

RESOLUTION NO. 2023-05

A RESOLUTION OF ACCEPTANCE OF THE BOARD OF DIRECTORS OF THE RIVER PINES PUBLIC UTILITY DISTRICT ACCEPTING AN "EASEMENT AGREEMENT" GRANTING AN EASEMENT IN REAL PROPERTY LOCATED IN RIVER PINES, AMADOR COUNTY, CALIFORNIA, IDENTIFIED BY ASSESSOR PARCEL NUMBERS (APNS): 014-091-009 AND 014-091-023

WHEREAS, the River Pines Public Utility District (the "District") is organized and operates under the Public Utility District Act found at Public Utilities Code section 15501 et seq. (the "PUD Law"); and

WHEREAS, the PUD Law in Public Utilities Code section 16431 authorizes the District "[t]ake by grant, purchase, gift, devise, or lease, or otherwise acquire, hold and enjoy, and lease or dispose of, real and property of every kind within or without the district, when in the judgment of the board it is for the best interests of the district so to do"; and

WHEREAS, Kim Lamb and Lindsay Harrison (the "Grantors"), are the owners in fee of that certain real property commonly known as 22741 Circle Avenue, River Pines, County of Amador, California, identified by Assessor Parcel Numbers (APN): 014-091-009 ("Parcel 1"); and

WHEREAS, the Grantors are the owners in fee of that certain real property commonly known as 22739 Circle Avenue, River Pines, County of Amador, California, identified by APN 014-091-023 ("Parcel 2"); and

WHEREAS, Parcel 1 and Parcel 2 are hereinafter referred to as the "Properties;" and

WHEREAS, the Grantors wish to grant the District, and the District wishes to accept, "[a] perpetual easement and right-of-way through, in, over, above, under, and across the [Properties] for motorized vehicle use, and those appurtenances and uses commonly associated therewith," as further depicted in the Easement Agreement attached hereto as Attachment "A" and fully incorporated herein by reference (the "Easement Agreement"); and

WHEREAS, Government Code section 27281 requires the District, as grantee, to accept the Easement Agreement by a certificate or resolution of acceptance and allows the District to authorize an officer to accept and consent to deeds and grants.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the River Pines Public Utility District as follows:

1. The Recitals above are true and correct and fully incorporated herein.

2. The District hereby accepts the Easement Agreement by this Resolution of Acceptance.
3. The General Manager is hereby authorized to execute the Easement Agreement on behalf of the District, as well as any other documents necessary or convenient to effectuate this Resolution of Acceptance including, without limitation, the Certificate of Acceptance attached hereto as Attachment "B", and to submit all documents for recordation to the Amador County Clerk-Recorder's Office.
4. This resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the River Pines Public Utility District at a special meeting held on the 16th day of November 2023 by the following vote:

AYES: Christensen, Ebbinghausen, Raymond
NAYS: none
ABSENT: Chapman, Rewitzer
ABSTAIN: none

RIVER PINES PUBLIC UTILITY DISTRICT

Rocky Raymond, Chair, Board of Directors

ATTEST:

APPROVED AS TO FORM:

Candi Bingham, General Manager

Gary B. Bell, General Counsel