

1 **RESOLUTION # 05-17**
2 **A RESOLUTION OF THE ALBANY COUNCIL APPROVING**
3 **GRANT OF SEWER EASEMENT AND AGREEMENT BY AND BETWEEN THE**
4 **CITY OF ALBANY AND THE REGENTS OF THE UNIVERSITY OF**
5 **CALIFORNIA**

6
7 **WHEREAS**, with the approval of the City of Albany, the University of
8 California, Berkeley replaced and upgraded an old, existing sanitary sewer line in 1999
9 that serves University Village, and

10 **WHEREAS**, attached hereto and incorporated herein by reference is a Grant of
11 Sewer Easement and Agreement (hereinafter referred to as the “Easement Agreement”)
12 by and between the City of Albany as Grantor and the Regents of the University of
13 California as Grantee, and

14 **WHEREAS**, Easement Agreement formally establishes an easement for an
15 existing sewer owned and operated by the University over a portion the City property
16 known as Ocean View Park; and

17 **WHEREAS**, the City Engineer and the Community Development Director have
18 advised this Council that it is in the best interest of the citizens of the City of Albany, that
19 the attached Easement Agreement be approved.

20
21 **NOW THEREFORE**, the Albany City Council does resolve as follows:

- 22 1. That said Grant of Easement and Agreement is hereby is approved and the
23 Mayor is hereby authorized to execute the same on behalf of the City Council.
- 24 2. That the City Clerk is directed to forward executed duplicate originals of the
25 attached Easement Agreement together with a certified copy of this resolution
26 to the Real Estate Services Manager of the Regents of the University of
27 California, Real Estate Services Group, 1111 Franklin St., 6th Floor, Oakland,
28 CA 94607 for acceptance and approval.

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3. That the City Clerk is further directed to request that a fully executed original of the attached Easement Agreement be returned to the City upon approval by the Regents along with the recording information from the Alameda County Recorder.

Mayor, Robert Good