

IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

_____ day _____, 20__

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION ACCEPTING OFFERS OF DEDICATION FOR DRAINAGE PURPOSES

The following resolution is hereby offered and read:

WHEREAS, there is a public need for the County of San Luis Obispo, State of California to accept certain offers of dedication necessary for drainage purposes; and

WHEREAS, the Deputy Director of Public Works has by letter duly recommended that the Board of Supervisors accept the following offers to use property for public drainage purposes:

1. That certain offer of dedication for a drainage basin easement as recorded in Official Document 2001-035842 (the "Ida Place Basin"); and
2. The offer of dedication for the 10 foot wide public easement for drainage purposes as shown across the southerly portions of Lots 2, 3, 4, and 5 of the recorded map of Tract 2261.

WHEREAS, the property areas so offered for public use in said offers of dedication are hereafter collectively referred to as the "Dedicated Areas;" and

WHEREAS, pursuant to Sections 4.A. and 11 of that certain Covenants, Conditions and Restrictions recorded February 16, 2001, as Doc No: 2001-009383, as augmented by that certain Declaration of Annexation, recorded January 14, 2003, as Doc No: 2003-003448, the Mesa View Estates Homeowners Association has the duty to maintain and keep operable, and in repair, all drainage basins, appurtenant drainage facilities, easements, and all fencing and landscaping in and around the Dedicated Areas, and to comply with any directives of the County relative to such maintenance.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the Board of Supervisors of the County of San Luis Obispo, State of California that:

1. The following offers of dedication are hereby accepted, for drainage purposes only, to convey and retain drainage water and are hereby accepted for and on behalf of the public and shall and do constitute public easements for drainage purposes in the County of San Luis Obispo:
 - a) The offer of dedication for a drainage basin easement as described in Official Document 2001-035842 in the Office of the County Recorder, offered by R.H. Newdoll Construction, Inc. a California Corporation.
 - b) The offer of dedication for the 10 foot wide public drainage easement as shown across the southerly portions of Lots 2, 3, 4, and 5 of Tract 2261 the map of said tract filed in Book 21 of Maps at Pages 58 through 60 inclusive, in the Office of the County Recorder, offered by R.H. Newdoll Construction, Inc. a California Corporation.
2. The rights accepted by this resolution include the County's rights to use the Dedicated Areas for the following drainage purposes: the conveyance and retention of drainage water and silt, the maintenance, installation and/or replacement of the Ida Place Basin deep wells, the removal of sedimentation from Ida Place Basin, and the scarification of the Ida Place Basin.
3. Nothing in this resolution affects the duty of the Mesa View Estates Homeowners Association to maintain and keep operable and in repair all drainage basins, appurtenant drainage facilities, easements, and all fencing and landscaping in and around the Dedicated Areas, and to comply with any directives of the County relative to such maintenance.
4. That the County Clerk be and hereby is authorized and directed to record a copy of the Resolution in the Office of the County Recorder of the County of San Luis Obispo.

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Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAINING:

the foregoing Resolution is hereby adopted.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel



By: Patrick J. Foran
Deputy County Counsel

Dated: January 24, 2013

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STATE OF CALIFORNIA, }
County of San Luis Obispo, } ss.

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____ day of _____, 20 _____.

(SEAL)

County Clerk and Ex-Officio Clerk of the Board of Supervisors

By _____

Deputy Clerk.