

Recording Requested By:
Fresno County Waterworks
District No. 40

When Recorded Mail To:

County of Fresno, Department
of Public Works and Planning
Design Division (Real
Property)
2220 Tulare Street, 6th Floor
Fresno, CA 93721

Exempt from Recording Fees;
Government Code §§ 27383,
27388.1(a)(2)(D) (AB110,
SB2)



2020-0133430

FRESNO County Recorder
Paul Dictos, CPA

Tuesday, Sep 29, 2020 12:01:54 PM

Titles: 1 Pages: 7

Fees:	\$0.00
CA SB2 Fee:	\$0.00
Taxes:	\$0.00
Total:	\$0.00
FRESNO COUNTY PUBLIC WORKS	

DTT:Q

GRANT OF ACCESS EASEMENT

THIS GRANT OF ACCESS EASEMENT is made and entered into this 9/17/ day of 2020, by and between SHAVER SPRINGS HOMEOWNERS ASSOCIATION, ("GRANTOR"), and FRESNO COUNTY WATERWORKS DISTRICT NO. 40, a county waterworks district ("GRANTEE");

WITNESSETH:

1. For a valuable consideration, receipt of which is hereby acknowledged, GRANTOR does hereby grant unto GRANTEE, a perpetual and exclusive appurtenant easement, as more particularly described in EXHIBIT "A" attached hereto and incorporated herein, and to ingress and egress and to move over, under and across that certain real property owned by GRANTOR in the County of Fresno, State of California as more particularly described in EXHIBIT "B", attached hereto and incorporated herein ("Property").
2. This Easement shall also allow GRANTEE to construct or maintain passage ways, to operate and transport vehicles, personnel, material, supplies and equipment thereon, and to construct, install, operate, maintain, repair and reconstruct water wells and other facilities associated with said operation of the wells that GRANTEE deems necessary, in its sole discretion.
3. GRANTOR shall have the right to use the surface of the land within said easement for its own purposes, so long as said use by GRANTOR does not interfere in any way with the use of said easement by GRANTEE; and, provided further that GRANTOR shall not build or construct any building or other permanent structure on or plant any vegetative materials within said easement without the written permission and consent of GRANTEE, which permission may be withdrawn and consent may be withheld at any time by GRANTEE if GRANTEE determines, in GRANTEE's sole discretion, that GRANTOR's activities or improvements will interfere, is interfering or has interfered with GRANTEE's easement and its related rights. GRANTEE shall have the right, but not the obligation, at GRANTOR's expense, to modify any of GRANTOR's surface uses and/or to remove any structures, fences, or vegetative materials or other encroachments which interfere at any

time with the purpose or use of this easement by GRANTEE, as determined by GRANTEE, in its sole discretion.

4. This GRANT OF ACCESS EASEMENT, as described herein in favor of GRANTEE and which benefits the GRANTOR and GRANTEE, shall constitute a covenant running with the land, and shall be interpreted and administered by this GRANT OF ACCESS EASEMENT as an easement, under California Civil Code sections 801, 1104, and 1468, et. seq. The easements and terms contained herein shall run with the land and shall be binding on all parties and persons claiming under them, including all tenants and successors, assigns, and transferees of any party.
5. GRANTEE may, at its sole discretion and option, at some future date, quitclaim the real property and rights described within this GRANT OF ACCESS EASEMENT back to GRANTOR.
6. The easement shall not be deemed abandoned by GRANTEE until and unless GRANTEE executes a document formally abandoning the easement and GRANTEE records such a document with the Fresno County Recorder.
7. The GRANTOR shall at any time during business hours, and as often as the GRANTEE may deem necessary, make available to the GRANTEE for examination all of its records and data with respect to the matters related to this GRANT OF ACCESS EASEMENT. The GRANTOR shall, upon request by the GRANTEE, permit GRANTEE to audit and inspect all of such records and data necessary to ensure GRANTOR'S compliance with the terms in this GRANT OF ACCESS EASEMENT. If obligations under this GRANT OF ACCESS EASEMENT exceed ten thousand dollars (\$10,000.00), GRANTOR shall be subject to the examination and audit of the California State Auditor for a period of three (3) years after final payment under contract (Government Code Section 8546.7).

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IN WITNESS WHEREOF, the undersigned have caused this Grant of Access Easement to be executed the date hereinabove written.

GRANTEE (Fresno County Waterworks District 40)

APPROVED
Steven White, Director
Fresno County Department of Public Works and Planning

By

[Signature] 9/17/20

APPROVED AS TO LEGAL FORM
Daniel C. Cederborg
Fresno County Counsel

By:

Lindsay Beaver
Deputy

APPROVED AS TO ACCOUNTING
FORM
Oscar J. Garcia, C.P.A.
Fresno County Auditor-Controller / Treasurer-Tax
Collector

By:

Oscar J. Garcia
Deputy

For Accounting Use Only
Fund: 0900
Subclass: 16000
Org. No.: 9360
Account: 7295

GRANTOR

[Signature]
Shaver Springs Homeowners
Association

Print Name

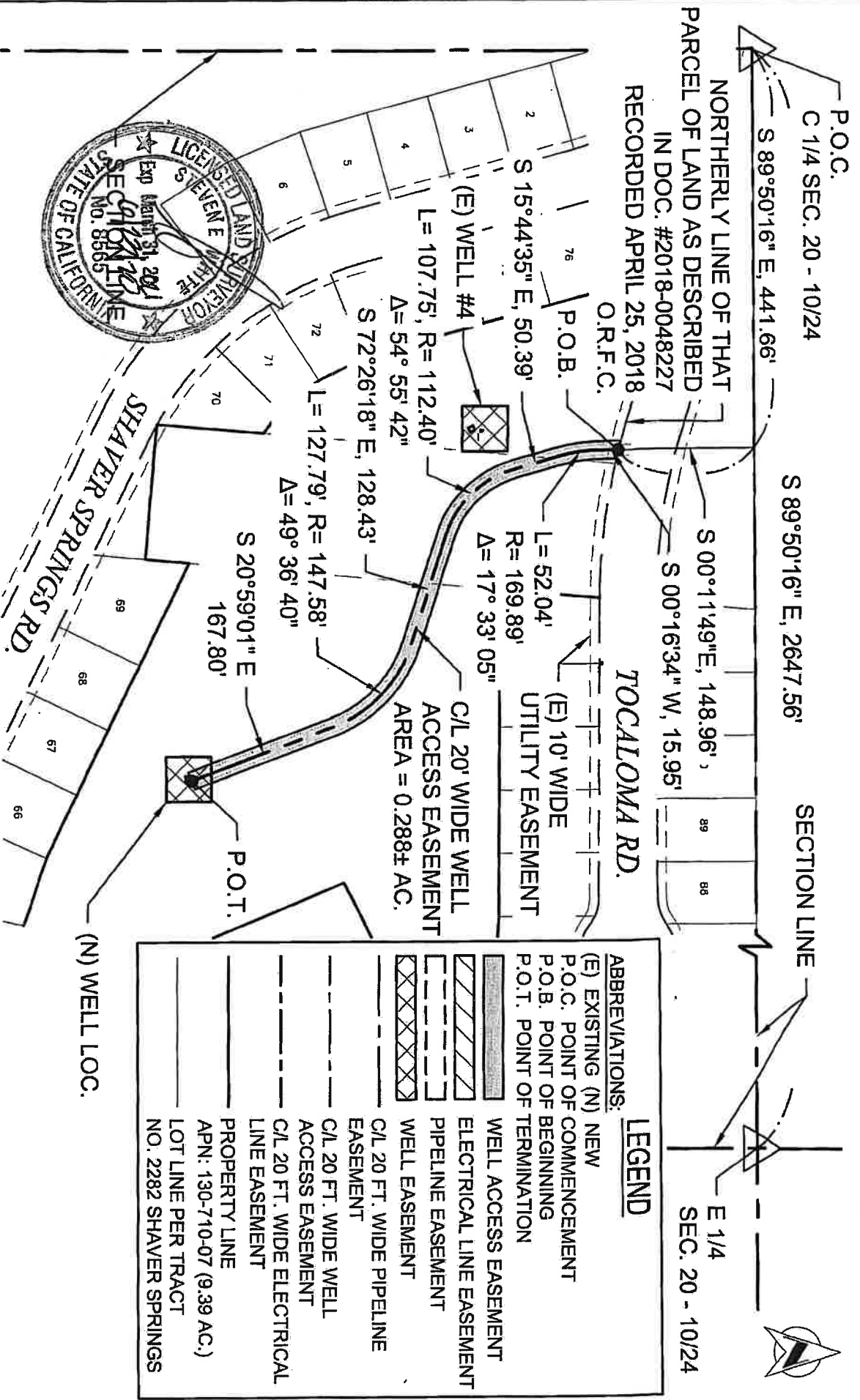
Kandi Ferris
Hoa Board Pres.

Mailing Address

Po Box 492
Prather, CA 93651

SUBDIVIDED LAND IN POR. SEC. 20, T. 10 S. R. 24 E.

EXHIBIT - 6



NAME:	DATE:	SCALE		DEPARTMENT OF PUBLIC WORKS AND PLANNING WWD 40 SHAVER SPRINGS WELL ACCESS EASEMENT - EASEMENT 5
DRAWN: J.D.	04/16/2020	0 100 200 (IN FEET)		
CHECKED: M.M.	05/27/2020			
REVISION: N/A	05/29/2020			

PROJECT NO. T90110

SHEET NO. 6 OF 7

EXHIBIT B

WWD 40 Shaver Springs Well Access Easement

Easement 5 Portion of APN 130-710-07

Exhibit 6

A 20 feet wide strip of land, the centerline of which is described as follows:

COMMENCING at the Center Quarter Corner of Section 20, Township 10 South, Range 24 East, Mount Diablo Base and Meridian, according to the Official Government Plat thereof; thence, South 89° 50' 16" East, along the North Line of the Southeast Quarter of said Section 20, a distance of 441.66 feet; thence, South 00° 11' 49" East, a distance of 148.96 feet to a point on the Northerly line of that certain parcel of land as described in Document No. 2018-0048227, recorded April 25, 2018 in Official Records of Fresno County, said point also being the TRUE POINT OF BEGINNING; the side lines of said strip of land to be shortened or lengthened to begin at their intersection with the Northerly Line of said parcel; thence,

- 1) South 00° 16' 34" West, a distance of 15.95 feet to the beginning of a non-tangent curve to which a radial line bears North 88° 55' 00" East; thence,
- 2) Along said non-tangent curve concave Northeasterly, having a radius 169.89 feet, an arc distance of 52.04 feet; thence,
- 3) South 15° 44' 35" East, a distance of 50.39 feet to the beginning of a non-tangent curve to which a radial line bears North 73° 31' 05" East; thence,
- 4) Along said non-tangent curve concave Northeasterly, having a radius 112.40 feet, an arc distance of 107.75 feet; thence,
- 5) South 72° 26' 18" East, a distance of 128.43 feet to the beginning of a non-tangent curve to which a radial line bears North 18° 16' 13" West; thence,
- 6) Along said non-tangent curve concave Southwesterly, having a radius 147.58 feet, an arc distance of 147.58 feet; thence,
- 7) South 20° 59' 01" East, a distance of 167.80 feet to the POINT OF TERMINATION.

Containing 0.288 acre of land, more or less.



COUNTY CLERK ACKNOWLEDGEMENT FORM

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 Fresno

On 9/17/20 before me, Adriana M. Hopper, Deputy County Clerk personally appeared Randi Terrio 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,

BRANDI L. ORTH
County Clerk

By Adriana M. Hopper
Deputy

(Seal)



CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by this Grant of Easement, dated 9/17/20, to the County of Fresno, a governmental agency, is hereby accepted on behalf of the Board of Supervisors of the County of Fresno pursuant to authority conferred by Ordinance No. 19-007, codified as Section 2.52.040(N) of Chapter 2.52 of the Ordinance Code of Fresno County, adopted by the Board of Supervisors on February 12, 2019, and the Grantee consents to the recordation thereof.

COUNTY OF FRESNO

REVIEWED & RECOMMENDED FOR
APPROVAL:

Steven E. White, Director
Department of Public Works and Planning

DATE:

APPROVED AS TO LEGAL FORM:
Daniel C. Cederborg, County Counsel

By:

APPROVED AS TO ACCOUNTING FORM:
Oscar J. Garcia, CPA
Auditor-Controller/Treasurer-Tax Collector

By: