



RESOLUTION No. 22-166

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

ABANDONMENT OF THE 10' PUBLIC UTILITY EASEMENT (PUE) BETWEEN LOTS 181 & 182 AS SHOWN ON THE DARKHORSE PHASE II & DARKHORSE PHASE III SUBDIVISION MAPS RECORDED OCTOBER 16, 2002, IN BOOK 8 OF SUBDIVISIONS AT PAGE 101 AND RECORDED MAY 19, 2004, IN BOOK 8 OF SUBDIVISIONS AT PAGE 119, RESPECTIVELY ASSESSOR'S PARCEL NUMBERS 011-151-014 & -037- 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 10' Public Utility Easement between Lots 181 & 182 as shown on the Darkhorse Phase II & Darkhorse Phase III subdivision maps recorded October 16, 2002, in Book 8 of Subdivisions at Page 101 and recorded May 19, 2004, in Book 8 of Subdivisions at Page 119, respectively; and

WHEREAS, the County of Nevada has received a request from the property owners, Damian Wells, Kristina Castro, and Harbor Custom Development, to abandon the 10-foot Public Utility Easement (PUE) between Lots 181 & 182 as shown on the Darkhorse Phase II & Darkhorse Phase III subdivision maps recorded October 16, 2002, in Book 8 of Subdivisions at Page 101 and recorded May 19, 2004, in Book 8 of Subdivisions at Page 119, respectively; 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 HEREBY 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 10-foot Public Utility Easement (PUE) between Lots 181 & 182 as shown on the Darkhorse Phase II & Darkhorse Phase III subdivision maps recorded October 16, 2002, in Book 8 of Subdivisions at Page 101 and recorded May 19, 2004, in Book 8 of Subdivisions at Page 119, respectively, as shown in the attached Exhibit Map is hereby determined to be an excess easement and there are no public facilities located within the easement.

3. The Public Utility Easement as shown 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 10-foot Public Utility Easement (PUE) between Lots 181 & 182 as shown on the Darkhorse Phase II & Darkhorse Phase III subdivision maps recorded October 16, 2002, in Book 8 of Subdivisions at Page 101 and recorded May 19, 2004, in Book 8 of Subdivisions at Page 119, respectively, and as shown in the attached Exhibit Map.
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 26th day of April, 2022, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

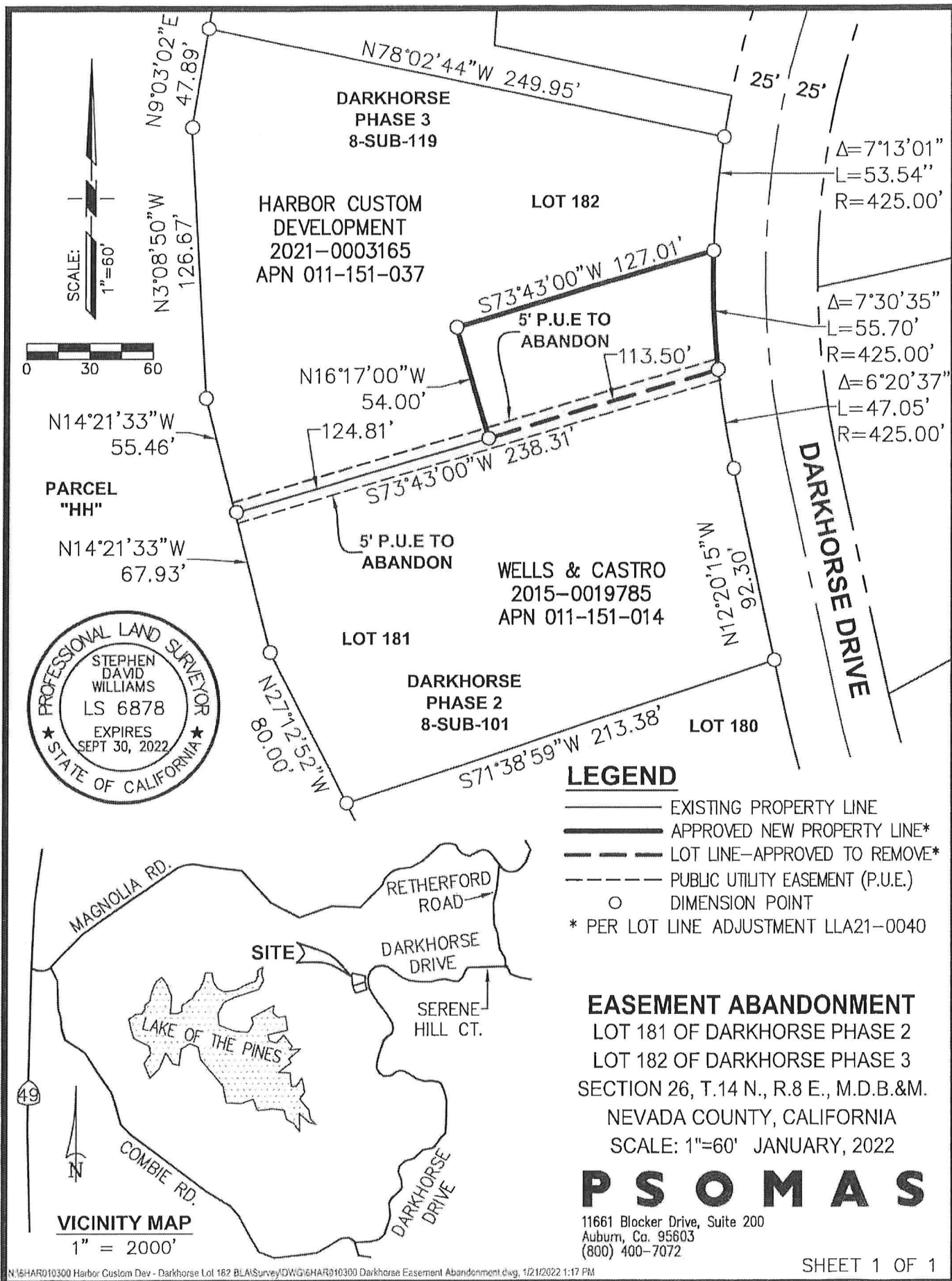
ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Susan K. Hoek, Chair

4/26/2022 cc: Recorder(1)
DPW*
AC*





COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY

Building
Planning
Public Works
Sanitation
Environmental Health
Agricultural Commissioner

DATE: March 24, 2022

FILE: MIS22-0004, PLN22-0043

TO: Brian Foss, Zoning Administrator

FROM: Kevin J. Nelson, County Surveyor

SUBJECT: Abandonment of the 10' Public Utility Easement (PUE) between Lots 181 & 182 as shown on the Darkhorse Phase II & Darkhorse Phase III subdivision maps recorded October 16, 2002 in Book 8 of Subdivisions at Page 101 and recorded May 19, 2004 in Book 8 of Subdivisions at Page 119, respectively. Assessor's Parcel Numbers 011-151-014 & -037.

Owners: APN 011-151-014
Damian Wells & Kristina Castro
25024 Long Street
Auburn, CA 95602

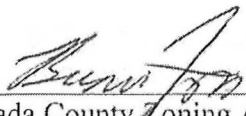
APN 011-151-037
Harbor Custom Development, Inc.
11505 Burnham Drive, Suite 301
Gig Harbor, WA 98332

AT&T, the Nevada Irrigation District, the Pacific Gas and Electric Company, and the Nevada County Public Works Department have been duly notified and do not object to the subject abandonment.

Enclosed is the Exhibit Map for the subject abandonment.

Before abandonment of any right-of-way, Government Code Section 65402 requires that the Planning Department review the above request for compliance with the General Plan. After the Zoning Administrator has completed the review, please fill out the statement below and return it to me so that I can continue with the processing of the subject easement abandonment.

On 3/28/22, the Nevada County Zoning Administrator reviewed this Abandonment of Easement and finds that it is in conformance with the General Plan and the easement is not needed for public purposes. The project can now be scheduled for the Nevada County Board of Supervisors to take final action.



Nevada County Zoning Administrator

Enclosures

COPY

RECORDING REQUESTED BY:

&

RETURN TO:

Board of Supervisors
County of Nevada
950 Maidu Avenue, Suite 200
PO Box 599002
Nevada City, CA 95959-7902

Nevada County Recorder

Gregory J. Diaz

Document#: **20220009158**

Wednesday April 27 2022, at 11:36:38 AM

Paid: \$0.00 AM

DOCUMENT TITLE

NEVADA COUNTY BOARD OF SUPERVISORS
RESOLUTION 22-166

ABANDONMENT OF THE 10' PUBLIC UTILITY EASEMENT (PUE) BETWEEN LOTS
181 & 182 AS SHOWN ON THE DARKHORSE PHASE II & DARKHORSE PHASE III
SUBDIVISION MAPS RECORDED OCTOBER 16, 2002, IN BOOK 8 OF
SUBDIVISIONS AT PAGE 101 AND RECORDED MAY 19, 2004, IN BOOK 8 OF
SUBDIVISIONS AT PAGE 119, RESPECTIVELY ASSESSOR'S PARCEL NUMBERS
011-151-014 & -037

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



RESOLUTION No. 22-166

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

ABANDONMENT OF THE 10' PUBLIC UTILITY EASEMENT (PUE) BETWEEN LOTS 181 & 182 AS SHOWN ON THE DARKHORSE PHASE II & DARKHORSE PHASE III SUBDIVISION MAPS RECORDED OCTOBER 16, 2002, IN BOOK 8 OF SUBDIVISIONS AT PAGE 101 AND RECORDED MAY 19, 2004, IN BOOK 8 OF SUBDIVISIONS AT PAGE 119, RESPECTIVELY ASSESSOR'S PARCEL NUMBERS 011-151-014 & -037- 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 10' Public Utility Easement between Lots 181 & 182 as shown on the Darkhorse Phase II & Darkhorse Phase III subdivision maps recorded October 16, 2002, in Book 8 of Subdivisions at Page 101 and recorded May 19, 2004, in Book 8 of Subdivisions at Page 119, respectively; and

WHEREAS, the County of Nevada has received a request from the property owners, Damian Wells, Kristina Castro, and Harbor Custom Development, to abandon the 10-foot Public Utility Easement (PUE) between Lots 181 & 182 as shown on the Darkhorse Phase II & Darkhorse Phase III subdivision maps recorded October 16, 2002, in Book 8 of Subdivisions at Page 101 and recorded May 19, 2004, in Book 8 of Subdivisions at Page 119, respectively; 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 HEREBY 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 10-foot Public Utility Easement (PUE) between Lots 181 & 182 as shown on the Darkhorse Phase II & Darkhorse Phase III subdivision maps recorded October 16, 2002, in Book 8 of Subdivisions at Page 101 and recorded May 19, 2004, in Book 8 of Subdivisions at Page 119, respectively, as shown in the attached Exhibit Map is hereby determined to be an excess easement and there are no public facilities located within the easement.

3. The Public Utility Easement as shown 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 10-foot Public Utility Easement (PUE) between Lots 181 & 182 as shown on the Darkhorse Phase II & Darkhorse Phase III subdivision maps recorded October 16, 2002, in Book 8 of Subdivisions at Page 101 and recorded May 19, 2004, in Book 8 of Subdivisions at Page 119, respectively, and as shown in the attached Exhibit Map.
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 26th day of April, 2022, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Hardy Bullock.
Noes: None.
Absent: None.
Abstain: None.

ATTEST:

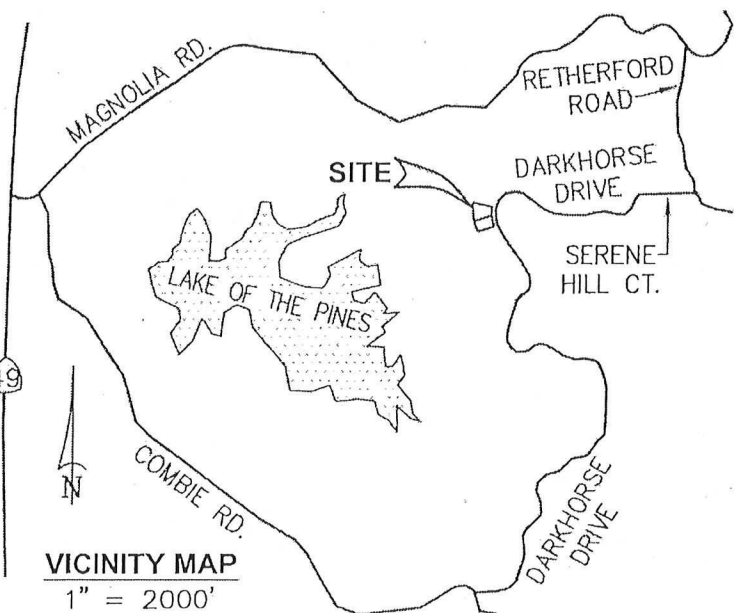
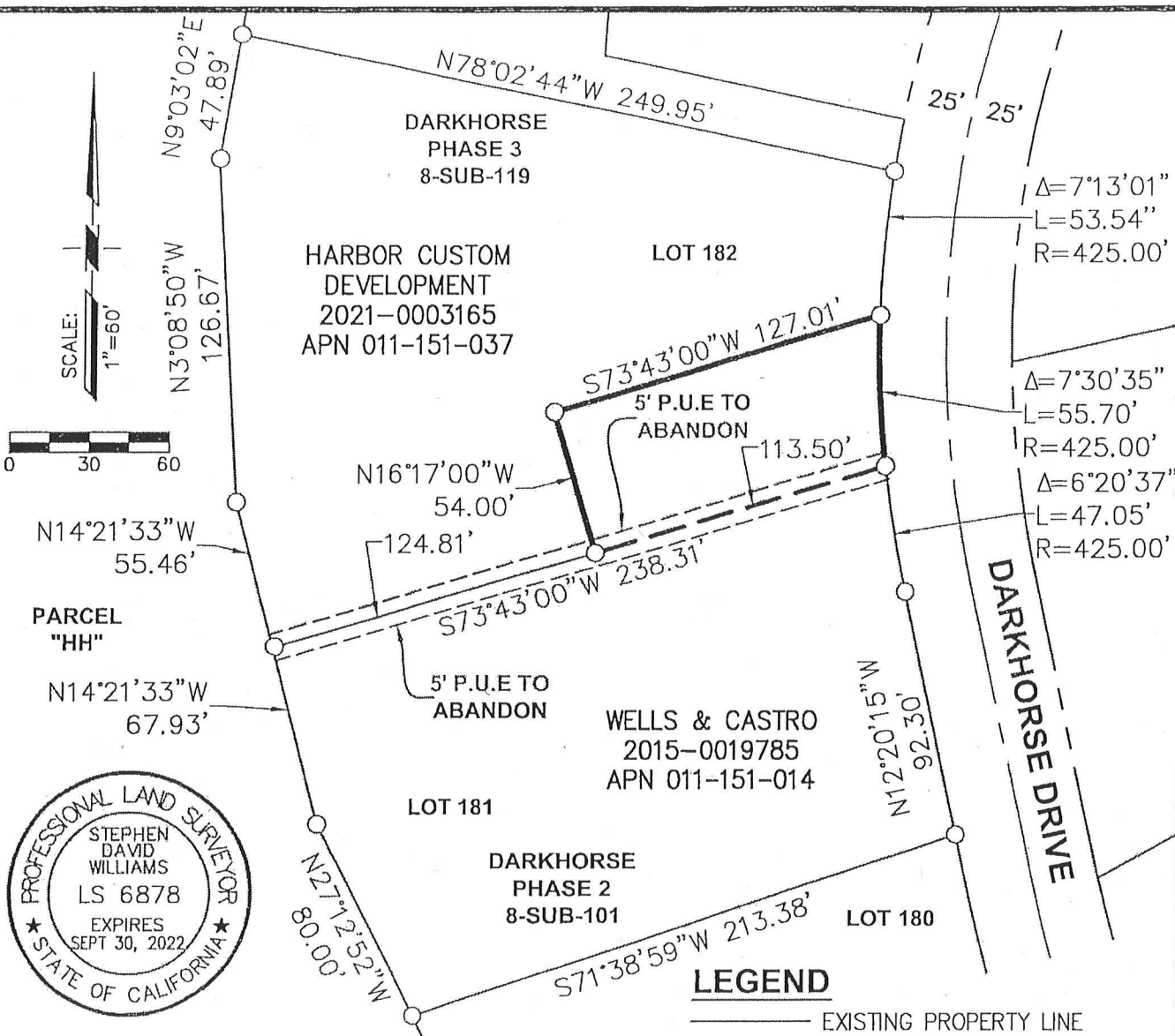
JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: Julie Patterson Hunter The foregoing instrument is a correct copy of the original on file in this office. Susan K. Hoek
Res 22-166

4/26/2022 cc:

Recorder(1)
DPW*
AC*

ATTEST: April 27, 2022
Julie Patterson Hunter, Clerk of the Board
County of Nevada
BY: [Signature]



EASEMENT ABANDONMENT
LOT 181 OF DARKHORSE PHASE 2
LOT 182 OF DARKHORSE PHASE 3
SECTION 26, T.14 N., R.8 E., M.D.B.&M.
NEVADA COUNTY, CALIFORNIA
SCALE: 1"=60' JANUARY, 2022

PSOMAS
11661 Blocker Drive, Suite 200
Auburn, Co. 95603
(800) 400-7072



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY

Building
Planning
Public Works
Sanitation
Environmental Health
Agricultural Commissioner

DATE: March 24, 2022

FILE: MIS22-0004, PLN22-0043

TO: Brian Foss, Zoning Administrator

FROM: Kevin J. Nelson, County Surveyor

SUBJECT: Abandonment of the 10' Public Utility Easement (PUE) between Lots 181 & 182 as shown on the Darkhorse Phase II & Darkhorse Phase III subdivision maps recorded October 16, 2002 in Book 8 of Subdivisions at Page 101 and recorded May 19, 2004 in Book 8 of Subdivisions at Page 119, respectively. Assessor's Parcel Numbers 011-151-014 & -037.

Owners: APN 011-151-014
Damian Wells & Kristina Castro
25024 Long Street
Auburn, CA 95602

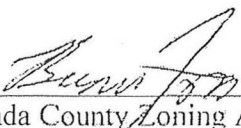
APN 011-151-037
Harbor Custom Development, Inc.
11505 Burnham Drive, Suite 301
Gig Harbor, WA 98332

AT&T, the Nevada Irrigation District, the Pacific Gas and Electric Company, and the Nevada County Public Works Department have been duly notified and do not object to the subject abandonment.

Enclosed is the Exhibit Map for the subject abandonment.

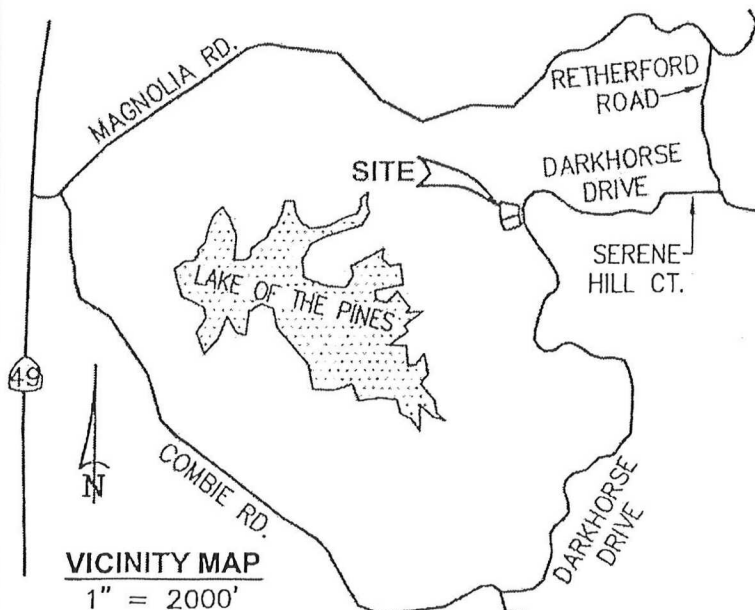
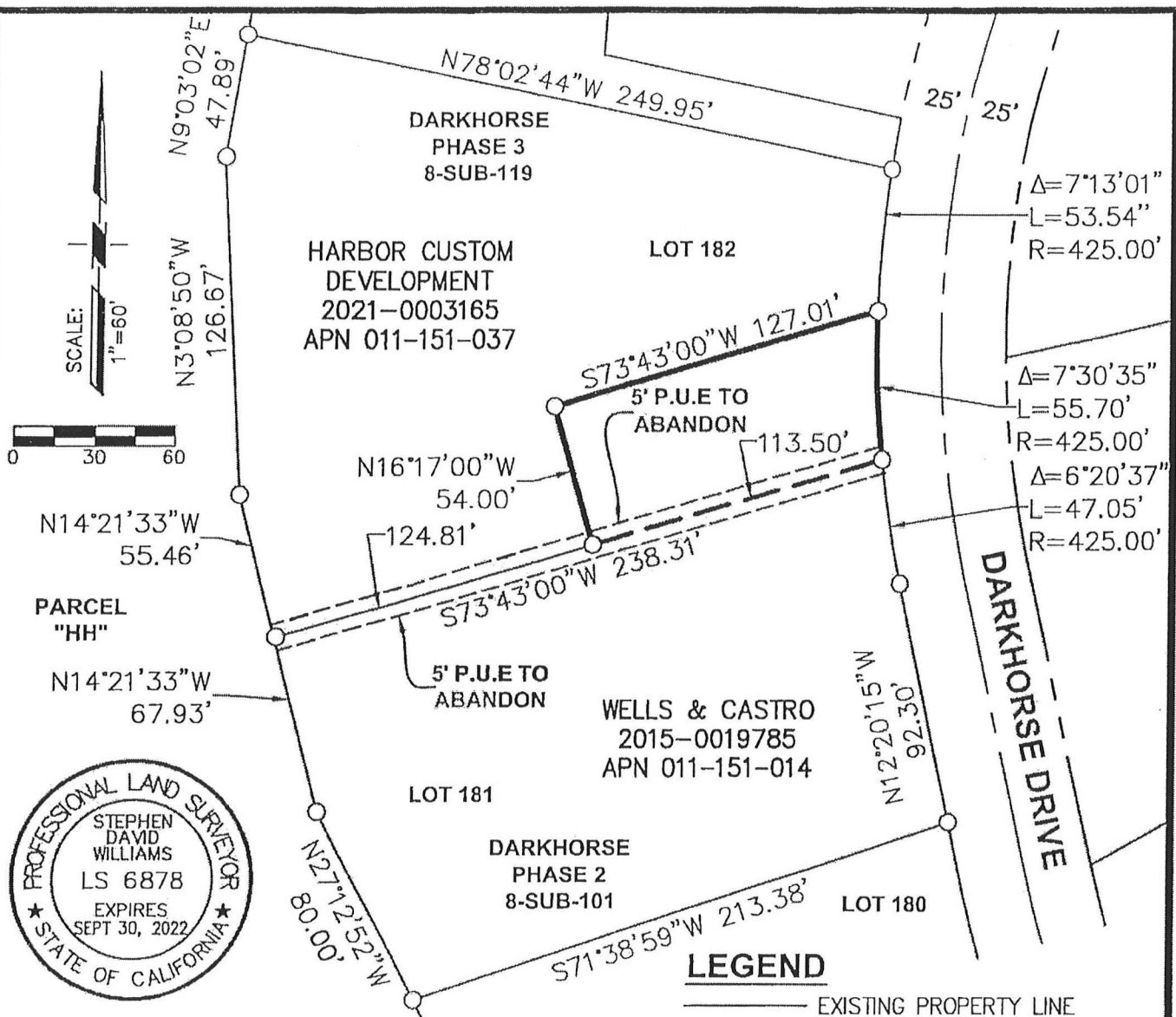
Before abandonment of any right-of-way, Government Code Section 65402 requires that the Planning Department review the above request for compliance with the General Plan. After the Zoning Administrator has completed the review, please fill out the statement below and return it to me so that I can continue with the processing of the subject easement abandonment.

On 3/28/22, the Nevada County Zoning Administrator reviewed this Abandonment of Easement and finds that it is in conformance with the General Plan and the easement is not needed for public purposes. The project can now be scheduled for the Nevada County Board of Supervisors to take final action.



Nevada County Zoning Administrator

Enclosures



EASEMENT ABANDONMENT
 LOT 181 OF DARKHORSE PHASE 2
 LOT 182 OF DARKHORSE PHASE 3
 SECTION 26, T.14 N., R.8 E., M.D.B.&M.
 NEVADA COUNTY, CALIFORNIA
 SCALE: 1"=60' JANUARY, 2022

PSOMAS
 11661 Blocker Drive, Suite 200
 Auburn, Co. 95603
 (800) 400-7072