

**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 3535
GARRETT DRIVE [APN 216-31-093 (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 216-31-093 (2017-18), located at 3535 Garrett Drive; 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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 That Underground Electric Easements described in Exhibit A and shown on Exhibit B have been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easements.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\SC19051 res vac ugee.doc

EXHIBIT "A"
Legal Description

Underground Electrical Easement Vacation
Scott Campus
Santa Clara, California

All that certain real property situated in the City of Santa Clara, County of Santa Clara, State of California, described as follows:

Being portions of Parcel C1, as said Parcel is shown on that certain Certificate of Lot Line Adjustment recorded on December 04, 2015, as Document Number 23164223, Official Records of Santa Clara County, more particularly described as follows:

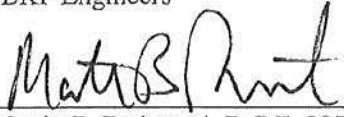
Being all of that underground electrical easement as described in that certain Instrument Number 8130382 in Book I729, Page 31 of Official Records, and recorded on July 18, 1984, Records of Santa Clara County and being all of that 16.25 feet by 17.00 feet underground electrical easement as described in that certain Instrument Number 8321996 in Book J234, Page 448 of Official Records, and recorded on February 7, 1985, Records of Santa Clara County.

Being a portion of Santa Clara County Assessor's Parcel Number 216-31-093 (2017-18)

As shown on "Exhibit B" attached hereto and made part hereof.

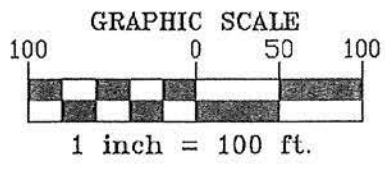
This description was prepared by me or under my direct supervision.

For: BKF Engineers

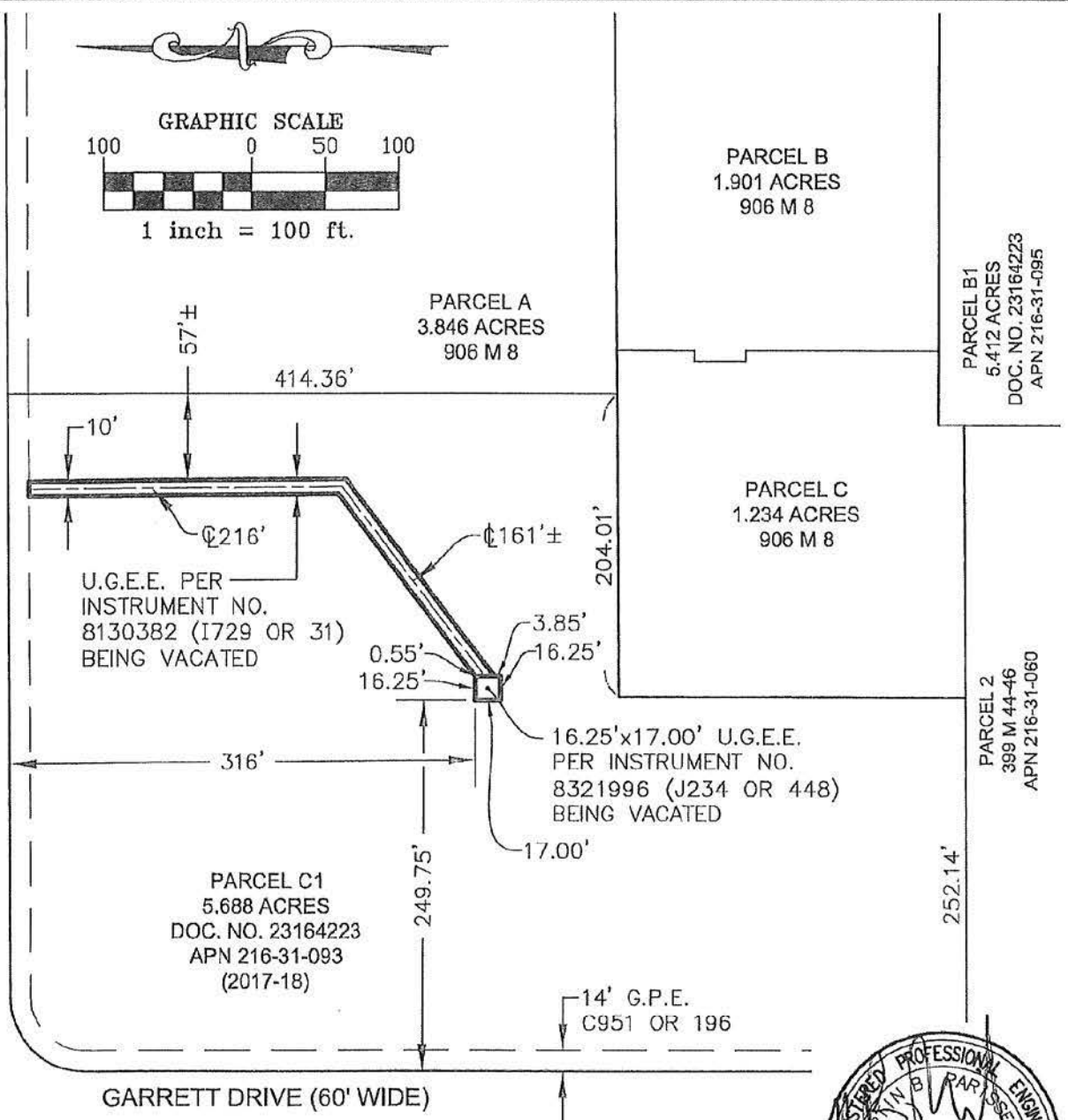
By: 
Martin B. Parissenti, R.C.E. 30747
License expires: 3-31-2020



Dated: 5/14/2018



TANNERY WAY (60' WIDE)

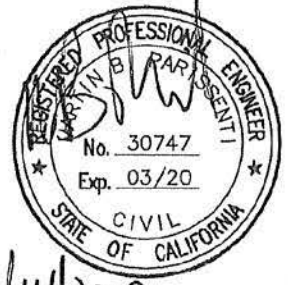


PARCEL B1
5.412 ACRES
DOC. NO. 23164223
APN 216-31-095

PARCEL 2
399 M 44-46
APN 216-31-060

LEGEND

- ⊙ CENTER LINE
- OR OFFICIAL RECORDS
- G.P.E. GENERAL PURPOSE EASEMENT
- U.G.E.E. UNDERGROUND ELECTRICAL EASEMENT
- PROPERTY LINE
- EASEMENT LINE BEING VACATED



5/14/2018



1730 NORTH FIRST STREET
SUITE 600
SAN JOSE, CA 95112
408-467-9100
408-467-9199 (FAX)

Subject EXHIBIT "B"
UNDERGROUND ELEC ESMT VACATION - PCL C1
Job No. 976093
By NM Date 05-14-18 Chkd. MBP
SHEET 1 OF 1

K:\ENGIN\976093\dwg\vacations\UGEE - PCL C1\Exhibit B Plat_UGEE_VAC_PCL.dwg 14 May 2018 10:03pm bmk