

H.B.M.W.D., SEP 27 2021

September 15, 2021

Humboldt Bay Municipal Water District
c/o Mr. John Friedenbach, District Manager
828 7th Street
Eureka, CA 95501

Re: Property of Jeremiah Boldway – Trinity County APN 018-530-029
Proposed Property Line Adjustment in Return for Access to Harvest Hazard Trees

Dear Mr. Friedenbach and District Directors,

My name is Dennis Ryan. I am a California Registered Civil Engineer, authorized to perform land surveying. I have been contacted by Mr. Jeremiah Boldway regarding a parcel of land he owns identified as Trinity County Assessor's Parcel number 018-530-029, located at 5901 Lower West Side Road, on the south side of Ruth Lake. The approximate centroid of the property is located at 40.334230° Latitude, and -123.405676° Longitude. Mr. Boldway purchased this property without completing a boundary survey, from the Bruce and Constance Filben Trust, in May of 2017, with an assurance by the seller at the time of purchase, that a small cabin and several trailers located on a small, graded hillside terrace were located on the subject property. Mr. Boldway had the use and enjoyment of the property and curtilage until September 28, 2020, on which date the cabin and trailers were consumed by the August Complex fires.

The subject property purchased by Mr. Boldway in May of 2017 was deeded together with a right-of-way over an existing twelve (12) foot roadway located in the Northwest quarter of the Southeast quarter of Section 32 for ingress to, and egress from, Ruth Lake.

During clean-up efforts following the August Complex fires, Mr. Boldway was notified that it appeared that the majority of the existing terrace, upon which his cabin and curtilage stood prior to the fire, was not located within the property deeded to him. Mr. Boldway then contacted me, asking that I research this situation, and attempt to confirm the location of the terrace, prior to any planning or efforts to rebuild on the terrace.

Shortly thereafter, Mr. Boldway was informed that the District may be interested in obtaining permission to utilize his existing property access, and deeded access to District-leased properties, in order to allow clean-up of hazard trees on District-leased property immediately adjacent to Mr. Boldway's parcel.

The purpose of this letter is to explore the possibility that the District may consider a mutually beneficial agreement between Mr. Boldway and the District that would allow the District to utilize Mr. Boldway's existing property access and deeded access to District-leased properties for the clean-up of hazard trees, in exchange for a Property Line Adjustment that would provide for the small, graded terrace to be located wholly within Mr. Boldway's parcel, thus allowing him to rebuild a cabin on the existing terrace where his cabin formerly stood.

In an attempt to gather a more complete understanding of the facts surrounding these matters, I accompanied Mr. Boldway to his property on June 19, 2021. Mr. Boldway showed me a rebar and aluminum cap marked Hunt Surveying, (LS 4570). Mr. Boldway stated he unintentionally disturbed this monument some time before, while maintaining his driveway, and that this rebar and cap were originally located very near the center of his driveway. Being concerned that he may again disturb it during future maintenance, he reset the monument approximately 12' west of its original location, outside the limits of the driveway.

Mr. Boldway also informed me that it was his understanding that the adjacent property to the west of his parcel was recently surveyed, prior to a recent sale.

I am currently gathering information from Mr. Hunt and the Trinity County Surveyor, to gather any and all survey information that may be available regarding the found monumented property corner on Mr. Boldway's property, and any additional survey work that may have been completed and recorded in the immediate vicinity. It is my belief that recorded survey data will be available for the found monument which was set by Mr. Hunt. I am also hopeful that a Record of Survey has been recorded for the adjacent parcel of land, which will allow a fairly simple determination of the property lines for Mr. Boldway's parcel, to help facilitate an accurate location of the existing terrace upon which Mr. Boldway's cabin was located.

Utilizing a hand compass and recording hand-held GPS waypoints of the locations of key elements of the existing terrace, and after reviewing record maps, it is my preliminary opinion that the monument that Mr. Boldway disturbed marked the northwest corner of his parcel, and that the majority of the existing terrace is likely on Water District-leased property.

Based upon my rough measurements and the assumptions noted immediately above, in order to adjust the property line to include the existing terrace and fill slopes within Mr. Boldway's property, and allow for proper setbacks, all or portions of Mr. Boldway's two northerly property line segments would need to be moved approximately 130 feet to the north. A rough calculation of the additional property to be included within Mr. Boldway's parcel, in the event of a Property Line Adjustment to include the terrace within his parcel, is approximately 0.5 acres. All of these dimensions, areas, and assumptions should be able to be quickly confirmed upon receiving available record survey data from Mr. Hunt and the Trinity County Surveyor.

During my research into the properties that surround Mr. Boldway's parcel, I noticed the Assessor's Parcel Map and Parcelquest appear to imply that a small, remnant parcel identified as Trinity County APN 018-530-030 may extend across a portion of Mr. Boldway's northerly boundary. In discussions with Ms. Cheryl Leeper of Trinity County Title Co., and Mr. Dero Forsland, formerly of Trinity County Title Company, and the former Trinity County Assessor, who are intimately familiar with lots along this portion of Ruth Lake, I was assured that this is not the case, and that the northerly line of Mr. Boldway's deed contains calls to the newer Ruth Lake "take" line along the full frontage of Mr. Boldway's parcel.

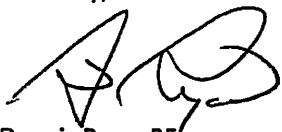
As acknowledged by Mr. Boldway's signature at the bottom of this letter, it is Mr. Boldway's desire that the District consider approving the preparation of a Property Line Adjustment to include the existing terrace within Mr. Boldway's parcel, in order to allow him to rebuild his cabin on the existing hillside terrace. In return, Mr. Boldway would like to offer permission to allow the District to utilize his existing property access and deeded right-of-way to gain access to District-leased properties to facilitate the removal of hazard trees on District-leased property. Mr. Boldway is willing to pay for the survey work required to complete the proposed Property Line Adjustment, and to also pay for the preparation of a Record of Survey, such that property line locations and monuments will be established at each of the new property line locations, as shown on a Record of Survey map, to be recorded in the Office of the Trinity County Recorder for permanent documentation of the adjusted property lines' locations.

In order to more clearly communicate Mr. Boldway's proposal, I have prepared the attached DRAFT Exhibit A showing the concept of the proposed Property Line Adjustment. Please realize this drawing is based upon the assumptions noted within this letter, all of which will need to be confirmed by field survey.

Please note that Mr. Boldway has considered the possibility of providing an equal exchange of property with the District, but due to his property being surrounded on all sides by private property, except for the direction that needs adjustment, an exchange of property with the District, is not feasible.

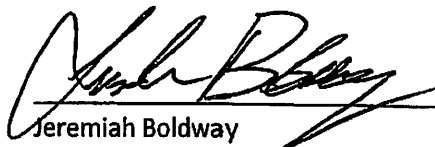
Please contact Mr. Boldway at (707) 499-6095 (cell), or myself at (707) 726-3266 (cell) or by email at dryan95528@gmail.com, regarding the District's interest in pursuing these matters further.

Sincerely,



Dennis Ryan, PE
RCE 32143

I, Jeremiah Boldway, owner of Trinity County APN 018-530-029, hereby authorize Dennis Ryan to act as my agent, regarding matters pertaining to the District's interest in pursuing a mutually beneficial agreement to complete a Property Line Adjustment to allow my property to include the existing terrace upon which my former cabin stood, in exchange for an agreement for the District to utilize my existing property access and deeded right-of-way to gain access to District-leased property in order to harvest hazard trees adjacent to my property.

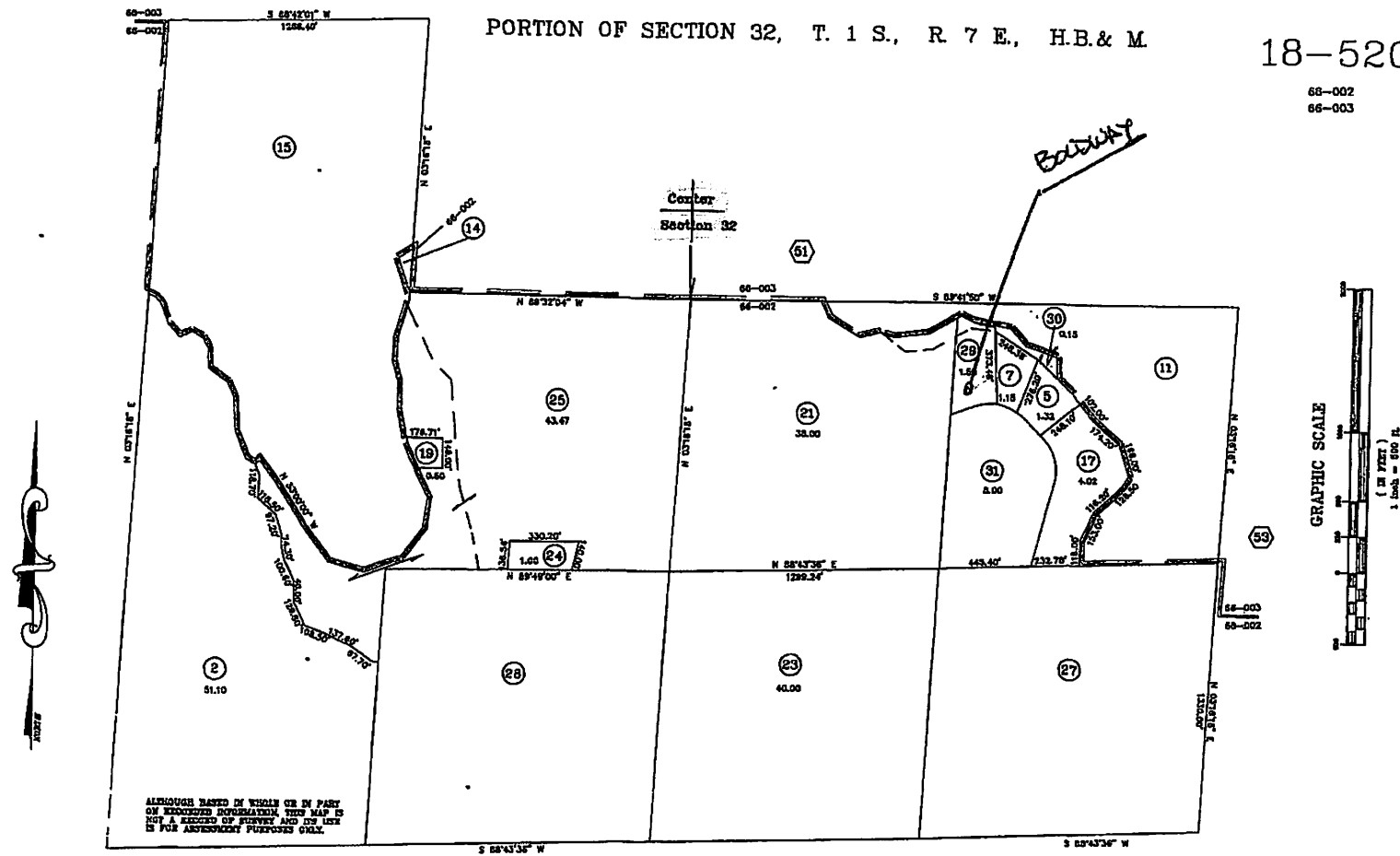

Jeremiah Boldway

Date: 9/15/21

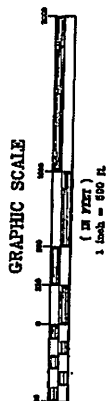
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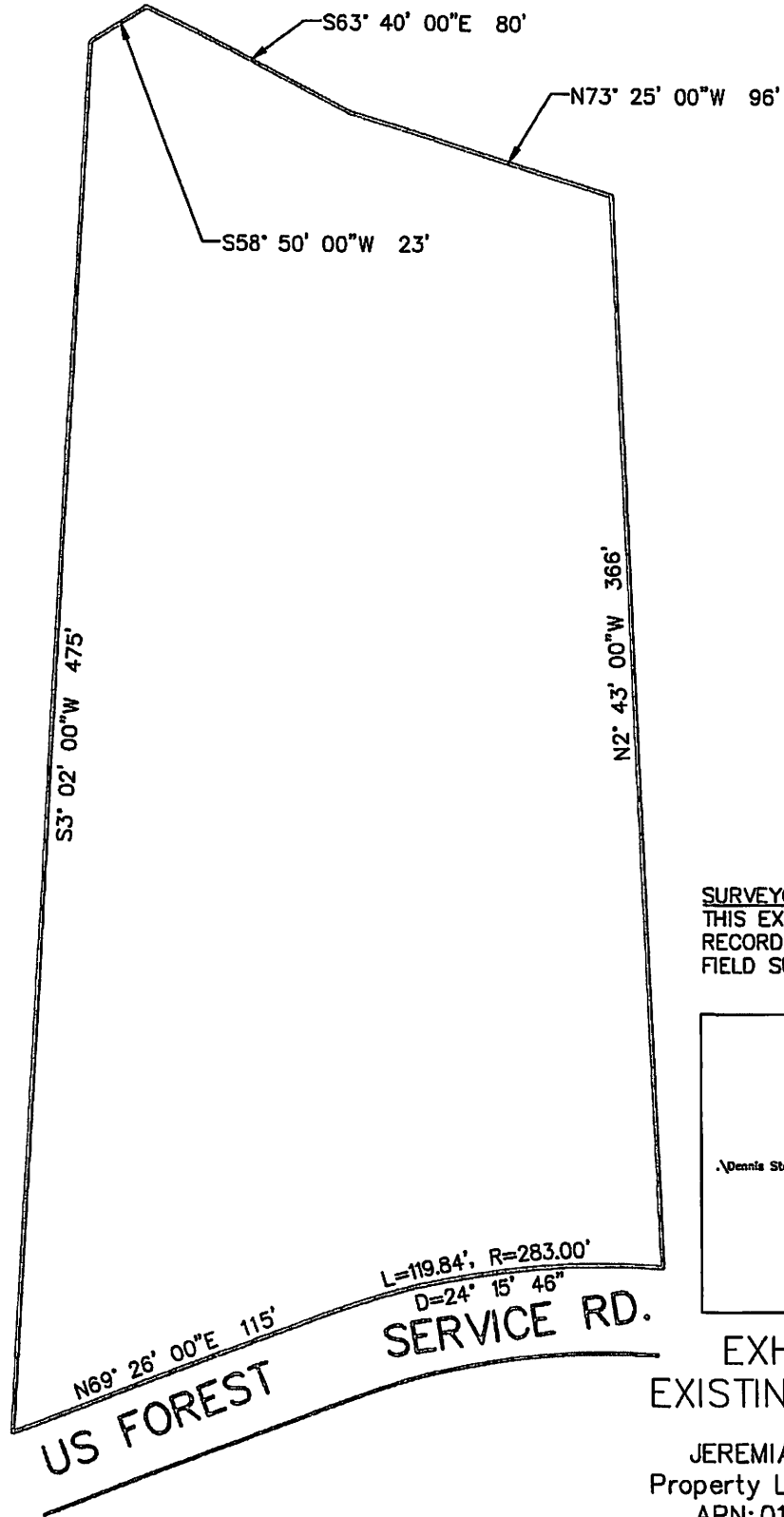
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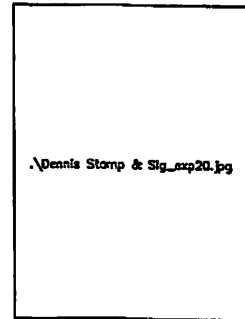


ALTHOUGH BASED ON WHOLE OR IN PART ON RECORDED SURVEYS THIS MAP IS NOT A RECORD OF SURVEY AND IS INTENDED FOR ASSESSMENT PURPOSES ONLY.





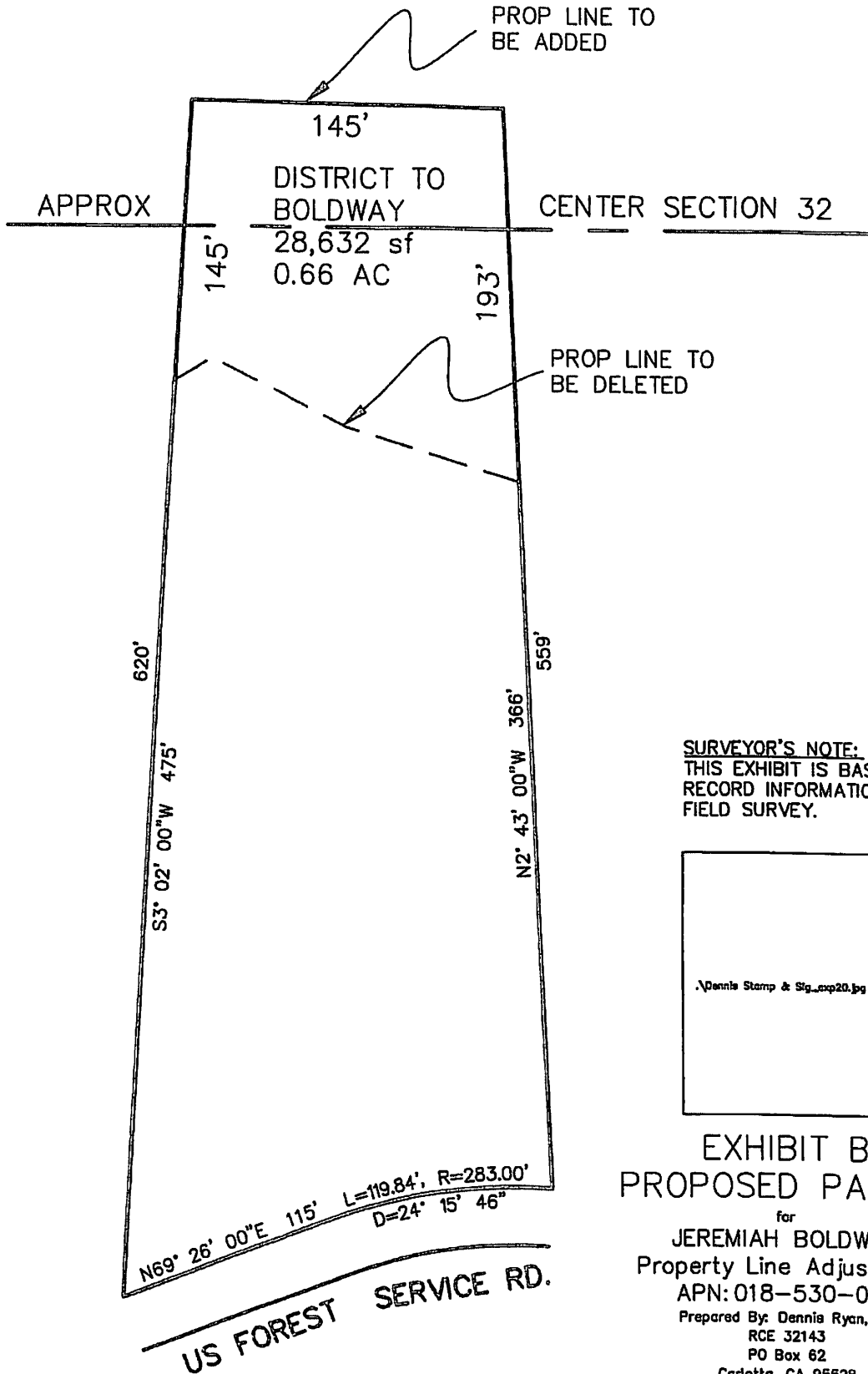
SURVEYOR'S NOTE:
THIS EXHIBIT IS BASED UPON
RECORD INFORMATION, NOT A
FIELD SURVEY.



**EXHIBIT A
EXISTING PARCEL**

for
JEREMIAH BOLDWAY
Property Line Adjustment
APN: 018-530-029

Prepared By: Dennis Ryan, PE
RCE 32143
PO Box 62
Carlotta, CA 95528
(707)726-3266
September, 2021



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RECORD INFORMATION, NOT A
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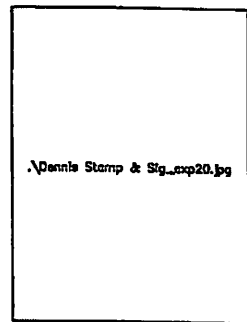


EXHIBIT B PROPOSED PARCEL

for
JEREMIAH BOLDWAY
Property Line Adjustment
APN: 018-530-029

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