



**RESOLUTION No. \_\_\_\_\_**  
**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

**SUMMARY VACATION (ABANDONMENT) OF A PORTION OF  
THE PUBLIC RIGHT-OF-WAY SHOWN AS NEVADA CITY  
AVENUE ON THAT CERTAIN MAP FOR THE LOMA RICA  
INDUSTRIAL PARK RECORDED JUNE 23, 1960 IN BOOK 1 OF  
SUBDIVISION MAPS AT PAGE 121, AND AS ACCEPTED BY THE  
NEVADA COUNTY BOARD OF SUPERVISORS RESOLUTION  
09-047 – DISTRICT 3**

WHEREAS, the California Streets and Highway Code Section 8331 allows the County to summarily vacate a street or highway if, for a period of five consecutive years, the street or highway has been impassable for vehicular travel and no public money was expended for maintenance on the street or highway during such period; and

WHEREAS, the County of Nevada owns the 80-foot wide right-of-way for Nevada City Avenue as shown on that certain map for the Loma Rica Industrial Park recorded June 23, 1960 in Book 1 of Subdivision Maps at Page 121 and as accepted by the Nevada County Board of Supervisors Resolution No. 09-047; and

WHEREAS, the County of Nevada has received a request from Lee Ocker, the Nevada County Airport Manager, to vacate (abandon) the most northerly 282-foot strip of the 80-foot wide right-of-way for Nevada City Avenue, which terminates at the southern boundary of the Nevada County Airport property as shown on that certain Record of Survey Map in Book 16 of Surveys at Page 14; and

WHEREAS, the Nevada County Surveyor and the Department of Public Works has reviewed the proposed vacation (abandonment) and finds that these portions of right-of-way are excess right-of-way and no longer needed for the purpose that it was originally provided, and there are no public improvements or utilities located within this area and is in conformance with Nevada County Board of Supervisors Resolution 09-047; and

WHEREAS, the request has been circulated to AT&T, the Nevada Irrigation District, the Pacific Gas and Electric Company, and the Nevada County Department of Sanitation and all have consented to the request; and

WHEREAS, the Nevada County Zoning Administrator reviewed the request and found the vacation 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 right-of-way vacation and hereby finds and determines as follows:

1. The above recitals are true and correct.

2. The 80-foot strip of right-of-way for Nevada City Avenue shown on the attached Exhibits "A" and "B" is hereby determined to be excess property and there are no public improvements or facilities located within the property.
3. The right-of-way as described herein can be summarily vacated pursuant to California Code Section 8331.

BE IT FURTHER RESOLVED that the Nevada County Board of Supervisors hereby:

1. Summarily vacates the 80-foot strip of right-of-way for public road and utility purposes for Nevada City Avenue as described in the attached Exhibit "A" and shown on the attached Exhibit "B".
2. Declares that from and after the date that this Resolution is recorded, the subject property no longer is for public road and utility purposes.
3. Directs the Clerk of the Board of Supervisors to record the Resolution of Summary Vacation.