

**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 3255
SCOTT BOULEVARD [APN 216-45-023 (2017-18)]**

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 those certain documents as mentioned in Exhibit A, against APN 216-45-023 (2017-18), located at 3255 Scott Boulevard; 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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 That Underground Electric Easements described in Exhibit A and shown on Exhibit B have been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easements.

2. That Underground Electric Easements described in Exhibit A and shown on Exhibit B 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 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

K:\Engineering\5-LPD\DOC\SC18941 res vac ugee.doc



**Civil
Engineering
Associates**

224 Airport Parkway
Suite 525
San Jose, CA 95110
Phone: (408) 453-1066
Fax: (408) 453-1060

FEBRUARY 6, 2018

JOB NO. 14-101

EXHIBIT "A"
LEGAL DESCRIPTION
UNDERGROUND ELECTRICAL EASEMENTS VACATION
(SANTA CLARA SQUARE – RESIDENTIAL PHASE II)

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

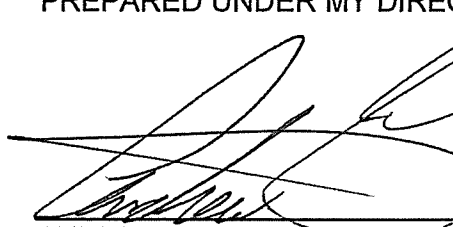
BEING ALL OF THAT EXISTING UNDERGROUND ELECTRICAL EASEMENT, AS DESCRIBED IN THAT CERTAIN DEED ENTITLED "ELECTRIC EASEMENT: UNDERGROUND", RECORDED AUGUST 29, 1977 IN BOOK D105 AT PAGE 531, OFFICIAL RECORDS SANTA CLARA COUNTY;

AND

BEING ALL OF THOSE (4 TOTAL) EXISTING UNDERGROUND ELECTRICAL EASEMENTS, AS DESCRIBED ON THAT CERTAIN PARCEL MAP ENTITLED "PARCEL MAP" RECORDED MARCH 18, 1977 IN BOOK 391 OF MAPS, AT PAGE 6, SANTA CLARA COUNTY RECORDS.

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.


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



2/9/2018
DATE

SC18,941

SURVEYOR'S STATEMENT

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

ANDREW TURNER, P.L.S.

2/9/2018
DATED

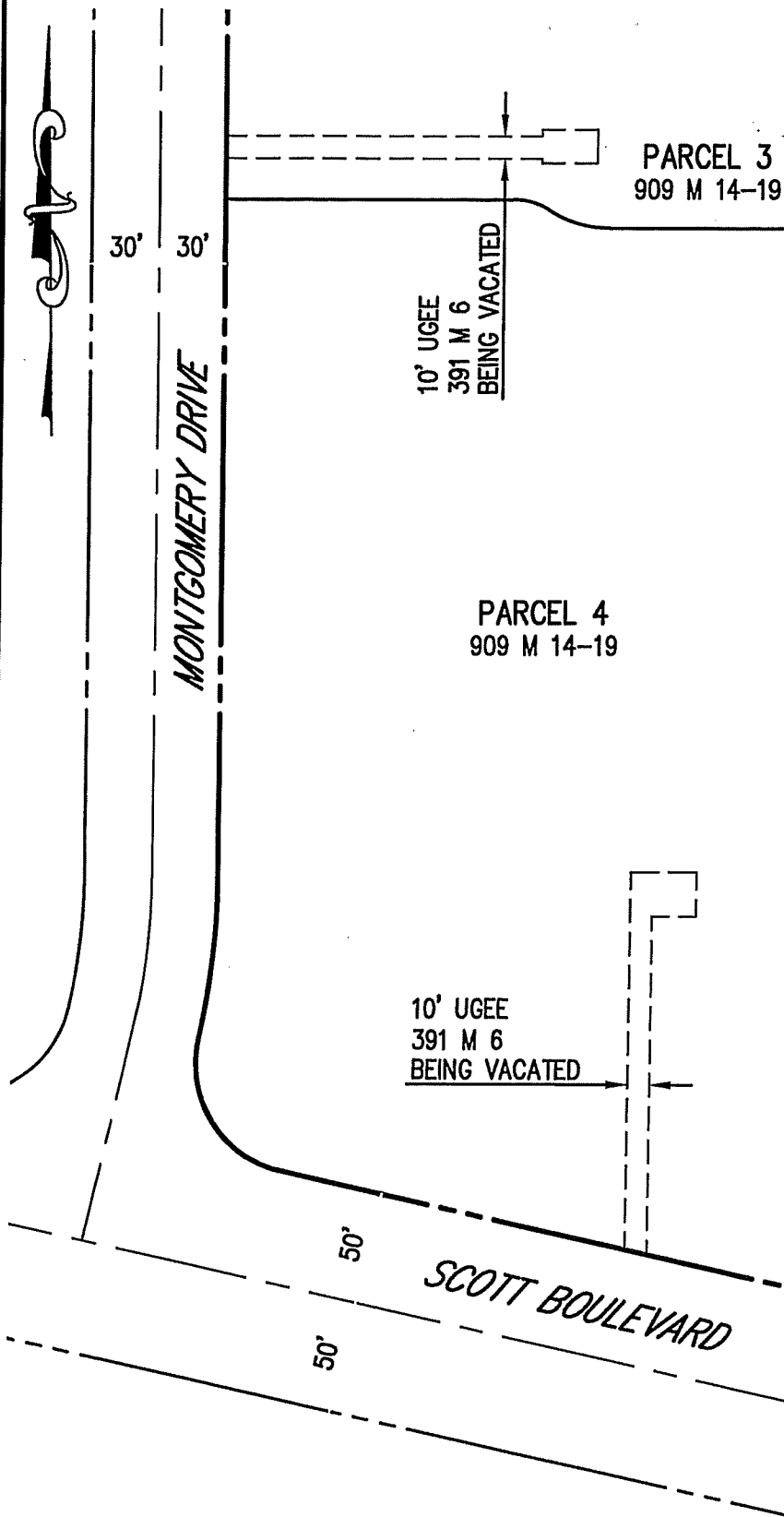


NOTES

EASEMENTS BEING VACATED WERE
REFERENCED AS "TO BE VACATED BY
SEPARATE INSTRUMENT", AS SHOWN
WITHIN PARCEL 3, PARCEL 4 AND
PARCEL 5 OF THAT CERTAIN PARCEL
MAP, FILED FOR RECORD ON DECEMBER
6, 2017 IN BOOK 909 OF MAPS AT
PAGES 14 THROUGH 19 INCLUSIVE,
RECORDS OF SANTA CLARA COUNTY.

THERE ARE NO ELECTRICAL LINES
UNDERGROUND OR OVERHEAD WITHIN
THESE EASEMENTS BEING VACATED.

UGEE DENOTES UNDERGROUND ELECTRIC
EASEMENT



VACATION OF EASEMENTS - EXHIBIT "B"



**Civil
Engineering
Associates**

Civil Engineers • Planners • Surveyors

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

BY:	CH	
DATE:	2/6/2018	1 OF 2
SCALE:	1"=80'	SHT.NO.
JOB NO.	14-101	SC18,941

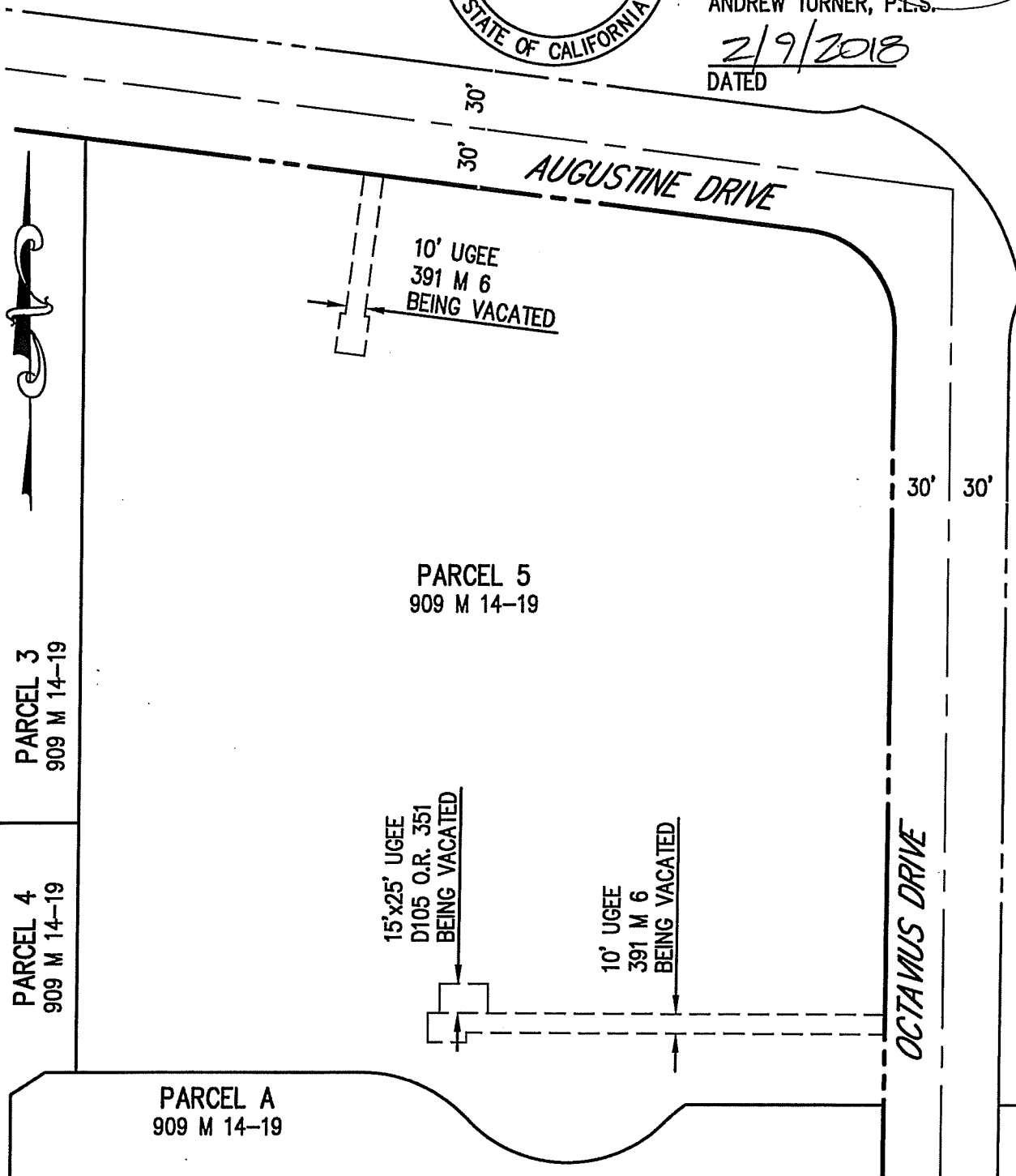


SURVEYOR'S STATEMENT

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OR UNDER MY DIRECTION.

ANDREW TURNER, P.L.S.

2/9/2018
DATED



VACATION OF EASEMENTS - EXHIBIT "B"



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