

RESOLUTION NO. 22-1045

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
JOSHUA BASIN WATER DISTRICT DELEGATING
AUTHORITY TO THE GENERAL MANAGER TO
PERFORM ACTIONS NECESSARY TO FINALIZE THE
ACQUISITION OF CERTAIN REAL PROPERTY
INTERESTS AND EXECUTE CERTIFICATES OF
ACCEPTANCE**

WHEREAS, from time-to-time, the Joshua Basin Water District (“District”) acquires, or needs to acquire, either (1) easements or rights-of-way necessary to operate either its water and/or sewer systems; or (2) fee interests in real property pursuant to the terms and conditions of agreements (“Purchase Agreements”) separately approved by the District Board of Directors (“Board”);

WHEREAS, California law requires public agencies to execute a certificate of acceptance, which must be recorded along with any deeds granting property interests to the agency; and

WHEREAS, to facilitate the final acquisition of the property interests pursuant to such approved Purchase Agreements, or to otherwise complete the transfer of property interests as contemplated therein, the Board has determined that it is appropriate to delegate authority to the General Manager to perform actions necessary or desirable in connection therewith.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE JOSHUA BASIN WATER DISTRICT HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

Section 1. The above recitals are true and correct and are incorporated herein as findings of the Board by this reference.

Section 2. The Board hereby authorizes the General Manager or their designee to:

(a) accept, on behalf of the District and the Board, the interests in the property to be acquired pursuant to a Purchase Agreement, or any portion thereof, to be conveyed to the District;

(b) accept on behalf of the District and the Board those easement interests reasonably necessary for the operation of the District’s water and sewer systems;

(c) consent to the recording of one or more deeds and other instruments providing for conveyance to the District of the property interests referred to herein;

(d) take any and all such actions, and execute any and all other documents, as necessary or convenient for purposes of completing the acquisition of the property interests by the District as contemplated herein; and

(e) if applicable, cause to be disbursed all funds necessary, up to the amount separately approved by the Board, to complete the acquisition by the District of the property interests contemplated herein.


Section 3. The acceptance and consent given pursuant to Section 2(a) and (b) may be evidenced by the execution of a "Certificate of Acceptance" by the General Manager, or their designee, either attached to or set forth on the face of the deed or other instrument conveying any portion of the contemplated property interest, in substantially the following form:

CERTIFICATE OF ACCEPTANCE: This is to certify that the interests in real property conveyed by this deed or grant, dated _____, from _____ to the Joshua Basin Water District, a governmental agency, is hereby accepted by the undersigned officer or agent on behalf of the Board of Directors of the Joshua Basin Water District, pursuant to authority conferred by Resolution No. _____ adopted by said Board on _____, 20____, and the grantee consents to recording hereof by the undersigned, duly authorized officer.

Section 4. This resolution shall take effect upon approval of the same by the Board of Directors.

PASSED AND ADOPTED this 17th day of August, 2022, pursuant to the following votes:

AYES: Delph, Doolittle, Floen & Jarlsberg
NOES: _____
ABSENT: _____
ABSTAIN: _____

By: 
Thomas Floen, President, Board of Directors

Respectfully submitted,



Sarah Johnson, General Manager & Board Secretary