

**25100826**

**Regina Alcomendras**  
Santa Clara County - Clerk-Recorder

09/15/2021 10:27 AM

**RECORD WITHOUT FEE PURSUANT  
TO GOV'T CODE SECTION 6103**

**Recording Requested by:**  
Office of the City Attorney  
City of Santa Clara, California

**Titles: 1      Pages: 5**

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

**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. 21-8995**

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA, ORDERING THE VACATION OF AN  
EMERGENCY VEHICLE ACCESS EASEMENT AT 737  
MATHEW STREET [APN 224-40-012 (2020-21)]**

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

**WHEREAS**, the City of Santa Clara currently possesses the Emergency Vehicle Access Easement described in Exhibit A and shown on Exhibit B, which Exhibits are incorporated herein by reference. Said Easement was dedicated by that certain document 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.

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C. The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 That the Emergency Vehicle Access Easement described in Exhibit A and shown on Exhibit B has been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easement.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 Emergency Vehicle Access 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 24<sup>TH</sup> DAY OF AUGUST, 2021, BY THE FOLLOWING VOTE:

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

**Vacation of Emergency Vehicle Access Easement**

**AT  
737 Mathew Street  
Santa Clara, California  
[APN (224-40-012)]**

Being a portion of Parcel 1 as said Parcel is shown on that certain Parcel Map, recorded February 3, 2020 in Book 929 of Maps, Pages 17-24, Santa Clara County Records, being more particularly described as follows:

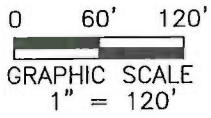
All of that "EVAE #2" as described in that certain Emergency Vehicle Access Easement recorded on October 3, 2019 as Document No. 24296066, Official Record of Santa Clara County.

A plat showing the above-described Easement is attached hereto and made a part hereof as Exhibit B APN: 224-40-012

Prepared by:  
Ruth and Going, Inc.  
2216 The Alameda  
Santa Clara, CA 95050  
(408) 236-2400  
R+G Job# 17-919H



2021-05-18



LANDS OF UNION PACIFIC TRANSPORTATION

APN 224-35-014

PARCEL 1  
553-M-49  
APN 224-35-017

PARCEL 2  
668-M-11  
APN 224-35-020

PARCEL 1  
AREA = 8.974± ACRES  
(PM 929M 17-24)

APN 224-40-012  
(2020-21)

APN 224-40-010

L=128.31'  
D=2'32'22"  
R=2895.00'

N 0°46'30" W  
60.00'

N 70°05'08" E  
21.14'

N 3°13'30" W  
137.66'

L=390.62'

D=86°20'40"

R=337.34'

D=86°20'40"

R=337.34'

D=86°20'40"

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D=86°20'40"

R=337.34'



Drawing file: Q:\Civil\17919B\Dwg\EVAE#2-Removal\SH01-EVAE.dwg  
May 18, 2021 - 11:54am

SC 19,366 SHEET 1 OF 2



**RUTH AND GOING, INC.**

Civil Engineering Land Surveying  
2216 THE ALAMEDA SANTA CLARA, CA. 95050  
(408) 236-2400

*EXHIBIT B*  
**Emergency Vehicle Access  
Easement (EVAE) Vacation**

*Vantage Data Center*

*City of Santa Clara*

*California*

2021-06-18

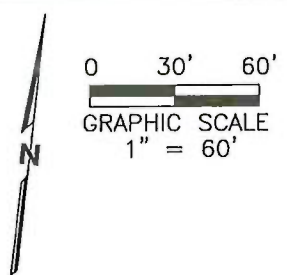
17010H

Drwn.: SNM

Dept.: Civil

Scale: 1" = 120'

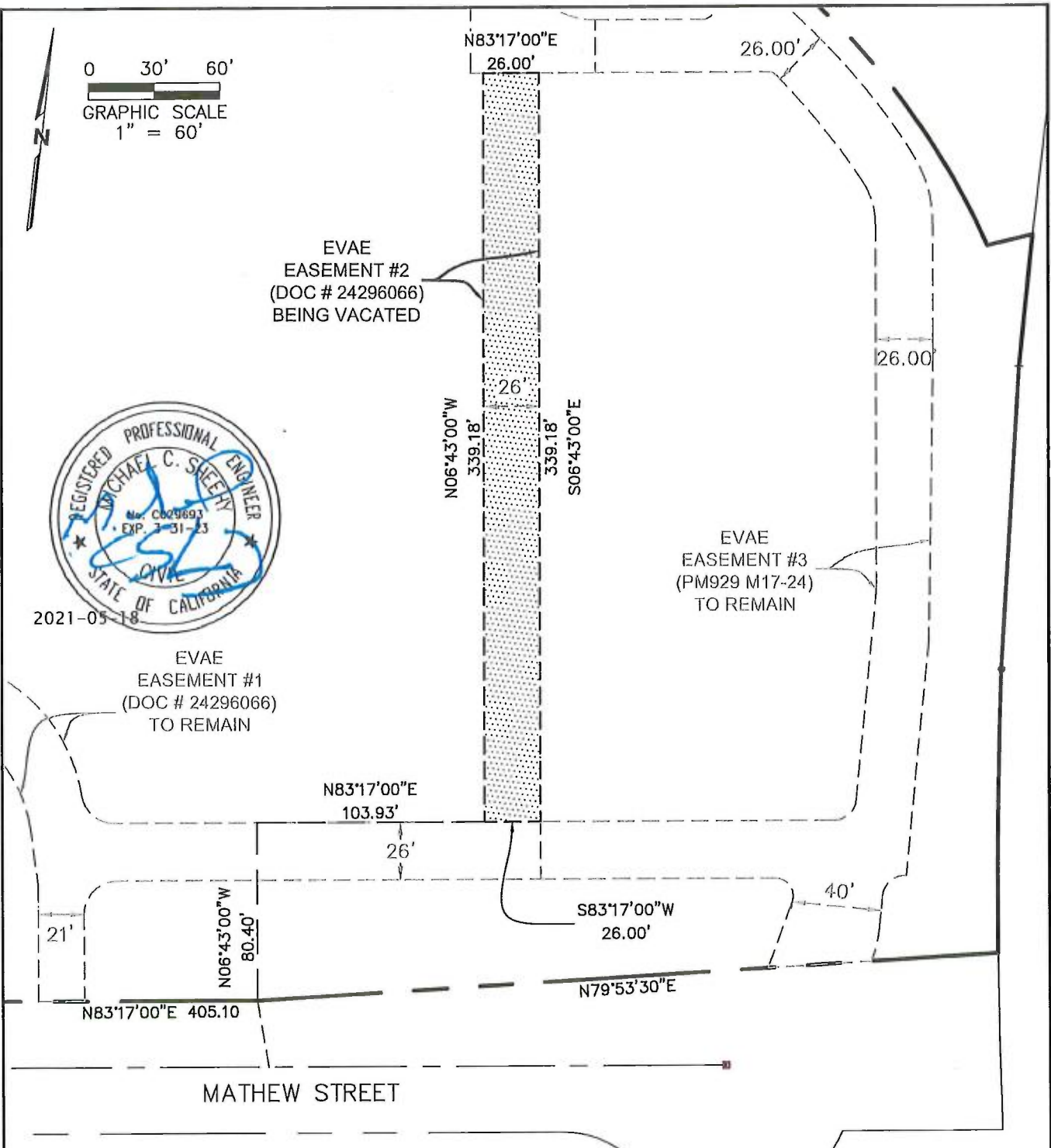
Chkd.: SPS



EVAE  
EASEMENT #2  
(DOC # 24296066)  
BEING VACATED

EVAE  
EASEMENT #3  
(PM929 M17-24)  
TO REMAIN

EVAE  
EASEMENT #1  
(DOC # 24296066)  
TO REMAIN



Drawing file: Q:\Civil\17919B\Dwg\EVAE#2-Removal\ SH02-EVAE.dwg  
May 18, 2021 - 11:56am

SC19,366 SHEET 2 OF 2

**R+G** RUTH AND GOING, INC.  
Civil Engineering Land Surveying  
2216 THE ALAMEDA SANTA CLARA, CA. 95050  
(408) 236-2400

*EXHIBIT B*  
*Emergency Vehicle Access*  
*Easement (EVAE) Vacation*

*Vantage Data Centers*  
*City of Santa Clara California*

2021-06-18	17919H	Drwn.: SNM
Dept.: Civil	Scale: 1" = 80'	Chkd.: SPS