

24365025

Regina Alcomendras
Santa Clara County - Clerk-Recorder

12/24/2019 10:16 AM

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

Titles: 1 Pages: 6

Fees: \$0.00
Taxes: \$0
Total: \$0.00



Form per Gov'l Code Section 27361.6

[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

**THIS RESOLUTION (NO. 19-8731: RESOLUTION OF THE CITY OF
SANTA CLARA, CALIFORNIA, ORDERING THE VACATION OF AN
UNDERGROUND ELECTRIC EASEMENT
AT 3075 OLCOTT STREET [APN 224-46-006
(2018-19)])
IS BEING RE-RECORDED BECAUSE THE ORIGINAL RECORDED
DOCUMENT HAD THE INCORRECT DATE ON PAGE THREE.**

**WAS PREVIOUSLY RECORDED AS DOCUMENT NUMBER
24228462, ON 07/18/2019 AT 2:20 PM, THEN AS DOCUMENT
NUMBER 24272955, ON 09/05/2019 AT 9:47PM. THE ATTACHED
DOCUMENT HAS THE CORRECT COUNCIL
DATE OF JULY 9, 2019.**

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

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RESOLUTION NO. 19-8731

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, ORDERING THE VACATION OF AN
UNDERGROUND ELECTRIC EASEMENT AT 3075 OLCOTT
STREET [APN 224-46-006 (2018-19)]**

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

WHEREAS, the City of Santa Clara currently possesses the Underground Electric 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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 Underground Electric 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 Underground Electric Easement described and shown in said Exhibits in the City is hereby vacated pursuant to California Streets and Highways Code Section 8333.


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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 9TH DAY OF JULY 2019, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Chahal, Davis, Hardy, Mahan, O'Neill, and Watanabe, and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST: 
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

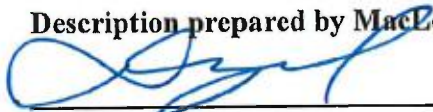
Attachments incorporated by reference:
1. Exhibits A and B

EXHIBIT "A"
LEGAL DESCRIPTION
EXISTING UNDERGROUND ELECTRIC EASEMENT
VACATION
CITY OF SANTA CLARA, COUNTY OF SANTA CLARA
STATE OF CALIFORNIA

All of that certain Underground Electric Easement granted to the City of Santa Clara as described in the document recorded in the Office of the Recorder of the County of Santa Clara, State of California, on February 2, 1977 in Book C574 of Official Records at Page 149, being a portion of Parcel One as said Parcel is shown on that certain Parcel Map filed for record on November 24, 1972 in Book 312 of Maps at Page 29, records of said County.

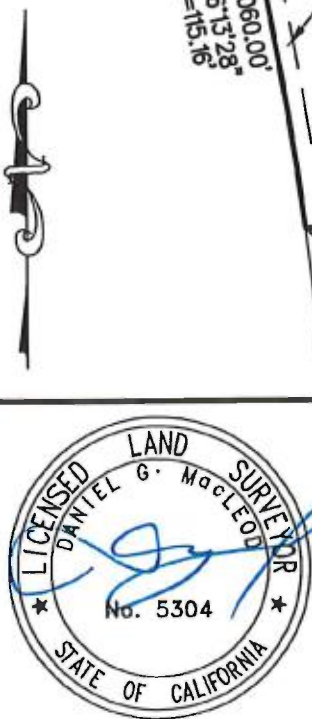
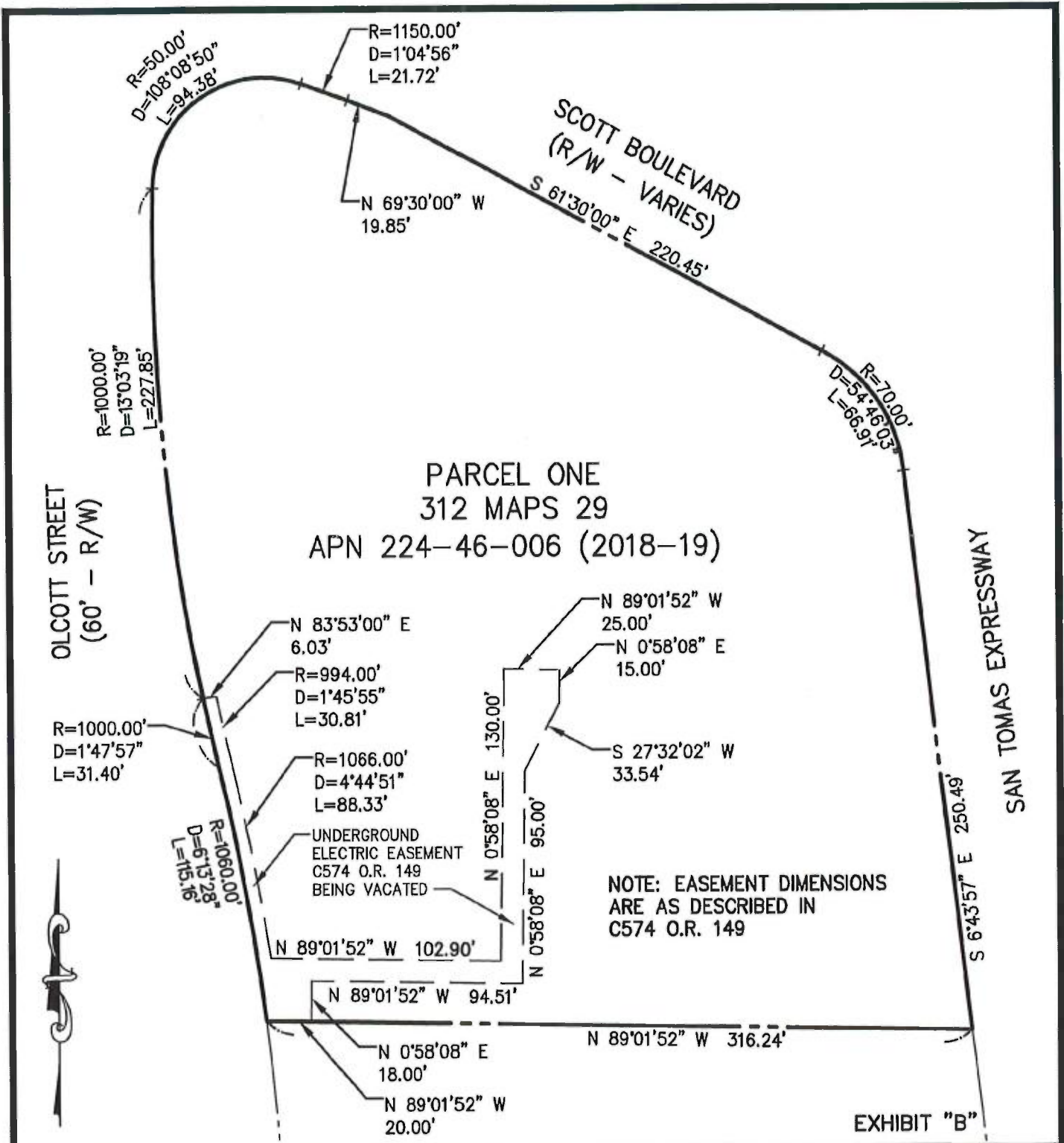
As shown on the plat attached hereto as EXHIBIT "B" and made a part hereof.

Description prepared by MacLeod and Associates, Inc.



Daniel G. MacLeod L.S. 5304 Date MAY 1, 2019

SC19,168



TITLE: PLAT OF UNDERGROUND ELECTRIC EASEMENT VACATION

SC19,168

SANTA CLARA SANTA CLARA COUNTY CALIFORNIA

PLAT: MDL	SCALE: 1" = 60'	DATE: 05-01-19	JOB #: 4187-VAC
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MacLEOD AND ASSOCIATES

CIVIL ENGINEERING • LAND SURVEYING

965 CENTER STREET SAN CARLOS CA 94070 (650) 593-8580