

**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

25536894

Regina Alcomendras
Santa Clara County - Clerk-Recorder

09/28/2023 04:21 PM

Titles: 1 Pages: 4

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. 23-9263

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, ORDERING THE VACATION OF A
ELECTRIC EASEMENT AT 2200 CALLE DE LUNA [APN
097-01-039 (2022-23)]**

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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

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

1. That said Easement shown in said Exhibits have been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easements.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 said 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 12TH DAY OF SEPTEMBER, 2023, 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 & B



EXHIBIT "A"
Legal Description

Portion of Electric Easement Vacation
2200 Calle De Luna, 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 that certain Electric Easement, as said Easement is described in that certain Easement Deed, conveyed to the City of Santa Clara, a municipal corporation, recorded on December 26, 1972 in Book 0168 at Page 323, Official Records of Santa Clara County, described as follows:

Being also a portion of Parcel 19, as said Parcel is shown on that certain Parcel Map, filed for record on February 27, 1976 in Book 368 of Maps at Pages 14 and 15, Records of Santa Clara County, more particularly described as follows;

BEGINNING at the southwesterly corner of said Parcel 19, said corner being also a point on the northeasterly line of Calle De Luna, a public street as shown on said Parcel Map (368 M 14-15);

Thence leaving said southwesterly corner of said Parcel 19 and along the southwesterly line of said Parcel 19, North 22°24'12" West, 7.12 feet to a line parallel with and 5.00 feet northeasterly, right angle measurement, from said northeasterly line of said Calle De Luna, said point being also the beginning of a non-tangent curve, concave to the southwest, having a Radius of 115.00 feet, with a radial line that bears North 21°40'33" East;

Thence along said parallel line, southeasterly along said curve, through a central Angle of 28°57'48", with an arc Length of 58.13 feet to a point that is on the northwesterly prolongation of the northeasterly right of way line of Calle de Luna as shown on said map;

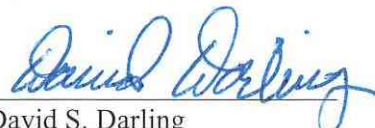
Thence leaving said parallel line, and along said prolongation, South 22°24'12" East, 33.54 feet to said northeasterly line of Calle De Luna, said point being also the beginning of a non-tangent curve, concave to the southwest, having a Radius of 110.00 feet, with a radial line that bears North 67°35'48" East;

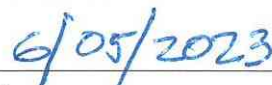
Thence northwesterly along said curve, through a central Angle of 43°20'30", with an arc Length of 83.21 feet to the Point of **BEGINNING**.

Containing an area of 326 square feet or 0.007 acres, more or less.

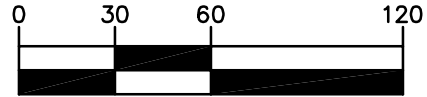
As shown on plat attached hereto and made a part hereof as EXHIBIT "B".

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


David S. Darling
L.S. No. 7625


Date





(SCALE IN FEET)

ST. ANTON TASMAN EAST, LP.

PARCEL 6
368 M 14-15

APN 097-05-059
(2022-2023)

NASH - HOLLAND CALLE DE LUNA
INVESTORS, LLC

PARCEL 19
368 M 14-15

APN 097-05-058
(2022-2023)

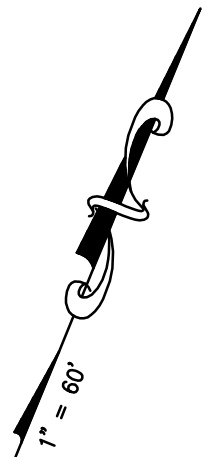
CALLE DEL MUNDO
(60' WIDE)

POINT OF
BEGINNING

CALLE DE LUNA
(60' WIDE)

N21°40'33"E
(R)
PORTION OF 5'
ELECTRIC EASEMENT
PER 0168 O.R. 323
BEING VACATED

N67°35'48"E
(R)



LINE TABLE

NO.	BEARING	LENGTH
L1	N22°24'12"W	7.12'
L2	S22°24'12"E	33.54'

CURVE TABLE

NO.	RADIUS	DELTA	LENGTH
C1	115.00'	28°57'48"	58.13'
C2	110.00'	43°20'30"	83.21'

LEGEND

APN ASSESSOR'S PARCEL NUMBER PER
ROLL YEAR 2022-2023
(R) RADIAL BEARING
--- EASEMENT LINE



EXHIBIT "B"
PLAT TO ACCOMPANY
LEGAL DESCRIPTION

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

SUBJECT **PORTION OF ELECTRIC EASEMENT VACATION**
2200 CALLE DE LUNA, SANTA CLARA, CA
JOB NO. **20156097**
BY **JG** APPR. **DSD/CASC** DATE **06-05-2023**
1 OF 1

SC22-0052