

**RECORDING REQUESTED BY AND WHEN
RECORDED RETURN TO:**

Avila Beach Community Services District
P.O. Box 309
Avila Beach, CA 93424
Attn: General Manager

APN #: 076-202-001

**AVILA BEACH COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2006-6**

**A RESOLUTION OF THE AVILA BEACH COMMUNITY SERVICES DISTRICT
(1) APPROVING A REALIGNMENT AND GRANT OF SEWER EASEMENT
AND AGREEMENT AFFECTING REAL PROPERTY AND (2) ACCEPTING
GRANT OF EASEMENT FROM AVILA COVE CONDOMINIUMS OWNERS'
ASSOCIATION, A NON PROFIT MUTUAL BENEFIT CORPORATION**

WHEREAS, the Avila Beach Community Services District ("District") is reconstructing, replacing and realigning a portion (approximately 800 feet) of its existing underground deteriorating steel sewer line, a portion of which is constructed within private property easements/right-of-ways (herein the "Project"); and

WHEREAS, the Project requires realignment of various easements/right-of-ways; and

WHEREAS, the various property owners, including Avila Cove Condominiums Owners' Association ("Property Owners") desire to cooperate in implementing the Project by entering into certain agreements to allow for the reconstruction and realignment of the existing steel sewer line.

NOW, THEREFORE, be it resolved, determined and ordered by the Avila Beach Community Services District Board of Directors as follows:

1. The agreement titled Realignment and Grant of Sewer Easement and Agreement Affecting Real Property between the District and Avila Cove Condominiums Owners' Association, (herein the "Agreement") is hereby approved.
2. The Grant of Easement referenced in the Agreement is hereby accepted by the District.
3. The President of the Board of Directors is authorized to sign the Agreement on behalf of the District.
4. The above Recitals are true and correct and incorporated herein by this reference.

5. The Board of Directors of the Avila Beach Community Services District does hereby authorize the General Manager to cause a certified copy of this Resolution to be recorded in the office of the County Clerk/Record of the County of San Luis Obispo, State of California.

Upon motion of Director Guernsey, seconded by Director Bernardo, and on the following roll call vote, to wit:

AYES: Guernsey, Bernardo, Helenius

NOES: None

ABSENT: None

ABSTAINING: Brown, Kelley

the foregoing Resolution is hereby adopted this 23rd day of February, 2006.


CHRISTOPHER HELENIOUS, PRESIDENT

ATTEST:


JOHN WALLACE,
Secretary to the Board