MARIN EMERGENCY RADIO AUTHORITY
c/o Novato Fire Protection District
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Resolution No. 2017-03

**A RESOLUTION OF THE
MARIN EMERGENCY RADIO AUTHORITY GOVERNING BOARD
RESCINDING RESOLUTION NO. 2016-15 DECLARING
THE NECESSITY TO ACQUIRE AN INTEREST OVER A PORTION OF
REAL PROPERTY FOR THE
"TOMALES TELECOMMUNICATION FACILITY PROJECT".**

WHEREAS, Marin Emergency Radio Authority (MERA) has been planning to expand emergency radio communications coverage in western Marin County; and

WHEREAS, specifically MERA has determined the need for expanded coverage in the Tomales area; and

WHEREAS, MERA staff determined that the development of an emergency radio communications site on a portion of property located at 28375 State Route 1, Tomales, (Property) commonly known as the "Parks Ranch" and also identified as Assessor Parcel No. 100-050-42, would be the best and preferred site to enhance and expand MERA system coverage; however

WHEREAS, the Property is encumbered with an Agricultural Conservation Easement (Easement) in favor of the Marin Agricultural Land Trust by that certain Deed recorded February 20, 2001 in the Office of the Marin County Recorder as document number 2001-0007371; and

WHEREAS, the Easement cannot be rescinded or otherwise amended for non-authorized uses, such as the MERA project, in the absence of an appropriate exercise of a public entity's power of eminent domain;

WHEREAS, on August 24, 2016, the Governing Board of MERA adopted its Resolution No. 2016-15 to declare its necessity to acquire an interest in the Property, pursuant to Article 2 of Chapter 4 of Title 7 of Part 3 of the California Code of Civil Procedure; and

WHEREAS, the Easement has been modified and MERA has acquired its necessary interest in the property.

NOW, THEREFORE, BE IT RESOLVED by the Marin Emergency Radio Authority Governing Board as follows:

Section 1. Pursuant to California Code of Civil Procedure Section 1245.260, MERA rescinds in its entirety, Resolution No. 2016-15.

Section 2. This resolution will take effect immediately upon its adoption.

ADOPTED AND APPROVED at a regular meeting of the Governing Board of the Marin Emergency Radio Authority held on this 10th day of May, 2017 by the following vote:

AYES _____

NAYS: _____

ABSTENTIONS:_____

ABSENT:

_____
President

_____
Executive Officer