

Attachment 'A'

RESOLUTION NO. 22-___

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
ACCEPTING THE SEWER LINE EASEMENT FROM THE WILLIAM AND LYNNE SOUZA LIVING
TRUST FOR THE NEW KUSD ELEMENTARY SCHOOL SITE**

WHEREAS, William Souza Jr., as Trustee of the William and Lynne Souza Living Trust dated June 28, 2018, is the legal owner (Owner) of Assessor's Parcel Number 020-120-28S; and

WHEREAS, the public necessity requires an easement for sewer line purposes for the installation of a new sewer main to serve the new KUSD Elementary School Site located on the west side of Madera Avenue (SR 145), north of the existing commercial shopping center at the northwest corner of Madera Avenue and Whitesbridge Road; and

WHEREAS, the Owner has offered an easement to the City of Kerman for sewer line purposes; and

WHEREAS, Government Code 27281 requires that deeds or grants conveying an interest in or easement upon real property to a governmental agency for public purposes shall not be accepted for recordation without the consent of the City by resolution or certificate attached to or printed on the deed.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN HEREBY resolves as follows:

- Section 1. The foregoing recitals are true and correct and are incorporated by reference.
- Section 2. By order of the City Council the interests in real property conveyed to the City from William Souza Jr., as Trustee of the William and Lynne Souza Living Trust dated June 28, 2018, as shown on the attached Deed of Easement as Exhibit 1 is hereby accepted by the City of Kerman for public use.
- Section 3. The City of Kerman consents to the recordation of the Deed of Easement with the Fresno County Recorder's Office.
- Section 4. The City Clerk shall affix a certificate attesting to this resolution to the Deed of Easement.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 26th day of October 2022, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Gary Yep
Mayor

ATTEST:

Marci Reyes
City Clerk

Exhibit 1

Recording Requested By:
City Clerk
City of Kerman
850 S. Madera Ave.
Kerman, CA 93630
No Fee-Gov't. Code Sections
6103 and 27383

When Recorded, Return To:
City Clerk
City of Kerman
850 S. Madera Ave.
Kerman, CA 93630

APN 020-120-28S (portion)

(Above Space for Recorder's Use Only) PW-2018

DEED OF EASEMENT

WILLIAM SOUZA JR., as TRUSTEE of the "WILLIAM AND LYNNE SOUZA LIVING TRUST" dated June 28, 2018, GRANTOR, hereby GRANTS, to the City of Kerman, a municipal corporation, GRANTEE, an easement and right-of-way for public sewer line purposes over, under, through and across all that real property situated in the City of Kerman, County of Fresno, State of California, more particularly described and shown as follows:

*Parcel 1 per Corrected Grant Deed, Document Number
2018-0151503, Official Records of Fresno County*

See Exhibits "A" and "B", which are attached and incorporated herein

WILLIAM & LYNNE SOUZA LIVING TRUST dated
June 28, 2018

By: William Souza Jr. Trustee
William Souza Jr., Trustee

EXHIBIT "A"
LEGAL DESCRIPTION

APN: A Portion of 020-120-28S
Sewer Easement

That portion of Parcel 1 granted by Deed, recorded December 20, 2018, as Document No. 2018-0151503, of Official Records of Fresno County, more particularly described as follows:

COMMENCING at the Northwest corner of the Southeast Quarter of Section 1, Township 14 South, Range 17 East, Mount Diablo Base and Meridian; thence South 01°16'23" West, along the West line of the Southeast Quarter of said Section 1, a distance of 1,325.51 feet; thence North 89°49'48" East, a distance of 200.00 feet to a point of intersection thereof with the West line of said Parcel 1 and the **POINT OF BEGINNING**;

Thence continuing North 89°49'48" East, a distance of 472.86 feet to a point of intersection thereof with the East line of said Parcel 1;

thence South 01°14'59" West, along said East line, a distance of 20.01 feet;

thence South 89°49'48" West, a distance of 472.87 feet to a point of intersection thereof with the West line of said Parcel 1;

thence North 01°16'23" East, along the West line of said Parcel 1, a distance of 20.01 feet to the **POINT OF BEGINNING**.

Containing an area of 9,457 square feet or 0.22 acres, more or less.

The above described easement is graphically depicted on the attached Exhibit "B" and made a part of this description by reference thereto.

END DESCRIPTION

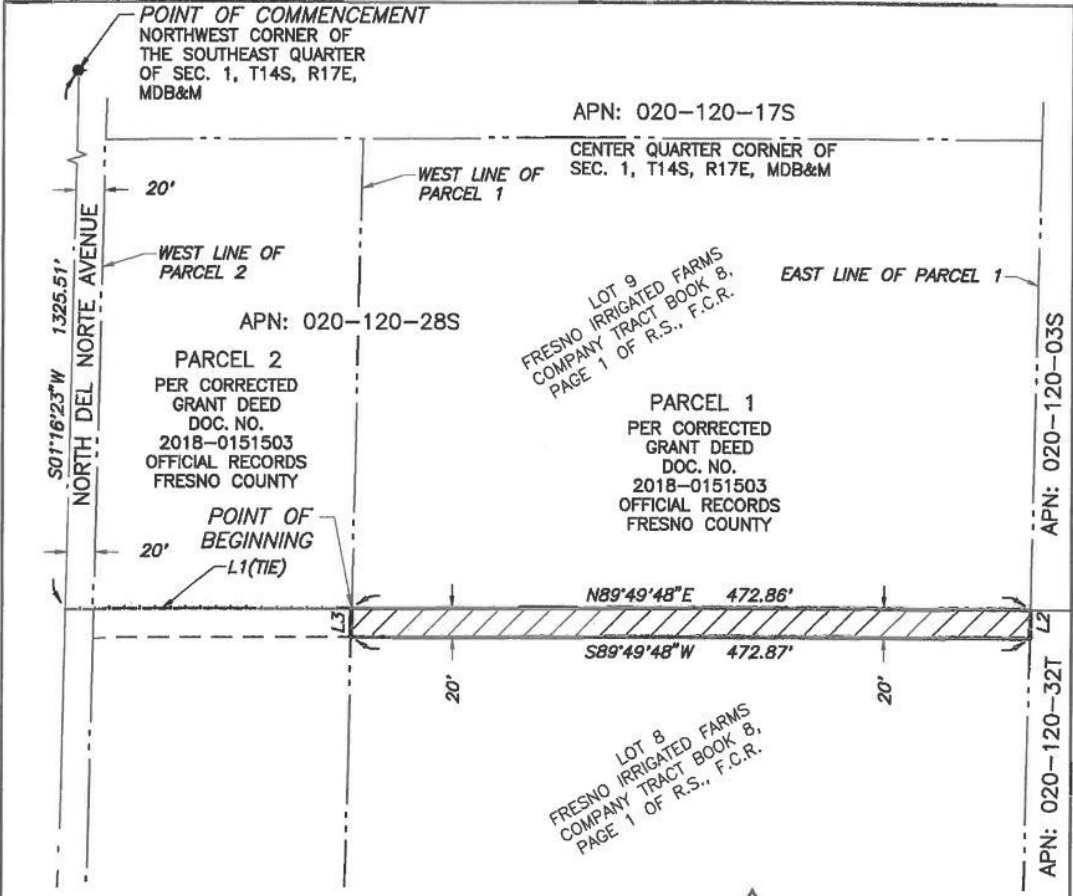
This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyors' Act.



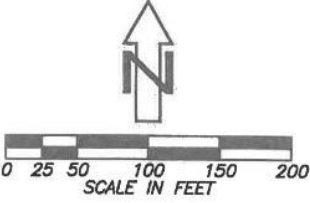
Randell Scott West, PLS 8663
Blair, Church & Flynn

August 9, 2022
Date





LINE TABLE		
LINE #	LENGTH	BEARING
L1	200.00'	N89°49'48"E
L2	20.01'	S01°14'59"W
L3	20.01'	N01°16'23"E



LEGEND

——— PROPERTY LINE
 - - - - - PROPOSED EASEMENT LINE
 - - - - - SECTION LINE
 - - - - - RIGHT-OF-WAY LINE
 ▨▨▨▨▨ AREA OFFERED FOR SEWER EASEMENT
 TOTAL AREA: 9,457 SQFT (0.22 AC.)



<p>Blair Church & Flynn Consulting Engineers 4611 Olive Avenue, Suite 200 Clovis, California 93612 Tel (509) 528-6400 Fax (509) 528-4300</p>	KERMAN UNIFIED SCHOOL DISTRICT		DR. BY LL CH. BY ARG DATE 8/9/22 SCALE: AS NOTED	SHEET NO. 1 OF 1 SHEETS
	EXHIBIT "B" SEWER EASEMENT APN: 020-120-28S (PARCEL 1)			

Drawing: P:\218-0150_Site\Exhibits\SewerExam\218192_ESM_L_Exhibit-B-1.dwg; Layout1 - RCF.ctb Plot by: shocokett Aug 09, 2022 - 1:18pm

Recording Requested By:
City Clerk
City of Kerman
850 S. Madera Ave.
Kerman, CA 93630
No Fee-Gov't. Code Sections
6103 and 27383

When Recorded, Return To:
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DEED OF EASEMENT

WILLIAM SOUZA JR., as TRUSTEE of the "WILLIAM AND LYNNE SOUZA LIVING TRUST" dated June 28, 2018, GRANTOR, hereby GRANTS, to the City of Kerman, a municipal corporation, GRANTEE, an easement and right-of-way for public sewer line purposes over, under, through and across all that real property situated in the City of Kerman, County of Fresno, State of California, more particularly described and shown as follows:

*Parcel 2 per Corrected Grant Deed, Document Number
2018-0151503, Official Records of Fresno County*

See Exhibits "A" and "B", which are attached and incorporated herein

WILLIAM & LYNNE SOUZA LIVING TRUST dated
June 28, 2018

By: William Souza Jr., Trustee
William Souza Jr., Trustee

EXHIBIT "A"
LEGAL DESCRIPTION

APN: A Portion of 020-120-28S
Sewer Easement

That portion of Parcel 2 granted by Deed, recorded December 20, 2018, as Document No. 2018-0151503, of Official Records of Fresno County, more particularly described as follows:

COMMENCING at the Northwest corner of the Southeast Quarter of Section 1, Township 14 South, Range 17 East, Mount Diablo Base and Meridian; thence South 01°16'23" West, along the West line of said Southeast Quarter, a distance of 1,325.51 feet; thence North 89°49'48" East, a distance of 20.01 feet to a point of intersection thereof with the West line of said Parcel 2 and the **POINT OF BEGINNING**;

thence leaving the West line of said Parcel 2, North 89°49'48" East, a distance of 180.00 feet to a point of intersection thereof with the East line of said Parcel 2;

thence South 01°16'23" West, along said East line, a distance of 20.01 feet;

thence leaving said East line, South 89°49'48" West, a distance of 180.00 feet to a point of intersection thereof with the West line of said Parcel 2;

thence North 01°16'23" East, along the West line of said Parcel 2, a distance of 20.01 feet to the **POINT OF BEGINNING**.

Containing an area of 3,600 square feet or 0.08 acres, more or less.

The above described easement is graphically depicted on the attached Exhibit "B" and made a part of this description by reference thereto.

END DESCRIPTION

This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyors' Act.



Randell Scott West, PLS 8663
Blair, Church & Flynn

August 9, 2022
Date



