

**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 EASEMENT AT 2910
TANNERY WAY [APN 216-31-COMMON AREA (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 is dedicated by that certain map as mentioned in Exhibit A, against APN 216-31-Common Area (2017-18), located at 2910 Tannery Way; 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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 That Underground Electric Easement described in Exhibit A and shown on Exhibit B has been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easement.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 Underground Electric 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 Exhibit A and shown on Exhibit B 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 _____, 2018, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST:

JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Exhibits A and B

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EXHIBIT "A"
Legal Description

Underground Electrical Easement Vacation
Scott Campus
Santa Clara, California

All that certain real property situated in the City of Santa Clara, County of Santa Clara, State of California, described as follows:

Being a portion of that certain underground electrical easement as shown on that certain Parcel Map in Book 856, Pages 23 through 26 of Maps, and recorded on October 17, 2012, Records of Santa Clara County, described as follows:

Being a portion of Parcel 4, as said Parcel is shown on that certain Certificate of Lot Line Adjustment recorded on August 26, 2015, as Document Number 23063078, Official Records of Santa Clara County, more particularly described as follows:

Beginning at the northeasterly corner of Parcel 4 South $83^{\circ} 36' 15''$ West, 18.93 feet along the northerly boundary of Parcel 4;

Thence continuing along the northerly boundary of said Parcel 4 through a tangent curve to the right, having a radius of 1,030.00 feet, through a central angle of $02^{\circ} 53' 36''$, and an arc length of 52.01 feet;

Thence South $00^{\circ} 26' 57''$ East, 7.51 feet to the **True Point of Beginning**;

Thence South $00^{\circ} 26' 57''$ East, 100.34 feet;

Thence South $89^{\circ} 57' 51''$ West, 24.55 feet;

Thence North $00^{\circ} 02' 09''$ West, 17.00 feet;

Thence North $89^{\circ} 57' 51''$ East, 14.42 feet;

Thence North $00^{\circ} 26' 57''$ West, 82.79 feet;

Thence through a non-tangent curve to the left with a radial line that bears South $02^{\circ} 55' 42''$ East, having a radius of 1037.50 feet, through a central angle of $00^{\circ} 33' 10''$, and an arc length of 10.01 feet to the **True Point of Beginning**;

Containing an area of 1,247 square feet, more or less

Being a portion of Santa Clara County Assessor's Parcel Number 216-31 Common Area (2017-18)

As shown on "Exhibit B" attached hereto and made part hereof.

This description was prepared by me or under my direct supervision.

For: BKF Engineers

By: MB Parissenti
Martin B. Parissenti, R.C.E. 30747
License expires: 3-31-2020

Dated: 5/14/2018



Line Table		
No.	Bearing	Length
L1	S83°36'15"W	18.93'
L2	S00°26'57"E	7.51'
L3	S00°26'57"E	100.34'
L4	S89°57'51"W	24.55'
L5	N00°02'09"W	17.00'
L6	N89°57'51"E	14.42'
L7	N00°26'57"W	82.79'

Curve Table			
No.	Radius	Delta	Length
C1	1030.00'	02°53'36"	52.01'
C2	1037.50'	00°33'10"	10.01'

LAKESIDE DRIVE

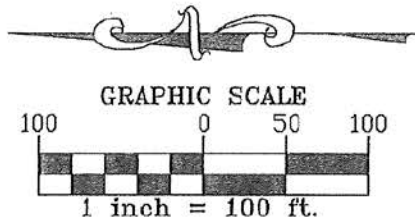
PARCEL B
415 M 24
APN 216-31-067

PARCEL 3
6.958 ACRES
DOC. NO. 23063078
APN 216-31-090

PARCEL 4
7.355 ACRES
DOC. NO. 23063078
APN 216-31 COMMON AREA
(2017-18)

PORTION OF
U.G.E.E. 856 M 23-26
BEING VACATED
AREA = 1,247± SQ. FT.

PORTION OF U.G.E.E.
856 M 23-26
TO REMAIN



PARCEL 2
3.507 ACRES±
DOC. NO. 23063078
APN 216-31-089

K:\DRAWING\7575033\Drawings\Measurements\UGEE-Vacation\UGEE-PCL 4\Exhibit B Plot\UGEE_VAC_PCL 4.dwg 14 May 2018 12:16:42pm brnk

LEGEND

- U.G.E.E. UNDERGROUND ELECTRICAL EASEMENT
- T.P.O.B. TRUE POINT OF BEGINNING
- P.O.B. POINT OF BEGINNING
- (R) (RADIAL)
- PROPERTY LINE
- - - EASEMENT LINE BEING VACATED

PARCEL A
3.846 ACRES
906 M 8

PARCEL B
1.901 ACRES
906 M 8

APN 216-31-094 (2017-18)



5-14-2018



1730 NORTH FIRST STREET
SUITE 600
SAN JOSE, CA 95112
408-467-9100
408-467-9199 (FAX)

Subject EXHIBIT "B"
UNDERGROUND ELEC ESMT VACATION - PCL 4
Job No. 19976093 Scott Blvd.
By NM Date 05-14-18 Chkd. MBP
SHEET 1 OF 1