

**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. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, ORDERING THE VACATION OF THE
UNDERGROUND ELECTRIC EASEMENTS AT 3326 SCOTT
BOULEVARD [APN 216-29-053 (2019-20)]**

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

WHEREAS, the City of Santa Clara currently possesses the Underground Electric Easements described in Exhibit A and shown on Exhibit B, which Exhibits are incorporated herein by reference. Said Easements were dedicated by that 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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 That the Electric Easements described in Exhibit A and shown on Exhibit B have been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easement.
2. That the Electric Easements 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 ___ DAY OF _____, 2020, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST:

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Exhibits A and B

K:\Engineering\5-LPD\DOC\SC19155 Res vac UGEE.doc



**Civil
Engineering
Associates**

2055 GATEWAY PLACE
Suite 550
San Jose, CA 95110
Phone: (408) 453-1066
Fax: (408) 453-1060

FEBRUARY 5, 2020

JOB NO. 14-101

**EXHIBIT "A"
LEGAL DESCRIPTION
VACATION OF UNDERGROUND ELECTRIC EASEMENTS
(SANTA CLARA SQUARE – RESIDENTIAL PHASE III- PARCEL 7)**

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 UNDERGROUND ELECTRIC EASEMENT AS DESCRIBED IN THAT CERTAIN DEED ENTITLED "ELECTRIC UTILITY EASEMENT: UNDERGROUND" RECORDED SEPTEMBER 18, 1981 IN BOOK G343 AT PAGE 539, OFFICIAL RECORDS SANTA CLARA COUNTY;

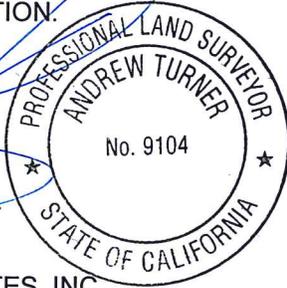
AND

BEING ALL OF THAT EXISTING UNDERGROUND ELECTRIC UTILITY EASEMENT AS DESCRIBED IN THAT CERTAIN DEED ENTITLED "ELECTRIC UTILITY EASEMENT: UNDERGROUND" RECORDED APRIL 2, 1986 IN BOOK J648 AT PAGE 1049, OFFICIAL RECORDS 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.

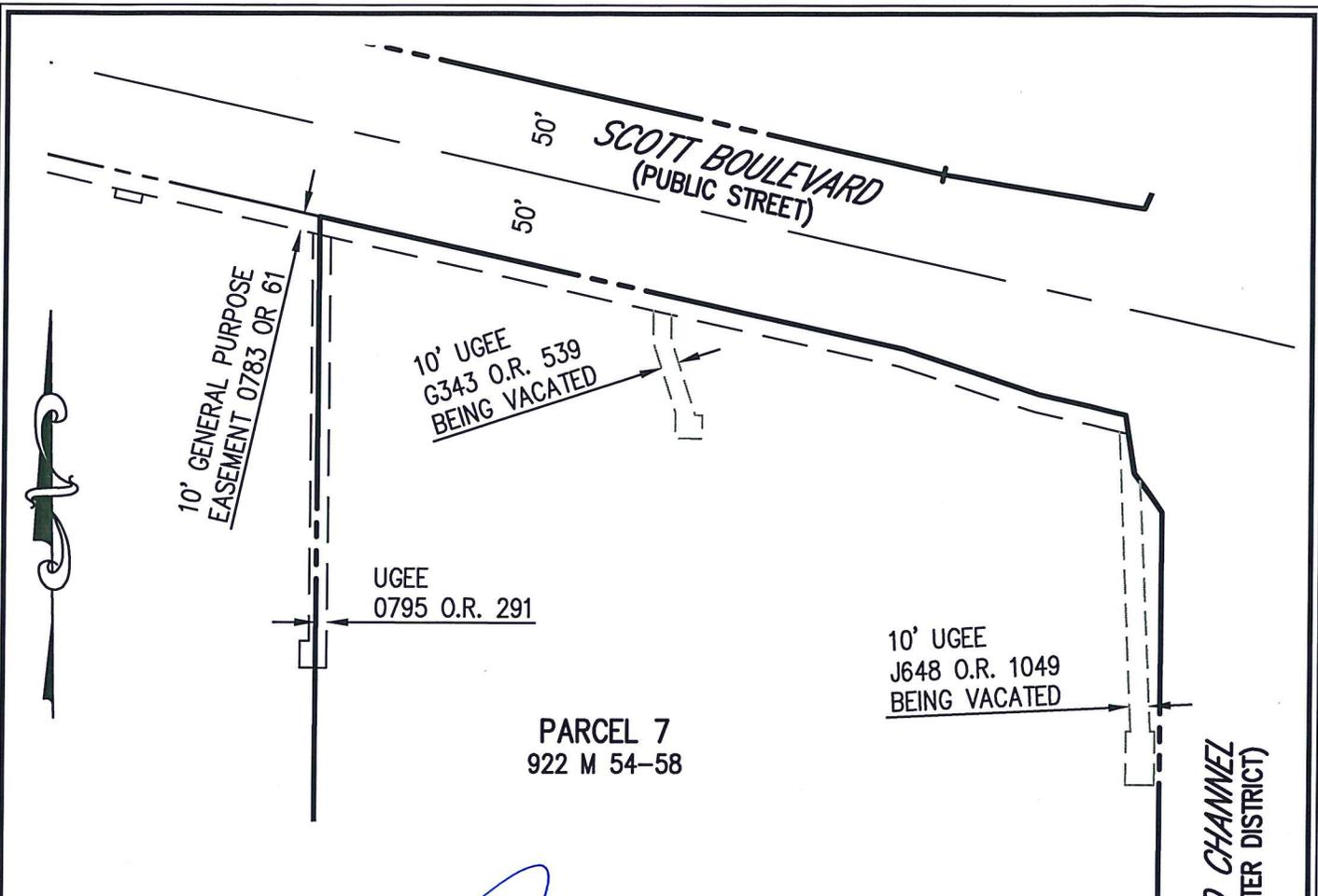
[Handwritten signature]



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

2/6/2020
DATE

SC19,155



SURVEYOR'S STATEMENT

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

ANDREW TURNER, P.L.S.

2/6/2020
DATED



SAN TOMAS AQUINO CHANNEL
(SANTA CLARA VALLEY WATER DISTRICT)

NOTES

EASEMENTS BEING VACATED WERE REFERENCED AS "TO BE VACATED BY SEPARATE INSTRUMENT", AS SHOWN WITHIN PARCEL 7 OF THAT CERTAIN PARCEL MAP, FILED FOR RECORD ON APRIL 25, 2019 IN BOOK 922 OF MAPS AT PAGES 54 THROUGH 58 INCLUSIVE, RECORDS OF SANTA CLARA COUNTY.

THERE ARE NO EXISTING ELECTRICAL LINES WITHIN THESE EASEMENTS BEING VACATED.

UGEE DENOTES UNDERGROUND ELECTRIC EASEMENT

EXHIBIT "B"
VACATION OF UNDERGROUND ELECTRIC EASEMENTS

EASEMENT VACATION-P.3.dwg Feb 05, 2020



Civil Engineering Associates

Civil Engineers • Planners • Surveyors

2055 Gateway Place Suite 550
San Jose, CA 95110
T: (408) 453-1066

BY:	CH	SC 19,155
DATE:	2/5/2020	
SCALE:	1"=100'	1 OF 1
JOB NO.	14-101	SHT.NO.