



RESOLUTION No. _____

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.