

DRAFT

ORDINANCE NO. XX:

Easement

**AN ORDINANCE PROVIDING FOR EASEMENTS IN FAVOR OF TIMBER COVE COUNTY
WATER DISTRICT
EFFECTIVE AS OF JULY 15, 2016**

BE IT ORDAINED by the Board of Directors of Timber Cove Water District, Sonoma County, California, as follows:

WHEREAS, Timber Cove County Water District is a water district which is obligated to distribute, supply and deliver water to parcels located in the Timber Cove area, and to construct and maintain pumping plants, rights of way, ditches, flumes and pipelines for the production and distribution of water; and

WHEREAS, access to pumping plants, rights of way, ditches, flumes and pipelines for purposes of repair, maintenance, expansion, or improvement is essential to Timber Cove Water District providing continued water service; and

WHEREAS, California Water Code section 31000, et seq. authorizes the governing body of a water district to perform all acts necessary to fully carry out its functions; and

WHEREAS, the Map of Timber Cove Properties, Inc. Unit One filed for record in Book 87 of Maps at page 35 in the Office of the County Recorder, County of Sonoma, and the Map of Timber Cove Properties, Inc. Unit Two filed for record in Book 103 of Maps at pages 11 to 25 in the Office of the County Recorder, County of Sonoma (collectively, “the Maps”) show “Easements” over and upon the parcels depicted on the Maps.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Timber Cove County Water District, as follows:

1. The Easements shown shall provide Timber Cove County Water District easements to maintain, repair, install, expand, construct and build water lines, water equipment, water facilities, pipelines, and any other equipment or material necessary to providing water service within Timber Cove.

2. The easements granted in this Agreement include incidental rights of ingress and egress over and across such other portions of the parcels to the extent necessary to provide access to complete maintenance, repairs, installation, construction, building, and expansion as provided herein. Following such access to serve the Easement, the Timber Cove County Water District shall restore the surface of the parcel in a reasonable fashion, given the nature of the access and repairs, to be in the condition it was in before the access and work necessary, reasonable wear and tear excepted. However, Timber Cove County Water District shall not be responsible for any structures, landscaping, or other works of improvement, which the parcel owner placed or caused to be placed within the easement area as shown on the Maps.

3. This Ordinance shall become effective from and after its adoption and publication as required by law.

DULY AND REGULARLY ADOPTED this 17th day of June, 2016.

TIMBER COVE COUNTY WATER DISTRICT

BY: _____
President

ATTEST:

_____ Secretary