

RESOLUTION NO. .

BOARD OF SUPERVIORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

RESOLUTION AUTHORIZING THE VACATION OF THE UNUSED PUBLIC UTILITY EASEMENTS LOCATED ALONG A PORTION OF THE EXTERIOR BOUNDARIES OF SAN MATEO COUNTY ASSESSOR'S PARCEL NUMBER 062-171-340, MORE COMMONLY KNOWN AS 511 ENTRADA WAY, IN UNINCORPORATED MENLO PARK

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, pursuant to the Public Streets, Highways, and Service Easements Vacation Law (California Streets and Highways Code, Section 8300 et seq.), the legislative body of a local agency may vacate any street, highway, or public service easement within its jurisdiction if it has been determined to be unnecessary for present or prospective public use; and

WHEREAS, this Board of Supervisors is the "legislative body" of the County of San Mateo, a "local agency", as those terms are defined in Sections 8304(a) and 8305 of the California Streets and Highways Code; and

WHEREAS, the "vacation" of a "public service easement," as those terms are defined respectively in Sections 8309 and 8306 of the California Streets and Highways Code, means the complete or partial abandonment or termination of the public right to use a street, highway, or public service easement; and

WHEREAS, in 1940, Public Utility Easements ("Easements") across San Mateo County Assessor's Parcel Number 062-171-340, more commonly known as 511 Entrada Way, in Unincorporated Menlo Park ("Property") were granted to the County for

the purpose of providing public utility services to the Property and adjacent properties;
and

WHEREAS, no utilities or services are now located in the Easements as shown on Exhibit A and the County has no current or future needs for the Easements; and

WHEREAS, five or more freeholders have petitioned this Board of Supervisors under Section 8321(b) of the California Streets and Highways code to vacate the Easements as described and indicated as the "Vacation Petition Area" in Exhibit A, attached hereto and incorporated herein by reference, in accordance with Chapter 3 of the Public Streets, Highways, and Service Easements Vacation Law (California Streets & Highways Code Section 8300 et seq.); and

WHEREAS, notice of the public hearing on the proposed vacation now under consideration was given by publishing, posting, and mailing as required respectively by Sections 8322(a), 8323, and 8321(e) of the California Streets & Highways Code; and

WHEREAS, a public hearing was held before this Board of Supervisors on this day, and this Board heard all persons interested in the proposed vacation and considered all the evidence offered before voting on the proposed vacation.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED AS FOLLOWS:

1. That the public service easements shown in Exhibit A are hereby vacated in accordance with Chapter 3 of the Public Streets, Highways, and Service Easements Vacation Law (California Streets & Highways Code Section 8300 et seq.).
2. That said public service easements are unnecessary for present or prospective public use.

3. That the Manager of Real Property Services, assisted by County Counsel, shall participate in the drawing up of such legal documents as are necessary to complete the vacation and the President of the Board of Supervisors shall execute such documents when prepared.

4. That the Clerk of this Board shall cause a certified copy of this Resolution, attested by the Clerk under seal, and such other legal documents as are prepared and executed to establish the vacation of the right-of-way easements, to be recorded without acknowledgement, certificate of acknowledgement, or further proof in the Office of the San Mateo County Recorder.

5. That upon recordation of a copy of this Resolution of Vacation, the vacation of the said public service easement shall be complete.

Attachment:

Exhibit A - Map