

RESOLUTION NO. 13-06

A RESOLUTION OF THE OVERSIGHT BOARD OF SUCCESSOR AGENCY TO THE FIREBAUGH REDEVELOPMENT AGENCY GRANTING AN EASEMENT TO PACIFIC GAS & ELECTRIC COMPANY FOR THE PURPOSE OF INSTALLING AN UNDERGROUND UTILITY ALONG THE PORTION OF PROPERTY OF APN 008-080-42S & APN 008-140-35.

WHEREAS, by implementation of AB X1 26 ("AB 26"), which amended provisions of the California Redevelopment Law (Health & Safety Code ("HSC") § 33000 *et seq.*) ("CRL"), and the California Supreme Court's decision in California Redevelopment Association v. Matosantos, as of February 1, 2012, the Firebaugh Redevelopment Agency ("Redevelopment Agency") was dissolved, the Successor Agency to the Firebaugh Redevelopment Agency ("Successor Agency") came into existence, and the requirement for the appointment of an Oversight Board to the Successor Agency to the Firebaugh Redevelopment Agency ("Oversight Board") became effective; and

WHEREAS, on February 1, 2012 all assets, properties, contracts, leases, books and records, buildings, and equipment of the former Redevelopment Agency transferred to the control of the Successor Agency by operation of law; and

WHEREAS, AB 1484 was passed by the California State Legislature and was signed into law by the Governor on June 27, 2012 modifying the provisions of AB 26; and

WHEREAS, HSC Section 34177(e) requires successor agencies to dispose of assets and properties of the former redevelopment agency as directed by the oversight board; provided, however, that the oversight board may instead direct the successor agency to transfer ownership of certain assets pursuant to Section 34181(a); and

WHEREAS, HSC Section 34181(a) states that the oversight board shall direct the successor agency to transfer ownership of those assets of the former redevelopment agency that were constructed and used for governmental purposes to the appropriate public jurisdiction; and

WHEREAS, Pacific Gas & Electric ("PG&E") has requested certain public utility easements from the Successor Agency, as shown in Exhibit A, to be used for governmental purposes; and

WHEREAS, the Successor Agency desires to transfer the public utility easements to PG&E, subject to approval by the Oversight Board and the Department of Finance.

NOW, THEREFORE, BE IT RESOLVED that the Firebaugh Successor Agency approves transfer of the public utility easements, listed in Exhibit A, to PG&E and the public utility easements will continue to be used for public purposes for the foreseeable future; and

BE IT FURTHER RESOLVED that the Interim City Manager of the City of Firebaugh as Successor Agency to the former Firebaugh Redevelopment Agency, or designee, is hereby authorized to take such actions as are necessary and appropriate to implement this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

The above and foregoing resolution was duly passed and adopted at a regular meeting by the Oversight Board of Successor Agency to the City of Firebaugh Redevelopment Agency, held on the 18th day of April, 2013, by the following vote:

AYES: Knight, Stoppenbrink, Lopez, Minnite, Manfredi, Cline
NOES:
ABSTAIN:
ABSENT: Freitas

APPROVED:


Chairperson, Oversight Board

ATTEST:


Secretary, Oversight Board

Distribution Easement (Rev. 01/11)

RECORDING REQUESTED BY AND RETURN TO:

***PACIFIC GAS AND ELECTRIC COMPANY
Fresno Land Services Office
650 "O" Street, Bag 23
Fresno, CA 93760-0001***

Location: City of Firebaugh

Recording Fee \$ _____

Document Transfer Tax \$ 0.00

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# 2212-14-

EASEMENT DEED

THE CITY OF FIREBAUGH, an incorporated city,

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 Firebaugh, County of Fresno, State of California, described as follows:

(APN 008-140-35)

Parcel 2 as shown upon the Parcel Map No. 00-01 filed for record April 12, 2001 in Book 61 of Parcel Maps at page 17, Fresno County Records.

Said facilities and easement area are described as follows:

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 parcel of land described as follows:

A strip of land of varying widths extending from the northwesterly boundary line of said lands southeasterly 120.00 feet measured along the northeasterly boundary line of said lands and being initially of the uniform width of 8.00 feet lying contiguous to and southwesterly of the said northeasterly boundary line, thence changing from the uniform width of 8.00 feet to the uniform width of 25.00 feet lying 25.00 feet contiguous to the said northeasterly boundary line of said lands and extending southeasterly 20.00 feet along said northeasterly boundary line.

Containing a total of 1460 square feet, more or less.

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 further grants to Grantee the right to assign to another public utility as defined in Section 216 of the California Public Utilities Code the right to install, inspect, maintain, replace, remove and use communications facilities within said easement area (including ingress thereto and egress therefrom).

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 FIREBAUGH, an
incorporated city

By _____

By _____

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

Area 4, Fresno

Land Service Office: Fresno

Operating Department: Electric Distribution

USGS location: MDM, T. 12 S., R. 14 E., NE ¼ of the SE ¼ of Section 29

FERC License Number(s): NA

PG&E Drawing Number(s): 30675529-COF2

PLAT NO.: 1214295(Electric)

LD of any affected documents: NA

LD of any Cross-referenced documents: NA

TYPE OF INTEREST: 4, 6, 43

SBE Parcel Number: NA

(For Quitclaims, % being quitclaimed): NA

PM #: 30675529

JCN: NA

County: Fresno

Utility Notice Numbers: NA

851 Approval Application No. NA Decision NA

Prepared By: ADGa

Checked By: B2M3

Revision Number: NA

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

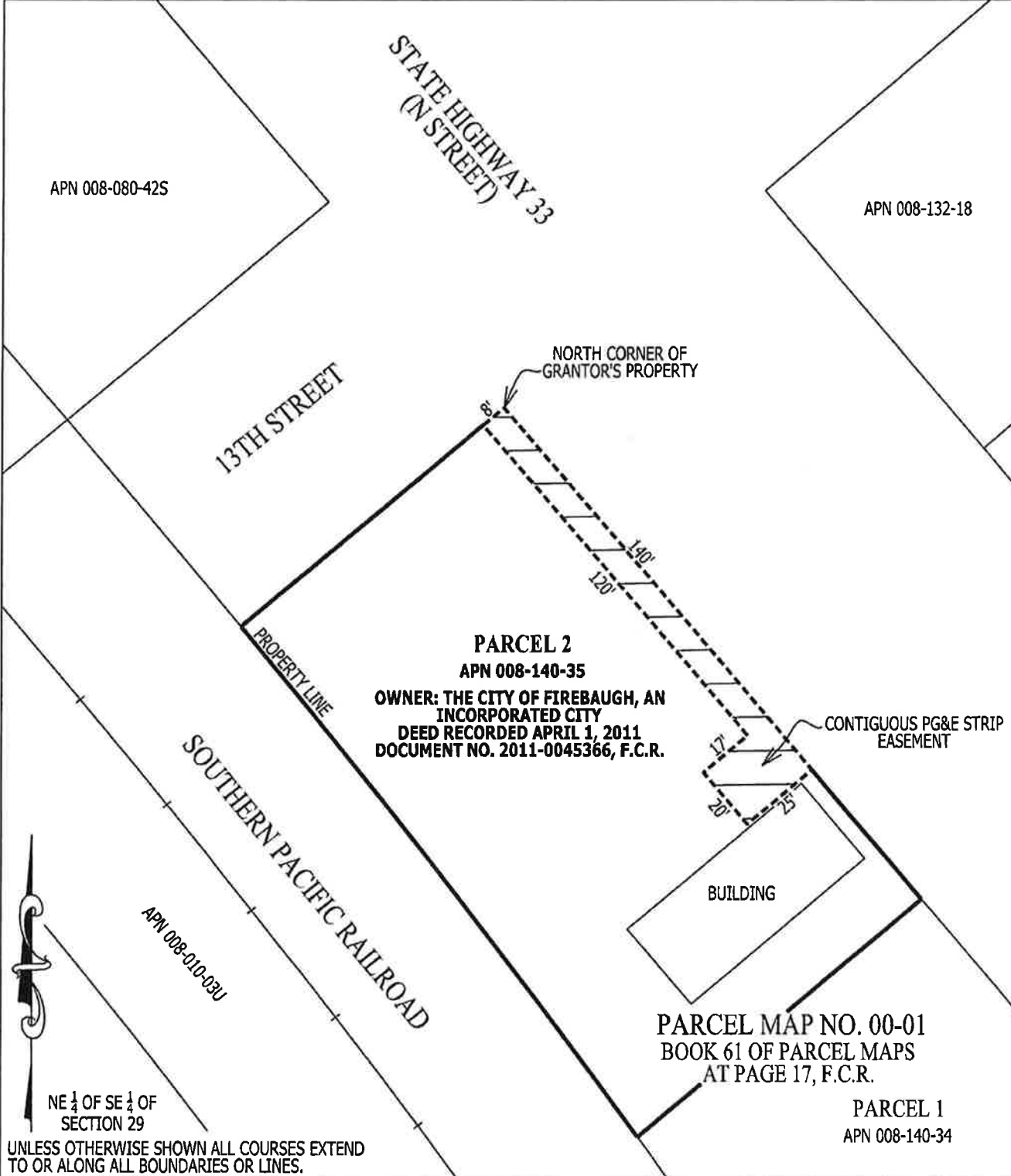
Corporate Officer(s) of the above named corporation(s)

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 _____



NE 1/4 OF SE 1/4 OF SECTION 29
 UNLESS OTHERWISE SHOWN ALL COURSES EXTEND TO OR ALONG ALL BOUNDARIES OR LINES.

Applicant:				CITY OF FIREBAUGH - RULE 20		SCALE	DATE
						1" = 40'	7/24/2012
SECTION	TOWNSHIP	RANGE	MERIDIAN	COUNTY OF: FRESNO		CITY OF: FIREBAUGH	
29	12 S.	14 E.	MDM				
PLAT MAP REFERENCES				F.B.: ADGA		DR.BY: ADGA	
1214295 (ELECTRIC) NA				PG&E		CH.BY: B2M3	
				FRESNO DIVISION		103572359	
				AUTHORIZ		30675529-COF2	
						DRAWING NO.	

Distribution Easement (Rev. 01/11)

RECORDING REQUESTED BY AND RETURN TO:

PACIFIC GAS AND ELECTRIC COMPANY
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Location: City of Firebaugh

Recording Fee \$ _____

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Signature of declarant or agent determining tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

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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 Firebaugh, County of Fresno, State of California, described as follows:

(APN 008-080-42S)

The parcel of land conveyed by Ronald Pete Lorenzetti and Sylvia Paulette Lorenzetti to Grantor by deed recorded March 30, 2011 as Document No. 2011-0043939, Fresno County Records.

Said facilities and easement area are described as follows:

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 parcel of land described as follows:

A strip of land of the uniform width of 8.00 feet lying contiguous to and southwesterly of the northeasterly boundary line of said lands and extending from the southeasterly boundary line of said lands northwesterly 45.00 feet (measured along said northeasterly boundary line).

Containing a total of 360 square feet, more or less.

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 further grants to Grantee the right to assign to another public utility as defined in Section 216 of the California Public Utilities Code the right to install, inspect, maintain, replace, remove and use communications facilities within said easement area (including ingress thereto and egress therefrom).

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

Dated: _____, _____

THE CITY OF FIREBAUGH, an
incorporated city

By _____

By _____

I hereby certify that a resolution was adopted on the ____ day of _____, 20____,
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JCN: NA

County: Fresno

Utility Notice Numbers: NA

851 Approval Application No. NA Decision NA

Prepared By: ADGa

Checked By: B2M3

Revision Number: NA

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

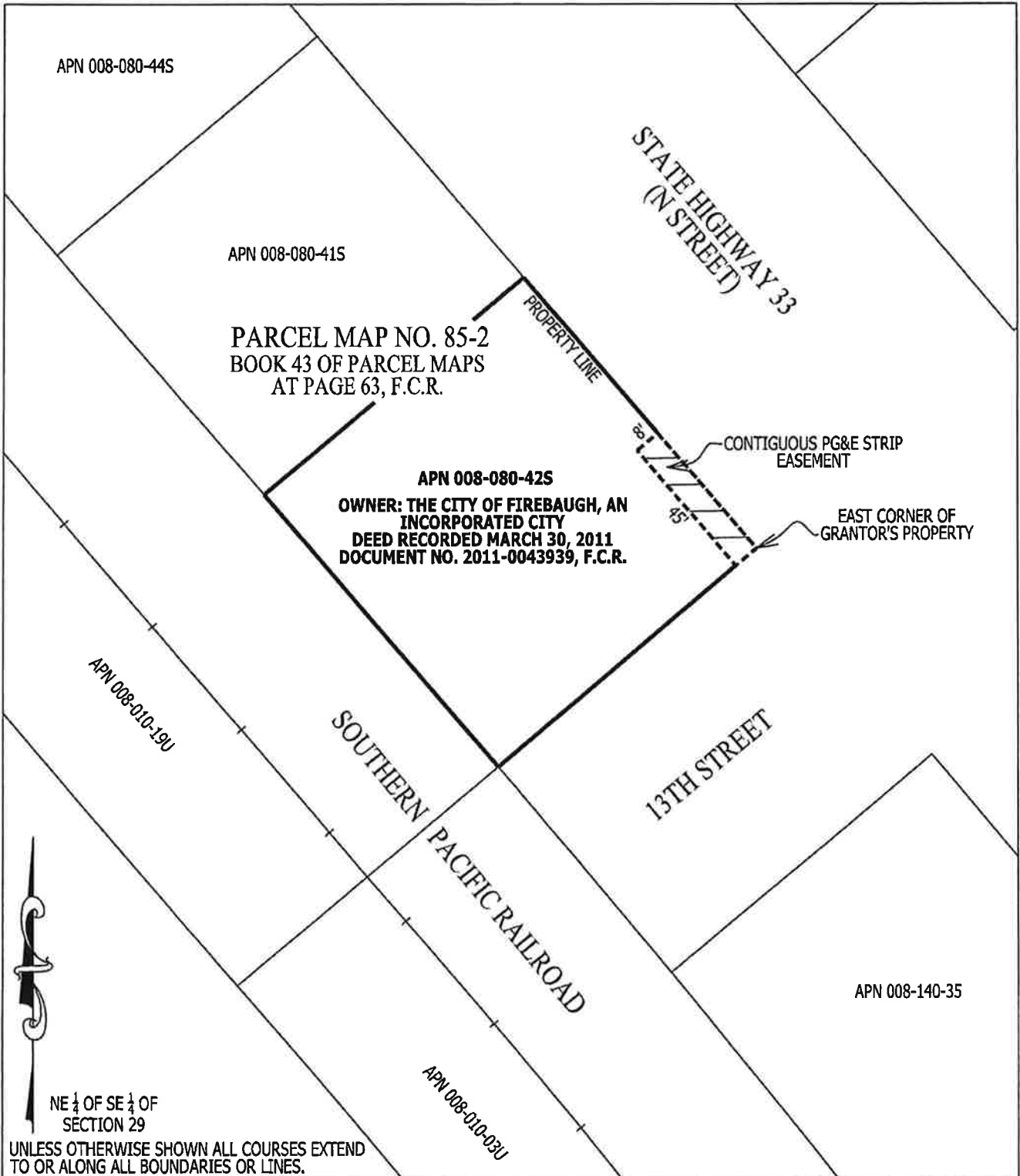
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