

**RESOLUTION NO. 22-129**

**RESOLUTION TO SUMMARILY VACATE A ONE-FOOT, NON-VEHICULAR ACCESS EASEMENT ALONG NANCY COURT IN EUREKA, CALIFORNIA**

WHEREAS, a county street for purposes of the Public Streets, Highways, and Service Easements Vacation Law (California Streets and Highways Code Section 8300 et seq.) includes all or part of, or any right in, a public highway, road, street, avenue, alley, lane, or other public right-of-way or easement (California Streets and Highways Code Section 8308); and

WHEREAS, the hereafter described portion of a county street has been relocated and determined to be excess; and

WHEREAS, there are no public facilities located within the said portion of the county street that are in use or would be affected by the vacation of said portion of the county street; and

WHEREAS, the vacation will not terminate any public service easement; and

WHEREAS, the vacation will not cut off all access to any person's property; and

WHEREAS, this summary vacation is made pursuant to the provisions of Section 8333(c) of the California Streets and Highways Code; and

WHEREAS, the vacation is minor in nature and exempt from the Planning Commission Report for Acquisitions, Dispositions and Abandonments pursuant to Government Code Section 65402(a) and Humboldt County Resolution No. 72-69; and

WHEREAS, the vacation will have no significant environmental effect and is exempt from review under the California Environmental Quality Act as per the Section 15305 of Title 14 the California Code of Regulations; and

WHEREAS, the portion of the street proposed for vacation is not necessary for present or prospective public use or useful as a non-motorized transportation facility.

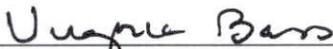
NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Humboldt County Board of Supervisors finds that all of the recitations contained hereinabove are true and correct.
2. The one-foot, non-vehicular access easement described in Exhibit A, which is attached hereto and incorporated herein by reference as if set forth in full, has been relocated and determined to be excess by the Department of Public Works.
3. There are no public utilities in place that are in use or would be affected by the vacation of said non-vehicular access easement.
4. The vacation will not cut off all access to any person's property.
5. The summary vacation is made pursuant to the provisions of Section 8333(c) of the California Streets and Highways Code.

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA  
Certified Copy of Portion of Proceedings for the Meeting of October 18, 2022

6. The vacation is minor in nature and exempt from the Planning Commission Report for Acquisitions, Dispositions and Abandonments pursuant to California Government Code Section 65402(a) and Resolution No. 72-69.
7. The vacation is not in conflict with the Humboldt County General Plan.
8. The vacation will have no significant environmental effect and is exempt from review under the California Environmental Quality Act as per the Section 15305 of Title 14 the California Code of Regulations.
9. Said non-vehicular access easement to be vacated is not necessary for present or prospective public use or useful as a non-motorized transportation facility.
10. Said non-vehicular access easement is hereby ordered vacated.
11. From and after the date of recordation of this resolution, said non-vehicular access easement described in Exhibit A will no longer constitute a street, highway or public service easement.
12. The Clerk of the Board of Supervisors is directed to record a certified copy of this Resolution in the Office of the Humboldt County Recorder via the Land Use Division.

Dated: October 18, 2022

  
\_\_\_\_\_  
Virginia Bass, Chair  
Humboldt County Board of Supervisors

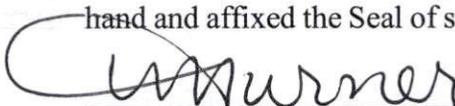
Adopted on motion by Supervisor Wilson, seconded by Supervisor Bushnell, and the following vote:

AYES: Supervisors -- Wilson, Bushnell, Madrone, Bass, Bohn  
NAYS: Supervisors --  
ABSENT: Supervisors --  
ABSTAIN: Supervisors --

STATE OF CALIFORNIA )  
County of Humboldt )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

  
\_\_\_\_\_  
By Nikki Turner  
Deputy Clerk of the Board of Supervisors of the  
County of Humboldt, State of California

**Exhibit "A"**

Legal Description

Vacating Parcel "E" of Tract No. 317  
Joanie Marie Subdivision, Unit No. 2, Lot 22  
Recorded in Book 19 of Maps, pages 89 and 90  
Official Records of Humboldt County

The following described real property is situated in the unincorporated area of Humboldt County, in the State of California:

Involving the lands of Jeffery A. Boomgarden and Janet A. Boomgarden, husband and wife as joint tenants as recorded in Document No. 1991-2189-2 Official Records of said Humboldt County more particularly described as follows:

Parcel "E", a One (1) Foot Wide Non-Vehicular Access Strip Dedicated to the County of Humboldt as shown on Lot 22 of Tract No. 317, Joanie Marie Subdivision, Unit No. 2 according to the Map thereof on file in the office of said Humboldt County in Book 19 of Maps, pages 89 and 90.

APN 302-121-72

This legal description was prepared by:



**Bradley A. Thomas, PLS 5520**  
My License Expires: 9/30/2022  
File No. 10378.00  
**15 September 2022**  
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