

## **RESOLUTION NO. 2016-001**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK APPROVING THE GRANT OF AN EASEMENT TO PACIFIC GAS AND ELECTRIC COMPANY (PG&E) FOR THE PURPOSE OF SERVING THE RESERVE AT DOWDELL**

**WHEREAS**, the Reserve at Dowdell (the Reserve) is a multi-unit residential property currently under construction on 5.4 acres in the Stadium Lands Planned Development Area, which was previously City-owned property; and

**WHEREAS**, as required by its Conditions of Approval, the Developer of the Reserve has undergrounded the electric and communication utilities the serve the property; and

**WHEREAS**, in order to complete service to the Reserve, Pacific Gas & Electric Company will need to connect to existing overhead utilities on the City's wastewater pump station property; and

**WHEREAS**, PG&E's existing easements across the City's wastewater pump station property do not align with the existing overhead utilities; and

**WHEREAS**, PG&E has requested the City to provide one easement across the very northern edge of City property for the construction, installation, operation and maintenance of the existing PG&E facilities that serve the Stadium Lands Planned Development Area, including The Reserve property; and

**WHEREAS**, PG&E will quitclaim their current, unused and less-direct easements through the City property; and

**WHEREAS**, the City is willing to grant the easement in consideration of the benefit of reconfiguring where the existing PG&E easement is located on the City's property.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Rohnert Park that it does hereby approve the grant of an easement to PG&E for the purpose of providing service to The Reserves.

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized and directed to take all actions to effectuate this easement for and on behalf of the City of Rohnert Park, including execution and recordation, if necessary, in substantially similar form to the easement attached hereto as Exhibit "A" and Exhibit "B", and incorporated herein by this reference, subject to minor modifications by the City Manager or City Attorney.

**DULY AND REGULARLY ADOPTED** this 12<sup>th</sup> day of January, 2016.

**CITY OF ROHNERT PARK**

  
\_\_\_\_\_  
Gina Belforte, Mayor

**ATTEST:**

  
\_\_\_\_\_  
JoAnne M. Buergler, City Clerk

Attachments: Exhibit "A" and Exhibit "B"

AHANOTU: AYE CALLINAN: AYE STAFFORD: AYE MACKENZIE: AYE BELFORTE: AYE  
AYES: ( 5 ) NOES: ( 0 ) ABSENT: ( 0 ) ABSTAIN: ( 0 )

Attachment 2 - Exhibit A to Resolution

Distribution Easement (Rev. 09/15)

RECORDING REQUESTED BY AND RETURN TO:

**PACIFIC GAS AND ELECTRIC COMPANY**  
245 Market Street, N10A, Room 1015  
P.O. Box 770000  
San Francisco, California 94177

Location: City/Uninc \_\_\_\_\_

Recording Fee \$ \_\_\_\_\_

Document Transfer Tax \$ \_\_\_\_\_

☐ This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911).

☐ Computed on Full Value of Property Conveyed, or

☐ Computed on Full Value Less Liens  
& Encumbrances Remaining at Time of Sale

Signature of declarant or agent determining tax \_\_\_\_\_

(SPACE ABOVE FOR RECORDER'S USE ONLY)

LD# 2406-08-

EASEMENT DEED

PM# 31109290

THE CITY OF ROHNERT PARK, a public body of the State of California,

hereinafter called Grantor, hereby grants to PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called Grantee, the right from time to time to construct, reconstruct, install, inspect, maintain, replace, remove, and use facilities of the type hereinafter specified, together with a right of way therefor, within the easement area as hereinafter set forth, and also ingress thereto and egress therefrom, over and across the lands of Grantor situate in the City of Rohnert Park, County of Sonoma, State of California, described as follows:

(APN 143-040-114)

LOT 1 as shown upon the Parcel Map No. 175 filed for record July 14, 2005 in Book 679 of Maps at page 13, Sonoma County Records.

Said facilities and easement area are described as follows:

STRIP 1

Such poles, aerial wires, cables, electrical conductors with associated crossarms, braces, transformers, anchors, guy wires and cables, fixtures and appurtenances, as Grantee deems necessary for the distribution of electric energy and communication purposes located within the strip of land described as follows:

A strip of land of the uniform width of 292.70 feet lying contiguous to and southerly of the northerly boundary line of said lands, beginning at a point on said northerly boundary line distant 43.65 feet from the northwesterly of said lands (measured easterly along northerly boundary line) and extending southerly 10.00 feet (measured perpendicularly from said northerly boundary line).

STRIP 2 & 3

Such underground conduits, pipes, manholes, service boxes, wires, cables, and electrical conductors; aboveground marker posts, risers, and service pedestals; underground and aboveground switches, fuses, terminals, and transformers with associated concrete pads; and fixtures and appurtenances necessary to any and all thereof, as Grantee deems necessary for the distribution of electric energy and communication purposes located within the strip of land of the uniform width of 10 feet, lying 5 feet on each side of the center line of which is delineated by the heavy dashed line shown upon the print of Grantee's Drawing No. 31109284 attached hereto and made a part hereof; excepting therefrom any portion lying outside of said LOT 1.

The foregoing descriptions are based on a survey made by Grantee in January 2015. The basis of bearings used is based on a course in the northerly boundary line of LOT 4 which course according to Parcel Map No. 180 filed for record December 11, 2009 in Book 736 of Maps at page 30, Sonoma County Records, has a bearing of South 89°58'40" West and a distance of 282.35 feet.

Grantor further grants to Grantee the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations.

Grantor shall not erect or construct any building or other structure or drill or operate any well within said easement area.

Grantor acknowledges that they have read the "Grant of Easement Disclosure Statement", Exhibit "A" attached hereto and made a part hereof.

The legal description herein, or the map attached hereto, defining the location of this utility distribution easement, was prepared by Grantee pursuant to Section 8730 (c) of the Business and Professions Code.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto.

Dated: \_\_\_\_\_, \_\_\_\_\_.

THE CITY OF ROHNERT PARK

By \_\_\_\_\_

By \_\_\_\_\_

Print Name \_\_\_\_\_

Print Name \_\_\_\_\_

Print Title \_\_\_\_\_

Print Title \_\_\_\_\_

I hereby certify that a resolution was adopted  
on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
the \_\_\_\_\_  
authorizing the foregoing grant of easement.  
By \_\_\_\_\_

\_\_\_\_\_  
Name & Title

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 \_\_\_\_\_, before me, \_\_\_\_\_ (Notary Public),

Here insert name and title of the officer

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 of Notary Public

(Seal)

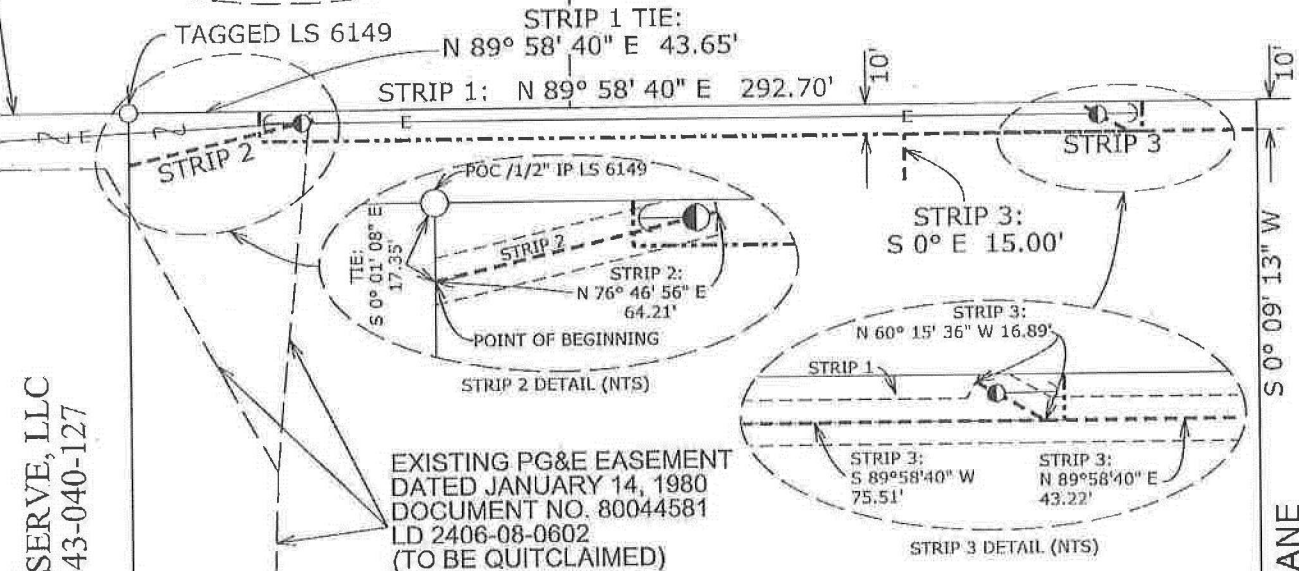
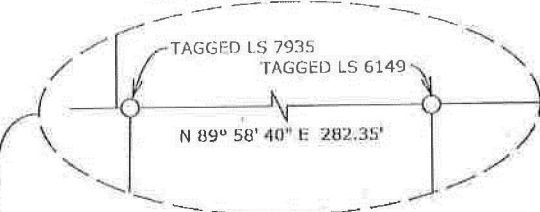
**CAPACITY CLAIMED BY SIGNER**

- ☐ Individual(s) signing for oneself/themselves
- ☐ Corporate Officer(s) of the above named corporation(s)
- ☐ Trustee(s) of the above named Trust(s)
- ☐ Partner(s) of the above named Partnership(s)
- ☐ Attorney(s)-in-Fact of the above named Principal(s)
- ☐ Other \_\_\_\_\_

# RANCHO COTATE

SONOMA MEDIA INVESTMENTS, LLC  
DEED DATED NOVEMBER 5, 2012  
DOCUMENT NUMBER 2012112024  
APN 143-040-112

BASIS OF BEARINGS DETAIL (NTS)



THE RESERVE, LLC  
APN 143-040-127

LOT 4 (736 M 30)

LOT 1 (679 M 13)

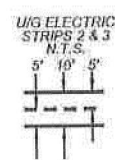
CITY OF ROHNERT PARK,  
A MUNICIPAL CORPORATION  
DEED DATED DECEMBER 12, 2001  
DOCUMENT NUMBER 2001173231  
APN 143-040-114

J ROGERS LANE

BASIS OF BEARINGS:  
N 89° 58' 40" E 282.35'  
1/2" IRON PIPE TAGGED  
PLS 7935 AND 1/2"  
IRON PIPE TAGGED LS 6149  
PER PARCEL MAP NO. 180  
FILED DECEMBER 11, 2009  
IN BOOK 736 OF MAPS AT  
PAGE 30 SONOMA COUNTY  
RECORDS

## LEGEND

- E — EXISTING POLE LINE
- - - REMOVE POLE LINE
- - - CENTERLINE OF UG EASEMENT
- - - OUTLINE OF OH EASEMENT
- EXISTING POLE
- EXISTING ANCHOR
- FOUND 1/2" IRON PIPE
- BOB BASIS OF BEARINGS



UNLESS OTHERWISE SHOWN ALL COURSES EXTEND TO OR ALONG  
BOUNDARIES OR LINES

Applicant: <b>RULE 20 DOWDELL AVE EXT.</b>				SCALE 1"=60'		DATE 12/3/15	
SECTION (NE OF NW) (23)	TOWNSHIP (6N)	RANGE (8W)	MERIDIAN (MDB&M)	COUNTY OF: SONOMA		CITY OF: ROHNERT PARK	
PLAT MAP REFERENCES				F.B.: KXJM/WDCF DR.BY: KXJM		CH.BY: DAK8	
KK-2811; KK-2812 736 M 30; LD 2406-08-0602				PG&E	SONOMA DIVISION	31109284 AUTHORIZ	31109284 DRAWING NO.



**Pacific Gas and Electric Company**




**GRANT OF EASEMENT DISCLOSURE STATEMENT**

This Disclosure Statement will assist you in evaluating the request for granting an easement to Pacific Gas and Electric Company (PG&E) to accommodate a utility service extension to PG&E's applicant. **Please read this disclosure carefully before signing the Grant of Easement.**

- You are under no obligation or threat of condemnation by PG&E to grant this easement.
- The granting of this easement is an accommodation to PG&E's applicant requesting the extension of PG&E utility facilities to the applicant's property or project. Because this easement is an accommodation for a service extension to a single customer or group of customers, PG&E is not authorized to purchase any such easement.
- By granting this easement to PG&E, the easement area may be used to serve additional customers in the area. Installation of any proposed facilities outside of this easement area will require an additional easement.
- Removal and/or pruning of trees or other vegetation on your property may be necessary for the installation of PG&E facilities. You have the option of having PG&E's contractors perform this work on your property, if available, or granting permission to PG&E's applicant or the applicant's contractor to perform this work. Additionally, in order to comply with California fire laws and safety orders, PG&E or its contractors will periodically perform vegetation maintenance activities on your property as provided for in this grant of easement in order to maintain proper clearances from energized electric lines or other facilities.
- The description of the easement location where PG&E utility facilities are to be installed across your property must be satisfactory to you.
- The California Public Utilities Commission has authorized PG&E's applicant to perform the installation of certain utility facilities for utility service. In addition to granting this easement to PG&E, your consent may be requested by the applicant, or applicant's contractor, to work on your property. Upon completion of the applicant's installation, the utility facilities will be inspected by PG&E. When the facility installation is determined to be acceptable the facilities will be conveyed to PG&E by its applicant.

By signing the Grant of Easement, you are acknowledging that you have read this disclosure and understand that you are voluntarily granting the easement to PG&E. Please return the signed and notarized Grant of Easement with this Disclosure Statement attached to PG&E. The duplicate copy of the Grant of Easement and this Disclosure Statement is for your records.



The Area and Division: Area 7, Sonoma Division  
Land Service Office: Santa Rosa Land Management  
Operating Department: Electric Distribution  
USGS location (MDM, T06N, R08W, Sec. 23, NE ¼ of the NW ¼)  
Rancho Cotate  
FERC License Number(s): N/A  
PG&E Drawing Number(s): 31109284  
PLAT NO.: KK-2811; KK-2812  
LD of any affected documents: N/A  
LD of any Cross-referenced documents: 2406-08-0602  
TYPE OF INTEREST: 04, 06, 43  
SBE Parcel Number: N/A  
(For Quitclaims, % being quitclaimed):  
Order # or PM #: 31109284 0070  
ICN: N/A  
County: Sonoma  
Utility Notice Numbers: N/A  
851 Approval Application No. N/A Decision N/A  
Prepared By: KXJM  
Checked By: DAK8   
S:\Land\R\_W 2014\SONOMA\31109284 Dowdell Ave Ext, Rohnert Park\31109284 Rev1.doc

RECORDING REQUESTED BY AND RETURN TO:

**PACIFIC GAS AND ELECTRIC COMPANY**  
245 Market Street, N10A, Room 1015  
P.O. Box 770000  
San Francisco, California 94177

Location: City/Uninc \_\_\_\_\_  
Recording Fee \$ \_\_\_\_\_  
Document Transfer Tax \$ \_\_\_\_\_  
☐ This is a conveyance where the consideration and  
Value is less than \$100.00 (R&T 11911).  
☐ Computed on Full Value of Property Conveyed, or  
☐ Computed on Full Value Less Liens  
& Encumbrances Remaining at Time of Sale

(SPACE ABOVE FOR RECORDER'S USE ONLY)

Signature of declarant or agent determining tax

**LD# 2406-08-**

**EASEMENT QUITCLAIM DEED**

PM#31109284

PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called PG&E, hereby quitclaims to THE CITY OF ROHNERT PARK, a public body of the State of California, the real property, situate in the City of Rohnert Park, County of Sonoma, State of California, described as follows:

(APN 143-040-114)

A portion of the easement and rights granted to PG&E by Rohnert Park District, a municipal corporation, dated January 14, 1980, and recorded as Document Number 80044581, Sonoma County Records; said portion lying within LOT 1 as shown upon Parcel Map #175 filed for record July 14, 2005 in Book 679 of Maps, at page 13 Sonoma County Records.

The real property hereby quitclaimed is no longer necessary or useful to PG&E in the performance by it of its duties to the public.

Dated \_\_\_\_\_, 20\_\_\_\_.

PACIFIC GAS AND ELECTRIC COMPANY,  
a California corporation

By \_\_\_\_\_  
Sarah Hug  
Supervisor  
Land Rights Services  
North Coast

# RANCHO COTATE

SONOMA MEDIA  
INVESTMENTS, LLC  
APN 143-040-135

SONOMA MEDIA INVESTMENTS, LLC  
APN 143-040-112

THE RESERVE, LLC  
APN 143-040-127

LOT 4 (736 M 30)

EXISTING PG&E EASEMENT  
DATED JANUARY 14, 1980  
DOCUMENT NO. 80044581  
LD 2406-08-0602  
(TO BE QUITCLAIMED)

LOT 1 (679 M 13)

**CITY OF ROHNERT PARK,  
A MUNICIPAL CORPORATION  
DEED DATED DECEMBER 12, 2001  
DOCUMENT NUMBER 2001173231  
APN 143-040-114**

J ROGERS LANE (A CITY STREET)



UNLESS OTHERWISE SHOWN ALL COURSES EXTEND TO OR ALONG  
BOUNDARIES OR LINES

Applicant:

**QUITCLAIM: CITY OF ROHNERT PARK**

SCALE

1"=60'

DATE

12/29/15

SECTION (NE OF NW) (23)	TOWNSHIP (6N)	RANGE (8W)	MERIDIAN (MDB&M)	COUNTY OF: SONOMA		CITY OF: ROHNERT PARK		
PLAT MAP REFERENCES KK-2811; KK-2812 736 M 30; LD 2406-08-0602				F.B.: KXJM/WDCF DR.BY: KXJM CH.BY: CSSB				
				PG&E		SONOMA DIVISION	31109284 AUTHORIZ	31109284A QC DRAWING NO.

Area 7, Sonoma Division  
Santa Rosa Land Management  
Operating Department: Electric Distribution  
USGS location (MDM, T6N, R8W, Sec. 23, NW ¼)  
Rancho Cotate  
FERC License Number(s)  
PG&E Drawing Number(s): 31109284A-QC  
PLAT NO. KK-2812  
LD of any affected documents: 2406-08-0602  
LD of any Cross-referenced documents  
TYPE OF INTEREST: 11q  
SBE Parcel Number  
30% being quitclaimed  
Order # or PM #: 31109284 0070  
JCN:  
County: Sonoma  
Utility Notice Numbers (if applicable)  
851 Approval Application No. \_\_\_\_\_ Decision \_\_\_\_\_  
Prepared By: KXJM  
Checked By: CSSB *CSB*  
Revision Number (if applicable)  
S:\R\_W 2014\SONOMA\31109284 Dowdell Ave Ext, Rohnert Park\31109284CityQC.doc