

RESOLUTION 2020-23

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT
APPROVING, AUTHORIZING AND ACCEPTING AN
EASEMENT FOR PUBLIC UTILITY PURPOSES**

WHEREAS, California Government Code (“Code”) Section 27281 provides that a deed or grant of any interest in or easement upon real property to a public agency such as Beaumont-Cherry Valley Water District (“District”) shall not be accepted for recordation without a consent of the District evidenced by a certificate or resolution of acceptance; and

WHEREAS, Code Section 27281 further provides that the District may authorize one or more officers and agents to accept and consent to such deeds or grants; and

WHEREAS, District Policies and Procedures, Part III, Section 15 requires approval of the Board of Directors for easement acceptance via a resolution; and

WHEREAS, a permanent easement is needed for the purpose of operating, servicing, maintaining or replacing domestic water facilities within a portion of the parcel listed below; and

WHEREAS, property owner Pardee Homes, has executed a Grant of Easement (“Easement”) in favor of the District (a copy of which is attached herein as Attachment “2”); and

WHEREAS, the Board of Directors (“Board”) of the District desires to authorize Daniel K. Jagers, General Manager of the Beaumont-Cherry Valley Water District to accept and consent to the recordation of the Easement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Beaumont-Cherry Valley Water District:

1. That the District accepts the easement offered to it by the owners of the parcel hereinafter described:

A 32.00 foot strip of land lying within Lots “A”, “E” and “15” (portion of Riverside County APN 408-120-014) of Tract No. 35967, in the City of Banning, County of Riverside, State of California, as filed in Map Book 474, Pages 1 through 14, inclusive, in the office of the County Recorder of Said County.

BE IT FURTHER RESOLVED that:

2. The Secretary of the Board shall cause a copy of this Resolution certified by the Secretary of the Board of Directors to be filed for record in the office of the Recorder of the County of Riverside, State of California;
3. Daniel K. Jagers, the District’s General Manager, is hereby authorized and directed to accept and consent to the recordation of the Easement on behalf of the District;

4. Daniel K. Jagers is hereby authorized to execute the Certificate of Acceptance attached to the Easement and to perform such other acts and deeds as may be necessary or convenient to effect the purposes of this Resolution and the transactions herein authorized.
5. This Resolution shall take effect immediately upon its adoption.

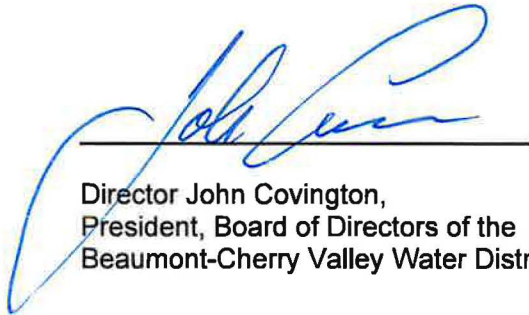
ADOPTED this this 14th day of October, 2020, by the following vote:

AYES: Covington, Hoffman, Ramirez, Slawson, Williams

NOES:


ABSTAIN:

ABSENT:



Director John Covington,
President, Board of Directors of the
Beaumont-Cherry Valley Water District

ATTEST:



Director Lona Williams,
Secretary, Board of Directors of the
Beaumont-Cherry Valley Water District

Attachments:


- 1 – Grant of Easement (Temporary Construction Easement including Exhibits A and B)
- 2 – Executed Acceptance of Easement

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within Grant of Easement from **Pardee Homes, Property Owner**, in favor of Beaumont-Cherry Valley Water District, is hereby accepted by the Beaumont-Cherry Valley Water District by Resolution 2020-23 on the date below and Grantee consents to the recordation thereof by its duly authorized officer or agent.

BEAUMONT-CHERRY VALLEY WATER DISTRICT
a public agency of the State of California

DATE: 10/21/2020

By 

Daniel K. Jagers, General Manager
of the Beaumont-Cherry Valley Water District

STATE OF CALIFORNIA
COUNTY OF Riverside

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.

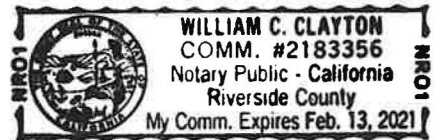
On October 21, 2020 before me, William C. Clayton, Notary Public
Notary Public, personally appeared Daniel K. Jagers

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 William C. Clayton



(Seal)

MEMORANDUM

TO: [Illegible]

FROM: [Illegible]

SUBJECT: [Illegible]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

RECEIVED
[Illegible text]
[Illegible text]
[Illegible text]
[Illegible text]



Attachment 1

No Recording Fees
Required Per
Government Code
Section 27383

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

BEAUMONT-CHERRY VALLEY WATER DISTRICT
Post Office Box 2037
Beaumont, California 92223

APN: portion of 408-120-014 Above Space for Recorder's Use FILE:
TRA:
DTT:

GRANT OF EASEMENT
(Temporary Construction Easement)

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Pardee Homes (collectively "Grantor"), hereby grants to **BEAUMONT-CHERRY VALLEY WATER DISTRICT, a public agency of the State of California**, ("Grantee"), its agents, representatives, successors and assigns, a temporary and non-exclusive construction easement and right of way over, on, under, in, across, along and through that portion of Grantor's property more particularly described in Exhibit "A" and depicted in Exhibit "B" attached hereto ("Temporary Construction Easement Area"), for purpose of all reasonably necessary and convenient activities associated with construction of water pipelines and appurtenances.

The easement described herein will expire on the date that is twenty-four (24) months following the date of recordation of the Grant Easement; provided, however, that in no event will the term of the easement granted herein extend beyond October 31st, 2022.

Counterpart signature pages may be attached hereto for purposes of recording.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

Doc. No. _____

ENG RW ###
(Rev. 5/3/20)

GRANTOR

Date _____

Pardee Homes
Michael C. Taylor
By Michael C Taylor
Its Division President

1250 CORONA POINTE COURT, #600
(mailing address)

CORONA CA 92879
(city) (state) (zip code)

Doc. No. _____

California All-Purpose Certificate of 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 Riverside } s.s.

On October 6, 2020 before me, Ana E. Chavez Perez, Notary Public
Name of Notary Public, Title

personally appeared Michael C. Taylor
Name of Signer (1)

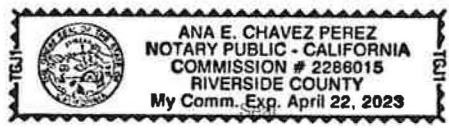
Name of Signer (2)

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



OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of _____

containing _____ pages, and dated _____.

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-fact
- Corporate Officer(s) _____
Title(s)
- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: _____

representing: _____
Name(s) of Person(s) Entity(ies) Signer is Representing

Additional Information
Method of Signer Identification
Proved to me on the basis of satisfactory evidence: <input type="checkbox"/> form(s) of identification <input type="checkbox"/> credible witness(es)
Notarial event is detailed in notary journal on: Page # _____ Entry # _____
Notary contact: _____
Other
<input type="checkbox"/> Additional Signer <input type="checkbox"/> Signer(s) Thumbprints(es)
<input type="checkbox"/> _____

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 _____

On _____ before me, _____,
Notary Public, 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 _____

(Seal)

EXHIBIT "A"
TEMPORARY CONSTRUCTION EASEMENT AREA
LEGAL DESCRIPTION

A 32.00 FOOT STRIP OF LAND LYING WITHIN LOTS A, E AND 15 OF TRACT NO. 35967, IN THE CITY OF BANNING, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS FILED IN MAP BOOK 474, PAGES 1 THROUGH 14, INCLUSIVE, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THE CENTERLINE OF SAID STRIP DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF HIGHLAND SPRINGS AVENUE, HAVING A HALF WIDTH OF 40.00 FEET AS SHOWN ON SAID TRACT NO. 35967, AND DISCOVERY WAY, HAVING A HALF WIDTH OF 44.00 FEET AS SHOWN ON AMENDED TRACT NO. 31470-3, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS FILED IN MAP BOOK 466, PAGES 83 THROUGH 93, INCLUSIVE, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE ALONG THE CENTERLINE OF SAID HIGHLAND SPRINGS AVENUE SOUTH 1°08'32" WEST 37.85 FEET;

THENCE PERPENDICULAR TO SAID CENTERLINE OF HIGHLAND SPRINGS AVENUE SOUTH 88°51'28" EAST 40.00 FEET TO THE EAST LINE OF SAID HIGHLAND SPRINGS AVENUE, SAID POINT ALSO BEING ON THE WEST LINE OF SAID LOT A AND THE **TRUE POINT OF BEGINNING**;

THENCE SOUTH 88°51'28" EAST 56.00 FEET TO THE **POINT OF TERMINUS**;

SAID TEMPORARY CONSTRUCTION EASEMENT CONTAINS 1,792 SQUARE FEET, MORE OR LESS.

SUBJECT TO ALL CONDITIONS, RESERVATIONS, EASEMENTS AND RIGHTS OF RECORDS, IF ANY. AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

PREPARED UNDER THE SUPERVISION OF:


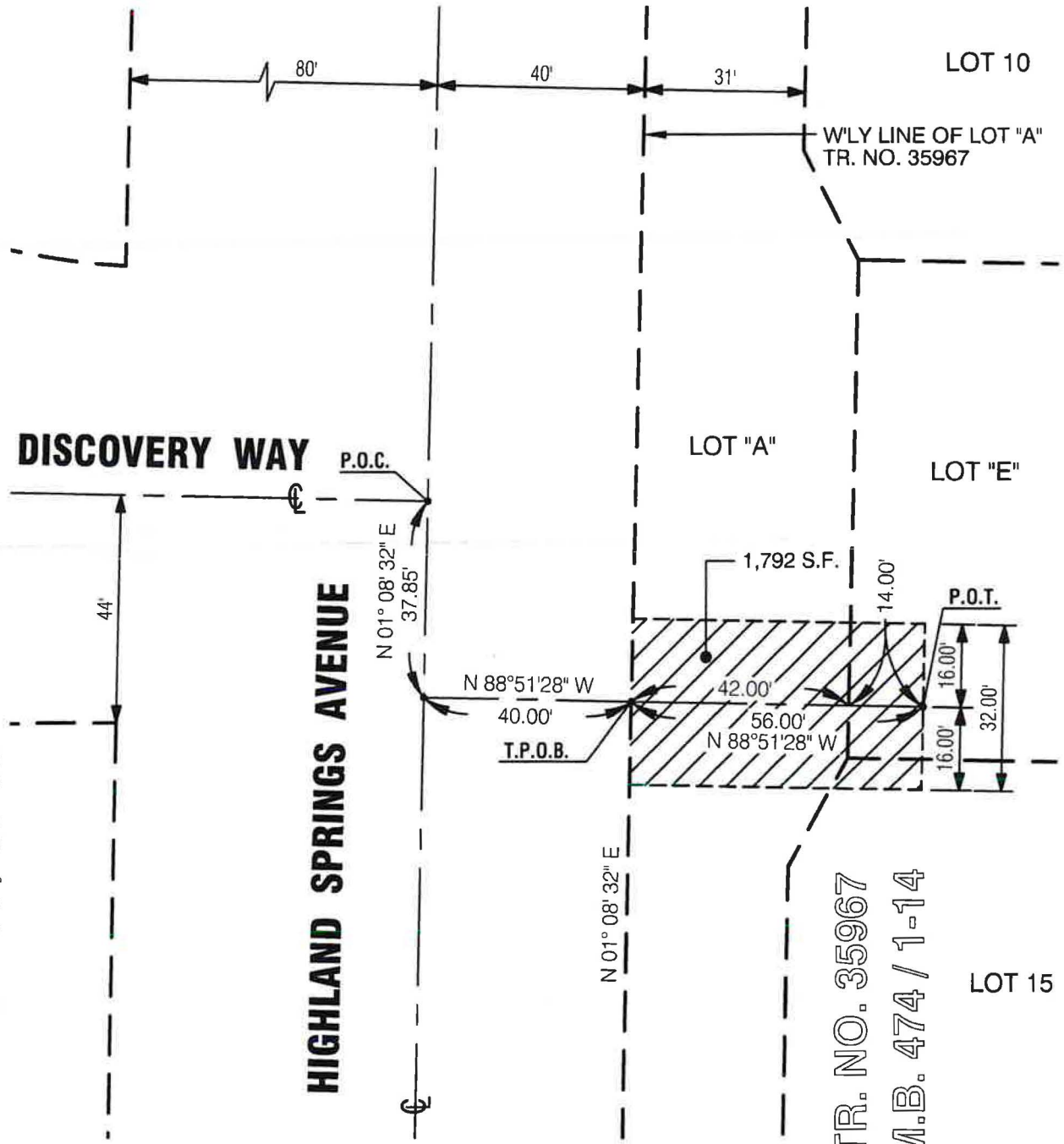

DARYL J. CHRISTIAN, PLS 8554 9.28.2020 DATE



EXHIBIT "B"

TEMPORARY CONSTRUCTION EASEMENT AREA



AMENDED TR. NO. 31470-3
 M.B. 466 / 83-93

HIGHLAND SPRINGS AVENUE

TR. NO. 35967
 M.B. 474 / 1-14



LEGEND:
 PUBLIC WATER EASEMENT

SHEET 1 OF 1

MDS CONSULTING	MORSE	17320 REDHILL AVE SUITE 350 IRVINE, CA 92614 PH: 949-251-0821
	SCHULTZ	
PLANNERS	ENGINEERS	SURVEYORS

SCALE: 1" = 30'

9-28-2020

Insert Attachment 2 after executing
Then add this footer text for page numbering in Arial 9 point:

BCVWD Resolution 2020-23 - Adopted 2020-10-14 - Page X of XX

