



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

**SUMMARY VACATION (ABANDONMENT) OF A PORTION OF THE PUBLIC RIGHT-OF-WAY SHOWN AS CHARLES DRIVE ON THAT CERTAIN MAP FOR THE LOMA RICA INDUSTRIAL PARK RECORDED JUNE 23, 1960 IN BOOK 1 OF SUBDIVISION MAPS AT PAGE 121, AND AS ACCEPTED BY THE NEVADA COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 09-047 – DISTRICT I**

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 80-foot wide right-of-way for Charles Drive as shown on that certain map for the Loma Rica Industrial Park recorded June 23, 1960 in Book 1 of Subdivision Maps at Page 121 and as accepted by the Nevada County Board of Supervisors Resolution No. 09-047; and

WHEREAS, the County of Nevada has received a request from Ronald & Katherine Rodecker to vacate (abandon) a 10-foot strip of Charles Drive along the frontage of their Lot 10 of the English Mountain Park-Phase One subdivision as shown on that certain map in Book 8 of Subdivision Maps at Page 71 and being Assessor's Parcel Number 06-920-04; and

WHEREAS, the Nevada County Surveyor and the Department of Public Works has reviewed the proposed vacation (abandonment) and finds that this portion of right-of-way is excess right-of-way and 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 is in conformance with Nevada County Board of Supervisors Resolution No. 09-047; 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 right-of-way 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 right-of-way vacation and hereby finds and determines as follows:

1. The above recitals are true and correct.

2. The 10-foot strip of right-of-way for Charles Drive along the frontage of Lot 10 of the English Mountain Park-Phase One subdivision as shown on that certain map in Book 8 of Subdivision Maps at Page 71 and as described in the attached Exhibit "A" and shown on the attached Exhibit "B" is hereby determined to be excess property and there are no public improvement or facilities located within the property.
3. The right-of-way 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 10-foot strip of right-of-way for Charles Drive along the frontage of Lot 10 of the English Mountain Park-Phase One subdivision as shown on that certain map in Book 8 of Subdivision Maps at Page 71, 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.