

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting on January 4, 2022

RESOLUTION NO. 22-01

RESOLUTION TO SUMMARILY VACATE A PORTION OF FELT ROAD (4K150) IN EUREKA

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

WHEREAS, the hereafter described portion of Felt Road (4K150), 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 Streets and Highways Code § 8334; and

WHEREAS, this summary vacation is made pursuant to the provisions of Chapter 4 of Part 3 of Division 9 of the 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 Government Code § 65402(a) and Resolution No. 72-69; and

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

WHEREAS, the vacation will have no significant environmental effect and is exempt from the California Environmental Quality Act (CEQA) as per the provisions in the Guidelines for Implementation of CEQA, 14 California Code of Regulations § 15305; and

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

NOW, THEREFORE BE IT RESOLVED 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 Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code, and specifically § 8334.
3. Pacific Gas and Electric (PG&E) has easement rights over the portion of Felt Road to be vacated. Therefore, an easement reservation is made for PG&E within the easement deed granted to County of Humboldt on April 12, 1954, in Book 288 page 203, Official Records, in the Office of the County Recorder.

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“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, 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.”

4. The vacation will not cut off all access to any person’s property.
5. The vacation is minor in nature and exempt from the Planning Commission Report for Acquisitions, Dispositions and Abandonments pursuant to Government Code § 65402(a) and Resolution No. 72-69.
6. The vacation is not in conflict with the General Plan.
7. The vacation does not have a significant environmental effect and is exempt from CEQA as per the provisions in the Guidelines for Implementation of CEQA, 14 California Code of Regulations § 15305.
8. The portion of Felt Road proposed to be vacated is not necessary for present or prospective public use.
9. Said portion of Felt Road is hereby ordered vacated.
10. From and after the date of recordation of this resolution, said portion Felt Road as described in Exhibit A and shown on Exhibit B which are attached hereto and incorporated herein by reference, will no longer constitute a public right of way.
11. Direct the Clerk of the Board to record in the office of the County Recorder, a certified copy of the Resolution via the Land Use Division.

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EXHIBIT A

**ABANDONMENT DESCRIPTION FOR SEAN O'DAY FOR
A PORTION OF FELT ROAD**

That portion of Felt Road in Sections 29 and 32 in Township 5 North, Range 1 East, Humboldt Meridian, which begins on the Northerly extension of the East line of Parcel B of Book 68 of Surveys, Pages 49 and 50 and runs Southeasterly to the current end of the County Road.

Prepared by:

Michael J. O'Hern

Michael J. O'Hern LS 4829

Dated: DEC. 1, 2021



