

RESOLUTION NO. 40, 2021-2022

**RESOLUTION CONVEYING PERMANENT ELECTRICAL FACILITIES
EASEMENT TO THE SACRAMENTO MUNICIPAL UTILITY DISTRICT**

WHEREAS the Elk Grove Unified School District (District) is the owner of certain real property designated as APN 051-0200-091, 051-0200-095 and, 051-0200-096 in Sacramento, California, upon which the Transportation Department is located (Property); and

WHEREAS the Sacramento Municipal Utility District (SMUD) desires to acquire, at no cost to SMUD, an Electric Facilities Easement to construct and maintain electric service improvements on the Property; and

WHEREAS District understands and acknowledges that the Facilities will be installed within the Easement Area based on SMUD's design and actual site conditions. Upon completion of the installation, SMUD shall obtain a survey by a licensed land surveyor setting forth a legal description of the area actually occupied by the Facilities and required for complete enjoyment of the rights granted herein. SMUD will, within a reasonable period of time, record a Notice of Final Description of Easement Area referencing this document and setting forth the legal description of the surveyed area, which will thereupon become the Easement Area. Upon recordation of the Notice of Final Description, the scope of the easement granted by this document shall be limited to the property described in the Notice of Final Description plus the rights of ingress and egress; and

WHEREAS the Easements are not now and will not at the time of delivery of possession to the SMUD be needed exclusively for classroom or other purposes by the District; and

WHEREAS it is in the best interest of the District to transfer the Easements to the SMUD in that the SMUD will construct and maintain the Electric Facilities therein in order to support the District's use of the Property;

NOW THEREFORE BE IT RESOLVED AND ORDERED that pursuant to Education Code Section 17556, et seq., it is the intention of the Elk Grove Unified School District, Elk Grove, California, acting by and through its Governing Board, to Grant to the SMUD, an Easement for Electric Facilities purposes at the Transportation Department. This easement is described as follows:

Exhibit A: Grant of Easement

Attached hereto and made a part hereof

WHEREAS, the Board of Education adopted a Resolution of Intention to Convey such easements as Resolution No. 36, 2021-22, on January 18, 2022; and

WHEREAS, notice was duly posted and published for a public hearing for the Board Meeting on February 1, 2022, at the hour of 6:00 p.m., or as soon thereafter as the matter may be heard; and

WHEREAS, a public hearing was held on February 1, 2022, at which time no comments were heard, nor has a petition been submitted protesting the proposed easements signed by at least ten percent (10%) of the qualified electors of the District.

NOW THEREORE BE IT FURTHER RESOLVED that the Superintendent, or his authorized designee, and to the extent required by law, the President of the Board of Education, are authorized to execute such easement documents as necessary to carry out the purpose of this Resolution.

The foregoing Resolution was adopted at a meeting of the Board of Education of the Elk Grove Unified School District on February 1, 2022, by the following two-thirds vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ELK GROVE UNIFIED SCHOOL DISTRICT OF SACRAMENTO
COUNTY, a political subdivision of the State of California

Christopher R. Hoffman, Secretary to the Governing Board of the
Elk Grove Unified School District

Exhibit A

RECORD AT REQUEST OF AND RETURN TO:
Sacramento Municipal Utility District
Attention: Real Estate Services – B 209
P. O. Box 15830
Sacramento, CA 95852-1830

No Fee Document – Per Govt. Code Sec. 6103 & 27383
No County Transfer Tax Per R & T Code 11922

SMUD BY: _____ ARWS

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

APN: 051-0200-091-0000, 051-0200-095-0000

R/W U-2021/270
SO 30174363

GRANT OF EASEMENT

ELK GROVE UNIFIED SCHOOL DISTRICT, a political subdivision, Grantor, is the owner of record of that certain real property located in Sacramento County, California, designated by the above referenced Assessor's Parcel Number and more fully described as follows:

As described in that certain CORPORATION GRANT DEED dated January 25, 1990 and recorded in the office of the Recorder of Sacramento County on January 25, 1990, in Book 900125 of Official Records at Page 1278.

Grantor hereby grants to SACRAMENTO MUNICIPAL UTILITY DISTRICT, a municipal utility district, Grantee, and its successors and assigns, the right from time to time to construct, place, inspect, remove, replace, maintain and use electrical and communication facilities consisting of underground conduits, wires and cables, with associated, above-ground or below-ground transformers, transformer pads, pedestals, service equipment, terminals, splicing, switching and pull boxes, switch and fuse cubicles, cubicle pads, and all other necessary fixtures and appurtenances (Facilities), within the following Easement Area described in EXHIBIT A attached hereto and made a part hereof.

Said right includes the trimming and removal by Grantee of any trees or foliage along the Easement Area considered necessary for the complete enjoyment thereof and the right of ingress to and egress from said Easement Area for the purpose of exercising and performing all rights and privileges granted herein. In addition, the Easement Area shall be kept clear of any building or other structure and Grantor will not drill or operate any well within the Easement Area.

Grantor understands and acknowledges that the Facilities will be installed within the Easement Area based on Grantee's design and actual site conditions. Upon completion of the installation, Grantee shall obtain a survey by a licensed land surveyor setting forth a legal description of the area actually occupied by the Facilities and required for complete enjoyment of the rights granted herein. Grantee will, within a reasonable period of time, record a Notice of Final Description of Easement Area referencing this document and setting forth the legal description of the surveyed area, which will thereupon become the Easement Area. Upon recordation of the Notice of Final Description, the scope of the easement granted by this document shall be limited to the property described in the Notice of Final Description plus the rights of ingress and egress.

Dated: _____

Grantor: ELK GROVE UNIFIED SCHOOL DISTRICT,
a political subdivision

BY: _____

Print Name: _____

Its: _____

EXHIBIT A

The centerline of the 5 foot Easement Area shall be coincidental with the centerline of the said Facilities constructed in, on, over, under, across and along the Grantor's property. Additionally, the Easement Area will include the area occupied by Grantee Facilities and appurtenances.

The legal description herein, or the map attached hereto, defining the location of this utility easement, was prepared by Grantee pursuant to Section 8730 (c) of the Business and Professions Code.

SMUD NOTES

DEVELOPER IS RESPONSIBLE FOR THE FOLLOWING:

1. Call U. S. A. at 811 prior to digging.
2. All metering and switchgear design and placement must be submitted and approved by SMUD's Field Metering prior to installation. Please submit metering and switchgear designs to SMUD at metersubmittals@smud.org, mail to: Sacramento Municipal Utility District, Attention: Field Metering, Mail Stop EB 102, 4401 Bradshaw Road, Sacramento, CA 95827-3834 or contact them at (916) 732-5167.
3. All metering equipment shall be located on the outside of the building. The metering equipment shall not be located inside the building. Metering equipment shall include: metering sections, current and potential transformer sections, pull sections, and the main disconnect. Any questions regarding deviation of this requirement, the locations of meters or for remote metering consideration please contact Field Metering at (916) 732-5167.
4. For multi-meter installations that are fed by a transformer larger than 150KVA and secondary voltage of 277/480V, a shutdown will be required for each meter installation. Developers have an option to reduce the number of shutdowns for each subsequent meter install by installing switchgear with a lockable main breaker panel which cannot be removed with the breaker in the open position. Any questions regarding this requirement please contact Field Metering at (916) 732-5167.
5. SMUD equipment shall be accessible to a 26,000-pound SMUD service vehicle in all weather. SMUD equipment shall be no further than 15 feet from a drivable surface. The drivable surface shall have a minimum width of 20 feet.
6. No obstructions are permitted and level terrain is required around all operable SMUD equipment doors (Transformers, Cubicles, T-Taps, etc.). No planting of trees within eight (8) feet of all sides of any operable SMUD equipment. For equipment clearances and specifications see SMUD Electric Service Requirements Booklet, **Distribution Underground Structure Engineering Specification T007**. See Appendix B for material manufacturers.
7. Buildings shall not overhang SMUD equipment/enclosures unless approved in writing by a SMUD Designer.
8. Joint trench to be a maximum 59" deep and remain minimum of 5 feet from footings of any building or structure. All conduit(s) to be inspected by SMUD inspector prior to backfilling and pouring concrete. Conduit(s) to be PVC-DB 120 grade or better. SMUD approved pull tape required. All elbows to be schedule 40 or better. Concrete encasement may be required. See Electric Service Requirements booklet, **Distribution Underground Structure Engineering Specification T007 and SMUD commitment sketch**.
9. Maximum number of utility conduits allowed to rise on a pole is three. Please review utility conduit risers with SMUD inspector prior to placement of conduits on poles.
10. An on-site pre-construction meeting with a SMUD inspector is mandatory 48 hours in advance of construction. Copies of the local agency building permit will be required prior to scheduling pre-construction meetings with SMUD inspectors for non-residential developments. To schedule your appointment, please call (916) 732-5990.
11. Only those electrical conduits intended for electric service shall be placed under a SMUD transformer pad. The placement of the other conduits or structures foreign to the electric service must be approved in writing by a SMUD Designer.
12. Customer service runs are per local agency codes and inspected and approved by the local inspection agency. Customer is responsible for and will be required to provide SMUD approved connectors and compression tooling for any non-standard SMUD secondary conductors. Please contact SMUD's Designer when necessary.
13. A grant of right-of-way to SMUD may be required for conduit runs, vaults, transformer pads, etc. prior to any SMUD construction.
14. Any street light required by the City or County must be coordinated with SMUD.
15. Service voltage will be 277/480 Three 4 wire wye. Street light service voltage will be the same.
16. Any deviation from this commitment must be approved by a SMUD Designer or SMUD Inspector prior to installation of underground facilities.
17. PLEASE NOTE: It is the responsibility of the developer to install all infrastructure as shown per SMUD commitment drawing as SMUD does not review or approve developer composite drawings.
18. PLEASE NOTE: SMUD commitments are valid for twelve (12) months. SMUD reserves the right to revise SMUD commitments after this period. A new SMUD commitment will normally be required unless a customer has requested and received written approval for a longer period of time from a SMUD Designer.



