



Midpeninsula Regional
Open Space District

ACCEPTANCE OF LOW VALUE INTEREST IN REAL PROPERTY

Property Name: Amendment to AT&T Utility Easement

Property Location & APN: Located immediately south of the intersection of Water Wheel Trail and Monte Bello Road within unincorporated Santa Clara County (APN 351-39-005).

Preserve: Monte Bello Open Space Preserve

Date: March 9, 2017

REAL PROPERTY MANAGER'S RECOMMENDATIONS

1. Determine that the recommended actions were approved and covered within the Initial Study and Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program in Accordance with the California Environmental Quality Act (CEQA), which was approved by the Board of Directors on December 10, 2014.
2. Approve an amendment to the 1929 Pacific Telephone and Telegraph Company (AT&T) overhead telephone line easement in order to allow the undergrounding of existing phone lines under the General Manager's authority.

SUMMARY

Midpeninsula Regional Open Space District (District) has an opportunity to have Ridge Vineyards, Inc. underground existing overhead AT&T telephone lines near Water Wheel Trail and relocated them to a superior location adjacent to Monte Bello Road. The following report presents a description of the easement, the environmental review, terms and conditions, and financial considerations.

DISCUSSION

In 1974, the District purchased the Black Mountain Ranch Property and a portion of this property was burdened with a 1929 easement to AT&T for overhead telephone lines. The existing lines cross over a portion of Water Wheel Trail and serve the Ridge Vineyards, Inc. facility.

On December 10, 2014 the Board approved an exchange agreement with Ridge Vineyards, Inc. (Ridge). As part of their improvement plan, Ridge would like to relocate and underground the existing overhead AT&T lines on the District property, which includes Water Wheel Creek Trail and permit parking lot, and the adjacent Ridge property, which the District transferred to Ridge

subject to an Agricultural Easement held by the District. The exchange agreement and associated license agreement between the District and Ridge permits the installation of underground utilities on District Property adjacent to Monte Bello Road. The relocation and undergrounding of the overhead AT&T lines would be within this area and it would improve the view shed from Water Wheel Trail.

It is recommended that this easement amendment be accepted by the District General Manager in accordance with the District's Rules of Procedure, Section 2.60 (2) as amended on October 8, 2003 (see Report R-03-103).

Easement Amendment

The proposed amendment to the 1929 AT&T Easement would adjust the location of the easement to a disc line area adjacent to Monte Bello Road and it would permit underground communication facilities.

USE AND MANAGEMENT

Preliminary Use and Management Plan (Next Steps)

The Preliminary Use and Management Plan will remain unchanged for the underlying property.

CEQA COMPLIANCE

Project Description

The project consists of the undergrounding of existing overhead phone lines.

CEQA Determination

On December 10, 2014 the Board of Directors approved and adopted the re-circulated initial study and mitigated negative declaration and mitigation monitoring and reporting program for the Ridge Vineyards property exchange in accordance with the California Environmental Quality Act (CEQA). The installation of utilities with a strip of District land adjacent to Monte Bello Road was anticipated and covered within the initial study and mitigated negative declaration.

TERMS & CONDITIONS

Ridge Vineyards Inc. will pay for all costs associated with the proposed undergrounding of the overhead AT&T lines.

BUDGET CONSIDERATIONS

The District is not responsible for any costs associated with the proposed easement amendment.

PUBLIC NOTICE

Since no action is being taken by the District Board, this action is not subject to the Brown Act.

NEXT STEPS

Upon approval of the easement amendment Ridge Vineyards, Inc. will proceed with planning and implementing the undergrounding project.

Attachments:

Map

Prepared by:

Allen Ishibashi, Sr. Real Property Agent

Contact person:

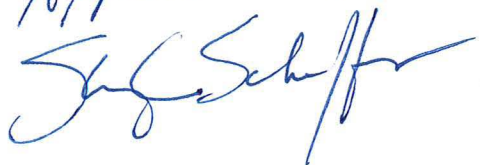
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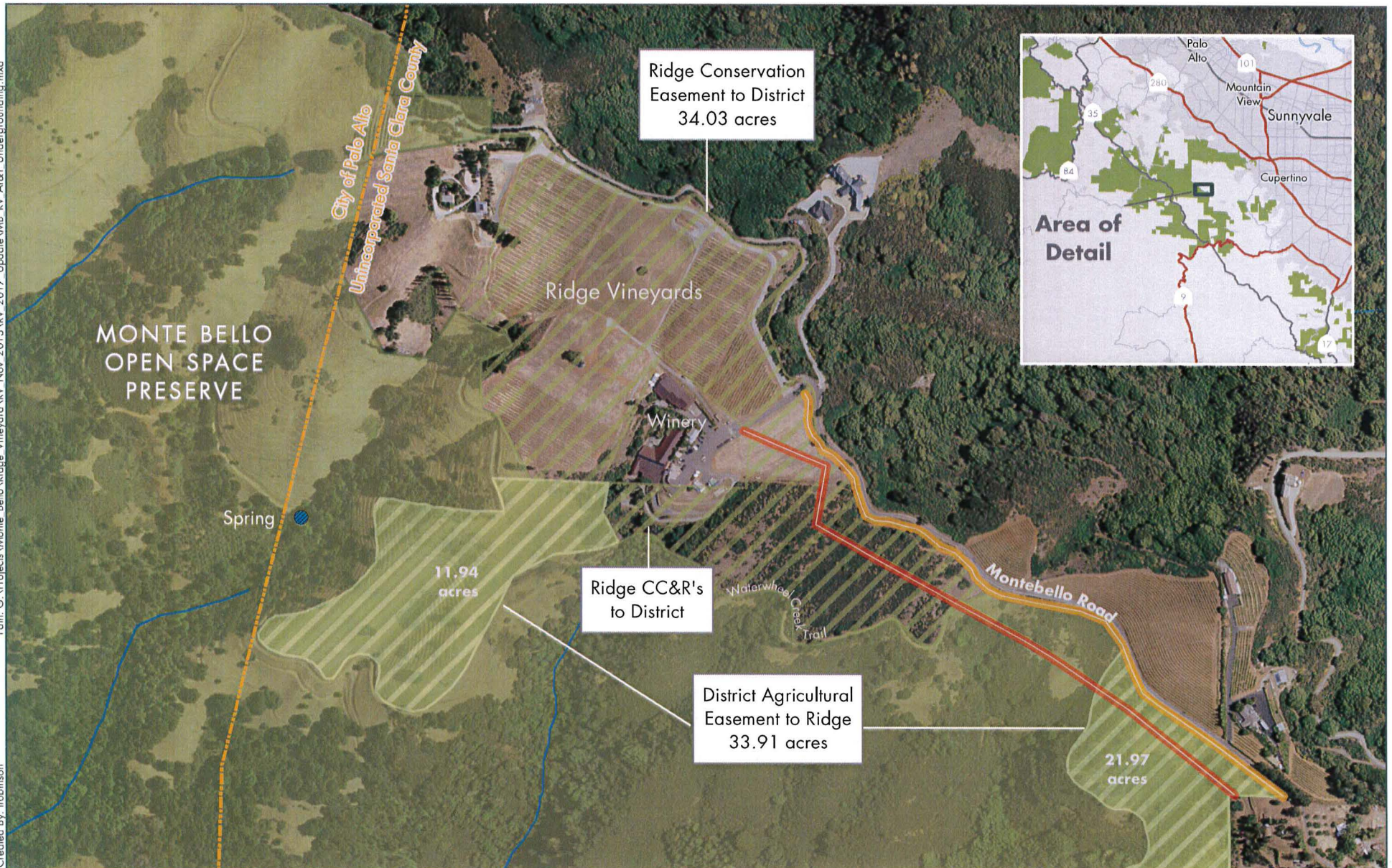
Real Property Manager's Recommendations Accepted by:


Stephen E. Abbors, General Manager

3.14.17
Date

cc: Board of Directors

Approved As to Form
 3/10/17



AT&T Under-grounding

- | | |
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|  MROSD Preserves |  Open Space District Agricultural Easement to Ridge Vineyards |
|  Private Land |  Existing Overhead Lines |
|  Ridge Vineyards Conservation Easement to Open Space District |  Proposed Underground Lines |

Midpeninsula Regional
Open Space District
(MROSD)
February 2017

