

**BOARD OF DIRECTORS
SANTA CLARA VALLEY WATER DISTRICT**

RESOLUTION NO. 19-

**AUTHORIZING CONVEYANCE OF REAL PROPERTY INTEREST
TO THE COUNTY OF SANTA CLARA**

WHEREAS, the Santa Clara Valley Water District (Valley Water) owns easements and maintenance responsibilities for a street storm drainage facility between Alta Vista Way and Highland Drive, San Jose, California, as shown in Record of Survey Book 616 of Maps at Page 34, along the northwest side of the lots shown in the Assessor's map as 612-01-026 (Valley Water File No. 4029-09) and 612-01-015 (Valley Water File No. 4029-10) (Valley Water Easements); and

WHEREAS, the aforementioned Valley Water Easements are no longer needed by Valley Water given the County of Santa Clara's willingness to accept the property interests and, upon payment of \$13,500 by Valley Water, its agreement to repair and replace the remaining portions of the existing underground corrugated metal storm drain, within the Valley Water Easements and County of Santa Clara right of way, portions that were not replaced or repaired by Valley Water in 2011; and

WHEREAS, the County of Santa Clara estimated the total repair and replacement costs above to be \$27,000, and it is willing to accept responsibility for all of the work even if the final repair and replacement costs are greater; and

WHEREAS, the County of Santa Clara's acceptance of the Valley Water Easements, the repair and replacement responsibilities, and the related maintenance responsibilities will allow Valley Water to avoid incurring these expenses while ensuring that the street storm drainage facility will be improved; and

WHEREAS, Section 31 of the District Act states that the Board may by a majority vote sell, lease or otherwise transfer to the County of Santa Clara any real property or interest therein belonging to Valley Water upon the terms and conditions that are agreed upon; and

WHEREAS, the County of Santa Clara's agreement to accept the Valley Water Easements under the conditions set forth above constitute valuable and significant consideration to Valley Water; and

WHEREAS, the County of Santa Clara's commitments referenced herein are set forth more fully in the Relinquishment of Hale Avenue and Conveyance Agreement between the County of Santa Clara, City of Morgan Hill, and Santa Clara Valley Water District.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Santa Clara Valley Water District that:

1. The recitals set forth above are incorporated herein by this reference.
2. The Valley Water Easements described herein are no longer needed to be retained for Valley Water purposes because the County of Santa Clara will assume the related storm

drainage repairs, maintenance, and operations associated with ownership of the property interest in consideration for a \$13,500 payment from Valley Water.

3. The Chief Executive Officer is hereby authorized to execute and deliver a Quitclaim Deed granting the County of Santa Clara the Valley Water Easements in consideration for the full approval and execution of the Relinquishment of Hale Avenue and Conveyance Agreement Between the County of Santa Clara, City of Morgan Hill, and Santa Clara Valley Water District by all parties thereto.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on May 28, 2019:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

LINDA J. LEZOTTE
Chair, Board of Directors

ATTEST: MICHELE L. KING, CMC

Clerk, Board of Directors