

**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 A WATER
EASEMENT AT 5405 STEVENS CREEK BOULEVARD [APN
316-19-031 (2019-20)]**

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

WHEREAS, the City of Santa Clara currently possesses the Water 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.

(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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 That the Water Easement described in Exhibit A and shown on Exhibit B has been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easement.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 Water 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).

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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 _____, 2020, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST:

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Exhibits A and B

K:\Engineering\5-LPD\DOC\SC19241 Res vac WE.doc

EXHIBIT "A"
WATER LINE EASEMENT BEING VACATED
LEGAL DESCRIPTION

REAL PROPERTY SITUATED IN THE CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

ALL OF PARCEL B AS SAID PARCEL IS DESCRIBED BY THE GRANT OF EASEMENT TO THE CITY OF SANTA CLARA RECORDED MAY 22, 1969 IN BOOK 8543 AT PAGE 431 OF SANTA CLARA COUNTY OFFICIAL RECORDS.

CONTAINING AN AREA OF 4,726 SQUARE FEET, MORE OR LESS.

THE LAND DESCRIBED HEREON IS SHOWN ON THE ATTACHED PLAT, "EXHIBIT B" PLAT TO ACCOMPANY LEGAL DESCRIPTION AND IS BY REFERENCE MADE A PART THEREOF.

END OF DESCRIPTION

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION PURSUANT TO THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.



ROY HOLLOWELL, PLS 7811



11-18-19
DATE

GRAPHIC SCALE



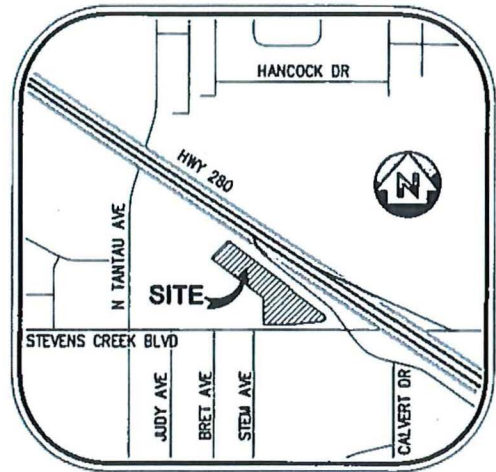
1 inch = 50 ft.



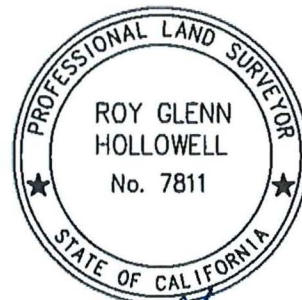
EXHIBIT B

LEGEND

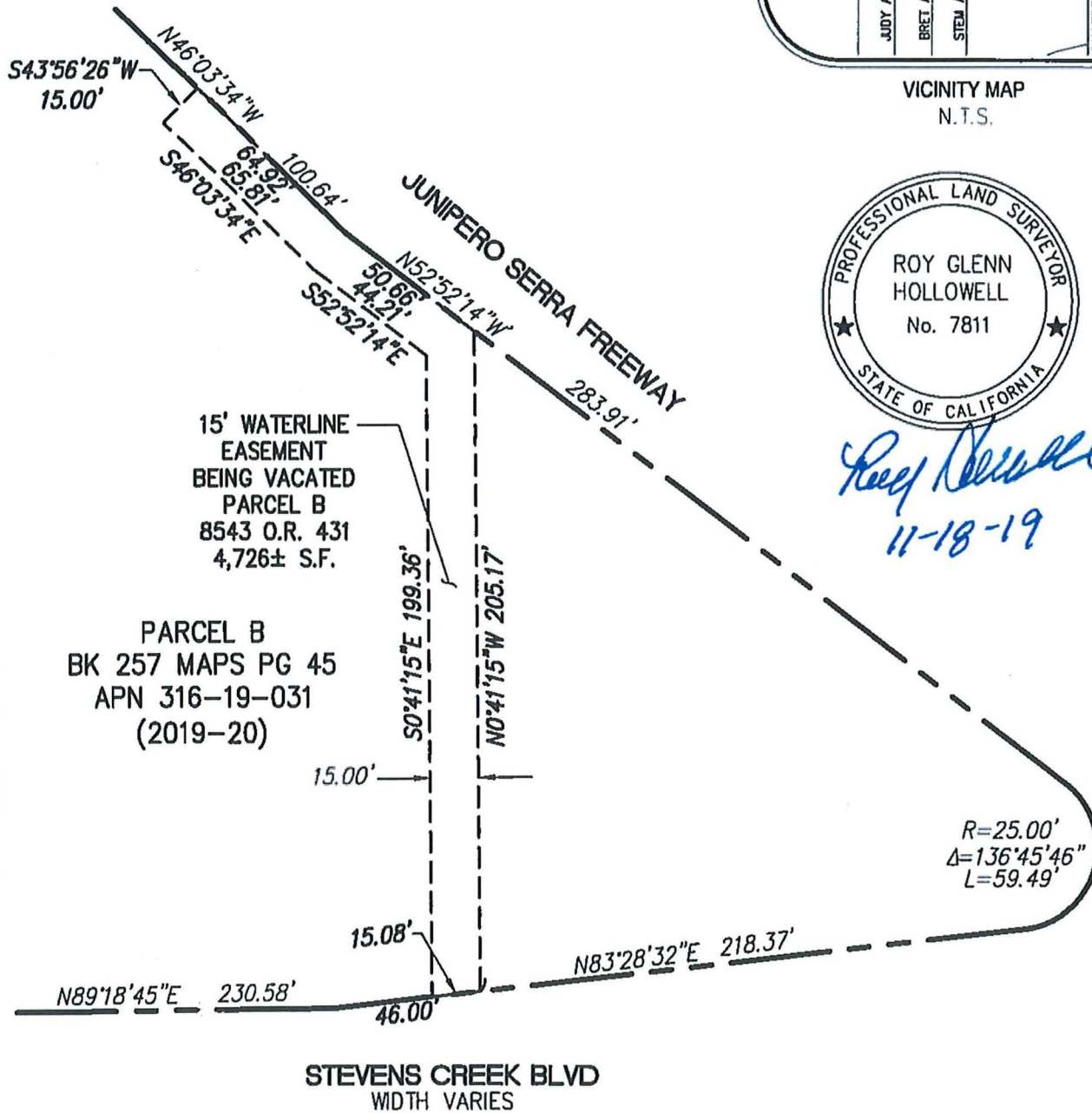
— — — — — PROPERTY LINE
- - - - - EASEMENT LINE



VICINITY MAP
N.T.S.



Roy Glenn Hollowell
11-18-19



SANDIS

CIVIL ENGINEERS
SURVEYORS
PLANNERS

1700 Winchester Boulevard, Campbell, CA 95008 | P 408.636.0900 | F 408.636.0999 | www.sandis.net

SILICON VALLEY TRI-VALLEY CENTRAL VALLEY SACRAMENTO EAST BAY/SF

DATE: 11/18/19
SCALE: 1"=50'
DRAWN BY: RH
APPROVED BY: CC
DRAWING NO: 215006

WATER LINE EASEMENT
VACATION
PARCEL B
257 MAPS 45

SANTA CLARA

CA

SHEET

1

OF 1 SHEETS

SC 19241