

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.: 132-15-076
Project No.: CEV 08/02
Project: Vacation of PUE -
3180 Waverley St.

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 PUBLIC SERVICE
EASEMENT FOR UTILITIES AT
3180 WAVERLEY STREET

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 public service easement (PUE) for utilities on the property located at 3180 Waverley Street as described and shown on the Grant of Easement for Utility Purposes recorded on May 6, 1952 in Book 2414 at page 261, records of Santa Clara County; and

WHEREAS, Section 8333 of the Streets and Highways Code authorizes the City Council to summarily vacate public service utility easements when the easement has been superceded by relocation and there are no other public facilities located within the easement; and

WHEREAS, the City Council intends to summarily vacate the public utility easement as more particularly described in Exhibit A attached to this Resolution; and

WHEREAS, the City Council intends to summarily vacate the 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 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 The public utility easement at 3180 Waverley Street has been superseded by relocation; and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 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 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 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 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

Legal Description
Utility Easement To Be Vacated
Exhibit A

All that certain parcel lying within the City of Palo Alto, County of Santa Clara, State of California,, being a portion of that certain parcel described in Book 2414, Page 261, recorded May 6, 1952, Santa Clara County Records, said lands are shown on attached plat exhibit B and made a part hereof, described as follows:

Beginning at the most Northerly corner of Lot 4 in Block 5 as shown on Tract No. 625, filed April 19, 1949, in Book 22 of Maps at page 39, Santa Clara County Records, California; thence, along a prolongation of the Northeasterly line of said Lot 4, North $36^{\circ}08'21''$ West, 4.06 feet to the intersection with a line bearing North $56^{\circ}42'00''$ East and appearing on said map as dividing the Lands of De Lege from Stanford University Villa Tract; thence along said dividing line, North $56^{\circ}42'00''$ East, 22.06 feet; thence North $33^{\circ}18'00''$ West, 5.00 feet; thence South $56^{\circ}42'00''$ West, 19.52 feet; thence North $51^{\circ}30'00''$ West, 53.83 feet to a point on the Northwesterly line of the lands described in Deed Document No. 18543515, recorded August 26, 2005, Santa Clara County Records, said point being distant South $38^{\circ}30'00''$ West, 134.00 feet from the Southwesterly line of Waverly Street as shown on said Tract No. 625; thence along said Northwesterly line of Deed Doc. 18543515, South $38^{\circ}30'00''$ West, 10.00 feet; thence, leaving last said line, South $51^{\circ}30'00''$ East, 43.81 feet; thence South $36^{\circ}08'21''$ East, 18.55 feet to the Northwesterly line of said Lot 4; thence along last said line North $38^{\circ}30'00''$ East, 9.86 feet to the point of beginning.

Containing 739 square feet, more or less.

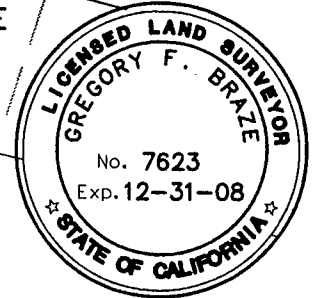
35'
35'

CENTERLINE

NORTHEASTERLY LINE
OF STANFORD
VILLA TRACT

WAVERLY STREET (70')

S51°30'00"E



LANDS OF
HOUGH
DEED DOC.
NO. 13215847

L=90.77'
R=442.65'
Δ=11°44'57"

S51°30'00"E
9.96'

LINE TABLE

LINE	BEARING	LENGTH
L1	N56°42'00"E	22.06'
L2	N33°18'00"W	5.00'
L3	S56°42'00"W	19.52'
L4	S38°30'00"W	10.00'
L5	S36°08'21"E	18.55'
L6	N38°30'00"E	9.86'
L7	S38°30'00"W	12.47'
L8	N38°30'00"E	7.55'

N38°30'00"E 134.00'

LANDS OF RUH
DEED DOC. NO.
18543515

APN 132-15-076

113.42'
S56°42'00"W

LANDS OF SELDEN
DEED DOC. NO.
18149903

N36°08'21"W
4.06'

POINT OF
BEGINNING

N51°30'00"W
53.83'

S51°30'00"E
43.81'

S51°30'00"E 61.70'

PARCEL A
EXISTING UTILITY
EASEMENT
TO BE VACATED

LANDS OF CHENG
DEED DOC.
NO.
15912501

LANDS OF LAKE
DEED DOC. NO.
15291624

LOT 4 LOT 3
TRACT NO. 625
BK 22, PG 39
BLOCK 5



SCALE: 1" = 40'



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EXHIBIT "B"
**PLAT TO ACCOMPANY LEGAL
DESCRIPTION**

PALO ALTO, CALIFORNIA

SANTA CLARA COUNTY

OCTOBER 2008

SCALE: 1" = 40'

