



COUNTY OF HUMBOLDT

AGENDA ITEM NO.
C-24

For the meeting of: 4/22/2014

Date: 04/01/2014
To: Board of Supervisors
From: *TM* Thomas K. Mattson, Public Works Director

SUBJECT: RESOLUTION TO SUMMARILY VACATE A SMALL EASEMENT FOR ROAD PURPOSES ON LOT 16 OF BLOCK 200 OF TRACT 42 IN SHELTER COVE SUBDIVISION ON COMBS ROAD, SHELTER COVE AREA

RECOMMENDATIONS: That the Board of Supervisors:

1. Adopt the attached Resolution to summarily vacate a small easement for road purposes on Lot 16 of Block 200, of Tract 42 of the Shelter Cove Subdivision on Combs Road pursuant to Streets and Highways Code Section 8334. (Attachment 1)
2. Direct the Clerk of the Board to return a certified copy of the Resolution summarily vacating a small easement for road purposes on Lot 16 of Block 200 of Tract 42 of the Shelter Cove Subdivision on Combs Road to the Land Use Division for recordation.

DISCUSSION: The Humboldt County Department of Public Works received a request from Jim Dunbar to vacate a small easement for road purposes on Lot 16 of Block 200 of Tract No. 42 located in the Shelter Cover Subdivision on Combs Road that was acquired by the County per document recorded 04/20/1970 in Volume 1039, page 465, of Official Records, in the Office of the County Recorder. The area proposed for vacation is shown on Attachment 2.

The proposed vacation is being processed via the Summary Vacation Procedures pursuant to the provisions of Streets and Highways Code Section 8334. This code section states that a legislative body of a local agency may summarily vacate either of the following:

B Prepared by Erin D. Damm, Real Property Agent I

CAO Approval *Cheryl Dillingham*

REVIEW: Auditor _____ County Counsel *JS* Human Resources _____ Other _____

TYPE OF ITEM:
 Consent
 Departmental
 Public Hearing
 Other _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
Upon motion of Supervisor *Lorelace* Seconded by Supervisor *Bass*
Ayes *Sundberg, Lorelace, Bohn, Fennell, Bass*
Nays _____
Abstain _____
Absent _____

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: *April 22, 2014*
By: *Kathy Hayes*
Kathy Hayes, Clerk of the Board

- (a) An excess right-of-way of a street or highway not required for street or highway purposes.
- (b) A portion of a street or highway that lies within property under one ownership and that does not continue through such ownership or end touching property of another.

The Department has reviewed the area proposed for vacation and has determined that the right of way is in excess of what is needed for the cul-de-sac at the end of Combs Road; and lies within the property of one owner. The cul-de-sac was constructed with a 40 foot radius and the area proposed for vacation falls outside of the cul-de-sac.

The Planning and Building Department has found the proposed vacation to be of a "minor" nature and is, therefore, exempt from a Planning Commission Report for Acquisitions, Dispositions, and Abandonments pursuant to Government Code Section 65402(a). They determined that the right of way or property was not acquired for a use other than street widening or alignment; that the street is open on the ground; that the street is not identified in the circulation element of the General Plan; that the street is not used, or intended to be used, or adaptable for use as part of the trails system; and that the street does not provide principal access to a parcel that would result in the parcel not having legal access once the abandonment is complete. (See Attachment 3.)

The proposed vacation has been reviewed by Natural Resources Division, and has been determined to have no significant environmental effect and, therefore, is not subject to CEQA, as per the provisions in the Guidelines for Implementation of CEQA [14 California Code of Regulations Section 15305]. (See Attachment 4.)

There are no public utilities located within the small easement proposed for vacation. Notices of the proposed vacation were provided to Resort Improvement District No. 1, Verizon, and the Shelter Cove Volunteer Fire Department. All have responded that they have no objection. (See Attachment 5.)

All fees have been paid. The Department has no objection to the vacation and requests the Board take the recommended actions.

FINANCIAL IMPACT: There is no financial impact to the County; as the easement is contained within Lot 16 of the original subdivision.

This item conforms to the Board of Supervisor's Core Roles of support business and workforce development by vacating an excess right of way that is not necessary or required for street or highway purposes.

OTHER AGENCY INVOLVEMENT: None

ALTERNATIVES TO STAFF RECOMMENDATIONS: Not adopt the Resolution to Vacate; therefore, denying the vacation.

ATTACHMENTS:

1. Resolution to Summarily Vacate Easement
2. Diagram of the proposed vacation
3. Exemption from Planning Commission Report for Acquisitions, Dispositions, and Abandonments pursuant to Government Code Section 65402(a).
4. Notice of CEQA Exemption
5. Response Letters: Resort Improvement District No. 1; Shelter Cove Volunteer Fire Department; Verizon

ATTACHMENT 1

Resolution to Summarily Vacate Easement

Recording Requested by:

HUMBOLDT COUNTY BOARD OF
SUPERVISORS
County Courthouse
825 Fifth Street, Room 111
Eureka, California 95501

Clerk: MM Total:\$0.00
Jun 19, 2014 at 09:39:02
CONFORMED COPY

Return To:

HUMBOLDT COUNTY PUBLIC WORKS
3033 H Street, Room 17
Eureka, CA 95501

(Exempt from fees per Gov't C. §27383)

RESOLUTION OF THE HUMBOLDT COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. 14-35

RESOLUTION TO SUMMARILY VACATE A SMALL EASEMENT FOR ROAD
PURPOSES ON LOT 16 OF BLOCK 200 OF TRACT 42 OF THE SHELTER COVE
SUBDIVISION ON COMBS ROAD, SHELTER COVE AREA

Pursuant to Board of Supervisors' Action of April 22, 2014

(Exempt from recording fees pursuant to GCS 27383)

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of April 22, 2014

RESOLUTION NO. 14-35

RESOLUTION TO SUMMARILY VACATE A SMALL EASEMENT FOR ROAD PURPOSES ON LOT 16 OF BLOCK 200 OF TRACT 42 OF THE SHELTER COVE SUBDIVISION ON COMBS ROAD, SHELTER COVE AREA

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

WHEREAS, the hereafter described portion of Combs Road, a county road, is excess right-of-way not required for road purposes and that portion lies within property under one ownership and does not continue through such ownership or end touching property of another; and

WHEREAS, there are no public utilities in place that are in use or would be affected by the vacation of said portion of the county road; 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 8334 of 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 Resolution No. 72-69; and

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

NOW, THEREFORE BE IT RESOLVED that:

1. The Board of Supervisors finds that all of the recitations contained hereinabove are true and correct.
2. There are no public utilities in place that are in use or would be affected by the vacation of said easement.
3. The vacation will not cut off all access to any person's property.
4. The summary vacation is made pursuant to the provisions of Section 8334 of the Streets and Highways Code.
5. 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 Resolution No. 72-69.
6. The vacation is not in conflict with the General Plan.

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BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of April 22, 2014

RESOLUTION NO. 14-35

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 Section 15305).
8. Said easement to be vacated is not necessary for present or prospective public use.
9. Said easement is hereby ordered vacated.
10. From and after the date of recordation of this resolution, said easement described in Exhibit A will no longer constitute a public right of way.
11. 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.

Dated: April 22, 2014



REX BOHN, Chair of the Board of Supervisors

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


AYES: Supervisors Sundberg, Lovelace, Bohn, Fennell, Bass
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 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.

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


by Ana Hartwell
Deputy Clerk of the Board



ANA HARTWELL
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California

EXHIBIT A

Legal Description of Area to be Vacated

All that real property situated in Section 14, Township 5 South, Range 1 East, Humboldt Meridian, being that easement described in Volume 1173 of Official Records, Page 438, item number 43 therein, and further described as:

That portion of Lot 16 of Block 200, of Tract 42, Shelter Cove Subdivision, in the County of Humboldt, State of California, as per map recorded in Book 14, Page 129, of Maps, in the office of the County Recorder of said County, described as follows:

BEGINNING at the most easterly corner of said Lot 16; thence along the northeasterly line of said lot, North $26^{\circ} 54' 47''$ West 23.80 feet; thence South $76^{\circ} 00' 00''$ West 2.00 feet; thence South $29^{\circ} 00' 00''$ West 11.00 feet; thence South $01^{\circ} 30' 00''$ East 11.50 feet; thence South $18^{\circ} 00' 00''$ East 12.00 feet, more or less, to the southeasterly line of said Lot 16; thence northeasterly along said southeasterly line to the POINT OF BEGINNING.

// END OF DESCRIPTION //

RECEIPT



Transaction #: 30571
Receipt #: 2014005514
Cashier Date: 6/19/14 9:39
Cashier By: MM
Print Date: 6/19/2014 9:39:04

Carolyn Crnich, Recorder
Humboldt County, California
825 5th Street
Eureka, CA 95501
(707) 445-7382

9:39:04
6/19/2014

CUSTOMER INFORMATION TRANSACTION INFORMATION PAYMENT SUMMARY

HUMBOLDT COUNTY

Date Received:	June 19, 2014 9:34
Source Code:	MAIL
Return Code:	MAIL
Trans Type:	Recording
Bin Number:	
Agent Ref Number:	

Total Fees:	\$0.00
Total Payments:	\$0.00
Balance Due:	\$0.00

1 Payment

EXEMPT \$0.00

1 Official Record

RESOLUTION Document #: 2014-010729 Pages: 4 Date: 6/19/2014 9:39:02
From: HUMBOLDT CNTY To: RESOLUTION TO SUMMARILY VACTAE A SMALL EASEMENT

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of April 22, 2014

RESOLUTION NO. 14-35

RESOLUTION TO SUMMARILY VACATE A SMALL EASEMENT FOR ROAD PURPOSES ON LOT 16 OF BLOCK 200 OF TRACT 42 OF THE SHELTER COVE SUBDIVISION ON COMBS ROAD, SHELTER COVE AREA

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

WHEREAS, the hereafter described portion of Combs Road, a county road, is excess right-of-way not required for road purposes and that portion lies within property under one ownership and does not continue through such ownership or end touching property of another; and

WHEREAS, there are no public utilities in place that are in use or would be affected by the vacation of said portion of the county road; 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 8334 of 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 Resolution No. 72-69; and

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

NOW, THEREFORE BE IT RESOLVED that:

1. The Board of Supervisors finds that all of the recitations contained hereinabove are true and correct.
2. There are no public utilities in place that are in use or would be affected by the vacation of said easement.
3. The vacation will not cut off all access to any person's property.
4. The summary vacation is made pursuant to the provisions of Section 8334 of the Streets and Highways Code.
5. 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 Resolution No. 72-69.
6. The vacation is not in conflict with the General Plan.

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BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of April 22, 2014

RESOLUTION NO. 14-35

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 Section 15305).
8. Said easement to be vacated is not necessary for present or prospective public use.
9. Said easement is hereby ordered vacated.
10. From and after the date of recordation of this resolution, said easement described in Exhibit A will no longer constitute a public right of way.
11. 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.

Dated: April 22, 2014



REX BOHN, Chair of the Board of Supervisors


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

AYES: Supervisors Sundberg, Lovelace, Bohn, Fennell, Bass
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 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.

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



ANA HARTWELL
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California

EXHIBIT A

Legal Description of Area to be Vacated

All that real property situated in Section 14, Township 5 South, Range 1 East, Humboldt Meridian, being that easement described in Volume 1173 of Official Records, Page 438, item number 43 therein, and further described as:

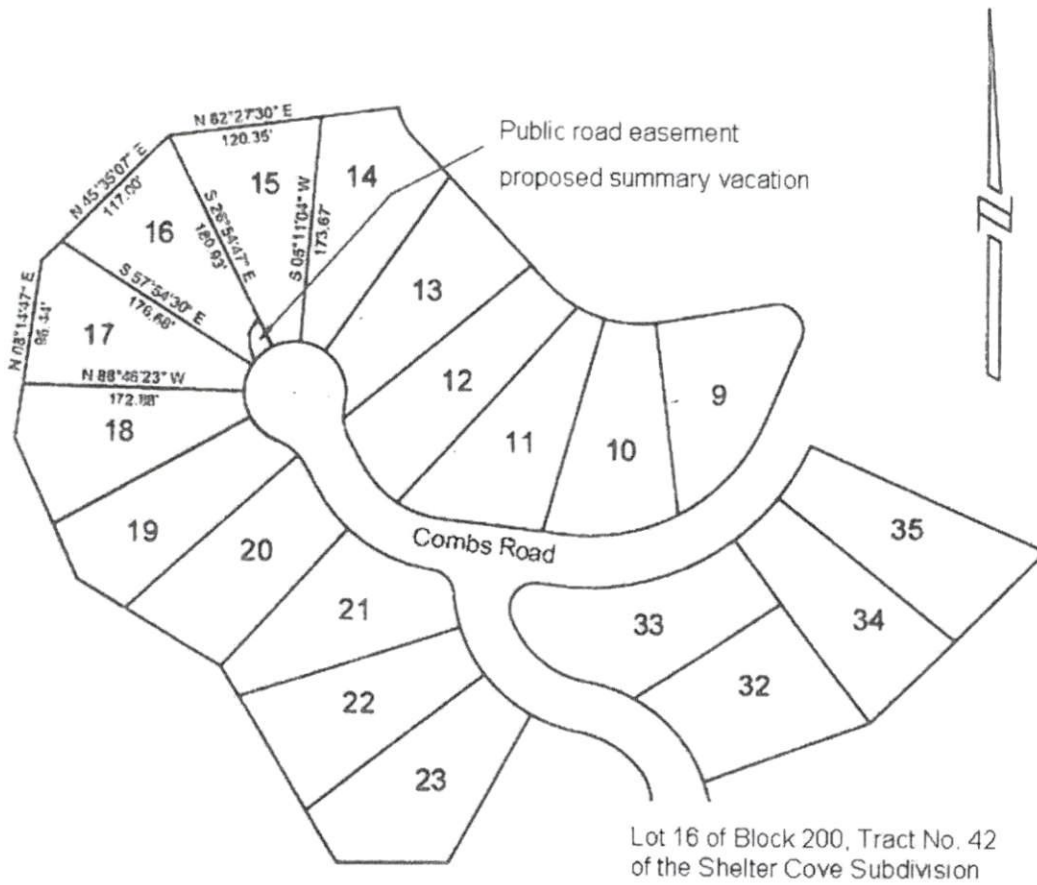
That portion of Lot 16 of Block 200, of Tract 42, Shelter Cove Subdivision, in the County of Humboldt, State of California, as per map recorded in Book 14, Page 129, of Maps, in the office of the County Recorder of said County, described as follows:

BEGINNING at the most easterly corner of said Lot 16; thence along the northeasterly line of said lot, North $26^{\circ} 54' 47''$ West 23.80 feet; thence South $76^{\circ} 00' 00''$ West 2.00 feet; thence South $29^{\circ} 00' 00''$ West 11.00 feet; thence South $01^{\circ} 30' 00''$ East 11.50 feet; thence South $18^{\circ} 00' 00''$ East 12.00 feet, more or less, to the southeasterly line of said Lot 16; thence northeasterly along said southeasterly line to the POINT OF BEGINNING.

// END OF DESCRIPTION //

ATTACHMENT 2

Diagram of the proposed vacation



ATTACHMENT 3

Exemption from Planning Commission Report for Acquisitions, Dispositions, and Abandonments Pursuant Government Code Section 65402(a)

EXEMPTION FROM PLANNING COMMISSION REPORT FOR ACQUISITIONS, DISPOSITIONS AND ABANDONMENTS PURSUANT TO G.C. §65402(a)

DESCRIPTION: Proposed summary vacation of a portion of a road easement contained within Lot 16 in Block 200 of Tract 42 of the Shelter Cove Subdivision

DATE OF REFERRAL: December 27, 2013 (Reconsideration Requested March 20, 2014)

Resolution #72-69 provides for the Planning Director to certify general plan conformance for acquisition, disposition or abandonment for street widening or alignment projects of a "minor" nature. Projects subject to the provisions of Resolution #72-69 would not need to be submitted to the Planning Commission for report pursuant to Government Code Section 65402(a).

Factors to be considered when determining if the abandonment qualifies for an exemption:

Yes No

- Was the right of way or property acquired for a use other than street widening or alignment?
- Is the street or alley open on the ground (i.e., constructed)?
Comment: The improved road surface extends beyond the cul-de-sac turnaround; Public Works has confirmed that this portion of the easement is not needed for compliance with the minimum turnaround requirement for a dead end road.
- Is the street or alley identified in the circulation element of the General Plan?
- Is the street or alley used, or intended to be used, or adaptable for use as a part of the trails system?
- If the street or alley provides the principal access to a parcel, would the parcel be without legal access once the abandonment is complete (e.g., via easement or private right of way)?
Comment: Easement lies to north of terminus of cul-de-sac; Lot 16 has frontage on Combs Road, a County-maintained street

If all the answers to the above questions are "no", then the abandonment may be handled as an exemption. Projects which include "yes" responses will be evaluated by the Director on a case by case basis, and may be referred to the Planning Commission.

RECOMMENDATION

I have reviewed the above vacation request and find that it meets does not meet the criteria for an exemption pursuant to Resolution No. 72-69.

By: Steven P. Werner
Steven P. Werner
Supervising Planner

3-20-14
Date

DETERMINATION

- Vacation qualifies for the exemption pursuant to Resolution No. 72-69
- Vacation does not qualify for exemption and is subject to review and report pursuant to C.G.C. Section 65402(a); the vacation request will be scheduled for Planning Commission review

By: Kevin R. Hamblin
Kevin R. Hamblin, Director
Planning and Building Department

3/21/14
Date

ATTACHMENT 4

Notice of CEQA Exemption

HUMBOLDT COUNTY

MAR 07 2014

NOTICE OF EXEMPTION

TO: Secretary for Resources
1416 Ninth Street, Room 1311
Sacramento, CA 95814

APPLICANT: Humboldt County Public Works
1106 Second St.
Eureka, CA 95501
707-445-7741

 X County Clerk
County of Humboldt

Project Title: Summary Vacation of small easement for road purposes in Shelter Cove subdivision.

Project Location-Specific: SW ¼ of Section 14, Township 5S, Range 1E, HB&M, Shelter Cove 7.5' USGS Quad. APN 110-301-050 (Lots 15-20); the proposed vacation of said easement is contained within Lot 16 of the original subdivision. Lot is located on Combs Road.

Project Location-County: Humboldt County

Description of Nature, Purpose, and Beneficiaries of Project: The project is the Summary Vacation of a portion within Lot 16 of APN 110-301-050 which was set aside as an easement for road purposes back in April, 1970 with the original subdivision.

Name of Public Agency Approving Project: Humboldt County Department of Public Works, Land Use Division

Name of Person or Agency Carrying Out Project: Humboldt County Department of Public Works, Land Use Division

Exempt Status: (Check One)

- Ministerial (Sec. 15268)
- Declared Emergency (Sec. 15269[a])
- Emergency Project (Sec. 15269[b] and [c])
- X Categorical Exemption. State type and section number: Section 15305 – Minor alterations in land use limitations.

POSTED THROUGH
MAR 08 2014
Humboldt County Clerk

Reason why project is exempt: This is a class five project consisting of minor alteration in land use limitation not resulting in any changes in land use or density.

Contact Person: Joseph Botkin

Telephone: 707-445-7205

Signature of Receiving Party

Andreas Brudsch
Signature of Humboldt Co. Rep.

Title

Senior Env. Analyst
Title

Date received for filing

CAROLYN CRNICH
Humboldt County Clerk
FILED
JAN 07 2014
BY *J. Holman*

January 6, 2014
Date Signed

ATTACHMENT 5

Response Letters



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION 839-5401

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409

ADMINISTRATION 445-7491 NATURAL RESOURCES 445-7741
BUSINESS 445-7652 PARKS 445-7651
ENGINEERING 445-7377 ROADS & EQUIP. MAINT. 445-7421
FACILITY MAINTENANCE 445-7493

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388

LAND USE 445-7205

Date: 12-27-2013

Shelter Cove Volunteer Fire Department
Sal Gurreri, Fire Chief
9126 Shelter Cove Road
Whitethorn, CA 95589

**RE: PROPOSED SUMMARY VACATION OF A SMALL EASEMENT
FOR ROAD PURPOSES IN THE SHELTER COVE SUBDIVISION**

The Department of Public Works, Land Use Division (Department) has received from vested owners, **James A. Dunbar and Constance L. Dunbar** of Assessor's Parcel Number (APN) 110-301-050 a request to vacate a small easement for road purposes as described in a document recorded April 20, 1970 in Volume 1039 of Official Records, Page 465, in the Humboldt County Recorder's Office.

The subject parcel, **APN 110-301-050 is comprised of six (6) subdivision lots those being lots 15, 16, 17, 18, 19, and 20 of Block No. 200 of Tract 42 of the Shelter Cove Subdivision.** The proposed vacation of said easement is contained within Lot 16 of the original subdivision, see attached Exhibit A.

The proposed vacation shall be processed as per California's Streets and Highways Code Section 8334.5, which states:

Notwithstanding any other provision of this article, a street, highway or public service easement, may not be summarily vacated if there are in-place public utility facilities that are in use, and would be affected by the vacation.

For the Department to initiate the vacation procedure they must determine if Shelter Cove Volunteer Fire Department (SCVFD) has in-place facilities that would be affected, by the proposed vacation.

Advise the Department of SCVFD's status, by marking an "X" in the appropriate box below, if SCVFD has in-place facilities that would **be** affected or would **not** be affected, by a summary vacation.

- SCVFD has in-place public utility facilities that would **be** affected by the vacation.
- SCVFD has in-place public utility facilities that would **not** be affected by the vacation.
- SCVFD HAS NO IN-PLACE PUBLIC UTILITY FACILITIES

Thank you,

Joseph T. Botkin
Joseph T. Botkin
Senior Real Property Agent
(707) 268-3768

Acknowledged by:

Name

Title

Sal Gurreri

Fire Chief

F:\PWRK_RightofWay\AJOE\Letters\Summary Vacation Dunbar - SC - VFD ltr.doc

JAN 27 2014



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ARCATA-EUREKA AIRPORT TERMINAL MCKINLEYVILLE FAX 839-3596		PUBLIC WORKS BUILDING SECOND & L ST., EUREKA FAX 445-7409		CLARK COMPLEX HARRIS & H ST., EUREKA FAX 445-7388	
AVIATION	839-5401	ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
		BUSINESS	445-7652	PARKS	445-7651
		ENGINEERING	445-7377	ROADS & EQUIP MAINT	445-7421
		FACILITY MAINTENANCE	445-7493		
				LAND USE	445-7205

Date: 12-27-2013

Verizon
Dennis Harman, Plant Engineer
PO Box 1218
Weaverville, CA 96093

**RE: PROPOSED SUMMARY VACATION OF A SMALL EASEMENT
FOR ROAD PURPOSES IN THE SHELTER COVE SUBDIVISION**

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The proposed vacation shall be processed as per California's Streets and Highways Code Section 8334.5, which states:

Notwithstanding any other provision of this article, a street, highway or public service easement, may not be summarily vacated if there are in-place public utility facilities that are in use, and would be affected by the vacation.

For the Department to initiate the vacation procedure they must determine if Verizon has in-place facilities, that would be affected, by the proposed summary vacation.

Advise the Department of Verizon's status, by marking an "X" in the appropriate box below, if Verizon has in-place facilities, that would **be** affected or would **not** be affected, by a summary vacation.

- VERIZON DOES NOT HAVE FACILITIES AT THIS LOCATION TODAY.**
- Verizon has in-place public utility facilities that would **be** affected by the vacation.
- Verizon has in-place public utility facilities that would **not** be affected by the vacation.

Thank you,
Joseph T. Botkin
Joseph T. Botkin
Senior Real Property Agent
(707) 268-3768

Acknowledged by:
Name *Dennis Harman*
Title *OSP Engineer 1/24/14*

F:\PWRK_RightofWay\AJOE\Letters\Summary Vacation Dunbar - SC - Verizon ltr.doc



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ARCATA-EUREKA AIRPORT TERMINAL
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CLARK COMPLEX
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AVIATION 839-5401

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
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ENGINEERING	445-7377	ROADS & EQUIP. MAINT	445-7421
FACILITY MAINTENANCE	445-7493		

LAND USE 445 7205

Date: 12-27-2013

Resort Improvement District No. 1
Sue Fack, Administrator
9126 Shelter Cove Road
Whitethorn, CA 95589

**RE: PROPOSED SUMMARY VACATION OF A SMALL EASEMENT
FOR ROAD PURPOSES IN THE SHELTER COVE SUBDIVISION**

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The proposed vacation shall be processed as per California's Streets and Highways Code Section 8334.5, which states:

Notwithstanding any other provision of this article, a street, highway or public service easement, may not be summarily vacated if there are in-place public utility facilities that are in use, and would be affected by the vacation.

For the Department to initiate the vacation procedure they must determine if Resort Improvement District No. 1 (RID) has in-place facilities, that would be affected, by the proposed summary vacation.

Advise the Department of RID's status, by marking an "X" in the appropriate box below, if RID has in-place facilities, that would **be affected** or would **not** be affected, by a summary vacation.

- RID has in-place public utility facilities that would **be affected** by the vacation.
- RID has in-place public utility facilities that would **not** be affected by the vacation.
- RID HAS NO IN-PLACE PUBLIC UTILITY FACILITIES**

Thank you,

Acknowledged by:

Joseph T. Botkin
Senior Real Property Agent
(707) 268-3768

Name Philip W. Loney
Title General Manager

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