

Recorded at no charge in accordance with
Streets & Highways Code Section 8336 at
the request of and when recorded return to:

City of Palo Alto
Real Estate Division
250 Hamilton Avenue
Palo Alto, CA 94301

SPACE ABOVE LINE FOR RECORDER'S USE

APN: 008-03-084
Address: 1700 Embarcadero Road,
Palo Alto, CA 94303

**SUMMARY VACATION
RESOLUTION NO. _____**

**RESOLUTION OF THE COUNCIL OF THE CITY OF PALO ALTO
SUMMARILY VACATING A PORTION OF A PUBLIC SERVICE EASEMENT
AT 1700 EMBARCADERO ROAD, PALO ALTO, CA 94303**

WHEREAS, Section 8333 of the Streets and Highways Code authorizes the City Council to summarily vacate a public service easement in any of the following cases: (a) the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation, (b) the date of dedication or acquisition is less than five years, and more than one year, immediately preceding the proposed vacation, and the easement was not used continuously since that date, (c) the easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement; and

WHEREAS, the City of Palo Alto accepted and recorded a Grant of Easement on the property located at 1700 Embarcadero Road, Palo Alto, CA 94303, for public utility purposes, dated April 30, 1969, in Book 8517 of Official Records of Santa Clara County, page 596; and

WHEREAS, the City of Palo Alto accepted and recorded a Grant of Easement on the property located at 1700 Embarcadero Road, Palo Alto, CA 94303, for public utility purposes, dated May 15, 1969, in Book 8535 of Official Records of Santa Clara County Records, page 632; and

WHEREAS, the City of Palo Alto accepted and recorded a Grant of Easement on the property located at 1700 Embarcadero Road, Palo Alto, CA 94303, for public utility purposes, dated March 6, 1968, in Book 8047 of Official Records of Santa Clara County, page 634; and

WHEREAS, the City of Palo Alto accepted and, on June 4, 2024, sent for recording a Grant of Easement on the property located at 1700 Embarcadero Road, Palo Alto, CA 94303, for public utility purposes, (“Superseding Easement”); and

WHEREAS, the City of Palo Alto Utilities Department has evaluated and determined that upon the recording of the Superseding Easement, a portion of the preexisting public utilities easements located on the property at 1700 Embarcadero, Palo Alto, CA 94303 will be excess and may be superseded by relocation; and

WHEREAS, the City Council of the City of Palo Alto intends to summarily vacate the portion of public service easements as more particularly described in Exhibit "A" attached to this resolution and depicted on the plat map attached as Exhibit "B" to this resolution upon the recording of the Superseding Easement; and

NOW, THEREFORE, the City Council does hereby RESOLVE as follows:

SECTION 1. This vacation is made under the authority of California Streets and Highways Code Chapter 4 of part 3 of Division 9, commencing at Section 8333 et. seq.

1. Upon recording of the Superseding Easement, the portions of the public service easements described herein on Exhibit "A" and depicted on the plat map attached as Exhibit "B" will be excess; and
2. Will be superseded by relocation.

SECTION 2. Based upon the findings made in Section 1 of this Resolution and the provisions of Section 8333 of the Streets and Highways Code, the City Council does hereby order that the portion of public service easements as shown on the said Exhibits "A" and "B" shall be summarily vacated upon the recording of the Superseding Easement.

SECTION 3. The City Clerk, acting by and through the Real Property Manager, is hereby directed to record at the Santa Clara County Clerk-Recorder's Office a certified copy of this Resolution, including the Map at a time after the Superseding Easement has been recorded.

SECTION 4. The portion of public service easement for utilities and incidental purposes described in Exhibit "A" and depicted in the plat map attached as Exhibit "B" will no longer constitute a public service easement from and after the date of recordation of the documents identified in Section 3 of this Resolution.

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SECTION 5. Council action on this item is not a project as defined by the California Environment Quality Act because summary vacation of a public utilities easement is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. CEQA Guidelines section 15378(b)(5).

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Deputy City Attorney

City Manager

Director of Administrative Services