

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of November 8, 2022

RESOLUTION NO. _____

RESOLUTION TO SUMMARILY VACATE A PORTION OF FISHER ROAD (4G070) SOUTH OF STATE HIGHWAY 36 IN HYDESVILLE

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 or lane (California Streets and Highways Code Section 8308); and

WHEREAS, the hereafter described portion of Fisher Road (4G070), is an excess right of way not required for street or highway purposes and it lies within property under one ownership that does not continue through such ownership or end touching property of another, thereby meeting the requirements of California Streets and Highways Code Section 8334; and

WHEREAS, this summary vacation is made pursuant to the provisions of Section 8334 of the California Streets and Highways Code; and

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

WHEREAS, 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 Humboldt County Resolution No. 72-69; and

WHEREAS, the vacation is not in conflict with the Humboldt County General Plan; and

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

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

WHEREAS, the Pacific Gas and Electric Company ("PG&E") requires the reservation and exception of an easement.

NOW, THEREFORE, THE HUMBOLDT COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES AS FOLLOWS:

1. The Board of Supervisors finds that all of the recitations contained hereinabove are true and correct.
2. The summary vacation is made pursuant to the provisions of Section 8334 of the PG&E Streets and Highways Code, and specifically § 8334.
3. PG&E has easement rights over the portion of Fisher Road to be vacated. Therefore, an easement reservation is made for PG&E within the right of way described and shown in Exhibit A and Exhibit B, which are attached hereto and incorporated herein by reference as if set forth in full.

"Reserving therefrom pursuant to the provisions of Section 8340 of the Streets and Highways Code for the benefit of Pacific Gas and Electric Company and their successors or assigns, the permanent easement and the right at any time from time to time to construct, reconstruct, maintain, operate,

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replace, repair, renew and enlarge cables, wires, poles, electrical conductors, and other equipment fixtures and appurtenances for the operation of electrical, telephone and cable facilities, including access; and also the rights to trim and cut down trees and brush that may be a hazard to the facilities; keep the property free from inflammable materials; and prevent any building or structure near said facilities.”

3. The vacation will not cut off all access to any person’s property.
4. The vacation is minor in nature and exempt from the Planning Commission Report for Acquisitions, Dispositions and Abandonments pursuant to PG&E Government Code Section 65402(a) and Humboldt County Resolution No. 72-69.
5. The vacation is not in conflict with the Humboldt County General Plan.
6. The vacation does not have a significant environmental effect and is exempt from the California Environmental Quality Act as per Section 15305 of Title 14 of the California Code of Regulations.
7. The portion Fisher Road proposed to be vacated is not necessary for present or prospective public use.
8. Said portion of Fisher Road is hereby ordered vacated.
9. From and after the date of recordation of this resolution, said portion Fisher Road, as described in Exhibit A and shown on Exhibit B, will no longer constitute a public right of way.
10. The Clerk of the Board of Supervisors is directed to record, via the Land Use Division of the Humboldt County Department of Public Works, a certified copy of this Resolution in the Office of the County Recorder.

Dated: November 8, 2022

Virginia Bass, Chair
Humboldt County Board of Supervisors

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

AYES: Supervisors –
NOES: 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 a full, true and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

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

By Kathy Hayes
Clerk of the Board of Supervisors of the County of
Humboldt, State of California

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EXHIBIT A

FISHER ROAD VACATION

All that real property located in Township 2 North, Range 1 East, Humboldt Meridian, Sections 21 & 28, in the County of Humboldt, State of California, described as follows:

That portion of Fisher Road, County Road No. 4G070, lying Southerly of the Southerly line of Parcel 2 as shown on Parcel Map No. 1535 recorded in Book 13 of Parcel Maps, Page 80, Humboldt County Records.

Basis of Bearings is Book 13 of Parcel Maps, Page 80, Humboldt County Records.

END OF DESCRIPTION



Kenneth R. Johnston, PLS 9194

Dated 9/22/2022



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EXHIBIT B
FISHER ROAD VACATION

