

TO: District Manager

FROM: District Engineer

DATE: March 7, 2006

SUBJECT: Acceptance of Water Utility Easement; APN 073-051-22

RECOMMENDATION:

It is recommended that the District Manager review this memorandum, and water utility easement from Santa Cruz, Big Trees & Pacific Railway Company. After review, it is recommended that the District Manager forward the attached easement to the Board of Directors for consideration, approval, and acceptance. A resolution is attached.

BACKGROUND:

At the March 2, 2006 Board of Directors Meeting, your Board approved an agreement for Water Distribution System Improvements with Jeri Skipper, the owner of APN 073-051-15 generally located along Zayante School Road, Felton. Ms. Skipper has executed said agreement for the Distribution Improvements with the District to upgrade and move her water meter and install a fire hydrant near her parcel. As part of the agreement to install a fire hydrant near her parcel, an easement for a mainline extension must be obtained across APN 073-051-22 which is owned by Big Trees Railroad. District staff has discussed obtaining an easement across APN 073-051-22 with the staff of Big Trees Railroad. See Attachment 1. The staff of Big Tree Railroad has agreed to grant the District an easement for the price of \$3,342.00 Jeri Skipper has, in turn, paid the District \$3,342.00 for the cost of the easement.

It is recommended that the District Manager review this memorandum and forward to the Board the attached resolution which authorizes and directs the District Manager to accept on behalf of the San Lorenzo Valley Water District the water utility easement across APN 073-051-22 from Santa Cruz, Big Trees & Pacific Railway Company. It also authorizes and directs the District Manager to take all actions necessary to accomplish this task and record said easement on behalf of the District.

SAN LORENZO VALLEY WATER DISTRICT
RESOLUTION NO. _____ (05-06)

**SUBJECT: RESOLUTION FOR ACCEPTANCE OF WATER UTILITY
EASEMENT, APN 073-051-22**

WHEREAS, Jeri Skipper, the owner of APN 073-051-15 has entered into an Agreement for Water Distribution System Improvement.

WHEREAS, staff has determined that a water utility easement is needed across APN 073-051-22, on the lands of Santa Cruz, Big Trees & Pacific Railway Company; and

WHEREAS, the cost of said easement is \$3,342.00, and that Jeri Skipper has paid the cost of said easement; and

WHEREAS, Santa Cruz, Big Trees & Pacific Railway Company has agreed to grant an easement across APN 073-051-22 for \$3,342.00, and

WHEREAS, Jeri Skipper has paid \$3,342.00 to the District to obtain said easement;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Lorenzo Valley Water District that San Lorenzo Valley Water District hereby agrees to purchase and accept a water utility easement across APN 073-051-22. Further, be it resolved that the District Manager is hereby authorized and directed to accept said water utility easement from Santa Cruz, Big Trees & Pacific Railway Company to carry out all necessary actions to accomplish said task and record said easement on behalf of and for the benefit of the San Lorenzo Valley Water District.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the San Lorenzo Valley Water District, County of Santa Cruz, State of California, on the _____th day of March 2006, by the following vote of the members thereof:

AYES: _____

NOES: _____

ABSENT: _____

District Secretary
San Lorenzo Valley Water District

Recording Requested By:

SAN LORENZO VALLEY WATER DISTRICT
13060 HIGHWAY 9
BOULDER CREEK, CA 95006

and when recorded mail to:

KENNETH GIROUARD
SAN LORENZO VALLEY WATER DISTRICT
13060 HIGHWAY 9
BOULDER CREEK CA 95006

WATER UTILITY EASEMENT A PORTION OF 073-051-22

SANTA CRUZ, BIGTREES & PACIFIC RAILWAY COMPANY, a California Corporation,

HEREBY GRANTS to SAN LORENZO VALLEY WATER DISTRICT, a public agency

All that Real Property situated in FELTON, County of SANTA CRUZ, State of CALIFORNIA bounded and described as follows:

A water utility easement as described in Exhibit "A", and shown in Exhibit "B".

Witness my hand this 16 day of Feb., 2006.

Georgiana P Clark CEO
Georgiana P Clark
Chief Executive Officer

EXHIBIT "A"

A PORTION OF APN 073-051-22

Being an underground water utility easement for the purposes of constructing and maintaining a water line which shall include, but not be limited to, clearing, grading, trenching, laying, re-laying, construction, reconstruction, removing, relocating, maintaining, operating, repairing, replacing, and improving said water pipeline and facilities and appurtenances thereto, together with the right to enter upon said land with all manner of materials, products, tools, and equipment necessary and convenient to accomplish these purposes. In the event that there is a conflict between the water utility and the railroad, the railroad reserves the right to have the water utility relocate the water utility easement and facilities to another easement on the railroad right of way at the expense of the water utility.

SITUATE in the County of Santa Cruz, State of California and described as follows:

Being a part of Section 11, Township 10 South, Range 2 West M.D.B. & M. and being a part of lands conveyed to J. Bruce Griffin, et ux., by deed recorded in Volume 628 at Page 561 of Official Records of Santa Cruz County and more particularly bounded and described as follows, to wit:

Beginning at the intersection of the Eastern Boundary of the Southern Pacific Railroad Right of Way and the centerline of the southernmost centerline of a 50 foot right of way as shown upon that certain map entitled "Record of Survey Map of Part of Lands of J. Bruce Griffin, et ux." Filed in Volume 29 of Maps at Page 14, Santa Cruz County Records; thence from said point of beginning, southerly along the eastern boundary of the railroad right of way on a curve to the right with a radius of 1483 feet a distance of 25.36 feet through an angle of 0 degrees 58 minutes and 48 seconds; thence leaving the eastern boundary of the railroad right of way South 88 degrees 34 minutes 16 seconds West a distance of 31.03 feet to a point; thence northerly along a parallel course 30 feet distant from the eastern boundary of the railroad right of way on a curve to the left with a radius of 1453 feet through an angle of 3 degrees 44 minutes 39 seconds a distance of approximately 94.95 feet to the common boundary between the Southern Pacific and Big Trees Railroad rights of way; thence along the common boundary of the Southern Pacific and Big Tree Railroad rights of way South 83 degrees 46 minutes East a distance of 10 feet to a point; thence leaving the common boundary of the railroad rights of way southerly along a parallel course 20 feet distant from the eastern boundary of the railroad right of way on a curve to the right with a radius of 1463 feet through an angle of 2 degrees 40 minutes and 2 seconds a distance of 68.27 feet; thence North 88 degrees 35 minutes East a distance of 20.34 to the point of beginning.

A portion of APN 073-051-22

Contains 1485 square feet or 0.03 Acres

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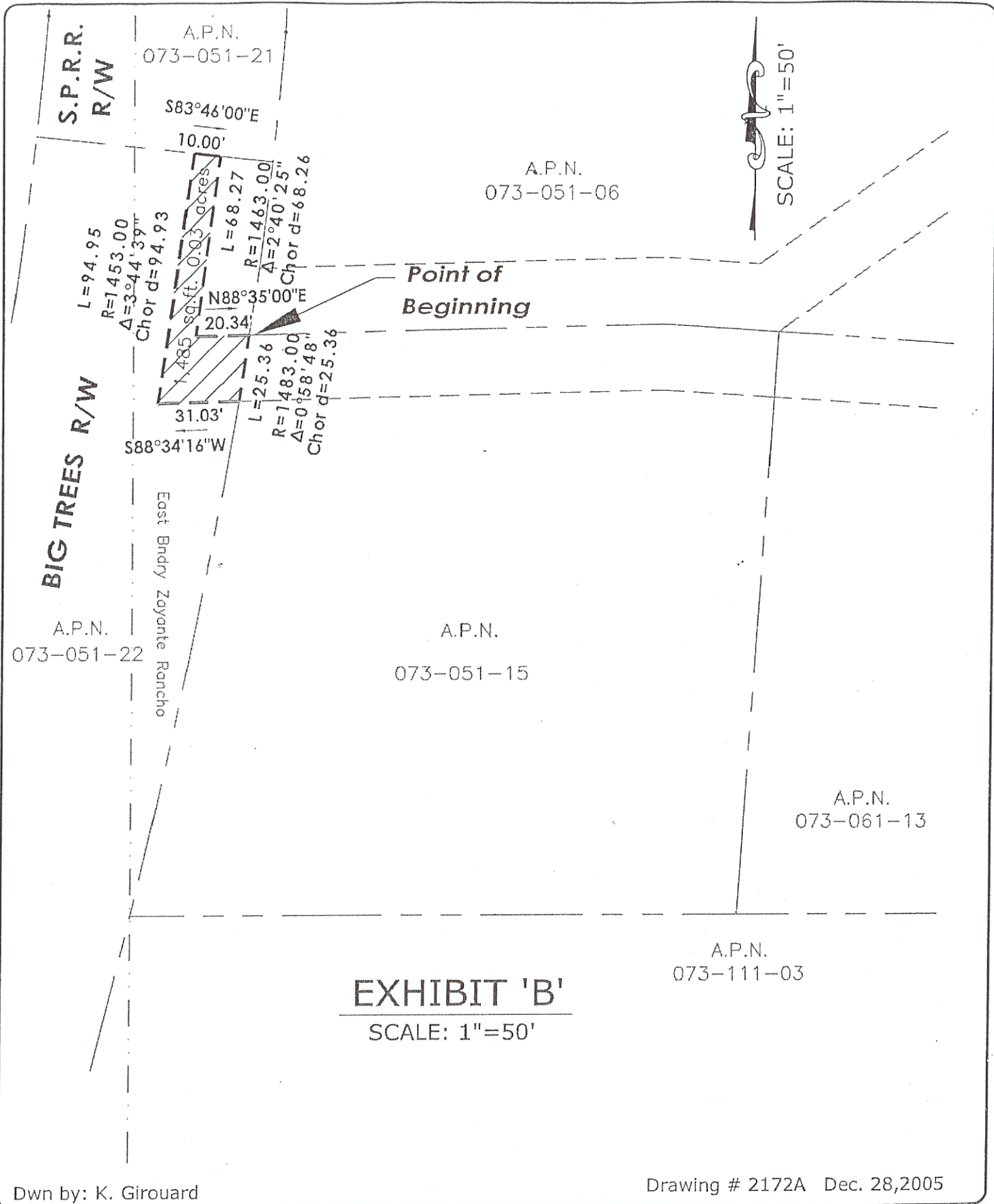


EXHIBIT 'B'
SCALE: 1"=50'

Dwn by: K. Girouard Drawing # 2172A Dec. 28,2005



San Lorenzo Valley Water District
 Serving the San Lorenzo Valley Since 1941
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