

Phase 1

Date: September 10, 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 Sewer Easements Located In Sonoma County Will Not Have A Significant Adverse Effect On The Environment; Authorizing The Summary Vacation Of Sewer Easements That Are No Longer Required For The Purposes They Were Acquired, They are Determined To Be Excess By The Easement Holder, And There Are No Other Public Facilities Located Within The Easements, Located On Assessor's Parcel Number 127-141-012 and 127-141-024; 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 Resolutions Phase 1, Phase 2, and Phase 3 and defined in their corresponding 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 of the 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. **Resolution Replacement.** This resolution supersedes and replaces Resolution No. 24-0281 in its entirety.
3. **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.
4. **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.
5. **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.

6. **Declaration of Surplus Sewer Easements.** The Board of District has determined that the sewer easements as described in Resolutions Phase 1, Phase 2, and Phase 3 and defined in their corresponding Exhibit A are no longer necessary to be retained for the uses and purposes of District.
7. **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, and in that certain Grant of Sewer Easement recorded December 7, 1990, under Document Number 1990-118874, Official Records of Sonoma County, to be unnecessary because the easements are no longer required for the purposes they were acquired, determined to be excess by the easement holder, and there are no other public facilities located within the easements, located on Assessor's Parcel Number 127-141-012 and 127-141-024; 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, and transferring ownership of the related sewer improvements as outlined in Exhibit A.

8. **Recordation of Resolutions in Phases.** The vacation of the sewer easements is hereby ordered in Phases, and District staff is authorized and directed to record a certified copy of this Resolution Phase 1 at the Office of the County Recorder.

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

District staff will then record a certified copy of this Resolution Phase 1 with Exhibit A and shown for reference in Exhibit R-1 granting the summary vacation of the sewer easements and transferring ownership of the related sewer improvements as outlined in Exhibit A and shown for reference in Exhibit R-1 of this Resolution.

Resolution Phase 2 and Resolution Phase 3 will be recorded after the Notice of Completion has been recorded for each sewer improvement project as outlined above. District staff will then record a certified copy of the corresponding Resolution with Exhibit A granting the summary vacation of the sewer easements 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
Legal Description
Sonoma Oaks MHP
Phase 1 Easement Vacation

Real property situated in the City of Sonoma, County of Sonoma, State of California described as follows:

Those portions of the easement(s) described in that certain Easement (Deed) recorded December 15, 1967 in Book 2305 of Official Records of Sonoma County, beginning at page 321 as said easement(s) are shown and delineated upon that certain Record of Survey filed for record in Book 122 of Maps at page 33, Sonoma County Records (said easement(s) are hereinafter collectively referred to as 2305 O.R. 321 for reference), and that portion of the real property described in that certain Easement (Deed) recorded March 31, 1953 in Book 1198 of Official Records of Sonoma County, beginning at page 117 (said Easement (Deed) being hereinafter referred to as 1198 O.R. 117 for reference), being more particularly described as follows:

- I. That portion of the real property described by 1198 O.R. 117, lying northerly of the southern boundary of the real property described in that certain Grant Deed recorded September 6, 2013 as Document 2013-090718, Official Records of Sonoma County (said Grant Deed is hereinafter referred to as Document 2013-090718 for reference).
- II. Parcels 1 through 3 (inclusive), Parcels 5 through 17 (inclusive) and Parcels A, A1, B, B1, B2, C, C1, D, D1, D2, E, G and X as described in said Easement (Deed) 2305 O.R. 321;

Excepting and excluding therefrom, that portion of said Parcel 1 lying easterly of the following described line:

Commencing for reference an angle point in the southern boundary of the real property described in the Grant Deed recorded September 6 2013 as Document 2013-090718 (Doc. 2013-090718, Official Records of Sonoma County, said angle point being the eastern terminus of the course "S 76° 04' 20" W 464.07'" and the western terminus of the course "S 84° 45' 50" W 176.48'" as said courses are shown upon said Record of Survey, and from which (angle point), a ½" iron pipe tagged L.S. 5092 marking the southeastern corner of Lot 2 as said Lot is shown upon that certain Parcel Map No. 56, filed for record May 11, 1989 in Book 436 of Maps, pages 28-29, Sonoma County Records, bears North 88° 02' 21" East 200.84 feet; Thence continuing for reference from said Point of Commencement, North 50° 50' 10" West 295.56 feet to a point on the northern boundary of Parcel 1 as described in that certain Easement (Deed) recorded December 15, 1967 in Book 2305 of Official Records of Sonoma County, beginning at page 321, and as shown upon said Record of Survey, said point being hereafter referred to as Point "A" for reference herein and the Point of Beginning of the herein described line; Thence from said Point of Beginning, departing from said northern boundary of Parcel 1, South 8° 01' 05" East 30.00 feet to a point on the southern boundary of said Parcel 1 to the point of terminus of the herein described line.

Also excepting and excluding therefrom, that portion of said Parcel 1 that is defined by an extension northerly, of the sidelines of said Parcel X lying south of said Parcel 1, when said sidelines are extended northerly to the northern boundary of said Parcel 1;

Also excepting and excluding therefrom, that portion of said Parcel B lying easterly of the western sideline of said Parcel X, whose centerline as shown on said Record of Survey bears a course and distance of "N 4° 43' 20" W 99.51'", when said western sideline is extended southerly to the southern boundary of said Parcel B, and that portion of said Parcel B lying westerly of the western boundary of the new Easement Area C as said Easement Area C is described as follows for reference:

Easement Area C

Commencing for reference at Point "A" said point being referenced in the above-described Easement Area A; Thence from said Point of Beginning, departing from said northern boundary of Parcel 1, South 8° 01' 05" East 30.00 feet to a point on the southern boundary of said Parcel 1; Thence along said southern boundary, South 81° 58' 55" West 41.77 feet to the beginning of a curve concave southeasterly, and having a radius 20.00 feet; Thence departing from said southern boundary, along the arc of said curve, deflecting to the left through a central angle (Delta) of 90°00'00", for an arc distance (Length) of 31.42 feet; Thence South 08° 01' 05" East 2.45 feet to the beginning of a curve concave northeasterly, and having a radius of 20.00 feet; Thence along the arc of said curve, deflecting to the left through a central angle (Delta) of 53°53'17", for an arc distance (Length) of 18.81 feet; Thence South 61° 54' 22" East 17.16 feet; Thence South 04° 38' 54" East 70.16 feet; Thence South 52° 45' 15" East 1.29 feet to a point on the northern boundary of Parcel B as described in said Easement Deed and shown upon said Record of Survey, being the true Point of Beginning of Easement Area C; Thence from said Point of Beginning, departing from the said northern boundary of Parcel B, South 52° 45' 15" East 111.63 feet to a point on the said southern boundary of the real property (Doc. 2013-090718); Thence along said southern boundary to a South 76° 15' 25" West 19.30 feet to its intersection with a line that is 15.00 feet distant, measured at right angles southwesterly of and parallel with the hereinabove described course "South 52° 45' 15" East 111.63 feet"; Thence departing said southern boundary, along said parallel line, North 52° 45' 15" West 100.75 feet to a point on the southern boundary of said Parcel B; Thence departing from said southern boundary, North 04° 38' 54" West 11.45 feet to a point on the said northern boundary of Parcel B; Thence along said northern boundary, South 86° 15' 15" East 9.16 feet; Thence continuing along said northern boundary North 79° 02' 33" East 1.91 feet to the Point of Beginning.

Also excepting and excluding therefrom, that portion of said Parcel B lying easterly of the eastern boundary of the hereinabove described Easement Area C, and southerly of the northern boundary of said Parcel B, whose centerline bears a course and distance of "S 81° 47' 50" W 158.00'", when said northern boundary is extended easterly to the common boundary of said Parcels B and G;

Also excepting and excluding therefrom, that portion of said Parcel D lying easterly of the western sideline of said Parcel X when said sideline is extended north to the North boundary of said the real property described by Document 2013-090718, and westerly of the western boundary of the following described new Easement Area A:

Easement Area A

Beginning at Point A as herein (above) described for reference; Thence departing from said northern boundary of Parcel 1, North 09° 07' 14" West 127.44 feet to a point on the northern boundary of said real property (Doc. 2013-090718); Thence along said northern boundary North 81° 32' 45" East 15.00 feet to its intersection of a line that is 15.00 feet distant, measured at right angles easterly of and parallel with the hereinabove described course "North 09° 07' 14" West 127.44 feet"; Thence departing from said northern boundary, along said parallel line, South 09° 07' 14" East 127.55 feet to the said northern boundary of Parcel 1; Thence along the said northern boundary of Parcel 1, South 81° 58' 55" West 15.00 feet to the Point of Beginning.

Also excepting and excluding therefrom, all that portion of said Parcel D lying easterly of the eastern boundary of the herein (above) described new Easement Area A;

Also excepting and excluding therefrom, that portion of said Parcel G lying southerly of the northern boundary of said Parcel B, whose centerline as shown on said Record of Survey bears a course and distance of "S 81° 47' 50" W 158.00'", when said northern boundary is extended easterly to the eastern boundary of said Parcel G.

Also excepting and excluding therefrom, those portions of Parcel X lying between the south boundary of said Parcel 1 and north boundary of said Parcel B and all that portion of said Parcel X lying between the north boundary of said Parcel 1 and south boundary of said Parcels C & D.





End of Legal Description

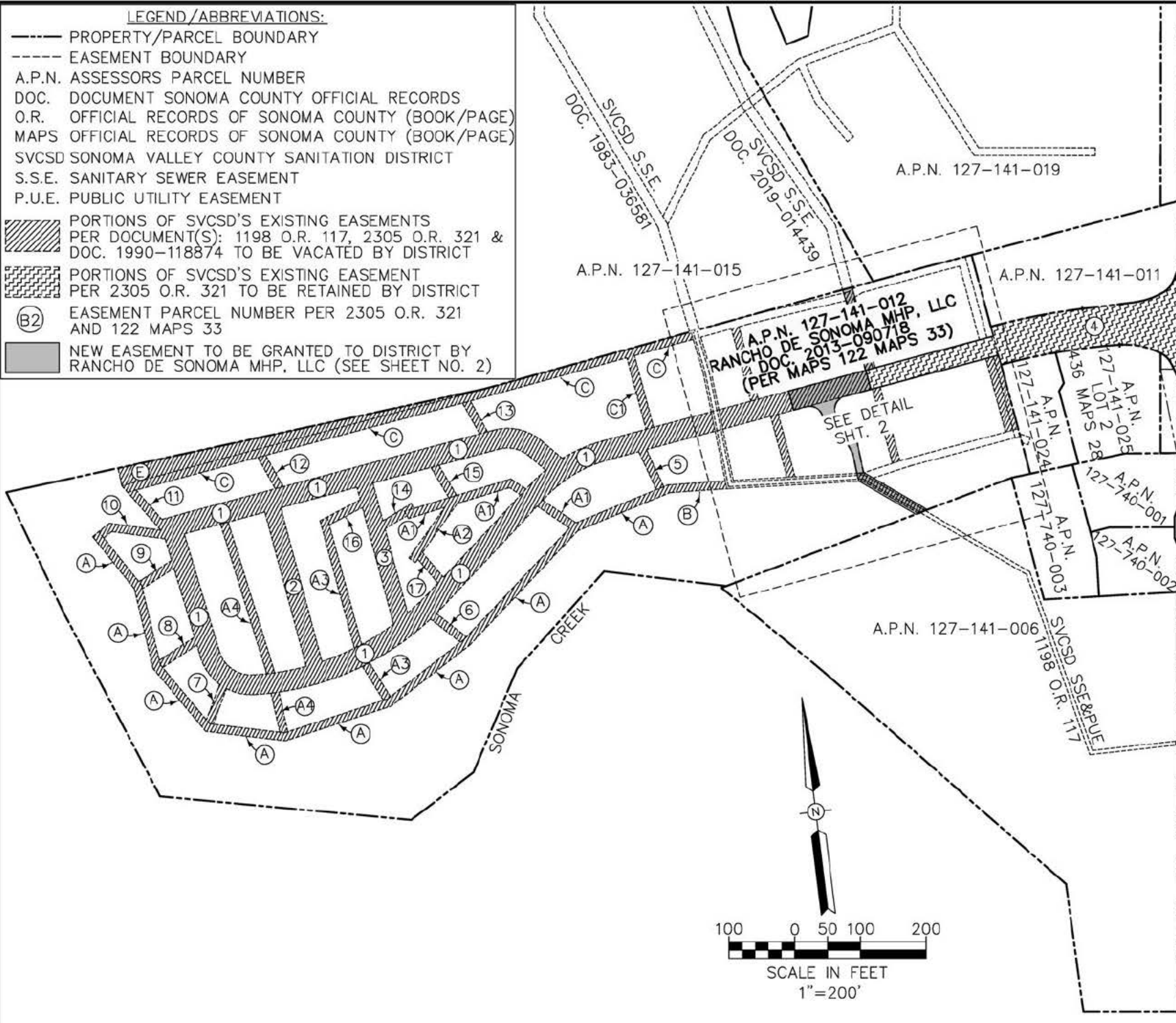
This Legal Description and its accompanying plat were prepared by me, or under my direction in December 2023.



12.27.2023
Date

LEGEND/ABBREVIATIONS:

- PROPERTY/PARCEL BOUNDARY
- EASEMENT BOUNDARY
- A.P.N. ASSESSORS PARCEL NUMBER
- DOC. DOCUMENT SONOMA COUNTY OFFICIAL RECORDS
- O.R. OFFICIAL RECORDS OF SONOMA COUNTY (BOOK/PAGE)
- MAPS OFFICIAL RECORDS OF SONOMA COUNTY (BOOK/PAGE)
- SVCSO SONOMA VALLEY COUNTY SANITATION DISTRICT
- S.S.E. SANITARY SEWER EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
-  PORTIONS OF SVCSO'S EXISTING EASEMENTS PER DOCUMENT(S): 1198 O.R. 117, 2305 O.R. 321 & DOC. 1990-118874 TO BE VACATED BY DISTRICT
-  PORTIONS OF SVCSO'S EXISTING EASEMENT PER 2305 O.R. 321 TO BE RETAINED BY DISTRICT
-  EASEMENT PARCEL NUMBER PER 2305 O.R. 321 AND 122 MAPS 33
-  NEW EASEMENT TO BE GRANTED TO DISTRICT BY RANCHO DE SONOMA MHP, LLC (SEE SHEET NO. 2)



PROJECT/TASK: V0023D021
DATE : 11.08.23
DRAWN BY: JM
CHECKED BY: MJ
SHEET NO. 1 OF 2

EXHIBIT R-1
PLAT TO ACCOMPANY LEGAL DESCRIPTION
PHASE 1 EASEMENT VACATIONS
SONOMA OAKS MOBILE HOME PARK

REVISIONS	REV.	DATE	BY



A.P.N. 127-141-015

A.P.N. 127-141-019

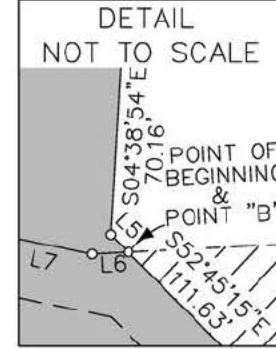
CURVE	RADIUS	DELTA	LENGTH
C1	20.00'	90°00'00"	31.42'
C2	20.00'	53°53'17"	18.81'
C3	20.00'	90°00'00"	31.42'

A.P.N. 127-141-012
RANCHO DE SONOMA MHP, LLC
DOC. 2013-090718
(PER 122 MAPS 33)

POINT OF BEGINNING
 & POINT "A"
 EASEMENT AREA B
 N81°58'55"E 121.77'

EASEMENT AREA A
 N09°07'14"W 127.44'

S09°07'14"E 127.55'



A.P.N. 127-141-011

A.P.N. 127-141-024

N50°50'10"W
 295.56' (TIE)

SEE DETAIL ABOVE

SYVCS S.E. & PUE
 EASEMENT AREA C
 N52°45'15"W 100.75'

SVCS S.S.E.
 DOC. 1990-118874
 FND. 1-1/2" I.P.
 PER 122 MAPS 33
 POINT OF COMMENCEMENT
 N88°02'21"E
 200.84' (TIE)
 FND. 1/2" I.P.
 TAGGED L.S. 5092
 S.E. COR. LOT 2
 PER 436 MAPS 28
 (SEE SHEET 1)

A.P.N. 127-740-003



LINE	BEARING	DIST	LINE	BEARING	DIST
L1	N81°32'45"E	15.00'	L9	N21°46'37"W	28.68'
L2	S81°58'55"W	15.00'	L10	N61°54'22"W	28.42'
L3	S08°01'05"E	30.00'	L11	N08°01'05"W	22.78'
L4	S61°54'22"E	17.16'	L12	S81°58'55"W	20.00'
L5	S52°45'15"E	1.29'	L13	N08°01'05"W	30.00'
L6	S79°02'33"W	1.91'	L14	S76°15'25"W	19.30'
L7	N86°15'15"W	9.16'	L15	N04°38'54"W	11.45'
L8	N04°38'54"W	30.57'			



A.P.N. 127-141-006

PROJECT/TASK:	V0023D021
DATE :	11.08.23
DRAWN BY:	JM
CHECKED BY:	MJ
SHEET NO.	2 OF 2

SONOMA VALLEY COUNTY SANITATION DISTRICT

EXHIBIT R-1

PLAT TO ACCOMPANY LEGAL DESCRIPTION

PHASE 1 EASEMENT VACATIONS

SONOMA OAKS MOBILE HOME PARK

REV.	DATE	BY

