



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY MANAGER

File #: 19-1203

Board Meeting Date: 12/10/2019

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Michael P. Callagy, County Manager

Subject: Assignment, Assumption and Novation Agreement between the County of San Mateo, Devonshire County Sanitation District and Lloyd and Bonnie Wilson

RECOMMENDATION:

Adopt a 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.

BACKGROUND:

Devonshire County Sanitation District ("District") owns certain sanitary 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. The County of San Mateo ("County"), the administrator for the District, approved an Agreement for Exchange of Real Property for the exchange of sewer easements to remove encroachments on the property owned by 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") by adopting Resolution No. 076981, on October 8, 2019.

DISCUSSION:

Because the District holds title to the easements within its system, staff recommends the County assign and delegate to the District the rights and obligations under the Exchange Agreement. The Exchange Agreement provided that the owners would convey and dedicate a new sanitary sewer easement and the facilities therein in exchange for the quitclaim of a sewer easement no longer in use. The District will quitclaim the interest to Wilson and accept the new easement interest from

Wilson. The Assignment, Assumption, and Novation Agreement between County, District, and Wilson provides for an assignment, assumption, release, and novation of the Exchange Agreement so that the proper parties will own the property interests at the conclusion of the transaction.

FISCAL IMPACT:

There is no fiscal impact.