



## Agenda Item: 3

**Date:** March 4, 2010

**Subject:** Agreements to Grant Easement and Conveyance of Electrical Distribution Facilities to SMUD for Merrihill Well (#N29)

**Staff Contact:** John E. Valdes, CIP Manager

### **Recommended Board Action:**

Authorize the General Manager to execute agreements to grant a future utility easement and convey the electrical distribution facilities installed on the District's Merrihill well site to the Sacramento Municipal Utility District.

### **Discussion:**

As part of the engine generator compliance project, a new natural gas powered engine generator was installed at the Merrihill Well (#N29) to provide backup power. District staff elected to also replace the existing motor control center (MCC) panel as part of overall electrical improvements at the site. During the project, although there were no electrical loads added to the existing electrical transformer, SMUD notified District staff that this was an electrical "upgrade" which triggered the requirement to meet current SMUD regulations. SMUD's current regulations show that the existing transformer is overloaded and must be replaced with a new larger transformer and this cost must be paid for by the District.

District staff has received two agreements from the Sacramento Municipal Utility District (SMUD) necessary for completion of the project. The agreements are for:

1. Conveyance of the electrical distribution facilities such as conduits, pull boxes, switchgear and transformer pad after the facilities are installed approved and accepted. See Exhibit 1 attached to this report.
2. Granting a future utility easement for the proposed underground electrical distribution facilities such as conduits, pull boxes, switchgear and transformer pad. See Exhibit 2 attached to this report.

The easement agreement is SMUD's assurance that the District will provide an easement for operation and maintenance of the new underground facilities once installed, approved and accepted. The easement will be prepared by SMUD once the location is confirmed and the facilities installed. Staff will review and approve the easement at that time. The width of the

Agreements to Grant Easement and Conveyance of Electrical  
Distribution Facilities to SMUD for Merrihill Well (#N29)

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easement has not been determined but is expected to be about 10 feet. Upon receipt of the easement, a resolution will be prepared and the item will be presented to the Board for granting.

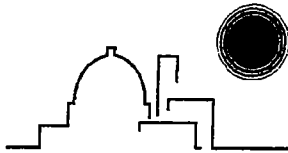
**Fiscal Impact:**

Based on previous experience, the estimated cost to the District for the new electrical facilities, including the new transformer, transformer pad, conduit and pull boxes is \$30,000.

**Strategic Plan Alignment:**

Water Supply – 1.B. Provide for the future needs of the District through prudent planning that will ensure sufficient capacity to serve all customers.

The new transformer and the installation of other electrical distribution facilities will allow the District to complete the electrical improvements at the Merrihill Well and provides a reliable ground water source that benefits the entire area.



**SMUD**

SACRAMENTO MUNICIPAL UTILITY DISTRICT  
The Power To Do More.<sup>SM</sup>

**Exhibit 1**

*P.O. Box 15830, Sacramento, CA 95852-1830; 1-888-742-SMUD (7683)*

January 28, 2010

SACRAMENTO SUBURBAN WATER DISTRICT  
ATTENTION: JOHN VALDES  
3701 MARCONI AVE, SUITE 100  
SACRAMENTO, CA 95821

**Order # 30079120**

**SUBJECT: CONVEYANCE OF ELECTRIC DISTRIBUTION FACILITIES**

In response to your request for service at **5930 ELLERSLEE DR.**, the Sacramento Municipal Utility District (SMUD) proposes to install electrical facilities (cable, transformers, switchgear) within or upon certain underground electric distribution facilities (conduits, boxes, pads) to be installed by the property owner as shown on the attached drawing.

SMUD required facilities are to be installed in accordance with its rules and regulations. Conveyance of the owner provided electric distribution facilities will be made to SMUD upon inspection approval.

Standard District Procedure is to obtain this conveyance after SMUD inspectors have approved the owner's installation of the facilities which can sometimes result in delays in providing service. In order to avoid delays SMUD will accept conveyance of these facilities prior to the owner's installation and SMUD inspection approval, provided the legal property owner(s) agree:

- A. To install SMUD required electric distribution facilities, with above ground appurtenances as described below and in the attached drawing. Such installation will be in accordance with SMUD Rules, Regulations, and Electric Service Requirements.
- B. To grant title to the installed facilities to SMUD.
- C. To insure integrity and accuracy of facilities (conduits, boxes, pads, etc.) for one year upon system being completed and energized.

Those electric distribution facilities conveyed to SMUD consist of:\*

<u>    N/A    </u>	Ft. - 2" Conduit
<u>    N/A    </u>	Ft. - 3" Conduit
<u>    30    </u>	Ft. - 4" Conduit
<u>    N/A    </u>	Ft. - 5" Conduit
<u>    N/A    </u>	Ft. - 6" Conduit
<u>    1    </u>	Each Transformer Pad(s)
<u>    N/A    </u>	Each Primary Pull Box(es)
<u>    N/A    </u>	Each Secondary J – Box(es)
<u>    N/A    </u>	Each Service Box(es)
<u>    N/A    </u>	Each Switchgear Pad(s)

\*Conduit footages are approximate.

Conveyance Of Electric Distribution Facilities - Page 2

Please indicate your acceptance by signing in the space provided and returning this letter to SMUD Distribution Services, 1708 - 59th Street, MS - E108, Sacramento, CA 95819-4628.

I, \_\_\_\_\_, owner and grantor agree to the terms and conditions stated above and hereby grant, bargain, and convey to SACRAMENTO MUNICIPAL UTILITY DISTRICT, a municipal utility district, Grantee, its successors and assigns, free and clear of all liens and encumbrances, those certain underground electric distribution facilities, with any above ground appurtenances described above and in the attached drawing, now installed or to be installed on or adjacent to grantor's premises in the County of Sacramento, State of California.

\_\_\_\_\_  
Owner Name Signature

\_\_\_\_\_  
Owner Name Print

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone:

Date: \_\_\_\_\_

Designer Name: THANH DANG

Order Number: 30079120



No fee for recordation  
Govt. Code Section 6103

**Exhibit 2**

**RECORD AT REQUEST OF AND RETURN TO:**  
Sacramento Municipal Utility District  
Attention: Real Estate Services, MS B304  
P.O. Box 15830  
Sacramento, CA 95852-1830

NO COUNTY TRANSFER TAX DUE  
PER R & T CODE 11922

SMUD BY: \_\_\_\_\_

APN: \_\_\_\_\_

SMUD FILE: 30079120

**AGREEMENT TO GRANT EASEMENT**

The undersigned property owner(s) has/have requested electric service at **5930 ELLERSLEE DR.**. The Sacramento Municipal Utility District (District) proposes installation of the electrical system shown on drawings titled **Order # 30079120** on file in the District's offices. These facilities are to be installed in accordance with District's rules and regulations which require said owner(s) to, a) install certain portions of these facilities and deed them to the District and, b) grant a easement to the District to operate and maintain its facilities.

Standard District procedure requires that the right of way be granted prior to the installation and energization of its facilities. However, since this procedure may result in delays for this project, the District and the undersigned owner(s) hereby agree as follows:

The undersigned owner(s) of the herein referenced real property shall:

1. Install and deed the required facilities to the District.
2. Fully execute the District's standard form Grant of Easement upon presentation or, if the property is sold prior to the granting of the required easement, obtain required signatures from the new owners for the District.

District, upon receipt of this letter, fully signed and notarized, together with a copy of the current Grant Deed for the property, shall:

1. Proceed with the finalization of the electric service plans for this development provided all other applicable rule and regulation requirements have been met.
2. Install and energize its facilities prior to the acquisition of required easement.
3. At its sole option, record this Agreement in the Recorder's Office of the County in which the herein referenced property is situated.

SACRAMENTO MUNICIPAL UTILITY DISTRICT,  
a municipal utility district

Acknowledged and Accepted: OWNER

By: \_\_\_\_\_

By (Print): \_\_\_\_\_

Title \_\_\_\_\_

By (Signature): \_\_\_\_\_

Date \_\_\_\_\_

Date: \_\_\_\_\_

Telephone: \_\_\_\_\_

