

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of November 5, 2019

RESOLUTION NO. 19-109

**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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Dated: November 5, 2019



Rex Bohn, Chair
Humboldt County Board of Supervisors

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

AYES: Supervisors Bohn, Fennell, Madrone, Wilson, 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 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.



Ryan Sharp
Deputy Clerk of the Board of Supervisors of
the County of Humboldt, State of California

Exhibit "A"
Legal Description
Vacation of Non Vehicular Access Rights

Portions of APN 508-402-001 and APN 508-402-018+

That portion of the Northeast Quarter of Section 6, Township 6 North, Range 1 East, Humboldt Meridian, described as follows:

The 1 foot wide non-vehicular access strip along the west side of Edeline Avenue over the east lines of Lots 1 and 18, as dedicated to the County of Humboldt on the map of the Central Estates Phase 2D subdivision, Tract No. 0651, filed in Book 25, pages 69 through 71 of Maps, in the Office of the County Recorder of said County.

Prepared by:



Robert W. Bronkall, PLS 7645

09/24/2019

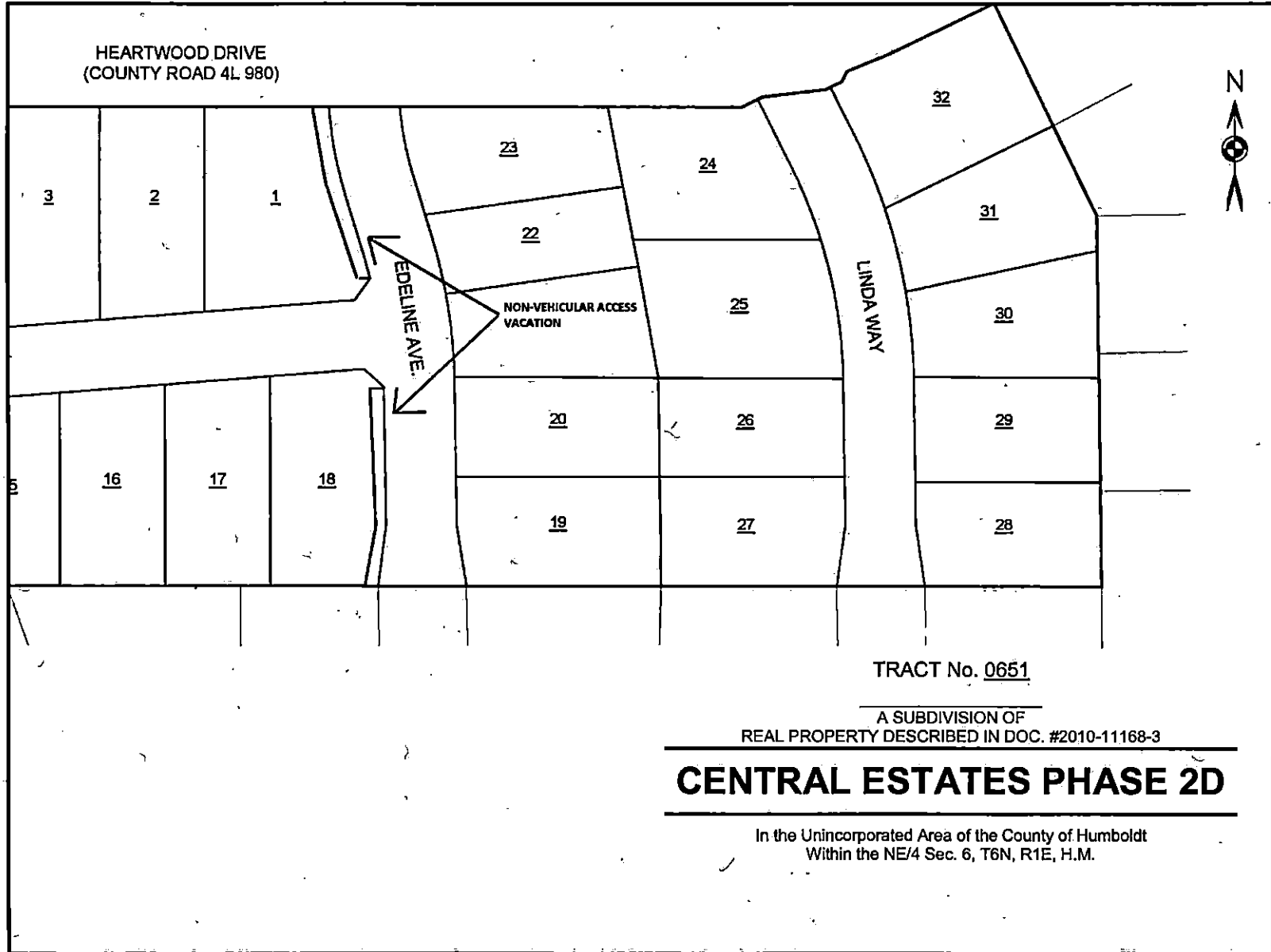
Date



Revised 09/24/2019

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Exhibit "B"
Non-Vehicular Access Vacation



TRACT No. 0651

A SUBDIVISION OF
REAL PROPERTY DESCRIBED IN DOC. #2010-11168-3

CENTRAL ESTATES PHASE 2D

In the Unincorporated Area of the County of Humboldt
Within the NE/4 Sec. 6, T6N, R1E, H.M.