

Attachment C

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*Before the Board of Directors of the Pajaro County Sanitation District
County of Monterey, State of California*

Resolution No. 20 - _____

Adopt a resolution to:

Support the Board of Supervisors adopting a)
resolution to approve and authorize the)
County Administrative Officer to execute a)
Certificate of Acceptance and Consent to)
Recordation, on behalf of the Grantee, Pajaro)
County Sanitation District, accepting a)
Warranty Deed conveying the sewer)
improvements to an existing sanitary sewer)
main infrastructure in the public right-of-way)
located near 5 Hillcrest Road, in the)
unincorporated community of Royal Oaks,)
California)

Having considered all the written and documentary evidence, the administrative record, the staff report, and other evidence presented, the Monterey County Board of Directors of the Pajaro County Sanitation District hereby finds and decides as follows:

RECITALS

WHEREAS, the Board of Supervisors of the County of Monterey is the Board of Directors of the Pajaro County Sanitation District (PCSD);

WHEREAS, Ahmed Saba (Grantor) does hereby remise, release, convey, and warrant to the County of Monterey, a political subdivision of the State of California, on behalf of the PCSD, a county sanitation district organized under the laws of the State of California (Grantee), and its successors and assigns, all its rights, title, and interest in a sanitary sewer main infrastructure situated in the County of Monterey, State of California;

WHEREAS, PCSD Standards (section 10) require all new improvements shall be deeded to the District for acceptance;

WHEREAS, approval of a Certificate of Acceptance will convey ownership of sanitary sewer improvements consisting of approximately 70 linear feet of 8-inch-diameter sanitary sewer main line, laterals, tie-ins, and manhole(s) (hereinafter, "property") installed within the public right-of-way and easement near 5 Hillcrest Road, Royal Oaks, California (Assessor's Parcel Number 117-081-013-000) to Grantee;

WHEREAS, Grantor, and its successors and assigns, warrants that: 1) it is the owner of said property and has the right and authority to convey the same, 2) the property is free of all liens or encumbrances, 3) the property complies with all laws and ordinances respective to its construction and installation, and 4) the property is in proper working condition, order, and fit for the intended purpose as a sanitary sewer main infrastructure;

WHEREAS, Grantor, and its successors and assigns, agrees to replace, repair and correct any defect in work or materials in respect to the property arising during a period of two (2) years from date hereof, without cost to Grantee, and further warrants any potential corrected work completed during the initial two (2) year period for one (1) additional year after acceptance of the corrected work by Grantee;

WHEREAS, Grantor, and its successors and assigns, agrees that in the event any lawsuit is filed as a result of, or involving an alleged breach of any or all warranties made herein, the Grantor will undertake to defend the lawsuit and will accept responsibility for all costs of litigation, including costs of appeal, and will hold Grantee harmless on any judgment rendered against Grantee;

WHEREAS, the California Environmental Quality Act (CEQA) Guidelines section 15319 of the California Code of Regulations establishes an exemption for annexation to a special district of areas containing existing public structures developed to the density allowed by the current zoning; and

WHEREAS, this action supports the Board of Supervisors Health & Human Services and Infrastructure Strategic Initiatives by ensuring that sewer infrastructure improvements are constructed to code and that sewer infrastructure is warranted against failure, and properly functioning sewer infrastructure protects the health and safety of area residents.

DECISION

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Directors for the Pajaro County Sanitation District, hereby adopts a resolution to:

Support the Board of Supervisors adopting a resolution to approve and authorize the County Administrative Officer to execute a Certificate of Acceptance and Consent to Recordation, on behalf of the Grantee, Pajaro County Sanitation District, accepting a Warranty Deed conveying the sewer improvements to an existing sanitary sewer main infrastructure in the public right-of-way located near 5 Hillcrest Road, in the unincorporated community of Royal Oaks, California.

PASSED AND ADOPTED upon this 5th day of November 2020, by roll call vote:

AYES: Supervisors

NOES:

ABSENT:

(Government Code 54943)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original resolution of said Board of Supervisors duly made and entered in the minutes thereof Minute Book ____ for the meeting on November 5, 2020.

Dated: November , 2020
File ID: RES 20-
Agenda Item:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy