

**RESOLUTION 28-18**

**RESOLUTION ACCEPTING AN EXCLUSIVE SEWER EASEMENT GRANT DEED  
FROM JAMES BROWN, APN 094-090-042**

**WHEREAS**, property owner James Brown (Owner) has requested the District abandon its interest in a Public Utility Easement between parcels 090-070-037 and 094-090-042 for the purpose of the installation of a septic system lateral line to allow for the construction of a new home; 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 in the same location as the Public Utility Easement; and

**WHEREAS**, the other utilities have agreed to abandon their interest in the Public Utility Easement in the subject location, and the County of Tuolumne will issue a building permit if the District will abandon its interest; 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 approximately the same location as the PUE to be abandoned, a location acceptable to the District; and

**WHEREAS**, The District will issue an encroachment permit allowing the installation of the septic lateral pipe across the newly created easement, which shall exist until such time as public sewer is installed, the owner connect to the new sewer as required by the District and the encroachment permit terminated by the District; and

**WHEREAS**, the District must accept the easement by grant deed approved by the Board, 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.

**WHEREAS**, this resolution and the attached Certificate of Secretary shall be recorded with the Grant Deed in the Office of the County Recorder in Tuolumne County.

**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 approve as follows:

1. The District will issue an encroachment permit allowing the installation of the septic lateral pipe across the newly created easement, which shall exist until such time as public sewer is installed.

**WHEREFORE**, this Resolution is passed and adopted by the Board of Directors of the Groveland Community Services District on August 13, 2018, by the following vote:

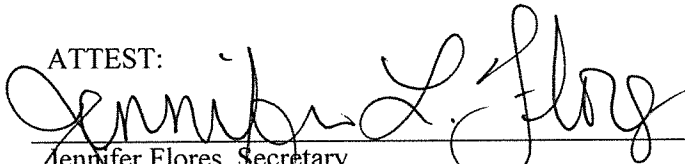
AYES: Directors Armstrong, Edwards, Mora, & Swan

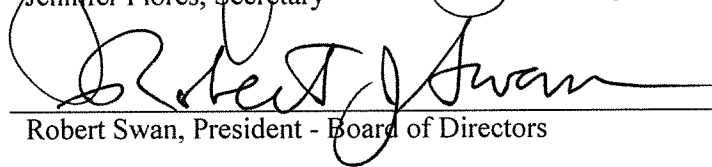
NOES:  $\emptyset$

ABSENT: Director Kwiatkowski

ABSTAIN:  $\emptyset$

ATTEST:

  
\_\_\_\_\_  
Jennifer Flores, Secretary

  
\_\_\_\_\_  
Robert Swan, 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 August 13, 2018.

DATED: 8.13.18

Upon recording send copy to:

Groveland Community Services District  
Post Office Box 350  
Groveland, CA 95321

**EASEMENT GRANT**

The undersigned, XXXX, Grantor, for A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, do hereby grant to the GROVELAND COMMUNITY SERVICES DISTRICT, a community services district of the State of California, Grantee, an easement to lay, construct, reconstruct, replace, renew, repair, maintain, operate, change the size of, increase the number of, and remove sewer lines and appurtenances thereof with the right of ingress and egress to and from the same through that certain parcel of land owned by Grantor, situate in the Unincorporated area of the County of Tuolumne, State of California, more particularly described as follows:

See Exhibit "A" attached.

Grantor reserves the right to fully use and enjoy the said easement strip provided, however, that Grantor shall not construct or maintain the whole or any part of any permanent structure on the strip which would impair or interfere with the present or prospective exercise of any of the rights herein granted.

The provisions hereof shall inure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

~~\_\_\_\_\_~~  
JAMES E BROWN  
~~\_\_\_\_\_~~  
JACOB K ADKINSON

7/24/18  
Date  
7/24/18  
Date

STATE OF CALIFORNIA )  
COUNTY OF San Francisco )

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

On 7/24/18 before me, Alejandro Diaz a Notary Public in

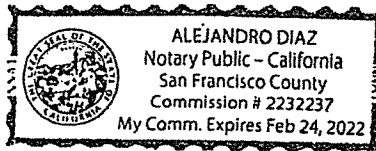
and for said County and State, personally appeared James E Brown &  
Jacob K Adkinson

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.

Alejandro Diaz

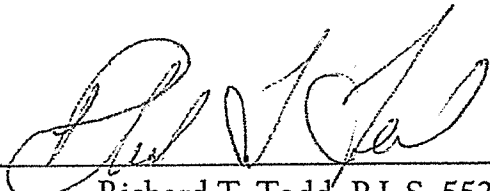


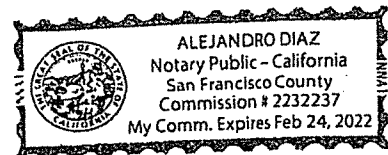
TODD LAND SURVEYING  
P.O. Box 10  
Soulsbyville, California 95372

EXHIBIT A  
BROWN to G.C.S.D.

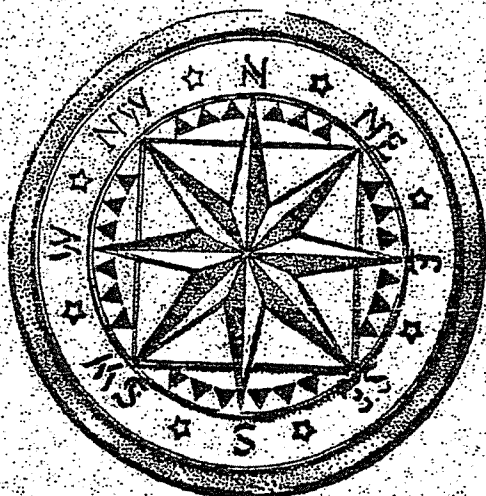
An Easement for sewer purposes 15 feet in width lying Southerly of,  
Parallel to, and within the Northerly Boundary of lot 288, Pine Mountain  
Lake Unit No. 8, as shown on that Subdivision Map recorded in March,  
1970, in Volume 5 of Subdivisions at Page 87, Records of Tuolumne  
County, California.



  
Richard T. Todd, P.L.S. 5522



B.O.B.: CALIFORNIA LAMBERT GRID  
ZONE III per SUBS 4/12 & 5/87



SCALE: 1" = 60'

15' wide sewer easement  
Per Inst. 112 2004025808

Sub 4  
SE P.M. 60

SUB

BUTLER (PRIVATE)

PARCEL 288

N 19° 57' 29" W  
25.00' (R)

Parcel 236  
P.M. 40/15

N 09° 18' 48" W (CR)  
110.00'

100.67' (R)  
N 69° 16' 52" W

122.97' (R)  
N 05° 01' 20" E

10' wide P.U.

N 79° 57' 49"  
12.02' (R)

S 23° 30' 20" W (R)  
120.00'

BUTLER (PRIVATE)

NOTES

All dimensions are record only per Sub 4/12, or as noted. A general easement for road maintenance extends 5 ft back of the front of lots 3 and 4 of this block and road

## CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed or grant from

James E. Brown & Jacob R. Adkison to Groveland Community Services District,

a Governmental Agency, is hereby accepted on 8-13-18 by the undersigned duly

authorized Officer of Groveland Community Services District.

By:  \_\_\_\_\_

Dated: 8-13-18