

RESOLUTION NO. RES-2017-011

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA SUMMARILY VACATING A 2,665-SQUARE-FOOT PUBLIC STORM DRAIN EASEMENT ON THE PROPERTY LOCATED AT 4015 SKYFARM DRIVE, ASSESSOR PARCEL NO. 173-800-001 - FILE NO. VAC16-004

WHEREAS, pursuant to Section 8333 and 8335 of the California Streets and Highways Code, the City may summarily vacate a public service easement which is no longer required for public purposes; and

WHEREAS, the 2,665-square-foot easement to be vacated is described in the legal description, attached hereto and made part of this resolution as Exhibit A (“Legal Description”), and is no longer necessary for public purposes; and

WHEREAS, the 2,665-square-foot easement was originally designated to be used an open swale linking to a broader a drainage system within the Skyfarm at Fountaingrove Unit 2B Map; and

WHEREAS, the final storm drain design relocated the 2,665-square-foot open swale and built a pipe system along the property lines of Lot 1 at the Skyfarm at Fountaingrove Unit 2B Map; and

WHEREAS, the 2,665-square-foot easement is surplus due to relocation of the public storm drain pipe.

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

1. This vacation is made pursuant to Section 8333 and 8335 of the California Streets and Highways Code, which allow for a summary vacation for the 2,665-square-foot storm drain easement.
2. The easement contains no public facilities and is no longer needed for public purposes.
3. 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.

BE IT FURTHER RESOLVED, based on these findings, that from and after the date this resolution is recorded, the subject easement shall be vacated and shall no longer constitute a public service easement; and

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

IN COUNCIL DULY PASSED this 31st day of January 2017.

AYES: (7) Mayor Coursey, Vice Mayor Tibbetts, Council Members Combs, Olivares, Rogers, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

Interim City Attorney

Attachment: Exhibit A – Legal Description