

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works *MLM*

BOARD AGENDA # *C-2

Urgent Routine

AGENDA DATE January 12, 2010

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Summarily Vacate the 20-Foot Access Road Located within Lot 14 of the Subdivision Map for Carmichael Colony, Per Map Filed December 16, 1912 in Volume 7 of Maps, Page 20, Stanislaus County Records

STAFF RECOMMENDATIONS:

Pursuant to the Street and Highway Code 8334:

1. Find, based on the reasons stated in this report, that the 20-foot Access Road located within the south half of the westerly 20 feet of Lot 14 of the Subdivision Map for Carmichael Colony, described herein, is not required for street or highway purposes.
2. Adopt the attached resolution vacating the 20-foot Access road located within the south half of the westerly 20 feet of Lot 14 of the Subdivision Map for Carmichael Colony described herein.

FISCAL IMPACT:

There is no fiscal impact associated with this item. The fees for processing this abandonment have been paid by the applicant.

BOARD ACTION AS FOLLOWS:

No. 2010-018

On motion of Supervisor Monteith, Seconded by Supervisor DeMartini

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Summarily Vacate the 20-Foot Access Road Located within Lot 14 of the Subdivision Map for Carmichael Colony, Per Map Filed December 16, 1912 in Volume 7 of Maps, Page 20, Stanislaus County Records

DISCUSSION:

Felipe and Christina Mancera, the landowners, have requested the abandonment of 20-foot access road south of Shaddox Avenue in the project area of Carmichael Colony located west of Carpenter Road. The area has become an abatement issue because of illegal dumping and has become a burden to the County and landowner. Stanislaus County has not improved or maintained this section of road and has no need for this access. The access road was created in the Subdivision Map for Carmichael Colony, but is no longer needed due to the completion of permanent roads in the area. The Utility Companies, AT&T, Pacific Gas & Electric, and City of Modesto have no facilities now or planned in the foreseeable future within the abandonment area and have no objections to the abandonment. Modesto Irrigation District is requesting a 20-foot easement for access to their existing facilities. The landowners have agreed to this condition. This summary abandonment will return property use to Felipe and Christina Mancera, the landowners.

POLICY ISSUES:

The Board of Supervisors should consider if the recommended action is consistent with its priority of striving for a well-planned infrastructure system.

STAFFING IMPACT

There is no staffing impact associated with this item.

RB:lc

G:\survey\Abandonment\Mancera\Board Items\Mancera Recommendations.1-12-10

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Date: January 12, 2010

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and approved by the following vote,

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Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

Item # *C-2

THE FOLLOWING RESOLUTION WAS ADOPTED:

**APPROVAL TO SUMMARILY VACATE THE 20-FOOT ACCESS ROAD LOCATED WITHIN LOT 14 OF
THE SUBDIVISION MAP FOR CARMICHAEL COLONY**

BE IT RESOLVED, that the Board of Supervisors, of the County of Stanislaus, State of California, hereby finds and determines as follows:

1. The vacation of the 20-foot access road described herein below is made under Chapter 4, Part 3, of Division 9 of the California Street and Highway Code (Section 8334).
2. The 20-foot access road to be vacated is south of Shaddox Avenue located in "Carmichael Colony", and is more particularly described in Exhibit "A" attached hereto and shown on the precise map attached hereto as Exhibit "B".
3. The 20-foot access road to be vacated hereby is not required for street or highway purposes. The County has provided alternate traffic flow routes creating this excess roadway. Furthermore, this will facilitate the County's ongoing corridor development plan for this community.
4. That from and after the date this resolution is recorded by the County, the vacated 20-foot access road herein described no longer constitutes a street or highway.

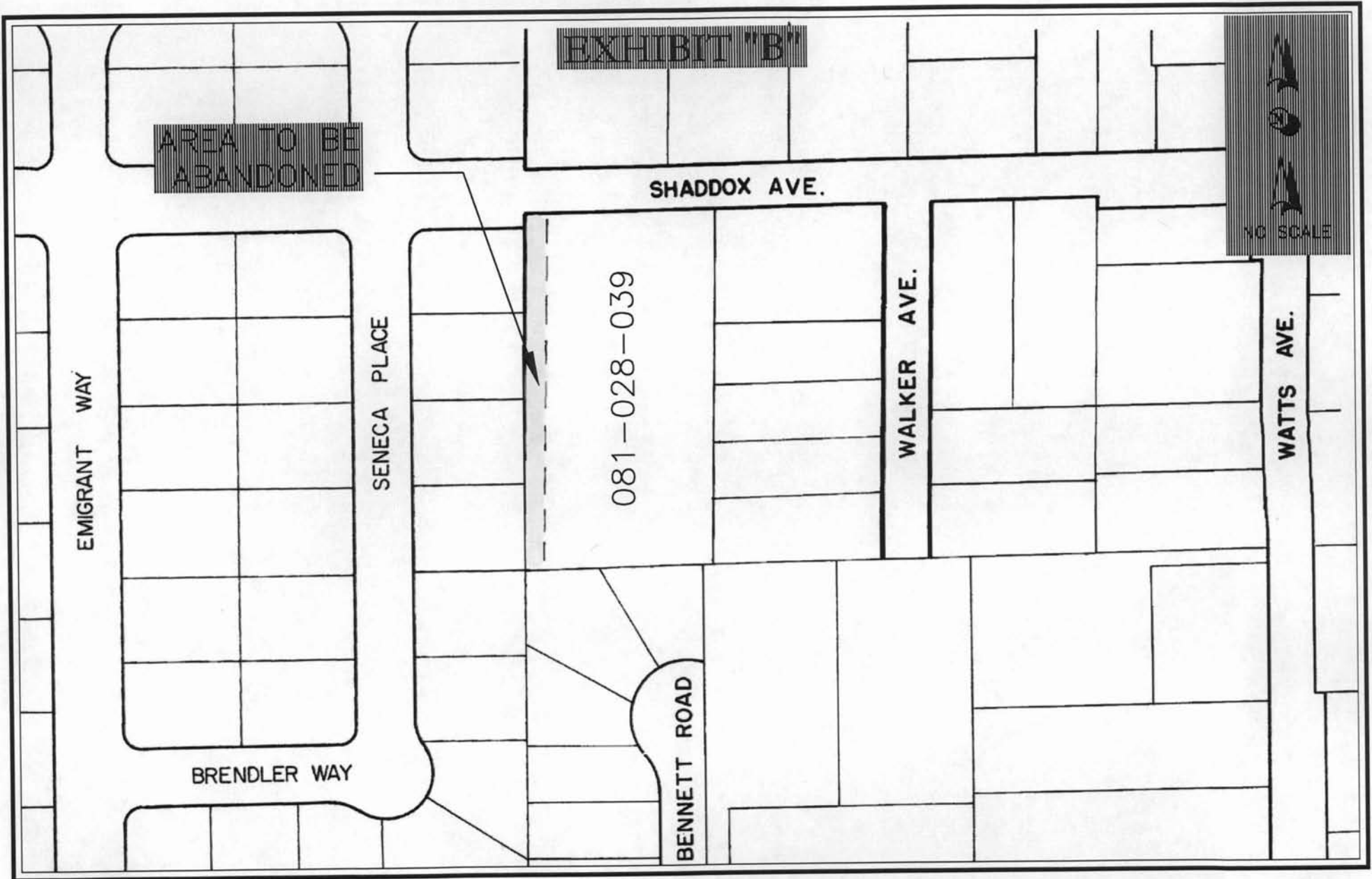
ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
State of California



EXHIBIT "A"

Being a portion of the Southeast Quarter of Section 24, Township 3 South, Range 8 East, Mount Diablo Base and Meridian as recorded on the subdivision map "Carmichael Colony" in Volume 7 of Maps, Page 20 on December 16, 1912, Stanislaus County Records more particularly described as follows:

The 20 foot access road as shown per Volume 7 of Subdivision Maps, Page 20, Stanislaus County Records, lying on the Southerly half of the Westerly 20 feet of Lot 14.



PROPOSED 20' ALLEY
ABANDONMENT
SE ¼ SECTION 24 T.3 S. R.8 E.



Recording Requested By:
PUBLIC WORKS DEPARTMENT
When Recorded Mail To:
Public Works Department
1010 10th Street, Suite 3500
Modesto, Ca. 95354



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2010-0045026-00
Friday, MAY 21, 2010 10:33:15
Ttl Pd \$0.00 Nbr-0002895717
OGM/R2/1-6

Attn: Rich Brown

For recorders use only

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ABANDONMENT - SUMMARY
APPROVAL TO SUMMARILY VACATE a 20 FOOT ACCESS ROAD IN LOT 14 OF THE
CARMICHAEL COLONY
=====

BOARD OF SUPERVISORS
2010 MAY 21 P 4: 21

(Below for deeds or instruments conveying title)
MAIL TAX STATEMENTS TO PARTY SHOWN: _____

John

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
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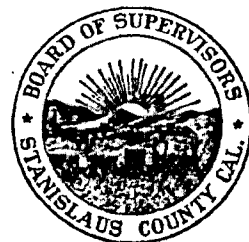
MOTION:

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

CHRISTINE FERRARO TALLMAN

Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By Elizabeth King
5-20-2010



ATTEST:

Christine Ferraro Tallman
CHRISTINE FERRARO TALLMAN, Clerk

File No.

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STAFFING IMPACT

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RB:lc

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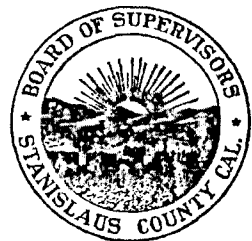
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4. That from and after the date this resolution is recorded by the County, the vacated 20-foot access road herein described no longer constitutes a street or highway.

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

CHRISTINE FERRARO TALLMAN

Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By Elizabeth Kiep
5-20-2010



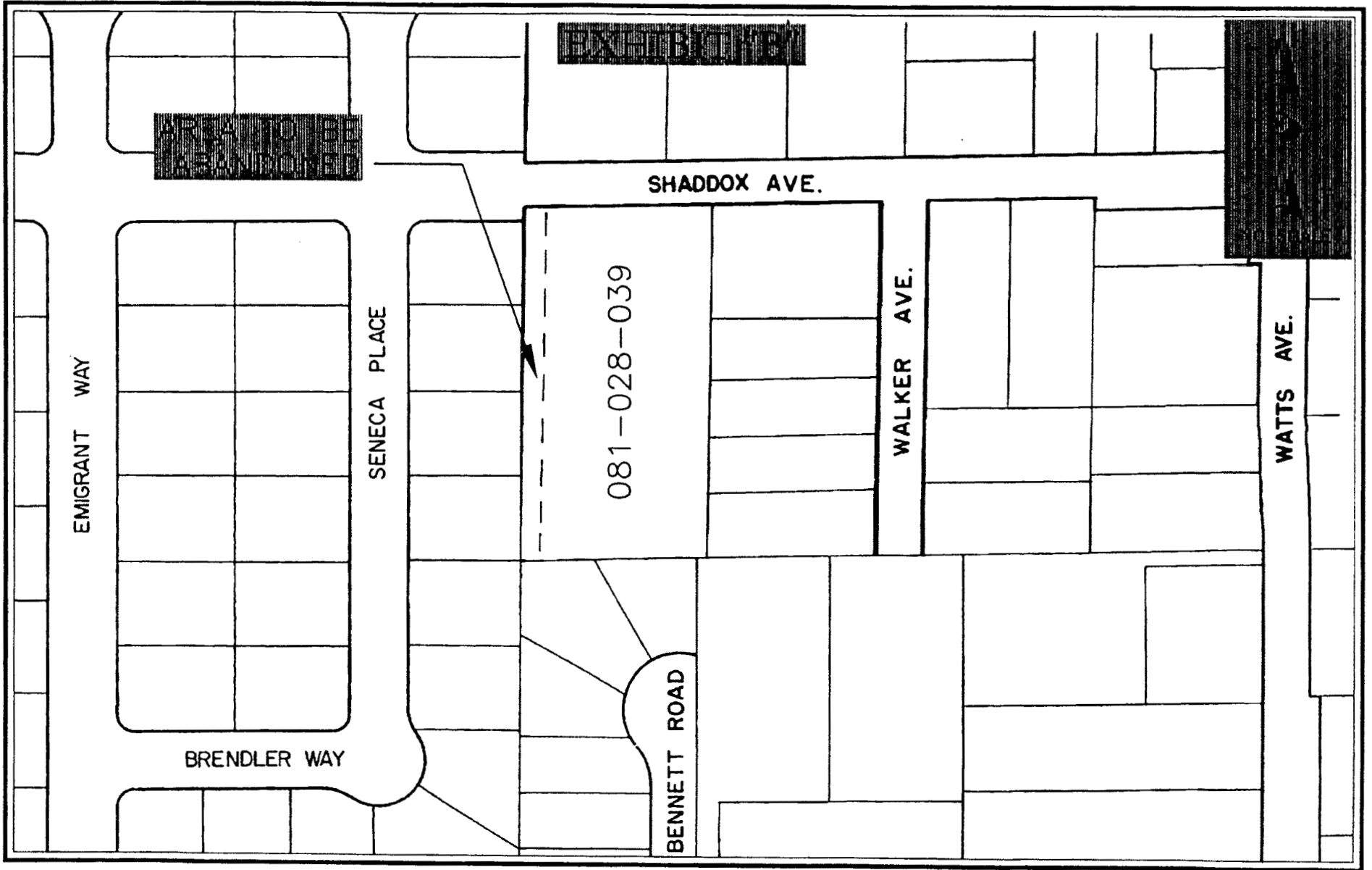
ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
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Christine Ferraro

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SHADDOX AVE.

EMIGRANT WAY

SENECA PLACE

081-028-039

WALKER AVE.

WATTS AVE.

BRENDLER WAY

BENNETT ROAD



PROPOSED 20' ALLEY
 ABANDONMENT
 SE ¼ SECTION 24 T.3 S. R.8 E.

