



RESOLUTION No. 16-149

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

SUMMARY VACATION (ABANDONMENT) OF THE PUBLIC RIGHT-OF-WAY SHOWN AS AN UNNAMED STREET OR ALLEY BETWEEN LOT 1 OF BLOCK 6 AND LOTS 1, 2, AND 3 OF BLOCK 7 ON THAT CERTAIN TOWNSITE MAP FOR NORTH SAN JUAN BY D. B. MERRY IN 1874, AND SHOWN ON ASSESSOR'S PARCEL MAP IN BOOK 60 AT PAGE 09 – DISTRICT IV

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 unnamed street or alley as shown between Lot 1 of Block 6 and Lots 1, 2 and 3 of Block 7 on that certain Town site Map for North San Juan by D. B. Merry in 1874 and shown on Assessor's Parcel Map in Book 60 at Page 09; and

WHEREAS, the County of Nevada has received a request from Marion and Toki Steele to vacate (abandon) the unnamed street or alley as shown between Lot 1 of Block 6 and Lots 1, 2 and 3 of Block 7 on that certain Town site Map for North San Juan by D. B. Merry in 1874 and shown on Assessor's Parcel Map in Book 60 at Page 09; and

WHEREAS, the Nevada County Surveyor has reviewed the proposed vacation (abandonment) and finds that this street or alley is no longer needed for the purpose that it was originally provided, and there are no public improvements or utilities located within this area; and

WHEREAS, the request has been circulated to AT&T, the Nevada Irrigation District, the Pacific Gas and Electric Company, and the Nevada County Sanitation District No. 1 and all have consented to the request; and

WHEREAS, the Nevada County Zoning Administrator reviewed the request and found the vacation 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 unnamed street or alley as shown between Lot 1 of Block 6 and Lots 1, 2 and 3 of Block 7 on that certain Town site Map for North San Juan by D. B. Merry in 1874 and shown on Assessor's Parcel Map in Book 60 at Page 09, and on the attached Exhibit "A" is hereby determined to be an excess property and there are no public improvement or facilities located within the property.
3. The Street or Alley 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 unnamed street or alley as shown between Lot 1 of Block 6 and Lots 1, 2 and 3 of Block 7 on that certain Town site Map for North San Juan by D. B. Merry in 1874 and shown on Assessor's Parcel Map in Book 60 at Page 09, and 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 public lands.
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 April, 2016, by the following vote of said Board:

Ayes: Supervisors Nathan H. Beason, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By:  _____

 _____
Dan Miller, Chair

4/12/2016 cc: Recorder(1)

4/13/2016 cc: DPW*

File: EA 16-001

**EXHIBIT A
LEGAL DESCRIPTION
OF STREET/EASEMENT
ABANDONMENT/VACATION AREA**

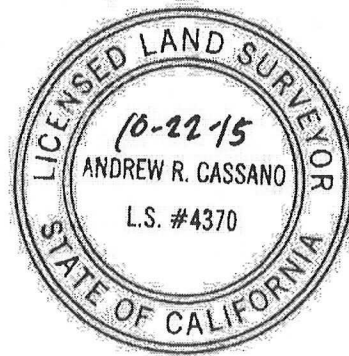
A STRIP OF LAND shown as an unnamed street or alley, situate within the North San Juan Townsite as shown on the official map thereof made by D.B. Merry in 1874, Roll 9, Book 1 of Patents at Page 338, on file with the Nevada County Recorder, being a portion of Section 5, Township 17 North, Range 8 East, M.D.M., Nevada County, California, **BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

COMMENCING AT the most westerly corner of Lot 1, Block 6 of said townsite on the south edge of Maiden Lane; **THENCE FROM SAID POINT OF COMMENCEMENT** leaving said Lot 1, Block 6, **WEST** to a point on the northerly boundary of Block 7 of said Townsite; thence along said northerly boundary of Block 7 in a **SOUTHEASTERLY** direction to the northeast corner of Lot 5, Block 7 on the west edge of Maiden Lane; thence leaving said Block 7, **NORTHERLY** along the west line of Maiden Lane to the southeast corner of Lot 1, Block 6 of said Townsite; thence leaving Maiden Lane, **NORTHWESTERLY** along the southwest boundary of said Lot 1 to the most westerly corner thereof being the point of commencement.

THIS LEGAL DESCRIPTION was prepared by me based on record data in October, 2015.



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



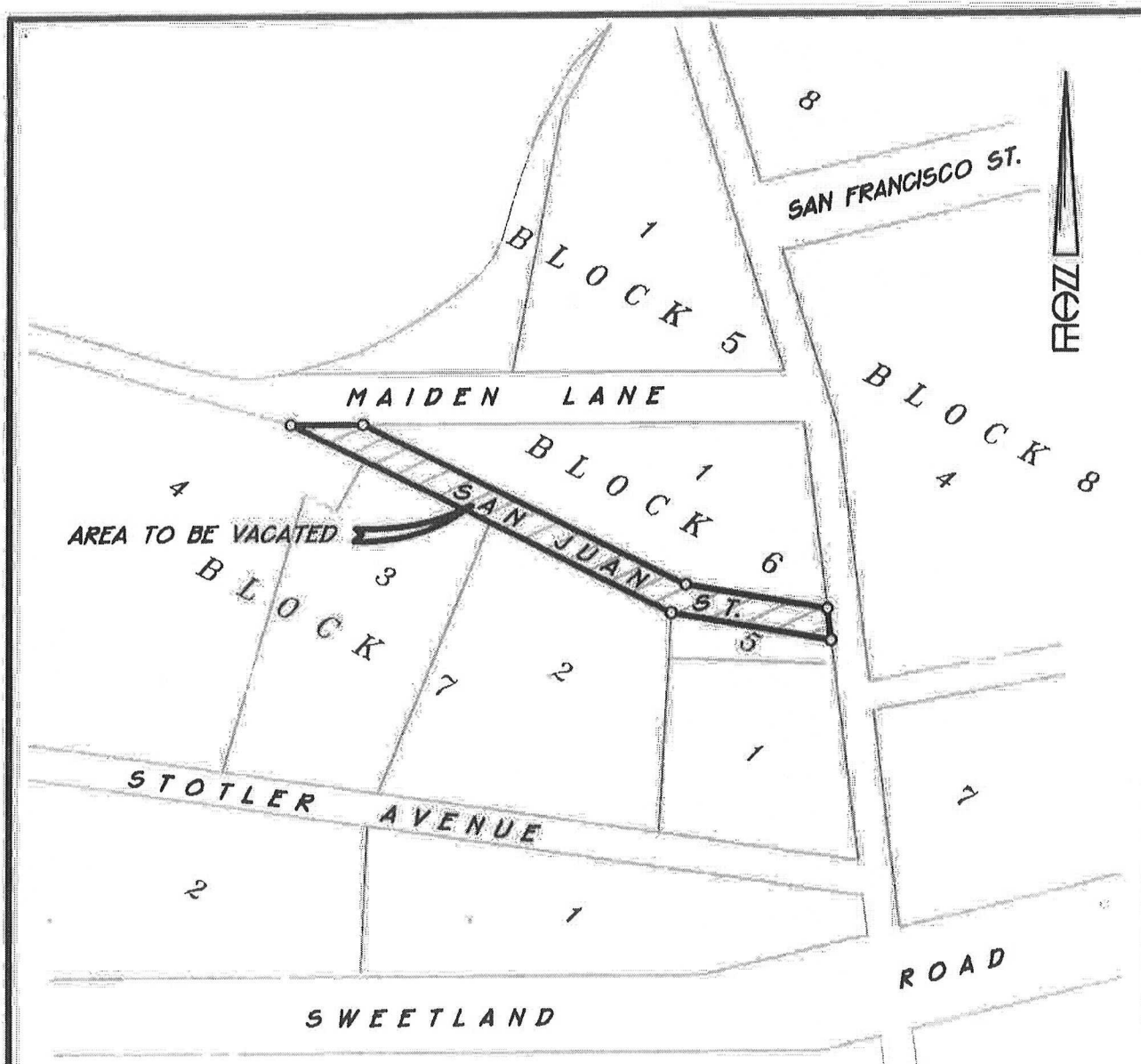


EXHIBIT "B"

ROADWAY VACATION

WITHIN A PORTION OF BLOCK 7 AND BLOCK 6
OF THE TOWNSITE OF NORTH SAN JUAN OF
SECTION 5. T. 17 N. R. 8 E. M.D.M.

SCALE: NONE

JANUARY, 2016

NEVADA CITY ENGINEERING, INC.

505 COYOTE STREET * P.O. BOX 1437 * NEVADA CITY * CALIFORNIA



Andrew R. Cassano

COPY

RECORDING REQUESTED BY:
&
RETURN TO:

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

Nevada County Recorder
Gregory J. Diaz
Document#: 20160007395
Wednesday April 13 2016, at 08:48:52 AM

Paid: CP

DOCUMENT TITLE

NEVADA COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 16-149

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ALLEY BETWEEN LOT 1 OF BLOCK 6 AND LOTS 1, 2, AND 3 OF
BLOCK 7 ON THAT CERTAIN TOWNSITE MAP FOR ASSESSOR'S
PARCEL MAP IN BOOK 60 AT PAGE 09 – DISTRICT IV

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



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Ayes: Supervisors Nathan H. Beason, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.


Noes: None.


Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Dan Miller, Chair

4/12/2016 cc: Recorder(1)

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

Pes 16-149
ATTEST: April 13, 2016
Julie Patterson Hunter, Clerk of the Board
County of Nevada

BY: 

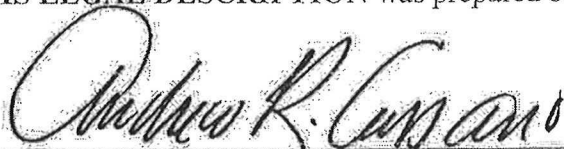
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