

RECORDING REQUESTED BY:
Town of Los Gatos

WHEN RECORDED MAIL TO:
Town Clerk
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

*Record without fee pursuant to
Government Code Section 6103*

SUMMARY VACATION OF PUBLIC UTILITY EASEMENT

112 Wilder Avenue and 115 North Santa Cruz Avenue
Los Gatos, CA 95030
APN 510-17-103 and 510-17-102

RESOLUTION 2022-

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS SUMMARILY VACATING PUBLIC UTILITY EASEMENT AT 112 WILDER AVENUE AND 115 NORTH SANTA CRUZ AVENUE

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

WHEREAS, the seven-foot wide public utility easement within the property located at 112 Wilder Avenue, was dedicated to the Town of Los Gatos for the purpose of providing electric service from a PG&E joint pole on Victory Lane Alley to a PG&E street light on Wilder Avenue; and

WHEREAS, the Grant of Easement for the dedication was recorded at the Santa Clara County Clerk-Recorder's Office on December 1, 1981, as Document Number 7224823; and

WHEREAS, a Certificate of Lot Line Adjustment between properties at 112 Wilder Avenue and 115 North Santa Cruz Avenue was recorded on September 24, 2008, as Document Number 19997560, which resulted in this public utility easement existing within both parcels; and

WHEREAS, PG&E relocated a portion of the street light electrical service within the area of the abandonment of easement request from the property owners of 112 Wilder Avenue to clear their building structure; and

WHEREAS, no utilities or public improvements now exist in public utility easement particularly described herein in Exhibit "A" attached to this resolution and depicted on the plat map attached as Exhibit "B" to this resolution, and the public convenience and necessity do not require reservation of this portion of the easement.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Los Gatos that the summary 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.; and

BE IT FURTHER RESOLVED that public utility easement has been superseded by relocation and there are no other public facilities located within this portion of easement described herein on Exhibit “A” and depicted on the plat map attached as Exhibit “B”; and

BE IT FURTHER RESOLVED that Section 8333 of the Streets and Highways Code authorizes the Town Council or any public officer or employee authorized by the legislative body to summarily vacate public service utilities easements when the easement has been superseded by relocation and there are no other public facilities located within the easement; and

BE IT FURTHER RESOLVED that based upon the findings of this resolution and the provisions of Section 8333 of the Streets and Highways Code, the Town Council hereby order that the public utility easement as shown on the attached map shall be and hereby summarily vacated; and

BE IT FURTHER RESOLVED that from and after the date this Resolution is recorded, the public utility easement vacated no longer constitutes a public easement; and

BE IT FURTHER RESOLVED that The Town Clerk is hereby authorized to record at the Santa Clara County Clerk-Recorder’s Office a certified copy of this Resolution including the Exhibits; and

BE IT FURTHER RESOLVED that the Council finds that the summary vacation of the public service 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.

PASSED AND ADOPTED at a regular meeting of the Town Council held on the 2nd of August 2022, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CA

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

EXHIBIT "A"

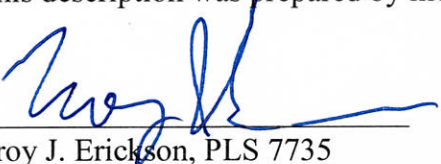
**LEGAL DESCRIPTION FOR ABANDONMENT OF
PUBLIC UTILITY EASEMENT (DOC. NO. 7224823)
OVER LOTS 16 & 17, "C" MAPS 3
112 WILDER AVENUE, LOS GATOS, CA**

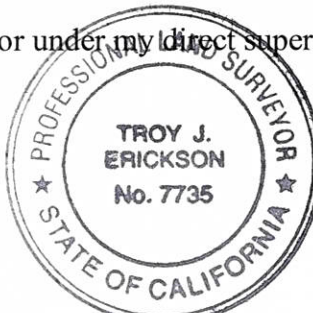
All that real property situate in the Town of Los Gatos, County of Santa Clara, State of California, being a portion of a 7 foot wide Public Utility Easement, as described in that certain Grant of Easement recorded on December 1, 1981 as Document Number 7224823, in the Office of the Recorder of Santa Clara County, and being a portion of Parcels A and B, as described in that certain Certificate of Lot Line Adjustment recorded on September 24, 2008 as Document Number 19997560, in the Office of the Recorder of Santa Clara County and being more particularly described as follows:

BEGINNING at the most westerly corner of said Parcel B, said point being on the southeasterly right-of-way line of Wilder Avenue, at the common corner of Lots 15 and 16, in Block 2, all as shown on that certain map entitled "MAP OF ALMOND GROVE ADDITION TO THE TOWN OF LOS GATOS", filed for record on September 5, 1887 in Book "C" of Maps at Page 3, in the Office of the Recorder of Santa Clara County; thence along said right-of-way line North 20°10'00" East, a distance of 28.50 to the beginning of the centerline of said Public Utility Easement; thence along the centerline of said easement the following four (4) courses: 1) South 61°19'20" East, a distance of 9.50 feet; 2) North 20°10'00" East, a distance of 31.90 feet; 3) South 61°19'20" East, a distance of 72.10 feet; 4) South 17°20'00" East, a distance of 5.04 feet to the TRUE POINT OF BEGINNING; thence leaving said centerline South 61°19'20" East, a distance of 5.04 feet to the easterly line of said easement; thence along said easement line South 17°20'00" East, a distance of 80.82 feet to the southwesterly line of said Parcel B and said common line between Lots 15 and 16 of Block 2; thence along said lines North 61°22'00" West, a distance of 10.07 feet to the westerly line of said easement; thence along said easement line North 17°20'00" West, a distance of 80.83 feet to an angle point in said easement line; thence leaving said easement line South 61°19'20" East, a distance of 5.04 feet to the TRUE POINT OF BEGINNING and containing an area of 566 square feet, more or less.

As shown on the plat, EXHIBIT "B", attached hereto and by this reference made a part hereof.

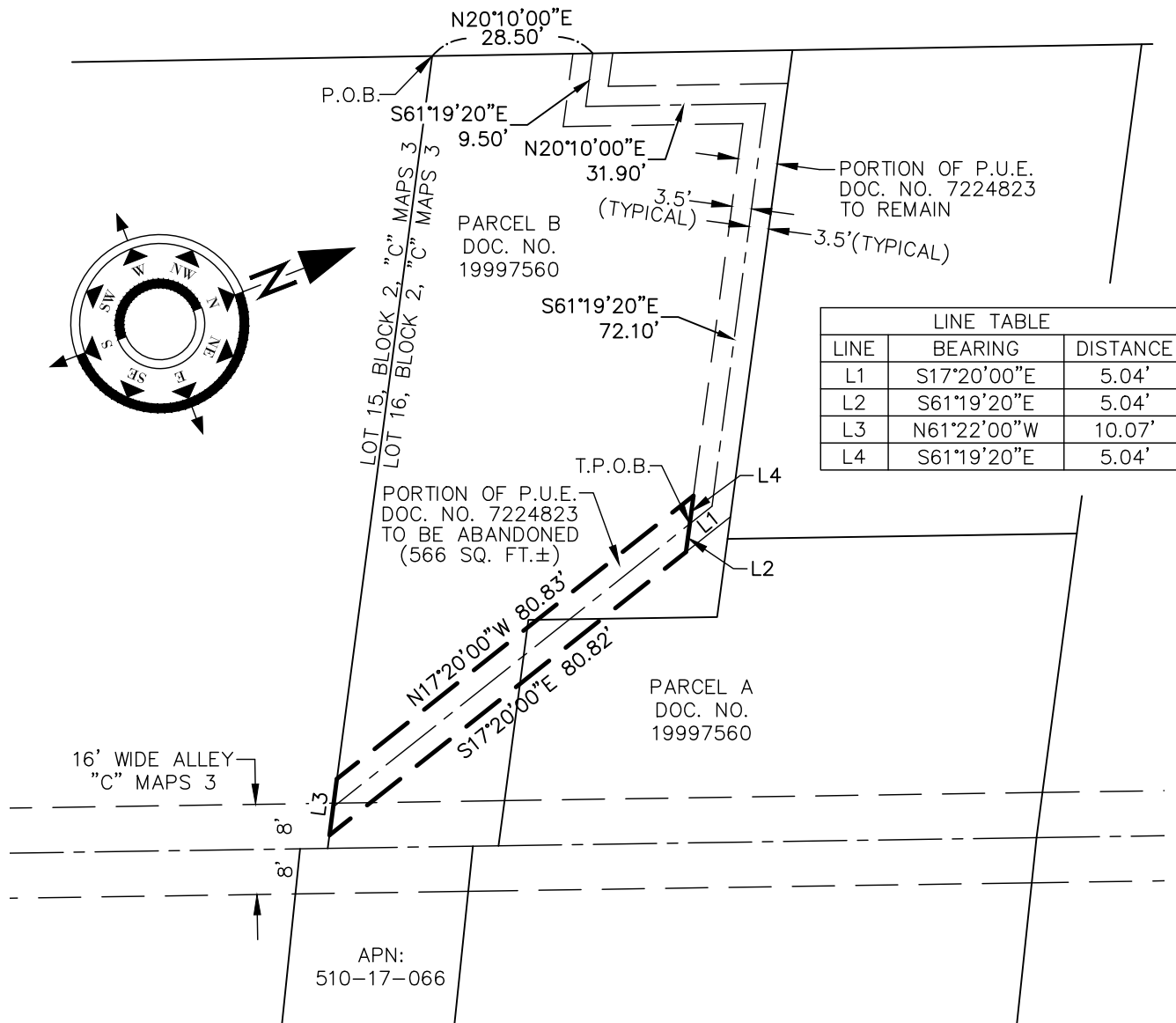
This description was prepared by me or under my direct supervision.


Troy J. Erickson, PLS 7735
License expires: 12/31/23



5/4/22
Dated

WILDER AVENUE



LEGEND

APN	ASSESSOR'S PARCEL NUMBER
DOC. NO.	DOCUMENT NUMBER
P.O.B.	POINT OF BEGINNING
P.U.E.	PUBLIC UTILITY EASEMENT
SQ. FT.	SQUARE FEET
T.P.O.B.	TRUE POINT OF BEGINNING
---	PORTION OF EASEMENT TO TO BE ABANDONED
---	LOT LINE
---	CENTERLINE

DATE: 4/28/22

SCALE: 1"=30'

DRAWN BY: TJE

SURVEYED BY: TJE

JOB NO.: 18-240

PAGE: 1 OF 1

PLAT TO ACCOMPANY LEGAL DESCRIPTION
ABANDONMENT OF A PORTION OF A PUBLIC UTILITY EASEMENT
112 WILDER AVENUE, LOS GATOS



PH: 408.452.9300

TS CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110

CIVIL ENGINEERING

FAX: 408.837.7550

EXHIBIT
"B"