

RESOLUTION NO. 424

WHEREAS, heretofore and prior to the year 1936, the hereinafter described real property was sold by the Tax Collector of the Town of San Anselmo to the Town of San Anselmo for delinquent taxes and street assessments, and

WHEREAS, thereafter the Town of San Anselmo commenced an action to quiet title to said property by virtue of said tax deed, or deeds, and

WHEREAS, on or about the 10th day of April, 1937, the owner of said property, to-wit: TUNSTEAD COMPANY, a corporation, redeemed said property and paid all of the taxes levied and assessed said property, all interest on delinquent payments, and all penalties, payments and legal costs in connection with said taxes and real property, and

WHEREAS, by virtue of said payment of taxes, penalties and costs, the Tax Collector of the Town of San Anselmo issued said TUNSTEAD COMPANY a Certificate of Redemption to all of the hereinafter described property, and

WHEREAS, it appears that since this time all of the taxes and assessments levied against all of the hereinafter described property have been paid when due by said TUNSTEAD COMPANY, a corporation, and

WHEREAS, it appears that there is a cloud upon the title of the hereinafter described property because of the delay in the issuance of the Certificates of Redemption herein mentioned and referred to, and

WHEREAS, it appears that the Town of San Anselmo has no interest in said hereinafter described property, but that the same belongs to TUNSTEAD COMPANY, a corporation, free and clear of any and all claims for taxes or other claims of the Town of San Anselmo,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the Town of San Anselmo as follows, to-wit:

1. That the City Attorney of the Town of San Anselmo be, and he is hereby instructed to stipulate to the trial date of that certain action pending in the Superior Court of the State of California, in and for the County of Marin, wherein TUNSTEAD COMPANY, a corporation, is plaintiff and the Town of San Anselmo is defendant, and numbered 17782, and that said City Attorney offer only such evidence as may be necessary to see that the ends of justice are accomplished in said action, and to thereafter stipulate to the waiver of Findings of Fact and Conclusions of Law.

2. That the Mayor of the Town of San Anselmo and the City Clerk be, and they are hereby, authorized and directed to make, execute and deliver to TUNSTEAD COMPANY, a corporation, on behalf of the Town of San Anselmo, a Quitclaim Deed to all of that certain real property in the Town of San Anselmo, County of Marin, State of California, more particularly described as follows, to-wit:

PARCEL ONE: Beginning at the Southwesterly corner of Lot C, as the same is designated and delineated upon a certain Map entitled, "Amended Map of Bunker Hill Tract, San Anselmo, Marin Co., Cal., 1908", filed for record in the office of the County Recorder of the County of Marin, State of California, on the 26th day of August, 1908, and recorded in Liber 2 of Maps at page 128 thereof, reference to which said Map is hereby made as a part of this description; being on the North line of Red Hill Avenue, thence South 88° 31' East along said Northerly line at Red Hill Avenue a distance of 70 feet, thence Northerly and parallel to the Easterly boundary line of said Lot C a distance of 100 feet, thence North 88° 31' West to a point on the Westerly boundary line of said Lot C, thence Southerly along the Westerly boundary line of said Lot C a distance of 100 feet to the point of beginning.

PARCEL TWO: Lot T and that certain tract of land described as "Reserved" as the said lot and tract are laid down and delineated on that certain Map entitled, "Amended Map of Bunker Hill Tract, San Anselmo, Marin Co., Cal., 1908", filed in the office of the County Recorder of the County of Marin, State of California, on August 26, 1908 in Book 2 of Map at page 128.

PARCEL THREE: "Warren Avenue", "Front Right of Way", and that certain "Lane", as shown on that certain Map entitled, "Amended Map of Bunker Hill Tract, San Anselmo, Marin Co., Cal., 1908", filed in the office of the County Recorder of the County of Marin, State of California, on August 26, 1908 in Book 2 of Maps at page 128. Excepting therefrom the portion described in Quitclaim Deed from the TUNSTEAD COMPANY, a corporation, to Achille Bonaiti and Celia R. Bonaiti, his wife, dated June 10, 1938 and recorded August 10, 1938 in Liber 370 of official records in said County Recorder's Office at page 66.

The foregoing resolution was duly passed and adopted at a regular meeting of the City Council of the Town of San Anselmo, held in said Town on the 12th day of August, 1947, and passed by the following vote, to-wit:

AYES:	COUNCILMEN	<i>WAVE, SMITH, ALLEN, MILLER &amp; MONTE</i>
NOES:	COUNCILMEN	<i>NONE</i>
ABSENT:	COUNCILMEN	<i>NONE</i>

*D. Frank Monte*  
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Mayor

ATTEST

*Ray M. Gerwick*  
City Clerk *by Anne Brand, Deputy*