



RESOLUTION No. 20-002

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

APPROVE SUMMARY VACATION (ABANDONMENT) OF THE 10-FOOT PUBLIC UTILITY EASEMENT (PUE) CENTERED ON THE PROPERTY BOUNDARY BETWEEN LOTS 984 AND 985 OF THE "LAKE WILDWOOD – UNIT No. 2" SUBDIVISION AS SHOWN IN BOOK 3 OF SUBDIVISIONS AT PAGE 39, ASSESSOR'S PARCEL NUMBERS: 033-100-010 & -011 – DISTRICT 4

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 the Lake Wildwood – No. 2 and recorded in Book 3 of Subdivisions at Page 39; and

WHEREAS, the County of Nevada has received a request from the property owner, Allen Constable, to abandon the 10-foot Public Utility Easement centered on the boundary between his Lots 984 and 985 of the Lake Wildwood – Unit No. 2 as shown in Book 3 of Subdivisions at Page 39 (Assessor's Parcel Nos. 033-100-010 & -011); 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 Public Utility Easement centered on the property boundary between Lots 984 and 985 of the Lake Wildwood – Unit No. 2 as shown in Book 3 of Subdivisions at Page 39, 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 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 centered on the property boundary between Lots 984 and 985 of the Lake Wildwood – Unit No. 2 as shown in Book 3 of Subdivisions at Page 39, 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 14th day of January, 2020, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Heidi Hall, Chair

1/14/2020 cc: DPW*
AC* (Hold)

1/17/2020 cc: DPW*
AC* (Release)

1/16/2020 cc: Recorder (1) 

RECORDING REQUESTED BY:
&
RETURN TO:

COPY

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

Nevada County Recorder
Gregory J. Diaz
Document#: 20200001411
Friday January 17 2020, at 09:43:41 AM

Paid: \$0.00 CP

DOCUMENT TITLE

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RESOLUTION NO. 20-002

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ASSESSOR'S PARCEL NUMBERS: 033-100-010 & -011
- DISTRICT 4

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, Susan K. Hoek and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: Julie Patterson Hunter

Heidi Hall
Heidi Hall, Chair

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

1/14/2020 cc: DPW*
AC* (Hold)

1/16/2020 cc: Recorder (1)

RES 20-002
ATTEST: 1/17/2020
Julie Patterson Hunter, Clerk of the Board
County of Nevada
BY: Heidi Hall



Exhibit Map
for
Easement Abandonment
for
Allen Constable
Lots 974 & 985, Lake Wildwood-Unit No. 2
A portion of
SEC. 21&28 T.16N R.7E MDM
In the unincorporated territory of
NEVADA COUNTY, CALIFORNIA
MARCH 2019 Scale 1"=50'
California Survey Company

