

**RESOLUTION NO. 134-06**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,  
CALIFORNIA, ACCEPTING A GRANT OF A NON-EXCLUSIVE EASEMENT FOR  
UNDERGROUND SANITARY SEWER PURPOSES ALONG MARINA WAY SOUTH**

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WHEREAS, due to soil issues that arose during the construction of the Marina Way South extension south of Hall Avenue in the year 1999, the utilities and the sewer line were located outside the right-of-way; and

WHEREAS, the Pacific Gas and Electric Company (PG&E) and East Bay Municipal Utility District (EBMUD) lines were located on the westside of Marina Way South; and

WHEREAS, the sanitary sewer line was located on the eastside of Marina Way South in a parking lot owned by Marina Westshore Partners; and

WHEREAS, Marina Westshore Partners has offered a grant of a non-exclusive easement for sanitary sewer purposes as described in the attached "Grant of Utility Easement"; and

WHEREAS, the City Engineer, serving as the Director of Public Services, has approved the proposed easement as adequate for its purpose.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Richmond hereby accepts the proposed Grant of Utility Easement from Marina Westshore Partners, LLC, which is attached hereto and incorporated herein by reference, and in which is set forth the legal description prepared by A-N West, Inc., dated June 14, 2006, and the plat prepared by A-N West, Inc., dated June 15, 2006, the exact location of an easement for sanitary sewer purposes.

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I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond, California at a meeting thereof held on December 12, 2006 by the following vote:

Ayes: Councilmembers Bates, Butt, Griffin, Marquez, McLaughlin, Rogers, Thurmond, Viramontes, and Mayor Anderson

Noes: None

Abstentions: None

Absent: None

DIANE HOLMES  
Clerk of the City of Richmond

[Seal]

Approved:

IRMA L. ANDERSON  
Mayor

Approved as to Form:

JOHN EASTMAN  
City Attorney

State of California            }  
County of Contra Costa       : ss.  
City of Richmond             }

I certify that the foregoing is a true copy of Resolution No. 134-06, finally passed and adopted by the Council of the city of Richmond at a meeting held on December 12, 2006.