

Exhibit B

RESOLUTION NO. 21-002

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DELEGATING AUTHORITY TO ACCEPT GRANT OF EASEMENTS TO THE CITY MANAGER OR HIS OR HER AUTHORIZED DESIGNEE

WHEREAS, the widening of roads and installation of utilities often requires easements from landowners to ensure orderly development; and

WHEREAS, the City also acquires temporary and permanent easements in order to implement master planned roads, water, and sewer systems; and

WHEREAS, currently all proposed City easements are presented to Council for acceptance; and

WHEREAS, easement presented to Council include right of way, slope, sewer and water, trail, slope planting and pedestrian access; and

WHEREAS, the easement acceptance process takes time and can delay a project from obtaining permits, certificates of occupancy and use valuable staff time for report preparation; and

WHEREAS, California Government Code section 27281 provides that a governmental agency may authorize one or more of its officers or agents to accept and consent to deeds or grants conveying an interest in or easement upon real estate for public purposes; and

WHEREAS, delegation speeds projects, increases available staff time, and streamlines the easement acceptance process; and

WHEREAS, City staff is proposing the easements be accepted by the City Manager after review by the City Engineer or Capital Project Engineer and City Attorney.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2. The City Council finds that the following easements can be accepted by the City Manager or his or her authorized designee:

- Right of way dedications or easements for roads or road widening for the planned buildout of the City circulation system
- Right of way easements to complete existing roads as part of private development projects.
- Pedestrian access, equestrian and other access easements that are included in the City's Bicycle and Pedestrian Plan.
- Temporary Construction Easements for City projects.
- Easements for Maintenance of City facilities.
- City utility system easements including but not limited to water, wastewater, communications, and recycled water.
- Avigation easements.
- Drainage easements.

Exhibit B

- Parking easements without a new maintenance burden.
- Easements required as part of a Planning Commission or Council approved development project.

Section 3. The City Manager may sign the easement Certificate of Acceptance, on the City Council's behalf, after review by the City Attorney and either the City Engineer or Capital Project Engineer.

Section 4. The City Manager or his or her authorized designee will include the Attached Exhibit A – Grant of Easement Acceptance with each signed easement for recordation.

APPROVED this 19th day of January 2021, by the following vote:

AYES: Hamon, Gregory, Garcia, Strong, Martin



Steven W. Martin, Mayor

ATTEST:



Melissa Martin, City Clerk

Exhibit A – Grant of Easement Acceptance

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:
**CITY ENGINEER
COMMUNITY DEVELOPMENT DEPT.
CITY OF EL PASO DE ROBLES
1000 SPRING STREET
PASO ROBLES, CA 93446**



Space above this line reserved for the Recorder's Office

CERTIFICATE OF ACCEPTANCE

Pursuant to
California Government Code Section 27281

This is to certify that the interest in real property conveyed by the grant deed dated _____, 20____, from _____ to the City of El Paso de Robles, a municipal corporation, is hereby accepted by the undersigned officer on behalf of the City of El Paso de Robles, pursuant to the authority conferred by Resolution No. ____, adopted by the City Council of the City of El Paso de Robles on _____, and the City of El Paso de Robles consents to recordation thereof by its duly authorized officer.

Date: _____

CITY OF EL PASO DE ROBLES

By: _____

Its: _____

ATTEST:

City Clerk

ACKNOWLEDGMENT

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 SAN LUIS OBISPO } ss.

On _____, before me, _____,
(here insert name and title of the officer)

personally appeared Thomas Frutchey, City Manager who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacities, 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 _____

(Seal)