

Approval to Summarily Vacate Temporary Turnaround Easements on McCauly Avenue, Located in the Town of Denair

3. Adopt the attached resolution vacating the Temporary Turnaround Easement located on McCauly Avenue, in the Town of Denair described herein as Exhibits "A" and "B".

DISCUSSION:

The original Temporary Turnaround Easements were a condition for the Sterling Ranch Unit No. 3 Subdivision Map with the intent of abandoning the easements with the recording of the adjacent Subdivision Map, Sterling Ranch Unit No. 5, recorded in Volume 43 of Maps, Page 4. The required language for the abandonment was omitted from 43-M-04. This abandonment is a "cleanup" measure to satisfy the conditions of the maps and eliminate the encumbrance of the easements on the existing lots. The purpose of the easements was to provide temporary emergency vehicle turnaround space. This condition no longer is required with the extending of McCauly Road to the intersection of North Gratton Road. The local utility companies contacted during this process do not occupy the easements and agree to this summary abandonment. The retention of any public utility easements is not necessary.

POLICY ISSUES:

The recommended actions are consistent with the Board's priority of A Well Planned Infrastructure System by the completion of the street improvements for McCauly Avenue. Street and Highways Code 8333 states that the legislative body of a local agency may summarily vacate excess public service easements that have been superseded by their relocation. The Temporary Turnaround Easements are obsolete.

STAFFING IMPACT:

There is no staffing impact associated with this item.

CONTACT PERSON:

Matt Machado, Public Works Director. Telephone: 209-525-4130.

LF:lc

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

Date: April 26, 2011

No. 2011-254

On motion of Supervisor O'Brien Seconded by Supervisor Withrow

and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

Item # *C-5

THE FOLLOWING RESOLUTION WAS ADOPTED:

TO SUMMARILY VACATE TEMPORARY TURNAROUND EASEMENTS ON MCCAULY AVENUE,
LOCATED IN THE TOWN OF DENAIR

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 Temporary Turnaround Easements described herein below is made under Chapter 4, Part 3, of Division 9 of the California Street and Highway Code (Section 8334 (a)).
2. The easements to be vacated are adjacent to McCauly Avenue in the Town of Denair as shown on Volume 42 of Maps, Page 27 of the Stanislaus County Records, described herein, is superseded and is not required for street or highway purposes, and is more particularly described in Exhibit "A" attached hereto and shown on the precise map attached hereto as Exhibit "B".
3. The Temporary Turnaround Easements to be vacated hereby are superseded and are not required for street or highway purposes.
4. The road reservation to be vacated is not required as a Public Utility Easement.
5. That from and after the date this resolution is recorded by Stanislaus County, the vacated portion of "I" Street herein described no longer constitutes part of a street or highway.
6. A certified copy of this Resolution shall be provided to the Department of Public Works for recordation.

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



EXHIBIT "A"

All that certain piece or parcel of land situate and being a portion of Lots 13 and 14 of the "Sterling Ranch Unit No. 3 recorded in Volume 42 of Maps, Page 42 on March 22, 2005, Stanislaus County Records, lying in a portion of Section 7, Township 5 South, Range 10 East, Mount Diablo Meridian, being more particularly described as follows:

All of the temporary Turnaround Easement as shown on Lot 13 of said Subdivision map.

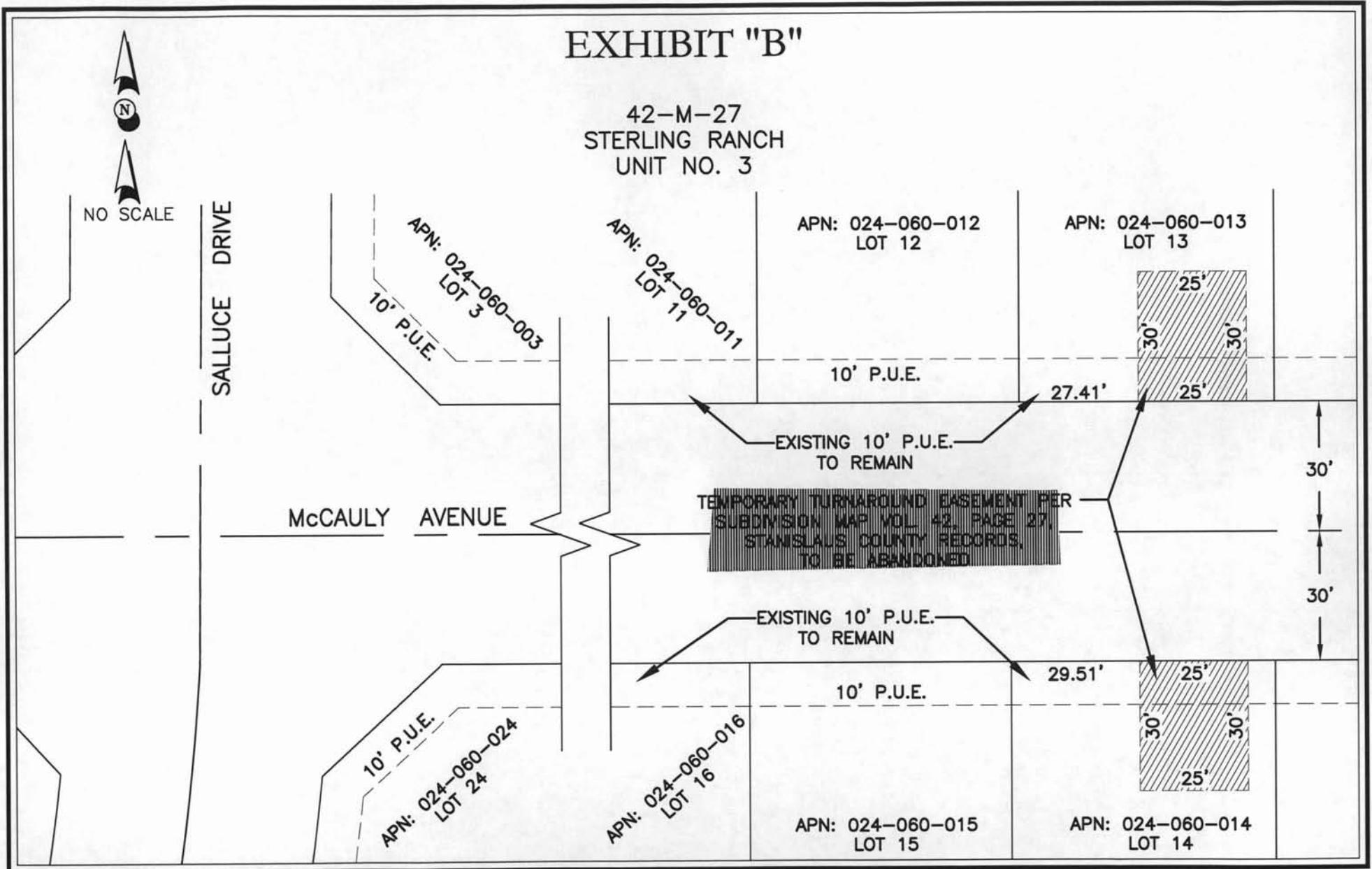
Also,

All of the temporary Turnaround Easement as shown on Lot 14 of said Subdivision map.

Subject to all other easements and right-of-ways of records.

EXHIBIT "B"

42-M-27
STERLING RANCH
UNIT NO. 3



PROPOSED ABANDONMENT OF TEMPORARY TURNAROUND EASEMENT

NE ¼ SECTION 7 T.5S. R.11E.
STERLING RANCH UNIT NO. 3

