Recorded at no charge in accordance with Streets & Highways Code Section 8325 at the request of and when recorded return to:

CITY OF PALO ALTO/REAL ESTATE
250 Hamilton Avenue
P.O. BOX 10250
PALO ALTO, CA 94303

SPACE ABOVE LINE FOR RECORDER'S USE

A.P. No.: 137-17-014
Project No.: CEV 10/01
Project: Vacation of Easement
3708 Laguna Avenue

S U M M A R Y V A C A T I O N
RESOLUTION NO. 9121

RESOLUTION OF THE COUNCIL OF THE CITY OF PALO ALTO SUMMARILY VACATING A 5-FOOT FUTURE STREET EASEMENT AT 3708 LAGUNA AVENUE

WHEREAS, Chapter 4 of the Public Streets, Highways and Service Easements Vacation Law, commencing with Streets and Highways Code section 8330, provides for summary vacation of streets and public service easements; and

WHEREAS, the City of Palo Alto maps show a 5-foot future street easement at 3708 Laguna Avenue as shown on that certain map entitled, "Record of Survey of the A. Williams and J. Blackhurst Properties", recorded in the Office of the Recorder of the County of Santa Clara, on May 13, 1955, in Book 58 of Maps at page 11; and

WHEREAS, this 5-foot future street easement has never been used and there are no utilities or public improvements located within the easement to be vacated; and

WHEREAS, Section 8334 of the Streets and Highways Code authorizes the City Council to summarily vacate excess right-of-way for a street which is not required for street or highway purposes; and

WHEREAS, the City Council intends to summarily vacate the 5-foot future street easement, as more particularly described in Exhibit "A", attached to this resolution and depicted on the plat map attached as Exhibit "B" to this resolution; and

NOW, THEREFORE, the City Council does hereby RESOLVE as follows:

SECTION 1. This vacation is made under the authority of California Streets and Highways Code Chapter 4 of part 3 of Division 9, commencing at Section 8330 et. seq.

1. The 5-foot future street easement is excess right-of-way and is not required for street or highway purposes, and there are no public facilities located within the easement; and

2. The 5-foot future street easement is not needed for present or prospective street or highway purposes or public facilities and as such has been determined to be excess; and

3. The public convenience and necessity do not require reservation of any portion of the easement; and

4. The Council has considered the Palo Alto Comprehensive Plan and ratifies the determination of the planning department that the vacation of the 5-foot future street easement is in conformity with the Palo Alto Comprehensive Plan.

SECTION 2. Based upon the findings made in Section 1 of this Resolution and the provisions of Section 8334 of the Streets and Highways Code, the City Council does hereby order that the 5-foot future street easement as shown on the attached map shall be and hereby is summarily vacated.

SECTION 3. The City Clerk, acting by and through the Real Property Manager, is hereby directed to record at Santa Clara County Records a certified copy of this Resolution, including the Maps.

SECTION 4. The 5-foot future street easement described in Exhibit "A" and depicted in the plat map attached as Exhibit "B" will no longer constitute a public street right-of-way easement from and after the date of recordation of the documents identified in Section 3 of this Resolution.

SECTION 5. The Council finds that the summary vacation

of the 5-foot future street easement is exempt from review under the California Environmental Act pursuant to Title 14 California Code of Regulations section 15305 as a minor alteration in land use limitations.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

for City Clerk

APPROVED:

Mayor

APPROVED AS TO FORM:

Senior Asst. City Attorney

APPROVED:

City Manager

Director of Administrative Services