

Resolution 08-11

Resolution of the Authority Board)
granting Pacific Gas and Electric)
Company an easement for underground)
gas and electric facilities serving the)
new Fort Ord Reuse Authority Complex)
Development)

THIS RESOLUTION is adopted with reference to the following facts and circumstances:

WHEREAS, the Fort Ord Reuse Authority ("FORA") has been actively pursuing development of the Imjin Office Park ("IOP") project, a joint-use office project at the northeast corner of Imjin Parkway and Second Avenue in Marina, California, in cooperation with the Association of Monterey Bay Area Governments ("AMBAG"), the Builders Exchange of the Central Coast ("BXCC"), and the Carpenters Local 605 ("Carpenters"); and

WHEREAS, FORA, AMBAG, BXCC, and Carpenters have coordinated with Pacific Gas and Electric Company ("PG&E") to complete their design of gas and electric facilities to serve the IOP project.

NOW, THEREFORE, BE IT RESOLVED by the FORA Board of Directors that:

1. FORA grants to PG&E an easement for underground gas and electric facilities serving the new FORA complex development as described in the easement deed and its attachments ("**Exhibit 1**").

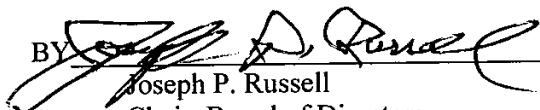
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Upon motion by Supervisor Mettee-McCutchon, seconded by Council Member Mancini, the foregoing resolution was passed on this 12th day of December 2008, by the following vote:

AYES: 10 Directors Russell, McCloud, McCall, Mancini, Mettee-McCutchon, Rubio, Wilmot, Barnes, Pendergrass and Della Sala
NOES: -0-
ABSTENTIONS: -0-
ABSENT: 3 Directors Calcagno, Potter and Davis

I, Mayor Joseph P. Russell, Chair of the Board of Directors of the Fort Ord Reuse Authority of the County of Monterey, State of California, do hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered under Item 6d, Page 4, of the board meeting minutes of December 12, 2008, thereof, which are kept in the Minute Book resident in the offices of the Fort Ord Reuse Authority.

Jan. 9, 2009
2008

BY 
Joseph P. Russell
Chair, Board of Directors
Fort Ord Reuse Authority

RECORDING REQUESTED BY AND RETURN TO:

EXHIBIT 1

PACIFIC GAS AND ELECTRIC COMPANY
Salinas Land Services Office
356 E. Alisal St.
Salinas, CA 93901

Location: City of Marina
Recording Fee \$ _____
Document Transfer Tax \$ NONE

- This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911).
- Computed on Full Value of Property Conveyed, or
- Computed on Full Value Less Liens & Encumbrances Remaining at Time of Sale

Signature of declarant or agent determining tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

LD# 2214-01-

EASEMENT DEED

FORT ORD REUSE AUTHORITY, a public corporation of the State of California,

hereinafter called first party, hereby grants to PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called second party, the right from time to time to construct, reconstruct, install, inspect, maintain, replace, remove, and use facilities of the type hereinafter specified, together with a right of way therefor, within a strip of land as hereinafter set forth, and also ingress thereto and egress therefrom, over and across the lands of first party situate in the City of Marina, County of Monterey, State of California, described as follows:

(APN 031-251-038)

Parcel 2 of that certain map filed for record October 11, 2007 in Volume 22 of Parcel Maps at Page 77, Monterey County Records.

Said facilities shall consist of:

Such underground conduits, pipes, manholes, service boxes, wires, cables, and electrical conductors; aboveground marker posts, risers, and service pedestals; underground and aboveground switches, fuses, terminals, and transformers with associated concrete pads; and fixtures and appurtenances necessary to any and all thereof, as second party deems necessary for the distribution of electric energy and for communication purposes; and one or more underground pipes with suitable service pipes and connections, as Pacific Gas and Electric Company deems necessary for the conveyance by it of gas; all to be located within the strip of land of the uniform width of 15 feet, the center line of which is delineated by the heavy dashed line shown upon the print of second party's Exhibit "A" attached hereto and made a part hereof.

First party further grants to second party the right from time to time to trim or to cut down and clear away any and all trees and brush now or hereafter along or within said strip and shall have the further right from time to time to trim and to cut down and clear away trees on each side along said strip which now or hereafter in the opinion of second party may be a hazard to the facilities installed hereunder by reason of the danger of falling thereon, provided, however, that all trees which second

GRANTOR'S COPY

party is hereby authorized to cut and remove, if valuable for timber or wood, shall continue to be the property of first party, but all tops, lops and brush shall be burned or removed by second party.

First party shall not erect or construct any building or other structure or drill or operate any well within said strip.

First party acknowledges that they have read the "Grant of Easement Disclosure Statement", Exhibit "B", attached hereto and made a part hereof.

The legal description herein, or the map attached hereto, defining the location of this utility distribution easement, was prepared by Pacific Gas and Electric Company pursuant to Section 8730 (c) of the Business and Professions Code.

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

Dated: _____, _____.

FORT ORD REUSE AUTHORITY, a public corporation of the State of California,

By _____

By _____

I hereby certify that a resolution was adopted on the _____ day of _____, 2008 by the _____ authorizing the foregoing grant of easement.

By _____

Title _____

Area 3, Central Coast Division
Safinas Land Services Office
Gas Distribution
M.D.M. T. 14 S., R. 01 E., Sec 36- NE ¼ of SW ¼
FERC License Number(s): N/A
PG&E Drawing Number(s): 14-1-50S
PLAT NO. 3-3897-A07(G) H-05-04(E)
LD of any affected documents: N/A
LD of any Cross-referenced documents: N/A
TYPE OF INTEREST: 05, 53
SBE Parcel Number: N/A
(For Quitclaims, % being quitclaimed): N/A
PM #: 30651170
JCN: N/A
County: Monterey
Utility Notice Numbers: N/A
851 Approval Application No. N/A Decision N/A
Prepared By: CEK0
Checked By: BFF3
Revision Number: N/A

State of California
County of _____)

On _____, before me, _____
Here insert name and title of the officer

personally appeared _____

_____ 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.

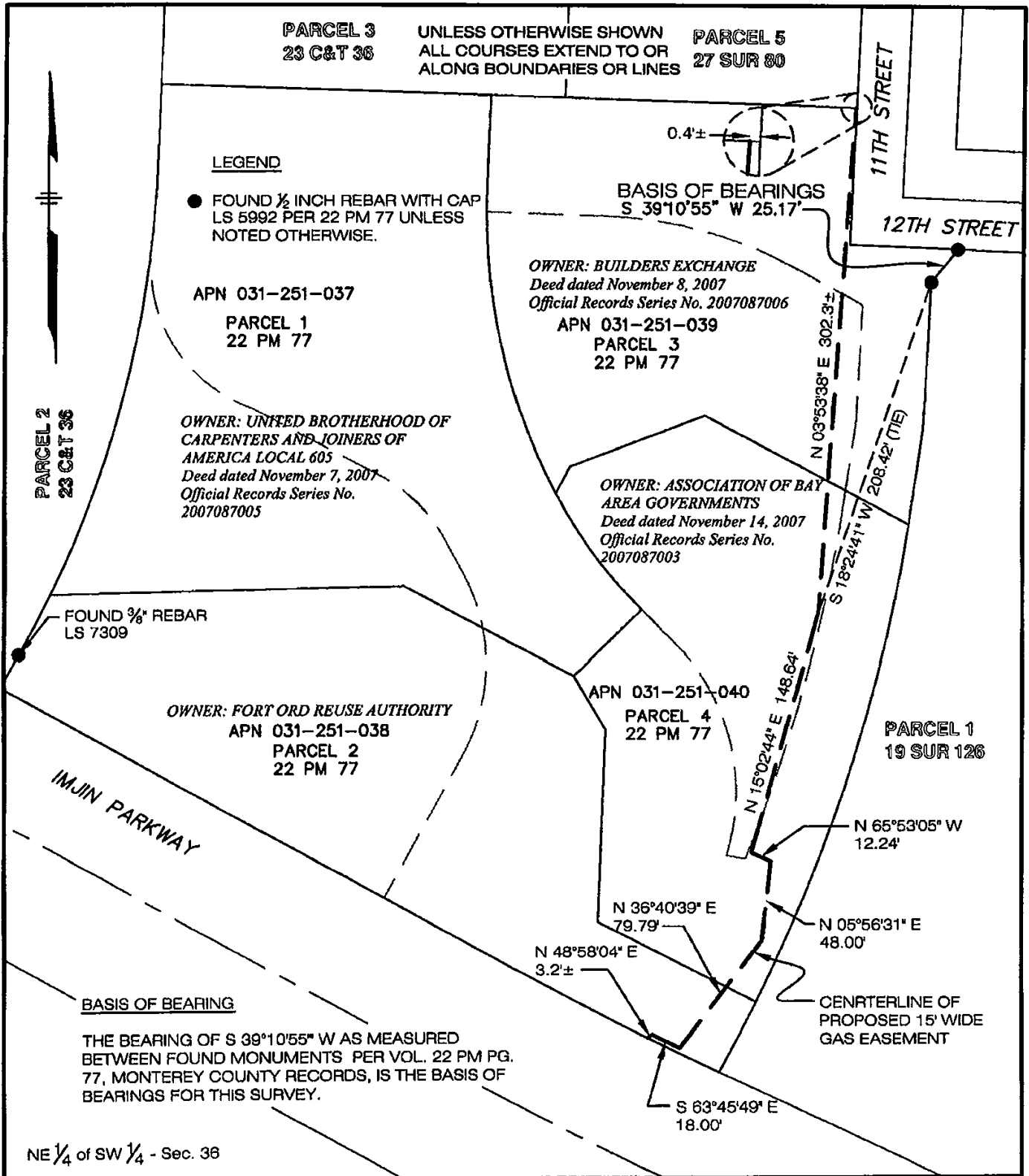
Signature of Notary Public

(Seal)

CAPACITY CLAIMED BY SIGNER

- Individual(s) signing for oneself/themselves
- Corporate Officer(s) of the above named corporation(s)
- Trustee(s) of the above named Trust(s)
- Partner(s) of the above named Partnership(s)
- Attorney(s)-in-Fact of the above named Principal(s)
- Other _____

EXHIBIT "A"



Applicant: FORT ORD REUSE AUTHORITY				SCALE 1" = 80'	DATE 10/15/2008
SECTION 36	TOWNSHIP 14 S.	RANGE 1 E.	MERIDIAN MDB&M	COUNTY OF: MONTEREY	CITY OF: MARINA
PLAT MAP H-05-04(E) 3897-A07(G)				F.B.: PG&E	DR. BY: CEKO
REFERENCES				CENT. COAST DIVISION	30651170 AUTHORIZ
				CH. BY: BFF3	14-1-50S DRAWING NO.

Pacific Gas and Electric Company



EXHIBIT "B"

GRANT OF EASEMENT DISCLOSURE STATEMENT

This Disclosure Statement will assist you in evaluating the request for granting an easement to Pacific Gas and Electric Company (PG&E) to accommodate a utility service extension to PG&E's applicant. **Please read this disclosure carefully before signing the Grant of Easement.**

- You are under no obligation or threat of condemnation by PG&E to grant this easement.
- The granting of this easement is an accommodation to PG&E's applicant requesting the extension of PG&E utility facilities to the applicant's property or project. Because this easement is an accommodation for a service extension to a single customer or group of customers, PG&E is not authorized to purchase any such easement.
- By granting this easement to PG&E, the easement area may be used to serve additional customers in the area. Installation of any proposed facilities outside of this easement area will require an additional easement.
- Removal and/or pruning of trees or other vegetation on your property may be necessary for the installation of PG&E facilities. You have the option of having PG&E's contractors perform this work on your property, if available, or granting permission to PG&E's applicant or the applicant's contractor to perform this work. Additionally, in order to comply with California fire laws and safety orders, PG&E or its contractors will periodically perform vegetation maintenance activities on your property as provided for in this grant of easement in order to maintain proper clearances from energized electric lines or other facilities.
- The description of the easement location where PG&E utility facilities are to be installed across your property must be satisfactory to you.
- The California Public Utilities Commission has authorized PG&E's applicant to perform the installation of certain utility facilities for utility service. In addition to granting this easement to PG&E, your consent may be requested by the applicant, or applicant's contractor, to work on your property. Upon completion of the applicant's installation, the utility facilities will be inspected by PG&E. When the facility installation is determined to be acceptable the facilities will be conveyed to PG&E by its applicant.

By signing the Grant of Easement, you are acknowledging that you have read this disclosure and understand that you are voluntarily granting the easement to PG&E. Please return the signed and notarized Grant of Easement with this Disclosure Statement attached to PG&E. The duplicate copy of the Grant of Easement and this Disclosure Statement is for your records.