

WHEN RECORDED RETURN TO:

**REAL PROPERTY SERVICES DIVISION
COUNTY OF SAN MATEO
555 County Center, 4th Floor
Redwood City, CA 94063**

**NO FEE DOCUMENT Per Government Code 6103
No Document Transfer Tax Per R & T Code 11922**

APN: 029-321-060 (Portion of)

THIS SPACE FOR RECORDER'S USE ONLY

**EASEMENT DEED AND AGREEMENT FOR
WATER PIPELINE**

WATER PIPELINE, is made this _____ day of _____, 2020, BETWEEN

the COUNTY OF SAN MATEO, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA (hereinafter referred to as "Grantor"), AND

the CITY OF BURLINGAME, A GENERAL LAW CITY AND MUNICIPAL CORPORATION, (hereinafter referred to as "Grantee").

WHEREAS, Grantor is the owner of that certain property situated in the City of San Mateo, County of San Mateo, identified as Assessor's Parcel Number 029-321-060 (the "Property").

WHEREAS, a certain water pipe line and related facilities and appurtenances were installed and constructed or caused to be installed and constructed under and through a portion of the Property by Grantor in accordance with specifications provided by Grantee (the "Water Facilities").

WHEREAS, Grantor desires to quitclaim to Grantee, who desires to accept, a permanent water pipeline easement under and through a portion of the Property described and shown in **EXHIBITS "A" and "B" (collectively "Easement Area")**; together with the perpetual right of ingress to and egress from said property, for the purpose of exercising and performing all of the rights and privileges herein granted.

WHEREAS, Grantor desires to dedicate to Grantee, and Grantee desires to accept all of Grantor's right, title and interest in and to the Water Facilities installed within the Easement Area.

NOW THEREFORE, intending to be legally bound hereby, and for good consideration, the receipt and sufficiency whereof is acknowledged, Grantor and Grantee agree, and covenant, as follows:

1. The recitals above are hereby incorporated by reference and made a part hereof as if set forth in full.

Grantor hereby quitclaims to Grantee a permanent water pipeline easement to erect, install, construct, remove, repair, replace, reconstruct, maintain and use for water line purposes any and all materials, fixtures, appliances, equipment, fire hydrants, pipes, pipelines, necessary for the transmission, collection, distribution and delivery of water over, along, upon, under and across the Easement Area ("Easement"). The Easement is subject to all rights, encumbrances, and other matters of record or of which Grantee has notice prior to the date this Easement Deed is recorded.

2. Grantor may grant other easements over, along and across the Easement Area so long as such other easements do not interfere with Grantee's purposes and uses of the Easement Area. Grantee shall have no right to grant additional easements or sub-easements on, along or across the Easement Area, however, such limitation shall not interfere with Grantee's purposes and uses of the Easement Area.
3. Grantor retains, reserves and shall continue to enjoy use of the surface of the Easement Area for any and all purposes that do not interfere with and prevent the use of Grantee of the Easement Area, including the right to build and use the surface of the Easement Area for drainage ditches, private streets, roads, driveways, alleys, walks, gardens, lawns, plantings that do not exceed 3-feet in height, parking areas, and other like uses. Grantor may construct permanent structures 3 feet or less in height and fences.
4. Grantee shall indemnify, defend and hold Grantor, and its employees, agents, officers, directors, attorneys, guests, licensees, invitees, and tenants, harmless from and against any and all claims, demands, costs, liabilities, losses, causes of action and/or expenses of any kind (including attorney's fees) related to Grantee's use of the said easement or Water Facilities or Grantee's operations upon the parcel of real property described in and shown on Exhibit A, except to the extent of the gross negligence or willful misconduct of Grantor
5. Grantor additionally grants and conveys to Grantee title to the Water Facilities located within the Easement Area.
6. Grantee hereby accepts the grant and dedication of the Water Facilities and agrees to perpetually operate, maintain and service the same.
7. Grantor reserves the right to connect into said Water Facilities for purposes associated with Grantor's reasonable use of the Property, including specifically, existing irrigation connections and a single 12 inch water pipeline connection that is associated with that certain Easement for Water Main Line recorded December 30, 1981 in the Official Records of the County of San Mateo as Recorder's Serial Number 22180AT and identified in Exhibit B hereto as WLE (Easement 22180AT), or at a location immediately adjacent thereto, whether or not Easement 22180AT is vacated by Grantee.
8. Grantor and Grantee, as those words are used herein, shall include the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, Grantor has executed the Easement Deed and Agreement for Water Pipeline on the day and year first written above.

**CITY OF BURLINGAME, A GENERAL LAW CITY
AND MUNICIPAL CORPORATION,**

Dated this ____ **day of** _____, **20** ____

By: _____

Print Name: _____

Title: _____

**COUNTY OF SAN MATEO, A POLITICAL
SUBDIVISION OF THE STATE OF CALIFORNIA**

By: _____

Print Name: _____

Title: _____

(California Government Code Section 27281)

This is to certify that the interest in real property conveyed to the City of Burlingame by that certain Easement Deed and Agreement for Water Pipeline dated _____, 2020, executed by, is hereby accepted by the undersigned on behalf of the City of Burlingame pursuant to authority conferred by City Council Motion No. _____ adopted on _____, 2020, and the City of Burlingame consents to recordation thereof by its duly authorized officer.

Dated: _____, 2020

CITY OF BURLINGAME,
a general law city and municipal corporation,

By: _____
City Manager

Attest: _____, City Clerk

EXHIBIT "A"

LAND DESCRIPTION

The land referred to herein below is situated in the City of San Mateo, County of San Mateo, State of California and is described as follows:

Being a portion of Parcel Z as shown on that certain Record of Survey titled "EXHIBIT B OF SETTLEMENT AGREEMENT EMBODIED IN JUDGEMENT ENTERED IN CASE OF: STATE VS. SAN MATEO COUNTY, ET AL" and filed in Book 8 of L.L.S., at Pages 89-95, San Mateo County Records, lying in Rancho San Mateo, more particularly described as follows:

BEGINNING at the most southerly point on the exterior of that certain 10.00 foot water line easement as described in the City of Burlingame Resolution No. 89-81 and recorded December 30, 1981 as Document No. 22180AT, Official Records of San Mateo County, said point being the southerly 5.00 foot by 5.00 foot offset formed at the angle point between the end of the centerline segment described in said document as "South 78°17'56" East for a distance of 102.00 feet" and the segment thereafter described in said document;

thence South 87°46'18" East, 26.70 feet;

thence South 80°10'44" East, 40.43 feet;

thence South 78°17'14" East, 48.90 feet;

thence South 76°14'52" East, 35.85 feet;

thence South 74°52'25" East, 41.83 feet;

thence South 15°41'20" West, 4.46 feet;

thence South 74°18'40" East, 10.00 feet;

thence North 15°41'20" East, 4.88 feet;

thence South 78°47'23" East, 32.27 feet;

thence South 75°56'35" East, 21.53 feet to an angle point in the California State Route 101 Right of Way, said angle point being the most northerly corner of that certain Parcel No. 59831-1 as shown on Sheet 18 of 27 of Right of Way Record Map R-10269.16 on file with the California Department of Transportation, District 4 (Hanging File 35), acquired under Section 83 of the Streets and Highways Code by letter dated April 18, 2011;

EXHIBIT "A"

thence along the northeasterly line of said Parcel No. 59831-1, South 68°18'04" East, 92.75 feet;
thence leaving said northeasterly line of Parcel No. 59831-1, South 74°05'43" East, 21.37 feet;
thence South 01°11'26" West, 2.30 feet to said northeasterly line of Parcel No. 59831-1;
thence along said northeasterly line of Parcel No. 59831-1, South 68°18'04" East, 10.68 feet;
thence leaving said northeasterly line of Parcel No. 59831-1, North 01°11'26" East, 13.76 feet;
thence North 74°05'43" West, 28.57 feet to a line parallel with and lying 10.00 feet northeasterly
of said northeasterly line of Parcel No. 59831-1;
thence along said parallel line and the northwesterly prolongation thereof, North 68°18'04"
West, 92.92 feet;
thence North 75°56'35" West, 22.45 feet;
thence North 78°47'23" West, 36.97 feet;
thence North 74°52'25" West, 46.82 feet;
thence North 76°14'52" West, 36.15 feet;
thence North 78°17'14" West, 34.84 feet;
thence North 01°02'45" East, 17.67 feet;
thence North 88°57'15" West, 20.00 feet;
thence South 01°02'45" West, 14.10 feet;
thence North 80°10'44" West, 35.35 feet;
thence North 87°46'18" West, 25.48 feet to the exterior perimeter of said 10.00 foot water line
easement;
thence along said exterior perimeter, South 12°54'03" West, 10.18 feet to the **POINT OF
BEGINNING**;

Containing an area of approximately 4,200 square feet.


EXHIBIT "A"

The **BASIS OF BEARINGS** of this description is the northeasterly line of Parcel No. 59831-1 as shown on Sheet 18 of 27 of Right of Way Record Map R-10269.16 on file with the California Department of Transportation, District 4 (Hanging File 35), acquired under Section 83 of the Streets and Highways Code by letter dated April 18, 2011, taken as bearing: South 68°18'04" East.

A PLAT OF THE ABOVE DESCRIBED STRIPS OF LAND IS ATTACHED HERETO AS EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.

END DESCRIPTION

This real property description has been prepared by me, or under my direction, in conformance with the requirements of the Professional Land Surveyors' Act.



Scott J. Roberts
Professional Land Surveyor
California No. 9235



PRELIMINARY
Date

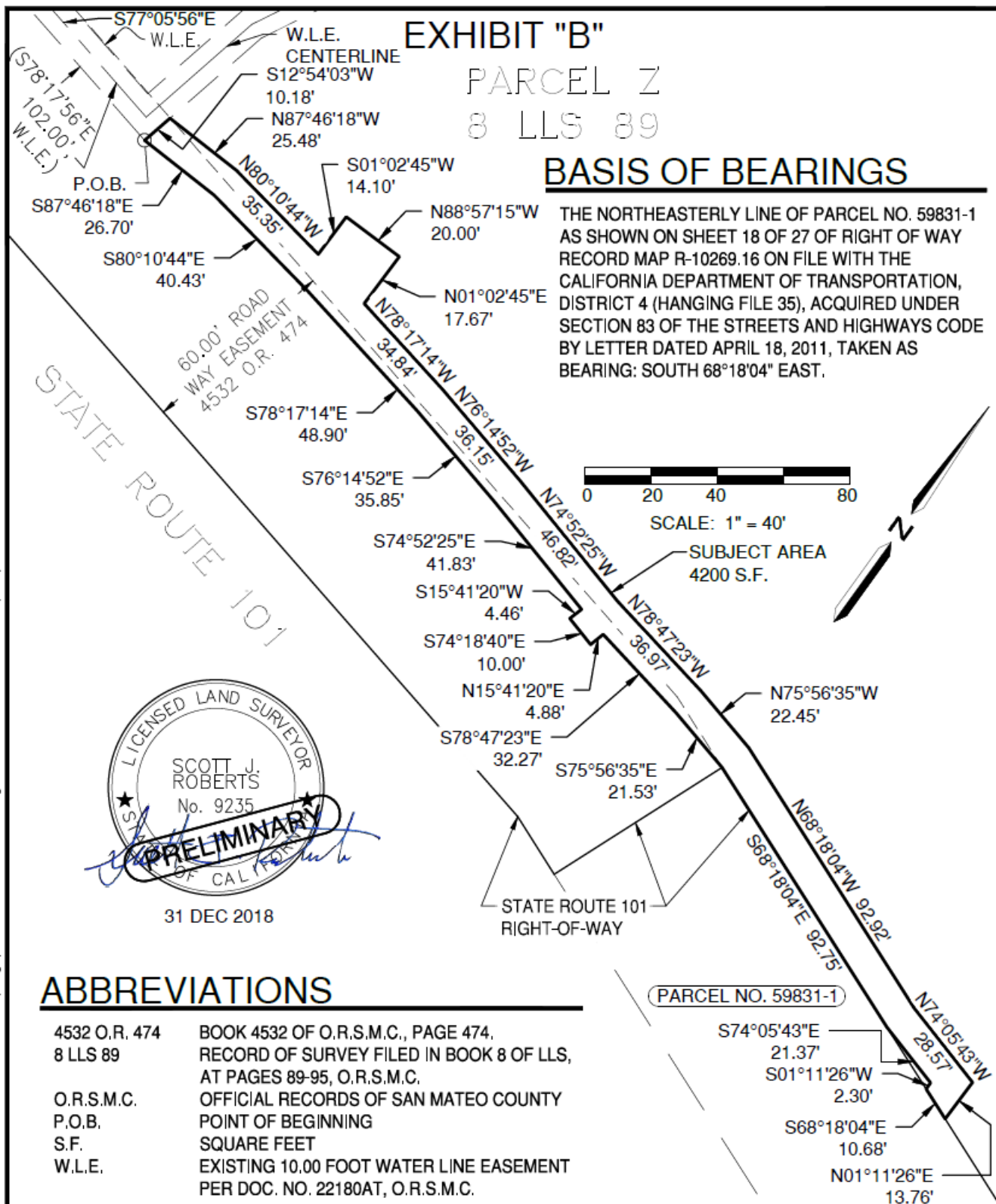
EXHIBIT "B"

PARCEL Z

8 LLS 89

BASIS OF BEARINGS

THE NORTHEASTERLY LINE OF PARCEL NO. 59831-1 AS SHOWN ON SHEET 18 OF 27 OF RIGHT OF WAY RECORD MAP R-10269.16 ON FILE WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 4 (HANGING FILE 35), ACQUIRED UNDER SECTION 83 OF THE STREETS AND HIGHWAYS CODE BY LETTER DATED APRIL 18, 2011, TAKEN AS BEARING: SOUTH 68°18'04" EAST.



31 DEC 2018

ABBREVIATIONS

4532 O.R. 474
8 LLS 89

O.R.S.M.C.
P.O.B.
S.F.
W.L.E.

BOOK 4532 OF O.R.S.M.C., PAGE 474,
RECORD OF SURVEY FILED IN BOOK 8 OF LLS,
AT PAGES 89-95, O.R.S.M.C.
OFFICIAL RECORDS OF SAN MATEO COUNTY
POINT OF BEGINNING
SQUARE FEET
EXISTING 10.00 FOOT WATER LINE EASEMENT
PER DOC. NO. 22180AT, O.R.S.M.C.



1165 Scenic Drive, Suite A
Modesto, CA 95350
odellengineering.com

PLAT TO ACCOMPANY DESCRIPTION

SCALE:	1"=40'	DATE:	2018-12-31
JOB NO.:	32040 SAN MATEO ANIMAL SHELTER		
FILE:	32040-PLAT-WLE.DWG		

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