

RIGHT OF WAY CONTRACT -- STATE HIGHWAY

Martinez, California

_____, 2021

District	County	Route	Number
4	CC	4	61206 61210

This Agreement is entered into by and between Contra Costa County, a political subdivision of the State of California hereinafter called "County" and Pacific Gas and Electric Company, a California corporation hereinafter called "PG&E" for the exchange of real property between the County and PG&E.

PG&E is the owner of real property described in Appendix "A" (61206) of the PG&E Quitclaim Deed. The County would like to acquire this real property from PG&E (LD# 2102-02-10070) for highway purposes hereinafter referred to as "PG&E Property".

The County is the owner of real property described in Exhibit "A" (61210) of the County Quitclaim Deed. PG&E would like to acquire this surplus property from the County hereinafter referred to as "County Property".

In consideration of which, and the other considerations hereinafter set forth, it is mutually agreed as follows:

1. A. The parties have herein set forth the whole of their agreement. The performance of this agreement constitutes the entire consideration for said Quitclaim Deed from PG&E to County and Quitclaim Deed from County to PGE which shall relieve the County of all further obligation or claims on this account, or on account of the location, grade or construction of the proposed public improvement.
- B. County requires the PG&E Property for State highway purposes, a public use for which County has the rights to exercise the power of eminent domain. PG&E is compelled to convey the PG&E Property to the County and County is compelled to accept the conveyance of the PG&E Property from PG&E.
- C. PG&E will convey its interest in the PG&E Property to the County by the PG&E Quitclaim Deed. The County will convey its interest in the County Property to PG&E by the County Quitclaim Deed. The County and PG&E agree to exchange their property rather than have monetary compensation be given to either party.
2. The Taxes for the tax year in which this transaction occurs shall be cleared from the PG&E property and paid by PG&E in the manner required by Section 5086 of the Revenue and Taxation Code, PG&E shall be responsible for taxes on the County Property as of the date title vests in PG&E.
3. County shall convey by the County Quitclaim Deed to PG&E the County Property. The County Property is being conveyed in an "AS IS" condition. The right, title and interest in the County Property shall not exceed that vested in the County, and the County

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Property is being conveyed to PG&E subject to all existing easements, covenants, conditions, restrictions, reservations, and all other encumbrances, whether the same be recorded or unrecorded.

- 4. PG&E shall convey by PG&E Quitclaim Deed to County the PG&E Property. The PG&E Property is being conveyed in an "AS IS" condition. The right, title and interest in the PG&E Property shall not exceed that vested in PG&E, and the PG&E Property is being conveyed to County subject to all existing easements, covenants, conditions, restrictions, reservations, and all other encumbrances, whether the same be recorded or unrecorded.
- 5. Within 5 business days after approval of this transaction, PG&E will deliver to County the PG&E Quitclaim Deed, in recordable form and properly executed on behalf of PG&E, conveying to County the PG&E Property.
- 6. Within 5 business days after the Board of Supervisors approves this transaction, County will deliver to PG&E the Quitclaim Deed, in recordable form and properly executed on behalf of the County, conveying to PG&E the County Property

In Witness Whereof, the Parties have executed this agreement the day and year first above written.

**CONTRA COSTA COUNTY
Recommended for Approval:**

**PACIFIC GAS AND ELECTRIC
COMPANY**

By _____
Jann Edmunds
Senior Real Property Agent

By _____
Dawn Plise
Manager, Land Rights - North

By: _____
Jessica L. Dillingham
Principal Real Property Agent

Date _____
(Date signed by PG&E)

APPROVED::

By _____
Brian M. Balbas
Public Works Director

Date _____