

ATTACHMENT 3

RECORD WITHOUT FEE UNDER CALIFORNIA
GOVERNMENT CODE SECTION 6103

AFTER RECORDING RETURN TO:
REAL ESTATE SERVICES UNIT
SANTA CLARA VALLEY WATER DISTRICT
5750 ALMADEN EXPRESSWAY
SAN JOSE, CALIFORNIA 95118

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: 386-21-039

DOCUMENT NO.: 2021-155

WATER MANAGEMENT EASEMENT DEED

SARATOGA WOODS COMMUNITY ASSOCIATION, a California nonprofit corporation, hereinafter "Grantor," do(es) hereby grant, convey and dedicate to the SANTA CLARA VALLEY WATER DISTRICT, a Special District created by the California Legislature, hereinafter "Grantee", an easement for an above ground water pipeline and appurtenances (Easement), upon, over, and across that certain real property in the City of Saratoga, County of Santa Clara, State of California, as described as in Exhibit A, attached hereto and incorporated herein (Easement Area).

The Easement Area shall be kept clear of any type of building, fences, improvements, structures, pavement or trees, unless prior written approval is obtained from Grantee; provided, however, that Grantee hereby approves of any and all buildings, fences, improvements, structures, pavement or trees located within the Easement Area as of the date of acceptance of this Easement Deed by Grantee, and future replacements of such items so long as they are in similar locations.

The Easement shall include the right to enter upon the Easement Area with vehicles, tools, implements, equipment and other materials by Grantee, its officers, agents, employees and its contractors whenever and wherever reasonably necessary from the nearest public right of way, to inspect, maintain, and repair said above ground pipeline and appurtenances, together with the right to trim or remove such trees or brush within the Easement Area as may constitute a hazard to persons or property or may interfere with the use of the Easement Area for the purposes granted herein; provided, however, that the pipeline and appurtenances may only be located in the Easement Area. Any relocation of the pipeline and appurtenances within the Easement Area shall require Grantor approval.

Grantee agrees to exercise the Easement rights granted herein under the following conditions:

1. Except for emergency situations, use of the Easement Area shall be restricted to daylight hours.
2. When possible, at least five (5) business days, but no less than 48 hours, prior to entering the Grantor's property, written or electronic notice shall be provided to Grantor.

3. When possible, Grantee shall cooperate with Grantor in scheduling any access or work within the Easement Area to days and times which will minimize any interference with Grantee's use and enjoyment of Grantor's property (including, the Easement Area).
4. No rubbish, garbage, trash, construction, or potentially hazardous materials shall be stored or allowed to be stored within the Easement Area.
5. No actions or omissions shall be taken that would lead to a generation of noxious odors, cause or permit noise to emanate from the Easement Area at a level that violates local, state or federal noise standards, or create or permit any conditions that could be deemed a public nuisance were they conducted on private property.
6. No vehicles or construction equipment shall be stored overnight in the Easement Area.
7. Grantee shall not assign or transfer the rights granted herein or permit the use of the Easement Area by any other party without Grantor approval.

(As used above, the term "grantor" shall include the plural as well as the singular number. The words "himself" and "his" shall include the feminine gender as the case may be.)

Dated this 26 day of March, 2025

SARATOGA WOODS COMMUNITY ASSOCIATION
a California nonprofit corporation



President

ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE §1189

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 SANTA CLARA } SS

On this 26th day of MARCH, in the year 2025, before me R. MORENO,

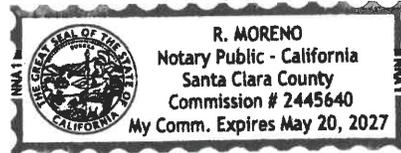
Notary Public, personally appeared Lenda Lopez
Name(s) of Signer(s)

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.

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]
Notary Public in and for said County and State



CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- Individual, Corporate Officer(s), Partner(s), Attorney-In-Fact, Trustee(s), Guardian/Conservator, Other

Signer is Representing (Name of Person(s) or Entity(ies))

CERTIFICATE OF CONSENT AND ACCEPTANCE

This is to certify that the interest in real property conveyed by the attached Deed or Grant to the Santa Clara Valley Water District, also referred to herein as the Grantee, is hereby accepted by the undersigned duly authorized agent on behalf of the Board of Directors of said Santa Clara Valley Water District, pursuant to authority conferred by Resolution No. 14-79 of said Board of Directors adopted on the 9th day of September 2014, and the Grantee consents to recordation thereof by its said duly authorized agent.

Dated: _____, 20__

Santa Clara Valley Water District

By: _____
Melanie Richardson, P.E., Interim Chief Executive Officer

EXHIBIT A

(4 pages total)

SANTA CLARA VALLEY WATER DISTRICT SAN JOSE, CA 95118

PROJECT: SARATOGA CREEK

RESU FILE NO.: 2021-155
BY: HZ

An easement over that certain real property situate in the City of Saratoga, County of Santa Clara, State of California, being a portion of LOT 21, as shown on that certain Tract Map No. 1928 filed for record on July 26, 1957, in Book 84 of Maps at page 35, in the Office of the Recorder, County of Santa Clara, State of California, more particularly described as follows:

Permanent Easement (P.E.)

A strip of land 33.00 feet wide parallel with and lying easterly of the southerly line of said LOT 21, the westerly sideline being coincident with the southerly line of said LOT 21, more particularly described as follows:

BEGINNING at the most southerly corner of LOT 21;

Thence along the southerly line of said LOT 21, N 67° 13' 21" W, 132.10 feet to the **POINT OF TERMINATION**

The sidelines of said strip shall be lengthened or shortened as to commence and terminate at the westerly and easterly line of said LOT 21.

Containing 4,401 square feet of land, more or less.

BASIS OF BEARINGS:

Bearings are based and identical to that certain Tract Map No. 1928 filed for record on July 26, 1957, in Book 84 of Maps at page 35, in the Office of the Recorder, County of Santa Clara, State of California.

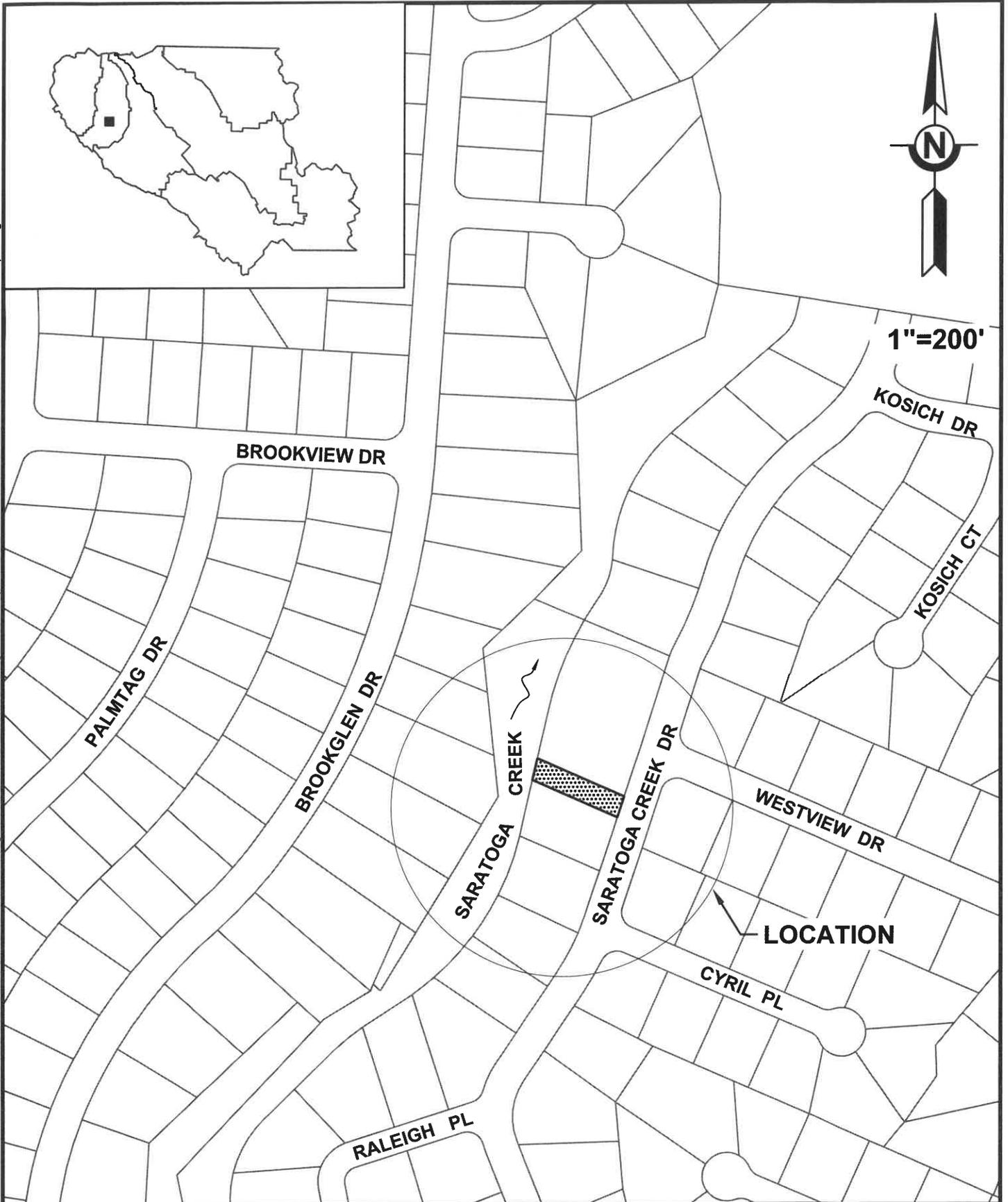
SURVEYOR'S STATEMENT:

The description was prepared by me or under my direction in conformance with the requirements of the land surveyor's act.


Kristopher Allan Puthoff, L8994

10-19-23
Date

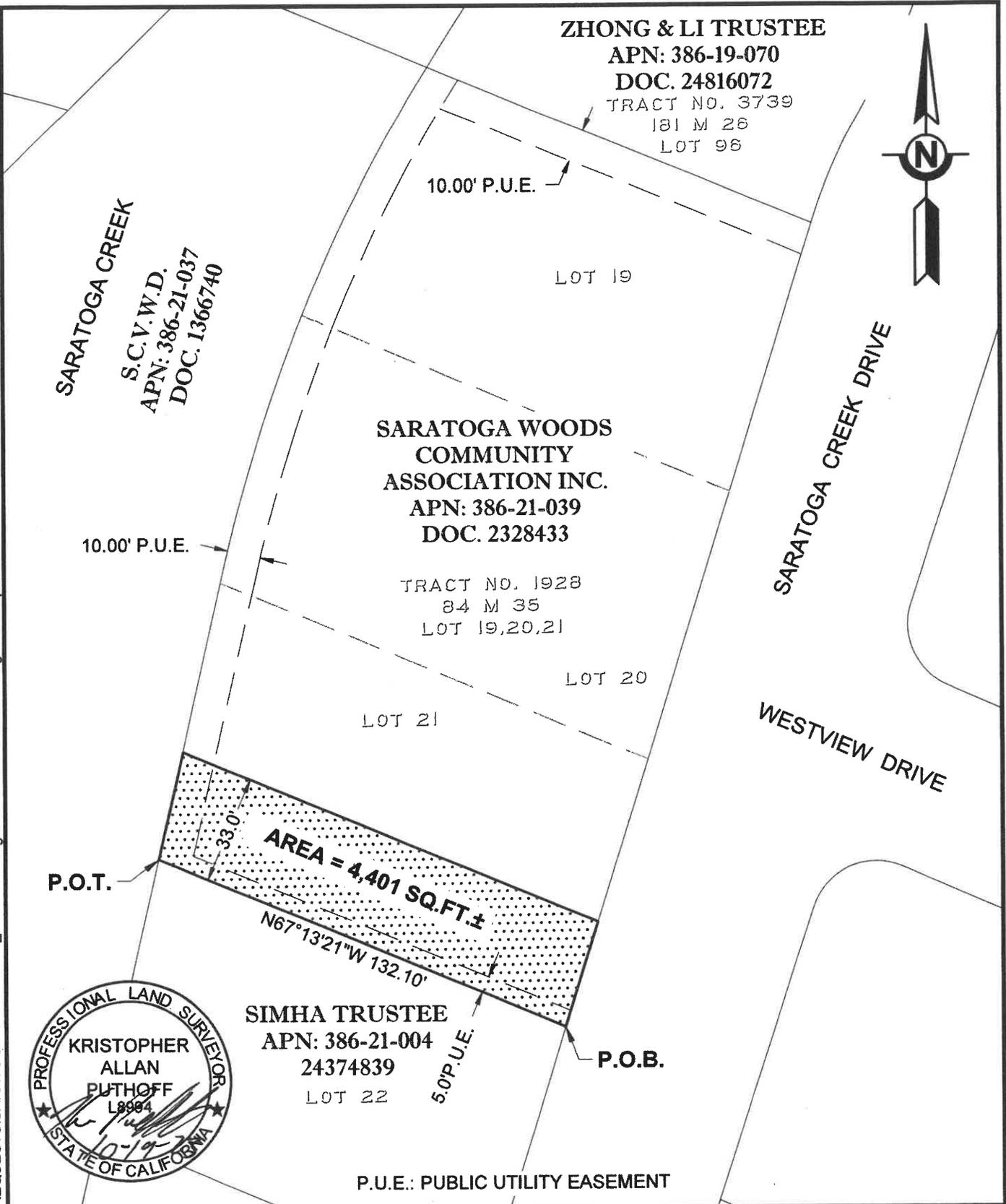
SCVWD S:\REQUESTS\SARATOGA CREEK\2024_10112 Working\Office\ROW\Plats and Legal Descriptions\2021-155\2024_101_2021_155\LocationMap.dwg



12341 SARATOGA CREEK DRIVE
SARATOGA, CA

RESU FILE NO.	2021-155
APN	386-21-039
TITLE REPORT NO.	8012200409

SCVWD S:\REQUESTS\SARATOGA CREEK\2024_10112 Working\Office\ROW\Plats and Legal Descriptions\2021-155\2024-101_2021-155Plat.dwg



P.U.E.: PUBLIC UTILITY EASEMENT

SANTA CLARA VALLEY WATER DISTRICT



Valley Water

SCALE: 1" = 40'

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DRAWN	HZ