

2016-021316

Recorded - Official Records
Humboldt County, California
Kelly E. Sanders, Recorder
Recorded by: POINTS WEST

Pages: 6

Recording Fee: \$ 28.00
Tax Fee: \$0.00
Clerk: gw Total: \$28.00
Nov 09, 2016 at 02:36:38



Recording Requested by:

Axel Properties LLC

When Recorded, Mail To:

Humboldt Bay Municipal Water District

P.O. Box 95

Eureka, CA. 95502

APN: 507-251-020

SPACE ABOVE THIS LINE FOR RECORDER'S USE

EASEMENT DEED- NOTICE OF LOCATION

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

AXEL PROPERTIES, LLC, a California Limited Liability Company (Grantor) hereby grants a 30 foot wide public utility easement to the

Humboldt Bay Municipal Water District (Grantee)

The purpose of this document is to define the location of the 30 foot wide water line easement granted from Frank P. Toste and Maria Toste to the Humboldt Bay Municipal Water District as recorded in Book 650 of Official Records, page 165, subject to terms and conditions stated therein, over that portion thereof owned by the grantor, said portion lying within Parcel 2 of Parcel Map No. 739, recorded in Book 6 of Parcel Maps, page 99, in the County of Humboldt, State of California, the location of which is further described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

This Easement Deed- Notice of Location does not supersede or extinguish the other rights of the Humboldt Bay Municipal Water District created in the original Grant of Right of Way, but only designates the location of the 30 foot right of way.

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)SS
COUNTY OF Humboldt)

On October 24, 2016 before me,

Maureen McCready-Glossman, a notary public, personally appeared Stacia Dawn Ellason, Casey Verne Ellason, and Taylor Owen Lefevre, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are 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.

Stacia Dawn Ellason
Stacia Dawn Ellason, Manager-Member
AXEL PROPERTIES, LLC

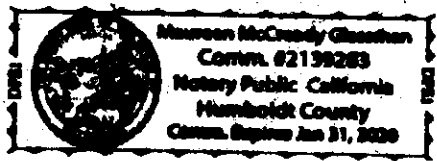
Casey Verne Ellason
Casey Verne Ellason, Member
AXEL PROPERTIES, LLC

Taylor Owen Lefevre
Taylor Owen Lefevre, Member
AXEL PROPERTIES, LLC

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 [Signature]



MAIL TAX STATEMENTS AS DIRECTED ABOVE

ILLEGIBLE NOTARY SEAL DECLARATION

GOVERNMENT CODE 27361.7

I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: MAURGEN MacCready Glassman

Date Commission Expires: 11/31/2020

Notary Commission Number: 2139283

State of Commission: CA.

County of Commission: HUMBOLDT

State of Notary Execution: CA.

County of Notary Execution: HUMBOLDT

Date of Notary Execution: 10/24/16

Date: 11/9/16


Signature

POINTS WEST SURVEYING CO.
(Firm Name, if applicable)

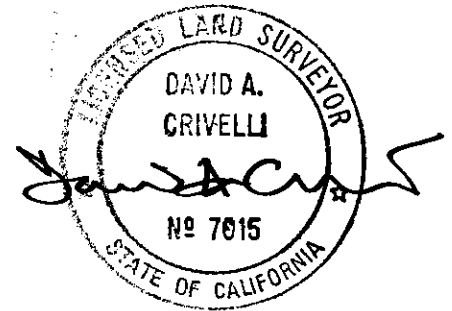
**EXHIBIT "A"
NOTICE OF LOCATION
LEGAL DESCRIPTION OF
30 FOOT WIDE
WATER LINE EASEMENT**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Being a 30 (thirty) foot wide waterline easement, as said easement was granted to Humboldt Bay Municipal Water District by Frank P. and Maria Toste, recorded in Book 650 of Official Records, page 165, subject to the terms and conditions therein, over, under, and across all that portion of Parcel 2 of Parcel Map No. 739, as shown on the map thereof on file in the Recorder's Office of Humboldt County recorded in Book 6 of Parcel Maps Page 99, the east line of which is described as follows:

BEGINNING at the southeast corner of Parcel 2 as shown on Parcel Map No. 739, referenced above, Thence North 12 degrees 06 minutes East 600.00 feet along the east line of said parcel to the northeast corner thereof.

END OF DESCRIPTION



David A. Crivelli, LS 7015
October 6, 2016

Resolution No. 2016-12

Resolution of the Humboldt Bay Municipal Water District Board of Directors Authorizing the General Manager to Issue a Certificate of Acceptance for Easement Deed-Notice of Location to be Recorded by Axel Properties LLC in Humboldt County

WHEREAS, Axel Properties LLC is proposing a new development along West End Road in Arcata at the former Wayne Bare Trucking site and;

WHEREAS, the District has a pipeline running through the property and has a floating easement over the property and;

WHEREAS, the owner would like to record a "Notice of Location" for the existing right-of-way versus having a floating easement and;

WHEREAS, on August 11, 2016, the Board of Directors authorized the Notice of Survey and if approved, the Notice of Location at the property owner's expense;

WHEREAS, this Easement Deed-Notice of Location does not supercede or extinguish the other rights of the Humboldt Bay Municipal Water District created in the original Grant of Right of Way, but only designates the location of the 30-foot right of way.

NOW, THEREFORE, BE IT RESOLVED; that the Board of Directors of Humboldt Bay Municipal Water District hereby finds, determines and declares as follows:

1. The above recitals are true and correct.
2. The General Manager is authorized to issue a Certificate of Acceptance for Easement Deed-Notice of Location to be recorded by Axel Properties LLC in Humboldt County.

Adopted and approved this 13th day of October 2016 by the following roll call vote:

AYES: Directors Hecathorn, Laird, Latt, Rupp and Woo

NOES: None

ABSENT: None

Attest:


Barbara Hecathorn, President


J. Bruce Rupp, Secretary/Treasurer



HUMBOLDT BAY MUNICIPAL WATER DISTRICT

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EMAIL OFFICE@HBMWD.COM

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BOARD OF DIRECTORS
BARBARA HECATHORN, PRESIDENT
ALDARON LAIRD, VICE-PRESIDENT
J. BRUCE RUPP, SECRETARY-TREASURER
SHERI WOO, DIRECTOR
NEAL LATT, DIRECTOR

GENERAL MANAGER
PAUL HELLIKER

CERTIFICATE OF ACCEPTANCE For EASEMENT DEED - NOTICE OF LOCATION

This is to certify Humboldt Bay Municipal Water District's acceptance of the definition of the location of the 30-foot wide right of way water line easement across Assessor's Parcel Number (APN) 50-251-020 as defined by the Easement Deed – Notice of Location Recorded by Axel Properties LLC in Humboldt County on or about October 13, 2016. All terms and conditions contained in the original Grant of Right of Way document from Frank P. Toste and Maria Toste as recorded in Book 650 of Official Records, page 165, remain in effect, including but not limited to "all other rights and benefits necessary and convenient for the full enjoyment or use of the rights herein created, including but without limiting the same to, the free right of ingress and egress to, over, across, and from said lands, together with the right to use such portion of said lands adjacent to and along such right of way as may be reasonably necessary in connection with the installation, repair and replacement of such pipeline or line." This document serves only to define the exact location of said 30-foot right of way across said property.

Sincerely,

A handwritten signature in cursive script that reads "Paul Helliker".

Paul Helliker
General Manager

Date: October 13, 2016