

**CITY OF SAN MATEO
RESOLUTION NO. ____ (2020)**

**GRANTING EASEMENT TO PACIFIC GAS & ELECTRIC COMPANY
(301 E 28th AVE, BAY MEADOWS PHASE II, NO. 1, LOT A, SAN MATEO, CA 94403; APN: 040-030-280)**

WHEREAS, the City of San Mateo (“City”) is the record owner of real property located at 301 E 28th Ave in the City of San Mateo, California, APN 040-030-280; and

WHEREAS, on May 7, 2020, City Council approved the construction contract for the Underground Flow Equalization System project and construction began on June 7, 2020; and

WHEREAS, Pacific Gas & Electric Company (“PG&E”) desires an easement approximately 455 square feet in area, on the site of the Bay Meadows Pump Station, to install electrical facilities which will provide electrical power to UFES; and

WHEREAS, the City and PG&E agree the easement is necessary to facilitate the UFES Project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY FINDS and RESOLVES that:

1. This UFES project is subject to the requirements of the California Environmental Quality Act (CEQA), the general components of which are included as part of the Final Underground Flow Equalization System Environmental Impact Report (Final UFES EIR) (SCH No. 2018092013) that was prepared for the Clean Water Program. The Final PEIR was certified by City Council on October 21, 2019.
2. In accordance with CEQA Guidelines section 15061(b)(3), granting the PG&E easement is exempt from CEQA in that it can be seen with certainty that granting of a utility easement will not have a significant effect on the environment.
3. The utility easement to PG&E on and within Bay Meadows Pump Station site, as set forth in the “Easement Deed” attached, on behalf of the City of San Mateo, is hereby granted.

RECORDING REQUESTED BY AND RETURN TO:

PACIFIC GAS AND ELECTRIC COMPANY
245 Market Street, N10A, Room 1015
P.O. Box 770000
San Francisco, California 94177

Location: City/Uninc San Mateo

Recording Fee \$ _____

Document Transfer Tax \$ No Consideration

This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911).

Computed on Full Value of Property Conveyed, or

Computed on Full Value Less Liens

& Encumbrances Remaining at Time of Sale

Exempt from the fee per GC 27388.1 (a) (2); This document is subject to Documentary Transfer Tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

Signature of declarant or agent determining tax

LD# 2304-04-1686

EASEMENT DEED

CITY OF SAN MATEO, a municipal corporation,

hereinafter called Grantor, hereby grants to PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called Grantee, the right from time to time to excavate for, construct, reconstruct, replace (of initial or any other size), remove, maintain, inspect, and use facilities and associated equipment for public utility purposes, including, but not limited to electric, gas, and communication facilities, together with a right of way therefor, on, and under the easement area as hereinafter set forth, and also ingress thereto and egress therefrom, over and across the lands of Grantor situate in the City of San Mateo, County of San Mateo, State of California, described as follows:

(APN 040-030-280)

Lot A as shown upon the map entitled "Bay Meadows Phase II, No. 1" filed for record August 25, 2010 in Book 137 of Maps at Page 37, San Mateo County Records.

The easement area is described as follows:

The parcel of land described in Exhibit "A" and shown on Exhibit "B" attached hereto and made a part hereof.

Grantor further grants to Grantee the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations.

Grantor also grants to Grantee the right to use such portion of said lands contiguous to said easement area as may be reasonably necessary in connection with the excavation, construction, reconstruction, replacement, removal, maintenance and inspection of said facilities.

Grantor shall not place or construct, nor allow a third party to place or construct, any building or other structure, or store flammable substances, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or diminish or substantially add to the ground level within said easement area, or construct any fences that will interfere with the maintenance and operation of said facilities.

Grantee shall defend, indemnify, and hold harmless Grantor and its employees against any claim, loss, and damage (including reasonable attorneys' fees and costs) which shall be caused by any negligent or intentional act or omission of Grantee or of its agents or employees in the course of their employment in any way related to this easement, provided, however, that this indemnity shall not extend to that portion of such loss or damage that shall have been caused by Grantor's comparative negligence or willful misconduct as determined by a court of competent jurisdiction

Grantor further grants to Grantee the right to apportion to another public utility (as defined in Section 216 of the California Public Utilities Code) the right to excavate for, construct, reconstruct, replace, remove, maintain, inspect, and use the communications facilities within said easement area including ingress thereto and egress therefrom.

Grantor acknowledges that they have read the "Grant of Easement Disclosure Statement", Exhibit "C", attached hereto and made a part hereof.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated: _____, _____.

CITY OF SAN MATEO,
a municipal corporation,

By _____

By _____

I hereby certify that a resolution was adopted on the ___ day of _____, 20 ___, by the authorizing the foregoing grant of easement.

By _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____)

On _____, before me, _____ Notary Public,
Insert name

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

(Seal)

CAPACITY CLAIMED BY SIGNER

- Individual(s) signing for oneself/themselves
- Corporate Officer(s) of the above named corporation(s)
- Trustee(s) of the above named Trust(s)
- Partner(s) of the above named Partnership(s)
- Attorney(s)-in-Fact of the above named Principal(s)
- Other _____

EXHIBIT "A"
LEGAL DESCRIPTION
PG&E EASEMENT

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SAN MATEO, COUNTY OF SAN MATEO, STATE OF CALIFORNIA, BEING A PORTION OF LOT A AS SHOWN ON THAT CERTAIN SUBDIVISION MAP ENTITLED "BAY MEADOWS PHASE II, NO. 1", FILED FOR RECORD ON AUGUST 25, 2010 IN BOOK 137 OF MAPS AT PAGES 37-46, OFFICIAL RECORDS OF SAN MATEO COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF SAID LOT A WITH THE CENTERLINE OF SARATOGA DRIVE AS SHOW ON SAID SUBDIVISION MAP, DISTANT THEREON NORTH 54°33'25" WEST, 172.07 FEET FROM THE INTERSECTION WITH SAID SARATOGA DRIVE AND EAST 28TH AVENUE;

THENCE ALONG SAID PROLONGATION, SOUTH 56°52'35" WEST, 37.60 FEET TO THE NORTHWEST CORNER OF SAID LOT A;

THENCE ALONG THE NORTHWESTERLY LINE OF SAID LOT A, SOUTH 56°52'35" WEST, 0.89 FEET TO THE **POINT OF BEGINNING**;

THENCE ALONG THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. SOUTH 54°33'25" EAST, 16.36 FEET,
2. SOUTH 19°46'41" EAST, 13.93 FEET,
3. NORTH 35°26'35" EAST, 8.78 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF SARATOGA DRIVE AS SHOWN ON SAID MAP (137 M 37);

THENCE ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, SOUTH 54°33'25" EAST, 13.50 FEET;

THENCE LEAVING SAID LINE AND ALONG THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

1. SOUTH 35°26'35" WEST, 22.04 FEET,
2. NORTH 54°33'25" WEST, 13.50 FEET,
3. NORTH 35°26'35" EAST, 7.18 FEET,
4. NORTH 19°46'41" WEST, 15.84 FEET,
5. NORTH 54°33'25" WEST, 16.76 FEET TO THE NORTHWESTERLY LINE OF SAID LOT A;

THENCE ALONG SAID NORTHWESTERLY LINE, NORTH 56°52'35" EAST, 5.37 FEET TO THE **POINT OF BEGINNING**.

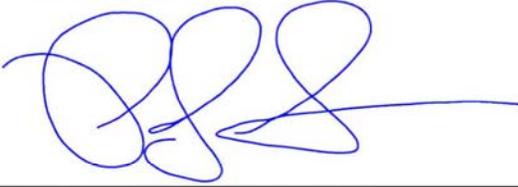
CONTAINING 455 ± SQUARE FEET.

AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

BASIS OF BEARINGS

THE BEARING OF NORTH 54°33'25" WEST TAKEN ON THE CENTERLINE OF SARATOGA DRIVE AS SHOWN ON THAT CERTAIN SUBDIVISION MAP ENTITLED "BAY MEADOWS PHASE II, NO. 1", FILED FOR RECORD ON AUGUST 25, 2010 IN BOOK 137 OF MAPS AT PAGES 37-46, OFFICIAL RECORDS OF SAN MATEO COUNTY WAS TAKEN AS THE BASIS OF ALL BEARINGS SHOWN HEREON.

LEGAL DESCRIPTION PREPARED BY KIER & WRIGHT CIVIL ENGINEERS AND SURVEYOR'S, INC.



RODNEY A. STEWART II, LS 9225

08/07/2020

DATE



BASIS OF BEARINGS

THE BEARING OF NORTH 54°33'25" WEST TAKEN ON THE CENTERLINE OF SARATOGA DRIVE AS SHOWN ON THAT CERTAIN SUBDIVISION MAP ENTITLED 'BAY MEADOWS PHASE II, NO. 1', FILED FOR RECORD ON AUGUST 25, 2010 IN BOOK 137 OF MAPS AT PAGES 37-46, OFFICIAL RECORDS OF SAN MATEO COUNTY WAS TAKEN AS THE BASIS OF ALL BEARINGS SHOWN HEREON.

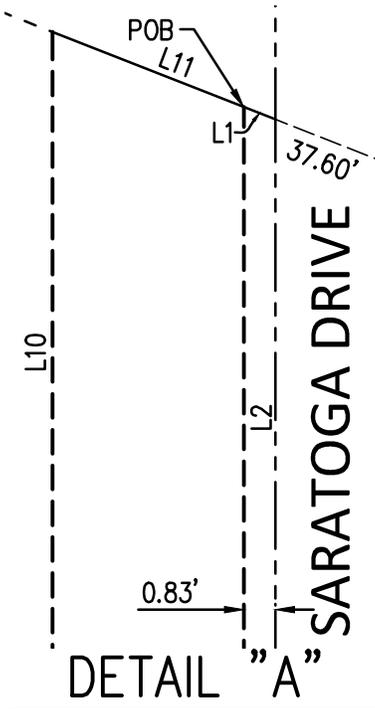


08/07/2020

LANDS OF
SAN MATEO COUNTY
(2992 OR 506)

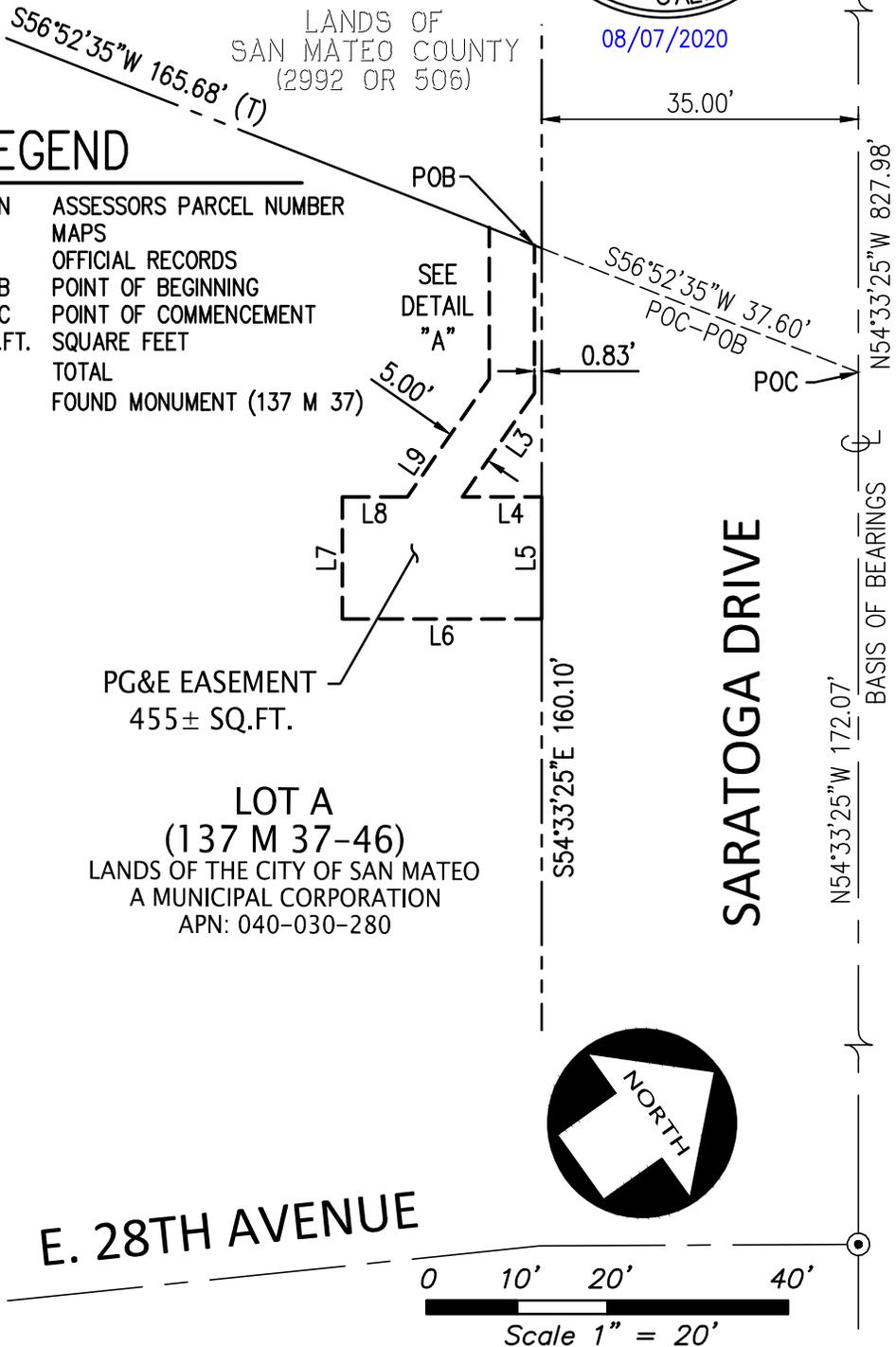
LEGEND

- APN ASSESSORS PARCEL NUMBER
- M MAPS
- OR OFFICIAL RECORDS
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- SQ.FT. SQUARE FEET
- (T) TOTAL
- ⊙ FOUND MONUMENT (137 M 37)



NOT TO SCALE

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S56°52'35"W	0.89'
L2	S54°33'25"E	16.36'
L3	S19°46'41"E	13.93'
L4	N35°26'35"E	8.78'
L5	S54°33'25"E	13.50'
L6	S35°26'35"W	22.04'
L7	N54°33'25"W	13.50'
L8	N35°26'35"E	7.18'
L9	N19°46'41"W	15.84'
L10	N54°33'25"W	16.76'
L11	N56°52'35"E	5.37'



PG&E EASEMENT
455± SQ.FT.

LOT A
(137 M 37-46)
LANDS OF THE CITY OF SAN MATEO
A MUNICIPAL CORPORATION
APN: 040-030-280



KIER+WRIGHT

3350 Scott Boulevard, Building 22
Santa Clara, California 95054

Phone (408) 727-6665
www.kierwright.com

EXHIBIT "B"
PACIFIC GAS & ELECTRIC
EASEMENT

SAN MATEO, CALIFORNIA

DATE	JULY, 2020
SCALE	1" = 20'
BY	RAS II
JOB NO.	A17535-1
SHEET	1 OF 1



EXHIBIT "C"

GRANT OF EASEMENT DISCLOSURE STATEMENT

This Disclosure Statement will assist you in evaluating the request for granting an easement to Pacific Gas and Electric Company (PG&E) to accommodate a utility service extension to PG&E's applicant. **Please read this disclosure carefully before signing the Grant of Easement.**

- You are under no obligation or threat of condemnation by PG&E to grant this easement.
- The granting of this easement is an accommodation to PG&E's applicant requesting the extension of PG&E utility facilities to the applicant's property or project. Because this easement is an accommodation for a service extension to a single customer or group of customers, PG&E is not authorized to purchase any such easement.
- By granting this easement to PG&E, the easement area may be used to serve additional customers in the area and **may be used to install additional utility facilities**. Installation of any proposed facilities outside of this easement area will require an additional easement.
- Removal and/or pruning of trees or other vegetation on your property may be necessary for the installation of PG&E facilities. You have the option of having PG&E's contractors perform this work on your property, if available, or granting permission to PG&E's applicant or the applicant's contractor to perform this work. Additionally, in order to comply with California fire laws and safety orders, PG&E or its contractors will periodically perform vegetation maintenance activities on your property as provided for in this grant of easement in order to maintain proper clearances from energized electric lines or other facilities.
- The description of the easement location where PG&E utility facilities are to be installed across your property must be satisfactory to you.
- The California Public Utilities Commission has authorized PG&E's applicant to perform the installation of certain utility facilities for utility service. In addition to granting this easement to PG&E, your consent may be requested by the applicant, or applicant's contractor, to work on your property. Upon completion of the applicant's installation, the utility facilities will be inspected by PG&E. When the facility installation is determined to be acceptable the facilities will be conveyed to PG&E by its applicant.

By signing the Grant of Easement, you are acknowledging that you have read this disclosure and understand that you are voluntarily granting the easement to PG&E. Please return the signed and notarized Grant of Easement with this Disclosure Statement attached to PG&E. The duplicate copy of the Grant of Easement and this Disclosure Statement is for your records.

Utility Distribution Easement (11/18)

Attach to LD: 2304-04-1686

Area 1, Peninsula Division

Land Service Office: San Francisco

Line of Business: Electric Distribution (43)

Business Doc Type: Easements

MTRSQ: (23.04.04.33.11), (23.04.04.34.44)

FERC License Number: N/A

PG&E Drawing Number: N/A

Plat No.: B-07-17

LD of Affected Documents: N/A

LD of Cross Referenced Documents: N/A

Type of interest: Underground Electric Easement (4), Communication Easement (6), Utility Easement (86)

SBE Parcel: N/A

% Being Quitclaimed: N/A

Order or PM: 35056739 - 1110

JCN: N/A

County: San Mateo

Utility Notice Number: N/A

851 Approval Application No: N/A ;Decision: N/A

Prepared By: d9cv

Checked By: dan9