

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting on _____

RESOLUTION NO. _____

RESOLUTION TO SUMMARILY VACATE A ONE-FOOT, NON-VEHICULAR ACCESS EASEMENT ON EDELINE AVENUE IN MCKINLEYVILLE

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 a county street has been 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, 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 terminate any public service easement; 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 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 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" and shown on Exhibit "B", which is attached hereto and made a part hereof by reference, has been determined to be excess by the Department of Public Works.

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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 summary vacation is made pursuant to the provisions of Section 8333(c) of the Streets and Highways Code.
5. The vacation will not cut off all access to any person's property.
6. 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.
7. The vacation is not in conflict with the General Plan.
8. 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.
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" and shown on Exhibit "B" will no longer constitute a street, highway, or public service easement.
12. Direct the Clerk of the Board to record in the office of the County Recorder, a certified copy of the Resolution via the Department of Public Works Land Use Division.

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RESOLUTION NO.

Dated:

Rex Bohn, Chair
Board of Supervisors
County of Humboldt

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

AYES: Supervisors –
NAYES: Supervisors –
ABSENT: Supervisors –
ABSTAIN: Supervisors –

STATE OF CALIFORNIA)
) ss.
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.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

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