



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY EXECUTIVE

File #: 23-925

Board Meeting Date: 11/14/2023

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Michael P. Callagy, County Executive Officer
Subject: Summary Vacation, Quitclaim and Agreement with the Johnson Family Trust for an unused Public Service Easement at 8 Belle Roche Avenue (also known as 8 Belle Roche Court), in unincorporated Redwood City, County of San Mateo

RECOMMENDATION:

Adopt a resolution authorizing:

- A) The summary vacation of an unused public service easement (public utility easement) over the property located at 8 Belle Roche Avenue (also known as 8 Belle Roche Court) in unincorporated Redwood City, County of San Mateo (Assessor's Parcel Numbers 051-040-330 and 051-032-150); and
- B) The Clerk of the Board to execute and acknowledge the accompanying Quitclaim Deed and Agreement between the County and the owners of the property, Devon K. Johnson and Jennifer C. Johnson, as Trustees of the Johnson Family Trust dated August 15, 2019.

BACKGROUND AND DISCUSSION:

Devon K. Johnson and Jennifer C. Johnson, as Trustees of the Johnson Family Trust dated August 15, 2019, are the property owners of 8 Belle Roche Avenue (also known as 8 Belle Roche Court), in unincorporated Redwood City, San Mateo County, Assessor's Parcel Numbers 051-040-330 and 051-032-150 (hereinafter the "Property").

The County holds title to a public service easement encumbering the Property in the form of a public utility easement conveyed by that certain Easement Grant Deed recorded on August 24, 1998, as Document No. 98-134692 of Official Records (hereinafter the "Public Service Easement").

The property owners petitioned the County to vacate the unused Public Service Easement to make improvements to the Property that are hindered by the easement. The petition submitted to the County's Real Property Services Division has been signed by 11 other County residents who support

the vacation of the Public Service Easement.

The Public Service Easement is legally described and shown on Exhibits A and B attached to the Board Resolution.

A public service easement may not be summarily vacated if there are in-place public utility facilities that are in use and would be affected by the vacation pursuant to Streets and Highways Code Section 8334.5.

County staff have investigated and found that the Public Service Easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

County staff has contacted and confirmed with the local public utility agencies and companies operating in the vicinity of the Property that there are no in-place public utility facilities that are in use within the Public Service Easement and that such agencies and companies have no objection to the County's proposed vacation of the Public Service Easement.

County staff have found that the Public Service Easement is unnecessary for present or prospective public use. Furthermore, County staff have found the vacation of the Public Service Easement is consistent with the County's plan for infrastructure in the area.

In conclusion, County staff's investigations find that this Public Service Easement qualifies for summary vacation.

Adoption and recordation of the attached Resolution of Summary Vacation, together with the execution and recordation of the attached Quitclaim Deed and Agreement which has been executed and agreed to by the property owners, will permanently vacate, abandon, and extinguish the County's proprietary interest in the Public Service Easement and remove it from title to the Property.

The resolution has been reviewed and approved by County Attorney.

EQUITY IMPACT:

The County of San Mateo is dedicated to ensuring equitable access to quality services for all residents. This Board action does not affect the County's ability to provide critical services for residents.

FISCAL IMPACT:

There is no Net County Cost associated with this Board action.