

RESOLUTION NO. .

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA
ACTING AS THE GOVERNING BOARD OF THE DEVONSHIRE COUNTY
SANITATION DISTRICT**

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RESOLUTION AUTHORIZING THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A NOVATION AGREEMENT BETWEEN THE COUNTY OF SAN MATEO, DEVONSHIRE COUNTY SANITATION DISTRICT, AND LLOYD AND BONNIE WILSON FOR A RELOCATED SEWER ON ASSESSOR'S PARCEL NUMBER 049-142-530, LOCATED AT 55 WINDING WAY IN UNINCORPORATED SAN CARLOS AND TO EXECUTE ALL NOTICES, CONSENTS, APPROVALS, DEEDS, CERTIFICATES OF ACCEPTANCE, ESCROW INSTRUCTIONS, AND DOCUMENTS NEEDED TO COMPLY WITH THE INTENT OF THIS RESOLUTION FOR AND ON BEHALF OF THE DISTRICT, AND THE CLERK OF THIS BOARD SHALL ATTEST THE PRESIDENT'S SIGNATURE ON THE ACCEPTANCE THERETO

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, acting as the Governing Board of the Devonshire County Sanitation District that

WHEREAS, the Devonshire County Sanitation District ("District") holds title to certain sewer easements within its system, which system includes Assessor's Parcel Number 049-142-530 (the "Property"), located at 55 Winding Way in unincorporated San Carlos; and

WHEREAS, the Board of Supervisors of the County of San Mateo ("County") adopted Resolution No. 076981, on October 8, 2019 approving an Agreement for Exchange of Real Property ("Exchange Agreement") between the County and Lloyd Richard Wilson and Bonnie J. Wilson, Trustees, U.D.T. dated September 27, 2000, entitled The Lloyd R. and Bonnie J. Wilson Family Trust, ("Wilson") that provided for the exchange of sewer easements across the Property; and

WHEREAS, for the District to quitclaim the unused sewer easement to the Wilson and accept the sewer easement and dedication for the relocated sewer

facilities from Wilson it is necessary for County, District and Wilson to enter into an Assignment, Assumption and Novation Agreement (“Novation Agreement”); and

WHEREAS, under the Novation Agreement, Wilson will release the County from its obligations under the Exchange Agreement on the condition that the County assign and delegate to the District the rights and obligations under the Exchange Agreement and District assume the County’s obligations under the Exchange Agreement; and

WHEREAS, there has been presented to this Board for its consideration an Assignment, Assumption and Novation Agreement between the County of San Mateo, Devonshire County Sanitation District and Lloyd and Bonnie Wilson; and

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED AS FOLLOWS:

1. That the President of the Board of Supervisors, acting as the Governing Board of the Devonshire County Sanitation District be, and is hereby, authorized and directed to execute the Novation Agreement between the County of San Mateo, Devonshire County Sanitation District and Lloyd and Bonnie Wilson for a relocated sewer on Assessor’s Parcel Number 049-142-530, located at 55 Winding Way in unincorporated San Carlos and all notices, consents, approvals, deeds, certificates of acceptance, escrow instructions and documents needed to comply with the intent of this Resolution for and on behalf of the District, and the Clerk of this Board shall attest the President’s signature on the acceptance thereto.

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