

CONTRACT ROUTING SHEET

PROCESSING DEPARTMENT:

Department: Transportation
Dept. Contact: Alfred Knotts
Phone: x7921
Department Head
Signature: *T.C. Prudhew* 06-25-08
Tim C. Prudhew (routing only)
Contract Services Officer

CONTRACTOR:

Name: State of California, Dept. of
Parks and Recreation
Address: _____
Phone: _____

EL DORADO COUNTY COUNSEL
JUL 25 PM 4:20
HD

CONTRACTING DEPARTMENT: Transportation

Service Requested: Grant of Easement
Contract Term: _____ Contract/Amendment Amount: \$ _____
Compliance with Human Resources Requirements? Yes: NA No: _____
Compliance verified by: NA

COUNTY COUNSEL: (must approve all contracts and MOUs)

Approved: Disapproved: _____ Date: 7/2/08 By: D Linderson DKL
Approved: _____ Disapproved: _____ Date: _____ By: _____

ASSIGNMENT

DATE 6/26/08
ATTORNEY T. Fish Beck
DEPT./INDEX NO. 306500

* SEE ATTACHED E-MAIL.

7-3-08 -> ATTACH EMAIL TO ALL COPIES OF CRS.

7/14/08 - Obtained Preliminary Title Report (PK)

Please Return Directly to DOT.

Index Code: <u>303000</u>	User Code: <u>95148 I</u>
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RISK MANAGEMENT:

Approved: _____ Disapproved: _____ Date: _____ By: _____
Approved: _____ Disapproved: _____ Date: _____ By: _____

Approval Not Required for Right-Of-Way Documents

OTHER APPROVAL (Specify department(s) participating or directly affected by this contract).

Department(s): _____
Approved: _____ Disapproved: _____ Date: _____ By: _____
Approved: _____ Disapproved: _____ Date: _____ By: _____

RECEIVED
JUL - 2 2008
EL DORADO COUNTY
DEPT. OF PUBLIC WORKS

David A Livingston/PV/EDC
07/02/2008 11:46 AM

To Alfred E Knotts/PV/EDC
cc Tim C Prudhel/PV/EDC@TCP
bcc
Subject AGMT 08-1774 -- Easement for Sawmill 1B

Alfred,

You noted in your cover memo (and in a prior e-mail) that the County has not obtained a preliminary title report concerning the easement we are acquiring from State Parks for the Sawmill Bike Path Project. In that regard, note that the easement agreement specifically states that the easement "is subject to existing contracts, leases, licenses, easements, encumbrances, and claims which may affect said real property...." Thus, to the extent the State has previously granted any easements that conflict with our proposed bike path, that could prove problematic given our obligation to certify to our granting agency that we have the rights necessary to construct and maintain the project as required by the grant agreement. One way of obtaining an assurance that no such conflicting interests exists is via a preliminary title report, which would disclose all other prior encumbrances. (I'm not suggesting that you obtain title insurance, just that you obtain the preliminary title report.) An alternative would be to amend the easement agreement to include a warranty by the State that it has not granted any other easements, licenses, etc. that would conflict with the easement granted to the County. I have approved the easement agreement conditioned on your resolution of this matter via one of the aforementioned avenues (title report or warranty from state).

Please let me know if you have any further questions.

Thanks,
Dave

David A. Livingston
Deputy County Counsel

El Dorado County ♦ 330 Fair Lane ♦ Placerville, California 95667 ♦ 530.621.5770

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