

RESOLUTION 2023-

RESOLUTION OF THE TOWN OF LOS GATOS SUMMARILY VACATING 0.038 ACRES OF A 0.055 ACRE PUBLIC UTILITY EASEMENT AT 15714 KAVIN LANE

WHEREAS, 15714 Kavin Lane was part of Tract No 1740 known as the Hillview Court subdivision which was recorded by Santa Clara County in File No. 1232432 on July 17, 1956.

WHEREAS, the property includes a 0.055-acre public utility easement that was dedicated to allow utilities under, on, or over the easement area.

WHEREAS, known utilities, with the exception of PG&E have indicated in writing that the public utility easement is no longer needed.

WHEREAS, PG&E indicated in writing that a ten-foot wide easement (0.017 acres) is required.

WHEREAS, Streets and Highways Code Section 8333(c) permits the legislative body of a local agency to summarily vacate a public service easement when the easement has been determined to be excess by the easement holder; and

WHEREAS, it is the intention of the Town Council to summarily vacate, under the provisions of Sections 8333(c) of the Streets and Highways Code of the State of California, a portion of the public utility easement situated along the easterly property line of 15714 Kavin Lane, approximately 1,597 sq. ft.; and

WHEREAS, the existing public utility easement will be retained at approximately 10 feet wide and more particularly described in Exhibit "A" "Legal Description" and depicted on the plat map Exhibit "B" "Power Line Easement", copies of which are attached hereto. Said exhibits show the particulars as to the retained easement and are available for public inspection.

WHEREAS, the proposed summary vacation qualifies as categorically exempt from CEQA review under section 15301, Minor Alterations to Existing Facilities; and

WHEREAS, the proposed vacation is consistent with the Town of Los Gatos General Plan and is in the interest of the general public,

ATTACHMENT 1

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED:

1. Pursuant to Section 8333(c) of the Streets and Highways Code, the excessive easement as described in Exhibit A and depicted on Exhibit B is vacated upon the recording of a certified copy of this resolution by the Town Clerk with the County Recorder of Santa Clara County.
2. The Town Clerk is directed to record a certified copy of this resolution with the County Recorder of Santa Clara County.

PASSED AND ADOPTED at a regular meeting of the Town Council held on the 2th day of May 2023, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTACHMENT 1