MARIPOSA COUNTY RESOLUTION NO. 84-12

BE IT HEREBY RESOLVED by the Board of Supervisors of Mariposa County, a political subdivision of the State of California, that the Board of Supervisors hereby approved the following document, and Chairman, GERTRUDE R. TABER, is hereby authorized to sign same:

________________________________________________________________________

EXPRESS UTILITY EASEMENT

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PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 17th day of January, 1984, by the following vote:

AYES: Barrick, Moffitt, Taber

NOES: None

ABSENT: Dalton, Erickson

ABSTAINED: None

[Signature]

GERTRUDE R. TABER, Chairman
Mariposa County Board of Supervisors

ATTEST:

[Signature]

LYNNE ROBINSON, Acting County Clerk and Ex Officio Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

[Signature]

JEFFREY G. GREEN
County Counsel
EXPRESS UTILITY EASEMENT

This Express Utility Easement Agreement is made and entered into on the date or dates last below written by and between Charles W. and Marna E. Shirley, hereinafter referred to merely as "SHIRLEY", (on their own behalf and shall include their heirs, executors, administrators, agents, or assigns) and the County of Mariposa, hereinafter referred to merely as "MARIPOSA COUNTY" by and through its Board of Supervisors.

WITNESSETH

WHEREAS SHIRLEY owns and has title to certain real property located in the County of Mariposa, State of California, a portion of which is described on Exhibit "A", attached hereto and by this reference incorporated herein, and

WHEREAS MARIPOSA COUNTY has installed an underground water main on a portion of the property described on Exhibit "A", and

WHEREAS SHIRLEY desires to grant to MARIPOSA COUNTY an Express Utility Easement to permit MARIPOSA COUNTY and its designated representatives ingress and egress over the real property described on Exhibit "A", to maintain the water main located on the real property described on Exhibit "A" and for any other purposes necessary for the maintenance, repair, and control of the water main located therein,

NOW THEREFORE, the parties hereto agree as follows:
1. SHIRLEY hereby grants, assigns, and sets over to MARIPOSA COUNTY and its designated representatives, an Express Utility Easement over and across the real property described on Exhibit "A" for the following uses:

A right-of-way, including the perpetual right to enter upon the real property described on Exhibit "A" at any time that MARIPOSA COUNTY may see fit, to construct, maintain, and repair underground pipelines and or mains for the purpose of conveying any matter subject to a utility easement, including, but not limited to water, over, across, through, and under the real property described on Exhibit "A", together with the right to excavate and refill ditches, and or trenches, for the location of said pipelines and or mains, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said pipelines and or mains.

2. The Easement granted herein shall be permanent and in perpetuity and there shall be no charge to MARIPOSA COUNTY for any rights granted hereunder.

3. It is expressly understood and agreed by the parties hereto that this Express Utility Easement shall be recorded in the Office of the County Recorder, County of Mariposa.

GRANTORS:

Date: ___________________________ CHARLES W. SHIRLEY

NOTARY: ___________________________
GRANTORS: (cont.)

Date: ___________________________  MARN A E. SHIRLEY

NOTARY:

COUNTY OF MARIPOSA:

Date: ___________________________  GERTRUDE R. TABER, Chairman
                                      Board of Supervisors

NOTARY:

ATTEST:

LYNNE ROBINSON, Acting County Clerk
and Ex Officio Clerk of the Board
A total length of approximately 35 feet.
approximately 61.0 feet N.W. of the S.W. corner of Lot 1 for
feet N.E. of the S.W. corner of Lot 1 and leaving Lot 1
ments October 24, 1979. CHM III Co., approximately 14
service area No. 1 wastewater and water facility improve-
Record drawings County of Maricopa County
map of the Townsite of Courtsville 1878 and on Sheet 6 of
N., 47°, 14.08" W. and entering Lot 1 of Block 10 as shown on
passing a 6 inch existing water main running approximately
a 10 foot utility basement, parallel to and encro-

EXHIBIT "A"