

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

24228460

Regina Alcomendras
Santa Clara County - Clerk-Recorder

07/18/2019 02:19 PM

Titles: 1 Pages: 5

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



Form per Gov't Code Section 27361.6

[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

RESOLUTION NO. 19-8732

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, ORDERING THE VACATION OF THE
ANCHOR EASEMENTS, WIRE OVERHANG EASEMENT
AND PUBLIC UTILITY EASEMENT AT 3650 KIFER ROAD
[APN 205-38-015 (2018-19)]**

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

WHEREAS, the City of Santa Clara currently possesses the Anchor Easements, Wire Overhang Easement 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 map 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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 Anchor Easements, Wire Overhang Easement and Public Utility Easement described in Exhibit A and shown on Exhibit B have been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easements.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 Anchor Easements, Wire Overhang Easement 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 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
Easement Vacation
3650 Kifer Road**

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

Being a portion of Lots 15, 16 and 17, as shown on that certain map entitled "Tract No. 1786, San Ysidro Tract", as said map was filed for record in the Office of the Recorder of the County of Santa Clara, State of California on October 22, 1956 in Book 73 of Maps, at Page 25, and being described as follows:

Being that 1'x30' Anchor Easement on Lot 16, recorded on October 22, 1956 in Book 73 of Maps, at Page 25, Santa Clara County Records.

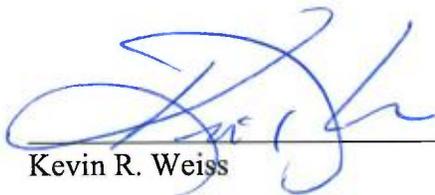
Being that 1'x30' Anchor Easement on Lot 17, recorded on October 22, 1956 in Book 73 of Maps, at Page 25, Santa Clara County Records.

Being that Wire Overhang Easement on Lot 17, recorded on October 22, 1956 in Book 73 of Maps, at Page 25, Santa Clara County Records.

Being that 5 ft wide Public Utility Easement on Lots 15, 16 & 17, recorded on October 22, 1956 in Book 73 of Maps, at Page 25, Santa Clara County Records.

Anchor Easements, Wire Overhang Easement and Public Utility Easements being vacated are shown on the attached Exhibit "B" and made a part hereof.




Kevin R. Weiss

5.15.19
Date

APN 205-38-021
(2019-20)

SAN YSIDRO WAY

APN 205-38-023 (2018-19)

KIFER ROAD

EX. 5.0' PUBLIC UTILITY EASEMENT
(73 M 25) BEING VACATED

LOT 15
TRACT 1786
73 M 25
APN 205-38-015
(2018-19)

LOT 16
TRACT 1786
73 M 25
APN 205-38-015
(2018-19)

LOT 17 (PORTION)
TRACT 1786
73 M 25
APN 205-38-015
(2018-19)

EX. ANCHOR EASEMENTS
(73 M 25) BEING VACATED

EX. WIRE OVERHANG EASEMENT
(73 M 25) BEING VACATED

30.0'

PARCEL F
ROS 154 M 13

LAWRENCE EXPRESSWAY

LEGEND & ABBREVIATIONS

- DISTINCTIVE BORDER LINE
- PROPERTY LINE - ADJACENT SITE
- EXISTING EASEMENT LINE

BASIS OF BEARINGS

THE BEARING OF THE MONUMENTED LINE OF KIFER ROAD, NORTH 89°31'00" EAST, AS SHOWN ON THAT CERTAIN MAP OF TRACT NO. 1786, FILED FOR RECORD ON OCTOBER 22, 1956, IN BOOK 73 OF MAPS AT PAGE 25, SANTA CLARA COUNTY RECORDS, WAS TAKEN AS THE BASIS OF ALL BEARINGS SHOWN HEREON.

KEVIN R. WEISS, LS 7139
LICENSE EXPIRES: 12/31/20

DATE

5-15-19

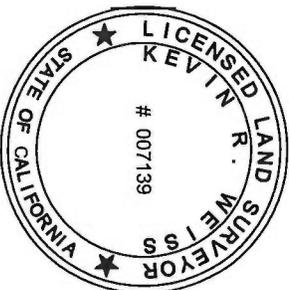


EXHIBIT 'B'
EASEMENTS VACATED
FOR
3650 KIFER ROAD
SANTA CLARA, CALIFORNIA

JOB NO. 5049

BY: CT

DATE: 05/08/19

SHEET 1 OF 1

JMH WEISS, INC.

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