

**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 3303
OCTAVIUS DRIVE [APN 216-45-053 (2019-20)]**

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 was dedicated by that certain documents 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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Electric Easement described in Exhibit A and shown on Exhibit B have been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easement.
2. That the Electric Easement described and shown in said Exhibits 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 said Exhibits 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 _____, 2020, 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

K:\Engineering\5-LPD\DOC\SC19154 Res vac UGEE.doc



**Civil
Engineering
Associates**

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

NOVEMBER 22, 2019

JOB NO. 14-101


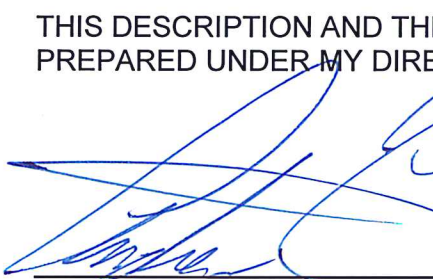
EXHIBIT "A"
LEGAL DESCRIPTION
VACATION OF UNDERGROUND ELECTRIC EASEMENT
(SANTA CLARA SQUARE – RESIDENTIAL PHASE III – PARCEL 6)

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 ELECTRIC EASEMENT OVER PARCEL 1 AS SHOWN ON THAT PARCEL MAP RECORDED AUGUST 2, 1977 IN BOOK 401 OF MAPS AT PAGE 25, SANTA CLARA COUNTY RECORDS;

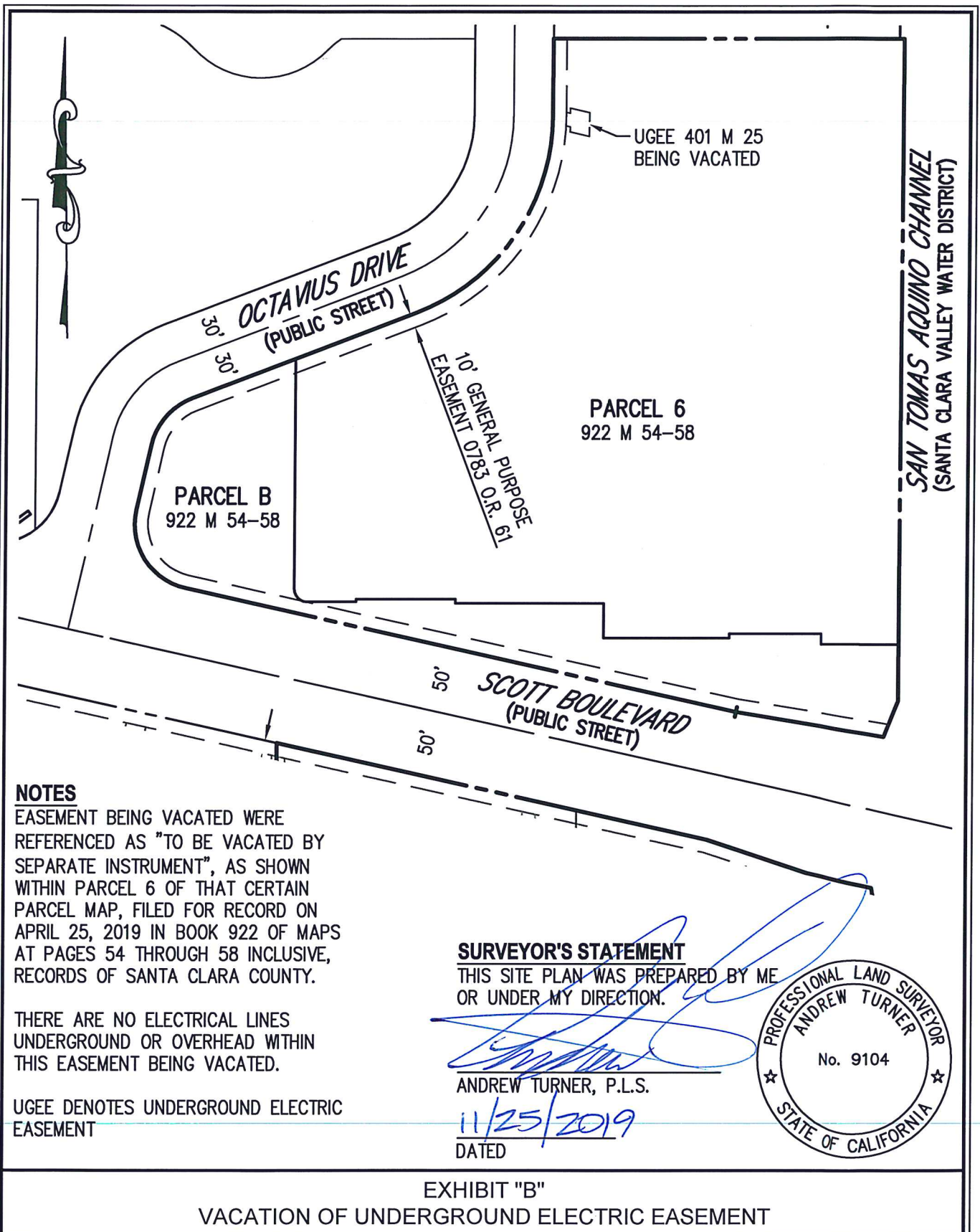
A PLAT ENTITLED EXHIBIT "B" IS ATTACHED HERETO AND MADE A PART HEREOF.

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.

11/25/2019
DATE



Civil Engineering Associates

Civil Engineers • Planners • Surveyors

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

BY:	CH	SC 19,154
DATE:	11/22/2019	
SCALE:	1"=100'	1 OF 1
JOB NO.	14-101	SHT.NO.