

EXETER CITY COUNCIL ACTION MINUTES

November 10, 2020

A closed session of the City Council, City of Exeter was held on Tuesday, November 10, 2020, at 6:30 p.m., in the Exeter City Council Chambers, 137 North F Street.

COUNCIL PRESENT: Mary Waterman-Philpot, Barbara Sally, Frankie Alves, Dave Hails

COUNCIL ABSENT: None

STAFF PRESENT: Adam Ennis, Julia Lew, John Hall, Daymon Qualls, Shonna Oneal

A. CALL TO ORDER CLOSED SESSION

Mayor Waterman-Philpot called the closed session to order at 6:30 p.m.

B. PUBLIC COMMENTS REGARDING CLOSED SESSION MATTERS

Mayor Waterman-Philpot requested those who wish to speak on matters listed on the Closed Session Agenda to do so at this time.

There were no public comments presented.

C. ADJOURN TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION(S):

Mayor Waterman-Philpot adjourned to closed session at 6:30 p.m.

1. 54957.6 Conference with Labor Negotiators
Agency Negotiator: Adam Ennis
Employee Groups: All represented and unrepresented employees

A regular session of the City Council, City of Exeter was held on Tuesday, November 10, 2020, at 7:00 p.m., in the Exeter City Council Chambers, 137 North F Street.

COUNCIL PRESENT: Mary Waterman-Philpot, Barbara Sally, Frankie Alves, Dave Hails,

COUNCIL ABSENT: None

STAFF PRESENT: Adam Ennis, Julia Lew, John Hall, Daymon Qualls, Chris Tavarez, Shonna Oneal, Lisa Wallis-Dutra

D. CALL TO ORDER REGULAR SESSION AND REPORT ON CLOSED SESSION ITEMS (if any)

Mayor Waterman-Philpot called the regular session to order at 7:00 p.m. City Attorney Julia Lew advised there were no reportable items.

E. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance was given by Mayor Pro Tem Sally and an invocation was given by Pastor Allen Whittenburg.

F. SPECIAL PRESENTATIONS (if any):

- a. **Mid Valley Disposal - Annual Presentation and Community Recycling Update** – Sol Flores with Mid-Valley Disposal provided a PowerPoint Presentation highlighting the community recycling update.

G. PUBLIC COMMENTS:

Mayor Waterman-Philpot requested those who wish to speak on matters that are not on the agenda that are within the jurisdiction of the Exeter Council, or to address or request a matter be pulled from the consent calendar to do so at this time. She also stated comments related to Individual Business or Public Hearing items that are listed on the agenda will be heard at the time that matter is addressed on the agenda.

No public comments were presented.

H. CONSENT CALENDAR:

It was moved by Mayor Pro Tem Sally, seconded by Council Member Hails and unanimously carried that the items on the Consent Calendar be approved as presented.

1. **Approve regular and special minutes of October 13, 2020 and November 2, 2020**
2. **Payment of the Bills**
3. **Payroll: October 2, 2020, October 16, 2020 and October 30, 2020**
4. **Treasurer's Report – August**
5. **Adopt Resolution 2020-43 Amending the Position Allocation, Adding the Classification of Records Clerk/Office Assistant and setting the rate of pay at \$2,996 to \$3,642 per month.**

I. INDIVIDUAL BUSINESS ITEMS

1. **Public Hearing to receive and consider comments regarding the City's annual public accounting for development impact fees for Fiscal Year 2019-2020 pursuant to State Law, under Government Code Section 66006.** Finance Director Chris Tavarez provided a report for Council's review and consideration. Mayor Waterman-Philpot opened the public hearing at 7:29 p.m., receiving no public comment, closed the public hearing at 7:29 p.m. Following discussion, it was moved by Council Member Hails, seconded by Council Member Alves and unanimously carried to receive and accept the City's annual public accounting for development impact fees for Fiscal Year 2019-2020 pursuant to State Law, under government Code Section 66006.
2. **Public Hearing to consider establishing a Downtown Zone Parking-In-Lieu Fee and adopt Resolution 2020-44 amending the City of Exeter Impact Fee Schedule to include this fee consistent with California Government Code Section 66000 through 66009.** City Administrator Adam Ennis provided a report for Council's review and consideration. Mayor Waterman-Philpot opened the public hearing at 7:39 p.m., receiving no public comment, closed the public hearing at 7:39 p.m. Following discussion, it was moved by Council Member Alves, seconded by Mayor Pro Tem Sally and unanimously carried to adopt Resolution 2020-44 as presented.

J. CITY COUNCIL ITEMS OF INTEREST

Mayor Pro Tem Sally reported on attending the Exeter Chamber of Commerce meeting. Council Member Alves reported that TCAG and Council of Cities meetings were cancelled this month. Council Member Hails reported on placing flags out with the Boy Scouts for Veteran's Day.

K. CITY ADMINISTRATOR/DEPARTMENT COMMENTS

City Administrator Adam Ennis provided a brief update on City projects, Measure P update, and City Council meeting schedule over the holidays.

L. ADJOURN REGULAR MEETING

Mayor Waterman-Philpot adjourned the regular meeting at 7:53 p.m.

Shonna Oneal City Clerk

ACS/XEROX FINANCIAL SYSTEM
11/05/2020 16:21:58

Payments for Publication

CITY OF EXETER
GL335R-V08.14 PAGE

Approved on 11/05/2020 for Payments Through 11/05/2020

Vendor Name	Description	Amount
A.J. EXCAVATION INC	E PALM ST RECONST PROJEC	469,673.76
AAA QUALITY SERVICES	PORTA POTTY RENTAL	168.16
AFLAC	OCT AFLAC PREMIUM	4,599.39
ASPHALT COATING & SUPPLIES	2 PAILS ASPHALT EMULSION	71.01
AUTOZONE INC	NERFBR4 2019 FD TRUCK	1,207.96
BUTLER/ DANIEL H	AMBUSH TACT OFF TUITION	450.00
BUZZ KILL PEST CONTROL	OCT PEST CONTROL PD	163.00
C.L.E.A.	NOV 2020 LT DISABILITY	49.00
CALIFORNIA BUSINESS MACHINES	PW-10/22-11/21/20 BASE	85.03
CENTRAL CAL WATERWORKS, INC	NOVE 2020 WWTP	6,233.33
CENTRAL VALLEY SWEEPING LLC	OCT STREET SWEEPING	3,150.00
CITY CLERK'S ASSOC OF CALIFORN	VIRTUAL CLASS-EEKHONG	25.00
CITY OF EXETER	9/18-10/18/20 ASSESS	2,194.55
COLLINS & SCHOETTLER	OCT 2020 PLANNING	2,632.50
CRAIGS AUTO PARTS	WWTP TRI POWER VBELT	1,096.86
DELTA LIQUID ENERGY, ARRO AUTO	10/15/20 ALDRIDGE	319.04
DEPT OF TRANSPORTATION	JULY-SEPT 2020 SIGNAL	163.61
DINELEY, DAKOTA	UB DEPOSIT REFUND	108.94
ELITE CORPORATE MEDICAL SERV	MEDICAL CLINIC FEES-54	1,269.00
EMD NETWORKING SERVICES, INC.	OCT 2020 VOIP	1,104.10
EWING IRRIGATION PRODUCTS INC	120-04-SS HUNTER ULTRA	587.92
FASTENAL COMPANY	6"GRY STL STD LCKBX	347.88
FIRST RESPONSE METERING LLC	OCT METER SERVICE	1,445.66
FOOTHILLS SUN-GAZETTE	PN-921-43 PARKING FEE	273.63
FRANCHISE TAX BOARD	E13 W TELEMETRY CTRL	248.64
FRESNO OXYGEN	STD LRG FOWS CYLS	113.07
FRONTIER CALIFORNIA INC.	7122/10/16-11/15/20	250.65
FUSION CLOUD SERVICES LLC	0966-10/18-11/17/20	245.11
GALLS PARENT HOLDINGS LLC	ANTISEPTIC BIOHAND	101.35
GHD INC	VISALIA RD IMPROVEMENT	7,530.00
GRIMSLEY, JOSHUA & PRECILLA	UB DEPOSIT REFUND	10.00
HALL/ JOHN	REIMBURSEMENT-IACP	150.00
HALL, JACOB AARON	UB DEPOSIT REFUND	9.03
HAYES/ CURTIS	MEAL REIMBURSEMENT	30.00
INGRAM DIGITAL ELECTRONICS CO.	E13 W TELEMETRY CTRL	745.91
JENSEN & PILEGARD	BAR, 12IN STRD/XTRAGUARD	74.87
JOHNSON, ALLEN M	UB DEPOSIT REFUND	87.70
KEY EVIDENCE LOCK & SAFE, INC.	CODE CUT-PATRICK	32.01
KIMBALL-MIDWEST	CUTTER-KYLE	344.35
LEAF CAPITAL FUNDING LLC	CH-KYOCERA TA402I	167.47
LEAL/ TRACY	SPONSORS REFUND-JETT PLQ	200.00
LEMUS, BRANDY SANDRA	UB DEPOSIT REFUND	125.16
LYLES UTILITY CONSTRUCTION LLC	PALM ST WTR LINE LOWER	18,758.27
MANSHARDT, ASHLEY LAGENE	UB DEPOSIT REFUND	254.76
METER READINGS HOLDING LLC	IMPLEMENTATION FEE SW-30	21,083.63
MID VALLEY DISPOSAL, LLC	OCT MID VALLEY	83,101.21
MIRELES, SANDRA & PATRICIO	UB DEPOSIT REFUND	92.75
MOONLIGHT MAINTENANCE	OCT PD OFFICE CLEANING	1,797.00

Approved on 11/05/2020 for Payments Through 11/05/2020

Vendor Name	Description	Amount
MOORE TWINING ASSOCIATES, INC	504.1DBCP 10DAY	1,795.00
NELSON, CASSANDRA & SCOTT	UB DEPOSIT REFUND	97.72
POINT EMBLEMS, INC	COLUMNPIPE/REPAIR EW6	40,000.00
PRUDENTIAL OVERALL SUPPLY	10/29/20 UNIFORM SVC	202.66
QUAD KNOFF ENGINEERING	190088 SITE PLAN REVIEW	290.70
ROBERT HALF INTERNATIONAL INC.	WKEND 10/23/20 LOURDES	2,756.80
ROMAN CATHOLIC BISHOP	10/30/20 ARROYO DONATION	18.00
SOUTHERN CALIFORNIA EDISON	9240C-9/24-10/26/20	24,274.82
SOUTHERN CALIFORNIA GAS CO.	0493-09/23-10/23/20	103.80
STANDARD INSURANCE CO.	NOVE2020 LIFE INSURANCE	2,170.37
STROHMAN ENTERPRISE INC	AIMPOINT P-1 3.5 MOA	4,920.00
SUAREZ, MIGUEL G.	UB DEPOSIT REFUND	98.91
SUN BADGE COMPANY	BADGE REPAIR (817)	67.03
TAVAREZ/ CHRIS	20/21 ED. REIMBURSEMENT	519.00
TELSTAR INSTRUMENTS INC	INFLUENT PUMP WWTP	631.00
TEMERLIN/ STEVEN MAURICE	REIMBURSEMENT FOR TRAVEL	462.18
TF TIRE AND SERVICE	245/75R17 FS-MARCUS	1,023.09
THE LEW EDWARDS GROUP	OCT PROF FEE	6,860.00
UNITED RENTALS	1 BLADE 14X125	191.77
UNIVAR SOLUTIONS USA INC	WELL 6 SOD HYPO 12.5%	1,307.07
VALLEY GREEN LANDSCAPE	OCT CITY PARK MAINTENCE	9,170.00
VAST NETWORKS	NOV 2020 UTILITY SYSTEM	1,000.00
VERIZON WIRELESS	9/29-10/28/20	1,321.05
WELCH, DAVID	UB DEPOSIT REFUND	86.74

**

Final Totals... 732,339.98

Approved on 11/09/2020 for Payments Through 11/09/2020

Vendor Name	Description	Amount
KAWEAH PUMP, INC.	EMERGENCY REPAIR EW-6	40,000.00
**	Final Totals...	40,000.00

Approved on 11/19/2020 for Payments Through 11/19/2020

Vendor Name	Description	Amount
ACME ROTARY BROOM SERVICE	2 NH4 RAPTOR 3 ROW BROOM	466.29
ADVENTIST HEALTH TULARE	OCT2020 LAB FEES	482.00
ALLSTEEL INC.	ADMIN/FIN WRK SUR PANELS	13,722.40
AMERICAN BUSINESS MACHINES	CH-735 11/13-12/12/20	5.12
ANDYS HVAC INC	HALO 15HVAC	1,144.00
AT&T	OCT LIVESCAN	435.90
BASIC	NOV COBRA ADMIN FEE	30.00
BEN-E-LECT INC.	DEC 2020 CLAIMS	2,746.90
BURKE/ TRICIA	REFUND PAYMENTUS PAYMENT	200.00
CAL BENNETT'S	ADMIN/FIN DEPT INSTL/REM	7,280.06
CALIFORNIA BUSINESS MACHINES	CH-11/6-12/5/20	52.56
CHARTER COMMUNICATIONS	11/6-12/05/20 MEDIA SVC	97.24
CITY OF VISALIA	NOV2020 ANIMAL SVC FEE	6,316.67
CULLIGAN	OCT PD WATER SVC	157.50
DEPT OF JUSTICE	OCT BLOOD ALCOHOL ANALYS	136.00
EMD NETWORKING SERVICES, INC.	DEC MONTHLY BILLING	3,096.78
EMPLOYMENT DEVELOPMENT DEPT	JUL-SEPT 2020 UIB	1,098.80
EXETER IRRIGATION & SUPPLY	205 ELECTRIC IN-LINE VAL	292.46
EXETER MOTORS, INC.	ELEMENT A	2,076.08
FASTENAL COMPANY	10" CORNPARLORBROOM	14.45
FERGUSON ENTERPRISES INC	LF 1 CTS X CTS COMP COUP	1,703.80
FIRST RESPONSE METERING LLC	MANUAL READS 10/16-24/20	1,600.00
FP MAILING SOLUTIONS	11/08-2/7/21 POSTAGE	109.91
FRONTIER CALIFORNIA INC.	5714-11/04-12/03/20	83.55
GOPHER GETTER	OCT GOPHER SVC	450.00
HIGH SIERRA LUMBER CO.	CORP YARD FRONT DOOR PRO	28.34
JACK GRIGGS INC	OCT 2020 GAS	5,509.93
KENT M. KAWAGOE, PH.D.	PRE-EMP EVAL-TRUJILLO, D	1,050.00
KIMBALL-MIDWEST	CUTTER/LOCK PIN	318.34
LEAF CAPITAL FUNDING LLC	PW-TA2552CI KYOCERA 002	103.93
LEHIGH HANSON, CO.	5.5SK 1" PUMP 50/50 BLEN	621.04
MCCORMICK KABOT JENNER & LEW	OCT LEGAL SERVICES	8,938.95
OFFICE DEPOT	USB THUMB DRIVES	349.26
PRECISION EMPRISE LLC	SIDEWALK OFFSET REPAIR	991.57
PRINCIPAL LIFE INSURANCE CO.	DEC PREMIUMS-36 MEMBERS	4,912.10
PRUDENTIAL OVERALL SUPPLY	11/12/20 UNIFORM SVC	200.78
ROBERT HALF INTERNATIONAL INC.	WKEND-11/06/20 LOURDES	2,481.12
ROGERS, ANDERSON, MALODY &	AUDIT SVC-JUNE-FINAL	7,000.00
ROMAN CATHOLIC BISHOP	11/13/20 ARROYO DONATI	18.00
SELF-HELP ENTERPRISES	2020 LEAP APPLICATION	5,812.50
SHRED-IT USA LLC	11/07 SHRED @ PD	126.25
SIERRA SANITATION INC	STANDING SINK 11/10-12/8	94.78
SILVER & WRIGHT LLP	SEP 221 SOUTH F	1,889.22
SIMMONS TIRE SERVICE	2 ST205/75R15 HERCULES P	220.25
SOUTHERN CALIFORNIA EDISON	9109/10/12-11/10/20	11,912.66
SOUTHERN CALIFORNIA GAS CO.	7144-10/1-11/01/20	63.20
SUBURBAN PIPE & STEEL	6 45-118C POST BALLS	52.82
SUNBELT RENTALS, INC.	STUMP GRINDER RENTAL	350.15

Approved on 11/19/2020 for Payments Through 11/19/2020

Vendor Name	Description	Amount
TEMERLIN/ STEVEN MAURICE	REIMBURSE FOR TRAVEL	462.18
TOWN & COUNTRY CAR WASH	OCT CAR WASH	10.00
TU CO ENVIRONMENTAL HEALTH	WWTP-HW-SM GENERATOR	481.00
UNIVAR SOLUTIONS USA INC	WWTP SOD HYPO 12.5% LIQ	3,481.32
US BANK N.A.	OCT CUSTODY CHARGES	41.50
VALLEY EXPETEC	DEC MONTHLY AGREEMENT	4,477.29
VALLEY UNIFORM CENTER	UNIFORMS,HEMMING,EMBROID	920.45
VOLLMER EXCAVATION, L.P.	COLD MIX DELIVERED	2,784.87
WARREN & BAERG MANUFACTURING	GEARBOX EMER REPAIR WWTP	13,851.06

**

Final Totals... 123,353.33

Approved on 11/23/2020 for Payments Through 11/23/2020

Vendor Name	Description	Amount
PRODUCTIVITY PLUS ACCOUNT	3/8 HYDRAULIC HOSE KYLE	1,401.54
	Final Totals...	1,401.54

**

Exeter Mercantile Account Purchases

Approved on 11/23/2020 for Payments Through 11/23/2020

Vendor Name	Description	Amount
VALLEY EXPETEC	NOV LENOVO THINK PADS	2,496.69
	Final Totals...	2,496.69

**

Police Department Laptop Lease Agreement

PERIOD 1 DATING 10/26/2020-11/08/2020 CHECK DATE 11/13/2020
 DIRECT DEPOSIT IS TURNED ON

CHECK NUMBER	CHECK AMOUNT	EMPLOYEE/BANK/VENDOR NAME	CODE	CHECK SEQ
48382	144.00	CLOCEA	4	1 VENDOR STUB ONLY
48383	728.00	EXETER POLICE OFFICER AS	3	1 VENDOR STUB ONLY
48384	219.66	EXETER POLICE OFFICER AS	3A	1 VENDOR STUB ONLY
48385	4,427.10	ENNIS/ADAM	206	1 STUB ONLY
48386	2,478.71	ONEAL/SHONNA N	203	1 STUB ONLY
48387	1,254.70	CARTER/AMY JO	502	1 STUB ONLY
48388	1,323.68	HERNANDEZ/XOCHITL	306	1 STUB ONLY
48389	380.44	SANCHEZ/CESILIA	307	1 STUB ONLY
48390	3,302.49	TAVAREZ/CHRISTOPHER	309	1 STUB ONLY
48391	1,298.77	SEE/EEKHONG	304	1 STUB ONLY
48392	997.83	BELTRAN-TRUJILLO/DIEGO	447	1 STUB ONLY
48393	1,196.41	CARRETERO/VANESSA	402	1 STUB ONLY
48394	2,284.10	CORREA/GABRIEL JR	436	1 STUB ONLY
48395	1,254.10	CULLUM/TRENT	444	1 STUB ONLY
48396	2,198.00	DURKEE/MARK	404	1 STUB ONLY
48397	1,530.81	ECHEVARRIA/TYLER J	443	1 STUB ONLY
48398	2,418.35	FERNANDEZ/CESAR	434	1 STUB ONLY
48399	2,154.05	FRICK/JOCELYNN LEANN	433	1 STUB ONLY
48400	2,368.75	GIEFER/MICHAEL DAVID	438	1 STUB ONLY
48401	1,832.24	GUZMAN/TIMOTHY CHARLES	410	1 STUB ONLY
48402	3,356.38	HALL/JOHN T	406	1 STUB ONLY
48403	1,153.00	HAMPTON/JUSTIN	446	1 STUB ONLY
48404	2,250.29	INGLEHART/BRETT A	411	1 STUB ONLY
48405	1,815.14	KNOX/MARK	442	1 STUB ONLY
48406	2,284.12	WALKER/PAUL	425	1 STUB ONLY
48407	2,404.79	YARBER/ISABEL	422	1 STUB ONLY
48408	899.10	ALDRIDGE/GARY	618	1 STUB ONLY
48409	1,389.47	ARROYO/MARIE	623	1 STUB ONLY
48410	1,302.28	BRASSFIELD/TRAVIS	619	1 STUB ONLY
48411	1,839.43	ESPINOLA/DANIEL M	602	1 STUB ONLY
48412	1,469.13	HUGGINS/KYLE AARON	621	1 STUB ONLY
48413	2,832.97	QUALLS/DAYMON	607	1 STUB ONLY
48414	1,601.97	RAMIREZ/JUAN	608	1 STUB ONLY
48415	497.81	WENDT/EDDIE	626	1 STUB ONLY
48416	1,096.82	MILLAN/MARCUS	622	1 STUB ONLY
48417	1,149.62	MILLER/JAMES	624	1 STUB ONLY
48418	345.11	MIRWALD/PHILIP	625	1 STUB ONLY
48419	1,179.07	QUIROZ/PATRICK P	512	1 STUB ONLY
48420	1,667.40	HAYES/CURTIS W	437	1 STUB ONLY

PERIOD 2 DATING 11/09/2020-11/22/2020 CHECK DATE 11/27/2020
DIRECT DEPOSIT IS TURNED ON

CHECK NUMBER	CHECK AMOUNT	EMPLOYEE/BANK/VENDOR NAME	CODE	CHECK SEQ
1109	63.69	CA STATE DISBURSEMENT UN 2		1 VENDOR CHECK
1110	50.00	TULARE CO SHERIFF'S OFFI 9		1 VENDOR CHECK
1111	2,377.08	PHELPS/KEVIN M	429	1

TOTALS FOR CHECK FORM: CHEK			
NEGOTIABLE CHECKS			COUNTS
2,377.08	*EMPLOYEE CHECKS		1
113.69	*VENDOR CHECKS		2
0.00	*BANK CHECKS		0
2,490.77	**TOTAL NEGOTIABLE CHECKS		3
OTHER CHECKS			
0.00	*MANUAL CHECKS		0
0.00	*CANCELLED CHECKS		0
2,490.77	**TOTAL FOR CHECK FORM		
NON-NEGOTIABLE CHECKS			
0.00	*DIRECT DEPOSIT STUBS		0
0.00	*VENDOR DIR DEP STUBS		0

PERIOD 2 DATING 11/09/2020-11/22/2020 CHECK DATE 11/27/2020
DIRECT DEPOSIT IS TURNED ON

CHECK NUMBER	CHECK AMOUNT	EMPLOYEE/BANK/VENDOR NAME	CODE	CHECK SEQ
48421	144.00	CLOCEA	4	1 VENDOR STUB ONLY
48422	780.00	EXETER POLICE OFFICER AS	3	1 VENDOR STUB ONLY
48423	235.35	EXETER POLICE OFFICER AS	3A	1 VENDOR STUB ONLY
48424	4,432.35	ENNIS/ADAM	206	1 STUB ONLY
48425	2,478.71	ONEAL/SHONNA N	203	1 STUB ONLY
48426	1,135.89	CARTER/AMY JO	502	1 STUB ONLY
48427	1,323.68	HERNANDEZ/XOCHITL	306	1 STUB ONLY
48428	523.54	SANCHEZ/CESILIA	307	1 STUB ONLY
48429	3,307.74	TAVAREZ/CHRISTOPHER	309	1 STUB ONLY
48430	1,148.77	SEE/EEKHONG	304	1 STUB ONLY
48431	1,514.97	BELTRAN-TRUJILLO/DIEGO	447	1 STUB ONLY
48432	1,201.66	CARRETERO/VANESSA	402	1 STUB ONLY
48433	2,284.10	CORREA/GABRIEL JR	436	1 STUB ONLY
48434	1,440.88	CULLUM/TRENT	444	1 STUB ONLY
48435	2,339.06	DURKEE/MARK	404	1 STUB ONLY
48436	1,265.00	ECHEVARRIA/TYLER J	443	1 STUB ONLY
48437	3,262.67	FERNANDEZ/CESAR	434	1 STUB ONLY
48438	2,141.14	FRICK/JOCELYNN LEANN	433	1 STUB ONLY
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48441	3,356.38	HALL/JOHN T	406	1 STUB ONLY
48442	1,153.00	HAMPTON/JUSTIN	446	1 STUB ONLY
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48444	2,036.08	KNOX/MARK	442	1 STUB ONLY
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48446	1,879.21	WALKER/PAUL	425	1 STUB ONLY
48447	2,410.04	YARBER/ISABEL	422	1 STUB ONLY
48448	1,162.21	ALDRIDGE/GARY	618	1 STUB ONLY
48449	1,394.72	ARROYO/MARIE	623	1 STUB ONLY
48450	1,269.67	BRASSFIELD/TRAVIS	619	1 STUB ONLY
48451	1,844.68	ESPINOLA/DANIEL M	602	1 STUB ONLY
48452	1,469.13	HUGGINS/KYLE AARON	621	1 STUB ONLY
48453	2,832.97	QUALLS/DAYMON	607	1 STUB ONLY
48454	1,559.33	RAMIREZ/JUAN	608	1 STUB ONLY
48455	675.60	WENDT/EDDIE	626	1 STUB ONLY
48456	1,312.52	MILLAN/MARCUS	622	1 STUB ONLY
48457	908.11	MILLER/JAMES	624	1 STUB ONLY
48458	866.90	MIRWALD/PHILLIP	625	1 STUB ONLY
48459	1,184.32	QUIROZ/PATRICK P	512	1 STUB ONLY
48460	2,352.61	HAYES/CURTIS W	437	1 STUB ONLY

CITY OF EXETER

PO BOX 237 - 137 N F STREET, EXETER 93221
Phone 592-3710 - Fax 592-3556

Treasurer's Report September 2020

Beginning Balance as of September 1, 2020		\$	852,699.58
<u>Deposits</u>			
	Transfer from Main Account	\$ 40,000.00	
	Transfer from Main Account	\$ 20,000.00	
	Transfer from Old Account	\$ 10,000.00	
	Wire Transfer	\$ 475,000.00	
	#1483	\$ 25,925.21	
	#1484	\$ 122,326.41	
	#1485	\$ 232,024.91	
	#1486	\$ 37,065.07	
	#1487	\$ 8,054.89	
	Direct Deposit #1488	\$ 409,492.23	
			\$ 1,379,888.72
TOTAL DEPOSITS			
<u>Withdrawals</u>			
	City Checks Processed	\$ 901,401.58	
	Payroll EFT	\$ 132,327.49	
	Payroll Checks	\$ 4,356.47	
	CalPERS Retirement costs	\$ 46,444.74	
	P/R Taxes	\$ 24,375.23	
	Def Comp	\$ 1,132.46	
	FSA Disbursements	\$ 1,952.83	
	Bank Charges/Misc	\$ 114.90	
	Chargebacks	\$ 212.89	
	State DU	\$ 737.52	
	Wire Transfer Fee	\$ 15.00	
	Chargeback Fees	\$ 20.00	
	Water RRB Payment	\$ 183,447.67	
	Transfer to Main Account	\$ 10,000.00	
	Transfer to Old Account	\$ 40,000.00	
	Transfer to Old Account	\$ 20,000.00	
TOTAL WITHDRAWALS			\$ 1,366,538.78
			\$ 866,049.52
			\$ 4,275.73
Bank of the Sierra ending balance			\$ 870,325.25
<u>Outstanding Checks</u>			
	General	\$ 141,644.92	
	Payroll	\$ 724.04	
			\$ 142,368.96
			\$ 727,956.29
<u>Investments</u>			
	US Savings	\$ 30,516.77	
	Government Agency Bond	\$ 246,375.00	
	CD's	\$ 1,482,000.00	
	Local Agency Investment Fund	\$ 5,078,082.95	
	Fair Market Value Adjustment gain/(loss)	\$ 31,909.61	
	Charles Schwab	\$ 0.23	
			\$ 6,868,884.56
Total City Funds 9/30/2020			\$ 7,596,840.85

Ending Bank Balance as of September 30, 2020
Undeposited cash on hand #1489

Adjusted Bank Balance as of September 30, 2020

Ratio of Invested Funds/Available Funds

90%

City of Exeter
Treasurer's Report
Investments as of 9/30/2020

<u>Rate</u>	<u>Maturity Date</u>	<u>Description</u>	<u>Purchase Date</u>	<u>Principal Value</u>
<u>Certificates of Deposit</u>				
1.75%	6/30/2021	WELLS FARGO #5AH48	Dec-19	\$ 249,000
1.70%	1/21/2021	GOLDMAN SACHS BANK USA	Jan-20	\$ 245,000
1.75%	10/29/2021	COMENITY CAPITAL #ASX5	Oct-16	\$ 249,000
1.75%	11/2/2021	DISCOVER BANK #2M39	Nov-16	\$ 247,000
2.40%	11/15/2022	CAPITAL ONE #RKED	Nov-17	\$ 247,000
3.00%	8/9/2021	ALLY BANK #GEE9	Aug-18	\$ 245,000
2.06% Average				<u>\$ 1,482,000</u>
<u>Money Market Funds</u>				
0.685% Demand		Local Agency Investment Fund	Various	\$ 5,078,083
0.001% Demand		US Savings	Various	\$ 30,517
Demand		Charles Schwab	Various	<u>\$ 0.23</u>
				<u>\$ 5,108,600</u>
<u>Government Securities</u>				
1.88%		Federal Home Loan Bank		<u>246,375</u>
			Total Investments	<u>\$ 246,375</u>
				<u>\$ 6,836,975</u>

By - E.See/C. Távarez

CITY OF EXETER

PO BOX 237 - 137 N F STREET, EXETER 93221
Phone 592-3710 - Fax 592-3556

Treasurer's Report October 2020

Beginning Balance as of October 1, 2020 \$ 866,049.52

Deposits

Transfer from Old Account	\$	173,168.80
Wire Transfer	\$	300,000.00
#1489	\$	4,275.73
#1490	\$	82,284.29
#1491	\$	134,406.92
#1492	\$	93,402.70
#1493	\$	35,512.64
Direct Deposit #1494	\$	512,563.64

TOTAL DEPOSITS **\$ 1,335,614.72**

Withdrawals

City Checks Processed	\$	726,205.09
Payroll EFT	\$	202,111.48
Payroll Checks	\$	3,958.09
CalPERS Retirement costs	\$	67,963.44
P/R Taxes	\$	38,274.46
Def Comp	\$	1,132.46
FSA Disbursements	\$	1,878.69
Bank Charges/Misc	\$	114.90
Chargebacks	\$	383.13
State DU	\$	1,106.28
Wire Transfer Fee	\$	15.00
Chargeback Fees	\$	30.00
Sewer Bond 2020 Payment	\$	183,168.80
Transfer to Old Account	\$	173,168.80

TOTAL WITHDRAWALS **\$ 1,399,510.62**

Ending Bank Balance as of October 31, 2020
Undeposited cash on hand #1495

\$ 802,153.62
\$ 6,460.82
808,614.44

Bank of the Sierra ending balance

\$ 808,614.44

Outstanding Checks

General	\$	288,234.88
Payroll	\$	2,722.23

\$ 290,957.11

Adjusted Bank Balance as of October 31, 2020

\$ 517,657.33

Investments

US Savings	\$	30,620.04
Government Agency Bond	\$	246,375.00
CD's	\$	1,482,000.00
Local Agency Investment Fund	\$	4,788,922.48
Fair Market Value Adjustment gain/(loss)	\$	31,909.61
Charles Schwab	\$	<u>0.23</u>

\$ 6,579,827.36

Total City Funds 10/31/2020

\$ 7,097,484.69

Ratio of Invested Funds/Available Funds

93%

City of Exeter
Treasurer's Report
Investments as of 10/31/2020

<u>Rate</u>	<u>Maturity Date</u>	<u>Description</u>	<u>Purchase Date</u>	<u>Principal Value</u>
<u>Certificates of Deposit</u>				
1.75%	6/30/2021	WELLS FARGO #5AH48	Dec-19	\$ 249,000
1.70%	1/21/2021	GOLDMAN SACHS BANK USA	Jan-20	\$ 245,000
1.75%	10/29/2021	COMENITY CAPITAL #ASK5	Oct-16	\$ 249,000
1.75%	11/2/2021	DISCOVER BANK #2M39	Nov-16	\$ 247,000
2.40%	11/15/2022	CAPITAL ONE #RKE0	Nov-17	\$ 247,000
3.00%	8/9/2021	ALLY BANK #GEE9	Aug-18	\$ 245,000
2.06% Average				<u>\$ 1,482,000</u>
<u>Money Market Funds</u>				
0.620% Demand		Local Agency Investment Fund	Various	\$ 4,788,922
0.001% Demand		US Savings	Various	\$ 30,620
		Charles Schwab	Various	<u>\$ 0.23</u>
				<u>\$ 4,819,543</u>
<u>Government Securities</u>				
1.88%		Federal Home Loan Bank		<u>246,375</u>
				<u>\$ 246,375</u>
			Total Investments	<u>\$ 6,547,918</u>

By - E.See/C. Tavaraz

**City of Exeter
Agenda Item Transmittal**

Meeting Date: December 8, 2020

Agenda Item Number: F5

Wording for Agenda: Adopt Resolution 2020-46 designating right of way for Visalia Road, over portions of various parcels of real property acquired by the City for the Visalia Road Improvement Project and dedicating these portions of property into public streets, right of way; and authorize the Mayor or City Administrator to execute all documents necessary to formally establish public right of way.

Submitting Department: Public Works
Contact Name: Daymon Qualls
Phone Number: 592-3318
Email: dqualls@exetercityhall.com

For action by:
 City Council

Regular Session:
 Consent Calendar
 Regular Item
 Public Hearing

Review:
**City Administrator
(Initials Required)**
OBS.

Department

Recommendation:

Staff recommends the Council adopt Resolution 2020-46 as presented.

Summary/Background:

As part of the Visalia Road Improvement Project, it was necessary to negotiate with adjacent property owners for the acquisition of certain portions of real property within the defined right-of-way limits of Visalia Road. These acquired portions of real property must be formally accepted and designated into the City's street right-of-way system.

The process of designating public streets and accepting them into the city street right-of-way system is set forth in Section 1806(b) of the California Streets and Highways Code. The designation and acceptance of these acquired portions of various properties into the City street system will formally establish the specific location of the Visalia Road public street right of way.

This process does not change the City's fee title ownership of the acquired portions of parcels. Street improvements within this public street right of way are being constructed as part of the City's Visalia Road Improvement Project. Establishing the public street right of way also provides public utility companies clarity as to when their facilities are subject to their respective franchise agreements with the City.

The following portions of parcels, more particularly described in the attached grant deeds. are being accepted as public street right-of-way:

- 1) APN #133-280-001 (Ball) North 2.0 feet of Parcel
- 2) APN #133-280-004 (133-072-009 Old APN) (BMT) North 2.0 feet of parcel
- 3) APN #133-280-009 (133-072-029 Old APN) (BMT) North 2.0 feet of Parcel
- 4) APN #133-280-010 (133-072-030 Old APN) (BMT) North 2.0 feet and Northeast corner of Parcel

- 5) APN #133-280-014 (133-072-031 Old APN) (BMT) Northwest corner of Parcel
- 6) APN #138-130-035 (Chun) South 2.0 feet and Southeast corner of Parcel
- 7) APN #133-290-001 (Bank Of The Sierra) Southeast corner of Parcel
- 8) APN #133-280-003 (133-072-008 Old APN) (BMT) North 2.0 feet of Parcel
- 9) APN #135-030-021 (Toledo) North 2.0 feet of Parcel
- 10) APN #138-142-019 (Exeter Investment Group) Southwest portion of Parcel
- 11) APN #135-041-001 (Pathak/Kaur) North 9.50 feet of Parcel
- 12) APN #135-030-019 (Lewis) North 2.0 feet of Parcel
- 13) APN #135-030-020 (Souza) North 2.0 feet of Parcel
- 14) APN #133-290-003 (McDonalds) South 2.0 feet of central portion of Parcel
- 15) APN #133-290-005, APN #133-290-006 and APN #133-290-007 (Tulare County Investments, LLC) Southwest corner of Parcel

Fiscal Impact: None

Prior Council/Board Actions: Numerous Council actions related to the Visalia Road Improvement Project and associated right-of-way acquisition.

Attachments: Resolution 2020-46
Corresponding Grant Deeds

Recommended motion to be made by Council/Board: I move to adopt Resolution 2020-46 as presented, and authorize the Mayor or City Administrator to execute all documents necessary to formally establish public right of way.

RESOLUTION 2020-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EXETER ACCEPTING CITY OWNED PROPERTY INTO THE PUBLIC STREETS SYSTEM

At a regular meeting of the City Council of the City of Exeter, duly called and held on December 8, 2020, at 7:00 p.m., it was moved by Council Member _____ and seconded by Council Member _____ and duly carried that the following resolution be adopted:

WHEREAS, Section 1806(b) of the California Streets and Highways Code states that no public or private street or road shall become a city street or road until the governing body, by resolution, has caused the street or road to be accepted into the city street system; and

WHEREAS, the City of Exeter, as part of the Visalia Road Improvement Project, acquired portions of the following parcels of real property in the City of Exeter, County of Tulare, State of California:

- 1) APN #133-280-001 (Ball) North 2.0 feet of Parcel
- 2) APN #133-280-004 (133-072-009 Old APN) (BMT) North 2.0 feet of parcel
- 3) APN #133-280-009 (133-072-029 Old APN) (BMT) North 2.0 feet of Parcel
- 4) APN #133-280-010 (133-072-030 Old APN) (BMT) North 2.0 feet and Northeast corner of Parcel
- 5) APN #133-280-014 (133-072-031 Old APN) (BMT) Northwest corner of Parcel
- 6) APN #138-130-035 (Chun) South 2.0 feet and Southeast corner of Parcel
- 7) APN #133-290-001 (Bank Of The Sierra) Southeast corner of Parcel
- 8) APN # 133-280-003 (133-072-008 Old APN) (BMT) North 2.0 feet of Parcel
- 9) APN #135-030-021 (Toledo) North 2.0 feet of Parcel
- 10) - APN #138-142-019 (Exeter Investment Group) Southwest portion of Parcel
- 11) APN #135-041-001 (Pathak/Kaur) North 9.50 feet of Parcel
- 12) APN #135-030-019 (Lewis) North 2.0 feet of Parcel
- 13) APN #135-030-020 (Souza) North 2.0 feet of Parcel

14) APN #133-290-003 (McDonalds) South 2.0 feet of central portion of Parcel

15) APN #133-290-005, APN #133-290-006 and APN #133-290-007 (Tulare County Investments, LLC) Southwest corner of Parcel

WHEREAS, the City of Exeter desires to designate right of way for Visalia Road over portions of these parcels of real property and to accept these portions into the city street system and said portions are more particularly described as follows:

See grant deeds attached and made a part thereof,

NOW, THEREFORE, the City Council of the City of Exeter, California, does hereby designate the above-described portions of said parcels of real property and accepts the same into public streets, right of way.

Passed and Adopted at a regular meeting of the City Council of the City of Exeter duly called and held on the 8th day of December, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

MAYOR MARY WATERMAN – PHILPOT

CITY CLERK SHONNA ONEAL

RECORDING requested by and
when recorded, please return to:

City Clerk – City of Exeter
P.O. Box 237
City of Exeter, CA 93221

WE HEREBY CERTIFY THAT THIS IS A FULL,
TRUE AND CORRECT COPY OF THE ORIGINAL
DOCUMENT AS THE SAME APPEARS IN THE
OFFICE OF THE COUNTY RECORDER OF
TULARE COUNTY, STATE OF CALIFORNIA,
RECORDED ON 12/29/2016
SERIAL NO. 0082812 OF OFFICIAL RECORDS.

CHICAGO TITLE

BY [Signature]

No Fee per Govt. Code 6103

No Documentary Transfer Tax
per REV & Tax CODE 11922

Space above this line for Recorder's use

APN: 133-280-001

GRANT DEED

Resolution No. 2016-13

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Mary E. Ball, sole trustee of the Ball Family Trust (aka the Ball Living Trust), dated
December 28, 1995 ("Grantor")

hereby **GRANT(S)** to the City of Exeter, a municipality of the State of California, the
following described real property in the County of Tulare, State of California:

See Exhibit "A" attached hereto

GRANTOR

[Signature: Mary E. Ball, Trustee]

Mary E. Ball, sole trustee of the Ball
Family Trust (aka the Ball Living Trust),
dated December 28, 1995

Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

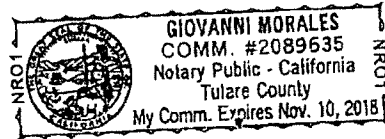
State of California
County of Tulare

On 7-27-16 before me, Giovanni Morales, Notary Public, personally appeared Mary E. Ball, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Giovanni Morales (Seal)



**CITY OF EXETER, A MUNICIPALITY OF THE STATE OF CALIFORNIA
CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDATION**

THIS IS TO CERTIFY that the interest in real property conveyed by the **Grant Deed** dated December 28, 1995 from Mary E. Ball, sole trustee of the Ball Family Trust (aka the Ball Living Trust) to the City of Exeter, Municipal Corporation of the State of California, was duly accepted by the City Council of the City of Exeter on June 14, 2016 and by the same order of the City Council of the City of Exeter, the City Administrator was instructed to execute this certificate of acceptance to be recorded with the **Grant of Deed**.

CITY OF EXETER

By: _____


CITY CLERK RANDY GROOM

ATTEST:



DEPUTY CITY CLERK SANDRA GULLEN

EXHIBIT A PAGE 1 OF 2

Acquisition Parcel

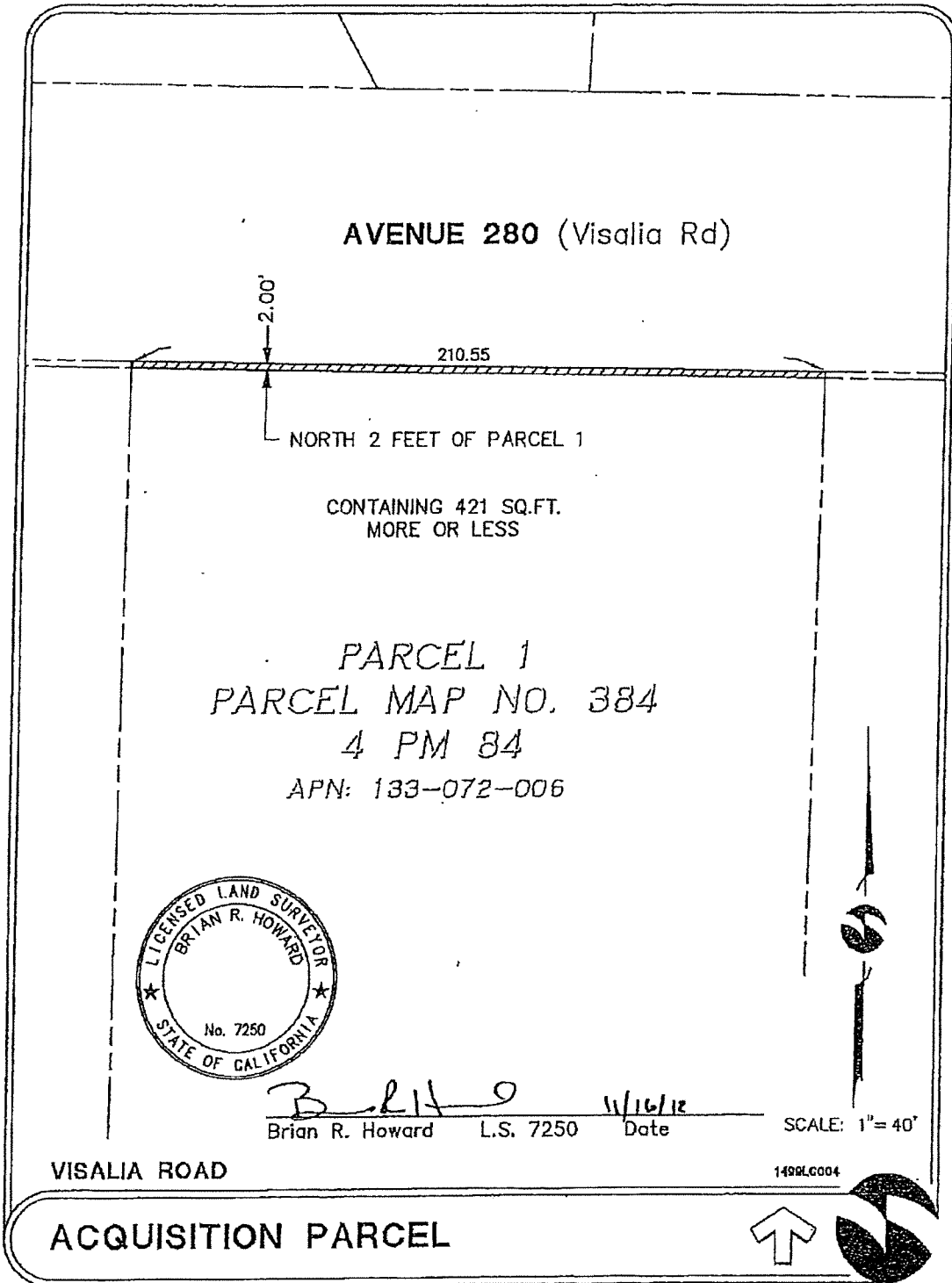
All that certain real property situate in the County of Tulare, State of California being a portion of Parcel 1 as shown on Parcel Map No. 384, filed July 20, 1973 in Book 4 of Parcel Maps at Page 84, Tulare County Records, described as follows:

The North 2.00 feet of said Parcel 1 (4 PM 84).

Containing 421 sq. ft. more or less.



B R H 9 03/07/2013
Brian R. Howard LS 7250 Date



RECORDING requested by and
when recorded, please return to:

City Clerk – City of Exeter
P.O. Box 237
City of Exeter, CA 93221

WE HEREBY CERTIFY THAT THIS IS A FULL
TRUE AND CORRECT COPY OF THE ORIGINAL
DOCUMENT AS THE SAME APPEARS IN THE
OFFICE OF THE COUNTY RECORDER OF
TULARE COUNTY, STATE OF CALIFORNIA,
RECORDED ON 11/2/2016
SERIAL NO. 16-006955 OF OFFICIAL RECORDS.

CHICAGO TITLE

BY [Signature]

No Fee per Govt. Code 6103

No Documentary Transfer Tax
per REV & Tax CODE 11922

Space above this line for Recorder's use

133-280-004 (133-072-009 old APN)
133-280-009 (133-072-029 old APN)
133-280-010 (133-072-030 old APN)
133-280-014 (133-072-031 old APN)

GRANT DEED

Resolution No. 2016-13

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

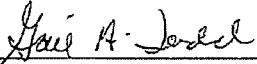
B.M.T., a General Partnership ("Grantor")

hereby GRANT(S) to the City of Exeter, a municipality of the State of California, the
following described real property in the County of Tulare, State of California:


See Exhibit "A" attached hereto

GRANTOR

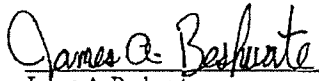
B.M.T., a General Partnership



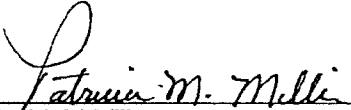
Gail A. Todd
Partner



Duane S. Beshwate
Partner



James A. Beshwate
Partner



Patricia M. Miller
Partner

Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

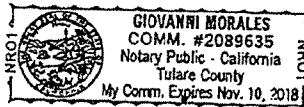
State of California
County of Tulare

On 8-11-16 before me, Giovanni Morales, Notary Public, personally appeared Gail A. Todd, who proved to me on the basis of satisfactory evidence to be the person~~s~~ whose name~~s~~ ~~is~~are subscribed to the within instrument and acknowledged to me that he~~s~~/she~~s~~/they executed the same in his~~r~~/her~~r~~/their authorized capacity~~(ies)~~, and that by his~~r~~/her~~r~~/their signature~~s~~ on the instrument the person~~s~~, or the entity upon behalf of which the person~~s~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Giovanni Morales (Seal)



Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

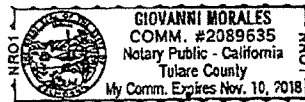
State of California
County of Tulare

On 8-11-16 before me, Giovanni Morales, Notary Public, personally appeared Duane S. Beshwate, who proved to me on the basis of satisfactory evidence to be the person~~s~~ whose name~~s~~ ~~is~~are subscribed to the within instrument and acknowledged to me that he~~s~~/she~~s~~/they executed the same in his~~r~~/her~~r~~/their authorized capacity~~(ies)~~, and that by his~~r~~/her~~r~~/their signature~~s~~ on the instrument the person~~s~~, or the entity upon behalf of which the person~~s~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Giovanni Morales (Seal)



Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

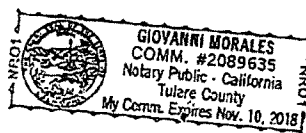
State of California
County of Tulare

On 8-11-16 before me, Giovanni Morales, Notary Public, personally appeared James A. Beshwate, who proved to me on the basis of satisfactory evidence to be the person~~s~~ whose name~~s~~ ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ ~~they~~ executed the same in ~~his~~ ~~her~~ ~~their~~ authorized capacity~~(ies)~~, and that by ~~his~~ ~~her~~ ~~their~~ signature~~s~~ on the instrument the person~~s~~, or the entity upon behalf of which the person~~s~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Giovanni Morales (Seal)



Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Tulare

On 8-11-16 before me, Giovanni Morales, Notary Public, personally appeared Patricia M. Miller, who proved to me on the basis of satisfactory evidence to be the person~~s~~ whose name~~s~~ ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ ~~they~~ executed the same in ~~his~~ ~~her~~ ~~their~~ authorized capacity~~(ies)~~, and that by ~~his~~ ~~her~~ ~~their~~ signature~~s~~ on the instrument the person~~s~~, or the entity upon behalf of which the person~~s~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Giovanni Morales (Seal)



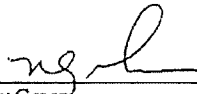
CITY OF EXETER, A MUNICIPALITY OF THE STATE OF CALIFORNIA


CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDATION

This is to certify that the interest in real property conveyed by this Grant Deed dated 8-11-16 from B.M.T., a General Partnership to the City of Exeter, a municipality of the State of California, is hereby accepted by the undersigned officer or agent on behalf of the City Council of said grantee the grantee consents to recordation thereof by its duly authorized officer.

Dated: 9/28/16

City of Exeter, a municipality of the State of California

By: 
Randy Groom
City Administrator

By: 
Daymon Qualls
Public Works Director

ATTEST:

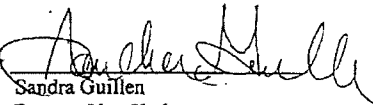
By: 
Sandra Guillen
Deputy City Clerk

EXHIBIT A PAGE 1 OF 8

Acquisition Parcel

All that certain real property situate in the City of Exeter, County of Tulare, State of California being a portion of the Northeast quarter of Section 9, Township 19 South, Range 26 East, Mount Diablo Base and Meridian, according to the official plat of the survey of said land on file in the Bureau of Land Management at the date of the issuance of the patent thereof and being a portion of that real property described in the Gift Deed to B.M.T., A General Partnership, recorded March 28, 2002 as Document No. 2002-0023506, Tulare County Records, described as follows:

The North 2.00 feet of said B.M.T. Parcel (2002-0023506).

Containing 219 sq. ft. more or less.



Brian R. Howard LS 7250 11/16/12
Brian R. Howard LS 7250 Date

AVENUE 280 (Visalia Rd)

2.00'

109.27

NORTH 2 FEET

CONTAINING 219 SQ.FT.
MORE OR LESS

B.M.T. PARCEL
DOC.2002-0023506

APN: 133-072-009



B.R.H. 11/16/12
Brian R. Howard L.S. 7250 Date

SCALE: 1" = 40'

VISALIA ROAD

149SL007

ACQUISITION PARCEL



EXHIBIT A PAGE 3 OF 8

Acquisition Parcel

All that certain real property situate in the City of Exeter, County of Tulare, State of California being a portion of Parcel 1 as shown on Parcel Map No. 765, filed November 14, 1974 in Book 8 of Parcel Maps at Page 65, Tulare County Records, described as follows:

The North 2.00 feet of that portion of said Parcel 1 (8 PM 65) adjoining the South right of way of Avenue 280 (Visalia Road) as said right of way is shown on said Parcel Map No. 756 (8 PM 65).

Containing 334 sq. ft. more or less.



B. R. H. e 11/16/12
Brian R. Howard LS 7250 Date

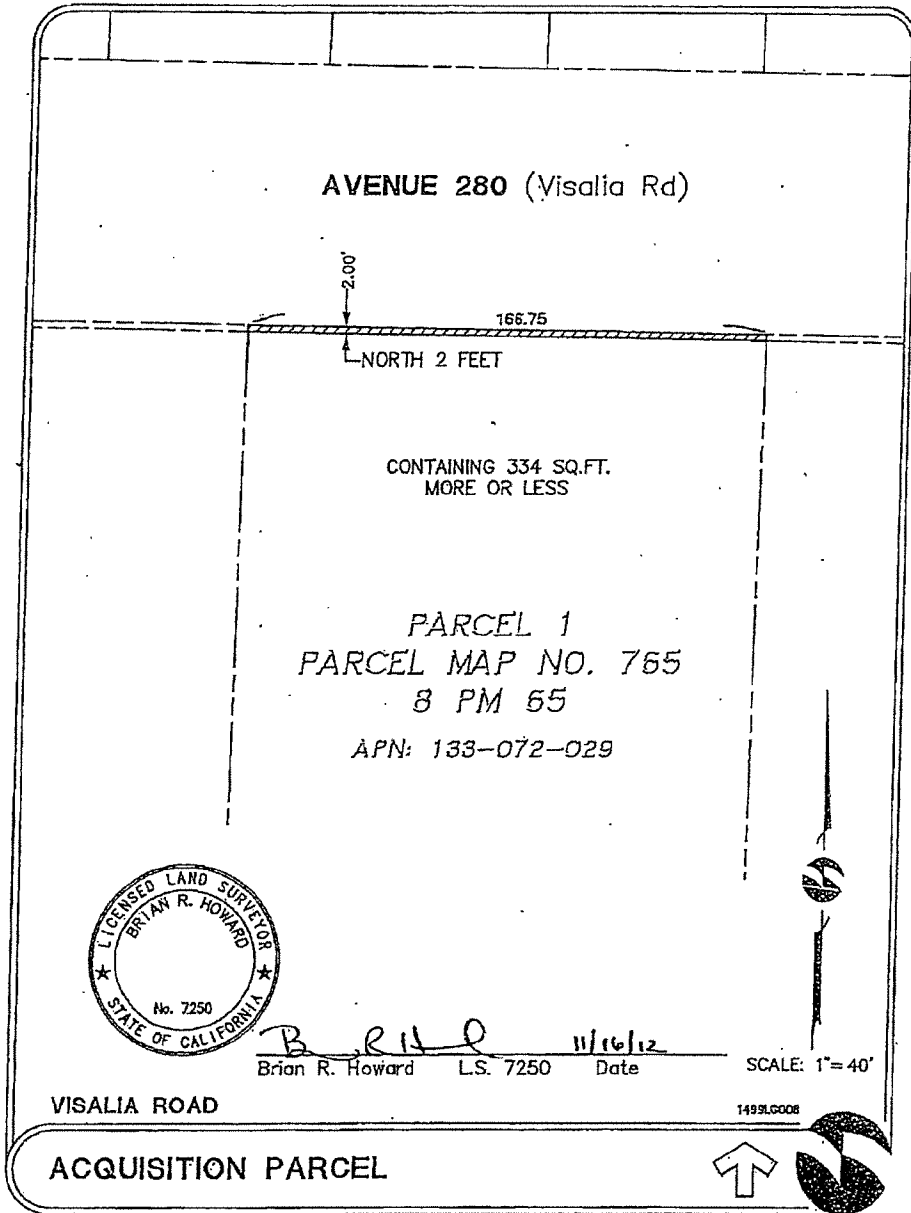


EXHIBIT A PAGE 5 OF 8

Acquisition Parcel

All that certain real property situate in the City of Exeter, County of Tulare, State of California being a portion of Parcel 2 as shown on Parcel Map No. 765, filed November 13, 1974 in Book 8 of Parcel Maps at Page 65, Tulare County Records, described as follows:

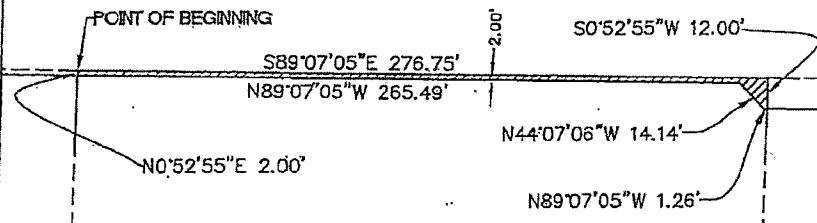
BEGINNING at the Northwest corner of said Parcel 2 (8 PM 65) being on the South right of way of Avenue 280 (Visalia Road) as said right of way is shown on said Parcel Map No. 765 (8 PM 65); thence from said POINT OF BEGINNING along the North line of said Parcel 2 (8 PM 65) South 89° 07' 05" East, 276.75 feet to the Northeast corner of said Parcel 2 (8 PM 65); thence along the East line of said Parcel 2 (8 PM 65) South 0° 52' 55" West, 12.00 feet; thence leaving said East line North 89° 07' 05" West, 1.26 feet; thence North 44° 07' 06" West, 14.14 feet to a line parallel with and 2.00 feet South of the North line of said Parcel 2 (8 PM 65); thence along said parallel line North 89° 07' 05" West, 265.49 feet to the West line of said Parcel 2 (8 PM 65); thence along said West line North 0° 52' 55" East, 2.00 feet to the POINT OF BEGINNING.

Containing 616 sq. ft. more or less.



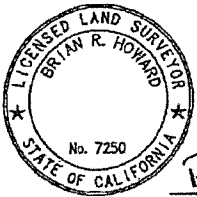
B R H 11/16/12
Brian R. Howard LS 7250 Date

AVENUE 280 (Visalia Rd)



CONTAINING 616 SQ.FT.
MORE OR LESS

PARCEL 2
PARCEL MAP NO. 765
8 PM 65
APN: 133-072-030



Brian R. Howard 11/16/12
Brian R. Howard L.S. 7250 Date

SCALE: 1" = 50'

VISALIA ROAD

1499LGD09

ACQUISITION PARCEL



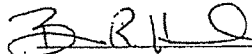
EXHIBIT A PAGE 7 OF 8

Acquisition Parcel

All that certain real property situate in the City of Exeter, County of Tulare, State of California being a portion of Parcel 3 as shown on Parcel Map No. 765, filed November 13, 1974 in Book 8 of Parcel Maps at Page 65, Tulare County Records, described as follows:

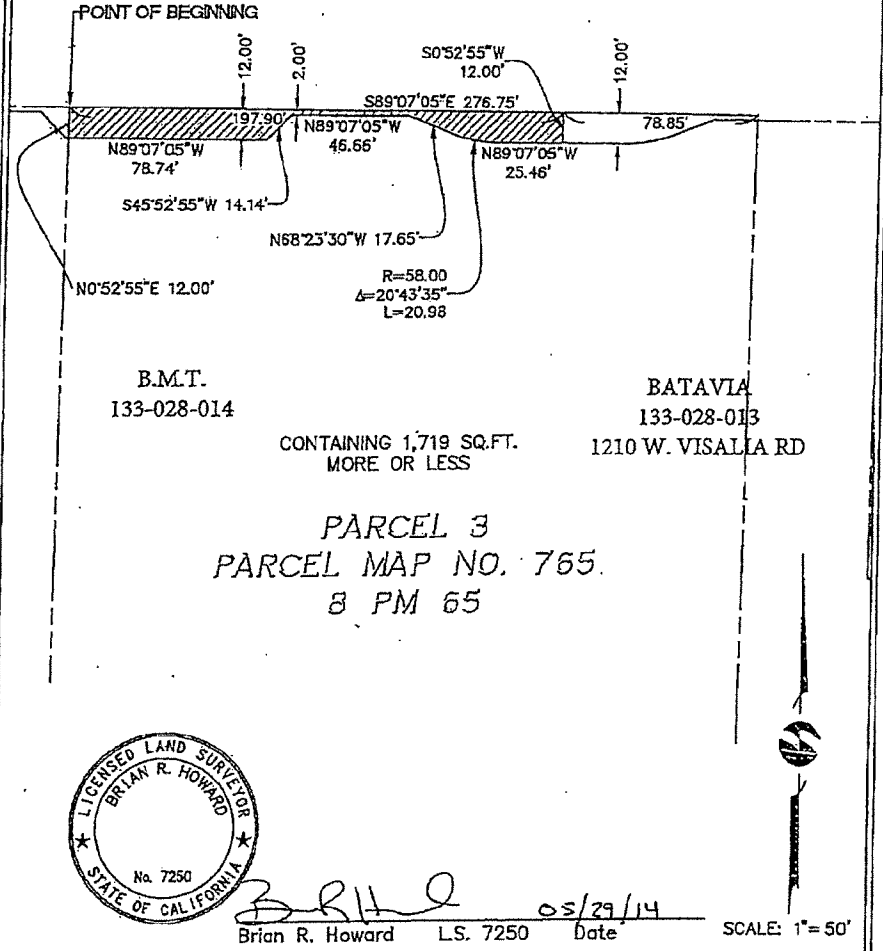
BEGINNING at the Northwest corner of said Parcel 3 (8 PM 65) being on the South right of way of Avenue 280 (Visalia Road) as said right of way is shown on said Parcel Map No. 765 (8 PM 65); thence from said POINT OF BEGINNING along the North line of said Parcel 3 (8 PM 65) South 89° 07' 05" East, 197.90 feet; thence South 0° 52' 55" West, 12.00 feet to a line parallel with and 12.00 feet South of the North line of said Parcel 3 (8 PM 65); thence along said parallel line North 89° 07' 05" West, 25.46 feet; thence leaving said parallel line along a tangent curve to the right, having a radius of 58.00 feet, through a central angle of 20° 43' 35", an arc length of 20.98 feet; thence North 68° 23' 30" West, 17.65 feet to a line parallel to and 2.00 feet South of the North line of said Parcel 3 (8 PM 65); thence along said parallel line North 89° 07' 05" West, 46.66 feet; thence leaving said parallel line South 45° 52' 55" West, 14.14 feet to a line parallel with and 12.00 feet South of the North line of said Parcel 3 (8 PM 65); thence along said parallel line North 89° 07' 05" West, 78.74 feet to the West line of said Parcel 3 (8 PM 65); thence along said West line North 0° 52' 55" East, 12.00 feet to the POINT OF BEGINNING.

Containing 1,719 sq. ft. more or less.


Brian R. Howard LS 7250 05/29/14 Date



AVENUE 280 (Visalia Rd)



B.M.T.
133-028-014

CONTAINING 1,719 SQ.FT.
MORE OR LESS

BATAVIA
133-028-013
1210 W. VISALIA RD

PARCEL 3
PARCEL MAP NO. 765.
8 PM 65



Brian R. Howard
Brian R. Howard L.S. 7250 Date 05/29/14

SCALE: 1" = 50'

VISALIA ROAD

1499L601Crava

ACQUISITION PARCEL



RECORDING requested by and
when recorded, please return to:

City Clerk – City of Exeter
P.O. Box 237
City of Exeter, CA 93221

THIS DOCUMENT IS A TRUE
AND CORRECT COPY OF THE ORIGINAL
DOCUMENT AS THE SAME APPEARS IN THE
OFFICE OF THE COUNTY RECORDER OF
TULARE COUNTY, STATE OF CALIFORNIA.
RECORDED ON July 15, 2016
SERIAL NO. 2016-0041641 OF OFFICIAL RECORDS.

CHICAGO TITLE

BY 

No Fee per Govt. Code 6103

No Documentary Transfer Tax
per REV & Tax CODE 11922

Space above this line for Recorder's use

APN: 138-130-035

GRANT DEED

Resolution No. _____

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Raymond L. Chun and Mary C. Chun, Trustees of the Raymond and Mary Chun Living
Trust, dated July 20, 2005 ("Grantor")

hereby GRANT(S) to the City of Exeter, a municipality of the State of California, the
following described real property in the County of Tulare, State of California:

See Exhibit "A" attached hereto

GRANTOR

Raymond L. Chun #29/16
Raymond L. Chun, Trustee of the
Raymond and Mary Chun Trust,
dated July 20, 2005

Mary C. Chun #29/16
Mary C. Chun, Trustee of the
Raymond and Mary Chun Trust,
dated July 20, 2005

Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

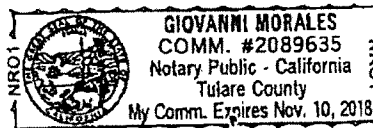
State of California
County of Tulare

On 4-29-16 before me, Giovanni Morales, Notary Public, personally appeared Raymond L. Chun, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Giovanni Morales (Seal)



Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Tulare

On 4-29-16 before me, Giovanni Morales, Notary Public, personally appeared Mary C. Chun, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Giovanni Morales (Seal)

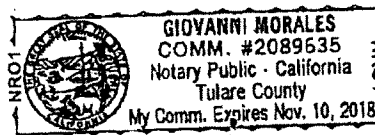


EXHIBIT A PAGE 1 OF 2

Acquisition Parcel

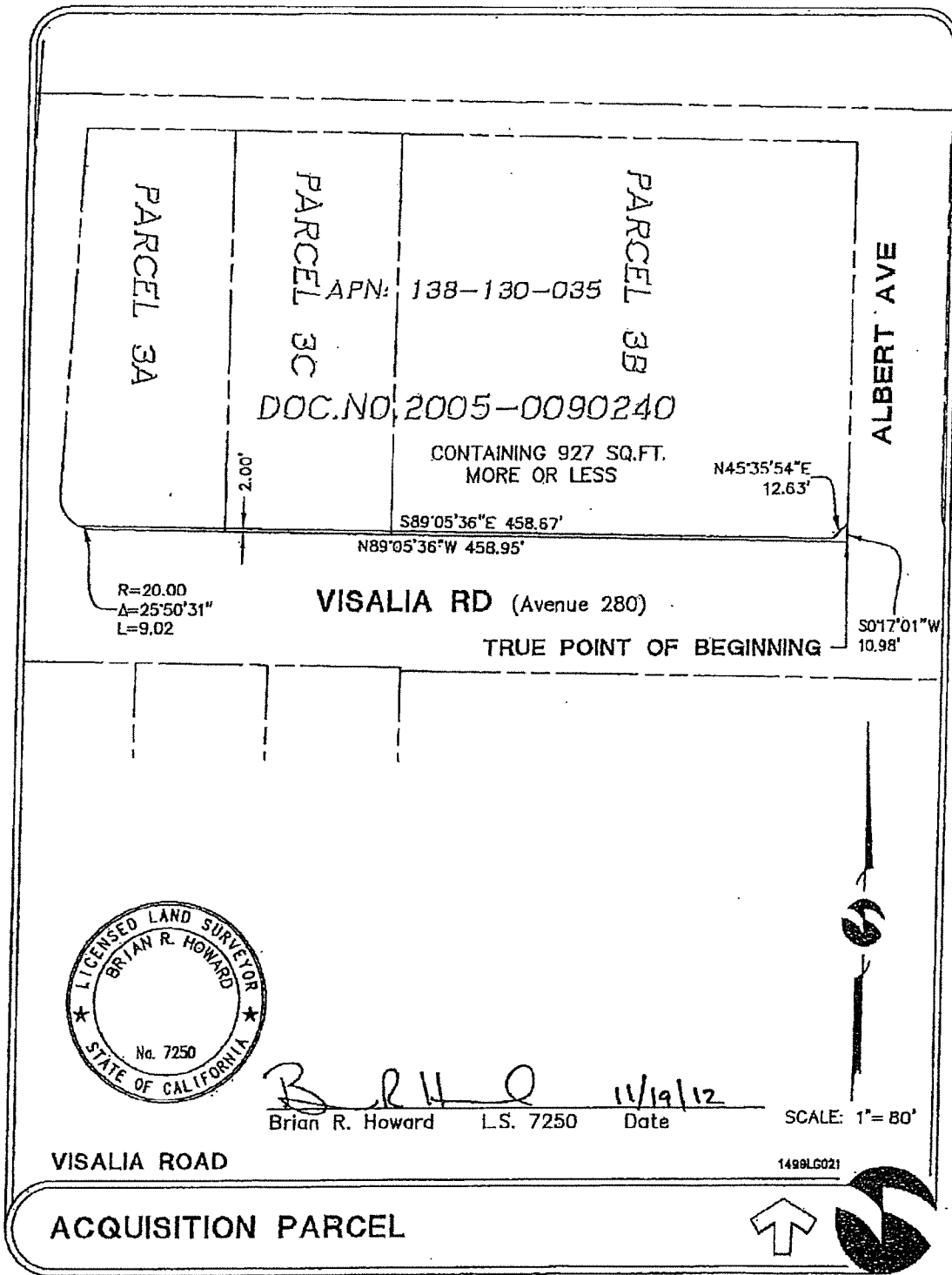
All that certain real property situate in the City of Exeter, County of Tulare, State of California being a portion of the South half of the Southwest quarter of Section 3, Township 19 South, Range 26 East, Mount Diablo Base and Meridian, according to the official plat of the survey of said land on file in the Bureau of Land Management at the date of the issuance of the patent thereof and being a portion of that real property described as Parcels 3A, 3B and 3C in the Quitclaim Deed to Raymond L. Chun and Mary C. Chun, as trustees of the Raymond and Mary Chun Living Trust Dated July 20, 2005, recorded August 18, 2005 as Document No. 2005-0090240, Tulare County Records, described as follows:

BEGINNING at the Southeast corner of said Parcel 3B (2005-0090240) being on the West right of way of Albert Avenue and the North right of way of Visalia Road; thence from said **POINT OF BEGINNING** along the South line of said Parcels 3A, 3B and 3C (2005-0090240) North $89^{\circ} 05' 36''$ West, 458.95 feet; thence along the southerly line of said Parcel 3A (2005-0090240) being a tangent curve to the right, having a radius of 20.00 feet, through a central angle of $25^{\circ} 50' 31''$, an arc length of 9.02 feet to a line parallel with and 2.00 feet North of the South line of said Parcels 3A, 3B and 3C (2005-0090240); thence along said parallel line South $89^{\circ} 05' 36''$ East, 458.67 feet to a point 8.98 feet West of, measured at right angles, the East line of said Parcel 3B (2005-0090240); thence North $45^{\circ} 35' 54''$ East, 12.63 feet to the East line of said Parcel 3B (2005-0090240); thence along said East line South $0^{\circ} 17' 01''$ West, 10.98 feet to the **POINT OF BEGINNING**.

Containing 927 sq. ft. more or less.



Brian R. Howard LS 7250 11/19/12
Brian R. Howard LS 7250 Date



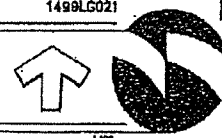
Brian R. Howard
Brian R. Howard L.S. 7250 Date 11/19/12

SCALE: 1" = 80'

VISALIA ROAD

1499LC021

ACQUISITION PARCEL



**CITY OF EXETER, A MUNICIPALITY OF THE
STATE OF CALIFORNIA**

**CERTIFICATE OF ACCEPTANCE AND
CONSENT TO RECORDATION**

THIS IS TO CERTIFY that the interest in real property conveyed by the **Grant Deed** dated April 29, 2016 from Raymond L. Chun and Mary C. Chun, Trustees of the Raymond and Mary Chun Living Trust, dated July 20, 2005 ("Grantor"), to the City of Exeter, Municipal Corporation of the State of California, was duly accepted by the City Council of the City of Exeter on May 24, 2016, and by the same order of the City Council of the City of Exeter, the City Administrator was instructed to execute this certificate of acceptance to be recorded with the **Grant of Deed**.

CITY OF EXETER

By: 
CITY CLERK RANDY GROOM

ATTEST:


DEPUTY CITY CLERK SANDRA GUILLEN

Clerk-Recorders
County of
Tulare
ROLAND P. HILL
Clerk Recorder

2016-0068100 . 10/26/2016 1:24PM
REC FEE 0.00

TOTAL 0.00

ND FEE 0.00

CHANGE 0.00

10/26/2016 1:24PM 2016102600142
NB REC0004254

Thank You
Have a Nice Day!

Requested By:
city of exeter



2016-0017528

6
N

Recorded
Official Records
County of
Tulare
ROLAND P. HILL
Clerk Recorder

REC FEE

0.00

01:13PM 30-Mar-2016

NB
Page 1 of 6

RECORDING requested by and
when recorded, please return to:

City Clerk – City of Exeter
P.O. Box 237
City of Exeter, CA 93221

No Fee per Govt. Code 6103

No Documentary Transfer Tax
per REV & Tax CODE 11922

Space above this line for Recorder's use

APN: 133-290-001

GRANT DEED

Resolution No. _____

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

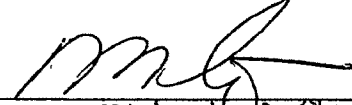
Bank of the Sierra, a California Corporation ("Grantor")

hereby GRANT(S) to the City of Exeter, a municipality of the State of California, the following described real property in the County of Tulare, State of California:

See Exhibit "A" attached hereto

GRANTOR

Bank of the Sierra, a California Corporation



Name: Michael J. Dugan

Title: VP/Chief Banking Officer

Name:

Title:

Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Kern

On February 12, 2018 before me, Stacia D FitzPatrick, Notary

Public, personally appeared Michael W Olague, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by (his/her/their signature(s)) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature] (Seal)



Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____

On _____ before me, _____, Notary

Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT A PAGE 1 OF 2

Acquisition Parcel

All that certain real property situate in the City of Exeter, County of Tulare, State of California being a portion of Parcel 3 as shown on Parcel Map No. 2864, filed February 19, 1982 in Book 29 of Parcel Maps at Page 65, Tulare County Records, described as follows:

COMMENCING at the Southwest corner of said Parcel 3 (29 PM 65) being on the North right of way of Visalia Road (Avenue 280) as said right of way is shown on said Parcel Map No. 2864 (29 PM 65); thence from said POINT OF COMMENCEMENT along the South line of said Parcel 3 (29 PM 65) South 89° 07' 05" East, 92.33 feet to the TRUE POINT OF BEGINNING; thence from said TRUE POINT OF BEGINNING leaving said South line North 0° 52' 55" East, 0.86 feet; thence South 88° 50' 16" East, 6.00 feet; thence along a tangent curve to the left having a radius of 14.00 feet, through a central angle of 28° 08' 49", an arc length of 6.88 feet to a point of reverse curve; thence along said reverse curve having a radius of 16.00 feet, through a central angle of 27° 52' 01", an arc length of 7.78; thence South 89° 07' 05" East, 12.12 feet; thence North 46° 54' 08" East, 25.76 feet to the East line of said Parcel 3 (29 PM 65); thence along said East line and South line of said Parcel 3 (29 PM 65) the following three courses; thence South 2° 55' 09" West, 2.91 feet; thence along a tangent curve to the right having a radius of 20.00 feet, through a central angle of 87° 57' 46", an arc length of 30.70 feet; thence North 89° 07' 05" West, 30.66 feet to the TRUE POINT OF BEGINNING.

Containing 252 sq. ft. more or less.

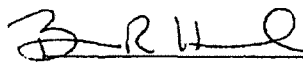

Brian R. Howard LS 7250 10/09/15 Date



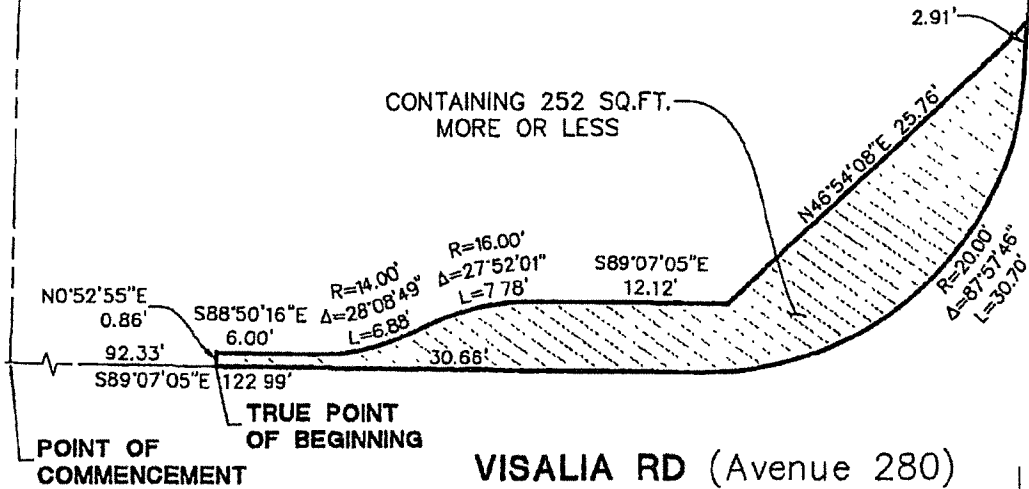
EXHIBIT A PAGE 2 OF 2

PARCEL 3
PM 29-65
APN: 133-060-036

BANK OF THE SIERRA
1103 W. VISALIA RD

S2°55'09"W 1185.34'
BELMONT RD

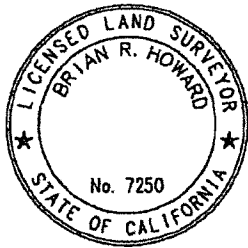
CONTAINING 252 SQ.FT.
MORE OR LESS



POINT OF COMMENCEMENT

TRUE POINT OF BEGINNING

VISALIA RD (Avenue 280)



B R H O
 Brian R. Howard L.S. 7250 Date 10/09/15

SCALE: 1" = 10'

VISALIA ROAD

1499LG028

ACQUISITION PARCEL



CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the interest in real property conveyed by this **Grant Deed** dated February 12, 2016 from Bank of the Sierra, a California Corporation, hereafter referred to as "Grantor", to the City of Exeter, Municipal Corporation of the State of California, was duly accepted by the City Council of the City of Exeter on March 22, 2016, and by the same order of the City Council of the City of Exeter, the City Administrator was instructed to execute this certificate of acceptance to be recorded with the **Grant of Deed**.

CITY OF EXETER

By: 

CITY CLERK RANDY GROOM

ATTEST:



DEPUTY CITY CLERK SANDRA GUILLEN

RECORDING requested by and
when recorded, please return to:

City Clerk – City of Exeter
P.O. Box 237
City of Exeter, CA 93221

WE HEREBY CERTIFY THAT THIS IS A FULL
TRUE AND CORRECT COPY OF THE ORIGINAL
DOCUMENT AS THE SAME APPEARS IN THE
OFFICE OF THE COUNTY RECORDER OF
TULARE COUNTY, STATE OF CALIFORNIA.
RECORDED ON November 2, 2016
SERIAL NO. 2016-0064747 OF OFFICIAL RECORDS.

CHICAGO TITLE
BY [Signature]

No Fee per Govt. Code 6103

No Documentary Transfer Tax
per REV & Tax CODE 11922

Space above this line for Recorder's use

APN: 133-280-003

GRANT DEED

Resolution No. 2016-13

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

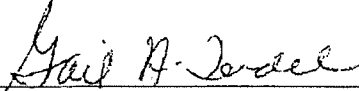
B.M.T., a General Partnership ("Grantor")

hereby GRANT(S) to the City of Exeter, a municipality of the State of California, the
following described real property in the County of Tulare, State of California:

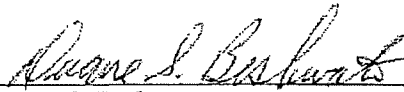
See Exhibit "A" attached hereto

GRANTOR

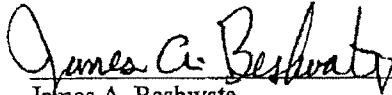
B.M.T., a General Partnership



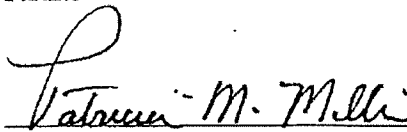
Gail A. Todd
Partner



Duane S. Beshwate
Partner



James A. Beshwate
Partner



Patricia M. Miller
Partner

Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

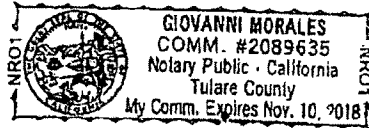
State of California
County of Tulare

On 8-11-16 before me, Giovanni Morales, Notary Public, personally appeared Gail A. Todd, who proved to me on the basis of satisfactory evidence to be the person~~s~~ whose name~~s~~ ~~(is)~~ are subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(ies)~~, and that by his~~/her/their~~ signature~~s~~ on the instrument the person~~s~~, or the entity upon behalf of which the person~~s~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Giovanni Morales (Seal)



Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

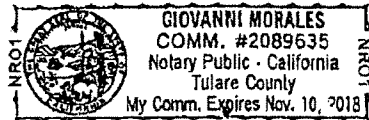
State of California
County of Tulare

On 8-11-16 before me, Giovanni Morales, Notary Public, personally appeared Duane S. Beshwate, who proved to me on the basis of satisfactory evidence to be the person~~s~~ whose name~~s~~ ~~(is)~~ are subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(ies)~~, and that by his~~/her/their~~ signature~~s~~ on the instrument the person~~s~~, or the entity upon behalf of which the person~~s~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Giovanni Morales (Seal)



Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

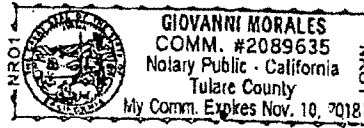
State of California
County of Tulare

On 8-11-16 before me, Giovanni Morales, Notary Public, personally appeared James A. Beshwate, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Giovanni Morales (Seal)



Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

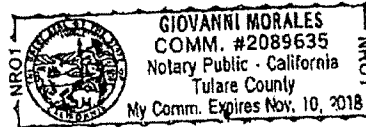
State of California
County of Tulare

On 8-11-16 before me, Giovanni Morales, Notary Public, personally appeared Patricia M. Miller, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Giovanni Morales (Seal)



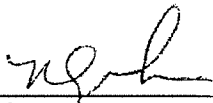
CITY OF EXETER, A MUNICIPALITY OF THE STATE OF CALIFORNIA

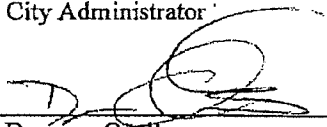
CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDATION

This is to certify that the interest in real property conveyed by this Grant Deed dated 8-11-16 from B.M.T., a General Partnership to the City of Exeter, a municipality of the State of California, is hereby accepted by the undersigned officer or agent on behalf of the City Council of said grantee the grantee consents to recordation thereof by its duly authorized officer.

Dated: 9/28/16

City of Exeter, a municipality of the State of California

By: 
Randy Grob
City Administrator

By: 
Daymon Qualls
Public Works Director

ATTEST:

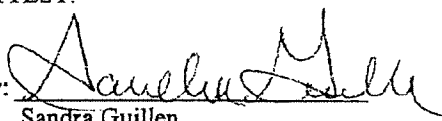
By: 
Sandra Guillen
Deputy City Clerk

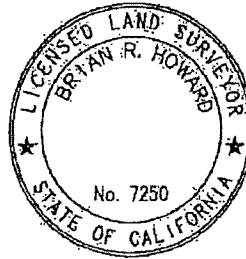
EXHIBIT A PAGE 1 OF 2

Acquisition Parcel

All that certain real property situate in the County of Tulare, State of California being a portion of Parcel 3 as shown on Parcel Map No. 384, filed July 20, 1973 in Book 4 of Parcel Maps at Page 84, Tulare County Records, described as follows:

The North 2.00 feet of said Parcel 3 (4 PM 84).

Containing 422 sq. ft. more or less.



Brian R. Howard 03/02/2013
Brian R. Howard LS 7250 Date

EXHIBIT A PAGE 2 OF 2

AVENUE 280 (Visalia Rd)

2.00'

211.06

NORTH 2 FEET

CONTAINING 422 SQ.FT.
MORE OR LESS

PARCEL 3
PARCEL MAP NO. 384
4 PM 84

APN: 133-072-008



Brian R. Howard 11/16/12
Brian R. Howard L.S. 7250 Date

SCALE: 1" = 40'

VISALIA ROAD

1499LG005

ACQUISITION PARCEL





2013-0047874

6
C

RECORDING requested by and)
 when recorded, please return to:)
)
)
)
 Randy Groom)
 City Clerk – City of Exeter)
 P.O. Box 237)
 City of Exeter, CA 93221)
)
)
)
)
)
)

Recorded	REC FEE	0.00
Official Records		
County of		
Tulare		
ROLAND P. HILL		
Clerk Recorder		
08:31AM 30-Jul-2013	LC	Page 1 of 6

No Fee per Govt. Code 6103

No Documentary Transfer Tax
per REV & Tax CODE 11922

Space above this line for Recorder's use

APN: 135-030-021

GRANT DEED

Resolution No. _____

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Joe Toledo and Harriet Toledo, husband and wife, as Joint Tenants

hereby GRANT(S) to the City of Exeter a municipality of the State of California the following described real property in the County of Tulare, State of California:

See Attached Exhibits "A" and "B " attached hereto

GRANTOR(S)

Joe Toledo and Harriet Toledo, husband and wife, as Joint Tenants

Joe Toledo
Joe Toledo

Harriet M Toledo
Harriet Toledo

APPROVED AS TO CONTENT:

By: ng/h

APPROVED AS TO FORM:

By: [Signature]
City

ACKNOWLEDGMENT

Dated April 30, 2013

STATE OF CALIFORNIA

COUNTY OF Tulare

On April 30, 2013 before me, Jo Ann Peterson, Notary Public

personally appeared JOE TOLEDO an N, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their signature(s) on the instrument the person(s) or their entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

CALIFORNIA NOTARY
Acknowledgment Attached
April 30, 2013

Jo Ann Peterson, Notary Public

Signature _____ (This area for official notaries seal)

CALIFORNIA
ALL-PURPOSE ACKNOWLEDGMENT

State of CALIFORNIA

County of Tulare

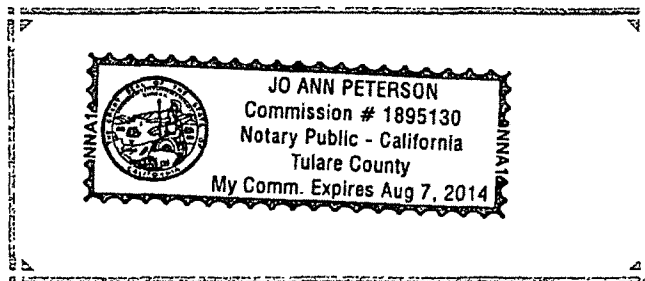
On April 30 _____ 2013, before me, Jo Ann Peterson, Notary Public,
personally appeared JOE TOLEDO and Harriet Toledo

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Jo Ann Peterson (Seal)



Optional

Title or Type of Document: Grant Deed

Date of Document: April 30, 2013

Number of Pages: (2)

Other Information: APN: 135-030-021

City of Exeter
County of Tulare

EXHIBIT "A"
Acquisition Parcel

All that certain real property situate in the City of Exeter, County of Tulare, State of California being a portion of Parcel 4 as shown on Parcel Map No. 2496, filed April 29, 1980 in Book 25 of Parcel Maps at Page 97, Tulare County Records, described as follows:

The North 2.00 feet of said Parcel 4 (25 PM 97).

Containing 160 sq. ft. more or less.



B. R. Howard 11/19/12
Brian R. Howard LS 7250 Date

AVENUE 280 (Visalia Rd)

EXHIBIT "B"

2.00'

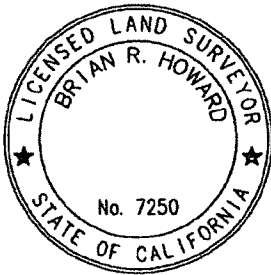
80.07

NORTH 2 FEET

CONTAINING 160 SQ.FT.
MORE OR LESS

PARCEL 4
PARCEL MAP NO. 2496
25 PM 97

APN: 135-030-021



B R H

Brian R. Howard

L.S. 7250

11/19/12

Date

SCALE: 1" = 20'

VISALIA ROAD

1499LG017

ACQUISITION PARCEL



1499

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the interest in real property conveyed by the **Grant Deed** dated April 30, 2013 from Joe Toledo and Harriet Toledo, to the City of Exeter, Municipal Corporation of the State of California, was duly accepted by the City Council of the City of Exeter on July 9, 2013, and by the same order of the City Council of the City of Exeter, the City Administrator was instructed to execute this certificate of acceptance to be recorded with the **Grant of Deed**.

CITY OF EXETER

By: 

CITY CLERK RANDY GROOM

ATTEST:



DEPUTY CITY CLERK SANDRA GUILLEN

RECORDING requested by and
when recorded, please return to:

City Clerk – City of Exeter
P.O. Box 237
City of Exeter, CA 93221

WE HEREBY CERTIFY THAT THIS IS A FULL,
TRUE AND CORRECT COPY OF THE ORIGINAL
DOCUMENT AS THE SAME APPEARS IN THE
OFFICE OF THE COUNTY RECORDER OF
TULARE COUNTY, STATE OF CALIFORNIA.
RECORDED ON 10/26/2016
SERIAL NO. 2016-006878 OF OFFICIAL RECORDS.

CHICAGO TITLE
BY [Signature]

No Fee per Govt. Code 6103

No Documentary Transfer Tax
per REV & Tax CODE 11922

Space above this line for Recorder's use

APN: 138-142-019

GRANT DEED

Resolution No. 2016-13

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,


Exeter Investment Group, a Limited Partnership ("Grantor")

hereby GRANT(S) to the City of Exeter, a municipality of the State of California, the
following described real property in the County of Tulare, State of California:

See Exhibit "A" attached hereto

GRANTOR

Exeter Investment Group,
a Limited Partnership



Name: John P. Casper
Title: G.P.

~~_____
Name:
Title:~~

Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Placer

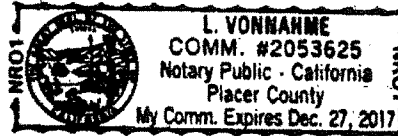
On 6-21-16 before me, ~~John P. Casper~~ L. Vonnahme, Notary

Public, personally appeared John P. Casper, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature L. Vonnahme (Seal)



Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____

On _____ before me, _____, Notary

Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

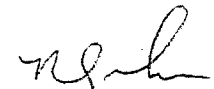
Signature _____ (Seal)


CITY OF EXETER, A MUNICIPALITY OF THE STATE OF CALIFORNIA
CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDATION

This is to certify that the interest in real property conveyed by this Grant Deed dated June 21, 2016 from **Exeter Investment Group, a Limited Partnership** to the **City of Exeter, a municipality of the State of California**, is hereby accepted by the undersigned officer or agent on behalf of the City Council of said grantee pursuant to authority conferred by resolution (2016-13) of said City Council on the 26th day of July, 2016 and the grantee consents to recordation thereof by its duly authorized officer.

Dated: 7-27-2016

City of Exeter, a municipality of the State of California

By: 
Name: Randy Green
Title: CITY ADMINISTRATOR


DAYMON ADAMS
PUBLIC WORKS DIRECTOR


ATTEST: 
Sandra Guillen
Deputy City Clerk

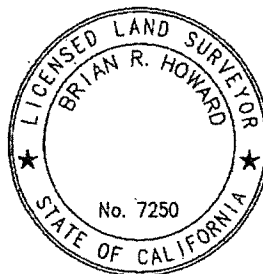
EXHIBIT A PAGE 1 OF 2

Acquisition Parcel

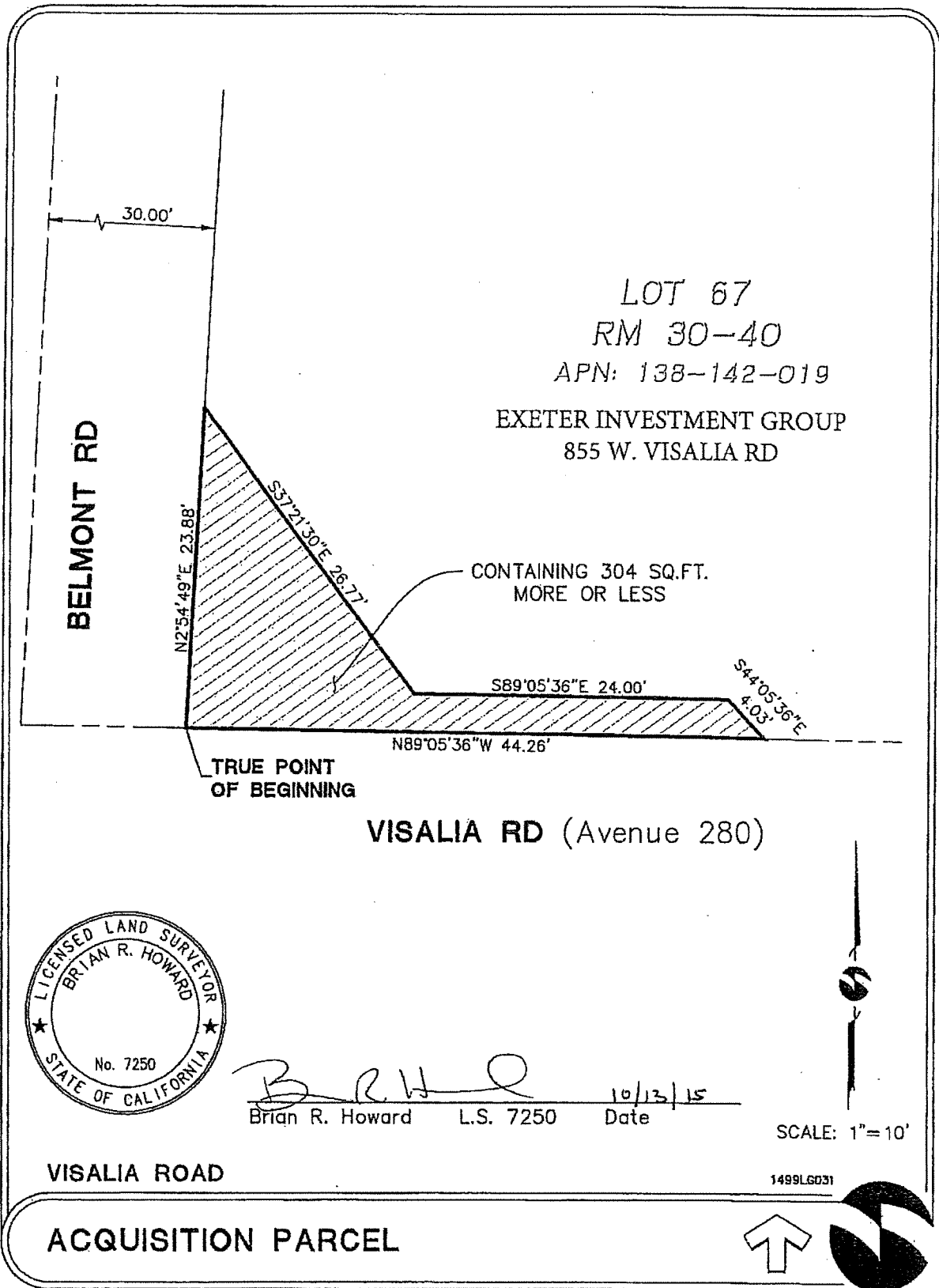
All that certain real property situate in the City of Exeter, County of Tulare, State of California being a portion of Lot 67 of "The Woods" Subdivision Map, filed August 29, 1979 in Book 30 of Maps at Page 40, Tulare County Records, described as follows:

BEGINNING on the South line of said Lot 67 at the East right of way of Belmont Road as said Road is shown on said Subdivision Map (30 M 40); thence from said **POINT OF BEGINNING** along the East right of way of said Belmont Road North 2° 54' 49" East, 23.88 feet; thence leaving said East right of way line South 37° 21' 30" East, 26.77 feet; thence South 89° 05' 36" East, 24.00 feet; thence South 44° 05' 36" East, 4.03 feet to said South line of Lot 67; thence along said South line North 89° 05' 36" West, 44.26 feet to the **TRUE POINT OF BEGINNING**.

Containing 304 sq. ft. more or less.



Brian R. Howard LS 7250 10/13/15
Brian R. Howard LS 7250 Date



BELMONT RD

LOT 67
RM 30-40
APN: 138-142-019
EXETER INVESTMENT GROUP
855 W. VISALIA RD

CONTAINING 304 SQ.FT.
MORE OR LESS

TRUE POINT
OF BEGINNING

VISALIA RD (Avenue 280)



B.R.H.
Brian R. Howard L.S. 7250 Date 10/13/15

SCALE: 1"=10'

VISALIA ROAD

1499L6031

ACQUISITION PARCEL



RECORDING REQUESTED BY:

Chad M. Lew, Esq.

AND WHEN RECORDED MAIL TO:

Matthew C. Pierce
McCormick Kabot Jenner & Lew
4010 S. Demaree Street Visalia,
CA 93277

MAIL TAX STATEMENTS TO:

THIS SPACE FOR RECORDER'S USE ONLY

Effective January 1, 2018, California Government Code section 27388.1 (SB2 – Building Homes and Jobs Act) requires that documents accepted for recording at the Tulare County Recorder's Office be charged an additional seventy-five dollars (\$75) fee per title, unless exempted by statute.

- Document is subject to the imposition of documentary transfer tax and includes a declaration showing the amount of documentary transfer tax paid at the time of recording
- Exempt from fee per GC 27388.1 (a) (2); recorded concurrently "in connection with" a transfer subject to the imposition of documentary transfer tax"
- Exempt from fee per GC sec 27388.1 (a) (2); Document represents a transfer of real property that is a residential dwelling to an owner-occupier
- Exempt from fee per GC 27388.1 (a) (2); recorded concurrently "in connection with" a transfer of real property that is a residential dwelling to an owner-occupier"
- Exempt from fee per GC 27388.1 (a) (1); fee cap of \$225 reached"
- Exempt from the fee per GC 27388.1 (a) (1) Not related to real property
- Exempt from the fee per GC 27388.1 (a) (2) Document executed or recorded by the state or any county, municipality, or other political subdivision of the state.

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(ADDITIONAL RECORDING FEE APPLIES)

FILED
TULARE COUNTY SUPERIOR COURT
VISALIA DIVISION

MAY 05 2017

LARAYNE CLEEK, CLERK

BY: [Signature]

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF TULARE - VISALIA DIVISION

CITY OF EXETER,

Plaintiff,

vs.

NARINDER PATHAK, MANJU KAUUR and
DOES 1-10, inclusive,

Defendants.

Case No. 175847
Complaint Filed December 6, 2016

~~PROPOSED~~ ORDER FOR POSSESSION OF
REAL PROPERTY
C.C.P. § 1255.410
APN 135-041-001

Hearing
Date: May 4, 2017
Time: 8:30 a.m.
Dept.: 2

This matter came before the court for a duly noticed hearing on the Motion of Plaintiff, THE CITY OF EXETER, or an Order of Possession of Real Property in Department 2 of the Tulare County Superior Court – Visalia Division on May 4, 2017. Appearances for the parties were as stated on the record.

IT APPEARING from the oral arguments presented by the parties, as well as from the declarations and pleadings on file herein, that the City is entitled to take by eminent domain the property referred to as a portion of Parcel No. 135-041-001, described by reference to the City's complaint on file herein, and to take possession thereof;

IT FURTHER APPEARING that pursuant to C.C.P. § 1255.070, the City made a written request to deposit probable compensation in the amount of \$19,500 with the Tulare County Treasury;

11m

1 IT IS HEREBY ORDERED THAT:

2 1. Plaintiff is authorized and empowered to enter upon and take possession and use of the property
3 more particularly described in the attached **Exhibit 1**, which property is depicted on the map attached as
4 **Exhibit 2** and described in the City's complaint; and to remove any and all persons, obstacles,
5 improvements, or structures of every kind situated thereon and to fully possess and use said property for
6 the purposes and uses indicated in the complaint herein as of the indicated date set forth below:

7
8 Date possession to be taken: 90 days after date of service.

9
10 2. A Writ of Assistance shall issue ex parte upon the declaration of plaintiff showing that the owners
11 and occupants, if any, have failed to deliver up the possession of said property upon demand of plaintiff
12 pursuant to this order, and in accordance with the authority conferred upon the Court to enforce any of its
13 orders of possession by appropriate process as stated in C.C.P. § 1230.050(b).

14 3. A certified copy of this order shall be transmitted to the County Tax Collector with the
15 descriptions of the subject property described in the City's complaint and which possession by the City is
16 herein ordered. The Tax Collector is hereby directed and ordered to certify to this Court the information
17 required by Code of Civil Procedure section C.C.P. § 1260.250(c).

18 4. The deposit of probable compensation shall be deposited in the county treasury pursuant to Code
19 of C.C.P. § 1255.070.

20 David C. Mathias

21 Dated: May 5, 2017

22 By: 
23 JUDGE OF THE SUPERIOR COURT

EXHIBIT 1

Acquisition Parcel

All that certain real property situate in the City of Exeter, County of Tulare, State of California being a portion of Lot 1 in Block A of Elmwood First Addition to Exeter filed March 23, 1909 in Book 8 of Maps at Page 75, Tulare County Records, described as follows:

The North 9.50 feet of said Lot 1 (8 M 75).

Containing 1,425 sq. ft. more or less.



B R H O 12/28/12
Brian R. Howard LS 7250 Date

MAIN STREET (VISALIA ROAD)

150.00'

NORTH 9.50 FEET

LOT 1

CONTAINING 1,425 SQ.FT.
MORE OR LESS

B M 75

APN: 135-041-001

ORANGE AVE



B. R. H. O. 12/31/12
Brian R. Howard L.S. 7250 Date

SCALE: 1" = 30'

VISALIA ROAD

149PL0018

ACQUISITION PARCEL



1106

Temporary Construction Easement

All that certain real property situate in the City of Exeter, County of Tulare, State of California being a portion of Lot 1 in Block A of Elmwood First Addition to Exeter filed March 23, 1909 in Book 8 of Maps at Page 75, Tulare County Records, described as follows:

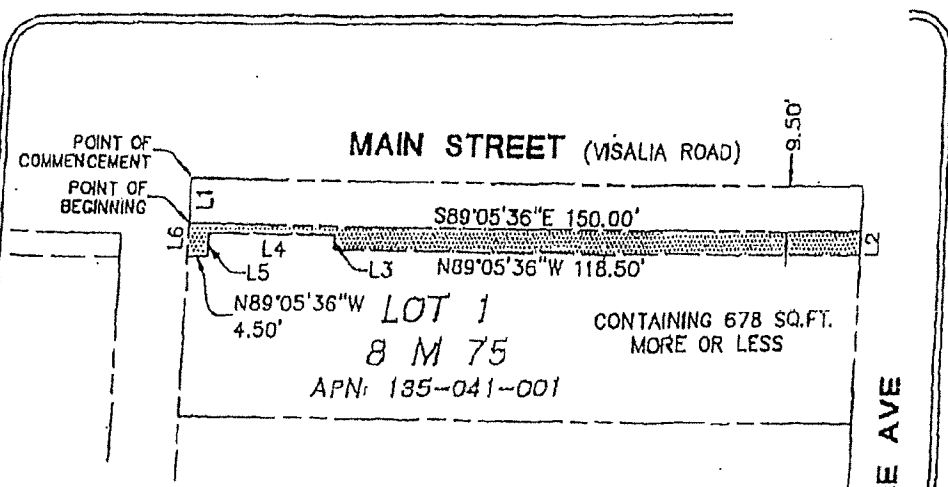
COMMENCING at the Northwest corner of said Lot 1 (8 M 75) being on the South right of way of Main Street (Visalia Road) as said right of way is shown on said Elmwood First Addition to Exeter (8 M 75); thence from said POINT OF COMMENCEMENT along the West line of said Lot 1 (8 M 75) South 0° 18' 24" West, 9.50 feet to a line parallel with and 9.50 feet South of the North line of said Lot 1 (8 M 75) and the TRUE POINT OF BEGINNING; thence from said TRUE POINT OF BEGINNING along said parallel line South 89° 05' 36" East, 150.00 feet to the East line of said Lot 1 (8 M 75); thence along said East line South 0° 18' 24" West, 5.00 feet; thence leaving said East line North 89° 05' 36" West, 118.50 feet; thence North 0° 18' 24" East, 3.00 feet; thence North 89° 05' 36" West, 27.00 feet; thence South 0° 18' 24" West, 3.00 feet; thence North 89° 05' 36" West, 4.50 feet to the West line of said Lot 1 (8 M 75); thence along said West line North 0° 18' 24" East, 5.00 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM that portion of the above described parcel of land that may be occupied by the existing building located on said Lot 1 (8 M 75).

Containing 678 sq. ft. more or less.



Brian R. Howard 12/31/12
Brian R. Howard LS 7250 Date



Line Table

Line #	Direction	Length
L1	S 0°18'24" W	9.50'
L2	S 0°18'24" W	5.00'
L3	N 0°18'24" E	3.00'
L4	N 89°05'36" W	27.00'
L5	S 0°18'24" W	5.00'
L6	N 0°18'24" E	7.00'



B. R. Howard 12/31/12
 Brian R. Howard L.S. 7250 Date

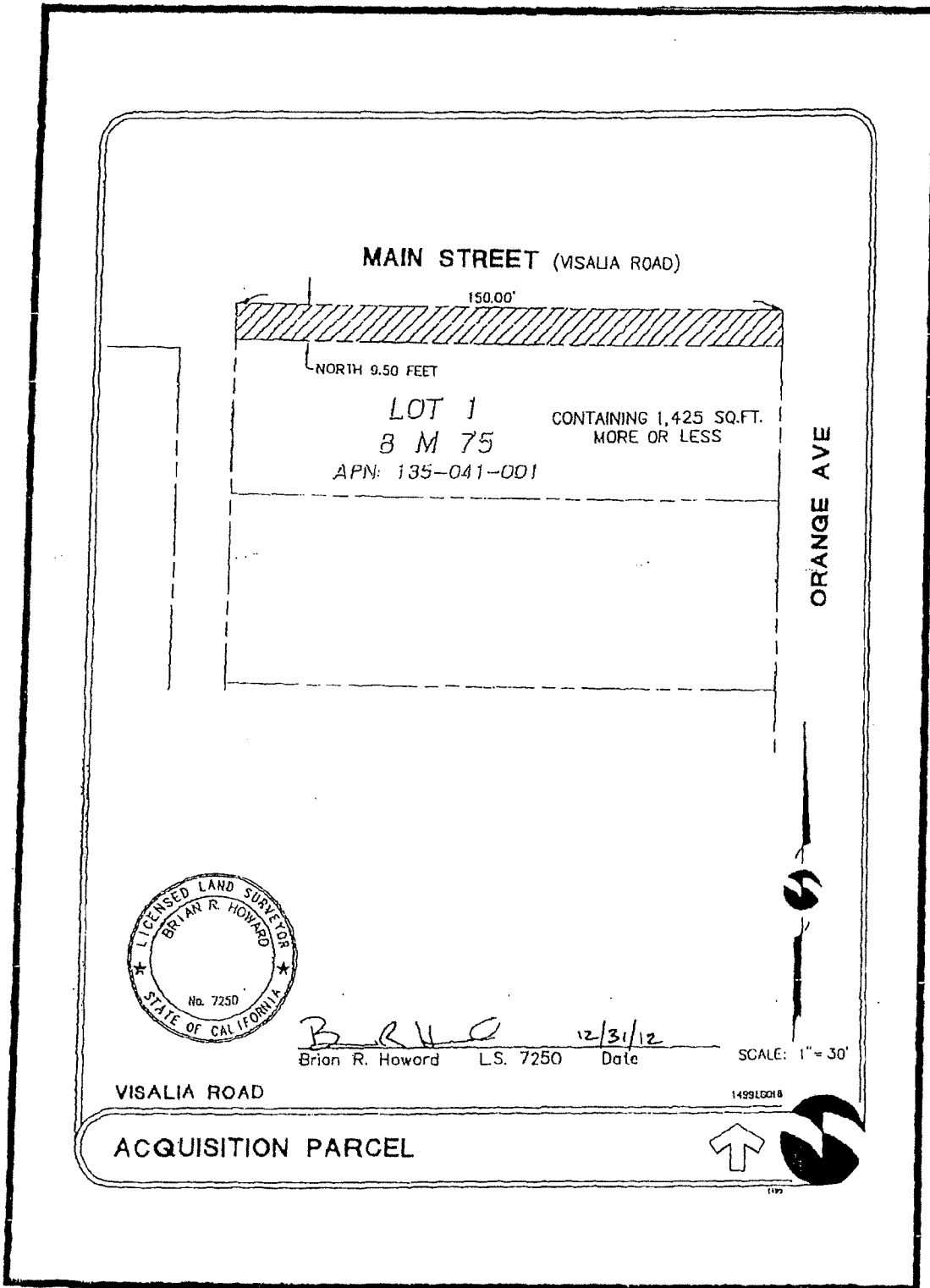
SCALE: 1" = 30'

VISALIA ROAD

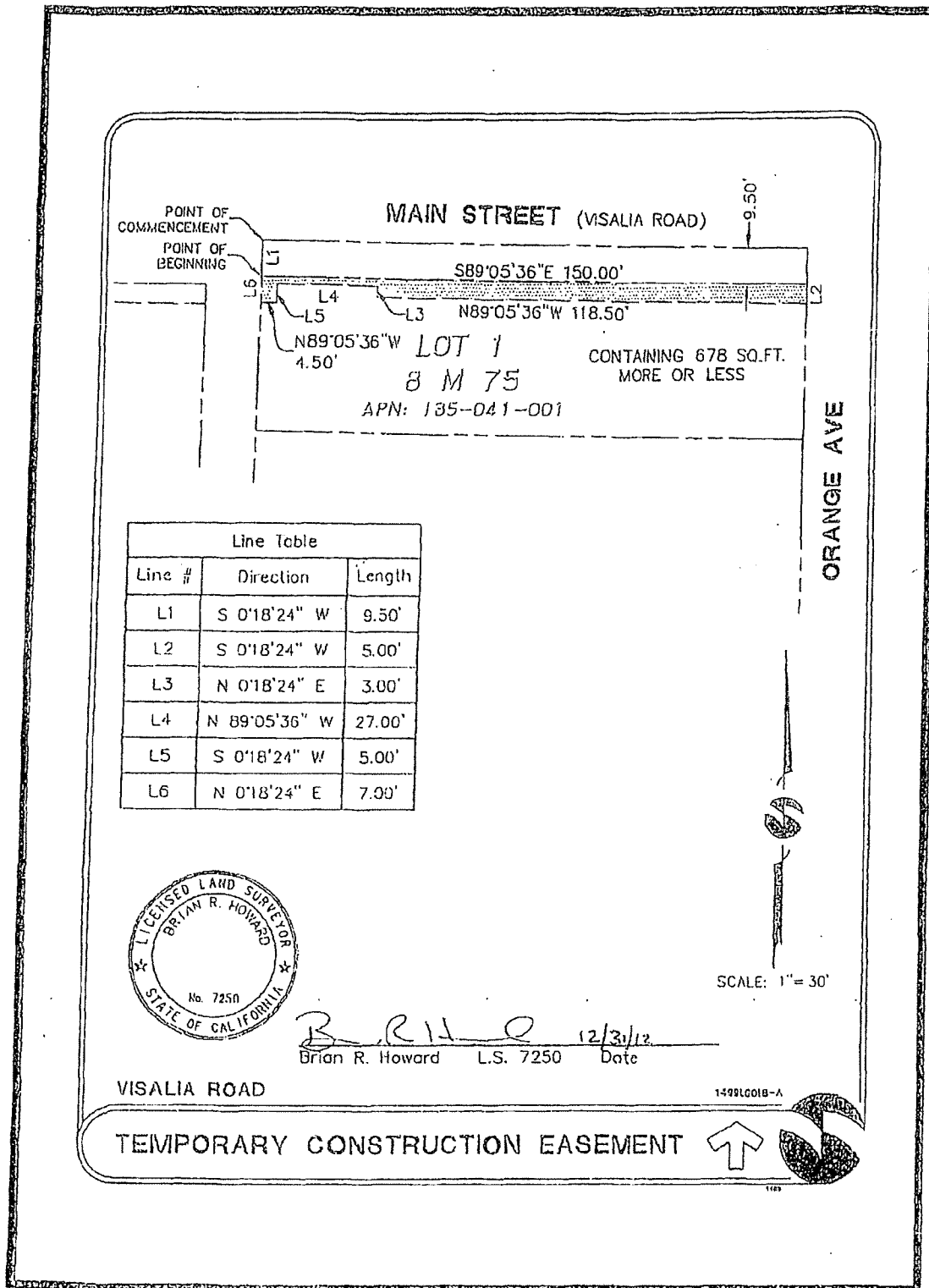
E499L0016-A

TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT 2



PLAT OF THE PERMANENT ACQUISITION



PLAT OF THE TEMPORARY CONSTRUCTION EASEMENT

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA, COUNTY OF TULARE

3 I am a citizen of the United States and a resident of the County
4 aforesaid; I am over the age of eighteen years and not a party to
5 the within action; my business address is 4010 S. Demaree Street,
6 Visalia, California 93277.

7 On January 18, 2017, I served the foregoing document described as
8 [Proposed] Order for Possession of Real Property in this action,
9 enclosed in sealed envelope(s) and addressed as follows:

10 Narinder Pathak 230 N. Orange Street Exeter, CA 93221	Manju Kaur 230 N. Orange Street Exeter, CA 93221
11 Narinder Pathak 7588 Carnegie Ave. Fresno, CA 93722	Manju Kaur 7588 Carnegie Ave. Fresno, CA 93722

12 By Mail - I deposited such envelope with the United States Postal Service,
13 enclosed in a sealed envelope with postage thereon fully prepaid, in the
14 United States Mail at Visalia, California. I am readily familiar with the
15 business practice at my place of business for collection and processing of
16 correspondence for mailing with the United States Postal Service.
17 Correspondence so collected and processed is deposited with the United
18 States Postal Service that same day in the ordinary course of business.


19 By Express Service Carrier [Overnight] - I deposited in a box or other
20 facility regularly maintained by OnTrac, an express service carrier, or
21 delivered to a courier or driver authorized by said express service
22 carrier to receive documents in an envelope designated by the said express
23 carrier, with delivery fees paid or provided for.

24 By Personal Service - I delivered such envelope by hand to the addressee
25 or their designated representative at approximately 8:30 a.m., on October
26 26, 2016, in Department 17 of the Tulare County Superior Court,
27 Porterville Division, 300 East Olive Avenue, Porterville, CA 93257

28 (State) I declare under penalty of perjury under the laws of the
State of California that the foregoing is true and correct.

(Federal) I declare that I am employed in the office of a member of
the bar of this court at whose direction the service was made.

Executed on January 18, 2017, at Visalia, California.

26 
27 Julie Leighty

The document to which this certificate is affixed is a full true and correct copy of the original on file and of record in my office.

Attest: Feb. 14th, 2019

Stephanie Cameron, Clerk of the Superior Court of the State of California in and for the County of Tulare.

By [Signature] Deputy





2013-0047877

6
C

RECORDING requested by and
when recorded, please return to:

Randy Groom
City Clerk - City of Exeter
P.O. Box 237
City of Exeter, CA 93221

Recorded | REC FEE 0.00
Official Records |
County of |
Tulare |
ROLAND P. HILL |
Clerk Recorder |
09:31AM 30-Jul-2013 | LC
Page 1 of 6

No Fee per Govt. Code 6103

No Documentary Transfer Tax
per REV & Tax CODE 11922

Space above this line for Recorder's use

APN: 135-030-019

GRANT DEED

Resolution No. _____

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Linda Lewis, an unmarried woman

hereby GRANT(S) to the City of Exeter a municipality of the State of California the following described real property in the County of Tulare, State of California:

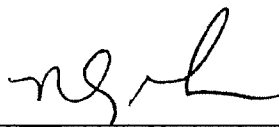
See Attached Exhibits "A" and "B" attached hereto

GRANTOR(S)
Linda Lewis, an unmarried woman

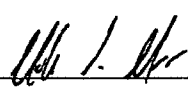


Linda Lewis

APPROVED AS TO CONTENT:

By: 

APPROVED AS TO FORM:

By: 

City _____

ACKNOWLEDGMENT

Dated _____
STATE OF CALIFORNIA
COUNTY OF _____
On _____ before me, _____
personally appeared _____, personally known
to me (or proved to me on the basis of satisfactory evidence) to be the persons(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the
same in his/her/their signature(s) on the instrument the person(s) or their entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal. *SEE ATTACHED*
C.A. NOTARY ACKNOWLEDGMENT
June 6, 2013

Signature _____ *Jo Ann Peterson, Notary Public* (This area for official notaries seal)

CALIFORNIA
ALL-PURPOSE ACKNOWLEDGMENT

State of CALIFORNIA

County of Tulare

On June 6 2013, before me, Jo Ann Peterson, Notary Public,

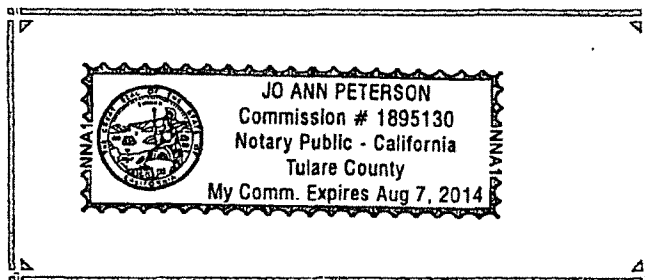
personally appeared LINDA LEWIS

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/ they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Jo Ann Peterson (Seal)



Optional

Title or Type of Document: ~~Deed~~ of Grant Deed

Date of Document: June 6, 2013

Number of Pages: 4

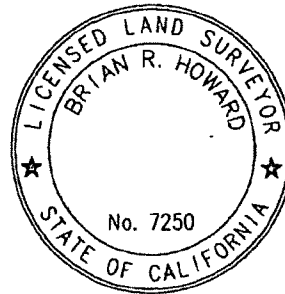
Other Information: APN: 135-030-019 Tulare County, City of Exeter CA.

EXHIBIT "A"
Acquisition Parcel

All that certain real property situate in the City of Exeter, County of Tulare, State of California being a portion of Parcel 2 as shown on Parcel Map No. 2496, filed April 29, 1980 in Book 25 of Parcel Maps at Page 97, Tulare County Records, described as follows:

The North 2.00 feet of said Parcel 2 (25 PM 97).

Containing 160 sq. ft. more or less.



Brian R. Howard LS 7250 11/19/12
Brian R. Howard LS 7250 Date

AVENUE 280 (Visalia Rd)

EXHIBIT "B"

80.07

2.00'

THE NORTH 2 FEET

CONTAINING 160 SQ.FT.
MORE OR LESS

PARCEL 2
PARCEL MAP NO. 2496
25 PM 97
APN: 135-030-019



B R H O 11/19/12
Brian R. Howard L.S. 7250 Date

SCALE: 1" = 20'

VISALIA ROAD

1499LG015

ACQUISITION PARCEL



1499

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the interest in real property conveyed by the **Grant Deed** dated June 6, 2013 from Linda Lewis, an unmarried woman to the City of Exeter, Municipal Corporation of the State of California, was duly accepted by the City Council of the City of Exeter on July 9, 2013, and by the same order of the City Council of the City of Exeter, the City Administrator was instructed to execute this certificate of acceptance to be recorded with the **Grant of Deed**.

CITY OF EXETER

By: 

CITY CLERK RANDY GROOM

ATTEST:



DEPUTY CITY CLERK SANDRA GUILLEN

GRANTOR(S)

Anthony Silveira Souza and Marilyn Marie Souza, husband and wife, as Joint Tenants

Anthony Silveira Souza
Anthony Silveira Souza

Marilyn Marie Souza
Marilyn Marie Souza

APPROVED AS TO CONTENT:

By: _____

APPROVED AS TO FORM:

By: _____
City _____

M/S

ACKNOWLEDGMENT

Dated _____
STATE OF CALIFORNIA
COUNTY OF _____ }

On _____ before me, _____

personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their signature(s) on the instrument the person(s) or their entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

CALIFORNIA NOTARY ACKNOWLEDGEMENT ATTACHED:

June 19, 2013

Jo Ann Peterson, Notary Public

Signature _____ (This area for official notaries seal)

EXHIBIT "A"
Acquisition Parcel

All that certain real property situate in the City of Exeter, County of Tulare, State of California being a portion of Parcel 3 as shown on Parcel Map No. 2496, filed April 29, 1980 in Book 25 of Parcel Maps at Page 97, Tulare County Records, described as follows:

The North 2.00 feet of said Parcel 3 (25 PM 97).

Containing 160 sq. ft. more or less.



Brian R. Howard LS 7250 11/19/12
Brian R. Howard LS 7250 Date

AVENUE 280 (Visalia Rd)

EXHIBIT "B"

80.08

2.00'

NORTH 2 FEET

CONTAINING 160 SQ.FT.
MORE OR LESS

PARCEL 3
PARCEL MAP NO. 2496
25 PM 97

APN: 135-030-020



B. R. Howard 11/19/12
Brian R. Howard L.S. 7250 Date

SCALE: 1" = 60'

VISALIA ROAD

1499L6016

ACQUISITION PARCEL



1499

CALIFORNIA
ALL-PURPOSE ACKNOWLEDGMENT

State of CALIFORNIA

County of Tulare

On June 19 2013, before me, Jo Ann Peterson, Notary Public,

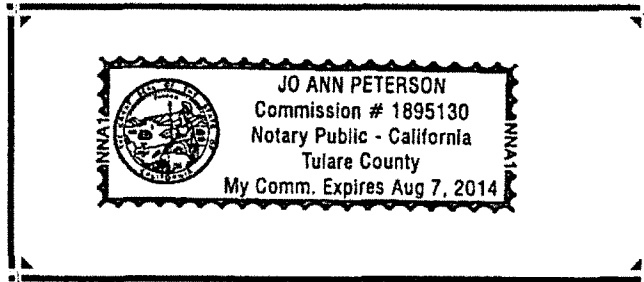
personally appeared Anthony Sileiva Souza and
Marilyn Marie Souza

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Jo Ann Peterson (Seal)



Optional

Title or Type of Document: Grant Deed

Date of Document: June 19, 2013

Number of Pages: (4)

Other Information: APN: 135-030-020 Tulare County, Exeter, CA

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the interest in real property conveyed by the **Grant Deed** dated June 19, 2013 from Anthony Silveira Souza and Marilyn Souza, husband and wife, as Joint Tenants and to the City of Exeter, Municipal Corporation of the State of California, was duly accepted by the City Council of the City of Exeter on July 9, 2013, and by the same order of the City Council of the City of Exeter, the City Administrator was instructed to execute this certificate of acceptance to be recorded with the **Grant of Deed.**

CITY OF EXETER

By: _____


CITY CLERK RANDY GROOM

ATTEST:


DEPUTY CITY CLERK SANDRA GUILLEN

**RECORDING REQUESTED BY
CHICAGO TITLE COMPANY**



2016-0053353

5
8

16

RECORDING requested by and
when recorded, please return to:
MAIL TAX STATEMENTS TO:

WHEN RECORDED MAIL TO:

City Clerk - City of Exeter
P.O. Box 237
City of Exeter, CA 93221

FREE

Recorded | REC FEE 0.00
Official Records
County of
Tulare
ROLAND P. HILL
Clerk Recorder

08:00AM 08-Sep-2016 | LC Page 1 of 5

No Fee per Govt. Code 6103

No Documentary Transfer Tax
per REV & Tax CODE 11922

Space above this line for Recorder's use

APN: 133-290-003

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

McDonald's Corporation, a Delaware Corporation, successor in interest to McDonald's Corporation, DBA Delaware McDonald's Corporation, a Delaware Corporation ("Grantor")

hereby GRANT(S) to the City of Exeter, a municipality of the State of California, the following described real property in the County of Tulare, State of California:

See Exhibit "A" attached hereto

**CITY OF EXETER, A MUNICIPALITY OF THE STATE OF CALIFORNIA
CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDATION**

THIS IS TO CERTIFY that the interest in real property conveyed by the **Grant Deed** dated July 13, 2016 from **McDonald's Corporation , a Delaware Corporation,** **successor in interest to McDonald's Corporation , DBA Delaware McDonald's Corporation, a Delaware Corporation,** to the City of Exeter, a Municipality of the State of California, is hereby accepted by the undersigned officer or agent on behalf of the City Council, on August 9, 2016 and by the same order of the City Council of the City of Exeter, the City Administrator was instructed to execute this certificate of acceptance to be recorded with the **Grant of Deed**.

CITY OF EXETER

By: 

CITY CLERK RANDY GROOM

ATTEST:



DEPUTY CITY CLERK SANDRA GUILLEN

EXHIBIT A PAGE 1 OF 2

Acquisition Parcel

All that certain real property situate in the City of Exeter, County of Tulare, State of California being a portion of Parcel 1 described in the Administrative Resolution for Lot Line Adjustment 92-05 to DBO Development Company No. 2 recorded December 30, 1992 as document No. 92-094681, Tulare County Records, described as follows:

COMMENCING at the Southwest corner of said Parcel 1 (92-094681) being on the North right of way of Visalia Road (Avenue 280); thence from said POINT OF COMMENCEMENT along the South line of said Parcel 1 (92-094681), South 89° 07' 05" East, 60.08 feet to the TRUE POINT OF BEGINNING; thence from said TRUE POINT OF BEGINNING leaving said South line North 0° 52' 55" East, 2.00 feet; thence South 89° 07' 05" East, 42.92 feet to the West line of the "2' Additional Dedication" per Parcel Map No. 2864, filed February 19, 1982 in Book 29 of Parcel Maps at Page 65, Tulare County Records; thence along said West line South 0° 52' 55" West, 2.00 feet to the South line of said Parcel 1 (92-094681); thence along said South line North 89° 07' 05" West, 42.92 feet to the TRUE POINT OF BEGINNING.

Containing 86 sq. ft. more or less.

Brian R. Howard 11/04/15
Brian R. Howard LS 7250 Date



EXHIBIT A PAGE 2 OF 2

PARCEL 1, PM 29-65

PARCEL 4, LLA 92-05 (92-094681)
APN: 133-290-006

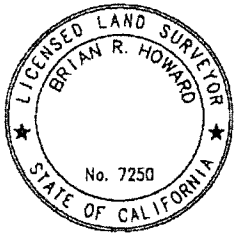
PARCEL 1
LLA 92-05
(92-094681)
APN: 133-290-003

PARCEL 2, PM 29-65
PARCEL 2, LLA 92-05 (92-094681)
APN: 133-290-004

POINT OF COMMENCEMENT
CONTAINING 86 SQ.FT. MORE OR LESS
N0°52'55"E 2 00'
S89°07'05"E 42.92'
S0°52'55"W 2 00'

TRUE POINT OF BEGINNING
S89°07'05"E 60.08'
N89°07'05"W 42.92'
2' ADDITIONAL DEDICATION PER 29 PM 65

VISALIA RD (Avenue 280)



B R H

Brian R. Howard L.S. 7250 Date 11/04/15

SCALE: 1" = 30'

VISALIA ROAD

1499LG030

ACQUISITION PARCEL



RECORDING REQUESTED BY
CHICAGO TITLE CO

25 RECORDING requested by and
when recorded, please return to:

City Clerk – City of Exeter
P.O. Box 237
City of Exeter, CA 93221



2017-0019500

5
mb

Free

Recorded
Official Records
County of
Tulare
ROLAND P. HILL
Clerk Recorder

REC FEE

0.00

10:58AM 07-Apr-2017 | JD
Page 1 of 5

No Fee per Govt. Code 6103

No Documentary Transfer Tax
per REV & Tax CODE 11922

Space above this line for Recorder's use

APN: 133-290-005, 133-290-006 & 133-290-007

GRANT DEED

Resolution No. 2016-13

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Tulare County Investments, LLC, a California Limited Liability Company ("Grantor")

hereby GRANT(S) to the City of Exeter, a municipality of the State of California, the
following described real property in the County of Tulare, State of California:

See Attached Exhibit "A" attached hereto.

GRANTOR

Tulare County Investments, LLC,
a California Limited Liability Company



Name: David Maddux

Title: Managing Member

Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Ventura

On Oct 17, 2016 before me, LISA MARIE VINITSKY, Notary

Public, personally appeared DAVID B. MADDOX, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lisa Marie Vinitzky



CITY OF EXETER, A MUNICIPALITY OF THE STATE OF CALIFORNIA

CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDATION

This is to certify that the interest in real property conveyed by this Grant Deed dated 10-17-2016 from **Tulare County Investments, LLC, a California Limited Liability Company** to the **City of Exeter, a municipality of the State of California**, is hereby accepted by the undersigned officer or agent on behalf of the City Council of said grantee pursuant to authority conferred by resolution (2016-13) of said City Council on the 10th day of January, 2017 and the grantee consents to recordation thereof by its duly authorized officer.

Dated: January 10, 2017

City of Exeter, a municipality of the State of California

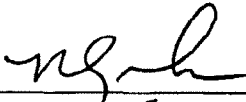
By: 
Name: RANDY GROOM
Title: CITY ADMINISTRATOR

EXHIBIT A PAGE 1 OF 2

Acquisition Parcel

All that certain real property situate in the City of Exeter, County of Tulare, State of California being a portion of Parcel 4 as shown on Parcel Map No. 2864, filed February 19, 1982 in Book 29 of Parcel Maps at Page 65, Tulare County Records, described as follows:

BEGINNING at the Southwest corner of said Parcel 4 (29 PM 65) being on the North right of way of Visalia Road (Avenue 280) as said right of way is shown on said Parcel Map No. 2864 (29 PM 65); thence from said **POINT OF BEGINNING** along the West line of said Parcel 4 (29 PM 65) North $0^{\circ} 52' 55''$ East, 2.06 feet to a non-tangent curve; thence leaving said West line from a tangent that bears North $78^{\circ} 34' 22''$ East, along a curve to the left, having a radius of 89.62 feet, through a central angle of $6^{\circ} 36' 56''$, an arc length of 10.35 feet; thence North $71^{\circ} 57' 26''$ East, 12.00 feet; thence along a tangent curve to the right having a radius of 60.38 feet, through a central angle of $18^{\circ} 55' 29''$, an arc length of 19.94 feet to a line parallel with and 12.00 feet North of the South line of said Parcel 4 (29 PM 65); thence along said parallel line South $89^{\circ} 07' 05''$ East, 50.00 feet; thence leaving said parallel line along a tangent curve to the right having a radius of 85.38 feet, through a central angle of $18^{\circ} 55' 29''$, an arc length of 28.20 feet; thence South $70^{\circ} 11' 36''$ East, 12.00 feet; thence along a tangent curve to the left having a radius of 64.62 feet, through a central angle of $18^{\circ} 55' 29''$, an arc length of 21.35 feet to a point of cusp on the South line of said Parcel 4 (29 PM 65); thence along said South line North $89^{\circ} 07' 05''$ West, 150.89 feet to the **POINT OF BEGINNING**.

Containing 1,300 sq. ft. more or less.



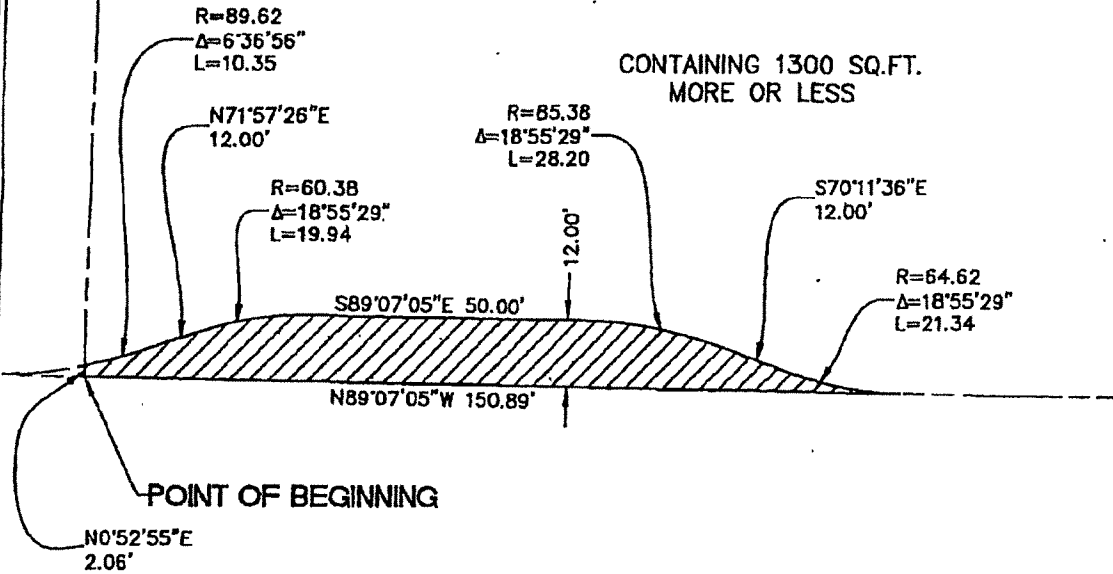
Brian R. Howard LS 7250 11/19/12
Brian R. Howard LS 7250 Date

EXHIBIT A PAGE 2 OF 2

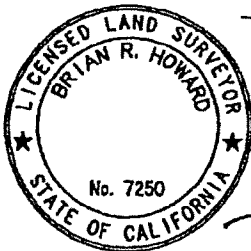
APN: 133-060-045

PARCEL 4
PARCEL MAP NO. 2864
29 PM 65

CONTAINING 1300 SQ.FT.
MORE OR LESS



VISALIA RD (Avenue 280)



Brian R. Howard
Brian R. Howard L.S. 7250 Date 11/19/12

SCALE: 1" = 40'

VISALIA ROAD

1499LG020

ACQUISITION PARCEL



1499

**City of Exeter
Agenda Item Transmittal**

Meeting Date: December 8, 2020

Agenda Item Number: F6

Wording for Agenda: Authorize purchasing authority up to 10% (\$422,397) of the construction contract and utility relocation for contingency to the Public Works Director, contingent upon City Administrator approval, for potential change orders on the Visalia Road Improvement Project.

Submitting Department: Public Works
Contact Name: Daymon Qualls
Phone Number: 559.592.3318
Email: dqualls@exetercityhall.com

For action by:

City Council

Regular Session:

Consent Calendar

Regular Item

Public Hearing

Review:

**City Administrator
(Initials Required)**



Department Recommendation:

Staff recommends that Council approve this item as presented.

Summary/Background:

At its regularly scheduled meeting on September 8, 2020 the Council awarded the construction contract to Yarbs Grading & Paving, of Fresno, CA in the amount of \$4,109,961, appropriated an additional \$116,700 from the Measure R Fund (131), appropriated \$170,000 from the Sewer Fund (107) and authorized execution of an updated Measure R Supplemental Agreement with Tulare County Transportation Authority for approximately \$6.5 million of Measure R Regional Funds for construction of the Visalia Road Improvements Project, Phase 1 which includes a 10% construction and utility relocation contingency. However, no authority was requested from Council to utilize the contingency amount to address potential construction change orders as the project progresses.

Understanding there are daily costs associated with having the contractor on-site, it becomes imperative to keep construction of the project moving forward, without unnecessary delays. To accomplish this staff must have the ability to make quick and decisive decisions in the field, based on given circumstances. With the uncertainties of upcoming Council meeting schedules, and the duration between meetings, taking individual items to Council for approval can result in construction delays and additional contractor costs. For these reasons, staff is requesting a reasonable amount of purchasing authority for change orders so delays can be avoided.

Staff will closely scrutinize proposed change orders to evaluate the necessity and cost effectiveness of each one to ensure that the final project cost is minimized, and the project is properly constructed. Staff will return to Council to report on approved change orders, and for additional appropriation authorization (if needed) when actual costs for approved change orders are known.

Fiscal Impact: This road project is largely funded by Measure R Regional Funds with some contribution from the City's Sewer Fund. Concurrent with the construction contract execution, staff has obtained written authorization from TCTA to proceed and will work with TCTA to execute a Measure R Supplemental Agreement to secure this funding for the project. Measure R will fund approximately \$6.5 million of all phases of the project, with the City contributing \$170,000 for 50% of the lift station relocation costs from the City's Sewer Fund. The additional

appropriation of \$116,700 will bring the total Measure R Fund (131) appropriation to \$5,156,000 in 2020/2021 for the construction phase and \$170,000 total appropriation in the Sewer Fund (107).

Prior Council/Board Actions: May 8, 2020 - Council awarded the construction contract to Yarbs Grading & Paving, appropriated an additional \$116,700 from the Measure R Fund (131), appropriated \$170,000 from the Sewer Fund (107) and authorized execution of an updated Measure R Supplemental Agreement with Tulare County Transportation Authority for approximately \$6.5 million of Measure R Regional Funds for construction of the Visalia Road Improvements Project, Phase 1 which includes a 10% construction and utility relocation contingency.

May 8, 2020 – Council awarded and authorized the City Administrator to negotiate and execute a contract with 4 Creeks of Visalia, CA in the amount of \$589,479 for Construction Management/Resident Engineer services for the Visalia Road Improvement Project.

There have been numerous prior Council actions pertaining to funding, preliminary engineering, right of way, and Plans, Specifications, and Estimates (PS&E) for this project.

Attachments: None

Environmental Clearance: The original Environmental Impact Report was certified by the County who was the lead agency for the regional Ave 280 Widening Project.

Recommended motion to be made by Council/Board: I move to authorize purchasing authority up to 10% of the construction contract and utility relocation (\$422,397) for contingency to the Public Works Director, contingent upon City Administrator approval, for potential change orders on the Visalia Road Improvement Project.

**City of Exeter
Agenda Item Transmittal**

Meeting Date: December 8, 2020

Agenda Item Number: F7

Wording for Agenda: Affirm \$13,348.08 in emergency repairs performed on the Wastewater Treatment Plant screw pumps by Warren & Baerg Manufacturing, Inc. of Dinuba, CA, and approve an appropriation of that amount into project account 107.441.080.017

Submitting Department: Public Works
Contact Name: Daymon Qualls
Phone Number: 559.592.3318
Email: dqualls@exetercityhall.com

For action by:

City Council

Regular Session:

Consent Calendar

Regular Item

Public Hearing

Review:

**City Administrator
(Initials Required)**



Department Recommendation:

Staff recommends that Council affirm \$13,348.08 in emergency repairs performed on the Wastewater Treatment Plant screw pumps by Warren & Baerg Manufacturing, Inc. of Dinuba, CA, and approve an appropriation of that amount into project account 107.441.080.017.

Summary/Background:

The Wastewater Treatment Plant is equipped with two (2) large circular screw pumps that operate twenty-four (24) hours per day and seven (7) days per week. These pumps pull incoming sewage from the headworks into the clarifiers.

At the City Council meeting of February 13, 2018, the Council approved an appropriation of \$71,087.00 and authorized Warren & Baerg Manufacturing, Inc., a Dinuba company who specializes in this type of work, to perform necessary repairs on both screw pumps. As part of the repair work, both screws were re-coated to preserve their life span and improve pumping efficiency, and both sets of pump bearings were replaced. Some minor repair work was also done on the gear boxes.

Recently, one of the gear boxes suddenly began making a loud noise. Warren & Baerg Manufacturing, Inc, was contacted and asked to evaluate the noise. Warren & Baerg Manufacturing, Inc's evaluation concluded that the gear box on the east screw pump needed an immediate rebuild. They also discovered that the gear box anchor plate was broken and needed to be replaced.

Because of the critical nature of these components, and the need to keep both screw pumps operating efficiently, the City Administrator approved the repairs under his emergency purchasing authority. While on-site, Warren & Baerg Manufacturing, Inc also serviced the west gear box on the west screw, installed new V-Belts, and conducted an overall inspection of both screw pumps.

Because this was not an anticipated expenditure, an appropriation for the emergency repairs is necessary.

Fiscal Impact: This project will be paid from projected available fund balance in the Sewer Fund (107).

Prior Council/Board Actions: February 13, 2018, the Council approved an appropriation of \$71,087.00 and authorized Warren & Baerg Manufacturing, Inc., to perform necessary repairs on both screw pumps.

Attachments: Invoices provided by Warren & Baerg Manufacturing, Inc

Recommended motion to be made by Council/Board: I move to affirm \$13,348.08 in emergency repairs performed on the Wastewater Treatment Plant screw pumps by Warren & Baerg Manufacturing, Inc. of Dinuba, CA, and approve an appropriation of that amount into project account 107.441.080.017

Invoice

WARREN & BAERG MANUFACTURING, INC.
 39950 ROAD 108
 DINUBA, CA 93618
 5595916790

Invoice Number: 0054065-IN
 Invoice Date: 10/5/2020

Order Number: 0054065
 Order Date: 9/22/2020
 Salesperson: 0001
 Customer Number: 01-EXETERC

Sold To:
 EXETER, CITY OF
 PO BOX 237
 EXETER, CA 93221

Ship To:
 EXETER, CITY OF
 PUBLIC WORKS DEPARTMENT
 1907 WEST MYER AVE.
 EXETER, CA 93221

Confirm To:
 DAYMON QUALLS

Customer P.O.	Ship VIA	F.O.B.	Terms			
REPAIR TECH SERVICE	SERVICE CALL		NET 30 DAYS			
Item Code	Unit	Ordered	Shipped	Back Ordered	Price	Amount
TIME & MATERIAL SERVICE						
/JOB REPAIR	EACH	1.00	1.00	0.00	1,764.0000	1,764.00
JOBSITE REPAIRS - LABOR						
15.75 HRS,						
- LABOR INCLUDES:						
- 1 SERVICE TECH, 3 TECH TRIPS, 15.75 HRS						
- INSPECT EAST SCREW PUMP GEAR BOX FOR VIBRATION						
- BUILD & INSTALL NEW MOUNT PLATE/ANCHOR						
- INSTALL NEW MATCHED BELTS						
- AFTER INSPECTION AND TECH SERVICES IT IS DETERMINED THAT GEARBOX WILL NEED TO BE REMOVED AND REBUI						
/JOB REPAIR	EACH	1.00	1.00	0.00	154.7400	154.74
JOBSITE REPAIRS - PARTS						
PARTS INCLUDE:						
- NEW MOUNT PLATE						
- ANCHOR BOLT 3/4"						
- 3 MATCHED DRIVE BELTS						

Net Invoice:	1,918.74
Less Discount:	0.00
Freight:	0.00
Sales Tax:	11.99
Invoice Total:	1,930.73

Invoice

WARREN & BAERG MANUFACTURING, INC.
 39950 ROAD 108
 DINUBA, CA 93618
 5595916790

Order Number: 0054089-INV
 Order Date: 9/30/2020

Ship Date: 10/9/2020

Salesperson: 0001
 Customer Number: 01-EXETERC

Sold To:
 EXETER, CITY OF
 PO BOX 237
 EXETER, CA 93221
Confirm To:
 DAYMON QUALLS

Ship To:
 EXETER, CITY OF
 1907 WEST MYER AVE
 EXETER, CA 93221

Customer P.O.	Ship VIA	F.O.B.	Terms
EAST SCREW PUMP GEARBOX REPAIR			NET 30 DAYS

Item Code	Unit	Ordered	Shipped	Back Order	Price	Amount
/JOB REPAIR	EACH	1.00	0.00	0.00	10,654.0000	10,654.00
GEARBOX REPAIR, SCREW PUMP, EAST, INCLUDES:						
-PARTS - REBUILD KIT, SEALS, BEARINGS, BEARING CUPS, GEAR SHAFT BEARING						
-LABOR TO REMOVE GEAR REDUCER						
INCLUDES TRAVEL						
-LABOR TO REBUILD REDUCER						
-LABOR TO INSTALL						
-CRANE SERVICE - REMOVE REDUCER						
-CRANE SERVICE - INSTALL						
-BACK STOP ASSEMBLY						
ONE WAY BEARING						

Net Order:	10,654.00
Less Discount:	0.00
Freight:	0.00
Sales Tax:	502.98
Order Total:	11,156.98

INVOICE

WARREN & BAERG MANUFACTURING, INC.
 39950 ROAD 108
 DINUBA, CA 93618
 5595916790

Order Number: 0054112-INV
 Order Date: 10/9/2020
 Ship Date: 10/12/2020
 Salesperson: 0001
 Customer Number: 01-EXETERC

Sold To:
 EXETER, CITY OF
 PO BOX 237
 EXETER, CA 93221

Ship To:
 EXETER, CITY OF
 PUBLIC WORKS DEPARTMENT
 1907 WEST MYER AVE.
 EXETER, CA 93221

Confirm To:
 DAYMON QUALLS

Customer P.O. WEST SCREW PUMP GEARBOX	Ship VIA	F.O.B.	Terms NET 30 DAYS
---	-----------------	---------------	-----------------------------

Item Code	Unit	Ordered	Shipped	Back Order	Price	Amount
/JOB REPAIR	EACH	1.00	0.00	0.00	743.0000	743.00
GEARBOX REPAIR, SCREWPUMP, WEST INCLUDES: -OIL CHANGE IN WEST SCREW PUMP GEAR REDUCER -INSTALL GEARBOX REPAIR - PARTS PARTS INCLUDE: MATCHED BELT SET (3) GEAR OIL -TRAVEL TO AND FROM JOB SITE						

Net Order:	743.00
Less Discount:	0.00
Freight:	0.00
<u>Sales Tax:</u>	<u>20.35</u>
Order Total:	763.35

**City of Exeter
Agenda Item Transmittal**

Meeting Date: December 8, 2020

Agenda Item Number: F8

Wording for Agenda: Adopt Resolution 2020-47 authorizing the City Administrator to enter into agreements with the State of California Department of Tax and Fee Administration for collection and administration of revenues collected from Measure P, a 1 percent/cent sales tax approved by voters on November 3, 2020, for a preparatory cost not to exceed \$175,000; and adopt Resolution 2020-48 authorizing the Examination of Transactions and Use Tax Records by the City Administrator, Finance Director or staff designated by the City Administrator.

Submitting Department: Finance
Contact Name: Chris Tavarez, Finance Director
Phone Number: 559-592-2755
Email: ctavarez@exetercityhall.com

For action by:

City Council

Regular Session:

Consent Calendar

Regular Item

Public Hearing

Review:

**City Administrator
(Initials Required)**



Department Recommendation:

Staff recommends that City Council adopt Resolutions 2020-47 and 2020-48 as presented.

Summary:

The California Department of Tax and Fee Administration (CDTFA) is responsible to collect and administer transactions (sales) and use tax within the state. The City needs to execute agreements with the CDTFA in order to have the revenues from Measure P collected and provided to the City for use as approved by the majority of voters. CDTFA has requested the required resolutions, agreements and forms necessary to setup collection of Measure P by January 4, 2020 or as soon as possible. The agreements that the City is entering into with CDTFA have been reviewed by the City Attorney and are standard agreements that are used with other cities throughout the State in accordance with the Revenue and Taxation Code.

Background:

Maintaining the current level of services has become increasingly difficult due to rising costs, and actions by the State, including takeaways and mandates, and shifting responsibility for programs from the state to our city without the funding to pay for them. In addition, engineering experts have found Exeter's streets and roads to be below average, or very poor. On top of all the financial strain our Police Department has worked hard to reduce crime, with 500 fewer incidents in the last year alone.

On July 28, 2020, City Council unanimously approved Resolution 2020-35 to authorize introduction of Ordinance 694-2020, the Exeter Transaction and Use Tax Ordinance of 2020. After submission to the Tulare County Registrar of Voters, Measure P was introduced and put on the ballot for voter consideration to help properly fix City roads and continue to fund the public safety services residents and businesses rely on.

On November 3, 2020, the voters in the City of Exeter passed with approximately 70% approval, Measure P, also known as the Exeter Local Control/Essential Services Measure, enacting a 1

percent/cent sales tax, providing a source of local funds to address core public works and public safety needs and maintain streets, quality parks and recreational programs with money that stays fully controlled by the City.

Measure P will have a citizen oversight committee and adhere to fiscal accountability provisions such as public disclosure of all spending and annual independent financial audits. By law, no Measure P funds can be taken by the Federal, State, or County governments – they must remain in Exeter for local needs.

Fiscal Impact: This action will enable staff to execute the necessary documents required by the CDTFA in order to collect and administer Measure P revenues estimated to be approximately \$800,000 or more annually.

There are one-time costs estimated up to \$175,000 that will need to be reimbursed from funds collected to the CDTFA to prepare for developing procedures, programming for data processing, developing and adopting appropriate regulations, designing and printing forms, developing instructions for staff and taxpayers, and other appropriate and necessary costs to administer the transactions and use tax ordinance (694-2020). This revenue will begin to be collected on April 1, 2021 by the CDTFA.

Prior Council/Board Actions:

July 28, 2020 – Resolution 2020-35, Ordering submittal of Ordinance 694-2020 to the voters on November 3, 2020

Attachments:

Resolution 2020-47: Authoring Execution of Agreements with CDTFA

Attachment A – Preparatory Agreement

Attachment B – Administration Agreement

Resolution 2020-48: Authorizing the Examination of Transactions and Use Tax Records

Recommended motion to be made by Council/Board: I move to adopt Resolutions 2020-47 and 2020-48 as presented.

RESOLUTION 2020-47

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF EXETER AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE
AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION
FOR IMPLEMENTATION OF A LOCAL TRANSACTIONS AND USE TAX.**

WHEREAS, on July 28, 2020, the City Council approved Ordinance No. 694-2020 amending the City Municipal Code and providing for a local transactions and use tax; and

WHEREAS, the California Department of Tax and Fee Administration (Department) administers and collects the transactions and use taxes for all applicable jurisdictions within the state; and

WHEREAS, the Department will be responsible to administer and collect the transactions and use tax for the City; and

WHEREAS, the Department requires that the City enter into a "Preparatory Agreement" and an "Administration Agreement" prior to implementation of said taxes, and

WHEREAS, the Department requires that the City Council authorize the agreements;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Exeter that the "Preparatory Agreement" attached as Exhibit A and the "Administrative Agreement" attached as Exhibit B are hereby approved and the City Administrator is hereby authorized to execute each agreement.

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Exeter held on December 8, 2020, by the following vote:

AYES:
NOS:
ABSTAIN:
ABSENT:

MAYOR

ATTEST:

CITY CLERK Shonna Oneal

**AGREEMENT FOR PREPARATION TO ADMINISTER AND OPERATE
CITY'S TRANSACTIONS AND USE TAX ORDINANCE**

In order to prepare to administer a transactions and use tax ordinance adopted in accordance with the provision of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, the City of Exeter, hereinafter called *City*, and the CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION, hereinafter called *Department*, do agree as follows:

1. The Department agrees to enter into work to prepare to administer and operate a transactions and use tax in conformity with Part 1.6 of Division 2 of the Revenue and Taxation Code which has been approved by a majority of the electors of the City and whose ordinance has been adopted by the City.

2. City agrees to pay to the Department at the times and in the amounts hereinafter specified all of the Department's costs for preparatory work necessary to administer the City's transactions and use tax ordinance. The Department's costs for preparatory work include costs of developing procedures, programming for data processing, developing and adopting appropriate regulations, designing and printing forms, developing instructions for the Department's staff and for taxpayers, and other appropriate and necessary preparatory costs to administer a transactions and use tax ordinance. These costs shall include both direct and indirect costs as specified in Section 11256 of the Government Code.

3. Preparatory costs may be accounted for in a manner which conforms to the internal accounting and personnel records currently maintained by the Department. The billings for costs may be presented in summary form. Detailed records of preparatory costs will be retained for audit and verification by the City.

4. Any dispute as to the amount of preparatory costs incurred by the Department shall be referred to the State Director of Finance for resolution, and the Director's decision shall be final.

5. Preparatory costs incurred by the Department shall be billed by the Department periodically, with the final billing within a reasonable time after the operative date of the ordinance. City shall pay to the Department the amount of such costs on or before the last day of the next succeeding month following the month when the billing is received.

6. The amount to be paid by City for the Department's preparatory costs shall not exceed one hundred seventy-five thousand dollars (\$175,000) (Revenue and Taxation Code Section 7272.)

7. Communications and notices may be sent by first class United States mail. Communications and notices to be sent to the Department shall be addressed to:

California Department of Tax and Fee Administration
P.O. Box 942879 MIC: 27
Sacramento, California 94279-0027

Attention: Administrator
Local Revenue Branch

Communications and notices to be sent to City shall be addressed to:

City of Exeter
Attn: Finance Director
P.O. Box 237
Exeter, CA 93221

8. The date of this agreement is the date on which it is approved by the Department of General Services. This agreement shall continue in effect until the preparatory work necessary to administer City's transactions and use tax ordinance has been completed and the Department has received all payments due from City under the terms of this agreement.

CITY OF EXETER _____

CALIFORNIA DEPARTMENT OF TAX
AND FEE ADMINISTRATION

By _____
(Signature)

By _____
Administrator
Local Revenue Branch

Adam Ennis
(Typed Name)

City Administrator
(Title)

**AGREEMENT FOR STATE ADMINISTRATION
OF CITY TRANSACTIONS AND USE TAXES**

The City Council of the City of Exeter has adopted, and the voters of the City of Exeter (hereafter called "City" or "District") have approved by the required majority vote, the City of Exeter Transactions and Use Tax Ordinance (hereafter called "Ordinance"), a copy of which is attached hereto. To carry out the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code and the Ordinance, the California State Department of Tax and Fee Administration, (hereinafter called the "Department") and the City do agree as follows:

**ARTICLE I
DEFINITIONS**

Unless the context requires otherwise, wherever the following terms appear in the Agreement, they shall be interpreted to mean the following:

1. "District taxes" shall mean the transactions and use taxes, penalties, and interest imposed under an ordinance specifically authorized by Revenue and Taxation code Section 7251 et seq., and Section 7285.9, and in compliance with Part 1.6, Division 2 of the Revenue and Taxation Code.
2. "City Ordinance" shall mean the City's Transactions and Use Tax Ordinance referred to above and attached hereto, Ordinance No.694-2020, as amended from time to time, or as deemed to be amended from time to time pursuant to Revenue and Taxation Code Section 7262.2.

**ARTICLE II
ADMINISTRATION AND COLLECTION
OF CITY TAXES**

A. Administration. The Department and City agree that the Department shall perform exclusively all functions incident to the administration and operation of the City Ordinance.

B. Other Applicable Laws. City agrees that all provisions of law applicable to the administration and operation of the Department Sales and Use Tax Law which are not inconsistent with Part 1.6 of Division 2 of the Revenue and Taxation Code shall be applicable to the administration and operation of the City Ordinance. City agrees that money collected pursuant to the City Ordinance may be deposited into the State Treasury to the credit of the Retail Sales Tax Fund and may be drawn from that Fund for any authorized purpose, including making refunds, compensating and reimbursing the Department pursuant to Article IV of this Agreement, and transmitting to City the amount to which City is entitled.

C. Transmittal of money.

1. For the period during which the tax is in effect, and except as otherwise provided herein, all district taxes collected under the provisions of the City Ordinance shall be transmitted to City periodically as promptly as feasible, but not less often than twice in each calendar quarter.

2. For periods subsequent to the expiration date of the tax whether by City's self-imposed limits or by final judgment of any court of the State of California holding that City's ordinance is invalid or void, all district taxes collected under the provisions of the City Ordinance shall be transmitted to City not less than once in each calendar quarter.

3. Transmittals may be made by mail or electronic funds transfer to an account of the City designated and authorized by the City. A statement shall be furnished at least quarterly indicating the amounts withheld pursuant to Article IV of this Agreement.

D. Rules. The Department shall prescribe and adopt such rules and regulations as in its judgment are necessary or desirable for the administration and operation of the City Ordinance and the distribution of the district taxes collected thereunder.

E. Preference. Unless the payor instructs otherwise, and except as otherwise provided in this Agreement, the Department shall give no preference in applying money received for state sales and use taxes, state-administered local sales and use taxes, and district transactions and use taxes owed by a taxpayer, but shall apply moneys collected to the satisfaction of the claims of the State, cities, counties, cities and counties, redevelopment agencies, other districts, and City as their interests appear.

F. Security. The Department agrees that any security which it hereafter requires to be furnished by taxpayers under the State Sales and Use Tax Law will be upon such terms that it also will be available for the payment of the claims of City for district taxes owing to it as its interest appears. The Department shall not be required to change the terms of any security now held by it, and City shall not participate in any security now held by the Department.

G. Records of the Department.

When requested by resolution of the legislative body of the City under section 7056 of the Revenue and Taxation Code, the Department agrees to permit authorized personnel of the City to examine the records of the Department, including the name, address, and account number of each seller holding a seller's permit with a registered business location in the City, pertaining to the ascertainment of transactions and use taxes collected for the City. Information obtained by the City from examination of the Department's records shall be used by the City only for purposes related to the collection of transactions and use taxes by the Department pursuant to this Agreement.

H. Annexation. City agrees that the Department shall not be required to give effect to an annexation, for the purpose of collecting, allocating, and distributing District transactions and use taxes, earlier than the first day of the calendar quarter which commences not less than two months after notice to the Department. The notice shall include the name of the county or counties annexed to the extended City boundary. In the event the City shall annex an area, the boundaries of which are not coterminous with a county or counties, the notice shall include a description of the area annexed and two maps of the City showing the area annexed and the location address of the property nearest to the extended City boundary on each side of every street or road crossing the boundary.

ARTICLE III
ALLOCATION OF TAX

A. Allocation. In the administration of the Department's contracts with all districts that impose transactions and use taxes imposed under ordinances, which comply with Part 1.6 of Division 2 of the Revenue and Taxation Code:

1. Any payment not identified as being in payment of liability owing to a designated district or districts may be apportioned among the districts as their interest appear, or, in the discretion

of the Department, to all districts with which the Department has contracted using ratios reflected by the distribution of district taxes collected from all taxpayers.

2. All district taxes collected as a result of determinations or billings made by the Department, and all amounts refunded or credited may be distributed or charged to the respective districts in the same ratio as the taxpayer's self-declared district taxes for the period for which the determination, billing, refund or credit applies.

B. Vehicles, Vessels, and Aircraft. For the purpose of allocating use tax with respect to vehicles, vessels, or aircraft, the address of the registered owner appearing on the application for registration or on the certificate of ownership may be used by the Department in determining the place of use.

ARTICLE IV COMPENSATION

The City agrees to pay to the Department as the State's cost of administering the City Ordinance such amount as is provided for by law. Such amounts shall be deducted from the taxes collected by the Department for the City.

ARTICLE V MISCELLANEOUS PROVISIONS

A. Communications. Communications and notices may be sent by first class United States mail to the addresses listed below, or to such other addresses as the parties may from time to time designate. A notification is complete when deposited in the mail.

Communications and notices to be sent to the Department shall be addressed to:

California State Department of Tax and Fee Administration
P.O. Box 942879
Sacramento, California 94279-0027

Attention: Administrator
Local Revenue Branch

Communications and notices to be sent to the City shall be addressed to:

City of Exeter
Attn: Finance Director
P.O. Box 237
Exeter, CA 93221

Unless otherwise directed, transmittals of payment of District transactions and use taxes will be sent to the address above.

B. Term. The date of this Agreement is the date on which it is approved by the Department of General Services. The Agreement shall take effect on _____. This Agreement shall continue until December 31 next following the expiration date of the City Ordinance, and shall thereafter be renewed automatically from year to year until the Department completes all work necessary to the administration of the City Ordinance and has received and disbursed all payments due under that Ordinance.

C. Notice of Repeal of Ordinance. City shall give the Department written notice of the repeal of the City Ordinance not less than 110 days prior to the operative date of the repeal.

ARTICLE VI
ADMINISTRATION OF TAXES IF THE
ORDINANCE IS CHALLENGED AS BEING INVALID

A. Impoundment of funds.

1. When a legal action is begun challenging the validity of the imposition of the tax, the City shall deposit in an interest-bearing escrow account, any proceeds transmitted to it under Article II. C., until a court of competent jurisdiction renders a final and non-appealable judgment that the tax is valid.

2. If the tax is determined to be unconstitutional or otherwise invalid, the City shall transmit to the Department the moneys retained in escrow, including any accumulated interest, within ten days of the judgment of the trial court in the litigation awarding costs and fees becoming final and non-appealable.

B. Costs of administration. Should a final judgment be entered in any court of the State of California, holding that City's Ordinance is invalid or void, and requiring a rebate or refund to taxpayers of any taxes collected under the terms of this Agreement, the parties mutually agree that:

1. Department may retain all payments made by City to Department to prepare to administer the City Ordinance.

2. City will pay to Department and allow Department to retain Department's cost of administering the City Ordinance in the amounts set forth in Article IV of this Agreement.

3. City will pay to Department or to the State of California the amount of any taxes plus interest and penalties, if any, that Department or the State of California may be required to rebate or refund to taxpayers.

4. City will pay to Department its costs for rebating or refunding such taxes, interest, or penalties. Department's costs shall include its additional cost for developing procedures for processing

the rebates or refunds, its costs of actually making these refunds, designing and printing forms, and developing instructions for Department's staff for use in making these rebates or refunds and any other costs incurred by Department which are reasonably appropriate or necessary to make those rebates or refunds. These costs shall include Department's direct and indirect costs as specified by Section 11256 of the Government Code.

5. Costs may be accounted for in a manner, which conforms to the internal accounting, and personnel records currently maintained by the Department. The billings for such costs may be presented in summary form. Detailed records will be retained for audit and verification by City.

6. Any dispute as to the amount of costs incurred by Department in refunding taxes shall be referred to the State Director of Finance for resolution and the Director's decision shall be final.

7. Costs incurred by Department in connection with such refunds shall be billed by Department on or before the 25th day of the second month following the month in which the judgment of a court of the State of California holding City's Ordinance invalid or void becomes final. Thereafter Department shall bill City on or before the 25th of each month for all costs incurred by Department for the preceding calendar month. City shall pay to Department the amount of such costs on or before the last day of the succeeding month and shall pay to Department the total amount of taxes, interest, and penalties refunded or paid to taxpayers, together with Department costs incurred in making those refunds.

CITY OF EXETER CALIFORNIA STATE DEPARTMENT OF
TAX AND FEE ADMINISTRATION

By _____
(Signature)

Adam Ennis
(Typed Name)

City Administrator
(Title)

By _____
Administrator
Local Revenue Branch

RESOLUTION 2020-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EXETER AUTHORIZING THE EXAMINATION OF TRANSACTIONS (SALES) AND USE TAX RECORDS

WHEREAS, pursuant to Ordinance No. 694-2020 of The City of Exeter hereinafter called (District)
District and Section 7270 of the Revenue and Taxation Code, the District entered into a contract with the California Department of Tax and Fee Administration (CDTFA) to perform all functions incident to the administration and operation of the Transactions and Use Tax Ordinance; and

WHEREAS, the District deems it desirable and necessary for authorized representatives of the District to examine confidential transactions and use tax records of the California Department of Tax and Fee Administration pertaining to transactions and use taxes collected by the Board for the District pursuant to that contract; and

WHEREAS, Section 7056 of the Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of California Department of Tax and Fee Administration records and establishes criminal penalties for the unlawful disclosure of information contained in or derived from, the transactions and use tax records of the Board;

NOW, THEREFORE IT IS RESOLVED AND ORDERED AS FOLLOWS:

Section 1. That the City Administrator (All authorized positions) or Finance Director or other officer or employee of the District designated in writing by the City Administrator (position(s) authorized to Designate) to the California Dept of Tax and Fee Administration (hereafter referred to as the CDTFA) is hereby appointed to represent the District with authority to examine transactions and use tax records of the CDTFA pertaining to transactions and use taxes collected for the District by the CDTFA pursuant to the contract between the District and the CDTFA. The information obtained by examination of CDTFA records shall be used only for purposes related to the collection of the District's transactions and use taxes by the CDTFA pursuant to the contract.

***Section 2.** That the City Administrator (All authorized positions) or Finance Director or other officer or employee of the District designated in writing by the City Administrator (position(s) authorized to Designate) to the California Dept of Tax and Fee Administration is hereby appointed to represent the District with authority to examine those transactions and use tax records of the Board for purposes related to the following governmental functions of the District:

- a) Budget Planning _____
- b) Economic Development _____
- c) Financial Audit _____

The information obtained by examination of CDTFA records shall be used only for those governmental functions of the District listed above.

***Section 3.** That Avenue Insights (or successors) (firm or consultant) is hereby designated to examine the transactions and use tax records of the California Department of Tax and Fee Administration pertaining to transactions and use taxes collected for the District by the Department. The person or entity designated by this section meets all of the following conditions:

- a) has an existing contract with the District to examine those transactions and use tax records;
- b) is required by that contract to disclose information contained in, or derived from those transactions and use tax records only to the officer or employee authorized under Section 1 (or Section 2) of this resolution to examine the information;

- c) is prohibited by that contract from performing consulting services for a retailer during the term of that contract;
- d) is prohibited by that contract from retaining the information contained in or derived from those transactions and use tax records after that contract has expired.

BE IT FURTHER RESOLVED that the information obtained by examination of Board records shall be used only for purposes related to the collection of District's transactions and use taxes by the Board pursuant to the contracts between the District and Board.

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Exeter held on December 8, 2020, by the following vote:

AYES:
NOS:
ABSTAIN:
ABSENT:

MAYOR

ATTEST:

CITY CLERK Shonna Oneal