

24327928

Regina Alcomendras
Santa Clara County - Clerk-Recorder

11/08/2019 10:28 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: 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. 19-8718

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA,
ORDERING THE VACATION OF A PORTION OF PUBLIC UTILITY
EASEMENT ON ACCOLTI WAY (PRIVATE STREET) AT 500 EL
CAMINO REAL (MAIN ADDRESS) [APN 230-10-003 (2018-19)]**

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

WHEREAS, the City of Santa Clara currently possesses the Public Utility 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 Exhibit A against APN 230-10-003 (2018-19), located at 500 El Camino Real; 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- (c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 That Public Utility Easement described in Exhibit A and shown on Exhibit B has been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easement.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 Public Utility Easement described in Exhibit A and shown on Exhibit B in the City is 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 Exhibits A and B 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 25TH DAY OF JUNE 2019, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Chahal, Davis, Hardy, Mahan, and 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

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February 14, 2019
HMH 4855.00.280
Page 1 of 1

EXHIBIT "A"
PORTION OF PUBLIC UTILITY EASEMENT VACATION

REAL PROPERTY in the City of Santa Clara, County of Santa Clara, State of California, being a portion of the Public Utility Easement reserved in Resolution No. 5459 recorded January 4, 1990, in Book L218 of Official Records, page 537 and a portion of the Public Utility Easement reserved in the Quitclaim and Easement Reservation recorded July 31, 1996 in Document No. 13391598, both of Santa Clara County Records, described as follows:

COMMENCING at the northerly corner of Parcel 1 as shown on that certain Parcel Map filed for record on October 24, 1988, in Book 592 of Maps, page 17, Santa Clara County Records;
Thence along the northwesterly line of said Parcel 1, also being the southeasterly line of said Public Utility easement, South 33°00'50" West, 292.69 feet;
Thence North 56°59'10" West, 48.00 feet, to the TRUE POINT OF BEGINNING;

Thence North 56°59'10" West, 16.00 feet, to the northwesterly line of said Public Utility Easement;

Thence along said northwesterly line, South 33°00'50" West, 401.85 feet;

Thence South 56°59'10" East, 10.00 feet;

Thence North 33°00'50" East, 241.68 feet;

Thence South 56°59'10" East, 6.00 feet;

Thence North 33°00'50" East, 160.17 feet, to the TRUE POINT OF BEGINNING.

Containing 4,980 square feet, more or less.

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

END OF DESCRIPTION

This legal description was prepared by me or under my direction in accordance with the Professional Land Surveyors Act.

Date: 2-14-19

Tracy L. Giorgetti
Tracy L. Giorgetti, LS 8720



EL CAMINO REAL

64' PUE
L218-OR-537
DOC 13391598

POC

S33°00'50"W
292.69'

N56°59'10"W

16' 48.00'
TPOB

PORTION OF PUE
BEING VACATED
AREA = 4,980± SF

APN 230-10-003
(2018-19)

16'

ACCOLT WAY
(PRIVATE STREET)

N33°00'50"E 160.17'

S33°00'50"W 401.85'

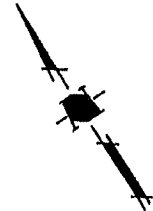
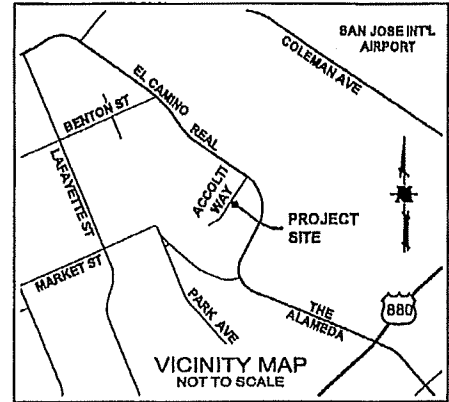
S56°59'10"E
6.00'

N33°00'50"E 241.68'

(FORMERLY BELLOMY STREET)
(VACATED BY RESOLUTION
NO. 5459 PER L218 O.R. 537)

10'

S56°59'10"E
10.00'



0 30 60

1 IN. = 60 FT.

PARCEL 1
592-M-17
APN 230-13-023
(2018-19)



LEGEND

POC POINT OF COMMENCEMENT
TPOB TRUE POINT OF BEGINNING
PUE PUBLIC UTILITY EASEMENT
SF SQUARE FEET

SHEET 1 OF 1

Date: 2019-02-14
Designed: JW
Drawn: RF
Checked: TG
Proj. Engr: —
485500PL01



1670 Oakland Road (408) 487-2200
San Jose, CA 95131 HMMca.com

EXHIBIT "B"
PLAT TO ACCOMPANY DESCRIPTION:
PUBLIC UTILITY EASEMENT VACATION

SANTA CLARA, CALIFORNIA

SC19,124