

# ATTACHMENT B

## **GRANT OF EASEMENT FOR STORM DRAIN RETENTION BASIN PURPOSES**

**23500 Cristo Rey Drive, Cupertino, CA 95014**

The Roman Catholic Bishop of San Jose, a California corporation sole, hereinafter called GRANTOR, hereby grants to the CITY OF CUPERTINO, a California municipal corporation, hereinafter called GRANTEE, the right to excavate for, install, replace, maintain, and use for storm drain purposes as GRANTEE shall from time to time elect within the real property described in Exhibit A and shown in Exhibit B, which is situated in the City of Cupertino, County of Santa Clara, State of California.

GRANTOR hereby further grants to GRANTEE the right and privilege to enter upon his lands contiguous to and along the line of the said hereinabove described real property for the purpose of locating, constructing, repairing, maintaining, or replacing any public storm pipe or appurtenances thereto, and for the purpose of doing any necessary or lawful act in connection with the construction or maintenance of said storm drain; there is also granted the right of the use of sufficient land contiguous to said real property on either or both sides thereof for the purpose of excavation of and deposit of earth and necessary construction material during the time of constructing said storm drain and public storm pipe, and any repair thereof.

The foregoing is subject to the following express conditions:

1. The GRANTOR shall retain the obligation to keep the area within the easement free and clear of buildings, debris, silt and non approved vegetation or structures. The GRANTOR shall annually maintain and clear the basin area in order to insure the proper functioning of the basin.
2. The GRANTOR shall be responsible for relocating any facilities other than those specifically related to the retention basin and public stormwater conveyance at the sole discretion of the GRANTEE.

3. The GRANTOR also shall have signs posted at all times in the easement area to warn of a potential flood hazard.

The Grantee agrees to restore the ground surface and any improvements thereon to its original grade or condition, unless approved otherwise by the GRANTOR, insofar as it is practicable and reasonable to do so.

IN WITNESS WHEREOF, executed this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

The Roman Catholic Bishop of San Jose, a  
California corporation sole:

\_\_\_\_\_  
Rev. Msgr. Francis V. Cilia  
Attorney in Fact

City of Cupertino:

\_\_\_\_\_  
Timm Borden, PE  
Director of Public Works

*(Notary acknowledgment to be attached)*



September 25, 2018  
BKF Job No.: 20165092-10

**EXHIBIT "A"**  
**EASEMENT DESCRIPTION FOR:**  
**STORM DRAIN RETENTION BASIN EASEMENT**

All that certain real property in the City of Cupertino, County of Santa Clara, State of California, and described as follows:

**BEING** a portion of Parcel One as said parcel is described in the Memorandum of Lease by and between The Roman Catholic Bishop of San Jose and Rancho San Antonio Retirement Housing Corporation, recorded March 6, 2006, as Document Number 18832013, Santa Clara County Official Records, said portion being more particularly described as follows:

**BEGINNING** at the northwesterly terminus of that certain course described in said Memorandum of Lease (18832013) as "North 61°04'48" West 100.85 feet" on the northeasterly line thereof; **THENCE** along said northeasterly line South 61°04'48" East 50.00 feet; **THENCE** leaving said northeasterly line South 02°42'58" East 48.05 feet; **THENCE** North 89°50'49" West 11.03 feet; **THENCE** South 52°00'00" West 21.21 feet; **THENCE** South 13°00'22" West 112.59 feet; **THENCE** North 83°58'35" West 33.98 feet; **THENCE** South 73°08'36" West 21.77 feet; **THENCE** North 51°58'17" West 62.18 feet; **THENCE** North 38°01'43" East 7.79 feet; **THENCE** North 22°07'55" West 32.23 feet; **THENCE** North 14°39'06" East 81.19 feet; **THENCE** North 00°24'58" East 77.49 feet; **THENCE** South 73°17'23" East 92.61 feet to the aforementioned northeasterly line of said Memorandum of Lease (18832013); **THENCE** along the last said line South 53°33'56" East 10.18 feet to the **POINT OF BEGINNING**.

Containing an area of 25,282 square feet.

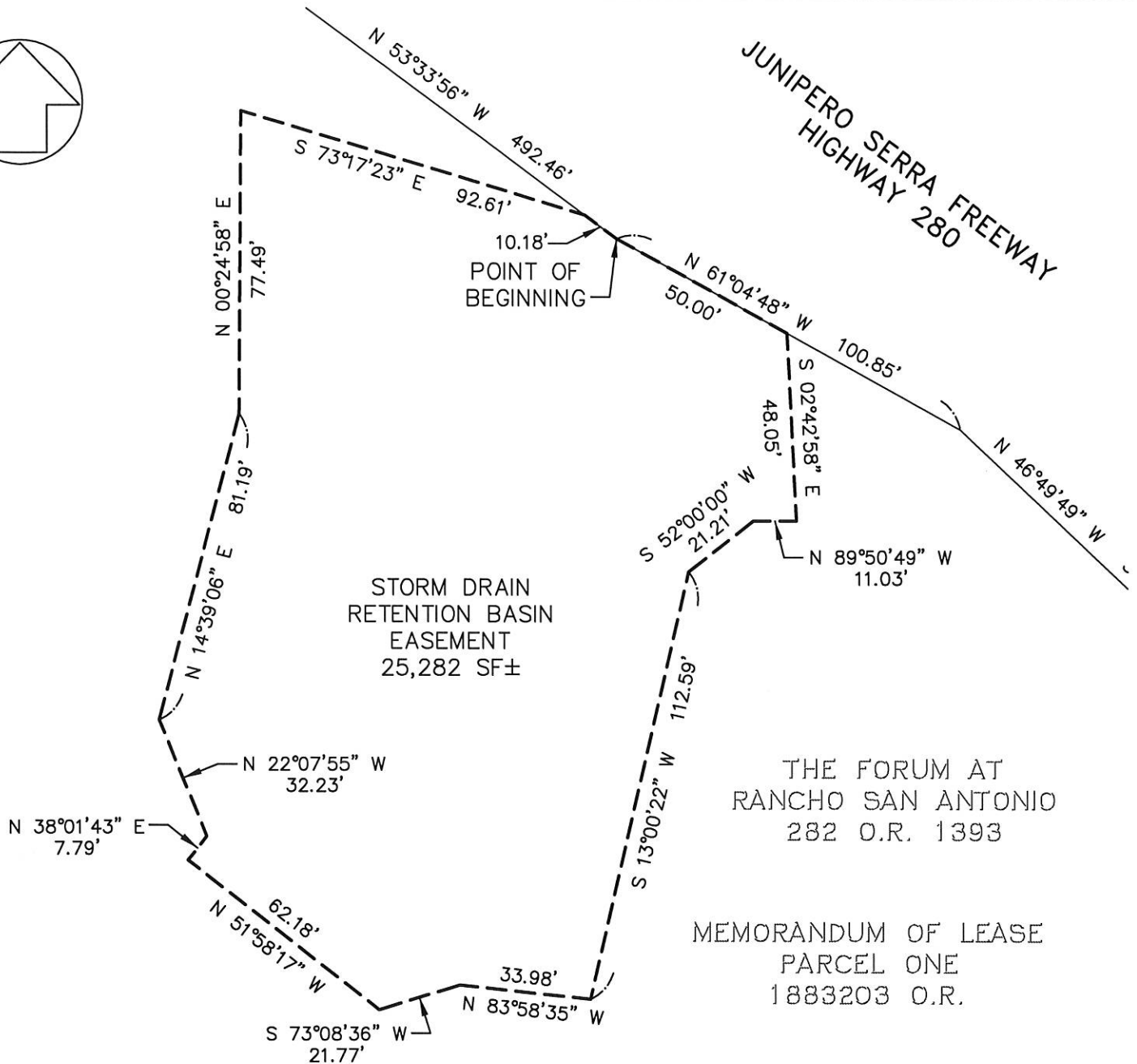
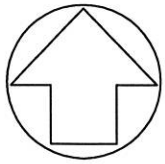
A plat showing the above described easement is attached hereto and made a part hereof as Exhibit "B".

This description was prepared from record information for BKF Engineers.

By:   
Barry T. Williams, P.L.S No. 6711

Dated: 9-25-18





GRAPHIC SCALE

**LEGEND:**

O.R. OFFICIAL RECORDS  
SF SQUARE FEET

CITY OF CUPERTINO  
SANTA CLARA COUNTY

**EXHIBIT "B"**

1646 NORTH CALIFORNIA BLVD.  
SUITE 400  
WALNUT CREEK, CA 94596  
925-940-2200  
925-940-2299 (FAX)

Subject PLAT TO ACCOMPANY  
EASEMENT DESCRIPTION  
Job No. 20165092-10  
By MLH Date 09/25/18 Chkd. BTW  
SHEET 1 OF 1