



## OLYMPIC VALLEY PUBLIC SERVICE DISTRICT



### Quitclaim Deed and Sewer Pipeline Easement APN 096-230-039-000

**DATE:** December 15, 2020  
**TO:** District Board Members  
**FROM:** Dave Hunt, District Engineer  
**SUBJECT:** **Approve signing of a Quitclaim Deed to Abandon Sewer Pipeline Easement (Resolution 2020-26) and Sewer Pipeline Easement (Resolution 2020-27) – APN 096-230-039 (5038 River Road)**

**BACKGROUND:** As part of the 2019 Truckee River Siphon Replacement Project, the property owner at 5038 River Road granted the District a Sewer Pipeline Easement (DOC-2018-0087520-00, recorded December 4, 2018). The boundaries of the easement were based on the designed location of the two (2) sewer pipelines. The project included installation of two (2) high density polyethylene pipelines by horizontal directional drilling under Highway 89 and the Truckee River, extending from the west side of Highway 89 within the Caltrans right of way to the east side of the Truckee River on land owned by the U.S. Forest Service.

As constructed, one of the sewer pipelines was installed slightly outside of the easement. This was a result of challenging geology that was encountered during construction. Because of this, the District intends to quitclaim the existing easement and record a new easement.

**DISCUSSION:** Staff has been coordinating the execution and recording of a new sewer pipeline easement with the owner of 5038 River Road for over a year now. Currently, the property is in escrow with an estimated closing date of December 21, 2020. As a condition of closing, the District has been working with First American Title Company to execute and record a new Grant of Easement and a Quit Claim Deed for the existing easement.

The new easement will be granted to the District by the new owner, Painted Rock, LLC through the escrow process. The District will deliver a signed easement to escrow with instruction that the easement be executed by Painted Rock, LLC and recorded simultaneously with the Grant Deed transferring title to Painted Rock, LLC.

Subsequently, the title company will record the Quitclaim Deed. If for some reason the Grant of Easement is not recorded simultaneously with the Grant

Deed upon closing, then the title company will be required to return the Quitclaim Deed unrecorded.

**ALTERNATIVES:**

**F-8A – Sewer Line Easement Abandonment – APN 096-230-039**

1. Approve Resolution 2020-26 authorizing signing of the Quitclaim Deed to abandon the Sewer Pipeline Easement located on APN 096-230-039, and delivery to First American Title Company with instruction that the Quitclaim Deed be recorded subsequent to the recording of the Sewer Pipeline Easement and the Grant Deed transferring title to Painted Rock, LLC.
2. Do not approve Resolution 2020-26.

**F-8B – Sewer Pipeline Easement – APN 096-230-039**

1. Approve Resolution 2020-27 authorizing signing of the Sewer Pipeline Easement located on APN 096-230-039, and delivery to First American Title Company with instruction that the easement be executed by the new property owner and recorded simultaneously with the Grant Deed transferring title to Painted Rock, LLC.
2. Do not approve Resolution 2020-27.

**FISCAL/RESOURCE IMPACTS:** There are no fiscal impact to the District.

**RECOMMENDATIONS:**

**F-8A – Sewer Line Easement Abandonment – APN 096-230-039**

Staff recommends approval of Resolution 2020-26 authorizing signing of the Quitclaim Deed to abandon Sewer Pipeline Easement and delivery to First American Title Company for recording with Placer County.

**F-8B – Sewer Pipeline Easement – APN 096-230-039**

Staff recommends approval of Resolution 2020-27 authorizing signing of the Sewer Pipeline Easement and delivery to First American Title Company for recording with Placer County.

**ATTACHMENTS:**

- Resolution 2020-26 and 2020-27
- Quitclaim Deed to Abandon Sewer Pipeline Easement APN 096-230-039
- Sewer Pipeline Easement APN 096-230-039

**DATE PREPARED:** December 9, 2020

**RESOLUTION 2020-26**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OLYMPIC VALLEY  
PUBLIC SERVICE DISTRICT AUTHORIZING EXECUTION OF QUITCLAIM DEED  
TO ABANDON A SEWER LINE EASEMENT  
LOCATED ON PLACER COUNTY APN 096-230-039 TO  
PAINTED ROCK LLC, A CALIFORNIA LIMITED LIABILITY CORPORATION  
FOR AND RELATED TO THE TRUCKEE RIVER SIPHON**

**WHEREAS**, the Board of Directors of the Olympic Valley Public Service District, formerly known as Squaw Valley Public Service District, a body politic organized pursuant to California Water Code §30000, et seq., has determined that the use and purpose of a certain Sewer Line Easement conveyed to the Squaw Valley Public Service District by Beatrice Pup, LLC, recorded December 4, 2018, DOC-2018-0087520-00, Official Records, County of Placer, State of California, is no longer required or needed by the District;

**WHEREAS**, Beatrice Pup, LLC a California Limited Liability Corporation is Owner and Painted Rock LLC, a California Limited Liability Corporation is the buyer of that certain property situated in Tahoe City, Placer County, California, located at 5038 River Road, Tahoe City, CA; and

**WHEREAS**, the property is currently in escrow and is scheduled to close on December 21, 2020; and

**WHEREAS**, the First American Title Company is the Title Company; and

**WHEREAS**, Painted Rock, LLC has requested abandonment thereof,

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Olympic Valley Public Service District that:

1. The President of the Board and Board Secretary of the District are hereby authorized to sign the Quitclaim Deed in the form and content as appended hereto.
2. The Quitclaim will be delivered to escrow with instructions that the Quitclaim be executed by Painted Rock, LLC, recorded simultaneously with the Grant Deed transferring title to Painted Rock, LLC and a Sewer Pipeline Grant of Easement, and that the Office of the Recorder of Placer County, California return a conformed copy to the District post recording. However, if the Grant of Easement is not recorded simultaneously with the Grant Deed upon closing, then the title company is directed to return the Quitclaim Deed unrecorded.

PASSED AND ADOPTED this 15<sup>th</sup> day of December 2020 at a regular meeting of the Board of Directors of the Olympic Valley Public Service District by the following

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

APPROVED:

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Dale Cox, Board President

ATTEST:

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Jessica Asher, Board Secretary

RECORDING REQUESTED BY  
AND RETURN TO:

Olympic Valley Public Service District  
Attn: Mike Geary  
P. O. Box 2026  
Olympic Valley, CA 96146

Exempt from recording fees pursuant  
to government code 6103 and 27383

MAIL TAX STATEMENTS TO:

DOCUMENTARY TRANSFER TAX \$ \_\_\_\_\_  
\_\_\_\_\_ COMPUTED ON FULL VALUE OF PROPERTY CONVEYED  
\_\_\_\_\_ COMPUTED ON FULL VALUE LESS LIENS AND  
ENCUMBRANCES REMAINING AT TIME OF SALE

The Undersigned  
Signature of Declarant or Agent determining tax - Firm Name

**QUITCLAIM DEED TO ABANDON SEWER PIPELINE EASEMENT**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the Olympic Valley Public Service District, formerly known as the Squaw Valley Public Service District, a body politic organized pursuant to California Water Code §30000, et seq., does hereby REMISE, RELEASE AND FOREVER QUITCLAIM to Painted Rock, LLC., a California Limited Liability Company, all right, title and interest in and to that Sewer Pipeline Easement, recorded December 4, 2018, DOC-2018-0087520-00, Official Records, County of Placer, State of California.

The real property affected hereby is described as follows:

Lot 8, as shown and designated on that map entitled "TRACT NO. 746, SQUAW VALLEY EAST SUBDIVISION" filed in the Office of the County Recorder of Placer County, California, on January 11, 1994, in Book "S" of Maps, at Page 50.

APN 096-230-039-000

OLYMPIC VALLEY PUBLIC SERVICE DISTRICT  
(FORMERLY KNOWN AS SQUAW VALLEY PUBLIC  
SERVICE DISTRICT)

DATED: \_\_\_\_\_

BY: \_\_\_\_\_  
Dale Cox, President, Board of Directors

ATTEST:

BY: \_\_\_\_\_  
Jessica Asher, Board Secretary

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 \_\_\_\_\_)

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he /she executed the same in his/her authorized capacity, and that by his/her signature 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 of Notary Public

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 \_\_\_\_\_)

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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 of Notary Public

**RESOLUTION 2020-27**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE OLYMPIC VALLEY PUBLIC SERVICE DISTRICT  
ACCEPTING GRANT OF EASEMENT  
LOCATED ON PLACER COUNTY APN 096-230-039  
GRANTED BY PAINTED ROCK LLC,  
A CALIFORNIA LIMITED LIABILITY CORPORATION  
FOR AND RELATED TO THE TRUCKEE RIVER SIPHON**

**WHEREAS**, Beatrice Pup, LLC a California Limited Liability Corporation is Owner and Painted Rock LLC, a California Limited Liability Corporation is the buyer of that certain property situated in Tahoe City, Placer County, California, located at 5038 River Road, Tahoe City, CA, and as described in the Grant of Easement, attached hereto and incorporated herein; and

**WHEREAS**, the property is currently in escrow and is scheduled to close on December 21, 2020; and

**WHEREAS**, the First American Title Company is the Title Company; and

**WHEREAS**, Painted Rock LLC, a California Limited Liability Corporation, will execute and record the easement simultaneously with the Grant Deed in the Official Records of the Office of the Recorder of Placer County, California, and deliver to the District the Sewer Pipeline Easement burdening the above-described property; and

**WHEREAS**, District wishes to accept the Grant of Easement.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Olympic Valley Public Service District:

1. Does hereby conditionally accept the Grant of Easement, which documents are attached hereto and incorporated herein,
2. The President of the Board and Board Secretary of the District are hereby authorized and directed to sign said document(s) on behalf of the District.
3. The Easement will be delivered to escrow with instructions that the Easement be executed by Painted Rock, LLC, recorded simultaneously with the Grant Deed transferring title to Painted Rock, LLC, and that the Office of the Recorder of Placer County, California return a conformed copy to the District post recording.



PASSED AND ADOPTED this 15<sup>th</sup> day of December 2020 at a regular meeting of the Board of Directors of the Olympic Valley Public Service District by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

APPROVED:

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Dale Cox, Board President

ATTEST:

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Jessica Asher, Board Secretary

**RECORDING COVER SHEET**

**Project Name:**

Truckee River Siphon Replacement Project

**Recording Requested By and When Recorded Mail**

**To:**

Olympic Valley Public Service District  
Attn: Mike Geary, General Manager  
P.O. Box 2026  
Olympic Valley, CA 96146

Exempt from recording fees pursuant to Government  
Code 6103 and 27383

*Above for Recorders Use Only*

APN: 096-230-039

**Document Title:** SEWER PIPELINE EASEMENT

**Affected Parcel(s):** APN #096-230-039

**Grantor(s):** PAINTED ROCK, LLC, a California Limited Liability Company

**Grantee(s):** OLYMPIC VALLEY PUBLIC SERVICE DISTRICT, a Public Agency

**Legal Description:** See Exhibit "A"

**Site Map:** See Exhibit "B"

**Other Attachment(s):**  Certificate of Acceptance  
 All-Purpose Acknowledgement Form

## SEWER PIPELINE EASEMENT

FOR VALUABLE CONSIDERATION, Receipt of which is hereby acknowledged, **PAINTED ROCK, LLC**, a California Limited Liability Company, as GRANTOR, hereby grants and conveys to **OLYMPIC VALLEY PUBLIC SERVICE DISTRICT**, a California Special District, as GRANTEE, a Non-Exclusive SEWER PIPELINE EASEMENT for the purpose of installing, constructing, completing, repairing, maintaining, operating, replacing, reconstructing, altering and inspecting a **Sewer Pipeline** or lines and related conduits, facilities and appurtenances, on, over, across, under and through that certain real property, situated in the unincorporated area of the COUNTY OF PLACER, STATE OF CALIFORNIA, more particularly described in **EXHIBIT A** and **EXHIBIT B**, attached hereto and incorporated herein by this reference.

GRANTOR further grants to GRANTEE the perpetual right of ingress to and egress from said EASEMENT for the purpose of exercising, performing and protecting GRANTEE'S rights and privileges hereunder: PROVIDED such rights of ingress and egress shall be executed so as to cause the least practicable damage and inconvenience to GRANTOR.

GRANTOR reserves the right to use said EASEMENT for purposes which will not unreasonably interfere with GRANTEE'S full enjoyment of the rights and privileges herein granted, PROVIDED, HOWEVER, the GRANTOR shall not erect, construct, or maintain any building, fence or structure, nor make any excavation within or drill or operate any well, nor add to the ground level within or upon said EASEMENT without first obtaining written consent of GRANTEE to do so.

The Undersigned declares the documentary transfer tax is \$0.00.

The provisions hereof shall be binding upon and inure to the benefit of the successors, transferees and assigns of GRANTOR and GRANTEE, and shall be covenants which run with the land.

IN WITNESS WHEREOF, Grantor has executed this SEWER PIPELINE EASEMENT on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

PAINTED ROCK, LCC,  
a California Limited Liability Company  
By:

\_\_\_\_\_  
Carlos S. Ramirez, Managing Member

**Certificate of Acceptance**  
[*Government Code* Section 27281]

The, Undersigned, hereby certifies that the interest in real property conveyed by the Grant of Sewer Line Easement, to which this Certificate is attached, from **PAINTED ROCK, LLC**, a California Limited Liability Company, Grantor to **OLYMPIC VALLEY PUBLIC SERVICE DISTRICT**, a public agency was accepted pursuant to adoption of Resolution 2020-27 and Grantee consents to recordation thereof by its duly authorized Officer.

OLYMPIC VALLEY PUBLIC SERVICE DISTRICT

DATED: \_\_\_\_\_

BY: \_\_\_\_\_  
Dale Cox, President, Board of Directors

ATTEST:

BY: \_\_\_\_\_  
Jessica Asher, Board Secretary

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 \_\_\_\_\_)

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature 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 of Notary Public

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STATE OF CALIFORNIA )

COUNTY OF \_\_\_\_\_)

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Signature of Notary Public

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STATE OF CALIFORNIA                    )

COUNTY OF \_\_\_\_\_)

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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 of Notary Public

January 7, 2020

**EXHIBIT 'A'**  
Sewer Pipeline Easement

All that portion of the tract of land as shown and designated as Lot 8 on that map entitled "TRACT NO. 746, SQUAW VALLEY EAST SUBDIVISION" filed in Book S of Maps, at Page 50, Placer County Records, located within a portion of the Northeast quarter of Section 28, Township 16 North, Range 16 East, M.D.B.M., County of Placer, State of California, described as follows:

A strip of land 28.5 feet wide, lying 14.25 feet on each side of the following described centerline:

**Beginning** at a point on the East line of said Lot 8 from which the Northeast corner of Section 28 bears North 00°13'09" East for a distance of 474.27 feet; thence from the Point of Beginning South 63°49'59" West for a distance of 88.62 feet to a point on the Southwest line of said Lot 8 and the Point of Termination.

Sidelines of said strip shall be prolonged or shortened to terminate at the West line and East line of said tract of land.

Containing a total easement area of 2,526 square feet, more or less.

**End of Description**

Note: The above described parcel is shown on Exhibit 'B' attached hereto and made a part hereof.

  
Dana J Remington, PLS 8448

1-7-2020  
Date:






**LOT 9**  
S MAPS 50  
2014-0077652

**LOT 8**  
S MAPS 50  
2017-0035805

21 22  
28 27

N0°13'09"E 474.27'(TIE)

 EASEMENT AREA  
2526± SF

**LANDS OF USA**

STATE HIGHWAY 89

S63°49'59"W 88.62'  
14.25'  
28.5'  
14.25'

POB



**EXHIBIT 'B'**  
**SEWER PIPELINE**  
**EASEMENT**  
**A PORTION OF**  
**SECTION 28, T.16 N., R.16 E., M.D.B.M.**  
**SQUAW VALLEY**  
**PLACER COUNTY, CALIFORNIA**  
**SCALE: 1"=80' JANUARY 2020**

