

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA  
AND ACTING AS THE GOVERNING BOARD OF THE FAIR OAKS SEWER  
MAINTENANCE DISTRICT**

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**RESOLUTION: A) AUTHORIZING THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE ON BEHALF OF THE FAIR OAKS SEWER MAINTENANCE DISTRICT (“DISTRICT”) THE AGREEMENT, DEED AND EXCHANGE OF EASEMENTS (“AGREEMENT”) WITH 269 STOCKBRIDGE LLC, (“OWNER”) EXCHANGING AN EXISTING SEWER EASEMENT WITHIN THE PROPERTY LOCATED AT 269 STOCKBRIDGE AVENUE, ATHERTON (“PROPERTY”); AND B) AUTHORIZING THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE ON BEHALF OF THE DISTRICT A QUITCLAIM DEED RELEASING THE COUNTY’S INTEREST IN AN EXISTING SEWER EASEMENT; AND C) AUTHORIZING THE COUNTY EXECUTIVE , OR THEIR DESIGNEE, TO EXECUTE ON BEHALF OF THE DISTRICT THE CERTIFICATE OF ACCEPTANCE THEREBY ACCEPTING A NEW REALIGNMENT EASEMENT TO REPLACE THE EXISTING SEWER EASEMENT BEING QUITCLAIMED BY THE COUNTY; D) AUTHORIZING THE COUNTY EXECUTIVE, OR THEIR DESIGNEE, TO EXECUTE ANY AND ALL NOTICES, CONSENTS, APPROVALS, ESCROW INSTRUCTIONS, DOCUMENTS IN CONNECTION WITH THE AGREEMENT**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, and acting as the Governing Board of the Fair Oaks Sewer Maintenance District, that

**WHEREAS**, 269 Stockbridge LLC, is the property owner of record (“Owner”) of Assessor’s Parcel Number 070-012-080, located at 269 Stockbridge Avenue, within the City of Atherton (“Property”); and

**WHEREAS**, the Fair Oaks Sewer Maintenance District (“District,” or “County”) holds title to a sanitary sewer easement conveyed by that certain Easement Grant Deed recorded on April 5th, 1985, as Document No. 85-031915, of Official Records (“Existing Easement”) over a portion of the Property; and

**WHEREAS**, the Existing Easement does not align with the existing sanitary sewer main; and

**WHEREAS**, the District desires to quitclaim the Existing Easement to the Owner and Owner desires to grant the District a new easement (“Re-alignment Easement”) that coincides with the actual location of the sanitary sewer main; and

**WHEREAS**, section 25526.5 of the California Government Code authorizes the Board of Supervisors to exchange real property that is no longer necessary for county or other public purposes when its estimated value does not exceed \$25,000 in the manner and on the terms and conditions approved by the Board without complying with any other sections of Article 8 of Chapter 5, Division 2, Title 3 of the Government Code; and

**WHEREAS**, there has been presented to this Board for its consideration and acceptance the Agreement, Deed and Exchange of Easements (“Agreement”), whereby Owner shall grant the District a new Re-alignment Easement for the purpose of constructing, repairing, maintaining, replacing, renewing and using underground pipelines and appurtenant facilities for sanitary sewer purposes in exchange for the District quitclaiming the Existing Easement in accordance with the terms and conditions contained in said Agreement; and

**WHEREAS**, this Board has been presented with the Agreement and has examined and approved same as to both form and content and desires to enter into same.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of the Board of Supervisors, be and is hereby authorized and directed to

execute said Agreement Deed and Exchange of Easements for and on behalf of the District, and the Clerk of the Board shall attest to the President's signature thereto; and

**IT IS FURTHER DETERMINED AND ORDERED** that the President of the Board of Supervisors to execute on behalf of the District a Quitclaim deed releasing the District's interest in the Existing Easement; and

**IT IS FURTHER DETERMINED AND ORDERED** that the County Executive, or their designee, to execute on behalf of the District the Certificate of Acceptance thereby accepting an easement across the Property to replace the Existing Easement being quitclaimed by the District.

**IT IS FURTHER DETERMINED AND ORDERED** that the County Executive or their designee is hereby authorized to accept and/or execute on behalf of the District, any and all notices, consents, approvals, terminations, deeds, certificates of acceptance, escrow instructions, documents, and/or amendments in connection with the Agreement so long such documents are consistent with the intent of this Resolution and the Agreement.

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