



In accordance with the Governor's current recommendations regarding COVID-19, this meeting will be held virtually. To attend, click on the following link:

https://us02web.zoom.us/webinar/register/WN_IYMhut_dTDemjdFWNekzaw

The meeting passcode is 513113.

Online participants will be able to view presentation material and submit questions or comments.

You can also join by dialing in with your phone; call (669) 900-6833.

The meeting ID number is 850 9123 7967, and the meeting passcode is 513113.

AGENDA

11:15 a.m. EXECUTIVE SESSION PER ORS 192.660(2)(d) – To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

11:30 a.m. STUDY SESSION – Water Conservation Update (Water Resources Coordinator Julie Smitherman and Water Efficiency Specialist Cody Scoggins)

12:15 p.m. BOARD MEETING (*Shall Begin at the Conclusion of the Study Session*)

1. Roll Call

2. Comments from the Audience

Comments will be limited to 4 minutes per individual, group, or organization; please state your name and organization (if applicable) when prompted via teleconference.

3. Consent Calendar

3.1 Approval or Correction of the Minutes of the Last Regular Meeting of February 2, 2022

3.2 Resolution No. 1800, A RESOLUTION Authorizing the Chair of the City of Medford, by and Through Its Board of Water Commissioners to Execute a Quitclaim Deed Releasing All Right and Title To, and Interest In, the Portion of That Certain Gravity Water Pipe Line Easement Shown on the Final Plat of Stewart Acres Recorded January 19, 1910, and Referenced in Volume 245, Page 343, of the Official Records of Jackson County, Oregon, Lying Within the High Cedars Subdivision Phase 2, Phase 3B, Phase 4A, and Phase 4B

4. Items Removed from Consent Calendar

5. Management Reports

Management staff will be present and may provide information: Engineering Manager Brian Runyen, Water Meter & Controls Supervisor Ken Johnson, Water Maintenance Supervisor Lester McFall, Water Treatment/Quality Director Ben Klayman, Finance & Administration Director Tessa DeLine, Information Technology Manager Kris Stitt, Human Resources Manager Tanya Haakinson, and General Manager Brad Taylor.

6. Propositions and Remarks from the Commissioners

7. Adjourn

DATES TO REMEMBER*						
DATE	DAY	TYPE OF MEETING	STUDY SESSION TIME & TOPIC	REGULAR MEETING	LOCATION	
<i>Monday, February 21, 2022 – Presidents' Day – Offices closed</i>						
03/02/22	Wed	Board Meeting	11:45am – Capital Planning Part A	12:15 p.m.	TBD	
03/16/22	Wed	Board Meeting	11:45am – Capital Planning Part B	12:15 p.m.	TBD	

**Meeting dates, times, and locations are subject to change due to COVID-19 precautions and by order of Governor Brown.*



Memorandum

TO: Commissioners Bob Strosser, Michael Smith, John Dailey, Jason Anderson, and Daniel Bunn
FROM: Brian Runyen, PE, Engineering Manager
DATE: February 16, 2022
SUBJECT: Item 3.2 – Resolution 1800, Authorizing the Chair to Execute a Quitclaim Deed to the Owners of High Cedars Subdivision, Phases 2, 3B, 4A and 4B
OBJECTIVE: Board Approval

Issue

Development of High Cedars Subdivision Phases 2, 3B, 4A and 4B has been completed and/or nearing completion of subdivision construction improvements. Final plats for these sections have been filed for record, upon which is referenced a possible location of a water pipeline easement referenced on the November 1909 Stewart Acres subdivision (filed January 19, 1910) as “City of Medford Gravity Water Pipe Line” and again within a Warranty Deed recorded in August 1943 in Vol 245 Page 343 as “the Right of Way for Pipe Line deeded to the City of Medford”. The presence of this reference on the High Cedars Subdivision plats is causing issues with title companies and building on the residential lots across which this possible easement is depicted.

Discussion

Because the title survey for the High Cedars Subdivision property listed this as an exception, the surveyor was obligated to show it on the plat as such. Until now, the presence of the “possible easement” language on the plats has not been an issue. Recently this has been causing issues with title companies regarding building on the lots across which this possible easement is depicted.

Medford Water has been requested by the developer to execute a Quitclaim Deed relinquishing any rights we may have to this referenced easement. Staff have researched this extensively and concluded there is no indication that this easement was ever used or for the use of Medford Water facilities. Executing the requested Quitclaim Deed will not affect any existing or proposed facilities and will assist in clarifying that Medford Water does not have any interest or claim in this easement.

Financial Impact

There is no financial impact to Medford Water.

Requested Board Action

Staff recommends approval of Resolution 1800, executing a Quitclaim Deed to the Owners of High Cedars Subdivision, Phases 2, 3B, 4A and 4B for the portion of that certain Gravity Water Pipe Line Easement shown on the final plat of Stewart Acres recorded January 19, 1910 and referenced in Volume 245, Page 343, Jackson County Deed Records lying within said High Cedars Subdivision Phase 2, Phase 3B, Phase 4A and Phase 4B.

RESOLUTION NO. 1800

A RESOLUTION Authorizing the Chair of the City of Medford, by and Through Its Board of Water Commissioners to Execute a Quitclaim Deed Releasing All Right and Title To, and Interest In, the Portion of That Certain Gravity Water Pipe Line Easement Shown on the Final Plat of Stewart Acres Recorded January 19, 1910, and Referenced in Volume 245, Page 343, of the Official Records of Jackson County, Oregon, Lying Within the High Cedars Subdivision Phase 2, Phase 3B, Phase 4A, and Phase 4B

WHEREAS, the developer of High Cedars Subdivision has requested that the existing easement be quitclaimed to remove an encumbrance on the property; and

WHEREAS, no part of the existing easement on said property is required by Medford Water Commission;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF WATER COMMISSIONERS OF THE CITY OF MEDFORD, OREGON, AS FOLLOWS, THAT:

The Chair is hereby authorized to sign the Quitclaim Deed in favor of the Owners of High Cedars Subdivision, Phases 2, 3B, 4A, and 4B, on behalf of the City of Medford, by and through its Board of Water Commissioners as set forth in the Quitclaim Deed, a copy of which is attached as Exhibit A, and by reference made a part hereof.

PASSED by the Board of Water Commissioners and signed by me in authentication of its passage this 16th day of February 2022.

ATTEST: _____
Yvette Finstad, Asst. Clerk of the Commission

Bob Strosser, Chair

EXHIBIT A TO RESOLUTION NO. 1800

QUIT-CLAIM DEED
EASEMENT EXTINGUISHMENT

THIS QUIT-CLAIM DEED, is executed this _____ day of _____, 20____ by CITY OF MEDFORD, by and through its Board of Water Commissioners, hereinafter referred to as "First Party", to the owners of HIGH CEDARS SUBDIVISION, PHASE 2, according to the official plat thereof, now of record, in Volume 44, Page 19 of Plats of Jackson County, Oregon and HIGH CEDARS SUBDIVISION, PHASES 3B, 4A AND 4B, according to the official plat thereof, now of record, in Volume 47, Page 20 of Plats of Jackson County, Oregon, hereinafter referred to as "Second Party";

WITNESSETH, that the First Party, for and in valuable consideration from the Second Party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the Second Party, all right, title, interest, and claim which the First Party may have in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Jackson, State of Oregon, to wit:

The portion of that certain Gravity Water Pipe Line Easement shown on the final plat of Stewart Acres recorded January 19, 1910 and referenced in Volume 245, Page 343, Jackson County Deed Records lying within said High Cedars Subdivision, Phase 2, Phase 3B, Phase 4A and Phase 4B.

TO HAVE AND HOLD the same, together with all and singular the appurtenances thereunto, of all interest, equity and claim whatsoever the First Party may have, either in law or equity, for the proper use, benefit and behalf of the Second Party forever.

IN WITNESS WHEREOF, the First Party has signed and sealed these presents the day and year first above written.

SIGNED this _____ day of _____, 20_____.

City of Medford
By and through its Board of Water Commissioners

STATE OF OREGON)
) ss
COUNTY OF JACKSON)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ for City of Medford by and through its Board of Water Commissioners.

Notary Public for Oregon

My Commission Expires: _____