



City of Palo Alto

City Council Staff Report

(ID # 5243)

Report Type: Consent Calendar

Meeting Date: 11/10/2014

Summary Title: Resolution Vacating Public Service Easement at 1050 Page Mill Road

Title: Adoption of a Resolution Summarily Vacating Public Easement Which has been Relocated at 1050 Page Mill Road

From: City Manager

Lead Department: Administrative Services

RECOMMENDATION

Staff recommends that Council approve the attached Resolution Summarily Vacating a 10' wide Public Utilities Easement (PUE) at 1050 Page Mill Road, Palo Alto, CA (Attachment A).

DISCUSSION

The owners of the property at 1050 Page Mill Road have requested that the City vacate a 10' wide 1954 Public Utilities Easement (PUE) which is no longer necessary since the utilities were relocated during a prior construction project. Therefore, the easement is no longer necessary for public use. Staff has notified AT&T (formerly SBC Communications), the City's Utilities, Public Works and Planning Departments of the proposal to vacate the PUE and all concur with the vacation. Therefore, staff recommends the PUE be vacated in accordance with Section 8333 of the California Streets and Highways Code.

RESOURCE IMPACT

The easement vacation processing fee of \$1,811.00, as set forth in the Municipal Fee Schedule, has been paid by the owner in Fiscal Year 2014.

POLICY IMPLICATIONS

The recommendation does not represent any change to City policies. The Planning Department has determined that the vacation of this easement is in conformity with the Palo Alto Comprehensive Plan.

ENVIRONMENTAL REVIEW

The proposed summary vacation of the public utilities easements are categorically exempt from the review under the California Environmental Quality Act (CEQA) pursuant to Title 14 California Code of Regulations Section 15305 as a minor alteration in land use limitations.

Attachments:

- Attachment A- 1050 Page Mill Road Summer Vacation Resolution (PDF)

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.: 142-20-091
Project No.: CEV 14/02
Project: Vacation of Easement
1050 Page Mill Road

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 AT 1050 PAGE MILL ROAD

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 services easements; and

WHEREAS, the City of Palo Alto acquired a 10 foot public service easement for utilities on the property at 1050 Page Mill Road as shown on the Grant of Easement For Utility Purposes recorded in Book 2855 Page 578, Document #967447 in the office of the Santa Clara County Recorder on April 19, 1954 in the office of the Santa Clara County Recorder; and

WHEREAS, the utilities located within this easement have been relocated and there are no other utilities located within the easement; 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 never been used, has been superceded by relocation and there are no other public facilities located within the easements; 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

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" have been superseded by relocation; and

2. No public facilities are located within the Public Service Easement; and

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

4. The Council has considered the Palo Alto Comprehensive Plan and ratifies the determination of the Planning Department that the vacation of the public utility 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 service easements as shown on the attached map Exhibit A 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 map.

SECTION 4. The public service easement for utilities described in Exhibit "A" and depicted in the plat map attached as Exhibit "B" will no longer constitute public service easements from and after the date of recordation of the documents identified in Section 3 of this Resolution; and

SECTION 5. The Council finds that summary vacation of the ~~public service easements 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



October 2, 2014
BKF No. 20136046
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EXHIBIT "A"
Legal Description

PUBLIC UTILITY EASEMENT VACATION
Lands of the Leland Stanford Junior University
1050 Page Mill Road, Palo Alto, CA 94304

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

Being that Public Utility Easement, as described in that certain Grant of Easement for Utility Purposes, from the Board of Trustees of the Leland Stanford Junior University, a body having corporate powers under the laws of the State of California to the City of Palo Alto, a municipal corporation, recorded April 19, 1954 in Book 2855 at Page 578, Official Records of Santa Clara County, said Public Utility Easement to be vacated, more particularly described as follows:

Beginning at a point on the Southeasterly line of Page Mill Road at the most westerly corner of that certain 10 acre tract of land described in the Memorandum of Lease between the Board of Trustees of the Leland Stanford Junior University and Eastman Kodak Company, recorded March 9, 1953, in Book 2594 at page 606, et seq., Official Records of Santa Clara County, California; thence N. 56°33' W. along a prolongation of the Southwesterly line of said tract 60 feet to the Northwesterly line of Page Mill Road; thence Southwesterly along said Northwesterly line of Page Mill Road 39.00 feet, more or less, to the true point of beginning; thence N. 56°33' W. 1289.82 feet, more or less, to a point on the southeasterly line of California Avenue; thence Southwesterly along said line of California Avenue 10.00 feet; thence S. 56°33' E. 1289.82 feet, more or less, to a point on said Northwesterly line of Page Mill Road; thence Northeasterly along said Northwesterly line of Page Mill Road 10.00 feet to the true point of beginning, containing 0.296 acres, more or less, and being portion of Lot 35 of the lands of the Leland Stanford Junior University.

Said Public Utility Easement to be vacated is shown on attached Plat Exhibit "B" and made a part hereof.

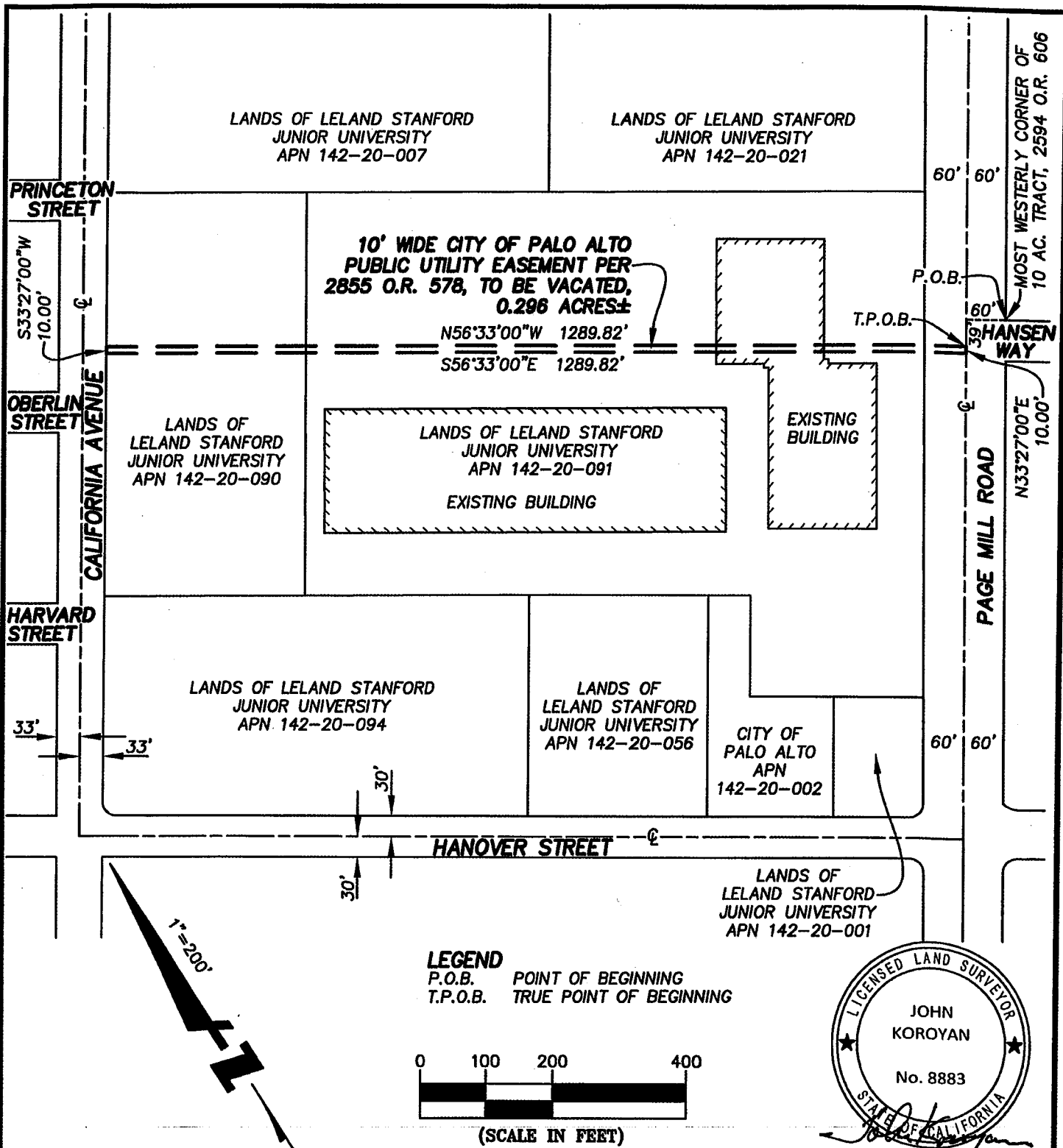
BKF Engineers

A handwritten signature in black ink that reads 'John Koroyan'. The signature is written in a cursive style and is positioned above a horizontal line.

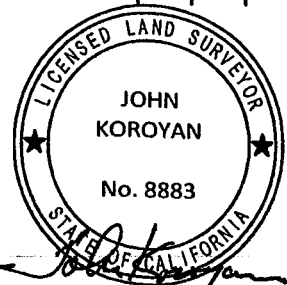
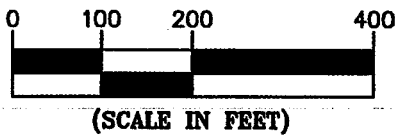
John Koroyan
P.L.S. No. 8883

OCT. 2, 2014
Dated





LEGEND
 P.O.B. POINT OF BEGINNING
 T.P.O.B. TRUE POINT OF BEGINNING



1050 PAGE MILL ROAD, PALO ALTO, CA 94304
 K:\Sur13\136046\DWG\PLAT\PUE VACATION PLAT.dwg

EXHIBIT "B"
 PLAT TO ACCOMPANY EASEMENT DESCRIPTION



1650 TECHNOLOGY DRIVE
 SUITE 650
 SAN JOSE, CA 95110
 408-467-9100
 408-467-9199 (FAX)

Subject **EASEMENT VACATION PLAT**
1050 PAGE MILL ROAD, PALO ALTO, CA
 Job No. 20136046-51
 By JG Date 10-02-14 Chkd. DT
 SHEET 1 OF 1