



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY EXECUTIVE

File #: 23-182

Board Meeting Date: 3/28/2023

Special Notice/Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Michael P. Callagy, County Executive

Subject: Vacation (Abandonment) of an Easement for Ingress, Egress and Public Utility Purposes over APN 046-041-270, Unincorporated area of San Mateo County (Belmont)

RECOMMENDATION:

Adopt a resolution authorizing the vacation of the public service easement that runs over APN 046-041-270 at the terminus of a previously vacated alley perpendicular to Harbor Boulevard.

BACKGROUND:

The easement to be abandoned runs over APN 046-041-270, where a public right of way use was vacated in 1945. The owners desire to merge the surrounding lots and develop the property. The easement was originally intended to allow for public utility use. There are no utilities in use in the easement right of way. The easement over the property no longer serves a public purpose and the owner seeks to redevelop the parcel and vacation of the easement is necessary for this purpose.

The Public Streets, Highways, and Service Easements Vacation Law (California Streets and Highways Code, Section 8300 et seq.) establishes the legislative body of a local agency may vacate any street, highway or public service easement within its jurisdiction which is determined to be unnecessary for present or prospective public use and the County Board of Supervisors is the "local agency" with authority to vacate this public service easement.

DISCUSSION:

Real Property managed the petition and the vacation process which required discussion with Public Works to establish whether the easement was necessary for public purposes. Public Works researched the easement and found no public uses by the County. All the utility companies were contacted and each one confirmed they have no facilities. Appropriate notices were posted as required by the Streets and Highways Code.

FISCAL IMPACT:

There is no compensation by either party associated with this transaction.