



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

APPROVE SUMMARY VACATION (ABANDONMENT) OF A PORTION OF THE PUBLIC UTILITY EASEMENT CENTERED ON THE PROPERTY BOUNDARY BETWEEN LOTS 54 AND 55 OF THE "RE-SUBDIVISION OF THE ALTA SIERRA RANCHES" AS SHOWN IN BOOK 3 OF SUBDIVISIONS AT PAGE 31, ASSESSOR'S PARCEL NUMBERS 026-390-013 & 014 – DISTRICT 2

WHEREAS, the California Streets and Highway Code Section 8333(c) allows the County to summarily vacate or abandon a Public Utility Easement if it is determined to be excess by the easement holder and there are no other public facilities located within the easement; and

WHEREAS, the County of Nevada has a Public Utility Easement as described in that certain Map known as Re-Subdivision of the Alta Sierra Ranches and recorded in Book 3 of Subdivisions at Page 31; and

WHEREAS, the County of Nevada has received a request from the property owners Henry Hester Jr., Trustee of the Henry Hester Jr. Living Trust, to abandon a portion of the 16-foot Public Utility Easement centered on the boundary between his Lots 54 and 55 of the Re-Subdivision of the Alta Sierra Ranches as shown in Book 3 of Subdivisions at Page 31 (Assessor's Parcel Nos. 026-390-013 & 014); and

WHEREAS, the Nevada County Surveyor has reviewed the proposed vacation (abandonment) and finds that this easement is no longer needed for the purpose that it was originally provided, and there are no public utilities located within the easement; and

WHEREAS, the request has been circulated to the Nevada County Sanitation District, the Nevada Irrigation District, the Pacific Gas and Electric Company, and AT&T, and all have consented to the request; and

WHEREAS, the Nevada County Zoning Administrator has reviewed the request and found the vacation (abandonment) of the easement is not in conflict with the Nevada County General Plan.

NOW, THEREFORE, BE IT RESOLVED that the Nevada County Board of Supervisors has reviewed and considered this easement vacation and hereby finds and determines as follows:

1. The above recitals are true and correct.
2. The Public Utility Easement centered on the property boundary between Lots 54 and 55 of the Re-Subdivision of the Alta Sierra Ranches as shown in Book 3 of Subdivisions at Page 31, as shown in the attached Exhibits A and B is hereby determined to be an excess easement and there are no public facilities located within the easement.

3. The Public Utility Easement as described herein can be summarily vacated pursuant to California Code Section 8333(c).

BE IT FURTHER RESOLVED that the Nevada County Board of Supervisors hereby:

1. Summarily vacates and abandons the Public Utility Easement centered on the property boundary between Lots 54 and 55 of the Re-Subdivision of the Alta Sierra Ranches as shown in Book 3 of Subdivisions at Page 31, as shown in the attached Exhibits A and B.
2. Declares that from and after the date that this Resolution is recorded, the subject easement no longer constitutes a legal encumbrance.
3. Directs the Clerk of the Board of Supervisors to record the Resolution of Summary Vacation.