

**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

**24093437**

**Regina Alcomendras**  
Santa Clara County - Clerk-Recorder  
**01/08/2019 09:31 AM**

**Titles: 1      Pages: 9**  
**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. 18-8638**

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA, ORDERING THE VACATION OF THE GENERAL  
PURPOSE EASEMENT, UTILITY EASEMENT, UNDERGROUND  
ELECTRIC EASEMENT, AND ANCHOR EASEMENT AT 2041  
MISSION COLLEGE BOULEVARD [APN 104-38-005 AND 006  
(2017-18)]**

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

**WHEREAS**, the City of Santa Clara currently possesses the General Purpose Easement, Utility Easement, Underground Electric Easement, and Anchor Easement described in Exhibits A, C, and E and shown on Exhibits B, D, and F, which Exhibits are incorporated herein by reference. Said Easements were dedicated by those certain documents as mentioned in Exhibits A, C, and E, against APN 104-38-005 and 006 (2017-18), located at 2041 Mission College Boulevard; 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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

SC19,060

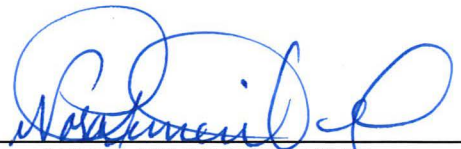
**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

1. That General Purpose Easement, Utility Easement, Underground Electric Easement, and Anchor Easement described in Exhibits A, C, and E and shown on Exhibits B, D, and F 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 General Purpose Easement, Utility Easement, Underground Electric Easement, and Anchor Easement described in Exhibits A, C, and E and shown on Exhibits B, D, and F 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 Exhibits A, C, and E and shown on Exhibits B, D, and F 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 11<sup>th</sup> DAY OF DECEMBER, 2018, BY THE FOLLOWING VOTE:

|            |             |   |
|------------|-------------|---|
| AYES:      | COUNCILORS: | Chahal, Davis, Hardy, O'Neill, and Watanabe and Mayor Gillmor |
| NOES:      | COUNCILORS: | None  |
| ABSENT:    | COUNCILORS: | Mahan   |
| ABSTAINED: | COUNCILORS: | None  |

ATTEST:



NORA PIMENTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA

Attachments incorporated by reference:  
1. Exhibits A, B, C, D, E, and F

**EXHIBIT A  
LEGAL DESCRIPTION  
VACATION OF GENERAL PURPOSE EASEMENT (426 M 10)  
AND UTILITY EASEMENT (F429 O.R. 587)  
WITHIN PARCEL 15 (456 M 10)  
CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, CALIFORNIA**

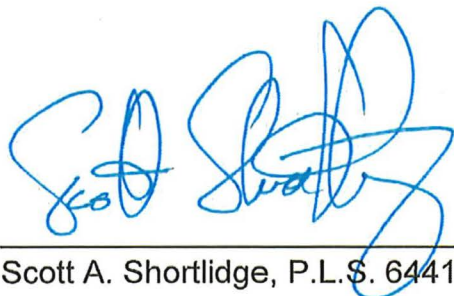
Real property situate in the City of Santa Clara, County of Santa Clara, State of California described as follows:

Being all of that General Purpose Easement as said easement is shown on the parcel map entitled "Lands of Koll / Intereal Bay Area", filed on December 21, 1979 in Book 456 of Maps, at Page 10, Records of Santa Clara County, excepting therefrom that portion of said General Purpose Easement described as Parcel 2 by the Quitclaim recorded June 19, 1980 in Book F385, at Page 190, Official Records of Santa Clara County, and all of that Utility Easement described as Parcel 2 of the Grant recorded July 9, 1980 in Book F429, at Page 587, Official Records of Santa Clara County, all within Parcel 15 as said parcel is shown on said parcel map (456 M 10).

**END OF DESCRIPTION**

See Exhibit B - Plat to Accompany Legal Description which is attached hereto and made a part hereof.

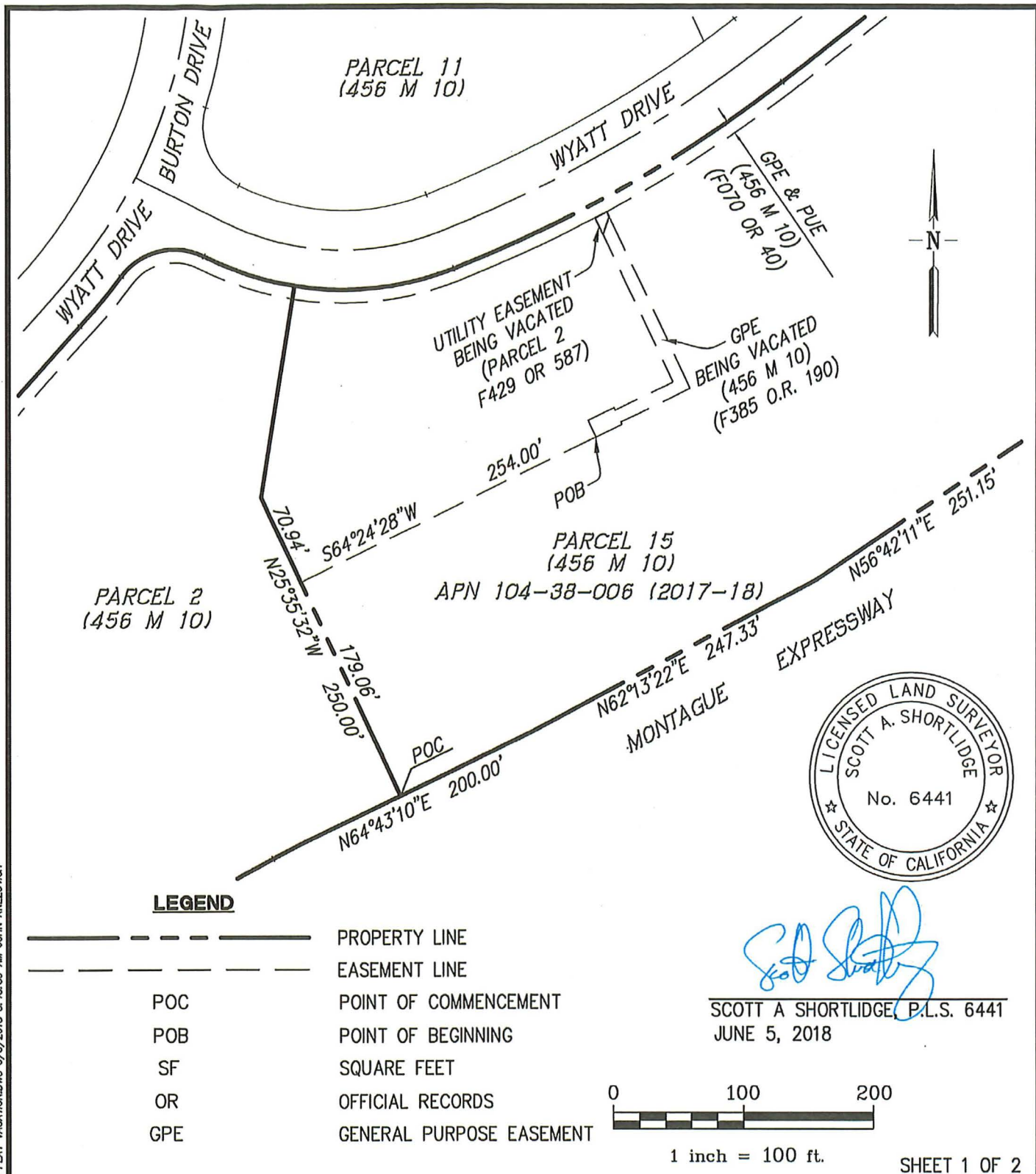
This description and its accompanying plat were prepared by or under the direction of:

  
\_\_\_\_\_  
Scott A. Shortlidge, P.L.S. 6441

June 5, 2018  
\_\_\_\_\_  
Date



G:\JOB2015\151046 MAPPING\PLATS\GPE PLAT VACATION.DWG 6/5/2018 8:43:59 AM JOHN KNEZOVICH



**EXHIBIT B**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**VACATION OF GENERAL PURPOSE**  
**EASEMENT (456 M 10) AND UTILITY**  
**EASEMENT ( F429 O.R. 587)**  
**CITY OF SANTA CLARA, SANTA CLARA COUNTY, CALIFORNIA**

**RJA**  
**RUGGERI-JENSEN-AZAR**  
ENGINEERS • PLANNERS • SURVEYORS  
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588  
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:  
1"=100'

DATE:  
6-05-2018

JOB NO.:  
151046

SC19,060

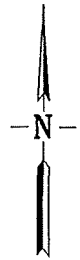


PARCEL 11  
(456 M 10)

WYATT DRIVE

UTILITY EASEMENT  
(F429 OR 587)

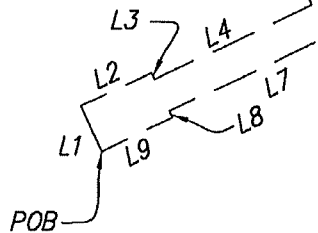
10' GPE & PUE  
(456 M 10)  
(F070 OR 40)



PARCEL 15  
(456 M 10)  
APN 104-38-006  
(2017-18)

VACATION AREA  
2,275 SF

GPE  
(456 M 10)  
(F385 OR 190)



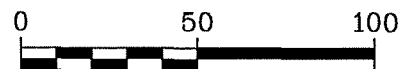
| LINE TABLE |             |        |
|------------|-------------|--------|
| LINE       | BEARING     | LENGTH |
| L1         | N25°35'32"W | 14.00' |
| L2         | N64°24'28"E | 22.00' |
| L3         | S25°35'32"E | 2.00'  |
| L4         | N64°24'28"E | 49.00' |
| L5         | N25°35'32"W | 13.77' |
| L6         | S25°35'32"E | 4.14'  |
| L7         | S64°24'28"W | 59.00' |
| L8         | S25°35'32"E | 2.00'  |
| L9         | S64°24'28"W | 22.00' |

#### LEGEND

|  |                          |
|--|--------------------------|
|  | PROPERTY LINE            |
|  | EASEMENT LINE            |
|  | POINT OF COMMENCEMENT    |
|  | POINT OF BEGINNING       |
|  | SQUARE FEET              |
|  | OFFICIAL RECORDS         |
|  | GENERAL PURPOSE EASEMENT |

| CURVE TABLE |          |           |        |
|-------------|----------|-----------|--------|
| CURVE       | RADIUS   | DELTA     | LENGTH |
| C1          | 1020.00' | 00°33'44" | 10.01' |

| RADIAL TABLE |             |
|--------------|-------------|
| CURVE        | BEARING     |
| R1           | N27°27'06"W |



1 inch = 50 ft.

SHEET 2 OF 2

**EXHIBIT B**  
PLAT TO ACCOMPANY LEGAL DESCRIPTION  
VACATION OF GENERAL PURPOSE  
EASEMENT (456 M 10) AND UTILITY  
EASEMENT ( F429 O.R. 587)  
CITY OF SANTA CLARA, SANTA CLARA COUNTY, CALIFORNIA

**RJA**  
**RUGGERI-JENSEN-AZAR**  
ENGINEERS • PLANNERS • SURVEYORS  
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588  
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:  
1"=50'

DATE:  
6-05-2018

JOB NO.:  
151046

SC19,060

**EXHIBIT C**  
**LEGAL DESCRIPTION**  
**VACATION OF ELECTRIC UTILITY EASEMENT: UNDERGROUND**  
**(EASEMENT 1, H252 O.R. 23)**  
**WITHIN PARCEL 2 (456 M 10)**  
**CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, CALIFORNIA**

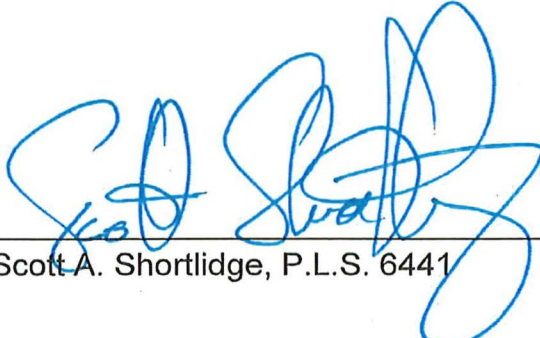
Real property situate in the City of Santa Clara, County of Santa Clara, State of California described as follows:

Being all of Easement 1 as said easement is described in the Electric Utility Easement: Underground recorded January 5, 1983 in Book H252, at Page 23, Official Records of Santa Clara County, within Parcel 2 as said parcel is shown on the parcel map entitled "Lands of Koll / Intereal Bay Area" filed on December 21, 1979 in Book 456 of Maps, at Page 10, Records of Santa Clara County.

**END OF DESCRIPTION**

See Exhibit D - Plat to Accompany Legal Description which is attached hereto and made a part hereof.

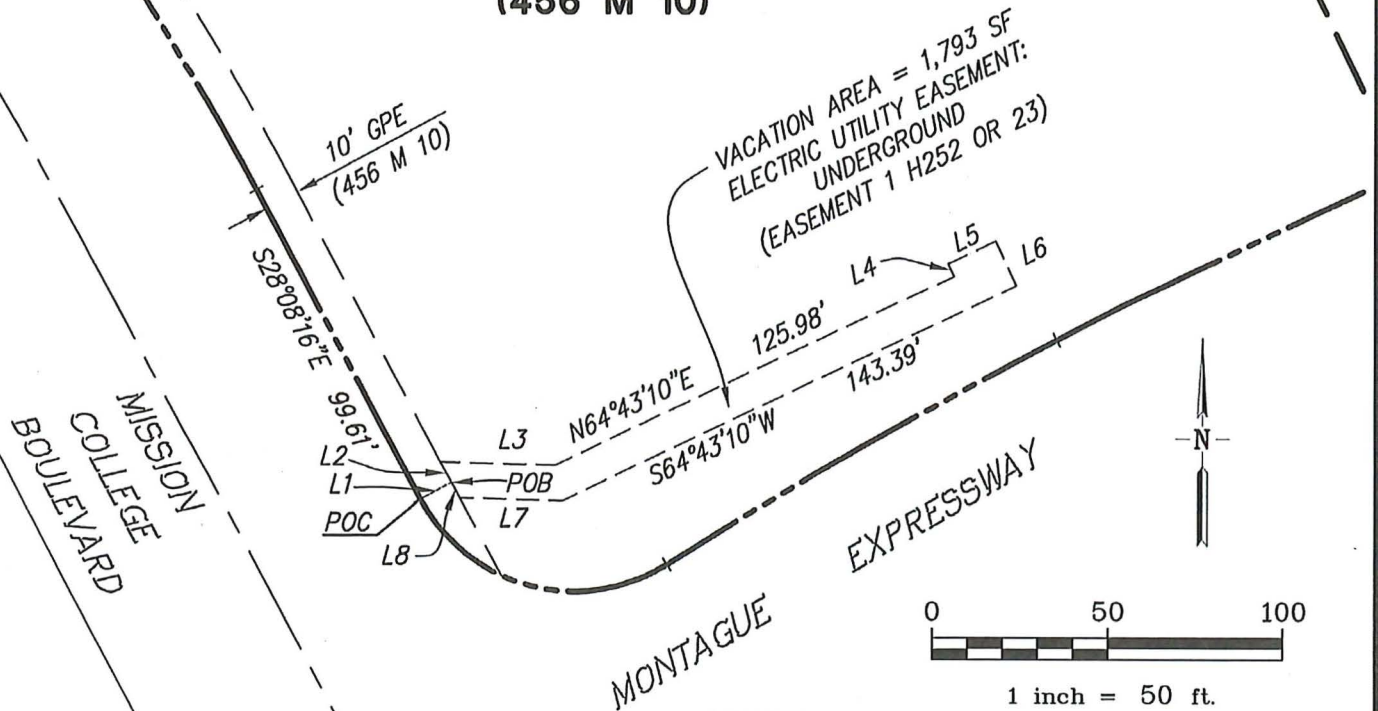
This description and its accompanying plat were prepared by or under the direction of:

  
\_\_\_\_\_  
Scott A. Shortlidge, P.L.S. 6441                      June 5, 2018  
Date



APN 104-38-005 (2017-18)

**PARCEL 2  
(456 M 10)**



**LEGEND**

|           |                               |
|-----------|-------------------------------|
| —————     | PROPERTY LINE                 |
| - - - - - | GENERAL PURPOSE EASEMENT LINE |
| - - - - - | ELECTRIC EASEMENT LINE        |
| POC       | POINT OF COMMENCEMENT         |
| POB       | POINT OF BEGINNING            |
| SF        | SQUARE FEET                   |
| OR        | OFFICIAL RECORDS              |
| GPE       | GENERAL PURPOSE EASEMENT      |

| LINE TABLE |             |        |
|------------|-------------|--------|
| LINE       | BEARING     | LENGTH |
| L1         | N61°51'51"E | 10.00' |
| L2         | N28°08'09"W | 6.60'  |
| L3         | S88°08'18"E | 32.76' |
| L4         | N25°16'50"W | 4.00'  |
| L5         | N64°43'10"E | 15.00' |
| L6         | S25°16'50"E | 14.00' |
| L7         | N88°08'18"W | 29.40' |
| L8         | N28°08'09"W | 4.95'  |

*Scott A. Shortlidge*

SCOTT A. SHORTLIDGE, P.L.S. 6441  
JUNE 5, 2018



**EXHIBIT D**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**VACATION**  
**ELECTRIC UTILITY EASEMENT**  
**(EASEMENT 1, H252 O.R. 23)**  
CITY OF SANTA CLARA, SANTA CLARA COUNTY, CALIFORNIA

**RJA**  
**RUGGERI-JENSEN-AZAR**  
ENGINEERS • PLANNERS • SURVEYORS  
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588  
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:  
1"=50'

DATE:  
6-05-2018

JOB NO.:  
151046

SC19,060

**EXHIBIT E**  
**LEGAL DESCRIPTION**  
**VACATION OF ANCHOR EASEMENT (PARCEL E, B441 O.R. 656)**  
**WITHIN PARCEL 2 (456 M 10)**  
**CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, CALIFORNIA**

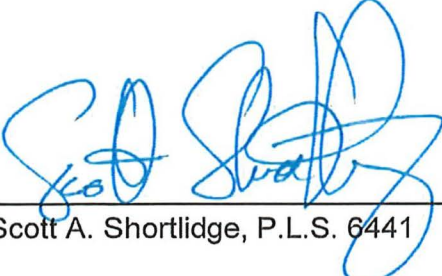
Real property situate in the City of Santa Clara, County of Santa Clara, State of California described as follows:

Being all of that 2-foot wide Anchor Easement as said easement is described as Parcel E by the Grant of Easements recorded June 3, 1975 in Book B441, at Page 656, Official Records of Santa Clara County, within Parcel 2 as said parcel is shown on the parcel map entitled "Lands of Koll / Intereal Bay Area" filed on December 21, 1979 in Book 456 of Maps, at Page 10, Records of Santa Clara County.

**END OF DESCRIPTION**

See Exhibit F - Plat to Accompany Legal Description which is attached hereto and made a part hereof.

This description and its accompanying plat were prepared by or under the direction of:

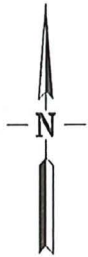
  
\_\_\_\_\_  
Scott A. Shortlidge, P.L.S. 6441      June 5, 2018  
Dplotate





WYATT DRIVE

MISSION COLLEGE BOULEVARD



POB

L1

C1

POC

VACATION AREA  
64 SQUARE FEET  
2 FOOT-WIDE  
ANCHOR EASEMENT  
BEING VACATED  
(PARCEL E  
B441 OR 656)

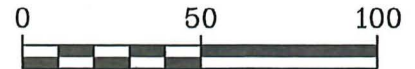
N57°49'35"E  
32.00' (CL)

WIRE CLEARANCE  
EASEMENT  
(PARCEL C  
B441 OR 656)

10' GPE  
(456 M 10)

N28°08'16"W

1.69'



1 inch = 50 ft.

APN 104-38-005  
(2017-18)

**PARCEL 2**  
**(456 M 10)**



SCOTT A. SHORTLIDGE, P.L.S. 6441  
JUNE 5, 2018

LINE TABLE

| LINE | BEARING     | LENGTH |
|------|-------------|--------|
| L1   | N27°28'11"W | 35.43' |

CURVE TABLE

| CURVE | RADIUS   | DELTA     | LENGTH |
|-------|----------|-----------|--------|
| C1    | 1005.00' | 03°12'35" | 56.30' |

LEGEND



POC

POB

SF

OR

GPE

PROPERTY LINE

ANCHOR EASEMENT LINE

GPE EASEMENT LINE

POINT OF COMMENCEMENT

POINT OF BEGINNING

SQUARE FEET

OFFICIAL RECORDS

GENERAL PURPOSE EASEMENT

**EXHIBIT F**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**VACATION**  
**ANCHOR EASEMENT**  
**(B441 O.R. 656)**  
CITY OF SANTA CLARA, SANTA CLARA COUNTY, CALIFORNIA



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SCALE:  
1"=50'

DATE:  
6-05-2018

JOB NO.:  
151046

SC19,060