

WEST COUNTY WASTEWATER DISTRICT

Return to;  
WEST COUNTY WASTEWATER DISTRICT  
2910 Hilltop Drive  
Richmond, California 94806

copy/duplicate has not been  
compared to original document

THIS BOX FOR THE EXCLUSIVE USE OF COUNTY RECORDER

## GRANT OF EASEMENT

CONTRA COSTA FIRE PROTECTION DISTRICT, hereinafter called first party, for adequate consideration therefore paid by WEST COUNTY WASTEWATER DISTRICT, a District formed under the Sanitary District Act of 1923 of the State of California, hereinafter called second party, the receipt whereof is hereby acknowledged, hereby grants to second party an easement and right to construct, replace, remove, operate, maintain and use such sanitary sewer or sewers and appurtenances as second party shall deem to be reasonably required for sewage purposes, together with a right of way, on, along and in every part thereof of the hereinafter described strip of those certain lands which are situate in the

County of Contra Costa, State of California, and are described as follows, to wit:

EASEMENT AS DESCRIBED IN THE ATTACHED EXHIBIT A "LEGAL DESCRIPTION" AND EXHIBIT B "PLAT MAP TO ACCOMPANY LEGAL DESCRIPTION" ATTACHED HERETO AND MADE A PART HEREOF.

First party, for consideration aforesaid, further grants to second party the right of ingress to and egress from said strip over and across said lands by means of roads and lanes thereon, if there be, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to first party.

First party shall have the right to use said strip for purposes not inconsistent with second party's full enjoyment of the rights hereby granted, provided that first party shall not place or permit to be placed on said easement any building or structure, nor do nor allow to be done, anything which may interfere with the full enjoyment by the second party. This paragraph notwithstanding, first party reserves the right to landscape the easement area in a manner consistent with the second party's use; however, such use by first party not include the planting of trees nor a change in the existing surface elevation (grade) of the easement area by more than one (1) foot without first having prior written consent of the second party.

Second party shall have the further right to install, maintain, and use gates in all fences which now cross or shall hereafter cross said strip.

Second party shall also have the right to allow individuals, firm, associations, organizations, partnerships, business trusts, corporations, public agencies, and other entities to access and enter upon said easement and therein construct, repair, operate, maintain, use and remove such sanitary sewer or sewers, sewer laterals and appurtenances as second party shall in its discretion deem reasonably required or permissible for sewer purposes.

Second party shall also have the right to trim, cut and clear away any and all trees, brush, fences and obstructions now or hereafter in or on said strip which in the opinion of second party may be a hazard to or interfere with the inspection or maintenance of said sanitary sewer or sewers and appurtenances, provided however that things which second party is hereby authorized to cut and remove, if valuable, of timber, wood or brick, shall continue to the property of first party, but all brush, refuse wood and debris shall be removed by the second party.

Second party shall also have the right to mark the location of said strip by suitable markers set in locations which will not interfere with any reasonable use first party shall make of said strip.

Second party shall repair any damage it shall do to first party's private roads or lanes on said land and shall indemnify first party against any loss and damage which shall be caused by the exercise of said ingress and egress, or by any wrongful or negligent act or omission of second party or of its agents or employees in the course of their employment.

First party hereby grants to second party all right and title in and to any sewer mains or appurtenances constructed or to be constructed by or for second party in or on said easement or right of way pursuant to duly authorized permit issued by second party.

The provisions hereof shall inure to the benefit of and bind the heirs, successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF first party has executed presents this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

<p>State of California ) County of _____ } ss</p> <p>On _____ before me _____, a Notary</p> <p>Public, personally appeared _____ Name(s) of Signer(s)</p> <p><input type="checkbox"/> personally known to me -OR- <input type="checkbox"/> proved to me on 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.</p> <p>WITNESS my hand and official seal</p> <p>Signature of Notary</p>	<p><b>CAPACITY CLAIMED BY SIGNER</b></p> <p><input type="checkbox"/> INDIVIDUAL(S) <input type="checkbox"/> CORPORATE OFFICER(S)</p> <p>Title(s) <input type="checkbox"/> PARTNER(S) <input type="checkbox"/> ATTORNEY-IN-FACT <input type="checkbox"/> TRUSTEE(S) <input type="checkbox"/> OTHER</p> <p><input type="checkbox"/> SUBSCRIBING WITNESS (for _____ Describe)</p> <p><b>SIGNER IS REPRESENTING:</b> Name of Person(s) or Entity(ies)</p>
---	---

*See attached California All Purpose Acknowledgment*

CERTIFICATE OF ACCEPTANCE

This is to certify that the above described easement conveyed to the West County Wastewater District is hereby accepted by order of the Wastewater Board of the West County Wastewater District on 11-6-19, and the West County Wastewater District consents to the recordation thereof by its duly authorized officer.

WEST COUNTY WASTEWATER DISTRICT

By

*Harry Wiener*  
Harry Wiener, President

ATTEST:

*Sherry Stanley*  
Sherry Stanley, Vice President

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

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 Contra Costa )  
On 11-18-2019 before me, Inge L. Murray, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Harry Wiener and Sherry Stanley  
Name(s) of Signer(s)

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 Inge L. Murray  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**  
Title or Type of Document: W&W Grant of Easement Document Date: 11-6-19  
Number of Pages: 2 Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**  
Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_



September 26, 2019  
BKF Job No.: 20165191-10

**EXHIBIT "A"**  
**EASEMENT DESCRIPTION FOR:**  
**SANITARY SEWER EASEMENT**

All that certain real property in the City of San Pablo, County of Contra Costa, State of California, and described as follows:

**BEING** a portion of the lands described in the Grant Deed to the City of San Pablo, a California municipal corporation, recorded May 25, 2017, as Document Number 2017-0092982-00 (2017-092982), Contra Costa County Records, said portion being more particularly described as follows:

A 10.00 wide strip of land, the perimeter of which is described as follows:

**BEGINNING** at the northeasterly corner of said lands (2017-092982) as shown on that certain map entitled "Record of Survey, RS.3914", filed November 30, 2017, in Book 155 of Licensed Surveyors Maps at Pages 23 and 24 (155 LSM 23), in the Office of the Recorder of Contra Costa County, said corner being on the westerly right of way line of Powell Street (50 foot wide right of way) as said street is shown on said map (155 LSM 23); **THENCE** along said westerly right of way line South 15°30'00" West 10.00 feet; **THENCE** leaving the last said line North 74°30'00" West 157.27 feet; **THENCE** South 40°18'45" West 46.94 feet to the easterly right of way line of 23rd Street (right of way varies) as said street is shown on said map (155 LSM 23); **THENCE** northerly along said easterly right of way line North 00°54'04" East 15.75 feet; **THENCE** leaving said easterly right of way line North 40°18'45" East 41.16 feet to the northerly line of said lands (2017-092982); **THENCE** easterly along said northerly line South 74°30'00" East 163.66 feet to the **POINT OF BEGINNING**. Containing an area of 2,045 square feet, more or less.

A plat showing the above described easement is attached hereto and made a part hereof as Exhibit "B".

The bearing of N74°30'00"W between found street monuments on Market Avenue at the intersections of Powell and 23rd Street, was taken as the Basis of Bearings for this description per the Map of Richmond Pullman Pueblo, Book 3 of Maps, Page 53, recorded May 2, 1910.

This description was prepared from record information for BKF Engineers.

By: \_\_\_\_\_  
Kevin Stein, P.L.S No. 9028

Dated: \_\_\_\_\_

K:\2016\165191\_San Pablo Fire\DOCS\08-Survey\I-Plats\_and\_Legal\_Desc\F70-SSE-DESC.doc



LOT 37  
BLOCK 4  
3 M 53

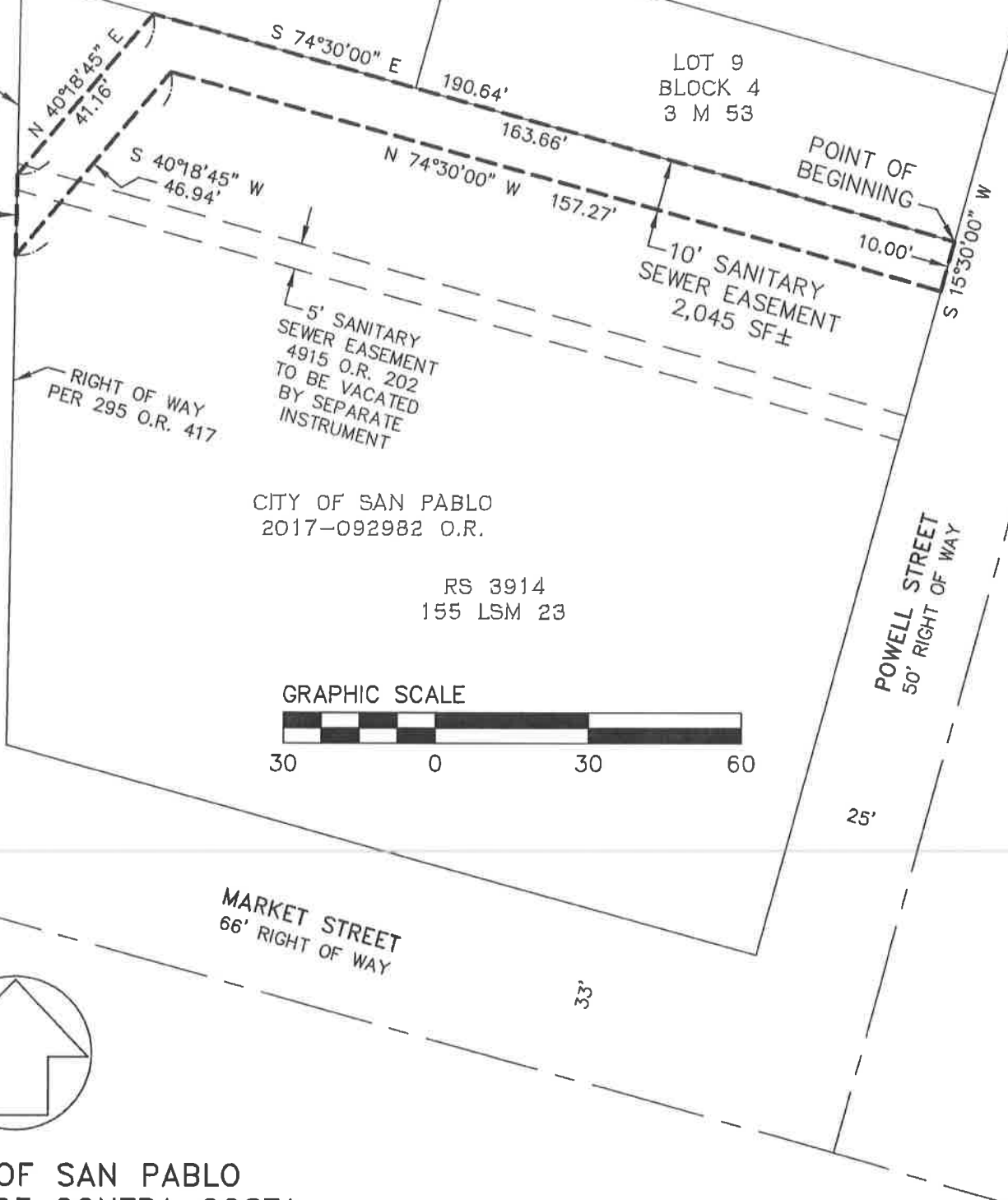
LOT 10  
BLOCK 4  
3 M 53

LOT 9  
BLOCK 4  
3 M 53

RIGHT OF WAY  
PER 295 O.R. 463

40'  
N 00°54'04" E  
15.75'

23RD STREET  
RIGHT OF WAY VARIES



CITY OF SAN PABLO  
2017-092982 O.R.

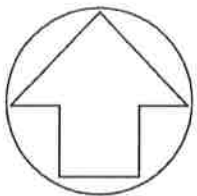
RS 3914  
155 LSM 23

GRAPHIC SCALE



MARKET STREET  
66' RIGHT OF WAY

POWELL STREET  
50' RIGHT OF WAY



CITY OF SAN PABLO  
COUNTY OF CONTRA COSTA  
STATE OF CALIFORNIA

EXHIBIT "B"



1646 N. CALIFORNIA BLVD  
SUITE 400  
WALNUT CREEK, CA 94596  
925-940-2200  
925-940-2299 (FAX)

Subject PLAT TO ACCOMPANY  
EASEMENT DESCRIPTION  
 Job No. 20165191-10  
 By MLH Date 09/26/19 Chkd. KS  
 SHEET 1 OF 1