

RESOLUTION NO. .

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

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RESOLUTION TO SUMMARILY VACATE AN UNUSED SEGMENT OF A 10-FOOT PUBLIC UTILITY EASEMENT (PUBLIC SERVICE EASEMENT) OVER COUNTY-OWNED ASSESSOR'S PARCEL NUMBER 075-094-010, ALSO KNOWN AS 17282 SKYLINE BOULEVARD IN UNINCORPORATED WOODSIDE, COUNTY OF SAN MATEO

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

WHEREAS, a legislative body may summarily vacate a public service easement pursuant to Public Street, Highways, and Service Easements Vacation Law (California Streets and Highways Code Division 9, Part 3, Chapter 4 (commencing at Section 8330)) when a public service easement has not been used for the past five consecutive years; and

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

WHEREAS, the County owns the parcel known as 17282 Skyline Boulevard, in unincorporated County of San Mateo (APN 075-094-010) ("Parcel"), on which the Skylonda Fire Station is located and operated; and

WHEREAS, a segment of a 10-foot public utility easement (a form of a public service easement) that crosses the Parcel, as further described in Exhibit "A" and

depicted in Exhibit “B” (“Public Utility Easement”), encroaches upon the County’s improvements on the Parcel; and

WHEREAS, County staff have investigated, and said segment of the Public Utility Easement has not been used for the purposes for which it was dedicated for the past five consecutive years; and

WHEREAS, AT&T California (“AT&T”) currently operates a communications facility on the Parcel pursuant to a written permit from the County dated February 9, 1982 (“Permit”), the permitted area of which does not correspond to the boundaries of the Public Utility Easement but does overlap a corner thereof; and

WHEREAS, AT&T has been notified of the proposed vacation of the Public Utility Easement and has informed staff that it has no objection thereto; and

WHEREAS, the San Mateo Planning Commission has determined that the proposed vacation would be in conformity with the General Plan of the County of San Mateo; and

WHEREAS, section 8336 of the California Streets and Highways Code states that upon recordation of a certified copy of a resolution of vacation in the office of the recorder, the vacation is complete; and

WHEREAS, the proposed summary vacation of the Public Utility Easement is categorically exempt from review under the California Environmental Quality Act

(CEQA) pursuant to Title 14 California Code of Regulations Section 15305 as a minor alteration in land use.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED THAT:

The Board of Supervisors finds that the Public Utility Easement has not been used for the purposes for which it was dedicated for the past five consecutive years; and

The Board of Supervisors finds that no in-place public utility facilities that are in use will be affected by a vacation of the Public Utility Easement; and

The vacation of the Public Utility Easement was found to be in conformity with the County General Plan; and

The Clerk of this Board shall cause a certified copy of this Resolution, attested by the Clerk under seal, to be recorded without acknowledgement, certificate of acknowledgement, or further proof in the Office of the San Mateo County Recorder; and

The Public Utility Easement shall be deemed vacated in accordance with Chapter 4 of the Public Streets, Highways, and Services Easements Law (California Streets & Highways Code Section 8300 et seq.) and the Public Utility Easement described in Exhibit A and depicted in Exhibit B, is hereby ordered vacated from and after the date this resolution is recorded.

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