

DEPARTMENT: Public Works/Technical Services

By: Larry Pollard/Charles Pratt

Phone: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION:

Public Works recommends that the County Board of Supervisors (BOS) adopt the attached resolution vacating an unused easement for Twin Oaks Road.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Parcel Map Book 14, Page 19, was recorded at a time when no road improvements were required for minor subdivisions, an easement was shown on the map, but no road was built. Later, a road was built pursuant to a re-division of this property in a location different from that shown on the parcel map. The easement for the road as constructed was offered for dedication to Mariposa county by Parcel Map Book 18, Page 37. The easements shown on both of the above parcel maps have been accepted by the county.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- 1) If the Board does not adopt the attached resolution, there will continue to be two 60 foot wide easements through this property, only one of which has a road developed within it.

COSTS: () Not Applicable
 A. Budgeted current F.Y. \$ _____
 B. Total anticipated costs \$ _____
 C. Required Add'l. Funding \$ _____
 D. Source: _____

SPECIAL INSTRUCTIONS:
 List the attachments and number the pages consecutively:
Resolution Vacating an Easement (2 pages)
Letter requesting vacation (1 page)
Parcel Map Bk.14 Pg.29 (1 page)
Parcel Map Bk.18 Pg.37 (1 page)

SOURCE: () 4/5ths Vote Required
 A. Other budgeted funds \$ _____
 B. Unanticipated revenues \$ _____
 C. Reserve for contingencies \$ _____
 D. Description: _____
 Balance in Reserve for contingencies, if approved: \$ _____

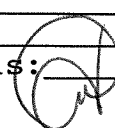
CLERK'S USE ONLY
 Res. No.: 91-425
 Ord. No.: _____
 Vote - Ayes: 5 Noes: _____
 Absent: _____ Abstained: _____
 Approved () Denied
 () Minute Order Attached

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

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

Date: _____
 ATTEST: MARGIE WILLIAMS
 Clerk of the Board of Supervisors
 County of Mariposa, State of CA
 By: _____
 Deputy

Comment: _____

 A.O. Initials: 

MARIPOSA COUNTY RESOLUTION NO. 91-425

A RESOLUTION VACATING AN EASEMENT FOR TWIN OAKS ROAD
SUPERSEDED BY RELOCATION OF THE ROAD

RESOLVED, by the Board of supervisors of the County of Mariposa, a political subdivision of the State of California, that:

WHEREAS, a request to abandon a portion of the easement for Twin Oaks Road has been made by the owner of the property upon which said easement lies; and

WHEREAS, this easement has been superseded by the construction of Twin Oaks Road in a location different than the location of this easement.

WHEREAS, the easement being vacated has not been used for the purpose for which it was offered for dedication for five (5) consecutive years.

NOW THEREFORE, this Board hereby determines and orders as follows:

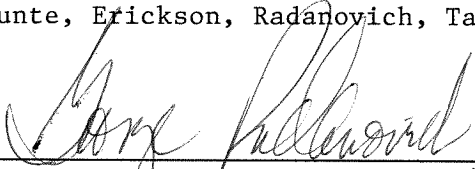
1. The County of Mariposa, by and through its Board of Supervisors, summarily vacates the easement described in this resolution pursuant to Streets & Highways Code Division 9, Chapter 3, § 8333.

2. The easement hereby vacated is described as a non-exclusive 60' P.U. and access easement, beginning at a point on the north line of Parcel B as shown on Parcel Map for Vann Michael Smith recorded in Book 14 of Parcel Maps at Page 29, Mariposa County Records; thence traversing in a southerly direction to the south line of said Parcel B.

4. A certified copy of this resolution, No. 91-425, shall be recorded in the office of the Mariposa County Recorder by the Clerk of the Board, and upon such recordation the easement hereby vacated shall no longer constitute a street, highway or public service easement.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa this 3rd day of September, 1991, by the following vote:

AYES:	Baggett, Punte, Erickson, Radanovich, Taber
NOES:	None
ABSTAINED:	None
ABSENT:	None



GEORGE P. RADANOVICH, Chairman
Mariposa County Board of supervisors

ATTEST:



MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY



JEFFREY G. GREEN, County Counsel