



RESOLUTION No. 15-190

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

SUMMARY VACATION OF THE 20-FOOT PUBLIC UTILITY EASEMENT (PUE) OVER THE COMMON SIDELINE OF LOTS 37 AND 38 OF THE INDIAN MOUNTAIN ESTATES – UNIT NO. 1 SUBDIVISION, AS SHOWN ON THE MAP RECORDED IN BOOK 2 OF SUBDIVISIONS AT PAGE 101, ASSESSOR'S PARCEL NUMBERS 20-820-09 & 20-810-07

WHEREAS, the California Streets and Highway Code Section 8333(c) allows the County to summarily vacate 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 know as Indian Mountain Estates – Unit No. 1 and recorded in Book 2 of Subdivisions at Page 101; and

WHEREAS, the County of Nevada has received a request from Peter & Laurel Burcham and Glen & Mary Murray to vacate the Public Utility Easement within Lots 37 and 38 of the Indian Mountain Estates – Unit No. 1 subdivision, as shown on the map recorded in Book 2 of Subdivisions at Page 101 (Assessor's Parcel No. 20-820-09 & 20-810-07); and

WHEREAS, the Nevada County Surveyor has reviewed the proposed vacation 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 the easement runs under an existing residential structure; and

WHEREAS, the request has been circulated to AT&T, the Nevada Irrigation District, the Pacific Gas and Electric Company, and the Nevada County Department of Sanitation 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 Public Utility Easement within Lots 37 & 38 of the Indian Mountain Estates – Unit No. 1 subdivision, as shown on the map recorded in Book 2 of Subdivisions at Page 101, and on the attached Exhibit "A" is hereby determined to be an excess easement and there are no other 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 a portion of the Public Utility Easement within Lots 37 & 38 of the Indian Mountain Estates – Unit No. 1 subdivision, as shown on the map recorded in Book 2 of Subdivisions at Page 101, and as shown on the attached Exhibit "A."
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.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 12th day of May, 2015, by the following vote of said Board:

Ayes: Supervisors Nathan H. Beason, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Interim Clerk of the Board of Supervisors

By: 


Edward C. Scofield, Chair

5/12/2015 cc: Recorder(1) 

5/13/2015 cc: DPW*
AC*(release)

File: EA 15-001

EASEMENT ABANDONMENT

BURCHAM and MURRAY
 LOT 37/38, INDIAN MOUNTAIN ESTATES
 RECORDED IN 2 SUBD 101

LOCATED WITHIN THE NE 1/4 OF SEC 22, T15N, R9E, NDM.
 IN THE UNINCORPORATED TERRITORY OF NEVADA COUNTY, CA.

SCALE 1"=100' SPENCER LAND SURVEYS DECEMBER, 2014

MAP PREPARED BY: JOHN C. SPENCER PLS 4728
 P.O. BOX 912
 GRASS VALLEY, CA. 95945
 PHONE (530) 265-8827

LOT 37	OWNERS	LOT 38
PETER AND LAUREL BURCHAM 10478 ALTA SIERRA DR. GRASS VALLEY, CA. 95949		GLEN & MARY MURRAY 10496 ALTA SIERRA DR. GRASS VALLEY, CA. 95949

SITE ADDRESSES
 10478 ALTA SIERRA DRIVE, GV 10496 ALTA SIERRA DRIVE, GV

APN#	EXISTING	
	20-820-09	20-810-07
PARCEL SIZES	1.04 AC.	1.46 AC.

NOTE:
 THIS IS NOT A SURVEY MAP.

ABANDON 20' WIDE PUBLIC UTILITY
 EASEMENT ALONG DIVIDING LINE BETWEEN LOTS 37
 AND 38 , INDIAN MTN ESATES, 2 SUBD 101.

SURVEYORS CERTIFICATE:

THIS MAP IS A REPRESENTATION OF A SURVEY MADE BY ME
 OR UNDER MY DIRECTION IN CONFORMANCE WITH THE
 REQUIREMENTS OF THE LAND SURVEYORS ACT THIS 24
 DAY OF DEC. 2014

John C. Spencer
 JOHN C. SPENCER PLS 4728

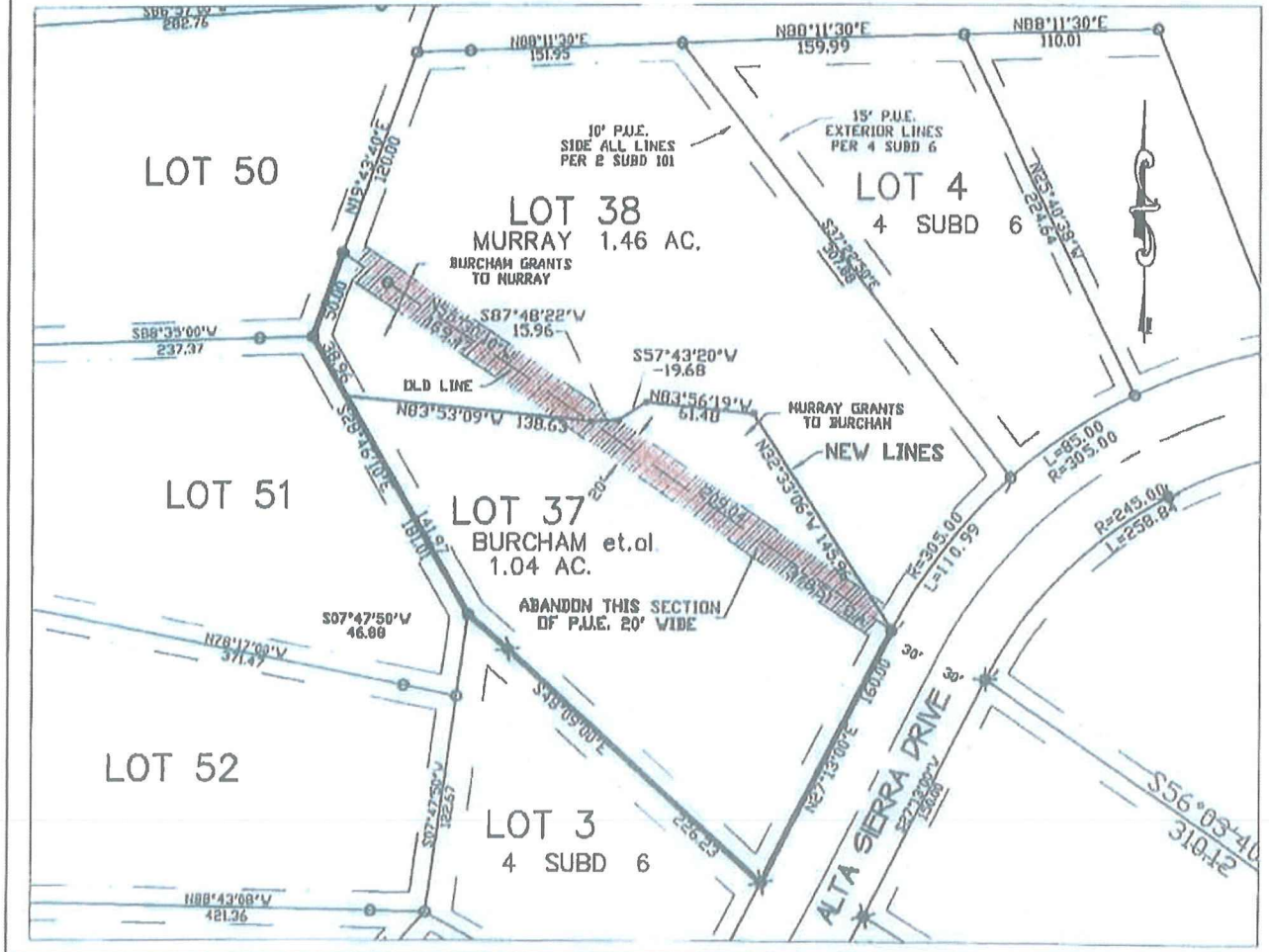


EXHIBIT "A"

COPY

RECORDING REQUESTED BY:
&
RETURN TO:

Board of Supervisors
County of Nevada
950 Maidu Avenue
Nevada City, CA 95959-8617

Nevada County Recorder
Gregory J. Diaz
Document#: 20150010730
Wednesday May 13 2015, at 11:48:16 AM

Paid: CP

DOCUMENT TITLE

NEVADA COUNTY BOARD OF SUPERVISORS
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EASEMENT (PUE) OVER THE COMMON SIDELINE OF
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UNIT NO. 1 SUBDIVISION, AS SHOWN ON THE MAP
RECORDED IN BOOK 2 OF SUBDIVISIONS AT PAGE 101,
ASSESSOR'S PARCEL NUMBERS 20-820-09 & 20-810-07

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(Govt. Code 27361.6)
Additional Recording Fee Applies



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Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Interim Clerk of the Board of Supervisors

By: *Julie Patterson Hunter*

Edward C. Scofield
Edward C. Scofield, Chair

5/12/2015 cc: Recorder(1)

The foregoing instrument is a correct
copy of the original on file in this office.

RS 15-190

ATTEST: May 13, 2015
Interim Clerk of the Board
County of Nevada

BY: *B. Poir*

File: EA 15-001

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John C. Spencer
 JOHN C. SPENCER PLS 4728



LOT 07	OWNERS:	LOT 08
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10470 ALTA SIERRA DR.		10496 ALTA SIERRA DR.
GRASS VALLEY, CA. 95949		GRASS VALLEY, CA. 95949

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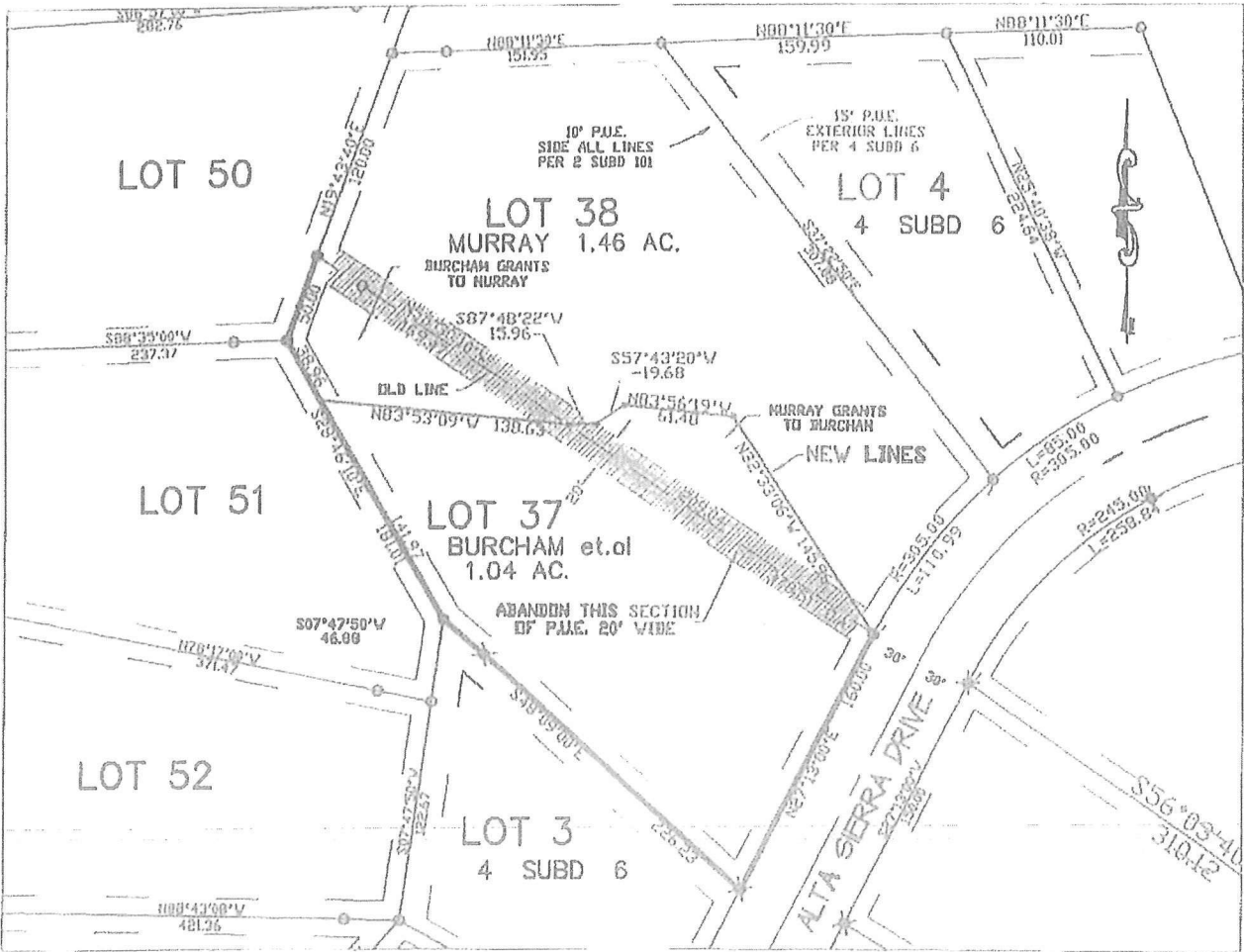


EXHIBIT "A"