

Staff Report

TO: Board of Directors
FROM: Doug Roderick, P.E., Engineering Manager
DATE: March 9, 2022
SUBJECT: Quitclaim – Lincoln Meadows Subdivision (Project #2429)

ENGINEERING

RECOMMENDATION:

Approve the quitclaim deed for easement of a portion of the Lincoln Canal and authorize the General Manager to sign the quitclaim deed.

BACKGROUND:

The Board approved a Conveyance Agreement with KB Home Sacramento, Inc. on February 19, 2020. The scope of work in the Conveyance Agreement included relocating and encasing a section of the Lincoln Canal to accommodate the new subdivision in the City of Lincoln. The new encasement has been completed and is in service. The existing canal has been regraded, and streets and building pads have been constructed within the existing canal footprint. As such, easement for the existing canal is no longer needed.

Once the final easement documents are completed for the new facility, the quitclaim deed can be signed. Staff is recommending that the Board approve the quitclaim deed and authorize the General Manager to sign the deed once all remaining items are completed.

BUDGETARY IMPACT:

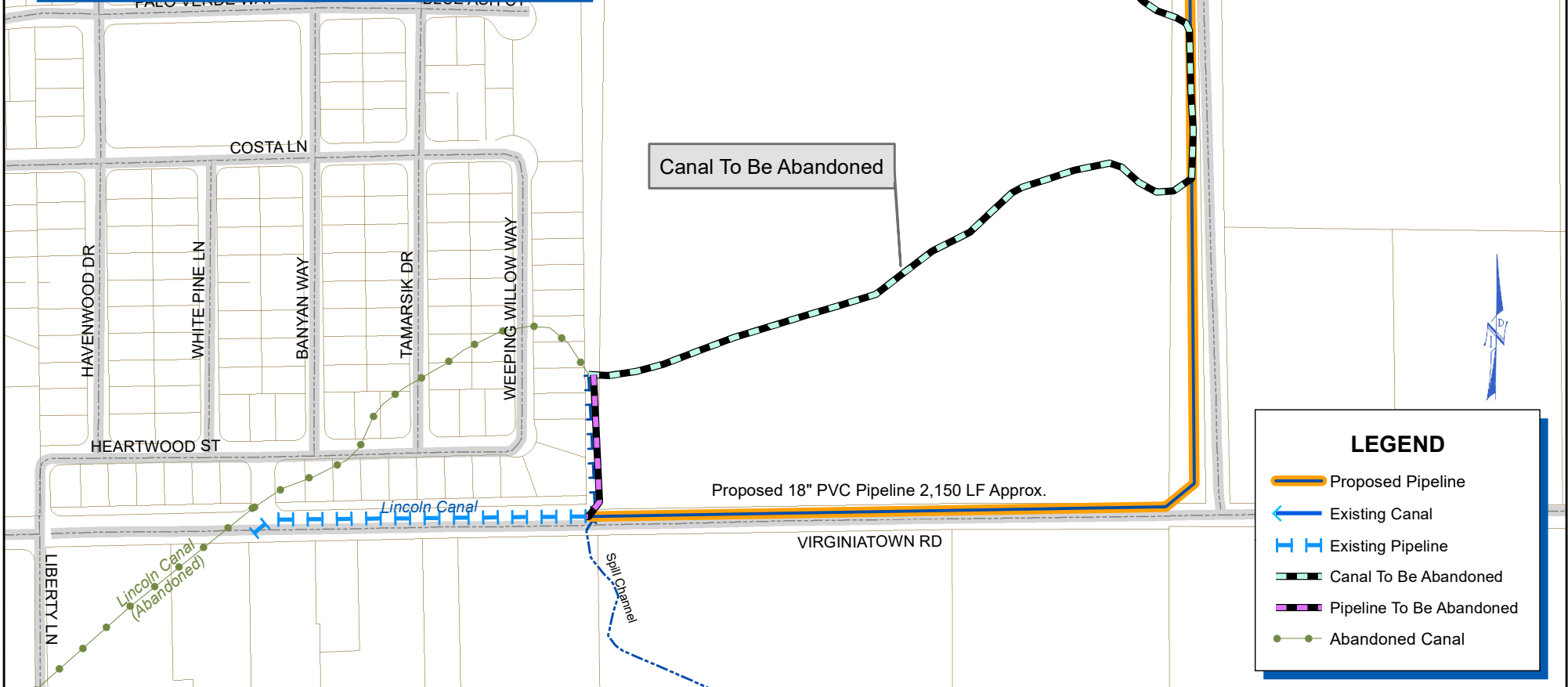
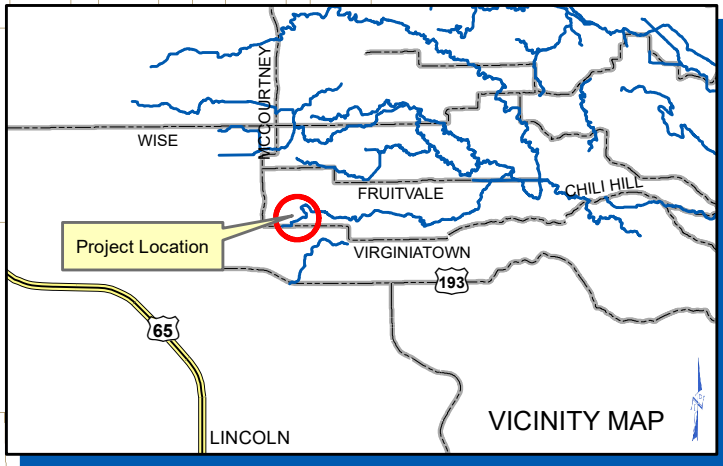
None

DR

Attachments: (3)

- Map of Project
- Quitclaim Deed
- Original Easement Deed

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NEVADA IRRIGATION DISTRICT

NEVADA COUNTY -- PLACER COUNTY
GRASS VALLEY, CALIFORNIA

LINCOLN CANAL ENCASEMENT & REALIGNMENT - LINCOLN MEADOWS

Drawn By: D. HUNT

Date: 2/19/2020

Scale: 1" = 350' @ 8-1/2x11

Sheet: 1 of 1

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Placer County APN:021-231-018

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Project: 2429 – Lincoln Canal (Encasement) –
Lincoln Meadows-KB Homes

EASEMENT QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged the **NEVADA IRRIGATION DISTRICT**, an irrigation district duly organized and existing under and by virtue of the laws of the State of California does hereby remise, release and forever Quitclaim to

KB HOME SACRAMENTO INC., A CALIFORNIA CORPORATION,

all right, title, and interest in and to the certain NID Easement described in the document recorded on February 7, 1947 in Book 493 of Official Records at page 405, Records of Placer County, situated within the parcel of land described in Document Number 2019-0062037, Records of Placer County.

CERTIFICATION BY NEVADA IRRIGATION DISTRICT

This is to certify that the Quitclaim of interest conveyed by this document is hereby executed by the undersigned on behalf of the Board of Directors of the Nevada Irrigation District, pursuant to authority conferred by action of said Board on March 09, 2022.

Date: _____

Know all men by these presents:

That for and in consideration of the sum of One (\$1.00) Dollar lawful money of the United States, and other valuable consideration paid to the undersigned by NEVADA IRRIGATION DISTRICT, an irrigation district duly organized and existing under and by virtue of the laws of the State of California, receipt of said consideration being hereby acknowledged, the undersigned do hereby grant unto the said Nevada Irrigation District, a perpetual easement or right of way for the purpose of constructing, maintaining and operating a conduit and/or canal and/or pipeline as the same crosses, or shall hereafter be constructed to cross over, across and/or under that portion of real property of the undersigned, or either thereof, traversed by the right of way hereinafter particularly described,

together with the right of ingress and egress for men with tools and or equipment required for the repair maintenance and or operation of said conduit and or canal and or pipeline upon, over, through, and or across that certain real property situate, lying and being in the county of Placer, State of California, and particularly described as follows, to wit:-

All that portion of the northeast quarter of the South East Quarter of Section 11, Township 12 North, Range 6 East, Mount Diablo Base and Meridian, title to which is now vested in the undersigned and which lies 12½ feet each side of a center line, which center line is particularly described as follows:

Beginning at a point in the east and west center line of Section 11, Township 12 North, Range 6 East, M. D. B. & M., which point of beginning lies 169 feet west of the east quarter corner of said Section 11; thence, in a southeasterly direction across the northeast corner of the northeast quarter of the South East Quarter of said Section 11 and the northwest quarter of the South West Quarter of Section 12 of said township and range a distance of 343 feet, more or less, to a point which lies 12.5 feet west of the west margin of the Lincoln-Fruitvale county road and 196 feet south of the east and west center line of said Section 12; thence, running south parallel to the west margin of said county road a distance of 367 feet, more or less; thence, running in a southwesterly direction in the northwest quarter of the South West Quarter of said Section 12 and the northeast quarter of the South East Quarter of said Section 11, a distance of 1438 feet, more or less, to a terminal point in the west line of the northeast quarter of the South East Quarter of said Section 11, which terminal point lies 330 feet north of the south line of the northeast quarter of the South East Quarter of said Section 11.

Containing 1.3 acres, more or less.

It is expressly provided and agreed that the Nevada Irrigation District shall, as a condition of this grant, construct, install and maintain not more than two bridges or culverts, over or within the right of way hereby granted, of sufficient width and strength to carry equipment normally used in the maintenance and/or operation of the property of the grantor from which the right of way hereby granted is severed. Such bridges or culverts shall be installed by the District upon demand of grantor and at such places along such right of way as grantor shall elect.

SEE REVERSE FOR ADDITIONAL CONDITIONS

IN WITNESS WHEREOF, the undersigned has hereunto set their

hands and seals this 18th day of January, A. D. 1947

Raymond G. Hallock

SUBSCRIBING WITNESS:

Carabel M. Hallock
wife

R/W 55-16
Map P-14
538

It is further expressly provided and agreed that use by the Nevada Irrigation District of the right of way hereby granted shall not damage, interfere, or prevent mining operations on said right of way and/or the property of the grantor from which said right of way is severed. The Nevada Irrigation District shall, as is made necessary by such mining operations, move, alter, or replace with other type of conduit, the conduit occupying the right of way hereby granted; provided, however, that when such mining operations make necessary a change of location of said conduit, the grantor shall provide right of way for a suitable alternate location.

STATE OF CALIFORNIA
COUNTY OF Fresno } ss.

On this _____ day of Jan 18 1947 A. D. 19_____, before me,
Berg S. M. G. a Notary Public in and for said County and State
personally appeared Raymond S. + Carl M. Haller

(hereinafter referred to as witness), known to me to be the person whose name is subscribed to the within instrument as a witness thereto, who, being by me first duly sworn, deposes and says: That he resides in the County of Fresno, ~~State of California~~, that he was present and saw said grantor, personally known to him, sign, seal, and deliver the within instrument; that the said grantor duly acknowledged in the presence of said Affiant that he executed the within instrument and that he, the said Affiant thereupon, and at the request of said grantor, subscribed his name as a witness thereto.

Berg S. M. G.
Notary Public in and for the County and State

INDEXED
GENERAL AS
Lincoln Nat'l Bldg 887

Plaster.

RECORDED AT THE REQUEST
NEVADA IRRIG. DIST.
FEB 1 1947
at 20 min. past 10 o'clock PM
in book _____ of **SPECIAL RECORDS**
page _____
County, Nevada
John E. Mettall
Recorder
Deputy _____
Fee \$ _____
FILED FOR RECORD AT REQUEST OF

NEVADA IRRIGATION DISTRICT
FEB 7 1947
at 14 min. past 10 o'clock
A. M. and duly recorded in
Book 493 of Official
Records Page 405
Records of Placer County, Wash
Clayton G. ...
Recorder
No Fee
Gladys V. ...

35-16

Pursuant to authority granted by a resolution of the Board of Directors of Nevada Irrigation District adopted in accordance with the provisions of Section 1158 of the Civil Code of the State of California and recorded on May 26, 1945 in Book 89 of Official Records page 437 Nevada County Records, the undersigned Secretary of said District hereby consents to and accepts the foregoing deed in behalf of Nevada Irrigation District.

Elizabeth J. Frey
Secretary of Nevada Irrigation District

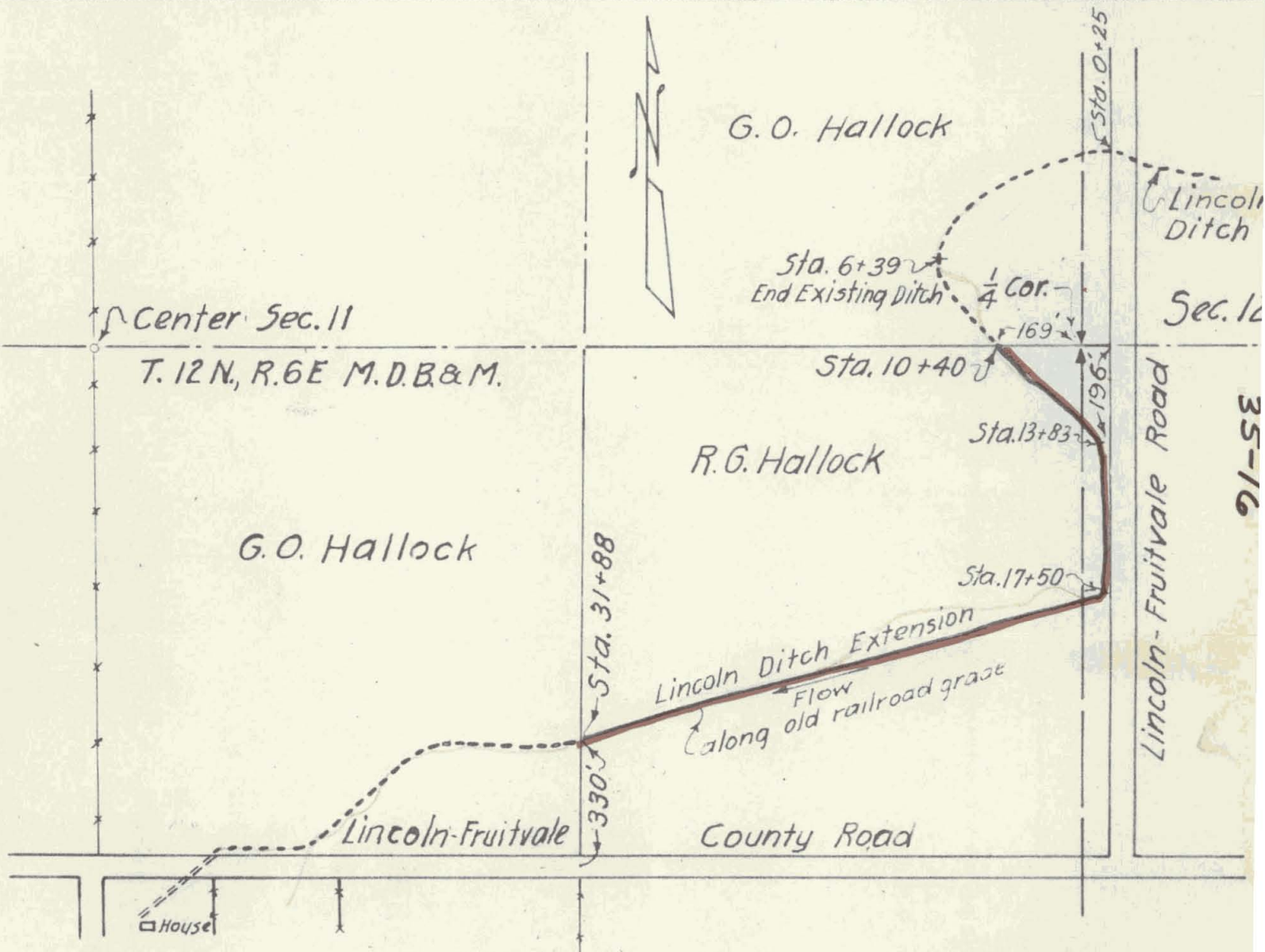
NEVADA IRRIGATION DISTRICT

NEVADA COUNTY, CALIFORNIA

RIGHT OF WAY PLAT

FIELD BOOK 4090
 SURVEY FOR *Lincoln Ditch Extension*
 THROUGH LAND OF *R. G. Hallock*

DATE *March 1 1943*
 SCALE *1" = 400'*
 SERIAL NO. *1844*



RIGHT OF WAY FOR A CONDUIT THROUGH PROPERTY OF R. G. HALLOCK IN
 NE $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SECTION 11, TOWNSHIP 12 NORTH, RANGE 6 EAST, M.D.B. & M.

A right of way for the purpose of constructing and maintaining a conduit for the purpose of conducting water along said right of way, of the uniform width of twenty-five (25) feet, the center line of said right of way being particularly described as follows, to-wit:

Beginning at a point in the east and west center line of Section 11, Township 12 North, Range 6 East, M. D. B. & M., which point of beginning lies 169 feet west of the east $\frac{1}{4}$ corner of said Section 11; thence, in a southeasterly direction across the northeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 11 and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12 of said township and range a distance of 343 feet, more or less, to a point which lies 12.5 feet west of the west margin of the Lincoln-Fruitvale county road and 196 feet south of the east and west center line of said Section 12; thence, running south parallel to the west margin of said county road a distance of 367 feet, more or less; thence, running in a southwesterly direction in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 12 and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 11, a distance of 143.8 feet, more or less, to a terminal point in the west line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 11, which terminal point lies 330 feet north of the south line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 11. Containing 1.3 acres, more or less.

Chas J. Law
 ENGINEER

C.E. NO.

3242