

RESOLUTION NO. 2022-07

A RESOLUTION OF THE CITY OF MARINA APPROVING THE CREATION
OF PUBLIC UTILITY EASEMENTS ON CITY PROPERTIES FOR UTILITY
IMPROVEMENTS BENEFITING MARINA AIRPORT DEVELOPMENT
SUBJECT TO THE TECHNICAL APPROVAL OF THE LEGAL
DESCRIPTIONS BY THE CITY ENGINEER, AND; AUTHORIZING THE
CITY CLERK TO RECORD A CERTIFIED COPY OF THE RESOLUTION IN
THE MONTEREY COUNTY OFFICE OF THE COUNTY RECORDER

WHEREAS, at the regularly scheduled meeting of December 17, 2019, the City Council adopted Resolution No. 2019-138, approving a ground lease agreement between the City of Marina and Joby Aero, Inc., for a five-acre portion of the developed south tarmac with two options totaling 250 acres located at 3200-C Imjin Road. The site improvements to the areas under the agreement require expansion and improvement to the existing utility infrastructure, and;

WHEREAS, Pacific Gas & Electric (PG&E) has provided notice to City staff regarding improvements to the electrical utilities at the Airport lease area. Electrical improvements require a connection to existing infrastructure on Abrams Drive that is not within the City Right of Way. In order to provide the utility improvements and connections needed for development at the Airport, new easements are required within City-owned parcels (shown on **Exhibit A**). At this time, PG&E requesting a public utility easement for access to connection points where improvements are intended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina that:

1. Approving the creation of public utility easements on City properties (shown on Exhibit A) for utility improvements benefiting Airport Development subject to the technical approval of the legal descriptions by the City Engineer, and;
2. Authorize the City Clerk to record a certified copy of the Resolution in the Monterey County office of the County Recorder.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of January 2022, by the following vote:

AYES: COUNCIL MEMBERS: Medina Dirksen, Burnett, Berkley, Biala, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

Bruce Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

RECORDING REQUESTED BY AND RETURN TO:

PACIFIC GAS AND ELECTRIC COMPANY
Salinas Land Department
356 E. Alisal Street
Salinas, California 93901

Location: City of Marina

Recording Fee \$ _____

Document Transfer Tax \$ 0

☒ This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911).

☐ Computed on Full Value of Property Conveyed, or

☐ Computed on Full Value Less Liens

& Encumbrances Remaining at Time of Sale

☐ Exempt from the fee per GC 27388.1 (a) (2); This document is subject to Documentary Transfer Tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

Signature of declarant or agent determining tax

LD 2214-02-10023

PUBLIC UTILITY EASEMENT

(APN 031-271-009, 031-271-014)

**A RESOLUTION OF THE CITY OF MARINA APPROVING
THE CREATION OF PUBLIC UTILITY EASEMENTS ON CITY-OWNED PARCELS**

The City of Marina, a municipal corporation of the State of California, does hereby approve the creation of Public Utility Easements (PUEs), described and shown on Exhibits A, B, C, and D attached hereto and made a part hereof, for public utility purposes including electric, gas, communication facilities and all other public utility purposes; together with any and all appurtenances thereto, including the right from time to time to trim and to cut down and clear away or otherwise control any trees or brush. The PUEs hereby created and approved are to be kept open and free of buildings, structures and wells of any kind.

Dated _____, 20____.

City of Marina, a municipal corporation
of the State of California,

By _____
Name
Title

I hereby certify that a resolution was adopted on the ____ day of _____, 20____, by the _____ authorizing the foregoing.

By _____

Title _____

EXHIBIT "A"
Legal Description
Public Utility Easement
Lands of Fort Ord Military Reservation
APN 031-271-009

An easement for public utility purposes over that portion of land described as Parcels L5.6.1, L5.6.2, E4.3.2.1, & E4.6.1 and conveyed by Marina Redevelopment Agency, a public body, corporate and politic, of the State of California to the City of Marina, a municipal corporation by Quitclaim Deed recorded November 6, 2012, as Document No. 2012068033, Monterey County Records, and being also a portion of "Abrams I" as it is shown on that certain map recorded in Volume 25 of Surveys at Page 26, in the City of Marina, County of Monterey, State of California, more particularly described as follows:

COMMENCING at a found $\frac{3}{4}$ " iron pipe, tagged LS 5992 as shown on Corner Record No. 1732, being also the southerly terminus of the West line of Parcel B as shown on that Record of Survey, recorded on September 27, 1996, in Volume 20 of Surveys, at page 73, Monterey County Records;

- (a) thence South 48°14'49" West, a distance of 177.26 feet to a point of intersection thereof with the northerly line of Parcel 1 as shown on that Record of Survey, recorded on November 8, 1996, in Volume 20 of Surveys, at page 91, Monterey County Records, said point also being the **POINT OF BEGINNING**;
- (1) thence along said northerly line of Parcel 1, South 60°59'30" West, a distance of 32.17 feet;
- (2) thence leaving said northerly line of Parcel 1, North 14°26'44" West, a distance of 129.11 feet to the beginning of a tangent curve, concave southwesterly;
- (3) thence northwesterly, along the arc of said tangent curve, with a radius of 149.21 feet, through a central angle of 15°31'57", an arc distance of 40.45 feet to a point of reverse curvature;
- (4) thence northwesterly, along the arc of a reverse curve, concave northeasterly, with a radius of 178.50 feet, through a central angle of 15°49'05", an arc distance of 49.28 feet to the beginning of a tangent line;
- (5) thence along said tangent line, North 14°09'36" West, a distance of 169.59 feet to the beginning of a tangent curve, concave easterly;
- (6) thence northerly, along the arc of last said tangent curve, with a radius of 243.50 feet, through a central angle of 11°46'20", an arc distance of 50.03 feet to a point of reverse curvature;
- (7) thence northerly, along the arc of a reverse curve, concave westerly, with a radius of 208.50 feet, through a central angle of 15°20'57", an arc distance of 55.86 feet to the beginning of a compound curve;

- (8) thence northwesterly, along the arc of said compound curve, concave southwesterly, with a radius of 1,387.50 feet, through a central angle of $3^{\circ}25'05''$, an arc distance of 82.77 feet to the beginning of a non-tangent curve, concave southwesterly, with a radial bearing of North $69^{\circ}00'31''$ East;
- (9) thence northwesterly, along the arc of said non-tangent curve, with a radius of 1,141.50 feet, through a central angle of $15^{\circ}11'39''$, and an arc distance of 302.71 feet to the beginning of a compound curve;
- (10) thence northwesterly, along the arc of last said compound curve, concave southwesterly, with a radius of 527.50 feet, through a central angle of $27^{\circ}49'10''$, an arc distance of 256.12 feet to the beginning of a tangent line;
- (11) thence along said tangent line, North $64^{\circ}00'18''$ West, a distance of 8.17 feet to the beginning of a tangent curve, concave southerly;
- (12) thence westerly, along the arc of last said tangent curve, with a radius of 66.50 feet, through a central angle of $36^{\circ}32'59''$, an arc distance of 42.42 feet to a point of intersection thereof with the easterly line of Parcel D as shown on Tract No. 1465, Marina Heights, Phase 1 recorded on June 13, 2006, in Volume 23 of Cities and Towns Maps, at page 29, Monterey County Records, being also a non-tangent line;
- (13) thence along said easterly and non-tangent line, North $14^{\circ}14'55''$ East, a distance of 38.00 feet;
- (14) thence South $74^{\circ}23'07''$ East, a distance of 30.07 feet;
- (15) thence South $71^{\circ}30'29''$ East, a distance of 17.28 feet to the beginning of a non-tangent curve, concave southwesterly, with a radial bearing of North $27^{\circ}21'13''$ East;
- (16) thence southeasterly, along the arc of last said non-tangent curve, with a radius of 915.57 feet, through a central angle of $10^{\circ}04'44''$, an arc distance of 161.06 feet to a non-tangent line;
- (17) thence along last said non-tangent line, South $52^{\circ}38'44''$ East, a distance of 30.90 feet;
- (18) thence, South $48^{\circ}47'46''$ East, a distance of 24.23 feet to the beginning of a non-tangent curve, concave southwesterly, with a radial bearing of North $44^{\circ}44'10''$ East;
- (19) thence southeasterly, along the arc of last said non-tangent curve, with a radius of 548.50 feet, through a central angle of $16^{\circ}02'02''$, an arc distance of 153.49 feet to the beginning of a tangent line;
- (20) thence along last said tangent line, South $29^{\circ}13'48''$ East, a distance of 121.94 feet;
- (21) thence South $25^{\circ}03'21''$ East, a distance of 66.21 feet to the beginning of a tangent curve, concave westerly;

- (22) thence southerly, along the arc of last said tangent curve, with a radius of 199.90 feet, through a central angle of 21°22'22", an arc distance of 74.57 feet to a point of reverse curvature;
- (23) thence southerly, along the arc of last said reverse curve, concave easterly, with a radius of 51.50 feet, through a central angle of 11°51'15", an arc distance of 10.66 feet to the beginning of a tangent line;
- (24) thence along last said tangent line, S15°32'14"E, a distance of 54.58 feet to the beginning of a non-tangent curve, concave southeasterly, with a radial bearing of North 51°35'19" West;
- (25) thence southerly, along the arc of last said non-tangent curve, with a radius of 21.50 feet, through a central angle of 52°49'27", an arc distance of 19.82 feet to the beginning of a tangent line;
- (26) thence along last said tangent line, South 14°24'46" East, a distance of 301.96 feet to the beginning of a tangent curve, concave northeasterly;
- (27) thence southeasterly, along the arc of last said tangent curve, with a radius of 1,068.50 feet, through a central angle of 08°09'09", an arc distance of 152.03 feet to the **POINT OF BEGINNING**.

Containing an area of 40,709 square feet / 0.94 acres, more or less.

The above described Public Utility Easement is graphically depicted on the attached Exhibit "B" and made a part of this description by reference thereto.

END DESCRIPTION

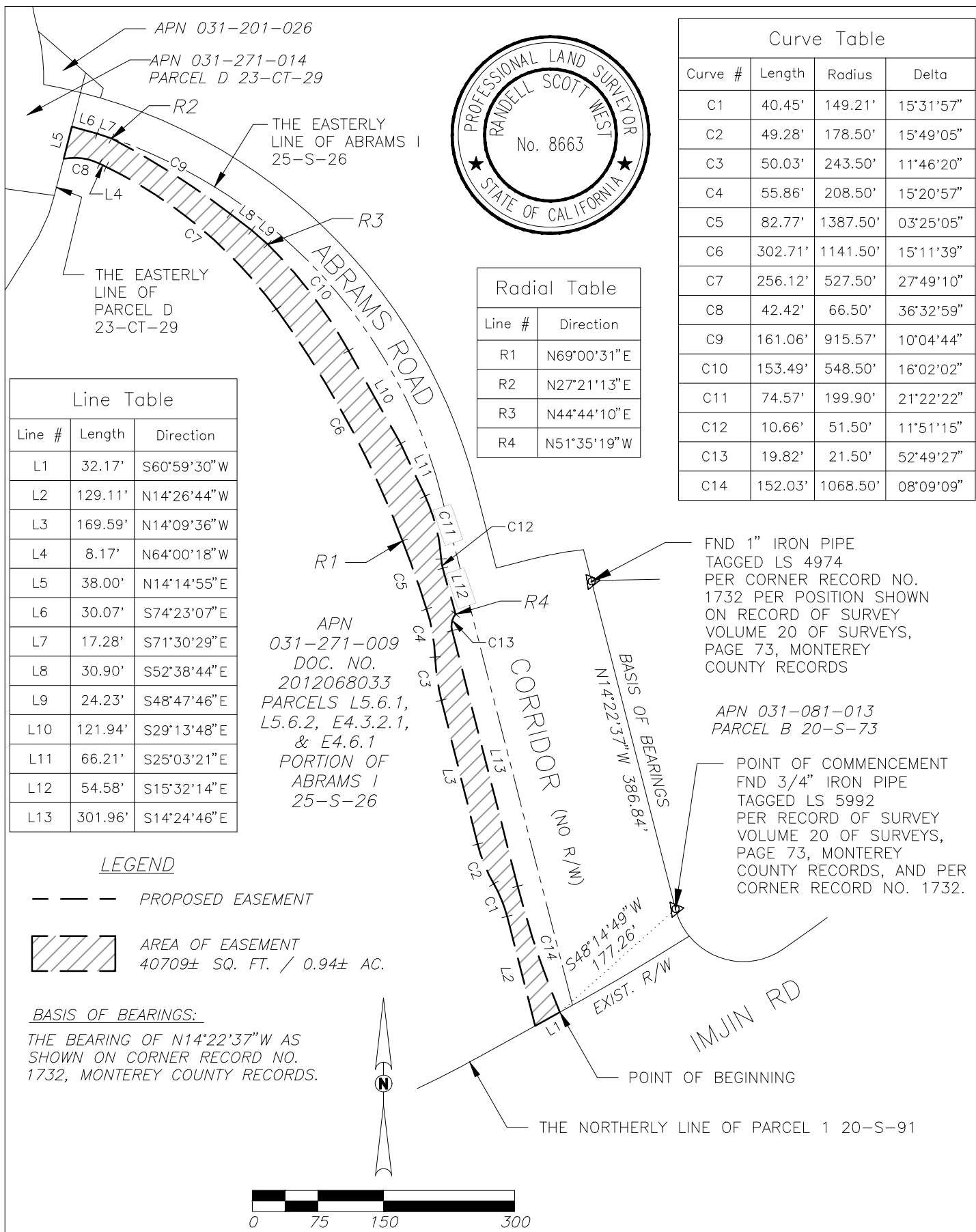
This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyor's Act.

Randell Scott West, PLS 8663

November 19, 2021

Date





Curve Table			
Curve #	Length	Radius	Delta
C1	40.45'	149.21'	15°31'57"
C2	49.28'	178.50'	15°49'05"
C3	50.03'	243.50'	11°46'20"
C4	55.86'	208.50'	15°20'57"
C5	82.77'	1387.50'	03°25'05"
C6	302.71'	1141.50'	15°11'39"
C7	256.12'	527.50'	27°49'10"
C8	42.42'	66.50'	36°32'59"
C9	161.06'	915.57'	10°04'44"
C10	153.49'	548.50'	16°02'02"
C11	74.57'	199.90'	21°22'22"
C12	10.66'	51.50'	11°51'15"
C13	19.82'	21.50'	52°49'27"
C14	152.03'	1068.50'	08°09'09"

Radial Table	
Line #	Direction
R1	N69°00'31"E
R2	N27°21'13"E
R3	N44°44'10"E
R4	N51°35'19"W

Line Table		
Line #	Length	Direction
L1	32.17'	S60°59'30"W
L2	129.11'	N14°26'44"W
L3	169.59'	N14°09'36"W
L4	8.17'	N64°00'18"W
L5	38.00'	N14°14'55"E
L6	30.07'	S74°23'07"E
L7	17.28'	S71°30'29"E
L8	30.90'	S52°38'44"E
L9	24.23'	S48°47'46"E
L10	121.94'	S29°13'48"E
L11	66.21'	S25°03'21"E
L12	54.58'	S15°32'14"E
L13	301.96'	S14°24'46"E

EXHIBIT "C"
Legal Description
Public Utility Easement
Lands of Fort Ord Military Reservation
APN 031-271-014

An easement for public utility purposes over that portion of Parcel D as shown on Tract No. 1465, Marina Heights, Phase 1 recorded on June 13, 2006, in Volume 23 of Cities and Towns Maps, at page 29, Monterey County Records, in the City of Marina, County of Monterey, State of California, more particularly described as follows:

COMMENCING at a found $\frac{3}{4}$ " iron pipe, tagged LS 5992 as shown on Corner Record No. 1732, being also the southerly terminus of the West line of Parcel B as shown on that Record of Survey, recorded on September 27, 1996, in Volume 20 of Surveys, at page 73, Monterey County Records;

- (a) thence North 39°12'31" West, a distance of 1107.16 feet to a point of intersection thereof with the easterly line of said Parcel D, and the **POINT OF BEGINNING**;
- (1) thence North 75°45'05" West, a distance of 39.24 feet to the beginning of a non-tangent curve, concave westerly, with a radial bearing of South 69°17'43" East;
- (2) thence northerly, along the arc of said non-tangent curve, with a radius of 235.00 feet, through a central angle of 18°50'01", an arc distance of 77.25 feet to the beginning of a non-tangent curve, concave southerly, with a radial bearing of North 10°17'02" East;
- (3) thence easterly, along the arc of last said non-tangent curve, with a radius of 625.00 feet, through a central angle of 03°57'53", an arc distance of 43.25 feet to a point of intersection thereof with the easterly line of said Parcel D, and a non-tangent line;
- (4) thence along said easterly and non-tangent line, South 14°14'55" West, a distance of 78.29 feet to the **POINT OF BEGINNING**.

Containing an area of 3,047 square feet / 0.07 acres, more or less.

The above described Public Utility Easement is graphically depicted on the attached Exhibit "D" and made a part of this description by reference thereto.

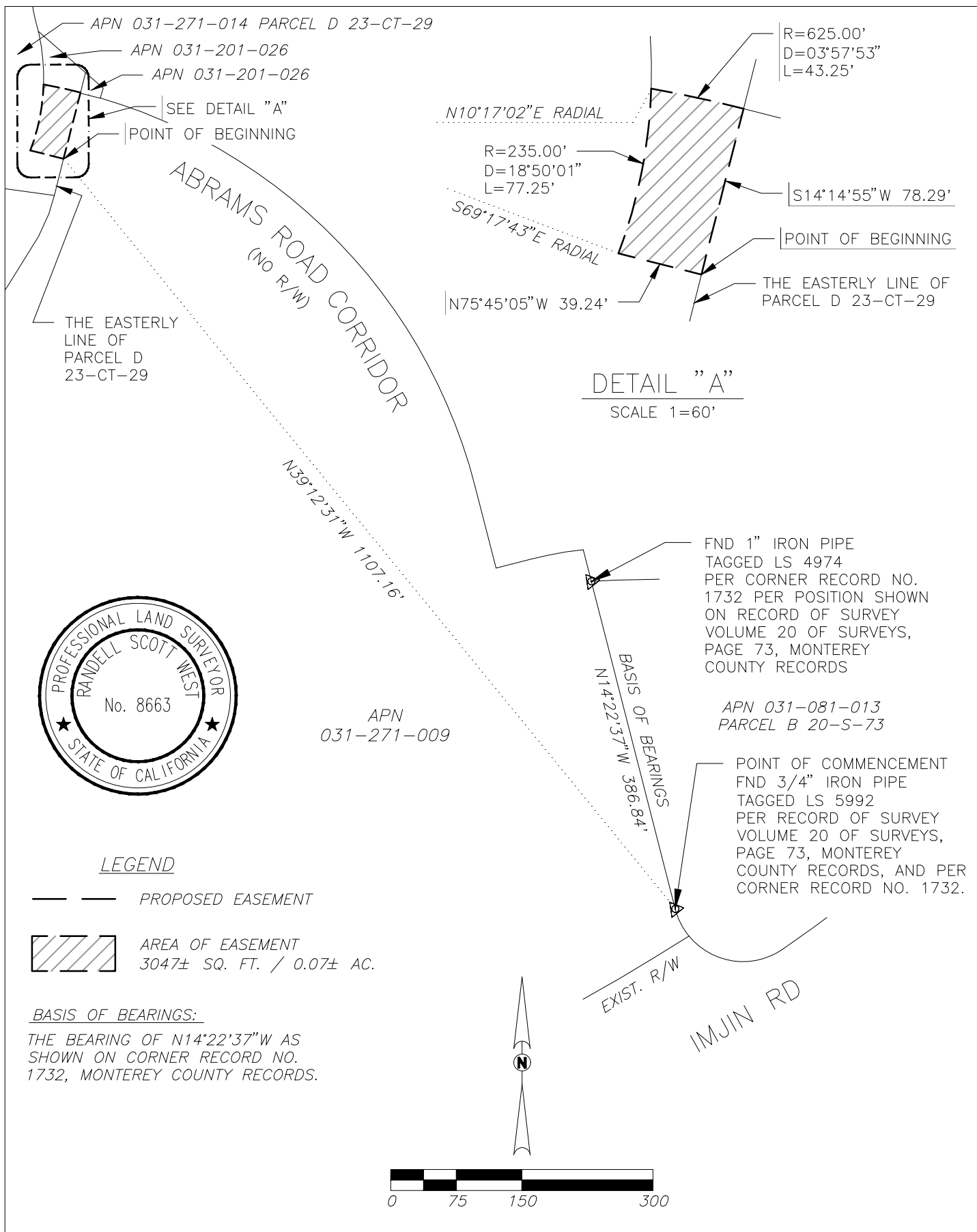
END DESCRIPTION

This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyor's Act.

Randell Scott West, PLS 8663

November 19, 2021
Date





	CONSULTANT		EXHIBIT "D"—PLAT TO ACCOMPANY LEGAL DESCRIPTION	
	Blair, Church & Flynn Consulting Engineers 481 Cleve Avenue, Suite 200 Cleve, California 93612 Tel (559) 325-4400 Fax (559) 325-4500		PUBLIC UTILITY EASEMENT LANDS OF FORD ORD MILITARY RESERVATION APN: 031-271-014	
	DR. BY: DRG	CH. BY: RSW	DATE: 11/19/2021	SCALE: AS NOTED
			APPROVED BY CITY ENGINEER	
			PAGE 2 OF 2	

January 5, 2022

Item No. **8g(3)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of January 19, 2022

**RECOMMENDATION TO CONSIDER ADOPTING RESOLUTION NO. 2022-,
APPROVING THE CREATION OF PUBLIC UTILITY EASEMENTS ON CITY
PROPERTIES FOR UTILITY IMPROVEMENTS BENEFITING MARINA
AIRPORT DEVELOPMENT SUBJECT TO THE TECHNICAL APPROVAL OF
THE LEGAL DESCRIPTIONS BY THE CITY ENGINEER, AND;
AUTHORIZING THE CITY CLERK TO RECORD A CERTIFIED COPY OF
THE RESOLUTION IN THE MONTEREY COUNTY OFFICE OF THE
COUNTY RECORDER**

RECOMMENDATION:

It is recommended that the City Council:

1. Consider adopting Resolution No. 2022-, approving the creation of public utility easements on City properties (shown on **EXHIBIT A**) for utility improvements benefiting Airport Development subject to the technical approval of the legal descriptions by the City Engineer, and;
2. Authorizing the City Clerk to record a certified copy of the resolution in the Monterey County office of the County Recorder.

BACKGROUND:

At the regularly scheduled meeting of December 17, 2019, the City Council adopted Resolution No. 2019-138, approving a ground lease agreement between the City of Marina and Joby Aero, Inc., for a five-acre portion of the developed south tarmac with two options totaling 250 acres located at 3200-C Imjin Road. The site improvements to the areas under the agreement require expansion and improvement to the existing utility infrastructure.

ANALYSIS:

Pacific Gas & Electric (PG&E) has provided notice to City staff regarding improvements to the electrical utilities at the Airport lease area. Electrical improvements require a connection to existing infrastructure on Abrams Drive that is not within the City Right of Way. In order to provide the utility improvements and connections needed for development at the Airport, new easements are required within City-owned parcels (shown on **EXHIBIT A**). At this time, PG&E requesting a public utility easement for access to connection points where improvements are intended.

FISCAL IMPACT:

None. Exhibit A was prepared by PG&E at their expense.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Edrie Delos Santos, P.E.
Senior Engineer, Engineering Division
City of Marina

REVIEWED/CONCUR:

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

Layne P. Long
City Manager
City of Marina