



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

APPROVE SUMMARY VACATION (ABANDONMENT) OF A PUBLIC UTILITY EASEMENT BETWEEN PARCEL M AND LOT 121 AS SHOWN IN BOOK 2 OF SUBDIVISIONS AT PAGE 84, ASSESSOR'S PARCEL NUMBERS 21-080-32 AND 21-080-35 – 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 Western Lakes Properties Unit No. 1-A and recorded in Book 2 of Subdivisions at Page 84; and

WHEREAS, the County of Nevada has received a request from Karl Bohn and Julie Bohn to abandon the Public Utility Easement over the common sideline of Parcel M and Lot 121 of the Western Lakes Properties Unit No. 1-A subdivision, as shown on the map recorded in Book 2 of Subdivisions at Page 84 (Assessor's Parcel No. 21-080-32 and 21-080-35); 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 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 over the common sideline of Parcel M and Lot 121 of the Western Lake Properties Unit No. 1-A subdivision, as shown on the map recorded in Book 2 of Subdivisions at Page 84, and described and shown in the attached Exhibits "A" and "B" 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 and abandons the Public Utility Easement over the common sideline of Parcel M and Lot 121 of the Western Lake Properties Unit No. 1-A subdivision, as shown on the map recorded in Book 2 of Subdivisions at Page 84, and as described and shown on 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.