

a new joint restroom and concession building. Therefore, the District will need access to the facility and requires an easement.

The Engineering Committee recommends consideration of a motion by the Board to adopt Resolution 23-10 accepting a dedicated waterline easement for a new pipeline and fire hydrant installation for the Bayside Fields Development Project, and authorize staff to accept and process the documents from the property owner.

4. Other Engineering Matters

There were no other matters discussed.

5. Public Comment

There were no public comments.

The meeting was adjourned at 3:46 p.m.

STAFF REPORT

To: Board of Directors
From: Andrew Pierson, P.E.
Director of Engineering Services
Date: October 25, 2023
Subject: Bayside Fields Pipeline Easement Grant to SJWD

RECOMMENDATION ACTION

Staff recommends a motion to adopt resolution 23-10 and approve and accept a waterline easement in accordance with District Ordinances for a new pipeline and fire hydrant installation located on the Bayside Fields Development Project (Project) property. The installation of the pipeline and fire hydrant are required by South Placer Fire District in order for the Bayside Church (Owner) to construct a new joint restroom and concession building as part of the Project. The staff recommendation was reviewed by the Engineering Committee, which recommends approval by the Board of Directors.

BACKGROUND

Currently under construction, the Project includes construction of two new multipurpose synthetic turf sports fields, new parking facilities, a joint restroom and concession building, and other future amenities. The County approved project is located on two parcels with a total area of approximately 34.4-acres (gross area) on the east side of Sierra College Blvd, generally west of Cavitt Stallman Road and north of Olympus Dr (APNs: 048-030-083-000 and 046-090-042-000). The following figure provides an aerial representation of the project location.

Sierra College Blvd

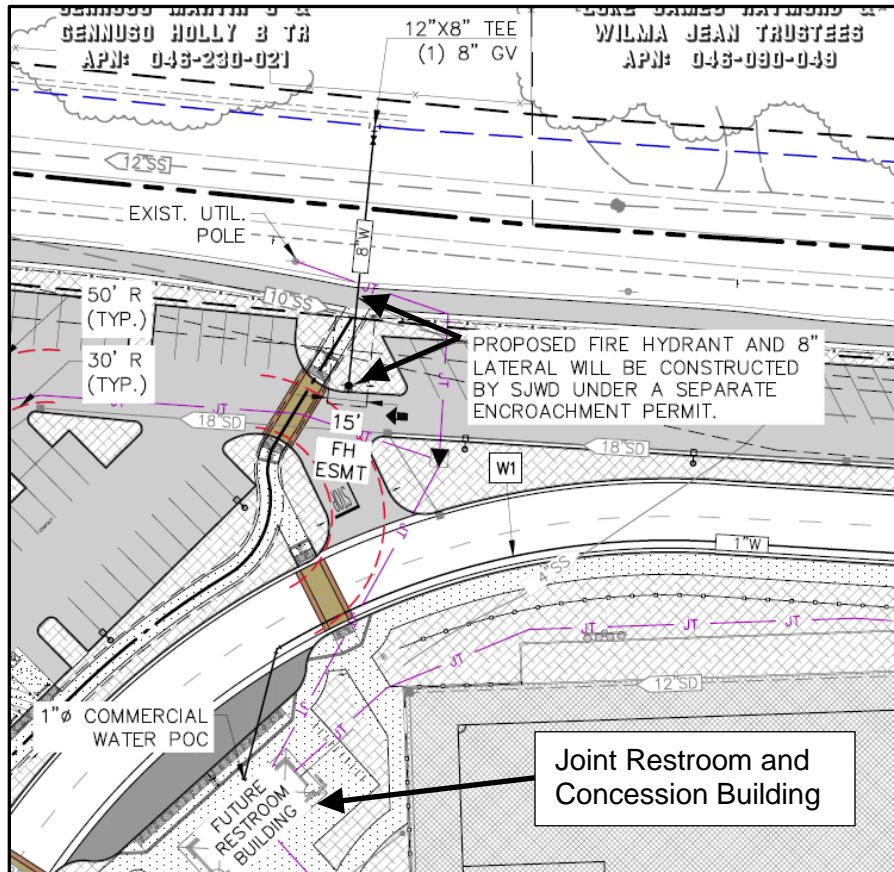
Project Location
Bayside Fields

Olympus Dr

Cavitt Stallman Rd

Bayside Church

As a condition of approval, South Placer Fire District required the installation of a new fire hydrant within the proximity of the new joint restroom and concession building. As a result, the hydrant needed to be located approximately 30-ft beyond the existing Placer County right-of-way, and thus required the Owner to dedicate a 15-ft wide waterline easement to the District in order to provide SJWD Operations future access for maintenance purposes. The figure below shows the location of the fire hydrant, the proposed easement, and the joint restroom and concession building.



STATUS

The improvement plans for the Bayside Fields development project have already been approved by Placer County and the District, and construction of this project has already commenced. The waterline, fire hydrant, and other ancillaries were installed by the District's on-call contractor, and the costs were fully funded by the Owner. As a condition of District approval and acceptance of the Project, the acceptance of the requested waterline easement is now needed. The attached Exhibits provide the description of the planned easement to be conveyed to the District.

District staff have reviewed the easement documents and the design plans and have determined that the proposed easement is designed in accordance with the District's development and engineering Standards.

BUDGET IMPACT

Other than a potential for minor costs associated with recordation of the easement documents (typically there is no charge), there is no anticipated budget impact associated with a Board decision to accept this easement.

RESOLUTION NO. 23-10

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN JUAN WATER DISTRICT APPROVING A GRANT OF EASEMENT AND RIGHT OF WAY

WHEREAS, Bayside Covenant Church, Inc., (“Owner”) is the record owner of the real property located on the north side of Olympus Drive between Sierra College Boulevard and Cavitt Stallman Road, Granite Bay, California, and designated Placer County Assessor’s Parcel Numbers 046-090-042-000 and 048-030-083-000 (the “Property”);

WHEREAS, Owner is willing to transfer the Grant of Easement and Right of Way to the San Juan Water District (“District”);

WHEREAS, the District’s Board of Directors finds and determines that it is in the public interest for the District to acquire and accept the Grant of Easement and Right of Way because it is necessary to operating the District’s water system and therefore should be owned solely by the District for the benefit of its customers.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Juan Water District as follows:

1. The Agreement for the District’s acquisition of the Grant of Easement and Right of Way in the form shown in Exhibit 1 attached to this resolution and incorporated herein in full (the “Agreement”), is hereby approved.

2. The General Manager is hereby authorized to acquire and accept on behalf of the District the Grant of Easement and Right of Way in the form attached to this resolution and incorporated herein in full. The real property interest subject to this resolution is more fully described in the legal description and plat map attached to Exhibit 1.

3. The General Manager is authorized and directed to file the Grant of Easement and Right of Way for recording with the Placer County Recorder’s Office as soon as practicable.

PASSED AND ADOPTED by the Board of Directors of the San Juan Water District on this 25th day of October 2023 by the following vote:

AYES:
NOES:
ABSENT:

By: _____
DAN RICH
President, Board of Directors

ATTEST:

TERI GRANT
Secretary, Board of Directors

Recording requested by:

San Juan Water District

When recorded, mail to:

**San Juan Water District
9935 Auburn Folsom Road
Granite Bay, CA 95746**

No recording fee per
Government Code §§ 6103 & 27383

APN(s): 046-090-042-000 & 048-030-083-000

--This Space for Recorder's Use Only--

GRANT OF EASEMENT AND RIGHT-OF-WAY

(To San Juan Water District)

The Undersigned declares,

No Documentary Transfer Tax per Revenue Taxation Code section 11922

For a valuable consideration, receipt of which is hereby acknowledged, **Bayside Covenant Church, Inc.**, a Nonprofit Corporation (hereinafter referred to as "Grantor"), hereby grants to **San Juan Water District**, a California community services district (hereinafter referred to as "District"), and its successors and assigns:

A permanent Easement for public utilities and appurtenances ("Easement"), including but not limited to rights to survey, install, construct, enlarge, alter, operate, patrol, remove, relocate, replace, repair, improve, and maintain water transmission and distribution pipelines, markers, manholes, valves, metal, fiber optic or other cables and conduit, fencing and all related incidents, fixtures, appurtenances and other facilities for all District purposes (collectively the "District Facilities"). District's right also shall include the right to excavate and refill ditches or trenches for the location of said pipelines, water mains and appurtenances, and to remove trees, bushes, undergrowth, ground covering, pavement, and any other obstructions interfering with the location, construction, installation, operation, maintenance, repair, modification, replacement and removal of said pipelines, water mains and appurtenances. The easements granted herein shall be in, over, on, through, within, under, along, and across the Easement Area as defined in this Grant of Easement.

The "Real Property" burdened by this easement is located in the County of Placer, State of California, and is described as follows:

**See Exhibit "A", attached to and made a part of this
Grant of Easement and Right-of-Way**

The "Easement Area" is described as follows:

**See Exhibits "B" and "C", attached to and made a part of this
Grant of Easement and Right-of-Way**

The permanent easements and rights-of-way described herein shall be SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. District shall have for all purposes set forth herein the right of ingress and egress from the nearest public road for personnel, vehicles, and construction equipment to, from, and along the Easement area at any time, without prior notice, together with rights to use lanes, drives,

rights-of-way, and roadways within the Real Property which now exist or which hereinafter may be constructed, as shall be convenient and necessary for the purpose of exercising the rights herein set forth; provided, however, that nothing in this Grant of Easement shall prevent or limit Grantor's rights to close such roadways, lanes, or rights-of-way, and to provide District with comparable alternative access to the Easement Area.

2. Subsequent to the grant of this Easement Deed, Grantor shall not grant any easements of any kind whatsoever to others in, over, on, through, within, under and across the Easement Area without the prior written approval of the District.
3. The easement granted herein is non-exclusive and Grantor reserves the right to utilize the Easement Area subject to the terms and restrictions provided in this Grant of Easement. District's easement is subject to all pre-existing structures, facilities, and encumbrances. Except as provided in the preceding sentence, Grantor shall not construct or install or permit others to construct or install within, and the District shall have the right to clear and to keep clear from the Easement Area, any explosives, wells, reservoirs, buildings, structures, walls and other facilities, earth cover or stockpile of material placed without District's written consent, which may interfere in any way with District's use of the Easement Area. In addition to any other legal and equitable remedies for violations of this paragraph, District shall have the right to do all things necessary and proper to remove any vegetation, explosives, structures, improvements and materials within the Easement Area at Grantor's sole expense.
4. This Grant of Easement shall bind and inure to the benefit of the respective heirs, personal representatives, successors, and assigns to the parties hereto, and shall run with the Real Property. District's rights and obligations herein are assignable and transferable by District, in whole or in part, to District's successors and assigns.
5. Grantor warrants that it is the owner of the Real Property and that its representatives signing below are the authorized signatories to execute and bind Grantor to the terms and conditions of this Grant of Easement and to grant the easement rights herein conveyed.

Executed on _____, 20_____.

GRANTOR, Bayside Covenant Church, Inc.:

By: _____

Name: _____

Title: _____

CERTIFICATE OF ACKNOWLEDGMENT BY NOTARY PUBLIC
[California 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 _____)

On _____, 20___ before me, _____, a notary public, personally appeared _____, 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 _____

(Seal)

CERTIFICATE OF ACCEPTANCE OF INTEREST IN REAL PROPERTY
(Gov't Code, § 27281)

This is to certify that San Juan Water District, a political subdivision of the State of California, acting by and through its General Manager, hereby accepts for public purposes the interest in real property, conveyed by the Quitclaim Deed to which this Certificate of Acceptance is attached, and consents to the recording of this instrument, pursuant to authority conferred on the General Manager by the Board of Directors of the San Juan Water District in Resolution No. 23-10 adopted at a public meeting held on October 25, 2023.

Dated: _____

SAN JUAN WATER DISTRICT

By: _____
Paul Helliker, General Manager

CERTIFICATE OF ACKNOWLEDGMENT BY NOTARY PUBLIC
[California 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 Placer)

On _____, 20__ before me, _____, a notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in her authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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 _____

(Seal)

EXHIBIT "A"
LEGAL DESCRIPTION OF THE BURDENED REAL PROPERTY

That certain real property located in the Southwest one-quarter of Section 32, Township 11 North, Range 7 East, M.D.M., Placer County, California, being more particularly described as follows:

All of Parcel "A", as shown on Parcel Map No. 70232, filed on November 27, 1972, in Book 2 of Parcel Maps, at Page 124, Placer County Records.

APN: 046-090-042-000

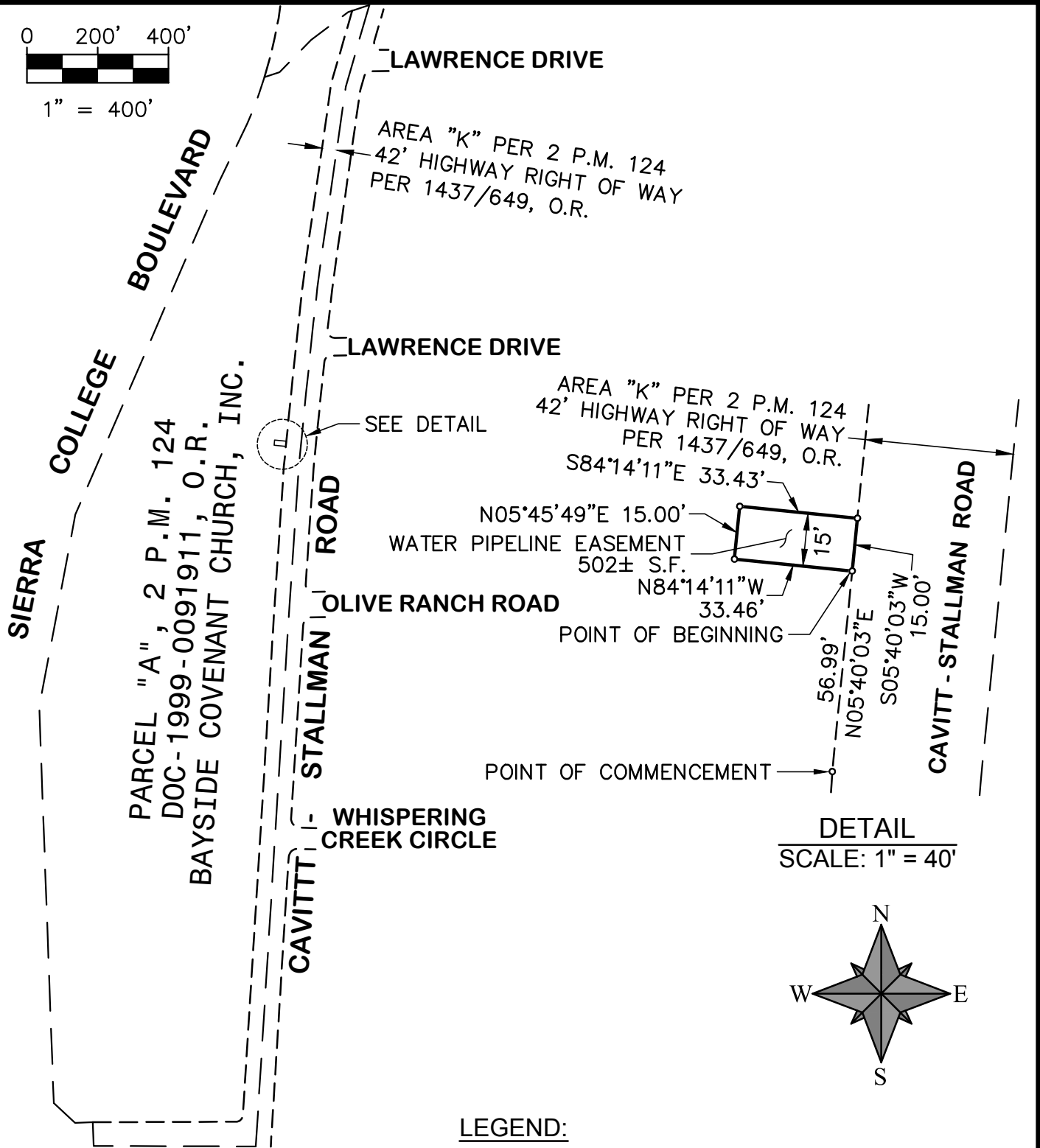
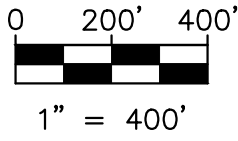
END OF DESCRIPTION

EXHIBIT "B"
LEGAL DESCRIPTION OF EASEMENT AREA

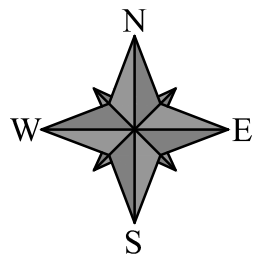
That certain real property located in the Southwest one-quarter of Section 32, Township 11 North, Range 7 East, M.D.M., Placer County, California, being a portion of Parcel "A", as shown on Parcel Map No. 70232, filed on November 27, 1972 in Book 2 of Parcel Maps, at Page 124, Placer County Records, being more particularly described as follows:

Commencing at a point located on the westerly line of Area "K", as shown on said Parcel Map, said point being the southerly terminus of the course labeled as "N.05°40'03"E. 212.03'" on said Parcel Map; thence, along said westerly line, North 05°40'03" East, 56.99 feet to the **POINT OF BEGINNING**; thence from said point of beginning, leaving said westerly line, North 84°14'11" West, 33.46 feet; thence North 05°45'49" East, 15.00 feet; thence South 84°14'11" East, 33.43 feet to said westerly line of Area "K"; thence, along said westerly line, South 05°40'03" West, 15.00 feet to the **POINT OF BEGINNING**; containing 502 square feet, more or less.

END OF DESCRIPTION



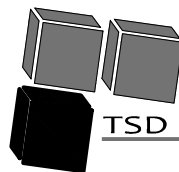
DETAIL
SCALE: 1" = 40'



LEGEND:

OFFICIAL RECORDS OF PLACER COUNTY . . . O.R.
SQUARE FEET S.F.

EXHIBIT "C" - PLAT TO ACCOMPANY
WATER PIPELINE EASEMENT
PORTION OF THE SOUTHWEST 1/4 OF
SECTION 32, T.11N., R.7E., M.D.M.
COUNTY OF PLACER, STATE OF CALIFORNIA



785 Orchard Drive, Suite #110
Folsom, CA 95630
Phone: (916) 608-0707
Fax: (916) 608-0701

TSD ENGINEERING, INC.
expect more.

SCALE:
1"=400'
DATE:
08/04/2023
PAGE
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