

RESOLUTION NO. RES-2025-175

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING SUMMARY VACATION OF PORTIONS OF PUBLIC SERVICE EASEMENTS LOCATED AT 2771 4TH STREET, 190 FARMERS LANE, AND 2777 4TH STREET FOLLOWING COMPLETION OF LONG DRIVE AND VICINITY SEWER AND WATER IMPROVEMENTS PROJECT

WHEREAS, Chapter 4 of the Public Streets, Highways and Service Easements Vacation Law, commencing with Streets and Highways Code section 8330, provides for summary vacation of streets and public service easements; and

WHEREAS, the City of Santa Rosa is the holder of a public service easement with the right of immediate entry and continued possession for the construction, improvement, maintenance and repair of sewers and such other public or public utility purposes (“Easement”) pursuant to that certain Easement Deed recorded on May 23, 1956 in Book 1441 at Page 39, Official Records of Sonoma County; and

WHEREAS, Section 8333 of the Streets and Highways Code grants authority to the legislative body of a local agency to summarily vacate a public service easement if the easement has been superseded by relocation, or determined to be excess by the easement holder, and no other public facilities are located within the easement area to be vacated; and

WHEREAS, sewer easements are defined as a “public service easement” per Section 8306 of the California Streets and Highways Code; and

WHEREAS, the sewer service has been relocated from those areas of the properties located at 2771 4th Street, 190 Farmers Lane, and 2777 4th Street, as described in the legal descriptions and plats attached hereto and made part of this resolution as Exhibits A, B and C (collectively, the “Easement Areas”), and are no longer necessary for public purposes; and there are no other public facilities located within the Easement Areas; and

WHEREAS, the Council of the City of Santa Rosa intends to summarily vacate the Easement Areas.

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

1. This vacation is made under the authority of California Streets and Highways Code Chapter 4 of Part 3 of Division 9, commencing at Section 8330 et seq.
2. The Council of the City of Santa Rosa does hereby summarily vacate the Easement Areas, as described and depicted in Exhibits A, B and C attached.
3. A certified copy of this Resolution shall be recorded in the Office of the County Recorder for Sonoma County.

4. The Easement Areas will no longer constitute a public service easement from and after the date of recordation of this Resolution.

IN COUNCIL DULY PASSED this 4th day of November, 2025.

AYES: (5) Mayor Stapp, Council Members Bañuelos, MacDonald, Okrepkie, Rogers

NOES: (0)

ABSENT: (2) Vice Mayor Alvarez, Council Member Fleming

ABSTAIN: (0)

RECUSE: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
Chief Assistant City Attorney

Exhibit A - Exhibits A and B- Legal Descriptions and Depiction- Vacation of Sanitary Sewer Easement (Portion)

Exhibit B - Exhibits A and B- Legal Descriptions and Depiction- Vacation of Sanitary Sewer Easement (Portion)

Exhibit C - Exhibits A and B- Legal Descriptions and Depiction- Vacation of Sanitary Sewer Easement (Portion)