



April 26, 2007

City of Saratoga  
13777 Fruitvale Ave.  
Saratoga, CA95070  
Attn. Macedonio Nunez

Re: Saratoga Creek Trail, Saratoga  
PG&E Electric Transmission Line

Ladies & Gentlemen:

We have now concluded our review process and have determined that we have the following comments and concerns and conditions regarding the subject project:

PG&E does hereby consent to the proposed development within the right of way as shown on the submitted plans, however, in order to still preserve PG&E's ability to operate and maintain its electric lines safely, this consent is subject to the **Terms And Conditions** attached hereto and made a part hereof in addition to the following:

- Please contact Eric Hansen at least 5 working days prior to any construction within PG&E's electric line right of way at 408-463-7615.
- Care must be taken to ensure the safety and accessibility of the electric towers.
- Easement access must be clear and unobstructed at all times.
- Extreme caution must be observed when working around tower footings.
- Maximum grade change, cuts and fills is  $\pm 12$  inches.
- Construction equipment must observe a minimum radial clearance of 13 feet.
- No trees are allowed within the right of way exceeding 20' at maturity.
- No **building or structure** is ever allowed within the right of way.

Please feel free to contact me at 408-282-7544, if you have any questions in regards to this matter.

Thank you

Kha K. Chau  
Land Agent  
**San Jose Land Services Office**  
**Southern Area**

Cc: Kristin Borel  
13777 Fruitvale Ave.  
Saratoga, CA 95070.

## **TERMS AND CONDITIONS**

1. You Shall obtain all necessary rights from the owners of the lands crossed by PG&E's right of way in the event that you do not own said lands and rights.
2. You shall use said area within PG&E's right of way in such a manner as will not interfere with PG&E's use thereof or endanger PG&E's facilities installed thereon.
3. The consent hereby given is subject to all the provisions of General Order Nos. 69-B, 95 (electric), 112-D (gas), and 128 (underground electric and communications), as applicable, of the Public Utilities Commission of the State of California, and to all other applicable provisions of the laws and regulations of the State of California and all other governmental agencies.
4. You Acknowledge PG&E's title to said right of way and the priority of the PG&E's title therein and agree never to resist or assail the same.
5. Your use of said area within said right of way shall be at your sole risk and expense.
6. No tools, machinery, equipment, apparatus, materials or supplies, or any part thereof shall be erected, handled, or operated within ten feet of any PG&E high-voltage line energized at 50,000 volts or less. With respect to conductors energized at more than 50,000 volts, no tools, machinery, equipment, apparatus, materials or supplies, or any part thereof shall be erected , handled, or operated closer that the minimum clearances set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety, which said minimum clearances are incorporated herein by reference.  
  
No transportation or transit of any tool, machinery, equipment, or apparatus or the moving of any house or building shall be carried out without observing the minimum clearances set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety, which said minimum clearances are incorporated herein by reference.
7. Notwithstanding anything contained herein you agree to reimburse PG&E for any damage to PG&E's facilities resulting from your use of said area within said right of way.
8. The consent given herein may be considered by others to be an implied endorsement of your plans. As a consequence, PG&E asks that you assure, by acceptance of this consent, that you have given due consideration to the ecological and environmental impact of your development and have complied with, or will comply with, the applicable provisions of the Environmental Quality Act of 1970 (California Public Resources Code, Sections 21000, et seq.)