

RESOLUTION NO. _____

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA
AND ACTING AS THE GOVERNING BOARD OF THE EMERALD LAKE HEIGHTS
SEWER MAINTENANCE DISTRICT**

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RESOLUTION: A) AUTHORIZING THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A QUITCLAIM DEED, VACATING A SANITARY SEWER EASEMENT ON THE PROPERTY LOCATED AT 603 PARK ROAD (APN 057-163-190), IN THE UNINCORPORATED AREA OF SAN MATEO COUNTY; AND B) ACTING AS THE GOVERNING BOARD OF THE EMERALD LAKE HEIGHTS SEWER MAINTENANCE DISTRICT, AUTHORIZING THE COUNTY EXECUTIVE OFFICER, OR THEIR DESIGNEE(S), TO EXECUTE ON BEHALF OF THE COUNTY ANY AND ALL NOTICES, CONSENTS, APPROVALS, ESCROW INSTRUCTIONS AND DOCUMENTS IN CONNECTION WITH THE COVENANT REGARDING SEWAGE EJECTOR PUMP SYSTEM

(VACATION NO. R113)

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, and acting as the Governing Board of the Emerald Lake Heights Sewer Maintenance District, that:

WHEREAS, Steven T. Staben and Leanna R. Staben, as Trustees of the Staben Family Trust dated June 18, 2016, are the property owners (“Owners”) of Assessor’s Parcel Number 057-163-190, located at 603 Park Road, in the unincorporated County of San Mateo (“Property”); and

WHEREAS, the County of San Mateo (“County”) holds title to a sanitary sewer easement conveyed by that certain Easement Grant Deed recorded on October 12, 1984, as Document No. 84-111112 of Official Records (“Easement”), over and across the Property; and

WHEREAS, the Easement is shown on and legally described on Exhibits A and B attached hereto and incorporated herein by this reference; and

WHEREAS, the Easement encumbers and together with a pump system, maintained by the Emerald Lake Heights Sewer Maintenance District ("District"), provides sanitary sewer service only to the subject Property; and

WHEREAS, Owners have requested, and the County and the District desire, to transfer the responsibilities of the District to maintain and operate the pump system to the Owner, in exchange for a quitclaim deed of the Easement by the County; and

WHEREAS, Owners accept sole responsibility for the ownership, operation, maintenance and repair or replacement of the Pump System, as described in the Covenant Regarding Sewage Ejector Pump System ("Covenant") signed by Owners and the District, including but not limited to all appurtenances and power supply associated with the proper operation of the pump system, and made public record, and Owners release the District and the County from any obligation whatsoever to replace, reconstruct, or repair the Easement and sewer facilities situated therein in exchange for the County's quitclaim of the Easement, and conveyance of any sewer facilities that remain therein to Owners; and

WHEREAS, this Board has determined that the Easement to be quitclaimed is not required for County or District purposes; and

WHEREAS, there has been presented to this Board for its consideration and acceptance the Covenant with attached Quitclaim Deed to be executed by the County, vacating the Easement, pursuant to the terms of the Covenant; and

WHEREAS, this Board has been presented with the Covenant and Quitclaim Deed and has examined and approved both for execution.

NOW THEREFORE, BE IT RESOLVED AND HEREBY ORDERED that the President of the Board of Supervisors be, and is hereby, authorized and directed to execute the Quitclaim Deed, vacating the Easement on the Property.

BE IT FURTHER RESOLVED that the County Executive, or designee(s), is hereby authorized to execute on behalf of the District any and all notices, consents, approvals, escrow instructions, and documents in connection with the Covenant.

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