

RESOLUTION NO. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA SUMMARILY VACATING PUBLIC UTILITY EASEMENTS FOR SANITARY SEWER ON EIGHT PARCELS, LOCATED ON 6044, 6200, 6300, 6350 CHANNEL DRIVE (APN(S) 031-050-057, 031-050-056, 031-050-055, 031-050-054), 0 MELITA ROAD (APN 031-061-003), 400, 410 AND 415 ELNOKA LANE (APN(S) 031-050-019, 031-050-018, 031-050-064), ASSOCIATED WITH THE OAKMONT TRUNK SEWER RELOCATION PROJECT, CONTRACT NO. C00057

WHEREAS, pursuant to Section 8333 of the Streets and Highways Code, the City may summarily vacate public service easements which have been superseded by relocation; and

WHEREAS, the public utility easements for a sanitary sewer on eight parcels, located on 6044, 6200, 6300, 6350 Channel Drive, 0 Melita Road (APN 031061003), 400, 410 and 415 Elnoka Lane, the specific locations of which are set forth in Exhibits A, B, C, D, E, F, G and H attached hereto and made part hereof, have been superseded by relocation, by the recordation of new public easements; and

WHEREAS, no additional public utility facilities or public service easements are located within the easement areas to be vacated.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa finds that:

1. These vacations are made pursuant to Section 8333 of the Streets and Highways Code. The easements have been superseded by relocation and there are no other public facilities located within the easement areas to be vacated.

BE IT FURTHER RESOLVED that the City Council approves the vacation of the public utility easements for sanitary sewer on eight parcels, located at 6044, 6200, 6300, 6350 Channel Drive (APN(S) 031-050-057, 031-050-056, 031-050-055, 031-050-054), 0 Melita Road (APN 031-061-003), 400, 410 and 415 Elnoka Lane (APN(S) 031-050-019, 031-050-018, 031-050-064).

BE IT FURTHER RESOLVED, based on these findings, that from and after the date this resolution is recorded, the above described public utility easements for sanitary sewer are hereby vacated and shall no longer constitute public easements.

BE IT FURTHER RESOLVED that the Council hereby authorizes the Mayor to execute quitclaim deeds evidencing the vacations set forth herein in favor of the underlying property owners.

BE IT FURTHER RESOLVED, that the Transportation and Public Works Department is hereby directed to record a certified copy of this resolution in the Office of the County Recorder.

IN COUNCIL DULY PASSED this _____ day of _____, 2013.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

City Attorney

Attachments:

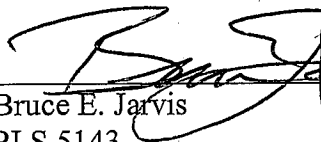
- Exhibits A, B, C, D, E, F, G and H – Legal Descriptions of Easement Areas to be Vacated

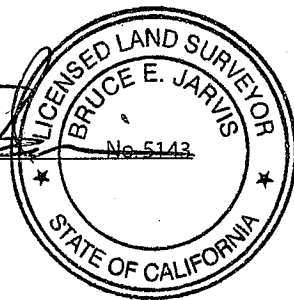
EXHIBIT A
PUBLIC SANITARY SEWER EASEMENT VACATION
LEGAL DESCRIPTION
LANDS OF SMITH

All that portion of that certain 10-foot-wide public sanitary sewer easement granted to the City of Santa Rosa in the deed recorded August 30, 1965 in Book 2152 of Official Records, Pages 430 and 431, Sonoma County Records, lying within the lands of Smith as described in the deed recorded May 10, 2007 under Document Number 2007-054028, Official Records of Sonoma County, and easterly of the easterly line of that certain easement granted by Gregory and Judy Smith, Tr. to the City of Santa Rosa in the deed recorded September 1, 2011 under Document Number 2011-075038, Official Records of Sonoma County.

APN 031-050-057 (ptn).

This description prepared by Carlile•Macy.

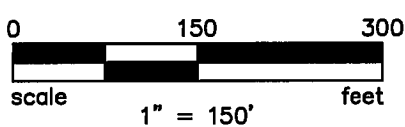
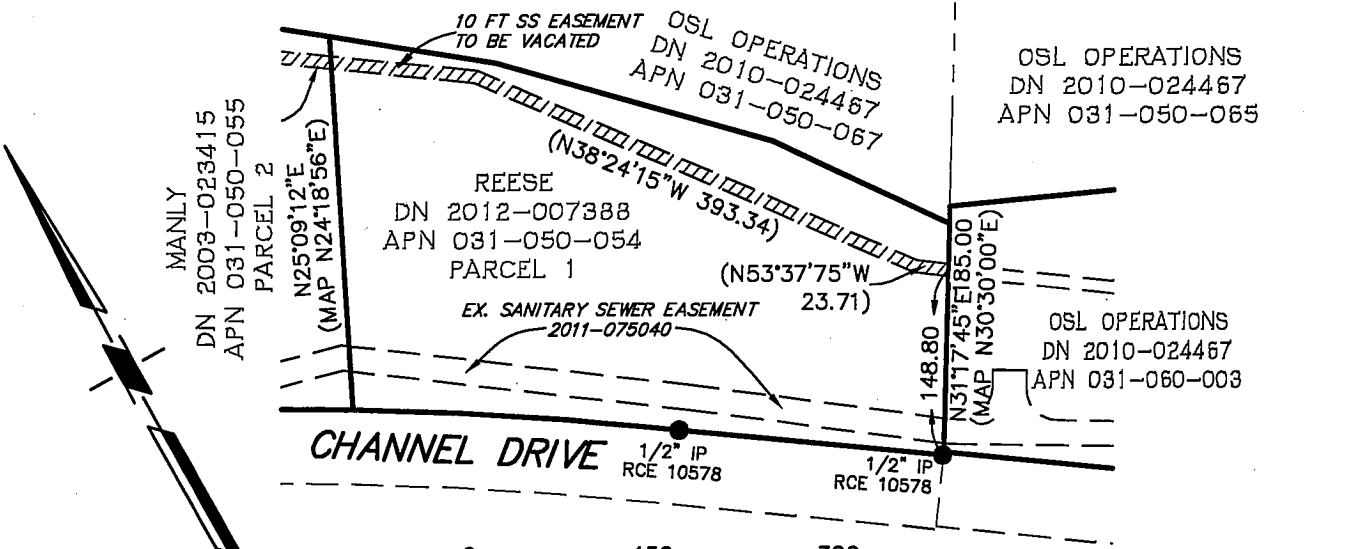
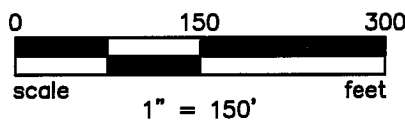
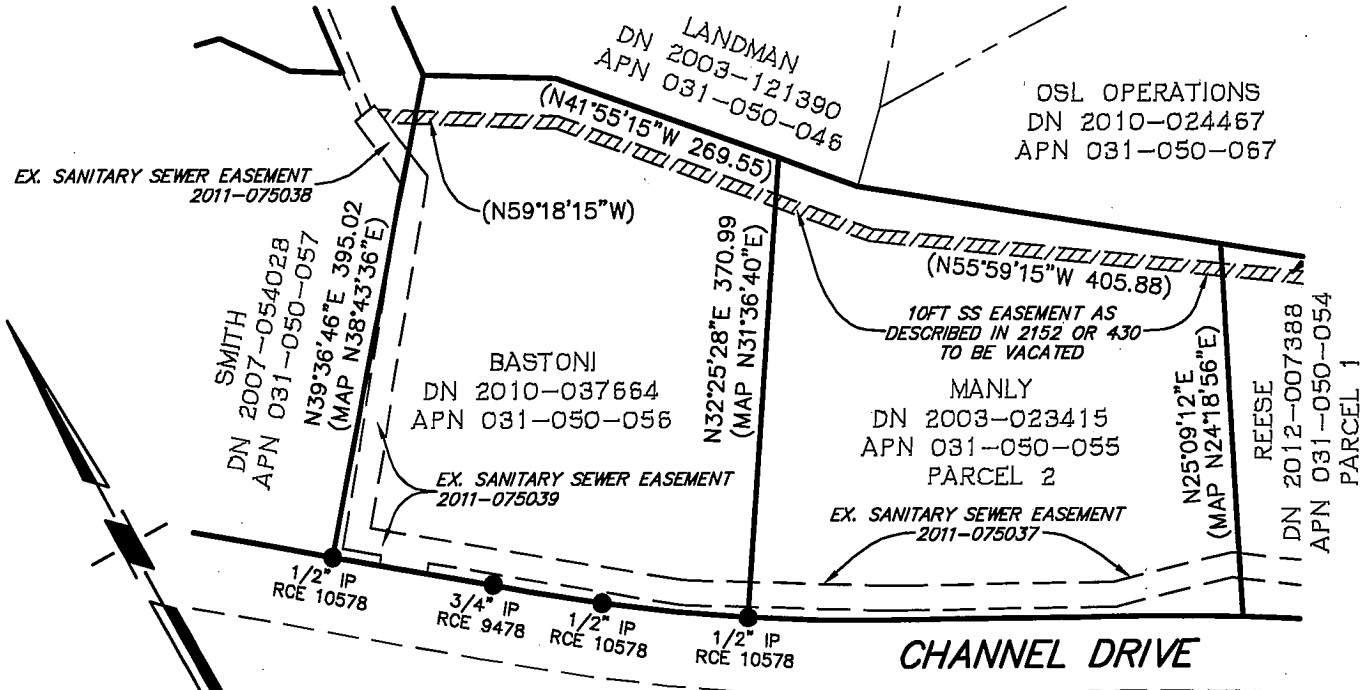

Bruce E. Jarvis
PLS 5143



05/29/2013
Date

END OF DESCRIPTION

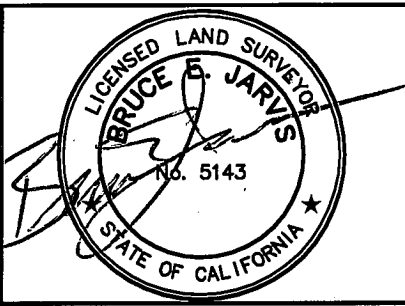
EXHIBIT 'A'



THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY, ANY ERRORS OR OMISSIONS SHALL NOT AFFECT THE DEED DESCRIPTION

AutoCAD file name: 01065-A-ESMT-VAC-OSL-054-056.dwg [Xref files: 01065AD-BNDY; 01065AD-HC]

OWNER AND MAILING ADDRESS	
GREGORY AND JUDY SMITH, KENNETH AND CYNTHIA REESE, BRIAN MANLY, & ROBERT BASTONI	
A.P. No.	031-050-054,055,056,057
O.R. No.	2007-054028, 2010-037664
O.R. No.	2003-023415, 2012-007388



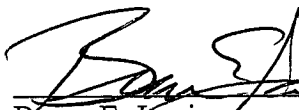
CITY OF SANTA ROSA		
VACATION OF SANITARY SEWER EASEMENT CITY OF SANTA ROSA		
Scale: 1"=150'	Date: 05/29/13	
DWN. CHK.	APPROVED <i>Robert Johnson</i>	FILE NO. R-5289

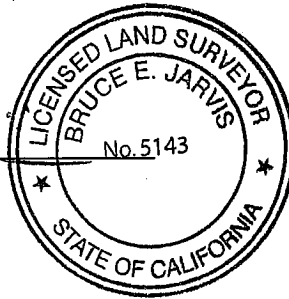
EXHIBIT B
PUBLIC SANITARY SEWER EASEMENT VACATION
LEGAL DESCRIPTION
LANDS OF BASTONI

All those portions of that certain 10-foot-wide public sanitary sewer easement granted to the City of Santa Rosa in the deed recorded August 30, 1965 in Book 2152 of Official Records, Pages 430 and 431, Sonoma County Records, lying within the lands of Bastoni as described in the deed recorded May 05, 2010 under Document Number 2010-037664, Official Records of Sonoma County.

APN 031-050-056 (ptn).

This description prepared by Carlile • Macy.

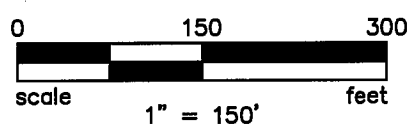
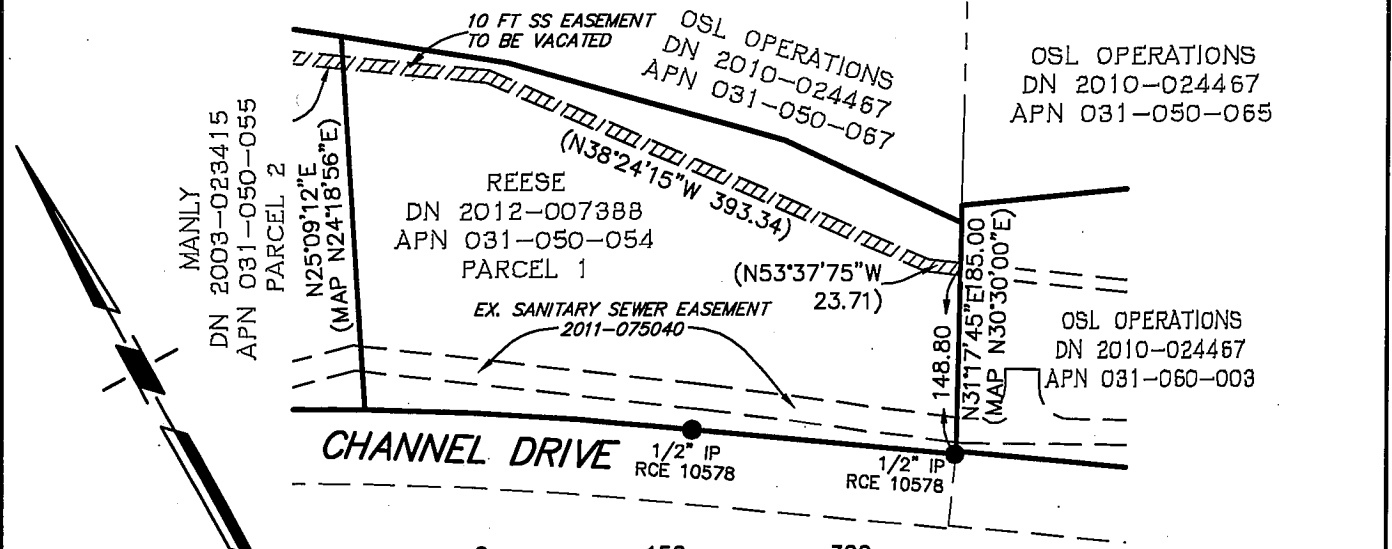
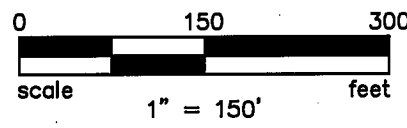
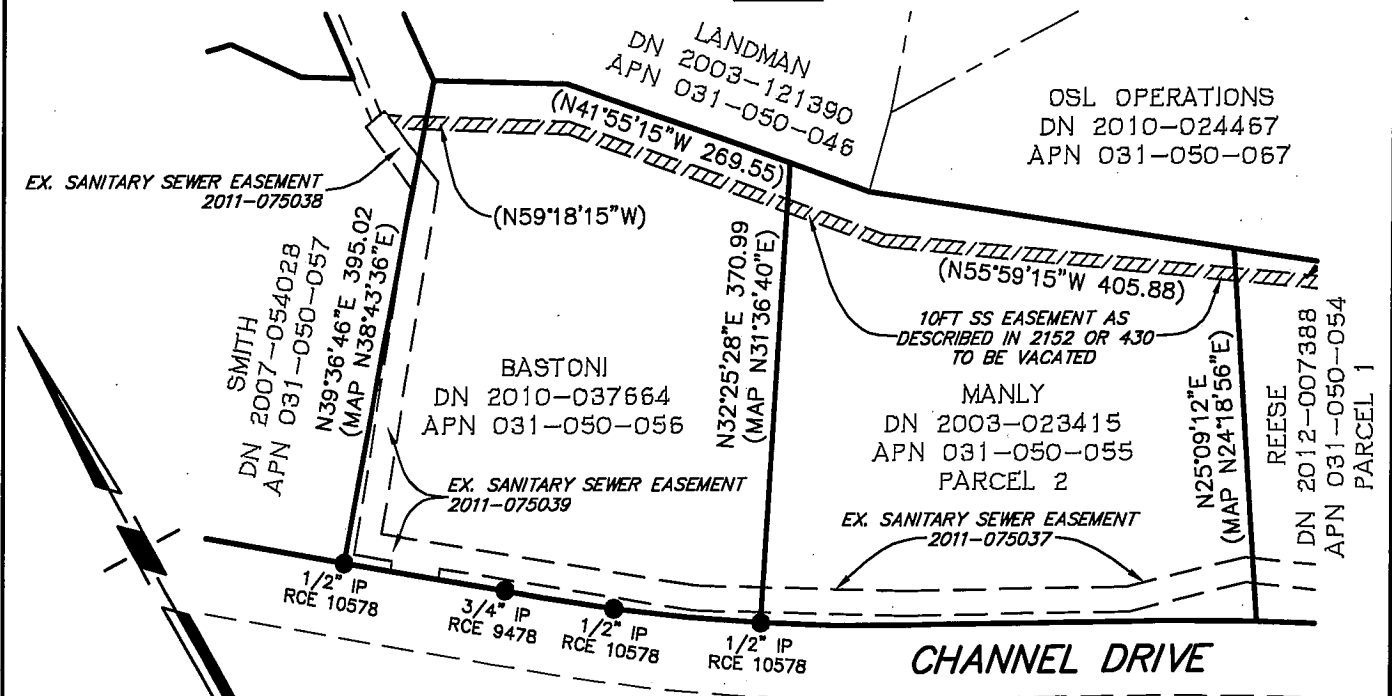

Bruce E. Jarvis
PLS 5143



05/29/2013
Date

END OF DESCRIPTION

EXHIBIT 'B'



THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY, ANY ERRORS OR OMISSIONS SHALL NOT AFFECT THE DEED DESCRIPTION

MapCAD file name: 01055-A-ESMT-VAC-054-055-056.dwg [Xref files: 01055A0-HC]


OWNER AND MAILING ADDRESS GREGORY AND JUDY SMITH, KENNETH AND CYNTHIA REESE, BRIAN MANLY, & ROBERT BASTONI			CITY OF SANTA ROSA	
A.P. No. <u>031-050-054,055,056,057</u> O.R. No. <u>2007-054028, 2010-037664</u> O.R. No. <u>2003-023415, 2012-007388</u>			VACATION OF SANITARY SEWER EASEMENT CITY OF SANTA ROSA	
			Scale: 1"=150' Date: 05/29/13	
		DWN. CHK.	APPROVED <i>A. Colleen Ferguson</i>	FILE NO. R- 5291

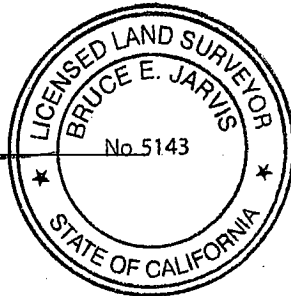
EXHIBIT C
PUBLIC SANITARY SEWER EASEMENT VACATION
LEGAL DESCRIPTION
LANDS OF MANLY

All those portions of that certain 10-foot-wide public sanitary sewer easement granted to the City of Santa Rosa in the deed recorded August 30, 1965 in Book 2152 of Official Records, Pages 430 and 431, Sonoma County Records, lying within the lands of Manly as described in the deed recorded February 5, 2003 under Document Number 2003-023415, Official Records of Sonoma County.

APN 031-050-055.

This description prepared by Carlile • Macy.

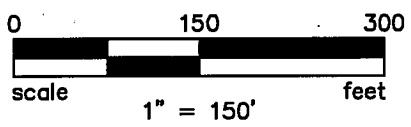
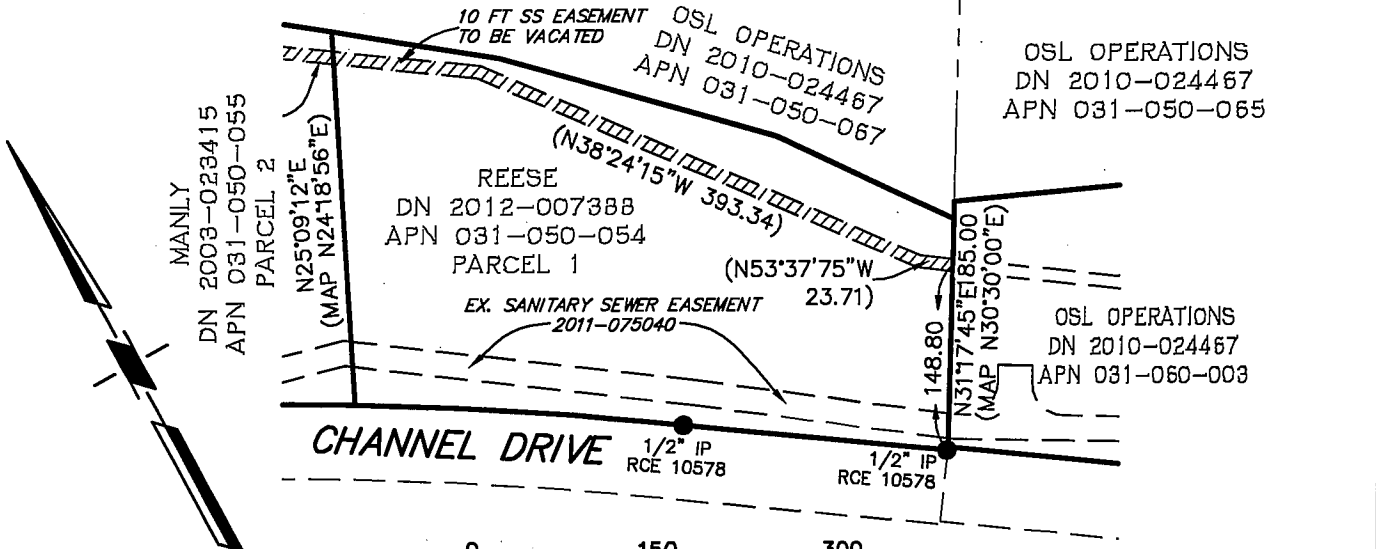
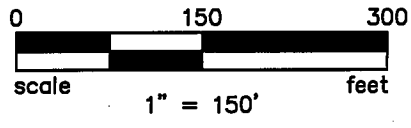
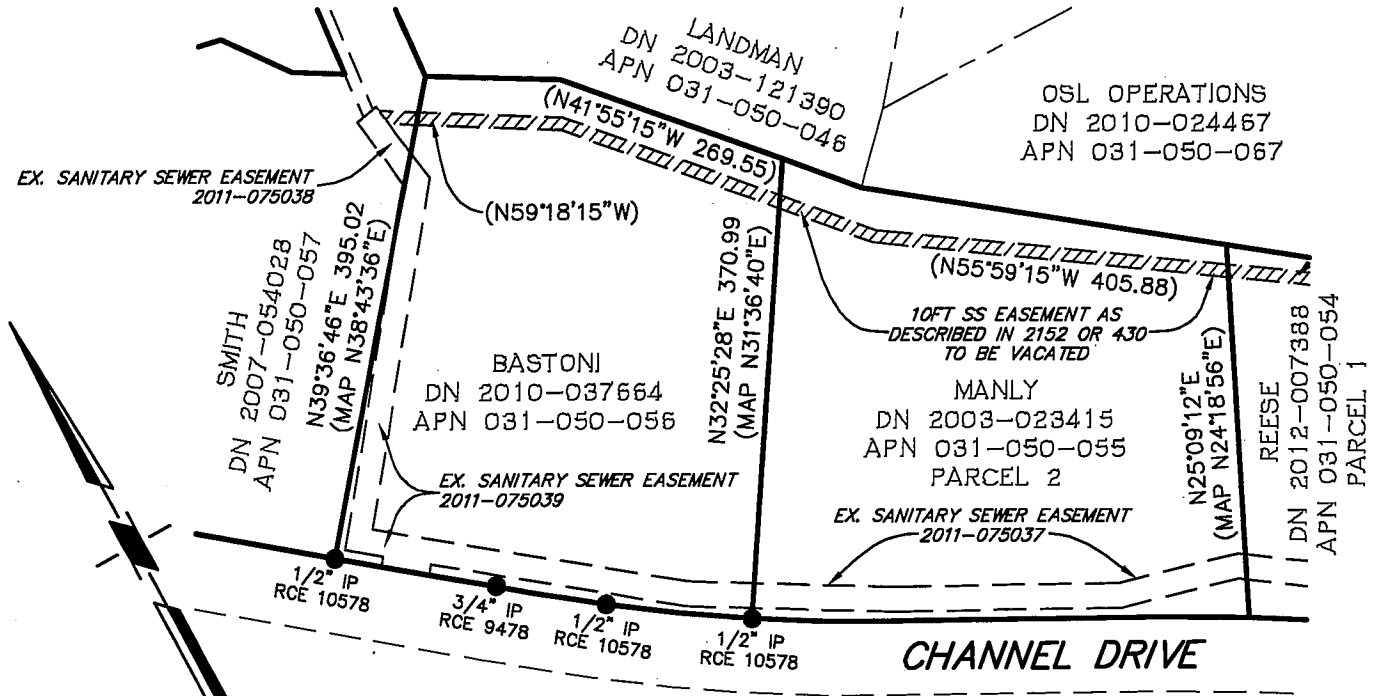

Bruce E. Jarvis
PLS 5143




Date

END OF DESCRIPTION

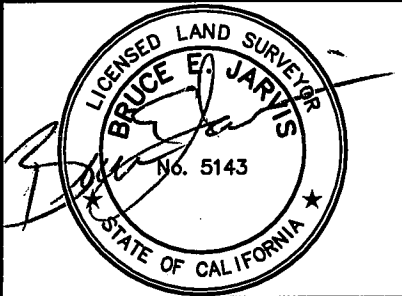
EXHIBIT "C"



THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY, ANY ERRORS OR OMISSIONS SHALL NOT AFFECT THE DEED DESCRIPTION

AutoCAD file name: 01065-A-ESMT-VAC-054-055,056,057 [Xref files: 01065A0-INDY; 01065A0-HC]

OWNER AND MAILING ADDRESS	
GREGORY AND JUDY SMITH, KENNETH AND CYNTHIA REESE, BRIAN MANLY, & ROBERT BASTONI	
A.P. No.	031-050-054,055,056,057
O.R. No.	2007-054028, 2010-037664
O.R. No.	2003-023415, 2012-007388



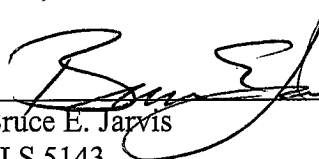
CITY OF SANTA ROSA		
VACATION OF SANITARY SEWER EASEMENT CITY OF SANTA ROSA		
Scale: 1"=150'	Date: 05/29/13	
DWN. CHK.	APPROVED <i>A. Pollock</i>	FILE NO. R- 5292

EXHIBIT D
PUBLIC SANITARY SEWER EASEMENT VACATION
LEGAL DESCRIPTION
LANDS OF REESE

All those portions of that certain 10-foot-wide public sanitary sewer easement granted to the City of Santa Rosa in the deed recorded August 30, 1965 in Book 2152 of Official Records, Pages 430 and 431, Sonoma County Records, lying within the lands of Reese as described in the deed recorded January 24, 2012 under Document Number 2012-007388, Official Records of Sonoma County.

APN 031-050-054 (ptn).

This description prepared by Carlile • Macy.

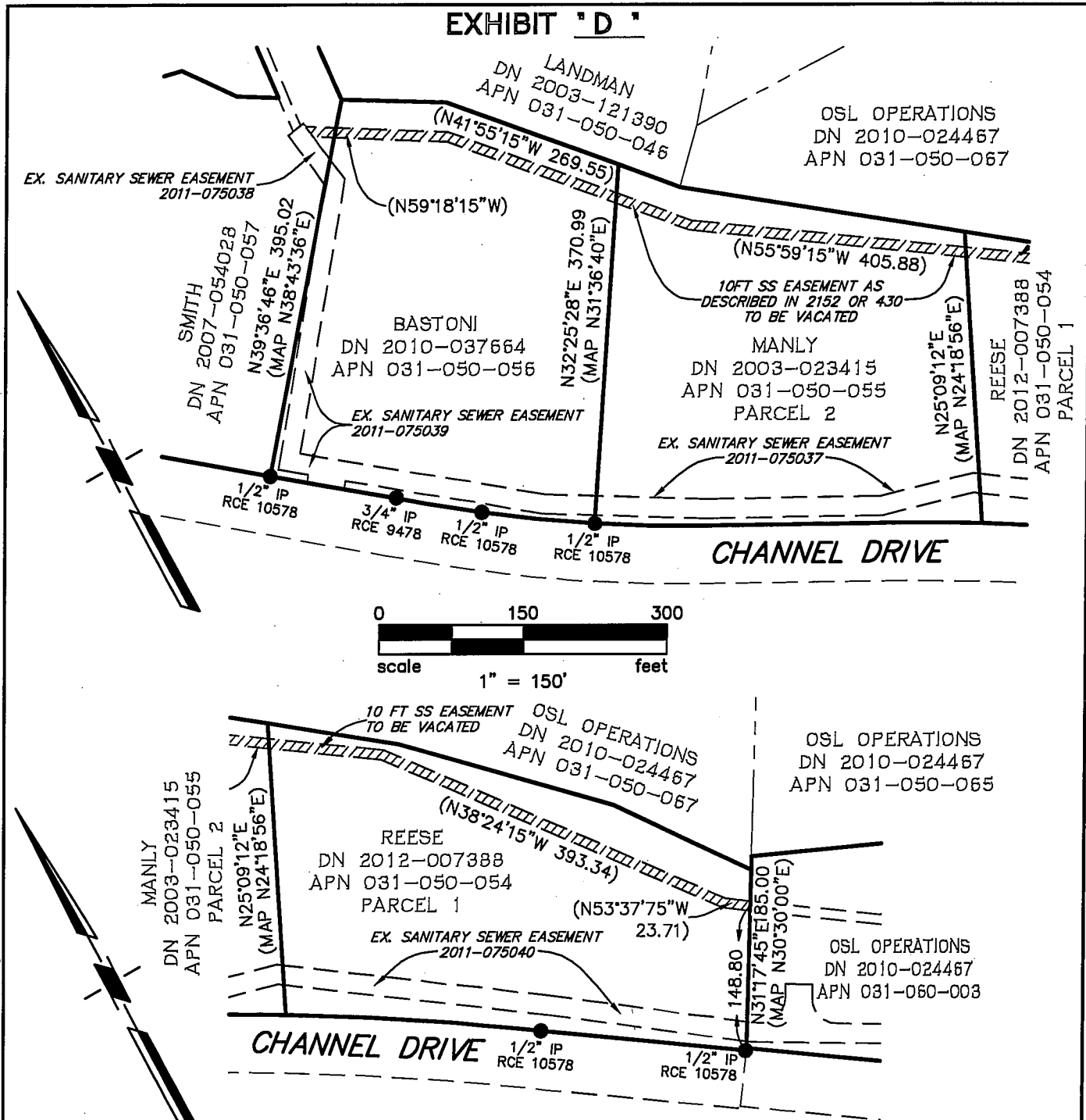

Bruce E. Jarvis
PLS 5143



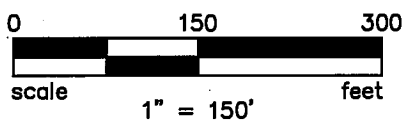
05/29/2013
Date

END OF DESCRIPTION

EXHIBIT "D"



THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY, ANY ERRORS OR OMISSIONS SHALL NOT AFFECT THE DEED DESCRIPTION



[AutoCAD file name: 01065-A-ESMT-VAC-OSL-054-055-056.dwg] [Xref files: 01065A0-BNDY; 01065A0-HC]

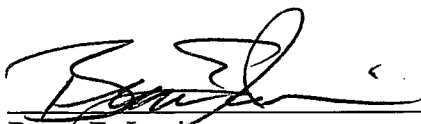
OWNER AND MAILING ADDRESS			CITY OF SANTA ROSA		
GREGORY AND JUDY SMITH, KENNETH AND CYNTHIA REESE, BRIAN MANLY, & ROBERT BASTONI			VACATION OF SANITARY SEWER EASEMENT CITY OF SANTA ROSA		
A.P. No. <u>031-050-054,055,056,057</u>			Scale: 1"=150'	Date: 05/29/13	
O.R. No. <u>2007-054028, 2010-037664</u>			DWN. CHK.	APPROVED 	FILE NO. R- 5293
O.R. No. <u>2003-023415, 2012-007388</u>					

EXHIBIT E
PUBLIC SANITARY SEWER EASEMENT VACATION
LEGAL DESCRIPTION
LANDS OF OSL SANTA ROSA PROJECTS LLC

All those portions of that certain 10-foot-wide public sanitary sewer easement granted to the City of Santa Rosa in the deed recorded May 15, 1967 in Book 2268 of Official Records, Pages 468 and 469, Sonoma County Records, lying within Parcel Five of the lands of OSL Santa Rosa Projects LLC described in the deed recorded June 16, 2011 under Document Number 2011-051094, Official Records of Sonoma County.

APN 031-061-003.

This description prepared by Carlile • Macy.


Bruce E. Jarvis
PLS 5143



07/08/2013
Date

END OF DESCRIPTION

EXHIBIT 'E'

OSL S.R. PROJ.LLC
DN 2010-024467
APN 031-050-067

OSL S.R. PROJ.LLC
DN 2010-024467
APN 031-050-067

OSL S.R. PROJ.LLC
DN 2010-024467
APN 031-050-067

RECORD OF SURVEY
470 MAPS 20

(S53°37'25"E 114.05)

(S75°50'30"E)

EX. 10 FT SANITARY SEWER EASEMENT
2268 OR 468 TO BE VACATED

OSL SANTA ROSA PROJ. LLC
DN 2011-051094 (PARCEL FIVE)
APN 031-061-003

EX. SANITARY SEWER EASEMENT
2012-022695

N30°40'50"E 268.03
(DEED S30°53'32"W 272.45)

REESE
DN 2009-005668
APN 031-050-054
PARCEL 1
N31°17'45"E
(MAP S30°30'00"W)
148.80

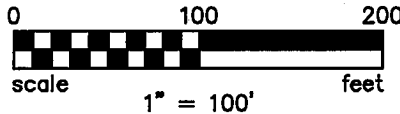
1/2" IP
RCE 10578

S55°19'40"E 359.67
(DEED N55°19'38"W 359.52)

CHANNEL DRIVE

AutoCAD file name: 01065-A-ESMT-VAC-OSL-003.dwg [Xref files: 01065A0-BNDY; 01065A0-HC]

THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY, ANY ERRORS OR OMISSIONS SHALL NOT AFFECT THE DEED DESCRIPTION



AUTHORITY: SUBDIVISION

CITY OF SANTA ROSA

VACATION OF SANITARY SEWER EASEMENT
CITY OF SANTA ROSA

Scale: 1"=100' | Date: 05/29/13

DWN.	APPROVED	FILE NO.
CHK.	<i>[Signature]</i>	R- 5294

OWNER AND MAILING ADDRESS	
OSL SANTA ROSA PROJECTS LLC 220 CONCOURSE BLVD SANTA ROSA, CA. 95409	
A.P. No.	031-061-003
O.R. No.	2011-051094
O.R. No.	

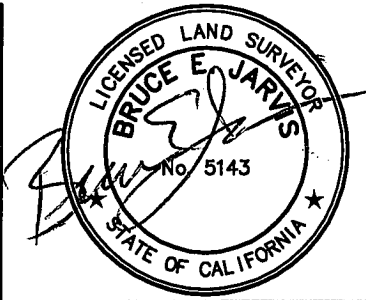
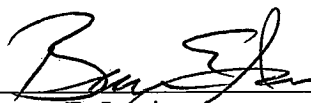


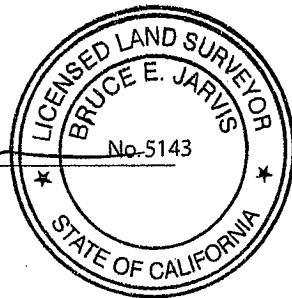
EXHIBIT F
PUBLIC SANITARY SEWER EASEMENT VACATION
LEGAL DESCRIPTION
LANDS OF OSL SANTA ROSA PROJECTS LLC

All those portions of that certain 10-foot-wide public sanitary sewer easement described as Parcel No. 4 in the Notice of Lis Pendens recorded on May 29, 1967 in Book 2271 of Official Records, Pages 67 through 69, inclusive, Sonoma County Records and as Parcel No. 4 in Release and Dismissal of Lis Pendens recorded March 16, 1978 in Book 3366 of Official Records, Pages 698 through 700, inclusive, Sonoma County Records, lying within Parcel Two of the lands of OSL Santa Rosa Projects LLC as described in the deed recorded June 16, 2011 under Document Number 2011-051094, Official Records of Sonoma County.

APN 031-050-019.

This description prepared by Carlile • Macy.

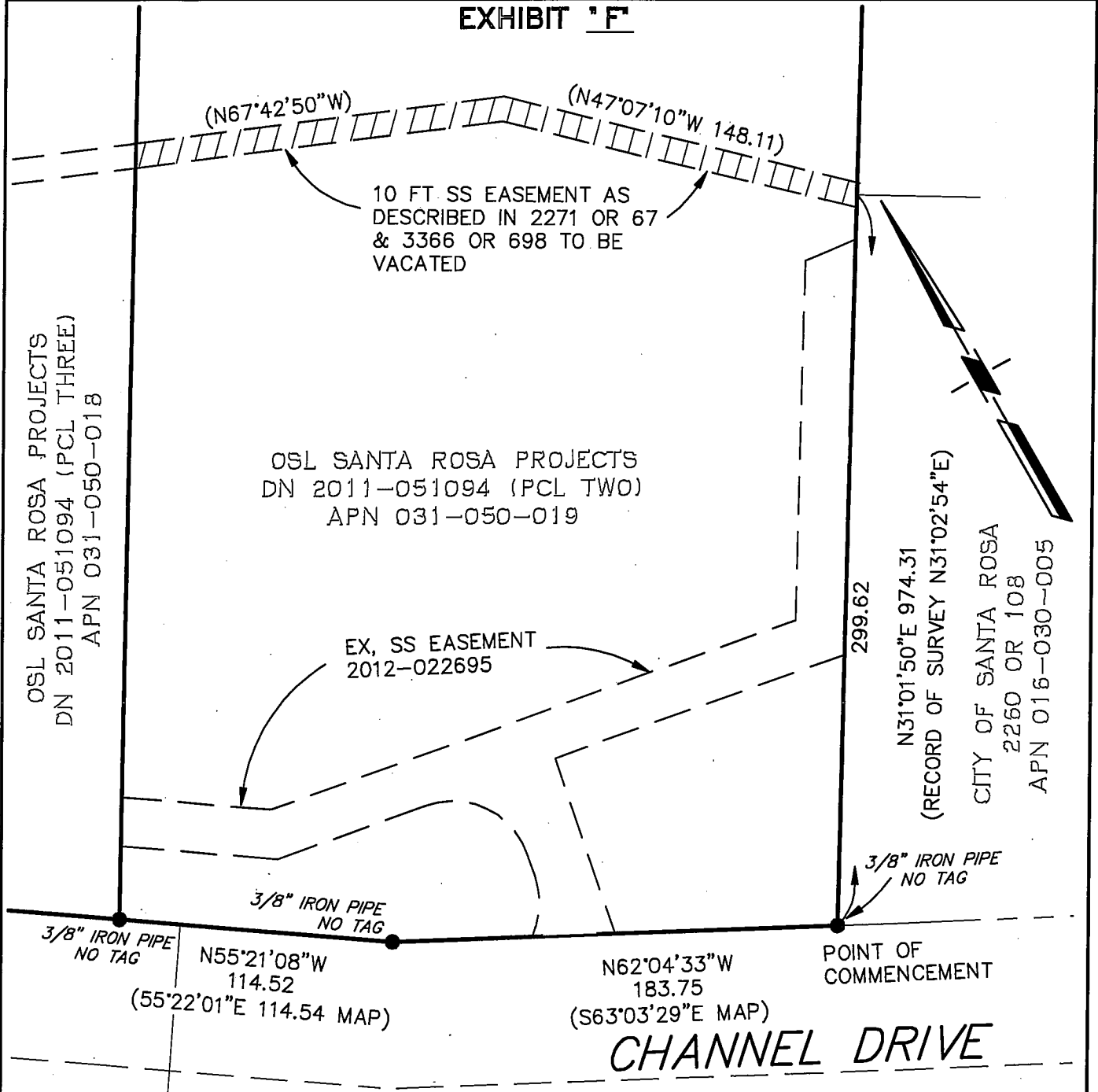

Bruce E. Jarvis
PLS 5143




Date

END OF DESCRIPTION

EXHIBIT 'F'



OSL SANTA ROSA PROJECTS
DN 2011-051094 (PCL THREE)
APN 031-050-018

OSL SANTA ROSA PROJECTS
DN 2011-051094 (PCL TWO)
APN 031-050-019

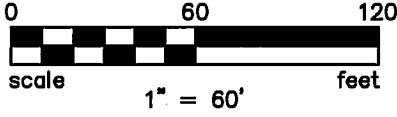
CITY OF SANTA ROSA
2260 OR 108
APN 016-030-005
N31°01'50"E 974.31
(RECORD OF SURVEY N31°02'54"E)

3/8" IRON PIPE NO TAG
N55°21'08"W 114.52
(55°22'01"E 114.54 MAP)

POINT OF COMMENCEMENT
N62°04'33"W 183.75
(S63°03'29"E MAP)

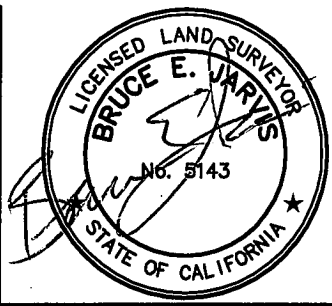
CHANNEL DRIVE

THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY, ANY ERRORS OR OMISSIONS SHALL NOT AFFECT THE DEED DESCRIPTION



AutoCAD file name: 01065-A-ESMT-VAC-05-019.dwg [Xref files: 01065AD-BNDY]

OWNER AND MAILING ADDRESS	
OSL SANTA ROSA PROJECTS 220 CONCOURSE BLVD SANTA ROSA, CA. 95409	
A.P. No.	031-050-019
O.R. No.	2001-051094
O.R. No.	



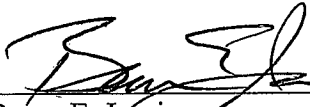
CITY OF SANTA ROSA	
VACATION OF SANITARY SEWER EASEMENT CITY OF SANTA ROSA	
Scale: 1"=60'	Date: 05/29/13
DWN. CHK.	APPROVED <i>A. Colleen Ferguson</i>
FILE NO. R-5295	

EXHIBIT G
PUBLIC SANITARY SEWER EASEMENT VACATION
LEGAL DESCRIPTION
LANDS OF OSL SANTA ROSA PROJECTS LLC

All those portions of that certain 10-foot-wide public sanitary sewer easement as described as Parcel No. 3 in the Notice of Lis Pendens recorded on May 29, 1967 in Book 2271 of Official Records, Pages 67 through 69, inclusive, Sonoma County Records and as Parcel No. 3 in Release and Dismissal of Lis Pendens recorded March 16, 1978 in Book 3366 of Official Records, Pages 698 through 700, inclusive, Sonoma County Records, lying within Parcel Three of the lands of OSL Santa Rosa Projects LLC as described in the deed recorded June 16, 2011 under Document Number 2011-051094, Official Records of Sonoma County.

APN 031-050-018.

This description prepared by Carlile•Macy.


Bruce E. Jarvis
PLS 5143




Date

END OF DESCRIPTION

EXHIBIT 'G'

OSL SANTA ROSA
PROJECTS
DN 2010-024467
(PCL TWO)
APN 031-050-019

RECORD OF SURVEY
470 MAPS 20

S30°52'40"W
912.62
(DEED N30°53'32"E, 913.52)

10 FT SS EASEMENT AS
DESCRIBED IN 2271 OR 67
& 3366 OR 698 TO BE
VACATED

(S67°42'50"E)
(S58°51'15"E 9.50)

OSL SANTA ROSA
PROJECTSA
DN 2011-051094
(PCL FOUR)
APN 031-050-064

OSL SANTA ROSA
PROJECTS
DN 2011-051094
(PCL THREE)
APN 031-050-018

S30°52'40"W
944.44
(DEED S30°53'25"W 945.47)

252.15

EX. SS EASEMENT
2012-022695

3/8" IRON PIPE
NO TAG

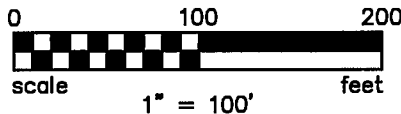
S55°19'38"E 302.32 (DEED 302.35)
(55°19'01"E MAP)

S55°21'08"E
114.52
(55°22'01"E 114.54 MAP)

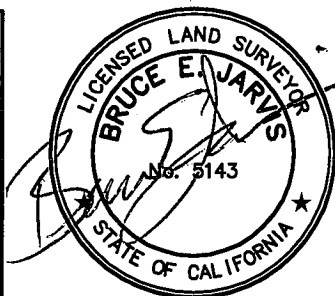
CHANNEL DRIVE

[AutoCAD file name: 01065-A-ESMT-WAC-OSL-018.dwg] [Xref files: 01065A0-BNDY, 01065A0-HC]

THIS EXHIBIT IS FOR GRAPHIC
PURPOSES ONLY, ANY ERRORS
OR OMISSIONS SHALL NOT
AFFECT THE DEED DESCRIPTION



OWNER AND MAILING ADDRESS	
OSL SANTA ROSA PROJECTS 220 CONCOURSE BLVD SANTA ROSA, CA. 95409	
A.P. No.	031-050-018
O.R. No.	2011-051094
O.R. No.	



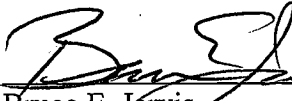
CITY OF SANTA ROSA		
VACATION OF SANITARY SEWER EASEMENT CITY OF SANTA ROSA		
Scale: 1"=100'	Date: 05/29/13	
DWN. CHK.	APPROVED <i>[Signature]</i>	FILE NO. R- 5296

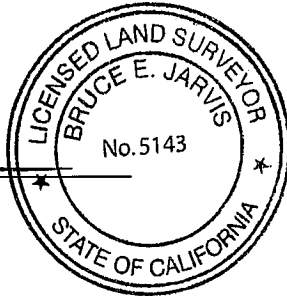
EXHIBIT H
PUBLIC SANITARY SEWER EASEMENT VACATION
LEGAL DESCRIPTION
LANDS OF OSL SANTA ROSA PROJECTS LLC

All those portions of that certain 10-foot-wide public sanitary sewer easement granted to the City of Santa Rosa in the deed recorded August 23, 1974 in Book 2892 of Official Records, Pages 155 and 156, Sonoma County Records, lying within Parcel Four of the lands of OSL Santa Rosa Projects LLC as described in the deed recorded June 16, 2011 under Document Number 2011-051094, Official Records of Sonoma County.

APN 031-050-064.

This description prepared by Carlile • Macy.


Bruce E. Jarvis
PLS 5143




Date

END OF DESCRIPTION

EXHIBIT "H"

RECORD OF SURVEY
470 MAPS 20

EX 10-FT SANITARY SEWER EASEMENT
2892 OR 155 TO BE VACATED

OSL SANTA ROSA
PROJ. LLC
DN 2010-024467
APN 031-061-003
S30°40'50"W 268.03
(DEED S30°53'32"E 272.45)

OSL SANTA ROSA PROJECTS
DN 2011-051094
(PCL FOUR)
APN 031-050-064

EX. SANITARY SEWER EASEMENT
2012-022695

252.15
S30°52'40"W 912.62
(DEED S30°53'32"W 913.52)

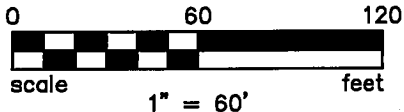
OSL OPERATIONS
DN 2010-024467
APN 031-050-018

S55°19'40"E 213.03
(DEED N55°19'38"W, 213.05)
(N55°19'25"W RECORD OF
SURVEY)

S55°19'40"E
302.32

CHANNEL DRIVE

THIS EXHIBIT IS FOR GRAPHIC
PURPOSES ONLY, ANY ERRORS
OR OMISSIONS SHALL NOT
AFFECT THE DEED DESCRIPTION



**OWNER AND
MAILING ADDRESS**

OSL SANTA ROSA PROJECTS
220 CONCOURSE BLVD
SANTA ROSA, CA. 95409

A.P. No. 031-050-064
O.R. No. 2011-051094
O.R. No. _____



CITY OF SANTA ROSA

VACATION OF SANITARY SEWER
EASEMENT
CITY OF SANTA ROSA

Scale: 1"=60' | Date: 05/29/13

DWN. _____
CHK. *W. Collette* APPROVED
FILE NO. R-5297

AutoCAD file name: 01065-A-ESMT-VAC-OSL-064.dwg [Xref files: 01065A0-BNDY; 01065A0-HC]