



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** COUNTY MANAGER

**File #:** 16-400

Board Meeting Date: 7/25/2017

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**Special Notice / Hearing:** None

**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** John L. Maltbie, County Manager

**Subject:** Vacation (Abandonment) of an unused 10-Foot Wide Public Service Easement located across San Mateo County Assessor's Parcel Number 055-183-150; also known as 790 12<sup>th</sup> Avenue in Unincorporated Menlo Park

**RECOMMENDATION:**

Conduct a public hearing regarding the vacation of Public Service Easement in Unincorporated Menlo Park:

- A) Open public hearing
- B) Close public hearing
- C) Adopt a resolution authorizing the vacation of the unused 10-foot wide Public Service Easement which runs mostly north-to-south across the westerly portion of San Mateo County Assessor's Parcel Number 055-183-150; also known as 790 12<sup>th</sup> Avenue in Unincorporated Menlo Park.

**BACKGROUND:**

The Public Service Easement ("Subject Easement") proposed to be vacated runs mostly north-to-south across the westerly portion of the property identified as San Mateo County Assessor's Parcel Number 055-183-150; also known as 790 12<sup>th</sup> Avenue in Unincorporated Menlo Park ("Property"). The Subject Easement, dedicated for sewer services, was never utilized for public purposes. Further, adequate sewer infrastructure was installed elsewhere making the Subject Easement obsolete. As the owner seeks to make improvements to the Property, vacating the Subject Easement is necessary.

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

Supervisors is the legislative body with authority to vacate this public service easement.

**DISCUSSION:**

Real Property managed the petition and vacation process which required discussions with the Department of Public Works to establish whether the Subject Easement was necessary for public purposes. Public Works researched the Subject Easement and found no current or future public uses by the County. Notices regarding the proposed vacation were sent to property owners within 500 feet of the parcel and various public agencies and utility providers. No individuals, agencies, or utility provider indicated any material concerns over the proposed vacation of the Subject Easement.

A General Plan Conformity request was processed by the Planning Department and the Planning Commission determined at their April 12 meeting that the vacation was in conformity with the General Plan.

Appropriate notices were posted as required by the Streets and Highways Code.

County Counsel has reviewed and approved the resolution as to form.

**FISCAL IMPACT:**

No Net County Cost