

**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 AN
EMERGENCY VEHICLE ACCESS EASEMENT AT 1111
COMSTOCK ST [APN 224-08-092 (2023-24)]**

WHEREAS, the City of Santa Clara currently possesses the Emergency Vehicle Access 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 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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Emergency Vehicle Access Easement described in Exhibit A and shown on Exhibit B has been superseded by relocation, and there are no other public facilities located within the easement.
2. That the Emergency Vehicle Access 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).
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 _____, 2024, 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

EXHIBIT A

Legal Description
Emergency Vehicle Access Easement to be vacated

A portion of Parcel C as shown on that Parcel Map filed for record in Book 270 of Maps, at Page 10, Santa Clara County Records, and being more particularly described as follows:

Commencing at the southwesterly corner of said Parcel C, said corner also being in the northerly line of Comstock Street (50' R/W);

Thence, from said Point of Commencement, along said northerly line, South 89° 09' 20" East, 33.00 feet to the True Point of Beginning;

Thence, from said True Point of Beginning, leaving said northerly line of Comstock Street, North 00° 50' 40" East, 257.83 feet to the northerly line of said Parcel C;

Thence, along last said northerly line, South 89° 09' 20" East, 20.00 feet;

Thence, leaving last said northerly line, South 00° 50' 40" West, 20.00 feet;

Thence, along the arc of a tangent curve concave northeast, having a radius of 17.00 feet, through an angle of 90° 00' 00", and an arc length of 26.70 feet;

Thence, South 89° 09' 20" East, 5.00 feet;

Thence, North 79° 32' 04" East, 25.50 feet;

Thence, South 89° 09' 20" East, 115.00 feet;

Thence, South 00° 50' 40" West, 20.00 feet;

Thence, North 89° 09' 20" West, 115.00 feet;

Thence, South 79° 32' 04" West, 25.50 feet;

Thence, North 89° 09' 20" West, 5.00 feet;

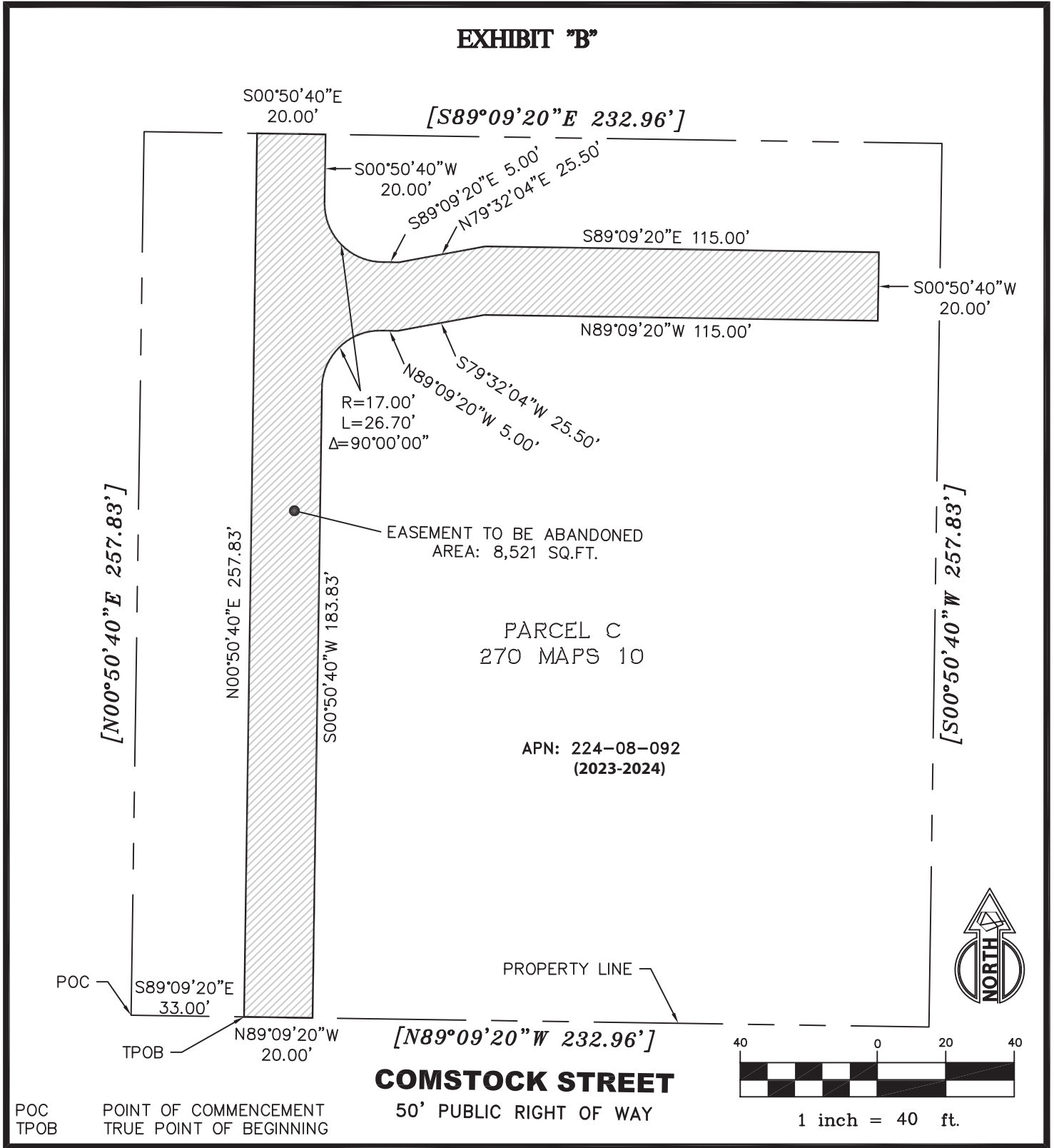
Thence, along the arc of a tangent curve concave to the southeast, having a radius of 17.00 feet, through a central angle of 90° 00' 00", and an arc length of 26.70 feet;

Thence, South 00° 50' 40" West, 183.83 feet to the southerly line of said Parcel C;

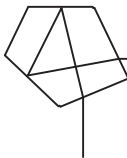
Thence, along said southerly line of Parcel C, North 89° 09' 20" West, 20.00 feet to the True Point of Beginning;

Containing an area of 8,521 square feet, more or less.

EXHIBIT "B"



EMERGENCY VEHICLE ACCESS VACATION / EXHIBIT "B"



SLOOTEN CONSULTING, INC.

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DATE: 11/14/23	JOB NO. 11533
SCALE: 1"=40"	REVISIONS:
DRAWN BY MR	PAGE 2 OF 2

EASEMENT EXHIBIT: 1111 COMSTOCK STREET
 SANTA CLARA, CA
 PROJECT NO. 18-225684.10

