

**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 GENERAL
PURPOSE EASEMENT, UTILITY EASEMENT, UNDERGROUND
ELECTRIC EASEMENT, AND ANCHOR EASEMENT AT 2041
MISSION COLLEGE BOULEVARD [APN 104-38-005 AND 006
(2017-18)]**

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

WHEREAS, the City of Santa Clara currently possesses the General Purpose Easement, Utility Easement, Underground Electric Easement, and Anchor Easement described in Exhibits A, C, and E and shown on Exhibits B, D, and F, which Exhibits are incorporated herein by reference. Said Easements were dedicated by those certain documents as mentioned in Exhibits A, C, and E, against APN 104-38-005 and 006 (2017-18), located at 2041 Mission College 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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 General Purpose Easement, Utility Easement, Underground Electric Easement, and Anchor Easement described in Exhibits A, C, and E and shown on Exhibits B, D, and F have been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easements.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 General Purpose Easement, Utility Easement, Underground Electric Easement, and Anchor Easement described in Exhibits A, C, and E and shown on Exhibits B, D, and F 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 Exhibits A, C, and E and shown on Exhibits B, D, and F 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: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Exhibits A, B, C, D, E, and F

**EXHIBIT A
LEGAL DESCRIPTION
VACATION OF GENERAL PURPOSE EASEMENT (426 M 10)
AND UTILITY EASEMENT (F429 O.R. 587)
WITHIN PARCEL 15 (456 M 10)
CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, CALIFORNIA**

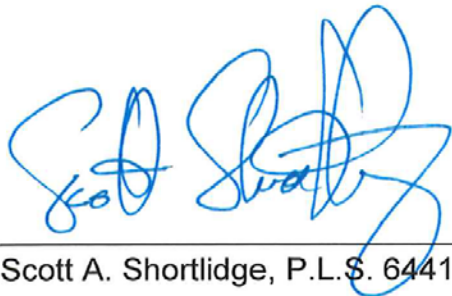
Real property situate in the City of Santa Clara, County of Santa Clara, State of California described as follows:

Being all of that General Purpose Easement as said easement is shown on the parcel map entitled "Lands of Koll / Intereal Bay Area", filed on December 21, 1979 in Book 456 of Maps, at Page 10, Records of Santa Clara County, excepting therefrom that portion of said General Purpose Easement described as Parcel 2 by the Quitclaim recorded June 19, 1980 in Book F385, at Page 190, Official Records of Santa Clara County, and all of that Utility Easement described as Parcel 2 of the Grant recorded July 9, 1980 in Book F429, at Page 587, Official Records of Santa Clara County, all within Parcel 15 as said parcel is shown on said parcel map (456 M 10).

END OF DESCRIPTION

See Exhibit B - Plat to Accompany Legal Description which is attached hereto and made a part hereof.

This description and its accompanying plat were prepared by or under the direction of:



Scott A. Shortlidge, P.L.S. 6441

June 5, 2018

Date



G:\082015\151046 MAPPING\PLATS\GPE PLAT VACATION.DWG 6/5/2018 8:43:39 AM JOHN KNEZOVICH

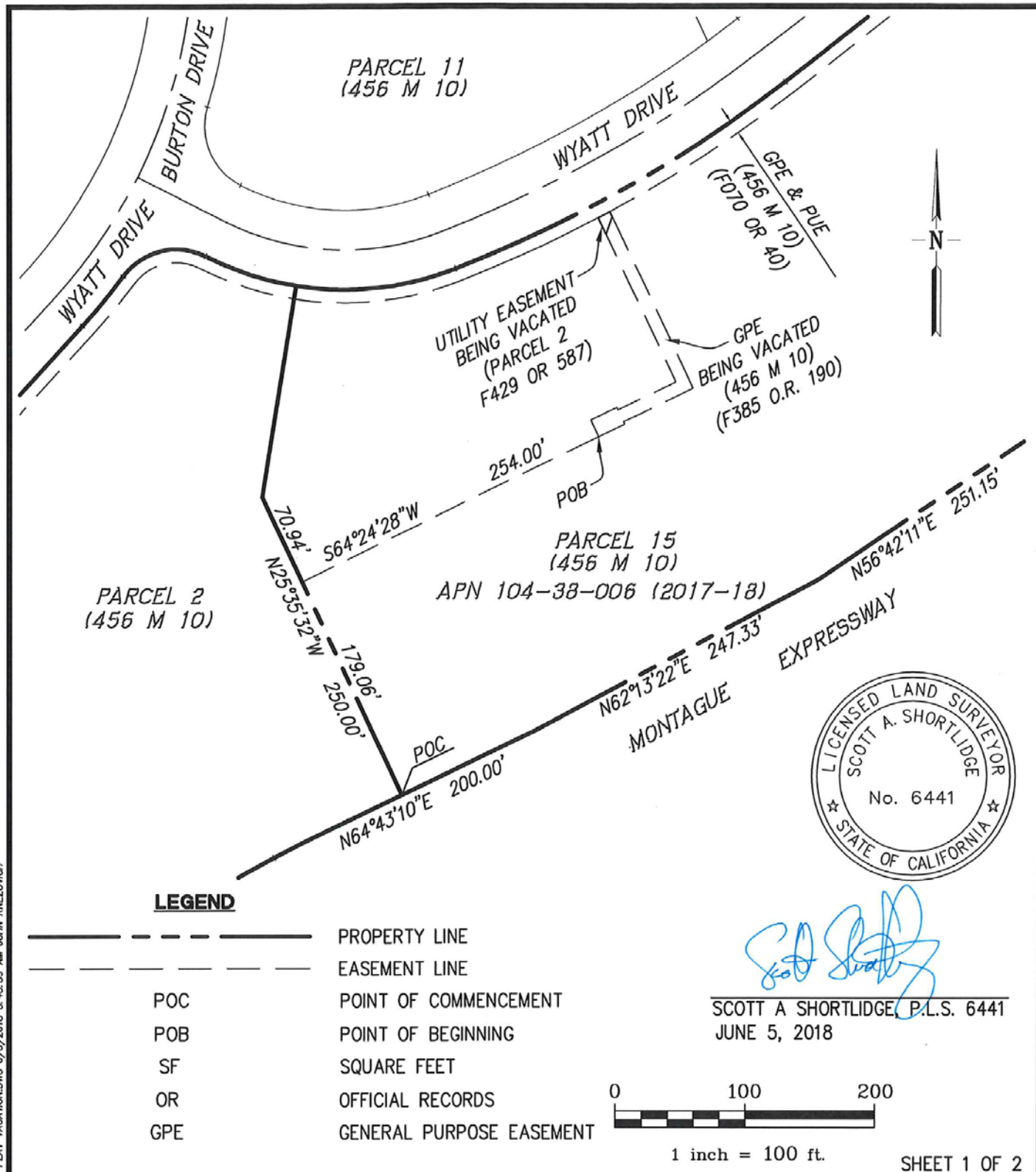


EXHIBIT B
PLAT TO ACCOMPANY LEGAL DESCRIPTION
VACATION OF GENERAL PURPOSE
EASEMENT (456 M 10) AND UTILITY
EASEMENT (F429 O.R. 587)
CITY OF SANTA CLARA, SANTA CLARA COUNTY, CALIFORNIA

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:
1"=100'

DATE:
6-05-2018

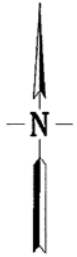
JOB NO.:
151046

PARCEL 11
(456 M 10)

WYATT DRIVE

UTILITY EASEMENT
(F429 OR 587)

10' GPE & PUE
(456 M 10)
(F070 OR 40)

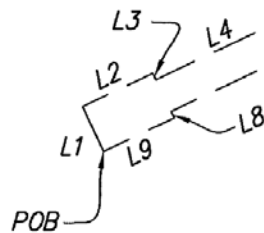


PARCEL 15
(456 M 10)
APN 104-38-006
(2017-18)

VACATION AREA
2,275 SF

GPE
(456 M 10)
(F385 OR 190)

LINE TABLE		
LINE	BEARING	LENGTH
L1	N25°35'32"W	14.00'
L2	N64°24'28"E	22.00'
L3	S25°35'32"E	2.00'
L4	N64°24'28"E	49.00'
L5	N25°35'32"W	13.77'
L6	S25°35'32"E	4.14'
L7	S64°24'28"W	59.00'
L8	S25°35'32"E	2.00'
L9	S64°24'28"W	22.00'

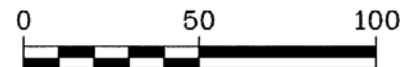


LEGEND

	PROPERTY LINE
	EASEMENT LINE
	POC POINT OF COMMENCEMENT
	POB POINT OF BEGINNING
	SF SQUARE FEET
	OR OFFICIAL RECORDS
	GPE GENERAL PURPOSE EASEMENT

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	1020.00'	00°33'44"	10.01'

RADIAL TABLE	
CURVE	BEARING
R1	N27°27'06"W



1 inch = 50 ft.

SHEET 2 OF 2

EXHIBIT B
PLAT TO ACCOMPANY LEGAL DESCRIPTION
VACATION OF GENERAL PURPOSE
EASEMENT (456 M 10) AND UTILITY
EASEMENT (F429 O.R. 587)
CITY OF SANTA CLARA, SANTA CLARA COUNTY, CALIFORNIA

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4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:
1"=50'

DATE:
6-05-2018

JOB NO.:
151046

**EXHIBIT C
LEGAL DESCRIPTION
VACATION OF ELECTRIC UTILITY EASEMENT: UNDERGROUND
(EASEMENT 1, H252 O.R. 23)
WITHIN PARCEL 2 (456 M 10)
CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, CALIFORNIA**

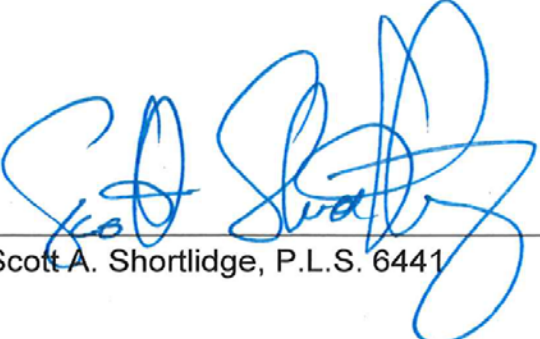
Real property situate in the City of Santa Clara, County of Santa Clara, State of California described as follows:

Being all of Easement 1 as said easement is described in the Electric Utility Easement: Underground recorded January 5, 1983 in Book H252, at Page 23, Official Records of Santa Clara County, within Parcel 2 as said parcel is shown on the parcel map entitled "Lands of Koll / Intereal Bay Area" filed on December 21, 1979 in Book 456 of Maps, at Page 10, Records of Santa Clara County.

END OF DESCRIPTION

See Exhibit D - Plat to Accompany Legal Description which is attached hereto and made a part hereof.

This description and its accompanying plat were prepared by or under the direction of:

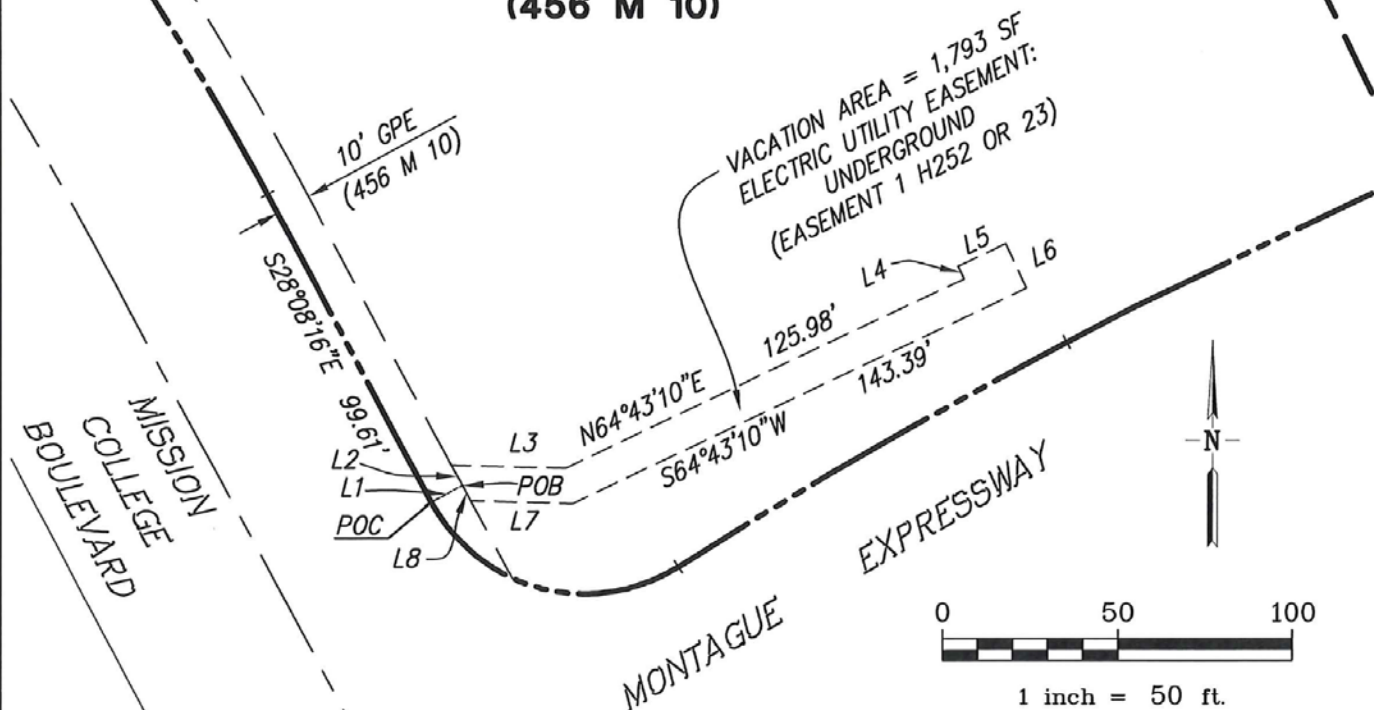


Scott A. Shortlidge, P.L.S. 6441 June 5, 2018
Date



APN 104-38-005 (2017-18)

**PARCEL 2
(456 M 10)**



LEGEND

—————	PROPERTY LINE
- - - - -	GENERAL PURPOSE EASEMENT LINE
- . - . -	ELECTRIC EASEMENT LINE
POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
SF	SQUARE FEET
OR	OFFICIAL RECORDS
GPE	GENERAL PURPOSE EASEMENT

LINE TABLE		
LINE	BEARING	LENGTH
L1	N61°51'51"E	10.00'
L2	N28°08'09"W	6.60'
L3	S88°08'18"E	32.76'
L4	N25°16'50"W	4.00'
L5	N64°43'10"E	15.00'
L6	S25°16'50"E	14.00'
L7	N88°08'18"W	29.40'
L8	N28°08'09"W	4.95'

Scott A. Shortlidge

SCOTT A. SHORTLIDGE, P.L.S. 6441
JUNE 5, 2018



EXHIBIT D
PLAT TO ACCOMPANY LEGAL DESCRIPTION
VACATION
ELECTRIC UTILITY EASEMENT
(EASEMENT 1, H252 O.R. 23)
CITY OF SANTA CLARA, SANTA CLARA COUNTY, CALIFORNIA

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4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:
1"=50'

DATE:
6-05-2018

JOB NO.:
151046

EXHIBIT E
LEGAL DESCRIPTION
VACATION OF ANCHOR EASEMENT (PARCEL E, B441 O.R. 656)
WITHIN PARCEL 2 (456 M 10)
CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, CALIFORNIA

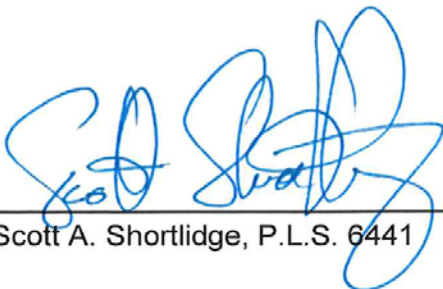
Real property situate in the City of Santa Clara, County of Santa Clara, State of California described as follows:

Being all of that 2-foot wide Anchor Easement as said easement is described as Parcel E by the Grant of Easements recorded June 3, 1975 in Book B441, at Page 656, Official Records of Santa Clara County, within Parcel 2 as said parcel is shown on the parcel map entitled "Lands of Koll / Intereal Bay Area" filed on December 21, 1979 in Book 456 of Maps, at Page 10, Records of Santa Clara County.

END OF DESCRIPTION

See Exhibit F - Plat to Accompany Legal Description which is attached hereto and made a part hereof.

This description and its accompanying plat were prepared by or under the direction of:

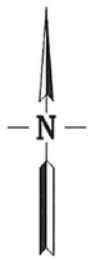


Scott A. Shortlidge, P.L.S. 6441 June 5, 2018
Dplotate



WYATT DRIVE

MISSION
COLLEGE
BOULEVARD



POB

L1

C1

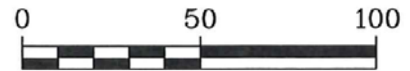
POC

N28°08'16"W
99.61'

N57°49'35"E
32.00' (CL)

WIRE CLEARANCE
EASEMENT
(PARCEL C
B441 OR 656)

VACATION AREA
64 SQUARE FEET
2 FOOT-WIDE
ANCHOR EASEMENT
BEING VACATED
(PARCEL E
B441 OR 656)



1 inch = 50 ft.

APN 104-38-005
(2017-18)

**PARCEL 2
(456 M 10)**



Scott A. Shortlidge

SCOTT A. SHORTLIDGE, P.L.S. 6441
JUNE 5, 2018

LINE TABLE

LINE	BEARING	LENGTH
L1	N27°28'11"W	35.43'

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	1005.00'	03°12'35"	56.30'

LEGEND



POC

POB

SF

OR

GPE

PROPERTY LINE

ANCHOR EASEMENT LINE

GPE EASEMENT LINE

POINT OF COMMENCEMENT

POINT OF BEGINNING

SQUARE FEET

OFFICIAL RECORDS

GENERAL PURPOSE EASEMENT

EXHIBIT F

PLAT TO ACCOMPANY LEGAL DESCRIPTION
VACATION
ANCHOR EASEMENT
(B441 O.R. 656)

CITY OF SANTA CLARA, SANTA CLARA COUNTY, CALIFORNIA



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SCALE:
1"=50'

DATE:
6-05-2018

JOB NO.:
151046