

**RECORD WITHOUT FEE PURSUANT
TO GOV'T CODE SECTION 6103**

Recording Requested by:
Office of the City Attorney
City of Santa Clara, California

When Recorded, Mail to:
Office of the City Clerk
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Form per Gov't Code Section 27361.6

[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, ORDERING THE VACATION OF THE
GENERAL PURPOSE EASEMENT AT 3215 VICTOR
STREET [APN 101-16-002 (2019-20)]**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City of Santa Clara currently possesses the General Purpose Easement described in Exhibit A and shown on Exhibit B, which Exhibits are incorporated herein by reference. Said Easement was dedicated by that certain document as mentioned in said Exhibits; and,

WHEREAS, pursuant to Section 8333 of the California Streets and Highways Code, the City Council "may summarily vacate a public service easement" in any of the following cases:

(a) The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

(b) The date of dedication or acquisition is less than five years, and more than one year, immediately preceding the proposed vacation, and the easement was not used continuously since that date.

(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the General Purpose Easement described in Exhibit A and shown on Exhibit B has been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easement.
2. That the General Purpose Easement described and shown in said Exhibits in the City are hereby vacated pursuant to California Streets and Highways Code Section 8333.
3. That the vacation hereby releases all easement rights and interest of the City referred in said Exhibits to the current property owner(s).

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4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2020, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST:

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Exhibits A and B

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EXHIBIT "A"
Legal Description

EASEMENT VACATION
At 3215 Victor Street,
Santa Clara, California
APN 101-16-002 (2019-20)

All that real property situated in the City of Santa Clara, County of Santa Clara, State of California, described as follows:

A continuous strip of land 6 feet wide, being a portion of that certain 3,907± square-foot parcel as described in Document No. 8303527 recorded January 17, 1985 in Book J185 of Official Records at Page 336, County of Santa Clara Records, also being a portion of that certain strip of land as described in Document No. 5375901 recorded August 11, 1976 in Book C204 of Official Records at Page 657, County of Santa Clara Records, the southwesterly boundary of said 6-foot strip of land being more particularly described as follows:

Commencing at the most southerly corner of said 3,907± square-foot parcel;

Thence, along the southwesterly line of said 3,907± square-foot parcel, North 24°52'50" West, 10.41 feet to the **True Point of Beginning**, and being a point on the easterly line of Victor Street;

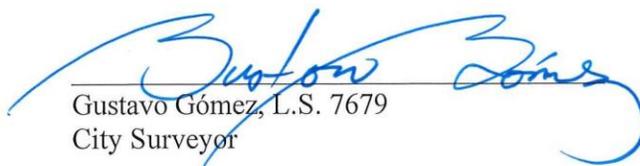
Thence, from a tangent bearing North 18°27'38" East, northerly along said easterly line, on the arc of a circular curve, concave to the west, having a radius of 110.00 feet, through a central angle of 36°24'43", an arc length of 69.91 feet to the northwesterly line of said 3,907± square-foot parcel and the **Point of Terminus** of said 6-foot strip of land;

The sidelines of said 6-foot strip of land should be prolonged or shortened so as to begin at the southwesterly line and end at the northwesterly line of said 3,907± square-foot parcel.

Containing an area of 460 square feet, more or less.

A plat showing the above described Easement Vacation is attached hereto and made a part hereof as EXHIBIT "B" (Tracing No. 12,333-A).

This description was prepared by me or under my direction in conformance with the Land Surveyor's Act.


Gustavo Gómez, L.S. 7679
City Surveyor

Date: Feb. 26, 2020



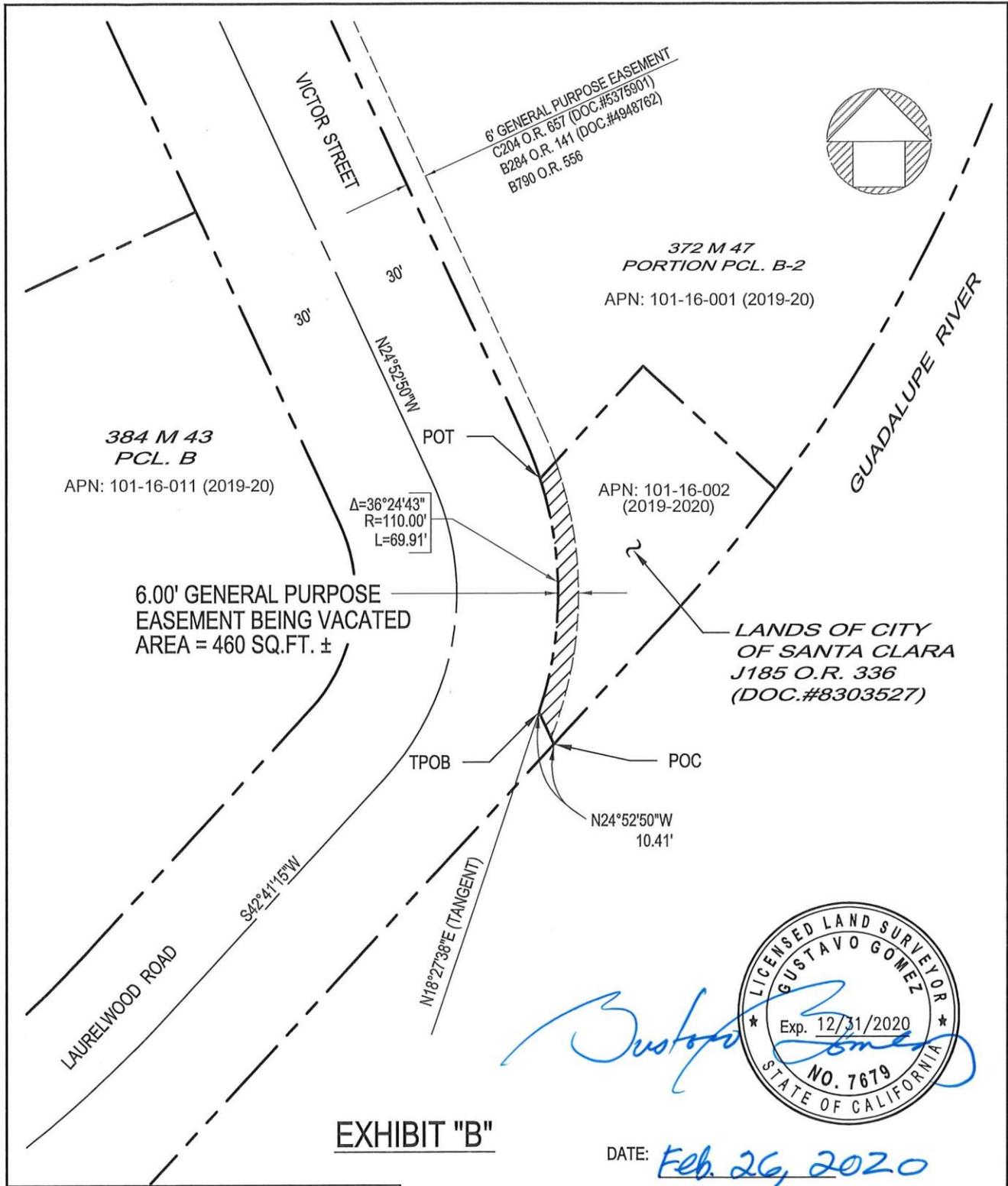


EXHIBIT "B"

DATE: *Feb. 26, 2020*



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Revised	HL	02-24-2020
Drawn By	HL	02-10-2020
Checked By	<i>CL</i>	<i>2-25-20</i>
Approved By	<i>G. Gomez</i>	<i>2-26-2020</i>
MICHAEL JACK LIW ASSISTANT DIRECTOR OF PUBLIC WORKS/ CITY ENGINEER		

CITY OF SANTA CLARA

EASEMENT VACATION

3215 VICTOR STREET

Scale	1" = 40'
Ref.	SC 19,247
Tracing No.	12,333-A

12,333-A