

ATTACHMENT A

Recorded at no charge in
accordance with Streets &
Highways Code Section 8325
at the request of and
when recorded return to:

CITY OF PALO ALTO/REAL ESTATE
250 Hamilton Avenue
P.O. BOX 10250
PALO ALTO, CA 94303

SPACE ABOVE LINE FOR RECORDER'S USE

A.P. No.: 132-05-101
Project No.: CEV 08/01
Project: Vacation of PUE -
3510 Murdoch Drive

S U M M A R Y V A C A T I O N
RESOLUTION NO. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF PALO
ALTO SUMMARILY VACATING A 10-FOOT PUBLIC SERVICE
EASEMENT FOR UTILITIES AT
3510 MURDOCH DRIVE

WHEREAS, Chapter 4 of the Public Streets, Highways and
Service Easements Vacation Law, commencing with Streets and
Highways Code section 8330, provides for summary vacation of
streets and public service easements; and

WHEREAS, the City of Palo Alto acquired a 10-foot
public service easement for utilities on the property
located at 3510 Murdoch Drive as shown on the Map of Tract
No. 587 recorded in Book 31 of Maps at page 39, records of
Santa Clara County; and

WHEREAS, this 10-foot public service easement for
utilities has never been used and there are no other public
facilities within the easement to be vacated; and

WHEREAS, Section 8333 of the Streets and Highways Code
authorizes the City Council to summarily vacate public service
utilities easements which have never been used, and there are no
public facilities located within the easement; and

WHEREAS, the City Council intends to summarily vacate
the 10-foot public service easement for utilities, 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

WHEREAS, attached to this Resolution as Exhibit "C" is a copy of CMR' No. _____, dated _____, submitted by the City Manager to the City Council setting forth the reasons for the summary vacation of the 10-foot utilities easement "Report").

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

SECTION 1. The City Council hereby adopts the Report and, based upon the Report and all other evidence submitted, makes the following findings:

1. The 10-foot public utilities easement has never been used, and no public facilities are located within the easement; and

2. The public utilities easement is not needed for present or prospective public facilities; and

3. The public convenience and necessity do not require reservation of any portion of the public utilities easement; and

4. The public service easement for utilities is not useful as a non-motorized transportation facility; and

5. The Council has considered the Palo Alto Comprehensive Plan and ratifies the determination of the planning department that the vacation of the 10-foot public utilities easement is in conformity with the Palo Alto Comprehensive Plan.

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 10-foot public utilities easement as shown on the attached map(s) shall be and hereby is summarily vacated.

SECTION 3. The City Clerk, acting by and through the Real Property manager, is hereby directed to record at Santa Clara County Records a certified copy of this Resolution, including the Maps and the Report.

SECTION 4. The 10-foot easement for utilities described in Exhibit "A" and depicted in the plat map attached as Exhibit "B" will no longer constitute a public easement from and after the date of recordation of the documents identified in Section 3

of this Resolution.

SECTION 5. The Council finds that summary vacation of the 10-foot public utilities easement is exempt from review under the California Environmental Act pursuant to Title 14 California Code of Regulations section 15305 as a minor alteration in land use limitations.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

APPROVED:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Senior Asst. City Attorney

City Manager

Director of Administrative
Services

EXHIBIT "A"

**LEGAL DESCRIPTION
PUBLIC UTILITY EASEMENT TO BE VACATED**

PARCEL A

All that certain real property situate in the City of Palo Alto, County of Santa Clara, State of California, described as follows:

Portion of Lots 12, 13 and 14 in Block 4, Tract 587 as said Tract appears upon the map filed in Book 31 of Maps, on pages 39, 40 and 41 in the office of the Recorder of Santa Clara County, California and Being more particularly described as follows:

Beginning at a point on the southwesterly line of Murdoch Drive as said southwesterly line appears upon the map of said Tract 587, from said point of beginning the common corner of Lots 13 and 14 bears on and along said southwesterly line South 51°31' East, 5.00 feet; thence along said southwesterly line South 51°31' East, 10 feet; thence South 38°29' West, 115.00 feet; thence South 51°31' East, 40.00 feet; thence South 38°29' West, 1.00 feet; thence North 51°31' West, 50.00 feet; thence North 38°29' East, 116.00 feet to the Point of Beginning.

Containing an area of 1,200 square feet, more or less.

Parcel A is shown on attached map Exhibit "B" and made a part hereof.

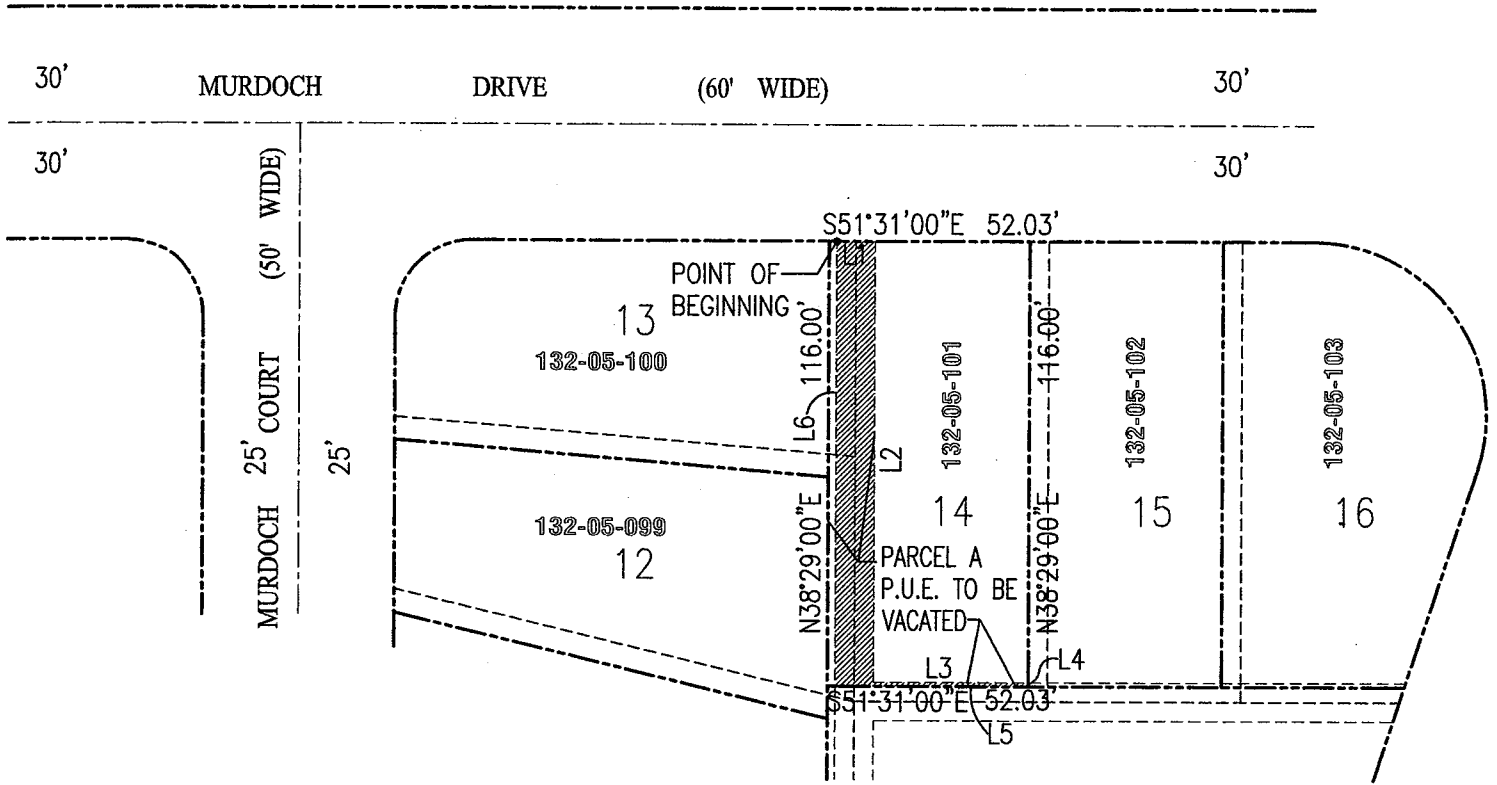
End of description.

Description prepared by WEC and Associates, Inc.



9/19/08
Date

Approved by *Juan Benitez* 10-22-08



LEGEND:

- PROPERTY LINE
- - - - - ORIGINAL PROPERTY LINE
- CENTER LINE
- 12 ORIGINAL LOT NUMBER

LINE TABLE

LINE	BEARING	DISTANCE
L1	S51°31'00"E	10.00'
L2	S38°29'00"W	115.00'
L3	S51°31'00"E	40.00'
L4	S38°29'00"W	1.00'
L5	N51°31'00"W	50.00'
L6	N38°29'00"E	116.00'



REFERENCES

TRACT 587, FILED IN BOOK 31 OF MAPS ON PAGES 39, 40 AND 41, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA

EXHIBIT "B"
 PLAT TO ACCOMPANY LEGAL DESCRIPTION
 PUBLIC UTILITY EASEMENT TO BE VACATED
 3510 MURDOCH COURT, PALO ALTO, CA

DATE: SEPT, 08
 SCALE: 1"=50'
 BY: EW

W E C
& ASSOCIATES

2625 MIDDLEFIELD RD #658 TEL: (650) 823-6466
 PALO ALTO, CA 94306 FAX: (650) 887-0321

Approved by Jane Boyd 10-22-08

