



RESOLUTION No. 19-348

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AUTHORIZING EXECUTION AND RECORDATION OF A PUBLIC UTILITY NID EASEMENT DEED FOR THE NEVADA COUNTY OPERATIONS CENTER (NCOC) 12350 LA BARR MEADOWS ROAD, GRASS VALLEY, CA

WHEREAS, Resolution 11-425 authorized the purchase of land to construct a new Corporation Yard and Resolution 16-538 awarded a contract to LDA Partners, LLP, for architectural design and Resolution 18-165 awarded a contract to APSI Construction Management; and

WHEREAS, the preliminary design and development phase of the project has been completed and construction documents were prepared and approved through Resolution 18-524 for the construction phase of the project known as the Nevada County Operations Center (NCOC); and

WHEREAS, the contract award for the NCOC construction was approved by the Board of Supervisors through Resolution 19-062 on February 12th, 2019; and

WHEREAS, the County is responsible for providing necessary utility services in a timely manner to avoid construction delays; and

WHEREAS, the County has submitted an application to the Nevada Irrigation District (NID) for private fire service at the NCOC and an Agreement for NID to provide reviews and inspection services approved by Resolution 19-137; and

WHEREAS, as a condition of providing water delivery service, NID requires the County to grant to NID an easement for water delivery purposes.

NOW, THEREFORE, BE IT RESOLVED that the Nevada County Board of Supervisors of the County of Nevada, State of California, hereby directs that:

1. The Chair of the Board of Supervisors is hereby authorized to execute the Easement Deed to the Nevada Irrigation District, for water conveyance purposes and appurtenances therefore, in order to provide water services to the Nevada County Operations Center property at 12350 La Barr Meadows Road, Grass Valley, California.
2. The Director of Facilities Management or his designee shall deliver for recordation the Easement Deed for NID.
3. The Purchasing Agent is authorized to execute any additional documents associated with this Contract.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 25th day of June, 2019, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Richard Anderson.

Noes: None.

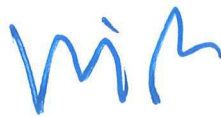
Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 



Richard Anderson, Chair

6/25/2019 cc: Facilities (2)
AC* (Hold)

8/12/2019 cc: Facilities*
AC* (Release)

COPY

RECORDING REQUESTED BY:

.Nevada Irrigation District

WHEN RECORDED MAIL TO:

.Nevada Irrigation District
1036 W. Main Street
Grass Valley, CA 95945

* Exempt per Government Code 27383

Nevada County Recorder

Gregory J. Diaz

Document#: 20190015116

Wednesday August 07 2019, at 08:35:04 AM

Paid: \$0.00 KP

8
NF

Nevada County APN 022-331-039 (fmr. 022-331-006)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Project: 2274 Nevada County Operations Center
Map No. 194
Index No. 15 -

Documentary Transfer Tax: \$ -0-
() Computed on full value of property conveyed
(X) Unincorporated area () City of _____
(X) Recordation requested by Nevada Irrigation District,
a political Subdivision of the State of California,
pursuant to Government Code Section 6103.

Signature of Agent Determining Tax

EASEMENT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

COUNTY OF NEVADA, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA,

hereinafter called GRANTOR, hereby grants to NEVADA IRRIGATION DISTRICT, hereinafter called DISTRICT, a permanent easement for rights stated herein, on, over, under and across those certain lands, hereinafter called Easement Area, which are situated in the unincorporated area, County of Nevada, State of California, described in Exhibit "A" and shown on Exhibit "B" attached hereto.

GRANTOR hereby grants to DISTRICT the rights, privilege and authority to excavate for, install, replace, relocate (of the initial or any other size or flow), inspect, remove, operate, patrol, maintain and use such facilities as the DISTRICT shall from time to time elect for conveying water, with necessary and proper valves and other appurtenances and fittings including telemetry or electrical lines, measuring, recording, and monitoring devices, aboveground vaults, valve boxes, fire hydrants, blow offs, or manholes, and other directly related apparatus, and devices for controlling electrolysis for use in connection with said facilities, together with adequate protection therefore, and also together with a right of way within said Easement Area, or along a route as hereinafter set forth;

Together with the following rights:

- a) the right of grading said Easement Area for the full width thereof;
- b) the right to ingress to and egress from said Easement Area for persons, equipment, materials and vehicles over and across GRANTOR's property by means of roads and lanes thereon, if such there be, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to GRANTOR;
- c) the right from time to time to trim, remove, cut down and clear away any and all trees, brush, and debris now or hereafter on said Easement Area;
- d) the right to install, maintain and use gates in all fences which now or hereafter cross said Easement Area;
- e) the right to mark the location of pipelines by suitable markers set in the ground.

OBLIGATIONS OF THE DISTRICT

DISTRICT hereby covenants and agrees:

- a) DISTRICT shall repair any damage it shall do to GRANTOR's private roads or lanes on said Easement Area;
- b) DISTRICT shall indemnify GRANTOR against any claims for loss and damage arising out of the exercise of rights granted hereby.

Failure by DISTRICT to perform its obligations described herein would constitute a breach of contract and be subject to action for damages. DISTRICT non-performance would not constitute a condition subsequent or a basis for an extinguishment, forfeiture or reversion of this Easement.

GRANTOR'S USE OF EASEMENT AREA

GRANTOR may use said Easement Area for purposes and in a manner that will not interfere with DISTRICT's full enjoyment of the rights granted hereby; provided that GRANTOR shall first apply for and receive from DISTRICT an encroachment permit authorizing the use. GRANTOR's application will be processed and determined in accordance with DISTRICT's rules and regulations regarding encroachments upon areas subject to DISTRICT easements, as they now exist or as hereafter duly adopted. DISTRICT will not unreasonably condition or deny the encroachment permit, or delay acting upon GRANTOR's application.

Typical GRANTOR uses that may meet DISTRICT approval include utility facilities (e.g. private service conduits), walkways, driveways, fencing, low impact landscaping, or cattle grazing.


Typical GRANTOR uses that do not meet DISTRICT approval include erecting or constructing any structure or other obstruction, drilling or operating any well, constructing any reservoir, diminishing or substantially adding to the ground cover, storing or using materials that pose a hazard to water quality.

BINDING EFFECT

This Easement shall be binding upon and inure to the benefit of the parties successors and assigns, heirs, beneficiaries and personal representatives.

COUNTY OF NEVADA

Date: 6/25/2019


Signature

Richard Anderson
Print Name

Chair of the Board
Title

Date: _____

Signature

Print Name

Title

ACCEPTANCE

This is to certify that the interest in real property conveyed by this document to the Nevada Irrigation District, a governmental agency, is hereby accepted by the undersigned on behalf of the Board of Directors of the Nevada Irrigation District pursuant to authority conferred by Resolution No. 2015-07 of said Board adopted on March 11, 2015.

Date

August 6, 2019

Shay D. Key
Engineering Manager

"EXHIBIT A"

Description of an easement thirty feet (30') in width across a portion of that parcel of land, being Parcel 1 as shown on Book 15 of Surveys, Page 40, Official Records of Nevada County and described in that deed recorded as document number 2011-020473, Official Records of Nevada County; said parcel is a portion of the Northwest 1/4 Section 1, Township 15 North, Range 8 East, Mount Diablo Meridian, in the County of Nevada, State of California and being more particularly described as follows:

Commencing at the northeast corner of Parcel 1 as shown on Book 15 of Surveys, Page 40, Official Records of Nevada County and described in that deed recorded as document number 2011-020473, Official Records of Nevada County; thence along the easterly line of said Parcel 1 and the westerly right of way line of that certain Nevada County road commonly known as La Barr Meadows Road; South 09°01'00" West, 436.81 feet to the **Point of Beginning**; thence from said **Point of Beginning** and continuing along the easterly line of said Parcel 1 and said westerly right of way line South 09°01'00" West, 30.04 feet; thence leaving said easterly line of said Parcel 1 from a tangent bearing of North 83°58'00" West along the arc of a curve to the left having a radius of 185.00 feet, a delta angle of 03°05'53" and an arc length of 10.00 feet; thence North 87°03'53" West, 42.78 feet; thence North 02°56'07" East, 30.00 feet; thence South 87°03'53" East, 42.78 feet; thence along the arc of a curve to the right having a radius of 215.00 feet, a delta angle of 03°30'52" and an arc length of 13.19 feet to the **Point of Beginning**.

The herein described portion contains 1,631 sq. ft., more or less.

Affects a portion of APN 022-331-006-000.

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 5-16-19

Martin D. Wood Date
LS 8321



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 NW 1/4 SECTION 1, T.15 N., R. 8 E., M.D.B.&M. IN THE UNINCORPORATED COUNTY OF NEVADA, CALIFORNIA
FEBRUARY, 2019

NORTH

POINT OF COMMENCEMENT
(N.E. CORNER PCL 1, RS 15/ 40)

S09°01'00"W
436.81' (TIE)

POINT OF BEGINNING

A=3°30'52" L=13.19' R=215.00'

S87°03'53"E 42.78'

EASEMENT LOCATION
AREA = 1,631 SQ.FT.

N02°56'07"E 30.00'

N87°03'53"W 42.78'

A=3°05'53" L=10.00' R=185.00'

LA BARR MEADOWS ROAD

N83° 58' 00"W
(TANGENT)

SEE DETAIL A

DETAIL A

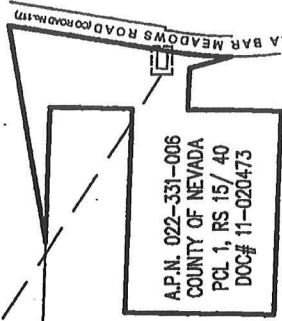
SCALE: 1"=20'

OVERALL

SCALE: 1"=500'



DATE SIGNED: 5-16-19



A.P.N. 022-331-006
COUNTY OF NEVADA
PCL 1, RS 15/ 40
DOC# 11-020473

BASIS OF BEARINGS:

THE BASIS OF BEARINGS IS IDENTICAL TO THAT RECORD OF SURVEY RECORDED IN BOOK 15 OF SURVEYS AT PAGE 40, O.R.N.C.



PLANNING
ENGINEERING
& SURVEYING

DRAWN BY: MDW

SHEET 1 OF 1



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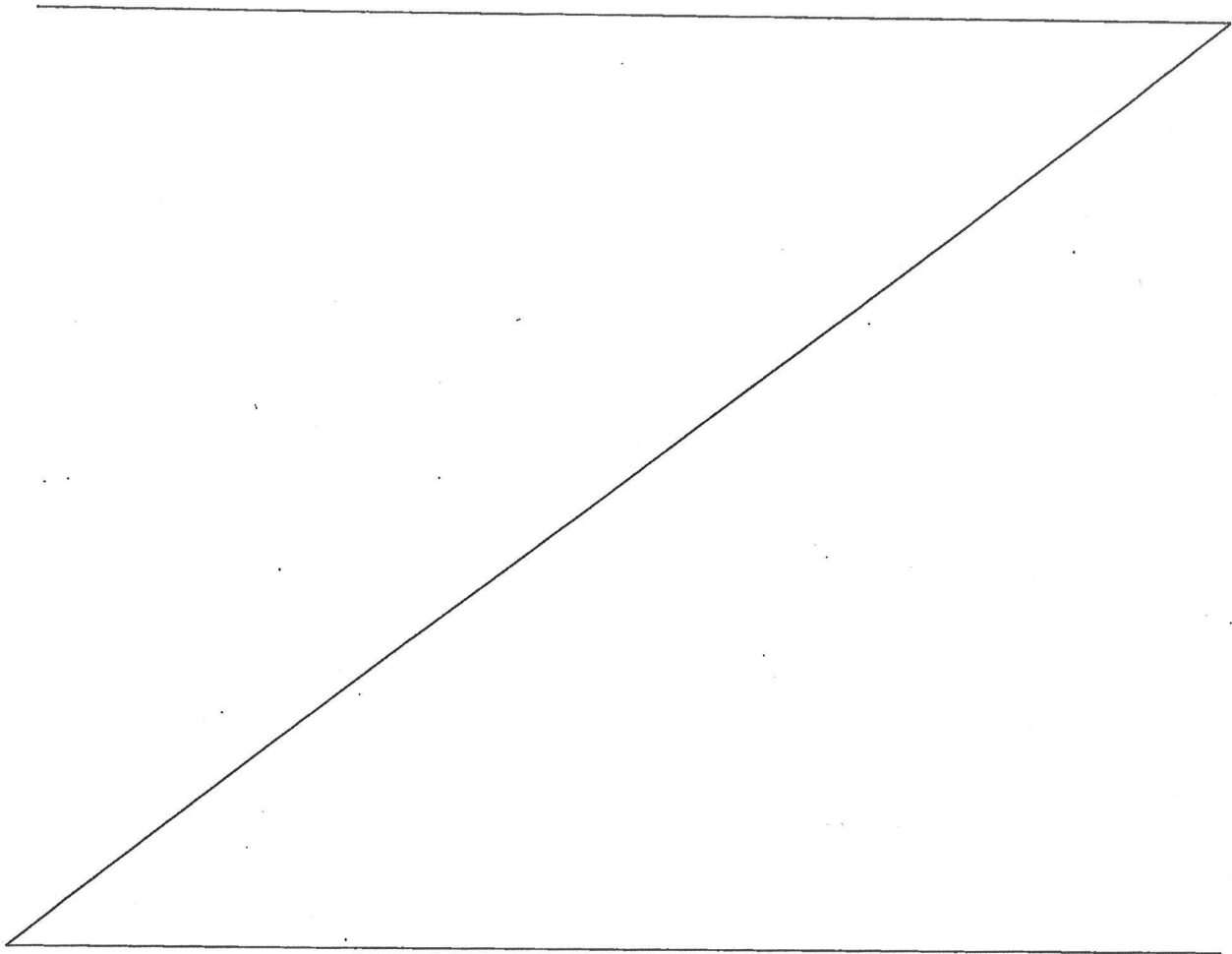
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Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: Julie Patterson Hunter

Richard Anderson
SUPERVISOR

Richard Anderson, Chair

6/25/2019 cc: Facilities (2)
AC* (Hold)

The foregoing instrument is a correct copy of the original on file in this office.

RES. 19-348
ATTEST: 6/28/19
Julie Patterson Hunter, Clerk of the Board
County of Nevada
BY: Julie Patterson Hunter

Nevada Irrigation District

POLICY MANUAL

POLICY TITLE: Right-of-Way Procurement
POLICY NUMBER: 6665

- 6665.1** Section 27281 of the Government Code of the State of California provides that any Deed or Grant conveying any interest in or easement upon real estate to a political corporation or governmental agency for public purposes shall not be accepted for recordation without the consent of the Grantee evidenced by its Certificate attached to or printed on the Deed or Grant.
- 6665.2** The District hereby establishes monetary limits for the procurement of right-of-way by District staff. Purchases by the identified individuals within the limits specified below require no further formal approval:
- | | |
|---------------------------|----------|
| Senior Right-of-Way Agent | \$10,000 |
| Engineering Manager | \$25,000 |
| Assistant General Manager | \$25,000 |
| General Manager | \$50,000 |
- 6665.3** The General Manager, Assistant General Manager, Engineering Manager, and the Senior Right-of-Way Agent are each designated as an officer or agent to accept and consent to the recording of conveyances on behalf of Nevada Irrigation District.

Adopted: March 11, 2015 via Resolution No. 2015-07
Revised: