



## Legislation Text

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**File #:** 10-0828, **Version:** 1

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Department of Transportation recommending the Board consider the following:

- 1) Adopt a Resolution establishing a Public Utility Easement on County-owned property at the Georgia Slide Cemetery site in Georgetown; and
- 2) Approve the collection of a one-time charge for processing fees.

### **Resolution 029-2011**

Fiscal Impact/Change to Net County Cost:

There will be a one-time revenue to the County for processing fees, as approved by the Board.

There is no Net County Cost associated with this agenda item.

### Background:

The County of El Dorado acquired the Georgia Slide Cemetery site (APN 061-071-21), consisting of 13.4 acres in Georgetown, from the Bureau of Land Management in 1995. The purpose of acquiring the parcel was to develop additional cemetery plots for use by the County, as the Georgetown Cemetery was running out of space. After the acquisition was completed, a portion of the property was fenced, burial plots were laid out, plots have been sold and internments have been made.

The title (patent) to the County-owned property was subject to an easement for "road purposes" ten feet in width, which served an adjacent parcel (APN 061-550-28), now owned by Patrick Parks. Mr. Parks desires to have a waterline installed from Georgia Slide Road to his property, and requested that the County consider granting him an easement for this underground utility purpose. The Georgetown Divide Public Utility District would be the water purveyor for the utility service.

### Reason for Recommendation:

Based upon a review by Department of Transportation (Department) and County Counsel staff, it was determined that the existing easement for "road purposes" was inadequate for the installation of utilities, and that the appropriate type of easement to create would be a Public Utility Easement (PUE), and that a reasonable charge for processing the request and creating the PUE would be \$1,800, plus any title and escrow fees. Mr. Parks has agreed to pay the processing fees (refer to Attachment #1, letter from Patrick Parks). The PUE being created overlaps a portion of the existing roadway easement and provides additional area adjacent to the existing easement for the installation of any utilities.

Department staff has determined that the request to create a PUE across County-owned property is reasonable, has no negative effect on the future use of the property, and that the costs of creating the PUE will be paid for by the adjoining property owner.

### Action to be taken by the Department following Board Approval:

Department staff will collect a processing fee in the amount of \$1,800, plus any title and escrow fees, from Mr. Patrick Parks.

### Action to be taken following Board Approval:

- 1) Upon confirmation of receipt of the processing fee, the Board Clerk will obtain the Chair's signature on the Resolution and record the Resolution establishing a PUE on County-owned property.
- 2) The Board Clerk will forward a copy of the Resolution to the Department for its files.

Contact:

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Concurrences: County Counsel