

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

25254041

Regina Alcomendras
Santa Clara County - Clerk-Recorder

03/07/2022 12:48 PM

Titles: 1 Pages: 4

Fees: \$0.00
Taxes: \$0
Total: \$0.00



Form per Gov't Code Section 27361.6

[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

RESOLUTION NO. 22-9044

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, ORDERING THE VACATION OF THE
UNDERGROUND ELECTRIC EASEMENT, SIDEWALK AND
UTILITY EASEMENT AT 2350-2370 MISSION COLLEGE
BOULEVARD [APN 104-13-097, 100 AND 101 (2021-22)]**

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

WHEREAS, the City of Santa Clara currently possesses the Underground Electric Easement, Sidewalk and Utility Easement 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 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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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the Underground Electric Easement, Sidewalk and Utility Easement described in Exhibit A and shown on Exhibit B has been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easement.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 the Underground Electric Easement, Sidewalk and Utility Easement described and shown in said Exhibits 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 said Exhibits to the current property owner(s).
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 25TH DAY OF JANUARY, 2022, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Becker, Chahal, Hardy, Jain, Park, and Watanabe, and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST:



NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
1. Exhibits A and B

EXHIBIT "A"
LEGAL DESCRIPTION
FOR: VACATION OF EASEMENTS

EASEMENT 1: - Underground Electric Easement (U.G.E.E.)

All that certain real property situate in the City of Santa Clara, County of Santa Clara, State of California, being all of that certain Underground Electric Easement as described in that certain document entitled "Electric Utility Easement: Underground" recorded on September 19, 1985 in Book J462, Page 2199 of Official Records, Santa Clara County.

EASEMENT 2: - Sidewalk and Utility Easement (S.W.E. & P.U.E)

All that certain real property situate in the City of Santa Clara, County of Santa Clara, State of California, being all of Parcels B and C as described in that certain document entitled "Sidewalk and Utility Easement" recorded on October 31, 1985 in Book J504, Page 1489 of Official Records, Santa Clara County.

As shown on EXHIBIT "B" attached hereto and by this reference made a part hereof.

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

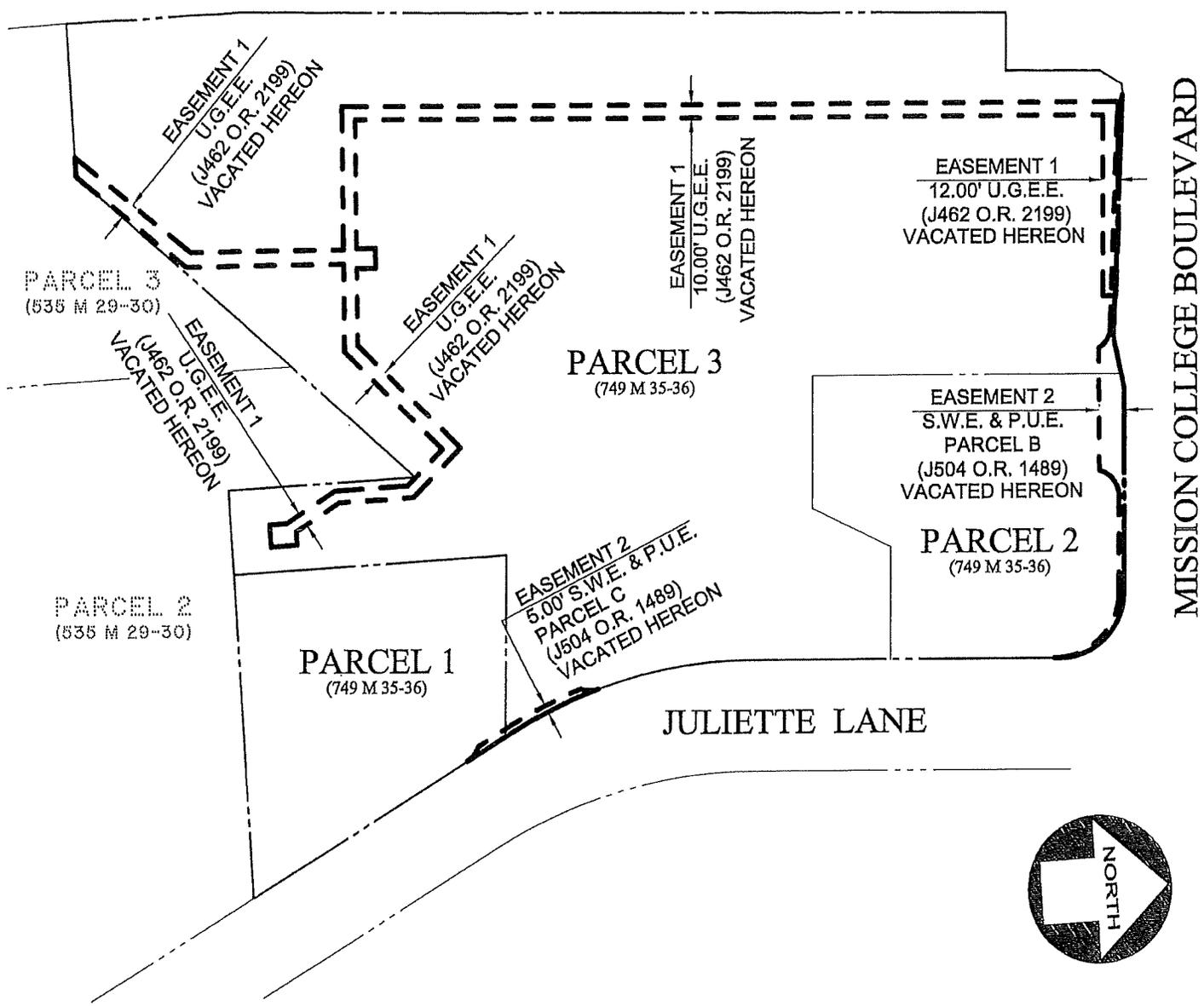
Date 3-28-16


Ryan M. Amaya, ES 8134



SC18,987

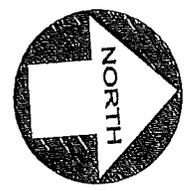
SAN TOMAS AQUINO CHANNEL



MISSION COLLEGE BOULEVARD

LEGEND

- PROPERTY LINE _____
- ADJACENT PROPERTY LINE - - - - -
- EASEMENT TO BE VACATED - - - - -



SC 18, 987

<p>PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR: EASEMENT VACATIONS</p>		DATE	MAR., 2016
		SCALE	1" = 120'
<p>SANTA CLARA CALIFORNIA</p>		DR. BY	EK
		JOB	A07006-5
<p>EXHIBIT "B"</p>		SHEET NO.	1 OF 1
		<p>KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC. 3350 Scott Boulevard, Building 22 (408) 727 6665 Santa Clara, California 95054 fax (408) 727 5641</p>	