

**CITY OF SANTA ROSA, CALIFORNIA
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
ENGINEERING DEVELOPMENT SERVICES DIVISION**

**EXHIBIT "A"
December 22, 2022**

**Montgomery Village – ROW Vacation with Easement Reservation
2406 Magowen Drive
VAC22-003**

- I. Applicant's engineer shall obtain the current City Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans submitted/ date stamped received October 13, 2022.

PARCEL AND EASEMENT DEDICATIONS

1. A legal description and plat of the proposed right of way vacation are to be attached to the vacation document approved by City Council as "Cinquini Exhibit A". The legal description shall include reference to the Public Utility Easement Reservation as described below:

Reservations of a Public Utility Easement will be made over the portion of the Right of Way to be vacated. The easement reservations shall encompass all public and franchise utilities. The City of Santa Rosa shall have access to this easement at all times, day and night. All utility surface structures (i.e. manholes, storm drain inlets, underground boxes and vaults, etc.) shall be fully accessible at all times. The reservation of the easement shall be worded as follows:

"Excepting and reserving from said vacation pursuant to the provisions of Section 8340 of the Streets and Highways Code and for the benefit of public access and all utilities lying within this described area, the permanent easement and the right at any time, or from time to time, to construct, maintain, operate, replace, remove, renew and enlarge sanitary sewers, storm drains, appurtenant structures in, upon, over, and across this street proposed to be vacated and, pursuant to any existing franchise or renewals thereof, or otherwise, to construct, maintain, operate, replace, remove, renew, and enlarge lines of pipe, conduits, cables, wires, poles and other convenient structures, equipment, and fixtures for the operation of gas pipelines, telephone and telegraph lines and other communication facilities, railroad lines, or for the transportation and distribution of electric energy, petroleum and its products, ammonia, and water, and for incidental purposes, including access to protect these works from all hazards in, upon, and over the street proposed to be vacated."

2. All dedication costs shall be borne by the Applicant or property owner, including preparation of any legal descriptions, plats, title reports, and deeds that are necessary.

Legal descriptions and plats ("R" sheets) shall be prepared by a registered Land Surveyor or Civil Engineer licensed to practice Land Surveying in the State of California and approved by the City Engineer. City forms are available at the City of Santa Rosa Planning and Economic Development Department, Engineering Development Services Division, Room 5, City Hall.

3. A Quitclaim Deed for the vacated land shall be subject to review by the Planning and Economic Development Department's Engineering Division prior to recordation at the Sonoma County recorder's Office. The Resolution shall be recorded with the Quitclaim Deed and the Resolution shall not be delivered to the County Recorder's Office until the Quitclaim is reviewed, approved and has obtained all final signatures.

PRIVATE IMPROVEMENTS THROUGH VACATION PARCEL

4. Private structures such as permanent fences, signs, etc. shall not encroach into public utility easements unless approved under a variance by the City Engineer.

PUBLIC STORM DRAINAGE

5. The property owner shall maintain all sidewalk, curb and gutter, and parking strips along the property frontage including the valley gutters along Midway Drive and Magowan Drive within the new Public Utility Easements.

UTILITIES

6. Access to public utilities including all structures (i.e. manholes, cleanouts, mainline valves, etc.) shall be provided at all times.



12/22/2022

CLEVE GURNEY, PE - EDS ASSOCIATE ENGINEER