

RESOLUTION No. 2021-2206

**A RESOLUTION AUTHORIZING CONVEYANCE OF AN EASEMENT FOR
UNDERGROUND ELECTRIC PURPOSES TO
PACIFIC GAS AND ELECTRIC COMPANY**

LAS GALLINAS VALLEY SANITARY DISTRICT

WHEREAS, the Las Gallinas Valley Sanitary District (“District”) owns real property located at 300 Smith Ranch Road, San Rafael, California, known as APN 155-121-27, on which it operates a wastewater treatment plant; and

WHEREAS, the Board of Directors of said District has the authority to pass a resolution granting an Easement Deed LD# 2402-06-10113, PM# 31495348 (“Easement”) pursuant to Health and Safety Code § 6487; and

WHEREAS, the District requested Pacific Gas and Electric Company (“PG&E”) to relocate overhead facilities to an underground location as part of the Secondary Treatment Plant Upgrade and Recycled Water Expansion Project; and

WHEREAS, PG&E has requested that the District convey to PG&E an easement for new underground electric service; and

WHEREAS, it is in the District’s best interest to grant PG&E an easement to construct, replace, maintain, inspect, and use facilities within the easement area for current and future needs, including ingress and egress therefrom.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Las Gallinas Valley Sanitary District as follows:

1. The Board of Directors of the Las Gallinas Valley Sanitary District hereby grants an Easement to Pacific Gas and Electric Company over, under, within and through a portion of the District’s properties APN 155-121-27 (“Servient Tenement”); as more specifically described in the “EASEMENT DEED” (including Exhibits “A” through “C” attached thereto), a copy of which is attached hereto as Exhibit “1,” and incorporated by reference herein, subject to all matters and encumbrances of record affecting the Servient Tenement, and on the terms and conditions set forth in said “EASEMENT DEED.”

* * * * *

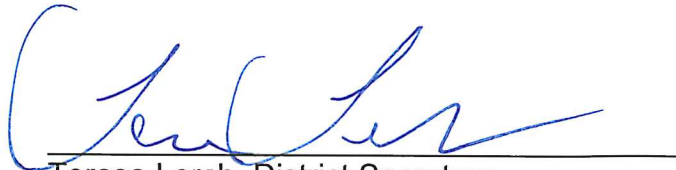
I hereby certify that the forgoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on February 4, 2021, by the following vote of the members thereof:

AYES, and in the favor thereof, Members: Clark, Elias, Murray, Schriberman, Yezman

NOES, Members: None.

ABSENT, Members: None.

ABSTAIN, Members: None.



Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

APPROVED:

(seal)



Crystal J. Yezman, Board President



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# 2402-06-10113

EASEMENT DEED

PM# 31495348

LAS GALLINAS VALLEY SANITARY DISTRICT, a California special district created pursuant to Health & Safety Code Sec. 6400 et seq., hereinafter call 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 San Rafael, County of Marin, State of California, described as follows:

(APN 155-121-27)

Lands of LAS GALLINAS SANITARY DISTRICT as shown upon the Record of Survey Map filed for record October 14, 2016 in Book 2016 of Maps at page 118, Marin County Records.

The easement area is described as follows:

The strip 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.

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: 2/5, 2021.

LAS GALLINAS VALLEY SANITARY DISTRICT, a California Special District

By: [Signature]

By: _____

CRYSTAL J. YEZMAN
Print Name and Title

Print Name and Title

President, Board of Directors

I hereby certify that a resolution was adopted on the 4th day of February, 2021, by the Las Gallinas Valley Sanitary District authorizing the foregoing grant of easement.
By [Signature]
Teresa Lerch, Board Secretary



CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

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 Marin

On February 5, 2021 before me, Amy Leanne Schultz, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Crystal Yeyman
Name(s) of Signer(s)

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.



Place Notary Seal and/or Stamp Above

Signature Amy Leanne Schultz
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer is Representing: _____

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer is Representing: _____

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,
Insert name
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 _____

EXHIBIT "A"
LEGAL DESCRIPTION

A portion of the lands of Las Gallinas Valley Sanitary District as conveyed by that certain deed recorded August 22, 1958 in Book 1212 of Official Records at Page 13, as shown on Record of Survey filed in Book 17 of Surveys, at Page 57, Marin County Records, lying within Section 15, Township 2 North, Range 5 West, MD, being a strip of land 10.00 feet wide lying 5.00 feet on each side of the following described centerline:

COMMENCING at the intersection of courses South 27°45'00" West 233.53 feet and North 62°15'00" West 355.16 feet as described in said deed to Las Gallinas Valley Sanitary District;

Thence North 62°15'00" West along the general southwesterly boundary line of said Lands of Las Gallinas Valley Sanitary District, a distance of 124.20 feet to the TRUE POINT OF BEGINNING;

Thence leaving said boundary line South 87°40'11" East, a distance of 118.97 feet;

Thence North 28°04'09" East, a distance of 175.00 feet;

Thence North 48°00'03" West, a distance of 117.04 feet;

Thence North 49°51'13" West, a distance of 8.55 feet;

Thence North 5°12'50" East, a distance of 31.41 feet to the point of terminus.


Containing 4,510 square feet, more or less.

APN 155-120-27

The Basis of Bearings for the herein described legal description is taken from data shown on that certain Record of Survey filed in Book 17 of Surveys at Page 57, Marin County Records.

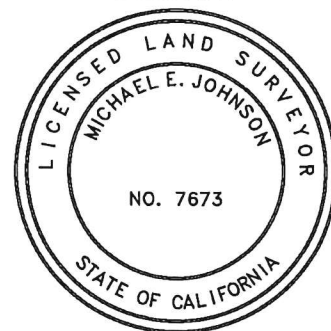
SEE PLAT ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF.

PREPARED UNDER MY SUPERVISION



Michael E. Johnson, L.S. 7673

12/07/20
Date



Prepared By: EB

Checked By: mf

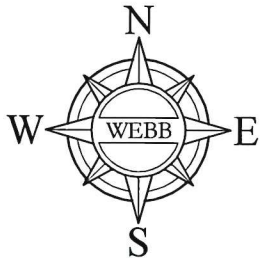
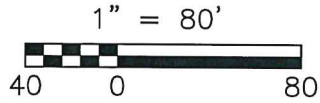


EXHIBIT "B" UNDERGROUND UTILITY EASEMENT



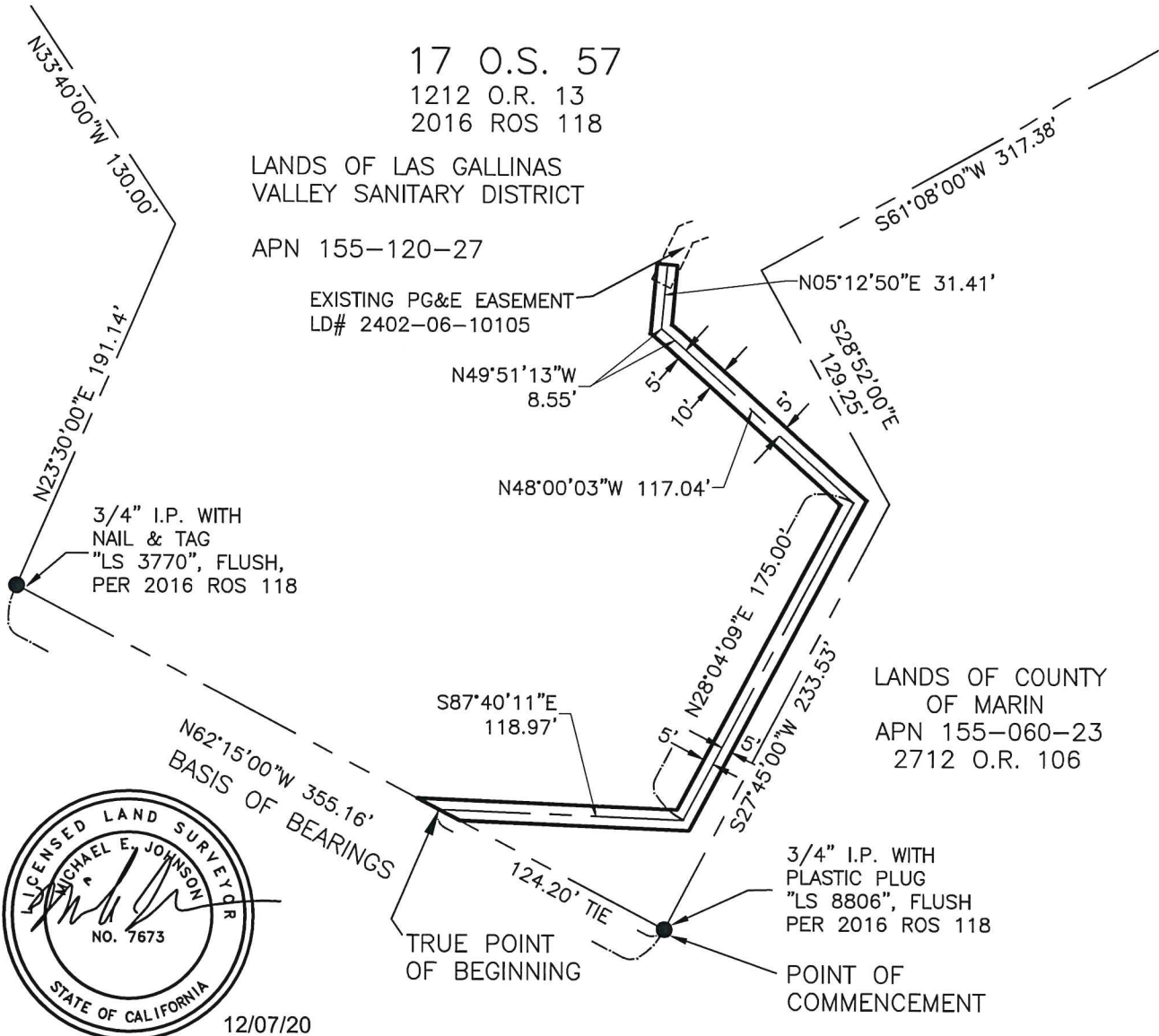
APN 155-120-29

17 O.S. 57
1212 O.R. 13
2016 ROS 118

LANDS OF LAS GALLINAS
VALLEY SANITARY DISTRICT

APN 155-120-27

EXISTING PG&E EASEMENT
LD# 2402-06-10105



LANDS OF COUNTY
OF MARIN
APN 155-060-23
2712 O.R. 106

SE 1/4 OF NW 1/4, SEC. 15, T2N, R5W (M.D.M. PROJECTED) RANCHO SAN PEDRO, SANTA MARGARITA Y LAS GALLINAS



CITY OF SAN RAFAEL, COUNTY OF MARIN, CA.
P G & E

G:\2015\15-0154\Drawings\Mapping\PLATS N LEGALS\PGE Phase 1 easements\15-154 PGE UG EASEMENTS.dwg

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) IN THE ATTACHED DOCUMENT.
ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DOCUMENT.

SHEET 1 OF 1

W.O.
15-0154

SCALE: 1"=80' DRWN BY LB DATE 2/7/19 SUBJECT: UNDERGROUND UTILITY EASEMENT
CHKD BY MJ DATE 2/8/19

Pacific Gas and Electric Company



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: 2402-06-10113

Area, Region or Location: 7

Land Service Office: Santa Rosa

Line of Business: Electric Distribution (43)

Business Doc Type: Easements

MTRSQ: (24.02.06.15.42), San Pedro Santa Margarita Y Las Gallinas

FERC License Number: N/A

PG&E Drawing Number: N/A

Plat No.: RR33, SS3301

LD of Affected Documents: 2402-06-1354

LD of Cross Referenced Documents: 2402-06-1497, 2402-06-10105

Type of interest: Electric Underground Easements (4)

SBE Parcel: N/A

% Being Quitclaimed: N/A

Order or PM: 35110428

JCN: N/A

County: Marin

Utility Notice Number: N/A

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

Prepared By: CWJ6

Checked By: DAK8 *DK*

Approved By:

Revised by:

\\SANTAROSA02\SarHQShared\GenlSvcs\Land\R_W 2019\Marin\35110428 - 35077093 - 300 Smith Ranch Rd, Novato\Working Files