

RESOLUTION NO. 2021 -425

**A RESOLUTION OF THE SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT BOARD OF DIRECTORS
AUTHORIZING THE DISTRICT ADMINISTRATOR TO EXECUTE A GRANT OF EASEMENT TO PG&E IN
CONNECTION WITH CONSTRUCTION OF THE REDUNDANCY PROJECT**

WHEREAS, the South San Luis Obispo County Sanitation District (“District”) has been developing a long-term strategy for the District’s Wastewater Treatment Plant (“WWTP”) to meet capacity and redundancy concerns for decades with planning and preliminary design for the WWTP Redundancy Project (“Project”) beginning in 2005; and

WHEREAS, the Project is intended to allow major process units to be removed from service for maintenance or repairs without risking violation of effluent permit limits; and

WHEREAS, the District has secured financing, solicited bids for the construction of the Project, and performed other various administrative tasks necessary to commence construction of the Project; and

WHEREAS, an easement for utility lines owned by Pacific Gas & Electric (“PG&E”) is present within the construction area and needs to be permanently relocated in order to commence and complete construction; and

WHEREAS, PG&E has prepared the necessary documents to effectuate the granting of the easement; and

WHEREAS, legal counsel for the District has reviewed these documents and determined that they are legally sufficient to grant the easement necessary to relocate the utility lines and allow construction of the Project to commence.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of South San Luis Obispo County Sanitation District, that the District Administrator is authorized to execute the attached Grant of Easement to PG&E to relocate utility lines outside the area needed to construct the WWTP Redundancy Project.

Resolution No. 2021-425

PASSED AND ADOPTED at a regular meeting of the South San Luis Obispo County Sanitation District Board of Directors held this 3rd day of March 2021.

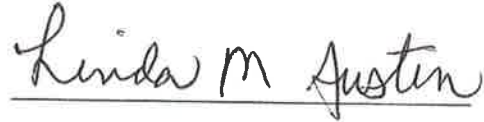
On the motion of Director Jeff Lee, seconded by Alternate Lan George, and by the following roll call vote:

AYES: Directors Lee and Austin, and Alternate George

NOES:

ABSENT:

ABSTAINED:



BOARD CHAIR

ATTEST:



DISTRICT SECRETARY

APPROVED AS TO CONTENT:



BY: _____
DISTRICT ADMINISTRATOR

APPROVED AS TO FORM:

BY: Keith Collins

DISTRICT COUNSEL

RECORDING REQUESTED BY AND RETURN TO:

PACIFIC GAS AND ELECTRIC COMPANY
245 Market Street, N10A, Room 1015
P.O. Box 770000
San Francisco, California 94177

Location: City/Uninc _____
Recording Fee \$ _____
Document Transfer Tax \$ _____

- This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911).
- Computed on Full Value of Property Conveyed, or
- Computed on Full Value Less Liens & Encumbrances Remaining at Time of Sale
- Exempt from the fee per GC 27388.1 (a) (2); This document is subject to Documentary Transfer Tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

Signature of declarant or agent determining tax

LD# 2232-13-

EASEMENT DEED

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT, a public body corporate and politic,

hereinafter called Grantor, hereby grants to PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called Grantee, the right from time to time to excavate for, construct, reconstruct, replace (of initial or any other size), remove, maintain, inspect, and use facilities and associated equipment for public utility purposes, including, but not limited to electric, gas, and communication facilities, together with a right of way therefor, on, over, and under the easement area as hereinafter set forth, and also ingress thereto and egress therefrom, over and across the lands of Grantor situated in the City of Oceano, County of San Luis Obispo, State of California, described as follows:

(APN 061-093-047)

The two parcels of land one described and designated Parcel One in the deed from the County of San Luis Obispo to South San Luis Obispo County Sanitation District dated February 15, 1965 and recorded in Volume 1363 of Official records Page 431, San Luis Obispo County Records, and the other described and designated Parcel A in the deed from the County of San Luis Obispo to South San Luis Obispo County Sanitation District dated July 11, 2008 and recorded as Document Number 2008-060821, San Luis Obispo County Records.

The easement area is described as follows:

The parcels of land described in Exhibit "A" and shown on Exhibit "B" attached hereto and made a part hereof.

Grantor further grants to Grantee the right, from time to time, to trim or to cut down, without Grantee paying compensation, any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations.

Grantor also grants to Grantee the right to use such portion of said lands contiguous to said easement area as may be reasonably necessary in connection with the excavation, construction, reconstruction, replacement, removal, maintenance and inspection of said facilities.

Grantor hereby covenants and agrees not to place or construct, nor allow a third party to place or construct, any building or other structure, or store flammable substances, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or diminish or substantially add to the ground level within said easement area, or construct any fences that will interfere with the maintenance and operation of said facilities.

Grantor further grants to Grantee the right to apportion to another public utility (as defined in Section 216 of the California Public Utilities Code) the right to excavate for, construct, reconstruct, replace, remove, maintain, inspect, and use the communications facilities within said easement area including ingress thereto and egress therefrom.

Grantor acknowledges that they have read the "Grant of Easement Disclosure Statement", Exhibit "C", attached hereto and made a part hereof.

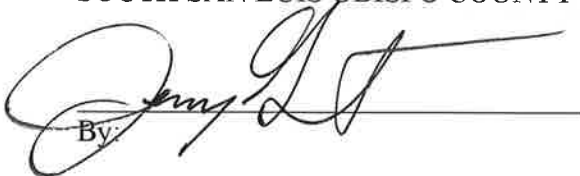
The legal description herein, or the map attached hereto, defining the location of this utility distribution easement, was prepared by Grantee pursuant to Section 8730 (c) of the Business and Professions Code.

This document may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same instrument.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated: March 9th, 2021.

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT, a public body corporate and politic

By: 

By: _____

I hereby certify that a resolution was adopted on the 3rd day of March, 2021 by the South San Luis Obispo County Sanitation Dist. authorizing the foregoing grant of easement.

By: 

Title District Administrator

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____)

On _____, before me, _____ Notary Public,
personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

(Seal)

CAPACITY CLAIMED BY SIGNER

- Individual(s) signing for oneself/themselves
- Corporate Officer(s) of the above named corporation(s)
- Trustee(s) of the above named Trust(s)
- Partner(s) of the above named Partnership(s)
- Attorney(s)-in-Fact of the above named Principal(s)
- Other Board Resolution #2021-425

Exhibit A

P.G.& E. Easement

Being a portion of Parcel One as shown on the Quitclaim Deed between the County of San Luis Obispo and the South San Luis Obispo County Sanitation District, filed for record in Book 1363 at Page 431, in the Office of the San Luis County Recorder, State of California; Also being a portion of Parcel A as shown on the grant deed between the County of San Luis Obispo and the South San Luis Obispo County Sanitation District filed for record as Document Number 2008-060821 in the Office of said County Recorder. Also being a portion of the lands as shown on that certain Record of Survey filed for record in Book 83 at Pages 60-81 of Licensed Surveys, in the Office of the County Recorder of said County, more particularly described as follows:

PARCEL 1

Being a strip of land ten feet in width, the centerline of which is described as follows:

Commencing at a 3/4-inch diameter iron pipe "L.S. 5201" at the most Westerly corner of Lot 1 of Block 4 of Map No. 2 of Lakeside Park as shown on sheet 10 and 11 said Record of Survey;

Thence leaving said iron pipe, Southwesterly, along the Southeasterly line of Aloha Street as shown on said Record of Survey, South 32° 58' 29" West, a distance of 149.29 feet to the most Westerly corner of said Parcel "A";

Thence Southeasterly along the Southwesterly line of said Parcel "A", South 56° 57' 12" East, a distance of 51.75 feet to the most Northerly corner of said Parcel One;

Thence Southwesterly along the Northwesterly line of said Parcel One, South 32° 45' 09" West, a distance of 31.01 feet to the **Point of Beginning**.

Thence leaving said Point of Beginning and Northwesterly line, South 53° 35' 16" East, a distance of 16.64 feet to a point hereinafter referred to as **Point "A"**;

Thence leaving said Point "A", North 24° 30' 59" East, a distance of 42.69 feet to a point that bears North 24° 30' 59" East, a distance of 8.70' from a point in the common line between said Parcel One and said Parcel A;

Thence South 57° 34' 59" East, a distance of 243.13 feet;

Thence South 33° 30' 56" West, a distance of 27.28 feet to a point hereinafter referred to as **Point "B"**;

Thence leaving said Point "B", South 54° 29' 23" East, a distance of 199.06 feet;

Thence South 52° 40' 30" East, a distance of 158.06 feet;

THENCE North 30° 39' 25" East, a distance of 38.08 feet to a point that bears North 30° 39' 25" East, a distance of 1.70 feet from a point on the common line between said Parcel One and said Parcel A;

Thence South 55° 57' 28" East, a distance of 45.00 feet to a point hereinafter referred to as **Point "C"**;

Thence leaving said Point "C" and continuing along previous bearing, South 55° 57' 28" East, a distance of 50.73 feet;

Thence South 58° 39' 33" East, a distance of 153.02 feet;

Thence South 03° 01' 36" West, a distance of 141.44 feet, more or less to a point on the southerly line of said Parcel One and the **Point of Termination**. Said Point of Termination bears North 85° 45' 20" West, a distance of 4.64 feet from the most Southerly corner of said Parcel One.

The sidelines of said Parcel 1 are to be shortened or lengthened as to terminate on the Northwesternly and Southerly line of said Parcel One.

Containing an area of 11,153.5 square feet, or 0.26 acres, more or less.

Parcel 2

Being a strip of land ten feet in width, the centerline of which is described as follows:

Beginning at the point hereinabove referred to as **Point "A"**, Thence South 53° 35' 16" East, a distance of 5.42 feet;

Thence South 04° 02' 55" West, a distance of 98.81 feet;

Thence South 85° 56' 47" East, a distance of 16.41 feet to the **Point of Termination**.

The sidelines of said Parcel 2 are to be shortened or lengthened as to terminate at the Southerly sideline of hereinabove described Parcel 1.

Containing an area of 1155.3 square feet, more or less.

Parcel 3

Being a strip of land ten feet in width, the centerline of which is described as follows:

Beginning at the point hereinabove referred to as **Point "B"**, Thence South 33° 30' 56" West, a distance of 21.43 feet to the **Point of Termination**.

The sidelines of said Parcel 3 are to be shortened or lengthened as to terminate at the Southerly sideline of hereinabove described Parcel 1.

Containing an area of 164.3 square feet, more or less.

Parcel 4

Being a strip of land ten feet in width, the centerline of which is described as follows:

Beginning at the point hereinabove referred to as **Point "C"**, Thence North 34° 02' 32" East, a distance of 25.00 feet to the **Point of Termination**.

The sidelines of said Parcel 5 are to be shortened or lengthened as to terminate at the Northerly sideline of hereinabove described Parcel 1.

Containing an area of 200.0 square feet, more or less.

Parcel 5

Being a strip of land ten feet in width, the centerline of which is described as follows:


Beginning at the "Point of Beginning" for the hereinabove described Parcel 1, Thence North 12° 59' 19" West, a distance of 80.66 feet to the **Point of Termination**.

Excepting therefrom any portion lying outside of said Parcel One and said Parcel A.

The sidelines to be shortened or lengthened as to terminate at the Northwesterly and Southwesterly line of said Parcel A.

Containing an area of 251.6 square feet, more or less.

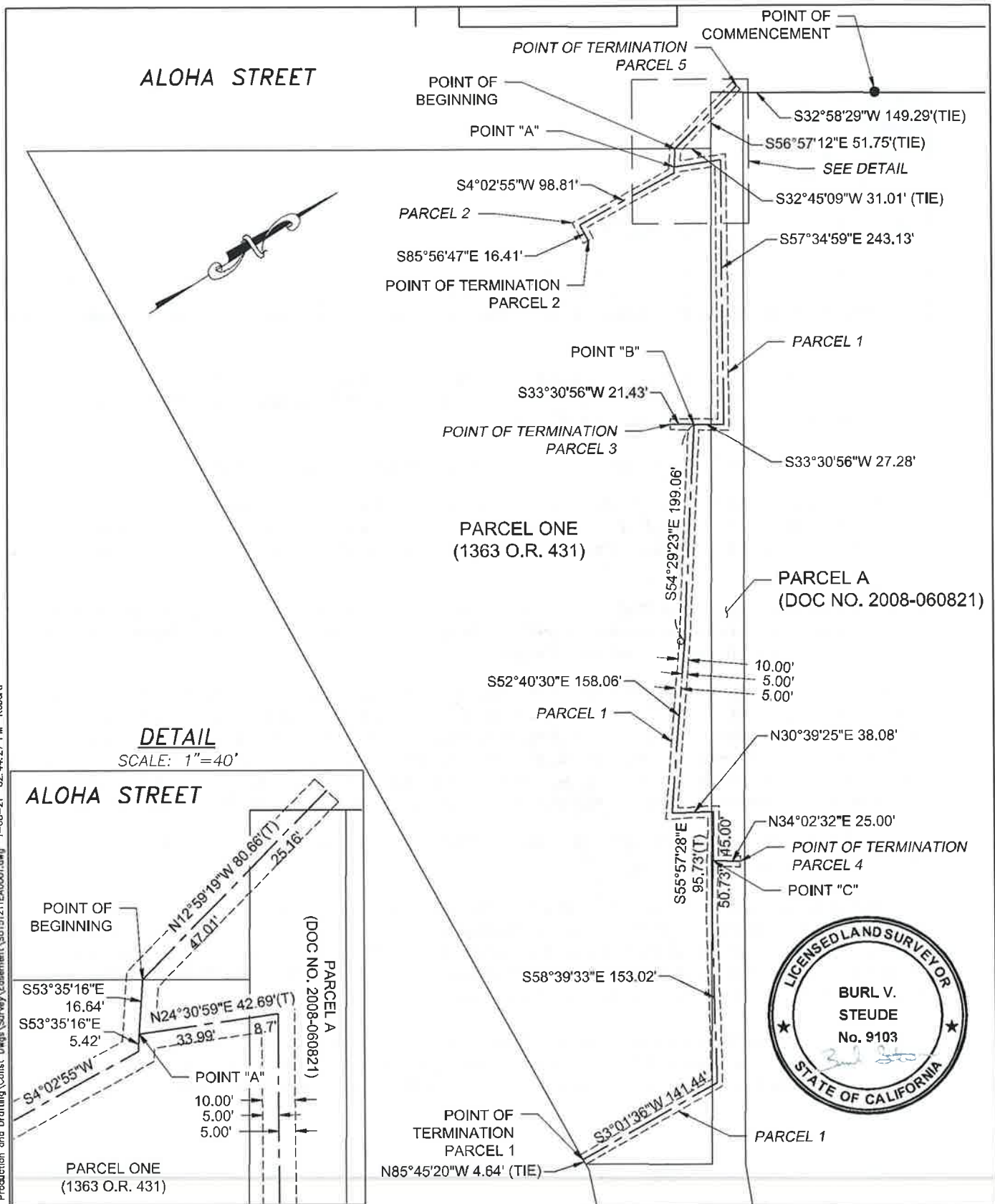
END OF DESCRIPTION

Prepared by: 
Burl Steude, PLS 9103



Date: January 8, 2021

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DETAIL
SCALE: 1"=40'

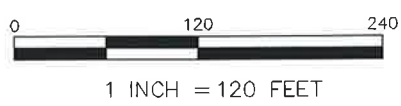
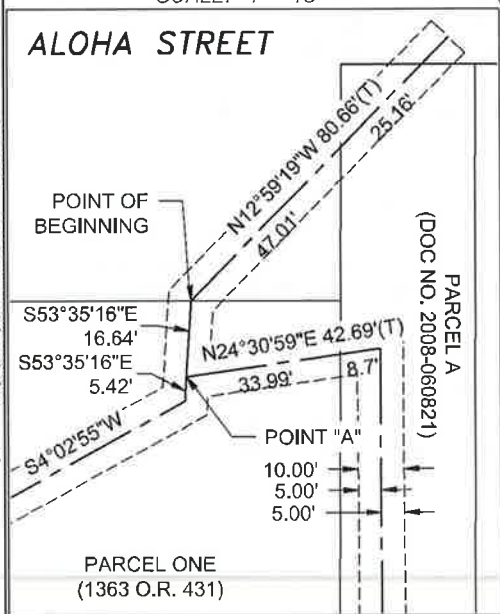


EXHIBIT B P.G.&E. EASEMENT COUNTY OF SAN LUIS OBISPO, CALIFORNIA			
DRAWN BY	CHECKED BY	SCALE	DATE
RBP	BS	1" = 120'	01/08/2021



EXHIBIT "C"

GRANT OF EASEMENT DISCLOSURE STATEMENT

This Disclosure Statement will assist you in evaluating the request for granting an easement to Pacific Gas and Electric Company (PG&E) to accommodate a utility service extension to PG&E's applicant. **Please read this disclosure carefully before signing the Grant of Easement.**

- You are under no obligation or threat of condemnation by PG&E to grant this easement.
- The granting of this easement is an accommodation to PG&E's applicant requesting the extension of PG&E utility facilities to the applicant's property or project. Because this easement is an accommodation for a service extension to a single customer or group of customers, PG&E is not authorized to purchase any such easement.
- By granting this easement to PG&E, the easement area may be used to serve additional customers in the area and **may be used to install additional utility facilities**. Installation of any proposed facilities outside of this easement area will require an additional easement.
- Removal and/or pruning of trees or other vegetation on your property may be necessary for the installation of PG&E facilities. You have the option of having PG&E's contractors perform this work on your property, if available, or granting permission to PG&E's applicant or the applicant's contractor to perform this work. Additionally, in order to comply with California fire laws and safety orders, PG&E or its contractors will periodically perform vegetation maintenance activities on your property as provided for in this grant of easement in order to maintain proper clearances from energized electric lines or other facilities.
- The description of the easement location where PG&E utility facilities are to be installed across your property must be satisfactory to you.
- The California Public Utilities Commission has authorized PG&E's applicant to perform the installation of certain utility facilities for utility service. In addition to granting this easement to PG&E, your consent may be requested by the applicant, or applicant's contractor, to work on your property. Upon completion of the applicant's installation, the utility facilities will be inspected by PG&E. When the facility installation is determined to be acceptable the facilities will be conveyed to PG&E by its applicant.

By signing the Grant of Easement, you are acknowledging that you have read this disclosure and understand that you are voluntarily granting the easement to PG&E. Please return the signed and notarized Grant of Easement with this Disclosure Statement attached to PG&E. The duplicate copy of the Grant of Easement and this Disclosure Statement is for your records.

Utility Distribution Easement (02/2020)

Attach to LD:

Area, Region or Location: 4

Land Service Office: San Luis Obispo

Line of Business: Electric Distribution (43)

Business Doc Type: Easements

MTRSQ: 22.32.13.31.42,

FERC License Number: N/A

PG&E Drawing Number: N/A

Plat No.: AZ139-B11

LD of Affected Documents: N/A

LD of Cross Referenced Documents: N/A

Type of interest: Utility Easement (86)

SBE Parcel: N/A

% Being Quitclaimed: N/A

Order or PM: 35076960

JCN: N/A

County: San Luis Obispo

Utility Notice Number: N/A

851 Approval Application No: N/A ;Decision: N/A

Prepared By: l3b0

Checked By: trpc

Approved By:

Revised by: