

RESOLUTION NO. 28866

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA SUMMARILY VACATING 7,978 SQUARE FEET OF UTILITY EASEMENT LOCATED ACROSS THE PROPERTY LOCATED AT 170 RAILROAD STREET, ASSESSOR'S PARCEL NO. 010-760-006 - FILE NO. VAC16-003

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 which contains no public facilities; and

WHEREAS, the existing 60-foot wide utility easement was established on the property located at 170 Railroad Street, Assessor's Parcel No. 010-760-006 for the maintenance, operation, and installation of utilities following the vacation of the Second Street public right-of-way; and

WHEREAS, the portion of the utility 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, existing public, quasi-public, and private utilities that traverse the subject parcel will remain within existing easements, outside of the portion of easement to be vacated.

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 utility easement.
2. The portion of the easement to be vacated 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 utility easement.

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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 11th day of October, 2016.

AYES: (7) Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Coursey, Olivares, Wysocky

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

Interim City Attorney

Exhibit A – Legal Description