

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: 116-01-033
Address: 1129 San Antonio Road
Palo Alto, CA 94303

**SUMMARY VACATION
RESOLUTION NO. _____**

**RESOLUTION OF THE COUNCIL OF THE CITY OF PALO ALTO
SUMMARILY VACATING A PUBLIC SERVICE EASEMENT
AT 1129 SAN ANTONIO ROAD, PALO ALTO, CA**

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preceding the proposed vacation, and the easement was not used continuously since that date, (c) the easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement; and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 1129 San Antonio Road, Palo Alto, CA 94303, for public utility purposes, dated February 27, 1980, in Book F161 of Official Records, Page 622; and

WHEREAS, the easement has not been used for the purpose for which it was acquired for more than five consecutive years immediately preceding the proposed vacation and the easement has been determined to be excess by the City of Palo Alto Utilities Department, and there are no other public facilities located within the easement; and

WHEREAS, the City Council of the City of Palo Alto intends to summarily vacate the public service easement as more particularly described in Exhibit "A" attached to this resolution and depicted on the plat map attached as Exhibit "B" to this resolution; 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 8330 et. seq.

1. The public service easement described herein on Exhibit “A” and depicted on the plat map attached as Exhibit “B” has not been used for the purpose for which it was acquired for more than five consecutive years immediately preceding the proposed vacation; and
2. the easement has been determined to be excess by the City of Palo Alto Utilities Department, and there are no other public facilities located within the easement.

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 public service easement as shown on the said Exhibits “A” and “B” shall be summarily vacated.

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.

SECTION 4. The 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.

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).

EXHIBIT A

LEGAL DESCRIPTION

Real property in the City of Palo Alto, County of Santa Clara, State of California, described as follows:

PARCEL A, AS SHOWN ON THAT PARCEL MAP FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON DECEMBER 6, 1965, IN [BOOK 203 OF MAPS, PAGE\(S\) 12](#).

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