

ORDINANCE NO. 15 - 011

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE
ACCEPTING A GRANT OF EASEMENT FOR THE SANITARY SEWER LINE AT 1119
PIEDMONT AVENUE**

WHEREAS, the City has long had a portion of its sanitary sewer line running under the property located at 1119 Piedmont Avenue (Property);

WHEREAS, during the recent sale of the home on the Property it was discovered no formal easement exists for the sewer line;

WHEREAS, the new owners of the Property have agreed to formally grant the City an easement on the Property for the City's sanitary sewer line;

WHEREAS, Article 15(g) of the Pacific Grove City Charter requires action by the City Council for the acquisition of any interest in real property be done by ordinance; and

WHEREAS, this Ordinance does not constitute a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated as though fully set forth herein.

SECTION 2. The City of Pacific Grove hereby accepts the Grant of Easement from the owners of the Property, Jeffrey M. Condit and Abigail J. Kehr.

SECTION 3. The City Council declares that, should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

SECTION 4. This ordinance shall be effective thirty (30) days from and after the date of its passage.

SECTION 5. A summary of this ordinance shall be published at least once 5 days before adoption and at least once before the expiration of 15 days after its passage in a newspaper of general circulation.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE THIS 6th day of May, 2015, by the following vote:

AYES: Mayor Kampe, Councilmembers Fischer, Huitt, Lucius, Miller, Peake

NOES: None

ABSENT: Councilmember Cuneo

APPROVED:

BILL KAMPE, Mayor

ATTEST:

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney