



RESOLUTION No. 16-571

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 AND CHARLES DRIVE 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 – DISTRICT I

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 and Charles Drive 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 John O'Shea to vacate (abandon) a 10-foot strip of Nevada City Avenue and Charles Drive along the frontage of his Parcel B as shown on that certain map in Book 9 of Parcel Maps at Page 173 and being Assessor's Parcel Number 06-370-44; 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 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 is in conformance with Nevada County Board of Supervisors Resolution No. 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 10-foot strip of right-of-way for Nevada City Avenue and Charles Drive along the frontage of Parcel B as shown on the map in Book 9 of Parcel Maps at Page 173 and on the attached Exhibits "A" and "B" is hereby determined to be excess property and there are no public improvement 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 10-foot strip of right-of-way for Nevada City Avenue and Charles Drive along the frontage of Parcel B as shown on the map in Book 9 of Parcel Maps at Page 173, 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 13th day of December, 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

12/13/2016 cc: Recorder(1)
DPW*



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY

Building
Planning
Public Works
Sanitation
Environmental Health
Agricultural Commissioner

DATE: November 15, 2016

FILE: PLN16-0063

TO: Brian Foss, Zoning Administrator

FROM: Kevin J. Nelson, County Surveyor

SUBJECT: **Summary Vacation (Abandonment) of a 10-foot portion of the Public Right-of-Way on Nevada City Avenue and Charles Drive adjacent to Assessor's Parcel Number 06-370-44 and being Parcel B of the Parcel Map recorded in Book 9 of Parcel Maps at Page 173 and as shown on the attached Exhibit "A", Assessor's Parcel Numbers 06-370-44.**

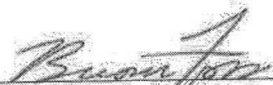
Owners: Assessor's Parcel No. 06-370-44
John O'Shea – ResCom Steel, Inc.
235 Westlake Center, Suite 40
Daly City, CA 94015

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 11/23/16, 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

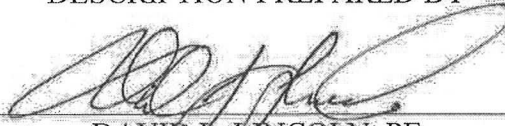
EXHIBIT "A"

Vacation of right-of-way a strip of land, ten feet in width, being portions of Nevada City Avenue and Charles Drive, the side lines of said strip being more particularly described as follows:

Beginning at the Northeast corner of Parcel B, as recorded in Book 9 of Parcel Maps at Page 173, in the office of the Nevada County Recorder, Nevada County, California, thence, along the extension of the north line of said Parcel B South $87^{\circ}21'27''$ West a distance of 10.00 feet to a point; thence, parallel with the west line of said Parcel B, South $01^{\circ}18'00''$ East a distance of 280.06 feet to the beginning of a tangent curve to the left having a radius of 20.00 feet and a central angle of $91^{\circ}20'33''$; thence along said curve southerly and easterly a distance of 31.88 feet; thence, tangent to said curve and parallel with the south line of said Parcel B, North $87^{\circ}21'27''$ East a distance of 139.53 feet to the intersection with the prolongation of the easterly line of said Parcel B; thence, along said prolongation, North $01^{\circ}18'00''$ East a distance of 10.00 feet to the southeast corner of said Parcel B; thence, along the south line of said Parcel B, South $87^{\circ}21'27''$ West a distance of 150.00 feet to the southwest corner of said Parcel B; thence, along the west line of said Parcel B, North $01^{\circ}18'00''$ West a distance of 290.53 feet more or less to the Point Of Beginning. End of Description.
Containing 0.101 Acres.

This real property description has been prepared by me or under my direction, in conformance with the Professional Land Surveyors Act.

DESCRIPTION PREPARED BY



DAVID L. LINCOLN, PE

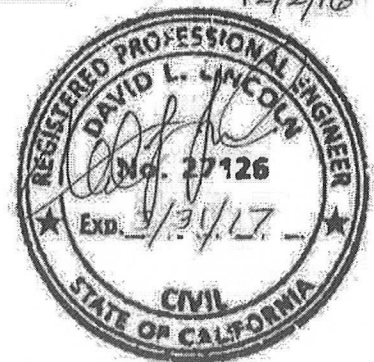


EXHIBIT B

ASSESSOR'S PARCEL 06-370-44
PARCEL "B" AS RECORDED IN BOOK 09 OF PARCEL MAPS AT PAGE 173



SCALE 1" = 40'

⊕ = FOUND RECORD MONUMENTS

AREA TO BE ADDED

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EXISTING 80'
RIGHT-OF-WAY

NEVADA CITY AVE.

EXISTING EP
GRASS VALLEY AV.

L=31.88', R=20.00'
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N1°18'00"W
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N1°18'00"W
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N87°21'27"E 150.00'

N87°21'27"E 139.53'

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#: 20160029074

Wednesday December 14 2016, at 10:19:47 AM

Paid: KP

DOCUMENT TITLE

NEVADA COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 16-571

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



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Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: Julie Patterson Hunter

12/13/2016 cc: Recorder(1)
DPW*

Dan Miller

Dan Miller, Chair

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

Res 16-571
ATTEST: December 14, 2016
Julie Patterson Hunter, Clerk of the Board
County of Nevada

BY: Blair



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY

Building
Planning
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Sanitation
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