

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

RESOLUTION AUTHORIZING: A) 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 B) THE COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE ON BEHALF OF THE COUNTY ANY AND ALL ACCEPTANCES, NOTICES, CONSENTS, APPROVALS, DEEDS, CERTIFICATES OF ACCEPTANCE, ESCROW INSTRUCTIONS, AND DOCUMENTS NEEDED TO COMPLY WITH THE INTENT OF THIS RESOLUTION

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, 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 sewer easement to 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:

That the President of the Board of Supervisors is hereby authorized 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;

IT IS FURTHER DETERMINED AND ORDERED that the County Manager or his designee is hereby authorized to execute on behalf of the County any and all acceptances, notices, consents, approvals, deeds, certificates of acceptance, escrow instructions, and documents needed to comply with the intent of this Resolution.

* * * * *