



# RESOLUTION No. 18-097

## 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.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 13th day of March, 2018, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By:  CP

  
Edward Scofield, Chair

**EXHIBIT "A"**  
**Legal Description**  
**Easement to be Abandoned**

**Area to be Abandoned**

A strip of land 10 feet in width being a 10 foot Public Utility Easement to be abandoned, the center line of said strip described as follows:

Beginning at the northeast corner of Parcel M per Book 2 of Subdivision Page 84; thence along the centerline of said 10 foot Public Utility Easement, S05°33'38"W a distance of 279.78 feet to the southerly property line of Parcel M. End of Description.

The Basis of Bearings for this description is the same as shown on said Book 2 of Subdivision at Page 84, in the Office of the County Recorder of the County of Nevada, State of California.

This real property description has been prepared by me or under my direction, in conformance with the Professional Land Surveyors Act.

DESCRIPTION PREPARED BY

DAVID L. LINCOLN PE 27126



# EXHIBIT B

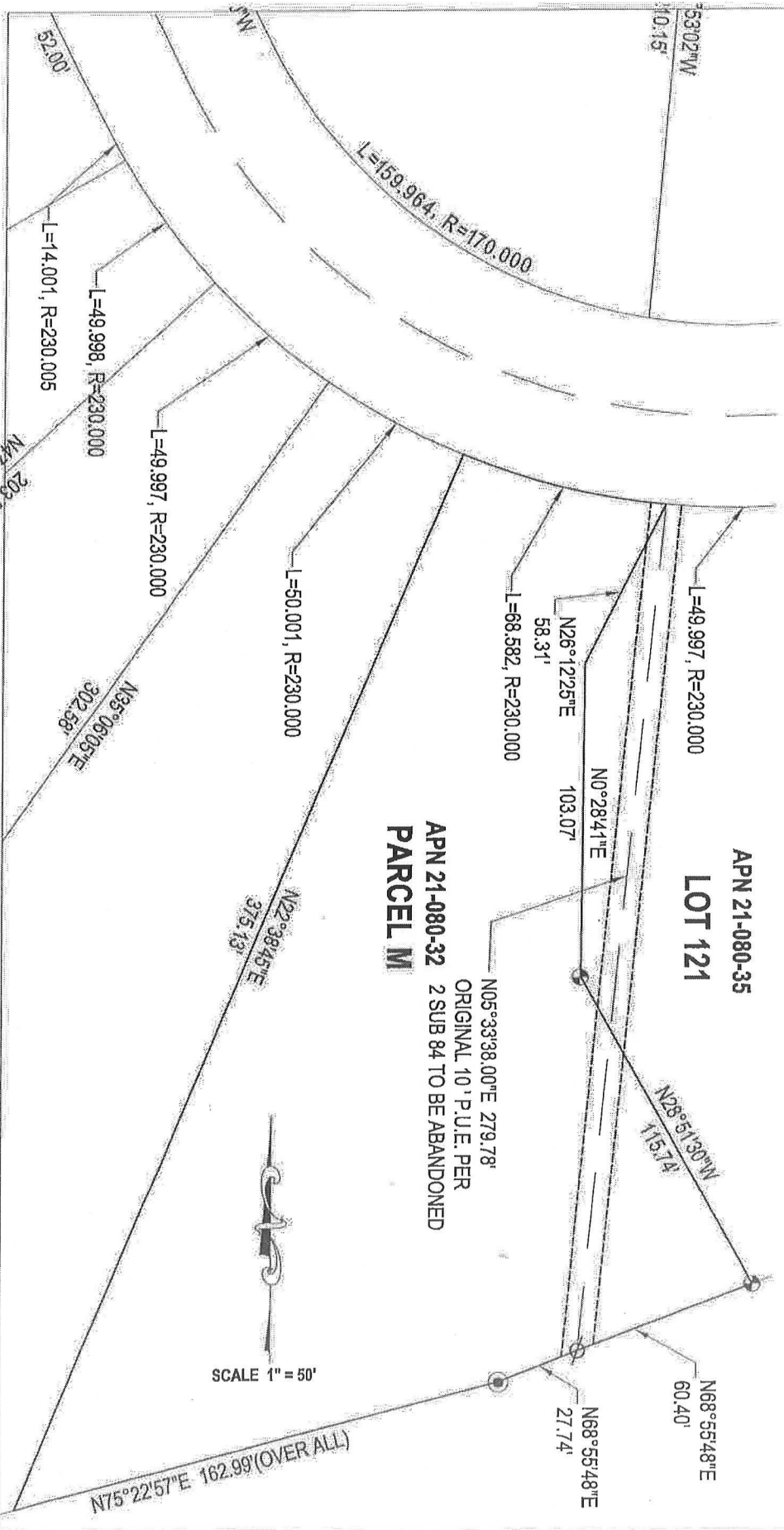
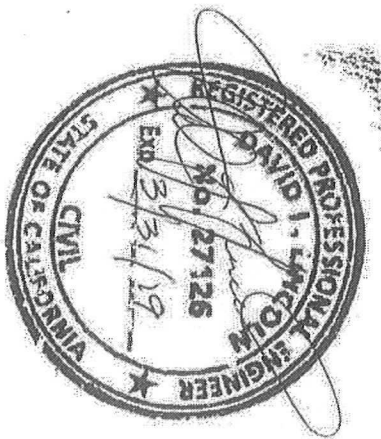
APN 21-080-32 and APN 21-080-35

Lake of the Pine Property

P.U.E. to be abandoned

Address: 11255 LAKE SHORE NORTH

Grass Valley, CA





COUNTY OF NEVADA  
COMMUNITY DEVELOPMENT AGENCY

Building  
Planning  
Public Works  
Sanitation  
Environmental Health  
Agricultural Commissioner

DATE: January 17, 2018

FILE: MIS17-0010

TO: Brian Foss, Zoning Administrator

FROM: Jessica Hankins, Public Works Project Manager

SUBJECT: **Abandonment of a 10-foot Public Utility Easement (PUE) traversing from the northeast corner to the southeast corner of Parcel M as shown in the Western Lake Properties Unit No. 1-A Subdivision recorded in Book 2 of Subdivisions at Page 84, Assessor's Parcel Numbers 21-080-32 and 21-080-35.**

Owners: Assessor's Parcel No. 21-080-32  
Karl A. and Julie Bohn  
55 Pennsylvania Ave. #4  
Los Gatos, CA 95030

Assessor's Parcel No. 21-080-35  
VBJ Investors  
350-A Coral St.  
Santa Cruz, CA 95060

AT&T, PG&E, Nevada Irrigation District, Nevada County Sanitation District, and the Nevada County Surveyor have reviewed the abandonment and do not object.

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 you have completed your 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 1/17/18, 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  
Nevada City, CA 95959-8617

Nevada County Recorder  
Gregory J. Diaz  
Document#: 20180005063  
Thursday March 15 2018, at 09:11:16 AM

Paid: CP

**DOCUMENT TITLE**

NEVADA COUNTY BOARD OF SUPERVISORS  
RESOLUTION NO. 18-097

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

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



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Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 



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

Resolution 18-097  
ATTEST: March 15, 2018

Julie Patterson Hunter, Clerk of the Board  
County of Nevada

BY: 



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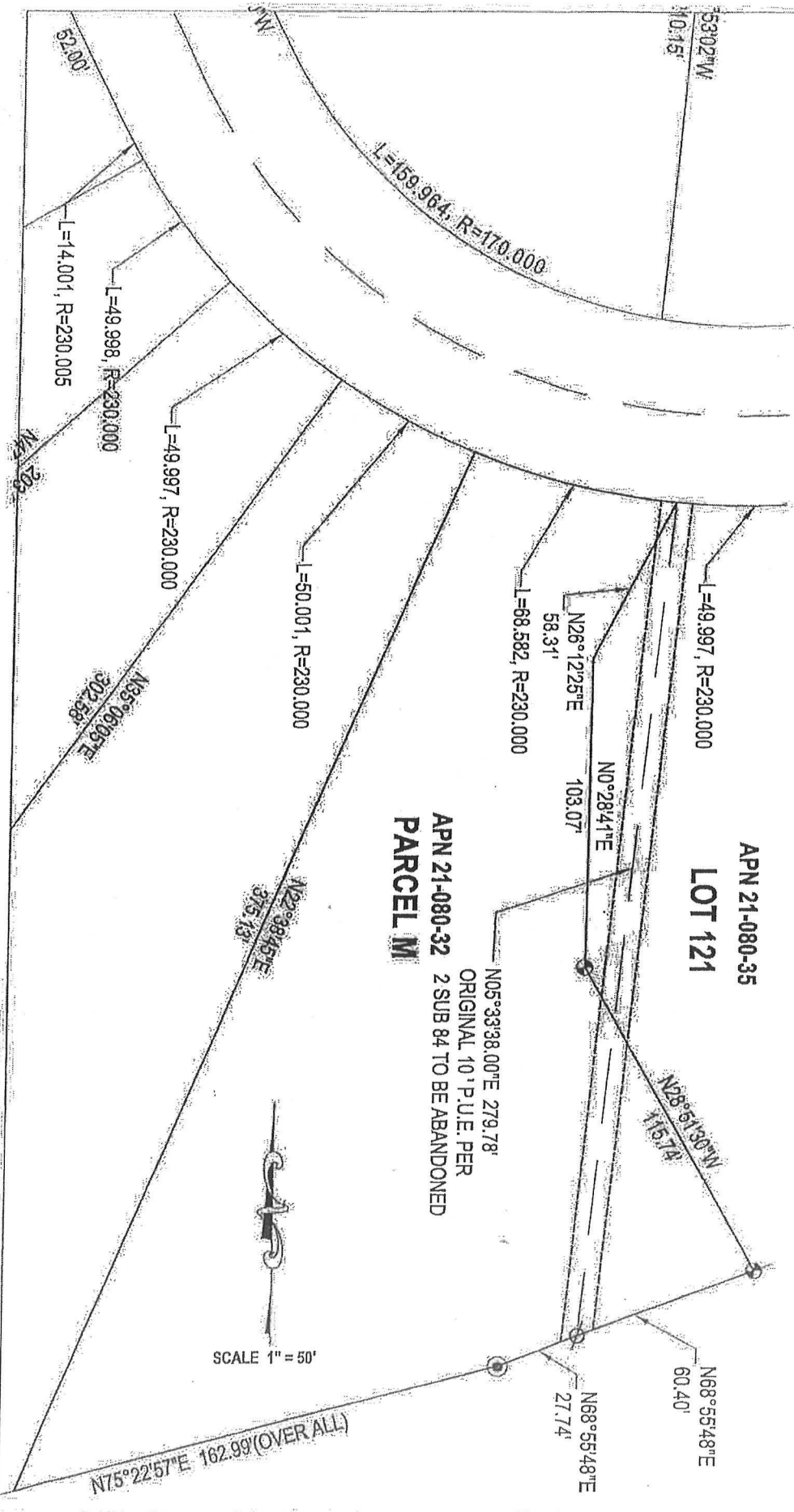
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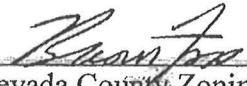
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