

RESOLUTION NO. RES-2026-036

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING  
SUMMARY VACATION OF A PORTION OF PUBLIC SERVICE EASEMENT LOCATED  
AT 1927, 1931, 1935 AND 1936 LYON COURT

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 a right of immediate entry and continued possession for the construction, improvement, maintenance and repairs for sewer purposes (“Easement”) pursuant to that certain Easement Deed recorded on January 4, 1985 as Instrument Number 1985-554 and reflected on the Subdivision Map for Deer Meadow Unit I at Fountaingrove, filed on August 15, 1990, in Book 462 of Maps, at Pages 43-46, each of Official Records of Sonoma County; and

WHEREAS, upon construction of the Dear Meadow Unit I at Fountaingrove subdivision and installation of a new sanitary sewer pipe, the 6-inch sanitary sewer pipe located in the Easement was removed and abandoned, but the Easement was never vacated; 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to the legislative body of a local agency to summarily vacate a public service easement if the easement has been superseded by relocation, or determined to be excess by the easement holder, and no other public facilities are located within the easement area to be vacated; and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 1927, 1931, 1935 and 1936, as described in the legal description and plat attached hereto and made part of this resolution as Exhibits A and B (collectively, the “Easement Areas”), the Easement Areas are no longer necessary for public purposes; and there are no other public facilities located within the Easement Areas not already covered by an easement; and

WHEREAS, the Board of Public Utilities reviewed the action and recommended its approval to Council at its meeting held on March 5, 2026; 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 and B 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 7th day of April, 2026.

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

NOES: (0)

ABSENT: (1) Council Member Alvarez

ABSTAIN: (0)

RECUSE: (0)

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM: \_\_\_\_\_  
City Attorney

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