

**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. 19-8663

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA,
ORDERING THE VACATION OF A PUBLIC UTILITY EASEMENT
AT 500 EL CAMINO REAL [APN 230-11-040 (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 230-11-040 (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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 That Public Utility Easement described in Exhibit A and shown on Exhibit B has been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easement.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 5TH DAY OF FEBRUARY, 2019, BY THE FOLLOWING VOTE:

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

EXHIBIT "A"
Legal Description

PUBLIC UTILITY AND COMMUNICATION FACILITIES
EASEMENT VACATION
Santa Clara University

Real property in the City of Santa Clara, County of Santa Clara, State of California, described as follows:

Being that 50 foot long by 60 foot wide Public Utility and Communication Facilities Easement, as shown on Exhibit A and described as "Vacated Area = 3000 ± S.F.", as said Easement was reserved in that certain Resolution No. 5459, adopted on December 5, 1989 by the City Council of the City of Santa Clara, California, recorded on January 4, 1990 in Book L218 at Page 537, Official Records of Santa Clara County, more particularly described as follows:

BEGINNING at the point of intersection of the easterly line of The Alameda, being 70.00 feet in width (a vacated street), with the prolongation of the southerly line of Santa Clara Street, being 60.00 feet in width (a vacated street), as said vacated Streets are shown on said Exhibit A of said Resolution No. 5459;

Thence leaving said point and along said easterly line of The Alameda, North 23°06'35" West, 60.00 feet;

Thence leaving said easterly line, North 66°52'17" East, 50.00 feet;

Thence parallel with said easterly line of The Alameda, South 23°06'35" East, 60.00 feet to a point being distant thereon North 66°52'17" East, 50.00 feet from the point of Beginning;

Thence leaving said point, South 66°52'17" West, 50.00 feet to the point of **BEGINNING**.

Containing an area of 3,000 square feet, more or less.

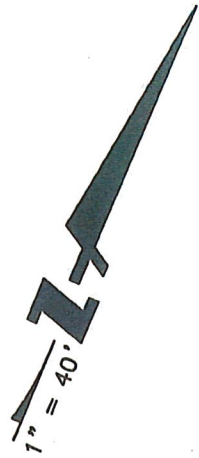
Public Utility and Communication Facilities Easement being vacated is shown on Site Plan attached hereto and made a part hereof as Exhibit "B".

This legal description was prepared by me, or under my direct supervision, in conformance with the requirements of the Professional Land Surveyors Act.

By: John Koroyan
John Koroyan
P.L.S. No. 8883



Dated: Nov. 20, 2018

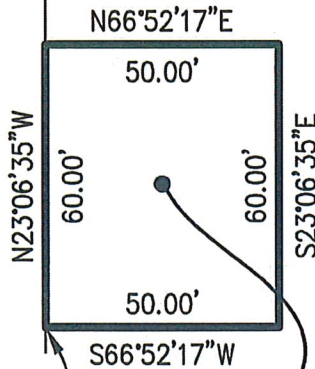


PRESIDENT AND BOARD OF TRUSTEES
OF SANTA CLARA COLLEGE

APN 230-11-040
(2018-19)

(FORMERLY SANTA CLARA STREET)
(A VACATED STREET, 60' WIDE)

PUBLIC UTILITY AND
COMMUNICATION FACILITIES EASEMENT
PER L218 O.R. 537



POINT OF
BEGINNING

50' LONG BY 60' WIDE PUBLIC
UTILITY AND COMMUNICATION
FACILITIES EASEMENT, SHOWN ON
EXHIBIT A AND DESCRIBED AS
"VACATED AREA = 3000 ± S.F.",
PER RESOLUTION NO. 5459,
L218 O.R. 537, BEING VACATED

NOTE
THERE ARE NO PUBLIC
UTILITY AND PUBLIC
COMMUNICATION FACILITIES
WITHIN THIS EASEMENT
BEING VACATED.

(FORMERLY THE ALAMEDA & GRANT STREET)
(A VACATED STREET, 70' WIDE)

SURVEYOR'S STATEMENT
THIS SITE PLAN WAS PREPARED BY
ME OR UNDER MY DIRECTION.

John Koroan
JOHN KOROYAN
P.L.S. NO. 8883

Nov. 5, 2018
DATED



EXHIBIT "B"
PLAT TO ACCOMPANY
LEGAL DESCRIPTION

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1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
408-467-9100
www.bkf.com

Subject SITE PLAN (EXHIBIT "B")
VACATION OF EASEMENT
Job No. 20181673 SANTA CLARA, CA
By CASC Date 11-05-18 Chkd. JVK
SHEET 1 OF 1