RECOMMENDED ACTION AND JUSTIFICATION:  
(Policy Item: Yes _ No X)

Public Works recommends that the Board adopt the attached resolution of Summary Abandonment of the Public Utility Easements and one of the road easements as shown on the map of FAIRPARKS UNIT NO. ONE, Map No. 2266, Mariposa County Records.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On November 3, 1987, the Board approved the map of FAIRPARKS UNIT NO. ONE and accepted the dedications of Public Utility Easements shown on the map. The road easement that would be abandoned by this resolution was rejected by the Board at that time.

On January 24, 1995, the Planning Commission approved Lot Line Adjustment No. 428 which allows the owner and original subdivider to reconfigure the boundaries of all of the lots within this subdivision.

The owner, through his authorized agent, has requested the abandonment of the Public Utility Easements and one of the road easements shown on the map of FAIRPARKS UNIT NO. ONE because these easements run through the middle of the lots after the reconfiguration allowed by Lot Line Adjustment No. 428. The owner has also agreed to dedicate new Public Utility Easements to serve all of the reconfigured lots.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If the abandonment is not approved, Public Utility Easements and one road easement will remain running through the middle of some of these reconfigured lots.

<table>
<thead>
<tr>
<th>COSTS:</th>
<th>(X) Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Budgeted current FY&gt; $</td>
</tr>
<tr>
<td>B.</td>
<td>Total anticipated Costs&gt; $</td>
</tr>
<tr>
<td>C.</td>
<td>Required additional funding&gt; $</td>
</tr>
<tr>
<td>D.</td>
<td>Internal transfers&gt; $</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COSTS:</th>
<th>( ) 4/5th Vote Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Unanticipated revenues&gt; $</td>
</tr>
<tr>
<td>B.</td>
<td>Reserve for contingencies&gt; $</td>
</tr>
<tr>
<td>C.</td>
<td>Source description:</td>
</tr>
</tbody>
</table>

Balance in Reserve Contingencies, If Approved: $ 

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

1. Letter Requesting Abandonment
2. Letter from P.G.& E.
3. Letter from Pacific Telephone Co.
4. Resolution of Abandonment
5. Exhibit Map

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

- ________ Recommended
- ________ Not Recommended
- ________ For Policy Determination
- ________ Submitted for Comment
- ________ Returned for Further Action

Comment: ________________________________

DATE: ________________________________

Res. No.: 95-1980  Ord. No.: _________

Vote - Ayes: _______  Noes: _________  Absent: _______  Abstained: _______

Approved  □ Denied

☐ Minute Order Attached  ☐ No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office

Date: ________________________________

ATTEST: ________________________________

MARGIE WILLIAMS, Clerk of the Board

By: ________________________________

Deputy
October 19, 1995

Mariposa County Public Works Dept.
4639 Ben Hur Road
Mariposa, CA 95338

Attn: Mike Edwards, Public Works Director
Ref: LLA 428

Dear Mike:

My clients, Tim and Carol Manly would like to formally request the summary abandonment of all easements for public utilities which were offered for dedication and accepted by Mariposa County on the "Map of Fairparks Unit No. One" recorded in the Book of Maps at page 2266. The Manlys will be offering new public utility easements which will follow the new property lines approved by LLA 428. The offer will be made on a Record of Survey Map which is now nearing completion. If you have any questions please give me a call.

Sincerely,

Richard A. Seaman,
Agent for Tim and Carol Manly

RAS/ec
July 14, 1995

Mike Edwards
Director of Public Works
Mariposa County
4639 Ben Hur Rd
Mariposa, CA 95338

Re: PUE Abandonment

Dear Mr. Edwards:

This letter is in response to a request from Freeman & Seaman Land Surveyors regarding the proposed abandonment of PUE's located within Fairparks, record of survey 2266.

P.G. & E. has no facilities in the said PUE, and has no objections to the abandonment and rededication as proposed in this matter.

If you have any questions regarding this matter, please call me at 966-3446.
Sincerely,

[Signature]
BRIAN MC FADEN
Manager
May 2, 1995

Mike Edwards
Director of Public Works
Mariposa County
4639 Ben Hur Road
Mariposa, CA 95338

Dear Mr. Edwards:

This letter is written in response to a request from Freeman & Seaman Land Surveyors regarding the proposed abandonment and relocation of several Public Utility Easements located within Fairparks Unit No. One and the Record of Survey 2266.

Pacific Bell has no facilities in the Public Utility Easements in question, and therefore has no objection to the abandonment and rededication as outlined in the attached letter.

If you have any questions, please call me on 209-474-4130.

Sincerely,

Lori Wagner
Right of Way Administrator

cc: Richard A. Seaman, L.S.
ATTACHMENT 1

MARIPOSA COUNTY
RESOLUTION 95-498

A RESOLUTION FOR THE SUMMARY ABANDONMENT OF THE PUBLIC UTILITY EASEMENTS SHOWN ON THE MAP OF FAIRPARKS UNIT NO. ONE, MAP NO. 2266, MARIPOSA COUNTY RECORDS

WHEREAS, the public utility easements shown on the map of Fairparks Unit One, Map No. 2266, Mariposa County Records have not been used for the purpose for which they were dedicated for five consecutive years and,

WHEREAS, the owner of said subdivision, through his authorized agent, has requested that these easements be vacated,

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

That all of the Public Utility Easements shown on the map of Fairparks Unit One, Map No. 2266, Mariposa County Records and the 60' wide Non-exclusive Public Road and Utility Easement along the northeasterly line of Lot 3 as shown on said map and also shown on the attached "Exhibit Map" are hereby summarily vacated. From and after the date this resolution is recorded in the office of the Mariposa County Recorder, these easements will be vacated and no longer constitute public service easements: RESOLUTION NO 95 - 498.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 14th day of November, 1995, by the following vote:

AYES: REILLY, BALMAIN, STEWART, PARKER
NOES: NONE
ABSENT: TABER
ABSTAINED: NONE

GARRY R. PARKER, Chairman
Mariposa County Board of Supervisors

ATTEST:

MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEREMY G. GREEN, County Counsel
EXHIBIT MAP

SHOWING LOTS 1 THROUGH 8 AS SHOWN ON THE MAP OF FAIRPARKS UNIT 1 FILED IN THE BOOK OF MAPS AT PAGE 2266, MARIPOSA COUNTY RECORDS, AND SITUATED IN SECTIONS 19 AND 30, T.2 S., R.17 E., M.D.B. & M.

PUBLIC UTILITY EASEMENTS TO BE ABANDONED

ROAD EASEMENT TO BE ABANDONED

ROAD EASEMENTS TO REMAIN

MARIPOSA COUNTY ENGINEERING DEPARTMENT

Drawn Chas
Checked
Date 11/1/95

Sheet 1 of 1

Scale: 1"=400'

EXHIBIT MAP FOR FAIRPARKS UNIT 1

Approved By
Engineer

Dwg. No. 
November 27, 1995

TO: THOSE LISTED

Please be advised that at the Board meeting of November 14, 1995, the Mariposa County Board of Supervisors by Resolution Number 95-498 abandoned public utility easements and a road easement as shown on the attached map of "Fairparks Unit No. One", Map No. 2266.

Very truly yours,

MARGIE WILLIAMS
Clerk of the Board

Attachment