



# CITY OF WHEATLAND

## CITY COUNCIL MEETING STAFF REPORT

July 13, 2021

**SUBJECT:** Council Direction to Accept Easements for City Infrastructure  
Constructed by the Caliterra Ranch Subdivision

**PREPARED BY:** Dane Schilling, City Engineer

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### **Recommendation**

Staff recommends the City Council adopt Resolution 29-2021 authorizing the City Manager to sign certificates of acceptance for any easements necessary for the ownership, operation and maintenance of City infrastructure to be constructed with the Caliterra Ranch Subdivision.

### **Background/Discussion**

On May 31, 2018, a Final Map of Caliterra Ranch-Village 1 (Track No. 2017-0001) was recorded by the Yuba County Clerk. Since that time, the Caliterra Ranch developer (Developer) has pursued the completion of improvement plans for Villages 1 and 2.

The improvement plans show certain utilities that will cross areas of the subdivision that are reserved for future phases of the project. Easements over these future development areas must be granted to the City prior to completion of the subdivision improvements for Villages 1 and 2 so that the City can own, operate and maintain the public infrastructure to be constructed.

In addition, the grading for certain lots in Village 2 will necessitate the temporary realignment of Oakley Road. The Tentative Map for the project shows this same area of Oakley Road will be reconstructed in future phases of the development. Since Oakley Lane is a City roadway the developer must grant an easement for the realignment of the road.

### **Fiscal Impact**

There is no anticipated fiscal impact that results from the recommended action.

### **Attachments**

1. Resolution 29-2021
2. Easement and Certificate of Acceptance – Roadway
3. Easement and Certificate of Acceptance - Utilities

**RESOLUTION NO. 29-21**

**RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN CERTIFICATES  
OF ACCEPTANCE FOR ANY EASEMENTS NECESSARY FOR CITY INFRASTRUCTURE  
CONSTRUCTED FOR THE CALITERRA RANCH SUBDIVISION**

**WHEREAS**, on May 31, 2018, a Final Map of Caliterra Ranch-Village 1 (Track No. 2017-0001) was recorded by the Yuba County Clerk; and

**WHEREAS**, the developer of the Caliterra Ranch Subdivision (Developer) has prepared and submitted improvement plans to the City for the infrastructure required for Caliterra Ranch Villages 1 and 2 which include construction of public infrastructure on private lands; and

**WHEREAS**, the City requires the Developer to grant easements to the City for the ownership, operation and maintenance of any infrastructure that will be accepted by the City including roads, storm drainage, water and sewer on private lands; and

**WHEREAS**, a portion of Oakley Lane must be temporarily realigned to facilitate construction of the planned subdivision improvements; and

**WHEREAS**, City staff has reviewed the proposed improvement plans and the proposed easements to be granted to the City, and recommends that the City Council authorize the City Manager to sign any certificates of acceptance for the proposed easements for the Caliterra Ranch Subdivision.

**NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND** by the City Council of the City of Wheatland, State of California, that the City Manager is authorized to sign certificates of acceptance for any easements necessary for the ownership, operation and maintenance of City infrastructure to be constructed with the Caliterra Ranch Subdivision.

**PASSED AND ADOPTED** by the City Council of City of Wheatland, State of California this 13<sup>th</sup> day of July 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Rick West, Mayor

ATTEST:

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Lisa Thomason, City Clerk

RECORDING REQUESTED BY:

City of Wheatland, CA

WHEN RECORDED MAIL TO:

City of Wheatland

City Clerk

111 C Street

Wheatland, CA 95692

No fee required, Gov't Code § 27383

This space for recorder's use only

### GRANT OF ROADWAY EASEMENT

FOR VALUABLE CONSIDERATION,

DALE INVESTMENTS, LLC, a California limited liability company

(hereinafter called "GRANTOR") hereby grants to the City of Wheatland, a general law city, (hereinafter called "CITY") an exclusive permanent easement in, on, over, under, and across that certain real property in the County of Yuba, State of California, described in Exhibit "A" attached hereto and incorporated herein by reference, and depicted on Exhibit "B", the map attached hereto showing the boundaries of the easement. In the event of any conflict between the description of the easement in Exhibit "A" and its depiction on Exhibit "B", the description in Exhibit "A" controls.

The easement granted herein is for the construction, reconstruction, maintenance, repair, replacement and operation of a public roadway and for any CITY owned or maintained utility of any size including water, sewer and storm drainage pipelines, conduits, and above and below ground appurtenant facilities.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

By: Dale Investments, LLC,  
a California limited liability company

By: \_\_\_\_\_  
Sundeep S. Dale, Member  
Dale Investments, LLC

\_\_\_\_\_  
Date

STATE OF CALIFORNIA }  
 } ss.  
COUNTY OF \_\_\_\_\_ }

a Notary Public, personally appeared Sundeeep S. Dale, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

(seal)

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**TEMPORARY ACCESS EASEMENT**

All that portion of Resultant Lot 65 and Resultant Lot 66 as described in that certain Grant Deed recorded December 9, 2020 as Document No. 2020-020780, Official Records of Yuba County, State of California, being more particularly described as follows:

**COMMENCING** at the northwest corner of said Resultant Lot 65; thence from said **POINT OF COMMENCEMENT**, into said Resultant Lot 65, South 23°29'16" East, a distance of 670.77 feet to a point on the westerly line of that 60-foot-wide County Road as shown on that certain Final Map entitled "Plat of Oakley Homestead Tract", filed for record in Book 1 of Maps, at Page 35, Yuba County Records, said westerly line also being the westerly line of Oakley Lane, said point being the **TRUE POINT OF BEGINNING**; thence from said **TRUE POINT OF BEGINNING**, along said westerly IOD line, South 26°03'04" East, a distance of 236.10 feet; thence leaving said westerly line, through said Resultant Lot 66 and Resultant Lot 65, respectively, the following four (4) arcs:

1. from a radial line which bears North 36°28'10" East, along a non-tangent curve concave to the southwest, having a radius of 181.93 feet, northwesterly 7.39 feet along said curve through a central angle of 02°19'40";
2. along a reverse curve concave to the northeast, having a radius of 224.50 feet, northwesterly 117.06 feet along said curve through a central angle of 29°52'30";
3. along a compound curve concave to the east, having a radius of 224.50 feet, northerly 117.02 feet along said curve through a central angle of 29°51'56";
4. along a reverse curve concave to the west, having a radius of 175.50 feet, northerly 6.84 feet along said curve through a central angle of 02°13'58" to the **TRUE POINT OF BEGINNING**.

Containing 5,294 square feet, more or less.

See Exhibit 'B', Plat to accompany description, attached hereto and made a part hereof.

Basis of Bearings for this description is identical to said Grant Deed recorded December 9, 2020 as Document No. 2020-020780, Official Records of Yuba County.

Thursday, June 10, 2021

END OF DESCRIPTION

Dennis L. Barber, PLS. 8067

PREPARED BY WOOD-RODGERS, INC.  
SACRAMENTO, CALIFORNIA

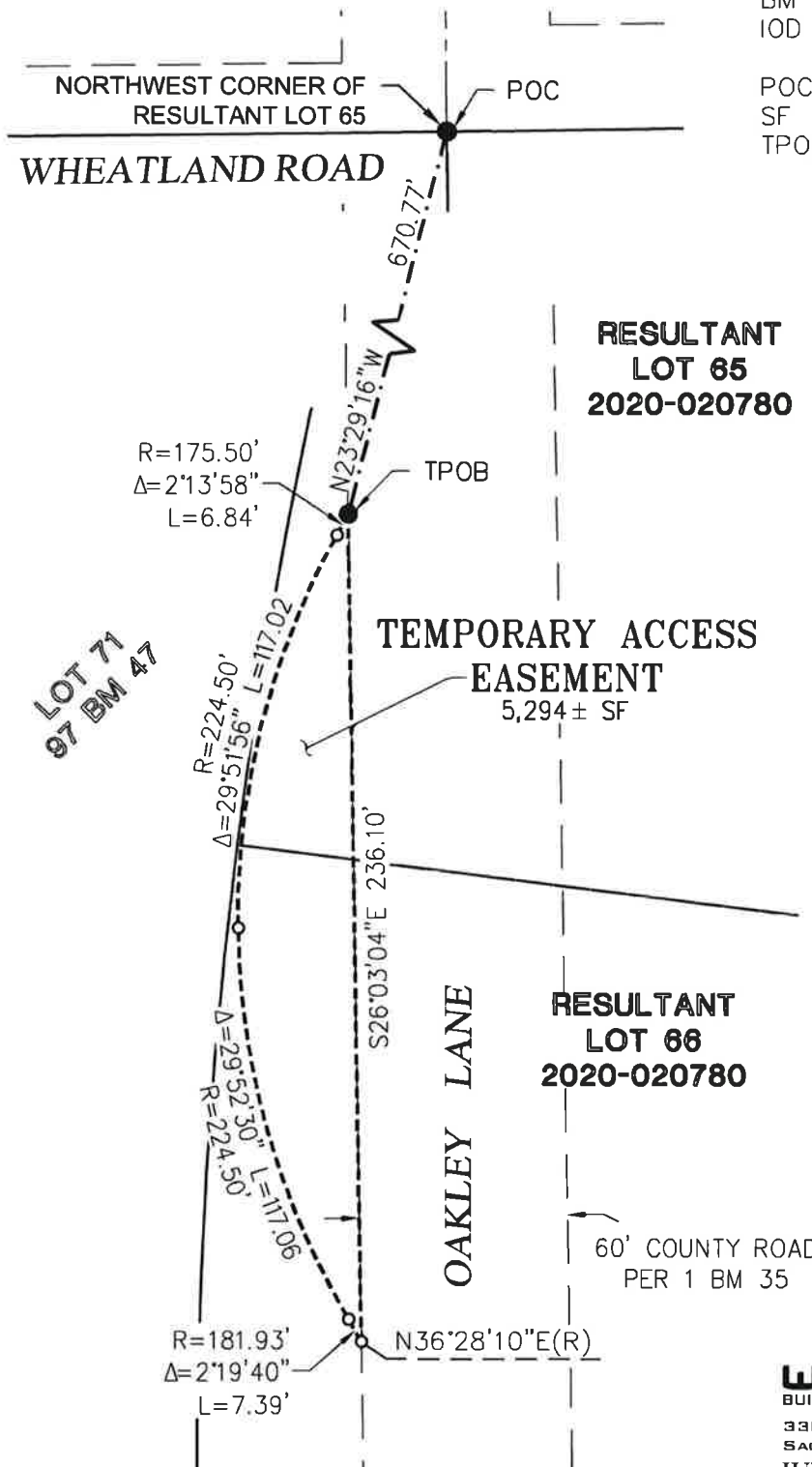
# EXHIBIT 'B'

PLAT TO ACCOMPANY  
DESCRIPTION

## CALITERRA RANCH TEMPORARY ACCESS EASEMENT CITY OF WHEATLAND COUNTY OF YUBA STATE OF CALIFORNIA

### LEGEND:

|      |                                    |
|------|------------------------------------|
| BM   | BOOK OF MAPS                       |
| IOD  | IRREVOCABLE OFFER<br>OF DEDICATION |
| POC  | POINT OF COMMENCEMENT              |
| SF   | SQUARE FEET                        |
| TPOB | TRUE POINT OF BEGINNING            |



SCALE: 1" = 50'



**WOOD RODGERS**

BUILDING RELATIONSHIPS ONE PROJECT AT A TIME

3301 C ST, BLDG. 100-B TEL 916.341.7760

SACRAMENTO, CA 95816 FAX 916.341.7767

JUNE 10, 2021 1074.026 SHEET 1 OF 1

**CERTIFICATE OF ACCEPTANCE**  
**(Government Code 27281)**

This is to certify that the City Council of the City of Wheatland, State of California, on the 13th day of July 2021, by Resolution No. 29-2021, regularly passed and entered in the minutes of said Council, did hereby accept, the interest in real property conveyed by the grant of roadway easement dated \_\_\_\_\_, granted by DALE INVESTMENTS, LLC, a California limited liability company, to the City of Wheatland, a municipal corporation in the County of Yuba, State of California and the grantee consents to recordation thereof by its duly authorized officer.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Jim Goodwin  
Its: City Manager

Reference: Resultant Lot 65 and Resultant Lot 66 as described in that certain Grant Deed recorded December 9, 2020 as Document No. 2020-020780

Project: Caliterra Ranch Subdivision – Oakley Lane



RECORDING REQUESTED BY:

City of Wheatland, CA

WHEN RECORDED MAIL TO:

City of Wheatland

City Clerk

111 C Street

Wheatland, CA 95692

No fee required, Gov't Code § 27383

*This space for recorder's use only*

### GRANT OF UTILITY EASEMENT

FOR VALUABLE CONSIDERATION,

DALE INVESTMENTS, LLC, a California limited liability company

(hereinafter called "GRANTOR") hereby grants to the City of Wheatland, a general law city, (hereinafter called "CITY") a non-exclusive permanent easement in, on, over, under, and across that certain real property in the County of Yuba, State of California, described in Exhibit "A" attached hereto and incorporated herein by reference, and depicted on Exhibit "B", the map attached hereto showing the boundaries of the easement. In the event of any conflict between the description of the easement in Exhibit "A" and its depiction on Exhibit "B", the description in Exhibit "A" controls.

The easement granted herein is for the construction, reconstruction, maintenance, repair, replacement, operation, ingress and egress to any CITY owned or maintained utility of any size including water, sewer and storm drainage pipelines, conduits, and above and below ground appurtenant facilities, including but not limited to metering devices, valves, electrical/electronic equipment including poles, antennae, solar panels and electrical cabinets necessary.

GRANTOR reserves the right to use the easement area provided, that GRANTOR shall not erect or construct any building or other structure in the easement area or excavate and/or place soils over any CITY pipeline or appurtenant facilities in the easement area or drill any holes, or construct any other obstructions in the easement area, or otherwise use the easement area in any way that interferes with CITY's full enjoyment and use thereof. If GRANTOR constructs fences across, or parallel to, but outside the easement area, the GRANTOR shall provide a gate or gates of sufficient width to allow ingress and egress to the easement area by the CITY for personnel, trucks and equipment and a means for CITY to install its own lock on any such gates.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

By: Dale Investments, LLC,  
a California limited liability company

By: \_\_\_\_\_  
Sundeep S. Dale, Member  
Dale Investments, LLC

\_\_\_\_\_  
Date

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 }  
 } ss.  
COUNTY OF \_\_\_\_\_ }

On \_\_\_\_\_, 2021, before me, \_\_\_\_\_,

a Notary Public, personally appeared Sundeep S. Dale, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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

(seal)

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**TEMPORARY UTILITY AND MAINTENANCE EASEMENT**

Being a portion of Lots 59, 60, 61, 62, 64, 67, 69 and 70 as shown on that certain Final Map entitled "Tract No. 2017-0001 Final Map of Caliterra Ranch - Village 1", recorded on May 31, 2018 in Book 97 of Maps, at Page 45, Yuba County Records, and a portion of Resultant Lot 57, Resultant Lot 63 and Resultant Lot 66 as described in that certain Grant Deed entitled "Caliterra Ranch Lot Line Adjustment-LLA2020-0017", recorded on December 9, 2020 as Document No. 2020-020780, Official Records of Yuba County, State of California, being described as follows:

**COMMENCING** at the northeast corner of said Final Map; thence from said **POINT OF COMMENCEMENT** along the easterly line of said Final Map, South 26°10'57" East, a distance of 873.63 feet to the **TRUE POINT OF BEGINNING**; thence from said **TRUE POINT OF BEGINNING**, continuing along said easterly line, South 26°09'08" East, a distance of 42.00 feet; thence leaving said easterly line and into said Lot 60, the following two (2) arcs, courses and distances:

1. South 46°05'35" West, a distance of 186.45 feet;
2. along a tangent curve concave to the northwest, having a radius of 440.00 feet, southwesterly 137.64 feet along said curve through a central angle of 17°55'26";

Thence leaving said Lot 60 and into said Lot 62, South 64°01'00" West, a distance of 1068.65 feet; thence leaving said Lot 62 and into said Lot 61, South 25°59'00" East, a distance of 439.30 feet; thence through said Lot 61 the following six (6) courses and distances:

1. North 64°01'00" East, a distance of 294.56 feet;
2. North 76°55'07" East, a distance of 145.39 feet;
3. North 64°01'00" East, a distance of 85.03 feet;
4. South 25°59'00" East, a distance of 398.21 feet;
5. South 64°01'00" West, a distance of 1457.98 feet;
6. South 85°41'25" West, a distance of 327.20 feet;

Thence leaving said Lot 61 and into said Lot 70, South 55°06'05" West, a distance of 48.85 feet; thence leaving said Lot 70 and into said Lot 69, the following two (2) courses and distances:

1. South 07°55'02" East, a distance of 160.68 feet;
2. South 79°33'52" West, a distance of 50.00 feet;

Thence leaving said Lot 69 and into said Lot 70, North 04°58'07" West, a distance of 193.69 feet; thence leaving said Lot 70 and into said Resultant Lot 66, North 53°26'29" East, a distance of 87.87 feet; thence leaving said Resultant Lot 66 through said Lots 68 and 61 and into said Lot 67, respectively, North 85°41'25" East, a distance of 325.68 feet; thence leaving said Lot 67 and into said Lot 61, North 64°01'00" East, a distance of 869.27 feet; thence leaving said Lot 61, through said Lots 67 and 62 and into said Lot 62, North 25°59'00" West, a distance of 686.52 feet;

thence leaving said Lot 62 and into said Lot 67, South 64°01'00" West, a distance of 56.83 feet;  
thence leaving Lot 67 and into said Lot 64, North 25°59'00" West, a distance of 86.03 feet;  
thence continuing through said Lot 64 the following two courses and distances:

1. North 64°01'00" East, a distance of 58.55 feet;
2. North 25°59'00" West, a distance of 232.94 feet;

Thence leaving said Lot 64 and into said Resultant Lot 63 the following two courses and distances:

1. North 64°01'00" East, a distance of 57.52 feet;
2. South 25°59'00" East, a distance of 146.08 feet;

Thence leaving said Resultant Lot 63, through said Resultant Lot 57 and into said Lot 59, respectively, North 64°01'00" East, a distance of 1068.65 feet; thence continuing through said Lot 59, the following two (2) arcs, courses and distances:

1. along a tangent curve concave to the northwest, having a radius of 400.00 feet, northeasterly 125.13 feet along said curve through a central angle of 17°55'26";
2. North 46°05'35" East, a distance of 199.25 feet to the **TRUE POINT OF BEGINNING**.

Containing 9.502 acres, more or less.

See Exhibit 'B', Plat to accompany description, attached hereto and made a part hereof.

Basis of Bearings for this description is identical to said Subdivision Map entitled "Caliterra Ranch – Village 1", filed in Book 97 of Maps, at Page 45, Official Records of Yuba County.

Tuesday, June 8, 2021

END OF DESCRIPTION

Dennis L. Barber, PLS. 8067

PREPARED BY WOOD-RODGERS, INC.  
SACRAMENTO, CALIFORNIA

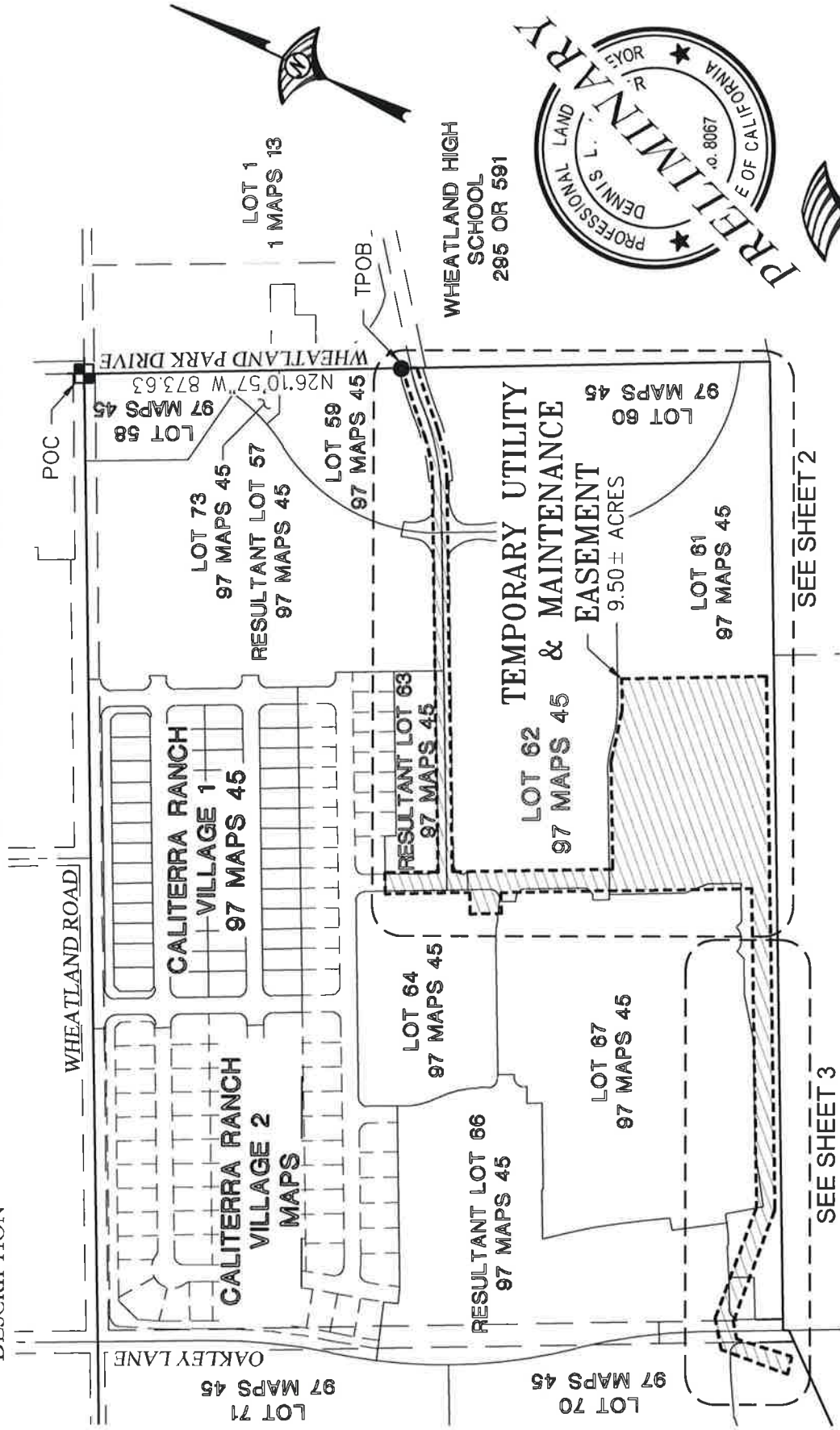
# EXHIBIT 'B-1'

PLAT TO ACCOMPANY  
DESCRIPTION

## CALITERRA RANCH

### TEMPORARY UTILITY & MAINTENANCE EASEMENT

CITY OF WHEATLAND COUNTY OF YUBA STATE OF CALIFORNIA



0 200 400 800

LEGEND:

POC

TPOB

POINT OF COMMENCEMENT

TRUE POINT OF BEGINNING

SCALE: 1" = 400'

**WOOD RODGERS**  
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME

3301 O ST, BLDG. 100-B TEL 916.341.7760  
SACRAMENTO, CA 95816 FAX 916.341.7767

JUNE 10, 2020 1074.026 SHEET 1 OF 3



WHEATLAND HIGH  
SCHOOL  
295 OR 591

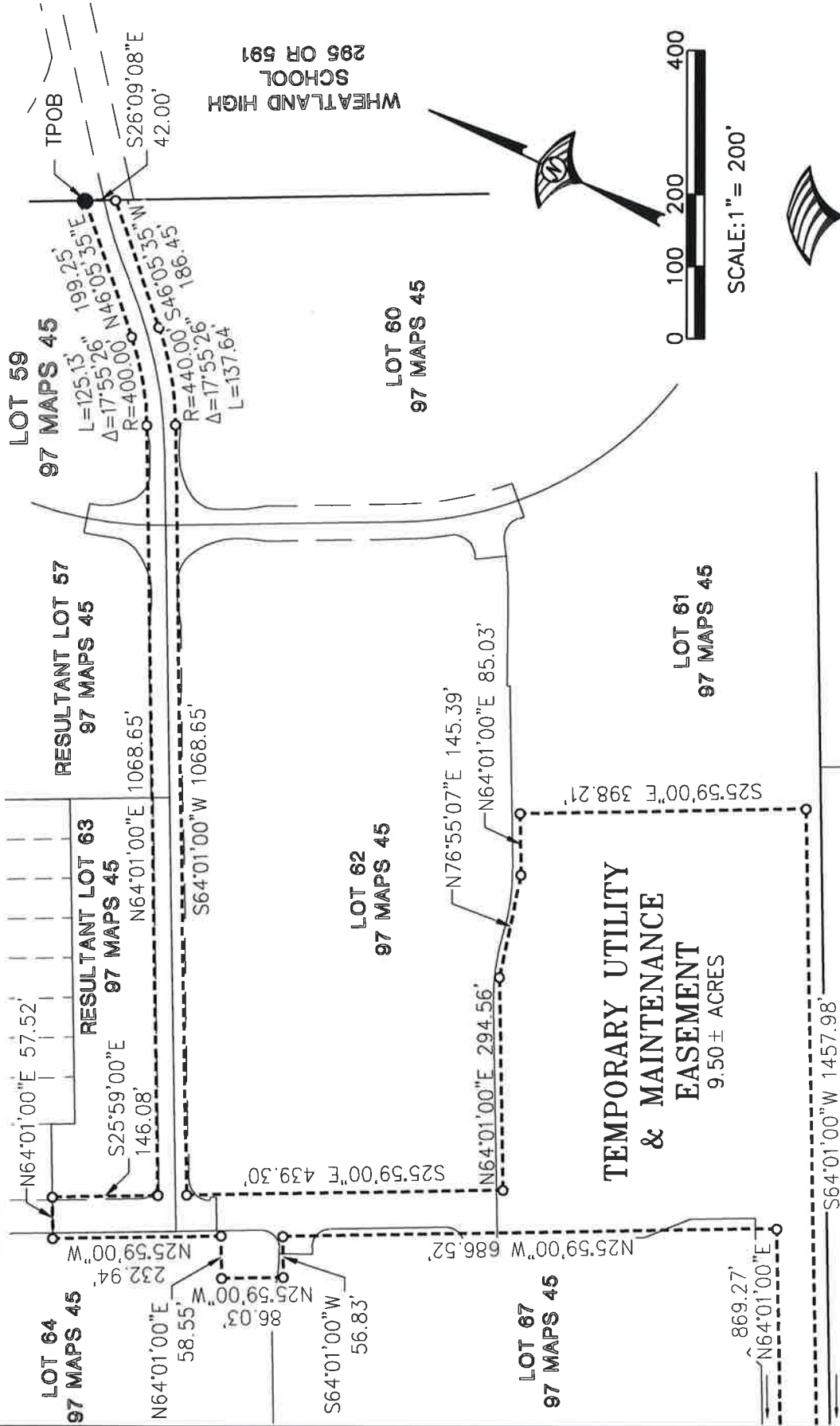
# EXHIBIT 'B-1'

PLAT TO ACCOMPANY  
DESCRIPTION

## CALITERRA RANCH

### TEMPORARY UTILITY & MAINTENANCE EASEMENT

CITY OF WHEATLAND COUNTY OF YUBA STATE OF CALIFORNIA



**WOOD RODGERS**  
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME

3301 O ST, BLOS. 100-B TEL 916.341.7760  
SACRAMENTO, CA 95816 FAX 916.341.7767

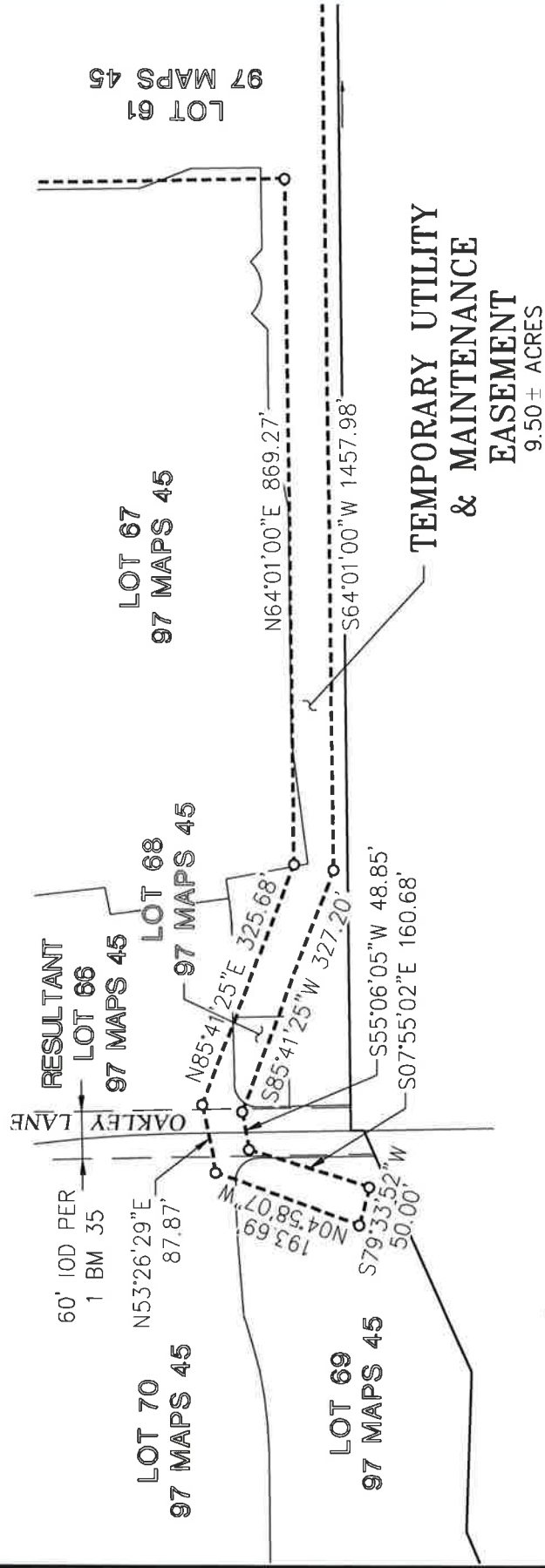
JUNE 10, 2020 1074.026 SHEET 2 OF 3



**EXHIBIT 'B-1'**

PLAT TO ACCOMPANY  
DESCRIPTION

**CALITERRA RANCH**  
**TEMPORARY UTILITY & MAINTENANCE EASEMENT**  
CITY OF WHEATLAND COUNTY OF YUBA STATE OF CALIFORNIA



SCALE: 1" = 200'



**WOOD RODGERS**  
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME  
3301 C ST, BLDG. 100-B TEL 916.341.7760  
SACRAMENTO, CA 95816 FAX 916.341.7767

JUNE 10, 2020 1074.026 SHEET 3 OF 3

**CERTIFICATE OF ACCEPTANCE**  
**(Government Code 27281)**

This is to certify that the City Council of the City of Wheatland, State of California, on the 13th day of July 2021, by Resolution No.29-2021, regularly passed and entered in the minutes of said Council, did hereby accept, the interest in real property conveyed by the grant of easement dated \_\_\_\_\_, granted by DALE INVESTMENTS, LLC, a California limited liability company, to the City of Wheatland, a municipal corporation in the County of Yuba, State of California and the grantee consents to recordation thereof by its duly authorized officer.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Jim Goodwin  
Its: City Manager

Reference: Being a portion of Lots 59, 60, 61, 62, 64, 67, 69 and 70 of "Tract No. 2017-0001 Final Map of Caliterra Ranch - Village 1", recorded on May 31, 2018 in Book 97 of Maps, at Page 45, and a portion of Resultant Lot 57, Resultant Lot 63 and Resultant Lot 66 of Grant Deed entitled "Caliterra Ranch Lot Line Adjustment-LLA2020-0017", recorded on December 9, 2020 as Document No. 2020-020780, 020780

Project: Caliterra Ranch Subdivision – Utilities