

RESOLUTION NO. RES-2025-153

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING SUMMARY VACATION OF TWO (2) PUBLIC SERVICE EASEMENTS FOR THE PROPERTY LOCATED AT 4362 HWY 12, ASSESSOR'S PARCEL NO. 032-010-068; FILE NO. VAC24-001

WHEREAS, on October 11, 2002, a Waterline Easement recorded as a Public Utility Easement was recorded against the property located at 4362 Highway 12, Assessor's Parcel No. 032-010-068; and

WHEREAS, on April 13, 2022, an Emergency Vehicle Access Easement was recorded against the property located at 4362 Highway 12, Assessor's Parcel No. 032-010-068; and

WHEREAS, on October 16, 2024, an application was submitted requesting a Summary Vacation of the Easements described above at 4362 Highway 12, also identified as Assessor's Parcel No. 032-010-068; and

WHEREAS, pursuant to Section 8333, subdivision (c) of the California Streets and Highways Code, the City may summarily vacate the Easements if the easements have been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement; and

WHEREAS, the Public Utility Easement requested to be vacated has been superseded by a Public Utility Easement dedicated to the City on April 13, 2022 and all public utilities have been relocated within the new Public Utility Easement boundaries, and the new Public Utility Easement is sufficient for future public utilities including the undergrounding of overhead lines; and

WHEREAS, the Emergency Vehicle Access Easement to be vacated will be superseded by a new Emergency Vehicle Access Easement to be recorded prior to recordation of this Resolution and Quitclaim Deed, and no public facilities exist within this easement.

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

1. The Easements to be vacated are fully described in Exhibits A and C – Legal Descriptions for Summary Vacation, and depicted in Exhibits B and D– Plats to Accompany Legal Description, attached hereto and incorporated herein.
2. This Vacation is made pursuant to Section 8333, subdivision (c), which allows for a Summary Vacation of Public Service Easements which have been superseded by relocation and there are no other public facilities located within the easement.
3. The Public Utility Easement proposed for Summary Vacation has been superseded by relocation, and there are no public facilities within this easement.
4. The Emergency Vehicular Access Easement proposed for Summary Vacation will be superseded by relocation and there are no public facilities within this easement.
5. The proposed Summary Vacation is consistent with the General Plan and Zoning as the orderly development of the property will be best facilitated by the proposed vacation.

6. This action is categorically exempt from the California Environmental Quality Act (CEQA) because it involves a minor alteration in land use limitations, pursuant to CEQA Guidelines Section 15305. In addition, the action is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because no construction or physical environmental changes are proposed and there is no possibility that the vacation will have a significant effect on the environment.

BE IT FURTHER RESOLVED, based on these findings, that this Council hereby approves the summary vacation of a Public Service Easement described in Exhibits A and B, and summary vacation of a Public Utility Easement described in Exhibits C and D, subject to the following condition:

1. Compliance with all conditions as specified by the attached Engineering Conditions of Approval dated April 23, 2025, attached to this resolution as Exhibit E and made a part of herein.

BE IT FURTHER RESOLVED that the Council authorizes the Deputy City Engineer to approve all documents necessary to complete this transaction.

BE IT FURTHER RESOLVED that the Planning and Economic Development Department, Engineering Development Services Division, is hereby ordered to record a certified copy of this resolution in the Office of the County Recorder.

IN COUNCIL DULY PASSED this 19th day of August 2025.

AYES: (6) Mayor Stapp, Council Members Bañuelos, Fleming, MacDonald, Okrepkie, Rogers

NOES: (0)

ABSENT: (1) Vice Mayor Alvarez

ABSTAIN: (0)

RECUSE: (0)

ATTEST: _____
City Clerk

APPROVED: _____
Mayor

APPROVED AS TO FORM: _____
City Attorney

Exhibit A: Legal description of Vacation of EVA

Exhibit B: Plat for Vacation of EVA

Exhibit C: Legal description of Vacation of Water Line Easement

Exhibit D: Plat for Vacation of Water Line Easement

Exhibit E: Engineering Development Services Conditions of Approval