



MARIPOSA COUNTY

Public Works · (209) 966-5356



RESOLUTION - ACTION REQUESTED 2015-343

MEETING: July 7, 2015

TO: The Board of Supervisors

FROM: Tony Stobbe, Public Works Director

RE: Public Hearing to Vacate a Portion of the Public Road and Utility Easement in Yosemite West

RECOMMENDATION AND JUSTIFICATION:

PUBLIC HEARING: Vacate a Portion of the Public Road and Utility Easements Within Henness Ridge Road in the Yosemite West Subdivision as shown on Map 1511 and also referenced on Amended Map 1599.

This easement was originally required as a condition of approval for major subdivision application 3-23-66.

The public utility easement to be vacated has no public utilities within the right-of-way. The public road easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other facilities located within the easement.

The purpose for the vacation is to allow Newsome and Montplaisir to adjust the common boundary between two lots and the roadway in Yosemite West. The land comprising that portion of Henness Ridge Road adjacent to the two lots is owned by 40 Acres, Inc. The intent is to relocate the existing house belonging to Parcel A wholly within Parcel A. Currently, the house is located partially on Parcel B and in the roadway. Vacation of the easements will allow reconfiguring of the property lines and easements to conform with the existing (long standing) improvements which were built encroaching into the roadway. This has been conditioned by Lot Line Adjustment #2014-081 for Newsome and Montplaisir. This action is required as a condition of a lot line adjustment number 2014-081.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Record of Survey 1511 was filed August 1, 1967. The public utility easement to be vacated has no public utilities within the right-of-way.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ATTACHMENTS:

Formal Resolution to Vacate Portion of Road and Utility Easement in Yosemite West (DOC)

Vacation of easement (YW) Exhibit A for Resolution (PDF)

Vacation of easement (YW) Atkins Email (PDF)

Vacation of easement (YW) Facilities Approval (PDF)

Vacation of easement (YW) Planning Dept Approval (PDF)

Vacation of easement (YW) ATT Approval (PDF)

Vacation of easement (YW) PG&E Approval Email (PDF)

Vacation of easement (YW) Public Hearing Notice (PDF)

CAO RECOMMENDATION

Requested Action Recommended



Mary Hodson, CAO

7/2/2015

RESULT: ADOPTED [UNANIMOUS]

MOVER: Rosemarie Smallcombe, District I Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Smallcombe, Jones, Long, Cann, Carrier

MARIPOSA COUNTY BOARD OF SUPERVISORS RESOLUTION NO. 15-334

**A Resolution Vacating a Portion of the Public Road and Utility Easements
in the Yosemite West Subdivision**

WHEREAS, a written request has been submitted by Larry Newsome to vacate a portion of the public road and utility easements within Henness Ridge Road in the Yosemite West Subdivision as shown on Map 1511 and referenced on Amended Map 1599; and,

WHEREAS, these easements were originally required as a condition of approval for Major Subdivision application 3-23-66. Said easements are shown on Map 1511 recorded August 1, 1967 and referenced in Amended Map 1599 recorded April 16, 1968; and,

WHEREAS, the public utility easement to be vacated has no public utilities within the right-of-way; and,

WHEREAS, the public road easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other facilities located within the easement; and,

WHEREAS, the purpose for the vacation is to allow the Newsome Estate to adjust the common boundary between two lots and the roadway in Yosemite West; and,

WHEREAS, the land comprising that portion of Henness Ridge Road adjacent to the two lots is owned by 40 Acres, Inc.; and,

WHEREAS, the purpose is to relocate the existing house belonging to Parcel A wholly within Parcel A. Currently, the house is located partially on Parcel B and in the roadway; and,

WHEREAS, this action is required as a condition of lot line adjustment number 2014-081; and,

WHEREAS, the easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

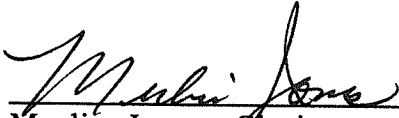
NOW, THEREFORE, BE IT RESOLVED, by the Mariposa County Board of Supervisors, as follows:

1. The County of Mariposa, by and through its Board of Supervisors, summarily vacates the easements described in this resolution pursuant to Street & Highways Code, Section 8330, et seq.

2. The easements hereby vacated are described in Exhibit "A" attached hereto and made a part hereof.
3. The vacation of the easements is conditioned upon the applicant providing new public service easements to the public service involved. This Resolution shall become effective upon approval of said easements by the Public Works Director.
4. A certified copy of this Resolution shall be recorded in the office of the Mariposa County Recorder by the Clerk of the Board, and from and after the date of recording the easements hereby vacated shall no longer constitute a street, highway or public service easement.


ON MOTION BY Supervisor Smallcombe, seconded by Supervisor Long, this resolution is duly passed and adopted this 7th day of July, 2015 by the following vote:

AYES: **Smallcombe, Jones, Long, Cann, Carrier**
NOES: None
EXCUSED: None
ABSTAIN: None



Merlin Jones, Chair
Board of Supervisors

ATTEST:



Rene LaRoche, Clerk of the Board

APPROVED AS TO FORM:



Steven W. Dahlem, County Counsel

VACATED P.U.E. MONTPLASIR
March 27, 2015

Exhibit "A"

All that real property located in the Northwest ¼ of Section 25, Township 3 South, Range 20 East, Mount Diablo Base and Meridian, County of Mariposa, State of California described as follows:

All that portion of Lot 108, and Henness Ridge Road as shown on the map of Yosemite West Unit 1, filed August 1, 1967 in Book of Maps at Page 1511, Mariposa County Records, being more particularly described as follows:

COMMENCING at the southeast corner of said Lot 108;

thence along the southerly boundary line of said Lot 108, N75°49'07"W 11.39 feet to the intersection of the westerly line of the P.U.E. shown on said map of Yosemite West Unit 1, also being the POINT OF BEGINNING;

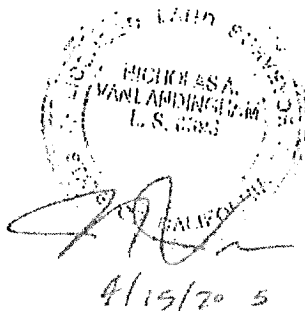
thence from said POINT OF BEGINNING, N52°12'38"E 11.41 feet ;

thence N18°22'21"E 31.28 feet;

thence along a 55.00 foot radius curve to the RIGHT, through a central angle of 06° 58' 33", an arc distance of 6.70 feet;

thence N41°48'19"W 21.68 feet to a point on an existing Public Utility Easement line as shown on said map of Yosemite West Unit 1, being a point on a 90.00 foot radius curve, concave easterly, a radial line to said point bears N64°01'43"W;

thence southerly along said Public Utility Easement line and said curve, through a central angle of 38°34'19", an arc distance of 60.59 feet to the POINT OF BEGINNING.



NICHOLAS A.
VANLANDINGHAM
L.S. 5383

4/15/20 5

VACATED P.U.E. NEWSOME
March 27, 2015

Exhibit "A"

All that real property located in the Northwest ¼ of Section 25, Township 3 South, Range 20 East, Mount Diablo Base and Meridian, County of Mariposa, State of California described as follows:

All that portion of Lot 104 and Henness Ridge Road as shown on the map of Yosemite West Unit 1, filed August 1, 1967 in Book of Maps at Page 1511, Mariposa County Records, being more particularly described as follows:

COMMENCING at the southeast corner of said Lot 108;

thence N54°41'23"E 151.25 feet to the southeasterly corner of said Lot 104;

thence along the northeasterly boundary line of said Lot 104, N35°29'05"W 5.43 feet to the POINT OF BEGINNING;

thence from said POINT OF BEGINNING, leaving said northeasterly boundary line S77°28'52"W 73.92 feet;

thence along a 55.00 foot radius curve to the LEFT, through a central angle of 33°49'39", an arc distance of 32.47 feet;

thence N41°48'19"W 69.05 feet;

thence N22°42'05"E 25.73 feet to a point on an existing Public Utility Easement line as shown on said map of Yosemite West Unit 1;

thence along said Public Utility Easement line, S49°32'12"E 69.78 feet to an angle point, also being a point on a 90.00 foot radius curve, concave southerly, a radial line to said point bears N41°19'02"W;

thence easterly continuing along said Public Utility Easement line and along said curve, through a central angle of 63°05'49", an arc distance of 99.11 feet to the said northeasterly boundary line of Lot 104;

thence along said northeasterly boundary line, S.35°29'05"E. 17.38 feet to the POINT OF BEGINNING.

APPROVED AND
FILED FOR RECORD
MAY 14 2015
COUNTY CLERK
MARIPOSA COUNTY
CALIFORNIA
4/14/2015

VACATED R/W
March 27, 2015

Exhibit "A"

All that real property located in the Northwest ¼ of Section 25, Township 3 South, Range 20 East, Mount Diablo Base and Meridian, County of Mariposa, State of California described as follows:

All that portion of Hennes Ridge Road as shown on the map of Yosemite West Unit 1, filed August 1, 1967 in Book of Maps at Page 1511, Mariposa County Records, being more particularly described as follows:

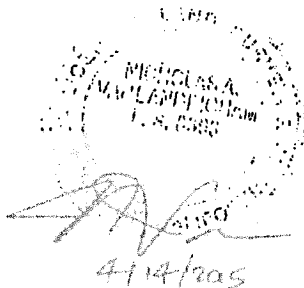
BEGINNING at the southeast corner of said Lot 108;

thence N18°22'21"E 39.93 feet;

thence along the arc of a 50.00 foot radius curve to the RIGHT, through a central angle of 59°06'31", an arc distance of 51.58 feet;

thence N77°28'52"E 76.04 feet to the southeasterly corner of Lot 104 of said Yosemite West Unit 1, also being a point on the northwesterly line of said Hennes Ridge Road, said point being on an 80.00 foot radius curve, concave southeasterly, a radial line to said point bears N35°39'26"E;

thence westerly then southerly along said curve and said northwesterly line of Hennes Ridge Road, through a central angle of 141°56'06", an arc distance of 198.18 feet to the POINT OF BEGINNING.



MICHELLE S. A.
MALLEN
Notary Public
State of California
4/14/2015

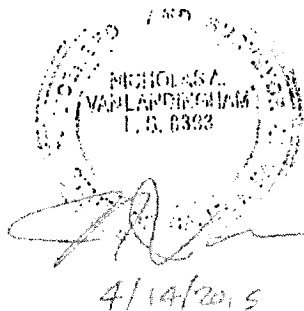
NEW P.U.E.
March 27, 2015

Exhibit "A"

All that real property located in the Northwest $\frac{1}{4}$ of Section 25, Township 3 South, Range 20 East, Mount Diablo Base and Meridian, County of Mariposa, State of California described as follows:

All that portion of Lot 108 as shown on the map of Yosemite West Unit 1, filed August 1, 1967 in Book of Maps at Page 1511, Mariposa County Records, being more particularly described as follows:

COMMENCING at the southeast corner of said Lot 108;
thence along the southerly boundary line of said Lot 108, N75° 49'07"W 11.39 feet;
thence N52° 12'38"E 11.41 feet ;
thence N18° 22'21"E 31.28 feet;
thence along a 55.00 foot radius curve to the RIGHT, through a central angle of 06° 58' 33", an arc distance of 6.70 feet;
thence N41° 48'19"W 21.68 feet to the POINT OF BEGINNING;
thence continuing N41° 48'19"W 40.06 feet to a point on an existing P.U.E. as shown on the said map of Yosemite West Unit 1;
thence along said existing P.U.E., S49° 32'12"E 37.17 feet;
thence leaving said P.U.E., S41° 48'19"E 1.36 feet to a point on a 90.00 foot radius curve, concave southeasterly, a radial line to said point bears N60° 37'46"W;
thence southerly along said curve, through a central angle of 3° 23'58", an arc distance of 5.34 feet to the POINT OF BEGINNING.


4/14/2015

RECORD OF SURVEY

FOR
NEWSOME, MONTPLAISIR, & 40 AC. INC
 LOTS 104 & 106 OF YORBUTE WEST UNIT 1 ON FILE IN BOOK
 OF MAPS AT PAGE 1511, M.C.J.
 LOCATED IN THE NW 1/4 OF SECTION 23, TOWNSHIP 3 SOUTH,
 RANGE 20 EAST, M.D.2 AM.

SHEET 2 OF 2 SHEET

LEGEND

- FIELD MONUMENT, 3/4" IRON PIPE RICE, 10982, PER (1)
- SET 5/8" IRON, TANGED L.S. 477
- STATION MARK PLACED PER (1)
- (-X-) BEARS WITH AN ANGLE / USED HEREIN
- (M) APPROXIMATE AS RECORDED
- (C) CALCULATED FROM RECORD
- PULL PUBLIC UTILITY EXISTENT
- PUBLIC UTILITY LINE
- PUBLIC UTILITY LINE
- NOT A DESIGN USE (DUAL)
- RIGHT-OF-WAY CENTERLINE
- PREVIOUS PULL PER (1)
- PULL, VACATED PER (1)
- PULL, DEDICATED PER (1)

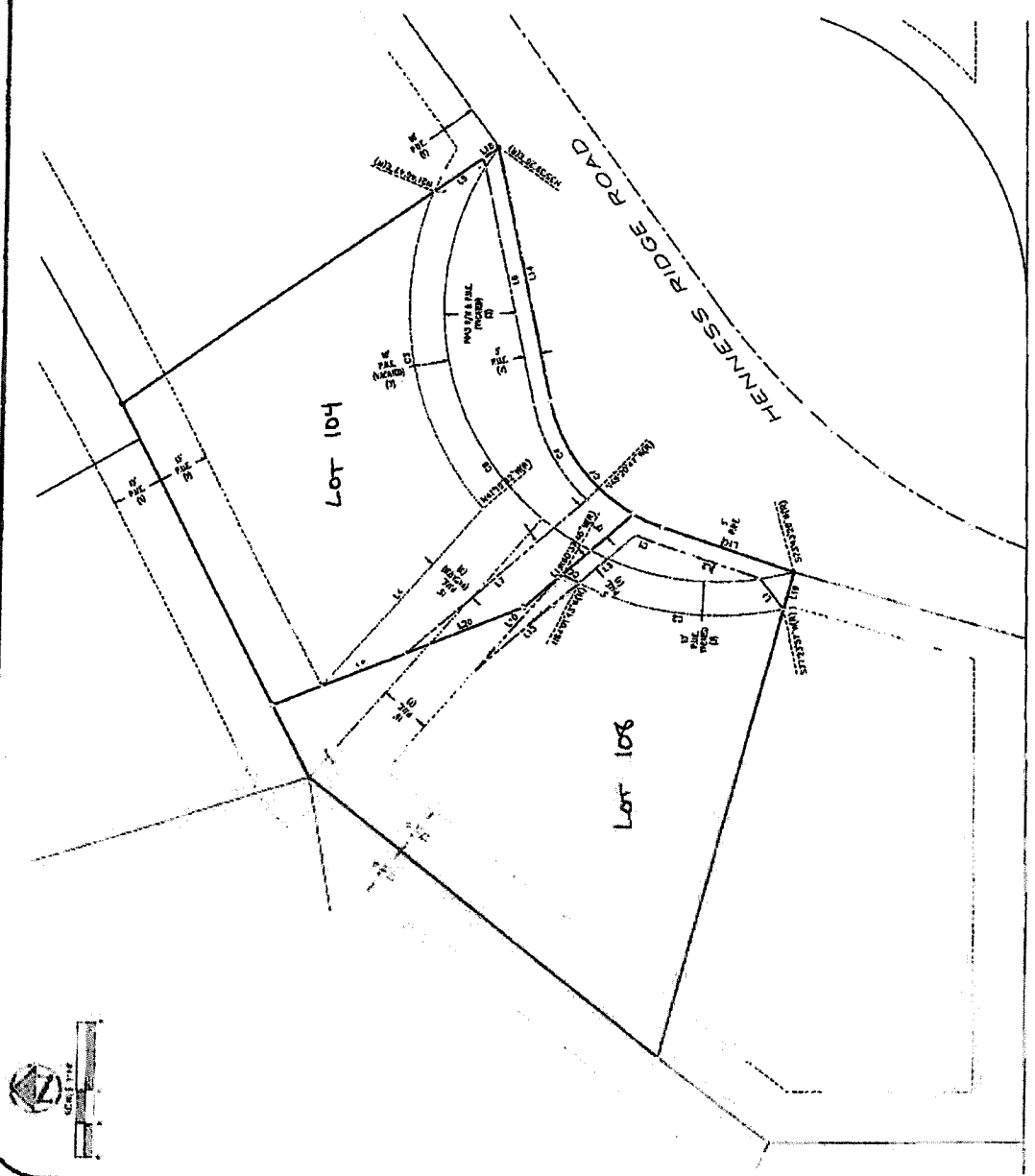
REFERENCES

- 1. THE STATE OF MARYLAND, DEPARTMENT OF TRANSPORTATION, PUBLIC UTILITY MONUMENT, 10000, PER (1)
- 2. THE STATE OF MARYLAND, DEPARTMENT OF TRANSPORTATION, RIGHT-OF-WAY MONUMENT, 10000, PER (1)

EASEMENT TABULATION

| Line # | Direction | Length | Curve Table |
|--------|--------------|--------|-------------|
| 1 | 182°23'32" E | 11.41' | C1 |
| 2 | 102°22'17" E | 31.25' | C2 |
| 3 | 141°49'19" W | 21.89' | C3 |
| 4 | 342°23'17" E | 69.78' | C4 |
| 5 | 329°29'05" E | 17.36' | C5 |
| 6 | 272°23'24" W | 22.92' | C6 |
| 7 | 141°49'19" W | 84.05' | C7 |
| 8 | 182°23'32" E | 35.32' | C8 |
| 9 | 342°23'17" E | 31.97' | C9 |
| 10 | 341°21'57" W | 1.18' | C10 |
| 11 | 272°23'24" W | 74.60' | C11 |
| 12 | 329°29'05" E | 3.43' | C12 |
| 13 | 272°23'24" W | 11.30' | C13 |
| 14 | 329°29'05" E | 26.87' | C14 |

JONES & SKIFFOS SURVEYING
 P.A. BOX 9994, ANNAPOLIS, MD 21414
 (410) 291-1111, WWW.JONESANDSKIFFOS.COM
 2025 10/15/25



NEW POE
 EXISTING POE TO REMAIN

