

25415386

Regina Alcomendras
Santa Clara County - Clerk-Recorder

12/13/2022 11:31 AM

Titles: 1 Pages: 17

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



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

Form per Gov't Code Section 27361.6

[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

RESOLUTION NO. 22-9169

A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, ORDERING THE VACATION OF THE
PUBLIC UTILITY EASEMENTS, STORM DRAIN
EASEMENT, WIRE CLEARANCE EASEMENT AND WATER
LINE EASEMENT AT 2780 EL CAMINO REAL [APN 290-16-
018 (2020-21)]

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, the Public Utility Easement described in Exhibit C and shown on Exhibit D, the Storm Drain Easement described in Exhibit E and shown on Exhibit F, the Wire Clearance Easement described in Exhibit G and shown on Exhibit H, the Water Line Easement described in Exhibit I and shown on Exhibit J, 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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

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

1. That said Easements shown in said Exhibits have been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easements.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 Easements described and shown in said Exhibits in the City are 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 6TH DAY OF DECEMBER, 2022, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Becker, Chahal, Hardy, Jain, Park, 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, C, D, E, F, G, H, I and J



**Civil
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Associates**

2055 GATEWAY PLACE
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San Jose, CA 95110
Phone: (408) 453-1066
Fax: (408) 453-1060

NOVEMBER 3, 2021

JOB NO. 14-130

**EXHIBIT "A"
LEGAL DESCRIPTION
VACATION OF PUBLIC UTILITY EASEMENT (PUE)**

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEING ALL OF THE EXISTING 5' WIDE PUBLIC UTILITY EASEMENT OVER PARCEL 1 AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED JUNE 19, 1979 IN BOOK 444 OF MAPS AT PAGES 1-2, RECORDS OF SAID SANTA CLARA COUNTY;

A PLAT ENTITLED EXHIBIT "B" IS ATTACHED HERETO AND MADE A PART HEREOF.

THIS DESCRIPTION AND THE ACCOMPANYING PLAT WERE PREPARED BY ME OR PREPARED UNDER MY DIRECTION.

ANDREW TURNER
P.L.S. 9104
CIVIL ENGINEERING ASSOCIATES, INC.

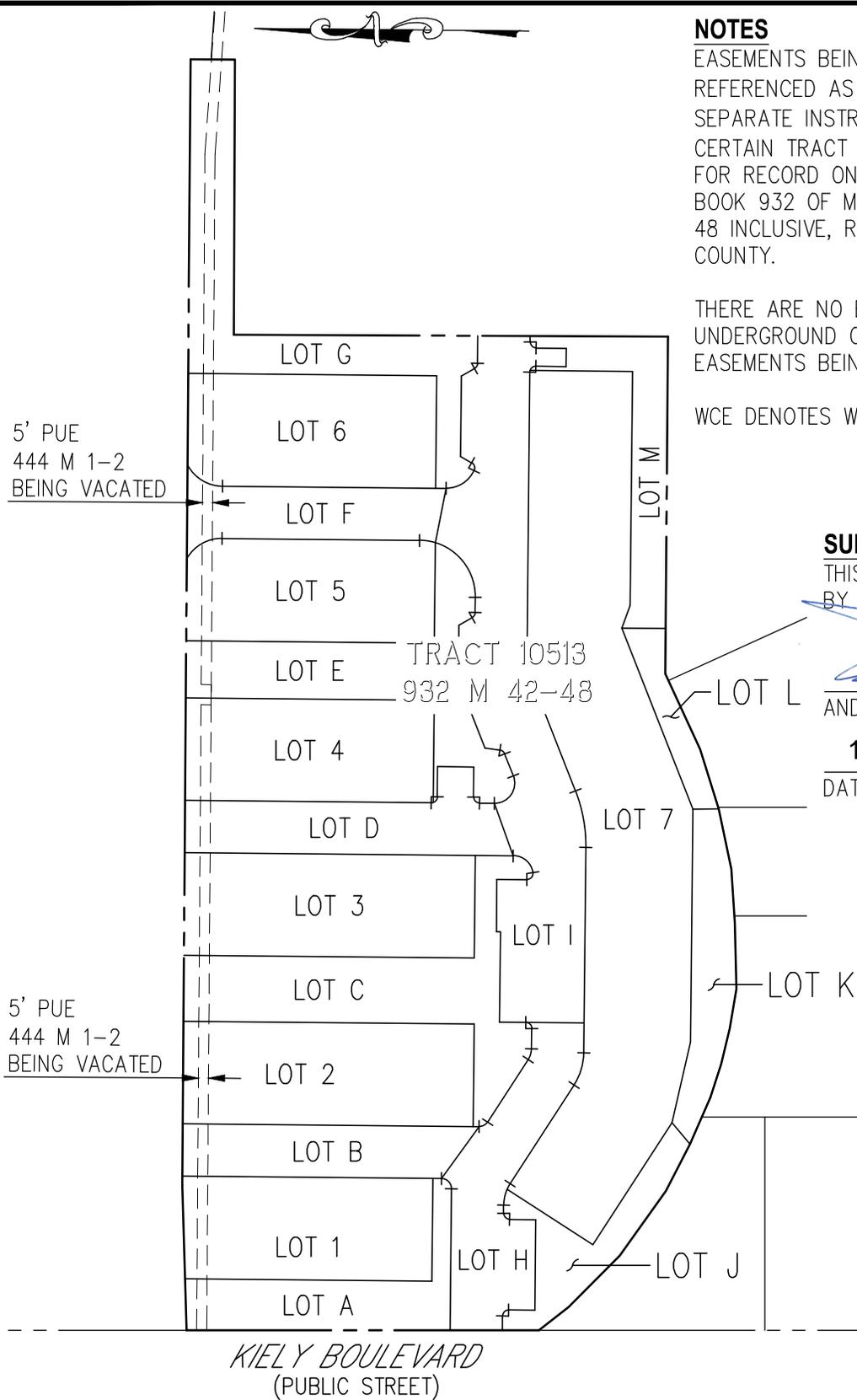


11/04/2021

DATE

SC21-0022

14130 EASEMENT VACATION - PUE.dwg Nov 03, 2021



NOTES

EASEMENTS BEING VACATED WERE REFERENCED AS "TO BE VACATED BY SEPARATE INSTRUMENT", AS SHOWN ON THAT CERTAIN TRACT MAP "TRACT 10513", FILED FOR RECORD ON SEPTEMBER 10, 2020 IN BOOK 932 OF MAPS AT PAGES 42 THROUGH 48 INCLUSIVE, RECORDS OF SANTA CLARA COUNTY.

THERE ARE NO ELECTRICAL LINES UNDERGROUND OR OVERHEAD WITHIN THESE EASEMENTS BEING VACATED.

WCE DENOTES WIRE CLEARANCE EASEMENT

SURVEYOR'S STATEMENT

THIS SITE PLAN WAS PREPARED BY ME OR UNDER MY DIRECTION.

Andrew Turner
ANDREW TURNER, P.L.S.

11/04/2021

DATED



EXHIBIT "B"
VACATION OF PUBLIC UTILITY EASEMENT (PUE)



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San Jose, CA 95110
T: (408) 453-1066

BY: CH

DATE: 11/03/2021

SCALE: 1"=80'

JOB NO. 14-130

1 OF 1
SHT.NO.



**Civil
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APRIL 8, 2022

JOB NO. 14-130

**EXHIBIT "C"
LEGAL DESCRIPTION
VACATION OF PUBLIC UTILITY EASEMENT (PUE)**

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE PUBLIC UTILITY EASEMENT AS DESCRIBED IN THAT CERTAIN DEED RECORDED SEPTEMBER 27, 1960 IN BOOK 4929 AT PAGE 698, OFFICIAL RECORDS OF SAID SANTA CLARA COUNTY, BOTH IN THE SAME LOCATION AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT A AS SHOWN ON THAT CERTAIN SUBDIVISION MAP ENTITLED "TRACT 10513" RECORDED ON SEPTEMBER 10, 2020 IN BOOK 932 OF MAPS, AT PAGES 42-48, RECORDS OF SAID SANTA CLARA COUNTY AND BEING A POINT ON THE EASTERLY BOUNDARY OF KEILY BOULEVARD (PUBLIC STREET);

THENCE SOUTHERLY ALONG THE WESTERLY BOUNDARY OF SAID LOT A, SOUTH 00° 33' 20" EAST, A DISTANCE OF 5.00;

THENCE NORTH 89° 50' 54" EAST, A DISTANCE OF 311.00 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE NORTH 89° 50' 54" EAST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 00° 09' 06" EAST, A DISTANCE OF 5.00 FEET;

THENCE SOUTH 89° 50' 54" WEST, A DISTANCE OF 10.00 FEET;

THENCE NORTH 00° 09' 06" WEST, A DISTANCE OF 5.00 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 50 SQUARE FEET (0.001 ACRES) OF LAND, MORE OR LESS

SC21-0022



BASIS OF BEARINGS: THE BEARING NORTH 0°33'20" WEST, OF THE MONUMENT LINE OF KIELY BOULEVARD, BETWEEN TWO FOUND MONUMENTS, AS SHOWN ON THAT CERTAIN PARCEL MAP, RECORDED IN BOOK 444 OF MAPS AT PAGES 1-2, SANTA CLARA COUNTY RECORDS, WAS USED AS THE BASIS OF ALL BEARINGS SHOWN.

A PLAT ENTITLED EXHIBIT "D" IS ATTACHED HERETO AND MADE A PART HEREOF.

THIS DESCRIPTION AND THE ACCOMPANYING PLAT WERE PREPARED BY ME OR PREPARED UNDER MY DIRECTION.

ANDREW TURNER
P.L.S. 9104
CIVIL ENGINEERING ASSOCIATES, INC.



04/08/2022
DATE

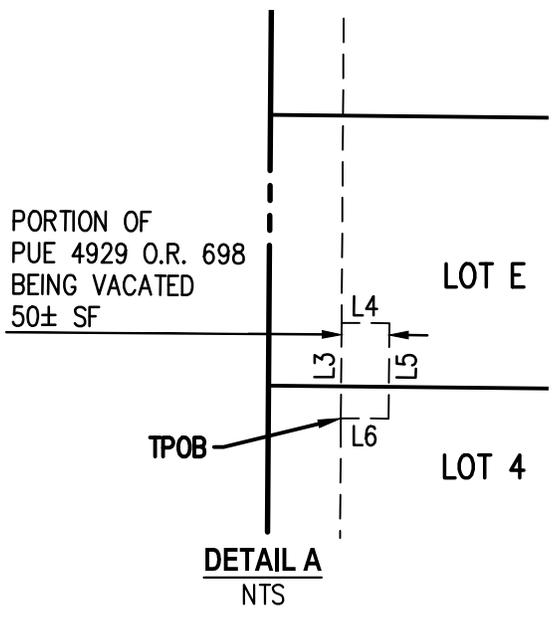
14130 EASEMENT VACATION - PUE - 2022-03-30.dwg Apr 12, 2022

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S00°33'20"E	5.00'
L2	N89°50'54"E	311.00'
L3	N89°50'54"E	10.00'
L4	S00°09'06"E	5.00'
L5	S89°50'54"W	10.00'
L6	N00°09'06"W	5.00'



LEGEND

- POC POINT OF COMMENCEMENT
- PUE PUBLIC UTILITY EASEMENT
- TPOB TRUE POINT OF BEGINNING



SURVEYOR'S STATEMENT

THIS SITE PLAN WAS PREPARED BY ME OR UNDER MY DIRECTION.

ANDREW TURNER, P.L.S.

04/08/2022

DATED



EXHIBIT "D"
VACATION OF PUBLIC UTILITY EASEMENT (PUE)



Civil Engineering Associates

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T: (408) 453-1066

BY: CH
DATE: 4/8/2022
SCALE: 1"=20'
JOB NO. 14-130

2 OF 2
SHT.NO.



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NOVEMBER 3, 2021

JOB NO. 14-130

**EXHIBIT "E"
LEGAL DESCRIPTION
VACATION OF STORM DRAIN EASEMENT (SDE)**

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE EXISTING STORM DRAIN EASEMENT AS DESCRIBED IN THAT CERTAIN DEED ENTITLED "GRANT OF EASEMENT - STORM DRAIN", RECORDED OCTOBER 04, 1961 IN BOOK 5318 AT PAGE 135, OFFICIAL RECORDS OF SAID SANTA CLARA COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT A AS SHOWN ON THAT CERTAIN SUBDIVISION MAP ENTITLED "TRACT 10513" RECORDED ON MONTH DAY, 2020 IN BOOK 932 OF MAPS AT PAGES 42-48, RECORDS OF SAID SANTA CLARA COUNTY AND BEING A POINT ON THE EASTERLY BOUNDARY OF KEILY BOULEVARD (PUBLIC STREET);

THENCE EASTERLY ALONG THE NORTHERLY BOUNDARY OF SAID LOT A AND LOT 1, AS LOT 1 IS ALSO SHOWN ON SAID SUBDIVISION MAP, NORTH 87° 42' 52" EAST, A DISTANCE OF 52.23 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE DEPARTING FROM SAID NORTHERLY BOUNDARY OF LOT 1, SOUTH 03° 33' 20" EAST, A DISTANCE OF 170.25 FEET;

THENCE SOUTH 52° 33' 20" EAST, A DISTANCE OF 169.22 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF LOT K, AS LOT K IS ALSO SHOWN ON SAID SUBDIVISION MAP;

THENCE EASTERLY ALONG SAID SOUTHERLY BOUNDARY OF LOT K THE FOLLOWING TWO COURSES:

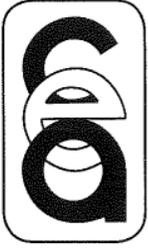
- NORTH 88° 02' 40" EAST, A DISTANCE OF 8.18 FEET;
- NORTH 85° 41' 36" EAST, A DISTANCE OF 7.22 FEET;

THENCE DEPARTING FROM SAID SOUTHERLY BOUNDARY OF LOT K, NORTH 52° 33' 20" WEST, A DISTANCE OF 176.37 FEET;

THENCE NORTH 03° 33' 20" WEST, A DISTANCE OF 165.47 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SAID LOT 1;

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1 OF 2



THENCE WESTERLY ALONG SAID NORTHERLY BOUNDARY OF LOT 1, SOUTH 87° 42' 52" WEST, A DISTANCE OF 10.00 FEET TO THE **TRUE POINT OF BEGINNING**;

CONTAINING 3,408 SQUARE FEET (0.078 ACRES) OF LAND, MORE OR LESS

BASIS OF BEARINGS: THE BEARING NORTH 0°33'20" WEST, OF THE MONUMENT LINE OF KIELY BOULEVARD, BETWEEN TWO FOUND MONUMENTS, AS SHOWN ON THAT CERTAIN PARCEL MAP, RECORDED IN BOOK 444 OF MAPS AT PAGES 1-2, SANTA CLARA COUNTY RECORDS, WAS USED AS THE BASIS OF ALL BEARINGS SHOWN.

A PLAT ENTITLED EXHIBIT "F" IS ATTACHED HERETO AND MADE A PART HEREOF.

THIS DESCRIPTION AND THE ACCOMPANYING PLAT WERE PREPARED BY ME OR PREPARED UNDER MY DIRECTION.

ANDREW TURNER
P.L.S. 9104
CIVIL ENGINEERING ASSOCIATES, INC.



11/04/2021

DATE

SC21-0022

LEGEND

POC POINT OF COMMENCEMENT
TPOB TRUE POINT OF BEGINNING

NOTES

EASEMENTS BEING VACATED WERE REFERENCED AS "TO BE VACATED BY SEPARATE INSTRUMENT", AS SHOWN ON THAT CERTAIN TRACT MAP "TRACT 10513", FILED FOR RECORD ON SEPTEMBER 10, 2020 IN BOOK 932 OF MAPS AT PAGES 42 THROUGH 48 INCLUSIVE, RECORDS OF SANTA CLARA COUNTY.

THERE ARE NO ELECTRICAL LINES UNDERGROUND OR OVERHEAD WITHIN THESE EASEMENTS BEING VACATED.

SDE DENOTES STORM DRAIN EASEMENT

BASIS OF BEARINGS

THE BEARING OF NORTH 0°33'20" WEST OF THE MONUMENT LINE OF KIELY BOULEVARD AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED IN BOOK 444 OF MAPS AT PAGES 1 AND 2, SANTA CLARA COUNTY RECORDS, AND AS FOUND MONUMENTED, WAS TAKEN AS BASIS OF ALL BEARINGS FOR THIS PLAT.

NOTE

SEE SHEET 2 FOR LINE TABLE

SURVEYOR'S STATEMENT

THIS SITE PLAN WAS PREPARED BY ME OR UNDER MY DIRECTION.

ANDREW TURNER, P.L.S.

11/04/2021

DATED

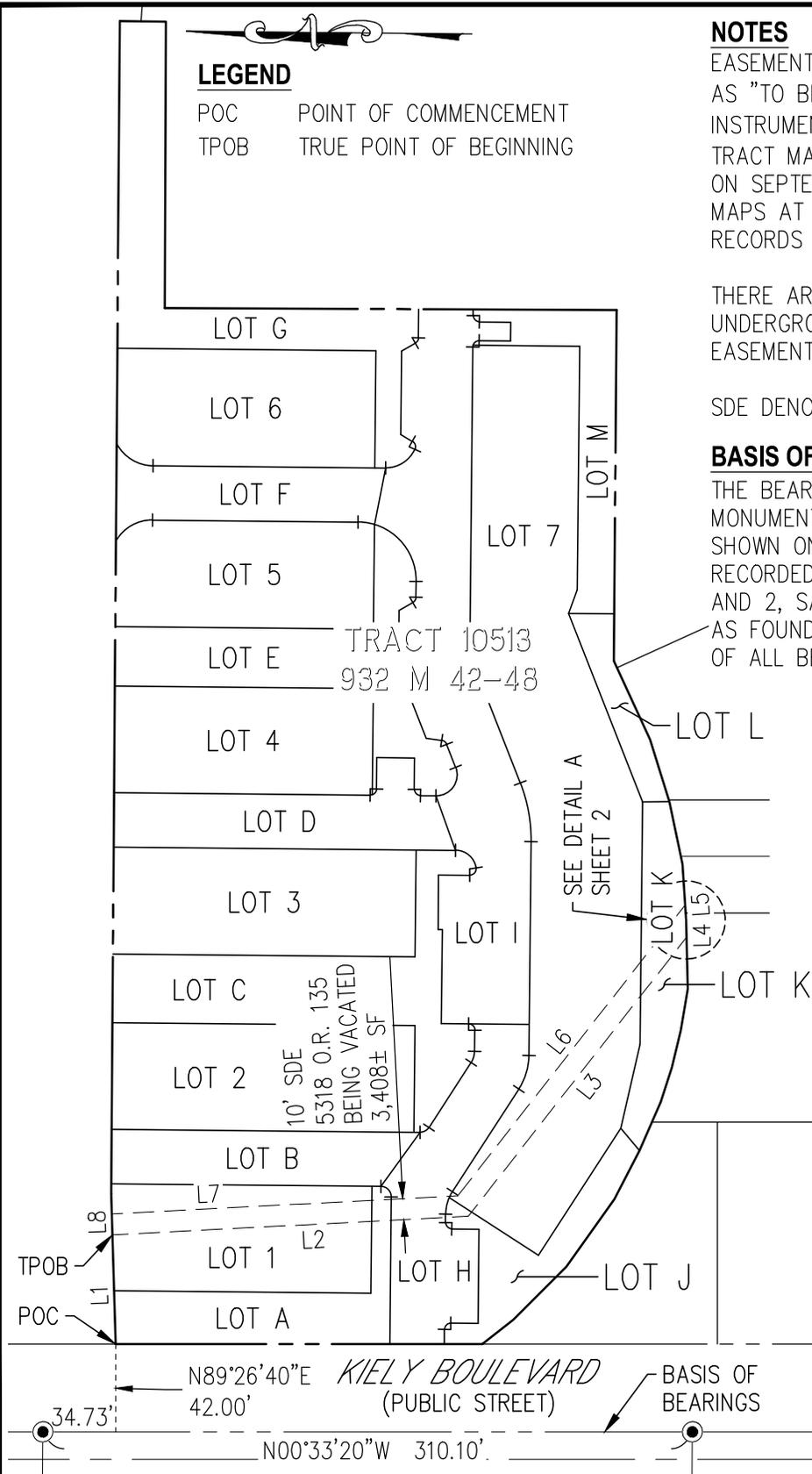


EXHIBIT "F"
VACATION OF STORM DRAIN EASEMENT (SDE)



Civil Engineering Associates

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San Jose, CA 95110
T: (408) 453-1066

BY: CH

DATE: 11/03/2021

SCALE: 1"=80'

JOB NO. 14-130

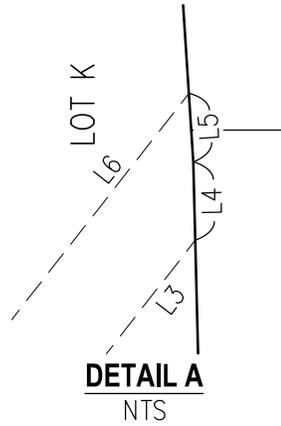
1 OF 2

SHT.NO.

14130 EASEMENT VACATION - SDE.dwg Nov 03, 2021

14130 EASEMENT VACATION - SDE.dwg Nov 03, 2021

LINE TABLE		
LINE #	BEARING	LENGTH
L1	N87°42'52"E	52.23'
L2	S03°33'20"E	170.25'
L3	S52°33'20"E	169.22'
L4	N88°02'40"E	8.18'
L5	N85°41'36"E	7.22'
L6	N52°33'20"W	176.37'
L7	N03°33'20"W	165.47'
L8	S87°42'52"W	10.00'



SURVEYOR'S STATEMENT

THIS SITE PLAN WAS PREPARED BY ME OR UNDER MY DIRECTION.

ANDREW TURNER, P.L.S.

11/04/2021

DATED



EXHIBIT "F"
VACATION OF STORM DRAIN EASEMENT (SDE)



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BY: CH

DATE: 11/03/2021

SCALE: 1"=80'

JOB NO. 14-130

2 OF 2

SHT.NO.



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NOVEMBER 3, 2021

JOB NO. 14-130

**EXHIBIT "G"
LEGAL DESCRIPTION
VACATION OF WIRE CLEARANCE EASEMENT (WCE)**

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEING ALL OF THAT 5' WIDE WIRE CLEARANCE EASEMENT OVER PARCEL 1 AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED JUNE 19, 1979 IN BOOK 444 OF MAPS AT PAGES 1-2, OFFICIAL RECORDS SANTA CLARA COUNTY;

A PLAT ENTITLED EXHIBIT "H" IS ATTACHED HERETO AND MADE A PART HEREOF.

THIS DESCRIPTION AND THE ACCOMPANYING PLAT WERE PREPARED BY ME OR PREPARED UNDER MY DIRECTION.

ANDREW TURNER
P.L.S. 9104
CIVIL ENGINEERING ASSOCIATES, INC.

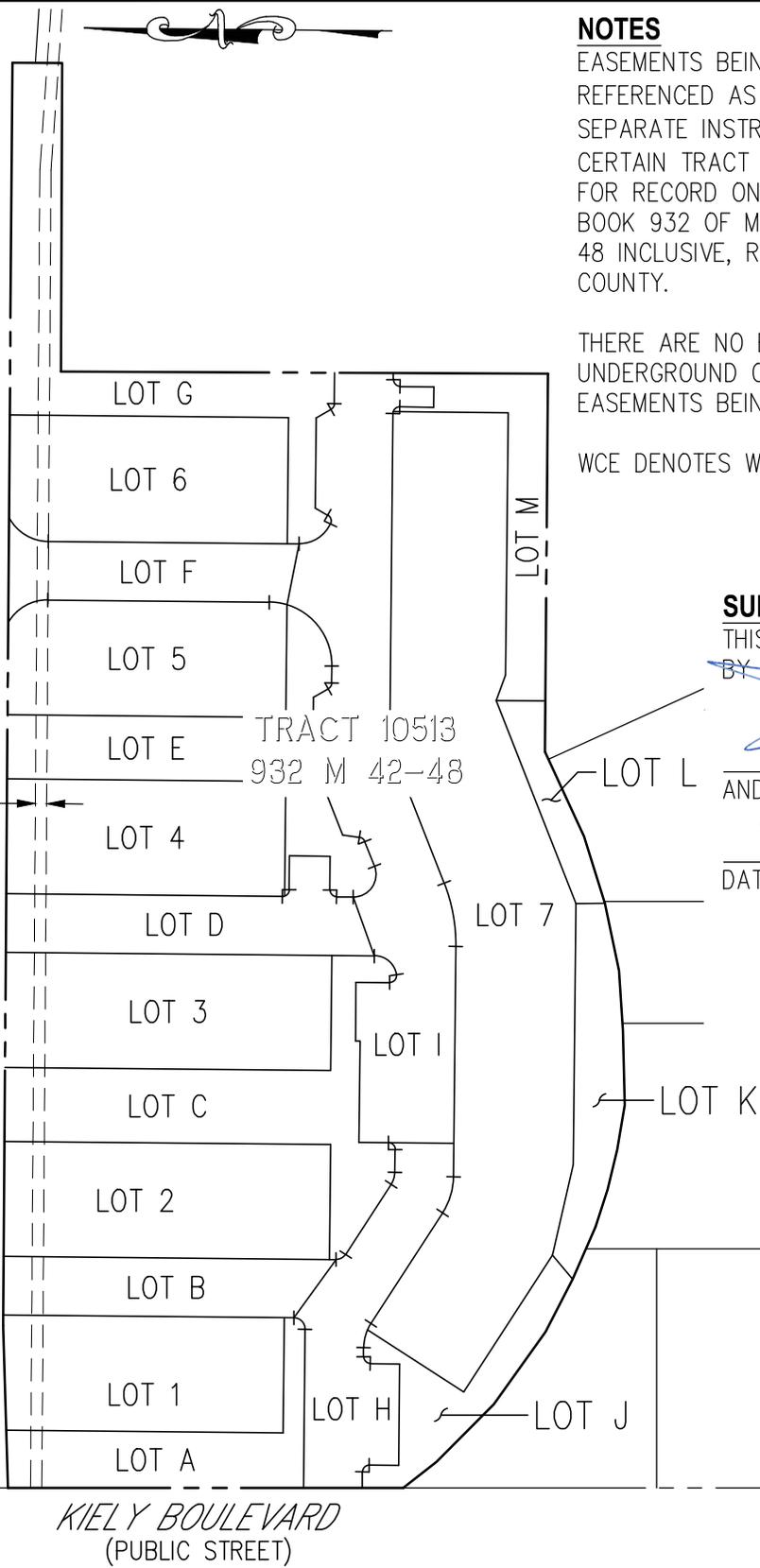


11/04/2021

DATE

SC21-0022

14130 EASEMENT VACATION - WCE.dwg Nov 03, 2021



NOTES

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THERE ARE NO ELECTRICAL LINES UNDERGROUND OR OVERHEAD WITHIN THESE EASEMENTS BEING VACATED.

WCE DENOTES WIRE CLEARANCE EASEMENT

SURVEYOR'S STATEMENT

THIS SITE PLAN WAS PREPARED BY ME OR UNDER MY DIRECTION.

ANDREW TURNER, P.L.S.

11/04/2021

DATED



EXHIBIT "H"
VACATION OF WIRE CLEARANCE EASEMENT (WCE)



Civil Engineering Associates

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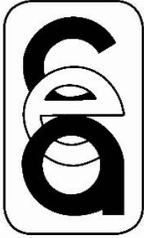
BY: CH

DATE: 11/03/2021

SCALE: 1"=80'

JOB NO. 14-130

1 OF 1
SHT.NO.



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NOVEMBER 3, 2021

JOB NO. 14-130

**EXHIBIT "I"
LEGAL DESCRIPTION
VACATION OF WATER LINE EASEMENT (WLE)**

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEING ALL OF THAT EXISTING 15' WIDE WATER LINE EASEMENT AS DESCRIBED IN THAT CERTAIN DEED ENTITLED "GRANT OF EASEMENT WATER" RECORDED OCTOBER 29, 1968 IN BOOK 8314 AT PAGE 636, OFFICIAL RECORDS SANTA CLARA COUNTY;

A PLAT ENTITLED EXHIBIT "J" IS ATTACHED HERETO AND MADE A PART HEREOF.

THIS DESCRIPTION AND THE ACCOMPANYING PLAT WERE PREPARED BY ME OR PREPARED UNDER MY DIRECTION.

ANDREW TURNER
P.L.S. 9104
CIVIL ENGINEERING ASSOCIATES, INC.

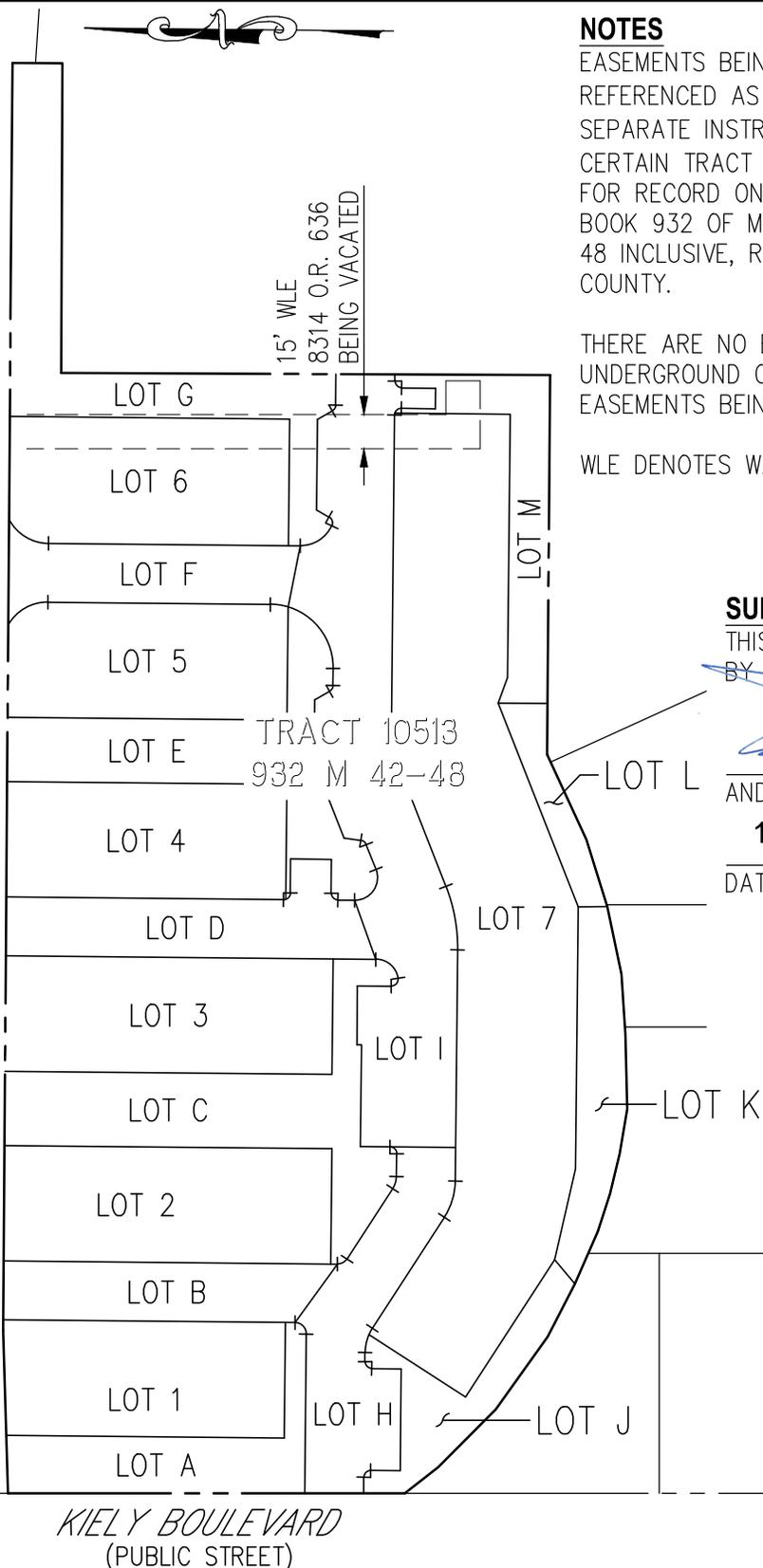


11/04/2021

DATE

SC21-0022

14130 EASEMENT VACATION - WLE.dwg Nov 03, 2021



NOTES

EASEMENTS BEING VACATED WERE REFERENCED AS "TO BE VACATED BY SEPARATE INSTRUMENT", AS SHOWN ON THAT CERTAIN TRACT MAP "TRACT 10513", FILED FOR RECORD ON SEPTEMBER 10, 2020 IN BOOK 932 OF MAPS AT PAGES 42 THROUGH 48 INCLUSIVE, RECORDS OF SANTA CLARA COUNTY.

THERE ARE NO ELECTRICAL LINES UNDERGROUND OR OVERHEAD WITHIN THESE EASEMENTS BEING VACATED.

WLE DENOTES WATER LINE EASEMENT

SURVEYOR'S STATEMENT

THIS SITE PLAN WAS PREPARED BY ME OR UNDER MY DIRECTION.

ANDREW TURNER, P.L.S.

11/04/2021

DATED



EXHIBIT "J"
VACATION OF WATER LINE EASEMENT (WLE)



Civil Engineering Associates

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T: (408) 453-1066

BY: CH

DATE: 11/03/2021

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1 OF 1

SHT.NO.