

**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(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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Water Utility Easements, and Sanitary Sewer Easements described in Exhibits A, B, C, D, E, F, G and H have been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easements.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 15<sup>th</sup> DAY OF MAY, 2018, BY THE FOLLOWING VOTE:

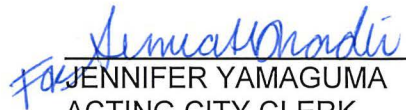
AYES: COUNCILORS: Davis, Kolstad, Mahan, O'Neill, and Watanabe and Mayor Gillmor

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**

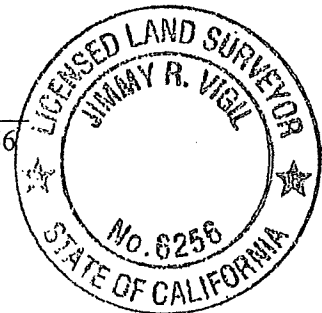
That certain remaining Underground Electric Easement situate in the City of Santa Clara, County of Santa Clara, State of California as dedicated and shown on that certain Parcel Map filed for record on November 2, 1981 in Book 491 at Pages 42 through 44, Official Records of Santa Clara County.

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

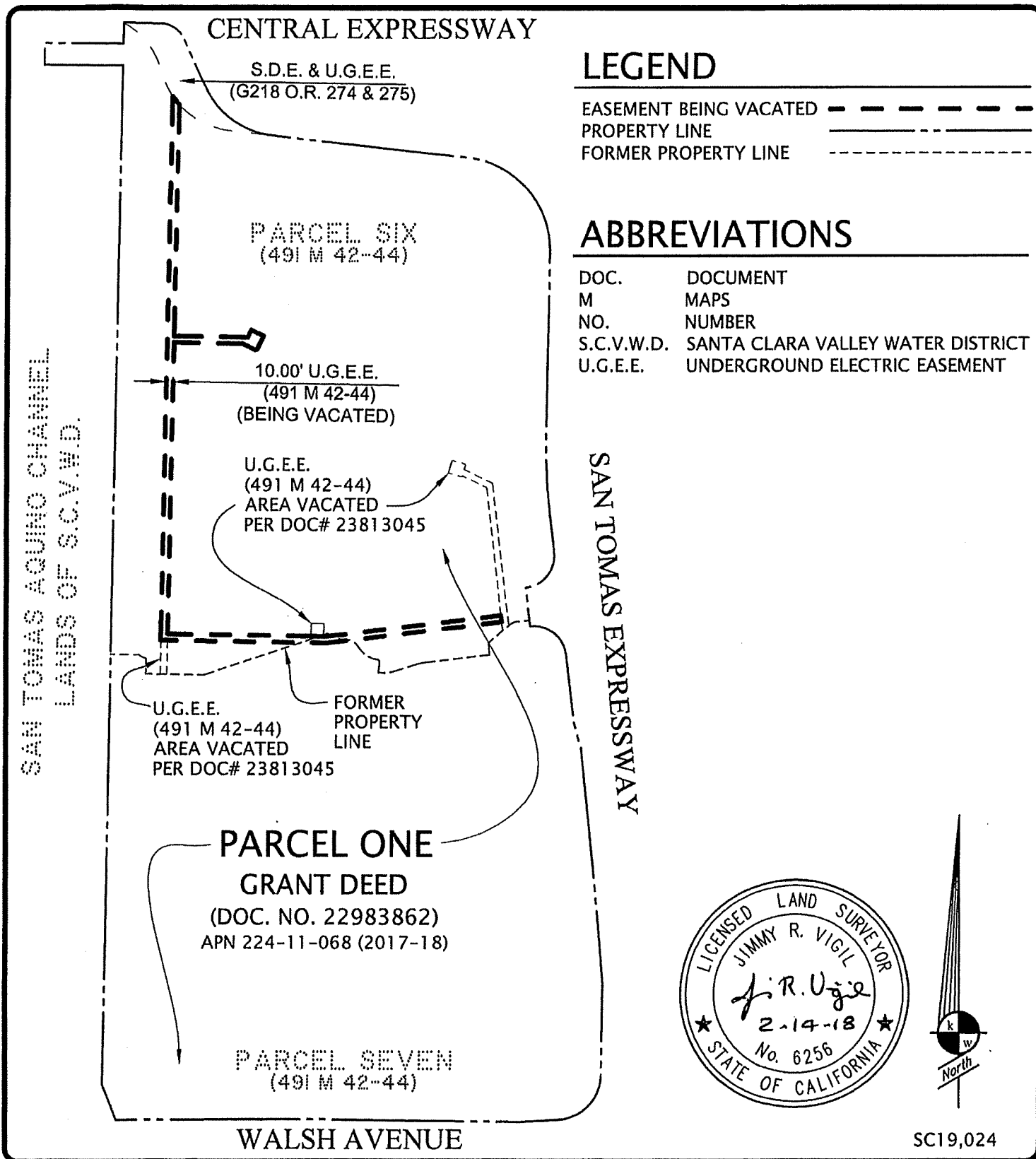
Legal Description prepared by Kier & Wright, Civil Engineers & Surveyors, Inc.

Date 3-5-18

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



SC19,024



<b>PLAT TO ACCOMPANY LEGAL DESCRIPTION</b> FOR: UNDERGROUND ELECTRIC EASEMENT VACATION		DATE	FEB., 2018
		SCALE	1" = 200'
SANTA CLARA	CALIFORNIA	DR. BY	CJ
<b>EXHIBIT "A"</b>	<b>KIER &amp; WRIGHT</b> CIVIL ENGINEERS & SURVEYORS, INC. 3350 Scott Boulevard, Building 22 Santa Clara, California 95054 (408) 727 6665 fax (408) 727 5641	JOB	A12065
		SHEET NO.	2 OF 2

USER: cjndes Z:\2012\A12065\DWG\SURVEY\PLAT\G-PLAT-REMAINING UGEE-491-M-13-VACATION.dwg FEBRUARY 15, 2018

**EXHIBIT "B"**  
**LEGAL DESCRIPTION**  
**WATER LINE EASEMENT BEING VACATED**

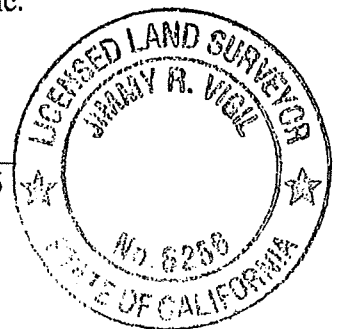
That certain Water Line Easement situate in the City of Santa Clara, County of Santa Clara, State of California as dedicated and shown on that certain Parcel Map filed for record on November 2, 1981 in Book 491 of Maps at Pages 42 - 44, Santa Clara County Records.

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

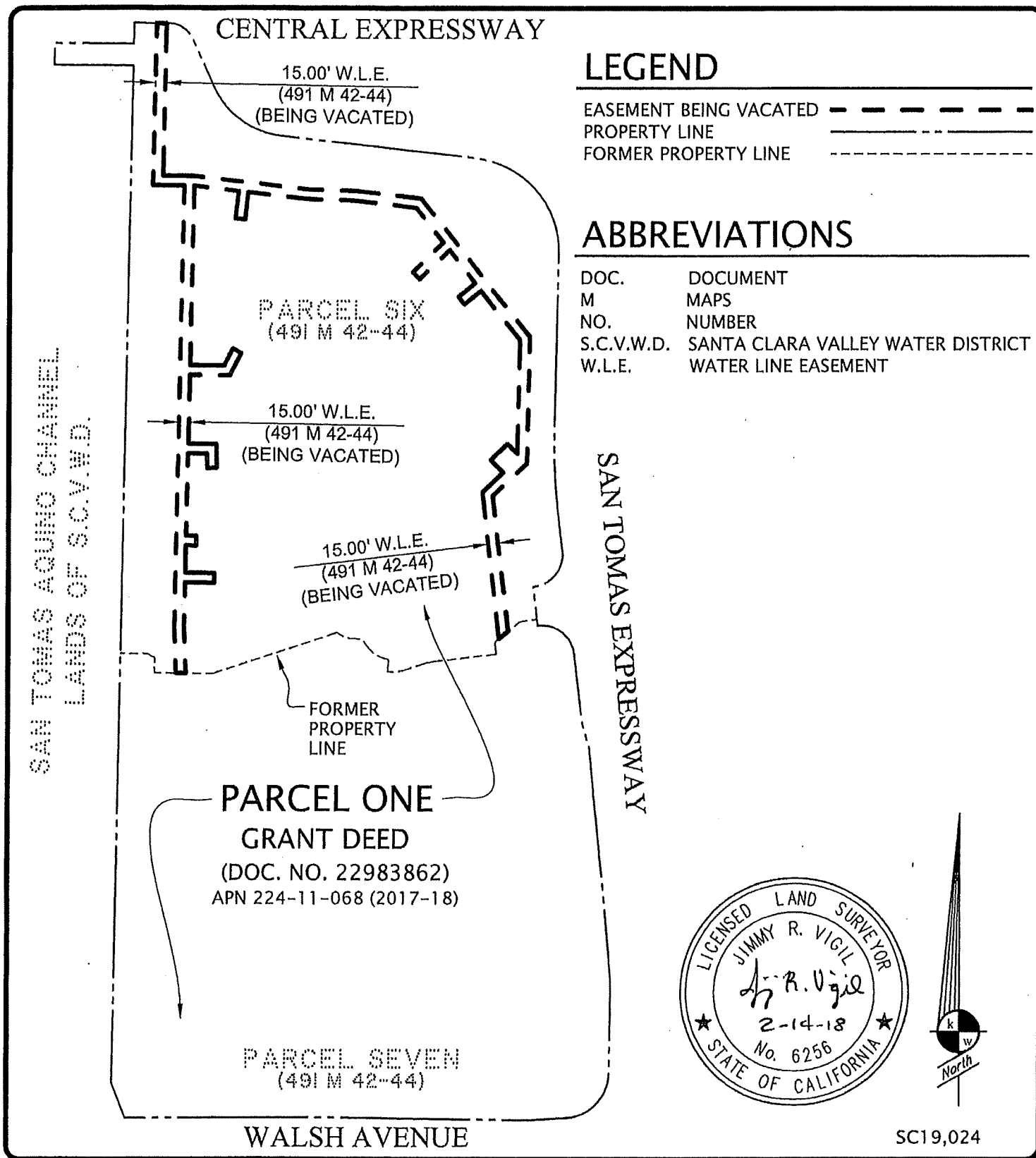
Legal Description prepared by Kier & Wright, Civil Engineers & Surveyors, Inc.

Date 2-14-18

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



SC19,024



<div>PLAT TO ACCOMPANY LEGAL DESCRIPTION</div> <div>FOR: WATER LINE EASEMENT VACATION</div>		<div>DATE</div> <div>FEB., 2018</div>
		<div>SCALE</div> <div>1" = 200'</div>
<div>SANTA CLARA</div>		<div>DR. BY</div> <div>CJ</div>
<div>EXHIBIT "B"</div>		<div>JOB</div> <div>A12065</div>
<div>USER:cjwolas Z:\2012\A12065\DWG\SURVEY\PLAT\C-PLAT-BLE-191-W-43-VACATION.dwg FEBRUARY 15, 2018 8:45 AM</div>		<div>SHEET NO.</div> <div>2 OF 2</div>
<div><div><div><div>k</div><div>w</div></div><div></div></div><div>KIER &amp; WRIGHT</div><div>CIVIL ENGINEERS &amp; SURVEYORS, INC.</div><div>3350 Scott Boulevard, Building 22 (408) 727 6665</div><div>Santa Clara, California 95054 fax (408) 727 5641</div></div>		

**EXHIBIT "C"**  
**LEGAL DESCRIPTION**  
**WATER UTILITY EASEMENT BEING VACATED**

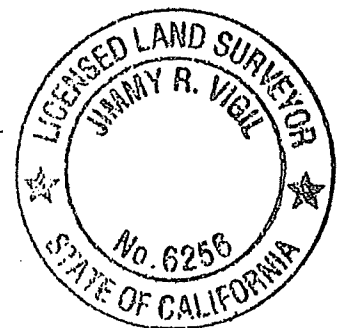
That certain Water Utility Easement situate in the City of Santa Clara, County of Santa Clara, State of California as described in that certain document recorded on March 9, 1984 in Book I 365 at Page 440, Official Records of Santa Clara County.

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

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

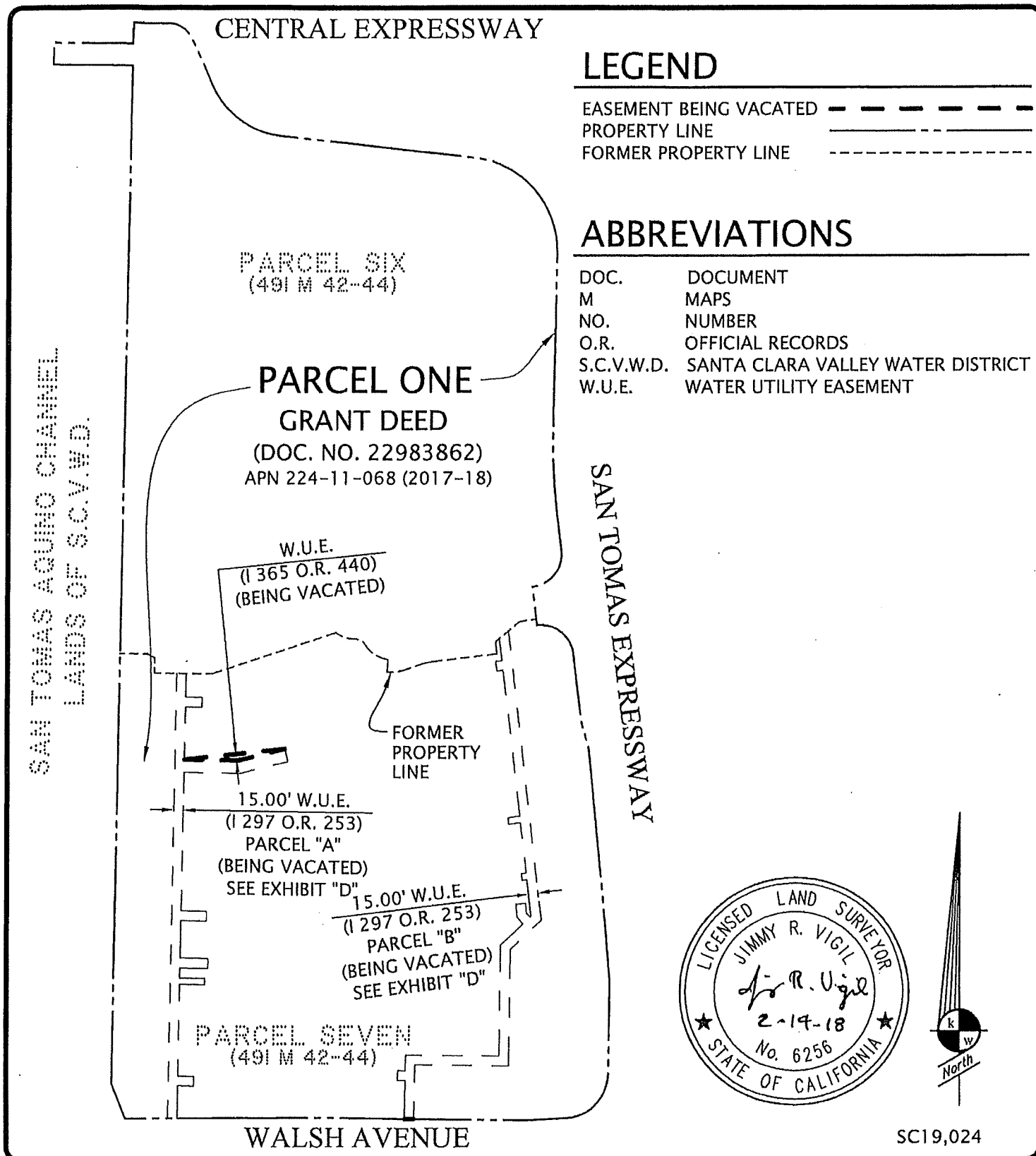
Date 2-14-18

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



SC19,024





<b>PLAT TO ACCOMPANY LEGAL DESCRIPTION</b> <b>FOR: WATER UTILITY EASEMENT VACATION</b>		DATE	FEB., 2018
		SCALE	1" = 200'
SANTA CLARA	CALIFORNIA	DR. BY	CJ
<b>EXHIBIT "C"</b>	 <b>KIER &amp; WRIGHT</b> 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.

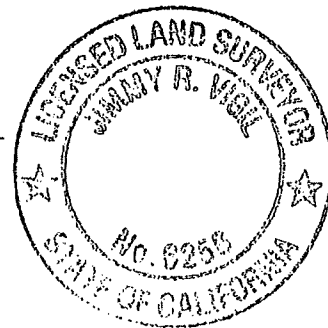
As shown on Plat attached hereto and by this reference made a part hereof.

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

Date

2-14-18


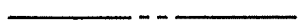
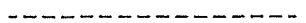
Jimmy R. Vigil  
Jimmy R. Vigil, L.S. 6256



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

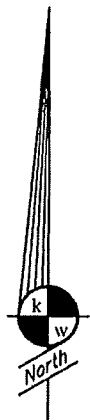
FORMER  
 PROPERTY  
 LINE

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

EXHIBIT "D"



**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

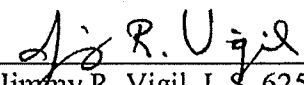
**EXHIBIT "E"**  
**LEGAL DESCRIPTION**  
**SANITARY SEWER EASEMENT BEING VACATED**

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.

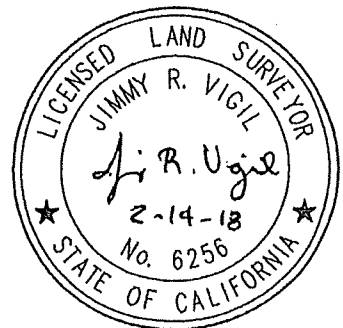
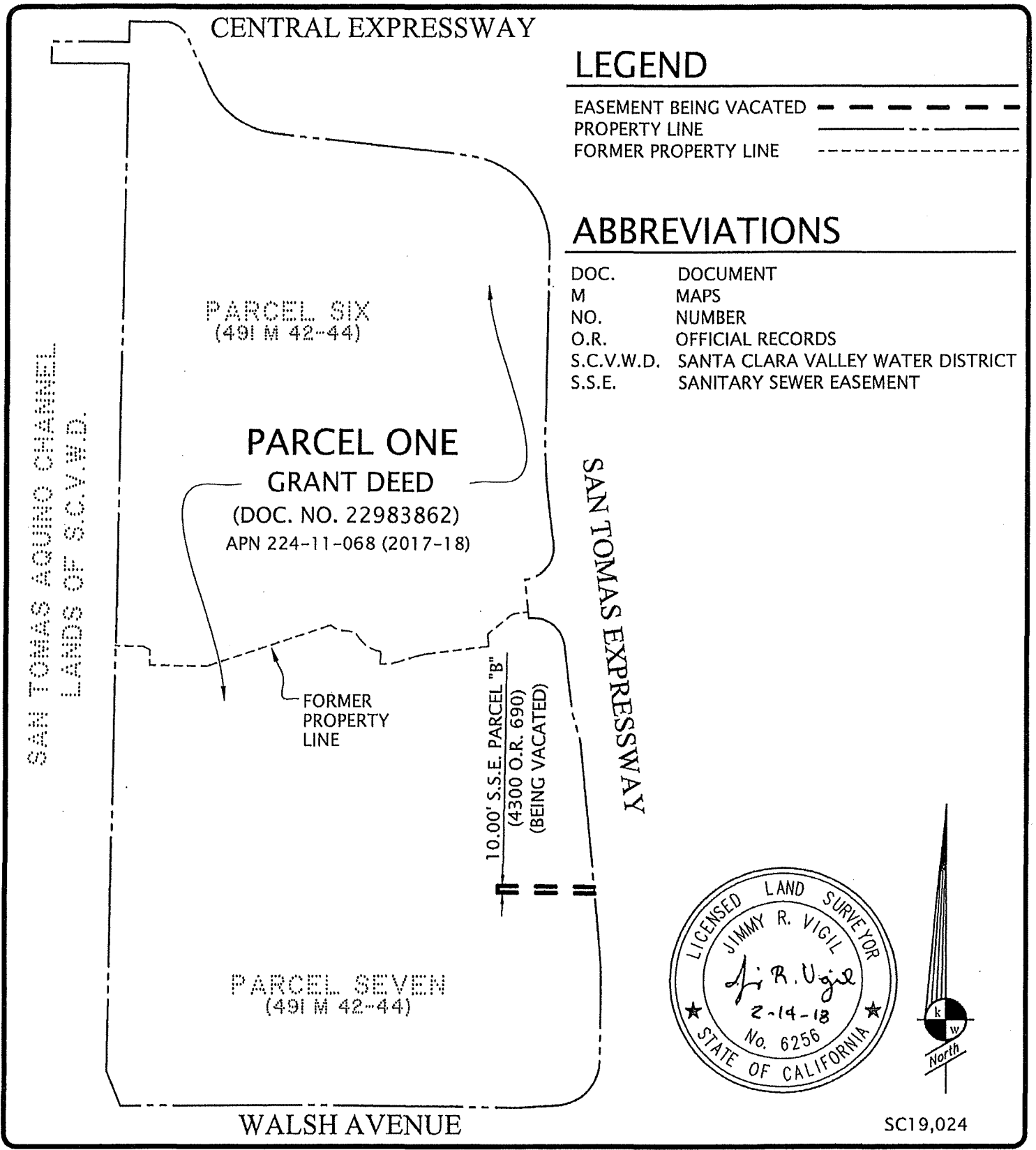
Legal Description prepared by Kier & Wright, Civil Engineers & Surveyors, Inc.


Date 2-14-18

  
Jimmy R. Vigil, L.S. 6256



SC19,024



PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR: SANITARY SEWER EASEMENT VACATION		DATE	FEB., 2018
		SCALE	1" = 200'
SANTA CLARA	CALIFORNIA	DR. BY	CJ
		JOB	A12065
		SHEET NO.	2 OF 2
 KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC. 3350 Scott Boulevard, Building 22 (408) 727 6665 Santa Clara, California 95054 fax (408) 727 5641			
		USER:cj\projos 2:\2012\A12065\DWG\SURVEY\PLAT\G-PLAT-SSMR-4300-GR-690-VACATION.dwg FEBRUARY 15, 2018 7:00 AM	

**EXHIBIT "F"**  
**LEGAL DESCRIPTION**  
**SANITARY SEWER EASEMENTS BEING VACATED**

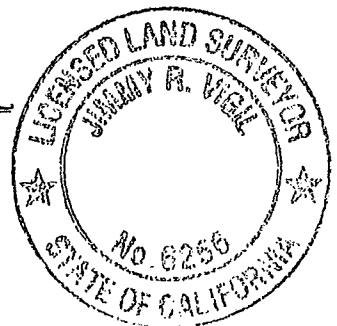
Those certain Sanitary Sewer Easements situate in the City of Santa Clara, County of Santa Clara, State of California as described as "Parcel One" and "Parcel Two", in that certain document recorded on April 22, 1983 in Book H494 at Page 445, Official Records of Santa Clara County.

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

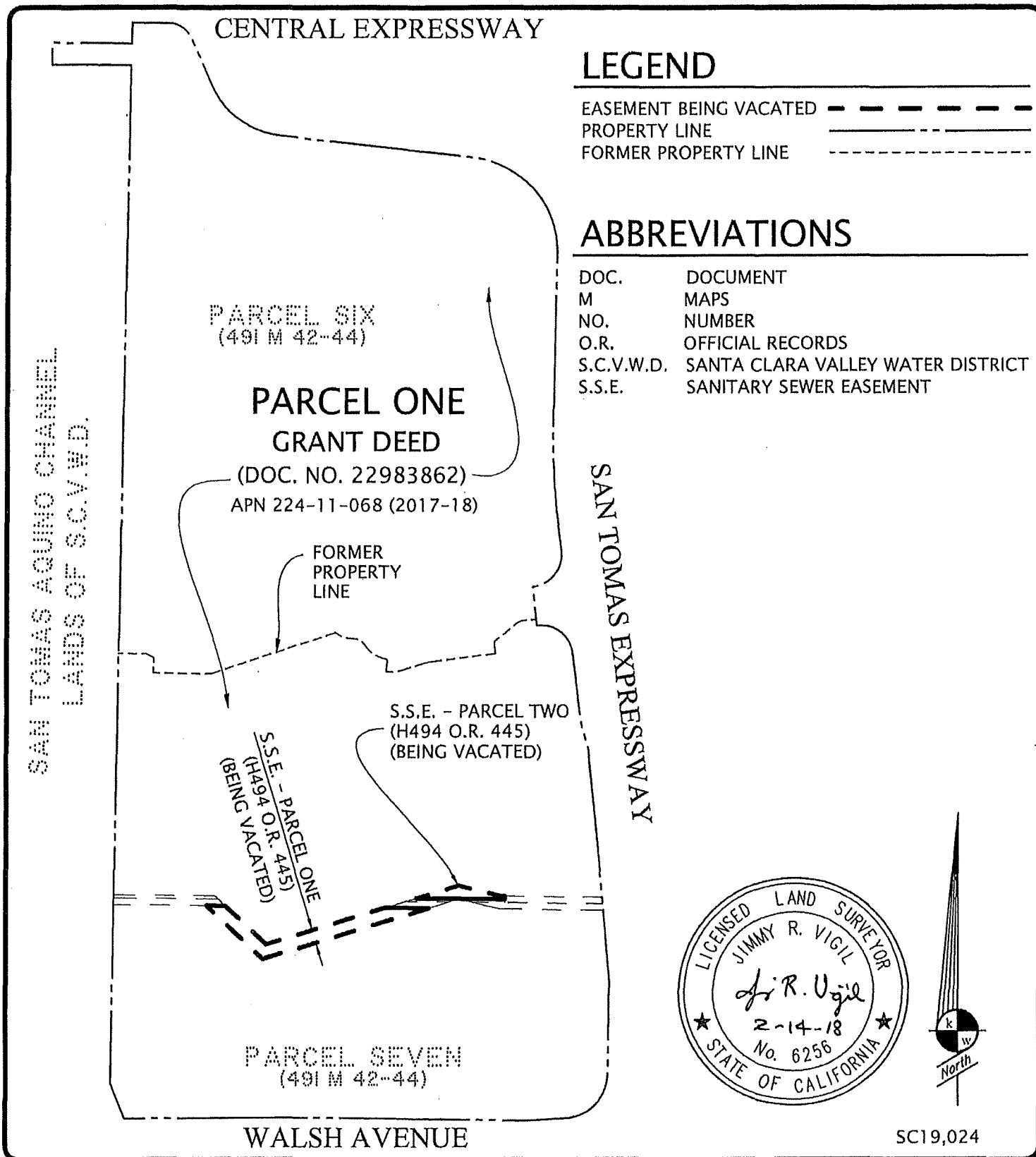
Legal Description prepared by Kier & Wright, Civil Engineers & Surveyors, Inc.

Date 2-14-18

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



SC19,024



PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR: SANITARY SEWER LINE EASEMENT VACATION		DATE	FEB., 2018	
		SCALE	1" = 200'	
SANTA CLARA	CALIFORNIA	DR. BY	CJ	
		JOB	A12065	
EXHIBIT "F"		SHEET NO.	2 OF 2	
		 KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC. 3350 Scott Boulevard, Building 22 (408) 727 6665 Santa Clara, California 95054 fax (408) 727 5641		
USER: c:\jmos 2:\2012\A12065\DWG\SURVEY\PLAT\C-PLAT-SSNR-H491-OR-445-VACADON.dwg FEBRUARY 15, 2018 2:07 AM				

**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)

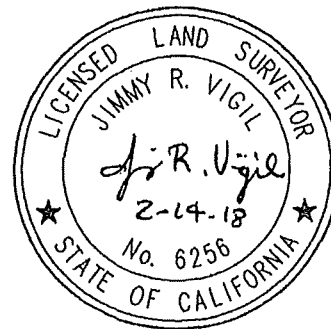
REMAINING PORTION  
 BEING VACATED

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

SANTA CLARA

CALIFORNIA

EXHIBIT "G"



**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 "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.

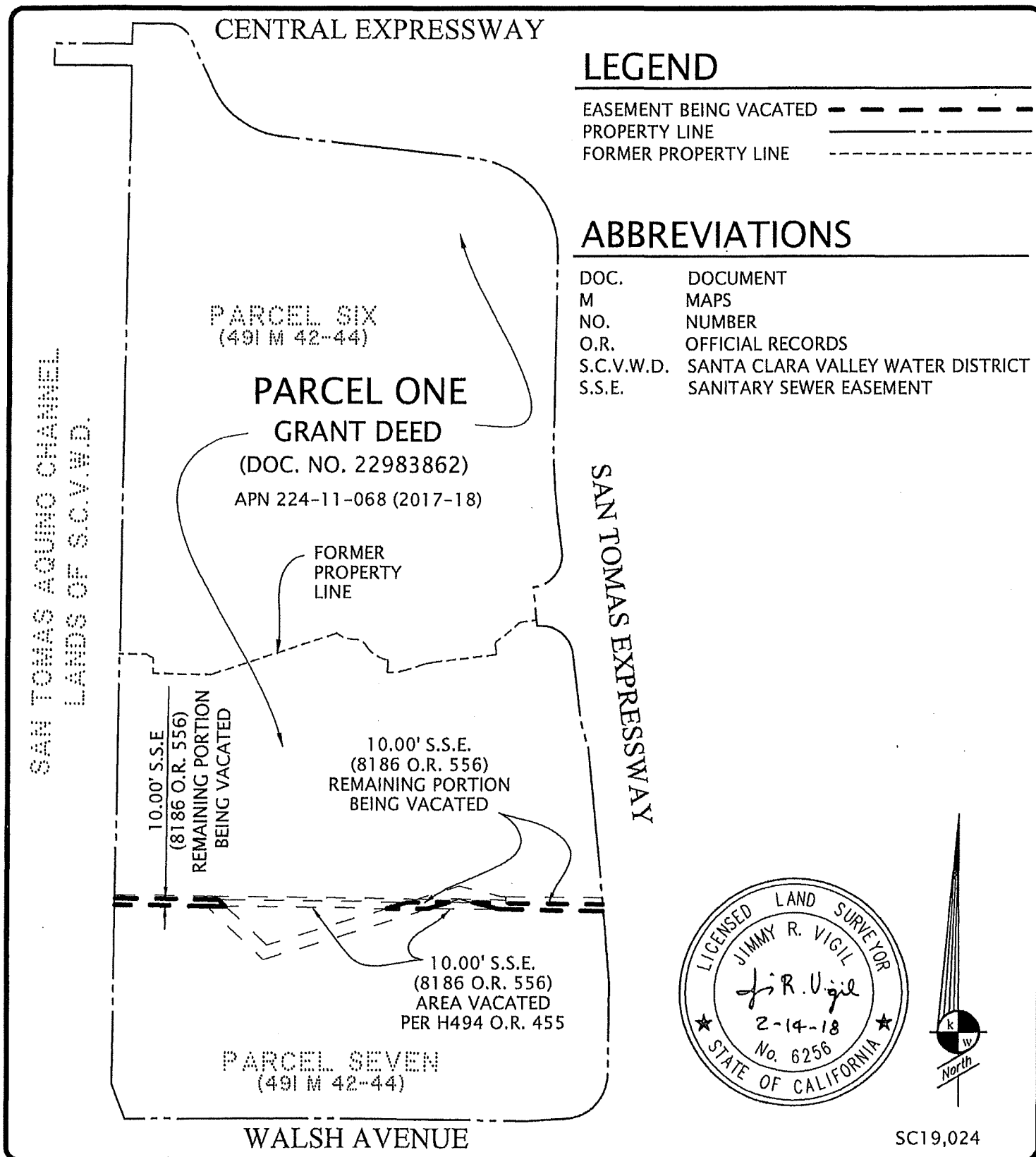
Date

2-14-18

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



SC19,024



<div>PLAT TO ACCOMPANY LEGAL DESCRIPTION</div> <div>FOR: SANITARY SEWER EASEMENT VACATION</div>		DATE	FEB., 2018
		SCALE	1" = 200'
SANTA CLARA	CALIFORNIA	DR. BY	CJ
		JOB	A12065
EXHIBIT "H"		<div><div><div><div>k</div><div>w</div></div><div></div></div><div>KIER &amp; WRIGHT</div><div>CIVIL ENGINEERS &amp; SURVEYORS, INC.</div><div>3350 Scott Boulevard, Building 22 (408) 727 6665</div><div>Santa Clara, California 95054 fax (408) 727 5641</div></div>	
SHEET NO.			2 OF 2
USER: cjunados Z:\2012\A12065\DWG\SURVEY\PLAT\C-PLAT-SSNR-0186-CR-SSG-VACATION.dwg FEBRUARY 15, 2018 7:30 AM			