

**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. 18-8519

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, ORDERING THE VACATION OF THE
UNDERGROUND ELECTRIC EASEMENTS, WATER
UTILITY EASEMENTS, AND SANITARY SEWER
EASEMENTS AT 2788 SAN TOMAS EXPRESSWAY [APN
224-11-068 (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, Water Utility Easements, and Sanitary Sewer Easements described in Exhibits A, B, C, D, E, F, G and H, which Exhibits are incorporated herein by reference. Said Easements were dedicated by those certain documents as mentioned in said Exhibits, against APN 224-11-068 (2017-18), located at 2788 San Tomas Expressway; 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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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, Water Utility Easements, and Sanitary Sewer Easements described in Exhibits A, B, C, D, E, F, G and H have been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easements.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, Water Utility Easements, and Sanitary Sewer Easements described 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 15th DAY OF MAY, 2018, BY THE FOLLOWING VOTE:

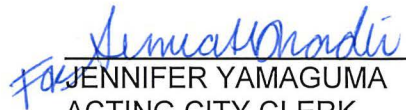
AYES: COUNCILORS: Davis, Kolstad, Mahan, O'Neill, and Watanabe and Mayor Gillmor

NOES: COUNCILORS: None

ABSENT: COUNCILORS: None

ABSTAINED: COUNCILORS: None

ATTEST:



JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

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

EXHIBIT "A"
LEGAL DESCRIPTION
UNDERGROUND ELECTRIC EASEMENT BEING VACATED

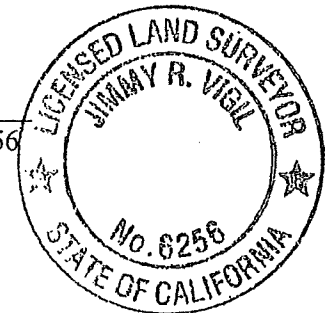
That certain remaining Underground Electric Easement situate in the City of Santa Clara, County of Santa Clara, State of California as dedicated and shown on that certain Parcel Map filed for record on November 2, 1981 in Book 491 at Pages 42 through 44, Official Records of Santa Clara County.

As shown on Plat attached hereto and by this reference made a part hereof.

Legal Description prepared by Kier & Wright, Civil Engineers & Surveyors, Inc.

Date 3-5-18

J. R. Vigil
Jimmy R. Vigil, L.S. 6256



SC19,024

CENTRAL EXPRESSWAY

S.D.E. & U.G.E.E.
(G218 O.R. 274 & 275)

LEGEND

EASEMENT BEING VACATED - - - - -
PROPERTY LINE - - - - -
FORMER PROPERTY LINE - - - - -

ABBREVIATIONS

DOC. DOCUMENT
M MAPS
NO. NUMBER
S.C.V.W.D. SANTA CLARA VALLEY WATER DISTRICT
U.G.E.E. UNDERGROUND ELECTRIC EASEMENT

SAN TOMAS AQUINO CHANNEL
LANDS OF S.C.V.W.D.

PARCEL SIX
(491 M 42-44)

10.00' U.G.E.E.
(491 M 42-44)
(BEING VACATED)

U.G.E.E.
(491 M 42-44)
AREA VACATED
PER DOC# 23813045

U.G.E.E.
(491 M 42-44)
AREA VACATED
PER DOC# 23813045

FORMER
PROPERTY
LINE

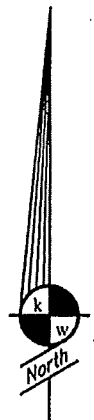
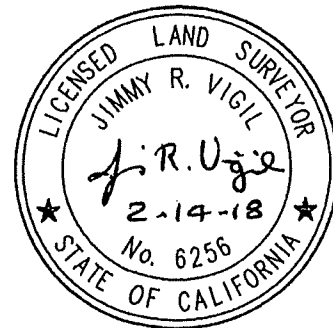
PARCEL ONE
GRANT DEED

(DOC. NO. 22983862)
APN 224-11-068 (2017-18)

PARCEL SEVEN
(491 M 42-44)

SAN TOMAS EXPRESSWAY

WALSH AVENUE



SC19,024

PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR: UNDERGROUND ELECTRIC EASEMENT VACATION

SANTA CLARA

CALIFORNIA

EXHIBIT "A"



KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
3350 Scott Boulevard, Building 22 (408) 727 6665
Santa Clara, California 95054 fax (408) 727 5641

DATE	FEB., 2018
SCALE	1" = 200'
DR. BY	CJ
JOB	A12065
SHEET NO.	2 OF 2

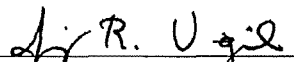
EXHIBIT "B"
LEGAL DESCRIPTION
WATER LINE EASEMENT BEING VACATED

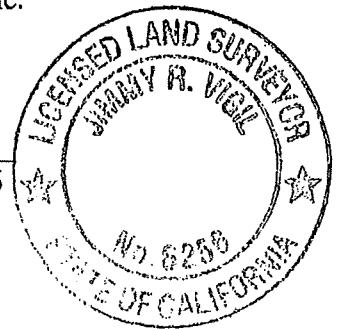
That certain Water Line Easement situate in the City of Santa Clara, County of Santa Clara, State of California as dedicated and shown on that certain Parcel Map filed for record on November 2, 1981 in Book 491 of Maps at Pages 42 - 44, Santa Clara County Records.

As shown on Plat attached hereto and by this reference made a part hereof.

Legal Description prepared by Kier & Wright, Civil Engineers & Surveyors, Inc.

Date 2-14-18


Jimmy R. Vigil, L.S. 6256



SC19,024

CENTRAL EXPRESSWAY

LEGEND

EASEMENT BEING VACATED - - - - -
 PROPERTY LINE = = = = =
 FORMER PROPERTY LINE - · - · -

ABBREVIATIONS

DOC. DOCUMENT
 M MAPS
 NO. NUMBER
 S.C.V.W.D. SANTA CLARA VALLEY WATER DISTRICT
 W.L.E. WATER LINE EASEMENT

SAN TOMAS AQUINO CHANNEL
 LANDS OF S.C.V.W.D.

SAN TOMAS EXPRESSWAY

15.00' W.L.E.
 (491 M 42-44)
 (BEING VACATED)

PARCEL SIX
 (491 M 42-44)

15.00' W.L.E.
 (491 M 42-44)
 (BEING VACATED)

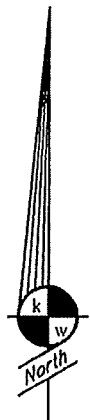
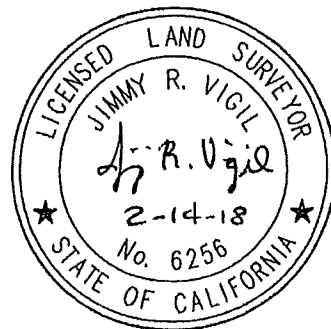
15.00' W.L.E.
 (491 M 42-44)
 (BEING VACATED)

FORMER
 PROPERTY
 LINE

PARCEL ONE
 GRANT DEED
 (DOC. NO. 22983862)
 APN 224-11-068 (2017-18)

PARCEL SEVEN
 (491 M 42-44)

WALSH AVENUE



SC19,024

PLAT TO ACCOMPANY LEGAL DESCRIPTION
 FOR: WATER LINE EASEMENT VACATION

DATE	FEB., 2018
SCALE	1" = 200'
DR. BY	CJ
JOB	A12065
SHEET NO.	2 OF 2

SANTA CLARA

CALIFORNIA

EXHIBIT "B"



KIER & WRIGHT
 CIVIL ENGINEERS & SURVEYORS, INC.
 3350 Scott Boulevard, Building 22 (408) 727 6665
 Santa Clara, California 95054 fax (408) 727 5641

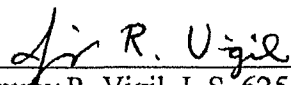
EXHIBIT "C"
LEGAL DESCRIPTION
WATER UTILITY EASEMENT BEING VACATED

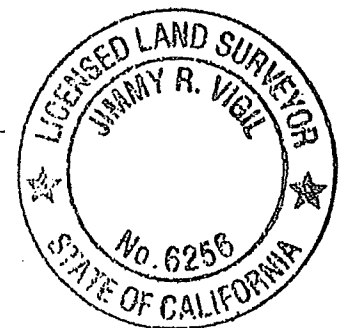
That certain Water Utility Easement situate in the City of Santa Clara, County of Santa Clara, State of California as described in that certain document recorded on March 9, 1984 in Book I 365 at Page 440, Official Records of Santa Clara County.

As shown on Plat attached hereto and by this reference made a part hereof.

Legal Description prepared by Kier & Wright, Civil Engineers & Surveyors, Inc.

Date 2-14-18


Jimmy R. Vigil, L.S. 6256



SC19,024

CENTRAL EXPRESSWAY

LEGEND

EASEMENT BEING VACATED - - - - -
 PROPERTY LINE _____
 FORMER PROPERTY LINE - - - - -

ABBREVIATIONS

DOC. DOCUMENT
 M MAPS
 NO. NUMBER
 O.R. OFFICIAL RECORDS
 S.C.V.W.D. SANTA CLARA VALLEY WATER DISTRICT
 W.U.E. WATER UTILITY EASEMENT

SAN TOMAS AGUINO CHANNEL
 LANDS OF S.C.V.W.D.

PARCEL SIX
 (491 M 42-44)

PARCEL ONE

GRANT DEED
 (DOC. NO. 22983862)
 APN 224-11-068 (2017-18)

SAN TOMAS EXPRESSWAY

W.U.E.
 (I 365 O.R. 440)
 (BEING VACATED)

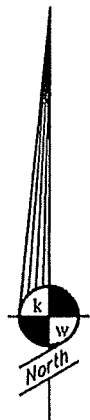
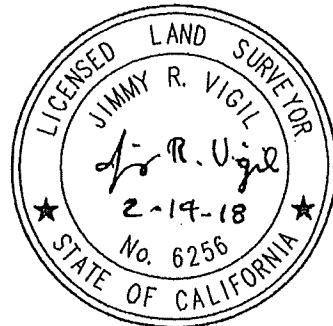
FORMER
 PROPERTY
 LINE

15.00' W.U.E.
 (I 297 O.R. 253)
 PARCEL "A"
 (BEING VACATED)
 SEE EXHIBIT "D"

15.00' W.U.E.
 (I 297 O.R. 253)
 PARCEL "B"
 (BEING VACATED)
 SEE EXHIBIT "D"

PARCEL SEVEN
 (491 M 42-44)

WALSH AVENUE



SC19,024

PLAT TO ACCOMPANY LEGAL DESCRIPTION
 FOR: WATER UTILITY EASEMENT VACATION

SANTA CLARA

CALIFORNIA

DATE FEB., 2018

SCALE 1" = 200'

DR. BY CJ

EXHIBIT "C"



KIER & WRIGHT

CIVIL ENGINEERS & SURVEYORS, INC.
 3350 Scott Boulevard, Building 22 (408) 727 6665
 Santa Clara, California 95054 fax (408) 727 5641

JOB A12065

SHEET NO.

2 OF 2

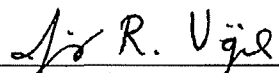
EXHIBIT "D"
LEGAL DESCRIPTION
WATER UTILITY EASEMENTS BEING VACATED

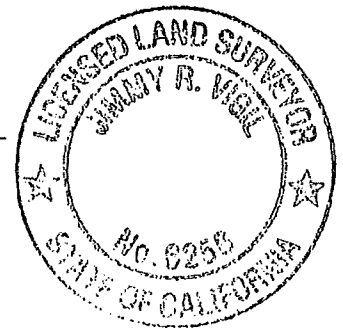
Those certain Water Line Easements situate in the City of Santa Clara, County of Santa Clara, State of California as described as Parcel A and Parcel B in that certain document recorded on February 9, 1984 in Book I 297 at Page 253, Official Records of Santa Clara County.

As shown on Plat attached hereto and by this reference made a part hereof.

Legal Description prepared by Kier & Wright, Civil Engineers & Surveyors, Inc.

Date 2-14-18


Jimmy R. Vigil, L.S. 6256



SC19,024

CENTRAL EXPRESSWAY

LEGEND

EASEMENT BEING VACATED - - - - -
 PROPERTY LINE - - - - -
 FORMER PROPERTY LINE - - - - -

ABBREVIATIONS

DOC. DOCUMENT
 M MAPS
 NO. NUMBER
 O.R. OFFICIAL RECORDS
 S.C.V.W.D. SANTA CLARA VALLEY WATER DISTRICT
 W.U.E. WATER UTILITY EASEMENT

SAN TOMAS AGUINO CHANNEL
 LANDS OF S.C.V.W.D.

PARCEL SIX
 (491 M 42-44)

PARCEL ONE
 GRANT DEED
 (DOC. NO. 22983862)
 APN 224-11-068 (2017-18)

SAN TOMAS EXPRESSWAY

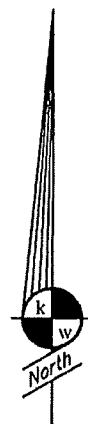
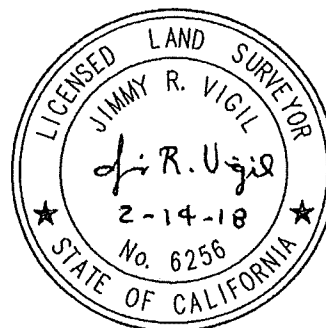
FORMER
 PROPERTY
 LINE

15.00' W.U.E.
 (I 297 O.R. 253)
 PARCEL "A"
 (BEING VACATED)

15.00' W.U.E.
 (I 297 O.R. 253)
 PARCEL "B"
 (BEING VACATED)

PARCEL SEVEN
 (491 M 42-44)

WALSH AVENUE



SC19,024

PLAT TO ACCOMPANY LEGAL DESCRIPTION
 FOR: WATER UTILITY EASEMENT VACATION

SANTA CLARA

CALIFORNIA

DATE	FEB., 2018
SCALE	1" = 200'
DR. BY	CJ
JOB	A12065
SHEET NO.	2 OF 2

EXHIBIT "D"



KIER & WRIGHT
 CIVIL ENGINEERS & SURVEYORS, INC.
 3350 Scott Boulevard, Building 22 (408) 727 6665
 Santa Clara, California 95054 fax (408) 727 5641

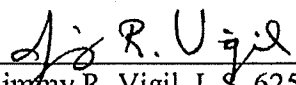
EXHIBIT "E"
LEGAL DESCRIPTION
SANITARY SEWER EASEMENT BEING VACATED

That certain ten (10.00) foot wide Sanitary Sewer Easement situate in the City of Santa Clara, County of Santa Clara, State of California as described as "Parcel B", in that certain document recorded on January 23, 1959 in Book 4300 at Page 690, Official Records of Santa Clara County.

As shown on Plat attached hereto and by this reference made a part hereof.

Legal Description prepared by Kier & Wright, Civil Engineers & Surveyors, Inc.

Date 2-14-18



Jimmy R. Vigil, L.S. 6256





SC19,024

CENTRAL EXPRESSWAY

LEGEND

EASEMENT BEING VACATED 

PROPERTY LINE 

FORMER PROPERTY LINE 

ABBREVIATIONS

DOC. DOCUMENT
 M MAPS
 NO. NUMBER
 O.R. OFFICIAL RECORDS
 S.C.V.W.D. SANTA CLARA VALLEY WATER DISTRICT
 S.S.E. SANITARY SEWER EASEMENT

SAN TOMAS AQUINO CHANNEL
LANDS OF S.C.V.W.D.

PARCEL SIX
(491 M 42-44)

PARCEL ONE

GRANT DEED

(DOC. NO. 22983862)
APN 224-11-068 (2017-18)

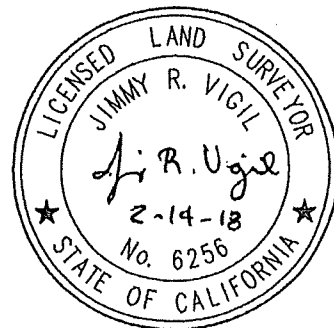
SAN TOMAS EXPRESSWAY

FORMER
PROPERTY
LINE

10.00' S.S.E. PARCEL "B"
(4300 O.R. 690)
(BEING VACATED)

PARCEL SEVEN
(491 M 42-44)

WALSH AVENUE



SC19,024

PLAT TO ACCOMPANY LEGAL DESCRIPTION

FOR: SANITARY SEWER EASEMENT VACATION

SANTA CLARA

CALIFORNIA

EXHIBIT "E"



KIER & WRIGHT

CIVIL ENGINEERS & SURVEYORS, INC.
 3350 Scott Boulevard, Building 22 (408) 727 6665
 Santa Clara, California 95054 fax (408) 727 5641

DATE FEB., 2018

SCALE 1" = 200'

DR. BY CJ

JOB A12065

SHEET NO.

2 OF 2

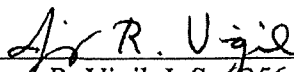
EXHIBIT "F"
LEGAL DESCRIPTION
SANITARY SEWER EASEMENTS BEING VACATED

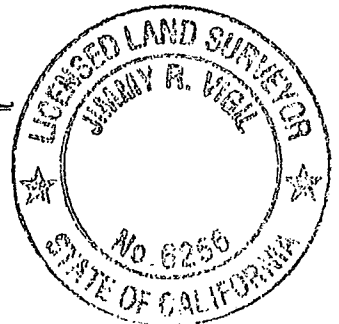
Those certain Sanitary Sewer Easements situate in the City of Santa Clara, County of Santa Clara, State of California as described as "Parcel One" and "Parcel Two", in that certain document recorded on April 22, 1983 in Book H494 at Page 445, Official Records of Santa Clara County.

As shown on Plat attached hereto and by this reference made a part hereof.

Legal Description prepared by Kier & Wright, Civil Engineers & Surveyors, Inc.

Date 2-14-18



Jimmy R. Vigil, L.S. 6256




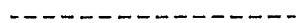
SC19,024

CENTRAL EXPRESSWAY

LEGEND

EASEMENT BEING VACATED 

PROPERTY LINE 

FORMER PROPERTY LINE 

ABBREVIATIONS

DOC. DOCUMENT
 M MAPS
 NO. NUMBER
 O.R. OFFICIAL RECORDS
 S.C.V.W.D. SANTA CLARA VALLEY WATER DISTRICT
 S.S.E. SANITARY SEWER EASEMENT

SAN TOMAS AQUINO CHANNEL
LANDS OF S.C.V.W.D.

PARCEL SIX
(491 M 42-44)

PARCEL ONE
GRANT DEED

(DOC. NO. 22983862)
APN 224-11-068 (2017-18)

FORMER
PROPERTY
LINE

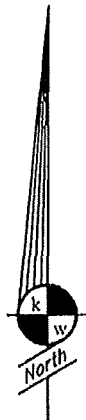
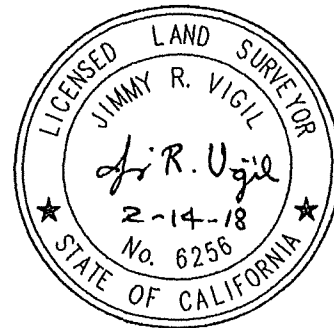
SAN TOMAS EXPRESSWAY

S.S.E. - PARCEL TWO
(H494 O.R. 445)
(BEING VACATED)

S.S.E. - PARCEL ONE
(H494 O.R. 445)
(BEING VACATED)

PARCEL SEVEN
(491 M 42-44)

WALSH AVENUE



SC19,024

PLAT TO ACCOMPANY LEGAL DESCRIPTION
 FOR: SANITARY SEWER LINE EASEMENT VACATION

SANTA CLARA

CALIFORNIA

DATE FEB., 2018

SCALE 1" = 200'

DR. BY CJ

JOB A12065

SHEET NO.

2 OF 2

EXHIBIT "F"



KIER & WRIGHT

CIVIL ENGINEERS & SURVEYORS, INC.
 3350 Scott Boulevard, Building 22 (408) 727 6665
 Santa Clara, California 95054 fax (408) 727 5641

EXHIBIT "G"
LEGAL DESCRIPTION
SANITARY SEWER EASEMENT BEING VACATED

That certain remaining five (5.00) foot wide Sanitary Sewer Easement situate in the City of Santa Clara, County of Santa Clara, State of California as described in that certain document recorded on July 29, 1955 in Book 3239 at Page 564, Official Records of Santa Clara County.

As shown on Plat attached hereto and by this reference made a part hereof.

Legal Description prepared by Kier & Wright, Civil Engineers & Surveyors, Inc.

Date 3-5-18

J. R. Vigil
Jimmy R. Vigil, L.S. 6256



SC19,024

CENTRAL EXPRESSWAY

LEGEND

- EASEMENT BEING VACATED - - - - -
- PROPERTY LINE _____
- FORMER PROPERTY LINE - - - - -

ABBREVIATIONS

- DOC. DOCUMENT
- M MAPS
- NO. NUMBER
- O.R. OFFICIAL RECORDS
- S.C.V.W.D. SANTA CLARA VALLEY WATER DISTRICT
- S.S.E. SANITARY SEWER EASEMENT

SAN TOMAS AQUINO CHANNEL
LANDS OF S.C.V.W.D.

PARCEL SIX
(491 M 42-44)

PARCEL ONE

GRANT DEED

(DOC. NO. 22983862)
APN 224-11-068 (2017-18)

FORMER
PROPERTY
LINE

SAN TOMAS EXPRESSWAY

5.00' S.S.E.
(3239 O.R. 564)
REMAINING PORTION
BEING VACATED

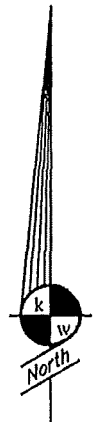
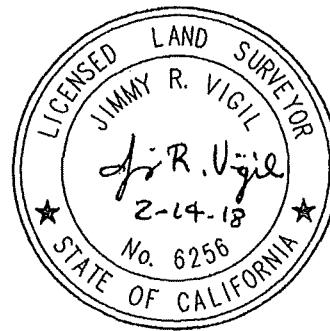
5.00' S.S.E.
(3239 O.R. 564)
AREA VACATED
PER H494 O.R. 445

5.00' S.S.E.
(3239 O.R. 564)
REMAINING PORTION
BEING VACATED

S.S.E.
(3239 O.R. 564)
AREA VACATED
PER H494 O.R. 445

PARCEL SEVEN
(491 M 42-44)

WALSH AVENUE



SC19,024

PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR: SANITARY SEWER EASEMENT VACATION

DATE FEB., 2018

SCALE 1" = 200'

SANTA CLARA

CALIFORNIA

DR. BY CJ

EXHIBIT "G"



KIER & WRIGHT

CIVIL ENGINEERS & SURVEYORS, INC.
3350 Scott Boulevard, Building 22 (408) 727 6665
Santa Clara, California 95054 fax (408) 727 5641

JOB A12065

SHEET NO.

2 OF 2

EXHIBIT "H"
LEGAL DESCRIPTION
SANITARY SEWER EASEMENT BEING VACATED

That certain remaining ten (10.00) foot wide Sanitary Sewer Easement situate in the City of Santa Clara, County of Santa Clara, State of California as described as "Parcel 1", in that certain document recorded on July 11, 1968 in Book 8186 at Page 556, Official Records of Santa Clara County.

As shown on Plat attached hereto and by this reference made a part hereof.

Legal Description prepared by Kier & Wright, Civil Engineers & Surveyors, Inc.

Date 2-14-18


Jimmy R. Vigil
Jimmy R. Vigil, L.S. 6256

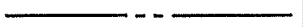


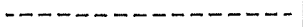
SC19,024

CENTRAL EXPRESSWAY

LEGEND

EASEMENT BEING VACATED 

PROPERTY LINE 

FORMER PROPERTY LINE 

ABBREVIATIONS

DOC. DOCUMENT
 M MAPS
 NO. NUMBER
 O.R. OFFICIAL RECORDS
 S.C.V.W.D. SANTA CLARA VALLEY WATER DISTRICT
 S.S.E. SANITARY SEWER EASEMENT

SAN TOMAS AQUINO CHANNEL
LANDS OF S.C.V.W.D.

PARCEL SIX
(491 M 42-44)

PARCEL ONE
GRANT DEED

(DOC. NO. 22983862)
APN 224-11-068 (2017-18)

FORMER
PROPERTY
LINE

SAN TOMAS EXPRESSWAY

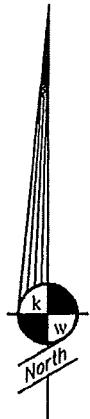
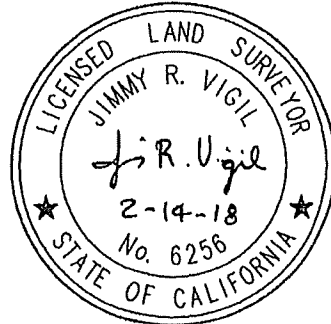
10.00' S.S.E.
(8186 O.R. 556)
REMAINING PORTION
BEING VACATED

10.00' S.S.E.
(8186 O.R. 556)
REMAINING PORTION
BEING VACATED

10.00' S.S.E.
(8186 O.R. 556)
AREA VACATED
PER H494 O.R. 455

PARCEL SEVEN
(491 M 42-44)

WALSH AVENUE



SC19,024

PLAT TO ACCOMPANY LEGAL DESCRIPTION
 FOR: SANITARY SEWER EASEMENT VACATION

SANTA CLARA

CALIFORNIA

DATE FEB., 2018

SCALE 1" = 200'

DR. BY CJ

JOB A12065

SHEET NO.

EXHIBIT "H"



KIER & WRIGHT

CIVIL ENGINEERS & SURVEYORS, INC.
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 Santa Clara, California 95054 fax (408) 727 5641

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