



# RESOLUTION No. 22-063

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### APPROVE SUMMARY VACATION (ABANDONMENT) OF A PORTION OF THE 15-FOOT PUBLIC UTILITY EASEMENT (PUE) OVER LOT 13 AS SHOWN ON THE RANCHITOS ENCINOS MAP RECORDED OCTOBER 17, 1979, IN BOOK 6 OF SUBDIVISIONS AT PAGE 26, ASSESSOR'S PARCEL NUMBER 011-690-004 (DIST. II)

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 over a portion of Lot 13 as shown on the Ranchitos Encinos map recorded October 17, 1979, in Book 6 of Subdivisions at Page 26; and

WHEREAS, the County of Nevada has received a request from the property owners, David & Jill Donley, to abandon a portion of the 15-foot Public Utility Easement (PUE) over a portion of Lot 13 as shown on the Ranchitos Encinos map recorded October 17, 1979 in Book 6 of Subdivisions at Page 26, (Assessor's Parcel Number 011-690-004); 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 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 15-foot Public Utility Easement (PUE) over a portion of Lot 13 as shown on the Ranchitos Encinos map recorded October 17, 1979, in Book 6 of Subdivisions at Page 26, 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 15-foot Public Utility Easement (PUE) over a portion of Lot 13 as shown on the Ranchitos Encinos map recorded October 17, 1979, in Book 6 of Subdivisions at Page 26, 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 25th day of January, 2022, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller and 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

1/25/2022 cc: Recorder(1)  
AC\*  
DPW(1)

**EXHIBIT A  
LEGAL DESCRIPTION OF  
PUBLIC UTILITY EASEMENT  
TO BE ABANDONED**

**A PORTION OF THE PUBLIC UTILITY EASEMENT (PUE) fifteen (15) feet in width, situate along the boundary of Lot 13, as said lot is shown and designated on the map filed in Book 6 of Subdivisions at Page 26, and as amended by Certificate of Correction recorded as Document Number 82-5708, Nevada County, California; THE NORTHEASTERLY SIDELINE OF SAID EASEMENT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT** the most easterly corner of said Lot 13 on the edge of Lake Combie, **THENCE FROM SAID POINT OF BEGINNING** along the boundary of said Lot 13 and easement northeasterly sideline North  $50^{\circ}26'30''$  West 157.50 feet to the end of said easement northeasterly sideline.

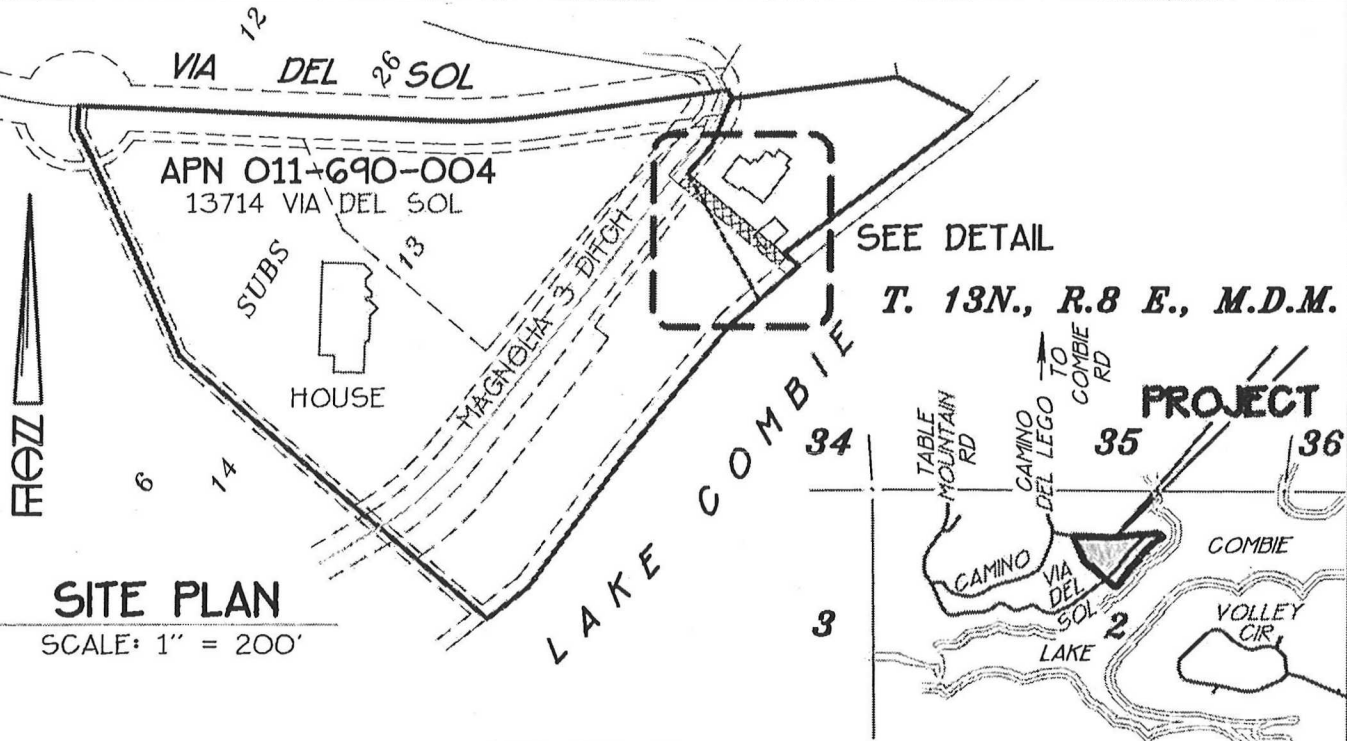
**SAID EASEMENT** abandonment is shown on Exhibit B, attached hereto and made a part hereof.

**THIS LEGAL DESCRIPTION** was prepared by me based on record data and a field survey in February 2021.

 03/02/21

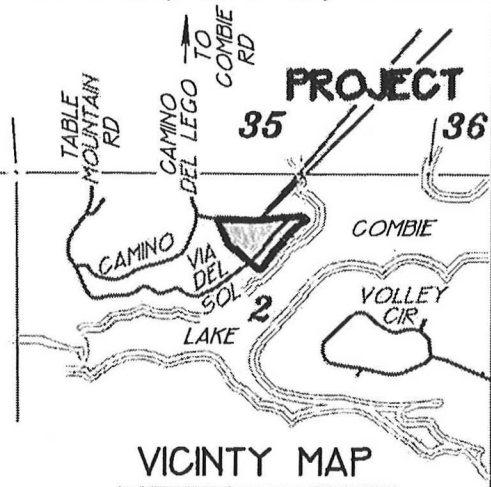
Andrew R. Cassano, PLS 4370  
Professional Land Surveyor  
Nevada City Engineering, Inc.



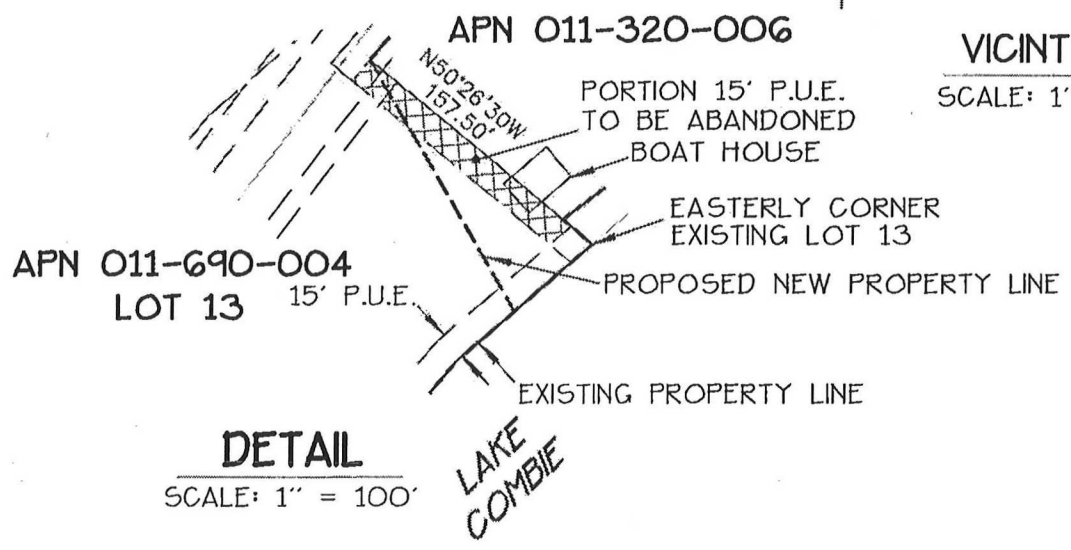


**SITE PLAN**  
SCALE: 1" = 200'

SEE DETAIL  
T. 13N., R.8 E., M.D.M.



**VICINITY MAP**  
SCALE: 1" = 2000'



**DETAIL**  
SCALE: 1" = 100'

**EASEMENT ABANDONMENT  
JOE GLUVERS**

BEING A PORTION OF  
LOT 13 BOOK 6 SUBDIVISIONS PAGE 26  
IN THE N. 1/2 OF SEC. 2. T. 13 N., R. 8 E., M.D.M.

WITHIN THE UNINCORPORATED TERRITORY OF  
**NEVADA COUNTY, CALIFORNIA**

SCALE: AS NOTED  
OCTOBER, 2021  
**NEVADA CITY ENGINEERING, INC.**  
505 COYOTE STREET \* P.O. BOX 1437 \* NEVADA CITY \* CALIFORNIA

**LEGEND**

 EASEMENT TO BE ABANDONED

**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#: 20220002009  
Thursday January 27 2022, at 08:21:39 AM

Paid: \$0.00 CP

**DOCUMENT TITLE**

NEVADA COUNTY BOARD OF SUPERVISORS  
RESOLUTION 22-063

APPROVE SUMMARY VACATION (ABANDONMENT) OF A PORTION OF THE  
15-FOOT PUBLIC UTILITY EASEMENT (PUE) OVER LOT 13 AS SHOWN ON  
THE RANCHITOS ENCINOS MAP RECORDED OCTOBER 17, 1979, IN BOOK  
6 OF SUBDIVISIONS AT PAGE 26, ASSESSOR'S PARCEL NUMBER 011-690-  
004 (DIST. II)

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



# RESOLUTION No. 22-063

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

**APPROVE SUMMARY VACATION (ABANDONMENT) OF A PORTION OF THE 15-FOOT PUBLIC UTILITY EASEMENT (PUE) OVER LOT 13 AS SHOWN ON THE RANCHITOS ENCINOS MAP RECORDED OCTOBER 17, 1979, IN BOOK 6 OF SUBDIVISIONS AT PAGE 26, ASSESSOR'S PARCEL NUMBER 011-690-004 (DIST. II)**

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 over a portion of Lot 13 as shown on the Ranchitos Encinos map recorded October 17, 1979, in Book 6 of Subdivisions at Page 26; and

WHEREAS, the County of Nevada has received a request from the property owners, David & Jill Donley, to abandon a portion of the 15-foot Public Utility Easement (PUE) over a portion of Lot 13 as shown on the Ranchitos Encinos map recorded October 17, 1979 in Book 6 of Subdivisions at Page 26, (Assessor's Parcel Number 011-690-004); 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 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 15-foot Public Utility Easement (PUE) over a portion of Lot 13 as shown on the Ranchitos Encinos map recorded October 17, 1979, in Book 6 of Subdivisions at Page 26, 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 15-foot Public Utility Easement (PUE) over a portion of Lot 13 as shown on the Ranchitos Encinos map recorded October 17, 1979, in Book 6 of Subdivisions at Page 26, 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 25th day of January, 2022, by the following vote of said Board:

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

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: [Signature] The foregoing instrument is a correct copy of the original on file in this office.  
[Signature] Susan K. Hoek, Chair

1/25/2022 cc: Recorder(1)  
 AC\*  
 DPW(1)

215 22-063  
**ATTEST: Jan 26, 2022**  
**Julie Patterson Hunter, Clerk of the Board**  
**County of Nevada**  
**BY: [Signature]**

**EXHIBIT A  
LEGAL DESCRIPTION OF  
PUBLIC UTILITY EASEMENT  
TO BE ABANDONED**

**A PORTION OF THE PUBLIC UTILITY EASEMENT (PUE)** fifteen (15) feet in width, situate along the boundary of Lot 13, as said lot is shown and designated on the map filed in Book 6 of Subdivisions at Page 26, and as amended by Certificate of Correction recorded as Document Number 82-5708, Nevada County, California; **THE NORTHEASTERLY SIDELINE OF SAID EASEMENT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT** the most easterly corner of said Lot 13 on the edge of Lake Combie, **THENCE FROM SAID POINT OF BEGINNING** along the boundary of said Lot 13 and easement northeasterly sideline North 50°26'30" West 157.50 feet to the end of said easement northeasterly sideline.

**SAID EASEMENT** abandonment is shown on Exhibit B, attached hereto and made a part hereof.

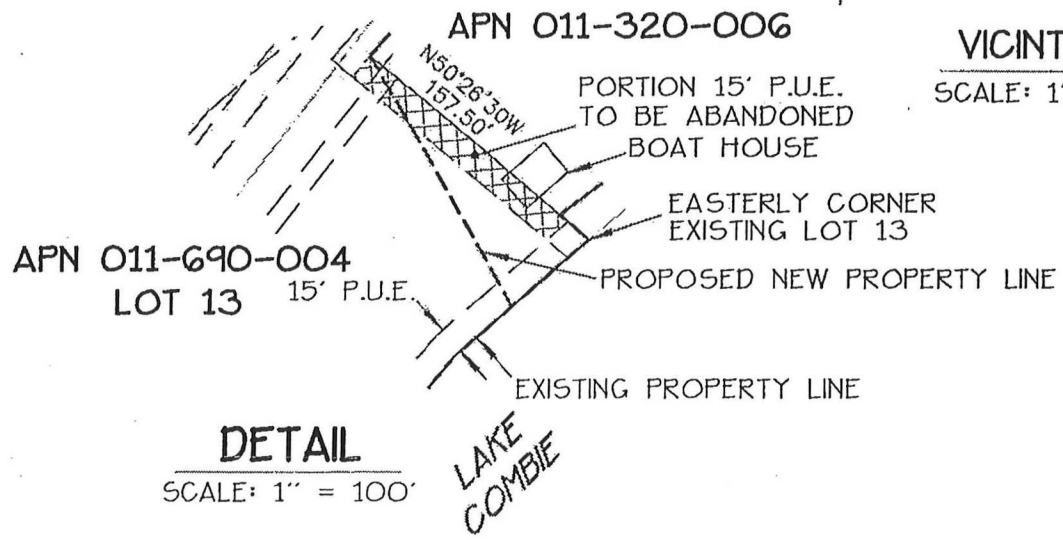
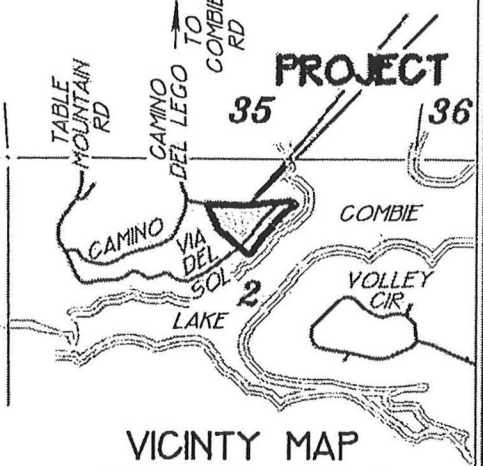
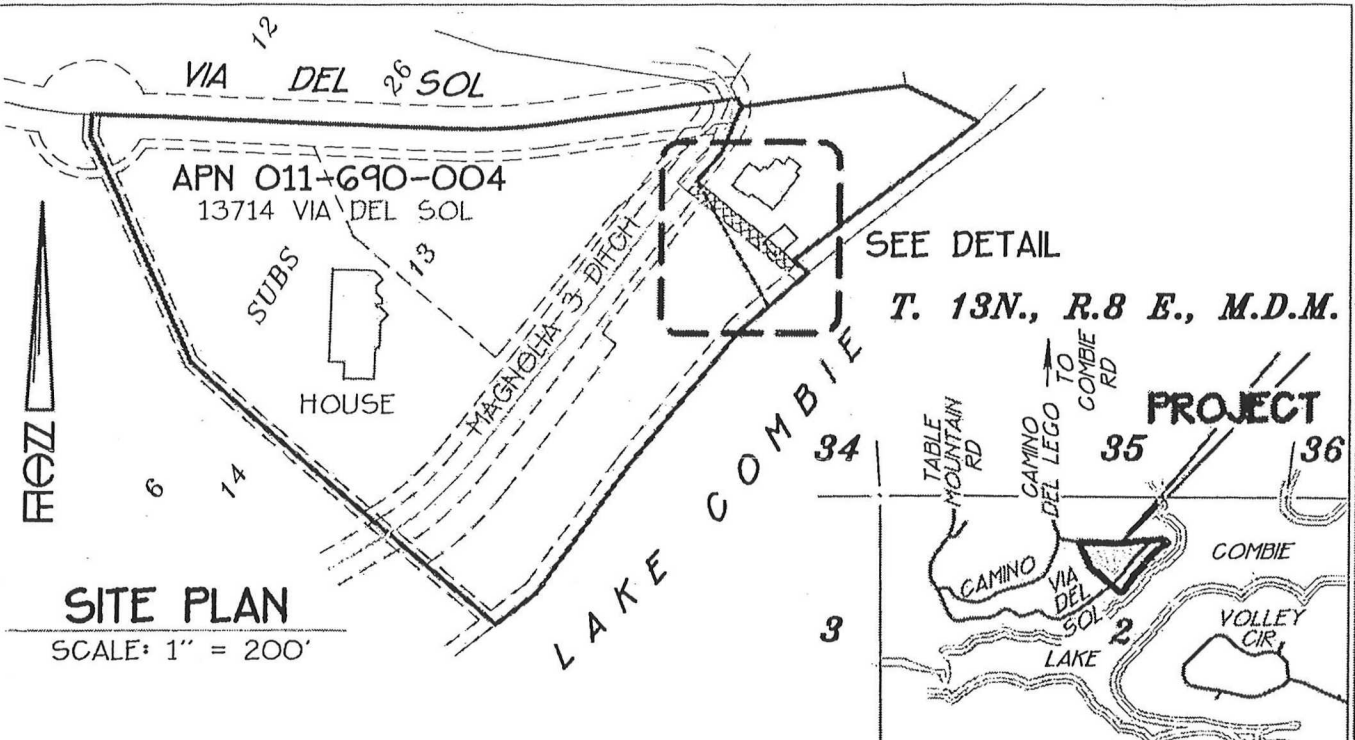
**THIS LEGAL DESCRIPTION** was prepared by me based on record data and a field survey in February 2021.

 03/02/21

Andrew R. Cassano, PLS 4370  
Professional Land Surveyor  
Nevada City Engineering, Inc.







# EASEMENT ABANDONMENT JOE GLUVERS

BEING A PORTION OF  
LOT 13 BOOK 6 SUBDIVISIONS PAGE 26  
IN THE N. 1/2 OF SEC. 2. T. 13 N., R. 8 E., M.D.M.

WITHIN THE UNINCORPORATED TERRITORY OF  
NEVADA COUNTY CALIFORNIA

SCALE: AS NOTED OCTOBER, 2021  
NEVADA CITY ENGINEERING, INC.  
505 COYOTE STREET \* P.O. BOX 1437 \* NEVADA CITY \* CALIFORNIA