

25100825

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: 4

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. 21-8996

A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, ORDERING THE VACATION OF AN
UNDERGROUND ELECTRIC EASEMENT AND
EMERGENCY ACCESS EASEMENT AT 2905 Stender Way
[APN 216-29-108 (2021-22)]

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

WHEREAS, the City of Santa Clara currently possesses the Underground Electric Easement and Emergency Access Easement described in Exhibit A and shown on Exhibit B, which Exhibits are incorporated herein by reference. Said Easements were 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C. The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.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the Underground Electric Easement and Emergency Access Easement described in Exhibit A and shown on Exhibit B have been superseded by relocation, or determined to be excess by the easement holders, and there are no other public facilities located within the easement.

2. That the Underground Electric Easement and Emergency Access Easement described and shown in said Exhibits in the City are hereby vacated pursuant to California Streets and Highways Code Section 8333.

3. That the vacations hereby release 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 24TH 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



CHAPPELL SURVEYING INC.

Land Surveying • Subdivision Mapping
Topographic Mapping • ALTA Mapping
Laser Scanning • Aerial Mapping • GPS
Agricultural Mapping • GIS Mapping

EXHIBIT "A" LEGAL DESCRIPTION FOR: VACATION OF EASEMENTS

EASEMENT 1: Underground Electric Easement (U.G.E.E.)

All that certain real property situate in the City of Santa Clara, County of Santa Clara, State of California, being Parcel 3 of that certain Underground Electric Easement filed for record on May 6, 1974 as Instrument Number 4758785 in Book 0883 of Official Records, Page 35, Santa Clara County Records.

EASEMENT 2: Emergency Access Easement (E.A.E.)

All that certain real property situate in the City of Santa Clara, County of Santa Clara, State of California, being all that certain Emergency Access Easement as shown on the Parcel Map filed for record on October 2nd, 2008 in Book 827 of Maps, Pages 41-43, Santa Clara County Records.

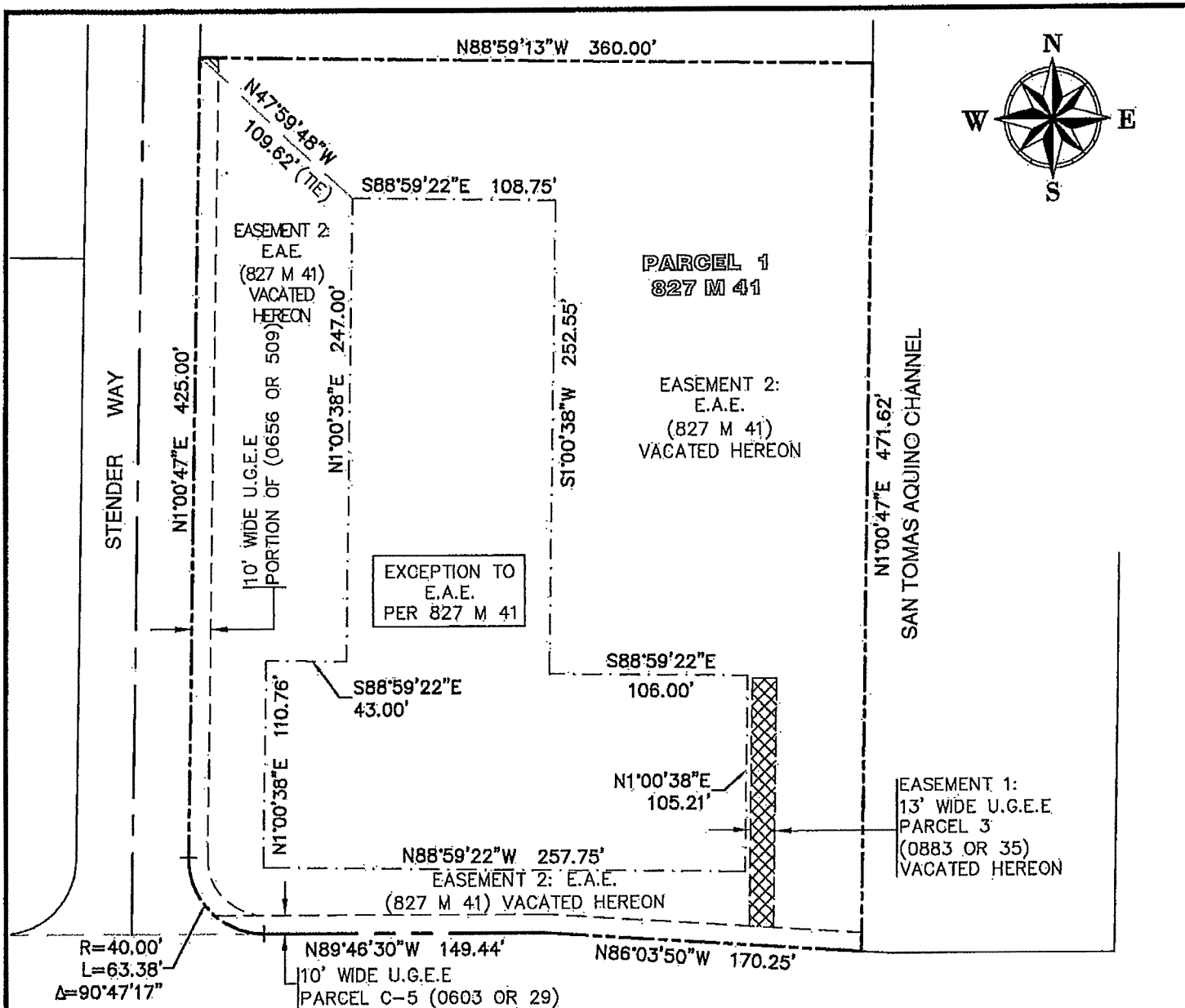
All the above-described Vacation of Easements are shown on EXHIBIT "B", SHEET 1 attached herby and by this reference made a part hereof.

This real property description was prepared by me or under my direction in conformance with the Professional Land Surveyors' Act.


Brett J. Chappell, PLS 7547

1-27-2021
Date





LEGEND

SUBJECT PROPERTY BOUNDARY

CENTERLINE

EMERGENCY ACCESS EASEMENT

UNDERGROUND ELECTRIC EASEMENT

PROPERTY LINE

E.A.E. EMERGENCY ACCESS EASEMENT

U.G.E.E. UNDERGROUND ELECTRIC EASEMENT

VACATION AREAS

EASEMENT: 1 PARCEL 3
INSTRUMENT NO 4758785
0883 OR 35

EASEMENT: 2

VACATED
EXCEPTION
HEREON

E.A.E.
(827 M 41)

SHEET 1 OF 1
SCALE: 1"=80'
DATE: 1/27/2021
PREPARED BY: BJC
Job. No.: 2020095

EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION

CITY OF SANTA CLARA

COUNTY OF SANTA CLARA

STATE OF CALIFORNIA



CHAPPELL
SURVEYING, INC.

147 N 1st Ave,
OAKDALE, CA 95361
PHONE: (209) 845 9694
WWW.CSI-OAKDALE.COM