



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/02/2022

ITEM NO: 15

DATE: July 19, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt a Resolution Summarily Vacating Public Utility Easement at 112 Wilder Avenue and 115 North Santa Cruz Avenue

RECOMMENDATION:

Adopt a resolution summarily vacating public utility easement (PUE) at 112 Wilder Avenue and 115 North Santa Cruz Avenue.

BACKGROUND:

A seven-foot wide PUE within the property located at 112 Wilder Avenue, Accessor's Parcel Number (APN) 510-17-103, was dedicated to the Town of Los Gatos for the purpose of providing electric service through the property from a Pacific Gas and Electric (PG&E) joint pole on Victory Lane Alley to a PG&E streetlight on Wilder Avenue. 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.

Through a Certificate of Lot Line Adjustment recorded on September 24, 2008, as Document Number 19997560, the property line between 112 Wilder Avenue and 115 North Santa Cruz Avenue (APN 510-17-102) was adjusted along Victory Lane Alley, which resulted in this PUE existing within both parcels.

The property owners of 112 Wilder Avenue have requested that certain portions of the PUE over their building structure be vacated as PG&E reroutes the electric service away from their building space.

PREPARED BY: WooJae Kim
Town Engineer

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Interim Finance Director, and Acting Parks and Public Works Director

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DISCUSSION:

Staff has reviewed the documents provided with the Request for Abandonment of Easement application and has verified that the portion of PG&E streetlight electrical service through 112 Wilder Avenue and 115 North Santa Cruz Avenue within the area of the abandonment request has been relocated. Utility companies with services within the area were notified of the request for the vacation. The Town has received responses from PG&E, San Jose Water Company, Comcast, Verizon, and West Valley Sanitation District with no objections. Staff has determined that this PUE is no longer necessary for future public purpose.

In accordance with the California Streets and Highways Code Section 8333, the legislative body of a local agency or any public officer or employee authorized by the legislative body may summarily vacate a public service or utility easement, if the easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

CONCLUSION:

Adopt a resolution (Attachment 1) to vacate a specified portion of PUE at 112 Wilder Avenue and 115 North Santa Cruz Avenue as described in Exhibit "A" and depicted on the plat map on Exhibit "B" of this resolution. Once adopted, the Town Clerk would be authorized to file the resolution with the Santa Clara County Clerk-Recorder's Office for recordation.

ENVIRONMENTAL ASSESSMENT

The proposed summary vacation of PUE is categorically exempt from review under the California Environmental Quality Act (CEQA) Guidelines, Section 15305, Minor Alterations in Land Use Limitations.

FISCAL IMPACT:

No material fiscal impact is anticipated.

Attachments:

1. Resolution with legal description and plat map