

RESOLUTION NO. 6322-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL
AUTHORIZING CITY MANAGER
TO EXECUTE EASEMENT DEED TO PG&E AT LIBBY PARK

WHEREAS, certain PG&E facilities at Libby Park are proposed to be upgraded; and

WHEREAS, the proposed improvements lie outside the existing City right of way for Valentine Avenue;
and

WHEREAS, the attached Easement Deeds have been prepared by PG&E and submitted to the City with a request for signature of approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Manager to execute the attached Public Utilities Easement Deed for the purposes described in the deeds.

IN COUNCIL DULY PASSED this 17th day of November, 2020

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by City of Sebastopol City Council following a roll call vote:

VOTE:

AYES: Councilmembers Carnacchi, Gurney, Hinton, Vice Mayor Glass and Mayor Slayter

NOES: None

ABSTAIN: None

ABSENT: None



APPROVED: _____

Mayor Patrick Slayter



ATTEST: _____

Mary Gourley, Assistant City Manager/City Clerk, MMC



APPROVED AS TO FORM: _____

Larry McLaughlin, City Manager/Attorney

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# 2407-09-10029

EASEMENT DEED

PM# 35142893

CITY OF SEBASTOPOL, a municipal corporation,

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, 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 Sebastopol, County of Sonoma, State of California, described as follows:

(APN 004-420-029)

The parcel of land described in the deed from Herluff H. Pedersen and others, to the City of Sebastopol, a municipal corporation dated October 7, 1963 and recorded in Book 2001 of Official Records at page 206, Sonoma County Records.

The easement area is described as follows:

A strip of land of the uniform width of 10 feet extending from the westerly boundary line of said lands, easterly to the easterly boundary line of said lands, and lying 5 feet on each side of the line described as follows:

Commencing at the found city monument marking the centerline intersection of Valentine Avenue and Pleasant Hill Road, both city streets, as shown on the map of Brookhaven Estates Unit No. 1 filed for record August 5, 1970 in Book 147 of Maps Page 13, Sonoma County Records (for identification only, said course has a bearing of North 89° 41' 00" East and a length of 291.50 feet) thence leaving said centerline

(a) South 73° 54' 51" East, 93.73 feet

to a point on the said westerly boundary line being the TRUE POINT OF BEGINNING of said line; thence leaving said westerly boundary line

- (1) North 87° 03' 26" East, 118.00 feet; thence
- (2) North 83° 37' 43" East, 63.00 feet; thence
- (3) North 85° 09' 13" East, 103.40 feet; thence
- (4) North 84° 09' 36" East, 34.44 feet; thence
- (5) South 74° 59' 09" East, 26.14 feet; thence
- (6) South 88° 03' 55" East, 14.10 feet, more or less,

to a point on said easterly boundary line of said lands, said point bearing North 00° 10' 07" West, and 6.03 feet more or less from the northeasterly corner of said lands; excepting therefrom that portion thereof lying within the boundary lines of said Valentine Avenue.

Grantee's Drawing No. 35142893 attached hereto as Exhibit "A" and made a part of hereof is recorded for reference purposes only.

The foregoing description is based on a survey made by Grantee in May of 2020. The bearings used are based on the measurement between two city monuments shown upon the map filed for record August 5, 1970 in Book 147 of Maps Page 13, Sonoma County Records, as North 89° 41' 00" East 291.50 feet.

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.

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: December 8, _____, 2020

CITY OF SEBASTOPOL

By: 

Larry McLaughlin, City Manager
Print Name and Title

By: _____

Print Name and Title

I hereby certify that a resolution was adopted on the 17th day of November, 2020, by the City of Sebastopol City Council

_____ authorizing the foregoing grant of easement.

By: 
Mary Gourley, Assistant City Manager/City Clerk, MMC

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 Sonoma)

On December 8, 2020, before me, Mary Catherine Gourley Notary Public,
Insert name
personally appeared Larry McLaughlin

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.

Mary Catherine Gourley
Signature of Notary Public



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 City Manager, City of Sebastopol

Utility Distribution Easement (02/2020)

Attach to LD: 2407-09-10029

Area, Region or Location: 7

Land Service Office: Santa Rosa

Line of Business: Electric Distribution (43)

Business Doc Type: Easements

MTRSQ: (24.04.09.34.23), Canada De Jonive Rancho

FERC License Number: N/A

PG&E Drawing Number: 35142893

Plat No.: JJ2511

LD of Affected Documents: N/A

LD of Cross Referenced Documents: N/A

Type of interest: Electric Underground Easements (4), Utility Easement (86)

SBE Parcel: N/A

% Being Quitclaimed: N/A

Order or PM: 35142893

JCN: N/A

County: Sonoma

Utility Notice Number: N/A

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

Prepared By: CWJ6

Checked By: DAK8 *DK*

Approved By: P1A8 *[Signature]* Removed Tree Trimming Clause, LOB approved.

Revised by:

\\santarosa02\SarHQShared\GenlSvcs\Land\R_W 2020\Sonoma\35142893 - Valentine Rd, Sebastopol\Working Files\