

RECORDING REQUESTED BY

City of Santa Rosa

(Exempt from Recording Fees pursuant to
Government Code Section 27383)

AND WHEN RECORDED RETURN TO:

City of Santa Rosa
Public Works Department
69 Stony Circle
Santa Rosa, CA 95401

APN: 180-190-001

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**TERMINATION OF EASEMENT/QUITCLAIM
(Sewer Easement)**

This Termination of Easement (“**Easement Termination**”) is entered into at Santa Rosa, California by and between City of Santa Rosa, a municipal corporation, hereinafter referred to as the “**City**”; and The Vigil Light, Inc., a California nonprofit corporation, hereinafter referred to as the “**Owner**”.

RECITALS:

WHEREAS, Owner is the current owner of real property located in the County of Sonoma, State of California, commonly known as 1945 Long Drive, Santa Rosa, Sonoma County Assessor Parcel Number 180-190-001; and

WHEREAS, Owner is the successor in interest to the former owner of the property, Theron L. Hedgpeth and Ruth L. Hedgpeth, his wife; and

WHEREAS, the City holds an easement for sewer purposes over a portion of the property granted by the former owner pursuant to that certain Deed-Easement recorded on May 23, 1956 in Book 1441 at Pages 3 through 5, Official Records of Sonoma County (the “**Deed**”); and

WHEREAS, there is a sewer line remaining in the ground that is of no further use to the City because the public utility was relocated and Owner has expressed an interest in taking responsibility for the line as-is for private use, and to hold the City harmless from and against any current or future maintenance, harm, or other issues that may arise; and

WHEREAS, the City and Owner intend by this Termination of Easement/Quitclaim to terminate that portion of the easement described and depicted in **Exhibits A and B** attached hereto and transfer all right, interest, and responsibility for the remaining sewer line.

**NOW THEREFORE, FOR VALUABLE CONSIDERATION RECEIPT OF WHICH IS
HEREBY ACKNOWLEDGED AND IN CONSIDERATION OF THE TERMS,
COVENANTS BY AND BETWEEN THE PARTIES AS FOLLOWS:**

1. Termination of Easement. The easement for sewer purposes over a portion of the property, described and depicted in Exhibits A and B attached is hereby terminated. Owner is released from any and all obligations to allow the City to utilize this easement area as an area for a sewer. Owner agrees to take ownership of the sewer line as-is and acknowledges that City will have no further responsibility for the sewer line's maintenance.
2. Hold Harmless. Owner hereby acknowledges and accepts the sewer line in as-is condition. Owner also accepts that it is entirely Owner's responsibility to ensure that the as-is sewer line is inspected and repaired prior to further use and will undertake such maintenance at its own expense. Furthermore, given these circumstances, Owner will and does hold the City entirely harmless from any damage or injury, whether monetary or bodily, that may occur with respect to the sewer line or this Easement Termination.
3. Counterparts. This Termination of Easement may be executed in one or more counterparts, each of which shall constitute an original, and all of which, taken together, shall constitute one and the same document.
4. Recitals. The facts stated in the recitals of this Termination of Easement form the basis of this Termination of Easement and shall be considered a part of this agreement and are incorporated herein by reference.
5. Governing Law. This Termination of Easement shall be construed in accordance with and governed by the laws of the State of California.

[Signatures on following page]

IN WITNESS WHEREOF, the parties hereto have executed this Termination of Easement on the dates specified below their respective signatures.

OWNER:

The Vigil Light, Inc.,
a California nonprofit corporation

By: _____
Print Name: _____
Its: _____

Date: _____

By: _____
Print Name: _____
Its: _____

Date: _____

CITY:

City of Santa Rosa,
a California municipal corporation

By: _____
Print Name: _____
Its: _____

Date: _____

Approved as to Form:

By: _____
City Attorney's Office

Date: _____

EXHIBIT "A"
LEGAL DESCRIPTION

Vacation and Reservation of Public Utility Easement

Lying within the City of Santa Rosa and being a portion of the lands of Vigil Light Senior Apartments LLC, a California limited liability company, as described by Grant Deed recorded under Document Number 2021-077224, Official Records of Sonoma County, said portion be described as follows;

Being all that Public Utility Easement pursuant to City of Santa Rosa Resolution No. 4904 and that certain Easement Deed, inclusive, recorded on May 23, 1956 in Book 1441 at Pages 3 through 5, Official Records of Sonoma County.

Reserving Therefrom:

A strip of land ten feet (10.00') wide and being all of said Public Utility Easement lying northwesterly of the easterly line of Parcel D, including the northerly extension of said easterly line to the northerly line of said Public Utility Easement, as said Parcel D is described by the Easement Deed recorded on September 26, 1983 under Document Number 1983-064883.

Said portion containing 3,657 square feet, more or less.

END OF DESCRIPTION

R-Sheet No.: R-5462

Being a Portion of APN: 181-190-001

Prepared by City of Santa Rosa



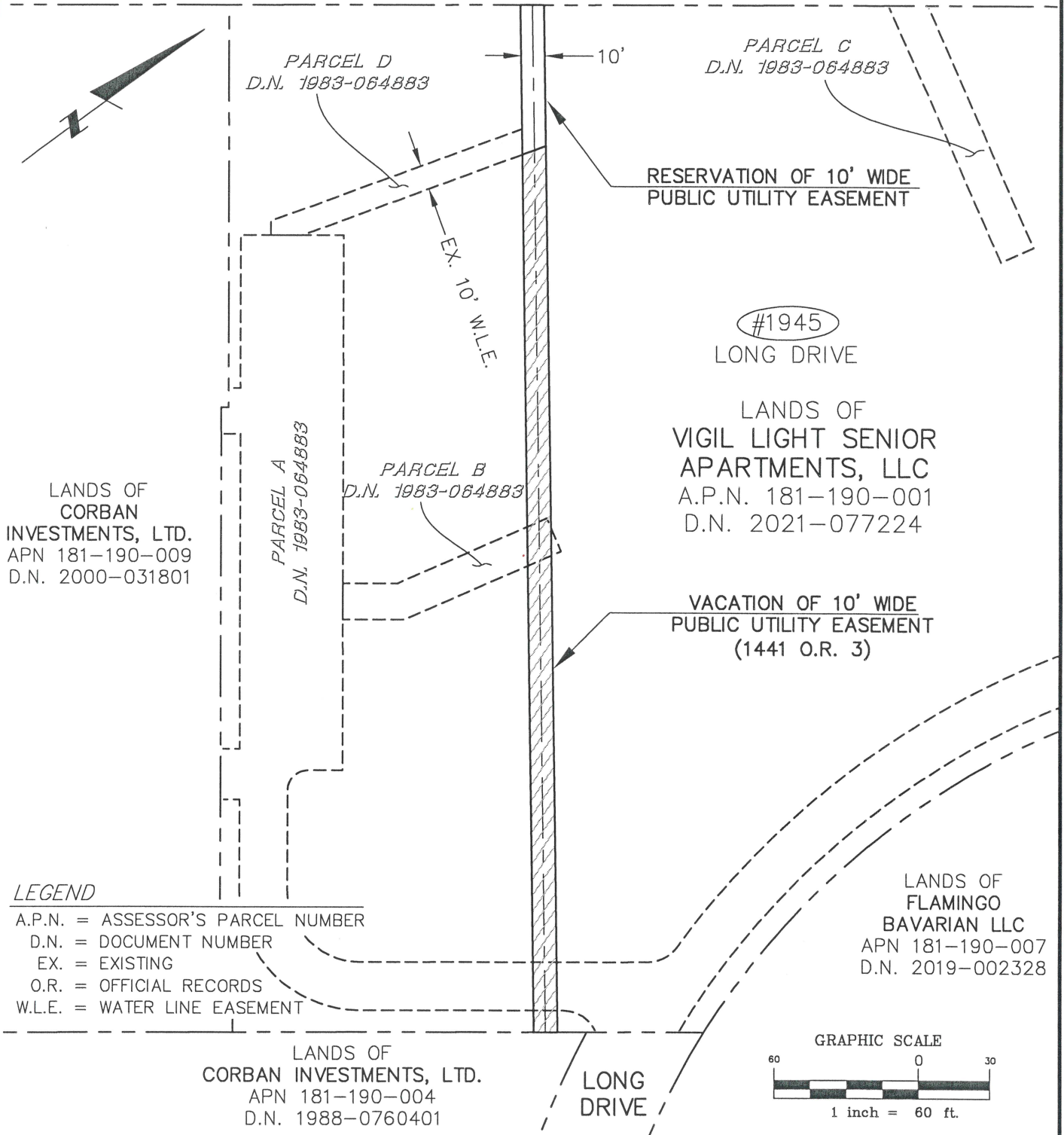
Walter C. Olawski, PLS 9450



11/18/22
Date

ROGERS WAY

EXHIBIT "B"



OWNER AND MAILING ADDRESS	PROPERTY AREAS	CITY OF SANTA ROSA	
VIGIL LIGHT SENIOR APARTMENTS, LLC 625 ACACIA LANE SANTA ROSA CA 95409	ORIGINAL PARCEL: 3.24 Ac.± VACATED EASEMENT: 3657 Sq Ft±	VACATION OF PUBLIC UTILITY EASEMENT CITY OF SANTA ROSA TO VIGIL LIGHT SENIOR APARTMENTS, LLC	
A.P.N. 181-190-001 D.N. 2021-077224	CITY ACQUISITION DEED D.N. _____	SCALE: 1"=60'	DATE: 11/17/22
		DWN. WCO CHK. MRJ	APPROVED <i>[Signature]</i> FILE NO. R-5462