

**24842046**

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

Regina Alcomendras  
Santa Clara County - Clerk-Recorder  
02/22/2021 03:03 PM

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

**Titles: 1      Pages: 11**  
**Fees: \$0.00**  
**Taxes: \$0**  
**Total: \$0.00**

**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. 21-8934**

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA, ORDERING THE VACATION OF THE  
SANITARY SEWER EASEMENT, UNDERGROUND  
ELECTRIC EASEMENT, GENERAL PURPOSE EASEMENT,  
EMERGENCY ACCESS EASEMENT, INGRESS EGRESS  
AND PUBLIC UTILITY EASEMENT AT 2880  
NORTHWESTERN PARKWAY [APN 216-28-132 AND 216-  
28-133 (2020-21)]**

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

**WHEREAS**, the City of Santa Clara currently possesses the Sanitary Sewer Easement, Underground Electric Easement, General Purpose Easement, Emergency Access Easement, Ingress Egress and Public Utility Easement described in Exhibit A and shown on Exhibit B, which Exhibits are incorporated herein by reference. Said Easements were dedicated by that certain documents and maps 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.

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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C. The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 Sanitary Sewer Easement, Underground Electric Easement, General Purpose Easement, Emergency Access Easement, Ingress Egress and Public Utility Easement described in Exhibit A and shown on Exhibit B have been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easements.

2. That the Sanitary Sewer Easement, Underground Electric Easement, General Purpose Easement, Emergency Access Easement, Ingress Egress and Public Utility 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 SPECIAL MEETING THEREOF HELD ON THE 9<sup>TH</sup> DAY OF FEBRUARY, 2021, BY THE FOLLOWING VOTE:

AYES: COUNCILORS: Becker, Chahal, Hardy, Jain, Park, 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**  
**FOR: EASEMENT VACATIONS**

**SANITARY SEWER EASEMENT (S.S.E.)**

All of "Easement D" as described in that certain document recorded on May 3, 1971 in Book 9313 of Official Records at Page 621 (Document No. 3998401), Santa Clara County. (See Sheet 1 of Exhibit "B".)

**INGRESS EGRESS AND PUBLIC UTILITY EASEMENT (I.E.E. & P.U.E.)**

All of the reservations of an easement for ingress and egress, public and City utilities as described in that certain quitclaim document recorded on October 27, 1975 in Book B687 of Official Records at Page 130 (Document No. 5135443), Santa Clara County. (See Sheet 2 of Exhibit "B".)

**UNDERGROUND ELECTRICAL EASEMENT (U.G.E.E.)**

All of that U.G.E.E. as shown on that certain Parcel Map filed for record on May 2, 1977 in Book 394 of Maps at Page 27, Santa Clara County Records. (See Sheet 3 of Exhibit "B".)

**UNDERGROUND ELECTRIC EASEMENT (U.G.E.E.)**

All of that 10' x 20' U.G.E.E. as described in that certain document recorded on February 17, 1995 in Book N764 of Official Records at Page 509 (Document No. 12809448), Santa Clara County. (See Sheet 3 of Exhibit "B".)

**UNDERGROUND ELECTRIC EASEMENT (U.G.E.E.)**

All of that 10' U.G.E.E. and 15' U.G.E.E. as described in that certain document recorded on March 13, 1975 in Book B317 of Official Records at Page 97-101 (Document No. 4964048), Santa Clara County. (See Sheet 3 of Exhibit "B".)

**GENERAL PURPOSE EASEMENT (G.P.E.)**

All of that G.P.E. as shown on that certain Parcel Map filed for record on February 27, 1981 in Book 480 of Maps at Page 27, Santa Clara County Records. (See Sheet 4 of Exhibit "B".)

**UNDERGROUND ELECTRIC EASEMENT (U.G.E.E.)**

All of that U.G.E.E. as described in that certain documents recorded on October 20, 2004 in Document No. 18056744 and Document No. 18056745 of Official Records Santa Clara County. (See Sheet 5 of Exhibit "B".)

EMERGENCY ACCESS EASEMENT (E.A.E.)

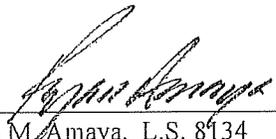
All of that E.A.E. as shown on that certain Parcel Map filed for record on November 20, 2013 in Book 866 of Maps at Pages 11-16, Santa Clara County Records. (See Sheet 6 of Exhibit "B".)

As shown on Exhibit "B" attached hereto and by this reference made a part hereof.

Legal Description prepared by Kier & Wright Civil Engineers and Surveyors, Inc.

10-29-2020

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Ryan M. Amaya, L.S. 8134



CENTRAL EXPRESSWAY

EASEMENT D  
5.00' S.S.E.  
(9313 OR 621)  
BEING VACATED

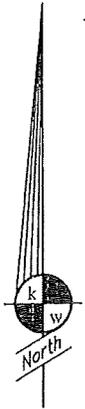
EASEMENT D  
5.00' S.S.E.  
(9313 OR 621)  
BEING VACATED

ADJUSTED  
PARCEL TWO  
(DOC. #23807618)  
APN 216-28-133  
(2020-21)

ADJUSTED  
PARCEL ONE  
(DOC. #23807618)  
APN 216-28-132  
(2020-21)

NORTHWESTERN PARKWAY

WALSH AVENUE



### ABBREVIATION

S.S.E. SANITARY SEWER EASEMENT

## PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR: SANITARY SEWER EASEMENT VACATION

DATE OCT., 2020

SCALE 1" = 200'

DR. BY CCB

JOB A10015-29

SHEET NO.

1 OF 6

SC18,955

SANTA CLARA

CALIFORNIA

### EXHIBIT "B"



**KIER & WRIGHT**  
CIVIL ENGINEERS & SURVEYORS, INC.  
3350 Scott Boulevard, Building 22 (408) 727 6665  
Santa Clara, California 95054 fax (408) 727 5641

CENTRAL EXPRESSWAY



55.00' I.E.E.  
& P.U.E.  
(B687 OR 130)  
BEING VACATED

ADJUSTED  
PARCEL TWO  
(DOC. #23807618)  
APN 216-28-133  
(2020-21)

ADJUSTED  
PARCEL ONE  
(DOC. #23807618)  
APN 216-28-132  
(2020-21)

NORTHWESTERN PARKWAY

WALSH AVENUE

### ABBREVIATION

I.E.E.    INGRESS & EGRESS EASEMENT  
P.U.E.    PUBLIC UTILITY EASEMENT

## PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR: I.E.E. & P.U.E. EASEMENT VACATIONS

SANTA CLARA

CALIFORNIA

### EXHIBIT "B"



**KIER & WRIGHT**  
CIVIL ENGINEERS & SURVEYORS, INC.  
3350 Scott Boulevard, Building 22    (408) 727 6665  
Santa Clara, California 95054    fax (408) 727 5641

DATE	OCT., 2020
SCALE	1" = 200'
DR. BY	CCB
JOB	A10015-29
SHEET NO.	2 OF 6

Sc 18,955

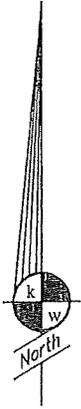
CENTRAL EXPRESSWAY

15.00' U.G.E.E.  
(B317 OR 97)  
BEING VACATED

ADJUSTED  
PARCEL TWO

(DOC. #23807618)  
APN 216-28-133  
(2020-21)

10.00' U.G.E.E.  
(B317 OR 97)  
BEING VACATED



NORTHWESTERN PARKWAY

10.00' U.G.E.E.  
(394 M 27)  
BEING VACATED

25'  
4'

10.00'X20.00' U.G.E.E.  
(N764 OR 509)  
BEING VACATED

ADJUSTED  
PARCEL ONE

(DOC. #23807618)  
APN 216-28-132  
(2020-21)

10.00' U.G.E.E.  
(B317 OR 97)  
BEING VACATED

WALSH AVENUE

**ABBREVIATION**

U.G.E.E. UNDERGROUND ELECTRIC EASEMENT

**PLAT TO ACCOMPANY LEGAL DESCRIPTION  
FOR: U.G.E.E. VACATIONS**

DATE	OCT., 2020
SCALE	1" = 200'
DR. BY	CCB
JOB	A10015-29
SHEET NO.	3 OF 6

SANTA CLARA

CALIFORNIA

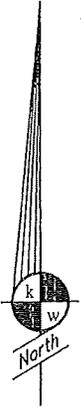
**EXHIBIT "B"**



**KIER & WRIGHT**  
CIVIL ENGINEERS & SURVEYORS, INC.  
3350 Scott Boulevard, Building 22 (408) 727 6665  
Santa Clara, California 95054 fax (408) 727 5641

SC18,955

CENTRAL EXPRESSWAY G.P.E.  
(480 M 27)  
BEING VACATED



**ADJUSTED  
PARCEL TWO**  
(DOC. #23807618)  
APN 216-28-133  
(2020-21)

**ADJUSTED  
PARCEL ONE**  
(DOC. #23807618)  
APN 216-28-132  
(2020-21)

NORTHWESTERN PARKWAY

WALSH AVENUE

**ABBREVIATION**

G.P.E. GENERAL PURPOSE EASEMENT

**PLAT TO ACCOMPANY LEGAL DESCRIPTION  
FOR: G.P.E. VACATION**

DATE	OCT., 2020
SCALE	1" = 200'
DR. BY	CCB
JOB	A10015-29
SHEET NO.	4 OF 6

SANTA CLARA

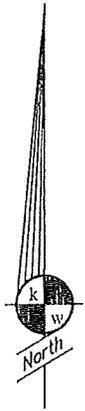
CALIFORNIA

**EXHIBIT "B"**



**KIER & WRIGHT**  
CIVIL ENGINEERS & SURVEYORS, INC.  
3350 Scott Boulevard, Building 22 (408) 727 6665  
Santa Clara, California 95054 fax (408) 727 5641

CENTRAL EXPRESSWAY



55.00' U.G.E.E.  
(DOC. NO. 18056744)  
(DOC. NO. 18056745)  
BEING VACATED

45'

ADJUSTED  
PARCEL TWO

(DOC. #23807618)  
APN 216-28-133  
(2020-21)

10.00' U.G.E.E.  
(DOC. NO. 18056744)  
(DOC. NO. 18056745)  
BEING VACATED

ADJUSTED  
PARCEL ONE

(DOC. #23807618)  
APN 216-28-132  
(2020-21)

10.00' U.G.E.E.  
(DOC. NO. 18056744)  
(DOC. NO. 18056745)  
BEING VACATED

34.00' U.G.E.E.  
(DOC. NO. 18056744)  
(DOC. NO. 18056745)  
BEING VACATED

NORTHWESTERN PARKWAY

WALSH AVENUE

ABBREVIATION

U.G.E.E. UNDERGROUND ELECTRIC EASEMENT

PLAT TO ACCOMPANY LEGAL DESCRIPTION  
FOR: U.G.E.E. VACATIONS

SANTA CLARA

CALIFORNIA

EXHIBIT "B"



**KIER & WRIGHT**  
CIVIL ENGINEERS & SURVEYORS, INC.  
3350 Scott Boulevard, Building 22 (408) 727 6665  
Santa Clara, California 95054 fax (408) 727 5641

DATE OCT., 2020

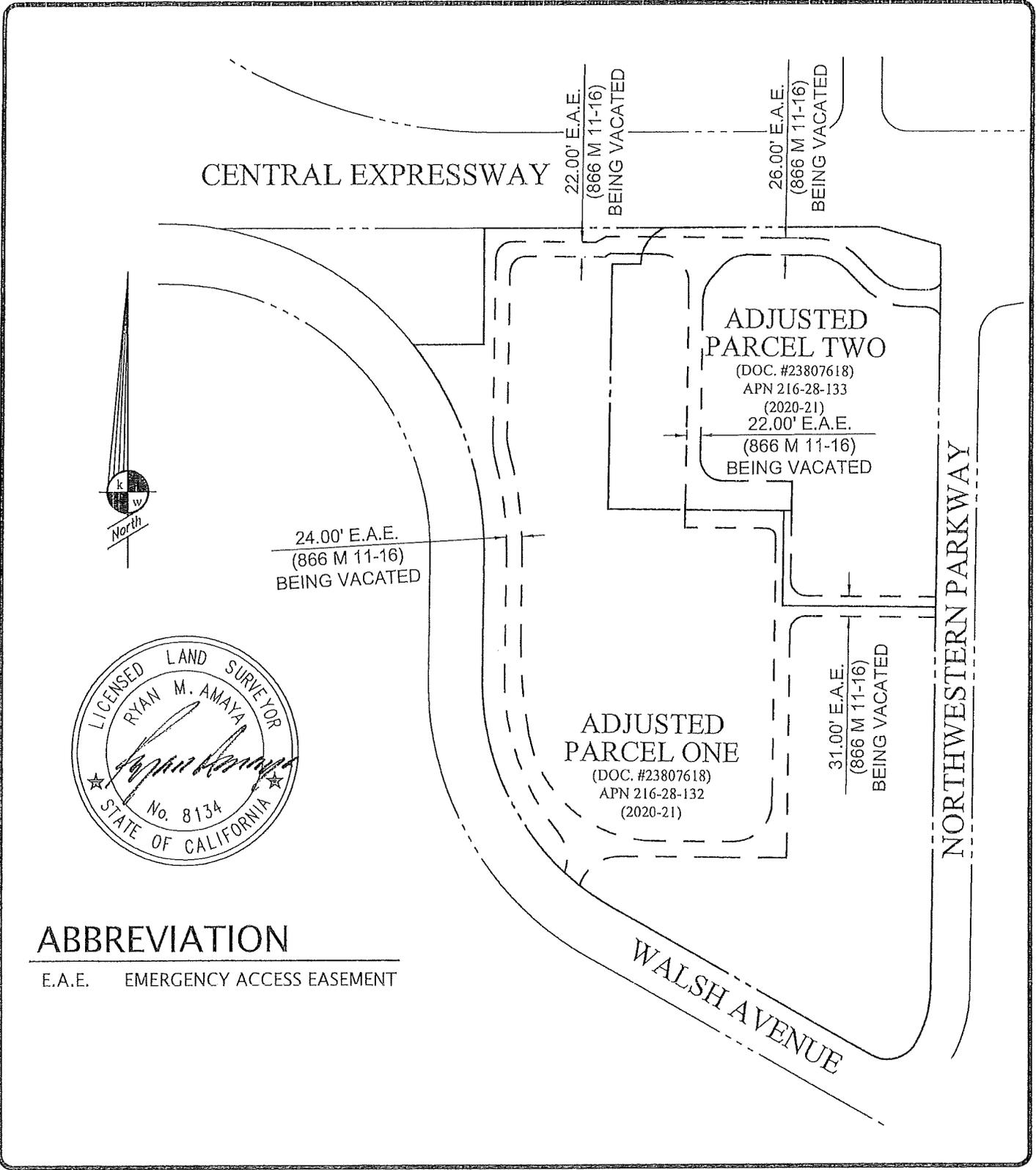
SCALE 1" = 200'

DR. BY CCB

JOB A10015-29

SHEET NO.

5 OF 6



**ABBREVIATION**

E.A.E. EMERGENCY ACCESS EASEMENT

<p align="center"><b>PLAT TO ACCOMPANY LEGAL DESCRIPTION</b> FOR: EMERGENCY ACCESS EASEMENT VACATION</p>		DATE	OCT., 2020	
		SCALE	1" = 200'	
SANTA CLARA	CALIFORNIA		DR. BY	CCB
<p align="center"><b>EXHIBIT "B"</b></p>	 <p><b>KIER &amp; WRIGHT</b> CIVIL ENGINEERS &amp; SURVEYORS, INC. 3350 Scott Boulevard, Building 22 Santa Clara, California 95054</p>	JOB	A10015-29	
		SHEET NO.	6 OF 6	
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SC 18, 955