, your Board approved Resolution No. 76-1778, acquisition of a Clear Zone Avigation Easement from Bill H. Westbrook and Jennifer L. Westbrook, Trustees of the Westbrook Family Living Trust. This easement grants the right to take off and land, in unobstructed airspace, above a bare parcel of real property restricted from improvements. This easement resides over the southerly approach at the Pixley Airport which is now abandoned and is no longer being used for public airport purposes. The parcel of land, encumbered by this easement, is currently pending sale. The buyer desires to improve this property with an orchard and is currently prohibited from doing so until the easement is removed. As per the deed, recorded July 2, 1976, "the County is to have and to hold said easement, until said Pixley Airport shall be abandoned and shall cease to be used for public airport purposes."

SUBJECT: Relinquish a Clear Zone Avigation Easement
DATE: June 2, 2009

FISCAL IMPACT/FINANCING:

There is no net County cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic business plan includes an Economic Well Being Initiative to promote economic development opportunities, effective growth management and a quality of standard of living. Board authorization will continue to protect the County's agricultural-based economy by allowing tree crops to be planted on an area, currently restricted to row crop production.

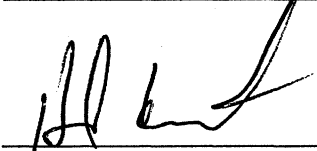
ALTERNATIVES:

The Board could choose not to authorize the action. This alternative is not recommended as the County has abandoned and ceased using this property for public airport purposes.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

County Counsel reviewed the Quitclaim deed and has approved document language.

ADMINISTRATIVE SIGN-OFF:



Hal Cypert
Assistant Director, Support Services

cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Attachment(s): Quit-Claim Deed

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**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF RELINQUISHING)
A CLEAR ZONE AVIGATION)
EASEMENT)

RESOLUTION NO. _____
AGREEMENT NO. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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1. Approved relinquishing a clear zone avigation easement on property belonging to Bill H. Westbrook and Jennifer L. Westbrook.
2. Authorized the Chairman to sign a Quitclaim deed.