

**TAHOE TRUCKEE UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 22-2022-2023**

**RESOLUTION OF CONVEYANCE TO DEDICATE AND CONVEY A PUBLIC UTILITY EASEMENT TO TRUCKEE DONNER PUBLIC UTILITY DISTRICT**

**WHEREAS**, Education Code section 17556 et seq. authorizes Tahoe Truckee Unified School District ("District"), by two-thirds (2/3) vote of its governing board ("Board"), to dedicate or convey an easement/real property to the state, or any political subdivision or municipal corporation thereof, for public street or highway purposes, and/or to a public corporation, or private corporation engaged in the public utility business, to lay, construct, reconstruct, maintain, and operate water, sewer, gas, or storm drain pipes or ditches, electric or telephone lines, and access roads used in connection therewith, either with or without consideration and without a vote of the electors of the District first being taken; and

**WHEREAS**, the District owns a parcel of real property, APN 018-500-012, what is commonly referred to as Truckee Elementary School, located at 11911 Donner Pass Road, Truckee, CA 96161 ("Property"); and

**WHEREAS**, in connection with the water facilities on the Property, the District desires to convey by easement deed a portion of the Property, as further described herein ("Easement"), to Truckee Donner Public Utility District ("TDPUD"), for right of way purposes, so TDPUD can do all things necessary for the construction, installation, upgrade, operations, repair, and maintenance of water facilities upon the Easement, including a right of ingress and egress thereto; and

**WHEREAS**, on March 8, 2023, the Board adopted a Resolution of Intention (Resolution No. 19-2022-2023) and declared its intention to convey the Easement to TDPUD for the purposes set forth in the deed in the form attached hereto as **EXHIBIT 1** ("Easement Deed"), and the Board called for a public hearing in connection therewith; and

**WHEREAS**, all statutorily required notices were given and, on this day, the Board held a public hearing on the question of making the conveyance of the Easement to TDPUD, at which hearing all persons so desiring were afforded an opportunity to be heard.

**NOW, THEREFORE**, the Governing Board of the Tahoe Truckee Unified School District does hereby resolve as follows:

Section 1. Recitals. The foregoing recitals are true and correct and incorporated herein.

Section 2. Approval of Conveyance of the Public Utility Easement. Having received no legal protest to the conveyance of the Easement, the Board hereby approves the conveyance of the Easement to TDPUD in, on, over, under and across the Property as described in this Resolution and the attached Easement Deed. The President of the Board, Secretary to the Board, or the Superintendent and/or her designee(s) are hereby authorized and directed to take all actions necessary to carry out the intent of the Board, including, without limitation, to execute and deliver the Easement Deed in the form attached hereto, or substantially similar, to TDPUD for recordation with the Nevada County Recorder's office. Upon recordation, the Easement shall be fully effective.

**PASSED, ADOPTED, and APPROVED** by a 2/3 vote of the members of the Governing Board of the Tahoe Truckee Unified School District on April 12, 2023, by the following votes:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Signed: \_\_\_\_\_  
Dianna Driller, President

Signed: \_\_\_\_\_  
Cris Hennessey, Board Clerk

Signed: \_\_\_\_\_  
Kirsten Livak, Board Member

Signed: \_\_\_\_\_  
Patrick Mooney, Board Member

Signed: \_\_\_\_\_  
Denyelle Nishimori, Board Member

**EXHIBIT 1**

EASEMENT DEED

Attached starting on next page.

RECORDED AT THE REQUEST OF  
AND WHEN RECORDED MAIL TO:

TRUCKEE DONNER PUBLIC UTILITY DISTRICT  
Sara Owens  
Contract Administrator  
11570 Donner Pass Road  
Truckee, CA 96161

**THE UNDERSIGNED DECLARES  
DOCUMENTARY TRANSFER TAX IS \$0**  
GOVT. CODE 27383  
APN 018-500-012

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**GRANT DEED FOR PUBLIC UTILITY EASEMENT**

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, TAHOE TRUCKEE UNIFIED SCHOOL DISTRICT, Grantor, does hereby grant to the TRUCKEE DONNER PUBLIC UTILITY DISTRICT, Grantee, a permanent public utility easement over a portion of APN 018-500-012 located in the Town of Truckee, Nevada County, California, and further described in Exhibit "A" and Exhibit "B" attached hereto.

The easement granted herein includes the right to do all things necessary for the construction, installation, upgrade, operations, repair, and maintenance of water facilities on this easement including, but not limited to, a right of ingress and egress, a right to temporarily store equipment and materials, to excavate, to drive vehicles over, to place markers on, to survey to inspect and repair and to remove rocks, boulders, trees and plant life in the course of excavation or re-excavation.

Date: \_\_\_\_\_

\_\_\_\_\_  
Tahoe Truckee Unified School District  
Carmen Ghysels, Superintendent Chief Learning Officer

**MAIL TAX STATEMENTS TO:  
SAME AS ABOVE**

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(s) is 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.

\_\_\_\_\_  
Notary Public (Seal)

## EASEMENT ACCEPTANCE

This is to certify that the interest in the utility easement conveyed by this document to the Truckee Donner Public Utility District, a local public agency of the State of California, is hereby accepted by the undersigned on behalf of the Board of Directors of the Truckee Donner Public Utility District pursuant to authority conferred by Resolution No. 9003 of said Board adopted on January 2, 1990.

Dated \_\_\_\_\_

\_\_\_\_\_  
Michael D. Holley, P.E., General Manager  
TRUCKEE DONNER PUBLIC UTILITY DISTRICT

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(s) is 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.

\_\_\_\_\_  
Notary Public

(Seal)

EXHIBIT "A"  
LEGAL DESCRIPTION  
WATER EASEMENT  
TRUCKEE ELEMENTARY SCHOOL  
PAGE 1 OF 2

BEING LOCATED WITHIN THE PROPERTY OF TRUCKEE ELEMENTARY SCHOOL (TAHOE TRUCKEE UNIFIED SCHOOL DISTRICT PROPERTY) AND BEING WITHIN THE NORTHWEST ONE-QUARTER (1/4) OF SECTION 16 TOWNSHIP 17 NORTH RANGE 16 EAST M.D.M. AND THE NORTHEAST ONE-QUARTER (1/4) OF SECTION 17 TOWNSHIP 17 NORTH RANGE 16 EAST M.D.M., NEVADA COUNTY, STATE OF CALIFORNIA.

COMMENCING AT THE NORTHWEST CORNER OF PARCEL OWNED BY TAHOE-TRUCKEE UNIFIED SCHOOL DISTRICT IN BOOK 291 OFFICIAL RECORDS PAGE 160 AS SHOWN ON RECORD OF SURVEY RECORDED IN BOOK 6 OF SURVEY MAPS PAGE 47 ON FILE IN THE OFFICE OF THE RECORDER, COUNTY OF NEVADA, STATE OF CALIFORNIA. SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT OF WAY OF DONNER PASS ROAD. THENCE THE FOLLOWING THREE (3) COURSES TO THE TRUE POINT OF BEGINNING:

1. ALONG THE SOUTHERLY RIGHT OF WAY OF DONNER PASS ROAD ALONG A CURVE TO THE LEFT OF LENGTH 70.88 FEET, RADIUS OF 4960.00 FEET, SUBTENDED BY A CHORD BEARING SOUTH 83°49'47" WEST 70.88 FEET;
2. SOUTH 83°23'42" WEST, 1128.95 FEET TO THE NORTHWEST PROPERTY CORNER OF PARCEL DESCRIBED BY DEED DOCUMENT 1993-037580 ON FILE IN THE OFFICE OF THE RECORDER, COUNTY OF NEVADA, STATE OF CALIFORNIA;
3. CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY SOUTH 83°23'15" WEST, 73.82 FEET TO THE TRUE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING THE FOLLOWING FORTY-ONE (41) COURSES:

1. LEAVING AFORESAID SOUTHERLY RIGHT OF WAY OF DONNER PASS ROAD SOUTH 06°49'17" EAST, 16.28 FEET;
2. SOUTH 36°24'19" EAST, 35.05 FEET;
3. SOUTH 01°42'03" EAST, 26.38 FEET;
4. NORTH 88°17'57" EAST, 22.79 FEET;
5. SOUTH 01°42'03" EAST, 20.00 FEET;
6. SOUTH 88°17'57" WEST, 22.79 FEET;
7. SOUTH 01°42'03" EAST, 213.58 FEET;
8. SOUTH 88°17'57" WEST, 150.08 FEET;
9. SOUTH 01°42'03" EAST, 92.52 FEET;
10. SOUTH 88°17'57" WEST, 112.87 FEET;
11. SOUTH 00°51'47" EAST, 3.99 FEET;
12. SOUTH 89°08'13" WEST, 20.00 FEET;
13. NORTH 00°51'47" WEST, 3.70 FEET;
14. SOUTH 88°17'57" WEST, 121.38 FEET;
15. NORTH 46°50'09" WEST, 45.96 FEET;
16. NORTH 69°27'49" WEST, 140.42 FEET;
17. SOUTH 88°17'57" WEST, 35.27 FEET;
18. SOUTH 01°42'03" EAST, 6.70 FEET;
19. SOUTH 88°17'57" WEST, 20.00 FEET;
20. NORTH 01°42'03" WEST, 6.70 FEET;
21. SOUTH 88°17'57" WEST, 118.70 FEET;
22. NORTH 01°42'03" WEST, 182.18 FEET;
23. SOUTH 60°35'00" WEST, 9.49 FEET;

EXHIBIT "A"  
LEGAL DESCRIPTION  
WATER EASEMENT  
TRUCKEE ELEMENTARY SCHOOL  
PAGE 2 OF 2

24. NORTH 29°25'00" WEST, 20.00 FEET;
25. NORTH 60°35'00" EAST, 9.90 FEET;
26. NORTH 29°25'00" WEST, 42.16 FEET;
27. NORTH 06°49'17" WEST, 10.24 FEET TO THE SOUTHERLY RIGHT OF WAY OF DONNER PASS ROAD;
28. ALONG THE SOUTHERLY RIGHT OF WAY OF DONNER PASS ROAD NORTH 83°23'15" EAST, 20.00 FEET;
29. LEAVING SAID RIGHT OF WAY SOUTH 06°49'17" EAST, 6.17 FEET;
30. SOUTH 29°25'00" EAST, 62.32 FEET;
31. SOUTH 01°42'03" EAST, 167.99 FEET;
32. NORTH 88°17'57" EAST, 157.91 FEET;
33. SOUTH 69°27'49" EAST, 148.35 FEET;
34. SOUTH 46°50'09" EAST, 41.70 FEET;
35. NORTH 88°17'57" EAST, 226.00 FEET;
36. NORTH 01°42'03" WEST, 92.52 FEET;
37. NORTH 88°17'57" EAST, 150.08 FEET;
38. NORTH 01°42'03" WEST, 233.71 FEET;
39. NORTH 36°24'19" WEST, 34.08 FEET;
40. NORTH 06°49'17" WEST, 21.63 FEET TO THE AFORESAID SOUTHERLY RIGHT OF WAY OF DONNER PASS ROAD;
41. ALONG SAID SOUTHERLY RIGHT OF WAY NORTH 83°23'15" EAST, 20.00 FEET TO THE POINT OF THE BEGINNING.

CONTAINING: 28,524.00 SQUARE FEET OR 0.65 +/- ACRES

BASIS OF BEARING FOR THIS DESCRIPTION IS IDENTICAL TO THAT RECORD OF SURVEY RECORDED IN BOOK 6 OF SURVEY MAPS PAGE 47 ON FILE IN THE OFFICE OF THE RECORDER, COUNTY OF NEVADA, STATE OF CALIFORNIA.

END OF DESCRIPTION

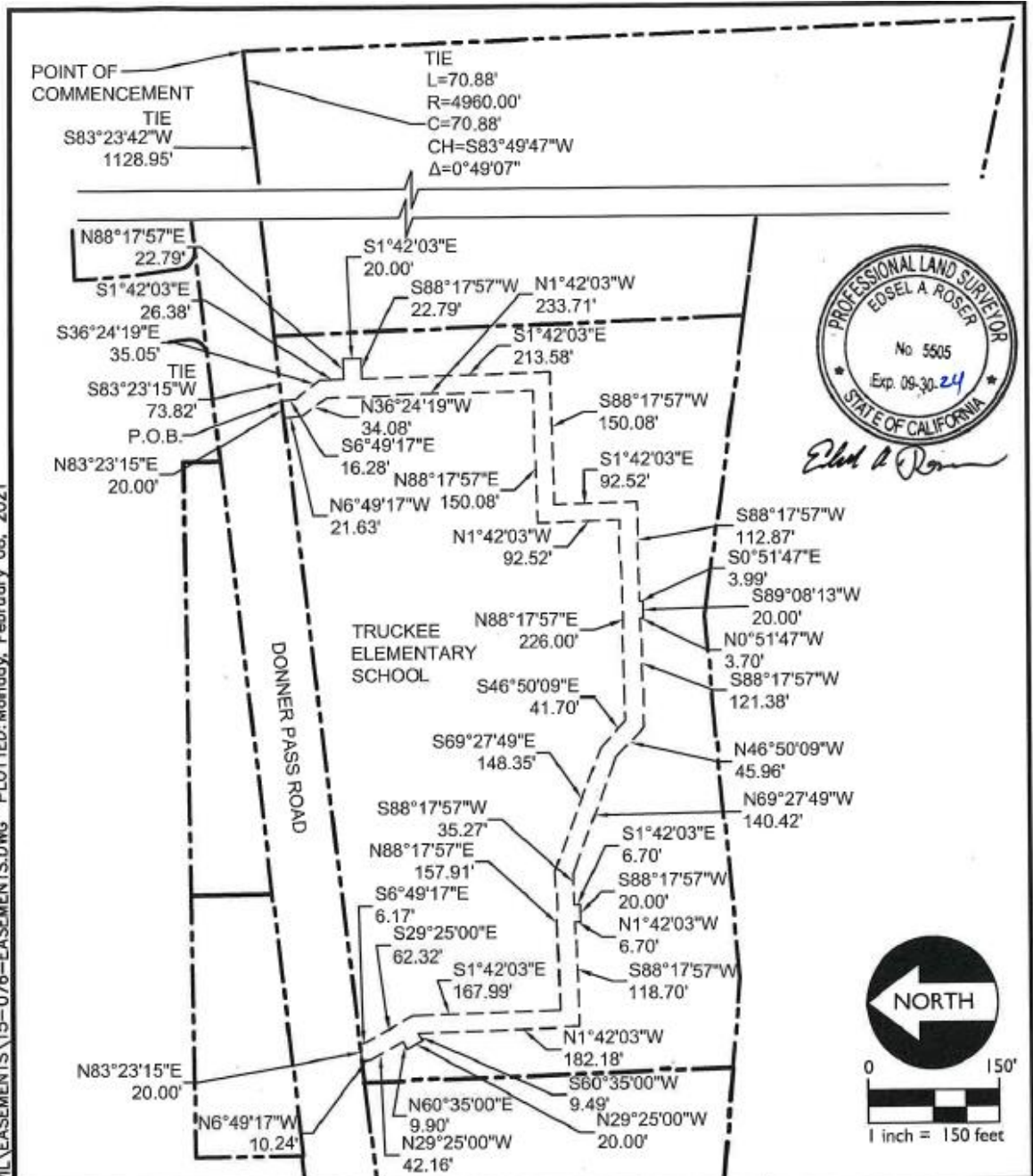
PREPARED BY: WARREN CONSULTING ENGINEERS, INC.  
1117 WINDFIELD WAY, STE. 110  
EL DORADO HILLS, CA 95762



*Edsel A. Roser*



FILENAME: i:\15-076\CIVIL\EASEMENTS\15-076-EASEMENTS.DWG PLOTTED: Monday, February 08, 2021



**WCE**  
 WARREN CONSULTING ENGINEERS, INC.  
 1117 WINDFIELD WAY, SUITE 110  
 EL DORADO HILLS, CA 95762 | (916) 985-1870

Title:	EXHIBIT "B"	
Project:	WATER EASEMENT TRUCKEE ELEMENTARY SCHOOL	

Ref:		
Job No:	15-076	Sheet No.
Scale:	1"=150'	<b>EX. B</b>
Date:	02-07-23	