

Town of Truckee
California

RESOLUTION 2025-61

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TRUCKEE
ABANDONING THE TEN-FOOT PUBLIC UTILITY EASEMENT AND
TWENTY-FOOT LIGHT AND AIR EASEMENT
AT 14741 DENTON AVENUE;
ASSESSOR PARCEL NUMBER 017-301-035
(OWNERS: THADDEUS ZENON MACH LIVING TRUST)**

WHEREAS, the Town of Truckee has received an Easement Abandonment application from Troy Keeney on behalf of the property owner Thaddeus Zenon Mach Living Trust to abandon the ten-foot public utility easement and twenty-foot light and air easement at 14741 Denton Avenue (APN 017-301-035); or Lot 5, Donner Heights Subdivision Unit No. 1, Book 1, Page 125 in the Recorder's Office of Nevada County, California; and

WHEREAS, the Community Development Director and Town Engineer/Public Works Director have reviewed the proposed abandonment of the public utility easement and light and air easement and find there is not a public interest in the easement in question, the easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the requested vacation, and the easements are not necessary for present or prospective use; and

WHEREAS, public utilities and special districts providing utility services have been notified of the requested abandonment and have either abandoned their respective interests or authorized the Town to do so; and

WHEREAS, there are no in-place public utility facilities located in public utility easement to be abandoned that are in use or would be affected by the abandonment and the Town has not received any objections to the proposed overhead wire and conduit easement abandonment from any public utility or special district; and

WHEREAS, there is no use of light and air easement; and

WHEREAS, environmental review has been conducted in accordance with the California Environmental Quality Act (CEQA) and the Town Council has determined the project will not have a significant impact on the environment and is exempt from environmental review in accordance with Section 15061(b)(3) of the CEQA Guidelines; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TRUCKEE that upon satisfaction of all conditions set forth below, the Town shall abandon any and all interest in the following: i) The 10-foot of a public utility easement and twenty-foot light and air easement located along the northern property line of 14741 Denton Avenue, as shown in Exhibit A, (APN 017-301-035); or Lot 5, Donner Heights Subdivision Unit No. 1, Book 1, Page 125 in the Recorder's Office of Nevada County, California; and

BE IT FURTHER RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TRUCKEE that the abandonment of the public utility easement and light and air easement contemplated herein is subject to the following conditions being met by the applicant:

1. A plat map shall be prepared by a licensed land surveyor and shall be reviewed and approved by the Town Engineer. The plat map shall show the 10-foot-wide public utility easement and twenty-foot light and air easement to be abandoned by the adoption of this resolution. The plat map shall comply with all requirements of the Town Engineer and Nevada County Recorder and shall be integrated into this resolution as Exhibit A.
2. The applicants shall provide the Town with an executed copy of the Indemnity, Hold Harmless and Defense Agreement attached hereto as Exhibit C.

BE IT FURTHER RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TRUCKEE that if the conditions listed above for the Easement Abandonment have not been satisfied by **September 23, 2027**, the conditional approval granted by this resolution shall become null and void without further action by the Town Council being required.

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized and directed to coordinate the recordation of this resolution upon satisfying that the above-mentioned conditions have been met.

The foregoing resolution was introduced by _____, seconded by _____, at a regular meeting of the Truckee Town Council, held on the 23rd day of September, 2025 and adopted by the following vote:

AYES:

NOES:

ABSTAIN:

Jan Zabriskie, Mayor

ATTEST:

Kelly Carpenter, Town Clerk

Attachments:

Exhibit A – Exhibit and Legal Description

Exhibit B – Findings

Exhibit C – Indemnity, Hold Harmless and Defense Agreement

**COUNCIL RESOLUTION 2025-61
EXHIBIT "A"**

**APPLICATION NO. 2025-0000013/EA
DENTON AVENUE EASEMENT ABANDONMENT**

MINOR PUBLIC UTILITY EASEMENT AND LIGHT AND AIR EASEMENT VACATIONS

(see attached)

**COUNCIL RESOLUTION 2025-61
EXHIBIT "B"**

**APPLICATION NO. 2025-00000013/EA
DENTON EASEMENT ABANDONMENTS**

MINOR PUBLIC UTILITY AND LIGHT AND AIR EASEMENT VACATIONS

FINDINGS

Minor Public Utility and Light and Air Easement Vacations

1. The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the requested vacation, and the easement is not necessary for present or prospective public use;

All public utility agencies and special districts and parties with an interest in these easements have been notified, and all have taken action to abandon their interest in the easement or have provided authorization for the Town to abandon the interest on their behalf. The easements have not been used for the purpose of over five consecutive years preceding the requested vacation.

**COUNCIL RESOLUTION 2025-61
EXHIBIT "C"**

**APPLICATION NO. 2025-0000013/EA
DENTON EASEMENT ABANDONMENTS**

INDEMNITY, HOLD HARMLESS AND DEFENSE AGREEMENT