



# RESOLUTION No. 16-213

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### RESOLUTION AUTHORIZING ACCEPTANCE AND RECORDATION OF A NON-EXCLUSIVE ACCESS EASEMENT FROM EDEN RANCH HOMEOWNERS ASSOCIATION, INC., TO ALLOW ACCESS TO COUNTY PROPERTY (APN 14-140-67) FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF THE NEVADA COUNTY ENERGY CONSERVATION AND GENERATION PROJECT, AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE AGREEMENT

WHEREAS, the County of Nevada (County) owns property located at 13782 State Hwy 49, Nevada City, CA (APN 04-140-67); and

WHEREAS, the County of Nevada requires access from the Eden Ranch development for the installation and maintenance of solar arrays and access as required by the Fire Department; and

WHEREAS, the County will need to maintain the access road as required to meet the Fire Department access requirement to the solar arrays.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors, of the County of Nevada, State of California, that the Easement Deed by and between the County of Nevada and the Eden Ranch Homeowners Association, Inc., to allow access to County property located at 13782 State Hwy 49, Nevada City, CA, (APN 04-140-67) for construction, operation and maintenance of the Nevada County Energy Conservation and Generation Project is hereby approved in the form attached hereto, and the Chair of the Board of Supervisors is hereby authorized to execute the Easement Deed on behalf of the County of Nevada.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 24th day of May, 2016, by the following vote of said Board:

- Ayes: Supervisors Nathan H. Beason, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.
- Noes: None.
- Absent: None.
- Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

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

  
\_\_\_\_\_  
Dan Miller, Chair

5/24/2016 cc: Facilities\*  
AC\*(hold)

5/27/2016 cc: Facilities\*  
AC\*(release)

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

The County of Nevada  
950 Maidu Ave.  
Nevada City, CA 95959

**COPY**

Nevada County Recorder  
Gregory J. Diaz  
Document#: 20160011160  
Friday May 27 2016, at 02:06:54 PM

Paid: CP

Affects APN's 04-200-07 &  
04-140-67

*(Space above for Recorder's use only.)*

## EASEMENT DEED

The undersigned GRANTOR declares that the Documentary Transfer Tax is \$0.00:

- computed on full value of property conveyed; or  
 computed on full value less value of liens or encumbrances at time of sale; or  
 unincorporated area of Nevada County.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Eden Ranch Homeowners Association, Inc., hereby GRANTS a non-exclusive easement for private access purposes, including installation and maintenance thereof across portions of Lot "C" as shown on Final Map No. 97-01, recorded in Book 8 of Subdivisions, Page 62; Official Records of Nevada County for the benefit of that parcel of land owned by the County of Nevada and described in that deed recorded as document no. 2009-024659, O.R.N.C., including successor's and/or assigns.

Said easement is situated in the unincorporated County of Nevada, State of California, as described in EXHIBIT "A" and shown on supporting EXHIBIT "B" attached hereto and made a part hereof.

GRANTOR: Eden Ranch Homeowners Association, Inc.

By:

  
(Signature)

Sheralyn J. Ilg  
(Printed Name)

ERHA Board President  
(Title)

“EXHIBIT A”

Description of an easement across portions of Lot “C” as shown on that Final Map No. 97-01 for Eden Ranch – Unit No. 1, recorded in Book 8 of Subdivisions, Page 62, Official Records of Nevada County; said easement is across a portion of the N. ½ Section 11, Township 16 North, Range 8 East, Mount Diablo Meridian, in the County of Nevada, State of California and being more particularly described as follows:


**Beginning** at a point on the southeasterly line of that parcel of land owned by the County of Nevada, recorded in deed as document no. 09-024659, Official Records of Nevada County from which the southerly corner of said parcel bears South 44°44’55” West, 117.90 feet; thence along the southeasterly line of said County of Nevada parcel the following course North 44°44’55” East, 51.49 feet; thence South 59°03’07” East, 95.34 feet; thence North 06°48’54” East, 38.92 feet; thence along the arc of a curve to the right having a radius of 325.00 feet, a delta angle of 37°56’01” and an arc length of 215.17 feet; thence along the southeasterly line of said parcel of land owned by the County of Nevada and the westerly line of said Lot “C” per Eden Ranch – Unit No. 1 Final Map, recorded in Book 8 of Subdivisions, Page 62, Official Records of Nevada County North 44°44’55” East, 142.75 feet; thence North 44°40’00” East, 10.00 feet to the southerly line of State Route Hwy. 49; thence along the southerly line State Route Hwy. 49 the following course South 45°20’00” East, 50.01 feet to the northeast corner of Area “B” as shown on Eden Ranch – Unit No. 1 Final Map recorded in Book 8 of Subdivisions, Page 62, Official Records of Nevada County; thence along the easterly line of said Area “B” the following three (3) courses; (1) South 44°44’55” West, 152.82 feet; (2) thence along the arc of a curve to the left, having a radius of 275.00 feet, a delta angle of 37°56’01” and an arc length of 182.07 feet; (3) thence South 06°48’54” West, 146.30 feet to the northerly right of way line of Oak Hollow Circle; thence from a tangent bearing of North 84°19’45” West along the arc of a curve to the left having a radius of 222.50 feet, a delta angle of 13°01’09” and an arc length of 50.56 feet along the northerly right of way line of Oak Hollow Circle; thence leaving the northerly right of way line of Oak Hollow Circle North 06°48’54” East, 59.31 feet; thence North 59°03’07” West, 130.02 feet to the **True Point of Beginning**.

The herein described portion covers 30,638 sq. ft., more or less.

**Affects a portion of APN 04-200-07 for the benefit of A.P.N. 04-140-67.**

Said easement is shown on Exhibit “B” attached hereto and made a part hereof.

This description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

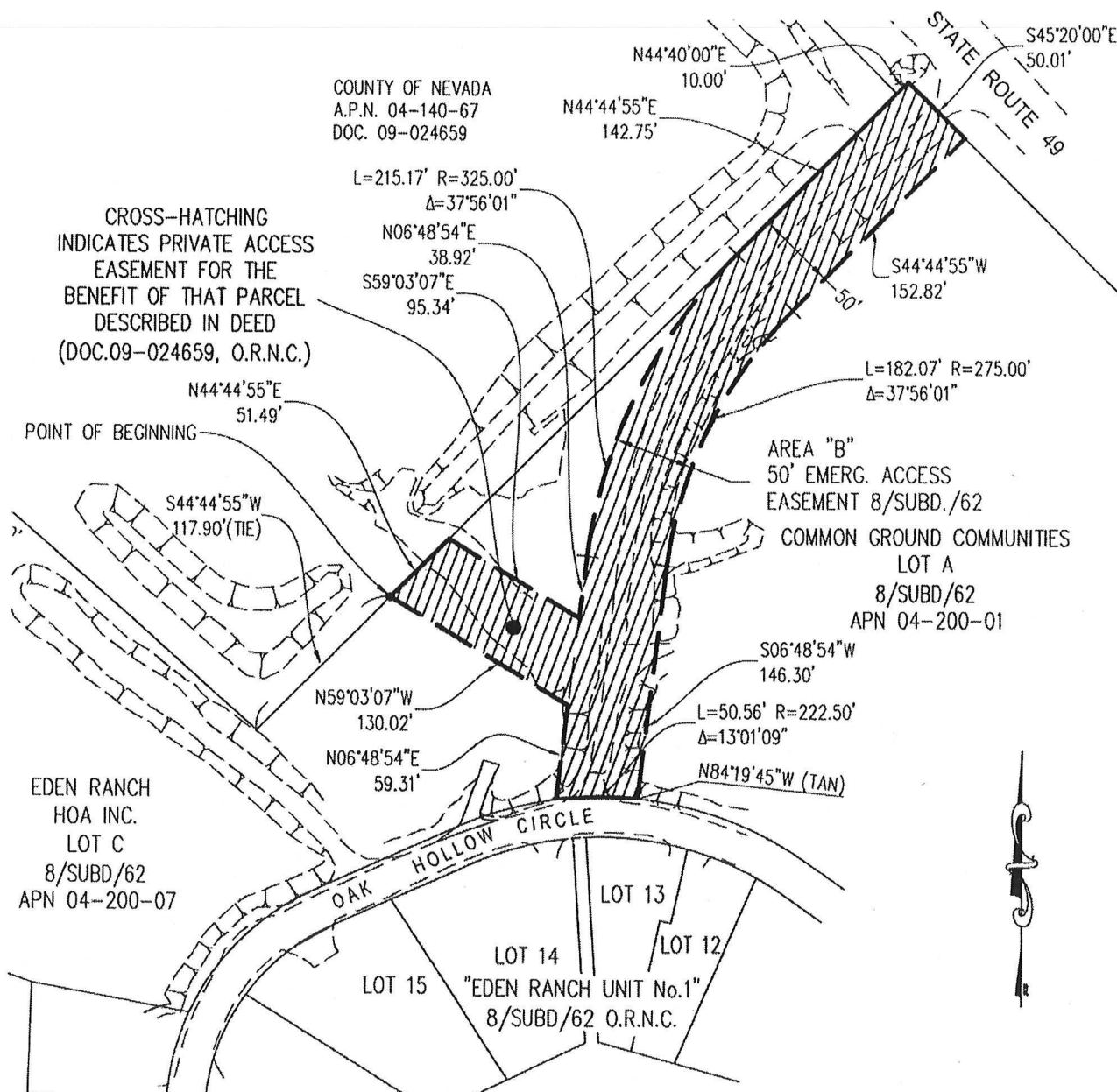
  
Martin D. Wood                      4-28-16  
LS 8321                                      Date



SCO PLANNING & ENGINEERING, INC.  
140 LITTON DRIVE, SUITE 240  
GRASS VALLEY, CA 95945  
T 530.272.5841 / F 530.272.5880

# EXHIBIT "B"

BEING A PORTION OF THE N<sup>1</sup>/<sub>2</sub> OF SECTION 11, TOWNSHIP 16  
 NORTH, RANGE 8 EAST, M.D.B. AND M. IN THE COUNTY OF NEVADA  
 APRIL 28, 2016 SCALE: 1"=100'



CROSS-HATCHING  
 INDICATES PRIVATE ACCESS  
 EASEMENT FOR THE  
 BENEFIT OF THAT PARCEL  
 DESCRIBED IN DEED  
 (DOC.09-024659, O.R.N.C.)

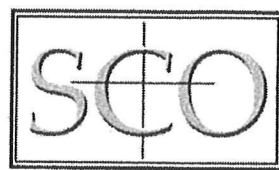
AREA "B"  
 50' EMERG. ACCESS  
 EASEMENT 8/SUBD./62  
 COMMON GROUND COMMUNITIES  
 LOT A  
 8/SUBD/62  
 APN 04-200-01

EDEN RANCH  
 HOA INC.  
 LOT C  
 8/SUBD/62  
 APN 04-200-07

COUNTY OF NEVADA  
 A.P.N. 04-140-67  
 DOC. 09-024659

**BASIS OF BEARINGS:**

THE BASIS OF BEARINGS IS IDENTICAL TO THAT FINAL MAP RECORDED  
 IN BOOK 8 OF PARCEL SUBDIVISIONS AT PAGE 62, O.R.N.C.



PLANNING  
 ENGINEERING  
 & SURVEYING



4-28-16

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**



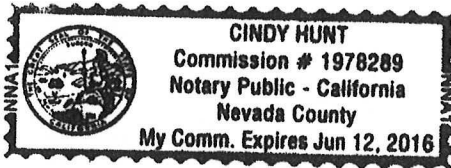
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Nevada )  
On 5/5/16 before me, Cindy Hunt, notary public,  
Date Here Insert Name and Title of the Officer  
personally appeared Sheralyn J. Dig  
Name(s) of Signer(s)

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.



Signature Cindy Hunt  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

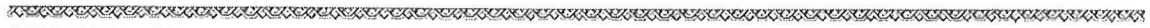
**Description of Attached Document**

Title or Type of Document: Easement Deed  
Document Date: Undated Number of Pages: 3  
Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

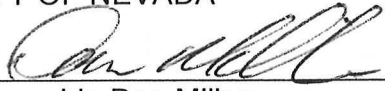


ACCEPTANCE

This is to certify that the interest in real property conveyed by this document to the County of Nevada is hereby accepted by the undersigned on behalf of the Nevada County Board of Supervisors pursuant to authority conferred by Resolution No. 16-213 of said Board adopted on May 24, 2016.

Dated: 5/27/2016, 2016

COUNTY OF NEVADA

By:   
Honorable Dan Miller  
Chair, Board of Directors

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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 Nevada )

On 5/27/2016 before me, Cindy Hunt, notary public,  
Date Here insert Name and Title of the Officer

personally appeared Dan Miller  
Name(s) of Signer(s)

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.



Place Notary Seal Above

Signature Cindy Hunt  
Signature of Notary Public

## OPTIONAL

*Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.*

### Description of Attached Document

Title or Type of Document: Easement Deed Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other \_\_\_\_\_

Signer is Representing: \_\_\_\_\_