

RESOLUTION NO. 28749

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA SUMMARILY VACATING TWENTY-FIVE FEET (25') OF TEMPORARY PUBLIC SERVICE EASEMENT LOCATED ACROSS THE PROPERTY LOCATED AT 1156 CLOVER DRIVE, ASSESSOR'S PARCEL NO. 010-521-027 - FILE NO. VAC15-003

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 twenty-five foot temporary public service easement was established on the property located at 1156 Clover Drive, Assessor's Parcel No. 010-521-027 for the construction of a municipal sewer line, and construction of the sewer line was completed in 1968; and

WHEREAS, the temporary public service easement is described in the legal description, attached hereto and made part of this resolution as Exhibit A ("Legal Description"), and is no longer needed; and

WHEREAS, existing public sewer lines will remain within an existing public utility easement reserved in favor of the City of Santa Rosa.

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 twenty-five foot temporary public service easement.
2. The temporary public service easement contains no other public facilities and is no longer needed for public purposes.

BE IT FURTHER RESOLVED, based on these findings, that from and after the date this resolution is recorded, the subject temporary public service 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 15th day of March, 2016.

AYES: (5) Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Wysocky

NOES: (0)

ABSENT: (2) Council Members Coursey, Olivares

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
Interim City Clerk Mayor

APPROVED AS TO FORM:

City Attorney

Attachment: Exhibit A – Legal Description