

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting on

OCTOBER 6, 2009

RESOLUTION NO. 09-68

**RESOLUTION CALLING FOR THE ESTABLISHMENT OF SCHOOL ROAD
UNDERGROUND UTILITY DISTRICT ON SCHOOL ROAD IN MCKINLEYVILLE FROM
CENTRAL AVENUE TO HIGHWAY 101.**

WHEREAS, funding for undergrounding of utilities is developed through guidelines embodied in the California Public Utilities Commission (CPUC) Rule 20A.

WHEREAS, the County of Humboldt Ordinance No. 652 establishes the procedure for the creation of underground utility districts; and

WHEREAS, the County of Humboldt Utility Undergrounding Committee determined that the proposed School Road Utility Undergrounding District is in the public interest for the following reasons:

1. That such undergrounding will avoid or eliminate an unusually heavy concentration of aerial facilities.
2. That said street, road or rights of way are in an area extensively used by the general public and carry a heavy volume of pedestrian and vehicle traffic.
3. That said street, road or rights of way adjoin an area of unusual scenic interest to the general public.

;and

WHEREAS, by Board Order Dated May 19, 2009 public notifications were mailed and a meeting was convened on June 3, 2009 at Azalea Hall, McKinleyville to notify residents of the utility undergrounding proposal and to determine interest in, or objection to the proposal; and

WHEREAS, all attendees to the public meeting were in favor of the undergrounding proposal and no objections to the proposal have been received; and

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. This Board of Supervisors finds that all of the recitations made hereinabove are true and correct.
2. This Board of Supervisors creates a utility undergrounding district on School Road in McKinleyville more specifically delineated in the legal description and map attached as Exhibit "A"
3. This Board of Supervisors authorizes the Public Works Department to enter into agreements with Pacific Gas & Electric for the design and construction of utility undergrounding improvements along the referenced roadway.


Jimmy Smith, Chair

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting on

OCTOBER 6, 2009

Adopted on motion by Supervisor Duffy, seconded by Supervisor Neely and the following vote:

AYES: Supervisors-- Duffy, Neely, Smith, Clendenen, Lovelace

NOES: Supervisors--

ABSENT: Supervisors--

ABSTAIN: Supervisors--

STATE OF CALIFORNIA)

) ss.

County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Seal of
said Board of Supervisors

KATHY HAYES

Clerk of the Board of Supervisors of
the County of Humboldt, State of
California

By

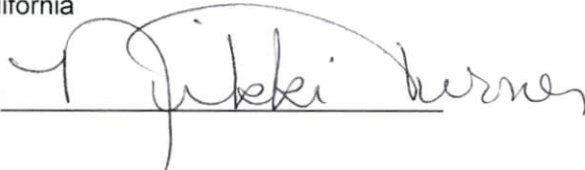
A handwritten signature in cursive script, appearing to read "Kathy Hayes", written over a horizontal line.

EXHIBIT A

All that real property situated in Section 6, Township 6 North, Range 1 East, Humboldt Meridian, County of Humboldt, State of California, described as follows:

BEGINNING at the southwest corner of the lands of Stuart & Banner as described in Humboldt County Recorder's Instrument No. 1989 -12814-2, being more particularly described therein as Parcel 3 as shown on Parcel Map No. 2528 for Jack Belcher in Section 6, Township 6 North, Range 1 East, Humboldt Base and Meridian, filed August 28, 1987, in the Office of the Humboldt County Recorder, in Book 22 of Parcel Maps, Page 119, Humboldt County Records, said point being shown on said Parcel Map as bearing South 00°30'00" East 318.02 feet from the center quarter corner of said Section 6;

THENCE easterly along the south line of said lands, and the south line of the following lands:

The lands of Fletcher as described in Humboldt County Recorder's Instrument No. 1996-7719-4,

The lands of Bailey as described in Volume 864 Page 192, and

The lands of Neher as described in Volume 1499, Page 162,

all Official Records of Humboldt County, 410 feet to Neher's southeast corner;

THENCE northerly along Neher's east line 80 feet to the southwest corner of the lands of Fitting as described in Humboldt County Recorder's Instrument No. 2009-15694-5;

THENCE easterly along the south line of said lands, and the south line of the lands of Godett as described in Humboldt County Recorder's Instrument No. 2004-19488-2, 160 feet to Godett's southeast corner;

THENCE northerly along Godett's east line, 100 feet to the southwest corner of the lands of Chew as described in Humboldt County Recorder's Instrument No. 2006-22156-3;

THENCE easterly along the south line of said lands, 100 feet to the southeast corner thereof, said point being on the west line of Tract No. 456 filed in Book 21 of Maps, Page 108-109, Record of Humboldt County;

THENCE southerly along said line, 50 feet, to the westerly prolongation of the lands of Brown as described in Humboldt County Recorder's Instrument No. 2001-3538-2;

THENCE easterly along said prolongation and along the south line of said lands of Brown, and the south line of the following lands:

The lands of Weiss, as described in Humboldt County Recorder's Instrument No. 2005-7077-3,

The lands of Gardner, as described in Humboldt County Recorder's Instrument No. 2001-6047-2,

The lands of Simas, as described in Humboldt County Recorder's Instrument No. 2003-48178-3,

The lands of Mitchell, as described in Humboldt County Recorder's Instrument No. 2005-12958-2,
The lands of Winkle, as described in Humboldt County Recorder's Instrument No. 2004-31480-2, and
The lands of Berman, as described in Humboldt County Recorder's Instrument No. 2008-29179-1, a distance of 630 feet to Berman's southeast corner, said point being on the west line of the lands of the Mckinleyville Congregation of Jehovah's Witnesses as described in Humboldt County Recorder's Instrument No. 2007-35054-2;

THENCE southerly along said west line, 30 feet to the southwest corner thereof;

THENCE easterly along the south line of said lands and it's easterly prolongation 370 feet to the east line of Betty Court as shown on Book 23 of Maps Pages 10 and 11, Humboldt County Records;

THENCE south along said line 270 feet and southeasterly through two curves 19 feet more or less to the southwest corner of the lands of Schweiger as described in Humboldt County Recorder's Instrument No. 2006-10641-3;

THENCE easterly along Schweiger's south line 175 feet to the southeast corner thereof;

THENCE northerly along Schweiger's east line 135 feet to the southwest corner of the lands of BDC Crestline L.P. as described in Humboldt County Recorder's Instrument No. 2003-44016-4, being more particularly described therein as Parcel 1 of Parcel Map No. 2972, as per map recorded in Book 27 of Parcel Maps, Pages 63 and 64, Humboldt County Records;

THENCE easterly along the south line of said lands to the southeast corner thereof, said point being on the west line of the lands of CHO Mckinleyville L.L.C., Humboldt County as described in Recorder's Instrument No. 2005-8258-2;

THENCE southerly along said west line 110 feet to the southwest corner thereof;

THENCE easterly along the south line of said lands 160 feet to the southeast corner thereof;

THENCE northerly along the east line of said lands and it's northerly prolongation 515 feet to the southeast corner of the lands of P. Wotherspoon, Inc. as described in Tract Six, Parcel One, of Volume 1778, Page 810, Official Records of Humboldt County;

THENCE northerly along the east line of said lands 120 feet to the northeast corner thereof;

THENCE westerly along the north line of said lands 115 feet to the northwest corner thereof, said point being on the east line of the lands of Frazier & Burtchett as described in Humboldt County Recorder's Instrument No. 1990-27945-2;

THENCE northerly along the east line of said lands, 90 feet to the northeast corner thereof;

THENCE westerly along the north line of said lands, and the north line of the following lands:
The lands of Winnacott as described in Humboldt County Recorder's Instrument No. 2000-3940-2,
The lands of Hoffman Enterprises LTD as described in Humboldt County Recorder's Instrument No.2004-41033-2,
The lands of King as described in Humboldt County Recorder's Instrument No. 2003-14612-1,
The lands of Damgaard as described in Humboldt County Recorder's Instrument No. 2006-37345-1,
The lands of Riley as described in Humboldt County Recorder's Instrument No. 2005-8326-3,
The lands of Smith as described in Humboldt County Recorder's Instrument No. 1996-22341-2,
The lands of Morningstar as described in Humboldt County Recorder's Instrument No. 2006-16187-2,
The lands of Morningstar as described in Humboldt County Recorder's Instrument No. 2006-16185-2,
The lands of Gayle as described in Humboldt County Recorder's Instrument No. 1992-30301-1,
The lands of Hardway as described in Humboldt County Recorder's Instrument No. 1992-30208-1, and
The lands of Koskela as described in Volume 1807 Page 713, Official Records of Humboldt County, 1246.31 feet to the northwest corner of said lands;

THENCE southerly along the west line of said lands, 105 feet to the northeast corner of the lands of Johnson as described in Humboldt County Recorder's Instrument No. 1990-11033-1;

THENCE westerly along the north line of said lands 138 feet to the east right-of-way line of Washington Avenue as shown on Book 5 Parcel Maps, Page 30-31, Humboldt County Records;

THENCE along said line and the east right-of-way line shown on Book 17 of Maps, Page 132-133, Book 20 of Parcel Maps, Page 133-134, Book 11 of Parcel Maps, Page 28, Book 23 of Parcel Maps, Page 114, all Humboldt County Records, and along the east line of the lands of Mckinleyville Union School District as described in Volume 656, Page 14, Official Records of Humboldt County, to the northeast corner of said lands;

THENCE westerly along the north line of said lands, 315 feet to northwest corner thereof;

THENCE southerly along the west line of said lands, 235 feet to the northeast corner of the lands of JLF Construction INC. as described in Humboldt County Recorder's Instrument No. 2003-34517-3;

THENCE westerly along the north line of said lands 195 feet to northwest corner thereof;

THENCE southerly along the west line of said lands, 120 feet to the northeast corner of the lands of Santos as described in Humboldt County Recorder's Instrument No. 2005-25963-2;

THENCE westerly along the north line of said lands 280 feet to the northwest corner thereof, said point being on the easterly line of the lands of Santos as described in Humboldt County Recorder's Instrument No. 2003-27325-3;

THENCE northerly along said line 250 feet to the most southerly northeast corner of said lands;

THENCE along the boundary of said lands the following courses:
westerly 320 feet,
northerly 230 feet,
westerly 97 feet,
northerly 190 feet, and
westerly 235 feet to the northwest corner of said lands;

THENCE southerly along Santos's west line 1055 feet to the easterly prolongation of the north line of the lands of the Mckinleyville Baptist Church, as described in Volume 1062, Page 9, Official Records of Humboldt County;

THENCE westerly along said prolongation, and said north line of said lands 269 feet to the northwest corner thereof;

THENCE southerly along the west line of said lands and the west line of the lands of the Mckinleyville Baptist Church as described in Volume 1767, Page 1250, Official Records of Humboldt County, 210 feet to the most westerly southwest corner of said lands;

THENCE South 32° East 150 feet to the northwest corner of the lands of Laam as described in Humboldt County Recorder's Instrument No. 1993-9710-3;

THENCE southerly 10 feet along the west line of said lands and easterly, southeasterly and southerly 70 feet more or less through a curve to the southwest corner thereof, said line being the east line of Harper Avenue as shown on Book 12 of Maps, Page 71, Humboldt County Records;

THENCE easterly along the south line of said lands 120 feet to the west line of the lands of Agliolo as described in Humboldt County Recorder's Instrument No. 2002-43332-2;

THENCE along the boundary of said lands the following courses;
southerly 75 feet,
easterly 30 feet,
southerly 75 feet, and
easterly 175 feet to the southeast corner thereof;

THENCE northerly along the east line of said lands 130 feet to the westerly prolongation of the south line of Burchfield as described in Humboldt County Recorder's Instrument No. 2003-39243-2;

THENCE easterly along said prolongation and said south line, and along the south line of the lands of Hood as described in Humboldt County Recorder's Instrument No. 1991-18173-2, a distance of 220 feet to the southeast corner thereof, said point being on the west line of the lands of Santos as described in Humboldt County Recorder's Instrument No. 2007-6348-5;

THENCE southerly along said line 350 feet to the southwest corner thereof;

THENCE east along the south line of said lands 270 feet to the southeast corner thereof;

THENCE northerly along the east line of said lands 190 feet to the POINT OF BEGINNING.

END OF DESCRIPTION



David J. Ryan, LS 6212. License expires 3/31/2010.
Dated _____

