

RESOLUTION ACCEPTING AN EQUESTRIAN AND PEDESTRIAN EASEMENT ON LOT 166,  
UNIT 1-M OF THE LAKE DON PEDRO SUBDIVISION  
AND  
VACATING AN EQUESTRIAN AND PEDESTRIAN EASEMENT ON LOT 167,  
UNIT 1-M OF THE LAKE DON PEDRO SUBDIVISION

WHEREAS, Section 8333 of the Streets and Highways Code authorizes the Board of Supervisors to summarily vacate a public service easement provided that the easement has been superseded by a relocation and there are no other public facilities located within the easement;

WHEREAS, Section 8335 of the Streets and Highways Code authorizes the Board of Supervisors to vacate a public service easement by adopting a resolution of vacation;

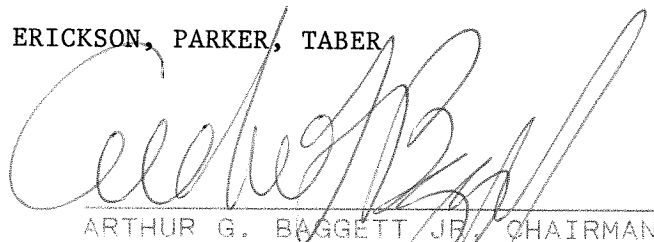
WHEREAS, by Order adopted on March 22, 1994, the Board of Supervisors accepted an exchange of public service easements from Lot 167 to Lot 166, Unit 1-M of the Lake Don Pedro Subdivision and more precisely described respectively in Exhibit A and Exhibit B attached hereto and made a part of this Resolution;

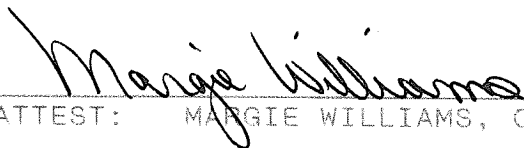
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Mariposa, as follows:

- 1) The County of Mariposa hereby accepts an easement for equestrian and pedestrian purposes on Lot 166, Unit 1-M of the Lake Pedro Subdivision and more precisely described in Exhibit B.
- 2) The County of Mariposa summarily vacates an easement of equestrian and pedestrian purposes on lot 167, Unit 1-M of the Lake Pedro Subdivision and more precisely described in Exhibit A. The easement shall be vacated immediately upon adoption of this Resolution.

PASSED AND ADOPTED THIS 23RD DAY OF AUGUST, 1994 BY THE FOLLOWING VOTE:

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

  
ARTHUR G. BAGGETT JR., CHAIRMAN

  
ATTEST: MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

  
JEFFREY S. GREEN, County Counsel

EXHIBIT A

EQUESTRIAN AND PEDESTRIAN EASEMENT ABANDONMENT

An abandonment of that easement for equestrian and pedestrian purposes over a portion of Lot 167 of Lake Don Pedro Subdivision Unit No. 1-M. as recorded in Mariposa County Book of Maps at page 1658.

Said Lot 167 is a portion of the Northeast 1/4 of Section 33, Township 2 South, Range 15 East, Mount Diablo Base and Meridian.

Said easement to be abandoned is more particularly described as being 30 feet in width; parallel with, adjacent to and westerly of the easterly line of said Lot 167.  
End of description.

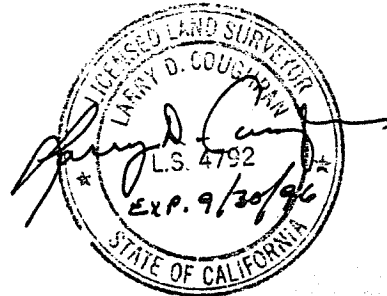


EXHIBIT B

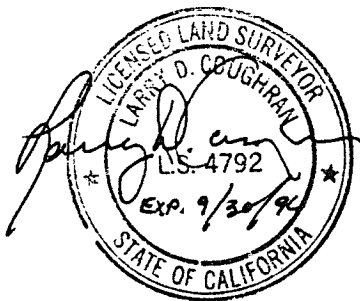
## EASEMENT DESCRIPTION

An easement for equestrian and pedestrian purposes over a portion of Lot 166 of Lake Don Pedro Subdivision Unit No. 1-M. as recorded in Mariposa County Book of Maps at page 1658.

Said Lot 166 is a portion of the Northeast 1/4 of Section 33, Township 2 South, Range 15 East, Mount Diablo Base and Meridian.

Said easement is more particularly described as being 15 feet in width; parallel with, adjacent to and westerly of the easterly line of said Lot 166.

End of description.



HOUSING AND COMMUNITY DEVELOPMENT AGENCY  
BY: James F. Evans

PHONE: 966-6121

RECOMMENDED ACTION AND JUSTIFICATION: (POLICY ITEM: YES\_\_\_ NO\_X\_)

Resolution Accepting an Equestrian and Pedestrian Easement on Lot 166, Unit 1-M of the Lake Don Pedro Subdivision and Vacating an Equestrian and Pedestrian Easement on Lot 167, Unit 1-M of the Lake Don Pedro Subdivision. (Previously authorized by the Board of Supervisors).

BACKGROUND AND HISTORY OF BOARD ACTIONS:

By Order adopted March 22, 1994 the Board accepted the exchange of easements resolve a major easement encroachment.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION.

Do not approve and renegotiate a resolution of the easement violation.

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COSTS: (X) Not Applicable  
A. Budgeted CURRENT FY \$ \_\_\_\_\_  
B. Total anticipated costs \$ \_\_\_\_\_  
C. Required Add'l funding \$ \_\_\_\_\_  
D. Internal Transfers \$ \_\_\_\_\_

SPECIAL INSTRUCTIONS:  
List the attachments and number pages consecutively:  
\_\_\_\_ 3 page resolution \_\_\_\_\_  
\_\_\_\_ 1 page letter from DPW \_\_\_\_\_  
\_\_\_\_ accepting legal des. \_\_\_\_\_

SOURCE: ( ) 4/5ths vote required  
A. Unanticipated revenues \$ \_\_\_\_\_  
B. Reserve for contingencies \$ \_\_\_\_\_  
C. Source description: \_\_\_\_\_  
Balance in Reserve for Contingencies, if approved: \$ \_\_\_\_\_

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CLERK'S USE ONLY:  
Resolution No.: 94-377  
Ordinance No.: \_\_\_\_\_  
Vote - Ayes: 5 Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_ Abstain: \_\_\_\_\_  
*mwr* ) Approved ( ) Denied  
( ) Minute Order Attached  
( ) No Action Necessary

ADMINISTRATIVE OFFICER'S RECOMMENDATION:  
This item on agenda as:  
 Recommended  
 Not Recommended  
 Policy Determination  
 Submitted w/ Comment  
 Returned for further action

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

Comment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST: MARGIE WILLIAMS  
Clerk of the Board  
County of Mariposa,  
State of California

A.O. Initials: *[Signature]*

By: \_\_\_\_\_  
Deputy