

---

Date: July 9, 2024

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

---

2/3 Vote Required

---

**Resolution Of The Board Of Directors Of Sonoma Valley County Sanitation District (District) Determining That Vacating A Sewer Easement Located In Sonoma County Will Not Have A Significant Adverse Effect On The Environment; Authorizing The Summary Vacation Of A Sewer Easement That Is No Longer Required For The Purposes It Was Acquired, It Is Determined To Be Excess By The Easement Holder, And There Are No Other Public Facilities Located Within The Easement, Located On Assessor's Parcel Number 127-141-012; Authorizing The General Manager Of District To Execute An Easement Conveyance And Asset Transfer Agreement, A Consent Agreement, And A Grant of Easement; Authorizing The General Manager Of District To Accept A Grant Of Easement, Authorize General Manager Of District To Execute Such Other Documents That Are Necessary To Facilitate the Completion Of The Easement Conveyance And Asset Transfer Agreement. (2/3 Vote Required)**

**Whereas**, the Sonoma County Water Agency (Sonoma Water) manages and operates the District under agreement between Sonoma Water and District; and

**Whereas**, section 4743 of the California Health and Safety Code provides that a county sanitation district may dispose of property interests when they are no longer required for the purposes of the district; and

**Whereas**, section 8333(C) of the California Streets and Highways Code provides for summary vacation when certain conditions are met; and

**Whereas**, the Board of Directors (Board) of District has determined that the sewer easements as described in this Resolution and defined in Exhibit A are no longer necessary to be retained for the uses and purposes of District; and

**Whereas**, pursuant to Section 65402 of the California Government Code, the proposed sewer easement vacation has been submitted to the planning agency within whose jurisdiction the proposed vacation is situated; and

**Whereas**, District's General Manager has determined that the project is exempt pursuant to California Environmental Quality Act (CEQA) Guidelines sections 15301(b) Existing Facilities, 15304(f) Minor Alterations to Land, 15302(c) Replacement or Reconstruction, and 15312 Surplus Property Sales, because the project will disconnect and re-route sewer laterals and allow for the transfer of property and sanitation facilities to Sonoma Oaks. The easement and consent

agreement will allow the District and Sonoma access to operate and maintain their existing facilities. The project involves no expansion of use and would not involve removal of healthy, mature, scenic trees. The properties are no longer necessary for the operations the of District and the parcels are not located in an area of statewide, regional, or area wide concern; and

**Whereas**, District staff has prepared a Notice of Exemption for the project in accordance with CEQA, the State CEQA guidelines, and the District's Procedures for the Implementation of CEQA; and

**Whereas**, an agreement will be executed by property owner and District to vacate portions of District's existing sewer easements and transfer ownership of related sewer improvements that exclusively serve the residents of the Sonoma Oaks Mobile Home Park in three phases (Phases); and

**Whereas**, the existing sewer trunk main improvements and related easements that serves District's regional sewer system would be retained by District; and

**Whereas**, a new easement will be granted by the property owner to District granting District access for the purposes of maintaining portions of District's existing regional sewer system and future sanitary sewer improvements within the Sonoma Oaks Mobile Home Park; and

**Whereas**, a consent agreement will be executed by property owner and District for property owner's existing improvements within District's new easement.

**Now, Therefore, Be It Resolved** that the Board hereby finds, determines, certifies, and declares as follows:

1. **Verification of Recitals.** Each of the foregoing recitals is true and correct.
2. **California Environmental Quality Act; Notice of Exemption.** The summary vacation of sewer easements is exempt from the requirements of the California Environmental Quality Act for the reasons stated in this Resolution and will not have a significant adverse effect on the environment.
3. **Authorization to Execute and Accept a Grant of Easement.** The General Manager of District is hereby authorized and directed to execute and record a Grant of Easement and a Certificate of Acceptance from Rancho de Sonoma MHP, LLC, a California Limited Liability Company.
4. **Authorization to Execute Agreements.** The General Manager of District is hereby authorized and directed to execute and record a Consent Agreement, authorized and directed to execute an Easement Conveyance and Asset Transfer Agreement, and to execute such other documents and take other actions as necessary to complete the transaction with Rancho de Sonoma MHP, LLC, a California Limited Liability Company.

5. **Declaration of Surplus Sewer Easements.** The Board of District has determined that the sewer easements as described in this Resolution and defined in Exhibit A are no longer necessary to be retained for the uses and purposes of District.
  
6. **Summary Vacation of Sewer Easement.** The Board of District finds the need for portions of the sewer easements described in that certain easement deed recorded December 15, 1967, in Book 2305, beginning at page 321, and in that certain easement deed recorded March 31, 1953, in Book 1198, beginning at page 115, Official Records of Sonoma County, California, to be unnecessary because the easement is no longer required for the purposes it was acquired, determined to be excess by the easement holder, and there are no other public facilities located within the easement, located on Assessor's Parcel Number 127-141-012; and that this resolution is prima facie evidence of the facts stated.

The Board of District agrees to vacate portions of its existing sewer easements and transfer ownership of the related sewer improvements to the property owner in Phases. Each Phase will require a separate resolution to be recorded at a specific time, with each portion of the sewer easement to be vacated defined in Exhibit A, and attached to the corresponding Resolution Phase 1, Resolution Phase 2, and Resolution Phase 3. Resolution Phase 1 would be recorded in the specified recording order after the General Manager of Sonoma Water on behalf of District executes the Easement Conveyance and Asset Transfer Agreement, the Grant of Easement, the Certificate of Acceptance, and the Consent agreement; and after District staff records the Grant of Easement and Consent Agreement. Resolution Phase 2 would be recorded after the Notice of Completion has been recorded for the work disconnecting the sewer lateral serving the 19249 Sonoma Highway property from the sewer improvements to be transferred to Sonoma Oaks and re-routing said sewer lateral to the sewer improvements to be retained by District. Resolution Phase 3 would be recorded after the Notice of Completion has been recorded for the work disconnecting the sewer lateral serving the 19285 and 19295 Sonoma Highway properties from the sewer improvements to be transferred to Sonoma Oaks, re-routing said sewer laterals to the sewer improvements to be retained by District, and abandoning the District sewer improvements no longer needed.

From after the date of recording for each Resolution Phase the following described property rights no longer constitutes a sewer easement: Being all that right, title and interest in and to that certain real property as depicted in Exhibit A attached to each corresponding resolution.

7. **Recordation of Resolutions by Clerk of the Board in Phases.** The vacation of the sewer easements is hereby ordered in Phases, and that the Clerk of the Board is authorized and directed to record a certified copy of this Resolution Phase 1 at the Office of the County Recorder after being notified by District staff as to the date to execute the recording.

Phase 1 Resolution shall be recorded after District staff records the executed Grant of Easement and Consent Agreement.

District staff will notify the Clerk of the Board after recording the aforementioned documents so Resolution Phase 1 with Exhibit A can be recorded by the Clerk, granting the summary vacation of the sewer easement and transferring ownership of the related sewer improvements as outlined in Exhibit A of the Resolution.

For the recordation of Resolution Phase 2 and Resolution Phase 3, District staff will notify the Clerk of the Board after the Notice of Completion has been recorded for each sewer improvement project, outlined above and then the corresponding Resolution with Exhibit A can be recorded by the Clerk, granting the summary vacation of the sewer easement and transferring ownership of the related sewer improvements identified in Exhibit A of each resolution.

**Directors:**

Gurney:

Gore:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**

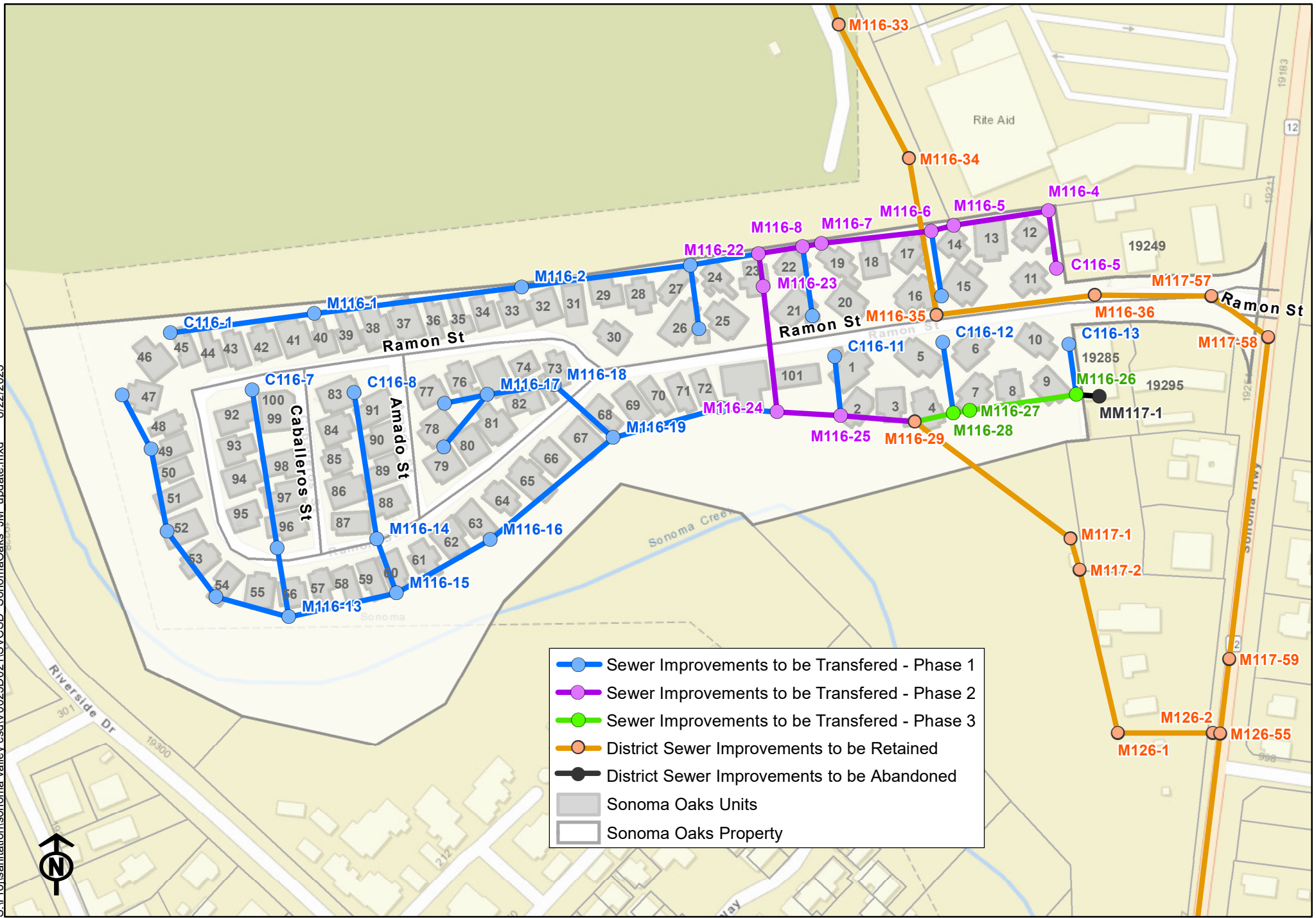


Exhibit A - Sewer Improvements to be Transferred  
Sonoma Oaks Mobile Home Park

