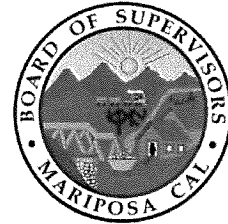




# MARIPOSA COUNTY

Public Works · 209 966 5356



## RESOLUTION - ACTION REQUESTED 2019-523

MEETING: September 10, 2019

TO: The Board of Supervisors

FROM: Mike Healy, Public Works Director

RE: Adopt a Resolution of Intention to Abandon a Portion of a PUE Within Quail Ridge Estates

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### RECOMMENDATION AND JUSTIFICATION:

Adopt a Resolution of Intention to Vacate a portion of the public utility easements within the real property described within Certificate of Compliance Document No. 20182311, Mariposa County Official Records, Assessor's Parcel Number 014-391-004; and set a Public Hearing to consider vacation to be held on October 1, 2019.

The subject real property is delineated on the Record of Survey filed on August 27, 2018 in the Book of Maps at page 2998. The easement was originally created by the Map of Quail Ridge Estates recorded on July 5, 1985 in the Book of Maps at page 2214. A description of the vacation has been submitted to the County Surveyor.

### BACKGROUND AND HISTORY OF BOARD ACTIONS:

The original Public Utility Easement was created within a portion of Lot 28 of the Quail Ridge Estates. The portion of the public utility easement to be abandoned followed the northern property line of Lot 28. The boundaries of Lot 28 were changed by Lot Line Adjustment 2017-018 which was finalized on August 13, 2018 with the recording of the Certificates of Compliance. As a result of the Lot Line Adjustment, the portion of the public utility easement to be abandoned is within the boundaries of the property and restricts the use of the space within the property. The portion proposed to be abandoned will not affect the property's access to public utilities. The property and the adjoining properties have access to all public utilities from other public utility easements which are in place.

Letters have been received from Pacific Gas and Electric and Sierra Telephone which confirm there are no physical improvements in place and both support the proposed abandonment.

### ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If the Board of Supervisors denies the request for abandonment, this public utility easement will remain in place.

## Resolution - Action Requested 2019-523

**FINANCIAL IMPACT:**

None

**ATTACHMENTS:**

**Resolution of Intention to vacate PUE QuailRidge (DOC)**

**Request Letter (PDF)**

**Notice of Vacation (PDF)**

**Exhibit A (PDF)**

**Exhibit B (PDF)**

**Sierra Tel (PDF)**

**PGE (PDF)**

**Certificate of Compliance (PDF)**

**190819 DPW-UPDATED Vacation of Offer of Dedication for Allison Property(PDF)**

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** Rosemarie Smallcombe, District I Supervisor

**AYES:** Rosemarie Smallcombe, Merlin Jones, Marshall Long

**EXCUSED:** Kevin Cann, Miles Menetrey

**MARIPOSA COUNTY BOARD OF SUPERVISORS RESOLUTION NO. 19-523**

**A Resolution of Intention to Vacate A Portion of A Public Utility Easement Within Record of Survey Map, Book of Maps, Page 2998, Mariposa County Records**

**WHEREAS**, the Public Utility Easement was created by the Map of Quail Ridge Estates, recorded in the Book of Maps, Page 2214, Mariposa County Records; and

**WHEREAS**, a written request to abandon the a portion of a public utility easement within that real property described by Certificate of Compliance, Document No. 20182311, Mariposa County Records, Assessor's Parcel Number 014-391-004, has been received; and

**WHEREAS**, the Public Streets, Highways, and Service Easements Vacation Law (Streets & Highways Code, Division 9. Part 3. Section 8300, *et. seq*) provides authority and procedures whereby a Board of Supervisors may vacate all or part of a street, highway, or public service easement within the county but outside a city; and

**WHEREAS**, the Streets & Highways Code, Division 9. Part 3. Section 8306 (a) defines public utility easement as a Public service easement; and

**WHEREAS**, portion of the public utility easement to be vacated, does not have existing utility infrastructure; and

**WHEREAS**, the request is supported by the utility providers; and

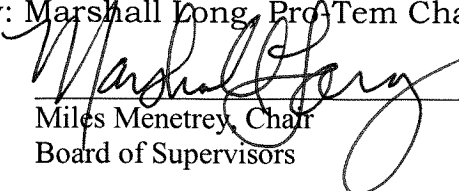
**WHEREAS**, the request has been reviewed by the Mariposa County Public Works Department, which has determined that the request meets the criteria for vacation; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors will hold a public hearing on October 1, 2019, at 9:00 A.M., or soon thereafter as may be heard in the Board of Supervisors Meeting Room, Government Center, Mariposa, California, to consider the vacation of a portion of a Public Utility Easement situated within that 3.19 acre parcel described in Certificate of Compliance, Grantee: Steven P. Allison, Trustee, recorded July 13, 2018 as Document Number 20182311 in the official records of Mariposa County and delineated on that certain map entitled "Record of Survey for Steven P. Allison", filed August 27, 2018 in Book of Maps at page 2998, MCR.

**ON MOTION BY** Supervisor, Jones, seconded by Supervisor, Smallcombe, this resolution is duly passed and adopted this 10<sup>th</sup> day of September 2019, by the following vote:

AYES: SMALLCOMBE, JONES, LONG  
NOES: NONE  
EXCUSED: CANN, MENETREY  
ABSTAIN: NONE

By: Marshall Long, Pro Tem Chair

  
Myles Menetrey, Chair  
Board of Supervisors

ATTEST:

  
Rene LaRoche, Clerk of the Board

APPROVED AS TO FORM:

  
Steven W. Dahlem, County Counsel