



## **BOARD MEETING AGENDA SUBMITTAL**

**TO:** GCS D Board of Directors

**FROM:** Peter Kampa, General Manager

**DATE:** November 10, 2020

**SUBJECT:** Agenda Item 4F. Resolution Accepting an Exclusive Sewer Easement Grant Deed from Munir Javed and Saima Javed, APN 091-250-014-000

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### **RECOMMENDED ACTION:**

Staff recommends the following action: **(Approval of the Consent Agenda items as a whole also approves the following action)**

*I move to adopt Resolution 52-2020 Accepting an Exclusive Sewer Easement Grant Deed from Munir Javed and Saima Javed, APN 091-250-014-000.*

### **BACKGROUND:**

District policy delegates authority to the General Manager to negotiate certain easement agreements and grant deeds with property owners in the case where easement property rights are needed or required by the District for utilities and other purposes. Board ratification of such easement deeds and agreements are required prior to recordation.

In the above matter, the property owners desire to abandon a Public Utility Easement between two parcels they own, and in exchange for District approval are offering to dedicate an exclusive sewer easement in a location desired by the District. The appropriate applications, deposits and legal documents have been prepared, accepted by the District and approved by the General Manager. The easement dedication package is attached to this Resolution.

### **ATTACHMENTS:**

1. Resolution 52-2020, including easement agreement, grant deed and exhibits

### **FINANCIAL IMPACT:**

There is no cost to the District for acquisition of this easement, and the Owner pays the cost of engineering review and recordation at the county

**RESOLUTION 52-2020**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GROVELAND  
COMMUNITY SERVICES DISTRICT ACCEPTING AN EXCLUSIVE SEWER  
EASEMENT GRANT DEED FROM MUNIR JAVED AND SAIMA JAVED, APN 091-250-  
014-000**

**WHEREAS**, property owner Munir and Saima Javed (Owner) has requested the District abandon its interest in a Public Utility Easement between parcels 091-250-013-000 and 091-250-014-000; and

**WHEREAS**, future public sewer installation plans in the area of the above mentioned property require access for public sewer installation, operation and maintenance in the future on a different portion of the property than the location of the Public Utility Easement to be abandoned; and

**WHEREAS**, the other utilities have agreed to abandon their interest in the Public Utility Easement in the subject location; and

**WHEREAS**, the Owner has agreed to develop and dedicate to the District a 15 foot wide exclusive sewer easement in the name of the District in a location acceptable to the District; and

**WHEREAS**, the General Manager has accepted the easement by grant deed in accordance with the authority conveyed in District policy, subject to ratification by the Board, and to which shall be attached a Certificate of the Secretary of the Board certifying the fact that said resolution was duly adopted by the Board of Directors of the District at a meeting called and held pursuant to the Brown Act on a specified date by the specified vote, and certifying to the fact that said resolution is valid and in full force and effect and has not been revised by the Board of the District since the date of its adoption; and

**WHEREAS**, no compensation is to be paid by the District for said easement.

**NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE  
GROVELAND COMMUNITY SERVICES DISTRICT DOES hereby:**

1. Accept the Easement Grant Deed from Munir and Saima Javed, APN 091-250-014-000, as detailed and depicted in the attached District Easement Agreement, Exhibits A and B.
2. Approve the attached Easement Agreement – Public Utility Easement
3. Direct the preparation of the Certificate of Secretary verifying easement acceptance, which shall be recorded with this Resolution, the Grant Deed and Easement Agreement in the Office of the County Recorder in Tuolumne County.

**WHEREFORE**, this Resolution is passed and adopted by the Board of Directors of the Groveland Community Services District on November 10, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

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Jennifer L. Flores, Secretary

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Janice Kwiatkowski, President - Board of Directors

**CERTIFICATE OF SECRETARY**

I, Jennifer Flores, the duly appointed and acting Secretary of the Board of Directors of the Groveland Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Groveland Community Services District, duly called and held on November 10, 2020.

DATED: \_\_\_\_\_