



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

A-78

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Works
Department No.: 054
For Agenda Of: 7/8/2008
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Laguna County Sanitation District

FROM: Department Scott McGolpin, Director, Public Works Department 568-3010
Director(s)
Contact Info: Mark A. Schleich, Deputy Director, x3600 *MAS*

mbd FOR SDM

SUBJECT: Deed Acceptance for Sewer Main from Lynn Simonsen - Fourth Supervisorial District

County Counsel Concurrence

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence:

As to form: N/A

Recommended Actions: Authorize the Chair of the Board

Accept a permanent Easement Deed from Lynn Simonsen in the Hummel Village II, LLC, by authorizing the Clerk of the Board to sign the Certificate of Acceptance attached to the Permanent Easement deed regarding the above referenced sewer main.

Summary Text:

Acceptance of this easement deed will provide for the recordation of the deed and transfer control and possession of the sewer main to the Laguna County Sanitation District. The easement and improvements are a condition of development.

Background:

The Hummel Village II (HV II) housing project on APN 107-270-049 (part of Key Site 29) consists of five single story residences. Prior to construction it was determined that the Key Site 30 project, located immediately east of Key Site 29, could not obtain access to a public sewer without an on site pump station that would go through the HV II site. The owner of the HV II project has agreed to dedicate the sewer line and accompanying easement to the district, per negotiations with the Key Site 30 owner. The sewer line is located on a private access road as a public sewer easement, which provides adequate access for the maintenance of the sewer line.

Performance Measure:

This action provides for the efficient construction of public sewer infrastructure.

Fiscal and Facilities Impacts:

Budgeted: No

Narrative: There are no fiscal impacts with this action

Staffing Impacts:

Legal Positions:

FTEs:

There are no staffing impacts with this action.

Special Instructions:

Upon Board action, please distribute as follows:

1. Original deeds: PW RR & WM, Shannon Barcelona & PW Laguna Sanitation, Santa Maria; Attn: Martin Wilder
2. Minute Order: PW RR & WM, Shannon Barcelona & PW Laguna Sanitation, Santa Maria; Attn: Martin Wilder

Attachments:

- (a) Easement Deed

Authored by:

Martin Wilder, Laguna County Sanitation District, phone 739-8755

CC:

Recording requested by
And to be returned to:
County of Santa Barbara
Public Works Department
620 West Foster Road
Santa Maria, CA 93455
Attention: Martin Wilder

**COUNTY OF SANTA BARBARA
OFFICIAL BUSINESS**

SPACE ABOVE THIS LINE FOR RECORDER'S USE
APN: 107-270-003

No fee pursuant to
Government Code § 6103

EASEMENT DEED
(Permanent Easement)

HUMMEL VILLAGE II, LLC, owner of a portion of all that real property in the unincorporated area of the County of Santa Barbara, State of California, commonly referred to as Assessor's Parcel No. 107-270-003, referred to as GRANTOR herein,

FOR A VALUABLE CONSIDERATION, DOES HEREBY GRANT TO

LAGUNA COUNTY SANITATION DISTRICT, a special district, its successors or assigns, as GRANTEE herein, a permanent easement and right of way for the present and future construction, reconstruction, operation, repair, and maintenance of improvements required by GRANTEE for GRANTEE'S operations including, but not limited to, sewer line improvements, in such number and size, and with such accessory parts and structures, and with all surface and subsurface appurtenances incidental thereto, as the GRANTEE, or its successors in interest, may from time to time deem necessary to install within the easement, together with the necessary rights of ingress and egress to the easement for the above-referenced purposes, in, on, over, along, under and through that certain land situated in the County of Santa Barbara, State of California, more particularly described on Attachment A attached hereto and incorporated herein by this reference.

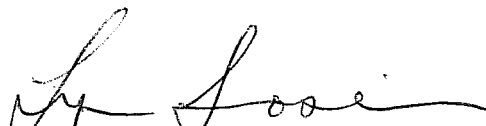
GRANTOR shall defend, indemnify, save, and hold harmless GRANTEE, its agents, employees, officers, successors, and assigns from any and all claims, liabilities, demands, costs (including reasonable attorney fees), and causes of action of all kinds with regard to the condition of the easement property which is the subject of this deed, especially contamination by harmful, hazardous and/or toxic materials, if any.

In the event the indemnity hereunder exceeds that permitted by applicable law, such indemnity shall be construed as the maximum permitted by law. This indemnity shall not apply to any contamination which may occur on the easement property as a result of the operations of GRANTEE subsequent to the effective date of this easement.

DATE: April 30, 2008

“GRANTOR”
HUMMEL VILLAGE II, LLC

By:



LYNN SIMONSEN
Managing Member

ACKNOWLEDGMENT

C.C. 1189

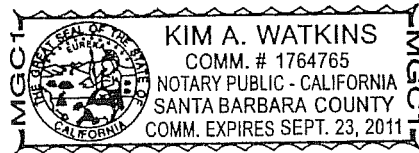
State of California)
)
County of Santa Barbara)

On May 27, 2008 before me, Kim A. Watkins, Notary Public
personally appeared Lynn Simonsen,
personally known to me (or 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.

WITNESS my hand and official seal

Signature Kim A. Watkins

(Seal)



CERTIFICATE OF ACCEPTANCE

STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA: SS.

THIS IS TO CERTIFY that the interest in real property conveyed by the Easement Deed (Permanent Easement) dated April 30, 2008, from HUMMEL VILLAGE II, LLC, as accepted by Order of the Board of Directors of the Laguna County Sanitation District on _____, and the Laguna County Sanitation District as GRANTEE consents to recordation thereof by its duly authorized officer.

WITNESS my hand and official seal

This _____ day of _____, 2008

MICHAEL F. BROWN,
CLERK OF THE BOARD and
Ex Officio Clerk of the Board of
Directors of the Laguna
County Sanitation District

By: _____
Deputy

EXHIBIT A

**Sewer Easement
Legal Description**

A 15.00 foot wide strip of land across a portion of that land shown as Parcel 2 on Parcel Map 14,668, recorded November 8, 2007, and filed in Book 61 at Pages 11 and 12 of Parcel Maps, lying 7.50 feet on each side of the following described centerline:

Commencing at the Southeast Corner of Parcel 2 of said Parcel Map 14,668, monumented by a 5/8 inch rebar with plastic cap marked LS 4597;

Thence, along the East line of Parcel 2 of said Parcel Map 14,668 North 00° 11' 05" West, 111.44 feet to the **True Point of Beginning**;

Thence, leaving the East line of Parcel 2 of said Parcel Map 14,668 North 89° 43' 24" West, 421.86 feet;

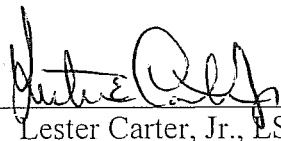
Thence, North 45° 19' 46" West, 176.59 feet;

Thence, South 89° 49' 39" West, 71.54 feet to the easterly boundary of the Right of Way for Hummel Drive as dedicated by Instrument Number 98-098028, at a point thereon that lies North 00° 10' 22" West, 17.20 feet from the intersection of the North line of Parcel 1 of said Parcel Map 14,668 and the easterly boundary of said Right of Way for Hummel Drive, said intersection being monumented by a 1 inch iron pipe with tag marked LS 6148 per said Parcel Map 14,668;

The herein above described Sewer Easement contains an approximate area of 0.23 acres.

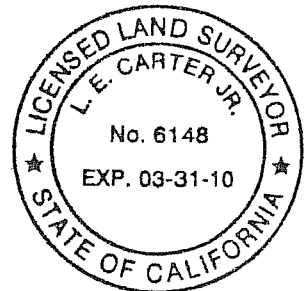
End Description

Prepared by:



Lester Carter, Jr., LS (Exp. date 03/31/2010)

Date: 5/19/2008



LOT 4 OF TRACT MAP 12,414
(97/RS/57-63)

S89°58'05"W

648.54'

N00°10'22"W
17.20'

S89°49'39"W
71.54'

N45°19'46"W
176.59'

1 INCH IRON PIPE WITH TAG MARKED LS 6148 PER PARCEL MAP 14,668

PARCEL 1
PARCEL MAP 14,668

10' ROAD EXCEPTION PER BOOK 713, PAGE 139 OF OFFICIAL RECORDS

40' PUBLIC ROAD AND PUBLIC UTILITIES EASEMENT PER INSTRUMENT NO. 98-098028 OF OFFICIAL RECORDS

716/OR/15 AS SHOWN ON 182/RS/67

HUMMELL DRIVE

N00°10'21"W

PARCEL 2
PARCEL MAP 14,668

N89°43'24"W

421.86'

15.00'

TRUE POINT OF BEGINNING

111.44'

N00°11'05"W

345.19'

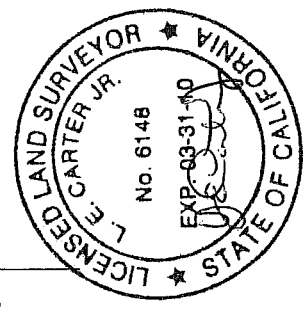
INSTRUMENT NO. 2005-0031228

648.63'

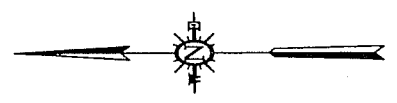
N89°43'53"W

INSTRUMENT NO. 1986-029747 AS SHOWN ON 149/RS/59

POINT OF COMMENCEMENT
5/8 INCH REBAR WITH PLASTIC CAP MARKED LS 4597 PER 149 RS 59 AND PARCEL MAP 14,668



1 INCH = 80'



San Luis Obispo, CA 805.544.7407
Santa Maria, CA 805.928.7363

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KEY SITE 30
SEWER EASEMENT
CITY OF SANTA MARIA, CALIFORNIA

DRAWN BY	MH	CHECKED BY	BVS	SCALE	1" = 80'	DATE	11/29/2007
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