



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

**SUMMARY VACATION (ABANDONMENT) OF THE PUBLIC
RIGHT-OF-WAY SHOWN AS AN UNNAMED STREET OR
ALLEY BETWEEN LOT 1 OF BLOCK 6 AND LOTS 1, 2, AND 3
OF BLOCK 7 ON THAT CERTAIN TOWNSITE MAP FOR
NORTH SAN JUAN BY D. B. MERRY IN 1874, AND SHOWN ON
ASSESSOR'S PARCEL MAP IN BOOK 60 AT PAGE 09 –
DISTRICT IV**

WHEREAS, the California Streets and Highway Code Section 8331 allows the County to summarily vacate a street or highway if, for a period of five consecutive years, the street or highway has been impassable for vehicular travel and no public money was expended for maintenance on the street or highway during such period; and

WHEREAS, the County of Nevada owns the unnamed street or alley as shown between Lot 1 of Block 6 and Lots 1, 2 and 3 of Block 7 on that certain Town site Map for North San Juan by D. B. Merry in 1874 and shown on Assessor's Parcel Map in Book 60 at Page 09; and

WHEREAS, the County of Nevada has received a request from Marion and Toki Steele to vacate (abandon) the unnamed street or alley as shown between Lot 1 of Block 6 and Lots 1, 2 and 3 of Block 7 on that certain Town site Map for North San Juan by D. B. Merry in 1874 and shown on Assessor's Parcel Map in Book 60 at Page 09; and

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

WHEREAS, the request has been circulated to AT&T, the Nevada Irrigation District, the Pacific Gas and Electric Company, and the Nevada County Sanitation District No. 1 and all have consented to the request; and

WHEREAS, the Nevada County Zoning Administrator reviewed the request and found the vacation 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 unnamed street or alley as shown between Lot 1 of Block 6 and Lots 1, 2 and 3 of Block 7 on that certain Town site Map for North San Juan by D. B. Merry in 1874 and shown on Assessor's Parcel Map in Book 60 at Page 09, and on the attached Exhibit "A" is hereby determined to be an excess property and there are no public improvement or facilities located within the property.
3. The Street or Alley as described herein can be summarily vacated pursuant to California Code Section 8331.

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

1. Summarily vacates the unnamed street or alley as shown between Lot 1 of Block 6 and Lots 1, 2 and 3 of Block 7 on that certain Town site Map for North San Juan by D. B. Merry in 1874 and shown on Assessor's Parcel Map in Book 60 at Page 09, and as described in the attached Exhibit "A" and shown on the attached Exhibit "B".
2. Declares that from and after the date that this Resolution is recorded, the subject property no longer is public lands.
3. Directs the Clerk of the Board of Supervisors to record the Resolution of Summary Vacation.