

RESOLUTION NO. _____

BOARD OF DIRECTORS, FAIR OAKS SEWER MAINTENANCE DISTRICT, STATE
OF CALIFORNIA

* * * * *

RESOLUTION AUTHORIZING (A) THE PRESIDENT OF THE BOARD TO EXECUTE ON BEHALF OF THE DISTRICT THE EASEMENT EXCHANGE AGREEMENT WITH PATRICK MCGOVERN AND RAQUEL G. MCGOVERN, AS TRUSTEES OF THE MCGOVERN FAMILY TRUST DATED MAY 3, 2012, AND WITH THE COUNTY; EXCHANGING SEWER EASEMENTS ON THE PROPERTY LOCATED AT 465 ELEANOR DRIVE IN THE TOWN OF WOODSIDE, AND (B) THE COUNTY MANAGER, OR HIS DESIGNEE, TO EXECUTE ON BEHALF OF THE DISTRICT THE CERTIFICATE OF ACCEPTANCE ATTACHED TO AND ACCEPTING A DEED OF EASEMENT AND DEDICATION ACROSS THE PROPERTY TO REPLACE THE PORTION OF THE SEWER EASEMENT BEING QUITCLAIMED BY THE COUNTY; AND TO EXECUTE ANY AND ALL NOTICES, CONSENTS, APPROVALS, ESCROW INSTRUCTIONS AND DOCUMENTS IN CONNECTION WITH THE AGREEMENT.

RESOLVED, by the Board of Directors of the Fair Oaks Sewer Maintenance District, State of California, that:

WHEREAS, PATRICK MCGOVERN AND RAQUEL G. MCGOVERN, TRUSTEES OF THE MCGOVERN FAMILY TRUST (“Owner”) owns Assessor’s Parcel Numbers 069-225-200 and 069-225-210, located at 465 Eleanor Drive, in incorporated Town of Woodside (the “Property”); and

WHEREAS, the County of San Mateo (the “County”) is the owner of an existing sanitary sewer easement that encumbers the Property that is being abandoned (the “Prior Easement”) by the County, which easement is described and shown on Attachment 1, attached hereto and incorporated herein by reference; and

WHEREAS, Owner has requested, and County and District desire, to exchange the Prior Easement for a new Sanitary Sewer Easement (the “New Easement”) encumbering the Property, which easement is described and shown

on Attachment 2, attached hereto and incorporated herein by reference; and

WHEREAS, Owner desires to grant to the District the New Easement and dedicate the sewer facilities situated therein to District in exchange for County's quitclaim of the Prior Easement, and conveyance of any sewer facilities that remain therein to Owner, which facilities will be accepted by Owner AS-IS, WHERE-IS, and WITH ALL FAULTS; and

WHEREAS, this Board has determined that the Prior Easement and New Easement are of equal value and the Prior Easement to be quitclaimed by the County is not required for County or District purposes, while the New Easement to be conveyed is required for County and District purposes; and

WHEREAS, there has been presented to this Board for its consideration and acceptance an Easement Exchange Agreement ("Agreement") to be executed by Owner, County, and District; with attached Deed of Easement and Dedication executed by Owner to be accepted by District, and attached Quitclaim Deed to be executed by County, exchanging the Prior Easement for the New Easement, pursuant to the terms of the Agreement; and

WHEREAS, this Board has been presented with the Agreement and deeds and has examined and approved the Agreement and deeds for execution.

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

That the President of the Board of Supervisors be, and is hereby, authorized and directed to execute on behalf of the District the Easement Exchange Agreement with Patrick J. McGovern and Raquel G. McGovern, as Trustees of the McGovern Family Trust Dated May 3, 2012, and with the County; exchanging sewer easements on the property located at 465 Eleanor Drive, in the Town of Woodside; and

IT IS FURTHER DETERMINED AND ORDERED that the County Manager or his designee is hereby authorized to execute on behalf of the District the Certificate of Acceptance attached to and accepting a Deed of Easement and Dedication across the Property, to replace the portion of the sewer easement being quitclaimed by the County; and to execute any and all notices, consents, approvals, escrow instructions and documents in connection with the Agreement.

* * * * *

ATTACHMENT 1, PAGE 1 OF 2
ABANDONMENT OF EASEMENT

ALL OF THAT EASEMENT IN THE THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO PATRICK J. MCGOVERN AND RAQUEL G. MCGOVERN TRUSTEES OF THE MCGOVERN FAMILY TRUST RECORDED APRIL 16, 2013, AS DOCUMENT NUMBER 2013-056795, OFFICIAL RECORDS OF THE COUNTY OF SAN MATEO, BEING A PORTION OF PARCEL NO. 4 DESCRIBED IN THE EASEMENT DEED (RESOLUTION NO. 5311) TO COUNTY OF SAN MATEO RECORDED JANUARY 16, 1951 IN BOOK 2010 AT PAGE 636, OFFICIAL RECORDS OF THE COUNTY OF SAN MATEO, SITUATE IN THE CITY OF WOODSIDE, COUNTY OF SAN MATEO, STATE OF CALIFORNIA, SAID REAL PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND TEN (10) FEET WIDE, THE CENTERLINE OF WHICH BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF ELEANOR DRIVE, SAID POINT BEING LOCATED AT THE INTERSECTION OF SAID LINE AND A LINE DRAWN PARALLEL WITH AND FIVE (5) FEET SOUTHERLY AT RIGHT ANGLES FROM THE NORTHERLY LINE OF LOT 1 AS SAID LOT IS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO. 620, RE-SUBDIVISION OF A PORTION OF WOODSIDE HEIGHTS, SAN MATEO COUNTY, CALIF." WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF SAN MATEO COUNTY ON SEPT. 20, 1949 IN BOOK 30 OF MAPS AT PAGE 47; THENCE FROM SAID POINT OF BEGINNING ALONG SAID PARALLEL LINE NORTH 73°01'17" WEST 145.52 FEET; THENCE SOUTH 82°37'40" WEST 83.01 FEET TO SOUTHERLY LINE OF THE ABOVEMENTIONED PARCEL (2013-056795).

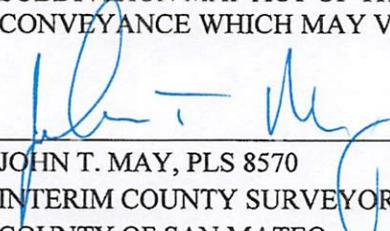
THE SIDELINES OF SAID STRIP SHALL BE PROLONGED OR SHORTENED TO TERMINATE AT THE SOUTHERLY AND EASTERLY LINE OF SAID PARCEL (2013-056795).

END OF DESCRIPTION

ASSESSOR'S PARCEL NOS.: 069-225-210 & 069-225-200

SEE "EXHIBIT B, PLAT TO ACCOMPANY LEGAL DESCRIPTION, 465 ELEANOR DRIVE" IS ATTACHED HERETO AND MADE A PART HEREOF.

THIS LAND DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, PURSUANT TO CHAPTER 15, ARTICLE 3, SECTION 8726(L) OF THE PROFESSIONAL LAND SURVEYORS' ACT, AND IN CONFORMANCE WITH DIVISION 2, CHAPTER 2, ARTICLE 1, SECTION 66428(A)(2) OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND SHALL NOT BE UTILIZED IN ANY CONVEYANCE WHICH MAY VIOLATE SAID ACT(S) OR LOCAL ORDINANCES.



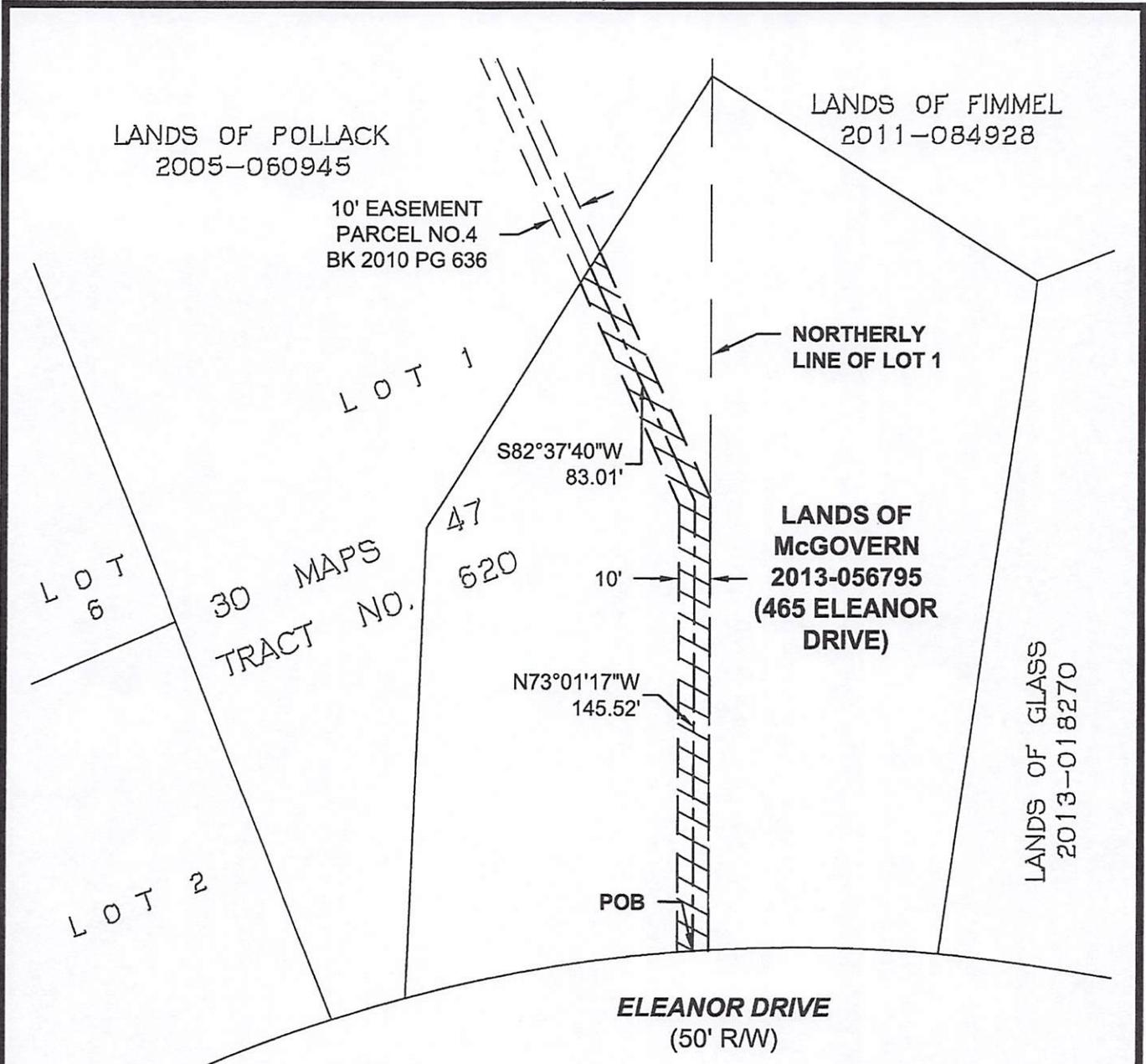
JOHN T. MAY, PLS 8570
INTERIM COUNTY SURVEYOR
COUNTY OF SAN MATEO

4-23-2020

DATE

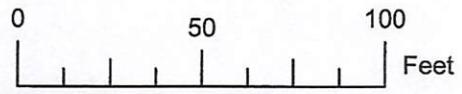


ATTACHMENT 1, PAGE 2 OF 2



LEGEND

-  POINT OF BEGINNING
-  ABANDONMENT EASEMENT



	DESIGNED BY: JTM	ABANDONMENT EASEMENT PLAT TO ACCOMPANY LEGAL DESCRIPTION 465 ELEANOR DRIVE	SCALE: 1"=50'
	CHECKED BY: LEL		DATE: 04/22/2020
	DRAWN BY: TV		FILE NO: ER001
JAMES C. PORTER, DIRECTOR OF PUBLIC WORKS SAN MATEO COUNTY		555 COUNTY CENTER, 5TH FLOOR REDWOOD CITY, CALIFORNIA 94063-1665	

J:\CONJOBS\215933 - SAN MATEO COUNTY PWM\151-ELEANOR S\ER001-ER5688 NEW SEWER EASEMENT PLAT - 20200309\ER001-ER5688 NEW SEWER EASEMENT PLAT.DWG

ATTACHMENT 2, PAGE 1 OF 2

SANITARY SEWER EASEMENT

A PORTION OF THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF WOODSIDE, COUNTY OF SAN MATEO, STATE OF CALIFORNIA, BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO PATRICK J. MCGOVERN AND RAQUEL G. MCGOVERN TRUSTEES OF THE MCGOVERN FAMILY TRUST RECORDED APRIL 16, 2013, AS DOCUMENT NUMBER 2013-056795, OFFICIAL RECORDS OF THE COUNTY OF SAN MATEO, SAID REAL PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND TEN (10) FEET WIDE, THE CENTERLINE OF WHICH BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHEASTERLY CORNER OF SAID PARCEL OF LAND (2013-056795), SAID CORNER BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF ELEANOR DRIVE; THENCE FROM SAID POINT OF COMMENCEMENT ALONG THE GENERAL SOUTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND (2013-056795), THE FOLLOWING TWO (2) COURSES:

1. NORTH 70°39'38" WEST, A DISTANCE OF 152.10 FEET; AND
2. THENCE NORTH 40°55'53" WEST, A DISTANCE OF 99.91 FEET TO THE POINT OF BEGINNING FOR THIS CENTERLINE DESCRIPTION;

THENCE LEAVING SAID SOUTHERLY LINE AND TRAVERSING THROUGH SAID PARCEL OF LAND (2013-056795) ALONG AN EXISTING SANITARY SEWER LINE, THE FOLLOWING THREE (3) COURSES:

1. NORTH 82°38'01" EAST, A DISTANCE OF 22.61 FEET;
2. NORTH 46°02'03" EAST, A DISTANCE OF 132.94 FEET; AND
3. THENCE SOUTH 65°33'14" EAST, A DISTANCE OF 137.48 FEET TO THE EASTERLY LINE OF SAID PARCEL (2013-056795), SAID LINE ALSO BEING THE WESTERLY RIGHT-OF-WAY LINE OF ELEANOR DRIVE;

THE SIDELINES OF SAID STRIP SHALL BE PROLONGED OR SHORTENED TO TERMINATE AT THE SOUTHERLY AND EASTERLY LINE OF SAID PARCEL (2013-056795).

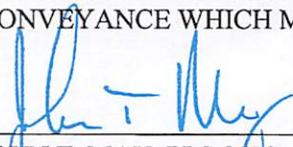
END OF DESCRIPTION

CONTAINING AN AREA OF 2,930 SQUARE FEET, MORE OR LESS.

SEE "EXHIBIT B, PLAT TO ACCOMPANY LEGAL DESCRIPTION, 465 ELEANOR DRIVE" IS ATTACHED HERETO AND MADE A PART HEREOF.

ASSESSOR'S PARCEL NOS.: 069-225-210 & 069-225-200

THIS LAND DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, PURSUANT TO CHAPTER 15, ARTICLE 3, SECTION 8726(L) OF THE PROFESSIONAL LAND SURVEYORS' ACT, AND IN CONFORMANCE WITH DIVISION 2, CHAPTER 2, ARTICLE 1, SECTION 66428(A)(2) OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND SHALL NOT BE UTILIZED IN ANY CONVEYANCE WHICH MAY VIOLATE SAID ACT(S) OR LOCAL ORDINANCES.



JOHN T. MAY, PLS 8570
INTERIM COUNTY SURVEYOR
COUNTY OF SAN MATEO

3/9/2020
DATE



ATTACHMENT 2, PAGE 2 OF 2

LANDS OF FIMMEL
2011-084928

LANDS OF POLLACK
2005-060945

POB

N82°38'01"E
22.61'

N40°55'53"W
99.97'

N46°02'03"E
132.94'

EXISTING HOUSE

CONCRETE WALK

LANDS OF McGOVERN
2013-056795
(465 ELEANOR DRIVE)

LANDS OF GLASS
2013-018270

N70°39'38"W 152.10'

POC

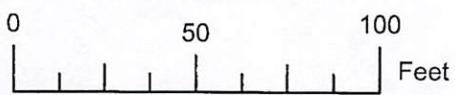
S65°33'14"E
137.48'

ELEANOR DRIVE
(50' R/W)



LEGEND

- ⊙ EXISTING SANITARY SEWER MANHOLE
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- CENTERLINE OF SANITARY SEWER EASEMENT



J:\CON\JOBS\16933 - SAN MATEO COUNTY PW\4151-ELEANOR SS\465-ELEANOR DR - SS\NEW EASEMENT\ER001-ER5588 NEW SEWER EASEMENT PLAT.DWG

	DESIGNED BY: JTM	SANITARY SEWER EASEMENT PLAT TO ACCOMPANY LEGAL DESCRIPTION 465 ELEANOR DRIVE	SCALE: 1"=50'
	CHECKED BY: LEL		DATE: 03/06/2020
	DRAWN BY: TV		FILE NO: ER001
JAMES C. PORTER, DIRECTOR OF PUBLIC WORKS SAN MATEO COUNTY		555 COUNTY CENTER, 5TH FLOOR REDWOOD CITY, CALIFORNIA 94063-1665	