

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
SUBJECT: QUITCLAIM SEWER EASEMENT ACROSS RINCON
VALLEY UNION SCHOOL DISTRICT PROPERTY
LOCATED AT 900 YULUPA AVENUE
STAFF PRESENTER: CLAY THISTLE, ASSOCIATE CIVIL ENGINEER
TRANSPORTATION AND PUBLIC WORKS
AGENDA ACTION: RESOLUTION

ISSUE(S)

Should the City Council, by resolution, approve a quitclaim of an easement across Rincon Valley Union School District property located at 900 Yulupa Avenue and authorize the mayor to sign the quitclaim deed?



COUNCIL GOALS AND STRATEGIES

As part of the Colorado Boulevard sewer and water project, this item relates to Council Goal 1. Infrastructure is the physical framework on which the City's economy operates.

BACKGROUND AND ANALYSIS

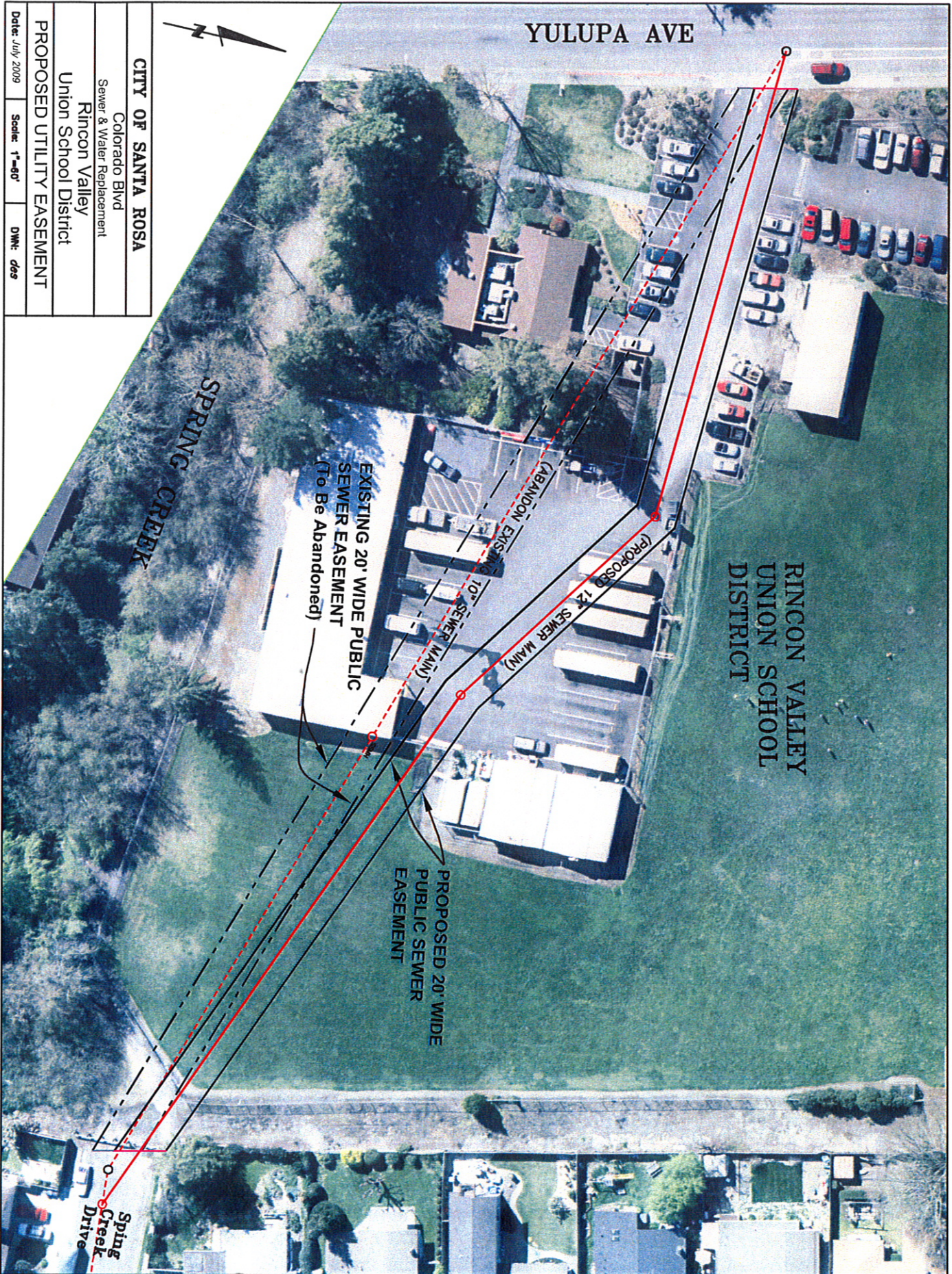
1. On June 23, 1952 the Rincon Valley Union School District (District) granted to the then Spring Creek County Sanitation District an easement across the property located at 900 Yulupa Avenue.
2. As part of the Colorado Boulevard Sewer and Water Capital Improvement project the City obtained an alternative sewer easement from the District and realigned the sewer across the District's property at 900 Yulupa Ave. The realignment improved access to the sewer for the construction and for future maintenance and repair.
3. The easement granted in 1952 is no longer needed and it is a condition of the agreement for the purchase of the new, alternative easement that the City quitclaim the old, 1952 easement to the District.
4. Gov. Code § 40602 requires that conveyances be signed by the Mayor. A quitclaim is considered a conveyance.

RECOMMENDATION

This resolution, recommended by the Transportation and Public Works Department, approves a quitclaim of an easement across Rincon Valley Union School District property located at 900 Yulupa Avenue and authorizes the Mayor to sign the quitclaim deed.

Author: Clay Thistle, Associate Civil Engineer

Attachments: Location Map
Quitclaim Deed
Easement Deed



YULUPA AVE

RINCON VALLEY
UNION SCHOOL
DISTRICT

SPRING CREEK

EXISTING 20' WIDE PUBLIC
SEWER EASEMENT
(To Be Abandoned)

PROPOSED 20' WIDE
PUBLIC SEWER
EASEMENT

SEWER MAIN

(ABANDON EXISTING 10\"/>

(PROPOSED 12\"/>

CITY OF SANTA ROSA

Colorado Blvd
Sewer & Water Replacement

Rincon Valley
Union School District

PROPOSED UTILITY EASEMENT

Date: July 2009

Scale: 1"=60'

DWG: d09

RECORDED AT THE REQUEST OF THE CITY OF SANTA ROSA.

WHEN RECORDED RETURN TO:
Department of Community Development
Engineering Division
100 Santa Rosa Ave, Room 5
Santa Rosa, CA 95404

CONSIDERATION \$-0-

QUITCLAIM DEED

THE CITY OF SANTA ROSA, A CALIFORNIA CHARTER CITY,
does hereby remise, release and forever quitclaim all right, title and interest to

THE RINCON VALLEY UNION SCHOOL DISTRICT

All that Real Property within the State of California, County of Sonoma, as granted to the City of Santa Rosa in that easement dated June 23, 1952 and recorded in Book 1138, Page 583 of Official Records in the Office of the County Recorder of Sonoma County.

FOR DESCRIPTION SEE EXHIBIT "A" ATTACHED

REFERENCE: R-5190

By: _____
MAYOR

A.P.N. 013-265-006

Date _____ 2013

NOTARY PUBLIC CERTIFICATE

STATE OF CALIFORNIA
COUNTY OF SONOMA

On _____ before me, _____ 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 by my hand and official seal.

REED - EASEMENT

THIS INDENTURE made the 23rd day of June one thousand nine hundred and fifty two BETWEEN Rincon Valley Union School District

the party y of the first part, and the Spring Creek County Sanitation District existing under the constitution and laws of the State of California, the party of the second part,

WITNESSETH: That the said party y of the first part, in consideration of the sum of Nil (\$ Nil) and other valuable consideration, the receipt whereof is hereby acknowledged, do as by these presents grant, bargain, and sell unto the said party of the second part, and to its successors and assigns forever, a perpetual easement with a right of immediate entry and continued possession for the construction, improvement, maintenance and repair of streets, sidewalks, curbs, gutters, water mains and connections, sewers and such other public or public utility purposes as the said County Sanitation District may choose to make thereof, in and to all that real property situated, lying and being in the County of Sonoma, State of California, and bounded and described as follows, to wit:

Being a strip of land 20 feet in width across the lands of Rincon Valley Union School District as recorded in Book 1040, Page 228, of Official Records in the Office of the County Recorder of Sonoma County, said easement lying in Rancho Cabeza de Santa Rosa in the County of Sonoma, State of California, and further described as follows:

Commencing at a 3/4 inch iron pipe at the intersection of the Easterly projection of the North boundary of the lands of Rincon Valley Union School District, as recorded in Book 1040, Page 228 of Official Records in the Office of the County Recorder of Sonoma County, State of California, and the East boundary of the lands of John Stuart Barham as recorded in Book 784, Page 470 of Official Records in the Office of the County Recorder of Sonoma County, State of California; thence S. 31° 07' 30" E. a distance of 753.05 feet along the East boundary of the lands of John Stuart Barham as recorded in Book 784, Page 740 of Official Records in the Office of the County Recorder of Sonoma County, State of California to a point; thence N. 89° 42' 30" W. a distance of 29.29 feet to a point. Said point being the true point of beginning of the easement to be hereinafter described; thence from said true point of beginning N. 89° 42' 30" W., a distance of 610.02 feet to a point on the centerline of Yulupa Avenue which bears S. 31° 55' 40" E. along the centerline of Yulupa Avenue a distance of 531.06 feet from the Northwest corner of the lands of the Rincon Valley Union School District as recorded in Book 1040, Page 228 of Official Records in the Office of the County Recorder of Sonoma County State of California; thence N. 31° 55' 40" W. along the centerline of Yulupa Avenue a distance of 23.64 feet to a point; thence S. 89° 42' 30" E. a distance of 610.40 feet to a point on the East boundary of the lands of Rincon Valley Union School District as recorded in Book 1040, Page 228 of Official Records in the Office of the County Recorder of Sonoma County, State of California; thence S. 31° 07' 30" E. along the East boundary of the lands of said Rincon Valley Union School District a distance of 23.44 feet to the point of beginning.

THIS INDENTURE and all the terms herein contained shall bind and inure to the benefit of the grantee, successors and assigns thereof, and shall bind and inure to the benefit of the grantor, and the successors and assigns of the grantor.

IN WITNESS WHEREOF the said party y of the first part ha e executed these presents the day and year first above written.

Signed and Delivered in the Presence of) Rincon Valley Union School District by:
Grantor

Marjorie F. Barnard, Clerk
Grantor

Debra M. Pickett, Printer
Grantor

Ex 55 Escondido
Over Rincon Valley

2011076848

WHEN RECORDED RETURN TO:

Department of Community Development
Engineering Division
100 Santa Rosa Ave, Room 5
Santa Rosa, CA 95404

SANTA ROSA CITY
09/08/2011 04:21 DEED
RECORDING FEE: \$0.00
PAID

OFFICIAL RECORDS OF
SONOMA COUNTY
JANICE ATKINSON

3 PGS



CONFORMED COPY

R&T 11922 DEED TO PUBLIC AGENCY, -0- TRANSFER TAX DUE

EASEMENT DEED

Rincon Valley Union School District GRANT(S) TO THE
CITY OF SANTA ROSA, A CALIFORNIA CHARTER CITY,

A perpetual easement with the right of immediate entry and continued possession for the construction, improvement, maintenance, repairs, operation and replacement of a sanitary sewer pipeline as it travels over, upon, across and through that property more accurately described in EXHIBIT "A" ATTACHED.

REFERENCE: R-5190

By: Casey John D Angelo

A.P.N. 013-265-006

Date August 9 2011

By: _____

NOTARY PUBLIC CERTIFICATE

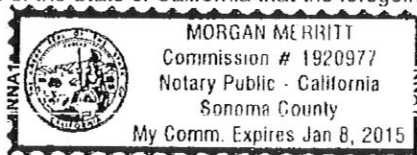
STATE OF CALIFORNIA
COUNTY OF SONOMA

On 08/09/2011 before me, Morgan Merritt (Notary Public) personally appeared Casey John D Angelo, 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 by my hand and official seal.

Morgan Merritt



NO TAX DUE

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed herein is hereby accepted by order of the Council of the City of Santa Rosa pursuant to Council Resolution/Ordinance No. 25533 dated January 21, 2003 and grantee consents to recordation thereof by its duly authorized officer.

CITY OF SANTA ROSA
A California Charter City

By: RJ
Dated: 8/23/11

EXHIBIT A
LEGAL DESCRIPTION


SANITARY SEWER EASEMENT FROM RINCON VALLEY UNION SCHOOL
DISTRICT TO THE CITY OF SANTA ROSA
APN 013-265-006

IN THE CITY OF SANTA ROSA, COUNTY OF SONOMA, STATE OF CALIFORNIA
DESCRIBED AS FOLLOWS:

BEING A STRIP OF LAND 20.00 FEET WIDE, LYING WITHIN THE LANDS OF
RINCON VALLEY UNION SCHOOL DISTRICT, AS DESCRIBED BY DEED
RECORDED APRIL 10, 1951 IN BOOK 1040 OF OFFICIAL RECORDS, PAGE 228
UNDER RECORDER'S SERIAL NO. D-38057, SONOMA COUNTY RECORDS, AND
DEED RECORDED APRIL 4, 1990 AS DOCUMENT NO. 90-033749, SONOMA
COUNTY RECORDS, THE CENTERLINE OF SAID STRIP BEING DESCRIBED AS
FOLLOWS:

COMMENCING AT A FOUND ½-INCH REBAR IN A WELL MONUMENT AT THE
CENTERLINE INTERSECTION OF YULUPA AVENUE AND MAYETTE AVENUE;
THENCE ALONG THE CENTERLINE OF YULUPA AVENUE NORTH 31° 55' 40"
WEST, 595.03 FEET TO A FOUND ½-INCH REBAR IN A WELL MONUMENT AT THE
CENTERLINE INTERSECTION OF YULUPA AVENUE AND PRINCETON DRIVE;
THENCE CONTINUING ALONG THE CENTERLINE OF YULUPA AVENUE NORTH
31° 55' 40" WEST, 367.16 FEET; THENCE PERPENDICULAR TO SAID CENTERLINE
EXTENSION NORTH 58° 04' 20" EAST, 45.00 FEET TO THE EASTERLY RIGHT-OF-
WAY LINE OF YULUPA AVENUE AS DESCRIBED IN THE DEED FROM RINCON
VALLEY UNION SCHOOL DISTRICT TO THE CITY OF SANTA ROSA, RECORDED
APRIL 7, 1972 IN BOOK 2617 OF OFFICIAL RECORDS PAGE 768 OF SONOMA
COUNTY RECORDS, THE TRUE POINT OF BEGINNING OF THE CENTERLINE OF
SAID 20-FOOT WIDE STRIP OF LAND; THENCE FROM SAID TRUE POINT OF
BEGINNING NORTH 74° 39' 02" EAST, 210.60 FEET; THENCE SOUTH 72° 30' 53"
EAST, 120.00 FEET; THENCE SOUTH 85° 48' 07" EAST, 267.77 FEET TO A POINT
ON THE EASTERLY LINE OF SAID LANDS OF RINCON VALLEY UNION SCHOOL
DISTRICT; AND CONTAINING 0.27 ACRES OF LAND, MORE OR LESS. THE
SIDELINES OF SAID STRIP SHALL BE LENGTHENED OR SHORTENED AS TO
COMMENCE AND TERMINATE AT THE WESTERLY AND EASTERLY LINES OF
SAID LANDS OF RINCON VALLEY UNION SCHOOL DISTRICT.

BASIS OF BEARING: NORTH 31°55'40" WEST, BETWEEN THE MONUMENTS ON
THE CENTERLINE OF YULUPA AVENUE AT MAYETTE AVENUE AND AT
PRINCETON AVENUE.


JAMES R. CAMERON
LS 8435



6/1/2010
DATE