



RESOLUTION No. 25-401

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION FOR AN ABANDONMENT OF A 50' ROAD RIGHT-OF-WAY SHOWN AS AREA "C" OVER PARCELS B & C AS SHOWN ON PARCEL MAP 78-186 FOR GORDON & MARGARET BANERIAN RECORDED AUGUST 10, 1979, IN BOOK 14 OF PARCEL MAPS AT PAGE 64 AND OFFERED FOR DEDICATION IN THAT CERTAIN DEED IN VOLUME 1066 AT PAGE 295, ASSESSOR'S PARCEL NUMBERS 034-040-054 & -053 (DISTRICT 1)

WHEREAS, the California Streets and Highway Code Section 8333(c) allows the County to summarily vacate or abandon a Public Right-of-Way 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 Right-of-Way Easement over a portion of Parcel C & B as shown on Parcel Map No. 78-186 for Gordon & Margaret Banerian recorded August 10, 1979 in Book 14 of Parcel Maps and Offered for Dedication in that certain Deed in Volume 1066 at Page 295; and

WHEREAS, the County of Nevada has received a request from the property owners, Tessie Moore & Michael Stewart, to abandon the 50-foot Public Right-of-Way Easement over a portion of Parcels C & B as shown on Parcel Map 78-186 for Gordon & Margaret Banerian recorded August 10, 1979 in Book 14 of Parcel Maps at Page 64 and Offered for Dedication in that certain Deed in Volume 1066 at Page 295, (Assessor's Parcel Numbers 034-040-054 & -053); and

WHEREAS, the Nevada County Surveyor has reviewed the proposed abandonment and finds that this right-of-way 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 Public Works Department and the department has consented to the request; and

WHEREAS, the Nevada County Zoning Administrator has reviewed the request and found the abandonment 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 easement vacation and hereby finds and determines as follows:

1. The above recitals are true and correct.
2. The 50-foot Public Right-of-Way Easement over a portion of Parcels C & B as shown on Parcel Map 78-186 for Gordon & Margaret Banerian recorded August 10, 1979 in Book 14 of Parcel Maps at Page 64 and Offered for Dedication in that certain Deed in Volume 1066 at Page 295, as shown in the attached Exhibit Map is hereby determined to be an excess right-of-way and there are no public facilities located within the easement.
3. The Public Right-of-Way 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:

1. Summarily vacates and abandons the 50-foot Public Right-of-Way Easement over a portion of Parcels C & B as shown on Parcel Map 78-186 for Gordon & Margaret Banerian recorded August 10, 1979, in Book 14 of Parcel Maps at Page 64 and Offered for Dedication in that certain Deed in Volume 1066 at Page 295, and as shown in the attached Exhibit Map.
2. Declares that from and after the date that this Resolution is recorded, the subject right-of-way 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 12th day of August 2025, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Robb Tucker, Lisa Swarthout, Susan Hoek, and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

Recuse: None.

ATTEST:

TINE MATHIASSEN

Chief Deputy Clerk of the Board of Supervisors

By: Lauriana Bechi

Heidi Hall
Heidi Hall, Chair

NEVADA COUNTY

24964

OFFICIAL RECORDS
RECORDED AT REQUEST OF
DEPT. PUBLIC WORKS

AUG 10 1979
AT 3:30 PM. PAST 3 O'CLOCK P.M.
NEVADA COUNTY, CALIFORNIA
FILED
NE

OFFER OF DEDICATION

FOR

PARCEL MAP 78-186

24964

1. Gordon & Margaret Banerian

do hereby offer for dedication to the County of Nevada for public use those certain strips of land shown within the boundaries of the Parcel Map recorded in Book 14 of Parcel Maps, at Page 64 and being more particularly described as follows:

1. For ingress, egress, road construction, and road maintenance purposes, together with any and all appurtenances thereto, including the right to trim, and/or remove trees and vegetation, and the right to extend culverts and slopes, those certain strips of land shown and designated on the above-referenced Parcel Map as Area "A", "B", and "C"
2. For any and all public utility uses, including, but not limited to, overhead and/or underground conduits, cables, ditches, and pipes, together with the right to trim and/or remove trees and vegetation, those certain strips of land shown and designated on the above-referenced Parcel Map as "Public Utility Easements" (P. U. E.).
3. For any and all public uses, those certain strips of land shown and designated on the above referenced Parcel Map as _____
4. For the installation and maintenance of storm drain facilities on, under and across those strips of land shown on the above-referenced Parcel Map as "Drainage Easements" (D. E.).

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(Existing
County
Maintained
Roads)

Gordon Banerian 4/12/79
Owner Date
Margaret G. Banerian
Owner Date

State of Virginia, County of Fairfax

On April 12, before me, the undersigned, a Notary Public in and for said State, personally appeared Gordon Banerian and Margaret G. Banerian known to me to be the persons whose names subscribed to the within instrument and acknowledged that they executed the same. WITNESS my hand and official seal.

(Notary)

Edward J. [Signature]
My Commission Expires November 19, 1984

NEVADA COUNTY

CERTIFICATE PROCESSING OFFER OF DEDICATION

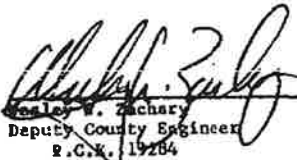
FOR

PARCEL MAP 78-186

The Director of the Department of Public Works, as authorized by Resolution 76-94, hereby consents to the recording of the attached "Offer of Dedication" and, on behalf of the Board of Supervisors of Nevada County, hereby takes the following action:

1. Accepts for public use items 2 of the attached Offer of Dedication.
2. Defers acceptance of items 1 of the attached Offer of Dedication.

Terrance E. Lowell, Director


Wesley W. Zachary
Deputy County Engineer
R.C.N. 19284

Date 7/9/79

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24964

SUMMARY OF CONCLUSIONS

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF O. BARNES ON JULY 1978. I HEREBY STATE THAT THIS PUBLISHED MAP SUBSTANTIALLY COMFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, NO. 78 - 186.

ALBERT M. DAVEN, L.S.

COUNTY SURVEYOR'S CERTIFICATE

THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES.

DATED: 7/9/79

WILLIAM W. LAMBERT, JR. 1928
DEPUTY COUNTY SHERIFF

COUNTY RECORDER'S CERTIFICATE

FILED THIS 10th DAY OF August 1979 AT 3:38 P M IN BOOK 14
OF PARCEL MAPS AT PAGE 64 AT THE REQUEST OF O. BARTLEMAN.

24965

5.8

Melba J. Talge

by Marilyn Carroll

NOTES

THIS PROPERTY IS WITHIN THE "U" UNCLASSIFIED ZONING DISTRICT AND THE NEVADA COUNTY PLANNING DEPARTMENT SHOULD BE CONTACTED FOR LAND USE AND ZONING INFORMATION.

WATER - THERE IS NO GUARANTEE THAT WATER IS AVAILABLE ON ANY LOT OR PARCEL ON THE REFERENCED MAP.

REMARKS - THERE IS NO GUARANTEE THAT REMARKS CAN BE DISPOSED OF ON ANY LOT OR PARCEL ON THE RECORDED MAP.

AREA "A", "B", "C" OFFERED FOR DEDICATION 10 to 12 OR 245

DEAD RESTRICTIONS 1066 OR 294

PARCEL A - PARCEL A CANNOT BE DIVIDED FURTHER PER EXISTING ACCESS SHOWN HEREIN

LEGEND

- (1) BUREAU OF LAND MANAGEMENT (BLM) MONUMENTS FOUND
 () FOUND MONUMENTS AS IDENTIFIED
 (●) MONUMENTS SET THIS SURVEY - 5/8" REBAR MARKED LS 3079

HEARINGS OF THIS SURVEY ARE BASED ON MONUMENTS FOUND AS ESTABLISHED IN A SURVEY
RECORDED IN BOOK 5 RECORD OF SURVEYS AT PAGE 49

⊥ ROAD R/W

25 FOOT ROAD

① $N 0^{\circ} 16' 48'' W$ 513.84

50-FOOT ROAD

- ② $\Delta = 105^{\circ}39'12''$ $R = 100'$ $L = 184.40'$
- ③ $S 74^{\circ}04' N$ $98.26'$
- ④ $\Delta = 68^{\circ}20'$ $R = 150'$ $L = 178.90'$
- ⑤ $N 37^{\circ}36' W$ $134.43'$
- ⑥ $\Delta = 85^{\circ}21'$ $R = 200'$ $L = 297.93'$
- ⑦ $N 47^{\circ}45' E$ $268.10'$
- ⑧ $\Delta = 45^{\circ}51'$ $R = 200'$ $L = 160.05'$
- ⑨ $N 1^{\circ}54' E$ $65.67'$
- ⑩ $N 1^{\circ}34' E$ $50.00'$
- ⑪ $N. 88^{\circ}19' E$ $25.00'$

PARCEL MAP 78-186
FOR

GORDON & MARGARET BANERIAN

~~W¹/₂ SEC¹/₂ W¹/₂, E¹/₂ S¹/₂ W¹/₂, PTN.~~ LOT 3 & LOT 4 SW¹/₂ N. OF RECTOR ROAD, W¹/₂ H¹/₂ NE¹/₂ SW¹/₂, PTN.
W¹/₂ SEC¹/₂ W¹/₂ IN SECTION 30, TOWNSHIP 17 NORTH, RANGE 9 EAST, MDN.

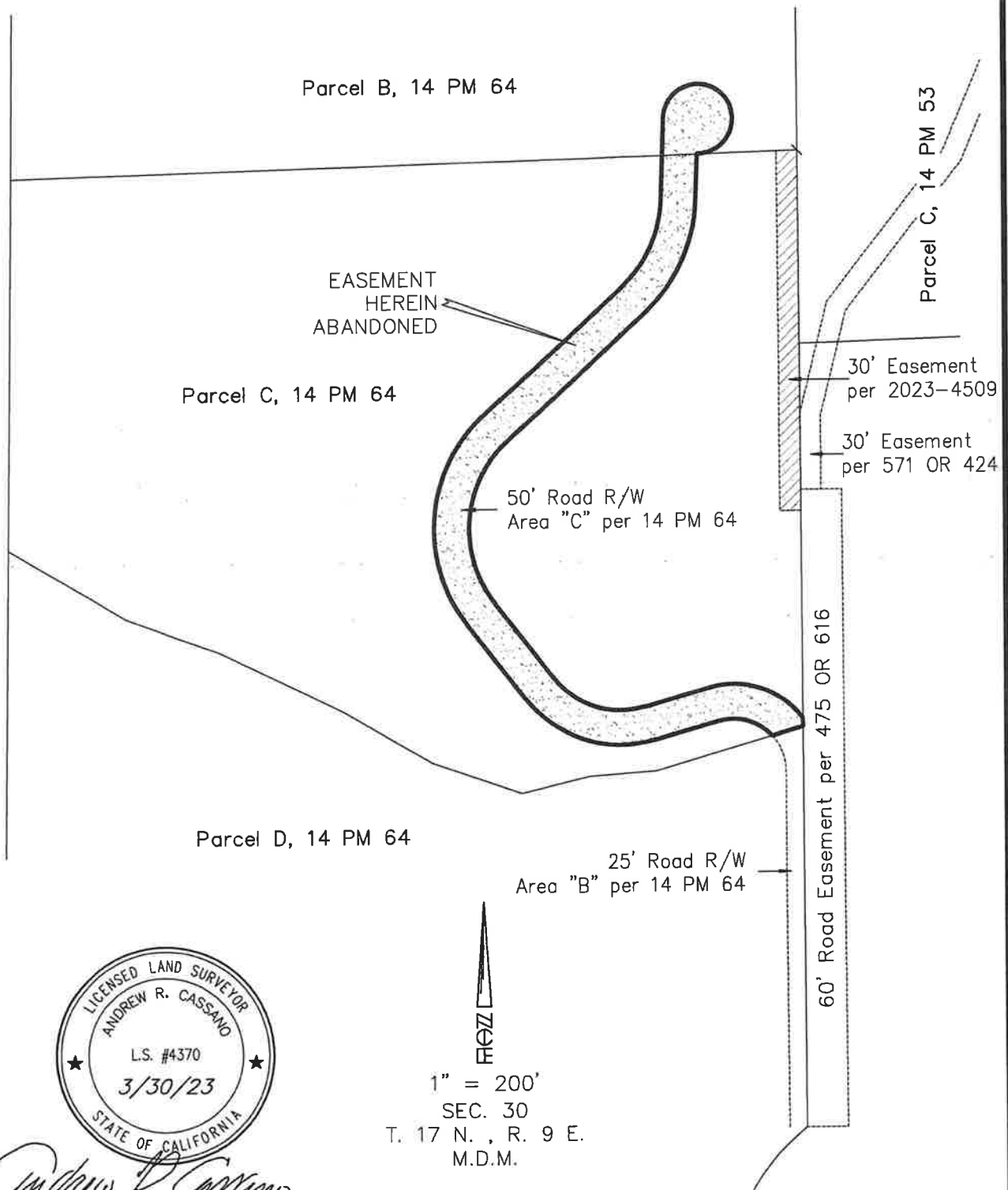
IN THE UNINCORPORATED TERRITORY OF SEVADA COUNTY, CALIFORNIA

SCALE 1" = 200'

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EXHIBIT "B"



DRAWN BY: JEB
CHECKED BY: ARC
APPROVED BY:

EXHIBIT A

THAT CERTAIN easement shown and designated as Area "C" within Parcel B and Parcel C of the map filed in Book 14 of Parcel Maps at Page 64, Nevada County, California. The easement being abandoned is graphically depicted on Exhibit B, attached hereto, and made a part hereof. The purpose of this document is to completely eliminate, and erase said easement.



Andrew R. Cassano, LS 4370
Professional Land Surveyor





COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY

Building
Planning
Public Works
Sanitation
Environmental Health
Agricultural Commissioner

DATE: July 1, 2025

FILE: MIS25-0020, PLN25-0067

TO: Brian Foss, Zoning Administrator

FROM: Kevin J. Nelson, County Surveyor

SUBJECT: Abandonment of the 50' Road Right-of-Way shown as Area "C" over Parcels B & C as shown on Parcel Map 78-186 for Gordon & Margaret Banerian recorded August 10, 1979 in Book 14 of Parcel Maps at Page 64, Assessor's Parcel Numbers 034-040-054 & -053.

Owners: APN 034-040-054
Tessie Moore & Michael Stewart
430Ellestad Way
Auburn, CA 95603

APN 034-040-053
Jeffery Gordon
200 Coyote Street, Unit 68
Nevada City, CA 95959

The Nevada County Public Works Department have been duly notified and do not object to the subject abandonment. Since this was not designated as a P.U.E. (Public Utility Easement), AT&T, the Nevada Irrigation District, the Pacific Gas and Electric Company were not notified and are not required to abandon this right-of-way

Enclosed is the Exhibit Map for the subject abandonment.

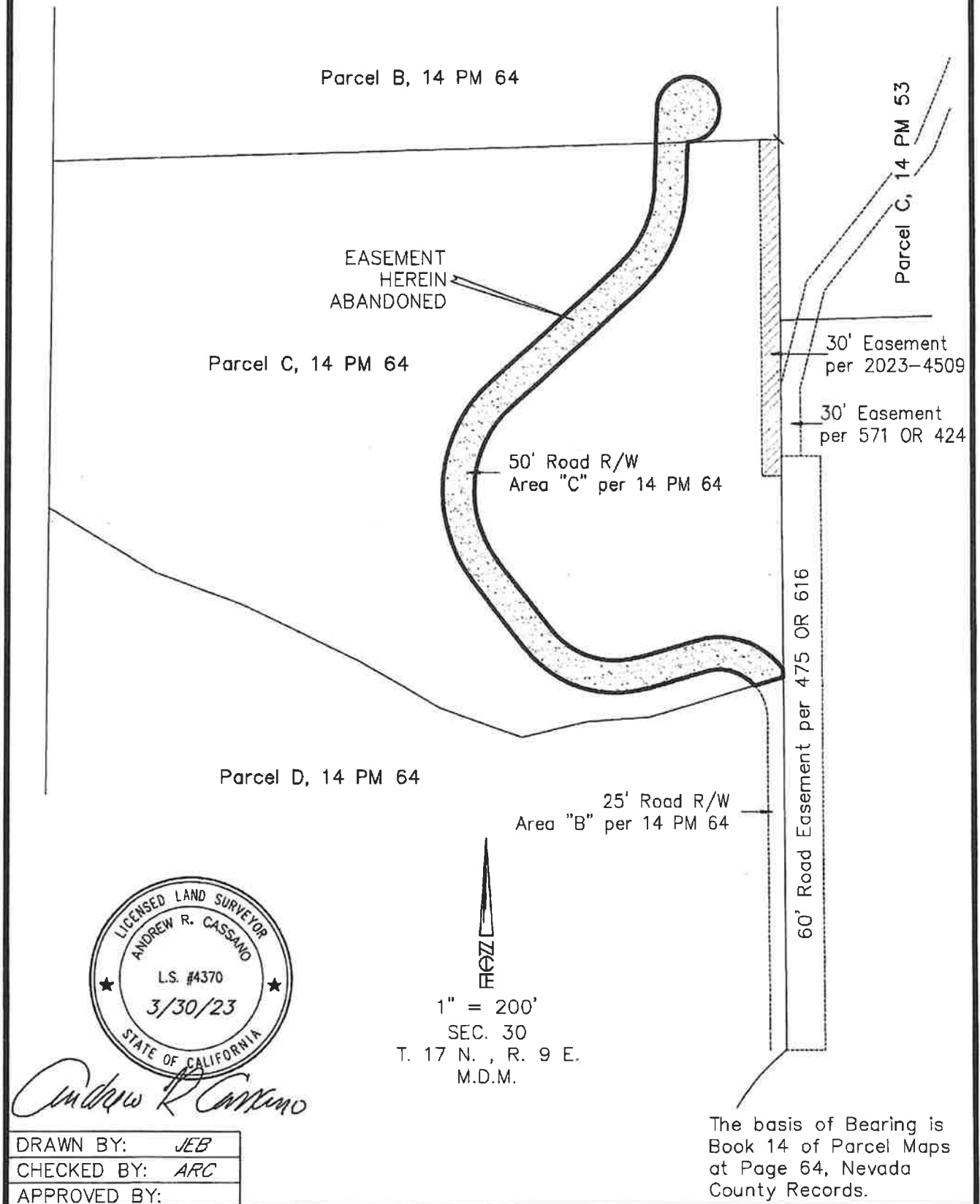
Before abandonment of any right-of-way, Government Code Section 65402 requires that the Planning Department review the above request for compliance with the General Plan. After the Zoning Administrator has completed the review, please fill out the statement below and return it to me so that I can continue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

On July 15, 2025, 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

EXHIBIT "B"



RECORDING REQUESTED BY:

&

RETURN TO:

Board of Supervisors
County of Nevada
950 Maidu Avenue, Suite 200
Nevada City CA 95959-8617

Nevada County Recorder

Corey O'Hayre, Acting

Document#: 20250013526

Friday August 29 2025, at 03:35:37 PM

Paid: \$0.00 AM

3
NF

DOCUMENT TITLE

NEVADA COUNTY BOARD OF SUPERVISORS RESOLUTION NO. 25-401

RESOLUTION FOR AN ABANDONMENT OF A 50' ROAD RIGHT-OF-WAY
SHOWN AS AREA "C" OVER PARCELS B & C AS SHOWN ON PARCEL MAP 78-186
FOR GORDON & MARGARET BANERIAN RECORDED AUGUST 10, 1979, IN BOOK
14 OF PARCEL MAPS AT PAGE 64 AND OFFERED FOR DEDICATION IN THAT
CERTAIN DEED IN VOLUME 1066 AT PAGE 295, ASSESSOR'S PARCEL NUMBERS
034-040-054 & -053. (DISTRICT 1)

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

Additional Recording Fee Applies



RESOLUTION No. 25-401

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION FOR AN ABANDONMENT OF A 50' ROAD RIGHT-OF-WAY SHOWN AS AREA "C" OVER PARCELS B & C AS SHOWN ON PARCEL MAP 78-186 FOR GORDON & MARGARET BANERIAN RECORDED AUGUST 10, 1979, IN BOOK 14 OF PARCEL MAPS AT PAGE 64 AND OFFERED FOR DEDICATION IN THAT CERTAIN DEED IN VOLUME 1066 AT PAGE 295, ASSESSOR'S PARCEL NUMBERS 034-040-054 & -053 (DISTRICT 1)

WHEREAS, the California Streets and Highway Code Section 8333(c) allows the County to summarily vacate or abandon a Public Right-of-Way 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 Right-of-Way Easement over a portion of Parcel C & B as shown on Parcel Map No. 78-186 for Gordon & Margaret Banerian recorded August 10, 1979 in Book 14 of Parcel Maps and Offered for Dedication in that certain Deed in Volume 1066 at Page 295; and

WHEREAS, the County of Nevada has received a request from the property owners, Tessie Moore & Michael Stewart, to abandon the 50-foot Public Right-of-Way Easement over a portion of Parcels C & B as shown on Parcel Map 78-186 for Gordon & Margaret Banerian recorded August 10, 1979 in Book 14 of Parcel Maps at Page 64 and Offered for Dedication in that certain Deed in Volume 1066 at Page 295, (Assessor's Parcel Numbers 034-040-054 & -053); and

WHEREAS, the Nevada County Surveyor has reviewed the proposed abandonment and finds that this right-of-way 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 Public Works Department and the department has consented to the request; and

WHEREAS, the Nevada County Zoning Administrator has reviewed the request and found the abandonment 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 easement vacation and hereby finds and determines as follows:

1. The above recitals are true and correct.
2. The 50-foot Public Right-of-Way Easement over a portion of Parcels C & B as shown on Parcel Map 78-186 for Gordon & Margaret Banerian recorded August 10, 1979 in Book 14 of Parcel Maps at Page 64 and Offered for Dedication in that certain Deed in Volume 1066 at Page 295, as shown in the attached Exhibit Map is hereby determined to be an excess right-of-way and there are no public facilities located within the easement.
3. The Public Right-of-Way 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:

1. Summarily vacates and abandons the 50-foot Public Right-of-Way Easement over a portion of Parcels C & B as shown on Parcel Map 78-186 for Gordon & Margaret Banerian recorded August 10, 1979, in Book 14 of Parcel Maps at Page 64 and Offered for Dedication in that certain Deed in Volume 1066 at Page 295, and as shown in the attached Exhibit Map.
2. Declares that from and after the date that this Resolution is recorded, the subject right-of-way 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 12th day of August 2025, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Robb Tucker, Lisa Swarthout, Susan Hoek, and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

Recuse: None.

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

Resolution 25-401
ATTEST: August 29 2025

Clerk of the Board

County of Nevada

BY: Susan

ATTEST:

TINE MATHIASSEN

Chief Deputy Clerk of the Board of Supervisors

By:

Lauriana Cecchi

Heidi Hall
Heidi Hall, Chair