RECOMMENDED ACTION AND JUSTIFICATION:  (Policy Item: Yes__ No_X)

Public Works recommends that the Board of Supervisors adopt the attached Resolution of Summary Abandonment of a portion of Stout Lane in Greeley Hill contingent upon the execution of a 40’ wide public access easement through the land marked "BELLIS" on the attached Exhibit Map.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

There are currently three approved land divisions using Stout Lane for access to the proposed parcels. As the applicants were planning to improve Stout Lane, as required for their land divisions, it came to light that a portion of the existing road was not within the existing road easement. To insure access to the proposed new parcels, it is important that the access roads are within easements. The County staff and the applicants for these land divisions feel that it would be more desirable, both environmentally and economically, to relocate the easement to the existing road than to build a new road within the existing easement. This proposed action will abandon the County’s interest in the old easement. This will allow the owners of the "BELLIS" parcel to execute an easement along the existing road without fear that someone might build a second road through their property in the area of the old easement.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If this resolution is not adopted, this portion of the easement for Stout Lane will not have been abandoned and the possibility will exist that another road could be built across the "BELLIS" property in addition to the existing Stout Lane.

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COSTS: (X) Not Applicable
A. Budgeted current FY $                      
B. Total anticipated costs $                   
C. Required additional funding $                
D. Internal transfers $                        

SOURCE: ( ) 4/5th Vote Required
A. Unanticipated revenues $                    
B. Reserve for contingencies $                
C. Source description: Balance in Reserve Contingencies, if approved: $

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:
Resolution (1 page)
Legal description (1 page)
Exhibit map (1 page)

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CLERK’S USE ONLY
Res. No.: 43-4-46  Ord. No.
Vote: Aye: 5  Noes: 0  Absent: 0
☑ 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: County of Mariposa, State of California
Deputy

ADMINISTRATIVE OFFICER’S RECOMMENDATION:
This item on agenda as:
☑ Recommended
☐ Not Recommended
☐ For Policy Determination
☐ Submitted with Comment
☐ Returned for Further Action

Comment:

A.O. Initials: Ξ

Action Form Revised 5/92
INTEROFFICE MEMORANDUM

November 5, 1993

To: Margie Williams, Clerk of the Board

From: Charlie Pratt, Associate Surveyor

RE: Stout Lane Abandonment

Attached please find original, recorded, resolution. It was evidently recorded during my absence. I do not believe that any future problem will arise from the recording of this resolution.
A RESOLUTION FOR THE SUMMARY ABANDONMENT OF A PORTION OF STOUT LANE in the
unincorporated area of GREELEY HILL.

WHEREAS, a portion of Stout Lane has not been used for the purpose for which it
was dedicated for five consecutive years and,

WHEREAS, pursuant to the Streets and Highways Code Section 8333, the Board
finds that a portion of Stout Lane should be summarily vacated,

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

That portion of Stout Lane offered for dedication to the County of Mariposa by
PARCEL MAP for JOHN & CONNIE STELLING and RICHARD & ROWENA GRAVES recorded in Book
19, of Parcel Maps at Page 32, Mariposa County Records and accepted by ACCEPTANCE OF
DEDICATION, recorded as Document No. 911744, Mariposa County Records, is hereby
rejected.

AND, BE IT FURTHER RESOLVED that the portion of Stout Lane described in the
attached Exhibit "A" and shown on the attached "Exhibit Map" and is hereby summarily
vacated pursuant to Streets and Highways Code Section 8333. From and after the date
this resolution is recorded in the office of the Mariposa County Recorder, this
portion of Stout Lane will be vacated and no longer constitute a street or public
service easement: RESOLUTION NO 93-446.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 17th day
of August 1993, by the following vote:

AYES: BAGGETT, BALMAIN, PARKER, TABER
NOES: NONE
ABSENT: ERICKSON
ABSTAINED: NONE

ATTEST:
MARGIE WILLIAMS, Clerk of the Board

ERIC J. ERICKSON, Chairman
Mariposa County Board of Supervisors

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

JEFFREY G. GREEN, County Counsel
DESCRIPTION FOR SUMMARY ABANDONMENT OF A PORTION OF STOUT LANE

The South ten (10) feet of the North thirty (30) feet of Parcel C as shown on PARCEL MAP for JOHN & CONNIE STELLING and RICHARD & ROWENA GRAVES recorded in Book 19, of Parcel Maps at Page 32, Mariposa County Records, situated in Section 11, T.2 S., R.16 E., M.D.B.& M., County of Mariposa, State of California.

Description Prepared By:

[Signature]
Charles M. Pratt, L.S. 4891