



Staff Report

August 8, 2017

TO: Honorable Mayor and Members of the Town Council
FROM: Brit Snipes, Public Works Director
DATE: August 8, 2017
RE: Relocation of the Sewer Easement on Town Owned Property located at 3511 Mandarin Court

Recommendation:

Staff recommends the Town Council authorize the Town Manager to execute the documents needed to relocate the sewer easement on a Town owned piece of property. The property is located at 3511 Mandarin Court as shown on Parcel 3 in Book 32 of Parcel Maps, Page 41, Placer County Records, (APN 043-014-0025).

Issue Statement and Discussion:

An extension of the sewer lines is required to develop 3264 Taylor Road and several other parcels between Taylor Road and Rippey Road north of Mandarin Court. During the design phase of 3264 Taylor Road, it was determined that following the alignment of the existing sewer easement made construction of the sewer line economically unfeasible.

Town staff worked with South Placer Municipal Utilities District (SPMUD) and the developer to modify the alignment of the sewer line and easement through the Town owned parcel at 3511 Mandarin Court. This alignment reduced the amount of grading and paving as well as sewer pipe and structures, making it possible for this project to construct the sewer line. This not only allowed 3264 Taylor Road to move forward but it also gives the adjacent parcels access to sewer, thus allowing them to develop as well.

Town staff determined that the revised alignment of the sewer easement doesn't adversely affect the use of this property. This property is an extension of the Town's corporation yard. In the future, it will be paved and structures, if any, can be place so that they do not conflict with the easement. This alignment also reduces the amount of SPMUD's structures and facilities located on Town property.

CEQA

There are no CEQA issues involved with the relocation of this easement.

Financial and/or Policy Implications:

None

Attachments:

- A. Resolution
- B. Quitclaim
- C. Grant of Easement

TOWN OF LOOMIS

RESOLUTION NO. 17 - __

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS RELOCATING A SEWER EASEMENT ACROSS THE PROPERTY AT 3511 MANDARIN COURT AS SHOWN ON PARCEL 3 IN BOOK 32 OF PARCEL MAPS PAGE 41

BE IT RESOLVED by the Council of the Town of Loomis that the portion of the sewer easement described in Quitclaim Deed Sewer Easement, Exhibit "A" attached hereto, is hereby abandoned by the Town of Loomis and the Grant of Sewer Easement, Exhibit "B" attached hereto, is hereby accepted by the Town of Loomis.

PASSED AND ADOPTED this 8^h day of August, 2017 by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Mayor

ATTEST:

Town Clerk

Recording Requested By
And Return To:

South Placer Municipal
Utility District
5807 Springview Drive
Rocklin, CA 95677

No Fee per Government
Code § 6103 and 27383

APN: 043-014-025

**QUITCLAIM DEED
SEWER EASEMENT**

South Placer Municipal Utility District, a public Agency, does hereby remise, release, and forever quitclaim to the Town of Loomis, all of its right, title and interest in and to that certain sewer easement areas on, over and across that certain real property situated in the Town of Loomis, County of Placer, State of California as more particularly described and shown in Exhibits "A" and "B: attached hereto and incorporated by reference herein.

SEE EXHIBITS "A" AND "B"

Dated: _____, 20__

SOUTH PLACER MUNICIPAL UTILITY DISTRICT

By: _____
Herb Niederberger, General Manager

ATTEST:

EXHIBIT "A"
LEGAL DESCRIPTION
EASEMENT QUITCLAIM
PUBLIC SEWER EASEMENT
OVER PARCEL 3 PER 32 P.M. 41
PAGE 1 OF 1

All of that certain 15-foot-wide Public Sewer Easement encumbering Parcel 3, as said Parcel is shown and so designated on that certain Parcel Map filed in Book 32 of Parcel Maps, Page 41, Placer County Records, the location of which is described as follows:

All that certain real property situate in the Town of Loomis, County of Placer, State of California, described as follows:

A portion of Parcel 3, as said parcel is shown and so designated on that certain Parcel Map filed in Book 32 of Parcel Maps, Page 41, Placer County Records, more particularly described as follows:

A strip of land the uniform width of fifteen (15) feet, the southerly and easterly lines of which is described as follows:

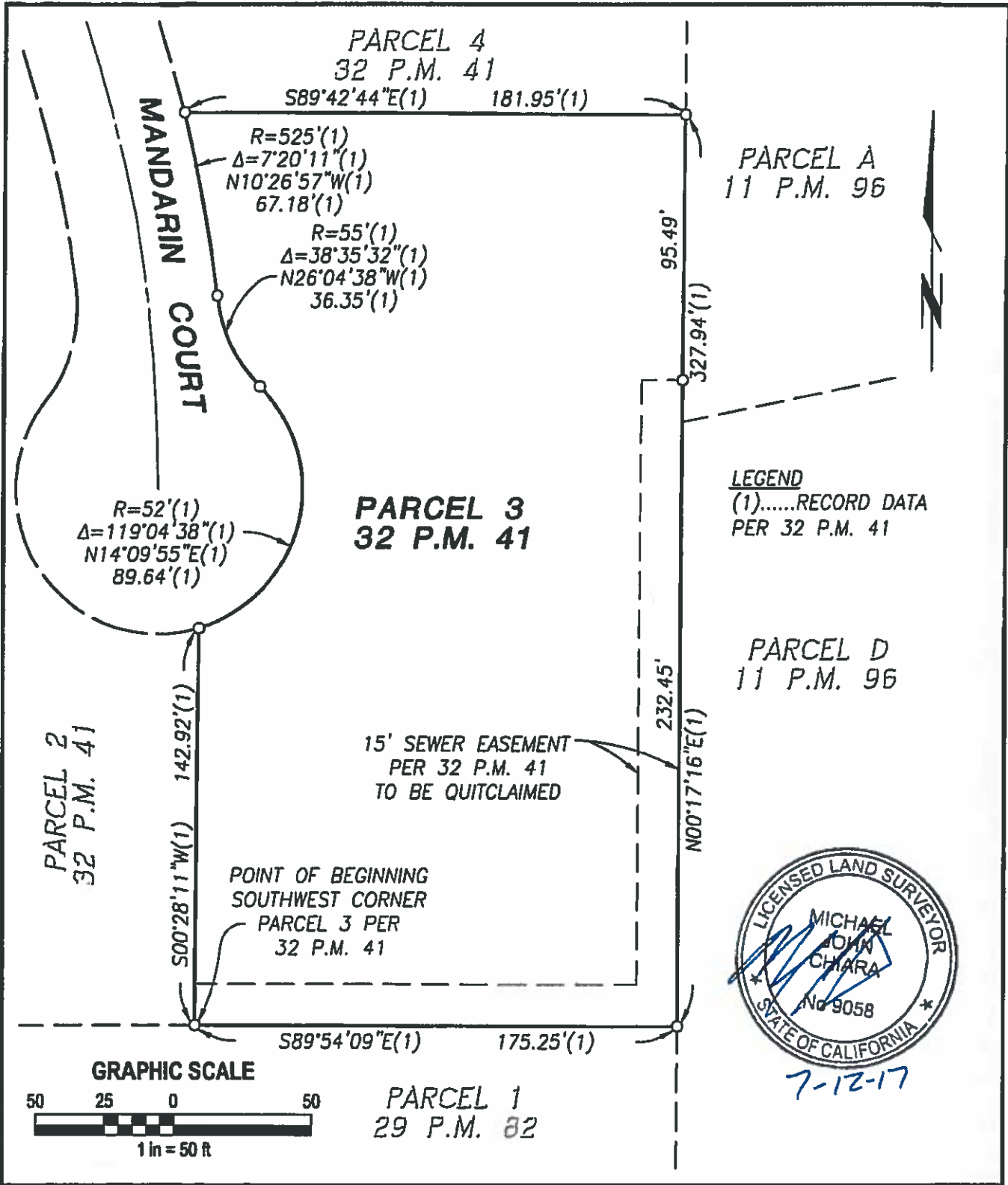
BEGINNING at the southwest corner of the above referenced Parcel 3; thence from the point of beginning, along the southerly and easterly lines of said Parcel 3 the following two (2) courses: (1) South 89°54'09" East 175.25 feet and (2) North 00°17'16" East 232.45 feet to the northerly terminus of the above referenced easement.

The sideline of said strip shall be lengthened or shortened to terminate at the westerly line of said Parcel 3.



7-12-17

Date: X:\2016\16-0004-00 0204 TAYLOR ROAD\DWG\SEWER\SEWER_CUTCLAIM\160036-ST-E004.DWG | Saved: 04-27-17 08:14am MCHARRA | Plot: 07-12-17 11:18am MCHARRA



mp **MORTON & PITALO, INC.**
 CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING
 LANDSCAPE ARCHITECTURE • TRAFFIC ENGINEERING
 75 Iron Point Circle, Suite 120 • Folsom, CA 95630
 phone: 916.984.7621 • fax: 916.984.9617 • survey fax: 916.563.6770
 survey email: staking@mpangr.com • web: www.mpangr.com

DRAWN:	MJC	JOB NO:	160036
CHECKED:	MJC	DATE:	JULY 2017
SCALE:	1"=50'	SHEET:	1 of 1

EXHIBIT "B"

EASEMENT QUITCLAIM
PUBLIC SEWER EASEMENT
OVER PARCEL 3 PER 3 P.M. 41

TOWN OF LOOMIS, STATE OF CALIFORNIA

Recording Requested By
And Return To:

South Placer Municipal
Utility District
5807 Springview Drive
Rocklin, CA 95677

No Fee per Government
Code § 6103 and 27383

APN:

GRANT OF SEWER EASEMENT

The Town of Loomis, GRANTOR, does hereby GRANT to the SOUTH PLACER MUNICIPAL UTILITY DISTRICT (the "DISTRICT"), a perpetual right-of-way and easement to build, construct, reconstruct, add to, modify, alter, replace or enlarge and to operate and maintain gravity and/or pressure sewer pipelines, together with any and all fixtures, structures, devices and appurtenances appertaining thereto; together with the rights of ingress and egress; on, over, across and under all sewer easements located in the Town of Loomis, County of Placer, State of California, as described and shown in exhibits "A" and "B", attached hereto and incorporated by reference herein.

The GRANTOR(s), its successors and assigns agree that:

1. No buildings, structures, walls, fences, or trees shall be placed upon, over or under said parcel of land for the duration of this easement except that said parcel may be improved and used for street, road or driveway purposes trail, path parking lot, non-vehicular public access, or shallow root landscaping purposes and for other utilities, insofar as such use does not interfere with its use by the DISTRICT for the purposes for which it is granted.
2. The DISTRICT shall not be liable for any damage to any of the GRANTOR(s) improvements placed upon said parcel due to the DISTRICT's operations using reasonable care.
3. Should any of the DISTRICT facilities within said easement be required to be relocated or repaired as a result of changes in grade or other construction within the easement, the GRANTOR(s) or its successors and assigns shall bear the full cost of such relocation or repair, unless changes in grade or other construction are done with the prior written consent of the DISTRICT.
4. The GRANTOR shall not allow any obstructions which may impede or interfere with the DISTRICTS use of or access to said easement.

5. The DISTRICT shall have the right, but not the obligation to cut, trim, remove trees, brush, and/or remove other unauthorized obstructions which may impede or interfere with the DISTRICTS use.
6. The DISTRICT accepts no responsibility for or liability to GRANTOR or any other party for any damages arising out of the installation, use, maintenance, ownership or operation of other utilities or any other improvements within DISTRICT's easement and right of way.
7. All provisions of this easement, including the benefits and burdens, run with the land and are binding upon and inure to the GRANTOR(s), the DISTRICT, and their heirs, assigns, successors, tenants and personal representatives.
8. Signator for GRANTOR(s) warrant that it has the legal authority to bind the party hereto and GRANTOR(s) warrant that it may legally grant the rights described herein.

Dated: _____, 20__

(Grantor information/signatures here)

(Signature)

(Print)

EXHIBIT "A"
LEGAL DESCRIPTION
SEWER EASEMENT
PAGE 1 OF 1

All that certain real property situate in the Town of Loomis, County of Placer, State of California, described as follows:

A portion of Parcel 3, as said parcel is shown and so designated on that certain Parcel Map filed in Book 32 of Parcel Maps, Page 41, Placer County Records, more particularly described as follows:

A strip of land the uniform width of sixteen (16) feet, the centerline of which is described as follows:

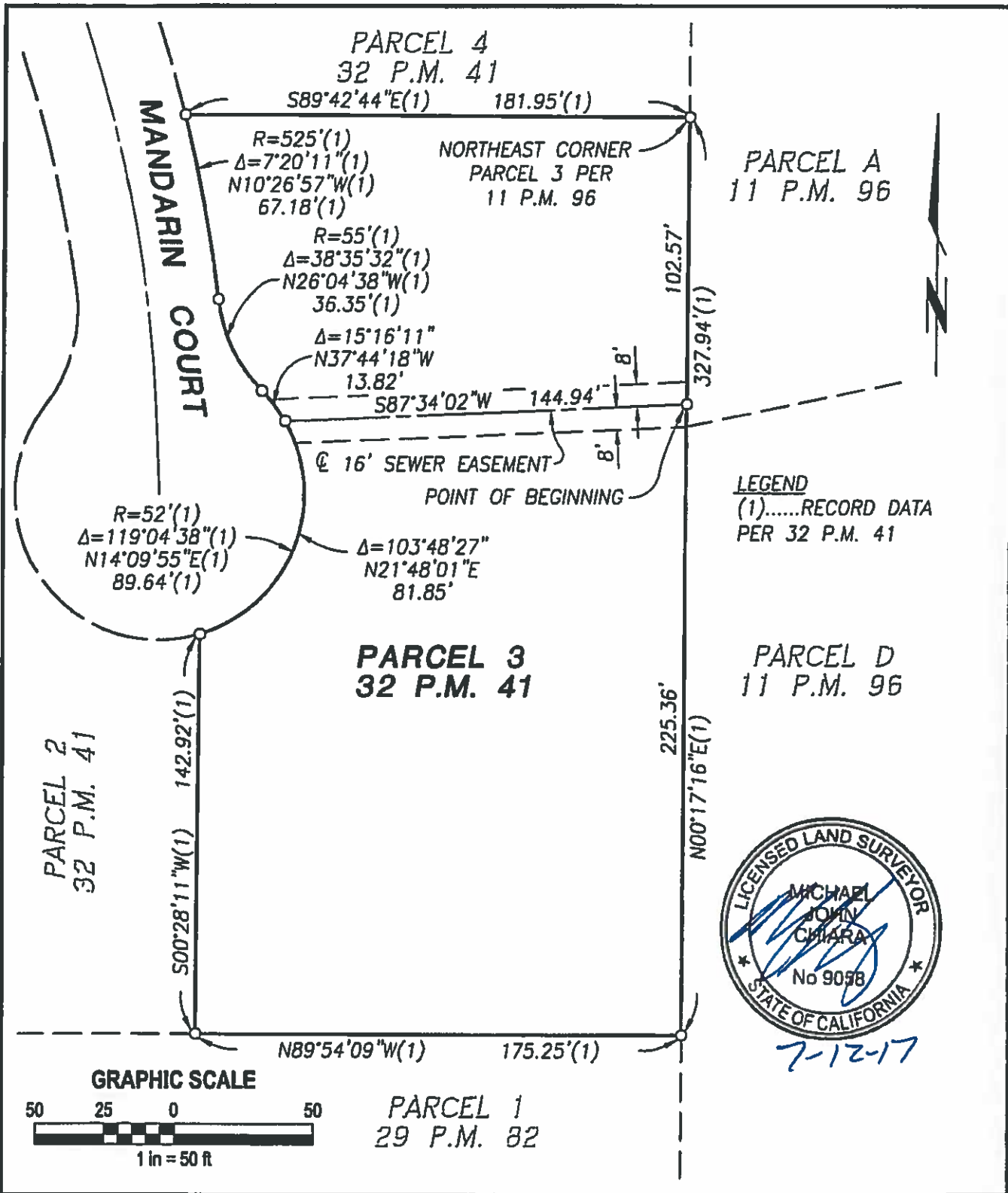
BEGINNING at a point on the east line of the above referenced Parcel 3 from which the northeast corner thereof bears North 00°17'16" East 102.57 feet; thence from the point of beginning, leaving said east line, South 87°34'02" West 144.94 feet to a point on the west line of said Parcel 3 and the terminus of the herein described easement.

The sidelines of said strip shall be lengthened or shortened to terminate at the easterly and westerly lines of said Parcel 3.



7-12-17

Day: X:\2017\16-0036-00 [204] TAYLOR ROAD\WORK\SEWER EASEMENT\160036-S1-ER00.DWG | Sheet: 04-27-17 04:Name: MCHMURA | Plotted: 07-12-17 11:21 AM MCHMURA



 MORTON & PITALO, INC. CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING LANDSCAPE ARCHITECTURE • TRAFFIC ENGINEERING 75 Iron Point Circle, Suite 120 • Folsom, CA 95630 phone: 916.984.7421 • fax: 916.984.9617 • survey fax: 916.563.6770 survey email: slating@mpeng.com • web: www.mpeng.com		DRAWN:	MJC	JOB NO:	160036
		CHECKED:	MJC	DATE:	JULY 2017
SCALE:	1"=50'	SHEET:	1 of 1		

EXHIBIT "B"

SEWER EASEMENT
PARCEL 3
32 P.M. 41

TOWN OF LOOMIS, STATE OF CALIFORNIA