

**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]

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, ORDERING THE VACATION OF AN
ELECTRICAL EASEMENT AT 3378-3386 EL CAMINO REAL
[APN 290-02-102 (2023-24)]**

WHEREAS, the City of Santa Clara currently possesses an Electrical Easement described in Exhibit A, and shown on Exhibit B, which Exhibits are incorporated herein by reference. Said Easements were 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- (c) The easement has been superseded by relocation or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

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

1. That Electrical Easement described in Exhibit A and shown on Exhibit B has been determined to be in excess, and there are no other public facilities located within the easement.

2. That the Electrical 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).
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 _____, 2024, 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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April 9, 2024
BKF No. 20180775
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EXHIBIT "A"
Legal Description – Easements To Be Vacated

ELECTRIC EASEMENTS VACATION
3380 El Camino Real, Santa Clara, CA

Real property in the City of Santa Clara, County of Santa Clara, State of California, described as follows:

Being a portion of the lands described in that certain interspousal transfer deed, filed for record on June 13, 2013 as Document Number 22262123, Official Records of Santa Clara County;

Being all of those Electrical Easements being vacated, as described in that certain Deed entitled "Grant of Easement Electric", recorded on March 23, 1959 in Book 4375 at Page 229, Official Records of Santa Clara County.

Electric Utility Easements are being vacated and are as shown on Site Plan attached hereto and made a part hereof as EXHIBIT "B".

This legal description was prepared by me, or under my direct supervision, in conformance with the requirements of the Professional Land Surveyors' Act.

Christopher Cassera
L.S. No. 9781

April 9, 2024
Dated



EL CAMINO REAL
(WIDTH VARIES)

2' ELECTRIC EASEMENT
PARCEL 2, PER 4375 O.R. 229
TO BE VACATED

2' ELECTRIC EASEMENT
PARCEL 1, PER 4375 O.R. 229
TO BE VACATED

DOC. 25161149
APN 290-02-095

DOC. 22262123
APN 290-02-102

DOC. 13399742
APN 290-02-103

DOC. 20074802
APN 290-02-094

LEGEND

APN ASSESSOR'S PARCEL NUMBER PER
ROLL YEAR 2023-2024
DOC. DOCUMENT
O.R. OFFICIAL RECORDS

— — — EASEMENT LINE

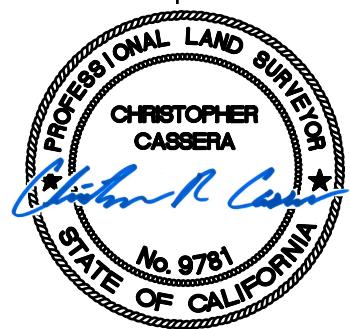


EXHIBIT "B"
PLAT TO ACCOMPANY
LEGAL DESCRIPTION



1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

Subject **VACATION - SITE EXHIBIT**
3378-3386 EL CAMINO REAL

Job No. 20212368 SANTA CLARA, CA
By MO Date 04-09-2024 Chkd. CASC
SHEET 1 OF 1