

Santa Cruz County Environmental Health

SHARED WELL AGREEMENT CHECKLIST

- ✓ All parcels to be served are listed by current APN
- ✓ Every parcel has at least a $\frac{1}{4}$ interest
- ✓ Declaration of intent to provide water to the specific parcels is stated
- ✓ Location of source, facilities, appurtenances & easements adequately described
- ✓ *Right to Use* included
- ✓ Access to source, facilities & appurtenances specified & provided for
 - Well/Spring
 - Transmission lines
 - Storage
 - Electrical lines & connections
- ✓ Perpetual rights (no sunset clause & no ability to terminate)
- ✓ Confirm that the recorded document is the same one that was approved prior to further processing. (After recording but prior to IWS approval)

Optional Information (to be reviewed if present)

- Any/all shared storage tanks location and easements described
- Maintenance Agreements
 - Operation costs are shared
 - Maintenance cost are shared
- Restrictions:
 - Domestic use only
 - If one or two shares are granted a $\frac{1}{2}$ or greater interest, then are provisions made for further splitting or shares $\frac{1}{2}$ and larger down to $\frac{1}{4}$ shares

Note: Shares go with parcel. The owner of a parcel with a $\frac{1}{2}$ (or greater) share could, if not forbidden in the existing recorded agreement, split the existing share if the parcel is split.

The new split could give each new parcel a minimum $\frac{1}{4}$ share in the original IWS, regardless of ownership of the new parcels (if the system produces water of sufficient quantity and quality for the additional connections) with a maximum of up to four connections to the original IWS.

MEMORANDUM

May 20, 1976

TO: Public Health Sanitarians

FROM: Director of Environmental Health

SUBJECT: SUGGESTED WORDING FROM DEEDS GRANTING SHARED INTERESTS IN INDIVIDUAL WATER SYSTEMS

The following suggested wording is not the only acceptable verbal formula, but is suggested as a basic format:

“Grantor hereby grants to Grantee his heirs and assigns, In perpetuity, a _____ percent (%) interest in each of the following now owned by Grantor: 1) the well (or other water source); 2) the storage tank (or other storage facilities); 3) the pump (s), pipes and all transmission and distribution facilities; and, 4) the real property upon which all of the foregoing are located. These items are situated and described as follows: (describe facilities, their location on the lot, etc.)”

A alternative to a shared ownership of the land upon which a transmission or distribution is located would be by a recorded right of way with access granted.

LRT: 1b