

**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. 18-8592

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, ORDERING THE VACATION OF AN
UNDERGROUND ELECTRIC EASEMENT AT 3740 EL
CAMINO REAL [APN 313-06-003 (2017-18)]**

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

WHEREAS, the City of Santa Clara currently possesses the Underground Electric 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 filed for record on April 5, 1968 in Book 8080 of Official Records, at Page 589 as Document No. 3395478, Santa Clara County Records, against APN 313-06-003 (2017-18), located at 3740 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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 That the Underground Electric Easement described in Exhibit A and shown on Exhibit B has been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easement.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 the Underground Electric Easement described and shown in said Exhibits 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 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 21st DAY OF AUGUST, 2018, BY THE FOLLOWING VOTE:

AYES: COUNCILORS: Davis, Kolstad, Mahan, O'Neill, and Watanabe and Mayor Gillmor

NOES: COUNCILORS: None

ABSENT: COUNCILORS: None

ABSTAINED: COUNCILORS: None

ATTEST:

For Jennifer Yamaguma

JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Exhibits A and B

EXHIBIT "A"

Legal Description

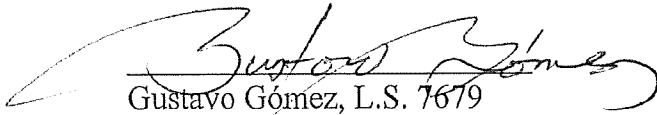
Vacation of an Underground Electric Easement (8080 O.R. 589)

**At 3740 El Camino Real
Santa Clara, California
[APN 313-06-003 (2017-18)]**

All of that underground electric easement as described in that certain document filed for record on April 5, 1968, in Book 8080 of Official Records, at Page 589 as Document #3395478, Santa Clara County Records.

A plat showing the above described easement vacation is attached hereto and made a part hereof as EXHIBIT "B" (Tracing No. 12,255-A).

This description was prepared by me or under my direction in conformance with the Land Surveyor's Act.



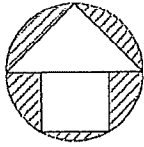
Gustavo Gómez, L.S. 7679

City Surveyor

License expires: 12-31-2018

Date: May 18, 2018





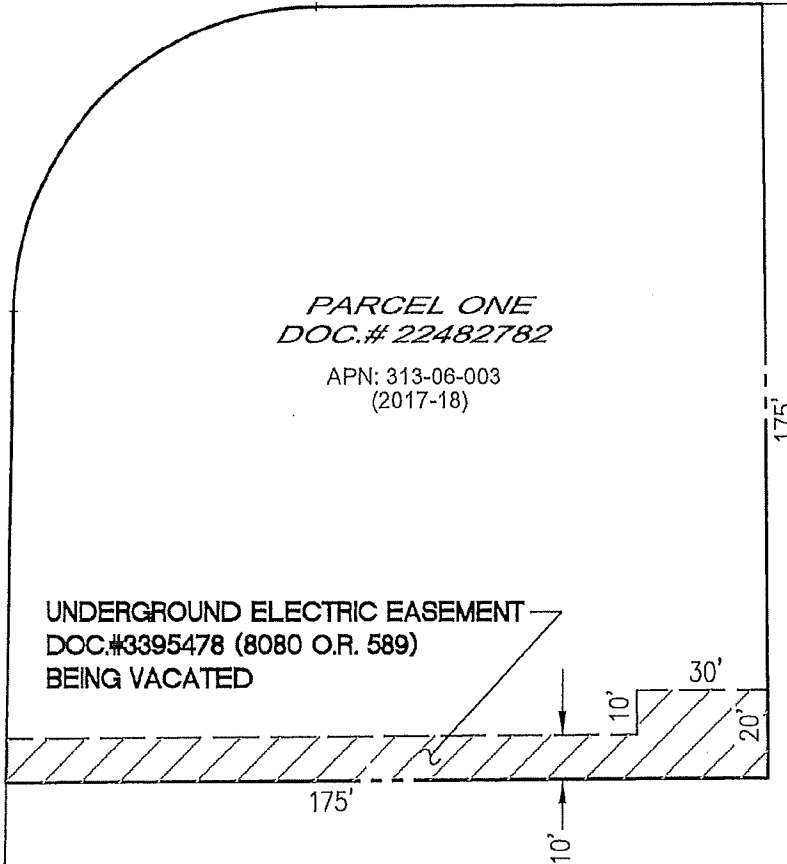
EL CAMINO REAL
(140' WIDE)

HALFORD AVENUE (FORMERLY SWAN LANE)
(WIDTH VARIES)

PARCEL ONE
DOC.# 22482782

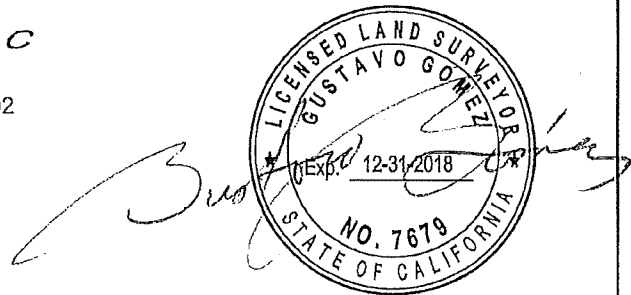
APN: 313-06-003
(2017-18)

UNDERGROUND ELECTRIC EASEMENT
DOC.#3395478 (8080 O.R. 589)
BEING VACATED



PARCEL C
286 M 1

APN: 313-06-002



DATE: *May 18, 2018*

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Revised		05-16-18
Drawn By	HL	05-03-18
Checked By	CL	5-17-18
Approved By	<i>G. Gomez</i>	5-18-2018

MICHAEL JACK LIW

ASSISTANT DIRECTOR OF PUBLIC WORKS/CITY ENGINEER

CITY OF SANTA CLARA

EXHIBIT "B"

VACATION OF THE UNDERGROUND ELECTRIC EASEMENT
3740 EL CAMINO REAL

Scale 1" = 40'

Ref. SC 19,043

Tracing No. 12,255-A

12,255-A