



**17-098**

**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.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 28th day of February, 2017, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, 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: \_\_\_\_\_



  
\_\_\_\_\_  
Hank Weston, Chair

2/28/2017 cc: Recorder (1)



3/1/2017 cc: DPW\*



COUNTY OF NEVADA  
COMMUNITY DEVELOPMENT AGENCY

Building  
Planning  
Public Works  
Sanitation  
Environmental Health  
Agricultural Commissioner

**DATE:** January 20, 2017 **FILE:** Airport Abandonment

**TO:** Brian Foss, Zoning Administrator

**FROM:** Kevin J. Nelson, County Surveyor

**SUBJECT:** Summary Vacation (Abandonment) of a portion of the Public Right-of-Way on Nevada City Avenue adjacent to Assessor's Parcel Number 06-380-49 & 52 and being Lots 5 & 6 of the Loma Rica Industrial Park subdivision recorded in Book 1 of Subdivisions at Page 121 and as described in the attached Exhibit "A" and shown on the attached Exhibit "B", Assessor's Parcel Numbers 06-380-49 & 52.

**Owners:** Assessor's Parcel No. 06-380-49 & 52  
County of Nevada  
950 Maidu Avenue  
Nevada City, CA 95959

AT&T, the Nevada Irrigation District, the Pacific Gas and Electric Company, and the Nevada County Public Works Department have been duly notified and do not object to the subject abandonment.

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 1/23/17, 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 "A"

All that certain portion of land and being an 80-foot County of Nevada right-of-way in the unincorporated area of the County of Nevada, State of California, within Section 30, Township 16 North, Range 9 East, M.D.B.&M., and being more particularly described as follows:

Beginning at the Northeast corner of the existing 80-foot County right-of-way for Nevada City Avenue as shown on that certain Record of Survey Map recorded on April 14, 2016 in Book 16 of Surveys at Page 14, Nevada County Recorder's Office, and being a 5/8" rebar tagged LS 4415; thence from said Point of Beginning and southerly along the east line of said right-of-way and the west line of Parcel 5A of that certain Parcel Map recorded on May 7, 1979 in Book 14 of Parcel Maps at Page 34, Nevada County Recorder's Office, South 1° 48' 22" East, 282.05 feet to a 5/8" rebar tagged LS 4415 as shown on said Record of Survey Map; thence South 85° 50' 05" East, 80.02 feet to the west line of said right-of-way line and being a 5/8" rebar tagged LS 4415 as shown on said Record of Survey Map and being a point on the east line of Lot 6 of that certain Subdivision Map recorded on June 23, 1960 in Book 1 of Subdivision Maps at Page 121, Nevada County Recorder's Office; thence northerly along the west line of said right-of-way line and east line of said Lot 6, North 1° 49' 22" West, 282.05 feet to the northwest corner of said right-of-way and being a 5/8" rebar tagged LS 4415 as shown on said Record of Survey Map; thence easterly along the northerly line of said right-of-way and being the southerly boundary of the Nevada County Airport property as shown on said Record of Survey Map, North 86° 50' 05" East, 80.02 feet to the Point of Beginning.

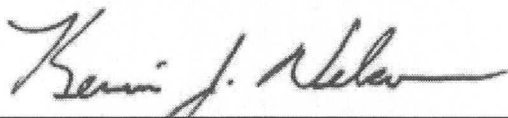
The Basis of Bearings of above described is that certain Record of Survey Map recorded on April 14, 2016 in Book 16 of Surveys at Page 14, Nevada County Recorder's Office.

The herein described easement contains an area of 22,564 square feet, more or less.

The herein described easement is shown on Exhibit "B" attached hereto and made a part hereof.

The herein described easement affects a portion of APN 06-380-04.

This description has been prepared by me, or under my direct supervision, in conformance with the Professional Land Surveyors Act, on December 15, 2016



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Kevin J. Nelson, P.L.S. 8423  
Expires 12-31-18



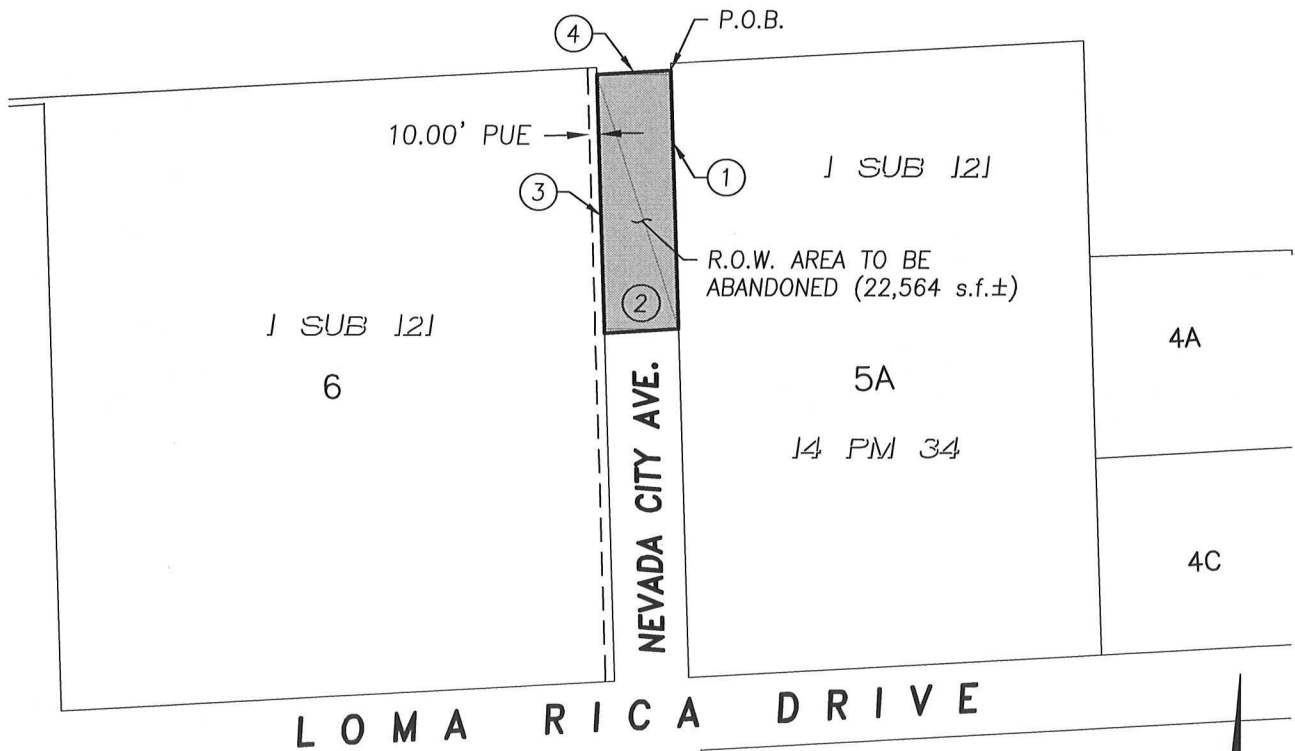
# EXHIBIT "B"

RIGHT-OF-WAY ABANDONMENT MAP  
SCALE: 1" = 200'

AIRPORT BOUNDARY

COUNTY OF NEVADA  
APN 06-380-04  
16 FOS 14

No.	△ / BEARING	LENGTH
1	S.01°49'22"E.	282.05
2	S.86°50'05"W.	80.02
3	N.01°49'22"W.	282.05
4	N.86°50'05"E.	80.02



L O M A R I C A D R I V E

NEVADA CITY AVE.

NEVADA CITY AVE.



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#: 20170004938  
Wednesday March 01 2017, at 01:22:29 PM

Paid: KP

**DOCUMENT TITLE**

NEVADA COUNTY BOARD OF SUPERVISORS  
RESOLUTION NO. 17-098

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  
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BOARD OF SUPERVISORS RESOLUTION 09-047-DISTRICT 3

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





# RESOLUTION No. 17-098

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

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Ayes: Supervisors Heidi Hall, 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

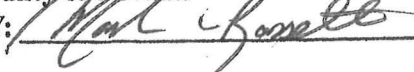
By: 

  
Hank Weston, Chair

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

Resolution 17-098  
ATTEST: March 1, 2017

Julie Patterson Hunter, Clerk of the Board  
County of Nevada

BY: 

2/28/2017 cc: Recorder (1)





COUNTY OF NEVADA  
COMMUNITY DEVELOPMENT AGENCY

Building  
Planning  
Public Works  
Sanitation  
Environmental Health  
Agricultural Commissioner

**DATE:** January 20, 2017 **FILE:** Airport Abandonment  
**TO:** Brian Foss, Zoning Administrator  
**FROM:** Kevin J. Nelson, County Surveyor

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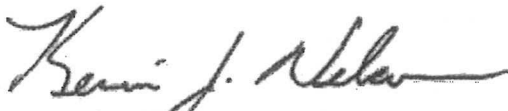
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Kevin J. Nelson, P.L.S. 8423  
Expires 12-31-18



# EXHIBIT "B"

RIGHT-OF-WAY ABANDONMENT MAP

SCALE: 1" = 200'

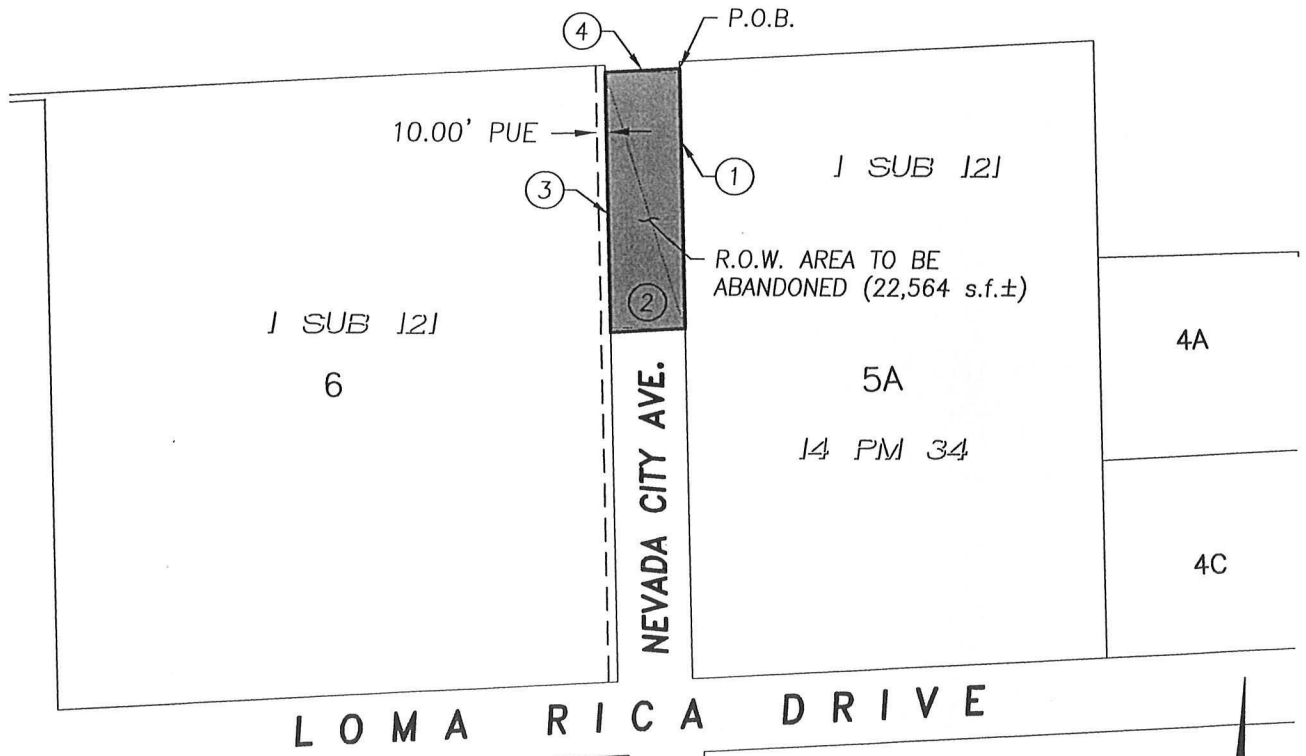
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COUNTY OF NEVADA

APN 06-380-04

16 ROS 14

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NEVADA CITY AVE.

