

TO: District Manager

FROM: District Engineer

DATE: January 4, 2007

SUBJECT: Agreement to purchase Water Utility Easement, APN 089-441-29 &
Acceptance of Water Utility Easement on APN 089-441-29 & 089-441-22

RECOMMENDATION:

It is recommended that the District Manager review this memorandum, agreement, and water utility easement from Joseph and MaryBeth Sundram. After review, it is recommended that the District Manager recommend to the Board of Directors consider and approve the attached agreement to purchase easements on APN 089-441-29 for \$5300. It is also recommended that the Board of Directors authorize the District Manager to accept the easement on APN 089-441-29 from the Sundrams, and accept the easement on APN 089-441-22 from the Hibbards. A resolution is attached.

BACKGROUND:

District Staff has been discussed providing water service to the residents of Timberwood Road. In accordance with the memorandum of understanding with the Local Area Formation Commission, the District has applied for and received permission from the County of Santa Cruz Planning Commission to serve the neighbors along Timberwood.

Initially, District Staff attempted to obtain an easement from the existing Ralston tank to Timberwood across the property of Mr. Leff. Mr. Leff declined to grant the District an easement across his property from the existing Ralston tank to Timberwood. It was noted by staff that the existing Ralston tank site is adequate for the smaller tank, which exists, but would probably be insufficient to provide the future needs of a larger 30 foot diameter, 120,000 gallon welded steel tank.

After discussions with the neighbors, staff began discussion with the immediate neighbors, Joseph and MaryBeth Sundram, to acquire an easement for a new location for the existing Ralston tank. The Sundram's are granting a 50 foot by 50 foot tank site, a 20 foot wide easement from Ralston Road to the proposed new tank site, and a second 20 foot wide easement from the proposed new tank site towards Timberwood for the price of \$5300. Staff believes that the amount of \$5300 is appropriate compensation for the easements from the Sundrams.

The District also contacted another neighbor, John and Linda Hibbard, to obtain an easement across the Hibbard's property, APN 089-441-22, from the proposed new Ralston tank site to Timberwood. The Hibbards have granted an easement to the District at no cost.

It is recommended that the District Manager review this memorandum and forward to the Board the attached resolution which authorizes and directs the President of the Board of Directors to sign an agreement on behalf of the San Lorenzo Valley Water District with the Sundrams to purchase three easements on the Sundram property for \$5300. It directs the District Manager to accept the water utility easements from the Hibbards and the Sundrams. It also authorizes and directs the District Manager to take all actions necessary to accomplish this task and record said easements on behalf of the District.

District Engineer

SAN LORENZO VALLEY WATER DISTRICT
RESOLUTION NO. _____ (06-07)

**SUBJECT: RESOLUTION FOR ACCEPTANCE OF WATER UTILITY
EASEMENT, APN 089-221-29 and 089-221-22**

WHEREAS, staff has determined that a water utility easement is needed for a new water tank and water utilities located on APN 089-221-29, on the lands of Joseph and MaryBeth Sundram in order to serve the Timberwood Road area; and

WHEREAS, staff has determined that a water utility easement is needed for a water utility easement located on APN 089-221-22, on the lands of John and Linda Lee Hibbard in order to serve the Timberwood Road area; and

WHEREAS, staff has obtained permission from the County of Santa Cruz Planning Commission, in accordance with the District's agreement with the Local Area Formation Commission, to serve the Timberwood Road area; and

WHEREAS, the District desires to serve the Timberwood Road area; and

WHEREAS, Joseph and Mary Beth Sundram have agreed to dedicate easements on their property in exchange for \$5300 as compensation; and

WHEREAS, John and Linda Lee Hibbard have agreed to dedicate an easement to the District; and

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 tank easement and water utility easements across APN 089-221-29. The District further agrees to accept a water utility easement across APN 089-221-22. Further, be it resolved that the President of the Board of Directors is hereby authorized and directed to execute an agreement to purchase easements on APN 089-221-29. The District Manager is directed to accept said water utility easement from Sundram, and accept a second easement across APN 089-221-22 from Hibbard. The District Manager is directed to carry out all necessary actions to accomplish said tasks and record said easements 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 18th day of January 2007, 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

and when recorded mail to:

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

**GRANT DEED
A PORTION OF
APN 089-441-029**

We, Joseph Sundram and MaryBeth Sundram, husband and wife as community property with right of survivorship

Hereby Grants to San Lorenzo Valley Water District

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

Parcels 1, 2, and 3 as shown in the attached Legal Description

Witness my hand this ____ day of _____, 2006.

Joseph Sundram

MaryBeth Sundram

EXHIBIT A
A portion of APN 089-441-029

SITUATED IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE LANDS CONVEYED TO JOSEPH SUNDRAM AND MARYBETH SUNDRAM BY DEED, DATED APRIL 15, 2005 IN DOCUMENT 2005-0024936 OF SANTA CRUZ COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Parcel 1:

Being an easement for the purposes of constructing and maintaining water tanks 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 tanks, 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.

COMMENCING AT THE SOUTHEAST CORNER OF SAID LANDS OF SUNDRAM; THENCE NORTH 7°19'20" WEST 97.40 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 63°00' WEST 50.0 FEET; THENCE NORTH 27°00' EAST 50.0 FEET; SOUTH 63°00' EAST 50.0 FEET; SOUTH 27°00' WEST 50.0 FEET TO THE TRUE POINT OF BEGINNING.

Parcel 2:

Being an easement for the purposes of ingress and egress to Parcel 1 and for the purposes of constructing and maintaining a water tank, water lines, and other below ground and above ground utilities such as electric power lines, telephone lines, and communication lines 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 electric power lines, telephone lines, communications lines, 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.

Being the centerline of a 20 foot wide easement described as follows: COMMENCING AT THE SOUTHEAST CORNER OF SAID LANDS OF SUNDRAM; THENCE ALONG THE SOUTHWESTERLY BOUNDARY OF SAID LANDS OF SUNDRAM NORTH 48°22'25" WEST 75.0 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID SOUTHWEST BOUNDARY NORTH 34°00' EAST 62.0 FEET.

Parcel 3:

Being an easement for the purposes of constructing and maintaining a water line and other above ground and below ground utilities such as electric power lines, telephone lines, and communication lines 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.

Being the centerline of a 20 foot wide easement described as follows: COMMENCING AT THE NORTHEAST CORNER OF SAID LANDS OF SUNDRAM; THENCE ALONG THE NORHTEASTERLY BOUNDARY OF SAID LANDS OF SUNDRAM NORTH 66°01" WEST 10.5 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID NORTHEASTERLY BOUNDARY AND PARALLEL TO THE EASTERLY BOUNDARY OF SAID LANDS OF SUNDRAM SOUTH 05°21' WEST 222.0 FEET.