

RESOLUTION NO. 4292-2020

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL
ACCEPTING PUBLIC STORM DRAIN EASEMENTS FROM PROPERTY
OWNERS ALONG THE MAPLE STREET STORM DRAIN PROJECT
ALIGNMENT AND AUTHORIZING CITY MANAGER TO EXECUTE THE
CERTIFICATES OF ACCEPTANCE**

WHEREAS, there exists a storm drain pipe which traverses across several properties from its point of beginning on South Lincoln Street, conveying water in a westerly direction toward Park Street; and

WHEREAS, the City is required to obtain access to portions of privately owned property where public infrastructure exists in order to maintain utilities; and

WHEREAS, the storm drain pipe lying within these properties is part of the Maple Street Storm Drain Rehabilitation Project and will require removal and replacement of existing pipes (with the exception of 008-244-69 which was replaced in 2017) in the coming months; and

WHEREAS, the conveyance of the Public Storm Drain Easement will allow City and City Contractors to access, maintain, and improve the existing facilities now as part of the project and into perpetuity; and

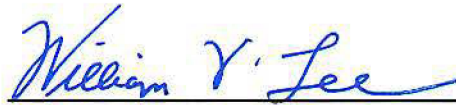
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby:

1. Approve the conveyance of the following Public Storm Drain Easements:
 - a. A 10ft. storm drain easement at 401 Park Street, attached hereto as Att. 1 - Grant Deed APN: 018-100-36; and
 - b. A 10ft. storm drain easement at 340 Park Street, attached hereto as Att. 2 - Grant Deed APN: 008-244-31; and
 - c. A 5ft. storm drain easement at 315 S Lincoln Street, attached hereto as Att. 3 - Grant Deed APN: 008-244-69.
2. Authorize the City Manager to execute a Certificate of Acceptance for each easement and direct the City Clerk to send same to the Mendocino County Recorder's Office for recording.

The above and foregoing Resolution was introduced by Councilmember Norvell, seconded by Councilmember Albin-Smith, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 10th day of August, 2020, by the following vote:


AYES: Councilmembers Albin-Smith, Morsell-Haye, Norvell, Peters and Mayor Lee.
NOES: None.
ABSENT: None.
ABSTAIN: None.

RECUSED: None.



WILLIAM V. LEE
Mayor

ATTEST:



June Lemos, CMC
City Clerk

RECORDED AT THE REQUEST OF:

CITY OF FORT BRAGG

When recorded, please mail this instrument to:

**CITY OF FORT BRAGG
416 NORTH FRANKLIN STREET
FORT BRAGG, CA 95437
Attention: June Lemos,
City Clerk**

The City is exempt from recordation fees per Government Code 27383.
Conveyance to public agency; R&T 11922

AP # 018-100-36

GRANT OF STORM DRAIN EASEMENT

- The undersigned declares that the documentary transfer tax is \$ -0-,
- computed on the full value of the interest or property conveyed, or is
 - computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale.
 - The land, tenements or realty is located in unincorporated area
 - City of FORT BRAGG and COUNTY OF MENDOCINO, STATE OF CALIFORNIA

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledge,
Joshua C and Tiffany T Margerison, husband and wife ("Grantor"),

hereby GRANT(S) to

CITY OF FORT BRAGG, a municipal corporation ("Grantee"),

A perpetual easement and right-of-way for, and the right to use for Storm Drain Purposes, and those appurtenances and uses commonly associated therewith, through, in, on, over, above, under, and across that certain portion of Grantor's real property in the County of Mendocino, State of California:

As described in Exhibit A and delineated in Exhibit B attached hereto and made a part hereof.

This conveyance is binding on the Grantor, its heirs, assigns or successors in interest.

GRANTOR:

By: Joshua C Margerison 2011

Tiffany Margerison


Joshua C Margerison

6-1-2020
Date

By: 
Tiffany T Margerison

6-1-20
Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

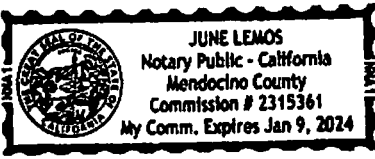
County of Mendocino }

On June 1, 2020 before me, June Lemos, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Joshua C. Margerison and Tiffany T.
Name(s) of Signer(s)

Margerison

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 June Lemos
Signature of Notary Public

Place Notary Seal and/or Stamp Above

Exhibit A

DESCRIPTION OF STORM DRAIN EASEMENT

A storm drain easement 10 feet wide, situated in Section 7, Township 18 North, Range 17 West, Mount Diablo Meridian, in the City of Fort Bragg, County of Mendocino, State of California, more particularly described as follows:

The northerly 10 feet of the lands of Margerison as described in deed recorded as Instrument No. 2008-14317, Mendocino County Records.

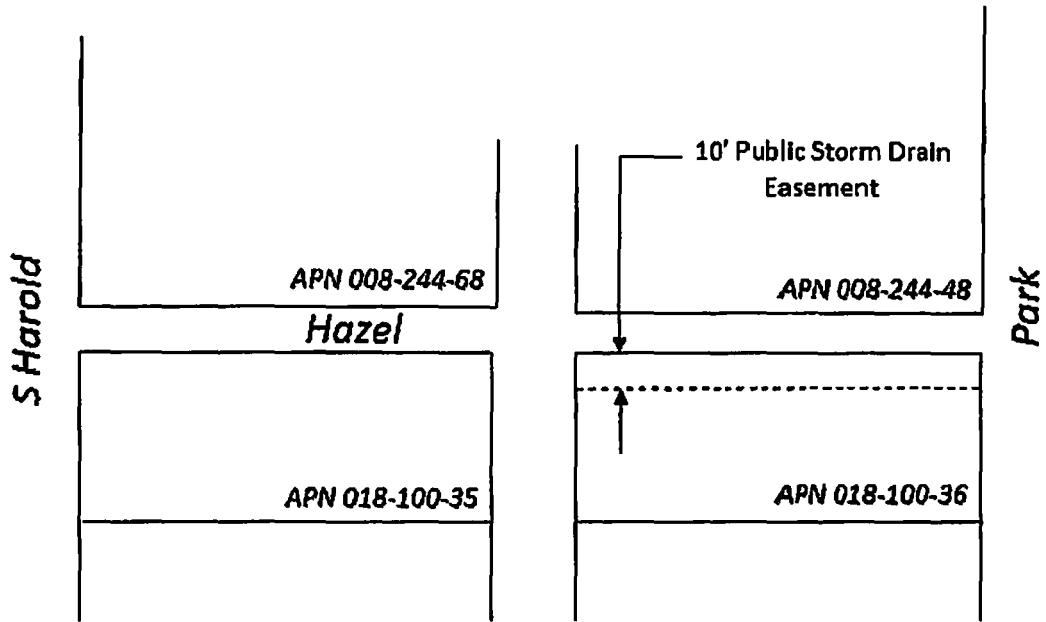
Being a Portion of APN 018-100-36

10/10/2008 10:00 AM
Mendocino County
Instrument No. 2008-14317
Page 1 of 1

**Exhibit B
Plat of Storm Drain Easement**



Not to Scale



CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the interest in real property conveyed by the Grant of Storm Drain Easement dated _____, from **Joshua C and Tiffany T Margerison** to the City of Fort Bragg, a municipal corporation, is hereby accepted by the City Council of the City of Fort Bragg, pursuant to authority conveyed by Resolution of the City Council of the City of Fort Bragg (Resolution _____) adopted _____ and the grantee consents to the recordation thereof.

CITY OF FORT BRAGG

By: _____
Tabatha Miller, City Manager

ATTEST:

June Lemos
City Clerk

RECORDED AT THE REQUEST OF:

CITY OF FORT BRAGG

When recorded, please mail this instrument to:

**CITY OF FORT BRAGG
416 NORTH FRANKLIN STREET
FORT BRAGG, CA 95437
Attention: June Lemos,
City Clerk**

The City is exempt from recordation fees per Government Code 27383.
Conveyance to public agency; R&T 11922

AP # 008-244-31

GRANT OF STORM DRAIN EASEMENT

The undersigned declares that the documentary transfer tax is \$ -0-,

- computed on the full value of the interest or property conveyed, or is
- computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale.
- The land, tenements or realty is located in unincorporated area
- City of FORT BRAGG and COUNTY OF MENDOCINO, STATE OF CALIFORNIA

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledge,

Jean Lorraine Whipple ("Grantor"),

hereby GRANT(S) to

CITY OF FORT BRAGG, a municipal corporation ("Grantee"),

A perpetual easement and right-of-way for, and the right to use for Storm Drain Purposes, and those appurtenances and uses commonly associated therewith, through, in , on, over, above, under, and across that certain portion of Grantor's real property in the County of Mendocino, State of California:

As described in Exhibit A and delineated in Exhibit B attached hereto and made a part hereof.

This conveyance is binding on the Grantor, its heirs, assigns or successors in interest.

GRANTOR:

By: 
Jean Lorraine Whipple

6/9/20
Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Mendocino }

On June 9, 2020 before me, June Lemos, Notary Public,
Date Here Insert Name and Title of the Officer

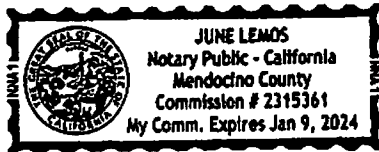
personally appeared Jean Lorraine Whipple
Name(s) of Signer(s)

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 June Lemos
Signature of Notary Public



Place Notary Seal and/or Stamp Above

Exhibit A

DESCRIPTION OF STORM DRAIN EASEMENT

A storm drain easement 10 feet wide, situated in Section 7, Township 18 North, Range 17 West, Mount Diablo Meridian, in the City of Fort Bragg, County of Mendocino, State of California, more particularly described as follows:

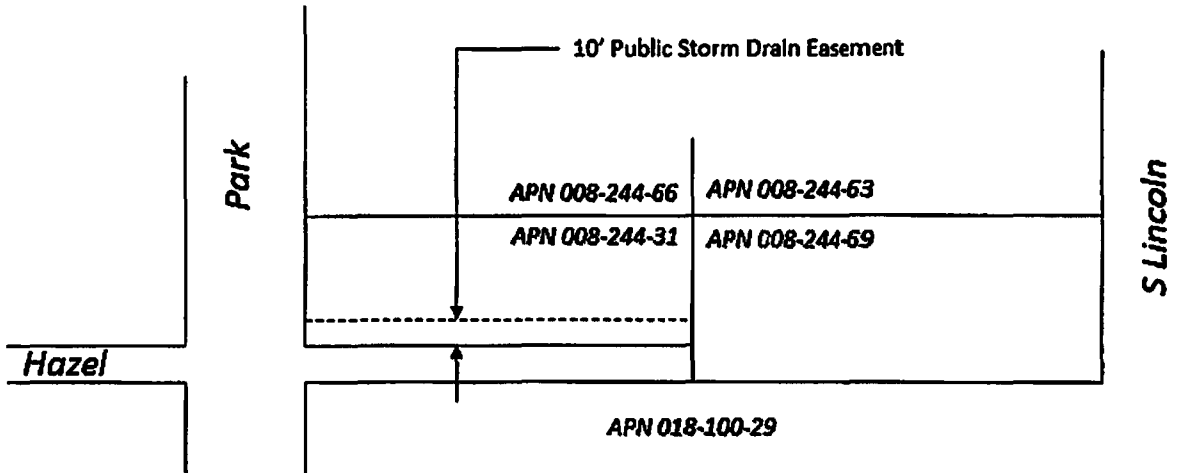
The southerly 10 feet of the lands of Whipple as described in deed recorded as Instrument No. 2014-14903, Mendocino County Records.

Being a Portion of APN 008-244-31

**Exhibit B
Plat of Storm Drain Easement**



Not to Scale



CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the interest in real property conveyed by the Grant of Storm Drain Easement dated _____, from **Jean Lorraine Whipple** to the City of Fort Bragg, a municipal corporation, is hereby accepted by the City Council of the City of Fort Bragg, pursuant to authority conveyed by Resolution of the City Council of the City of Fort Bragg (Resolution _____) adopted _____ and the grantee consents to the recordation thereof.

CITY OF FORT BRAGG

By: _____
Tabatha Miller, City Manager

ATTEST:

June Lemos
City Clerk

RECORDED AT THE REQUEST OF:

CITY OF FORT BRAGG

When recorded, please mail this instrument to:

**CITY OF FORT BRAGG
416 NORTH FRANKLIN STREET
FORT BRAGG, CA 95437
Attention: June Lemos,
City Clerk**

The City is exempt from recordation fees per Government Code 27383.
Conveyance to public agency; R&T 11922

AP # 008-244-69

GRANT OF STORM DRAIN EASEMENT

The undersigned declares that the documentary transfer tax is \$ -0-

- computed on the full value of the interest or property conveyed, or is
- computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale.
- The land, tenements or realty is located in unincorporated area
- City of FORT BRAGG and COUNTY OF MENDOCINO, STATE OF CALIFORNIA

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledge,
David Coddington and Tracey Coddington, husband and wife ("Grantor"),

hereby GRANT(S) to
CITY OF FORT BRAGG, a municipal corporation ("Grantee"),

A perpetual easement and right-of-way for, and the right to use for Storm Drain Purposes, and those appurtenances and uses commonly associated therewith, through, in , on, over, above, under, and across that certain portion of Grantor's real property in the County of Mendocino, State of California:

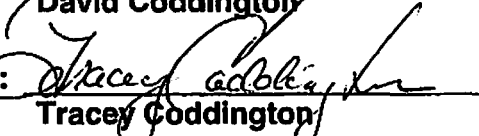
As described in Exhibit A and delineated in Exhibit B attached hereto and made a part hereof.

This conveyance is binding on the Grantor, its heirs, assigns or successors in interest.

GRANTOR:

By: 
David Coddington

6/24/20
Date

By: 
Tracey Coddington

6/24/20
Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Mendocino }

On June 24, 2020 before me, Scott V. Vorhees, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Tracey Coddington, David Coddington
Name(s) of Signer(s)

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 Scott V. Vorhees
Signature of Notary Public

Place Notary Seal and/or Stamp Above

Exhibit A

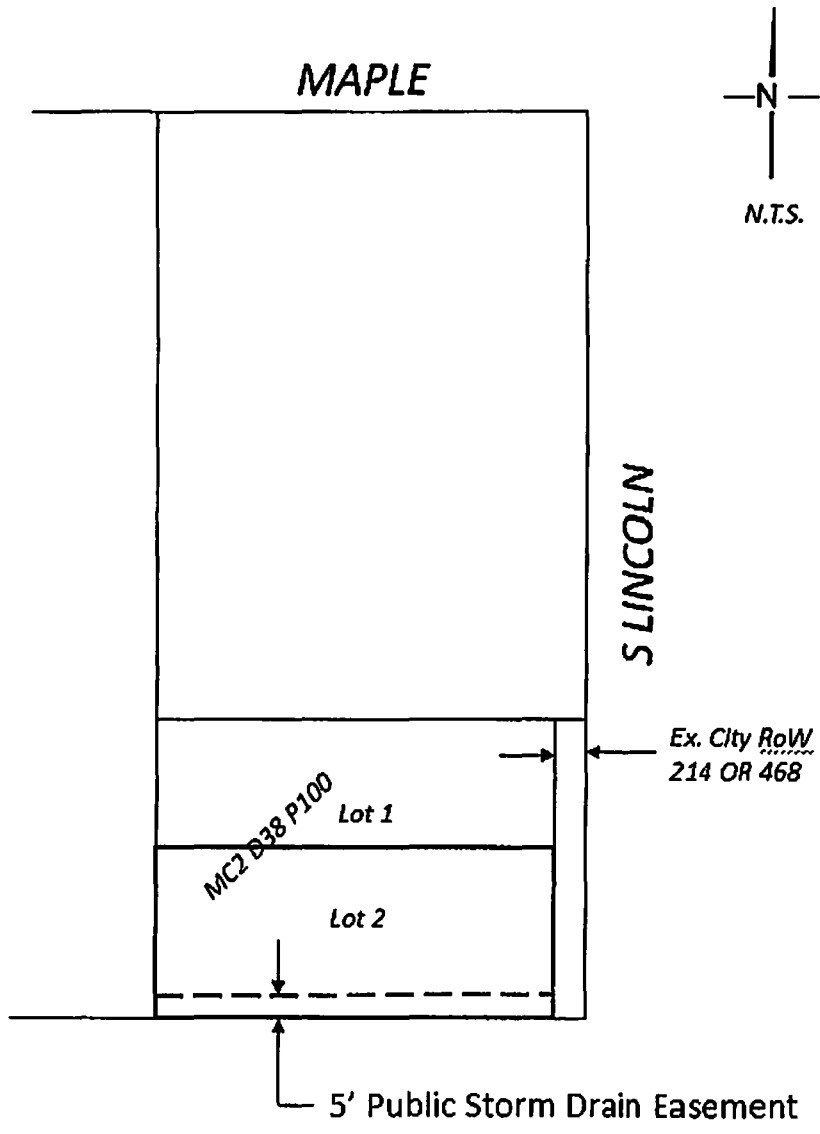
DESCRIPTION OF STORM DRAIN EASEMENT

A storm drain easement 5 feet wide, situated in Section 7, Township 18 North, Range 17 West, Mount Diablo Meridian, in the City of Fort Bragg, County of Mendocino, State of California, more particularly described as follows:

The south 5 feet of Lot 2 as numbered and designated upon that certain Parcel Map filed for record March 26, 1982 in Map Case 2, Drawer 38 Page 100, Mendocino County Records.

Being a Portion of APN 008-244-69

Exhibit B
Plat of Storm Drain Easement



CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the interest in real property conveyed by the Grant of Storm Drain Easement dated _____, from **David Coddington and Tracey Coddington** to the City of Fort Bragg, a municipal corporation, is hereby accepted by the City Council of the City of Fort Bragg, pursuant to authority conveyed by Resolution of the City Council of the City of Fort Bragg (Resolution _____) adopted _____ and the grantee consents to the recordation thereof.

CITY OF FORT BRAGG

By: _____
Tabatha Miller, City Manager

ATTEST:

June Lemos
City Clerk