SWEETWATER SPRINGS WATER DISTRICT

TO: Board of Directors **AGENDA NO. III-D**

FROM: Steve Mack, General Manager

Meeting Date: March 4, 2010

SUBJECT: APPROVAL OF EASEMENT RESOLUTIONS FOR HANDY ANDY PROJECT

RECOMMENDED ACTION: Approve Resolutions 10-04, 10-05, and 10-06 which accept easements for the Handy Andy line feed project, which is part of CIP IV-B, Project 1, and authorize the General Manager to execute and cause to be recorded certificates of acceptance for the easements.

FISCAL IMPACT: none

DISCUSSION:

The Handy Andy line feed project, part of CIP IV-B, Project 1, and located between Highway 116 and Old Monte Rio Road west of Guerneville, requires rerouting of the line through private property and these new routes require easements. Brelje and Race Engineers has negotiated the easements associated with Resolutions 10-04, 10-05, and 10-06 with the owners of the properties in question:

- Resolution 10-04 authorizes an easement through Mr. Osiride A. Fazzi's property,
- Resolution 10-05 authorizes an easement through Mr. Gregory L. Marino's property, and
- Resolution 10-06 authorizes an easement through Mr. and Mrs. Beyer's property.

The District has paid for all costs associated with the easements and is making no payments to the property owners for the easements.

Resolution No. 10-04

A Resolution Of The Board Of Directors Of The Sweetwater Springs Water District Accepting An Easement Deed And Authorizing The General Manager To Execute And Cause To Be Recorded A Certificate Of Acceptance

[Portions of Assessor's Parcel No. 072-211-035]

WHEREAS, Osiride A. Fazzi has approved and expressed his intention to execute a form of Easement Deed approved by District General Counsel for a public utility easement to allow installing, maintaining and repairing a water transmission line near the Handy Andy Booster pump site**,** said easement being located over portions of that certain real property located near Highway 116, Guerneville, CA. ("the Subject Property"); and

WHEREAS, Mr. Fazzi has executed a form of Easement Deed in substantially the same form as prepared by District General Counsel for a public utility easement for purposes of installing, maintaining and repairing a water transmission line over the Subject Property; and

WHEREAS, the Board of Directors finds that it is desirable and necessary for the Sweetwater Springs Water District (the "District") to acquire a public utility easement for the purposes described herein;

NOW, THEREFORE BE IT RESOLVED by the District Board of Directors that a grant of a public utility easement, as described herein, is hereby accepted.

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed to execute a Certificate of Acceptance (form of Certificate of Acceptance attached as Exhibit "A") and to do all things necessary to finalize the transaction contemplated in said Easement Deed on behalf of the District.

I hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted and passed by the Board of Directors of the SWEETWATER SPRINGS WATER DISTRICT, Sonoma County, California, at a meeting held on March 4, 2010, by the following vote.

Director	**Aye**	**No**
Sukey Robb-Wilder	_____	_____
Jim Quigley	_____	_____
Wanda Smith	_____	_____
Gaylord Schaap	_____	_____
Victoria Wikle	_____	_____

_____
Jim Quigley
President of the Board of Directors

_____
Attest: Julie A. Kenny
Clerk of the Board of Directors

Resolution 10-04, Exhibit A.

CERTIFICATE OF ACCEPTANCE OF EASEMENT DEED BY SWEETWATER SPRINGS WATER DISTRICT

Date of Easement Deed: November 17, 2009 APN: Portions of 072-211-035

Pursuant to the authorization and direction of the Board of Directors of the Sweetwater Springs Water District, expressed in Resolution 10-04, the Sweetwater Springs Water District does hereby accept that certain Easement Deed pertinent to portions of that real property identified as Assessor's Parcel Number 072-211-035, located on Highway 116, Guerneville, Sonoma County, California. The Easement Deed was executed by Osiride A. Fazzi on January 29, 2010 (notarized signature). Sweetwater Springs Water District consents to the recordation of this Certificate of Acceptance of Easement Deed by the Office of the County Recorder of the County of Sonoma, California.

March 4, 2010 SWEETWATER SPRINGS WATER DISTRICT

By: _____
Stephen Mack, General Manager

Attest:

_____
Julie Kenny, Secretary to Board of Directors

CERTIFICATE OF ACCEPTANCE OF EASEMENT DEED
BY SWEETWATER SPRINGS WATER DISTRICT

Date of Easement Deed: November 17, 2009 APN: Portions of 072-211-035

Pursuant to the authorization and direction of the Board of Directors of the Sweetwater Springs Water District, expressed in Resolution 10-04, the Sweetwater Springs Water District does hereby accept that certain Easement Deed pertinent to portions of that real property identified as Assessor's Parcel Number 072-211-035, located on Highway 116, Guerneville, Sonoma County, California. The Easement Deed was executed by Osiride A. Fazzi on January 29, 2010 (notarized signature). Sweetwater Springs Water District consents to the recordation of this Certificate of Acceptance of Easement Deed by the Office of the County Recorder of the County of Sonoma, California.

March 4, 2010 SWEETWATER SPRINGS WATER DISTRICT

By: _____
Stephen Mack, General Manager

Attest:

_____
Julie Kenny, Secretary to Board of Directors

Resolution No. 10-05

A Resolution Of The Board Of Directors Of The Sweetwater Springs Water District Accepting An Easement Deed And Authorizing The General Manager To Execute And Cause To Be Recorded A Certificate Of Acceptance

[Portions of Assessor's Parcel No. 072-211-034]

WHEREAS, Gregory L. Marino has approved and expressed his intention to execute a form of Easement Deed approved by District General Counsel for a public utility easement to allow installing, maintaining and repairing a water transmission line near the Handy Andy Booster pump site**,** said easement being located over portions of that certain real property located near Highway 116, Guerneville, CA. ("the Subject Property"); and

WHEREAS, Mr. Marino has executed a form of Easement Deed in substantially the same form as prepared by District General Counsel for a public utility easement for purposes of installing, maintaining and repairing a water transmission line over the Subject Property; and

WHEREAS, the Board of Directors finds that it is desirable and necessary for the Sweetwater Springs Water District (the "District") to acquire a public utility easement for the purposes described herein;

NOW, THEREFORE BE IT RESOLVED by the District Board of Directors that a grant of a public utility easement, as described herein, is hereby accepted.

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed to execute a Certificate of Acceptance (form of Certificate of Acceptance attached as Exhibit "A") and to do all things necessary to finalize the transaction contemplated in said Easement Deed on behalf of the District.

I hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted and passed by the Board of Directors of the SWEETWATER SPRINGS WATER DISTRICT, Sonoma County, California, at a meeting held on March 4, 2010, by the following vote.

Director	Aye	No
Sukey Robb-Wilder	_____	_____
Jim Quigley	_____	_____
Wanda Smith	_____	_____
Gaylord Schaap	_____	_____
Victoria Wikle	_____	_____

_____
Jim Quigley
President of the Board of Directors

_____
Attest: Julie A. Kenny
Clerk of the Board of Directors

Resolution 10-05, Exhibit A.

CERTIFICATE OF ACCEPTANCE OF EASEMENT DEED BY SWEETWATER SPRINGS WATER DISTRICT

Date of Easement Deed: November 17, 2009 APN: Portions of 072-211-034

Pursuant to the authorization and direction of the Board of Directors of the Sweetwater Springs Water District, expressed in Resolution 10-05, the Sweetwater Springs Water District does hereby accept that certain Easement Deed pertinent to portions of that real property identified as Assessor's Parcel Number 072-211-034, located on Highway 116, Guerneville, Sonoma County, California. The Easement Deed was executed by Gregory L. Marino on January 29, 2010 (notarized signature). Sweetwater Springs Water District consents to the recordation of this Certificate of Acceptance of Easement Deed by the Office of the County Recorder of the County of Sonoma, California.

March 4, 2010 SWEETWATER SPRINGS WATER DISTRICT

By: _____
Stephen Mack, General Manager

Attest:

_____
Julie Kenny, Secretary to Board of Directors

CERTIFICATE OF ACCEPTANCE OF EASEMENT DEED
BY SWEETWATER SPRINGS WATER DISTRICT

Date of Easement Deed: November 17, 2009 APN: Portions of 072-211-034

Pursuant to the authorization and direction of the Board of Directors of the Sweetwater Springs Water District, expressed in Resolution 10-05, the Sweetwater Springs Water District does hereby accept that certain Easement Deed pertinent to portions of that real property identified as Assessor's Parcel Number 072-211-034, located on Highway 116, Guerneville, Sonoma County, California. The Easement Deed was executed by Gregory L. Marino on January 29, 2010 (notarized signature). Sweetwater Springs Water District consents to the recordation of this Certificate of Acceptance of Easement Deed by the Office of the County Recorder of the County of Sonoma, California.

March 4, 2010 SWEETWATER SPRINGS WATER DISTRICT

By: _____
Stephen Mack, General Manager

Attest:

_____
Julie Kenny, Secretary to Board of Directors

Resolution No. 10-06

A Resolution Of The Board Of Directors Of The Sweetwater Springs Water District Accepting An Easement Deed And Authorizing The General Manager To Execute And Cause To Be Recorded A Certificate Of Acceptance

[Portions of Assessor's Parcel No. 072-211-033]

WHEREAS, Erik Beyer and Karen Beyer have approved and expressed their intention to execute a form of Easement Deed approved by District General Counsel for a public utility easement to allow installing, maintaining and repairing a water transmission line near the Handy Andy Booster pump site**,** said easement being located over portions of that certain real property located near Highway 116, Guerneville, CA. ("the Subject Property"); and

WHEREAS, Mr. and Mrs. Beyer have executed a form of Easement Deed in substantially the same form as prepared by District General Counsel for a public utility easement for purposes of installing, maintaining and repairing a water transmission line over the Subject Property; and

WHEREAS, the Board of Directors finds that it is desirable and necessary for the Sweetwater Springs Water District (the "District") to acquire a public utility easement for the purposes described herein;

NOW, THEREFORE BE IT RESOLVED by the District Board of Directors that a grant of a public utility easement, as described herein, is hereby accepted.

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed to execute a Certificate of Acceptance (form of Certificate of Acceptance attached as Exhibit "A") and to do all things necessary to finalize the transaction contemplated in said Easement Deed on behalf of the District.

I hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted and passed by the Board of Directors of the SWEETWATER SPRINGS WATER DISTRICT, Sonoma County, California, at a meeting held on March 4, 2010, by the following vote.

Director	**Aye**	**No**
Sukey Robb-Wilder	_____	_____
Jim Quigley	_____	_____
Wanda Smith	_____	_____
Gaylord Schaap	_____	_____
Victoria Wikle	_____	_____

_____
Jim Quigley
President of the Board of Directors

_____
Attest: Julie A. Kenny
Clerk of the Board of Directors

Resolution 10-06, Exhibit A.

CERTIFICATE OF ACCEPTANCE OF EASEMENT DEED BY SWEETWATER SPRINGS WATER DISTRICT

Date of Easement Deed: November 17, 2009 APN: Portions of 072-211-033

Pursuant to the authorization and direction of the Board of Directors of the Sweetwater Springs Water District, expressed in Resolution 10-06, the Sweetwater Springs Water District does hereby accept that certain Easement Deed pertinent to portions of that real property identified as Assessor's Parcel Number 072-211-033, located on Highway 116, Guerneville, Sonoma County, California. The Easement Deed was executed by Erik Beyer and Karen Beyer on February 8, 2010 (notarized signature). Sweetwater Springs Water District consents to the recordation of this Certificate of Acceptance of Easement Deed by the Office of the County Recorder of the County of Sonoma, California.

March 4, 2010 SWEETWATER SPRINGS WATER DISTRICT

By: _____
Stephen Mack, General Manager

Attest:

_____
Julie Kenny, Secretary to Board of Directors

CERTIFICATE OF ACCEPTANCE OF EASEMENT DEED
BY SWEETWATER SPRINGS WATER DISTRICT

Date of Easement Deed: November 17, 2009 APN: Portions of 072-211-033

Pursuant to the authorization and direction of the Board of Directors of the Sweetwater Springs Water District, expressed in Resolution 10-06, the Sweetwater Springs Water District does hereby accept that certain Easement Deed pertinent to portions of that real property identified as Assessor's Parcel Number 072-211-033, located on Highway 116, Guerneville, Sonoma County, California. The Easement Deed was executed by Erik Beyer and Karen Beyer on February 8, 2010 (notarized signature). Sweetwater Springs Water District consents to the recordation of this Certificate of Acceptance of Easement Deed by the Office of the County Recorder of the County of Sonoma, California.

March 4, 2010 SWEETWATER SPRINGS WATER DISTRICT

By: _____
Stephen Mack, General Manager

Attest:

_____
Julie Kenny, Secretary to Board of Directors